



CITY OF WEST LAKE HILLS, TEXAS
NOTICE OF ZONING & PLANNING COMMISSION (ZAPCO) REGULAR MEETING
Wednesday, July 16, 2025 at 6:30 PM

Notice is hereby given that the Zoning and Planning Commission (ZAPCO) of the City of West Lake Hills, Texas, will hold a Regular Meeting on the 16th day of July 2025 at 6:30 p.m., in the Council Chamber, Municipal Building, 911 Westlake Drive, West Lake Hills, Texas, at which time the following items will be discussed, to-wit:

REMOTE ACCESS - Join Zoom Meeting at <https://us02web.zoom.us/j/3499549035>

Or via telephone: Dial (346) 248-7799

Meeting ID: 349 954 9035

If you wish to speak during the meeting or provide written comments, please email your name, phone number, comments, and the item number you wish to speak on to planner@westlakehills.gov by 1:00 P.M. on July 16, 2025

1. Call to Order. Chairman Robert Meisel.
2. Citizen Communications The Commission welcomes public comments at this point on any issue. If the issue is listed on the agenda, the speaker may choose to comment during the Public Comment period or when the specific agenda item is taken up by the Commission later in the meeting. The Commission cannot respond to or discuss matters not listed on the agenda. The Commission may provide factual information, refer the item to a staff member, or request the item be added to a future meeting agenda. Speakers shall limit their comments to five (5) minutes each
3. Consent Agenda The following items are considered to be self-explanatory by the Commission and will be enacted with one motion. There will be no separate discussion of these item/s unless a Commission Member or citizen so requests.
 - a. Approval of the June 18, 2025 Zoning and Planning Commission Minutes.
 - b. Report of previous ZAPCO cases acted on by the BOA/City Council.
4. Public Hearing 1801 Basin Ledge: Discuss and make recommendations on a proposed variance to allow for the removal of one tree 14 inches and greater (Tree 70, 14-inch cedar) (Section 22.03.304 of the West Lake Hills Code).

Applicant: James Gatlin, JAG Permits

5. **Public Hearing 1801 Basin Ledge:** Discuss and make recommendations on proposed variances
 1. To allow for a septic tank to encroach 15 feet into the 25-foot side setback (Section 22.03.276 and 22.03.281 of the West Lake Hills Code of Ordinances), and
 2. For excavation and grading, greater than 18” in the building setback (Section 22.03.170 – Site Disturbance (Excavation, Grading, or Filling).

Applicant: James Gatlin, JAG Permits

6. **Public Hearing 105 Wood Trail:** Discuss and make recommendations on proposed variances to the Texas Administrative Code Chapter 30, Chapter 285 adopted in Sections 18.03.064 and 18.03.065 and 22.03.281 of the West Lake Hills Code to allow:
 1. The placement of a structure within 5 feet of a septic facility (TAC 285.91(10); and
 2. The placement of a structure above a septic facility (TAC 285.34(e)(2) and TAC 285.39(c)).

Applicant: Tanya Clement, Property Owner

7. **Public Hearing 105 Wood Trail:** Discuss and make recommendations on proposed variances to City of Austin Environmental Criteria Manual 3.5.2 as adopted by reference in Section 22.03.305(b) of the West Lake Hills Code to allow:
 1. For encroachment of greater than 50% of the critical root zone of a tree; and
 2. For grading greater than 4 inches within the 50% critical root zone of a tree.

Applicant: Tanya Clement, Property Owner

8. **Public Hearing 105 Wood Trail:** Discuss and make recommendations on a proposed variance to Section 22.03.278 and 22.03.281 to allow:
 1. The removal and replacement of impervious cover up to the existing non-conforming amount of 28.5% where 25% is the maximum.

Applicant: Tanya Clement, Property Owner

9. **Staff Briefing** Discussion on potential dates for special ZAPCO meeting for training with City Attorney.

10. Adjournment. Chairman Robert Meisel.

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

Certificate

I certify that the above Notice of the July 25, 2025 Zoning & Planning Commission Meeting was posted on the bulletin board at the Municipal Building, 911 Westlake Drive, West Lake Hills, Texas on Friday, July 11, 2025 at 5:00 pm. and will remain posted continuously until said meeting is convened.

By Joel Sherrouse, Development Coordinator

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

All items on the agenda are for discussion and/or action. ZAPCO reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by Texas Government Code Sections 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices), and 551.086 (Economic Development).

City of West Lake Hills

MINUTES OF A ZONING & PLANNING COMMISSION (ZAPCO)

REGULAR MEETING

Wednesday, June 18, 2025 at 6:30 PM

1. **Call to Order: Robert Meisel**

- a. Meeting begins at 6:30pm
- b. Roll Call
 1. Chair Robert Meisel: Present
 2. Vice-Chair Jim Pledger: Present
 3. Commissioner Julia Webber: Present
 4. Commissioner Karen Bartoletti: Present
 5. Commissioner Patrick Stewart: Present
 6. Commissioner Laurie Maccini: Present

2. **Citizen Communications:**

- a. Randy Lee – 6 Rocky River Cove
 1. Gave update on Mr. Lee and Mayor Vaughn’s experience with the Texas Legislature discussing the city’s authority to enforce tree ordinances

3. **Consent Agenda:** The following items are considered to be self-explanatory by the Commission and will be enacted with one motion. There will be no separate discussion of these items unless a Commission Member or citizen so requests.

1. Approval of the April 16, 2025 Zoning and Planning Commission minutes
2. Report of previous ZAPCO cases acted upon by the BOA/Council

a. **Action:** Commissioner Pledger moves for approval of the Consent Agenda

- i. Commissioner Maccini Seconds
- ii. Motion carries unanimously 5 - 0

4. **Public Hearing:** Discuss and make recommendations on an ordinance for code amendments regarding public notifications for building and development related applications.

a. **Staff Report:**

- i. Director Bills describes the current and proposed timelines for public notification

b. **Public Comments:**

- i. Randy Lee: 6 Rocky River Cove
 - a. Would prefer 21 days mailed notice
- c. **Discussion:**
 - i. The commission asked why subdivision does not follow same notification process
 - 1. Director Bills explained that the state-required timelines make mailed notification difficult, but that residential replats specifically require mailed notification within 15 days following City Council approval.
- d. **Action:**
 - i. Commissioner Webber moves that the proposed code changes be forwarded to City Council with a recommendation of approval.
 - 1. Commissioner Maccini seconds
 - ii. Commissioner Bartoletti requests to amend the motion to include posted sign notices for subdivision
 - 1. Commissioner Pledger seconds
 - iii. Chair Meisel calls for a vote on the amended recommendation
 - 1. Motion carries unanimously (5-0)

Recommendation will be forwarded to City Council for consideration on June 25, 2025.

- 5. **Adjournment** - Chair Robert Meisel
 - 1. Chair Mesel adjourns the meeting at 7:00pm

APPROVED:

Robert Meisel, Chair

ATTEST:

Joel Sherrouse, Development Coordinator

These minutes were approved on _____, 2025.



City of West Lake Hills
Zoning & Planning Commission

AGENDA REPORT

Meeting Date:	July 16, 2025	Item Number:	3b
	Building & Development		
Department:	Services		
Prepared By:	Jennifer C. Bills	Cost / Budget:	None
Exhibits:	N/A	Source of Funds:	N/A

Subject

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

Discussion

Since the June 18, 2025 ZAPCO meeting, the following cases forwarded by ZAPCO were considered at City Council/BOA.

Board of Adjustment: **None**

City Council

- 1. Code Changes:** Public Hearing Notification timelines and procedures
 - i. At the June 25 City Council meeting, the code changes, minus the proposed amendment by ZAPCO, were approved with the clarification that notices must be provided *more than* 15 days prior to the public hearing.
- 2. 109 Stratford Reserve Place:** Fence variances
 - i. At the July 9 City Council meeting, the following variances were approved:
 1. Placement of a vehicle gate that causes stacking not on private property, but into the public street. (Section 22.03.173(d)(5))
 - a. Applicant included removal of keypad/pedestal in revision to initial request
 2. Front yard fence and gate encroaching up to the front property line into the 30-foot front yard fence setback (Section 22.03.173(d)(6)(B)(ii))
 3. Side yard fence encroaching approximately 21.5 feet into front-yard fence setback (Section 22.03.173(d)(7))
 4. Exceeding required 6 foot maximum by 6.5 feet (12.5 feet from existing grade) on west side of property and 2 feet (8 feet from existing grade) along front of property (Section 22.03.173(d)(9)).
 - a. Reduced from the original request for 16.5-foot fence
 - ii. The remaining variance requests heard by ZAPCO related to solid-wall fences and transparency were withdrawn by the applicant prior to the Council meeting



City of West Lake Hills
Zoning and Planning Commission

AGENDA REPORT

Meeting Date:	July 16, 2025	Item Number:	4
	Building & Development		
Department:	Services		
Prepared By:	Jennifer C. Bills	Cost / Budget:	None
Exhibits:	See Attached	Source of Funds:	N/A

Subject

1801 Basin Ledge: Discuss and make recommendations on a proposed variance to allow for the removal of one tree 14 inches and greater (Tree 70, 14-inch cedar) (Section 22.03.304 of the West Lake Hills Code).

Applicant: James Gatlin, JAG Permits

Recommendation

Discuss and make a recommendation to the City Council including an analysis of whether:

1. The variance may violate the intent of this chapter or the goals of the city's comprehensive plan.
2. The variance may have an adverse effect on neighborhood properties or interfere with the respective owners' enjoyment thereof.

The Zoning and Planning Commission can recommend imposition of, reasonable conditions upon granting a variance if the conditions are related to the subject of the variance.

This item will be forwarded to the August 13, 2025 City Council meeting for consideration.

Discussion

Property Information, Zoning & Site Characteristics:

Owner: Joel Cavness and Lavanya Vankayalapati
 Legal Description: Stonehedge Estates Block P, Lot 8
 Lot Size: 0.67 acres
 Zoning: R-1 One Family
 Wastewater: On-site Sewage Facility (Septic)

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

Background:

The applicant is proposing to demolish the existing 1,794 sf house built in 1972 and build a new 5,440 sf house (conditioned) (Attachment 1). The site is 0.67 acres in size, which was platted in 1961. The total impervious cover for the site with unconditioned space and site improvements is 7,294.89 sf (24.98%). The letter lists two

trees for removal, a 14-inch cedar and a 20-inch glossy privet. A glossy privet is considered a non-native invasive species per Section 22.03.301 and can be removed without a variance.

There are two additional variances (side setback encroachment and site disturbance in the setback) (Item 5) that will be considered by City Council.

Analysis:

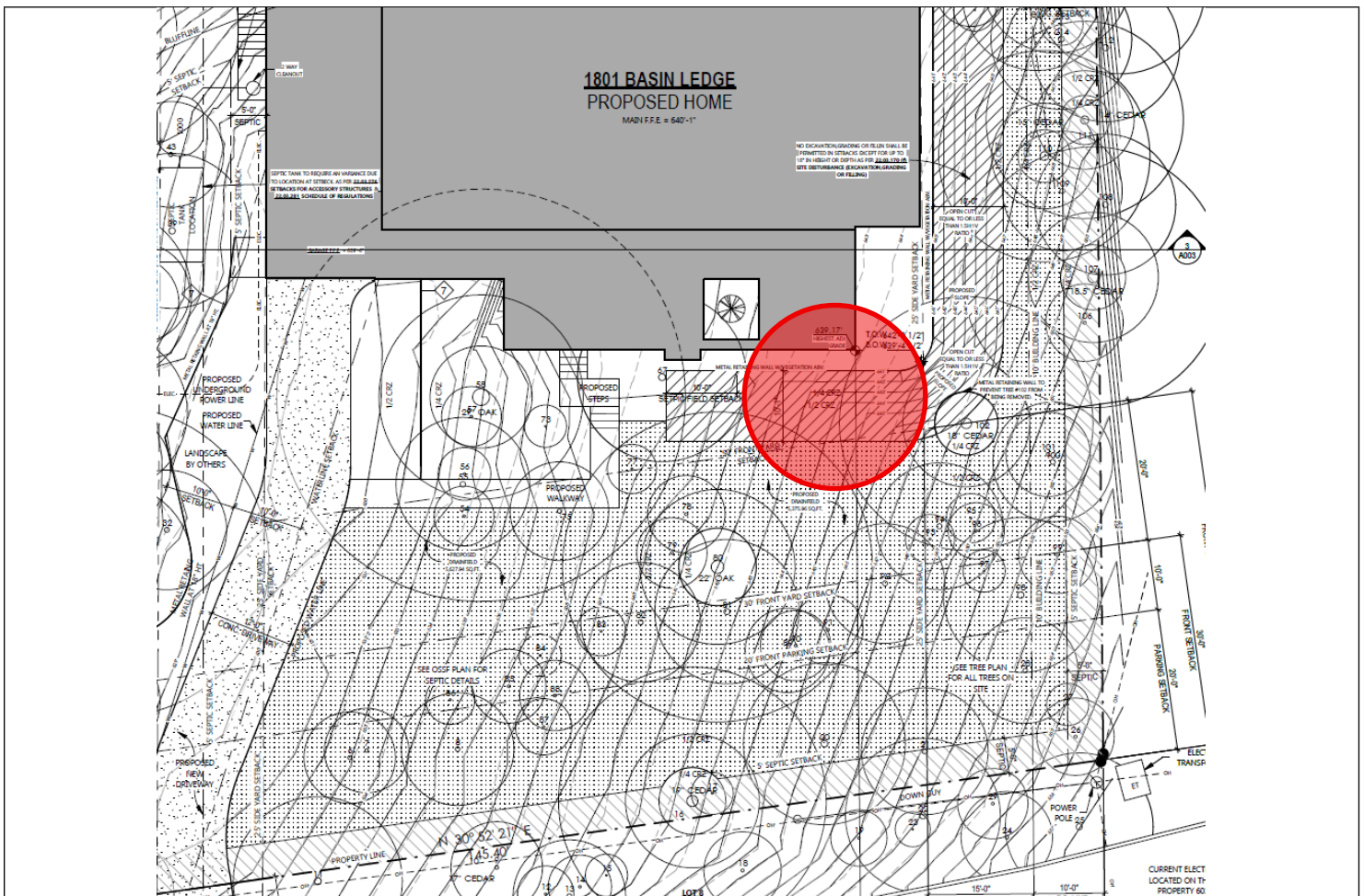
Removal of Trees 14 inches or greater

Code Requirements

- **Section 22.03.304. Tree and vegetation removal and replacement.**

(a) Removal policy.

- (1) Existing vegetation shall be left undisturbed to the maximum extent possible. In most circumstances, if a tree must be removed, it shall be replaced with a native, non-invasive species so that the native, natural landscape of the city is preserved for future generations.
- (2) Trees less than ten (10) inches in diameter measured at a point fifty-four (54) inches above the ground may be removed with a permit in accordance with section 22.03.303(b).
- (3) Trees greater than or equal to ten (10) inches and less than fourteen (14) inches in diameter measured at a point fifty-four (54) inches above the ground may be removed with a permit in accordance with section 22.03.303(b)(4). If a tree greater than or equal to ten (10) inches and less than fourteen (14) inches in diameter does not meet the requirements of section 22.03.303(b)(4) then the removal shall be requested through a variance as described by subsection (a)(4) of this section.
- (4) **The removal of trees greater than or equal to fourteen (14) inches in diameter measured at a point fifty-four (54) inches above the ground, or a tree greater or equal to ten (10) inches and less than fourteen (14) inches in diameter that does not meet the requirements of section 22.03.303(b)(4), is prohibited except as allowed under section 22.03.303(b)(7) and therefore such removal requires a variance from the city council as outlined in section 22.03.308.**



Public Comment:

As of the date of the report, no comments have been received.

Variance Criteria Review:

Trees follow the procedure and notice found in Section 22.03.511 Procedure and notice:

- (a) The city council, when petitioned for a variance, after 16 days' written notice to all property owners within 300 feet of the subject property, shall hold a hearing, and the city council may vary the application of any provision of this article to any particular case when, in its opinion, the enforcement thereof would do manifest injustice, and would be contrary to the spirit and purpose of this article or public interest, or when, in its opinion, the interpretation and recommendation of the zoning and planning commission should be modified or reversed.
- (b) A decision of the city council to vary the application of any provision of this article shall specify in what manner such variance is made, the conditions upon which it is made and the reasons thereof.

The criteria and process for granting a variance found in Section 22.03.514:

No variance shall be granted under this chapter unless the following criteria are fulfilled:

- Findings. The applicant has established by competent evidence that:
 - The strict or literal enforcement of the terms of this chapter, because of special conditions, will result in unnecessary hardship to the applicant.

- There will not be unreasonable disruption of the natural terrain or unreasonable destruction of existing flora.
- There is no reasonable alternative to the requisite variance that will alleviate the difficulty or hardship complained of.
- The variance will not be greater than the minimum required to alleviate the difficulty or hardship complained of.
- **ZAPCO.** The recommendation of zoning and planning commission shall include an analysis of whether:
 - The variance may violate the intent of this chapter or the goals of the city’s comprehensive plan; and
 - The variance may have an adverse effect on neighborhood properties, or interfere with the respective owners’ enjoyment thereof; and
 - When considering variance requests for nonresidential projects in the Commercial Overlay District, whether the variance, when considered as part of the proposed project (as a whole), furthers achievement of the land planning principles set forth in the city’s master plan, attachment B, as codified in article 28.02 of this code.
- **Conditions.** The city council can impose, and the zoning and planning commission can recommend imposition of, reasonable conditions upon granting a variance if the conditions are related to the subject of the variance. When considering variance requests for nonresidential projects in the commercial overlay district are necessary to achieve one or more of the land planning principles set forth in the city’s master plan, attachment B, as codified in article 28.02 of this code.

Outdoor Lighting

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

Compliance with Adopted International Building Code

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

Subdivision

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

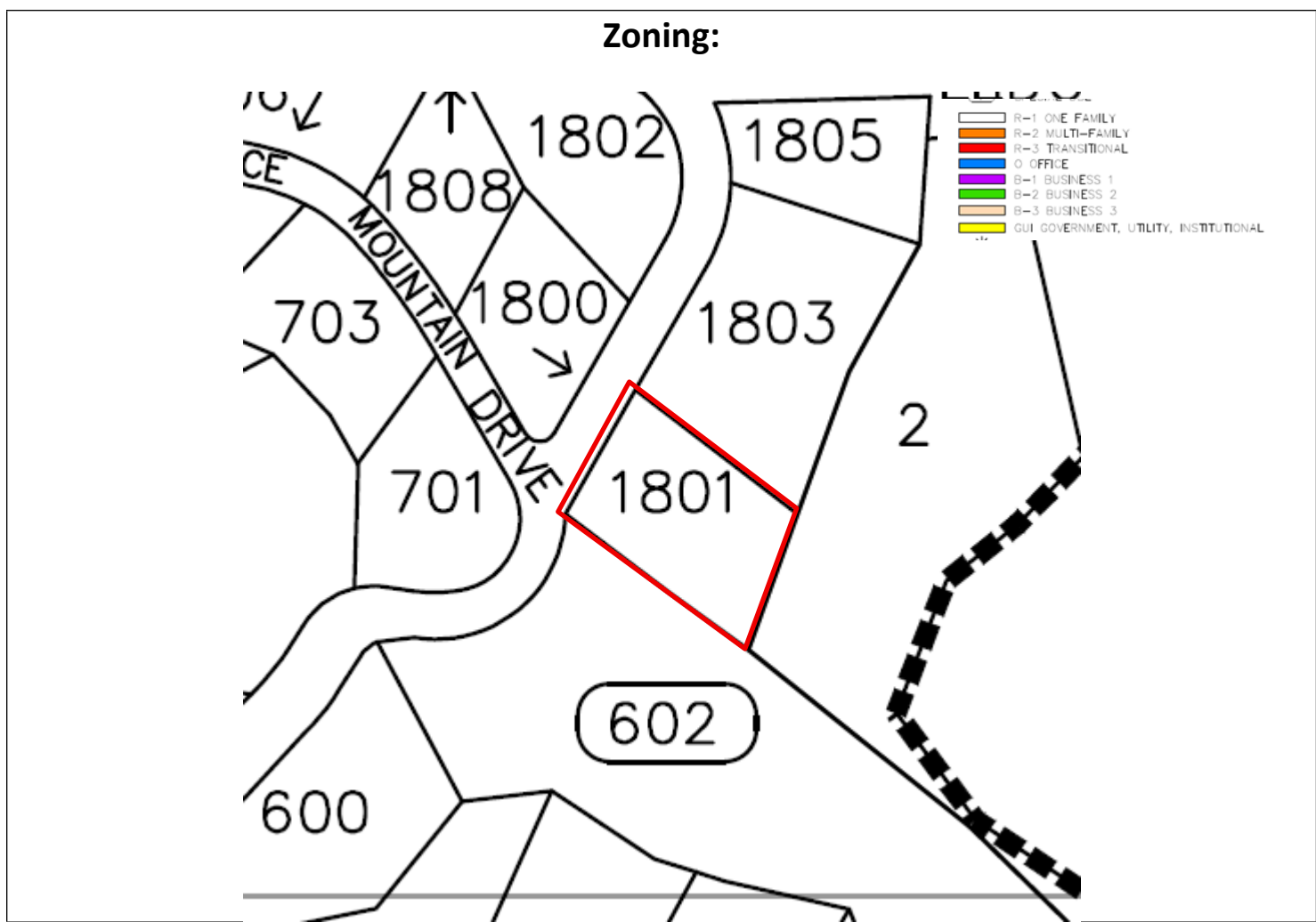
Comprehensive Planning Analysis

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

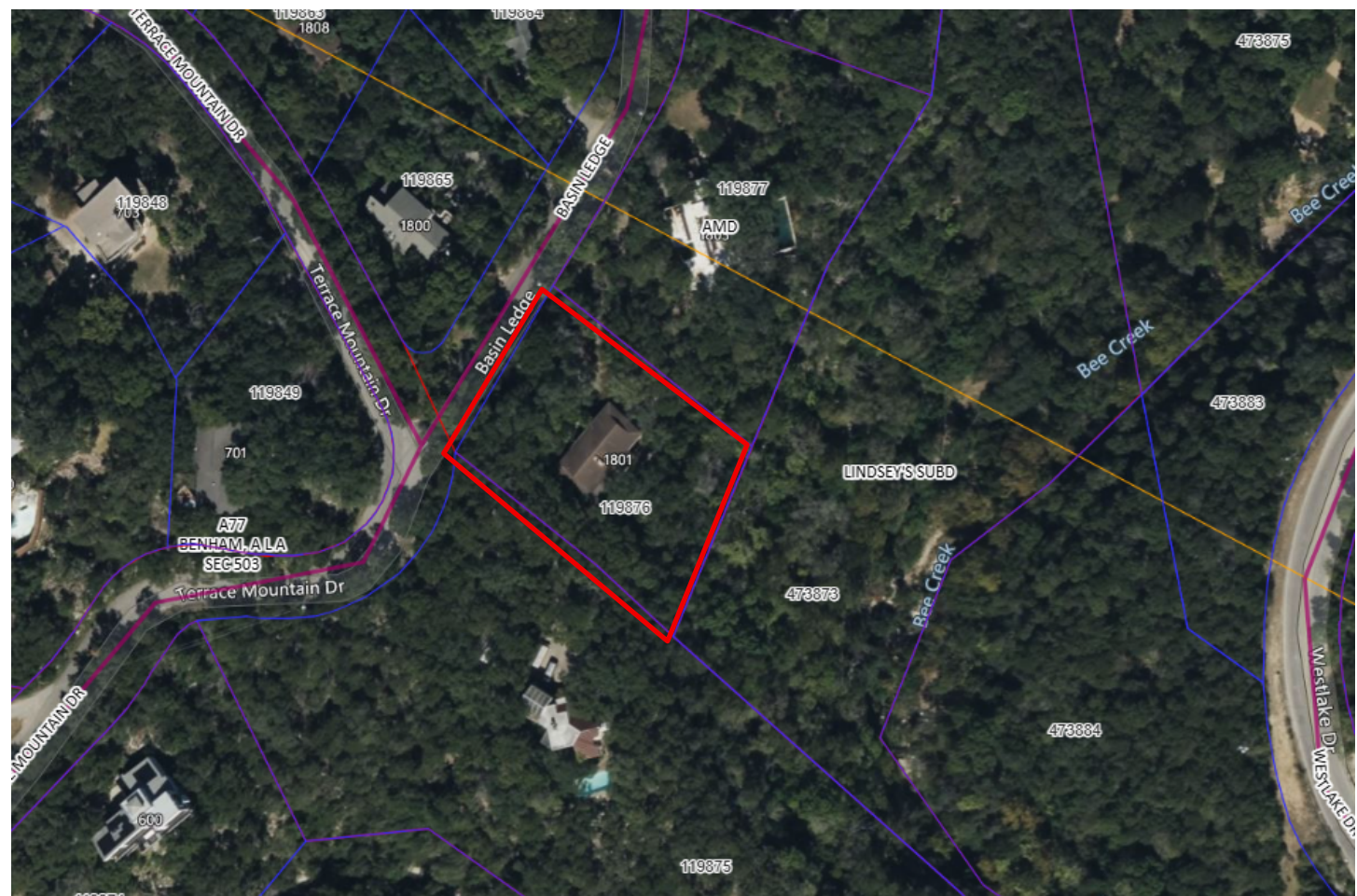
Links to Relevant Code:

- [Section 22.03.304. Tree and vegetation removal and replacement.](#)
- [Section 22.03.511 Procedure and notice \(for variance\).](#)
- [Section 22.03.514 Criteria and process required for granting a variance.](#)

Zoning:



Aerial:





City of West Lake Hills

911 Westlake Drive
West Lake Hills, TX 78746
(512) 327-3628 www.westlakehills.gov

See attachments in item 5



City of West Lake Hills
Zoning and Planning Commission

AGENDA REPORT

Meeting Date:	<u>July 16, 2025</u>	Item Number:	<u>5</u>
	<u>Building & Development Services</u>		
Department:		Cost / Budget:	<u>None</u>
Prepared By:	<u>Jennifer C. Bills</u>	Source of Funds:	<u>N/A</u>
Exhibits:	<u>See Attached</u>		

Subject

1801 Basin Ledge: Discuss and make recommendations on proposed variances

1. To allow for a septic tank to encroach 15 feet into the 25-foot side setback (Section 22.03.276 and 22.03.281 of the West Lake Hills Code of Ordinances), and
2. For excavation and grading, greater than 18” in the building setback (Section 22.03.170 – Site Disturbance (Excavation, Grading, or Filling)).

Applicant: James Gatlin, JAG Permits

Recommendation

Discuss and provide a recommendation including the analysis of the following criteria:

1. The variance may violate the intent of this chapter or the goals of the city’s comprehensive plan; and
2. The variance may have an adverse effect on neighborhood properties or interfere with the respective owners’ enjoyment thereof.

The Zoning and Planning Commission, in performing their respective duties in reference to applications for variances, may be guided by the interpretative criteria listed in the variance criteria in the report.

The Zoning and Planning Commission can recommend imposition of reasonable conditions upon granting a variance if the conditions are related to the subject of the variance.

This item will be forwarded to the August 13, 2025 Board of Adjustment meeting for consideration.

Discussion

Property Information, Zoning & Site Characteristics:

Owner: Joel Cavness and Lavanya Vankayalapati

Legal Description: Stonehedge Estates Block P, Lot 8

Lot Size: 0.67 acres

Zoning: R-1 One Family

Wastewater: On-site Sewage Facility (Septic)

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

Background:

The applicant is proposing to demolish the existing 1,794 sf house built in 1972 and build a new 5,440 sf house (conditioned) (Attachment 1). The site is 0.67 acres in size, which was platted in 1961. The total impervious cover for the site with unconditioned space and site improvements is 7,294.89 sf (24.98%) (Attachment 2).

There is a third variance for tree removal (Item 4) that will be considered by City Council.

Analysis:

Location of Septic Tank in Setback

Code Requirements

- Section 22.03.276. Setbacks for accessory structures.

The **minimum setback distances for accessory structures**, other than unroofed steps, ramps, fences, walks, driveways, driveway gates, playscapes, and mailboxes, **shall be the same as the setback distances applicable to a principal building** under the appropriate category in section 22.03.281. Accessory structures, including overhangs and eaves, shall not encroach into setbacks. Propane tanks shall not be required to meet the setback requirements of this section so long as they are permitted and placed in accordance with the Liquefied Petroleum Gas Safety Rules adopted by the Railroad Commission of Texas in title 16, part 1, chapter 9, of the Texas Administrative Code, including any and all future amendments thereto.

- Section 1.01.003 Definitions

Accessory building or accessory structure. A building or structure, the activity or function of which is clearly integral to, or customarily incidental and subordinate to, the permitted use of the main or principal building/structure on the same lot, such as an air-conditioning and heating unit; cabana; carport; domestic quarters; a wall used as a front-yard fence; garage; greenhouse; guesthouse; sports court; swimming pool; tool shed; wood shed; workshop; and the like. (See also the definition of structure in this section).

Structure. The word "structure" means anything constructed, assembled, or erected, the use of which requires location on the ground or attachment to something having location on or in the ground.

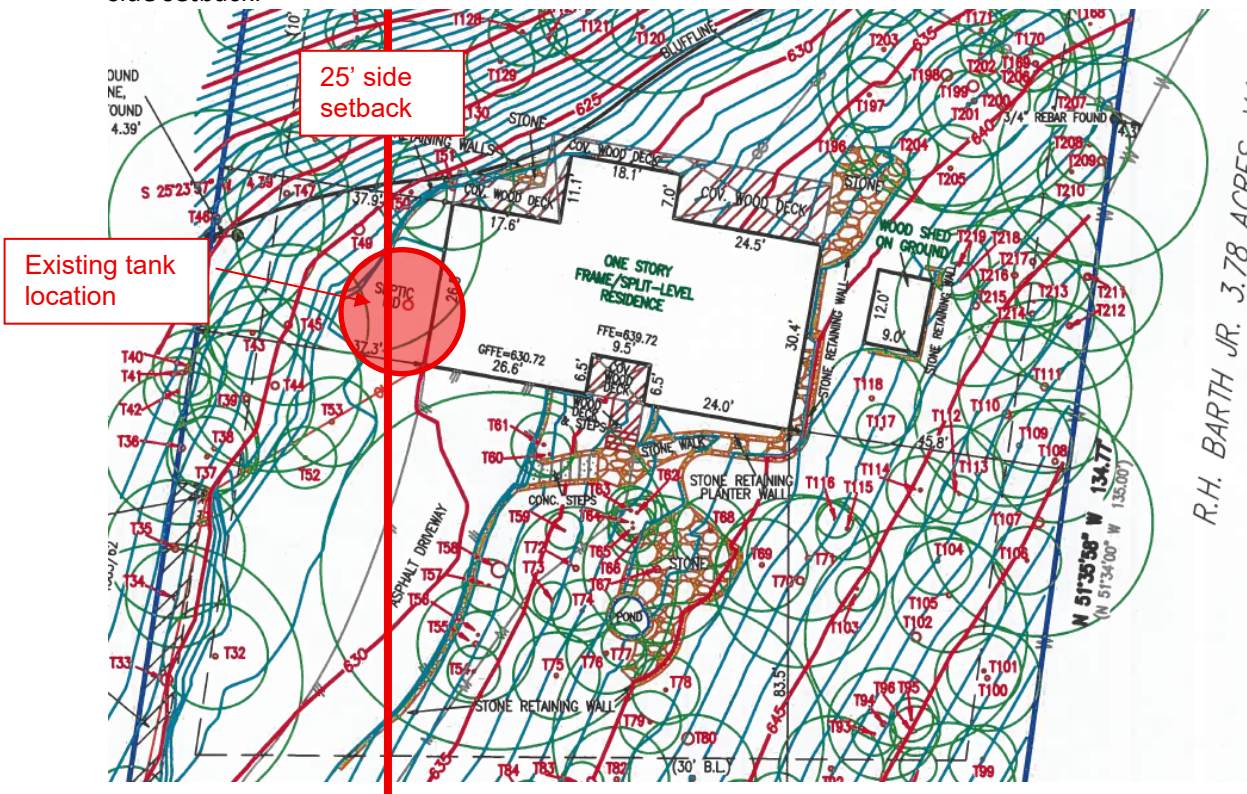
Code Requirements

- Section 22.03.281 Schedule of Regulations

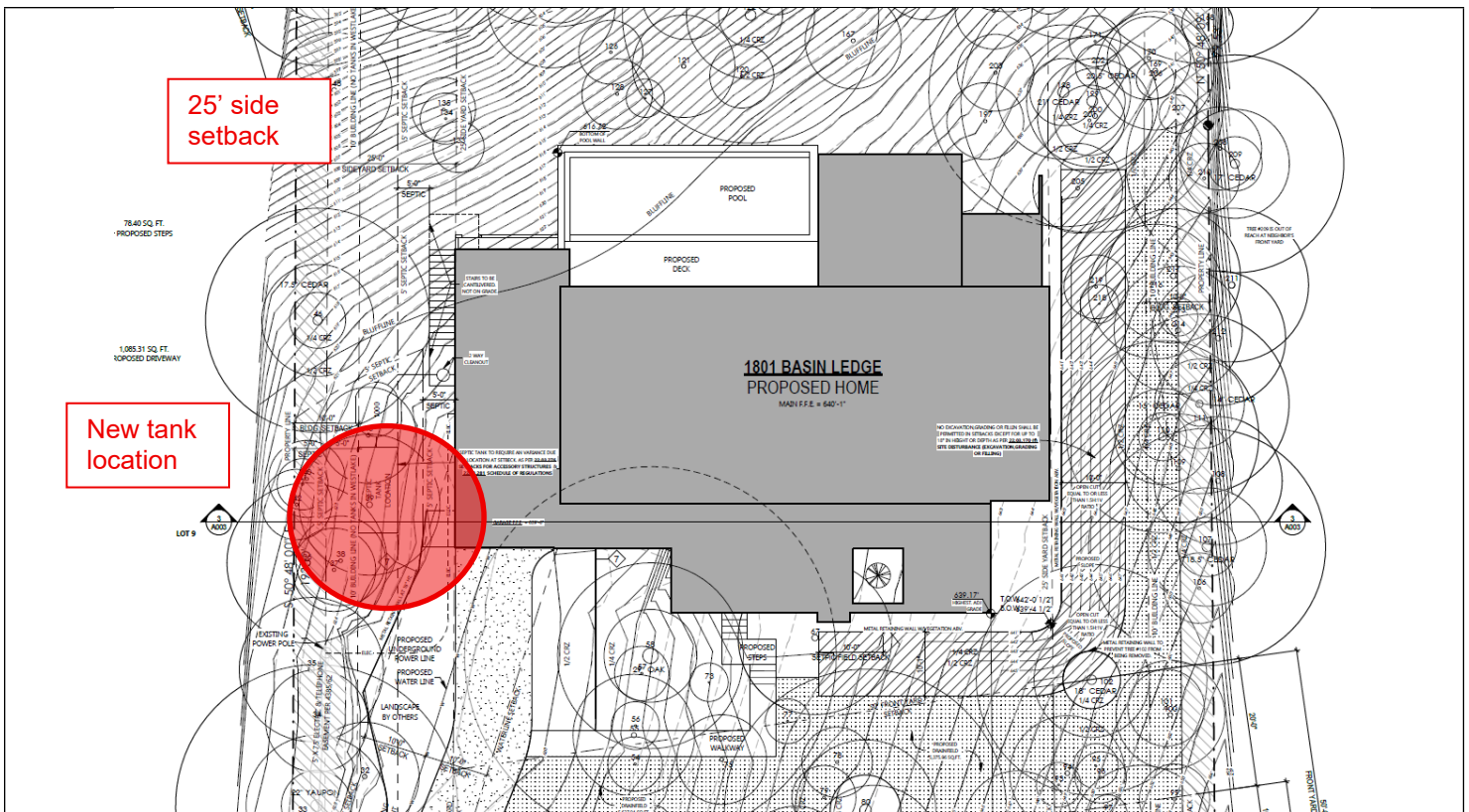
Minimum Building Setback Distance in Feet From Side Lot Lines									
Lot Size/ Zoning	R-1	R-2	R-3	O	GUI	B-1	B-2	B-3	MU-1
Greater than or equal to .5 acre	25	25	50	(I)	(I)	(I)	(I)	(IV)(c)	(C)
Less than .5 acres, greater than or equal to .375 acres	20	20	N/A	(II)	(II)	(II)	(II)	N/A	N/A
Less than .375 acres-zero	15 (F, E)/20	15 (F, E)/20	N/A	(II)	(II)	(II)	(II)	N/A	N/A

Request

The applicant is requesting a variance to place a new septic tank 15 feet into the 25-foot side setback. The existing septic tank is on the same side of the lot approximately 25 feet from the side property line and out of the side setback.



The proposed footprint of the new structure goes up to the side setback lines on both sides.



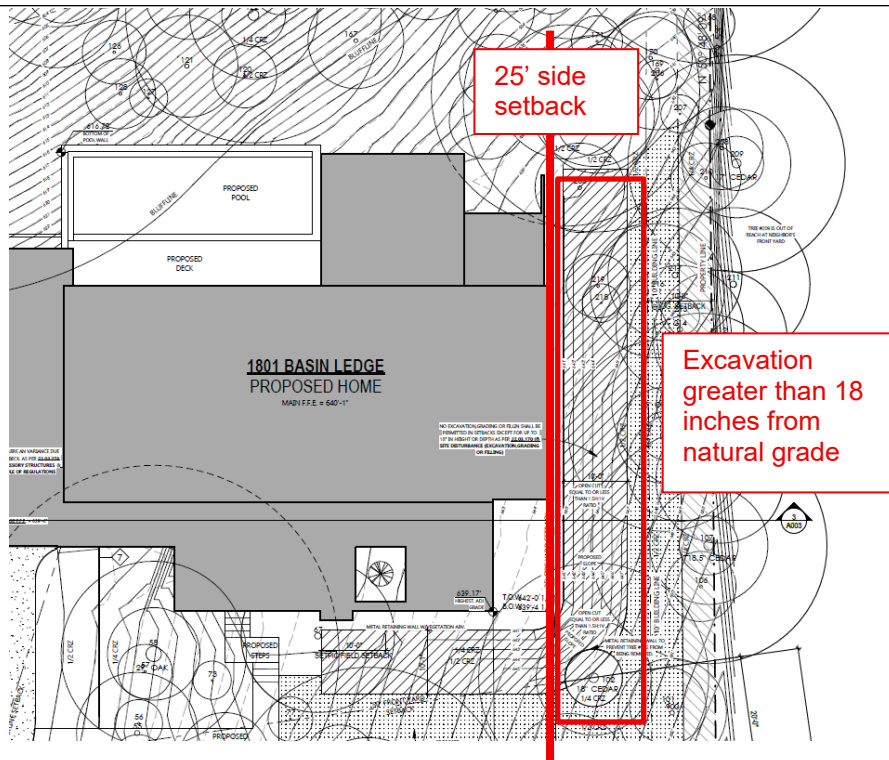
Grading in the setback

Code Requirements

- Section 22.03.170. Site disturbance (excavation, grading or filling).
 - (a) Excavating, grading or filling shall minimize the negative impacts of development on natural slopes and interfere as little as possible with the natural landscape by **minimizing the alteration of the natural terrain.**
 - (f) No excavation, grading or filling shall be permitted in setbacks except **for up to 18 inches in height or depth.**

Request

- The applicant's letter does not explicitly call out the grading/excavating more than 18 inches in the setback as a requested variance, but it is listed in their variance justification/findings. The city engineer reviewed the information but is not able to provide a recommendation as it was not listed. Additionally, given the information provided, staff believes that the grading for the house within the buildable area will also exceed limits but there is not enough information provided for evaluation (Attachment 4).



Public Comment:

As of the date of the report, no comments have been received.

Variance Criteria Review:

Per Section 22.03.511 (c) Procedure and notice, Section 22.03.171: Site disturbance (residential buildings), and Section 22.03.276: Setbacks for accessory structures shall be administered in compliance with the rules established by sections 38.05.031 through 38.05.034.

- Section 38.05.031. Provisions subject to variance.

Variances may be granted by the board of adjustment to the provisions of this chapter in accordance with the rules and conditions of this division. A variance may not be granted, however, to authorize a change of use. Variances run with the land, but each variance is specific to the project for which it was granted.

- Section 38.05.032. Conditions required for granting variance.

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

- (1) The applicant has established by competent evidence that:
 - (A) The strict or literal enforcement of the terms of this chapter, because of special conditions, will result in unnecessary hardship to the applicant.
 - (B) There will not be unreasonable disruption of the natural terrain or unreasonable destruction of existing flora.

- (C) There is no reasonable alternative to the requisite variance that will alleviate the difficulty or hardship complained of.
 - (D) The variance will not be greater than the minimum required to alleviate the difficulty or hardship complained of.
- (2) The recommendation of zoning and planning commission shall include an analysis of whether:
- (A) The variance may violate the intent of this chapter or the goals of the city's comprehensive plan.
 - (B) (Reserved).
 - (C) (Reserved).
 - (D) The variance may have an adverse effect on neighborhood properties, or interfere with the respective owners' enjoyment thereof.
- Section 38.05.033. Interpretative criteria.

The board of adjustment and the zoning and planning commission, in performing their respective duties in reference to applications for variances, may be guided by these interpretative criteria:

- (1) Variances from the terms of this chapter should be granted sparingly.
- (2) Deviations from the requirements of this chapter are justified only where the hardship resulting from their application is substantial.
- (3) Usually, the granting of a variance must be predicated on a finding that the applicant's hardship arises from unusual conditions or circumstances, such as exceptional irregularity of shape or topography, which are peculiar to the parcel of land involved and not shared generally by other parcels in the neighborhood or district, or because no other reasonable alternative is available that will alleviate the unnecessary hardship complained of.
- (4) Normally, a variance is to be denied if conditions or circumstances relied on for a variance were self-created by the person having an interest in the property in disregard of city regulations.
- (5) The variance shall not violate the goals of the master plan for the city.
- (6) The variance shall not have an adverse effect on neighborhood properties or unreasonably interfere with the respective owners' enjoyment thereof.
- (7) The fact that lots, structures, uses or dimensional conditions on properties or structures within 200 feet of the property involved are, because they are nonconforming or because of previously granted variances, similar to the condition which would be created by the variance requested shall be relevant to, but not determinative of, the granting of the requested variance.
- (8) See section 22.03.009(c) for variances to enable the efficient use of solar energy devices.

- (9) When considering variance requests for nonresidential projects, whether granting the variance furthers achievement of the land planning principles set forth in the City’s Master Plan, Attachment “B,” as codified in the Code of Ordinances.

- Section 38.05.035. Conditions.

The city council can impose, and the zoning and planning commission can recommend imposition of reasonable conditions upon granting a variance if the conditions are related to the subject of the variance. When considering variance requests for nonresidential projects, whether, the City can recommend the imposition of reasonable conditions that are necessary to achieve one or more of the land planning principles set forth in the City’s Master Plan, Attachment “B”, as codified in chapter 28 of the Code of Ordinances.

Outdoor Lighting

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

Compliance with Adopted International Building Code

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

Subdivision

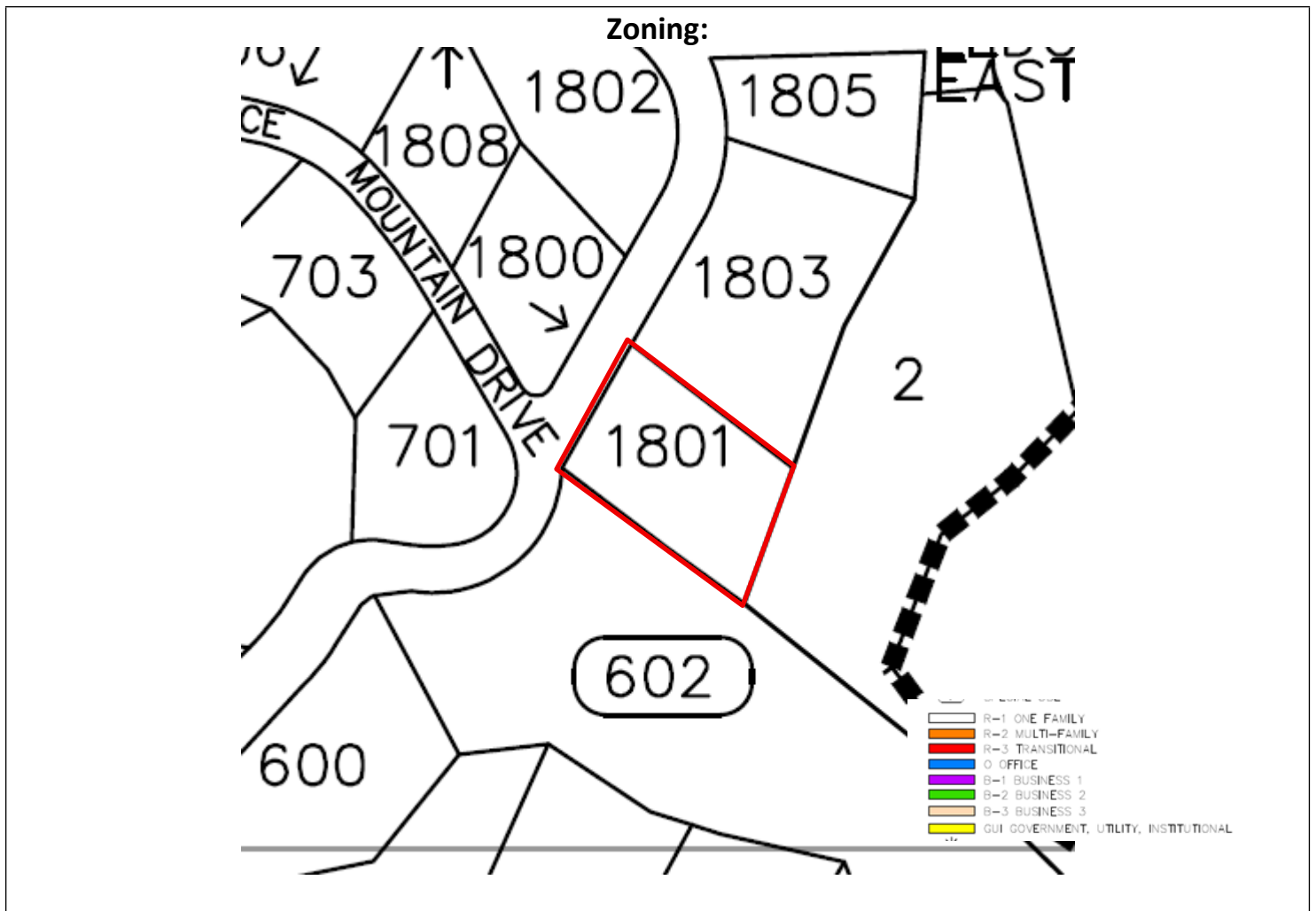
There is no change to the subdivision proposed with this application.

Comprehensive Planning Analysis

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

Links to Relevant Code:

- [Section 22.03.170 Site Disturbance \(Excavation, grading or filling\)](#)
- [Drainage and Erosion Control Manual](#)
- [Section 22.03.514 Criteria and process required for granting variance](#)
- [Section 38.05.031 Variances](#)



Aerial:

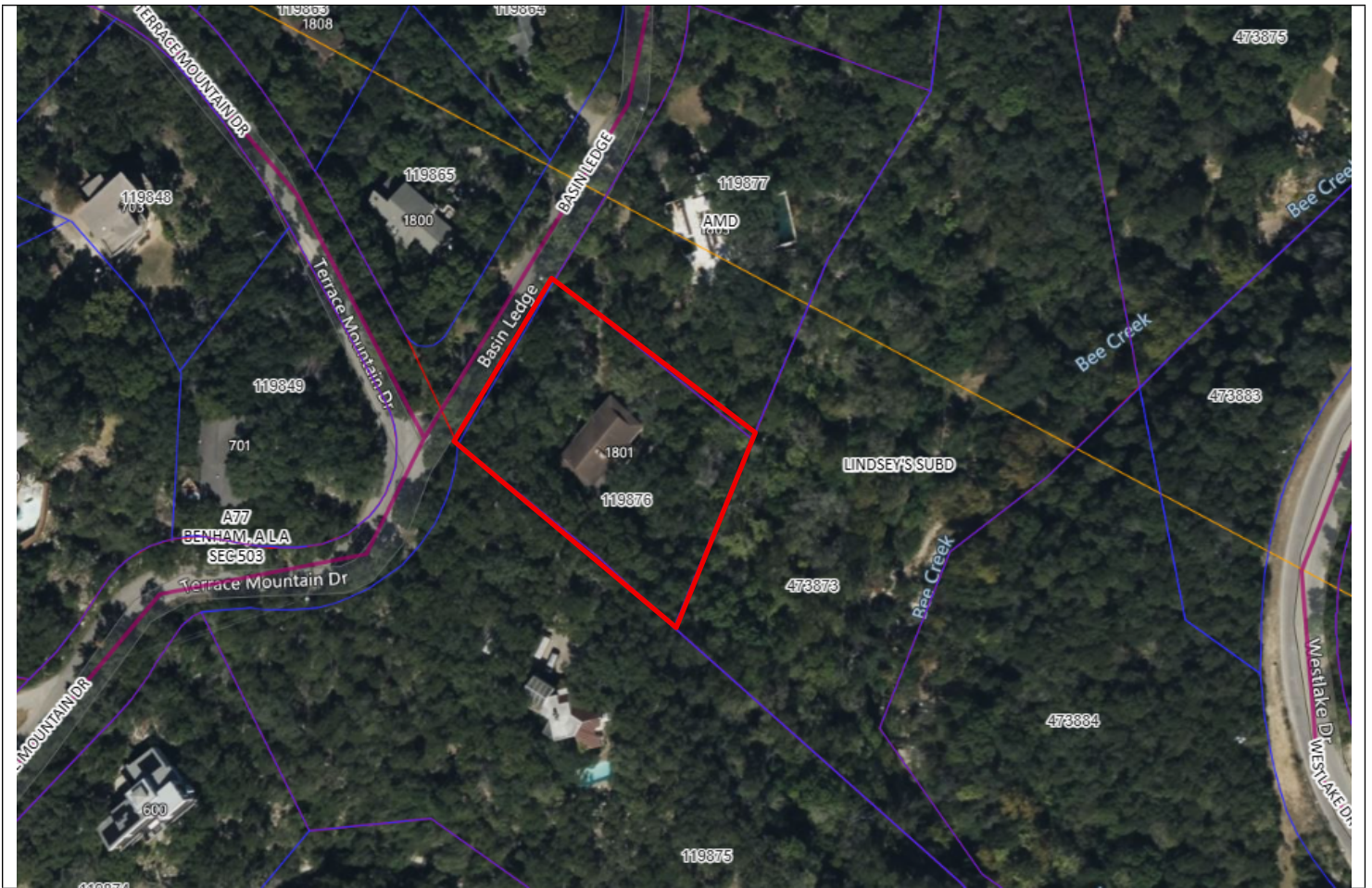


Exhibit A

1801 Basin Ledge – Side Setback, Tree, Site Disturbance

Applicant's Findings of Fact

1. The strict or literal enforcement of the terms of this chapter, because of special conditions, will result in unnecessary hardship to the applicant.
 - a. The slope (35%-50%) in the back of the property pushes the placement of the house forward while the placement of the septic field in the front is needed. This required the house to be built wider to fit the property.
 - b. The conditions of the tree are unhealthy.
 - c. Cut and Fill - The house needed to be sunk in the back of the property in the slope and the retaining wall was needed to control that section of the yard in the setback.
 - d. The property contains pre-existing, non-conforming built conditions in the backyard that we feel, creates a hardship. The survey and site plan indicate that the swimming pool and surrounding pool deck fully encroach into the rear 30' setback. The new addition can be built in the allowable buildable area, however an egress deck needs to be provided to connect to the existing deck by the pool, and provide a stair to natural grade.
2. There will not be unreasonable disruption of the natural terrain or unreasonable destruction of existing flora.

Cut and Fill - The house needed to be sunk in the back of the property in the slope and the retaining wall was needed to control that section of the yard in the setback. The house being squeezed between the slope in the back and the septic yard in the front.

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

The house being squeezed between the slope in the back and the septic yard in the front. There was an option to is to have another variance to build a retaining wall but because of the height we would have had to request additional variance for the other option of a retaining wall higher than 6 feet.

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

The variance being sought is the maximum hardship on the property. There is no further need for greater disruption to the property.

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

The intent of the variance request for development is to keep the property to the character of the neighborhood and character of the city.

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

The variance request keeps the home in the “height” of the neighborhood homes and not lifted above the tree line. This allows the privacy of the homeowner and neighbors to stay reciprocated.

Variance Summary: 1801 Basin Ledge

Introduction

On behalf of property owner Joel Cavness, we at JAG Permits respectfully submit this request for variances at 1801 Basin Ledge, located in the Stonehedge Estates subdivision (Lot 8, Block P). Due to the severe site constraints, including steep slopes and critical utility placements, we are requesting variances for limited tree removal and for locating a septic system within the required setback. While concerns about development impacts such as height or privacy are valid, the requests in this application are specific to tree mitigation and accessory structure placement and are intended to minimize further disruption to the site.

Tree Variance

We are requesting a variance from §22.03.304 to address mitigation requirements for two protected trees, #70 and #49. These trees are in deteriorating condition, and their removal is necessitated by required site access and construction. An arborist assessment has identified both as unhealthy, and their removal is the least impactful option available. The variance request pertains specifically to the size and mitigation value associated with these trees.

Septic System Setback

We are also requesting a variance from §22.03.276 to allow the placement of a septic field within the front setback. The 35%-50% slope in the rear portion of the lot prohibits placing the house farther back. This necessitates pushing the septic system forward, resulting in an unavoidable encroachment into the setback. There is no feasible alternative location for the septic system due to topographical and health code constraints.

Site Constraints

The home site is "squeezed" between the steep rear slope and the required septic placement in

front. Our design team evaluated alternative solutions such as larger retaining walls, but these would require an additional variance for walls exceeding 6 feet in height. To avoid further impacts and variance requests, we chose the current configuration as the least intrusive approach.

Minimizing Impact

The proposed variance is the minimum necessary to alleviate the hardship posed by the site's natural features and layout. It does not involve unnecessary tree removal or further grading beyond what is required for safe, code-compliant development.

Alignment with City Goals

Our design maintains the existing tree canopy and the scale of surrounding homes. The home will not exceed the height of neighboring structures and will remain below the tree line, preserving mutual privacy and minimizing visual impact from the street or adjoining properties. The development remains in character with the natural terrain and aesthetics of West Lake Hills.

Conclusion

We respectfully ask ZAPCO to recommend approval of these variances. They are necessary to allow safe and practical development of this difficult site while preserving as much of the natural environment as possible. We are committed to working with neighbors and the city to ensure this project is both responsible and respectful of the surrounding community.

Sincerely,

James Gatlin

JAG Permits

1490 E Riverside Dr, A-120

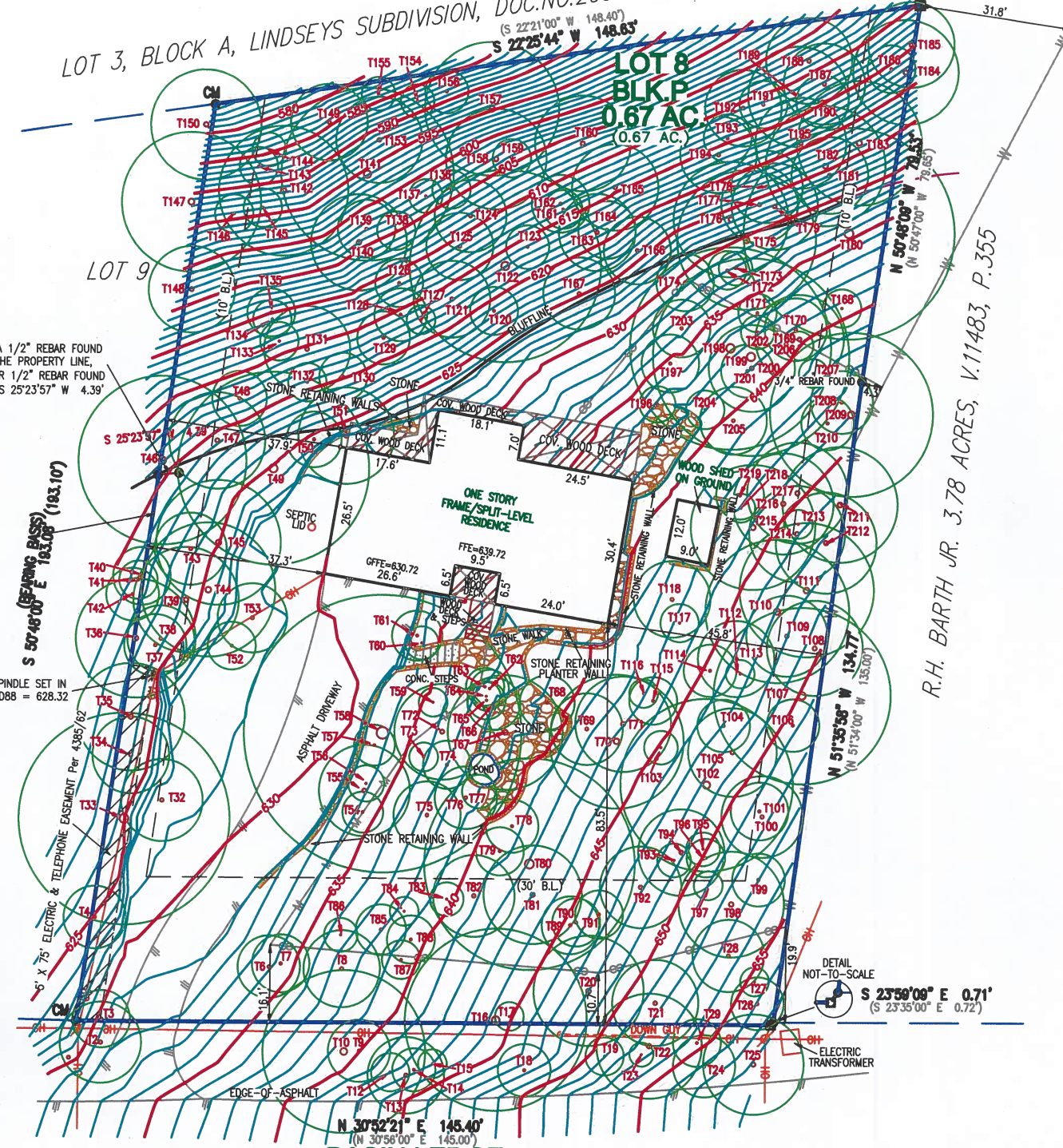
Austin, TX 78741

james@jagpermits.com

(512) 638-6688

LOT 3, BLOCK A, LINDSEYS SUBDIVISION, DOC. NO. 2000009895
 (S 22°21'00" W 148.40')
 (S 22°25'44" W 148.63')

LOT 8
 BLK P
 0.67 AC.
 (0.67 AC.)



FROM A 1/2" REBAR FOUND ON THE PROPERTY LINE. ANOTHER 1/2" REBAR FOUND BEARS S 25°23'57" W 4.39'

TEMPORARY BENCHMARK: SPINDLE SET IN POWERPOLE, ELEVATION NAVD88 = 628.32

R.H. BARTH JR. 3.78 ACRES, V.11483, P.355

BASIN LEDGE (50' R.O.W.)

TAG NO.	TREE DESCRIPTION	TAG NO.	TREE DESCRIPTION	TAG NO.	TREE DESCRIPTION	TAG NO.	TREE DESCRIPTION	TAG NO.	TREE DESCRIPTION	TAG NO.	TREE DESCRIPTION
2	8.5" YAUPON TREE	46	17.5" CEDAR TREE	86	3.5" YAUPON TREE	127	3" OAK TREE	169	9.25" CEDAR TREE	210	5.5" CEDAR TREE
3	6" HACKBERRY TREE	47	10" CEDAR TREE	87	4" YAUPON TREE	128	5.5" ASH TREE	170	6.5" CEDAR TREE	211	12" CEDAR TREE
4	6.5" HACKBERRY TREE	48	5.7" YAUPON TREE	88	5" YAUPON TREE	129	5.5" OAK TREE	171	4" ASH TREE	212	10.5" CEDAR TREE
5	6.5" OAK TREE	49	20" GLOSSY PRIVET	89	6" OAK TREE	130	5" ASH TREE	172	4" CEDAR TREE	213	3" OAK TREE
6	6" OAK TREE	50	5.75" YAUPON TREE	90	5" OAK TREE	131	9" ASH TREE	173	3.5" CEDAR TREE	214	10" CEDAR TREE
7	6" OAK TREE	51	10" ASH TREE	91	5" YAUPON TREE	132	4" ASH TREE	174	6" CEDAR TREE	215	13" CEDAR TREE
8	8" CEDAR TREE	52	5" CREPE MYRTLE	92	8.5" CEDAR TREE	133	4" OAK TREE	175	14.5" CEDAR TREE	216	10.5" CEDAR TREE
9	6.5" CEDAR TREE	53	7.25" CREPE MYRTLE	93	3.5" OAK TREE	134	4" PERSIMMON TREE	176	12" CEDAR TREE	217	10.5" CEDAR TREE
10	17" CEDAR TREE	54	4.25" YAUPON TREE	94	9" OAK TREE	135	5" ASH TREE	177	8" CEDAR TREE	218	3" OAK TREE
11	4" YAUPON TREE	55	9.5" ASH TREE	95	3.5" CEDAR TREE	136	4" ASH TREE	178	7.5" CEDAR TREE	219	5" OAK TREE
12	8" OAK TREE	56	3.75" YAUPON TREE	96	4" CEDAR TREE	137	3.5" ASH TREE	179	9" CEDAR TREE		
13	8" OAK TREE	57	4.25" YAUPON TREE	97	3" YAUPON TREE	138	4" ASH TREE	180	22" CEDAR TREE		
14	4.5" OAK TREE	58	29" OAK TREE	98	11" CEDAR TREE	139	6" CEDAR TREE	181	8" OAK TREE		
15	3" YAUPON TREE	59	3" YAUPON TREE	99	5.5" CEDAR TREE	140	10" CEDAR TREE	182	12.5" OAK TREE		
16	19" CEDAR TREE	60	3.5" YAUPON TREE	100	8.5" CEDAR TREE	141	18" MULBERRY TREE	183	13" OAK TREE		
17	3" HACKBERRY TREE	61	5.25" YAUPON TREE	101	6" ASH TREE	142	13.5" BLACK WALNUT	184	11" CEDAR TREE		
18	5.5" YAUPON TREE	62	4" YAUPON TREE	102	18" CEDAR TREE	143	4" BLACK WALNUT	185	9" CEDAR TREE		
19	4" CEDAR TREE	63	4" TEXAS MTN LAUREL	103	3.5" CEDAR TREE	144	3.5" ASH TREE	186	5" OAK TREE		
20	11.5" CEDAR TREE	64	3" TEXAS MTN LAUREL	104	5.5" CEDAR TREE	145	4" BLACK WALNUT	187	8.5" CEDAR TREE		
21	9" CEDAR TREE	65	4" TEXAS MTN LAUREL	105	9.25" YAUPON TREE	146	4" ASH TREE	188	9" CEDAR TREE		
22	11" CEDAR TREE	66	5.5" TEXAS MTN LAUREL	106	5.5" ASH TREE	147	14.5" CEDAR TREE	189	10.5" CEDAR TREE		
23	10.25" OAK TREE	67	12" OAK TREE	107	18.5" CEDAR TREE	148	9" CEDAR TREE	190	5.5" CEDAR TREE		
24	6.5" CEDAR TREE	68	5.75" TEXAS MTN LAUREL	108	10" CEDAR TREE	149	8" MULBERRY TREE	191	5" CEDAR TREE		
25	10.5" HACKBERRY TREE	69	7.5" CEDAR TREE	109	8.5" OAK TREE	150	11.5" CEDAR TREE	192	8" CEDAR TREE		
26	5.5" YAUPON TREE	70	14" CEDAR TREE	110	15" CEDAR TREE	151	9" CEDAR TREE	193	8" CEDAR TREE		
27	3" YAUPON TREE	71	10" CEDAR TREE	111	14" CEDAR TREE	152	3.5" BLACK WALNUT	194	8" CEDAR TREE		
28	7.5" CEDAR TREE	72	10" OAK TREE	112	3" CEDAR TREE	153	3.5" BLACK WALNUT	195	9.5" CEDAR TREE		
29	5" YAUPON TREE	73	3" YAUPON TREE	113	8" CEDAR TREE	154	4.5" BLACK WALNUT	196	3.75" YAUPON TREE		
30	4" HACKBERRY TREE	74	5" YAUPON TREE	114	5.5" CEDAR TREE	155	14" CEDAR TREE	197	6" OAK TREE		
31	4" HACKBERRY TREE	75	7" CEDAR TREE	115	5" ASH TREE	156	10.5" CEDAR TREE	198	21" CEDAR TREE		
32	8.5" YAUPON TREE	76	6.5" CEDAR TREE	116	3" ASH TREE	157	4" ASH TREE	199	20.5" CEDAR TREE		
33	22" GLOSSY PRIVET	77	3.5" YAUPON TREE	117	4" HACKBERRY TREE	158	4" ASH TREE	200	9" CEDAR TREE		
34	8" OAK TREE	78	5.5" CEDAR TREE	118	8" OAK TREE	159	10" ASH TREE	201	5.5" CEDAR TREE		
35	11.25" CEDAR TREE	79	5" CEDAR TREE	119	5" ASH TREE	160	4" ASH TREE	202	3.5" ASH TREE		
36	12.5" CEDAR TREE	80	22" OAK TREE	120	5" ASH TREE	161	6" ASH TREE	203	6" ASH TREE		
37	6.5" OAK TREE	81	10.25" OAK TREE	121	8" CEDAR TREE	162	8" ASH TREE	204	4" OAK TREE		
38	7" OAK TREE	82	10.25" OAK TREE	122	20" CEDAR TREE	163	8" ASH TREE	205	7" LAQUAT TREE		
39	11" CEDAR TREE	83	8.5" CEDAR TREE	123	4.5" CEDAR TREE	164	9" CEDAR TREE	206	3" YAUPON TREE		
40	6" OAK TREE	84	3" YAUPON TREE	124	7.5" OAK TREE	165	7" CEDAR TREE	207	3" OAK TREE		
41	4" HACKBERRY TREE	85	5.25" YAUPON TREE	125	7" CEDAR TREE	166	9" CEDAR TREE	208	6.5" CEDAR TREE		
42	5.5" OAK TREE			126	5" ASH TREE	167	7.5" OAK TREE	209	17" CEDAR TREE		
43	7.5" HACKBERRY TREE					168	4" CEDAR TREE				
44	14" HACKBERRY TREE										
45	13" HACKBERRY TREE										

M.S.=MULTI-STEM

LEGEND

- 1/2" REBAR FOUND
- 1/2" CAPPED REBAR SET
- 1/2" IRON PIPE FOUND
- 60D NAIL FOUND
- 60D NAIL SET
- CAPPED REBAR FOUND
- SQUARE BOLT FOUND
- "X" FOUND IN CONCRETE
- SPINDLE FOUND
- PUNCH HOLE FOUND
- CHAIN LINK FENCE
- WOOD FENCE
- WIRE FENCE
- B.L. BUILDING LINE
- P.U.E. PUBLIC UTILITY EASEMENT
- D.E. DRAINAGE EASEMENT
- () PER PLAT
- C.M. CONTROL MONUMENT
- R.O.W. RIGHT OF WAY
- P.O.B. PLACE OF BEGINNING
- OH OVERHEAD UTILITY LINE
- POWER POLE
- AC AIR CONDITIONER
- F.F.E. FINISHED FLOOR ELEVATION
- G.F.F.E. GARAGE FINISHED FLOOR ELEVATION

REVISED: 02/13/25
 UPDATE: 12/10/24
 REVISED: 5/22/24
 AHS/CP TREE SURVEY: 6/28/21

STREET ADDRESS: 1801 BASIN LEDGE CITY: WESTLAKE COUNTY: TRAVIS STATE OF TEXAS
 LOT: 8 BLOCK: P SUBDIVISION: STONEHEDGE ESTATES VOL/CMB: 13 PG/SLD: 28 PLAT RECORDS
 REFERENCE NAME: 1801 BASIN LEDGE, LLC G.F. #: 2119314-ARB

B & G SURVEYING, LLC
 FIRM REGISTRATION NO. 100363-00
 WWW.BANDGSURVEY.COM
 1404 West North Loop Blvd.
 Austin, Texas 78756 - Office 512*458-6969

JOB #: B1107024_TWL
 DATE: 6/25/21
 SCALE: 1" = 20'

FIELD WORK BY: WG 06/17-24/21
 CALCD BY: JSG 06/24/21
 DESIGNED BY: AHS 06/24-25/21
 CHECKED BY: WG 06/25/21

TO THE LEASER AND/OR PRESENT OWNERS OF THE PREMISES SURVEYED AND TO INDEPENDENT TITLE COMPANY
TITLE RESOURCES GUARANTY COMPANY
 I DO HEREBY CERTIFY TO THOSE LISTED HEREON THAT THIS SURVEY WAS THIS DAY MADE ON THE GROUND, UNDER MY SUPERVISION, OF THE PROPERTY LEGALLY DESCRIBED HEREON, IS PREPARED IN ACCORDANCE WITH THE TITLE COMMITMENT REFERENCED HEREON, AND THAT THERE ARE NO VISIBLE BOUNDARY LINE CONFLICTS, ENCROACHMENTS, OVERLAPPING OF IMPROVEMENTS, OR ROADS IN PLACE, EXCEPT AS SHOWN HEREON. BUILDING DIMENSIONS ARE APPROXIMATE.



Notes:
 1. Subject to restrictions and easement rights recorded in V1964, P.545, V.2315, P.520, Deed Records and Book 13, Page 28, Plat Records.

GENERAL SITE NOTES

- BUILDER TO RESCULPTURE TOPO/FINISH GRADE TO PROVIDE PROPER DRAINAGE OF SURFACE WATER AWAY FROM BUILDING AS REQ'D.
- FINAL LOCATION OF PROPOSED RESIDENCE TO BE DETERMINED BY BUILDER.
- EXPOSED FOUNDATION TO BE MINIMUM OF 8" AND A MAXIMUM OF 18" ABOVE FINISHED GRADE OR PER SUBDIVISION REQUIREMENTS. UNDERPIN ALL EXPOSED FOUNDATIONS.
- THERE ARE NO STORM SEWER INLETS WITHIN THE LOT FRONTAGE OR 10'-0" BEYOND THE SIDE PROPERTY LINES.
- UTILITY LINE LOCATIONS ARE APPROXIMATE- GENERAL CONTRACTOR TO FIELD VERIFY FOR EXACT LOCATIONS.
- VERIFY METER AND UTILITY SERVICE LOCATIONS PRIOR TO INSTALLATION.
- EROSION CONTROL BARRIERS TO BE INSTALLED PRIOR TO COMMENCEMENT OF CONSTRUCTION.
- STABILIZED TEMPORARY CONSTRUCTION DRIVEWAY TO BE IN PLACE PRIOR TO COMMENCEMENT OF CONSTRUCTION.
- CONFIRM ALL DRIVEWAY, WALKWAY AND PVC LAYOUTS/LOCATIONS PRIOR TO COMMENCING WORK.
- PROVIDE CONTROL AND EXPANSION JOINTS AS REQUIRED ON CONCRETE DRIVES, WALKS AND PATIOS.
- ALL EXTERIOR HVAC EQUIPMENT TO BE SCREENED PER CITY REQUIREMENTS, DEED RESTRICTIONS OF SUBDIVISION OR NEIGHBORHOOD ASSOCIATION.
- GARBAGE RECEPTACLES TO BE STORED IN GARAGE OR SCREENED FROM VIEW AND ANIMAL ACCESS.
- LOCATION OF MAILBOX AND EXTERIOR DRIVEWAY LIGHT(S) TO BE VERIFIED PRIOR TO INSTALLATION.
- ALL CONSTRUCTION MATERIALS AND WASTE TO BE STORED ON SITE DURING CONSTRUCTION.
- LANDSCAPE PLANS TO BE PROVIDED BY OTHERS AND PERMIT FOR SAME TO BE OBTAINED SEPARATELY FROM THESE PLANS.
- NO EXISTING TREES TO BE REMOVED OR DISTURBED WITHOUT OWNER APPROVAL.
- ALL STUMPS AND ROOTS SHALL BE REMOVED FROM THE SOIL TO A DEPTH OF 12" BELOW THE SURFACE OF THE GROUND IN THE AREA OF THE BUILDING.
- CONTRACTOR SHALL CLEAN UP AREAS AFFECTED BY DAILY WORK AND REMOVE DEBRIS AND MATERIALS FROM THE SITE UPON COMPLETION OF THE WORK.

CURRENT ADOPTED CODES

THESE PLANS AND SPECIFICATIONS HAVE BEEN DRAWN IN ACCORDANCE WITH THE FOLLOWING APPLICABLE ADOPTED CODES PER THE CITY OF LAKEWAY (SECTION 24.02.087)

- INTERNATIONAL BUILDING CODE - 2015 EDITION
- INTERNATIONAL RESIDENTIAL CODE FOR ONE- AND TWO-FAMILY DWELLINGS - 2015 EDITION
- UNIFORM PLUMBING CODE - 2015 EDITION OR AS ADOPTED BY THE SERVICE PROVIDER.
- INTERNATIONAL MECHANICAL CODE - 2015 EDITION.
- NATIONAL ELECTRICAL CODE 2014 EDITION.
- INTERNATIONAL ENERGY CONSERVATION CODE - 2015 EDITION.
- INTERNATIONAL FIRE CODE - 2015 EDITION AS AMENDED BY TRAVIS COUNTY EMERGENCY SERVICE DISTRICT NO. 6.
- INTERNATIONAL GAS CODE - 2015 EDITION.

LOT INFORMATION

TOTAL LOT AREA: 29,185.20 SF ZONING: R-1
 MAXIMUM ALLOWED IMPERVIOUS COVERAGE @ 25% = 7,296.30 SF

BUILDING IMPERVIOUS CALCULATIONS

AREA NAME	TOTAL
A) LOWER LEVEL	3,056.09 SF
B) MAIN LEVEL	2,494.79 SF
C) UPPER LEVEL	0.0000 SF
D) TOTAL BUILDING IMPERVIOUS	5,550.88 SF
TOTAL BUILDING IMPERVIOUS COVER @ 5,550.88 = 19.01%	

SITE IMPERVIOUS CALCULATIONS

AREA NAME	TOTAL
A) LOWER LEVEL DRIVEWAY	1,081.70 SF
B) MAIN LEVEL POOL, DECK, & STEPS	662.31 SF
C) UPPER LEVEL	0.0000 SF
D) TOTAL SITE IMPERVIOUS	1,744.01 SF
TOTAL SITE IMPERVIOUS COVER @ 1,744.01 = 5.97%	

FINAL IMPERVIOUS CALCULATIONS

AREA NAME	TOTAL
A) BUILDING IMPERVIOUS	5,550.88 SF
B) SITE IMPERVIOUS	1,744.01 SF
D) TOTAL SITE IMPERVIOUS	7,294.89 SF
TOTAL FINAL IMPERVIOUS COVER @ 7,294.89 = 24.98%	

BUILDING AREA CALCULATIONS

AREA NAME	TOTAL
A) LOWER LEVEL	1,837.91 SF
B) MAIN LEVEL	3,630.61 SF
C) UPPER LEVEL	2,023.87 SF
D) TOTAL GROSS AREA	7,492.39 SF
TOTAL GROSS AREA COVERAGE @ 7,492.39 SF 25.67%	

AREA NAME	TOTAL
A) LOWER LEVEL	3,056.09 SF
B) MAIN LEVEL	4,783.53 SF
C) UPPER LEVEL	2,444.25 SF
D) TOTAL BUILDING COVERAGE	10,283.87 SF
TOTAL BUILDING COVERAGE @ 10,283.87 SF 35.35%	

HEATED & UNHEATED CALCULATIONS

AREA NAME	TOTAL
A) LOWER LEVEL HEATED	355.74 SF
B) LOWER LEVEL UNHEATED	1482.17 SF
C) MAIN LEVEL HEATED	3,630.61 SF
D) MAIN LEVEL UNHEATED	1,075.53 SF
E) UPPER LEVEL HEATED	1,454.01 SF
F) UPPER LEVEL UNHEATED	147.69 SF
G) TOTAL HEATED AREA	5,440.36 SF
H) TOTAL UNHEATED AREA	2,705.39 SF

2 Site Plan- Impervious Coverage Diagram
 1" = 20'-0"

SITE LEGEND

- CONSTRUCTION FENCE
- 5' CHAIN LINK FENCE
- SILT FENCE
- PROPERTY LINE
- SITE EASEMENT
- SITE SETBACK
- FLATWORK
- BUILDING FOOTPRINT
- CANTILVER
- GAS GAS LINE
- W-W WASTERWATER LINE
- W WATER LINE
- ELEC- ELEC. UNDERGROUND POWER LINE
- OH- OH- OVERHEAD POWER LINE
- BLUFFLINE
- VISIBILITY
- SEPTIC SETBACK
- SEPTIC DRAINFIELD
- PROPOSED CONC.
- DUMPSTER & MATERIAL STORAGE
- BUILDING FOOTPRINT
- ELECTRIC & TELEPHONE EASEMENT

SITE LEGEND

- BENCHMARK
- PROPERTY CORNER
- ELECTRIC TRANSFORMER
- ELECTRIC BOX
- ELECTRIC METER
- DROP INLET
- SEWER
- CLEANOUT
- GAS METER
- GAS MARKER
- WATER METER
- TELEPHONE PEDESTAL
- C.A.T.V. PEDESTAL
- FIBER OPTICS
- TELECOMMUNICATIONS
- MANHOLE - WATER
- MANHOLE - TELEPHONE
- MANHOLE - ELECTRIC
- MANHOLE - SEWER
- UTILITY POLE
- FIRE HYDRANT
- ADJ. GRADE ELEVATION

APPLICABLE CODES

APPLICABLE CODES: 2021 INTERNATIONAL RESIDENTIAL CODE (IRC) WITH LOCAL AMENDMENTS

APPLICABLE CODES: 2015 WILDLAND-URBAN INTERFACE (WUI) CODE WITH LOCAL AMENDMENTS

TREE LEGEND

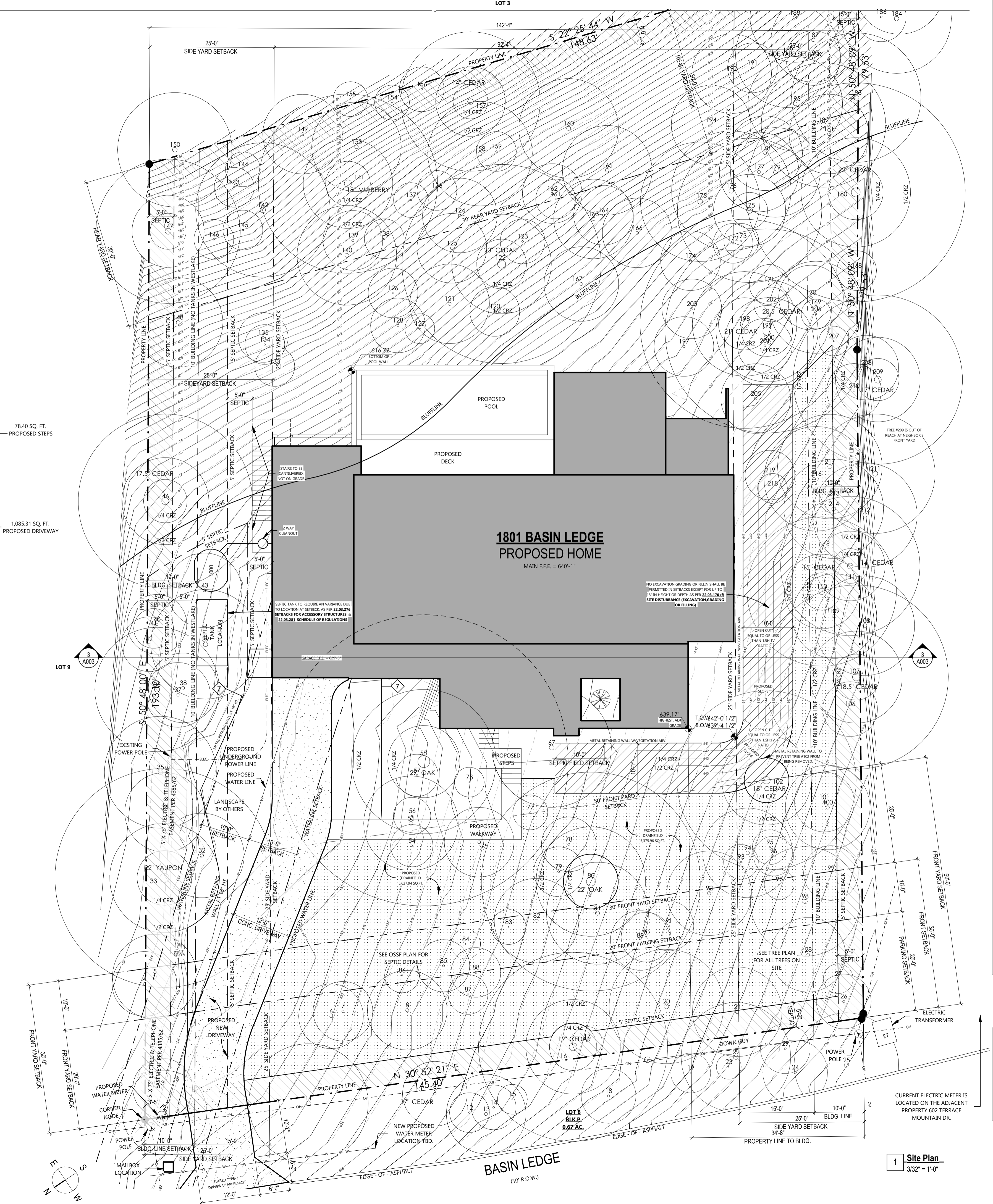
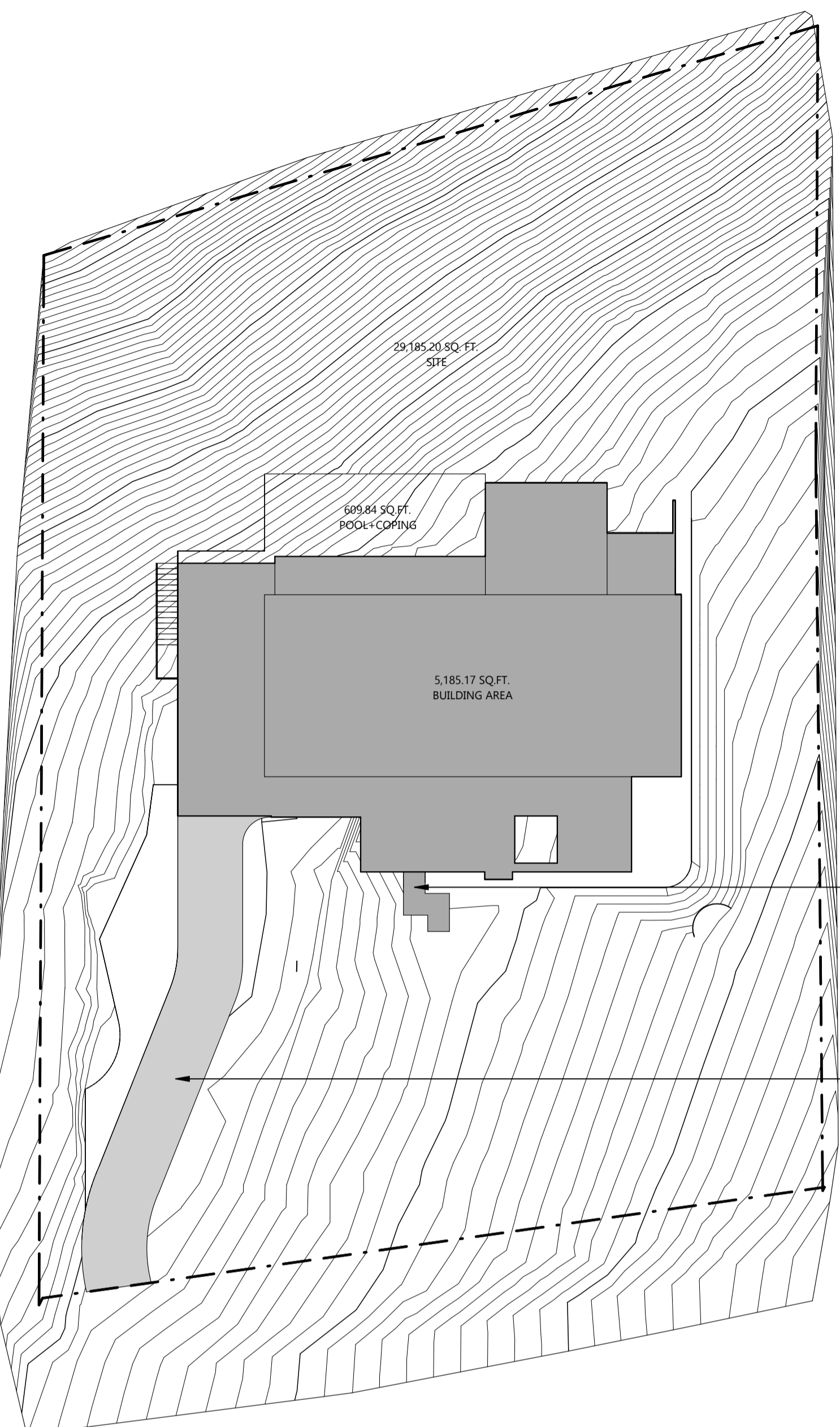
- 1/4 CRITICAL ROOT ZONE (NO CUT/FILL)
- 1/2 CRITICAL ROOT ZONE (NO CUT/FILL > 4")
- DRIP ZONE

TREE NOTES

PROVIDE A PRIVATE CERTIFIED ARBORIST ASSESSMENT OF THE PRUNING REQUIREMENTS NEEDED FOR THE PROJECT.
 SEE TREE PROTECTION PLAN FOR ALL TREES

LEGAL DESCRIPTION

1801 BASIN LEDGE,
 LOT 8 BLK P STONEHEDGE ESTATES BLK P
 CITY OF WEST LAKE HILLS TEXAS, 78746, TRAVIS COUNTY



ALL DIMENSIONS ARE THE SOLE RESPONSIBILITY OF THE ARCHITECT. HOWEVER, THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THEM PRIOR TO THE START OF CONSTRUCTION, AND SHALL NOTIFY THE ARCHITECT OF ANY DISCREPANCIES.

SHEET LIST

A000	COVER & NOTES
A001	SITE PLAN
A002	TREE PROTECTION PLAN
A003	SITE SLOPE ANALYSIS
A101	LOWER FLOOR PLAN NOTES
A102	MAIN FLOOR PLAN NOTES
A103	UPPER FLOOR PLAN NOTES
A104	LOWER FLOOR PLAN DIMENSIONS
A105	MAIN FLOOR PLAN DIMENSIONS
A106	UPPER FLOOR PLAN DIMENSIONS
A107	ROOF PLAN
A108	EXTERIOR ELEVATIONS
A109	EXTERIOR ELEVATIONS
A110	BUILDING SECTIONS
A115	DOOR SCHEDULE
A116	DOOR SCHEDULE
A117	LOWER FLOOR ELECTRICAL PLAN
A118	MAIN FLOOR ELECTRICAL PLAN
A119	UPPER FLOOR ELECTRICAL PLAN
A120	WALL MATERIAL TAKEOFF
A121	FLOOR, CEILING & SOFFIT MATERIAL TAKEOFF
A122	STRUCTURAL TAKE OFF
A123	STRUCTURAL TAKE OFF

NOT FOR CONSTRUCTION

BASIN LEDGE

NOT FOR CONSTRUCTION

PROJECT NAME AND ADDRESS:
BASIN LEDGE
 1801 Basin Ledge, West Lake Hills, TX 78746
 NOT FOR CONSTRUCTION



PROJECT:	BASIN LEDGE	NORTH	(N)
SHEET NAME:	SITE PLAN		
DATE:	06/02/2025	SHEET #	A001
SCALE:	As indicated		

Re: 1801 BASIN LEDGE VARIANCE REQUEST
Application #2025-1271

On behalf of the City of West Lake Hills, Engineering staff has reviewed the variance requests for the property located at 1801 Basin Ledge. This review was performed in the context of the City of West Lake Hills Code of Ordinances which states that no variance shall be granted unless it meets the following criteria:

1. The strict or literal enforcement of the terms of the code, because of special conditions, will result in unnecessary hardship to the applicant.
2. There will not be unreasonable disruption of the natural terrain or unreasonable destruction of existing flora.
3. There is no reasonable alternative to the requisite variance that will alleviate the difficulty or hardship.
4. The variance will not be greater than the minimum required to alleviate the difficulty or hardship.

The following requests were made:

1. Tree variance to remove tree #70 and #49.
 - a. Allow removal of two protected trees, #49 for 20" glossy privet and #70 for 14" cedar tree.
2. Front setback encroachment because of septic system.
 - a. Allow placement of a septic field within the front setback.

The hardships mentioned are as follows:

1. Steep site topography (35%-50%) and proposed new layout.

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

1. Allow removal of two protected trees, #49 for 20" glossy privet and #70 for 14" cedar tree.
 - a. **We suggest that this variance is denied.**
 - i. **While the trees identified are not in ideal condition, their removal is not justified as the least impactful option available. The trees are more likely to decline or die as a result of the proposed development rather than due to their current health status. Additionally, there is no demonstrated hardship requiring the development to occur in its current configuration around Tree 70. Since alternative layouts may exist that would allow for the preservation of the tree, efforts should be made to retain it.**

2. Allow placement of a septic field within the front setback.
 - a. **We suggest that the variance to allow placement of a septic field within the front setback be considered for approval. The site presents unusual topographic constraints, including very steep slopes, which limit suitable areas for septic field placement. Given the lack of reasonable alternatives that avoid both the setback and environmentally sensitive areas, this configuration appears to minimize overall site disturbance. Provided that all necessary health and safety requirements are met, this variance could be justified due to the substantial hardship imposed by the site's natural terrain.**

Based on the information provided, we are unable to support the requested variances at this time. The extent to which existing trees are proposed to be removed or preserved is unclear, and we recommend that documentation from a certified arborist be provided to support the request. Additionally, we note that the variance letter only requests relief for the placement of the septic field within the front setback; however, the submitted site plan also shows an encroachment into the 25-foot side yard setback. This additional variance has not been granted, as no justification has been provided for it. Additionally, it appears that additional variances may be required, including for grading exceeding 18 inches within the setbacks, the placement of structures within the setbacks, and potential variances to the cut/fill limitations outlined in the City's Drainage Criteria Manual. However, the recommendation provided herein does not include or imply approval of these items. Any such requests must be clearly identified and justified through a separate variance application.



City of West Lake Hills
Zoning and Planning Commission

AGENDA REPORT

Meeting Date:	July 16, 2025	Item Number:	6
	Building & Development		
Department:	Services		
Prepared By:	Jennifer C. Bills	Cost / Budget:	None
Exhibits:	See Attached	Source of Funds:	N/A

Subject

105 Wood Trail: Discuss and make recommendations on proposed variances to the Texas Administrative Code Chapter 30, Chapter 285 adopted in Sections 18.03.064 and 18.03.065 and 22.03.281 of the West Lake Hills Code to allow:

1. The placement of a structure within 5 feet of a septic facility (TAC 285.91(10))
2. The placement of a structure above a septic facility ((TAC 285.34(e)(2)) and TAC 285.39(c)).

Applicant: Tanya Clement, Property Owner

Recommendation

Discuss and make a recommendation to the City Council including an analysis of whether:

- (i) There are special circumstances or conditions affecting the property involved, such that the strict application of the requirements of this division would deprive the applicant of the reasonable use of his property;
- (ii) The variance is necessary for the preservation and enjoyment of a substantial property right of the applicant;
- (iii) The granting of the variance will not be detrimental to the public health, safety or welfare, or injurious to other property in the area;
- (iv) The granting of the variance will not have the effect of preventing the orderly development of other properties in accordance with the requirements of this division; and
- (v) Alternative methods to the installation or modification of the facility would not be suitable.

See the full criteria list in Variance Criteria in this report.

This item will be forwarded to the August 13, 2025 City Council meeting for consideration.

Discussion

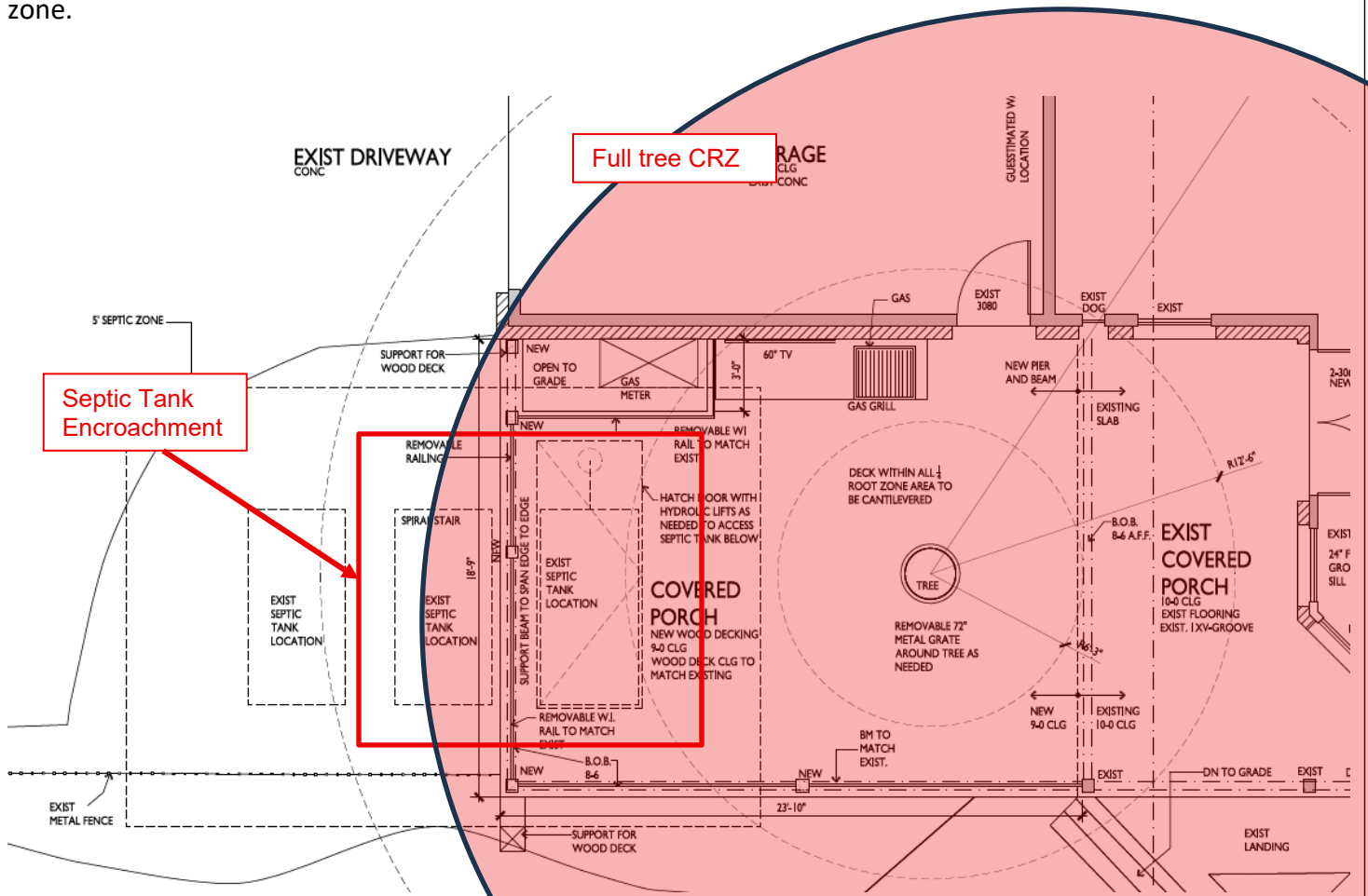
Property Information, Zoning & Site Characteristics:

Owner: John Barton and Tanya Clement
Legal Description: Wood Trail Estates, Lot 4
Lot Size: 1 acre
Zoning: R-1 One Family
Wastewater: On-site Sewage Facility (Septic)

The properties surrounding the subject property are zoned R-1, One Family Residential and West Lake Hills ETJ.

Background:

There is an existing house with a pool and sport court, built in 1994. The applicant is proposing to expand the back deck and create a second deck story over the existing septic system tank and the existing tree critical root zone.



There are two additional variances for impervious cover (Item 8) and encroachment into tree critical root zone (Item 7) on this agenda that will be forwarded to BOA and City Council for consideration.

Analysis:

OSSF Clearance Requirement
Code Requirements

The City of West Lake Hills is the permit authority for OSSF permitting. The city can have more stringent rules but must enforce the Texas Commission on Environmental Quality OSSF regulations as adopted in the Texas Administrative Code, as amended.

- **Section 18.03.064. OSSF Rules adopted.**

The rules, title 30 Texas Administrative Code (TAC) chapter 30, subchapters A and G and title 30 TAC chapter 285, promulgated by the state commission on environmental quality (TCEQ) for OSSFs are hereby adopted, and all officials and employees of the city, having duties under said rules are authorized to **perform** such duties as are required of them under said rules.

- **Section 18.03.065. Incorporation by reference.**

The rules, 30 TAC chapter 30, subchapters A and G and title 30 TAC Chapter 285, all future amendments and revisions thereto are incorporated by reference and are thus made a part of these rules.

- **Texas Administrative Code Section 285.34 (e)(2)**

(e) Holding tanks. Tanks shall be constructed according to the requirements established for septic tanks under §285.32(b)(1)(D) - (E) of this title. Inlet fittings are required. No outlet fitting shall be provided. A baffle is not required. Holding tanks shall be used only on sites where other methods of sewage disposal are not feasible (these holding tank provisions do not apply to portable toilets or to an office trailer at a construction site). All holding tanks shall be equipped with an audible and visible alarm to indicate when the tank has been filled to within 75% of its rated capacity. A port with its smallest dimension being at least 12 inches shall be provided in the tank lid for inspection, cleaning, and maintenance. This port shall be accessible from the ground surface and must be easily removable and watertight.

(1) Minimum capacity. The minimum capacity of the holding tank shall be sufficient to store the estimated or calculated daily wastewater flow for a period of one week (wastewater usage rate in gallons per day x seven days).

(2) Location. Holding tanks shall be installed in an area readily accessible to a pump truck under all weather conditions, and at a location that meets the minimum distance requirements in §285.91(10) of this title (relating to Tables).

(3) Pumping requirements. A scheduled pumping contract with a waste transporter, holding a current registration with the executive director, must be provided to the permitting authority before a holding tank may be installed. Pumping records must be retained for five years.

- **Texas Administrative Code Section 285.39**

(a) An installer shall provide the owner of an on-site sewage facility (OSSF) with written information regarding maintenance and management practices and water conservation measures related to the

OSSF installed, repaired, or maintained by the installer.

(b) Owners shall have the treatment tanks pumped on a regular basis in order to prevent sludge accumulation from spilling over to the next tank or the outlet device. Owners of treatment tanks shall engage only persons registered with the executive director to transport the treatment tank contents.

(c) Owners shall not allow driveways, storage buildings, or other structures to be constructed over the treatment or disposal systems.

- **Texas Administrative Code Section 285.34 (e)(2)**

(10) Table X. Minimum Required Separation Distances for On-Site Sewage Facilities.

FROM	TO					
	Tanks	Soil Absorption Systems, & Unlined ET Beds	Lined Evapotranspiration Beds	Sewer Pipe With Watertight Joints	Surface Application (Edge of Spray Area)	Drip Irrigation
Foundations, Buildings, Surface Improvements, Property Lines, Swimming Pools and Other Structures	5	5	5	5 Pipe may run beneath driveways and sidewalks or up to surface improvements if it is Schedule 80 pipe or sleeved in Schedule 40 pipe Pipe containing secondary effluent has no setbacks from building foundations	No Separation Distances Except Property lines - 20 ⁶ Swimming Pools - 25	No Separation Distances Except ⁴ : Property Lines - 5

Request:

To build the deck and staircase over the existing OSSF tanks.

Public Comment:

As of the date of the report, one comment in support was received with the application (Attachment 8).

Variance Criteria:

As the permit authority, the city has the ability to grant variances per the Texas Administrative Code:

- TAC 285.3(b)(2) Variance requests shall be submitted with the application and shall be reviewed by the **permitting authority** according to subsection (h) of this section. As we are the permitting authority the city can approve per our codes and section (h) below.

(h) Variances. Requests for variances from provisions of this chapter may be considered by the appropriate permitting authority on a case-by-case basis. (1) A variance may be granted if the owner, or a professional sanitarian or professional engineer representing the owner, demonstrates to the satisfaction of the permitting authority that conditions are such that equivalent or greater protection of the public health and the environment can be provided by alternate means. Variances for separation distances shall not be granted unless the provisions of this chapter cannot be met. (2) Any request for a variance under this subsection must contain planning materials prepared by either a professional sanitarian or a professional engineer (with appropriate seal, date, and signature).

OSSF variances follow the procedure and notice found in Section 118.03.067 Supplemental rules and procedures:

(12) Variances.

- (B) Variances from the requirements of this division may be granted by the city council.
- (C) All requests for variances from the requirements of this division must be submitted in writing to the city secretary. Upon recommendation of the designated representative, the city council may grant a variance.
- (D) The city council may prescribe conditions with respect to a variance if such conditions are deemed necessary for or desirable in the public interest.
- (E) A variance shall not be granted unless the city council finds that:
 - (i) There are special circumstances or conditions affecting the property involved, such that **the strict application of the requirements of this division would deprive the applicant of the reasonable use of his property;**
 - (ii) The variance is necessary for the preservation and enjoyment of a substantial property right of the applicant;
 - (iii) The granting of the variance will not be detrimental to the public health, safety or welfare, or injurious to other property in the area;
 - (iv) The granting of the variance will not have the effect of preventing the orderly development of other properties in accordance with the requirements of this division; and
 - (v) Alternative methods to the installation or modification of the facility would not be suitable.
- (F) In making the findings required under this section, the city council shall take into account the nature of the proposed use of the property involved, and the probable effect upon the public health, safety, convenience and welfare in the vicinity of the on-site sewage facility that is the subject of the application for a variance.
- (G) A variance may be granted only when in harmony with the general purposes and intent of this division so that the public health, safety and welfare may be secured and substantial justice done. Pecuniary hardship to the applicant, standing alone, shall not be deemed to

constitute undue hardship.

- (H) The findings of the city council, together with the specific facts upon which such findings were based, shall be incorporated into the official minutes of the city council meeting at which the variance was granted or denied.
- (I) Any recommendation or findings of the zoning and planning commission may be appealed to the city council. The city council may reverse such recommendations or findings by simple majority vote of those present. This appeal must be filed in writing within 30 days. Upon request of applicant, the commission may allow one postponement of the variance request(s) to the following regular meeting of the commission, at which meeting the commission must either make a recommendation or forward the variance request(s) to the board of adjustment/city council without a recommendation.
- (J) If the variance application(s) are denied or withdrawn prior to approval, the applicant has ten (10) days to bring the property into compliance. If the deviation(s) are not corrected within the ten (10) days, immediate enforcement action described by section 2.02.041 of this code may be taken to bring the property into compliance. A resulting conviction in municipal court shall not relieve any person from fully complying with any other requirement of this chapter.

Outdoor Lighting

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

Compliance with Adopted International Building Code

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

Subdivision

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

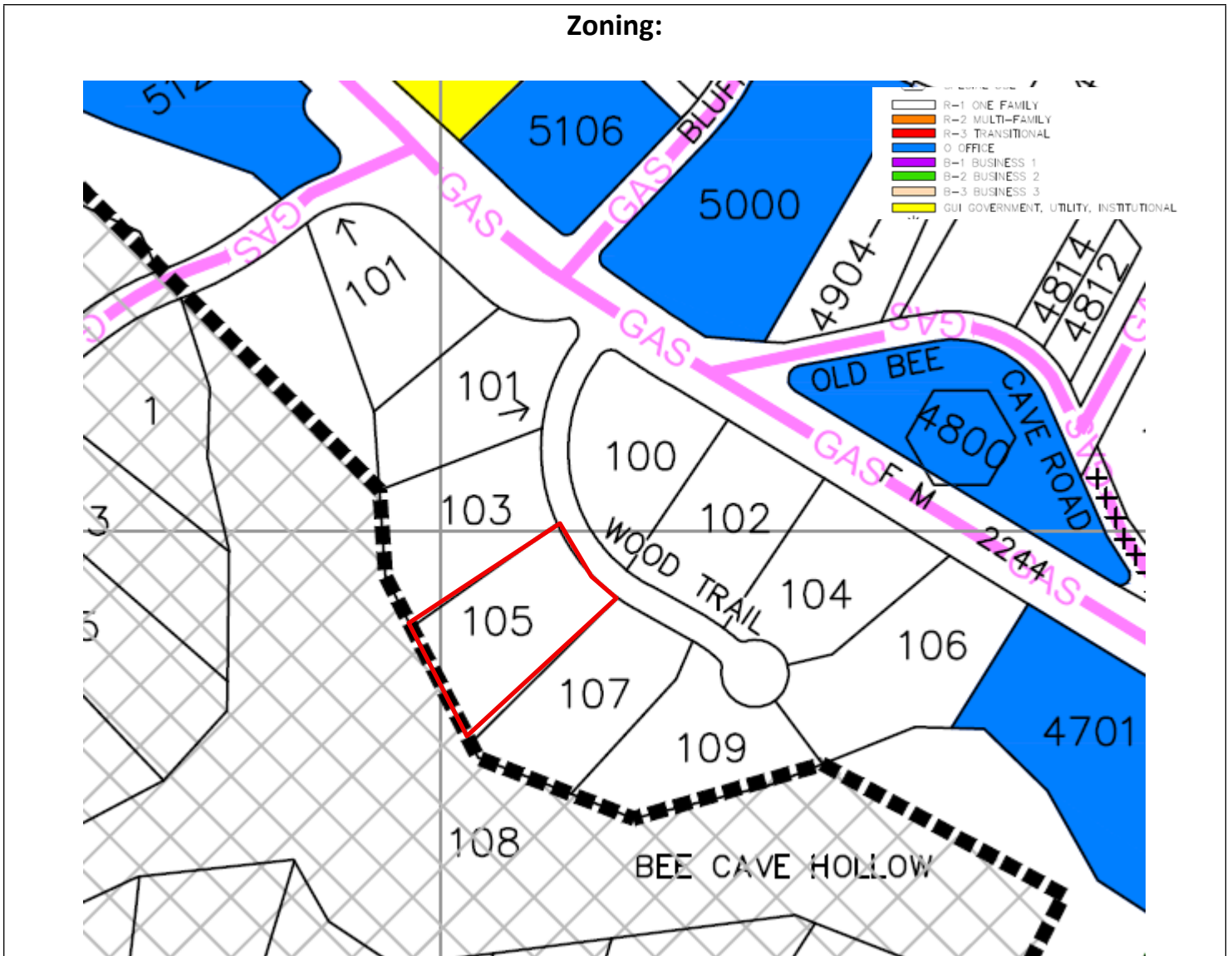
Comprehensive Planning Analysis

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

Links to Relevant Code:

- [Texas Administrative Code 285.3\(b\)2](#)
- [Texas Administrative Code 285.34\(e\)\(2\)](#)
- [Texas Administrative Code 285.39\(c\)](#)
- [Section 18.03.064 OSSF Rules adopted.](#)
- [Section 18.03.065 Incorporation by reference.](#)
- [Section 18.03.067\(12\) Variances](#)

Zoning:



Aerial:





City of West Lake Hills

911 Westlake Drive
West Lake Hills, TX 78746
(512) 327-3628 www.westlakehills.gov

See attachments in item 8



City of West Lake Hills
Zoning and Planning Commission

AGENDA REPORT

Meeting Date:	July 16, 2025	Item Number:	7
	Building & Development		
Department:	Services		
Prepared By:	Jennifer C. Bills	Cost / Budget:	None
Exhibits:	See Attached	Source of Funds:	N/A

Subject

105 Wood Trail: Discuss and make recommendations on proposed variances to City of Austin Environmental Criteria Manual 3.5.2 as adopted by reference in Section 22.03.305(b) of the West Lake Hills Code to allow:

1. For encroachment of greater than 50% of the critical root zone of a tree and
2. For grading greater than 4 inches within the 50% critical root zone of a tree.

Applicant: Tanya Clement, Property Owner

Recommendation

Discuss and make a recommendation to the City Council including an analysis of whether:

1. The variance may violate the intent of this chapter or the goals of the city's comprehensive plan.
2. The variance may have an adverse effect on neighborhood properties or interfere with the respective owners' enjoyment thereof.

The Zoning and Planning Commission can recommend imposition of, reasonable conditions upon granting a variance if the conditions are related to the subject of the variance.

This item will be forwarded to the August 13, 2025 City Council meeting for consideration.

Discussion

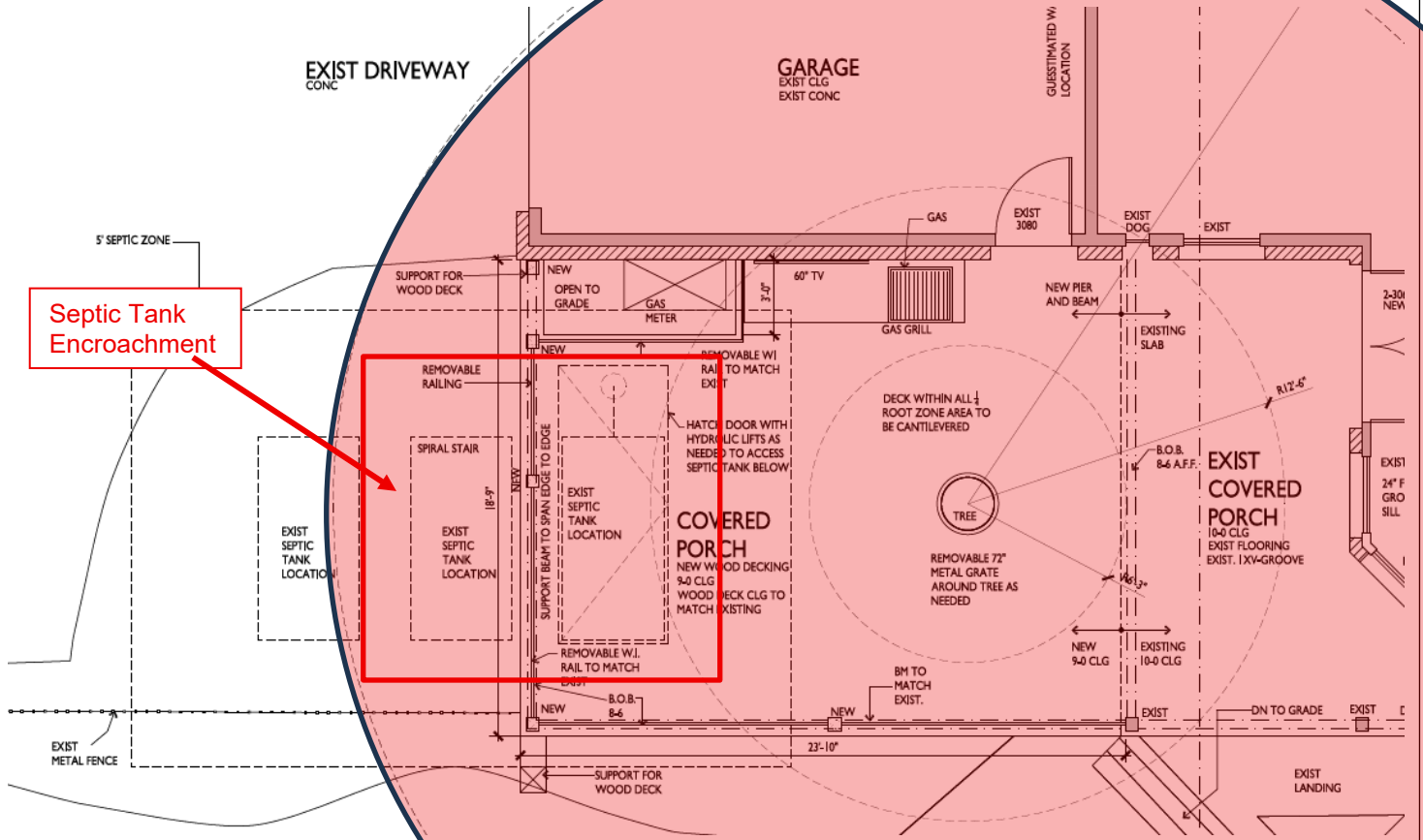
Property Information, Zoning & Site Characteristics:

Owner: John barton and Tanya Clement
 Legal Description: Wood Trail Estates, Lot 4
 Lot Size: 1 acre
 Zoning: R-1 One Family
 Wastewater: On-site Sewage Facility (Septic)

The properties surrounding the subject property are zoned R-1, One Family Residential and West Lake Hills ETJ.

Background:

There is an existing house with a pool and sport court, built in 1994. The applicant is proposing to expand the back deck and create a second deck story over the existing septic system tank and the existing tree critical root zone.



There are two additional variances for impervious cover (Item 8) and OSSF separation (Item 6) on this agenda that will be forwarded to City Council for consideration.

Analysis:

Encroachment into the tree critical root zone (CRZ)

Code Requirements

- Section 3.5.2 (A) Tree and Natural Area Preservation – Austin Environmental Criteria Manual – adopted by reference Section 22.03.305(b) West Lake Hills Code of Ordinances

Most trees can tolerate some Critical Root Zone impacts. Impacts may be allowed as long as the following Preservation Criteria are met:

- At least fifty percent of the total area (square footage) of the Critical Root Zone must be preserved at natural grade, with natural ground cover.
- The entirety of the Half CRZ must be protected, with the exception that cut or fill of four inches or less is allowed within the Half CRZ.
- No cut or fill is allowed within the Quarter CRZ.

Request

The proposed location of the new two-level deck will cover the ½ CRZ of the tree, with supports for the deck cut into the ½ CRZ more than 4 inches deep.

Public Comment:

As of the date of the report, one comment in support was received with the application (Attachment 8).

Variance Criteria Review:

Trees follow the procedure and notice found in Section 22.03.511 Procedure and notice:

- (a) The city council, when petitioned for a variance, after 16 days' written notice to all property owners within 300 feet of the subject property, shall hold a hearing, and the city council may vary the application of any provision of this article to any particular case when, in its opinion, the enforcement thereof would do manifest injustice, and would be contrary to the spirit and purpose of this article or public interest, or when, in its opinion, the interpretation and recommendation of the zoning and planning commission should be modified or reversed.
- (b) A decision of the city council to vary the application of any provision of this article shall specify in what manner such variance is made, the conditions upon which it is made and the reasons thereof.

The criteria and process for granting a variance found in Section 22.03.514:

No variance shall be granted under this chapter unless the following criteria are fulfilled:

- Findings. The applicant has established by competent evidence that:
 - The strict or literal enforcement of the terms of this chapter, because of special conditions, will result in unnecessary hardship to the applicant.
 - There will not be unreasonable disruption of the natural terrain or unreasonable destruction of existing flora.
 - There is no reasonable alternative to the requisite variance that will alleviate the difficulty or hardship complained of.
 - The variance will not be greater than the minimum required to alleviate the difficulty or hardship complained of.
- ZAPCO. The recommendation of zoning and planning commission shall include an analysis of whether:
 - The variance may violate the intent of this chapter or the goals of the city's comprehensive plan; and
 - The variance may have an adverse effect on neighborhood properties, or interfere with the respective owners' enjoyment thereof; and
 - When considering variance requests for nonresidential projects in the Commercial Overlay District, whether the variance, when considered as part of the proposed project (as a whole), furthers achievement of the land planning principles set forth in the city's master plan, attachment B, as codified in article 28.02 of this code.
- Conditions. The city council can impose, and the zoning and planning commission can recommend imposition of, reasonable conditions upon granting a variance if the conditions are related to the subject of the variance. When considering variance requests for nonresidential

projects in the commercial overlay district are necessary to achieve one or more of the land planning principles set forth in the city's master plan, attachment B, as codified in article 28.02 of this code.

Outdoor Lighting

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

Compliance with Adopted International Building Code

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

Subdivision

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

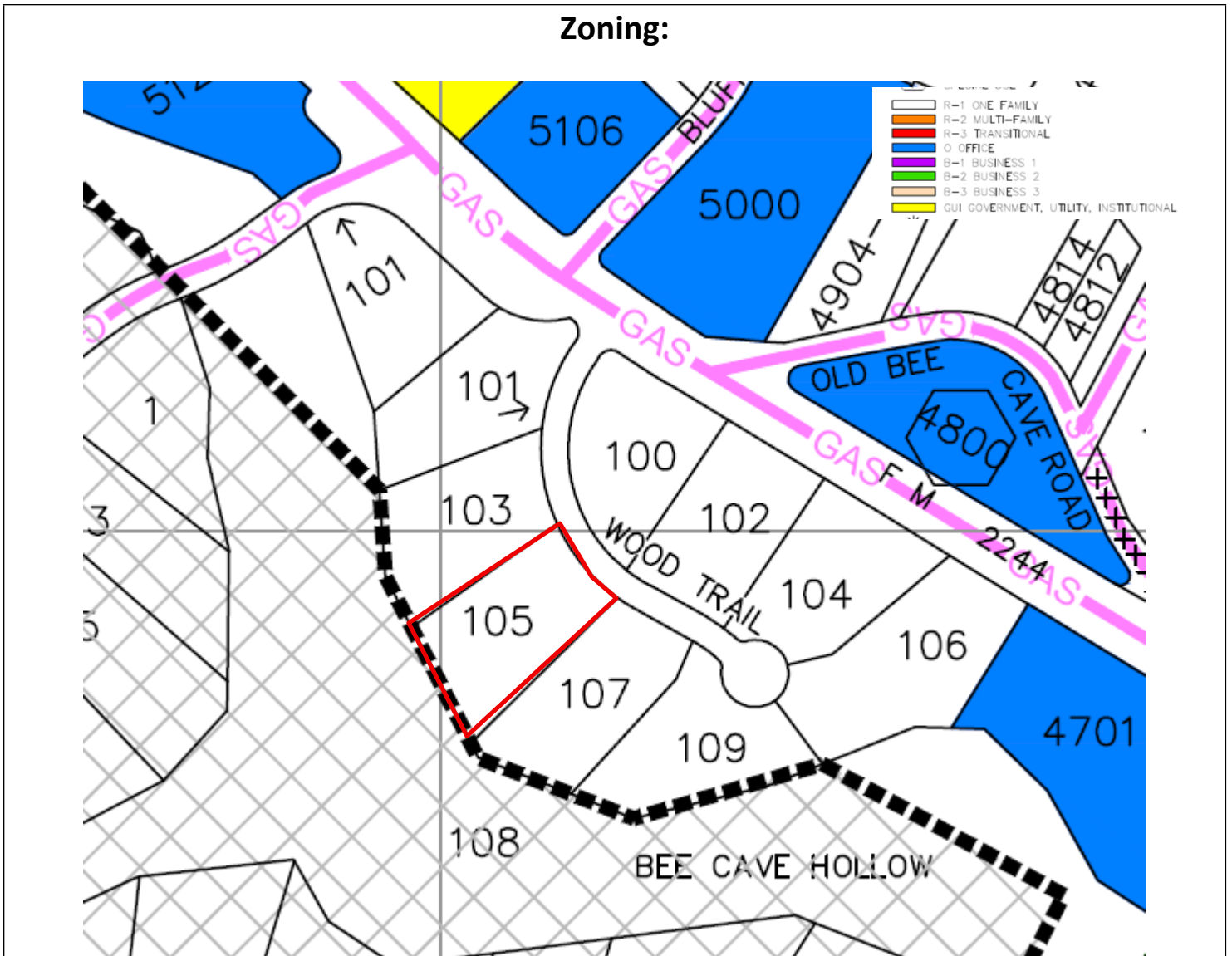
Comprehensive Planning Analysis

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

Links to Relevant Code:

- [Section 22.03.304. Tree and vegetation removal and replacement.](#)
- [Section 22.03.511 Procedure and notice \(for variance\).](#)
- [Section 22.03.514 Criteria and process required for granting a variance.](#)

Zoning:



Aerial:





City of West Lake Hills

911 Westlake Drive
West Lake Hills, TX 78746
(512) 327-3628 www.westlakehills.gov

See attachments in item 8



City of West Lake Hills
Zoning and Planning Commission

AGENDA REPORT

Meeting Date:	July 16, 2025	Item Number:	8
	Building & Development		
Department:	Services		
Prepared By:	Jennifer C. Bills	Cost / Budget:	None
Exhibits:	See Attached	Source of Funds:	N/A

Subject

105 Wood Trail: Discuss and make recommendations on a proposed variance to Section 22.03.278 and 22.03.281 to allow:

1. The removal and replacement of impervious cover up to the existing non-conforming amount of 28.5% where 25% is the maximum.

Applicant: Tanya Clement, Property Owner

Recommendation

Discuss and make a recommendation to the City Council including an analysis of whether:

1. The variance may violate the intent of this chapter or the goals of the city’s comprehensive plan.
2. The variance may have an adverse effect on neighborhood properties or interfere with the respective owners’ enjoyment thereof.

The Zoning and Planning Commission, in performing their respective duties in reference to applications for variances, may be guided by the interpretative criteria listed in the variance criteria in the report.

The Zoning and Planning Commission can recommend imposition of, reasonable conditions upon granting a variance if the conditions are related to the subject of the variance.

This item will be forwarded to the August 13, 2025 Board of Adjustment meeting for consideration.

Discussion

Property Information, Zoning & Site Characteristics:
 Owner: John barton and Tanya Clement
 Legal Description: Wood Trail Estates, Lot 4
 Lot Size: 1 acre
 Zoning: R-1 One Family
 Wastewater: On-site Sewage Facility (Septic)

The properties surrounding the subject property are zoned R-1, One Family Residential and West Lake Hills ETJ.

Analysis:**Impervious Cover Maximum****Code Requirements**

- **§ 22.03.278. Lot coverage.**

The amount of ground covered by the principal and accessory structures and parking areas shall not exceed the maximum percentage of the total lot area shown on the schedule of regulations.

Maximum Impervious Cover in Percent of Lot Area									
Lot Size/ Zoning	R-1	R-2	R-3	O	GUI	B-1	B-2	B-3	MU-1
Greater than or equal to .5 acre	25%	25%	25%	(IX)	(III)	(III)	(III)	(V)	(C)
Less than .5 acres, greater than or equal to .2 acres	*, †	*, †	25%	(IX)	(III)	(III)	(III)	(V)	(C)

- **§ 1.01.003 Definitions.**

Impervious cover.

Manmade or constructed coverage of the natural ground with any structure or surface that impedes, inhibits or does not permit the absorption or passage of water into the ground or which results in the conveyance of excess water to the surrounding properties.

(1) Items that are considered to be 100% impervious include, but are not limited to:

- (A) Buildings and other structures;
- (B) Parking areas, roads, streets and driveways; and
- (C) Any other manmade areas of asphalt, impermeable concrete, compacted base material, pavers or other impervious material.

(2) Items that are considered to be 75% impervious include, but are not limited to: permeable concrete or pavement that is demonstrated by a certified engineer to minimize water runoff to adjacent areas and maximize absorption and filtration through the permeable material. Property owners wishing to use items which the property owner wishes to be calculated as 75% impervious cover shall apply for and receive approval from the city administrator prior to installation.

(3) Items that are considered to be 50% impervious include, but are not limited to:

- (A) **Wooden or composite decks with gaps between the plants to allow the passage of water to the natural, permeable ground surface below the deck;**
- (B) Manmade areas of loose rock or stone to be used as landscaping features that:
 - (i) Do not have a compacted base;

- (ii) Are not used for the conveyance or storage of vehicles, machinery or equipment;
- (iii) Are not located in the setbacks; and
- (iv) Are sufficiently contained by edging to prevent erosion during a rain event.

(4) Items that are not considered to be impervious include overhangs and eaves which arc over two (2) feet above the natural grade and projecting from the building no more than two (2) feet.

Request

- The applicant is requesting to remove impervious cover elsewhere in the site equal to the impervious cover that will be created by the construction of a two-story exterior deck.
- Decks are considered 50% impervious, if there is a natural, permeable ground surface below the deck. In this instance, the second story deck will be over the first story deck, so the impervious cover would be considered 100% as the first story deck (not natural) will be below.

Public Comment:

As of the date of the report, one comment in support was received with the application (Attachment 8).

Variance Criteria:

Per Section 22.03.511 (c) Procedure and notice, Section 22.03.278: Lot Coverage shall be administered in compliance with the rules established by sections 38.05.031 through 38.05.034.

- Section 38.05.031. Provisions subject to variance.

Variances may be granted by the board of adjustment to the provisions of this chapter in accordance with the rules and conditions of this division. A variance may not be granted, however, to authorize a change of use. Variances run with the land, but each variance is specific to the project for which it was granted.

- Section 38.05.032. Conditions required for granting variance.

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

- (1) The applicant has established by competent evidence that:
 - (A) The strict or literal enforcement of the terms of this chapter, because of special conditions, will result in unnecessary hardship to the applicant.
 - (B) There will not be unreasonable disruption of the natural terrain or unreasonable destruction of existing flora.
 - (C) There is no reasonable alternative to the requisite variance that will alleviate the difficulty or hardship complained of.
 - (D) The variance will not be greater than the minimum required to alleviate the difficulty or hardship complained of.

- (2) The recommendation of zoning and planning commission shall include an analysis of whether:
- (A) The variance may violate the intent of this chapter or the goals of the city's comprehensive plan.
 - (B) (Reserved).
 - (C) (Reserved).
 - (D) The variance may have an adverse effect on neighborhood properties, or interfere with the respective owners' enjoyment thereof.

- Section 38.05.033. Interpretative criteria.

The board of adjustment and the zoning and planning commission, in performing their respective duties in reference to applications for variances, may be guided by these interpretative criteria:

- (1) Variances from the terms of this chapter should be granted sparingly.
- (2) Deviations from the requirements of this chapter are justified only where the hardship resulting from their application is substantial.
- (3) Usually, the granting of a variance must be predicated on a finding that the applicant's hardship arises from unusual conditions or circumstances, such as exceptional irregularity of shape or topography, which are peculiar to the parcel of land involved and not shared generally by other parcels in the neighborhood or district, or because no other reasonable alternative is available that will alleviate the unnecessary hardship complained of.
- (4) Normally, a variance is to be denied if conditions or circumstances relied on for a variance were self-created by the person having an interest in the property in disregard of city regulations.
- (5) The variance shall not violate the goals of the master plan for the city.
- (6) The variance shall not have an adverse effect on neighborhood properties or unreasonably interfere with the respective owners' enjoyment thereof.
- (7) The fact that lots, structures, uses or dimensional conditions on properties or structures within 200 feet of the property involved are, because they are nonconforming or because of previously granted variances, similar to the condition which would be created by the variance requested shall be relevant to, but not determinative of, the granting of the requested variance.
- (8) See section 22.03.009(c) for variances to enable the efficient use of solar energy devices.
- (9) When considering variance requests for nonresidential projects, whether granting the variance furthers achievement of the land planning principles set forth in the City's Master Plan, Attachment "B," as codified in the Code of Ordinances.

- Section 38.05.035. Conditions.

The city council can impose, and the zoning and planning commission can recommend imposition of reasonable conditions upon granting a variance if the conditions are related to the subject of the variance. When considering variance requests for nonresidential projects, whether, the City can recommend the imposition of reasonable conditions that are necessary to achieve one or more of the land planning principles set forth in the City's Master Plan, Attachment "B", as codified in chapter 28 of the Code of Ordinances.

Outdoor Lighting

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

Compliance with Adopted International Building Code

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

Subdivision

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

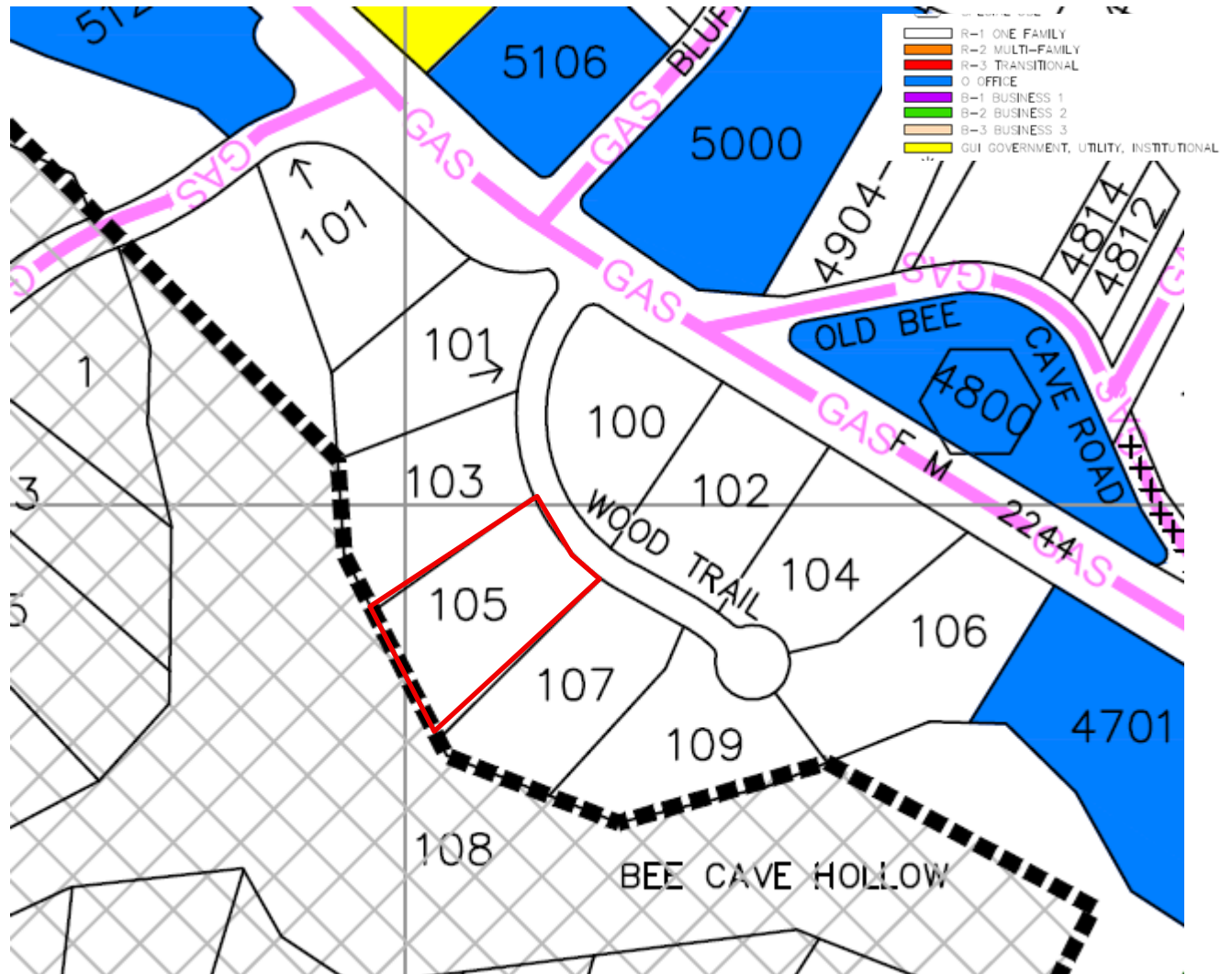
Comprehensive Planning Analysis

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

Links to Relevant Code:

- [Section 22.03.304. Tree and vegetation removal and replacement.](#)
- [Section 22.03.511 Procedure and notice \(for variance\).](#)
- [Section 22.03.514 Criteria and process required for granting a variance.](#)

Zoning:



Aerial:



Exhibit A

105 Wood Trail – Tree Critical Root Zone, Impervious Cover, and OSSF

Applicant's Findings of Fact

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

Due to the existing placement of a pool in the site plan, the available outdoor space in close proximity to the home is limited. In addition, upstairs rooms are limited to one point of egress through a narrow hallway. We are seeking to replace an existing flagstone patio with a wood deck in order to expand the existing outdoor, usable space for dining and entertaining. We are also seeking to expand an upstairs balcony so that we can create a point of access/exit from the upstairs bedroom above the garage. Residents can use the new door and balcony to cross the existing balcony and to exit via the home's existing central staircase. To achieve these goals, we are requesting variances to codes in reference to building around an existing oak tree and septic tanks. We will take measures to ensure the tree remains healthy and that the tanks are accessible (as further described below).

The hardships that would result if we are unable to do this project are:

Safety: A large bedroom in our home is located at the end of a long hallway. By creating an expansion to our upper balcony, we will create another point of access/exit upstairs from that back bedroom, and we would be providing another safe way to exit through the house in case of a fire. In addition, the site where we propose to build is a portion of our yard that is currently unusable due to a combination of natural and structural challenges. The area is heavily shaded by mature tree coverage, which prevents grass from growing and leaves the ground uneven and bare. The surface is difficult to walk on safely, and outdoor furniture cannot sit level, making the space uncomfortable and impractical for any meaningful use. Additionally, accessing this part of the yard requires descending a set of stairs, further discouraging regular use.

Home Value and Enjoyment: The shallow patio area next to the house limits our ability to use the outdoor space for dining and entertainment. The limited patio space makes the house significantly less desirable than the typical home of similar size for a family of five in West Lake Hills these days. Constructing a deck over this area would transform it into a functional, level, and safe outdoor living/dining/cooking space. Beyond general usability, it would significantly improve accessibility and safety as we plan for the long-term use of our home. Our hope is to live in this house for many more years and creating a smooth, stable surface would support our ability to age in place without the need to navigate uneven terrain or stairs, which may pose increased risks over time.

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

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

There will be no disruption or destruction of terrain. We believe this is the case for several reasons:

We are going to comply with all regulations (including the restriction on digging at all within the 25% Critical Root Zone). Our variance applies only to the restrictions on covering 50% of the Critical Root Zone. We plan to build around the tree and leave ample room for it to grow.

We hired an arborist to provide an assessment of the project's impact. His assessment was that the trees roots have already grown far into the yard and that the project will not have any impact on the health of the tree. Please see the letter we have enclosed with his assessment.

There are already AC units, a jacuzzi and a flag stone patio where we are planning to build the deck that have had no impact on the tree. The deck we are building will be permeable and continue to allow water to the ground.

There appear to be well over 100 trees in West Lake Hills with similar configurations. Please see the pictures we've attached – for example at Hat Creek Burgers there are several trees that are thriving despite a large part of the critical root zone being covered. This appears to be a common building practice in West Lake Hills.

Although the arborist did not feel it was necessary, he proposed a supplementary health program that we plan to follow that will further increase the health of the tree (likely making it more healthy than it currently is). The plan involves (i) the injection of hydraulic deep root fertilizer into the soil within the entire available root zone before and after the construction process; and (ii) a systemic injection using an insecticide and fungicide to help suppress insect and fungal issues for 18-24 months.

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

Given the pool's and the tree's positions on the site plan, it is not possible to build a usable space next to the house without some coverage over more than 50% of the critical root

zone of the tree. We have revised our plan to comply with the CRZ code in several respects. We are planning to cantilever the new deck over the critical root zone. We will not dig within 25% of the critical root zone and where we dig within 50% of the critical root zone, it will not be more than 5" deep. The coverage will be permeable and continue to allow water to the ground.

An estimate we received for moving the septic tanks is \$25,000. A septic engineer (whose letter we are including) supports our plan and confirms that it meets the intent of the code requirements without a costly and disruptive (to the trees and other flora) septic relocation. Given this opinion and the fact that moving the tanks might encroach on the oak tree and other fauna, we do not think that moving the septic tanks is suitable. We have revised our plan so that the proposed deck is cantilevered over the one storage tank. We are including a hatch in the deck for pumping and in the unlikely event we need to replace the underground storage tank.

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

An earlier version of the plan had a larger deck and more surface / walkway type improvements over the CRZ. In the current plan, we have reduced the sizing to further protect the tree's access to water and to ensure there is adequate access to the septic system.

With our request for an Existing Non-Conformance Impervious Cover Variance, we have no way of knowing what level of coverage was formally approved by the City of Westlake through the previous homeowner. We request the variance to honor the existing IC plus the improvements IC with the understanding there will be no change to the current 28.5%. We plan to remove an existing stone patio and part of an existing stone walkway to equal 28.5% to match existing conditions.

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

Our planned improvement will not impact the oak tree or any other flora or fauna and will not have any negative impact on future homeowners. In fact, the additional measures we plan to take will likely improve the health of the tree and will leave plenty of room for the tree to continue to grow. The septic system will continue to be accessible for pumping and in the unlikely event we need to access the storage tank for repairs via a hatch. Please see the attached letter from a septic engineer describing why the design is consistent with the intent of the code.

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

The variance will not have any negative impact on our neighbors. We are replacing an existing patio with a new deck. It is not visible to our neighbors. If anything this development will benefit our neighbors as it will be an improvement on our property and helps everyone on this street with increasing the property value. Neighbors will also enjoy the new space when they come over to visit and enjoy the backyard. Please see the attached letter from the neighbor across the street.



June 12, 2025

Zoning & Planning Commission
City of West Lake Hills

Dear Chairperson Meisel,

We are writing to respectfully request five variances to the city code related to three elements of a proposed improvement project at our home:

- the limitations on building with existing non-conformance impervious cover [**IC 22.03.281**]
- the restriction on building over more than 50% of the critical root zone of an existing oak tree [**Section 22.03.305 (b) and City of Austin Environmental Criteria Manual 3.5.2 (A)**], and
- constraints on covering a portion of a septic tank [**TAC Chapter 285.34 (e) (2) and 285.39 (c)**].

Our project involves replacing an existing flagstone patio with a wooden deck and expanding a small upstairs balcony at the rear of the house. As part of this plan, we would be building around an existing oak tree and above a portion of a septic storage tank. We have worked carefully to design a plan that incorporates and preserves the oak tree and ensures the septic system remains accessible for any future maintenance that may be required.

I. Impervious Cover Request

We would like to request an Existing Non-Conformance Impervious Cover Variance. We have no way of knowing what level of coverage was formally approved by the City



of Westlake through the previous homeowner. We request the variance to honor the existing IC plus the improvements IC with the understanding there will be no change to the current 28.5%. We plan to remove an existing stone patio and part of an existing stone walkway to equal 28.5% to match existing conditions.

II. Tree Variance Request

We understand and respect the importance of protecting our city's oak trees and have taken significant steps to ensure this tree remains healthy. We engaged a certified arborist to evaluate the site and project plans. He determined that the project will not adversely affect the tree's health. Additionally, although not required, we are implementing a supplemental tree health program that includes deep root fertilization and preventive treatment for pests and disease.

Our proposed design avoids all digging within 25% of the Critical Root Zone (CRZ), and the minimal excavation required within the 50% CRZ will be limited to 5 inches in depth in compliance with the code. While our plan includes coverage over more than 50% of the CRZ, the structure will be permeable and cantilevered in several areas to allow water and air flow, supporting the tree's long-term vitality. The arborist has advised that because of the tree's proximity to the house, the roots have grown well into the backyard where they have ample access to water. Notably, the existing porch and features like AC units, a jacuzzi, and the current flagstone patio have had no apparent adverse effect on the tree.

We have also included documentation and photographs demonstrating that similar approaches are common throughout the city, including public and commercial properties where trees thrive under similar conditions.



III. Septic Variance Request

Our plans have been revised to address concerns regarding the septic system. The new deck will be cantilevered over one of the storage tanks. A hatch will be incorporated into the design to provide access for tank replacement and routine pumping. An estimate for moving the three tanks costs \$25,0000. A septic engineer has written a letter confirming that our design is consistent with the underlying intent of the code – which is to ensure septic systems remain unobstructed for continued operation and maintenance. Given this opinion and the fact that moving the tanks might encroach on the oak tree and other fauna, we do not think that moving the septic tanks is suitable.

IV. Justification for the Variances

We believe the variances we are requesting are reasonable and will have no impact on the health of our oak tree or the accessibility of the septic system. On the other hand, the development will significantly increase the safety and enjoyment of our home.

The proposed expansion of the upstairs balcony will significantly enhance the safety and usability of our home. The upstairs bedroom above the garage is located at the far end of a long, narrow hallway. The windows in this room are too high off the ground to serve as emergency exits. Our plan includes extending the existing balcony to reach this room and adding a door to provide direct access to the expanded balcony. This would create an alternative exit route: in case of fire or emergency, a resident could leave the bedroom through the new balcony door, cross the extended balcony, and re-enter the home through the existing balcony door, thereby reaching the central staircase without having to rely on the narrow hallway. This added egress would improve safety for upstairs occupants.



There is a portion of our yard that is currently unusable due to a combination of natural and structural challenges. The area is heavily shaded by mature tree coverage, which prevents grass from growing and leaves the ground uneven and bare. The surface is difficult to walk on safely, and outdoor furniture cannot sit level, making the space uncomfortable and impractical for any meaningful use. Additionally, accessing this part of the yard requires descending a set of stairs, further discouraging regular use.

Constructing a deck over this area would transform it into a functional, level, and safe outdoor living/dining/cooking space. Beyond general usability, it would significantly improve accessibility and safety as we plan for the long-term use of our home. Our hope is to live in this house for many more years and creating a smooth, stable surface would support our ability to age in place without the need to navigate uneven terrain or stairs, which may pose increased risks over time.

Since the home was built in 1994, the space for the proposed building plan has served no functional or recreational purpose. We have owned the property since 2011, and for us, the area has always been unusable and visually unappealing as it sits directly outside the windows of the main indoor kitchen and eating area. Adding a deck would allow us to reclaim this neglected portion of our yard and convert it into a welcoming and accessible extension of our living space. We believe these conditions constitute a hardship, as they prevent us from fully enjoying and utilizing our property. The new deck would provide a safer, more functional area that aligns with current standards for comparable homes in West Lake Hills. We want to make this home a home where we can grow old and entertain our grandchildren.

We have worked hard to refine the plan to ensure that the proposed improvements are as modest as possible while still addressing the difficulties posed by the original design. The planned construction will not harm the natural surroundings or future use of the property and will not negatively impact any neighboring properties. In fact, we believe



DEPARTMENT OF ENGLISH LITERATURE

204 W 21st B5000 • Austin, Texas 78712 • (512)-471-4991 • FAX 512-471-4909

this enhancement will improve property values on our street. We've included a letter of support from a neighbor to that effect.

We appreciate your time and consideration, and we welcome the opportunity to answer any questions you may have or provide additional information. Thank you for your service to our community and for reviewing our request.

Sincerely,

A handwritten signature in blue ink, appearing to read "Tanya Clement", written over a faint, light blue circular watermark.

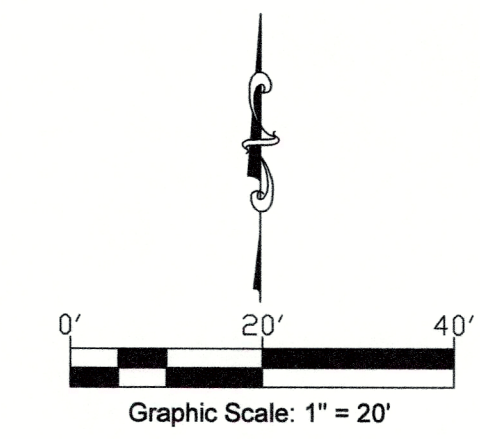
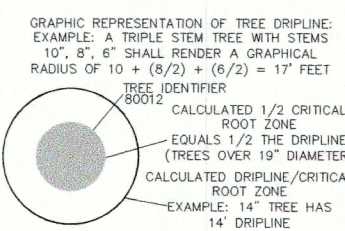
Dr. Tanya Clement
Professor, Department of English
The University of Texas at Austin

AS-BUILT, PARTIAL TREE AND PARTIAL TOPOGRAPHIC SURVEY

ATS Job #250123020s

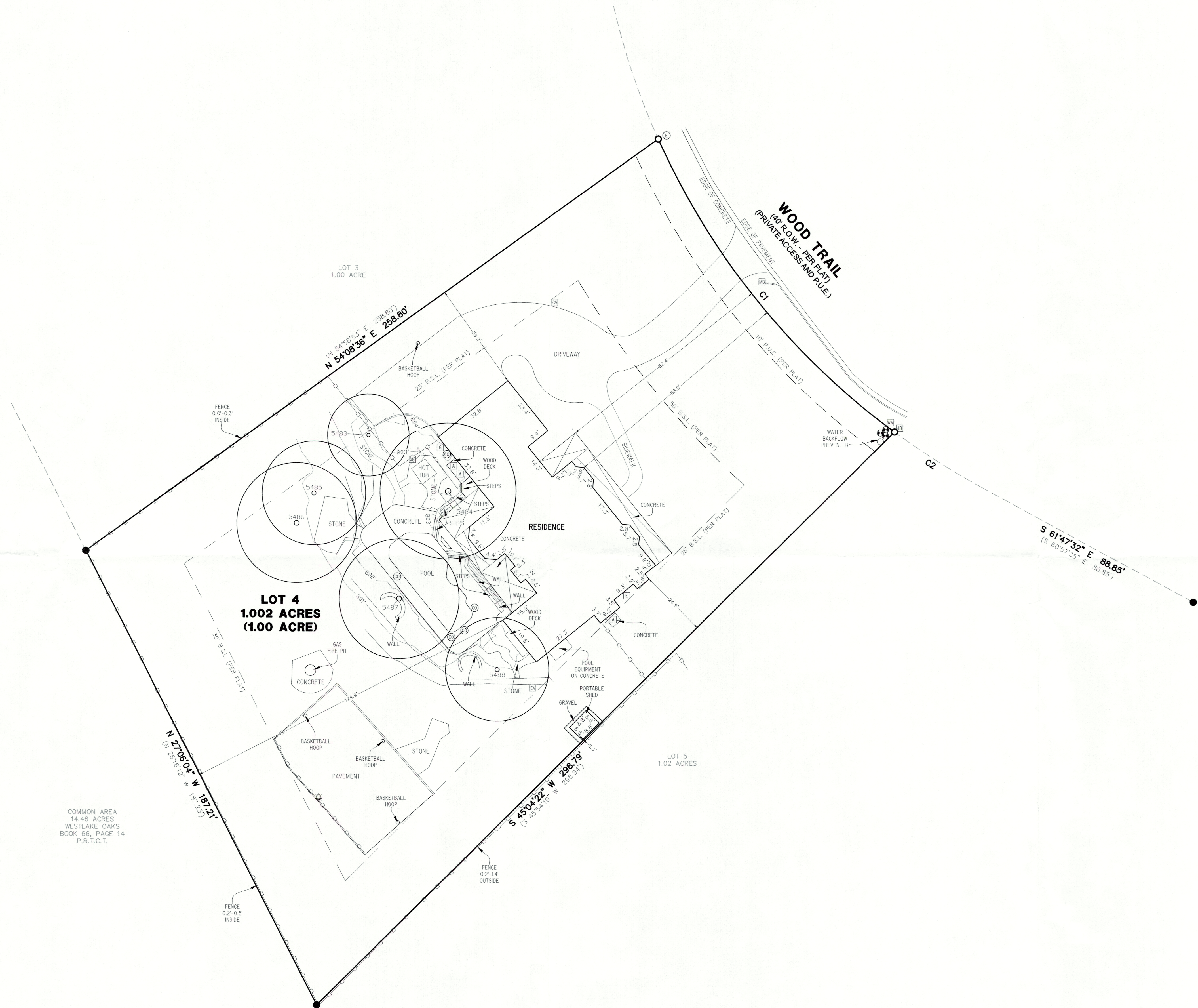
Reference: Clement, Tonya Address: 105 Wood Trail, West Lake Hills, Texas
 Lot 4, WOOD TRAIL ESTATES as recorded in Book 91, Page 313, Plot Records, Travis County, Texas.

Tag	Trunk	Comment
5483	19	CREPE MYRTLE (6-6-6-6)
5484	25	LIVE OAK (19-11)
5485	19	LIVE OAK (15-8)
5486	22	LIVE OAK
5487	22	LIVE OAK
5488	19	LIVE OAK



LEGEND	
●	1/2" IRON ROD FOUND (OR AS NOTED)
○	1/2" IRON ROD SET "ATS ENGINEERS"
A	AIR CONDITIONER
G	GAS METER
E	ELECTRIC METER
W	WASTEWATER CLEANOUT
WM	WATER METER
WV	WATER VALVE
ICV	IRRIGATION CONTROL VALVE
EJ	ELECTRIC JUNCTION BOX
LS	LIGHT STANDARD
EM	ELECTRIC MANHOLE
MB	MAILBOX
BS	BUILDING SETBACK
E	EASEMENT
JL	JOINER LINE
M	METAL FENCE
WF	WOOD FENCE
CL	CONTOUR LINE
B.S.L.	BUILDING SETBACK LINE
P.U.E.	PUBLIC UTILITY EASEMENT
R.O.W.	RIGHT OF WAY
CA	COVERED AREA
P.R.T.C.T.	PLAT RECORDS TRAVIS COUNTY, TEXAS
()	RECORD INFORMATION

- Notes:
- 1) Surveyor makes no expressed or implied warranties as to the fee ownership of the property shown.
 - 2) Directional control is based on the Texas State Plane Coordinate System, Central Zone (4203).
 - 3) Contours shown hereon were produced by an on the ground survey and are based on NAVD88.
 - 4) This survey was performed without the benefit of a title commitment, therefor, agreements, easements and restrictions may exist that are not shown hereon.



I, Colin Bromley, HEREBY CERTIFY that a survey was made on the ground of the property shown hereon; that there are no visible discrepancies, conflicts, shortages in area, boundary line conflicts, encroachments, overlapping of improvements, easements or right-of-way, except as shown; that said property has access to and from a public roadway; and that this plat is an accurate representation of the property to the best of my knowledge.

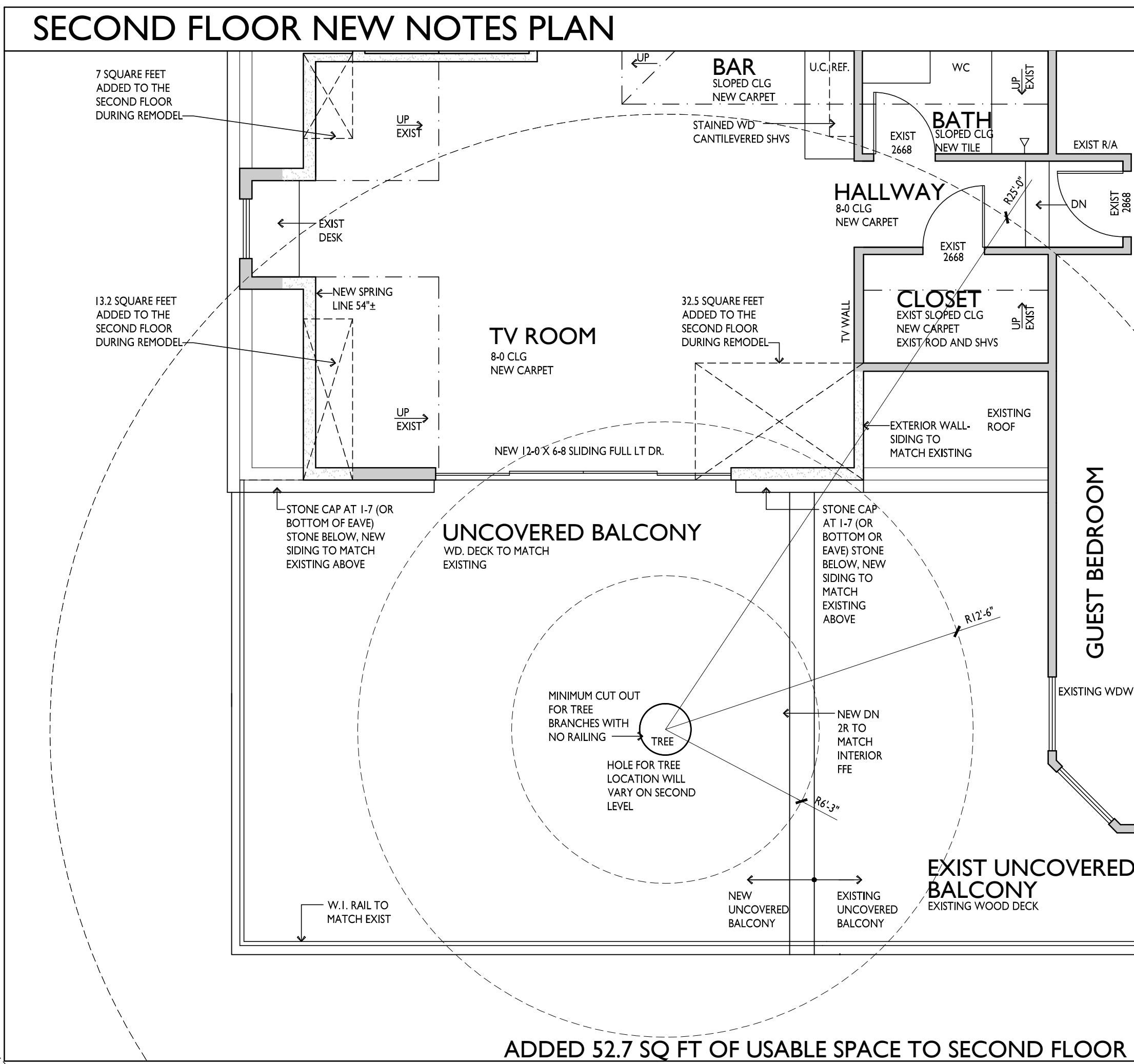
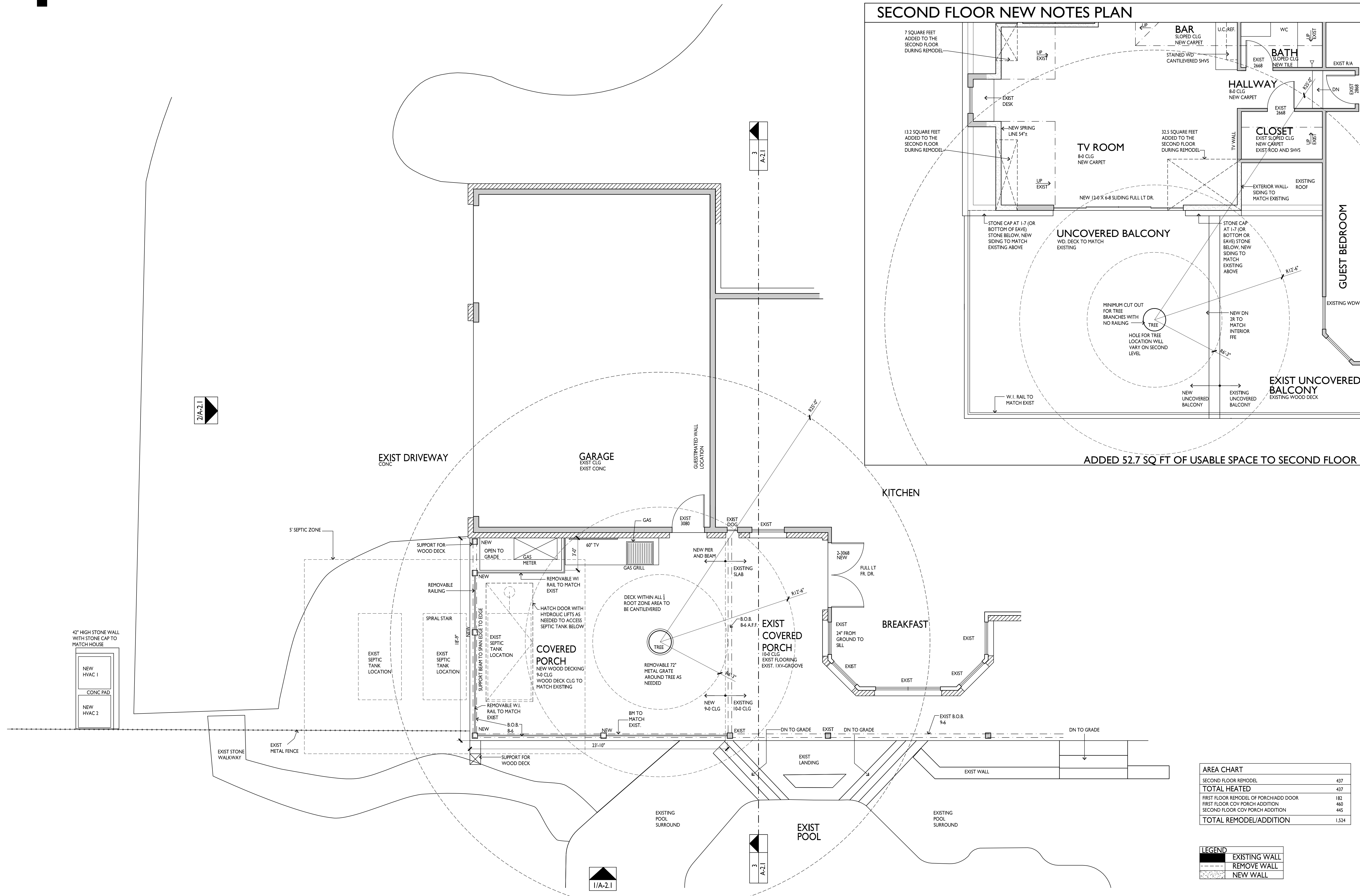
Colin Bromley 02/06/25
 COLIN BROMLEY Date
 REGISTERED PROFESSIONAL LAND SURVEYOR
 NO. 6955 - STATE OF TEXAS



Clients: Clement, Tonya
 Date of Field Work: 01/28/2025, 01/29/2025, 01/30/2025 & 02/06/2025
 Field: RBonds & Malifaro
 Tech: MLeonardo
 Date Drawn: 02/04/2025 & 02/05/2025
 Path: \\SERVER6\Surveying\Projects\BULK\STUVWXYZ\WoodTr1105\Production\Dwgs\WoodTr1105-250123020s.dwg

Curve Table				
CURVE	ARC LENGTH	RADIUS	CHORD BEARING	CHORD LENGTH
C1	139.70'	270.00'	S 39°04'25" E	138.14'
(C1)	139.70'	270.00'	(S 38°18'11" E)	(138.15')
C2	37.47'	270.00'	S 57°52'18" E	37.44'
(C2)	36.92'	270.00'	(S 57°02'34" E)	(36.89')

ATS Engineers Inspectors & Surveyors
 www.ats-engineers.com
 TPLS FIRM REG. #10125000
 4910 West Hwy 290
 AUSTIN, TEXAS 78735
 (512) 328-6995
 FAX: (512) 328-6996



AREA CHART

SECOND FLOOR REMODEL	437
TOTAL HEATED	437
FIRST FLOOR REMODEL OF PORCH/ADD DOOR	182
FIRST FLOOR COV PORCH ADDITION	460
SECOND FLOOR COV PORCH ADDITION	445
TOTAL REMODEL/ADDITION	1,524

LEGEND

	EXISTING WALL
	REMOVE WALL
	NEW WALL

FIRST FLOOR NEW NOTES PLAN "A"

0' 5' 10' 20' 1/4" = 1'-0"

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Paula Ables Interiors, LLC
 3534 Bee Cave Road Ste. 212, Austin, Texas 78746
 Phone: 512-458-4534
 Email: paula@paulaablesinteriors.com

THE CLEMENT REMODEL
 105 WOOD TRAIL
 AUSTIN, TEXAS

FIRST FLOOR NEW NOTES PLAN

REVISIONS

DATE
 MARCH 3, 2025

AI.IN
 OF

105 Wood Trail Existing Space



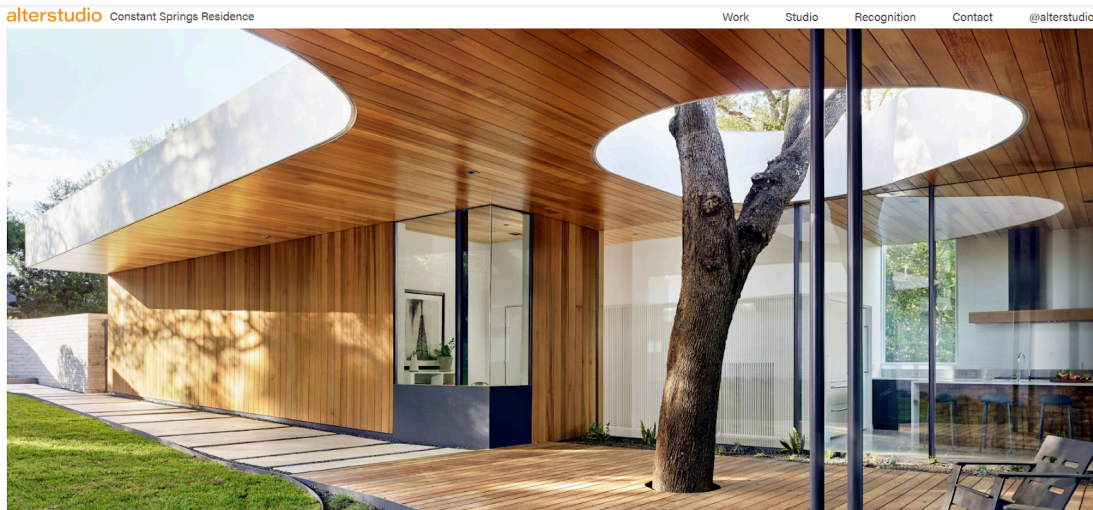




Why should the original plan be acceptable?

There is a precedent set in Westlake Hills, Rollingwood and Austin where building around a tree with a wooden deck is acceptable. Here are a few examples:

Examples of deck covering majority of CRZ and over 50% of the CSV in Rollingwood and Westlake Hills areas.



1103 Constant Springs Rd, Rollingwood, Texas



Bouldin Creek, Austin, Texas by Restructure Studio

Older home, but is a good example of tree coming through the deck and the ground not being disturbed.

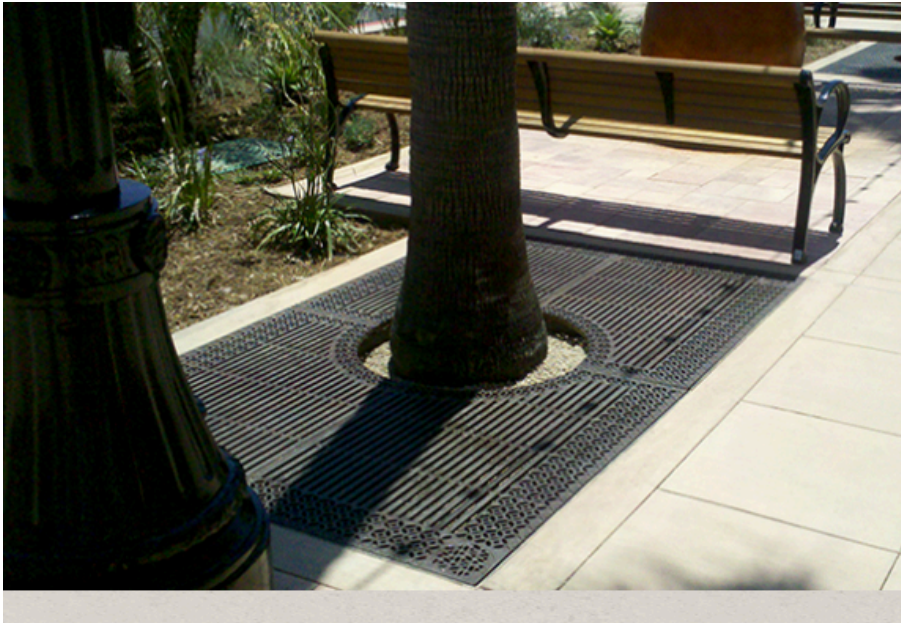


805 Rock Creek Drive, Westlake Hills, Texas



7 Rocky River Cove

Metal Grate options:



<https://www.ironagegrates.com/product/mercado/>



House in Westlake with metal grate



POLVADO ENGINEERING SERVICES, LLC

9609 Saugus Lane, Austin, Texas 78733
O-(512) 584-8734 C-(512) 775-3839
www.polvado-engineering.com TBPE Firm #: F-1494

May 21, 2025

Members of the Zoning and Planning Commission
City of West Lake Hills
West Lake Hills, Texas 78746

Re: Variance Request for 105 Wood Trail, West Lake Hills, Texas 78746

Dear Sir:

On Wednesday, May 14, 2025, I met with Boone Lawrence of Boone Lawrence Construction LLC at the above referenced address in order to provide a job site assessment of the desire to install an exterior deck at the back right side of this house. The issue of concern and the reason for this Variance Request is that the Proposed New Deck will be installed over one of the three septic tanks being utilized for the treatment of the sewage from this house.

According to On-Site Sewage Facilities, Title 30, TAC Chapter 285, Table X. Minimum Required Separation Distances for On-Site Sewage Facilities, specifically, Tanks must maintain a 5 foot separation from Foundations, Buildings, Surface Improvements, Property Lines, Swimming Pools and Other Structures.

The structural elements used to support this new deck should not be an issue to maintaining the 5 foot setback. However, this new deck will be positioned directly over one of these existing tanks. There will be an air gap above this existing tank of about 1 foot. Also, this new deck will have a Hatch Door positioned directly above this tank which will provide access for maintenance purposes.

Please note, this On-Site Sewage Facility ("OSSF") is for a seven (7) bedroom 4716 square foot house. The design is using 2 x 1250 gallons tanks tied together equaling 2500 gallons of sewage treatment. (One of which is the tank in question.) Also, a 750 gallon tank which pumps the effluent to a 3370 square foot drain field all installed in 1994. The only required maintenance for this particular OSSF Concrete Septic Tank is the pumping and cleaning every 5-7 years which will easily be accomplished through the Hatch Door.

The other area of concern is the structural failure of this Concrete Septic Tank and the need for it to be replaced. In my Professional Opinion, this is highly unlikely. Central Texas is not prone to Earthquakes. There will be no Vehicular Traffic nearby. The surrounding soils will not caustically affect the concrete tank from the exterior neither will the residential influent that flows into this tank affect the interior.

Needless to say, the Owners of this house are fully aware of these issues and if the tank needs to be replaced, they are willing to take that risk and be solely financially responsible for that issue if it arises. Therefore, a Variance is requested to install this exterior deck above this existing Concrete Septic Tank.

If you need any clarifications, explanations or have any questions concerning this request, please do not hesitate to contact me.

Sincerely,

R. Stewart Polvado
05/21/25



R. Stewart Polvado P.E.

Polvado Engineering Services



Just Trees
PO Box 4005
Austin, TX 78765
(512) 467-8733

April 28, 2025

John Barton
105 Wood Trail
Austin, TX 78746

RE: Large Live Oak in back.

I was asked to examine the large Live Oak in back near the house on April 28, 2025. The tree seems to be in good condition considering its location to the house and pool. The canopy has little to no deadwood, shoot elongation a constant indication of the tree health is 1-2" currently which is very good. The root collar of the tree at the base is good, not buried and showing no signs of decay.

I do not think building the deck the homeowners are proposing to build will adversely impact the tree for several reasons:

1. The house was built 30 years ago very close to the tree. In this time, the root system of the tree has had to adapt and grow far into the backyard well beyond the critical root zone.
2. For this reason, the critical root zone calculation does not provide an accurate picture of where the tree roots are getting water. Even with the proposed deck, over 50% of the tree's actual roots should remain uncovered.

3. The proposed deck area is already covered by 2 large AC units, an 8x8 hot tub, paver stones and gravel. The incremental coverage from the proposed deck is small relative to where the tree's actual roots have extended.
4. Although not necessary to maintain the health of the tree, I have prepared an additional tree care plan to further supplement the health of the tree. The plan involves (i) the injection of hydraulic deep root fertilizer into the soil within the entire available root zone before and after the construction process; and (ii) a systemic injection using an insecticide and fungicide to help suppress insect and fungal issues for 18-24 months.

Regards,

Chris Poth
ISA Certified Arborist #TX-3198
Oak Wilt Certification TOWIS#0091

Jay W. Propes
100 Wood Trl.
West Lake Hills, TX 78746
jay.propes@gmail.com
512.225.1007

May 22, 2025

City of West Lake Hills
Building & Development/Permits
Attn: Variance Requests
911 Westlake Drive
West Lake Hills, TX 78746

To whom it may concern:

I am writing to express my staunch support for the Barton family's variance request to construct a deck in their backyard at 105 Wood Trail. As a neighbor who has observed from directly across the street their exceptional stewardship of their property, this variance serves both the family's needs and our community's interests.

The Bartons' backyard is naturally secluded from the street by their home and shielded from neighboring properties by mature trees and the positioning of the house and resulting sight angles. This natural screening ensures the proposed deck will have minimal visual impact on surrounding properties, though, given everything else the Barton's have done to their property in the fourteen years it has been their residence, the deck will only enhance the aesthetic appeal of the home.

Home improvements that thoughtfully enhance properties benefit our entire neighborhood. A well-designed deck will likely increase the Bartons' property value, which positively affects comparable property values throughout our street. This type of responsible home improvement strengthens our community's overall appeal and market position.

The Bartons have not merely maintained their property's natural beauty for years, preserving over 20 mature oak trees and maintaining their entire yard to exceptionally exacting standards. They have invested in the betterment and sustainability of their homesite. Their consistent history of environmental care gives me complete confidence that they will integrate any new construction thoughtfully with the existing landscape, protecting the mature trees that make their property—and our neighborhood—so attractive.

I respectfully urge you to approve this variance request. You will likely receive similar endorsements of this variance request from my neighbors, but feel free to contact me if you would like to ask me specific questions about the neighborhood or anything else.

My history with the Barton's does require me to add one more thought: The Barton family is such a valued and thoughtful part of our community, that most respondents are going to be flabbergasted that they needed to ask to modify their backyard decking. They are too considerate to have contemplated anything that would have potentially negative impact on the rest of us.

Sincerely,

A handwritten signature in black ink, appearing to read "Jay W. Propes". The signature is written in a cursive, flowing style with a prominent initial "J" and a long, sweeping underline.

Jay W. Propes