



CITY OF WEST LAKE HILLS, TEXAS
NOTICE OF BOARD OF ADJUSTMENT (BOA) REGULAR MEETING
Wednesday, August 14, 2024 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 14th day of August 2024 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 at <https://us02web.zoom.us/j/3499549035>
Or 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 August 14, 2024.

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 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 July 10, 2024 Regular Meeting Minutes.
4. Land Use **703 Loma Linda Drive:** Discuss and consider action on a variance to encroach 8 feet into the 25-foot side setback (Section 22.03.275 and 22.03.281 of the West Lake Hills Code). Applicant: Steven Johnson, Property Owner.

5. Public Hearing 18 Nob Hill: Discuss and consider action on a Special Use Permit for a domestic employee quarters (Section 38.03.032 (c) of the West Lake Hills Code). Applicant: Lisa Vela, NextLevel Permits, LLC
6. Adjournment

Approved by: James Vaughan, Chair

Certificate

I certify that the above Notice of the August 14 2024 Board of Adjustment Regular Meeting was posted on the bulletin board at the Municipal Building, 911 Westlake Drive, West Lake Hills, Texas on Friday, August 9, 2024 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, July 10, 2024 at 7:00 PM

1. Call to Order

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

BOARD MEMBERS PRESENT:

Chair James Vaughan
Gordon Bowman
Dana Harmon
Beth South
Darin Walker

CITY STAFF PRESENT:

City Administrator Trey Fletcher
City Secretary Terry Blanchard
Finance Director Vonda Ragsdale
Director of BDS Jennifer Bills
Lieutenant Robert Mills
City Attorney Josh Brockman-Weber
Court Administrator Robert Martinez

Meeting was suspended at 7:01 p.m.

Meeting was reconvened at 7:19 p.m.

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 Vaughan 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 June 12, 2024 Regular Meeting Minutes.

MOTION: Upon a motion made by Board Member South and a second by Board Member Harmon, the Board voted five (5) for and none (0) opposed to approve the Consent Agenda as presented. Motion carried.

4. Land Use 103 Yaupon Valley Road - Discuss and consider action on the proposed variances:

1. Excavation, grading or filling greater than 18" in setbacks (Section 22.03.170(f) of the West Lake Hills Code); and

2. Closed cut of 11 feet for the house where maximum allowed is 10 feet (natural grade 25-35%) or 0 feet (natural grade >35%), and a closed fill of 3 feet where the maximum is 0 feet for the driveway (7.4.1 of the Drainage and Erosion Control Manual).

Applicants: Erica & Ashton Weinberger, Property Owner.

Director Bills gave a brief summary. Engineering and staff recommend approval. ZAPCO recommends denial. The following individuals provided comments:

- Ashton Weinberger (owner) - Purchased lot due to proximity to Eanes ISD. Hardship is due to topography. Working to address concerns about construction.
- Erica Weinberger (owner) - Addressed misconceptions regarding design. House fits on lot. Requested variances are a different scope than previous requests.
- Gabriel Mireles (engineer) - Gave update on drainage. A detention pond has been proposed as well.
- Cindy Brandemarte (808 Westlake Drive) - Read a prepared statement. Concerned that the house is too big for the lot.
- Deborah Stewart (100 Yaupon Valley Road) - Spoke about drainage concerns. Also, mentioned a problem with the septic system.
- Roxanne Yates (via Zoom) - Concerned with traffic.

MOTION: Upon a motion made by Board Member Bowman and a second by Board Member Walker, the Board voted five (5) for and none (0) opposed to approve the variances requested on the basis provided in the staff report with the additional conditions: (a) Install vegetative screening in front of the parking pad; (b) Construction parking be contained within the site; and (c) Vigorous enforcement of erosion and silt controls. Motion carried.

5. Land Use 304 Yaupon Valley Road - Discuss and consider action on a variance to the 30-foot front setback with an encroachment of up to 10 feet (Section 22.03.275 and 22.03.281 of the West Lake Hills Code). Applicant: James Bylander.

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

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

6. Land Use 1427 Redbud Trail - Discuss and consider action on a variance request for a 38-foot encroachment into a 50-foot front setback for a new carport (Section 22.03.275 and 22.03.281 of the West Lake Hills Code). Applicant: Stacy Paulson.

Director Bills gave a brief summary. ZAPCO and staff recommend denial due to lack of hardship.

MOTION: Upon a motion made by Board Member Walker and a second by Board Member South, the Board voted five (5) for and none (0) opposed to deny the variance request per staff recommendation. Motion carried.

7. Land Use **205 West Spring Drive** - Discuss and consider action on a variance request to encroach up to 10.25 feet into the required 15-foot side setback for the addition to an existing one-story non-conforming residential structure with a structure (8.25 feet) and eaves (2 feet). (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. ZAPCO recommends approval. Staff recommends denial.

Will McAshan (owner) stated that design consistency, along with architectural, privacy, and environmental aspects are their main focus. The tree will be replaced per Code.

MOTION: Upon a motion made by Board Member Bowman and a second by Board Member Harmon, the Board voted five (5) for and none (0) opposed to approve the variance request for the eaves and adopt findings from ZAPCO. Motion carried.

Meeting was suspended at 8:41 p.m. Meeting was reconvened at 8:45 p.m.

8. Administration Discuss and consider action on an appeal to the variance expiration determination of an administrative official per Section 38.02.008(2) Appeals to the Board of Adjustment for 912 Calithea Road.

Director Bills gave a brief summary. Owner's representative (Ross) spoke to the Board regarding the project's history. No changes have been made to the plans.

MOTION: Upon a motion made by Chair Vaughan and a second by Board Member Walker, the Board voted five (5) for and none (0) opposed to approve the appeal as there was no sufficient evidence that the variance had expired. Motion carried.

9. Adjournment

MOTION: Upon a motion made by Board Member Walker and a second by Board Member Harmon, the Board voted five (5) for and none (0) opposed to adjourn the meeting at 9:05 p.m. Motion carried.

Respectfully submitted,

JAMES VAUGHAN, CHAIR

ATTEST:

Terry Blanchard, TRMC
City Secretary

These minutes were approved on August 14, 2024.



City of West Lake Hills Board of Adjustment

AGENDA REPORT

Meeting Date:	August 14, 2024	Item Number:	4
	Building & Development		
Department:	Services		
Prepared By:	Jennifer C. Bills	Cost / Budget:	None
Exhibits:	See Attached	Source of Funds:	N/A

Subject

703 Loma Linda Dr.: Discuss and consider action on a variance to encroach 8 feet into the 25-foot side setback (Section 22.03.275 and 22.03.281 of the West Lake Hills Code).

Applicant: Steven Johnson, Property Owner

Recommendation

Staff recommend denial of the variance request based on the staff findings of fact in Exhibit B.

This item was considered by the Zoning & Planning Commission at their regular meeting on July 17, 2024 and recommended denial by a vote of 4-0 for lack of hardship (Attachment 4). The Commission suggests the City Council consider a future code amendment to consider allowing the placement of mechanical equipment in the setback.

Discussion

Property Information, Zoning & Site Characteristics:

Owner: Steven Derek Johnson & Kely Espinosa

Legal Description: Stonehedge Estates, Block N, Lot N

Lot Size: 0.76 acres

Zoning: R-1 One-Family Residential

Wastewater: Private on-site sewage facility (public sewer not available)

The properties surrounding the subject property are zoned R-1 One-Family Residential.

Background & Analysis:

The applicant is in the final inspection stage for the construction of a new residential house. During construction, the contractor placed the air conditioning units within the west side setback of the property (Attachment 1). Since the issue was discovered and the variance application submitted the contractor was able to relocate the necessary hookups to move the generator behind the structure outside of the setback areas. At this stage in the project, the relocation of the already-installed AC units would require re-routing of the electrical and HVAC connections to the rear of the property. This process will add time and cost but is not impossible. The site plan also shows stairs in the setbacks (Attachment 2), but unroofed steps are allowed in the setback per Section 22.03.276.

Other jurisdictions allow the location of air conditioning equipment into setbacks, hence the contractor's installation. Typical installation for air conditioning units has the units placed 8 feet from the face of the house. If ZAPCO and City Council do not see an adverse impact of allowing this type of encroachment, staff recommends a future code amendment to allow mechanical equipment attached to the building to encroach up to 8 feet into the setback with screening, by right.

Variance Criteria Review:

No variance shall be granted unless the following conditions are fulfilled:

1. The strict or literal enforcement of the terms of this chapter, because of special conditions, will result in unnecessary hardship to the applicant.
2. There will not be unreasonable disruption of the natural terrain or unreasonable destruction of existing flora.
3. There is no reasonable alternative to the requisite variance that will alleviate the difficulty or hardship complained of.
4. The variance will not be greater than the minimum required to alleviate the difficulty or hardship complained of.
5. The variance does not violate the intent of the Zoning Ordinance or goals of the Comprehensive Plan.
6. The variance will not adversely affect neighboring properties or interfere with the enjoyment of these properties by their owners.

The findings of fact as alleged by the applicant and city staff are attached in the following exhibits.

- Exhibit A - From the applicant
- Exhibit B - Staff's recommendation

Public Comments:

At the time of the report, no written comments have been received in favor or in opposition of the request.

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.

Subdivision

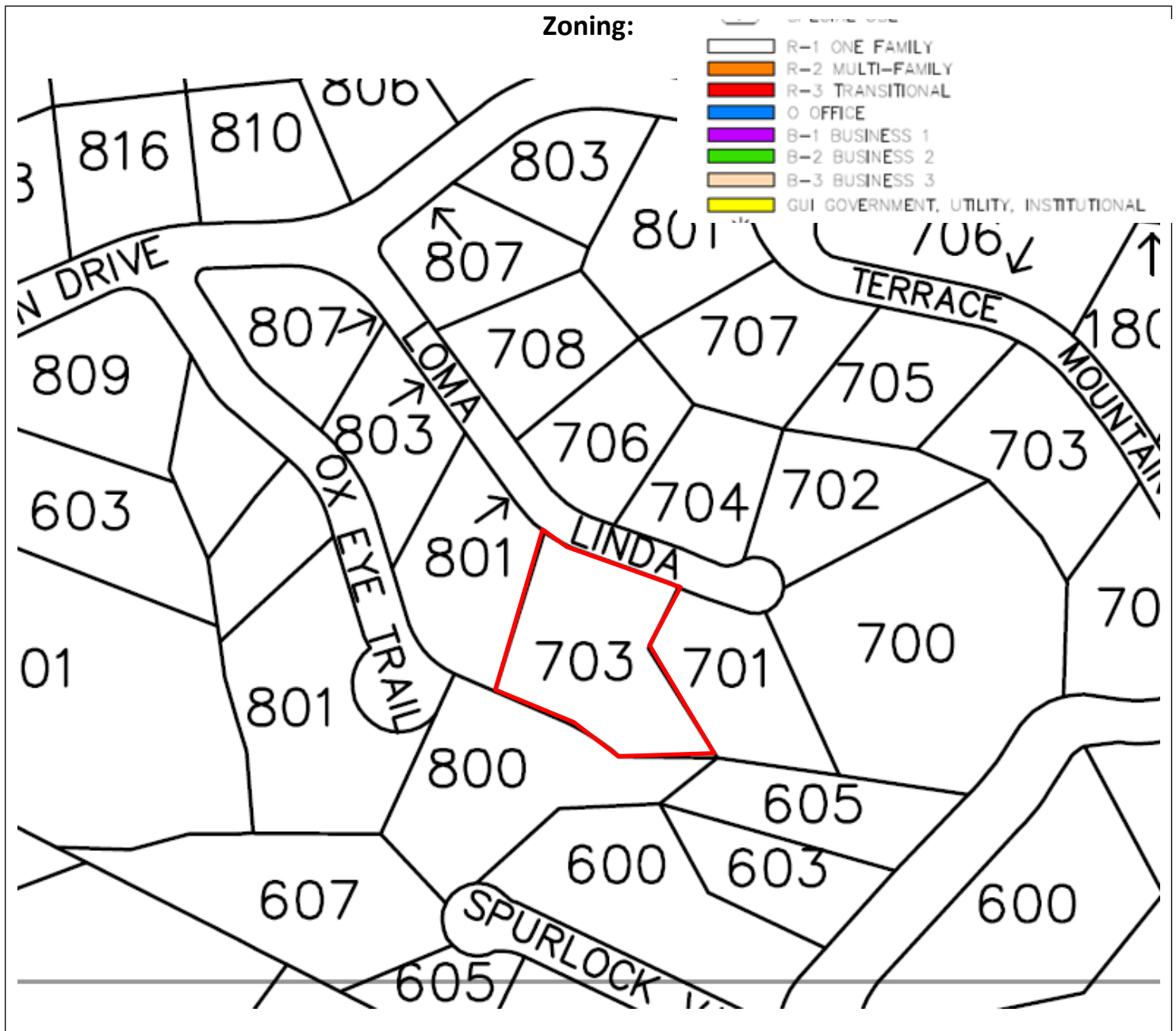
There is no change to the subdivision proposed with this application.

Comprehensive Planning Analysis

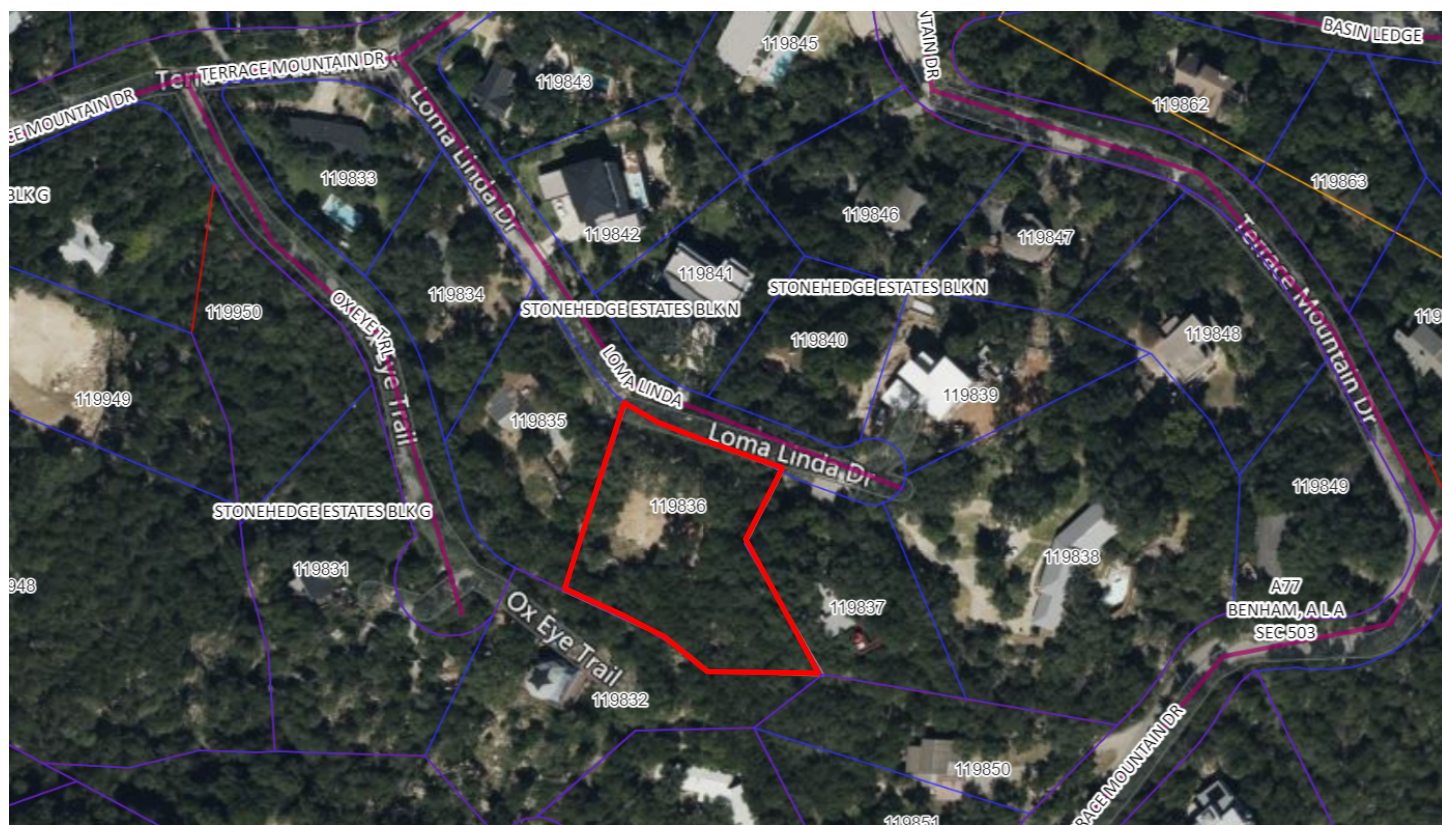
The existing and future land use is in conformance with the City of West Lake Hills Master Plan.

Links to Relevant Code:

- [Section 22.03.275 Building setback distances](#)
- [Section 22.03.281 Schedule of Regulations](#)
- [Section 38.05.031 Variances](#)
- [Section 22.03.514 Criteria and process required for granting a variance](#)



Aerial:



May 23, 2023

Mr. Meisel and ZAPCO Members,

I am writing to request a setback variance that has occurred as a result of an HVAC pad that was overlooked and not shown on my plans prior to the permitting of my house at 703 Loma Linda. In summary, this oversight was discovered last week as my builder was nearing completion of the house. From the attached plans, you will see the foundation of our house was sited directly on the right setback line and our architect missed including pads for our HVAC and generator. In addition, there is a short set of stairs to a side entry garage door that was on our plans, but looks to be one to two feet over the setback line. This extra width needed for these pads was overlooked during the design process.

This oversight was unintentional but now that the house is built and about finished, this is the only practical location, and it is needed on this side of the home due to the location of the electrical panel and propane tank.

These pads would only extend into the side setback by a small margin and there is extensive screening planned with ten replacement trees being planted along the property line screening these structures from our neighbor.

For these reasons, we are requesting a side setback variance to account for these missed items.

Many thanks for your service and understanding,

A handwritten signature in black ink, appearing to read "Steve Johnson", written in a cursive style.

Steven Derek Johnson

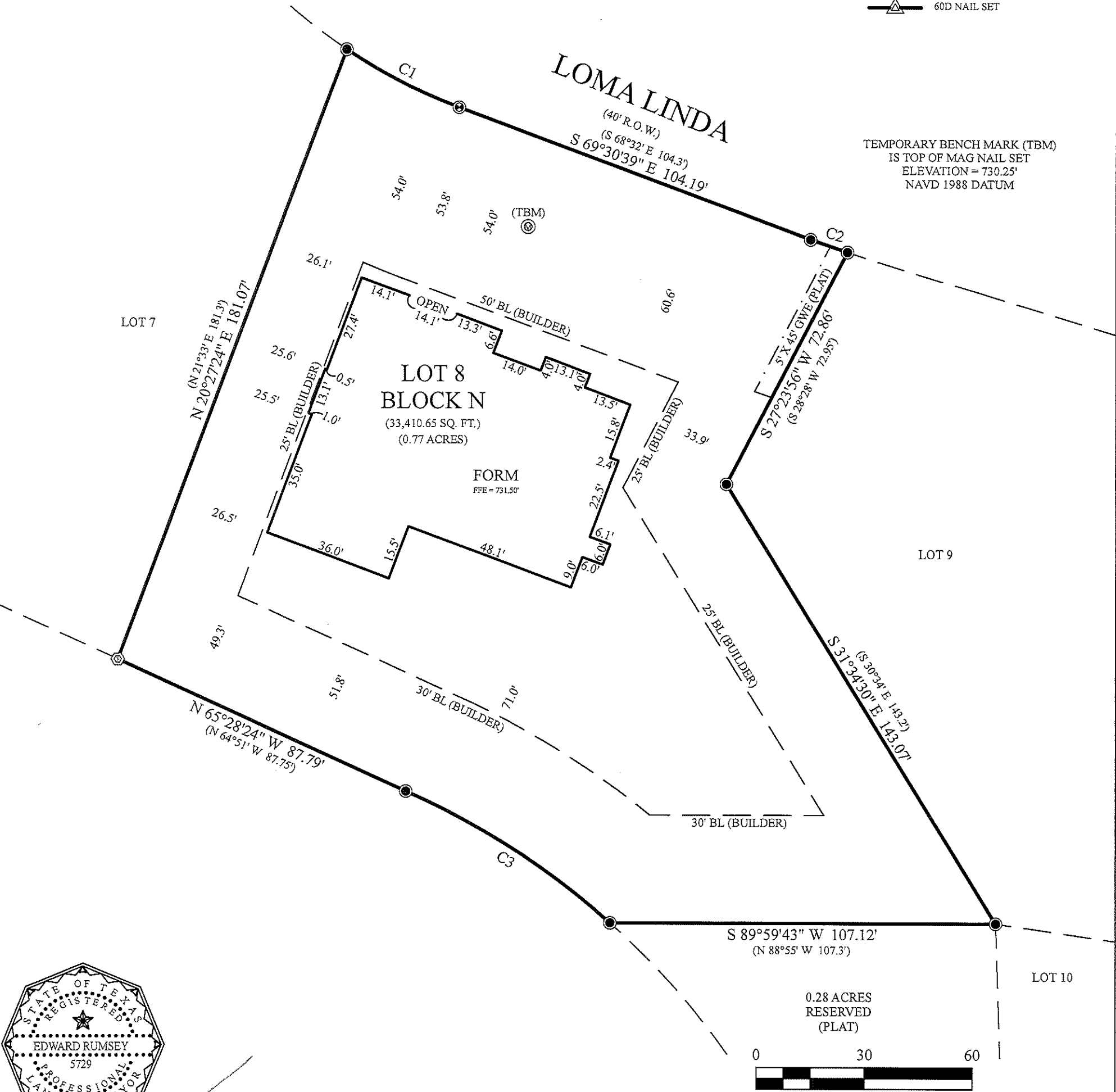
NOTICE
BEFORE DESIGN BEGINS ON THE SUBJECT PROPERTY
THE OWNER SHOULD CHECK THE LOCAL GOVERNING
AUTHORITIES ABOUT BUILDING SETBACKS AND OTHER
BUILDING REQUIREMENTS.

BEARING BASIS:
BEARINGS ARE GRID NORTH BASED ON THE TEXAS
COORDINATE SYSTEM CENTRAL TEXAS ZONE (4203)
NAD83 HARN HORIZONTAL CONTROL.

LEGEND

- 1/2" ROD FOUND
- CALCULATED POINT
- FENCE POST FOR CORNER
- GWE GUY WIRE ESMT
- () RECORD INFORMATION
- MAG NAIL SET
- 60D NAIL SET

TEMPORARY BENCH MARK (TBM)
IS TOP OF MAG NAIL SET
ELEVATION = 730.25'
NAVD 1988 DATUM



TO THE LIEN HOLDER AND / OR OWNERS OF THE PREMISES SURVEYED
I DO HEREBY CERTIFY THAT THIS SURVEY SUBSTANTIALLY COMPLIES
WITH THE CURRENT TEXAS SOCIETY OF PROFESSIONAL SURVEYORS
MANUAL OF PRACTICE REQUIREMENTS FOR A CATEGORY 1B, CONDITION 3,
STANDARD LAND SURVEY. THIS SURVEY WAS PERFORMED WITHOUT THE
BENEFIT OF AN ABSTRACT OF TITLE.

CURVE	RADIUS	CHORD LENGTH	CHORD BEARING	ARC LENGTH
C1	151.11'	35.09'	S 62°50'39" E	35.17'
(C1)	(151.11')	(35.08')	(S 61°52' E)	(35.13')
C2	802.58'	10.81'	S 71°24'21" E	10.81'
(C2)	(802.58')	(10.83')	(S 68°55' E)	(10.83')
C3	214.60'	67.44'	N 57°18'21" W	67.72'
(C3)	(214.60')	(67.55')	(N 55°48' W)	(67.83')

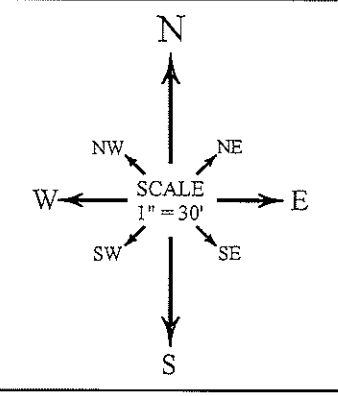
RESTRICTIONS

THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE COMMITMENT AND THIS SURVEYOR DID NOT RESEARCH THE DEED RECORDS FOR PREVIOUS CONFLICTS IN
TITLE, EASEMENTS AND/OR BOUNDARY LINE AGREEMENTS, THEREFORE, CERTAIN EASEMENTS MAY HAVE BEEN GRANTED WHICH ARE NOT REFLECTED HEREON. ONLY THOSE
SETBACK LINES, EASEMENTS, BOUNDARY LINES AND INTERESTS WHICH ARE REPRESENTED ON THE PARENT SUBDIVISION PLAT, WHICH IS REFERENCED HEREON, ARE PLOTTED
ON THIS SURVEY, NO DOCUMENTS OTHER THAN THOSE CITED ON THIS SURVEY HAVE BEEN EXAMINED.

LEGAL DESCRIPTION

LOT 8, BLOCK N, STONEHEDGE ESTATES, A SUBDIVISION IN TRAVIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF, RECORDED IN VOLUME 8, PAGE 185, PLAT
RECORDS, TRAVIS COUNTY, TEXAS.

F.I.R.M. MAP INFORMATION		ADDRESS			
THIS PROPERTY DOES NOT LIE WITHIN THE 100 YEAR FLOOD - PLAIN, AND HAS A ZONE "X" RATING AS SHOWN ON THE FLOOD INSURANCE RATE MAPS F.I.R.M. MAP NO. 48453C0445K PANEL: 0445K DATED: 01/22/2020 THIS CERTIFICATION IS FOR INSURANCE PURPOSES ONLY AND IS NOT A GUARANTEE THAT THIS PROPERTY WILL OR WILL NOT FLOOD. CONTACT YOUR LOCAL FLOOD PLAIN ADMINISTRATOR FOR THE CURRENT STATUS OF THIS TRACT.		STEVEN DEREK JOHNSON & KELLY JOHNSON 703 LOMA LINDA WESTLAKE, TRAVIS COUNTY, TEXAS			
		SURVEY DATE:	FEBRUARY 03, 2023	FIELD BY:	DUSTIN CARTER
		TITLE CO.:	-	CALC. BY:	DAVID BAK
		G.F. NO.:	-	DRAWN BY:	DAVID BAK
		JOB NO.:	A0105123 - A1104122 - A1104022	UPDATE BY:	DAVID BAK
				RPLS CHECK:	EDWARD RUMSEY



ALLSTAR
Land surveying
2020 ANDERSON MILL RD
AUSTIN, TEXAS 78729
(512) 249-8149 PHONE
(512) 331-5217 FAX
TBPELS FIRM NO. 10135000

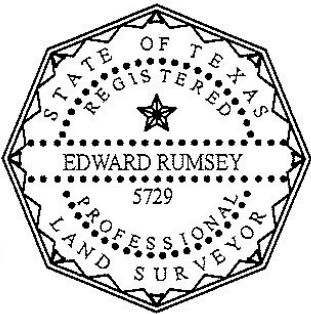
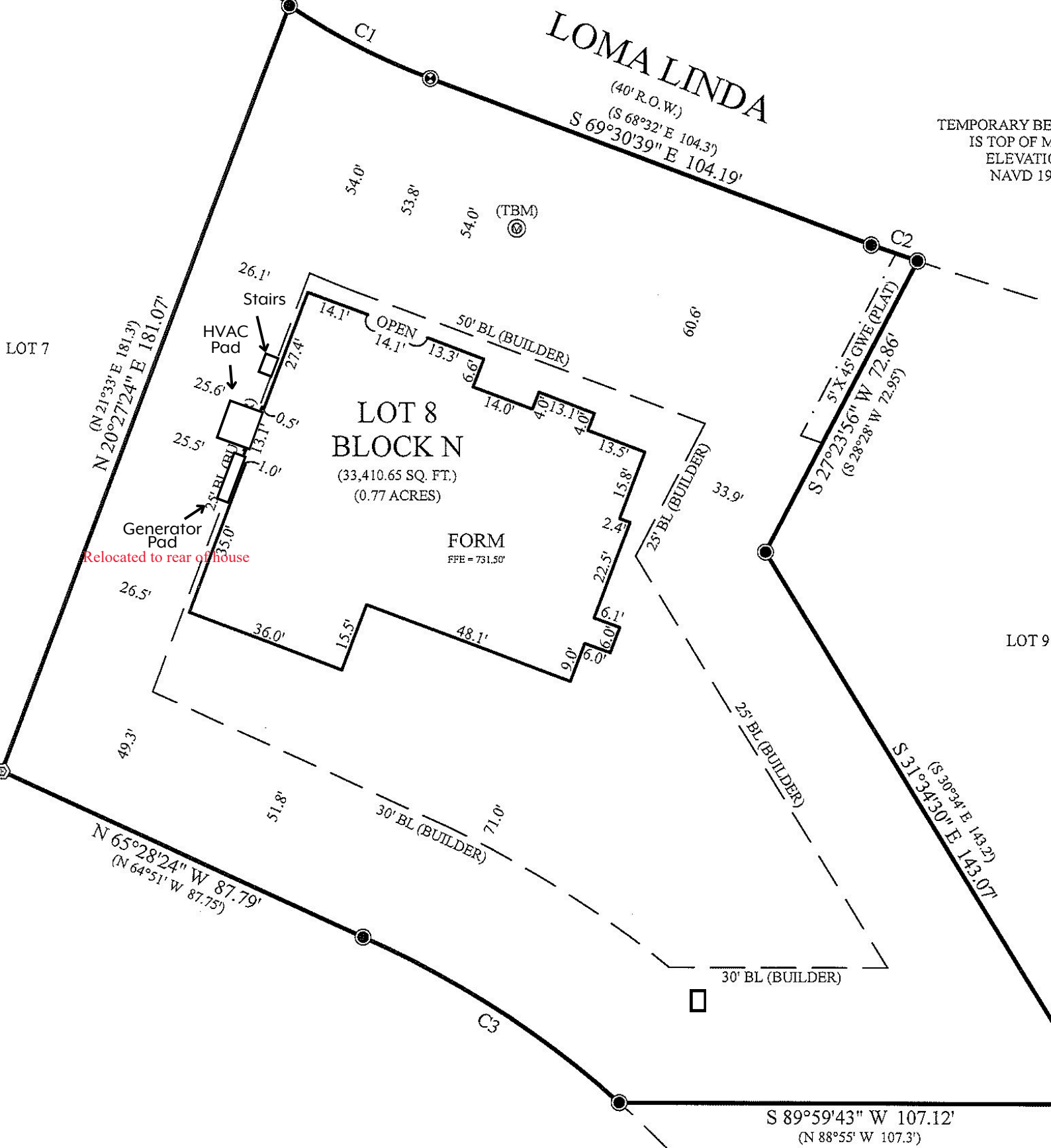
NOTICE
BEFORE DESIGN BEGINS ON THE SUBJECT PROPERTY
THE OWNER SHOULD CHECK THE LOCAL GOVERNING
AUTHORITIES ABOUT BUILDING SETBACKS AND OTHER
BUILDING REQUIREMENTS.

BEARING BASIS:
BEARINGS ARE GRID NORTH BASED ON THE TEXAS
COORDINATE SYSTEM CENTRAL TEXAS ZONE (4203)
NAD83 HARN HORIZONTAL CONTROL.

LEGEND

- 1/2" ROD FOUND
- CALCULATED POINT
- FENCE POST FOR CORNER
- GWE GUY WIRE ESMT
- () RECORD INFORMATION
- MAG NAIL SET
- 60D NAIL SET

TEMPORARY BENCH MARK (TBM)
IS TOP OF MAG NAIL SET
ELEVATION = 730.25'
NAVD 1988 DATUM



TO THE LIEN HOLDER AND / OR OWNERS OF THE PREMISES SURVEYED
I DO HEREBY CERTIFY THAT THIS SURVEY SUBSTANTIALLY COMPLIES
WITH THE CURRENT TEXAS SOCIETY OF PROFESSIONAL SURVEYORS
MANUAL OF PRACTICE REQUIREMENTS FOR A CATEGORY 1B, CONDITION 3,
STANDARD LAND SURVEY. THIS SURVEY WAS PERFORMED WITHOUT THE
BENEFIT OF AN ABSTRACT OF TITLE.

CURVE	RADIUS	CHORD LENGTH	CHORD BEARING	ARC LENGTH
C1	151.11'	35.09'	S 62°50'39" E	35.17'
(C1)	(151.11')	(35.08')	(S 61°52' E)	(35.13')
C2	802.58'	10.81'	S 71°24'21" E	10.81'
(C2)	(802.58')	(10.83')	(S 68°55' E)	(10.83')
C3	214.60'	67.44'	N 57°18'21" W	67.72'
(C3)	(214.60')	(67.55')	(N 55°48' W)	(67.83')

RESTRICTIONS

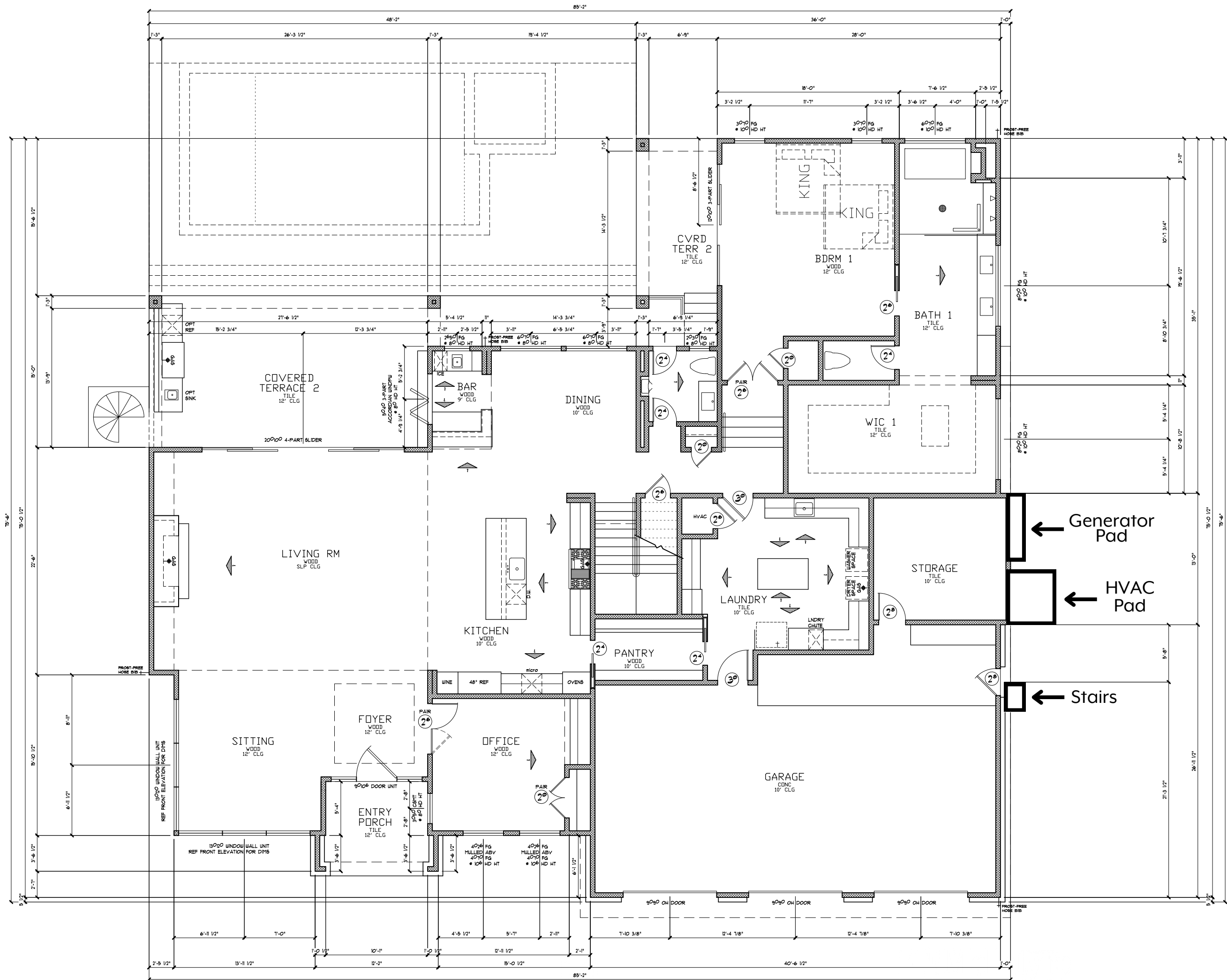
THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE COMMITMENT AND THIS SURVEYOR DID NOT RESEARCH THE DEED RECORDS FOR PREVIOUS CONFLICTS IN
TITLE, EASEMENTS AND/OR BOUNDARY LINE AGREEMENTS, THEREFORE, CERTAIN EASEMENTS MAY HAVE BEEN GRANTED WHICH ARE NOT REFLECTED HEREON. ONLY THOSE
SETBACK LINES, EASEMENTS, BOUNDARY LINES AND INTERESTS WHICH ARE REPRESENTED ON THE PARENT SUBDIVISION PLAT, WHICH IS REFERENCED HEREON, ARE PLOTTED
ON THIS SURVEY, NO DOCUMENTS OTHER THAN THOSE CITED ON THIS SURVEY HAVE BEEN EXAMINED.

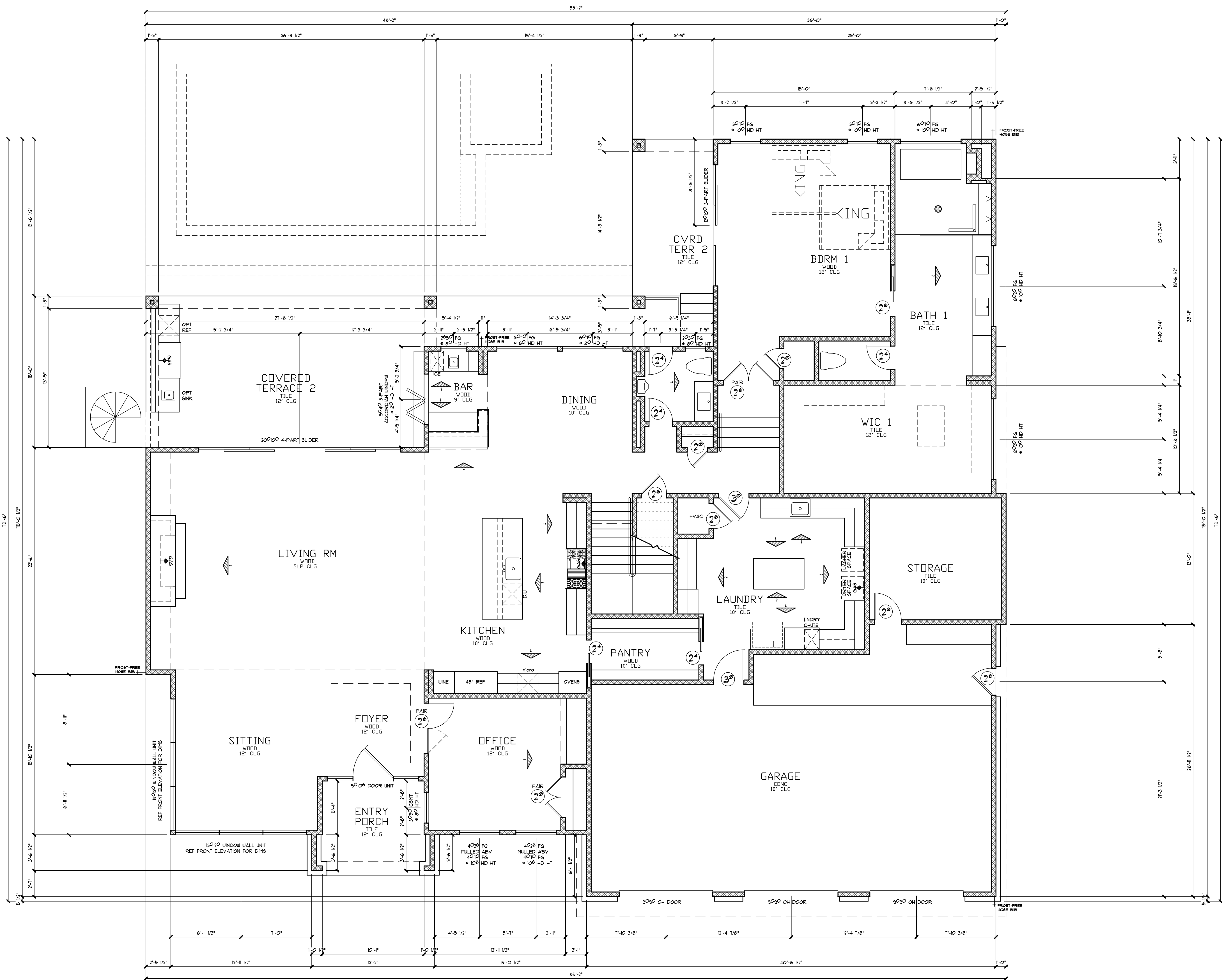
LEGAL DESCRIPTION

LOT 8, BLOCK N, STONEHEDGE ESTATES, A SUBDIVISION IN TRAVIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF, RECORDED IN VOLUME 8, PAGE 185, PLAT
RECORDS, TRAVIS COUNTY, TEXAS.

F.I.R.M. MAP INFORMATION		ADDRESS			
THIS PROPERTY DOES NOT LIE WITHIN THE 100 YEAR FLOOD - PLAIN, AND HAS A ZONE "X" RATING AS SHOWN ON THE FLOOD INSURANCE RATE MAPS F.I.R.M. MAP NO. 48453C0445K PANEL: 0445K DATED: 01/22/2020 THIS CERTIFICATION IS FOR INSURANCE PURPOSES ONLY AND IS NOT A GUARANTEE THAT THIS PROPERTY WILL OR WILL NOT FLOOD. CONTACT YOUR LOCAL FLOOD PLAIN ADMINISTRATOR FOR THE CURRENT STATUS OF THIS TRACT.		STEVEN DEREK JOHNSON & KELY JOHNSON 703 LOMA LINDA WESTLAKE, TRAVIS COUNTY, TEXAS			
		SURVEY DATE:	FEBRUARY 03, 2023	FIELD BY:	DUSTIN CARTER
		TITLE CO.:	-	CALC. BY:	DAVID BAK
		G.F. NO.:	-	DRAWN BY:	DAVID BAK
		JOB NO.:	A0105123 - A1104122 - A1104022	UPDATE BY:	DAVID BAK
				RPLS CHECK:	EDWARD RUMSEY



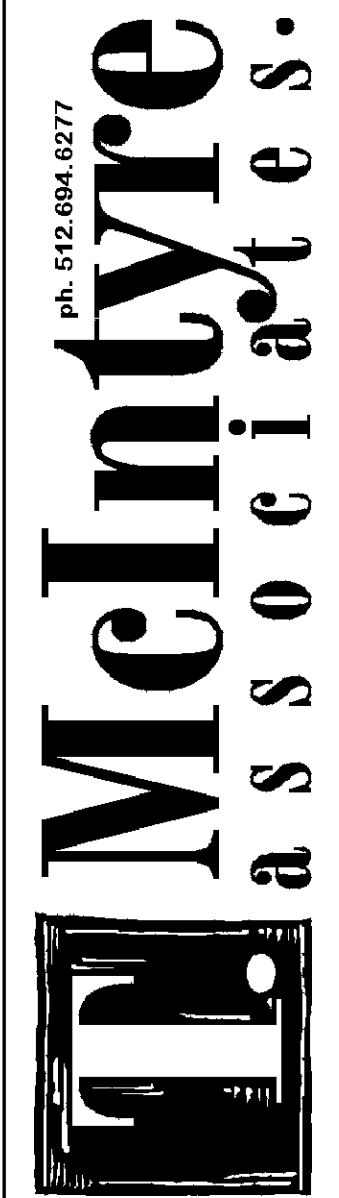




FIRST FLOOR PLAN
SCALE: 3/16" = 1'-0" (@24"x36")

SQUARE FOOTAGE TOTALS	
FIRST FLOOR HEATED	3,406 SF
SECOND FLOOR HEATED	2,649 SF
TOTAL HEATED	6,055 SF
ENTRY PORCH	106 SF
REAR TERRACE 1 & 2	681 SF
REAR TERRACE 3	241 SF
OPEN TERRACE	551 SF
GARAGE/STORAGE	1,124 SF
TOTAL UNHEATED	2,709 SF
TOTAL SLAB	5,361 SF
TOTAL CONSTRUCTION	8,764 SF

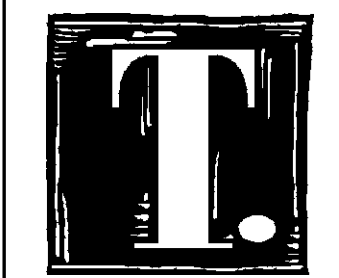
NOT TO BE USED
FOR REGULATORY
APPROVAL, PERMIT,
OR CONSTRUCTION
TIM MCINTYRE
11/15/2021



The Johnson Residence
7003 Loma Linda
West Lake Hills, TX 78746

NOTE: IT SHALL BE THE
RESPONSIBILITY OF THE
CONTRACTOR TO VERIFY &
COORDINATE ALL CONDITIONS,
RELATIONSHIPS, ALL DIMENSIONS,
AND ASSEMBLIES OF BUILDING
COMPONENTS, AND THE ADEQUACY
AND CORRECTNESS OF ALL
WORK ON THIS PROJECT.

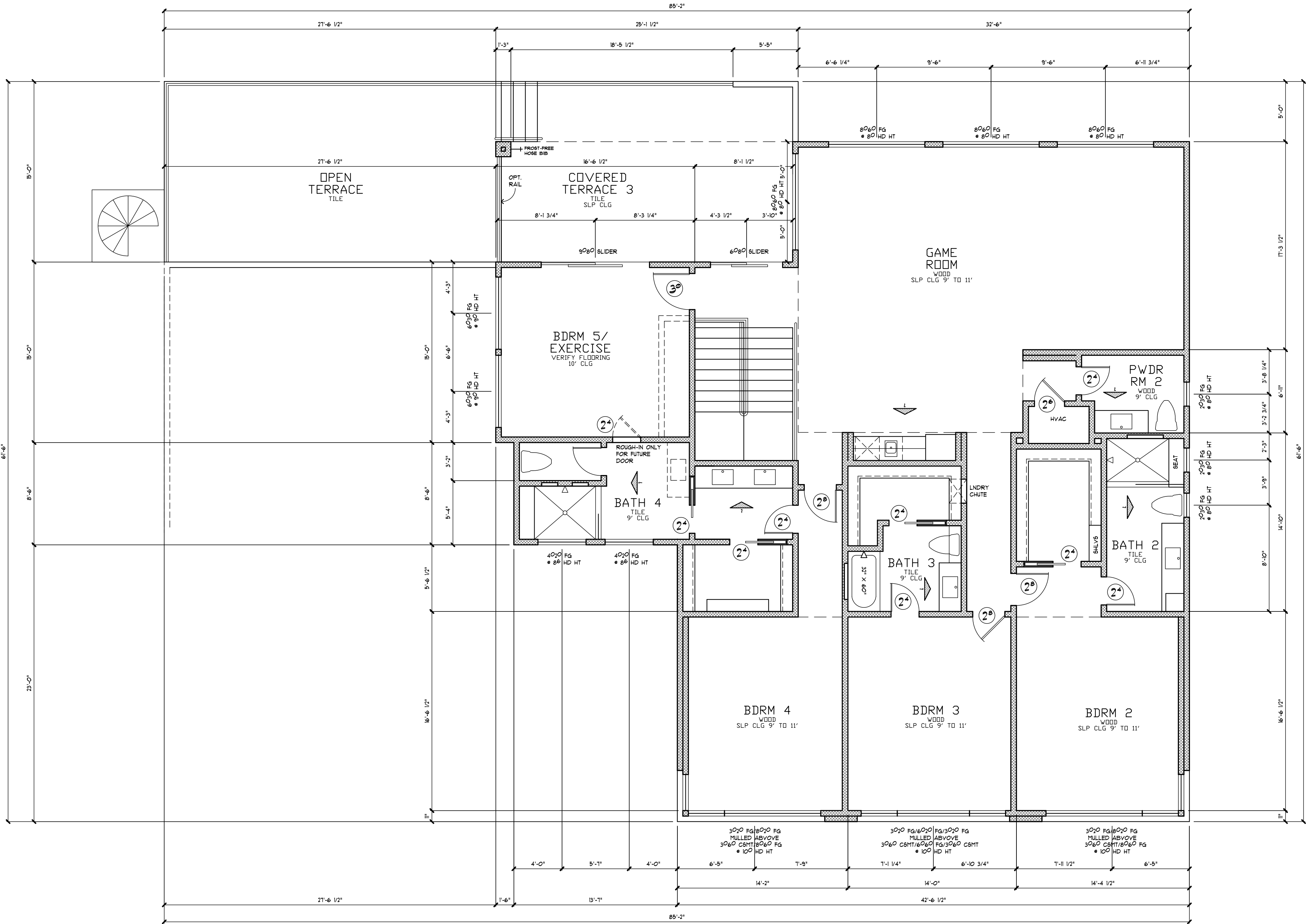
COPYRIGHT 2021



T. MCINTYRE ASSOCIATES
ALL RIGHTS RESERVED

SHEET:

A2



SECOND FLOOR PLAN
SCALE: 3/16" = 1'-0" (@24"x36")

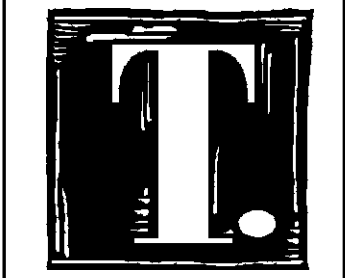
NOT TO BE USED
FOR REGULATORY
APPROVAL, PERMIT,
OR CONSTRUCTION
TIM MCINTYRE
11/15/2021



McIntyre
Associates
ph. 512.684.6277

The Johnson Residence
703 Loma Linda
West Lake Hills, TX 78746

NOTE: IT SHALL BE THE
RESPONSIBILITY OF THE
CONTRACTOR TO VERIFY &
COORDINATE ALL CONDITIONS,
RELATIONSHIPS, ALL DIMENSIONS,
AND ASSEMBLIES OF BUILDING
COMPONENTS, AND THE ADEQUACY
AND CORRECTNESS OF ALL
WORK ON THIS PROJECT.



T. MCINTYRE ASSOCIATES
ALL RIGHTS RESERVED

SHEET:
A3



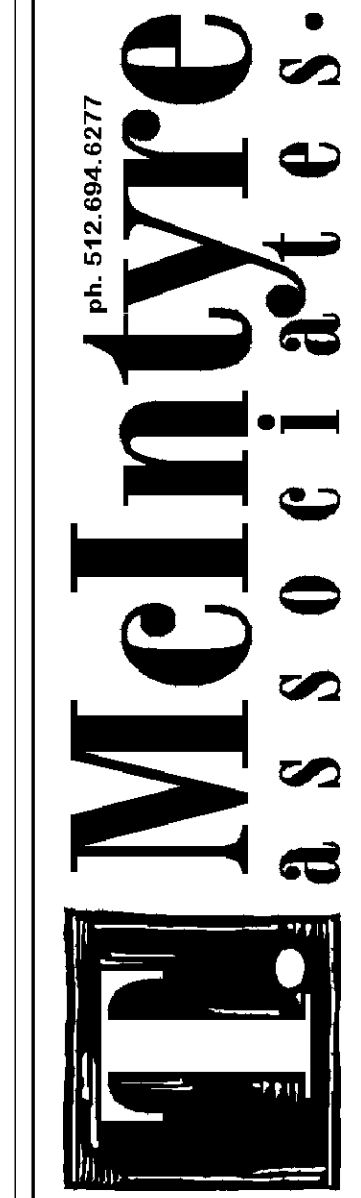
FRONT ELEVATION
SCALE: 3/16" = 1'-0" (@24"x36")

NOTE:
VERTICAL DIMENSIONS * EXTERIOR PORCHES
AND AT GARAGE ARE GIVEN FROM FINISHED
FLOOR OF THE ADJACENT LIVING AREA.
ADJUST DIMENSION IN FIELD TO ALLOW FOR
DROPS OR STEPS IN FLOOR LEVELS.



REAR ELEVATION
SCALE: 3/16" = 1'-0" (@24"x36")

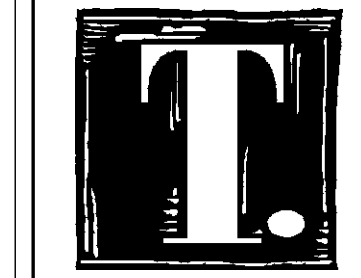
NOT TO BE USED
FOR REGULATORY
APPROVAL, PERMIT,
OR CONSTRUCTION
TIM MCINTYRE
11/15/2021



The Johnson Residence
703 Loma Linda
West Lake Hills, TX 78746

NOTE: IT SHALL BE THE
RESPONSIBILITY OF THE
CONTRACTOR TO VERIFY &
COORDINATE ALL CONDITIONS,
RELATIONSHIPS, ALL DIMENSIONS,
AND ASSEMBLES OF BUILDING
COMPONENTS, AND THE ADEQUACY
AND CORRECTNESS OF ALL
WORK ON THIS PROJECT.

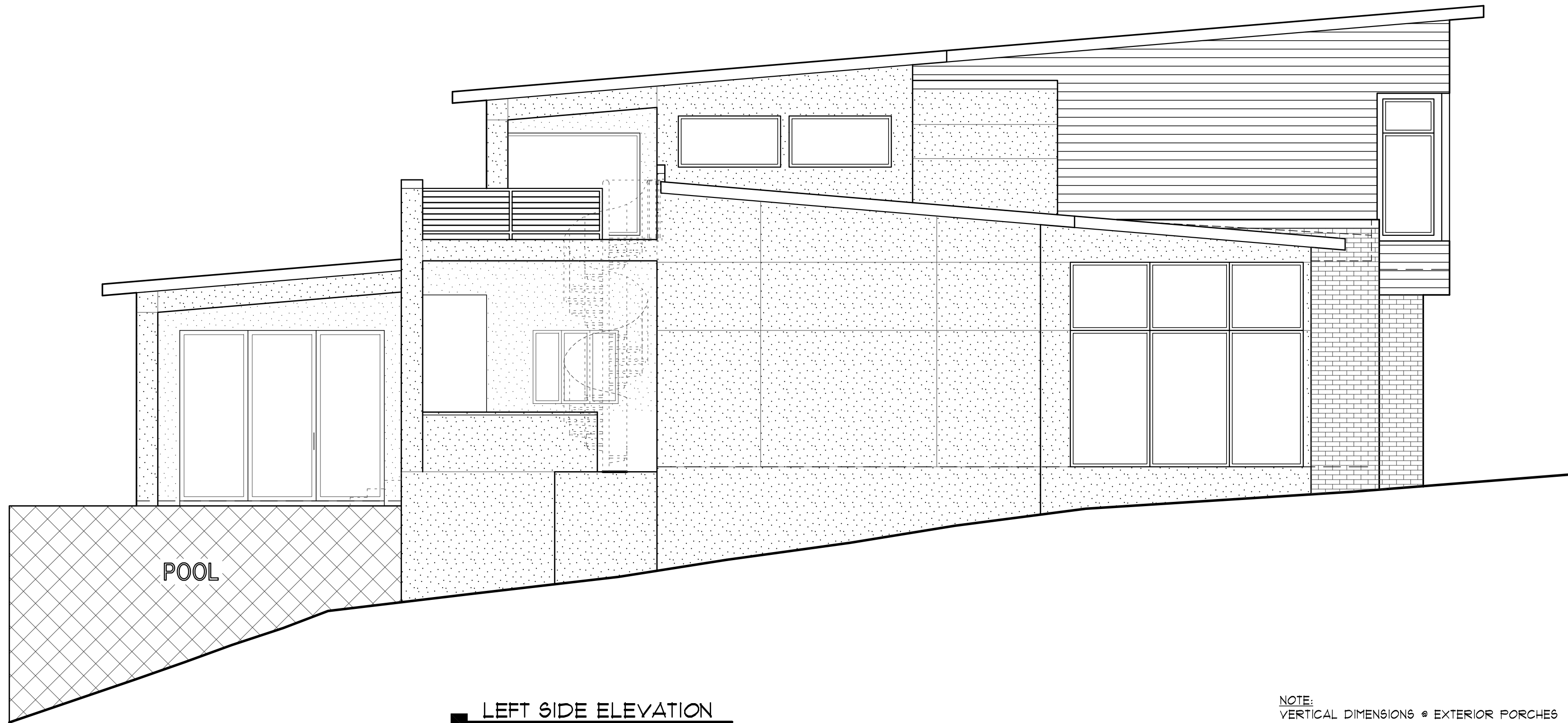
COPYRIGHT 2021



T. MCINTYRE ASSOCIATES
ALL RIGHTS RESERVED

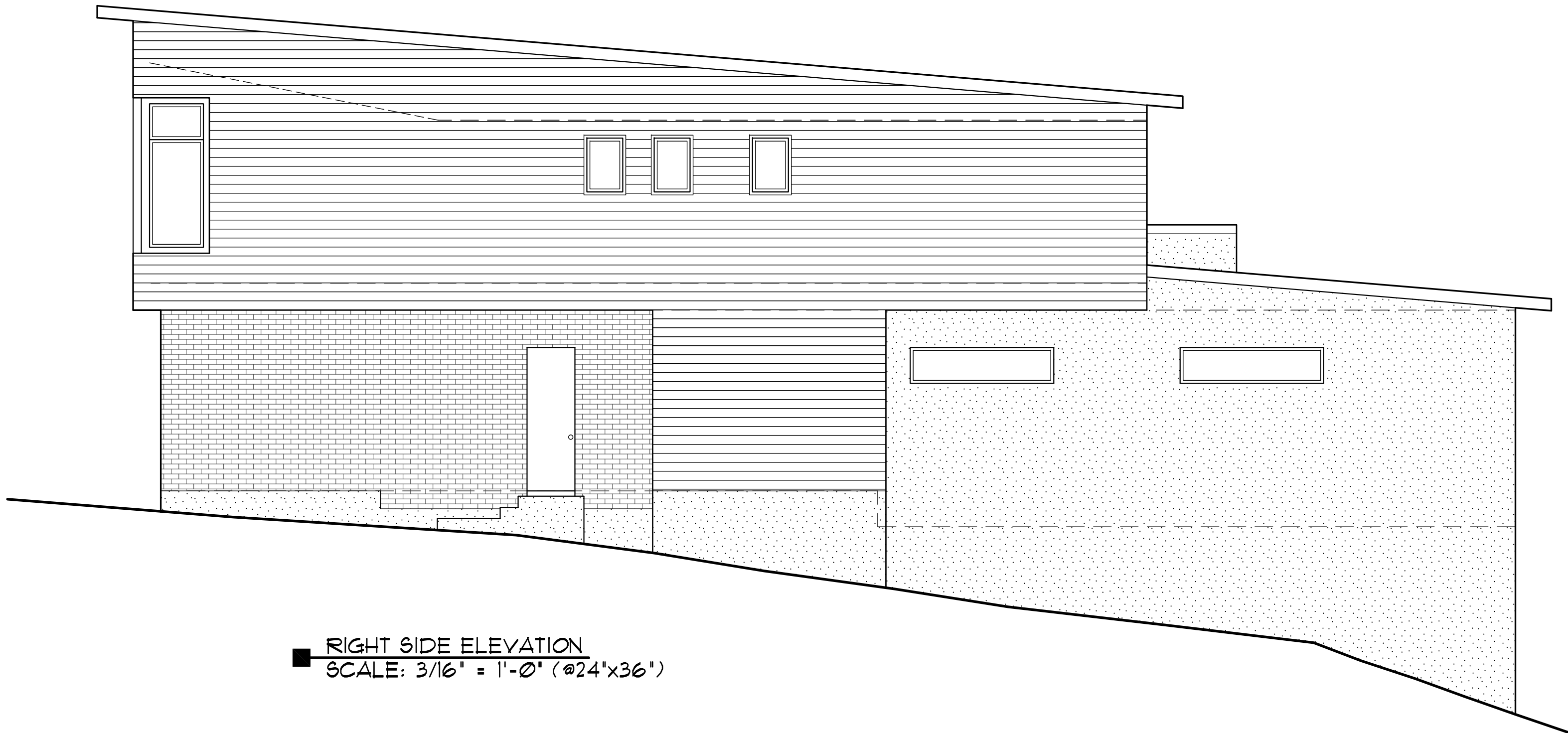
SHEET:

A4



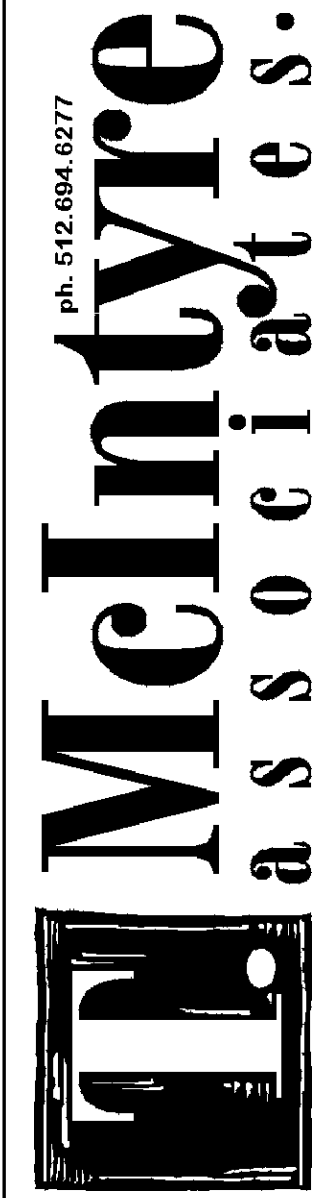
LEFT SIDE ELEVATION
SCALE: 3/16" = 1'-0" (@24"x36")

NOTE:
VERTICAL DIMENSIONS * EXTERIOR PORCHES
AND AT GARAGE ARE GIVEN FROM FINISHED
FLOOR OF THE ADJACENT LIVING AREA.
ADJUST DIMENSION IN FIELD TO ALLOW FOR
DROPS OR STEPS IN FLOOR LEVELS.



RIGHT SIDE ELEVATION
SCALE: 3/16" = 1'-0" (@24"x36")

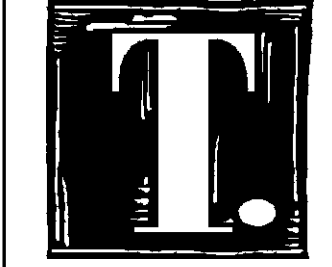
NOT TO BE USED
FOR REGULATORY
APPROVAL, PERMIT,
OR CONSTRUCTION
TIM MCINTYRE
11/15/2021



The Johnson Residence
703 Loma Linda
West Lake Hills, TX 78746

NOTE: IT SHALL BE THE
RESPONSIBILITY OF THE
CONTRACTOR TO VERIFY &
COORDINATE ALL CONDITIONS,
RELATIONSHIPS, ALL DIMENSIONS,
AND ASSEMBLES OF BUILDING
COMPONENTS, AND THE ADEQUACY
AND CORRECTNESS OF ALL
WORK ON THIS PROJECT.

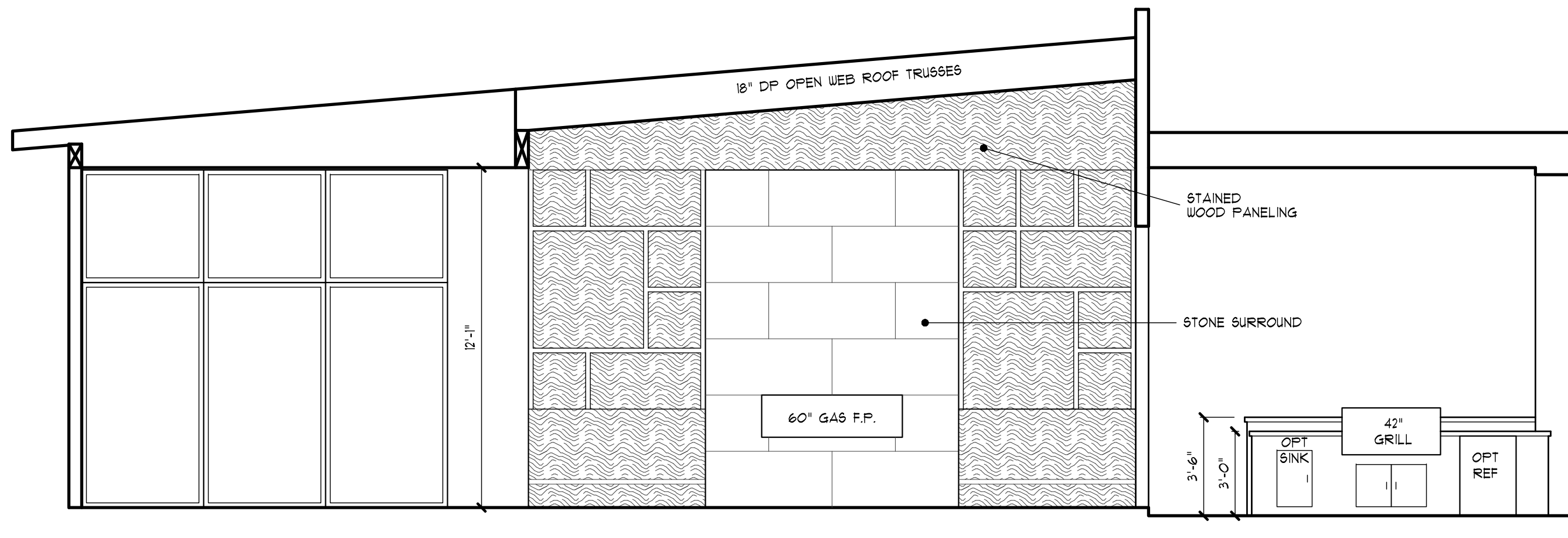
COPYRIGHT 2021



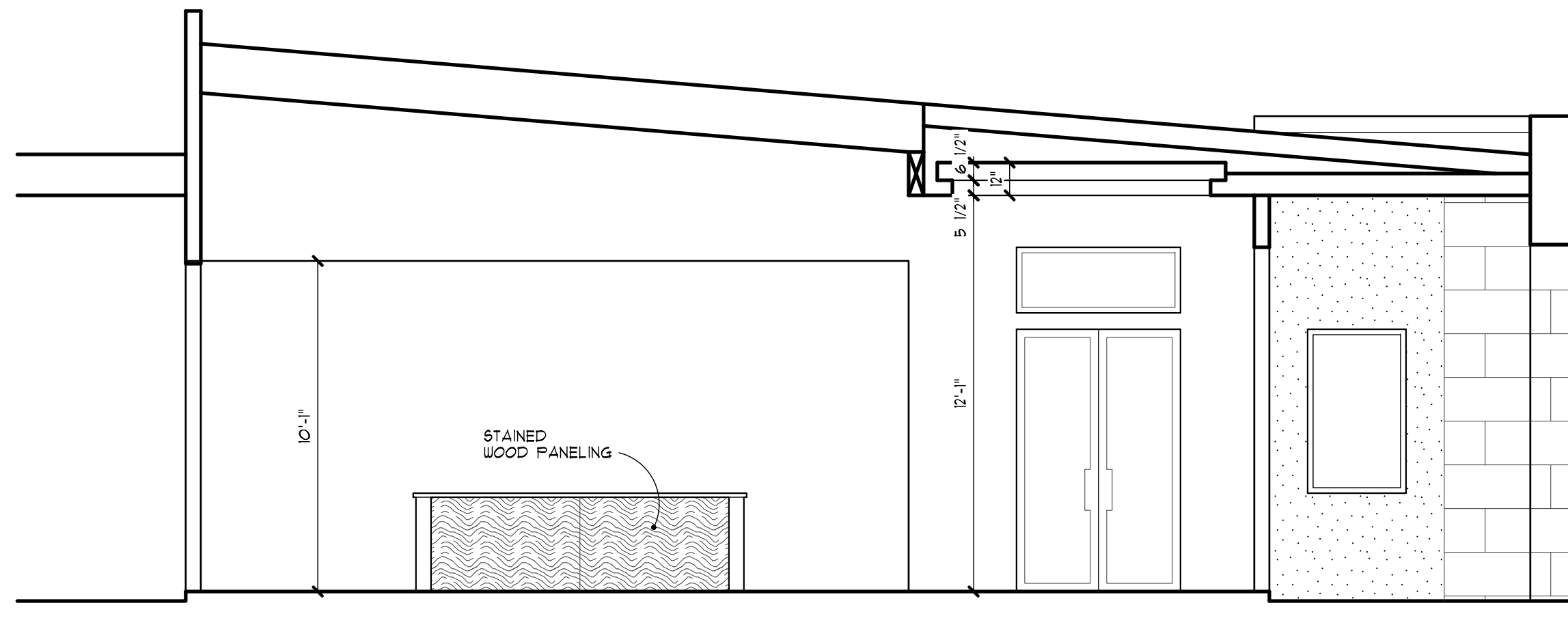
T. MCINTYRE ASSOCIATES
ALL RIGHTS RESERVED

SHEET:

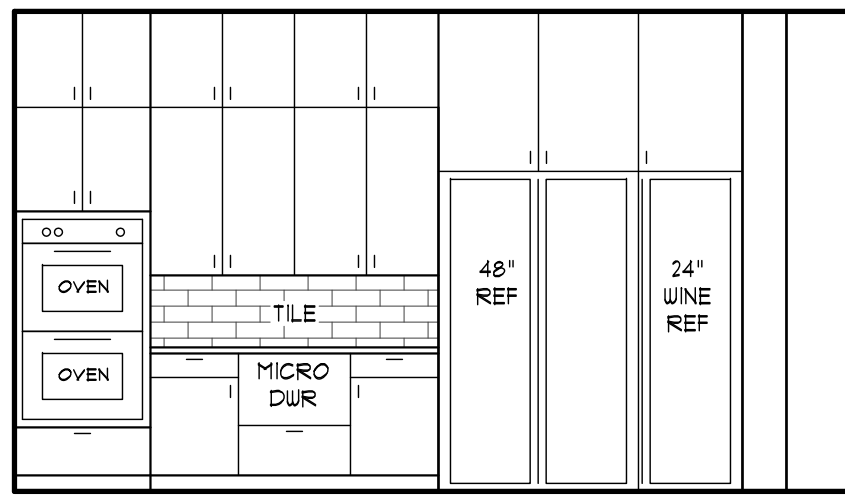
A5



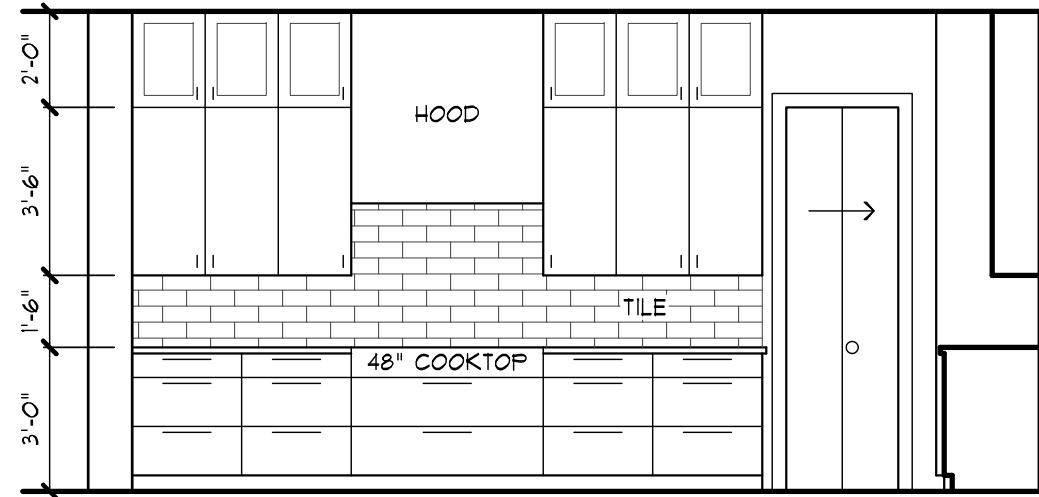
1 SITTING - LIVING RM
A6 SCALE: 1/4" = 1'-0"



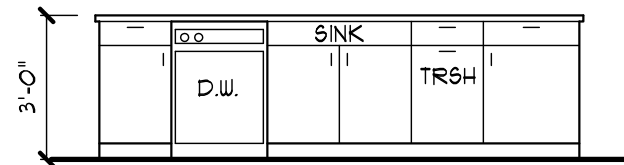
2 LIVING RM - FOYER
A6 SCALE: 1/4" = 1'-0"



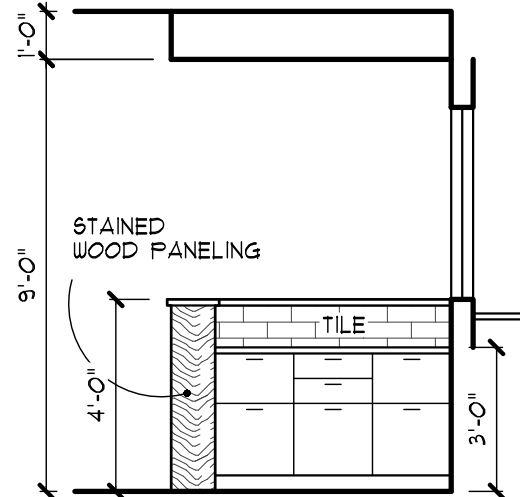
3 KITCHEN
A6 SCALE: 1/4" = 1'-0"



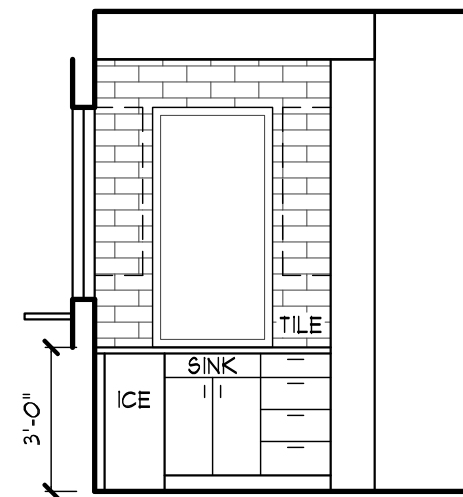
4 KITCHEN
A6 SCALE: 1/4" = 1'-0"



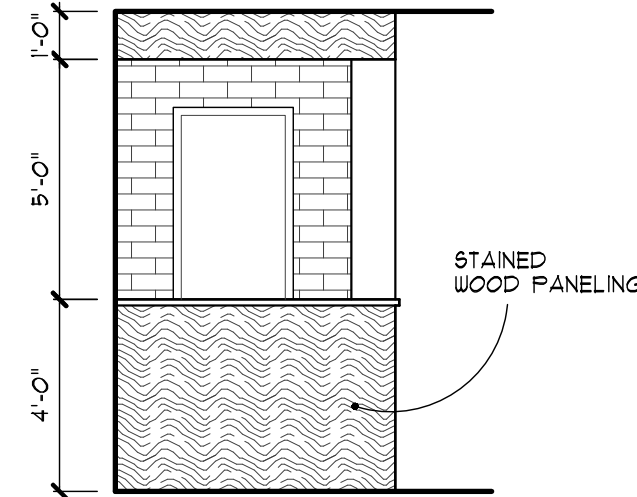
5 KITCHEN ISLAND
A6 SCALE: 1/4" = 1'-0"



6 BAR
A6 SCALE: 1/4" = 1'-0"



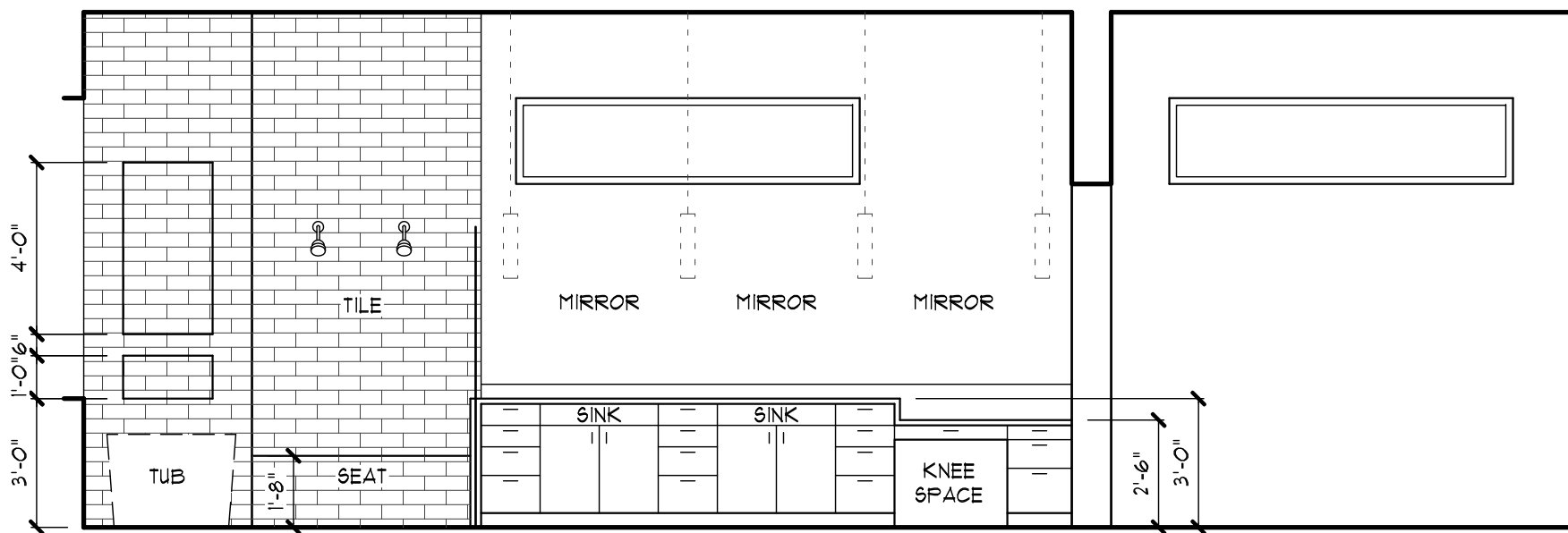
7 BAR
A6 SCALE: 1/4" = 1'-0"



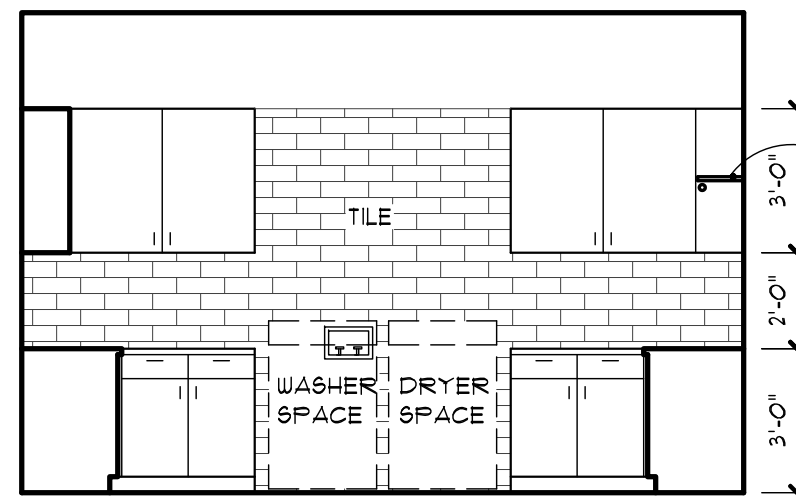
8 BAR
A6 SCALE: 1/4" = 1'-0"



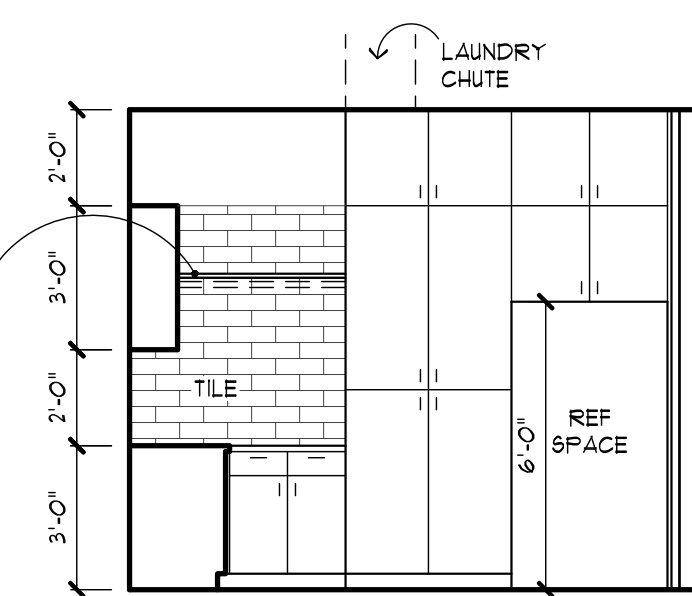
9 STUDY
A6 SCALE: 1/4" = 1'-0"



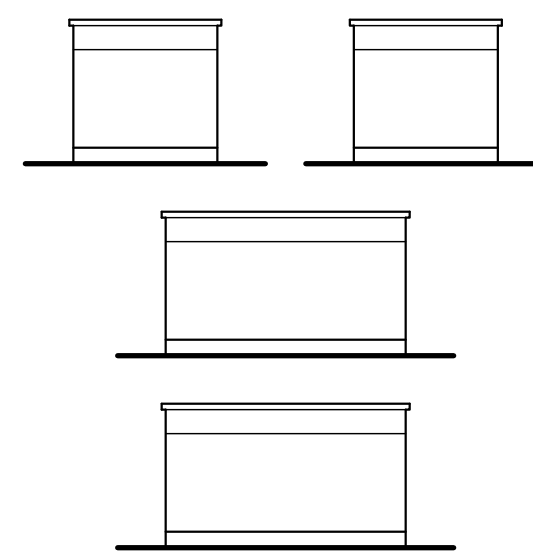
9 BATH 1
A6 SCALE: 1/4" = 1'-0"



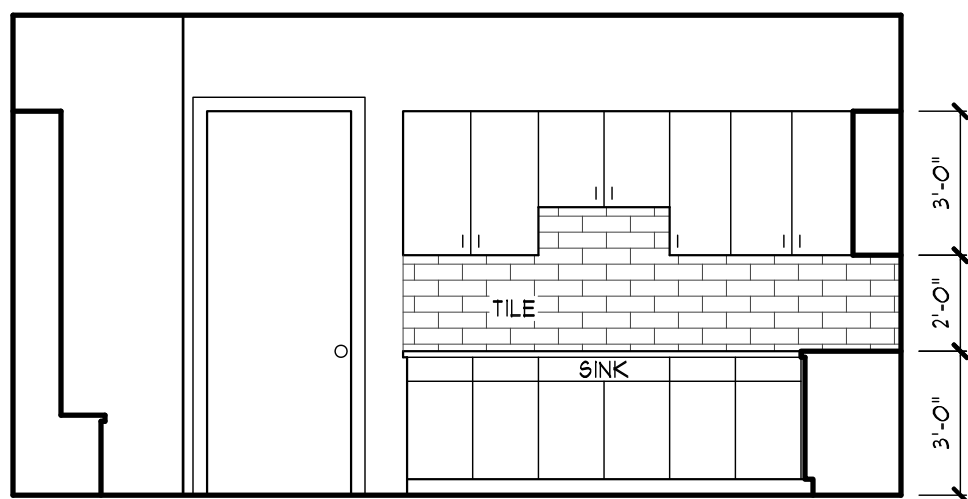
10 LAUNDRY
A6 SCALE: 1/4" = 1'-0"



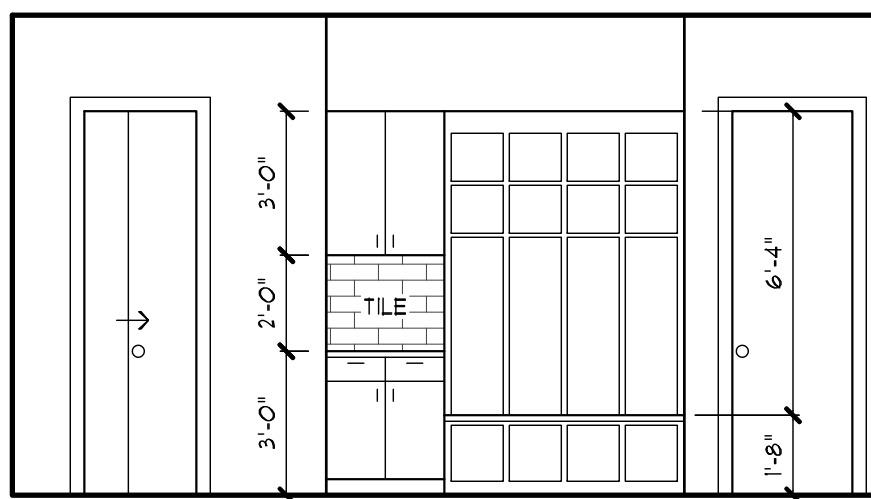
11 LAUNDRY
A6 SCALE: 1/4" = 1'-0"



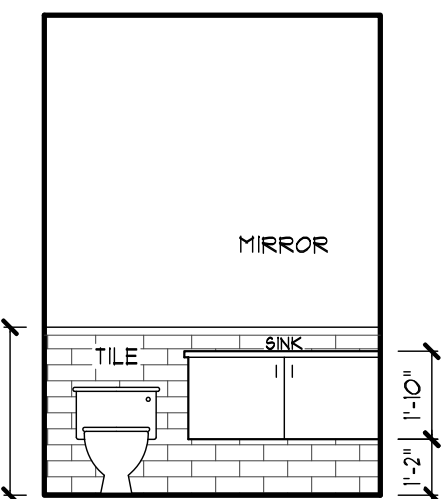
12 LAUNDRY ISLAND
A6 SCALE: 1/4" = 1'-0"



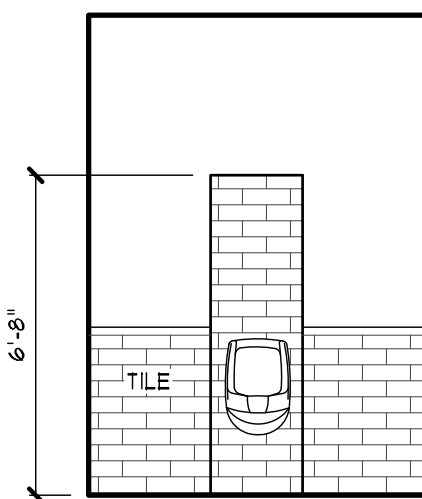
13 LAUNDRY
A6 SCALE: 1/4" = 1'-0"



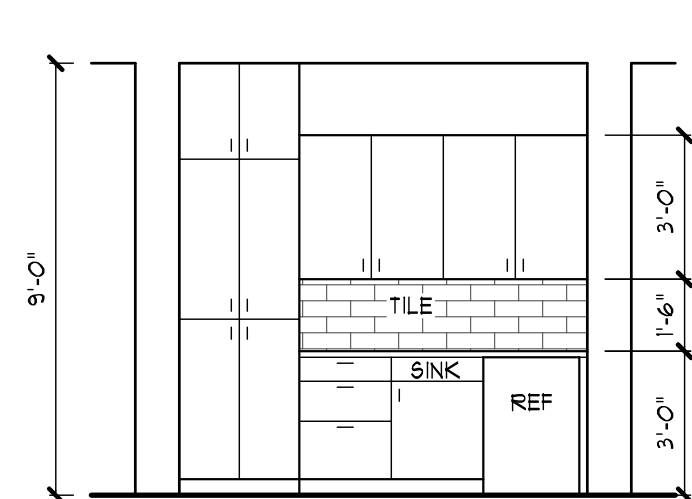
14 LAUNDRY/MUD RM
A6 SCALE: 1/4" = 1'-0"



14 POWDER RM 1
A6 SCALE: 1/4" = 1'-0"



15 POWDER RM 1
A6 SCALE: 1/4" = 1'-0"



16 GAME RM BAR
A6 SCALE: 1/4" = 1'-0"

NOT TO BE USED
FOR REGULATORY
APPROVAL, PERMIT,
OR CONSTRUCTION
TIM MCINTYRE
11/15/2021

ph. 512.684.6277
McIntyre
a s o c i a t e s

The Johnson Residence
703 Loma Linda
West Lake Hills, TX 78746

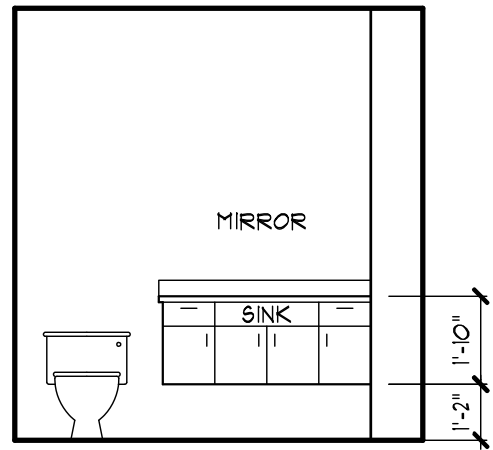
NOTE: IT SHALL BE THE
RESPONSIBILITY OF THE
CONTRACTOR TO VERIFY &
COORDINATE ALL CONDITIONS,
RELATIONSHIPS, ALL DIMENSIONS,
AND ASSEMBLIES OF BUILDING
COMPONENTS, AND THE ADEQUACY
AND CORRECTNESS OF ALL
WORK ON THIS PROJECT.

COPYRIGHT 2021

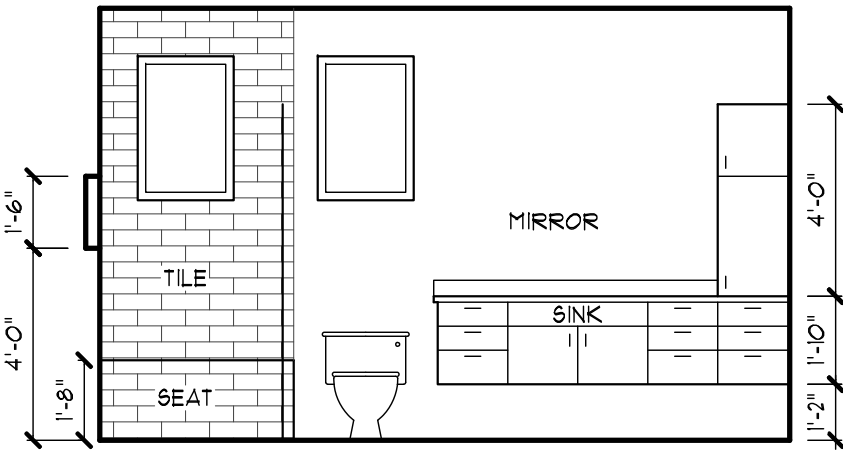
T.
T. MCINTYRE ASSOCIATES
ALL RIGHTS RESERVED

SHEET:

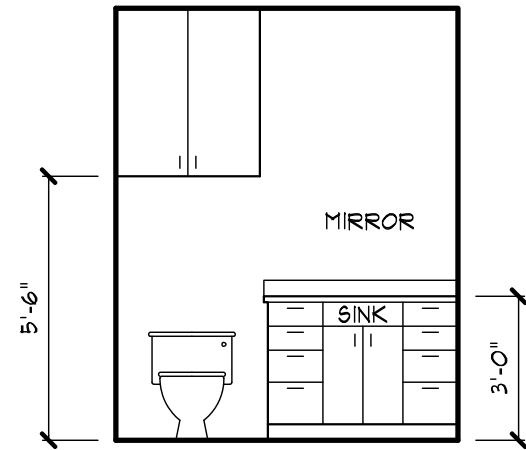
A6



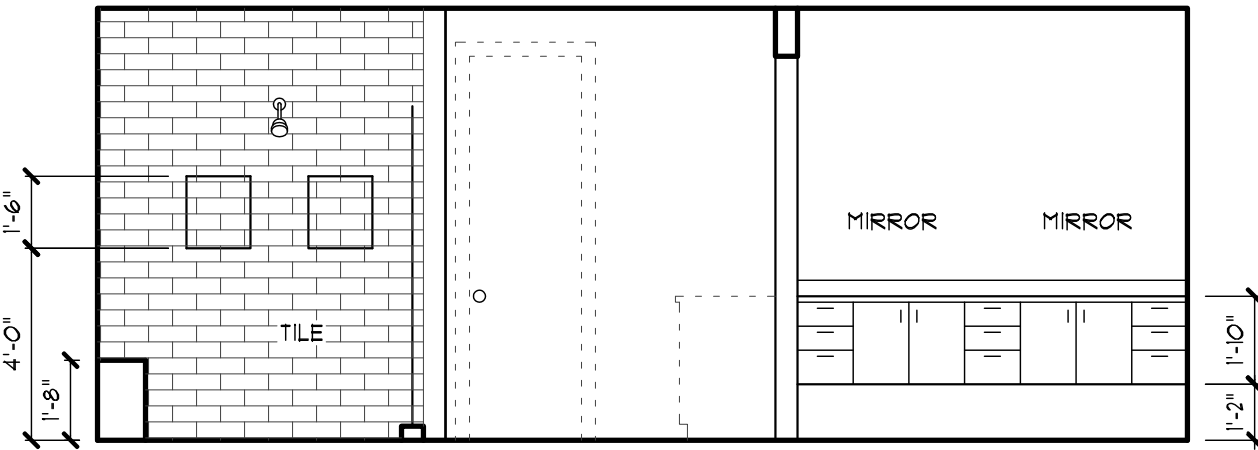
1 POWDER RM 2
A1 SCALE: 1/4" = 1'-0"



2 BATH 2
A1 SCALE: 1/4" = 1'-0"



3 BATH 3
A1 SCALE: 1/4" = 1'-0"



4 BATH 4
A1 SCALE: 1/4" = 1'-0"

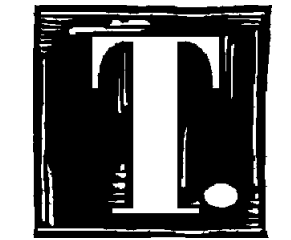
NOT TO BE USED
FOR REGULATORY
APPROVAL, PERMIT,
OR CONSTRUCTION
TIM MCINTYRE
11/15/2021

ph. 512.684.6277
T. McIntyre
a s s o c i a t e s

The Johnson Residence
703 Loma Linda
West Lake Hills, TX 78746

NOTE: IT SHALL BE THE
RESPONSIBILITY OF THE
CONTRACTOR TO VERIFY &
COORDINATE ALL CONDITIONS,
RELATIONSHIPS, ALL DIMENSIONS,
AND ASSEMBLIES OF BUILDING
COMPONENTS, AND THE ADEQUACY
AND CORRECTNESS OF ALL
WORK ON THIS PROJECT.

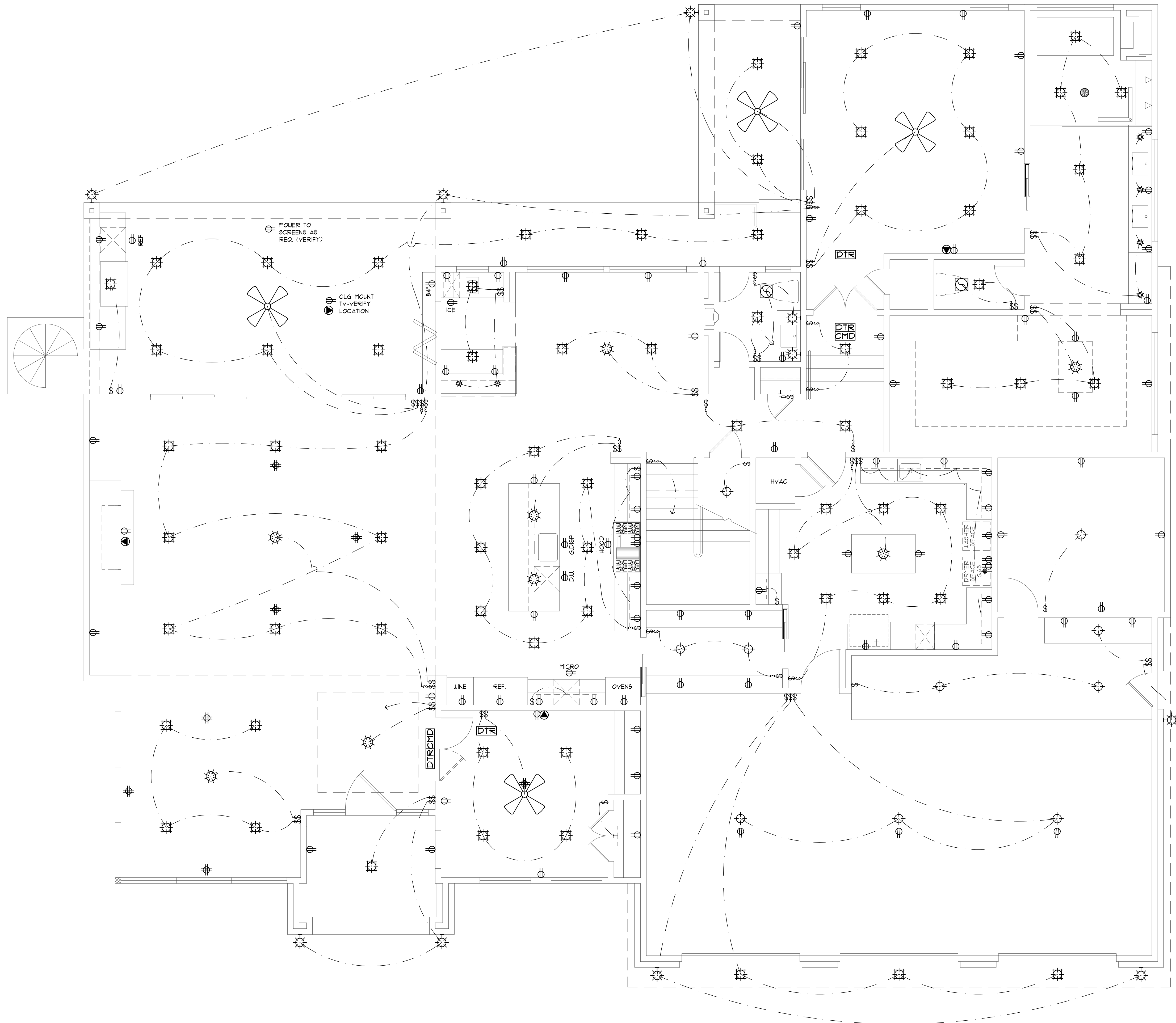
COPYRIGHT 2021



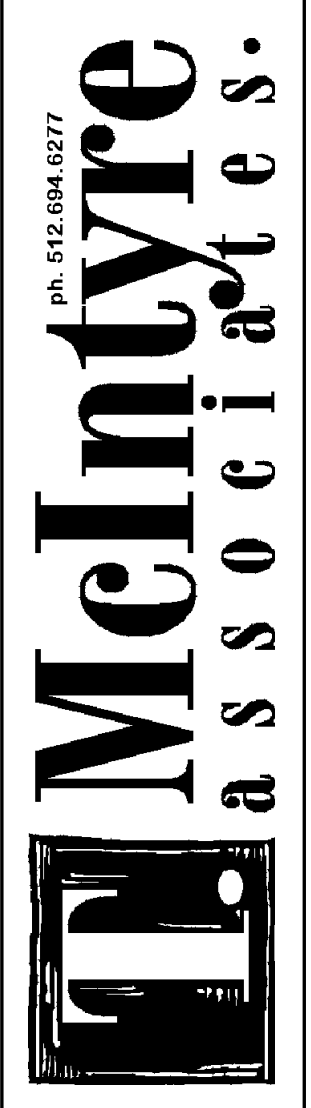
T. MCINTYRE ASSOCIATES
ALL RIGHTS RESERVED

SHEET:

A7



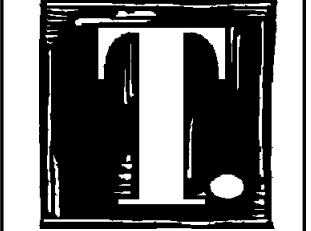
NOT TO BE USED
FOR REGULATORY
APPROVAL, PERMIT,
OR CONSTRUCTION
TIM MCINTYRE
11/15/2021



The Johnson Residence
703 Loma Linda
West Lake Hills, TX 78746

NOTE: IT SHALL BE THE
RESPONSIBILITY OF THE
CONTRACTOR TO VERIFY &
COORDINATE ALL CONDITIONS,
RELATIONSHIPS, ALL DIMENSIONS,
AND ASSEMBLIES OF BUILDING
COMPONENTS, AND THE ADEQUACY
AND CORRECTNESS OF ALL
WORK ON THIS PROJECT.

COPYRIGHT 2021



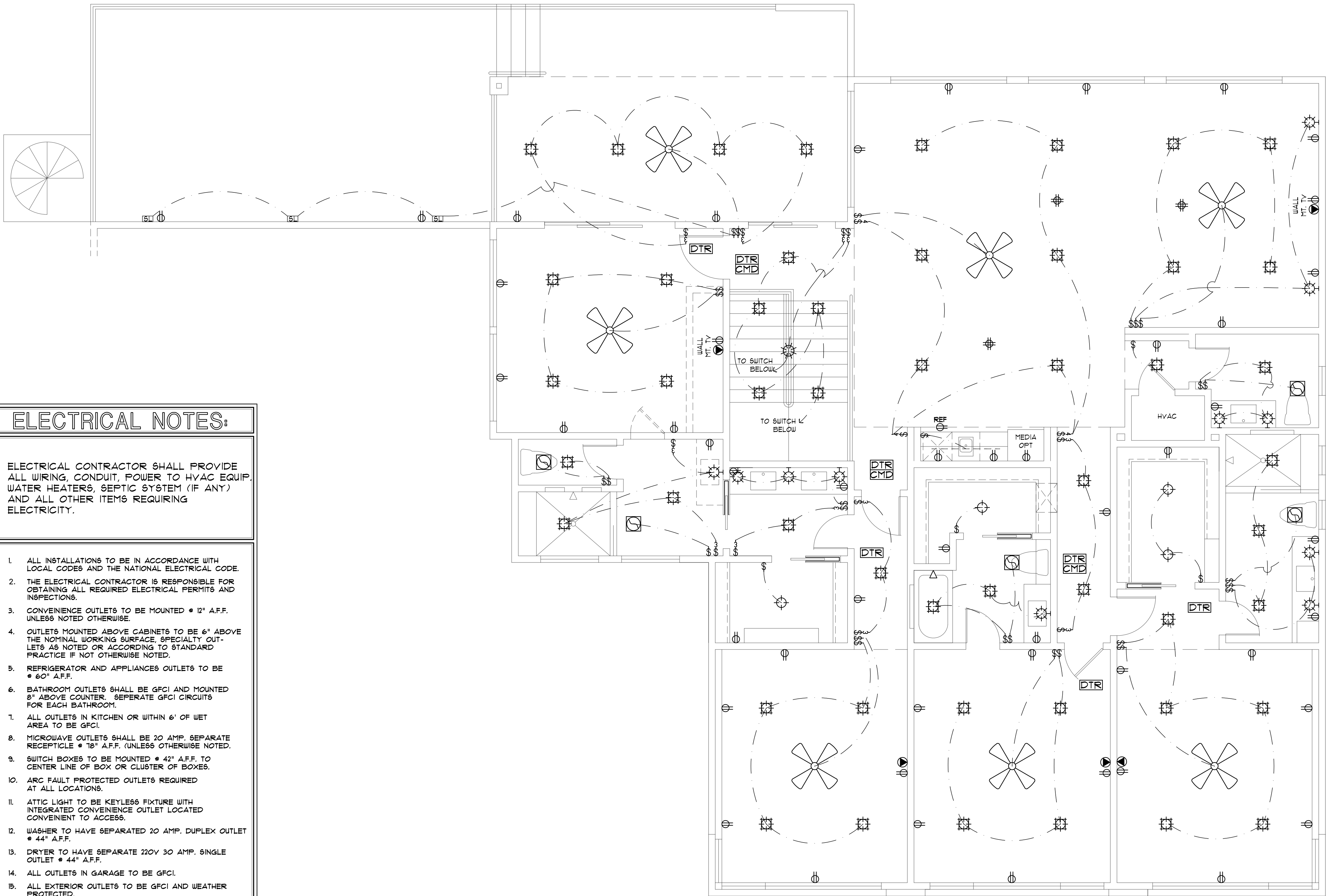
T. MCINTYRE ASSOCIATES
ALL RIGHTS RESERVED

SHEET:

E1

SYMBOL DESCRIPTION:	
	RECESSED FIXTURE (NOTE: USE SLOPED CANS ON SLOPED CLGS)
	RECESSED "MINI-CAN"
	SURFACE MOUNT FIXTURE
	HANGING FIXTURE
	WALL MOUNT FIXTURE (SCONCE)
	ADJUSTABLE RECESSED FIXTURE
	FLUORESCENT (SURFACE MOUNT)
	LED STRIP/UNDER CAB. FIXT.
	WALL MOUNTED LED STRIP
	LIGHT / VENT
	EXHAUST FAN
	RECESSED CAN/EXHAUST FAN
	SWITCH
	2 SWITCHES/SINGLE BOX
	SWITCH (THREE-WAY)
	SWITCH (WITH RHEOSTAT)
	SWITCH (DOOR)
	T.V. LOCATION (VERIFY)
	PHONE OUTLET
	USB + OUTLET COMBINATION
	JUNCTION BOX
	BUTTON SWITCH
	DETECTOR (SMOKE, HEAT, ETC.) PER APPLICABLE CODES
	CARBON MONOXIDE DETECTOR
	120V DUPLEX OUTLET
	120V DUPLEX OUTLET (FLOOR)
	220V OUTLET
	CEILING FAN
	CEILING FAN WITH LIGHT KIT

ELECTRICAL NOTES:	
ELECTRICAL CONTRACTOR SHALL PROVIDE ALL WIRING, CONDUIT, POWER TO HVAC EQUIP, WATER HEATERS, SEPTIC SYSTEM (IF ANY) AND ALL OTHER ITEMS REQUIRING ELECTRICITY.	
- ALL INSTALLATIONS TO BE IN ACCORDANCE WITH LOCAL CODES AND THE NATIONAL ELECTRICAL CODE. - THE ELECTRICAL CONTRACTOR IS RESPONSIBLE FOR OBTAINING ALL REQUIRED ELECTRICAL PERMITS AND INSPECTIONS. - CONVENIENCE OUTLETS TO BE MOUNTED • 12" A.F.F. UNLESS NOTED OTHERWISE. - OUTLETS MOUNTED ABOVE CABINETS TO BE 6" ABOVE THE NOMINAL WORKING SURFACE, SPECIALTY OUTLETS AS NOTED OR ACCORDING TO STANDARD PRACTICE IF NOT OTHERWISE NOTED. - REFRIGERATOR AND APPLIANCES OUTLETS TO BE • 60" A.F.F. - BATHROOM OUTLETS SHALL BE GFCI AND MOUNTED 8" ABOVE COUNTER. SEPERATE GFCI CIRCUITS FOR EACH BATHROOM. - ALL OUTLETS IN KITCHEN OR WITHIN 6' OF UET AREA TO BE GFCI. - MICROWAVE OUTLETS SHALL BE 20 AMP. SEPERATE RECEPTICLE • 18" A.F.F. (UNLESS OTHERWISE NOTED. - SWITCH BOXES TO BE MOUNTED • 42" A.F.F. TO CENTER LINE OF BOX OR CLUSTER OF BOXES. - ARC FAULT PROTECTED OUTLETS REQUIRED AT ALL LOCATIONS. - ATTIC LIGHT TO BE KEYLESS FIXTURE WITH INTEGRATED CONVENIENCE OUTLET LOCATED CONVENIENT TO ACCESS. - WASHERS TO HAVE SEPARATED 20 AMP. DUPLEX OUTLET • 44" A.F.F. - DRYER TO HAVE SEPARATE 220V 30 AMP. SINGLE OUTLET • 44" A.F.F. - ALL OUTLETS IN GARAGE TO BE GFCI. - ALL EXTERIOR OUTLETS TO BE GFCI AND WEATHER PROTECTED. - TELEPHONE OUTLETS: PROVIDE BOX (MOUNT TYP. • 12" A.F.F. OR 6" ABOVE COUNTER UNLESS NOTED OTHERWISE), COVER PLATE, CATEGORY 5 WIRE, ALL LINES TO BE HOME RUNS. - GANG SWITCHES / OUTLETS WHENEVER POSSIBLE.	



NOT TO BE USED FOR REGULATORY APPROVAL, PERMIT, OR CONSTRUCTION

TIM MCINTYRE

11/15/2021

PH. 512.694.6277

T. McIntyre

associates

The Johnson Residence

703 Loma Linda

West Lake Hills, TX 78746

NOTE: IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO VERIFY & COORDINATE ALL CONDITIONS, RELATIONSHIPS, ALL DIMENSIONS, AND ASSEMBLES OF BUILDING COMPONENTS, AND THE ADEQUACY AND CORRECTNESS OF ALL WORK ON THIS PROJECT.

COPYRIGHT 2021

T.

T. MCINTYRE ASSOCIATES

ALL RIGHTS RESERVED

SHEET:

E2

General Info

Status: Preliminary

ACCOUNT

Property ID:119836Agent:

Geographic ID:0119130408

Type:R

LegalLOT 8 BLK N STONEHEDGE ESTATES BLK N

Description:

Property Use:

Appraisal

Notice:

OWNER

Name:JOHNSON STEVEN DEREK & KELY ESPINOSA TORRES

Secondary Name:

Mailing Address:PO BOX 161585 AUSTIN TX US 78716-1585

Owner ID:1898466

% Ownership:100.00 %

Exemptions:

State Code:A1

LOCATION

Address:703 LOMA LINDA, TX 78746

Market Area:

Market Area CD:M5709A

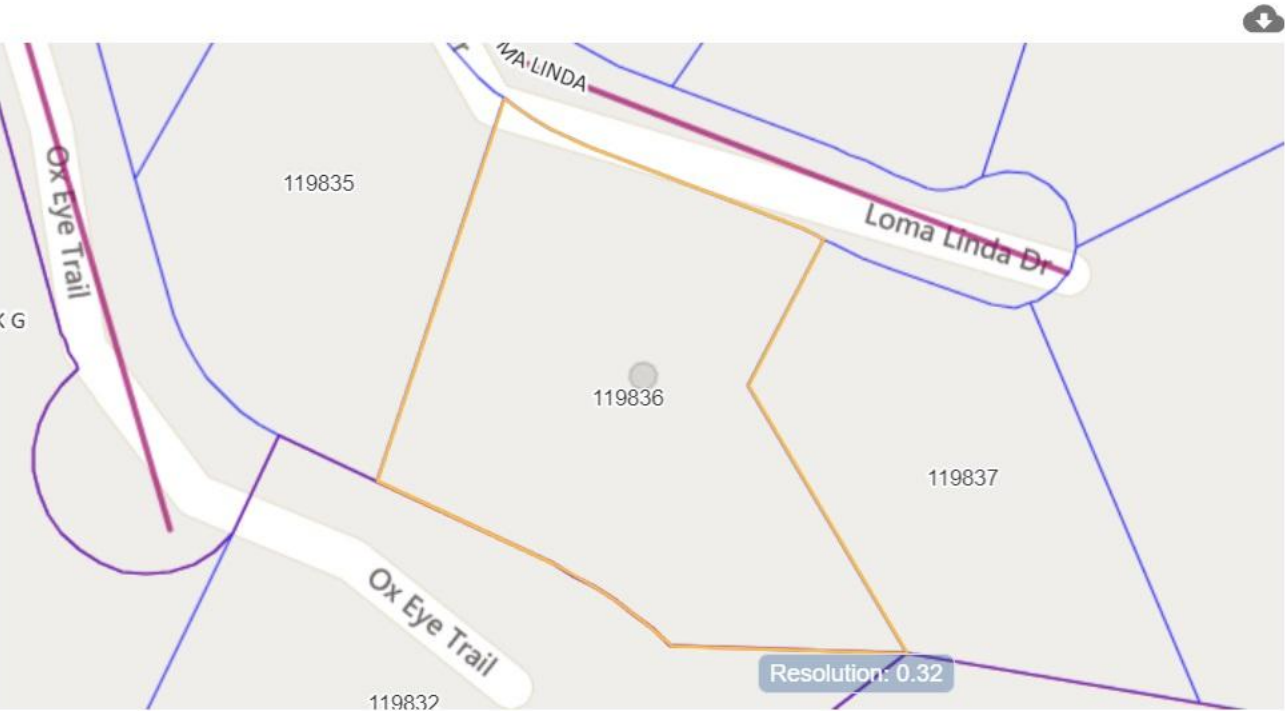
Map ID:011818

PROTEST INFORMATION

Protest Status:

Informal Date:

Formal Hearing Date & Time:



Map Disclaimer

Values

CURRENT VALUES

Land Homesite	920,000
Land Non-Homesite	0
Special Use Land Market	0
Total Land	920,000
Improvement Homesite	0
Improvement Non-Homesite	2,157,180
Total Improvement	2,157,180
Market	3,077,180
Special Use Exclusion (-)	0
Appraised	3,077,180
Value Limitation Adjustment (-)	0

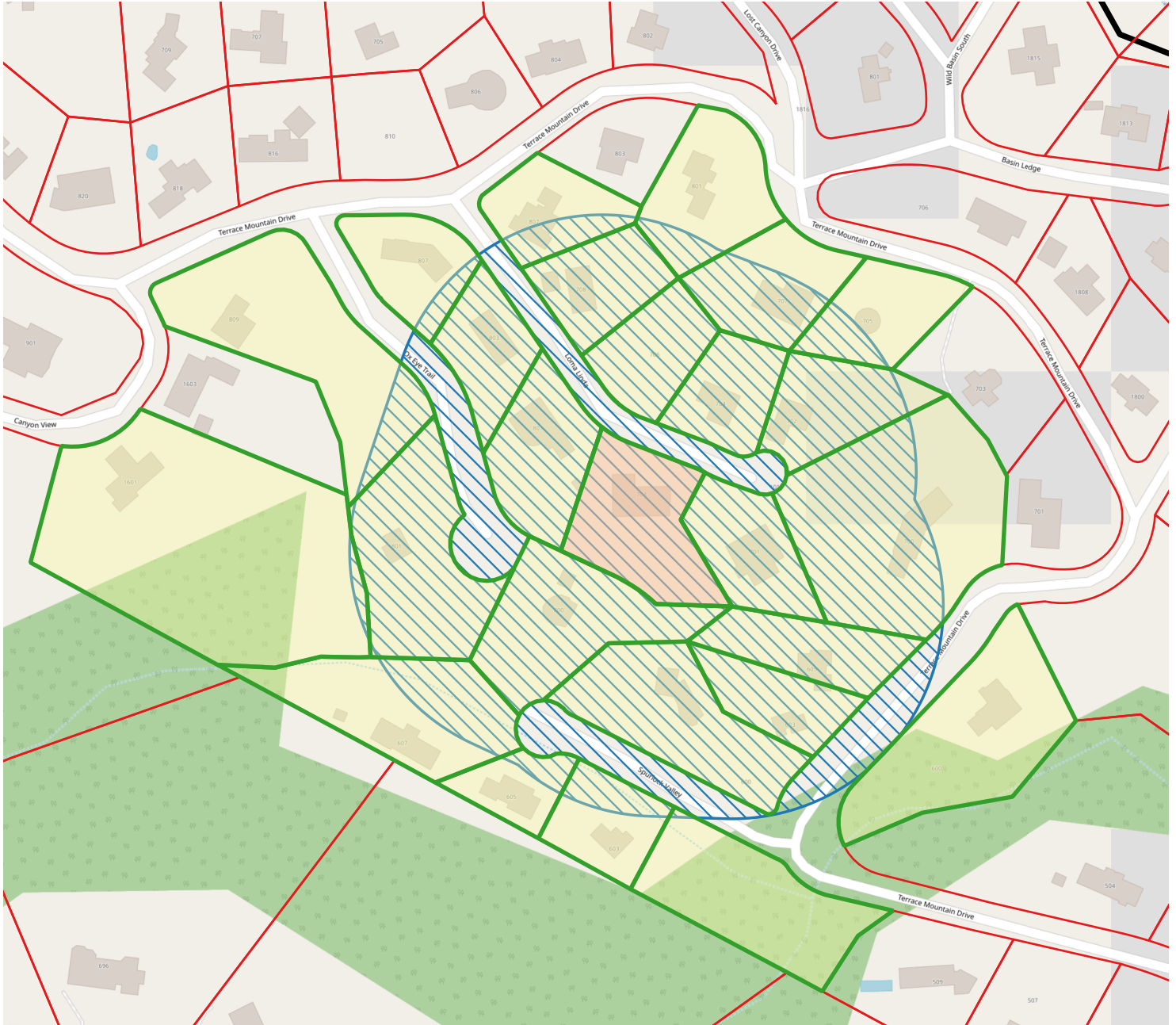
VALUE HISTORY

Year	Land Market	Improvement	Special Use Exclusion (-)	Appraised	Value Limitation Adj (-)	Net Appraised
2024	920,000	2,157,180	0	3,077,180	0	3,077,180
2023	920,000	0	0	920,000	0	920,000
2022	920,000	283,889	0	1,203,889	0	1,203,889



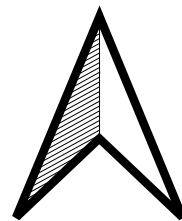
Notification Area

703 Loma Linda Variance



Legend

-  Subject Property
-  Notified Properties
-  Notification Area
-  Parcels
-  West Lake Hills City Limits



City of West Lake Hills

MINUTES OF A ZONING & PLANNING COMMISSION (ZAPCO)

REGULAR MEETING

Wednesday, July 17th, 2024 at 6:30 PM

1. **Call to Order: Vice-Chair Jim Commissioner Pledger**
 - a. Meeting begins at 6:30pm
 - b. Roll Call
 - Chair Robert Meisel: Absent (Excused)
 - Vice-Chair Jim Pledger: Present
 - Commissioner Julia Webber: Present
 - Commissioner Karen Bartoletti: Present
 - Commissioner Patrick Stewart: Present
 - Commissioner Laurie Maccini: Present
2. **Citizen Communications:**
 - a. None
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 items unless a Commission Member or citizen so requests.
 - a. Approval of the May 15, 2024 Zoning and Planning Commission minutes
 - Item pulled for having incorrect date on Agenda. Consent Agenda item should have been for June 19, 2024 minutes.
 - b. Report of the Previous ZAPCO cases acted on by the BOA/City Council
 - c. **Action:** None required
4. **Deliberation/Action: 4 N Peak Road:** Consider action to recommend Approval with Conditions for the 4 N North Peak Rd. Minor Plat, being .0848 acres out of the Henry P Hill Survey Abstract No. 14 (Section 36.01.018 of the West Lake Hills Code of Ordinance).

Applicant: Kent Stromberg, Agent

- a. **Staff Report:**
 - i. Director Bills explains the Minor Plat and the recommended conditions for approval

- ii. **Commissioner Bartoletti:** Are the plat notes substantive, or does simply having them meet requirements?
 - 1. The city has pre-defined plat notes that must be included for platting
- iii. **Commissioner Maccini:** What is the difference between a subdivision and a lot?
 - 1. Platting process must meet city codes, whereas deed-dividing process does not.
- iv. **Commissioner Bartoletti:** Does this process create a legal lot?
 - 1. Yes
- b. **Public Comments:**
 - i. None
- c. **Discussion:**
 - i. None
- d. **Action:**
 - i. Commissioner Bartoletti moves that the plat be forwarded to Council with a recommendation of **Conditional Approval** based on staff conditions
 - 1. Commissioner Webber Seconds
 - 2. Motion **carries** (4-0)

Recommendation will be forwarded to City Council for final consideration on August 14, 2024.

- 5. Public Hearing 703 Loma Linda Dr.: Discuss and make recommendation on a variance to encroach 8 feet into the 25-foot side setback (Section 22.03.275 and 22.03.281 of the West Lake Hills Code).

Applicant: Steven Johnson, Property Owner

- a. **Staff Report:**
 - i. Director Bills delivers briefing on HVAC equipment encroachment into setback
 - ii. **Commissioner Webber:** How close is neighboring property structure?
 - 1. 25-ft setbacks place structures at least 50 feet apart
 - iii. **Commissioner Webber:** Incredibly sensitive to HVAC equipment inside yard due to noise

iv. Commissioner Stewart: How long has ordinance been in existence?

1. Multiple code cycles – not a new ordinance

b. Public Comment:

i. Applicant: Steven Johnson

1. Builder assumed HVAC could go in setback
2. Moving units to the rear would cause system to be less efficient
3. Detention Pond in back is close to where AC pad should go by code
4. Wall and vegetative screening should reduce visual and auditory impact

c. Discussion:

i. Commissioner Maccini: What species trees have been planted?

1. Appear to be Cherry Laurels in pictures

ii. Commissioner Maccini: What kind of understory blocking?

1. **Commissioner Pledger:** Tree removal has already been approved by staff

iii. Commissioner Bartoletti: Difficulty seeing hardship

iv. Commissioner Webber: Trying to balance benefits of noise reduction through walls, distance, and vegetation combined with energy efficiency and possible future code amendments versus lack of hardship

v. Commissioner Webber: Are there fines for this kind of mistake where items aren't built to plan?

1. No fines in these cases. But final inspection and CO cannot be completed, so house cannot be occupied until resolved. Extra time for correcting the errors creates delays in moving into house and added expense.

vi. Commissioner Stewart: Mistakes by builders should be owned by builders. As code is written today, no hardship exists.

d. Action:

- i. Commissioner Bartoletti moves to forward to Board of Adjustment with recommendation of **denial**, but requests that Council consider code amendment to address this issue going forward.
 1. Commissioner Webber Second
 2. Motion carries 4-0

Recommendation will be forwarded to Board of Adjustment for final consideration on August 14, 2024.

6. Public Hearing: 807 Loma Linda Dr.: Discuss and make recommendation on a variance for an 8.5-foot-tall fence where the maximum height is 6 feet over natural grade (Section 22.03.173 of the West Lake Hills Code).

Applicant: Carrie Steilen, Property Owner

a. Staff Report:

- i. Director Bills delivers staff report on property history and over-height fence built without permit
 - 1. **Commissioner Stewart:** Why isn't fence height considered from both sides?
 - a. Code bases height on existing grade beneath fence
 - 2. **Commissioner Stewart:** Does a cinder fence require more extensive design
 - a. Fences over 7 feet require engineering

b. Public Comment:

- i. **Jared Ficklin** – Owner's Representative
 - 1. Explains history of fence replacement
 - 2. Explains slopes around property
 - 3. Explains the added cost of building 6' instead of 6'3"

c. Discussion:

- i. **Commissioner Webber:** Could have built shorter than maximum with 8" blocks instead of taller than is allowed
- ii. **Commissioner Stewart:** 3" could be adjusted
- iii. **Commissioner Maccini:** Difficult because already built, and asking to take down is a lot, but if you know you know that adding a row of blocks will take the fence from being under the limit to over the limit, you should stay under.
- iv. **Commissioner Pledger:** Similar after-the-fact variances for other properties have been denied and walls have had to be revised.
- v. **Commissioner Webber:** Concrete blocks can be taken off 8" at a time – entire wall doesn't necessarily need to be removed

- d. Action:** Commissioner Webber moves that the zoning change be forwarded to Council with a recommendation of **denial** for lack of hardship.

- i. Commissioner Maccini Seconds
- ii. Motion Carries Unanimously (4-0)

Recommendation will be forwarded to City Council for final consideration on August 14, 2024.

7. Public Hearing 200 Wildcat Hollow: Discuss and make recommendation to allow for 25-foot encroachment for the building and grading for structures into a 50-foot front setback adjacent to Skyline Dr. for the redevelopment of a single-family residential structure (22.03.275 and 22.03.281 of the West Lake Hills Code).

Applicant: Rachel Jones, McCollum Studio

a. Staff Report:

- i. Director Bills explains property layout with 4 frontages and requested variance along skyline drive
- ii. **Commissioner Webber:** Pool on proposed plan is not existing. House could go in that location.
- iii. **Commissioner Bartoletti:** Would variance change the setbacks?
 1. No – would allow encroachment into setback for the house

b. Public Hearing:

- i. **Rachael Jones:** Architect
 1. Explains variance request
 2. Staying close to existing house and within setback will allow more trees to be saved
- ii. **Jeffrey Dochen:** Neighbor
 1. Fully supports approval of the variance request

c. Discussion:

- i. **Commissioner Maccini:** What is the planned square footage?
 1. 6,000 sf
 2. **Commissioner Maccini:** Design driven decision to build pool and large house
- ii. **Commissioner Webber:**
 1. 25' setback along skyline could be used for anything
- iii. **Commissioner Pledger:** Obligation to minimize the variance
- iv. **Commissioner Webber:** Feels like too early in process to request variance
- v. **Commissioner Bartoletti:** Doesn't understand practical downside to coming back with more-complete plans
- vi. **Commissioner Bartoletti:** Would limiting the encroachment to the extent of the existing house meet the applicant's needs?
 1. **Rachel Jones:** Could work within those constraints

- vii. **Commissioner Maccini:** Alright with limiting encroachment, but not sure how to word it
- viii. **Architect:** Explains concept of plans
 - 1. **Commissioner Bartoletti:** That is the kind of detail that more plans would provide
- ix. **Commissioner Pledger:** Would be comfortable limiting encroachment to outline of existing house
- x. **Commissioner Maccini:** Would applicant be willing to request postponement?
- xi. **Applicant:** more comfortable with recommendation to BOA now, and can provide more information at that point
- d. **Action:**
 - i. Commissioner Webber moves that the variance be forwarded to the Board of Adjustment with a recommendation of **denial**.
 - 1. Commissioner Stewart Seconds
 - 2. Motion Carries 4-0

Recommendation will be forwarded to the Board of Adjustment for final consideration on August 10, 2024

8. **Adjournment:**

- a. Vice-Chair Commissioner Pledger Adjourns the meeting at **7:58 PM**

Respectfully submitted,

ROBERT MEISEL, CHAIRMAN

ATTEST:

Development Coordinator Joel Sherrouse

These minutes were approved on _____, 2024.

Exhibit A

703 Loma Linda Side Setback

Applicant's Findings of Fact

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

During the architectural design and permitting, a pad for the HVAC condenser and generator was not included on the plan. A short set of stairs into the side entrance of the garage was on the plans and may be a foot over the setback line

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

There is no impact to terrain or flora

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

Moving these pads to the front of the house would be unsightly. On the down hill side of the house is the pool and detention pond so there is no room.

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

The wiring for the HVAC comes out of the wall on the right of the house so placing the pad there is the most logical choice.

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

There is minimal impact to the site...no adverse effect to topography or trees. The HVAC pad has been built with a privacy wall around it.

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

There are 10-12 replacement trees planted along the property line shielding the pads and house

Exhibit B

703 Loma Linda Side Setback

Staff Findings of Fact

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 setback encroachment is a self-created hardship because the AC units were not located as shown on the approved plan.

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

The terrain and vegetation would not be impacted by the current or permitted location for the AC units.

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

The AC units could be relocated behind the house.

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

The variance requested is for the existing depth of the AC units installed.

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

The AC units are in the side setback and screened, so the location would not violate the intent of the Zoning Ordinance.

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

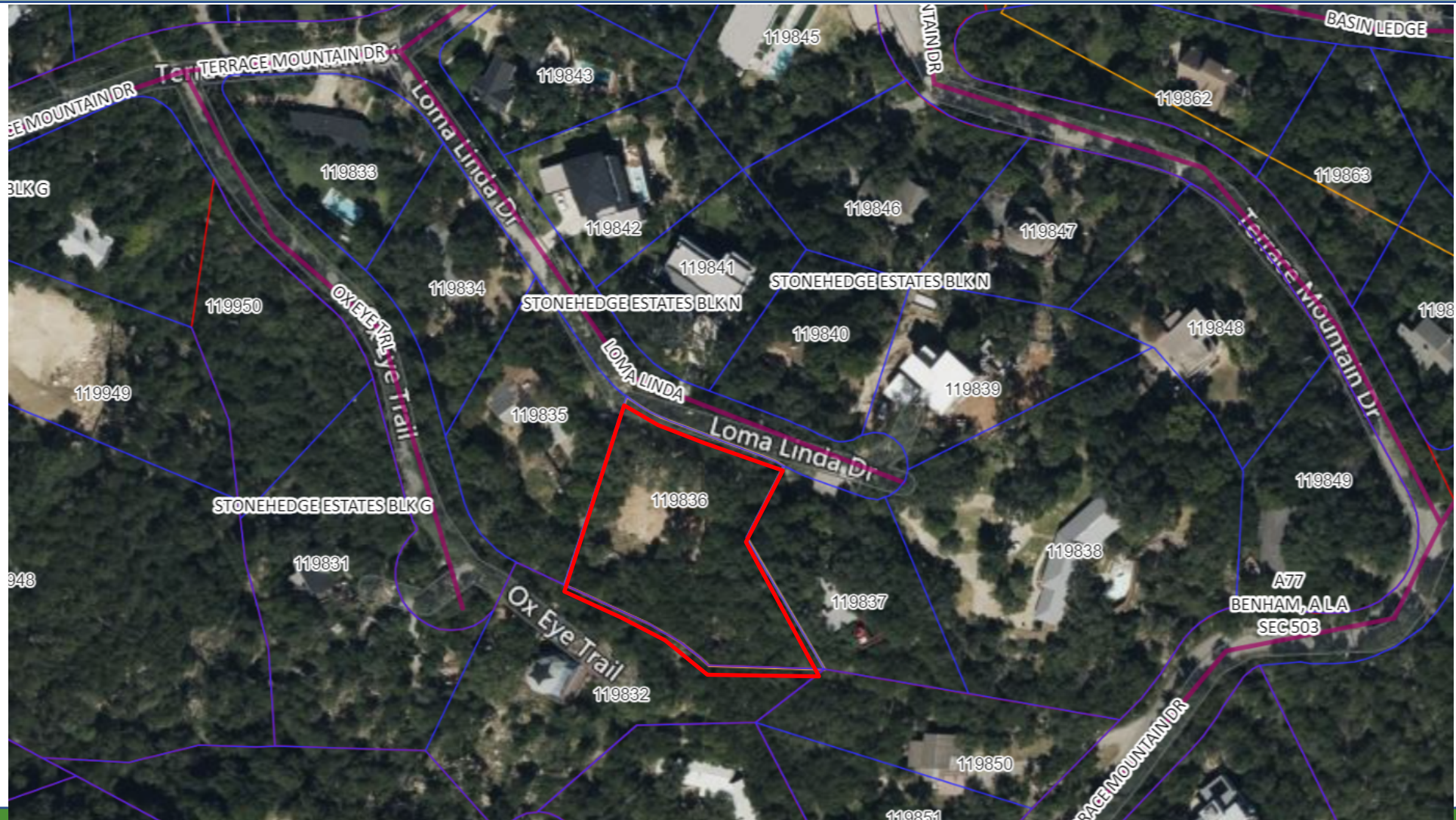
No neighbors have alleged any adverse impact from the encroachment.

703 Loma Linda Dr.

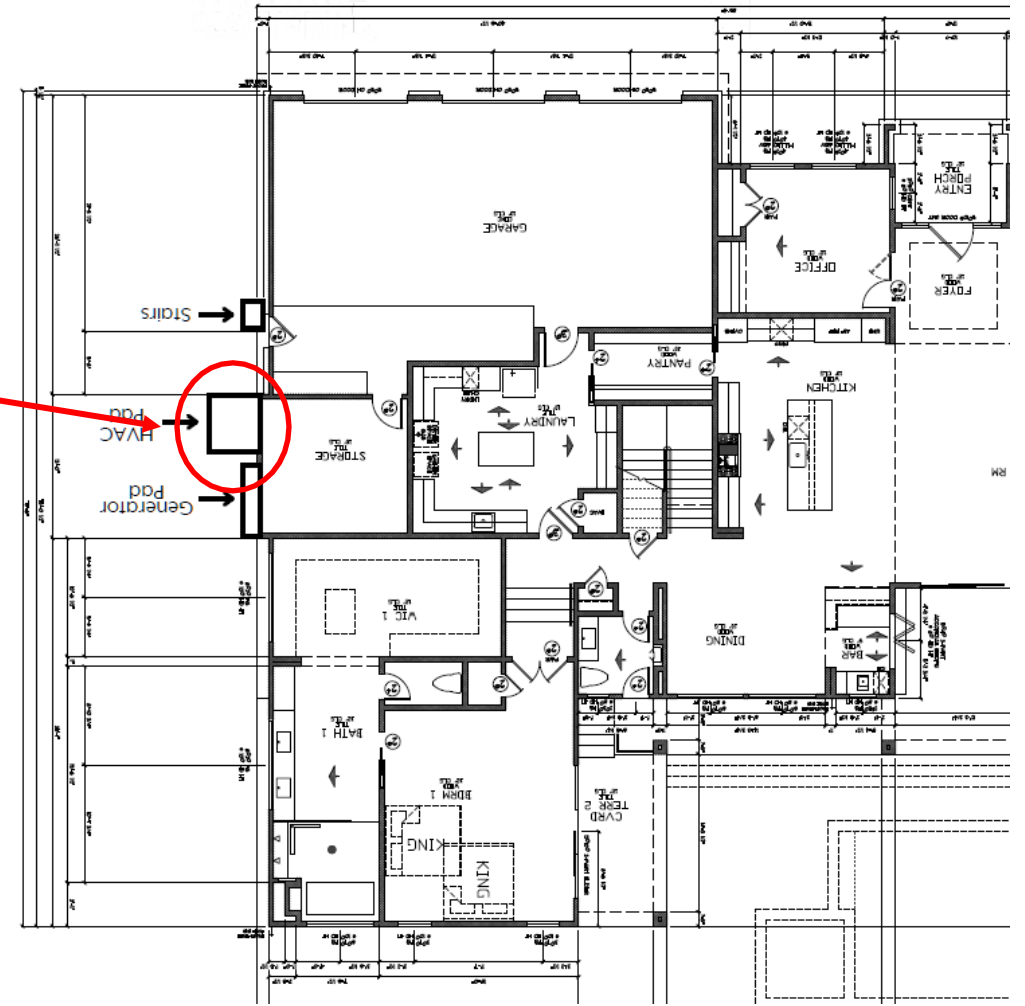
5. Discuss and consider action on a variance to encroach 8 feet into the 25-foot side setback (Section 22.03.275 and 22.03.281 of the West Lake Hills Code).

Applicant: Steven Johnson, Property Owner

703 Loma Linda Dr.



HVAC Pad/ Equipment



703 Loma Linda Dr.

- HVAC equipment was shown at rear of property on the plans.
- Location was caught after installation during final inspection stage.
- Generator shown was relocated before installation to the rear.
- Steps shown are allowed in the setback as long as they are unroofed.
- Other jurisdictions allow encroachment of mechanical equipment into setbacks.

703 Loma Linda Dr.

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 setback encroachment is a self-created hardship because the AC units were not located as shown on the approved plan.
2. There will not be unreasonable disruption of the natural terrain or unreasonable destruction of existing flora.
 - The terrain and vegetation would not be impacted by the current or permitted location for the AC units.
3. There is no reasonable alternative to the requisite variance that will alleviate the difficulty or hardship complained of.
 - The AC units could be relocated behind the house.
4. The variance will not be greater than the minimum required to alleviate the difficulty or hardship complained of.
 - The variance requested is for the existing depth of the AC units installed.
5. The variance does not violate the intent of the Zoning Ordinance or goals of the Comprehensive Plan.
 - The AC units are in the side setback and screened, so the location would not violate the intent of the Zoning Ordinance.
6. The variance will not adversely affect neighboring properties or interfere with the enjoyment of these properties by their owners.
 - No neighbors have alleged any adverse impact from the encroachment.

703 Loma Linda Dr.

- Staff recommends denial of the variance request due to a lack of hardship. Exhibit B contains staff findings of fact for denial.
- Public Comment:
 - No comments have been received.
- The ZAPCO considered this item at the July 17, 2024 regular meeting. They recommended denial by a vote of 4-0 due to lack of hardship.
- The Commission also recommended reviewing the code requirements related to restricting equipment from the setbacks.

703 Loma Linda Dr.



703 Loma Linda Dr.





City of West Lake Hills Board of Adjustment

AGENDA REPORT

Meeting Date:	August 14, 2024	Item Number:	5
Department:	Building and Development Services		
Prepared By:	Jennifer C. Bills	Cost / Budget:	None
Exhibits:	See Attached	Source of Funds:	N/A

Subject

18 Nob Hill Circle: Discuss and consider action on a Special Use Permit for a domestic employee quarters (Section 38.03.032 of the West Lake Hills Code).

Applicant: Lisa Vela, NextLevel Permits, LLC

Recommendation

Staff recommend approval of the Special Use Permit for a 594 square foot domestic employee quarters.

Discussion

Property Information, Zoning & Site Characteristics:

Owner: 2015 Austin Nob Hill, LP

Legal Description: Nob Hill Harbor View Subdivision Lot 2

Lot Size: 2.4348 acres

Zoning: R-1 One Family

The site is surrounded by R-1 One Family Residential on all sides.

Background & Analysis:

The property owners are requesting a Special Use Permit to construct a 594 square foot accessory dwelling that will serve as domestic employee quarters (Attachment 1). The code requires the quarters to be located on the same lot as the principal dwelling and used for habitation of a person fully employed in domestic duties on the dwelling premises. Such accessory dwelling shall not be permitted on lots of less than one acre. The domestic quarters shall not exceed 600 square feet in size and shall contain only one bedroom. The applicant has provided the site layout, floor plan and building elevations of the structure (Attachments 3-7).

The property owner originally requested a Special Use Permit in 2019 for a and was approved by the Board of Adjustment on February 13, 2019. The project failed to make substantial progress and the building permit expired, which caused the SUP to lapse. The current request is very similar to the previous request.

SUP Criteria & Analysis:

The applicant has provided their justification of the criteria in Attachment 1.

- 1) The appearance, size, density and operating characteristics of the proposed special use are compatible with the surrounding neighborhood and uses;
- 2) The proposed use will not have an adverse effect on the value of surrounding properties or impede their proper development.
- 3) The proposed use will not create a nuisance factor or otherwise interfere with a neighbor's enjoyment of the neighbor's property or operation of the neighbor's business.
- 4) The traffic that the proposed use can reasonably be expected to generate on existing streets will not create or add significantly to congestion, a safety hazard, or a parking problem in the area, nor will it disturb the peace and quiet of the neighborhood; and
- 5) The proposed use shall comply with all other applicable ordinances and regulations.

Public Comment:

At the time of this report, one written comment has been received in opposition of the request (Attachment 8).

Outdoor Lighting

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.

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 38.04.032: Special use permit](#)
- [Section 38.03.032 \(c\): Special uses permitted in R-1 One Family](#)

Aerial:



31 May 2024

West Lake Hills Board of Adjustments: Special Use Permit

Dear James Vaughan & Board Members,

We are the Architect of Record representing Rene Campos, the owner of 18 Nob Hill Circle. We are requesting a **Special Use Permit** for **Domestic Employee Quarters**.

We previously received approval for this Special Use Permit in 2019. However, the permit has since expired, requiring us to re-apply.

18 Nob Hill Circle was an undeveloped site of 2.43 acres when we initially applied for this permit in 2019. Following permit approval, site and utility work commenced. The property currently has many trees and the owner will be adding additional plantings to supplement the existing landscape. The new Domestic Employee Quarters (gate house) will be a 594 square foot house that is quaint and small in scale. The design incorporates a 17th century timber frame. The exterior palette of materials for the gate house is antique and is intended to make the new building look like it has been in place for a long time.

Our design is sensitive to the neighbors and the site. Our office and the owner value the natural beauty of this site. The new building will tuck into the existing landscape and not be fully visible from the street or adjacent properties.

The proposed use and structure comply with the following code requirements:

1. **The appearance, size, density and operating characteristics of the proposed special use are compatible with the surrounding neighborhood and uses;**
The gate house has a small foot print. The materials used will be antique in nature making the building feel as like it has been on site for a long time. The owner will be densifying the perimeter landscape. The small size, the weathered appearance and the robust plantings will help the house visually recede and fit into the surrounding neighborhood.
2. **The proposed use will not have an adverse effect on the value of surrounding properties or impede their proper development;**
With the added landscaping, the proposed structure will not be readily visible from the street and will not adversely affect the value or proper development of the surrounding properties.

3. **The proposed use will not create a nuisance factor nor otherwise interfere with a neighbor's enjoyment of their property or operation of their business;**
The proposed use is a quiet and unobtrusive use and will not interfere with neighbor's enjoyment of their properties.
4. **The traffic that the proposed use can reasonably be expected to generate on existing streets will not create nor add significantly to congestion, a safety hazard, or a parking problem in the area, nor will it disturb the peace and quiet of the neighborhood.**
Since the proposed structure is a one bedroom gate house, the additional traffic will be minimal.
5. **The proposed use complies with all other applicable ordinances and regulations;**
The proposed structure complies with the area requirement, the height requirement and all other applicable ordinances.

Sincerely,



Mell Lawrence
Architect, FAIA

Principal at Mell Lawrence Architects



31 May 2024

West Lake Hills Board of Adjustments: Special Use Permit

PROJECT NARRATIVE

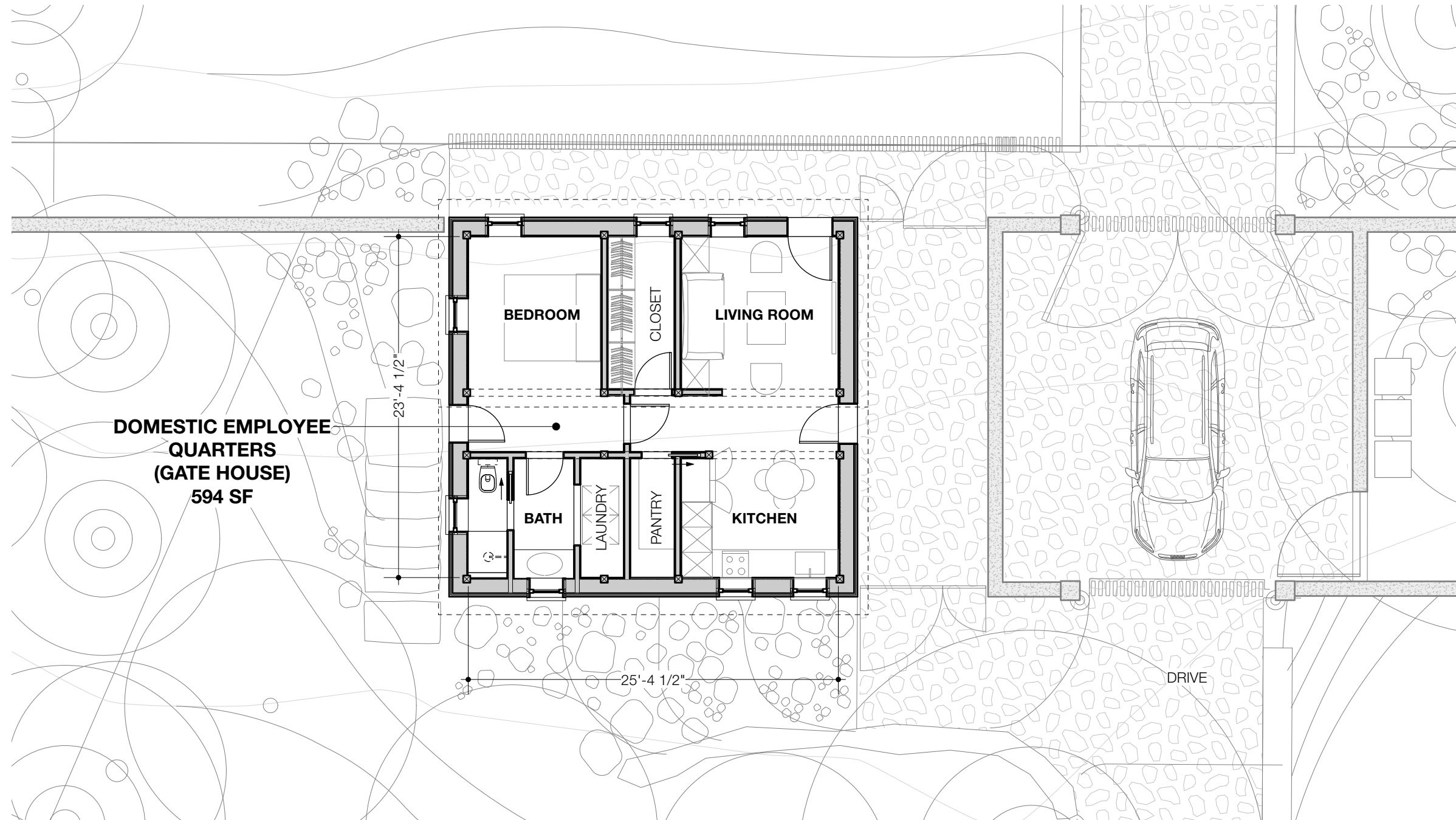
The new Domestic Employee Quarters (gate house) at 18 Nob Hill Circle will be a 594 square foot one-bedroom house that is quaint and small in scale, to complement and support the main house further down the hill. The design incorporates a 17th century timber frame. The exterior palette of materials for the gate house is antique and is intended to make the new building look like it has been in place for a long time. The owner will be densifying the perimeter landscape. The small footprint, the weathered appearance and the robust plantings will help the house visually recede and fit into the surrounding neighborhood.



913 W. GIBSON STREET • AUSTIN, TEXAS 78704 • TEL: 512.441.4669 • MELLLOWRENCEARCHITECTS.COM

SITE PLAN





01 FLOOR PLAN GATE HOUSE
Scale: 1/8" = 1'-0"



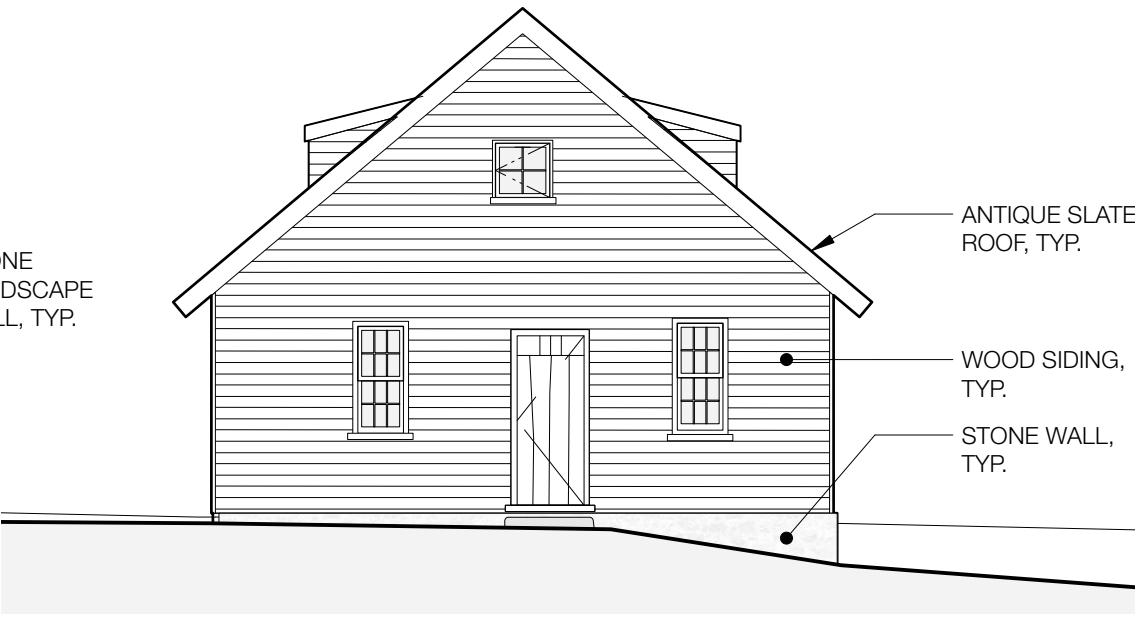
04 GATE HOUSE FRONT ELEVATION
Scale: 1/8" = 1'-0"



03 GATE HOUSE SIDE ELEVATION
Scale: 1/8" = 1'-0"



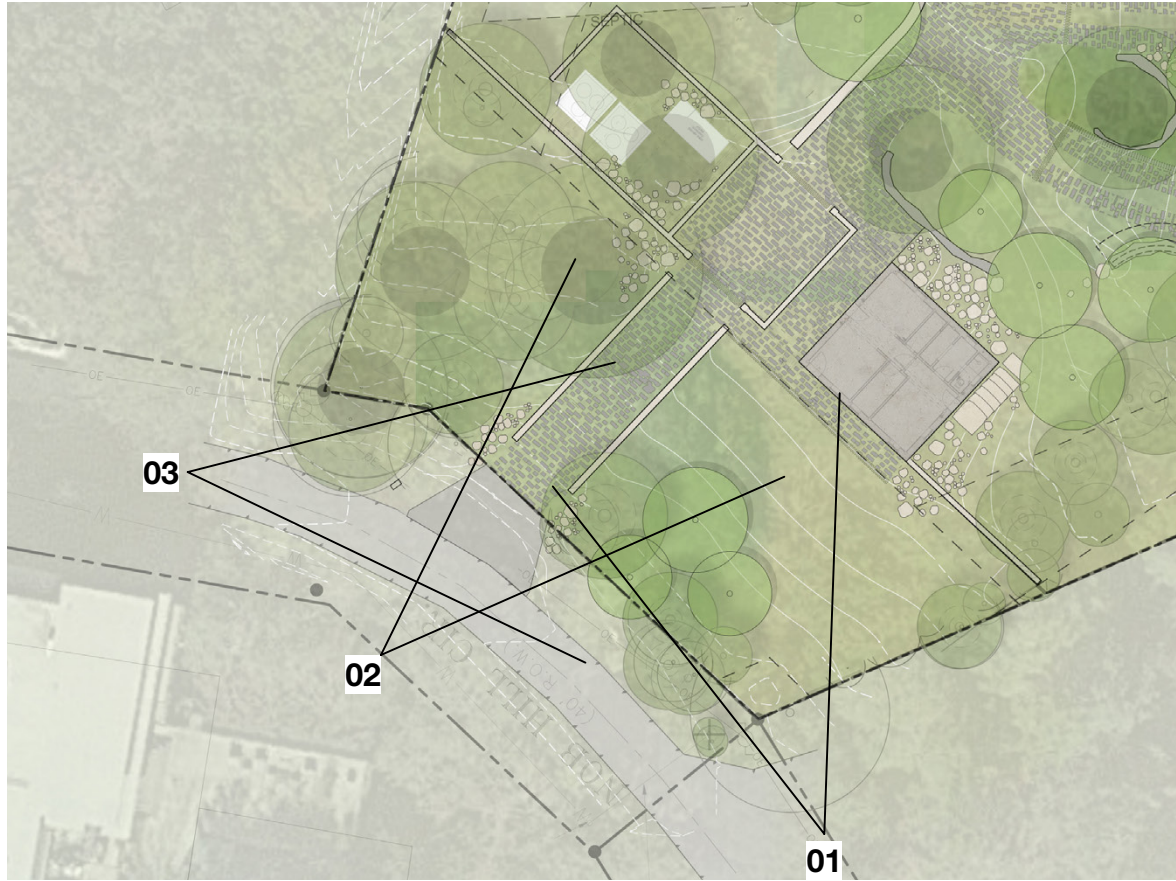
02 GATE HOUSE BACK ELEVATION
Scale: 1/8" = 1'-0"



01 GATE HOUSE SIDE ELEVATION
Scale: 1/8" = 1'-0"



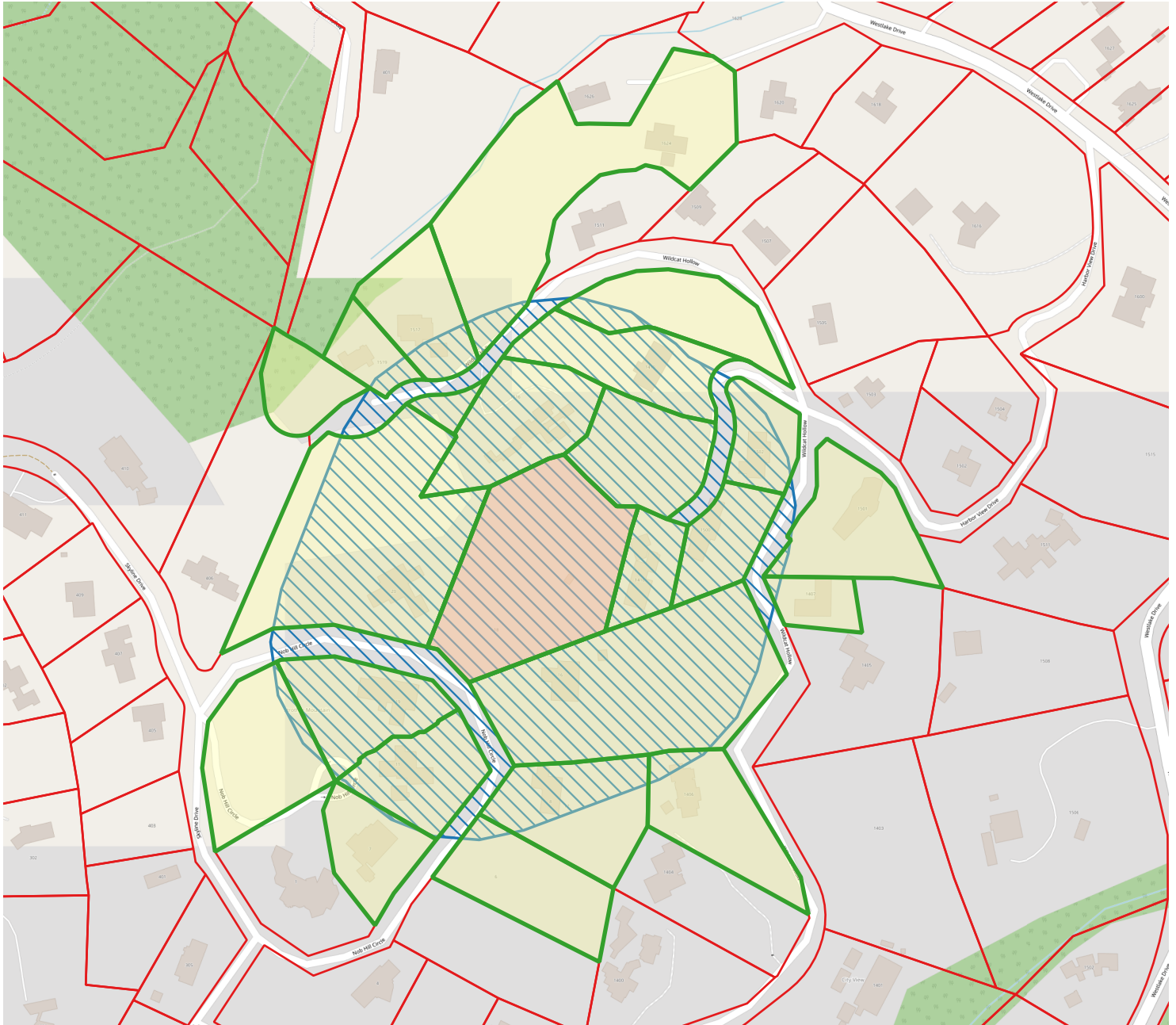
HISTORIC HOUSE RENDERING FOR ANTIQUE TIMBER FRAME



SITE PHOTOS (CURRENT)

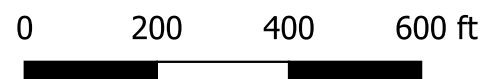
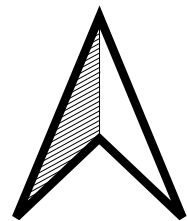
Notification Area

18 Nob Hill Special Use Permit



Legend

-  Subject_Property
-  Notified_Properties
-  Parcels
-  Notification_Area



Begin forwarded message:

From: Steven Zinn <sez1@austin.rr.com>

Subject: 18 Nob Hill Circle

Date: June 12, 2024 at 10:58:28 AM CDT

To: jbills@westlakehills.gov

Cc: Joe Freeman <jfreeman33@austin.rr.com>, Sally & Farhan Mansuri <sally.mansuri@gmail.com>, Chris Gunter <chris@gbafirm.com>, Steve Margolin <smargolin@austin.rr.com>

Dear Ms. Bills,

Thank you for taking the time to inform me of permitting for the 18 Nob Hill Circle Project, specifically the "Guard House." As mentioned, we reside at 20 Nob Hill Circle. I have communicated with several Neighbors and while we do not agree with permitting of the "Guard House," we understand that it was approved years ago and there is precedent in the City. Our disapproval comes from the belief that this is a neighborhood, not an Enclave.

The real issue at hand is that this Project started approximately six years ago. We were subjected to constant Limestone Pounding for nearly two years. Furthermore, The Project has laid fallow for almost two years. Closer inspection reveals that the property has been cleared of trees and landscape and excavated virtually property line to property line. For the sake of Clarity, I have attached a Google Satellite image of the Property. Even after two years, there appears to be nothing growing. What has transpired is an environmental disgrace, especially in a Neighborhood and City that values Nature and the Native Flora. Perhaps it is worth validating that the original permits allowed this circumstance. As the City deals with this, I and many of my Neighbors hope that deadlines, inspection, and enforcement not allow this to continue for more extended periods (years) and that serious remediation occur. I believe what has transpired at 18 Nob Hill Circle is disrespectful to the Neighborhood and City of West Lake Hills.

I will also attach; for your amusement and the amusement of Committee and Staff three Black and White Photos : Mars, the Moon, and 18 Nob Hill Circle. With that I rest my Case.

Respectfully,

Steven Zinn, M.D.





SPECIAL USE PERMIT 157-2024-C

A PERMIT SETTING FORTH THE CONDITIONS UNDER WHICH A SPECIAL USE PERMIT SHALL BE PERMITTED AND AUTHORIZING THE CITY ADMINISTRATOR TO NOTE THE CHANGE ON THE OFFICIAL ZONING MAP OF THE CITY.

WHEREAS, 2015 Austin Nob Hill, LP (Rene Campos, Authorized Agent), owner of the herein described parcel of land at 18 Nob Hill Circle, has requested a Special Use Permit for a domestic employee quarters; and

WHEREAS, the notice as required by Section 38.04.032 of the West Lake Hills Code of Ordinances has been given to adjacent property owners; and

WHEREAS, Public Hearings have been held by the Board of Adjustment as required by law; and

WHEREAS, there has not been a valid objection in the Public Hearings or a written protest submitted against the proposed Special Use Permit; and

WHEREAS, the Board of Adjustment find that the application for Special Use Permit meets the requirements of Sections 38.03.032 and 38.04.031 of the West Lake Hills Code; and

WHEREAS, the Board of Adjustment at its Public Hearing finds that the Special Use Permit on the herein described parcel is not against the public interest;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ADJUSTMENT OF THE CITY OF WEST LAKE HILLS, TEXAS:

Article 1. The legal description of said parcel of land is as follows:

Nob Hill Harbor View Subdisivion, Lot 2

Article 2. The permit is granted under the following general terms and conditions:

1. The appearance, size, density and operating characteristics of the proposed special use are compatible with the surrounding neighborhood and uses;
2. The proposed use will not have an adverse effect on the value of surrounding properties or impede their proper development;
3. The proposed use will not create a nuisance factor or otherwise interfere with a neighbor's enjoyment of the neighbor's property or operation of the neighbor's business;
4. The traffic that the proposed use can reasonably be expected to generate on existing streets will not create or add significantly to congestion, a safety hazard, or a parking problem in the area, nor will it disturb the peace and quiet of the neighborhood; and
5. The proposed use shall comply with all other applicable ordinances and regulations; and
6. The domestic quarters shall be located on the same lot as the principal dwelling and used for habitation of a person fully employed in duties on the premises; and
7. The quarters cannot exceed 600 square feet in size, shall contain only one bedroom, and cannot be located on a lot less one acres in size.

Article 3. The duration of this Special Use Permit shall be for two (2) years from the effective date hereon. The permit shall lapse if the use has not commenced (or construction commenced) within one year of the date the permit was issued.

Article 4. This Special Use Permit may be renewed for two (2) year periods at the discretion of the City Administrator provided no written complaints have been received during the use period. When complaints have been registered, the applicant can seek renewal approval from the Board of Adjustment.

Article 5. This Special Use Permit for a domestic employee quarters is granted to 2015 Austin Nob Hill, LP, property owner, at 18 Nob Hill Circle.

Article 6. This Special Use Permit is not transferable to another person or another parcel of land.

Article 7. The Board of Adjustment after notice and Public Hearing, may revoke this Special Use Permit for one or more of the following reasons:

1. A substantial violation of any of the plans, terms, general or special conditions, and limitations applicable to this Special Use Permit;
2. A substantial violation of any applicable ordinance or regulation;
3. Operation or maintenance of the special use in a manner that is detrimental to the public's health or safety, or so as to constitute a nuisance; or;
4. Discontinuance of the use.

Article 8. The staff report presented on August 14, 2024 along with any supporting correspondence and documents, and marked as Exhibit "A" attached hereto are incorporated herein by reference for all pertinent purposes.

Article 9. The City Administrator is hereby authorized and shall promptly note the change on the Official Zoning Map of the City of West Lake Hills, Texas. The Zoning Map shall indicate that there is a Special Use Permit for 18 Nob Hill Circle.

Article 10. This Special Use Permit shall become effective upon approval of the Board of Adjustment.

PASSED AND APPROVED this 14th day of August, 2024.

James Vaughan, Chair
Board of Adjustment
City of West Lake Hills, Texas

ATTEST:

Terry Blanchard, City Secretary

I/We acknowledge receipt of this SUP and agree to abide by its terms and conditions.

Agent for 2015 Austin Nob Hill, LP

18 Nob Hill Circle

5. Discuss and consider action on a Special Use Permit for a domestic employee quarters (Section 38.03.032 (c) of the West Lake Hills Code of Ordinances).

Applicant: Lisa Vela, NextLevel Permits, LLC

18 Nob Hill Circle



18 Nob Hill Circle

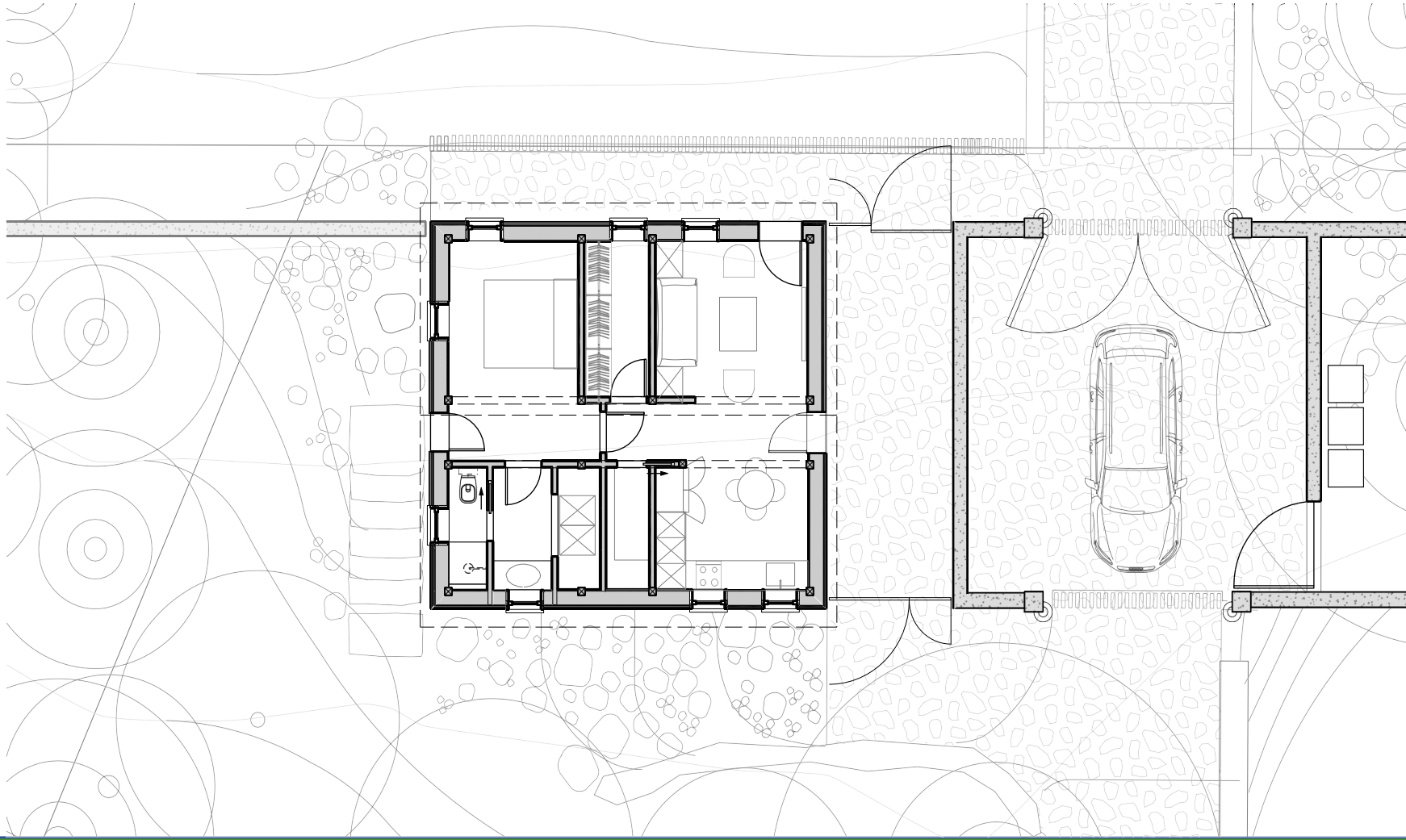
- Request is for a SUP for a 594 square foot domestic employee quarters.
- Received approval for a SUP on February 13, 2019, but it lapsed with the building permit expired.
- Applications for building, OSSF (septic), and pool permits are currently under review.

18 Nob Hill Circle

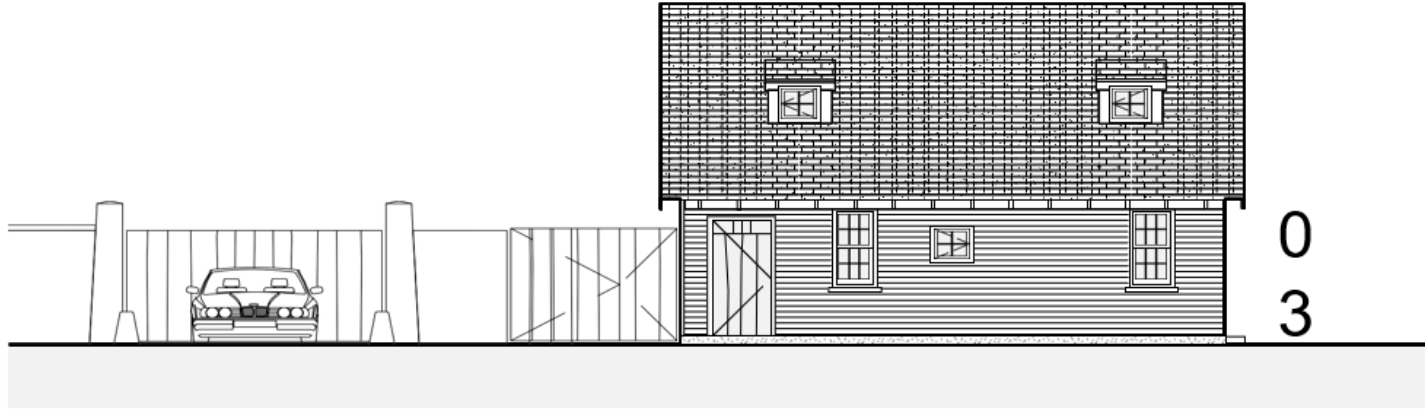
SITE PLAN



18 Nob Hill Circle



18 Nob Hill Circle



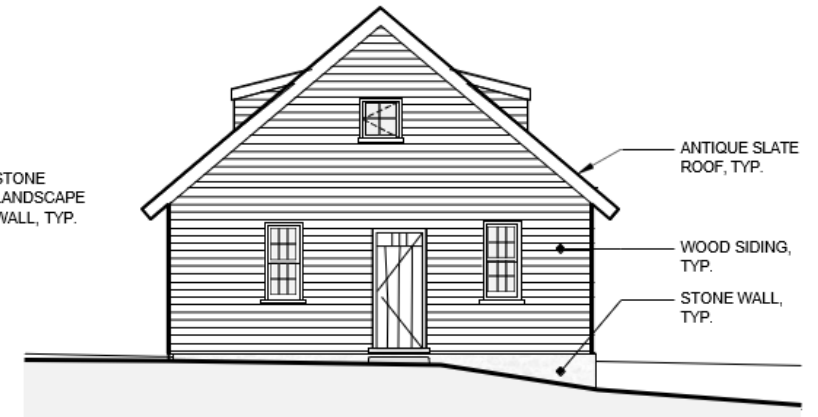
04 GATE HOUSE FRONT ELEVATION
Scale: 1/8" = 1'-0"



GATE HOUSE SIDE ELEVATION
Scale: 1/8" = 1'-0"



02 GATE HOUSE BACK ELEVATION
Scale: 1/8" = 1'-0"



01 GATE HOUSE SIDE ELEVATION
Scale: 1/8" = 1'-0"

18 Nob Hill Circle

- 1) The appearance, size, density and operating characteristics of the proposed special use are compatible with the surrounding neighborhood and uses;
- 2) The proposed use will not have an adverse effect on the value of surrounding properties or impede their proper development.
- 3) The proposed use will not create a nuisance factor or otherwise interfere with a neighbor's enjoyment of the neighbor's property or operation of the neighbor's business.
- 4) The traffic that the proposed use can reasonably be expected to generate on existing streets will not create or add significantly to congestion, a safety hazard, or a parking problem in the area, nor will it disturb the peace and quiet of the neighborhood; and
- 5) The proposed use shall comply with all other applicable ordinances and regulations.

18 Nob Hill Circle

- Staff recommends approval of the special use permit for a 594 sf domestic employee quarters.
- Public Comment:
 - One written comment in opposition was received.
- Special Use Permits are not reviewed by ZAPCO.

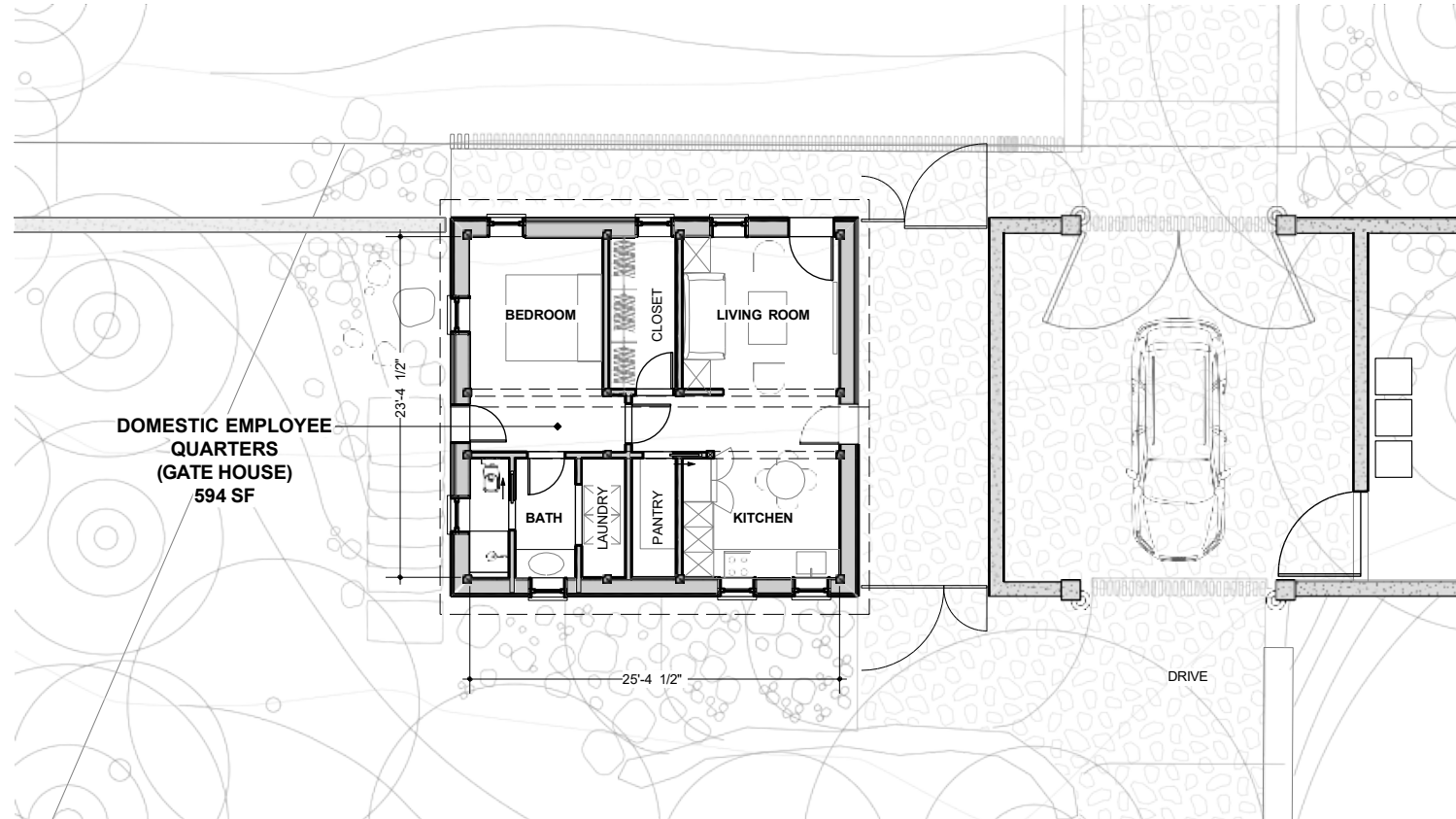
18 Nob Hill Circle

Applicant Presentation



SITE PLAN

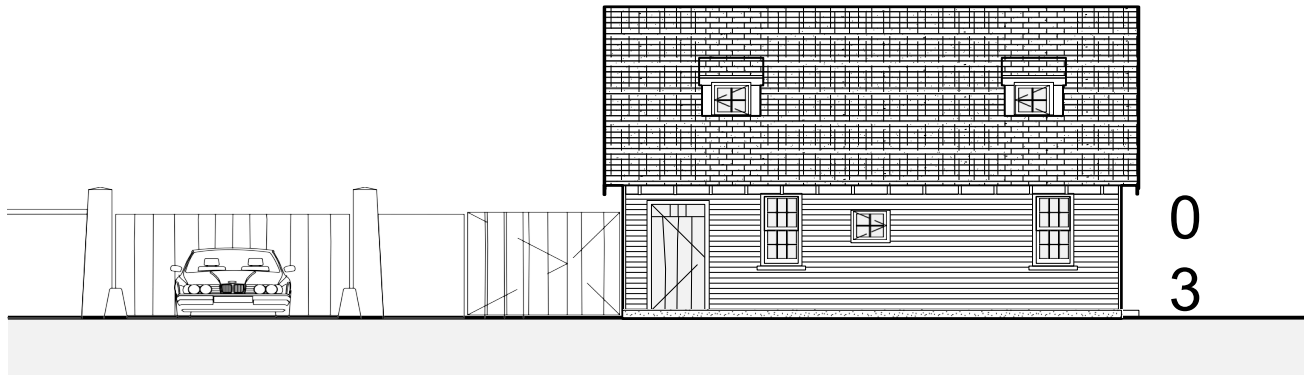




01 FLOOR PLAN GATE HOUSE
Scale: 1/8" = 1'-0"



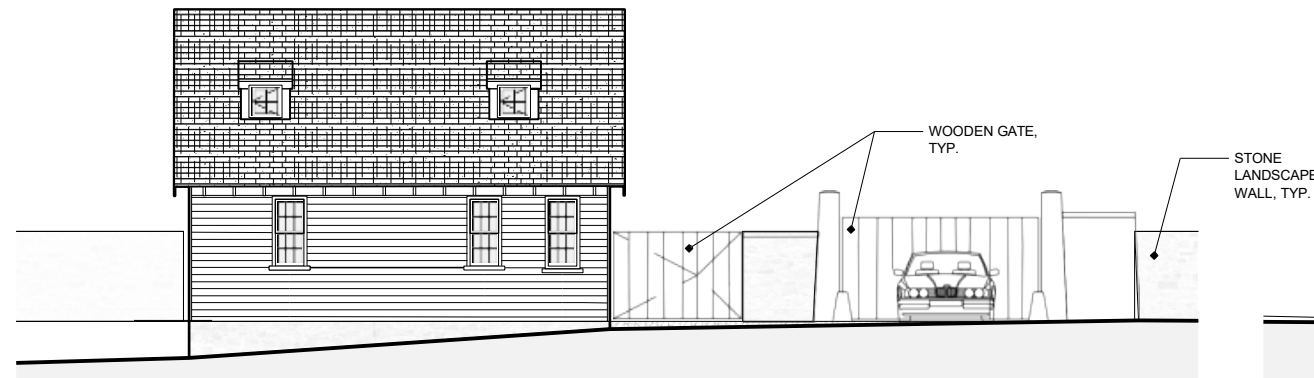
HISTORIC HOUSE RENDERING FOR ANTIQUE TIMBER FRAME



04 GATE HOUSE FRONT ELEVATION
Scale: 1/8" = 1'-0"



GATE HOUSE SIDE ELEVATION
Scale: 1/8" = 1'-0"



02 GATE HOUSE BACK ELEVATION
Scale: 1/8" = 1'-0"



01 GATE HOUSE SIDE ELEVATION
Scale: 1/8" = 1'-0"



GATEHOUSE & HOUSE RENDERING FROM THE STREET



GATEHOUSE & HOUSE RENDERING FROM THE STREET WITH LANDSCAPE SCREENING



SITE PHOTOS (CURRENT)

SITE PLAN

