

**CITY OF KERRVILLE, TEXAS  
RESOLUTION NO. 25-2022**

**A RESOLUTION GRANTING A CONDITIONAL USE PERMIT TO AUTHORIZE A SHORT-TERM RENTAL UNIT ON THE PROPERTY COMPRISING LOT 20-A, BLOCK 23, WESTLAND PLACE ADDITION; AND MORE COMMONLY KNOWN AS 503 LUCILLE; SAID PROPERTY IS LOCATED WITHIN A SINGLE-FAMILY RESIDENTIAL WITH ACCESSORY DWELLING UNIT ZONING DISTRICT (R-1A); AND MAKING SAID PERMIT SUBJECT TO CONDITIONS AND RESTRICTIONS**

**WHEREAS**, the owner of the property known as 503 Lucille and depicted on the location map and site plan found at **Exhibit A** (the "Property"), said exhibit being attached hereto and made a part hereof for all purposes, is requesting approval of a Conditional Use Permit ("CUP") to authorize a short-term rental unit on the Property, which is located within a Single-Family Residential with Accessory Dwelling Unit Zoning District (R-1A); and

**WHEREAS**, the City Planning and Zoning Commission (the "Commission"), in compliance with state law and the Zoning Code of the City of Kerrville, Texas (Chapter 60, Code of Ordinances) ("Zoning Code"), and in particular, the procedures for obtaining a CUP; having given the requisite notices by United States mail, publication, and otherwise; and after holding a public hearing and affording a full and fair hearing to all property owners generally and particularly to those interested persons situated in the affected area and in the vicinity thereof, has recommended that City Council grant the CUP applied for and referenced herein, subject to the special conditions and restrictions set out hereinafter and applied to the Property; and

**WHEREAS**, City Council, in compliance with state law and the Zoning Code, and likewise having given the requisite notices and holding a public hearing on May 24, 2022, finds that the health, safety, and general welfare will be best served by the granting of the CUP as recommended by the Commission and referenced herein 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 as follows, and located within a Single-Family Residential with Accessory Dwelling Unit Zoning District (R-1), to be developed and used for a Short-Term Rental Unit ("STRU") as that term is defined in and pursuant to the Zoning Code, such use subject to the provisions of this Resolution and other City ordinances and regulations:

**Legal Description:** comprising Lot 20-A, Block 23, out of the Westland Place Addition, a subdivision of Kerr County and the City of Kerrville, and being depicted on the location

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map and site plan found at **Exhibit A**.

**Address:** 503 Lucille, Kerrville, TX 78028.

**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. **Guest Notification:** The owner or operator of the Property shall post a “guest notification” in a conspicuous place within the STRU on the Property, said notification which is attached as **Exhibit B**.
- B. **Local Contact:** The owner or operator of the Property shall provide the City’s Director of Development Services (“Director”), with contact information for a local representative, which may include themselves. The local representative must be able to respond to a City employee or guest of the STRU within two hours after being notified of an emergency. Should a change occur to the contact information, the owner or operator of the Property shall update the Director in writing with the new information within three business days of any such change.
- C. **Occupancy Taxes:** The owner or operator of the Property shall comply with the City’s occupancy tax requirements as found within Ch. 94, Division III, of the City’s Code of Ordinances.
- D. **Sign:** The Property may not use more than one non-illuminated, on-site sign, in conjunction with the STRU. The sign may either be: (i) flush-mounted to one of the residential structures and may not exceed one-square foot in size; or, (ii) freestanding and placed in the front yard but no closer than 20 feet to any property line and may not exceed six square feet in size and three feet in height. Any such sign shall comply with the City’s Sign Code.
- E. **Parking:** The Property must include at a minimum, one (1) off-street parking space per bedroom, plus an additional space for the manager, if living off-site.
- F. **Maximum Occupancy:** The Property is subject to a maximum occupancy of ten (10) guests, which may be lower per rules set by the owner or operator.
- G. **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.

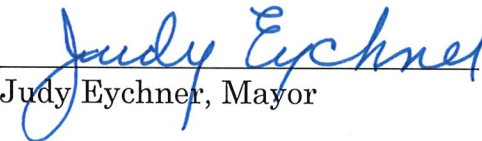
**SECTION THREE.** This Resolution and the CUP granted herein are subject to termination in accordance with the Zoning Code.

**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.

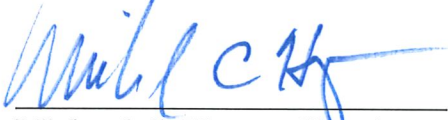
**SECTION FIVE.** If any section, subsection, sentence, clause, phrase, or portion of this Resolution is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect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

**SECTION SIX.** This Resolution is effective upon adoption.



PASSED AND APPROVED ON this the 24<sup>th</sup> day of May, A.D., 2022.

  
Judy Eychner, Mayor

APPROVED AS TO FORM:

  
Michael C. Hayes, City Attorney

ATTEST:

  
Shelley McElhannon, City Secretary  
  
Kesha Franchina, Deputy City Secretary





## Location Map

**Case # PZ-2022-7**

**Location:**  
**503 Lucille Street**

### Legend

**200' Notification Area** ---  
**Subject Properties** ---



0 50 100 200  
Scale In Feet



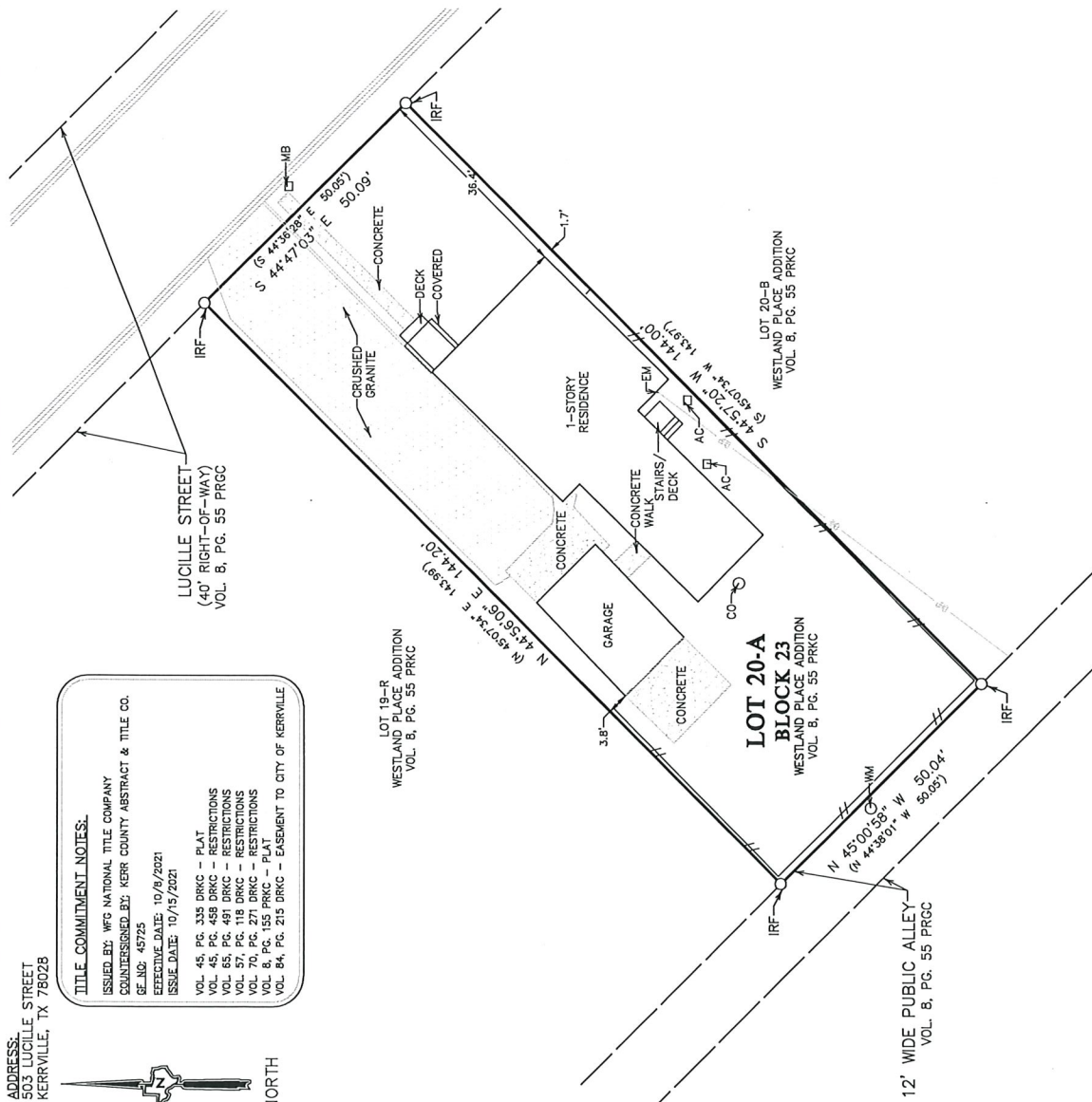
ADDRESS:  
503 LUCILLE STREET  
KERRVILLE, TX 78028



NORTH

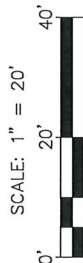
**TITLE COMMITMENT NOTES:**

ISSUED BY: WFG NATIONAL TITLE COMPANY  
COUNTERSIGNED BY: KERR COUNTY ABSTRACT & TITLE CO.  
62 NO: 45725  
EFFECTIVE DATE: 10/19/2021  
ISSUE DATE: 10/19/2021  
VOL. 45, PG. 335 DRKC - PLAT  
VOL. 45, PG. 458 DRKC - RESTRICTIONS  
VOL. 55, PG. 491 DRKC - RESTRICTIONS  
VOL. 57, PG. 118 DRKC - RESTRICTIONS  
VOL. 70, PG. 271 DRKC - RESTRICTIONS  
VOL. 8, PG. 155 PRKC - PLAT  
VOL. 84, PG. 215 DRKC - EASEMENT TO CITY OF KERRVILLE



**LEGEND**

- ( ) RECORD BEARING & DISTANCE  
AC AIR CONDITIONER  
CO CLEANOUT  
EM ELECTRIC METER  
IRF 1/2" IRON ROD FOUND W/ "VOELKEL" CAP  
MB MAIL BOX  
PRKC PLAT RECORDS OF KERR COUNTY  
VOL. VOLUME  
WM WATER METER
- GRANITE CONCRETE  
ADJOINER LINE  
BOUNDARY LINE  
BUILDING SETBACK LINE  
EASEMENT LINE  
OVERHEAD POWER  
WOOD FENCE



STATE OF TEXAS §  
COUNTY OF KERR §

I HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND, UNDER MY SUPERVISION, THIS 19th DAY OF OCTOBER, 2021, THAT THIS PLAT CORRECTLY REPRESENTS THE FACTS FOUND AND TO BE FOUND BY ME IN THE COURSE OF MY PROFESSIONAL DUTY. NO VISIBLE EASEMENTS OR ENCROACHMENTS OF BUILDINGS OR ADJOINING PROPERTY AND THAT ALL BUILDINGS ARE WHOLLY LOCATED ON THIS PROPERTY EXCEPT AS SHOWN ABOVE.

*Jeff Boerner*  
JEFF BOERNER  
TX R.P.L.S. NO. 4939



**GENERAL NOTES:**

- BEARINGS SHOWN HEREON ARE BASED ON THE 1983 SOUTH CENTRAL ZONE (4204).
- DISTANCES SHOWN HEREON ARE GRID VALUES.
- FIELD SURVEY COMPLETED 10-19-2021.
- THIS SURVEY WAS MADE WITH TWO SUBSURFACE LOCATED WITH THIS SURVEY. NO SUBSURFACE PROBING, EXCAVATION OR EXPLORATION WAS PERFORMED FOR THIS SURVEY. UNDERGROUND UTILITIES MAY EXIST WHICH ARE NOT SHOWN HEREON.
- ACCORDING TO COMMUNITY PANEL NO. 482850470F OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD INSURANCE RATE MAPS FOR KERR COUNTY, TEXAS, HAVING A MAP REVISED DATE OF MARCH 3, 2011, THE SUBJECT TRACT IS SITUATED WITHIN: UNSHADED ZONE "X", DEFINED AS AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN. THIS FLOOD STATEMENT SHALL NOT CREATE LIABILITY ON THE PART OF THE SURVEYOR OR FIRM FOR THE EXISTENCE OR DEVELOPMENT OF MINERALS RELATED TO THE SUBJECT TRACT FALL OUTSIDE THE SCOPE OF THIS SURVEY. SUCH MATTERS SHOULD BE DIRECTED BY THE CLIENT OR PROSPECTIVE PURCHASER TO AN EXPERT CONSULTANT.
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PLAT SHOWING: LOT 20-A, BLOCK 23, WESTLAND PLACE ADDITION, RECORDED IN VOLUME 8, PAGE 55, PLAT RECORDS OF KERR COUNTY, TEXAS.

**LAND TITLE SURVEY**  
**OF**  
**LOT 20-A, BLOCK 23**  
**OF**  
**WESTLAND PLACE ADDITION**  
**OUT OF THE**  
**JOHN YOUNG SURVEY #119**  
**ABSTRACT # 376**  
**KERR COUNTY, TEXAS**  
**OCTOBER 2021**

**MDS**  
**LAND SURVEYING**  
**COMPANY, INC.**  
TBPALS FIRM NO. 10079600  
874 HARPER ROAD  
SUITE 104  
KERRVILLE, TX 78028  
830-816-1818  
MDS-SURVEYING.COM

JOB #: 21-507-00 SURVEYORS: JB/LK  
DATE: 10-19-2021 SHEET 1 OF 1



## SHORT TERM RENTAL CONDITIONAL USE PERMIT GUEST NOTIFICATION

CUP Resolution Number 25-2022

This short term rental has been permitted by the City of Kerrville as a conditional use under the above referenced resolution within a residential neighborhood and requires all guests to be aware of the following:

Because this short term rental is located within a residential neighborhood, proper etiquette should be observed at all times. The conditional use permit was issued in an effort **“to preserve the health, safety, and general welfare of adjacent property and its occupants and to protect such property and occupants from excessive noise, vibration, dust, dirt smoke, fumes, gas, odor, traffic, explosion, glare, surface water drainage, offensive view, or other undesirable hazardous conditions....”**

As a guest, please be aware of the proximity of your neighbors and be respectful of their right to privacy, a quiet environment, and unobstructed access to their property. Loud music, loud parties and excessive noise should be avoided. Parking should be limited to onsite parking spaces provided by short term rental management. Place trash and recycling in the appropriate containers.

As per the Conditional Use Permit, the **maximum occupancy is ten (10) guests**. The Short Term Rental owner may have other occupancy restrictions for fewer guests, however, in no case shall guest occupancy exceed ten (10) guests.

If you should have any questions regarding this notification, please contact the short term rental management.

Name: \_\_\_\_\_

Contact Number: \_\_\_\_\_

Thank you!

*This Guest Notification should be posted by short term rental management in a location clearly visible by all guests and provided with check-in information. Posting of duplicate copies of this Guest Notification within each guest room is highly encouraged to clearly communicate the importance of proper etiquette within a residential neighborhood. Thank you!*