

**RESOLUTION NO. R-2018-12**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS GRANTING A VARIANCE TO BASTROP CODE OF ORDINANCES ARTICLE 4.02.005 SALE OF ALCOHOLIC BEVERAGES, SEPARATION REQUIREMENTS FROM CHURCH, PUBLIC OR PRIVATE SCHOOL, OR PUBLIC HOSPITAL, ON PROPERTY LOCATED AT 601 CHESTNUT STREET #C WITHIN THE CITY LIMITS OF BASTROP, TEXAS; ESTABLISHING AN EFFECTIVE DATE.**

**WHEREAS**, H. Thomas Dickey, representing Texacate International LLC, is the Applicant representing 601 Chestnut Street #C, acknowledges that the property located within 300 feet of a church, public or private school, or public hospital, as defined by and as the measurement of applicable distances are set forth by the State of Texas in the Alcoholic Beverage Code; and

**WHEREAS**, separation requirements do not apply to businesses that were in operation at the time this section was originally enacted, until such a time as such businesses have a change in ownership; and

**WHEREAS**, the Applicant represents new ownership of Neighbor's Kitchen and Yard, which is the business; and

**WHEREAS**, the Applicant has applied for a variance pursuant to the Bastrop Code of Ordinances, Article 4.02.007; and

**WHEREAS**, authority is granted to City Council to allow variances in the Texas Alcoholic Beverage Code, Chapter 107.33; and

**WHEREAS**, public notice was sent in accordance with the Bastrop Code of Ordinances 4.02.007; and

**WHEREAS**, after consideration of public input received at the hearing and all other information presented, City Council finds by a majority vote of all members that it is in the public interest to grant a variance to the separation requirements of the premises to a private school.

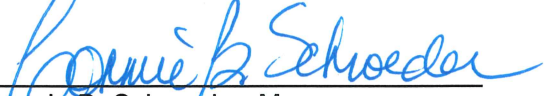
**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS:**

**Section 1:** That a variance to the distance separation requirements established in the Bastrop Code of Ordinances Article 4.02.005 is hereby granted for the property located at 601 Chestnut Street #C within the Bastrop city limits.

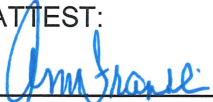
**Section 2:** That this Resolution shall take effect immediately upon its passage.

**DULY RESOLVED AND ADOPTED** by the City Council of the City of Bastrop this 27<sup>th</sup> day of February, 2018.


APPROVED:

  
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Connie B. Schroeder, Mayor

ATTEST:

  
\_\_\_\_\_  
Ann Franklin, City Secretary

APPROVED AS TO FORM:

  
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Alan Bojorquez, City Attorney