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:	CITY STAFF PRESENT:
Chair James Vaughan	City Administrator Trey Fletcher
Gordon Bowman	City Secretary Terry Blanchard
Dana Harmon	Finance Director Vonda Ragsdale
Beth South	Director of BDS Jennifer Bills
Darin Walker	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,

BRIAN PLUNKETT, VICE CHAIR

ATTEST:

Terry Blanchard

Terry Blanchard, TRMC
City Secretary

These minutes were approved on August 14, 2024.

CITY OF WEST LAKE HILLS
CORPORATE
SEAL
TEXAS