



CITY OF WEST LAKE HILLS, TEXAS
NOTICE OF BOARD OF ADJUSTMENT (BOA) REGULAR MEETING
Wednesday, October 14, 2020 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 REMOTE Regular Meeting on the 14th day of October 2020 at 7:00 p.m., at which time the following items will be discussed, to-wit:

REMOTE ACCESS ONLY:

In accordance with the order of the Office of the Governor issued March 16, 2020, the City Council of the City of West Lake Hills will conduct a telephonic meeting in order to advance the public health goal of limiting face-to-face meetings (also called “social distancing”) to slow the spread of the Coronavirus (COVID19).

The public may participate in this meeting by dialing in to the following toll free number: **(346) 248-7799**, Meeting ID **815 3729 8039**, Password: **387042**

If you wish to speak during the meeting, please provide your name, phone number and the item number you wish to speak on to citysec@westlakehills.org by 1:00 P.M. on October 14, 2020

Members of the public who wish to submit their written comments in lieu of speaking shall submit their comments by emailing citysec@westlakehills.org. Comments must be received by 1:00 P.M. on October 14, 2020

1. Call to Order
2. Citizen Communications The City Council 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 Council Later in the Meeting. The Council Cannot Respond to Matters Not Listed on the Agenda Until a Future Meeting. 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 City Council and Will be Enacted by One (1) Motion. No Separate Discussion or Action on any of the Items is Necessary Unless Desired by a Council Member or Citizen

- a. Approval of the September 9, 2020 Regular Meeting Minutes
4. **Ordinance 3425 Bee Cave Road:** Adopt an Ordinance for a Special Use Permit Request to allow a tattoo license in order to operate a microblading business on a property zoned B – 2 – Business 2. Applicant Jaclyn Clancy.
- a. Citizens Communications: All persons wishing to speak on this matter shall be heard
5. **Land Use 402 Camp Craft Road:** Discuss and Consider Action on a variance application for six (6) variances in order to remodel the existing non-conforming home and accessory structures:
- 1) Refurbish and allow an existing non-conforming main structure to remain in a side setback;
 - 2) Refurbish and allow an existing non-conforming accessory structure to remain in a rear setback;
 - 3) Enclose/refurbish an existing non-conforming structure (sport court) in a rear and side setback;
 - 4) Allow an existing driveway to be rehabilitated and remain in a side setback;
 - 5) Removal of a 27" Crepe Myrtle Tree;
 - 6) Removal of a 15" Oak Tree
- (West Lake Hills Code Sections 22.03.281, 22.03.175, 22.03.304(4)). Owners Robert and Tanja Lee/Applicant CleanTag Permits - Linda Sullivan.
- Dual item requiring BOA and City Council action: Variances 1 – 4 require BOA action and Variances 5 & 6 require City Council action**
- a. Citizens Communications: All persons wishing to speak on this matter shall be heard
6. Adjournment

Approved by: Linda Anthony, Mayor

Certificate

I certify that the above Notice of the October 14, 2020 Board of Adjustment Regular Meeting was posted on the bulletin board at the Municipal Building, 911 Westlake Drive, West Lake Hills, Texas on October 9, 2020 by 5:00 pm. and will remain posted continuously until said meeting is convened.

Signed by: Stephanie Mills, City Secretary

The City of West Lake Hills is committed to compliance with the Americans with Disabilities Act. Reasonable accommodations 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, September 9, 2020 at 7:00 PM

1. Call to Order

With a quorum present, Mayor Anthony called the meeting to order at 7:00 p.m. Members in attendance were Mayor Anthony, Mayor Pro Tem Jim O'Connor, Councilmembers, Brian Plunkett, and Darin Walker. Councilmember Rhonda McCollough and Beth South were absent at the time of roll call

2. Citizen Communications The City Council 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 Council Later in the Meeting. The Council Cannot Respond to Matters Not Listed on the Agenda Until a Future Meeting. Speakers Shall Limit Their Comments to Five (5) Minutes Each

Mayor Anthony opened the meeting for public comments. Hearing none, the public comment section was closed

3. Consent Agenda All Consent Agenda Items Listed are Considered to be Routine by the City Council and Will be Enacted by One (1) Motion. No Separate Discussion or Action on any of the Items is Necessary Unless Desired by a Council Member or Citizen
- a. Approval of the August 12, 2020 Regular Meeting Minutes
 - b. Approval of a Refund of Fees paid for Guy Wire Easement for 707 Bulian Lane
 - c. **1301 – 1501 Westlake Drive:** Adopt an Ordinance for a Special Use Permit Request to Allow the Placement of a Temporary Commercial Coach to be Utilized as a Construction Planning and Management Office for the Duration of Project Planning and Construction on Properties Zoned R – 1 (West Lake Hills Code Sec. 38.04.031 (b)). Owner/Applicant 1501 Westlake Partners/Agent Hank Smith.

Motion for Approval made by Councilmember Walker with a second by Mayor Pro Tem O'Connor

Motion for Approval carried unanimously by a vote of 4 ayes to 0 nays, with Councilmember McCollough and Councilmember South absent, and Mayor Anthony voting

4. Land Use 2 Hull Circle: Discuss and Consider Action on a Variance Application for Four (4) Variances in Order to Remodel an Existing Residence: 1) Building Encroachment into the Front Setback - Carport; 2) Building Encroachment into a Setback - Building Addition; 3) Excavation Greater than 18" in a Setback; 4) Construct a New Residential

Driveway Less than the 12 ft Required Minimum Width (West Lake Hills Code Sections 22.03.281, 22.03.170, and 22.03.175). Owners/Applicants Katherine & Michael Alexander.

- a. Public Hearing: All persons wishing to speak for or against shall be heard.

Councilmember Beth South joined the meeting, Councilmember Plunkett left the meeting

**Applicant Michael Alexander and Neighbor Clayton Bullock spoke on this item
Motion for Approval made by Councilmember Walker with a second by Mayor Pro Tem O'Connor**

Motion for Approval carried unanimously by a vote of 4 ayes to 0 nays, with Councilmembers McCollough and Plunkett absent and Mayor Anthony voting

5. Land Use 437 Brady Lane: Discuss and Consider Action on a Variance Application for the Following Variance in Order to Construct an Outdoor Patio/Landscaping Project: Building and Roof Eave Encroachment into the Side Setback (West Lake Hills Code Section 22.03.281). Applicants/Owners Allyson & Michael Marshall

- a. Public Hearing: All persons wishing to speak for or against shall be heard.

Councilmember Plunkett re-joined the meeting

Applicant Michael Marshall spoke on this item

Motion for Approval made by Councilmember Walker with a second by Mayor Pro Tem O'Connor

Motion for Approval carried unanimously by a vote of 4 ayes to 0 nays, with Councilmembers McCollough and Mayor Anthony voting

6. Adjournment

Motion to adjourn the meeting was made at 7:30 p.m. by Councilmember Walker with a second by Mayor Pro Tem O'Connor

Motion for Approval carried unanimously by a vote of 4 ayes to 0 nays, with Councilmembers McCollough and Mayor Anthony voting

Respectfully submitted,

LINDA ANTHONY, MAYOR

ATTEST:

Stephanie Mills, City Secretary

These minutes were approved on _____, 2020.



SPECIAL USE PERMIT (SUP) STAFF REPORT

OCTOBER 14, 2020

Project Address: 3425 Bee Cave Road

Project Number: 16130

Agenda Item: Ordinance: **3425 Bee Cave Road**: Adopt an Ordinance for a Special Use Permit Request to allow a tattoo license in order to operate a microblading business on a property zoned B – 2 – Business 2. Applicant Jaclyn Clancy.

Applicant Information: Jaclyn Clancy (Vixen Esthetics LLC)

Hearing Dates:

October 14, 2020 Board of Adjustment

Requested Action: Special Use Permit to operate a microblading/permanent makeup studio (requires tattoo license)

Location: The property is located south of the intersection of Blue Ridge Trail and Bee Cave Road, and west of Bulian Lane.

Zoning & Site Characteristics: The subject property is zoned B – 2 – Business 2 District and is the location of the Bee Cave Center. The Center includes several types of businesses, including a beauty/hair salon, martial arts studio, and a dance studio.

Background & Analysis: Ms. Clancy has applied for a Special Use Permit (SUP) to operate an esthetics business, including microblading services. Microblading is a permanent makeup technique which involves adding pigment to eyebrows, similar to the process of tattooing and requires a tattoo license in addition to esthetics licenses. Microblading services cannot be located in a hair salon.

The City of West Lake Hills Zoning Ordinance does not expressly permit tattoo businesses; however, the Ordinance does allow for Special Use Permits, including several listed Special Uses and other similar uses. The proposed use is similar in nature to other beauty services and is not anticipated to cause any nuisance issues.

SUP Criteria & Analysis:

- (1) The appearance, size, density and operating characteristics of the proposed special use are compatible with the surrounding neighborhood and uses;
 - The proposed business will be located in an existing suite in the Bee Cave Center. It is similar/compatible with other existing uses in the Center.
- (2) The proposed use will not have an adverse effect on the value of surrounding properties or impede their proper development;
 - The proposed use is not anticipated to have an adverse effect on the value of surrounding properties or impede their development. The location is an existing commercial center with a variety of uses including beauty/hair salon, dance, and martial arts studios.
- (3) The proposed use will not create a nuisance factor or otherwise interfere with a neighbor's enjoyment of the neighbor's property or operation of the neighbor's business;
 - The proposed use will not interfere with neighbors' enjoyment of their properties. The proposed use is located in an existing commercial center and the hours of operation are expected to be 9:00am to 5:00pm Monday through Sunday.
- (4) The traffic that the proposed use can reasonably be expected to generate on existing streets will not create or add significantly to congestion, a safety hazard, or a parking problem in the area, nor will it disturb the peace and quiet of the neighborhood; and
 - The proposed esthetics/microblading use should not impact traffic or parking or pose a safety hazard. It is not anticipated to disturb the peace and quiet of the neighborhood.
- (5) The proposed use shall comply with all other applicable ordinances and regulations.
 - The proposed use will comply with all other applicable Code regulations.

Traffic/Transportation

No additional traffic is anticipated.

Lighting

Outdoor lighting is not applicable.

Building Code

The property and future construction will have to comply with all applicable City codes.

Subdivision

This request will not change the subdivision.

Comprehensive Planning Analysis

The request is in compliance with the Master Plan based on current and future land use.

Staff Recommendation:

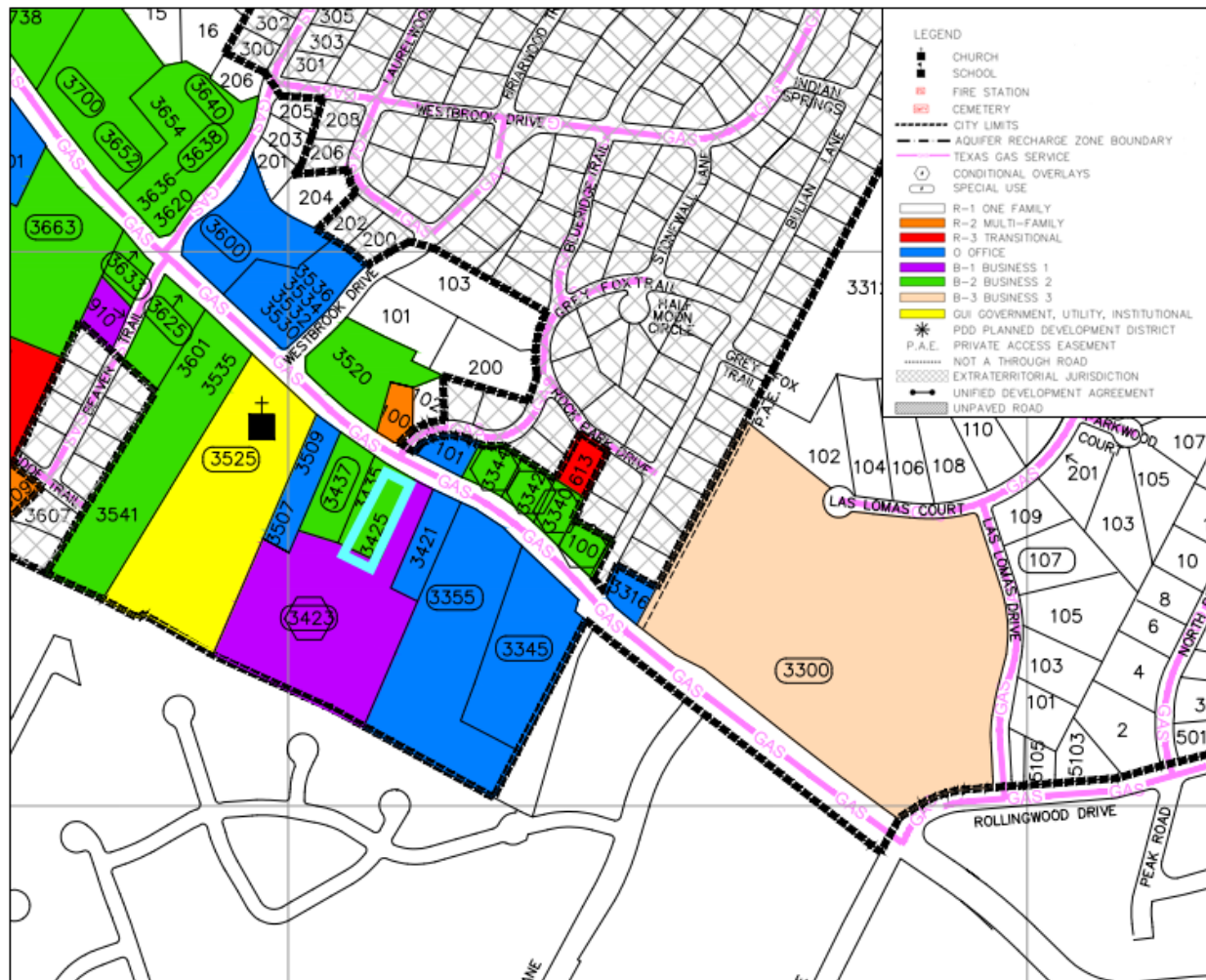
Staff recommends approval with the following condition: maintain all necessary state licenses and certificates to operate the business.

Links to Relevant Code:

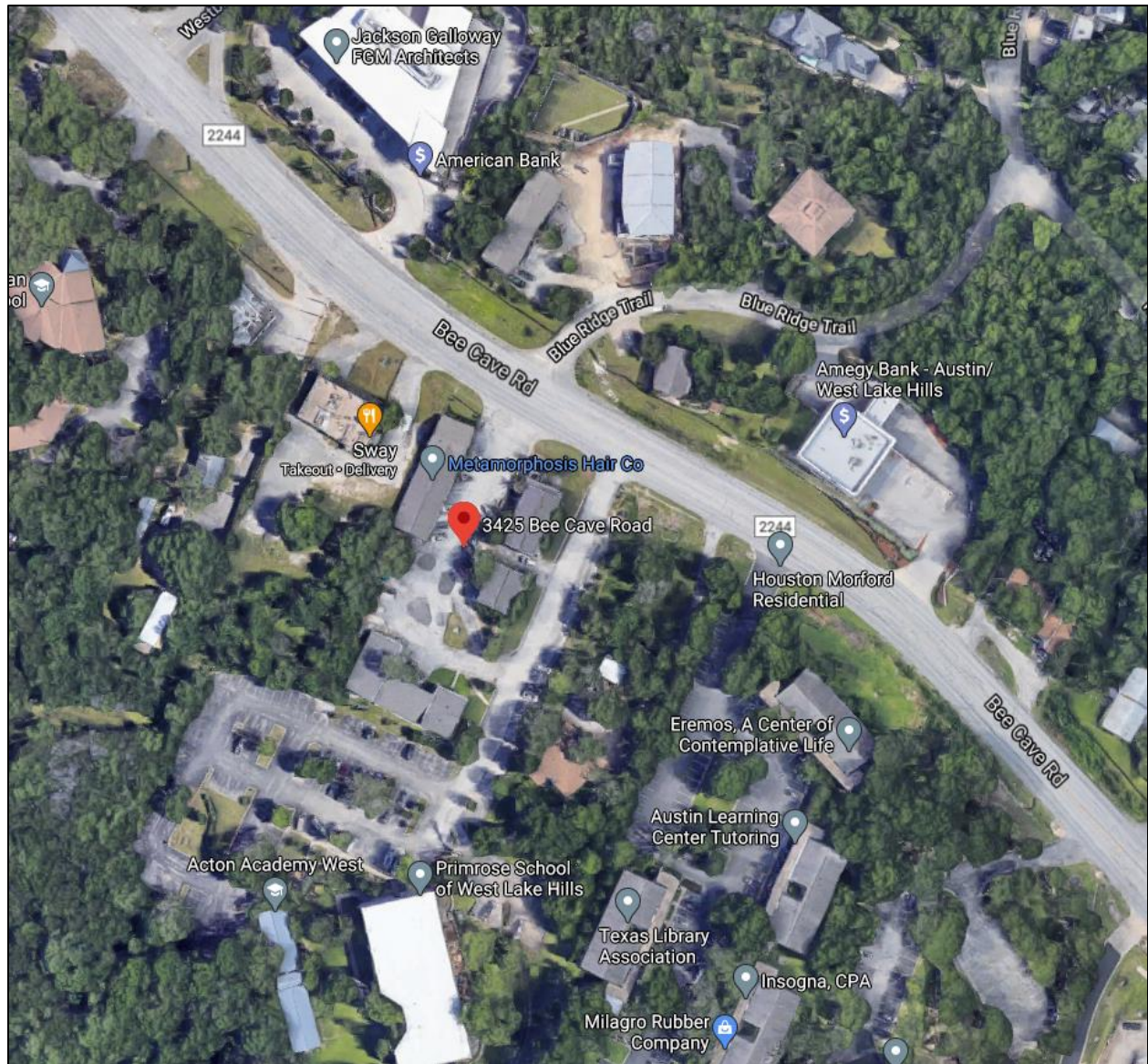
- [Sec. 38.03.037 B-2 business 2 district](#)
- [Sec. 38.04.031 Criteria for establishment of special use categories; uses allowed in specific districts](#)
- [Sec. 38.04.032 Special use permit](#)
- [Sec. 38.04.033 General criteria applicable to all special uses](#)
- [Sec. 38.04.035 General conditions for all special uses](#)
-

(Maps to follow)

Zoning:



Aerial:



October 2, 2020

Jaclyn Clancy - Owner of Vixen Esthetics LLC

Special Use Permit Application

Location Site - 3425 Bee Cave Road Suite B2, West Lake Hills TX 78704

Dear Linda Anthony - BOA Chairsperson,

I hope you find this letter well. I am applying for a Special Use Permit. I own and operate a business called Vixen Esthetics LLC. I am a licensed Esthetician in both the states of Florida and Texas. I am also a licensed tattoo artist in the state of Florida, and have all applicable documents and courses taken to be able to tattoo in the state of Texas, however in order to be able to tattoo in the State of Texas, I need to register by location. This requires a special use permit.

This information is relevant because as well as providing esthetics services such as facials and other associated esthetic services, I also microblade. Microblading is the manual application of pigment into the epidermis using a single blade to create “hair like” strokes” to mimic eyebrow hair. In addition, machine shading using a permanent makeup pen can also be used to insert pigment into the epidermal layer of the skin. This procedure is much more shallow than a normal tattoo you would receive at the shop, and a very precise method is used to achieve a natural look.

Prior to me living in Texas and opening up a business here, I worked in Jacksonville Florida at the voted best microblading studio in the city of Jacksonville. I was taught to follow “universal precautions” which will prevent risk of infection and am also trained in several courses given by EPA registered disinfectants to ensure proper sanitation and cleanliness. I also will have each and every client sign a consent form making sure they have no contraindicating issues that would prevent them from being a candidate or cause them to be at any risk.

In addition to the microblading services that I wish to offer, I also provide facials, spray tans, lash lifting services, and body contouring. All of the mentioned services listed are under the scope of practice for a Licensed Texas Esthetician.

I am eager and looking forward to being able to bring my talents to this area and as a young business owner I am looking forward to growing and providing high quality luxury services to this area.

Thank you for your time, and I appreciate the consideration.

- Jaclyn Clancy

SPECIAL USE PERMIT APPLICATION



Date Received: 9/15/2020 Received By: _____
Amount Due \$ _____ Date Payment Received: _____
Admin Complete Date: _____ Permit No: 16130

*****All applications and supporting documents should be submitted electronically to
pzsec@westlakehills.org and planner@westlakehills.org*****

APPLICANT INFORMATION

The agent is the official contact person for this project and the single point of contact. All correspondence and communication will be conducted with the agent. If no agent is listed, the owner will be considered the agent.

Property Owner: BEE CAVE CENTER LLC Phone: 512-328-6161
Email: [REDACTED]
Address: 3425 BEE CAVE RD #A-1 City: AUSTIN State: TX Zip: 78746
Agent*: Jaclyn Clancy Phone: 845 476 1849
Email: [REDACTED]
Address: 1077 south congress ave #44 City: Austin State: TX Zip: 78704

**Please submit Power of Attorney form designating authorized agent.*

PROJECT INFORMATION

Property Address: 3425 Bee cave rd suite B2 west lake hills 78746
Subdivision Name: BRODIE KEENE
1,0040 ACRE OF LOT 1
Block: _____ Lot: _____ Tax Parcel ID: 107837
Current Zoning Classification: BZ Total Lot Area: 1.0040 acres
Proposed Special Use: _____ Applying for Variance ☐ Yes ☐ No
(if yes, please submit separate variance application)
Name of Business (if applicable): Vixen esthetics
Hours of Operation: mon-sun Duration of Use: 9-5
Present Land Use: RETAIL



SPECIAL USE PERMIT APPLICATION

Brief description of proposed project:

microblading, requires me to have a tattoo license
→ permanent makeup application of eyebrow tattoos using a single blade and pigment. creates a 'semi-permanent' brow on the face.

AUTHORIZATION & ACKNOWLEDGEMENT

The above information is true to the best of my knowledge. I attest that the real property described is owned by me and all others as signed below. If the below is signed by the authorized agent of said property, the signature of the property owner must be included below or consent must be attached (Power of Attorney Form).

Signature

JACLYN CLANCY

Printed Name

Date

9/9/20

BEE CHUG CENTER LLC

Authorized member

BRIAN RODGERS

APPLICATION CHECKLIST

Special Use Permit Application Checklist

- ☐ Completed, signed application
- ☐ Power of Attorney form, if applicable
- ☐ Proof of ownership of subject property
- ☐ Traffic Impact Analysis, if applicable (required for projects expected to generate 200 trips a day, refer to Chapter 38 of the Code)
- ☐ Letter addressed to BOA Chairperson describing proposed Special Use
- ☐ Property survey/Site Plan
- ☐ Building elevations if available
- ☐ Pictures of property
- ☐ Payment of application fees by check or credit card (refer to Appendix A: Fee Schedule in the Code of Ordinances for current fees)
- ☐ Other applicable information as required by staff



SPECIAL USE PERMIT APPLICATION

SPECIAL USE PERMIT PROCESS & PROCEDURES

Public Hearings

SUP applications are considered by the Board of Adjustment, which meets the second (2nd) Wednesday of the month. All meetings are held in the Council Chambers at City Hall, 911 Westlake Drive at 7:00pm and the agenda and meeting packet are posted on the City website the Friday before.

Public Notices

All public notices are handled by staff. Letters are sent to neighbors within 300' of the applicant's property at least ten (10) days before the BOA meeting; a notice in the newspaper is published at least fifteen (15) days prior to the meeting; and staff will provide the applicant with a notice sign to be placed on the property at least ten (10) days before the meeting.

Application Deadlines

Applications are due forty-five (45) days prior to the next BOA meeting. In some circumstances it may be possible to receive an extension by contacting planner@westlakehills.org

SUP Review Criteria

Refer to the City's Zoning Ordinance, Chapter 38, Article 38.04, Division 2 for Special Use criteria applicable to all special uses and criteria applicable to individual special uses.

STAFF NOTES

For Completion by Staff Only

Date public notification letters mailed: _____

Newspaper notice deadline: _____ Publication Date: _____

Date of Board of Adjustment Meeting: _____

Board of Adjustment Action: _____

Notes:



STATE OF FLORIDA
DEPARTMENT OF HEALTH
Tattooing Artist License

16-44-2042110

Tattooing - Artist

16-BID-4560336

Issued To: Clancy, Jaclyn
1234 Plymouth Place
Jacksonville, FL 32205

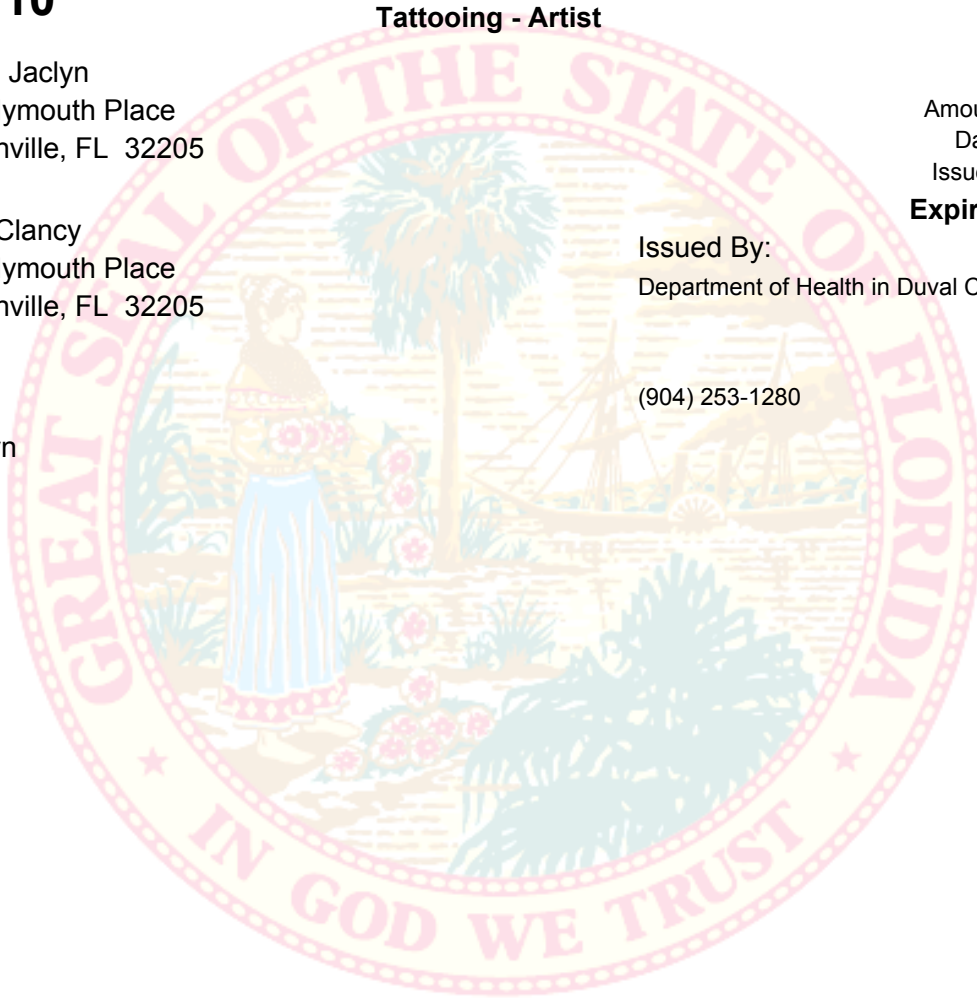
County: **Duval**
Amount Paid: \$95.00
Date Paid: 02/25/2020
Issued Date: 02/25/2020
Expires On: 02/24/2021

Mail To: Jaclyn Clancy
1234 Plymouth Place
Jacksonville, FL 32205

Issued By:
Department of Health in Duval County

(904) 253-1280

Owner: Clancy, Jaclyn



Original Customer: Clancy, Jaclyn (NON-TRANSFERABLE)

DISPLAY CERTIFICATE IN A CONSPICUOUS PLACE



STATE OF FLORIDA
DEPARTMENT OF HEALTH
Tattooing Artist License

16-44-2042110

16-BID-4560336

Tattoos - Artist

Issued To: Clancy, Jaclyn
1234 Plymouth Place
Jacksonville, FL 32205

County: **Duval**
Amount Paid: \$95.00
Date Paid: 02/25/2020
Issued Date: 02/25/2020
Expires On: 02/24/2021

Mail To: Jaclyn Clancy
1234 Plymouth Place
Jacksonville, FL 32205

Issued By:
Department of Health in Duval County

(904) 253-1280

Owner: Clancy, Jaclyn





Ron DeSantis, Governor

Halsey Beshears, Secretary



STATE OF FLORIDA
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

BOARD OF COSMETOLOGY

THE FACIAL SPECIALIST HEREIN HAS REGISTERED UNDER THE
PROVISIONS OF CHAPTER 477, FLORIDA STATUTES

CLANCY, JACLYN

LICENSE NUMBER: FB9772037

EXPIRATION DATE: OCTOBER 31, 2021

Always verify licenses online at MyFloridaLicense.com



Do not alter this document in any form.

This is your license. It is unlawful for anyone other than the licensee to use this document.

Order Confirmation

Ad Order Number

0000598040

Customer

WEST LAKE HILLS, CITY OF

Payor Customer

WEST LAKE HILLS, CITY OF

PO Number**Sales Rep.**

jrocha

Customer Account

30404

Payor Account

30404

Ordered By

Anjali

Order Taker

jrocha

Customer Address911 WESTLAKE DR
AUSTIN TX 787464509 USA**Payor Address**911 WESTLAKE DR
AUSTIN TX 787464509 USA**Customer Fax****Order Source****Customer Phone**

5123273628

Payor Phone

5123273628

Customer EMail**Special Pricing****Invoice Text****Ad Order Notes****Net Amount**

\$0.00

Tax Amount

\$0.00

Total Amount

\$0.00

Payment Amount

\$0.00

Amount Due

\$0.00

Ad Number

0000598040-01

Ad Type

Legal

Production Method

AdBooker

Production Notes**External Ad Number****Ad Attributes****Ad Released**

No

Pick Up

0000596087

Ad Size

1 X 30 li

Color

<u>Run Date</u>	<u>Product</u>	<u>Placement</u>	<u>Sched Cst</u>	<u>Disc/Prem</u>	<u>Color</u>	<u>Pickup</u>	<u>Tax</u>	<u>Subtotal</u>
09/27/2020	S-Austin American-Statesman	Legals	\$436.20	-\$436.20	\$0.00	\$0.00	\$0.00	\$0.00
09/27/2020 -	S-Web	Legals	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
09/27/2020								

Ad Content

**CITY OF WEST LAKE HILLS
PUBLIC NOTICE – SPECIAL USE PERMIT**

The City of West Lake Hills will hold a remote public hearing on October 14, 2020, at 7:00 P.M. before the Board of Adjustment in the Council Chambers at City Hall, 911 Westlake Drive, West Lake Hills, TX, 78746 giving all interested persons the right to be heard regarding the item below. Please see the agenda posted online at <https://www.westlakehills.org/99/Agendas-Minutes> on October 9, 2020 by 5:00 P.M. for remote meeting participation instructions.

The BOA will consider a request for a Special Use Permit for a tattoo license in order to operate a microblading/permanent makeup studio located at 3425 Bee Cave Road, Suite A-1, West Lake Hills, TX 78746. The property is zoned B – 2 (Business 2 District).

For questions or to request a copy of the application, please contact the Building & Development Services Department at 512-327-3628 or email at planner@westlakehills.org.

9/27/2020

0000598040-01

SPECIAL USE PERMIT 157-2020-G

A SPECIAL USE PERMIT SETTING FORTH THE CONDITIONS UNDER WHICH A SPECIAL USE SHALL BE PERMITTED FOR OPERATION OF A MICROBLADING BUSINESS REQUIRING A TATTOO LICENSE.

WHEREAS, Jaclyn Clancy, the tenant of the herein described parcel of land at 3425 Bee Cave Road, Suite A-1, has requested a Special Use Permit to conduct a microblading service in a B-2 zoning district.

WHEREAS, the notice as required by Section 38.03.037, as amended, has been given to adjacent property owners; and

WHEREAS, a valid objection in the Public Hearings or a written protest has not been submitted against the proposed Special Use Permit; and

WHEREAS, the Board of Adjustment find that the application for Special Use Permit meets the requirements of Section 38.04.031(11) as amended; and

WHEREAS, the Board of Adjustment at its Public Hearing finds that the Special Use Permit on the herein described parcel is not against the public interest;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ADJUSTMENT OF THE CITY OF WEST LAKE HILLS, TEXAS:

Article 1. The legal description of said parcel of land is as follows:

1.0040 AC OF LOT 1 KEENE BRODIE SUBD

Article 2. The permit is granted under the following general terms and conditions:

1. The use shall not require change in the character or exterior appearance of the principal structure;
2. The Special Use shall not create a nuisance factor or otherwise interfere with neighbors' enjoyment of their property;
3. The Special Use shall not have an adverse effect on the value of surrounding properties nor impede their proper development;
4. No signs are permitted on the described tract, except as permitted under the provisions of Chapter 32, of the West Lake Hills Code of Ordinances as amended; and
5. All representations, whether oral or written, made by the owner, or his agent, in support of a Special Use Permit are conditions upon which this permit is granted.

Article 3. The permit is granted with the following specific term and condition:

1. Permit holder must maintain all necessary state licenses and certificates to operate microblading services.

Article 4. This Special Use Permit may be renewed for a specific period at the discretion of the City Administrator provided no written complaints have been received during the use

period. When complaints have been registered, the applicant will obtain renewal approval from the Board of Adjustment.

Article 5. This Special Use Permit is for a tattoo license to operate a microblading business.

Article 6. This Special Use Permit is not transferable to another person or another parcel of land.

Article 7. The Board of Adjustment after notice and Public Hearing may revoke this Special Use Permit for one or more of the following reasons:

1. A violation of any of the representations plans, terms, general or special conditions, and limitations applicable to this Special Use Permit;
2. A violation of any applicable ordinance or regulation;
3. A change in the nature of the use without prior approval of the City;
4. Operation or maintenance of the Special Use Permit in a manner that is detrimental to the public health or safety, or to constitute a nuisance.

Article 8. The application form entitled "Special Use Permit Form" along with any supporting correspondence and documents, and marked as Exhibit "A" attached hereto are incorporated herein by reference for all pertinent purposes.

Article 9. The duration of this Special Use Permit shall be for two (2) years effective on October 14, 2020

PASSED AND APPROVED this 14th day of October, 2020.

Linda Anthony
Board of Adjustment Chair

ATTEST:

Stephanie Mills, City Secretary

I/We acknowledge receipt of this SUP and agree to abide by its terms and conditions.

Applicant's Signature

Certificate of Completion



It is hereby confirmed that

JACLYN CLANCY

has successfully completed an approved education course in

**BLOODBORNE PATHOGENS & COMMUNICABLE DISEASES FOR TATTOO ARTISTS,
PERMANENT MAKE-UP, MICROBLADING, & MICROPIGMENTATION PROFESSIONALS**

*and has passed written test (with passing score 70% or more) in accordance with the educational
requirements for tattoo artists as specified in section 64E-28.006, F.A.C.*

Contact Hours : 3

Issue Date: January 20, 2020

Certificate # : 8102822

Biologix Solutions LLC



P. O. Box 9219, Naperville, IL 60567
www.blxtraining.com

Course Approval: This course is approved by the Florida Department of Health for
tattoo artist licensure under section 381.00775, F. S., and Chapter 64E-28, F. A. C.



**SETBACKS, DRIVEWAY,
& TREE VARIANCES
STAFF REPORT**

OCTOBER 14, 2020

Project Address: 402 Camp Craft Road

Project Number: 16033

Agenda Item: Land Use: 402 Camp Craft Road: Discussion/Recommendation on a variance application for six (6) variances in order to remodel the existing non-conforming home and accessory structures: 1) Refurbish and allow an existing non-conforming main structure to remain in a side setback; 2) Refurbish and allow an existing non-conforming accessory structure to remain in a rear setback; 3) Enclose/refurbish an existing non-conforming structure (sport court) in a rear and side setback; 4) Allow an existing driveway to remain in a side setback; 5) Removal of a 27" Crepe Myrtle Tree; and 6) Removal of a 15" Oak Tree (West Lake Hills Code Sections 22.03.281, 22.03.175, 22.03.304(4)). Owners Robert and Tanja Lee/Applicant CleanTag Permits - Linda Sullivan.

Applicant Information: Owners Robert and Tanja Lee/Applicant Clean Tag Permits – Linda Sullivan

Hearing Dates:

September 16, 2020 ZAPCO

October 14, 2020 Board of Adjustment/City Council

Location: The subject property is located north of Westbank Drive, south of Bee Cave Road, between Eanes School Road and Konstanty Circle.

Zoning & Site Characteristics:

The subject property is zoned R-1 – One-Family Residential. The adjacent neighbor on the north is zoned GUI – Government, Utility, Institutional; the rear of the property is adjacent to a property located in the City’s ETJ; and the adjacent neighbor to the south is zoned O – Office. The property is approximately 2.65 acres and includes an existing house and accessory structures. The property contains a drainage easement that runs the entire length of the south side of the property.

Background & Analysis:

This property is the former site of Camp Craft, a children’s summer camp for which Camp Craft Road is named. The homeowners, Tanja and Robert Lee, are requesting several variances in order to rehabilitate and remodel the existing buildings and convert them into their family

home and home office. The variances include refurbishing/remodeling existing structures that encroach building setbacks; enclosing a sport court that encroaches a setback; maintain an existing driveway that encroaches into the setback; and the removal of two trees (Tree # 75 – 27” Crepe Myrtle and Tree # 94 – 15” Oak).

Setback Variances – Main Residence and Stone Cottage:

The larger main building will be utilized as the primary residence, and is partially located in the setback. The small stone building in the rear is entirely located in the rear setback, and the homeowners would like to rehabilitate it to utilize it as a home office. No additions are proposed to these structures but the homeowners wish to preserve and rehabilitate them. These two variances were previously approved by the City in 1994 to allow the structures to remain in the setbacks. The previous variance application material is included in the packet.

Setback Variance – Sport Court:

There is an existing sports court the homeowners wish to rehabilitate and re-enclose. The existing sports court encroaches the setback and at some point in the past used to be covered, with a roof which was previously removed.

Driveway Variance:

The homeowners would like to keep the existing driveway that partially encroaches the 10ft side driveway setback.

Tree Variances

Two tree variances are requested. One is a 27” Crepe Myrtle (Tree # 75) and the second is a 15” Live Oak (Tree # 94). The Crepe Myrtle is located in the footprint of the planned extension/addition of the main structure, and the Live Oak is growing directly against and overhanging the stone accessory building the homeowners wish to preserve.

Variance Criteria Review:

When applying for a variance, 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.
Regarding the main structure, “The approximately 132 sf encroachment is a portion of an existing uninhabitable historic stone structure. In order to follow code literally the portion of the structure encroaching into the setback would need to be removed.” The detached stone structure in the setback is completely encroaching the setback and would have to be demolished since it cannot be moved.
2. There will not be unreasonable disruption of the natural terrain or unreasonable destruction of existing flora.
The application states – “There are 246 trees on the lot, 236 of which are proposed to remain. Considering the number of trees on the lot we believe the removal of these two trees is not an unreasonable disruption to the flora considering the scope

of the proposed work. We are happy to provide mitigation for these trees as needed.”

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

For the main house and detached structure variances, the applicants believe their only alternatives are to abandon the project/remove/demolish the existing structures. The existing driveway encroaches the side setback and might be able “...to be relocated outside of the setback in order to follow the code literally but that design would be far more disruptive to the surrounding flora.” Regarding the sport court, there are not “...any reasonable alternatives.”

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

Regarding the main structure, the applicants explain that they are “asking only what is needed to save the structure. We are not seeking an addition in the setback.” Regarding the detached structure in the setback, the applicants explain that the entire building is located in the setback, “...therefore we can restore/repurpose/remodel the building with a variance and permits, or it must be demolished.” Regarding the tree variances, the project was “...carefully designed to maintain the wooded lot of which 236 trees are proposed to remain.”

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

The application states – “Granting this variance is not in violation of the goals in that the highest priorities of the West Lake Hills’ master plan is the preservation of flora, fauna, and natural terrain while respecting and protecting individuals’ privacy in all building projects and land use. Granting these variances is in keeping with these goals.”

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

For the main house setback encroachment, the application states that the “neighboring structures are approximately 180’ apart (including the neighbor’s parking lot). There is a substantial natural buffer, with ample tree growth creating a screen between the two properties along the southern property line.”

For the detached structure in the setback, the applicant states “The neighbor most affected by this encroachment is to the northwest. That property is a residential use property but is not yet fully developed.”

Regarding the tree variances, the applicant states that their removal “...will not affect any neighboring properties as the lot is heavily wooded and the trees in question are both in the interior of the lot.”

Traffic/Transportation

There may be an impact on traffic in that area during construction process.

Lighting

Outdoor lighting is not proposed with this variance request. Any outdoor lighting will need to comply with the City's Code.

Building Code

The property and future construction will have to comply with all applicable City codes.

Subdivision

This request will not change the subdivision.

Comprehensive Planning Analysis

The existing and future land use comply with the Master Plan.

Zoning & Planning Commission Recommendation

During the September 16, 2020 regular ZAPCO meeting, the Commissioners unanimously recommended approval of all of the requested variances by a vote of 4 – 0.

Staff Recommendation

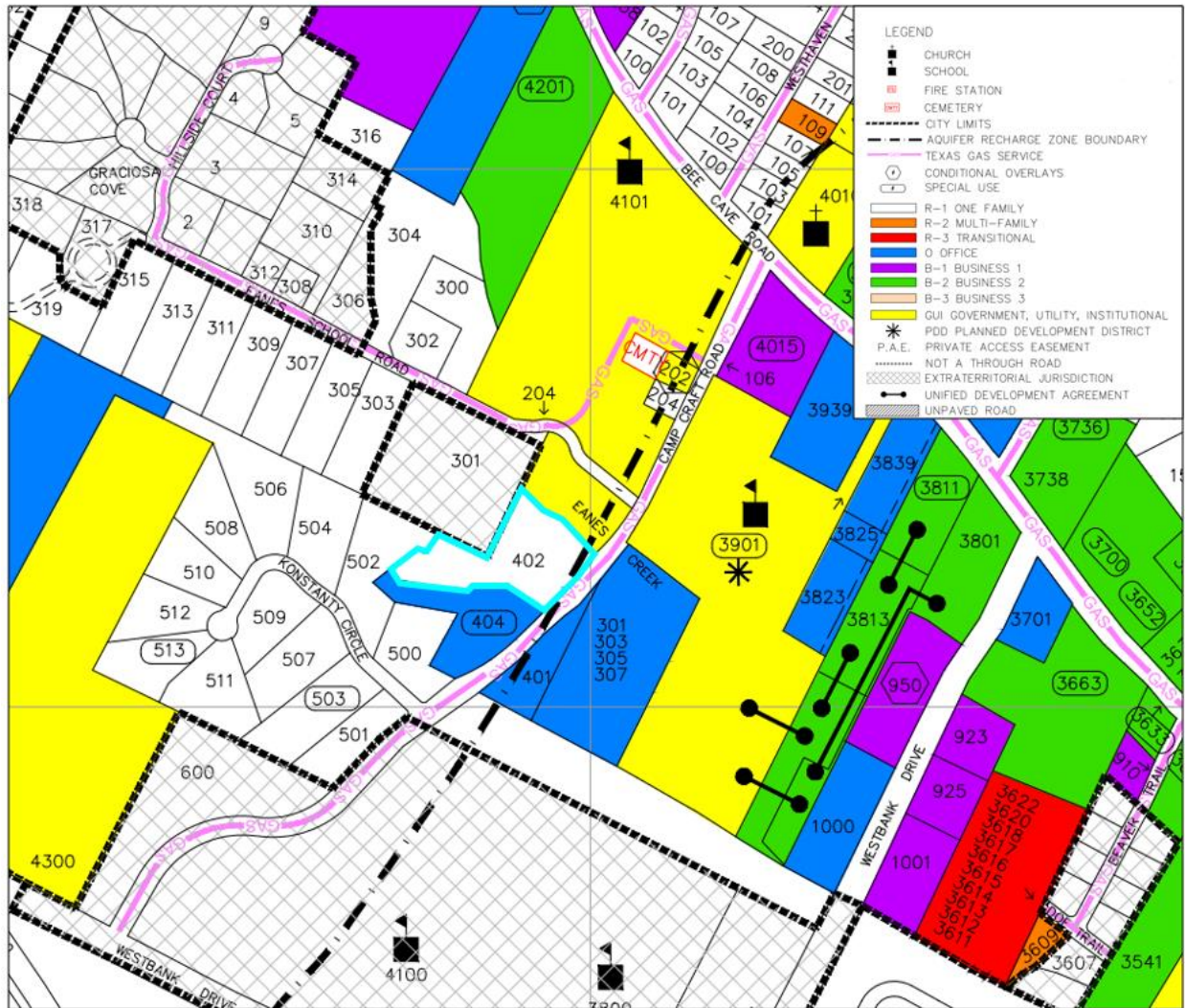
The staff recommendation is approval due to the unique characteristics of this property. The homeowners wish to rehabilitate the existing structure and are not proposing any further encroachment into setbacks.

Links to Relevant Code:

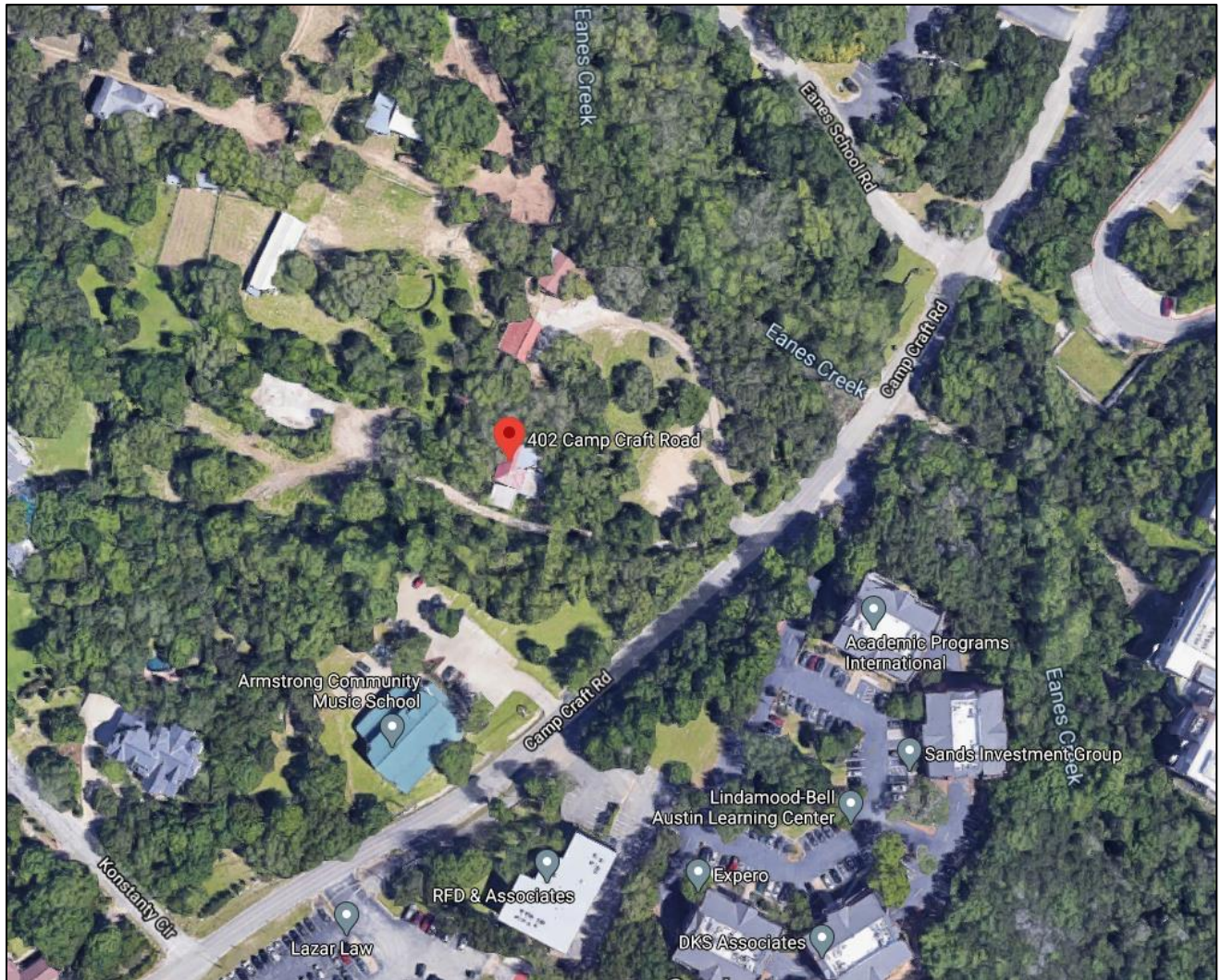
- [Sec. 22.03.175 Off-street parking and parking pad requirements in residential areas](#)
- [Sec. 22.03.281 Schedule of regulations](#)
- [Sec. 22.03.304 Tree and vegetation removal and replacement](#)
- [Sec. 22.03.514 Criteria and process required for granting variance](#)

(Maps to follow)

Zoning:



Aerial:



DRAFT

CITY OF WEST LAKE HILLS, TEXAS
MINUTES OF A ZONING & PLANNING COMMISSION (ZAPCO) REGULAR MEETING
Wednesday, September 16, 2020 at 6:30 PM



1. Call to Order. Chairman Robert Meisel.

With a quorum present, Chairman Meisel called the meeting to order at 6:30 p.m. Members in attendance were Chairman Robert Meisel, Vice-Chairman Jim Pledger, Commissioners Laurie Maccini, Bill Vandersteel and James Vaughan. Bill Harwell was absent.

2. 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 August 19, 2020 Regular Meeting Minutes.

COMMISSIONER VANDERSTEEL MOVES TO APPROVE THE AUGUST 19, 2020 MINUTES. COMMISSIONER PLEDGER SECONDS. UNANIMOUS (4-0) APPROVAL.

3. Land Use 402 Camp Craft Road: Discussion/Recommendation on a variance application for six (6) variances in order to remodel the existing non-conforming home and accessory structures: 1) Refurbish and allow an existing non-conforming main structure to remain in a side setback; 2) Refurbish and allow an existing non-conforming accessory structure to remain in a rear setback; 3) Enclose/refurbish an existing non-conforming structure (sport court) in a rear and side setback; 4) Allow an existing driveway to be rehabilitated and remain in a side setback; 5) Removal of a 27" Crepe Myrtle Tree; and 6) Removal of a 15" Oak Tree (West Lake Hills Code Sections 22.03.281, 22.03.175, 22.03.304(4)). Owners Robert and Tanja Lee/Applicant CleanTag Permits - Linda Sullivan.
 - a. Staff Briefing

City Planner Naini: Staff Report is given.

Staff Recommendation: Approval due to the characteristics of the property. No further encroachments.

Commissioner Vandersteel: I'm confused about 1994 approved variances.

Commissioner Maccini: The new plans they are showing a stone patio there.

Commissioner Vaughan: There is a drainage easement by the main house. On the bond committee, Camp Craft is one of our priorities. Any information on how the city plans to use the easement?

Planner Naini: We don't have anything in the plans.

b. Presentation by applicant

Robert and Tanja Lee are present. We fell in love with it. We like the historical value. We're excited to make it into our dream home. We are wanting to reduce impervious cover.

The same two buildings had previous variances. With regard to the Tree #94, it is growing against the house and is a hazard. It is rubbing against the house. The other is a crape myrtle.

c. Public Hearing: All persons wishing to speak for or against shall be heard.

Chairman Meisel opened the meeting for public comments. Hearing none, the public comment section was closed.

d. Deliberation and Action

Commissioner Vandersteel: I'm confused about the rear setback lines. Why is it at 40'?

Robert Lee: I don't have anything to add about the setback. We want to remove the majority of the driveway.

Chairman Meisel: You may want to note on the drawings that is being removed.

COMMISSIONER VANDERSTEEL MOVES TO RECOMMEND APPROVAL OF ALL VARIANCES. COMMISSIONER VAUGHAN SECONDS.

Commissioner Maccini: The sport court, I'm concerned about the trees surrounding it and recommends caution. I'm excited it won't be commercial.

UNANIMOUS (4-0) APPROVAL.

4. Land Use 809 Canyon Creek: Discussion/consideration of several variance requests in order to rehabilitate/remodel an existing home that is non-conforming: 1)

Reduction/encroachment of the interior side setback for new steps to the deck, rehabilitate an existing overhang, and rehabilitate the existing structure; 2) Encroachment into front setback to allow the rehabilitation of the existing structure and add new rain screen overhang over the front door; 3) Encroachment into side street setback for rehabilitation of the existing structure and addition of overhang; 4) Replacement of a failing retaining wall on the right side of the house encroaching in the setback that is taller than the maximum permitted 18 inches height in a setback; 5) Cut/fill and construction of new retaining wall on left side of the house that encroaches the setbacks and is greater than 6 feet in height; 6) Grading and drainage/cut to the left of the house in a setback; 7) Remove of Tree # 182 (14 inch Chinese Tallow). (West Lake Hills Code Sections 22.03.275(3); 22.03.276; 22.03.170(g), 22.03.304(4), 22.03.281). Owner Samuel Dillard/Applicant Waterloo Permits, LLC.

a. Staff Briefing

City Planner Naini: Staff Briefing is given.

Staff Recommendation: Approval of variances 1-4. Denial for 5-7 due to the lack of minimization.

b. Presentation by applicant

Dusty Waldrop is the General Contractor. We've been working on this for 13 months. There is a 60' grade change and two 50' front setbacks. The house is unlivable in its current state. The septic is shot and is on the back side of the property. It is a difficult challenge. How do we rehabilitate this house without the variances?

c. Public Hearing: All persons wishing to speak for or against shall be heard.

Chairman Meisel opened the meeting for public comments.

Michelle Bassett lives at 804 Canyon Creek: I welcome the Dillards to the neighborhood. I need to know where the water is going. I've hired an engineer to help me. thank you for your time.

Chairman Meisel closes the public comment section.

d. Deliberation and Action

Commissioner Vandersteel had questions for the neighbor.

Michelle Bassette: It's challenging.

Commissioner Vandersteel speaks about access to the new septic system and the need for the removal of the tree.

Michelle: I'm to the northeast.

Dusty: There is an area between you and the Dillard's that is like a drainage and rolls through the cul-de-sac, is that correct?

Michelle: It rushes down to my driveway.

Dusty: What changes will effect the neighbors discussing with engineers? We're thinking about the people around us.

Commissioner Vaughan: Anjali, I brought up city code and they will have to submit a drainage plan along with the approved variances? It can be disapproved?

Planner Naini: A building plan has been submitted but has been on hold because of the variance application. Drainage issues need to be addressed. Drainage waivers are handled at the staff level.

Commissioner Vaughan: Staff could disapprove it?

Planner Naini: We can do something to get it resolved.

Commissioner Pledger: Discusses staff recommendation for denial due to no minimization. That retaining wall is important from a drainage point. We need to be sure we're not creating a bigger problem.

Commissioner Maccini addresses safety issues. Can we recommend 1-4 and a non-vote on the others?

Commissioner Vaughan: I like the idea from the Chairman.

COMMISSIONER VAUGHAN MOVES TO RECOMMEND APPROVAL FOR VARIANCES 1-4 AND NO RECOMMENDATION ON THE REST FOR LACK FROM CITY ENGINEERING REGARDING DRAINAGE AND GRADING. COMMISSIONER VANDERSTEEL SECONDS. UNANIMOUS (4-0) APPROVAL.

5. Adjournment. Chairman Robert Meisel.

Motion to adjourn the meeting AT 7:35 P.M.

Respectfully submitted,

ROBERT MEISEL, CHAIRMAN

DRAFT

ATTEST:

ZAPCO Secretary Mark Litrell

These minutes were approved on _____, 2020.

DRAFT

APPLICATION COVER SHEET

Property Address: 402 Camp Craft Rd. 78746

Applicant Name: Robert and Tanja Lee

Designated Agent (if any, Power of Attorney Required): _____

Applicant Phone Number: 312-479-5026 Email Address: _____

Date Application was Submitted: 7/31/2020

Variance(s) Requested: (1) to allow for an existing structure to remain in the setback, (2) to allow for an existing secondary structure to remain in the setback, (3) to allow for an existing structure to remain in the setback and to allow for improvements to made in the setback, (4) to allow for an existing driveway to remain in the setback, (5) allow for the removal of a 27" crepe myrtle, and (6) to allow for the removal of a 15" oak.

Applicant completes above section, City Staff completes the section below:

Variance File Number: _____ [A sequential identifier based on application date and noted in a Variance Application Log maintained by staff. Examples: 20110903A, 20110903B, 20111021A, etc.]

Application Fees Due: \$ _____ ☐ Fees Received on _____ by _____

DRAFT APPLICATION PACKET MATERIALS

Draft Application Packet Received on _____ by _____

☐ Letter to ZAPCO Chairperson ☐ Variance Approval Criteria Answers

☐ Site Plan Coversheet ☐ Site Plan Drawings

☐ Elevation Views and Floor Plans (new structures only)

☐ Septic Assessment (new structures only)

☐ Additional Support Materials (if any): _____

☐ Power of Attorney (if any) – Designated Representative: _____

Staff Analysis completed on _____ by _____

Staff Analysis sent to Applicant on _____ by _____

FINAL APPLICATION PACKET

Final Application Packet Reviewed and Approved on _____ by _____

Notice to Proceed Letter sent to Applicant on _____ by _____

• Notification Letter must be postmarked by _____ ☐ Confirmed by _____

• Sign must be posted by _____ ☐ Confirmed by _____

15 Copies of Final Packet received on _____ ☐ Confirmed by _____

ZAPCO

Scheduled for ZAPCO Hearing on: _____

ZAPCO Action Letter sent on _____ by _____

ZAPCO Recommendation: _____

Conditions/Comments (if any): _____

Modified application and materials (if any) received on _____ by _____

BOA/CITY COUNCIL

Scheduled for BOA/Council Hearing on: _____

BOA/Council Action: _____

Conditions/Comments (if any): _____

BOA/Council Action Letter sent on _____ by _____

FOLLOW-UP

Follow-up dates (vegetative screening installed, survival verification, etc.): _____

• Notifications added to Incode on _____ by _____

Postponement History (if any): _____

Notes: _____

Tanja and Robert Lee
402 Camp Craft Rd
West Lake Hills, Texas 78746

July 26, 2020

West Lake Hills Zoning and Planning Commission
911 Westlake Drive
West Lake Hills, Texas 78746

RE: REQUEST FOR VARIANCE – 402 CAMP CRAFT RD

Dear ZAPCO Chairman,

We are the excited new owners of 402 Camp Craft Road, the old Camp Craft itself. This beautiful property with its historic buildings will hopefully become our quirky family home! Because of the peculiarities of the property and the historic buildings, which we intend to preserve, we are applying for several variances that we believe are necessary to accomplish this preservation and transformation. Notably, two (2) of these variances have been previously approved and are included here for re-approval.

Building Setbacks (2). Both the main stone building (3451 sqft) and the small stone building (605 sq. ft.) intrude into the 20-foot setbacks of the property line. Both buildings predate the current property subdivision. The larger main stone building is partially within the setback, a small corner of the lowest level of the original stone structure. The small stone building, also predating the current property configuration, is wholly within the setback. **We are requesting two variances to refurbish and repurpose these two historic stone buildings**, preserving and bringing each to code as much as possible. The larger building is intended as our main residence, and the smaller building is intended as a home office. Each of these variances were previously approved by West Lake Hills city council after recommendation by ZAPCO (March 23rd, 1994). Those improvements were started but not finished. The variance approvals, and subsequent permit issuance, show support by the city boards for the project and acknowledges the variance requests are in keeping with the West Lake Hill Comprehensive Plan.

Sports Court (1). The concrete sports court at Camp Craft was a covered structure (pictures included, no date). We do not know when the roof to the court was removed, but the concrete pylons which supported the original trusses remain—the roof and trusses are gone. The sports court, which also predates the current configuration of the property lines, lies partially within the 40-foot setback on the west, and ~1 foot within the 20-foot setback to its north. The concrete foundation of the sports court is substantial, several feet thick on the eastern face. Removal of the current foundation in order to construct a similarly sized structure ~20 feet east-southeast would require significant excavation,

additional impervious cover, and of course a significant cost. **We are requesting a variance to re-cover and enclose the existing sports court**, to be used as a residential workshop and antique automobile storage.

Drive Setback (1). Directly adjacent to the lower level of the main home is an asphalt drive which extends from the road to the sports court. The lower drive intrudes on the setback at the same pinch-point creating the setback issue for the main house. The lower drive is one of two drives on the property, both of which are partially located within the 10' driveway setbacks of different property lines. The lower drive is a direct connection to the sports court. The higher drive, also located within a different setback and a much longer route, will be removed to create a usable backyard for our home and to reduce impervious cover. **We are requesting a variance to keep and maintain the current lower drive** as no other route to the sports court is viable.

Tree Removal (2). Lastly, **we are requesting variances for the removal of two trees**. The first is a 27" crepe myrtle which lies within the footprint of the planned extension to the main stone structure. The second is a safety and structural hazard, a 15" oak which has been allowed to grow directly against and overhang the same stone structure we intend to preserve. There are 246 trees on the lot, out of which a total of 10 trees are proposed for removal. Minimal impact on trees is a design requirement we have imposed on our architects, Furman & Keil Architects. Indeed, we do not believe any other reasonable design could achieve a lower impact on the trees. Nonetheless, removal of any tree is not something we ask for lightly. To mitigate this impact, we have identified multiple areas on the property where we intend to plant native replacement trees.

It is not for simplicity that we are committed to keeping as much of the beautiful historic buildings as possible, to keeping as many trees as possible, and to utilizing the existing improvements as efficiently as possible. We sincerely hope and request that you are aligned with us in preserving and improving this unique property.

Thank you,

Two handwritten signatures in black ink. The signature on the left is 'Tanja' followed by a stylized 'da'. The signature on the right is more complex, starting with three vertical lines and followed by a large, sweeping loop and a horizontal line.

Tanja and Robert Lee

ANSWERS TO VARIANCE APPROVAL CRITERIA QUESTIONS

West Lake Hills City Code requires applicants to answer each of the following questions. The ZAPCO Commissioners, Board of Adjustment and City Council Members consider your answers to these questions when evaluating your application. *(Feel free to respond to these questions on a separate page or document.)*

- (1) Describe in detail any special conditions you believe will result in unnecessary hardship to you if the terms of this ordinance are strictly or literally enforced.

Please see separate document for answers.

- (2) 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?

Please see separate document for answers.

- (3) What other reasonable alternatives have you considered? Why won't these other options alleviate the difficulty or hardship that you think exists?

Please see separate document for answers.

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

Please see separate document for answers.

- (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?

Please see separate document for answers.

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

Please see separate document for answers.

Property Address: 402 Camp Craft Rd.

(1) Describe in detail any special conditions you believe will result in unnecessary hardship to you if the terms of this ordinance are strictly or literally enforced.

Main House Setback Encroachment

The approximately 132 sf encroachment is a portion of an existing uninhabitable historic stone structure. In order to follow code literally the portion of the structure encroaching into the setback would need to be removed. Removing only the 132 sf of encroachment is not a viable option as a partial demolition would cause repercussions to the structural system of the house and create significant site disruption and degradation. Saving the structure would require a permit to remodel the entire building which is only possible with an approved variance.

Detached Structure in Setback

This structure is entirely in the setback and due to the nature of the load-bearing stone structure, it cannot be relocated. In order to save this structure and for it to be inhabitable we must request a variance to remodel and bring this structure up to code. Following the setback rules literally would require this historic structure be demolished.

Driveway Encroachment

This existing drive accesses the far west quadrant of the lot. It is the shortest and most direct route. The unique geometry of the site does not allow convenient access to this portion of the site other than what exists. Relocating the drive outside the setback in order to follow the code literally would be far more disruptive to the surrounding flora.

Sport Court Remodel

The existing sport court foundation is more than 40 years old and could easily be returned to its original condition with the addition of a roof. The foundation is a substantial concrete slab and can not be relocated outside the setback. Following the code literally would render the existing structure unusable and require its demolition which would be far more disruptive to the surrounding flora than a repair/remodel.

**Removal of 27" Crepe Myrtle - Tree #75
Removal of 15" Oak - Tree #94**

The two trees in question are proposed for removal in order to allow for an addition to the Main House. There are 246 trees on the lot, 10 of which are proposed for removal. Considering the number of trees on the lot we believe the design of the addition does well to accommodate a vast majority of the established trees and requiring these two trees to remain would create a difficult design challenge. We are happy to provide mitigation for any trees approved for removal as needed.

(2) 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?

Main House Setback Encroachment

The building footprint and load bearing stone walls will be left “as is”. Adding to and renovating the existing structure will be the least disruptive approach to preservation.

Detached Structure in Setback

The entire structure is preexisting and no additions are being proposed. It sits on relatively flat terrain and is easily accessible. The natural terrain and existing flora would experience little to no disruption with the proposed plan.

Driveway Encroachment

The drive exists in the proposed location. Little to no grading would be required in order to create and maintain an otherwise legal drive. Moving the drive out of the setback would cause much disruption to the flora of the site.

Sport Court Remodel

The foundation is a substantial concrete slab and can not be relocated outside the setback. Leaving the structure “as is” would render it unusable and a safety hazard. The existing remains of the structure would require demolition. A demolition of this scale would create substantial disruption to the natural terrain and surrounding flora.

**Removal of 27” Crepe Myrtle - Tree #75
Removal of 15” Oak - Tree #94**

There are 246 trees on the lot, 236 of which are proposed to remain. Considering the number of trees on the lot we believe the removal of these two trees is not an unreasonable disruption to the flora considering the scope of the proposed work. We are happy to provide mitigation for these trees as needed.

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

Main House Setback Encroachment

The only alternative to requesting a variance that we can conceive of, is to abandon this portion of the project, which would entail its removal. The implications of this are far-reaching in terms of site degradation and structural issues.

Detached Structure in Setback

We do not know of any reasonable alternatives. We cannot relocate the building and we cannot leave it in its current unusable state of disrepair. The only other option is to demolish.

Driveway Encroachment

This existing drive accesses the far west quadrant of the lot. It is the shortest and most direct route. The unique geometry of the site does not allow convenient access to this portion of the site other than what exists. The drive may be able to be relocated outside of the setback in order to follow the code literally but that design would be far more disruptive to the surrounding flora.

Sport Court Remodel

We do not know of any reasonable alternatives. We cannot relocate the structure or partially demolish. The structure cannot remain in its current unusable state of disrepair. The only other option is to demolish. The foundation is a substantial concrete slab and a demolition of this scale would create substantial disruption to the natural terrain and surrounding flora.

Removal of 27" Crepe Myrtle - Tree #75 Removal of 15" Oak - Tree #94

The proposed addition and renovations were carefully designed to maintain the wooded lot of which 236 trees are proposed to remain. One of the trees (15" oak) is too close to the existing main structure and should have been removed as a maintenance measure before it reached the size of 15" in diameter. The large crepe myrtle is the only tree over 14" that is proposed to be removed to allow for the addition of conditioned square footage. The addition was designed with all tree species and size being taken into consideration and the removal of the crepe myrtle is the least disruptive option in order to accommodate an addition.

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

Main House Setback Encroachment

We are asking only for what is needed to save the structure. We are not seeking an addition within the setback. We plan to preserve the original wall assembly in the setback in order to maintain this unique and historic structure.

Detached Structure in Setback

The entire building exists within the setback therefore we can restore/repurpose/remodel the building with a variance and permits, or it must be demolished.

Driveway Encroachment

In order to have an efficient route to this area of the site the drive must travel to the south of the existing structure. Encroaching into the 10' drive setback for a short length of the proposed driveway is unavoidable considering the location of the existing building.

Sport Court Remodel

The building encroaches into the setback and is not able to partially demolished in order to be out of the setback, therefore we can restore/repurpose/remodel the building with a variance and permits, or it must be demolished.

Removal of 27" Crepe Myrtle - Tree #75 Removal of 15" Oak - Tree #94

The proposed addition and renovations were carefully designed to maintain the wooded lot of which 236 trees are proposed to remain. Removing two trees, one for existing foundation maintenance and the other to allow for the proposed addition, is the least disruption that could managed while also providing a workable addition for the existing structure.

(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?

Main House Setback Encroachment Detached Structure in Setback Driveway Encroachment Sport Court Remodel Removal of 27" Crepe Myrtle - Tree #75 Removal of 15" Oak - Tree #94

Granting this variance is not in violation of the goals in that the highest priorities of the West Lake Hills' master plan is the preservation of flora, fauna, and natural terrain while respecting and protecting individuals' privacy in all building projects and land use. Granting these variances is in keeping with those goals.

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

Main House Setback Encroachment

The neighbor most affected by this encroachment is to the south. That property is a non-residential use. The neighboring structures are approximately 180' apart (including the neighbors parking lot). There is a substantial natural buffer, with ample tree growth creating a screen between the two properties along the southern property line.

Detached Structure in Setback

The neighbor most affected by this encroachment is to the northwest. That property is a residential use property but is not yet fully developed.

Driveway Encroachment

The neighbor most affected by this encroachment is to the south. That property is a non-residential use. The neighbor's parking lot is on the north side of their building, therefore placing compatible activities (cars) across from one another.

Sport Court Remodel

The neighbor most affected by this encroachment is to the northwest. That property is a residential use property but is not yet fully developed.

Removal of 27" Crepe Myrtle - Tree #75

Removal of 15" Oak - Tree #94

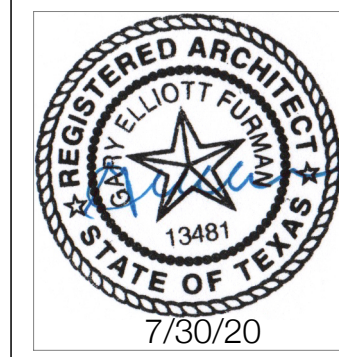
Removing the two trees listed above will not affect any neighboring properties as the lot is heavily wooded and the trees in question are both in the interior of the lot.

1211 E. 11th Street, #200
Austin, Texas 78702
512.479.4100
www.FKArchitects.net



Lee Residence

402 Camp Craft Road
West Lake Hills, Texas 78746



revisions	
date	description
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2	--/--/----
3	--/--/----
4	--/--/----
5	--/--/----
6	--/--/----

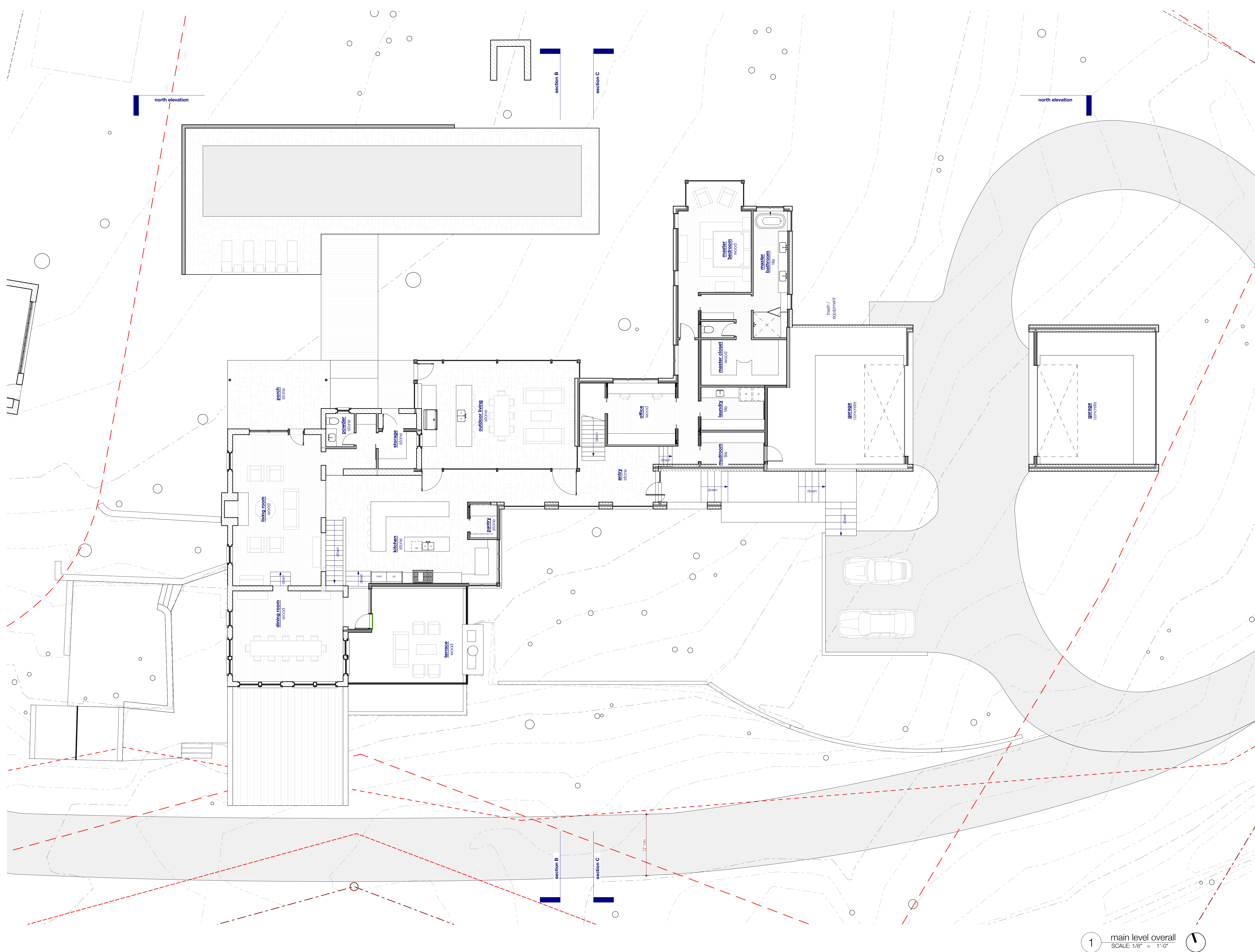
design development

7/30/20

overall floor plan

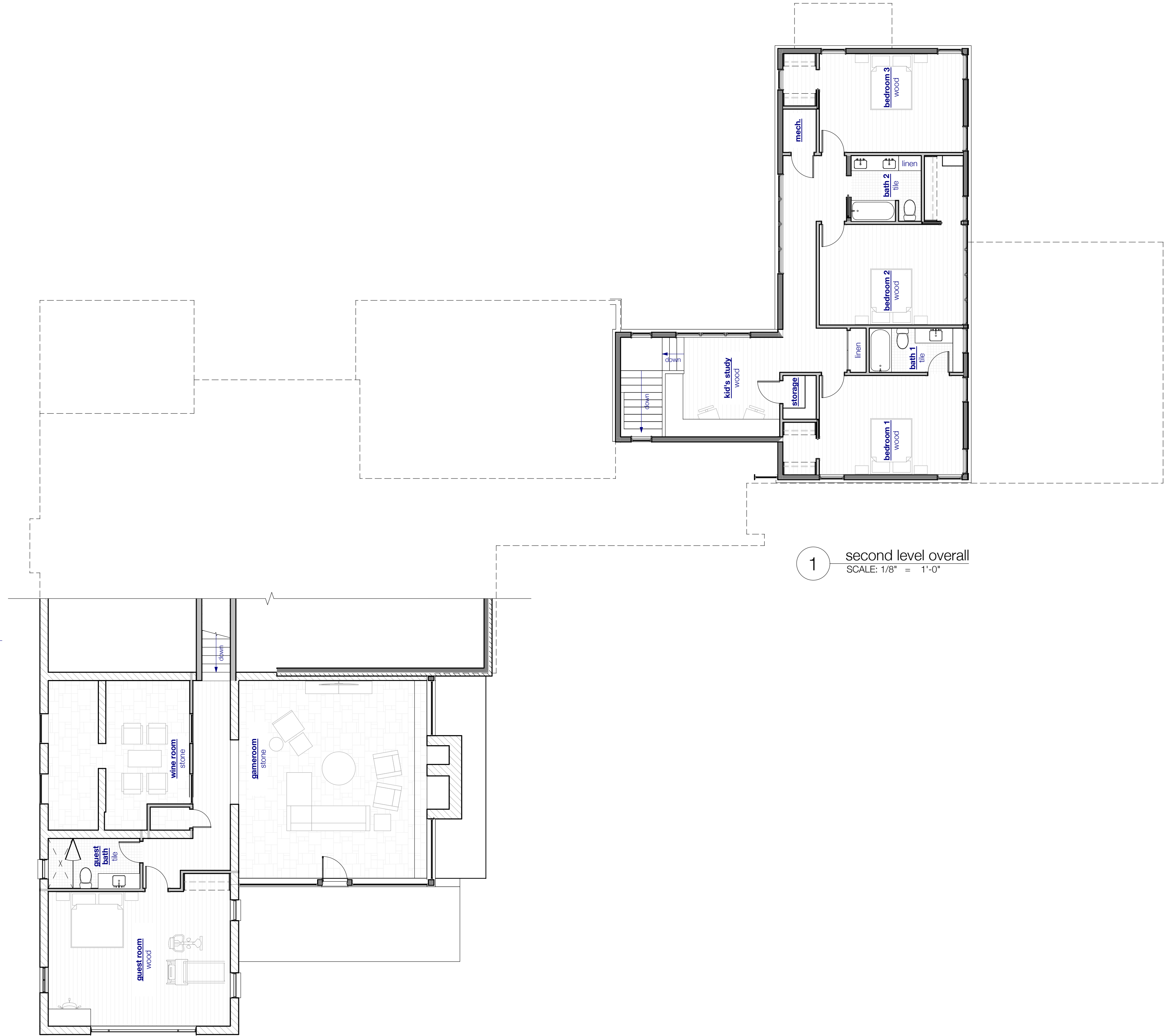
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north elevation

section A



1 second level overall
SCALE: 1/8" = 1'-0"

2 second level overall
SCALE: 1/8" = 1'-0"

section B

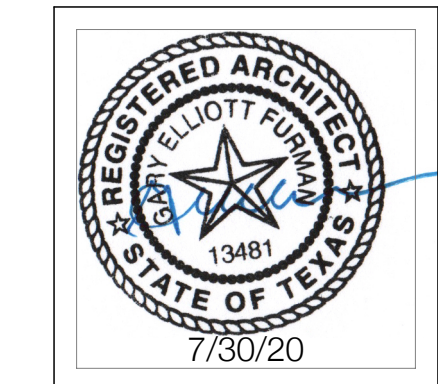
section C

section B

section C

north elevation

section A



revisions	
date	description
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6	

design development

7/30/20

overall floor plan

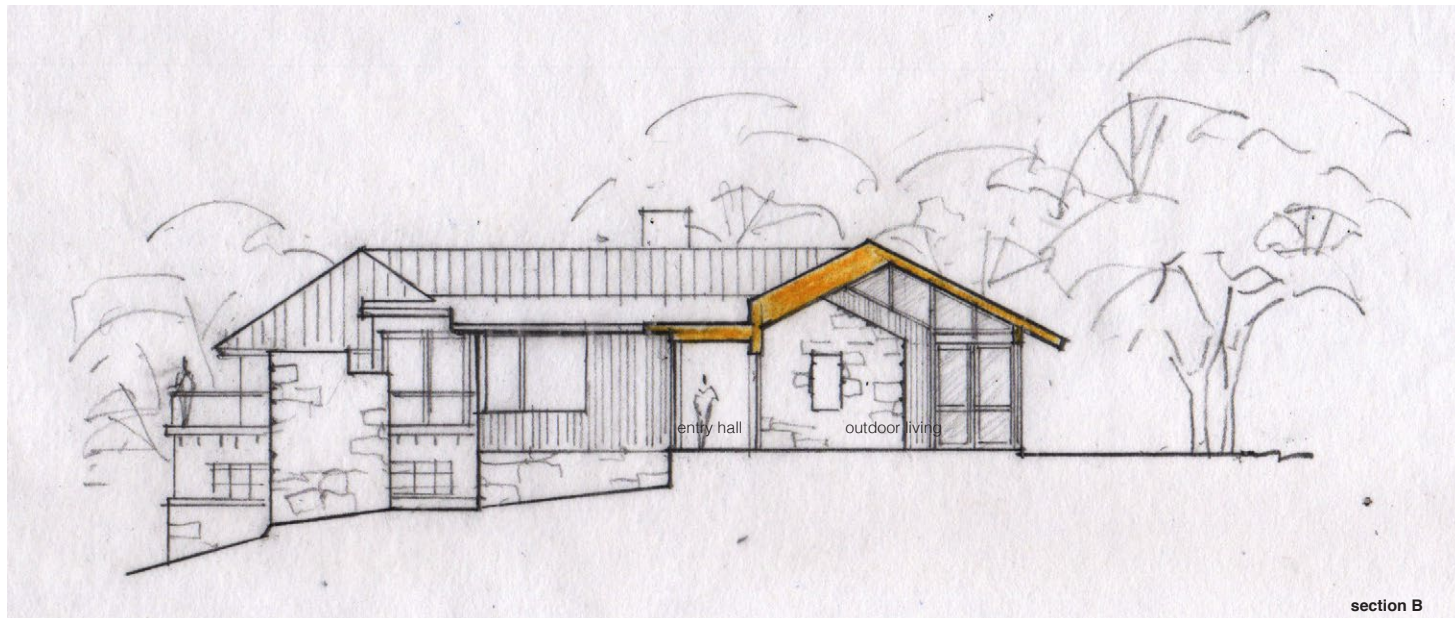
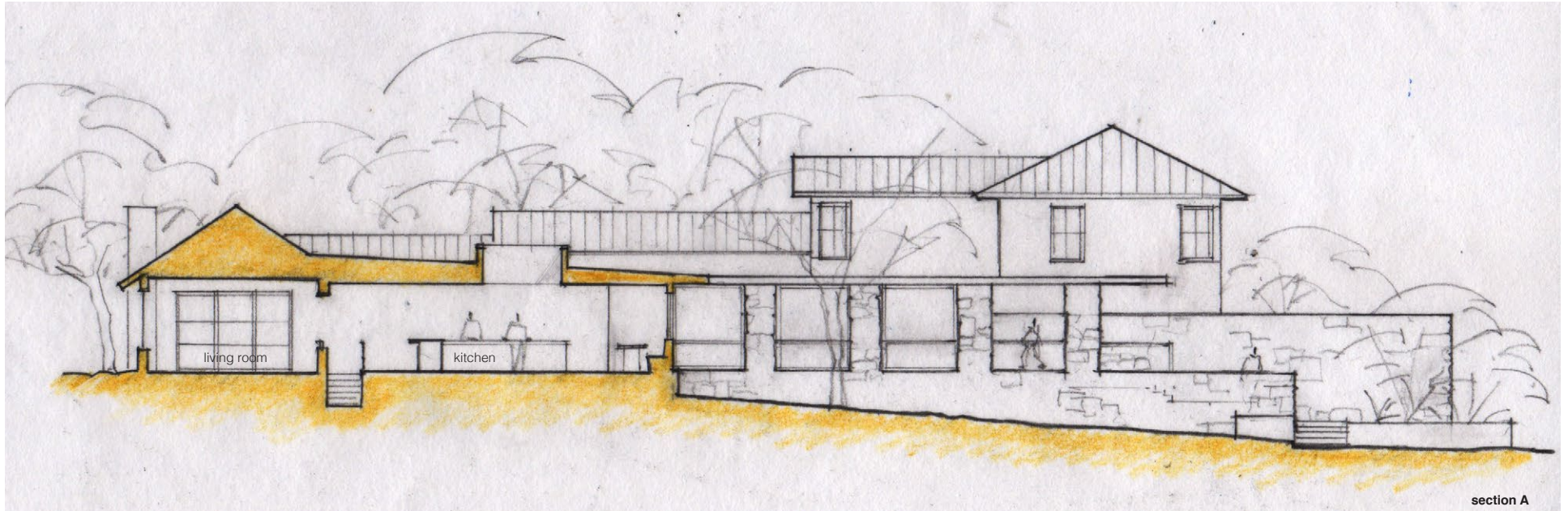
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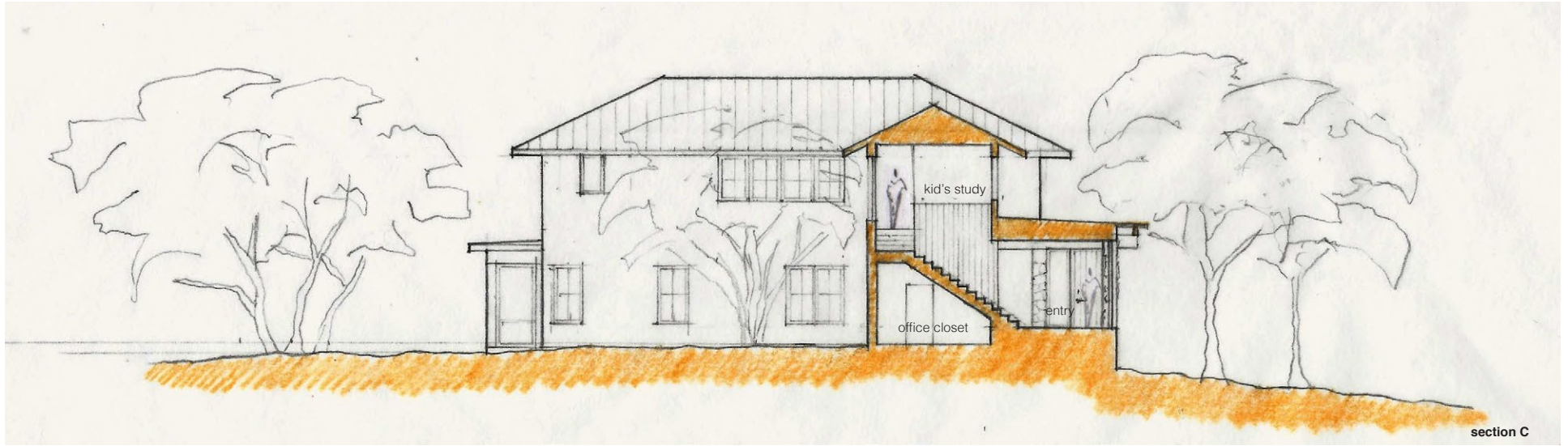


Lee Residence
402 Camp Craft Road
West Lake Hills, Texas 78746

1211 E. 11th Street, #200
Austin, Texas 78702
512.479.4100
www.FKArchitects.net

FOR VARIANCE
APPROVAL ONLY,
NOT FOR CONSTRUCTION







Tree 75 - 27" crepe myrtle
Page 48 of 68





CITY COUNCIL REGULAR MEETING AND PUBLIC HEARING MINUTES

March 23, 1994

Page 2

Reconvene Meeting: Consider two variances to construct a swimming pool and deck at 904 Old Stonehedge: 1) Variance for pool and deck to encroach up to 11' into 50' setback area adjacent to Redbud Trail, and 2) Variance for deck to encroach up to 9' into 50' setback area adjacent to Old Stonehedge.

ZAPCO Chairman Richard South stated ZAPCO recommended Council approve the variance requests.

MAYOR PRO TEM HUGHES MADE A MOTION WHICH WAS SECONDED BY COUNCIL MEMBER BARKER TO APPROVE TWO VARIANCES TO CONSTRUCT A SWIMMING POOL AND DECK AT 904 OLD STONEHEDGE: 1) VARIANCE FOR POOL AND DECK TO ENCROACH UP TO 11' INTO 50' SETBACK AREA ADJACENT TO REDBUD TRAIL AND 2) VARIANCE FOR DECK TO ENCROACH UP TO 9' INTO 50' SETBACK AREA ADJACENT TO OLD STONEHEDGE. MOTION PASSED BY UNANIMOUS VOTE.

Public Hearing: Two variances to remove non-complying status of structures at 402 Camp Craft Road: 1) Variance to allow the rock cottage accessory structure to remain within the rear setback area, and 2) Variance to allow the main house to remain within the side setback area.

Owner David Coffey was present to answer questions relating to his variance requests.

Reconvene Meeting: Consider two variances to remove the non-complying status of structures at 402 Camp Craft Road: 1) Variance to allow the rock cottage accessory structure to remain within the rear setback area, and 2) Variance to allow the main house to remain within the side setback area.

ZAPCO Chairman Richard South stated ZAPCO recommended Council approve the variance requests.

COUNCIL MEMBER KUNZE MADE A MOTION, SECONDED BY COUNCIL MEMBER BARKER, TO APPROVE TWO VARIANCES TO REMOVE THE NON-COMPLYING STATUS OF STRUCTURES AT 402 CAMP CRAFT ROAD: 1) VARIANCE TO ALLOW THE ROCK COTTAGE ACCESSORY STRUCTURE TO REMAIN WITHIN THE REAR SETBACK AREA, AND 2) VARIANCE TO ALLOW THE MAIN HOUSE TO REMAIN WITHIN THE SIDE SETBACK AREA. MOTION PASSED BY UNANIMOUS VOTE.

Public Hearing: Variance to the maximum 6' height regulation for privacy fences to construct a privacy fence with a height up to 7 1/2' at 3310 Gentry Drive.

No one was present to speak for or against the variance request.

Reconvene Meeting: Consider variance to the maximum 6' height regulation for privacy fences to construct a privacy fence with a height up to 7 1/2' at 3310 Gentry Drive.

ZAPCO Chairman Richard South stated ZAPCO recommended Council approve the variance requests. After-the-fact variance requests and fees were discussed.

MAYOR PRO TEM HUGHES MADE A MOTION TO APPROVE A VARIANCE TO THE MAXIMUM 6' HEIGHT REGULATION FOR PRIVACY FENCES TO CONSTRUCT A PRIVACY FENCE WITH A HEIGHT UP TO 7 1/2' AT 3310 GENTRY DRIVE. COUNCIL MEMBER KUNZE SECONDED THE MOTION AND IT PASSED BY UNANIMOUS VOTE.

City Copy

CITY OF WEST LAKE HILLS

VARIANCE REQUEST FORM

DATE: Feb. 17, 1994 SUBMISSION DEADLINE DATE: Feb. 21, 1994
NAME: David Coffey & Eire Enterprises, Inc. PHONE: 858-7587 (512) (Home) 474-6556 (512) (Office)
ADDRESS: _____ CITY: _____ ZIP: _____
BUSINESS NAME AND ADDRESS: 400 W. 15th Street, Suite 619, Austin, Tx. 78701-1647
VARIANCE ADDRESS: 402 Camp Craft Rd., Westlake Hills, Tx.
VARIANCE REQUESTED: (1) Rear setback variance Rock Cottage - building to remain for use as storage; (2) Side setback variance, main house to continue as residence.

☒ SITE/BLDG. PLAN ATTACHED

☒ ATTACH LIST OF NAMES AND ADDRESSES OF ADJACENT LANDOWNERS WITHIN 200 FEET, WHO HAVE BEEN NOTIFIED OF THE PUBLIC HEARING, 14 DAYS PRIOR TO DATE OF PUBLIC HEARING.

CHECK ORDINANCE TO WHICH VARIANCE RELATES:

TIME AND DATE OF PUBLIC HEARING:

☒ ZONING ORD. 155-I AS AMENDED

ZAPCO March 16, 7:00 p.m.

☐ SEPTIC ORD. 108 AS AMENDED

COUNCIL March 23, 7:00 p.m.

AFFIDAVIT OF PROOF OF NOTIFICATION: Yes MASTER PLAN CONFORMITY: Yes

FEES PAID: \$150⁰⁰ 2/17/94 RECEIVED BY: [Signature]

CITY ADMINISTRATOR/INSPECTOR'S FINDINGS: No objections from adjacent neighbors as of 3-11-94 - GRANTING VARIANCES will remove non-compliance of structures

RECOMMENDATIONS OF ZAPCO (SEC. 1203 C/W): 3-16-94 Approved as requested

ACTION TAKEN BY COUNCIL (SEC. 1203 C/W): 3-23-94 APPROVED
5-0 vote

COMMENTS FOR THE RECORD: LOT SIZE IS 2.65 AC - Non-compliance to be accomplished by 2003

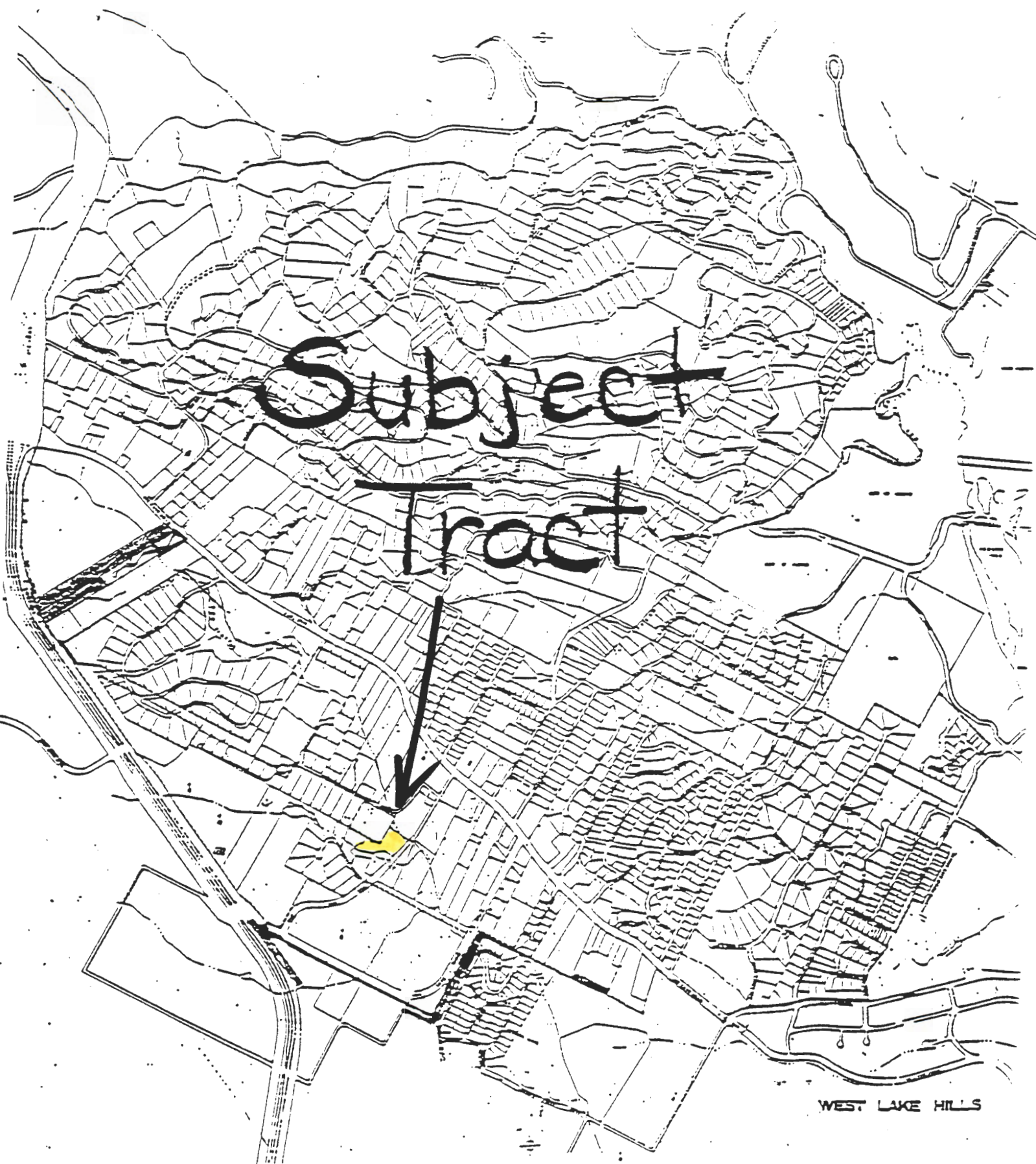


EXHIBIT "A"

402 Camp Craft Road



WM. DAVID COFFEY, III

ATTORNEY AT LAW

400 WEST 15TH STREET, SUITE 619

AUSTIN, TEXAS 78701-1647

BOARD CERTIFIED ADMINISTRATIVE LAW
TEXAS BOARD OF LEGAL SPECIALIZATION

TELEPHONE: (512) 474-6556
FACSIMILE: (512) 469-0123

March 9, 1994

VIA HAND DELIVERY

Mr. Richard South
Chairman of the Zoning
and Planning Commission
City of Westlake
911 Westlake Drive
West Lake Hills, Texas 78746

RE: Variance Application, 402 Camp Craft Rd.; Our File No. 1038-01.

Dear Mr. South:

Ms. Janet Rogers requested a letter to you to supplement the file on the referenced variance requests. Ms. Rogers requested the exact variance distances involved on the two variances requested.

While I do not claim to be an expert on computing distances from a survey, I have taken the original of the most recent survey to the property to avoid shrinkage errors and, according to the scale thereon of 1" equals 30 ft., it would appear that one corner of the main house is within 16.875 ft. of the side property line (i.e., the South property line) or approximately 8.125 ft. within the 25 ft. side set back. Another corner of the main house is depicted on the plat as being 22.9 ft. from the side property line or 2.1 ft. within the 25 ft. setback. As I understand it, one variance is enough for this dwelling so I assume I am applying for a variance on the shorter distance.

The rock cottage, according to the survey available to me, appears to be exactly on the back property line or the full 40 ft. inside the rear setback.

I would point out that the side or South property line results from a subdivision of a larger tract approved by the city, I believe, in 1986. The rear property line on which the rock cottage sits appears to be the result of a subdivision which I assume would have occurred prior to the rock cottage being built in the 1920's and, of course, many decades before the property was annexed into the City of Westlake.

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Mr. Richard South
March 9, 1994
Page 2

I am applying for these variances to bring all of the original architecture on the property into compliance with city ordinances so that it will be marketable as residential property.

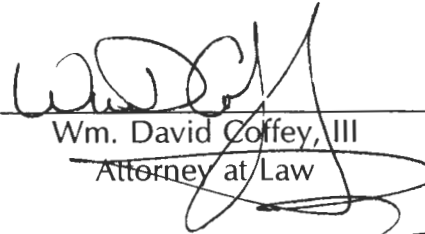
Pursuant to my letter of February 17, 1994, to Mr. Hartgarten and the ZAPCO Chairman, I have begun the rehabilitation of the original stone structures on the property. I have reroofed the three stone structures and made other improvements and am continuing to do so. I have also nearly completed the demolition of the old asbestos house inside the rear setback.

Ms. Rogers also requested ten (10) copies of everything which has been turned in so far, with highlighting on the plat, demonstrating the variances requested. With this letter I am complying with those instructions.

Please let me know if there's anything further that you require.

Very Truly Yours,

By:


Wm. David Coffey, III
Attorney at Law

WDC:jlg

Enclosure: as stated.

A:\SOUTH.LTR

WM. DAVID COFFEY, III

ATTORNEY AT LAW

400 WEST 15TH STREET, SUITE 619

AUSTIN, TEXAS 78701-1647

BOARD CERTIFIED ADMINISTRATIVE LAW
TEXAS BOARD OF LEGAL SPECIALIZATION

TELEPHONE: (512) 474-6556
FACSIMILE: (512) 469-0123

February 17, 1994

VIA HAND DELIVERY

Mr. Richard A. Hargarten and ZAPCO Chairman
City Administrator
City of Westlake Hills
911 Westlake Drive
Westlake Hills, Texas 78746

RE: 402 Camp Craft Road; Our File No. 1038-01.

Dear Mr. Hargarten:

Per our discussion, enclosed are the following documents:

1. Variance Application.
2. List of Adjacent Property Owners per E.I.S.D. records.
3. Sample notice letter to property owners.
4. Building Demolition Permit Application.
5. Agenda Request Form.
6. Site Plan.
7. Check for \$150.00.

My plan is as follow:

1. Retain the original architecture on the property being the 3,000 sq. ft. house, the small stone out-building next to the house and the stone cottage along the fence line. I am applying for whatever variances are necessary for this purpose. I understand these to be one variance to side set back for main

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RECEIVED
FEB 17 1994
CITY OF WEST LAKE HILLS

house and one variance to rear setback for the Rock Cottage. As discussed, I would hope that, as to house itself, the variance for which was implicitly granted when the City approved the resubdivision of the property some years ago, perhaps the fee could be waived?

2. Secondly, I need the building demolition permit to pull down and remove one old frame building; being the gray salt box located in the set back.
3. I am planning to leave the metal shed for the time being so that the tenant has a place to park his automobiles (there being no garage on the property) and to preserve the option for a future purchaser to build a proper garage where the metal shed now stands. I will be removing the temporary metal building located adjacent to the North of the shed. It is portable and should not require a demolition permit.
4. Per our discussion I understand that you will locate the property on the city map for your purposes.
5. Finally, I would like to keep the wood frame house in the Northwest corner of the property in case a future purchaser may wish to rehab it. I am not at this time requesting a variance for it however.

My plan of action, then, is as follows:

1. Over the last several weeks I have removed some sixty cubic grounds of trash and debris from the property. this process will continue until all is removed.
2. I am taking bids on repairing the roofs of the stone buildings and will have this done over the next month or so.
3. I would like immediate authority to remove the old frame building and the temporary metal building. I am contracting with Impact Remodeling, 7101 Hwy 71 W., Austin, Texas 78735, to remove these over the next two to three weeks.
4. The variance proceeding will proceed in the ordinary course.

Please let me know if there is anything further you require. I would like to proceed with removal of the old frame building as quickly as possible. It's my understanding that

Mr. Richard A. Hargarten
February 17, 1994
Page 3

the demolition permit can be granted administratively.

Very Truly Yours,

By: 
Wm. David Coffey, III
Attorney at Law

WDC:jljg

CITY OF WEST LAKE HILLS, TEXAS

GREETINGS:

YOU ARE HEREBY ADVISED that Eire Enterprises, Inc.,
(Owner)
the record owner of Lot 2, Resubdivision of Oak Hollow Vol. 3142, Pg. 1805
real property records Travis Co. (Property Description)
more commonly known as 402 Camp Craft Rd.

(Street Address)
West Lake Hills, Texas has filed an application with the Zoning and Planning
Commission of the City of West Lake Hills, Texas for the purpose of:
Requesting two variances to city setback requirements

The following variance is requested: (1) Main house - side setback variance;
(e.g. none, minimum setback lines, etc.)
Rock cottage - rear setback variance:

The Variance Application and site plan may be inspected at
City Hall, 911 Westlake Drive, West Lake Hills, Texas between the hours of
8:00 a.m. and 5:00 p.m., Monday through Friday.

This application is scheduled to be reviewed by the Zoning and Planning
Commission on the 16th day of March, 1994, at 7:00 p.m.
and by the City Council on the 23rd day of March 1994,
at 7:00 p.m. at the City Hall located at 911 Westlake Drive, West Lake
Hills, Texas.

The City of West Lake Hills, Texas shall provide an opportunity for all
interested persons to be heard.

19 94 Issued this 24th day of Feb.

Applicant

"Adjacent Landowners"

Eanes ISD
% Don Fisher
P.O. Box 162410
Austin, Texas 78716

United Teacher Associates Inc
P.O. Box 160606
Austin, Texas 78731

Symmes & Betty Oliver
301 Eanes Rd.
Austin, Texas 78746-6417

La Miraj Ltd.
6314 Gato Path
Austin, Texas 78731

500 Konstanty

Stanley Putnam
309 Westwood Terrace
Austin, Texas 78746-5351

Tom & Mary Allen
502 Kostanty Circle
Austin, Texas 78746-6435

Enclave Kow Ltd.
301 Congress Ave #1010
Austin, Texas 78701

Dennis & Mary Jane Randolph
504 Konstanty Circle
Austin, Texas 78746

Peter Barlin & Manny Farahani
3724 Jefferson, Suite 306
Austin, Texas 78731

"Adjacent Landowners"

Eanes ISD
% Don Fisher
P.O. Box 162410
Austin, Texas 78716
Certified Receipt No. P 422 795 060
Mailed Feb. 24, 1994
Signed for Feb. 28, 1994

United Teacher Association
P.O. Box 160606
Austin, Texas 78731
Certified Receipt No. P 422 794 866
Mailed Feb. 24, 1994
Signed for Mar. 1, 1994

Symmes & Betty Oliver
301 Eanes Rd.
Austin, Texas 78746-6417
Certified Receipt No. P 422 794 869
Mailed Feb. 24, 1994
Signed for Feb. 26, 1994

La Miraj Ltd.
6314 Gato Path
Austin, Texas 78731
Certified Receipt No. P 422 794 867
Mailed Feb. 24, 1994
Signed for Feb. 26, 1994

Stanley Putman
309 Westwood Terrace
Austin, Texas 78746-5351
Certified Receipt No. P 422 794 870
Mailed Feb. 24, 1994
Signed for Feb. 25, 1994

Tom & Mary Allen
502 Kostanty Circle
Austin, Texas 78746-6435
Certified Receipt No. P 422 794 862
Mailed Feb. 24, 1994
Signed for _____

Enclave Kow Ltd.
301 Congress Ave. #1010
Austin, Texas 78701
Certified Receipt No. P 422 794 871
Mailed Feb. 24, 1994
Signed for Feb. 28, 1994

Dennis & Mary Jane Randolph
504 Konstanty Circle
Austin, Texas 78746
Certified Receipt No. P 422 794 868
Mailed Feb. 24, 1994
Signed for Feb. 25, 1994

Peter Barlin & Manny Farahani
3724 Jefferson
Suite 306
Austin, Texas 78731
Certified Receipt No. P 422 795 059
Mailed Feb. 24, 1994
Signed for Feb. 25, 1994

CITY OF WEST LAKE HILLS

DEMOLITION PERMIT APPLICATION

AUTHORIZATION DATE _____ 19____
BY CITY INSPECTOR _____ 327-3628

AT THE FOLLOWING LOCATION:

LEGAL DESCRIPTION: Resubdivision of Oak Hollow Confirming Plat Lot 2
SUBDIVISION BLOCK LOT

SITE
ADDRESS: 402 aka 404A Camp Craft Rd.

SITE
OWNER: Eire Enterprises, Inc. PHONE (512)474-6556

CONTRACTOR: Impact Remodeling, Inc. PHONE (512)258-1720
NAME AND ADDRESS
7101 Hwy. 71 W., Austin, Texas 78775

DESCRIPTION OF WORK TO BE
PERFORMED: Remove grey asbestos house and foundation
and ~~two~~ ^{one} metal buildings.

TREE SIZE REMOVAL: None

RESTORATION
MEASURES: Restoring old stone buildings on property.

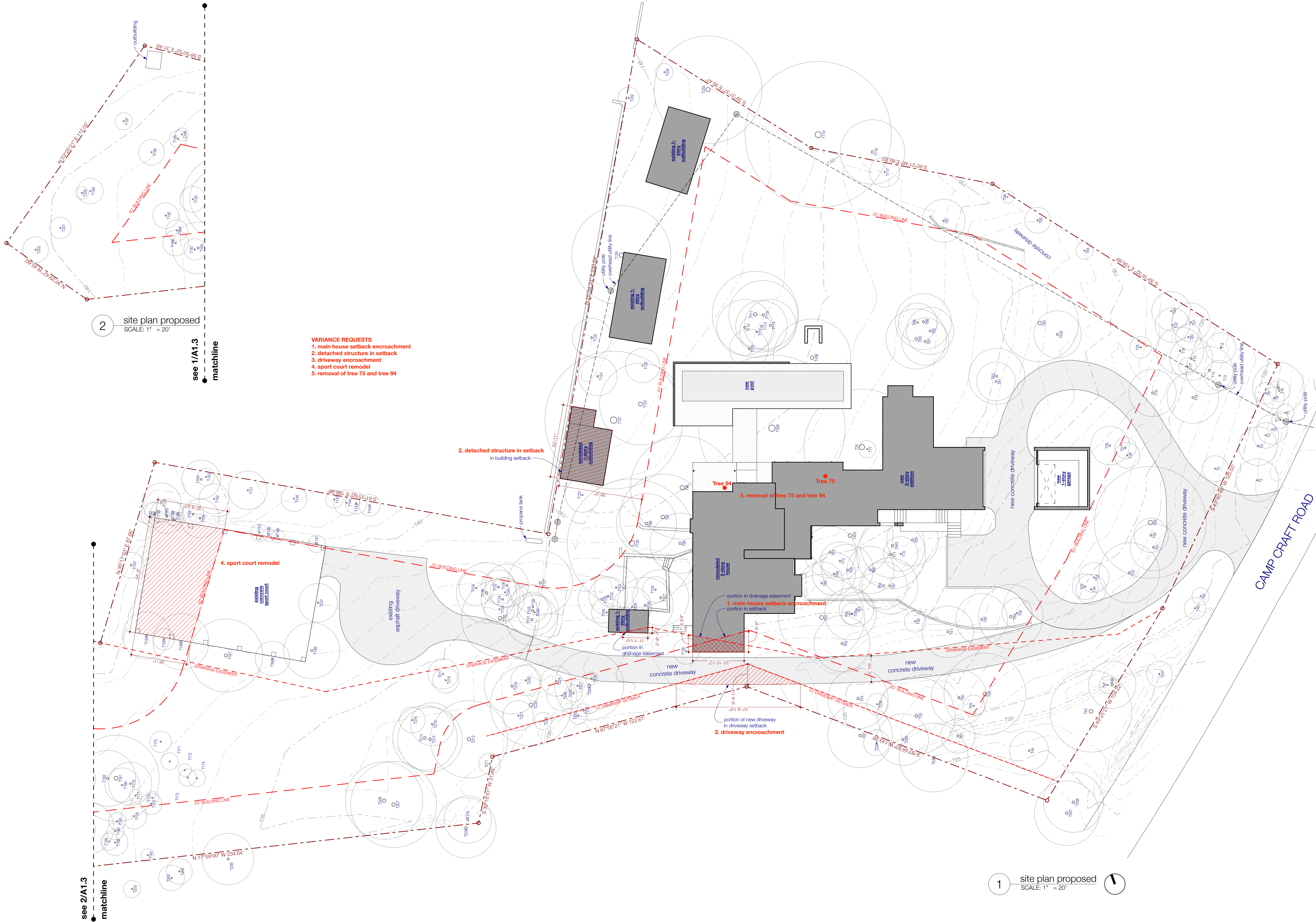
UTILITY COMPANIES CONTACTED:

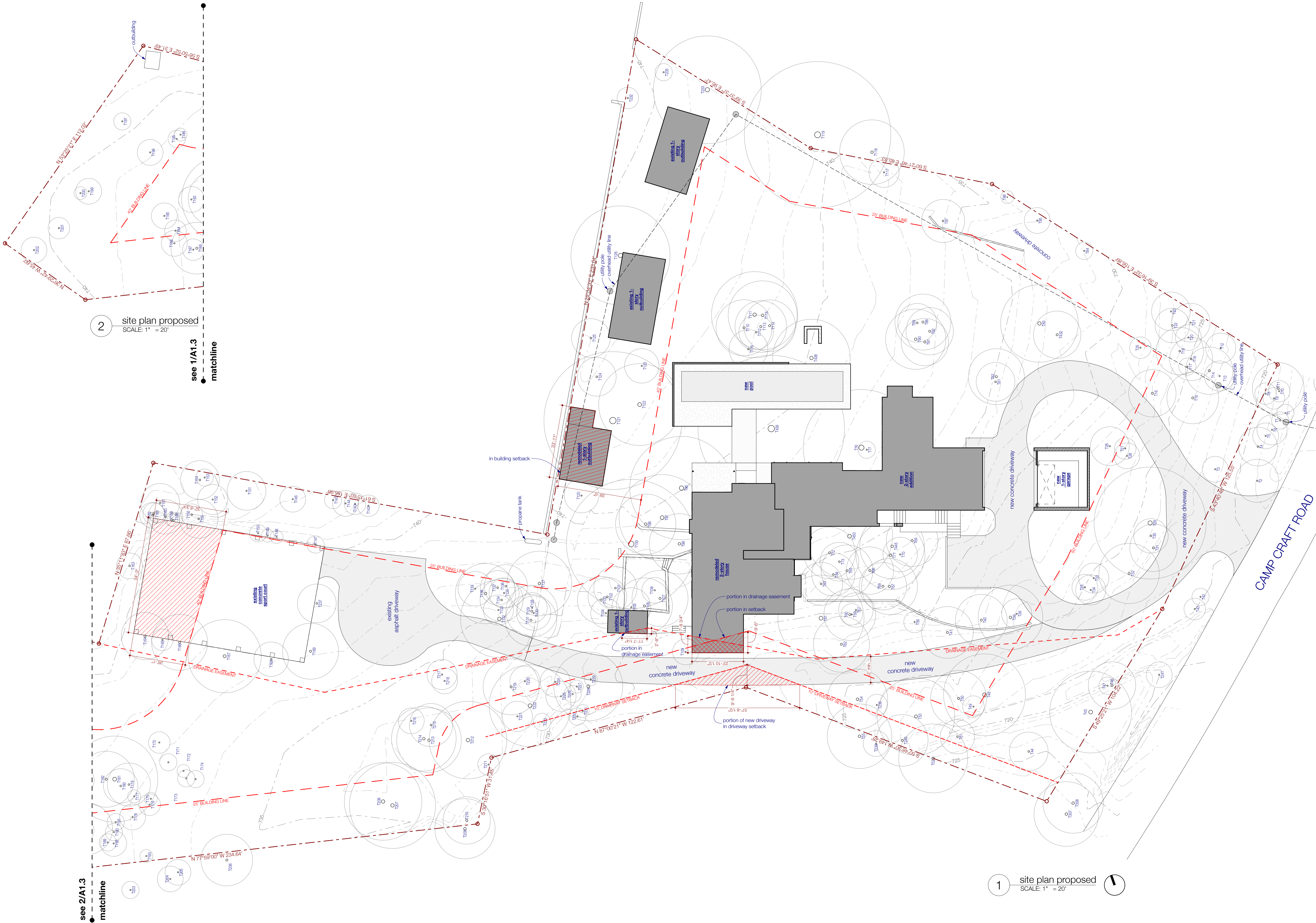
ELECTRIC: X TELEPHONE: N/A SEWAGE: N/A
NATURAL GAS: N/A CABLE TV: N/A

lw\excavpmt

AGENDA REQUEST

3. X CITY COUNCIL





revisions	
date	description
1	
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design development

8/17/20

site plan proposed

A1.3



1211 E. 11th Street, #200
Austin, Texas 78702
512.479.4100
www.FKArchitects.net

EXISTING: impervious cover
402 Camp Craft Road

lot size:	115,140 sqft.
allowable impervious cover (25%):	28,785 sqft.
main house:	2977 sqft.
terrace:	1,072 sqft.
ice house:	195 sqft.
art house:	617 sqft.
carport:	802 sqft.
outbuilding:	737 sqft.
driveways:	13708 sqft.
sport court:	4376 sqft.
well + site walls:	301 sqft.
TOTAL (existing):	24,785 sqft.

PROPOSED: impervious cover
402 Camp Craft Road

lot size:	115,140 sqft.
allowable impervious cover (25%):	28,785 sqft.
main house + garage:	7,566 sqft.
pool and pool terrace:	1,933 sqft.
wood deck:	384 sqft.
terrace:	1,072 sqft.
ice house:	195 sqft.
art house:	617 sqft.
driveways:	11,290 sqft.
sport court:	4376 sqft.
well walls:	27 sqft.
TOTAL (proposed):	27,460 sqft.