

ORDINANCE NO. 2020-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS, GRANTING A TYPE 2 SPECIAL USE PERMIT TO ALLOW SHORT TERM RENTAL OF A SINGLE FAMILY DWELLING IN THE “C-3” COMMERCIAL DISTRICT ON LOT 7 AND THE EASTERN 10 FEET OF LOT 8, CITY BLOCK 1049, ADDRESSED AT 191 EAST FAUST STREET; 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 requested Special Use Permit is in accordance with the Envision New Braunfels, the City’s Comprehensive Plan; and

WHEREAS, the property is located in an area suitable for short term rentals; and

WHEREAS, the City Council desires to grant a Type 2 Special Use Permit for Lot 7 and the eastern 10 feet of Lot 8, City Block 1049, currently addressed at 191 East Faust Street, to allow the short-term rental of single-family dwelling in the “C-3” Commercial 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:

Lot 7 and the eastern 10 feet of Lot 8, City Block 1049, currently addressed at 191 East Faust Street, as delineated in Exhibit “A”.

SECTION 2

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

1. The residential character of the property must be substantiated and maintained, including removal of the existing monument sign in the front yard. (Bring the property into compliance with Sign Ordinance standards.)
2. The property will remain in compliance with the approved site plan. Any significant changes to the site plan will require a revision to the SUP.
3. All standards of the Zoning Ordinance will be met.
4. The driveway and parking area shall be paved in accordance with the Zoning Ordinance, which allows the double paved ribbon driveway design.

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 in accordance with the provisions of the Charter of the City of New Braunfels.

PASSED AND APPROVED: First reading this 23rd day of March, 2020.

PASSED AND APPROVED: Second reading this 13th day of April, 2019.

CITY OF NEW BRAUNFELS

BARRON CASTEEL, Mayor

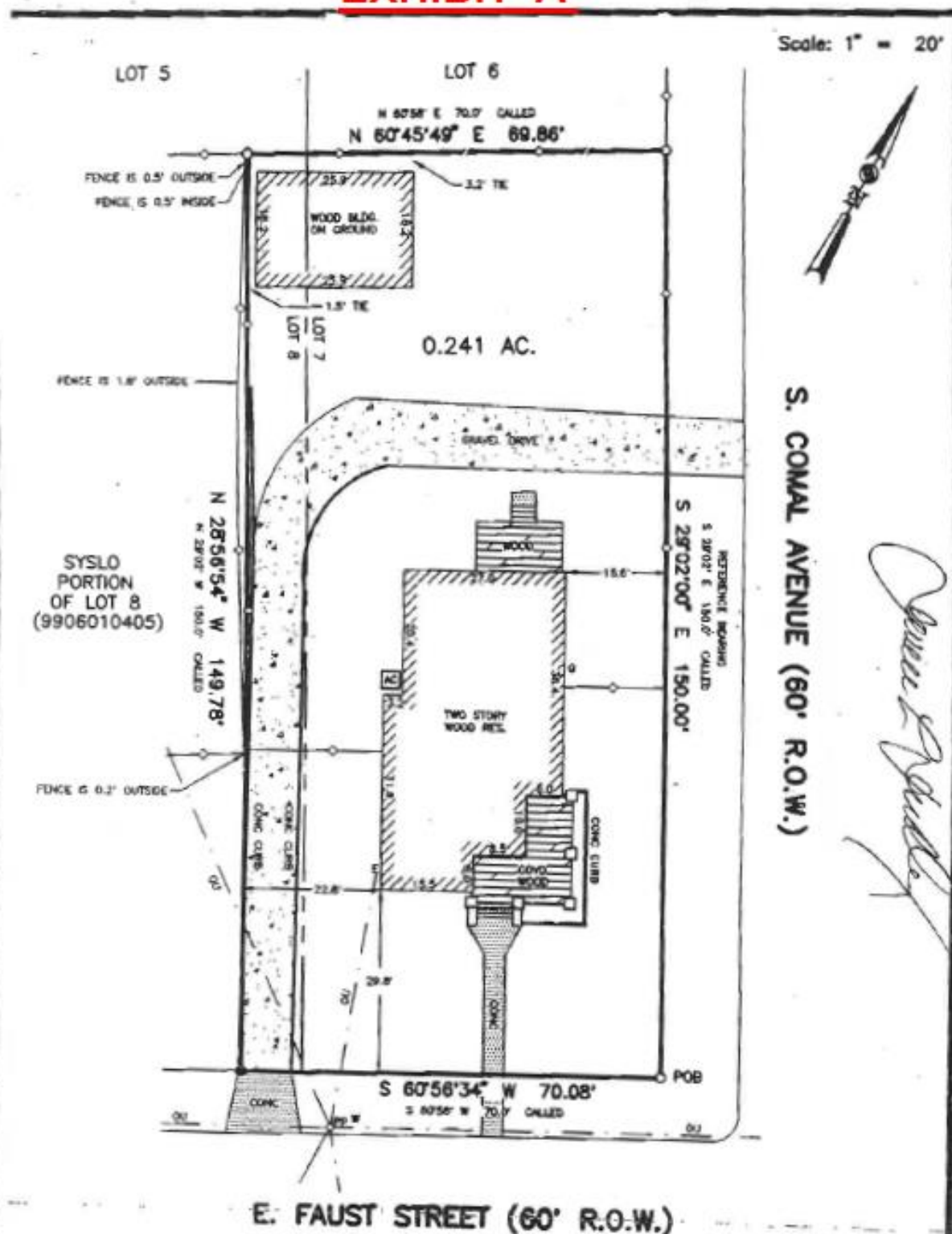
ATTEST:

PATRICK D. ATEN, City Secretary

APPROVED AS TO FORM:

VALERIA M. ACEVEDO, City Attorney

EXHIBIT 'A'



REFERENCE BEARING:
OBTAINED FROM VOL. 976, PG. 151.

ADDRESS: 191 E. FAUST STREET

REFERENCES: VOL. 46, PG. 431
VOL. 978, PG. 151

SURVEY PLAT SHOWING A 0.241 OF
AN ACRE PARCEL OF LAND BEING ALL
OF LOT 7 AND A PORTION OF LOT 8,
NEW CITY BLOCK 1048, KUEHLER
ADDITION, CITY OF NEW BRAUNFELS,
COMAL COUNTY, TEXAS.
(LEGAL DESCRIPTION PREPARED)

M.D.S. LAND SURVEYING CO

LEGEND:

POS	POINT OF BEGINNING
W	WATER METER
E	ELECTRIC METER
G	GAS METER
PP	POWER POLE
OU	OVERHEAD UTILITIES
AC	AIR CONDITIONER
	WOOD FENCE
	CHAINLINK FENCE
	FOUND 1/2" IRON ROD
	FOUND 3/8" IRON ROD

THIS PLAT SHOWS THE LOCATION
OF EASEMENTS, RESTRICTIONS, AND
BUILDING SETBACK LINES AS SET
FORTH IN SCHEDULE B OF
TITLE CO.; TOWN TITLE
C.F. # 117790
DATED 08-23-02
THE SURVEYOR HAS NOT ABSTRACTED
THE SUBJECT PROPERTY.

I HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND, AND THAT TO THE BEST OF MY KNOWLEDGE AND BELIEF, THIS PLAN CORRECTLY REPRESENTS THE FACTS FOUND AT THE TIME OF THIS SURVEY AND THAT THERE ARE NO VISIBLE EASEMENTS OR ENCROACHMENTS OF BUILDINGS ON ADJACENT PROPERTY AND THAT ALL BUILDINGS ARE WHOLLY LOCATED ON THE PROPERTY EXCEPT AS SHOWN ABOVE.



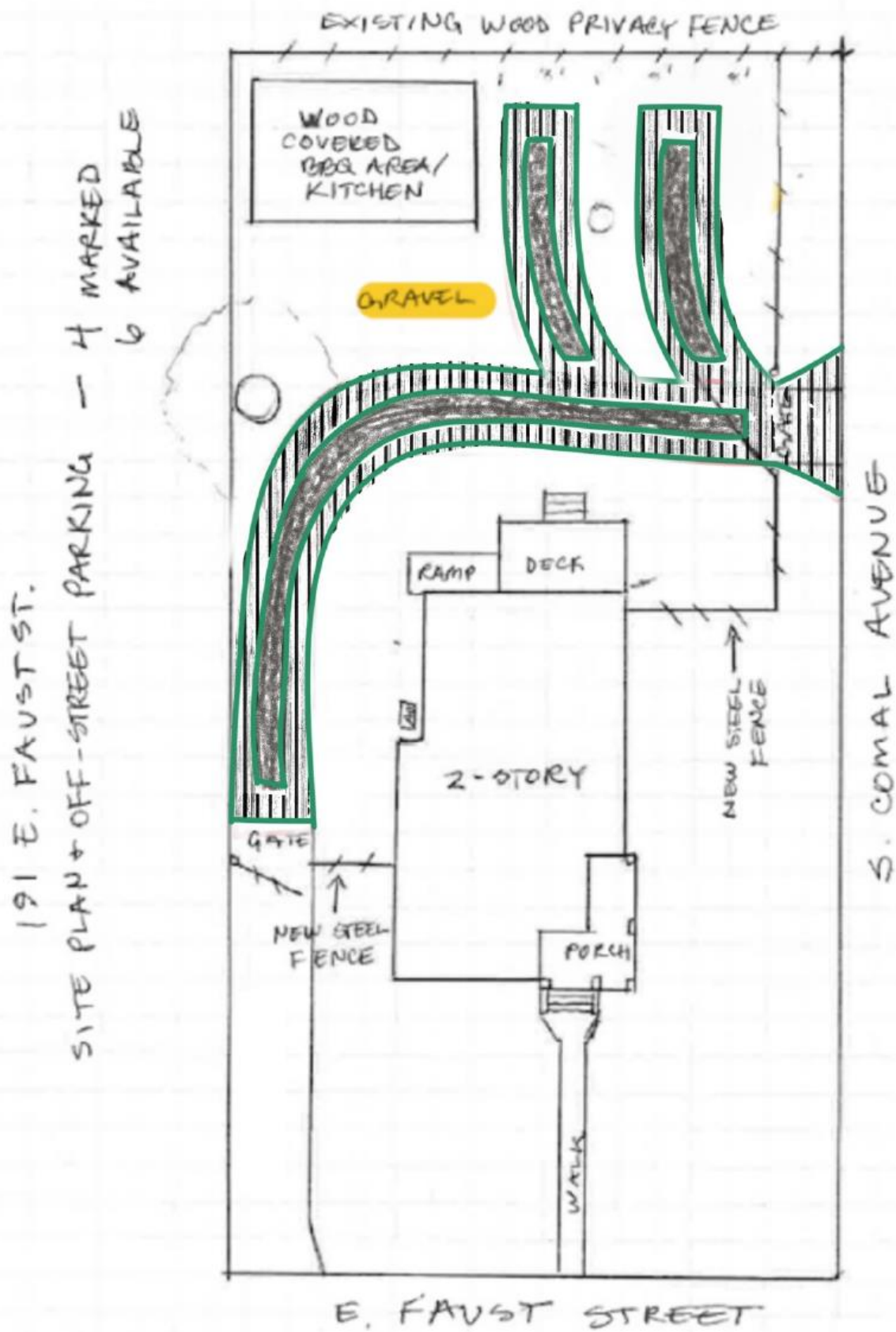


EXHIBIT 'B'