

**CITY OF KERRVILLE, TEXAS
RESOLUTION NO. 02-2021**

**A RESOLUTION GRANTING A CONDITIONAL USE PERMIT TO
AUTHORIZE A TATTOO SHOP ON THE PROPERTY
CONSISTING OF LOT 5, BLOCK 33, OF THE SCHREINER
ADDITION, A SUBDIVISION OF RECORD WITHIN THE CITY
OF KERRVILLE, KERR COUNTY, TEXAS; AND LOCATED AT
215 WATER STREET; SAID PROPERTY IS LOCATED WITHIN
THE DOWNTOWN ARTS AND CULTURE (DAC) ZONING
DISTRICT; AND MAKING SAID PERMIT SUBJECT TO
CERTAIN CONDITIONS AND RESTRICTIONS CONTAINED
HEREIN**

WHEREAS, the owner of the property graphically depicted in the location map in **Exhibit A** (the “Property”), being attached hereto and made a part hereof for all purposes, is requesting approval of a Conditional Use Permit (CUP) to allow an approximate .15-acre tract of land located within the Downtown Arts and Culture (DAC) Zoning District to be used for a tattoo shop; and

WHEREAS, the City Planning and Zoning Commission and the City Council of the City of Kerrville, Texas, in compliance with state law and the Zoning Code of the City of Kerrville, Texas (Chapter 60, Code of Ordinances), and in particular, the approval of Conditional Use Permits, and the official zoning map; having given the requisite notices by United States mail, publication, and otherwise; and after holding due public hearings and affording a full and fair hearing to all of property owners generally and particularly to those interested persons situated in the affected area and in the vicinity thereof, City Council, finds that the health, safety, and general welfare will be best served by the granting of a Conditional Use Permit, subject to the special conditions and restrictions set out hereinafter on the Property;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF
THE CITY OF KERRVILLE, KERR COUNTY, TEXAS:**

SECTION ONE. A Conditional Use Permit is granted to permit the property described below, and located within the Downtown Arts and Culture (DAC) Zoning District, to be developed and used for a Tattoo Shop as that term is defined in and pursuant to the City’s Zoning Code (Chapter 60, Article XI), and such use is subject to the provisions of this Resolution and other City ordinances and regulations:

Legal Description: Being an approximate 0.15 acre tract of land lying and being situated within the City of Kerrville, Kerr County, Texas, and being Lot 5, Block 33, of the Schreiner Addition, a subdivision of record within Kerr County, Texas; said lot being graphically depicted on the location map at **Exhibit A**, attached hereto and made a part hereof for all purposes.

General Location: 215 Water Street.

SECTION TWO. In addition to the development and use regulations currently applicable to the Property, development and use of the Property is subject to the following additional conditions:

- A. **State Licensing:** All workers and services offered shall comply with state law, including applicable licensing regulations.
- B. **Inspections:** the owner and operator shall allow and comply with state inspections with respect to the services performed and products offered.
- C. **Other Zoning Regulations:** The regulations set forth in this Resolution are in addition to those set forth in the Zoning Code, as may be amended or superseded. In the event of any irreconcilable conflict between this Resolution and the regulations set forth in the Zoning Code, the provisions of this Resolution will prevail.

SECTION THREE. This Resolution and the Conditional Use Permit granted herein is subject to termination in accordance with the Zoning Code.

SECTION FOUR. City Council finds and determines that its adoption of this Resolution promotes the health, safety, and general welfare of the public and is a proper valid exercise of the City's police powers.

SECTION FIVE. If any section, subsection, sentence, clause, phrase, or portion of this Resolution is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

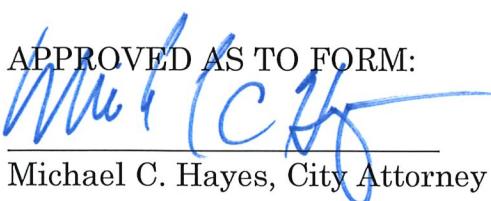
SECTION SIX. This Resolution is effective upon adoption.

PASSED AND APPROVED ON this the 12 day of January, A.D., 2021.



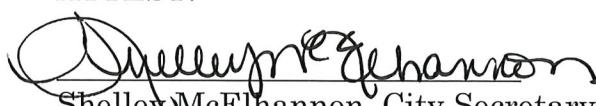
Bill Blackburn, Mayor

APPROVED AS TO FORM:



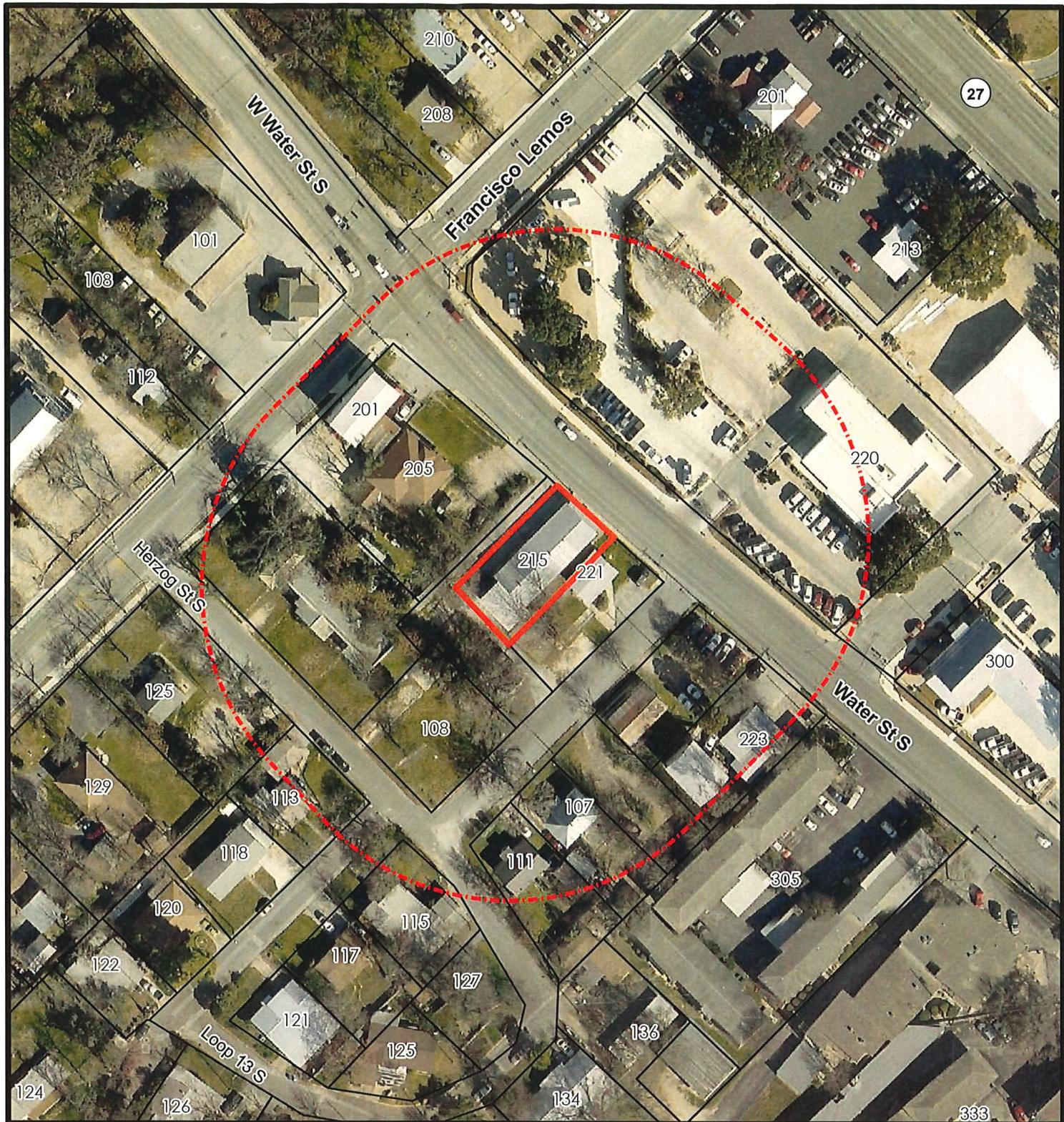
Michael C. Hayes, City Attorney

ATTEST:



Shelley McElhannon, City Secretary

EXHIBIT A



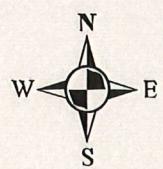
Location Map

Case # 2020-065

Location:
215 Water St S

Legend

200' Notification Area
Subject Properties



0 37.5 75 150

Scale In Feet

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only approximate relative locations.