

CITY OF WEST LAKE HILLS, TEXAS
MINUTES OF A ZONING & PLANNING COMMISSION (ZAPCO) REGULAR MEETING
Wednesday, October 18, 2023 at 6:30 PM

1. Call to Order. Chairman Robert Meisel.

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

ZAPCO Members Present

**Chairman Robert Meisel
Julia Webber
Laurie Maccini
Karen Bartoletti
Patrick Stewart**

City Staff Present

**Dir. of Building & Development Jennifer Bills
ZAPCO Secretary Mark Littrell
Asst. City Attorney 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.

Chairman Meisel 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 September 20, 2023 Zoning and Planning Commission Meeting Minutes

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

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

4. Land Use 5 North Peak - Discuss and make a 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

Director Bills gives the staff briefing.

Staff Recommendation: Approval. No comments have been received from the public.

Commissioner Webber: The elevation shown isn't existing? What is the elevation at its highest?

Director Bills: The applicant is here.

Presentation by Applicant

Jennifer Smith is the applicant representing the property owner who is also present. The elevation will be at the same level.

Commissioner Bartoletti: What about looking at people from the end of the pool?

Commissioner Webber: How high is the fence?

James Bass is the property owner: The fence is 6'.

Jennifer Smith: It tappers will the property.

Commissioner Webber: The dimensions need to be shown. Privacy is an issue.

James Bass: You can't see over the fence from the pool.

Commissioner Maccini: Is there any screening?

James Bass: We have trees and no direct vision toward the neighbors.

Chairman Meisel: You have shrubs at the end of the pool?

James Bass: Yes.

Jennifer Smith: It's a very gradual slope. Notes from the previous meeting were addressed.

Commissioner Maccini: Is the equipment part of the variance?

Director Bills: Yes.

Public Hearing

Chairman Meisel opened the meeting for public comments. Hearing none, the public hearing section was closed.

Discussion/Recommendation

Commissioner Stewart: Are you reducing impervious cover?

Jennifer Smith: Yes.

Commissioner Maccini: Has anything been received from the other neighbors?

Director Bills: No.

Motion for Recommended Approval made by Commissioner Bartoletti with a Second by Commissioner Maccini.

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

5. **Land Use 904 Old Stonehedge** - Discuss and make a recommendation on two variances to allow the reconstruction of a non-conforming privacy fence 1. To encroach into the 30-foot front fence setback approximately 15 feet, and 2. the front yard fence to be a solid wood privacy style fence where 80% transparency is required (Section 22.03.173 of the West Lake Hills Code). Applicant Dan Littlejohn.

Staff Briefing

Director Bills gives the staff briefing.

Staff Recommendation: Denial. No comments received from the public.

Commissioner Bartoletti: If it is a repair it's okay. Replacing is a variance?

Director Bills: Yes.

Commissioner Webber: The denial recommendation is because of the encroachment or the 80% screening requirement?

Director Bills: Both. They would use yard space if it is moved back.

Commissioner Bartoletti: Wouldn't it look awkward?

Director Bills: There would be a gap.

Commissioner Webber: Is there a timeframe for 50% repair?

Director Bills: No.

Presentation by Applicant

Dan Littlejohn is the applicant. The red circle on Redbud Trail, we can do 30'. The one in front is the neighbor's yard, that is weird. It makes a hardship on them.

Chairman Meisel: Redbud can conform?

Dan: Redbud is a very busy street. Old Stonehedge is a single lane.

Chairman Meisel: A hardship would be imposed on the neighbor.

Public Hearing

Chairman Meisel opened the meeting for public comments. Hearing none, the public comment section was closed.

Discussion/Recommendation

Commissioner Maccini: I'm fine with it because it's a busy on Redbud Trail. It affects the quality of life.

Commissioner Webber: The 80% transparency requirement; I've not been on the board long enough to know the past discussions.

Chairman Meisel: We want to keep from having a wall tunnel.

Commissioner Webber: If this was a new construction project it wouldn't be acceptable?

Commissioner Bartoletti: This is an old neighborhood.

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

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

6. **Land Use 1200 Westlake Drive** - Discuss and make a recommendation on variances for the installation of a fence on a vacant lot and the development of a turf sport field on a vacant lot and within the 30-foot rear setback (Section 22.03.173 & 38.03.032 (b) of the West Lake Hills Code). Applicant Hughes Holland

Staff Briefing

Director Bills gives the staff briefing.

Staff Recommendation: Denial. Properties should be re-platted.

Commissioner Bartoletti: Is there an order in which we accept permits? Does the applicant have any guidance? We have a process to go through.

Commissioner Webber: Can you identify the encroachment?

Director Bills: The rear setbacks.

Presentation by Applicant

Hughes Holland is the applicant. This location would require grading. The soccer

field is for the kids. Re-platting is not discussed.

Commissioner Webber: There is no survey with the topography lines?

Hughes: No.

Commissioner Webber: What would they apply for for that? Grading?

Director Bills: It's artificial turf.

Commissioner Webber: Grading is more of the issue.

Director Bills: Yes. Fences are not allowed on vacant lots.

Commissioner Maccini: Any lighting?

Hughes: No lighting. Three gates on the fence and just the field.

Brent Wilshire is the landscape architect. There is currently a fence on two sides. His current lot is his septic field.

Public Hearing

Chairman Meisel opened the meeting for public comments. Hearing none, the public comment section was closed.

Discussion/Recommendation

Commissioner Webber: I'm not opposed to having a place for kids.

Chairman Meisel: Neither are platted?

Director Bills: All 3 acres. That was done in 2017.

Commissioner Maccini: Would it require separate entrances?

Director Bills: No.

Commissioner Maccini: I'd like to see all the information.

Commissioner Stewart: It feels incomplete.

Chairman Meisel: Is there a solution that doesn't require variances? That is the solution.

Director Bills: No variances but they would require permits.

Commissioner Webber: The topography is missing.

Commissioner Bartoletti: These are big variances that aren't necessary.

Commissioner Stewart: What variance are we talking about?

Director Bills: Fence on a vacant lot.

Motion for Recommended Denial made by Commissioner Maccini with a Second by Commissioner Webber.

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

7. Land Use 100 Redbud Trail - Discuss and make a recommendation on variances for a 33-foot encroachment into the 50 foot front yard setback and impervious cover allowance greater than 25% to demolish and reconstruct a pool house and storage building (Section 22.03.275 and 22.03.281 of the West Lake Hills Code). Applicant James Hughes Holland
Staff Briefing

Director Bills gives the staff briefing.

Staff recommendation: Denial. No comments received from the public.

Commissioner Webber: How does an application reach this level with not enough information?

Director Bills: Notification requirements.

Commissioner Webber: This needs to be re-submitted.

Director Bills: No drainage study.

Commissioner Webber: This highlights the submittal requirements. Allowing them to submit building plans.

Presentation by Applicant

Hughes Holland is the applicant. 1957 is when this house was built. We're trying to do improvements. The 50' on Redbud is really the side. The drainage report just became available. Our demolition triggered the variances.

Public Hearing

Chairman Meisel opened the meeting for public comments. Hearing none, the public comment section was closed.

Discussion/Recommendation

Commissioner Webber: I feel we have incomplete information.

Motion for Recommended Postponement made by Commissioner Webber with a Second by Commissioner Maccini.

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

8. Land Use 300 Block of Laurel Valley - Discuss and make recommendation a replat of Ledge way East, Lot 4 to create two lots, Lot 4A and 4B (Section 36.01.004 of the West Lake Hills Code). Applicants Jeff and Michelle Sunshine.

Staff Briefing

Director Bills gives the staff briefing.

Staff recommendation: Denial until 4 listed conditions are met.

Commissioner Bartoletti: Once the conditions are met, the approval is mandatory. Four items make it compliant.

Commissioner Webber: The easement is from the top if a Laurel Valley driveway is not done?

Presentation by Applicant

Jeff and Michelle Sunshine are the applicants. It's more a clarification approval with conditions before it goes to city council?

Director Bills: City Council.

Michelle: We have items to submit with changes to the plat notes. We didn't realize we have to refer to two re-plats. These are just wording.

Public Hearing

Chairman Meisel opened the meeting for public comments. Hearing none, the public comment section was closed.

Discussion/Recommendation

Commissioner Maccini: I was excited it was going to be large lots. It makes me sad to see it.

Chairman Meisel: We need to move it.

Motion for Recommended Denial made by Commissioner Bartoletti due to the 4 conditions, with a Second by Commissioner Maccini.

Motion for Recommended Denial carried by a vote of 3 ayes to 1 nays. Commissioner Stewart opposed.

9. Land Use Update from staff on items forwarded to BOA and City Council from the previous meeting.

Director Bills gives the update. Reminder there will be a joint ZAPCO/Council meeting either November 29th or December 6th to discuss the new city hall.

10. Adjournment. Chairman Robert Meisel.

Chairman Meisel adjourns the meeting at 8:03 p.m.

Respectfully submitted,

ROBERT MEISEL, CHAIRMAN

ATTEST:

ZAPCO Secretary Mark Litrell

These minutes were approved on _____, 2020.