



CITY OF WEST LAKE HILLS, TEXAS
NOTICE OF BOARD OF ADJUSTMENT (BOA) REGULAR MEETING
Wednesday, September 13, 2023 at 7:00 PM

Notice is hereby given that the Board of Adjustment (BOA) of the City of West Lake Hills, Texas, will hold a Regular Meeting on the 13th day of September 2023 at 7:00 p.m., in the Council Chamber, Municipal Building, 911 Westlake Drive, West Lake Hills, Texas, at which time the following items will be discussed, to-wit:

REMOTE ACCESS:

Due to the COVID-19 status in Travis County, any citizens or applicants that wish to speak at the meeting are encouraged to attend virtually, as the number of people in the chambers will be limited due to physical distancing. Facial Coverings are not required, but highly recommended, and will be available for any that need one.

Join Zoom Meeting:

<https://us02web.zoom.us/j/3499549035>

Meeting ID: 349 954 9035

If you wish to listen to the meeting via telephone: Dial (346) 248-7799, Meeting ID 349 954 9035.

If you wish to speak during the meeting or provide written comments, please email your name, phone number, comments, and the item number you wish to speak on to citysec@westlakehills.gov by 1:00 P.M. on September 13, 2023.

1. Call to Order
2. Citizen Communications The Board of Adjustment welcomes public comments at this point on any issue. If the issue is listed on the agenda, the speaker may choose to comment during the Public Comment period or when the specific agenda item is taken up by the Board later in the meeting. The Board cannot respond to or discuss matters not listed on the agenda. The Board may provide factual information, refer the item to a staff member, or request the item be added to a future meeting agenda. Speakers shall limit their comments to five (5) minutes each.
3. Consent Agenda All Consent Agenda items listed are considered to be routine by the Board and will be enacted by one (1) motion. No separate discussion or action on any of the items is

necessary unless requested by a Board Member.

- a. Approval of the August 9, 2023 Regular Meeting Minutes.
4. **Ordinance 3736 Bee Cave Road, Unit 2** - Discuss and consider action to approve Ordinance 157-2023-D for a Special Use Permit request to sell beer and wine for on-premise consumption on a property Zoned B-2 Business 2 (West Lake Hills Code, Section 38.03.037). Applicant Rachel Davis, Clear Licensing.
 - a. Public Hearing: All persons wishing to speak for or against shall be heard.
5. **Ordinance 110 Parkwood Court** - Discuss and consider action to approve Ordinance 157-2023-E for a Special Use Permit request to allow a guest quarters located on a property Zoned R-1 One Family (West Lake Hills Code, Section 38.03.032(c)(1)). Applicants Joel and Ginger Melrose.
 - a. Public Hearing: All persons wishing to speak for or against shall be heard.
6. Adjournment

Approved by: Linda Anthony, Chair

Certificate

I certify that the above Notice of the September 13, 2023 Board of Adjustment Regular Meeting was posted on the bulletin board at the Municipal Building, 911 Westlake Drive, West Lake Hills, Texas on Friday, September 8, 2023 by 5:00 pm. and will remain posted continuously until said meeting is convened.

Signed by: Terry Blanchard, City Secretary

The City of West Lake Hills is committed to compliance with the Americans with Disabilities Act. Reasonable accommodation and equal access to communications will be provided upon request.

All items on the agenda are for discussion and/or action. City Council reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by Texas Government Code Sections 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices), and 551.086 (Economic Development).

CITY OF WEST LAKE HILLS, TEXAS
MINUTES OF A BOARD OF ADJUSTMENT (BOA) REGULAR MEETING
Wednesday, August 9, 2023 at 7:00 PM

1. Call to Order

With a quorum present, Chair Anthony called the meeting to order at 7:01 p.m.

BOARD MEMBERS PRESENT:

Chair Linda Anthony
Gordon Bowman
James Vaughan
Brian Plunkett
Beth South

CITY STAFF PRESENT:

City Administrator Trey Fletcher
City Secretary Terry Blanchard
Finance Director Vonda Ragsdale
Director of BDS Jennifer Bills
Chief of Police Scott Gerdes
City Attorney Patty Akers
Court Administrator Robert Martinez

2. Citizen Communications The Board welcomes public comments at this point on any issue. If the issue is listed on the agenda, the speaker may choose to comment during the Public Comment period or when the specific agenda item is taken up by the Board later in the meeting. The Board cannot respond to or discuss matters not listed on the agenda. The Board may provide factual information, refer the item to a staff member, or request the item be added to a future meeting agenda. Speakers shall limit their comments to five (5) minutes each.

Chair Anthony opened the meeting for public comments. Hearing none, the public comment section was closed.

3. Consent Agenda All Consent Agenda items listed are considered to be routine by the Board and will be enacted by one (1) motion. No separate discussion or action on any of the items is necessary unless requested by a Board Member.

a. Approval of the July 26, 2023 Regular Meeting Minutes.

MOTION: Upon a motion made by Board Member Bowman and a second by Board Member South, the Board voted five (5) for and none (0) opposed to approve the consent agenda as presented. Motion carried.

4. Land Use 1425 Redbud Trail - Discuss and consider action on a variance request for 28.2% impervious cover where the maximum impervious coverage allowed is 25% (Section 22.03.278 of the West Lake Hills Code). Applicant Nick Mehl, Element 5 Architecture.

Director Bills gave a brief summary. ZAPCO recommends approval. Staff recommends

approval with the following conditions: (1) Water Quality Controls compliant with Chapter 6 of the Drainage & Erosion Control Manual and Texas Commission on Environmental Quality (TCEQ) will be provided where required; and (2) the outfall of the existing drainpipe discharging to the Yaupon Valley Road right-of-way on the northeast property line will be improved to remediate any erosion.

Andrew Reif (1425 Redbud Trail) – Spoke with the Council about plans for the property and was available to answer questions.

MOTION: Upon a motion made by Board Member Plunkett and a second by Board Member Vaughan, the Board voted five (5) for and none (0) opposed to approve the variance request with the conditions as recommended by staff. Motion carried.

5. Adjournment

MOTION: Upon a motion made by Board Member South and a second by Board Member Vaughan, the Board voted five (5) for and none (0) opposed to adjourn the meeting at 7:20 p.m. Motion carried.

Respectfully submitted,

LINDA ANTHONY, CHAIR

ATTEST:

Terry Blanchard, TRMC
City Secretary

These minutes were approved on September 13, 2023.



City of West Lake Hills Board of Adjustments

AGENDA REPORT

Meeting Date:	September 13, 2023	Item Number:	4
Department:	Building and Development Services		
Prepared By:	Jennifer C. Bills	Cost / Budget:	None
Exhibits:	See Attached	Source of Funds:	N/A

Subject

3736 Bee Cave Rd Suite 2 – Discuss and consider action to approve Ordinance 157-2023-D for a Special Use Permit request to sell beer and wine for on-premise consumption on a property zoned B-2 Business 2 (Section 38.03.037 of the West Lake Hills Code).

Applicant: Rachel Davis, Clear Licensing

Recommendation

Staff recommend approval of the special use permit.

Discussion

Property Information, Zoning & Site Characteristics:

Business Owner: Michael Blalock, MPB Fajitas Austin Westlake, LLC

Legal Description: Joe Smith Resubdivision, Block B Lot 16A, Amending Plat of Block B, Lots 15 & 16

Lot Size: 2.323 acres

Zoning: B-2 – Business 2

Hours of Operation: 11:00 am to 8:00 pm Monday through Friday
12:00 pm to 8:00 pm Saturday & Sunday

The properties surrounding the subject property are zoned B-2 Business 2, O-Office, and R-1 One Family.

Background & Analysis:

The business owners are requesting a Special Use Permit to sell alcoholic beverages as a supplementary use to the primary use as a restaurant.

SUP Criteria & Analysis:

(1) *The restaurant where the alcoholic beverage is proposed to be sold shall not be located within 300 feet of a church or school as measured by state law;*

The location complies with TABC requirements regarding distance to churches.

(2) *The restaurant where the alcoholic beverage is proposed to be sold shall not be located on property, two or more sides of which abut property in a residential zoning district;*

Refer to the zoning map included at the end of this report. There is one property zoned R-1 – One-Family Residential abutting 3736 Bee Cave Rd.

(3) *The gross receipts derived from the sale of alcoholic beverages shall not exceed the gross receipts derived from the sale of food;*

The primary business of this restaurant is the sale of food.

(4) *The permit shall be reviewed annually by the city administrator and, if reissued, reissued at the end of the calendar year; and*

City staff will review annually and keep track of when the SUP needs to be reissued.

(5) *Additional fees are to be collected after three years' operation in accordance with the alcoholic beverage commission permit rules.*

City staff will review and ensure all applicable fees are collected in accordance with TABC rules.

Outdoor Lighting

No lighting is being considered with this SUP.

Compliance with Code of Ordinances

The property and future construction will have to comply with all applicable City codes.

Subdivision

Joe Smith Resubdivision, Block B Lot 16A, Amending Plat of Block B, Lots 15 & 16

Comprehensive Planning Analysis

The existing and future land use is in conformance with the City of West Lake Hills Master Plan.

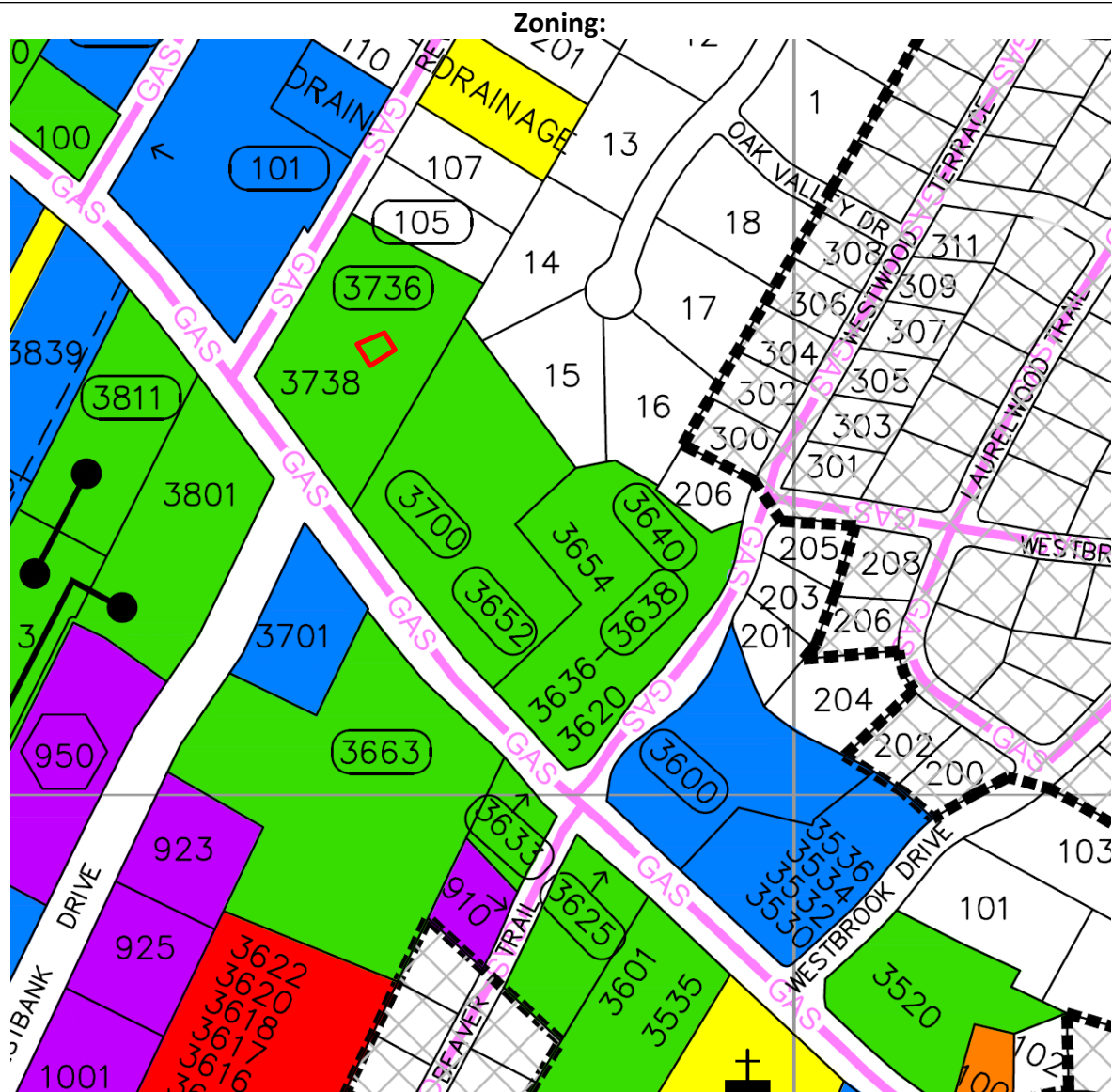
Links to Relevant Code:

[Section 38.03.037\(c\) Special uses \(in B-2 Business 2\)](#)

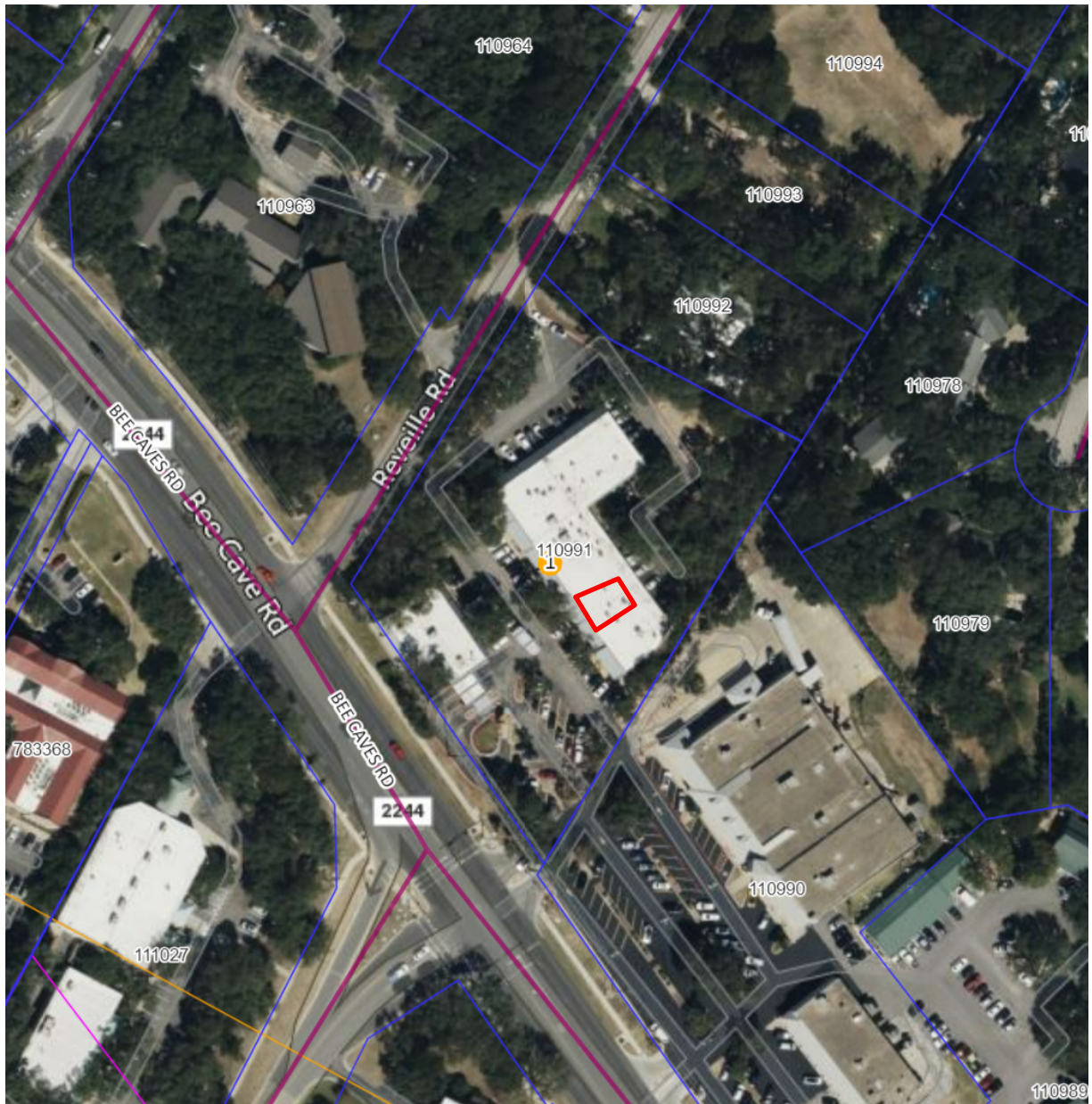
[Section 38.04.033: General criteria applicable to all special uses.](#)

[Section 38.04.034\(e\) Criteria applicable to Alcoholic beverages sold in a restaurant for on- or off-premises consumption.](#)

[Section 38.04.035: General conditions for all special uses.](#)



Aerial:





ORDINANCE 157-2023-D

A PERMIT SETTING FORTH THE CONDITIONS UNDER WHICH BEER AND WINE BEVERAGES MAY BE SOLD FOR ON-PREMISES CONSUMPTION, AND AUTHORIZING THE CITY ADMINISTRATOR TO NOTE THE CHANGE ON THE OFFICIAL ZONING MAP OF THE CITY.

WHEREAS, MPB Fajitas Austin Westlake, LLC. has requested a Special Use Permit (SUP) for the sale of on-premises consumption of beer and wine at Fajita Pete's located at 3736 Bee Cave Road, Unit 2, West Lake Hills, Texas, the herein described parcel of land; and

WHEREAS, the notice as required by Section 38.03.037, of the West Lake Hills Code has been given to adjacent property owners; and

WHEREAS, Public Hearings have been held by the Board of Adjustment (BOA) as required by law; and

WHEREAS, any and all protests submitted against the proposed SUP have been considered by BOA; and

WHEREAS, BOA find that the application for Special Use Permit meets the requirements of Section 38.03.037 of the West Lake Hills Code; and

WHEREAS, beer and wine will be sold and consumed on the premises, and the premises will be used as a restaurant; and

WHEREAS, the public interest dictates that special conditions be set forth regulating the sale of beer and wine under the Special Use Permit provisions of the West Lake Hills Code; and

WHEREAS, the applicant has agreed to the special conditions regulating the sale of beer and wine contained herein; and

WHEREAS, BOA held a Public Hearing on the Special Use Permit on the herein described parcel is not contrary to the public interest;

NOW, THEREFORE, BE IT ORDAINED BY BOA OF THE CITY OF WEST LAKE HILLS, TEXAS:

Article 1. The legal description of said parcel of land is as follows:

Joe Smith Amending Plat Block B, Lot 16A

Article 2. The permit is granted under the following general terms and conditions:

1. Beer and wine may be sold on the premises under the following conditions:
 - (a) Beer and wine may be sold only during the hours set by the Texas Alcoholic Beverage Commission (TABC).
 - (b) Hours of Operation for the business are:
11:00 a.m. to 8:00 p.m. Monday through Friday; and
12:00 p.m. to 8:00 p.m. Saturday and Sunday.

- (c) Beer and wine beverages shall be sold for on-premise consumption only.
 - (d) The permitted use shall not create nuisance factors which interfere with adjoining property owners' enjoyment of their property or operation of business.
 - (e) The permit shall expire upon any change in the ownership of the business, Fajita Pete's.
2. Applicant must comply with all applicable federal, state and local statutes, rules, regulations and ordinances.

Article 3. This Special Use Permit is not transferable to another person/business or another parcel of land.

Article 4. The Board of Adjustment after notice and public hearing, may revoke this Special Use Permit for one or more of the following reasons:

- 1. A violation of any of the representations, plans, terms, general, or special conditions and limitations applicable to this Special Use Permit.
- 2. A violation of any laws, ordinances or regulations.
- 3. A change in the nature of the use of Fajita Pete's.
- 4. Operation or maintenance of the Special Use Permit in a manner that is detrimental to the public health or safety, or so as to constitute a nuisance.

Article 5. If this Special Use Permit is discontinued for more than sixty (60) consecutive days, it shall be deemed abandoned.

Article 6. The duration of this Special Use Permit shall be for two (2) years from the effective date hereon.

Article 7. This Special Use Permit may be renewed for two (2) year periods at the discretion of the City Administrator provided no written complaints have been received during the use period. When complaints have been registered, the applicant will obtain renewal approval from the Board of Adjustment.

Article 8. The application form entitled "Special Use Permit Form" along with any supporting correspondence and documents and marked as Exhibit "A" attached hereto are incorporated herein by reference for all pertinent purposes.

Article 9. The City Administrator is hereby authorized and shall promptly note the change on the Official Zoning Map of the City of West Lake Hills, Texas. The zoning map shall indicate that there is a Special Use Permit for the premises.

Article 10. This Special Use Permit shall become effective on the 13th day of September, 2023.

PASSED AND APPROVED this 13th day of September, 2023.

Linda Anthony, Chair
Board of Adjustments

ATTEST:

Terry Blanchard, City Secretary

I/We acknowledge receipt of this SUP and agree to abide by its terms and conditions.

Michael Blalock
MPB Fajitas Austin Westlake, LLC



**TEXAS ALCOHOLIC
BEVERAGE COMMISSION**
Texas Helping Businesses & Protecting Communities

**Initial Application
Reinstatement
Change of Location**

**Required
Certifications form
L-CERT must be
included**

Join TABC in the fight against Human Trafficking

L-4A (4/2022)

TABC has enhanced our license and permit application process. We encourage you to take advantage of our user-friendly online application process through the Alcohol Industry Management System (AIMS). If you are unable to submit your application via AIMS, you may complete the paper application below. If you submit a paper application, it will take considerably longer to obtain your license or permit.

Complete this form to apply for an original license or permit, or to make certain changes to an existing license or permit. Ultimate responsibility for the privilege of holding such license or permit rests on the applicant or license/permit holder. Visit our website (www.tabc.texas.gov) for statutory requirements, authorities or to find your local office.

Initial Information

1. Application for:				
☒ Original	☐ Reinstatement	License/Permit Number _____	☐ Reinstatement and Change of Trade Name	License/Permit Number _____
	☐ Change of Location	License/Permit Number _____	☐ Change of Location and Trade Name	License/Permit Number _____
2A. Type of Off-Premise License/Permit				
☐ BF Retail Dealer's Off-Premise License		☐ ET Third-Party Local Cartage Permit	☐ P Package Store Permit	
☐ BQ Wine and Malt Beverage Retail Dealer's Off-Premise Permit		☐ LP Local Distributor's Permit	☐ Q Wine Only Package Store	
2B. Type of On-Premise License/Permit				
☐ BE Retail Dealer's On-Premise License		☐ E Local Cartage Permit (BG only)	☐ MB Mixed Beverage	
☒ BG Wine and Malt Beverage Retail Dealer's On-Premise Permit		☒ FB Food and Beverage Certificate	☐ WP Waterpark Permit	
☐ BP Brewpub License		☐ LH Late Hours Certificate		
2C. Type of Wholesaler's, Distributor's, or Manufacturer's License/Permit				
☐ BB General Distributor's License		☐ D Distillers and Rectifiers Permit - allows on-premise consumption	☐ S Nonresident Seller's Permit	
☐ BC Branch Distributor's License		☐ DS Out-of-State Winery Direct Shipper's Permit	☐ SD Brewer's Self-Distribution License	
☐ BN Nonresident Brewer's License		☐ G Winery - allows on-premise consumption	☐ W Wholesaler's Permit	
☐ BWB Brewer's License		☐ J Bonded Warehouse	☐ X General Class B Wholesaler Permit	
		☐ JD Bonded Warehouse (Dry Area)		
3. Trade Name of Location (Name of restaurant, bar, store, distribution company, etc.) Fajita Pete's - Westlake				
4. Location Address Street Number Street Name 3736 RM2244 Unit 2				
City West Lake Hills		County Travis	State TX	Zip 78746
5. Mailing Address Street Number Street Name 6022 Stones Throw Rd				
City Houston			State TX	Zip 77057
6. Business Phone Pending		Alternate Phone [REDACTED]	E-mail Address [REDACTED]	

Business Information

7. Owner of Business/Applicant (Name of Corporation, Sole Proprietor, LLC, etc.) MPB Fajitas Austin Westlake, LLC		8. SSN or Federal Employer Identification Number (FEIN)		
- If you hold an active TABC license/permit under the SSN or FEIN listed in question #8 and there have been no changes to the ownership structure of the business since you filed your last application, skip to question #11. - If you hold an active TABC license/permit under the SSN or FEIN listed question #8, and there has been a change in the ownership or business structure since you filed your last application you must complete the entire Business Section below and Personal History Sheets (PHS) for any added person or persons. - If you do not currently hold an active TABC license/permit, complete the entire Business Information section, all necessary ownership information and personal history sheets. Select the entity type(s) that correspond with your business structure. All officers, directors, stockholders, and trustees, holding ownership in this business must be disclosed. Individual applicants complete this application and L-PHS (Personal History Sheet).				
9. ☐ Individual ☐ Officer ☐ Director ☐ Stockholder ☒ Manager/Member ☐ Trustee (Mark All That Apply)				
Last Name Blalock		First Name Michael	MI	Title Manager
SSN ☐ Out of Country		Date of Birth (mm/dd/yyyy)	Class & No. of Shares/Percentage Membership or Units Held	
☐ Officer ☐ Director ☐ Stockholder ☐ Manager/Member ☐ Trustee (Mark All That Apply)				
Last Name		First Name	MI	Title
SSN ☐ Out of Country		Date of Birth (mm/dd/yyyy)	Class & No. of Shares/Percentage Membership or Units Held	
☐ Officer ☐ Director ☐ Stockholder ☐ Manager/Member ☐ Trustee (Mark All That Apply)				
Last Name		First Name	MI	Title
SSN ☐ Out of Country		Date of Birth (mm/dd/yyyy)	Class & No. of Shares/Percentage Membership or Units Held	



**TEXAS ALCOHOLIC
BEVERAGE COMMISSION**
Texas Helping Businesses & Protecting Communities

**Required
Certifications**

Join TABC in the fight against human trafficking

L-CERT (10/2021)

Submit this form to the proper officials to obtain certification for the type of license/permit for which you are applying as required by TX Alc. Bev. Code, Sections 11.37, 11.39, 11.46(b), 61.37, 61.38, 61.42 and Rule §33.13. This Required Certifications form must be submitted with your Initial Application form.

Contact your local TABC office for assistance.

LOCATION INFORMATION

1. Trade Name of Location (Name of restaurant, bar, store, etc.)			
Fajita Pete's			
2. Owner of Business/Applicant (Name of Corporation, LLC, etc.)			
MPB Fajitas Austin Westlake, LLC			
3. Type of Owner			
☐ Corporation	☒ Limited Liability Company	☐ Partnership	
☐ Limited Partnership	☐ Limited Liability Partnership	☐ Other: _____	
4. Location Address			
3736 RM2244 Unit 2			
City	County	State	Zip Code
West Lake Hills	Travis	TX	78746
5. Mailing Address			
6022 Stones Throw Rd			
City	County	State	Zip Code
Houston	Harris	TX	77057
6. Business Telephone Number		Alternate Telephone Number	E-mail Address
Pending			
7. Application for:			
☒ Original	☐ Reinstatement	License/Permit Number	☐ Reinstatement and Change of Trade Name
	☐ Change of Location	License/Permit Number	☐ Change of Location and Trade Name
8A. Type of Off-Premise Retailer License/Permit:			
☐ BF Retail Dealer's Off-Premise License	☐ E Local Cartage Permit	☐ P Package Store Permit	
☐ BQ Wine and Malt Beverage Retail Dealer's Off-Premise Permit	☐ ET Third-Party Local Cartage Permit	☐ Q Wine Only Package Store	
☐ LP Local Distributor's Permit			
8B. Type of On-Premise Retailer License/Permit			
☐ BE Retail Dealer's On-Premise License	☐ E Local Cartage Permit	☐ MB Mixed Beverage	
☒ BG Wine and Malt Beverage Retail Dealer's On-Premise Permit	☒ FB Food and Beverage Certificate	☐ WP Waterpark Permit	
☐ BP Brewpub License	☐ LH Late Hours Certificate		
8C. Type of Wholesaler's, Distributor's, or Manufacturer's License/Permit			
☐ BB General Distributor's License	☐ D Distillers and Rectifiers Permit - allows on-premise consumption	☐ S Nonresident Seller's Permit	
☐ BC Branch Distributor's License	☐ DS Out-of-State Winery Direct Shipper's Permit	☐ SD Brewer's Self-Distribution License	
☐ BN Nonresident Brewer's License	☐ G Winery - allows on-premise consumption	☐ W Wholesaler's Permit	
☐ BW Brewer's License	☐ J Bonded Warehouse	☐ X General Class B Wholesaler Permit	
☐ JD Bonded Warehouse (Dry Area)			
9. For On or OFF-Premise Applicants, Indicate Primary Business Type at this Location			
☐ Bar	☐ Grocery/Market	☐ Package Store	☐ Sexually Oriented
☐ Civic Center	☐ Hotel	☐ Public Entertainment Fac. (PEF as defined in Sec. 108.73)	☐ Sporting Arena
☐ Convenience Store	☐ Motel	☐ Racetrack	
☐ Delivery Company	☐ Movie Theater	☒ Restaurant	

Trade Name: Fajita Pete's - Westlake

Location Address: 3736 RM2244 Unit 2

City: West Lake Hills

County: Travis

Off-Premise Certifications

Per Sec. 11.37, not later than the 30th day after the date a prospective applicant for a permit requests certification, the city secretary... shall certify whether the location or address given in the request is in a wet area and whether the sale of alcoholic beverages for which the permit is sought is prohibited by charter or ordinance.

Certificate of City Secretary: P, Q, BF, BQ

TX Alc. Bev. Code, Section 11.37 & 61.37

☐ CHECK HERE IF NOT IN CITY LIMITS

I hereby certify on this _____ day of _____, 20____, that the location for which the license/permit is sought as the place of business is in a "wet" area for this type of license or permit and inside the boundaries of this jurisdiction, where it is legal to sell such alcoholic beverages.

Permits/Licenses Wet For	Based on most recent local option election, area is wet for:
☐ BF	The legal sale of malt beverages for off-premise consumption only ☐ greater than 5% alcohol by volume OR ☐ 5% or less alcohol by volume
☐ BF, BQ, Q	The legal sale of malt beverages and wine for off-premise consumption only
☐ BF, BQ, Q, P	The legal sale of all alcoholic beverages for off-premise consumption only

OR

☐ I hereby refuse on this _____ day of _____, 20____ to certify this location.

SIGN

HERE _____, _____, TEXAS
City Secretary/Clerk City

SEAL

On-Premise Certifications

Per Sec. 11.37, not later than the 30th day after the date a prospective applicant for a permit requests certification, the city secretary... shall certify whether the location or address given in the request is in a wet area and whether the sale of alcoholic beverages for which the permit is sought is prohibited by charter or ordinance.

Certificate of City Secretary (FOR MB, MB/FB, BG, BG/FB, BE, & BE/FB)

TX Alc. Bev. Code, Section 11.37 & 61.37

I hereby certify on this 31st day of May, 2023, that this location address is in a "wet" area for this type of license or permit and inside the boundaries of this jurisdiction, where it is legal to sell such alcoholic beverages.

Permits/Licenses Wet For	Based on most recent local option election, area is wet for:
☐ MB	Mixed Beverage Permit
☐ MB/FB	Mixed Beverage Restaurant Permit with required Food and Beverage Certificate
☒ BG*	Wine and Malt Beverage Retail Dealer's On-Premise Permit
☒ BG/FB*	Wine and Malt Beverage Retail Dealer's On-Premise Permit with required Food and Beverage Certificate
☐ BE*	Retail Dealer's On-Premise License
☐ BE/FB*	Retail Dealer's On-Premise License with required Food and Beverage Certificate
*Mark box on right for BE, MB, MB/FB, BG, BG/FB, BE, BE/FB	
Election for given location was held for:	
☐ legal sale of malt beverage/wine (17%) on-premise AFTER Sept. 1, 1999	
OR	
☐ legal sale of malt beverage/wine (14%) on-premise BEFORE Sept. 1, 1999	

SIGN

HERE _____, West Lake Hills, TEXAS
City Secretary/Clerk City

SEAL

Certification for Late Hours Certificate (LH)

TX Alc. Bev. Code, Chapters 29 & 70 et seq.

I hereby certify on this _____ day of _____, 20____, that one of the below is correct:

☐	The governing body of this city or county has by ordinance or order authorized the sale of <u>mixed beverages</u> between midnight and 2:00 A.M.;
OR	
☐	The governing body of this city or county has by ordinance or order authorized the sale of <u>malt beverage</u> between midnight and _____ A.M.;
OR	
☐	The population of the city or county where premises are located was 500,000 or more according to the 22 nd Decennial Census of the United States as released by the Bureau of the Census on March 12, 2001;
OR	
☐	The population of the city or county where premises are located was 800,000 or more according to the last Federal Census (2010).

SIGN

HERE _____, _____, TEXAS
City Secretary/Clerk City

SEAL

Trade Name: Fajita Pete's - Westlake

Location Address: 3736 RM2244 Unit 2

City: West Lake Hills

County: Travis

Off-Premise Certifications

Per Sec. 11.37, not later than the 30th day after the date a prospective applicant for a permit requests certification, the county clerk shall certify whether the location or address given in the request is in a wet area and whether the sale of alcoholic beverages for which the permit is sought is prohibited by any valid order.

Certificate of County Clerk: P, Q, BF, BQ

TX Alc. Bev. Code, Section 11.37 & 61.37

☐ CHECK HERE IF NOT IN CITY LIMITS

I hereby certify on this _____ day of _____, 20____, that the location for which the license/permit is sought as the place of business is in a "wet" area for this type of license or permit and inside the boundaries of this jurisdiction, where it is legal to sell such alcoholic beverages.

Permits/Licenses Wet For	Based on most recent local option election, area is wet for:
☐ BF	The legal sale of malt beverages for off-premise consumption only ☐ greater than 5% alcohol by volume OR ☐ 5% or less alcohol by volume
☐ BF, BQ, Q	The legal sale of malt beverages and wine for off-premise consumption only
☐ BF, BQ, Q, P	The legal sale of all alcoholic beverages for off-premise consumption only

OR

☐ I hereby refuse on this _____ day of _____, 20____ to certify this location.

SIGN

HERE _____ County Clerk _____ County

SEAL

On-Premise Certifications

Per Sec. 11.37, not later than the 30th day after the date a prospective applicant for a permit requests certification, the county clerk shall certify whether the location or address given in the request is in a wet area and whether the sale of alcoholic beverages for which the permit is sought is prohibited by any valid order.

Certificate of County Clerk MB, MB/FB, BG, BG/FB, BE, & BE/FB

TX Alc. Bev. Code, Section 11.37 & 61.37

I hereby certify on this _____ day of _____, 20____, that this location address is in a "wet" area for this type of license or permit and inside the boundaries of this jurisdiction, where it is legal to sell such alcoholic beverages.

Permits/Licenses Wet For	Based on most recent local option election, area is wet for:
☐ MB	Mixed Beverage Permit
☐ MB/FB	Mixed Beverage Restaurant Permit with required Food and Beverage Certificate
☐ BG*	Wine and Malt Beverage Retail Dealer's On-Premise Permit
☐ BG/FB*	Wine and Malt Beverage Retail Dealer's On-Premise Permit with required Food and Beverage Certificate
☐ BE*	Retail Dealer's On-Premise License
☐ BE/FB*	Retail Dealer's On-Premise License with required Food and Beverage Certificate
*Mark box on right for BE and/or BE/FB	☐ greater than 5% alcohol by volume OR ☐ 5% or less alcohol by volume
*Mark box on right for any of the following license or permit types BG, BG/FB BE, BE/FB	Election for given location was held for: ☐ legal sale of malt beverage/wine (17%) on-premise AFTER Sept. 1, 1999 OR ☐ legal sale of malt beverage/wine (14%) on-premise BEFORE Sept. 1, 1999

SIGN

HERE _____ County Clerk _____ County

SEAL

Certification for Late Hours Certificate (LH)

TX Alc. Bev. Code, Chapters 29 & 70 et seq.

I hereby certify on this _____ day of _____, 20____, that one of the below is correct:

☐	The governing body of this city or county has by ordinance or order authorized the sale of mixed beverages between midnight and 2:00 A.M.
OR	
☐	The governing body of this city or county has by ordinance or order authorized the sale of malt beverage between midnight and _____ A.M.
OR	
☐	The population of the city or county where premises are located was 500,000 or more according to the 22 nd Decennial Census of the United States as released by the Bureau of the Census on March 12, 2001.
OR	
☐	The population of the city or county where premises are located was 800,000 or more according to the last Federal Census (2010).

SIGN

HERE _____ County Clerk _____ County

SEAL

Trade Name: Fajita Pete's - Westlake

Location Address: 3736 RM2244 Unit 2

City: West Lake Hills

County: Travis

Publisher's Affidavit for All Applicants Except BN, DS, S, J and JD
TX Alc. Bev. Code, Section 11.39 and 61.38

Name of newspaper

City, County

Dates notice published in daily/weekly newspaper (MM/DD/YYYY)

Publisher or designee certifies attached notice was published in newspaper stated on dates shown.

Signature of publisher or designee

Sworn to and subscribed

before me on this date (MM/DD/YYYY)

Signature of Notary Public

SEAL

ATTACH PRINTED

COPY OF THE

NOTICE HERE

[Click here to see example of
newspaper publication](#)

Comptroller of Public Accounts Certificate for All Applicants

TX Alc. Bev. Code, Section 11.46 (b) & 61.42 (b)

This is to certify on this 26th day of May, 2020, the applicant holds or has applied for and satisfies all legal requirements for the issuance of a Sales Tax Permit under the Limited Sales, Excise and Use Tax Act or the applicant as of this date is not required to hold a Sales Tax Permit and that none of the persons making this application are indebted to the State of Texas.

Sales Tax Permit Number 32076489676

Outlet Number 0000

Print Name of Comptroller Employee Rahsaan Wyatt

Print Title of Comptroller Employee Enforcement Officer

SIGN HERE

FIELD OFFICE

Houston NW





City of West Lake Hills Board of Adjustments

AGENDA REPORT

Meeting Date:	September 13, 2023	Item Number:	5
Department:	Building and Development Services		
Prepared By:	Jennifer C. Bills	Cost / Budget:	None
Exhibits:	See Attached	Source of Funds:	N/A

Subject

110 Parkwood Ct – Discuss and consider action to approve Ordinance 157-2023-E for a Special Use Permit request to allow a guest quarters on a property zoned R-1 One Family (Section 38.03.032(c)(1) of the West Lake Hills Code).

Applicants: Joel and Ginger Melrose

Recommendation

Staff recommend approval of the ordinance for a special use permit.

Discussion

Property Information, Zoning & Site Characteristics:

Owner: Joel and Ginger Melrose

Legal Description: Las Lomas Subdivision Block A, Lot 10

Lot Size: 1.07 acres (46,609.2 square feet)

Zoning: R-1 – One Family Residential

The site is surrounded by a single-family residential property on all sides.

Background & Analysis:

The property owners are requesting a Special Use Permit to construct a 800-sf accessory structure that will serve as guest quarters.

SUP Criteria & Analysis:

(1) The appearance, size, density and operating characteristics of the proposed special use are compatible with the surrounding neighborhood and uses;

This unit is architecturally designed in unison and appearance is congruent with the residence. The size and appearance fits with the home and will be unrecognizable as a detached unit.

(2) The proposed use will not have an adverse effect on the value of surrounding properties or impede their proper development.

The unit will have no adverse effect on the value of the surrounding properties as it blends with the existing residence at 110 Parkwood Court and will increase its value.

(3) The proposed use will not create a nuisance factor or otherwise interfere with a neighbor's enjoyment of the neighbor's property or operation of the neighbor's business.

The unit is situated within the setbacks and is 30 feet from the neighboring property line.

(4) The traffic that the proposed use can reasonably be expected to generate on existing streets will not create or add significantly to congestion, a safety hazard, or a parking problem in the area, nor will it disturb the peace and quiet of the neighborhood; and

As this is a private guest house which will serve the property owner and their personal guests. The access utilizes the driveway of the residence.

(5) The proposed use shall comply with all other applicable ordinances and regulations.

The guest house meets the maximum square footage requirements and setback requirements. The building plans will be submitted and reviewed for compliance with all codes once the special use is allowed.

Outdoor Lighting

No lighting is being considered at this time. Any future outdoor lighting will need to comply with the City's Code.

Compliance with Code of Ordinances

The property and future construction will have to comply with all applicable City codes.

Subdivision

Las Lomas, Block A, Lot 10

Comprehensive Planning Analysis

The existing and future land use is in conformance with the City of West Lake Hills Master Plan.

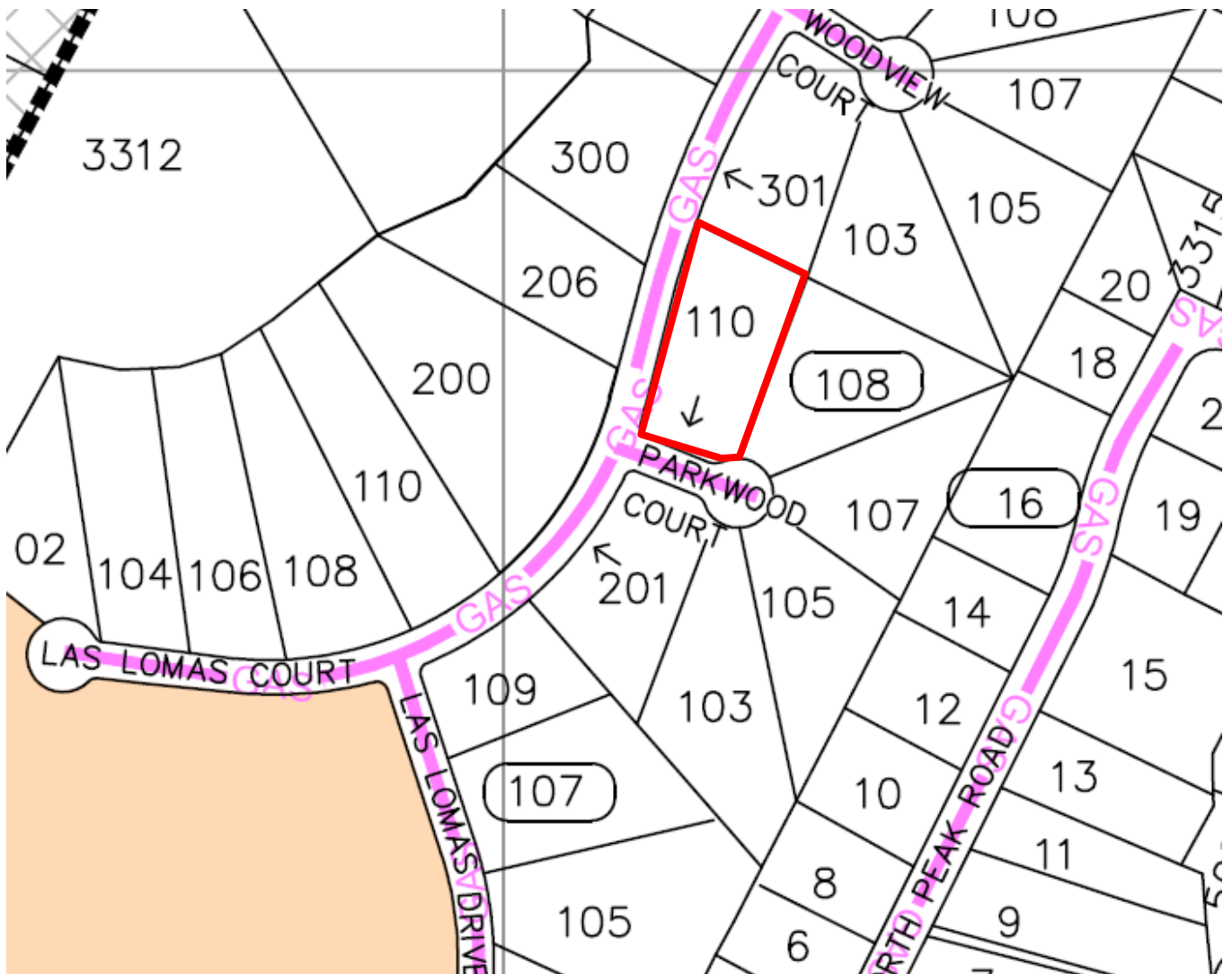
Links to Relevant Code:

[Section 38.03.032\(c\) Special uses \(for R-1 One Family Residential\).](#)

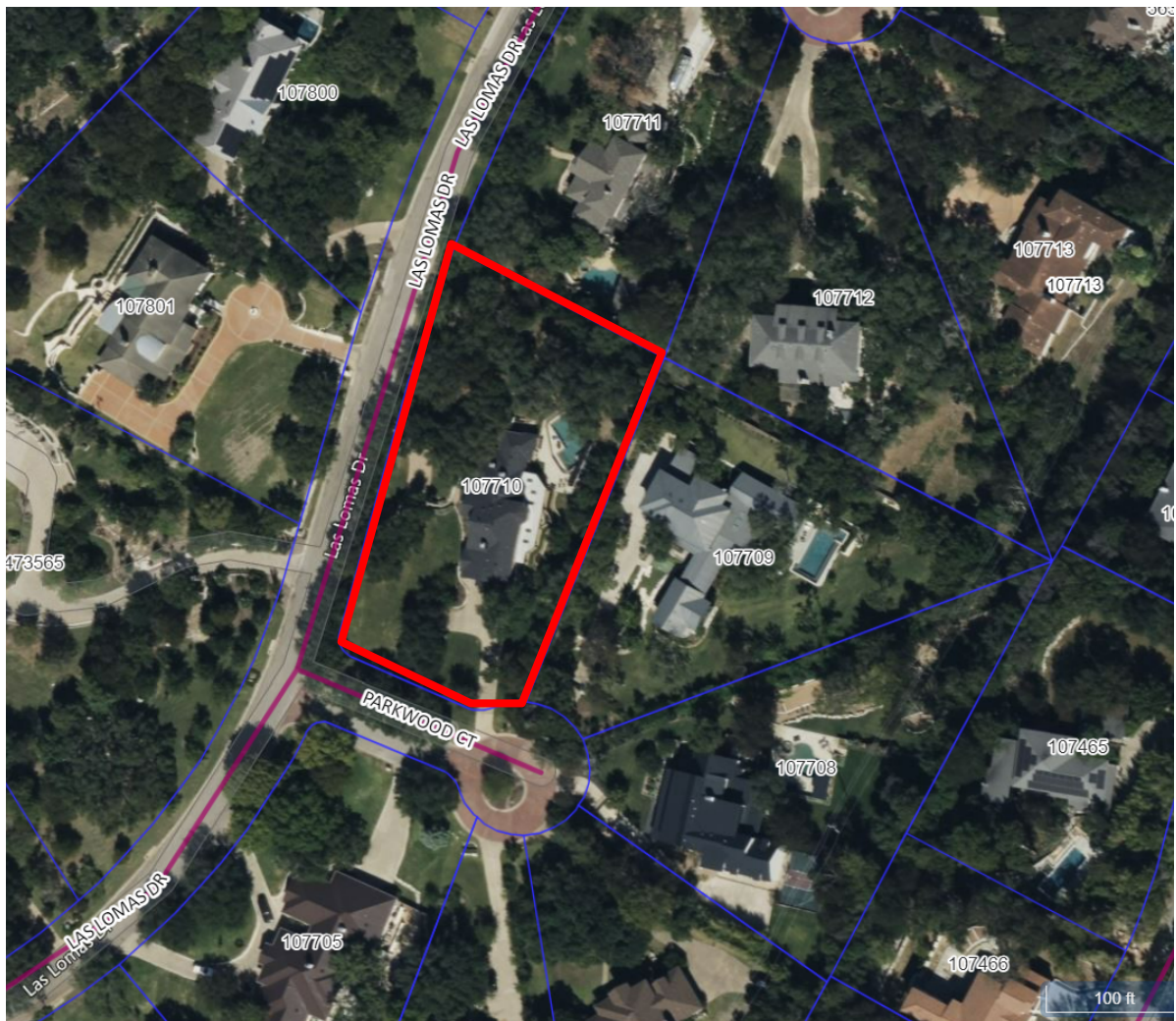
[Section 38.04.033: General criteria applicable to all special uses.](#)

[Section 38.04.035: General conditions for all special uses.](#)

Zoning:



Aerial:



SPECIAL USE PERMIT 157-2023-E

A PERMIT SETTING FORTH THE CONDITIONS UNDER WHICH A SPECIAL USE PERMIT SHALL BE PERMITTED AND AUTHORIZING THE CITY ADMINISTRATOR TO NOTE THE CHANGE ON THE OFFICIAL ZONING MAP OF THE CITY.

WHEREAS, Joel and Ginger Melrose, owners of the herein described parcel of land at 110 Parkwood Court, has requested a Special Use Permit for a guest quarters; and

WHEREAS, the notice as required by Section 38.04.032 of the West Lake Hills Code of Ordinances has been given to adjacent property owners; and

WHEREAS, Public Hearings have been held by the Board of Adjustment as required by law; and

WHEREAS, there has not been a valid objection in the Public Hearings or a written protest submitted against the proposed Special Use Permit; and

WHEREAS, the Board of Adjustment find that the application for Special Use Permit meets the requirements of Sections 38.03.032 and 38.04.031 of the West Lake Hills Code; and

WHEREAS, the Board of Adjustment at its Public Hearing finds that the Special Use Permit on the herein described parcel is not against the public interest;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ADJUSTMENT OF THE CITY OF WEST LAKE HILLS, TEXAS:

Article 1. The legal description of said parcel of land is as follows:

Las Lomas Subdivision Lot 10, Block A

Article 2. The permit is granted under the following general terms and conditions:

1. The use shall not require change in the character or exterior appearance of the principal residential unit;
2. The Special Use shall not create a nuisances or otherwise interfere with any neighbor's reasonable enjoyment of the neighbor's property;
3. The Special Use shall not have an adverse effect on the value of surrounding properties nor impede their proper development;
4. No signs are permitted on the parcel except as permitted under the provisions of Chapter 32 of the West Lake Hills Code; and
5. All representations, whether oral or written, made by the owner, or his agent, in support of a Special Use Permit are conditions upon which this permit is granted.

Article 3. The duration of this Special Use Permit shall be for two (2) years from the effective date hereon.

Article 4. This Special Use Permit may be renewed for two (2) year periods at the discretion of the City Administrator provided no written complaints have been received during the use period. When complaints have been registered, the applicant can seek renewal approval from the Board of Adjustment.

Article 5. This Special Use Permit for a guest quarters is granted to Joel and Ginger Melrose, property owners, allowing a guest quarters at 110 Parkwood Court.

Article 6. This Special Use Permit is not transferable to another person or another parcel of land.

Article 7. The Board of Adjustment after notice and Public Hearing, may revoke this Special Use Permit for one or more of the following reasons:

1. A violation of any of the representations, plans, terms, general or special conditions, and limitations applicable to this Special Use Permit;
2. A violation of any applicable ordinance or regulation;
3. A change in the nature of the use without prior approval of the City; or
4. Operation or maintenance of the Special Use Permit in a manner that is detrimental to the public health or safety, or so as to constitute a nuisance.

Article 8. The application form entitled "Special Use Permit Form" along with any supporting correspondence and documents, and marked as Exhibit "A" attached hereto are incorporated herein by reference for all pertinent purposes.

Article 9. The City Administrator is hereby authorized and shall promptly note the change on the Official Zoning Map of the City of West Lake Hills, Texas. The Zoning Map shall indicate that there is a Special Use Permit for 110 Parkwood Court.

Article 10. This Special Use Permit shall become effective on the 13th day of September, 2023.

PASSED AND APPROVED this 13th day of September, 2023.

LINDA ANTHONY, CHAIRWOMAN
BOARD OF ADJUSTMENT
CITY OF WEST LAKE HILLS, TEXAS

ATTEST:

Terry Blanchard, City Secretary

I/We acknowledge receipt of this SUP and agree to abide by its terms and conditions.

Joel and Ginger Melrose

Exhibit A

Ginger & Joel Melrose
110 Parkwood Ct,
West Lake Hills, TX 78746

July 31, 2023

City of West Lake Hills Board of Adjustment
Linda Anthony, Chair

Dear Mayor Anthony,

We are applying for a Special Use Permit to add a standalone guest house, planned as a separate building just north of our existing home on the property. As a family of five in a four-bedroom house, we currently lack a guest room for visiting grandparents and friends. The guest house will offer a small bedroom and bathroom, as well as a living and kitchen area that opens toward the pool, enhancing the backyard area. The entire structure will be knit into the existing lot with new landscaping.

The guest house is modest in scale, a single story with a low gable on the street side that mimics the existing main house gabled and hipped roof. The material palette also coordinates with the existing house, picking up on the dark roof and window trim as well as the warm, light brick as it wraps around to the backyard. At 800 sf, the guest house is in keeping with the scale and appearance of other small residential structures in the neighborhood.

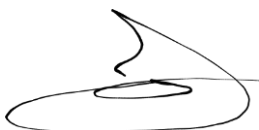
The addition will contribute to the high quality of architecture and landscape design seen throughout the neighborhood, enhancing property values. It is fully designed within the setbacks on the subject property, and a drainage study has been conducted to ensure that there will be no changes to water movement or other impositions on surrounding properties.

The guest house will be used in the same manner as the existing house, as it is meant to be an extension of the family space. The new building will accommodate small gatherings of family and friends only to the degree that already occurs on the back porch of the existing house. The site is already well-covered with trees, and new landscaping is planned that will further screen the guest house from neighboring views.

The guest house is solely for the owner's use, intended to be a gathering space for the family that complements the backyard pool use. No visitors except private family guests (who already visit the home) are anticipated, so parking conditions will not change.

We respectfully ask for the Board's approval of our application.

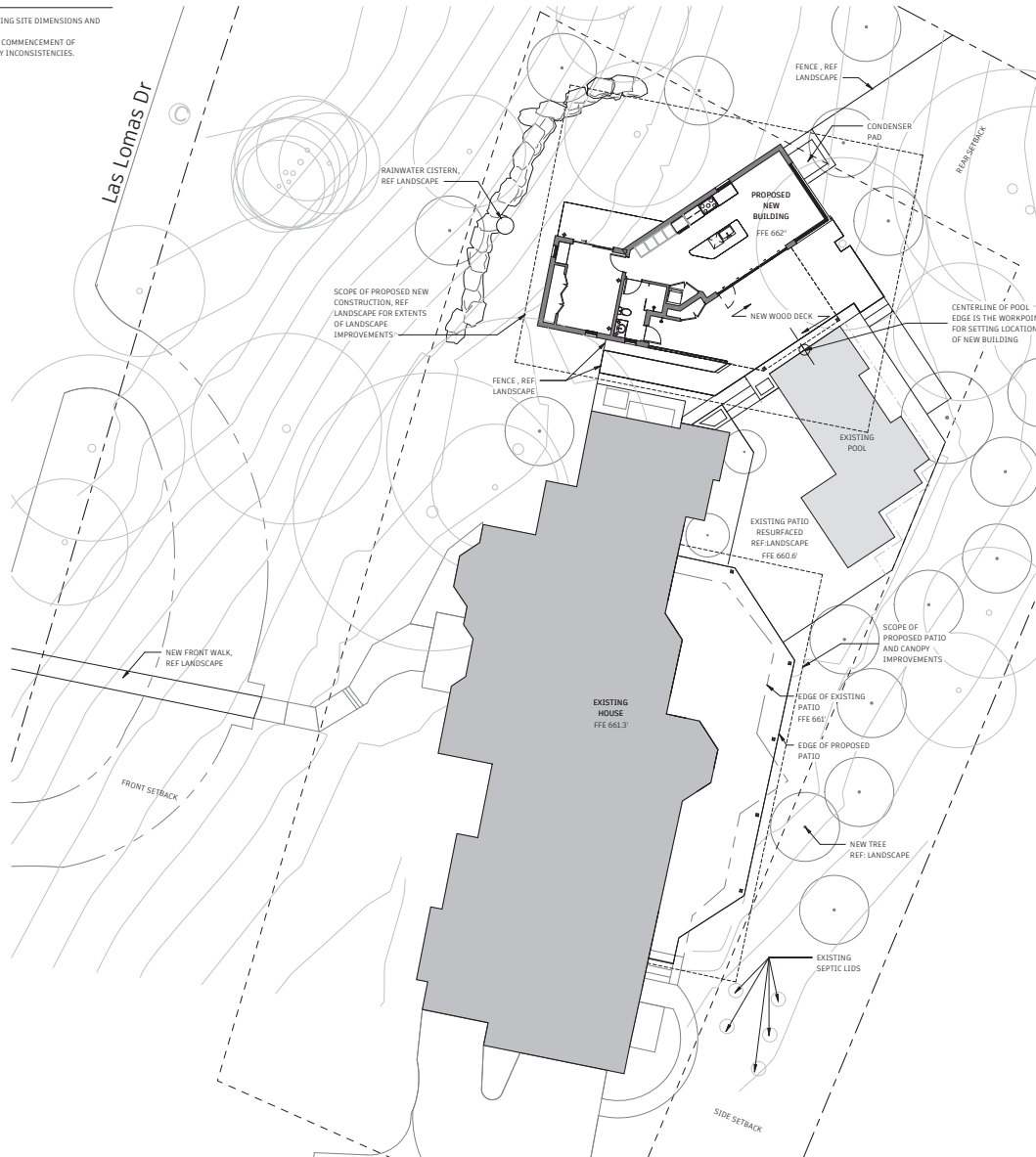
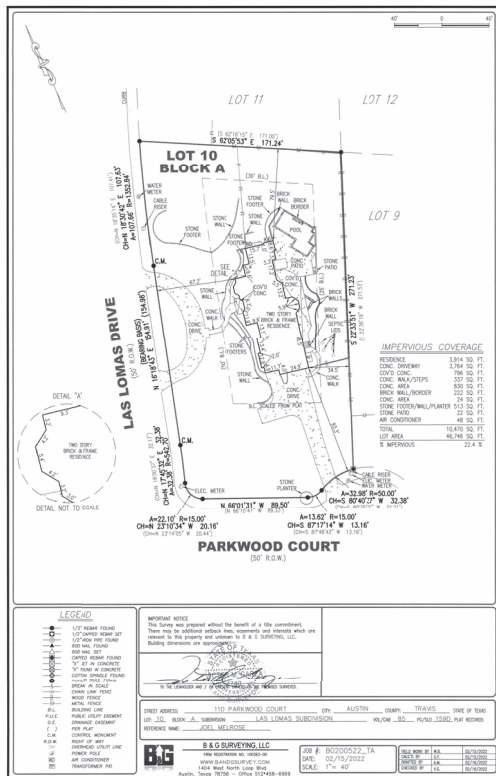
Regards,

A handwritten signature in black ink, appearing to read 'Joel Melrose', with a stylized flourish at the end.

Joel Melrose
Property Owner, 110 Parkwood Ct, West lake Hills, TX 78746

PROJECT:	NEW GUEST HOUSE "CASITA" AND BACKYARD IMPROVEMENTS
ADDRESS:	110 PARKWOOD COURT WEST LAKE HILLS, TX 78746
BUILDING USE:	SINGLE FAMILY RESIDENCE
ZONING:	R - 1
LEGAL DESCRIPTION:	LOT 10, BLOCK A LAS LOMAS SUBDIVISION
LOT SIZE:	46,746 SF
EXISTING BUILDING COVERAGE:	3,934 SF
NEW BUILDING COVERAGE:	800 SF
MAX IMPERVIOUS COVERAGE:	25%
EXISTING IMPERVIOUS COVERAGE:	22.4% (10,470 SF)
NEW IMPERVIOUS COVERAGE INCLUDING IMPROVEMENTS:	REF LANDSCAPE

1. CONTRACTOR (GC) IS RESPONSIBLE FOR VERIFYING SITE DIMENSIONS AND CONDITIONS.
2. VERIFY DIMENSIONS MARKED "V.I.F." PRIOR TO COMMENCEMENT OF CONSTRUCTION, AND NOTIFY ARCHITECT OF ANY INCONSISTENCIES.

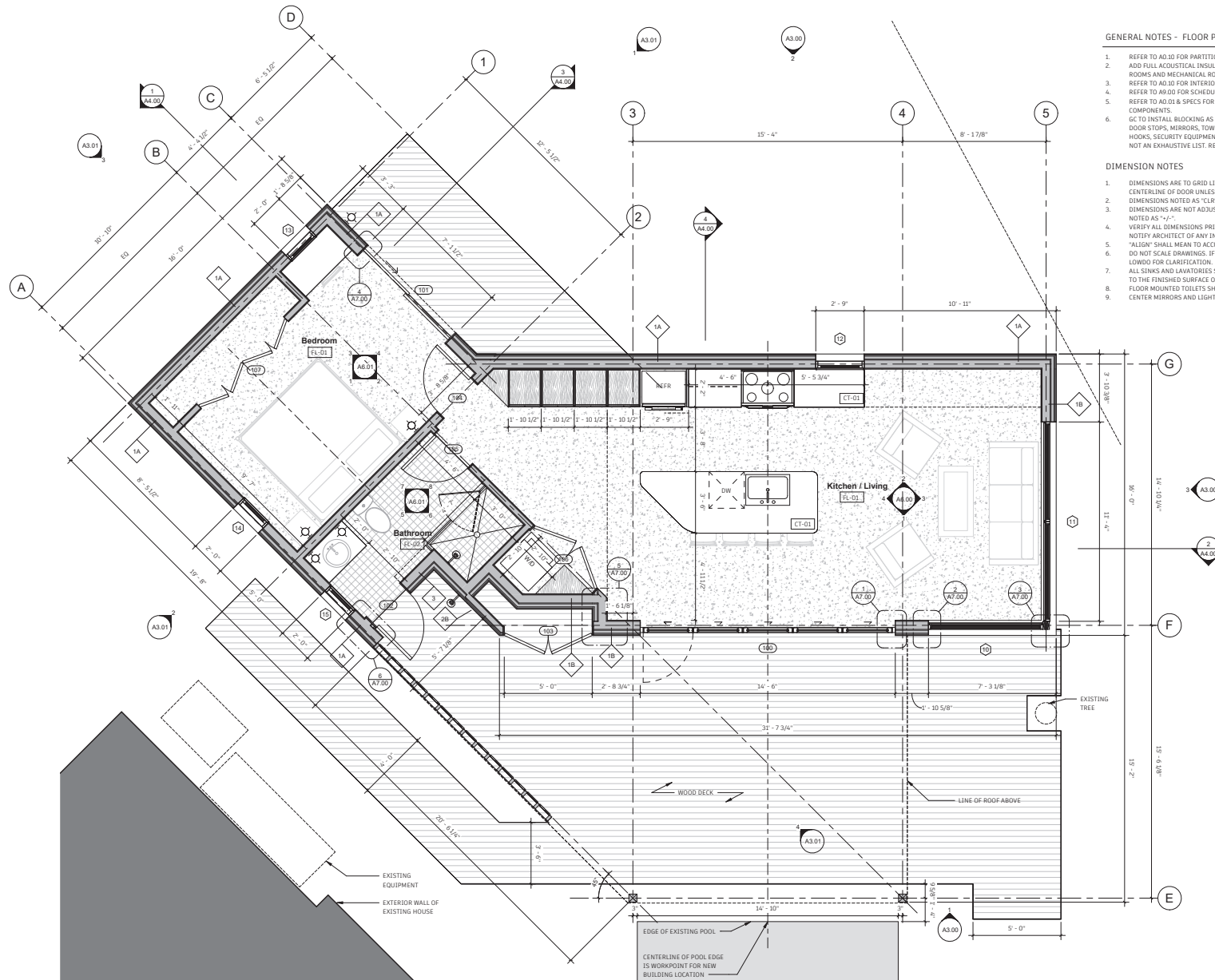


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Landscape
Campbell Landscape Architecture
608 West Monroe
Street, Unit D
Austin, Texas 78704
+1 512 354 8228
www.campbella.com

Drawing Number _____

Page 25 of 28



GENERAL NOTES - FLOOR PLAN

1. REFER TO A0.10 FOR PARTITION TYPES.
2. ADD FULL ACOUSTICAL INSULATION TO ALL PARTITION TYPES ENCLOSING TOILET ROOMS AND MECHANICAL ROOMS.
3. REFER TO A0.10 FOR INTERIOR ASSEMBLIES.
4. REFER TO A0.00 FOR SCHEDULES.
5. REFER TO A0.01 & SPECS FOR ADDITIONAL INFORMATION & BOO FOR ASSEMBLY COMPONENTS.
6. GC TO INSTALL BLOCKING AS REQUIRED AT LOCATIONS SUCH AS: WALL MOUNTED DOOR STOPS, MIRRORS, TOWEL BARS, UPPER CABINETS, SIGNAGE, SHELVES, COAT HOOKS, SECURITY EQUIPMENT, AV & DATA EQUIPMENT, CART RAILS, ETC. THIS IS NOT AN EXHAUSTIVE LIST. REFER TO SPEC FOR ADDITIONAL CLARIFICATION.

DIMENSION NOTES

1. DIMENSIONS ARE TO GRID LINE, FACE OF STUD, FACE OF CONCRETE, AND CENTERLINE OF DOOR UNLESS OTHERWISE NOTED.
2. DIMENSIONS NOTED AS "CLR" MUST BE PRECISELY MAINTAINED.
3. DIMENSIONS ARE NOT ADJUSTABLE WITHOUT ARCHITECT'S APPROVAL UNLESS NOTED AS "J-".
4. VERIFY ALL DIMENSIONS PRIOR TO COMMENCEMENT OF CONSTRUCTION, AND NOTIFY ARCHITECT OF ANY INCONSISTENCIES.
5. "ALIGN" SHALL MEAN TO ACCURATELY LOCATE FINISH FACES IN THE SAME PLACE. DO NOT SCALE DRAWINGS. IF A SPECIFIC DIMENSION IS NOT GIVEN, CONTACT LOWDO FOR CLARIFICATION.
6. ALL SINKS AND LAVATORIES SHALL BE 1'-3" MINIMUM FROM THEIR CENTERLINE TO THE FINISHED SURFACE OF THE SIDE WALL UNO.
7. FLOOR MOUNTED TOILETS SHALL HAVE A 6" STUD WALL BEHIND THEM.
8. CENTER MIRRORS AND LIGHT FIXTURES OVER THE LAVATORY UNO.

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Date:

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Set Issues
05/24/23 SPECIAL USE PERMIT

Project
PARKWOOD CASITA
110 Parkwood Court
West Lake Hills TX
78746

Project Number
230125

Project Architect
A Heeren

Team
A Helmbrecht

Plot Date
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Drawing
FLOOR PLAN

Drawing Number
A1.10

1 Level 1 Floor Plan
3/8" = 1'-0"



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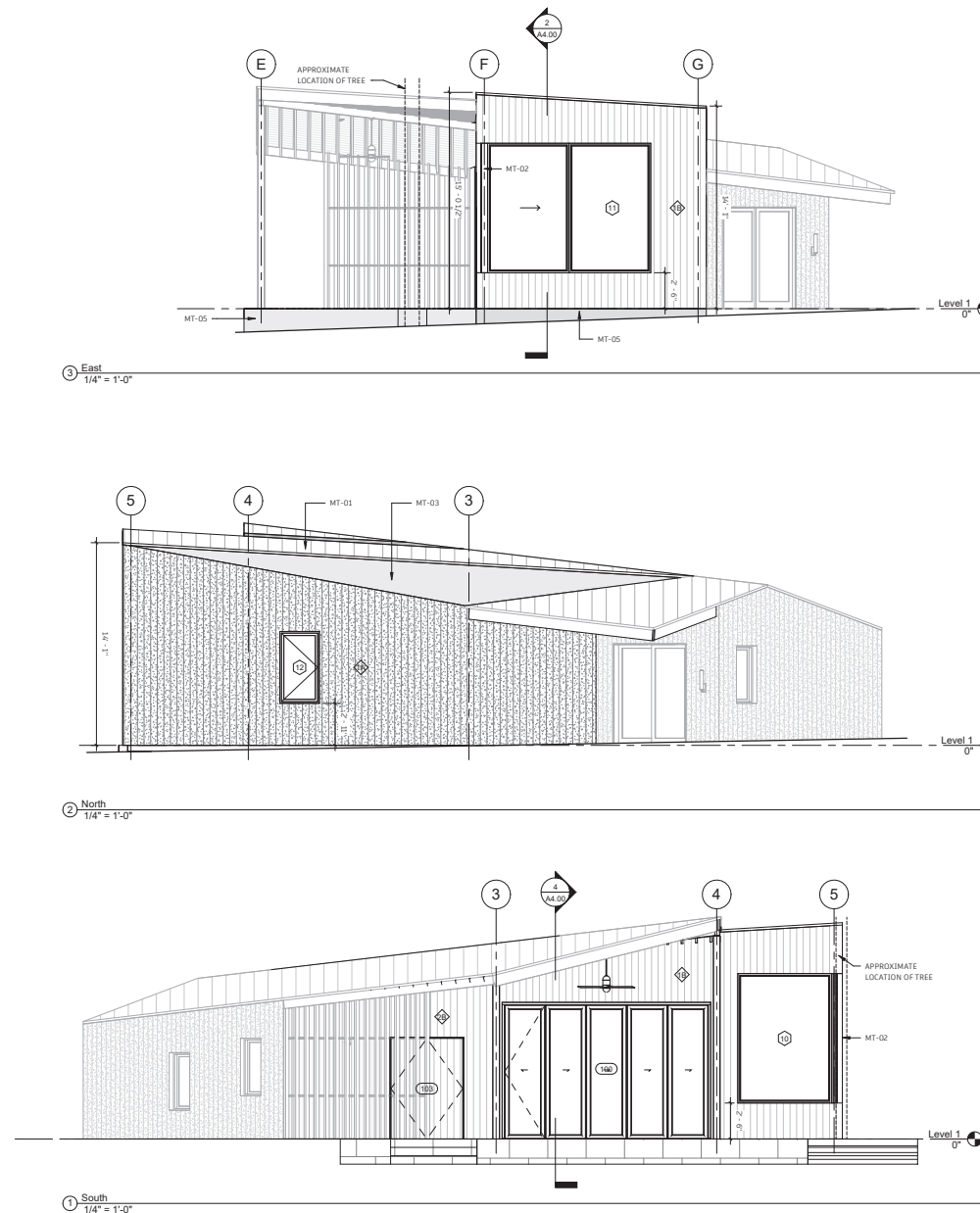
Team
A Helmbrecht

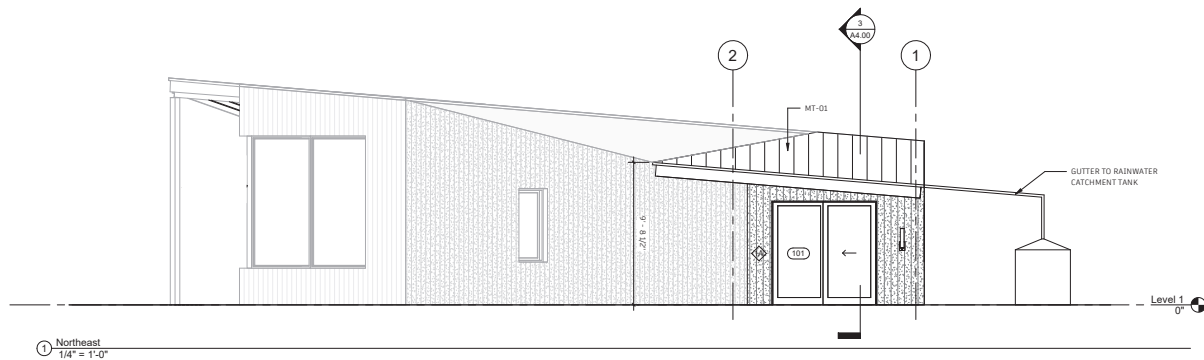
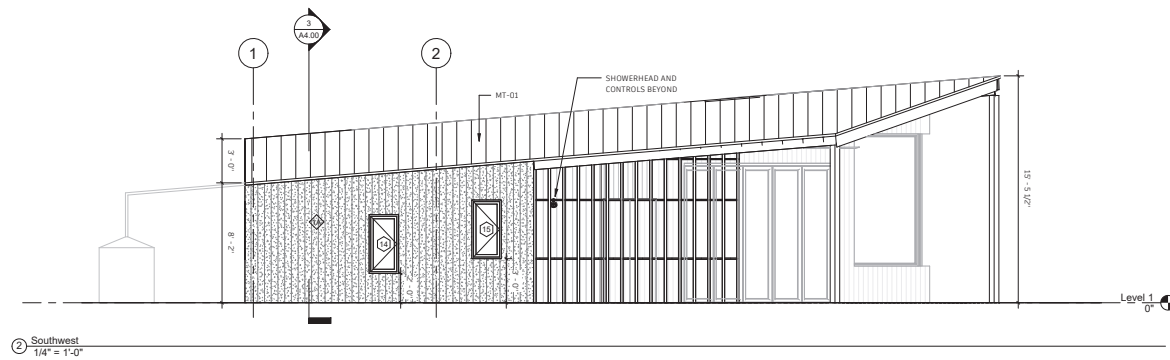
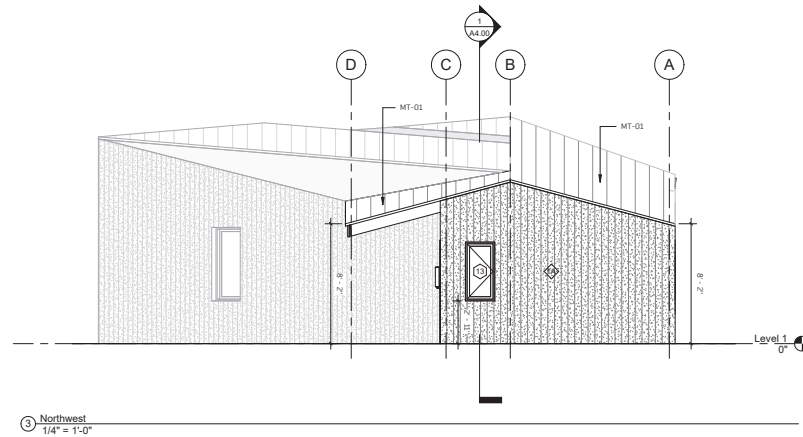
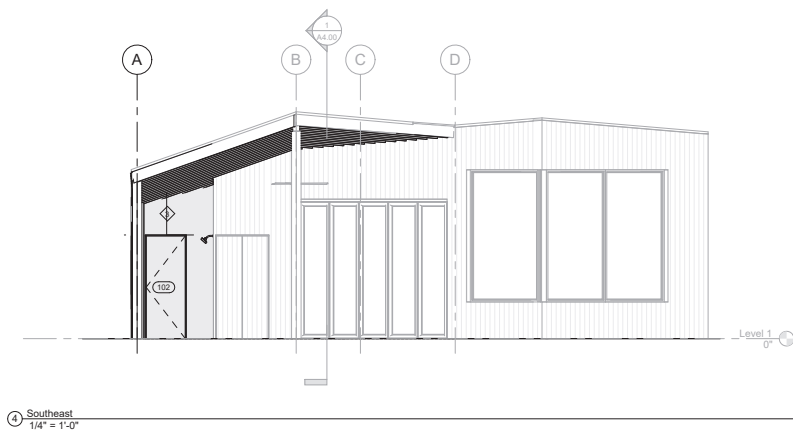
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**EXTERIOR
ELEVATIONS**

Drawing Number

A3.00





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Set Issues
05/24/23 SPECIAL USE PERMIT

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110 Parkwood Court
West Lake Hills TX
78746

Project Number
230125

Project Architect
A Heeren

Team
A Helmbrecht

Plot Date
7/31/2023 2:46:39 PM

Drawing
EXTERIOR
ELEVATIONS

Drawing Number

A3.01