

CITY OF WEST LAKE HILLS, TEXAS
MINUTES OF A BOARD OF ADJUSTMENT (BOA) REGULAR MEETING
Wednesday, February 14, 2024 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
Jim O'Connor
Brian Plunkett
Beth South
Darin Walker

CITY STAFF PRESENT:

City Administrator Trey Fletcher
City Secretary Terry Blanchard
Director of BDS Jennifer Bills
Chief of Police Scott Gerdes
City Attorney Josh Brockman-Weber

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

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

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

- a. Approval of the January 10, 2024 Regular Meeting Minutes.

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

4. Ordinance 3421 Bee Cave Road- Discuss and consider action to approve Ordinance 157-2024-A for a Special Use Permit request to allow for a day care, preschool and summer camp on a property Zoned O - Professional and Business Office (West Lake Hills Code, Section 38.04.031). Applicant: Young Peoples Workshops Spanish Immersion Preschool.

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

Director Bills gave a brief summary. Staff and ZAPCO recommended denial.

Applicant Ramon Aguirre gave a presentation to the Council.

Chair Anthony suspended the BOA meeting at 7:20 p.m.

Chair Anthony reconvened the BOA meeting at 7:21 p.m.

Christy Black with Primrose spoke in opposition to this item. She stated that although this is a fantastic idea, she feels that she must advocate for her customers regarding the potential traffic congestion issues that will result from approving this additional school. One other written statement of opposition was received from Jordan Owens. With no further comments, the public hearing was closed.

The City Council discussed their concerns with this request. Traffic congestion was a major concern. The idea for a preschool was favorable, but the lot size was too small (and would require too many variances) to make it feasible. A comment received from Council was "right project, wrong site."

MOTION: Upon a motion made by Board Member Walker and a second by Board Member O'Connor, the Board voted five (5) for and none (0) opposed to deny the Special Use Permit request. Motion carried.

5. Land Use 3421 Bee Cave Road- Discuss and consider action on variance requests from the West Lake Hills Code:
- a. Section 22.03.249(b)(2) - Driveway, parking and loading area setback, 30 foot minimum;
 - b. Section 22.03.281(b) - Schedule of regulations - Minimum side setback distance of 25 feet;
 - c. Section 22.03.241 - Schedule of minimum number of (parking) spaces - 50 spaces required;
 - d. Section 22.03.281 IX - Exceeding the Impervious Cover maximum for O - Office zoning of 38% with incentive bonuses; and
 - e. Section 22.03.251(d) - Screening, trees and landscaping - 25-foot buffer along Bee Cave and 25% of the lot remaining in its natural state.

Applicant: Ramon Aguirre, Director of Operations for Clear Terra Group.

Director Bills gave a brief summary. Staff and ZAPCO recommend denial.

MOTION: Upon a motion made by Board Member Walker and a second by Board Member Plunkett, the Board voted five (5) for and none (0) opposed to deny the variances that are requested for each of the sections that are listed (a through e) as they pertain to a general lack of hardship and the adverse impact on neighboring properties that the granting of these variances would entail. Motion carried.

Chair Anthony suspended the meeting at 7:35 p.m.

Chair Anthony reconvened the meeting at 7:37 p.m.

6. Land Use 205 West Spring Drive - Discuss and consider action on a variance request to encroach up to 8.25 feet into the required 15-foot side setback for the addition to an existing one-story non-conforming residential structure (Section 22.03.275 and 22.03.281 of the West Lake Hills Code). Applicant: William McAshan, property owner.

Director Bills gave a brief summary. Staff and ZAPCO recommend approval.

Will McAshan gave a brief statement to the Council and was available to answer questions.

MOTION: Upon a motion made by Board Member Plunkett and a second by Board Member O'Connor, the Board voted five (5) for and none (0) opposed to approve the variance as requested given the hardship of the small lot, the issue of privacy with the neighbors, the minimal impact to the neighborhood, and the efforts to preserve a 27.5" tree on-site. Motion carried.

7. Adjournment

Chair Anthony adjourned the meeting at 7:46p.m.

Respectfully submitted,



LINDA ANTHONY, CHAIR

ATTEST:



Terry Blanchard, TRMC City Secretary

These minutes were approved on March 13, 2024.

