



CITY OF WEST LAKE HILLS, TEXAS
NOTICE OF BOARD OF ADJUSTMENT (BOA) REGULAR MEETING
Wednesday, March 11, 2026 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 11th day of March 2026 at 7:00 p.m., in the Council Chamber, Municipal Building, 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 by 1:00 P.M. on March 11, 2026.

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. Consent Agenda All Consent Agenda items listed are considered to be routine by the Board and will be enacted by one (1) motion. No separate discussion or action on any of the items is necessary unless requested by a Board Member.
 - a. Approval of the February 11, 2026 Regular Meeting Minutes.
4. Public Hearing 101 Westhaven Dr.: Discuss and consider action on a recommendation from ZAPCO on variances to allow for an accessory structure:
 1. To encroach 22 feet into the 30-foot front setback along Bee Cave Road (Section 22.03.276 and 22.03.281)

2. To encroach 20 feet into the 25-foot rear setback (Section 22.03.276 and 22.03.281)

Applicant: Pramod Patil, Property Owner

5. Adjournment

Approved by: James Vaughan, Chair

Certificate

I certify that the above Notice of the March 11, 2026 Board of Adjustment Regular Meeting was posted on the bulletin board at the Municipal Building, 4010 Bee Cave Road, West Lake Hills, Texas on Thursday, March 5, 2026 by 5:00 pm. and will remain posted continuously until said meeting is convened.

Signed by: Makayla Rodriguez, 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. City Council 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, February 11, 2026 at 7:00 PM

1. Call to Order

With a quorum present, Chair Vaughan called the meeting to order at 7:02pm

BOARD MEMBERS PRESENT:

James Vaughan - Chair
Brian Plunkett - Vice Chair
Gordon Bowman
Dana Harmon
Beth South
Darin Walker

CITY STAFF PRESENT

City Administrator Trey Fletcher
Acting City Secretary Joel Sherrouse
Director of BDS Jennifer Bills
Chief of Police Scott Gerdes
Assistant City Planner Elizabeth Macnamara
City Attorney Charles Zech

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 no comments, the public comment section was closed.

3. Administration Discuss and consider action on the approval of the January 14, 2026 Regular Meeting Minutes.

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

4. Land Use 603 Spurlock Valley Road - Discuss and consider action on a recommendation from ZAPCO on a variance to install a new septic tank encroaching on the 30-foot front building setback (Section 22.03.276 and Section 22.03.281).
Applicant: James Kuykendall, Sunset Construction & Excavation.

Director Bills summarized the variance request related to the installation of a septic system in the

front setback for a home under construction.

Chair Vaughan opened the Public Hearing

1. Applicant James Kuykendall spoke in support of the variance request, explaining issues related to wastewater the stub-out locations on the house in relation to the terrain
2. Bruce Bigelow of 500 Terrace Mountain spoke in opposition to the variance request
3. Phil Scahni of 607 Spurlock Valley spoke in opposition to the variance request
4. David McCormick of 605 Spurlock Valley spoke in opposition to the variance request
5. Karen Bartoletti of 504 Terrace Mountain spoke in opposition to the variance request

Hearing no further comments, Chair Vaughn closed the public hearing.

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

5. Adjournment

MOTION: Upon a motion made by Board Member Walker and a second by Board Member Bowman, the Board voted five (5) for and none (0) opposed to adjourn the meeting at 7:36 p.m. Motion carried.

Respectfully submitted,

James Vaughan, Chair

ATTEST:

Makayla Rodriguez
City Secretary

These minutes were approved on March 11, 2026.



City of West Lake Hills
Board of Adjustment

AGENDA REPORT

Meeting Date:	<u>March 11, 2026</u>	Item Number:	<u>4</u>
Department:	<u>Building & Development</u>		
Prepared By:	<u>Jennifer C. Bills</u>	Cost / Budget:	<u>None</u>
Exhibits:	<u>See Attached</u>	Source of Funds:	<u>N/A</u>

Subject

101 Westhaven Dr.: Discuss and consider an action on a recommendation from ZAPCO on variances to allow for an accessory structure:

1. To encroach 22 feet into the 30-foot front setback along Bee Cave Road (Section 22.03.276 and 22.03.281)
2. To encroach 20 feet into the 25-foot rear setback (Section 22.03.276 and 22.03.281)

Applicant: Pramod Patil, Property Owner

Recommendation

Discuss and consider action on if the following conditions are fulfilled:

The applicant has established by competent evidence that:

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.

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

This item was reviewed by the Zoning and Planning Commission on August 20, 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.

The Zoning and Planning Commission considered this item at the February 18, 2026, meeting and recommended approval by a vote of 5-0 (Attachment 7).

Discussion

Property Information, Zoning & Site Characteristics:

Owner: Pramod & Padmashree Patil

Legal Description: Westlake Park, Lot 1

Lot Size: 0.2766

Zoning: R-1 One-Family Residential

Wastewater: Septic

The properties surrounding the subject property are zoned R-1, One-Family Residential, and GUI, Government Utility and Institutional.

Background:

The applicant is requesting to rebuild an accessory structure (shed) in a similar location as the previous structure. The previous accessory structure was existing when the applicant purchased the property in 2006. In March 2025, the applicant stated a storm caused multiple trees to fall onto the shed, destroying it (picture below). The applicant began building an exterior portion of the shed without permits and a stop work order paused construction until building permits were received. The applicant is applying for a permit to build a shed of the same dimensions at the same location, but it is encroaching into the front and rear setbacks, as well as an electric easement at the rear of the property. There is an existing overhead electric line in the rear easement, so the building cannot encroach into that 5-foot area.

This lot is a corner lot on Westhaven Drive and Bee Cave Road, so it has two front setbacks. In 2014, the city acquired a 13.96-foot-wide strip along the Bee Cave frontage for the expansion of Texas Department of Transportation (TXDOT) road and sidewalk, thus reducing the existing front yard area.



** Picture provided by applicant.*

Analysis:

Setback Code Requirements

- Section 22.03.275. Building setback distances.
 - (1) No principal building shall have any front, side or rear setback distance less than that shown on the schedule of regulations as being required in the district in which the building is located, except that the minimum setback distance from Bee Cave Road shall be 50 feet regardless of which direction the building is facing. The setback distance from the Capital of Texas Highway shall be a minimum of 75 feet.
 - Unroofed steps and ramps shall not be considered as part of the principal building when measuring the setback distance of such building.
 - 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.
 - Allowed encroachments: Equipment slabs for pool equipment and/or mechanical equipment, generators and other similar equipment may encroach up to five (5) feet into side and rear setbacks after meeting all the following requirements:
 - Attached to the primary structure foundation;
 - Screened to appropriately dampen noise;
 - Slab is limited to 12 feet in length;
 - Equipment cannot be greater than five (5) feet in height measured from natural grade;
 - Screening must extend six (6) inches above the height of the equipment; and
 - Must be shown on the approved building plans.
- Section 22.03.276. Setbacks for accessory structures.

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

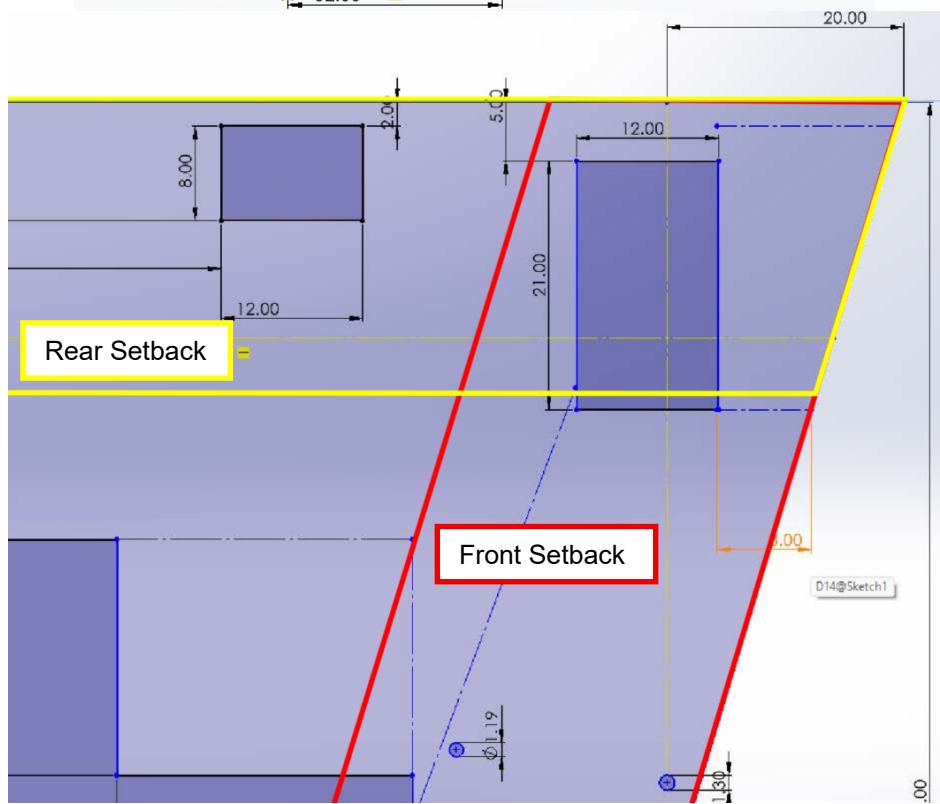
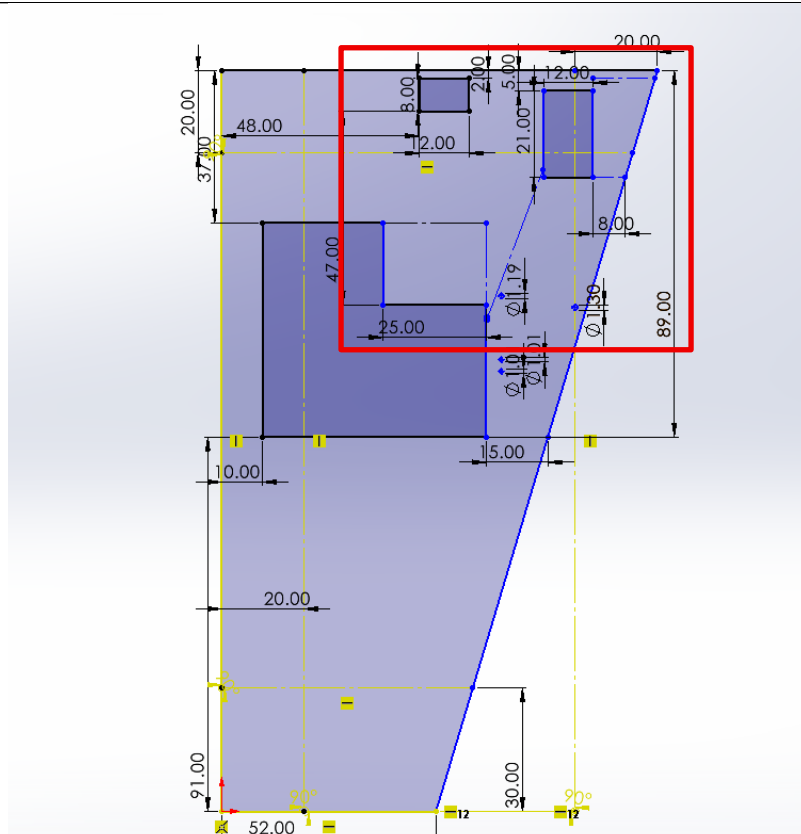
- Section 22.03.281 Schedule of Regulations

Minimum Building Setback Distance in Feet From Front Lot Line									
Lot Size/ Zoning	R-1	R-2	R-3	O	GUI	B-1	B-2	B-3	MU-1
Greater than or equal to .5 acre	50	50	50	50	50	50	50	(IV)(a)	(C)
Less than .5 acres	30	30	N/A	30	30	30	30	N/A	N/A

Minimum Building Setback Distance in Feet From Rear Lot Line									
Lot Size/ Zoning	R-1	R-2	R-3	O	GUI	B-1	B-2	B-3	MU-1
Greater than or equal to .5 acre	30	30	50	40	40	40	40	(IV)(c)	(C)
Less than .5 acres, greater than or equal to .375 acres	25	25	N/A	30	30	30	30	N/A	N/A
Less than .375 acres-zero	15 (F, E)/20	15 (F, E)/20	N/A	30	30	30	30	N/A	N/A

Request:

The applicant is requesting to encroach 22 feet into the 30-foot front setback and 20 feet into the 25-foot rear setback for an accessory structure.



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.

Public Comments:

At the time of the report, one written comment in support was received for this request (Attachment 6).

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.

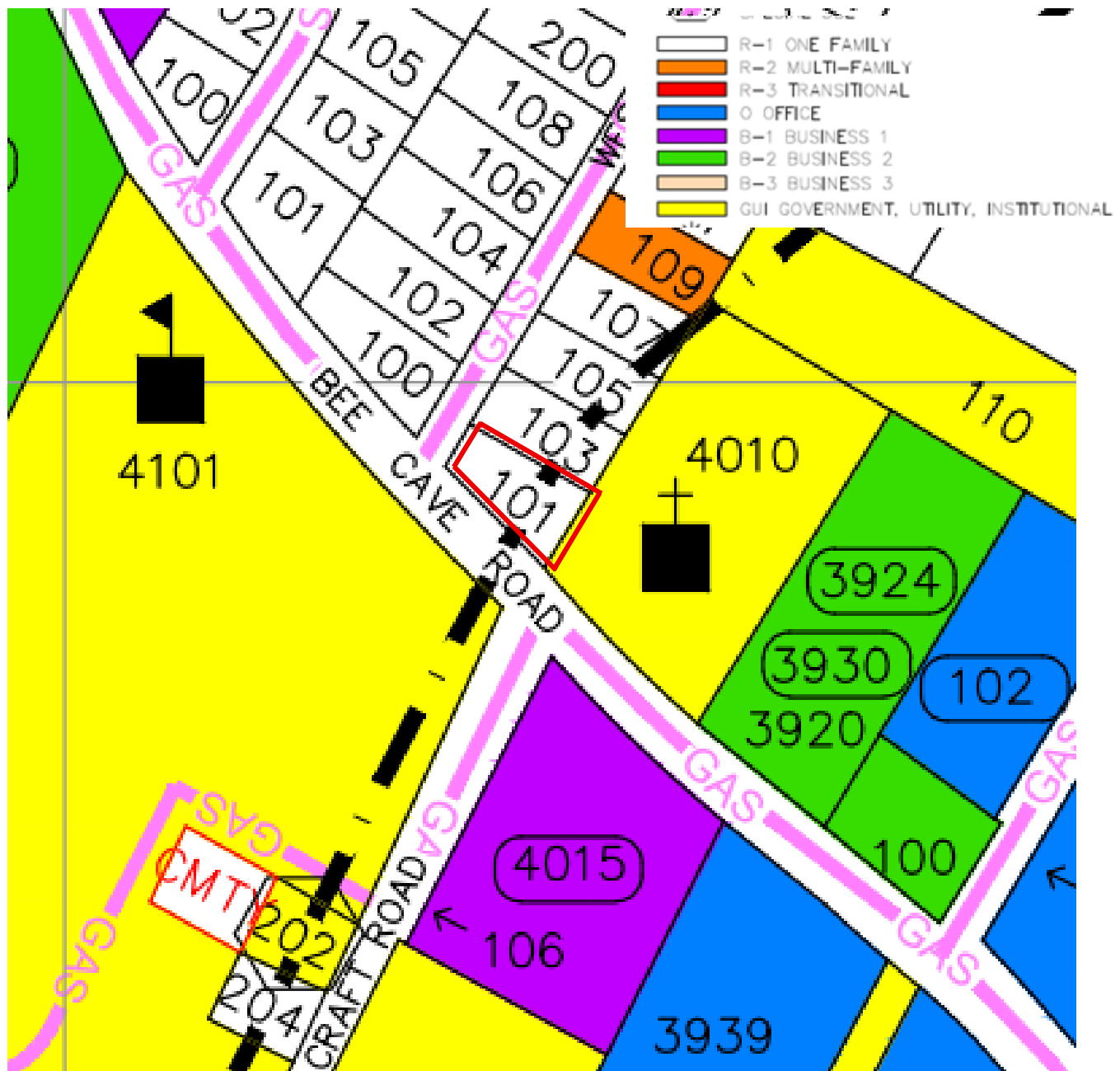
Comprehensive Planning Analysis

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

Links to Relevant Code:

- [Section 22.03.275 Building setback distances](#)
- [Section 22.03.281 Schedule of Regulations](#)
- [Section 38.05.031 Variances](#)
- [Section 22.03.514 Criteria and process required for granting a variance](#)

Zoning:



Aerial:



Pramod Patil

01/18/2026

To,

ZAPCO Chairperson

City of Westlake Hills

Westlake Hills, TX

Re: Variance Request for Storage Shed Rebuild at 101 Westhaven Dr. Westlake Hills, TX-78746

Dear Chairperson and Members of the Board,

I am writing to respectfully request consideration of my variance application related to rebuilding a storage shed on my property at 101 Westhaven Dr. Westlake Hills , TX 78746. The purpose of this request is to allow me to restore a long-standing accessory structure that existed on the property for many years and was destroyed due to circumstances beyond my control.

When I purchased the property in 2006, a storage shed was already in place and had been used continuously as part of the normal residential function of the home. In March 2025, a severe storm caused multiple trees to fall, completely destroying the shed. Because the structure was fully damaged, it cannot be repaired and must be rebuilt from scratch. In addition, a significant portion of my property has since been taken by TXDOT through eminent domain as part of the Bee Caves Road expansion, which has reduced the usable area of the lot and limited placement options for accessory structures.

The proposed shed will be rebuilt on the same existing platform, in the same location, and with a footprint and materials similar to the prior structure. The project does not increase impervious coverage, does not expand use, and does not introduce any new development impacts. The intended use of the shed remains strictly residential storage, consistent with its historical function and with the character of the neighborhood.

Due to updated zoning and permitting requirements adopted since I originally purchased the property, variances are now required simply to restore the property to its prior condition. My request is narrowly tailored to maintain reasonable use of the property and does not seek to exceed what previously existed.

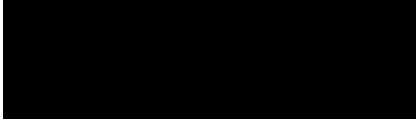
I respectfully ask the Board to consider the unique circumstances surrounding this request, including storm damage, loss of land through eminent domain, and the long-

standing nature of the structure. Granting the variance would allow me to restore a necessary and historically established feature of the property without creating adverse impacts to neighboring properties or the surrounding environment.

Thank you for your time and consideration. I appreciate the Board's service to the community and your thoughtful review of my request.

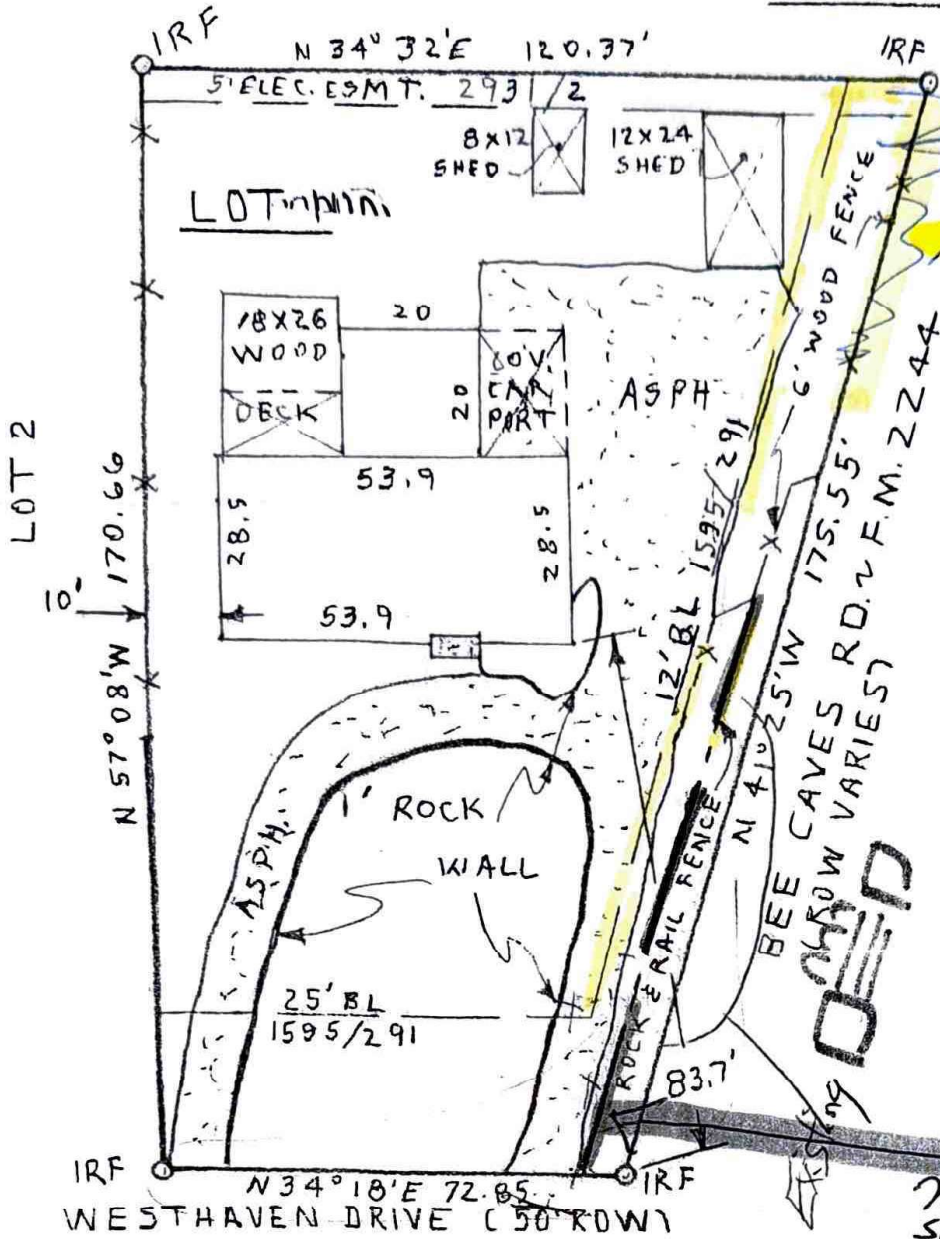
Sincerely,

Pramod Patil



LOT 1, WESTLAKE PARK, AN ADDITION IN TRAVIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN BOOK 7, PAGE 74, OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS.

G.F. # 251200570Z



Repair
6' Wooden Fence
Must be
15' from property line
1" = 30' Line

CITY OF WEST LAKE HILLS
MAY 27 2008
CITY OF WEST LAKE HILLS
RECEIVED



Phillip M. Craft

07/24/06

Must be set back
SEE ORDINANCE

STATE OF TEXAS TO THE LIENHOLDERS AND/OR THE OWNERS AND TO COUNTY OF TRAVIS: STATE BANK AND TO LANDAMERICA COMMONWEALTH TITLE OF AUSTIN, INC. AND TO PRAMOD S. PATIL, THE UNDERSIGNED DOES HEREBY CERTIFY THAT THIS SURVEY WAS THIS DAY MADE ON THE GROUND OF THE PROPERTY LEGALLY DESCRIBED HEREON AND IS CORRECT, AND THAT THERE ARE NO DISCREPANCIES, CONFLICTS, SHORTAGES IN AREA, BOUNDARY LINE CONFLICTS, ENCROACHMENTS, OVERLAPPING OF IMPROVEMENTS, VISIBLE UTILITY LINES, OR ROADS IN PLACE, EXCEPT AS SHOWN HEREON, AND THAT SAID PROPERTY HAS ACCESS TO AND FROM A DEDICATED ROADWAY,

101 Westhaven Dr, Storage shed project

We had an existing storage shed on the property at 101 Westhaven Dr, Austin, TX 78746. It was located towards the Southeast corner of the lot. The storage shed size was 12x 24 x8 feet.

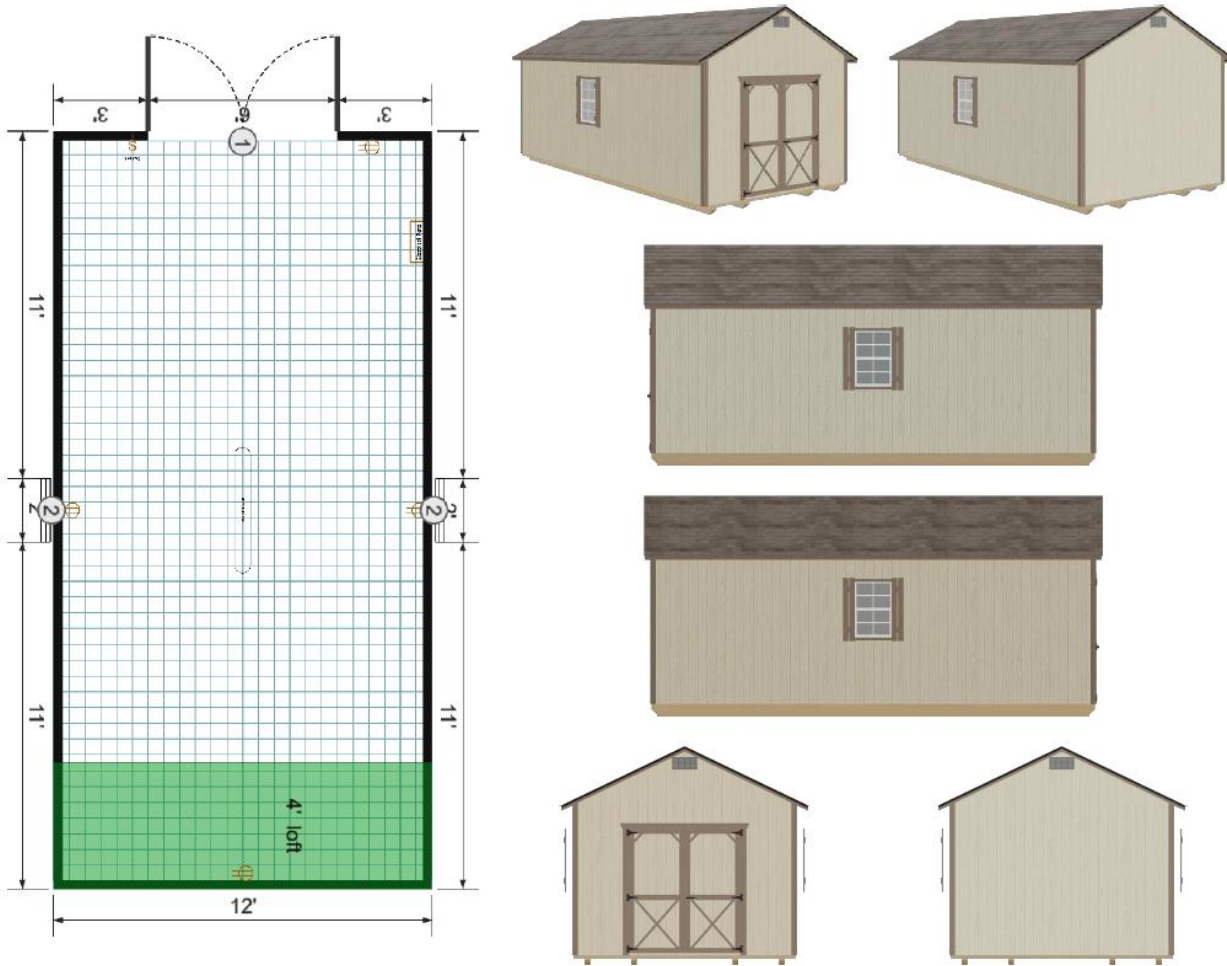
The shed broke because of the trees falling down on the shed from the storm in March 2025. See the picture below.



I am applying for the permit to build exactly similar dimension (12x 24 x8 feet) shed at the same location.

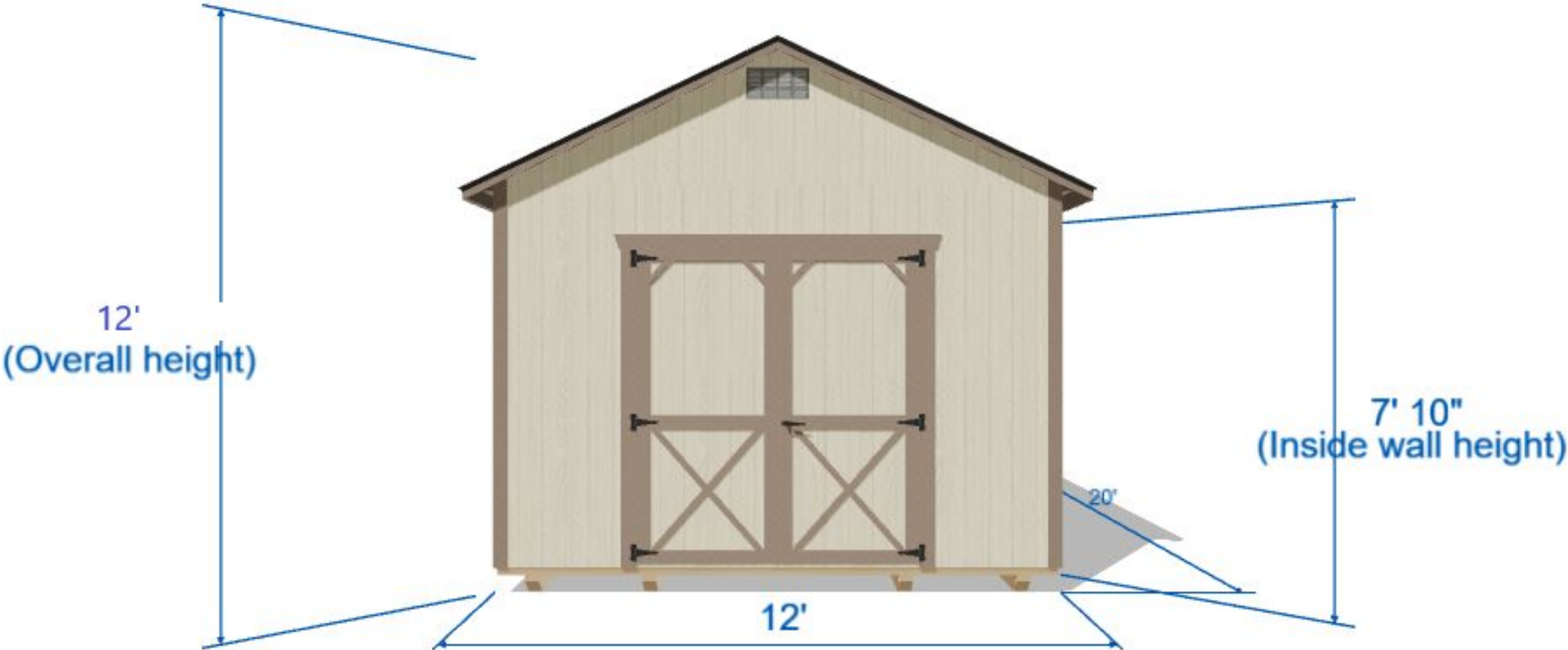
Here is the configuration of the shed.

Building Configuration



Here are the additional details on the materials to be used etc.

12x20 Elite Garden Shed

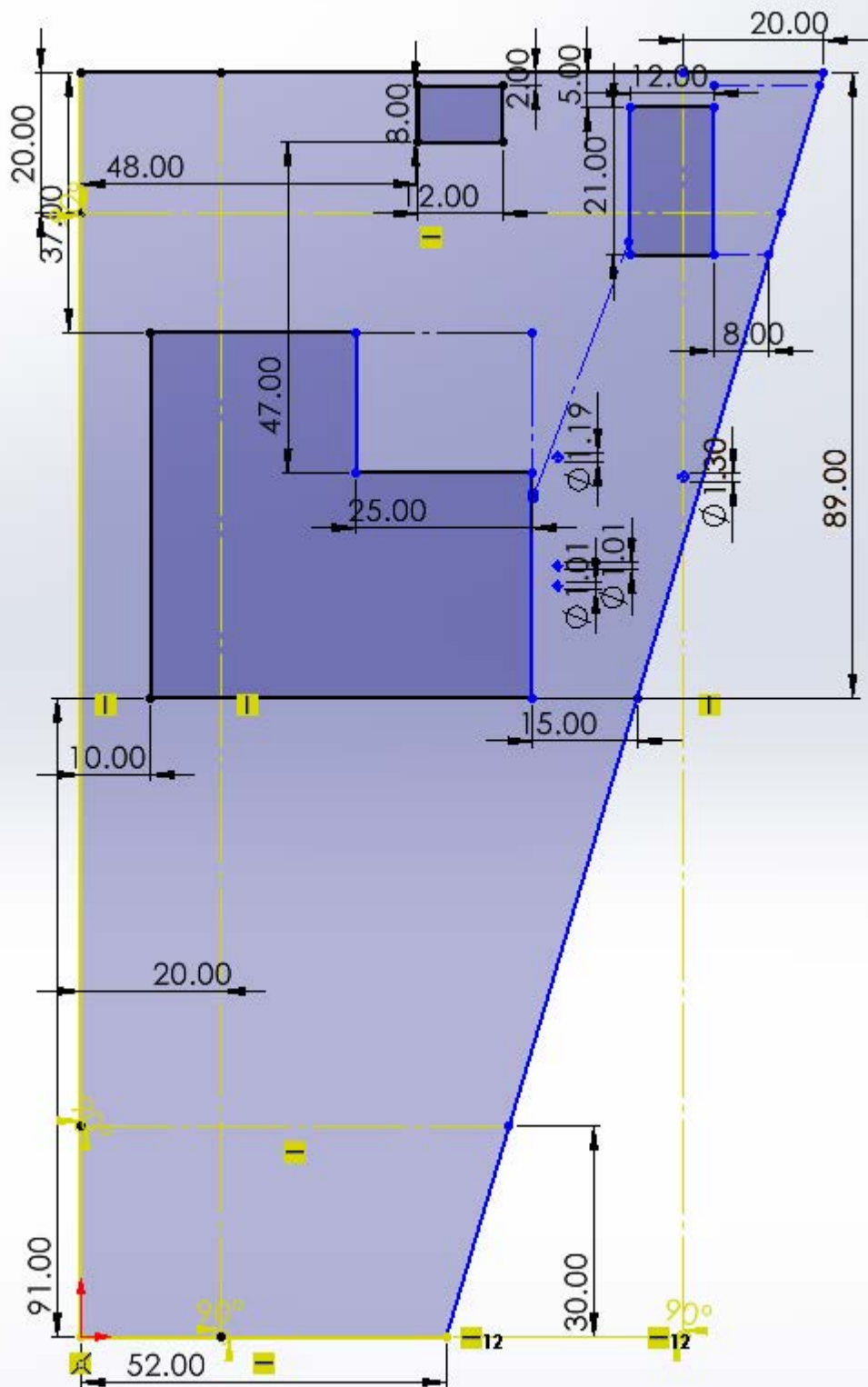


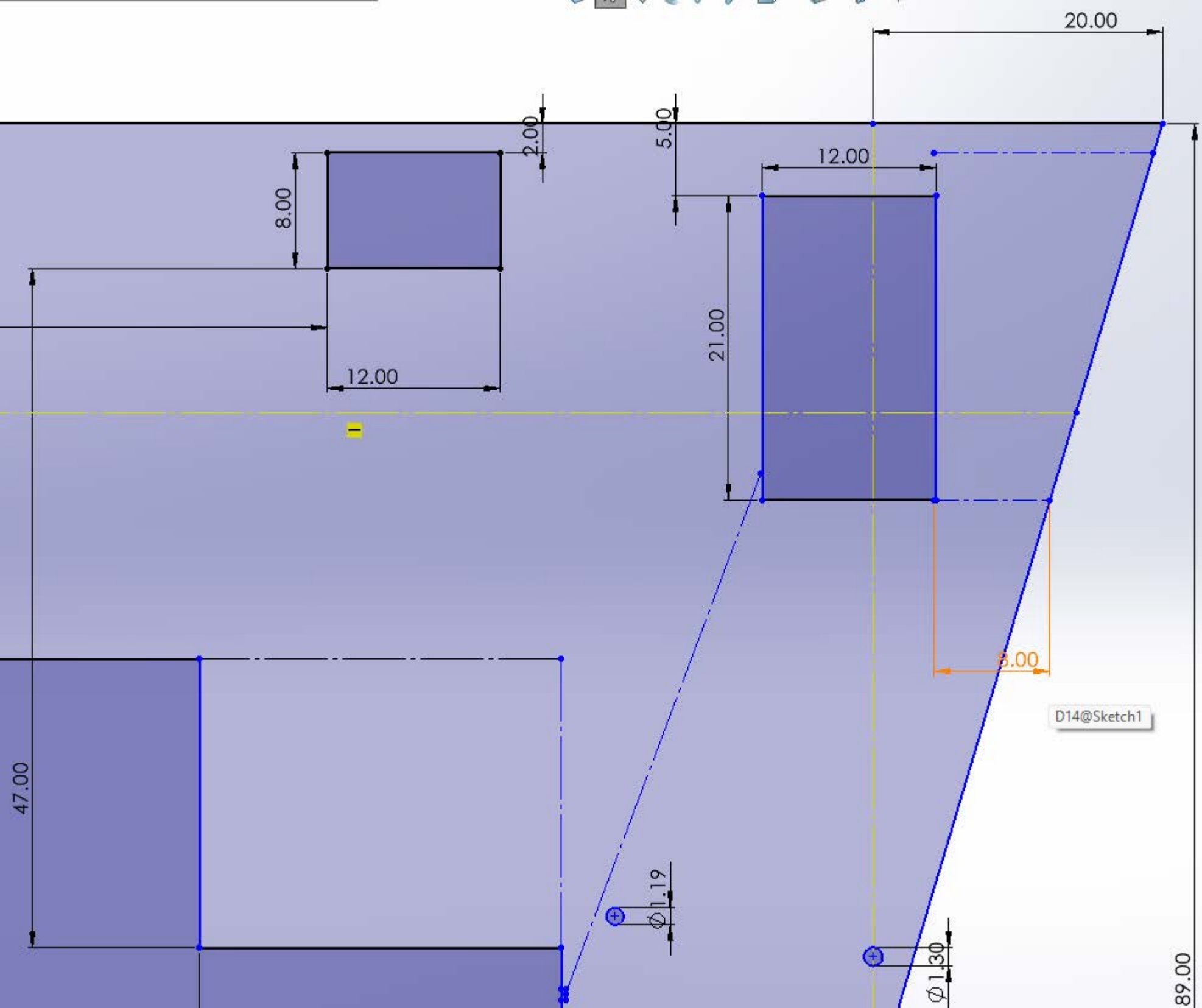
Order Information

Store	QSB Sales Center	Order Type	Sale
Sales Person	Ricky Scott P:(254) 687-9209	Product Type	Building
Order Date	06/20/2025	Product Build	Build to Order
Est. Delivery Period	07/11/2025 - 07/21/2025		

Bill To		Ship To	
Name	Pammu Patil	Name	Pammu Patil
Phone	(512) 350-7665	Phone	(512) 350-7665
Email	pammupatil@gmail.com	Email	pammupatil@gmail.com
Address	101 Westhaven Drive West Lake Hills, Texas 78746	Address	101 Westhaven Drive West Lake Hills, Texas 78746

Item	Color	Qty	Price
12x24 Elite Garden Shed		1	\$9,437.00
12x24x8 Elite Garden Shed		1	Included
LP Smartside Panel	Navajo White (Paint)	1	Included
LP Smartside Trim	Zook Tan (Paint)	1	Included
① 6-0x6-8 Double Shed Door		1	Included
② 2'x3' SP Window w/Shutters		2	Included
Loft (included loft in package)		4	Included
7/16 SilverTech Siding		1	Included
Gable Vent		2	Included
Standard Ridge Vent		1	Included
Dimensional Shingle Roof	Driftwood Oakridge (Shingles)	1	Included
110 Outlet Icon		4	\$0.00
Electrical Panel		1	\$0.00
Light Switch		1	\$0.00
Basic Electrical Package - Includes: 1- 6 slot breaker panel w/2-GFCI breakers, 4- outlets, 1 - 4'		1	\$1,095.00
4' LED Light		1	\$0.00
Custom Option		1415	\$1.00
Onsite Electrical Trip Charge \$5 per mile over 50 miles plus a \$50 cha...		550	\$1.00





From: [Caroline Peace](#)
To: [Planner](#)
Cc: [REDACTED]
Subject: Variance Request - 101 Westhaven Drive
Date: Friday, February 6, 2026 4:03:10 PM

You don't often get email from [REDACTED]. [Learn why this is important](#)

Good afternoon, Planner,

We would like to voice our complete support for our neighbor Pramod Patil's request to receive a variance for his property. We believe he should absolutely be granted the opportunity to make the improvements.

Thank you,
Jeff and Carrie Peace
102 Westhaven Drive

This electronic mail message, including any attachments, may be confidential or privileged under applicable law. This email is intended solely for the use of the individual or entity to which it is addressed. If you are not the intended recipient of this email, you are notified that any use, dissemination, distribution, copying, disclosure or any other action taken in relation to the content of this email including any attachments is strictly prohibited. If you have received this email in error, please notify the sender immediately and permanently delete the original and any copy of this email, including secure destruction of any printouts.

Exhibit A

101 Westhaven Dr – Multiple Variances

Applicant's Findings of Fact

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

Strict or literal enforcement of the ordinance would create a significant and unnecessary hardship for me due to the unique conditions of my property and its long-standing use. My home does not have a separate garage, which makes on-site storage essential for normal, everyday living. The existing storage area has historically been used to safely store household items, tools, seasonal belongings, maintenance equipment, and emergency supplies that cannot reasonably be kept inside the home. Without this storage, I would be forced to overcrowd the living space, reduce the functionality of the home, or seek off-site storage, which creates ongoing expense, inconvenience, and security concerns.

In addition, the loss of functional storage would materially reduce the usability and desirability of the property, placing it at a disadvantage compared to similar homes in the area that have garages or adequate storage options. This would negatively affect both market value and rentability, as families reasonably expect sufficient storage when choosing a residence. Because a substantial portion of my land has already been taken through eminent domain for the Bee Caves Road expansion, my options for relocating or redesigning storage on the property are extremely limited. The strict application of current regulations, when combined with the loss of land and the absence of a garage, leaves me with no practical way to maintain the property's prior level of use.

Finally, denying the ability to rebuild this long-standing storage use would impose a financial burden that goes beyond inconvenience. The existing shed platform is already in place, and being forced to remove or repurpose it would require additional expense without any functional benefit. I purchased this property nearly twenty years ago as a long-term investment and a key part of my retirement planning. A permanent reduction in the property's functionality, value, and marketability caused by the inability to restore this storage would have a lasting and disproportionate impact on me, creating an unnecessary hardship that strict enforcement of the ordinance was not intended to impose.

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

Granting the requested variance will not result in unreasonable disruption of the natural terrain or unreasonable destruction of existing flora. A storage shed has existed on my property for more than twenty years, and the proposed structure will be rebuilt on the exact same existing

platform and within the same footprint as the prior shed. The project does not involve expansion into undisturbed areas, additional grading, or removal of vegetation.

Because impervious coverage will remain unchanged and the rebuilt shed will maintain the historical use and location of the previous structure, there will be no alteration to existing drainage patterns, soil conditions, or native plant life. The proposed variance therefore maintains the existing environmental conditions of the site and is consistent with the City's intent to protect natural terrain and existing flora.

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

I have evaluated reasonable alternatives, including relocating the storage shed to other areas of the property or reducing its size to comply with current ordinance requirements. However, no feasible alternative exists that would alleviate the difficulty or hardship. A substantial portion of my property has been taken by TXDOT through eminent domain for the Bee Caves Road expansion, which has significantly reduced the buildable and usable area of the lot.

As a result of these constraints, there is no other location on the property that can reasonably accommodate a storage shed of similar size without creating additional impacts or further limiting the reasonable use of the property. Reducing the size of the structure would not provide functional storage and would not resolve the hardship. As a result, there is no reasonable alternative that would address the difficulty or hardship other than granting the requested variance and the requested variance represents the only practical and reasonable means of maintaining the historical use of the property.

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

I believe the variance I am requesting is the minimum required to alleviate the difficulty and hardship because it is limited strictly to restoring a storage shed that lawfully existed on the property for many years prior to its destruction. The proposed shed will be rebuilt on the same existing platform, in the same location, and with a footprint that closely matches the previous structure. I am not requesting any increase in size, height, impervious coverage, or intensity of use beyond what previously existed.

The request does not involve new development, expanded use, or a change in the character of the property. Instead, it is narrowly focused on maintaining the reasonable and established use of the property that was in place at the time I purchased it. Any further reduction in the structure's size or relocation to another area of the lot would either eliminate its functional purpose or create additional impacts due to the limited buildable area resulting from the TXDOT land acquisition.

Additionally, the variance is tailored to avoid unnecessary impacts on the site and surrounding area by utilizing an existing platform and previously disturbed area. This approach minimizes environmental impact, avoids additional construction disturbance, and ensures compliance with the overall intent of the ordinance to the greatest extent practicable. For these reasons, the variance requested represents the least amount of relief necessary to alleviate the hardship while preserving the character, function, and environmental conditions of the property.

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

I believe the requested variance does not violate the intent of the Zoning Ordinance or the goals of the City's Comprehensive Plan because it does not introduce a new use or increase the intensity of development on the property. The request is limited to rebuilding a storage shed that lawfully existed on the property for many years and supported the established residential use. The proposed shed will be rebuilt in the same location, within the same general footprint, and with no increase in impervious coverage, density, or activity.

In addition, the shed will be constructed using materials similar to those of the previous structure, ensuring it remains compatible with the character and appearance of the property and surrounding area. Rebuilding the shed on the existing platform avoids additional site disturbance and preserves natural features, which aligns with the City's environmental and planning goals. Overall, the variance allows the property to continue functioning as it historically has while remaining consistent with the intent of the Zoning Ordinance and the City's Comprehensive Plan.

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

I believe the requested variance will not adversely affect neighboring properties or interfere with the enjoyment of those properties because the storage shed is simply being rebuilt in the same location and footprint where it existed for many years. The shed is an accessory structure with no associated increase in activity, noise, traffic, or occupancy, and it does not change how the property is used.

The rebuilt shed will maintain a similar size, height, and appearance, using comparable materials, and will not create new visual, environmental, or privacy impacts for neighboring properties. Because the structure does not expand into new areas and does not increase impervious coverage or intensity of use, surrounding properties will experience no change from prior conditions. For these reasons, the variance will have no adverse effect on neighboring properties or on their owners' ability to enjoy them.

City of West Lake Hills

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

Wednesday, February 18, 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 January 21, 2026 Zoning and Planning Commission Minutes.
- b. Report of previous cases ZAPCO acted on by BOA/City Council.

Action: Commissioner Stewart moves for approval of the Consent Agenda

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

Chair Meisel moves the discussion of Item 7, 102 Swiftcurrent up on the agenda for discussion.

7. Discuss and consider a recommendation to Board of Adjustments on a variance to allow a second driveway when a maximum of one is allowed (Section 22.03.175(e)(2)).

Applicant: Francisco Rios,

A. Staff Report:

1. Director Bills details the replat of 100 Swiftcurrent which resulted in the property to be landlocked. Director Bills described the details of the proposed driveway with a curb cut on 102 Swiftcurrent to access the

- easement on 98 Swiftcurrent to provide driveway access for 100 Swiftcurrent.
2. Chair Meisel calls to postpone the item to the March ZAPCO meeting
 1. The owners of 98 Swiftcurrent stated their objection to the postponement.

Chair Meisel moves the full discussion and consideration of Item 7 to its initial place in the agenda.

4. **Public Hearing 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

Note: Items 4 and 5 are related to the same property and are separate due to Zoning variance requests being forwarded to the Board of Adjustments while the Tree variance request is forwarded to City Council. They were largely discussed as a single item, recorded in the minutes for item 4, while the motions were separated.

A. Staff Report:

- a. **Director Bills** describes the history of the property and the variance requests.
- b. **Chair Meisel** asks why the property is taking access off of Yaupon Valley Road instead of Laurel Valley.

- c. **Commissioner Webber** asks if there is room on the property with the proposed development to replace the illegally-removed trees.

B. Public Comments:

- a. **Matt Garcia – Applicant**
 - 1. Indicates that trees had been removed by prior owner
 - 2. Speaks in favor of variance requests
- b. A letter (Attached to minutes as “Exhibit A”) in opposition to the variances from Steve Brown of 300 Cedar Oak Drive was read into the record
- c. A letter (Attached to minutes as “Exhibit B”) in opposition to the variances from Jane Noble of 801 Yaupon Valley Road was read into the record

C. Discussion:

- a. **Commissioner Webber** asks what the proposed square footage of the new house is.
 - 1. **Matt Garcia:** 4320 square feet
- b. **Commissioner Maccini** asks if there has been a recent tree survey of the property.
 - 1. **Director Bills:** None has been provided.
- c. **Commissioner Webber:** The scope of the variances represents a mockery of city code.
- d. **Chair Meisel** indicates that according to the Appraisal District, the ownership hasn’t changed since 2020, and that it was this owner that removed the trees.
- e. **Commissioner Webber:** Space required for tree mitigation needs to be quantified.
- f. **Commissioner Pledger:** There is no hardship, and the magnitude of variances requested would require a dramatic hardship.

D. Action:

- a. **Commissioner Webber** moves to forward all variance requests to the Board of Adjustment with a recommendation of **denial** for lack of hardship.
 - 1. Commissioner Pledger seconds,
 - 2. Motion carries unanimously (5-0).

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

- 5. Public Hearing 300 Block of Laurel Valley Rd: Discuss and make recommendations on proposed variances:

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

Note: Items 4 and 5 are related to the same property and are separate due to Zoning variance requests being forwarded to the Board of Adjustments while the Tree variance request is forwarded to City Council. They were largely discussed as a single item, recorded in the minutes for item 4, while the motions were separated.

A. Staff Report:

- a. See minutes for item 4

B. Public Comments:

- a. See minutes for Item 4

C. Discussion:

- a. See minutes for item 4

D. Action:

- a. **Commissioner Bartoletti** moves to forward the variance request to the Board of Adjustment with a recommendation of **denial** for lack of hardship.
 - i. Commissioner Webber seconds
 - ii. Motion carries unanimously (5-0)

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

6. Public Hearing 101 Westhaven Dr. : Discuss and make a recommendation to Board of Adjustment on variances to allow for an accessory structure:

1. To encroach 22 feet into the 30-foot front setback along Bee Cave Road (Section 22.03.276 and 22.03.281)
2. To encroach 20 feet into the 25-foot rear setback (Section 22.03.276 and Section 22.03.281)

Applicant: Pramod Patil, Property Owner

A. Staff Report:

- a. Director Bills details that proposed shed to be in a similar location after a storm destroyed the existing shed.
- b. Director Bills shares that the lot lost 14 feet of the front setback to TXDOT's expansion of Bee Cave Rd.

- c. Stewart asks if the shed was there before 2014 and if it has HVAC, Plumbing, Water.
 - a. Director Bills states that the shed would just have electric.
- d. Bartoletti asks if the shed was in the setback prior to the sale of the portion of the lot.
 - a. Director Bills says yes.
- e. Pledger asks if the shed predates the setback code.
 - a. Director Bills states she is unsure of how old the original shed was, but not older than 2002 according to a survey of the property provided by the applicant.

B. Public Comments:

- a. **Pramod Patil** - Applicant:
 - 1. Presented request for variance.

C. Discussion:

- a. **Commissioner Maccini** states that the variance is a direct hardship and is in support of the variances.
- b. **Commissioner Webber** thanks Patil for the presentation and is in support.

D. Action:

- a. Commissioner Maccini moves to forward the variances to City Council with a recommendation of **approval**.
 - a. Commissioner Webber seconds,
 - b. Motion carries (5-0) unanimously.

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

- 7. **102 Swiftcurrent.** Discuss and consider a recommendation to Board of Adjustments on a variance to allow a second driveway when a maximum of one is allowed (Section 22.03.175(e)(2))

Applicant: Francisco Rios, Property Owner

Note: Chair Meisel chose to recuse himself from the discussion on the variance request because he was involved in the prior replat of the property as the property owner. Vice-Chair Pledger led the discussion on this item.

a. Staff Report:

- 1. **Director Bills** details that the only applicant on record is 102 Swiftcurrent.

2. **Commissioner Bartoletti** states that the variance request should be postponed to the next meeting because of insufficient information to the application.
 3. **Commissioner Pledger** asks why the other two property owners were not on the application
 4. Maccini asks to hear from the applicant
 5. Bartoletti asks Director Bills and Assistant City Attorney Thamm if the applicant owns the property
 1. **Director Bills** clarifies that the applicant owns 102 Swiftcurrent, but that the goals of the applicants are to receive the variance and sell the portion of the property for which the variance is requested to the owners of 98 Swiftcurrent.
 - a. If the property lines are moved, the properties would need to go through the subdivision process prior to additional development.
- b. Public Comment:**
1. Francisco Rios, Applicant:
 1. Clarified the comments made by the commission and agrees with the commission that all three parties should be involved.
- c. Discussion:**
1. Pledger asks the applicant to postpone to the March ZAPCO meeting
 2. Director Bills shares her recommendation of 98 Swiftcurrent to be the applicant/agent, with 102 Swiftcurrent providing power of attorney.
 3. Maccini asks who will eventually own the driveway.
 1. As proposed by the current owners of 98 and 102 Swiftcurrent, Director Bills states that 98 Swiftcurrent will own the driveway
 4. Pledger states the applicant should be the owner of the driveway and all parties be included.
 5. Webber states that part of the application should include the impervious cover calculations.
 1. Webber asks if it's appropriate for 98 Swiftcurrent to be the applicant.
 - a. Development Coordinator Sherrouse explains that the City has a standard Power of Attorney form that can be submitted to the application to allow the application to represent multiple properties.
 6. Applicant requests postponement to the March 18, 2026 ZAPCO meeting.
- d. Action:**
1. Bartoletti moves that the request be postponed to the March 18, 2026 ZAPCO Meeting
 1. Commission Webber seconds,
 2. The vote passes (5-0) unanimously.

The variance request is postponed to the March 18, 2026 ZAPCO meeting

Chair Robert Meisel returns to the dais.

8. **Adjournment**

Chair Meisel adjourns the meeting at 7:48pm

APPROVED:

Robert Meisel, Chair

ATTEST:

Joel Sherrouse, Development Coordinator

These minutes were approved on _____, 2026.

DRAFT

Exhibit A

From: [REDACTED]
To: [Joel Sherrouse; Jennifer Bills](#)
Subject: Comments for Zapco Meeting, 18 Feb 2026 / 300 Block Laurel Valley
Date: Saturday, February 14, 2026 10:13:37 AM

You don't often get email from [REDACTED]. [Learn why this is important](#)

Hi Jennifer & Joel- I attended the last meeting in person but the window was cut short at the very end to speak. In the event I'm unable to attend in person this week, I may be traveling (but could try virtually), I would like this short email submitted in the building proposal and read out loud at the meeting. If you (or another member of the committee) are unable to perform this, please let me know.

Dear Members of the ZAPCO Commission and the West Lake Hills community,

I am writing regarding the property on the 300 block of Laurel Valley.

Like many in our community, I was deeply disappointed to see the extensive tree clearing on this lot. The natural canopy and screening are a defining part of why residents choose to live in West Lake Hills, and once mature trees are removed, they cannot simply be replaced in any meaningful timeframe. To date, no meaningful replanting has occurred that could begin restoring coverage or visual buffering.

It is also important to note that the site constraints cited in the variance requests were inherent to the lot at the time of purchase. Granting variances under these circumstances risks undermining the intent of our setback, height, and environmental protections — especially in this particular section of Laurel Valley and Yaupon Valley Roads, where homes already sit in close proximity and depend heavily on natural screening, particularly for neighbors across the canyon.

Unfortunately, the actions taken so far appear to move away from — rather than toward — the spirit of West Lake Hills' building and environmental standards.

Finally, Laurel Valley Road and Yaupon Valley Road are among the most actively walked, ridden, and enjoyed roads in our community. As stewards of this unique area, we should do everything possible to preserve the natural character, protections, and visual integrity that make West Lake Hills special for all residents.

Thank you for your time and consideration, and please include this comment in the public record for the February 18 meeting.

Sincerely,

Steve Brown

300 Cedar Oak Dr

Exhibit B

From: [Trey Fletcher](#)
To: [Jennifer Bills](#); [Joel Sherrouse](#)
Subject: FW: Please forward to ZAPCO members
Date: Tuesday, February 17, 2026 3:47:22 PM

From: Jane Noble [REDACTED]
Sent: Tuesday, February 17, 2026 3:31 PM
To: Terry Blanchard <tBlanchard@westlakehills.gov>
Subject: Please forward to ZAPCO members

Dear ZAPCO members,

I am writing in opposition to all of the requested variances for the property at 309 Laurel Valley Road.

This is one of the most overreaching collections of variance requests I've ever seen. And I've seen a lot. This is a simple case of a commercial real estate developer trying to maximize profit by cramming way too much onto a less than one-half acre lot and trying to grab as much of a view as possible to entice potential buyers. I can't think of a single reason to grant any of these variance requests. This is a clearly buildable lot for the appropriate size house. The developer needs to build within the ordinances or sell and move on.

When you recommend denial the variances, as I hope you will, please include in your motion, a recommendation to BOA/Council that they instruct staff to monitor any action on this lot **like hawks**. The developer has already flagrantly violated the ordinances and his own permit by "clear cutting" the lot hours after the city inspector left, apparently in preparation for the current outlandish plan — because the fines assessed by the city don't mean anything to a big guy real estate developer.

Thank you for your consideration of my concerns and for your service to our city.

Jane Noble
801 Yaupon Valley Road