



CITY OF WEST LAKE HILLS, TEXAS
NOTICE OF ZONING & PLANNING COMMISSION (ZAPCO) REGULAR MEETING
Wednesday, July 15, 2020 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 Remote Meeting on the 15th day of July 2020 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:

REMOTE ACCESS ONLY:

In accordance with the order of the Office of the Governor issued March 16, 2020, the Zoning & Planning Commission of the City of West Lake Hills will conduct a telephonic meeting in order to advance the public health goal of limiting face-to-face meetings (also called “social distancing”) to slow the spread of the Coronavirus (COVID-19).

The public may participate in this meeting by dialing in to the following toll-free number **1-346-248-7799, Meeting ID 349 954 9035, Password: 387042**

If you wish to speak during the meeting, please submit your **name, phone number and the item #** you wish to speak on at least 6 hours prior to the meeting (12:30 p.m. on Wednesday July 15th) by emailing planner@westlakehills.org or pzsec@westlakehills.org.

Members of the public who wish to submit their written comments in lieu of speaking shall submit their comments by emailing planner@westlakehills.org or pzsec@westlakehills.org. **Comments must be received by 12:30 P.M. on July 15th.**

The meeting will be live streamed here: <http://mixlr.com/city-of-west-lake-hills/> and the audio will be available on the City’s website the day after the meeting.

1. Call to Order. Chairman Robert Meisel.

2. 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 May 20, 2020 Regular Meeting Minutes.
 - b. Approval of the June 17, 2020 Regular Meeting Minutes.
3. Land Use 437 Brady Lane: Discussion/recommendation of a variance application for three (3) variances in order to construct an outdoor patio/landscaping project: 1) Increase impervious cover from 40% to 43%; 2) Building and roof eave encroachment into the side setback; 3) Tree and vegetation removal for the encroachment into the 1/2 critical root zone of Tree # 975 - 17" Live Oak (West Lake Hills Code Sections 22.03.281 and 22.03.304). Applicants/Owners Allyson & Michael Marshall.
 - a. Staff Briefing
 - b. Presentation by applicant
 - c. Public Hearing: All persons wishing to speak for or against shall be heard.
 - d. Deliberation and Action
4. Land Use 2 Hull Circle: Discussion/consideration of a variance application for four (4) variances in order to remodel an existing residence: 1) building encroachment into the front setback - carport; 2) building encroachment into a setback - building addition; 3) excavation of up to 24" in a setback; 4) construct a new residential driveway less than the 12ft required minimum width (West Lake Hills Code Sections 22.03.281, 22.03.170, and 22.03.175). Owners/Applicants Katherine & Michael Alexander.
 - a. Staff Briefing
 - b. Presentation by applicant
 - c. Public Hearing: All persons wishing to speak for or against shall be heard.
 - d. Deliberation and Action
5. Adjournment. Chairman Robert Meisel.

Robert Meisel, Chairman
By Anjali Naini, Director of Building &
Development Services

Certificate

I certify that the above Notice of the July 15, 2020 Zoning & Planning Commission Meeting was posted on the bulletin board at the Municipal Building, 911 Westlake Drive, West Lake Hills, Texas on Friday, July 10, 2020 by 5:00 pm. and will remain posted continuously until said meeting is convened.

By Anjali Naini, Director of Building and
Development Services

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, TEXAS
MINUTES OF A ZONING & PLANNING COMMISSION (ZAPCO) REGULAR MEETING
Wednesday, May 20, 2020 at 6:30 PM

1. Call to Order. Chairman Robert Meisel.

With a quorum present, Chairman Meisel called the meeting to order at 6:30 p.m. Members in attendance were Robert Meisel, Bill Harwell, James Vaughan, Bill Vandersteel and Laurie Maccini.

2. 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 April 15, 2020 Regular Meeting Minutes.

COMMISSIONER MACCINI MOVES TO APPROVE THE MINUTES ALAURIE MOVES TO APOPROVE AS PRESENTED. BILL VANDERSTEEL. (6-0).

3. Land Use 4609 Bee Cave Road: Discussion/recommendation of a sign application for two (2) projecting/wall numerical street address signs at Creekside at the Hills (Chapter 32 of the West Lake Hills Code). Applicant CND Signs.

- a. Staff Briefing

City Planner Naini reads the staff report. The signs comply with the Code. Staff Recommendation: Approval of the two signs.

- b. Presentation by applicant

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

Chairman Meisel opened the meeting for public comments. Hearing none, the public comment section was closed.

- d. Deliberation and Action

Commissioner Vandersteel: Were all conditions met?

Planner Naini: Yes.

COMMISSIONER VANDERSTEEL MOVES TO RECOMMEND APPROVAL.
COMMISSIONER HARWELL SECONDS. UNANIMOUS APPROVAL (5-0).

4. **Land Use 901 Forest View Drive:** Discussion/recommendation of a variance request for a fence to exceed the maximum allowed height in order to install privacy panels to a section of an existing fence. (City of West Lake Hills Code Sec. 22.03.173). Owner/Applicant June Janes.

a. Staff Briefing

City Planner Naini gives the staff briefing. The fence is 10' in particular sections. A previous variance had been approved for several years. We received a letter from a neighbor speaking against the application.

Staff Recommendation: Approval.

b. Presentation by applicant

June Janes is the applicant. Her husband Brandon is also present. On page 23 of your packet is what we are requesting to replace a 20 year old fence and a variance for height in that one section with some panels on top of the fence. It will be on the property line where it has been for the last 28 years. We purchased the house in 1992. We obtained a permit in 2000 to replace the fence at the same height and same place. We paid the total cost of that fence. We want to keep one section tall. When it was built in 1960 there wasn't a house behind us. A two-story was built in 1980. I met with neighbors whose property lines we share. I'm happy to answer any questions.

Brandon Janes: The fence was built before the neighbor bought their place. We will be willing to re-survey to show it is on our property.

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

Chairman Meisel opened the meeting for public comments. Hearing none, the public comment section was closed.

d. Deliberation and Action

Chairman Harwell: Is the fence on the letter owner's property?

Chairman Meisel: The city cannot issue a permit to build a fence on someone else's property. Get that done first to make sure the line is where it supposed to be.

Commissioner Vandersteel: I didn't have a problem with it when the photos make it very clear. It's important that the neighbor has some input of how it looks.

Brandon Janes: I don't think he has issues with the style; it's the disruption.

Commissioner Maccini: Is there any reason for safety concerns for having a fence that high?

Brandon Janes: It's been that way 28 years and we're lowering it.

Commissioner Maccini: You're asking for over 4' more than what we allow. Are you making it that high to provide security or privacy?

June Janes: Privacy, no other reason.

Commissioner Maccini: Thank you.

Chairman Meisel: The ordinance requires that it meets the minimum goal that is not as disruptive as our ordinance scheme. If the issues is privacy, the answer is a window treatment and not a fence. I don't think the city can go with a new variance. It does allow you to repair but does not allow a new fence.

Commissioner Vandersteel: I'm a confused about the initial construction. That was 12' feet high. Why are we having a new variance if they are replacing it lower?

Chairman Meisel: This does require a variance. The old one won't cover it.

Commissioner Pledger: Mr. Janes and I are partners and I believe that privacy is a reasonable basis for a higher fence. We have approved fences for privacy.

Commissioner Vandersteel: The need for height is much more obvious for this smaller lot.

Commissioner Vaughan: Since they already have a variance for the existing fence, denying this new variance will result in continuous repairs to a dilapidated fence. Instead of this, we should approve the new variance. The result will be a shorter, better looking fence. It's an improvement.

Commissioner Vandersteel: We can condition that the approval based on survey confirmation.

COMMISSIONER VANDERSTEEL MOVES TO RECOMMEND APPROVAL
CONDITIONED UPON THE VERIFICATION OF THE PROPERTY LINE.
COMMISSIONER PLEDGER SECONDS. APPROVED (3-2).

5. Land Use 917 Calithea Road: Discussion/recommendation of two variance requests in order to construct a swimming pool and yard area: 1) retaining wall that encroaches the side building setback (West Lake Hills Code Sec. 22.03.281); and 2) retaining wall exceeds 6 feet in height (West Lake Hills Code Sec.22.03.170). Owners/Applicants Cortney & Patrick Johnson.

- a. Staff Briefing

Planner Naini gives the Staff Report. This property is over 2 acres and is very steep. Neighbors are supportive. Staff Recommendation: Approval.

- b. Presentation by applicant

Cortney Johnson is the owner. Our lot is extremely steep. The location is located on Page 61 with pictures showing the hardship. Our neighbors have been supportive as well.

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

Chairman Meisel opened the meeting for public comments. Hearing none, the public comment section was closed.

- d. Deliberation and Action

Commissioner Vandersteel: Have you considered it being moved to the middle of the property?

Cortney Johnson: We did consider a number of locations. There were concerns but we would have the same variance request because of the topography. This was less invasive. The wall is below grade and is less visible.

Commissioner Maccini: This is design driven.

COMMISSIONER VANDERSTEEL MOVES TO RECOMMEND APPROVAL.
COMMISSIONER HARWELL SECONDS. (4-1) COMMISSIONER
MACCINI DISAPPROVES.

- 6. Land Use 301 Buckeye Trail: Discussion/recommendation of variance requests for the construction of a new garage: 1) removal of Tree # 217 - 14" Cedar (West Lake Hills Code Sec. 22.03.304); 2) removal of Tree # 218 - 16" double Live Oak (West Lake Hills Code Sec. 22.03.304); 3) encroachment of a new structure into side and rear building setbacks (West Lake Hills Code Sec. 22.03.281); and 4) exceed maximum impervious cover up to 30.5% (West Lake Hills Code Sec. 22.03.281). Owner Ben Brieger/Applicant Marc Madely.

- a. Staff Briefing

Planner Naini gives the Staff Briefing. Staff Recommendation: Denial.

- b. Presentation by applicant

Ben Brieger: I'm still applying for the same variances. A few have changed. The whole reason for this is safety to continue this hobby. I have explored some alternatives. Bill Vandersteel came up with several solutions. I appreciate Bill's help with this. I've looked at alternatives. The two neighbors have written letters in support of this.

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

Chairman Meisel opened the meeting for public comments. Hearing none, the public comment section was closed.

d. Deliberation and Action

Commissioner Vaughan: Alternatives?

Commissioner Vandersteel: We met and tried to come up with solutions that would fit. The spaces weren't quite large enough.

Chairman Meisel: I need to offer an observation that this is design driven. This is too much too far.

COMMISSIONER PLEDGER MOVES TO RECOMMEND DENIAL FOR LACK OF HARDSHIP. COMMISSIONER HARWELL SECONDS. (5-0) DENIAL.

7. Land Use **119 Redbud Trail**: Discussion/recommendation of four variance requests for the construction of a second driveway: 1) construct a second driveway entrance/exit (West Lake Hills Code Sec. 22.03.175; 2) site disturbance/excavation up to 24 inches for a retaining wall in a setback (West Lake Hills Code Sec. 22.03.170); 3) removal of Tree # 35 - 18" Crepe Myrtle (West Lake Hills Code Sec. 22.03.304); 4) removal of Tree # 38 - 19" Crepe Myrtle (West Lake Hills Code Sec. 22.03.304). Owner Charles Holley/Applicant Scott Cassel.

a. Staff Briefing

Planner Naini gives the Staff Briefing. Staff Recommendation: Approval

Commissioner Harwell: What is the Impervious Cover?

Charles Holley: The previous owner built a small concrete parking area and put in gravel. We have closed that up. That is just a parking area. Scott Cassel is also on the line.

Commissioner Maccini: How long is the driveway from the street to the garage?

Commissioner Vandersteel: It's about 50' from the garage to the street.

Chairman Meisel: Is there a history in the file?

ZAPCO Secretary: It had a hammerhead for a turnaround.

Chairman Meisel: It was not on the building plan set.

Commissioner Vandersteel: Was it ever built?

Chairman Meisel: It's there.

b. Presentation by applicant

Scott Cassel is the landscape architect. The grade is 16.5%. The driveway is 51' from the roadway. The hardship is it impossible to turnaround. They have to back out onto Redbud. People go so fast on that roadway. Due to that issue we deem it a hardship. The impervious cover is under. The two trees to be removed are crape myrtles which are not native. The other homes all have driveways with the same issues.

Charles Holley: The hammerhead was approved about three months before we bought the house.

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

Chairman Meisel opened the meeting for public comments. Hearing none, the public comment section was closed.

d. Deliberation and Action

Chairman Meisel: I don't see why you need a cut there other than convenience.

Charles: There is enough room to back up to the left but to get out is more difficult if you have another car. It's impossible.

Commissioner Vandersteel: If the hammerhead was deeper it would be adequate.

Charles: Are you saying to expand the hammerhead?

Commissioner Vandersteel: You can't back into that. I'm suggesting on the other side of the driveway.

Charles: It will still be difficult if another car is in the driveway.

Scott: There is also the visibility and safety issue.

Commissioner Maccini: Looking at it it's a 3 car garage. We use our hammerhead, it looks like it would be possible and would do the job and not require a variance. The variance is more design driven.

Charles: People will still have to back out and create a very dangerous situation.

Chairman Meisel: Redbud is a problem.

Commissioner Vandersteel: Would delivery drivers be using it or parking in the street?

Charles: There is going to be no gate.

Commissioner Pledger: I believe it would be beneficial; I'm leaning approval.

COMMISSIONER VANDERSTEEL MOVES TO RECOMMEND APPROVAL.
COMMISSIONER VAUGHAN SECONDS. APPROVED (5-0).

8. Adjournment. Chairman Robert Meisel.

Meeting is adjourned at 8:04 p.m.

Respectfully submitted,

ROBERT MEISEL, CHAIRMAN

ATTEST:

ZAPCO Secretary Mark Littrell

These minutes were approved on _____, 2020.

CITY OF WEST LAKE HILLS, TEXAS
MINUTES OF A ZONING & PLANNING COMMISSION (ZAPCO) REGULAR MEETING
Wednesday, June 17, 2020 at 6:30 PM

1. Call to Order. Chairman Robert Meisel.

With a quorum present, Chairman Meisel called the meeting to order at 6:32 p.m. Members in attendance were Robert Meisel, Bill Harwell, James Vaughan, Bill Vandersteel and Laurie Maccini.

2. 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 May 20, 2020 Regular Meeting Minutes.

James Vaughan had some revisions.

Chairman Meisel recommends the May 2020 minutes be postponed to July 2020.

3. Land Use **4609 Bee Cave Road:** Consideration of a sign variance application for a projecting/wall sign at Creekside at the Hills that exceeds the maximum allowed size (Chapter 32 of the West Lake Hills Code). Applicant Bogle Family Realty (Power of Attorney LM Holder II FAIA).

- a. Staff Briefing

Planner Naini gives the staff briefing. Staff Recommendation: Approval.

Chairman Meisel: This is an internal sign and not visible from Bee Cave Road.

- b. Presentation by applicant

Philip Southwick is the architect. We want an arrival point to the building. We are behind a mature development. We want an appropriately designed sign. I did include two new renderings at the recommendation of BDC.

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

Chairman Meisel opened the meeting for public comments. Hearing none, the public comment section was closed.

- d. Deliberation and Action

Commissioner Vandersteel: Our ordinances need some review. The rendering presented seems to work with the building. I'm happy with the sign as presented.

Commissioner Harwell: I agree with Commissioner Vandersteel. It is appropriate to the building.

Commissioner Vaughan: If the sign is not visible do we take a lighter approach? It's fine.

Chairman Meisel references renderings on Pages 23 and 24. I feel there has not been a hardship to allow that size. I am opposed to this as it stands.

Commissioner Vandersteel: Does the monument sign allow for each tenant?

Philip: The Hills did get a variance in 2006 for a larger sign. We don't get to develop the street frontage. They promote their own tenants.

Chairman Meisel: Look at Page 30, the rendering submitted after BDC, from that angle you see the building and address. I would recommend a directional sign and not have a variance at all. A monument of some sort back in the green space.

Bill Vandersteel: I agree with Chairman Meisel.

COMMISSIONER VANDERSTEEL MOVES TO RECOMMEND APPROVING 48 SQ. FT. AND NOT 60. COMMISSIONER HARWELL SECONDS. UNANIMOUS (4-0) APPROVAL.

4. **Land Use 622 Cortona Drive:** Discussion/recommendation of a request for six (6) tree variances to construct a new residence: Tree # 7224 (Multi-Stem Cedar, 24.25"); Tree # 7321 (Multi-Stem Cedar, 16"); Tree # 7589 (Multi-Stem Cedar, 18.25"); Tree # 7586 (Multi-Stem Cedar, 15"); Tree # 7712 (Multi-Stem Cedar, 29.25"); and Tree # 7684 (Multi-Stem Cedar, 20.25") (West Lake Hills Code Section 22.03.304). Owners Steve and Cari Henry/Applicant Clint Garwood.

- a. Staff Briefing

Planner Naini reads the Staff Briefing. Staff Recommendation: Approval.

- b. Presentation by applicant

Clint Garwood is the architect. We have a flag-shaped lot. A drainage easement limits where we can put the driveway. We are only asking to remove 6 of the 37 protected trees. We end up with natural buffers on the property. We will be replacing the required trees.

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

Chairman Meisel opened the meeting for public comments. Hearing none, the public

comment section was closed.

d. Deliberation and Action

Commissioner Maccini: There are 37 protected trees. How many are coming down in total?

Clint: I can't answer that. Having worked with Russell Cain, we will be replacing what is required.

Commissioner Vandersteel: Are you only taking trees to build the building?

Clint: We don't intend to rake all the unprotected trees. Just for the new residence and driveway.

Chairman Meisel: I see the hardship with the topography. That lot has numerous challenges. How is the impervious cover?

Clint: We're around 21%. We intend to do rainwater collection.

Chairman Meisel: Sounds like a sound decision on your part.

Commissioner Maccini: There is a large one at the very top. Tree 7712, to me that is design driven.

Commissioner Vandersteel: It's a cedar and I hope they would be putting in better trees. I'd rather have a bunch of nicer trees.

Chairman Meisel: Page 46 showing the layout, I want to compliment the architect. I would encourage the commission to act favorably.

COMMISSIONER VANDERSTEEL MOVES TO RECOMMEND APPROVAL.
COMMISSIONER HARWELL SECONDS. (3-1) COMMISSIONER MACCINI VOTES AGAINST.

5. Land Use City of West Lake Hills Code Chapter 32 - Signs: Discussion/recommendation on proposed amendments to the Sign Ordinance, Title II, Chapter 32 of the City of West Lake Hills Code of Ordinances amending processes for sign application approvals; definitions and terms; and other related amendments.

a. Staff Briefing

Planner Naini gives a Staff Briefing: Worked with City Administrator Askey on proposed amendments. Primary change is sign applications would go to Council and not go through BDC and ZAPCO. Signs with variances would go through ZAPCO and Council.

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

Chairman Meisel opened the meeting for public comments. Hearing none, the public comment section was closed.

c. Deliberation and Action

Commissioner Vandersteel: I'm not on the BDC but I know what they do. Even if it is within their code requirements, shouldn't it still be reviewed?

Planner Naini: If it meets code we have to approve it. Council has the opportunity to look at it before taking action.

Chairman Meisel: If they meet the requirement we can't do anything.

Commissioner Maccini: I didn't see anything saying codes are changing; only streamlining and clarifying the language?

Planner Naini: Right. We are a Silver Scenic City and are proud of that. Number 5 has two amendments. Banners are separate category from other temporary signs. A lot of the amendments are for clarification. Our City Attorney reviewed it also.

Commissioner Vandersteel: Little changes make a big difference to me.

COMMISSIONER MACCINI MOVES TO RECOMMEND APPROVAL OF THE
PROPOSED AMENDMENTS AS STATED BY THE STAFF REPORT.
COMMISSIONER VAUGHAN SECONDS. (4-0) APPROVAL.

6. Adjournment. Chairman Robert Meisel.

Motion to adjourn the meeting at 7:24 p.m.

Respectfully submitted,

ROBERT MEISEL, CHAIRMAN

ATTEST:

ZAPCO Secretary Mark Litrell

These minutes were approved on _____, 2020.



**SETBACK ENCOACHMENT, IMPERVIOUS COVER
& TREE VARIANCE REQUESTS
STAFF REPORT**

JULY 15, 2020

Project Address: 437 Brady Lane

Project Number: 15863

Agenda Item: Land Use: **437 Brady Lane:** Discussion/recommendation of a variance application for four (4) variances in order to construct an outdoor patio/landscaping project: 1) Increase impervious cover from 40% to 43%; 2) Building and roof eave encroachment into the side setback; 3) Tree and vegetation removal for the encroachment into the 1/2 critical root zone of Tree # 975 - 17" Live Oak (West Lake Hills Code Sections 22.03.281 and 22.03.304). Applicants/Owners Allyson & Michael Marshall.

Applicant Information: Property Owners/Applicants Allyson and Michael Marshall

Hearing Dates:

July 15, 2020 ZAPCO

July 12, 2020 Board of Adjustment/City Council

Location: The subject property is located north of Bee Cave Road, east of Sugar Creek Drive, and west of Ridgewood Road.

Zoning & Site Characteristics:

The subject property and surrounding neighborhood are zoned R-1 – One-Family Residential and is approximately 0.2305 acre. There is an existing home on the property.

Background & Analysis:

The homeowners, Allyson and Michael Marshall, submitted three variance requests in order to remodel their outdoor living space. The three variances are the following: 1) increase in impervious cover from existing 40% (received variance in 2008) to 43%; 2) side setback encroachment for deck and roof eave (deck footprint would be setback 5ft from property line and roof eave would be 3ft 8in from property line); and 3) tree variance for the encroachment into the ½ critical root zone of Tree # 975, a 17" Live Oak.

Per the City Code, properties that are smaller than 0.5 acre and connected to the City's wastewater system are eligible for an increased amount of impervious cover (otherwise, the

maximum allowed is 25%). The allowable impervious cover amount for this property is 38.475% ($0.2305 \times 0.5 - 0.5$). The Marshalls previously received variances in 2008, including an impervious cover variance of up to 40% maximum impervious cover, and they are now requesting up to 43% maximum impervious cover. The impervious cover variance request is being minimized by removing the existing patio. The existing home encroaches into the side and rear setbacks.

Variance Criteria Review:

When applying for a variance, the applicant has established by competent evidence that:

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 application states – “We are planning this project to accommodate two large oak trees near our current patio. One of the large oak trees has a canopy over the current concrete porch that does not allow for a roof. The current concrete patio is in this oak trees’ $\frac{1}{4}$ and $\frac{1}{2}$ critical root zone. Removing the concrete patio and putting a deck in the critical root zone will improve hydration and nutrition for the tree. We have considered putting an outdoor living space near the back of the yard and the side of the yard but both encroach on the setbacks and the other large oak would be affected.”

“In the back of our yard, the neighbors can see directly into our yard from their new second story home.”

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

The application states – “We will be improving the existing flora by adding native plants, increasing the land’s ability to absorb water, and prevent erosion. By taking out the current concrete port, we will uncover the critical root system of the large oak by the house. The current yard is dirt so planting native vegetation will improve the existing terrain.”

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

The application states – “We have spoken to three landscape architects to get opinions and drawings and all three agreed on the placement of the deck and covered area. All three plans focused on accommodating trees, increasing usable space, improving water absorption, and improving the native flora. We have considered having landscape in the backyard without a covered area which does not work well with rain or heat.”

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

The application states – “...Earlier plans had a larger roof but we decreased the roof by approximately half. We took out plans to put stepping stones on the side of the house near our trash and recycling cans to decrease impervious coverage...”

“A covering or roof inside the setback lines interferes with existing trees. Our lot is 0.23 acres and the 1960s home was already over setback lines, which makes finding room for a small covered deck very difficult. We have done our best to keep the covered area small and encourage the growth of the mature trees.”

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

The application states – “The Comprehensive Plan desires to protect native plants, existing flora, enhance the wooded feel of West Lake Hills. We are protecting the existing flora (accommodating a large oak tree), adding native plants (throughout the entire yard), and replacing the current dirt and weed yard to increase water absorption. I believe we want the same things – more beautiful West Lake Hills landscape.”

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

The application states – “They have large bamboo blocking the view of our house. The cover will not be seen much over the fence by either neighbor. We have discussed our project with all immediate neighbors that will be closest to the setback line we are seeking a variance for and they have approved the project.”

Traffic/Transportation

No impact on traffic is expected.

Lighting

Outdoor lighting is not proposed for this project.

Building Code

The property and future construction will have to comply with all applicable City codes.

Subdivision

This request will not change the subdivision.

Comprehensive Planning Analysis

The existing residential land use complies with the Master Plan.

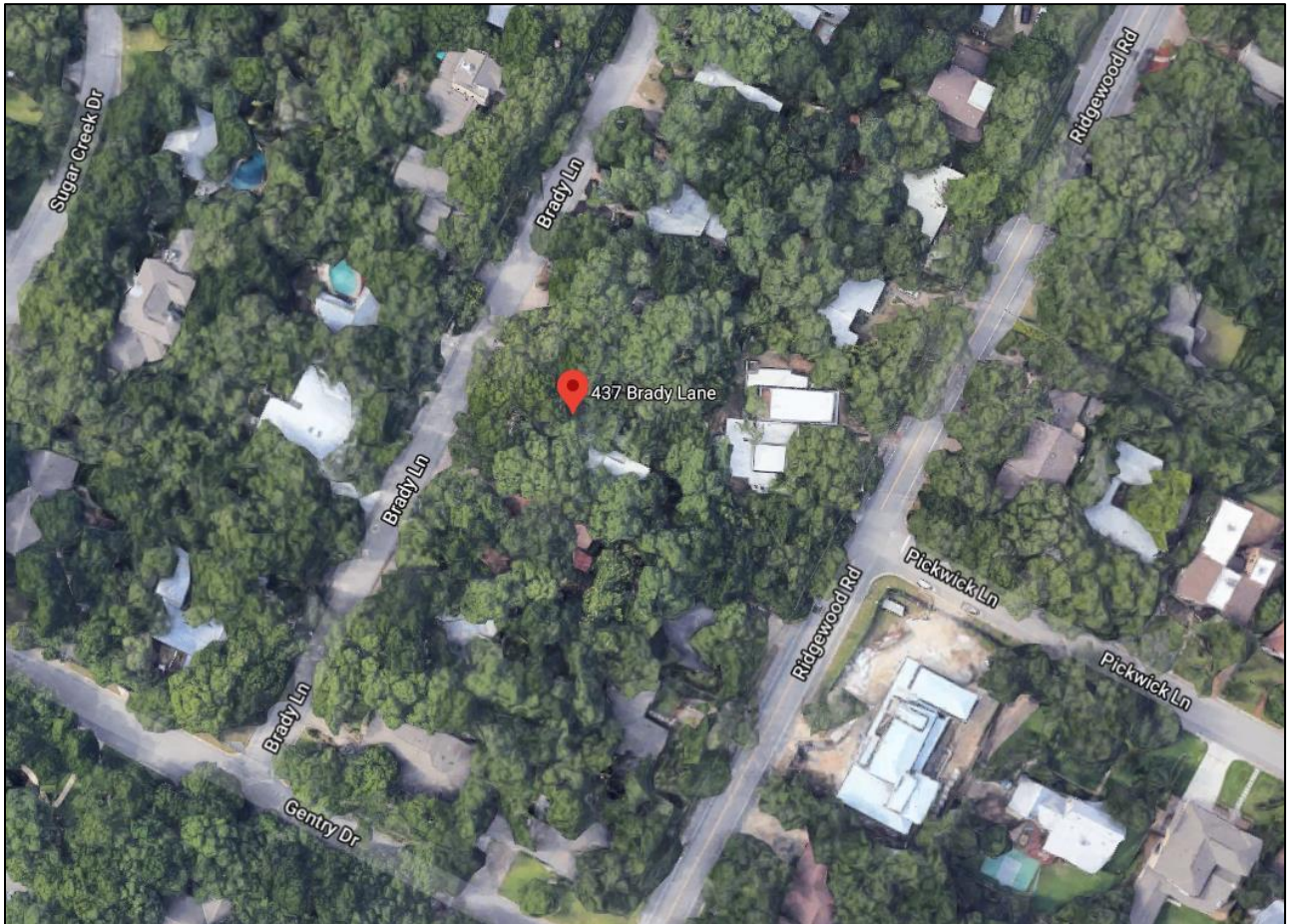
Staff Recommendation

The staff recommendation is denial due to lack of hardship. The property already exceeds the maximum permitted impervious cover and the proposed new deck and covering would be located very close to the side property line.

Links to Relevant Code:

- [Sec. 22.03.304 Tree and vegetation removal and replacement](#)

Aerial:



APPLICATION COVER SHEET

Property Address: 437 Brady Ln, West Lake Hills, TX 78746

Applicant Name: Allyson Marshall

Designated Agent (if any, Power of Attorney Required): _____

Applicant Phone Number: 512-633-0360 Email Address: [REDACTED]

Date Application was Submitted: June 4, 2020

Variance(s) Requested: 1. Impervious Coverage - requesting 43%, 2008 variance of 40%, allowable .23*.5-.5=38.5%.
2. Setback - requesting to match original 1960 carport: a building setback 5' 0" with an eave setback of 3' 8".
3. Tree variance - requesting to put deck footings inside the 1/2 CRZ for a large oak tree. We will remove a concrete patio currently covering 25% of the tree's CRZ.

Applicant completes above section; City Staff completes the section below:

Variance File Number: _____ [A sequential identifier based on application date and noted in a Variance Application Log maintained by staff. Examples: 20110903A, 20110903B, 20111021A, etc.]

Application Fees Due: \$ _____ ☐ Fees Received on _____ by _____

DRAFT APPLICATION PACKET MATERIALS

Draft Application Packet Received on _____ by _____

☐ Letter to ZAPCO Chairperson ☐ Variance Approval Criteria Answers

☐ Site Plan Coversheet ☐ Site Plan Drawings

☐ Elevation Views and Floor Plans (new structures only)

☐ Septic Assessment (new structures only)

☐ Additional Support Materials (if any): _____

☐ Power of Attorney (if any) – Designated Representative: _____

Staff Analysis completed on _____ by _____

Staff Analysis sent to Applicant on _____ by _____

FINAL APPLICATION PACKET

Final Application Packet Reviewed and Approved on _____ by _____

Notice to Proceed Letter sent to Applicant on _____ by _____

• Notification Letter must be postmarked by _____ ☐ Confirmed by _____

• Sign must be posted by _____ ☐ Confirmed by _____

15 Copies of Final Packet received on _____ ☐ Confirmed by _____

ZAPCO

Scheduled for ZAPCO Hearing on: _____

ZAPCO Action Letter sent on _____ by _____

ZAPCO Recommendation: _____

Conditions/Comments (if any): _____

Modified application and materials (if any) received on _____ by _____

BOA/CITY COUNCIL

Scheduled for BOA/Council Hearing on: _____

BOA/Council Action: _____

Conditions/Comments (if any): _____

BOA/Council Action Letter sent on _____ by _____

FOLLOW-UP

Follow-up dates (vegetative screening installed, survival verification, etc.): _____

• Notifications added to Incode on _____ by _____

Postponement History (if any): _____

Notes: _____

DATE June 4, 2020

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

Dear Mr. Chairman:

We are requesting variances for our outdoor living and landscape project for impervious coverage, setback encroachment and Critical Root Zone (CRZ) encroachment. Our home at 437 Brady Ln, was originally built in 1960 by AD Stenger on a 0.23-acre lot and remodeled in 2008. We postponed this project for many years due to the drought and the limited Ridgewood Village well water supply. Now that both of these issues are resolved, we ask that you please consider our request:

1. Impervious Coverage - we are requesting an increase in impervious coverage from our 2008 variance of 40% to 43%. (Allowable per ordinance $.23 \times .5 = .115 = 11.5\%$)
2. Setback - we are requesting to build an outdoor living space to match the original 1960 carport setback: a building setback of 5' 0" with an eave setback of 3' 8".
3. Tree variance - we are requesting to put footings for the deck inside the $\frac{1}{2}$ CRZ for a large oak tree. We are removing a concrete patio currently covering 25% of the tree's CRZ..

Michael and Allyson both work full-time from our house and we have 4 children living in our 2900 sq ft home. We expect to use the outdoor space for working, meals, and enjoying multiple groups of people simultaneously.

The current request includes an overhead structure to cover only the grill and dining table which is a reduction from the original design with a larger structure that covered most of the deck and patio. We have also removed a request for additional pavers and flatwork recommended by the landscape designer. We have two large oak trees within our setback which create the desire to expand north away from the trees. Functionally and architecturally, we have been advised that the overhead structure should mirror the lines of the existing carport and roof.

Our proposal includes the removal of an existing patio to minimize the request for impervious coverage. This area would instead be replaced by a new deck to allow water to our largest oak tree in the CRZ. The tree variance is to allow deck footings in the CRZ instead of the current concrete patio.

The plans also include 1 $\frac{1}{2}$ inches of expanded shale, 3 inches of healthy soil, flower beds, trees, and 1200 sq ft of sod. We expect these additions to increase the moisture our yard will absorb.

Two of our neighbors have storage sheds within their setbacks that can easily be seen from our backyard. Our plans include adding trees that add healthy vegetation, provide visual privacy from the sheds, and block nighttime lights from the adjacent homes that shine into our master, dining, and kitchen windows.

Three of the 4 neighbors that share a fence with us have bamboo in their yards. We have worked tirelessly to eradicate the bamboo from our yard, installed a bamboo barrier, and have been bamboo free for 12 months.

We have discussed our plans with all our immediate neighbors and they have all verbally approved.

Sincerely,

Mike and Allyson Marshall
437 Brady Lane

ANSWERS TO VARIANCE APPROVAL CRITERIA QUESTIONS

(1) Describe in detail any special conditions you believe will result in unnecessary hardship to you if the terms of this ordinance are strictly or literally enforced.

We are planning this project to accommodate two large oak trees near our current patio. One of the large oak trees has a canopy over the current concrete porch that does not allow for a roof. The current concrete patio is in this oak trees' $\frac{1}{4}$ and $\frac{1}{2}$ critical root zone. Removing the concrete patio and putting a deck in the critical root zone will improve hydration and nutrition for the tree. We have considered putting an outdoor living space near the back of the yard and the side of the yard but both encroach on setbacks and the other large oak would be affected.

In the back of our yard, the neighbors can see directly into our yard from their new second story home. Our neighbors are wonderful but their lights shine in our master bedroom, kitchen, and dining areas all day and night. Our landscape plan gives us privacy and obstructs the neighbors' lights.

Mike and Allyson both work full-time from home and our children have been doing school online which will continue in the fall. Our two college sons' school has decided to have students take online classes after Thanksgiving and Eanes is strongly considering some portion of classes be online in the upcoming year. All six of us have needed quiet, covered workspace but we have discouraged the use of technology in kids' bedrooms. A covered deck would enable some family members to work outside under a roof with a fan. Currently, we are working at a table under the carport and parking cars on the driveway and street (5 drivers in the family). Again, the roof will not fit up against the house due to the large oak tree.

The yard is currently dirt and weeds so it is not used often. We love being outdoors and want to make a usable backyard living space. In West Lake Hills, 7 months a year average highs over 80 degrees, so a covered porch enables us to use the backyard in our hot temperatures. Without an overhead covering, our grill and outdoor furniture get worn faster and they are exposed all the time and get less use due to cleaning required with every use.

(2) Why do you think the natural terrain and existing flora will not be unreasonably disrupted or destroyed in the variance you are requesting is granted?

We will be improving the existing flora by adding native plants, increasing the land's ability to absorb water, and prevent erosion. By taking out the current concrete porch, we will uncover the critical root system of the large oak by the house. The current yard is dirt so planting native vegetation will improve the existing terrain. Our neighbors have invasive bamboo around the edge of our property. We will put a barrier to block the spread of bamboo. Our new design will increase the ability to absorb water through steel edging around flower beds, which will prevent erosion. The slope of the yard is designed to drain water but by slowing it down, more water will soak into the yard. A bonus to replacing weeds and dirt with grass lawns, trees, and shrubs is that it can reduce the air temperature surrounding the home by up to 14°F.

(3) What other reasonable alternatives have you considered? Why won't these other options alleviate the difficulty or hardship that you think exists?

We have spoken to three landscape architects to get opinions and drawings and all three agreed on the placement of the deck and covered area. All three plans focused on accommodating trees, increasing usable space, improving water absorption, and improving the native flora. We have considered having landscape in the backyard without a covered area which does not work with rain or heat. We currently work outside on computers in our carport for approximately 5 days a week. However, with 5 drivers in the family, we would like to use our carport to get cars off the street. The only placement inside our setbacks is right up against the house but the large oak tree prevents a roof in this area. The trees are dictating where the covered patio goes.

(4) Why do you believe the variance you are requesting is the minimum required to alleviate the difficulty or hardship you think exists?

We tried to work around the trees and get a covered area that can cover a table and a grill. It does not cover anything else. We have planned on space between the house and the structure to not be covered to provide water to the yard and minimize the covered area. Earlier plans had a larger roof but we decreased the roof by approximately half. We took out plans to put stepping stones on the side of the house near our trash and recycling cans to decrease impervious coverage. We added flower beds against the house instead of taking the deck up to the house. We used decking to increase the ability of water to get into the ground in uncovered areas and concrete in covered areas.

A covering or roof inside setback lines interferes with existing trees. Our lot is 0.23 acres and the 1960s home was already over setback lines, which makes finding room

for a small covered deck very difficult. We have done our best to keep the covered area small and encourage the growth of the mature trees.

(5) Why do you believe your variance does not violate the intent of the Zoning Ordinance or the goals of the City's Comprehensive Plan?

The Comprehensive Plan desires to protect native plants, existing flora, enhance the wooded feel of West Lake Hills. We are protecting existing flora (accommodating a large oak tree), adding native plants (throughout the entire yard), and replacing the current dirt and weed yard to increase water absorption. I believe we want the same things - more beautiful West Lake Hills landscape.

(6) Why do you believe your variance will not adversely affect neighboring properties or interfere with the enjoyment of these properties by their owners?

They have large bamboo blocking their view of our house. The cover will not be seen much over the fence by either neighbor. We have discussed our project with all immediate neighbors that will be closest to the setback line we are seeking a variance for and they have approved the project.

The neighbors behind us, the Galby's, drove some of the design to alleviate the view of their shed which is less than 5 feet from the fence and their new house looks into our backyard. The Galby's view of our yard will improve from dirt and weeds to native plants and more trees. In our discussion of the project with the Galby's, their primary concern was about preserving the trees which is our primary concern as well. Our yard will not have as much water runoff so the Galby's will not have as much runoff through their backyard, which was another concern they had.

Marshall Residence

outdoor living and landscape

vicinity map



project description

project address:
allyson & mike marshall
437 Brady Ln,
West Lake Hills, TX, 78746
512.694.4198

designer:
austin outdoor design
1412 collier street, studio c
austin texas 78704

builder:
austin outdoor design
1412 collier street, studio c
austin texas 78704

impervious cover

Area Description	Ex Sq Ft	New/Added Sq Ft	Total Sq Ft
1st floor	2214.31	0.00	2214.31
2nd floor	0.00	0.00	0.00
3rd floor	0.00	0.00	0.00
Basement	0.00	0.00	0.00
Covered parking	386.82	0.00	386.82
Covered deck	0.00	0.00	0.00
Covered porch	0.00	0.00	0.00
Covered patio	0.00	291.96	291.16
Balcony	0.00	0.00	0.00
Other roofed areas	88.34	0.00	88.34
Building Area	2689.47	291.16	2981.43
Building Cover	2689.47	291.16	2981.43
Driveway	1130.99	0.00	1130.99
Sidewalks	0.00	0.00	0.00
Uncovered patio	240.70	-240.70	0.00
Uncovered deck	0.00	117.50	117.50
Other flatwork	0.00	86.30	86.30
Impervious Cover	4061.16	255.39	4316.55
Pool (surface area)			0.00
Spa (surface area)			0.00
Lot size 10220.68			43%
% coverage	39.73%	2.5%	42.23%

drawing index

sheet number	description
LS 0.00	cover
LS 0.01	notes
LS 1.00	site plan
LS 1.01	demolition plan
LS 1.02	layout plan
LS 1.04	planting
LS 2.01	elevations
LS 3.01	layout and materials
LS 3.02	dimensions
LS 3.03	grade and drainage
LS 4.01	elevations
LS 4.02	sections
LS 5.01	details
LS 5.02	details
LS 5.03	details



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abbreviation

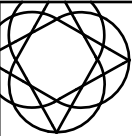
#	Pound OR Number	FO	Face Of	TME	To Match Existing
&	And	FND	Foundation	TOC	Top Of Concrete
@	At	GA	Gauge	TOS	Top Of Steel
ACT	Acoustic Ceiling Tile	GALV	Galvanized	TW	Top of Wall
AD	Area Drain	HI	High	TYP	Typical
AFF	Above Finished Floor	HP	High Point	UNO	Unless Noted Otherwise
BSMT	Basement	HR	Hour	U/S	Underside
BYND	Beyond	ILO	In Lieu Of	VIF	Verify In Field
BL	Build Line	INSUL	Insulated or Insulation	W/	With
BOT	Bottom	INT	Interior	WD	Wood
BW	Bottom of Wall	INV	Invert Elevation		
CIP	Cast In Place	LO	Low		
CHNL	Channel	MAX	Maximum		
CJ	Control Joint	MDO	Medium Desnity Overlay		
CL	Center Line	MECH	Mechanical		
CLG	Ceiling	MEMBR	Membrane		
CLR	Clear	MIN	Minimum		
CMU	Concrete Masonry Unit	MTL	Metal		
COL	Column	NIC	Not In Contract		
CONC	Concrete	NO	Number		
CONT	Continuous	NOM	Nominal		
CPT	Carpet	OC	On Center		
CTYD	Courtyard	OH	Overhang or Opposite Hand		
DEMO	Demolish or Demolition	PE	Professional Engineer		
DIA	Diameter	PCC	Pre-Cast Concrete		
DIM	Dimension	PLUMB	Plumbing		
DIMS	Dimensions	PLYD	Plywood		
DN	Down	PT	Pressure Treated		
DR	Door	PNT	Paint or Painted		
DWG	Drawing	RBR	Rubber		
EA	Each	RCP	Reflected Ceiling Plan		
EJ	Expansion Joint	RD	Roof Drain		
EL	Elevation	REQD	Required		
ELEC	Electrical	SIM	Similar		
ELEV	Elevator or Elevation	SPEC	Specified OR Specification		
EQ	Equal	SPK	Sprinkler or Speaker		
EXIST	Existing	SSTL	Stainless Steel		
EXP JT	Expansion Joint	STL	Steel		
EXT	Exterior	STRUCT	Structure or Structural		
FFE	Finished Floor	SYP	Southern Yellow Pine		
FIXT	Fixture	T&G	Tongue And Groove		
FLR	Floor	TELE	Telephone		
FM	Filled Metal	TLT	Toilet		

notes

1. topographic information shown +/-6" tolerance.
2. final grades to be determined on site at time of install.
3. report any drainage, elevation or site issues to design team.
4. unless otherwise noted, all dimensions are to the following:
face of wall, face of building, face of curb, edge of
pavement, centerline of pavement.

legend

symbol	description
	detail reference
	material or finish reference
	section symbol
	existing topography
	proposed topography
	existing spot grade
	proposed spot grade
	water flow
	pipe size
	enlargement area with reference
	matchline
	elevation reference
	north arrow



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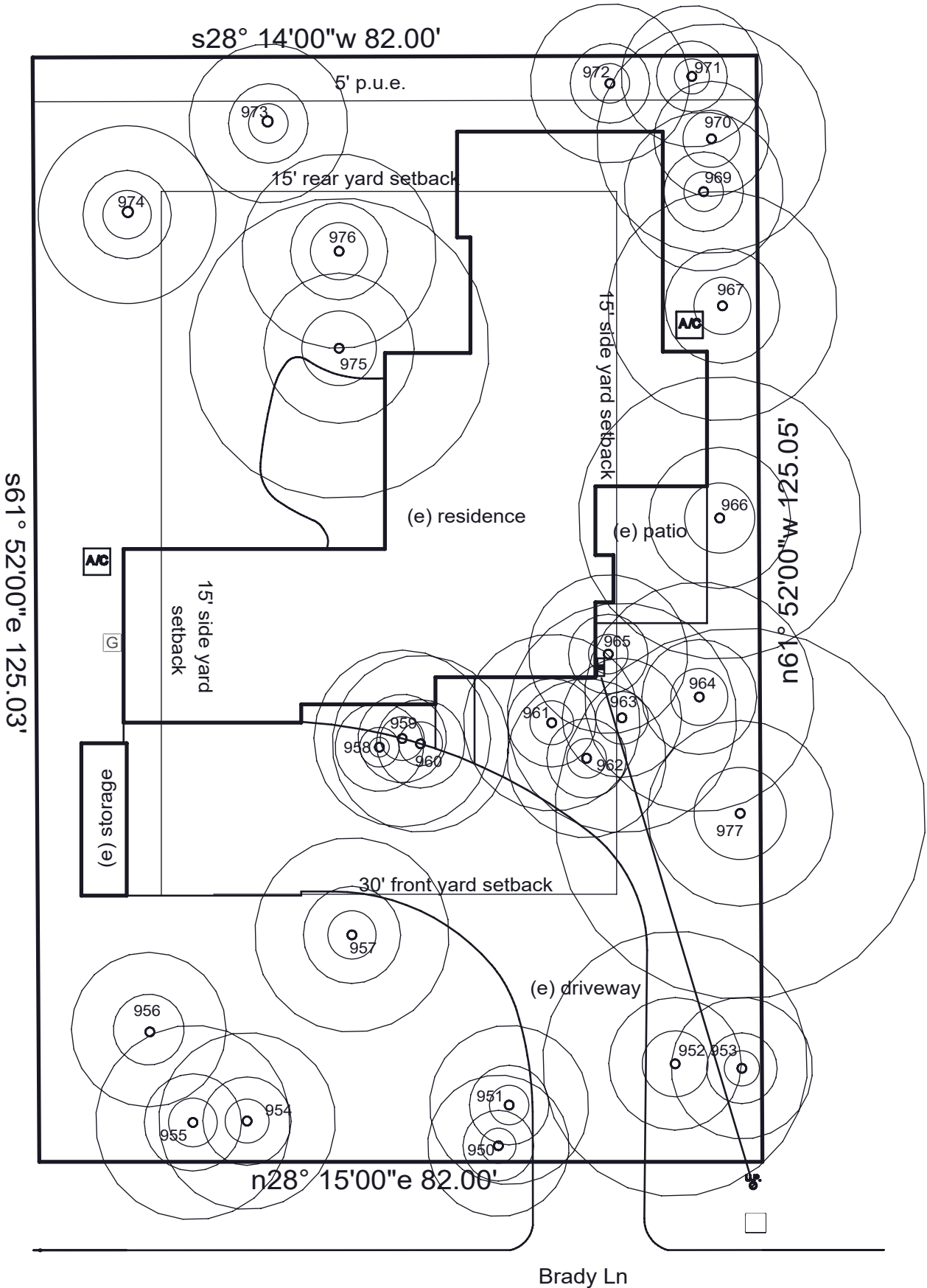
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abbreviations

symbol	definition
OH	overhead power
A/C	a/c
E	electrical
G	gas
U.P.	power pole
	water meter
(e)	existng
(n)	proposed
	existing trees
	property line
	easement line

tree index

tag	size	type
950	8"	elm
951	9"	elm
952	15"	elm
953	11"	elm
954	10"	elm
955	11"	elm
956	6"	live oak
957	11"	elm
958	8"	live oak
959	7,10"	live oak
960	10"	elm
961	10"	live oak
962	9"	live oak
963	13"	live oak
964	10"	live oak
965	9"	live oak
966	6"	live oak
967	8,10,13"	live oak
968	6"	live oak
969	8,9"	live oak
970	13"	live oak
971	8"	live oak
972	9"	elm
973	9"	elm
974	10"	live oak
975	17"	live oak
976	11"	live oak
977	21"	live oak



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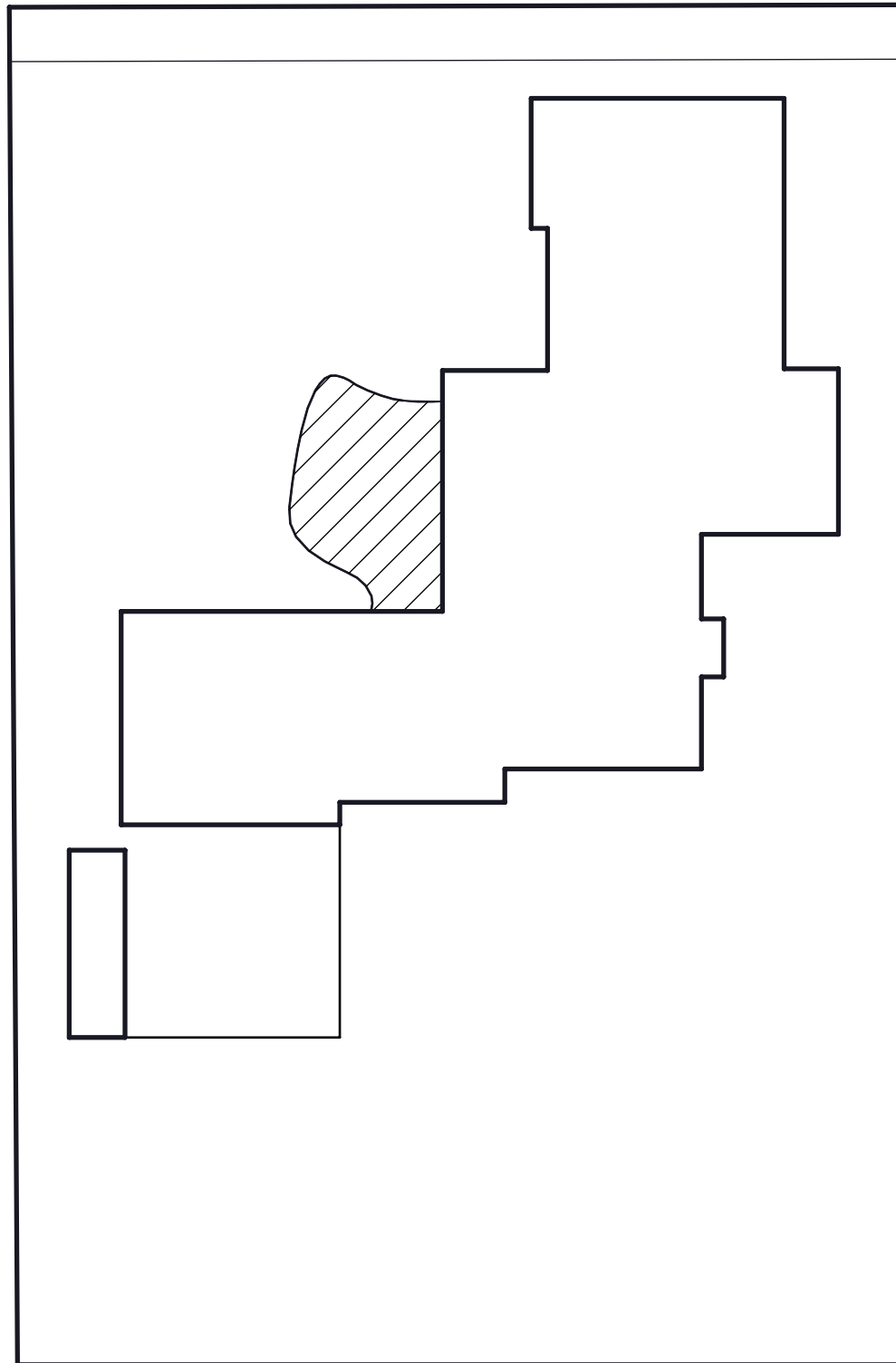
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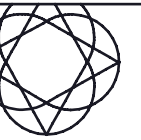
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- property line
- easement line
-  demolition - concrete



1 demolition plan
scale: 1/16" = 1'-0"



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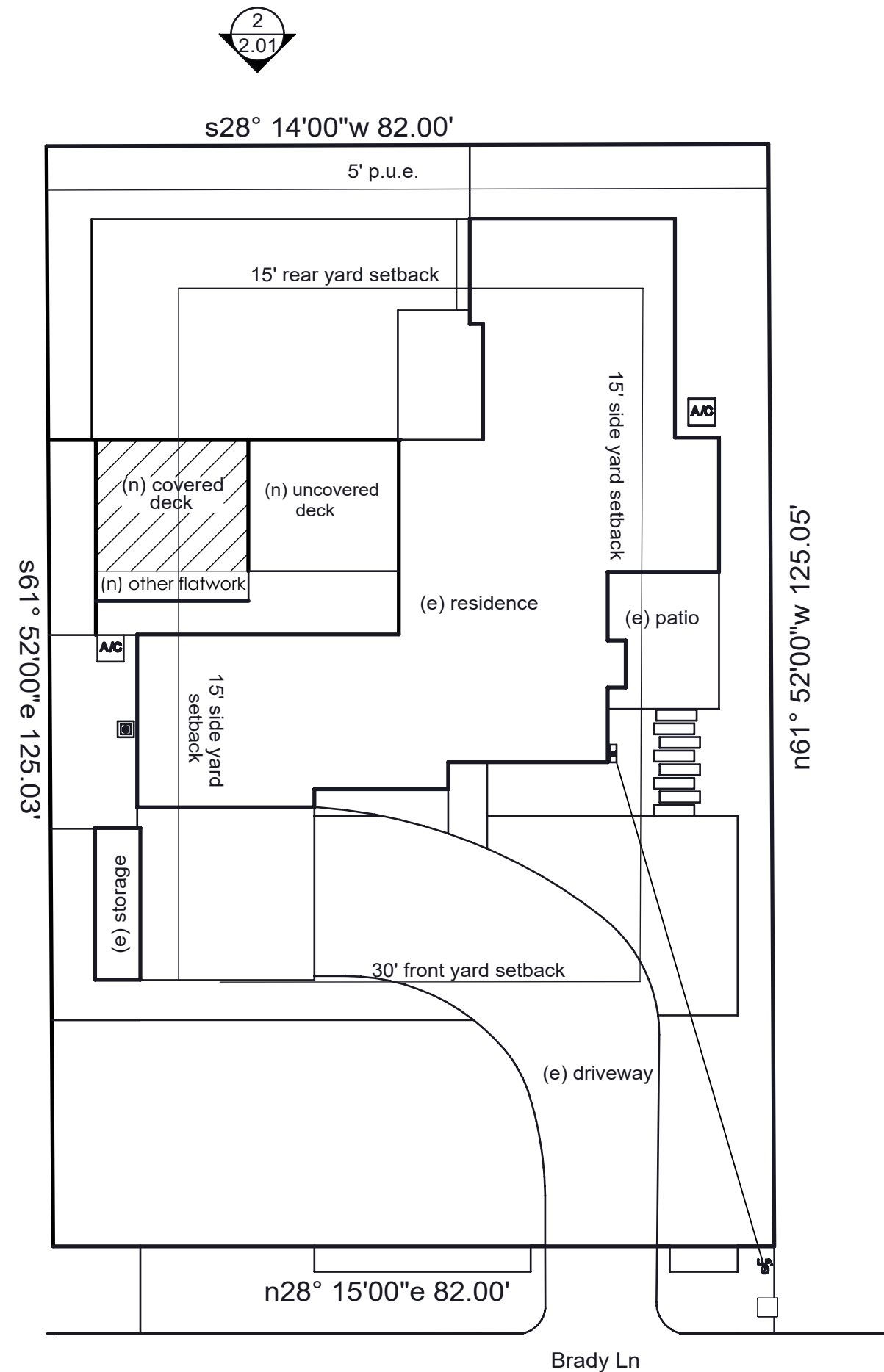
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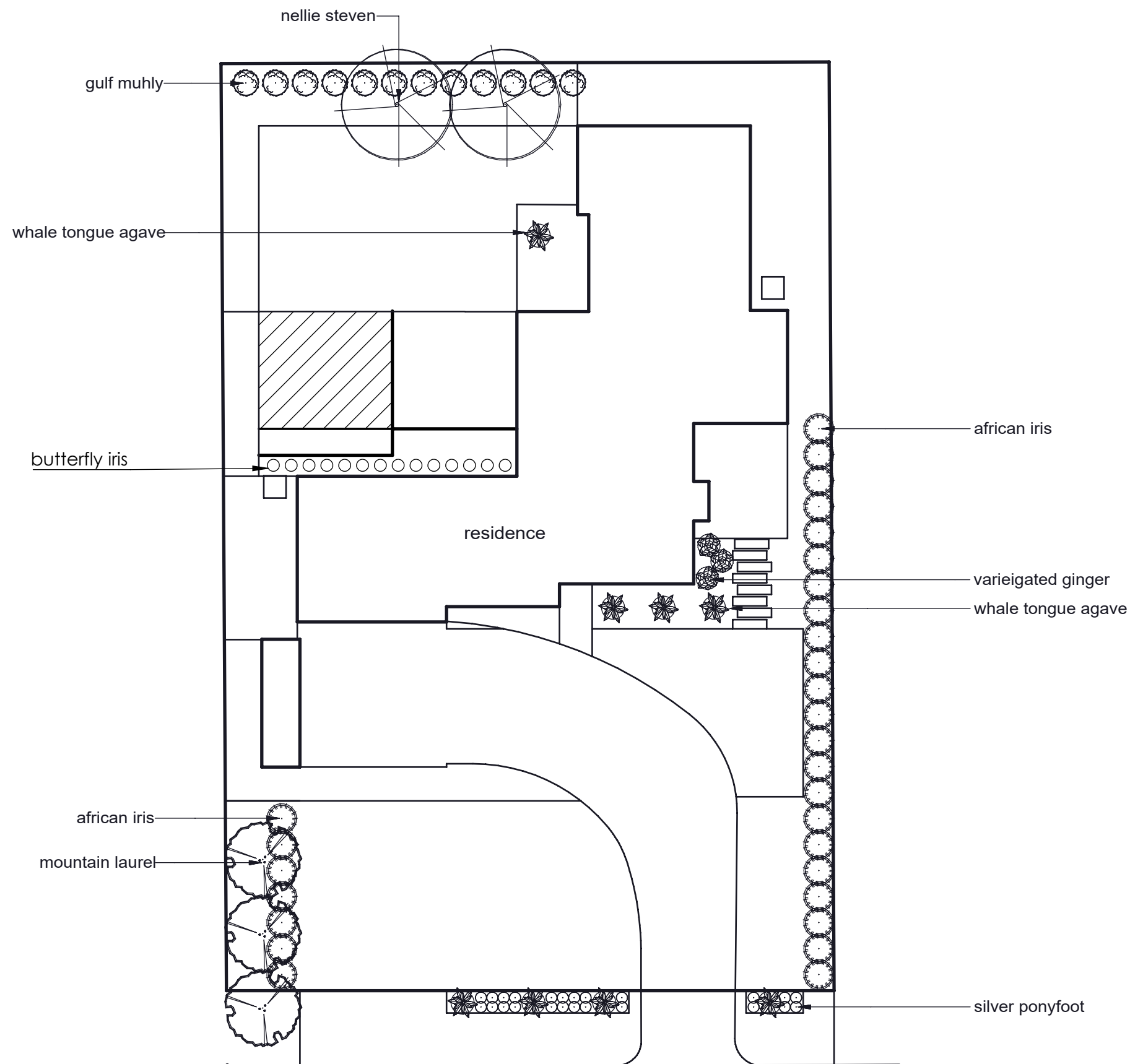
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1.01

symbol	definition
--------	------------

————— property line
————— easement line





1 planting
scale: 1/16" = 1'-0"



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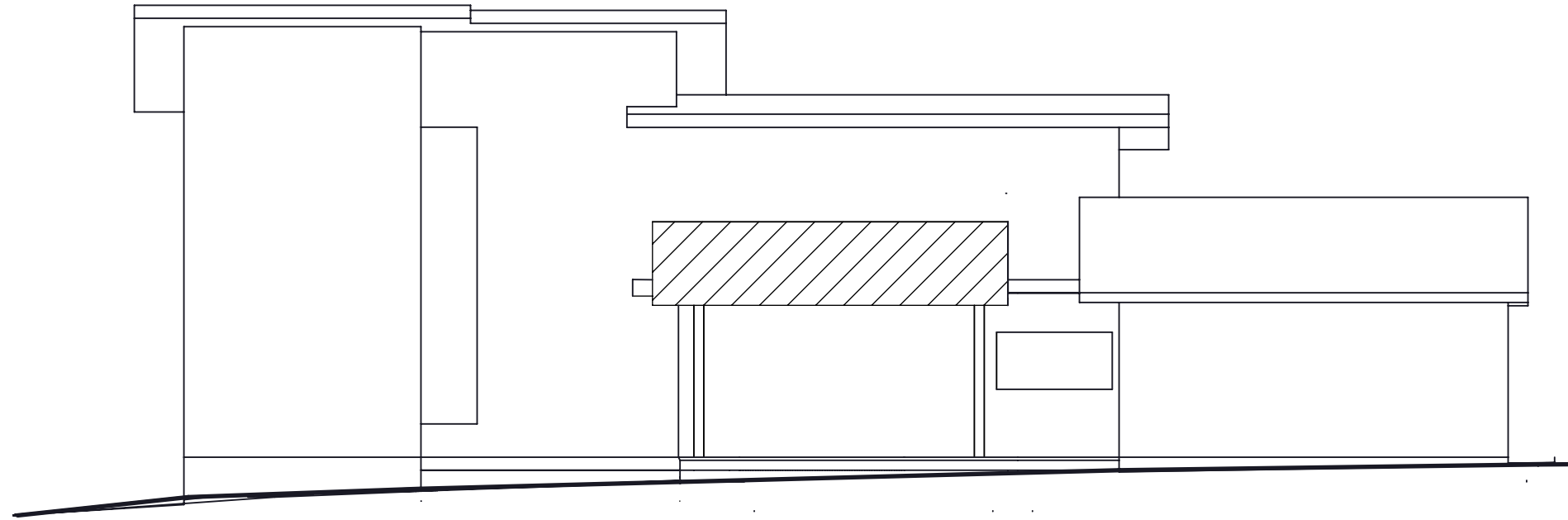
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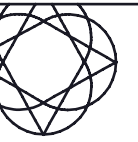
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1.03

1 right elevation
scale: 1/8" = 1'-0"



2 back elevation
scale: 1/8" = 1'-0"



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2.01



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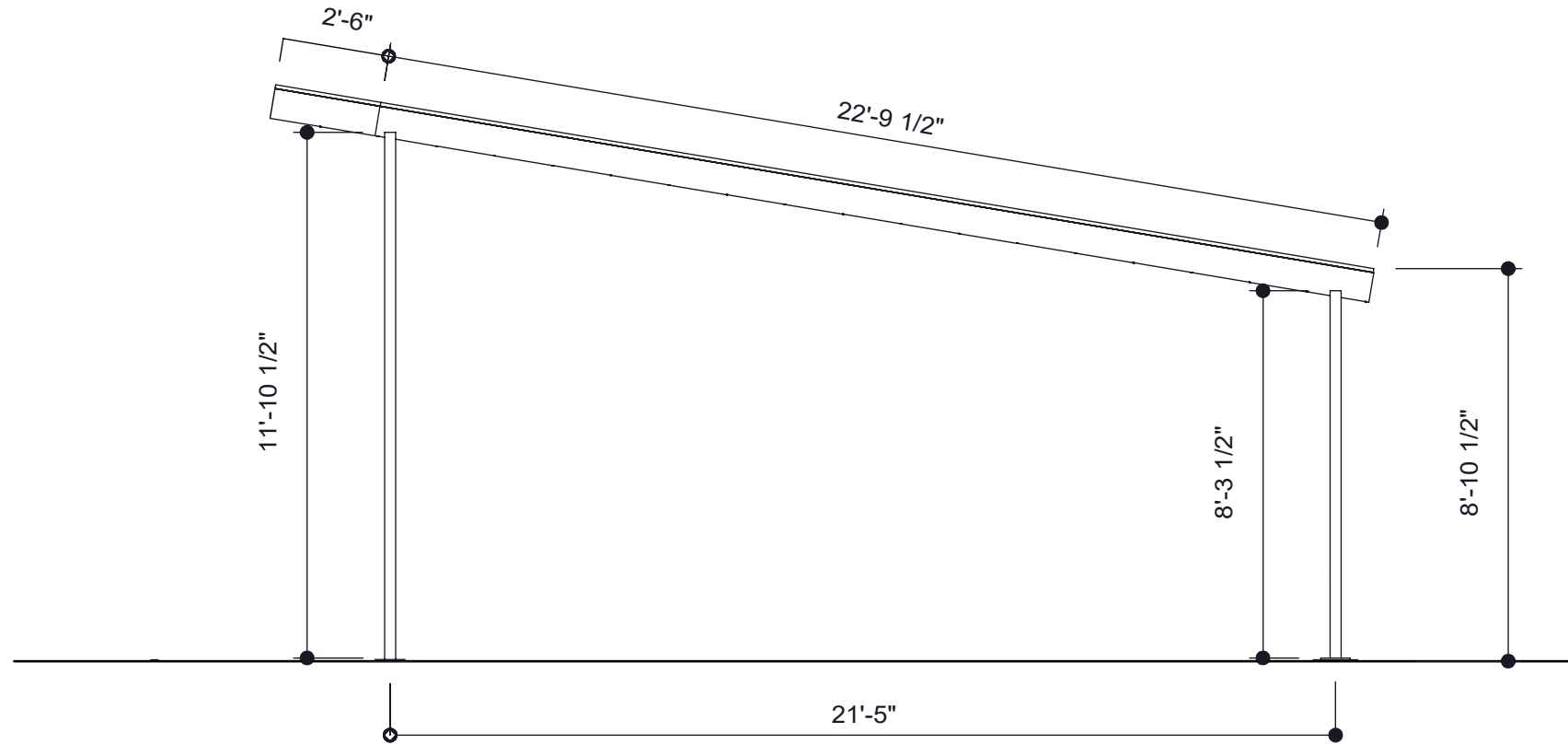
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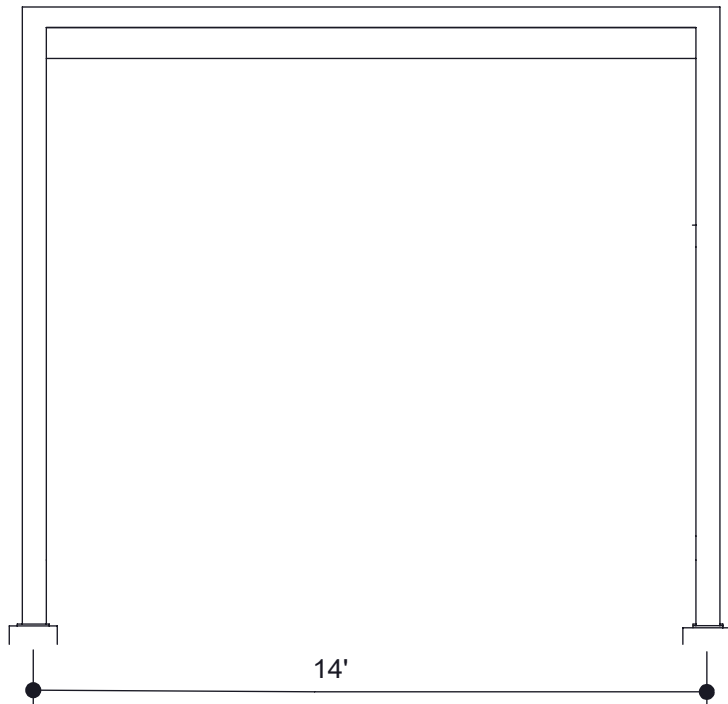
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4.01

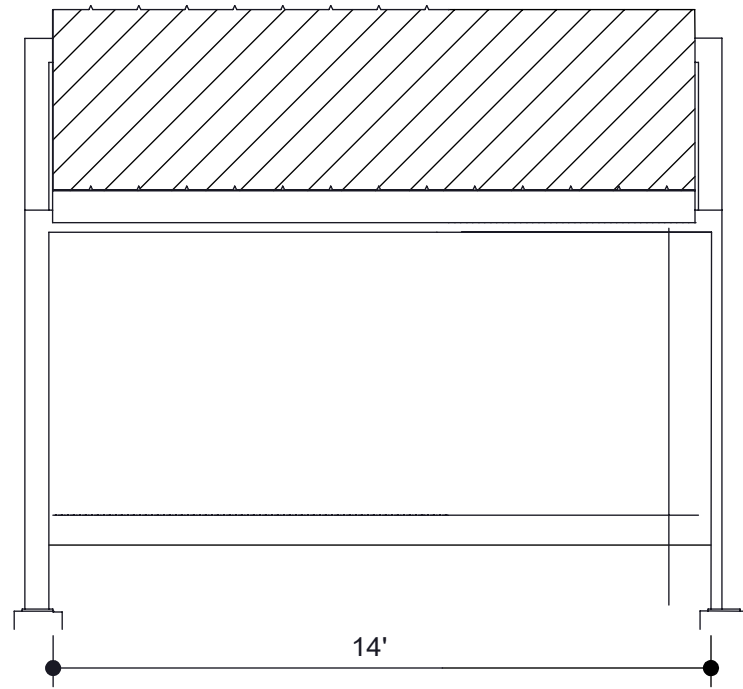
1 front elevation
scale: 1/4" = 1'-0"



2 left elevation
scale: 1/4" = 1'-0"



3 right elevation
scale: 1/4" = 1'-0"





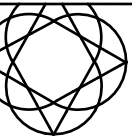
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The diagram shows a crane structure with two vertical supports. The left support is labeled 1/5.01 and the right support is labeled 1/5.02. The beam is supported by a central vertical column.

Technical drawing of a bridge structure, showing a cross-section of the deck and the supporting piers. The drawing includes a label "painted steel" pointing to the deck structure and a circular callout with the number "2" over "5.01" pointing to a specific detail of the deck.



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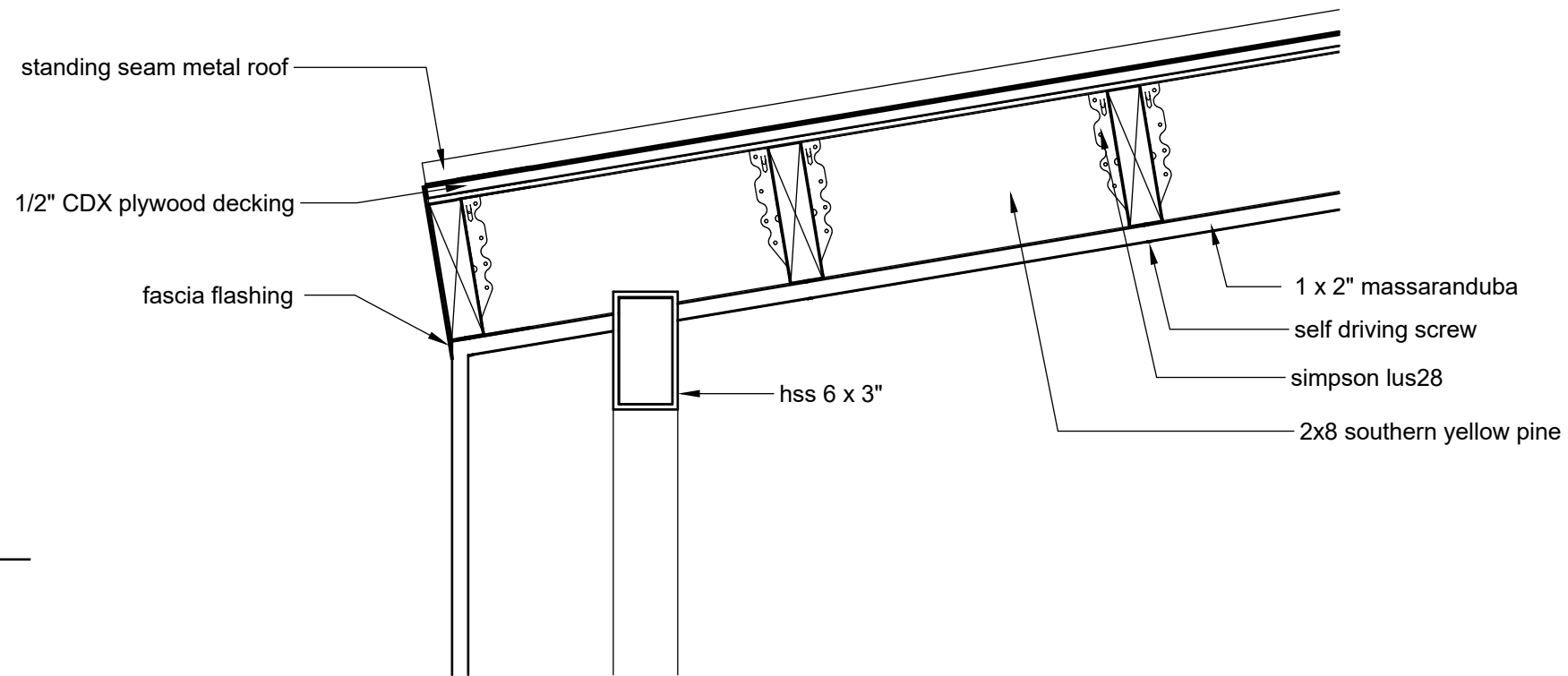
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5.01

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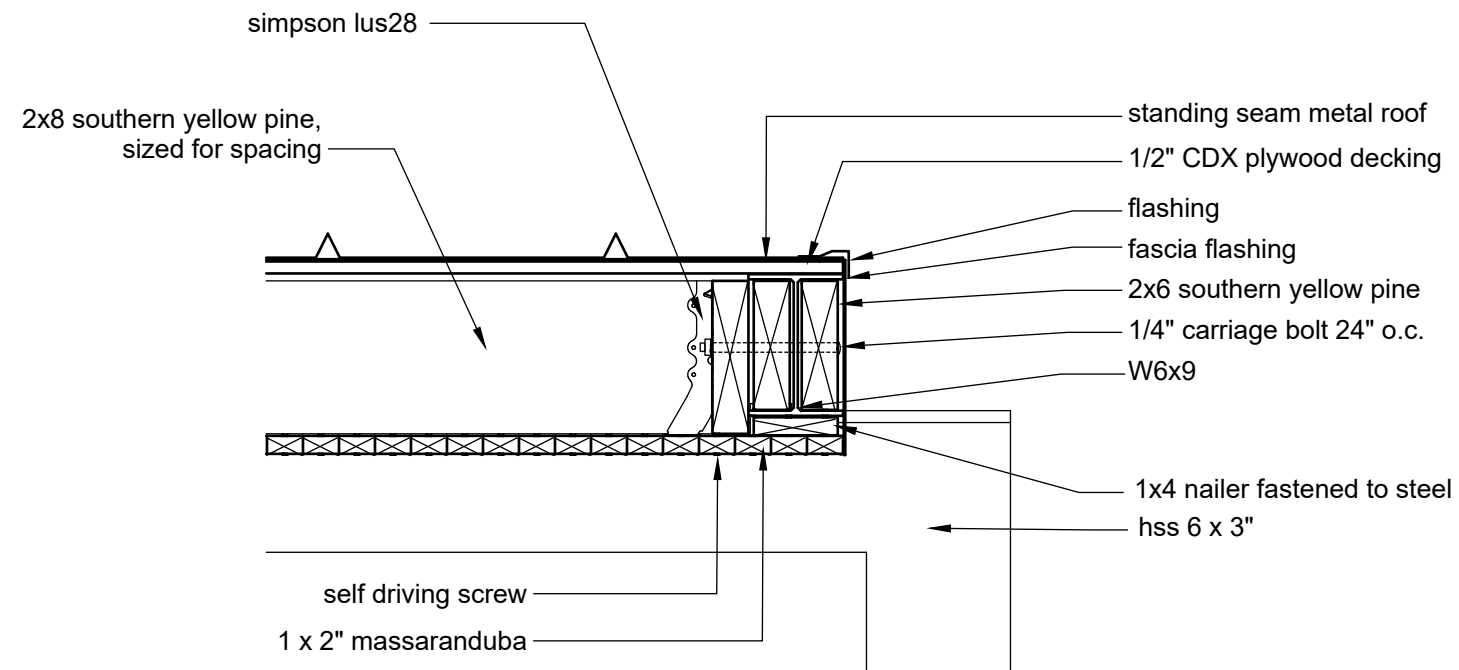
1 structure detail

scale: 1 1/2" = 1'-0"



2 structure detail

scale: 1 1/2" = 1'-0"



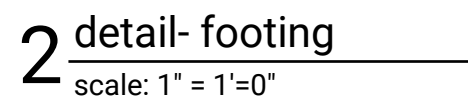
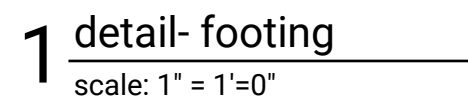


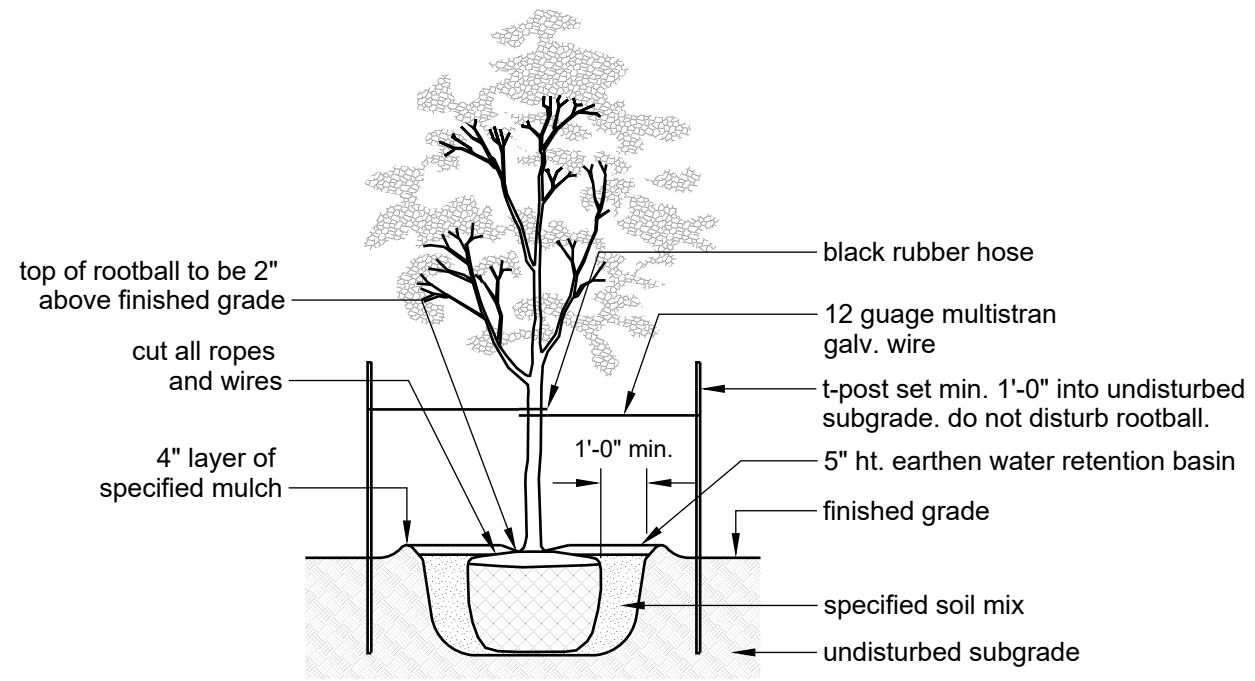
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5.02

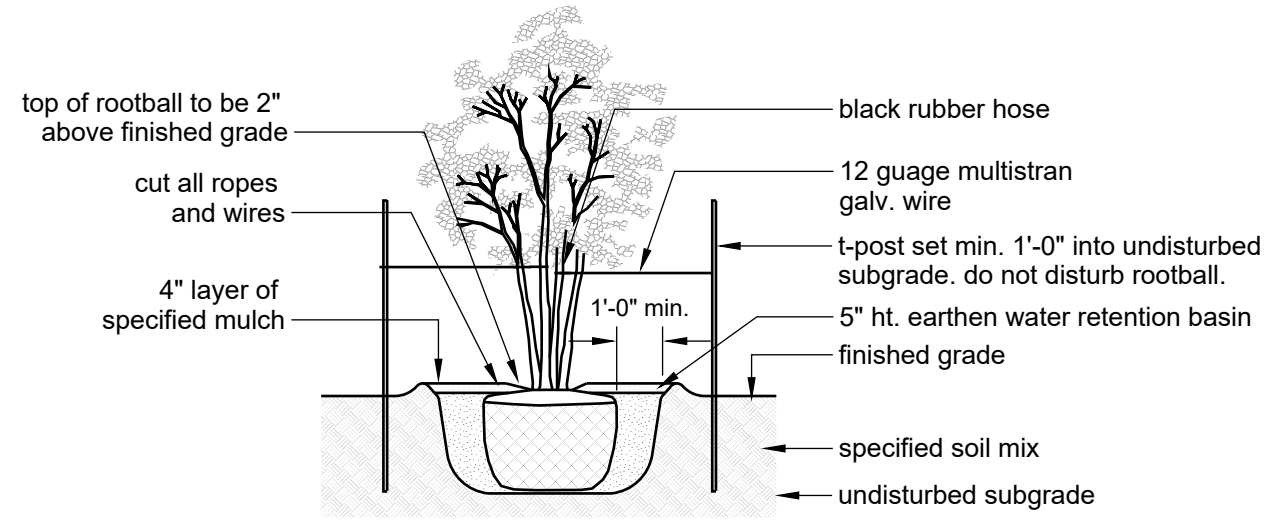
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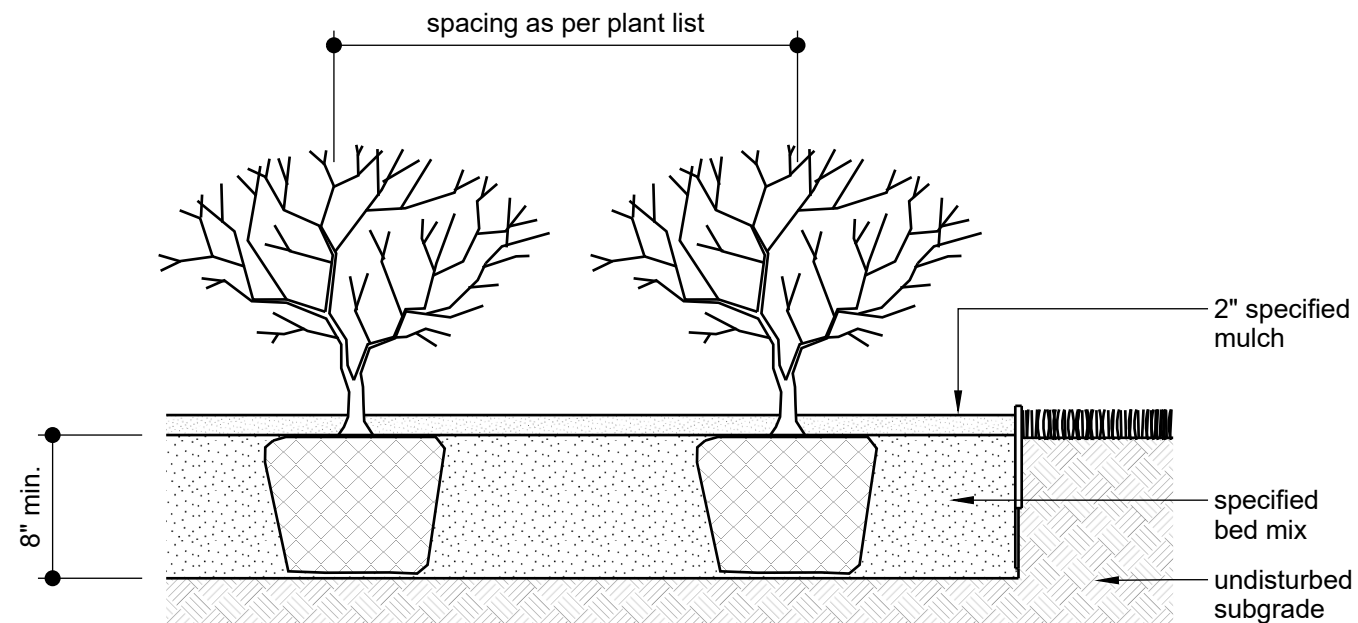
1 single trunk tree
scale: 1/4" = 1'=0"

- notes:
1. trees 4" cal. and less- (2) t-posts
 2. trees 4" cal. and greater- (3) t-posts



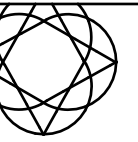
1 multi trunk tree
scale: 1/4" = 1'=0"

- notes:
1. trees 4" cal. and less- (2) t-posts
 2. trees 4" cal. and greater- (3) t-posts



1 shrub and ground cover
scale: 3/4" = 1'=0"

note:
crown all planting beds to provide positive drainage



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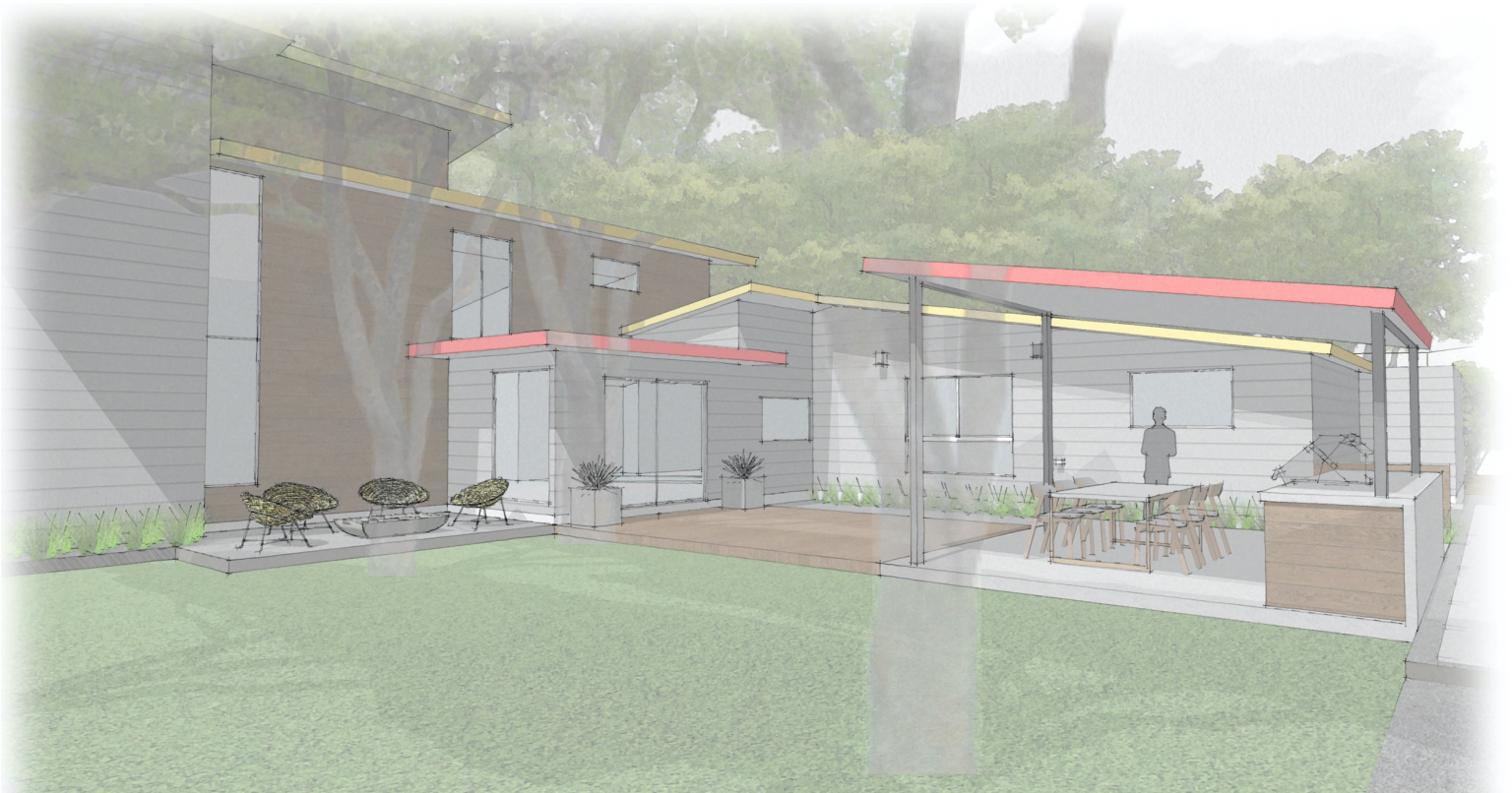
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impervious cover

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3rd floor	0.00	0.00	0.00
Basement	0.00	0.00	0.00
Covered parking	386.82	0.00	386.82
Covered deck	0.00	0.00	0.00
Covered porch	0.00	0.00	0.00
Covered patio	0.00	291.96	291.16
Balcony	0.00	0.00	0.00
Other roofed areas	88.34	0.00	88.34
Building Area	2689.47	291.16	2981.43
Building Cover	2689.47	291.16	2981.43
Driveway	1130.99	0.00	1130.99
Sidewalks	0.00	0.00	0.00
Uncovered patio	240.70	-240.70	0.00
Uncovered deck	0.00	117.50	117.50
Other flatwork	0.00	86.30	86.30
Impervious Cover	4061.16	255.39	4316.55
Pool (surface area)			0.00
Spa (surface area)			0.00
Lot size 10220.68			43%
% coverage	39.73%	2.5%	42.23%

drawing index

sheet number	description
LS 0.00	cover
LS 0.01	notes
LS 1.00	site plan
LS 1.01	demolition plan
LS 1.02	layout plan
LS 1.04	planting
LS 2.01	elevations
LS 3.01	layout and materials
LS 3.02	dimensions
LS 3.03	grade and drainage
LS 4.01	elevations
LS 4.02	sections
LS 5.01	details
LS 5.02	details
LS 5.03	details



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revisions:

drawn by:

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abbreviation

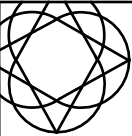
#	Pound OR Number	FO	Face Of	TME	To Match Existing
&	And	FND	Foundation	TOC	Top Of Concrete
@	At	GA	Gauge	TOS	Top Of Steel
ACT	Acoustic Ceiling Tile	GALV	Galvanized	TW	Top of Wall
AD	Area Drain	HI	High	TYP	Typical
AFF	Above Finished Floor	HP	High Point	UNO	Unless Noted Otherwise
BSMT	Basement	HR	Hour	U/S	Underside
BYND	Beyond	ILO	In Lieu Of	VIF	Verify In Field
BL	Build Line	INSUL	Insulated or Insulation	W/	With
BOT	Bottom	INT	Interior	WD	Wood
BW	Bottom of Wall	INV	Invert Elevation		
CIP	Cast In Place	LO	Low		
CHNL	Channel	MAX	Maximum		
CJ	Control Joint	MDO	Medium Desnity Overlay		
CL	Center Line	MECH	Mechanical		
CLG	Ceiling	MEMBR	Membrane		
CLR	Clear	MIN	Minimum		
CMU	Concrete Masonry Unit	MTL	Metal		
COL	Column	NIC	Not In Contract		
CONC	Concrete	NO	Number		
CONT	Continuous	NOM	Nominal		
CPT	Carpet	OC	On Center		
CTYD	Courtyard	OH	Overhang or Opposite Hand		
DEMO	Demolish or Demolition	PE	Professional Engineer		
DIA	Diameter	PCC	Pre-Cast Concrete		
DIM	Dimension	PLUMB	Plumbing		
DIMS	Dimensions	PLYD	Plywood		
DN	Down	PT	Pressure Treated		
DR	Door	PNT	Paint or Painted		
DWG	Drawing	RBR	Rubber		
EA	Each	RCP	Reflected Ceiling Plan		
EJ	Expansion Joint	RD	Roof Drain		
EL	Elevation	REQD	Required		
ELEC	Electrical	SIM	Similar		
ELEV	Elevator or Elevation	SPEC	Specified OR Specification		
EQ	Equal	SPK	Sprinkler or Speaker		
EXIST	Existing	SSTL	Stainless Steel		
EXP JT	Expansion Joint	STL	Steel		
EXT	Exterior	STRUCT	Structure or Structural		
FFE	Finished Floor	SYP	Southern Yellow Pine		
FIXT	Fixture	T&G	Tongue And Groove		
FLR	Floor	TELE	Telephone		
FM	Filled Metal	TLT	Toilet		

notes

1. topographic information shown +/-6" tolerance.
2. final grades to be determined on site at time of install.
3. report any drainage, elevation or site issues to design team.
4. unless otherwise noted, all dimensions are to the following:
face of wall, face of building, face of curb, edge of
pavement, centerline of pavement.

legend

symbol	description
	detail reference
	material or finish reference
	section symbol
	existing topography
	proposed topography
	existing spot grade
	proposed spot grade
	water flow
	pipe size
	enlargement area with reference
	matchline
	elevation reference
	north arrow



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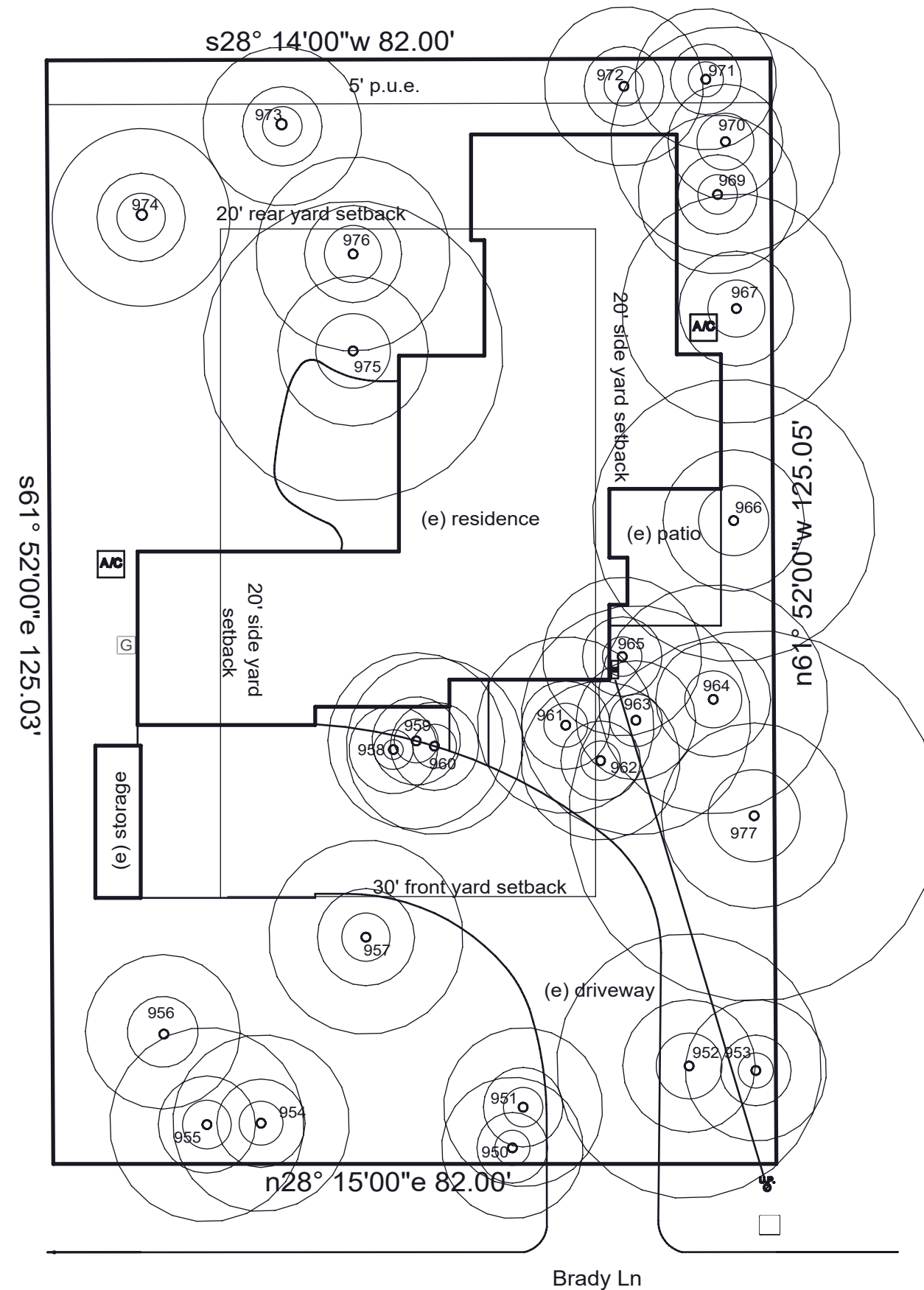
date issued:

revisions:

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symbol	definition
--------	------------

	overhead power
	a/c
	electrical
	gas
	power pole
	water meter
(e)	existing
(n)	proposed
	existing trees
	property line
	easement line



tag	size	type
950	8"	elm
951	9"	elm
952	15"	elm
953	11"	elm
954	10"	elm
955	11"	elm
956	6"	live oak
957	11"	elm
958	8"	live oak
959	7,10"	live oak
960	10"	elm
961	10"	live oak
962	9"	live oak
963	13"	live oak
964	10"	live oak
965	9"	live oak
966	6"	live oak
967	8,10,13"	live oak
968	6"	live oak
969	8,9"	live oak
970	13"	live oak
971	8"	live oak
972	9"	elm
973	9"	elm
974	10"	live oak
975	17"	live oak
976	11"	live oak
977	21"	live oak



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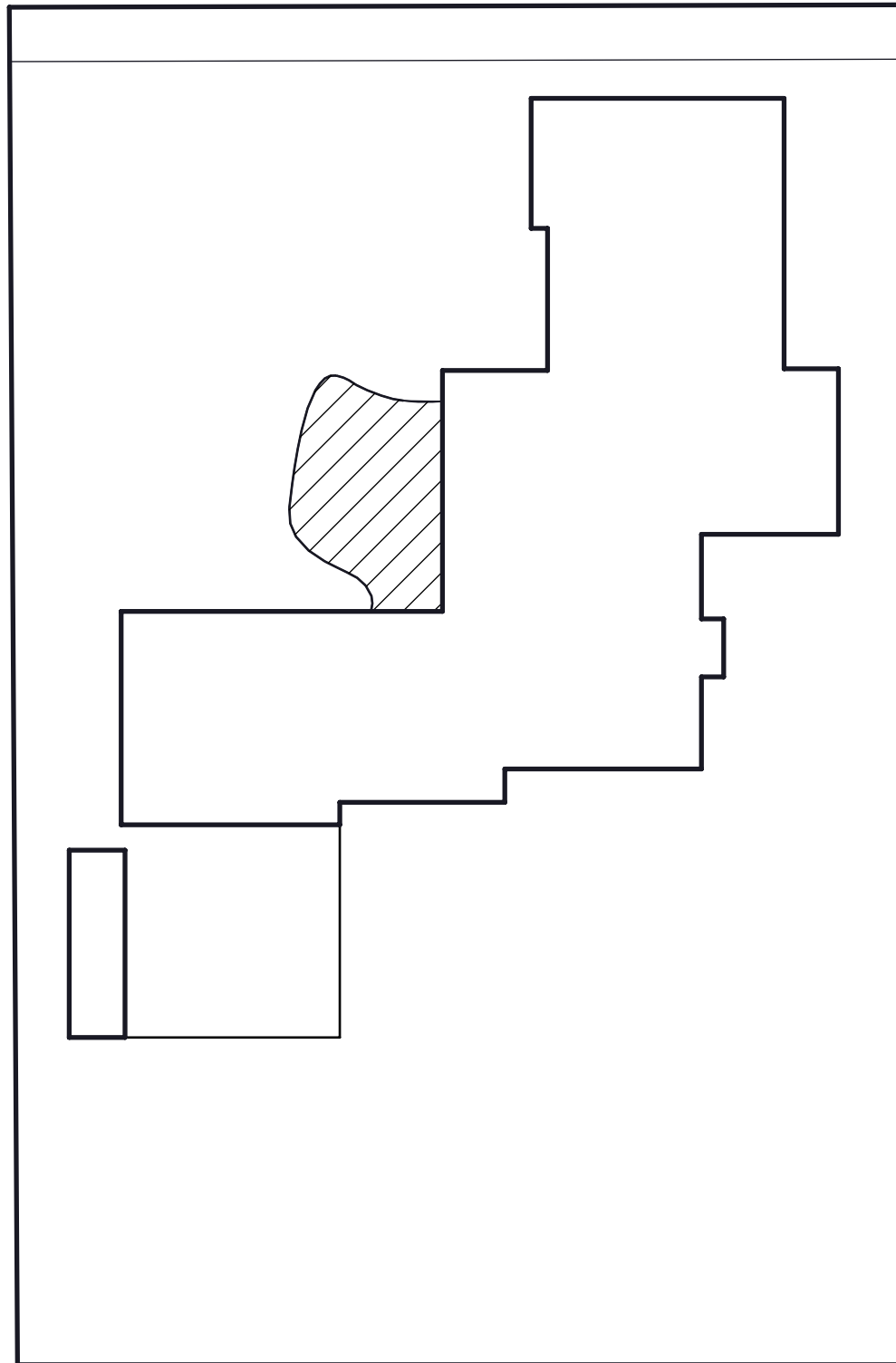
1 site plan

scale: 1/16" = 1'-0"

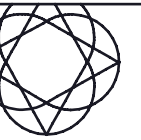


1.00

- property line
- easement line
-  demolition - concrete



1 demolition plan
scale: 1/16" = 1'-0"



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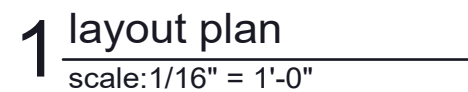
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1.01

symbol	definition
--------	------------

————— property line
————— easement line



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Drawn by: _____ and _____



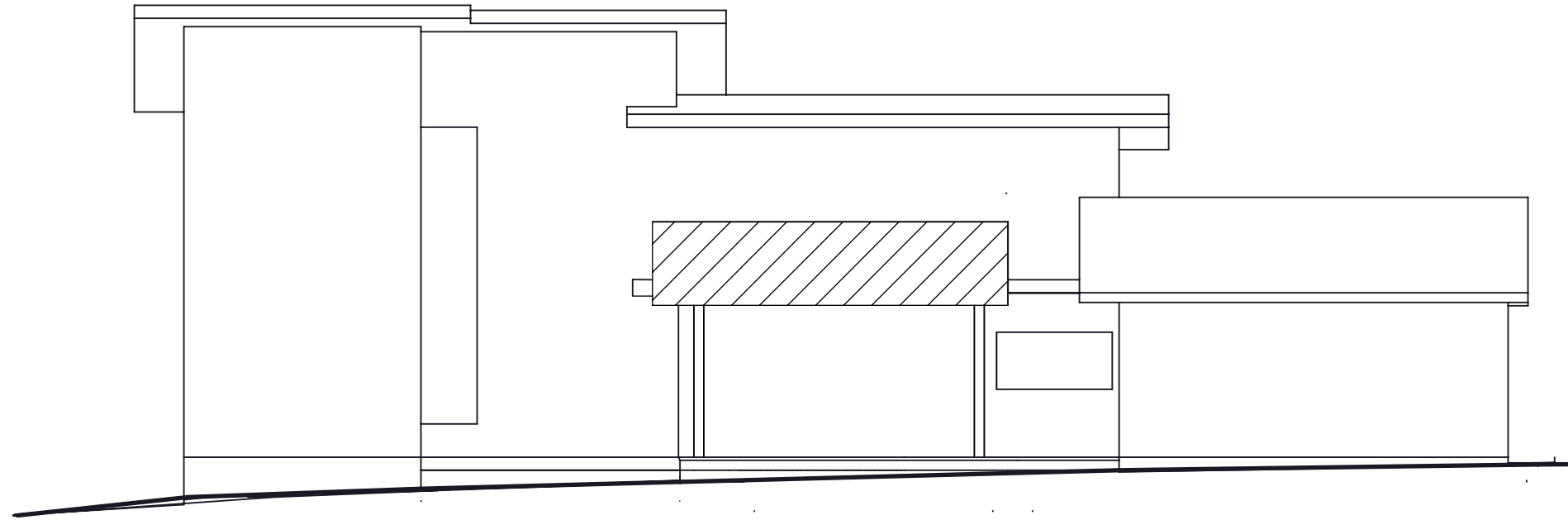
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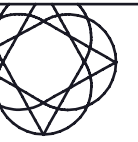
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1 right elevation
scale: 1/8" = 1'-0"



2 back elevation
scale: 1/8" = 1'-0"



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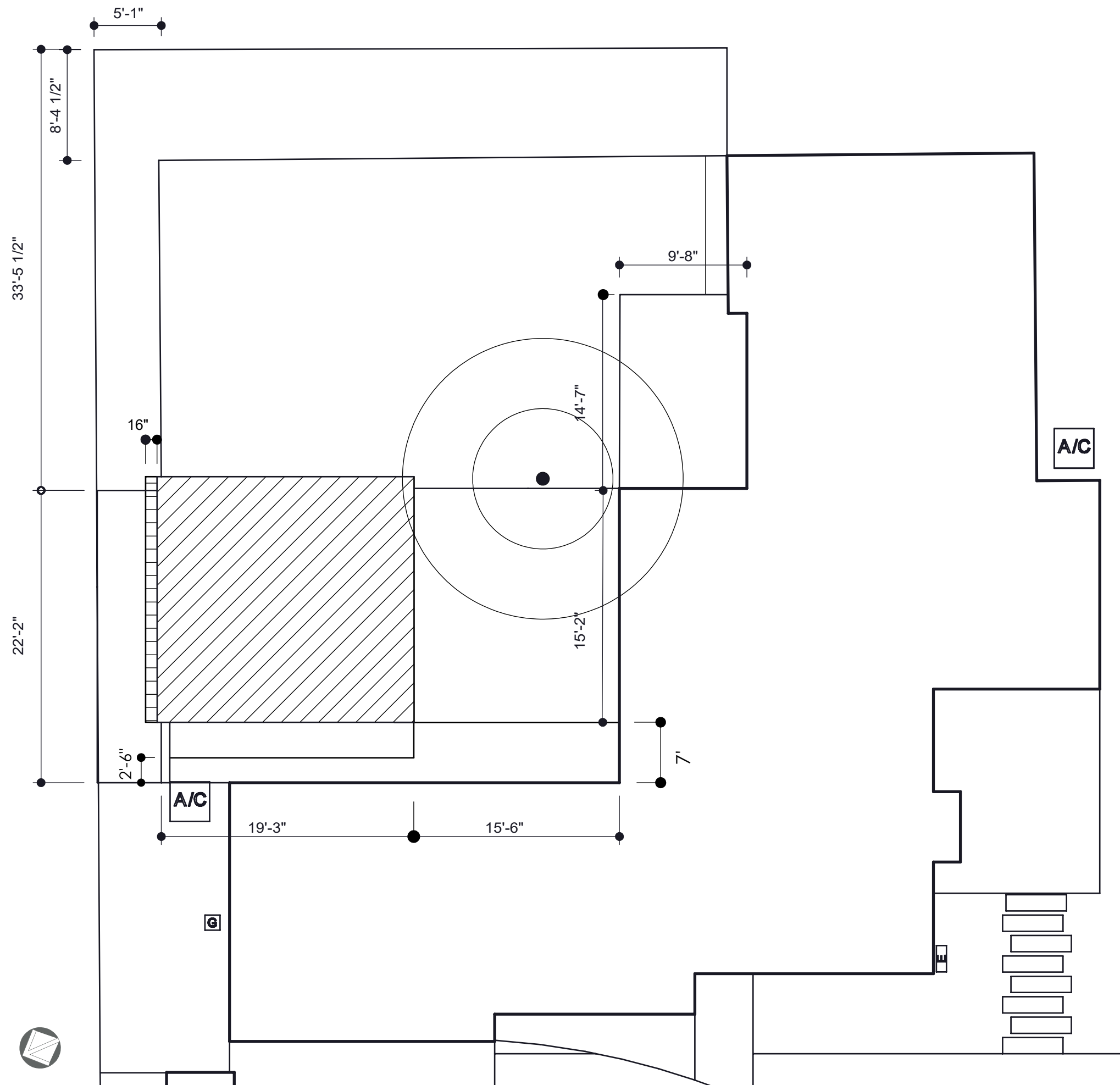
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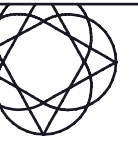
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2.01



1 dimensions
scale: 1/8" = 1'-0"



add

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3.02



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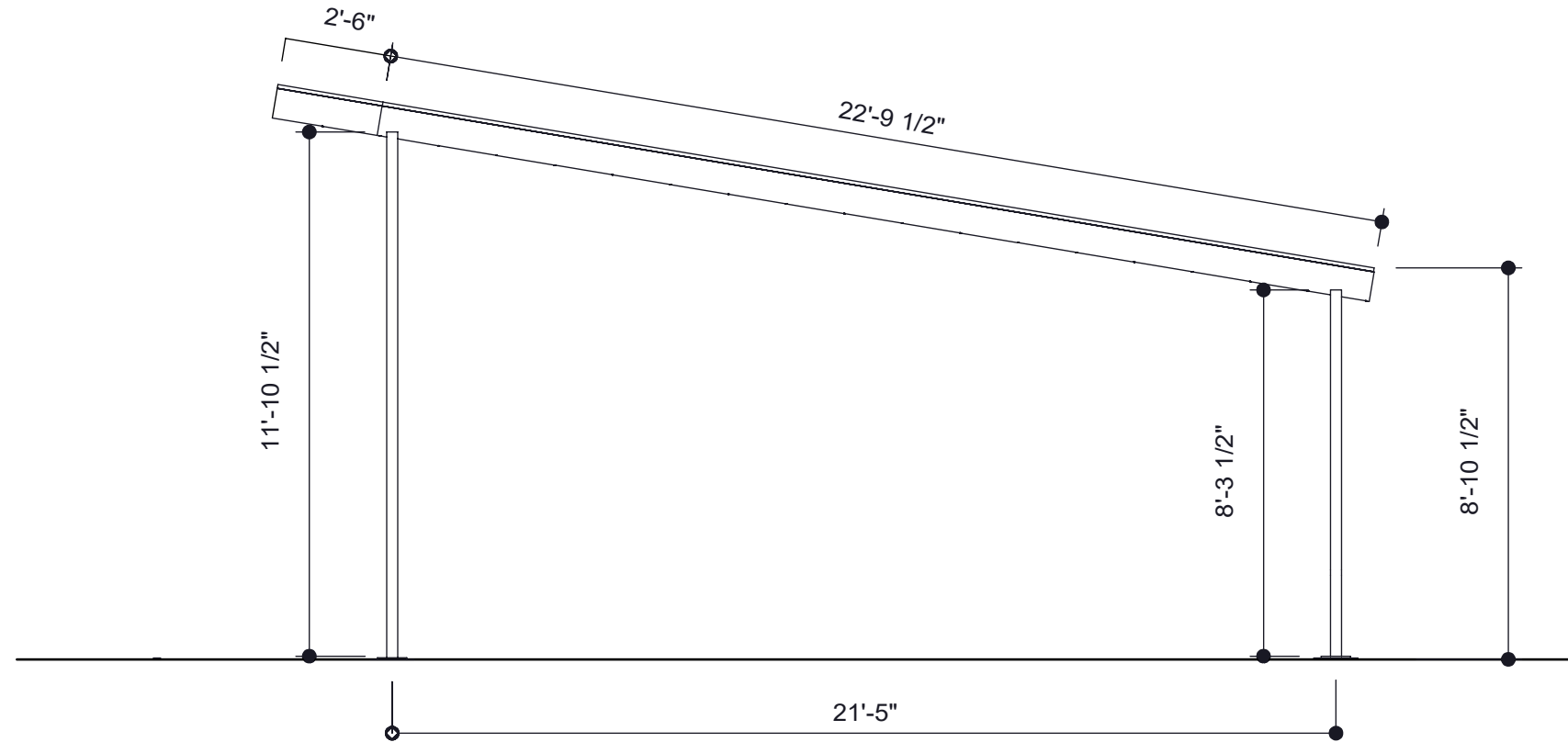
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drawn by: aod

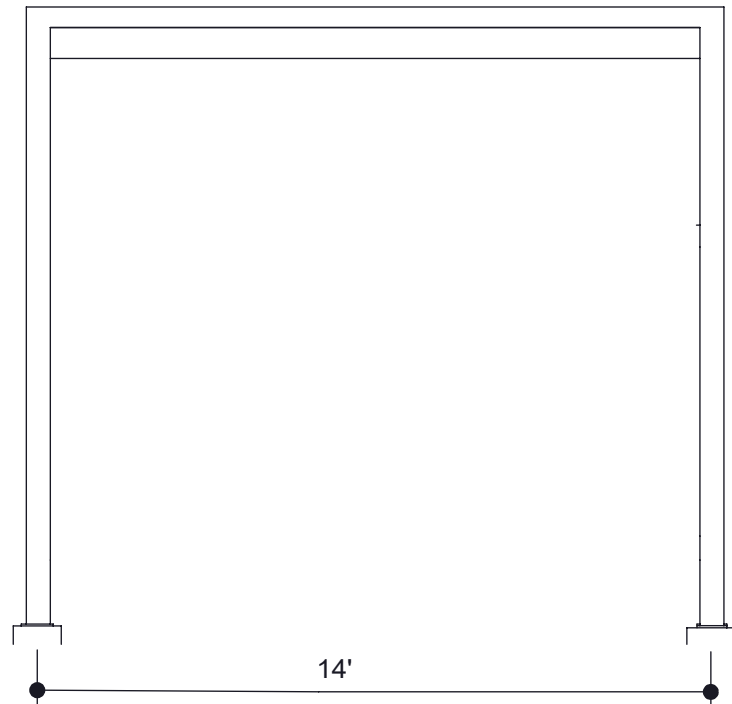
4.01

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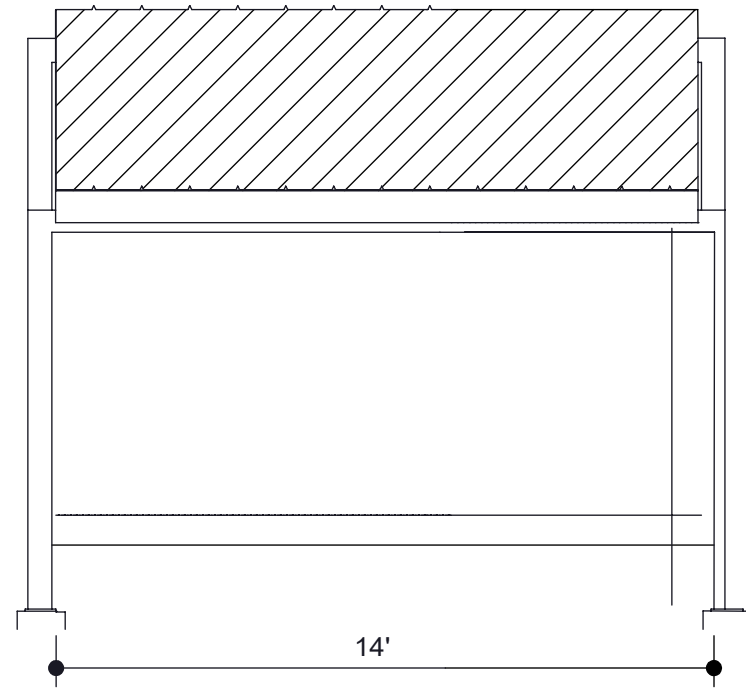
1 front elevation
scale: 1/4" = 1'-0"



2 left elevation
scale: 1/4" = 1'-0"



3 right elevation
scale: 1/4" = 1'-0"





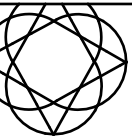
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The diagram shows a crane structure with two vertical supports. The left support is labeled 1/5.01 and the right support is labeled 1/5.02. The beam is supported by a central vertical column.

Technical drawing of a bridge cross-section. The drawing shows a single-lane bridge with a width of 5.0m. The bridge is supported by two piers. The top view shows the bridge deck with reinforcement bars. The side view shows the bridge structure. A callout indicates the width is 5.0m. The text "painted steel" points to the bridge deck.



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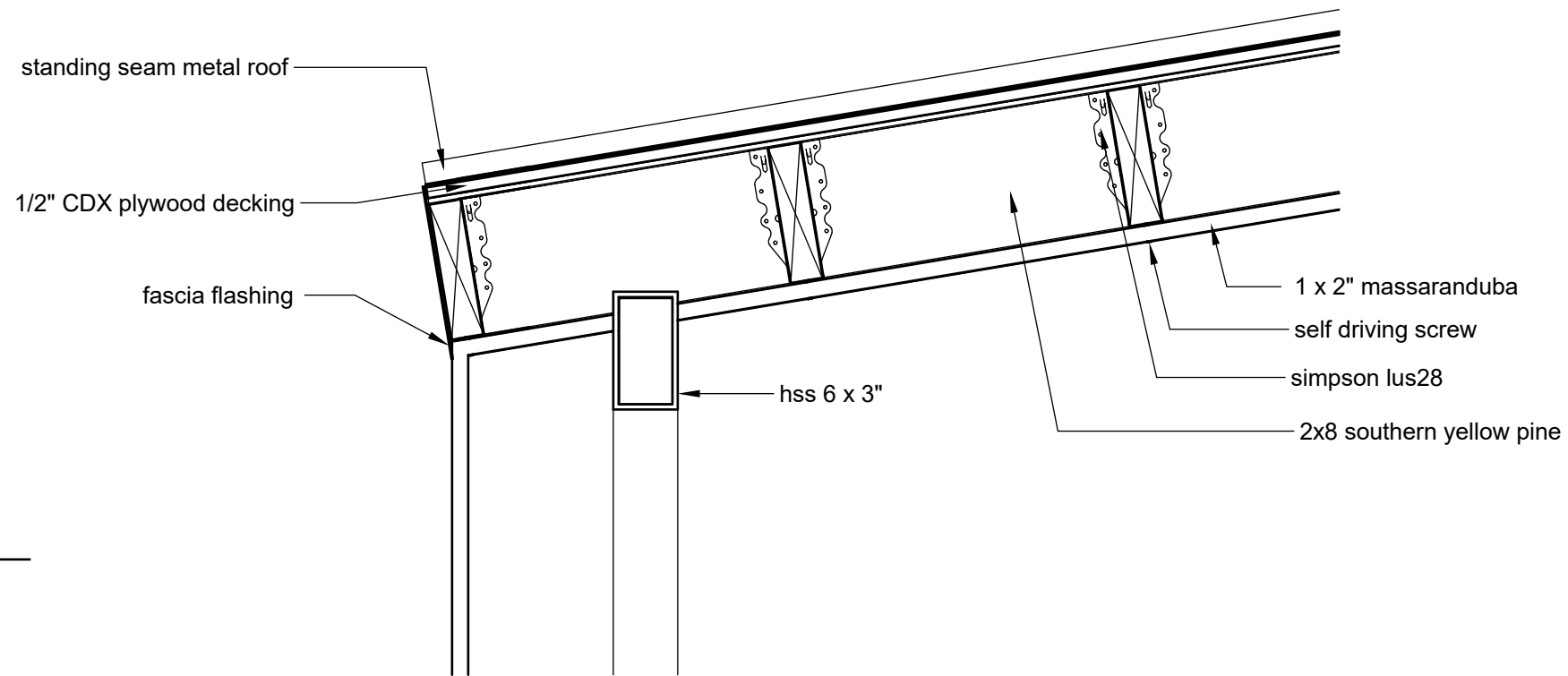
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5.01

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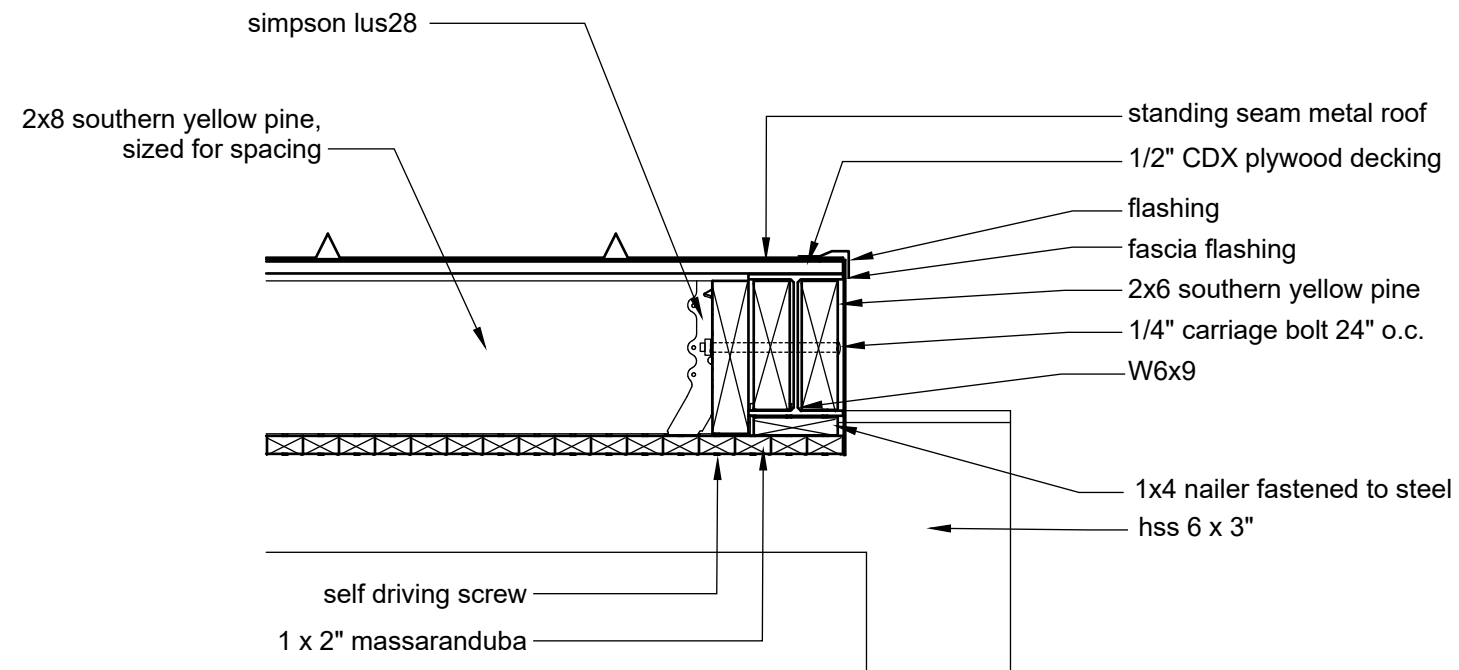
1 structure detail

scale: 1 1/2" = 1'-0"



2 structure detail

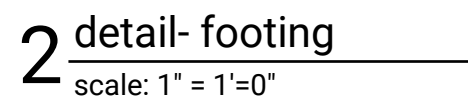
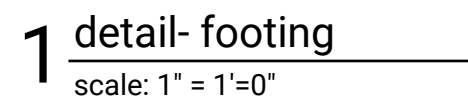
scale: 1 1/2" = 1'-0"



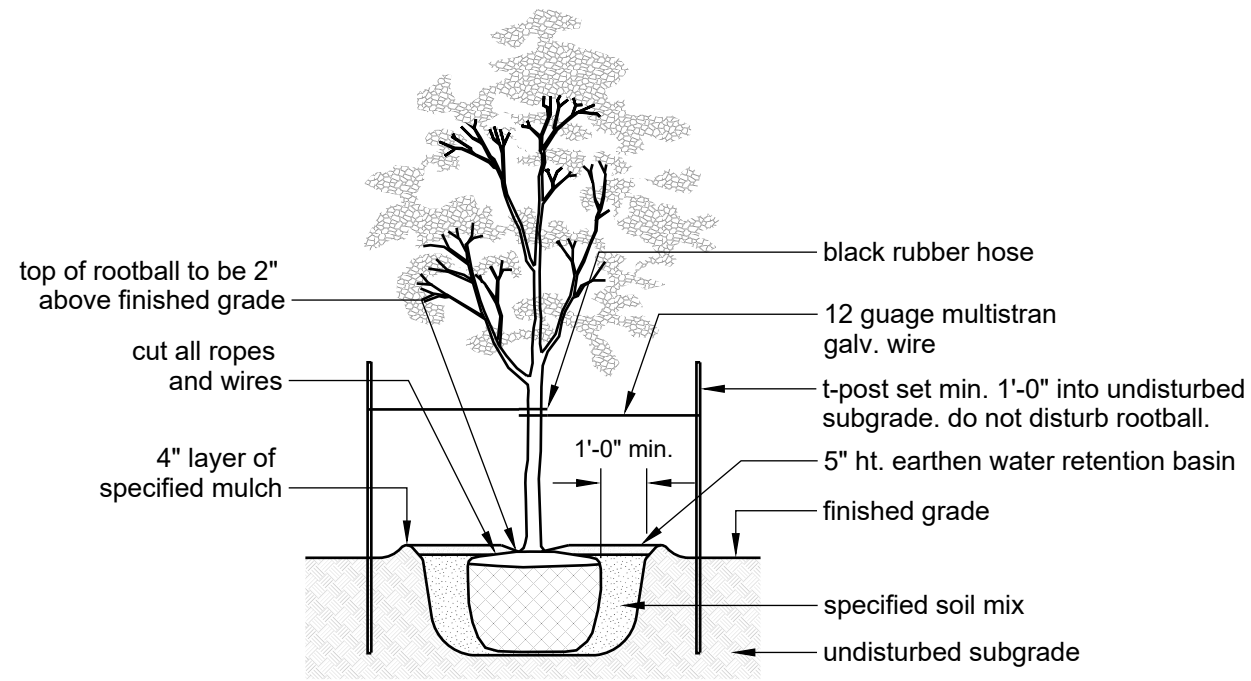


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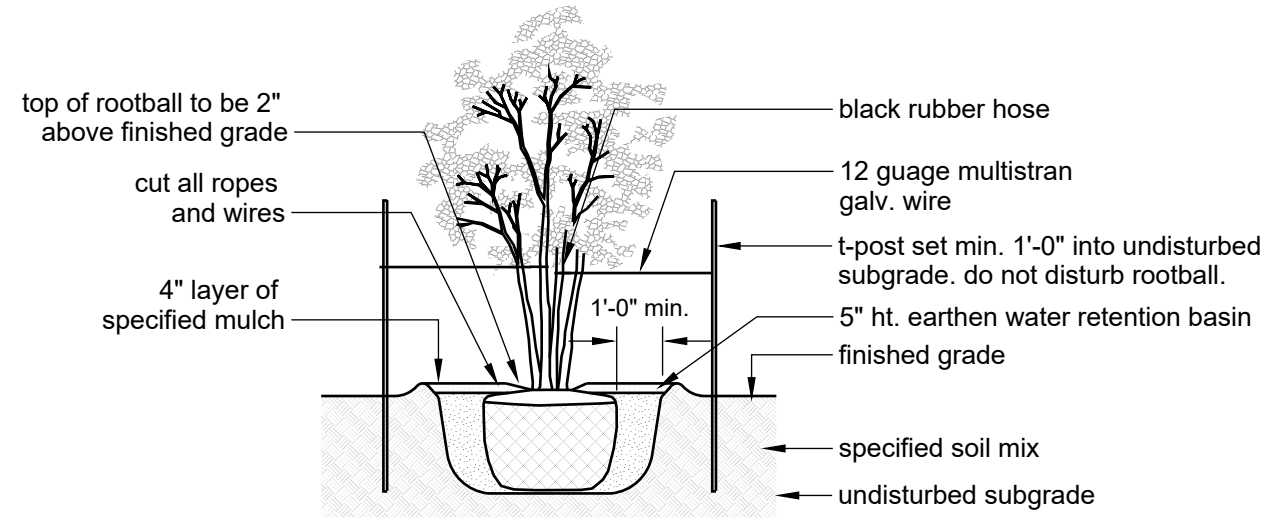


5.02



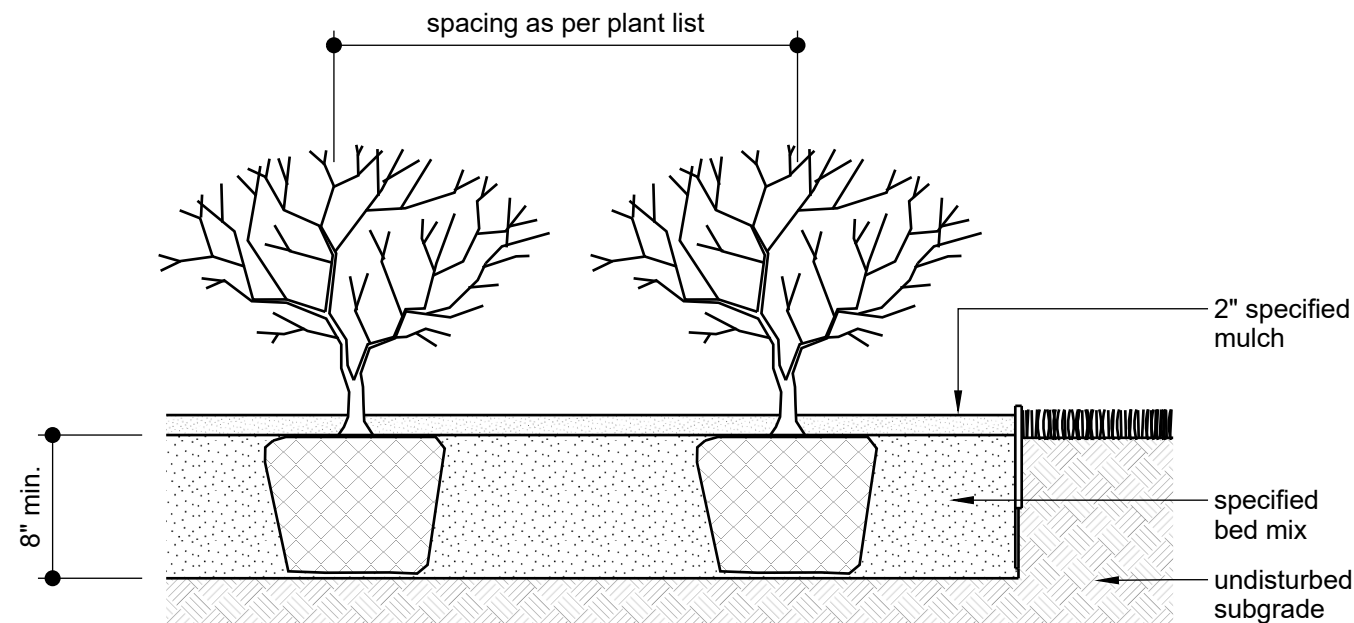
1 single trunk tree
scale: 1/4" = 1'=0"

- notes:
1. trees 4" cal. and less- (2) t-posts
2. trees 4" cal. and greater- (3) t-posts



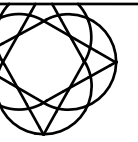
1 multi trunk tree
scale: 1/4" = 1'=0"

- notes:
1. trees 4" cal. and less- (2) t-posts
2. trees 4" cal. and greater- (3) t-posts



1 shrub and ground cover
scale: 3/4" = 1'=0"

note:
crown all planting beds to provide positive drainage



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SETBACKS, EXCAVATION, DRIVEWAY VARIANCES STAFF REPORT

JULY 15, 2020

Project Address: 2 Hull Circle

Project Number: 15864

Agenda Item: Land Use: 2 Hull Circle: Discussion/consideration of a variance application for four (4) variances in order to remodel an existing residence: 1) building encroachment into the front setback – carport; 2) building encroachment into a setback – building addition; 3) excavation greater than 18" in a setback; 4) construct a new residential driveway less than the 12ft required minimum width (West Lake Hills Code Sections 22.03.281, 22.03.170, and 22.03.175). Owners/Applicants Katherine & Michael Alexander.

Applicant Information: Katherine and Michael Alexander

Hearing Dates:

July 15, 2020 ZAPCO

August 12, 2020 Board of Adjustment/City Council

Location: The subject property is between Westlake Drive and Hull Circle, north of Redbud Trail.

Zoning & Site Characteristics:

The subject property and surrounding neighborhood are zoned R-1 – One-Family Residential. The property is approximately 0.2933 acre. There is currently an existing house on the property.

Background & Analysis:

The homeowners, Katherine and Michael Alexander, have applied for variances in order to remodel their home, including building a new driveway to replace the existing one in a different location, construction of a new carport and building addition. The new driveway would require variances for the width (less than the minimum 12ft) and excavation/cut/fill for the portion in the setback (up to 18" is permitted in the setbacks). Additionally, the new addition and carport encroach into the building setbacks.

The property is a triangular shape located at the fork of Hull Circle and Westlake Drive. It therefore has two front yard setbacks (30ft for properties smaller than 0.5 acre).

The applicants explain that the existing driveway is steep, and covers the critical root zones of two large oak trees. The existing garage is small and can only park one car. Additionally, the

applicants wish to expand the existing home to accommodate their family's needs. They are proposing to relocate the driveway and construct a new carport; and convert the existing garage to interior living space plus add a small addition. Portions of the existing home and garage encroach into the setback. Approximately two to three feet of excavation will be needed in the setback for the new proposed driveway.

Variance Criteria Review:

When applying for a variance, the applicant has established by competent evidence that:

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 application states – “Our home is situated on a corner lot and is sandwiched between Westlake Drive and Hull Circle. Consequently, the shape of our property is unusual and is bound by two “front-yard” setbacks of 30 feet and therefore our buildable area seems to be limited compared to other properties...It is apparent that converting the current garage and adding a carport is the only method of gaining square footage...”
“The current driveway is very steep which causes rainfall to wash across Hull Circle and onto my neighbor’s driveway-which is a violation of 22.03.175. The dated garage is a one car garage with some storage – it will not fit a 2nd vehicle. Our 2nd vehicle is forced to park outside of the garage. Therefore, we have adopted the previous owner’s practice which is to park in the unpaved area to the left of the driveway – another violation of code 22.03.175.”
2. There will not be unreasonable disruption of the natural terrain or unreasonable destruction of existing flora.
The application states – “The current flora will benefit from the proposed project. The demolition of the current driveway will remove a significant amount of impervious coverage over the 25% and 50% critical root zones of the two Heritage live oaks that are located immediately to the left and right of the existing driveway. The location of the trees and their root zones dictated our proposed design and driveway configuration. The majority of the proposed construction would occur on top of current impervious coverage. We have a proposed a driveway that has one small section where it is only 8’ wide so that it can “squeeze” through the critical root zone of the two heritage live oaks.”
3. There is no reasonable alternative to the requisite variance that will alleviate the difficulty or hardship complained of.
The application states – “We considered building a 2nd story which would add the need square footage but would not address the unsightly garage and parking issue. Additionally, my parents visit often for business and my father is handicapped and cannot walk up stairs so would prefer any additional bedroom to be on the 1st floor.”

“We considered building on the only viable area within the setback but it is a long, skinny rectangular area directly in front of our home’s front door and would require significant construction on the root zone of the heritage live oak tree in our front yard – another reason why we are proposing construction on top of current impervious coverage.”

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

The application states – “Ideally, we would ask for more square footage, but have only proposed the minimum amount that could help our family be more comfortable with respecting the code of Ordinances. Our proposed carport fits two vehicles snugly and includes a modest storage closet.”

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

The application states – “We believe the proposed plan doesn’t violate any intent of the zoning ordinance or City Plan. In fact, we believe our plan embraces the code and brings our property closer in line with the City’s Comprehensive Plan.”

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

The application states – “Our home is on a corner lot and our only adjacent neighbor is on the east side of our property and the proposed construction is on the west side of our property.”

Traffic/Transportation

There may be an impact on traffic in that area during construction process.

Lighting

Outdoor lighting is not proposed with this variance request. Any outdoor lighting will need to comply with the City’s Code.

Building Code

The property and future construction will have to comply with all applicable City codes.

Subdivision

This request will not change the subdivision.

Comprehensive Planning Analysis

The existing and future land use comply with the Master Plan.

Staff Recommendation

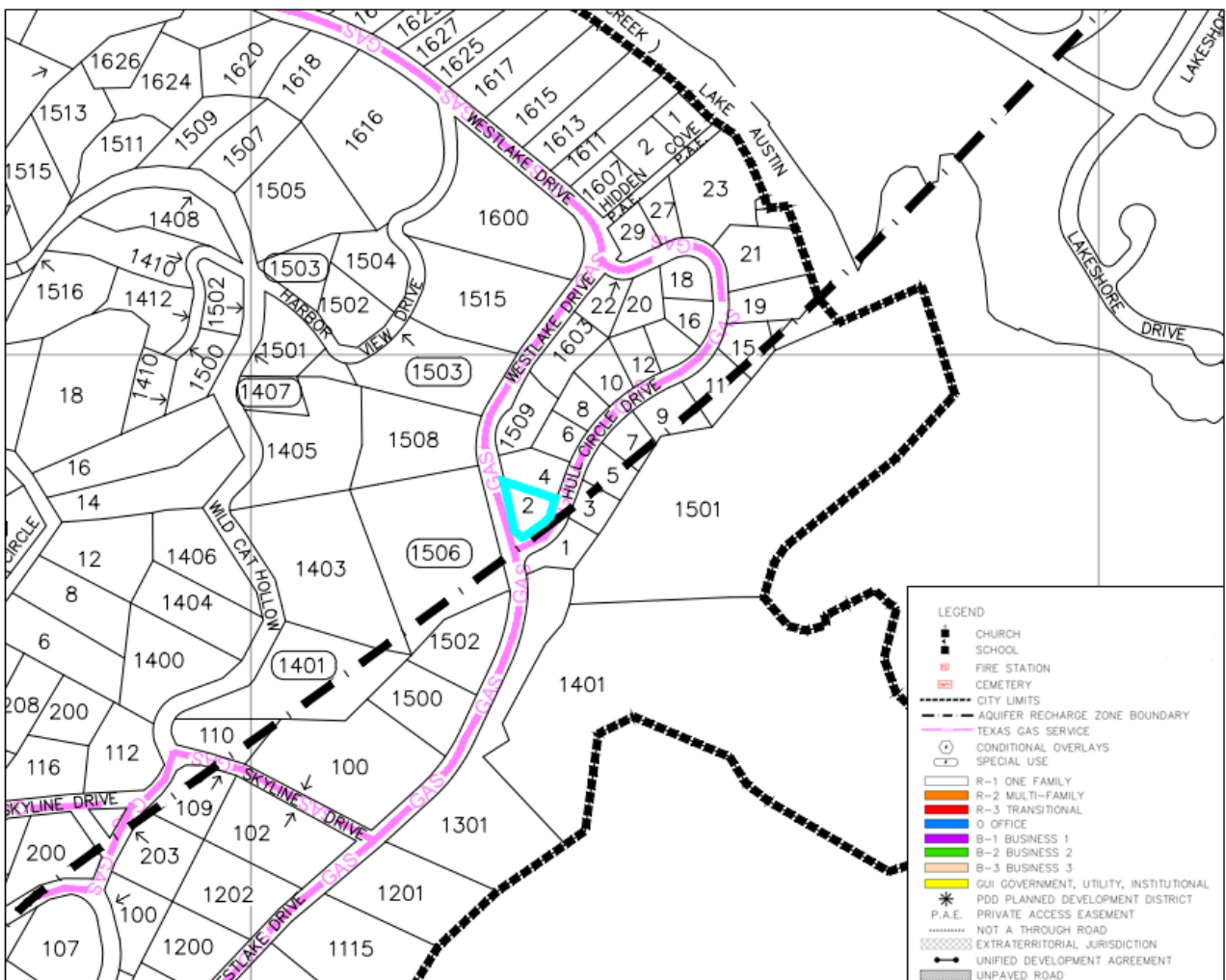
The staff recommendation is denial. Alternatively, ZAPCO may postpone the items or consider approval of the requested variances.

Links to Relevant Code:

- [Sec. 22.03.170 Site disturbance \(excavation, grading or filling\)](#)
- [Sec. 22.03.175 Off-street parking and parking pad requirements in residential areas](#)
- [Sec. 22.03.281 Schedule of regulations](#)
- [Sec. 22.03.514 Criteria and process required for granting variance](#)

(Maps to follow)

Zoning:



Aerial:



APPLICATION COVER SHEET

Property Address: 2 Hull Circle Drive

Applicant Name: Katherine and Michael Alexander

Designated Agent (if any, Power of Attorney Required): _____

Applicant Phone Number: 512 571 8439 Email Address: michael@arstingplantsupply.com

Date Application was Submitted: _____

Variance(s) Requested: ① BUILD BEYOND SETBACK - CARPORT ② BUILD BEYOND SETBACK - ADDITION

③ EXCAVATE MORE THAN 18" IN SETBACK (DRIVEWAY)
④ BUILD DRIVEWAY LESS THAN 12' IN WIDTH

Applicant completes above section; City Staff completes the section below:

Variance File Number: _____ [A sequential identifier based on application date and noted in a Variance Application Log maintained by staff. Examples: 20110903A, 20110903B, 20111021A, etc.]

Application Fees Due: \$ _____ ☐ Fees Received on _____ by _____

DRAFT APPLICATION PACKET MATERIALS

Draft Application Packet Received on _____ by _____

☐ Letter to ZAPCO Chairperson ☐ Variance Approval Criteria Answers

☐ Site Plan Coversheet ☐ Site Plan Drawings

☐ Elevation Views and Floor Plans (new structures only)

☐ Septic Assessment (new structures only)

☐ Additional Support Materials (if any): _____

☐ Power of Attorney (if any) – Designated Representative: _____

Staff Analysis completed on _____ by _____

Staff Analysis sent to Applicant on _____ by _____

FINAL APPLICATION PACKET

Final Application Packet Reviewed and Approved on _____ by _____

Notice to Proceed Letter sent to Applicant on _____ by _____

• Notification Letter must be postmarked by _____ ☐ Confirmed by _____

• Sign must be posted by _____ ☐ Confirmed by _____

15 Copies of Final Packet received on _____ ☐ Confirmed by _____

ZAPCO

Scheduled for ZAPCO Hearing on: _____

ZAPCO Action Letter sent on _____ by _____

ZAPCO Recommendation: _____

Conditions/Comments (if any): _____

Modified application and materials (if any) received on _____ by _____

BOA/CITY COUNCIL

Scheduled for BOA/Council Hearing on: _____

BOA/Council Action: _____

Conditions/Comments (if any): _____

BOA/Council Action Letter sent on _____ by _____

FOLLOW-UP

Follow-up dates (vegetative screening installed, survival verification, etc.): _____

• Notifications added to Incode on _____ by _____

Postponement History (if any): _____

Notes: _____

LETTER TO ZAPCO CHAIRPERSON

DATE: June 4, 2020

Chairman Robert Meisel

Westlake Hills Zoning and Planning Commission

911 Westlake Drive

West Lake Hills, Texas 78746

Dear Mr. Chairman,

We are requesting a total of four variances in order to solve a major parking issue as well as provide additional square footage for my growing family. The first two variance requests are associated with the construction of a new curb cut and driveway – the first being a request to excavate more than 18” in the setback (for curb cut and drive) and the second is a request to have a section of our driveway to be less than 12’ in width. The driveway is designed at 8’ wide at one point in order to avoid the 50% critical root zone of two heritage live oak trees. We chose this variance instead of a tree variance request. The 3rd and 4th variance request would be permission to build an addition and carport beyond the current building setback lines. My family and I have been living at 2 Hull Circle since 2016 and we love this street. We chose Westlake because of the natural beauty, wildlife, and privacy which is noted in the goals of the City’s Comprehensive Plan. If the variance request is approved, we believe that this project will enhance the health of the current flora, specifically the heritage live oaks on the property, increase our neighbor’s enjoyment of their own property, and bring our dated home closer in line with the code of Ordinances and the City’s Comprehensive Plan.

In addition to holding a degree in Forestry, my wife and I own and operate Austin Plant Supply which specializes in supplying native plants and trees to Austin and the Hill Country. I say this because I believe it is important for you to understand that are intentions to preserve the natural flora are genuine. The purpose of this project is to solve two problems: 1. We need more square footage for our growing family and 2. We have a dated and very unsightly driveway and a very small garage that will only fit one vehicle. The existing driveway is very steep and was poured over the rootzones of two heritage live oak trees. Since the garage can only fit one vehicle and the driveway is very steep, we have adopted the practice of the previous homeowners: We are parking our 2nd vehicle on an unpaved section of area adjacent to the driveway. All of this is very unsightly, **highly visible**, and embarrassing at times. Our home is the first home the public sees as you turn onto Hull Circle off of Westlake Drive. We feel an obligation to have it look much nicer than its current state.

Additionally, the steep driveway has drainage issues. During heavy rainfall events, large amounts of running water rush down the driveway slope, across the curb and street, and flow into my neighbor Raul Gonzales’ property carrying mud, rock, gravel and debris with it. I find myself apologizing to Raul after every rain. I’ve tried putting in retaining rocks and a drainage system to slow the water but all has failed. (see photos). I believe all of the above would be solved by my proposed plan.

Our site plan proposes a new curb cut (which would replace the existing), a new driveway that is much more level and barely visible from the street, an open air carport in which the entrance does not face the street, and an installation of a heavily screened vegetative buffer over the existing driveway area close to the street. We chose an open air carport as opposed to a garage because we believe that an enclosed structure is not only much more visible but would also block the views of the natural landscape from all angles. Because we are requesting a variance to build closer to the street, we think its very important and in everyone’s best interest for the structure to be nondescript. The new driveway was designed to avoid the 50% critical root zone of two heritage live oak trees and also involves a decompaction treatment and landscape installation on other areas of current impervious coverage. The new landscaping will benefit the two heritage live oaks trees greatly. Our neighbor Troy Lewis at #3 Hull Circle agreed with this sentiment when I first approached him about the proposed site plan. Finally, if the parking situation is resolved with the new driveway and carport, we can convert the existing garage and make a small addition so that my family can have more usable space. All of the new construction would include heavy plantings of dense native vegetation to provide more privacy and become more in line with code of Ordinances.

Sincerely, Michael and Katherine Alexander (2 Hull Circle Drive)

1. **Describe in detail any special conditions you believe will result in unnecessary hardship to you if the terms of this ordinance are strictly or literally enforced.** If the current ordinance is literally enforced then our home would not fall in line with the City's Comprehensive Plan and we would be unable to add additional square footage to our home. In order to stay in the neighborhood, we need to add additional square footage for our growing family. Our home is situated on a corner lot and is sandwiched between Westlake Drive and Hull Circle. Consequently, the shape of our property is unusual and is bound by two "front-yard" setbacks of 30 feet therefore our buildable area seems to be limited compared to other properties. It is my understanding that most homes in the City have a front yard setback of 30' and a backyard setback of 10' which seems to limit our building area compared to other residences in Westlake. It is apparent that converting the current garage and adding a carport is the only method of gaining square footage which not only bring certain items up to code but will result in a property that coincides with the City's Comprehensive Plan.

Our property does have another curb cut on Westlake Drive however it is currently unusable and very unsafe given its limited line of site to the oncoming traffic.

The current driveway is very steep which causes rainfall to wash across Hull Circle and onto my neighbor's driveway – which is a violation of 22.03.175. The dated garage is a one car garage with some storage – it will not fit a 2nd vehicle. Our 2nd vehicle is forced to park outside of the garage. Therefore, we have adopted the previous owner's practice which is to park in the unpaved area to the left of the driveway – another violation of code 22.03.175. The whole parking situation is unsightly and embarrassing. Our home is the first house that is seen on Hull Circle – we feel this must be addressed.

2. **Why do you think the natural terrain and existing flora will not be unreasonably disrupted or destroyed in the variance you are requesting is granted?** The current flora will benefit from the proposed project. The demolition of the current driveway will remove a significant amount of impervious coverage over the 25% and 50% critical root zones of the two Heritage live oaks that are located immediately to the left and right of the existing driveway. The location of the trees and their root zones dictated our proposed design and driveway configuration. The majority of the proposed construction would occur on top of current impervious coverage. We have proposed a driveway that has one small section where it is only 8' wide so that it can "squeeze" through the critical root zone of the two heritage live oaks. The only other option would be a driveway that requires us to request two tree variances and pour a driveway on top of the root zones. The driveway will require 2-3' of excavation for the new curbcut to be installed, therefore we chose an area that was the furthest possible from the rootzone of the heritage live oaks. The small addition to the garage will lie on top of an existing limestone shelf where no root zone of any tree is present. There is one section of the proposed carport that would lie on top of the root zone of a heritage tree but we have proposed a cantilevered "floating" driveway in this area in order to avoid pouring pavement on the existing pervious coverage over the rootzone.

3. **What other reasonable alternatives have you considered? Why won't these other options alleviate the difficulty or hardship you think exists?**

We considered building a 2nd story which would add the needed square footage but would not address the unsightly garage and parking issue. Additionally, my parents visit often for business and my father is handicapped and cannot walk up stairs so would prefer any additional bedroom be on the 1st floor.

We considered building on the only viable area within the setback but it is a long, skinny rectangular area directly in front of our home's front door and would require significant construction on the root zone of the heritage live oak tree in our front yard – another reason why we are proposing construction on top of current impervious coverage.

We considered buying a smaller car so that two vehicles could squeeze into the garage but our garage will not fit two vehicles no matter what size they are.

We considered requesting another variance to pour a new curb cut driveway closer than 35' to Westlake drive but believe that the proposed location is the safest and least disturbing to the critical root zones of the trees.

We tried to incorporate our 2nd curb cut on Westlake drive into the layout but quickly realized the danger posed from Westlake drive and its poor line of sight.

4. **Why do you believe the variance you are requesting is the minimum required to alleviate the difficulty or hardship you think exists?**

Ideally, we would ask for more square footage, but have only proposed the minimum amount that could help our family be more comfortable while respecting the code of Ordinances. Our proposed carport fits two vehicles snugly and includes a modest storage closet. The size of our driveway and curbcut is the minimum that City code allows.

5. **Why do you believe your variance does not violate the intent of the zoning Ordinance or the goals of the City's Comprehensive Plan?** We appreciate the discernment of the City of Westlake zoning Ordinance – especially when it comes to preserving the natural beauty. We have been contemplating this for over 4 years with several different architects. We believe the proposed plan doesn't violate any intent of the zoning Ordinance or City Plan. In fact, we believe the our plan embraces the code and brings our property closer in line with the City's Comprehensive Plan.

6. **Why do you believe your variance will not adversely affect the neighboring properties or interfere with the enjoyment of these properties by their owners?**

Our home is on a corner lot and our only adjacent neighbor is on the east side of our property and the proposed construction is on the west side of our property. The adjacent neighbor is currently in the process of tearing down the existing home and building a massive house on the lot so it will be unoccupied for at least 2 years.

Raul Gonzales is our neighbor across the street in #1 Hull Circle. He is an architect and a former member of the Zoning and Planning Committee. He has collaborated with me extensively and made several contributions to the design.

The only other neighbors in close proximity are Troy and Lydia Lewis at #3 Hull Circle. I have spoken with Troy and shared the site plan with them and they have no objections per the attached email.

APPLICATION COVER SHEET

Property Address: 2 HULL CIRCLE
Applicant Name: Michael Alexander
Designated Agent (if any, Power of Attorney Required): _____
Applicant Phone Number: 512-571-8439 Email Address: michael@austinsplantsupply.com
Date Application was Submitted: 6/5/20
Variance(s) Requested:

- ① BUILDING BEYOND SETBACK FOR NEW CARPORT AND ADDITION
② EXCAVATE GREATER THAN 18" TV SETBACK FOR NEW CURB CUT.

Applicant completes above section; City Staff completes the section below:

Variance File Number: _____ [A sequential identifier based on application date and noted in a Variance Application Log maintained by staff. Examples: 20110903A, 20110903B, 20111021A, etc.]

Application Fees Due: \$ _____ ☐ Fees Received on _____ by _____

DRAFT APPLICATION PACKET MATERIALS

Draft Application Packet Received on _____ by _____
☐ Letter to ZAPCO Chairperson ☐ Variance Approval Criteria Answers
☐ Site Plan Coversheet ☐ Site Plan Drawings
☐ Elevation Views and Floor Plans (new structures only)
☐ Septic Assessment (new structures only)
☐ Additional Support Materials (if any): _____
☐ Power of Attorney (if any) – Designated Representative: _____
Staff Analysis completed on _____ by _____
Staff Analysis sent to Applicant on _____ by _____

FINAL APPLICATION PACKET

Final Application Packet Reviewed and Approved on _____ by _____
Notice to Proceed Letter sent to Applicant on _____ by _____
• Notification Letter must be postmarked by _____ ☐ Confirmed by _____
• Sign must be posted by _____ ☐ Confirmed by _____
15 Copies of Final Packet received on _____ ☐ Confirmed by _____

ZAPCO

Scheduled for ZAPCO Hearing on: _____
ZAPCO Action Letter sent on _____ by _____
ZAPCO Recommendation: _____
Conditions/Comments (if any): _____
Modified application and materials (if any) received on _____ by _____

BOA/CITY COUNCIL

Scheduled for BOA/Council Hearing on: _____
BOA/Council Action: _____
Conditions/Comments (if any): _____
BOA/Council Action Letter sent on _____ by _____

FOLLOW-UP

Follow-up dates (vegetative screening installed, survival verification, etc.): _____
• Notifications added to Incode on _____ by _____

Postponement History (if any): _____
Notes: _____

LETTER TO ZAPCO CHAIRPERSON

DATE: June 4, 2020

Chairman Robert Meisel

Westlake Hills Zoning and Planning Commission

911 Westlake Drive

West Lake Hills, Texas 78746

Dear Mr. Chairman,

We are requesting two variances in order to solve a major parking issue as well as provide additional square footage for my growing family. The first variance would be to excavate an area greater than 18" below natural grade in order to install a new curb cut that would replace our existing curb cut. The 2nd variance request would be permission to build beyond the current building setback lines. My family and I have been living at 2 Hull Circle since 2016 and we love this street. We chose Westlake because of the natural beauty, wildlife, and privacy which is noted in the goals of the City's Comprehensive Plan. If the variance request is approved, we believe that this project will enhance the health of the current flora, specifically the heritage live oaks on the property, increase our neighbor's enjoyment of their own property, and bring our dated home closer in line with the code of Ordinances and the City's Comprehensive Plan.

In addition to holding a degree in Forestry, my wife and I own and operate Austin Plant Supply which specializes in supplying native plants and trees to Austin and the Hill Country. I say this because I believe it is important for you to understand that our intentions to preserve the natural flora are genuine. The purpose of this project is to solve two problems: 1. We need more square footage for our growing family and 2. We have a dated and very unsightly driveway and a small garage situation that violates current code. Our garage faces the street (code violation 22.03.175) and only fits one of our vehicles. The existing driveway is very steep and was poured over the rootzones of two heritage live oak trees. Since the garage can only fit one of our vehicles and the driveway is very steep, we have adopted the practice of the previous homeowners: We are parking our 2nd vehicle on an unpaved section of area adjacent to the driveway. All of this is very unsightly, **highly visible**, and embarrassing at times. Our home is the first home the public sees as you turn onto Hull Circle off of Westlake Drive. We feel an obligation to have it look much nicer than its current state.

Additionally, the steep driveway has drainage issues. During heavy rainfall events, large amounts of running water rush down the driveway slope, across the curb and street, and flow into my neighbor Raul Gonzales' property carrying mud, rock, gravel and debris with it. I find myself apologizing to Raul after every rain. I've tried putting in retaining rocks and a drainage system to slow the water but all has failed. (see photos). I believe all of the above would be solved by my proposed plan.

Our site plan proposes a new curb cut (which would replace the existing), a new driveway that is much more level and barely visible from the street, an open air carport in which the entrance does not face the street, and an installation of a heavily screened vegetative buffer over the existing driveway area close to the street. We chose an open air carport as opposed to a garage because we believe that an enclosed structure is not only much more visible but would also block the views of the natural landscape from all angles. Because we are requesting a variance to build closer to the street, we think it's very important and in everyone's best interest for the structure to be nondescript. The new driveway was designed to avoid the 50% critical root zone of two heritage live oak trees and also involves a decompaction treatment and landscape installation on other areas of current impervious coverage. The new landscaping will benefit the two heritage live oak trees greatly. Our neighbor Troy Lewis at #3 Hull Circle agreed with this sentiment when I first approached him about the proposed site plan. Finally, if the parking situation is resolved with the new driveway and carport, we can convert the existing garage and make a small addition so that my family can have more usable space. All of the new construction would include heavy plantings of dense native vegetation to provide more privacy and become more in line with code of Ordinances.

Sincerely,

Michael and Katherine Alexander (2 Hull Circle Drive)

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Our property does have another curb cut on Westlake Drive however it is currently unusable and very unsafe given its limited line of site to the oncoming traffic.

The current driveway and garage violate code in 22.03.175 in that the garage entrance faces the street. Additionally, the steep slope gradient causes rainfall to wash across Hull Circle and onto my neighbor's driveway – another violation of 22.03.175. The dated garage is small and only allows space for 1 of our vehicles. Our 2nd vehicle is forced to park outside of the garage. Therefore, we have adopted the previous owner's practice which is to park in the unpaved area to the left of the driveway – another violation of code 22.03.175. The whole parking situation is unsightly and embarrassing. Our home is the first house that is seen on Hull Circle – we feel this must be addressed.

2. **Why do you think the natural terrain and existing flora will not be unreasonably disrupted or destroyed in the variance you are requesting is granted?** The current flora will benefit from the proposed project. The demolition of the current driveway will remove a significant amount of impervious coverage over the root zones of the two Heritage live oaks that are located immediately to the left and right of the existing driveway. The location of the trees and their root zones dictated our proposed design and driveway configuration. The majority of the proposed construction would occur on top of current impervious coverage. The proposed driveway was configured to have the least amount of impact on the critical root zones of the heritage trees. There will require 2-3' of excavation for the new curbcut to be installed, therefore we chose an area that was the furthest possible from the rootzone of the heritage live oaks although one 10" cedar tree is closeby. I believe it could be considered a threat anyway as it is leaning over the street rather sharply. The small addition to the garage will lie on top of an existing limestone shelf where no root zone of any tree is present. There is one section of the proposed carport that would lie on top of the root zone of a heritage tree but we have proposed a cantilevered "floating" driveway in this area in order to avoid pouring pavement on the existing pervious coverage over the rootzone.

3. **What other reasonable alternatives have you considered? Why won't these other options alleviate the difficulty or hardship you think exists?**

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We considered buying a smaller car so that two vehicles could squeeze into the garage but my company vehicle is a standard size pickup truck used as a delivery vehicle for our business.

We considered requesting another variance to pour a new curb cut driveway closer than 35' to Westlake drive but believe that the proposed location is the safest and least disturbing to the critical root zones of the trees.

We tried to incorporate our 2nd curb cut on Westlake drive into the layout but quickly realized the danger posed from Westlake drive and its poor line of sight.

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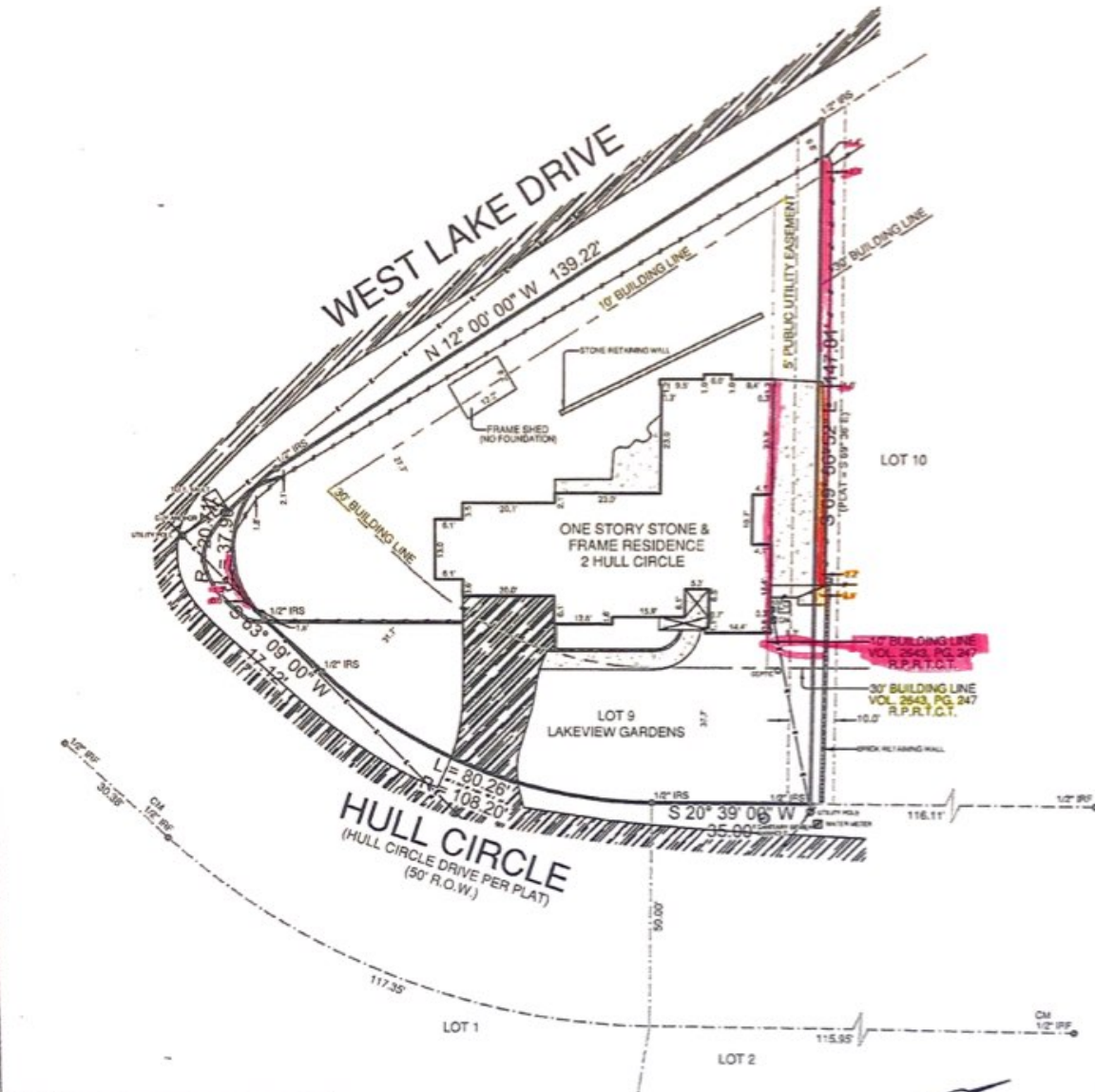
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The only other neighbors in close proximity are Troy and Lydia Lewis at #3 Hull Circle. I have spoken with Troy and shared the site plan with them and they have no objections per the attached email.

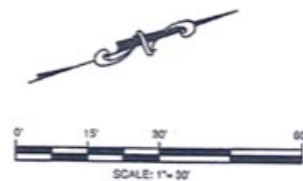
Approved 11/8/16 JLB



LEGEND:

— WIRE FENCE	ASPHALT
— CHAINLINK FENCE	CONCRETE
— WROUGHT IRON FENCE	GRAVEL
— WOOD FENCE	TILE
— VINYL FENCE	WOOD
— ELECTRIC LINE	BRICK
GM - GAS METER	STONE
EM - ELECTRIC METER	
UPF - IRON PIPE FOUND	
IRF - IRON ROD FOUND	
IRB - IRON ROD SET	
CM - CONTROLLING MONUMENT	(WOOD) RAILROAD TIE

NOTES:
 THE PROPERTY IS NOT AFFECTED BY THE FOLLOWING:
 (100) EASEMENT, VOL. 859, PG. 558, R.P.R.T.C.T.
 (100) EASEMENT, VOL. 859, PG. 558, R.P.R.T.C.T.
 (100) EASEMENT, VOL. 859, PG. 561, R.P.R.T.C.T.
 (100) EASEMENT, VOL. 859, PG. 561, R.P.R.T.C.T.
 THE HOUSE LOT IS BEYOND THE 10' BUILDING LINE AS SHOWN ABOVE.
 BUILDING LINES AND EASEMENTS ARE BASED ON THE RECORDED PLAT UNLESS OTHERWISE NOTED.



LEGAL DESCRIPTION:
 BEING LOT 9, LAKEVIEW GARDENS, A SUBDIVISION IN TRAVIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN BOOK 17, PAGE 97, OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS.

SURVEYOR'S CERTIFICATION:
 THIS IS TO CERTIFY THAT ON THIS DATE A SURVEY WAS MADE ON THE GROUND, UNDER MY SUPERVISION AND REFLECTS A TRUE AND CORRECT REPRESENTATION OF THE DIMENSIONS AND CALLS OF PROPERTY LINES AND LOCATION AND TYPE OF IMPROVEMENTS. THERE ARE NO VISIBLE AND APPARENT EASEMENTS, CONFLICTS, INTRUSIONS OR PROTRUSIONS, EXCEPT AS SHOWN. THIS SURVEY IS NOT TO BE USED FOR CONSTRUCTION PURPOSES AND IS FOR THE EXCLUSIVE USE OF THE HEREON NAMED PURCHASER, MORTGAGE COMPANY, AND TITLE COMPANY ONLY AND THIS SURVEY IS MADE PURSUANT TO THAT CERTAIN TITLE COMMITMENT UNDER THE GF NUMBER SHOWN HEREON. PROVIDED BY THE TITLE COMPANY NAMED HEREON AND THAT THIS DATE, THE EASEMENTS, RIGHTS-OF-WAY, OR OTHER LOCATABLE MATTERS OF RECORD THAT THE UNDERSIGNED HAS KNOWLEDGE OR HAS BEEN ADVISED ARE AS SHOWN OR NOTED HEREON. THIS SURVEY IS SUBJECT TO ANY AND ALL COVENANTS AND RESTRICTIONS PERTAINING TO THE RECORDED PLAT REFERENCED HEREON.

GF. NO.	158035UP
BORROWER	
TECH	CMH
FIELD	TM

FLOOD INFORMATION:
 THE SUBJECT PROPERTY DOES NOT APPEAR TO LIE WITHIN THE LIMITS OF A 100-YEAR FLOOD HAZARD ZONE ACCORDING TO THE MAP PUBLISHED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, AND HAS A ZONE "X" RATING AS SHOWN BY MAP NO. 48453C0445 J, DATED JANUARY 6, 2016.

DATE: 01/13/2016 JOB NO.: 16-00110
 FIELD: 01/12/2016

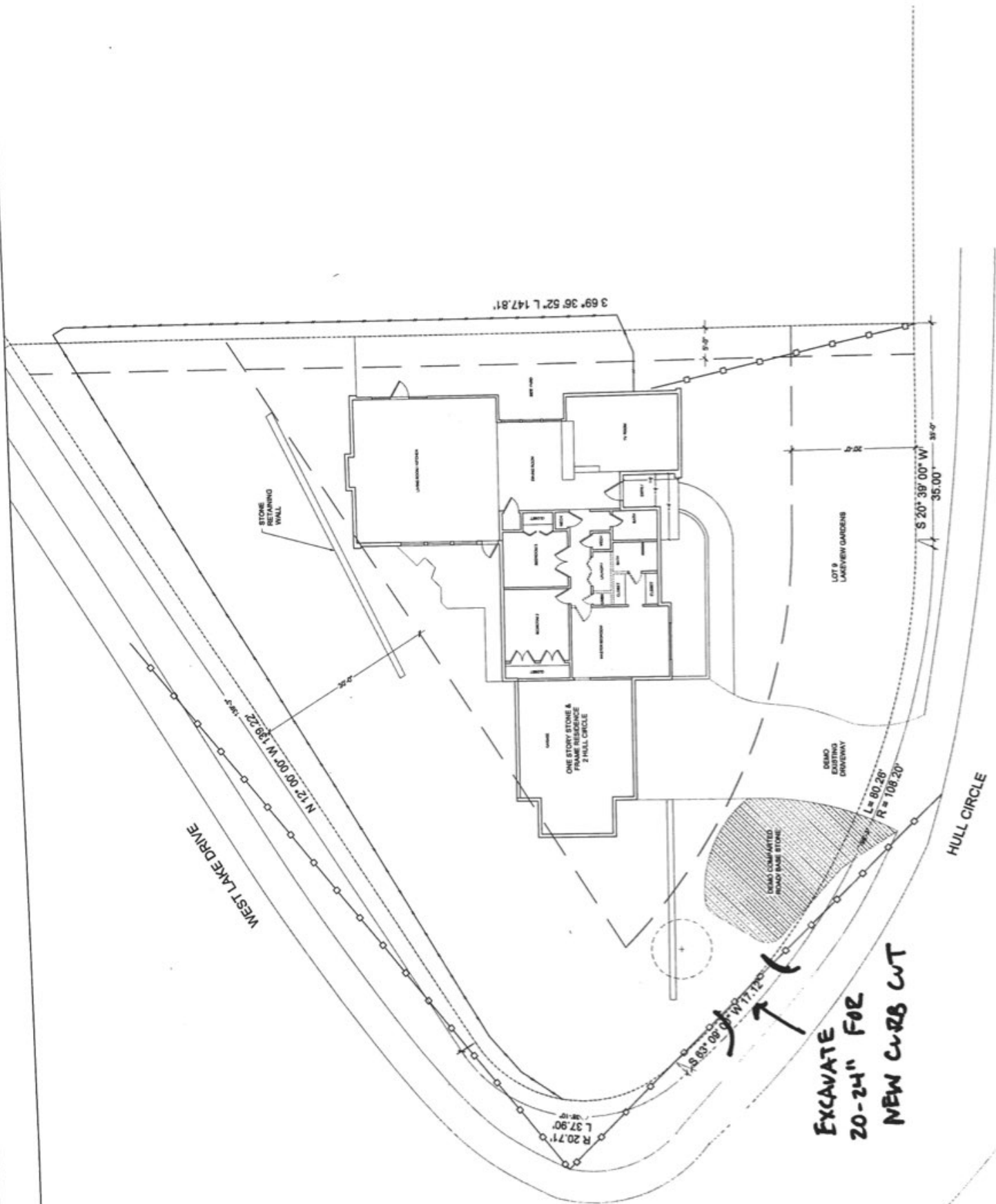
2 HULL CIRCLE, WEST LAKE HILLS, TX 78746
 LOT 9, LAKEVIEW GARDENS



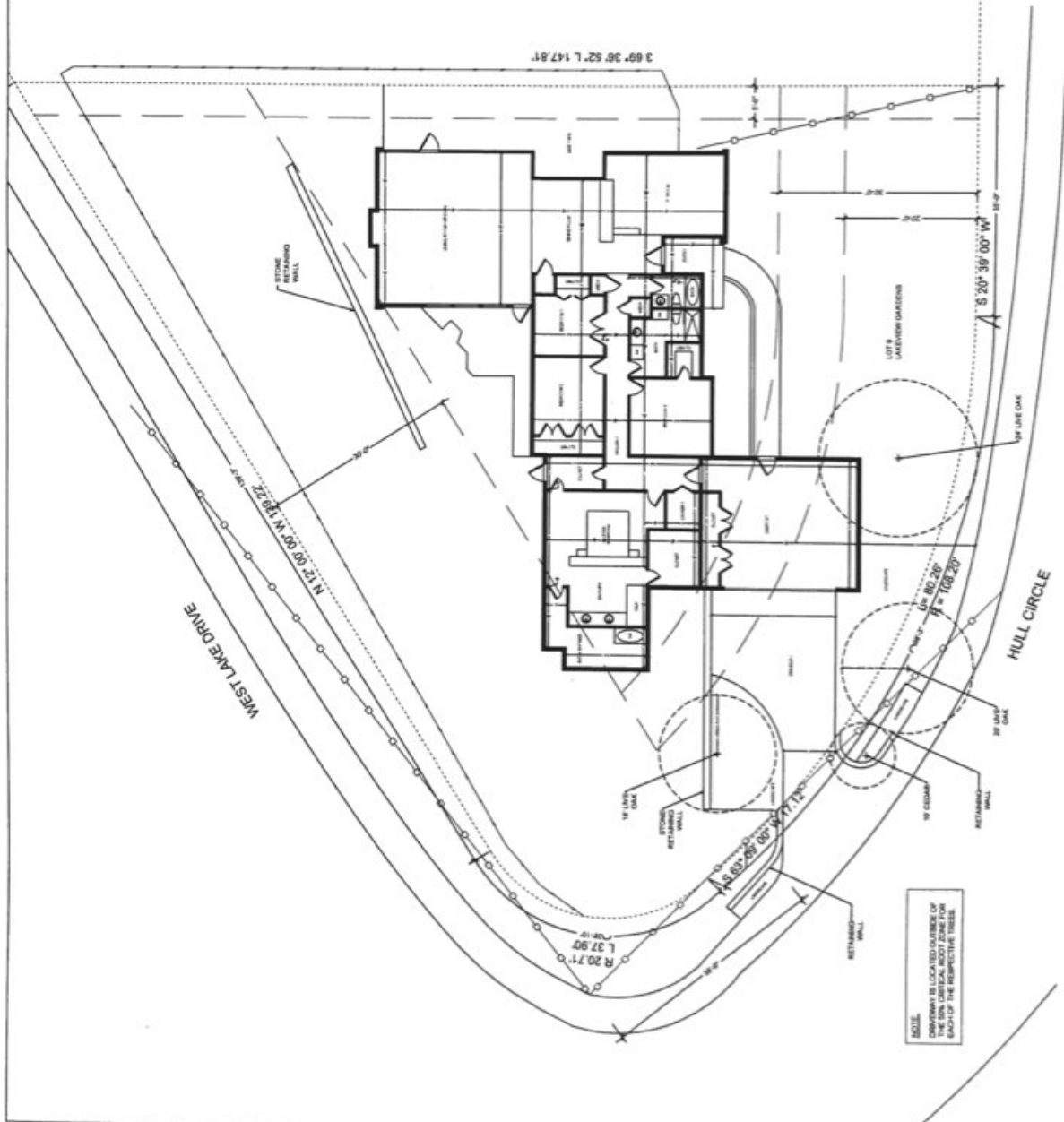
DATE: _____
 ACCEPTED BY: _____



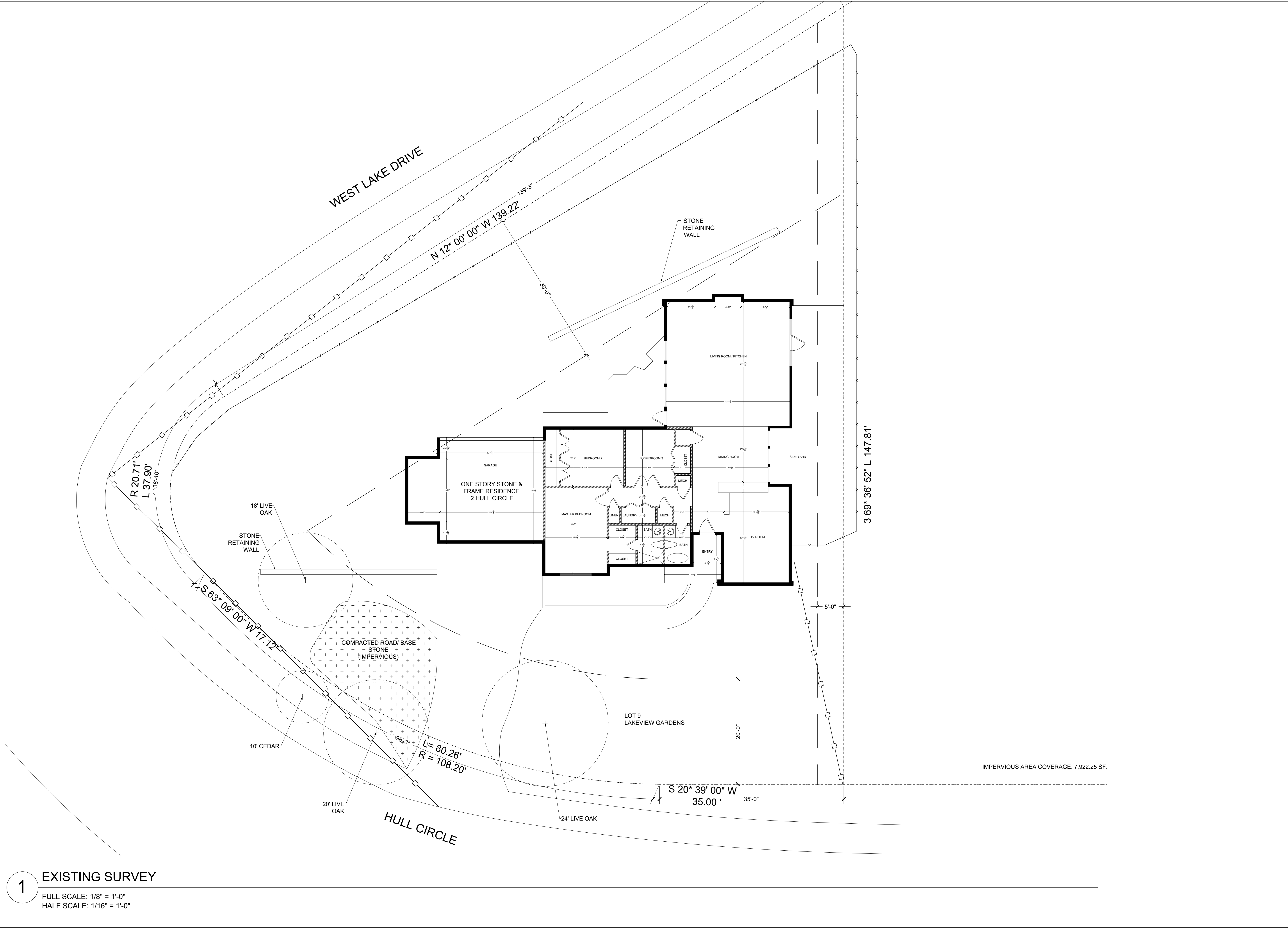
Premier Surveying
 5700 W. Plano Parkway
 Suite 2700
 Plano, Texas 75093
 Office: 972-612-3601
 Fax: 972-664-7021



EXCAVATE
 20-24" FOR
 NEW CURBS CUT

[illegible]

NEW SITE FLOOR PLAN



1 EXISTING SURVEY

FULL SCALE: 1/8" = 1'-0"
HALF SCALE: 1/16" = 1'-0"

M ALEXANDER RESIDENCE
2 HULL CIRCLE
WESTLAKE HILLS, TEXAS 78746

DESIGNED: BD
DRAWN: IG
REVIEWED: BD

SUBMITTAL:

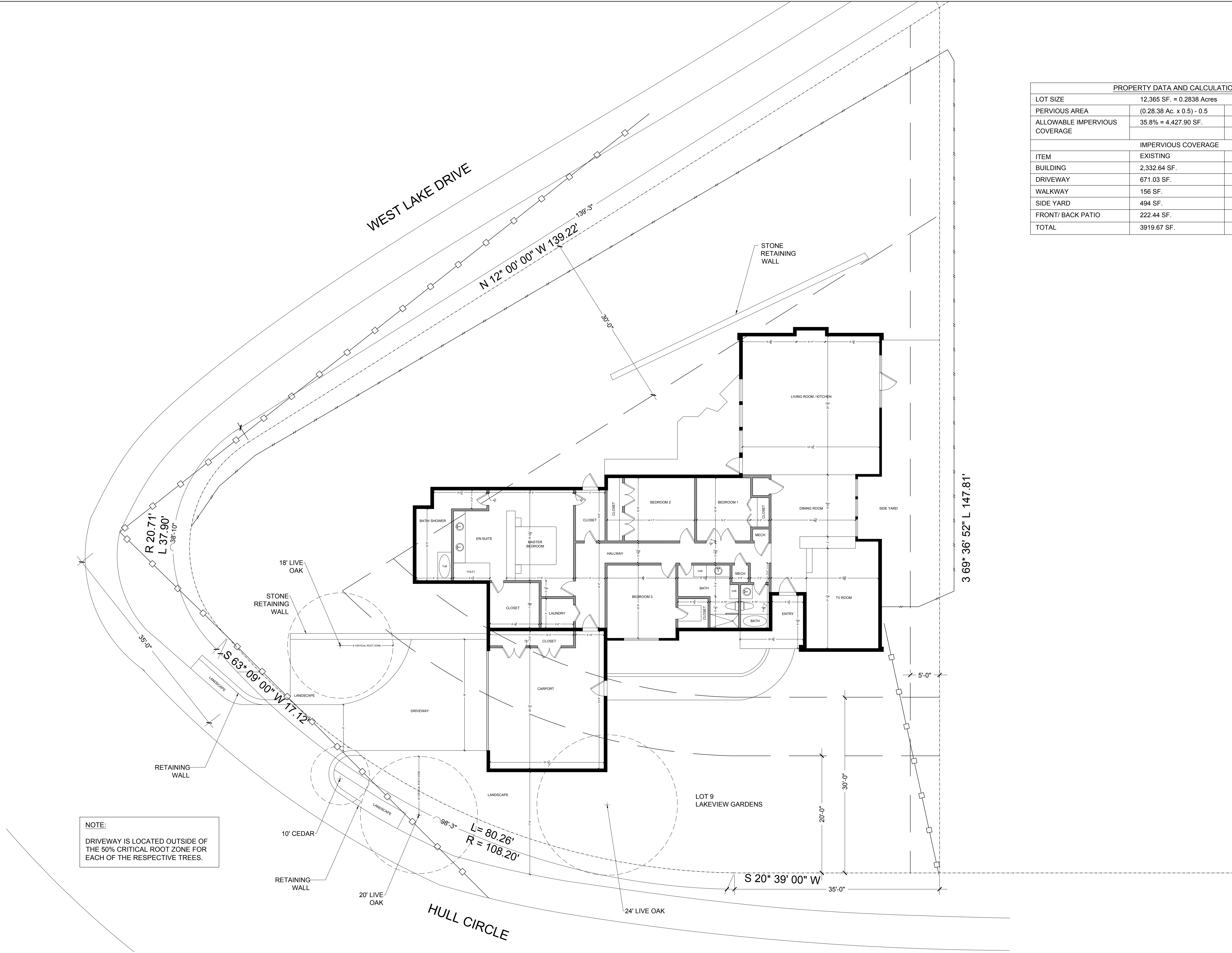
DESCRIPTION	DATE

DATE: 06/01/2020

DRAWING TITLE:
EXISTING SURVEY

SHEET:

A1.01



PROPERTY DATA AND CALCULATIONS		
LOT SIZE	12,365 SF. = 0.2838 Acres	
PERVIOUS AREA	(0.28 38 Ac. x 0.5) - 0.5	0.3581 Ac. = 35.8%
ALLOWABLE IMPERVIOUS COVERAGE	35.8% = 4,427.90 SF.	
	IMPERVIOUS COVERAGE	
ITEM	EXISTING	PROPOSED
BUILDING	2,332.64 SF.	3,033.35 SF.
DRIVEWAY	671.03 SF.	399.83 SF.
WALKWAY	156 SF.	148.34 SF.
SIDE YARD	494 SF.	494 SF.
FRONT/ BACK PATIO	222.44 SF.	222.44 SF.
TOTAL	3919.67 SF.	4297.96 SF.

M ALEXANDER RESIDENCE
2 HULL CIRCLE
WESTLAKE HILLS, TEXAS 78746

DESIGNED: BD
DRAWN: IG
REVIEWED: BD

SUBMITTAL:	
DESCRIPTION	DATE

DATE: 06/01/2020

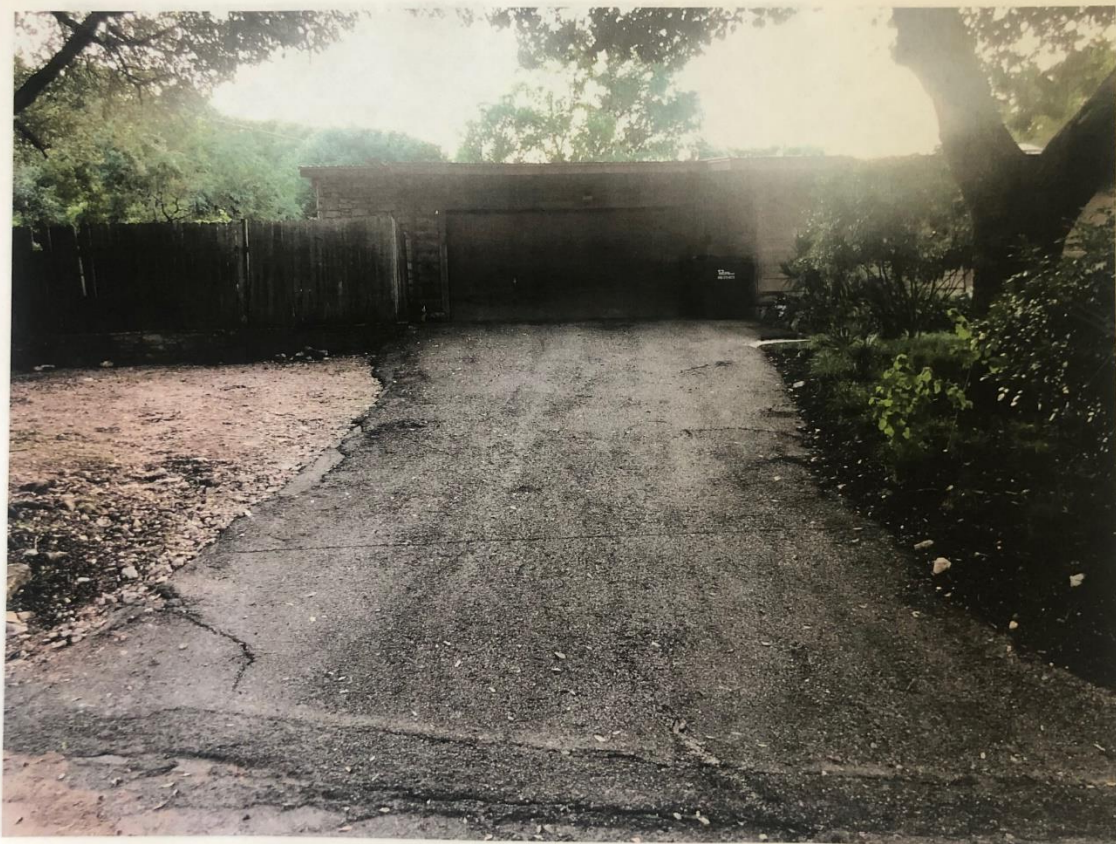
DRAWING TITLE:
NEW SITE PLAN

SHEET:

A2.01

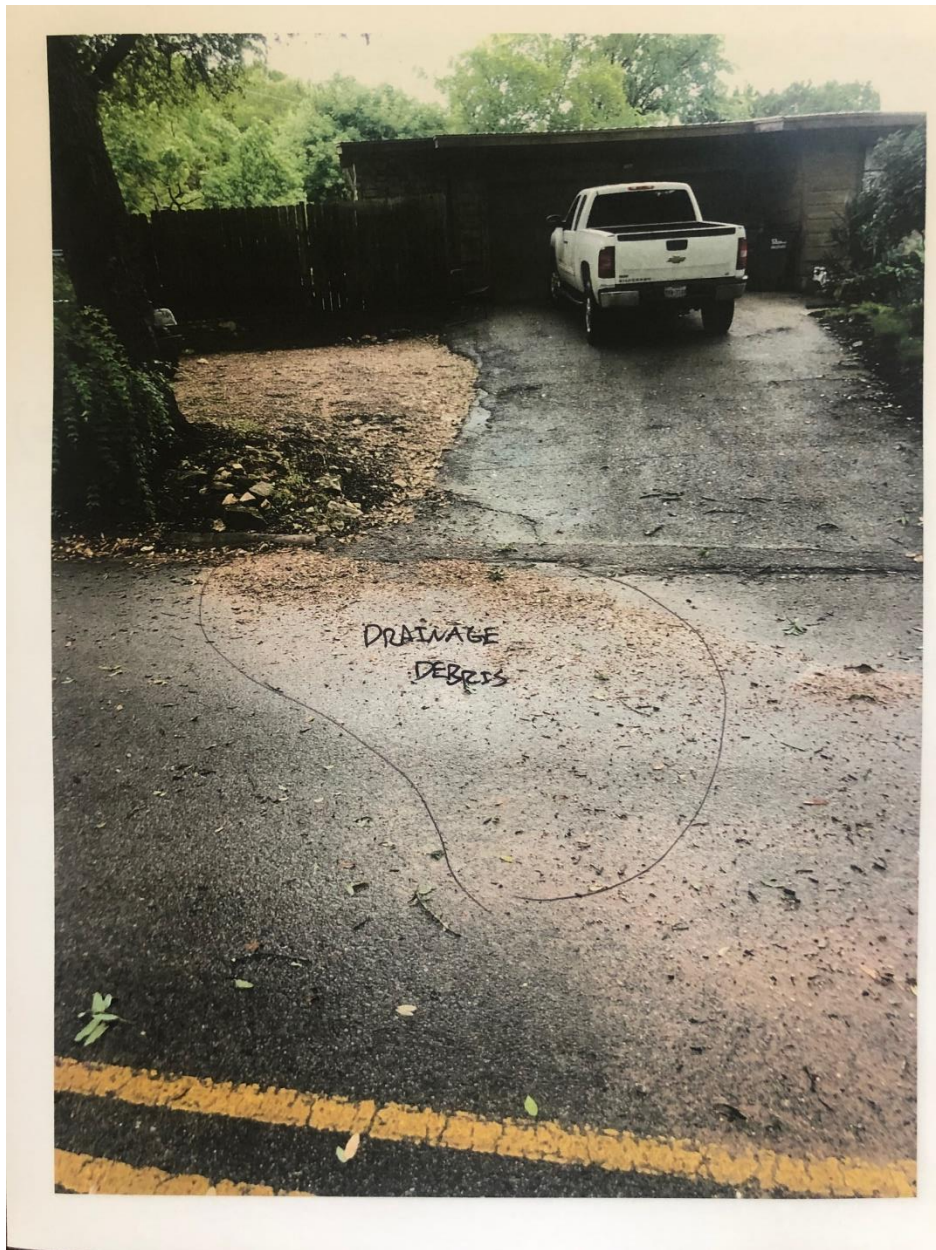
DRIVEWAY IS LOCATED OUTSIDE OF THE 50% CRITICAL ROOT ZONE FOR EACH OF THE RESPECTIVE TREES.



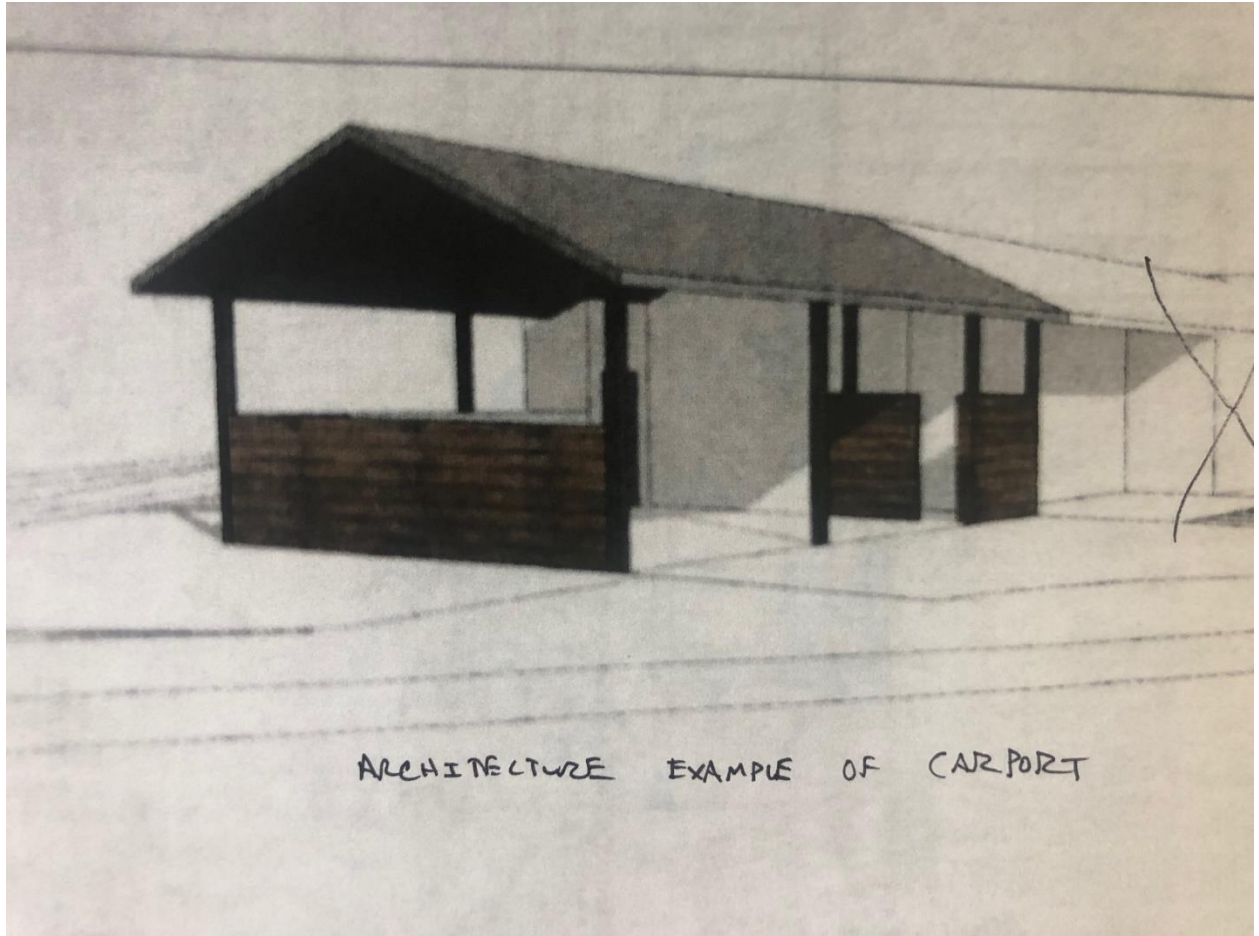












ARCHITECTURE EXAMPLE OF CARPORT



Site plan

2 messages

Michael Alexander [REDACTED] >

Tue, Jun 2, 2020 at 1:43 PM

To: "t. d." <[REDACTED]>

Attached is the site plan we are proposing. Have any objections? Would you support this change? Thanks Troy!

--

NEW LOCATION! - **Right next door to Callahan's General Store**

Austin Plant Supply
443 Bastrop Highway N Unit 2
Austin, Texas 78741

Cell: 512.571.8439
www.austinplantsupply.com

**2 Hull Circle Proposed Site plan - Final.pdf**

118K

t.d. <[REDACTED]>

Wed, Jun 3, 2020 at 7:59 AM

Reply-To: "t.d." [REDACTED]
[REDACTED]

Michael,
Thanks for sending.
We have no objections based on your call with me yesterday and after reviewing your diagram.

Good luck,
Troy and Lydia

[Quoted text hidden]

Anjali Naini

From: Michael Alexander <[REDACTED]>
Sent: Monday, June 29, 2020 8:38 PM
To: Anjali Naini; Mark pzsec
Subject: Fwd: 2 Hull Circle Variance Request Feedback

Follow Up Flag: Follow up
Flag Status: Flagged

Anjali,

I'm forwarding you an email from the owner next door - Sasha Petrovic at 4 hull circle. Can you please include in my application? Thanks!!

Begin forwarded message:

From: Michael Alexander <[REDACTED]>
Date: June 26, 2020 at 11:03:13 AM CDT
To: Katherine Green <[REDACTED]>
Subject: Fwd: 2 Hull Circle Variance Request Feedback

Suprising

----- Forwarded message -----

From: Sasha Petrovic <[REDACTED]>
Date: Fri, Jun 26, 2020 at 11:02 AM
Subject: 2 Hull Circle Variance Request Feedback
To: Michael Alexander <[REDACTED]>

Hi Michael,

I'm writing to you in regards to your variance request at 2 Hull Circle. Please feel free to use this email as part of your variance packet.

I'm the owner of 4 Hull Circle, the only neighbor that shares a fence line with 2 Hull Circle, and I'm fully supportive of the variance request. The variance request will enhance the safety and aesthetics of Hull Circle. I have no concerns nor any reason anyone should object to the request.

-Sasha Petrovic
Owner 4 Hull Circle

