

City of West Lake Hills

MINUTES OF A ZONING & PLANNING COMMISSION (ZAPCO)

REGULAR MEETING

Wednesday, January 21, 2026 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. No public comments

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 November 14, 2025 Zoning and Planning Commission Workshop Minutes
- b. Approval of the November 19, 2025 Zoning and Planning Commission Meeting Minutes
- c. Approval of the January 7, 2026 Zoning and Planning Commission Workshop Minutes
- d. Report of previous ZAPCO cases acted on by the BOA/City Council

Action: Commissioner Stewart moves for approval of the Consent Agenda

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

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

The application was withdrawn by applicant shortly before the meeting.

5. Public Hearing 4904 Old Bee Cave Rd: Discuss and consider a recommendation to the City Council on the following 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 installation of a fence that does not allow 80% visibility through the fence (Section 2.03.173(d)(6)(A)(i)).
 3. To allow for a fence without the required minimum 80% landscaping screening (Section 22.03.173(d)(6)(A)(i)).
 4. To allow for the installation of a fence with a height of 7 feet above natural grade (Section 22.03.173(d)(9)(A)).

Applicant: Dylan Freytag, Property Owner

A. Staff Report:

- a. Director Bills describes fence that was installed without permits. The owner was misinformed by their contractor that they did not need permits for the fence. Director Bills describes the four areas of code where the fence, as installed, would require variances. Director Bills also explains that the location of the fence would require any screening to be located in the Right-of-Way.
- b. Commissioner Pledger points out that a written comment in opposition to the fence at 109 Swiftcurrent provided prior to the 4904 Old Bee Cave variance application also included this fence.
- c. Commissioner Bartoletti asks if there are two legal lots involved
 - i. Director Bills clarifies there are not two legal lots involved, just one
- d. Commissioner Webber asks Director Bills if there are any possible repercussions for contractors misinforming clients or violating code.
 - i. Director Bills explains that contractor registrations can be suspended for repeated violations and that citations can be issued to contractors.

- e. Commissioner Maccini asks about the right-of-way vegetation and who takes care of it.
 - i. Director Bills explains that homeowners are responsible for the vegetation from the property line to the street, but TXDOT and utility providers will sometimes maintain or clear the vegetation.

B. Public Comments:

- a. **Dylan Freytag, Applicant:** Shares prepared presentation and answers questions from commissioners
- b. **Lousia Cauvin, Neighbor:**
 - i. Spoke in opposition to variance

C. Discussion:

- a. Commissioner Stewart asks applicant about a gate and Knox box encroaching on the ROW.
- b. Commissioner Maccini indicates that the property has been between commercial property for decades but understands the increase in traffic along Bee Cave. Supportive of screening, but not in favor of proximity of fence to ROW.
- c. Chair Meisel points out that the deed is 3 months old, and that traffic has not increased substantially since the time at which the applicant chose to purchase the property, and also believes that the contractor is responsible, not the homeowner or the City.
- d. Commissioner Webber indicates they are not in favor of variance for location but may be willing to compromise on height or a certain percentage of transparency.

D. Action:

- a. Commissioner Pledger moves to forward the variances to City Council with a recommendation of **denial** based on a lack of hardship.
 - i. Commissioner Webber seconds
 - ii. Motion carries unanimously (5-0)

The variance request and recommendation will be forwarded to the February 11, 2026 City Council Meeting.

6. **Public Hearing 116 Skyline Dr.:** Discuss and make a recommendation to City Council on the following variances for a fence:

- 1. To allow for the installation of a fence without required landscaping visibly screening a minimum of 80% of the fence between the street and fence (Section 22.03.173(d)(6)(A)(i)).

2. To allow for the installation of a fence that does not allow 80% visibility through the fence (Section 22.03.173(d)(6)(A)(i)).

Applicant: Bryan Sharples, Property Owner

A. Staff Report:

- a. Director Bills describes the previous fence variance at the property approved in 2011 and describes the 80% transparency threshold with the new style of fence which is transparent from a specific angle, but becomes opaque when moving along the fence.
 - a. Director Bills also explains that while the variance request indicated that the fence met the height limits established in conditions for previous variance, that staff measured the fence at 6 feet prior to meeting, which would require an additional variance request.
- b. Commissioner Pledger asks about the screening of the fence with vines.
 - a. Commissioner Webber points out that there are no vines on the City's approved plant list.
- c. Commissioner Stewart asks about the 80% transparency rule at all angles
- d. Commissioner Webber asks if the previous variance addressed screening
 - a. Director Bills indicates the previous variance did not address screening directly, but that it specifically indicated all other ordinances related to fences should be followed.
- e. Commissioner Pledger indicates that he believes that the fence is compliant.

B. Public Comments:

- a. **Bryan Sharples, Applicant**
 - a. Shares presentation regarding fence
- b. **Jeffery Dochen, Neighbor**
 - a. Speaks in favor of variance

C. Discussion:

- a. Commissioner Maccini expresses sympathy due to lights, but that other solutions exist that do not require variances.
- b. Commissioners Stewart and Pledger express that they believe the fence is in compliance with the 80% rule.
- c. Commissioner Maccini states there are native vine plants that could be used to screen the fence.
- d. Commissioner Meisel recommends taking the 80% rule to council.

- e. Following discussion of whether or not the fence is in compliance with the 80% rule, Assistant City Attorney Thamm explains that the hearing is related to a variance to the code, not a review of staff determination.

D. Action:

- a. Commissioner Pledger moves to forward the variances to City Council with a recommendation of **approval**.
 - a. Commissioner Bartoletti seconds
 - b. Motion carries (3-2)
 - 1. Commissioners Webber and Maccini opposed

The variance request and recommendation will be forwarded to the February 11, 2026 City Council Meeting.

- 7. **1100 Block of Kennan Rd.** Discuss and consider a recommendation to City Council on a variance request to reduce the extent of the tree survey requirement for the entirety of a property for a new construction on an undeveloped lot.

Applicant: Paula Ables, Designer/Owner Representative

A. Staff Report:

- a. Director Bills describes that all new construction projects with no existing structure require a tree survey for the entire lot, but the applicant is requesting a reduction of the required survey.
- b. Commissioner Webber asks if the site plan has been submitted
 - 1. Director Bills explains that no site plans other than the exhibit in the packet have been made available for staff.

B. Public Comment:

- a. Paula Ables, Designer and Representative: Clarifies questions and concerns from commissioners

C. Discussion:

- a. Chair Meisel shares that the construction of the house is already expensive and that the expense of the tree survey should not be a hardship
- b. Commissioner Maccini believes the applicant is asking for full credit for impervious cover and drainage for the entirety of the lot without having to perform a full analysis of the lot.
- c. Chair Meisel states that the tree survey is required and needs to be part of the application as a historical document
 - 1. Commissioner Webber agrees and states that there must be context for the whole scope of the property for mitigation

D. Action:

- a. Commissioner Bartoletti moves to forward the variance request to City Council with a recommendation of **denial** based on lack of hardship.
 - 1. Commissioner Pledger seconds
 - 2. Motion carries (5-0)

The variance request and recommendation will be forwarded to the February 11, 2026 City Council Meeting.

- 8. **701 S Capital of Texas Highway (Sweetgreen):** Discuss and consider a recommendation to City Council for the following variances

- 1. For the installation of a wall sign exceeding the maximum 10-foot length (Section 32.03.009(2) West Lake Hills Code)
- 2. For the installation of a second sign for a restaurant with square footage of less than 5,000 square feet (Section II.B.1, Village at Westlake Uniform Signage Criteria)

Applicant: Jesus Sanchez, Santech Signs, LLC

A. Staff Report:

- a. Director Bills shares the history of the uniform sign agreement and describes the variances to the agreement and the City's sign code.

B. Public Comment

- a. Jesus Sanchez, Applicant:
 - 1. Speaks in favor of the variance

C. Discussion:

- a. Bartoletti indicates approval for the request

D. Action:

- a. Commissioner Bartoletti moves that the variance request be forwarded to City Council with a recommendation of **approval**.
 - 1. Commissioner Maccini seconds
 - 2. Motion carries (5-0)

The variance request and recommendation will be forwarded to the February 11, 2026 City Council Meeting.

- 9. **603 Spurlock Valley Rd :** Discuss and make a recommendation to the Board of Adjustment on a variance to install a new septic tank encroaching on the 30-foot front building setback (Section 22.03.276 & Section 22.03.281)

Applicant: James Kuykendall, Sunset Construction & Excavation

A. Staff Report:

- a. Director Bills describes the variance for a septic tank location. The house had initially been permitted with the tank in a compliant location but requested a new location for the septic at a later date.
- b. Commissioner Bartoletti asks about flooding issues
 - 1. Director Bills explains that there is no drainage easement or FEMA floodplain at location
- c. Applicant did not attend meeting but provided comment via email that was read by commissioners on the dais (Exhibit B)

B. Public Comment: No public comment

C. Discussion:

- a. Meisel: ZAPCO shouldn't ratify decision to proceed without permit by approving after-the-fact variance
- b. Webber asks why house is designed the way it is when the original plans showed the septic in a compliant location.

D. Action:

- a. Commissioner Webber moves that the variance request be forwarded to the Board of Adjustment with a recommendation of **denial**.
 - 1. Commissioner Pledger Seconds
 - 2. Motion carries (5-0)

The variance request and recommendation will be forwarded to the February 11, 2026 Board of Adjustment Meeting.

10. 300 Block of Laurel Valley Rd: Discuss and make recommendations on proposed variances:

- 1. Allow for a driveway height greater than 6 feet above natural grade (Section 22.03.175(e)(1))
- 2. Allow building height greater than 32 feet above natural grade on a slope of 25% or greater (Section 22.03.279(b))
- 3. Encroach 20 feet into the platted 50-foot front building setback along Yaupon Valley Road (Section 22.03.281)
- 4. Encroach 15 feet into both 25-foot side setbacks (Section 22.03.281)
- 5. Allow fills up to 15 feet where the maximum allowed is 6 feet on slopes of less than 35% (Section 22.03.170(b)– Drainage and Erosion Control Design Manual Section 7.4.1)
- 6. Allow for grading in areas of slopes greater than 35% where none is allowed (Section 22.03.170(b)– Drainage and Erosion Control Design Manual Section 7.4.1)

7. Allow grading greater than 18 inches within setbacks (Section 22.03.170(f)).

Applicant: Matt Garcia

A. Staff Report:

- a. Director Bills describes the site and the requests for variances.
- b. Commissioner Stewart asks Director Bills how many variances are missing
 - 1. Director Bills states there are at least two missing for the currently proposed development
- c. Commissioner Webber asks if the rainwater collection tanks would also need an additional setback encroachment variance
- d. Commissioner Meisel calls for the item to be postponed for the other variances to be addressed, as the request is incomplete

B. Action:

- a. Commissioner Pledger moves to combine items 10 and 11 into a single item and postpone to the February 18 ZAPCO meeting
 - 1. Maccini seconds
 - 2. Motion carries (5-0)

The item was postponed to the February 18, ZAPCO Meeting.

11. **300 Block of Laurel Valley Rd:** Discuss and make recommendations on proposed variances

7. Allow replacement trees for unpermitted removals to be planted at the end of the project, more than 601 days since the final order (Section 22.03.304(c)(5)).

Applicant: Matt Garcia

This item was combined with item 10 and postponed to the February 18 Zoning and Planning Commission meeting.

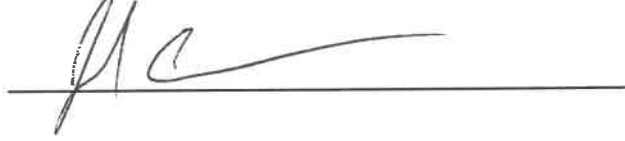
12. **Adjournment** – Chair Robert Meisel

Chair Meisel adjourns the meeting at 8:38 pm

APPROVED:


Robert Meisel, Chair

ATTEST:

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

Joel Sherrouse, Development Coordinator

These minutes were approved on February 18, 2026.