

ORDINANCE NO. 03-03-11-C

AN ORDINANCE APPROVING THE APPLICATION FOR A CONDITIONAL USE PERMIT SUBMITTED BY A TO Z RENTAL CENTER TO OPERATE A PLANT NURSERY (RETAIL SALES/OUTDOOR) ON LOT 2, BEE CAVE-LTYA 71 WEST ADDITION, A TRACT ZONED FOR NEIGHBORHOOD SERVICES; PROVIDING FOR AN EFFECTIVE DATE AND PROVIDING FOR CERTAIN CONDITIONS;

WHEREAS, an application for a Conditional Use Permit has been filed by A To Z Rental Center requesting authorization for a Plant Nursery (Retail Sales/Outdoor) in an area zoned for Neighborhood Service ("NS");

WHEREAS, a Plant Nursery (Retail Sales/Outdoor) is an authorized use in areas zoned for Neighborhood Service upon the granting of a Conditional Use Permit;

WHEREAS, approval of the Conditional Use Permit has been recommended by the Planning and Zoning Commission at its meeting held on March 4, 2003;

WHEREAS, Applicant has submitted a Concept plan, attached hereto as Exhibit "A" and incorporated herein, and other necessary information and has complied with the requirements of the Village of Bee Cave Ordinances Section 14.129 for issuance of a Conditional Use Permit; except as otherwise noted in this Ordinance;

WHEREAS, the Board of Alderman have conducted a Public Hearing on the Application for a Conditional Use Permit wherein public comment was received and considered on the Application;

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMAN OF THE VILLAGE OF BEE CAVE, TEXAS:

The BOARD OF ALDERMAN find that the information submitted in the Application for a Conditional Use Permit submitted by A To Z Rental Center for use of a Plant Nursery (Retail Sales/Outdoor) in Travis County, Texas which is Lot 2, Bee Cave-LTYA 71 West Addition, a tract zoned for Neighborhood Service meets the requirements of Section 14.129 of the Village of Bee Cave Ordinances;

The BOARD OF ALDERMAN find that the use of the subject property as a Plant Nursery (Retail Sales/Outdoor) is an appropriate use for the property and is a compatible use with the surrounding properties and neighborhoods.

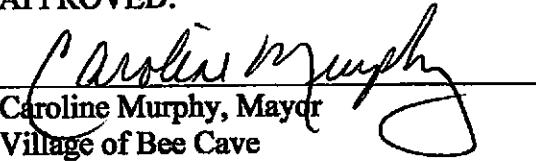
The BOARD OF ALDERMAN HEREBY GRANT the Application for a Conditional Use Permit to A To Z Rental Center upon the following terms and conditions:

- 1. The effective date of this Permit shall be March 11, 2003.**


2. Permittee shall not commence development until it has secured all permits and approvals as required by the Village of Bee Cave zoning regulations, ordinances or any permits required by regional, State and Federal agencies.
3. This Permit only authorizes development of the subject property as a Plant Nursery (Retail Sales/Outdoor) in accordance with the Concept plan attached hereto as Exhibit "A".

PASSED AND APPROVED ON THIS 11th day of March, 2003.

APPROVED:


Caroline Murphy, Mayor
Village of Bee Cave

ATTEST:


Sherry Mashburn, City Secretary
Village of Bee Cave, Texas
[SEAL]