

CITY OF WEST LAKE HILLS, TEXAS
MINUTES OF A BOARD OF ADJUSTMENT (BOA) REGULAR MEETING
Wednesday, May 8, 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
Gordon Bowman
Jim O'Connor
Brian Plunkett
Beth South
Darin Walker

CITY STAFF PRESENT:

City Administrator Trey Fletcher (remote)
City Secretary Terry Blanchard
Director of BDS Jennifer Bills
Lieutenant Robert Mills
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 April 10, 2024 Regular Meeting Minutes.

MOTION: Upon a motion made by Board Member Plunkett and a second by Board Member O'Connor, the Board voted six (6) for and none (0) opposed to approve the Consent Agenda as presented. Motion carried.

4. Ordinance 3638 Bee Cave Road - Discuss and consider action to approve Ordinance 157-2024-B for a Special Use Permit request to allow the sale of beer and wine beverages in a restaurant for on-premise and off-premise consumption on a property Zoned B-2 Business 2 District (West Lake Hills Code, Section 38.04.031). Applicant: Austin's Pizza Westlake.

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

Public hearing was opened at 7:03 p.m. Director Bills gave a brief summary. Eddy Patterson, owner of Austin's Pizza, provided information to the Council regarding the restaurant's history and compliance with license/permits. Hearing no further comments, the public hearing was closed at 7:08 p.m.

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

5. Land Use 803 Rock Creek Drive - Discuss and consider action on a variance to allow grading in the setback greater than 18 inches (Section 22.03.170 of the West Lake Hills Code). Applicant: Eric Krause, Property Owner.

Director Bills gave a brief summary. Eric Krause, property owner, spoke to Council about his efforts to prevent erosion over the past two years. If approved, he stated that plans include planting forty-two new trees as well as over one hundred various plants on the terraced areas to help alleviate the erosion and drainage issues.

MOTION: Upon a motion made by Board Member Walker and a second by Board Member Bowman, the Board voted six (6) for and none (0) opposed to approve the variance as requested. Motion carried.

6. Land Use 1511 Wildcat Hollow - Discuss and consider action on the proposed variances:
 - a. Increase impervious cover to 30% where 25% is the maximum (Section 22.03.281(b) of the West Lake Hills Code).
 - b. Allow for 30 feet encroachment of the building and grading into a 50-foot front setback (Section 22.03.281(b) of the West Lake Hills Code).

Applicant: Matt Sener, Michael Hsu Office of Architecture.

Director Bills gave a brief summary. Matt Sener, project manager for Michael Hsu Office of Architecture, stated that their intent is to minimize impact on the property and to maintain the view.

MOTION: Upon a motion made by Board Member Plunkett and a second by Board Member O'Connor, the Board voted six (6) for and none (0) opposed to approve the variances as requested. Motion carried.

7. Administration 402 Camp Craft Road - Discuss and consider action on an appeal of the permit expiration determination by the Building Official/City Inspector per Section 22.03.512, Appeals from denial of permits from city inspector.

Mayor Anthony stated that the original proposal was for a single-family home. Director Bills provided a summary of expiration requirements as listed in the Code of Ordinances of

the City of West Lake Hills. Council discussed the need to avoid dormant permits. Staff noted that bonds and some contractor information had expired and would need to be updated.

Ryan Pitylak, applicant, stated that the project was bigger than anticipated, but they are committed to bringing the property back to life. After experiencing unexpected issues in July 2023, they decided to place the project on hold. Applicant takes responsibility for pausing the project and not understanding the requirements. The original plans are intact, and he is asking for the reinstatement of the permits.

Mayor feels that the staff acted correctly in following the Code requirements but does not think it would be appropriate to charge the fees to the applicant again or cause further delays in the project.

MOTION: Upon a motion made by Board Member O'Connor and a second by Board Member Walker, the Board voted six (6) for and none (0) opposed to reinstate the permits contingent upon the submission of PE-stamped drawings attesting to the structural integrity of any of the buildings being remodeled, approved by staff with the drawings submitted to the City within thirty days of this meeting; time period for reinstated permits begins upon staff approval. Motion carried.

8. Adjournment

MOTION: Upon a motion made by Board Member Walker and a second by Board Member O'Connor, the Board voted six (6) for and none (0) opposed to adjourn the meeting at 7:55 p.m. Motion carried.

Respectfully submitted,



JAMES VAUGHAN, MAYOR

ATTEST:



Terry Blanchard, TRMC
City Secretary

These minutes were approved on June 12, 2024.

