

CITY OF WEST LAKE HILLS, TEXAS
MINUTES OF A ZONING & PLANNING COMMISSION (ZAPCO) REGULAR MEETING
Wednesday, May 17, 2023 at 6:30 PM

1. Call to Order. Chairman Robert Meisel.

Welcoming the new Director of Building and Development Services, Jennifer Bills, to the City of West Lake Hills.

With a quorum present, Chairman Robert Meisel called the meeting to order at 6:30 p.m.

Members in attendance were Chairman Robert Meisel, Vice-Chairman Jim Pledger, Commissioners Laurie Maccini, Karen Bartoletti, Julia Webber and Patrick Stewart.

2. Consent Agenda The following items are considered to be self-explanatory by the Commission and will be enacted with one motion. There will be no separate discussion of these item/s unless a Commission Member or citizen so requests.

- Approval of the March 22, 2023 Special Called Zoning and Planning Commission Meeting Minutes.
- Report on Board of Adjustment and City Council Responses.

Chairman Meisel welcomes and introduces Jennifer Bills as our new Director of Building and Development Services.

Motion for Approval made by Commissioner Webber with a Second by Commissioner Stewart.

Motion for Approval carried unanimously by a vote of 5 ayes to 0 nays.

3. Land Use 1108 Blackacre Trail - Discussion/Recommendation on a variance request for a front yard fence and gate to encroach 10' into a 30' front building setback. (Section 22.03.173 of the West Lake Hills Code). Applicant Gail O'Kelly.

Staff Briefing

Director Bills gives the staff briefing. Staff Recommendation: Denial

Presentation by Applicant

Luis Jauregui is the builder on this application. There is 150' frontage on this lot. A couple of other houses have front fences that encroach. There is very minimal encroachment. The 30' setback is not as esthetic.

Public Hearing

Tim Clark lives at 1105 Blackacre and is also the Homeowner's Association President. Many neighbors are against this fence. We have large lots that are open. This is not consistent with the neighborhood. There is no hardship. It maximizes the front yard. My lot, 1105 Blackacre, is the original ranch house and my fence is at 31'.

Chairman Meisel closes the Public Hearing and reconvenes the meeting.

Deliberation/Recommendation

Commissioner Webber: Is the driveway already paved?

Luis: No.

Commissioner Webber: I see a fence column is in the critical root zone of a tree.

Commissioner Maccini: There is no hardship.

Commissioner Stewart: I don't see a hardship.

MOTION: Upon a motion made by Vice-Chairman Pledger and a second by Commissioner Bartoletti, the Commission voted five (5-0) to recommend denial due to a lack of hardship.

4. **Land Use 10 Las Brisas Drive** - Discussion/Recommendation on a variance requesting the removal of a tree larger than 14" in diameter for the demolition and construction of a new family residence. (Section 22.03.304 of the West Lake Hills Code). Applicant Gail O'Kelly.

- Tree #827 - 21" Live Oak

Staff Briefing

Director Bills gives the staff briefing. Staff recommendation: Approval

Commissioner Maccini: The new house design on Page 28, the tree is the one by the front door?

Director Bills: Yes.

Commissioner Bartoletti: On Page 36, it is in terrible shape. I would support a variance.

Presentation by Applicant

Luis Jauregui: The new home is almost identical. It will comply to Code and it will be a better design. It is currently dangerous.

Public Hearing

Chairman Meisel closes the Public Hearing and reconvenes the meeting.

Deliberation/Recommendation

Commissioner Bartoletti moves to recommend approval based on the conditions. Vice-Chairman Pledger seconds. Unanimous (5-0) recommended approval.

5. **Land Use 604 Rocky River Road** - Discussion/Recommendation on a variance request to allow a side yard building encroachment for an A/C Unit and generator for a new residence under construction (Section 22.03.281 of the West Lake Hills Code). Applicants Philip and Mindy Vescovo.

Commissioner Maccini recuses herself and steps away from the dais.

Staff Briefing

Director Bills gives the staff briefing. Staff recommendation: Denial due to design.

Commissioner Stewart: Was is on that original plans?

Director Bills: No. It is on a land-locked property.

Commissioner Webber: How large is the equipment?

Director Bills: It's a 33.4 sq. ft. pad.

Commissioner Bartoletti: Is there an alternative location?

Commissioner Webber: On our house, we put it on our roof.

Presentation by Applicant

Mindy Vescovo is the property owner. I was here before with an eave. The eave was at the request of the builder. To clarify, there is no front setback. The flatwork would require a variance. I asked the builder and he said because of the panel. HVAC thought no variances were needed. The house has been under construction since January 2022. Only one neighbor is affected.

Public Hearing

Chairman Meisel closes the Public Hearing and reconvenes the meeting.

Deliberation/Recommendation

Commissioner Webber: I feel as an architect always includes mechanical and should be noted.

Commissioner Webber moves to recommend approval as written based on health and safety. Commissioner Bartoletti seconds. Unanimous (4-0) recommended approval.

Vice-Chairman Pledger: It should be noted in the minutes.

6. Land Use 304 McConnell Drive - Discussion/Recommendation on a variance requesting the removal of a tree larger than 14" in diameter to prevent further property damage and maintain safety (Section 22.03.304 of the West Lake Hills Code). Applicant Ruth Fulton.

- 28.1" Red Oak

Staff Briefing

Director Bills gives the staff briefing. Staff recommendation: Approval.

Commissioner Maccini: Just removal?

Director Bills: Still requires replacement.

Presentation by Applicant

Ruth Fulton is the applicant. There is a letter from an arborist and is damaged with decay and is a life safety issue. We moved into the house in 2005. In 2006 an arborist said we would eventually lose the tree. I plan to ask for a waiver on replacement.

Public Hearing

Chairman Meisel closes the Public Hearing and reconvenes the meeting.

Deliberation/Recommendation

Commissioner Maccini: I can tell you love the tree. I would ask you to consider planting under brush trees.

Commissioner Maccini moves to recommend approval. Commissioner Stewart seconds. Unanimous (5-0) recommended approval.

7. Adjournment. Chairman Robert Meisel.
Chairman Meisel adjourns the meeting at 7:20 p.m.

Respectfully submitted,

ROBERT MEISEL, CHAIRMAN

ATTEST:

ZAPCO Secretary Mark Litrell

These minutes were approved on _____, 2020.