

**RESOLUTION NO. R-2018-22**

**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 1800 WALNUT STREET WITHIN THE CITY LIMITS OF BASTROP, TEXAS; AND ESTABLISHING AN EFFECTIVE DATE.**

**WHEREAS**, Guadalupe Barragan of Casa Chapala Mexican Dining and Banquets is the Applicant representing 1800 Walnut Street, 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**WHEREAS**, separation requirements do not apply to businesses that were in operation at the time this section was originally enacted, until such a time as such businesses have a change in ownership; and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 the business known as Casa Chapala, formerly known as La Hacienda; 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 public 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 10<sup>th</sup> day of April, 2018.

APPROVED:

  
\_\_\_\_\_  
Connie B. Schroeder, Mayor

ATTEST:

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

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Alan Bojorquez, City Attorney