

ORDINANCE NO. 2021-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS REZONING APPROXIMATELY 2.0 ACRES OUT OF THE ORILLA RUSSELL SURVEY NO. 2, ABSTRACT 485, 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.

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 2.0 acres out of the Orilla Russell Survey No. 2, Abstract 485, 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: 2.0 acres out of the Orilla Russell Survey No. 2, Abstract 485, 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THAT all provisions of the Code of Ordinances of the City of New Braunfels not herein amended or repealed shall remain in full force and effect.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THAT all other ordinances, or parts of ordinances, in conflict herewith are hereby repealed to the extent that they are in conflict.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 26th day of July, 2021.

PASSED AND APPROVED: Second reading this 9th day of August, 2021.

CITY OF NEW BRAUNFELS

RUSTY BROCKMAN, Mayor

ATTEST:

CAITLIN KROBOT, Assistant City Secretary

APPROVED AS TO FORM:

VALERIA M. ACEVEDO, City Attorney

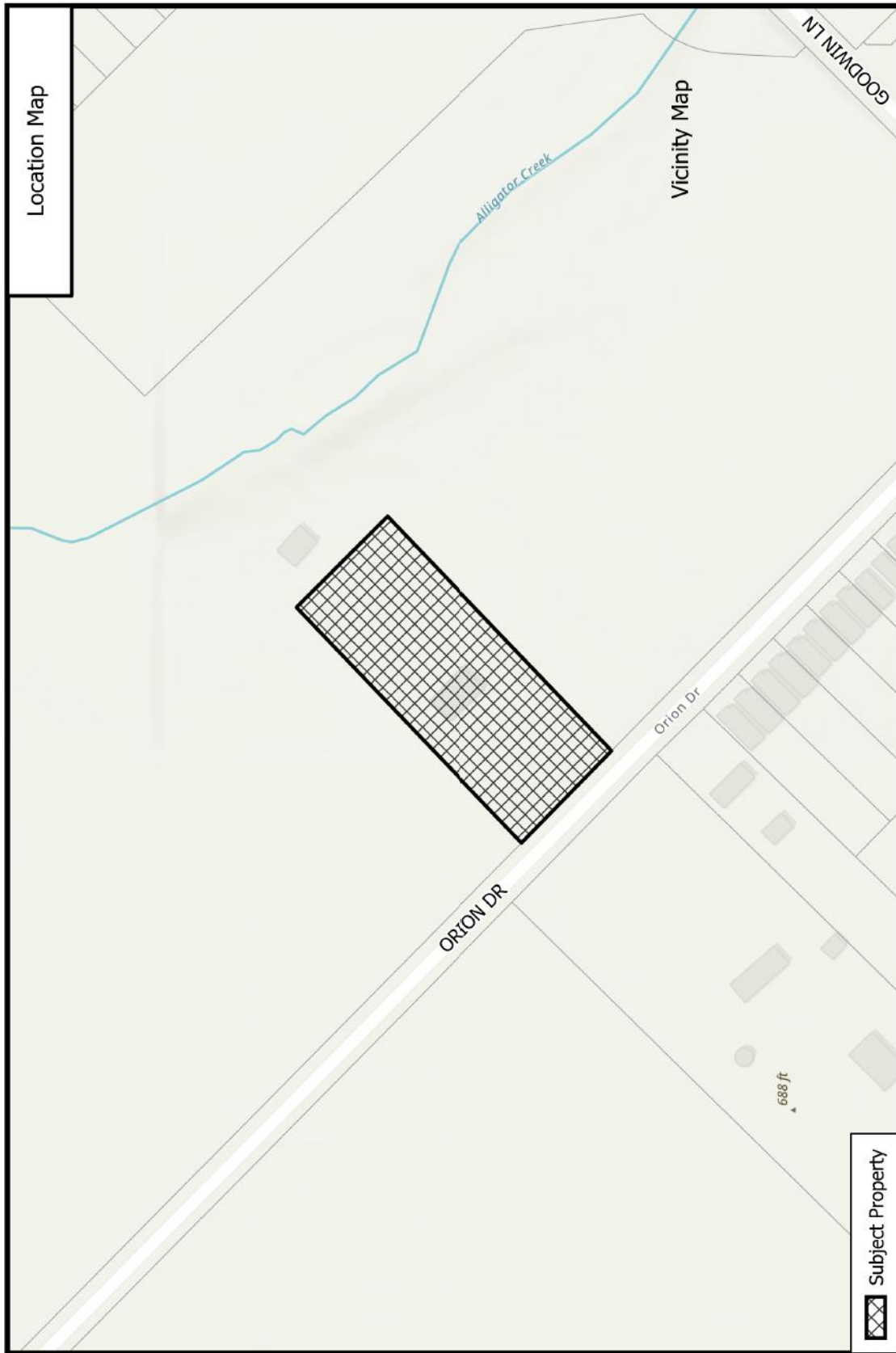


EXHIBIT "A"



METES AND BOUNDS DESCRIPTION
FOR A
2.00 ACRE TRACT OF LAND
"ZONING"

BEING a 2.00 acre tract of land situated in the Orilla Russell Survey No. 2, Abstract No. 485, in the City of New Braunfels, Comal County, Texas, being that same certain called 2.00 acre tract of land, as conveyed to Rexford J. Michie and Sally A. Weitz-Michie, husband and wife, and recorded in Document No. 201306029676, of the Official Public Records of Comal County, Texas, and said 2.00 acre tract of land being more particularly described by metes and bounds as follows:

COMMENCING at a point at the intersection of the Northwestern Right-of-Way (R.O.W.) line of Goodwin Lane (a variable width R.O.W.) and the Northeastly R.O.W. line of Orion Drive (a variable width R.O.W.), and being the most Southerly Southeast corner of the remaining portion of a called 100 acre tract of land, as conveyed to EB Industries, Inc., and recorded in Document No. 200206000300, of the Official Public Records of Comal County, Texas;

THENCE departing the intersection of the Northwestern R.O.W. line of said Goodwin Lane and the Northeastly R.O.W. line of said Orion Drive, with the Northeastly R.O.W. line of said Orion Drive, and with the Southwesterly line of the remaining portion of said 100 acre tract of land, N 45° 14' 27" W, a distance of 920.16 feet to a point in the Northeastly R.O.W. line of said Orion Drive, being a Southwesterly corner of the remaining portion of said 100 acre tract of land, being the most Southerly Southwest corner of said 2.00 acre tract of land and this herein described tract of land, and being the POINT OF BEGINNING;

THENCE continuing with the Northeastly R.O.W. line of said Orion Drive, and with the Southwesterly line of said 2.00 acre tract of land, N 45° 18' 30" W, a distance of 186.07 feet to a point in the Northeastly R.O.W. line of said Orion Drive, being a Southwesterly corner of the remaining portion of said 100 acre tract of land, and being the most Westerly Southwest corner of said 2.00 acre tract of land and this herein described tract of land;

THENCE departing the Northeastly R.O.W. line of said Orion Drive, and with the common line between the remaining portion of said 100 acre tract of land and said 2.00 acre tract of land, the following courses:

N 45° 48' 08" E, a distance of 468.61 feet to a point for the most Northerly Northeast corner;

S 45° 26' 35" E, a distance of 185.80 feet to a point for the most Easterly Northeast corner;

THENCE continuing with the common line between the remaining portion of said 100 acre tract of land and said 2.00 acre tract of land, S 45° 46' 05" W, a distance of 469.04 feet to the POINT OF BEGINNING, and containing 2.00 acres of land.

Bearings based on the Texas State Plane Coordinate System, Texas South Central Zone (4204), North American Datum 1983.

"This document was prepared under 22 TAC §663.21, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared."

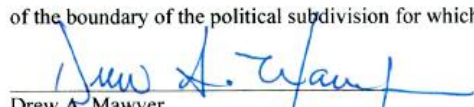

Drew A. Mawyer
Registered Professional Land Surveyor No. 5348
TBPLS Firm Registration #10191500
5151 W. SH 46, NEW BRAUNFELS, TX 78132
MOE426- ORION 1102- 2.00 AC MICHIE- 052721



EXHIBIT "B"