

City of West Lake Hills

MINUTES OF A ZONING & PLANNING COMMISSION (ZAPCO)

REGULAR MEETING

Wednesday, May 21, 2025 at 6:30 PM

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

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

2. **Citizen Communications:**

- a. Mindy Vescovo: 604 Rocky River Road
 - Wants to urge commission to help educate public on removal of invasive non-native plant species
 - Understands there is a settlement on Moore tract, but is not obligated to like what is happening on tract
 - 1. Learned that no permits are to be issued for the removal of dead oaks due to the risk of Oak Wilt
 - a. Concerned that Moore tract is removing live oak trees

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

- 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 Bartoletti Seconds
 - ii. Motion carries unanimously 4 - 0

4. **Land Use: 204 Westhaven Drive** – Consider action to make a recommendation for Lot 52R, a replat of 1.37 acres of Lot 52 of the Westlake Park Subdivision and 0.09 acres out

of lot 32 of the Barton Springs Estates Subdivision, within the city limits (Section 36.01.018 of the West Lake Hills Code).

Applicant: Kyle Quick, Austin Civil Engineering

a. Staff Report:

- i. Director Bills describes the replat and the conditions required for approval

b. Public Comments:

- i. None

c. Discussion:

- i. None

d. Action:

- i. Commissioner Bartoletti moves that the minor plat be forwarded to City Council with a recommendation of approval with conditions based on staff analysis.
 1. Commissioner Pledger seconds
 2. Motion carries unanimously (4-0)

Recommendation will be forwarded to City Council for consideration on May 28, 2025.

5. Public Hearing: 9 Rocky River Cove – Discuss and make a recommendation on a variance to allow:

1. An encroachment of 20 feet into the 50-foot front setback for the addition of a 2nd story over the existing nonconforming first floor (Section 22.03.275 and 22.03.281 of the West Lake Hills Code).
2. An encroachment of 20 feet into the 50-foot front setback for the conversion of a portion of the garage.
3. An encroachment of 20 feet into the 50-foot front setback for the addition of 4 feet onto the front of the garage on the 1st and 2nd story.

Applicant: Tisha Ritta, Central Texas Permit Partners

a. Staff Report:

- i. Director Bills describes the variance requests for setback encroachments related to a proposed addition to an existing non-conforming structure.
- ii. Commissioner Stewart: Why are there 3 variance requests?

- i. The encroachments into the setback for the expansion and for the addition of a second floor can be considered separately with multiple requests.

b. Public Comments:

i. Tisha Ritta – applicant

- i. Home was built with 30-ft platted setback in mind
- ii. Addition of 4 feet is to allow for a staircase to the second floor
- iii. Approximately 274 total square feet of additional impervious cover for project
 - 1. Approximately 13.9% Impervious cover post-development
- iv. Commissioner Pledger: Can you articulate the hardship associated with this variance?
 - 1. Tisha Ritta: Existing non-conforming status, lot dimensions, and setbacks
- v. Commissioner Pledger: What's the hardship for extending the garage?
 - 1. Tisha Ritta: Existing garage is already difficult for parking. Adding the stairs to the second floor makes it more difficult.

c. Discussion:

- i. Commissioner Pledger: How is this not design-driven?
 - 1. Going over existing structure is not the same as expanding the structure further into the setback
- ii. Commissioner Bartoletti: Would support approval
- iii. Commissioner Maccini: Appreciates they are largely building over existing footprint and not asking to remove trees or encroach into undeveloped portions of setback.

d. Action:

- i. Commissioner Bartoletti moves that the variance requests be forwarded to the Board of Adjustment with a recommendation of approval based on hardships outlined in application
 - 1. Commissioner Stewart seconds
 - 2. Motion carries 3:1
 - a. Commissioner Pledger opposed

Recommendation will be forwarded to the Board of Adjustment for consideration on June 11, 2025.

6. **Public Hearing: 1002 Old Stonehedge**– Discuss and make a recommendation on a variance to allow for an encroachment of 15 feet into the 50-foot front setback for the construction of a new house (Section 22.03.275 and 22.03.281 of the West Lake Hills Code).

Applicant: Tisha Ritta, Texas Permit Partners

a. Staff Report:

- i. Director Bills describes variance request for a front setback variance for the construction of a new residence.

b. Public Comments:

- i. Tisha Ritta: Applicant
 - i. Meeting setbacks would move home closer to tree and place house over existing septic system
 - ii. Lot is a hardship due to having frontage on multiple sides
 - iii. Proposed plan places more of the proposed house over existing foundation
- ii. Randeep Billing: Homeowner
 - i. Lot is pie-shaped, and is only 0.63 acres, only .13 acres larger than a lot that would allow a 30-ft setback
 - ii. Willing to adjust front porch to preserve 10" oak impacted by proposed setback encroachment

e. Discussion:

- i. Commissioner Maccini: Is this just a setback variance?
 - 1. Yes – 10" tree in front is protected, but does not require variance.
- ii. Commissioner Maccini: Appreciate wanting to move driveway for safety.
- iii. Commissioner Pledger: Could house be pushed back and meet setbacks?
 - 1. Yes. Tree exhibits generally represent critical root zone, but may not show full spread of the tree canopy
- iv. Commissioner Stewart: With new construction, the burden on compliance is greater. Septic isn't a hardship, as a 44yo septic system isn't going to be sufficient for a larger house
- v. Commissioner Bartoletti: Struggling to find a hardship
- vi. Commissioner Maccini: Should consider shape of front of lot's impact on new construction.
- vii. Commissioner Pledger: Moving back doesn't necessarily have to involve impacting the tree

f. Action:

- i. Commissioner Pledger moves that the variance be forwarded to the Board of adjustment with a recommendation of denial based on lack of hardship
 1. Commissioner Stewart seconds
 2. Motion carries unanimously (4-0)

Recommendation will be forwarded to the Board of Adjustment for consideration June 11, 2025.

7. Staff Briefing: Update on Moore Estates

a. Staff Report:

- i. Director Bills updates ZAPCO on development of Moore Estates subdivision on Westlake Drive
- ii. Commissioner Bartoletti: Did the City make any effort to advise the neighbors of what was in the settlement agreement?
 - i. We do not know what was communicated at the time of the settlement agreement, but the agreement was included in the subdivision process
- iii. Commissioner Bartoletti: Would encourage staff to reach out to the community
- iv. Commissioner Stewart: Would any of these houses have access to the Variance process?
 - i. That has not been determined
- v. Commissioner Maccini: Do the current footprints meet code?
 - i. Staff has not received full applications

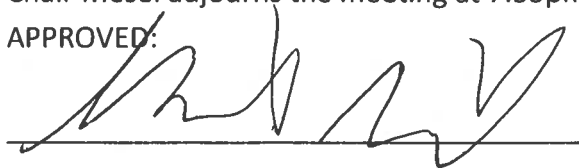
b. Public Comment:

- i. Randy Lee
 - i. Tree cutting has not abided by noise ordinances
 - ii. Concerned about the loss of tree canopy combined with drought leading to additional fire risk

8. Adjournment - Chair Robert Meisel

1. Chair Mesel adjourns the meeting at 7:53pm

APPROVED:

A handwritten signature in black ink, appearing to be 'R. Meisel', is written over a horizontal line.

Robert Meisel, Chair

ATTEST:



Joel Sherrouse, Development Coordinator

These minutes were approved on June 18, 2025.