



CITY OF WEST LAKE HILLS, TEXAS  
NOTICE OF BOARD OF ADJUSTMENT (BOA) REGULAR MEETING  
Wednesday, December 10, 2025 at 7:00 PM

Notice is hereby given that the Board of Adjustment (BOA) of the City of West Lake Hills, Texas, will hold a Regular Meeting on the 10<sup>th</sup> day of December 2025 at 7:00 p.m., in the Council Chamber, Municipal Complex, 4010 Bee Cave Road, 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 [citysec@westlakehills.gov](mailto:citysec@westlakehills.gov) by 1:00 P.M. on December 10, 2025.

1. Call to Order
2. Citizen Communications The Board 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 Board later in the meeting. The Board cannot respond to or discuss matters not listed on the agenda. The Board 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. Administration Discuss and consider action to approve the November 12, 2025 Regular Meeting Minutes.
4. Land Use 704 Laurel Valley Drive — Discuss and consider action on a recommendation from ZAPCO on variances for new residential construction:
  1. For grading on a slope greater than 35%, where no grading is allowed by code (Drainage and Erosion Control Manual Section 7.4.1)
  2. For closed cuts and fills greater than 10' in height on slopes between 25% and 35%, where the maximum closed cut is 10 feet and the maximum closed fill is 6 feet by code (Drainage and Erosion Control Manual Section 7.4.1)

Applicant: Davin Fillpot, Architect LLC

5. Land Use 803 Loma Linda Drive — Discuss and consider action on a recommendation from ZAPCO on variances for new residential construction:
1. For the continuation of existing non-conforming status following destruction exceeding 50% of the replacement cost of the damaged structure (Section 38.04.061 (8))
  2. For roof overhangs/eaves extending more than 2 feet into the front yard setback (Section 22.03.275 (3))
  3. For grading greater than 18 inches in the front and side building setback (Section 22.03.170 (f))

Applicant: Bill Roesch, Property Owner

6. Adjournment

Approved by: James Vaughan, Chair

Certificate

I certify that the above Notice of the December 10, 2025 Board of Adjustment Regular Meeting was posted on the bulletin board at the Municipal Complex, 4010 Bee Cave Road, West Lake Hills, Texas on Thursday, December 4, 2025 by 5:00 pm. and will remain posted continuously until said meeting is convened.

Signed by: Terry Blanchard, City Secretary

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

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

CITY OF WEST LAKE HILLS, TEXAS  
MINUTES OF A BOARD OF ADJUSTMENT (BOA) REGULAR MEETING  
Wednesday, November 12, 2025 at 7:00 PM

1. Call to Order

**With a quorum present, Chair Vaughan called the meeting to order at 7:01 p.m.**

**BOARD MEMBERS PRESENT:**

Chair James Vaughan  
Gordon Bowman  
Dana Harmon  
Brian Plunkett  
Darin Walker

**CITY STAFF PRESENT:**

City Administrator Trey Fletcher  
City Secretary Terry Blanchard  
Finance Director Vonda Ragsdale  
Director of BDS Jennifer Bills  
Chief of Police Scott Gerdes  
City Attorney Charles E. Zech

Meeting was suspended at 7:01 p.m.

Meeting was reconvened at 7:02 p.m.

2. Citizen Communications The Board 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 Board later in the meeting. The Board cannot respond to or discuss matters not listed on the agenda. The Board 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.

**Chair Vaughan opened the meeting for public comments. Hearing none, the public comment section was closed.**

3. Consent Agenda Discuss and consider action to approve the October 8, 2025 Regular Meeting Minutes.

**MOTION: Upon a motion made by Board Member Harmon and a second by Board Member Walker, the Board voted five (5) for and none (0) opposed to approve the minutes as presented. Motion carried.**

4. Administration 5524 Bee Cave Road, Building M - Discuss and consider action on Special Use Permit 157-2025-D request to allow for a private school on a property zoned O – Professional and Business Office District. (West Lake Hills Code, Section 38.03.035 (c)(7)). Applicant: Ramon Aguirre, YPW Elementary School

Director Bills gave a brief summary. Staff recommends approval with conditions. Ramon

Aguirre (applicant) made a presentation to the Board. He stated that Building M would be used for classroom instruction. The following comments were received:

- Richard Thormann (401 Juniper Road) - Opposed. Concerned about the traffic on Redbud. Also, the fire evacuation route is Redbud. Feels there are too many traffic and safety issues.
- Linda Anthony (1500 Old Wagon Road) - Opposed. Concerned with the location as previously mentioned.
- Scott Marshall (1407 Flintridge Road) - Opposed. Concerned with traffic on Redbud. Blind curves and dangerous areas where traffic enter/exits the facility. Safety issues.
- Edward Wilhelm (5524 Bee Cave Road, Suite B5) - Opposed. Traffic is an issue. You can't turn left onto Bee Cave Road. There are no reserved parking spaces at 5524 and stated that will negatively affect other business owners.
- Harvey Ford (2 Mulberry Lane) - Opposed. Echoes previous comments. The intersections in the area are dangerous at all times of the day and night.
- Jim Sauer (1100 Sprauqua Lane) - Opposed. Safety is an issue with traffic. Cut-through traffic is dangerous. Need to ask yourself if the proposed changes improves the lives of residents in West Lake Hills.
- Ellen Balthazar (Chair of Church Council WUMC) - Supports. The church provided pre-school services for forty years. Had to close due to COVID. Community needs pre-school and after-school programs. WUMC is pleased with the partnership with YPW.
- Spencer Stevens (1230 Yaupon Valley) - Opposed. Familiar with area. There are eight private schools along these roads. Pushing additional traffic through this area doesn't make sense. Requests that BOA deny this application.
- Elaina Whittenhall provided written comments in opposition due to limited capacity for traffic and parking overflow.

**MOTION: Upon a motion made by Board Member Bowman and a second by Board Member Walker, the Board voted five (5) for and none (0) opposed to deny the Special Use Permit for a private school in the O - Office Zoning District. Motion carried.**

5. Adjournment

Mayor adjourned the meeting at 8:14 p.m.

Respectfully submitted,

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JAMES VAUGHAN, MAYOR

ATTEST:

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Terry Blanchard, TRMC  
City Secretary

MINUTES OF A CITY COUNCIL  
REGULAR MEETING

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These minutes were approved on \_\_\_\_\_, 20\_\_.



City of West Lake Hills  
Board of Adjustment

**AGENDA REPORT**

<b>Meeting Date:</b>	<u>December 10, 2025</u>	<b>Item Number:</b>	<u>4</u>
	<u>Building &amp; Development</u>		
<b>Department:</b>	<u>Services</u>		
	<u>Jennifer C. Bills, Director of</u>		
<b>Prepared By:</b>	<u>Building &amp; Development</u>	<b>Cost / Budget:</b>	<u>None</u>
<b>Exhibits:</b>	<u>See Attached</u>	<b>Source of Funds:</b>	<u>N/A</u>

**Subject**

**704 Laurel Valley Dr.:** Discuss and consider action on a ZAPCO recommendation on variances for new residential construction:

1. For grading on a slope greater than 35%, where no grading is allowed by code (Drainage and Erosion Control Manual Section 7.4.1)
2. For closed cuts and fills greater than 10' in height on slopes between 25% and 35%, where the maximum closed cut is 10 feet and the maximum closed fill is 6 feet by code (Drainage and Erosion Control Manual Section 7.4.1)

Applicant: Davin Fillpot, Architect LLC

**Recommendation**

Discuss and consider action on whether the applicant has established by competent evidence that the following conditions are fulfilled:

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

The Board of Adjustments, 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.

This item was reviewed by the Zoning and Planning Commission on November 19, 2025 and the following criteria used:

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.

ZAPCO recommended denial by a vote of 5-0, based on a lack of hardship, as the 3-car garage is a design-driven feature driving the requested variance, and that any variance ultimately granted by BOA should be conditional to adequate tree protection (Attachment 4).

## Discussion

### Property Information, Zoning & Site Characteristics:

Owner: Ganesh Muthaiah Family Trust

Legal Description: 1.21 acres of Site A, Block W of Stonehedge Estates

Lot Size: 1.21 acres

Zoning: R-1 One Family

Wastewater: On-Site Sewage System (Septic)

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

### Background:

The applicant is proposing to demolish the existing residential buildings (3,045 sf and 976 sf) built in 1965/1980 and build a new residential house. The footprint of the new two-story house is 6,062 sf. No plans have been submitted for building review at this time.

### Analysis:

#### Cut and fill limits

##### Code Requirements

- Drainage and Erosion Control Design Manual, Section 7.4.1 Cut/Fill Limits.

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

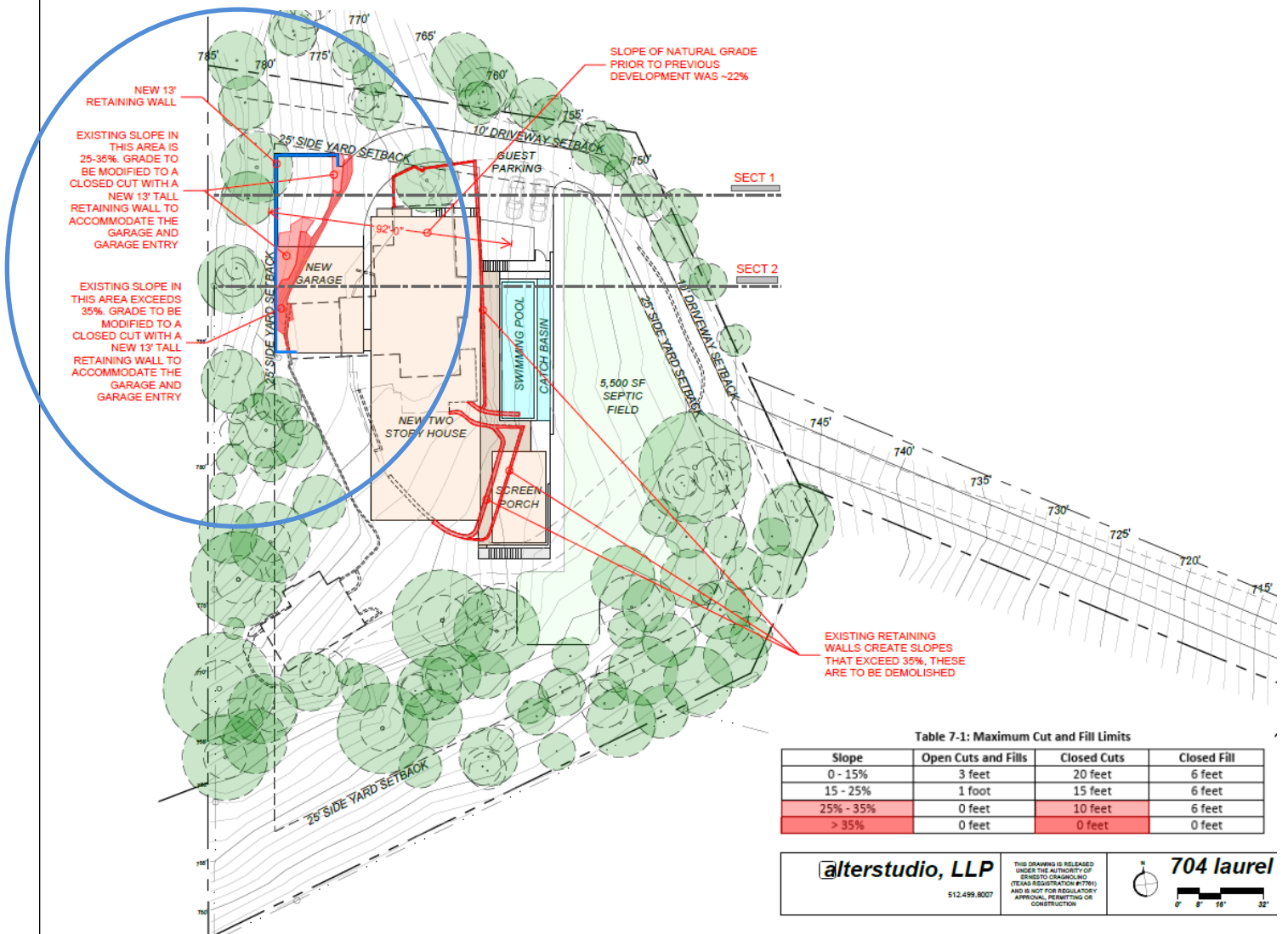
**Table 7-1: Maximum Cut and Fill Limits**

Slope	Open Cuts and Fills	Closed Cuts	Closed Fill
0 - 15%	3 feet	20 feet	6 feet
15 - 25%	1 foot	15 feet	6 feet
25% - 35%	0 feet	10 feet	6 feet
> 35%	0 feet	0 feet	0 feet

##### Requests:

1. Allow for grading on a slope of 35% or greater with a closed cut of 13 feet.
2. Allow a closed cut up to 13 feet on a slope 25-25%

The applicant has provided a diagram that shows the existing grade relative to the existing and proposed house footprint (Attachment 2).



**City Engineer Opinion:**

The city engineering team has reviewed the variance application materials, and based on the information provided, recommend approval of the variance requests as presented (Attachment 3).

**Public Comment:**

At the time of this report, two written comments in support have been received (Attachment 4).

**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 38.0.033. 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:**

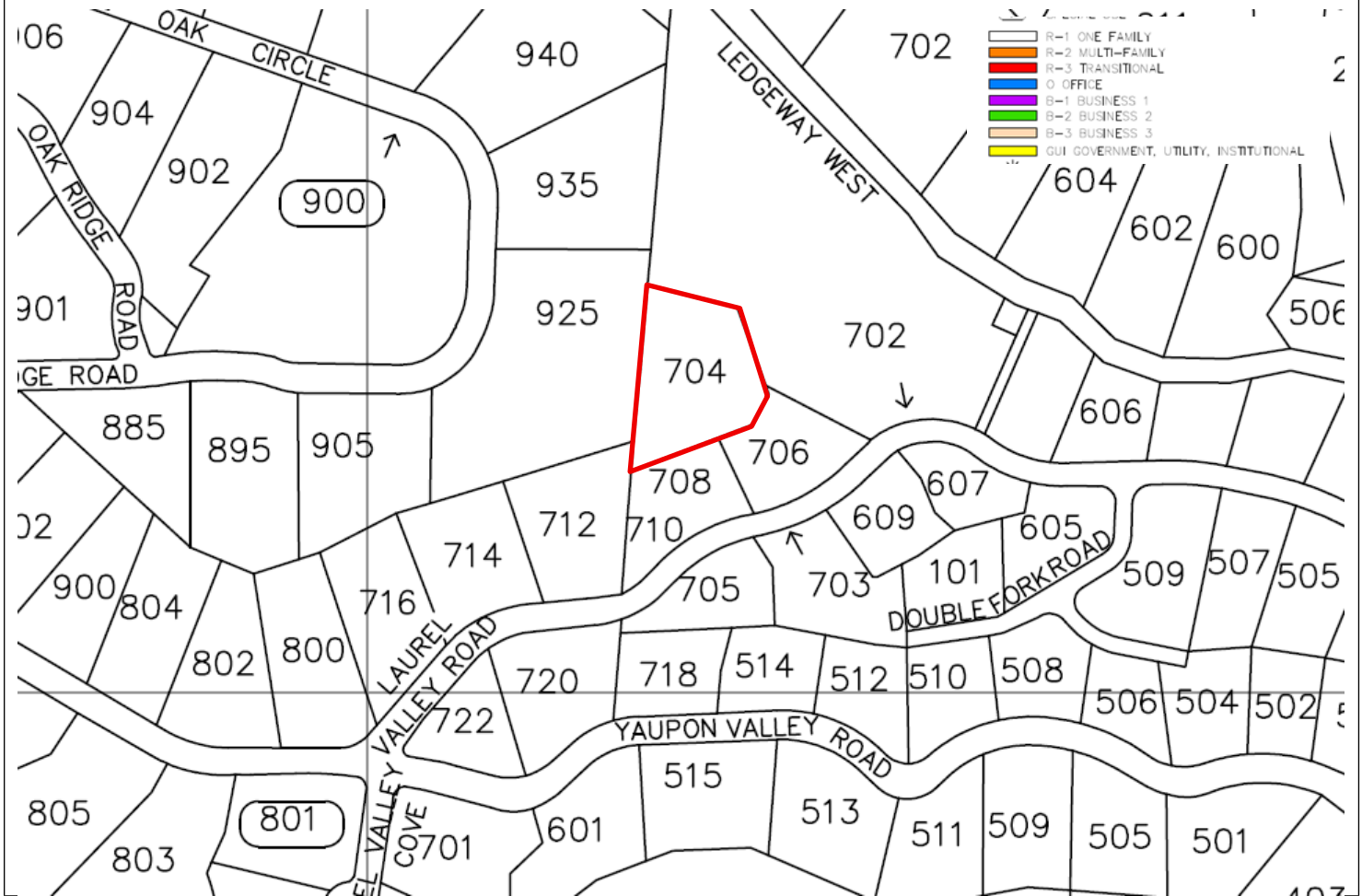
[Section 22.03.170 Site Disturbance \(Excavation, grading or filling\)](#)

Drainage and Erosion Control Manual

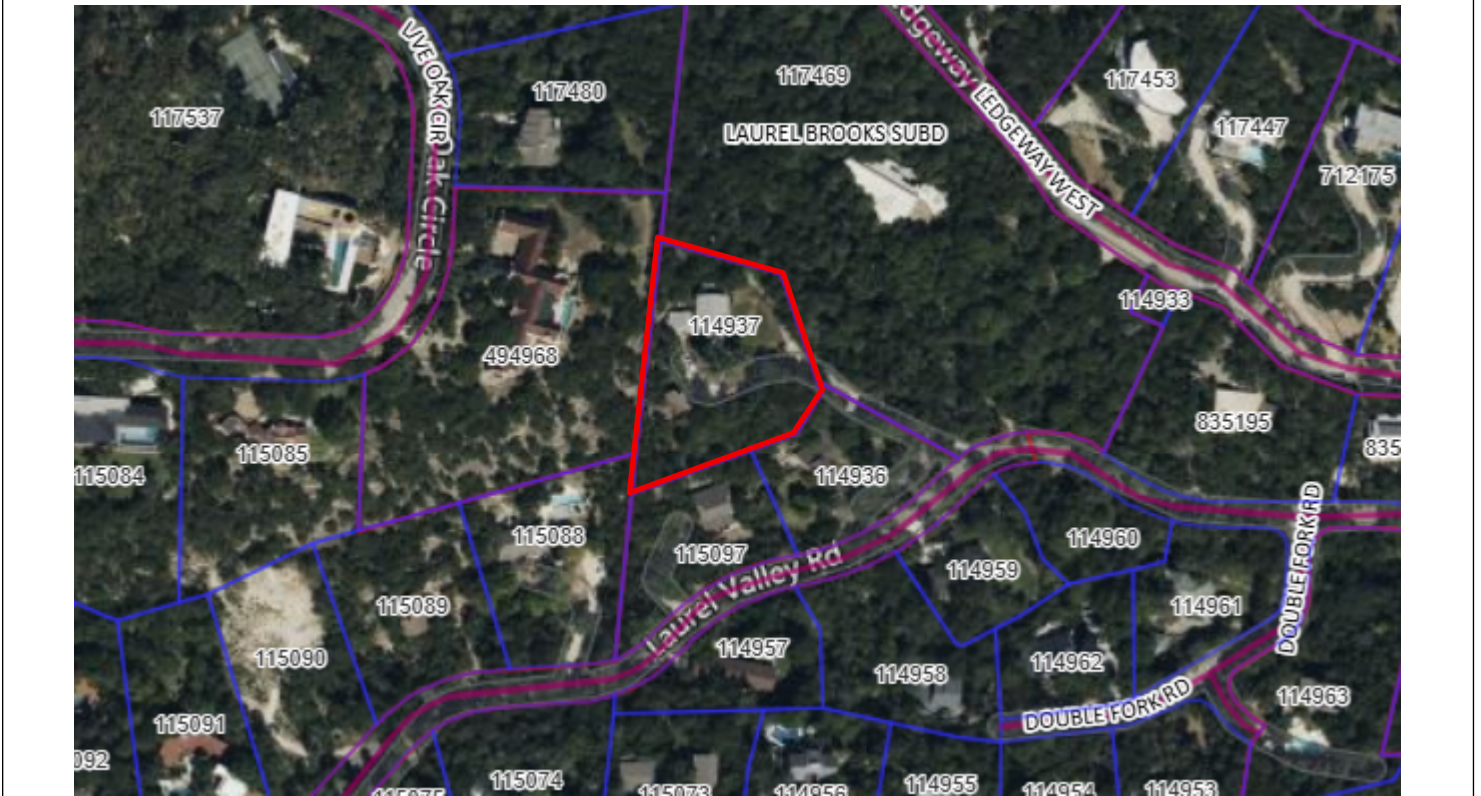
Section 38.05.031 Variances

Section 22.03.514 Criteria and process required for granting variance

**Zoning:**



Aerial:



Letter to ZAPCO Chair  
RE: Variance Request  
704 Laurel Valley, West Lake Hills, Texas 78746

Dear Chairman Meisel,

These variance requests are for a new home in West Lake Hills.

The existing home on this property was built in 1980. When the original house was built, it was built under a different set of rules that are currently enforced in West Lake Hills.

The original construction resulted in site modification, cuts/fills, and retaining walls that currently are partially requiring the new home to apply for variances to accommodate.

It is the goal of the new homeowner and architect to build the new home on top of the location for the 1980's home to be demolished, prior to construction. By building the new home in the location of the old home, it will allow for a large majority of existing vegetation to remain as privacy buffers between the new home and adjacent properties. As well as utilizing pre-existing cuts and site modification that will greatly assist in minimizing site disturbance.

The associated variance that are being applied for are within the allowable buildable area on the property, and do not trigger any variances for setback encroachments or significant tree removal, while also bringing other pre-existing non conforming conditions into compliance by adjusting the pre-existing driveway to conform with current driveway setback regulations.

Should you have any questions about this application, please do not hesitate reaching out.

Kind Regards,  
Davin Fillpot, WLH Code Consultant  
512-289-4736  
davinfillpot@gmail.com



704 Laurel Valley Residence

Partner Ernesto Cragolino  
Project Architect Michael Woodland  
Applicant Davin Fillpot  
Home Owners Nat Ganesh and Vali Mutihiah

**PROPERTY DESCRIPTION:**

**TRACT I: FEE SIMPLE**

BEING A 1.213 ACRE TRACT OF LAND SITUATED IN THE T. J. CHAMBERS SURVEY, ABSTRACT NO. 198, TRAVIS COUNTY, TEXAS, BEING ALL THAT CERTAIN TRACT OF LAND DESCRIBED IN DEED TO NATARAJAN GANESH AND VALLIKANNU MUTHIAH, AS RECORDED IN INSTRUMENT NO. 2025027984, OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A 1/2-INCH IRON ROD FOUND AT THE EAST CORNER OF SAID GANESH/MUTHIAH TRACT, SAID IRON ROD BEING A RE-ENTRANT CORNER OF RESUBDIVISION OF LAUREL RIDGE SUBDIVISION, SECTION ONE, AN ADDITION TO TRAVIS COUNTY, TEXAS, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 74, PAGE 95, PLAT RECORDS, TRAVIS COUNTY, TEXAS;

THENCE SOUTH 31° 25' 00" WEST, A DISTANCE OF 60.90 FEET ALONG THE COMMON LINE OF SAID GANESH/MUTHIAH TRACT AND SAID RESUBDIVISION TO A 1/2-INCH IRON ROD FOUND AT THE SOUTHEAST CORNER OF SAID GANESH/MUTHIAH TRACT;

THENCE SOUTH 71° 01' 00" WEST, A DISTANCE OF 226.70 FEET ALONG SAID COMMON LINE TO AN "X" FOUND IN STONE AT THE COMMON WEST CORNER OF SAID GANESH/MUTHIAH TRACT AND SAID RESUBDIVISION, BEING ON THE EAST LINE OF LOT 33, MAYO ADDITION, AN ADDITION TO TRAVIS COUNTY, TEXAS, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 70, PAGE 95, AFORESAID PLAT RECORDS;

THENCE NORTH 07° 04' 00" EAST, A DISTANCE OF 327.65 FEET ALONG THE WEST LINE OF SAID GANESH/MUTHIAH TRACT TO A 1/2-INCH IRON ROD FOUND AT THE COMMON WEST CORNER OF SAID GANESH/MUTHIAH TRACT AND LOT 1, LAUREL BROOK SUBDIVISION, AN ADDITION TO TRAVIS COUNTY, TEXAS, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 84, PAGE 78A, SAID PLAT RECORDS, SAID IRON ROD BEING ON THE EAST LINE OF LOT 9A, AMENDED PLAT OF LOTS 9 & 10, MAYO ADDITION, AN ADDITION TO TRAVIS COUNTY, TEXAS, ACCORDING TO THE PLAT THEREOF RECORDED IN INSTRUMENT NO. 200000167, OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS;

THENCE SOUTH 74° 01' 00" EAST, A DISTANCE OF 162.40 FEET ALONG THE COMMON LINE OF SAID GANESH/MUTHIAH TRACT AND SAID LOT 1 TO THE NORTHEAST CORNER OF SAID GANESH/MUTHIAH TRACT;

THENCE SOUTH 17° 48' 00" EAST ALONG SAID COMMON LINE, PASSING THE COMMON WEST CORNER OF SAID LOT 1 AND AFORESAID RESUBDIVISION AT A DISTANCE OF 145.27 FEET AND CONTINUING ALONG THE COMMON LINE OF SAID GANESH/MUTHIAH TRACT AND SAID RESUBDIVISION A TOTAL DISTANCE OF 162.50 FEET TO THE POINT OF BEGINNING AND CONTAINING 52,847 SQUARE FEET OR 1.213 ACRES OF LAND.

**TRACT II: EASEMENT ESTATE**

BEING A 30 FOOT WIDE INGRESS AND EGRESS EASEMENT CREATED BY THAT CERTAIN WARRANTY DEED WITH VENDORS LIEN DATED APRIL 23, 1964, RECORDED IN VOLUME 2769, PAGE 108, OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS, BEING CALLED A 30 FOOT PRIVATE ACCESS EASEMENT OVER AND ACROSS LOT 1, LAUREL BROOK SUBDIVISION, AN ADDITION TO TRAVIS COUNTY, TEXAS, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 84, PAGE 78A, PLAT RECORDS, TARRANT COUNTY, TEXAS.

**TBM = TEMPORARY BENCHMARK.**  
**CONTOUR INTERVAL EQUALS ONE FOOT.**  
**ELEVATIONS WERE DERIVED FROM GPS OBSERVATIONS.**  
**THIS PROPERTY MAY BE SUBJECT TO THE FOLLOWING:**  
**EASEMENT, VOL. 744, PG. 532, D.R.T.C.T.**  
**EASEMENT, VOL. 554, PG. 502, VOL. 614, PG. 260, VOL. 661, PG. 565, D.R.T.C.T.**

**FEMA NOTE**

**FLOOD INFORMATION:**  
 THE SUBJECT PROPERTY DOES NOT APPEAR TO LIE WITHIN THE LIMITS OF A 100-YEAR FLOOD HAZARD ZONE ACCORDING TO THE MAP PUBLISHED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, AND HAS A ZONE "X" RATING AS SHOWN BY MAP NO. 48453C0445 K, DATED JANUARY 22, 2020.

**SURVEYOR'S CERTIFICATION:**  
 THIS IS TO CERTIFY THAT ON THIS DATE A SURVEY WAS MADE ON THE GROUND, UNDER MY SUPERVISION AND REFLECTS A TRUE AND CORRECT REPRESENTATION OF THE DIMENSIONS AND CALLS OF PROPERTY LINES AND LOCATION AND TYPE OF IMPROVEMENTS. THERE ARE NO VISIBLE AND APPARENT EASEMENTS, CONFLICTS, INTRUSIONS OR PROTRUSIONS, EXCEPT AS SHOWN. THIS SURVEY IS NOT TO BE USED FOR CONSTRUCTION PURPOSES AND WAS PREPARED WITHOUT THE BENEFIT OF A TITLE COMMITMENT PROVIDED BY A TITLE COMPANY. THERE MAY BE EASEMENTS AND OTHER MATTERS OF RECORD AFFECTING THE PROPERTY SHOWN HEREON THAT ONLY A PROPER TITLE SEARCH WOULD REVEAL. THIS SURVEY IS SUBJECT TO ANY AND ALL COVENANTS AND RESTRICTIONS PERTAINING TO THE RECORDED PLAT REFERENCED HEREON.

**GENERAL NOTES**

- 1.) THE BASIS OF BEARINGS FOR THIS SURVEY WAS DERIVED FROM DATA PROVIDED IN THE RECORDED DEED.
- 2.) THERE ARE NO VISIBLE CONFLICTS OR PROTRUSIONS, EXCEPT AS SHOWN. FENCES MAY BE MEANDERING.
- 3.) THIS SURVEY IS FOR THE EXCLUSIVE USE OF THE NAMED CLIENT, MORTGAGE COMPANY, TITLE COMPANY, OR OTHER.
- 4.) AS OF THIS DATE, ALL EASEMENTS, RIGHTS-OF-WAY OR OTHER LOCATABLE MATTERS OF RECORD SHOWN OR NOTED HEREON WERE DERIVED FROM THE RECORDED PLAT, THE VESTING DEED, OR THE TITLE REPORT AND SUPPORTING DOCUMENTS. ALL SUCH ITEMS WERE OBTAINED DURING THE RESEARCH PHASE OF THIS SURVEY OR PROVIDED BY THE CLIENT/TITLE COMPANY LISTED HEREON. PREMIER SURVEYING MAKES NO REPRESENTATION AS TO THE ACCURACY OR COMPLETENESS OF SUCH ITEMS AND HAS MADE NO ATTEMPTS TO OBTAIN OR SHOW ANY ADDITIONAL RESTRICTIONS ON OR NEAR THIS PROPERTY PUT IN PLACE BY LOCAL MUNICIPALITIES OR ASSOCIATIONS.
- 5.) THIS SURVEY IS NOT TO BE USED FOR CONSTRUCTION PURPOSES.
- 6.) THIS SURVEY IS NOT INTENDED TO ADDRESS OR IDENTIFY WETLANDS, FAULT LINES, TOXIC OR HAZARDOUS WASTE AREAS, SUBSIDENCE OR ANY OTHER ENVIRONMENTAL OR GEOLOGICAL ISSUE.
- 7.) THE EXISTING UTILITIES DEPICTED HEREON ARE BASED ON FIELD LOCATION OF VISIBLE, ABOVE GROUND EVIDENCE. UTILITIES AND OTHER MINOR IMPROVEMENTS MAY EXIST THAT ARE NOT SHOWN ON THIS SURVEY. PREMIER SURVEYING IS NOT RESPONSIBLE FOR THE EXACT LOCATION OF SUBSURFACE UTILITIES, NOR FOR ANY DAMAGES BY ANY CONSTRUCTION OR EXCAVATION ON OR NEAR SAID UTILITIES.
- 8.) SYMBOLS AS SHOWN IN THE LEGEND ARE NOT TO SCALE AND MAY HAVE BEEN MOVED FROM THE ACTUAL HORIZONTAL LOCATION FOR CLARITY.

**704 LAUREL VALLEY ROAD**  
**CITY OF AUSTIN**  
**TRAVIS COUNTY, TEXAS**

PREMIER JOB #: 23-08234TOPOTS2  
 TECH: MSP      DATE: 07/09/25  
 FIELD: RC      FIELD DATE: 07/08/25



CONCRETE	WOOD FENCE
BRICK	CHAIN LINK FENCE
ASPHALT	WROUGHT IRON FENCE
WOOD	BARBWIRE FENCE
STONE	R.R. TIE RETAINING WALL
GRAVEL	BRICK WALL
COVERED AREA	STONE WALL
CM = CONTROLLING MONUMENT	OVERHEAD TELEPHONE LINE
	OVERHEAD ELECTRIC LINE
	IRF = IRON ROD FOUND
	IPF = IRON PIPE FOUND
	IRS = IRON ROD SET
	MFCP = METAL FENCE COR POST
	WFCP = WOOD FENCE COR POST

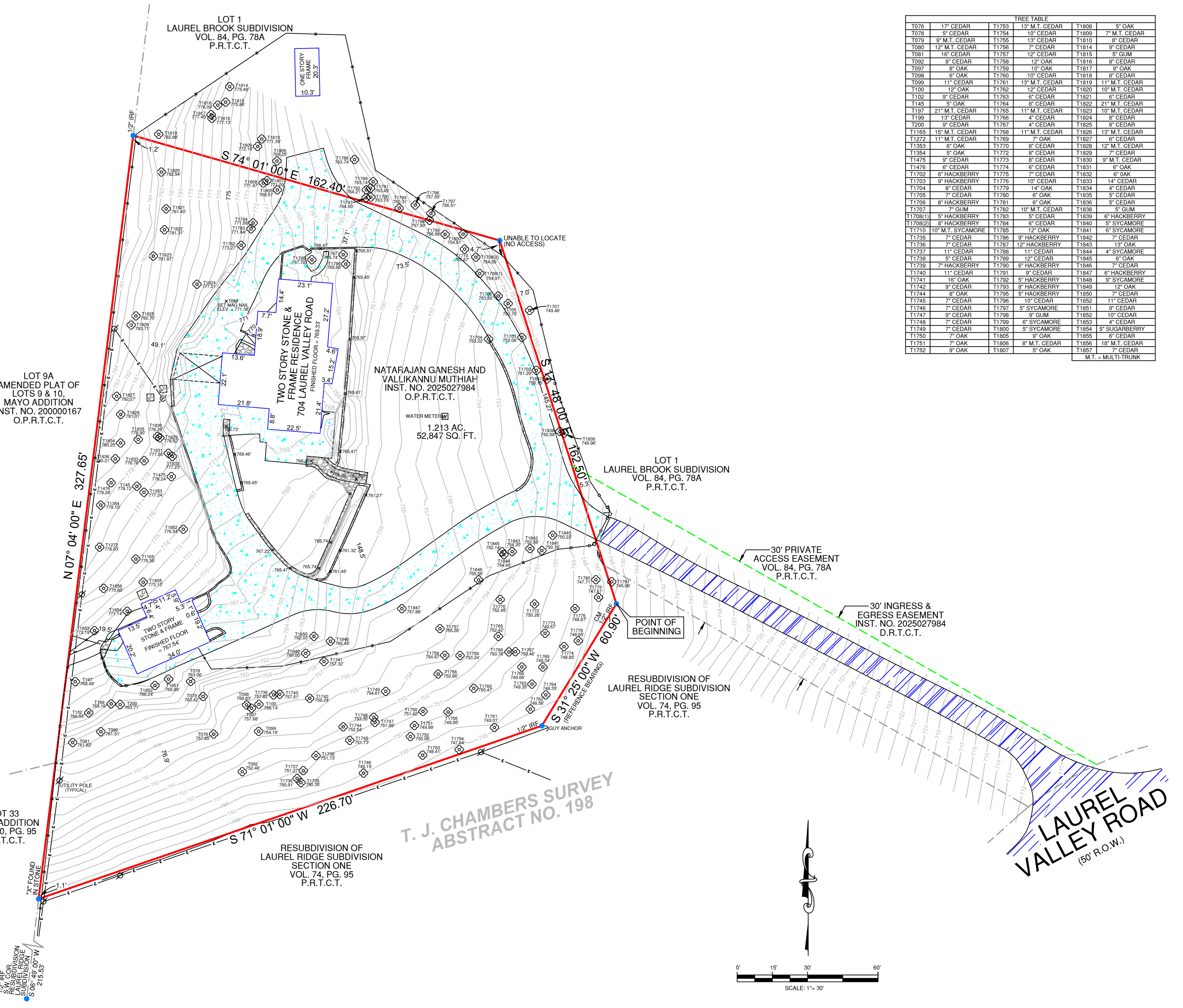
**Premier Surveying LLC**

5700 W. Plano Parkway  
 Suite 1200  
 Plano, Texas 75093  
 972-612-3601 (O) | 855-892-0468 (F)  
 www.premiersurveying.com  
 premierorders@premiersurveying.com

**Premier Surveying LLC**

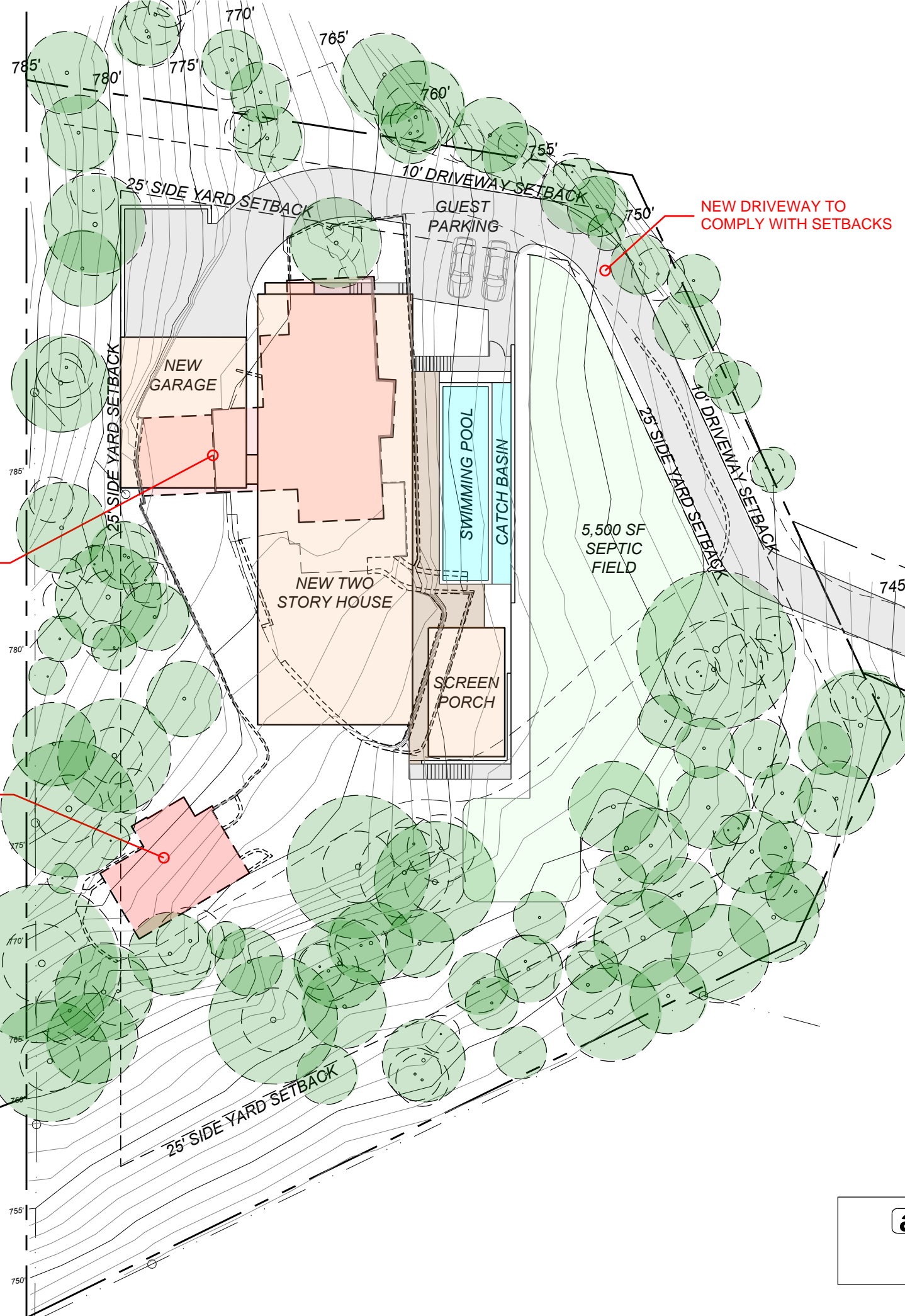
5700 W. Plano Parkway  
 Suite 1200  
 Plano, Texas 75093  
 Office: 972-612-3601  
 Fax: 855-892-0468  
 Firm Registration No. 10146200

**David Apple**  
 Registered Professional Land Surveyor



TREE TABLE			
T076	17' CEDAR	T1753	13' M.T. CEDAR
T078	5' CEDAR	T1754	10' CEDAR
T079	9' M.T. CEDAR	T1755	13' CEDAR
T080	12' M.T. CEDAR	T1756	7' CEDAR
T081	16' CEDAR	T1757	12' CEDAR
T092	8' CEDAR	T1758	12' OAK
T097	8' OAK	T1759	10' OAK
T098	6' OAK	T1760	10' CEDAR
T099	11' CEDAR	T1761	13' M.T. CEDAR
T100	12' OAK	T1762	12' CEDAR
T102	9' CEDAR	T1763	6' CEDAR
T145	5' OAK	T1764	8' CEDAR
T197	21' M.T. CEDAR	T1765	11' M.T. CEDAR
T199	13' CEDAR	T1766	4' CEDAR
T200	9' CEDAR	T1767	4' CEDAR
T1155	15' M.T. CEDAR	T1768	11' M.T. CEDAR
T1272	11' M.T. CEDAR	T1769	7' OAK
T1353	5' OAK	T1770	8' CEDAR
T1354	5' OAK	T1772	8' CEDAR
T1475	9' CEDAR	T1773	8' CEDAR
T1476	6' CEDAR	T1774	6' CEDAR
T1702	6' HACKBERRY	T1775	7' CEDAR
T1703	9' HACKBERRY	T1776	10' CEDAR
T1704	8' CEDAR	T1779	14' OAK
T1705	7' CEDAR	T1780	6' OAK
T1706	8' HACKBERRY	T1781	6' OAK
T1707	7' GUM	T1782	10' M.T. CEDAR
T1708(1)	5' HACKBERRY	T1783	5' CEDAR
T1708(2)	8' HACKBERRY	T1784	6' CEDAR
T1710	10' M.T. SYCAMORE	T1785	12' OAK
T1735	7' CEDAR	T1786	8' HACKBERRY
T1736	7' CEDAR	T1787	12' HACKBERRY
T1737	11' CEDAR	T1788	11' CEDAR
T1738	5' CEDAR	T1789	12' CEDAR
T1739	7' HACKBERRY	T1790	6' HACKBERRY
T1740	11' CEDAR	T1791	9' CEDAR
T1741	16' OAK	T1792	5' HACKBERRY
T1742	9' CEDAR	T1793	8' HACKBERRY
T1744	8' OAK	T1795	8' HACKBERRY
T1745	7' CEDAR	T1796	10' CEDAR
T1746	7' CEDAR	T1797	5' SYCAMORE
T1747	9' CEDAR	T1798	9' GUM
T1748	7' CEDAR	T1799	6' SYCAMORE
T1749	7' CEDAR	T1800	5' SYCAMORE
T1750	7' OAK	T1805	9' OAK
T1751	7' OAK	T1806	8' M.T. CEDAR
T1752	9' OAK	T1807	5' OAK

M.T. = MULTI-TRUNK



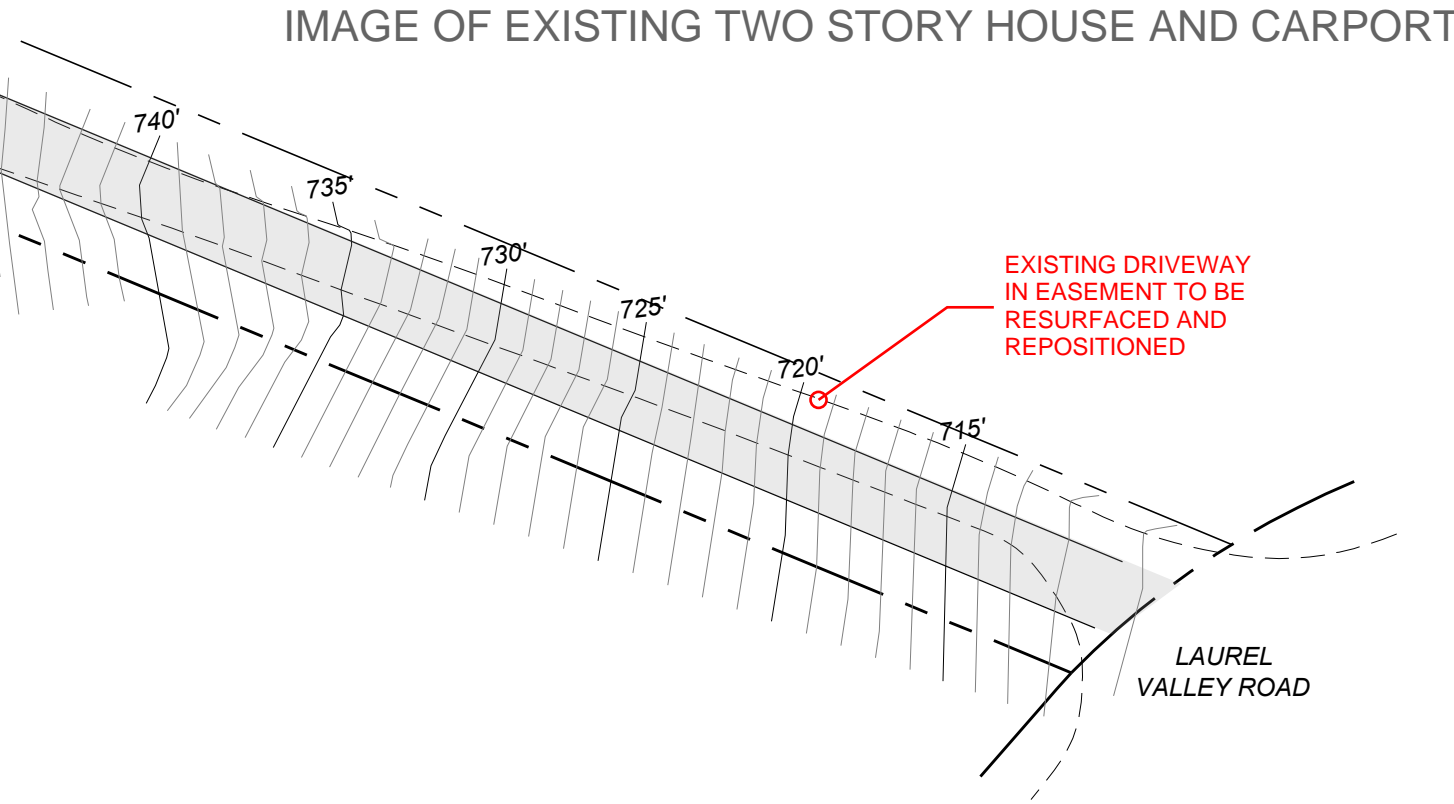
EXISTING TWO STORY HOUSE AND CARPORT TO BE DEMOLISHED

EXISTING ACCESSORY BUILDING TO BE DEMOLISHED

NEW DRIVEWAY TO COMPLY WITH SETBACKS



IMAGE OF EXISTING TWO STORY HOUSE AND CARPORT



EXISTING DRIVEWAY IN EASEMENT TO BE RESURFACED AND REPOSITIONED

LAUREL VALLEY ROAD

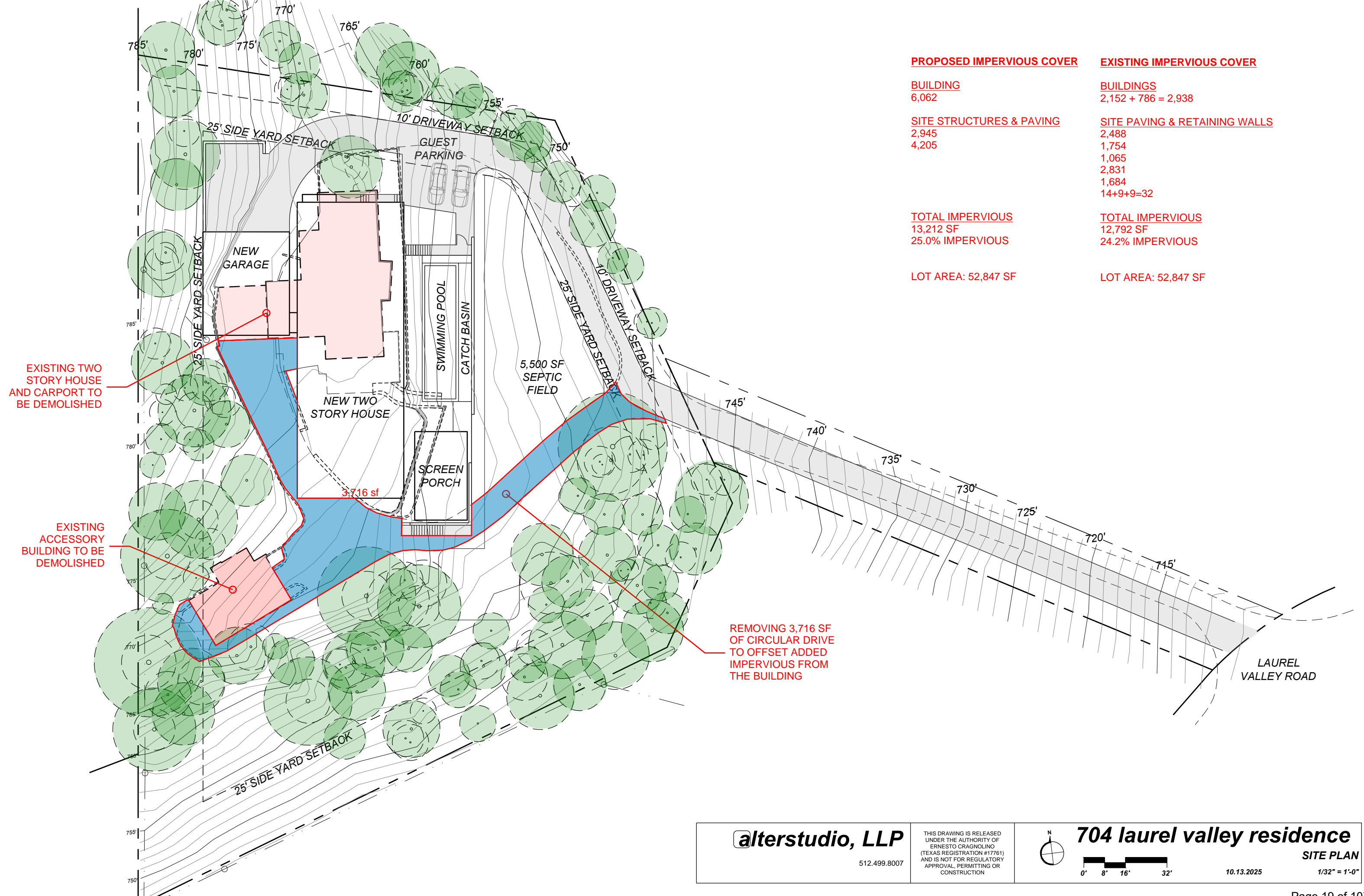
<p><b>alterstudio, LLP</b></p>	<p>THIS DRAWING IS RELEASED UNDER THE AUTHORITY OF ERNESTO CRAGNOLINO (TEXAS REGISTRATION #17761) AND IS NOT FOR REGULATORY APPROVAL, PERMITTING OR CONSTRUCTION</p>		<p><b>704 laurel valley residence</b></p>	<p><b>SITE PLAN</b></p>
<p>512.499.8007</p>		<p>10.13.2025</p>	<p>1/32" = 1'-0"</p>	



VIEW FROM SOUTHEAST CORNER



VIEW FROM NORTHEAST CORNER



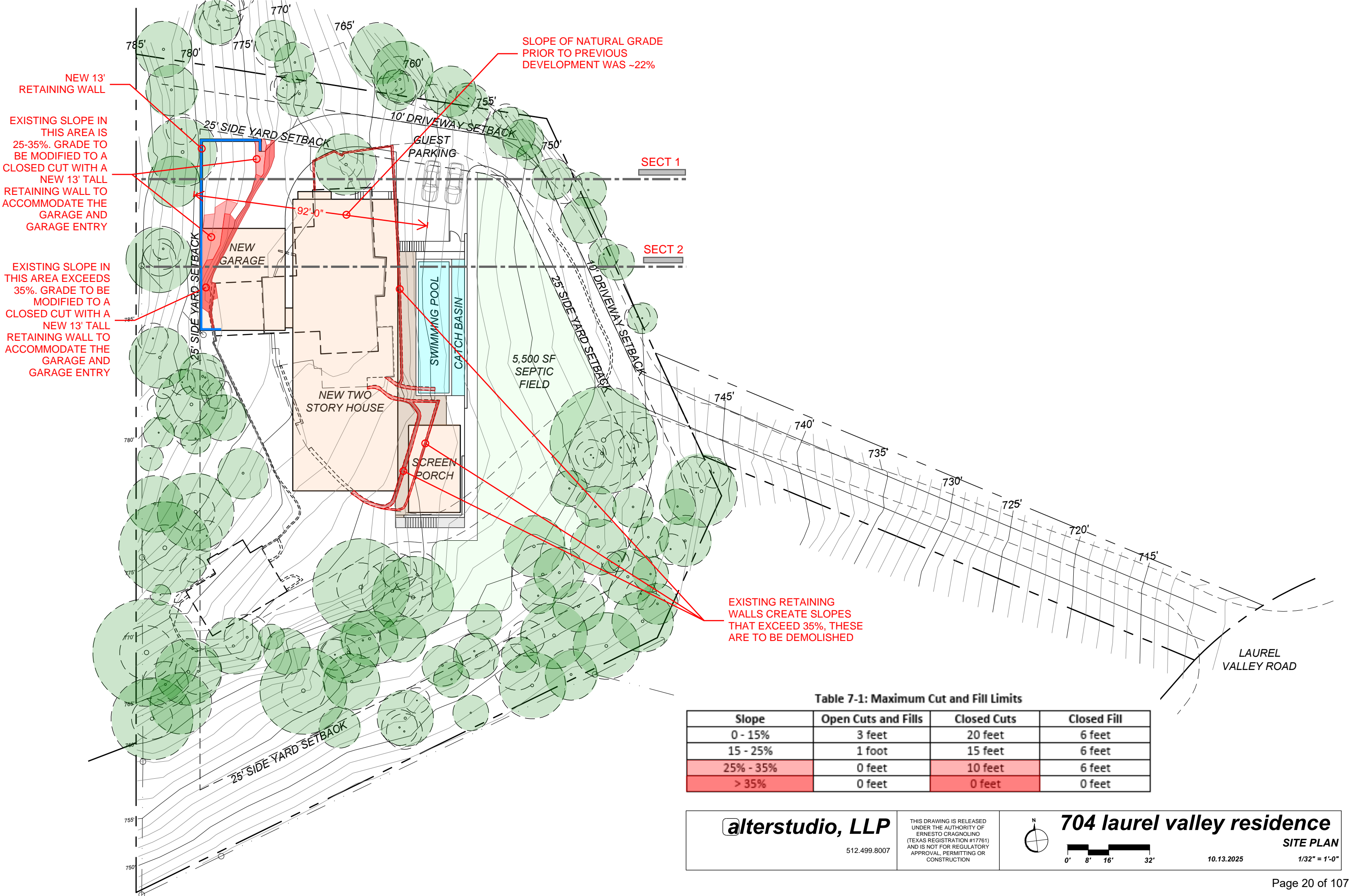
<b>PROPOSED IMPERVIOUS COVER</b>	<b>EXISTING IMPERVIOUS COVER</b>
<b>BUILDING</b> 6,062	<b>BUILDINGS</b> 2,152 + 786 = 2,938
<b>SITE STRUCTURES &amp; PAVING</b> 2,945 4,205	<b>SITE PAVING &amp; RETAINING WALLS</b> 2,488 1,754 1,065 2,831 1,684 14+9+9=32
<b>TOTAL IMPERVIOUS</b> 13,212 SF 25.0% IMPERVIOUS	<b>TOTAL IMPERVIOUS</b> 12,792 SF 24.2% IMPERVIOUS
<b>LOT AREA: 52,847 SF</b>	<b>LOT AREA: 52,847 SF</b>

EXISTING TWO STORY HOUSE AND CARPORT TO BE DEMOLISHED

EXISTING ACCESSORY BUILDING TO BE DEMOLISHED

REMOVING 3,716 SF OF CIRCULAR DRIVE TO OFFSET ADDED IMPERVIOUS FROM THE BUILDING

	<small>THIS DRAWING IS RELEASED UNDER THE AUTHORITY OF ERNESTO CRAGNOLINO (TEXAS REGISTRATION #17761) AND IS NOT FOR REGULATORY APPROVAL, PERMITTING OR CONSTRUCTION</small>		<b>704 laurel valley residence</b>	<b>SITE PLAN</b>



NEW 13' RETAINING WALL

EXISTING SLOPE IN THIS AREA IS 25-35%. GRADE TO BE MODIFIED TO A CLOSED CUT WITH A NEW 13' TALL RETAINING WALL TO ACCOMMODATE THE GARAGE AND GARAGE ENTRY

EXISTING SLOPE IN THIS AREA EXCEEDS 35%. GRADE TO BE MODIFIED TO A CLOSED CUT WITH A NEW 13' TALL RETAINING WALL TO ACCOMMODATE THE GARAGE AND GARAGE ENTRY

SLOPE OF NATURAL GRADE PRIOR TO PREVIOUS DEVELOPMENT WAS ~22%

EXISTING RETAINING WALLS CREATE SLOPES THAT EXCEED 35%, THESE ARE TO BE DEMOLISHED

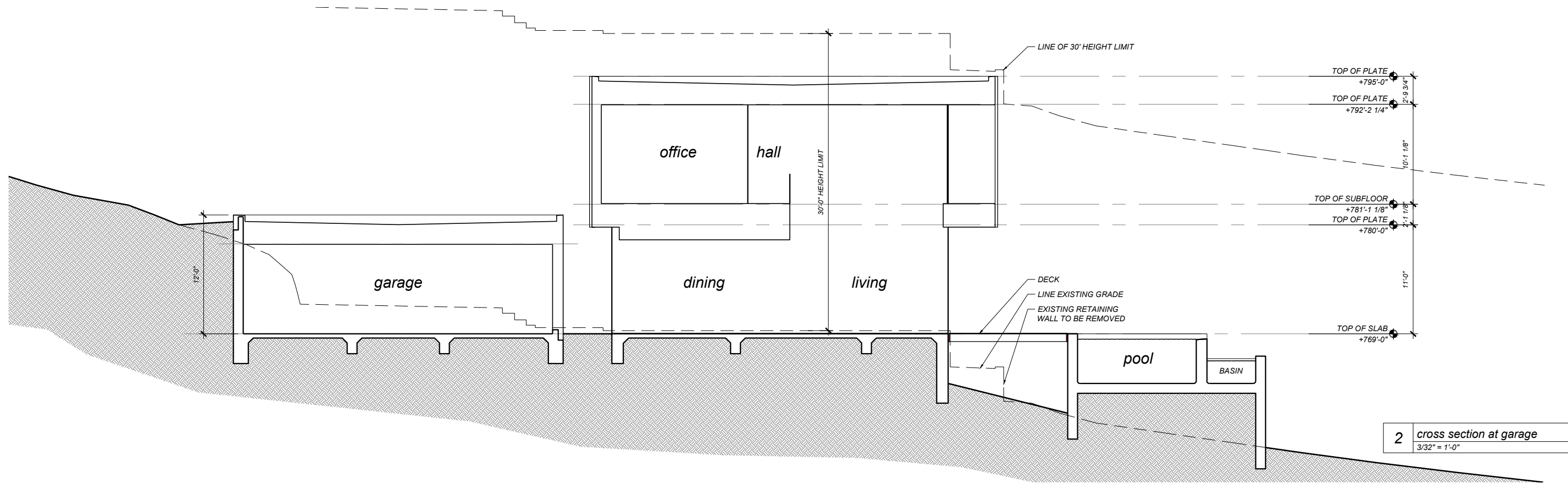
Table 7-1: Maximum Cut and Fill Limits

Slope	Open Cuts and Fills	Closed Cuts	Closed Fill
0 - 15%	3 feet	20 feet	6 feet
15 - 25%	1 foot	15 feet	6 feet
25% - 35%	0 feet	10 feet	6 feet
> 35%	0 feet	0 feet	0 feet

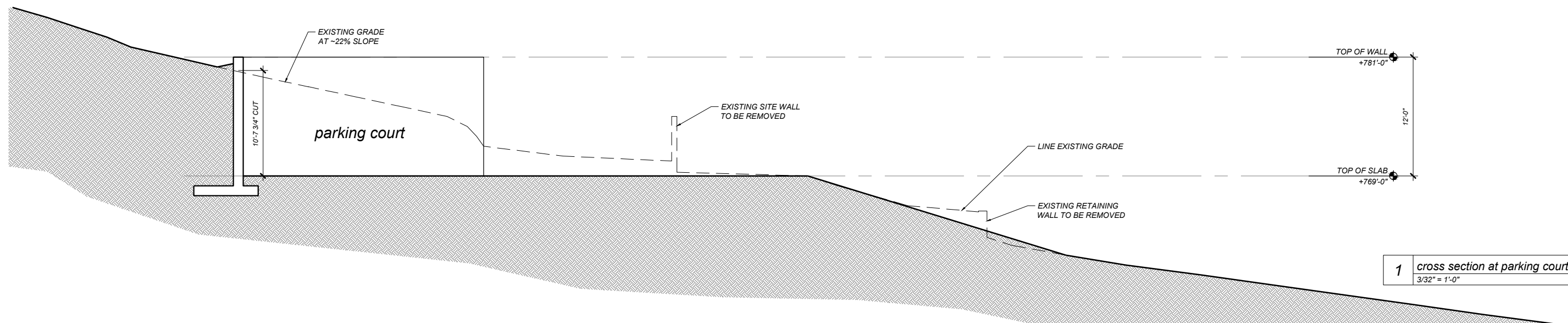
**alterstudio, LLP**  
512.499.8007

THIS DRAWING IS RELEASED UNDER THE AUTHORITY OF ERNESTO CRAGNOLINO (TEXAS REGISTRATION #17761) AND IS NOT FOR REGULATORY APPROVAL, PERMITTING OR CONSTRUCTION

**704 laurel valley residence**  
SITE PLAN  
1/32" = 1'-0"  
10.13.2025



2 cross section at garage  
3/32" = 1'-0"



1 cross section at parking court  
3/32" = 1'-0"

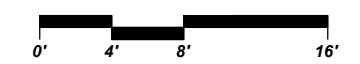
**alterstudio, LLP**

512.499.8007

THIS DRAWING IS RELEASED UNDER THE AUTHORITY OF ERNESTO CRAGNOLINO (TEXAS REGISTRATION #17761) AND IS NOT FOR REGULATORY APPROVAL, PERMITTING OR CONSTRUCTION

**laurel valley residence**

SITE SECTIONS



2025.10.13

3/32" = 1'-0"



VIEW TO EXISTING ROCK RETAINING WALL



VIEW TO GARAGE FROM NORTH



AERIAL VIEW OF GARAGE FROM NORTH

October 30, 2025

On behalf of the:

Attn: Joel Sherrouse  
4010 Bee Cave Road  
West Lake Hills, TX 78746



Re: Permit No. 2025-1288 – 704 Laurel Valley – Variance Request Review #1

We have reviewed the variance requests for the property located at 207 Yaupon Valley. 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 the following conditions are fulfilled:

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. *Drainage and Erosion Control Manual, 7.4.1 CUT/FILL LIMITS, Table 7-1: Maximum Cut and Fill Limits:* Closed Cut/Fill on slopes greater than 35%
2. *Drainage and Erosion Control Design Manual, 7.4.1 CUT/FILL LIMITS, Table 7-1: Maximum Cut and Fill Limits:* Closed Cut/Fill greater than 10' in height on slopes between 25 and 35%

After reviewing the documents provided and the city code, the engineering team on behalf of the City of West Lake Hills recommends the variances be **approved**.

Sincerely,

Andy Carruth, P.E.  
Reviewer for the City of West Lake Hills



Davin Fillpot <[redacted]>

**Fw: Variance request for 704 Laurel Valley Rd.**

Nat Ganesh <[redacted]>  
To: Davin Fillpot <[redacted]>

Mon, Oct 13, 2025 at 2:41 PM

----- Forwarded Message -----

**From:** Donald Henslee <[redacted]>  
**To:** "[redacted]" <[redacted]>  
**Cc:** Nat Ganesh <[redacted]>  
**Sent:** Sunday, October 12, 2025 at 03:02:49 PM PDT  
**Subject:** Variance request for 704 Laurel Valley Rd.

Dear Commissioners and members of the Board of Adjustments,

I understand that a public hearing for variance request for [704 Laurel Valley Rd, West Lake Hills](#) will be coming soon. I am the owner of the neighboring adjacent property at [706 Laurel Valley Rd](#) and I wish to indicate my support for this application.

I have been in contact with my neighbor Nat Ganesh, and I support his request for a Variance from cut and fill limits that are included in the Drainage Criteria Manual. I understand that in order to site the new house in the location of the existing house and to lower the elevation of the garage, a variance is required to allow for a retaining wall that exceeds the limits for the slope classification.

Regards,  
Donald Henslee  
[706 Laurel Valley Rd.](#)  
[West Lake Hills, TX 78746](#)  
[redacted]



Davin Fillpot [REDACTED]

---

**Variance 704 laurel valley rd**

---

Barb [REDACTED] >  
Reply- to: Barb [REDACTED] >  
To: [REDACTED]

Mon, Oct 13, 2025 at 2:18 PM

Dear Commissioners and members of the Board of Adjustments,

I understand that a public hearing for variance request for [704 Laurel Valley Rd, West Lake Hills](#) will be coming soon. I am the owner of the neighboring adjacent property at [702 Laurel Valley Rd](#) and 607 Laurel Valley Rd. I wish to indicate my support for this application.

I have been in contact with my neighbor Nat Ganesh, and I support his request for a Variance from cut and fill limits. I understand that in order to site the new house in the location of the existing house and to lower the elevation of the garage, a variance is required to allow for a retaining wall that exceeds the limits for the slope classification.

Regards,  
Barbara

Barbara Horan, Owner  
Texan Theater Greenville

# City of West Lake Hills

## MINUTES OF A ZONING & PLANNING COMMISSION (ZAPCO)

### REGULAR MEETING

Wednesday, November 19, 2025 at 6:30 PM

1. **Call to Order: Chair 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. **Laurie Maccini:** Spoke as citizen in memory of Randy Lee and his contributions to the City of West Lake Hills

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 October 15, 2025 Zoning and Planning Commission Meeting minutes
- b. Report of previous ZAPCO cases acted on by the BOA/City Council
- c. Recommendation to City Council for the adoption of 2026 submittal calendars for variances, zoning, subdivision, and special use permit applications

**Action:** Commissioner Bartoletti moves for approval of the Consent Agenda

- i. Commissioner Webber Seconds
- ii. Motion carries unanimously (4 – 0)
  - Commissioner Pledger abstains

4. **Public Hearing 109 Swiftcurrent Trl.:** Discuss and consider a recommendation to the City Council on variances for a fence:

1. To allow for a fence encroachment into the 30-foot front-yard fence setback (Section 22.03.173(d)(6)(B)(ii)).
2. To allow for the placement of fence posts within the ½ and ¼ critical root zones of protected trees (Section 22.03.3052 (b)).

Applicant: Sara Charles, Property Owner

**A. Staff Report:**

- a. Director Bills describes fence that was installed partially within the City's Right-of-Way without permits and requests for variances for encroachment on the front setback and on the critical root zone of protected trees
  - i. Commissioner Webber: would the fence be required to move out of the Right-of-Way if the variance were approved
    - 1. Director Bills: Yes

**B. Public Comments**

- a. Sara Charles – applicant
  - i. Spoke in favor of variance request
- b. Francisco Rios – Neighbor
  - ii. Spoke in opposition to the variance
- B. Mike Haberman - Neighbor
  - i. Spoke in opposition to the variance
  - ii. Read portions of letter from Rob Harrison also in opposition

**C. Discussion:**

- c. Pledger: Asks applicant about fence in ROW
  - i. Applicant was not aware the fence was in the ROW
  - ii. Applicant requests postponement

**D. Action:** Commissioner **Bartoletti** moves that variance request be postponed to the January 21, 2026 ZAPCO meeting at the applicant's request

- i. Commissioner **Pledger** Seconds
- ii. Motion carries unanimously (5-0)

**The item is postponed and will be considered at the regular ZAPCO meeting on January 21, 2026.**

5. Public Hearing 704 Laurel Valley Dr.: Discuss and consider a recommendation to the Board of Adjustment on variances for new residential construction:

- 1. For grading on a slope greater than 35%, where no grading is allowed by code (Drainage and Erosion Control Manual Section 7.4.1)
- 2. For closed cuts and fills greater than 10' in height on slopes between 25% and 35%, where the maximum closed cut is 10 feet and the maximum closed fill is 6 feet by code (Drainage and Erosion Control Manual Section 7.4.1)

Applicant: Davin Fillpot, Architect LLC

**A. Staff Report:**

- a. Director Bills describes request for grading on slopes in excess of the maximum grading allowed by code

**B. Public Comments:**

- a. Michael Woodland – Alterstudio architecture
  - i. Described the proposed project and the variance requests

**C. Discussion:**

- a. Commissioner Webber: Has applicant explored raising floorplate of garage to minimize cut?
  - i. Michael Woodland: Client wants the house to be designed to age in place and keep garage at same level of house
- b. Commissioner Webber: Are trees at West of property impacted by proposed wall?
  - i. Michael Woodland: Trees should not be impacted
- c. Commissioner Webber: Have applicants considered moving entire house East
  - i. Michael Woodland: Existing retaining walls create grade change making heights difficult
- d. Commissioner Webber: 11-ft ceiling heights seem to drive part of request
- e. Commissioner Maccini: Is this request too early in the process?
- f. Chair Meisel: We don't want to grant variances that result in requirements for future variances
- g. Commissioner Webber: Would like to see disturbance dimension, not just final wall location.
- h. Commissioner Meisel: 2-car instead of 3-car garage would remove need for variance

**D. Action:**

- a. Commissioner Webber: moves that the commission forward the variance requests to the Board of Adjustment with a recommendation of denial based on a lack of hardship, as the 3-car garage is a design-driven feature driving the requested variance, and that any variance ultimately granted by BOA should be conditional to adequate tree protection.
  - i. Commissioner Pleger seconds
  - ii. Motion carries unanimously (5-0)

**The recommendation will be forwarded to the Board of Adjustment for consideration at the regular meeting on December 10, 2025**

6. Public Hearing 803 Loma Linda Dr.: Discuss and consider a recommendation to the Board of Adjustment on variances for new residential construction:
  1. For the continuation of existing non-conforming status following destruction exceeding 50% of the replacement cost of the damaged structure (Section 38.04.061 (8))
  2. For roof overhangs/eaves extending more than 2 feet into the front yard setback (Section 22.03.275 (3))
  3. For grading greater than 18 inches in the front and side building setback (Section 22.03.170 (f))

Applicant: Bill Roesch, Property Owner

**A. Staff Report:**

- a. Director Bills describes the request for variance for unpermitted walls in the in the front and side building setback, as well as variances related to the reconstruction of a previously existing non-conforming house damaged in a fire.

**B. Public Comments:**

- a. Bill Roesch
  - a. Described the proposed project, prior conditions of site, and the fire damage
- b. Santiago Montoya: Neighbor
  - a. Spoke in support of the variance requests
- c. Mark Blumenthal
  - a. Spoke in support of the variance requests

**C. Discussion:**

- a. Chair Meisel:
  - i. This is not a design driven issue – fire forced the issue of the 50%
  - ii. Not as clear on the cut/fill issue
- b. Commissioner Stewart: Would the walls be taken into account in the drainage plan?
  - i. Director Bills: Yes
- c. Commissioner Maccini asks about retaining walls in right-of-way
  - i. Director Bills: If height of walls in the ROW changed, it would require a license to encroach

- d. Meisel: we have photographic evidence that they have flooding issues in the yard.
- D. Action:** Commissioner Pledger moves that the variances be forwarded to the Board of Adjustment with a recommendation of approval with the condition that the applicant demonstrates that the walls in the setback are for the purpose of mitigation of flooding in the yard.
  - i. Commissioner Bartoletti Seconds
  - ii. Motion Carries unanimously (5-0)

**The recommendation will be forwarded to the Board of Adjustment for consideration at the regular meeting on December 10, 2025**

- 7. **Staff Report:** Discussion and possible action on a recommendation to City Council on the 2026 Street Maintenance projects.

- A. Staff Report:**

- a. Director Bills describes the proposed projects for the 2026 Street Maintenance projects

- B. Public Comment:**

- a. None

- C. Discussion:**

- a. Chair Meisel requests that Reveille receive center and edge striping, as well as signs related to parking along Reveille
- b. Commissioner Pledger expressed that the seal coat process on Madrone Road took too long to dry and had damage from residents driving on it before it was dry.
- c. Commissioner Maccini asked if the level of the top of the pavement would increase with the mill and overlay
  - 1. Bills stated that mill and overlay would keep the pavement at the same height.
- d. Commissioner Bartoletti asked about projects for Terrace Mountain
  - 1. Bills stated that sections from the bond projects that were not completed, as well as from the 2017 Drainage Master Plan would be reviewed and incorporated as appropriate. Some work was not addressed due to lack of easements to complete the work.

- D. Action:**

- a. None taken

- 8. **Adjournment** – Chair Robert Meisel

Chair Meisel adjourns the meeting at 8:23 pm

APPROVED:

---

Robert Meisel, Chair

ATTEST:

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Joel Sherrouse, Development Coordinator

These minutes were approved on \_\_\_\_\_, 2025.

DRAFT

**Please list all variances being applied for:**

**1. DECDM - 7.4.1 CUT/FILL LIMITS on slopes 35% or Greater**

In order to reduce stormwater runoff, resulting in erosion, sedimentation and conveyance of nonpoint source pollutants, the layout of the street network, lots and building sites shall, to the greatest extent possible, be sited and aligned along natural contour lines, and shall minimize the amount of cut and fill on slopes in order to minimize the amount of land area disturbed during construction. The maximum cut and fill limits are shown in Table 7-1. Located at rear of property. Cut / Fill on Slopes greater than 35% - Closed Cut proposed of up to 13' In height, where No Closed Cut / Fill is permitted

**2. DECDM - 7.4.1 CUT/FILL LIMITS on slopes 25-35%**

In order to reduce stormwater runoff, resulting in erosion, sedimentation and conveyance of nonpoint source pollutants, the layout of the street network, lots and building sites shall, to the greatest extent possible, be sited and aligned along natural contour lines, and shall minimize the amount of cut and fill on slopes in order to minimize the amount of land area disturbed during construction. The maximum cut and fill limits are shown in Table 7-1. Closed Cut / Fill greater than 10' in height on slopes between 25 and 35%

**Brief Description of project/why variances are needed:**

In order to minimize disturbance on the site, and preserve as much existing vegetation on the property, the architect and owner would like to place the new home and garage in the same locations as the existing home (to be demo'd).

The new home would generally be placed in the same location as the existing home, and take advantage of the existing site cuts between the rear of the house and the pre-existing cut, up hill from the house.

The variances that are being requested are partially due to pre-existing conditions created by the existing house when it was constructed, as well as removing several pre-existing retaining walls that modify the original natural grade.

The proposed driveway will generally exist in the a very similar location to the original driveway, however the original driveway extended into the 10' driveway setback, and the new driveway will correct the non-conforming condition of the original driveway in the property boundaries, as well as the driveway easement.

As indicated on Sheet 7 of the attached graphic exhibits, it can be calculated that the average slope above, below and through the existing house comes out to be approx. 22%. If these topos existed today, then the applicant would not need to apply for the variances in this application, as a closed cut of up to 15' would be allowed

**Variance Questionnaire:**

**1) Describe in detail any special conditions you believe will result in unnecessary hardship to you ...**

This property was originally developed in 1980. The original home is still on the property. When this home was built, the site and topography were modified with the introduction of closed cuts, closed fills and retaining walls. These pre-existing improvements are still present on the property. Every location of a retaining wall generates a slope that exceeds 35%. The drainage manual states that NO CUT OR FILL can exist on slopes greater than 35%.

If these pre-existing modified conditions are viewed as natural grades exceeding 35%, it will result in unnecessary hardship to the homeowner.

As indicated on Sheet 7 of the attached graphic exhibits, it can be calculated that the average slope above, below and through the existing house comes out to be approx. 22%. If these topos existed today, then the applicant would not need to apply for the variances in this application, as a closed cut of up to 15' would be allowed.

In order to preserve as much of the existing vegetation and minimize excavation and site disturbance on the site, the owner and architect have carefully planned the new building so that it primarily sits in the same location as the original home and re-utilizes existing site cuts. The only variances being requested are primarily related to utilizing and restoring existing cuts on the property.

**2) Why do you think the natural terrain and existing flora will not be unreasonably disrupted or destroyed ...**

We believe that the natural terrain and existing flora will be minimally disturbed, because the proposed design places the new home, in generally the same location as the original home on the property. Many of the existing trees around the original home are going to be able to be preserved by siting the new building in the old buildings footprint.

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

We believe that a careful analysis of the existing site plan compared to the proposed site plan will clearly demonstrate that the siting of the new building is an act of minimization by preserving existing vegetation and utilizing existing site modifications.

Many design options were explored, however each design triggered the same variances, and in some cases different variances as well.

As a team we felt it best to only have to ask for the variances related to cut / fill on slopes previously altered and modified with the existing construction.

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

We believe that the granting of these cut/fill variances will allow the large majority of the site to remain in its current state, because it will be placing the new development in generally the same location as the existing development. The proposed location of the new home will also be located very deep into the property which will preserve vegetative buffers between the new residence and all of the existing surrounding properties.

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

We believe that the granting of the variances is an act of minimization to preserve the vegetative buffers on the property, minimize excavation and preserve privacy between this lot and the surrounding properties. We feel that the granting of these variances will allow this project to actually be in alignment with the core tenets of the City's master plan.

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

The granting of these variances will permit the proposed development to exist in the same location as the house that was originally built on this property many decades ago, therefore the property will function just as it has for as long as the original house existed. No variances are being requested for setback encroachments, impervious cover or removal of any trees 14" or greater.

If the original topography was never altered for the construction of the original 1980's home, it is very likely that these variances would not be required.

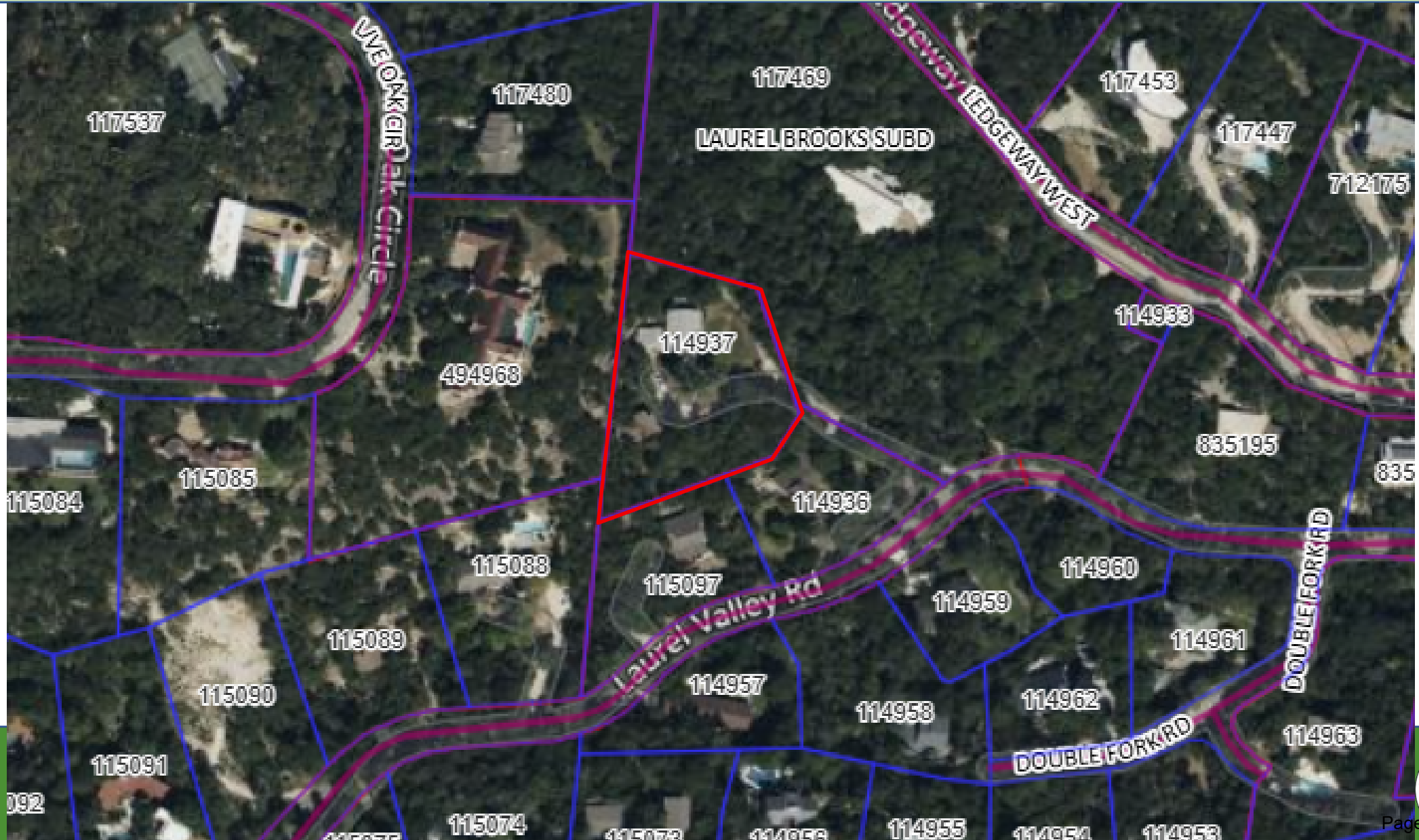
# 704 Laurel Valley Rd.

4. Discuss and consider action on a recommendation from ZAPCO on variances for new residential construction:
  1. For grading on a slope greater than 35%, where no grading is allowed by code (Drainage and Erosion Control Manual Section 7.4.1)
  2. For closed cuts and fills greater than 10' in height on slopes between 25% and 35%, where the maximum closed cut is 10 feet and the maximum closed fill is 6 feet by code (Drainage and Erosion Control Manual Section 7.4.1)

Applicant: Davin Fillpot, Architect LLC



# 704 Laurel Valley Rd.



# 704 Laurel Valley Rd.

The applicant is proposing to demolish the existing residential buildings (3,045 sf and 976 sf) built in 1965/1980 and build a new residential house.

The footprint of the new two-story house is 6,062 sf.

No plans have been submitted for building review at this time.

# 704 Laurel Valley Rd.

## Cut and fill limits

### Code Requirements

- Drainage and Erosion Control Design Manual, Section 7.4.1 Cut/Fill Limits.

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

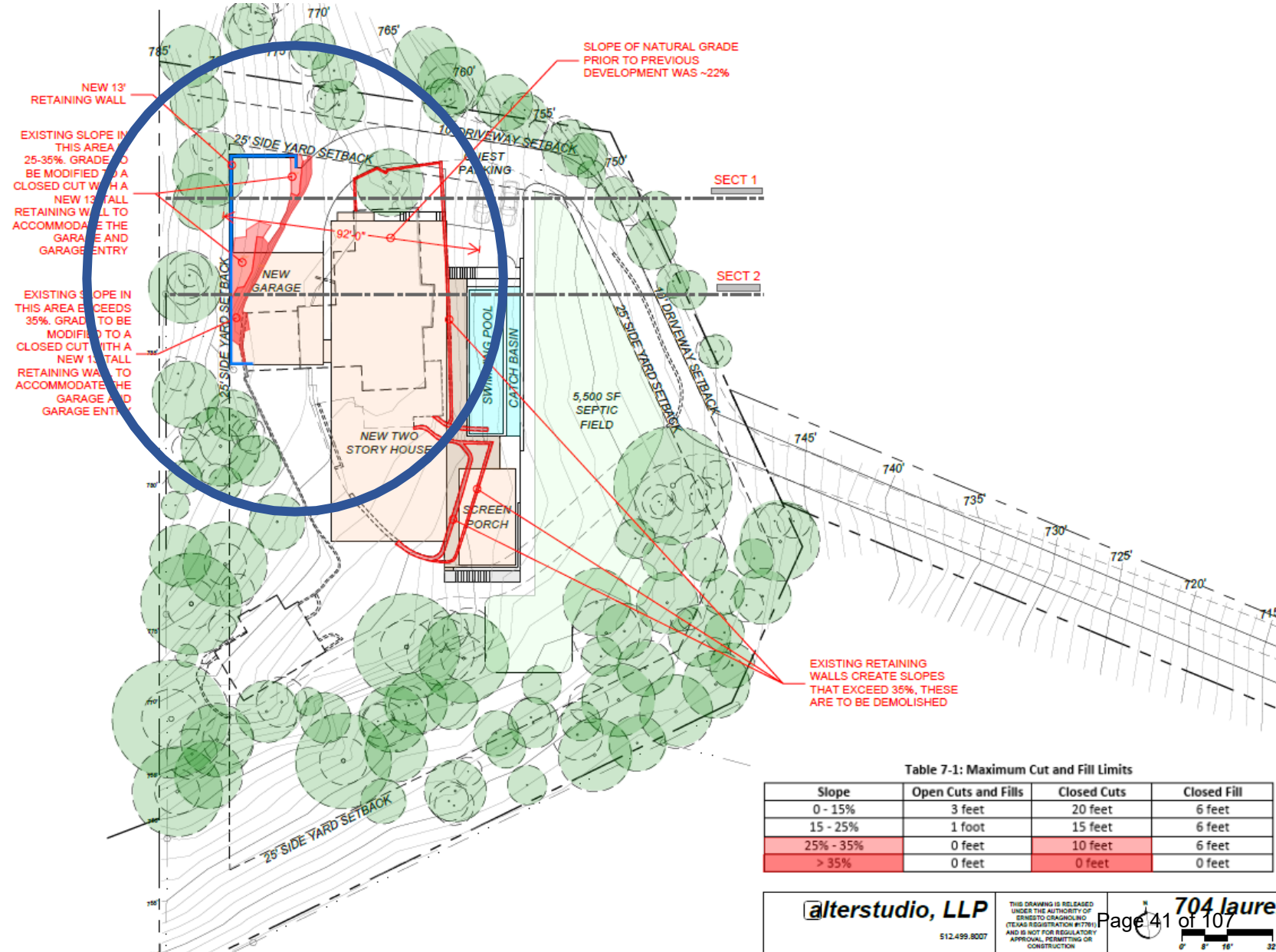
**Table 7-1: Maximum Cut and Fill Limits**

Slope	Open Cuts and Fills	Closed Cuts	Closed Fill
0 - 15%	3 feet	20 feet	6 feet
15 - 25%	1 foot	15 feet	6 feet
25% - 35%	0 feet	10 feet	6 feet
> 35%	0 feet	0 feet	0 feet

# 704 Laurel Valley Rd.

## Request:

- Allow for grading on a slope of 35% or greater with a closed cut of 13 feet.
- Allow a closed cut up to 13 feet on a slope 25-25%



# 704 Laurel Valley Rd.

## Public Comment:

As of the date of the report, there have been two written comments received in support of the variance.

## City Engineer Opinion:

The city engineering team has reviewed the variance application materials, and based on the information provided, recommend approval of the variance requests as presented.



# 704 Laurel Valley Rd.

Discuss and consider action on whether the applicant has established by competent evidence that the following conditions are fulfilled:

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

The findings of fact as alleged by the applicant are attached in Exhibit A.

The Board of Adjustments, in performing their respective duties in reference to applications for variances, may be guided by the interpretative criteria listed in variance criteria in the report.



# 704 Laurel Valley Rd.

This item was reviewed by the Zoning and Planning Commission on November 19, 2025 and the following criteria used:

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.

ZAPCO recommended denial by a vote of 5-0, based on a lack of hardship, as the 3-car garage is a design-driven feature driving the requested variance, and that any variance ultimately granted by BOA should be conditional to adequate tree protection.



# 704 Laurel Valley Rd.

## Applicable 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.



City of West Lake Hills  
Board of Adjustment

**AGENDA REPORT**

<b>Meeting Date:</b>	<u>December 10, 2025</u>	<b>Item Number:</b>	<u>5</u>
	<u>Building &amp; Development</u>		
<b>Department:</b>	<u>Services</u>		
	<u>Jennifer C. Bills, Director of</u>		
<b>Prepared By:</b>	<u>Building &amp; Development</u>	<b>Cost / Budget:</b>	<u>None</u>
<b>Exhibits:</b>	<u>See Attached</u>	<b>Source of Funds:</b>	<u>N/A</u>

**Subject**

**803 Loma Linda Dr.:** Discuss and consider a recommendation from the ZAPCO on variances for new residential construction:

1. For the continuation of existing non-conforming status following destruction exceeding 50% of the replacement cost of the damaged structure (Section 38.04.061 (8))
2. For roof overhangs/eaves extending more than 2 feet into the front yard setback (Section 22.03.275 (3))
3. For grading greater than 18 inches in the front and side building setback (Section 22.03.170 (f))

Applicant: Bill Roesch, Property Owner

**Recommendation**

Discuss and consider action on whether the applicant has established by competent evidence that the following conditions are fulfilled:

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

The findings of fact as alleged by the applicant are attached in Exhibit A.

The Board of Adjustments, 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.

This item was reviewed by the Zoning and Planning Commission on November 19, 2025 and the following criteria used:

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.

ZAPCO recommended approval by a vote of 5-0, with the condition that the applicant demonstrates that the walls in the setback are for the purpose of mitigation of flooding in the yard (Attachment 7).

### Discussion

#### Property Information, Zoning & Site Characteristics:

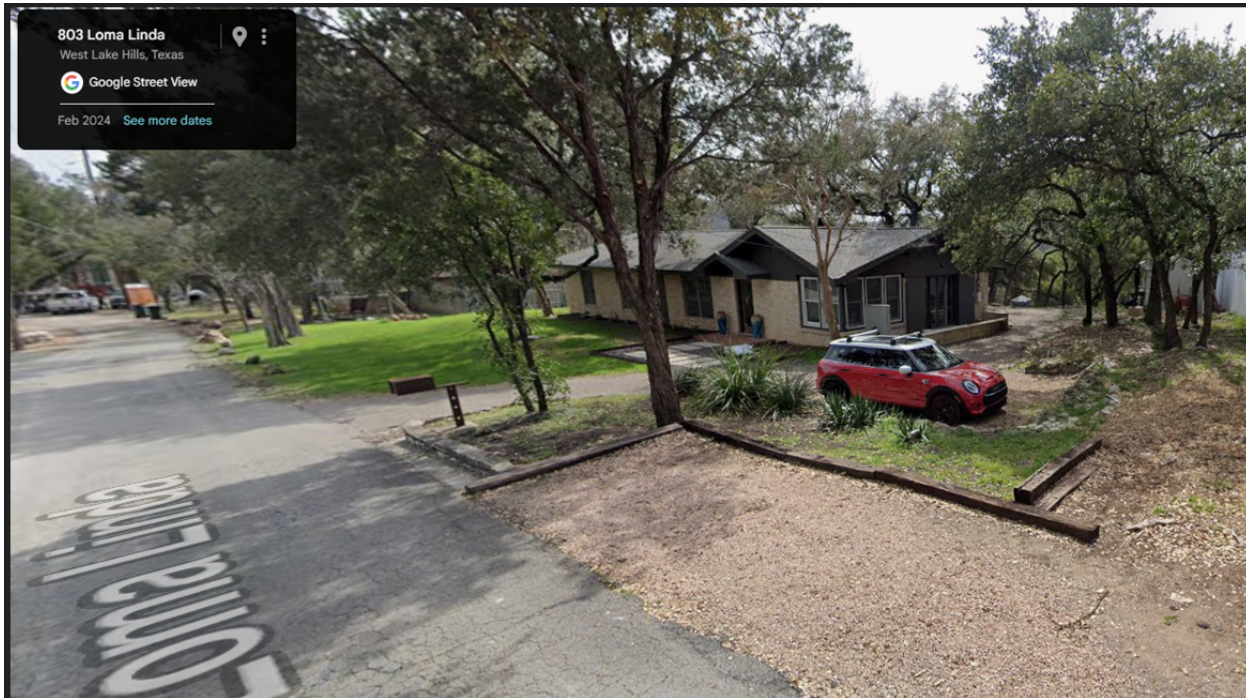
Owner: Roesch Family Revocable Trust  
Legal Description: Stonehedge Estates Block N, Lot 6  
Lot Size: 0.47 acres  
Zoning: R-1 One Family  
Wastewater: On-site Sewage Facility (Septic)

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

#### Background:

The retaining wall/grading work was constructed without a permit. A stop work order was issued on December 11, 2024 and notice of violation was sent on December 12, 2024.





On December 19, 2024, there was a house fire that significantly damaged the building (Attachment 1).

The applicant is proposing to demolish the existing house and rebuild it in the same location with some expansion on the side/rear.

#### **Analysis:**

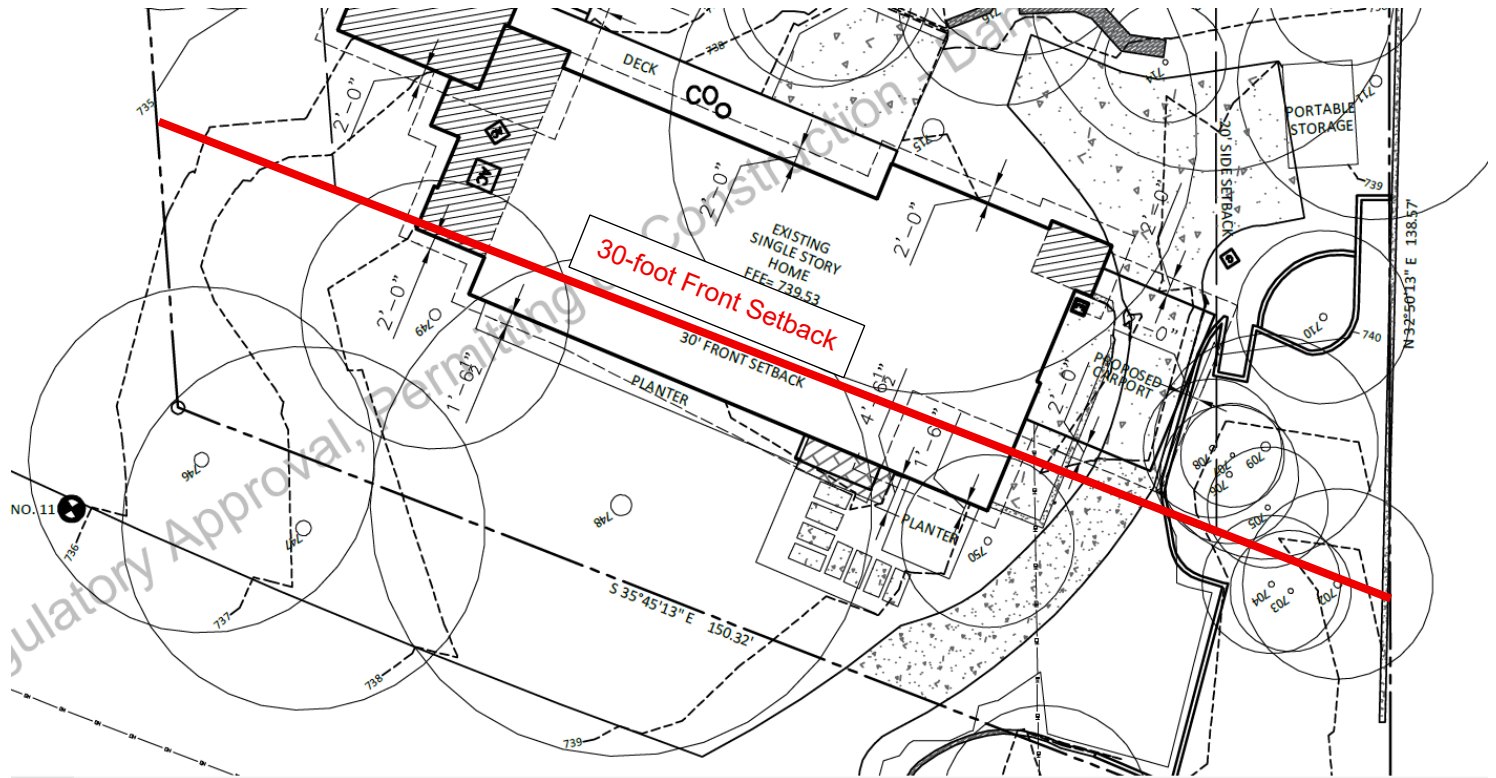
### **Retaining Nonconforming House Location**

#### **Code Requirements**

- Section 38.04.061. Nonconforming uses of land and structures.  
Any use of land or structures lawfully existing on the effective date of the ordinance from which this chapter is derived, or the effective date of any amendment to this chapter, that is not permitted in the district in which the use is located may be continued, subject to the following conditions:
- (8) Where nonconforming use status applies to a structure and premises in combination, removal or destruction of the structure shall eliminate the nonconforming status of the land. Destruction for the purpose of this subsection is defined as damage to an extent of more than 50 percent of the replacement cost at the time of destruction.

**Request**

The applicant is requesting a variance to maintain the nonconforming status for the house location for the foundation/front walls to be built back in the existing location.



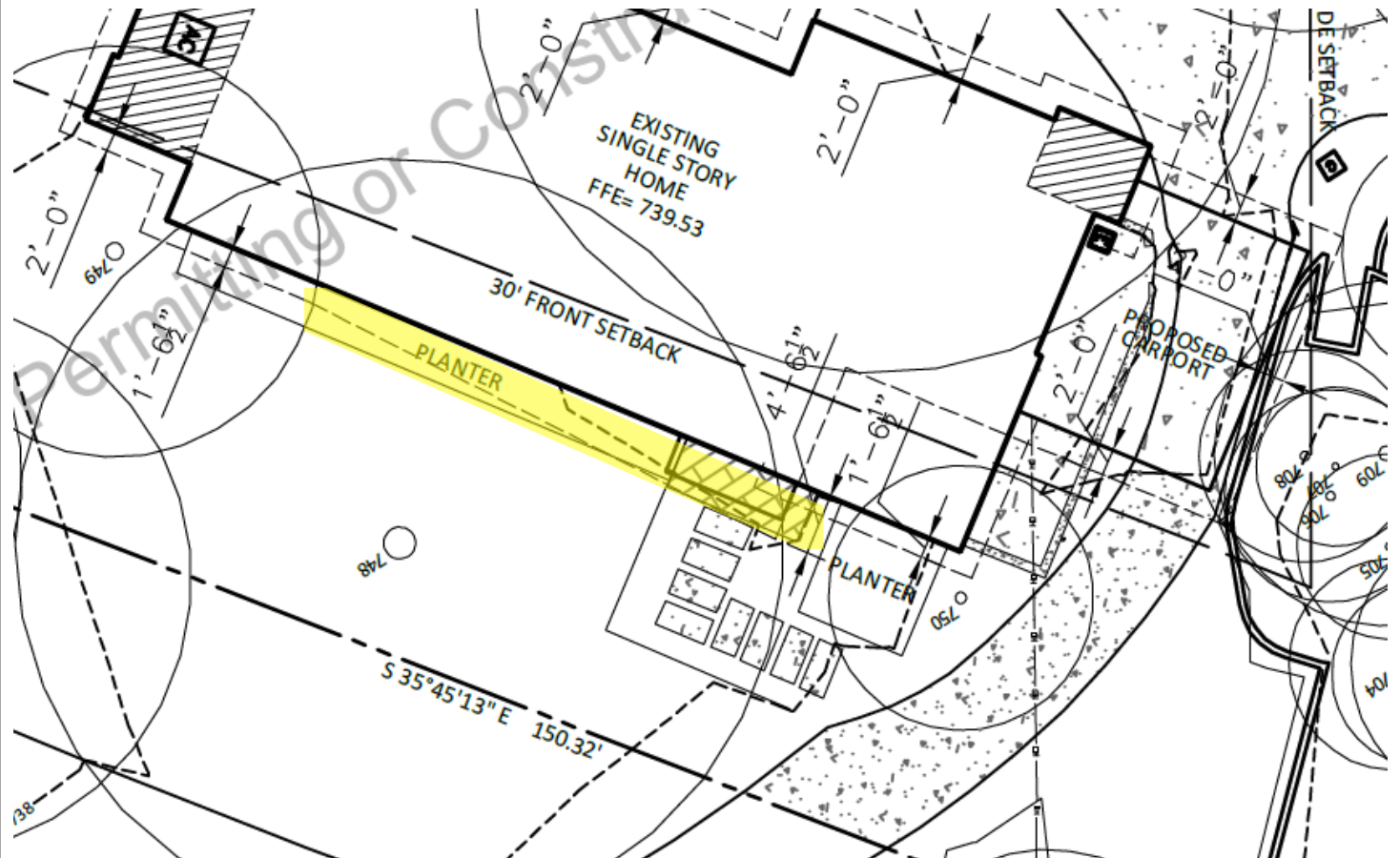
## Encroachment of Eaves into setbacks

### Code Requirements

- Section 22.03.275. Building setback distances.
- (3) Roof overhangs and eaves a minimum of 8 feet above natural grade up to two (2) feet into the front, side or rear setback. All other building elements shall not encroach into setbacks.

### Request

- Allow eaves to extend up to 4 feet 6.5 inches from the house into the front setback.



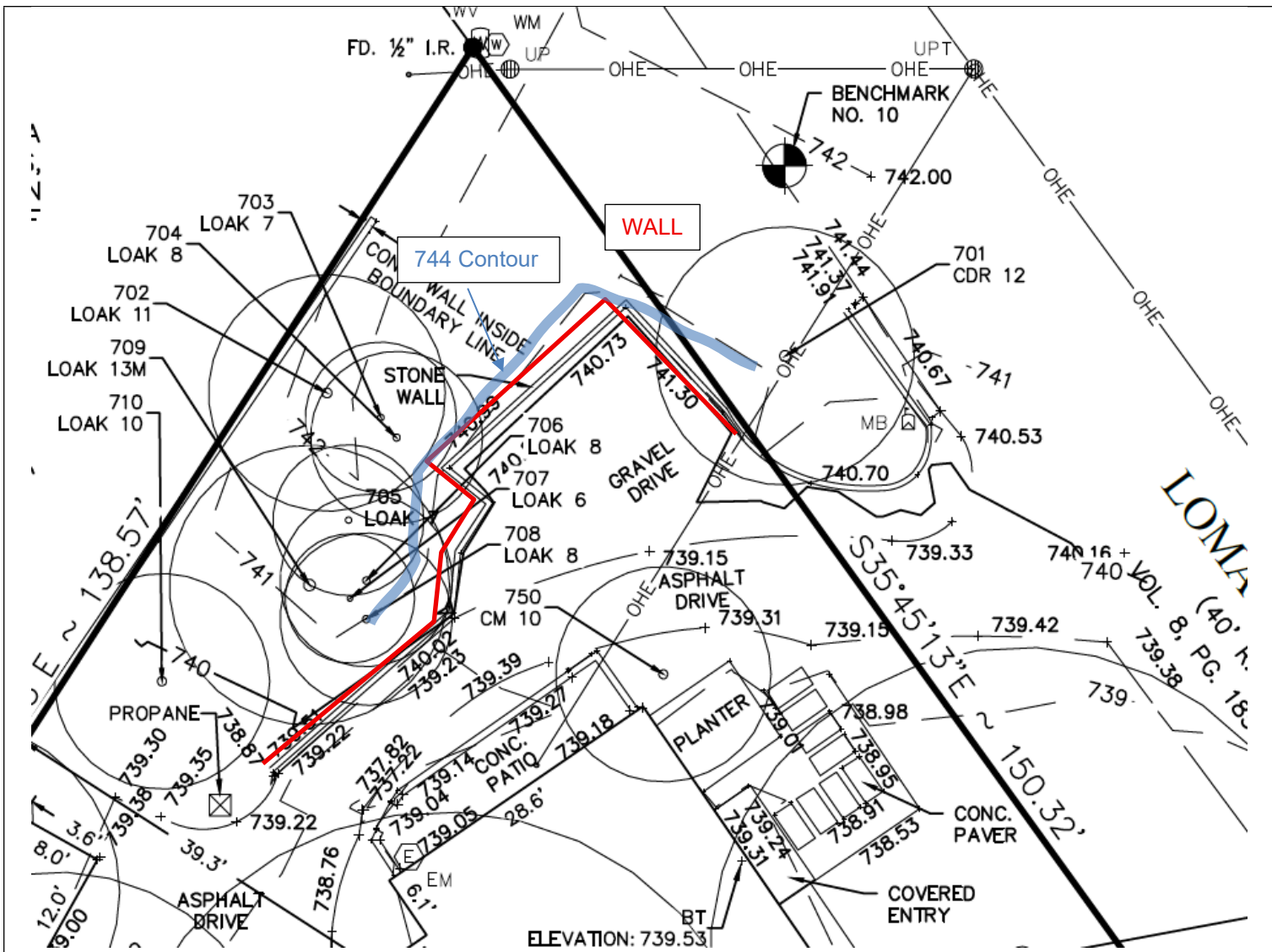
## Grading in the setback

### Code Requirements

- Section 22.03.170. Site disturbance (excavation, grading or filling).
- 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.**
- No excavation, grading or filling shall be permitted in setbacks except **for up to 18 inches in height or depth.**

### Request

- The applicant's request does not give the height wall/grading, but from the 2025 survey, it appears that the maximum height of the wall is 3 feet over the existing grade.



**Public Comment:**

As of the date of the report, four written comments have been received in support of the requests (Attachment 6).

**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.

Variations 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. Variations 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:

- 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.
- 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.
  - (Reserved).
  - (Reserved).
  - The variance may have an adverse effect on neighborhood properties, or interfere with the respective owners' enjoyment thereof.

- Section 38.0.033. 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:

- Variances from the terms of this chapter should be granted sparingly.
- Deviations from the requirements of this chapter are justified only where the hardship resulting from their application is substantial.
- 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.
- 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.

- The variance shall not violate the goals of the master plan for the city.
- The variance shall not have an adverse effect on neighborhood properties or unreasonably interfere with the respective owners' enjoyment thereof.
- 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.
- See section 22.03.009(c) for variances to enable the efficient use of solar energy devices.
- 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**

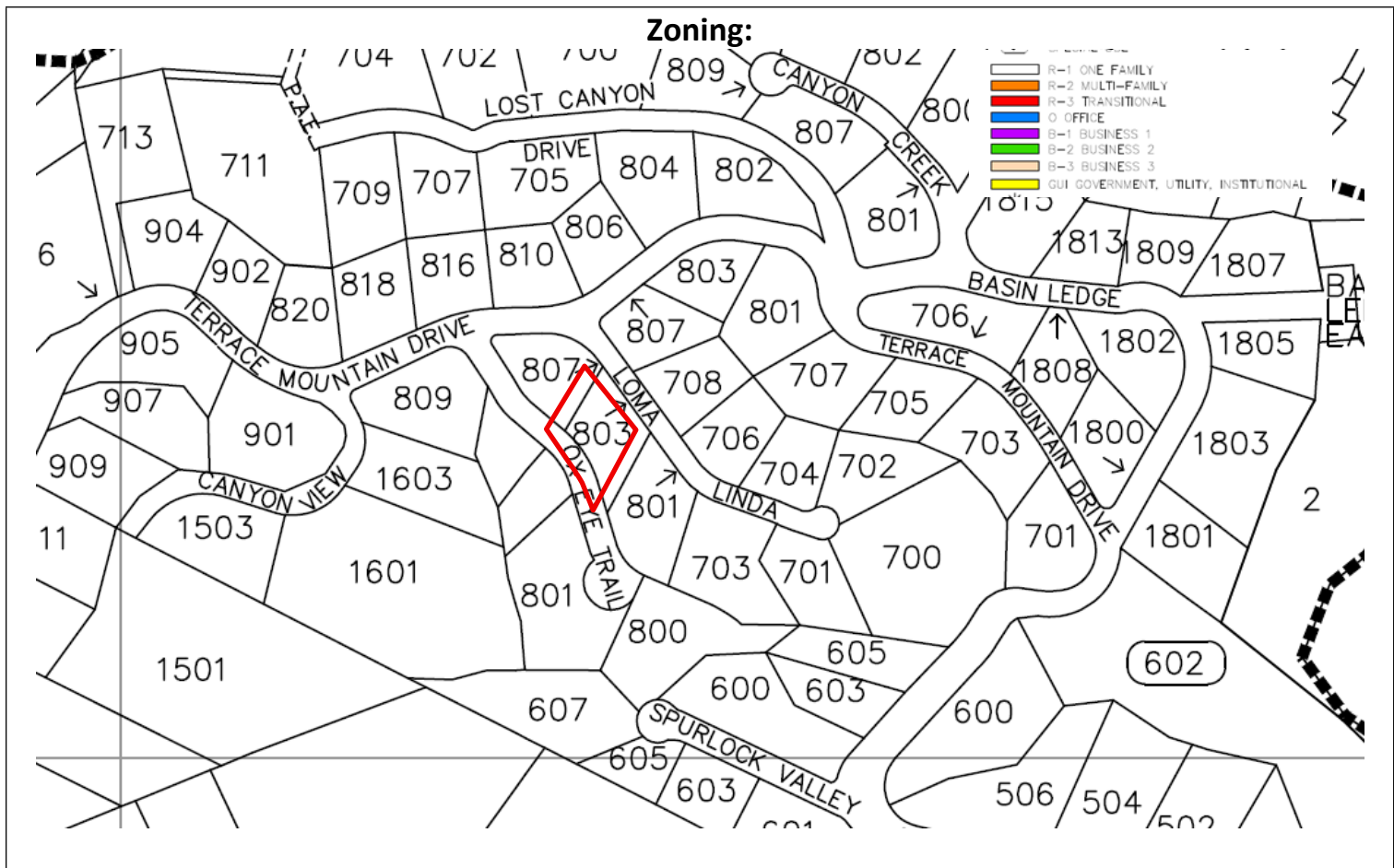
There is no change to the subdivision proposed with this application.

### **Comprehensive Planning Analysis**

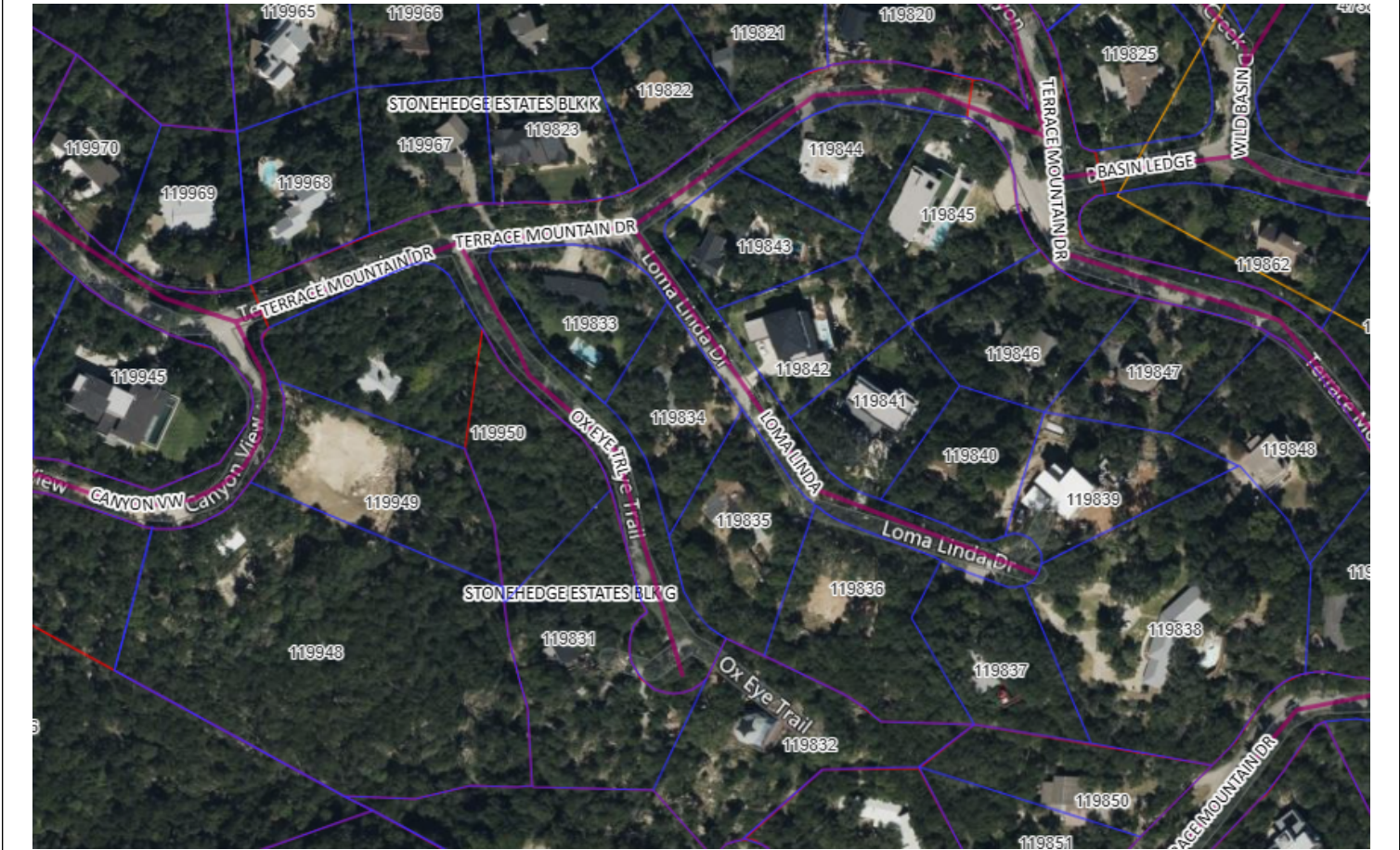
The existing and future land use is in conformance with the City of West Lake Hills Master Plan.

### **Links to Relevant Code:**

- [Section 38.04.061: Nonconforming uses of land and structures.](#)
- [Section 22.03.170 Site Disturbance \(Excavation, grading or filling\)](#)
- [Section 22.03.275 Building Setback Distances](#)
- [Drainage and Erosion Control Manual](#)
- [Section 22.03.514 Criteria and process required for granting variance](#)
- [Section 38.05.031 Variances](#)



Aerial:



Roesch Family  
803 Loma Linda Drive  
W. Lake Hills, TX 78746

October 6, 2025

Robert Meisel, Chair  
City of West Lake Hills Zoning and Planning Commission  
West Lake Hills, TX 78746

Re: 803 Loma Linda Drive

Dear Chair Meisel,

This letter requests several variances for my property located at 803 Loma Linda Drive. For background, our home was destroyed by fire on December 19, 2024, and we are now seeking to rebuild it as soon as possible. As part of this planning process, we discovered that the house is a non-conforming structure under current code ordinances, as the home's construction predates the current setback ordinances. Despite the fire, the home's exterior walls and facade are structurally intact, except for the roofing system, which was compromised during the fire.

We plan to rebuild the house in its current location with an upgraded roof design and modest additions to the existing footprint. These additional improvements will not create any new encroachments into the front, rear, or side yard setbacks, and the site will comply with all impervious cover requirements.

The following summarizes the requests for relief being made in this application:

Relief from Sec 38.04.061(8) for the renovation of an existing non-conforming structure that suffered a loss of 50% of the replacement cost value of the home.

Relief from Sec. 22.03.275 (3) for roof overhangs and eaves which encroach on the front yard setback as summarized in the attached plan.

Relief from Sec 22.03.170 (f) for stone wall sections greater than 18" located in both the front and side yard setback, which fixed failed retention and significant drainage challenges.

We appreciate your consideration as we navigate this unwelcome challenge.

Sincerely,



Bill Roesch, Trustee



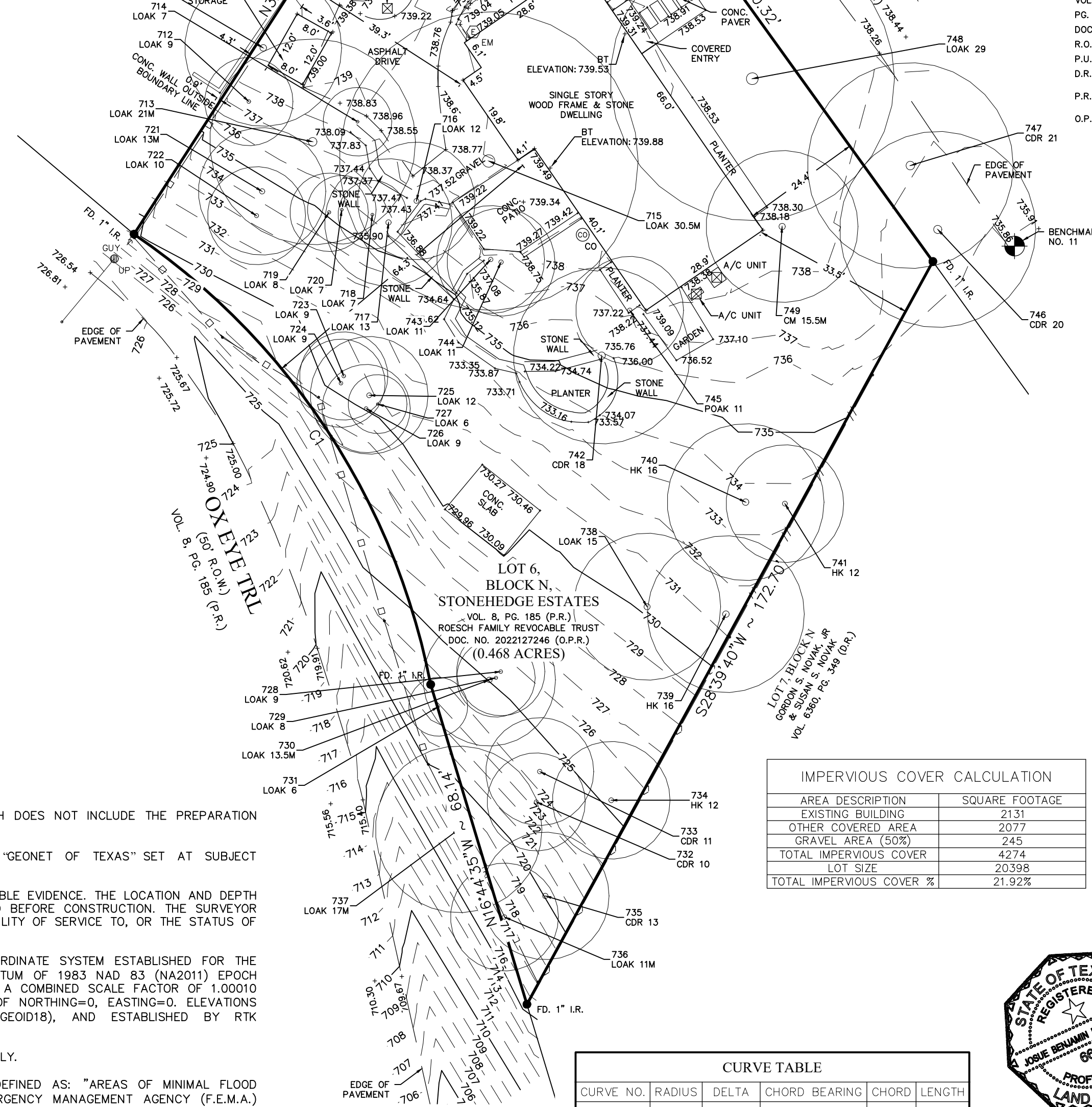
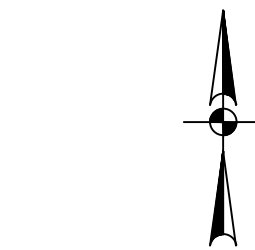
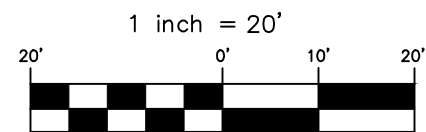
TREE TABLE	
TAG NO.	TREE SIZE & COMMON NAME
701	12" CEDAR
702	11" LIVE OAK
703	7" LIVE OAK
704	8" LIVE OAK
705	7" LIVE OAK
706	8" LIVE OAK
707	6" LIVE OAK
708	8" LIVE OAK
709	13M" LIVE OAK
710	10" LIVE OAK
711	16" HACKBERRY
712	9" LIVE OAK
713	21M" LIVE OAK
714	7" LIVE OAK
715	30.5M" LIVE OAK
716	12" LIVE OAK
717	13" LIVE OAK
718	7" LIVE OAK
719	8" LIVE OAK
720	7" LIVE OAK
721	13M" LIVE OAK
722	10" LIVE OAK
723	9" LIVE OAK
724	9" LIVE OAK
725	12" LIVE OAK
726	9" LIVE OAK
727	6" LIVE OAK
728	9" LIVE OAK
729	8" LIVE OAK
730	13.5M" LIVE OAK
731	6" LIVE OAK
732	10" CEDAR
733	11" CEDAR
734	12" HACKBERRY
735	13" CEDAR
736	11M" LIVE OAK
737	17M" LIVE OAK
738	15" LIVE OAK
739	16" HACKBERRY
740	16" HACKBERRY
741	12" HACKBERRY
742	18" CEDAR
743	11" LIVE OAK
744	11" LIVE OAK
745	11" POST OAK
746	20" CEDAR
747	21" CEDAR
748	29" LIVE OAK
749	15.5M" CRAPEMYRTLE
750	10" CRAPEMYRTLE

**TREE NOTES:**

- "M" NEXT TO TREE DIAMETER INDICATE MULTI-TRUNK TREE.
- WHILE REASONABLE EFFORTS ARE MADE IN IDENTIFICATION OF TREES, THE SURVEYOR MAKES NO ABSOLUTE WARRANTY THAT THE SPECIES AS IDENTIFIED IS CORRECT, AN ARBORIST SHOULD BE ENGAGED.

**LEGAL DESCRIPTION:**

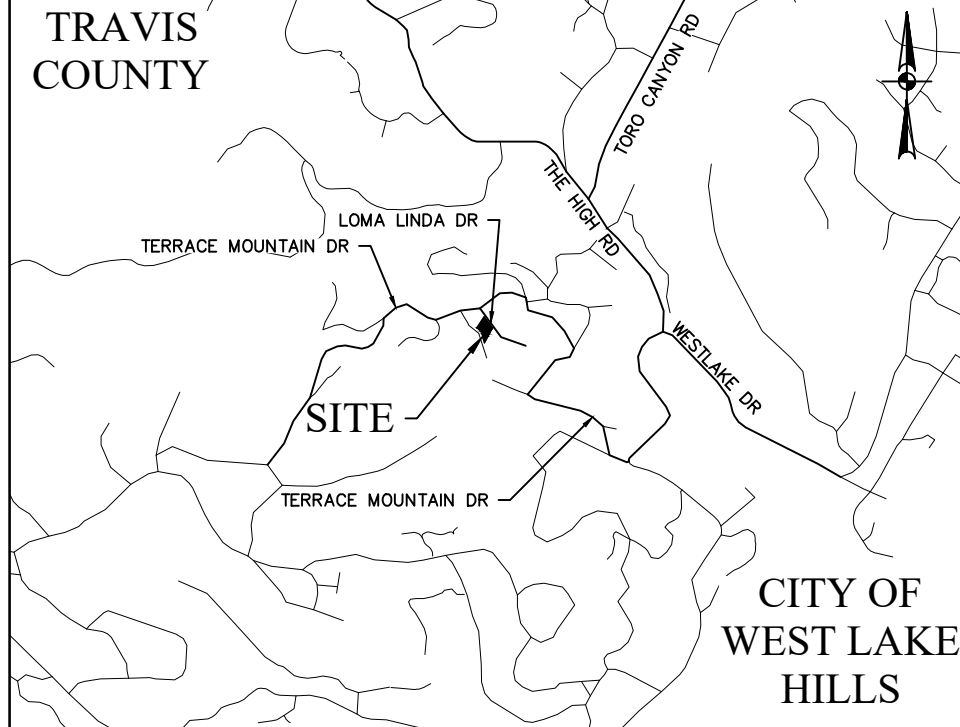
LOT 6, BLOCK N, STONEHEDGE ESTATES, A SUBDIVISION IN TRAVIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT RECORDED IN VOLUME 8, PAGE 185, PLAT RECORDS OF TRAVIS COUNTY, TEXAS.



**BENCHMARK INFORMATION:**

BENCHMARK NO. 10; MAG NAIL WITH WASHER SET ON WEST EDGE OF PAVEMENT ON LOMA LINDA DR, NEAR THE NORTH CORNER OF LOT 6, BLOCK N, STONEHEDGE ESTATES. GRID NORTHING: 10083793.0420' GRID EASTING: 3095644.6263' ELEVATION: 742.17' NAVD88 (GEOID18)

BENCHMARK NO. 11; MAG NAIL WITH WASHER SET ON WEST EDGE OF PAVEMENT ON LOMA LINDA DR, NEAR THE EAST CORNER OF LOT 6, BLOCK N, STONEHEDGE ESTATES. GRID NORTHING: 10083685.1746' GRID EASTING: 3095720.1949' ELEVATION: 735.98' NAVD88 (GEOID18)



**ABBREVIATIONS:**

CONC.	CONCRETE
ELEC.	ELECTRIC
B.L.	BUILDING SETBACK LINE
BT	BUILDING THRESHOLD
A/C	AIR CONDITIONING
FD.	FOUND
I.R.	IRON ROD
VOL.	VOLUME
PG.	PAGE
DOC. NO.	DOCUMENT NUMBER
R.O.W.	RIGHT-OF-WAY
P.U.E.	PUBLIC UTILITY EASEMENT
D.R.	DEED RECORDS OF TRAVIS COUNTY, TEXAS
P.R.	PLAT RECORDS OF TRAVIS COUNTY, TEXAS
O.P.R.	OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS

**VICINITY MAP**

SCALE: 1"=2000'

**LEGEND**

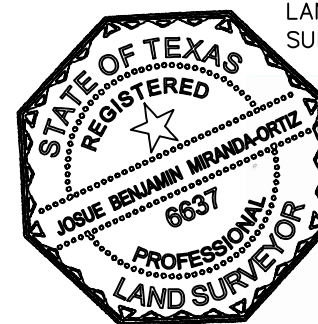
⊙	CO	SANITARY SEWER CLEANOUT
Ⓜ	MB	MAILBOX
ⓔ	EM	ELECTRIC METER
→	GUY	GUY ANCHOR
Ⓢ	UP	UTILITY POLE
Ⓢ	UPT	UTILITY POLE & TRANSFORMER
Ⓜ	WM	WATER METER
Ⓜ	WV	WATER VALVE
Ⓜ		MONUMENT FOUND (AS NOTED)
Ⓜ		1/2" I.R. WITH CAP MARKED "JMO-TX RPLS 6637" SET
—○—○—○—		CHAIN LINK FENCE
—□—□—□—		HOG WIRE FENCE
—  —  —  —		WOOD FENCE
—OHE—OHE—OHE—		OVERHEAD ELEC. LINES
---		EXISTING EASEMENT LINE
---		SETBACK LINE
○	CM 4	4" CRAPE MYRTLE
○	CDR 4	4" CEDAR
○	HK 4	4" HACKBERRY
○	LOAK 4	4" LIVE OAK
○	POAK 4	4" POST OAK

**CERTIFICATION:**

THE UNDERSIGNED DOES HEREBY CERTIFY THAT A SURVEY WAS MADE ON NOVEMBER 17, 2022 ON THE GROUND OF LOT 6, BLOCK N, STONEHEDGE ESTATES, (0.468 ACRE TRACT) AS SHOWN HEREON AND THAT; (I) THIS SURVEY AND THE PROPERTY DESCRIPTION SET FORTH HEREON WAS MADE FOR THE BENEFIT OF AND RELIANCE BY G. WILLIAM ROESCH, II & KELLEY W. ROESCH; AND ROESCH FAMILY REVOCABLE TRUST; THIS SURVEY WAS CONDUCTED WITHOUT THE BENEFIT OF A TITLE REPORT OR TITLE COMMITMENT (II) THIS SURVEY AND THE PROPERTY DESCRIPTION SET FORTH HEREON ARE TRUE, CORRECT AND ACCURATE AND WERE PREPARED FROM AN ACTUAL ON-THE-GROUND STAKED SURVEY OF THE REAL PROPERTY SHOWN HEREON; (III) THE PROPERTY HAS ACCESS TO AND FROM A DEDICATED ROADWAY AS SHOWN HEREON AND THE DISTANCE OF THE SUBJECT PROPERTY FROM THE NEAREST INTERSECTING STREET OR ROAD IS SHOWN HEREON; (IV) EXCEPT AS SHOWN HEREON, THERE ARE NO DISCREPANCIES, CONFLICTS, SHORTAGES IN AREA, INTRUSION/PROTRUSION OF IMPROVEMENTS, OVERLAPPING OF IMPROVEMENTS, SET-BACK LINES, EASEMENTS OR ROADWAYS, EXCEPT AS SHOWN HEREON; (V) THE BOUNDARIES, DIMENSIONS, OTHER DETAILS, SHOWN HEREON ARE TRUE AND CORRECT; (VI) THIS SURVEY SUBSTANTIALLY COMPLIES WITH THE CURRENT TEXAS SOCIETY OF PROFESSIONAL SURVEYORS MANUAL OF PRACTICE REQUIREMENTS FOR A CATEGORY 1B, CONDITION II, TSPS STANDARD LAND SURVEY; AND FOR A CATEGORY 6, CONDITION II, TSPS TOPOGRAPHIC SURVEY. DATE OF MAP: NOVEMBER 28, 2022. (REVISED ON JUNE 27, 2025)

IMPERVIOUS COVER CALCULATION	
AREA DESCRIPTION	SQUARE FOOTAGE
EXISTING BUILDING	2131
OTHER COVERED AREA	2077
GRAVEL AREA (50%)	245
TOTAL IMPERVIOUS COVER	4274
LOT SIZE	20398
TOTAL IMPERVIOUS COVER %	21.92%

CURVE TABLE				
CURVE NO.	RADIUS	DELTA	CHORD BEARING	CHORD LENGTH
C1	144.43'	044°45'56"	N33°22'33"W	110.00'
				112.84'



JOSUE B. MIRANDA ORTIZ, R.P.L.S. NO. 6637  
STATE OF TEXAS  
1308 NOKOTA BEND  
GEORGETOWN, TX, 78626  
jmiranda@geonetoftexas.com

**JOSUE B. MIRANDA ORTIZ**  
REGISTERED PROFESSIONAL  
LAND SURVEYOR  
1308 NOKOTA BEND  
GEORGETOWN, TX, 78626

JOB NO. 10254-24  
REQUESTED BY: G. WILLIAM ROESCH, II

Revision	By	Date
1	JMO	25.09.27
2	JMO	23.08.24
3	JMO	23.08.24
4	JMO	23.08.24
5	JMO	23.08.24
6	JMO	23.08.24
7	JMO	23.08.24
8	JMO	23.08.24
9	JMO	23.08.24
10	JMO	23.08.24
11	JMO	23.08.24
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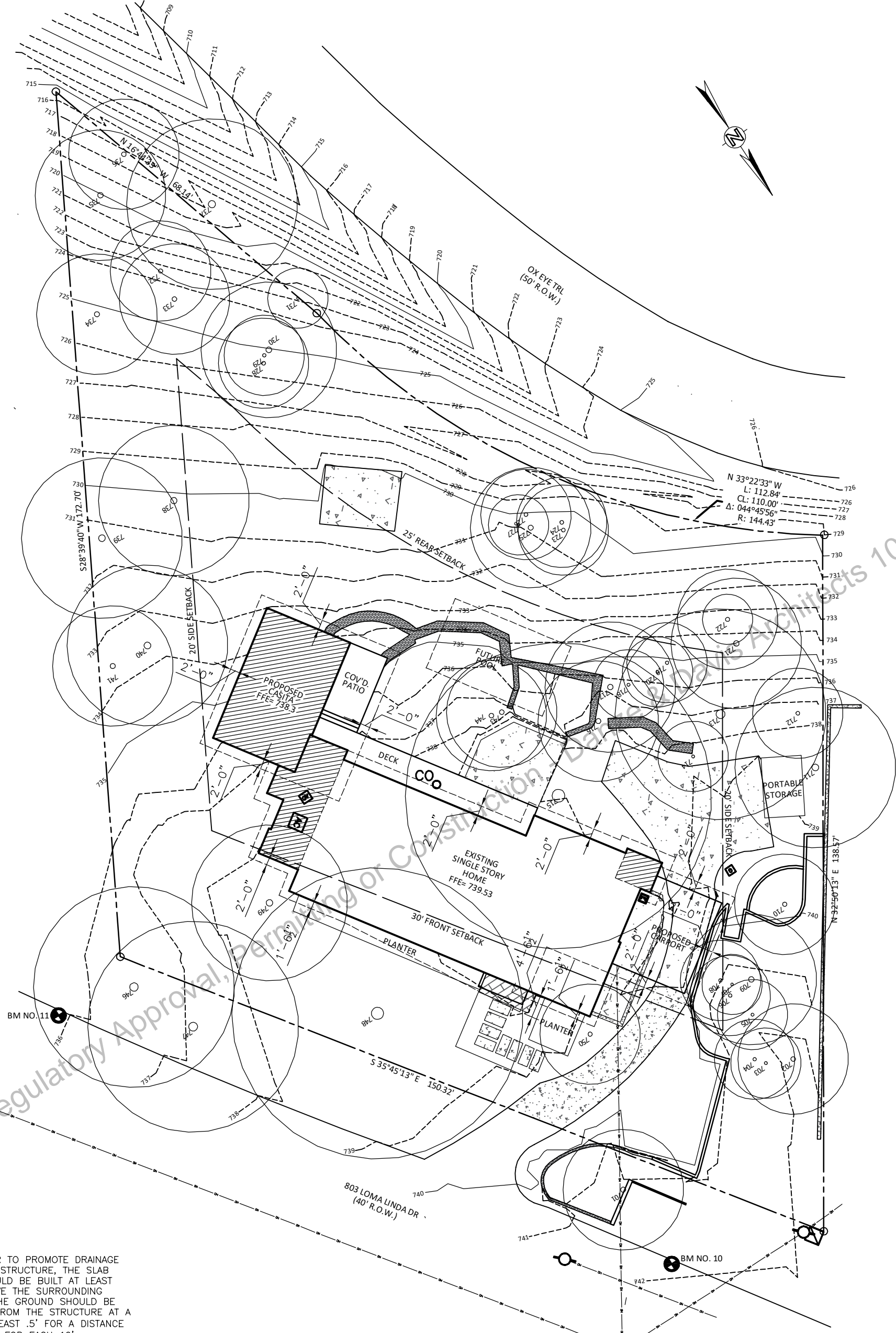
**G. WILLIAM ROESCH, II & KELLEY W. ROESCH**  
803 LOMA LINDA DR  
WEST LAKE HILLS, TX 78746

Client/Project: G. WILLIAM ROESCH, II & KELLEY W. ROESCH, II  
803 LOMA LINDA DR  
WEST LAKE HILLS, TX 78746

Permit-Seal: [Blank Seal Area]

Title: TOPOGRAPHIC, TREE AND STANDARD LAND SURVEY

Project Number:	10254-24		
File Name:	BITT-10254-24_R2.dwg		
JMO	JMO	JMO	25.06.27
Dwn.	Chkd.	Dsgn.	YY.MM.DD
Drawing No. 10296-22		Sheet	
Revision	Sheet		
R2	1 of 1		



NOTE: IN ORDER TO PROMOTE DRAINAGE AWAY FOR THE STRUCTURE, THE SLAB ELEVATION SHOULD BE BUILT AT LEAST ONE FOOT ABOVE THE SURROUNDING GROUND AND THE GROUND SHOULD BE GRADED AWAY FROM THE STRUCTURE AT A SLOPE OF AT LEAST .5' FOR A DISTANCE OF 10' AND .1' FOR EACH 10' THEREAFTER TO CORNER OF LOT.

**803 LOMA LINDA DRIVE**  
 PAVED STREETS w/ CONC. CURB  
 SEWER APPROX. 3' BELOW GRADE  
 SCALE: 1" = 20'

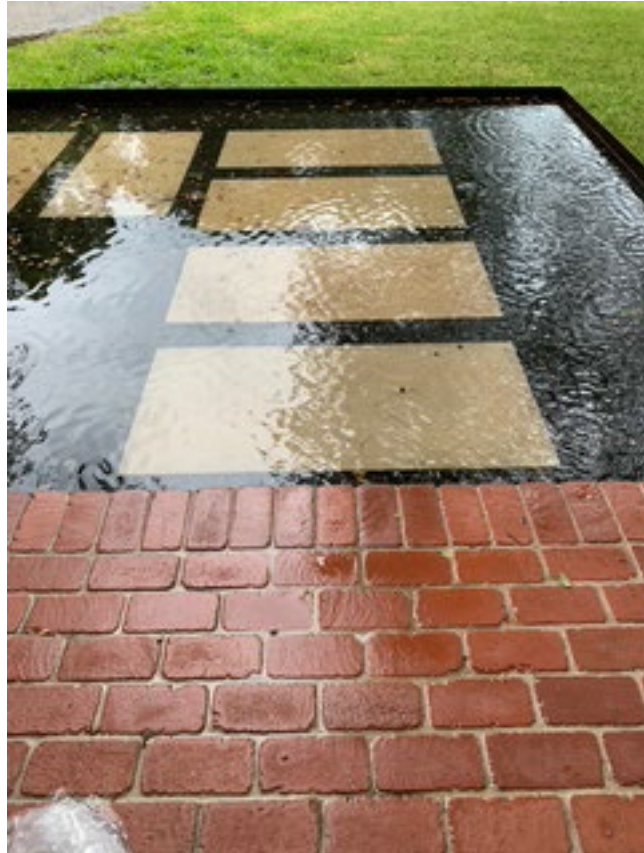
400284		
REVISIONS		
DATE	SUB/INT	DESC
10.21.25	00/PRM	PLOT

**STONEHEDGE ESTATES**  
 SECTION #      PHASE #  
 PLAN: -      ADDRESS: 803 LOMA LINDA DRIVE  
 LOT: 6      BLOCK: N  
 NCB: ###      WEST LAKE HILLS, ##

**ROESCH  
 REMODEL**

**DANZE & DAVIS  
 ARCHITECTS, INC.**  
4701 Spicewood Springs Road, Suite 200 Austin, TX 78759 Phone 512.343.0714 Fax 512.343.0716  
 WWW.DANZE-DAVIS.COM

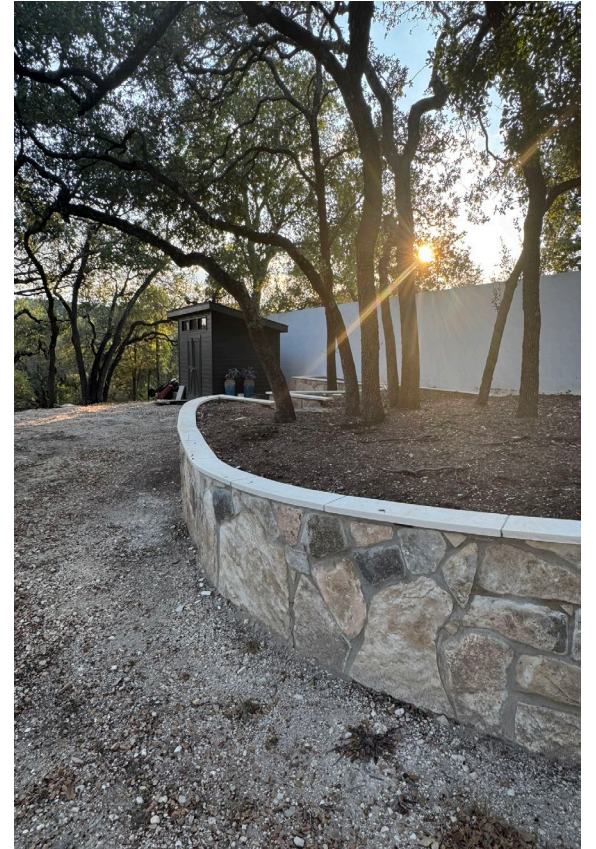
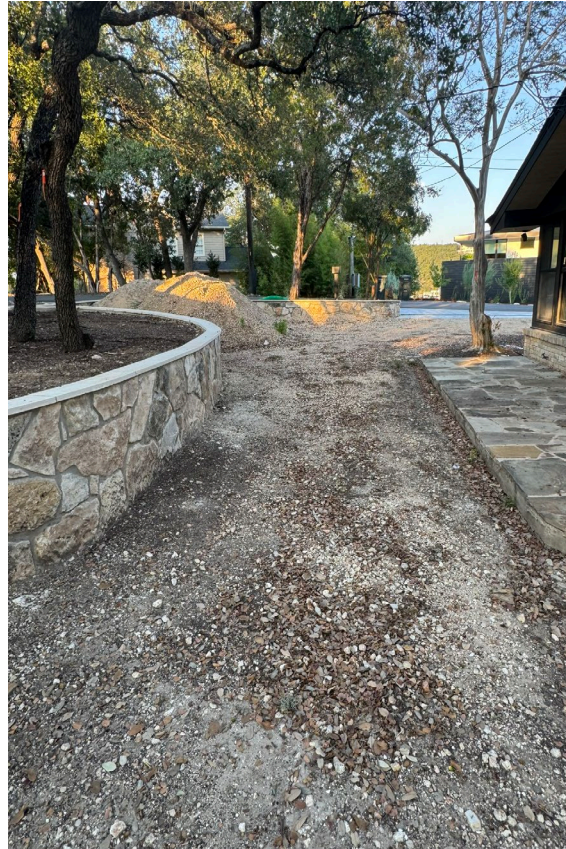
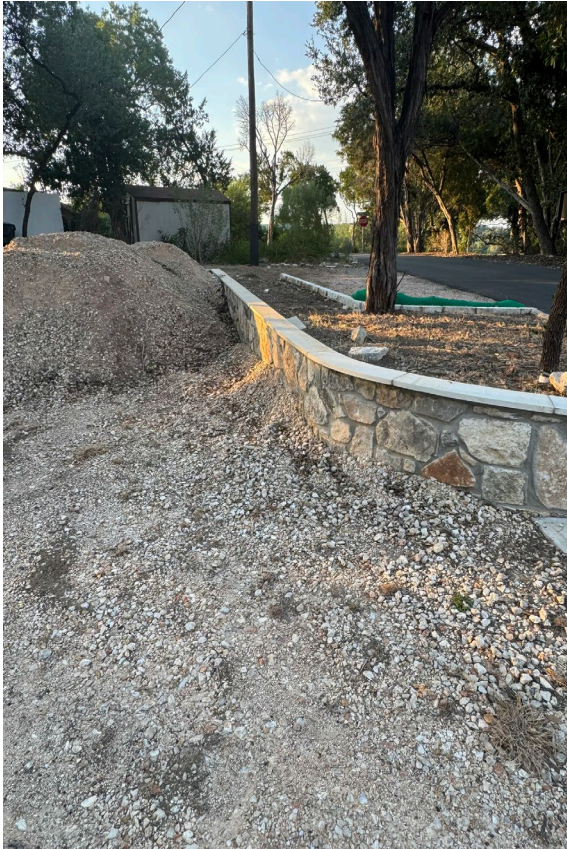
**Problem: Excessive Flooding/Drainage  
at Front Door**



**Solution(s): Rebuild Retention Walls &  
Add new Drainage at the Apron**



## Solution(s): Rebuild Retention Walls & Additional Photos



Lou and Hanna Senko  
706 Loma Linda Drive

October 6, 2025

West Lake Hills Zoning Board  
c/o City of West Lake Hills  
West Lake Hills, TX 78746

Re: Letter of Support for Variance at 803 Loma Linda Drive – Roesch Family Property

Dear Zoning Board of Adjustments Members,

My family and I live across the street from the Roesch family at 803 Loma Linda Drive, and our neighborhood hasn't felt the same since the devastating fire on December 19, 2024. Watching their home burn just days before Christmas was heartbreaking, and knowing they lost their beloved dog, Hunter, while everyone searched for their cat, Mika, until he was finally found, made the tragedy even harder to bear.

The Roesch's are more than neighbors to us; they are family in every sense. They're the ones I list as an emergency contact for my kids, the people I lean on in times of need, and the first to step in to help others without hesitation. Their presence has always been a cornerstone of our neighborhood's warmth and spirit, and I can't express enough how much we miss them.

I strongly support their variance for the front yard and minor side yard setbacks, as well as the necessary removal of two trees. This thoughtful plan avoids any overdevelopment, instead focusing on a home that blends seamlessly with our surroundings while safeguarding the majestic live oaks and open green spaces that define our neighborhood.

Granting this variance would be an act of compassion, helping a deeply loved family return home without unnecessary delays or stress. I hope you will consider the impact of your decision not only on the Roesch's but for all of us in the community.

Thank you for your time and understanding.

Best regards,

Lou, Hanna, and Greyson Senko



**Mark Blumenthal**  
**Jacquelyn Small**

**950 Roadrunner Rd.**  
**Westlake Hills, TX 78746**

**Email:** [REDACTED] **Landline:** [REDACTED]

October 4, 2025

Attn: West Lake Hills Zoning Board

**Re: Support for the Roesch Family home on 803 Loma Linda Dr.**

Dear Westlake Hills Leaders and Relevant City Staff Members

We are writing this letter in strong and full support of the proposed zoning variance(s) for the remodeling of the fire-damaged home owned by the Roesch family on Loma Linda Dr.

We are nearby neighbors. We have lived on Roadrunner Rd. for ca. 50 years, having built our home in 1974. We take daily walks in our Loma Linda, Terrace Mountain, Roadrunner neighborhood and we walk past the Roesch home almost daily.

One of the most positive and brightest parts of our daily walks was the opportunity to engage with the Roesch's late dog Hunter, a spirited and loving Wheaten Terrier who lamentably and tragically died in the fire at the Roesch home on December 19, 2024. We still mourn the loss of Hunter, who epitomized the highest and most loving traits found in dogs. Although our initial connection to the Roesches was via our daily interactions with Hunter, we were able to develop a friendship with the humans in the Roesch family (and their beautiful cat Mika), and we are profoundly grateful that they afforded us so much quality time with their beloved Hunter. Our walks are not as lively or as fulfilling without his presence.

We fully support the Roesch's ability to rebuild their home and return to our neighborhood.

We support their application for a variance and know that the plans they have for the home will enhance our treasured neighborhood. We respectfully request that you please move forward with approval of their rebuilding plans. We believe that they are a true asset to our little area of WLH and our community at large.

We thank you in advance for your consideration. We are available to answer any questions.

Respectfully,

Mark Blumenthal & Jacquelyn Small

October 4, 2025

City of West Lake Hills  
c/o Zoning Board, 4010 Bee Cave Road  
West Lake Hills, TX 78746

Re: In Support of Zoning Variance for 803 Loma Linda Drive – The Roesch Family

Dear Board Members,

We are neighbors around the corner from the Roesch Family – Bill, Kelley, Saylor, and Mika, and we've had the joy of getting to know their family in the neighborhood and at our local church. They are incredibly friendly and kind-hearted neighbors and are an integral part of our peaceful community. Before their home was destroyed in a fire, you would regularly see them out walking, checking in on neighbors and enjoying the trees and natural beauty that we all cherish. Their house was an ongoing labor of love, and they were often out in the yard and around the house working on one home improvement project or another, working to turn their house into their forever home. Their dog, Hunter, would monitor everything through their glass front door, greeting neighbors as they would walk by. That life was abruptly taken from them a few days before Christmas on December 19, 2024 when a fire destroyed their house, taking the life of their dog, Hunter, and changing their lives forever. The fire happened mid-morning – my dog and I had just passed their house on our morning walk, business as usual, and within the hour, it was gone.

This kind of loss is unimaginable, but the reaction to this tragedy speaks volumes about the type of people and neighbors the Roesches are, and how beloved they are in our community. In the immediate aftermath, we learned that various neighbors on Loma Linda and Terrace Mountain had seen the fire, called 911, notified Bill and Kelley (who weren't home), broken into the house in an attempt to save Hunter, provided food and comfort, and given them a place to stay. Other neighbors combed the streets and woods for their cat, Mika, who went missing in the fire but we hoped had survived, posted signs with Mika's picture, and set up food and a wildlife camera to find her (Mika was found!). Other neighbors coordinated gathering Christmas gifts and a trimmed tree to bring Christmas to the Roesches. The way they were immediately surrounded with love and support is a testament to the way they had previously loved and supported their neighbors. Also, I watched the Roesches respond to losing their beloved dog and every possession they owned but their cars and the clothes on their backs with resilience, humor, and an unshakable gratitude that they still possessed what really matters, including their family, health, and loved ones.

Now that they are seeking to rebuild, nothing would make us happier than seeing them rejoin our close-knit group of neighbors and finally get their forever home on Loma Linda, in a community of neighbors that loves them dearly.

However, in this process, the Roesches have learned that their house was a non-conforming structure, since, like a vast number of older homes in West Lake Hills (including our own), its original construction predates the current setback ordinances. As a result, they are requesting variances for the front and side yard setbacks to rebuild their house – I understand they do not intend to alter the appearance of their home and they just want their house back as it was before it burned down. I also know they will seek to honor our neighborhood's charm and protect the expansive live oaks and natural beauty of our community that they value as much as anyone as part of what makes our community so special.

We urge you to approve this application. This is not a typical variance request that simply affects whether a homeowner can design their home a certain way, complete a discretionary project, or overbuild on a lot. This is a request to allow the Roesches to rejoin their community, continue to rebuild their lives, and have a home once again.

Warmly,

A handwritten signature in black ink, appearing to read "Jimmy & Jessica Blacklock". The signature is fluid and cursive, with the first part being more stylized and the last part being more legible.

Jimmy & Jessica Blacklock

Santiago and Jenna Montoya  
702 Loma Linda Drive  
West Lake Hills, TX 78746

October 3, 2025

Zoning Board of Adjustments  
West Lake Hills, TX 78746

Re: Support for Zoning Variance Application at 803 Loma Linda Drive – Roesch Family

Dear Members of the Zoning Board of Adjustments,

We are writing as long-time neighbors to wholeheartedly support the variance request by the Roesch family for their property at 803 Loma Linda Drive. As folks who live just down the street on Loma Linda Drive, we've seen firsthand the warmth and generosity of this family—they're the kind who always lend a hand when needed. The devastating fire that destroyed their home on December 19, 2024, right before the holidays, broke our hearts, and we're eager to see them rebuild and return to our community.

The proposed setbacks for the front and side yards, along with the limited removal of two trees, are minor adjustments. Far from overbuilding, this plan respects the large live oak groves and open spaces we all cherish, preserving the natural beauty that makes our area so special.

Please approve this variance so the Roesch family can come home. They deserve it, and so does our neighborhood. Thank you for considering this request.

Sincerely,



Santi and Jenna Montoya

# City of West Lake Hills

## MINUTES OF A ZONING & PLANNING COMMISSION (ZAPCO)

### REGULAR MEETING

Wednesday, November 19, 2025 at 6:30 PM

1. **Call to Order: Chair 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. **Laurie Maccini:** Spoke as citizen in memory of Randy Lee and his contributions to the City of West Lake Hills

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 October 15, 2025 Zoning and Planning Commission Meeting minutes
- b. Report of previous ZAPCO cases acted on by the BOA/City Council
- c. Recommendation to City Council for the adoption of 2026 submittal calendars for variances, zoning, subdivision, and special use permit applications

**Action:** Commissioner Bartoletti moves for approval of the Consent Agenda

- i. Commissioner Webber Seconds
- ii. Motion carries unanimously (4 – 0)
  - Commissioner Pledger abstains

4. **Public Hearing 109 Swiftcurrent Trl.:** Discuss and consider a recommendation to the City Council on variances for a fence:

1. To allow for a fence encroachment into the 30-foot front-yard fence setback (Section 22.03.173(d)(6)(B)(ii)).
2. To allow for the placement of fence posts within the ½ and ¼ critical root zones of protected trees (Section 22.03.3052 (b)).

Applicant: Sara Charles, Property Owner

**A. Staff Report:**

- a. Director Bills describes fence that was installed partially within the City's Right-of-Way without permits and requests for variances for encroachment on the front setback and on the critical root zone of protected trees
  - i. Commissioner Webber: would the fence be required to move out of the Right-of-Way if the variance were approved
    - 1. Director Bills: Yes

**B. Public Comments**

- a. Sara Charles – applicant
  - i. Spoke in favor of variance request
- b. Francisco Rios – Neighbor
  - ii. Spoke in opposition to the variance
- B. Mike Haberman - Neighbor
  - i. Spoke in opposition to the variance
  - ii. Read portions of letter from Rob Harrison also in opposition

**C. Discussion:**

- c. Pledger: Asks applicant about fence in ROW
  - i. Applicant was not aware the fence was in the ROW
  - ii. Applicant requests postponement

**D. Action:** Commissioner **Bartoletti** moves that variance request be postponed to the January 21, 2026 ZAPCO meeting at the applicant's request

- i. Commissioner **Pledger** Seconds
- ii. Motion carries unanimously (5-0)

**The item is postponed and will be considered at the regular ZAPCO meeting on January 21, 2026.**

5. Public Hearing 704 Laurel Valley Dr.: Discuss and consider a recommendation to the Board of Adjustment on variances for new residential construction:

- 1. For grading on a slope greater than 35%, where no grading is allowed by code (Drainage and Erosion Control Manual Section 7.4.1)
- 2. For closed cuts and fills greater than 10' in height on slopes between 25% and 35%, where the maximum closed cut is 10 feet and the maximum closed fill is 6 feet by code (Drainage and Erosion Control Manual Section 7.4.1)

Applicant: Davin Fillpot, Architect LLC

**A. Staff Report:**

- a. Director Bills describes request for grading on slopes in excess of the maximum grading allowed by code

**B. Public Comments:**

- a. Michael Woodland – Alterstudio architecture
  - i. Described the proposed project and the variance requests

**C. Discussion:**

- a. Commissioner Webber: Has applicant explored raising floorplate of garage to minimize cut?
  - i. Michael Woodland: Client wants the house to be designed to age in place and keep garage at same level of house
- b. Commissioner Webber: Are trees at West of property impacted by proposed wall?
  - i. Michael Woodland: Trees should not be impacted
- c. Commissioner Webber: Have applicants considered moving entire house East
  - i. Michael Woodland: Existing retaining walls create grade change making heights difficult
- d. Commissioner Webber: 11-ft ceiling heights seem to drive part of request
- e. Commissioner Maccini: Is this request too early in the process?
- f. Chair Meisel: We don't want to grant variances that result in requirements for future variances
- g. Commissioner Webber: Would like to see disturbance dimension, not just final wall location.
- h. Commissioner Meisel: 2-car instead of 3-car garage would remove need for variance

**D. Action:**

- a. Commissioner Webber: moves that the commission forward the variance requests to the Board of Adjustment with a recommendation of denial based on a lack of hardship, as the 3-car garage is a design-driven feature driving the requested variance, and that any variance ultimately granted by BOA should be conditional to adequate tree protection.
  - i. Commissioner Pleger seconds
  - ii. Motion carries unanimously (5-0)

**The recommendation will be forwarded to the Board of Adjustment for consideration at the regular meeting on December 10, 2025**

6. Public Hearing 803 Loma Linda Dr.: Discuss and consider a recommendation to the Board of Adjustment on variances for new residential construction:
  1. For the continuation of existing non-conforming status following destruction exceeding 50% of the replacement cost of the damaged structure (Section 38.04.061 (8))
  2. For roof overhangs/eaves extending more than 2 feet into the front yard setback (Section 22.03.275 (3))
  3. For grading greater than 18 inches in the front and side building setback (Section 22.03.170 (f))

Applicant: Bill Roesch, Property Owner

**A. Staff Report:**

- a. Director Bills describes the request for variance for unpermitted walls in the in the front and side building setback, as well as variances related to the reconstruction of a previously existing non-conforming house damaged in a fire.

**B. Public Comments:**

- a. Bill Roesch
  - a. Described the proposed project, prior conditions of site, and the fire damage
- b. Santiago Montoya: Neighbor
  - a. Spoke in support of the variance requests
- c. Mark Blumenthal
  - a. Spoke in support of the variance requests

**C. Discussion:**

- a. Chair Meisel:
  - i. This is not a design driven issue – fire forced the issue of the 50%
  - ii. Not as clear on the cut/fill issue
- b. Commissioner Stewart: Would the walls be taken into account in the drainage plan?
  - i. Director Bills: Yes
- c. Commissioner Maccini asks about retaining walls in right-of-way
  - i. Director Bills: If height of walls in the ROW changed, it would require a license to encroach

- d. Meisel: we have photographic evidence that they have flooding issues in the yard.
- D. Action:** Commissioner Pledger moves that the variances be forwarded to the Board of Adjustment with a recommendation of approval with the condition that the applicant demonstrates that the walls in the setback are for the purpose of mitigation of flooding in the yard.
  - i. Commissioner Bartoletti Seconds
  - ii. Motion Carries unanimously (5-0)

**The recommendation will be forwarded to the Board of Adjustment for consideration at the regular meeting on December 10, 2025**

- 7. **Staff Report:** Discussion and possible action on a recommendation to City Council on the 2026 Street Maintenance projects.

- A. Staff Report:**

- a. Director Bills describes the proposed projects for the 2026 Street Maintenance projects

- B. Public Comment:**

- a. None

- C. Discussion:**

- a. Chair Meisel requests that Reveille receive center and edge striping, as well as signs related to parking along Reveille
- b. Commissioner Pledger expressed that the seal coat process on Madrone Road took too long to dry and had damage from residents driving on it before it was dry.
- c. Commissioner Maccini asked if the level of the top of the pavement would increase with the mill and overlay
  - 1. Bills stated that mill and overlay would keep the pavement at the same height.
- d. Commissioner Bartoletti asked about projects for Terrace Mountain
  - 1. Bills stated that sections from the bond projects that were not completed, as well as from the 2017 Drainage Master Plan would be reviewed and incorporated as appropriate. Some work was not addressed due to lack of easements to complete the work.

- D. Action:**

- a. None taken

- 8. **Adjournment** – Chair Robert Meisel

Chair Meisel adjourns the meeting at 8:23 pm

APPROVED:

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Robert Meisel, Chair

ATTEST:

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Joel Sherrouse, Development Coordinator

These minutes were approved on \_\_\_\_\_, 2025.

DRAFT

## Exhibit A

### 803 Loma Linda Drive – Setbacks, Non-Conforming Structure, Retaining Walls

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

The strict enforcement of front and side yard setbacks presents a significant challenge for our family, who has already endured the loss of our home and beloved dog. A strict ruling would force us to demolish and replace the existing structure, with costs far exceeding what is necessary to rebuild in its current form. The footings, foundation, and wall systems remain intact and do not require demolition. Demolishing these sound structures would result in significantly higher costs and a longer rebuilding period. We are aware of many homes built around the same period (mid-century) that are non-conforming and grandfathered for use purposes.

2. *There will not be unreasonable disruption of the natural terrain or unreasonable destruction of existing flora. Why do you think the natural terrain and existing flora will not be unreasonably disrupted or destroyed if the variance you are requesting is granted?*

This property is home to lovely live oak groves and sits on approximately half an acre. Over the past 7 years, we have actively worked to preserve all natural elements of the land, including a tight grove of trees located within the side yard setback in question. This area was experiencing erosion and flooding, threatening both the trees and the existing side yard driveway. Our investment in improved retaining walls directly addresses this erosion and flooding, stabilizing the soil to protect and preserve these established natural features. By reinforcing the existing conditions rather than demolishing and rebuilding, we will minimize ground disturbance and avoid unnecessary disruption to the mature trees' root systems. The proposed variance enables us to maintain the home's existing footprint while preserving the natural terrain and flora that we have carefully managed throughout our time on this property.

3. *There is no reasonable alternative to the requisite variance that will alleviate the difficulty or hardship complained of. What other alternatives have you considered? Why won't those other options alleviate the difficulty or hardship that you think exists?*

We explored demolishing the existing home and starting with a vacant site (a wasteful and prohibitively expensive option), rebuilding within setbacks (which requires abandoning the existing structure), or selling (which prevents returning to this neighborhood and would undoubtedly lead to a larger development with greater ecological impacts).

None is realistically feasible. The requested variances preserve existing conditions with minimal impact— which we believe is the only reasonable path forward.

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

We believe the variance we are requesting is truly the minimum necessary because we are seeking only to rebuild what existed before the fire, with a modest addition. We want to preserve the existing footprint of a structurally sound home.

The alternative—strict code enforcement—would force us to demolish sound structures or undertake a complete rebuilding. The second scenario will undoubtedly result in a much larger home, 2-3 times the current square footage, causing far greater site disturbance, tree removal, and disruption to the natural terrain. Our modest proposal represents the least impactful path forward, preserving the established character of the neighborhood and property.

5. *The variance may violate the intent of this chapter or the goals of the city's comprehensive plan. Why do you believe your variance does not violate the intent of the Zoning Ordinance or the goals of the City's Comprehensive Plan?*

We are not creating new violations; we're preserving decades-old conditions that predate and include our ownership. Our approach minimizes site disturbance and protects mature trees, consistent with environmental goals. Strict enforcement would paradoxically result in a larger redevelopment with greater setback conflicts and a more significant ecological impact. The variance allows for the upholding of the ordinance's intent to preserve neighborhood character and natural features.

6. *The variance may have an adverse effect on neighborhood properties or interfere with the respective owners' enjoyment thereof. Why do you believe your variance will not adversely affect or interfere with the enjoyment of neighboring properties?*

Our variance will not adversely affect neighboring properties for several important reasons:

**Maintaining existing conditions:** We are not expanding into new setback areas or changing the home's established relationship with neighboring properties. The footprint and positioning have been in place for years without creating issues for adjacent landowners. Our rebuild preserves what has long been a part of the West Lake Hills enclave.

**Minimal visual impact:** The modest addition is situated at the rear of the property, out of sight from neighboring properties. We are not increasing height or mass in ways that would affect neighbors' views, privacy, or property values.

**Environmental benefits to all:** The retaining walls stabilize erosion that could otherwise impact adjacent properties. Preserving mature trees and minimizing site disturbance maintains the natural screening and aesthetic character that benefits the entire neighborhood.

**The alternative is worse for neighbors:** If forced to sell, the property would likely be redeveloped as a much larger home with greater mass, height, and site disturbance. This would have far more significant impacts on neighboring properties than our proposal to rebuild modestly on the existing footprint.

**No infrastructure burden:** Our rebuild does not increase demand on shared resources, drainage, or access that would affect neighboring properties.

The variance allows us to restore our home in a way that maintains the established neighborhood character and minimizes disruption to our neighbors.

# 803 Loma Linda Dr.

6. Discuss and consider action on a recommendation from ZAPCO on variances for new residential construction:
  1. For the continuation of existing non-conforming status following destruction exceeding 50% of the replacement cost of the damaged structure (Section 38.04.061 (8))
  2. For roof overhangs/eaves extending more than 2 feet into the front yard setback (Section 22.03.275 (3))
  3. For grading greater than 18 inches in the front and side building setback (Section 22.03.170 (f))

Applicant: Bill Roesch, Property Owner



# 803 Loma Linda Dr.

The applicant is requesting two variances to demolish and then rebuild the existing house due to a house fire on December 19, 2024.

The third variance is to grade/install a retaining wall in the front setback. The work was unpermitted, and staff issued a stop work order on December 11, 2024.



# 803 Loma Linda Dr.

## Retaining Nonconforming House Location

### Code Requirements

- Section 38.04.061. Nonconforming uses of land and structures

Any use of land or structures lawfully existing on the effective date of the ordinance from which this chapter is derived, or the effective date of any amendment to this chapter, that is not permitted in the district in which the use is located may be continued, subject to the following conditions:

- (8) Where nonconforming use status applies to a structure and premises in combination, removal or destruction of the structure shall eliminate the nonconforming status of the land. Destruction for the purpose of this subsection is defined as damage to an extent of more than 50 percent of the replacement cost at the time of destruction.



# 803 Loma Linda Dr.

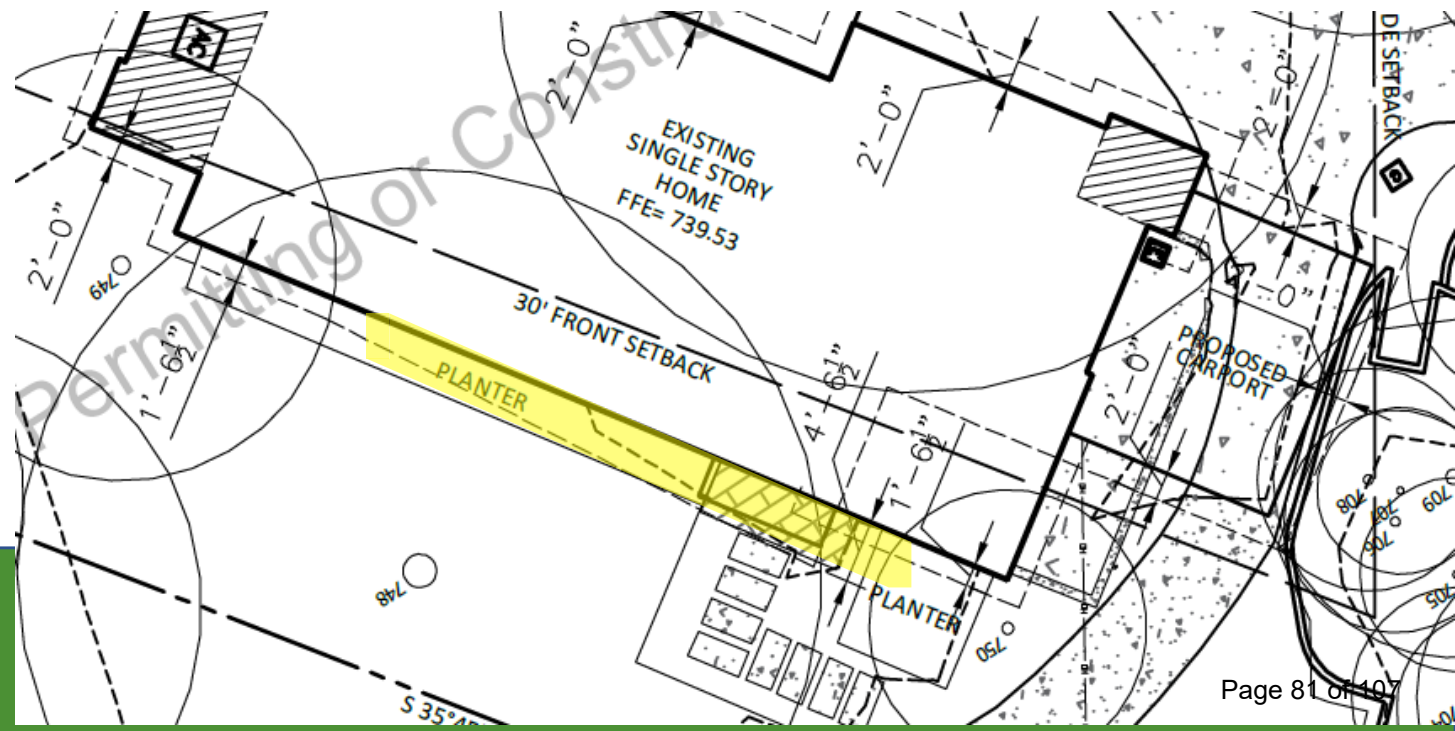
## Encroachment of Eaves into setbacks

### Code Requirements

- Section 22.03.275. Building setback distances.
- (3) Roof overhangs and eaves a minimum of 8 feet above natural grade up to two (2) feet into the front, side or rear setback. All other building elements shall not encroach into setbacks.

### Request

- Allow eaves to extend up to 4 feet 6.5 inches from the house into the front setback.



# 803 Loma Linda Dr.

## Grading in the setback

### Code Requirements

- Section 22.03.170. Site disturbance (excavation, grading or filling).

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.

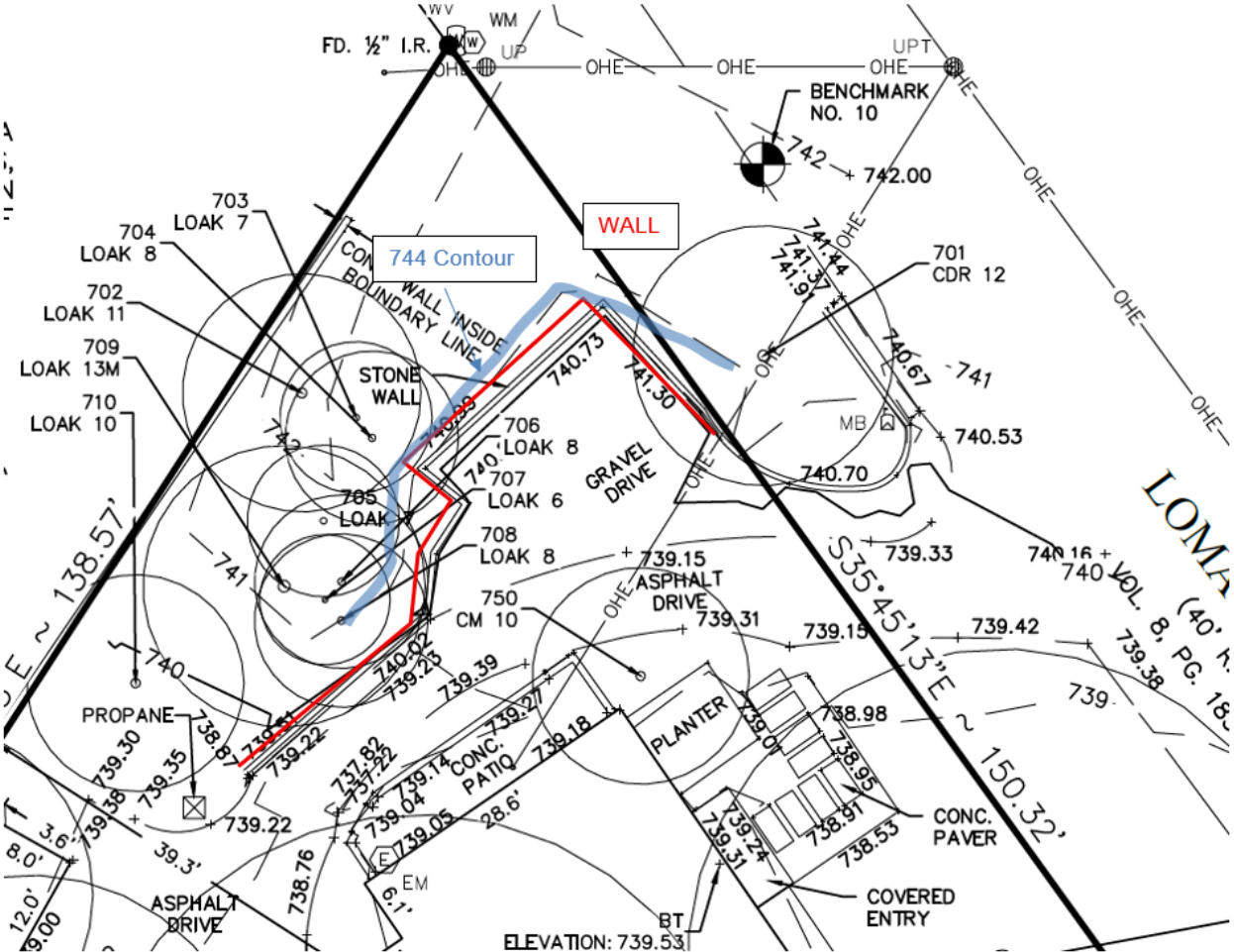
No excavation, grading or filling shall be permitted in setbacks except for up to 18 inches in height or depth.



# 803 Loma Linda Dr.

## Request

- The applicant's request does not give the height wall/grading, but from the 2025 survey, it appears that the maximum height of the wall is 3 feet over the existing grade.



# 803 Loma Linda Dr.

## Public Comment:

As of the date of the report, there have been four written comments received in support of the variance. One additional was received after posting inquiring on the height of the carport.



# 803 Loma Linda Dr.

Discuss and consider action on whether the applicant has established by competent evidence that the following conditions are fulfilled:

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

The findings of fact as alleged by the applicant are attached in Exhibit A.

The Board of Adjustments, 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.



# 803 Loma Linda Dr.

This item was reviewed by the Zoning and Planning Commission on November 19, 2025 and the following criteria used:

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.

ZAPCO recommended approval by a vote of 5-0, with the condition that the applicant demonstrates that the walls in the setback are for the purpose of mitigation of flooding in the yard.



# 803 Loma Linda Dr.

## Applicable 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.

# **803 Loma Linda Drive**

Variance Hearing  
November 19, 2025

**Architect:**

Donovan Davis (Danze & Davis)

**Civil Engineer:**

Alejandra Flores (Milian  
Consulting & Engineering)

**Owners:**

Bill & Kelley Roesch

# **Background Information**

West Lake Hills residents since early 2019 and property owners since December 2020

Family home devastated by Fire on December 19, 2024. Total loss of interior, contents, and roofing systems. Foundation, exterior façade and structural/foundation elements all preserved.

Our Family of three:

- + Saylor - West Lake High School Sophomore, tech theatre and WHS football video-crew
- + Kelley – Life coach for women, and Community First volunteer
- + Bill – Real estate professional, business owner and employer, company HQ in Austin

Community focused, neighborhood champions & supporters, and heartbroken at the loss of our home and dog Hunter

• December 18, 2024

• December 19, 2024



# Project Goals

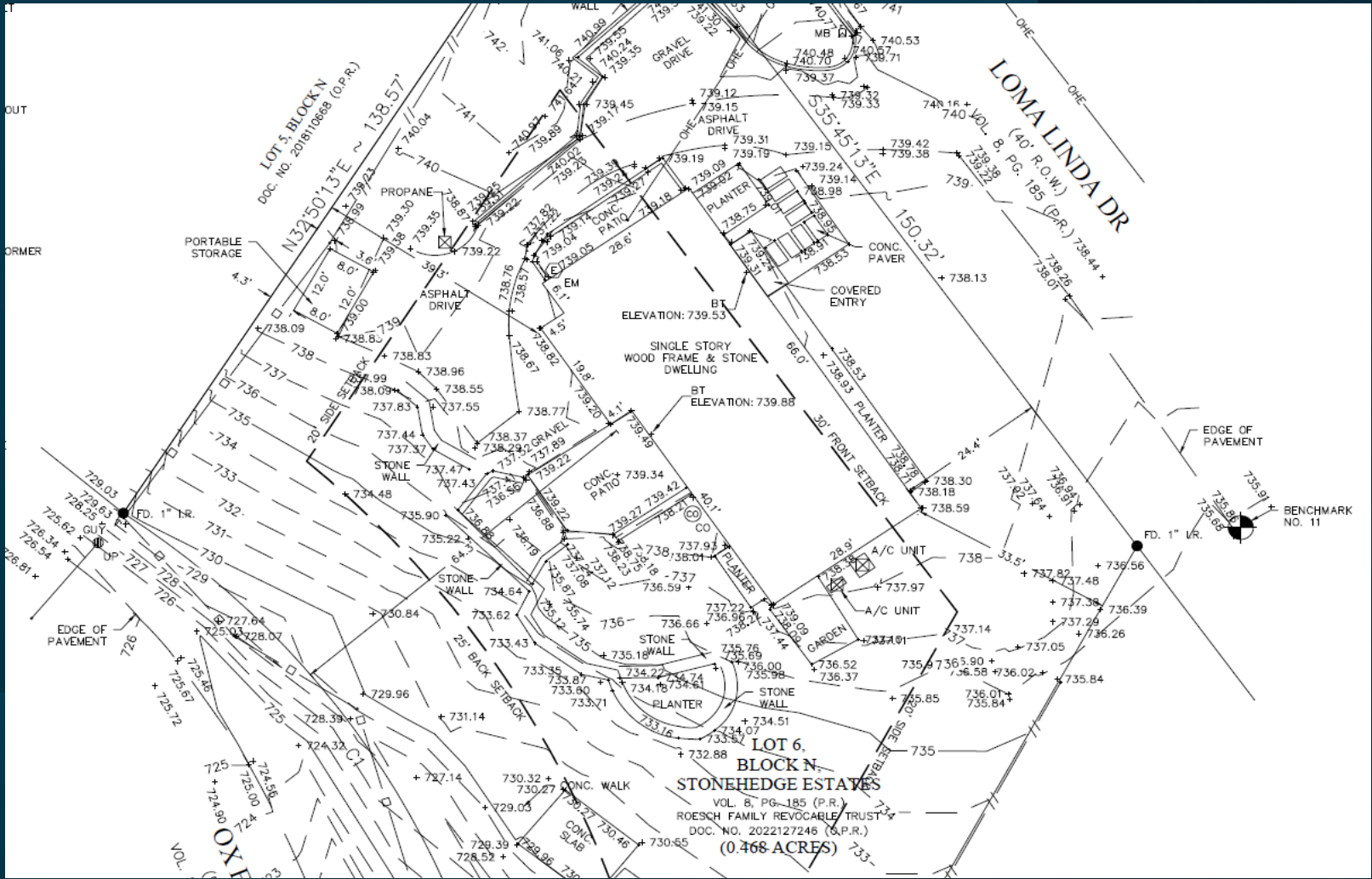
- **Rebuild our family home**
- **Preserve existing site conditions, stabilize erosion challenges, and minimize disturbances.**
- **Eliminate waste and expense caused by abandoning a sound structure and going bigger.**
- **Protect the neighborhood aesthetic through restoration versus large remodel/expansion**

# **Technical Details**

Variance Requests

## **1. Non-Conforming Structure:**

- **The home was originally built in 1968, like many of the homes in our neighborhood.**
- **The adoption of Ordinance 361 on March 28, 2018 triggered the homes non-conforming status.**
- **Had the home not suffered the loss, life would advance without impact – like adjacent/nearby homes – and enjoy the benefit of being “grandfathered” under newer zoning rules.**
- **The following survey dated 11/28/2022 depicts the house location before the loss, along with several retaining walls located in front/side-yard setbacks**

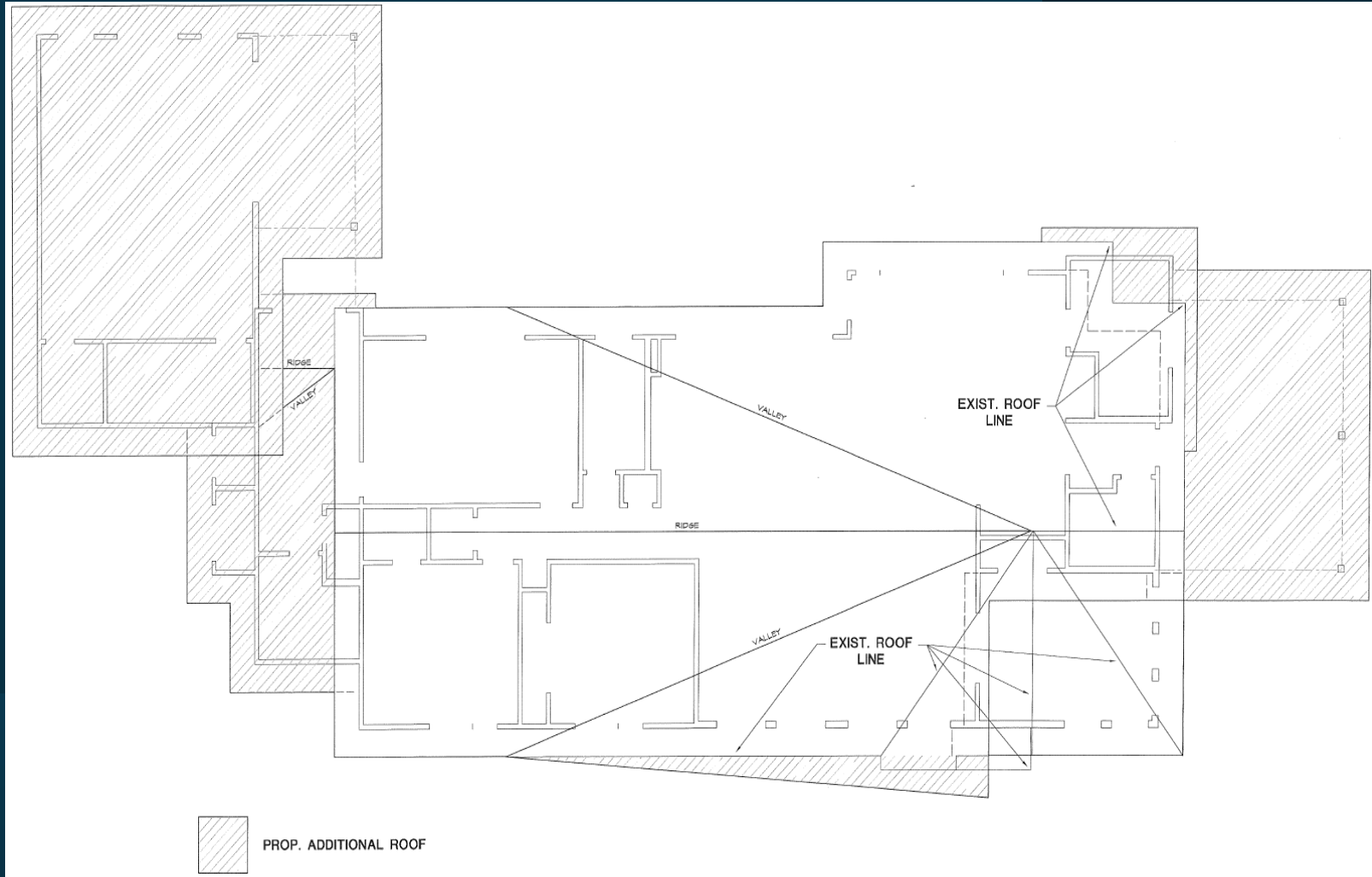


**Property Survey – November 28,  
2022**

- **Based on the foregoing, we hereby request relief from Sec 38.04.061(8) for the renovation of an existing non-conforming structure that suffered a loss of 50% of the replacement cost value of the home**

## **2. Encroachment of Eaves/Overhangs**

- **Similarly to the setback encroachment, the existing home (& proposed design) does not adhere to 2' overhang limitation in a minor portion (fraction) of the front yard setback.**
- **Today, the covered entry is 36" off the front elevation of the home.**
- **Looking ahead, should the commission approve our variance requests, the new roof at a singular point will encroach 48" off the front elevation**
- **The following drawing overlays the proposed and existing roof lines for consideration**



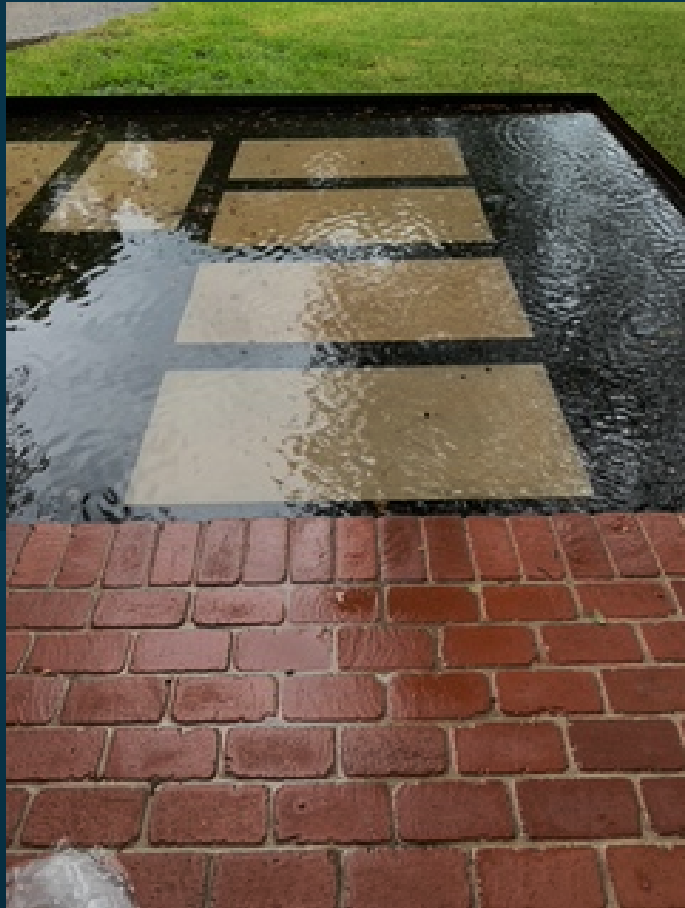
# Existing vs Proposed Roof Line

- **Based on the foregoing, we hereby request relief from Sec. 22.03.275 (3) for roof overhangs and eaves which encroach on the front yard setback as summarized in the attached plan.**

### **3. Stone Wall Section greater than 18”**

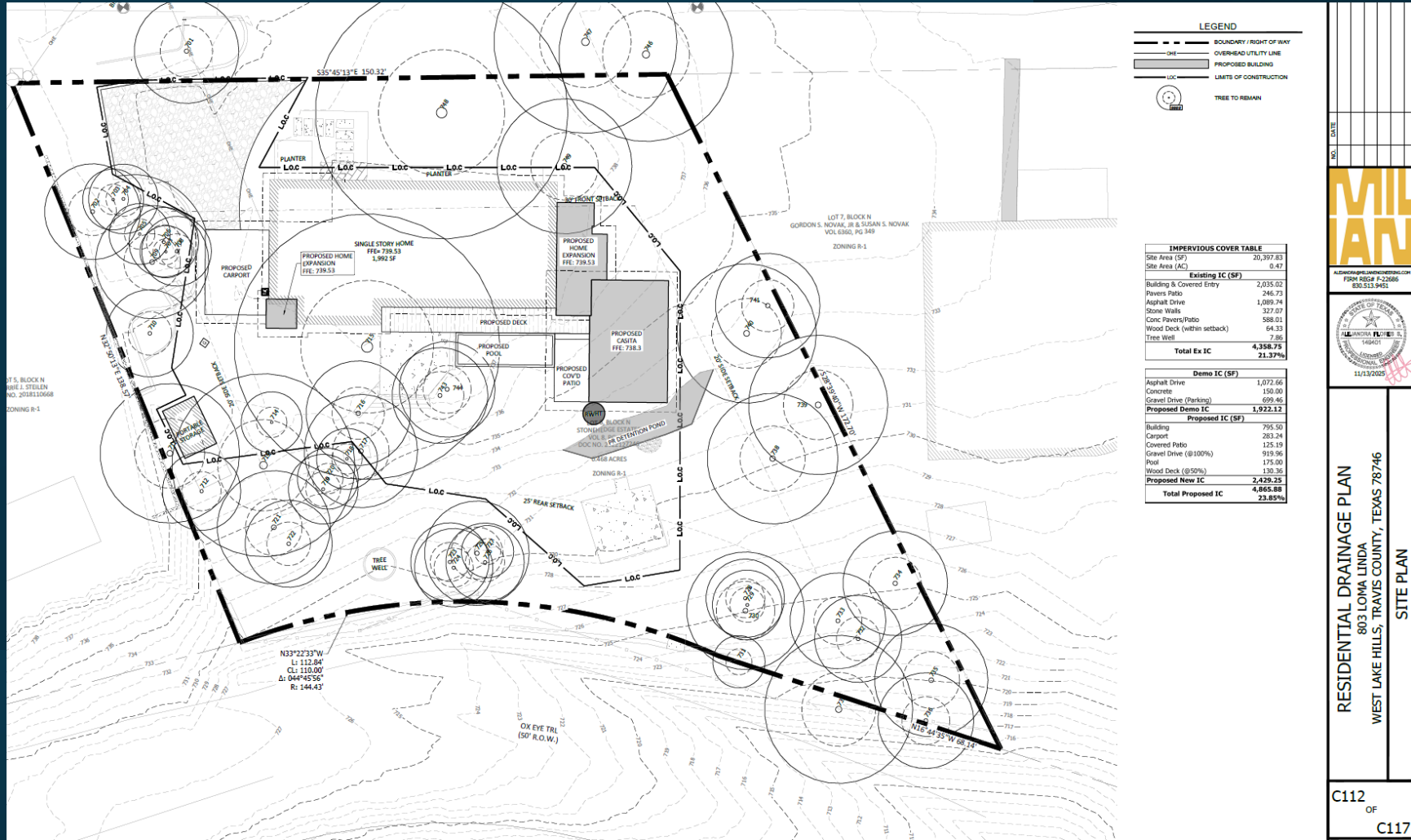
- Retention walls have been sited in the front yard and side yard setbacks for not less than 7 years, and prior to our ownership.**
- Retention wall heights varied, but the bulk of retention was 12-18” as required, but insufficient in protecting from flooding.**
- We implemented (Nov-24) retention/drainage improvements to remediate long-standing flooding issues in the front of the house**
- The following photos, and engineered drainage plan summarize the why, and our intentions**

# Drainage & Retention Conditions



# Retention Improvements - Implemented





# Drainage Plan – Milian Engineering

**Based on the foregoing, we hereby request relief from Sec 22.03.170 (f) for stone wall sections greater than 18" located in both the front yard and side yard setback, which resolved inadequate retention and significant drainage (flooding) challenges.**

## **Summary of Requested Variances:**

- 1. Relief from Sec 38.04.061(8) for the renovation of an existing non-conforming structure that suffered a loss of 50% of its replacement cost value due to fire.**
- 2. Relief from Sec. 22.03.275 (3) for roof overhangs and eaves which encroach on the front yard setback.**
- 3. Relief from Sec 22.03.170 (f) for stone wall sections greater than 18" located in both the front and side yard setback, which fixed failed retention and significant drainage challenges.**

**Thank you!**