

ORDINANCE NO. 2019-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS GRANTING A TYPE 2 SPECIAL USE PERMIT TO ALLOW A BED AND BREAKFAST IN THE "R-2" SINGLE AND TWO-FAMILY DISTRICT, ON LOT 4, CITY BLOCK 5021, ADDRESSED AT 555 SOUTH UNION AVENUE ; REPEALING ALL ORDINANCES IN CONFLICT; CONTAINING A SAVINGS CLAUSE; AND DECLARING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of New Braunfels has complied with all requirements of notice of public hearing as required by the Zoning Ordinance of the City of New Braunfels; and

WHEREAS, in keeping with the spirit and objectives of a Special Use Permit, the City Council has given due consideration to all components of said permit; and

WHEREAS, the City also recognizes that granting such a permit is possible while promoting the health, safety, and general welfare of the public, by providing harmony between existing zoning districts and land uses; and

WHEREAS, it is the intent of the City to ensure for the health, safety and general welfare of the public by providing compatibility and orderly development, which may be suitable only in certain locations in a zoning district through the implementation of a Special Use Permit meeting those requirements cited in Sections 3.6-2 and 3.6-3, Chapter 144, of the New Braunfels Code of Ordinances; and

WHEREAS, the property is located in an area suitable for a bed and breakfast; and

WHEREAS, the City Council desires to grant a Type 2 Special Use Permit for Lot 4, City Block 5021, addressed at 555 South Union Avenue, to allow a bed and breakfast in the "R-2" Single and Two-Family District; **now therefore**,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS:

SECTION 1

THAT pursuant to Section 1.2-3, Chapter 144 of the New Braunfels Code of Ordinances, the Zoning Map of the City of New Braunfels is revised by adding the following described tract of land as a "Special Use Permit" for the uses and conditions herein described:

"Being Lot 4, City Block 5021, addressed at 555 South Union Avenue, as delineated in the attached Exhibit 'A', to allow a bed and breakfast in the "R-2" Single and Two-Family District."

SECTION 2

THAT the Special Use Permit be subject to the following additional restrictions:

1. The existing residential character and appearance of the buildings must be maintained.
2. The property will remain in compliance with the approved site plan illustrated on Exhibit 'B'. Any significant changes to the site plan will require a revision to the Special Use Permit.
3. Exhibit 'C' shall be considered the adopted floor plan. Any significant changes to the floor plan will require a revision to the SUP.

SECTION 3

THAT all other ordinances, or parts of ordinances, in conflict herewith are hereby repealed to the extent that they are in conflict.

SECTION 4

THAT if any provisions of this ordinance shall be held void or unconstitutional, it is hereby provided that all other parts of the same which are not held void or unconstitutional shall remain in full force and effect.

SECTION 5

THIS ordinance will take effect upon the second and final reading of same.

PASSED AND APPROVED: First Reading this the 24th day of June 2019.

PASSED AND APPROVED: Second Reading this the 8th day of July 2019.

CITY OF NEW BRAUNFELS

BARRON CASTEEL, Mayor

ATTEST:

PATRICK D. ATEN, City Secretary

APPROVED AS TO FORM:

VALERIA M. ACEVEDO, City Attorney



EXHIBIT 'A'



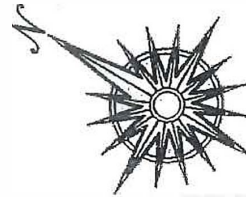
SUP19-115
555 S. Union Avenue
Type 2 SUP to allow a bed and breakfast in the R-2 district

NOTES.

BASIS OF BEARING IS THE NORTHEAST
R.O.W. LINE OF UNION ST. AS FOUND
MONUMENTED ON THE GROUND.

TRI COUNTY SURVEYING INC. HAS MADE NO FLOOD
ZONE DETERMINATION FOR THE PROPERTY SHOWN
HEREON.

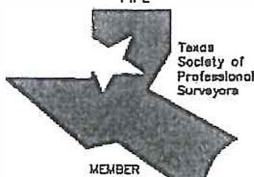
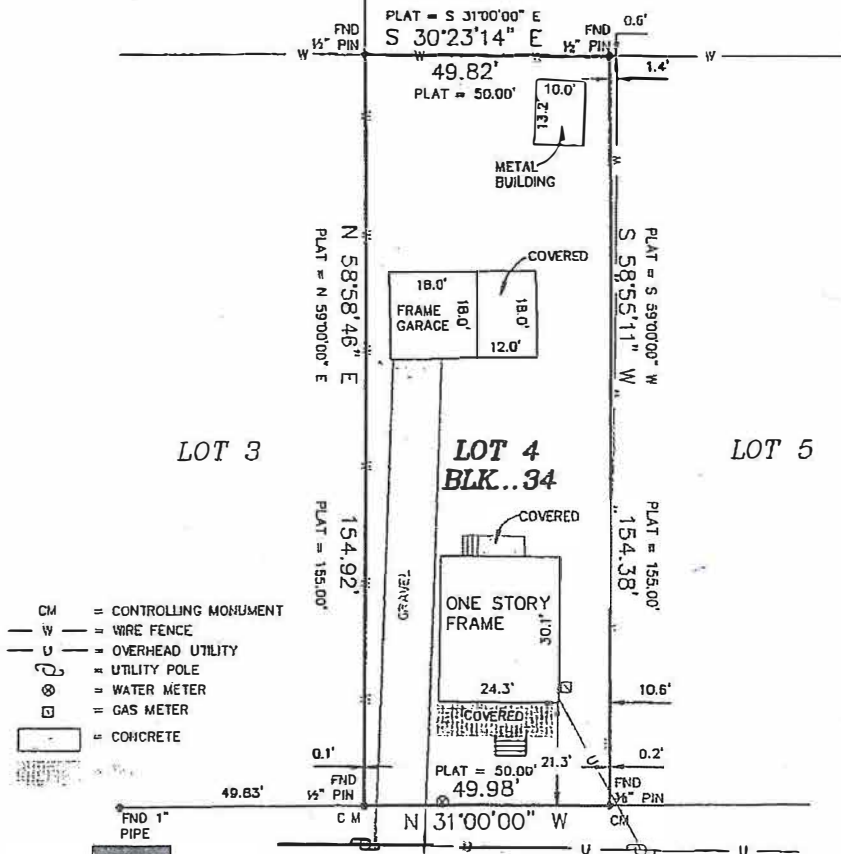
SITE PLAN



SCALE:
1" = 30'

ELWOOD PREISS
JANICE D. PREISS
803/294

SUMMER HOME ADDITION
10/241
LOT 8R



555 UNION ST.
PLAT SHOWING:

**SURVEY OF LOT 4, BLOCK 34, N.C.B. 5021, SUMMER HOME ADDITION,
CITY OF NEW BRAUNFELS, COMAL COUNTY, TEXAS, PLAT RECORDED
IN VOLUME 39, PAGE 237, DEED RECORDS, COMAL COUNTY, TEXAS.**



114 NORTH AUSTIN
SEGUIN, TEXAS 78155
PH: (830) 372-1001
FX: (830) 379-1155

THIS GRAPHIC WORK REPRESENTS THE RESULTS OF A
SURVEY BEING PROVIDED BY TRI-COUNTY LAND SURVEYING,
INC. SOLELY FOR THE EXCLUSIVE USE OF THE PARTIES
SHOWN HEREON. NO LICENSE HAS BEEN CREATED, EXPRESSED
OR IMPLIED, TO COPY OR USE THIS GRAPHIC WORK OTHER
THAN FOR THE PURPOSE SHOWN HEREON. THIS SURVEY IS
EMBOSSED WITH THE SURVEYOR'S IMPRESSION SEAL AND
SIGNED IN RED INK. IF THIS PLAT DOES NOT HAVE THESE TWO
CONDITIONS FULFILLED, IT IS A COPY AND MAY HAVE BEEN
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THE COPIES BEARING THE ORIGINAL IMPRESSION SEAL AND
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ALL RIGHTS RESERVED, COPYRIGHT 2008, TRI-COUNTY LAND
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60' R.O.W.
UNION ST.
39/237

PURPOSE OF SURVEY:

FOR: D.L. SCHRAUB, LISA SCHRAUB
AS REQUIRED BY COMMITMENT
FOR TITLE INSURANCE
UNDER COMMITMENT NO.078156NBT
ISSUED BY NEW BRAUNFELS TITLE

STATE OF TEXAS:
COUNTY OF GUADALUPE:

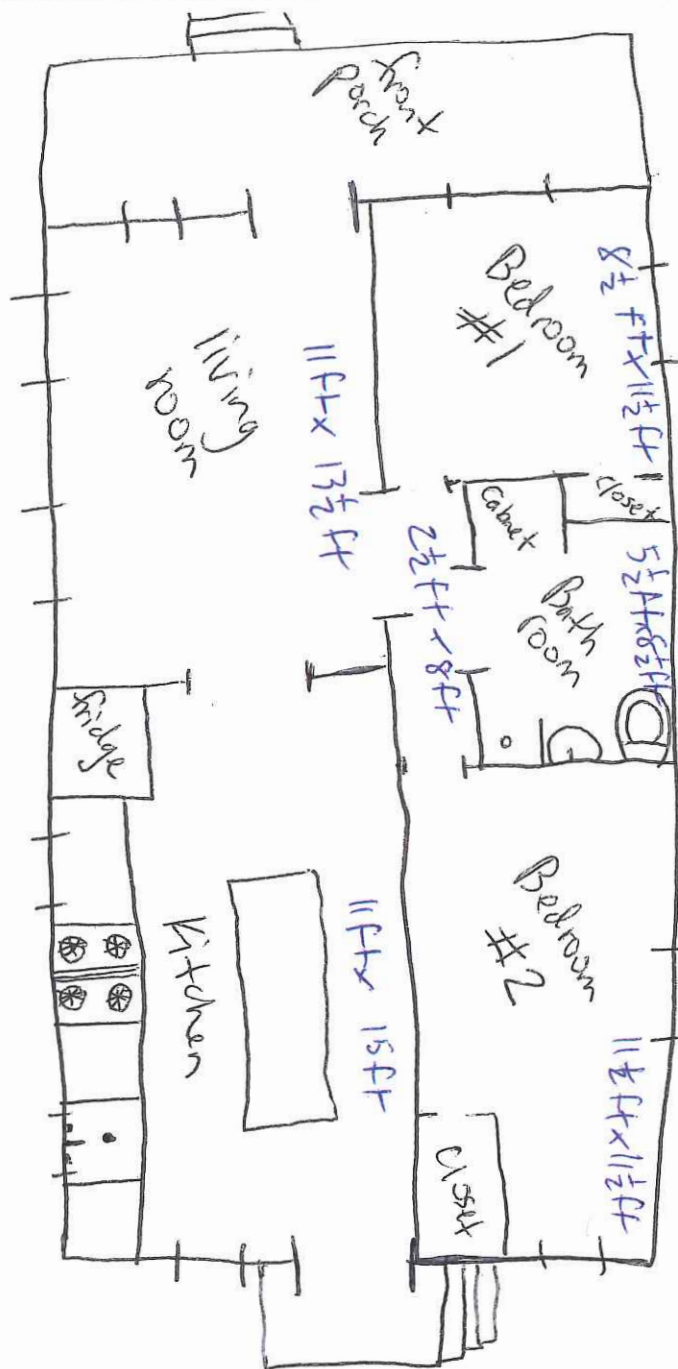
I, AUBREY C. HOLLAND, DO HEREBY CERTIFY THAT
THIS PLAT WAS PREPARED FROM AN ACTUAL SURVEY
MADE ON THE GROUND BY MEN WORKING UNDER MY
SUPERVISION AND THERE ARE NO VISIBLE EASEMENTS
OR ENCROACHMENTS EXCEPT AS SHOWN.

Aubrey C. Holland
AUBREY C. HOLLAND

REGISTERED PROFESSIONAL
SURVEYED: JULY 8, 20
PROJECT NO.: 0907101



EXHIBIT 'B'



FLOOR PLAN

