



CITY OF WEST LAKE HILLS, TEXAS
NOTICE OF BOARD OF ADJUSTMENT (BOA) REGULAR MEETING
Wednesday, October 25, 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 25th day of October 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 - 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 October 25, 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 September 13, 2023 Regular Meeting Minutes.
4. Land Use 1800 Basin Ledge - Discuss and consider action on a variance to the 50-foot front yard setback to encroach 20 feet with an expansion of a non-conforming structure to add a

deck/carport (Section 22.03.275 and 22.03.281 of the West Lake Hills Code). Applicant Steve Abbott.

5. Adjournment

Approved by: Linda Anthony, Chair

Certificate

I certify that the above Notice of the October 25, 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, October 20, 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. The BOA 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, September 13, 2023 at 7:00 PM

1. Call to Order

With a quorum present, Chair Anthony called the meeting to order at 7:00 p.m.

BOARD MEMBERS PRESENT:

Chair Linda Anthony
Gordon Bowman
James Vaughan
Brian Plunkett * (arrived at 7:03 p.m.)
Beth South
Darin Walker

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

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.

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 BOA 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.

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

4. Ordinance 3736 Bee Cave Road, Suite 2 - Discuss and consider action to approve an 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.

* Board Member Plunkett arrived at 7:03 p.m.

Director Bills gave a brief summary. Michael Blaylock (owner) spoke to the Board and stated the anticipated opening will be in late September or shortly thereafter.

MOTION: Upon a motion made by Board Member Walker and a second by Board Member South, the Board voted six (6) for and none (0) opposed to approve the Special Use Permit as presented. Motion carried.

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.

Director Bills gave a brief summary. Joel Melrose (owner) spoke with the Board and stated that the neighbors were supportive of the request.

MOTION: Upon a motion made by Board Member Plunkett and a second by Board Member Vaughan, the Board voted six (6) for and none (0) opposed to approve the Special Use Permit as presented. Motion carried.

6. Adjournment

MOTION: Upon a motion made by Board Member Walker and a second by Board Member Vaughan, the Board voted six (6) for and none (0) opposed to adjourn the meeting at 7:13 p.m. Motion carried.

Respectfully submitted,

LINDA ANTHONY, CHAIR

ATTEST:

Terry Blanchard, TRMC
City Secretary

These minutes were approved on October 25, 2023.



City of West Lake Hills City Council

AGENDA REPORT

Meeting Date:	October 25, 2023	Item Number:	4
Department:	Building & Development Services		
Prepared By:	Jennifer C. Bills	Cost / Budget:	None
Exhibits:	See Attached	Source of Funds:	N/A

Subject

1800 Basin Ledge: Consider action on a variance to the 50-foot front yard setback to encroach 20 feet with an expansion of a non-conforming structure to add a deck/carport (Section 22.03.275 and 22.03.281 of the West Lake Hills Code).

Applicant: Steve Abbott

Recommendation

Staff recommends approval of the variance request. The trees appear to be viable and a house with a smaller footprint could be built on the lot, however setback variances would be needed to build within the existing footprint.

This item was recommended by the Zoning & Planning Commission for approval by a vote of 5-0 at the September 20, 2023 regular meeting (Attachment 5).

Discussion

Property Information, Zoning & Site Characteristics:

Owner: Adam and Doris Chow

Legal Description: Stonehedge Estates Block P, Lot 6

Lot Size: 0.58 acres (25,2564.8 square feet)

Zoning: R-1 One-Family

The properties surrounding the subject property are zoned R-1 One Family and are occupied with single-family homes.

Background & Analysis:

The existing single-family house was constructed in 1974 with 30-foot front setbacks required at the time (Attachment 1). The applicant is requesting a variance to add on a carport/deck over the existing parking area (Attachment 2). The existing lot does not have a covered parking/garage. To avoid removal of additional trees, the application is requesting to add the new carport/deck over the existing paved area. This would encroach 20 feet into the 50 front yard setback but would maintain the existing 30-foot setback and would not extend past the front of the house. The site has an existing fence and trees between the street and the proposed carport so there will be limited visibility of the new deck (Attachment 4).

Variance Criteria Review:

When applying for a variance, the applicant has provided the following project description:

Rebuilding the existing deck and extending the deck over the current driveway to create a carport area. The homeowner's property currently doesn't have a covered parking area or garage to protect his vehicles, leaving his cars out in the elements. The homeowner's entire home falls within the current 50ft setbacks making it extremely difficult to add a carport within the current city rules. The design chosen is the less disruptive to the vegetation on Mr. Chow's property.

When applying for a variance, the applicant has provided the following evidence:

1. *The strict or literal enforcement of the terms of this chapter, because of special conditions, will result in unnecessary hardship to the applicant.*

The homeowners entire home is within the current setbacks for his area. There is a paved driveway that leads you from the street closer to the home, past the fence; the rest of the exterior yard space is trees, bushes, and other large vegetation.

2. *There will not be unreasonable disruption of the natural terrain or unreasonable destruction of existing flora.*

The deck/ carport is designed to go over the existing driveway. You can see in the tree survey provided that the majority of the vegetation is between the paved area and Basin Ledge. No trees or vegetation need to be removed in order to build this deck.

3. *There is no reasonable alternative to the requisite variance that will alleviate the difficulty or hardship complained of.*

This seems to be the least disruptive design to the home and the neighbors, as well as all of the trees on this property.

4. *The variance will not be greater than the minimum required to alleviate the difficulty or hardship complained of.*

No trees need to be removed, no new foundation is needed, we are only trying to extended the already existing deck, at the same height, over the already existing driveway to create a covered area for cars to park under. The current deck is not visible to either street this corner lot touches as the property line is lined with trees that block visibility.

5. *The variance does not violate the intent of the Zoning Ordinance or goals of the Comprehensive Plan*
Not provided.

6. *The variance will not adversely affect neighboring properties or interfere with the enjoyment of these properties by their owners.*

The current deck is not visible to neighbors as vegetation blocks visibility.

Outdoor Lighting

Outdoor lighting is not proposed with this variance request. Any outdoor lighting will comply with the City's Code.

Compliance with Adopted International Building Code

The property and future construction will have to comply with all applicable City codes. A building application is in review for the addition.

Subdivision

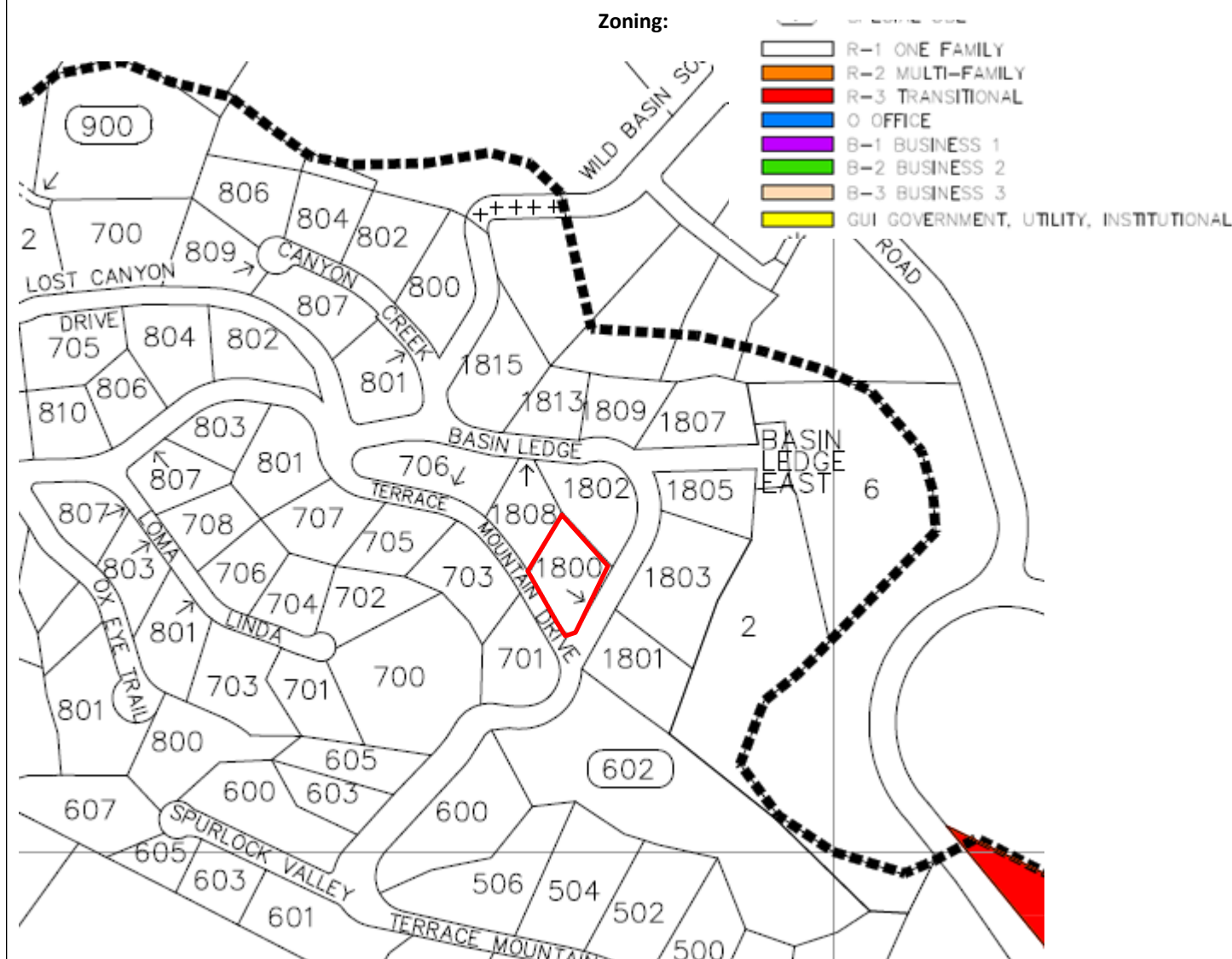
There is no change to the subdivision proposed with this application.

Comprehensive Planning Analysis

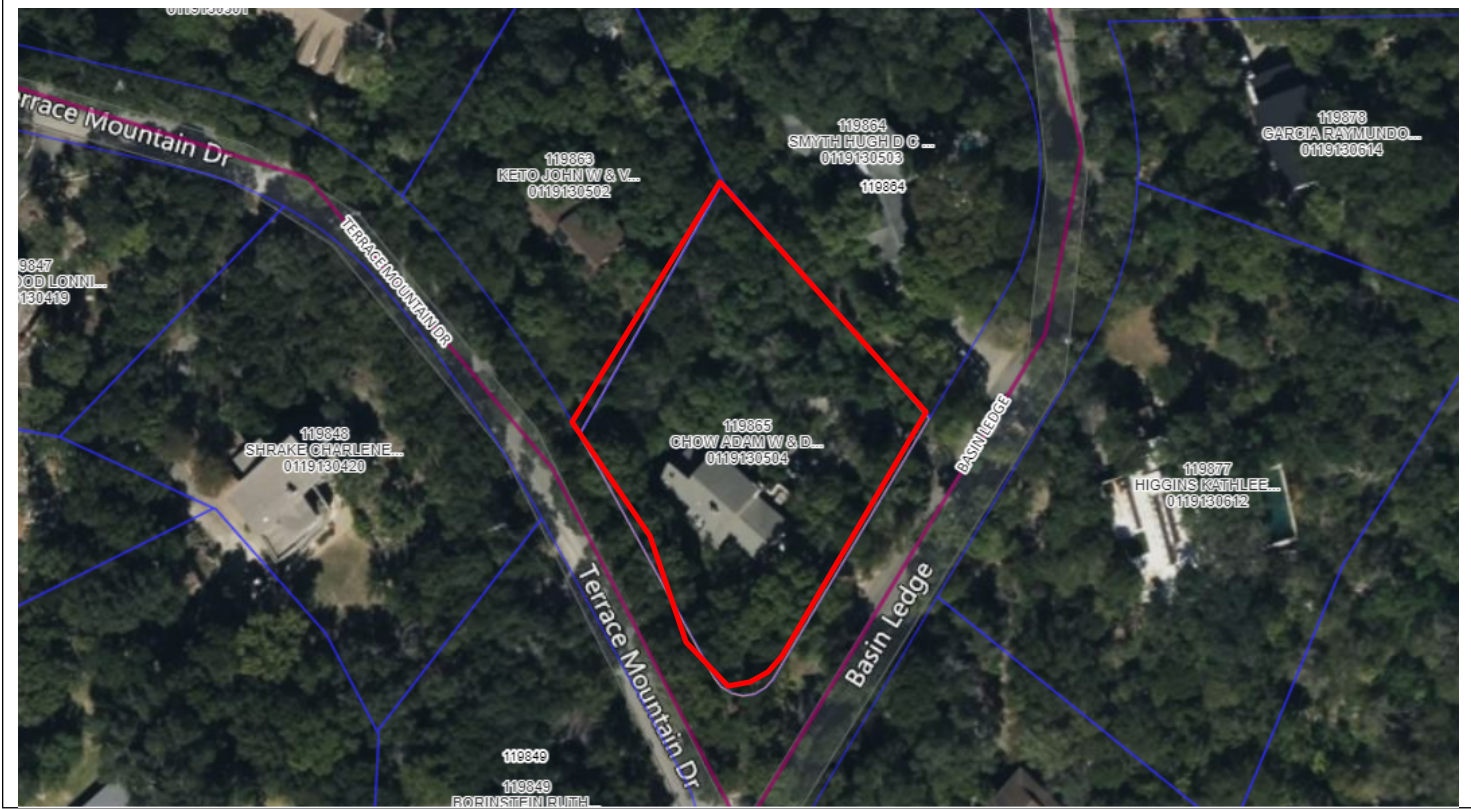
The existing and future land use is in conformance with the City of West Lake Hills Master Plan.

Links to Relevant Code:

- Section 22.03.275 Building setback distances
- Section 22.03.281 Schedule of Regulations
- Section 38.05.031: Variances
- Section 22.03.511: Criteria and process required for granting variance



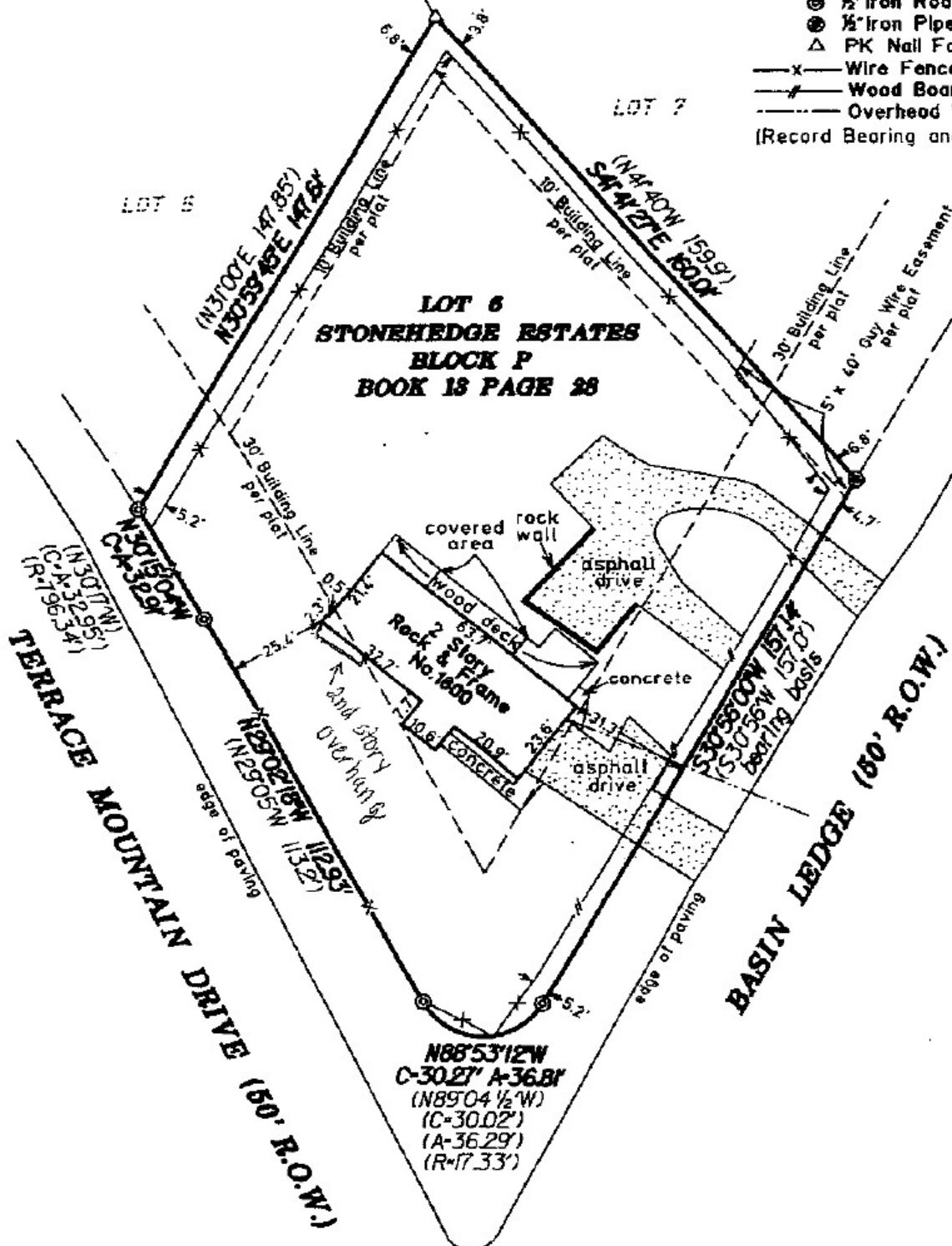
Aerial:





1/2" Iron Rod
1/6" Iron Pipe

- x— Wire Fence
 —#— Wood Board Fence
 - - - - Overhead Utility Line
 (Record Bearing and Distance)



SURVEY PLAT OF

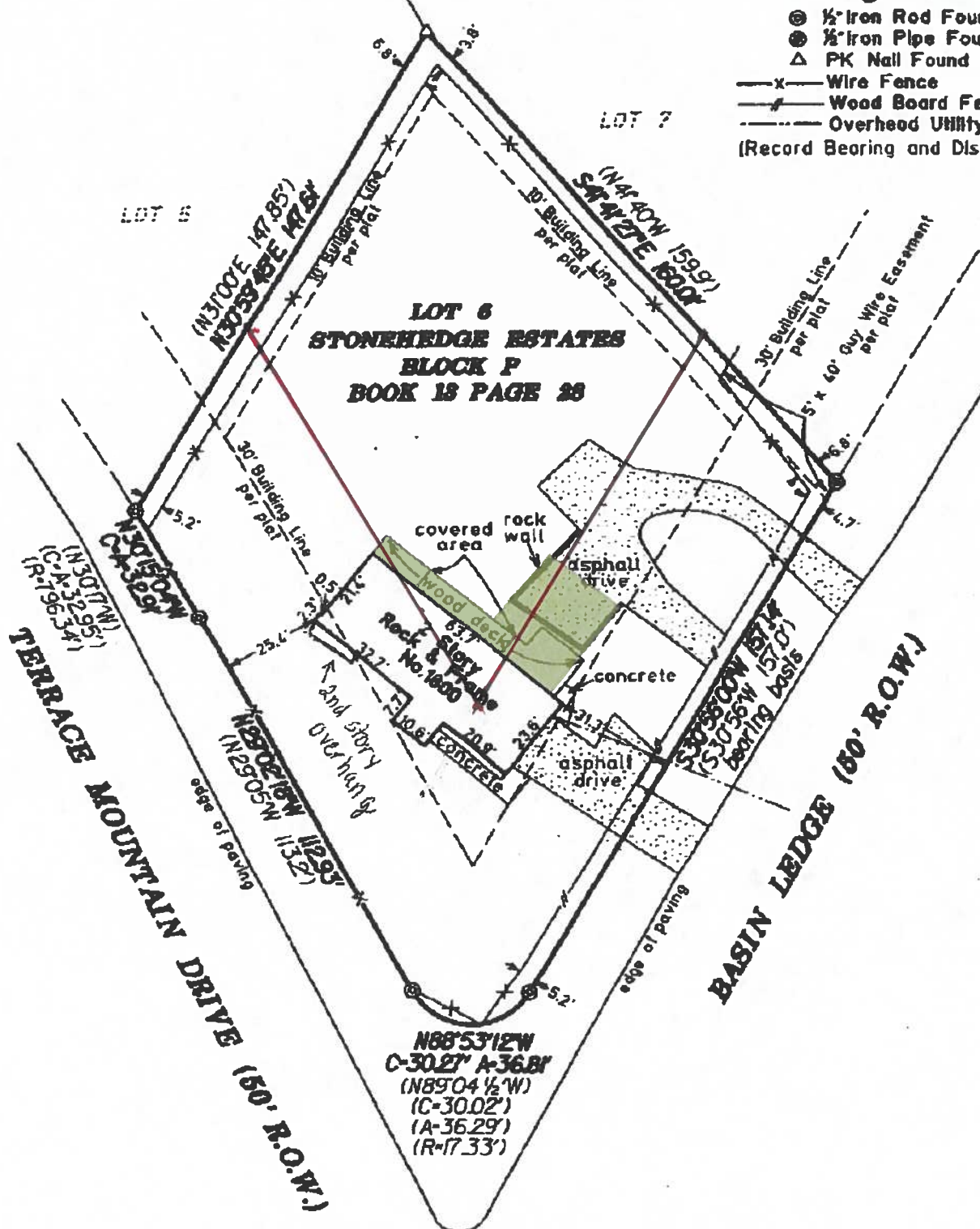
LOT 8, STONEHEDGE ESTATES BLOCK P, A SUBDIVISION IN TRAVIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN BOOK 13, PAGE 28 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS. LOCATED AT 1800 BASIN LEDGE.

GF No. 00104801

1800 Basin Ledge

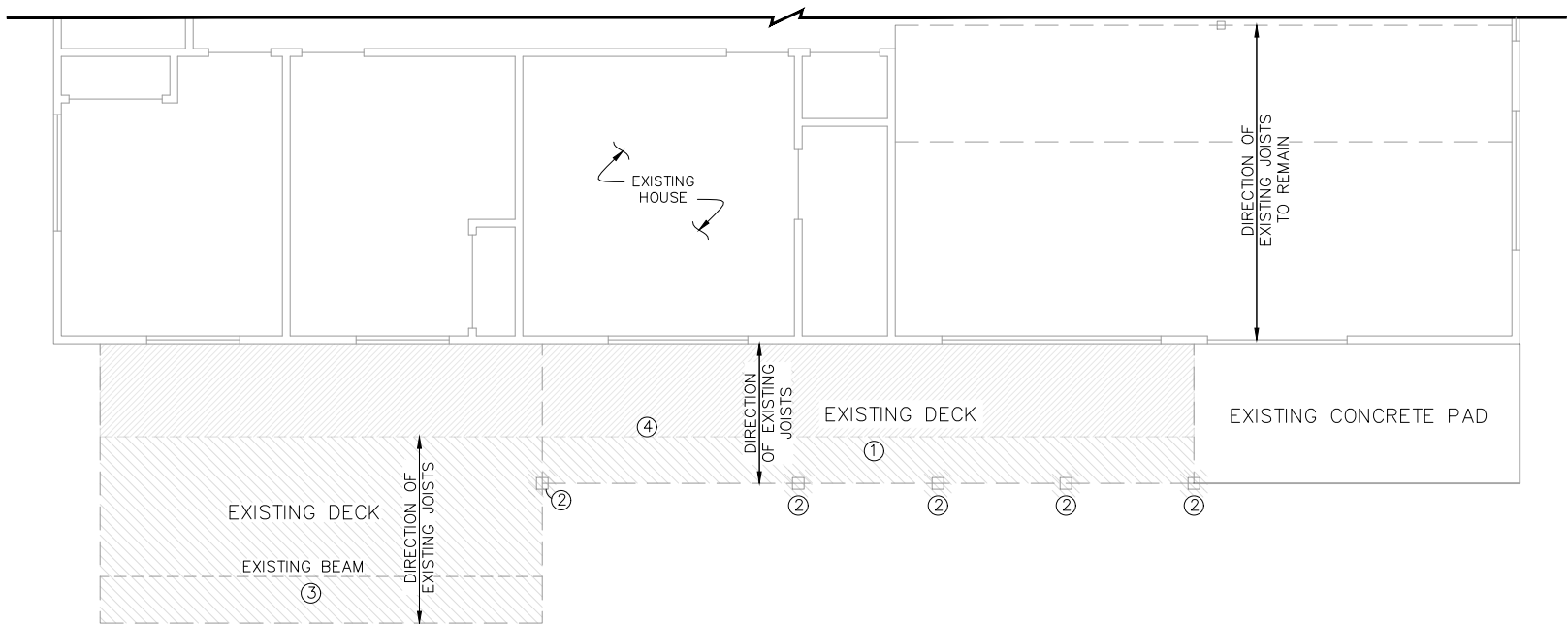
Legend

- ⊙ ½" Iron Rod Found
 ⊙ ½" Iron Pipe Found
 Δ PK Nail Found
 —x— Wire Fence
 # Wood Board Fence
 --- Overhead Utility Line
 (Record Bearing and Distance)



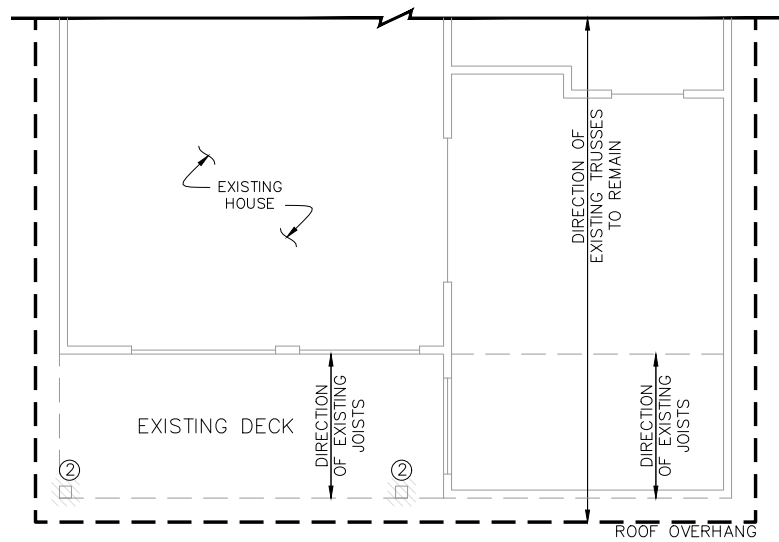
LOT 6, STONEHEDGE ESTATES BLOCK P, A SUBDIVISION IN TRAVIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN BOOK 13, PAGE 28 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS. LOCATED AT 1800 BASIN LEDGE.

GF No. 00104801



LOWER DECK — DEMOLITION PLAN

SCALE: 1/8" = 1'-0"



UPPER DECK — DEMOLITION PLAN

SCALE: 1/8" = 1'-0"

PLAN NOTES	
①	REMOVE DECK JOISTS
②	REMOVE COLUMNS
③	REMOVE BEAM AND DECK FRAMING
④	REMOVE CONCRETE PAD

FRAMING — DEMO	FRAMING — EXISTING
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VERIFY ALL DIMENSIONS
PRIOR TO CONSTRUCTION

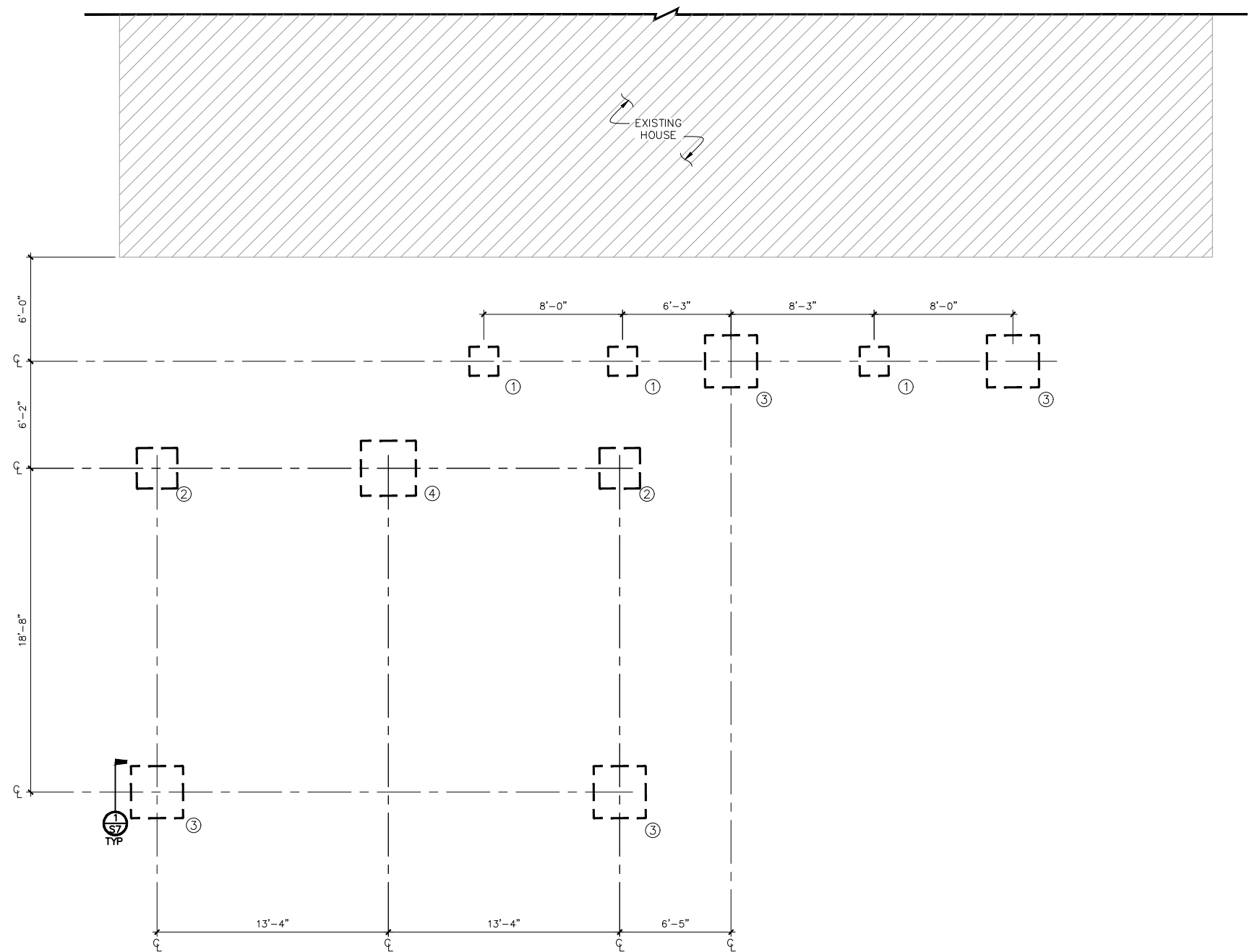
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STATE OF TEXAS
BIBEK SHAKYA
135656
LICENSED PROFESSIONAL ENGINEER
03/06/2023

DECK REMODEL
1800 BASIN LEDGE
AUSTIN, TEXAS

DESIGN BY:	SW
DRAWN BY:	SS
DATE:	02/15/2023
REVISION:	DATE:
R1	03/06/2023

SHEET No.
S2
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PROJECT No. 70956



FOUNDATION PLAN

SCALE: 1/8" = 1'-0"

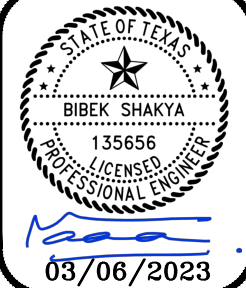
PLAN NOTES

1. FOUNDATION DESIGN BASED ON NON-EXPANSIVE SOIL W/ MIN. BEARING CAPACITY 1500 PSF. CONTACT GREENWORKS ENGINEERING IMMEDIATELY IF IN-SITU CONDITIONS DIFFER
2. DRAINAGE SHALL BE MAINTAINED AROUND THE FOUNDATION AT ALL TIMES DURING AND AFTER CONSTRUCTION. SURFACE WATER SHALL FLOW RAPIDLY AWAY FROM THE FOUNDATION.
3. BASE OF FOOTING TO BE PLACED IN UNDISTURBED SOIL AND BELOW THE FROST DEPTH, IN ANY CASE NOT LESS THAN 12" BELOW GROUND.

FOOTING SCHEDULE

MARK	SIZE	DEPTH	REINFORCING
①	20"x20"	12"	(3) #4 BARS @ BOTTOM EACH WAY
②	28"x28"	12"	(5) #4 BARS @ BOTTOM EACH WAY
③	36"x36"	12"	(6) #4 BARS @ BOTTOM EACH WAY
④	38"x38"	12"	(6) #4 BARS @ BOTTOM EACH WAY

VERIFY ALL DIMENSIONS
PRIOR TO CONSTRUCTION



DECK REMODEL

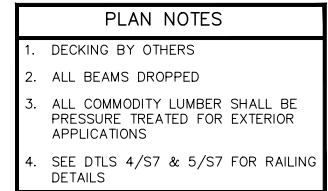
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SHEET No.

S3 4 OF 9

PROJECT No. 70956



VERIFY ALL DIMENSIONS
PRIOR TO CONSTRUCTION

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DECK REMODEL

1800 BASIN LEDGE

AUSTIN, TEXAS

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SHEET No.
S4
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 PROJECT No. 70956

- PLAN NOTES
1. ALL CEILING AND DECK JOISTS TO REMAIN

2. ALL EXTERIOR WALLS ARE ASSUMED TO BE LOAD BEARING WALLS FOR ROOF TRUSSES.



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STATE OF TEXAS

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DECK REMODEL

1800 BASIN LEDGE

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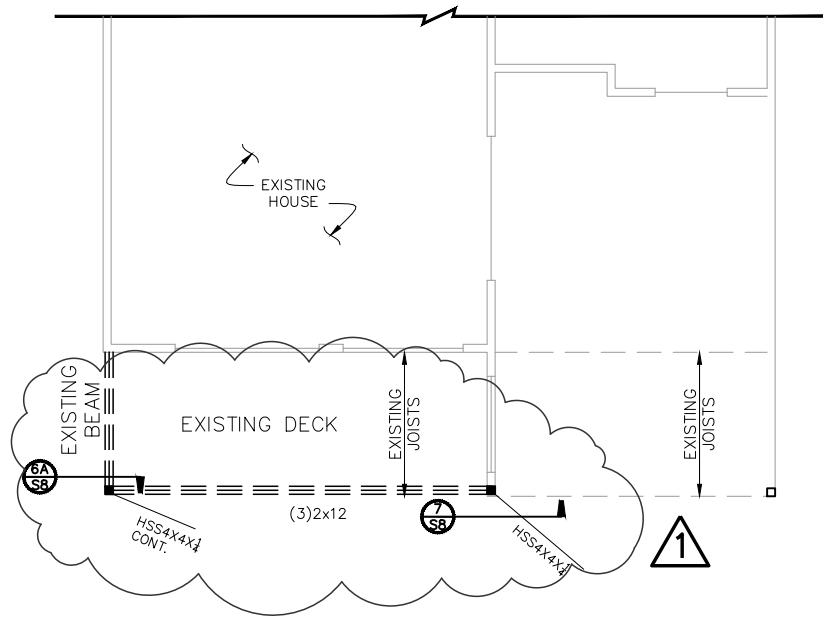
SHEET No.

S5

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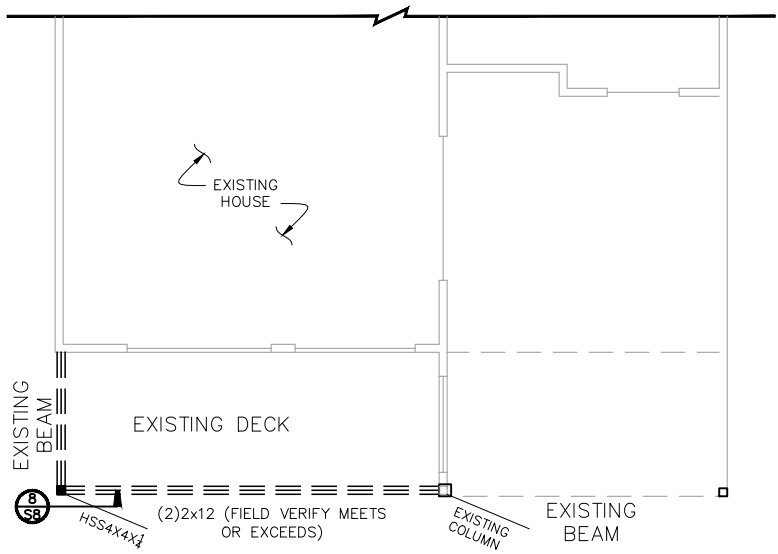
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PROJECT No. 70956



UPPER DECK FLOOR FRAMING

SCALE: 1/8" = 1'-0"

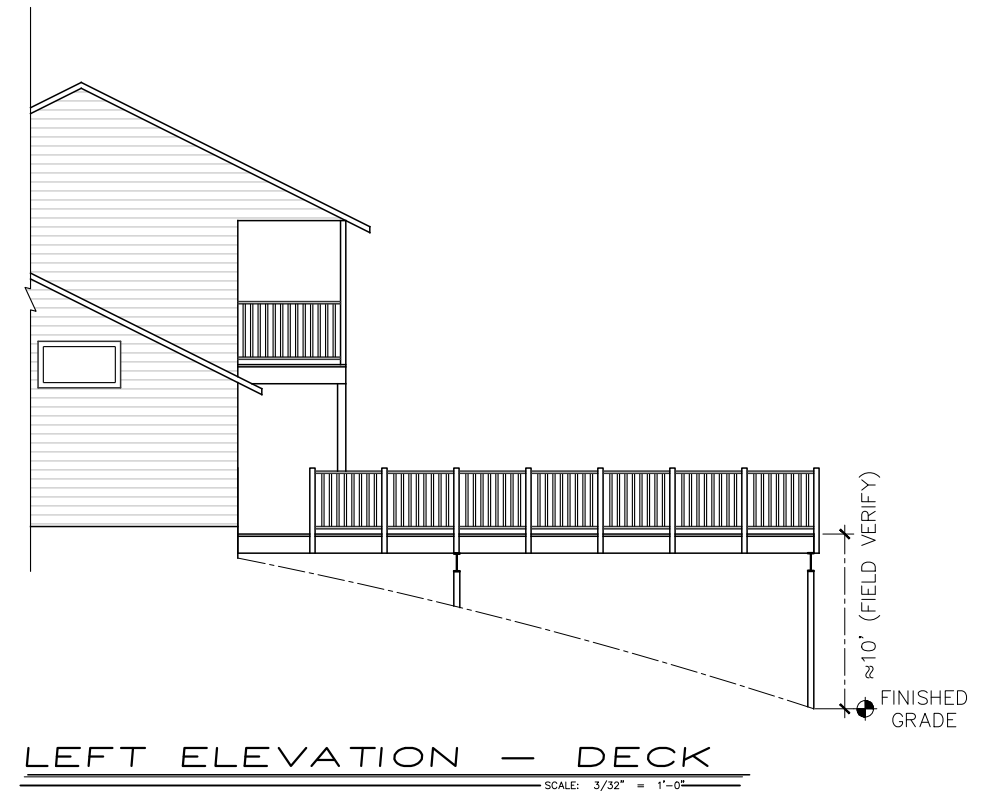
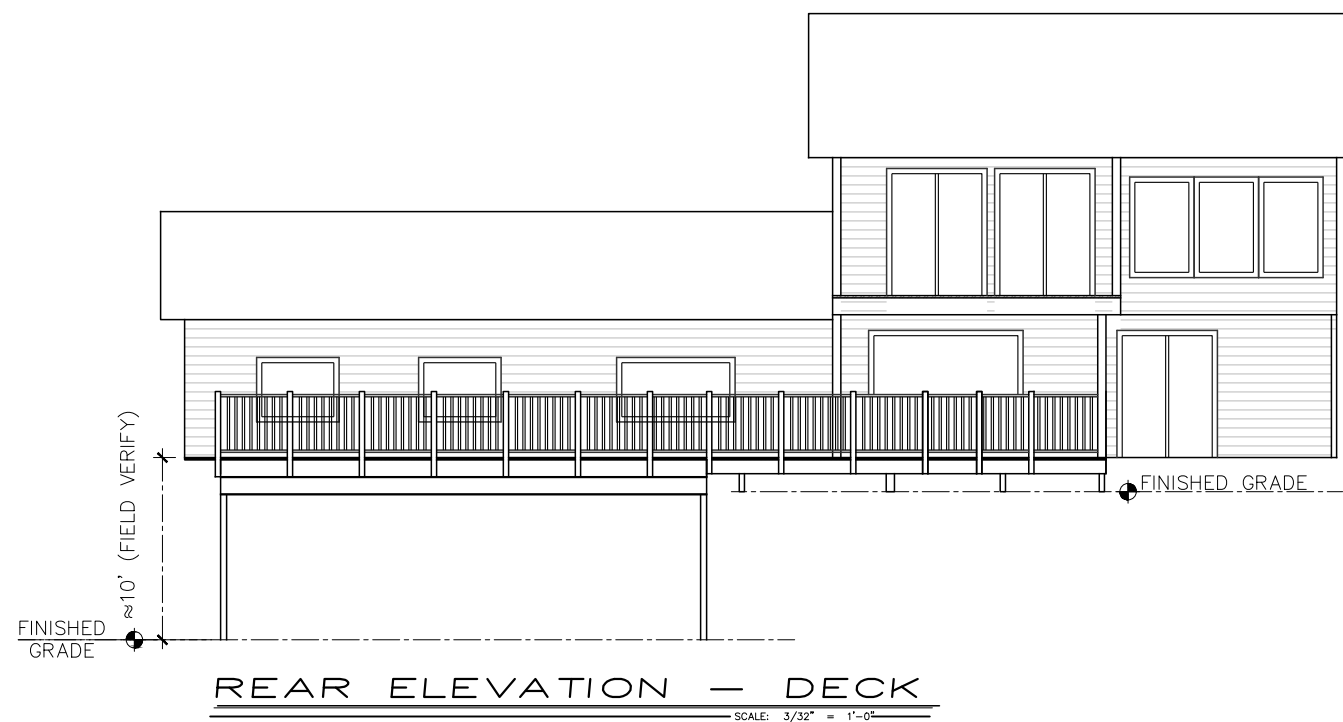


UPPER DECK CEILING FRAMING PLAN

SCALE: 1/8" = 1'-0"

	FRAMING - NEW
	FRAMING - EXISTING

VERIFY ALL DIMENSIONS PRIOR TO CONSTRUCTION



DECK REMODEL

1800 BASIN LEDGE
AUSTIN, TEXAS

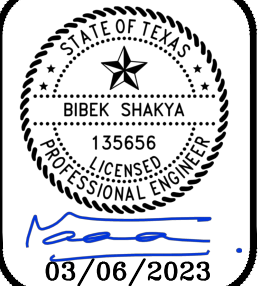
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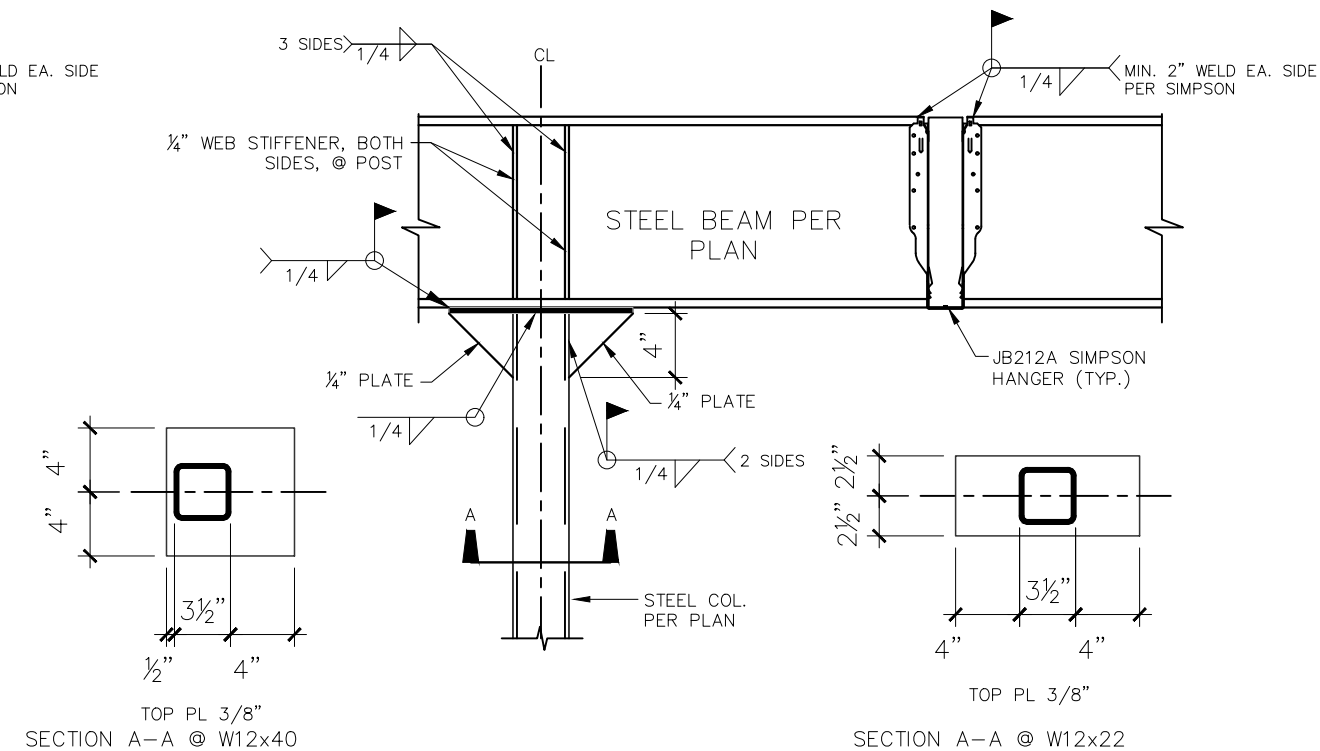
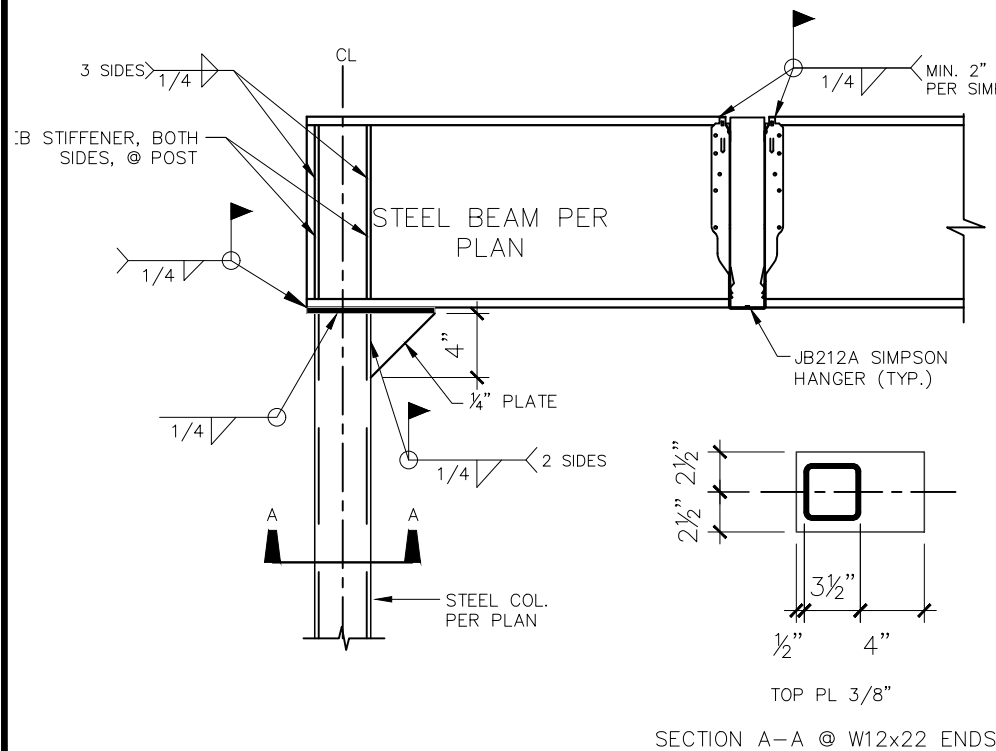
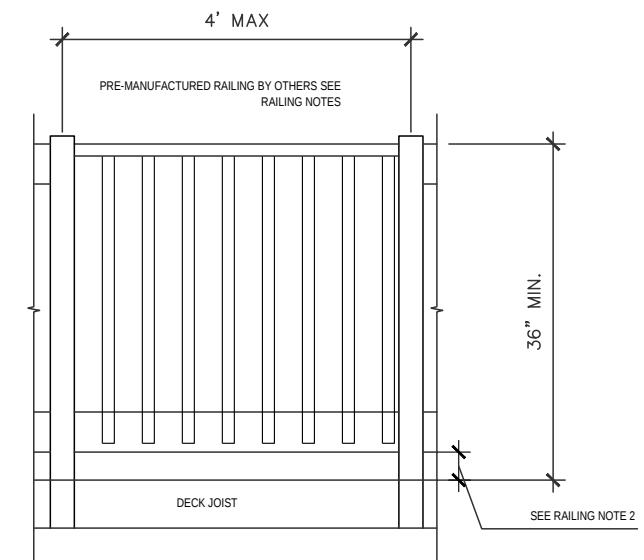
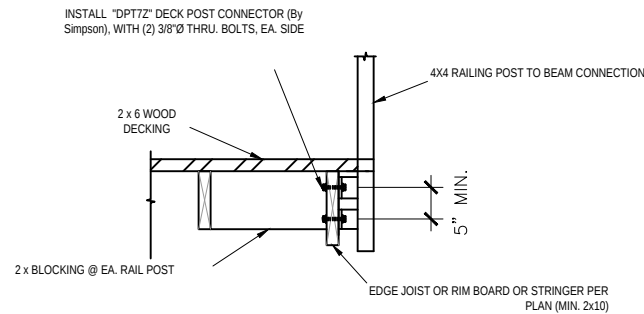
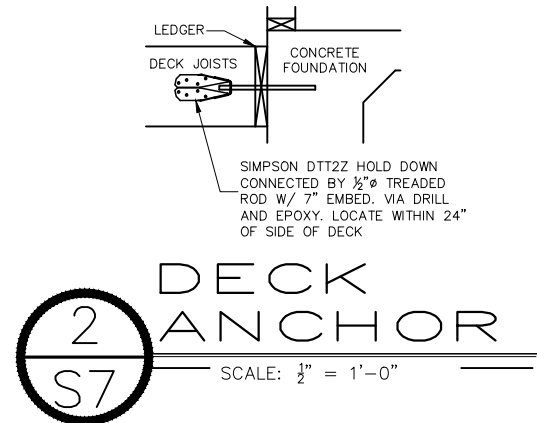
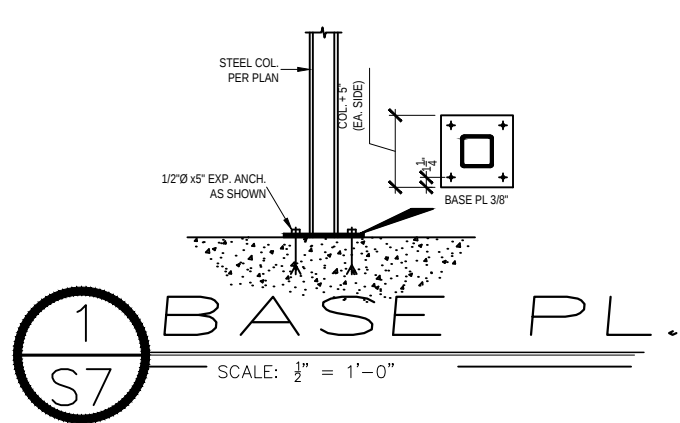
SHEET No.

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- RAILING NOTES
- GUARDS SHALL NOT BE LESS THAN 36 INCHES HIGH MEASURED VERTICALLY ABOVE THE ADJACENT WALKING SURFACE. GUARDS ON THE OPEN SIDES OF STAIRS SHALL HAVE A HEIGHT NOT LESS THAN 34 INCHES MEASURED VERTICALLY. WHERE THE TOP OF THE GUARD SERVES AS A HANDRAIL, GUARDS SHALL BE 34 TO 38 INCHES IN HEIGHT MEASURED VERTICALLY.
 - REQUIRED GUARDS SHALL NOT HAVE OPENINGS FROM THE WALKING SURFACE TO THE REQUIRED GUARD HEIGHT WHICH ALLOW PASSAGE OF A SPHERE 4 INCHES IN DIAMETER.
 - HANDRAILS SHALL BE CONT. FOR FULL LENGTH OF FLIGHT.

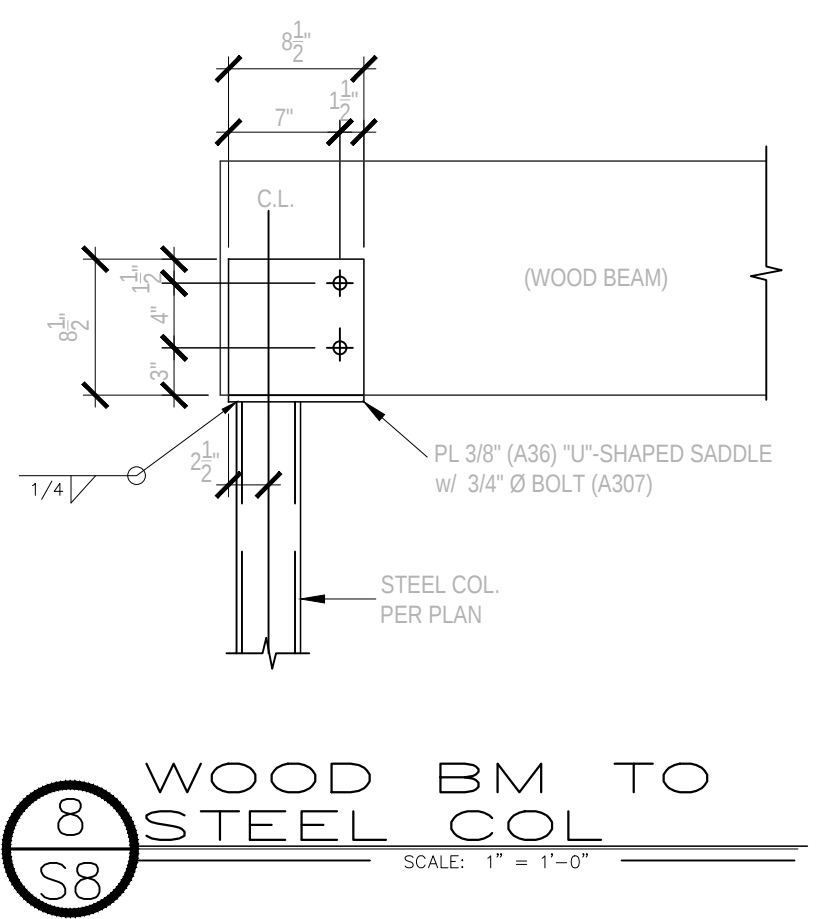
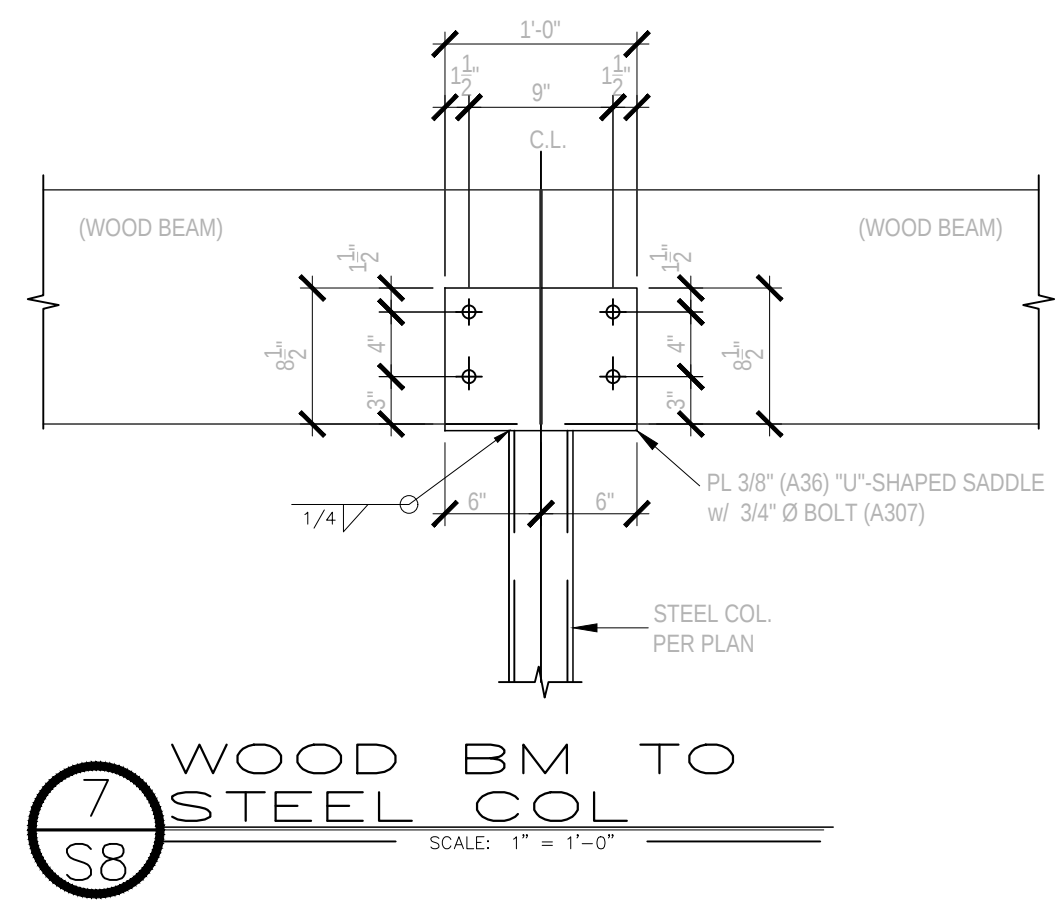
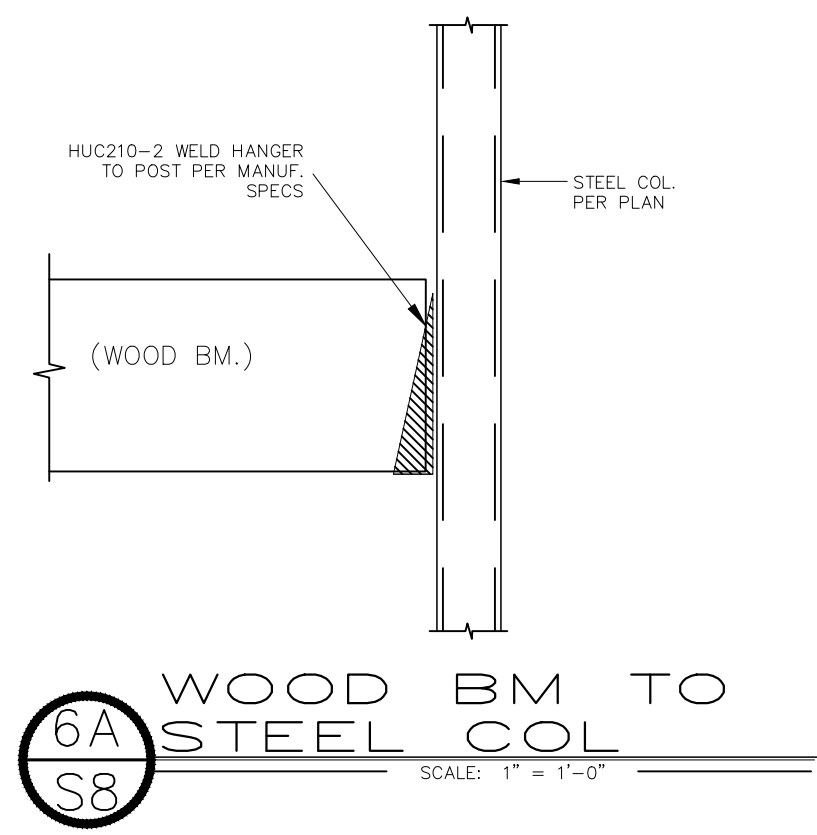
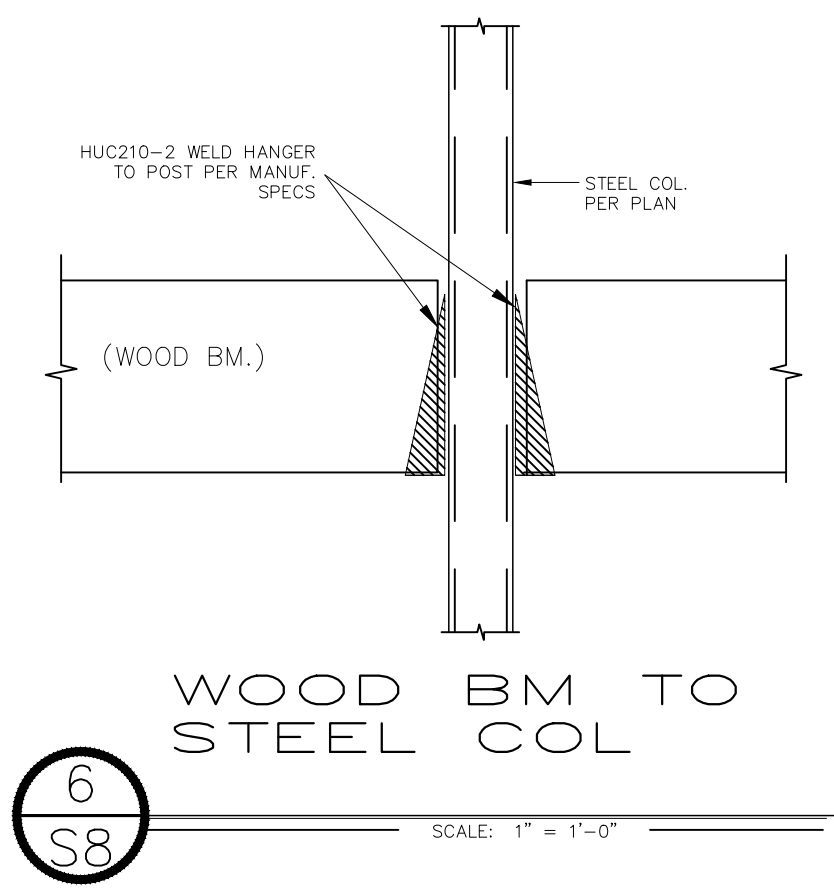
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PROFESSIONAL ENGINEER
03/06/2023





CITY OF WEST LAKE HILLS, TEXAS
MINUTES OF A ZONING & PLANNING COMMISSION (ZAPCO) REGULAR MEETING
Wednesday, September 20, 2023 at 6:30 PM

1. Call to Order. Vice-Chairman Jim Pledger.

With a quorum present, Vice-Chairman Pledger called the meeting to order at 6:30 p.m.

ZAPCO Members Present

**Vice-Chairman Jim Pledger
Julia Webber
Laurie Maccini
Karen Bartoletti
Patrick Stewart**

City Staff Present

**City Administrator Trey Fletcher
ZAPCO Secretary Mark Littrell
Asst. City Atty Josh Brockman-Weber**

2. Citizen Communications The Commission 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 Commission later in the meeting. The Commission cannot respond to or discuss matters not listed on the agenda. The Commission 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.

Vice-Chairman Pledger opened the meeting for public comments. Hearing none, the public comment section was closed.

3. 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 August 16, 2023 Zoning and Planning Commission Meeting Minutes

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

Motion for Approval carried unanimously by a vote of 4 ayes to 0 nays.

4. Land Use 406 Spiller Lane - Discuss and make a recommendation on variances to the front and one side setback for a for a setback encroachment (Section 22.03.275 and 22.03.281 of the West Lake Hills Code). Applicant Mark Alkusari with Benchmark Homes.

Staff Briefing

City Administrator Fletcher gives the Staff Briefing. No comments have been received from the public.

Staff Recommendation: Denial.

Vice-Chairman Pledger: There is a strange lot across the road?

Administrator Fletcher: It is part of the lot but has an access easement.

Vice-Chairman Pledger: The setbacks are accurate?

Administrator Fletcher: There are zoning setbacks and plat setbacks marked.

Commissioner Maccini: Trees have already been taken down?

Administrator Fletcher: I believe.

Commissioner Webber: Any questions regarding the easement?

Administrator Fletcher: Not that I'm aware of.

Presentation by Applicant

John Butler is the architect. The lot across is the same property and same owner. The north setback is what we are trying to gain at the front. We want to trade the front to side.

Public Hearing

Vice-Chairman Pledger opened the meeting for public comments. Hearing none, the public comment section was closed.

Discussion/Recommendation

Commissioner Webber: I appreciate the approach. I can't support the variance. It is a very large lot.

Vice-Chairman Pledger: The trees, some were removed?

John: Cedars were on the right side. Photos were provided.

Vice-Chairman Pledger: The trees on the plan are in place?

John: Yes.

Commissioner Bartoletti: I agree with Commissioner Webber.

Commissioner Maccini: It's design driven.

Motion for Denial made by Commissioner Bartoletti with a Second by Commissioner Stewart due to a lack of hardship. Motion for Denial carried unanimously by a vote of

4 ayes to 0 nays.

5. **Land Use 5 N Peak:** Discuss and make recommendation on a variance for encroachment into the side setbacks by 4.5 feet for replacement and expansion of the pool and placement of pool equipment (Section 22.03.275 and 22.03.281 of the West Lake Hills Code).

Applicant: Jennifer Smith, Permit Solutions LLC

Staff Briefing

City Administrator Fletcher gives the Staff Briefing. No comments were received from the public.

Staff Recommendation: Approval.

Presentation by Applicant

Applicant was not present and attempted to connect through ZOOM.

Public Hearing

Vice-Chairman Pledger opened the meeting for public comments. Hearing none, the public comment section was closed.

Discussion/Recommendation

Vice-Chairman Pledger: What is the height of the lower deck?

Administrator Fletcher: I will check on that.

Vice-Chairman Pledger: I got the impression a previous variance was with a previous owner? I got the impression the pool was 3' encroachment, now 4 1/2' were approved?

Commissioner Bartoletti: I couldn't tell if it's an addition to the previous 5' approved encroachment.

Administrator Fletcher: No closer than before.

Vice-Chairman Pledger: If further to the left will it jeopardize the trees?

Commissioner Webber: The pool stays in line. The tree to the left is jeopardizing all 3 will be subject.

Commissioner Maccini: Is the pool increasing the impervious cover?

Commissioner Stewart: They are removing impervious cover.

Commissioner Maccini: Are they removing the sport court?

Vice-Chairman Pledger: The pool equipment is right there.

Commissioner Webber: I'd like to see better detailed drawings.

Motion for Postponement made by Commissioner Webber with a Second by Commissioner Stewart to request the applicant provide a landscaping plan with existing conditions and setbacks as well as the 3 trees and the critical root zones.

Motion for Postponement carried unanimously by a vote of 4 ayes to 0 nays to go to October 18, 2023 Agenda.

6. **Land Use 1800 Basin Ledge:** Discuss and make recommendation on a variance to the front yard setback for the to encroach 20 feet with an expansion of a non-conforming structure to add a deck/carport (Section 22.03.275 and 22.03.281 of the West Lake Hills Code).

Applicant: Steve Abbott

Staff Briefing

Administrator Fletcher gives the Staff Briefing. No comments received from the public.

Staff Recommendation: Approval.

Presentation by Applicant

Steve Abbott is the architect. There is no carport. We are extending an existing deck because we have no covered parking.

Commissioner Webber: Explain the slope and existing parking?

Steve: It is currently unsafe. It needs to be addressed soon. The plan shows you won't see the structure.

Public Hearing

Vice-Chairman Pledger opened the meeting for public comments. Hearing none, the public comment section was closed.

Discussion/Recommendation

Commissioner Bartoletti: Is there already concrete in the setback?

Vice-Chairman Pledger: Yes.

Commissioner Webber: The house was built in 1974 so it doesn't meeting the current setbacks.

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

Motion for Approval carried unanimously by a vote of 4 ayes to 0 nays.

7. Staff Briefing Update from staff on items forwarded to BOA and City Council from the previous meeting.

Administrator Fletcher gives the updates for previous items and their outcome.

8. Adjournment. Vice-Chairman Jim Pledger.

Vice-Chairman Pledger adjourns the meeting at 7:23 p.m.

Respectfully submitted,

ROBERT MEISEL, CHAIRMAN

ATTEST:

ZAPCO Secretary Mark Littrell

These minutes were approved on _____, 2023.