



City of Wimberley

221 Stillwater, Wimberley, Texas 78676

REGULAR PLANNING AND ZONING COMMISSION MEETING

WIMBERLEY CITY HALL – CITY COUNCIL CHAMBERS
221 STILLWATER, WIMBERLEY, TEXAS 78676

THURSDAY, SEPTEMBER 12, 2024 - 6:00 PM

AGENDA

1. **CALL TO ORDER** September 12, 2024, at 6:00 PM
2. **CALL OF ROLL**
3. **CITIZENS COMMUNICATIONS**
This provides an opportunity for the citizens to comment on agenda and non-agenda items in advance of the regular business of the Planning and Zoning Commission. Those wishing to speak must sign-in before the meeting begins and observe a three-minute time limit when addressing the Board. Speakers will have one opportunity to speak during the time period. Comments from speakers should not be directed towards any specific member of the Board or City staff. Comments should not be accusatory, derogatory or threatening in nature.
4. **MINUTES**
 - 4.1. Consider approval of the August 29, 2024, Regular Planning and Zoning Commission meeting minutes.
5. **DISCUSSION AND POSSIBLE ACTION**
 - 5.1. Discuss and consider possible action on a replat of Lot 36 and Lot 37 of Cedar Ridge Estates, establishing Lot 36A, at a property located at 491 Cindi Circle, Wimberley, TX.
6. **PUBLIC HEARING AND POSSIBLE ACTION**
 - 6.1. Hold a public hearing and consider making a recommendation to City Council regarding case CUP-24-006, an application for a Conditional Use Permit to allow for the operation of a Vacation Rental (STR2) at 42 La Buena Vista Dr, Wimberley, TX.
7. **BOARD MEMBER REPORTS**
 - 7.1. Announcements
 - 7.2. Future Agenda Items
8. **ADJOURNMENT**

EXECUTIVE SESSION NOTE: The Planning and Zoning Commission may adjourn into Executive Session to consider any item listed on this agenda if a matter is raised that is appropriate for Executive Session discussion. An announcement will be made of the basis for the Executive Session discussion. The City Council may also publicly discuss any item listed on the agenda for Executive Session

Attendance by Other Elected or Appointed Officials: It is anticipated that members of other governmental bodies, and/or city boards, commissions and/or committees may attend the meeting in numbers that may constitute a quorum. The members of the boards, commissions and/or committees may be permitted to participate in discussion on the same items listed on the agenda, which occur at the meeting, but no action will be taken by such in attendance unless item and action is specifically provided for on an agenda for that body, board, commission or committee subject to the Texas Open Meetings Act.

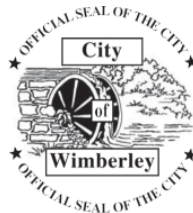
CERTIFICATION

I hereby certify the above Notice of Meeting was posted on the bulletin board at Wimberley City Hall, a place convenient and readily accessible to the general public at all times, and to the City's website, www.cityofwimberley.com, in compliance with Chapter 551, Texas Government Code, on Monday, September 9, 2024, by 6:00 p.m., and remained posted for at least 72 continuous hours preceding the scheduled time of said meeting.



Nathan Glaiser
Director of Planning & Public Works

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 City Secretary Tammy Heller at (512) 648-2403 two business days in advance of the meeting for appropriate arrangements.





City of Wimberley

221 Stillwater, Wimberley, Texas 78676

REGULAR PLANNING AND ZONING COMMISSION MEETING

WIMBERLEY CITY HALL – CITY COUNCIL CHAMBERS

221 STILLWATER, WIMBERLEY, TEXAS 78676

THURSDAY, AUGUST 29, 2024 - 6:00 PM

MINUTES

1. **CALL TO ORDER** August 29, 2024, at 6:00 PM

Chair Anne Ulfelder called the meeting to order at 6:00 p.m.

2. **CALL OF ROLL**

Commissioners Present:

Matt Joyce
Chris Sharp
Ben O'Kane
Anne Ulfelder
Vance McCracken
Jerry Lunow
Michael Rambo

Staff Present:

Nathan Glaiser, Director of Planning and Public Works
Tammy Heller, City Secretary

3. **CITIZENS COMMUNICATIONS**

This provides an opportunity for the citizens to comment on agenda and non-agenda items in advance of the regular business of the Planning and Zoning Commission. Those wishing to speak must sign-in before the meeting begins and observe a three-minute time limit when addressing the Board. Speakers will have one opportunity to speak during the time period. Comments from speakers should not be directed towards any specific member of the Board or City staff. Comments should not be accusatory, derogatory or threatening in nature.

There were no citizens communications this evening.

4. **MINUTES**

4.1. Consider approval of the July 11, 2024, Regular Planning and Zoning Commission meeting minutes.

A motion was made by Commissioner O'Kane, seconded by Commissioner Rambo to approve the July 11, 2024 Planning & Zoning Commission meeting minutes. The motion carried unanimously (7-0).

5. **PUBLIC HEARING AND POSSIBLE ACTION**

- 5.1.** Hold a public hearing and consider making a recommendation to City Council regarding case CUP-24-004, an application for a Conditional Use Permit to operate a Short-Term Rental 2 (Vacation Rental) at a property located at 108 Little Ranches, Wimberley, TX.

Nathan Glaiser, Director of Planning and Public Works, gave a brief presentation regarding case CUP-24-004, an application for a Conditional Use Permit to operate a Short-Term Rental 2 (Vacation Rental) at a property located at 108 Little Ranches, Wimberley, Texas. Mr. Glaiser explained allowable uses and when a Conditional Use Permit is required to come before Planning and Zoning and City Council for consideration. No opposition or comments were received regarding this case.

Chair Ulfelder opened the public hearing at 6:05 p.m.

Jimmy Salter, owner and applicant, spoke in support of this request and answered questions presented by the Commissioners.

There being no further comments, Chair Ulfelder closed the public hearing at 6:08 p.m.

Upon completion of discussion, a motion was made by Commissioner O'Kane, seconded by Commissioner Lunow to approve case CUP-24-004, an application for a Conditional Use Permit to operate a Short-Term Rental 2 (Vacation Rental) at a property located at 108 Little Ranches, Wimberley, Texas. The motion carried unanimously (7-0).

- 5.2.** Hold a public hearing and consider making a recommendation to City Council regarding case ZA-24-003, an application for a Zoning Amendment to amend the Wimberley Planned Development District located at 111 and 107 West Spoke Hill, Wimberley, TX.

Nathan Glaiser, Director of Planning and Public Works, gave a brief presentation regarding case ZA-24-003, an application for a Zoning Amendment to amend the Wimberley Planned Development District located at 111 and 107 West Spoke Hill, Wimberley, Texas. Mr. Glaiser explained the request to replace the previous concept plan and replace it with a new plan. Two letters of support were submitted.

Chair Ulfelder opened the public hearing at 6:14 p.m. Sienna Ginn, the applicant, spoke in support and answered any questions presented by the Commissioners. There being no further comments, Chair Ulfelder closed the public hearing at 6:18 pm.

Upon completion of discussion, a motion was made by Commissioner McCracken, seconded by Commissioner Sharp to approve case ZA-24-003, an application for a Zoning Amendment to amend the Wimberley Planned Development District located at 111 and 107 West Spoke Hill, Wimberley, Texas. The motion carried unanimously (7-0).

- 5.3.** Hold a public hearing and consider making a recommendation to City Council regarding case CUP-24-005, an application for a Conditional Use Permit to operate a Short-Term Rental 2 (Vacation Rental) at a property located at 13615 Ranch Road 12, Wimberley, TX.

Nathan Glaiser, Director of Planning and Public Works, gave a brief presentation regarding case CUP-24-005, an application for a Conditional Use Permit to operate a Short-Term Rental 2 (Vacation Rental) at a property located at 13615 Ranch Road 12, Wimberley, Texas.

Chair Ulfelder opened the public hearing at 6:24 p.m. Michael Alexander, the applicant, spoke in support and answered any questions presented by the Commissioners. There being no further comments, Chair Ulfelder closed the public hearing at 6:29 p.m.

Upon completion of discussion, a motion was made by Commissioner Joyce, seconded by Commissioner O'Kane to approve case CUP-24-005, an application for a Conditional Use Permit to operate a Short-Term Rental 2 (Vacation Rental) at a property located at 13615 Ranch Road 12, Wimberley, Texas. The motion carried unanimously (7-0).

6. BOARD MEMBER REPORTS

6.1. Announcements

Mr. Glaiser stated the next regular meeting is scheduled for September 12, 2024.

6.2. Future Agenda Items

No future agenda items added.

7. ADJOURNMENT

Chair Ulfelder adjourned the meeting at 6:30 p.m.

RECORDED BY:

Planning & Zoning Commission Staff Liaison



APPROVED BY:

Planning & Zoning Commission Chairperson



AGENDA ITEM:	1. Discuss and consider possible action on a replat of Lot 36 and Lot 37 of Cedar Ridge Estates, establishing Lot 36A, at a property located at 491 Cindi Circle, Wimberley, TX.
SUBMITTED BY:	
DATE SUBMITTED:	09/09/2024
MEETING DATE:	September 12, 2024

AGENDA FORM

ITEM DESCRIPTION/SUMMARY

The owners of Lot 36 and Lot 37 of Cedar Ridge Estates in Wimberley, TX, have filed a replat to combine their two lots creating Lot 36A. One lot is developed with a residence and one lot is vacant. The resulting lot is on Aqua Texas Sewer, Aqua Texas Water, and PEC electric. This replat has been reviewed by staff and meets all necessary requirements for approval.

REQUESTED ACTION

Motion
Discussion

FINANCIAL

STAFF RECOMMENDATION

Staff recommends approval of this replat.

ATTACHMENT/S

1. CINDI CIR PLAT



AGENDA ITEM:	CUP-24-006 – Short Term Rental 2
SUBMITTED BY:	Nathan Glaiser, Development Services Director
DATE SUBMITTED:	8/14/2024
MEETING DATE:	9/12/2024 (P&Z) / 9/19/2024 (City Council)

REPORT

ITEM

The applicant, 211 Dobie LLC, has requested a Conditional Use Permit to allow for the operation of a short-term rental 2 (vacation rental) on property located at 42 La Buena Vista Dr, Wimberley. The property is 2.31 acres and zoned Single-Family Residential 2. They are requesting a maximum occupancy of 10 guests.

PROPERTY INFORMATION

Property Description

Applicant(s):	211 Dobie LLC
Property Address:	42 La Buena Vista Dr
Property Owner:	211 Dobie LLC
Legal Description:	Woodcreek 3 Lot 17 & ABS 390 Robert S Rankin Survey 0.61
Property Size:	2.31 Acres
Existing Use of Property:	Residential
Existing Zoning:	R2
Shared Infrastructure	None
Request:	STR2
Planning Area:	II
Overlay District:	None

Surrounding Property:

Frontage: La Buena Vista

		Current Zoning:	Existing Land Use:
Surrounding Zoning & Land Use	North of Property	ETJ	Residential
	South of Property	R2	Residential
	East of Property	R2	Residential

West of Property

R2

Residential

COMMENTS

Staff has received one letter of opposition from the property owner at 41 La Buena Vista, across the street from 42 La Buena Vista. They sent two emails, and both are in the packet.

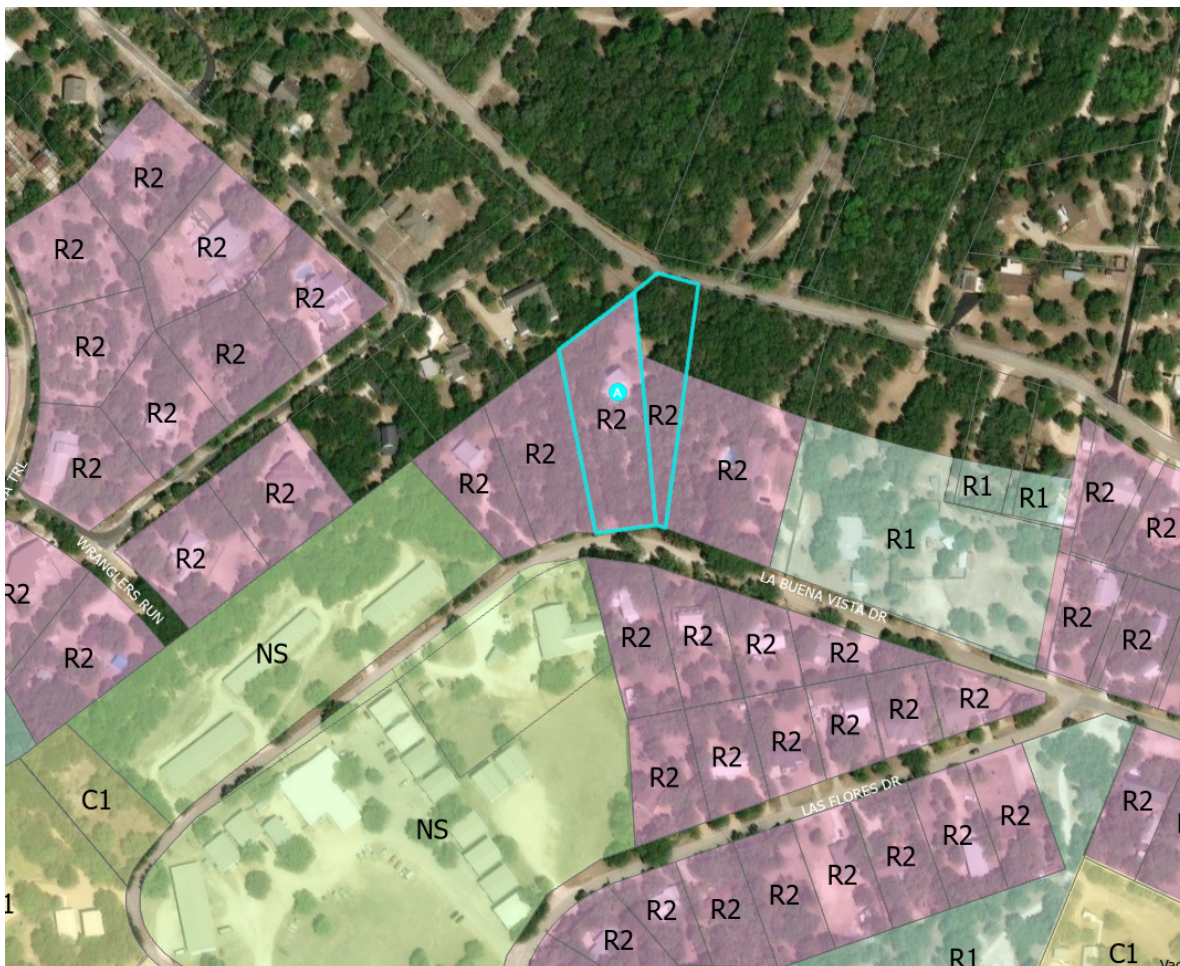
RECOMMENDATION

Staff defers to P&Z for their recommendation.

LEGAL NOTICE

Surrounding Neighbor Notification Letters (200'): 8/23/2024
Published Legal Notice (Wimberley View): 8/29/2024

Map





**CITY OF
WIMBERLEY**

Conditional Use Permit

Planning & Development

FOR OFFICE USE ONLY

Date: _____ CUP - _____ - _____ Staff Review _____

P&Z Hearing: _____ Council Hearing: _____ Fees Paid (\$750): ☐ _____

Applicant: 211 Dobie LLC

Mailing Address: 1205 Merlene Dr City: Austin State: Tx Zip: 78732

Phone: [REDACTED] Email: [REDACTED]

OWNER'S INFORMATION

Property Owner: 211 Dobie LLC

Mailing Address: 1205 Merlene Dr City: Austin State: Tx Zip: 78732

Phone: [REDACTED] Email: [REDACTED]

PROJECT SITE ADDRESS: 42 La Buena Vista Dr Wimberley, Tx 78676

Legal description: Woodcreek 3 & ABS 390 ROBERT S RANKIN SURVEY 0.61 AC

Total Acreage or Square Footage: 2.31 AC, 1567 sqft Deed recorded in: Hays

Hays CAD Parcel ID R- R52764 Planning Area: II Zoning: R2

Is property located in an overlay district? ☐ Yes ☒ No If Yes, type: _____

SPECIFIC CONDITIONAL USE REQUEST: Short term rental permit

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.

UTILITIES

Electric Provider: Pedernales Electric Company

Water provider or Private Well: Wimberley City

Wastewater Service or Septic Permit No. 9783

*If you have an On-Site Sewage Facility (OSSF) you can submit an open records request for your permit information if you do not have it.

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CONDITIONAL USE PERMIT (CUP) SUBMITTAL CHECKLIST

- ☒ Complete "Conditional Use Permit Application"
- ☒ Metes and bounds description and/or survey exhibit
- ☒ 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
- ☒ Copy of the Original Deed(s)
- ☒ Payment of application fee (credit card payments, checks/money orders, cash exact change only)
- ☒ Agent authorization to represent property owner if applicable

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 districts are being upheld.

SUBMITTAL VERIFICATION

My signature attests to the fact that the attached application package is complete and accurate to the best of my knowledge. I understand that City review of this Application is dependent upon the accuracy of the information provided and that any inaccurate or inadequate information provided by me, my firm, or agent, may delay the review of the Application. I authorize City of Wimberley Staff to visit and inspect the property for which this application is being submitted. I agree to attend or have a representative attend the Planning & Zoning Commission and City Council meetings. I have 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 understand that the City zoning action does not relieve any obligation of these restrictions.

Applicant's Signature: DocuSigned by:
gabrielle gibson
1958F22E0B2C402... Signed by:
Constantine J Pourlos
1AAE063EDEC84D5 Date: 8/14/2024 8/14/2024

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

OWNER: 211 Dobie LLC

LOCATION OF PROPERTY: 42 La Buena Vista Dr Wimberley, Tx 78676

LEGAL DESCRIPTION: Woodcreek 3 & ABS 390 ROBERT S RANKIN SURVEY 0.61 AC

PLANNING AREA: II PRESENT ZONING: R2

EXISTING USE: RESIDENTIAL

HOMEOWNERS ASSOCIATION CONTACT INFO: N/A

SHARED FACILITIES (RIVER PARK, POOL, ETC.): N/A

PROPERTY IN FLOODPLAIN? ☐ YES ☒ NO

GATED COMMUNITY OR PRIVATE STREET? ☐ YES ☒ NO

USE TO BE GRANTED: Bed & Breakfast OR ☒ Vacation Rental

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

COMPATIBILITY TO NEARBY AREAS: The facilities on the property will always be harmonious and compatible with surrounding uses

OFF-STREET PARKING: All parking will be off-street. 8 Off-street parking spaces will be provided for off-street guest parking, which will be adequate for a maximum occupancy of 8-10 guests. Parking will be in these spaces only.

SIGNAGE: All signage will be of traditional “Hill Country” design and will comply with the City Sign Ordinance.

NOISE AND LIGHTING: Exterior lighting to be only landscape lighting. All noise audibles 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: 3 **PROPOSED MAXIMUM OCCUPANCY:** 10 guests.

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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.

WASTEWATER SYSTEM: The wastewater treatment system (to be designed and constructed) will always be adequate for the maximum occupancy.

WATERFRONT USAGE: (Applicable if guests have water access) Guests may only use the N/A 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.

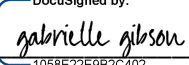
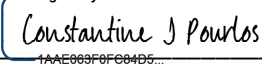
PROPERTY MANAGEMENT: Owner will provide guests and close-by neighbors with owner’s telephone number to assure Owner’s immediate knowledge of any concerns that may arise. (If not, owner occupied) Owner agrees to always retain under contract a responsible local management company the property is used as 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 always supervise and manage the property that it is used as a bed and breakfast facility.

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 always maintained in good condition.

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.

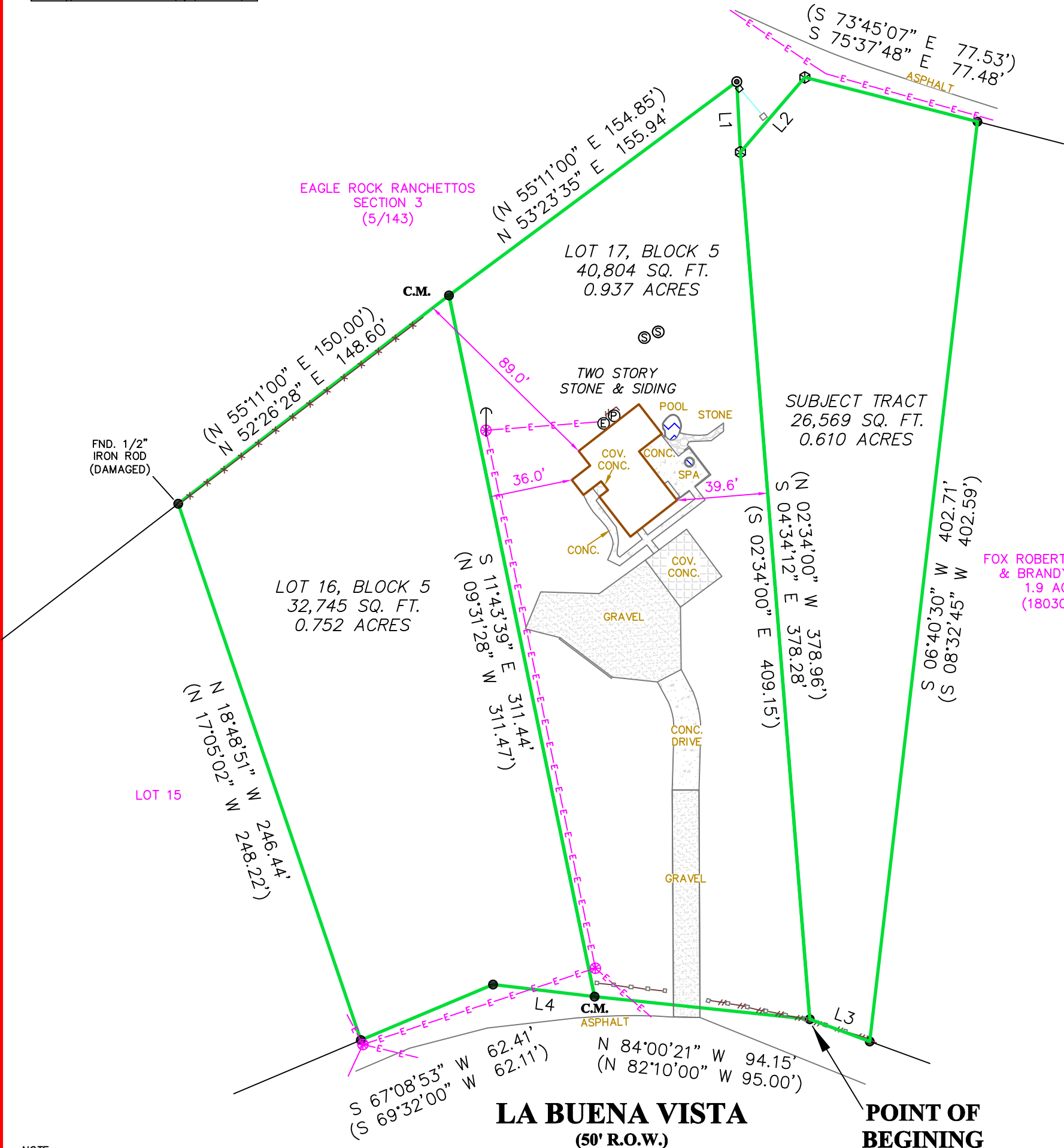
OWNER COMPLIANCE: Owners agree to comply with all City of Wimberley Ordinances, and all state, county and City laws, rules, and regulations.

ACCEPTED AND AGREED TO:

DocuSigned by:  OWNER SIGNATURE	gabrielle gibson PRINT NAME	8/14/2024 DATE
Signed by:  OWNER SIGNATURE	Constantine J Pourlos PRINT NAME	8/14/2024 DATE

LINE	BEARING	DISTANCE
L1	S 03°00'28" E	30.72'
L2	N 40°43'54" E	42.92'
	(N 42°37'22" E)	(41.83')
L3	N 69°48'12" W	27.82'
	(N 68°04'46" W)	(28.00')
L4	N 83°08'01" W	44.43'
	(N 82°10'00" W)	(43.98')

SCALE: 1"=20'



NOTE:
THIS PROPERTY MAY BE SUBJECT TO A RIGHT OF WAY EASEMENT RECORDED IN VOLUME 210, PAGE 125, DEED RECORDS, HAYS COUNTY, TEXAS.

NOTE:
THIS PROPERTY MAY BE SUBJECT TO A BLANKET EASEMENT RECORDED IN VOLUME 289, PAGE 369, DEED RECORDS, HAYS COUNTY, TEXAS.

NOTE:
THIS PROPERTY IS SUBJECT TO RESTRICTIVE COVENANTS, EASEMENTS, AGREEMENTS, AND/OR SETBACK LINES (IF ANY) AS FOLLOWS: VOLUME 1, PAGE 157, PLAT RECORDS; VOLUME 249, PAGE 363, DEED RECORDS; VOLUME 711, PAGE 169; VOLUME 711, PAGE 174; VOLUME 711, PAGE 179; VOLUME 756, PAGE 722; VOLUME 756, PAGE 724; VOLUME 756, PAGE 727; VOLUME 758, PAGE 547; VOLUME 769, PAGE 476, REAL PROPERTY RECORDS; VOLUME 823, PAGE 312; VOLUME 824, PAGE 1; VOLUME 1312, PAGE 575; VOLUME 1507, PAGE 881, OFFICIAL PUBLIC RECORDS, HAYS COUNTY, TEXAS.

NOTE:
Bearings shown hereon are based on actual GPS Observations, Texas State Plane Coordinates, South Central Zone, Grid.



FLOOD ZONE INTERPRETATION: IT IS THE RESPONSIBILITY OF ANY INTERESTED PERSONS TO VERIFY THE ACCURACY OF FEMA FLOOD ZONE DESIGNATION OF THIS PROPERTY WITH FEMA AND STATE AND LOCAL OFFICIALS, AND TO DETERMINE THE EFFECT THAT SUCH DESIGNATION MAY HAVE REGARDING THE INTENDED USE OF THE PROPERTY. The property made the subject of this survey appears to be included in a FEMA Flood Insurance Rate Map (FIRM), identified as Community No. 48209C, Panel No. 0238F, which is Dated 09/02/2005. By scaling from that FIRM, it appears that all or a portion of the property may be in Flood Zone(s) X. Because this is a boundary survey, the surveyor did not take any actions to determine the Flood Zone status of the surveyed property other than to interpret the information set out on FEMA's FIRM, as described above. THIS SURVEYOR DOES NOT CERTIFY THE ACCURACY OF THIS INTERPRETATION OF THE FLOOD ZONES, which may not agree with the interpretations of FEMA or State or local officials, and which may not agree with the tract's actual conditions. More information concerning FEMA's Special Flood Hazard Areas and Zones may be found at <https://msc.fema.gov/portal>.

Property Address:
42 LA BUENA VISTA
Property Description:

TRACT 1:
LOTS 16 & 17, BLOCK 5, WOODCREEK SECTION 3, A SUBDIVISION IN HAYS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF, RECORDED IN VOLUME 1, PAGE 157, PLAT RECORDS, HAYS COUNTY, TEXAS.

TRACT 2:
BEING 0.610 ACRES OF LAND, MORE OR LESS, OUT OF THE R.S. RANKIN SURVEY, ABSTRACT. 390, HAYS COUNTY, TEXAS, BEING THE SAME TRACT OF LAND AS CONVEYED BY DEED RECORDED IN VOLUME 770, PAGE 368 AND IN VOLUME 770, PAGE 371, OFFICIAL PUBLIC RECORDS, HAYS COUNTY, TEXAS, SAID 0.610 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS ATTACHED HERETO

Owner:
ERIC STEHLIN

I, DAVID L. ELZY, Registered Professional Land Surveyor, State of Texas, do hereby certify that the above plat represents an actual survey made on the ground under my supervision, and there are no discrepancies, conflicts, shortages in area or boundary lines, or any encroachment or overlapping of improvements, to the best of my knowledge and belief, except as shown herein.

DAVID L. ELZY
Registered Professional Land Surveyor
Texas Registration No. 4675



FIRM REGISTRATION NO. 10111700
P.O. BOX 1645 BOERNE, TEXAS 78006
PHONE (210) 372-9500 FAX (210) 372-9999

LEGEND
● = FND 1/2" IRON ROD
() = RECORD INFORMATION
B.S. = BUILDING SETBACK
R.D. = RECORD DIGNITY MONUMENT
⊕ = POWER POLE
⊙ = ELECTRIC METER
⊗ = GAS METER
⊕ = WATER METER
⊗ = CHAIN LINK FENCE
⊕ = WOOD FENCE
⊗ = OVERHEAD ELECTRIC

DRAWN BY: DJ RVD: DLE

TITLE COMPANY: INDEPENDENCE TITLE

DATE: 01/03/2022

G.F. NO. 2176257-SMA

JOB NO. 111950

Nathaniel Glaiser

From: Amanda Zehnder <amanda.zehnder@gmail.com>
Sent: Thursday, September 5, 2024 11:04 AM
To: Nathaniel Glaiser
Subject: Fwd: CUP permit for 40 La Buena Vista Dr.

Follow Up Flag: Follow up
Flag Status: Flagged

I am forwarding this message from the last time our neighbors across the way put in an application for a CUP for STR non owner occupied.

All of the highlighted issues still remain. The property in question is now the once "vacant" lot mentioned in the above note. The property at 42 La Buena Vista Dr. is surrounded by four family homes. One does not have children. The other three do. One has a single mother and four children, directly next door is a family with two young children, and directly across the street is my family with one young child. The mother is alone 24-48 hours at a time due to my work as a firefighter with 24 hour shifts.

Please do not change the landscape of our neighborhood. We moved into a family neighborhood to be involved in the community and do not want the constant disruption of a Short Term Rental directly across the street.

Thank you.

----- Forwarded message -----

From: Jake Thielman <jake.thielman@gmail.com>
Date: Thu, Feb 10, 2022 at 11:07 AM
Subject: CUP permit for 40 La Buena Vista Dr.
To: Nathaniel Glaiser <nglaiser@cityofwimberley.com>

I am writing in reference to the Conditional Use Permit to operate a Vacation Rental at 40 La Buena Vista Drive in Wimberley.

My name is Jake Thielman and I live across the street with my family and I received a letter requesting input on the matter.

The owners of the home at 40 La Buena Vista have expressed that they are moving out of state and planning to turn their home into a short term rental, with the plan of building more tiny homes on the property in the future. I think almost any neighborhood would be concerned about changing a traditional single family home into a business. Having different groups of customers coming and going every day rather than a traditional resident is a big change to the neighborhood. I am especially concerned being that I am a Firefighter and work 24 hour shifts. My family built our home in this neighborhood, next to the Montessori elementary, not in a hotel district. It is concerning to me that when I leave for work, I have no idea what group of strangers will be staying next door to my wife and children while I'm gone.

I am also concerned that having out of state ownership of a short term rental in the middle of a neighborhood will pose issues. The owners will not have direct contact with any neighbors or customers and thus will not be invested in the community. Profits from the business are going out of state and the owners will not be around to address any issues created.

This permit is being considered while the home on one side is vacant having just been sold and the new family hasn't moved in yet. The home across the street had the same family for 15 plus years and is currently being remodeled and is almost ready for a new family to move in, but is vacant. Thus the new neighbors will likely not have any chance for input on this application. I would anticipate that the families moving into these homes will be very surprised to see that they no longer have a neighbor but a business next door, with the business owner living in Michigan.

Please consider these issues and not issue this permit at 40 La Buena Vista. Although short term rentals are really great in many ways, this isn't a good spot for one.

Please feel free to contact me as needed.

Jake Thielman
Jake.thielman@gmail.com
512-665-6964

Sent from my iPhone

Nathaniel Glaiser

From: Amanda Zehnder <amanda.zehnder@gmail.com>
Sent: Thursday, September 5, 2024 11:08 AM
To: Nathaniel Glaiser
Subject: Fwd: Request for CUP at 40 La Buena Vista Dr.

Follow Up Flag: Follow up
Flag Status: Flagged

I am forwarding my last letter to the city regarding STR's in my neighborhood. Some of the circumstances of this CUP are slightly different, but the main points still remain. We moved into a FAMILY neighborhood where we pride ourselves in knowing who our neighbors are and we look out for one another. Introducing a host of strangers, that have not been vetted and in such close proximity to children and schools, has the potential to become a serious issue. There still remains no entity in Wimberley that polices and monitors the STR's and I do not wish to have that responsibility. Wimberley is a wonderful town to visit and STR is clearly a big business. However, I beg of you to not bring those short term rentals into the NEIGHBORHOODS and change the landscape of what we bought into. There are plenty of other places to host such things and this is not one of them.. Thank you.

----- Forwarded message -----

From: **Amanda Zehnder** <amanda.zehnder@gmail.com>
Date: Wed, Feb 9, 2022 at 5:33 PM
Subject: Request for CUP at 40 La Buena Vista Dr.
To: <nglaiser@cityofwimberley.com>
Cc: ICE Jake Thielman <jake.thielman@gmail.com>

My name is Amanda Zehnder. I reside with my husband, Jacob Thielman and child at 41 La Buena Vista Drive in Wimberley.

I am writing in reference to the Conditional Use Permit to operate a Vacation Rental at 40 La Buena Vista Drive in Wimberley.

Mrs. Fox has told me since moving into our new home(August 2021) that the back section of her property was not within the City Limits and not subject to zoning restrictions imposed by the City of Wimberley. She mentioned building "tiny houses" and renting them out on the back side of her property that opens to Cypress Creek. Subsequently, her family put in a large septic tank, which I assumed was to support the needs of the tiny homes she spoke of building. In December Mrs. Fox told me of her family's plans to move to Michigan at the close of the school year.

A couple of weeks ago while walking my dogs I ran into Mrs. Fox and she said they were going to submit a request for a Conditional Use Permit to operate a vacation rental for their home. I asked at that time if she was going to build the tiny homes in the back and she indicated she was not. Instead, she was wanting to use her primary residence on the property as a "vacation rental" with an entrance on La Buena Vista Dr. She also mentioned that if she were to sell her home that this would convey with the sale. I was indifferent with tiny homes going into the back side of her property because I was under the assumption

that it was unrestricted and she was able to use it for whatever she wished and that I had no input in the matter.

However, the zoning for the front part of the property and the main home are of consequence to my family and myself, and it would be my desire to see this property remain a family home with either owners or long term renters (those being vetted) residing in it. I have no bias against short term renters as a "group" in general, but they are not vetted and I do not feel comfortable in such a secluded part of the neighborhood with a host of random strangers staying across the street. My husband is a firefighter at the City of Austin and I am alone a minimum of one-third of the time with my young son in the home. Mrs. Fox indicated that IF there were problems then her permit would not be renewed and it would be a non issue. Yet, the Fox family is moving out of state and there is no department in the City that monitors Short Term Vacation Rentals. This would lead to our having to "police" the area to report if there were issues. Their home and swimming pool are in direct view of our front door and window. It is a large home and I would assume that parties renting their home would be large in number and not individuals.

Furthermore, the property directly connected to the Fox property was just bought by investors and the property next door is not owner occupied, but it is currently available for long term rental. My concern is that if the City of Wimberley grants this Conditional Use Permit that it opens the door for our end of La Buena Vista to become an open ground for investors looking to provide short term rentals, thereby minimizing the integrity of our "neighborhood." The Fox family will effectively become out of state investors in a short term rental in Wimberley. They have lived here only a few years and will no longer be a part of the "community." I also have reservations that they will sell to investors who will build the tiny homes and the increased traffic and noise on our already overcrowded streets will interfere with our daily living. We regularly walk to town and walk our dogs and there are no sidewalks or shoulders to accomodate us safely when there is an abundance of traffic from the schools or school events. We also have a Montessori school in the neighborhood.

We sold our long term home in San Marcos to purchase this property from a former co-worker of my husband's when he coached at Wimberley High School. We were told this was a great neighborhood to raise our children in with its location and proximity to the school and town allowing us easy access to the community and events that take place therein. We are very involved in many activities in the community and are grateful to be close and have our child feel included in the community. Our decision to purchase property and build at this location would have been different had we been surrounded by short term rentals.

We like the idea of living in a neighborhood. We like to know who lives around us. We have animals and children and familiarity is of great importance. We have always had wonderful relationships with our neighbors. I like the comfort of knowing who lives around us and being able to reach out to them and vice versa. I don't know the economic impact of a short term rental on our property. I have not researched it and wouldn't even hazard a guess, especially in this market. My concerns are all directly related to the inherent properties of a short term rental and their negative impact on the security of my family in our home and the soundness of our neighborhood. We invested a lot of money, time, and energy into building a home that would be great for my son to grow up in and complete his time at Wimberley ISD. He is currently a fifth grader and we have no intentions on uprooting him. We are invested in the neighborhood and community.

I apologize for my wordiness. I know I rambled on quite a bit as I tried to recount my understanding of how everything unfolded. There is some animosity on the part of my neighbors towards us regarding this matter, so I wanted to be as accurate as possible.

Thank you for your consideration.