

City of West Lake Hills

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

Wednesday, July 16, 2025 at 6:30 PM

1. **Call to Order: Vice-Chair Jim Pledger**
 - a. Meeting begins at 6:30pm
 - b. Roll Call
 1. Chair Robert Meisel: Absent
 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: Absent

2. **Citizen Communications:**
 1. None

3. **Consent Agenda:** The following items are considered to be self-explanatory by the Commission and will be enacted with one motion. There will be no separate discussion of these items unless a Commission Member or citizen so requests.
 1. Approval of the June 18, 2025 Zoning and Planning Commission minutes
 2. Report of previous ZAPCO cases acted upon by the BOA/Council
 - a. **Action:** Commissioner Bartoletti moves for approval of the Consent Agenda
 - i. Commissioner Webber Seconds
 - ii. Motion carries unanimously 3 - 0

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

Note: Items 4 and 5 were discussed in a joint. The minutes reflecting the staff report, public comments, and commission discussion are reflected in Item 4 of the minutes.

a. Staff Report:

- i. Director Bills explains variance requests for removal of one tree, location of a septic tank in a side setback, and grading in excess of 18 inches in the building setback.

b. Public Comments:

- i. James Gatin: Jag Permits – appearing virtually
 - a. Describes the variance request on behalf of the homeowners

c. Discussion:

- i. The commission expresses that the exhibits and presentation provided by the applicant do not have all the information required for ZAPCO analysis.

d. Action:

- i. Commissioner Stewart moves that the tree removal variance be forwarded to the City Council with a motion of approval, based on the request meeting the intent of the comprehensive plan and having no adverse impact on neighboring properties.
 - 1. Commissioner Bartoletti seconds
 - 2. Motion fails 2-0
 - a. Commissioner Stewart voting in favor
 - b. Commissioners Bartoletti and Webber voting in opposition
- ii. Commissioner Webber moves that the tree removal variance be forwarded to the City Council with a recommendation of **denial**, based on lack of information. Included in the recommendation is a request for the applicant to provide a floor plan and tree survey.
 - 1. Commissioner Bartoletti Seconds
 - 2. Motion Passes
 - a. Commissioner Stewart voting in opposition
 - b. Commissioners Bartoletti and Webber voting in favor

***Note:** Following the vote to deny the tree variances, the applicant realized certain documents had not been provided to the city in its application. The applicant requested that the item be postponed to the August 20, 2025 ZAPCO meeting to allow for the presentation of more detailed exhibits related to the site and floor plans.*

- iii. Commissioner Webber moves to recall vote to recommend denial and postpone items 4 and 5 to the August 20 meeting, based on applicant's request.
 - 1. Commissioner Bartoletti Seconds

2. Motion carries unanimously.

Item will be postponed to the August 20, 2025 ZAPCO hearing

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

Note: Items 4 and 5 were discussed in a joint presentation The minutes reflecting the staff report, public comments, and commission discussion are reflected in Item 4 of the minutes.

- a. **Action:** Item postponed by action on item 4

Item will be postponed to the August 20, 2025 ZAPCO hearing

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

Note: Items 6, 7 and 8 were discussed in a joint presentation with separate votes reflecting the differences in variance criteria for Septic, Building, and Zoning-related variances. The minutes reflecting the staff report, public comments, and commission discussion are reflected in Item 6 of the minutes. The separate actions are separated by agenda item.

a. **Staff Report:**

- i. Director Bills describes the site and nature of variance requests for items 6, 7, and 8 including variances for construction over a septic tank,

restricting access to a septic tank, construction greater than the maximum allowed by code within the ½ critical root zone of a protected tree, and the removal and replacement of impervious cover greater than the maximum allowed by code.

b. Public Comments:

i. John Barton: Property Owner

- a. Describes the house and the homeowner’s plans to expand the deck space.

c. Discussion:

i. Commissioner Webber: Feels the use is reasonable

ii. Commissioner Bartoletti: Asks for definition of “substantial property right”

1. Director Bills explains that is a question more-appropriately directed to the City Attorney.

iii. Commissioner Stewart expresses that he does not oppose the access variance as long as the homeowners understand they are assuming the risk of having to remove the deck for major repairs.

d. Action:

- i. Commissioner Webber moves that the septic variances be forwarded to the City Council with a motion of approval, based upon the criteria for a Chapter 18 variance and that the proposed use is reasonable for the site
 1. Commissioner Bartoletti Seconds
 2. Motion carries unanimously (3-0)

The recommendation will be forwarded for consideration to the August 13 City Council Meeting

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.

Note: Items 6, 7 and 8 were discussed in a joint presentation with separate votes reflecting the differences in variance criteria for Septic, Building, and Zoning-related variances. The minutes

reflecting the staff report, public comments, and commission discussion are reflected in Item 6 of the minutes. The separate actions are separated by agenda item.

a. Action:

- i. Commissioner Stewart moves that the tree variances be forwarded to the City Council with a motion of approval based on the requests not violating the intent of Chapter 22 of the Code of ordinances or the comprehensive plan, and that the variances would not have an adverse impact on neighboring properties or the enjoyment thereof
 1. Commissioner Bartoletti Seconds
 2. Motion carries unanimously (3-0)

The recommendation will be forwarded for consideration to the August 13 City Council Meeting

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.

Note: *Items 6, 7 and 8 were discussed in a joint presentation with separate votes reflecting the differences in variance criteria for Septic, Building, and Zoning-related variances. The minutes reflecting the staff report, public comments, and commission discussion are reflected in Item 6 of the minutes. The separate actions are separated by agenda item.*

a. Action:

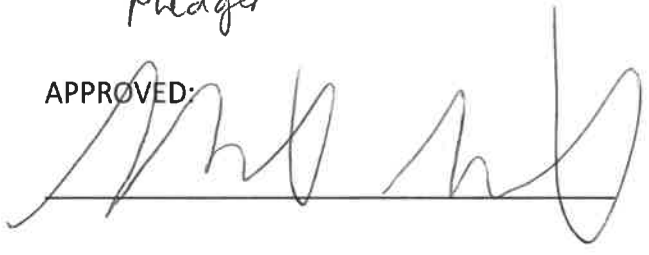
- i. Commissioner Bartoletti moves that the impervious cover variance be forwarded to the Board of Adjustment with a motion of approval based on the request being consistent with the intent of the code and comprehensive plan, that the variances will not have an adverse effect on neighboring properties, and that the variances will satisfy the interpretive criteria for ZAPCO analysis.
 1. Commissioner Stewart Seconds
 2. Motion carries unanimously (3-0)

The recommendation will be forwarded for consideration to the August 13 Board of Adjustment Meeting

9. **Adjournment** – Vice Chair Jim Pledger

1. ^{Vice}Chair ~~Meisel~~ ^{Pledger} adjourns the meeting at 7:57 pm

APPROVED:

A handwritten signature in black ink, appearing to read 'Robert Meisel', written over a horizontal line.

Robert Meisel, Chair

ATTEST:

A handwritten signature in black ink, appearing to read 'Joel Sherrouse', written over a horizontal line.

Joel Sherrouse, Development Coordinator

These minutes were approved on August 20, 2025.