CITY OF WEST LAKE HILLS, TEXAS
NOTICE OF ZONING & PLANNING COMMISSION (ZAPCO) REGULAR MEETING
Wednesday, February 19, 2025 at 6:30 PM

Notice is hereby given that the Zoning and Planning Commission (ZAPCO) of the City of West Lake Hills, Texas, will hold a Regular Meeting on the 19th day of February 2025 at 6:30 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:

1. Call to Order. Chairman Robert Meisel.

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.

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.
    a. Approval of the January 15, 2025 Zoning and Planning Commission meeting minutes
    b. Approval of the January 24, 2025 Zoning and Planning Commission workshop minutes
    c. Report of previous ZAPCO cases acted upon by the BOA/Council

4. Public Hearing **704 Rocky River Rd. –** Discuss and make a recommendation on a variance to allow for the removal four trees: Tree Number 146 – a 14.5-inch oak, Tree Number 197 – a 16-inch elm, Tree Number 201 – a 17-inch oak, Tree Number 224 – a 14.5-inch elm, when trees 14-inches and greater require a variance for removal (Section 22.03.304(a)(4) of the West Lake Hills Code of Ordinances).

    Applicant: Nina Falgout Sterrett, Arterberry Cooke Architecture

5. Public Hearing **1501 Wildcat Hollow -** Discuss and make a recommendation on the following variance request to the Section 7.4.1 Cut/Fill Limits of the Drainage and Erosion Control Design Manual (Section 22.03.059 of the West Lake Hills Code of Ordinances):
    1. To allow for closed cut of up to 13 feet on a slope between 25% and 35% grade where the maximum closed cut allowed is 10 feet.
    2. To allow for closed cut of up to 7 feet on a slope with a grade greater than 35% where no cut or fill is allowed.
    3. To allow for closed fill of up to 5 feet on a slope with a grade greater than 35% where no cut or fill is allowed.

    Applicant: Davin Fillpot, Agent

6. Public Hearing **717 1/2 Yaupon Valley Road. -** Discuss and make a recommendation on the following variances:
    1. Encroachment into all setbacks where 100 feet is required. (Section 18.02.033(a): Dimensional Standards for Water Storage Tanks)
    2. Tank height of 60 feet where 30 feet is the maximum (Section 18.02.034: Design and construction of potable water tanks)
    3. Encroachment into the side setbacks for GUI (Section 22.03.281 Dimensional Standards for Zoning Districts)
    4. Grading greater than 18 inches with the east side setback (Section 22.03.281: Site Disturbance (excavation, filling, or grading))
    5. Removal of three ash juniper (cedar) trees; #103 – 14 inch, #106 – 20 inch, #121 – 15 inch; 14 inches or greater (Section 22.03.304(a)(4): Removal of trees 14" or greater);

    for the installation of a water storage tank for Travis County Water Control and Improvement District 10.

    Applicant: James McDermott, Dannenbaum Engineering - Austin LLC

7. Public Hearing **502 Spiller Lane -** Discuss and make a recommendation on two variances:

    1. To allow for encroachment of up to 13 feet into the 30-foot rear setback for a residential addition (Section 22.03.275 and 22.03.281 of the West Lake Hills Code); and
    2. To allow for the increase of impervious cover from 25.9% to 28.7% where the maximum allowed by code is 25%. (Section 22.03.281 of the West Lake Hills Code.)

    Applicant: Davin Fillpot, Architect

8. Public Hearing **413 Ledgeway Ridge. –** Discuss and make recommendation on proposed variances for the removal of six (6) trees:

    - #339 - 19-inch double trunk live oak

- #342 - 17-inch double trunk ash juniper (cedar)
- #346 - 23-inch double trunk ash juniper (cedar)
- #2407 - 25-inch double trunk ash juniper (cedar)
- #2420 - 17-inch triple trunk ash juniper (cedar)
- #2437 - 18-inch live oak

with trunk diameters of 14 inches or greater, (Section 22.03.304 of the West Lake Hills Code).

Applicant: Emily Haydon, LaRue Architects

9. Public Hearing **1420 Redbud Drive -** Discuss and make a recommendation on a variance for an encroachment into the required 50 foot front setback (Section 22.03.275 and 22.03.281 of the West Lake Hills Code).

   Applicant: Renee Salazar, Property Owner

10. Adjournment. Chairman Robert Meisel.

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By Jennifer C. Bills, Director of Building & Development Services

Certificate

I certify that the above Notice of the February, 19 2025 Zoning & Planning Commission Meeting was posted on the bulletin board at the Municipal Building, 911 Westlake Drive, West Lake Hills, Texas on Friday, February 14, 2025 at 5:00 pm. and will remain posted continuously until said meeting is convened.

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By Joel Sherrouse, Development Coordinator

The City of West Lake Hills is committed to compliance with the Americans with Disabilities Act. Reasonable accommodations and equal access to communications will be provided upon request.

All items on the agenda are for discussion and/or action. ZAPCO 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

MINUTES OF A ZONING & PLANNING COMMISSION (ZAPCO)
REGULAR MEETING

Wednesday, January 15, 2025 at 6:30 PM

1. **Call to Order: Robert Meisel**
    a. Meeting begins at 6:30pm
    b. Roll Call
        - Chair Robert Meisel: Present
        - Vice-Chair Jim Pledger: Present
        - Commissioner Julia Webber: Present
        - Commissioner Karen Bartoletti: Absent (excused)
        - Commissioner Patrick Stewart: Absent (excused)
        - Commissioner Laurie Maccini: Present

2. Citizen Communications:
    a. Doris Robitaille: 806 Rocky River
        - Shared that the dark skies have changed a lot in her time here due to the water treatment plant lights and the related clearing of trees.
        - The 803 Westlake area is also being cleared behind her house
        - The increased light and noise pollution from development and traffic are related to the removal of trees

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 November 20, 2024 Zoning and Planning Commission minutes
    ~~b. Approval of the January 13, 2025 Zoning and Planning Commission Workshop Minutes~~
        i. **Withdrawn** – January 13th Workshop canceled for lack of quorum
    c. Report of previous ZAPCO cases acted upon by the BOA/Council
    d. **Action:** Commissioner Pledger moves for approval of the Consent Agenda
        i. Commissioner Webber Seconds
        ii. Motion carries 3 - 0

4. Land Use **1405 Wildcat Hollow/1508 Westlake Dr. –** Consider action to make a recommendation for the Replat of Lot 1, K & J P Subdivision, Lot 1 and all of a called

1.544 acre tract of land situated in the Wilson Sparks Survey, Abstract No. 21 (Section 36.01.018 of the West Lake Hills Code).

Applicant: Matt Boelsche, Dick Clark and Associates

a. **Staff Report:**
    i. Director Bills presents on the replat of Lot 1 to absorb part of unplatted property and plat the remainder of the unplatted tract into a 1-acre tract.
    ii. Webber: Will the 1-acre tract be buildable?
        1. Yes
    iii. Maccini: Is there a permit for demolition for the smaller lot?
        1. There is a permit application, but it must be issued as one of the conditions to prevent the creation of an illegal lot
b. **Public Comments:**
    i. Doris Robitaille: What are conditions?
        1. Director Bills explains plats muse be approved or approved or denied with conditions based on cited code requirementss.
c. **Discussion:**
    i. None
d. **Action:** Commissioner Pledger moves that the subdivision be forwarded to the City Council with a recommendation of denial with conditions
    i. Commissioner Maccini seconds
    ii. Motion carries unanimously (3-0)

Recommendation will be forwarded to City Council for consideration on February 12, 2025.

5. Public Hearing: **704 Rocky River Rd.** – Discuss and make a recommendation on a variance to allow for the removal four trees: Tree Number 146 – a 14.5-inch oak, Tree Number 197 – a 16-inch elm, Tree Number 201 – a 17-inch oak, Tree Number 224 – a 14.5-inch elm, when trees 14-inches and greater require a variance for removal (Section 22.03.304(a)(4) of the West Lake Hills Code of Ordinances).

Applicant: Nina Falgout Sterrett, Arterberry Cooke Architecture

a. **Staff Report:**
    i. Director Bills explains variance request on heavily treed lot.
    ii. The lot will require replatting prior to development

iii. Commissioner Webber: Has staff seen the proposed plans?
    1. No
iv. Commissioner Maccini: Do we know who the builder is?
    1. The applicant is here and can answer that question.

b. Public Comments:

i. Jeff Townsend – homeowner
    1. Trying to remove the least-number of trees at driveway
ii. Nina Falgout Sterrett – Architect
    1. Requesting a minimum 12-foot driveway
        a. Commissioner Webber: Have you explored moving the pole?
            i. Jeff Townsend: The pole is a corner pole and is very difficult to remove
            ii. Jeff Townsend: Additionally, moving the pole and the driveway would expose house to potential hazard from traffic rounding corner
iii. Mindy Vescove – 604 Rocky River
    1. People do slow down at that curve, but appreciate applicant's concern for safety
    2. When designing own house, no regulatory trees needed to be removed
        a. Particularly concerned with tree 201 – seems deign driven
        b. Object to all 4 trees being removed, but in particular tree 201 and tree at driveway
iv. Randy Lee – 6 Rocky River
    1. Object to tree removal
    2. Trees are why living in West Lake Hills – even city logo features trees
    3. Previous property owners have had poles removed
    4. Doesn't want a pickleball court at neighbor's house
v. Luke Wooldridge – 10 Rocky River Cove
    1. Not opposed to development, but opposed to cutting down trees
    2. There's always a way to work around trees

c. Discussion:

i. Commissioner Maccini: Questions for the architect.
    1. Commissioner Maccini: Will CapTex be the builder
        a. That is the plan

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b. Applicant: Two trees that are proposed for removal by variance cannot survive demolition according to arborists

2. Commissioner Maccini: Which non-variance trees are being removed?
    a. Architect walks through the landscape plan
3. Commissioner Maccini: What type of trees will be used for replacement?
    a. Exact species have not been determined

ii. Commissioner Webber: Are there plans that could be submitted beyond what have been provided that could be provided to Council as exhibits to gauge if this is a design-driven variance?
    1. 50% design documents are being prepared and can be provided along with 3D renderings

iii. Commissioner Webber: Are there reasons the design can't be driven to save tree 201?
    1. Saving that tree would require a setback variance

iv. Chair Meisel: Ordinance was on the books and trees were on the books when lot became available.
    1. Expect design professionals to design around rules first before asking for variances.
    2. Has Austin Energy been approached about the pole or guy wires?
    3. All 4 of these trees are design driven, and design-driven variances cannot be granted
    4. Nothing in the ordinances guarantees ability to build a 5,000sft house or a pool

v. Commissioner Pledger: Have some sympathy for the 2 trees against the existing house and the difficulty of saving them.
    1. Other trees should be saved

vi. Chair Meisel: Slabs can be dug out without destroying the trees

vii. Commissioner Webber: Would encourage that all 4 trees be discussed separately by applicant at Council

d. Action: Commissioner Pledger, at the applicant's request, moves that the item be postponed to February ZAPCO with the applicant's

i. Commissioner Webber Seconds

ii. Motion Carries unanimously (3-0)

Recommendation will be postponed to ZAPCO for reconsideration on February 19, 2025.

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6. Public Hearing: **9 Las Brisas Dr**. - Discuss and make a recommendation on a variance for an up to 7-foot-tall fence where the maximum height is 6 feet over natural grade (Section 22.03.173 of the West Lake Hills Code).
   Applicant: Erin Armstrong, Property Owner

   a. **Staff Report:**
      i. Director Bills describes nature of property and variance request
      ii. Commissioner Maccini: Has the material been decided?
         1. The fence is already built
      iii. Commissioner Webber: would granting this variance allow for a future non-conforming fence:
         1. Director Bills: Variance runs with the land
         2. Chair Meisel: Can be limited to specific encroachment
   b. **Public Comments:**
      i. Zach Armstrong: Homeowner
         1. Fence is built to protect dogs from aggressive neighboring dog
   c. **Discussion:**
      i. None
   d. **Action:** Commissioner Pledger moves that the variance request be forwarded to the Board of Adjustment with a recommendation of approval based on staff recommendation.
      i. Commissioner Webber seconds
      ii. Motion carries unanimously (3-0)

Recommendation will be forwarded to City Council for consideration on February 12, 2025.

7. Public Hearing: **414 Brady Ln.** - Discuss and make a recommendation on a variance for a 10-foot encroachment into the 20-foot front-yard fence setback for a fence installed without a permit (Section 22.03.173 of the West Lake Hills Code).

   Applicant: Paul Zubeldia, Nalle Custom Home

   a. **Staff Report:**
      i. Director Bills explains history of fence installed without permit or plans alongside new house build
      ii. Commissioner Webber: House has been there for some time. Why is this coming now?
         1. Director Bills: Was discovered by staff in irrigation inspection

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b. **Public Comments:**
    i. Theresa Jones – daughter of owner
        1. Makes presentation on why applicant believes the fence should stay

c. **Discussion**:
    i. Commissioner Pledger: They didn't even file an application
    i. Commissioner Pledger: If they're removing the gate, the argument that the fence protects the dog doesn't make sense
    ii. Commissioner Webber: How did they get the CO with this fence?
        1. Director Bills: Before current staff was on board, the city was using 3rd-party inspector at the time, and it is unknown to staff when the fence was actually installed at the time.
    ii. Commissioner Meisel: If fence is on property line, planter boxes are in ROW
    iii. Commissioner Maccini: Can't set the precedent that once it's built it can be ignored
    iv. Commissioner Pledger: No sympathy if no application was submitted

d. **Action**: Commissioner Pledger moves that the variance request be forwarded to the City Council with a recommendation of **denial** for lack of hardship and violation of the ordinance
    i. Commissioner Webber seconds
    ii. Motion carries unanimously (3-0)

Recommendation will be forwarded to City Council for consideration on February 12, 2025.

8. **Adjournment** - Chair Robert Meisel
    a. Chair Mesel adjourns the meeting at 8:05pm

APPROVED:

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Robert Meisel, Chair

ATTEST:

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Joel Sherrouse, Development Coordinator

These minutes were approved on _____, 2025.

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City of West Lake Hills

MINUTES OF A ZONING & PLANNING COMMISSION (ZAPCO) WORKSHOP MEETING

Friday, January 24, 2025 at 12:00pm

1. **Call to Order: Robert Meisel**
    a. Meeting begins at 12:02pm
    b. Roll Call
        - Chair Robert Meisel: Present
        - Vice-Chair Jim Pledger: Present
        - Commissioner Julia Webber: Present
        - Commissioner Karen Bartoletti: Present
        - Commissioner Patrick Stewart: Present
        - Commissioner Laurie Maccini: Present

2. Citizen Communications:
        - **None**

4. Administration Discussion and review of the Council Retreat Report, Proposed Strategic Plan and prioritization of goals, objectives, and initiatives.

a. Mayor Vaughan introduces draft plan
    i. Goal for workshop is to go through the plan, provide updates, and get feedback from ZAPCO
b. **Discussion Topics**: The commission discussed the following items:
    i. Possible need for a wildlife corridor map
    ii. Concern over brush-clearing contractors not always being selective in what they remove
    iii. Balance between preservation of habitats and fire suppression, and the possible need for a certified city arborist
    iv. Potential green belt opportunities
    v. Potential future code requirement that subdivision restrictive covenants not conflict with the ordinances of West Lake Hills or the Master Plan.
    vi. Potential adoption of landscape ordinance that goes beyond trees.
    vii. Addressing violations of the outdoor lighting ordinance
    viii. Balance between water conservation and preserving lawns, and the potential for allowing artificial turf
    ix. The commission had extended discussions about leaf-blowers including:
        1. The noise created by the use of leaf blowers
        2. The stormwater discharge system (MS4) issues caused by leaves and trimmings being blown into the street

3. Whether or not leaf blowers should be banned
4. Whether gas-powered leaf blowers should be banned
    a. Director Bills explained that the state legislature passed a bill restricting bans on equipment based on fuel source.
5. Whether an educational campaign be launched regarding the benefits of keeping trimmings on the lawn and around trees.
    a. Potentially included as part of MS4 educational campaign

x. The potential formation of an architectural committee to discuss future development opportunities for 911 Westlake Drive
xi. Potential re-zoning of small-lot neighborhoods, as single-family zoning regulations are designed for large lots in the hills
xii. Potential private/public partnerships for mixed-use development
xiii. ADU regulations
xiv. Potential environmental impact fees for construction and development
xv. Construction and landscape maintenance parking options
xvi. Pattern of variance applications at multiple stages in project lifespan caused by incomplete plans at time of initial application
xvii. Commercial corridor requirements impact on new lots versus pre-1970 lots
xviii. Sign Ordinance impact on small businesses
xix. Traffic calming devices
xx. Potential to revisit sidewalks in Master Plan

5. **Adjournment** - Chair Robert Meisel
    a. Chair Mesel adjourns the meeting at 2:13pm

APPROVED:

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Robert Meisel, Chair

ATTEST:

_____
Joel Sherrouse, Development Coordinator

These minutes were approved on _____, 2025.

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City *of* West Lake Hills
Zoning & Planning Commission
AGENDA REPORT

Meeting Date:	February 19, 2025	**Item Number:**	3c
Department:	Building & Development Services		
Prepared By:	Jennifer C. Bills	**Cost / Budget:**	None
Exhibits:	N/A	**Source of Funds:**	N/A

Subject

Report of Previous ZAPCO cases acted on by the BOA/City Council.

Discussion

Since January 15, 2025 ZAPCO meeting the following cases forwarded by ZAPCO were considered at City Council/BOA.

Board of Adjustment

a. No items forwarded from ZAPCO

City Council

a. **1405 Wildcat Hollow/1508 Westlake Drive** – Replat of Lot 1 K & J P Subdivision and all of a called 1.544-acre tract of land situated in the Wilson Sparks Survey, Abstract No. 21
    a. Subdivision application denied with conditions
b. **9 Las Brisas Drive** – Variance for fence height
    a. Variance approved
c. **414 Brady Lane –** Setback variance for fence constructed without a permit
    a. Variance denied

City *of* West Lake Hills
Zoning & Planning Commission
AGENDA REPORT

Meeting Date:	February 19, 2025	**Item Number:**	4
Department:	Building and Development Services		
Prepared By:	Jennifer C. Bills	**Cost / Budget:**	None
Exhibits:	See Attached	**Source of Funds:**	N/A

Subject

704 Rocky River Rd. – Discuss and make a recommendation on a variance to allow for the removal four trees , Tree Number 146 – a 14.5-inch oak, Tree Number 197 – a 16-inch elm, Tree Number 201 – a 17-inch oak, Tree Number 224 – a 14.5-inch elm, when trees 14-inches and greater require a variance for removal (Section 22.03.304(a)(4) of the West Lake Hills Code of Ordinances).

Applicant: Nina Falgout Sterrett, Arterberry Cooke Architecture

Recommendation

Staff recommend approval of the removal of :

- Tree Number 146 – a 14.5-inch oak;
- Tree Number 197 – a 16-inch elm;
- Tree Number 201 – a 17-inch oak

Given the findings of facts provided by the applicant (Exhibit A).

Recommend denial of Tree Number 224 – a 14.5-inch elm, and narrow or reconfigure the driveway to avoid the tree.

The variance recommendation will be forwarded to the March 12, 2025 City Council meeting for determination.

Discussion

Property Information, Zoning & Site Characteristics:
Owner: Jeff and Holly Townsend
Legal Description: White & Murdock Subdivision Lot 2 and 0.42 acres of the Sparks Survey Abstract 21 (previous ROW)
Lot Size: 0.9357 acres
Zoning: R-1 One Family

The site is surrounded by properties zoned R-1 – One Family.

Background & Analysis:
UPDATE from prior report:

The applicant has indicated by email that they would be withdrawing the variance request, but has not formally requested it be withdrawn.

The applicant has submitted a request to remove four trees 14 inches or greater (Attachment 1). They are proposing to demolish the existing structures and build a new single-family house (Attachment 2). There are a significant number of trees on the existing site (Attachment 5).

Given the significant number of trees on the lot, the removal of the three trees in the proposed building footprint is reasonable. However, for tree number 224, the driveway could be reconfigured to allow the tree to remain. The proposed driveway width is shown at the maximum allowed width of 24 feet. The minimum driveway width is 12 feet.

A complete application for permitting has not been submitted or reviewed. Additional variances may be necessary for the applicant's full design, which has not been reviewed.

Public Comments:
As of the date of the staff report, no written comments have been received.

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 Findings

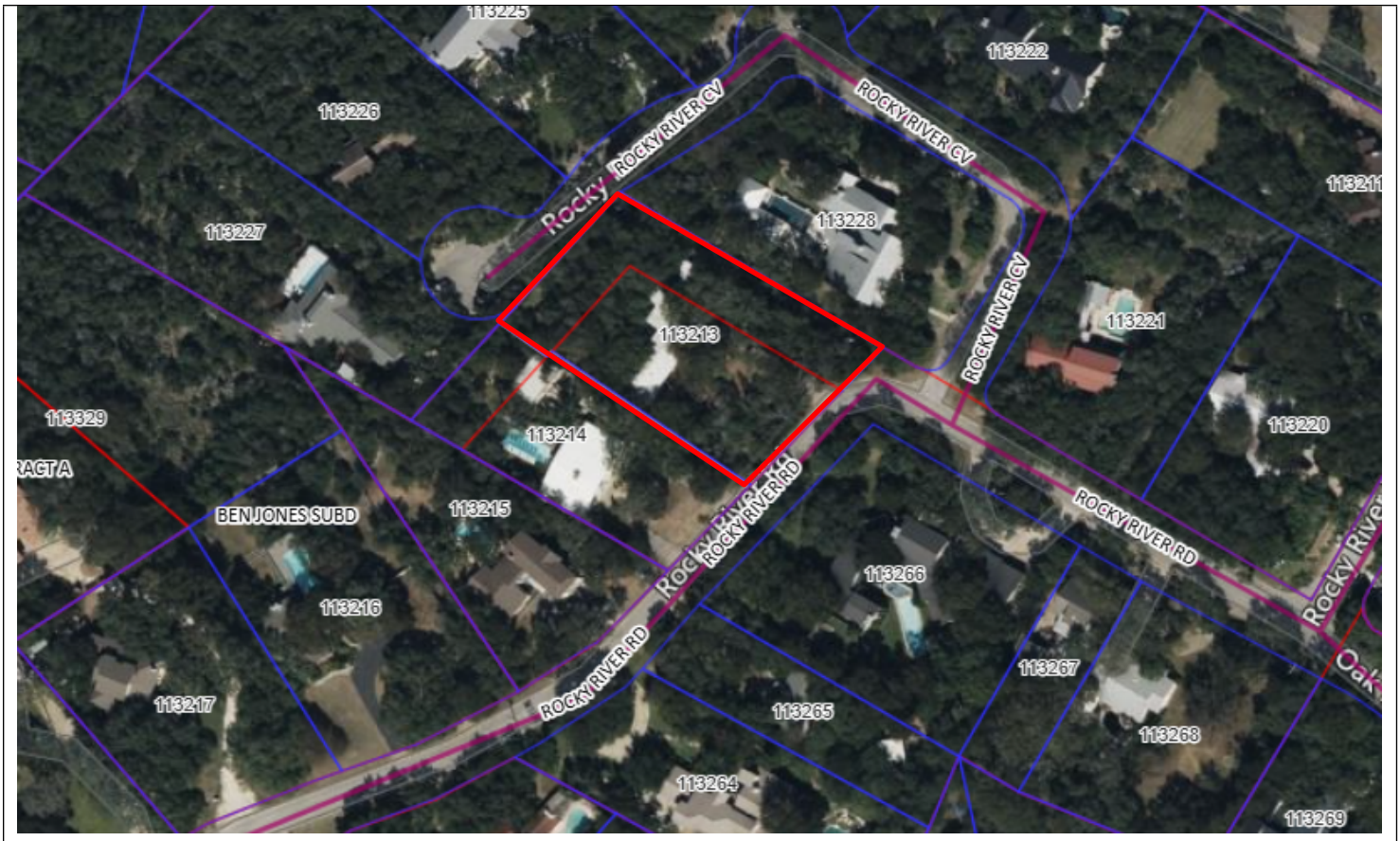
<u>Outdoor Lighting</u>
Any outdoor lighting will comply with the City's Code.
<u>Compliance with Adopted International Building Code</u>
The property and future construction will have to comply with all applicable City codes.
<u>Subdivision</u>
No changes are proposed to the subdivision.
<u>Comprehensive Planning Analysis</u>
The existing and future land use is in conformance with the City of West Lake Hills Master Plan.

Links to Relevant Code:

- Section 22.03.034 Tree and Vegetation Removal and Replacement
- Section 38.05.031 Variances
- Section 22.03.514 Criteria and process required for granting variance

Zoning:

Aerial:


113225
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113214
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RACT A
BEN JONES SUBD
113215
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113216
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113217
ROCKY RIVER RD
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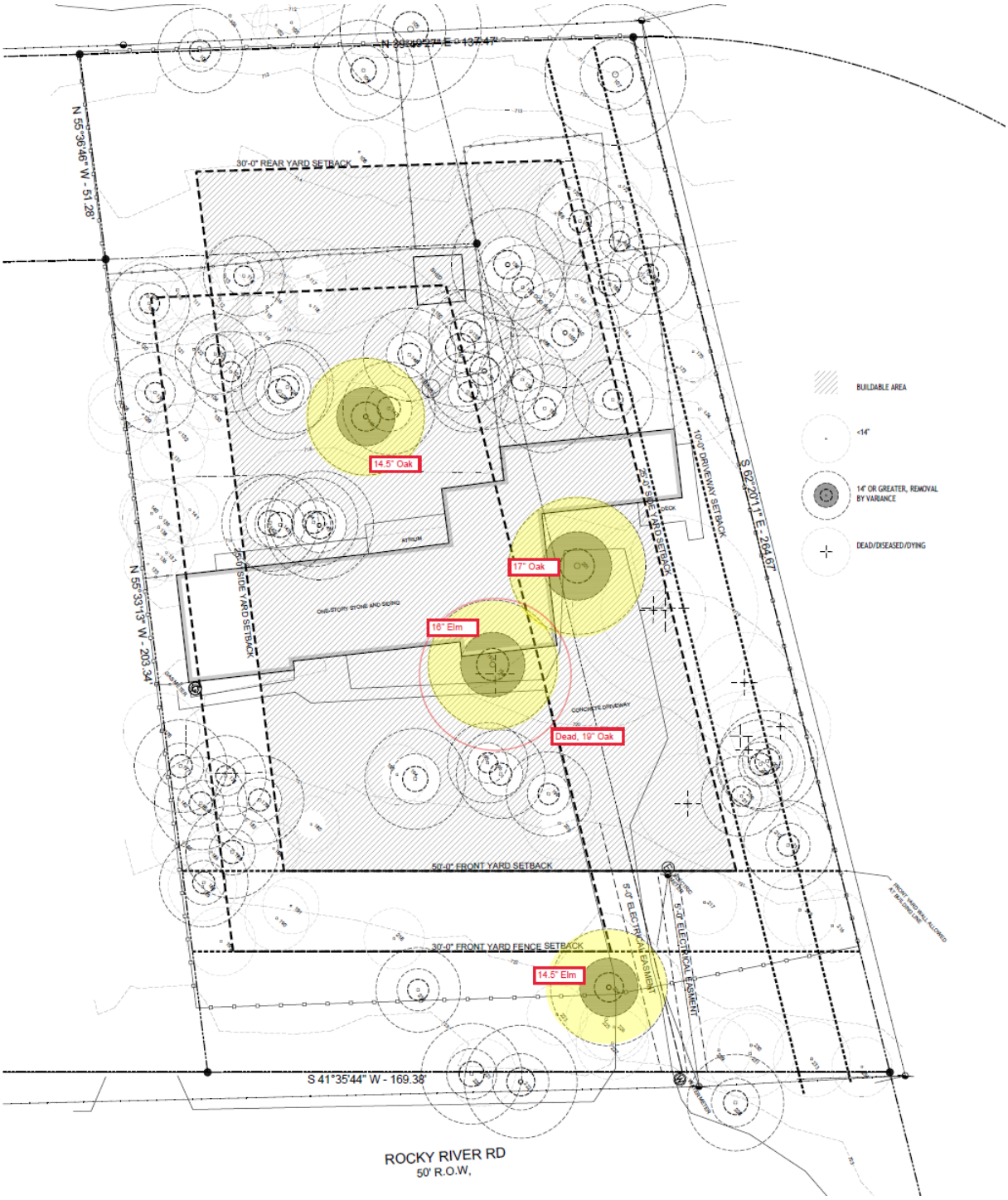
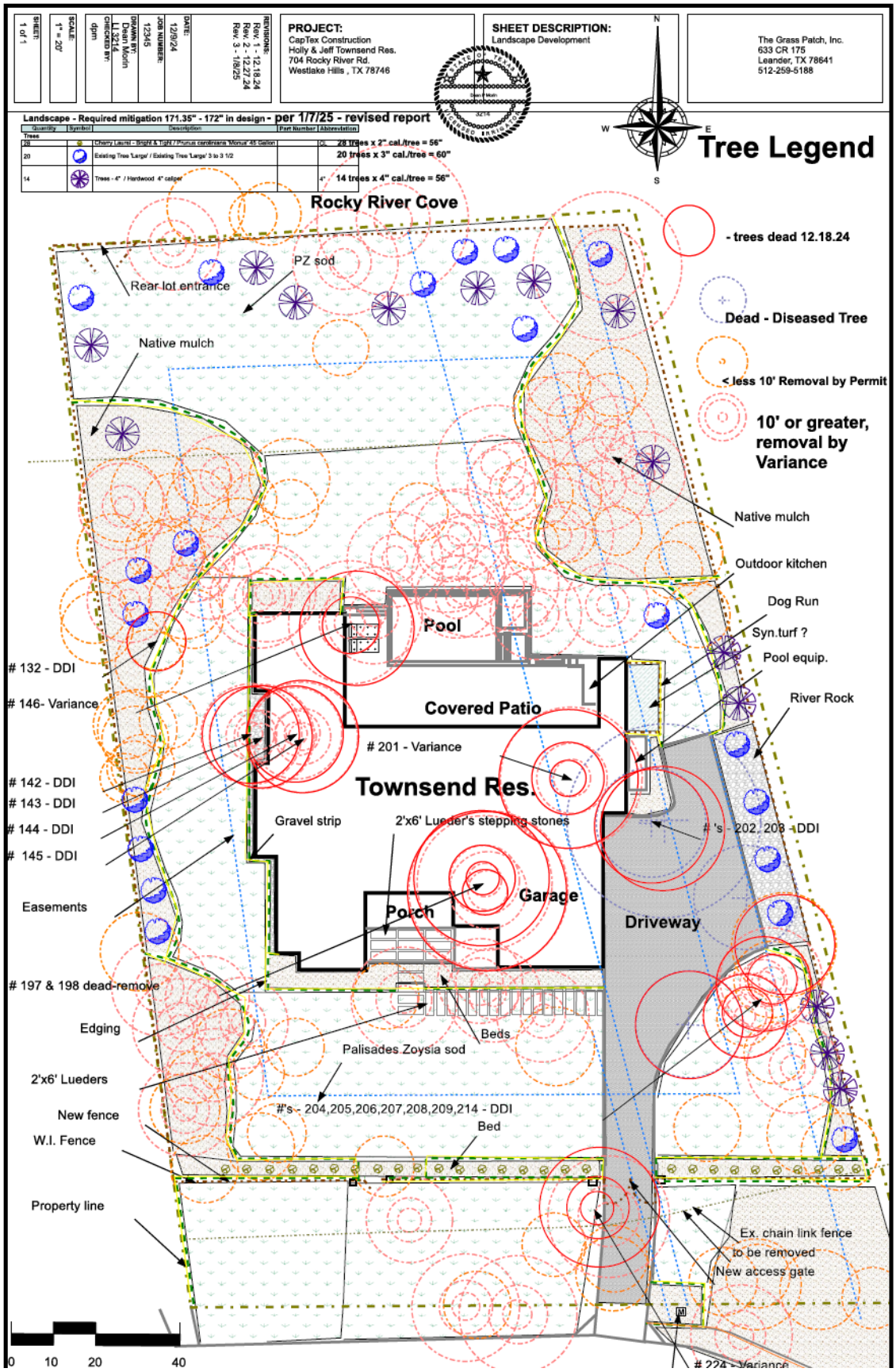
704 Rocky River Rd
Exhibits

Existing Site Plan, Tree Removal Requested by Variance Highlighted



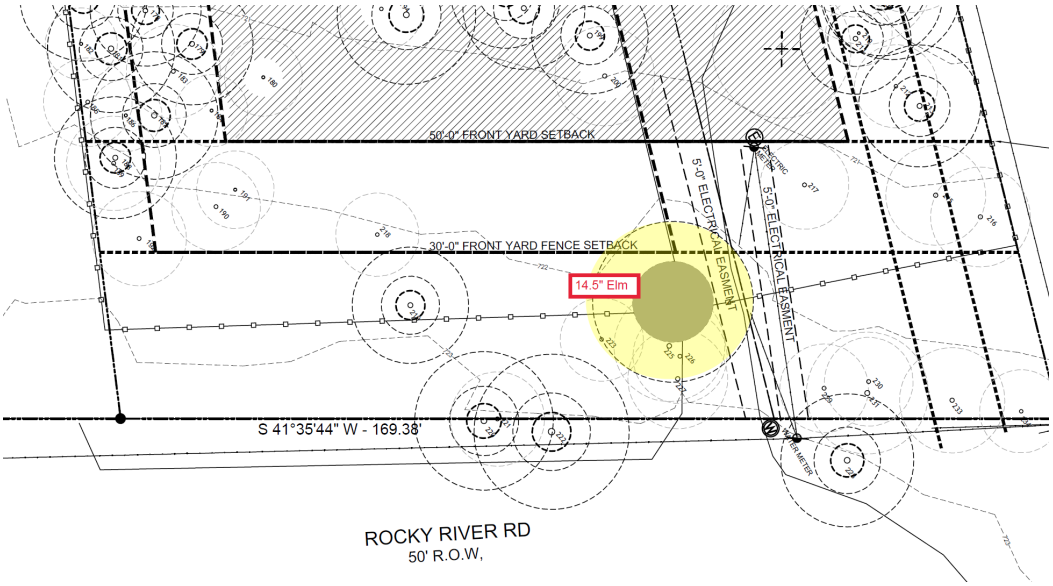
Proposed Site Plan, Tree Removal Requested by Variance Highlighted


SHEET: 1 of 1
SCALE: 1" = 20'
DRAWN BY: Dean Martin LI 3214
CHECKED BY: dpm
JOB NUMBER: 12345
DATE: 12/9/24
REVISIONS: Rev. 1 - 12.18.24 Rev. 2 - 12.27.24 Rev. 3 - 1/8/25
PROJECT:
CapTex Construction
Holly & Jeff Townsend Res.
704 Rocky River Rd.
Westlake Hills , TX 78746
SHEET DESCRIPTION:
Landscape Development
The Grass Patch, Inc.
633 CR 175
Leander, TX 78641
512-259-5188
Landscape - Required mitigation 171.35" - 172" in design - per 1/7/25 - revised report
Quantity | Symbol | Description | Part Number | Abbreviation
Trees
20 | Cherry Laurel - Bright & Tight / Prunus caroliniana 'Monur' 45 Gallon | CL | 28 trees x 2" cal./tree = 56"
20 | Existing Tree 'Large' / Existing Tree 'Large' 3 to 3 1/2 | 20 trees x 3" cal./tree = 60"
14 | Trees - 4" / Hardwood 4" caliper | 4" | 14 trees x 4" cal./tree = 56"
Tree Legend
- trees dead 12.18.24
Dead - Diseased Tree
< less 10' Removal by Permit
10' or greater, removal by Variance
Rocky River Cove
PZ sod
Rear lot entrance
Native mulch
Native mulch
Outdoor kitchen
Dog Run
Syn.turf ?
Pool equip.
River Rock
Pool
Covered Patio
201 - Variance
Townsend Res.
132 - DDI
146- Variance
142 - DDI
143 - DDI
144 - DDI
145 - DDI
Easements
Gravel strip
2'x6' Lueder's stepping stones
's - 202, 203 - DDI
Garage
Porch
Driveway
197 & 198 dead-remove
Edging
Beds
Palisades Zoysia sod
2'x6' Lueders
#'s - 204,205,206,207,208,209,214 - DDI
New fence
Bed
W.I. Fence
Property line
Ex. chain link fence to be removed
New access gate
224 - Variance
0 10 20 40

704 Rocky River Rd
Exhibits

Tree 224

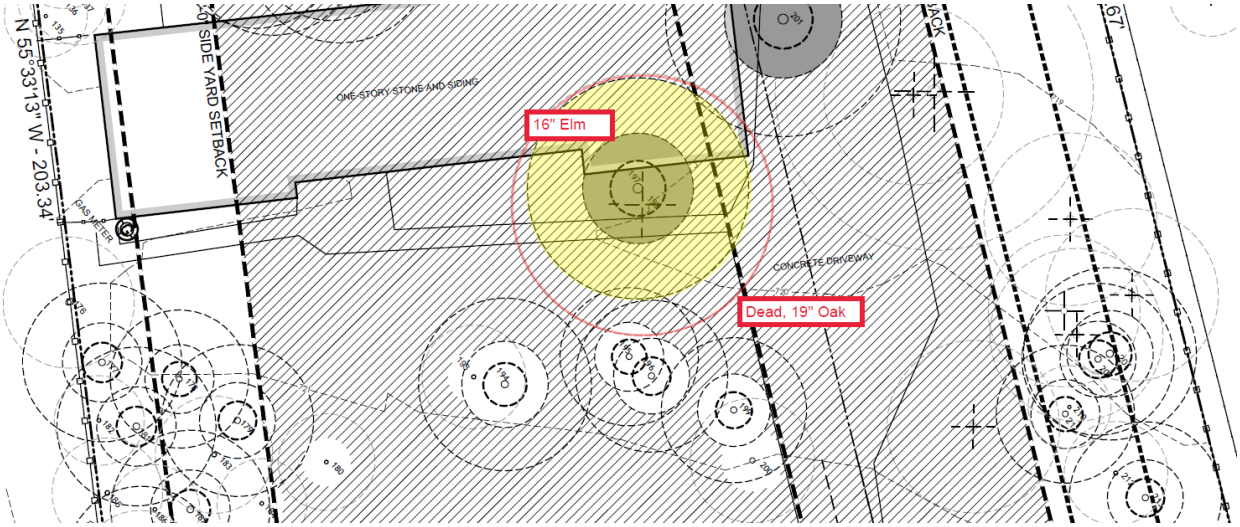
Removed for new driveway/access



704 Rocky River Rd
Exhibits

Tree 197

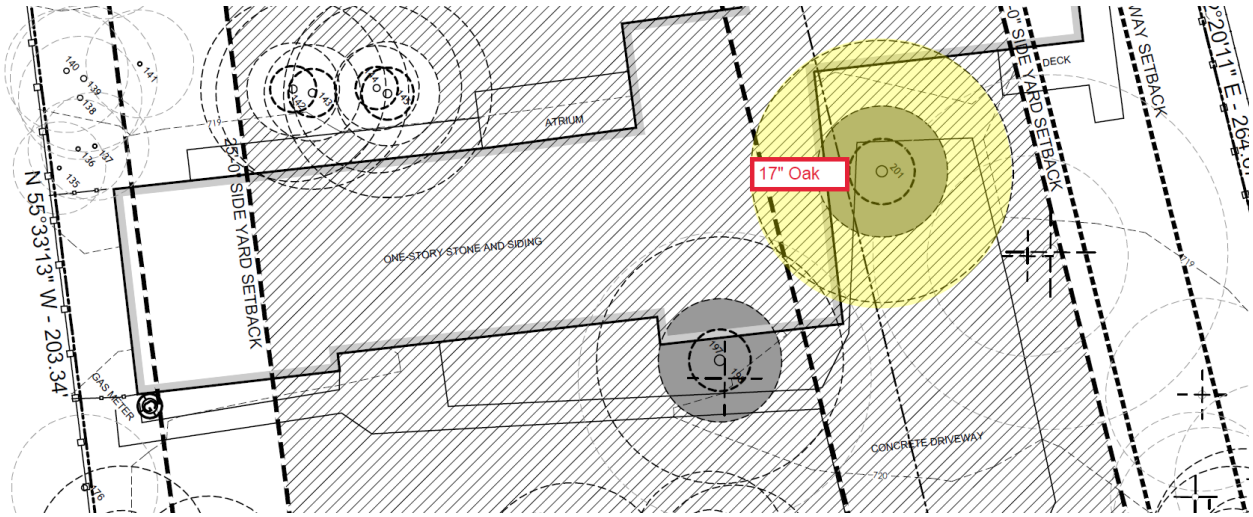
Within footprint of proposed home. Due to the proximity to the existing structure, and dead Tree 198, this tree will be damaged by its demolition. Expect impacts to the CRZs and canopy.



704 Rocky River Rd
Exhibits

Tree 201

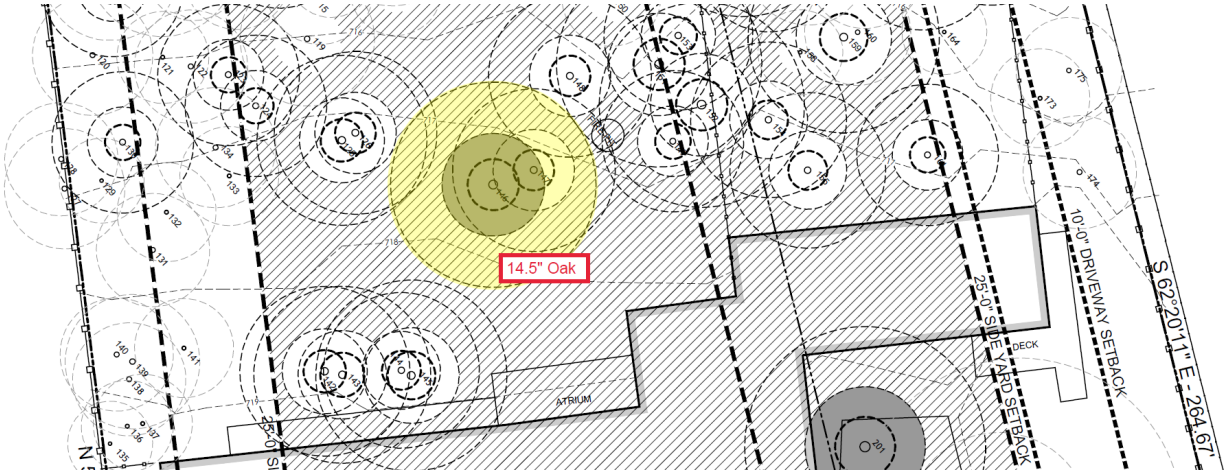
Within footprint of proposed home. Due to the proximity to the existing structure, this tree will be damaged by its demolition. Expect impacts to the CRZs and canopy.



704 Rocky River Rd
Exhibits

Trees 146

Within footprint of proposed pool and patio.



ARTERBERRY COOKE architecture

3411 Windsor Rd
Austin TX 78603

December 2, 2024

Re. Variance Request 704 Rocky River Road

Dear Chairman Meisel and Members of the Zoning and Planning Commission,

The letter accompanies our application for variance for the property at 704 Rocky River Road. We request your consideration to remove protected trees on behalf of our client, the Owners, Holly and Jeff Townsend.

The existing lot and residence at 704 Rocky River Rd is overgrown and in disrepair. The Owner's would like to demolish the existing, non-compliant home. The existing house's sagging roof, and outdated systems make remodeling and renovation impractical. The proposed house, built within the required setbacks, will preserve the trees that provide screening from the street, and the neighboring houses. They request variances to remove trees within the footprint of the proposed new residence.

As their architect's we considered several schemes which attempted to avoid the need for tree variances. At the current level of vegetation, the site is unbuildable.

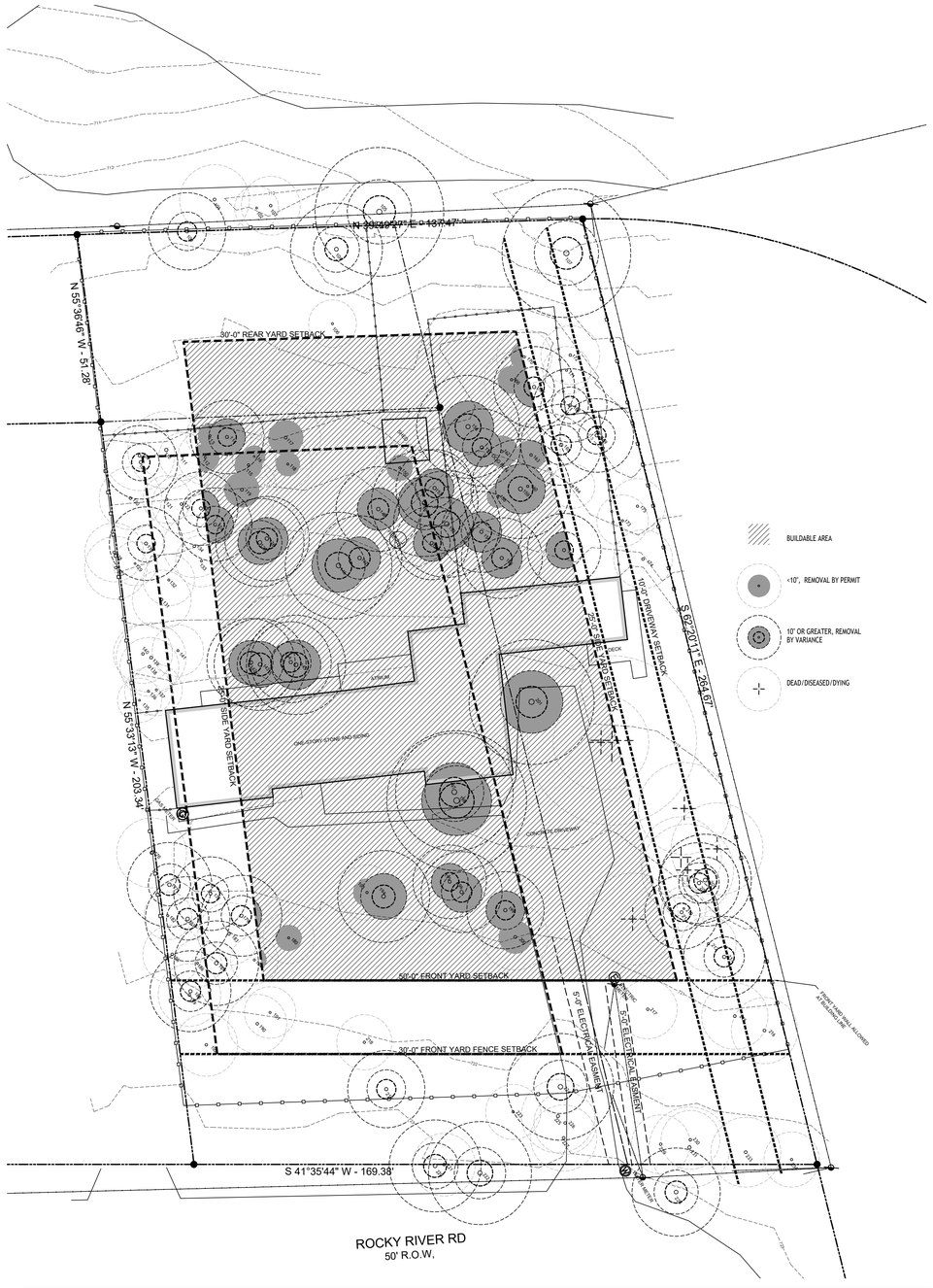
Ultimately, we hope to the vast majority of the trees, and maintain their health with the removal of trees, that will be damaged by the demolition of the existing house, to create a practical building footprint and functional floor plan.

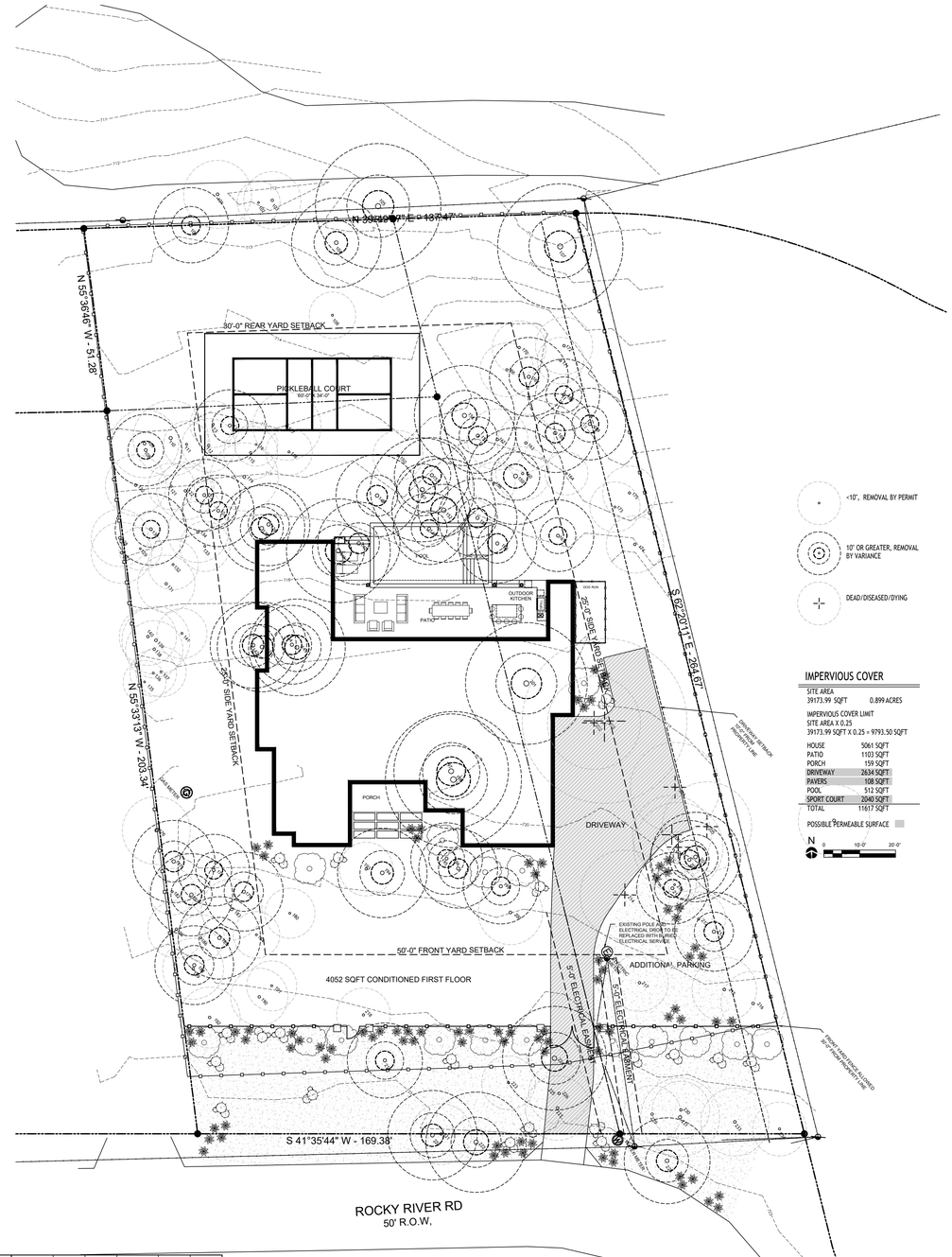
This site has over 130 trees with diameters of 6" or greater. The property has had decades of deferred maintenance with the house in disrepair and the site overgrown. The existing house is built within the side yard setbacks. Many of the trees we request variance to remove have been allowed to grow in close proximity to the existing house and its foundations. Removal of the house will necessitate removal of these trees as well, whose crowns and critical root zones will be impacted by removal of the non-compliant structure.

The site development proposed includes cleaning up the lot will benefit the neighbors and the City as a whole. It will decrease underbrush that is a fire hazard. It will allow the Owner's to minimize site impacts, and aid in the continuity of the site's rural character. We seek to alleviate the hardship represented by an abundance of trees, in poor health, within the site's buildable area. The variance request seeks to make the Owner's goals achievable, minimize overall impacts to the neighbors and community, and to maintain the character of the site that led them to buy in West Lake Hills.

Sincerely

Alice Arterberry
Principal
Arterberry Cooke Architecture





IMPERVIOUS COVER

SITE AREA	
39173.99 SQFT	0.899 ACRES
IMPERVIOUS COVER LIMIT	
SITE AREA X 0.25	
39173.99 SQFT X 0.25 = 9793.50 SQFT	
HOUSE	5061 SQFT
PATIO	1103 SQFT
PORCH	159 SQFT
DRIVEWAY	2634 SQFT
PAVERS	108 SQFT
POOL	512 SQFT
SPORT COURT	2040 SQFT
TOTAL	11617 SQFT

POSSIBLE PERMEABLE SURFACE

N 0 10'-0" 20'-0"

TREE TAG NO.#	DIAMETER	FULL CRZ	DESCRIPTION
100	10.5"	ELM	PROTECTED
101	9.5"	ELM	UNPROTECTED
102	4"	ELM	UNPROTECTED
103	8"	ELM	UNPROTECTED
104	12.5"	ELM	PROTECTED
105	17.5"	ELM	PROTECTED
106	6.5"	ELM	UNPROTECTED
107	17.5"	ELM	PROTECTED
108	10"	OAK	PROTECTED
109	9.5"	ELM	UNPROTECTED
110	9.5"	OAK	UNPROTECTED
111	6.5"	ELM	UNPROTECTED
112	7.5"	OAK	UNPROTECTED
113	6.5"	OAK	UNPROTECTED
114	10"	OAK	PROTECTED
115	7.5"	OAK	UNPROTECTED
116	4"	OAK	UNPROTECTED
117	9.5"	ELM	UNPROTECTED
118	6.5"	OAK	UNPROTECTED
119	9	ELM	UNPROTECTED
120	8.5"	OAK	UNPROTECTED
121	6.5"	OAK	UNPROTECTED
122	8"	ELM	UNPROTECTED
123	10"	OAK	PROTECTED
124	10"	ELM	PROTECTED

TREE TAG NO.#	DIAMETER	FULL CRZ	DESCRIPTION
125	12"	OAK	PROTECTED
126	11.5"	ELM	PROTECTED
127	8.5"	OAK	UNPROTECTED
128	8"	ELM	UNPROTECTED
129	6"	ELM	UNPROTECTED
130	10"	OAK	PROTECTED
131	8"	ELM	UNPROTECTED
132	7"	OAK	UNPROTECTED
133	7"	OAK	UNPROTECTED
134	8.5"	ELM	UNPROTECTED
135	6"	OAK	UNPROTECTED
136	6.5"	OAK	UNPROTECTED
137	7"	OAK	UNPROTECTED
138	8"	OAK	UNPROTECTED
139	9.5"	ELM	UNPROTECTED
140	8"	OAK	UNPROTECTED
141	7"	OAK	UNPROTECTED
142	12"	OAK	PROTECTED
143	10.5"	OAK	PROTECTED
144	11"	OAK	PROTECTED
145	11.5"	OAK	PROTECTED
146	14.5	OAK	PROTECTED
147	11.5	OAK	PROTECTED
148	11.5"	OAK	PROTECTED
149	10"	OAK	PROTECTED

TREE TAG NO.#	DIAMETER	FULL CRZ	DESCRIPTION
150	7"	ELM	UNPROTECTED
151	14.5"	OAK	PROTECTED
152	10"	OAK	PROTECTED
153	10.5"	OAK	PROTECTED
154	11"	OAK	PROTECTED
155	11"	OAK	PROTECTED
156	14"	ELM	UNPROTECTED
157	10.5"	OAK	PROTECTED
158	8"	OAK	UNPROTECTED
159	13.5"	OAK	PROTECTED
160	7.5"	OAK	UNPROTECTED
161	10"	OAK	PROTECTED
162	8.5"	OAK	UNPROTECTED
163	8.5"	ELM	UNPROTECTED
164	4"	OAK	UNPROTECTED
165	11"	OAK	PROTECTED
166	7.5"	OAK	UNPROTECTED
167	11"	OAK	PROTECTED
168	10"	OAK	PROTECTED
169	10"	OAK	PROTECTED
170	7.5"	OAK	UNPROTECTED
171	6.5"	ELM	UNPROTECTED
172	8"	ELM	UNPROTECTED
173	7"	OAK	UNPROTECTED
174	8"	OAK	UNPROTECTED

TREE TAG NO.#	DIAMETER	FULL CRZ	DESCRIPTION
175	7.5"	OAK	UNPROTECTED
176	9.5"	ELM	UNPROTECTED
177	11.5"	ELM	PROTECTED
178	10"	ELM	PROTECTED
179	11"	ELM	PROTECTED
180	7"	ELM	UNPROTECTED
181	11.5"	ELM	PROTECTED
182	6.5"	ELM	UNPROTECTED
183	6.5"	ELM	UNPROTECTED
184	6.5"	ELM	UNPROTECTED
185	8"	ELM	UNPROTECTED
186	6.5"	OAK	PROTECTED
187	11.5"	OAK	PROTECTED
188	11"	OAK	PROTECTED
189	8.5"	OAK	UNPROTECTED
190	8"	OAK	PROTECTED
191	7"	OAK	UNPROTECTED
192	8.5"	OAK	UNPROTECTED
193	7.5"	OAK	UNPROTECTED
194	10.5"	ELM	PROTECTED
195	10"	ELM	PROTECTED
196	11"	ELM	PROTECTED
197	16"	ELM	PROTECTED
198	15"	OAK	PROTECTED
199	10.5"	OAK	PROTECTED

TREE TAG NO.#	DIAMETER	FULL CRZ	DESCRIPTION
200	6"	OAK	PROTECTED
201	17"	OAK	PROTECTED
202	[illegible]	[illegible]	[illegible]
203	[illegible]	[illegible]	[illegible]
204	[illegible]	[illegible]	[illegible]
205	7"	ELM	UNPROTECTED
206	11.5"	ELM	PROTECTED
207	12.5"	OAK	PROTECTED
208	11.5"	OAK	PROTECTED
209	11.5"	OAK	PROTECTED
210	6"	ELM	UNPROTECTED
211	10.0	OAK	PROTECTED
212	7.5"	OAK	UNPROTECTED
213	11"	OAK	PROTECTED
214	[illegible]	[illegible]	[illegible]
215	9"	OAK	UNPROTECTED
216	9"	OAK	UNPROTECTED
217	8"	ELM	UNPROTECTED
218	7.5"	ELM	UNPROTECTED
219	10.5	OAK	PROTECTED
220	12.5"	OAK	PROTECTED
221	8.5"	OAK	UNPROTECTED
222	14"	ELM	PROTECTED
223	7.5"	ELM	UNPROTECTED
224	14.5"	ELM	PROTECTED
225	10"	ELM	PROTECTED

TREE TAG NO.#	DIAMETER	FULL CRZ	DESCRIPTION
226	8.5"	ELM	UNPROTECTED
227	9"	ELM	UNPROTECTED
228	12"	ELM	PROTECTED
229	8"	OAK	UNPROTECTED
230	8"	OAK	UNPROTECTED
231	11"	OAK	PROTECTED
232	9.5"	ELM	UNPROTECTED
233	7.5"	ELM	UNPROTECTED
234	7.5"	ELM	UNPROTECTED

TREE TAG NO.#	DIAMETER	FULL CRZ	DESCRIPTION	REMOVAL	REPLACE
112	7.5"	OAK	UNPROTECTED	PERMIT	75%
113	6.5"	OAK	UNPROTECTED	PERMIT	75%
115	7.5"	OAK	UNPROTECTED	PERMIT	75%
116	4"	OAK	UNPROTECTED	PERMIT	75%
117	9.5"	ELM	UNPROTECTED	PERMIT	75%
118	6.5"	OAK	UNPROTECTED	PERMIT	75%
150	7"	ELM	UNPROTECTED	PERMIT	75%
193	7.5"	OAK	UNPROTECTED	PERMIT	75%
[illegible]	[illegible]	[illegible]	[illegible]	PERMIT	0%
[illegible]	[illegible]	[illegible]	[illegible]	PERMIT	0%
[illegible]	[illegible]	[illegible]	[illegible]	PERMIT	0%
[illegible]	[illegible]	[illegible]	[illegible]	PERMIT	0%
[illegible]	[illegible]	[illegible]	[illegible]	PERMIT	0%
[illegible]	[illegible]	[illegible]	[illegible]	PERMIT	0%
[illegible]	[illegible]	[illegible]	[illegible]	PERMIT	0%
[illegible]	[illegible]	[illegible]	[illegible]	PERMIT	0%
114	10"	OAK	PROTECTED	VARIANCE	75%
125	12"	OAK	PROTECTED	VARIANCE	75%
126	11.5"	ELM	PROTECTED	VARIANCE	75%
142	12"	OAK	PROTECTED	VARIANCE	75%
143	12.5"	OAK	PROTECTED	VARIANCE	75%
144	11"	OAK	PROTECTED	VAR / FSB2	75% / 100%
145	11.5"	OAK	PROTECTED	VARIANCE	75%

TREE TAG NO.#	DIAMETER	FULL CRZ	DESCRIPTION	REMOVAL	REPLACE
146	14.5	OAK	PROTECTED	VARIANCE	150%
147	11.5	OAK	PROTECTED	VAR / FSB2	75% / 100%
148	11.5"	OAK	PROTECTED	VAR / FSB2	75% / 100%
149	10"	OAK	PROTECTED	VAR / FSB2	75% / 100%
152	10"	OAK	PROTECTED	VAR / FSB2	75% / 100%
154	11"	OAK	PROTECTED	VAR / FSB2	75% / 100%
155	11"	OAK	PROTECTED	VAR / FSB2	75% / 100%
197	16"	ELM	PROTECTED	VARIANCE	150%
198	15"	OAK	PROTECTED	VARIANCE	150%
201	17"	OAK	PROTECTED	VARIANCE	150%
219	10.5	OAK	PROTECTED	VARIANCE	75%
220	12.5"	OAK	PROTECTED	VARIANCE	75%
222	14"	ELM	PROTECTED	VARIANCE	75%
224	14.5"	ELM	PROTECTED	VARIANCE	150%
225	10"	ELM	PROTECTED	VARIANCE	75%

Revisions By

ARTERBERRY COOKE architecture

Architect:
Alice Arterberry
3411 Windsor Rd
Austin, TX 78703
alice@arterberrycooke.com
323.236.5182

Project Owner:
Holly and Jeff Townsend
3604 West Lake Drive

Project Address:
704 Rocky River Rd
West Lake Hills TX

Contractor:
Captex Construction

SITE PLANS

drawn by: NFS
checked by: AA
scale: 1'/8" = 1'-0"
first issue:
plot date: 11.14.2024

SCHEMATIC DRAWING
- NOT FOR CONSTRUCTION -

A1.0

THESE DRAWINGS AND SPECIFICATIONS ARE THE PROPERTY OF ARTERBERRY COOKE ARCHITECTS NO PART THEREOF SHALL BE COPIED OR USED IN CONNECTION WITH ANY WORK OTHER THAN THE SPECIFIED PROJECT FOR WHICH THEY HAVE BEEN PREPARED WITHOUT WRITTEN CONSENT OF ARTERBERRY COOKE ARCHITECTURE.

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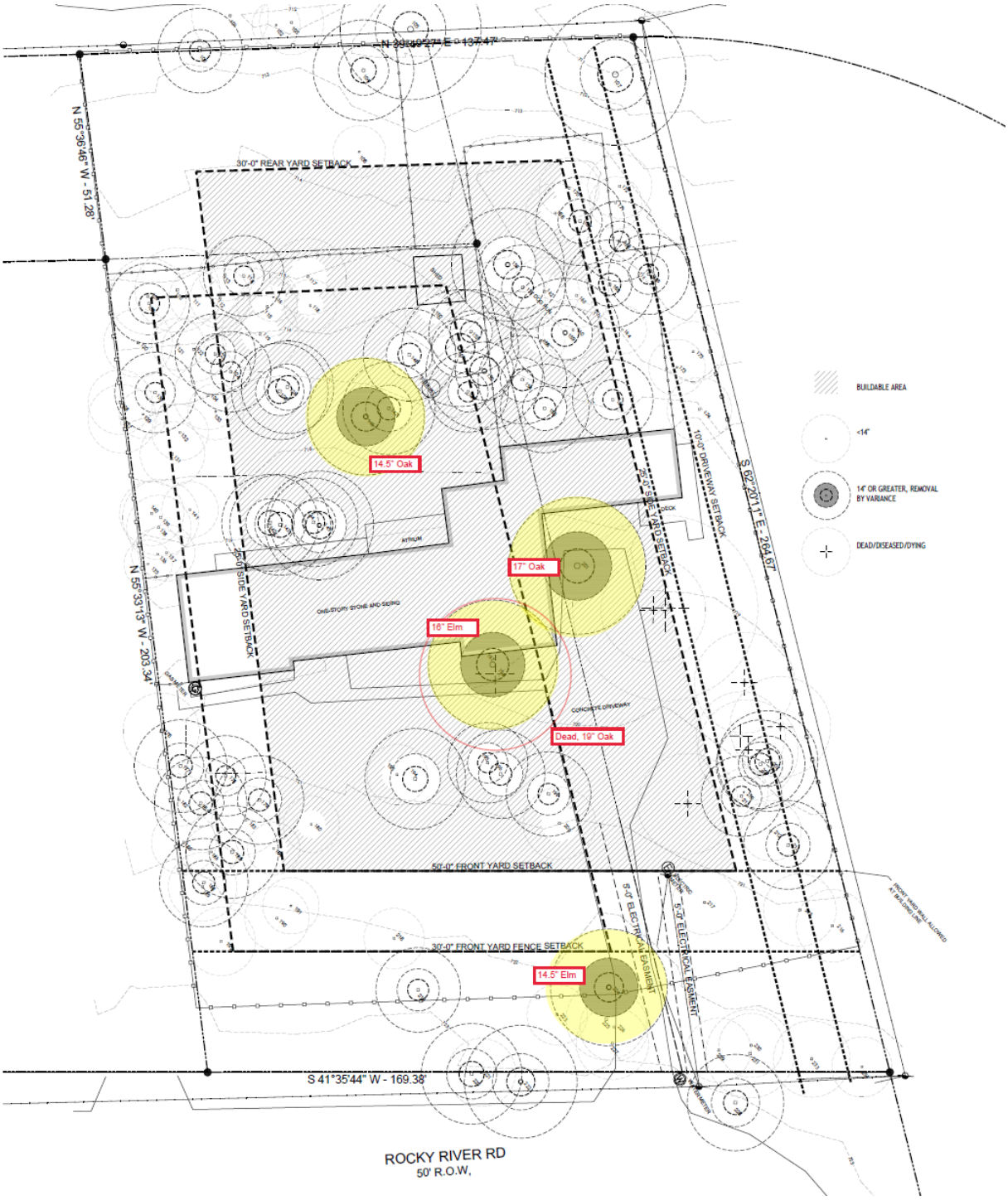
704 Rocky River Rd
Exhibits: Photos

Existing Site Plan, Trees Removal Requested by Variance Highlighted



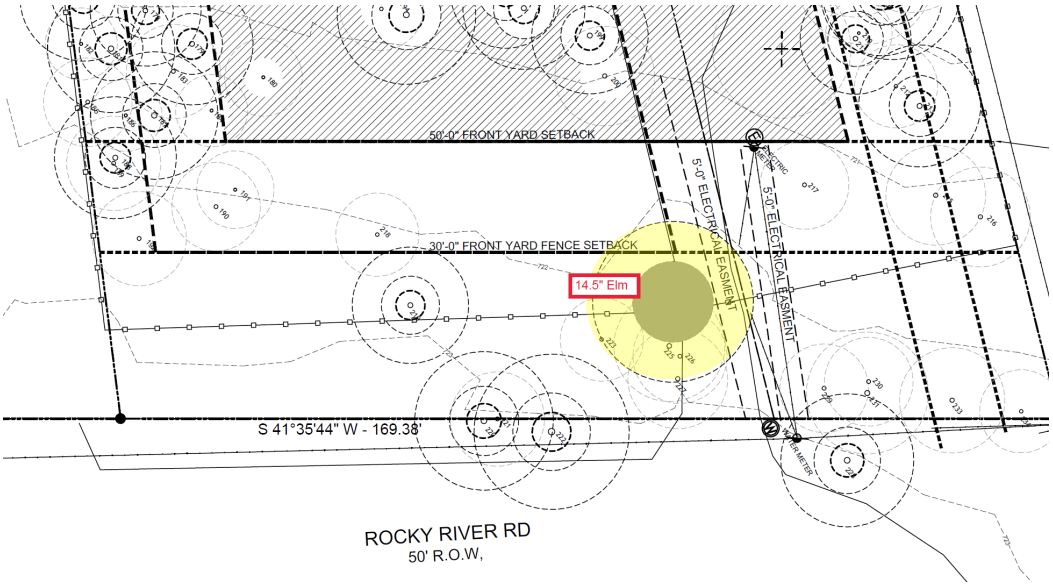
704 Rocky River Rd
Exhibits: Photos

Proposed Site Plan, Trees Removal Requested by Variance Highlighted

704 Rocky River Rd
Exhibits: Photos

Tree 224

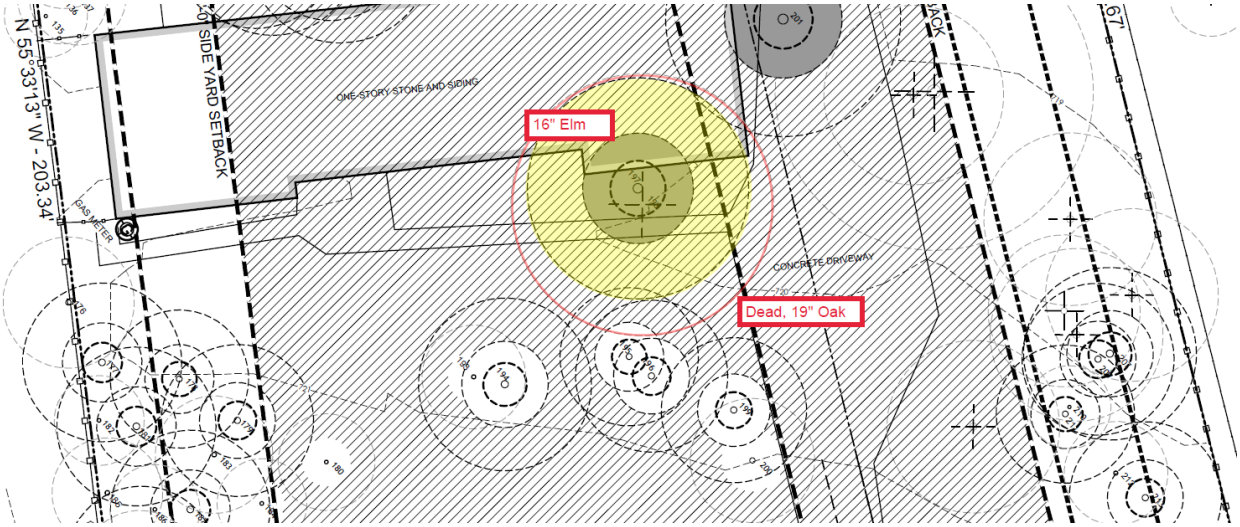
Removed for new driveway/access



704 Rocky River Rd
Exhibits: Photos

Tree 197

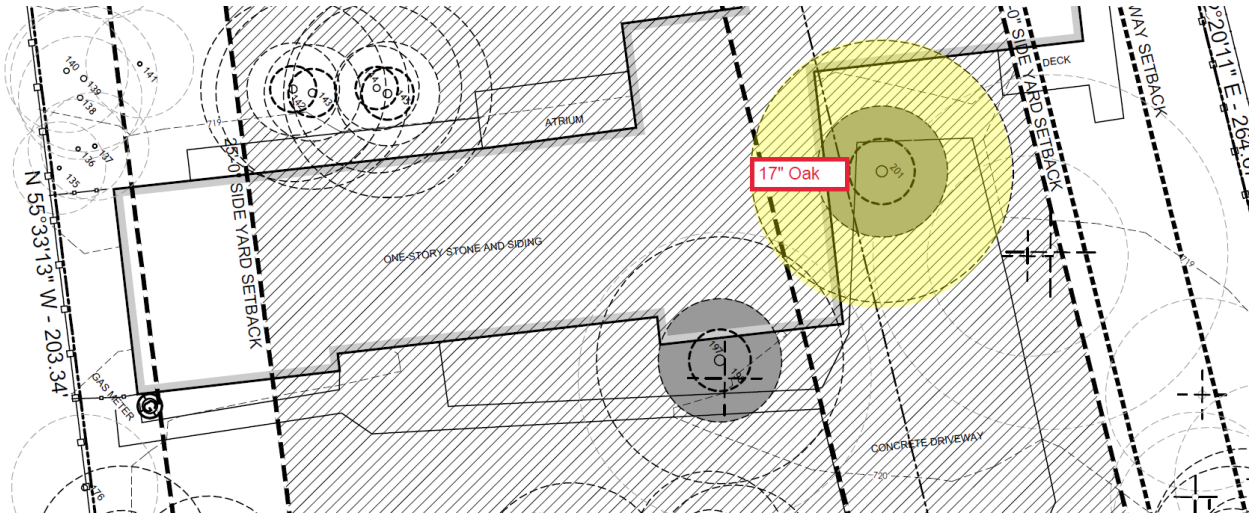
Within footprint of proposed home. Due to the proximity to the existing structure, and dead Tree 198, this tree will be damaged by its demolition. Expect impacts to the CRZs and canopy.



704 Rocky River Rd
Exhibits: Photos

Tree 201

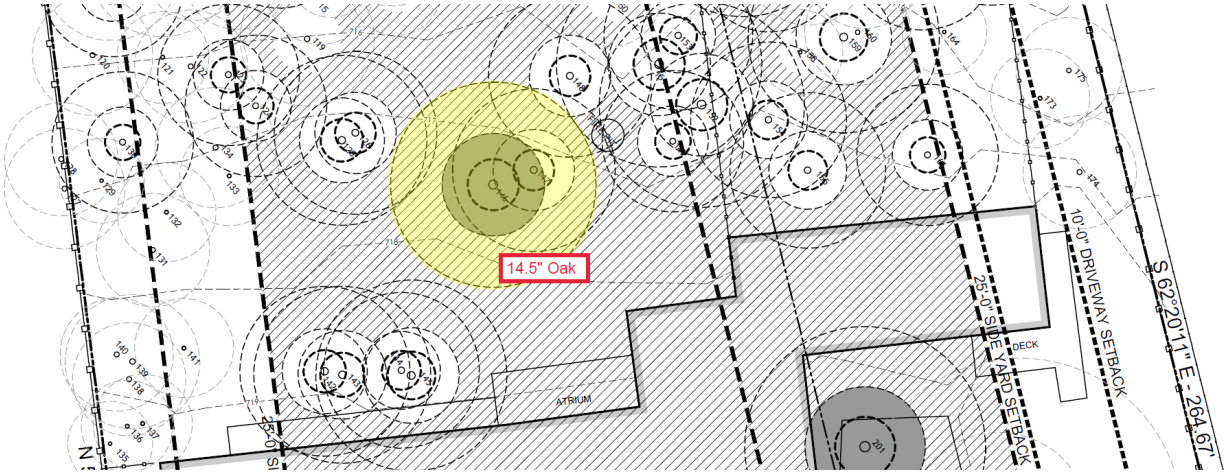
Within footprint of proposed home. Due to the proximity to the existing structure, this tree will be damaged by its demolition. Expect impacts to the CRZs and canopy.



704 Rocky River Rd
Exhibits: Photos

Trees 146

Within footprint of proposed pool and patio.



Tree Tag	Diameter In	Species	Description	Removal	Removed In	Mitigated In
146	14.5	Oak	Variance	Yes	14.5	21.75
197	16	Elm	Variance	Yes	16	24
201	17	Oak	Variance	Yes	17	25.5
224	14.5	Elm	Variance	Yes	14.5	21.75
Sum	62				62	93
				Proposed		
				Removed by Variance		62
				Replaced by Code		93

BASIS OF BEARING:
TEXAS STATE PLANE, NAD83(11) CENTRAL ZONE
AS DETERMINED BY GPS OBSERVATION.
DISTANCES ARE US SURVEY FEET.

20' 10' 0 20'

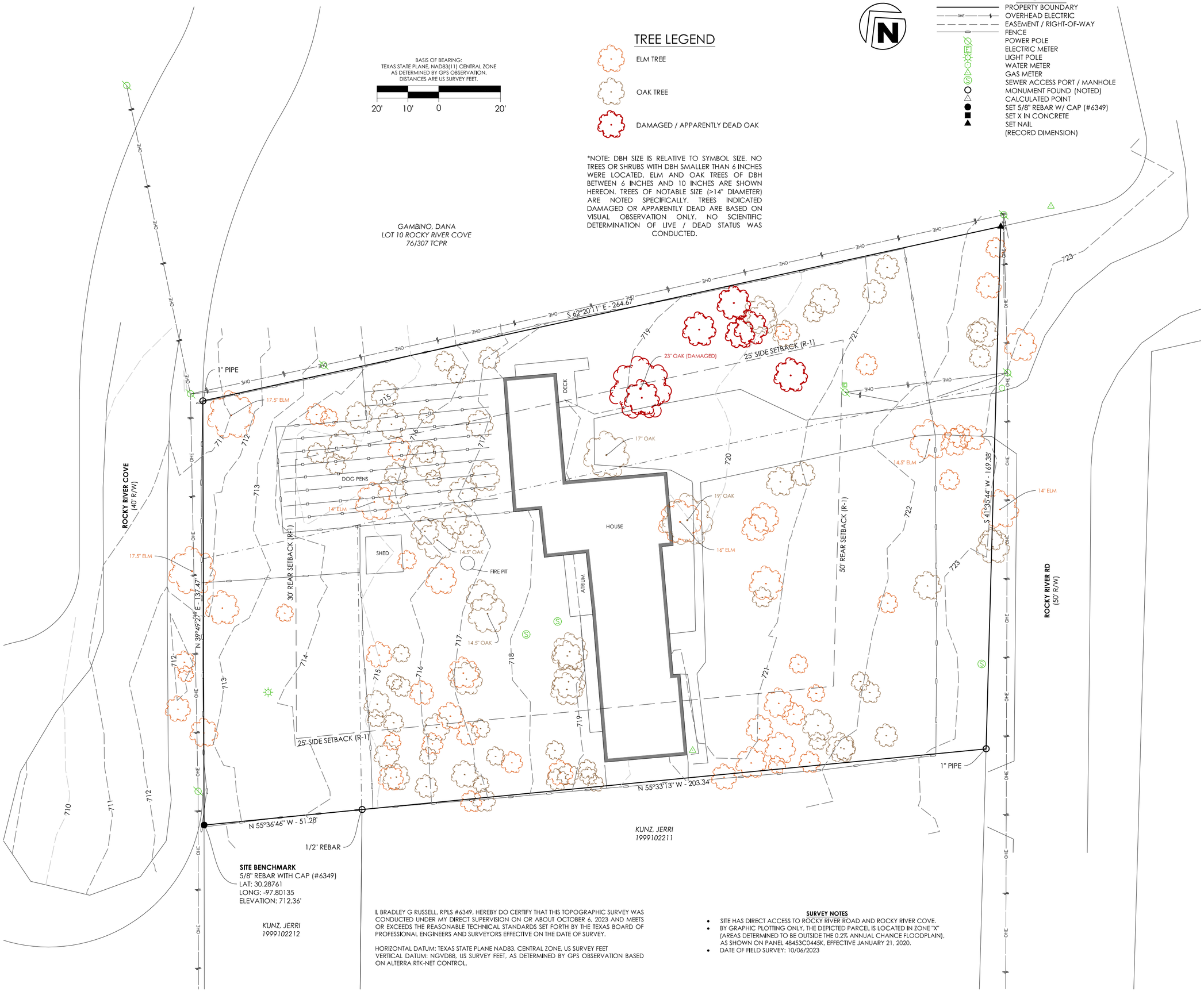
TREE LEGEND

- ELM TREE
- OAK TREE
- DAMAGED / APPARENTLY DEAD OAK

*NOTE: DBH SIZE IS RELATIVE TO SYMBOL SIZE. NO TREES OR SHRUBS WITH DBH SMALLER THAN 6 INCHES WERE LOCATED. ELM AND OAK TREES OF DBH BETWEEN 6 INCHES AND 10 INCHES ARE SHOWN HEREON. TREES OF NOTABLE SIZE (>14" DIAMETER) ARE NOTED SPECIFICALLY. TREES INDICATED DAMAGED OR APPARENTLY DEAD ARE BASED ON VISUAL OBSERVATION ONLY. NO SCIENTIFIC DETERMINATION OF LIVE / DEAD STATUS WAS CONDUCTED.

LEGEND

- PROPERTY BOUNDARY
- OVERHEAD ELECTRIC
- EASEMENT / RIGHT-OF-WAY
- FENCE
- POWER POLE
- ELECTRIC METER
- LIGHT POLE
- WATER METER
- GAS METER
- SEWER ACCESS PORT / MANHOLE
- MONUMENT FOUND (NOTED)
- CALCULATED POINT
- SET 5/8" REBAR W/ CAP (#6349)
- SET X IN CONCRETE
- SET NAIL
- (RECORD DIMENSION)



SITE BENCHMARK
5/8" REBAR WITH CAP (#6349)
LAT: 30.28761
LONG: -97.80135
ELEVATION: 712.36'

I, BRADLEY G RUSSELL, RPLS #6349, HEREBY DO CERTIFY THAT THIS TOPOGRAPHIC SURVEY WAS CONDUCTED UNDER MY DIRECT SUPERVISION ON OR ABOUT OCTOBER 6, 2023 AND MEETS OR EXCEEDS THE REASONABLE TECHNICAL STANDARDS SET FORTH BY THE TEXAS BOARD OF PROFESSIONAL ENGINEERS AND SURVEYORS EFFECTIVE ON THE DATE OF SURVEY.

HORIZONTAL DATUM: TEXAS STATE PLANE NAD83, CENTRAL ZONE, US SURVEY FEET
VERTICAL DATUM: NGVD88, US SURVEY FEET, AS DETERMINED BY GPS OBSERVATION BASED ON ALTERRA RTK-NET CONTROL.

SURVEY NOTES

- SITE HAS DIRECT ACCESS TO ROCKY RIVER ROAD AND ROCKY RIVER COVE.
- BY GRAPHIC PLOTTING ONLY, THE DEPICTED PARCEL IS LOCATED IN ZONE "X" (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN), AS SHOWN ON PANEL 48453C0445K, EFFECTIVE JANUARY 21, 2020.
- DATE OF FIELD SURVEY: 10/06/2023

RECORD INFORMATION

SEAL

STATE OF TEXAS
REGISTERED
BRADLEY G RUSSELL
6349
PROFESSIONAL
LAND SURVEYOR

X
11/1/2023

TOPOGRAPHIC SURVEY
704 ROCKY RIVER RD
WEST LAKE HILLS, TX

COUNTY PARCEL ID: 113213
GF #: 23-759313-GT

CLIENT:
MALESA BRAUKMAN

DATE: 11/1/2023
PROJECT NO: 23200330
CONTACT: B.RUSSELL

1000 Ledgelawn Dr.
Conway, Arkansas 72034
Crafton Tull
engineering | surveying
501.328.3316 t 501.328.3325 f
www.craftontull.com

CERTIFICATE OF AUTHORIZATION:

CONTACT INFORMATION:
Bradley G. Russell
Crafton Tull (10193715)
1000 Ledgelawn Dr.
Conway, AR 72034

© 2023 Crafton, Tull & Associates, Inc.

DELTA	DESCRIPTION	DATE

SHEET NO.:
1 OF 1

DRAWING: G:\23200330 - TX MALESA BRAUKMAN WEST LAKE HILLS\23200330 TOPO.DWG
LAYOUT: 8SX14 TEXAS LAST SAVED: BR1169 11/1/2023 9:10:35 AM
LAST PLOTTED BY: BRAD RUSSELL 11/1/2023 9:10:44 AM (PLOTTED BY:- VALID ON HARD COPY ONLY)

Exhibit A

704 Rocky River Rd. – Setback Variance

Applicant 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.

   This site has over 130 trees with diameters of 6" or greater. The property has been unkempt, with decades of deferred maintenance, the existing/original home is in disrepair and the site is severely overgrown. The existing home is built within both side yard setbacks and is not salvageable. Removing the proposed trees will allow the removal of the non-compliant home and the development of a new home that meets code requirements, including; impervious cover, drainage and building setbacks.

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

   Our proposal of cleaning up the lot will benefit the neighbors and the City as a whole. It will decrease the existing significant underbrush that can be fire hazard. Removing these trees will allow a more compact, consolidated development, limiting site impact area. To develop the lot, without removal of the noted trees, spreads the building footprint over a larger area and effects a greater number of trees with impacts. The proposed development and removal of noted trees has less tree impact overall. Additionally, because it allows for a consolidated footprint, there is less disruption to existing flora.

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

   As part of our preliminary feasibility/programming/design studies, we worked with the homeowner's on several floor plan options that would work around the critical root zones of the trees proposed for removal by variance. The solutions resulted in sprawling, inefficient floor plans, with poor function at increased cost of development and increased impervious cover. Additionally, these floor plan schemes impacted a greater number of trees. Finally, many of the trees we propose removing have severe impacts due to close proximity to the existing house, existing foundations, and existing paving. The demolition of the existing house will require removal of the trees due to significantly compromised root systems.

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

We seek to alleviate the hardship represented by an abundance of trees in poor health, within the site's buildable area. The variance seeks to minimize tree and existing flora impacts, bring the property/trees/landscape back to a healthy and safe state, minimize overall impacts to the neighbors and community, maintain the character of the beautiful site that led them to buy in West Lake Hills, allow for a building footprint that is architecturally appropriate and makes the Owner's goals achievable.

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

   The intent of the city's ordinances and comprehensive plan are to maintain the character of West Lake Hills. The Owner's share this goal. The ordinance is not able to address the specifics and peculiarities of any given site. A variance will enable to Owner's to develop the site as the code intends into a single family residence, with large yards and healthy vegetation.

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

   The trees we propose removing are at the lot's interior. They are currently screened from neighboring properties by trees in both the Owner's and neighbor's yards. Removing these trees will maintain the separation and screening between the existing homes. The proposed home will be farther from the lot lines, increasing privacy on the adjacent lots.

City *of* West Lake Hills
Zoning and Planning Commission
AGENDA REPORT

Meeting Date:	February 19, 2024	**Item Number:**	5
Department:	Building & Development Services		
Prepared By:	Jennifer C. Bills	**Cost / Budget:**	None
Exhibits:	See Attached	**Source of Funds:**	N/A

Subject

1501 Wildcat Hollow: Discuss and make a recommendation on the following variance request to the Section 7.4.1 Cut/Fill Limits of the Drainage and Erosion Control Design Manual (Section 22.03.059 of the West Lake Hills Code of Ordinances):

1. To allow for closed cut of up to 13 feet on a slope between 25% and 35% grade where the maximum closed cut allowed is 10 feet.
2. To allow for closed cut of up to 7 feet on a slope with a grade greater than 35% where no cut or fill is allowed.
3. To allow for closed fill of up to 5 feet on a slope with a grade greater than 35% where no cut or fill is allowed.

Applicant: Davin Fillpot, R&D Architecture

Recommendation

Staff recommends approval of the variance request to Section 7.4.1 of the Drainage and Erosion Control Design Manual (Section 22.03.059 of the Code of Ordinances) due to the slope of the site and limited nature of the disturbance.

This item will be forwarded to a special Board of Adjustment meeting on February 26, 2025 for consideration.

Discussion

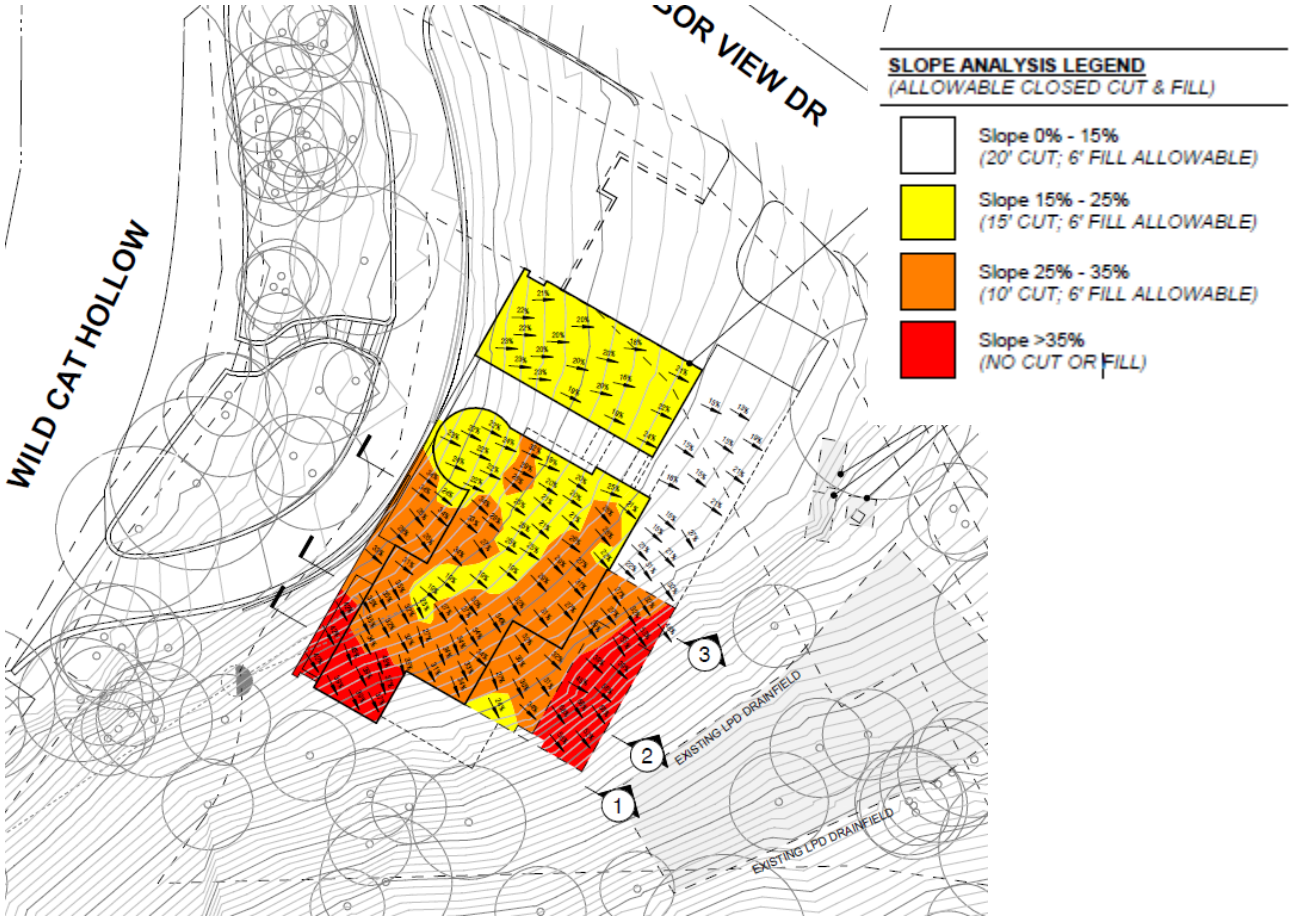
Property Information, Zoning & Site Characteristics:
Owner: 1501 Wild Cat Hollow LLC
Legal Description: Wildcat Harbor Conforming Lot 1
Lot Size: 1.1426 acres
Zoning: R-1 One-Family Residential
Wastewater: On-site Sewer Facility (OSSF)

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

Background & Analysis:
The applicant is proposing to build a new house at the corner southeast corner of Wildcat Hollow and Harbor View Drive (Attachment 1). The previous structure was demolished in 2023. The applicant received five variances related to encroachments and grading in the front setbacks on September 11, 2024. The engineering and staff report recommended denial and noted that not enough information had been

submitted to determine if the cut and fill proposed on the site was in compliance with the Drainage and Erosion Control Design Manual (https://westlakehillstx.portal.civicclerk.com/event/390/files/attachment/4037). The Drainage and Erosion Control Design Manual is adopted by reference within the Code of Ordinances.

A site plan showing the layout over the existing slopes does not provide enough information to determine cut and fill, as buildings can be constructed with an elevated design (pier and beam/cantilevered) that would not require such activities. With the full submittal of the engineering plans, it was determined that there are three areas of the house and patio/pool, where the cut and fill limits would be exceeded (Attachment 3).



City Engineer's Analysis:
The city engineering team has provided analysis and recommends approval of the variance due to the natural topography and two front setbacks. The variance would not adversely impact the natural characteristics of the land and waterways of the watershed the property is located within (Attachment 4).

Public Comments:
As of the date of the staff report, two letters of support were received (Attachment 5).

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 recommendation

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.

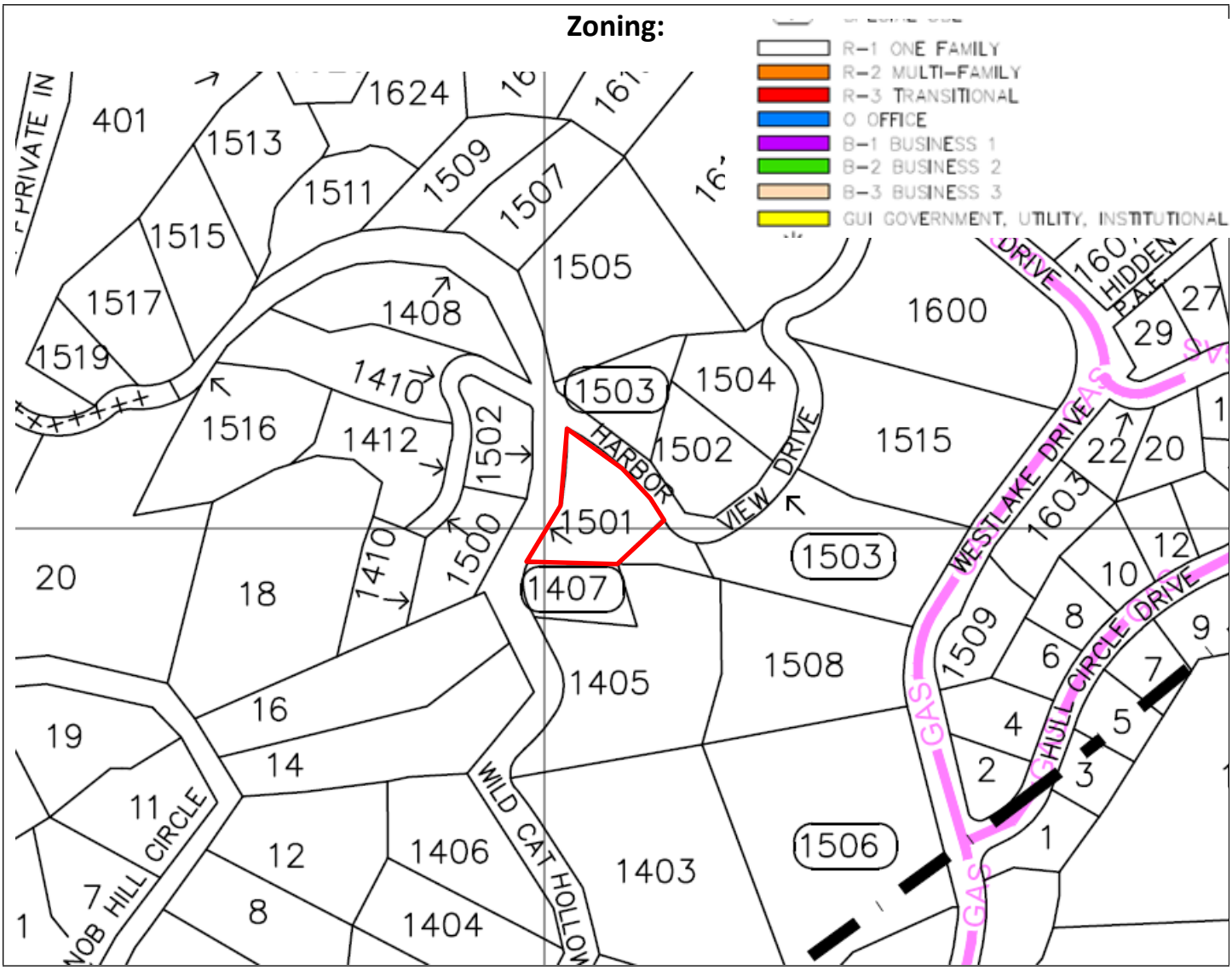
Comprehensive Planning Analysis

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

Links to Relevant Code:

- **Section 22.03.059 Drainage and Erosion Control Manual**
- **Section 38.05.031 Variances**
- **Section 22.03.514 Criteria and process required for granting a variance**

Zoning:


R-1 ONE FAMILY
R-2 MULTI-FAMILY
R-3 TRANSITIONAL
O OFFICE
B-1 BUSINESS 1
B-2 BUSINESS 2
B-3 BUSINESS 3
GUI GOVERNMENT, UTILITY, INSTITUTIONAL
HARBOR VIEW DRIVE
WESTLAKE DRIVE
HULL CIRCLE DRIVE
WILD CAT HOLLOW
NOB HILL CIRCLE
HIDDEN
GAS
1501
1503
1407
1502
1504
1505
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1509
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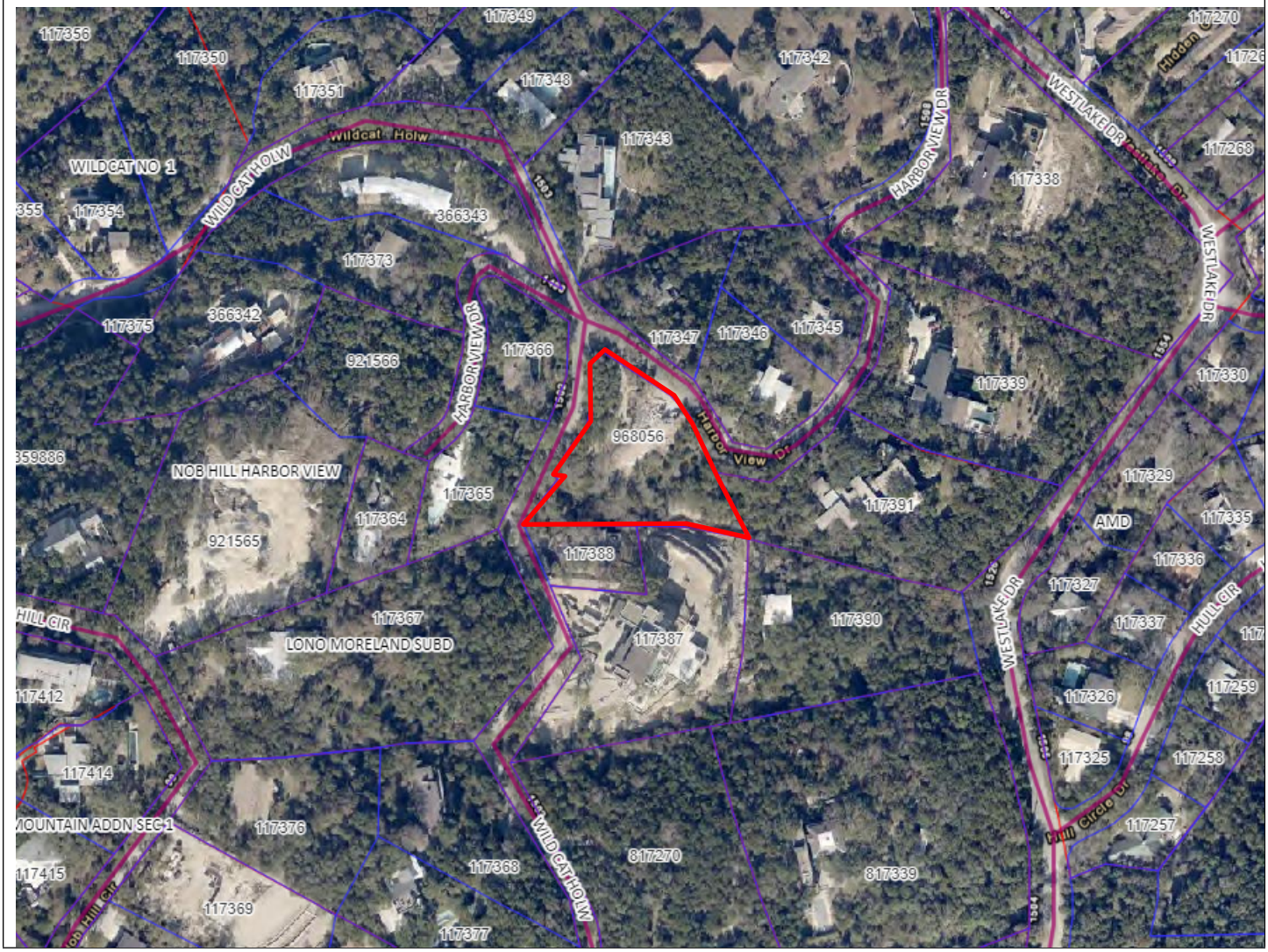
Aerial:


117356
117350
117351
117349
117348
117342
117343
117270
WILDCAT NO 1
WILDCAT HOLW
Wildcat Holw
117354
366343
117373
117375
366342
921566
HARBOR VIEW DR
117366
117347
117346
117345
117338
WESTLAKE DR
117268
117339
117330
968056
Harbor View Dr
NOB HILL HARBOR VIEW
117365
117364
921565
117391
117329
AMD
117335
117388
117336
117327
117367
LONO MORELAND SUBD
117387
117390
117337
HILL CIR
117412
117326
117259
117414
117325
117258
MOUNTAIN ADDN SEC 1
117376
117257
Hill Circle Dr
117415
117368
817270
817339
117369
117377

Letter to ZAPCO Chair
RE: 1501 Wild Cat Hollow Variance Request

January 9th, 2025

Dear Chairman Meisel,

This project appeared before the Zoning and Planning Commission and the Board of Adjustments in August and September of 2024. All previously requested variances were unanimously Recommended for Approval by ZAPCO, and subsequently approved unanimously by the Board of Adjustments. Upon approval of the variances, the owners proceeded to engage with their outside engineers again (Structural, Septic and Drainage) to complete the necessary construction documentation to submit for permitting.

The complete project package (including engineering) was submitted for Permit on 10/29/2024. On 12/10/2024, the City of West Lake Hills provided all plan review comments from their plan review.

In the review the Drainage Engineer indicated that there were a number of items that would need additional variances to be applied for, before it could be approved. Ourselves and our team were confused as to how they would now need to apply for more variances because the building footprint, site plan and volume had not changed since the variances were approved in the summer and the site plan was shared with the entire team including the drainage engineer in pre-planning guidance in the spring. The only changes slightly shifted the building and reduced square footage by ~200 sq feet to demonstrate the owners' attempts to mitigate the variances the City identified in pre-planning as required to increase likelihood of approval.

After receiving the plan review, the feedback was minor with the exception of the extensive drainage report. In order to understand what was needed to clear the drainage comments, the ourselves, our design team, West Lake Hills staff and the City's Drainage Engineer scheduled a follow up meeting on Tuesday 12/17/2024 to discuss the review comments and discuss the additional variances that were newly indicated as needed. The group was unable to work their way completely through the extensive drainage comments in that meeting. A follow up meeting was held Wed 1/9/2025, and the team completed going through the remaining comments.

Throughout the course of the 2 follow up meetings, it was explained that even though the design had not changed from the variance approvals to permitting, there were 2 areas of the drainage manual relating to cut/fill on varying slopes that were not able to be identified prior to the variance approvals. The drainage engineer said that full construction plans were needed to identify these variances

So, even though the project received variance approval and the design has not changed, in order to obtain the permit, the project has to come back through the city variance process to address the areas of cut/fill of varying slopes due to areas of the house foundation walls in areas with specific slope criteria from the Drainage Manual (not the City of West Lake Hills Code of Ordinances).

We kindly request your consideration of this variance request and look forward to discussing them further.

Most Sincerely,

Heidi and Vin Restivo, currently reside at 402 Redbud Trail and owners of 1501 Wildcat Hollow

A2412

Waterloo Surveyors Inc.
SURVEY PLAT
As-built, Tree & Topography

OWNER:
1501 WILD CAT HOLLOW, LLC.

ADDRESS:
1501 WILDCAT HOLLOW
WEST LAKE HILLS, TEXAS 78746

LEGAL DESCRIPTION:
LOT 1, OF WILDCAT HARBOR CONFORMING PLAT, A SUBDIVISION IN TRAVIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN DOCUMENT No. 202200177, OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS.

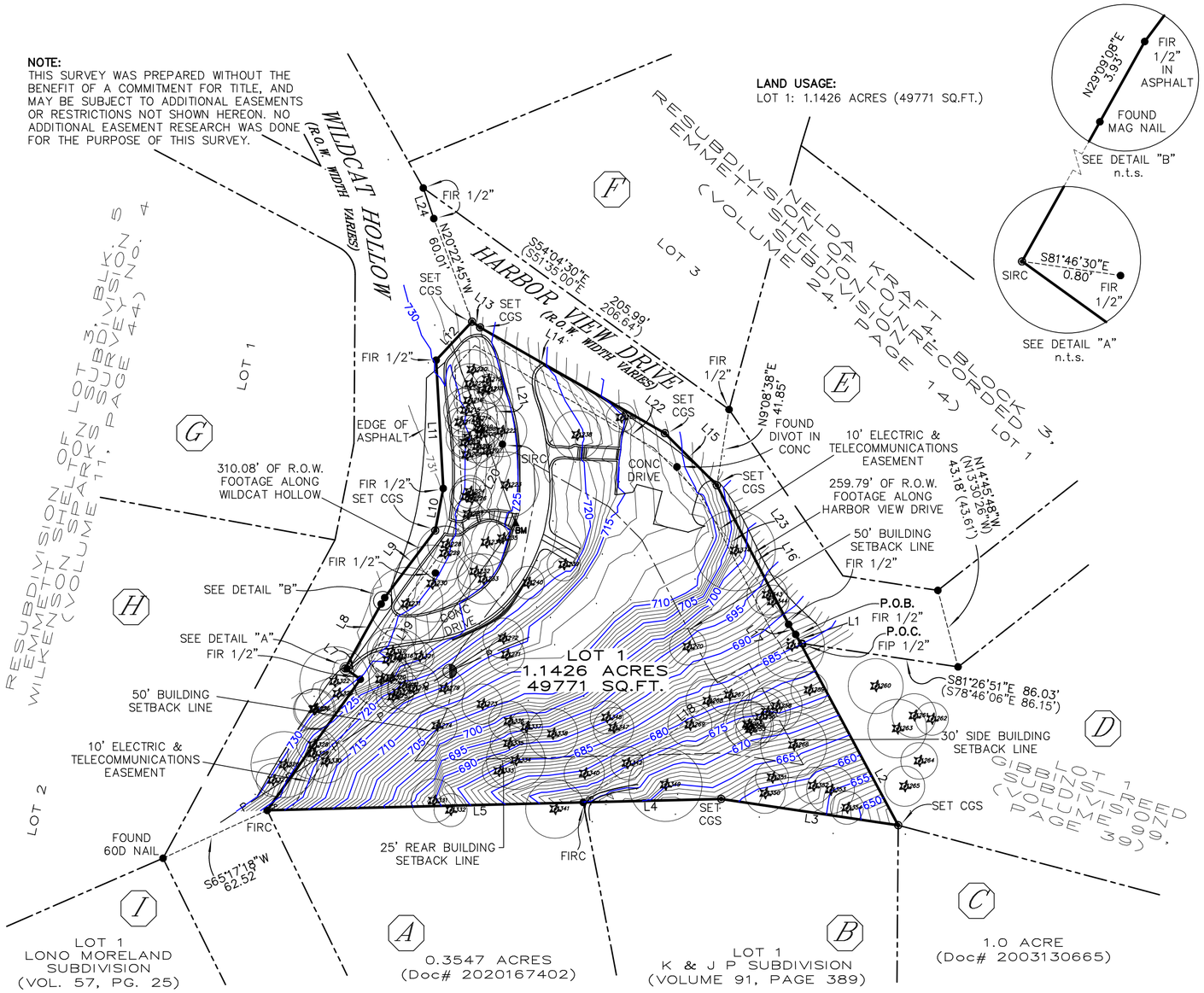
ADJOINERS

A	1407 WILDCAT HOLLOW ANDREW & KAITLYN CONEY (DOC# 2020167402)	C	1508 WESTLAKE DRIVE ARNOLD D. & BILLIE J. KELLEY (DOC# 2003130665)	E	1502 HARBOR VIEW ROAD PAMELA G. REED (DOC# 2014134964)	G	1502 WILDCAT HOLLOW PATRICK & PAMELA NUNNELLY (VOL. 10997, PG. 1540)	I	16 NOB HILL CIRCLE SUSAN DELAIN WEIL LIFE ESTATE (DOC# 2012220885)
B	1405 WILDCAT HOLLOW JAFF VENTURES, LLC. (DOC# 2017008915)	D	1511 HARBOR VIEW ROAD MARK L. LACY & SCOTT E. BARRETT (DOC# 2013111868)	F	1503 WILDCAT HOLLOW DAVID LAWRENCE CARR & CATHERINE BRANNOCK REES (DOC# 2015130835)	H	1500 WILDCAT HOLLOW MICHAEL T. & BEVERLY A. OBRIEN (_____)		

NOTE:
BEARING BASED ON THE TEXAS COORDINATE SYSTEM OF 1983(NAD83) CENTRAL TEXAS ZONE, BASED ON LOCAL GPS OBSERVATIONS.

NOTE:
THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A COMMITMENT FOR TITLE, AND MAY BE SUBJECT TO ADDITIONAL EASEMENTS OR RESTRICTIONS NOT SHOWN HEREON. NO ADDITIONAL EASEMENT RESEARCH WAS DONE FOR THE PURPOSE OF THIS SURVEY.

LAND USAGE:
LOT 1: 1.1426 ACRES (49771 SQ.FT.)



LINE TABLE

LINE	BEARING	DISTANCE	(BEARING)	(DISTANCE)
L1	N35°27'00"W	5.95'		
L2	S28°15'34"E	118.10'	S25°43'41"E	117.94'
L3	N81°32'42"W	97.64'	N79°00'45"W	97.52'
L4	S88°32'32"W	75.28'	N89°03'25"W	75.59'
L5	S88°33'38"W	172.50'	N89°03'25"W	172.80'
L6	N35°23'50"E	87.73'	N37°50'05"E	88.19
L7	N54°09'37"W	10.13'	N51°37'05"W	10.13'
L8	N29°09'08"E	44.18'	N31°51'17"E	44.21'
L9	N36°58'03"E	45.87'	N39°35'11"E	45.87'
L10	N10°44'13"E	23.36'	N12°57'01"E	23.46'
L11	N3°08'42"W	70.10'	N0°40'07"W	70.09'
L12	N43°01'10"E	28.72'	N46°17'09"E	29.26'
L13	S54°40'11"E	5.41'	S51°52'45"E	5.00'
L14	S60°11'24"E	116.11'	S57°39'40"E	116.13'
L15	S44°57'35"E	40.15'	S42°32'25"E	40.16'
L16	S27°17'04"E	85.38'	S24°43'05"E	85.41'
L17	S34°58'08"E	6.79'	S31°00'25"E	7.04'
L18	S51°41'25"W	147.73'	S54°16'05"W	147.97'
L19	N35°15'38"E	71.01'	N37°50'05"E	70.83'
L20	N27°29'00"E	79.16'	N30°03'58"E	79.43'
L21	N10°45'49"W	64.90'	N7°58'59"W	65.20'
L22	S54°40'11"E	131.55'	S51°59'00"E	131.75'
L23	S35°20'12"E	105.34'	S32°58'25"E	105.08'
L24	N19°00'03"W	17.64'		

NOTE:
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NOTE:
BEARING BASED ON THE TEXAS COORDINATE SYSTEM OF 1983(NAD83) CENTRAL TEXAS ZONE, BASED ON LOCAL GPS OBSERVATIONS.

LEGEND

RECORD CALL	( )
BUILDING SETBACK LINE	B.L.
FOUND IRON ROD	FIR ●
SET IRON ROD WITH CAP	SIRC ◎
FOUND IRON ROD WITH CAP	FIRC ●CP
FOUND IRON PIPE	FIP ○
COTTON GIN SPINDLE	CGS
WOOD DECK	WD
POINT OF COMMENCING	P.O.C.
POINT OF BEGINNING	P.O.B.
UTILITY POLE/GUY ANCHOR	
UTILITY LINE	—— P —— P ——
FINISHED FLOOR ELEVATION	FF⊗
TREE, DRIPLINE & NUMBER	

BENCHMARK: ▲BM
SET 60D NAIL
NAVD88 ELEVATION: 723.37'

SCALE
1" = 50'

State of Texas:
County of Travis:

The undersigned does hereby certify that this survey was this day made on the property legally described hereon and is correct, and this survey substantially complies with the current Texas Society of Professional Surveyors Standards and Specifications for a Category 1B 3 6 Conditions II Survey.

And I certify that the property shown hereon IS NOT within a special flood hazard area as identified by the Federal Insurance Adm. Department of HUD Flood hazard boundary map revised as per Map Number: 48453C0445K, Zone: X, Dated: 1/22/2020.

Dated this the 17th day of APRIL, 2024.
Updated this the 30th day of MAY, 2024.

Thomas P. Dixon R.P.L.S. 4324

STATE OF TEXAS REGISTERED THOMAS P. DIXON 4324 PROFESSIONAL LAND SURVEYOR

TREE LIST:
#, TYPE, SIZE
1205, Live Oak 8
1206, Live Oak 9
1207, Live Oak 9
1208, Live Oak 10
1209, Live Oak 9
1210, Live Oak 11 8
1211, Live Oak 9 6
1212, Live Oak 8
1213, Live Oak 8
1214, Live Oak 13 6
1215, Live Oak 12
1216, Juniper 8
1217, Juniper 9 4
1218, Juniper 8
1219, Live Oak 8
1220, Ash 8 6
1221, Live Oak 11
1222, Juniper 14
1223, Juniper 10 9 7
1224, Live Oak 9

TREE LIST:
#, TYPE, SIZE
1225, Live Oak 9
1226, Live Oak 11
1227, Ash 8
1228, Mountain Laurel 5 5 4
1229, Juniper 15
1230, Juniper 15 11
1231, Mountain Laurel 9 6 5 5 5
1232, Juniper 10
1233, Juniper 13.69
1234, Juniper 9 7
1235, Juniper 8
1238, Juniper 9.2 8.2
1239, Mountain Laurel 5 4 4
1240, Mountain Laurel 7 3
1250, Juniper 8
1253, Live Oak 8
1254, Juniper 13
1255, Live Oak 13
1256, Live Oak 14
1257, Live Oak 13

TREE LIST:
#, TYPE, SIZE
1258, Live Oak 14
1259, Juniper 7.5
1260, Live Oak 15
1261, Juniper 12
1262, Juniper 9
1263, Juniper 12 7
1264, Juniper 10
1265, Juniper 8 5
1266, Live Oak 18
1267, Juniper 11
1268, Juniper 12
1269, Juniper 12
1270, Lace Oak 7 5
1271, Ash 10
1272, Ash 11
1273, Hackberry 11
1274, Juniper 11
1275, Live Oak 9
1276, Live Oak 9
1277, Live Oak 8

TREE LIST:
#, TYPE, SIZE
1278, Juniper 9 9
1279, Juniper 11
1316, Live Oak 15
1317, Live Oak 13
1318, Live Oak 10
1319, Juniper 9 6 5
1320, Hackberry 12
1321, Juniper 8
1322, Live Oak 19
1323, Hackberry 10
1324, Juniper 11
1325, Ligustrum 11
1326, Juniper 14 8
1327, Hackberry 9
1328, Juniper 9
1329, Live Oak 13.5
1330, Juniper 12
1331, Hackberry 12
1332, Ash 9
1333, Hackberry 9

TREE LIST:
#, TYPE, SIZE
1334, Hackberry 16
1335, Ligustrum 9.5
1336, Ligustrum 11
1337, Hackberry 9
1338, Juniper 13.8
1340, Chinaberry 9 4
1341, Hackberry 16
1342, Chinaberry 9
1343, Elm 10.5
1344, Elm 9
1346, Live Oak 14 8
1347, Juniper 11
1348, Ash 9
1349, Ligustrum 15 9
1350, Juniper 11
1351, Juniper 9
1352, Juniper 10
1353, Juniper 13
1354, Juniper 9
1374, Live Oak 16 11

P.O. Box 160176, Austin, Texas 78716-0176 Phone: 481-9602 FIRM #10124400

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1501 Wildcat Hollow

Variance Request
February 19, 2025

Specht Novak

NOTE:
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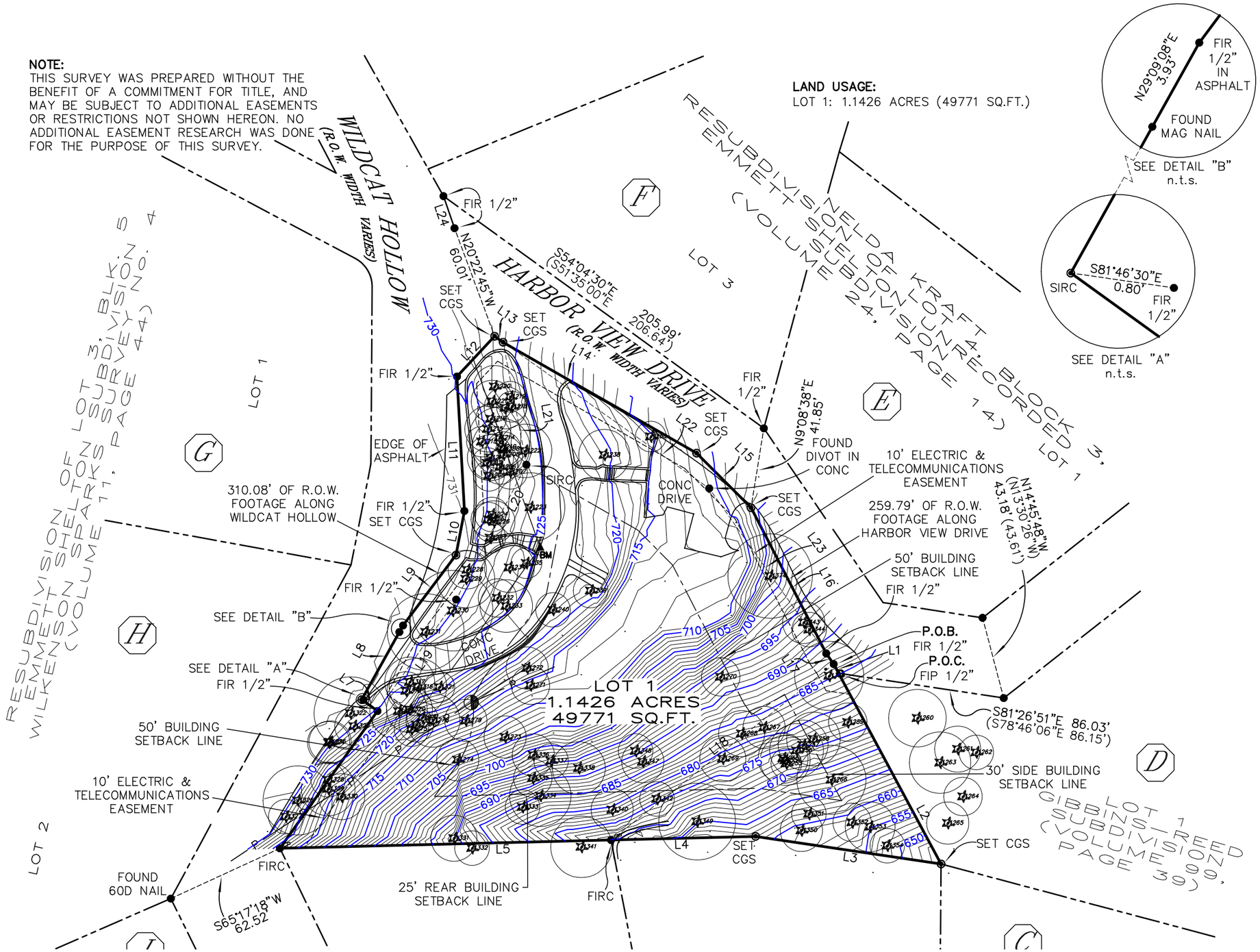
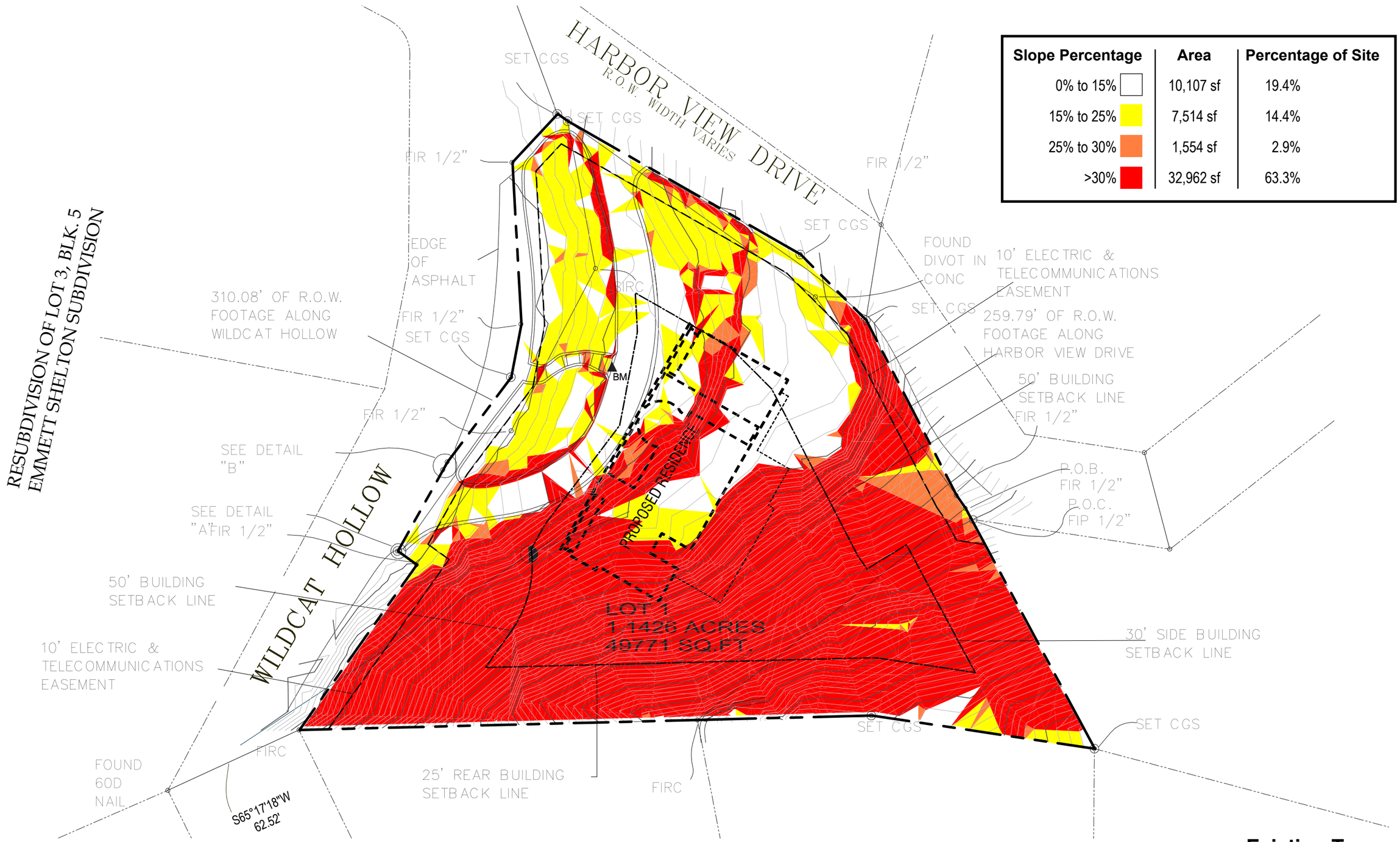
LAND USAGE:
LOT 1: 1.1426 ACRES (49771 SQ.FT.)



Site Survey



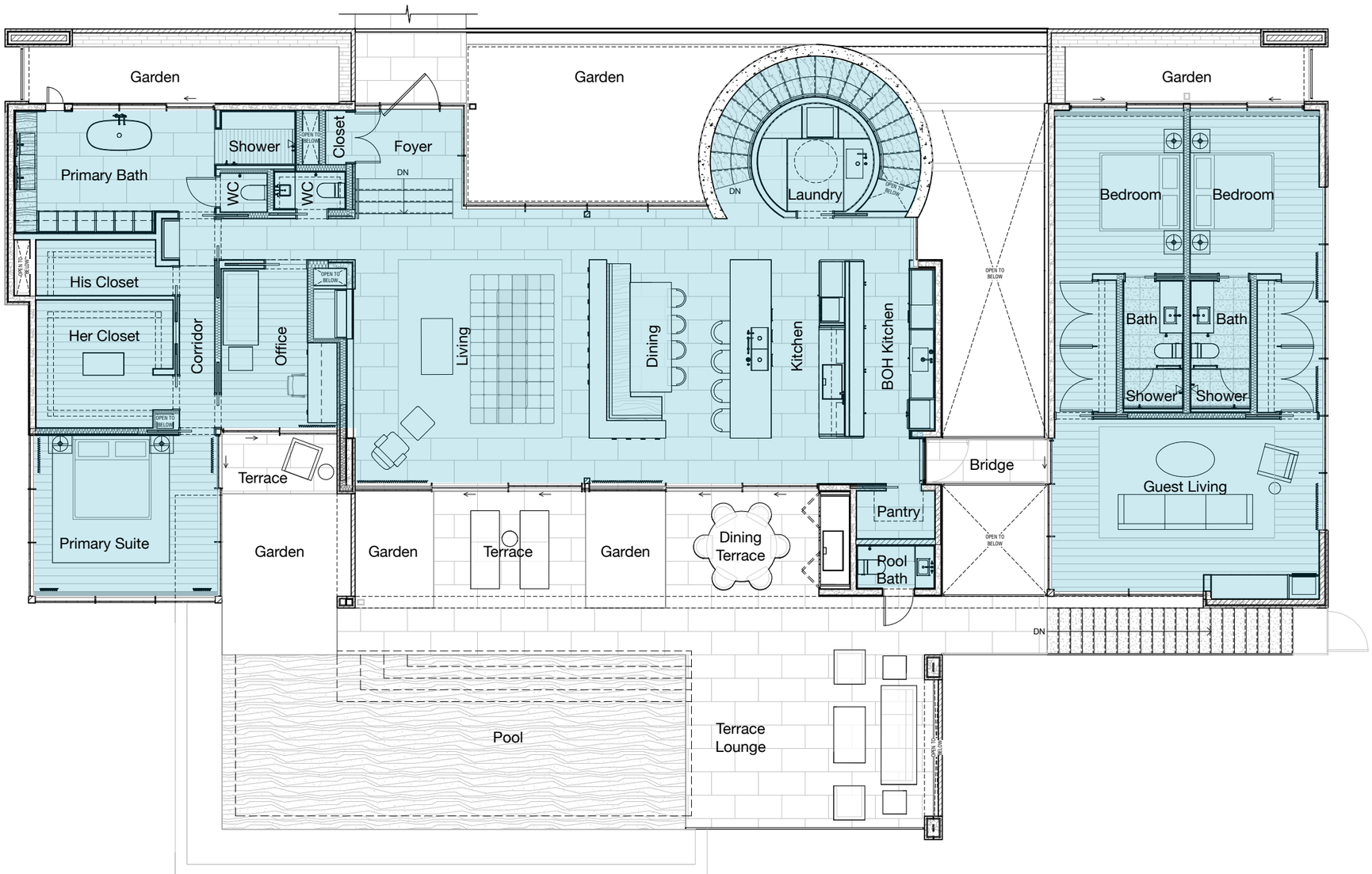
Slope Percentage	Area	Percentage of Site
0% to 15%	10,107 sf	19.4%
15% to 25%	7,514 sf	14.4%
25% to 30%	1,554 sf	2.9%
>30%	32,962 sf	63.3%

Existing Topography

Existing conditions with previously altered grade / nonconforming fill

Existing Topography
Assumed Natural Grade

Aerial view looking west

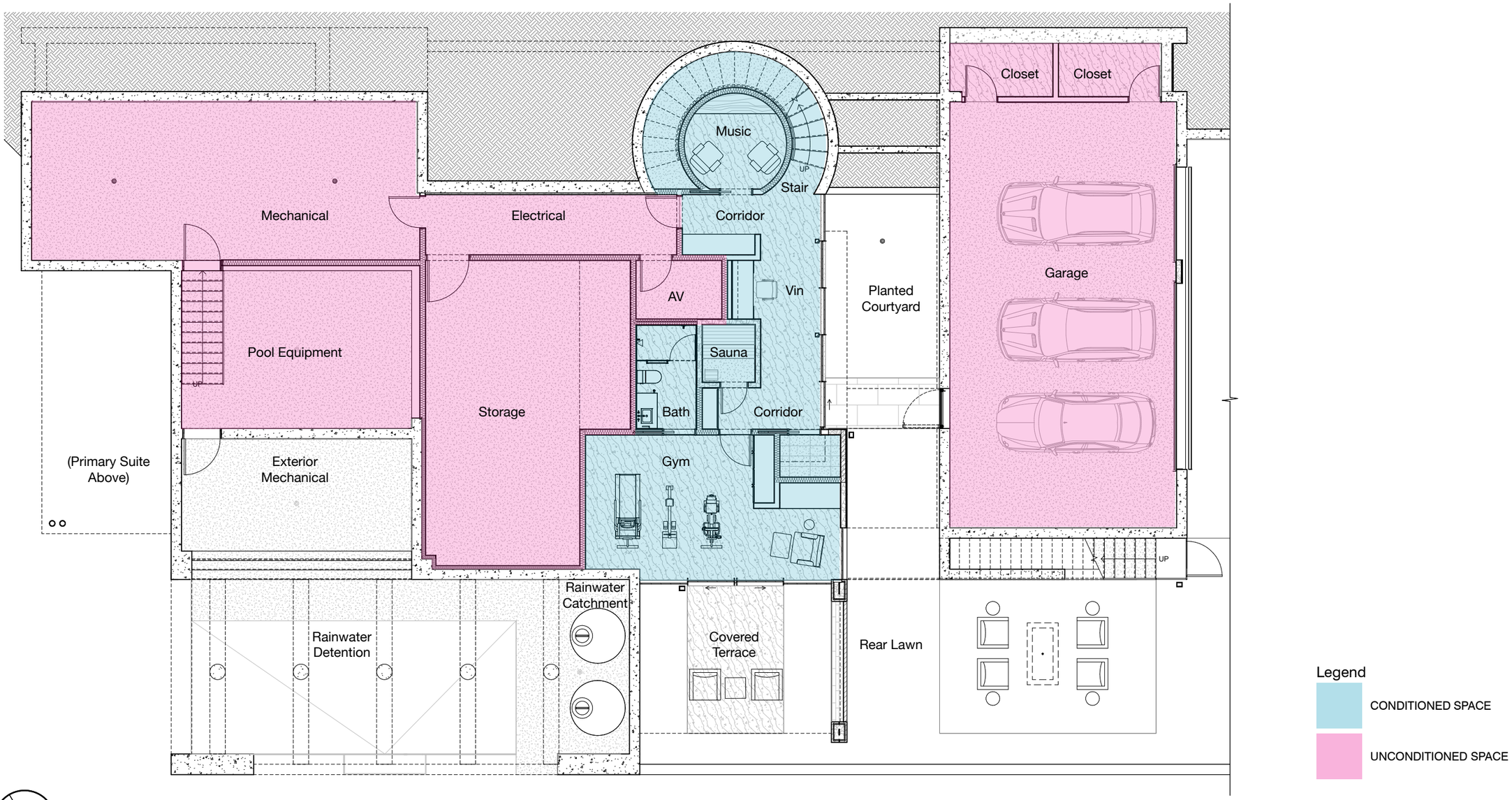


Legend

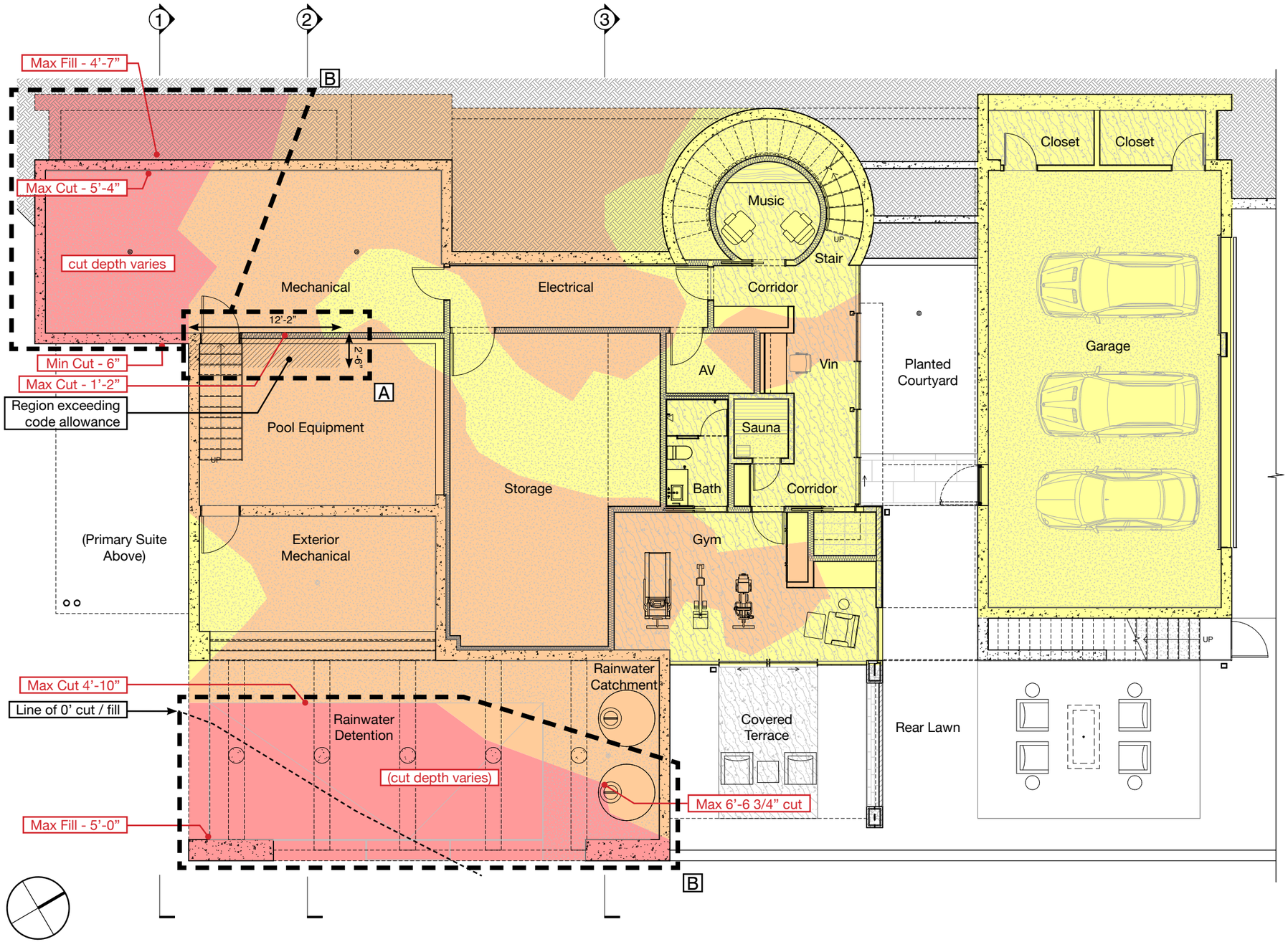
CONDITIONED SPACE

UNCONDITIONED SPACE

Entry Level Plan
(not to scale)



Lower Level Plan
(not to scale)



Lower Level Plan

(not to scale)

Proposed Design I Variance 01

A Request to allow maximum 11'-2" (1'-2" beyond allowable) cut in areas where assumed natural grade slope is between 25%-35% slope, limited to areas under the building footprint.

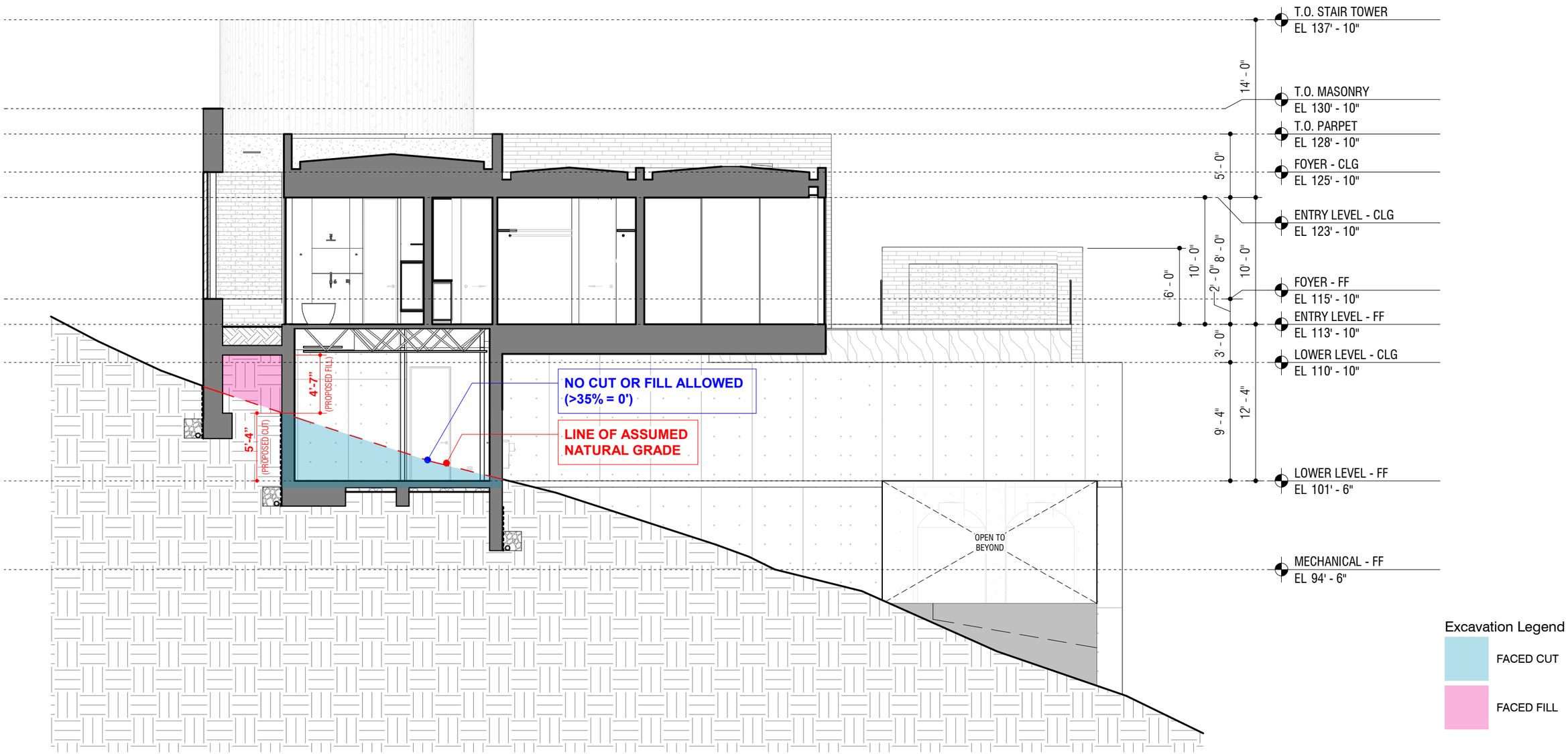
B Request to allow maximum 7'-0" cut and 5'-0" fill in areas where assumed natural grade exceeds 35% slope, limited to areas under the building footprint and Rainwater Detention pond.

Relevant Code Excerpt:
City of Westlake Hills - Drainage and Erosion Control Design Manual
7.4.1 CUT / FILL LIMITS

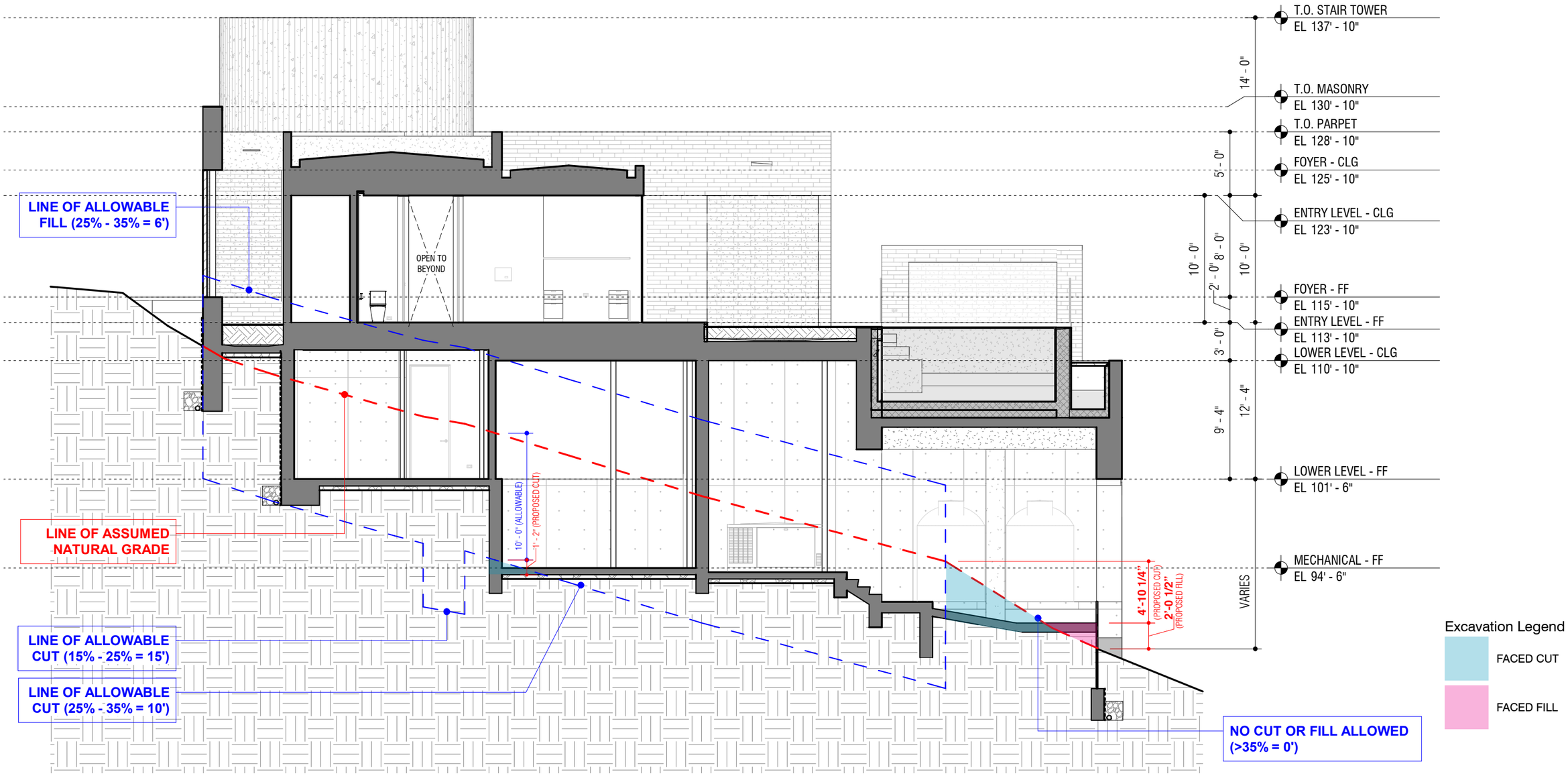
- *In order to reduce storm water runoff, resulting in erosion, sedimentation and conveyance of nonpoint source pollutants, the layout of the street network, lots and building sites shall, to the greatest extent possible, be sited and aligned along natural contour lines, and shall minimize the amount of cut and fill on slopes in order to minimize the amount of land area disturbed during construction. The maximum cut and fill limits are shown in Table 7-1.*

SLOPE ANALYSIS LEGEND
(ALLOWABLE CLOSED CUT & FILL)

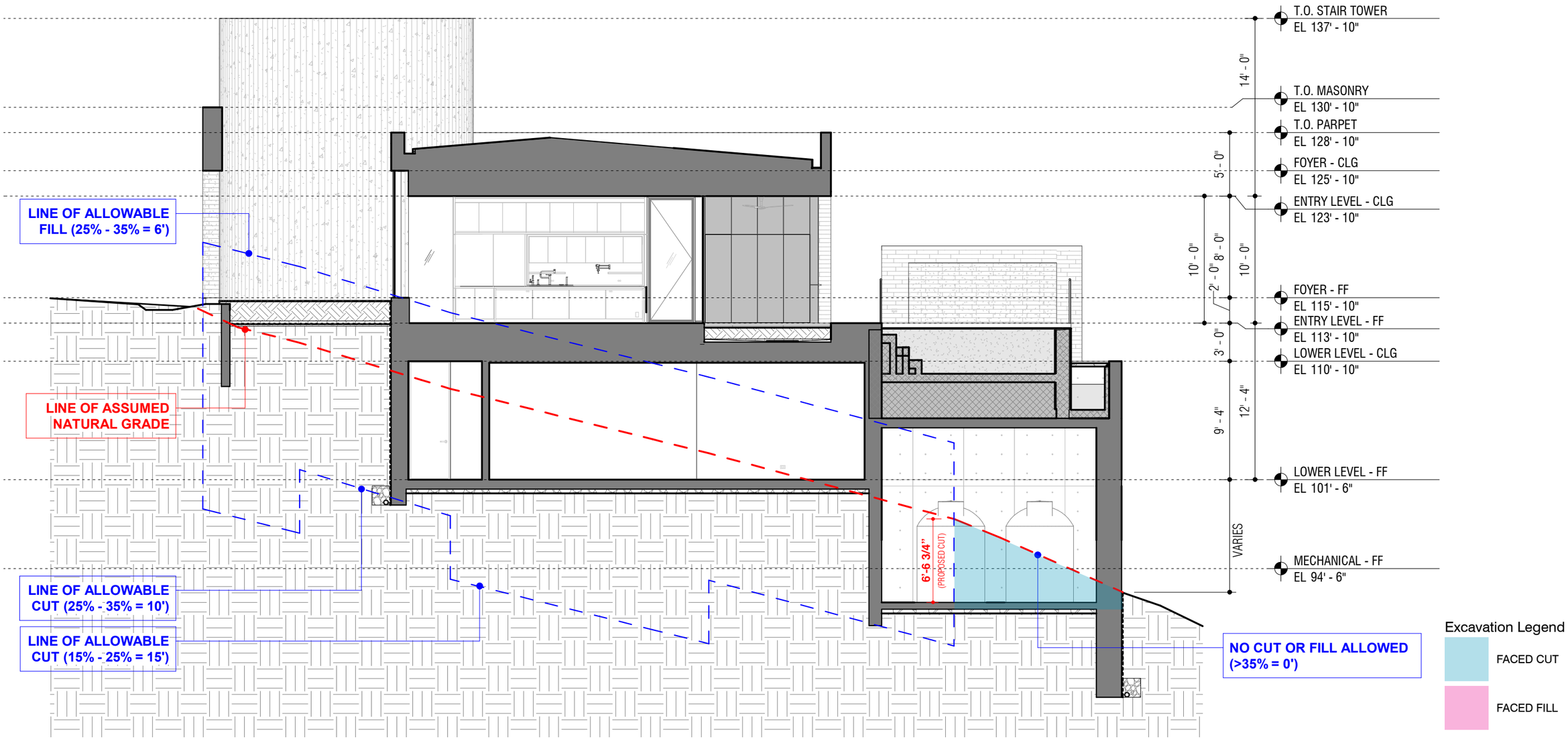
- Slope 0% - 15% *(20' CUT; 6' FILL ALLOWABLE)*
- Slope 15% - 25% *(15' CUT; 6' FILL ALLOWABLE)*
- Slope 25% - 35% *(10' CUT; 6' FILL ALLOWABLE)*
- Slope >35% *(NO CUT OR FILL)*



Proposed Design I Building Section 1



Proposed Design I Building Section 2



Proposed Design I Building Section 3

Proposed Design I Looking North

Proposed Design I Front Facade

Thank You!

Specht Novak

RE: 1501 WILDCAT HOLLOW VARIANCE REQUEST
Application #2025-1247

On behalf of the City of West Lake Hills, Engineering staff has reviewed the variance requests for the property located at 1501 Wildcat Hollow. This review was performed in the context of the City of West Lake Hills Code of Ordinances which states that no variance shall be granted unless it meets the following criteria:

1. The strict or literal enforcement of the terms of the code, 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.
4. The variance will not be greater than the minimum required to alleviate the difficulty or hardship.

The following requests were made:

1. Request to allow maximum 11'-2" (1'-2" beyond allowable) where assumed natural grade slope is between 25-35% slope, limited to areas under the building footprint shown on sheet 8 in the exhibit package.
2. Request to allow maximum 7'-0" cut and 5'-0" fill in areas where assumed natural grade exceeds 25% slope, limited to the areas shown on sheet 8 in the exhibit package all of this is occurring under the footprint of the main level of the house on a sub level that will primarily accommodate mechanical, pool equipment, detention and drainage.

The hardships mentioned are as follows:

Natural topography. Two existing roadways fronting the property – reducing buildable area.

After reviewing the provided documents and the city code, the engineering team on behalf of the City of West Lake Hills recommends the following:

1. Chapter 7.4.1 – Cut/Fill Limits 25%-35% - To allow for closed cut of up to 13 feet on a slope between 25% and 35% grade where the maximum closed cut allowed is 10 feet.
    a. We suggest that this variance is **approved.**
        - **Per Chapter 7 of the Drainage and Erosion Control Manual (Rev. 2020), the variance requested does not adversely impact the natural characteristics of the land and waterways of the watershed the property is located in.**
        - **Erosion control measures are proposed in place to limit impact to the watershed during construction.**

2. Chapter 7.4.1 – Cut/Fill Limits greater than 35% - To allow for closed cut of up to 7 feet on a slope with a grade greater than 35% where no cut or fill is allowed.
    a. We suggest that this variance is **approved.**
        - **Per Chapter 7 of the Drainage and Erosion Control Manual (Rev. 2020), the variance requested does not adversely impact the natural characteristics of the land and waterways of the watershed the property is located in.**
        - **Erosion control measures are proposed in place to limit impact to the watershed during construction.**
3. Chapter 7.4.1 – Cut/Fill Limits greater than 35% - To allow for closed fill of up to 5 feet on a slope with a grade greater than 35% where no cut or fill is allowed.
    a. We suggest that this variance is **approved.**
        - **Per Chapter 7 of the Drainage and Erosion Control Manual (Rev. 2020), the variance requested does not adversely impact the natural characteristics of the land and waterways of the watershed the property is located in.**
        - **Erosion control measures are proposed in place to limit impact to the watershed during construction.**

From: David L. Carr
To: Trey Fletcher; Jennifer Bills; Joel Sherrouse
Cc: Katy Rees (katybrees1023@gmail.com); Heidi Restivo; Pam Reed (pgreed@me.com); Pat Nunnelly (nunnelly@gmail.com); pamelanunnelly@gmail.com
Subject: No objection to 1501 Wildcat Hollow variance request
Date: Thursday, January 9, 2025 10:26:23 AM

[redacted]

To the City of Westlake Hills,

We live across the street from 1501 Wildcat Hollow where the Restivo's have requested a variance for cut and fill for the stormwater detention area. We fully support this request and ask the city to expedite the variance. Thank you.

Kind regards,

David Carr & Katy Rees
1503 Wildcat Hollow
Westlake Hills, TX 78746
D 512-656-7530
K 512-789-8207

From: PATRICK NUNNELLY
To: Jennifer Bills
Cc: Heidi Restivo
Subject: 1501 Wildcat Hollow variance
Date: Monday, January 13, 2025 1:34:46 PM

[redacted]

Jennifer, please forward to ZAPCO:

I own the property at 1502 Wildcat Hollow. The Restivos have been very upfront with us and neighbors about their proposed home construction. I support and encourage that the current variance under consideration be expedited ASAP so that they may begin construction.
Respectfully,
Pat Nunnelly.

Exhibit A

1501 Wildcat Hollow – Cut and Fill Limits

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 special conditions referenced throughout this application and questionnaire as well as the original variance application from August 2024 pertain to the steep topography, site modifications made to accommodate the original home (demolished in December 2022). Despite the home's removal, the existing cuts and fills within the setback necessitate variances for remediation.

   A very small portion of the building footprint exists on slopes greater than 25% and 35%. Though the Drainage Manual indicates that No Foundation Wall can go below grade on slopes 35% or greater, the drainage engineer created a drainage design that will 100% comply with all other drainage regulations in the manual, thus meeting goals and engineering requirements for a successful and compliant drainage plan.

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

   Approval of these variances largely preserves the natural terrain and existing vegetation. The requested variances in this package as well as the original variance package primarily address pre-existing non-conforming conditions from the original construction. The plan also minimizes erosion, potential runoff, and the removal of additional vegetation by building on the original house footprint while removing 1000 sq feet of house enchroachment from the Harborview setback. The cut / fill vs Slope criteria in the drainage manual were considered by the Drainage Engineer, Jay Campbell; he was able to create a drainage plan that works with the small portion of foundation walls that exist on slopes greater than 35% and 25% slopes.

   This plan, site plan and building envelope have not changed since ZAPCO and BOA reviewed this application in August / Sept 2024.
   This plan, site plan and building envelope have not changed since ZAPCO and BOA reviewed this application in August 2024.

3. There is no reasonable alternative to the requisite variance that will alleviate the difficulty or hardship complained of.
   Exhaustive exploration with the architect prior to engaging with the city in pre-planning was done in order to avoid the variance process. The owners have been City of WLH

residents and home owners since 2001 and requested the architectural team to design a home that could be built variance free based on their prior painful experience in 2001-2 seeking variances related to their original WLH home. These extensive design efforts and pre-planning with the city team, including the drainage engineer, revealed that the site's limitations, including two 50-foot front setbacks, the septic system, and a steep ravine are the only viable option for the building's placement as depicted in the documentation and thus variances would be required. This was previously discussed in the August and September 2024 ZAPCO and BOA meetings, for which the project received a unanimous vote recommending approval from ZAPCO and unanimous vote for approval from the BOA.

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

   The requested variances represent the absolute minimum modifications needed to address the unique challenges posed by the site's pre-existing conditions and constraints. The variances in the August 2024 Package and this package will alleviate the hardships and rectify many pre-existing / nonconforming conditions that remain on the site post demolition of the original home. The city team suggested we could change the house and foundation design to pier in beam and this additional variance would not be required (which does not really make sense to us given the piers would still be in the slope area). That said, making this change, the owners will lose the mechanical room in their design and there is no place to move it. Additionally, design and structurual, civil and MEP engineering work would have to be redone, yet again due to this newly identified necessary variance, creating non-trivial budget impact. The owners believe they and their team have demonstrated good faith efforts to comply with city code, and the team spent extensive time looking at alternatives and ways to mitigate variances, and shrinking the footprint wherever possible without compromising the features they want in their new home to come up with a plan that by current standards is a smaller home.

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

   We believe the variances do not violate the intent of the Zoning Ordinance and goals of the City's Comprehensive plan, because these variances are rooted in preservation of existing site cuts and conditions and minimization of site disturbance, tree removal, and erosion. The requested modifications prioritize preserving natural site conditions and significantly remediating pre-existing non-conformities. Additionally, these variances enable a proposed house that is: (1) ~30% smaller than the original house, (2) on a 1.1+acre plat compared to .87 acres the original house was on, (3) reduces the driveway width 45-foot off of Harborview with restoration of vegetation in the “reduced” areas, and (4) reduces setback encroachment where the original house stood by ~1000 square feet.

The owners believe that many of the unsolicited offers they've received for the property would have designed a much larger building than what is being proposed. Based on offers they received, these parties would also likely have the resources to fight the city and build what they wanted. The owners also chose not to take the "easy path" and keep the original house footprint with a take it to the studs remodel. They are trying to build a smaller home than what was previously on the property in generally the same location as the previous home, save for the majority of building encroachment in the Harborview setback.

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

   Granting these variances will not negatively impact neighboring properties or their owners' enjoyment. Instead as stated in the August 2024 Variance Package, it will allow for a smaller proposed building (30% smaller than the original) to be centrally located mostly within the two 50’ setbacks, significantly improving the existing conditions for neighbors on Harbor View and the safety issues associated with entry and exit off of what is essentially a 1 lane road. The adjacent neighbors are supportive. Further, it preserves the site's existing topography and vegetation, maximizes use of the existing cuts, and reduces the existing concrete parking area, making cars much less visible than they are now and were with the original house.

Exhibit B

1501 Wildcat Hollow – Multiple Variance

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.

   Staff agree that there are site conditions for the specific cut and fill requests results in unnecessary hardship.

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

   Engineering review of the drainage plans agrees that there will be no adverse impact to the existing watershed from the proposed variances.

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

   Given the topography and two front setbacks, the cut and fill in the proposed location is the best alternative for the site.

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

   The proposed project seeks to increase the nonconformity of the site with additional encroachments and site disturbance, rather than reducing the existing nonconformance.

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

   The intent of the Zoning Ordinance to minimize site disturbance is not violated due to the intentional cut and fill locations.

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

   No comments have been received to indicate existing neighbors will be negatively affected.

City *of* West Lake Hills
Zoning and Planning Commission
AGENDA REPORT

Meeting Date:	February 19, 2025	**Item Number:**	6
Department:	Building & Development Services		
Prepared By:	Jennifer C. Bills	**Cost / Budget:**	None
Exhibits:	See Attached	**Source of Funds:**	N/A

Subject

717 ½ Yaupon Valley Dr.: Discuss and make a recommendation on the following variances:

1. Encroachment into all setbacks where 100 feet is required. (Section 18.02.033(a): Dimensional Standards for Water Storage Tanks)
2. Tank height of 60 feet where 30 feet is the maximum (Section 18.02.034: Design and construction of potable water tanks)
3. Encroachment into the side setbacks for GUI (Section 22.03.281 Dimensional Standards for Zoning Districts)
4. Grading greater than 18 inches with the east side setback (Section 22.03.281: Site Disturbance (excavation, filling, or grading))
5. Removal of three ash juniper (cedar) trees; #103 – 14 inch, #106 – 20 inch, #121 – 15 inch; 14 inches or greater (Section 22.03.304(a)(4): Removal of trees 14" or greater);

For the installation of a water storage tank for Travis County Water Control and Improvement District 10.
Applicant: James McDermott, Dannenbaum Engineering

Recommendation

Staff recommend approval of the variance request. The area is already improved with water infrastructure to provide domestic water service to the city. The physical/mechanical requirements for storage and distribution of water provide a physical hardship for the required location of infrastructure. Co-locating the required new storage tank with the existing infrastructure and tank is less intrusive to the city than having to create a new site to provide adequate water service for domestic consumption and fire service. Staff recommend the Applicant's findings of fact (Exhibit A).

This item will be forwarded to the March 12, 2025 Board of Adjustment/City Council meetings for consideration.

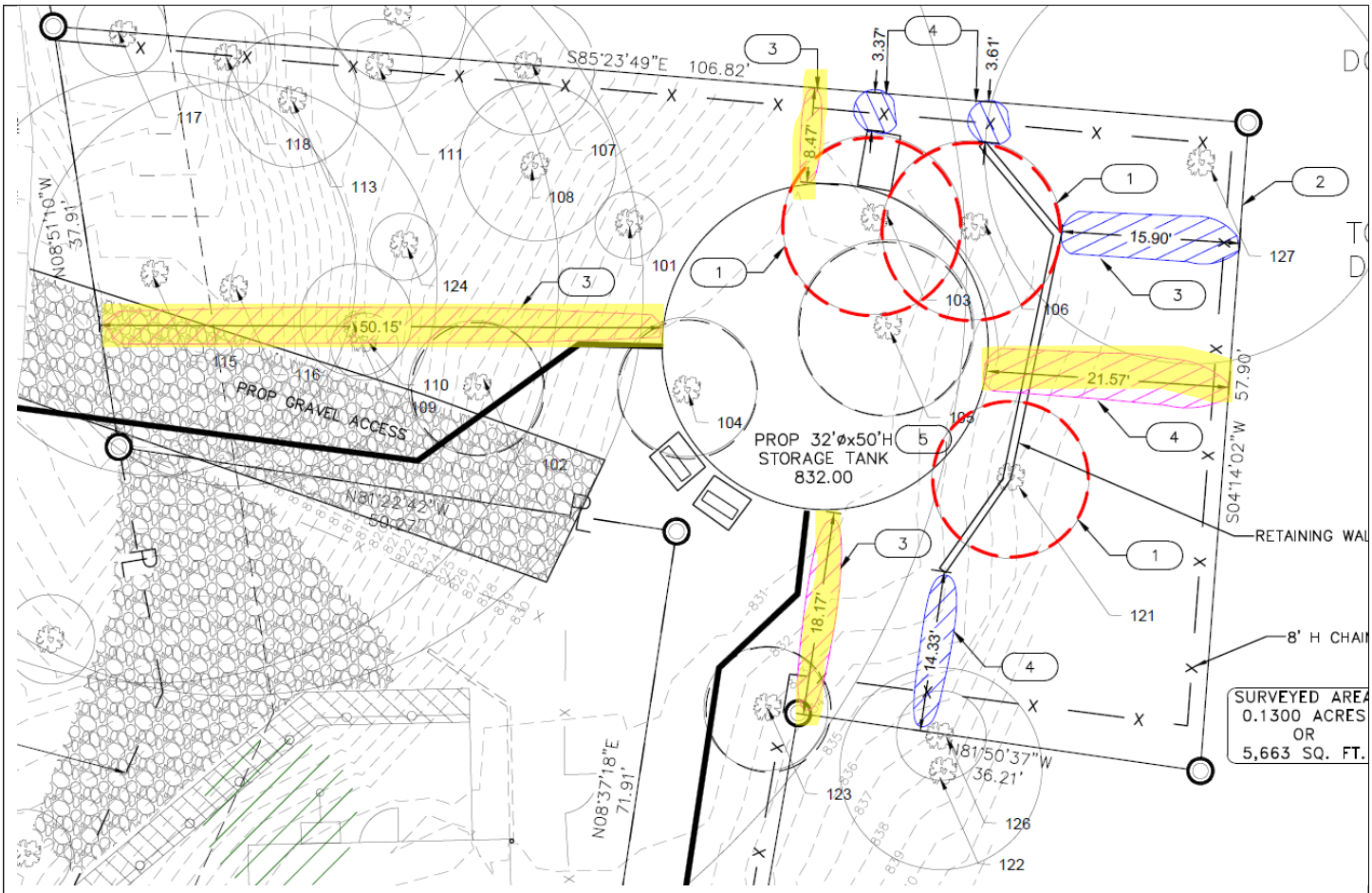
Discussion

Property Information, Zoning & Site Characteristics:
Owner: Travis County Water Control and Improvement District #10
Legal Description: 0.13 acres out of Lot 2A Ben Riske Subdivision Amended Plat of Lots 1 &2
Lot Size: 0.13 Acres
Zoning: R-1 One Family

The properties surrounding the subject property are zoned R-1, One-Family Residential or GUI, Governmental, Utility and Institutional. The adjacent lot to the south is occupied by a single-family home, but the three parcels surrounding the remainder of the lot are vacant. The lot is accessed from a driveway in a private access easement from Yaupon Valley.

Background & Analysis:
The Water District #10 acquired a 0.13-acre tract last year from the neighboring lot for a future water tank and infrastructure necessary to adequately serve the residents of West Lake Hills with water. The District currently owns 0.2471 acres to the south of this tract that is the location of the McConnell pump station and ground storage tank. This site is the primary distribution point for the entire Water District 10 system with over 10,000 residents. The existing tank was built in the 1950s and has reached the end of the useful life and needs to be replaced. The Water District's long-range planning efforts have determined that a new tank will be necessary both for replacing the existing tank during reconstruction and for additional storage capacity.

1. Encroachment into all setbacks where 100 feet is required. (Section 18.02.033(a): Dimensional Standards for Water Storage Tanks). The site plan below shows the location of the proposed tanks with the distances from the property lines. The maximum encroachment is 91.53 feet into the required 100 feet (8.47 feet from the north property line). The existing tank encroaches up to 87.29 feet (12.71 feet from the side setbacks.



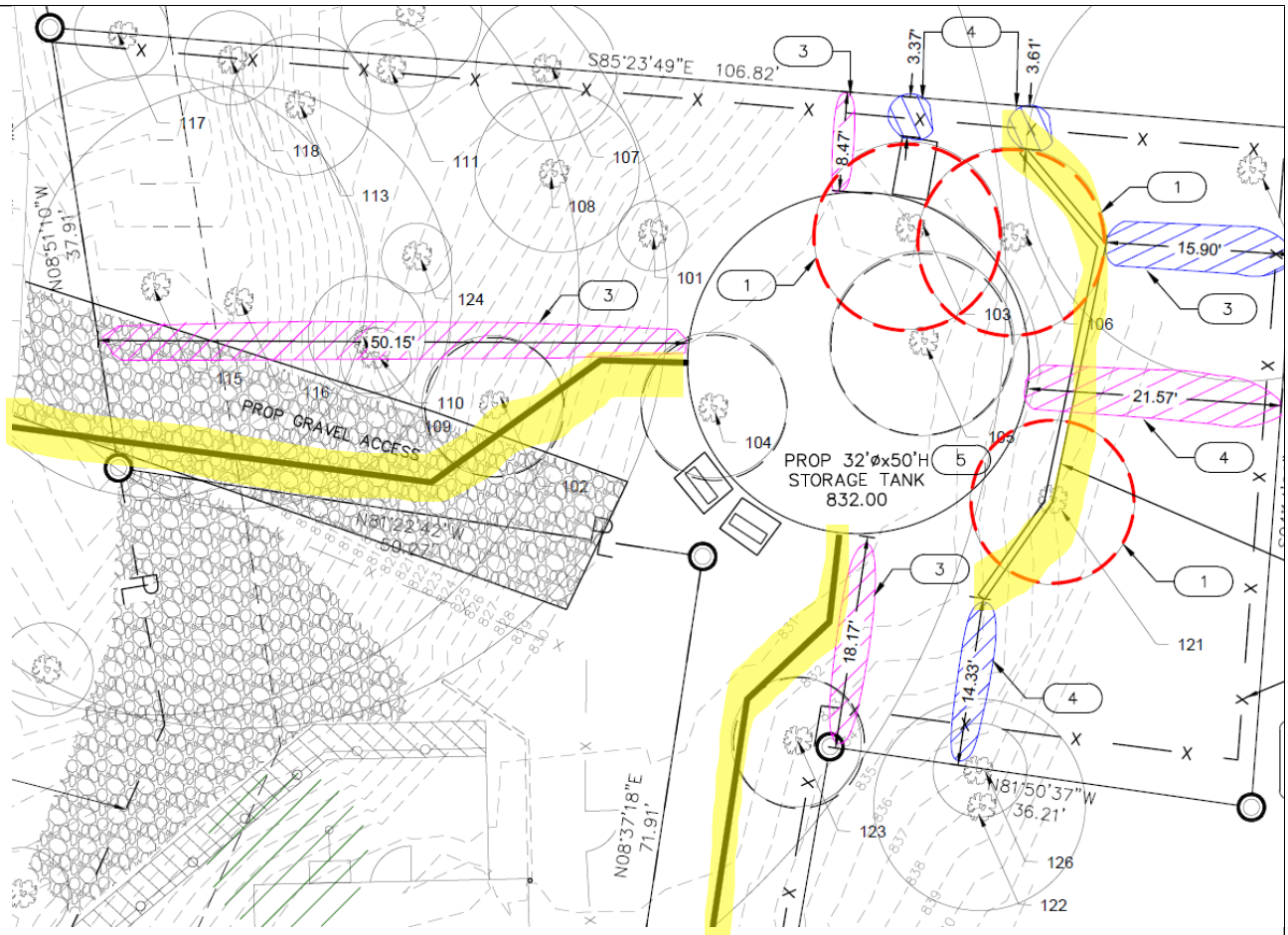
2. Tank height of 60 feet where 30 feet is the maximum (Section 18.02.034: Design and construction of potable water tanks)

   The proposed tank is currently 50 feet tall. Water tanks have design height requirements in order to provide adequate storage as well as function. The existing tank is 56 feet in height. The District has requested up to 60 feet for this site design.

3. Encroachment into the side setbacks for GUI (Section 22.03.281 Dimensional Standards for Zoning Districts)

   For the GUI district, the side setbacks are 30 feet. The proposed site plan encroaches into the north (21.53 feet), east (8.43 feet) and south (11.83 feet) side setbacks.

4. Grading greater than 18 inches with the east side setback (Section 22.03.281: Site Disturbance (excavation, filling, or grading))
   The site plan shows site disturbance greater than 18 inches within the setback for the installation of infrastructure below ground, as well as a 6-foot-tall retaining wall on the east side of the property.



5. Removal of three juniper ash (cedar) trees; #103 – 14 inch, #106 – 20 inch, #121 – 15 inch; 14 inches or greater (Section 22.03.304(a)(4): Removal of trees 14" or greater).

   The proposed site plan show three trees 14 inches or greater that would be removed.
   - 103 – 14-inch ash juniper (cedar)
   - 106 – 20-inch ash juniper (cedar)
   - 121 – 15-inch ash juniper (cedar)

Public Comments:
As of the date of the staff report, no other written comments have been received.

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

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.

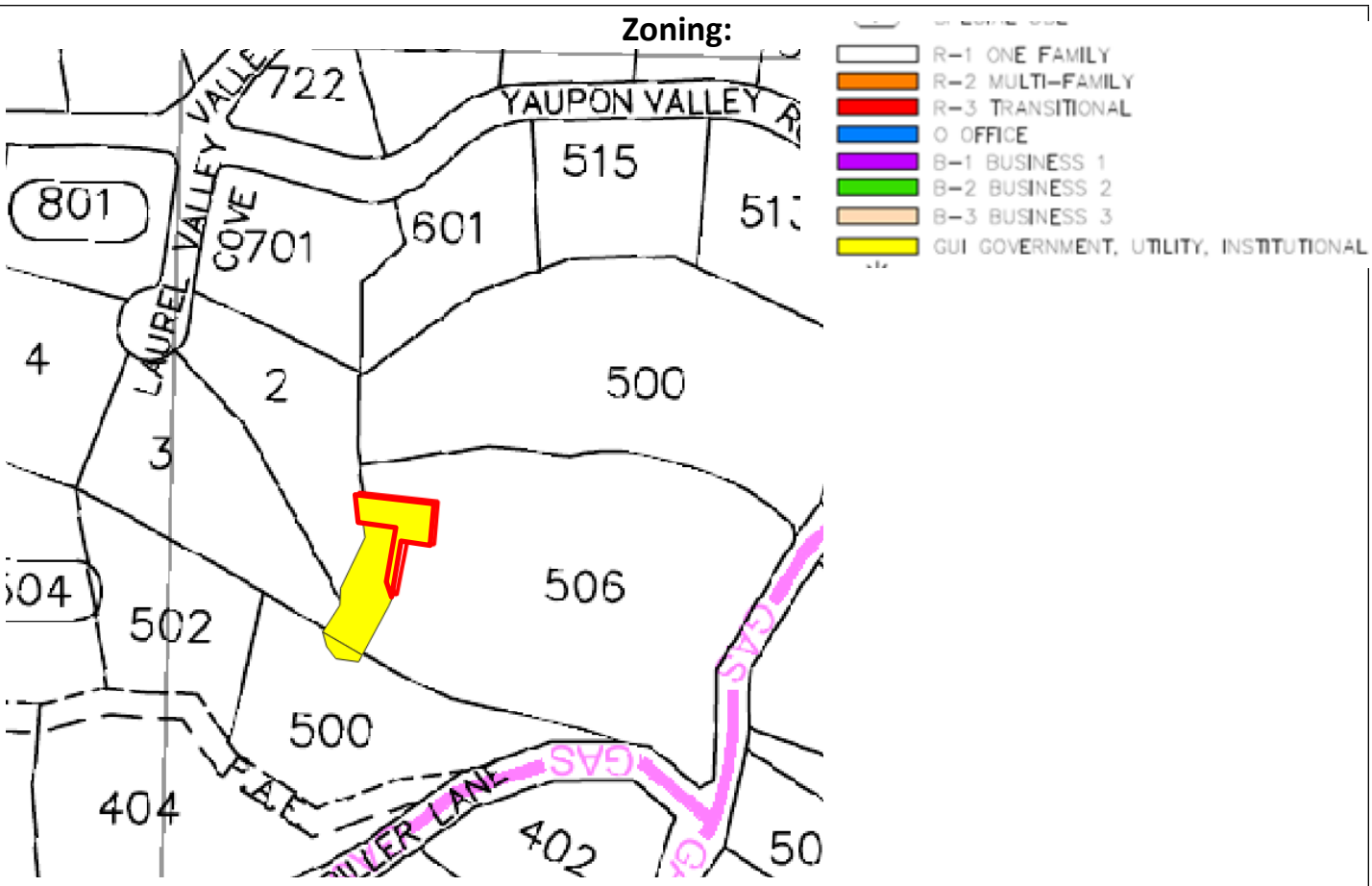
Comprehensive Planning Analysis

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

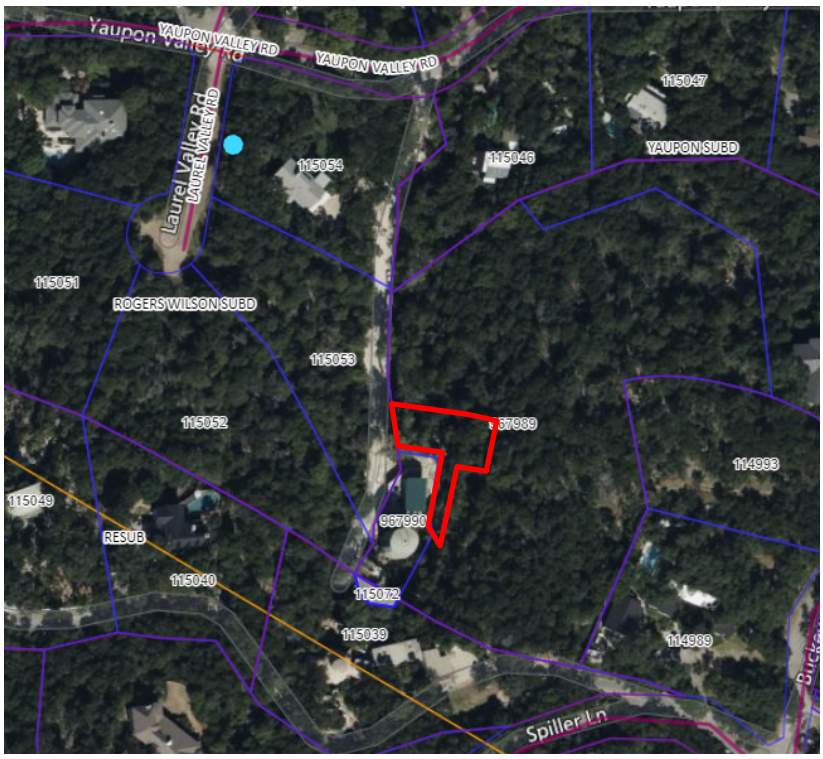
Links to Relevant Code:

- **Section 22.03.275 Building setback distances**
- **Section 22.03.281 Schedule of Regulations**
- **Section 22.03.170 Site disturbance (excavation, grading or filling)**
- **Section 22.03.034 Tree and Vegetation Removal and Replacement**
- **Section 38.05.031 Variances**
- **Section 22.03.514 Criteria and process required for granting a variance**

Zoning:



Aerial:



Travis County WC&ID NO. 10

5324 Bee Cave Road Austin, TX 78746

Office (512) 327-2230
Fax (512) 327-6218
CustomerService@WaterDistrict10.org
www.WaterDistrict10.org

Commissioner Meisel,

I wanted to take the opportunity to provide a heads up that Travis County Water District 10 will soon come through with several variance requests for expansion and improvements regarding the McConnell Pump Station located at 717 Yaupon Valley Road (this site is not visible from Yaupon Valley).

This station has been in the midst of a Bond approved project that received overwhelming support from the community. The project improved fire flow and pressure availability systemwide.

Through long range planning as well as discoveries made during the improvements, we have **added a requirement for a second tank**.

Primarily, the original tank which was constructed prior to the early 1950's has come to the end of its life expectancy. During the course of the construction project certain tasks included excavation near the tank, upon seeing the erosion it was determined that the replacement project needed to be escalated. The second tank is also needed for additional storage capacity. During two separate extreme weather events the District had supply issues which caused complete draining of available water or near outage of system wide water availability. These events confirmed that emergency preparedness improvements were not limited to additional generators, but also increasing storage capacity to protect water availability for the customers. This is a health and safety measure that absolutely cannot be avoided.

The McConnell Pump Station is designated as the heart of the District, meaning all water runs through this station. It is the most critical facility in the distribution system. In other words, when something catastrophic occurs at this site it cripples the entire system. Travis County Water District 10 provides water service to over 10,000 residents.

The project in a nut shell would add a second tank. Once the second tank is erected the original tank will be demolished and rebuilt. This process keeps the system on line during replacement and upon completion gives double storage capacity on that site.

District engineers were thorough in their exploration of locations for the tank. Due to limited options that lend both proper elevation and proximity to the existing infrastructure it was determined that the only viable location is directly adjacent to the original tank. The tanks will float at the same level and serve for double capacity as well as backup to each other, creating redundancy is crucial for this site.

We have several variances coming your way, but have done everything possible to minimize the asks. I am available to answer any questions you have and appreciate your time.

Kind Regards,

Carla Orts
General Manager
Travis County WCID No.10
(512) 912-6423 cell
(512) 327-2230 office
generalmanager@waterdistrict10.org

3409 Executive Center Drive, Suite 129
Austin, Texas 78731
(512) 345-8505

April 15, 2024

Chairman Robert Meisel
West Lake Hills Zoning and Planning Commission
911 Westlake Drive
West Lake Hills, Texas 78746

REFERENCE: Travis County WC&ID 10
McConnell Pump Station Property
717 ½ Yaupon Valley Road

SUBJECT: Variance Request

Dear Mr. Chairman:

A variance to sections 18.02.033(a), 18.02.034(a), 22.03.281, 22.03.304(a)(4), 22.03.210, of the West Lake Hills Code of Ordinances is hereby requested in conjunction with the proposed 717 ½ Yaupon Valley Road (McConnell Pump Station) new tank addition. An overview and efforts to minimize requested variances are as follow:

- 18.02.033(a) - "Setback lines for all tanks shall be a minimum of 100 feet from all property lines…A maximum of one potable water storage tank shall be constructed per two acres" The extended property to include the second tank is 0.13 acres and is sufficient to add new tank. There is limited space on site and there is an existing tank and pump station on site. It is extremely critical to add second tank to increase system capacity and redundancy to prepare District for any emergencies such as power outages. Storage tank setbacks are less than 100-feet off all property lines.

- 18.02.034(a) – The tank height will be up to 60-feet tall. The tank height must be this height in order to match the height of the other existing tank on site. They must be at the same hydraulic grade level.

- 22.03.281 – Some minimum setbacks on this property cannot be achieved without variances. The proposed configuration minimizes grading and filling to the greatest extent possible and removal of large trees as well as maintain site and vehicle safety as the new tank will be placed in area with least amount of slope change.

- 22.03.304(a)(4) – "Removal of trees greater than or equal to 14-inches in diameter…" Three (3) cedar trees equal to 14-inches will have to be removed to allow installation of proposed ground storage tank. Cedar is considered a flammable tree and a threat to the fire buffer zone. There are several other trees less than 14-inches that will be required to be removed for site and fire safety purposes.

- 22.03.210 – "No excavation, grading or filling shall be permitted in setbacks..." Minor excavation, grading and filling will occur within minimum side setback on east side of the property for installation of proposed retaining wall.

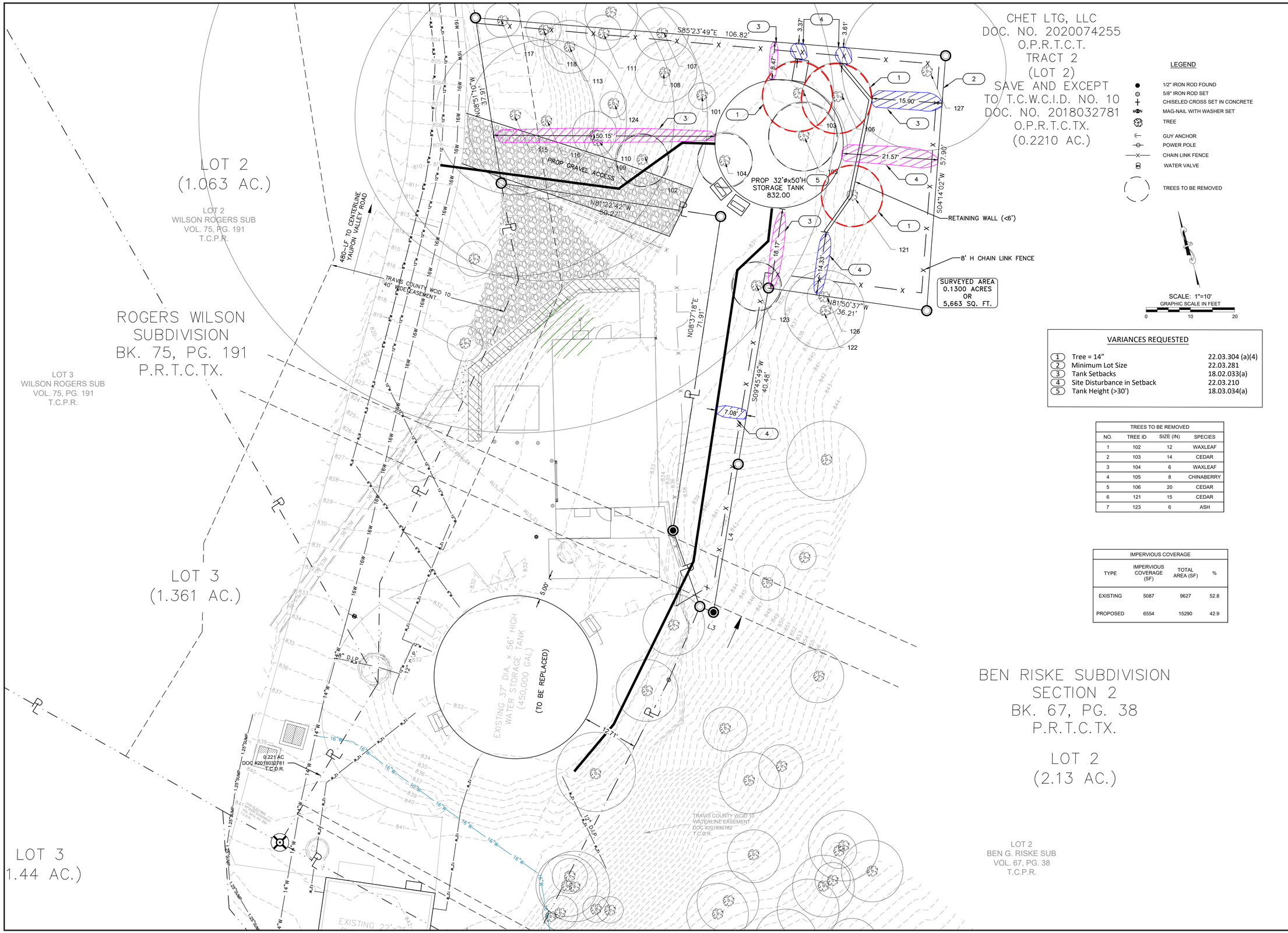
It should be noted that the previously McConnell site with an existing storage tank was 0.221-acres with 52.8% impervious coverage. The District is acquiring an additional 0.130-acre site for a second tank. The impervious coverage on this additional land is 21%, less than required 35% as per 22.03.281, therefore no waiver is required. The two (2) site together total to 0.351-acres with 42.9% impervious coverage, which is reduction from previous impervious coverage of 52.8%.

If you have any questions concerning this application, please email me at james.mcdermott@dannenbaum.com or call me at 512-427-3236.

Sincerely,

DE CORP- CENTRAL TEXAS LLC

James P. McDermott, P.E.



VARIANCES REQUESTED

1	Tree = 14"	22.03.304 (a)(4)
2	Minimum Lot Size	22.03.281
3	Tank Setbacks	18.02.033(a)
4	Site Disturbance in Setback	22.03.210
5	Tank Height (>30')	18.03.034(a)

TREES TO BE REMOVED

NO.	TREE ID	SIZE (IN)	SPECIES
1	102	12	WAXLEAF
2	103	14	CEDAR
3	104	6	WAXLEAF
4	105	8	CHINABERRY
5	106	20	CEDAR
6	121	15	CEDAR
7	123	6	ASH

IMPERVIOUS COVERAGE

TYPE	IMPERVIOUS COVERAGE (SF)	TOTAL AREA (SF)	%
EXISTING	5087	9627	52.8
PROPOSED	6554	15290	42.9

DEC - CENTRAL TEXAS, LLC
3409 EXECUTIVE CENTER DR., STE 129
AUSTIN, TEXAS 78731
(512) 345-8505 • www.decorp.com
T.B.P.E. FIRM REGISTRATION #8995
DEC ENGINEERING EXCELLENCE

McCONNELL PUMP STATION NEW TANKS
TRAVIS COUNTY W.C.I.D. NO. 10
WATERLINE IMPROVEMENTS

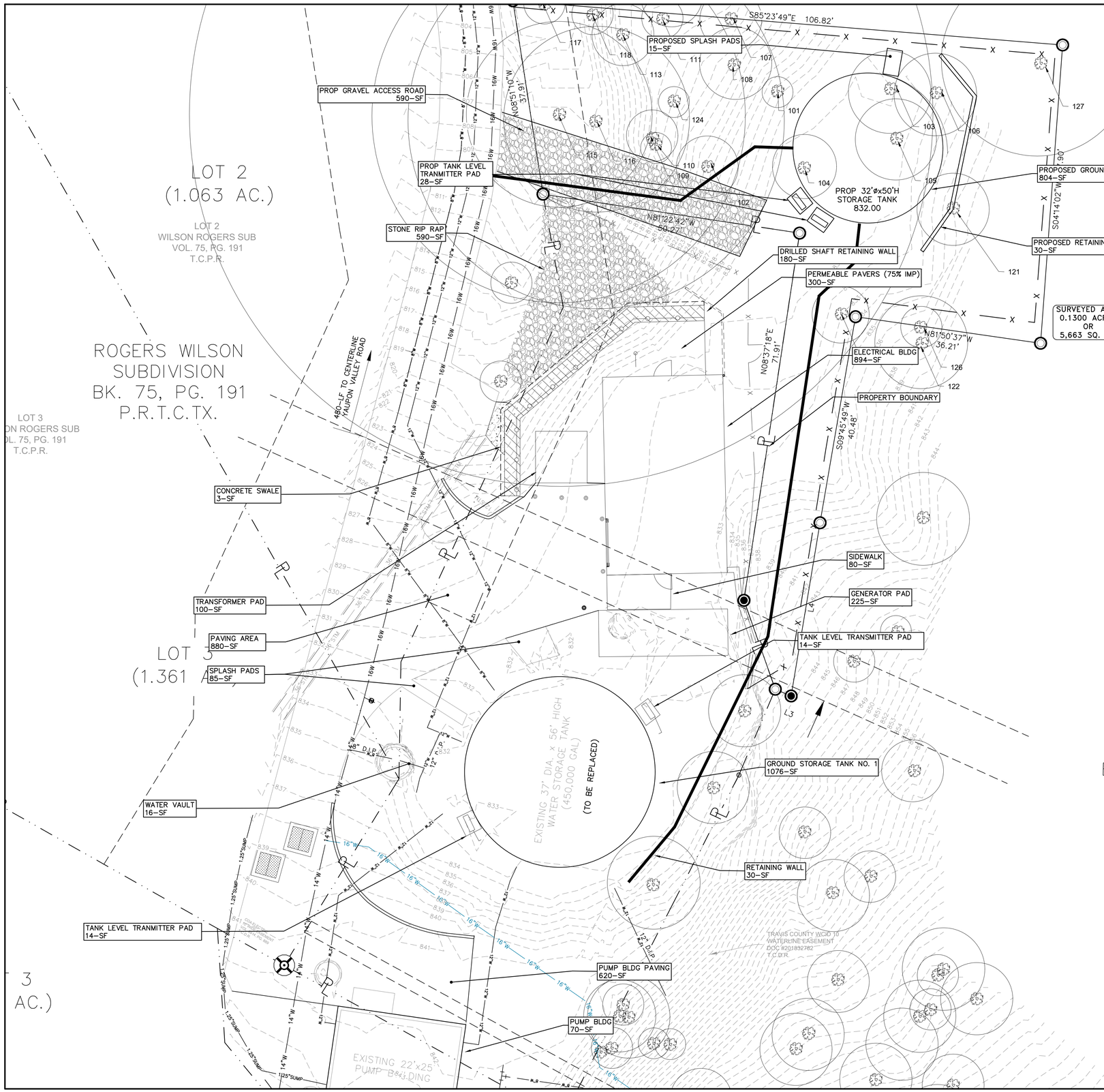
VARIANCES

REVISIONS

NO.	DATE	APPROVED

SHEET NO.
1 OF 2

DEC JOB NUMBER
7009-62



Proposed Impervious Coverage[1]		
Description	Existing (SF)	Proposed (SF)
Tank No. 1	1076	1076
Tank No. 2	0	804
Splash Pads	85	100
Property Paving Area	1500	1500
Retaining Wall	30	60
Pump Building	70	70
Water Vault	16	16
Electrical Building	894	894
Transformer Pad	100	100
Permeable Pavers (75% Imp)	300	300
Concrete Sidewalk	80	80
Generator Pad	225	225
Drilled Shaft Retaining Wall	180	180
Concrete Swale	3	3
Gravel Access	0	590
Stone Rip Rap	590	590
Tank Level Transmitter Pad	28	56
6% Paving for GUI Property[2]	-90	-90
Total Calculate Impervious	**5087**	**6554**
Total Site Area	**9627**	**15290**
Percent	**52.8%**	**42.9%**

[1] Impervious coverage only calculated within combined property boundaries

[2] As per 22.03.281, up to 6% of driveways at GUI sites shall be allowed

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McCONNELL PUMP STATION NEW TANKS
TRAVIS COUNTY W.C.I.D. NO. 10
WATERLINE IMPROVEMENTS

VARIANCES
PROPOSED IMPERVIOUS COVERAGE

REVISIONS

NO.	DATE	APPROVED

SHEET NO.
2 OF 2

DEC JOB NUMBER
7009–62

Exhibit A

717 ½ Yaupon Valley Dr – Multiple Variances

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.

   If the terms of this ordinance are strictly or literally enforced, the City will be without additional supply of drinking water, it will result in significant disruption of the natural terrain. There would be significant grading and filling with high retaining walls.

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

   The proposed configuration minimizes disruption to natural terrain to the greatest extent possible. Several large diameter trees will be able to remain and there will be no increased impervious coverage to the overall site.

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

   Different alternatives and layouts were approached. The current layout is the layout that will best meet the City's goals under 22.03.302C in avoiding the removal of large diameter trees and minimizing cut and fill as much as possible. Other alternatives included the removal of at least (15) trees including large diameter trees and significant cutting with high retaining walls.

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

   The current layout will best meet the City's goal under 22.03.302c in avoiding removal of large trees and minimizing cut and fill to greatest extent possible.

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

   The variances requested eliminate the need to remove any large trees and minimize cut and fill as well as avoid increased impervious coverage. This fits with the City's goal of preserving the existing character of the site to the greatest extent possible.

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

   The proposed ground storage tank will be built on stie that already includes an existing pump building, and existing electrical building, large emergency standby generator and ground storage tank of the same height. The proposed tank will be painted natural colors to blend in with heavily dense wooded area that surrounds the proposed site.

City *of* West Lake Hills
Zoning and Planning Commission
AGENDA REPORT

Meeting Date:	February 19, 2025	**Item Number:**	7
Department:	Building & Development Services		
Prepared By:	Jennifer C. Bills	**Cost / Budget:**	None
Exhibits:	See Attached	**Source of Funds:**	N/A

Subject

502 Spiller Ln.: Discuss and make a recommendation on two variances:

1. To allow for encroachment of up to 13 feet into the 30-foot rear setback for a residential addition (Section 22.03.275 and 22.03.281 of the West Lake Hills Code); and
2. To allow for the increase of impervious cover from 25.9% to 28.7% where the maximum allowed by code is 25%. (Section 22.03.281 of the West Lake Hills Code.)

Applicant: Davin Fillpot, Architect LLC

Recommendation

Staff recommend denial of the variance requests. As uncovered steps are allowed in the setbacks, the request for the deck/covered patio in the setbacks is a design choice not a hardship. The impervious coverage is already over the maximum. While the access drive accounts for 3.5% of the impervious cover, 13.1% of the driveway paving directly serves the site and could be reduced to stay at 25%.

This item will be forwarded to the March 12, 2025 Board of Adjustment meeting for consideration.

Discussion

Property Information, Zoning & Site Characteristics:
Owner: Logan & Carly Reichle
Legal Description: LOT 2B Cardona Rodolfo Subdivision, Resub of Lots 1 & ARDONA RODOLFO SUBD RESUB OF LOT 1 & 2
Lot Size: 1.00 acre (43,560 sf)
Zoning: R-1 One-Family Residential
Wastewater: On-Site Sewage Facility (Septic)

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

Background & Analysis:
The applicant is proposing to add living space to the primary structure, an enclosed patio and egress stairs that will connect the living space to the existing pool (Attachment 1). The enclosed patio and egress stairs would encroach into the required 30-foot rear setback. Uncovered steps can encroach into the required setbacks, and the house addition is outside of the required setbacks.

The applicant is also proposing to add an additional 1,177 square feet of impervious cover to the site to bring the total to 28.7%. The impervious coverage is 25.9% which is already over the maximum 25% limit.

The applicant states that the encumbrance of the private access drive that serves the adjacent lots as a hardship with 1,512 sf (3.5%) of the site impervious cover. However, the existing site has two driveway accesses off the access easement that make up 5,713 sf (13.1%) of the impervious cover on the site (Attachment 3).

The applicant also requested a drainage waiver to allow a Type I drainage study instead of a Type III. A Type I drainage study is allowed when the increase in impervious cover is less than 1,000 sf and there are no variances on the property. A Type I application does not require an engineering study or calculations of drainage or water quality. A Type III study is required when the impervious cover exceeds 20% and requires a civil engineer to certify that the drainage basin is not adversely impacted by increased drainage and that the drainage over 20% is treated for water quality. The waiver request is reviewed and determined by the City Administrator, who has denied the request. A denied waiver is then forwarded to the City Council for their review.

City Engineer's Analysis:
The city engineering team has provided analysis and recommends denial of all variances and the drainage waiver request (Attachment 8).

Public Comments:
Two letters of opposition have been received (Attachment 7).

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 recommendation

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.

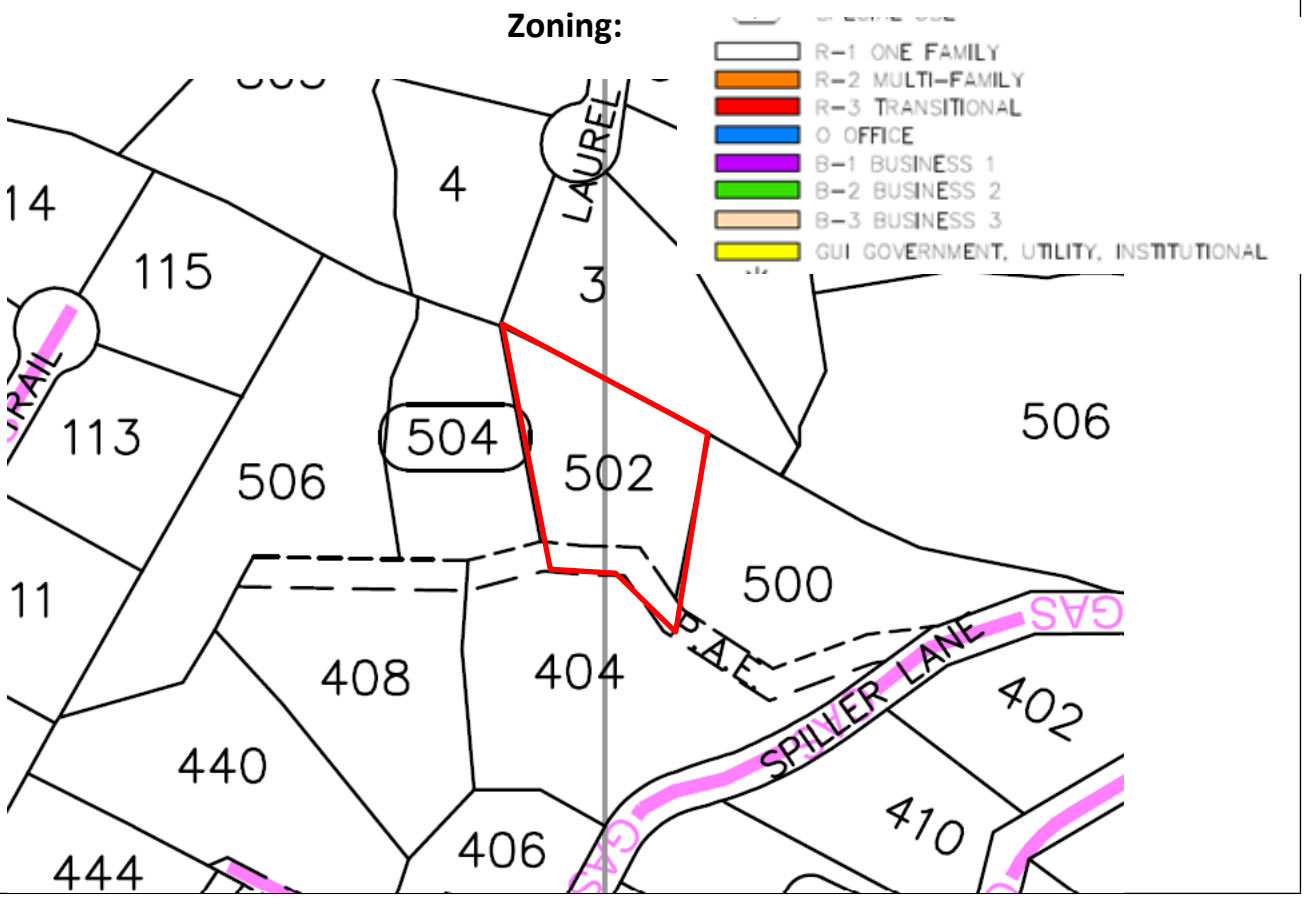
Comprehensive Planning Analysis

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

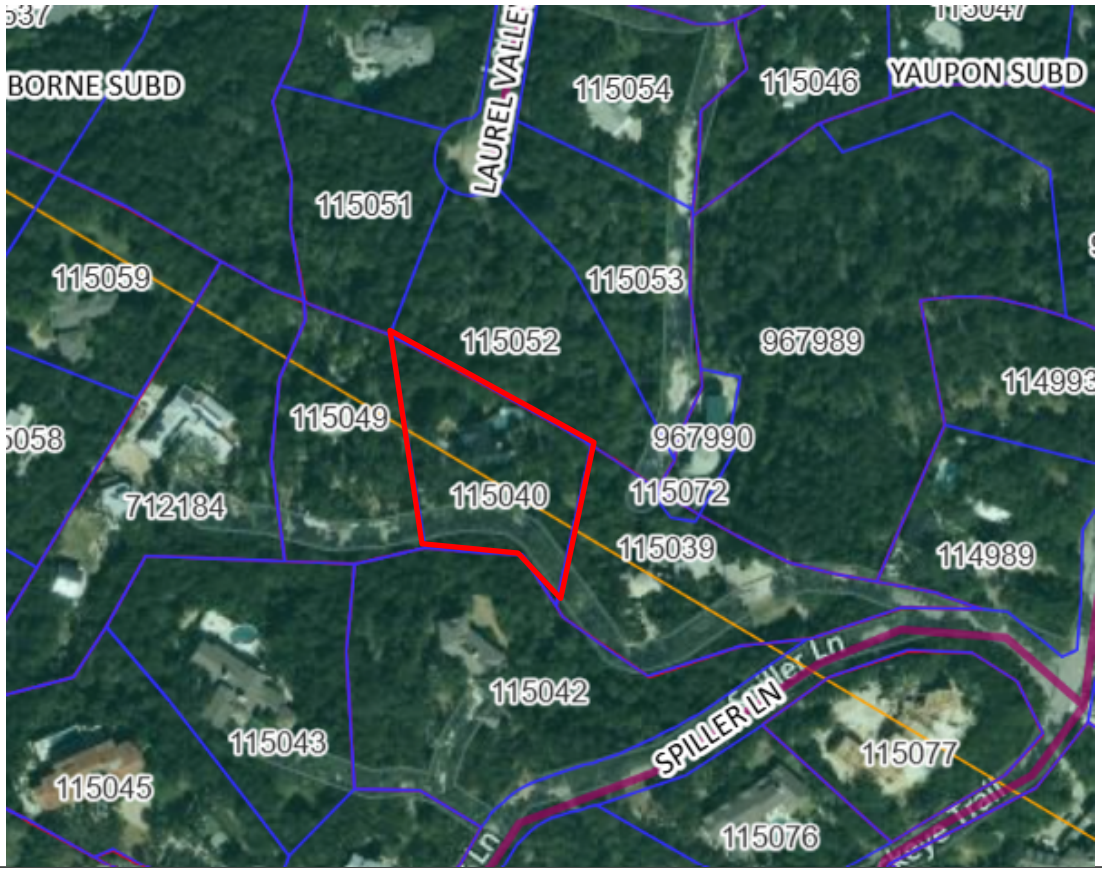
Links to Relevant Code:

- 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

Zoning:



Aerial:


BORNE SUBD
LAUREL VALLE
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YAUPON SUBD
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967990
712184
115040
115072
115039
114989
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SPILLER LN
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115077
115045
115076

113366
Downie Pl
113364
113356
113355
113354
113353
113352
113365
WESTLAKE DR
113320
Rocky River Rd
113369
113400
W Spring Dr
113401
WESTLAKE PARK
113351
113402
113350
113370
113403
113349
113404
113376
113405
113406
113375
113371
113407
113374
110950
JACQUES PLACE
110951
113372
113373
110953
Rexville Rd
110972
110954
Westlake Dr
110938
110971

Letter to ZAPCO Chair
RE: 502 Spiller Lane Variance Requests

January 2nd, 2024

Dear Chairman Meisel,

We respectfully submit this letter to you as part of our variance package. We are seeking 2 variances to the Code of Ordinances to build a small guest suite and connecting deck on the first floor of our home.

My name is Logan Reichle. My wife, Carly, and I are the owners and residents of 502 Spiller Lane. We purchased our 3,700 SF, 3 Bedroom home in the spring of 2022. We are a young family, with 2 children (a 1 and a 3 YO). We love living in West Lake Hills and love our home, as it currently works great for our family. However with a home that was built in 1983, it did come with a few quirks that differ from many homes built in the last 20 years. In our home, all of the bedrooms are located on the second floor, and there are not any spaces downstairs that could be converted to a bedroom space. As our family grows, we have discussed being able to add a ground level bedroom suite for relatives and grandparents to visit. Additionally, we are excited to share that we are expecting a third child in August.

So, in the Fall of 2024 we engaged our architects, Davin Fillpot and Richard Hamer of R&D Architecture, to assist us with a design for a small first floor guest suite addition, with an emphasis on accessibility for older visitors.

As we started designing, we were made aware that there were a handful of hardship conditions on our property that would make this a challenging project for several reasons:

1) Our property, as well as the 2 properties to the west of ours, are not served by a traditional public street with dedicated Right Of Way, but rather by a joint use access easement. This easement is used by WCID10, ESD9 as well as the City of WLH. The fully paved easement runs completely across our property from east to west and comprises approximately 2,300 SF of Impervious Cover, that counts against our 25% IC. Once the paved access easement passes by the initial driveway entrance to 502 Spiller, it has a footprint of approximately 1,512 Sf of Impervious Cover.
2) As you can tell by the site plan contained in our packet, when the home was originally built it was designed to be located deep into the site. We assume that it was designed this way in order to preserve the 20 Trees with diameters of 14” or greater. Also, the pool and the exterior deck are fully located in the rear 30’ setback, which are treated as pre-existing nonconforming structures. It is our understanding that if we wanted to do any small addition or re-work of our pool deck area that it would require a variance.

In working with our architect, we explored different design options for the first floor guest suite.

We decided that the best solution was to design the addition so that all proposed conditioned space would exist in the allowable buildable area, and not encroach into either the rear 30' or 25' side setbacks. We also adjusted the building footprint so that we could preserve tree #340, (15" oak) as well as a grove of trees in the side setback that serves as a nice vegetative screening. We were able to achieve this with the physical addition, but we also would like the new structure to have access to the pool area and our square up our oddly shaped deck. In order to achieve this we would like to extend an exterior egress walkway, egress stair to grade, and a small enclosed patio between the proposed addition and the pre existing nonconforming pool deck. This will require a variance for the deck/patio structure to encroach into the rear 30' setback to connect to the existing deck.

Our detailed impervious cover calculation for existing improvements on the site is 25.9%, and INCLUDES the 2,300 SF fully paved easement as part of that calculation. The proposed improvements for both the footprint of the addition (793 SF) and the deck extension, patio and stair (384 SF) add up to an additional 1,177 SF for a Grand total of 28.7% Impervious Cover for the existing and proposed.

The 2 variances that we are seeking are: (1) Impervious Cover of 28.7% and (2) Deck / Patio extension with a max encroachment (at the stair) of 15'-4" into the 30' rear setback. The granting of these 2 variances would allow us to move forward with the permitting and construction of a ground level bedroom addition, and deck connection.

We are also applying for a petition for waiver with the City of WLH to be permitted to create a Type I Drainage Report, rather than a Type II / III report due to the minimal on the ground impervious cover associated with this project. We are not sure if this will be granted, or if it will need to be an additional variance request that appears before City Council along with this application.

We appreciate your consideration of our requests. Please do not hesitate reaching out to us with any additional questions that you might have as you evaluate and consider this application.

Kind Regards,
Logan Reichle

502 Spiller Lane
West Lake Hills, Texas 78746

Email: logan.reichle@cbre.com
Phone: 512-217-6401

Waterloo Surveyors
SURVEY PLAT
Design Survey

LEGEND

RECORD CALL	( )
BUILDING SETBACK LINE	B.L.
CITY OF WEST LAKE HILLS ZONING	C.O.W.L.H.
CONTROLLING MONUMENT	C.M.
FINISHED FLOOR	FF ⊗
FINISHED FLOOR GARAGE	FFG ⊗
PUBLIC UTILITY EASEMENT	P.U.E.
FOUND 1/2" IRON ROD	●
FOUND 1" IRON PIPE	○
SET 1/2" IRON ROD WITH CAP "WATERLOO SURVEYORS"	◎
CABLE PEDESTAL	C
ELECTRIC DROP	
ELECTRIC MANHOLE	E
ELECTRIC METER	E
PROPANE TANK	
SEPTIC LID	S
TREE, DRIPLINE & NUMBER	
CHAIN LINK FENCE	
HOGWIRE FENCE	HW HW HW

BENCHMARK:
SET COTTON GIN SPINDLE IN ASPHALT
NAVD88 ELEVATION: 913.0'

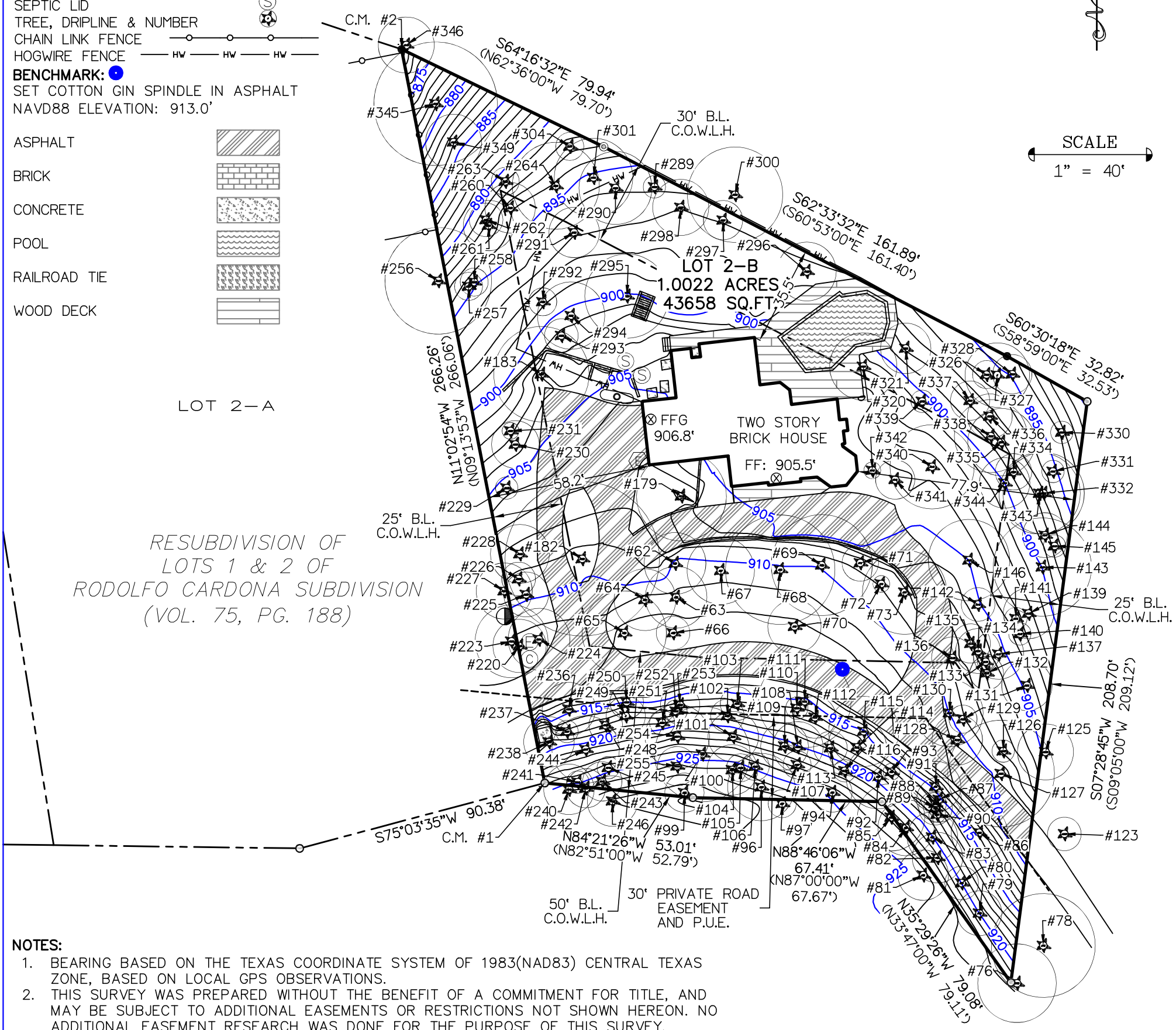
ASPHALT
BRICK
CONCRETE
POOL
RAILROAD TIE
WOOD DECK

OWNER:
RICHARD LOGAN REICHLE AND
CARLY GUILLOT REICHLE

ADDRESS:
502 SPILLER LANE
WESTLAKE HILLS, TEXAS 78746

GENERAL DESCRIPTION:
LOT 2–B, RESUBDIVISION OF LOTS 1 & 2 OF RODOLFO CARDONA SUBDIVSION, A SUBDIVISION IN TRAVIS COUNTY, TEXAS ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 75, PAGE 188, PLAT RECORDS OF TRAVIS COUNTY, TEXAS.

SCALE
1" = 40'



NOTES:

1. BEARING BASED ON THE TEXAS COORDINATE SYSTEM OF 1983(NAD83) CENTRAL TEXAS ZONE, BASED ON LOCAL GPS OBSERVATIONS.
2. THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A COMMITMENT FOR TITLE, AND MAY BE SUBJECT TO ADDITIONAL EASEMENTS OR RESTRICTIONS NOT SHOWN HEREON. NO ADDITIONAL EASEMENT RESEARCH WAS DONE FOR THE PURPOSE OF THIS SURVEY.
3. THE TREE CIRCLES SHOWN HEREON HAVE ONE (1) FOOT RADIUS DRAWN FOR EVERY ONE (1) INCH OF MEASURED TRUNK DIAMETER. GENERALLY, TRUNK DIAMETER IS MEASURED AT A DISTANCE OF 4.5 FEET ABOVE GROUND LEVEL. MULTI–TRUNK TREES ARE DISPLAYED USING THE FOLLOWING FORMULA: SUM OF THE LARGEST TRUNK + 1/2 OF THE SUM OF SMALLER TRUNKS.
4. SEE TREE LIST ON PAGE 2.
5. THE PROPERTY SHOWN HEREON IS NOT WITHIN A SPECIAL FLOOD HAZARD AREA AS IDENTIFIED BY THE FEDERAL INSURANCE ADM. DEPARTMENT OF HUD FLOOD HAZARD BOUNDARY MAP REVISED AS PER MAP NUMBER: 48453C0445K, ZONE: X, DATED: 01/22/2020.

STATE OF TEXAS
REGISTERED
KARL E ATKINS
4618
PROFESSIONAL
LAND SURVEYOR

State of Texas §
County of Travis §

The undersigned does hereby certify that this survey was this day made on the property legally described hereon and is correct, and this survey substantially complies with the current Texas Society of Professional Surveyors Standards and Specifications for a Category 1B Conditions II Survey.

I Karl E. Atkins, a Texas Registered Professional Land Surveyor do hereby certify to the land owners, that this the above survey, represents an on the ground survey conducted under my supervision this the 20TH day of NOVEMBER, 2024 and is true and correct to the best of my knowledge.

Karl E Atkins, RPLS 4618

11/20/2024
Date of Signature

© Copyright 2024

15511 Hwy 71 W Ste 110 PMB# 118, Bee Caves, Texas 78738 Phone: 481–9602 FIRM #10124400

TREE LIST:

#.	TYPE, SIZE, TAG NO.
62	JUNIPER 8 6
63	JUNIPER 11
64	JUNIPER 11
65	JUNIPER 11 8
66	JUNIPER 6
67	SPANISH OAK 12
68	SPANISH OAK 14 11 TAG 450
69	SPANISH OAK 18 TAG 451
70	MOUNTAIN LAUREL 4 4 3 2 2
71	MOUNTAIN LAUREL 4 3 2
72	SPANISH OAK 3
73	JUNIPER 15
76	JUNIPER 14
78	JUNIPER 14 9
79	JUNIPER 8
80	SPANISH OAK 6
81	JUNIPER 9
82	JUNIPER 9
83	JUNIPER 9
84	JUNIPER 10
85	JUNIPER 12
86	JUNIPER 7 6
87	JUNIPER 8
88	JUNIPER 4
89	JUNIPER 6
90	JUNIPER 3
91	JUNIPER 9
92	JUNIPER 8 7
93	JUNIPER 3
94	JUNIPER 7
96	JUNIPER 12
97	SPANISH OAK 5
99	JUNIPER 7
100	JUNIPER 17
101	JUNIPER 7 4
102	JUNIPER 6
103	JUNIPER 6
104	JUNIPER 9
105	SPANISH OAK 5
106	JUNIPER 5
107	JUNIPER 5
108	JUNIPER 9
109	JUNIPER 7 3
110	JUNIPER 4
111	JUNIPER 9 9 6
112	SPANISH OAK 5 5
113	JUNIPER 6
114	JUNIPER 9 3
115	JUNIPER 9 7
116	SPANISH OAK 4
123	CAROLINA LAUREL 3 2 2 2
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127	JUNIPER 13 12 TAG 146
128	JUNIPER 9
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132	JUNIPER 6
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134	JUNIPER 8
135	JUNIPER 7
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139	JUNIPER 9
140	JUNIPER 4
141	JUNIPER 4
142	JUNIPER 6
143	JUNIPER 10 9 6 TAG 452
144	JUNIPER 8
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146	LIVE OAK 10 9
179	LIVE OAK 16
182	LIVE OAK 20 15 TAG 453
183	LIVE OAK 17
220	JUNIPER 7 5
223	JUNIPER 13
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225	JUNIPER 8
226	JUNIPER 6
227	JUNIPER 10
228	JUNIPER 7 7
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230	YAUPON 5 4 3
231	YAUPON 3
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249	JUNIPER 5 4
250	JUNIPER 6
251	JUNIPER 3 3
252	JUNIPER 4
253	JUNIPER 5 4
254	JUNIPER 6 6 5
255	SPANISH OAK 7
256	JUNIPER 19 TAG 409
257	LACEY OAK 5
258	LACEY OAK 5
260	SPANISH OAK 9
261	SPANISH OAK 9
262	SPANISH OAK 6
263	SPANISH OAK 5
264	SPANISH OAK 7 6 6 5 TAG 454
289	LACEY OAK 4
290	JUNIPER 13
291	YAUPON 5 4 4
292	MAPLE 5
293	MAPLE 6
294	CHINKAPIN OAK 12
295	CHINKAPIN OAK 15
296	MOUNTAIN LAUREL 5 4 4 3
297	YAUPON 4 4 2
298	SPANISH OAK 10
300	SPANISH OAK 12 10
301	JUNIPER 14
304	YAUPON 3 2 2
320	JUNIPER 12
321	JUNIPER 9
326	JUNIPER 5
327	JUNIPER 9 5
328	JUNIPER 7
330	JUNIPER 3 2
331	JUNIPER 4
332	JUNIPER 11 7
334	JUNIPER 5 3
335	LIVE OAK 12
336	LIVE OAK 8
337	JUNIPER 7
338	JUNIPER 10 6
339	GUM 4
340	LIVE OAK 15
341	BUR OAK 7
342	MOUNTAIN LAUREL 3
343	JUNIPER 8 7 6
344	LIVE OAK 9
345	LIVE OAK 9 8 7 6 5
346	CHERRY 10
349	SPANISH OAK 10

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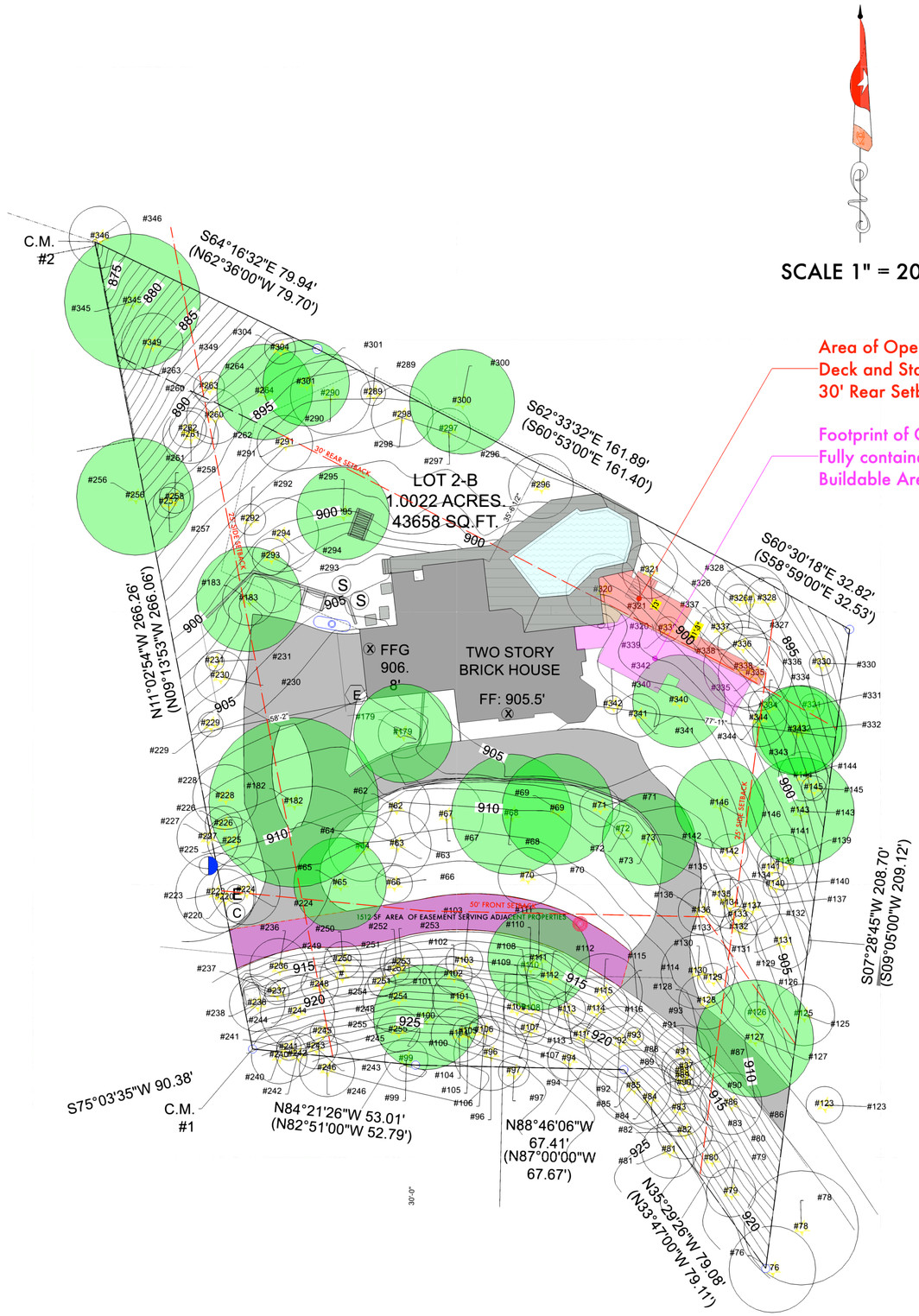
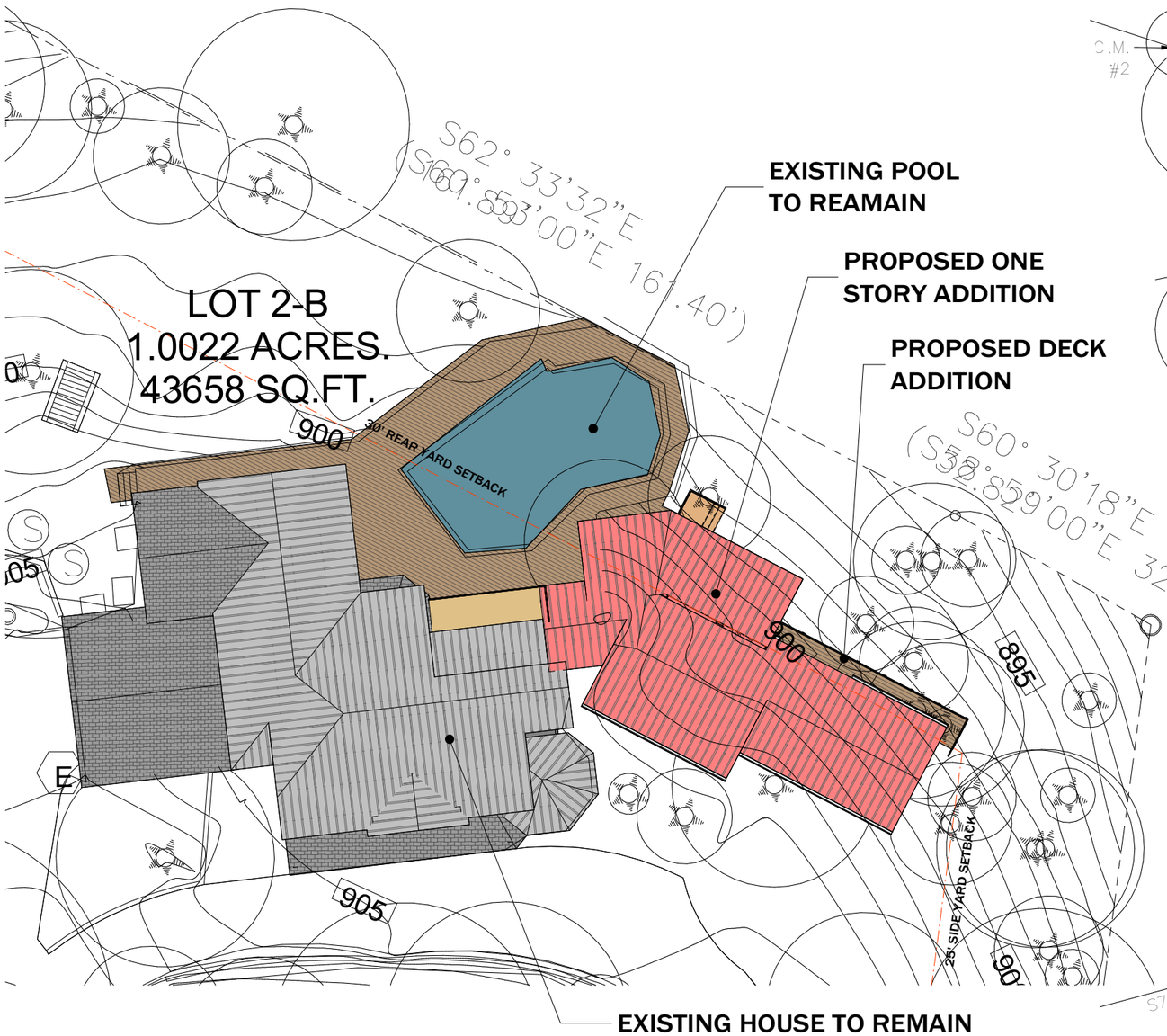


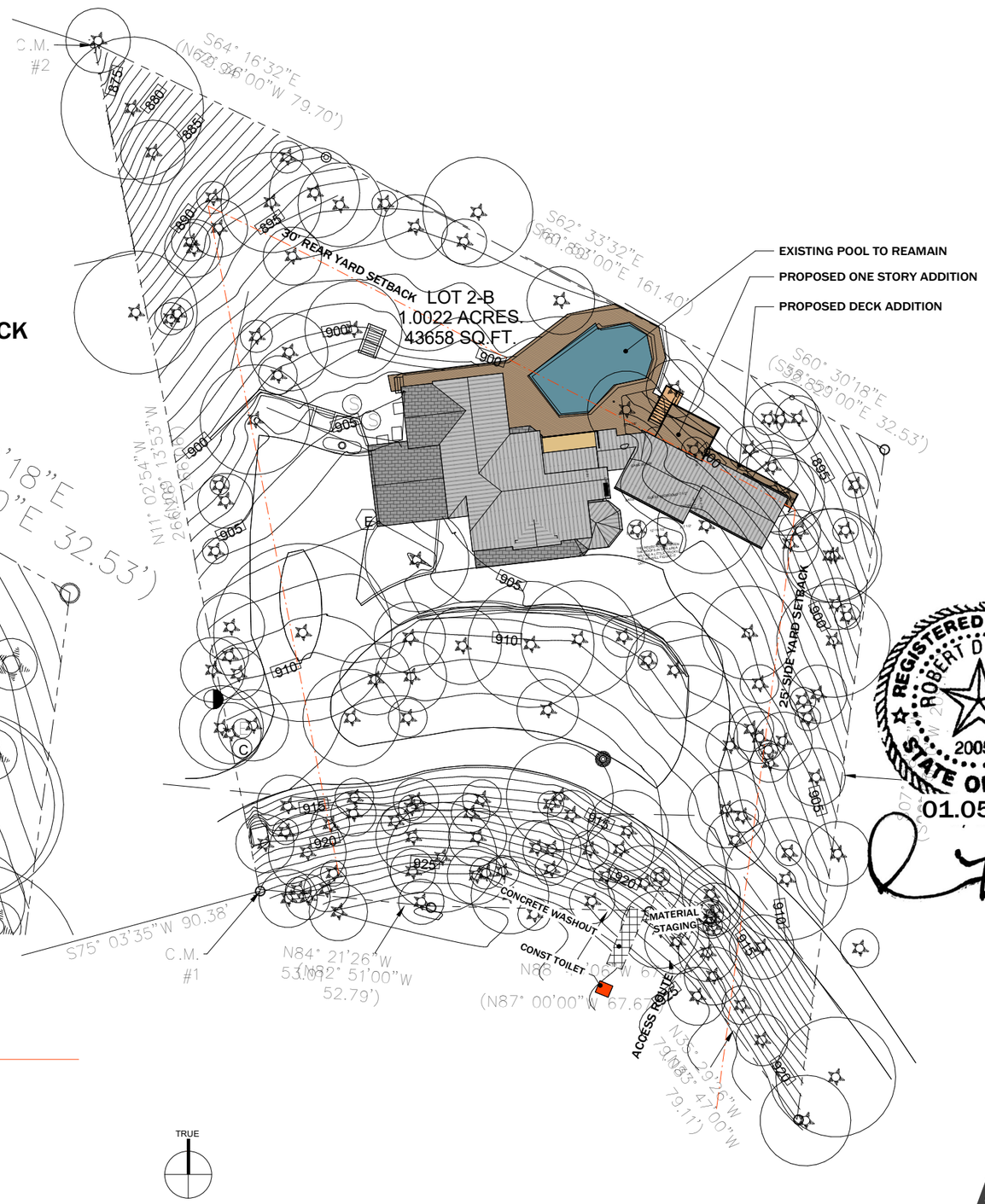
Lot Area	43658 SF
25% Allowable IC	10,914.5 SF
Impervious Cover - Existing Elements	
EXIST House / Garage	2540 SF
EXIST Driveway Paving	7225 SF
EXIST Pool	717 SF
EXIST Pool Deck (1030@50%)	515 SF
EXIST Entry Deck (182@50%)	91 SF
EXIST AC Pads	36 SF
EXIST 3 Rock Walls	145 SF
EXIST Stone Steps	52 SF
TOTAL EXISTING IMP. COVER	11,321SF
IMPERVIOUS COVER	25.9 %
Proposed Improvements	
Guest Suite Addition	793 SF
Uncovered Connecting Deck /Stair (164 SF @ 50%)	82 SF
Covered Screened In Porch	182 SF
Roof Extension over Grill area	120 SF
TOTAL PROPOSED NEW IC	1177 SF
GRAND TOTAL EXIST + PROPOSED -	28.7%

PROXIMITY MAP OF PROPOSED IMPROVEMENTS



2 SITE PLAN BUILDING AREA

SCALE: 1" = 10'-0"



1 SITE PLAN

SCALE: 1" = 20'-0"

ARCHITECTURE

PROJECT:
502 SPILLER LANE

WEST LAKE HILLS, TEXAS

DATE: 01052025
PROJECT NO: SPL_24

REVISION	DATE

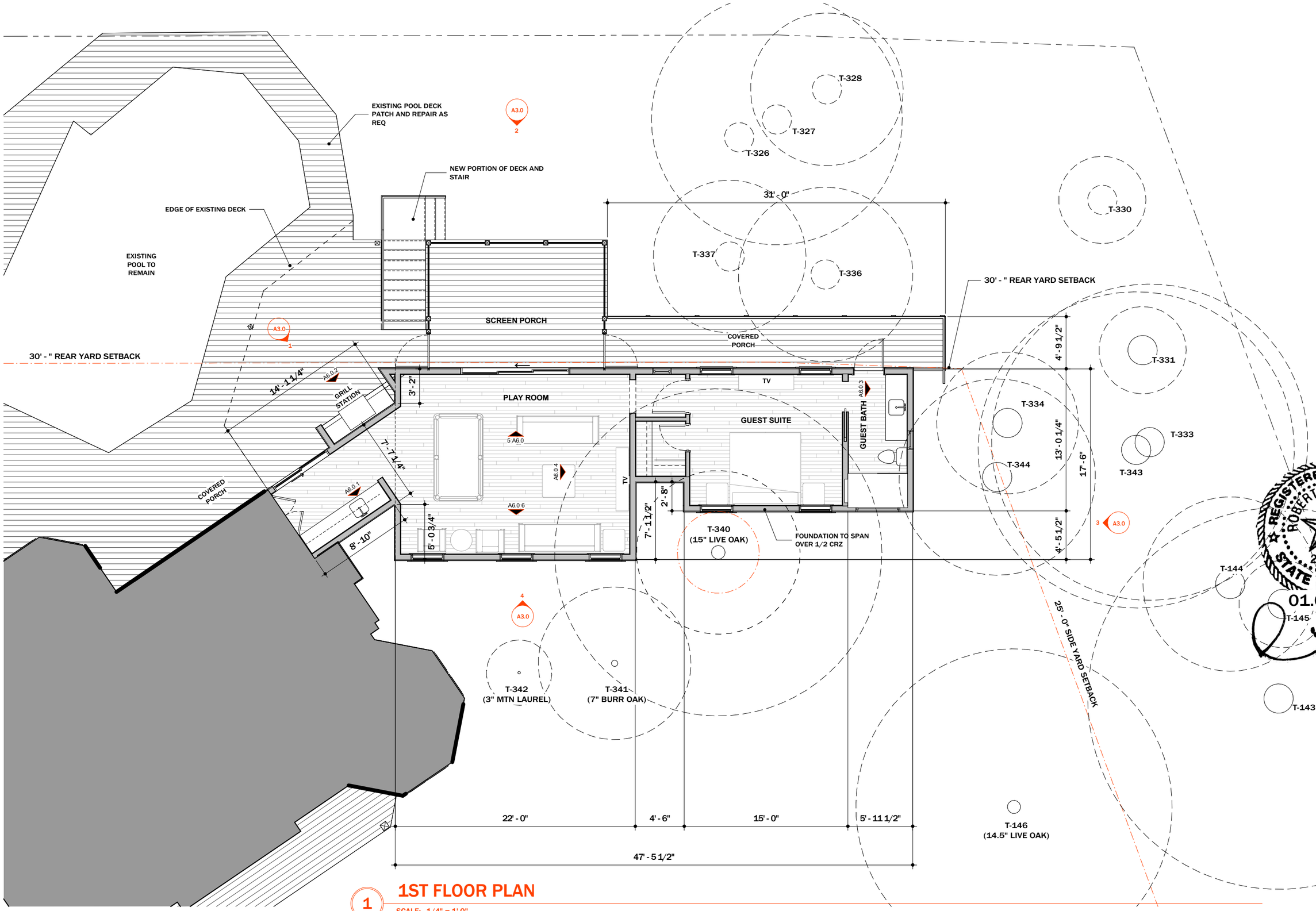
NOTES:

REGISTERED ARCHITECT
ROBERT D FILLPOT
20051
STATE OF TEXAS
01.05.2025

SITE PLAN

A1.0

DRAWN BY: Author



1ST FLOOR PLAN

1

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

ARCHITECTURE

PROJECT:
502 SPILLER LANE

WEST LAKE HILLS, TEXAS

DATE: 01052025
PROJECT NO: SPL_24

REVISION	DATE

NOTES:

REGISTERED ARCHITECT
ROBERT D. FILLPOT
20051
STATE OF TEXAS
01.05.2025

1ST FLOOR PLAN

A2.0

DRAWN BY: Author

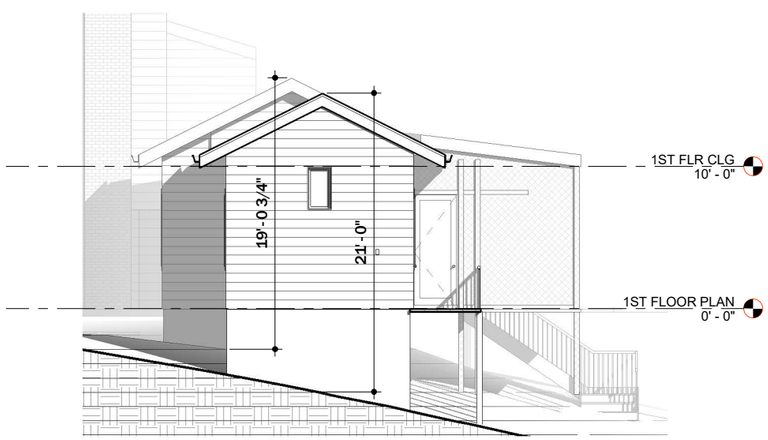
PROPOSED EXISTING

4 EXT ELEV - NORTH

SCALE: 3/16" = 1'-0"

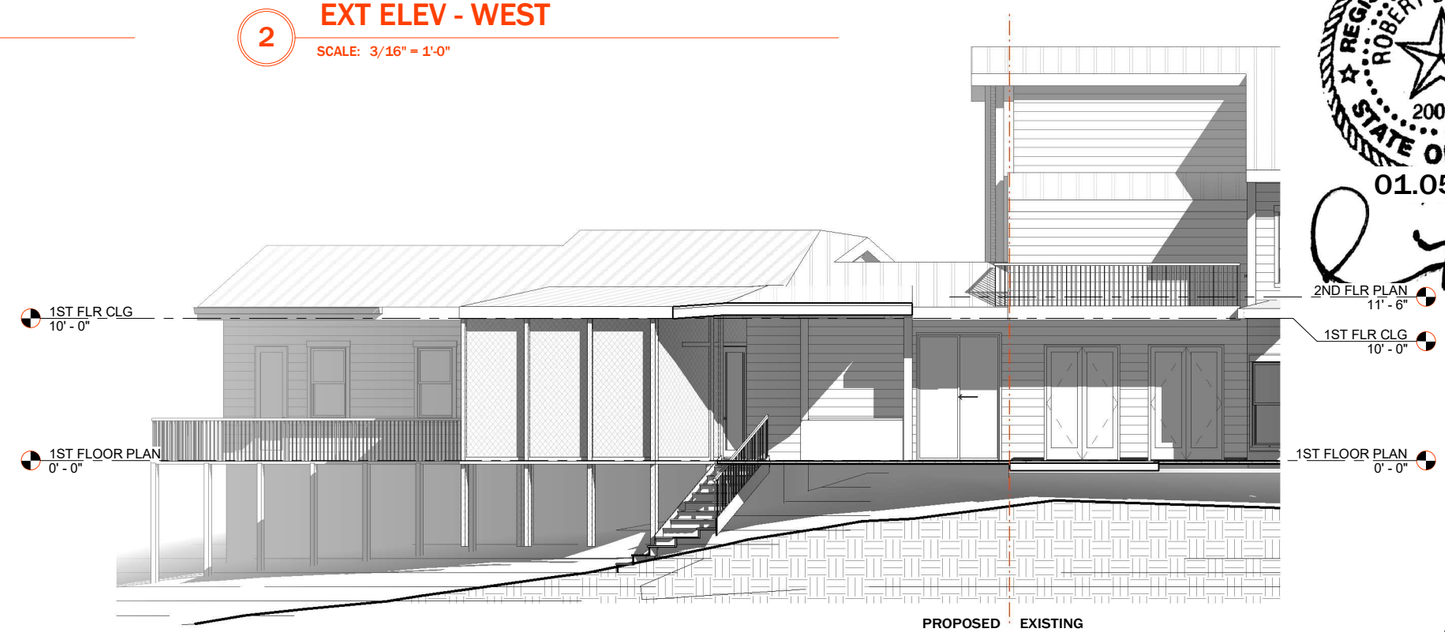
2 EXT ELEV - WEST

SCALE: 3/16" = 1'-0"



3 EXT ELEV - EAST

SCALE: 3/16" = 1'-0"



PROPOSED EXISTING

1 EXT ELEV - SOUTH

SCALE: 3/16" = 1'-0"

ARCHITECTURE

PROJECT:
502 SPILLER LANE

WEST LAKE HILLS, TEXAS

DATE: 01052025
PROJECT NO: SPL_24

REVISION	DATE

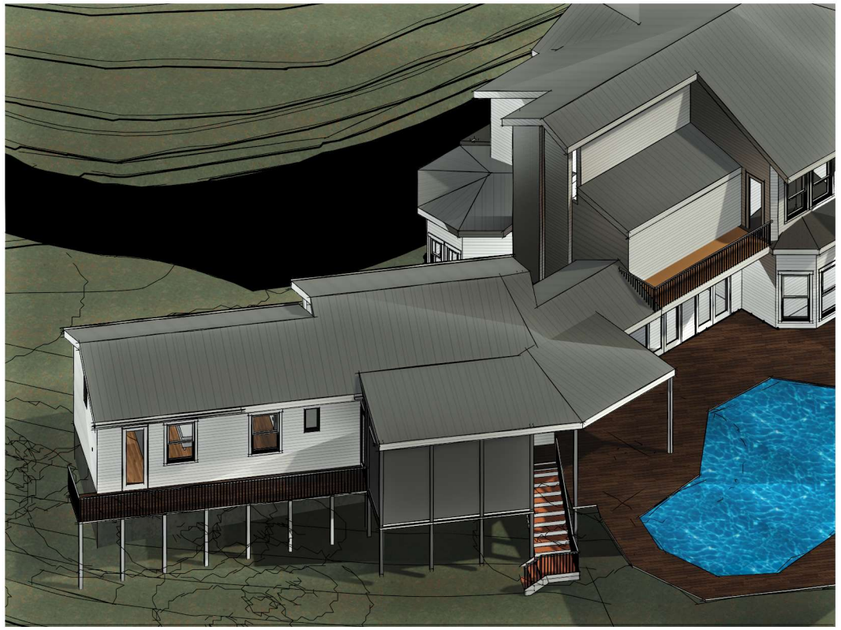
NOTES:

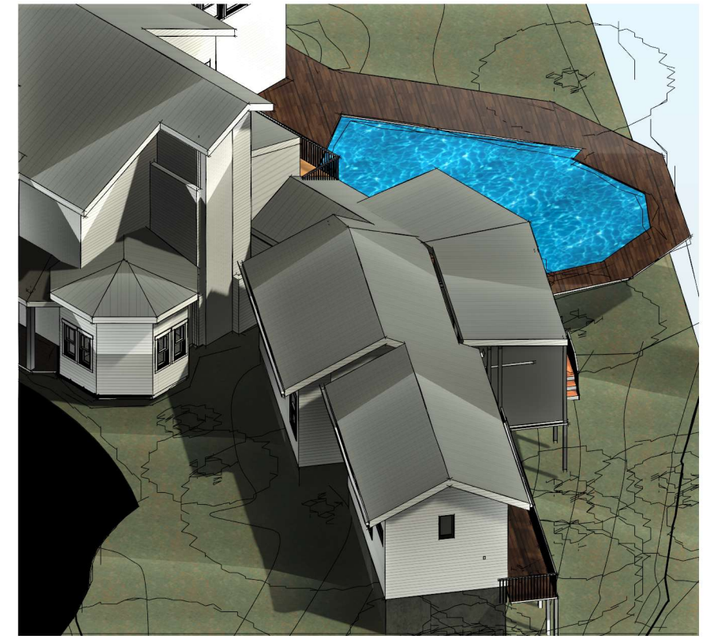
REGISTERED ARCHITECT
ROBERT D. FILLPOT
20051
STATE OF TEXAS
01.05.2025

EXTERIOR ELEVATIONS

A3.0

DRAWN BY: Author





ARCHITECTURE

PROJECT:
502 SPILLER LANE

WEST LAKE HILLS, TEXAS

DATE: 01052025
PROJECT NO: SPL_24

REVISION DATE

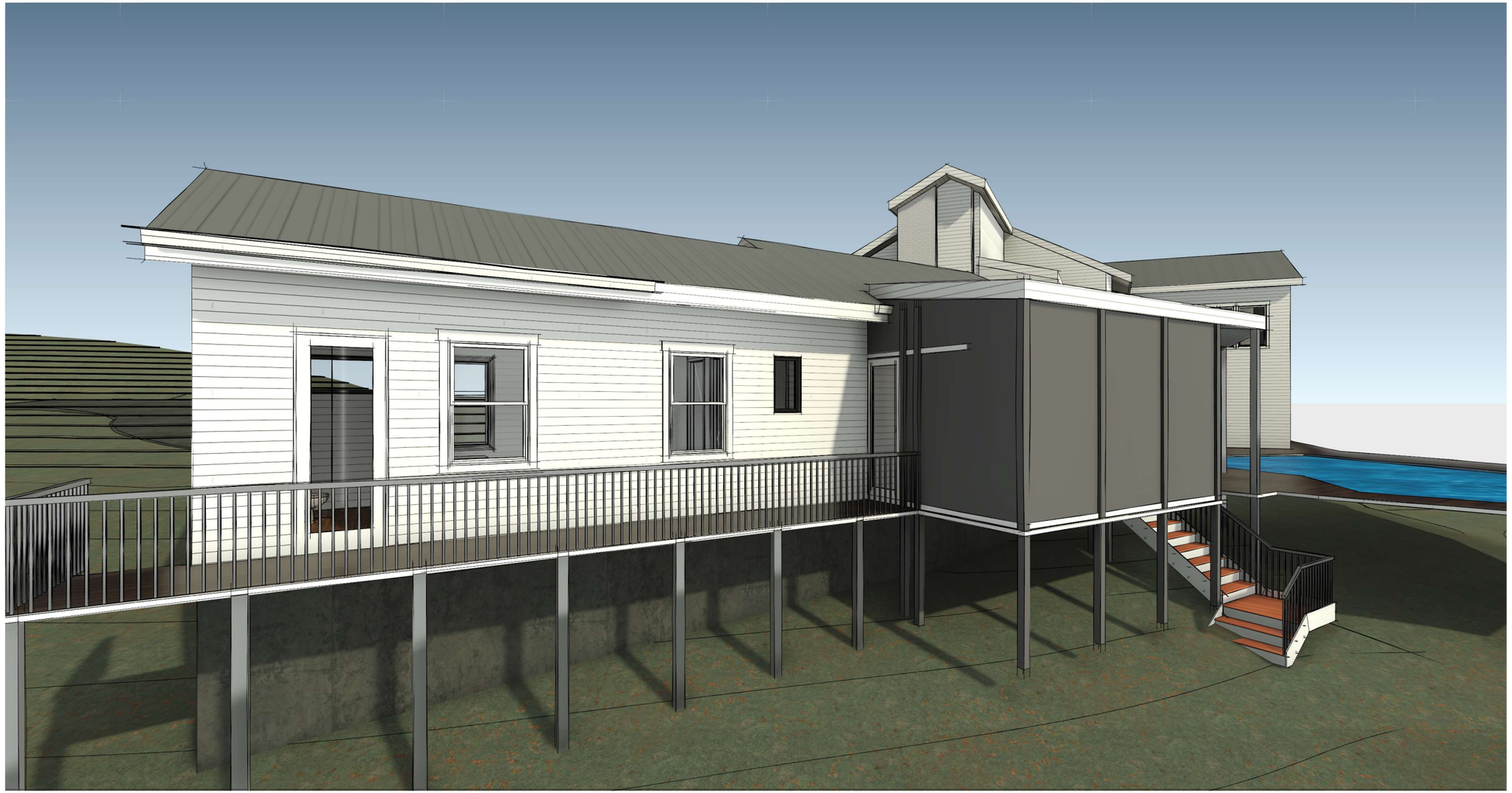
NOTES:

NOT FOR CONSTRUCTION

RENDERINGS

A8.0

DRAWN BY: Author



ARCHITECTURE

PROJECT:
502 SPILLER LANE

WEST LAKE HILLS, TEXAS

DATE: 01052025
PROJECT NO: SPL_24

REVISION	DATE

NOTES:

NOT FOR CONSTRUCTION

RENDERINGS

A8.1

DRAWN BY: Author

ARCHITECTURE

PROJECT:
502 SPILLER LANE

WEST LAKE HILLS, TEXAS

DATE: 01/05/25
PROJECT NO: SPL_24

REVISION	DATE

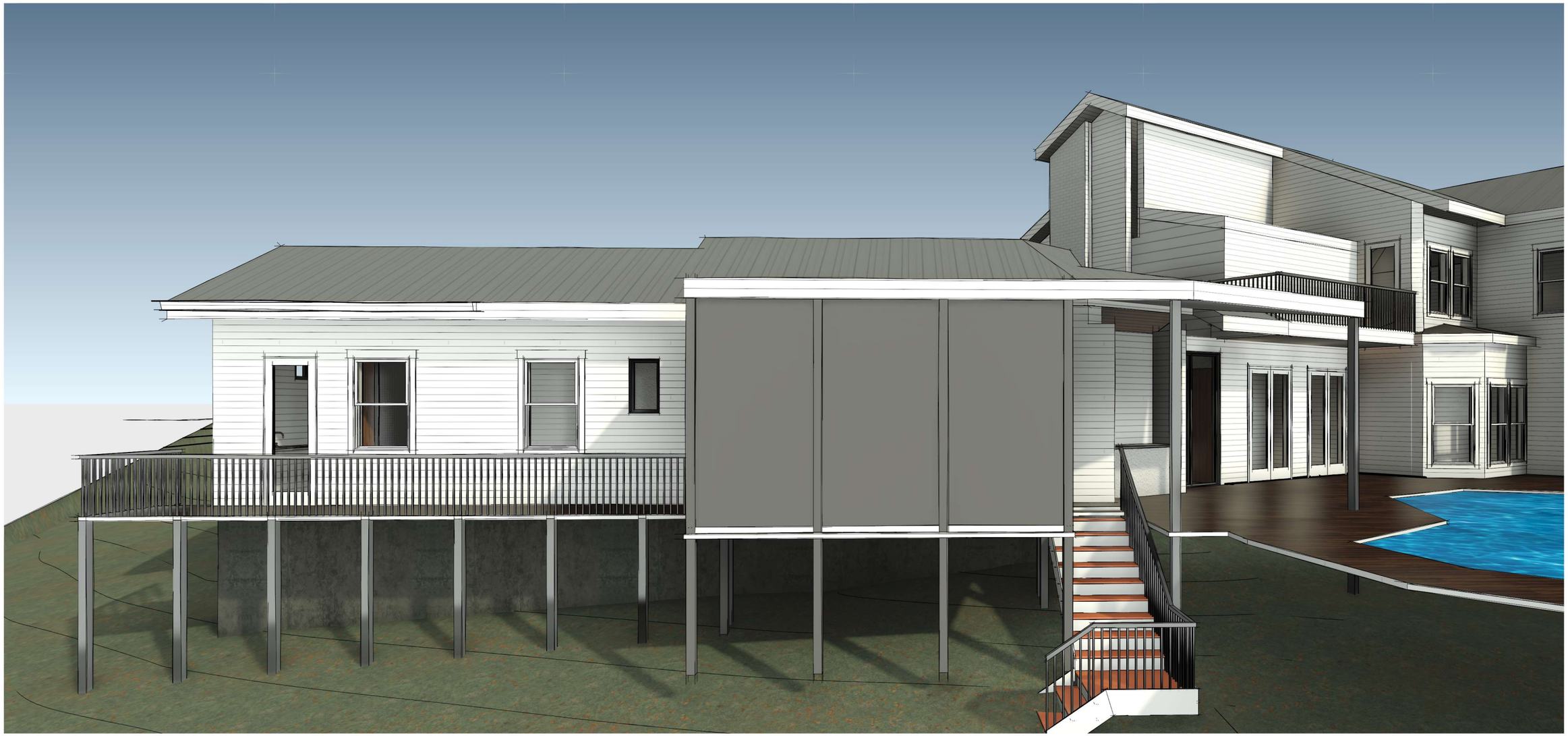
NOTES:

NOT FOR CONSTRUCTION

RENDERINGS

A8.2

DRAWN BY: Author



ARCHITECTURE

PROJECT:
502 SPILLER LANE

WEST LAKE HILLS, TEXAS

DATE: 01/05/25
PROJECT NO: SPL_24

REVISION	DATE

NOTES:

NOT FOR CONSTRUCTION

RENDERINGS

A8.3

DRAWN BY: Author

Letter to City Administrator
RE: 502 Spiller Lane petition for a waiver for a Type I Drainage Report
January 2nd, 2024

Dear City Administrator Fletcher,

Greetings. My name is Logan Reichle. My wife, Carly, and I are the owners of 502 Spiller Lane. We are in the process of designing a 793 SF - First Floor Addition to our home as well as an elevated deck extension that connects to our existing deck that encroaches into our rear setback. We are in the process of going through the variance process with the City of West Lake Hills, starting with ZAPCO in February.

The purpose of this letter is to petition the City of West Lake Hills for a waiver to be permitted to perform Type 1 Drainage Report, rather than a Type II or III Drainage Report.

We feel that once you have a chance to review the ZAPCO Application, along with all of the supporting documentation, that you will be able to understand the unique conditions that we are dealing with on our property. And even though we are having to apply for variances and our proposed impervious cover is slightly higher than the 1000SF permitted with a Type I Drainage Report, our on the ground improvements are less than 800 SF that is in the allowable buildable area and our proposed deck is elevated 5' above natural grade and not disturbing the grade below it.

We purchased our 3700 SF, 3 Bedroom home in the spring of 2022. We are a young family, with 2 children (a 1 and a 3 YO), and expecting our third in August of this year. We love living in West Lake Hills and love our home, as it currently works great for our family. However with a home that was built in 1983, it did come with a few quirks that differ from many homes built in the last 20 years. In our home, all of the bedrooms are located on the second floor, and there are not any spaces downstairs that could be converted to a bedroom space. As our family grows, we have discussed being able to add a ground level bedroom suite for relatives and grandparents to visit.

So, in the Fall of 2024 we engaged our architects, Davin Fillpot and Richard Hamer of R&D Architecture, to assist us with a design for a small first floor guest suite addition, with an emphasis on accessibility for older visitors.

As we started designing, we were made aware that there were a handful of hardship conditions on our property that would make this a challenging project for several reasons:

1) Our property, as well as the 2 properties to the west of ours, are not served by a traditional public street with dedicated Right Of Way, but rather by a joint use access easement. This easement is used by WCID10, ESD9 as well as the City of WLH. The fully paved easement runs completely across our property from east to west and comprises approximately 2300 SF of Impervious Cover, that counts against our 25% IC.

2) As you can tell by the site plan contained in our packet, when the home was originally built it was designed to be located deep into the site. We assume that it was designed this way in order to preserve the 20 Trees with diameters of 14" or greater. Also, the pool and the exterior deck are fully located in the rear 30' setback, which are treated as pre-existing nonconforming structures. It is our understanding that if we wanted to do any small addition or re-work of our pool deck area that it would require a variance.

In working with our architect, we explored different design options for the first floor guest suite. We decided that the best solution was to design the addition so that all proposed conditioned space would exist in the allowable buildable area, and not encroach into either the rear 30' or 25' side setbacks. We also adjusted the building footprint so that we could preserve tree #340, (15" oak) as well as a grove of trees in the side setback that serves as a nice vegetative screening. We were able to achieve this with the physical addition, but we also would like the new structure to have access to the pool area and our square up our oddly shaped deck. In order to achieve this we would like to extend an exterior egress walkway, egress stair to grade, and a small enclosed patio between the proposed addition and the pre existing nonconforming pool deck. This will require a variance for the deck/patio structure to encroach into the rear 30' setback to connect to the existing deck.

Our detailed impervious cover calculation for existing improvements on the site is 25.9%, and INCLUDES the 2300 SF fully paved easement as part of that calculation. The proposed improvements for both the footprint of the addition (793 SF) and the deck extension, patio and stair (384 SF) add up to an additional 1177 SF for a Grand total of 28.7% Impervious Cover for the existing and proposed.

We feel that our proposed improvements are more in line with a Type I Drainage Report rather than a Type II / III, because of the limited impact on the site with the proposed 793 SF footprint being the only on the ground improvement, and the deck being elevated above natural grade by 5' to match the existing pool deck.

Please don't hesitate reaching out with any additional questions or clarifications.
Thank you for your consideration.

Sincerely,

Logan Reichle
502 Spiller Lane
West Lake Hills, Texas 78746
Email: logan.reichle@cbre.com
Phone: 512-217-6401

From: [redacted]
Sent: Monday, February 10, 2025 11:09 AM
To: Terry Blanchard <tBlanchard@westlakehills.gov>
Subject: Variance request for 502 Spiller Lane/February 19 ZAPCO agenda

Dear ZAPCO members,

We are writing to oppose the variance request for 502 Spillar Lane to allow for the increase of impervious cover from 25.9% to 28.7% where the maximum allowed by code is 25%.

We live below the subject property. We have lived there for 33 plus years. For many years we had no issues with run-off from the properties above us. However, after a series of snow/ice storms and increased removal of trees by property owners for fire safety, we have encountered drainage issues and have had to spend more that $10,000 in drainage improvements. We will suffer additional damage from any increase in impervious cover up the hill from us. A review of the topography of the area shows that run-off flows from the Spillar property toward our property and into the wet weather creek to the west of our house.

The property has already exceeded the allowable impervious cover. Please do not allow **additional** impervious cover at our expense. There are reasons for impervious cover limitations, and our situation is the perfect example of why these rules exist. No property owner should be granted a variance at the expense of their neighbors. Please DENY this impervious cover variance.

If you have any questions, you can contact us at 512-423-7830.

Thank you for considering the potential damage to our property from this substantial variance request.

Jane and Jerry Noble
801 Yaupon Valley Road

From: Jordan Weingarten
To: Planner
Subject: Variance Request 502 Spiller Lane, ZAPCO agenda 02/19/2025
Date: Monday, February 10, 2025 6:34:14 PM

[redacted]

Re: Variance request for 502 Spiller Lane, ZAPCO agenda 02/19/2025

Dear ZAPCO members

We have lived at 805 Yaupon Valley Rd for 25 years. As long-time residents of this geographically and architecturally diverse area, we understand and respect the need for reasonable, small variances for new construction and remodels. But the variances requested for 502 Spillar Lane are major deviations from current regulations and, if granted, set a concerning precedent.

There is a vacant lot next to our property. If we ignore setbacks and impervious cover regulations to the extreme degree requested by this variance request, we set a dangerous precedent in loss of privacy and storm runoff issues for current residents. Please deny the variance requests as written.

Respectfully,

Jordan and Lyn Weingarten

RE: 502 SPILLER LN VARIANCE REQUEST
Application #2025-1245

On behalf of the City of West Lake Hills, Engineering staff has reviewed the variance requests for the property located at 502 Spiller Lane. This review was performed in the context of the City of West Lake Hills Code of Ordinances which states that no variance shall be granted unless it meets the following criteria:

1. The strict or literal enforcement of the terms of the code, 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.
4. The variance will not be greater than the minimum required to alleviate the difficulty or hardship.

The following requests were made:

1. Allow Impervious Cover of 28.7%
2. Allow Deck/Patio Extension with a maximum encroachment at the stair of 15'-4" into the 30' rear setback.
3. Allow Waiver to be permitted to create a Type I drainage report, rather than a Type II/III due to the minimal on the ground impervious cover associated with this project.

The hardships mentioned are as follows:

1. Our property, as well as the 2 properties to the west of ours, are not served by a traditional public street with dedicated Right of Way, but rather by a joint use access easement. This easement is used by WCID10, ESD9 as well as the City of WLH. The fully paved easement runs completely across our property from east to west and comprises approximately 2,300 SF of Impervious Cover, that counts against our 25% IC. Once the paved access easement passes by the initial driveway entrance to 502 Spiller, it has a footprint of approximately 1,512 Sf of Impervious Cover.
2. As you can tell by the site plan contained in our packet, when the home was originally built it was designed to be located deep into the site. We assume that it was designed this way to preserve the 20 Trees with diameters of 14" or greater. Also, the pool and the exterior deck are fully located in the rear 30' setback, which are treated as pre-existing nonconforming structures. It is our understanding that if we wanted to do any small addition or re-work of our pool deck area that it would require a variance.

After reviewing the provided documents and the city code, the engineering team on behalf of the City of West Lake Hills recommends the following:

1. Allow Impervious Cover of 28.7%
    a. We suggest that this variance is **denied.**
        - **Per Chapter 6 of the Drainage and Erosion Control Manual (Rev. 2020), water quality treatment Best Management Practices (BMP's) are required for single-family residents where the property impervious cover percentage is greater than 20%.**
        - **This lot is currently zoned "R-1". Per Ordinance 22.03.281 "Schedule of Regulations" the maximum allowed impervious cover for a single lot greater than 0.50-acres is 25%.**
        - **The existing impervious cover for the access easement does not appear to have water quality and detention infrastructure independent of the remaining site impervious cover. An analysis of water quality and detention infrastructure is required on a lot-by-lot basis.**
        - **Regulations will require water quality and detention to bring the site into compliance with current city and state requirements.**

2. Allow Deck/Patio Extension with a maximum encroachment at the stair of 15'-4" into the 30' rear setback.
    a. We suggest that this variance is **denied.**
        - **Existing site impervious cover exceeds the maximum allowed impervious cover by zoning.**

3. Allow Waiver to be permitted to create a Type I drainage report, rather than a Type II/III due to the minimal on the ground impervious cover associated with this project.
    a. We suggest that this variance is **denied.**
        - **The Drainage and Erosion Control Manual Table 2-1 (Rev. 2020. only allows for Type I applications are proposing less than 1,000 sf in increased impervious cover.**

Exhibit A

502 Spiller Lane – rear setback and Impervious Cover

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.

   1) This property is encumbered by a Joint Use Access Easement that serves as the access to the 2 neighboring properties to the West (504 & 506 Spiller) and we feel provides a hardship to this variance request. The easement also provides service to ESD9, WCID10 and the City of West Lake Hills. The total impervious Cover Associated with the paved easement totals 2276 SF = which is 20% of the Existing IC on site. Once the paved easement passes by the initial driveway entrance for 502 Spiller, the footprint for the easement is 1512 SF of impervious coverage.

   2) The property contains pre-existing, non-conforming built conditions in the backyard that we feel, creates a hardship. The survey and site plan indicate that the swimming pool and surrounding pool deck fully encroach into the rear 30' setback. The new addition can be built in the allowable buildable area, however an egress deck needs to be provided to connect to the existing deck by the pool, and provide a stair to natural grade.

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

   The proposed location for the first floor addition is in the Right Front Sideyard which only requires the removal of only 3 trees measuring under 14" in Diameter, while positioning itself to preserve a 15" Oak at the street facing front elevation.

   Site disturbance will remain at a minimum to the building footprint location, as the proposed deck connection will be elevated on piers to match the existing deck, and limit site disturbance.

   The existing vegetative buffer in the 25' side setback will be preserved to continue to provide privacy between the 2 properties.

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

   The footprint of the proposed addition for all conditioned space, is actually completely within the Allowable Building Area on the property. The addition needed to rotate to be

parallel to the rear setback line to minimize it's footprint as well as preserve the existing 15" Oak directly adjacent to it. The proposed egress deck, stair and the screened in porch are simply a connection between the proposed addition and the existing pool deck, and will not encroach any further than the existing deck, because that deck already exists. The proposed deck fills in the gap shown on the as built survey.

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

   We believe that the variances we are requesting are the minimum required to alleviate the difficulty or hardship we feel exists in the following ways.
   - The Egress Deck / Egress Stair / Patio location is the only proposed encroachment into the 30' rear setback, and provides a connection to the odd shaped existing pool deck. It encroaches less than 1/2 the
   - As mentioned, the addition can be built and adhere to all WLH building regulations (setbacks, height, trees) except for meeting the 25% Impervious Coverage limitation. The footprint for the addition + deck extension is only 1177 SF of Impervious Cover, and the property is burdened with a paved access easement that serves the 2 additional properties to the west and is also used by WCID10, ESD9 and the City of WLH. Once the paved easement makes it past the initial driveway for 502 Spiller, it tallies 1512 SF of additional impervious cover that counts against the property's 25% Max. IC.

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

   We believe that the variance does not violate the intent of the Zoning Ordinances, because the proposed addition containing all of the new conditioned space can be located entirely within the allowable buildable area, and the egress deck will match and provide a connection to the pre-existing nonconforming pool and pool deck.

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

   It can be observed on the Site Plan and the Proximity Aerial View diagram that the improvements are located at the rear side of the home, and would be less of an encroachment than the existing pool and pool deck. It will be extremely difficult for any neighboring property to be able to actually see the deck improvements that are requiring the setback variance. In addition the existing vegetative buffer between this property and the property located directly to the east will be fully preserved and serve as dense screening between the 2 properties.

Exhibit B

502 Spiller Ln - Impervious Cover and Rear 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 subdivision was designed with private access, which included the private access easement on the plat. The site has other paving that could be removed to meet the impervious cover requirements. Additionally, the other lots in the subdivision with the PAE have the same conditions.

2. There will not be unreasonable disruption of the natural terrain or unreasonable destruction of existing flora.
   The proposed development would potentially create additional drainage from the impervious cover.

3. There is no reasonable alternative to the requisite variance that will alleviate the difficulty or hardship complained of.
   The applicant could remove existing impervious cover that would not affect the primary structure or the pool.

4. The variance will not be greater than the minimum required to alleviate the difficulty or hardship complained of.
   The addition to the house can be built within the setbacks with uncovered stairs in the rear setback for access and remove the patio addition from the plans.

5. The variance does not violate the intent of the Zoning Ordinance or goals of the Comprehensive Plan.
   The request is counter to the Zoning Ordinance contains setbacks to provide buffering from adjacent properties, as well as keep sites natural with limited impervious cover.

6. The variance will not adversely affect neighboring properties or interfere with the enjoyment of these properties by their owners.
   Two neighbors have provided concerns that the additional impervious cover and encroachment would impact their properties which are downhill to the north of the site.

City *of* West Lake Hills
Zoning and Planning Commission
AGENDA REPORT

Meeting Date:	February 19, 2025	**Item Number:**	8
Department:	Building & Development Services		
Prepared By:	Jennifer C. Bills	**Cost / Budget:**	None
Exhibits:	See Attached	**Source of Funds:**	N/A

Subject

413 Ledgeway Ridge: Discuss and make recommendation on proposed variances for the removal of six (6) trees:

- #339 - 19-inch double trunk live oak
- #342 - 17-inch double trunk ash juniper (cedar)
- #346 - 23-inch double trunk ash juniper (cedar)
- #2407 - 25-inch double trunk ash juniper (cedar)
- #2420 - 17-inch triple trunk ash juniper (cedar)
- #2437 - 18-inch live oak

with trunk diameters of 14 inches or greater, (Section 22.03.304 of the West Lake Hills Code).

Applicant: Emily Haydon, LaRue Architects

Recommendation

Staff recommend approval of the variance request. The site has various competing encumbrances, given the setbacks, grade, trees, drainage easement, and FEMA regulatory floodway (floodplain) on the site. Staff recommends the applicant's findings of fact (Exhibit A).

This item will be forwarded to the March 12, 2025 City Council meeting for consideration.

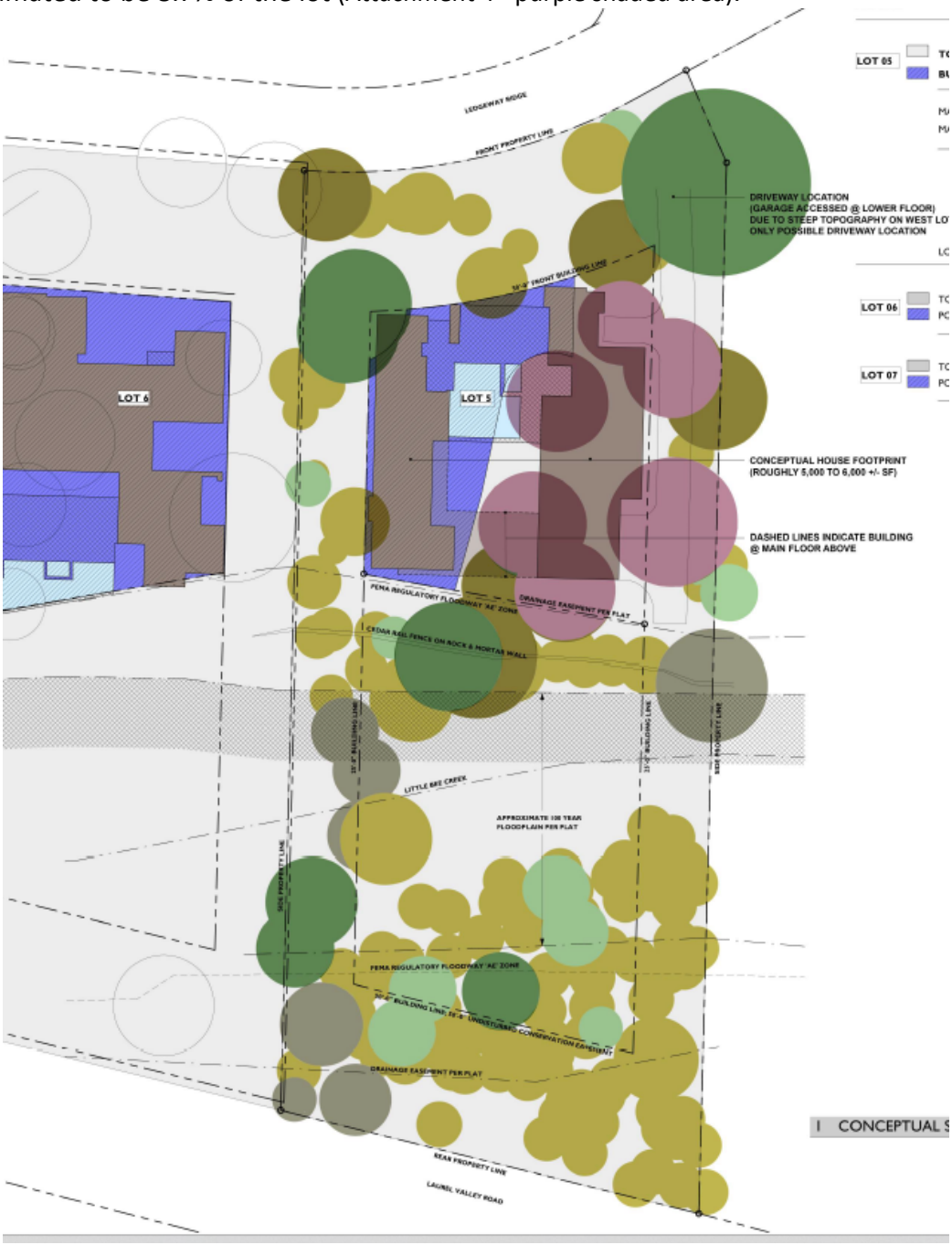
Discussion

Property Information, Zoning & Site Characteristics:
Owner: Gregory and Kimberly Reynolds
Legal Description: East Ledgeway Subdivision Lot 5
Lot Size: 1.26 acres
Zoning: R-1
Wastewater: On-Site Sewage Facility (Septic)

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

Background & Analysis:
The applicant is proposing to remove 6 trees 14 inches and greater for the construction of a new residential house (Attachment 1). The lot does not have any existing structures (Attachment 2). The applicant has

provided an exhibit that shows the buildable area once setbacks, variance trees and regulatory floodway is considered, estimated to be 8.7% of the lot (Attachment 4 - purple shaded area).



The exhibit shows the proposed location of the building and driveway in relation to the trees requested for removal (Attachment 5). With the floodway/drainage easement to the south, the only direction to move the buildable area by encroaching into a setback would be to the north.

Public Comments:
As of the date of the staff report, no written comments have been received.

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

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.

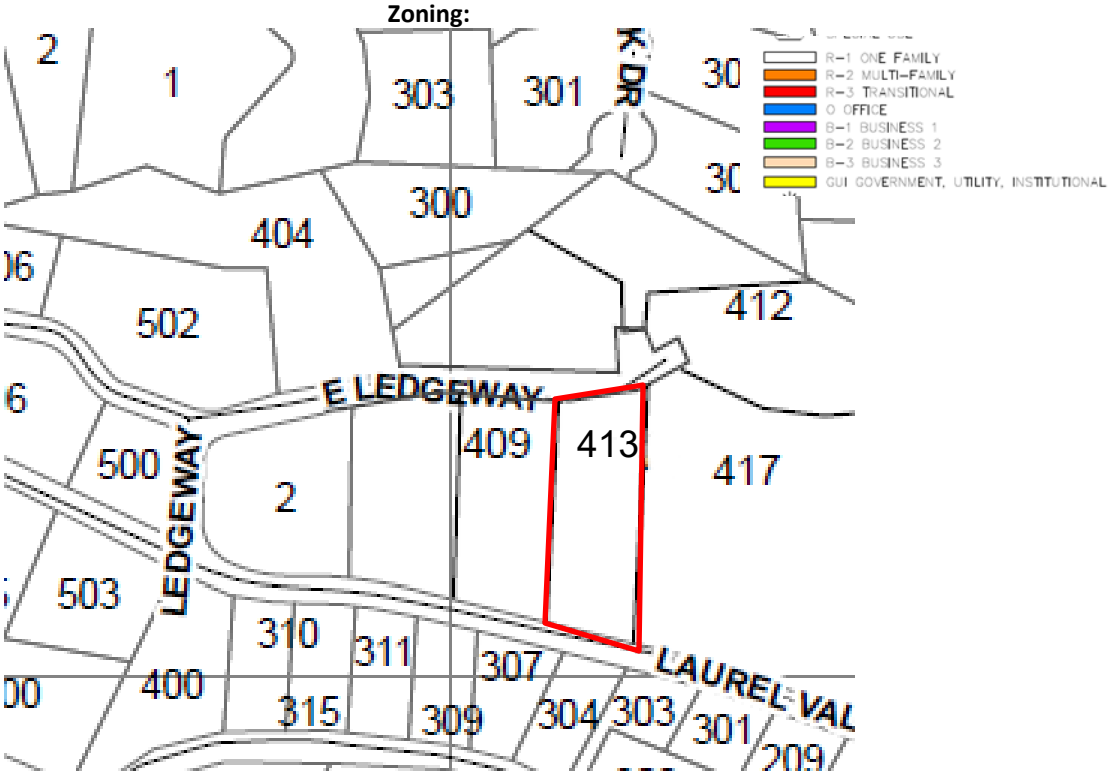
Comprehensive Planning Analysis

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

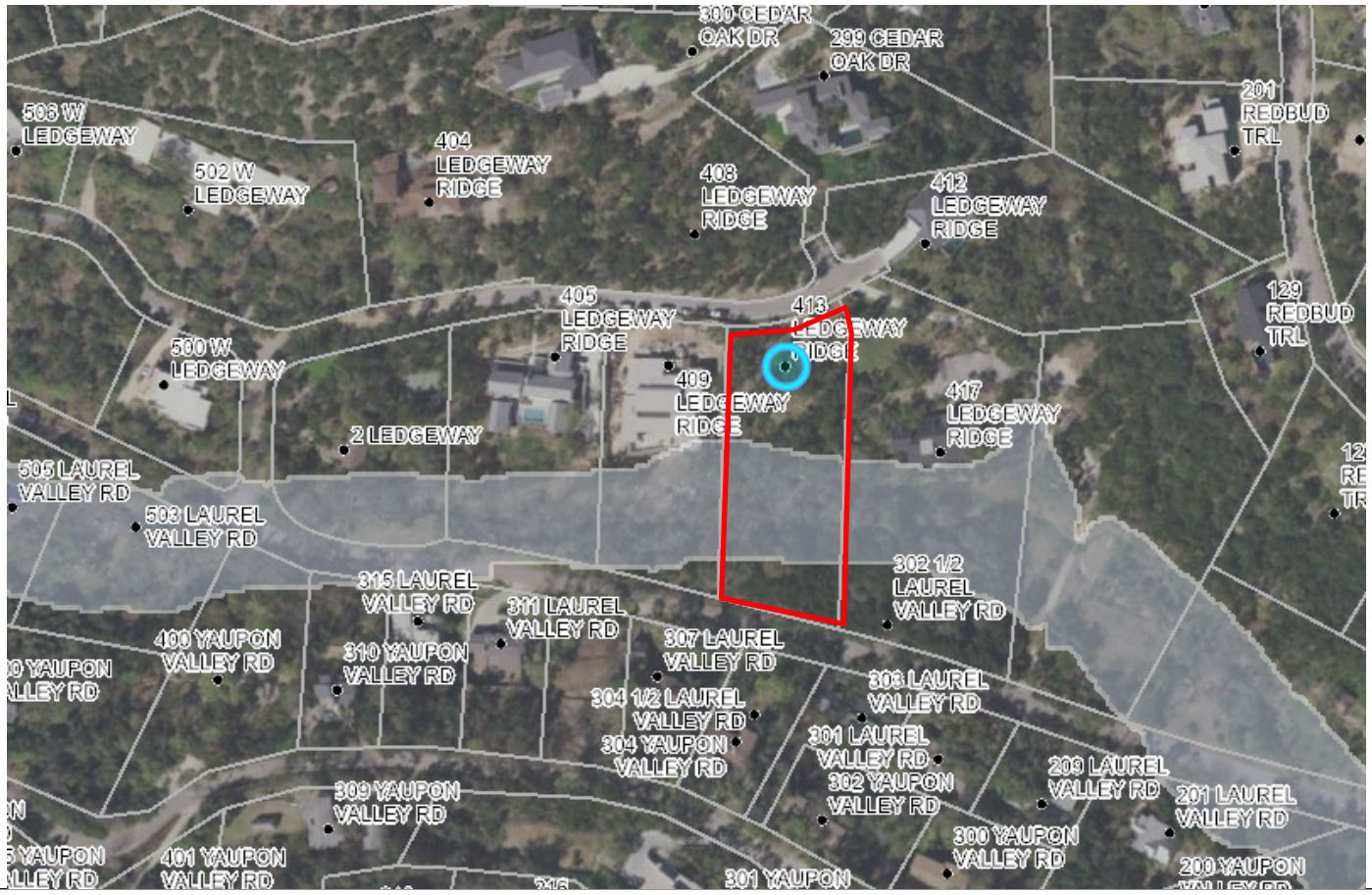
Links to Relevant Code:

- **Sec. 22.03.034 Tree and Vegetation Removal and Replacement**
- **Section 38.05.031 Variances**
- **Section 22.03.514 Criteria and process required for granting variance**

Zoning:



Aerial:



Date: 2025.01.06
Residence Address: 413 Ledgeway Ridge

Dear ZAPCO Chairperson,

Thank you for accepting our submittal for review by the ZAPCO Board.

We are requesting this meeting to present a proposal for the removal of six protected trees to create a larger buildable footprint for our lot at 413 Ledgeway. The six trees in question—four cedars and two live oaks—are positioned in such a way that they significantly limit the available buildable area, leaving only about 8% of the entire site suitable for construction. Additionally, the steep terrain and current placement of these trees further restrict our ability to adequately develop the property within the available 8%.

With the removal of these trees, there will be minimal visual impact, as the lot is heavily wooded, and the trees are in areas where their removal will not be readily noticeable.

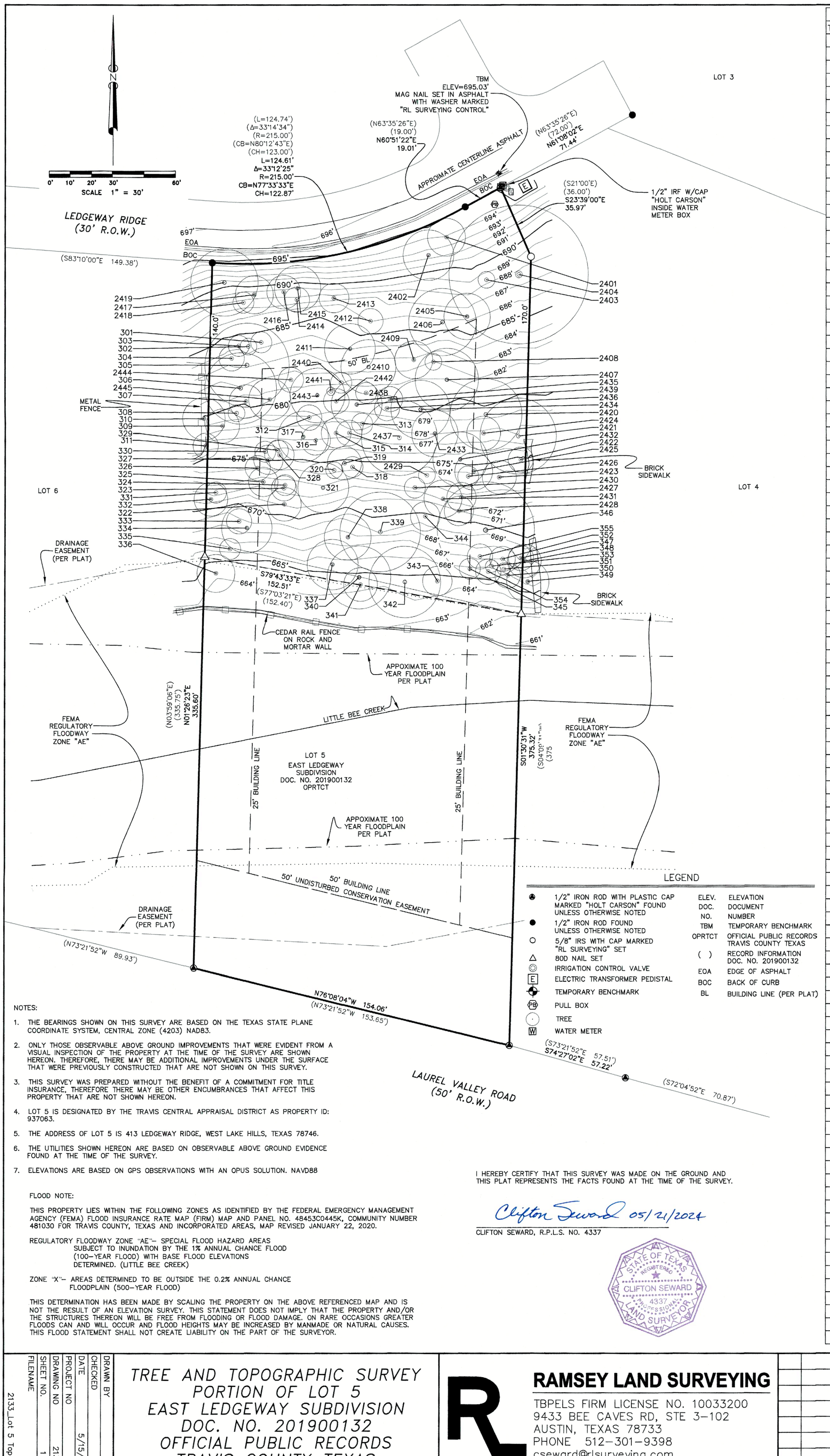
We are fully aware of the mitigation requirements and are prepared to address them proactively. Furthermore, we are committed to replanting new trees in strategic locations that will symbiotically work with the structure and enhance privacy between adjacent properties. Our goal is always to integrate the natural landscape into our designs, ensuring that both the landscape and the home inform and complement each other.

Thank you for your consideration of this request.

Sincerely,

Greg Reynolds – Owner

James LaRue & Emily Haydon – Architect, Design Professional



LEGEND

●	1/2" IRON ROD WITH PLASTIC CAP MARKED "HOLT CARSON" FOUND UNLESS OTHERWISE NOTED	ELEV.	ELEVATION
●	1/2" IRON ROD FOUND UNLESS OTHERWISE NOTED	DOC.	DOCUMENT
○	5/8" IRS WITH CAP MARKED "RL SURVEYING" SET	NO.	NUMBER
△	80D NAIL SET	TBM	TEMPORARY BENCHMARK
	IRRIGATION CONTROL VALVE	OPRTCT	OFFICIAL PUBLIC RECORDS TRAVIS COUNTY TEXAS
E	ELECTRIC TRANSFORMER PEDISTAL	( )	RECORD INFORMATION DOC. NO. 201900132
	TEMPORARY BENCHMARK	EOA	EDGE OF ASPHALT
PB	PULL BOX	BOC	BACK OF CURB
	TREE	BL	BUILDING LINE (PER PLAT)
W	WATER METER		

NOTES:

1. THE BEARINGS SHOWN ON THIS SURVEY ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE (4203) NAD83.
2. ONLY THOSE OBSERVABLE ABOVE GROUND IMPROVEMENTS THAT WERE EVIDENT FROM A VISUAL INSPECTION OF THE PROPERTY AT THE TIME OF THE SURVEY ARE SHOWN HEREON. THEREFORE, THERE MAY BE ADDITIONAL IMPROVEMENTS UNDER THE SURFACE THAT WERE PREVIOUSLY CONSTRUCTED THAT ARE NOT SHOWN ON THIS SURVEY.
3. THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A COMMITMENT FOR TITLE INSURANCE, THEREFORE THERE MAY BE OTHER ENCUMBRANCES THAT AFFECT THIS PROPERTY THAT ARE NOT SHOWN HEREON.
4. LOT 5 IS DESIGNATED BY THE TRAVIS CENTRAL APPRAISAL DISTRICT AS PROPERTY ID: 937063.
5. THE ADDRESS OF LOT 5 IS 413 LEDGEWAY RIDGE, WEST LAKE HILLS, TEXAS 78746.
6. THE UTILITIES SHOWN HEREON ARE BASED ON OBSERVABLE ABOVE GROUND EVIDENCE FOUND AT THE TIME OF THE SURVEY.
7. ELEVATIONS ARE BASED ON GPS OBSERVATIONS WITH AN OPUS SOLUTION. NAVD88

FLOOD NOTE:

THIS PROPERTY LIES WITHIN THE FOLLOWING ZONES AS IDENTIFIED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD INSURANCE RATE MAP (FIRM) MAP AND PANEL NO. 48453C0445K, COMMUNITY NUMBER 481030 FOR TRAVIS COUNTY, TEXAS AND INCORPORATED AREAS, MAP REVISED JANUARY 22, 2020.

REGULATORY FLOODWAY ZONE "AE"– SPECIAL FLOOD HAZARD AREAS SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD (100–YEAR FLOOD) WITH BASE FLOOD ELEVATIONS DETERMINED. (LITTLE BEE CREEK)

ZONE "X"– AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN (500–YEAR FLOOD)

THIS DETERMINATION HAS BEEN MADE BY SCALING THE PROPERTY ON THE ABOVE REFERENCED MAP AND IS NOT THE RESULT OF AN ELEVATION SURVEY. THIS STATEMENT DOES NOT IMPLY THAT THE PROPERTY AND/OR THE STRUCTURES THEREON WILL BE FREE FROM FLOODING OR FLOOD DAMAGE. ON RARE OCCASIONS GREATER FLOODS CAN AND WILL OCCUR AND FLOOD HEIGHTS MAY BE INCREASED BY MANMADE OR NATURAL CAUSES. THIS FLOOD STATEMENT SHALL NOT CREATE LIABILITY ON THE PART OF THE SURVEYOR.

I HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND AND THIS PLAT REPRESENTS THE FACTS FOUND AT THE TIME OF THE SURVEY.

Clifton Seward 05/21/2024

CLIFTON SEWARD, R.P.L.S. NO. 4337

STATE OF TEXAS REGISTERED CLIFTON SEWARD 4337 PROFESSIONAL LAND SURVEYOR

TREE TABLE

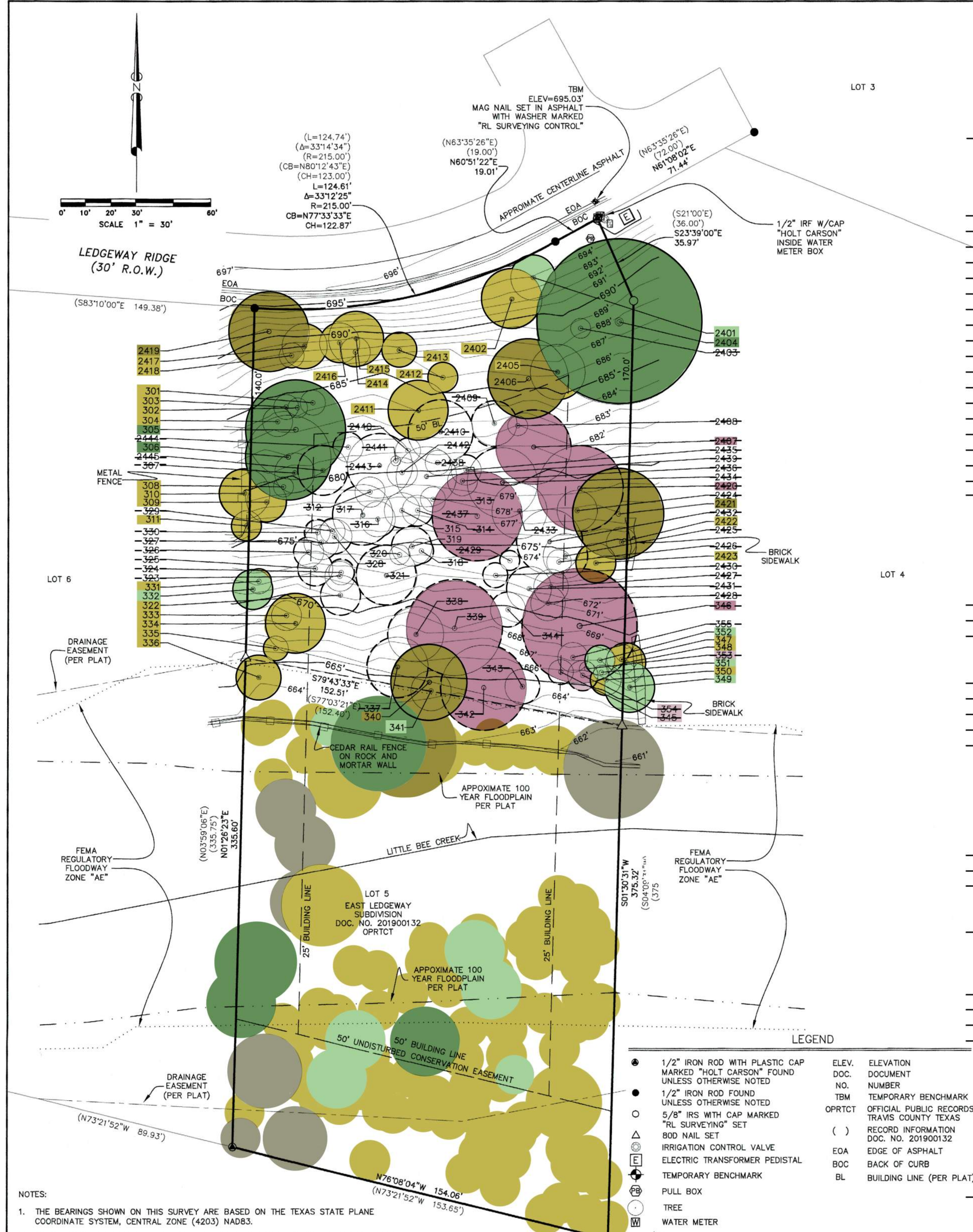
TAG NO.	SIZE	TYPE	
301	5	CEDAR	OLD TAG NO. 2559
302	4	CEDAR	OLD TAG NO. 2560
303	5	CEDAR	OLD TAG NO. 2561
304	6	CEDAR	OLD TAG NO. 2562
305	20	LIVE OAK	2 BOLE 15, 10 OLD TAG NO. 2563
306	17	LIVE OAK	2 BOLE 12, 9 OLD TAG NO. 2564
307	8	CEDAR	OLD TAG NO. 2565
308	4	CEDAR	DEAD
309	8	CEDAR	2 BOLE 6, 4 OLD TAG NO. 2567
310	10	CEDAR	OLD TAG NO. 3344
311	6	CEDAR	
312	6	CEDAR	OLD TAG NO. 3275
313	5	CEDAR	OLD TAG NO. 3280
314	6	CEDAR	OLD TAG NO. 3279
315	7	CEDAR	OLD TAG NO. 3278
316	7	CEDAR	OLD TAG NO. 3277
317	12	CEDAR	2 BOLE 10, 3 OLD TAG NO. 3276
318	5	CEDAR	OLD TAG NO. 3296
319	8	CEDAR	OLD TAG NO. 3297
320	4	CEDAR	OLD TAG NO. 3298
321	12	CEDAR	2 BOLE 8, 7 OLD TAG NO. 3299
322	8	CEDAR	DEAD, OLD TAG NO. 2886
323	6	CEDAR	OLD TAG NO. 2883
324	5	CEDAR	
325	7	CEDAR	OLD TAG NO. 2881
326	6	CEDAR	OLD TAG NO. 2880
327	7	CEDAR	OLD TAG NO. 2572
328	7	CEDAR	OLD TAG NO. 2571
329	5	CEDAR	
330	5	CEDAR	OLD TAG NO. 2568
331	5	CEDAR	
332	8	SPANISH OAK	OLD TAG NO. 2891
333	6	CEDAR	
334	12	CEDAR	OLD TAG NO. 2888
335	5	CEDAR	DEAD
336	9	CEDAR	2 BOLE 7, 4 OLD TAG NO. 2890
337	12	CEDAR	
338	11	CEDAR	OLD TAG NO. 3302
339	19	LIVE OAK	2 BOLE 13, 12 OLD TAG NO. 3303
340	15	CEDAR	2 BOLE 11, 7 OLD TAG NO. 3305
341	8	LIVE OAK	OLD TAG NO. 3306
342	17	CEDAR	2 BOLE 14, 5 OLD TAG NO.3307
343	7	CEDAR	OLD TAG NO. 3308
344	7	CEDAR	OLD TAG NO. 3294
345	5	LIVE OAK	OLD TAG NO. 3312
346	23	CEDAR	2 BOLE 18, 9 OLD TAG NO. 3314
347	6	CEDAR	
348	8	CEDAR	2 BOLE 5, 5 OLD TAG NO. 3319
349	10	LIVE OAK	OLD TAG NO. 3321
350	6	CEDAR	OLD TAG NO. 3318
351	3	LIVE OAK	OLD TAG NO. 3316
352	6	LIVE OAK	OLD TAG NO. 3315
353	3	LIVE OAK	
354	6	LIVE OAK	2 BOLE 4, 3 OLD TAG NO. 3317
355	6	CEDAR	2 BOLE 4, 4 OLD TAG NO. 3313
2401	9	LIVE OAK	2 BOLE 6, 5 OLD TAG NO. 2752
2402	12	CEDAR	OLD TAG NO. 2751
2403	4	CEDAR	OLD TAG NO. 3281
2404	33	LIVE OAK	3 BOLE 19, 14, 13 OLD TAG NO. 3262
2405	11	CEDAR	OLD TAG NO. 3260
2406	16	CEDAR	OLD TAG NO. 3259
2407	15	CEDAR	2 BOLE 11, 8 OLD TAG NO. 3256
2408	4	CEDAR	OLD TAG NO. 3257
2409	9	CEDAR	OLD TAG NO. 3258
2410	13	CEDAR	OLD TAG NO. 3270
2411	12	CEDAR	OLD TAG NO. 3269
2412	6	CEDAR	OLD TAG NO. 3268
2413	7	CEDAR	OLD TAG NO. 3266
2414	6	CEDAR	OLD TAG NO. 3267
2415	11	CEDAR	OLD TAG NO. 3265
2416	8	CEDAR	OLD TAG NO. 2556
2417	9	CEDAR	OLD TAG NO. 2557
2418	5	CEDAR	OLD TAG NO. 2558
2419	16	CEDAR	2 BOLE 12, 8 OLD TAG NO. 3348
2420	17	CEDAR	3 BOLE 11, 7, 4
2421	18	CEDAR	3 BOLE 12, 8, 4 OLD TAG NO. 3252
2422	6	CEDAR	OLD TAG NO. 3251
2423	8	CEDAR	OLD TAG NO. 3290
2424	8	CEDAR	OLD TAG NO. 3254
2425	9	CEDAR	2 BOLE 6, 5 OLD TAG NO. 3289
2426	5	CEDAR	OLD TAG NO. 3288
2427	7	CEDAR	OLD TAG NO. 3291
2428	7	CEDAR	OLD TAG NO. 3292
2429	4	CEDAR	DEAD
2430	5	CEDAR	OLD TAG NO.3295
2431	9	CEDAR	2 BOLE 6, 6 OLD TAG NO. 3293
2432	13	CEDAR	OLD TAG NO. 3287
2433	11	CEDAR	OLD TAG NO. 3286
2434	14	CEDAR	3 BOLE 8, 6, 5 OLD TAG NO. 3284
2435	6	CEDAR	OLD TAG NO. 3283
2436	6	CEDAR	OLD TAG NO. 3282
2437	18	LIVE OAK	OLD TAG NO. 3285
2438	5	CEDAR	
2439	12	CEDAR	2 BOLE 8, 7
2440	5	CEDAR	OLD TAG NO. 3272
2441	2	CEDAR	DEAD
2442	6	CEDAR	
2443	13	CEDAR	3 BOLE 7, 6, 5 OLD TAG NO. 3273
2444	6	CEDAR	OLD TAG NO. 3274
2445	10	CEDAR	OLD TAG NO. 2566

TREE AND TOPOGRAPHIC SURVEY
PORTION OF LOT 5
EAST LEDGEWAY SUBDIVISION
DOC. NO. 201900132
OFFICIAL PUBLIC RECORDS
TRAVIS COUNTY TEXAS

RAMSEY LAND SURVEYING
TBPELS FIRM LICENSE NO. 10033200
9433 BEE CAVES RD, STE 3–102
AUSTIN, TEXAS 78733
PHONE 512–301–9398
cseward@rlsurveying.com

NO	REVISIONS	DRN	CHK	DATE

DRAWN BY	RJF
CHECKED	CS
DATE	5/15/2023
PROJECT NO	2133
DRAWING NO	2133.05
SHEET NO.	1 OF 1
FILENAME	2133_Lot 5 Topo.dwg



TREE TABLE			
TAG NO.	SIZE	TYPE	
301	5	CEDAR	OLD TAG NO. 2559
302	4	CEDAR	OLD TAG NO. 2560
303	5	CEDAR	OLD TAG NO. 2561
304	6	CEDAR	OLD TAG NO. 2562
305	20	LIVE OAK	2 BOLE 15, 10 OLD TAG NO. 2563
306	17	LIVE OAK	2 BOLE 12, 9 OLD TAG NO. 2564
~~307~~	~~8~~	~~CEDAR~~	~~OLD TAG NO. 2565~~
308	4	CEDAR	DEAD
309	8	CEDAR	2 BOLE 6, 4 OLD TAG NO. 2567
310	10	CEDAR	OLD TAG NO. 3344
311	6	CEDAR	
~~312~~	~~6~~	~~CEDAR~~	~~OLD TAG NO. 3275~~
~~313~~	~~5~~	~~CEDAR~~	~~OLD TAG NO. 3280~~
~~314~~	~~6~~	~~CEDAR~~	~~OLD TAG NO. 3279~~
~~315~~	~~7~~	~~CEDAR~~	~~OLD TAG NO. 3278~~
~~316~~	~~7~~	~~CEDAR~~	~~OLD TAG NO. 3277~~
~~317~~	~~12~~	~~CEDAR~~	~~2 BOLE 10, 3 OLD TAG NO. 3276~~
~~318~~	~~5~~	~~CEDAR~~	~~OLD TAG NO. 3296~~
~~319~~	~~8~~	~~CEDAR~~	~~OLD TAG NO. 3297~~
~~320~~	~~4~~	~~CEDAR~~	~~OLD TAG NO. 3298~~
~~321~~	~~12~~	~~CEDAR~~	~~2 BOLE 8, 7 OLD TAG NO. 3299~~
~~322~~	~~8~~	~~CEDAR~~	~~DEAD, OLD TAG NO. 2886~~
~~323~~	~~6~~	~~CEDAR~~	~~OLD TAG NO. 2883~~
~~324~~	~~5~~	~~CEDAR~~	
~~325~~	~~7~~	~~CEDAR~~	~~OLD TAG NO. 2881~~
~~326~~	~~6~~	~~CEDAR~~	~~OLD TAG NO. 2880~~
~~327~~	~~7~~	~~CEDAR~~	~~OLD TAG NO. 2572~~
~~328~~	~~7~~	~~CEDAR~~	~~OLD TAG NO. 2571~~
~~329~~	~~5~~	~~CEDAR~~	
~~330~~	~~5~~	~~CEDAR~~	~~OLD TAG NO. 2568~~
331	5	CEDAR	
332	8	SPANISH OAK	OLD TAG NO. 2891
333	6	CEDAR	
334	12	CEDAR	OLD TAG NO. 2888
335	5	CEDAR	DEAD
336	9	CEDAR	2 BOLE 7, 4 OLD TAG NO. 2890
~~337~~	~~12~~	~~CEDAR~~	
~~338~~	~~11~~	~~CEDAR~~	~~OLD TAG NO. 3302~~
~~339~~	~~19~~	~~LIVE OAK~~	~~2 BOLE 13, 12 OLD TAG NO. 3303~~
340	15	CEDAR	2 BOLE 11, 7 OLD TAG NO. 3305
341	8	LIVE OAK	OLD TAG NO. 3306
~~342~~	~~17~~	~~CEDAR~~	~~2 BOLE 14, 5 OLD TAG NO.3307~~
~~343~~	~~7~~	~~CEDAR~~	~~OLD TAG NO. 3308~~
~~344~~	~~7~~	~~CEDAR~~	~~OLD TAG NO. 3294~~
~~345~~	~~5~~	~~LIVE OAK~~	~~OLD TAG NO. 3312~~
~~346~~	~~23~~	~~CEDAR~~	~~2 BOLE 18, 9 OLD TAG NO. 3314~~
347	6	CEDAR	
348	8	CEDAR	2 BOLE 5, 5 OLD TAG NO. 3319
349	10	LIVE OAK	OLD TAG NO. 3321
350	6	CEDAR	OLD TAG NO. 3318
351	3	LIVE OAK	OLD TAG NO. 3316
352	6	LIVE OAK	OLD TAG NO. 3315
~~353~~	~~3~~	~~LIVE OAK~~	
~~354~~	~~6~~	~~LIVE OAK~~	~~2 BOLE 4, 3 OLD TAG NO. 3317~~
~~355~~	~~6~~	~~CEDAR~~	~~2 BOLE 4, 4 OLD TAG NO. 3313~~
2401	9	LIVE OAK	2 BOLE 6, 5 OLD TAG NO. 2752
2402	12	CEDAR	OLD TAG NO. 2751
~~2403~~	~~4~~	~~CEDAR~~	~~OLD TAG NO. 3281~~
2404	33	LIVE OAK	3 BOLE 19, 14, 13 OLD TAG NO. 3262
2405	11	CEDAR	OLD TAG NO. 3260
2406	16	CEDAR	OLD TAG NO. 3259
~~2407~~	~~15~~	~~CEDAR~~	~~2 BOLE 11, 8 OLD TAG NO. 3256~~
~~2408~~	~~4~~	~~CEDAR~~	~~OLD TAG NO. 3257~~
~~2409~~	~~9~~	~~CEDAR~~	~~OLD TAG NO. 3258~~
~~2410~~	~~13~~	~~CEDAR~~	~~OLD TAG NO. 3270~~
2411	12	CEDAR	OLD TAG NO. 3269
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~~2428~~	~~7~~	~~CEDAR~~	~~OLD TAG NO. 3292~~
~~2429~~	~~4~~	~~CEDAR~~	~~DEAD~~
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~~2433~~	~~11~~	~~CEDAR~~	~~OLD TAG NO. 3286~~
~~2434~~	~~14~~	~~CEDAR~~	~~3 BOLE 8, 6, 5 OLD TAG NO. 3284~~
~~2435~~	~~6~~	~~CEDAR~~	~~OLD TAG NO. 3283~~
~~2436~~	~~6~~	~~CEDAR~~	~~OLD TAG NO. 3282~~
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~~2438~~	~~5~~	~~CEDAR~~	
~~2439~~	~~12~~	~~CEDAR~~	~~2 BOLE 8, 7~~
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~~2441~~	~~2~~	~~CEDAR~~	~~DEAD~~
~~2442~~	~~6~~	~~CEDAR~~	
~~2443~~	~~13~~	~~CEDAR~~	~~3 BOLE 7, 6, 5 OLD TAG NO. 3273~~
~~2444~~	~~6~~	~~CEDAR~~	~~OLD TAG NO. 3274~~
~~2445~~	~~10~~	~~CEDAR~~	~~OLD TAG NO. 2566~~

NOTES:

1. THE BEARINGS SHOWN ON THIS SURVEY ARE BASED ON THE TEXAS STATE PLANE COORDINATE SYSTEM, CENTRAL ZONE (4203) NAD83.
2. ONLY THOSE OBSERVABLE ABOVE GROUND IMPROVEMENTS THAT WERE EVIDENT FROM A VISUAL INSPECTION OF THE PROPERTY AT THE TIME OF THE SURVEY ARE SHOWN HEREON. THEREFORE, THERE MAY BE ADDITIONAL IMPROVEMENTS UNDER THE SURFACE THAT WERE PREVIOUSLY CONSTRUCTED THAT ARE NOT SHOWN ON THIS SURVEY.
3. THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A COMMITMENT FOR TITLE INSURANCE, THEREFORE THERE MAY BE OTHER ENCUMBRANCES THAT AFFECT THIS PROPERTY THAT ARE NOT SHOWN HEREON.
4. LOT 5 IS DESIGNATED BY THE TRAVIS CENTRAL APPRAISAL DISTRICT AS PROPERTY ID: 937063.
5. THE ADDRESS OF LOT 5 IS 413 LEDGEWAY RIDGE, WEST LAKE HILLS, TEXAS 78746.
6. THE UTILITIES SHOWN HEREON ARE BASED ON OBSERVABLE ABOVE GROUND EVIDENCE FOUND AT THE TIME OF THE SURVEY.
7. ELEVATIONS ARE BASED ON GPS OBSERVATIONS WITH AN OPUS SOLUTION. NAVD88

FLOOD NOTE:

THIS PROPERTY LIES WITHIN THE FOLLOWING ZONES AS IDENTIFIED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD INSURANCE RATE MAP (FIRM) MAP AND PANEL NO. 48453C0445K, COMMUNITY NUMBER 481030 FOR TRAVIS COUNTY, TEXAS AND INCORPORATED AREAS, MAP REVISED JANUARY 22, 2020.

REGULATORY FLOODWAY ZONE "AE"– SPECIAL FLOOD HAZARD AREAS SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD (100–YEAR FLOOD) WITH BASE FLOOD ELEVATIONS DETERMINED. (LITTLE BEE CREEK)

ZONE "X"– AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN (500–YEAR FLOOD)

THIS DETERMINATION HAS BEEN MADE BY SCALING THE PROPERTY ON THE ABOVE REFERENCED MAP AND IS NOT THE RESULT OF AN ELEVATION SURVEY. THIS STATEMENT DOES NOT IMPLY THAT THE PROPERTY AND/OR THE STRUCTURES THEREON WILL BE FREE FROM FLOODING OR FLOOD DAMAGE. ON RARE OCCASIONS GREATER FLOODS CAN AND WILL OCCUR AND FLOOD HEIGHTS MAY BE INCREASED BY MANMADE OR NATURAL CAUSES. THIS FLOOD STATEMENT SHALL NOT CREATE LIABILITY ON THE PART OF THE SURVEYOR.

I HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND AND THIS PLAT REPRESENTS THE FACTS FOUND AT THE TIME OF THE SURVEY.

Clifton Seward 05/21/2024

CLIFTON SEWARD, R.P.L.S. NO. 4337

STATE OF TEXAS REGISTERED CLIFTON SEWARD 4337 PROFESSIONAL LAND SURVEYOR

DRAWN BY	RJF
CHECKED	CS
DATE	5/15/2023
PROJECT NO	2133
DRAWING NO	2133.05
SHEET NO.	1 OF 1
FILENAME	2133_Lot 5 Topo.dwg

TREE AND TOPOGRAPHIC SURVEY
PORTION OF LOT 5
EAST LEDGEWAY SUBDIVISION
DOC. NO. 201900132
OFFICIAL PUBLIC RECORDS
TRAVIS COUNTY TEXAS

RAMSEY LAND SURVEYING
TBPELS FIRM LICENSE NO. 10033200
9433 BEE CAVES RD, STE 3–102
AUSTIN, TEXAS 78733
PHONE 512–301–9398
cseward@rlsurveying.com

NO	REVISIONS	DRN	CHK	DATE

PROPOSED TREE REMOVAL

TREE TO BE REMOVED — TREE TO REMAIN

LEGEND

TREES TO REMAIN	13" AND BELOW	14" AND ABOVE
LIVE & SPANISH OAKS		
CEDARS		
OTHER SPECIES (NOT A LIVE OAK OR CEDAR)		
TREES TO BE REMOVED	**13" AND BELOW**	**14" AND ABOVE**
LIVE OAKS		
CEDARS		

CEDARS TO BE REMOVED

ALL CEDARS ARE 13" AND BELOW EXCEPT:

342	17"
346	23"
2407	15"
2420	17"

LIVE OAKS TO BE REMOVED

339	19"	(SEE IMAGE BELOW)
345	5"	
353	3"	
354	6"	
2437	18"	(SEE IMAGE BELOW)

***ALL REQUIRED TREE MITIGATION WILL OCCUR**

TREE 339

TREE 2437

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CUSTOM RESIDENCE FOR
THE REYNOLDS FAMILY
413 LEDGEWAY RIDGE
WEST LAKE HILLS, TX 78746

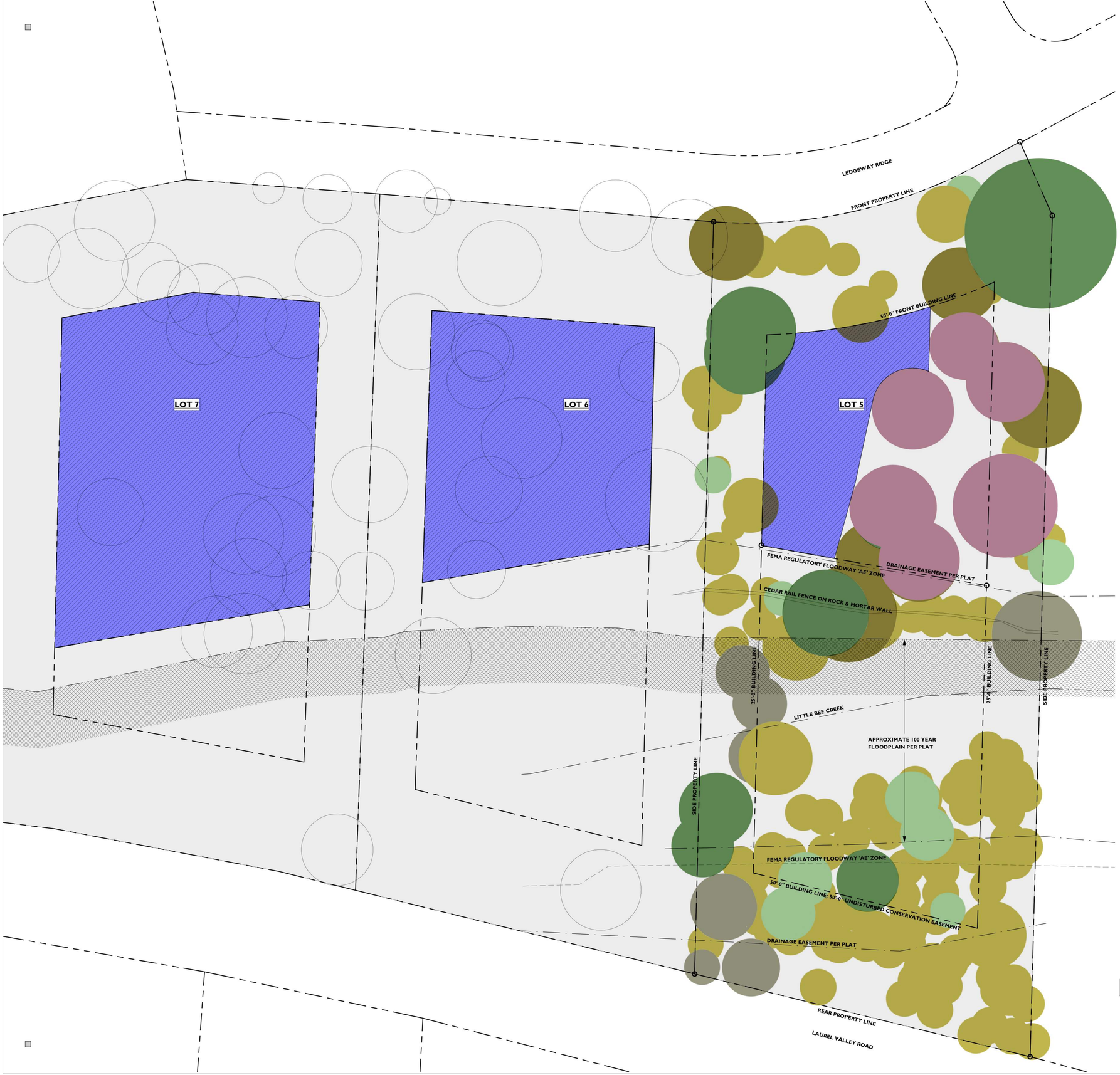
Revision Schedule

Revision Number	Revision Date

JAN. 06, 2025

SURVEY & TREE INFORMATION

ASP-1



GENERAL NOTES

LEGAL DESCRIPTION: **LOT 05**, EAST LEDGEWAY SUBDIVISION
JURISDICTION: **CITY OF WEST LAKE HILLS**; TRAVIS COUNTY
ADDRESS: **413 LEDGEWAY RIDGE**

LOT 05		AREA	% OF LOT
	TOTAL LOT AREA:	**54,886 SF (1.26 AC)**	**100%**
	BUILDABLE AREA:	**4,793 SF (estimate)**	**8.7% (estimate)**

MAX IMPERVIOUS COVER: 54,886 SF x 25% = 13,722 SF
MAX HEIGHT: 30'-0"

LOT 06 & 07 BUILDABLE AREAS (AS THEY RELATE TO LOT 05)

LOT 06		AREA	% OF LOT
	TOTAL LOT AREA:	48,528 SF	100%
	POSSIBLE BUILD AREA:	10,920 SF (estimate)	22% (estimate)

LOT 07		AREA	% OF LOT
	TOTAL LOT AREA:	55,388 SF	100%
	POSSIBLE BUILD AREA:	16,518 SF (estimate)	30% (estimate)

TREES PROPOSED TO BE REMOVED (SEE SURVEY)

1 BUILDABLE AREA 1" = 20'-0"

0' 10' 20' 60' 100'

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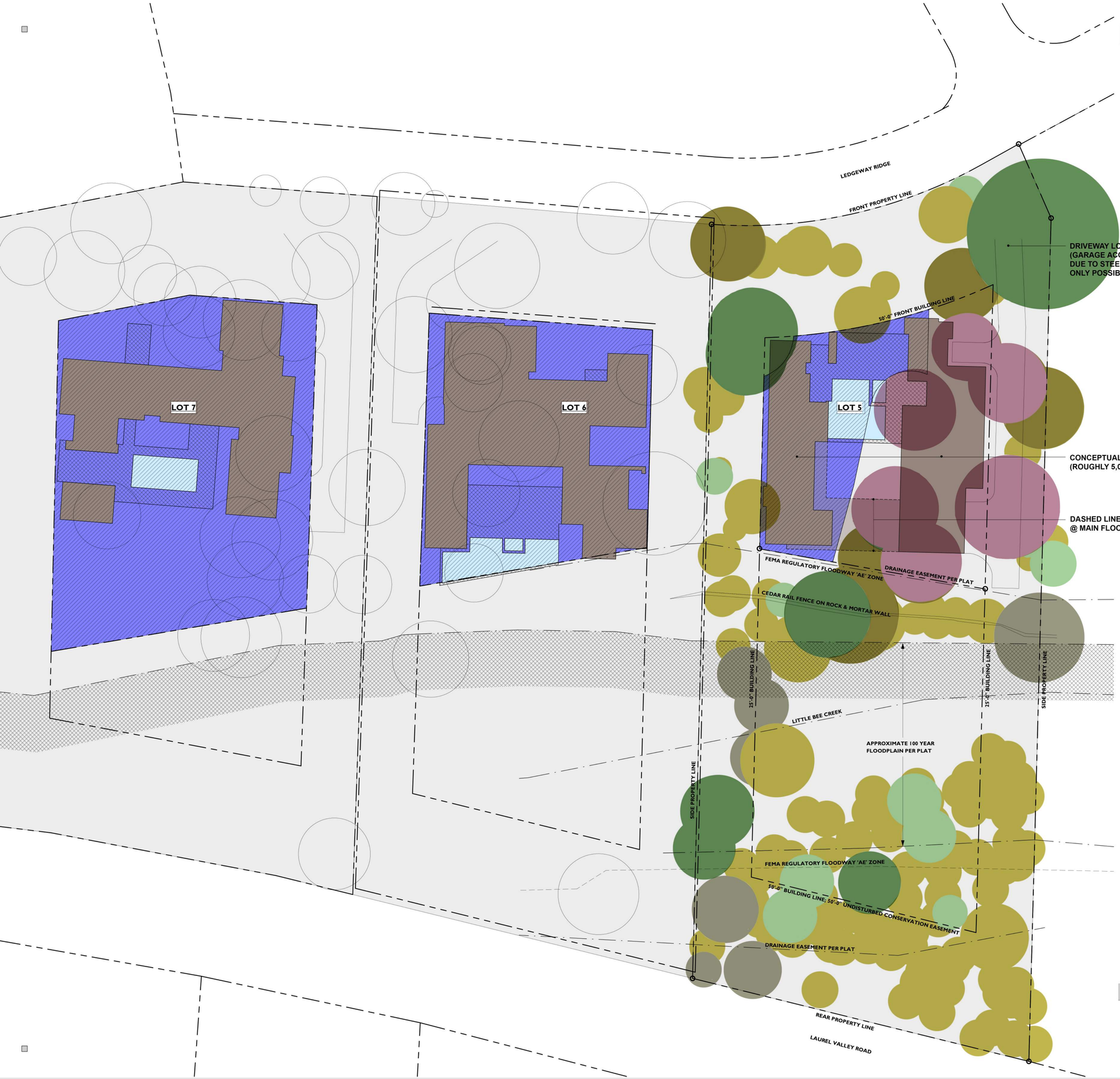
Revision Schedule

Revision Number	Revision Date

JAN. 06, 2025

BUILDABLE AREA

ASP-2



GENERAL NOTES

LEGAL DESCRIPTION:	**LOT 05**, EAST LEDGEWAY SUBDIVISION
JURISDICTION:	**CITY OF WEST LAKE HILLS**; TRAVIS COUNTY
ADDRESS:	**413 LEDGEWAY RIDGE**

		AREA	% OF LOT
LOT 05	**TOTAL LOT AREA:**	**54,886 SF (1.26 AC)**	**100%**
	BUILDABLE AREA:	**4,793 SF (estimate)**	**8.7% (estimate)**

MAX IMPERVIOUS COVER: 54,886 SF x 25% = 13,722 SF

MAX HEIGHT: 30'-0"

LOT 06 & 07 BUILDABLE AREAS (AS THEY RELATE TO LOT 05)

		AREA	% OF LOT
LOT 06	TOTAL LOT AREA:	48,528 SF	100%
	POSSIBLE BUILD AREA:	10,920 SF (estimate)	22% (estimate)
LOT 07	TOTAL LOT AREA:	55,388 SF	100%
	POSSIBLE BUILD AREA:	16,518 SF (estimate)	30% (estimate)

TREES PROPOSED TO BE REMOVED (SEE SURVEY)

1 CONCEPTUAL SITE PLAN 1" = 20'-0"

0' 10' 20' 60' 100'

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Revision Schedule

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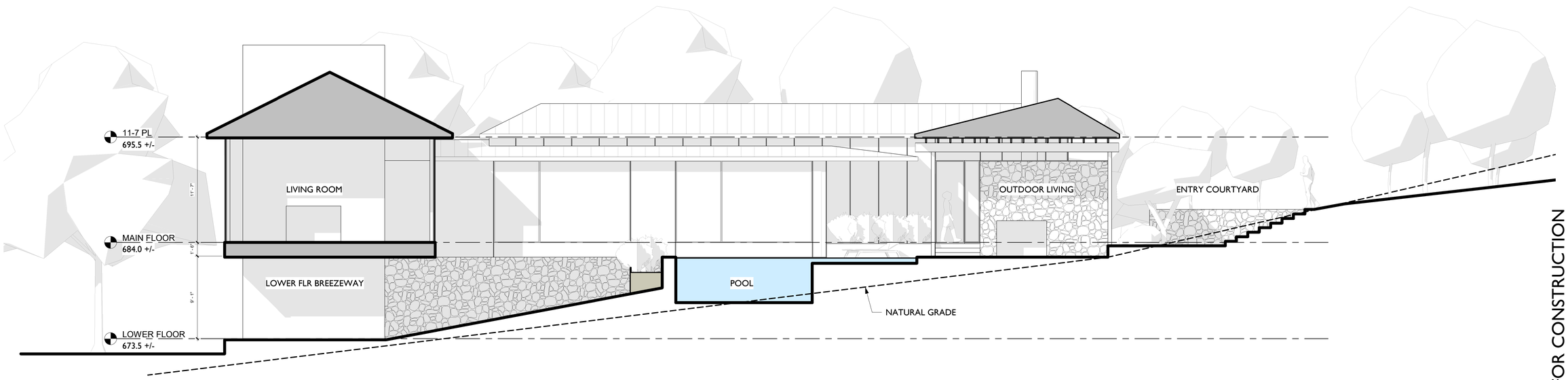
JAN. 06, 2025

CONCEPTUAL SITE PLAN

ASP-3



THE FINISHED FLOOR ELEVATION OF THE RESIDENCE ALIGNS WITH THE NATURAL GRADE AT THE FRONT OF THE HOME. AS THE SLOPE DESCENDS TOWARD THE REAR, THE MAIN FLOOR IS ELEVATED AND BRIDGED OVER THE TOPOGRAPHY BELOW, RESPONDING SENSITIVELY TO THE GRADE.

TO FURTHER ADAPT TO THE SLOPED TERRAIN, WE ARE PROPOSING TO INCORPORATE ADDITIONAL SQUARE FOOTAGE ON THE LOWER FLOOR, WHERE THE FINISHED FLOOR NATURALLY MEETS THE GRADE.

THE REMOVAL OF THE PROPOSED TREES IS ESSENTIAL TO THIS SITE-SENSITIVE DESIGN, AS THEY WOULD OTHERWISE DISRUPT THE RELATIONSHIP BETWEEN THE HOME'S FINISHED FLOOR AND THE ADJACENT TOPOGRAPHY.

1 SITE SECTION 3/16" = 1'-0"

0' 6' 12' 24'

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SITE SECTION

A2.3

Exhibit A

413 Ledgeway Ridge – Tree Removal

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.

   The placement of several protected trees on the lot severely restricts its buildability. At present, only approximately 8% of the lot is available for construction due to the locations of the trees. The lot is heavily wooded, and we are requesting approval to remove two protected oak trees and four protected cedar trees in order to establish a sufficient buildable area. The homeowner is fully aware of the mitigation requirements and is committed to addressing them proactively as necessary.

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

   The trees will be carefully removed as to not disturb any adjacent terrain. The homeowner will mitigate the necessary tree inches as a result of tree removal. The existing vegetative buffer in the 25' side setback will be preserved to continue to provide privacy between the 2 properties.

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

   We have made efforts to design the home within the current allowable buildable area. However, due to the limited buildable space, steep terrain, and the necessary placement of the driveway, this lot presents significant challenges for construction. Additionally, the trees we propose to remove are situated along the slope, with their elevation much lower than the planned Finished Floor Elevation of the home, creating a disconnected relationship between the house and the landscape.

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

   The removal of protected trees is not ideal, as our ethos is to always integrate existing trees and landscape elements to complement the new home. This lot is heavily wooded, and given the location of the trees, their removal would likely go unnoticed, resulting in minimal visual impact on the overall landscape. The newly proposed trees will be planted strategically, considering the site context, including neighboring views and solar orientation.

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

   Without the removal of these trees, this lot would become unbuildable in relation to the neighborhood standards.

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

   This lot is heavily wooded, so privacy between neighbors is not a concern. Any newly planted trees can be strategically placed to further enhance privacy.

City *of* West Lake Hills
Zoning and Planning Commission
AGENDA REPORT

Meeting Date:	February 19, 2025	**Item Number:**	9
Department:	Building & Development Services		
Prepared By:	Jennifer C. Bills	**Cost / Budget:**	None
Exhibits:	See Attached	**Source of Funds:**	N/A

Subject

1420 Redbud Trl.: Discuss and make a recommendation on a variance for an encroachment into the required 50 foot front setback (Section 22.03.275 and 22.03.281 of the West Lake Hills Code).

Applicant: Renee Salazar, Owner

Recommendation

Staff recommend denial of the variance request. Hardship is design driven and the actual conditions are greater than the applicant requested.

This item will be forwarded to the March 12, 2025 Board of Adjustment meeting for consideration.

Discussion

Property Information, Zoning & Site Characteristics:
Owners: Rene and Kristine Salazar
Legal Description: 1.112 acres out of the TJ Chambers Survey, Abstract 198 SUR 504
Lot Size: 1.112 acres
Zoning: R-1 One-Family Residential
Wastewater: On-Site Sewer Facility (septic)

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

Background & Analysis:
The applicant started construction of a patio cover without applying for or receiving any permits. They are proposing to add a patio cover over the existing flagstone patio to the front of the house (Attachment 1). The site is a corner lot, with two front yard setbacks, from Redbud Trail and Old Wagon Trail. The front of the existing house (built 1970) faces Redbud Trail and encroaches 3.5 feet into the 50-foot front setback. The front patio currently encroaches up to 12 into the front setback. The applicant states that the encroachment for the cover would only be 4 feet, but scaling the site plan shows that the cover would encroach up to 14 feet into the 50-foot setback.

Public Comments:
The applicant submitted two letters of support with the application (Attachment 4). As of the date of the staff report, no other written comments have been received.

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.

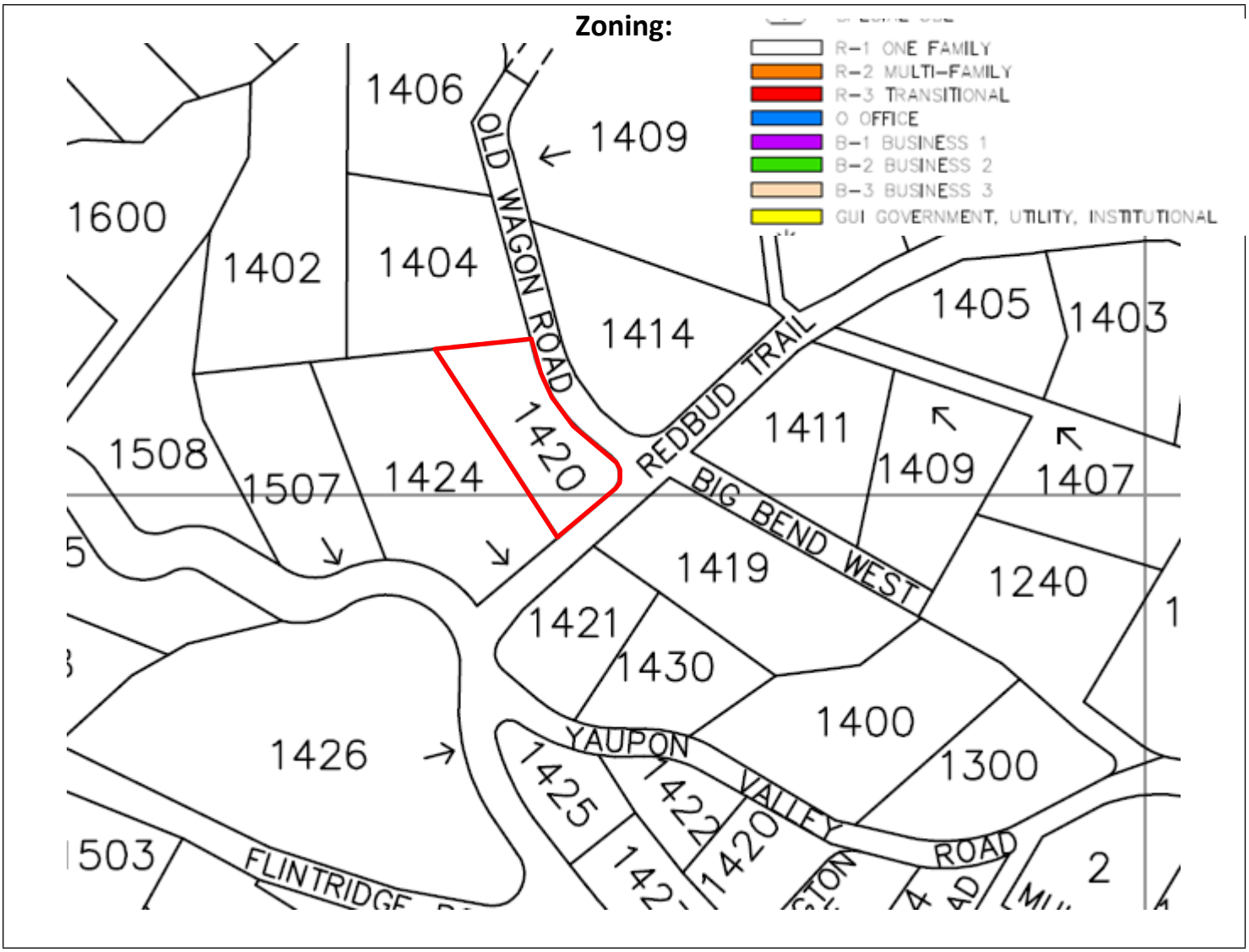
The findings of fact as alleged by the applicant and city staff are attached in the following exhibits.

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

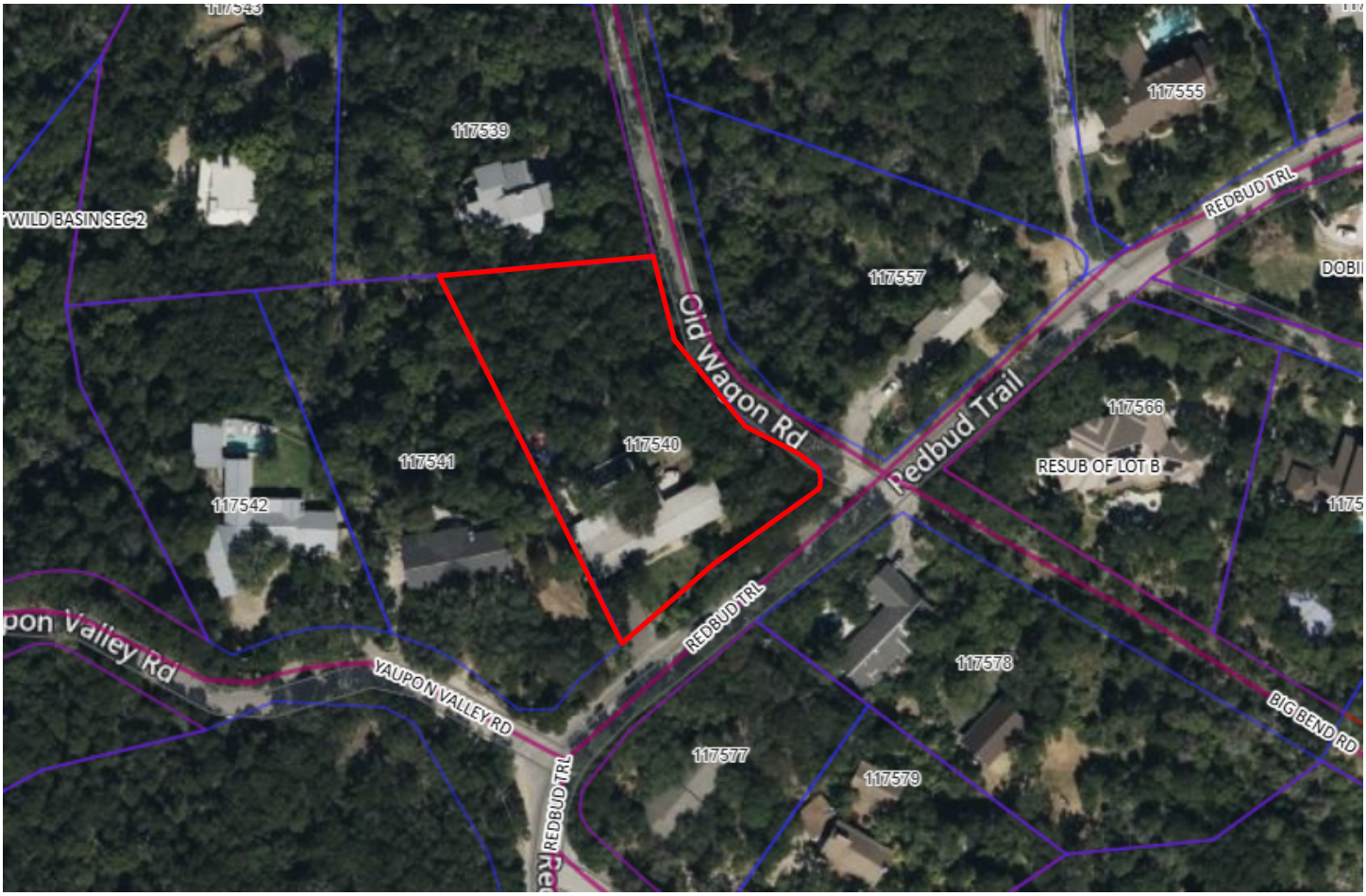
Outdoor Lighting
Outdoor lighting is not proposed with this variance request. Any outdoor lighting will need to comply with the City's Code.
Compliance with Adopted International Building Code
The property and future construction will have to comply with all applicable City codes.
Subdivision
There is 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 22.03.170 Site disturbance (excavation, grading or filling)**
- **Section 38.05.031 Variances**
- **Section 22.03.514 Criteria and process required for granting a variance**


Zoning:
R-1 ONE FAMILY
R-2 MULTI-FAMILY
R-3 TRANSITIONAL
O OFFICE
B-1 BUSINESS 1
B-2 BUSINESS 2
B-3 BUSINESS 3
GUI GOVERNMENT, UTILITY, INSTITUTIONAL
1406
1409
1600
1402
1404
OLD WAGON ROAD
1414
1405
1403
REDBUD TRAIL
1411
1409
1407
1508
1507
1424
1420
BIG BEND WEST
1419
1240
1421
1430
1400
1426
YAUPON
VALLEY
ROAD
1300
1425
1422
1420
503
FLINTRIDGE
2

Aerial:


117539
WILD BASIN SEC 2
117555
REDBUD TRL
117557
Old Wagon Rd
Redbud Trail
117566
RESUB OF LOT B
117540
117541
117542
REDBUD TRL
YAUPON VALLEY RD
117578
BIG BEND RD
117577
117579
REDBUD TRL

Date 1/3/25
Re: Zapco letter requesting approval for variance

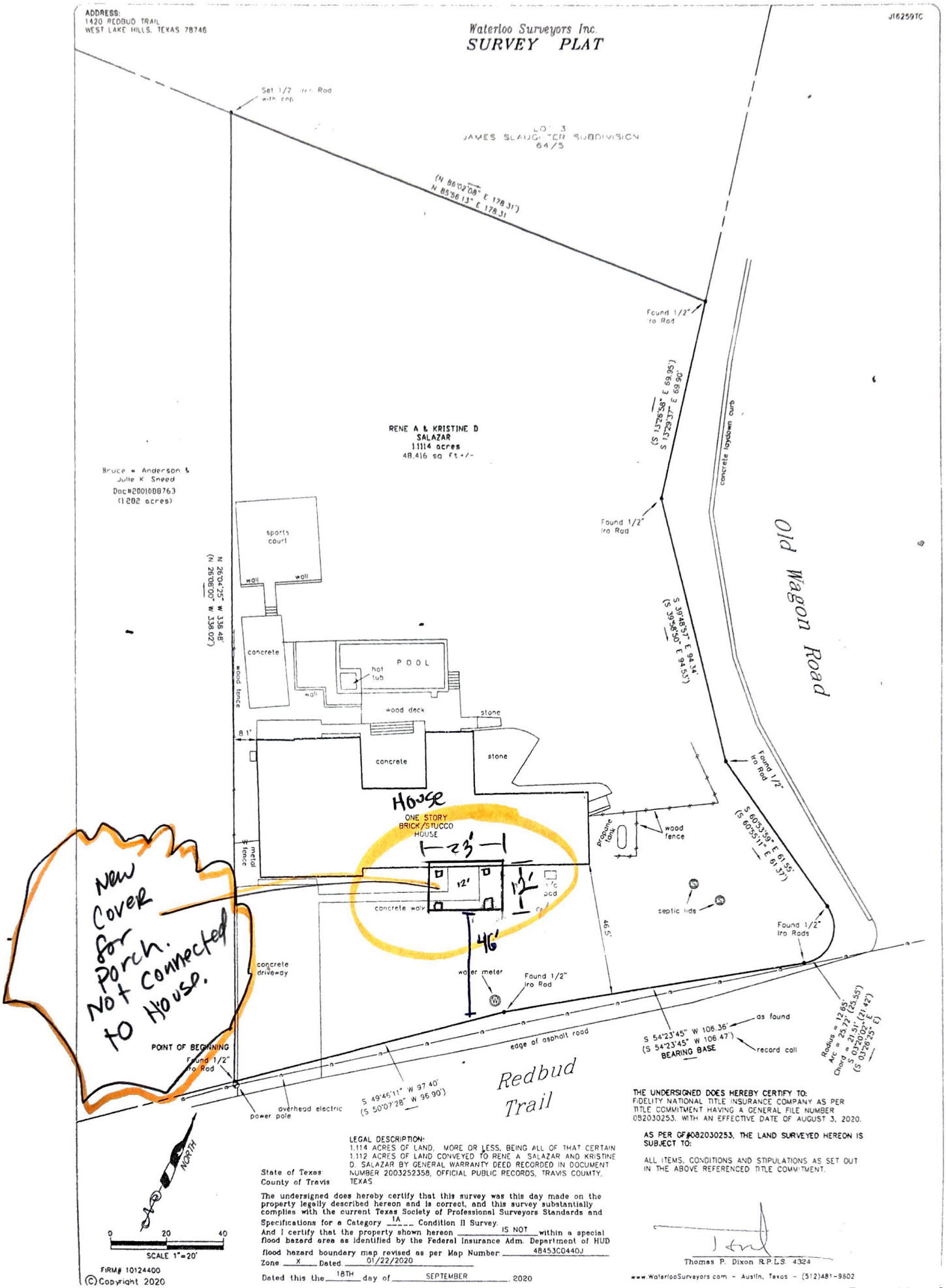
To ZAPCO Chairperson,
I am requesting a variance meeting to discuss my permit for covering my front stone patio. The patio will not be connected to house. it will be free standing. The current patio is in the setback of the front of the house. A couple of feet within the set back. I am requesting a variance for the construction of a cover for the stone patio that would help guard the house and contents of harsh weather. Also it would be important to have adequte cover as we age in place. Stone patio has been there >22 yrs. This would not disrupt the areas character and has no negative impact to neighbors and community. It will in fact beautify the houses appearance, therefore the neighborhood. We are simply wanting to cover the patio. Our current Impervious cover is 18.6%. With the overhang on both sides of patio impervious cover goes to 18.8% according to our survey company. Well within code.

Thank you
Rene A. Salazar
512-470-7661
1420 Redbud Trl
Westlake Hills Tx 78746
Owner 22+yrs

ADDRESS:
1420 REDBUD TRAIL
WEST LAKE HILLS, TEXAS 78746

J16259TC

Waterloo Surveyors Inc.
SURVEY PLAT



THE UNDERSIGNED DOES HEREBY CERTIFY TO:
FIDELITY NATIONAL TITLE INSURANCE COMPANY AS PER TITLE COMMITMENT HAVING A GENERAL FILE NUMBER 082030253, WITH AN EFFECTIVE DATE OF AUGUST 3, 2020.

AS PER GF#082030253, THE LAND SURVEYED HEREON IS SUBJECT TO:

ALL ITEMS, CONDITIONS AND STIPULATIONS AS SET OUT IN THE ABOVE REFERENCED TITLE COMMITMENT.

LEGAL DESCRIPTION:
1.114 ACRES OF LAND, MORE OR LESS, BEING ALL OF THAT CERTAIN 1.112 ACRES OF LAND CONVEYED TO RENE A. SALAZAR AND KRISTINE D. SALAZAR BY GENERAL WARRANTY DEED RECORDED IN DOCUMENT NUMBER 2003252358, OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS

State of Texas
County of Travis

The undersigned does hereby certify that this survey was this day made on the property legally described hereon and is correct, and this survey substantially complies with the current Texas Society of Professional Surveyors Standards and Specifications for a Category 1A Condition II Survey.
And I certify that the property shown hereon IS NOT within a special flood hazard area as identified by the Federal Insurance Adm. Department of HUD flood hazard boundary map revised as per Map Number 48453C0440J
Zone X Dated 01/22/2020

Dated this the 18TH day of SEPTEMBER, 2020

Thomas P. Dixon R.P.L.S. 4324

www.WaterlooSurveyors.com - Austin, Texas - (512)481-9602

FIRM# 10124400

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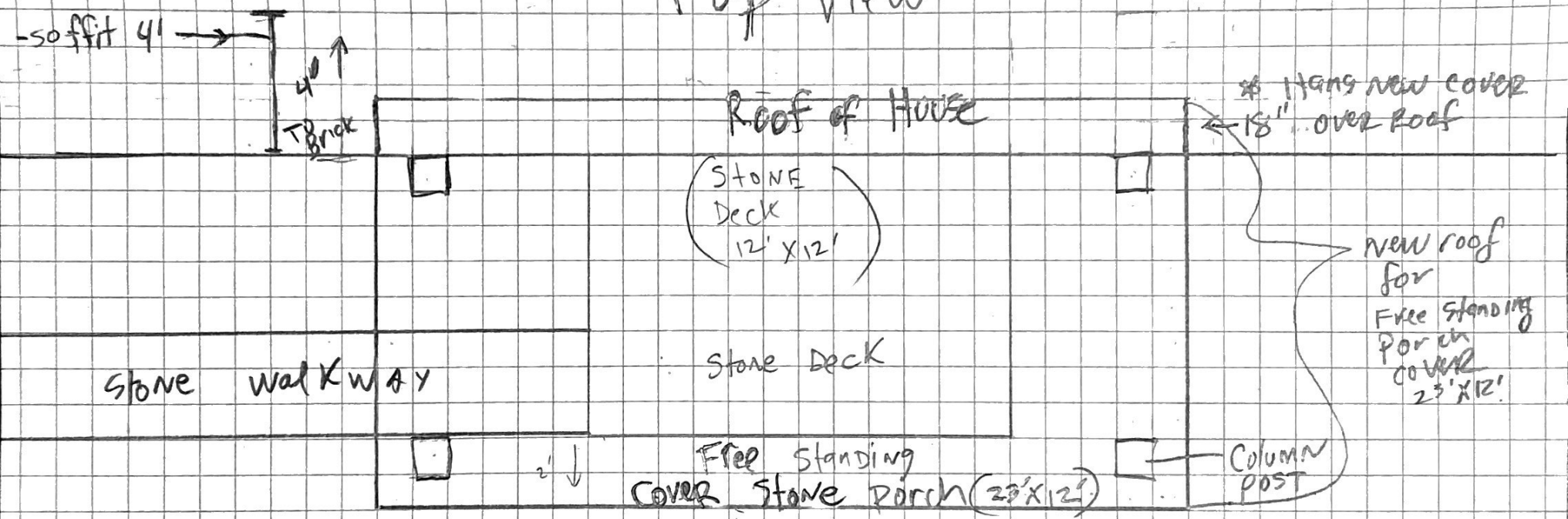
①

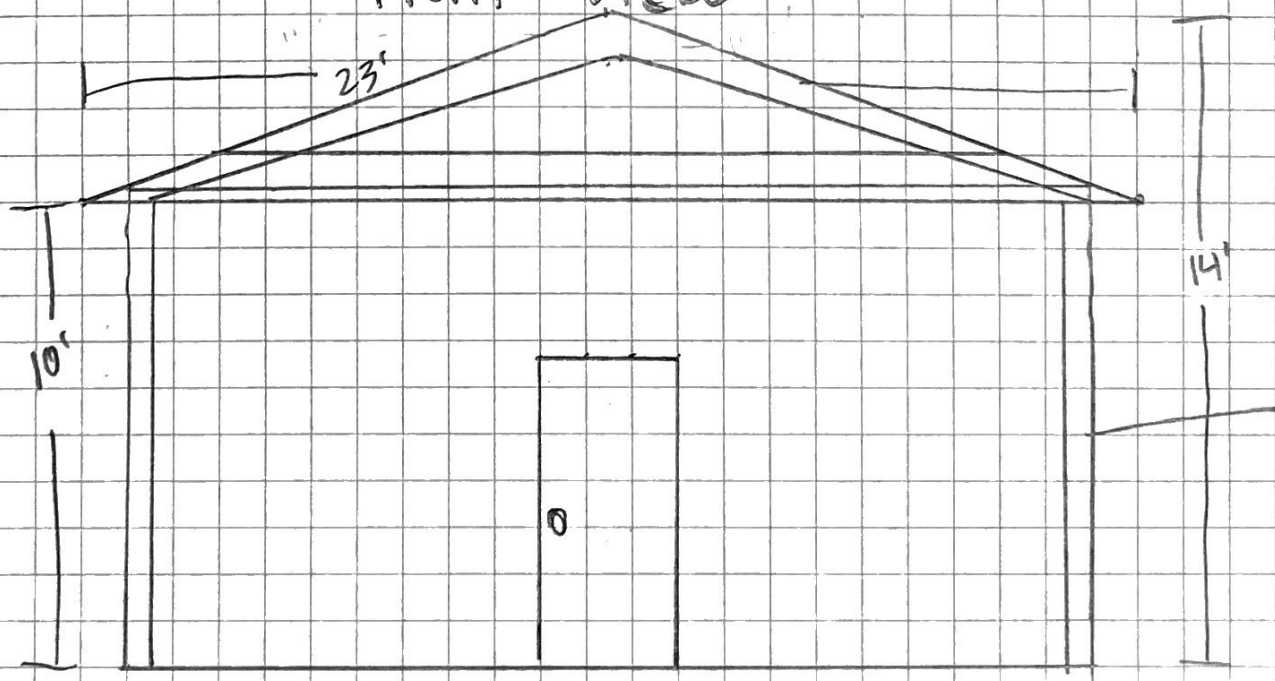
Top View



②

Front View

- Slope roof 4"/Ft.
- Brown Metal Roof
  16" X 12'
- Fascia 9"



* Ea Block is 1'

ADDRESS:
1420 REDBUD TRAIL
WEST LAKE HILLS, TEXAS 78746

J16259TC

Waterloo Surveyors Inc.

SURVEY PLAT

Set 1/2" Irn Rod with cap

LOT 3
JAMES SLAUGHTER SUBDIVISION
64/5

(N 86°02'08" E 178.31')
N 85°56'13" E 178.31'

Found 1/2" Irn Rod

(S 13°26'58" E 69.95')
S 13°29'37" E 69.90'

RENE A & KRISTINE D
SALAZAR
1.1114 acres
48,416 sq. Ft.+/-

Bruce W. Anderson &
Julie K. Sneed
Doc#2001088763
(1.202 acres)

concrete laydown curb

Found 1/2" Irn Rod

sports court

wall

wall

N 26°04'25" W 338.48'
(N 26°08'00" W 338.02')

concrete

wood fence

POOL

hot tub

wall

wood deck

stone

81'

concrete

stone

House

ONE STORY
BRICK/STUCCO
HOUSE

23'

12'

14'

concrete walk

propane tank

wood fence

S 39°48'57" E 94.34'
(S 39°58'50" E 94.53')

Old Wagon Road

Found 1/2" Irn Rod

S 60°33'39" E 61.55'
(S 60°51'11" E 61.37')

septic lids

46.5'

Found 1/2" Irn Rods

metal fence

New Cover for Porch. Not connected to House.

concrete driveway

water meter

Found 1/2" Irn Rod

POINT OF BEGINNING
Found 1/2" Irn Rod

edge of asphalt road

S 54°23'45" W 106.36' as found
(S 54°23'45" W 106.47') record call
BEARING BASE

Radius = 12.65'
Arc = 25.72' (25.55')
Chord = 21.51' (21.42')
S 02°20'02" E
(S 02°26'25" E)

Power pole

Overhead electric

S 49°46'11" W 97.40'
(S 50°07'28" W 98.90')

Redbud Trail

NORTH

0 20 40
SCALE 1"=20'

LEGAL DESCRIPTION:
1.114 ACRES OF LAND, MORE OR LESS, BEING ALL OF THAT CERTAIN 1.112 ACRES OF LAND CONVEYED TO RENE A SALAZAR AND KRISTINE D. SALAZAR BY GENERAL WARRANTY DEED RECORDED IN DOCUMENT NUMBER 2003252358, OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS

State of Texas
County of Travis

The undersigned does hereby certify that this survey was this day made on the property legally described hereon and is correct, and this survey substantially complies with the current Texas Society of Professional Surveyors Standards and Specifications for a Category 1A Condition II Survey.
And I certify that the property shown hereon is in a flood hazard area as identified by the Federal Emergency Management Agency (FEMA) flood hazard area as identified [illegible]

THE UNDERSIGNED DOES HEREBY CERTIFY TO:
FIDELITY NATIONAL TITLE INSURANCE COMPANY AS PER TITLE COMMITMENT HAVING A GENERAL FILE NUMBER 0S2030253, WITH AN EFFECTIVE DATE OF AUGUST 3, 2020.

AS PER GF#0S2030253, THE LAND SURVEYED HEREON IS SUBJECT TO:

ALL ITEMS, CONDITIONS AND STIPULATIONS AS SET OUT IN THE ABOVE REFERENCED TITLE COMMITMENT

FIRM# 10124600

[impervious cover/ Set back]

ADDRESS:
1420 REDBUD TRAIL
WEST LAKE HILLS, TEXAS 78746

J16259TC

Waterloo Surveyors Inc.
SURVEY PLAT

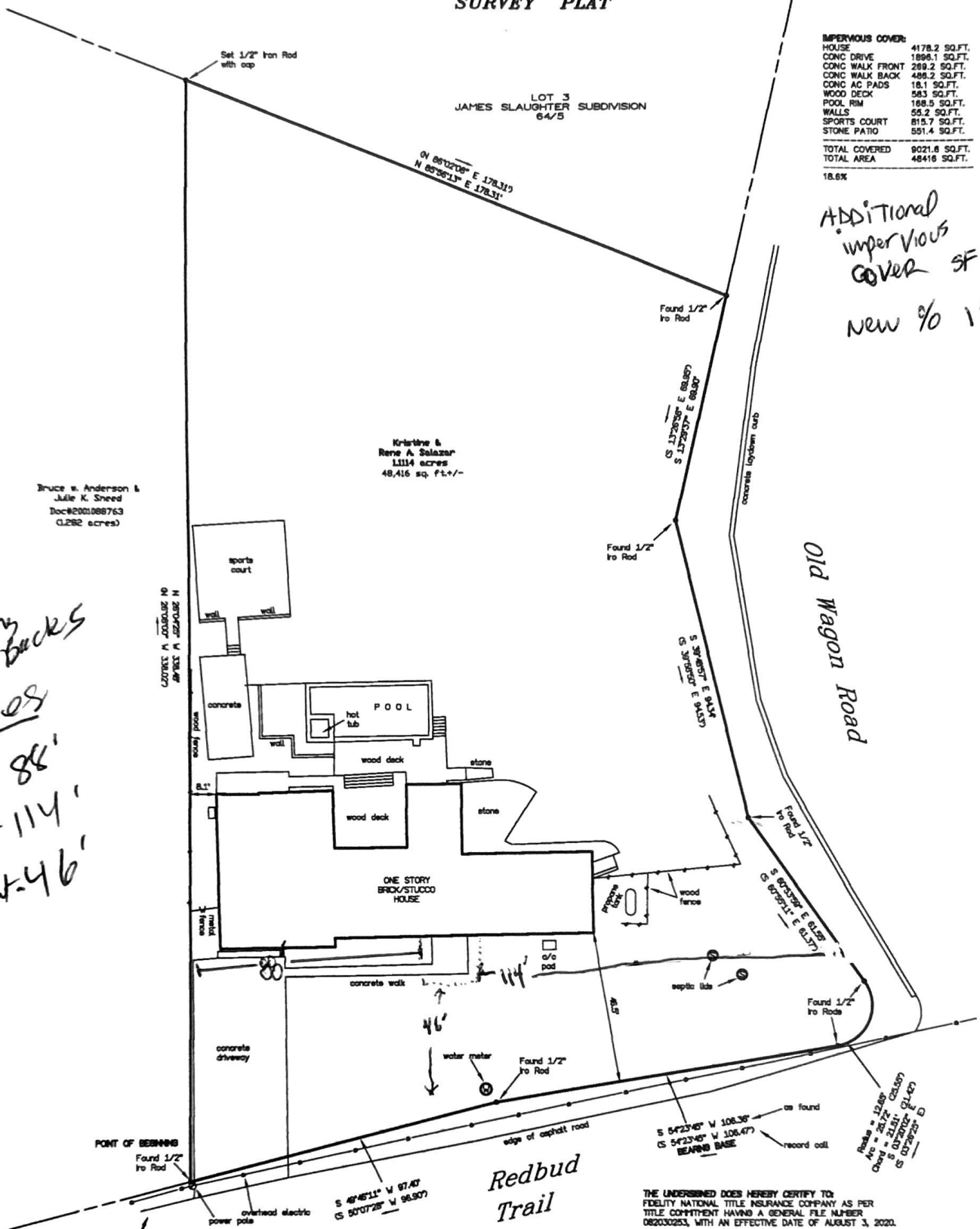
IMPERVIOUS COVER:

HOUSE	4178.2 SQ.FT.
CONC DRIVE	1896.1 SQ.FT.
CONC WALK FRONT	289.2 SQ.FT.
CONC WALK BACK	486.2 SQ.FT.
CONC AC PADS	18.1 SQ.FT.
WOOD DECK	583 SQ.FT.
POOL RIM	168.5 SQ.FT.
WALLS	55.2 SQ.FT.
SPORTS COURT	815.7 SQ.FT.
STONE PATIO	551.4 SQ.FT.
TOTAL COVERED	9021.8 SQ.FT.
TOTAL AREA	48416 SQ.FT.

18.6%

ADDITIONAL impervious COVER SF - 116 SF

New % 18.8%



Zoning Set backs
Sides
L - 88'
R - 114'
Front - 46'

LEGAL DESCRIPTION:
1.114 ACRES OF LAND, MORE OR LESS, BEING ALL OF THAT CERTAIN 1.112 ACRES OF LAND CONVEYED TO RENE A. SALAZAR AND KRISTINE D. SALAZAR BY GENERAL WARRANTY DEED RECORDED IN DOCUMENT NUMBER 2003252358, OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS.

State of Texas:
County of Travis:

The undersigned does hereby certify that this survey was this day made on the property legally described hereon and is correct, and this survey substantially complies with the current Texas Society of Professional Surveyors Standards and Specifications for a Category 1A Condition II Survey.

And I certify that the property shown hereon IS NOT within a special flood hazard area as identified by the Federal Insurance Adm. Department of HUD flood hazard boundary map revised as per Map Number: 48453C0440J

Zone: X Dated: 01/22/2020

Dated this the 18TH day of SEPTEMBER, 2020.

THE UNDERSIGNED DOES HEREBY CERTIFY TO:
FIDELITY NATIONAL TITLE INSURANCE COMPANY AS PER TITLE COMMITMENT HAVING A GENERAL FILE NUMBER 082030253, WITH AN EFFECTIVE DATE OF AUGUST 3, 2020.

AS PER GF#082030253, THE LAND SURVEYED HEREON IS SUBJECT TO:

ALL ITEMS, CONDITIONS AND STIPULATIONS AS SET OUT IN THE ABOVE REFERENCED TITLE COMMITMENT.

Thomas P. Dixon R.P.L.S. 4384

www.WaterlooSurveyors.com – Austin, Texas – (512)481-9802

FRM# 1012400

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To whom it may concern,

We have no problem with the porch cover the Salazar's are requesting to build at 1420 Redbud Trail.

Name

Bernie Tejada

Address

1421 Redbud Trail

Westlake Hills, Texas 78746

512.327.1325

Hi Kris! Sorry for the late response but we've been out of town and just returned (right in time for the cold 🥶). Of course, we support your variance and will sign whatever you need to proceed. It looks like a great improvement and we hope all goes well! Cheers, Lyn

Exhibit A

1420 Redbud Trl – Front Setback Encroachment

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.

   Unnecessary hardship will be incurred by not having cover from rain downpours and relieve the front door and house of the harsh sun that we get here in Westlake Hills. It will be necessary to have cover as we age in place.

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

   Nothing has to be removed or destroyed.

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

   Other alternatives are very expensive. Pull off roof and connect to house and build patio within code would cost approx $100k.

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

   The Variance we are requesting is very minimal anyway. We are merely trying to cover our current stone patio. So it is already in the set back and we are trying to cover it.This minimal set back infringement will benefit homeowners by protective cover during harsh sun and rain and beautify the house, therefore the improving the neighborhood.

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

   There is currently a stone patio grandfathered in that is a few feet within the set back. Also the overhang will not exceed the impervious cover. Currently at 18.6%, new with patio 18.8%.

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

   We are not requesting to do anything out of the ordinary. It is pretty typical that houses have covered front patios. I believe that this project would beautify the house therefore

the neighborhood. If you approve this variance this will not lead to an undesirable change in the view from both the property itself and from neighboring properties, affecting overall property values

Exhibit B

1420 Redbud Trl – Front Setback Variance

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 house is similarly situated to the other houses in the area.

2. There will not be unreasonable disruption of the natural terrain or unreasonable destruction of existing flora.
   No additional disruption to the natural terrain is anticipated.

3. There is no reasonable alternative to the requisite variance that will alleviate the difficulty or hardship complained of.
   A front patio roof cover is not a necessary item for the use of the existing single family house.

4. The variance will not be greater than the minimum required to alleviate the difficulty or hardship complained of.
   The applicant has stated they are requesting a four foot encroachment into the 50 foot front setback, but estimating from the submitted drawings show that the encroachment would be closer to 12 feet.

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

6. The variance will not adversely affect neighboring properties or interfere with the enjoyment of these properties by their owners.
   No neighbors have indicated that they will be adversely impacted by the proposal.