



# 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

October 8, 2015

Mr. Jim Henderson  
P.O. Box 1676  
Wimberley, Texas 78676

Dear Jim:

I am writing this letter in response to your request for clarification regarding the grandfather status of a Short Term Rental located at 2630 Flite Acres Road, Wimberley, Texas, destroyed by floodwaters in May 2015.

Within the City of Wimberley (the "City"), there are lots, structures, uses of land and structures, and characteristics of use which were lawful before the adoption of the City's Land Use Ordinance. The City Code permits these grandfathered uses and structures to continue, provided such grandfathered uses and structures are not enlarged upon, expanded, or extended, and are not used as a basis for adding other structures or uses prohibited.

It is your contention that, prior to the May 2015 flood, the above-mentioned Short Term Rental had been in operation at the subject location since before April 2001, when the City's Land Use Ordinance was adopted. The following information was provided to the City to support your claim.

- Copies of *Assumed Business or Professional Name Certificate*, dated July 6, 2000, reflecting the name of a business operating at 2630 Flite Acres Road, Wimberley, Texas, was "Wild Horses".
- An Affidavit from James and Gene Henderson certifying that they have owned the property located at 2630 Flite Acres Road, Wimberley, Texas, since August 17, 2000, and have used the subject property on a continuous basis as a Short Term Rental / Vacation Rental / Bed & Breakfast type business, known as "Wild Horses".

Upon review of the information provided, the City has determined the subject Short Term Rental was in operation prior to adoption of the City's land use regulations and, as such, is deemed a grandfathered use.

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

Sincerely,

  
Don Ferguson  
City Administrator