

**City of Wimberley**

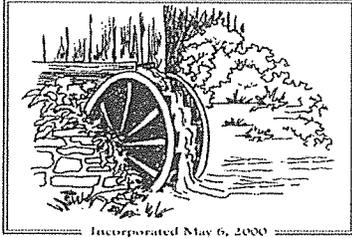
**Planning & Zoning  
Meeting**

**Agenda Packet**

**March 24, 2016**

**6:00 p.m.**

**PART ONE OF TWO**



# City of Wimberley

221 Stillwater, P.O. Box 2027, Wimberley, Texas, 78676

**REGULAR PLANNING & ZONING MEETING**  
**WIMBERLEY CITY HALL-CITY COUNCIL CHAMBERS**

**221 STILLWATER, WIMBERLEY, TEXAS**

**MARCH 24, 2016 - 6:00 P.M.**

**AGENDA**

**OATH OF OFFICE**

ADMINISTER OATH OF OFFICE TO NEWLY APPOINTED COMMISSIONER AUSTIN WEEKS (MAYOR STEVE THURBER)

**CALL TO ORDER:** MARCH 24, 2016 @ 6:00 P.M.

**CALL OF ROLL:** CITY SECRETARY

**CITIZENS COMMUNICATIONS:**

*THE PLANNING & ZONING COMMISSION WELCOMES COMMENTS FROM CITIZENS ON ISSUES AND ITEMS OF CONCERN, NOT ON THIS AGENDA. THOSE WISHING TO SPEAK MUST SIGN IN BEFORE THE MEETING BEGINS AND OBSERVE A THREE-MINUTE TIME LIMIT WHEN ADDRESSING THE COMMISSION. SPEAKERS WILL HAVE ONE OPPORTUNITY TO SPEAK DURING THE TIME PERIOD. SPEAKERS DESIRING TO SPEAK ON AN AGENDA ITEM WILL BE ALLOWED TO SPEAK WHEN THE AGENDA ITEM IS CALLED. INQUIRIES ABOUT MATTERS NOT LISTED ON THE AGENDA WILL EITHER BE DIRECTED TO STAFF OR PLACED ON A FUTURE AGENDA FOR COMMISSION CONSIDERATION.*

**1. CONSENT AGENDA**

*THE FOLLOWING ITEMS MAY BE ACTED UPON IN ONE MOTION. NO SEPARATE DISCUSSION OR ACTION IS NECESSARY UNLESS REQUESTED BY A COMMISSION*

MEMBER OR CITIZEN, IN WHICH EVENT THOSE ITEMS WILL BE PULLED FROM THE CONSENT AGENDA FOR SEPARATE CONSIDERATION.

APPROVAL OF MINUTES OF THE REGULAR PLANNING & ZONING COMMISSION MEETING ON FEBRUARY 11, 2016.

2. PUBLIC HEARINGS AND POSSIBLE ACTION

- (A) HOLD A PUBLIC HEARING AND CONSIDER MAKING A RECOMMENDATION TO CITY COUNCIL REGARDING CASE CUP-16-001, AN APPLICATION FOR A CONDITIONAL USE PERMIT TO ALLOW FOR THE OPERATION OF A BED AND BREAKFAST FACILITY ON A TRACT OF LAND ZONED RURAL RESIDENTIAL 1 (R-1), LOCATED AT 1415 E. SPOKE HILL DRIVE, WIMBERLEY, HAYS COUNTY, TEXAS. (*HERSCHEL "MAC" MCCULLOUGH, APPLICANT*)
- (B) HOLD A PUBLIC HEARING AND CONSIDER MAKING A RECOMMENDATION TO CITY COUNCIL REGARDING CASE CUP-16-002, AN APPLICATION FOR A CONDITIONAL USE PERMIT TO ALLOW FOR THE OPERATION OF A VACATION RENTAL ON A TRACT OF LAND ZONED RURAL RESIDENTIAL 1 (R-1), LOCATED AT 310 SUMMIT LOOP, WIMBERLEY, HAYS COUNTY, TEXAS. (*LISA RISOLI, APPLICANT; THIS APPLICATION HAS BEEN WITHDRAWN*)
- (C) HOLD A PUBLIC HEARING AND CONSIDER MAKING A RECOMMENDATION TO CITY COUNCIL REGARDING CASE CUP-16-003, AN APPLICATION FOR A CONDITIONAL USE PERMIT TO ALLOW FOR THE OPERATION OF A VACATION RENTAL ON A TRACT OF LAND ZONED RURAL RESIDENTIAL 1 (R-1), LOCATED AT 401 ROCKY SPRINGS ROAD, WIMBERLEY, HAYS COUNTY, TEXAS. (*BRUCE AND CAROLE BOATNER, APPLICANTS*)
- (D) HOLD A PUBLIC HEARING AND CONSIDER MAKING A RECOMMENDATION TO CITY COUNCIL REGARDING CASE CUP-16-004, AN APPLICATION FOR A CONDITIONAL USE PERMIT TO ALLOW FOR THE OPERATION OF A VACATION RENTAL ON A TRACT OF LAND ZONED SINGLE FAMILY RESIDENTIAL 2 (R-2), LOCATED AT 1851 FLITE ACRES ROAD, WIMBERLEY, HAYS COUNTY, TEXAS. (*AARON AND ANGELA SCOTT, APPLICANTS*)
- (E) HOLD A PUBLIC HEARING AND CONSIDER MAKING A RECOMMENDATION TO CITY COUNCIL REGARDING CASE CUP-16-005, AN APPLICATION FOR A

CONDITIONAL USE PERMIT TO ALLOW FOR THE OPERATION OF A VACATION RENTAL ON A TRACT OF LAND ZONED SINGLE FAMILY RESIDENTIAL 2 (R-2), LOCATED AT 505 ROCKY SPRINGS ROAD, WIMBERLEY, HAYS COUNTY, TEXAS. *(CARL AND BRYNN ANDERSON, APPLICANT)*

(F) HOLD A PUBLIC HEARING AND CONSIDER MAKING A RECOMMENDATION TO CITY COUNCIL REGARDING CASE CUP-16-006, AN APPLICATION FOR A CONDITIONAL USE PERMIT TO ALLOW FOR THE OPERATION OF A VACATION RENTAL ON A TRACT OF LAND ZONED RURAL RESIDENTIAL 1 (R-1), LOCATED AT 101 ARROWLAKE ROAD, WIMBERLEY, HAYS COUNTY, TEXAS. *(CHRISTOPHER CURETON, APPLICANT)*

(G) HOLD A PUBLIC HEARING AND CONSIDER MAKING A RECOMMENDATION TO CITY COUNCIL REGARDING CASE CUP-16-007, AN APPLICATION FOR A CONDITIONAL USE PERMIT TO ALLOW FOR THE SALE OF WINE FOR OFF-PREMISE CONSUMPTION ON A TRACT OF LAND ZONED COMMERCIAL-LOW IMPACT (C-1), LOCATED AT 14015 RANCH ROAD 12, NO. 7, WIMBERLEY, HAYS COUNTY, TEXAS. *(NANCY SALLABERRY, APPLICANT)*

**3. DISCUSS AND CONSIDER POSSIBLE ACTION**

(A) DISCUSS AND CONSIDER POSSIBLE ACTION REGARDING A PROPOSED MODIFICATION IN THE FM 2325 PLANNING AREAS BETWEEN RHODES LANE AND CARNEY LANE. *(CITY ADMINISTRATOR)*

(B) DISCUSS AND CONSIDER POSSIBLE ACTION REGARDING PROPOSED MODIFICATIONS TO THE CITY OF WIMBERLEY LIGHTING ORDINANCE. *(CITY ADMINISTRATOR)*

(C) DISCUSS AND CONSIDER POSSIBLE ACTION REGARDING CHANGES TO THE CITY OF WIMBERLEY ZONING CODE. *(CITY ADMINISTRATOR)*

**4. STAFF AND COMMISSION REPORTS**

- ANNOUNCEMENTS
- FUTURE AGENDA ITEMS

## ADJOURNMENT

THE COMMISSION MAY RETIRE TO EXECUTIVE SESSION ANY TIME BETWEEN THE MEETING'S OPENING AND ADJOURNMENT FOR THE PURPOSE OF DISCUSSION ABOUT HOMELAND SECURITY PURSUANT TO CHAPTER 418.183 OF THE TEXAS LOCAL GOVERNMENT CODE; CONSULTATION WITH LEGAL COUNSEL PURSUANT TO CHAPTER 551.071 OF THE TEXAS GOVERNMENT CODE; DISCUSSION ABOUT REAL ESTATE ACQUISITION PURSUANT TO CHAPTER 551.072 OF THE TEXAS GOVERNMENT CODE; DISCUSSION OF PERSONNEL MATTERS PURSUANT TO CHAPTER 551.074 OF THE TEXAS GOVERNMENT CODE; DELIBERATIONS ABOUT GIFTS AND DONATIONS PURSUANT TO CHAPTER 551.076 OF THE TEXAS LOCAL GOVERNMENT CODE; DISCUSSION OF ECONOMIC DEVELOPMENT PURSUANT TO CHAPTER 551.087. ACTION, IF ANY, WILL BE TAKEN IN OPEN SESSION.

### CERTIFICATION

I hereby certify the above Notice of Meeting was posted on the Bulletin Board at the Wimberley City Hall on March 21, 2016 at 5:00 p.m.

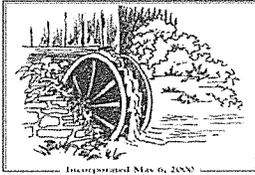


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CARA MCPARTLAND, CITY SECRETARY

The City of Wimberley is committed to compliance with the Americans with Disabilities Act. Reasonable modifications and equal access to communications will be provided upon request. Please contact Don Ferguson, City Administrator, at (512) 847-0025 for information. Hearing-impaired or speech-disabled persons equipped with telecommunication devices for the deaf may call (512) 272-9116 or may utilize the stateside Relay Texas Program at 1-800-735-2988.

# P & Z Commission Agenda Form



Date Submitted: March 21, 2016

Agenda Date Requested: March 24, 2016

**Project/Proposal Title:** APPROVAL OF MINUTES  
OF THE REGULAR PLANNING & ZONING  
COMMISSION MEETING ON FEBRUARY 11, 2016

**Funds Required:**  
**Funds Available:**

**Commission Action Requested:**

- Ordinance
- Resolution
- Motion
- Discussion

**Project/Proposal Summary:**

Attached are the minutes of the Regular Planning & Zoning Commission meeting on February 11, 2016 for review and consideration.

**City of Wimberley**  
 City Hall, 221 Stillwater  
 Wimberley, Texas 78676  
**Planning & Zoning Commission**  
 Minutes of Regular Meeting  
 February 11, 2016 at 6:00 p.m.

Meeting called to order at 6:00 p.m. by Chair Rick Millinor. Present were Commissioners John Urban, Tracey Dean, Charles Savino, Thad Nance, and Rick Burleson.

Staff Present: City Administrator Don Ferguson and City Secretary Cara McPartland

**Citizen Communications:**

No citizen comments were heard.

**1. Consent Agenda**

Approval of minutes of the Regular Planning & Zoning Commission meeting on January 28, 2016.

Commissioner Nance moved to approve the minutes, as presented. Commissioner Savino seconded. Motion carried on a vote of 6-0.

**2. Presentation**

Presentation by representatives of Merritt Starlight, Ltd. regarding a proposed Merritt Starlight Housing Community for senior citizens in Wimberley, Texas.

City Administrator Ferguson advised that tonight's presentation is for briefing purposes only and cautioned against any discussion or ex parte communication regarding zoning issues.

Blake Rue of Oryx Development provided details on the anticipated number of units, development location (behind Brookshire Brothers), Texas Department of Housing and Community Affairs (TDHCA) tax credit program, rental rate criteria, facility amenities, similar area projects, developer's long-term vision, previous attempt(s) to develop senior housing in Wimberley, and timeframe for TDHCA application submittal/approval.

Discussion addressed benefits to the community, subsidized senior housing generally, possible tax abatements, senior housing as a stated City Council priority, opportunities to receive community engagement/feedback during the zoning process, and the proposed site as conducive to vehicular/pedestrian mobility and connectivity.

City Administrator Ferguson thanked Mr. Rue and Wimberley resident Lila McCall, who gave a brief explanation of affordable housing (as opposed to Section 8 housing) and recommended Texas A & M's website's research on affordable housing as an informational resource.

### **3. Discuss and Consider Possible Action**

Discuss and consider possible action regarding changes to the City of Wimberley Zoning Code. (*City Administrator*)

City Administrator Ferguson spoke on prior discussion relating to simplification of the City's residential zoning districts by reorganizing the current number of residential zoning districts from eight (8) districts to the following three (3) districts: Residential Acreage (RA); Single Family Residential; and Multi-Family Residential.

He highlighted permitted and conditional uses in existing residential districts; key differences among those districts; main differences between RA and R-1 districts; agricultural uses/accessory buildings allowed under RA; inclusion of minimum lot size requirements as part of the Subdivision Code (rather than the Zoning Code); simplification of the Zoning Code by eliminating the need to rezone properties that have changed lot sizes due to subdivisions or consolidations; regulation of density via the subdivision process; regulation of uses via the zoning process; and future infrastructure changes that might allow for larger-scale development.

City Administrator Ferguson reviewed possible revisions of Multi-Family (greater than 2 dwelling units) zoning districts to include triplex, quadriplex, and apartments; maximum number of dwelling units per building; Multi-Family permitted and conditional uses; minimum acreage requirements as part of development regulations; separate development regulation tables for Single-Family and Multi-Family districts; specific standards listed in development regulation tables relative to lot size, including setbacks, impervious cover, maximum building heights, and minimum floor areas.

Discussion addressed lot size differences in existing residential zoning districts; challenges posed by proposed revisions to development of R-3 zoned lots; minimum/maximum Multi-Family dwelling units per acre; maximum of 4 bedrooms per dwelling unit; minimum of 10-feet of separation between Multi-Family buildings; concerns regarding minimum residential square footage requirements and associated impact on surrounding property values; possible original intent of multiple residential districts as development controls; setbacks and lot size as two major differences in the existing Zoning Code; and recognition of pre-existing, non-conforming properties in conjunction with any changes to the Zoning Code.

City Administrator Ferguson suggested that the Commission give consideration to the recommendations presented at this meeting and also consider a possible future meeting to be conducted as a "field trip" to view properties that would allow Commission

members to visualize the impact of possible Zoning Code revisions. No action was taken.

#### 4. Staff and Commission Reports

- Announcements
- Future Agenda Items

City Administrator Ferguson provided background on the Pedernales Electric Cooperative (PEC) transmission line improvement project and reported on a letter that appeared in today's edition of the Wimberley View regarding a proposed PEC upgrade to an existing transmission line. He noted that certain project-related issues have been brought before Council for the past several years and outlined options open to PEC and property owners, including ongoing discussion of easement agreements, and possible involvement of the Texas Public Utility Commission (PUC), should PEC and property owners not resolve their issues. He reiterated the Commission's role and responsibilities as an advisory body and cited specific matters on which the Commission may make recommendations to Council. He pointed out recently approved Comprehensive Plan language encouraging underground utility lines, but noted that the Plan refers to distribution lines, not transmission lines. He stressed that transmission lines were not specifically addressed in the Comprehensive Plan.

Chairman Millinor felt that the argument could be made that this is an existing line, with no better alternative for movement elsewhere. He stated the City needs to get ahead of this issue, as the upgrade is badly needed, and plan for the future. City Administrator Ferguson stated Council discussion has included various other future issues such as possible location(s) for a substation and a secondary feed.

City Administrator Ferguson advised that the Comprehensive Plan was approved by Council, with the Commission's recommendations, including additional language related to promoting transparency. He anticipated that the Commission will hear Merritt Starlight's zoning application next month.

Hearing no further announcements or future agenda items, Chairman Millinor called the meeting adjourned.

**Adjourn at 7:25 p.m.**

Recorded by:

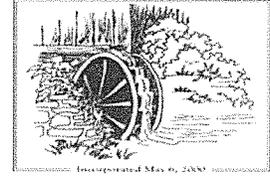
Cara McPartland

**These minutes approved the \_\_\_\_ of March, 2016.**

**APPROVED:**

**Rick Millinor, Chair**

# Report for CUP-16-001



**Summary:** An application for a Conditional Use Permit to allow for the operation of a bed and breakfast at 1415 E. Spoke Hill Drive

## **Applicant Information:**

**Applicant:** Herschel "Mac" McCullough  
1415 E. Spoke Hill Drive  
Wimberley, TX 78676

**Property Owner:** Herschel "Mac" McCullough

## **Subject Property:**

**Legal Description:** MCII/KURZROOT, Lot 1R, 3.7 acres  
**Location:** 1415 E. Spoke Hill Drive  
**Existing Use of Property:** Residential  
**Existing Zoning:** Rural Residential 1 (R-1) with CUP (Secondary Residence)  
**Proposed Use of Property:** Bed & Breakfast  
**Proposed Zoning:** R-1 with CUP (Bed & Breakfast)  
**Planning Area:** I  
**Overlay District:** None

## **Surroundings:**

**Frontage On:** E. Spoke Hill Drive

**Area Zoning and Land Use Pattern:**

|                      | <b>Current Zoning</b> | <b>Existing Land Use</b>     |
|----------------------|-----------------------|------------------------------|
| <b>N of Property</b> | R-2                   | Residential                  |
| <b>S of Property</b> | RA, CUP               | Residential, Vacation Rental |
| <b>E of Property</b> | R-2, R-1              | Residential                  |
| <b>W of Property</b> | R-1                   | Residential                  |

## **Legal Notice**

**200' Letters:** 2/29/16  
**Published:** 2/25/16  
**Sign Placement:** 2/26/16  
**Responses:** One (1) Oral Opposition

## **Comments:**

The applicant, Herschel "Mac" McCullough, is seeking a Conditional Use Permit (the "CUP") for the operation of a bed and breakfast facility in a secondary residence located on 3.7 acres of property located at 1415 E. Spoke Hill Drive. The subject property is located in Planning Area I and is zoned Rural Residential 1 (R-1) with a Secondary Residence CUP. Vacation rental facilities are allowed on R-1 zoned properties with a CUP.

Currently, there is a 2,198 square foot primary residence along with a 1,200 square foot one (1) bedroom secondary residence on the subject property. The applicant is proposing to use the secondary residence as a bed and breakfast, with a maximum occupancy of two (2) people.

There is a properly permitted and functioning on-site septic system that will serve both residences. Based on a review of the septic system and proposed use, City staff is recommending a maximum occupancy of two (2) guests for the proposed vacation rental facility.

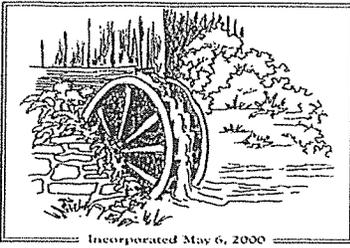
Guests would be required to park on the subject property.

City staff is recommending the following conditions be made part of the requested CUP, should the Commission desire to recommend approval:

1. No organized outside activities shall be allowed on the property after 10 p.m.
2. No guests, other than paying guests, shall be allowed on the property at any time, unless approved in writing, in advance, by the owner or his agent.
3. The grounds outside the residence shall remain free of litter and trash at all times.
4. A fire escape plan, identifying fire exits shall be developed and graphically displayed in each guest room.
5. One (1) smoke alarm shall be provided in each guest room, along with a fire extinguisher visible and accessible to guests.
6. A valid taxpayer number for reporting any Texas/City tax shall be provided to the City along with a copy of the completed *City of Wimberley and State of Texas Hotel Occupancy Tax Questionnaires*, no later than thirty (30) days following approval of the CUP.
7. The City shall be notified of any change in ownership of the subject property within thirty (30) days of such change.
8. A copy of the requirements set forth in the CUP shall be made available to all guests.
9. The Owner or the owner's designated representative shall occupy the property subject to the CUP at all times whenever the property is rented to third persons.

10. Unruly gatherings are prohibited. Unruly gathering means a gathering of more than one (1) person which is conducted on premises within the City and which, by reason of the conduct of those persons in attendance, results in the occurrence of one (1) or more of the following conditions or events on public or private property; the destruction of property; obstruction of roadways, driveways, or public ways by crowds or vehicles; excessive noise; disturbances, brawls, fights, or quarrels; public urination or defecation; or indecent or obscene conduct or exposure.
11. The property shall be subject to inspection at any time by designated City representatives, if compliance is in question, with proper notice provided, if feasible.
12. The CUP shall terminate and be considered abandoned if and when there is evidence of no rental activity, based in part on the City of Wimberley and State Hotel Occupancy Tax Reports, for a period of nine (9) months. The burden shall be on the property owner to prove that use of the property has been in continuous use.
13. Signage for the vacation rental shall be limited to one (1) non-illuminated sign not to exceed four (4) square feet in area and shall be of traditional Hill Country design and color.
14. The maximum occupancy for the property shall be two (2) people.

To date, City staff has received one (1) call from an adjacent property owner on the east side of the subject property expressing opposition.

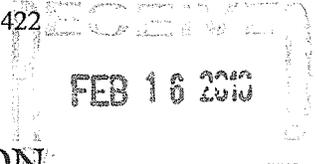


# City of Wimberley

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

Phone (512) 847-0025 Fax (512) 847-0422

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



## CONDITIONAL USE PERMIT APPLICATION

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

### FOR OFFICIAL USE ONLY

Application Date: 2-16-10 Tentative P&Z Hearing: \_\_\_\_\_ Tentative Council Hearing: \_\_\_\_\_

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

PROJECT SITE ADDRESS: 1415 E. Spoke Hill Ln Wimberley, TX 78676

OWNER/APPLICANT Herschel T. McCulloch PHONE ( 512-848-7985 )

MAILING ADDRESS: Box ~~1115~~ 1415 E. Spoke Hill DR

CITY: WIMBERLEY STATE: TX ZIP: 78676

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)

B & B

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

Subdivision: PARADISE 4.11s 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: PEC

Water Provider or Private Well: WWSC

Wastewater Service Provider or Hays County Septic Permit No: OSSF

**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.

2-16-16  
DATE

[Signature]  
APPLICANT SIGNATURE

WHEN APPLICABLE:

Date \_\_\_\_\_

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

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.

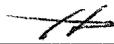
**MISCELLANEOUS:** Owner agrees to maintain the property in a manner conducive to the health and safety of the guests and the neighborhood. All trash and garbage will be placed in provided receptacles which shall not be visible from the street except on pick-up day. No trash bags shall be left out in 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:

2-16-16  
DATE

  
OWNER

\_\_\_\_\_  
DATE

\_\_\_\_\_  
OWNER

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

Owner: Herschel P. & Robin McCullough

LOCATION OF PROPERTY: 1415 E. Spoke Hill

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

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

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

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

USE TO BE GRANTED: Residential Bed & Breakfast Lodging

**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. 1 Off-street parking spaces will be provided for off-street guest parking, which will be adequate for a maximum occupancy of 2 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:** 1 42.3 B.

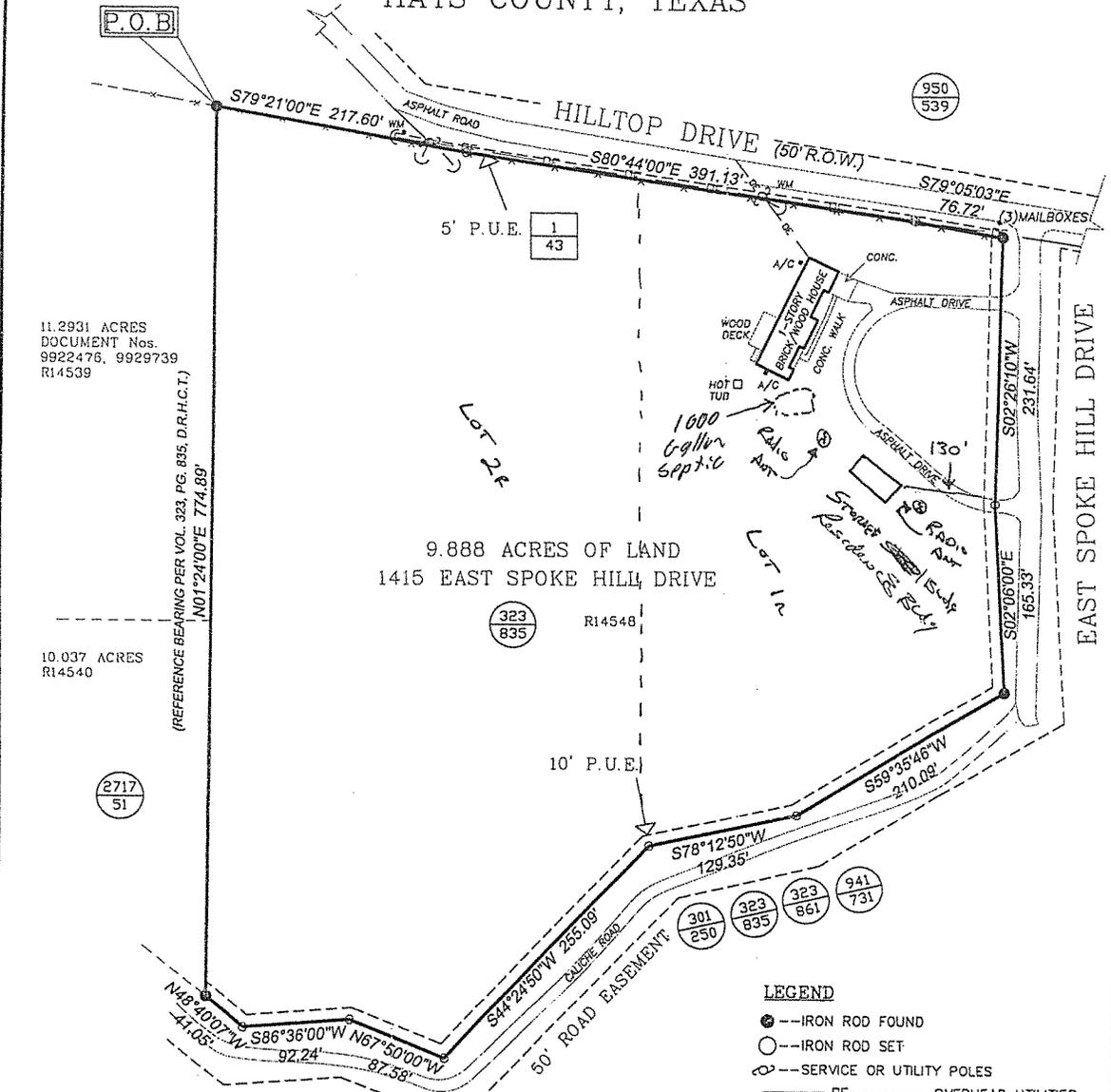
**MAXIMUM OCCUPANCY:** 2 guests. 42.3 B.

**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 BLANCO 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

**9.888 ACRES OF LAND**  
 OUT OF THE L.C. GIBBS SURVEY No. 86, ABSTRACT No. 206  
 HAYS COUNTY, TEXAS

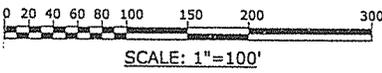


**NOTES**

- THIS SURVEY REFERENCES TITLE COMMITMENT No. 20512007, DATED 11-22-05, PROVIDED BY HAYS COUNTY ABSTRACT CO.
- RESTRICTIVE COVENANTS APPLY PER VOL. 323, PG. 835, H.C.D.R.
- A METES AND BOUNDS DESCRIPTION ACCOMPANIES THIS SURVEY (SEE PAGE 2).
- A BLANKET UTILITY EASEMENT EXISTS FOR PEDERNALES ELECTRIC COOPERATIVE, INC. AS RECORDED IN VOL. 356, PG. 251, H.C.D.R.

**LEGEND**

- -- IRON ROD FOUND
- -- IRON ROD SET
- ⊙ -- SERVICE OR UTILITY POLES
- DE — OVERHEAD UTILITIES
- - - - - EASEMENT
- x x x x x FENCE
- VOL. PAGE HAYS COUNTY PLAT RECORDS
- VOL. PAGE HAYS COUNTY OFFICIAL PUBLIC RECORDS
- Rxxxxx HAYS COUNTY PROPERTY IDENTIFICATION NUMBER



**SURVEYOR'S CERTIFICATION**

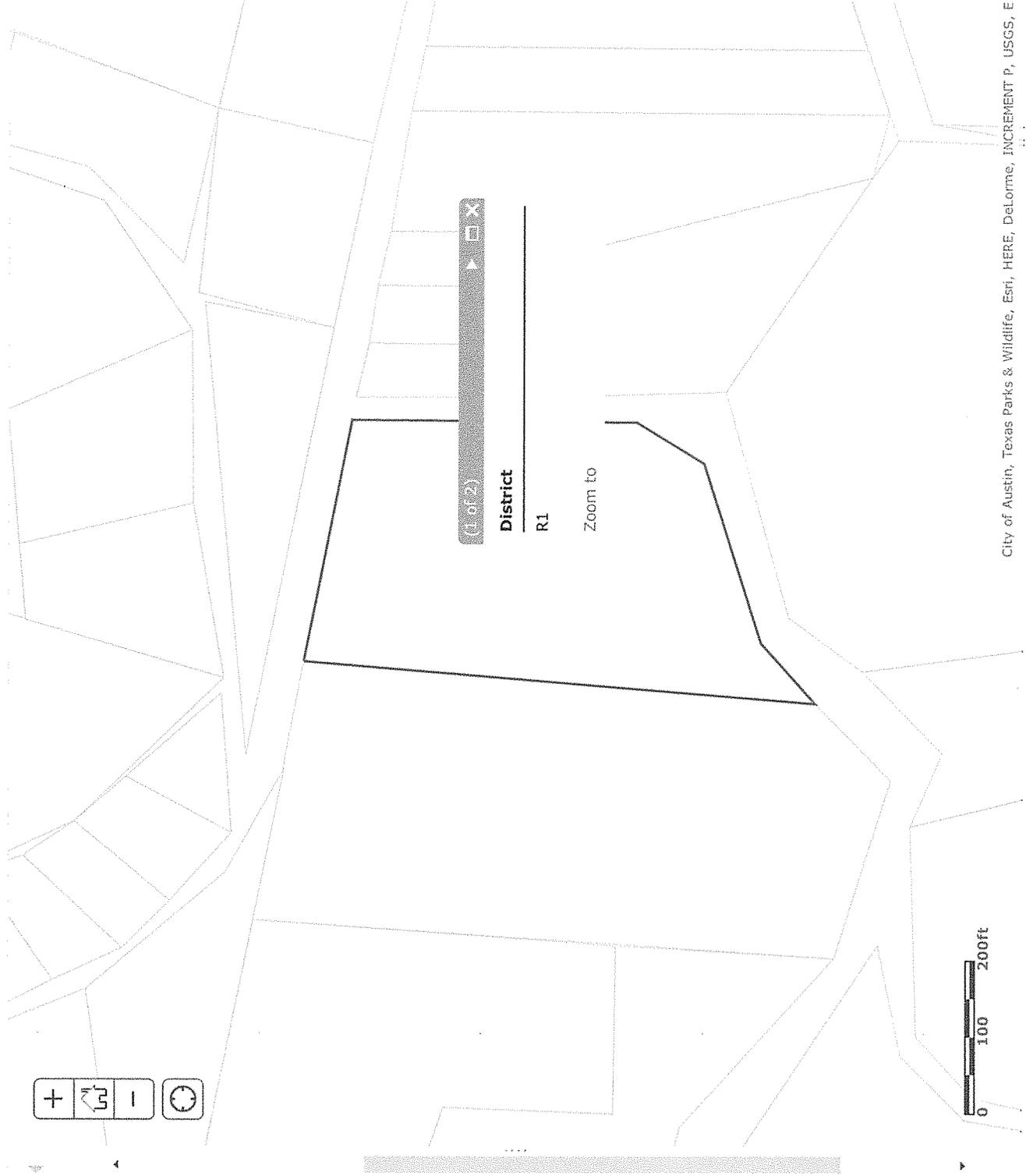
This survey is made for the benefit of Hays County Abstract Company and buyer, Herschel P. McCullough and Robinette McCullough. I hereby certify to the aforesaid parties, as of the date set forth below that a careful survey was made on the ground, under my supervision, of the tract of land described hereon, and that said survey complies with the current Texas Society of Professional Surveyors Standards & Specifications for a Category 1a, Condition II Land Survey, and that said property has abutting access to and from a public roadway.

DATE: 4/19/06 SURVEYOR: RUDOLF J. PATA, JR. TX. RPLS #5388



|  |  |   |
|--|--|---|
| <b>Driftwood Surveying</b><br>Professional Land Surveyors - Surveying the Hill Country<br>P.O. Box 379<br>Wimberley, TX 78676<br>Ph. (512) 847-7222 FAX (512) 847-7372 |  | DATE: 01-11-06<br>DRAWN: JL/LL<br>CHECKED: RJP<br>FIELD CREW: JP<br>PROJ. NO.: HCC0806<br>DWG. NAME: TITLE<br>REVISIONS: DATE |
| 9.888 ACRES OF LAND<br>OUT OF THE GIBBS SURVEY No. 86, A-206<br>HAYS COUNTY, TEXAS   |  | Page 1 of 2   |
| CLIENT: McCULLOUGH   |  | © 2005 ALL RIGHTS RESERVED  |

Details | Add | Basemap | Save | Share | Print | Measure | Bookmarks | 1415 E Spoke Hill Dr, Wimberley, Texas, USA



Legend

- L1
- C3
- O1
- PF
- SC
- NS
- O2
- R2
- PPU
- HC

Zoning

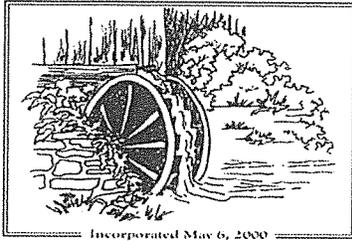
- R2
- R1

Zoning

- R2
- R1

Zoning

- R3
- RA
- R1
- R4



# 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

---

February 29, 2016

## NOTICE OF PUBLIC HEARING

Re: **File No. CUP-16-001**  
1415 E. Spoke Hill Drive, Wimberley, Texas

Dear Property Owner:

You are receiving this letter because you own property within 200 feet of the above-referenced location.

The applicant, Herschel McCullough, has applied for a Conditional Use Permit to Rural Residential 1 (R-1) located at 1415 E. Spoke Hill Drive, Wimberley, Texas.

The City of Wimberley Planning & Zoning Commission will consider this request at a public hearing on **Thursday, March 24, 2016, at 6:00 p.m.** in the Wimberley City Hall, 221 Stillwater. Upon a recommendation from the Commission, City Council will hold a Public Hearing to consider the same request on **Thursday, April 7, 2016, at 6:00 p.m.** in the Wimberley City Hall.

Because the granting of this request may affect your property, you are encouraged to participate in the zoning process. The public will be given an opportunity to speak during the hearing. If you wish to comment but are unable to attend, written comments may be submitted to the City Administrator prior to the meeting.

Additional information regarding the proposed zoning is available for public review at City Hall during normal business hours. Should you have questions, please contact the City Administrator at 512-847-0025.

**CITY OF WIMBERLEY**

BOATMAN, DANA & KIM  
23 WIMBERLEY CT  
DALLAS, TX 75229-6180

BABB, HOLLY SCOUT & SEYMOUR  
SCHOOT CARL  
1900 HILLTOP DRIVE  
WIMBERLEY, TX 78676

MCDONALD, MICKEY S & CHRISTOPHER  
C & DONOVAN KARIN M  
8307 CREEKSTONE CIR  
HOUSTON, TX 77055

GINDY, MILES A  
2446 N PARK BLVD  
SANTA ANA, CA 92706-1642

MIEGEL, ELIZABETH  
10220 HILLTOP DRIVE  
WIMBERLEY, TX 78676-9327

UERWITZ, LEE ANN &  
RITCHIE, ROBERT GARY  
1022 HILLTOP DRIVE  
WIMBERLEY, TX 78676

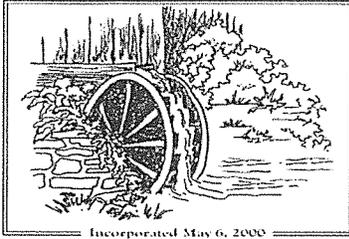
CATHER, JAMES N & JANE R  
5830 WARREN RD  
ANN ARBOR, MI 48105-9426

MILLER, MICHAEL N & JUDITH N  
PO BOX 2069  
WIMBERLEY, TX 78676-6969

BAIAMONTE, GENO & SUSAN A  
318 PARK TRAIL LN  
HOUSTON, TX 77007-8379

**NOTICE OF PUBLIC HEARING  
(Conditional Use Permit)**

Notice is hereby given that the Planning & Zoning Commission of the City of Wimberley will hold a public hearing at the Wimberley City Hall on **Thursday, March 24, 2016, at 6:00 p.m.** to consider the following: CUP-16-001 – an application for a Conditional Use Permit (CUP) to allow for the operation of a bed and breakfast, on property zoned Rural Residential 1 (R-1) located at 1415 E. Spoke Hill Drive in Wimberley, Hays County, Texas. Upon recommendation of the Planning & Zoning Commission, the City Council will also hold a public hearing on **Thursday, April 7, 2016, at 6:00 p.m.** at City Hall. Comments on this request from any member of the public may be presented in person or by mail (PO Box 2027) at City Hall prior to the hearing. The public will be granted an opportunity to speak at the hearings. Additional information concerning the proposed action is available for review at the Wimberley City Hall, 221 Stillwater, Wimberley, Texas.



# City of Wimberley

221 Stillwater, P.O. Box 2027, Wimberley, Texas, 78676  
Phone: (512) 847-0025 - Fax: (512) 847-0422  
E-mail: [village@wimberley-tx.com](mailto:village@wimberley-tx.com) - Web: [www.cityofwimberley.com](http://www.cityofwimberley.com)

## NOTICE BY SIGN POSTING

Zoning No: CUP 16-001 Owner \_\_\_\_\_

Date 2/26/16

To: Code Enforcement/Public Works

Please place a Proposed Zoning Sign on the following property

( ) Project Site Address 1415 E Spoke Hollow  
which is located East Spoke Hollow

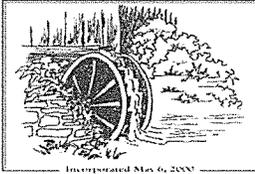
Bill Bowers  
Asst. Public Works

Note: The above-referenced sign was placed on the subject property on

2/26, 2016

Bill Bowers  
Signature

# P & Z Commission Agenda Form



Date Submitted: March 21, 2016

Agenda Date Requested: March 24, 2016

**Project/Proposal Title:** PUBLIC HEARING AND CONSIDER RECOMMENDATION REGARDING CASE CUP-16-002 TO ALLOW FOR A VACATION RENTAL AT 310 SUMMIT LOOP

**Funds Required:**

**Funds Available:**

**Commission Action Requested:**

Ordinance

Resolution

Motion

Discussion

## Project/Proposal Summary:

This item was placed on the agenda to allow the Planning and Zoning Commission to hold a public hearing and consider making a recommendation regarding Case CUP-16-002 to allow for the operation of a vacation rental facility on property zoned Rural Residential 1 (R-1) located at 310 Summit Loop.

On March 17, 2016, the applicant, Lisa Risoli, asked to withdraw her CUP application and submitted a sworn affidavit stating that her vacation rental operation is a pre-existing, non-conforming use.

Property owners within the 200-foot notification area were notified of the applicant's request to withdraw her CUP application and of the subject property's designation as a pre-existing, non-conforming use. Having received "grandfather" status from the City, a CUP is no longer required for the short-term rental facility to continue operations. The applicant understands that in accordance with the City Sanitarian's review of the subject property's septic records, the maximum occupancy for the vacation rental shall not exceed five (5) people.

It should be noted that if the vacation rental facility is expanded at any point in the future, a CUP will be required. Also, should the facility 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 to continue to operate.

## Cara McPartland

---

**From:** Don Ferguson [dferguson@cityofwimberley.com]  
**Sent:** Friday, March 18, 2016 11:27 AM  
**To:** Cara McPartland  
**Subject:** For Your File

On 3/17/16 9:09 AM, "Lisa Risoli" <[REDACTED]> wrote:

>Dear Mr. Ferguson

>

>I would like to retract my application for a CUP. I have included the  
>initial request for your records. I would like to request to be  
>considered for the Grandfather Clause regarding this matter.

>

>Thank you very much for your time with this matter

>

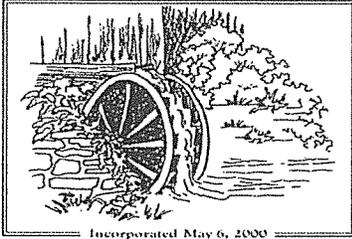
>Sincerely

>

>Lisa M. Risoli

>

>Sent from my iPhone



# 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

---

March 17, 2016

Re: **File No. CUP-16-002**  
310 Summit Loop, Wimberley, Texas

Dear Property Owner:

The purpose of this letter is to advise you that the owner of the above-referenced location has withdrawn a previously submitted application for a Conditional Use Permit (CUP) to allow for the continued operation of an existing vacation rental facility on the subject property.

As a result of the application withdrawal, please be advised the Planning and Zoning Commission and City Council will not hold previously scheduled public hearings and consider the referenced CUP application on March 24<sup>th</sup> and April 7<sup>th</sup>.

The CUP application was withdrawn after the applicant provided the City with the documentation required for the existing vacation rental facility to be designated as a pre-existing non-conforming use. Having received "grandfather" status from the City, a CUP is no longer required for the short-term rental facility to continue operations.

If the above-referenced vacation rental facility is expanded at any point in the future, a CUP will be required. Also, please be advised that 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.

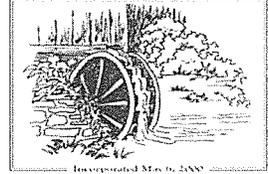
Please feel free to contact me in the event you have any questions or need additional information.

Sincerely,

A handwritten signature in black ink, appearing to read "Don Ferguson", is written over a horizontal line.

Don Ferguson  
City Administrator

# Report for CUP-16-003



## Summary:

An application for a Conditional Use Permit for a Vacation Rental Facility on property at 401 Rocky Springs Road

## Applicant Information:

### Applicants:

Bruce C. & Carole A. Boatner  
1042 Martin  
Houston, TX 77018

### Property Owners:

Bruce C. & Carole A. Boatner (Designated Agent: Aaron Scott)

## Subject Property:

### Legal Description:

Rocky Springs Sec 1; Lots 7, 12, 13; 3.55 acres

### Location:

401 Rocky Springs Road

### Existing Use of Property:

Residential

### Existing Zoning:

Rural Residential 1 (R-1)

### Proposed Use of Property:

Vacation Rental

### Proposed Zoning:

R-1 with CUP

### Planning Area

I

### Overlay District

Protected Water Overlay District

## Surroundings:

### Frontage On:

Rocky Springs Road

### Area Zoning and Land Use Pattern:

|                      | <b>Current Zoning</b> | <b>Existing Land Use</b> |
|----------------------|-----------------------|--------------------------|
| <b>N of Property</b> | R-2                   | Residential              |
| <b>S of Property</b> | R-2, RA               | Residential              |
| <b>E of Property</b> | R-2, RA               | Residential              |
| <b>W of Property</b> | RA                    | Residential              |

## Legal Notice

### 200' Letters:

3/7/16

### Published:

3/3/16

### Sign Placement:

3/8/16

### Responses:

One (1) written response in opposition; two (2) written responses in support

## Comments:

The applicants, Bruce and Carole Boatner, are seeking a Conditional Use Permit (CUP) for the operation of a vacation rental facility on 3.55 acres of property located at 401 Rocky Springs Road. The subject property is zoned Rural Residential 1 (R-1), located in Planning Area I, and lies partially within the Protected Water Overlay District. Vacation rental facilities are allowed on R-1 zoned properties with a CUP.

Currently, there is a 1,752 square foot, two (2) bedroom residence on the property. The applicant is proposing to use the residence as a vacation rental, with a maximum occupancy of four (4) people. The designated agent for the applicants is Aaron Scott of SkyRun Vacation Rentals, who manages the subject property for the owners.

There is a properly permitted and functioning on-site septic system that serves the residence for which the CUP is being sought. Based on a review of the septic system and proposed use, City staff is recommending a maximum occupancy of four (4) guests for the proposed vacation rental facility.

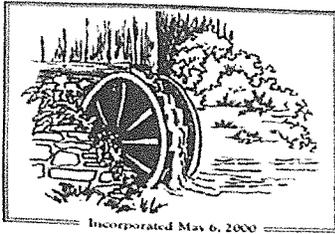
Guests would be required to park on the subject property.

The applicants are proposing a series of house rules, a copy of which is attached. Based on the proposed house rules and City's regulations for vacation rental facilities, City staff is recommending the following conditions be made part of the requested CUP, should the Commission desire to recommend approval:

1. No organized outside activities shall be allowed on the property after 10 p.m.
2. No guests, other than paying guests, shall be allowed on the property at any time, unless approved in writing, in advance, by the owner or his agent.
3. The grounds outside the residence shall remain free of litter and trash at all times.
4. A fire escape plan, identifying fire exits shall be developed and graphically displayed in each guest room.
5. One (1) smoke alarm shall be provided in each guest room, along with a fire extinguisher visible and accessible to guests.
6. A valid taxpayer number for reporting any Texas/City tax shall be provided to the City along with a copy of the completed *City of Wimberley/State of Texas Hotel Occupancy Tax Questionnaire*, no later than thirty (30) days following approval of the CUP.
7. The City shall be notified of any change in ownership of the subject property within thirty (30) days of such change.
8. A copy of the requirements set forth in the CUP shall be made available to all guests.

9. The subject property owner shall provide the City and property owners within two hundred (200) feet of the subject property, with the current names and contact information (including telephone numbers and e-mail address) for the local responsible party for the subject property. The local contact shall be able to respond to any incident within thirty (30) minutes of a call and shall be authorized to make decisions regarding tenants at the property. If the name or contact information for the local contact changes, then the property owners shall notify the City and property owners within two (200) feet of the subject property, with the current name and contact information.
10. Unruly gatherings are prohibited. Unruly gathering means a gathering of more than one (1) person which is conducted on premises within the City and which, by reason of the conduct of those persons in attendance, results in the occurrence of one (1) or more of the following conditions or events on public or private property; the destruction of property; obstruction of roadways, driveways, or public ways by crowds or vehicles; excessive noise; disturbances, brawls, fights, or quarrels; public urination or defecation; or indecent or obscene conduct or exposure.
11. The property shall be subject to inspection at any time by designated City representatives, if compliance is in question, with proper notice provided, if feasible.
12. The CUP shall terminate and be considered abandoned if and when there is evidence of no rental activity, based in part on the State/City Hotel Occupancy Tax Reports, for a period of nine (9) months. The burden shall be on the property owner to prove that use of the property has been in continuous use.
13. Signage for the vacation rental shall be limited to one (1) sign not to exceed four (4) square feet in area and shall be of traditional Hill Country design and color.
14. The maximum occupancy for the property shall be four (4) people.

To date, City staff has received one (1) written response opposing the CUP request and two (2) written responses supporting the CUP request.

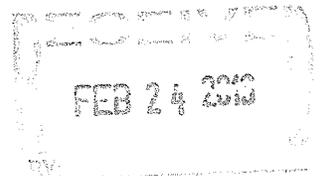


# City of Wimberley

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

Phone (512) 847-0025 Fax (512) 847-0422

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



## CONDITIONAL USE PERMIT APPLICATION

No. CUP 16 - 003

### FOR OFFICIAL USE ONLY

Application Date: \_\_\_\_\_ Tentative P&Z Hearing: 3/24 Tentative Council Hearing: 4/2

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

PROJECT SITE ADDRESS: 401 Rocky Springs Wimberley, TX 78676

OWNER/APPLICANT Carole & Bruce Boatner PHONE (713) 202-7723

MAILING ADDRESS: 1042 Martin St

CITY: Houston STATE: TX ZIP: 77018

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)

Vacation Rental

Planning Area I Zoning R1 Total Acreage or Sq. Ft. 3.5 Acres

Subdivision: Rocky Springs Lot 7, 12, 13 Block \_\_\_\_\_

Appraisal District Tax ID #: R 40336

Deed Records Hays County: Volume 325 Page 170

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

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

### UTILITY PROVIDERS:

Electric Provider: Pedernales

Water Provider or Private Well: Rain water Retention System

Wastewater Service Provider or Hays County Septic Permit No: 2005-1461

**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 2/22/16

Carol Bostner  
APPLICANT SIGNATURE

WHEN APPLICABLE:

Date 2/22/16

[Signature]  
AGENT SIGNATURE

**LIST OF CONDITIONS THAT MAY BE INCLUDED IN A**  
*Vacation Rental/***BED AND BREAKFAST CUP**

Owner: Carole & Bruce Boatner

LOCATION OF PROPERTY: 401 Rocky Springs, Wimberly 78676

LEGAL DESCRIPTION: Section 7 lots 7, 12 + 13 Rocky Springs

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

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

EXISTING USE: home

USE TO BE GRANTED: Residential Bed & Breakfast Lodging

**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. 3 Off-street parking spaces will be provided for off-street guest parking, which will be adequate for a maximum occupancy of 4 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:** 2 42.3 B.

**MAXIMUM OCCUPANCY:** 4 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 Creek behind house 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.

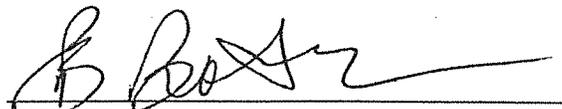
**REVOCATION:** The cup may be revoked by the City Council upon recommendation of the planning and Zoning Commission in the event of the violation of any of the conditions contained therein.

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

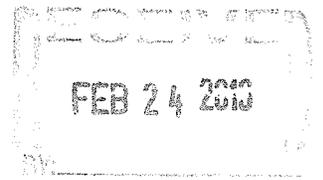
ACCEPTED AND AGREED TO:

2/22/16  
DATE

2/22/16  
DATE

  
OWNER

  
OWNER



February 24, 2016

City of Wimberley  
221 Stillwater Drive  
Wimberley, TX 78676

To Whom It May Concern:

Please find attached the Conditional Use Permit application for the property at 401 Rocky Springs Road, Wimberley, TX 78676. SkyRun Vacation Rentals manages this property for the home owner. If you have questions or concerns regarding this application, please contact Aaron Scott at (512) 753-2626.

Thank you in advance for your consideration.

Sincerely,

SkyRun Vacation Rentals

Special Conditions for 401 Rocky Springs Road, Wimberley, Texas 78676

This property is managed by SkyRun Vacation Rentals (512.753.2626) located in Wimberley, Texas. We have several properties that we manage in the Wimberley area. We have three employees that live a half a mile away from this particular property and at least one employee drives by the property at least every other day.

We also have a digital lock that allows us to see when guests check in and out. In addition we are installing a video camera to enforce our vehicle maximum. The vehicle maximum at this property is 3 and the guest maximum is 4. Guests who violate our policies are fined and forced to vacate immediately.

We also enforce strict quiet hours of 10pm-8am every single day.

We also require our guests to keep all trash in trashcans and never leave trash bags outside but rather in the trash bins.

We are complying with paying the 5% City of Wimberley tax to the city as requested.

We have the trashcans and recycling cans pulled out to the road the night before pickup and we roll them back in the next morning.

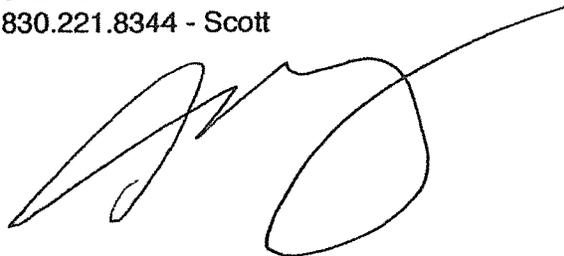
We also don't allow fires of any kind and post "Burn Ban" signs on the refrigerators when the Burn Ban is on.

We have also passed out business cards with SkyRun's owners cell phones on them and after hours numbers to neighbors close by.

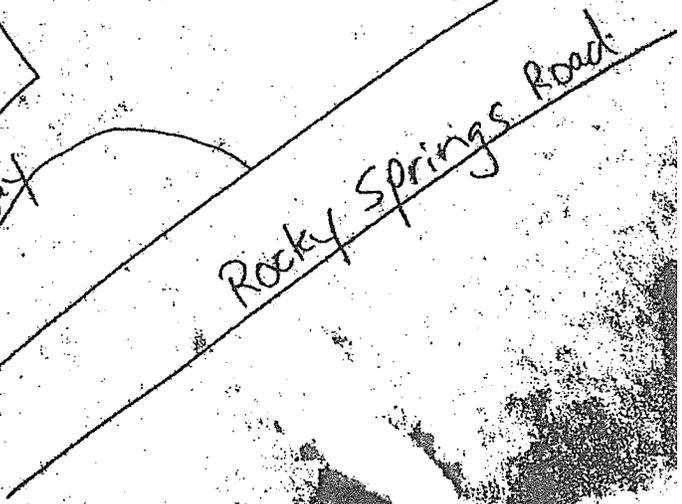
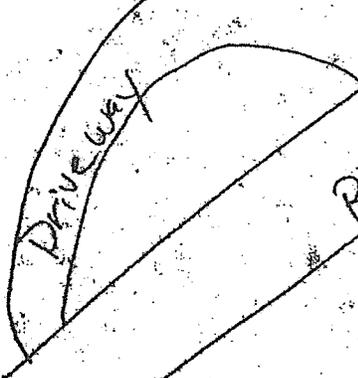
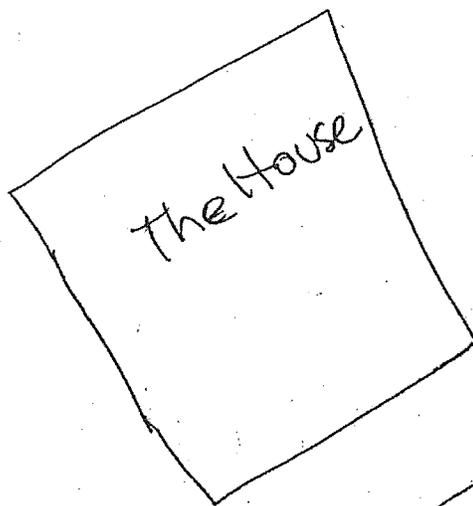
We have someone on call 24/7 who is ready to receive phone calls, voicemails and respond in person to any emergency within 15 minutes.

If you have any further questions please let me know and we will address it immediately.

Aaron Scott and Scott Teuton, owners  
SkyRun Vacation Rentals  
512.753.2626 - Aaron  
830.221.8344 - Scott

A handwritten signature in black ink, appearing to be a stylized combination of the letters 'A' and 'S', likely representing Aaron Scott or Scott Teuton.

# 401 Rocky Springs Road Site Plan

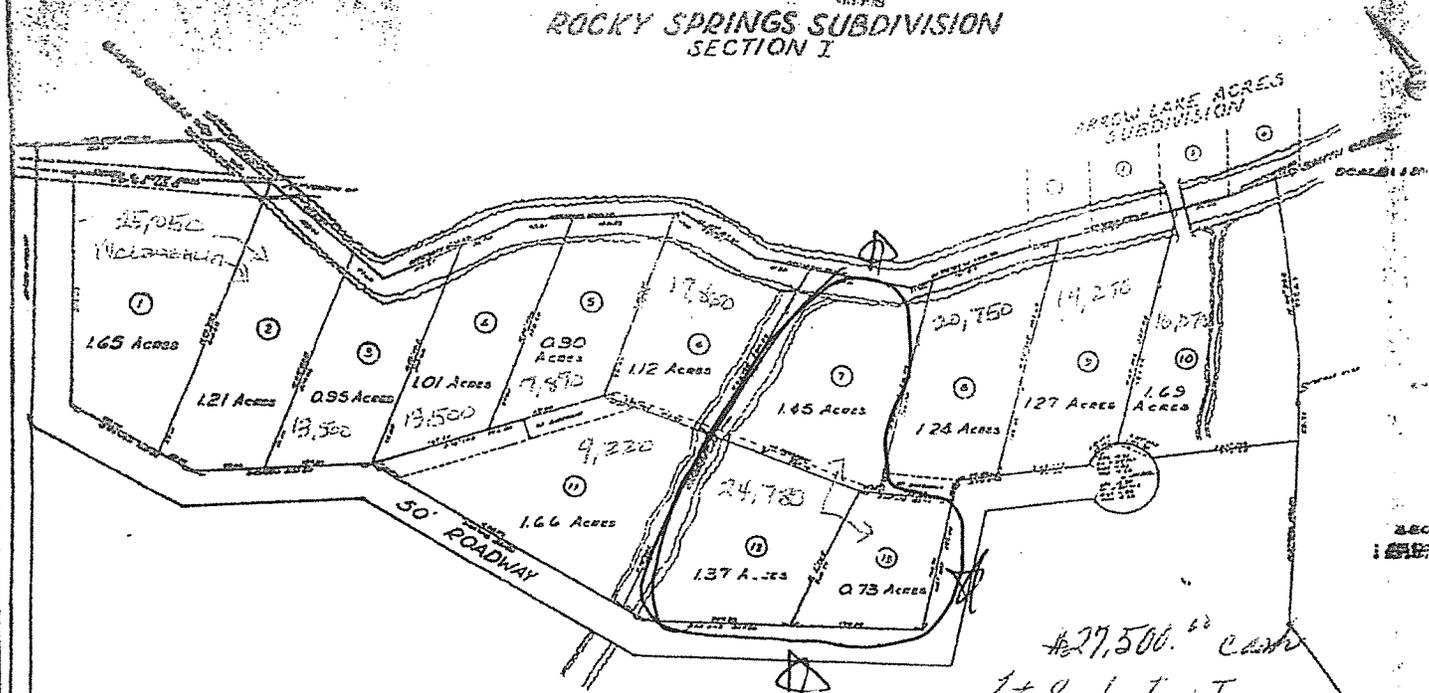


Map 1, P. 113 Vol. 1, P. 115

605ms

# ROCKY SPRINGS SUBDIVISION SECTION I

ARROW LAKE ACRES  
SUBDIVISION



THE STATE OF TEXAS  
COUNTY OF [unclear]  
I, [unclear], County Clerk, do hereby certify that the foregoing is a true and correct copy of the original record as the same appears in the public records of this county.

*[Signature]*  
County Clerk

THE STATE OF TEXAS  
COUNTY OF [unclear]  
I, [unclear], County Clerk, do hereby certify that the foregoing is a true and correct copy of the original record as the same appears in the public records of this county.

*[Signature]*  
County Clerk

THE STATE OF TEXAS  
COUNTY OF [unclear]  
I, [unclear], County Clerk, do hereby certify that the foregoing is a true and correct copy of the original record as the same appears in the public records of this county.

*[Signature]*  
County Clerk

THE STATE OF TEXAS  
COUNTY OF [unclear]  
I, [unclear], County Clerk, do hereby certify that the foregoing is a true and correct copy of the original record as the same appears in the public records of this county.

*[Signature]*  
County Clerk

THE STATE OF TEXAS  
COUNTY OF [unclear]  
I, [unclear], County Clerk, do hereby certify that the foregoing is a true and correct copy of the original record as the same appears in the public records of this county.

*[Signature]*  
County Clerk

THE STATE OF TEXAS  
COUNTY OF [unclear]  
I, [unclear], County Clerk, do hereby certify that the foregoing is a true and correct copy of the original record as the same appears in the public records of this county.

*[Signature]*  
County Clerk

THE STATE OF TEXAS  
COUNTY OF [unclear]  
I, [unclear], County Clerk, do hereby certify that the foregoing is a true and correct copy of the original record as the same appears in the public records of this county.

*[Signature]*  
County Clerk

W D 4050

## Cara McPartland

---

**From:** Cara McPartland [cmcpartland@cityofwimberley.com]  
**Sent:** Thursday, March 10, 2016 10:54 AM  
**To:** 'Aaron Scott'  
**Subject:** RE: 401 Rocky Springs septic specs

Mr. Scott,

I've forwarded your attached correspondence which is under review.

Thank you,  
Cara McPartland, TRMC  
Assistant City Administrator  
City Secretary/Court Clerk  
221 Stillwater  
P.O. Box 2027 (MAILING ADDRESS)  
Wimberley, TX 78676  
(512) 847-0025 Office  
(512) 847-0422 Fax  
City Website: [www.cityofwimberley.com](http://www.cityofwimberley.com)

-----Original Message-----

**From:** Aaron Scott [REDACTED]  
**Sent:** Thursday, March 10, 2016 10:05 AM  
**To:** [cmcpartland@cityofwimberley.com](mailto:cmcpartland@cityofwimberley.com)  
**Subject:** 401 Rocky Springs septic specs

Let me know if this will work for the CUP. Thanks!

3

## Texicana Wastewater Design & Development

**Dora R. Fogle**

3656 Westwood Rd.

Lockhart, Texas 78644

(512) 376-9040 hm. (512) 536-3389 cell

Fax: (512) 372-3334

Registered Sanitarian # 3493

Site Evaluator # OS0010801

On-Site Sewage Facility Plans  
Aerobic Wastewater Treatment System  
Utilizing Surface Spray Application

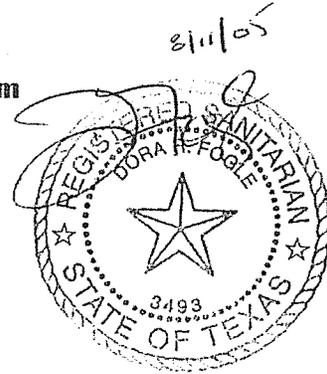
### OWNER:

Bruce Boatner

401 Rocky Springs Rd.

Rocky Springs Sec. I Lot 12

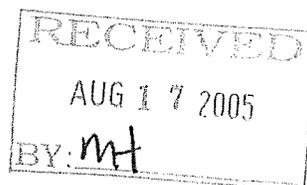
Wimberley, Texas



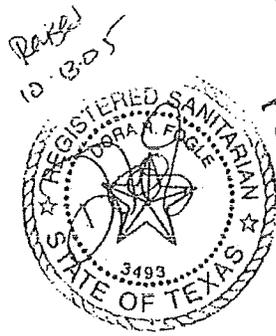
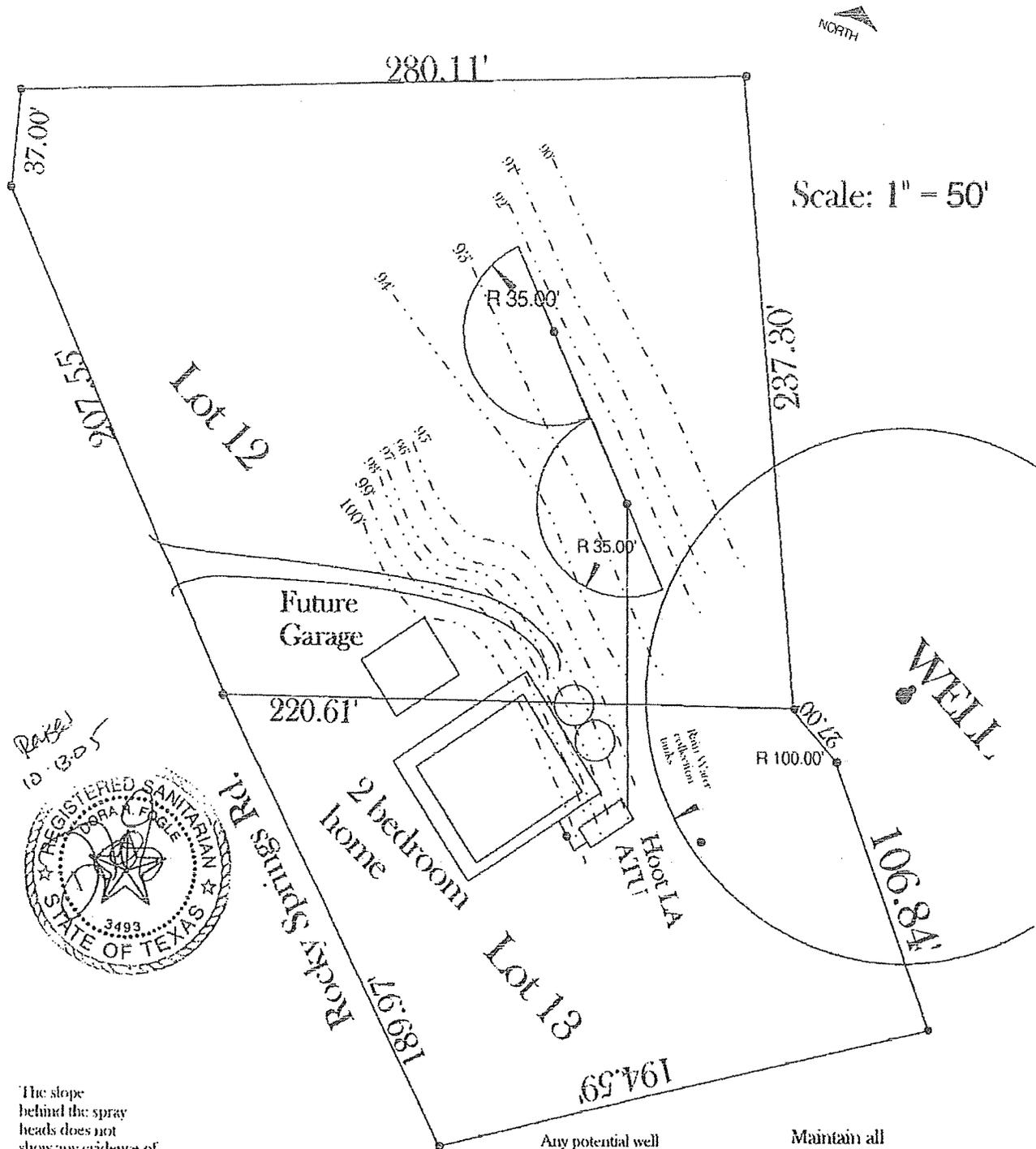
The site is approximately ~ 1.65 acres in size. Soil evaluation revealed a Class III soil with shallow subsurface rock which is suitable for surface application. A Hoot treatment plant with surface irrigation will be utilized. The overall slope of the spray area is approximately 8 %. The home will be utilizing a Private Water Collection for their source of water. The property is not located over the recharge zone and there are no recharge features within 150 feet of the system. The property is not located within the 100 yr. floodplain. All other separation distances will be maintained as per TCEQ (TNRCC) Table X, rules for On-Site Sewage Facilities Chapter §285.31.

This design is for a 2 bedroom, 1728 sq. ft. single family residence, which is a new construction and will be utilizing low flow fixtures. Therefore, the projected daily flow is 240 gallons per day as per TCEQ (TNRCC) rules Table III, effective June 13, 2001.

The residence will utilize a Hoot 500 treatment system model H-500 TPS LA (500 GPD night pumping system). This is a three compartment treatment plant that has been approved for use and installation in Texas. This system consists of a 350 gallon trash tank, a 500 GPD aerobic compartment which flows through a stack feed chlorinator and is held in the third and final compartment of the 750 gallon pump chamber. After being held and chlorinated in the pump chamber the water will flow through and be distributed to the irrigation area through 1" Sch. 40 PVC line to the sprinklers. There will be two 35', 180 ° radius pattern served by one spray head each half. All electrical supply line is to be in conduit. This system is to be installed as per manufacturer's instructions.



Bruce Boatner  
401 Rocky Springs Rd.  
Wimberley, Texas  
Lot 12, Rocky Springs Sec. I



The slope behind the spray heads does not show any evidence of possible seepage; a variance is requested from the 25' setback to this slope.

Any potential well construction must maintain a 100' setback from the spray heads and 50' setback from the treatment tank

Maintain all setbacks as per Chapter 285 Rules for on site sewage facilities.

RECEIVED  
OCT 24 2005  
BY: mf

| DESIGN SPECIFICATION            |   |                       |
|---------------------------------|---|-----------------------|
| <b>Size of Residence</b>        |   | 1728 Square Feet      |
| <b>Number of Bedrooms</b>       | No low flow fixtures  | 2 bedrooms            |
| <b>Operational Capacity</b>     |   | 240Gallons per day    |
| <b>Design Flow</b>              |   | 240 Gallons per day   |
| <b>Application Rate</b>         | .064 Gal/ft <sup>2</sup> /Day   | 240/.064              |
| <b>Minimum Application Area</b> | (Q÷.064 Gal/ft <sup>2</sup> /Day)   | 3750ft <sup>2</sup>   |
| <b>Actual Application Area</b>  | $\pi (r^2) \times \text{Number of Heads}$<br>3.14 (35 <sup>2</sup> ) × 2 half radii;<br>2 heads | 3846.5ft <sup>2</sup> |

| SYSTEM COMPONENTS              | GALLON CAPACITY |
|--------------------------------|-----------------|
| <b>Trash Tank: HOOT LA TPS</b> | 350             |
| <b>Aeration tank</b>           | 500 GPD         |
| <b>Pump Tank</b>               | 750             |

| PUMP   | SPRINKLER HEAD                                    |
|--|---|
| <b>Effluent Blaster</b>  | <b>K-Rain</b> Pro-Plus series or equivalent       |
| <b>Model: H 12 EB05, 0.5 HP submersible pump</b>   | <b>Nozzle # 6 LA trajectory 12° or equivalent</b> |
| <b>Operational Flow: 13 GPM</b>  | Providing 35 ft. radius, ≤ 30 psi                 |
| Adjustment on spray pattern to be achieved with Nozzle screw adjustment and opening sample port. | 6.5 GPM flow per sprinkler                        |

| PUMP PROBE/FLOAT SETTING                     |                                      |
|--|--------------------------------------|
| <b>Low Water Float/probe:</b>                | 15 inches above floor                |
| <b>High Water Float/ probe:</b>              | 33.5 inches above floor              |
| <b>Alarm:</b>                                | 33.5 inches above floor              |
| <b>Daily Operational Capacity:</b>           | 18.5 in. X 14.5 gal/in.= 270 gallons |
| <b>One Day Reserve Capacity above alarm:</b> | 18.5 in. X 14.5 gal/in.= 270 gallons |

---

**FLOW, DOSING AND HEAD CALCULATIONS:**

|                    |  |
|--------------------|--|
| FLOW RATE:         | 6.5 GPM/head × 2 heads = 13 gpm  |
| DOSING RATE:       | 1 dose @ 270 gal/dose/ 13 gpm ≈ 21 min.                                    |
| <u>TOTAL HEAD:</u> |  |
| ELEVATION HEAD:    | 0 ft   |
| PRESSURE HEAD:     | 30 psi × 2.31 ft/psi = 69.3 ft.  |
| FRICITION HEAD:    | 1" Sch. 40 PVC @ 13 gpm = 4.89 per100ft<br>150 ft × 4.89 ft/ 100 = 7.34 ft |
| TDH=               | 0 ft + 7.34 + 69.3 = 76.6 ft<br>within pump curve                          |

**SPECIAL NOTES:**
**According to Installer's Manual:  
"Night pumping model"**

**"Upon initial start up of system, the internal clock assumes daylight just occurred. The system starts the 20 hour clock till pump down. If night comes, and daylight then occurs before the 20 hours has passed, then the pump will automatically pump out at daybreak. This is also the same scenario that will occur if there is a power failure during the day. Every time water touches the high water probe it will turn the pump on for 4 minutes once it clears the high water probe. This cycle will repeat until 20 hours after sun up when the system will pump the entire pump tank."**

**Further control, if necessary, of the spray pattern will be done through the nozzle screw as well as opening the sample port. If necessary the nozzle screw can shorten the distance on the pattern when turned in further.**

TANK INSTALLATION NOTES:

AS PER §285.32 {F}

Bottom of tank installation must be level with out any rocks or protrusions. Set tanks on at least a 4 inch bed of sandy loam, sand, pea gravel or clay loam. This soil is to be free of rock larger then ½ inch in diameter. Backfill on tank excavation may include all soils **except for Class IV soil and any soil that contains rock larger then ½ inch in diameter.**

§285.32 (a) 1-7

A minimum of 1/8 inch per foot fall is required from the house to tank and SDR 26 (Schedule 40 PVC pipe) must be utilized. For check tank integrity (leak testing), please fill tank with water up to inlet and outlet. All pipe connections to have a proper seal to prevent water either entering or escaping the tank. ++ Tanks set deeper then 12 inches must have risers to allow for access to system.

ELECTRICAL COMPONENTS

§285.34 "All electrical components must be installed in accordance National Electric Code (1999) or any other standards approved by executive director. As well as be in **Electrical line Conduit** as specified by Chapter 285 rules for on-site sewage facilities. **Electrical disconnect to be supplied within view of the system for maintenance and must be weather proof.**"

INSTALLER: §285.53

For this system must have a valid Class II Installer's license and must install the system in accordance with Title 30 TAC §285 On-Site Sewage Facilities. The installer is not to alter any portion of plans or design without expressed permission of the designer. Ultimately it is the responsibility of the installer to maintain setbacks and separation distances as set forth in §285 On-Site Sewage Facilities Table X.

IRRIGATION SUPPLY LINES:

Supply lines for the spray system must be **purple 1" Sch. 40 PVC** to indicate reclaimed water line. These lines are to be set at minimum excavation depth of 6 inches. Any supply line that is run under a driveway or in high traffic areas is to be sleeved. Should the fresh and reclaimed water line cross, place the reclaimed water line 6 inches below the fresh water line and sleeve the reclaimed water line with a solid 20 foot section of pipe, centering the pipe at the intersection of the two lines.

**Sleeved lines for driveways and sidewalks are to be Sch. 40.**

APPLICATION AREA:

Any trees in the spray area must be trimmed so that the spray applies to trunk only. The sprinkler head must maintain a 10 ft setback from every tree within the application area. Removal of trees must be with the expressed permission of the property owner. Any exposed rocks in the spray area are to be removed or covered with soil, and grass seed. Brush and cactus are to be trimmed or removed from application area at the discretion of the regulatory authority and property owner. The application area must have established vegetation or seeded with Rye, Bermuda or a mixture dependant upon the season. Vegetation must be well established prior to operation of the system. Area must maintain a slope of less then 15%. Area of application may have to have soil added or grade area to maintain the proper slope.

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ALARMS:

The system must be installed with an audio and visual alarm system. This alarm system must be mounted in an area that is within hearing and sight proximity of the home.

FILTER:

(HAYS COUNTY/ CALDWELL COUNTY REGULATION)

A 100 mesh filter is to be installed on the supply line prior to the spray heads either within the tank or on the supply line outside of the tank. A purple valve box must also be supplied should the filter be installed outside of the tank.

**†† Systems installed within the San Marcos City limits have the option of not using the 100 mesh spin filter.**

MAINTENANCE:

§285.7

A "weather resistant" maintenance tag is to be affixed to the system and must contain the name of the company, phone number, specify start date of contract, and be indelibly marked or punched for each date the system had maintenance.

The home owner is required to sustain a contract for maintenance of the Aerobic System with an authorized company. A copy of this contract is to be submitted to the Regulatory Authority.

A 2 year maintenance contract is included with the installation of the system. The Maintenance Company is required to inspect the system operation and submit paperwork to the Regulatory Authority every 4 months.

AFFIDAVIT:

Permit to install may not be issued until a certified copy of the affidavit, which has been recorded at the Hays County Clerk's office, has been filed in reference to the real property deed on which the surface application system is to be installed. A copy of this affidavit is to be submitted with the application. This affidavit indicates that the property will not be sold or transferred to a new owner without the new owner's knowledge that the property contains a surface application system for wastewater disposal.

Permits shall be transferred to the new owner upon legal sale of the OSSF. The transfer of an OSSF permit under section §285.20 (5) of the TNRCC OSSF Rules, shall occur upon actual transfer of the property on which the OSSF is located unless the ownership of the OSSF had been severed from the property.

## HOME OWNER (OSSF) OPERATION:

- ❖ Septic Systems are **NOT** to be treated as a municipal sewer system.
- ❖ Water conservation practices should be utilized at all times; which means running your dish machine at full capacity, and taking brief showers, do not allow the water to run when washing your hands or brushing your teeth. <http://www.geocities.com/RainForest/7575/#bath>
- ❖ Repair any leaking faucets and toilets as quickly as possible, even left to drip overnight can over utilize or damage your system.
- ❖ Typically most aerobic treatment plants need to be pumped every 2 to 3 years (**this is the home owner's responsibility**).
- ❖ If you use a garbage disposal unit, (**this is not recommended**), use should be sparingly if at all.
- ❖ **Water softener backwash (if installed in home) must be disposed of in the pump tank portion of the septic system only.** Check with Designer before the addition of water softener. Design changes may have to be made to accommodate additional water introduction into system.
- ❖ Use detergents without phosphates.
- ❖ Chemical or "septic system additives" are **NOT** to be introduced to your septic system.
- ❖ Neither feminine hygiene products nor disposable diapers may be flushed into your system. Other products such as cigarette butts, nasal tissue or other products that do not degrade readily should also not be introduced (flushed) into your system.
- ❖ **The home owner is responsible** for the vegetation in the application area of your system. It should be trimmed as often as possible and special care to be taken around each spray head so as not to damage them. The home owner should maintain strong vegetative cover.
- ❖ Keep brush and rock outside the spray pattern.
- ❖ Also neither rock walls nor concrete walks to be placed within the spray pattern of your septic system. Buildings, storage units or any other construction should be constructed outside of the spray pattern.
- ❖ Do not build anything over your septic tank.
- ❖ Do not plant any kind of edible vegetation in the spray area.
- ❖ Keep all vehicular traffic away from your septic tank and spray area or drainfield.
- ❖ **It is the homeowner's responsibility to check the system periodically for alarms and malfunctions. When one is noted, call your maintenance provider immediately.**

†† This system has been designed in accordance with Local Authority Rules and TCEQ (formerly TNRCC) §285 Rules for On-Site Sewage Facilities. The performance of this system **CAN NOT BE GUARANTEED** although all aspects of this system have met the minimum standards set forth by the State. If failure occurs, additions to the system may be required.

## OSSF SOIL EVALUATION FORM

**Owner's Name:** Boatner, Bruce

**Physical Address:** 401 Rocky Springs Rd.

**Legal Description:** Lot 12 Rocky Springs Section One

**Date Performed:** 8-05-05

**Proposed Excavation Depth:** Surface Application

**Requirements:**

- ❖ At least two soil profile evaluations must be performed on the site, at opposite ends of the proposed disposal area. Locations of the profile hole must be shown on the designer's site drawing.
- ❖ For subsurface disposal, soil evaluations must be performed to a depth of at least 2 feet below the proposed excavation depth. For surface disposal, the surface horizon must be evaluated.
- ❖ For the basis of evaluation each soil horizon should be evaluated and all restrictive horizons to be identified. Lines to be drawn at appropriate depth.

| Features of Site Area                                    | Yes | No |
|--|-----|----|
| Presence of 100 year flood zone.                         |     | √  |
| Presence of adjacent ponds, streams, water impoundments. |     | √  |
| Existing or proposed water well in nearby area.          | √   |    |
| Organized sewage available to lot or tract.              |     | √  |
| Recharge features within 150 feet.                       |     | √  |

**Soil Profile # 1**

| Depth (ft) | Textural Class | Gravel Analysis | Drainage Mottles/Water Table | Restrictive Horizon | Observations              |
|------------|----------------|-----------------|------------------------------|---------------------|---------------------------|
| 0          | III            | < 30 %          | N/A                          |                     | Suitable for Spray system |
| 1          |                |                 |                              |                     |                           |
| 2          |                |                 |                              |                     |                           |
| 3          |                |                 |                              |                     |                           |
| 4          |                |                 |                              |                     |                           |
| 5          |                |                 |                              |                     |                           |

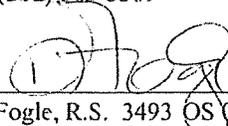
**Soil Profile # 2**

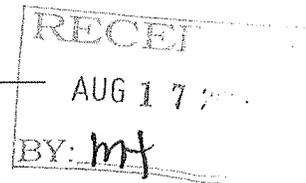
| Depth (ft) | Textural Class | Gravel Analysis | Drainage Mottles/ Water Table | Restrictive Horizon | Observations              |
|------------|----------------|-----------------|-------------------------------|---------------------|---------------------------|
| 0          | III            | < 30 %          | N/A                           |                     | Suitable for Spray system |
| 1          |                |                 |                               |                     |                           |
| 2          |                |                 |                               |                     |                           |
| 3          |                |                 |                               |                     |                           |
| 4          |                |                 |                               |                     |                           |
| 5          |                |                 |                               |                     |                           |

I certify that the above statements are true and are based on my own field observations.

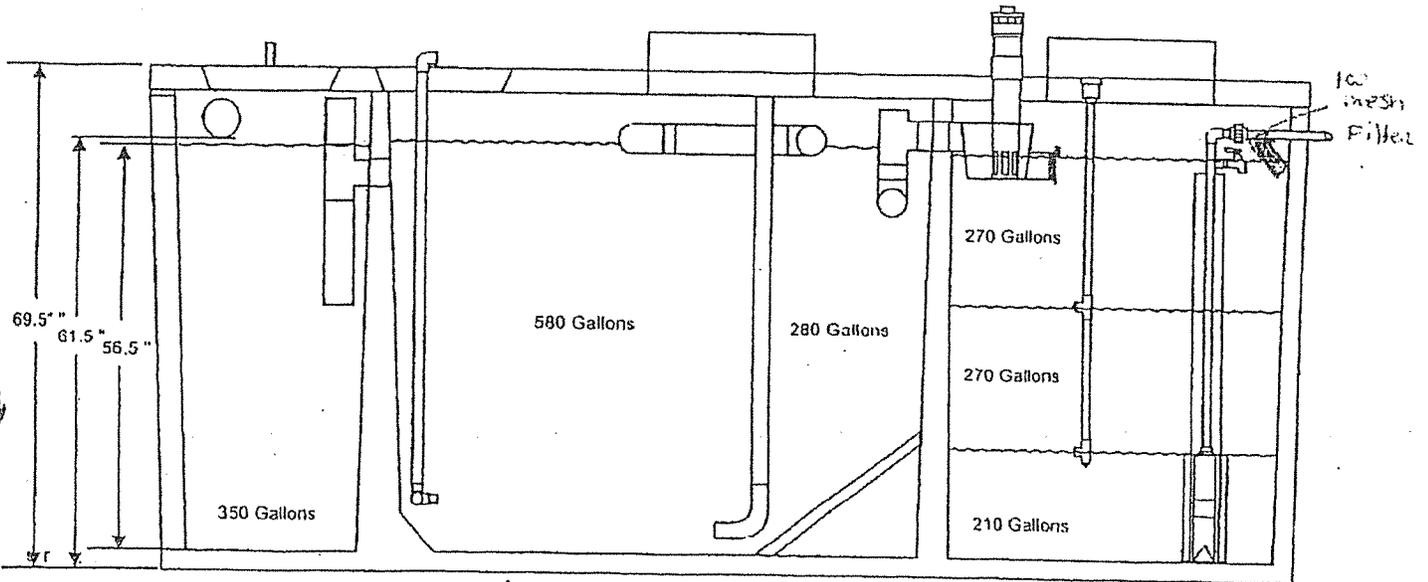
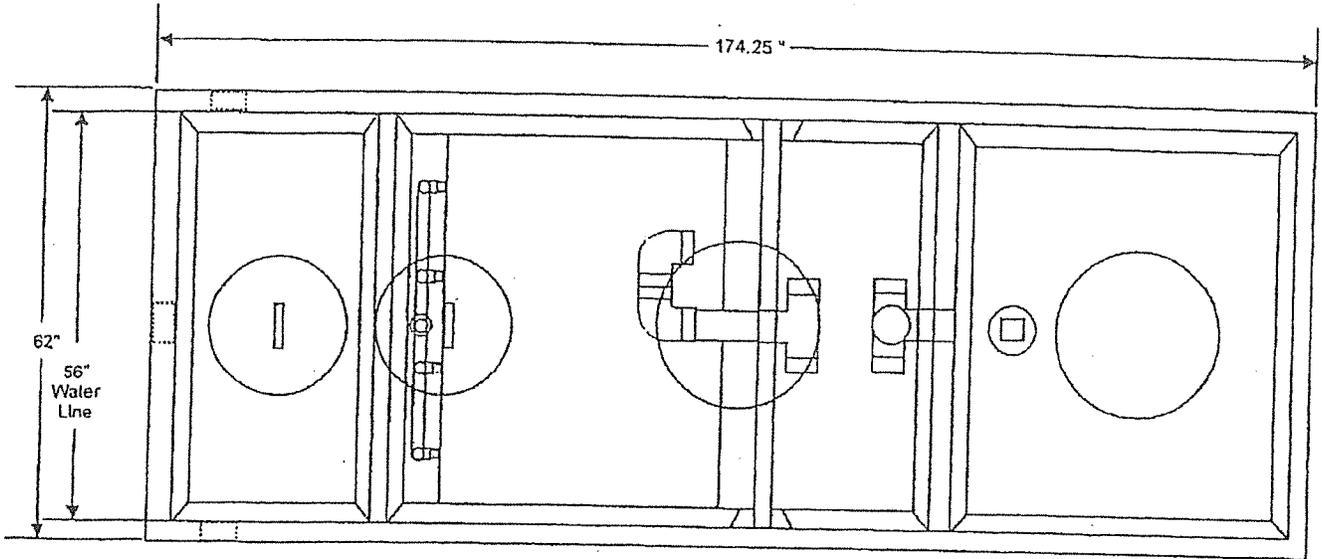
Cell Phone (512) 563-3389

Site Evaluator:

  
 Dora R. Fogle, R.S. 3493 OS 0010801



500 GPD NIGHT PUMPING SYSTEM  
LA-500 TPS Full Day Storage



750 Gallons  
210 Gallons Remaining In Tank  
540 Gallons Pumping Capacity



# BLASTER®

## Filtered Effluent Pump

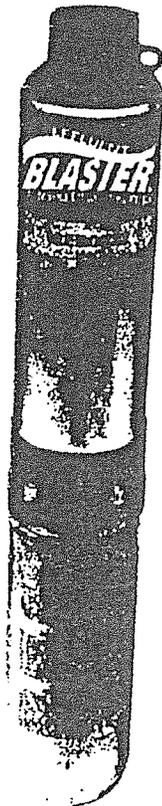
### SPECIFICATIONS

| Model | Flow Range GPM | Horsepower Range | Best Eff. GPM | Discharge Connection | Maximum Solids Size | RotationⓄ |
|-------|----------------|------------------|---------------|----------------------|---------------------|-----------|
| 12EB  | 3-16           | 1/4-1/2          | 10            | 1 1/4"               | 1/4" dia.           | CCW       |
| 20EB  | 6-28           | 1/2-1            | 18            | 1 1/2"               | 3/8" dia.           | CCW       |

Ⓞ Rotation is counterclockwise when observed from pump discharge end.

### "EB" SERIES MATERIALS OF CONSTRUCTION

| Part Name              | Material                   |
|------------------------|----------------------------|
| Discharge Head         | Glass Filled Ultrathane    |
| Check Valve Poppet     | Ultrathane                 |
| Check Valve O-ring     | E P Rubber                 |
| Bearing Spider - Upper | Glass Filled Polycarbonate |
| Bearing                | Urethane                   |
| Klipring               | AISI 301 SS                |
| Diffuser               | Glass Filled               |
| Impeller               | Polycarbonate              |
| Bowl                   | AISI 304 SS                |
| Shim                   | AISI 304 SS                |
| Spacer                 | AISI 304 SS, Powder Metal  |
| Inlet Strainer         | Glass Filled Ultrathane    |
| Motor Adapter          | Glass Filled Ultrathane    |
| Casing                 | AISI 304 SS                |
| Shaft                  |                            |
| Coupling               | AISI 304 SS, Powder Metal  |

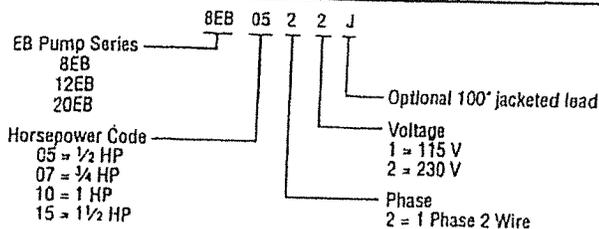


### FEATURES

- **Designed for pumping filtered effluent from processed septic systems only.**
- **Field Serviceable:** Pump can be rebuilt in the field to like new condition with common tools and readily available spare parts. **NOTE: The Model EB has left hand casing threads.**
- **Powered for Continuous Operation:** All ratings are within the working limits of the motor as recommended by the motor manufacturer. Pump can be operated continuously without damage to the motor.
- **Metal Parts are Stainless Steel:** AISI types 301 and 304 are corrosion resistant.
- **Non-Metallic Parts are Effluent Compliant:** Impellers, diffusers and bearing spiders constructed of glass filled polycarbonate, an engineered composite. This material is corrosion resistant.
- **Discharge Head:** State of the art engineered composite material for superior strength and corrosion resistance. Loop for safety line molded into head.
- **Motor Adapter:** State of the art engineered composite material with high rigidity to provide accurate alignment of liquid end to motor. Generous space for removal of motor mounting nuts with regular open-end wrench.
- **Bowls:** Stainless steel for strength and abrasive resistance.
- **100" 3 wire motor lead standard.**
- **Consult factory for recommendations involving long run cycles followed by short off cycles to assure proper motor cooling flows.**

- **Check Valve:** Built-in check valve assembly on all models.
- **Warranted for one year against failure due to workmanship and materials. Solids plugged pumps are not covered. Pumps used for liquids other than filtered effluent are not covered.**
- **Stainless Steel Casing:** Polished stainless steel is attractive and durable in the most corrosive effluent.
- **Hex Shaft Design:** Six sided shafts for positive impeller drive.
- **Inlet Strainer:** Molded suction strainer built into motor adapter.
- **Urethane Upper Bearings:** Fluted design for free passage of abrasives.
- **Franklin Electric Motor:**
  - Corrosion resistant stainless steel construction.
  - Built-in surge arrestor is provided on single phase motors.
  - Stainless steel splined shaft.
  - Hermetically sealed windings.
  - Replaceable motor lead assembly.
  - UL 778 and CSA recognized.
  - NEMA mounting dimensions.
  - **Optional 100" jacketed power cord available.**
- **Agency Listings:** All complete pump/motor assemblies are UL778 and CSA listed. All Franklin Electric Motors are UL778 recognized.
- **All models have 1/4" diameter bypass in discharge head to ensure venting on start up.**

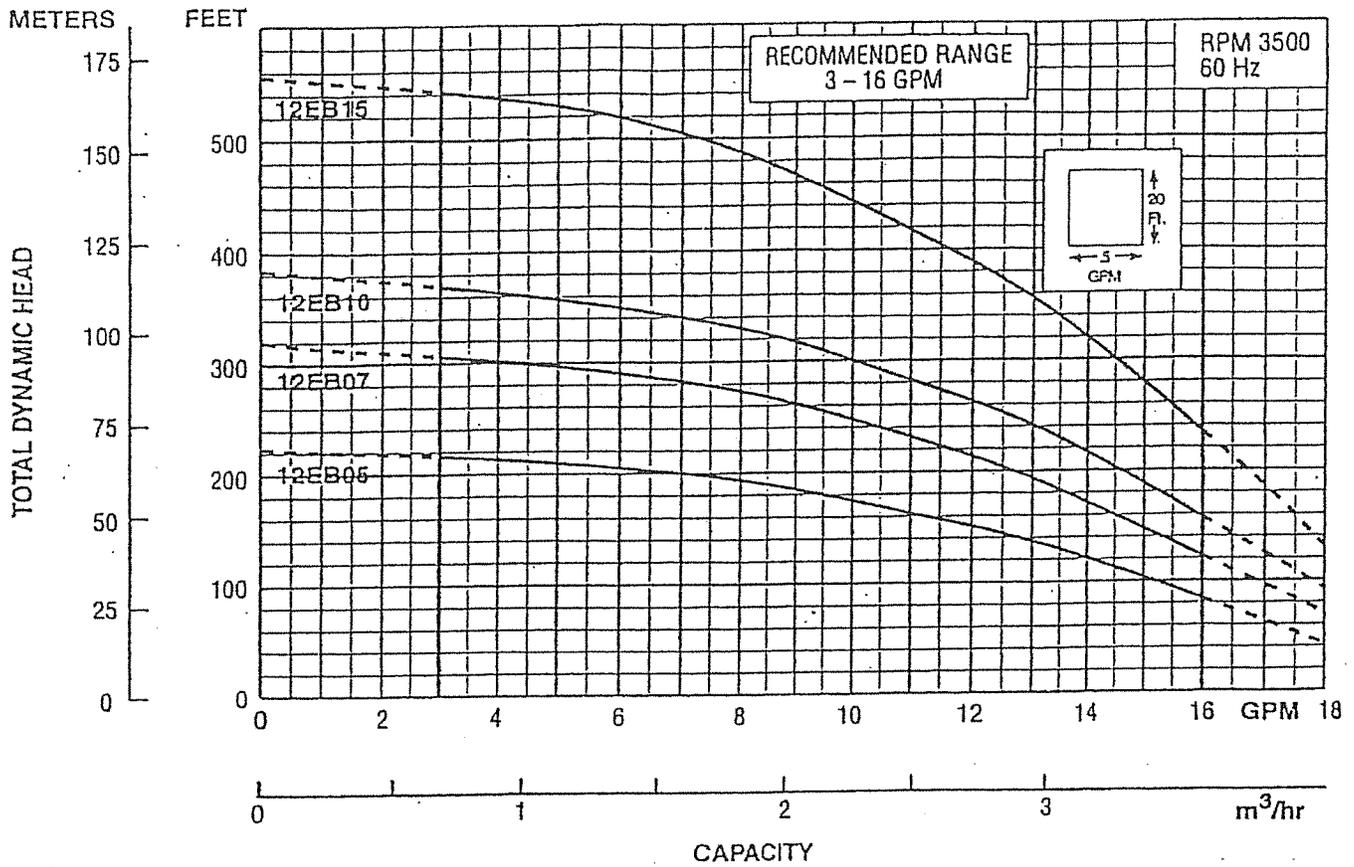
### ORDER NUMBER CODE



Underwriters Laboratories  
File no. E174428



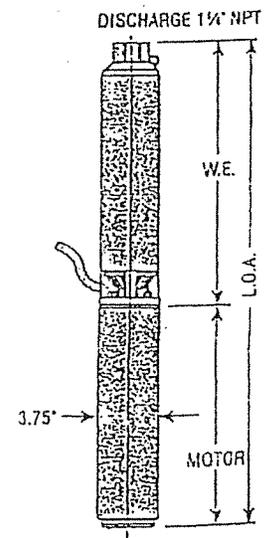
Canadian Standards Association  
File no. 38549



DIMENSIONS AND WEIGHTS

| Order Number       | HP  | Phase | Slagas | Length (inches) |       |         | Waight (lbs.) |       |       |
|--------------------|-----|-------|--------|-----------------|-------|---------|---------------|-------|-------|
|                    |     |       |        | W.E.①           | Motor | L.O.A.② | W.E.          | Motor | Total |
| 12EB0522, 12EB0521 | 1/4 | 1     | 7      | 11.0            | 9.5   | 20.5    | 4             | 18    | 22    |

- ① W.E. = water end or pump without motor.
- ② L.O.A. = length of assembly - complete pump - water end and motor.



# TECHNICAL SPECIFICATIONS: K2+ PROFESSIONAL SERIES

## FEATURES

- 5 Inch Riser Pop-Up Height
- NEW! Patented Easy Arc Set
- Standard Rubber Cover
- Advanced Riser Seal
- Multi-functional arc set and nozzle removal key
- Easily retrofit to any other system

## SPECIFICATIONS

- 3/4" Threaded NPT Inlet
- Arc Adjustment Range 35° to 360°
- Flow Range 1 - 10 GPM
- Pressure Rating 7 - 70 PSI
- Precipitation rate: .02 to 1.7 inches per hour (depending on spacing and nozzle used)
- Overall height (popped down): 7 1/2 inches
- Spacing: 25 feet to 50 feet
- Radius: 14 feet to 50 feet
- Nozzle Trajectory:
  - Standard 27°
  - Low Angle 12°

## MODELS

- Adjustable and Full Circle Models
- Optional Check Disk Available

STANDARD NOZZLE PERFORMANCE CHART

| Nozzle | PSI | Radius | GPM  |
|--------|-----|--------|------|
| #1     | 30  | 33'    | 1.0  |
|        | 40  | 35     | 1.3  |
|        | 50  | 38     | 1.4  |
|        | 60  | 38'    | 1.5  |
| #2     | 30  | 38'    | 2.1  |
|        | 40  | 39'    | 2.5  |
|        | 50  | 40'    | 3.0  |
|        | 60  | 41'    | 3.1  |
| #3     | 30  | 41'    | 2.8  |
|        | 40  | 42'    | 3.3  |
|        | 50  | 45'    | 3.6  |
|        | 60  | 46'    | 4.2  |
| #4     | 30  | 43'    | 3.9  |
|        | 40  | 45'    | 4.5  |
|        | 50  | 47'    | 5.4  |
|        | 60  | 52'    | 5.8  |
| #5     | 40  | 49'    | 6.2  |
|        | 50  | 51'    | 7.0  |
|        | 60  | 54'    | 7.9  |
|        | 70  | 55'    | 8.1  |
| #6     | 40  | 47'    | 8.0  |
|        | 50  | 51'    | 8.9  |
|        | 60  | 53'    | 9.6  |
|        | 70  | 55'    | 10.6 |

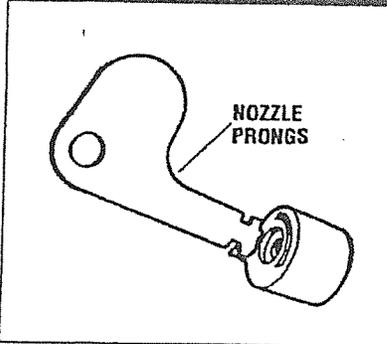
LOW ANGLE NOZZLE PERFORMANCE CHART

| Nozzle | PSI | Radius | GPM |
|--------|-----|--------|-----|
| #1     | 30  | 22'    | 1.5 |
|        | 40  | 24'    | 1.7 |
|        | 50  | 26'    | 1.8 |
|        | 60  | 28'    | 2.0 |
| #3     | 30  | 29'    | 3.0 |
|        | 40  | 32'    | 3.1 |
|        | 50  | 35'    | 3.5 |
|        | 60  | 37'    | 3.8 |
| #4     | 30  | 31'    | 3.4 |
|        | 40  | 34'    | 3.9 |
|        | 50  | 37'    | 4.4 |
|        | 60  | 38'    | 4.7 |
| #5     | 40  | 38'    | 6.5 |
|        | 50  | 40'    | 7.3 |
|        | 60  | 42'    | 8.0 |
|        | 70  | 44'    | 8.6 |

DATA REPRESENTS TEST RESULTS IN ZERO WIND. ADJUST FOR LOCAL CONDITIONS. RADIUS MAY BE REDUCED WITH NOZZLE RETENTION SCREW.

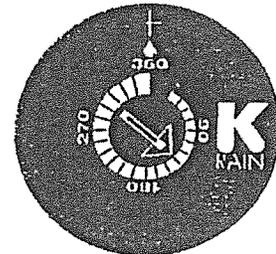
© 1998 K-Rain Mfg. Corp.

### EASY NOZZLE REMOVAL



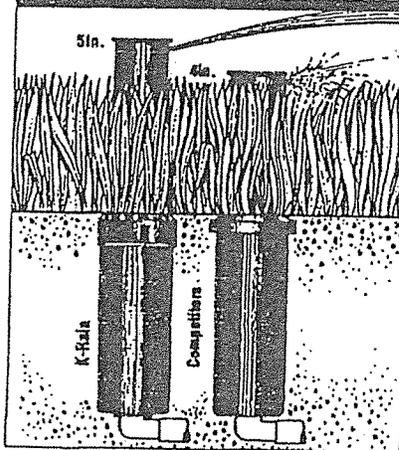
### EASY ARC SETTING

ARC SELECTION 35° TO 360°



ADJUST FROM LEFT STOP

### K-RAIN VS. COMPETITORS



# K RAIN.

IDEAS IN IRRIGATION

K-Rain Manufacturing Corp.  
 1640 Australian Avenue  
 Riviera Beach, FL 33404 USA  
 PH: 561 844-1002  
 FAX: 561 842-9493  
 EMAIL: krain@k-rain.com  
 WEB: http://www.k-rain.com

March 20, 2016

City of Wimberley  
221 Stillwater  
Wimberley, Texas 78676

Attention: City Administrator

Re: File No. CUP-16-003  
401 Rocky Springs Road, Wimberley, Texas

City of Wimberley,

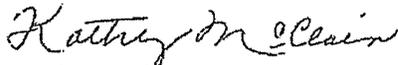
This letter is in response to the Notice of Public Hearing that I received on or about March 7, 2016, wherein Bruce & Carole Boatner have applied for a Conditional Use Permit to allow for a vacation rental on property zoned Rural Residential 1 (R-1) located at 401 Rocky Springs Road, Wimberley, Texas. I am strongly opposed to the rezoning of the property located at 401 Rocky Springs, to allow for a vacation rental.

I purchased my property approximately one year ago because I love Wimberley and want to live in a rural, quiet, residential location. The Boatner's property is visible and audible from my home. If the property becomes rezoned to vacation rental, it will increase the traffic on this "dead end" street. The road is a narrow two lane, hilly road which does not lend itself to safe foot traffic either. In addition to the traffic, short term visitors in the residential neighborhood could possibly increase theft and vandalism.

I understand that the Boatners never intended to live on this property and built the home for rental purposes. Long term rentals do not bring the issues and challenges of vacation rentals. There are plenty of commercial locations in Wimberley to allow for vacation rentals that are not in rural residential neighborhoods.

I would be at the public hearing on March 24<sup>th</sup>, but I have had a trip planned to see my daughter in D.C. for many months. Thank you for considering my comments,

Sincerely,



Kathy McClain  
301 Rocky Springs Road  
Wimberley, Texas 78767  
512.497.5896

**Subject:** C.U.P. Application by the Boatner's

**Date:** Monday, March 21, 2016 1:50:58 PM Central Daylight Time

**From:** Prowd House

**To:** dferguson@cityofwimberley.com, cmcpartland@cityofwimberley.com

**CC:** [REDACTED]

Mr. Ferguson,

It has been brought to our attention that Carol and Bruce Boatner have applied for a "Commercial Use Permit" at 401 Rocky Springs Road. It has also been brought to our attention that there has been some resistance to this application by Ms. McClain who live at 301 Rocky Springs.

It is our understanding that the Boatner's have been operating their property without an approved C.U.P. for some considerable time, without a single incident of any kind, which they now realize contravened the C.U.P. ordinance and are now attempting to put that right.

The McClain's have lived at their address also for some considerable time and have not found it necessary to lodge any kind of complaint that relates to their current objection. Therefore how can their objection be considered relevant? With regard to the possible increase in crime which is part of their complaint we, 'Prow'd House' have been in operation over 15 years without a single threat of any kind. In fact it is more likely that the crime threat would be reduced with having the property occupied.

We realize that we are outside the specific area of notification for the subject application but we are still close neighbors and believe that the Boatner's have operated their vacation home in a very professional manner that probably resulted in the McCain's not even being aware that the house was being used for this purpose until now. Therefore they should be encouraged to re-think their objections when they are in receipt of all the circumstances.

### **Donna & Dave Kyte on Duty at Prow'd House**



304 Rocky Springs Road.

**Subject:** CUP application for 401 Rocky Springs Road, Wimberley

**Date:** Monday, March 21, 2016 1:55:16 PM Central Daylight Time

**From:** [REDACTED]

**To:** dferguson@cityofwimberley.com

RE: CUP application for 401 Rocky springs Road, Wimberley

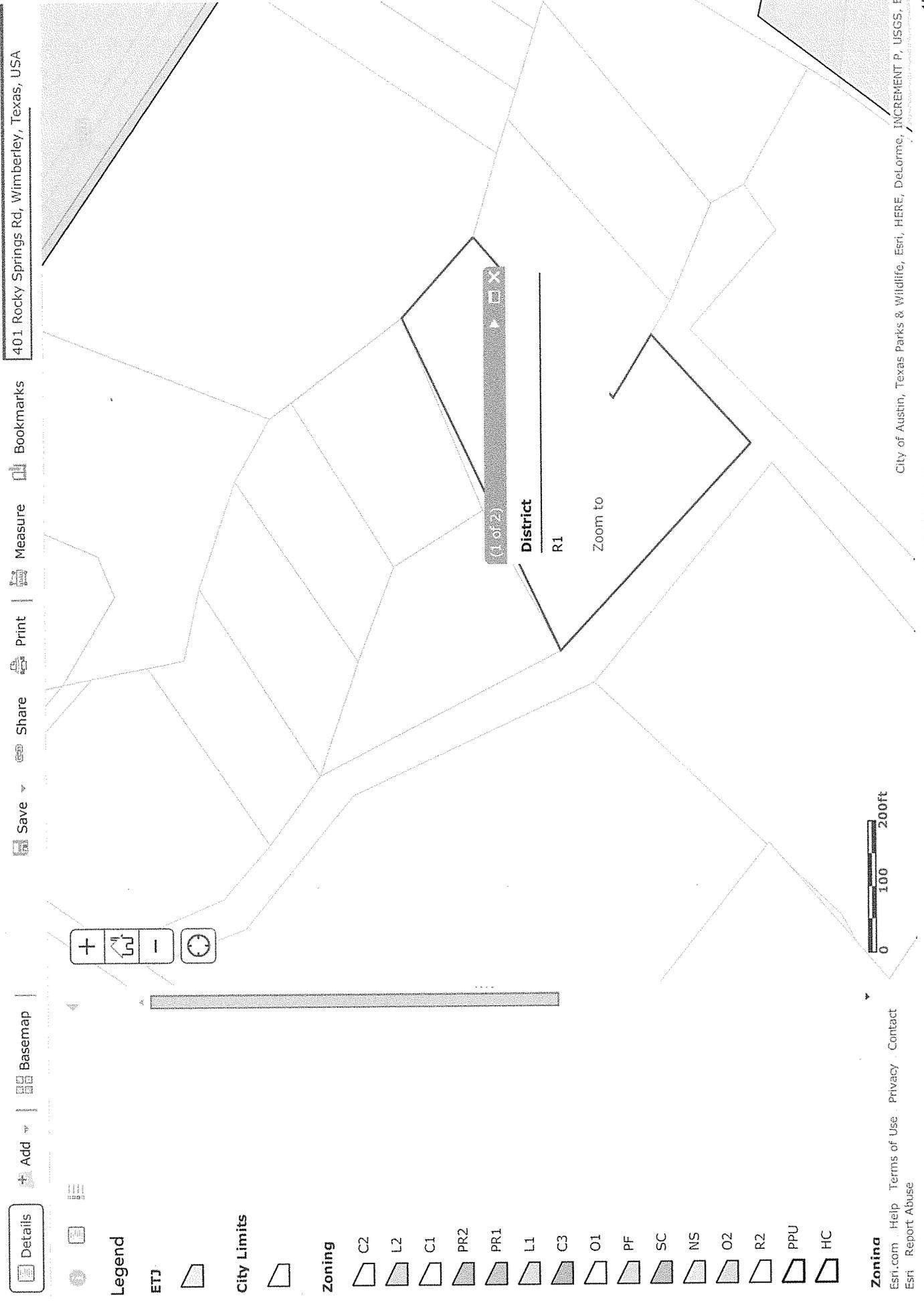
We own the home at 505 Rocky Springs Rd, next to the above property. It is our understanding that the owners are seeking a CUP to use the home as a vacation rental.

We are in support of the CUP for this property. We have owned our property since 2012, and can say without question, that there have not been any incidents of crime, mischief, loud noise or increased traffic since this home has been used for a vacation rental. The home is extremely well maintained, and we far prefer having people rent it, because we feel it may even discourage criminal mischief because it is occupied and monitored. There is a local full-time vacation rental agency that responds to any questions or concerns quickly and takes care of any problems immediately.

Thank you for your consideration,

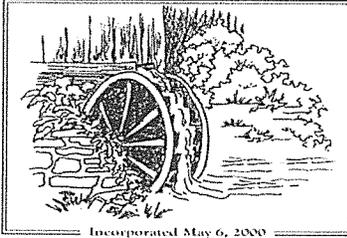
Brynn & Carl Anderson

512-297-9552 or 512-689-7327



**NOTICE OF PUBLIC HEARING  
(Conditional Use Permit)**

Notice is hereby given that the Planning & Zoning Commission of the City of Wimberley will hold a public hearing at the Wimberley City Hall on **Thursday, March 24, 2016 at 6:00 p.m.** to consider the following: CUP-16-003 – an application for a Conditional Use Permit (CUP) to allow for a vacation rental on property zoned Rural Residential 1 (R-1) located at 401 Rocky Springs Road in Wimberley, Hays County, Texas. Upon recommendation of the Planning & Zoning Commission, the City Council will also hold a public hearing on **Thursday, April 7, 2016, at 6:00 p.m.** at City Hall. Comments on this request from any member of the public may be presented in person or by mail (P.O. Box 2027) at City Hall prior to the hearing. The public will be granted an opportunity to speak at the hearings. Additional information concerning the proposed action is available for review at the Wimberley City Hall, 221 Stillwater, Wimberley, Texas.



# City of Wimberley

221 Stillwater, P.O. Box 2027, Wimberley, Texas 78676

Phone: (512) 847-0025 - Fax: (512) 847-0422

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

Steve Thurber, Mayor - Cindy Anderson, Mayor Pro-Tem  
Council Members - Bob Dussler, Mac McCullough, Pam Showalter & John D. White  
City Administrator - Don Ferguson

---

March 7, 2016

## NOTICE OF PUBLIC HEARING

Re: **File No. CUP-16-003**  
401 Rocky Springs Road, Wimberley, Texas

Dear Property Owner:

You are receiving this letter because you own property within 200 feet of the above-referenced location.

The applicants, Bruce & Carole Boatner, have applied for a Conditional Use Permit to allow for a vacation rental on property zoned Rural Residential 1 (R-1) located at 401 Rocky Springs Road, Wimberley, Texas.

The City of Wimberley Planning & Zoning Commission will consider this request at a public hearing on **Thursday, March 24, 2016 at 6:00 p.m.** in the Wimberley City Hall, 221 Stillwater. Upon a recommendation from the Commission, City Council will hold a public hearing to consider the same request on **Thursday, April 7, 2016, at 6:00 p.m.** in the Wimberley City Hall.

Because the granting of this request may affect your property, you are encouraged to participate in the zoning process. The public will be given an opportunity to speak during the hearing. If you wish to comment but are unable to attend, written comments may be submitted to the City Administrator prior to the meeting.

Additional information regarding the proposed zoning is available for public review at City Hall during normal business hours. Should you have questions, please contact the City Administrator at 512-847-0025.

**CITY OF WIMBERLEY**

**Properties within 200' of 401 Rocky Springs:**

R40335

Kathy McClain  
301 Rocky Springs Rd.  
Wimberley, TX 78676

R40341

Raymond Lee Atnip, Jr.  
300 Rocky Springs Rd.  
Wimberley, TX 78676

R40342

Thomas C. & Ann J. Patton  
390 Rocky Springs Rd.  
Wimberley, TX 78676

R40343

Craig N. & Barbara Reitz  
504 Rocky Springs Rd.  
Wimberley, TX 78676

R40338

Robert A. Parker  
506 Blue Ridge  
Shenandoah, TX 77381

R40337

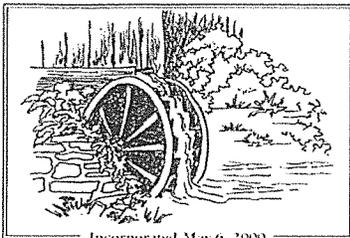
Brynn & Carl Anderson  
5812 Gentle Breezes  
Austin, TX 78731-3799

R20521

Michael D. Krouse  
2500 FM 3237  
Wimberley, TX 78676

R17762

Clemente Carlos Alaniz (VLB)  
1414 MacClesby Ln.  
Channelview, TX 77530-2260



# City of Wimberley

221 Stillwater, P.O. Box 2027, Wimberley, Texas, 78676  
Phone: (512) 847-0025 - Fax: (512) 847-0422  
E-mail: [village@wimberley-tx.com](mailto:village@wimberley-tx.com) - Web: [www.cityofwimberley.com](http://www.cityofwimberley.com)

## NOTICE BY SIGN POSTING

Zoning No: CUP-16-003

Owner \_\_\_\_\_

Date 3/8/16

To: Code Enforcement/Public Works

Please place a Proposed Zoning Sign on the following property

( ) Project Site Address 401 Rocky Springs Rd

which is located on Rocky Springs Rd,

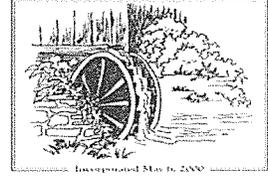
Bill Bowers  
Asst. Public Works

Note: The above-referenced sign was placed on the subject property on

3/8, 2016

Bill Bowers  
Signature

# Report for CUP-16-004



## Summary:

An application for a Conditional Use Permit for a Vacation Rental Facility property at 1851 Flite Acres Road

## Applicant Information:

### Applicants:

Aaron J. & Angela D. Scott  
13501 Ranch Road 12, Ste. 103  
Wimberley, TX 78676

### Property Owners:

Aaron J. & Angela D. Scott

## Subject Property:

### Legal Description:

Shepherd's Rest, Lot 1, 2.145 acres

### Location:

1851 Flite Acres Road

### Existing Use of Property:

Residential

### Existing Zoning:

Single Family Residential 2 (R-2)

### Proposed Use of Property:

Vacation Rental

### Proposed Zoning:

R-2 with CUP

### Planning Area

I

### Overlay District

None

## Surroundings:

### Frontage On:

Flite Acres Road

### Area Zoning and Land Use Pattern:

|                      | <b>Current Zoning</b> | <b>Existing Land Use</b> |
|----------------------|-----------------------|--------------------------|
| <b>N of Property</b> | RA                    | Residential              |
| <b>S of Property</b> | R-2                   | Residential              |
| <b>E of Property</b> | RA                    | Residential              |
| <b>W of Property</b> | ETJ                   | Residential              |

## Legal Notice

### 200' Letters:

3/7/16

### Published:

3/3/16

### Sign Placement:

3/8/16

### Responses:

None

## Comments:

The applicants, Aaron and Angela Scott, are seeking a Conditional Use Permit (CUP) for the operation of a vacation rental facility on 2.145 acres of property located at 1851 Flite Acres Road. The subject property is zoned Single Family Residential 2 (R-2) and located in Planning Area I. Vacation rental facilities are allowed on R-2 zoned properties with a CUP.

Currently, there is a 2,484 square foot, five (5) bedroom residence on the property. The applicant is proposing to use the residence as a vacation rental, with a maximum occupancy of twelve (12) people.

There is a properly permitted and functioning on-site septic system that serves the residence for which the CUP is being sought. Based on a review of the septic system and proposed use, City staff is recommending a maximum occupancy of four (4) guests for the proposed vacation rental facility.

The applicant, Aaron Scott, has submitted plans from a registered sanitarian that would upgrade the existing septic system to meet the requirements for a maximum occupancy of twelve (12) persons. Should the CUP be granted with a maximum occupancy of twelve (12) persons, as requested, the applicant understands that he must submit an On-site Sewage Facility (OSSF) Permit application and pay any applicable fees before commencing construction of the proposed system. The applicant would be required to limit maximum occupancy to four (4) guests until the newly installed septic system has been issued a City permit.

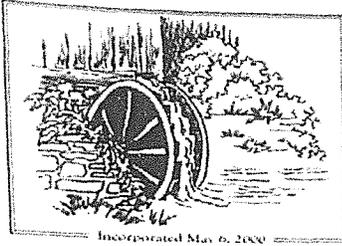
Guests would be required to park on the subject property.

The applicants are proposing a series of house rules, a copy of which is attached. Based on the proposed house rules and City's regulations for vacation rental facilities, City staff is recommending the following conditions be made part of the requested CUP, should the Commission desire to recommend approval:

1. No organized outside activities shall be allowed on the property after 10 p.m.
2. No guests, other than paying guests, shall be allowed on the property at any time, unless approved in writing, in advance, by the owner or his agent.
3. The grounds outside the residence shall remain free of litter and trash at all times.
4. A fire escape plan, identifying fire exits shall be developed and graphically displayed in each guest room.
5. One (1) smoke alarm shall be provided in each guest room, along with a fire extinguisher visible and accessible to guests.
6. A valid taxpayer number for reporting any Texas/City tax shall be provided to the City along with a copy of the completed *City of Wimberley/State of Texas Hotel Occupancy Tax Questionnaire*, no later than thirty (30) days following approval of the CUP.

7. The City shall be notified of any change in ownership of the subject property within thirty (30) days of such change.
8. A copy of the requirements set forth in the CUP shall be made available to all guests.
9. The subject property owner shall provide the City and property owners within two hundred (200) feet of the subject property, with the current names and contact information (including telephone numbers and e-mail address) for the local responsible party for the subject property. The local contact shall be able to respond to any incident within thirty (30) minutes of a call and shall be authorized to make decisions regarding tenants at the property. If the name or contact information for the local contact changes, then the property owners shall notify the City and property owners within two (200) feet of the subject property, with the current name and contact information.
10. Unruly gatherings are prohibited. Unruly gathering means a gathering of more than one (1) person which is conducted on premises within the City and which, by reason of the conduct of those persons in attendance, results in the occurrence of one(1) or more of the following conditions or events on public or private property; the destruction of property; obstruction of roadways, driveways, or public ways by crowds or vehicles; excessive noise; disturbances, brawls, fights, or quarrels; public urination or defecation; or indecent or obscene conduct or exposure.
11. The property shall be subject to inspection at any time by designated City representatives, if compliance is in question, with proper notice provided, if feasible.
12. The CUP shall terminate and be considered abandoned if and when there is evidence of no rental activity, based in part on the State/City Hotel Occupancy Tax Reports, for a period of nine (9) months. The burden shall be on the property owner to prove that use of the property has been in continuous use.
13. Signage for the vacation rental shall be limited to one (1) sign not to exceed four (4) square feet in area and shall be of traditional Hill Country design and color.
14. The maximum occupancy for the property shall be four (4) people.

To date, City staff has received no responses either for or against the CUP request.



RECEIVED  
FEB 24 2010

# City of Wimberley

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

Phone (512) 847-0025 Fax (512) 847-0422

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

## CONDITIONAL USE PERMIT APPLICATION

No. CUP 10 - 004

### FOR OFFICIAL USE ONLY

Application Date: \_\_\_\_\_ Tentative P&Z Hearing: 3/24 Tentative Council Hearing: 4/7

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

PROJECT SITE ADDRESS: 1851 Elite Acres Rd. Wimberley, TX 78676

OWNER/APPLICANT Aaron + Angie Scott PHONE (512) 753-2626

MAILING ADDRESS: 13501 RR 12 Suite 103,

CITY: Wimberley STATE: TX ZIP: 78676

**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)

Vacation Rental

Planning Area I Zoning R2 Total Acreage or Sq. Ft. 2+ acres ~~2300 sq ft~~

Subdivision: Shepherd's Rest Lot 1 Block \_\_\_\_\_ 2.145 ac

Appraisal District Tax ID #: R 129705

Deed Records Hays County: Volume 14 Page 358

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

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

### UTILITY PROVIDERS:

Electric Provider: Pedernales

Water Provider or Private Well: Wimberley Water Supply

Wastewater Service Provider or Hays County Septic Permit No: 2009-112

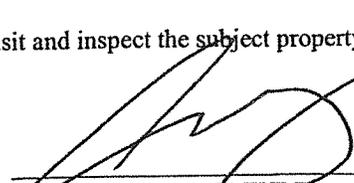
**MY REQUEST IS BASED ON THE FOLLOWING:**

- (X) 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;
- (X) The use requested by the applicant is set forth as a conditional use in the base district;
- (X) The nature of the use is reasonable;
- (X) 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;
- (X) 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
- (X) That any additional conditions specified, if any, ensure that the intent and purposes of the base district are being upheld.

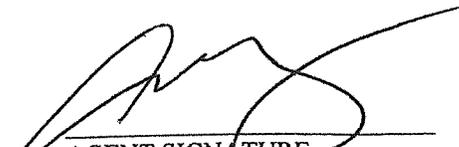
**ADDITIONAL REQUIREMENTS/DOCUMENTATION**

- (X) Metes and bounds description and a survey (i.e., drawing) exhibit showing the property for which the CUP is being requested.
- (X) 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').
- (X) List of Special Conditions that Applicant agrees apply to property. *See Attached*
- (X) List of all property owners, with mailing addresses located within two hundred feet (200') of any point of the subject property. *See Attached*
- (X) Payment of Application fee \$400.00 (non-refundable)
- (X) 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.
- (X) 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.
- (X) Applicant agrees to provide additional documentation as needed by the City.
- (X) 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.
- (X) Applicant hereby authorizes the City representatives to visit and inspect the subject property.

2/19/16  
DATE

  
APPLICANT SIGNATURE

WHEN APPLICABLE:  
Date 2/19/16

  
AGENT SIGNATURE



**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 Blanco River via Hidden Valley Rd 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.

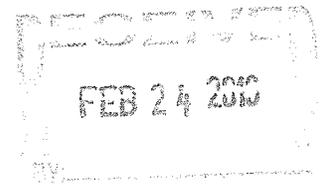
ACCEPTED AND AGREED TO:

2/19/16  
DATE

2/19/16  
DATE

[Signature]  
OWNER

[Signature]  
OWNER



February 24, 2016

City of Wimberley

221 Stillwater Drive

Wimberley, TX 78676

To Whom It May Concern:

Please find attached the Conditional Use Permit application for the property at 1851 Flite Acres Road, Wimberley, TX 78676. SkyRun Vacation Rentals manages this property for the home owner. If you have questions or concerns regarding this application, please contact Aaron Scott at (512) 753-2626.

Thank you in advance for your consideration.

Sincerely,

SkyRun Vacation Rentals

Special Conditions for 1851 Flite Acres Road, Wimberley, Texas 78676

This property is managed by SkyRun Vacation Rentals (512.753.2626) located in Wimberley, Texas. We have several properties that we manage in the Wimberley area. We have three employees that live a half a mile away from this particular property and at least one employee drives by the property at least every other day.

We also have a digital lock that allows us to see when guests check in and out. In addition we are installing a video camera to enforce our vehicle maximum. The vehicle maximum at this property is 5 and the guest maximum is 11. Guests who violate our policies are fined and forced to vacate immediately.

We also enforce strict quiet hours of 10pm-8am every single day.

We also require our guests to keep all trash in trashcans and never leave trash bags outside but rather in the trash bins.

We are complying with paying the 5% City of Wimberley tax to the city as requested.

We have the trashcans and recycling cans pulled out to the road the night before pickup and we roll them back in the next morning.

We also don't allow fires of any kind and post "Burn Ban" signs on the refrigerators when the Burn Ban is on.

We have also passed out business cards with SkyRun's owners cell phones on them and after hours numbers to neighbors close by.

Guests may walk down Flite Acres Road to the Hidden Valley Crossing and splash in the river. We instruct them to stay on the road in the river. It's trespassing if they go on anyone's property.

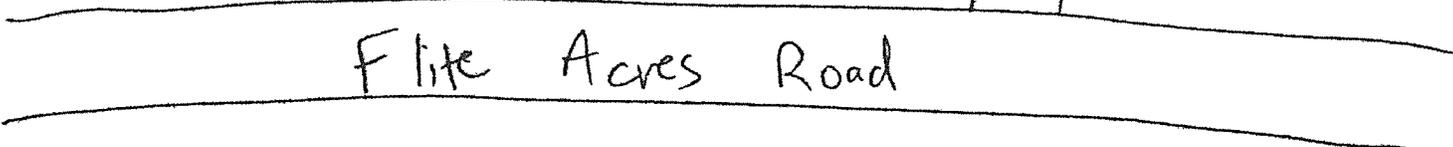
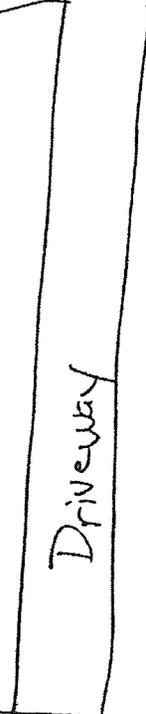
We have someone on call 24/7 who is ready to receive phone calls, voicemails and respond in person to any emergency within 15 minutes.

If you have any further questions please let me know and we will address it immediately.

Aaron Scott and Scott Teuton, owners  
SkyRun Vacation Rentals  
512.753.2626 - Aaron  
830.221.8344 - Scott



site plan



# SHEPHERD'S REST

A SUBDIVISION OF 3.246 ACRES OF LAND  
OUT OF THE HUGH G. PANNELL SURVEY No. 70, ABSTRACT No. 368,  
HAYS COUNTY, TEXAS



| LINE | LENGTH | BEARING     |
|------|--------|-------------|
| L1   | 193.84 | N75°56'28"E |
| L2   | 114.75 | N85°59'28"E |
| L3   | 105.26 | N89°44'25"E |
| L4   | 89.05  | S00°41'11"W |
| L5   | 29.45  | S00°41'11"W |
| L6   | 75.96  | S01°13'02"W |
| L7   | 13.59  | N87°28'12"E |
| L8   | 222.95 | S70°17'33"W |
| L9   | 114.47 | S82°03'09"E |
| L10  | 175.26 | S01°09'00"W |
| L11  | 365.04 | N00°37'02"W |
| L12  | 375.01 | N00°44'35"E |
| L13  | 763.09 | S89°16'49"E |

STATE OF TEXAS  
COUNTY OF HAYS

KNOW ALL MEN BY THESE PRESENTS, that the undersigned authority, on this day personally appeared, Aaron J. Scott and Angela D. Scott, known to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged to me that they have executed the same for the purposes and consideration therein expressed, in the capacity herein stated. This instrument is to be given effect as the City of Winkley may deem appropriate. This subdivision is to be given effect as "SHEPHERD'S REST".

I, COUNTY CLERK, do hereby certify that the foregoing instrument was filed for record in my office on this day of August, 2008, at 10:00 AM, and duly recorded on the records of said County and State, in Plat Book No. 174, Page(s) 1-5.

STATE OF TEXAS  
COUNTY OF HAYS

BEFORE ME, the undersigned authority, on this day personally appeared, Aaron J. Scott and Angela D. Scott, known to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged to me that they have executed the same for the purposes and consideration therein expressed, in the capacity herein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this day of August, 2008, at Winkley, Texas.

NOTARY PUBLIC AND COMMISSION EXPIRES 08/21/11

Linda Frithcke, Clerk of Hays County, Texas, do hereby certify (excepting instrument of the City of Winkley, Texas, A.D. 2008, at 10:00 AM, and duly recorded on the records of said County and State, in Plat Book No. 174, Page(s) 1-5).

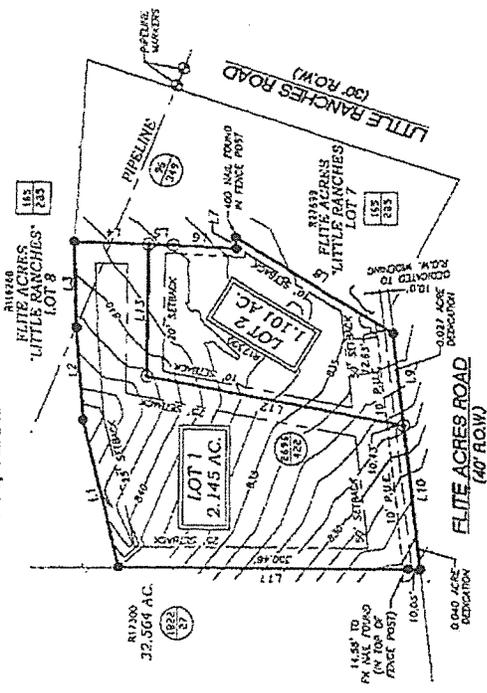
My hand and seal of office of the County Clerk, this day of August, 2008.

Linda C. Frithcke, County Clerk, Hays County, Texas

LEGEND  
 ① - 1/2" BROWN BOUND W/COPIES  
 "PAGE" - UNLESS NOTED  
 ② - 1/2" BROWN BOUND SET - 10/11/00  
 "SURVEYING"

SEARCHED \_\_\_\_\_ INDEXED \_\_\_\_\_  
 SERIALIZED \_\_\_\_\_ FILED \_\_\_\_\_

AUG 20 2008  
 HAYS COUNTY CLERK'S OFFICE  
 PUBLIC RECORDS  
 HAYS COUNTY OFFICIAL  
 HAYS COUNTY PUBLIC RECORDS  
 HAYS COUNTY CLERK'S OFFICE  
 HAYS COUNTY PUBLIC RECORDS



ELITE ACRES ROAD (40' ROW)  
SCALE: 1"=100'

UTILITY CONFIGURATION  
 Winkley Water Supply Corporation (CW/10318), an approved public water supply system, has adapted water mains to supply this subdivision in accordance with the local portion of the water supply system.

Don Frithcke, City Administrator of the City of Winkley, Texas, hereby certifies that this plat conforms to all requirements of the Subdivision Regulations of which approval is required.

Don Frithcke, City Administrator  
 City of Winkley, Texas  
 Date: 8/21/08

Based upon the representations of the engineer or surveyor whose name and address are stated on the face of this plat and the records of the City of Winkley, Texas, I find that this plat conforms with the requirements of the City of Winkley. This subdivision is made under such representations and conditions as are stated on the face of this plat and the records of the City of Winkley, Texas, and the same may be found in the records of the City of Winkley, Texas.

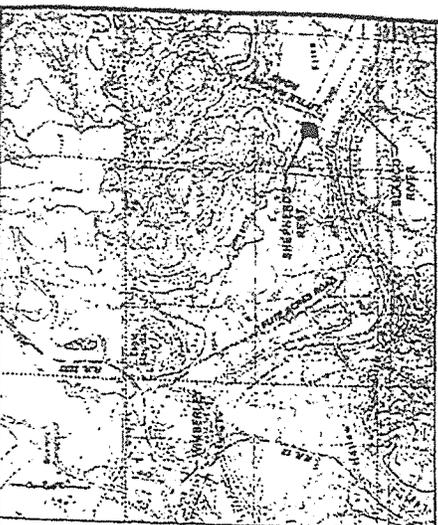
Don Frithcke, City Administrator  
 City of Winkley, Texas  
 Date: 8/21/08

Linda C. Frithcke, County Clerk of the City of Winkley, Texas, do hereby certify that this report conforms to all requirements of the Subdivision Regulations of which approval is required.

Linda C. Frithcke, County Clerk  
 City of Winkley, Texas  
 Date: 8/21/08



STATE OF TEXAS  
 COUNTY OF HAYS  
 I, Linda C. Frithcke, County Clerk of Hays County, Texas, do hereby certify that this report conforms to all requirements of the Subdivision Regulations of which approval is required.



VICINITY MAP  
SCALE: 1"=2000'

PLAT NOTES

- The Plat lies within the boundaries of the Edwards Aquifer Contributing Zone.
- No portion of this Plat opposes to the abutment of the 100-year floodplain as depicted on Hays County Community Zone #16200C 0329 T, dated September 2, 2005.
- This Plat lies within the City of Winkley, Texas.
- The provisions of the City of Winkley Comprehensive Plan shall also govern the land intensity classification.  
 Lot 1 shall be R-1; Rural residential (minimum 2 acre lots).  
 Lot 2 shall be R-2; Single-family residential 2 (minimum 70,000 square foot lots).  
 This Plat lies within the Winkley Independent School District.
- Water service for this Plat is provided by Winkley Water Supply.
- No structure in this subdivision shall be occupied until connected to a public sewer system or to an on-site wastewater system which has been approved and permitted by Hays County Environmental Health.
- Electricity for this Plat is provided by Advanced Electric Cooperative, Inc.
- Telephone service for this Plat is provided by Verizon.
- When required, lots shall have a minimum driveway width of 10'.
- Setback requirements:  
 50' setback along Elite Acres Road  
 10' setbacks on other Plats  
 of 3.246 acres.
- The Average Slope Percentage was determined on the ground and is:  
 Lot 1 = 4.05 percent based on a 16' vertical change over 414.20' horizontal run  
 Lot 2 = 2.21 percent based on a 10' vertical change over 331.10' horizontal run

Driftwood Surveying  
 Hays County, Texas  
 P.O. Box 377  
 Winkley, TX 78815  
 PH: (512) 617-7212 FAX: (512) 617-7372  
 REG. NO. 1409104



# Hays County Environmental Health

1251 Civic Center Loop  
SAN MARCOS, TX 78666

Phone:

## Notice of Approval/Final Inspection

Permit #: 2009-08

Location: 1861 FLITE ACRES ROAD, WIMBERLEY TX 78676  
SHEPHERD'S REST Block: Lot: 1  
Owner: SCOTT, AARON J

Permit Date: 4/3/2009  
Phone: (512) 753-2626

THIS IS TO CERTIFY that the above On-Site Sewage Facility meets or exceeds the basic requirements established by the Texas Commission on Environmental Quality and Hays County.

License to operate this facility is hereby granted to the owner. This license simply grants permission to operate this facility; it does not guarantee its successful operation. Routine maintenance and proper functioning are the sole responsibility of the owner.

KEEP THIS LICENSE with important papers. You may need it when selling your house or if a malfunction occurs.

The above referenced On-Site Sewage Facility has been inspected by Hays County for compliance with the rules and based on information provided in the application, has been found to comply with the requirements of those rules.

NOTE: This certification does not extend to the materials, workmanship or fabrication of the On-Site Sewage Facility so as to express or imply to the owner or installer of the facility any warranty by or rights against Hays County or any of its agencies, as to the quality or durability of the facility nor compliance with the owner's individual specifications and requirements, but solely relates to the facility meeting the requirements of Hays County in effect as of this date.

NOTE: This approval simply grants permission to operate this facility; it does not guarantee its successful operation. Routine maintenance and proper functioning are the sole responsibility of the owner.

NOTE: This approval remains in effect until such time as there is evidence that this facility is not operating properly and may constitute a threat to the health of the people of this county.

The specified backfill should not be altered or covered in any way except for sodded grass or grass seed cover to promote evaporation and transpiration. All plumbing in the house should be kept in good repair to minimize flooding of the drainfield.



Corrie Smith  
Agency Official

4-15-09  
Date

# Hays County Environmental Health

1251 Civic Center Loop  
SAN MARCOS, TX 78666

Phone:



## AUTHORIZATION TO CONSTRUCT AN ON-SITE SEWAGE FACILITY Permit #: 2009-08

Location: 1861 FLITE ACRES ROAD, WIMBERLEY TX 78676  
SHEPHERD'S REST Block: Lot: 1  
Owner: SCOTT, AARON J

Permit Date: 4/3/2009  
Phone: (512) 753-2626

AUTHORIZATION IS HEREBY GIVEN TO CONSTRUCT AN ON-SITE SEWAGE FACILITY ON THE ABOVE DESCRIBED PROPERTY.

Approval is hereby granted for the construction as shown on the submitted planning material.

ANY MODIFICATIONS TO SUBMITTED PLANS REQUIRE APPROVAL BY THE HAYS COUNTY ENVIRONMENTAL HEALTH DEPARTMENT PRIOR TO INSTALLATION.

CONTACT THE HAYS COUNTY ENVIRONMENTAL HEALTH DEPARTMENT FOR REQUIRED INSPECTIONS.

The authorization to construct is valid for twelve months from the date of application.

COMMENTS:

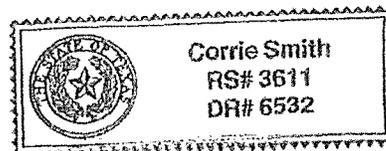
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NOTE: The On Site Sewage Facility construction must meet all TCEQ Regulations and Hays County Rules for On Site Sewage Facilities. If unforeseen and/or adverse conditions are encountered (including, but not limited to excessive rock, seepage, or high water table) stop construction and contact HAYS COUNTY ENVIRONMENTAL HEALTH DEPARTMENT. Revised planning materials and Authorization to Construct may be required.

SEE ATTACHED SITE PROFILE PAGE FOR ADDITIONAL REQUIREMENTS.



*Corrie Smith*  
Agency Official

*4-3-09*  
Date

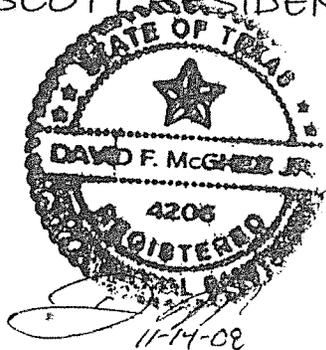
PLAN-IT SEPTIC DESIGN & SERVICES,  
L.L.C.

DESIGNING FOR A HEALTHIER PLANET

TBD FLIGHT ACRES ROAD  
LOT 1 OUT OF THE HOUGH G. SCOTT PANNELL  
SURVEY NO. 70, ABSTRACT NO. 368  
HAYS COUNTY, TX

FOR

THE SCOTT RESIDENCE



PLAN-IT CONTACT INFORMATION:

6208 TANGLEWOOD TRAIL • SPRING BRANCH • TEXAS • 78070 • 210-347-1593  
PLAN-IT@HOTMAIL.COM

PLAN-IT SEPTIC DESIGN & SERVICES,



DESIGNING FOR A HEALTHIER PLANET

## SYSTEM SUMMARY

On November 14, 2008 Plan-It Septic Design & Services, L.L.C. began an On-Site Sewage Facility design located at Flite Acres Road, Hays County, Texas. This design was performed in conformance with Chapter 285 of Texas Commission on Environmental Quality.

This system is comprised of the following:

- **System Designed For:** 240 Gallons Per Day
- **Tank:** 1250 gallon 2 compartment (Use Affordable Concrete Products or equivalent)
- **Required Drainfield area:** 1200 Square Feet
- **Required Linear Footage of Trenches:** 240 Feet
- **Actual Linear Footage with 25% Reduction for Leaching Chambers:** 188' will be used
- **Trench Depth and Width:** 2, 3' wide trenches, 94 feet long on 6' centers. Backfill with class III soil or native material. Please note that a 16" concrete block will be placed at the bottom of the Panel where the distribution pipe enters the drainfield to avoid any "wash-out" of soil.

## SITE DESCRIPTION AND SITE EVALUATION

The subject property consisted of a 2.145 acre irregular tract of land located at TBD Flite Acres Road. The existing vegetation consists of some native grasses live oak and juniper trees. The soil evaluation indicated class III soils. No evidence of shallow groundwater was noted. This site has suitable soil for a conventional system utilizing Infiltrator Panels. The single family residence will utilize a public water supply for potable water. No portion of this system lies within 10 feet of a waterline. There are no recharge features within 150 feet of this proposed system. No portion of this site lies within the 100-year flood plain. Minimum separation distances as stated in § 285.30 TCEQ, On-Site Sewage Facilities must be maintained.

## Cara McPartland

---

**From:** SkyRun Aaron [REDACTED]  
**Sent:** Monday, March 14, 2016 1:25 PM  
**To:** Cara McPartland; dferguson@cityofwimberley.com  
**Subject:** septic design for 1851 Flite Acres Road  
**Attachments:** aaron scott design.pdf; ATT00016.txt

Don and Cara,

Could you forward this to Kyle (I can't find his email address). It's a copy of the redesigned septic system for 1851 Flite Acres Road that gets us to the 12 person occupancy. Thank you for your help. I have the septic guy ready to dig and install when I get the green light from the council.

# Southwest Septic Design

## On-Site Sewage Facility Application and Design

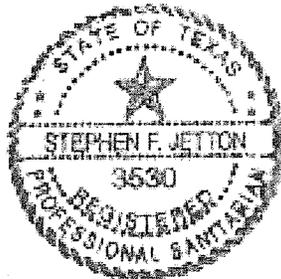
### *Prepared For:*

Scott Residence  
1851 Flite Acres Road  
Wimberley, Texas

*Design 302516*

### *Prepared By:*

Stephen F. Jetton March 13, 2016  
Registered Professional Sanitarian



*S. Jetton*

Stephen F. Jetton • Southwest Septic Design  
2573 Deer Stand Loop • San Marcos, Texas 78666 • Fax (512) 392-5645 • Mobile (512) 757-1259  
E – Mail [stephen.jetton@gmail.com](mailto:stephen.jetton@gmail.com)

## Southwest Septic Design

2573 Deer Stand Loop  
San Marcos, Texas 78666  
Hays County

---

Fax (512) 392-5645  
Mobile (512) 757-1259

### Design Report On-Site Sewage facility Standard Gravity Flow Septic System

#### ***OWNER/SITE LOCATION:***

Scott Residence  
1851 Flite Acres Road  
Lot 1, Shepherds Rest  
Wimberley, Texas

#### ***SITE DESCRIPTION & EVALUATION:***

A site evaluation indicated class III soils (see attached soil evaluation report). No evidence of shallow groundwater was noted. This property is within the Edwards Aquifer Recharge Zone, but no recharge features are located within 150 feet of the proposed system. ***All portions of this proposed OSSF will maintain at least a 10' separation from all water lines.*** According to the Federal Emergency Management Agency Flood Insurance Rate Map, the area of proposed construction does not lie within zone A, 100-year Floodplain. Minimum separation distances as stated in §285 TCEQ, On-Site Sewage Facilities, must be maintained.

#### ***WASTEWATER DESIGN FLOW:***

This design is for an existing ~ 2000 sq. ft., single-family residence with 3-bedrooms and utilizing low-flow fixtures. A public water supply will service this residence (***Wimberley Water Supply***). The owner would like to upgrade the existing system to accommodate 12 people. Rating each person at 60 gallons each, the total projected daily waste flow will be ***720 gallons per day*** per Texas Commission of Environmental Quality (TCEQ) On Site Sewage Facilities 12-27-2012.

#### ***SYSTEM DESCRIPTION:***

This residence currently has an existing system. The existing 1250 gallon tank will be completely abandoned. The existing 180' of leaching chambers are in fine working order and will be utilized with the new tank and additional drain field. The existing tank will be replaced with a new 2000-gallon, two-compartment septic tank. An additional ***360 linear feet*** of trench will be added for the disposal area. This system has been designed, by request of the property owners, to the minimum standards effective to this date. Therefore, performance of the system is not, and cannot be guaranteed, even though all provisions of the rules and regulations have been complied with. If failure should occur, additions to the system may have to be made. In extreme cases, a substitute system may be required. By accepting this design, the aforementioned agrees and understands that the designer cannot, and will not be liable for any more than the agreed upon design fee.

#### ***Abandon Regulations:***

The installer will abandon the existing system according to §285.36 Abandoned Tanks, Boreholes, Cesspools, and Seepage Pits.

- (a) An abandoned tank is a tank that is not to be used again for holding sewage.
- (b) To properly abandon, the owner shall conduct the following actions, in the order listed.
- (1) All tanks, boreholes, cesspools, seepage pits, holding tanks, and pump tanks shall have the wastewater removed by a waste transporter, holding a current registration with the executive director.

All tanks, boreholes, cesspools, seepage pits, holding tanks, and pump tanks shall be filled to ground level with fill material (less than three inches in diameter) which is free of organic and construction debris.

#### Absorption Area Calculations:

|                                  |   |   |
|----------------------------------|---|---|
| <b>Total size of Residence</b>   |   | 2000 ft <sup>2</sup>                            |
| <b>Total number of bedrooms</b>  |   | 3   |
| <b>Average Expected Flow</b>     | <i>Usage water saving devices</i>                   | 720   |
| <b>Loading Rate</b>              | <i>Class III Sandy Loam</i>                         | 0.20  |
| <b>Application Area Required</b> | <i>Area = flow/loading rate<br/>Area = 720/0.20</i> | 3600 ft. <sup>2</sup>                           |
| <b>Application Area Used</b>     | <i>A = A/ 5</i>                                     | 540 linear ft. of Trench minimum; 540' utilized |

#### System Components:

2000-gallon, two-compartment septic tank.  
 4, 3' wide trenches each 90' in length (new construction).  
 2, 3' wide trenches each 90' in length (existing).  
 72 Total ARC 36 Panels (new construction).  
 Zabel Filter must be placed in the outlet of the Trash Tank.  
 Trench Depth: 18" – 36"

*\*ARC 36 Panels will substitute the drain-lines. The installer may use a 25% reduction in drainfield sizing.*

#### Location of System:

All setback requirements from water wells, water lines, and property lines must be observed. The exact location of the tanks and field lines are noted in the enclosed plans.

#### Inspection Requirements:

Installer must notify designer upon completion of the following items of work in order that the designer may inspect the work as required for certification.

- Excavation of the drainfield.
- Installation of gravel and pipe.
- Final cover of drainfield, seeded with perennial grass seed.

**Installation Notes:**

- Refer to site plan for component placement.
- All materials and construction methods are required to conform to the standards for Private Sewage Facility's set forth in the Texas Administrative Code, §285 On-Site Sewage Facilities.
- The installer must have a current and valid Texas installer's license; if the property owner will be installing the system, no license is required.
- The installer must notify designer and regulatory authority at least 48 hours in advance to schedule required inspections to ensure that the system is installed in accordance with the approved plans and specifications.
- The installer may not alter these plans without the approval of the designer.
- Diversion berms will be place when needed to protect disposal area from excessive runoff.
- It is the responsibility of the installer to maintain the minimum setback requirements as stated in §285.
- The contractor, as to the proper operation of the system, will inform the owner that the system must me operated correctly in order to function properly.
- The owner will be solely responsible for failure to operate the system properly or for any modifications to the system by the owner, which subsequently cause the system to malfunction.

**Installation Notes:**

- Refer to site plan for component placement.
- All materials and construction methods are required to conform to the standards for Private Sewage Facility's set forth in the Texas Administrative Code, §285 On-Site Sewage Facilities.
- The installer must have a current and valid Texas installer's license; if the property owner will be installing the system, no license is required.
- The installer must notify designer and regulatory authority at least 48 hours in advance to schedule required inspections to ensure that the system is installed in accordance with the approved plans and specifications.
- The installer may not alter these plans without the approval of the designer.
- Diversion berms will be place when needed to protect disposal area from excessive runoff.
- It is the responsibility of the installer to maintain the minimum setback requirements as stated in §285.
- The contractor, as to the proper operation of the system, will inform the owner that the system must be operated correctly in order to function properly.
- The owner will be solely responsible for failure to operate the system properly or for any modifications to the system by the owner, which subsequently cause the system to malfunction.

**Distribution Field Notes:**

- Each trench shall be level within 1" per 25 linear foot of trench or within 3" for all trench Lengths over 75'.
- The depths of the drain field may vary slightly from the plan based on conditions encountered in the field.

- A minimum 12" of fall must be provided between the tank outlet and the bottom of the first trench.
- Imported fill material shall be sandy loam of good quality.
- Single drain lines shall not exceed 150 feet.
- The contractor will contact the designer and the regulating authority immediately should groundwater be encountered during excavation.
- The surface of the distribution field will be graded to drain.
- The field will be seeded or hydro mulched with a mixture of Bermuda and rye or other perennial grasses.
- *Sodding of the distribution field with clay-backed sod will not be allowed.*
- *Vegetation must be established before system is in use.*

#### **Tank Notes:**

- The bottom of the excavation for the tanks shall be level and free of large rocks and debris.
- All tanks are to be set level on a layer, with a minimum thickness of 4 inches, of sand, sandy loam, clay loam, or pea gravel.
- Tank excavations must be backfilled with soil or pea gravel that is free of rock larger than ½ inch in diameter. Class IV soils and gravel larger than ½ inch in diameter are not acceptable for use as backfill material. If the top of a septic tank extends above the ground surface, soil may be mounded over the tank to maintain slope to the drain field.
- Risers are required over all tank openings and must extend to the ground surface.
- Risers shall be permanently fastened to the tank lid.
- The riser lid shall screw down and have a lock or weigh 65lbs.
- A secondary plug, cap, netting, etc. shall be provided below the riser lid.
- All openings in the tank must be properly sealed to prevent the escape of wastewater, or to prevent the infiltration of water.
- Tanks must be filled with water for 24 hours to test for leaks and structural integrity.
- The tanks must be set low enough to have fall of at least 1/8" per foot from house to tank.
- PVC pipe from house to tank must be at least Sch.40 or SDR 26.

#### **Operation and Management Notes:**

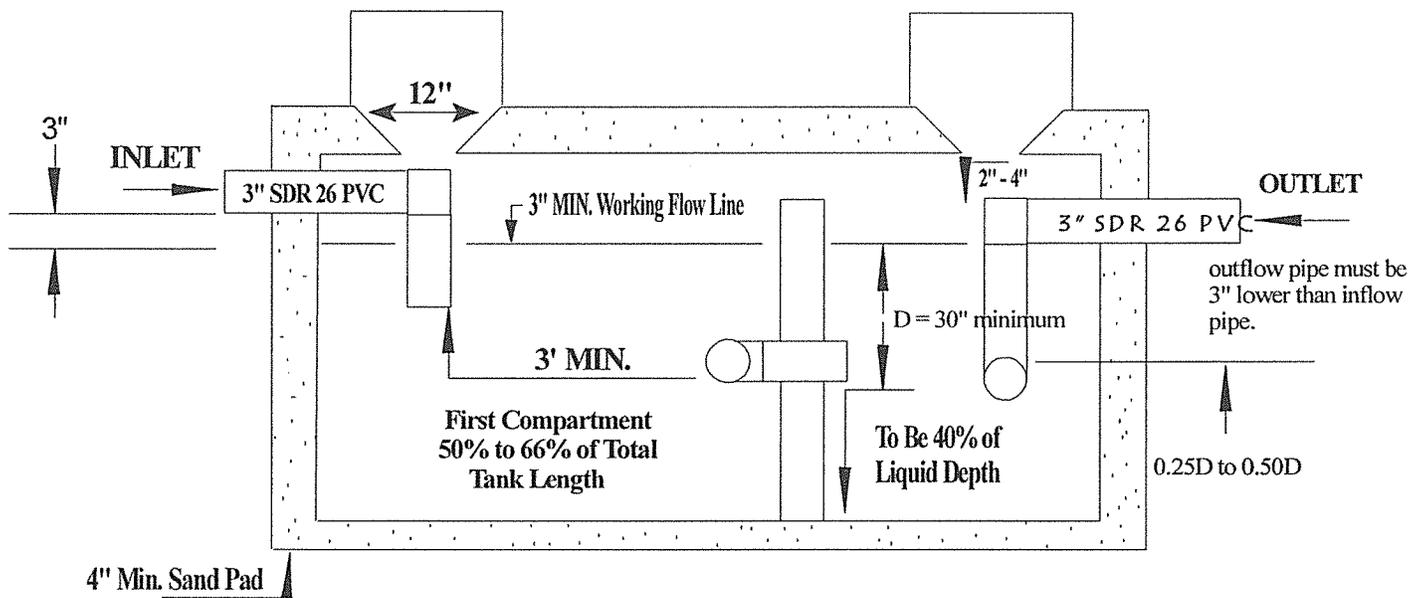
- The OSSF should not be treated as a normal city sewer.
- Water conservation practices should be used at all times. Consult your local authorities for more information.
- Run the dishwasher with a full load whenever possible
- Avoid running water continuously when brushing teeth, washing hands, or cleaning food and utensils.
- Repair any water leaks immediately, such as running toilets or leaky faucets.
- The owner is responsible for cleaning and pumping the septic tank, typically every 2 to 3 years depending on system usage.
- Do not use the toilet to dispose of tissue, feminine hygiene products, trash, cigarettes, etc.
- It is recommended that you do not use the garbage disposal and/ or garbage grinders in the facility serviced by this system.
- Household chemicals should be used in moderation.
- If possible, water softener should not be allowed to enter the OSSF.
- Chemical additives or the so-called enzymes should not be used during the operation of this system. Some of these additives may even be harmful to the facilities operation.

- Do not build driveways, storage buildings, decks, or other structures over the tank or disposal area.
- The OSSF must be protected from coming in contact with vehicular traffic.
- A strong vegetative cover is essential for the proper operation of this system. The property owner is solely responsible for maintaining this vegetation. The disposal area should be groomed by mowing on a regular basis.
- The owner shall become familiar with the operation of the system and be solely responsible for the operation and maintenance of the system, once the system is placed into operation.
- Never place a greater wastewater load on your system than that prescribed by the design of the system (*720 gallons per day*).

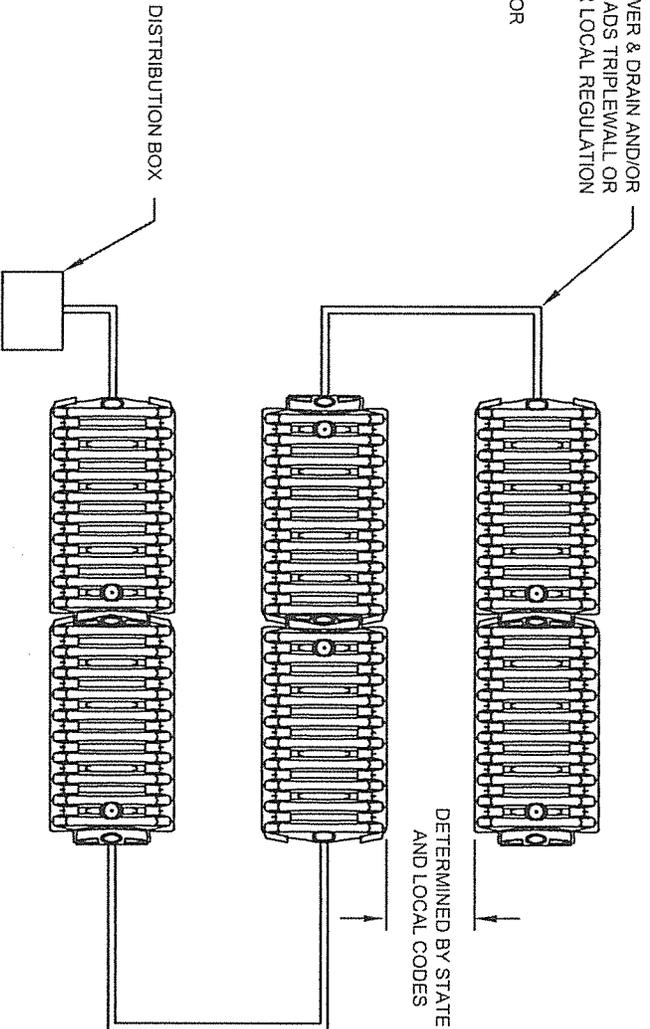
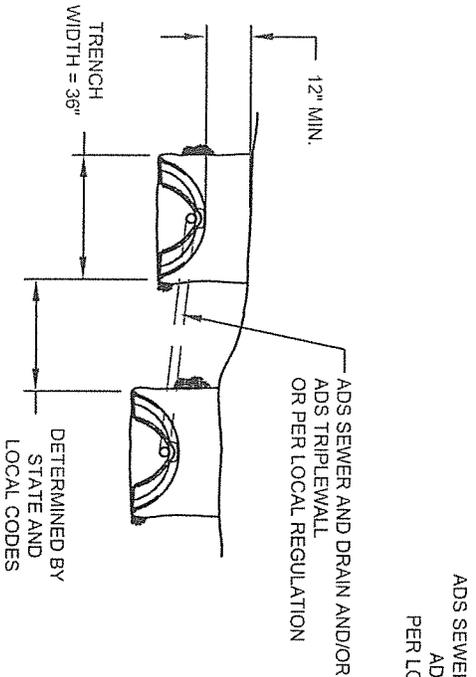
*\*By request of the homeowner, this proposed system has been designed generally following the minimum requirements under TCEQ §285 On-Site Sewage Facilities. The site evaluation and subsequent design are based on technical information currently available. The performance of the OSSF is not, and cannot be guaranteed even though all provisions of the Standards have been complied with. If failure should occur, additions to the OSSF may have to be made. By accepting this design, the homeowner/builder, understands that the designer cannot be liable for more than the agreed upon design fee.*



# Typical 2000 gal. 2 compartment tank



Not to Scale



- NOTES:**
1. EXCAVATE TRENCHES TO PROPER WIDTH, AND PROPER DEPTH AS REQUIRED BY STATE AND LOCAL CODES.
  2. SMOOTH IRREGULARITIES IN THE EXCAVATION. A LEVEL, FLAT SURFACE IS REQUIRED.
  3. ASSEMBLE ARC LEACHING CHAMBERS AND UNIVERSAL ENDPLATES TOGETHER IN TRENCHES).
  4. INSTALL UNIVERSAL END CAPS AND SECURE IN PLACE WITH BACKFILL.
  5. PUNCH OUT PIPE HOLE OPENINGS IN THE END PLATES AS NEEDED AND CONNECT INLET PIPES.

6. FILL SIDEWALL AREA TO TOP CHAMBERS WITH NATIVE SOIL (COARSE SAND OR FINE GRAVEL MAY ALSO BE USED; NO HEAVY CLAY, SILT OR DEBRIS SHALL BE INCLUDED).
7. "WALK IN" FILL TO COMPACT SOIL ALONG SIDES OF ARC CHAMBER. THIS IS VERY IMPORTANT TO ACHIEVE LOAD RATING.
8. COVER ARC LEACHING CHAMBERS TO A MINIMUM OF 12" OF GRANULAR COVER AFTER CONSOLIDATION FOR H-10 APPLICATIONS. AVOID LARGE ROCKS OR DEBRIS IN COVER MATERIAL. COVER HEIGHTS AND LIVE LOADING LIMITS ARE IMPACTED BY BOTH SOIL TYPE AND COMPACTION REQUIREMENTS. CONTACT ADS WHEN POOR SOILS ARE ENCOUNTERED AND FOR MAXIMUM FILL HEIGHTS.

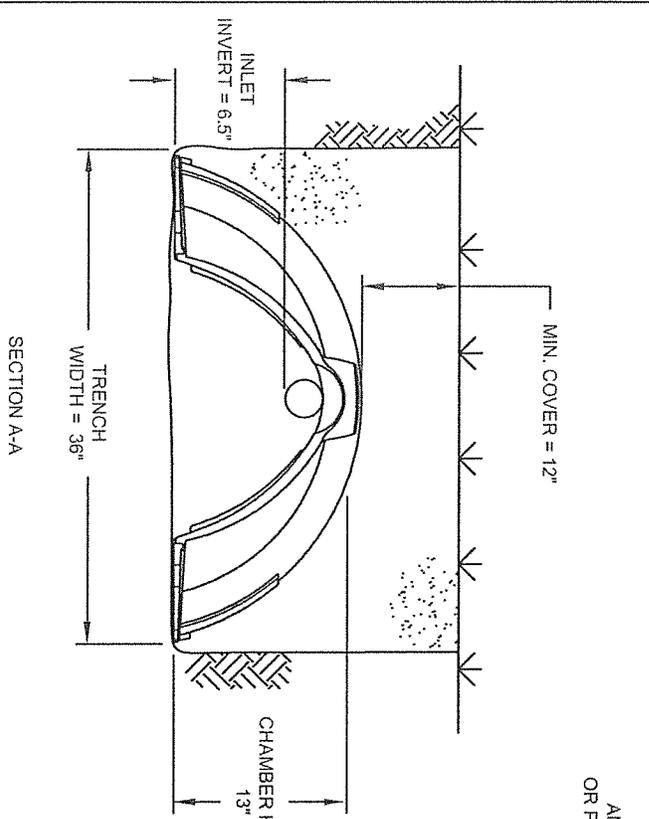
ADVANCED DRAINAGE SYSTEMS, INC. ("ADS") HAS PREPARED THIS DETAIL BASED ON INFORMATION PROVIDED TO ADS. THIS DRAWING IS INTENDED TO DEPICT THE COMPONENTS AS REQUESTED. ADS HAS NOT PERFORMED ANY ENGINEERING OR DESIGN SERVICES FOR THIS PROJECT. NOR HAS ADS INDEPENDENTLY VERIFIED THE INFORMATION SUPPLIED. THE INSTALLATION DETAILS PROVIDED HEREIN ARE GENERAL RECOMMENDATIONS AND ARE NOT SPECIFIC FOR THIS PROJECT. THE DESIGN ENGINEER SHALL REVIEW THESE DETAILS PRIOR TO CONSTRUCTION. IT IS THE DESIGN ENGINEER'S RESPONSIBILITY TO ENSURE THE DETAILS PROVIDED HEREIN MEETS OR EXCEEDS THE APPLICABLE NATIONAL, STATE, OR LOCAL REQUIREMENTS AND TO ENSURE THAT THE DETAILS PROVIDED HEREIN ARE ACCEPTABLE FOR THIS PROJECT.

| REV. | DESCRIPTION | BY | MM/DD/YY | CHK'D |
|------|-------------|----|----------|-------|
|      |             |    |          |       |

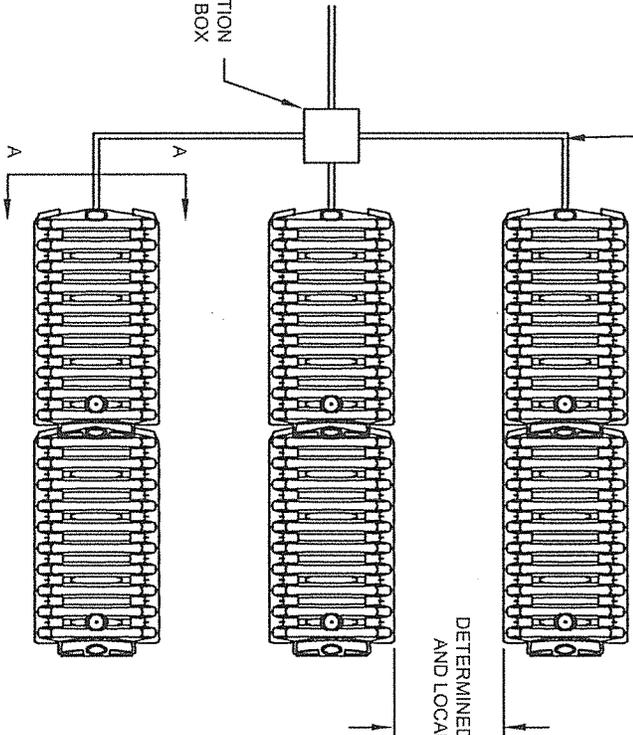
ARC 36 CHAMBER STANDARD SERIAL MODE INSTALLATION

DRAWING NUMBER: STD-906C

DATE: 09/05/07  
 DESIGNED BY: OCS  
 CHECKED BY: NTS  
 SHEET: OF



ADS SEWER & DRAIN  
AND/OR ADS TRIPLEWALL  
OR PER LOCAL REGULATION



- NOTES:
1. EXCAVATE TRENCHES TO PROPER WIDTH, AND PROPER DEPTH AS REQUIRED BY STATE AND LOCAL CODES.
  2. SMOOTH IRREGULARITIES IN THE EXCAVATION. A LEVEL, FLAT SURFACE IS REQUIRED.
  3. ASSEMBLE ARC LEACHING CHAMBERS AND UNIVERSAL ENDPLATES TOGETHER IN TRENCH(ES).
  4. INSTALL UNIVERSAL END CAP AND SECURE IN PLACE WITH BACKFILL.
  5. PUNCH OUT PIPE HOLE OPENINGS IN THE END PLATES AS NEEDED AND CONNECT INLET PIPES.

6. FILL SIDEWALL AREA TO TOP CHAMBERS WITH NATIVE SOIL (COARSE SAND OR FINE GRAVEL, MAY ALSO BE USED. NO HEAVY CLAY, SILT, OR DEBRIS SHALL BE INCLUDED.)
7. "WALK IN" FILL TO COMPACT SOIL ALONG SIDES OF ARC CHAMBER. THIS IS VERY IMPORTANT TO ACHIEVE LOAD RATING.
8. COVER ARC LEACHING CHAMBERS TO A MINIMUM OF 12" OF GRANULAR COVER AFTER CONSOLIDATION FOR H-10 APPLICATIONS. AVOID LARGE ROCKS OR DEBRIS IN COVER MATERIAL. COVER HEIGHTS AND LIVE LOADING LIMITS ARE IMPACTED BY BOTH SOIL TYPE AND COMPACTION REQUIREMENTS. CONTACT ADS WHEN POOR SOILS ARE ENCOUNTERED AND FOR MAXIMUM FILL HEIGHTS.

© 2007 ADS, INC.

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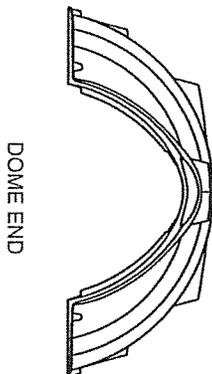
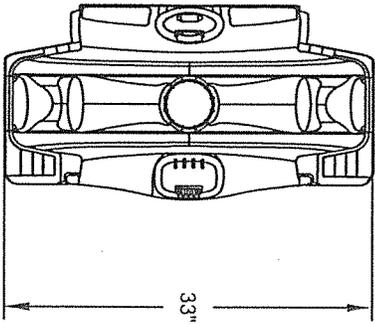
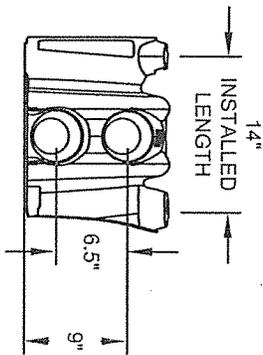
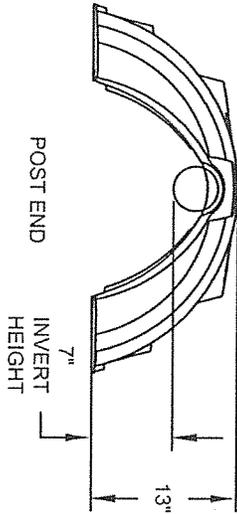
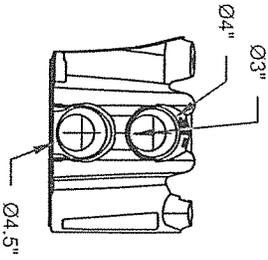
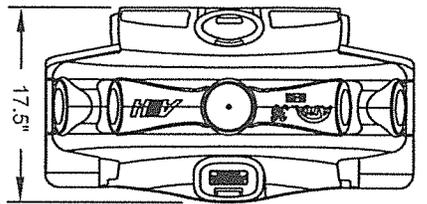
| REV. | DESCRIPTION | BY | MM/DD/YY | CHKD |
|------|-------------|----|----------|------|
|      |             |    |          |      |

ARC 38 CHAMBER STANDARD  
TRENCH INSTALLATION

DRAWING NUMBER: STD-905C



|          |     |
|----------|-----|
| DATE     | TJR |
| 09/05/07 |     |
| DATE     | CMS |
|          |     |
| DATE     | NTS |
|          |     |
| DATE     | OF  |
|          |     |



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| REV.                     | DESCRIPTION              | BY | MM/DD/YY | CHK'D |
|--------------------------|--------------------------|----|----------|-------|
|                          | ARC 96 SIDE PORT COUPLER |    |          |       |
| DRAWING NUMBER: STD-903A |                          |    |          |       |

|       |         |
|-------|---------|
| DATE  | 8/28/08 |
| SCALE | NTS     |
| SHEET | OF      |



# 1851 Flite Acres Road Wimberley, Texas

- A - 3-Bedroom Single Family Residence, 2000 sq. ft.
- B - 2000-Gallon Two-Compartment Septic Tank
- C - 3' Wide Conventional Trench
- 4, 90' Long Conventional Trenches Totalling 360'
- 72 Total ARC 36 Leaching Chambers; 18 Per Trench
- Minimum/Maximum Trench Depth 18" - 36"

3" or 4" Sch: 40 PVC between House and Tank.  
Must have a Minimum of 1/8" per foot of fall between House and tank.  
Provide Two-Way Cleanout from House to Tank.

Supply Line: 3" or 4" Sch. 40 PVC

Maintain 15' from all Property Lines.

Maintain 5' from PUE

Maintain 10' from all Potable Water Lines.

\*Refer to Tank Detail and Design Notes for more Information.

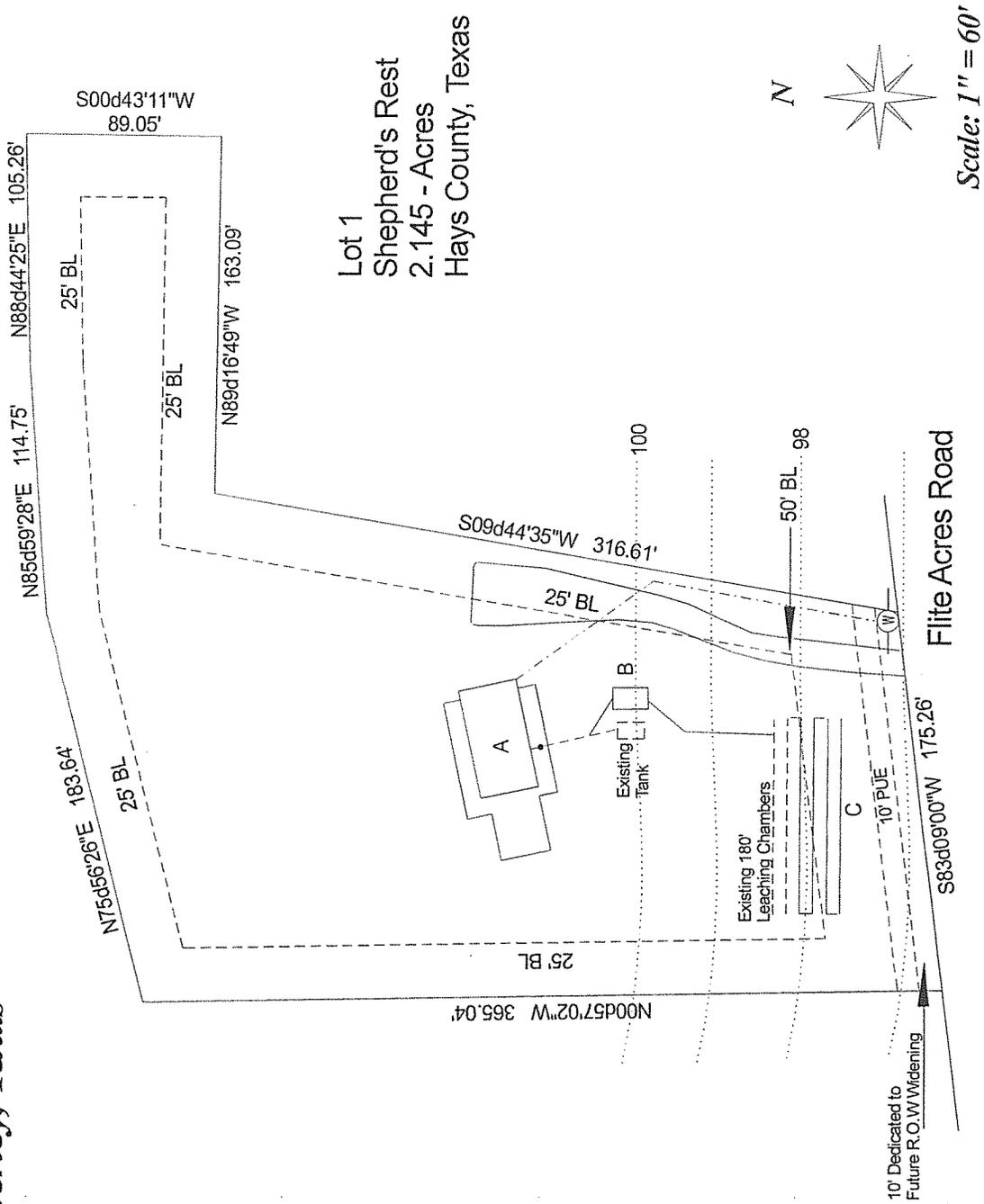
\*Plans may vary slightly based on Conditions Encountered in the Field.

\*Trim Trees as Necessary in Application Area. Trees must maintain at least 10' from Sprinkler Head.

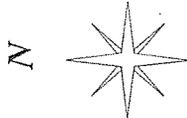
\*All Separation and Setback Requirements as Stated in Chapter 285, TCEQ, On-Site Sewage Facilities, must be maintained.

\*This is not intended to be used as an official survey. All structures and Contour locations are approximate.

**Flood Plain Note:** The property depicted is not with the 100 Year Flood Plain according to FIRM Panel 48209C 0355F Dated 9-2-2005.



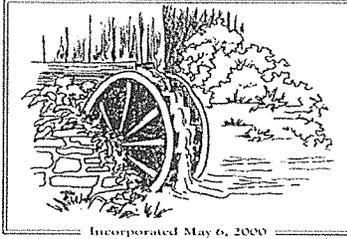
Lot 1  
Shepherd's Rest  
2.145 - Acres  
Hays County, Texas



Scale: 1" = 60'

Details | 
 Add | 
 Basemap | 
 Save | 
 Share | 
 Print | 
 Measure | 
 Bookmarks | 
 1851 Flite Acres Rd, Wimberley, Texas, USA





# City of Wimberley

221 Stillwater, P.O. Box 2027, Wimberley, Texas 78676

Phone: (512) 847-0025 - Fax: (512) 847-0422

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

Steve Thurber, Mayor - Cindy Anderson, Mayor Pro-Tem  
Council Members - Bob Dussler, Mac McCullough, Pam Showalter & John D. White  
City Administrator - Don Ferguson

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March 7, 2016

## NOTICE OF PUBLIC HEARING

Re: **File No. CUP-16-004**  
1851 Flite Acres Road, Wimberley, Texas

Dear Property Owner:

You are receiving this letter because you own property within 200 feet of the above-referenced location.

The applicants, Aaron & Angela Scott, have applied for a Conditional Use Permit to allow for a vacation rental on property zoned Single-Family Residential 2 (R-2) located at 1851 Flite Acres Road, Wimberley, Texas.

The City of Wimberley Planning & Zoning Commission will consider this request at a public hearing on **Thursday, March 24, 2016 at 6:00 p.m.** in the Wimberley City Hall, 221 Stillwater. Upon a recommendation from the Commission, City Council will hold a public hearing to consider the same request on **Thursday, April 7, 2016, at 6:00 p.m.** in the Wimberley City Hall.

Because the granting of this request may affect your property, you are encouraged to participate in the zoning process. The public will be given an opportunity to speak during the hearing. If you wish to comment but are unable to attend, written comments may be submitted to the City Administrator prior to the meeting.

Additional information regarding the proposed zoning is available for public review at City Hall during normal business hours. Should you have questions, please contact the City Administrator at 512-847-0025.

**CITY OF WIMBERLEY**

**Properties within 200 feet of subject property -1851 Flite Acres Rd:**

R129706

Aaron J. & Angela D. Scott  
13501 RR 12, Ste. 103  
Wimberley, TX 78676-5328

R27699

Amy L. Kirkland  
1871 Flite Acres Rd.  
Wimberley, TX 78676

R116266

David W. & Andrea Kay Lipinski  
111 Little Ranches  
Wimberley, TX 78676-5750

R17300

David H. & Susan K. Donaldson, Jr.  
1722 Bartoncliff Dr.  
Austin, TX 78704-2745

R26762

Dorothy Anne Watson  
18018 Oakworth Dr.  
Houston, TX 77084

R27610

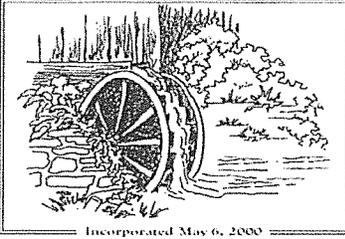
John P. Muth & Julie J. Underriner  
1850 Flite Acres Rd.  
Wimberley, TX 78676

R27611

Sunset Ridge Escape LLC  
56 Snap Dragon Ct.  
Lake Jackson, TX 77566-4951

**NOTICE OF PUBLIC HEARING  
(Conditional Use Permit)**

Notice is hereby given that the Planning & Zoning Commission of the City of Wimberley will hold a public hearing at the Wimberley City Hall on **Thursday, March 24, 2016 at 6:00 p.m.** to consider the following: CUP-16-004 – an application for a Conditional Use Permit (CUP) to allow for a vacation rental on property zoned Single-Family Residential 2 (R-2) located at 1851 Flite Acres Road in Wimberley, Hays County, Texas. Upon recommendation of the Planning & Zoning Commission, the City Council will also hold a public hearing on **Thursday, April 7, 2016, at 6.00 p.m.** at City Hall. Comments on this request from any member of the public may be presented in person or by mail (P.O. Box 2027) at City Hall prior to the hearing. The public will be granted an opportunity to speak at the hearings. Additional information concerning the proposed action is available for review at the Wimberley City Hall, 221 Stillwater, Wimberley, Texas.



# City of Wimberley

221 Stillwater, P.O. Box 2027, Wimberley, Texas, 78676

Phone: (512) 847-0025 - Fax: (512) 847-0422

E-mail: [village@wimberley-tx.com](mailto:village@wimberley-tx.com) - Web: [www.cityofwimberley.com](http://www.cityofwimberley.com)

## NOTICE BY SIGN POSTING

Zoning No: CUP-16-004

Owner \_\_\_\_\_

Date 3/8/16

To: Code Enforcement/Public Works

Please place a Proposed Zoning Sign on the following property

( ) Project Site Address 1851 Plite Acres

which is located on Plite Acres

Bill Bowers  
Asst. Public Works

Note: The above-referenced sign was placed on the subject property on

3/8, 2016

Bill Bowers  
Signature