

**ORDINANCE NO. 2021-**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS REZONING APPROXIMATELY 60 ACRES OUT OF THE J. THOMPSON SURVEY, ABSTRACT 608 AND THE WILLIAM H. PATE SURVEY, ABSTRACT 259, FROM “APD” AGRICULTURAL / PRE-DEVELOPMENT DISTRICT TO “ZH-A” ZERO LOT LINE HOME DISTRICT; REPEALING ALL ORDINANCES IN CONFLICT; CONTAINING A SAVINGS CLAUSE; AND DECLARING AN EFFECTIVE DATE.**

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**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 the “ZH-A” Zero Lot Line Home District, the City Council has given due consideration to all components of said districts; and

**WHEREAS**, it is the intent of the City Council to provide harmony between existing zoning districts and proposed land uses; and

**WHEREAS**, the requested rezoning is in accordance with Envision New Braunfels, the City’s Comprehensive Plan; and

**WHEREAS**, the City Council desires to amend the Zoning Map by rezoning approximately 21 acres out of the J. Thompson Survey, Abstract 608 and the William H. Pate Survey, Abstract 259 from “APD” Agricultural / Pre-Development District to “ZH-A” Zero Lot Line Home 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 rezoning the following described tract of land from “APD” to:

“ZH-A” Zero Lot Line Home District: 60.102 acres out of the J. Thompson Survey, Abstract 608 and the William H. Pate Survey, Abstract 259, as illustrated in Exhibit “A” and described in Exhibit “B”, attached.

**SECTION 2**

**THAT** all provisions of the Code of Ordinances of the City of New Braunfels not herein amended or repealed shall remain in full force and effect.

### **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**THAT** all other ordinances, or parts of ordinances, in conflict herewith are hereby repealed to the extent that they are in conflict.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 28<sup>th</sup> day of June, 2021.

**PASSED AND APPROVED:** Second reading this 12th day of July, 2021.

**CITY OF NEW BRAUNFELS**

\_\_\_\_\_  
**RUSTY BROCKMAN**, Mayor

**ATTEST:**

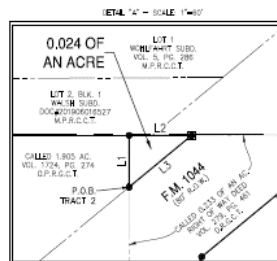
\_\_\_\_\_  
**CAITLIN KROBOT**, Assistant City Secretary

**APPROVED AS TO FORM:**

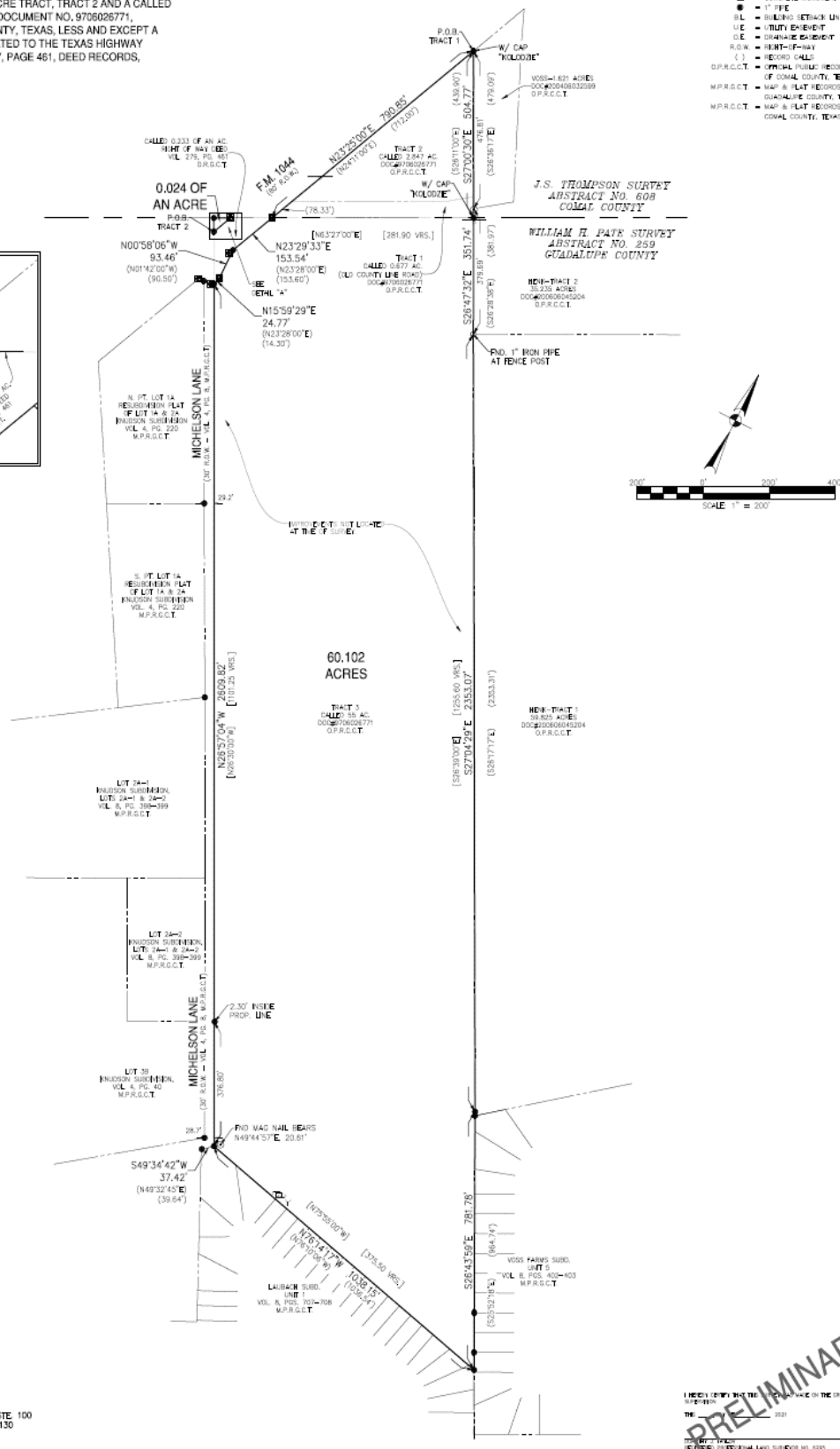
\_\_\_\_\_  
**VALERIA M. ACEVEDO**, City Attorney

**LEGEND:**

- - FIND 1/2" IRON PIN
- - CONCRETE MONUMENT
- - 1" PIPE
- B.L - BUILDING SETBACK LINE
- U.E - UTILITY EASEMENT
- D.E - DRAINAGE EASEMENT
- R.O.W - RIGHT-OF-WAY
- { } - RECORD CALLS
- D.P.R.C.C.T. - OFFICIAL PUBLIC RECORDS OF DALLAS COUNTY, TEXAS
- M.P.R.C.C.T. - MAP & PLAT RECORDS OF QUADRAULE COUNTY, TEXAS
- M.P.R.C.C.T. - MAP & PLAT RECORDS OF COVAL COUNTY, TEXAS



LINE TABLE		
LINE #	BEARING	LENGTH
L1	N26°50'17"W	41.40
L2	N63°04'45"E	50.04
L3	S23°30'34"W	64.99



DRAWN BY	AL
IN CHARGE	JP



290 S. CASTELL AVE., STE. 100  
NEW BRAUNFELS, TX 78130  
TBPE FIRM F-10961  
TBPLS FIRM 10153600

I HEREBY CERTIFY THAT THE ABOVE IS MADE ON THE GROUND UNDER MY SUPERVISION

THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2021

\_\_\_\_\_  
DEPUTY ATTORNEY GENERAL  
(OFFICIAL OR NON-PROFESSIONAL LAND SURVEYOR NO. 6899)

**EXHIBIT “A”**



290 S. Castell Avenue, Ste. 100  
New Braunfels, TX 78130  
(830) 625-8555  
TBPE-FIRM F-10961  
TBPLS FIRM 10153600

## **METES AND BOUNDS DESCRIPTION OF 60.102 ACRE TRACT**

A 60.102 acre tract of land being out of the J. Thompson Survey, Abstract No. 608 and William H. Pate Survey, A-259, in both Comal and Guadalupe County, Texas, also being comprised of the following three tracts of land, Tract 1 – called 0.677 of an acre, Tract 2 – called 2.847 acres, and the residue of Tract 3 – called 55 acres, in a deed to Sandra Wunderlich, recorded in Document No. 9706026771 of the Official Public Records of Comal County, Texas. Said 60.102 acre tract being more fully described as follows:

BEGINNING: At a ½" iron rod with cap "Kolodzie" in the Southeast R.O.W. of FM 1044 found for the Northeast corner of said Tract 2 and the Northwest corner of a called 1.621 acre tract, recorded in Document No. 200406032599 of the Official Public Records of Comal County, Texas;

THENCE with the East line of said Tract 2 and Tract 1 and the West line of said 1.621 acre tract, South 27°00'30" East, a distance of 504.77 feet to a mag nail found for the Southwest corner of said 1.621 acre tract and a Northeast corner of a called 35.235 acre tract "Tract 2", recorded in Document No. 200606045204 of the Official Public Records of Comal County, Texas;

THENCE with the West line of said 35.235 acre tract, South 26°47'32" East, a distance of 351.74 feet to a 1" iron pipe found at a cedar fence corner post for the Southwest corner of said 35.235 acre tract and a Northeast corner of a called 59.825 acre tract, "Tract 1", recorded in Document No. 200606045204 of the Official Public Records of Comal County, Texas;

THENCE with the East line of said "Tract 3" called 55 acre tract and the West line of said 59.825 acre tract, South 27°04'29" East, a distance of 2353.07 feet to ½" iron rod found for the Southwest corner of said 59.825 acre tract and the Northwest corner of Voss Farms, Unit 5, a subdivision recorded in Volume 8, Page 402-403 of the Guadalupe County Map Records;

THENCE continuing with the East line of said 55 acre tract and with the West line of said Voss Farms, Unit 5, South 26°43'59" East, a distance of 781.78 feet to a ½" iron rod found for the Southeast corner of said 55 acre tract, lying in the North line of Laubach Unit 1, subdivision recorded in Volume 8, Page 707 of the Map Records of Guadalupe County, Texas;

THENCE with the South line of said 55 acre tract and the North line of said Laubach, Unit 1, North 76°14'17" West, a distance of 1038.15 feet to a ½" iron rod found for the Southwest corner of said 55 acre tract and the East line of Michelson Lane, a 30' wide road, dedicated in Volume 4, Page 8 of the Map Records of Comal County, Texas;

THENCE with the East line of said Michelson Lane and the West line of said 55 acre tract, North 26°57'04" West, a distance of 2609.82 feet to a ½" iron rod found in the West line of said 55 acre tract and the East line of Michelson Lane at the intersection with FM 1044, lying in the South line of a

## **EXHIBIT "B"**



290 S. Castell Avenue, Ste. 100  
New Braunfels, TX 78130  
(830) 625-8555  
TBPE-FIRM F-10961  
TBPLS FIRM 10153600

called 0.233 of an acre tract of land dedicated for right of way in Volume 279, Page 561 of the Deed Records of Comal County, Texas;

THENCE with the South line of FM 1044 and the 0.233 of an acre tract, into and across said 55 acre tract, the following three calls:

1. North 15°59'29" East, a distance of 24.77 feet to a concrete monument found;
2. North 00°58'06" West, a distance of 93.46 feet to a ½" iron rod found;
3. North 23°29'33" East, a distance of 153.54 feet to a concrete monument found in the North line of said 55 acre tract and the South line of said 0.677 of an acre tract;

THENCE with the South line of FM 1044 and the Northwest line of said 0.677 acre tract and said 2.647 acre tract, North 23°25'00" East, a distance of 790.85 feet to POINT OF BEGINNING and containing 60.102 acres of land in Comal and Guadalupe Counties, Texas.

Bearings shown hereon are based on the Texas Coordinate System, South Central Zone (4204), NAD 83. Reference exhibit of 60.102 acres tract prepared this same date.

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Dorothy J. Taylor

Registered Professional Land Surveyor No.6295

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