



CITY OF WEST LAKE HILLS, TEXAS
NOTICE OF BOARD OF ADJUSTMENT (BOA) REGULAR MEETING
Wednesday, November 8, 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 8th day of November 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 November 8, 2023.

1. Call to Order
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 staff, 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 October 25, 2023 Regular Meeting Minutes.
4. Land Use 5 North Peak - Discuss and consider action 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.

5. Adjournment

Approved by: Linda Anthony, Chair

Certificate

I certify that the above Notice of the November 8, 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, November 3, 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 Board 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, October 25, 2023 at 7:00 PM

1. Call to Order

With a quorum present, Chair Anthony called the meeting to order at 7:11 p.m.

BOARD MEMBERS PRESENT:

Chair Linda Anthony
Gordon Bowman
James Vaughan
Darin Walker
Katherine Loyaza

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 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.

MOTION: Upon a motion made by Board Member Vaughan and a second by Board Member Walker, the Board voted four (4) for and none (0) opposed with one (1) abstention to approve the Consent Agenda as presented. Board Member Loyaza abstained. Motion carried.

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.

Director Bills gave a brief summary. Steve Abbott with Safe Space Construction spoke on behalf of the applicant.

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

5. Adjournment

MOTION: Upon a motion made by Board Member Walker 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, MAYOR

ATTEST:

Terry Blanchard, TRMC
City Secretary

These minutes were approved on November 8, 2023.



City of West Lake Hills Board of Adjustment

AGENDA REPORT

Meeting Date:	November 8, 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

5 N Peak: Discuss and consider action 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

Recommendation

Staff recommends approval of the variance request.

This was recommended for approval by the Zoning & Planning Commission on October 18, 2023, by a vote of 4-0 (Attachment 10).

Discussion

Property Information, Zoning & Site Characteristics:

Owner: James and Courtney Forest

Legal Description: Dellana Hills Section 2, Lot 18

Lot Size: 0.41 acres (17,859.6 square feet)

Zoning: R-1 One Family

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

Background & Analysis:

The applicant is requesting a variance to the side setback to replace and enlarge the existing pool with a 4.5-foot encroachment into the north side set back, and place additional pool equipment into the south side setback by the house (Attachment 3).

This item was postponed from the September 20, 2023, ZAPCO meeting after the Commission requested additional information and clarification regarding the existing and proposed encroachments, the impact of the existing trees and a view of the proposed deck showing the height over natural grade. The minutes for the previous setback variance from September 9, 2009, are also attached.

The applicant has updated the application and exhibits to provide more information. The applicant has provided new exhibits that highlight the protected trees (highlighted in pink in Attachment 3) to show the extent of the impact on the existing and proposed improvements.

The Board of Adjustments previously approved a 5-foot encroachment into both side setbacks on September 9, 2009 (Attachment 8) for the house and pool as it is currently placed.

The applicant states that the existing pool is leaking and will require excavation of the existing pool for repairs/replacement. They have included a letter of support from the neighbor on the north side property line (Attachment 6). The existing pool is currently about 2 feet above the natural grade, so it is not visible over the fence (Attachment 3 and 5).

Variance Criteria Review:

When applying for a variance, the applicant has provided the following evidence (Updated 10/3/2023):

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 existing pool has a leak and will need to be repaired. As part of the repair, the current owners would like to add to the pool. The pool was constructed by the previous owners in the interior side yard setback, then later permitted by variance. Since the pool is already encroaching in the setback the owners are forced to make the expansion in the existing location. They have explored alternative design options that include adding toward the interior of the lot, but there is a 21" Hackberry that they would like to preserve. Adding length to the pool is the least impactful option to preserve the tree.

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

The purpose of the variance is to preserve and avoid disruption of the existing terrain. The proposed location of the pool is the best to preserve the 21" Hackberry.

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

There is an existing pool at this location already. The existing pool encroaches in the interior side yard, this presents a hardship since adding to the pool will inevitably add to the existing interior side yard encroachment.

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

The variance will not be greater than the required to alleviate the difficulty or hardship since we are adding to the existing length of the pool. The lot narrows towards the rear of the lot, therefore the encroachment from the narrowest point is 4'-2 ½" from the setback. The total distance of the pool from the property line at the closest point is 15'-9 ½". The pool encroaches into the setback on the widest portion of the lot 3'-4 ½". The distance of the pool from the property line on the widest portion of the lot is 16'-7 ½".

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

The pool encroaching on the setback does not decrease the quality of life or pose life and safety risks. The pool still maintains setbacks dictated by international pool and spa code.

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

A variance for the encroachment into the interior side yard has already been previously approved. The location of the existing pool has not caused any adverse impacts to neighboring lots. The pool is not visible from the street. In addition, the neighbor adjacent to the interior side yard has provided a letter of support for the variance application.

Outdoor Lighting

Outdoor lighting is not proposed with this variance request. Any outdoor lighting will need to 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 separate building permit is under review for the pool.

Subdivision

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

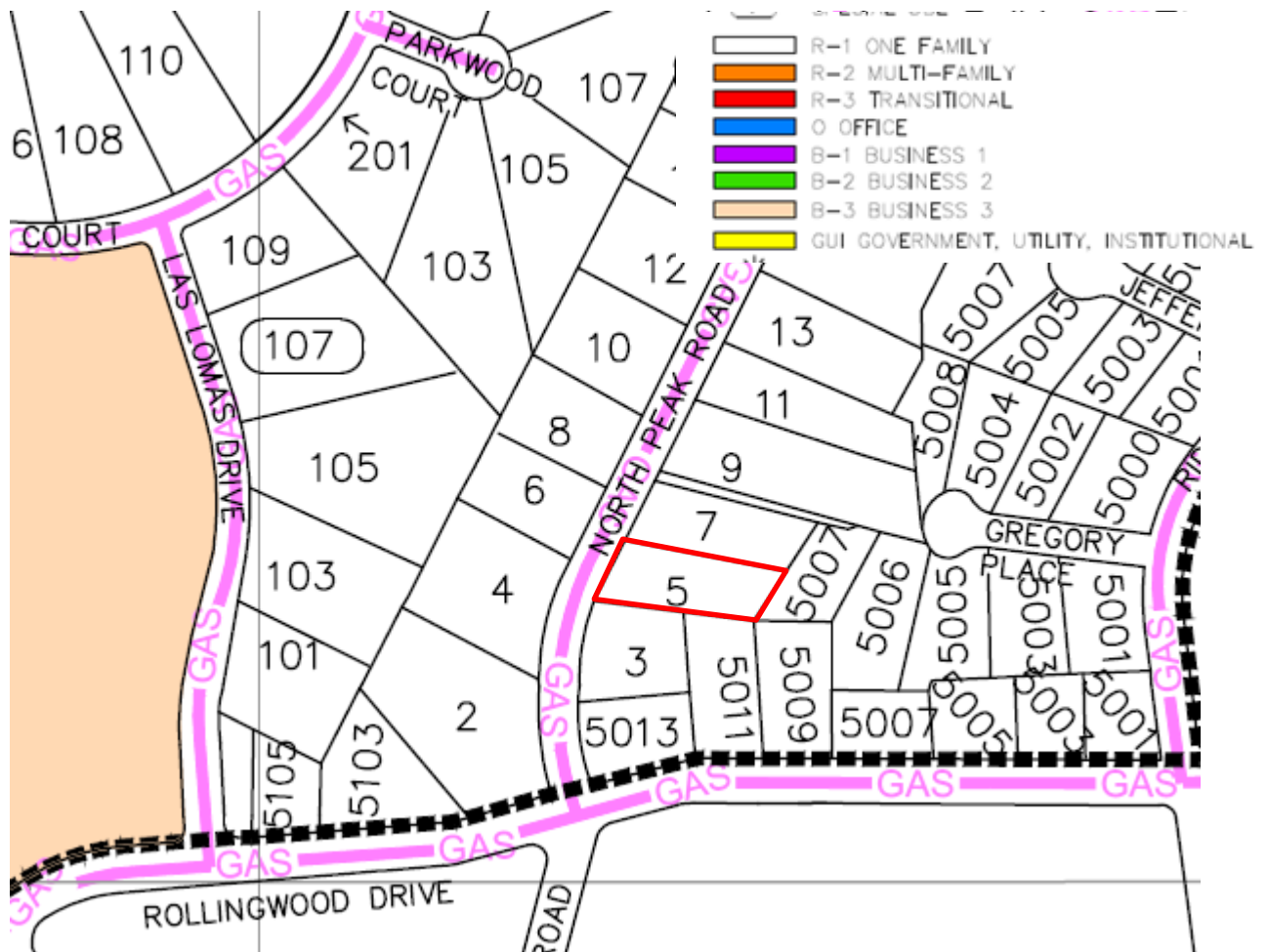
Comprehensive Planning Analysis

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

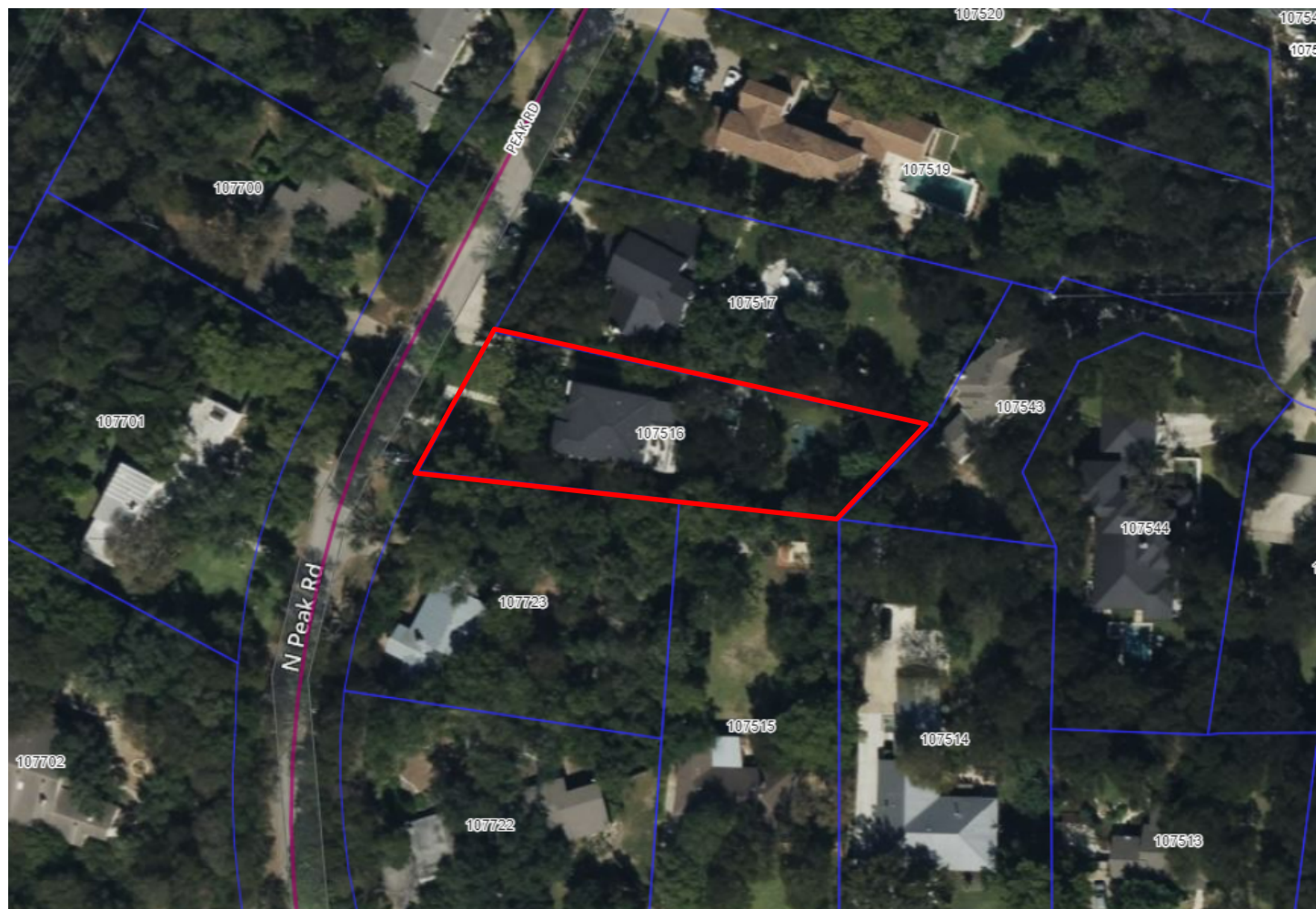
Links to Relevant Code:

- [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](#)

Zoning:



Aerial:





PERMIT SOLUTIONS

Permit Solutions LLC
2121 Lohmans Crossing
Ste. 504-634
Austin, TX 78734

City of West Lake Hills
Board of Adjustments
911 Westlake Drive
West Lake Hills, TX 78746

October 6th, 2023

Dear ZAPCO Chairperson,

We are requesting a variance to enlarge an existing pool into the interior side yard setback at 5 N Peak Road. The owner needs to repair a leak that was found in the existing pool. Since this is a major repair requiring excavation of the existing pool, they would like to ask for approval from the City of Westlake Hills to extend the length of the pool in the same location. We have asked the draftsman to explore various designs to extend the pool away from the setback, but this would negatively impact a 15.54" (diameter) Elm Tree and potentially a 21" hackberry to the right of the existing pool. The owners would like to preserve these trees.

The existing pool is already encroaching into the interior side yard setback by approximately 3.5 feet. The encroachment was approved by a previous variance. The parcel narrows towards the rear, the proposed encroachment would be added to the existing pool and would encroach into the side yard setback about 4.3 feet, due to the lot configuration.

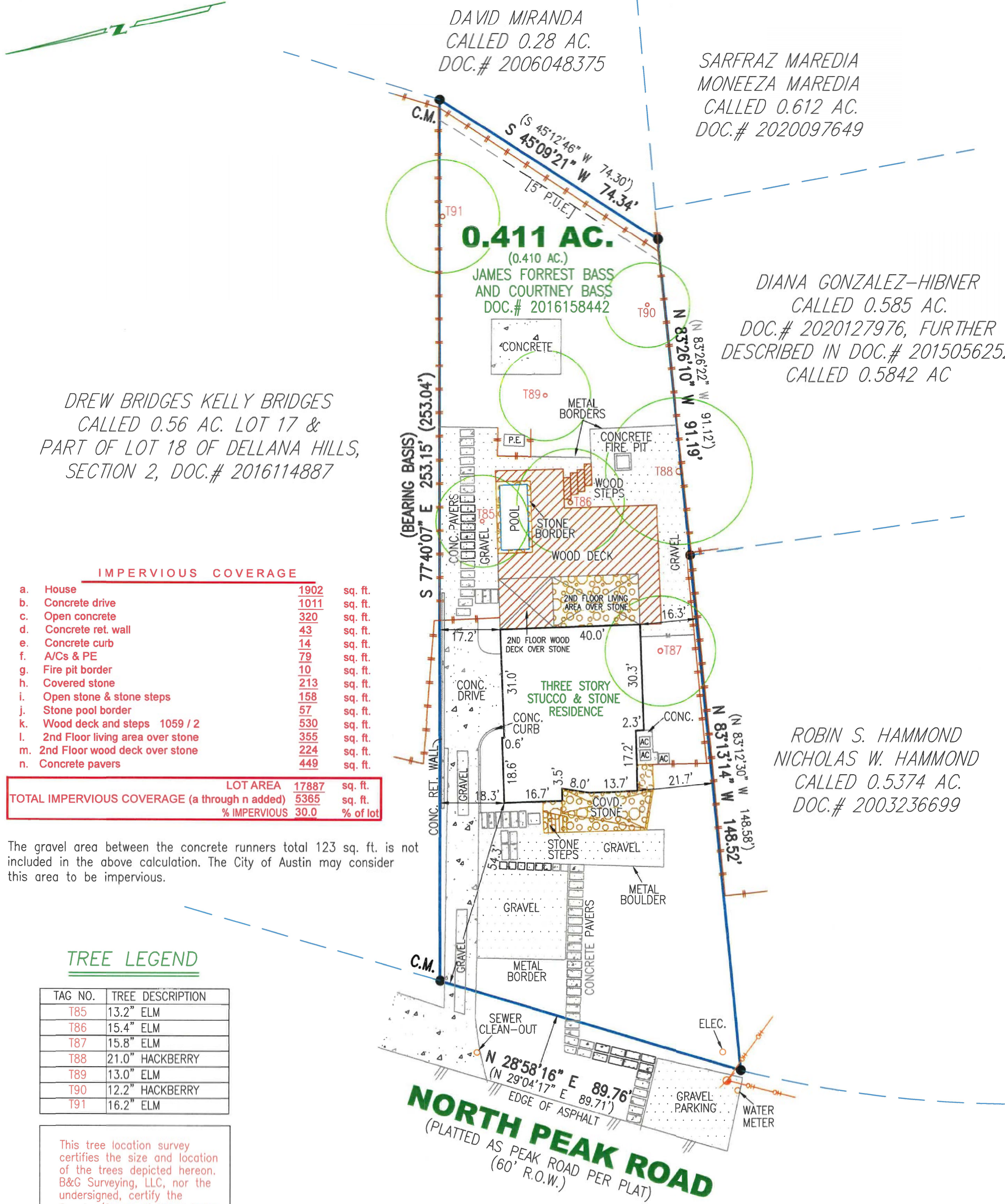
This variance does not negatively impact the ability of others in the neighborhood to enjoy their own property and does not pose a life and safety risk.

In order to comply with impervious cover requirements, the owner's will be removing a paver walkway and the sports court located on the rear of the lot.

We ask that you kindly consider the owner's request for a variance to fix and add length to the existing pool. Please contact me directly if you have any questions (818) 309-9687, via email at Jennifer@PermitATX.com.

Sincerely,

Jennifer Smith
Permit Solutions LLC



LEGAL DESCRIPTION:
Being 0.411 acre of land, more or less, out of Lot 18, Dellana Hills Section 2, a Subdivision recorded in Vol. 8, Pg. 165 of the Plat Records of Travis County, Texas; said 0.411 acre being that same tract of land described in the General Warranty Deed with Vendor's Lien to James Forrest Bass and Courtney Bass in Doc.# 2016158442 of the Official Public Records of Travis County, Texas.

Images – Site Exhibits

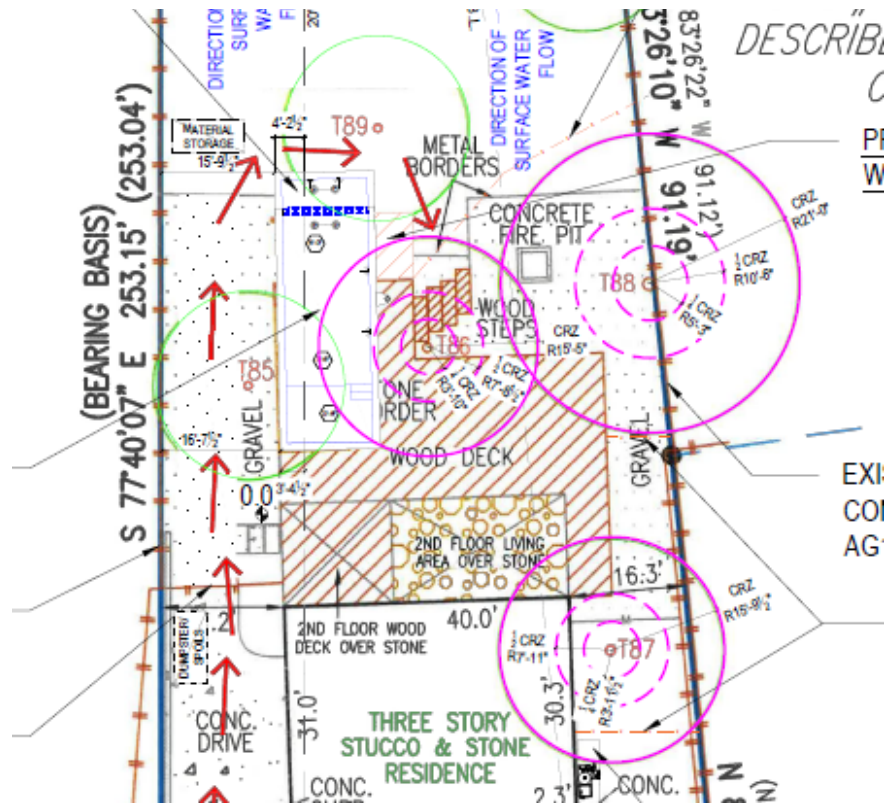


Figure 1 - Close up of pool encroachment and location of protected trees in proximity of proposed pool – Protected trees are highlighted in pink – T86 15.4" Elm, T88 21.0" Hackberry, T87 15.8 " Elm



Figure 2- Existing Deck Elevation - Deck is 22 inches from grade on the point closest to the ground, 28 inches from grade on the tallest point.

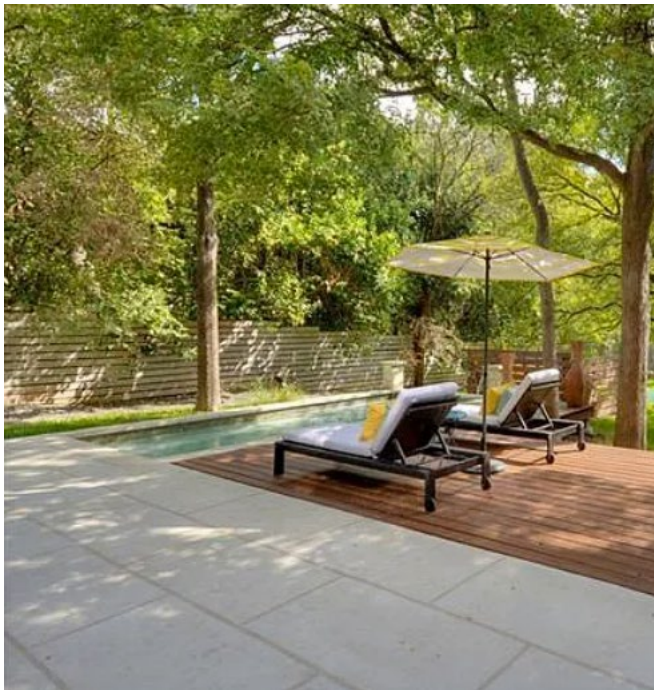


Figure 3 - Image of existing pool and deck.



Figure 4 - image of existing pool, deck, and trees. Tree to the left of the pool T85 13.2" Elm, Tree to the right of the pool T86 15.4" Elm – Tree near fence on the right T88 21" Hackberry.

SITE PLAN NOTES

1.

PLANS TO COMPLY WITH ALL CITY OF WEST LAKE HILLS ADOPTED CODES AS AMENDED:

1.1.

2015 INTERNATIONAL BUILDING CODE

1.2.

2015 INTERNATIONAL RESIDENTIAL CODE FOR ONE- AND TWO-FAMILY DWELLINGS

1.3.

2015 INTERNATIONAL ENERGY CONSERVATION CODE

1.4.

2015 INTERNATIONAL MECHANICAL CODE

1.5.

2015 INTERNATIONAL FIRE CODE (AS AMENDED BY TRAVIS COUNTY EMERGENCY SERVICE DISTRICT NO. 6)

1.6.

2015 INTERNATIONAL GAS CODE

1.7.

2015 NATIONAL ELECTRIC CODE

1.8.

2015 UNIFORM PLUMBING CODE (OR AS ADOPTED BY THE SERVICE PROVIDER)

1.9.

2015 INTERNATIONAL EXISTING BUILDING CODE

1.10.

2015 INTERNATIONAL PROPERTY MAINTENANCE CODE

2.

DRAINAGE WILL NOT ADVERSELY IMPACT ADJOINING LOTS AND DRAINAGE EXITING THE LOT ONTO AN ABUTTING PROPERTY WILL BE DIRECTED TO A COMMON PROPERTY.

3.

SPOILS FROM EXCAVATION IMMEDIATELY HAULED AWAY, SUBCONTRACTORS TO HAUL AWAY DEBRIS DAILY - NO DUMPSTER ON SITE NEEDED.

4.

SITE WILL BE VACANT OF WORKERS VAST MAJORITY OF DAYS - NO TOILET NEEDED.

5.

PROTECTED TREES INDICATED ON SITE PLAN.

6.

MATERIALS TO BE ON SITE READY FOR BACKFILL. SUPPLY SAND, PEA GRAVEL OR OTHER SOFT BACKFILL MATERIAL FOR THE PLUMBING TRENCH BY THE POOL SHELL INSPECTION. NO ROCKS OR DEBRIS IS PERMITTED BY 2015 PLUMBING CODE (IPC) SECTION 306 TO BE APPROVED BACKFILL MATERIAL. THE TRENCH MUST BE FREE OF DISCARDED MATERIAL AND LARGE SHARP ROCKS.

7.

A PASSED POOL BARRIER INSPECTION IS REQUIRED PRIOR TO FILLING THE POOL

8.

A PASSED LAYOUT INSPECTION IS REQUIRED PRIOR TO EXCAVATING THE POOL.

9.

DRAINAGE WILL NOT ADVERSELY AFFECT NEIGHBORING PROPERTIES; WILL BE CARRIED OUT A COMMON CORNER BEFORE EXITING LOT.

10.

EQUIPMENT TRENCH TO BE 21" DEEP BY 42" WIDE.

11.

CODE APPROVED DOOR AND WINDOW ALARMS TO BE INSTALLED WHERE POOL IS ACCESSIBLE.

12.

NO PRUNING WILL BE REQUIRED.

13.

ALL ELECTRICAL WORK SHALL BE IN ACCORDANCE WITH 2014 NEC. GUARD RAILING AND ANY METAL WITHIN 5'-0" OF WATER'S EDGE TO BE BONDED.

14.

POOL EQUIPMENT AND A/C UNITS TO BE SCREENED WITH WOOD OR MASONRY FENCING ONE FOOT HIGHER THAN TOP OF THE EQUIPMENT. SCREENING MUST HAVE AN OPENING THAT IS GATED WITH SAME OR COMPLIMENTARY MATERIAL OF SCREENING

15.

POOL EQUIPMENT TO HAVE MIN. 36" CLEARANCE IN FRONT OF ELECTRICAL PANEL.
16.

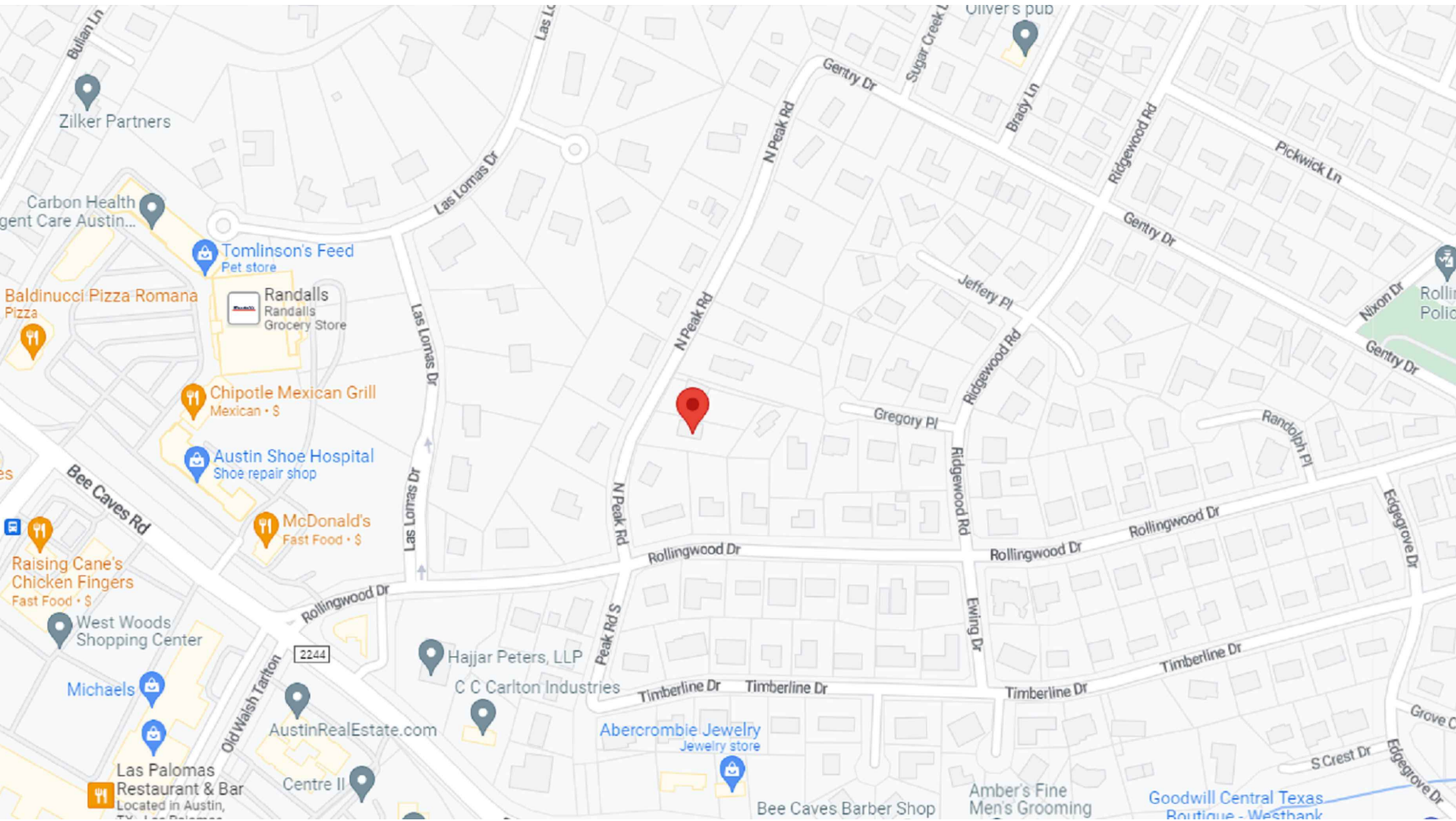
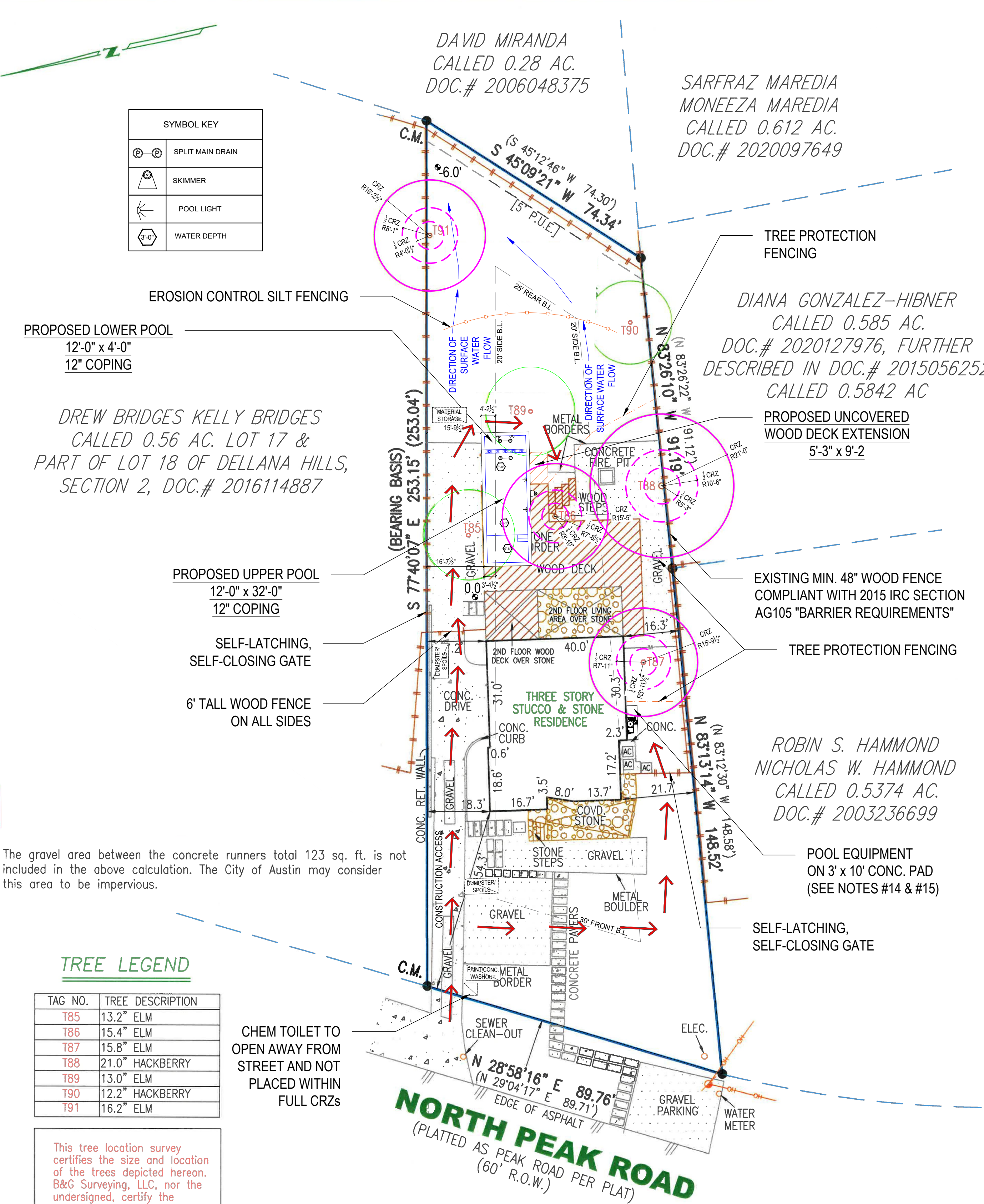
OUTDOOR SWIMMING POOL SHALL BE SURROUNDED BY A BARRIER THAT COMPLIES WITH SECTIONS 305.2.1 THROUGH 305.7 IN THE 2015 INTERNATIONAL SWIMMING POOL AND SPA CODE.
17.

FOR OPERABLE WINDOWS (WITH A SILL HEIGHT OF LESS THAN 48" ABOVE THE INDOOR FINISHED FLOOR) AND DOORS THAT PROVIDE DIRECT ACCESS TO THE POOL, PROVIDE AN ALARM THAT PRODUCES AN AUDIBLE WARNING.
- 17.1.

ALARM SHALL BE LISTED AND LABELED AS A WATER HAZARD ENTRANCE ALARM IN ACCORDANCE WITH UL 2017.

Area Description	Existing Sq Ft	New/Added Sq Ft	Total Sq Ft
House	1902.00	0.00	1902.00
2nd floor	0.00	0.00	0.00
3rd floor	0.00	0.00	0.00
Basement	0.00	0.00	0.00
Covered parking	0.00	0.00	0.00
Covered deck	0.00	0.00	0.00
Covered porch	0.00	0.00	0.00
Covered patio	792.00	0.00	792.00
Balcony	0.00	0.00	0.00
Other roofed areas	0.00	0.00	0.00
Total Building Area	2694.00	0.00	2694.00
Total Building Coverage	2694.00	0.00	2694.00
Driveway	1011.00	0.00	1011.00
Sidewalks	0.00	0.00	0.00
Uncovered patio	320.00	-320.00	0.00
Uncovered deck	529.50	-42.50	487.00
Other flatwork (pool coping, retaining walls, etc.)	810.00	-103.00	707.00
Pool (surface area)	148.00	284.00	432.00
Spa (surface area)	0.00	0.00	0.00
Total Impervious Coverage	5512.50	-181.50	5331.00

Lot size	17887.00	
Existing Building Coverage %	15.06%	
Total Building Coverage %	15.06%	
Existing Impervious Coverage %	30.82%	
Total Impervious Coverage %	29.80%	



2

Site Location Map

SCALE: N.T.S. SHEET: 36" x 24"

1

Proposed Site Plan

SCALE: 1" = 20'-0" SHEET: 36" x 24"

On Demand Drafting, LLC

512-662-8924

ondemanddrafting.com

02/14/2023

06/09/2023

06/12/2023

07/27/2023

07/28/2023

10/05/2023

Issue for Review

Revision #5

Revision #6

Revision #7

Revision #8

Revision #9

1

2

3

4

5

6

7

Mark

Date

Description

PROPOSED TREE PROTECTION PLAN

5 NORTH PEAK ROAD
WEST LAKE HILLS, TX 78746

SHEETNUMBER

A0.2

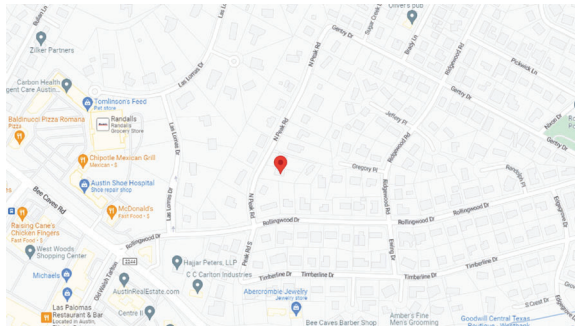
Attachment 4

SITE PLAN NOTES

- PLANS TO COMPLY WITH ALL CITY OF WEST LAKE HILLS ADOPTED CODES AS AMENDED:
 - 2015 INTERNATIONAL BUILDING CODE
 - 2015 INTERNATIONAL RESIDENTIAL CODE FOR ONE- AND TWO-FAMILY DWELLINGS
 - 2015 INTERNATIONAL ENERGY CONSERVATION CODE
 - 2015 INTERNATIONAL MECHANICAL CODE
 - 2015 INTERNATIONAL FIRE CODE (AS AMENDED BY TRAVIS COUNTY EMERGENCY SERVICE DISTRICT NO. 6)
 - 2015 INTERNATIONAL GAS CODE
 - 2015 NATIONAL ELECTRIC CODE
 - 2015 UNIFORM PLUMBING CODE (OR AS ADOPTED BY THE SERVICE PROVIDER)
 - 2015 INTERNATIONAL EXISTING BUILDING CODE
 - 2015 INTERNATIONAL PROPERTY MAINTENANCE CODE
- DRAINAGE WILL NOT ADVERSELY IMPACT ADJOINING LOTS AND DRAINAGE EXITING THE LOT ONTO AN ADJUTING PROPERTY WILL BE DIRECTED TO A COMMON PROPERTY.
- SPOILS FROM EXCAVATION IMMEDIATELY HAULED AWAY. SUBCONTRACTORS TO HAUL AWAY DEBRIS DAILY - NO DUMPSTER ON SITE NEEDED.
- SITE WILL BE VACANT OF WORKERS VAST MAJORITY OF DAYS - NO TOILET NEEDED.
- PROTECTED TREES INDICATED ON SITE PLAN.
- MATERIALS TO BE ON SITE READY FOR BACKFILL. SUPPLY SAND, PEA GRAVEL OR OTHER SOFT BACKFILL MATERIAL FOR THE PLUMBING TRENCH BY THE POOL. SHELL INSPECTION. NO ROCKS OR DEBRIS IS PERMITTED BY 2015 PLUMBING CODE (IPC) SECTION 305 TO BE APPROVED BACKFILL MATERIAL. THE TRENCH MUST BE FREE OF DISCARDED MATERIAL AND LARGE SHARP ROCKS.
- A PASSED POOL BARRIER INSPECTION IS REQUIRED PRIOR TO FILLING THE POOL.
- A PASSED LAYOUT INSPECTION IS REQUIRED PRIOR TO EXCAVATING THE POOL.
- DRAINAGE WILL NOT ADVERSELY AFFECT NEIGHBORING PROPERTIES; WILL BE CARRIED OUT A COMMON CORNER BEFORE EXITING LOT.
- EQUIPMENT TRENCH TO BE 21" DEEP BY 42" WIDE.
- CODE APPROVED DOOR AND WINDOW ALARMS TO BE INSTALLED WHERE POOL IS ACCESSIBLE.
- NO PRUNING WILL BE REQUIRED.
- ALL ELECTRICAL WORK SHALL BE IN ACCORDANCE WITH 2014 NEC. GUARD RAILING AND ANY METAL WITHIN 5'-0" OF WATER'S EDGE TO BE BONDED.
- POOL EQUIPMENT AND A/C UNITS TO BE SCREENED WITH WOOD OR MASONRY FENCING ONE FOOT HIGHER THAN TOP OF THE EQUIPMENT. SCREENING MUST HAVE AN OPENING THAT IS GATED WITH SAME OR COMPLIMENTARY MATERIAL OF SCREENING

- POOL EQUIPMENT TO HAVE MIN. 36" CLEARANCE IN FRONT OF ELECTRICAL PANEL.
- OUTDOOR SWIMMING POOL SHALL BE SURROUNDED BY A BARRIER THAT COMPLIES WITH SECTIONS 305.2.1 THROUGH 305.7 IN THE 2015 INTERNATIONAL SWIMMING POOL AND SPA CODE.
- FOR OPERABLE WINDOWS (WITH A SILL HEIGHT OF LESS THAN 48" ABOVE THE INDOOR FINISHED FLOOR) AND DOORS THAT PROVIDE DIRECT ACCESS TO THE POOL, PROVIDE AN ALARM THAT PRODUCES AN AUDIBLE WARNING.
- ALARM SHALL BE LISTED AND LABELED AS A WATER HAZARD ENTRANCE ALARM IN ACCORDANCE WITH UL 2017.

Area Description	Existing Sq Ft	New/Added Sq Ft	Total Sq Ft
House	1902.00	0.00	1902.00
2nd floor	0.00	0.00	0.00
3rd floor	0.00	0.00	0.00
Basement	0.00	0.00	0.00
Covered parking	0.00	0.00	0.00
Covered deck	0.00	0.00	0.00
Covered porch	0.00	0.00	0.00
Covered patio	792.00	0.00	792.00
Balcony	0.00	0.00	0.00
Other roofed areas	0.00	0.00	0.00
Total Building Area	2694.00	0.00	2694.00
Total Building Coverage	2694.00	0.00	2694.00
Driveway	1011.00	0.00	1011.00
Sidewalks	0.00	0.00	0.00
Uncovered patio	320.00	-320.00	0.00
Uncovered deck	530.00	23.50	553.50
Other flatwork (pool coping, retaining walls, etc.)	810.00	57.00	867.00
Pool (surface area)	148.00	284.00	432.00
Spa (surface area)	0.00	0.00	0.00
Total Impervious Coverage	5513.00	44.50	5557.50
Lot size	17887.00		
Existing Building Coverage %	15.06%		
Total Building Coverage %	15.06%		
Existing Impervious Coverage %	30.82%		
Total Impervious Coverage %	31.07%		

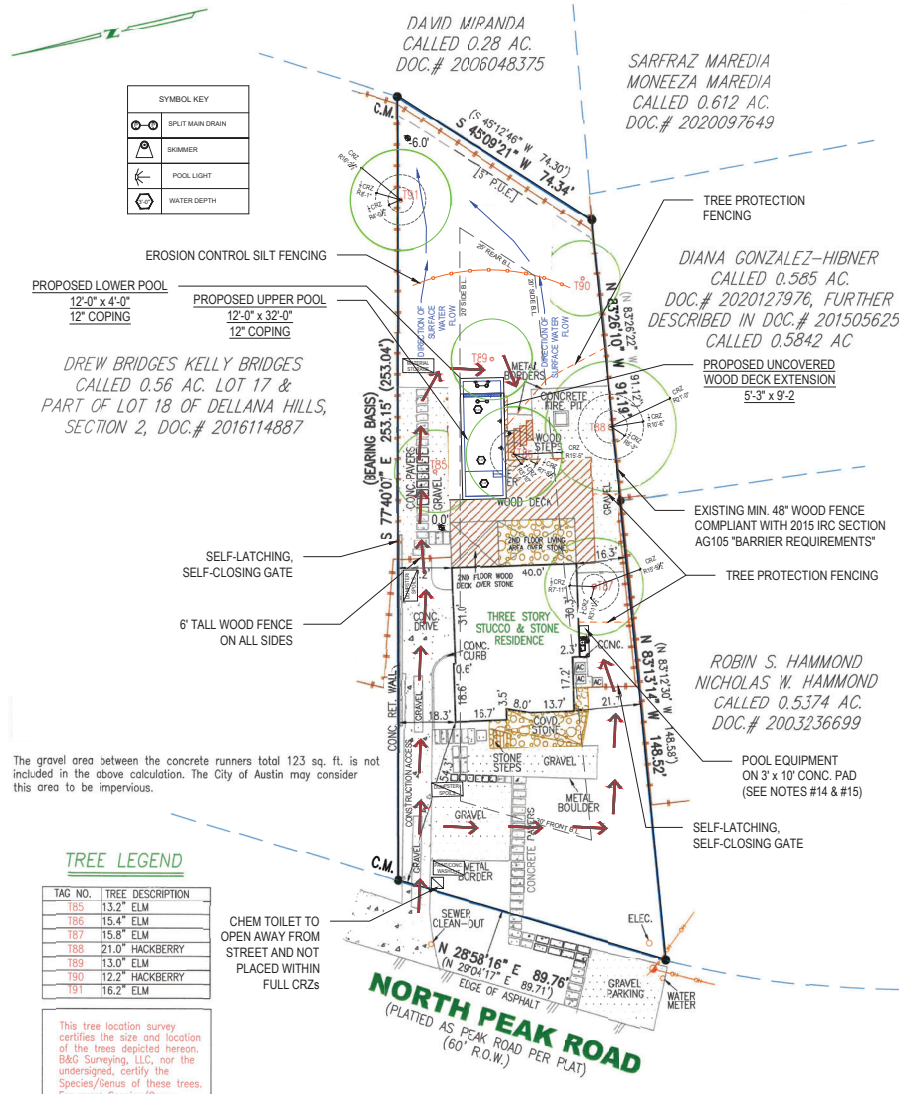


2 Site Location Map
SCALE: N.T.S. SHEET: 36" x 24"

LEGEND
1/2" REBAR FOUND
1/2" CAPPED REBAR SET
1/2" IRON PIPE FOUND
600 NAIL FOUND
600 NAIL SET
CAPPED REBAR FOUND
"X" SET IN CONCRETE
"X" FOUND IN CONCRETE
COTTON SPINDLE FOUND
PUNCH HOLE FOUND
BREAK IN SCALE
WOOD FENCE
METAL FENCE
B.L.
P.U.E.
D.E.
[]
[]
[]
C.M.
R.O.W.
OH
OH
P.E.

TREE LEGEND	
TAG NO.	TREE DESCRIPTION
185	13.2' ELM
186	15.4' ELM
187	15.8' ELM
188	21.0' HACKBERRY
189	13.0' ELM
190	12.2' HACKBERRY
191	16.2' ELM

This tree location survey certifies the size and location of the trees depicted hereon. B&G Surveying, LLC, nor the undersigned, certify the Species/Genus of these trees. For exact Species/Genus contact a Certified Arborist.



LEGAL DESCRIPTION:
Being 0.411 acre of land, more or less, out of Lot 18, Dellana Hills Section 2, a Subdivision recorded in Vol. 8, Pg. 165 of the Plat Records of Travis County, Texas; said 0.411 acre being that same tract of land described in the General Warranty Deed with Vendor's Lien to James Forrest Bass and Courtney Bass in Doc.# 2016158442 of the Official Public Records of Travis County, Texas.

1 Proposed Site Plan
SCALE: 1" = 20'-0" SHEET: 36" x 24"

On Demand Drafting, LLC
512-662-8824
ondemanddrafting.com

ISSUE FOR REVIEW	REVISION #4	REVISION #5	REVISION #6	REVISION #7	Date
1	2	3	4	5	
					Description
					Mark

PROPOSED TREE PROTECTION PLAN

5 NORTH PEAK ROAD
WEST LAKE HILLS, TX 78746

SHEETNUMBER
A0.2











Attachment 6

Drew and Kelly Bridges
7 N. Peak Road
West Lake Hills, TX 78746

City of West Lake Hills
Board of Adjustments
911 Westlake Drive
West Lake Hills, TX 78746

August 2nd, 2023

Dear ZAPCO Chairperson,

We are the adjacent neighbors that share the northern fence line with the Bass family at 5 N Peak Road. We understand that their current pool is currently within the side yard setback and this encroachment was approved by a variance on the previous owner's behalf. We have also reviewed their proposed drawings and are aware they are requesting to expand their pool laterally within this setback.

Please let this letter serve as our approval to allow this variance to move forward. The existing pool is already within the setback and is a non-issue for us.

Thank you for your consideration.



Drew Bridges



Date Received: _____	Received By: _____
Amount Due \$ _____	Date Payment Received: _____
Admin Complete Date: _____	Permit No: _____

All applications and supporting documents should be submitted electronically to
<https://www.mgoconnect.org/cp/portal>

APPLICANT & PROPERTY INFORMATION

The agent is the official contact person for this project and the single point of contact. All correspondence and communication will be conducted with the agent. If no agent is listed, the owner will be considered the agent.

Property Owner: James Bass Forrest Phone: 512-632-4472
Email: fbass1975@gmail.com

Address: 5 N Peak Road City: West Lake Hills State: TX Zip: 78746

Agent*: Permit Solutions LLC (Jennifer Smith) Phone: 818-309-9687

Email: jennifer@permitsolutionstx.com

Address: 2121 Lohmans Crossing 504-634 City: Austin State: TX Zip: 78734

Property Address: 5 N Peak Road City: West Lake Hills State: TX Zip: 78746

Property Information

Subdivision Name: Dellana Hills

Block: _____ **Lot:** 18 **TCAD Tax Parcel ID:** 0109110407

Current Zoning Classification: R-1 **Total Lot Size (Acres):** .411 ac

**Please submit Power of Attorney form designating authorized agent.*

PROJECT INFORMATION

Please list all variances being applied for with this project and include Code Section references: (Please be detailed-for tree variances, must include tree #, size, species; setback variances-which setback and how far is requested encroachment; for height specify how much height being requested; etc.)

1. Variance is being requested to increase length of existing pool, the pool was constructed
by the previous owner on the interior side yard. Therefore the addition of the pool would continue to encroach on the side yard.

2. _____



VARIANCE APPLICATION

3. _____
4. _____
5. _____
6. _____

CONDITIONS REQUIRED FOR GRANTING A VARIANCE (SECTION 38.05.32):

No variance shall be granted unless the following conditions are fulfilled as provided by the applicant's statements:

1. The strict or literal enforcement of the terms of this chapter, because of special conditions, will result in unnecessary hardship to the applicant. Describe in detail any special conditions you believe will result in unnecessary hardship to you if the terms of this ordinance are strictly or literally enforced.
see attachment
2. There will not be unreasonable disruption of the natural terrain or unreasonable destruction of existing flora. Why do you think the natural terrain and existing flora will not be unreasonably disrupted or destroyed if the variance you are requesting is granted?
see attachment
3. There is no reasonable alternative to the requisite variance that will alleviate the difficulty or hardship complained of. What other alternatives have you considered? Why won't those other options alleviate



VARIANCE APPLICATION

the difficulty or hardship that you think exists?

See attachment

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

See attachment

5. The variance may violate the intent of this chapter or the goals of the city's comprehensive plan. Why do you believe your variance does not violate the intent of the Zoning Ordinance or the goals of the City's Comprehensive Plan?

See attachment

6. The variance may have an adverse effect on neighborhood properties or interfere with the respective owners' enjoyment thereof. Why do you believe your variance will not adversely affect or interfere with the enjoyment of neighboring properties?

See attachment

AUTHORIZATION & ACKNOWLEDGEMENT

The above information is true to the best of my knowledge. I attest that the real property described is owned by me and all others as signed below. If the below is signed by the authorized agent of said property, the signature of the property owner must be included below or consent must be attached (Power of Attorney Form).

Signature

Jennifer Smith

Date

10/6/23

Printed Name

Jennifer Smith



VARIANCE APPLICATION

APPLICATION CHECKLIST

Variance Application Checklist

- ☒ Completed, signed application
- ☐ Power of Attorney form, if applicable
- ☒ Proof of ownership of subject property
- ☒ Completed Variance Hardship Questionnaire
- ☒ Letter addressed to ZAPCO Chairperson explaining reason for the request
- ☒ Property survey
- ☒ Proposed site plan with building setbacks clearly labeled
- ☐ Building elevations, if applicable
- ☒ Tree and topo survey, if applicable
- ☒ Preliminary plans for proposed project (pool plans, building plans, fence design, etc.)
- ☒ Photos of property showing existing conditions (for tree variances, include photos of proposed variance trees)
- ☒ Letters/emails of support from neighbors, if able to obtain
- ☒ Payment of application fees (*refer to Appendix A: Fee Schedule in the Code of Ordinances for current fees. Fees are due upfront with application.*)
- ☒ Other relevant information, as determined necessary by staff (for example, if variance is for cut/fill/retaining wall, you may be requested to provide a drainage report)

Variance Process and Information

- City staff will prepare public notification letters and will provide you a public notice sign to place on the property. You will be notified when the public notice sign is available to be picked-up.
- If you want to see example variance applications, please see the Agenda page on the City website at <https://www.westlakehills.org/> to view the latest ZAPCO, Council and BOA packets.
- All variance applications are first considered by the Zoning and Planning Commission (ZAPCO), which is an advisory commission only. Final action is then determined by either City Council or Board of Adjustment, depending on the type of variance being requested.
- Agenda packets are digital and posted on the website the Friday prior to the meeting by 5pm. Staff will send you a meeting reminder email after the agenda and packet are posted.
- **Applicants or a designated representative are required to attend/speak at each public hearing; otherwise you will risk postponement or denial for no-show. Applicants should keep remarks brief and the typical time allotment is 5 minutes for ZAPCO and 5 – 10 minutes for City Council/BOA.**
- Please note ZAPCO is an advisory commission only – final action must be taken by City Council or BOA, depending on the type of variance. If ZAPCO recommends denial, you can still move forward to City Council/BOA unless you decide to withdraw or postpone your variance request.
- If City Council/BOA denies your variance, you have to wait one year before you can reapply for the same variance.
- If approved by City Council/BOA, variances expire within one year of the approval date if a permit application has not been filed to perform the scope of work related to the variance.



VARIANCE APPLICATION

STAFF NOTES

For Completion by Staff Only

Date public notification letters mailed: _____

Date of ZAPCO Meeting: _____

ZAPCO Recommendation: _____

Date of City Council/BOA Meeting: _____

City Council/BOA

Action: _____

Notes:

Questions Required for Granting Variance (RESPONSES):

1. The existing pool has a leak and will need to be repaired. As part of the repair, the current owners would like to add to the pool. The pool was constructed by the previous owners in the interior side yard setback, then later permitted by variance. Since the pool is already encroaching in the setback the owners are forced to make the expansion in the existing location. They have explored alternative design options that include adding toward the interior of the lot, but there is a 21" Hackberry that they would like to preserve. Adding length to the pool is the least impactful option to preserve the tree.
2. The purpose of the variance is to preserve and avoid disruption of the existing terrain. The proposed location of the pool is the best to preserve the 21" Hackberry.
3. There is an existing pool at this location already. The existing pool encroaches in the interior side yard, this presents a hardship since adding to the pool will inevitably add to the existing interior side yard encroachment.
4. The variance will not be greater than the required to alleviate the difficulty or hardship since we are adding to the existing length of the pool. The lot narrows towards the rear of the lot, therefore the encroachment from the narrowest point is 4'-2 ½" from the setback. The total distance of the pool from the property line at the closest point is 15'-9 ½". The pool encroaches into the setback on the widest portion of the lot 3'-4 ½". The distance of the pool from the property line on the widest portion of the lot is 16'-7 ½".
5. The pool encroaching on the interior side yard does not decrease the quality of life or pose life and/or safety risks. The pool still maintains setbacks dictated by international pool and spa code.
6. A variance for the encroachment into the interior side yard has already been previously approved. The location of the existing pool has not caused any adverse impacts to neighboring lots. The pool is not visible from the street. In addition, the neighbor adjacent to the interior side yard has provided a letter of support for the variance application.

MINUTES OF BOARD OF ADJUSTMENT (BOA)
PUBLIC HEARINGS AND REGULAR MEETING
CITY OF WEST LAKE HILLS, TEXAS
Wednesday, September 9, 2009
7:00 P.M.

PRESENT: Chairman Dave Claunch, Vice-Chairperson Cindy Probst, BOA Members Davin Fillpot, Stan Graham, and Andrew Schwartz

ABSENT: BOA Member Spencer Stevens

Chairman Claunch announced that he would go ahead and convene the Council Meeting since we did not have a quorum of BOA Members yet. He said BOA Member Stevens would not be attending tonight and that Vice-Chairperson Probst would be arriving late.

1. Call to Order. Chairman Dave Claunch.

Chairman Claunch called the meeting to order at 7:20 p.m. A quorum of BOA Members was present.

2. **CONSENT AGENDA:** All of the following items on the Consent Agenda are considered to be self-explanatory by the Board and will be enacted with one motion. There will be no separate discussion of these items unless a BOA Member or citizen so request. For a citizen to request removal of an item, a speaker card must be filled out and submitted to the City Secretary.

a. Approve August 12, 2009 meeting minutes.

b. Land Use: Special Use Permit for the sale of on-premises alcoholic beverages at the Lion & Rose British Restaurant & Pub at 701 South Capital of Texas Highway, Building "M". Representative Don Reiter. (Section 94-126 through Section 94-130 of the West Lake Hills Code.)

1) Staff Briefing.

2) Presentation by Applicant.

3) Public Hearing: All persons wishing to speak for or against shall be heard.

4) Deliberation and Action.

a. BOA Member Schwartz made a few minor changes to the minutes.

VICE-CHAIRPERSON PROBST MADE A MOTION, SECONDED BY BOA MEMBER SCHWARTZ, TO APPROVE THE CONSENT ITEMS, NOTING CHANGES MADE BY BOA MEMBER SCHWARTZ TO THE MEETING MINUTES. MOTION PASSED BY UNANIMOUS (5-0) VOTE.

3. Land Use: Four variances for master bath addition/front porch remodel/carport enclosure project at 431 Ridgewood Road: 1) Variance to exceed 25% maximum impervious cover from 39% existing to 41%; 2) Variance to encroach 8'8" into the 30' rear setback for master bath addition; 3) Variance to encroach 10' into the 20' side setback for bathroom addition; and 4) Variance to enclose existing carport which encroaches 15'4" into the 20' side setback. Representative Robert Davis. (Section 14-295 of the West Lake Hills Code.)

a. Staff briefing.

b. Presentation by Applicant.

c. Public Hearing: All persons wishing to speak for or against shall be heard.

d. Deliberation and Action.

BOA MEETING MINUTES
SEPTEMBER 9, 2009
PAGE TWO

City Administrator Wood stated that ZAPCO recommended approval on variances 2, 3, and 4, but not on variance 1.

Robert Davis was present to answer questions. He said they are doing a master bath addition on the back of the project, are enclosing a carport on the front, and adding a new roof and roof structures. Regarding variances 3 and 4, he referenced the existing site plan, saying the house was built many years ago into the side setback. On variance 2, he said they are adding a master bath addition and need to go into the rear setback. A portion of the property is in Rollingwood on the back side and they want to extend that setback. They are not extending the height of the roof. The rear elevation will look practically the same as it does now. He said they have redrawn the site plan and then passed out the new drawings. They have to do driveway work, so the only difference from previous site plan is that they wish to rebuild the driveway with two striped sections with grassy area in between, so the impervious calculation will be less than what it is today.

Chairman Claunch opened the Public Hearing stating all persons wishing to speak for or against would be heard.

There being no one present to speak for or against, Chairman Claunch closed the Public Hearing and reconvened the Regular Meeting.

When BOA Member Fillpot asked the applicant if he had considered locating the bathroom on the side where the wood deck is in order to limit the amount of infringement on the rear setback and also did he look at moving the deck down to minimize the encroachment, Mr. Davis said he did look at that and the challenge is where the existing house is and the only rear exit to the home and would block only natural light, and would require moving the rear exit.

VICE-CHAIRPERSON PROBST MADE A MOTION, SECONDED BY BOA MEMBER SCHWARTZ, TO APPROVE VARIANCES 2, 3, AND 4, AND THAT VARIANCE 1 HAD BEEN WITHDRAWN BY THE APPLICANT. MOTION PASSED BY UNANIMOUS (5-0) VOTE.

4. Land Use: Variance to requirement that each dwelling shall not have more than one driveway entrance per lot at 1600 Flintridge Road. Applicant requests to re-establish a previous second driveway that was removed for construction of a garage. Applicant William C. Nemeth. (Section 14-204(e)(2) of the West Lake Hills Code.)

- a. Staff Briefing.
- b. Presentation by Applicant.
- c. Public Hearing: All persons wishing to speak for or against shall be heard.
- d. Deliberation and Action.

City Administrator Wood stated that this property at one time had a second driveway which was removed. He said ZAPCO recommended approval because they felt there was a sufficient safety issue.

William Nemeth was present to speak. Mr. Nemeth said he had been in the house for 15 years. The garage pushed them up to the limit of impervious cover; therefore, they will be removing the tennis court. The whole house has been made disability friendly with the remodel. He said they had one accident based on limited visibility. There is no turn-around at end of this road and they are the second house from the end.

BOA MEETING MINUTES
SEPTEMBER 9, 2009
PAGE THREE

Chairman Claunch opened the Public Hearing stating all persons wishing to speak for or against would be heard.

There being no one present to speak, Chairman Claunch closed the Public Hearing and reconvened the Regular Meeting.

BOA MEMBER SCHWARTZ MADE A MOTION, SECONDED BY VICE-CHAIRPERSON PROBST, TO APPROVE THE VARIANCE BASED UPON REMOVAL OF THE TENNIS COURT. MOTION PASSED BY UNANIMOUS (5-0) VOTE.

5. Land Use: Two variances for construction of a new residence at 5 North Peak Road: 1) Variance to encroach 8' into the 20' side setback; and 2) Variance to encroach 8' into the other 20' side setback. Applicants Mary Anne and Doran McMahon. (Section 14-295 of the West Lake Hills Code.)

a. Staff Briefing.

b. Presentation by Applicant.

c. Public Hearing: All persons wishing to speak for or against shall be heard.

d. Deliberation and Action.

City Administrator Wood stated that ZAPCO recommended approval of 10' encroachments on both sides due to configuration of the lot.

Doran McMahon was present to speak. He said the reason for the variance is due to the lot being platted before the existing guidelines. His house was built in the 1960's and the lot is .4 acres and is a narrow deep lot. Mr. McMahon said he looked at a number of different configurations on the lot. The circles on the site plan show the existing trees. Only one tree will be removed. He said he has met with City Inspector Shull and she is ok with the one tree coming down. This layout protects the most trees. The existing house is encroaching into the 10' setback on one side and 16' on the other.

Chairman Claunch opened the Public Hearing stating all persons wishing to speak for or against would be heard.

BOA Member Graham asked City Administrator Wood regarding the neighbor's letter of concern and asked if the A/C pads are part of the structure. City Administrator Wood said yes, and that he had misread ZAPCO's recommendation which was to approve less than 5' encroachments. When BOA Member Graham asked the applicant if they are going to move the A/C pads, Mr. McMahon said they can relocate the A/C pads so they are not in the setback.

When BOA Member Graham remarked that the plan shows a pool and garage, but no decking, was there any impervious cover issues, the applicant said no.

When Vice-Chairperson Probst asked regarding the existing shared driveway, Mr. McMahon said they will maintain the driveway to the back of the existing garage and at that point will move it over. He said they would not need a driveway setback encroachment.

When BOA Member Schwartz asked regarding the impervious cover, Mr. McMahon said they will do a ribbon driveway and will be under the allowed maximum impervious cover.

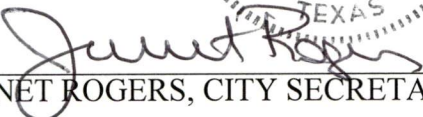
VICE-CHAIRPERSON PROBST MADE A MOTION, SECONDED BY BOA MEMBER GRAHAM, TO APPROVE TWO VARIANCES FOR 5' ENCROACHMENTS INTO BOTH SIDE SETBACKS. MOTION PASSED BY UNANIMOUS (5-0) VOTE.

BOA MEETING MINUTES
SEPTEMBER 9, 2009
PAGE FOUR

6. Adjournment. Chairman Dave Claunch.

Chairman Claunch adjourned the meeting at 7:48 p.m.

ATTEST:


JANET ROGERS, CITY SECRETARY




DAVE CLAUNCH, CHAIRMAN

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 Littrell

These minutes were approved on _____, 20__.