

**CITY OF KERRVILLE, TEXAS
RESOLUTION NO. 40-2023**

A RESOLUTION GRANTING A CONDITIONAL USE PERMIT TO AUTHORIZE A DWELLING, SINGLE-FAMILY DETACHED WITH ACCESSORY DWELLING UNIT ON THE PROPERTY CONSISTING OF LOT 13, BLOCK 3, METHODIST ENCAMPMENT ADDITION; MORE COMMONLY KNOWN AS 1312 CEDAR DR.; SAID PROPERTY IS LOCATED WITHIN A SINGLE-FAMILY RESIDENTIAL ZONING DISTRICT (R-1); AND MAKING SAID PERMIT SUBJECT TO CERTAIN CONDITIONS AND RESTRICTIONS CONTAINED HEREIN

WHEREAS, the owner of the property known as 1312 Cedar Dr. and depicted on the location map at **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 authorize a dwelling, single-family detached with (an) accessory dwelling unit on the Property, which is located within a Single-family Residential Zoning District (R-1); 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 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 of property owners generally and particularly to those interested persons situated in the affected area and in the vicinity thereof, the Commission recommends that City Council grant the CUP applied for and referenced herein, subject to the special conditions and restrictions set out hereinafter on 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, 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 Zoning District (R-1), to be developed and used for a Dwelling, Single-Family Detached with Accessory Dwelling Unit 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: Lot 13, Block 3, Methodist Encampment Addition, and being depicted on the location

map at **Exhibit A**.

Address: 1312 Cedar Dr., 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. Site Plan:** The development and use of the Property shall conform to the site plan attached as **Exhibit B**.
- B. Accessory Dwelling Unit:** In compliance with the Zoning Code, the accessory dwelling unit i) shall not exceed the maximum allowable square footage; ii) shall comply with the applicable set back restrictions.
- 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 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.

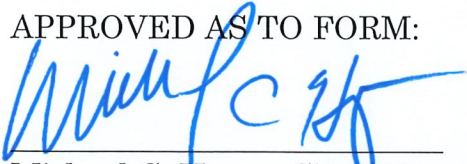
SECTION SIX. This Resolution is effective upon adoption.

PASSED AND APPROVED ON this the 12 day of DECEMBER, A.D., 2023.




Judy Eychner, Mayor

APPROVED AS TO FORM:

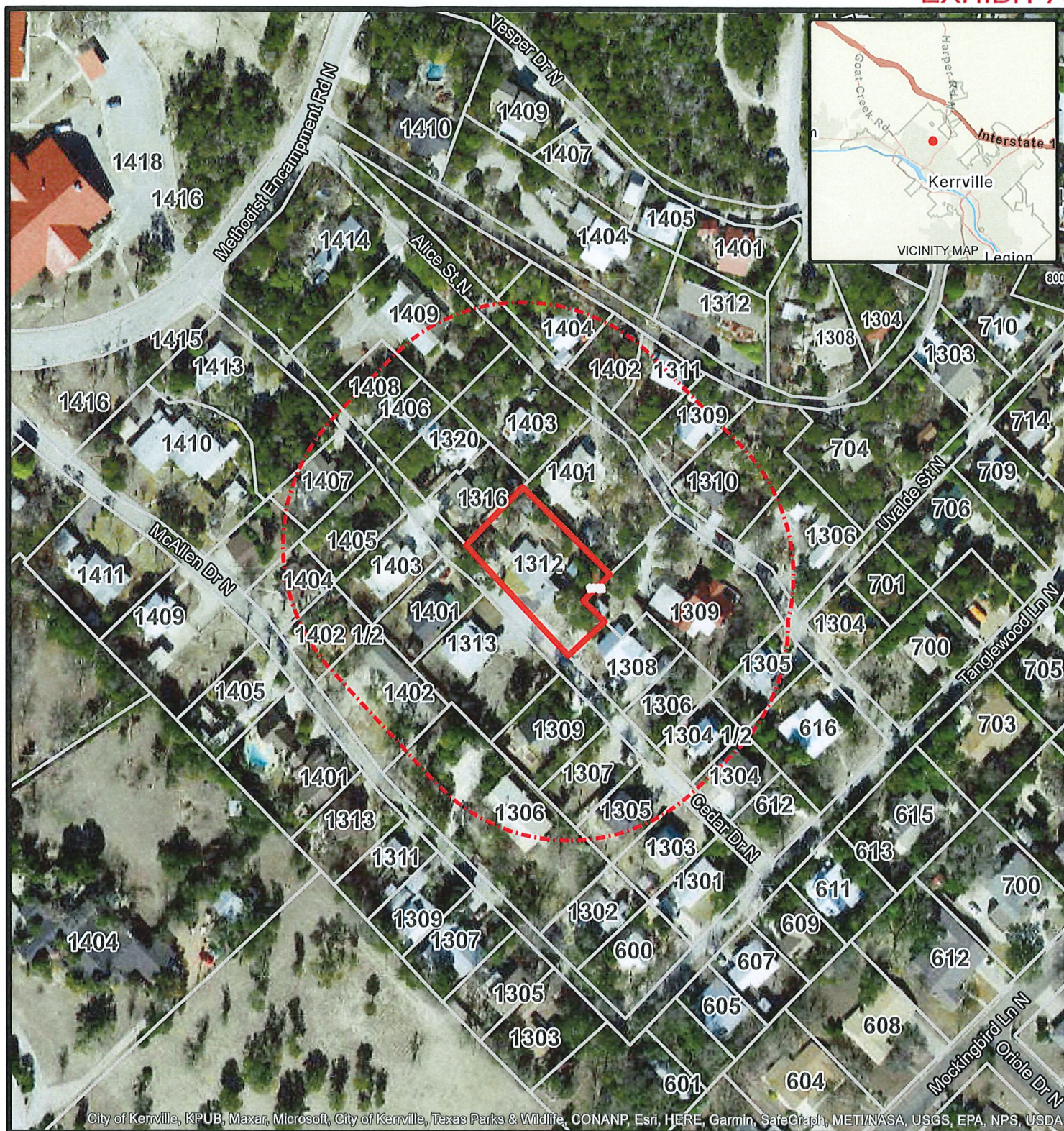


Michael C. Hayes, City Attorney

ATTEST:



Shelley McElhannon, City Secretary



Location Map

Case # PZ-2023-14

Location:

1312 Cedar Dr N

Legend

- Subject Properties
- 200 Feet Notification Area



0 50 100 200
Scale In Feet

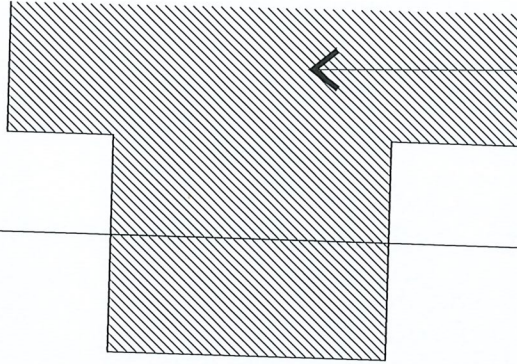
10/09/2023





LOT 13
BLK. 3

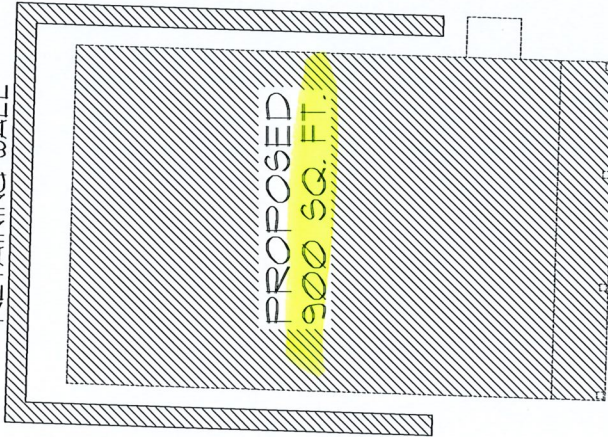
EXISTING HOME



5' BLDN'G.
SETBACK LINE

LOT 12
BLK. 3

RETAINING WALL



25' BLDN'G.
SETBACK LINE

5' BLDN'G. SETBACK LINE