Incorporated May 6, 2000

City of Wimberley

221 Stillwater , P.O. Box 2027, Wimberley, Texas 78676
Phone: (512) 847-0025 - Fax: (512) 847-0422
Steve Thurber, Mayor - Cindy Anderson, Mayor Pro-Tem
Council Members - Bob Dussler, Mac McCullough, , Pam Showalter, John White
Don Ferguson, City Administrator

April 14, 2016

Roger W. Kivico
100 Mountain View Road
Wimberley, Texas 78676

Dear Mr. Kivico:

I am writing this letter in response to your request for grandfather status for an existing short-term rental facility located at 100 Mountain View Road, Wimberley, Texas.

Within the City of Wimberley (the "City"), there are short-term rental facilities that have been in existence and in continuous operation for more than five (5) years. Modified provisions adopted by the Wimberley City Council on March 3, 2016, allow such facilities to be grandfathered and continue operations, if no complaint has been received by the City about the subject facility and the property owner has submitted a sworn affidavit to the City indicating the facility has been operated continuously for the five (5) years preceding the date of the affidavit.

It is your contention that the above-mentioned short-term rental facility has been in operation at the subject location for five (5) years prior to March 16, 2016. The following information was provided to the City to support your claim:

- A sworn affidavit from Roger W. Kivico certifying that he owns the property located at 100 Mountain View Road, Wimberley, Texas, and the subject property has been operated on a continuous basis for the five (5) years preceding March 16, 2016 as a short -term rental facility.

Upon review of the information provided, and with no documentation of a complaint having been previously received by the City regarding the subject short-term rental facility, the City has determined the requirements have been met for the subject short-term rental facility to be deemed a pre-existing non-conforming use, also known as a grandfathered use.

If the above-referenced short-term rental facility is expanded at any point in the future, a Conditional Use Permit (the "CUP") will be required.

Should the facility in the future be deemed detrimental or hazardous to the health, safety, or welfare of nearby residents or citizens, the City has the authority to take action to address such concerns or even eliminate the grandfather status altogether and require a CUP be obtained for the vacation rental facility to continue to operate.

Also, please be advised, in your operation of the subject short-term rental facility, you are prohibited from exceeding the maximum occupancy for the subject residence, as established by the previously issued septic permit for the residence.

I hope this information helps resolve your concerns. If you have any questions or need further information, please feel free to contact me at 512. 847.0025.

Sincerely,

Don Ferguson
City Administrator