



# City of Wimberley

221 Stillwater Drive, P.O. Box 2027, Wimberley, TX 78676

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[www.cityofwimberley.com](http://www.cityofwimberley.com)

## CONDITIONAL USE PERMIT APPLICATION

No. CUP \_\_\_\_\_ - \_\_\_\_\_

### FOR OFFICIAL USE ONLY

Application Date: \_\_\_\_\_ Tentative P&Z Hearing: \_\_\_\_\_ Tentative Council Hearing: \_\_\_\_\_

FEES: \$400.00 DATE PAID: \_\_\_\_\_ CHECK NO. \_\_\_\_\_ REC'D BY \_\_\_\_\_

PROJECT SITE ADDRESS: \_\_\_\_\_ Wimberley, TX 78676

OWNER/APPLICANT \_\_\_\_\_ PHONE ( ) \_\_\_\_\_

MAILING ADDRESS: \_\_\_\_\_

CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP: \_\_\_\_\_

**APPLICANT UNDERSTANDS** that the purpose of the Conditional Use Permit (CUP) process is to allow certain uses which are not specific; permitted uses within a zoning district. To be considered for a CUP, the requested use must be listed under "Conditional Uses" within the applicable zoning district.

SPECIFIC CONDITIONAL USE REQUESTED: (e.g. Bed & Breakfast Lodging, Vacation Rental)

Planning Area \_\_\_\_\_ Zoning \_\_\_\_\_ Total Acreage or Sq. Ft. \_\_\_\_\_

Subdivision: \_\_\_\_\_ Lot \_\_\_\_\_ Block \_\_\_\_\_

Appraisal District Tax ID #: **R** \_\_\_\_\_

Deed Records Hays County: Volume \_\_\_\_\_ Page \_\_\_\_\_

Is property located in an overlay district? ( ) Yes ( ) No If Yes, type: \_\_\_\_\_

Is property located in flood plain? ( ) Yes ( ) No

### UTILITY PROVIDERS:

Electric Provider: \_\_\_\_\_

Water Provider or Private Well: \_\_\_\_\_

Wastewater Service Provider or Hays County Septic Permit No: \_\_\_\_\_

**MY REQUEST IS BASED ON THE FOLLOWING:**

- The use is harmonious and compatible with surrounding existing uses or proposed uses, and does not adversely affect an adjoining site than would a permitted use;
- The use requested by the applicant is set forth as a conditional use in the base district;
- The nature of the use is reasonable;
- The conditional use does not adversely affect the safety or convenience of vehicular or pedestrian circulation, including reasonably anticipated traffic and uses in the area;
- The conditional use does not adversely affect an adjacent property by its resulting traffic through the location, or its lighting, or its type of sign; and
- That any additional conditions specified, if any, ensure that the intent and purposes of the base district are being upheld.

**ADDITIONAL REQUIREMENTS/DOCUMENTATION**

- Metes and bounds description and a survey (i.e., drawing) exhibit showing the property for which the CUP is being requested.
- Site Plan drawn to scale and showing the general arrangement of the project, together with essential requirements such as off-street parking facilities; size height, construction materials, and locations of buildings and the uses to be permitted; location and construction of signs; means of ingress and egress to public streets; the type of visual screening such as walls, plantings and fences; and the relationship of the intended use to all existing properties and land uses in all directions to a minimum distance of two hundred feet (200').
- List of Special Conditions that Applicant agrees apply to property.
- List of all property owners, with mailing addresses located within two hundred feet (200') of any point of the subject property.
- Payment of Application fee \$400.00 (non-refundable)
- Applicant agrees to attend public hearings before the P&Z Commission as well as the City Council concerning this application; or waives his/her right to appear, understanding that if questions are raised that cannot be answered, the matter may be continued, or denied.
- Applicant has checked the subdivision plat notes, deed restrictions, restrictive covenants and/or zoning actions to ensure that there are no restrictions on the subject property and applicant understands that the City zoning action does not relieve any obligation of these restrictions.
- Applicant agrees to provide additional documentation as needed by the City.
- Applicant understands that City review of this Application is dependent upon the accuracy of the information provided and that any inaccurate or inadequate information provided may delay the review of the Application. Applicant, by his/her signature below, certifies that to the best of his/her knowledge said information is complete and correct.
- Applicant hereby authorizes the City representatives to visit and inspect the subject property.

\_\_\_\_\_  
DATE

\_\_\_\_\_  
APPLICANT SIGNATURE

WHEN APPLICABLE:

Date\_\_\_\_\_

\_\_\_\_\_  
AGENT SIGNATURE

**LIST OF CONDITIONS THAT MAY BE INCLUDED IN A  
BED AND BREAKFAST/VACATION RENTAL CUP**

Owner: \_\_\_\_\_

LOCATION OF PROPERTY: \_\_\_\_\_

LEGAL DESCRIPTION: \_\_\_\_\_

PLANNING AREA: \_\_\_\_\_

PRESENT ZONING: \_\_\_\_\_

EXISTING USE: \_\_\_\_\_

USE TO BE GRANTED: \_\_\_\_\_ *Bed & Breakfast* OR \_\_\_\_\_ *Vacation Rental*

**NEW CONSTRUCTION:** (Describe existing construction) If new construction is contemplated: Describe new construction. The architecture and façade of all new construction will be traditional “Hill Country” design and harmonious with those of adjacent uses. No construction shall commence prior to compliance with all applicable ordinances, laws, rules and regulations.

**COMPATIBILITY TO NEARBY AREAS:** The facilities on the property will at all times be harmonious and compatible with surrounding uses 42.2 A 1.

**OFF-STREET PARKING:** All parking will be off-street. \_\_\_\_\_ Off-street parking spaces will be provided for off-street guest parking, which will be adequate for a maximum occupancy of \_\_\_\_\_ guests. Parking will be in these spaces only. 42.2 A 5; 42.3 F.

**SIGNAGE:** All signage will be of traditional “Hill Country” design and will comply with the City Sign Ordinance. 42.2 A 1; 42.2 A 6.

**NOISE AND LIGHTING:** Exterior lighting to be only landscape lighting. All noise audible from outside, and all light visible from outside the property shall be maintained at low levels appropriate to a single family neighborhood. No large parties are permitted.

**NUMBER OF BEDROOMS:** \_\_\_\_\_ 42.3 B.

**MAXIMUM OCCUPANCY:** \_\_\_\_\_ guests. 42.3 B.

**OCCUPANT REGULATIONS AND GUIDELINES:** Guest Guidelines are attached hereto and made a part of this Conditional Use Permit. The bed and breakfast lodging facility shall be operated in accordance with the guidelines. These guidelines shall be furnished to all guests. 42.3 D.

**WASTEWATER SYSTEM:** The wastewater treatment system (to be designed and constructed) will at all times be adequate for the maximum occupancy.42.3 H.

**WATERFRONT USAGE:** (Applicable if guests have water access) Guests may only use the \_\_\_\_\_River/Creek in the area directly adjacent to the bed and breakfast lodging facility. Guests may not use the River/Creek in front of other properties or enter upon any property which is not part of the bed and breakfast facility for the purpose of entering or exiting the water or for any other reason. 42.3 E.

**PROPERTY MANAGEMENT:** Owner will provide guests and close-by neighbors with owner's telephone number to assure Owner's immediate knowledge of any concerns that may arise. (If not owner occupied) Owner agrees to retain under contract a responsible local management company at all times the property is used as a non-owner occupied bed and breakfast lodging. The management company shall advise guests of the applicable conditions contained herein, receive and pass on to owner any complaints received and at owner's direction act upon such complaints. (If Owner occupied) The property shall be the owner's principal place of residence and the owner shall actively supervise and manage the property at all times that it is used as a bed and breakfast facility. 42.3 D.

**MISCELLANEOUS:** Owner agrees to maintain the property in a manner conducive to the health and safety of the guests and the neighborhood. All trash and garbage will be placed in provided receptacles which shall not be visible from the street except on pick-up day. No trash bags shall be left out in the open. The exterior of the facility and the landscaping, including lawns, will be maintained in good condition at all times. 42.2 A 1.

**REVOCATION:** The cup may be revoked by the City Council upon recommendation of the planning and Zoning Commission in the event of the violation of any of the conditions contained therein.

**OWNER COMPLIANCE:** Owners agree to comply with all City of Wimberley Ordinances, and all state, county and City laws, rules and regulations.

ACCEPTED AND AGREED TO:

\_\_\_\_\_  
DATE

\_\_\_\_\_  
OWNER

\_\_\_\_\_  
DATE

\_\_\_\_\_  
OWNER