



CITY OF WEST LAKE HILLS, TEXAS
NOTICE OF ZONING & PLANNING COMMISSION (ZAPCO) REGULAR MEETING
Wednesday, October 21, 2020 at 6:30 PM

Notice is hereby given that the Zoning and Planning Commission (ZAPCO) of the City of West Lake Hills, Texas, will hold a remote Regular Meeting on the 21st day of October 2020 at 6:30 p.m., in the Council Chamber, Municipal Building, 911 Westlake Drive, West Lake Hills, Texas, 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 Zoning & Planning Commission 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 (COVID-19).

The public may participate in this meeting by dialing in to the following toll-free number **1-346-248-7799, Meeting ID: 833 2417 4421, Password: 387042**

If you wish to speak during the meeting, please submit your **name, phone number and the item #** you wish to speak on at least 6 hours prior to the meeting (12:30 p.m. on Wednesday October 21st) by emailing planner@westlakehills.org or pzsec@westlakehills.org.

Members of the public who wish to submit their written comments in lieu of speaking shall submit their comments by emailing planner@westlakehills.org or pzsec@westlakehills.org. **Comments must be received by 12:30 P.M. on October 21st.**

The meeting will be live streamed here: <http://mixlr.com/city-of-west-lake-hills/> and the audio will be available on the City’s website by Friday after the meeting.

1. Call to Order. Chairman Robert Meisel.

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 September 16, 2020 Regular Meeting Minutes.
3. Land Use 2 Downie Place: Discussion/recommendation of a request to partially release a drainage easement in order to construct a storage area (West Lake Hills Code Sec. 36.01.017). Owner/Applicant William Wiese.
 - a. Staff Briefing
 - b. Presentation by applicant
 - c. Public Hearing: All persons wishing to speak for or against shall be heard.
 - d. Deliberation and Action
4. Land Use 409 Ledgeway Ridge: Discussion/recommendation on a variance application with five (5) variance requests in order to construct a new residence: 1) roof overhang setback encroachment on east side of house; 2) roof overhang setback encroachment on west side of house; 3) & 4) two (2) retaining walls encroaching into the setbacks; and 5) landscape arbor encroaching the front setback (West Lake Hills Code Sec. 22.03.170). Owners Jim and Laura McBride/Applicant Kyle McCollum.
 - a. Staff Briefing
 - b. Presentation by applicant
 - c. Public Hearing: All persons wishing to speak for or against shall be heard.
 - d. Deliberation and Action
5. Land Use 301 A Cedar Oak Drive: Discussion/recommendation on a variance application for the removal of five (5) trees equal to or greater than 14" in diameter in order to construct a new residence: 1) Tree # 1000 - 15" Cedar; 2) Tree # 1081 - 15" Cedar; 3) Tree # 1087 - 14" Cedar; 4) Tree # 1127 - 19" Cedar; and 5) Tree # 1187 - 16" Cedar (West Lake Hills Code Sec. 22.03.304). Applicant Greg Reynolds.
 - a. Staff Briefing
 - b. Presentation by applicant
 - c. Public Hearing: All persons wishing to speak for or against shall be heard.
 - d. Deliberation and Action
6. Land Use 416 Ridgewood Road: Discussion/recommendation on a variance request to encroach a setback in order to construct an accessory building to serve as a home office or school room (West Lake Hills Code Sec. 22.03.001) Applicant Victoria Keith.
 - a. Staff Briefing
 - b. Presentation by applicant
 - c. Public Hearing: All persons wishing to speak for or against shall be heard.

d. Deliberation and Action

7. **Land Use 1801 Westlake Drive:** Discussion/recommendation of an ordinance and zoning map amendment to rezone 1801 Westlake Drive from Transitional Residential District (R-3) to a Planned Development District (PDD) with a base zoning district of R-3 in order to construct residential condominiums (West Lake Hills Code Sec. 38.05.092 and Sec. 38.06). Applicants 1801 Westlake Drive Venture, LLC & BV Austin Apartments, LLC.
 - a. Staff Briefing
 - b. Presentation by applicant
 - c. Public Hearing: All persons wishing to speak for or against shall be heard.
 - d. Deliberation and Action
8. Adjournment. Chairman Robert Meisel.

Robert Meisel, Chairman
By Anjali Naini, Director of Building &
Development Services

Certificate

I certify that the above Notice of the October 21, 2020 Zoning & Planning Commission Meeting was posted on the bulletin board at the Municipal Building, 911 Westlake Drive, West Lake Hills, Texas on Friday, October 16, 2020 by 5:00 pm. and will remain posted continuously until said meeting is convened.

By Anjali Naini, Director of Building &
Development Services

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. ZAPCO 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 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 crepe 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

ATTEST:

ZAPCO Secretary Mark Litrell

These minutes were approved on _____, 2020.

DRAFT



EASEMENT RELEASE REQUEST STAFF REPORT

OCTOBER 21, 2020

Project Address: 2 Downie Place

Project Number: 16003

Agenda Item: 2 Downie Place: Discussion/recommendation of a request to partially release a drainage easement in order to construct a storage area (West Lake Hills Code Sec. 36.01.017). Owner/Applicant William Wiese.

Applicant Information: Owner/Applicant William Wiese

Hearing Dates:

August 19, 2020	ZAPCO – <i>postponed</i>
October 21, 2020	ZAPCO
October 28, 2020	City Council

Requested Action: Release a portion of a drainage easement in order to construct a storage area behind the garage.

Location:

The subject property is located west of Westlake Drive; north of West Spring Drive; and east of Westhaven Drive.

Zoning & Site Characteristics:

The subject property and surrounding neighborhood are zoned R-1 – One-Family Residential. The property is approximately 1.0 acre. There is currently an existing house on the property.

Background & Analysis:

A building permit application was received by the City for construction of a small storage area behind the existing garage. The location of the storage area is within a platted drainage easement. The City of West Lake Hills' Drainage & Erosion Control Manual prohibits construction within drainage easements, so the building permit has been on hold until the partial easement release request was filed and considered.

The portion of the easement being considered for release is 253sf. Its location is identified in the survey provided in the application.

A partial drainage easement release (0.0224 acre or 975.744 sf) was previously approved by the City in 2014 for this property. It is included in the packet for reference.

Drainage Analysis (from City Engineer):

After the application was postponed at ZAPCO during the August 19, 2020 meeting, the applicant worked to address the drainage concerns expressed by the Commissioners. The drainage plans were not ready in time for the September ZAPCO meeting, but all drainage comments have since been cleared by the City Engineer and staff re-sent public notification for the October ZAPCO and City Council meetings. The approved drainage plan is included in the packet. The City Engineer's findings are below:

The 100-year storm event is contained within the easement and they are showing no adverse impacts with the proposed partial release of the easement. However, per Section 2.3.4 of the West Lake Hills Drainage Criteria Manual: Channel and Creek Improvements are required to be designed for the 25-year with a freeboard of 0.5 feet. The current channel geometry does not provide the full 0.5 foot of freeboard for the 25-year storm event, nor does the proposed condition. They are showing no rise in flow elevation between existing and proposed conditions. The design is consistent with existing conditions so we would recommend the partial vacation of the easement.

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

If approved, the subject easement will be released/vacated from the plat. After City Council approval, the easement release document will need to be filed with the Travis County Clerk's Office.

Comprehensive Planning Analysis

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

Staff Recommendation:

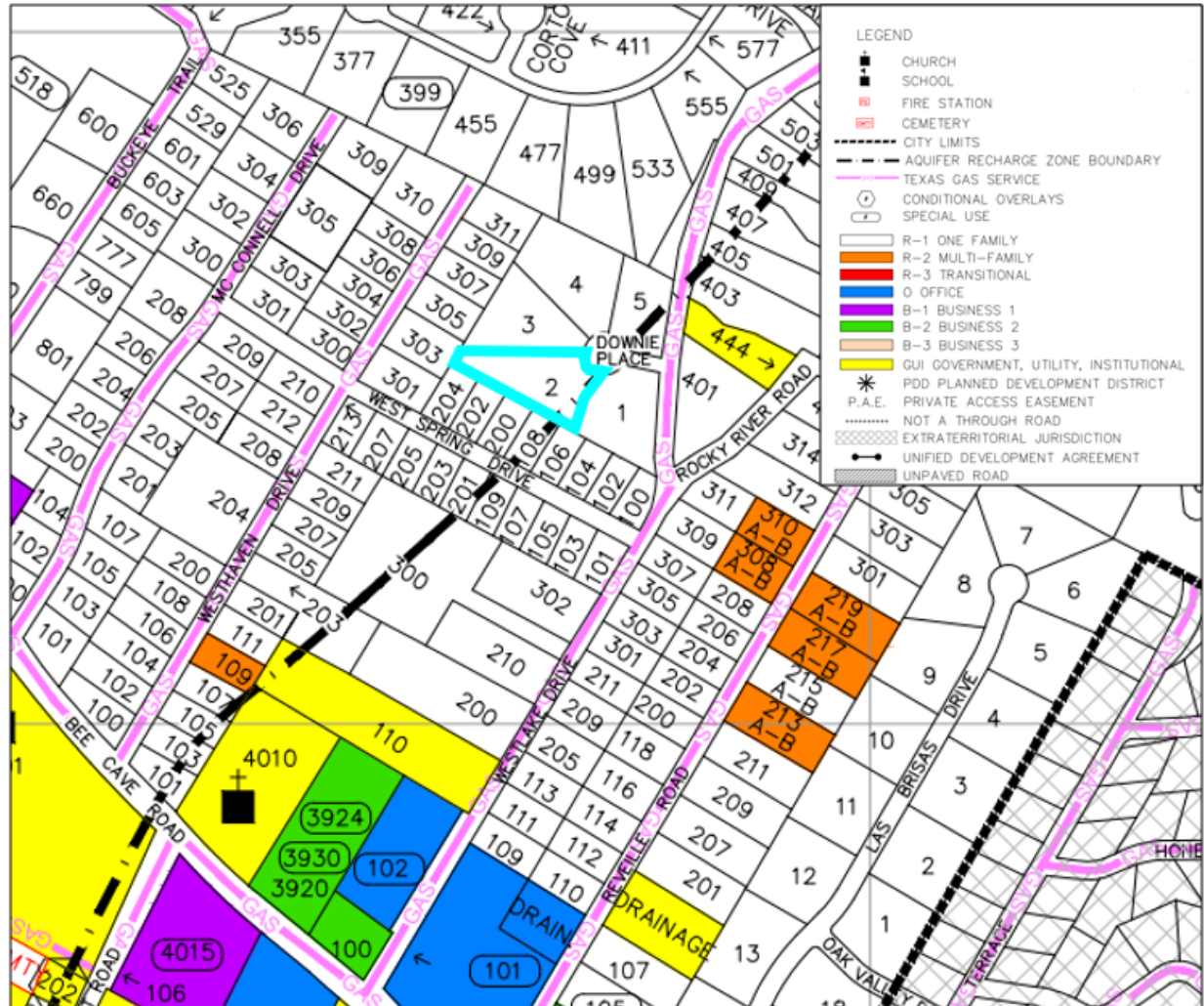
Staff recommends approval as all drainage comments have been cleared and the City Engineer also recommends approval of the requested partial easement release.

Links to Relevant Code:

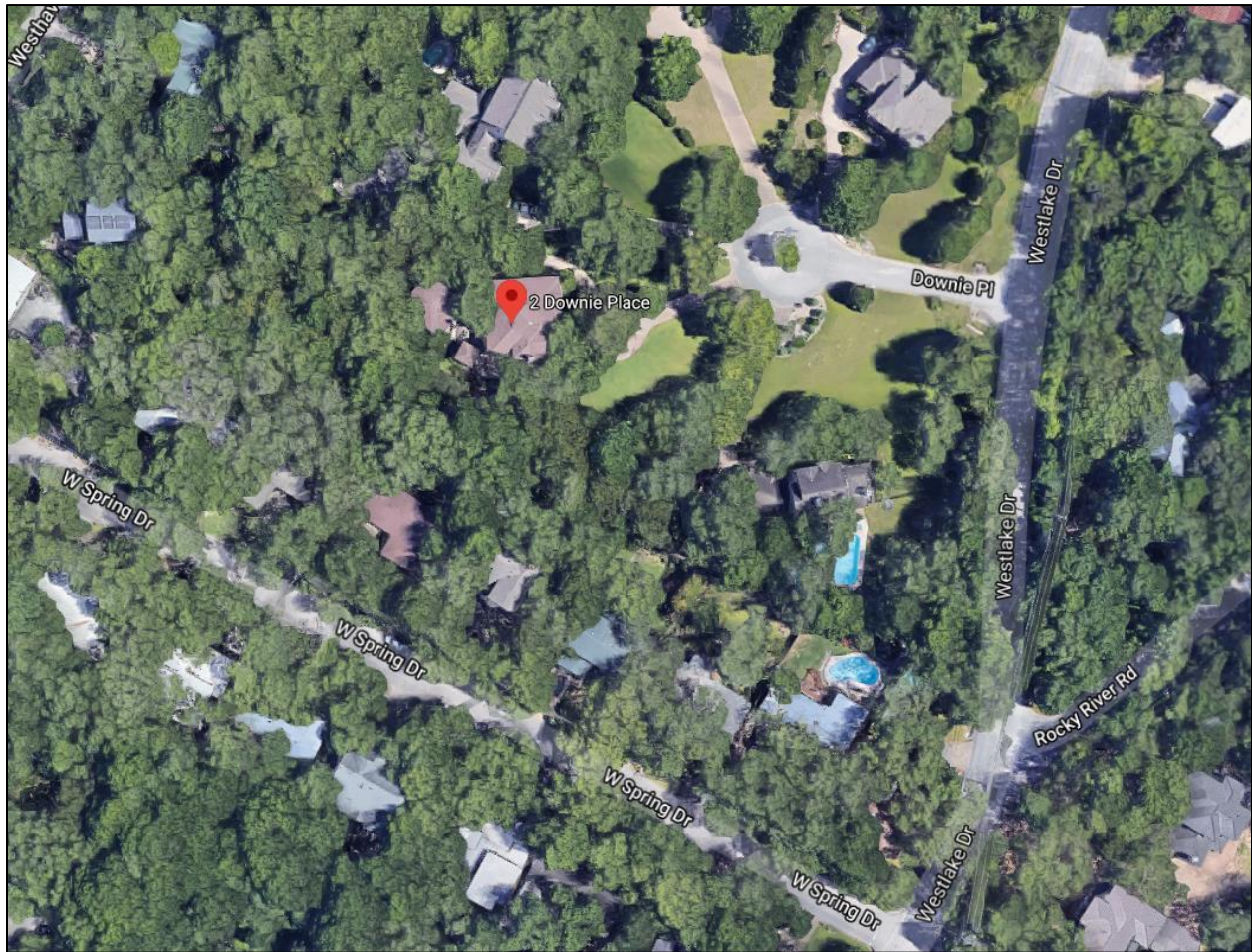
- [Sec. 36.01.017 Release of easement](#)

(Maps to follow)

Zoning:



Aerial:



EASEMENT RELEASE APPLICATION



Date Received: _____ Received By: _____
Amount Due \$ _____ Date Payment Received: _____
Admin Complete Date: _____ Permit No: _____

*****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: William D. Wiese Phone: 512-680-0544
Email: _____
Address: 2 Downie Place City: Austin State: TX Zip: 78746
Agent*: N/A Phone: _____
Email: _____
Address: _____ City: _____ State: _____ Zip: _____

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

EASEMENT INFORMATION

Description of Area to be Released:

Property Address: 2 Downie Place, Austin Texas 78746
Subdivision Name: Vista de la Cima
Block: N/A Lot: 2 Tax Parcel ID: 113364
Recorded in: Volume #: 87 Page #: 19B Instrument #: N/A
Current Zoning Classification: Res Total Lot Area: 1.0 acres
Total area of easement release: 253 sq. ft.
Is this a full easement release or partial release? Partial
Type of easement to be released: Drainage

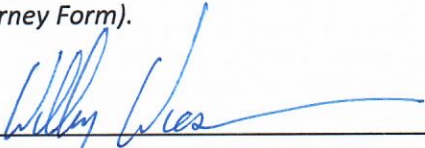


EASEMENT RELEASE APPLICATION

Briefly describe purpose of release:
To construct a storage area behind existing garage.

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
William Wiese
Printed Name

July 24, 2020
Date

APPLICATION CHECKLIST

- Application Requirements (refer to City Code Sec. 36.01.017):**
- ☒ Completed, signed application
 - ☐ Power of Attorney form, if applicable
 - ☒ A copy of the instrument granting the easement (either the plat showing the easement, or a separate document recorded in the official records of Travis County)
 - ☒ Proof of ownership of subject property
 - ☒ Letter addressed to the chair of the Zoning & Planning Commission
 - ☒ Metes and bounds description and sketch of the easement or portion of the easement to be released, prepared by a registered surveyor (the portion to be released should be cross-hatched)
 - ☒ An explanation of the purpose of the release requested
 - ☐ Signatures/approvals by each of the applicable entities authorized to use the easement agreeing to the requested easement release
 - ☒ Payment of application fees (including public notification fees) by check or credit card (refer to Appendix A: Fee Schedule in the Code of Ordinances for current fees). Call 512-327-3628 to pay by credit card or mail or drop off a check
 - ☐ Other applicable information as required by staff



EASEMENT RELEASE APPLICATION

APPROVAL PROCESS & PROCEDURES

Public Hearings

Easement release applications are considered by the Zoning and Planning Commission (ZAPCO), which meets on the third (3rd) Wednesday of the month and the City Council, which meets the second (2nd) and fourth (4th) Wednesdays of the month. All meetings are held in the Council Chambers at City Hall, 911 Westlake Drive at 6:30pm (ZAPCO) and 7:00pm (City Council). The agendas and meeting packets are posted on the City website the Friday before the meeting.

Public Notices

All public notices are handled by staff. Letters are sent to neighbors within 200’ of the subject property for residential projects and within 300’ of the property for commercial projects no later than ten (10) days before the ZAPCO meeting.

Application Deadlines

Applications are due thirty (30) days prior to the next ZAPCO meeting. In some circumstances it may be possible to receive an extension by contacting planner@westlakehills.org

Complete Application

An application must be considered complete by staff before the easement request will be scheduled for hearings and prior to sending public notices. Information required in the Application Checklist per Sec. 36.01.017 of the City of West Lake Hills Code of Ordinances must be submitted in addition to the required fees for the application to be considered complete.

STAFF NOTES

For Completion by Staff Only

Date public notification letters mailed: _____

Date of ZAPCO Hearing: _____

ZAPCO Recommendation: _____

Date of City Council Hearing: _____

City Council Action: _____

Notes:

WILLIAM D. WIESE
2 Downie Place
West Lake Hills, Texas 78746

July 24, 2020

City of West Lake Hills
Zoning and Planning Commission
911 Westlake Drive
West Lake Hills, TX 78746
Attn: Robert Meisel, Chair

Dear Chairman Meisel:

I am submitting with this letter a Easement Release Request in which I am requesting the release of a 253 sq. ft. area of land from a drainage easement that runs along the rear of my property. I am building a small storage area behind the existing garage and the drainage easement release is necessary to accommodate the storage area.

In support of this request, I have enclosed the following documents:

1. A completed, signed Easement Release Application;
2. A copy of the Plat on which the drainage easement was originally granted;
3. A copy of the Special Warranty Deed as evidence of my ownership of the property at 2 Downie Place;
4. A Metes and Bounds description of the portion of the easement to be released along with a corresponding survey;
5. A brief explanation of the reason I am requesting that the area be released from the drainage easement; and
6. The applicable fee.

For your convenience, I am also enclosing a copy of the Small Project Application which has been submitted to the City for review and which includes additional details regarding my project.

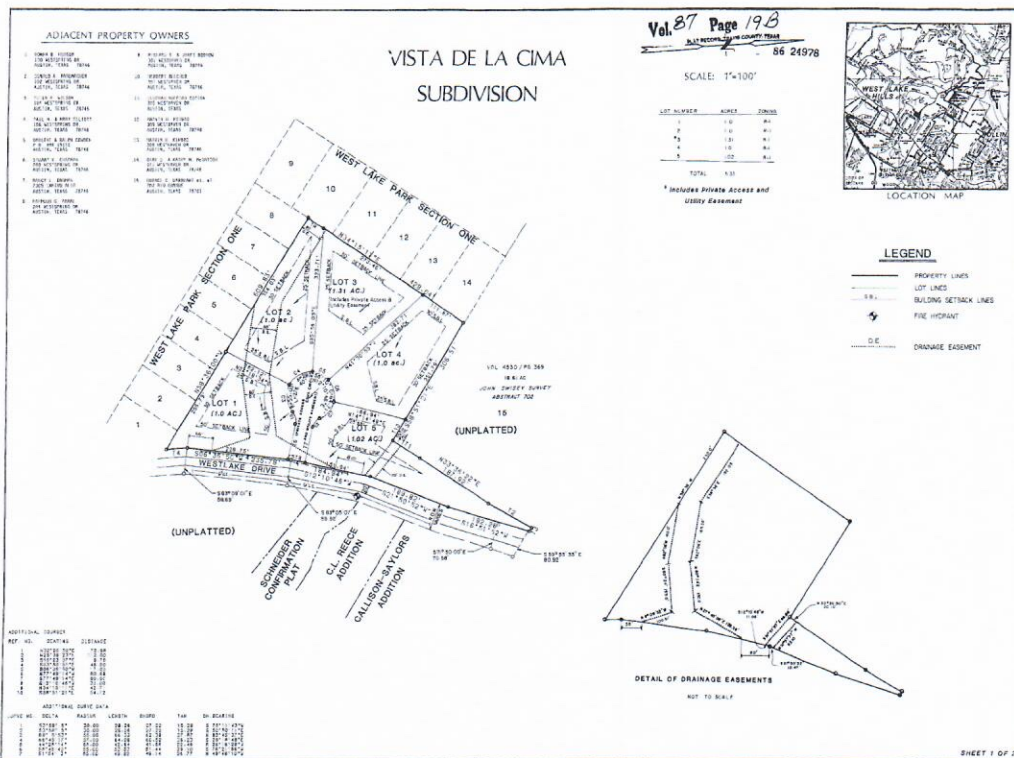
If there is other information that I can provide or if you have any questions regarding any of the information included with this letter, I encourage you to contact me at any time, either by phone at (512) 680-0544 or email at

Sincerely,



William D. Wiese
(512) 680-0544

3222847.1



NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

15/ITC/PAA/806687-BCP
WARRANTY DEED WITH VENDOR'S LIEN

DATE: April 13, 2018 Effective Date April 16, 2018

GRANTOR (whether one or more): DASTAN AITZHANOV and spouse,
ZHAZIRA AITZHANOVA

GRANTOR'S MAILING ADDRESS:

GRANTEE (whether one or more): WILLIAM D. WIESE

GRANTEE'S MAILING ADDRESS:
2 Downie Place
Westlake Hills, Texas 78746

CONSIDERATION:

TEN DOLLARS (\$10.00) and a note of even date that is in the principal amount of ONE MILLION SIXTEEN THOUSAND AND NO/100 DOLLARS (\$1,016,000.00), and is executed by Grantee, payable to the order of CORNERSTONE HOME LENDING, INC. The note is secured by a vendor's lien retained in this deed in favor of CORNERSTONE HOME LENDING, INC., and by a deed of trust of even date from Grantee to SCOTT R. VALBY, Trustee.

PROPERTY (including any improvements):

Lot 2, VISTA DE LA CIMA SUBDIVISION, according to the map or plat thereof, recorded in Volume 87, Pages 19B-19C, Plat Records, Travis County, Texas.

RESERVATIONS FROM AND EXCEPTIONS TO CONVEYANCE AND WARRANTY:

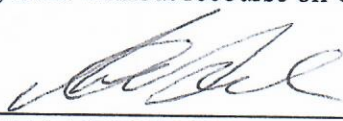
Easements and rights-of-way of record; ad valorem taxes for 2018; all presently recorded restrictions, reservations, covenants, conditions, and mineral severances, that affect the property.

Grantor, for the consideration and subject to the reservations from and exceptions to conveyance and warranty, grants, sells and conveys to Grantee the property, together with all and singular the rights and appurtenances thereto in any wise belonging, to have and hold it to Grantee, Grantee's heirs, executors, administrators, successors and assigns forever. Grantor hereby binds Grantor and Grantor's heirs, executors, administrators, successors and assigns to WARRANT AND FOREVER DEFEND all and singular the property to Grantee, Grantee's heirs, executors, administrators, successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the reservations from and exceptions to conveyance and warranty.

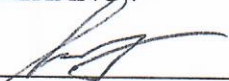
The vendor's lien against and superior title to the property are retained until each note described is fully paid according to its terms, at which time this deed shall become absolute.

When the context requires, singular nouns and pronouns include the plural.

CORNERSTONE HOME LENDING, INC., at Grantee's request, has paid in cash to Grantor that portion of the purchase price of the property that is evidenced by the note. The vendor's lien and superior title retained in this deed secure payment of the note, and they are transferred to CORNERSTONE HOME LENDING, INC. without recourse on Grantor.



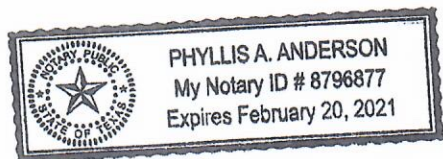
DASTAN AITZHANOV

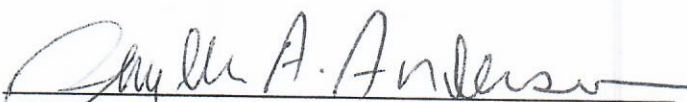


ZHAZIRA AITZHANOVA

STATE OF TEXAS)
)
COUNTY OF TRAVIS)

This instrument was acknowledged before me on this 13 day of April, 2018, by DASTAN AITZHANOV.

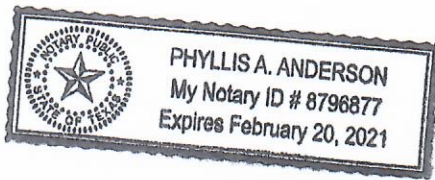




NOTARY PUBLIC, STATE OF TEXAS

STATE OF TEXAS)
)
COUNTY OF TRAVIS)

This instrument was acknowledged before me on this 13 day of April, 2018, by ZHAZIRA AITZHANOVA.



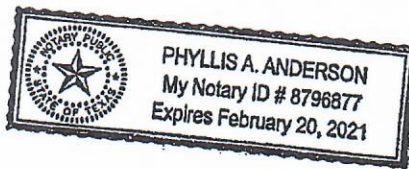
Phyllis A. Anderson

NOTARY PUBLIC, STATE OF TEXAS

AFTER RECORDING, RETURN TO:

STATE OF TEXAS)
)
COUNTY OF TRAVIS)

This instrument was acknowledged before me on this 13 day of April, 2018, by ZHAZIRA AITZHANOVA.



Phyllis A. Anderson
NOTARY PUBLIC, STATE OF TEXAS

AFTER RECORDING, RETURN TO:

3



FILED AND RECORDED
OFFICIAL PUBLIC RECORDS

Dana Debeauvoir

DANA DEBEAUVOIR, COUNTY CLERK
TRAVIS COUNTY, TEXAS

April 18 2018 04:01 PM

FEE: \$ 34.00 2018059026

FILE#
EXHIBIT " A "

253 SQUARE FOOT
PARTIAL RELEASE OF DRAINAGE EASEMENT

BEING 253 SQUARE FEET OF LAND OUT OF LOT 2, VISTA DE LA CIMA SUBDIVISION RECORDED IN VOLUME 87, PAGE 19B, PLAT RECORDS, TRAVIS COUNTY, TEXAS, AND BEING A PORTION OF A DRAINAGE EASEMENT AS DEDICATED BY SAID PLAT, SAME BEING THAT CERTAIN WILLIAM D. WIESE TRACT RECORDED IN DOCUMENT NUMBER 2018059026, OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS, SAID 253 SQUARE FEET OF LAND TO BE MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING in the southerly line of said Lot 2, from which a mag nail found at the southwest corner of said Lot 2 bears, North 58 degrees 47 minutes 28 seconds West, 120.24 feet and from same commencing point an iron rod found at the southeast corner of said Lot 2 bears, South 58 degrees 47 minutes 28 seconds East, 233.21 feet;

THENCE North 31 degrees 12 minutes 32 seconds East, through said Lot 2, 43.67 feet for the POINT OF BEGINNING and the southwest corner hereof;

THENCE through said Lot 2, the following 4 calls,

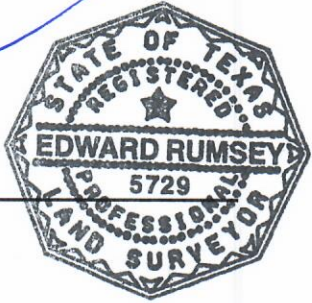
1. North 47 degrees 17 minutes 18 seconds East, 6.41 feet for the northwest corner hereof,
2. South 58 degrees 48 minutes 12 seconds East, 28.23 feet for the northeast corner hereof,
3. South 43 degrees 13 minutes 37 seconds West, 11.92 feet for the southeast corner hereof,
4. North 47 degrees 33 minutes 01 seconds West, 27.50 feet to the POINT OF BEGINNING.

WITNESS MY HAND THIS (PARTIAL RELEASE OF DRAINAGE EASEMENT)

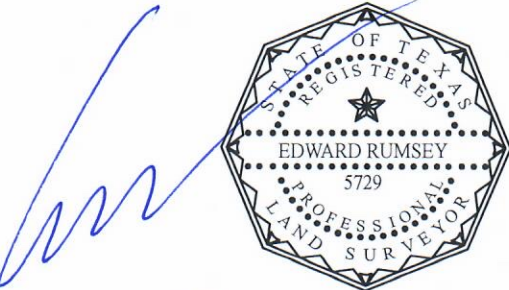
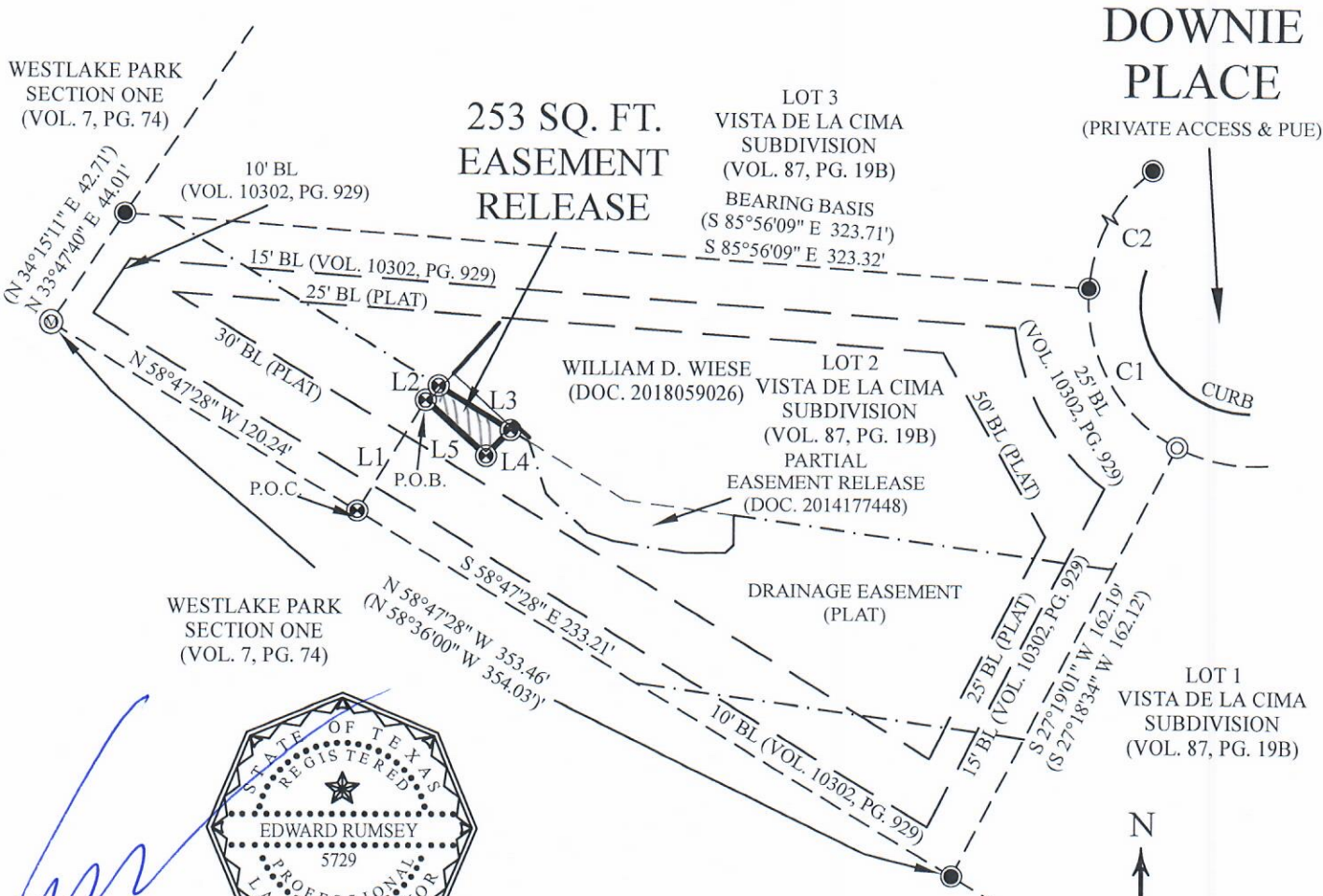
I, Edward Rumsey, licensed to practice Land Surveying in the State of Texas, hereby certify that the foregoing metes and bounds legal description and sketch were based on an on the ground survey.

Witness my hand and seal this, 23rd day of June 2020.

EDWARD C. RUMSEY, TX RPLS #5729
ALL STAR LAND SURVEYING
9020 ANDERSON MILL ROAD
AUSTIN, TEXAS 78729
PROP. I.D.# 113364
JOB # A0606620
PAGE 1 OF 2



253 SQ. FT. EASEMENT RELEASE

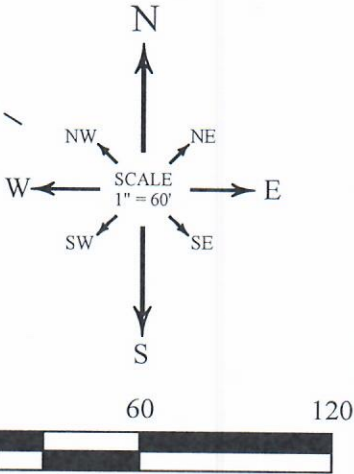


LEGEND

- 1/2" ROD FOUND
- CALCULATED POINT
- 1/2" ROD W/CAP SET "ALLSTAR 5729"
- MAG NAIL FOUND
- BL BUILDING LINE
- () RECORD INFORMATION
- P.O.B. POINT OF BEGINNING
- P.O.C. POINT OF COMMENCEMENT

LINE TABLE		
LINE	BEARING	LENGTH
L1	N 31°12'32" E	43.67'
L2	N 47°17'18" E	6.41'
L3	S 58°48'12" E	28.23'
L4	S 43°13'37" W	11.92'
L5	N 47°33'01" W	27.50'

CURVE TABLE				
CURVE	RADIUS	ARC	BEARING	CHORD
C1	55.00'	64.09'	S 29°26'43"E	60.52'
(C1)	(55.00')	(64.08')	(S 29°18'48"E)	(60.52')
C2	55.00'	96.23'	S 54°03'23"W	84.42'
(C2)	(55.00')	(96.17')	N 54°09'20" E	(84.37')



SURVEY DATE	JUNE 23, 2020	
JOB NO.	A0606620	
FIELD BY:	JONATHAN MOHR	06/18/2020
CALC. BY:	SEAN SUTTON	06/23/2020
DRAWN BY:	SEAN SUTTON	06/23/2020
RPLS CHECK	EDWARD RUMSEY	06/23/2020



9020 ANDERSON MILL RD
AUSTIN, TEXAS 78729
(512) 249-8149 PHONE
(512) 331-5217 FAX
TBPLS FIRM NO. 10135000

LEGAL DESCRIPTION

BEING 253 SQUARE FEET OF LAND OUT OF LOT 2, VISTA DE LA CIMA SUBDIVISION RECORDED IN VOLUME 87, PAGE 19B, PLAT RECORDS, TRAVIS COUNTY, TEXAS, AND BEING A PORTION OF A DRAINAGE EASEMENT AS DEDICATED BY SAID PLAT, SAME BEING THAT CERTAIN WILLIAM D. WIESE TRACT RECORDED IN DOCUMENT NUMBER 2018059026, OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS, SAID 253 SQUARE FEET OF LAND TO BE MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS IN EXHIBIT "A", ATTACHED HERETO AND MADE A PART HEREOF.

2 Downie Place

Brief Description of Proposed Project

The balcony extending from the second story apartment above our garage was rotting and unsafe. Photographs of the rotted deck along with site surveys showing the location of the project at the back of our lot are attached.

We are removing and replacing the rotted deck and adding a storage area underneath. The storage area will be approximately 12' wide x 25' long.

The floor will be concrete reinforced with #5 rebar. Photographs of the reinforcing and the finished slab are attached.

Framing was started before we received notice that a permit was required and a Stop Work order issued.

3178829.1



SMALL PROJECT APPLICATION

Date Application Received: _____ Received By: _____
Amount Due:\$ _____ Amount Recd \$ _____ Date: _____
Permit No: _____ Admin Complete Date: _____

APPLICATION TYPE

This permit application is only for small projects that can be quickly approved. For projects involving remodels, additions, new construction, drainage, swimming pools, sport courts, additional impervious cover, etc. the Residential or Commercial Building Permit Application must be completed.

Please check the applicable boxes for your application submittal:

Residential ☒ or Commercial ☐

☐ Roof ☐ Driveway ☐ HVAC ☐ Plumbing ☐ Electrical ☐ Water Heater

☐ Window Replacement ☐ Irrigation ☐ Solar Panels ☒ Other: Storage area

PROJECT INFORMATION

Project Name: Storage

Property Address: 2 Downie Place, Austin Texas 78746

Block: Vista de la Cima Lot: 2 Tax Parcel ID: 113364

Zoning Classification: Res Total Lot Area: 1.0 acres

City Limits: ☒ Yes ☐ No

Brief description of proposed project:
See attached

Please complete the following section if any site/flat work is proposed:

Additional Impervious Cover: 300 sf Total Impervious Cover: _____ %

Edwards Aquifer: ☐ Recharge Zone ☒ Contributing Zone ☐ Transition Zone

FEMA Floodplain: ☐ Yes ☒ No



SMALL PROJECT APPLICATION

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.

Billing Contact (please check one): Owner ☒ Agent ☐ General Contractor ☐

Property Owner: William Wiese Phone: 512-680-0544

Email: Address: 2 Downie Place City: Austin State: TX Zip: 78746

Agent: N/A Phone:

Email: Address: City: State: Zip:

Engineer/Surveyor/Architect: Martin & Wallin Phone: 512-368-4088

Email: pmartin@martinandwallin.com Address: PO Box 202043 City: Austin State: TX Zip: 78720

Contractor: Hector's Painting & Remo Phone: (512) 704-5491

Email: bclavasquin94@gmail.com Address: 3219 Barton Drive City: Austin State: TX Zip: 78735

*For projects valued at \$25,000 or greater, General Contractor registration is required and subject to City of West Lake Hills Code, Section 22.03.130. A separate Contractor Registration Form must be completed unless the contractor already has one on file.

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 signed applicant of said property, the signature of the property owner must be included below or consent must be attached.

Signature

William Wiese

Printed Name

5/22/2020

Date

2 Downie Place

Brief Description of Proposed Project

The balcony extending from the second story apartment above our garage was rotting and unsafe. Photographs of the rotted deck along with site surveys showing the location of the project at the back of our lot are attached.

We are removing and replacing the rotted deck and adding a storage area underneath. The storage area will be approximately 12' wide x 25' long. A rough sketch of the layout of the storage area is attached.

The floor will be concrete reinforced with #5 rebar. Photographs of the reinforcing and the finished slab are attached.

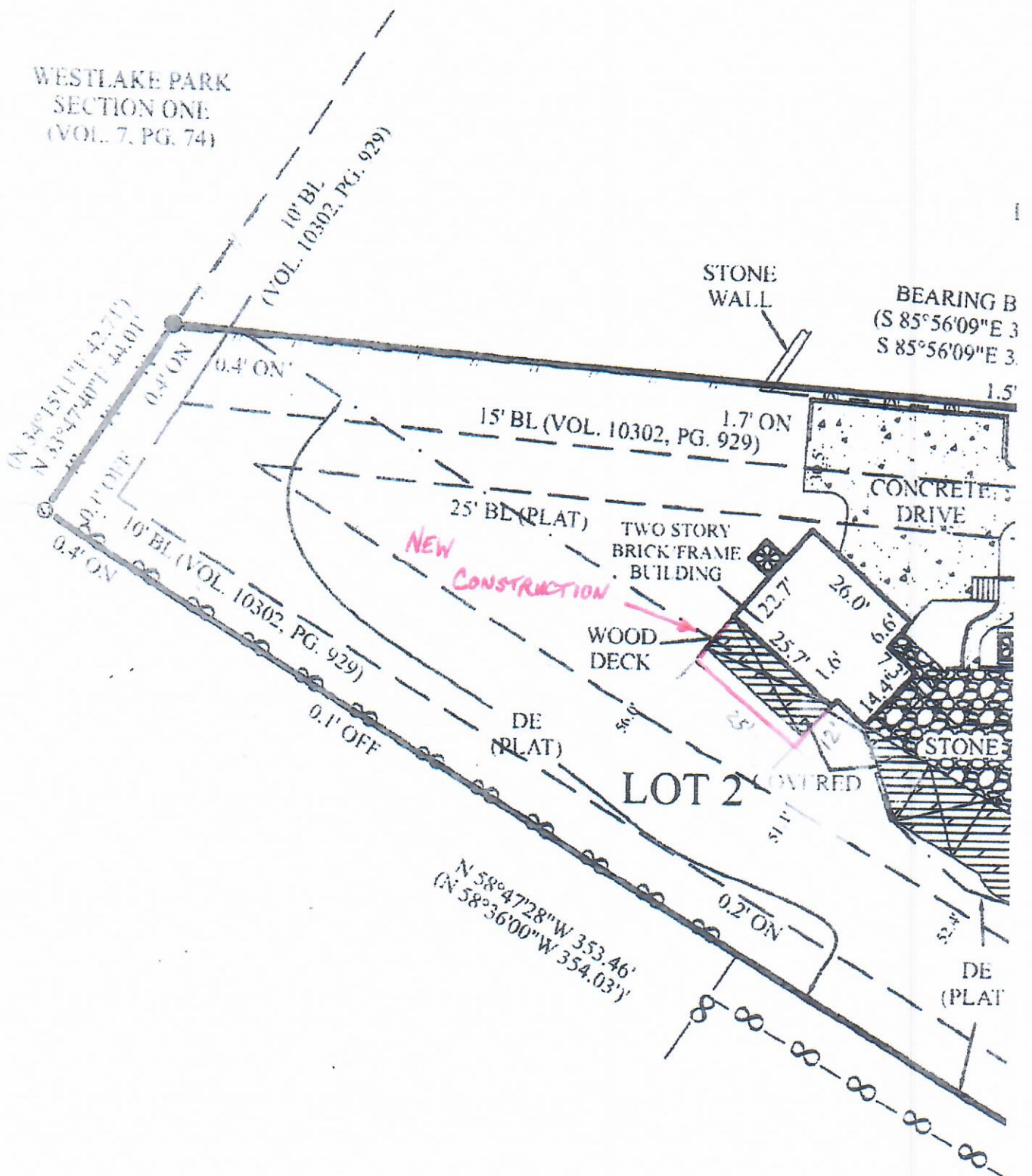
Framing was started before we received notice that a permit was required and a Stop Work order issued. Photographs showing the initial framing and the current state of the project are attached.

We have retained Martin and Wallin Engineers to provide engineering support and documentation for the permitting process.

The following documentation follows:

1. Site plans
 - a. Site plan showing entire property
 - b. Expanded site plan showing specific location of project
2. Photographs of rotted deck (2)
3. Rough layout of new storage area
4. Photographs of rebar layout in concrete (3)
5. Photographs of the current status of the project (2)
6. Written report from Martin and Wallin Engineers
- 7.

WESTLAKE PARK
SECTION ONE
(VOL. 7, PG. 74)



WESTLAKE PARK
SECTION ONE
(VOL. 7, PG. 74)

LOT 3

TWO STORY
BRICK/FRAME
RESIDENCE

25th. VOL. 10302.
100 029

STONE
WALL

S 85°56'09"E 323.32'

1.5' ON

(VOL. 10392, PG. 979)

15' BL (VOL

1.7' ON

TWO STORY
BRICK FRAME
BUILDING

WOOD
DECK

LOT 2

CONCRETE
DRIVE

5' ON

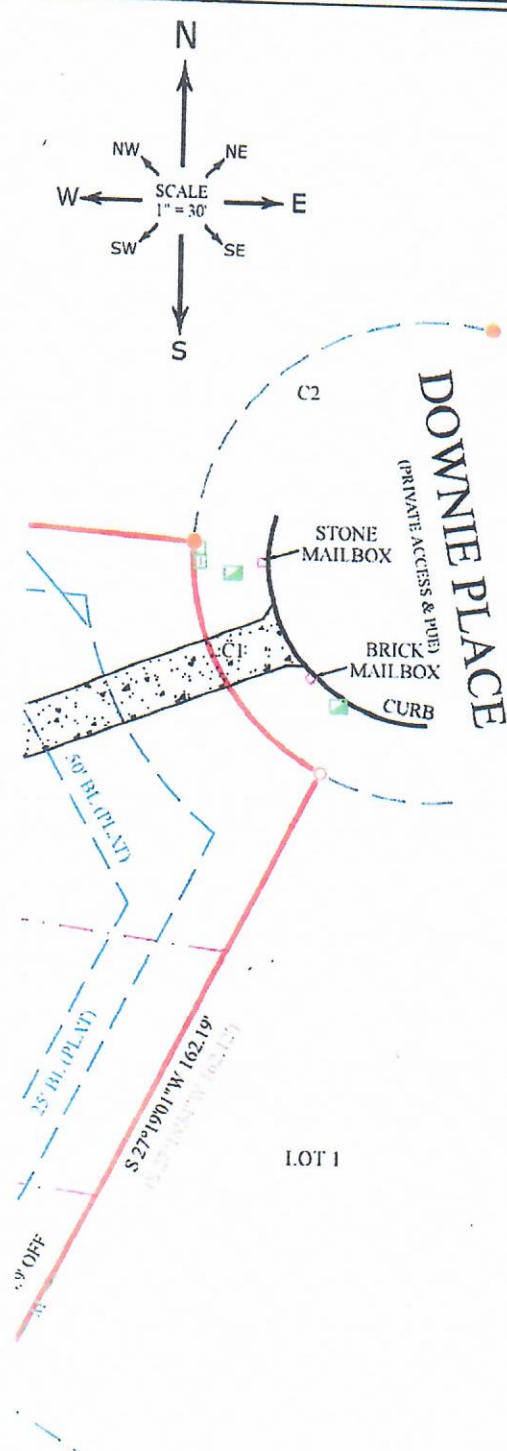
CONCRETE
DRIVE

BRICK
PLANTER
(TYPICAL) 123

LEGEND

- | | |
|---|----------------------|
|  | 1" SUBJECT BOUNDARY |
|  | 3" SUBJECT BOUNDARY |
|  | 5" SUBJECT BOUNDARY |
|  | 2" SUBJECT BOUNDARY |
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| | 68" SUBJECT BOUNDARY |
| | 69" SUBJECT BOUNDARY |
| | 70" SUBJECT BOUNDARY |
| | 71" SUBJECT BOUNDARY |
| | 72" SUBJECT B |

WESTLAKE PARK
SECTION ONE
(VOL. 7, PG. 74)



RESTRICTIONS

SUBJECT TO RESTRICTIONS IN VOL. 1061, PG. 481, VOL. 1643, PG. 433, VOL. 10302, PG. 929 AND AS PER PLAT IN VOL. 87, PG. 19B - 19C.

SUBJECT TO EASEMENTS AND BUILDING LINES AS PER PLAT IN VOL. 87, PG. 19B - 19C.

SUBJECT TO PARTIAL EASEMENT RELEASE IN DOC. NO. 2014177448.

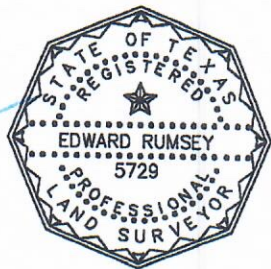
SUBJECT TO EASEMENTS AND BUILDING LINES IN VOL. 10302, PG. 929.

LEGAL DESCRIPTION

LOT 2, VISTA DE LA CIMA SUBDIVISION, ACCORDING TO THE MAP OR PLAT THEREOF, RECORDED IN VOLUME 87, PAGES 19B - 19C, PLAT RECORDS, TRAVIS COUNTY, TEXAS.

CURVE TABLE				
CURVE	RADIUS	ARC	BEARING	CHORD
C1	55.00'	64.09'	S 29°26'43"E	60.52'
(C1)	(55.00')	(64.09')	(S 29°26'43"E)	(60.52')
C2	55.00'	96.23'	S 54°03'23"W	84.42'
(C2)	(55.00')	(96.23')	(S 54°03'23"W)	(84.42')





TO THE LIEN HOLDER AND / OR OWNERS OF THE PREMISES SURVEYED AND TO

INDEPENDENCE TITLE

I DO HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND UNDER MY SUPERVISION AND TO THE BEST OF MY KNOWLEDGE OF THE PROPERTY LEGALLY DESCRIBED HEREON AND THAT THERE ARE NO BOUNDARY LINE CONFLICTS, ENCROACHMENTS OVERLAPPING OF IMPROVEMENTS, OR ROADS IN PLACE, EXCEPT AS SHOWN HEREON, AND CERTIFIES ONLY TO THE LEGAL DESCRIPTION AND EASEMENTS SHOWN ON THE REFERENCED TITLE COMMITMENT. THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE.

ALLSTAR
land surveying

9020 ANDERSON MILL RD
AUSTIN, TEXAS 78729
(512) 249-8149 PHONE
(512) 331-5217 FAX
TBP L3 FIRM NO. 1015566

F.I.R.M. MAP INFORMATION

THIS PROPERTY DOES NOT LIE WITHIN THE 100 YEAR FLOOD-PLAIN, AND HAS A ZONE "X" RATING AS SHOWN ON THE FLOOD INSURANCE RATE MAPS F I R M MAP NO 48453C0445J PANEL: 480445J DATED: 01/06/2016

THIS CERTIFICATION IS FOR INSURANCE PURPOSES ONLY AND IS NOT A GUARANTEE THAT THIS PROPERTY WILL OR WILL NOT FLOOD. CONTACT YOUR LOCAL FLOOD PLAIN ADMINISTRATOR FOR THE CURRENT STATUS OF THIS TRACT.

ADDRESS

WILLIAM WIESE
2 DOWNIE PLACE
WESTLAKE HILLS, TRAVIS COUNTY, TEXAS

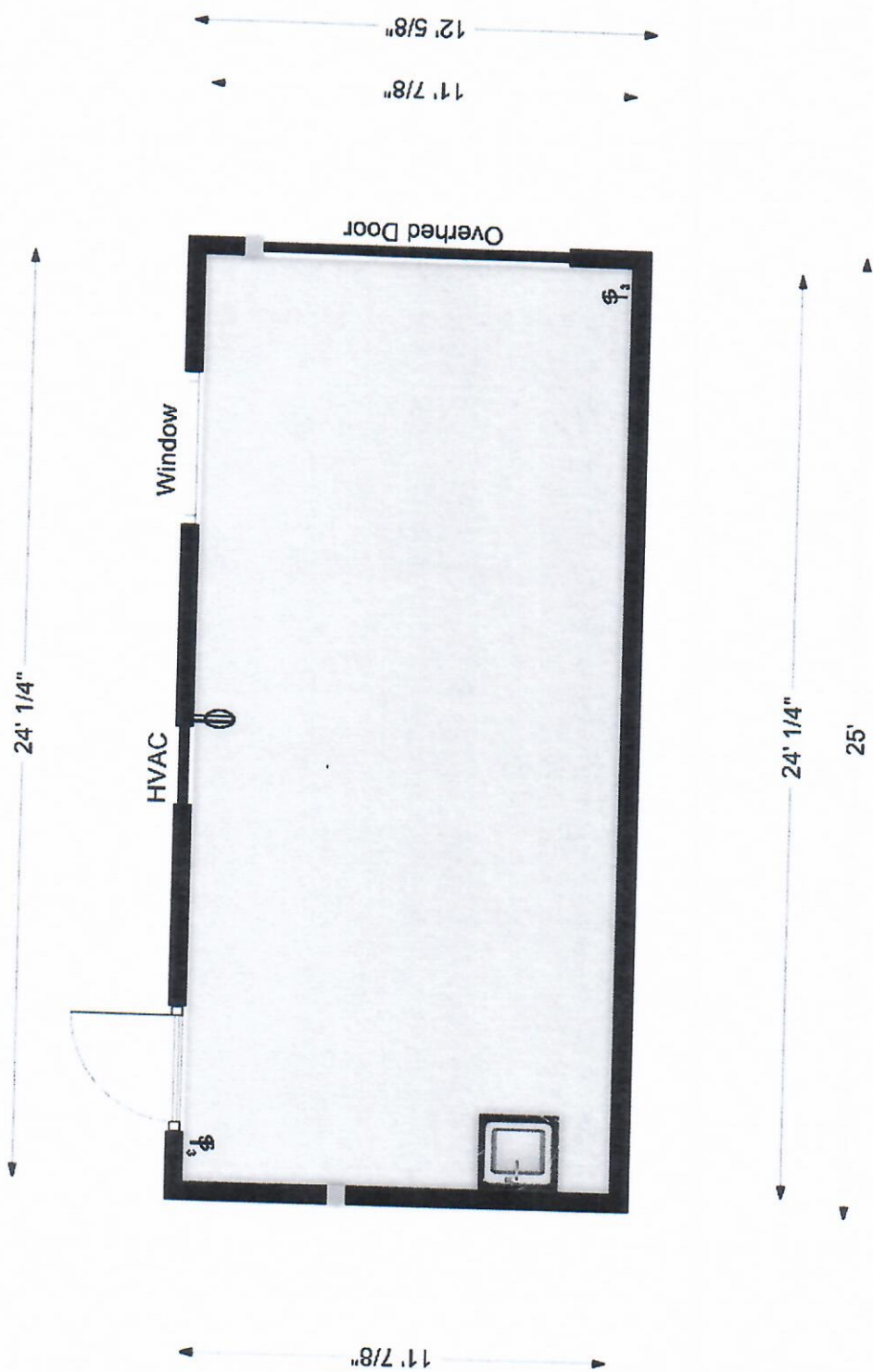
SURVEY DATE:	APRIL 10, 2018	FILED BY:	JONATHAN MOHR	04/09/2018
TITLE CO.:	INDEPENDENCE TITLE	CALC BY:	EDWARD RUMSEY	04/10/2018
G.F. NO.:	1806687-BCP	DRAWN BY:	ADRIEL LOPEZ	04/10/2018
JOB NO.:	A0402518	RPLS CHECK:	EDWARD RUMSEY	04/10/2018





Rotting deck

BEFORE 1





REBAR 1



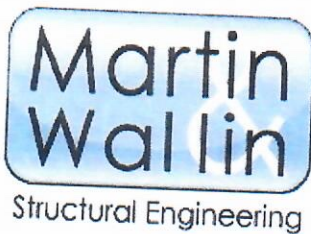
REBAR 2



REBAR 3







Martin & Wallin, LLC
PO Box 202043
Austin, Texas 78750
512-368-4088 (office)

May 22, 2020

Bill Wiese
Wiese Family
2 Downie Place
Austin, TX

Re: Wiese Assessment – Structural Narrative
2 Downie Place
Westlake Hills, TX

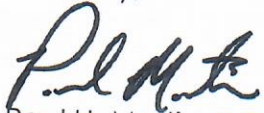
The purpose of this letter is to confirm that the Storage Area and deck renovation as shown on the attached diagram is acceptable provided the following structural modifications are made:

- Install 3 new 2-1.75x14 LVL (2.0E) multi-ply beams (max 12'-0"). Beams shall be oriented in the east west direction at the existing 6x6 posts at each end. Each beam shall be attached to post with a Simpson ECCQ post cap installed per the manufacturer's recommendations.
- Install 2 new 2-1.75x14 LVL (2.0E) multi-ply beams (max 12'-0"). Beams shall be oriented in the north south direction along existing floor truss ends and be attached to Item 1 beams above with a Simpson HGUS face hanger at each end. Existing floor trusses shall be attached with Simpson HTU face hanger.
- Install ½" Structural rated sheathing to all exterior walls and roof deck with 8d nails at 6" o.c. at perimeter and 12" o.c. field.
- We also recommend that a licensed roofing consultant or architect review the deck drainage system and flashing details to prevent premature deterioration of the wood structure.

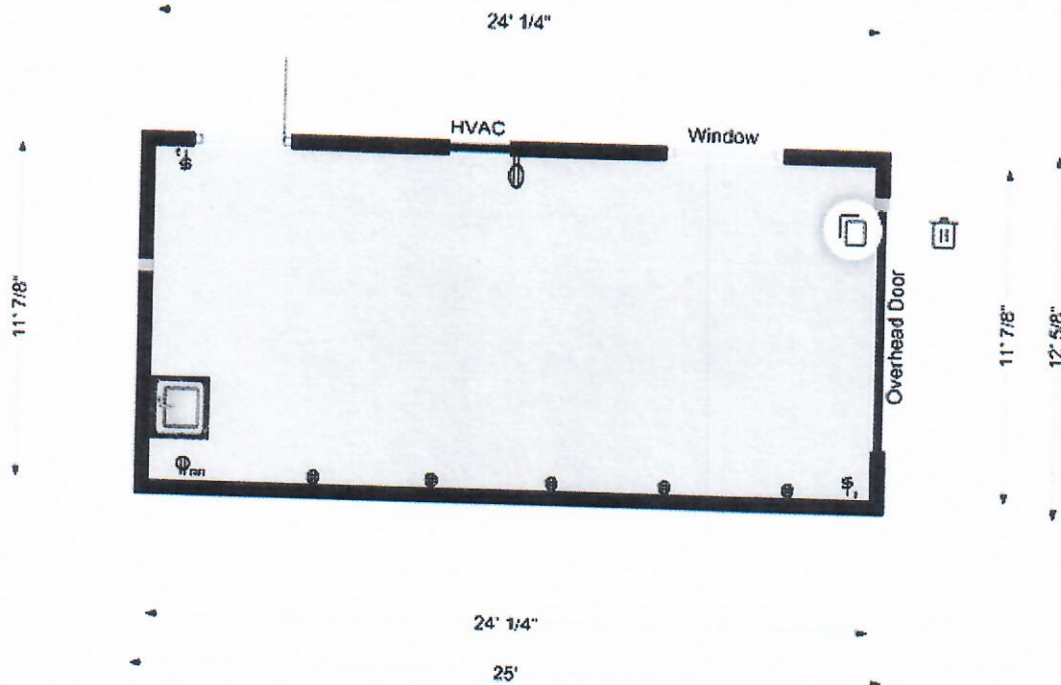
Information used in this analysis was compiled during a site visit on Thursday May 14, 2020. We reviewed this information and our recommendations are based on standard structural engineering practice including limiting deflections to 1" and not more than the beam length L/360 for transient load or L/240 for total load.

Please contact this office if there are further questions regarding this matter.

Sincerely,


Paul H. Martin, P.E.
Principal





ADJACENT PROPERTY OWNERS

1. DONNA B. HUDSON
100 WESTSPRING DR.
AUSTIN, TEXAS 78746
2. DONALD A. RADEMACHER
102 WESTSPRING DR.
AUSTIN, TEXAS 78746
3. PETER R. WILSON
104 WESTSPRING DR.
AUSTIN, TEXAS 78746
4. PAUL M. & MARY ELLIOTT
106 WESTSPRING DR.
AUSTIN, TEXAS 78746
5. DARLENE & RALPH COWDEN
P.O. BOX 19112
AUSTIN, TEXAS 78746
6. STUART K. CHAPMAN
200 WESTSPRING DR.
AUSTIN, TEXAS 78746
7. NANCY L. ENGMAN
2305 CAMINO ALTO
AUSTIN, TEXAS 78746
8. MAHMOUD G. AKMAL
204 WESTSPRING DR.
AUSTIN, TEXAS 78746
9. RICHARD S. & JANET BOBROW
301 WESTHAVEN DR.
AUSTIN, TEXAS 78746
10. HERBERT BELCHER
303 WESTHAVEN DR.
AUSTIN, TEXAS 78746
11. DEBORAH RUFFMAN COTTON
305 WESTHAVEN DR.
AUSTIN, TEXAS 78746
12. MARVIN H. KIMBRO
309 WESTHAVEN DR.
AUSTIN, TEXAS 78746
13. MARVIN H. KIMBRO
309 WESTHAVEN DR.
AUSTIN, TEXAS 78746
14. GARY D. & KATHY M. MCINTOSH
311 WESTHAVEN DR.
AUSTIN, TEXAS 78746
15. HORACE C. BARNHART et. al.
707 RIO GRANDE
AUSTIN, TEXAS 78701

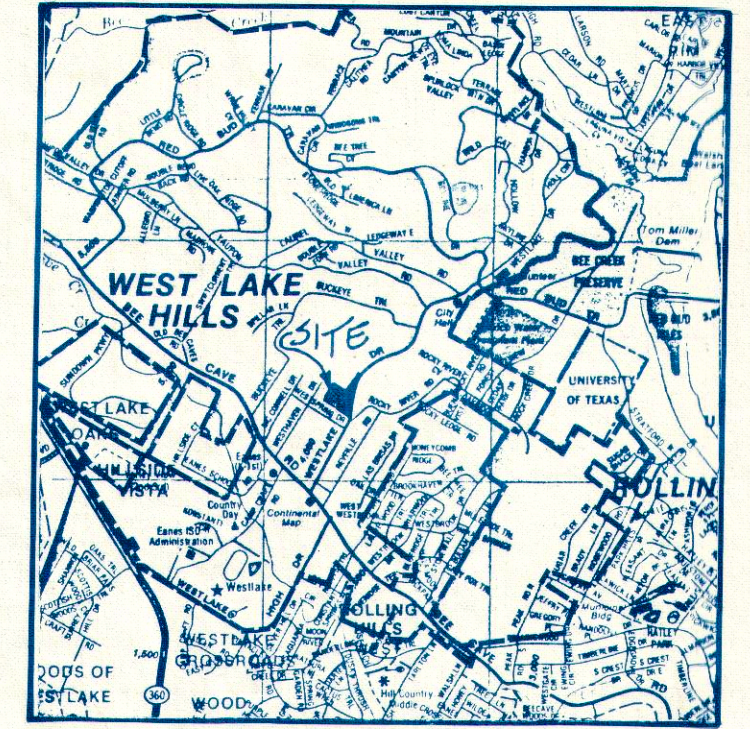
VISTA DE LA CIMA SUBDIVISION

Vol. 87 Page 19B
CONDOMINIUM PLAT RECORD, TRAVIS COUNTY, TEXAS

SCALE: 1"=100'

LOT NUMBER	ACRES	ZONING
1	1.0	R-1
2	1.0	R-1
*3	1.31	R-1
4	1.0	R-1
5	1.02	R-1
TOTAL	5.33	

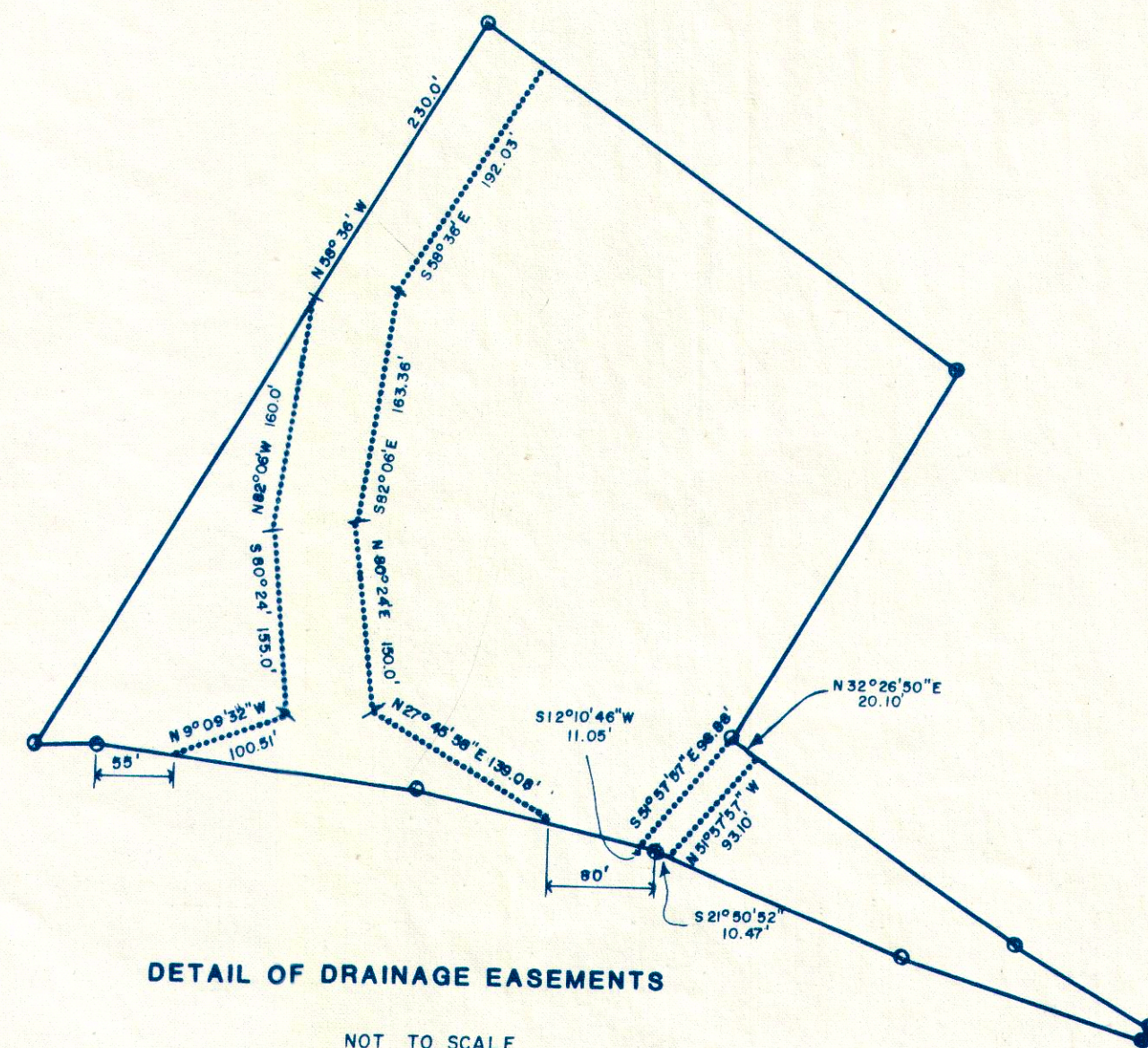
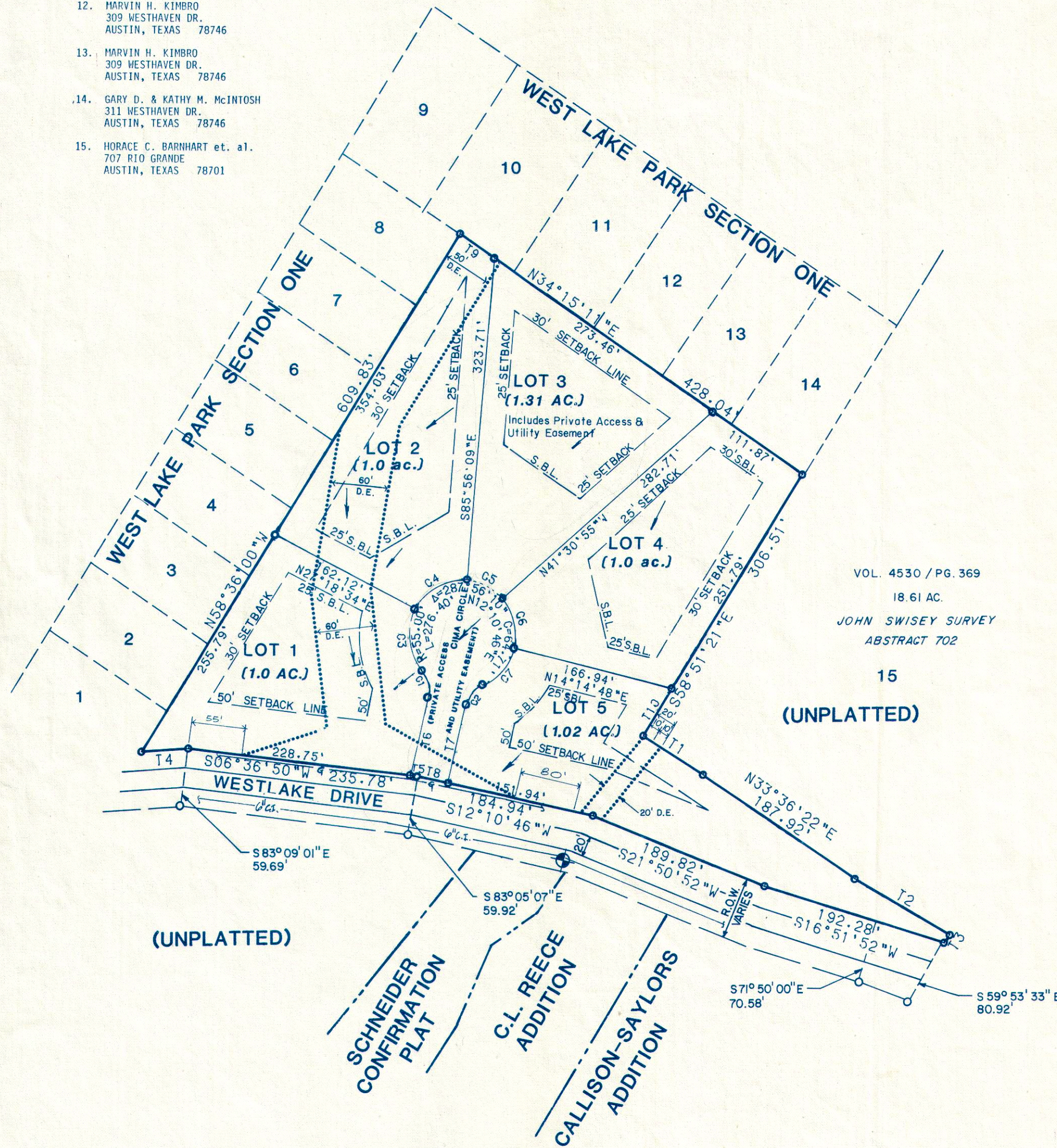
* Includes Private Access and
Utility Easement



LOCATION MAP

LEGEND

- PROPERTY LINES
- LOT LINES
- S.B.L. BUILDING SETBACK LINES
- FIRE HYDRANT
- D.E. DRAINAGE EASEMENT



ADDITIONAL COURSES

REF. NO.	BEARING	DISTANCE
1	N32°26'50"E	72.98
2	N29°36'23"E	112.00
3	S56°23'37"E	8.70
4	S03°50'55"E	48.00
5	S06°36'50"W	7.03
6	N77°49'14"W	80.68
7	S77°49'14"E	80.00
8	S12°10'46"W	33.00
9	N34°15'11"E	42.71
10	S58°51'21"E	54.72

ADDITIONAL CURVE DATA

CURVE NO.	DELTA	RADIUS	LENGTH	CHORD	TAN	CH-BEARING
1	53°58' 5"	30.00	28.26	27.22	15.28	S 75°11'43"W
2	53°58' 5"	30.00	28.26	27.22	15.28	S 50°50'11"E
3	69° 5'53"	55.00	66.33	62.38	37.87	N 82°45'37"E
4	66°45'17"	55.00	64.08	60.52	36.23	S 29°18'48"E
5	44°25'14"	55.00	42.64	41.58	22.46	S 26°16'28"W
6	55°45'43"	55.00	53.53	51.44	29.10	S 76°21'56"W
7	51°54' 3"	55.00	49.82	48.14	26.77	N 49°48'10"W

VACATION OF EASEMENT

WHEREAS, JASON C. WATKINS and LORIN A. WATKINS are the owners of all lots, tracts and parcels of land which consist and comprise that certain property known and designated as Lot 2, of VISTA DE LA CIMA SUBD, a subdivision in Travis County, Texas, according to the map or plat of record in Volume 87, Pages 19B-19C, Plat Records, Travis County, Texas, also known as 2 Downie Place, Austin, TX 78746 ("Property"); and

WHEREAS, the Property is subject to a Drainage Easement of varying width of 50 feet to 60 feet along the southern side of the Property, established by the plat recorded in Volume 87, Pages 19B-19C, Plat Records, Travis County, Texas, and by document recorded in Volume 10302, Page 929, Real Property Records, Travis County, Texas; and

WHEREAS, the City now desires to vacate that portion of the Drainage Easement depicted in Exhibit "A"; and

WHEREAS, such vacation is authorized by Sec. 36.01.018 of the West Lake Hills Code of Ordinances; and

WHEREAS, the City of West Lake Hills City Council voted on March 24, 2010, to vacate that portion of the Drainage Easement depicted in Exhibit "A"; and

NOW THEREFORE, the City Council of West Lake Hills, Travis County, Texas, does by these presents declare the portion of the Drainage Easement as depicted in Exhibit "A" and recorded in Volume 87, Pages 19B-19C, Plat Records, Travis County, Texas, and recorded in Volume 10302, Page 929, Real Property Records, Travis County, Texas, to be vacated.

①
5

EXECUTED this 4th day of November, 2014.



Dave Claunch, Mayor
City of West Lake Hills

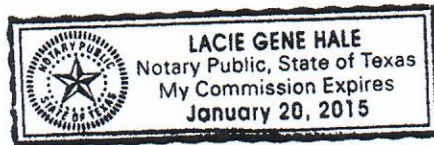
THE STATE OF TEXAS §

COUNTY OF TRAVIS §

This instrument was acknowledged before me on November 4th, 2014, by Dave Claunch, the Mayor of the City of Westlake Hills, on behalf of the City.



Notary Public, State of Texas



Notary's Name Printed:

Lacie Gene Hale

My commission expires: 1-20-2015

EXHIBIT "A" to Vacation of Easement

EXHIBIT "B"
J12496DE

CITY OF AUSTIN
TO
JASON C. WATKINS

PARTIAL DRAINAGE EASEMENT RELEASE

FIELD NOTES

0.0224 ACRE, MORE OR LESS, PARTIAL DRAINAGE EASEMENT RELEASE OUT OF AND PART OF LOT 2, VISTA DEL LA CIMA SUBDIVISION, A SUBDIVISION IN TRAVIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 87, PAGE 19B OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS; FOR WHICH A MORE PARTICULAR DESCRIPTION BY METES AND BOUNDS IS AS FOLLOWS:

BEGINNING FOR REFERENCE at a 1/2" iron rod found on the curving south R.O.W. of Downie Place, a private street, at the N.E. corner of Lot 2, VISTA DEL LA CIMA SUBDIVISION;

THENCE S27°27'49"W along the east line of Lot 2 for a distance of 46.08 feet to a point on the north line of an existing drainage easement as called for in VISTA DEL LA CIMA SUBDIVISION PLAT;

THENCE N82°05'59"W, crossing into Lot 2 along the north line of said drainage for a distance of 127.84 feet to a point for the N.E. corner of the partial drainage easement release and **POINT OF BEGINNING** hereof;

THENCE the following seven (7) courses and distances crossing into said drainage easement:

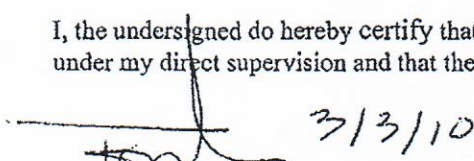
1. S00°01'12"W for a distance of 9.84 feet to an angle point;
2. S46°01'30"W for a distance of 3.92 feet to an angle point;
3. S89°56'10"W for a distance of 13.87 feet to an angle point;
4. N80°30'45"W for a distance of 24.04 feet to an angle point;
5. N72°11'07"W for a distance of 8.86 feet to an angle point;
6. N47°09'34"W for a distance of 19.00 feet to an angle point;
7. N18°10'26"W for a distance of 18.21 feet to a point on the north line of said drainage easement for the N.W. corner hereof;

THENCE the following two (2) courses and distances along the north line of said drainage easement:

1. S58°35'59"E for a distance of 36.78 feet to an angle point;
2. S82°05'59"E for a distance of 37.41 feet to the **POINT OF BEGINNING** of this 0.0224 acre partial drainage easement release.

BEARING BASE: VISTA DEL LA CIMA SUBDIVISION PLAT

I, the undersigned do hereby certify that the field notes hereon were prepared from an actual on-the-ground survey under my direct supervision and that they are true and correct to the best of my knowledge.

 3/3/10
Thomas P. Dixon R.P.L.S. 4324



REFERENCES

TCAD Parcel No. 01-1315
AUSTIN GRID F-24

✓ Return:

CITY OF WEST LAKE HILLS
ATTN: LACIE HALE
911 WESTLAKE DR
WEST LAKE HILLS TX 78746

FILED AND RECORDED

OFFICIAL PUBLIC RECORDS

Dana DeBeauvoir

Nov 26, 2014 12:08 PM

2014177448

BARTHOLOMEWD: \$42.00

Dana DeBeauvoir, County Clerk

Travis County TEXAS

Recorders Memorandum-At the time of recordation this instrument was found to be inadequate for the best reproduction, because of illegibility, carbon or photocopy, discolored paper, etc. All blockouts, additions and changes were present at the time the instrument was filed and recorded.

October 7, 2020

City of West Lake Hills Planning Department
911 Westlake Dr
West Lake Hills, TX 78746
Phone: (512) 327-3628
E-Mail: planner@westlakehills.org

RE: 2 Downie Easement Vacation Comments Review 2
Doucet Project No. 2186-001

Doucet & Associates, Inc. (Doucet), is pleased to submit this response letter to our September 29, 2020 engineering drainage report documenting the analysis of a partial easement release located at 2 Downie Place in West Lake Hills, Texas. Our response to Comments 3-8 are as follows in blue text.

Drainage

3. Please verify Easement overtopping elevations as they appear to be inconsistent with the survey provided.

3-R1) Easement overtopping elevations have been verified and updated to reflect survey.

3-C1) Please show property line, existing, and proposed easement line in the cross section to verify overtopping elevations.

Response: Easement lines and property boundary has been added to cross sections.

4. Please verify freeboard requirements are in compliance with Section 2.3.4 of the West Lake Hills Drainage Criteria Manual.

4-R1) A column was added to Table 3 Summary of Computed Water Surface Elevations of the Drainage Report showing the required depth for the easement to contain the 100-yr or the 25-yr plus 0.5 ft. In all cases for this easement, the higher elevation is the 25-yr plus 0.5 ft.

4-C1) Please verify channel slopes and manning roughness used in the model. The survey information does not show a consistent slope in the channel.

Response: Channel slopes have been adjusted. New slopes can be seen in Table 3.

5. According to cross section XS2 and XS3 the 2, 10, 25 and 100-year WSE will inundate the proposed structure and hinder safe passage of the storm events based on the contours provided in Exhibit 3.

5-R1) Exhibit 3 has been updated to better represent the 100-year floodplain through the easement. Exhibit 4 has been updated to better depict the location/finished floor height of the structure.

As can be seen Exhibit 4 the structure intrusion into the predeveloped stream flow area is minimal (less than 1% of the cross-sectional area). And per the modeled results, does not hinder the design storm events or change the water surface elevation.

5-C1) Please verify slopes and manning roughness coefficients used to determine the time of concentration.

Response: Channel flow was split into street and easement channel flow; manning's n and slopes reflect this update. See Table 1. Manning's n determined from Google Satellite/Street view and slope was determined using TNRIS 2017 LiDAR.

6. Per West Lake Hills Drainage and Erosion Control Design Manual Sec 2.1.4.1, the planning and design of drainage systems should ensure that problems are not transferred from one location to another. Demonstrate the existing conveyance system downstream of the proposed improvements has sufficient capacity for the development.

6-R1) The section referenced above is the Type III development. The section states "A Type III Development is for use with large-scale residential and standard non-residential improvements." This project does not meet this definition; therefore, the requirement of 2.1.4.1 does not apply.

However, our analysis has shown no measurable impact at the project location. Having no impact at the project location (to water surface elevation, flow rate, or velocity) it is not possible for the project to have impacts upstream or downstream of the Wiese property.

6-C1) Please verify slopes and manning roughness coefficients used to determine the time of concentration and verify channel flows.

Response: Channel flow was split into street and easement channel flow; manning's n and slopes reflect this update. See Table 1. Manning's n determined from Google Satellite/Street view and slope was determined using TNRIS 2017 LiDAR.

7. Please provide the model used to analyze the drainage easement.

7-R1) They Hydraulic Toolbox model has been included with response letter.

7-C1) Please show property line, existing easement line, and proposed easement line in the cross sections.

Response: Easement lines and property boundary has been added to cross sections.

8. Please provide a grading plan for proposed improvements.

Response: Grading plan provided

Please contact me if you have any questions or would like to discuss our modeling process or results.

Sincerely,

7-Oct-2020

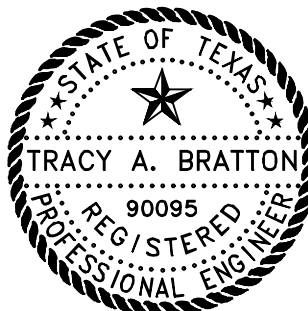
Tracy A. Bratton, P.E.

Tracy A. Bratton, P.E.

Division Manager

O: 512-583-2680

Email: tbratton@doucetengineers.com





DOUCET
& ASSOCIATES

TBPE Firm #3937

State of Texas Surveying Firm Certification #10105800

7401B Highway 71 West, Suite 160
Austin, TX 78735
Office: 512.583.2600
Fax: 512.583.2601

Doucetengineers.com

TECHNICAL MEMORANDUM

**2 Downie Place
West Lake, Texas**

Date: October 7, 2020

Prepared For: City of West Lake Hills

Prepared By: Tracy A. Bratton, P.E.

PROJECT DESCRIPTION

The project site located on a single-family residential property in the City of West Lake Hills, Texas. There is a platted drainage easement that ranges in width from 50-ft to 60-ft along the rear and side of the property (see Exhibit 1 for the subdivision plat). A portion of the drainage easement has previously been released (in 2014) for the construction of a deck. The property owner wishes to construct a storage area where an elevated balcony previously existed. This storage area will intrude into an existing drainage easement. The objective of this technical memo is to determine if construction of this storage area (and partial release of the drainage easement) can be accomplished without impacts to other portions of the drainage easement or to other properties.

The aforementioned storage area consists of a 25'x12' storage building and has a finished floor elevation of 766.25' and encroaches, at its maximum, 11-ft into the existing easement. Exhibit 3 shows a survey of the property, the proposed easement release area, and footprint of the proposed storage building. A hydrologic and hydraulic assessment of the easement contained below was performed following the City of West Lake Hills drainage manual.

SOURCE DATA AND METHODOLOGY

In preparing our analysis, I have relied on the following source data and information:

- Topographic Data: TNRIS LiDAR (2017)
- Site and topographic survey by All Star Land Surveying; April 2018 and updated September 2020
- Rainfall intensity duration frequency data: The City of West Lake Hills Drainage and Erosion Control Manual Table 3-1: Intensity Duration Frequency Parameters
- Runoff Coefficient: The City of West Lake Hills Drainage and Erosion Control Manual Table 3-4: Runoff Coefficient (c)

HYDROLOGIC ANALYSIS

To determine the correct discharge for Atlas 14 stormwater flow to the easement Doucet prepared a hydrologic analysis of the site. The drainage area was delineated using 2017 LiDAR data obtained from TNRIS and verified by field inspections by Tracy A. Bratton, P.E. on June 30, 2020. The drainage basin discharging to the easement was determined to be 18.6 acres, shown in Exhibit 2.

COMMITMENT YOU EXPECT.
EXPERIENCE YOU NEED.
PEOPLE YOU TRUST.

TECHNICAL MEMORANDUM
2 Downie Place

The rational method was used for the hydrologic analysis due to the size of the drainage area. In accordance with the City of West Lake Hills Drainage and Erosion Control Manual rational method procedure was used for the analysis. The City of West Lake Hills has adopted the NOAA Atlas 14 rainfall study, which was used to determine rainfall intensity for the 2-, 10-, 25-, and 100-year rainfall events.

Time of concentration flow path is shown on Exhibit 2 and Table 1 provides a summary of the time of concentration parameters and calculations.

Table 1. Time of Concentration Calculations

Sheet Flow					Shallow Concentrated Flow 1 (Unpaved)					Channel Flow (Paved)						Channel Flow (Unpaved)						Tc
Length (ft)	n	ΔElev (ft)	Slope (ft/ft)	Sub Tc	Length (ft)	N	ΔElev (ft)	Slope (ft/ft)	Sub Tc	Length (ft)	n	ΔElev (ft)	R (ft)	V (ft/s)	Sub Tc	Length (ft)	Roughness	ΔElev (ft)	R (ft)	V (ft/s)	Sub Tc	(min)
98	0.4	16.29	0.166	7.96	1091	0.24	151.66	0.139	11.70	249	0.015	17.96	0.5	16.81	0.25	440	0.05	30.90	1.8	11.69	0.63	20.54

The runoff coefficients were determined based on Google Earth aerial data and calculated using runoff coefficient (c) values from the West Lake Hills Drainage Manual Table 3-4. Impervious cover, such as roads and houses were interpreted to be categorized as concrete and pervious cover as forest/woodlands with steep, >7% slope based on aerial and street view imagery. Summary of peak flows are shown in Table 2.

Table 2. Peak Flow Summary Table

Area	T _c	I ₂	I ₁₀	I ₂₅	I ₁₀₀	C	K ₂	K ₁₀	K ₂₅	K ₁₀₀	Q ₂	Q ₁₀	Q ₂₅	Q ₁₀₀
Acres	min										cfs	cfs	cfs	cfs
18.6	20.54	3.66	5.53	6.81	8.92	0.49	1.00	1.00	1.10	1.25	33.42	50.49	68.37	101.75

HYDRAULIC ANALYSIS

To model the easement capacity and perform the construction impact analysis, Hydraulic Toolbox was used due to of the small size of the project area.

Four cross sections were created to model the easement path using the survey data of the property that was performed by All Star Survey. Cross sections 2 and 3 includes the pre-construction and post-construction of the concrete pad to assess for any possible impacts to the water surface elevation of the easement. Locations of cross sections can be seen in Exhibit 3, cross sections are shown in Exhibit 5. The proposed grading improvements to the site can be seen in Exhibit 6.

The manning's n value used for the cross sections were determined from Table 4-3 of the West Lake Hills Drainage Manual. Manning's n value within the easement channel selected was 0.04. Results are shown on Table 3.

Table 3. Summary of Computed Water Surface Elevations

Cross Section		Overtopping Easement Elevation (ft)	2-yr WSE (ft)	10-yr WSE (ft)	25-yr WSE (ft)	100-yr WSE (ft)	100-yr Depth (ft)	100-yr Velocity (fps)	Channel Manning's n	Minimum Easement Elevation (ft)	Slope (ft/ft)
1		766.9	766.0	766.2	766.3	766.4	1.04	5.02	0.04	766.8	0.045
2	Pre-Dev	765.7	765.1	765.2	765.3	765.4	0.78	5.00	0.04	765.8	0.037
	Post-Dev	765.7	765.1	765.2	765.3	765.4	0.78	4.90	0.04	765.8	0.037
3	Pre-Dev	764.7	764.2	764.3	764.4	764.5	1.03	5.33	0.04	764.9	0.060
	Post-Dev	764.7	764.2	764.3	764.4	764.5	1.03	5.33	0.04	764.9	0.060
4		761.9	761.5	761.6	761.7	761.9	1.42	5.18	0.04	762.2	0.061

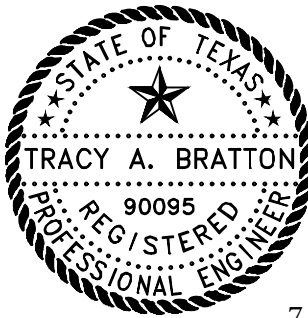
CONCLUSION

The construction of this storage shed does not cause a change in depth of water (as measured to the one hundredth of a foot in the hydraulic model). Therefore, the construction will not cause any impacts to the water surface elevation at the structure, upstream, or downstream of the study area. This analysis has determined that a partial release of the easement at 2 Downie Place can occur and the stormwater be contained within the remaining easement per applicable City of West Lake ordinances. Furthermore, the proposed modification to this drainage easement will not have any negative impacts to other portions of the drainage easement or other properties upstream or downstream.

The opinions expressed are for the Wiese Property as of October 7, 2020 based upon my professional experience, knowledge of the subject property and the surrounding area, and the materials supplied to me to review.

Regards,

Tracy A. Bratton, P.E.
Tracy A. Bratton, P.E.
Doucet & Associates

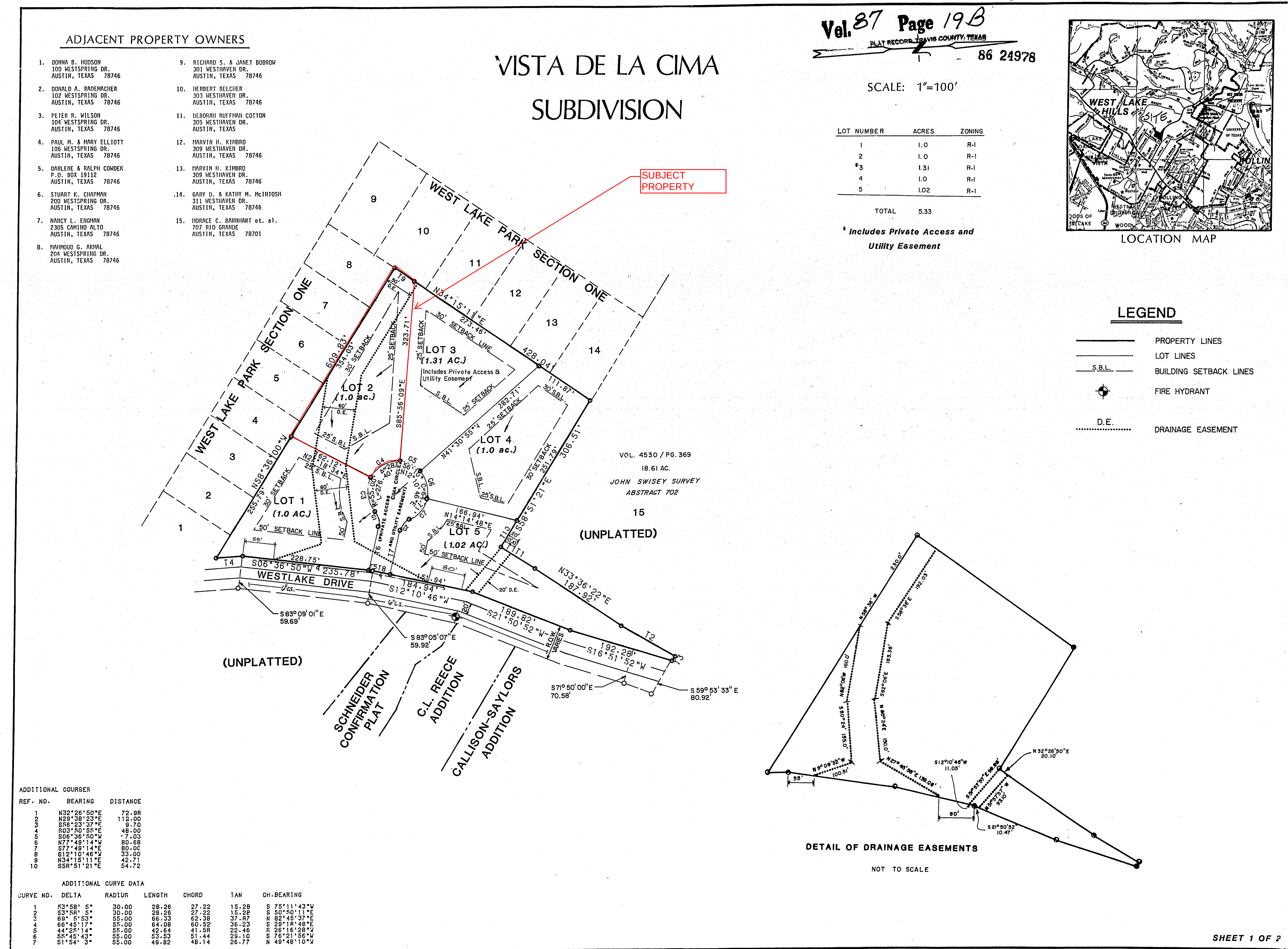


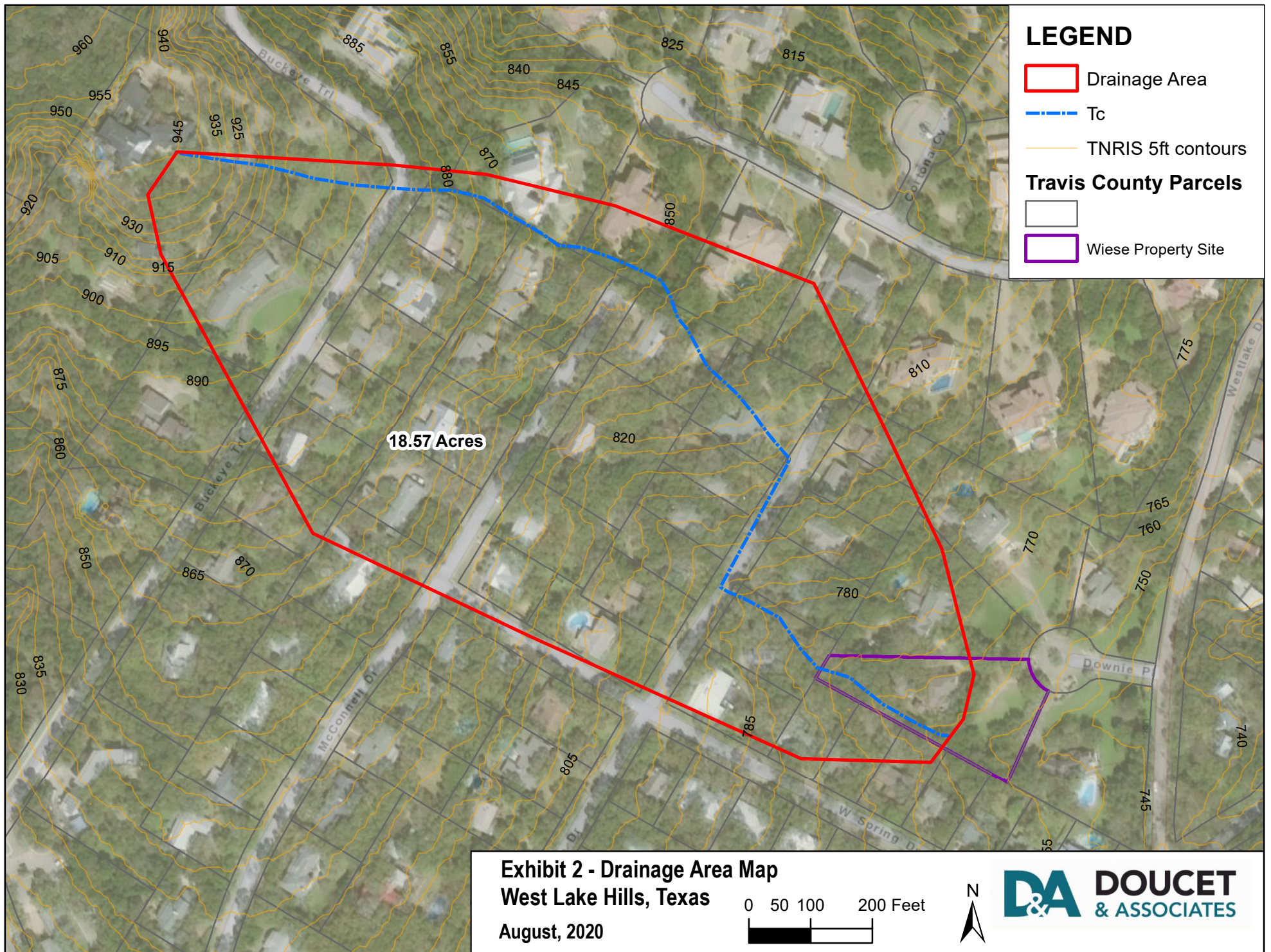
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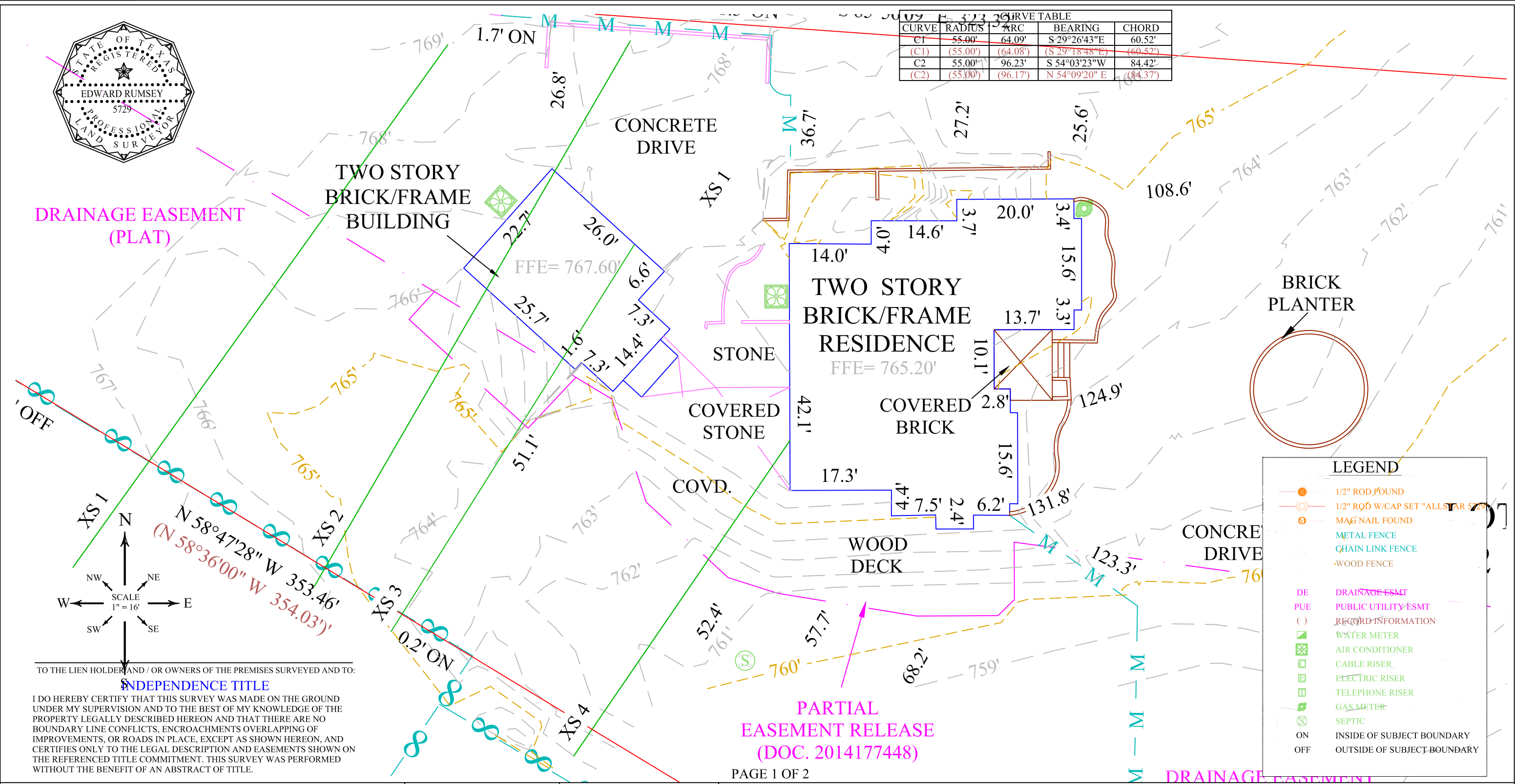
Attachments:

- Exhibit 1 – Plat with Drainage Easement
- Exhibit 2 – Drainage Area Map
- Exhibit 3 – Survey XS Location
- Exhibit 4 – Proposed Easement Results
- Exhibit 5 – Hydraulic Toolbox Cross Sections
- Exhibit 6 – Proposed Grading Plan

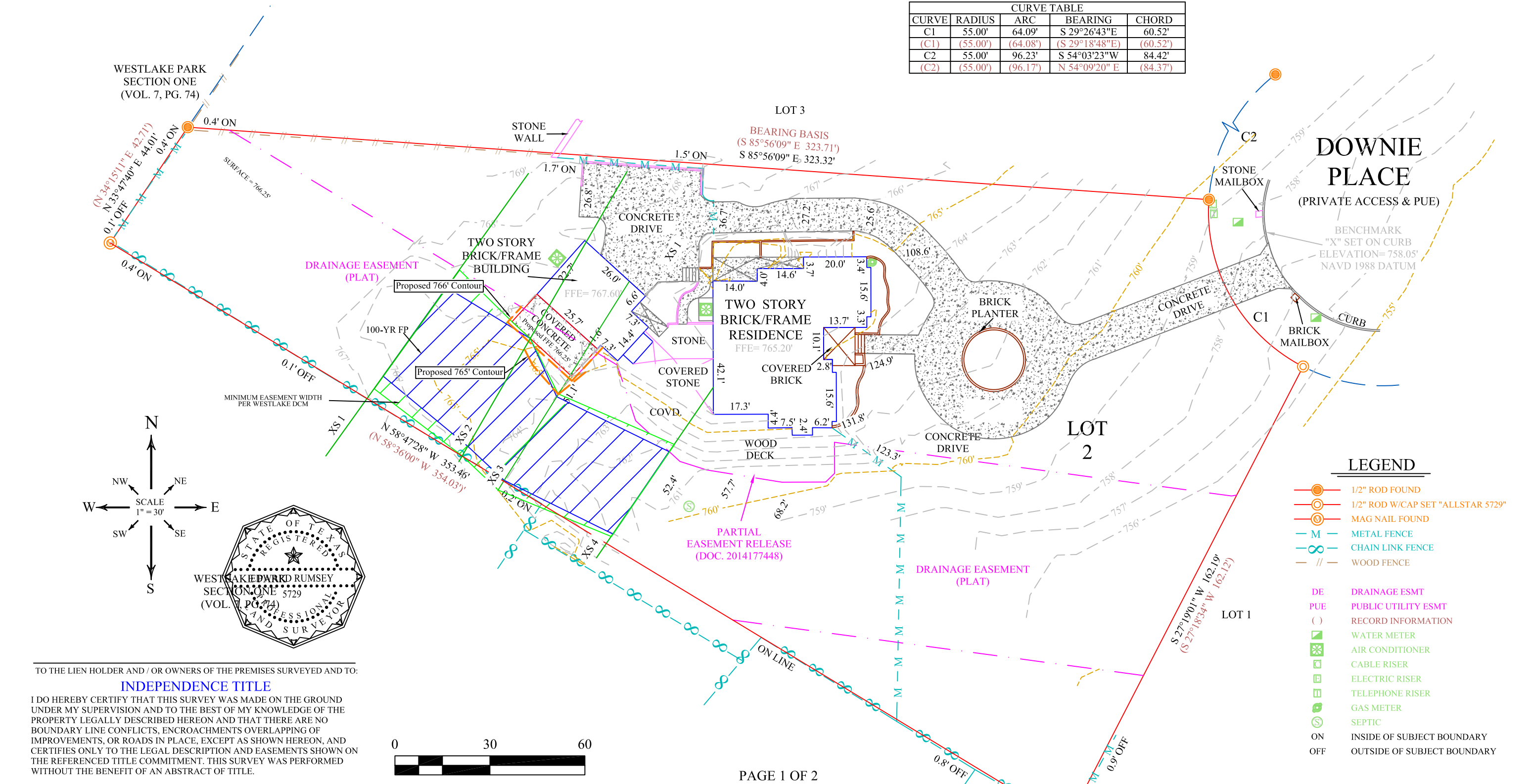
EXHIBIT 1





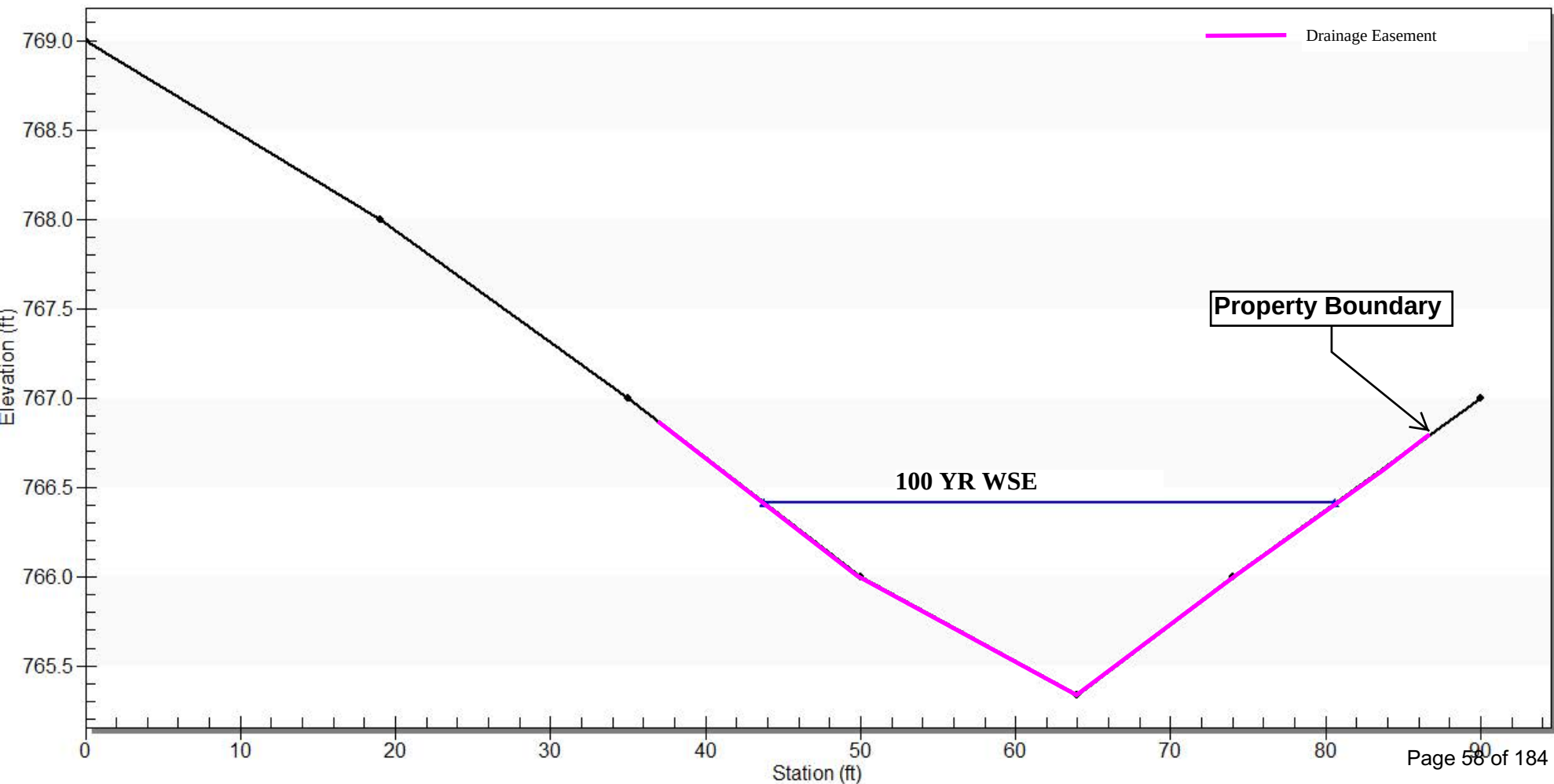


ADDRESS					F.I.R.M. MAP INFORMATION					RESTRICTIONS				
WILLIAM D. WIESE 2 DOWNIE PLACE WESTLAKE HILLS, TRAVIS COUNTY, TEXAS					THIS PROPERTY DOES NOT LIE WITHIN THE 100 YEAR FLOOD-PLAIN, AND HAS A ZONE "X" RATING AS SHOWN ON THE FLOOD INSURANCE RATE MAPS F.I.R.M. MAP NO. 48453C0445K PANEL: 0445K DATED: 01/22/2020 THIS CERTIFICATION IS FOR INSURANCE PURPOSES ONLY AND IS NOT A GUARANTEE THAT THIS PROPERTY WILL OR WILL NOT FLOOD. CONTACT YOUR LOCAL FLOOD PLAIN ADMINISTRATOR FOR THE CURRENT STATUS OF THIS TRACT.					SUBJECT TO RESTRICTIONS IN VOL. 1061, PG. 481, VOL. 1643, PG. 433, VOL. 10302, PG. 929 AND AS PER PLAT IN VOL. 87, PG. 19B -19C. SUBJECT TO EASEMENTS AND BUILDNG LINES AS PER PLAT IN VOL. 87, PG. 19B - 19C. SUBJECT TO PARTIAL EASEMENT RELEASE IN DOC. NO. 2014177448. SUBJECT TO EASEMENTS AND BUILDING LINES IN VOL. 10302, PG. 929.				
LEGAL DESCRIPTION					9020 ANDERSON MILL RD AUSTIN, TEXAS 78729 (512) 249-8149 PHONE (512) 331-5217 FAX TBPLS FIRM NO. 10135000					LOT 2, VISTA DE LA CIMA SUBDIVISION, ACCORDING TO THE MAP OR PLAT THEREOF, RECORDED IN VOLUME 87, PAGES 19B - 19C, PLAT RECORDS, TRAVIS COUNTY, TEXAS.				
SURVEY DATE:	JUNE 19, 2020	FIELDED BY:	JONATHAN MOHR	06/18/2020	ALLSTAR Land surveying									
TITLE CO.:	INDEPENDENCE TITLE	CALC. BY:	EDWARD RUMSEY	06/19/2020										
G.F. NO.:	1806687-BCP	DRAWN BY:	ADRIEL LOPEZ	04/10/2018										
JOB NO.:	A0606620 - A0402518	UPDATE BY:	SEAN SUTTON	06/19/2020										
		RPLS CHECK:	EDWARD RUMSEY	06/19/2020										

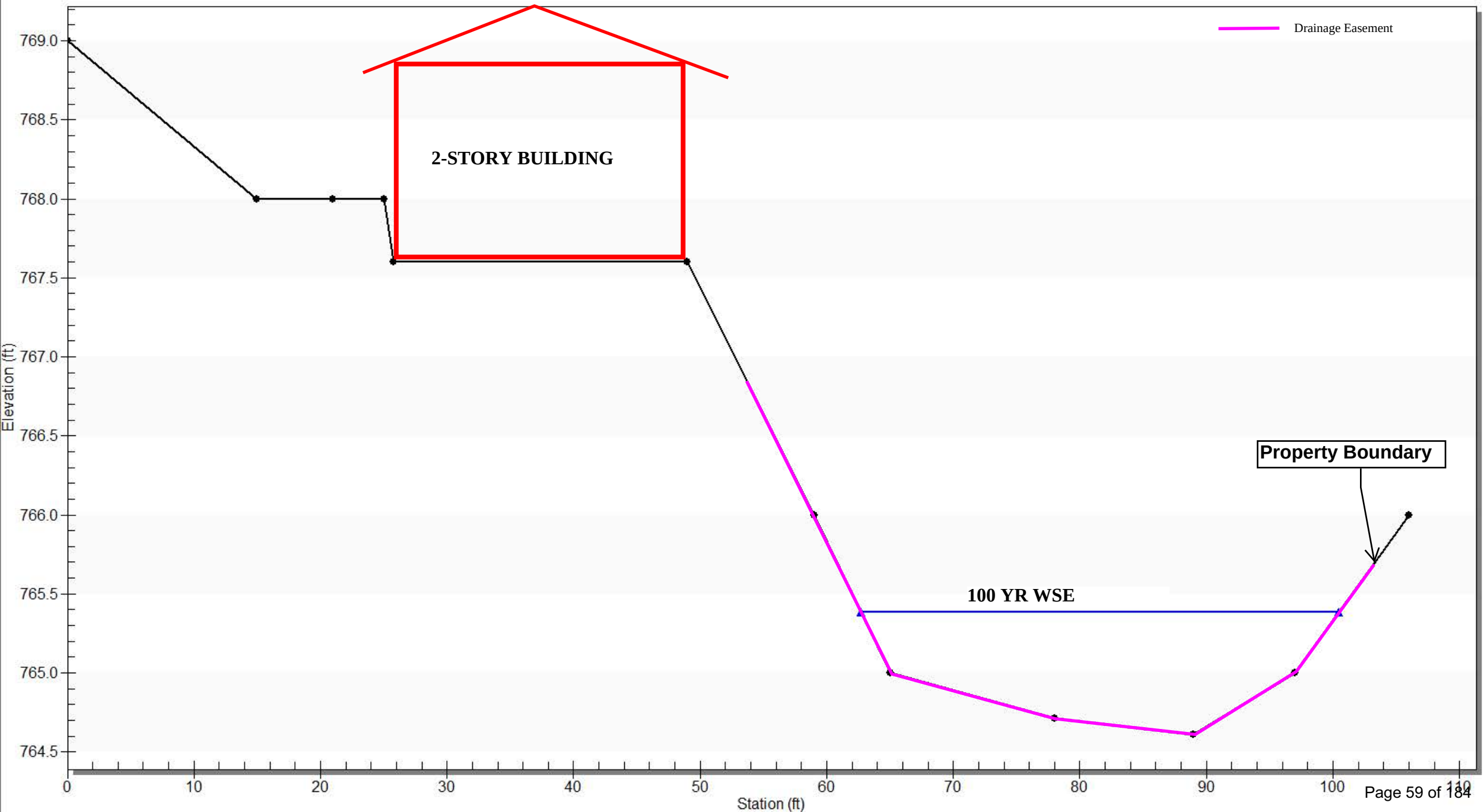


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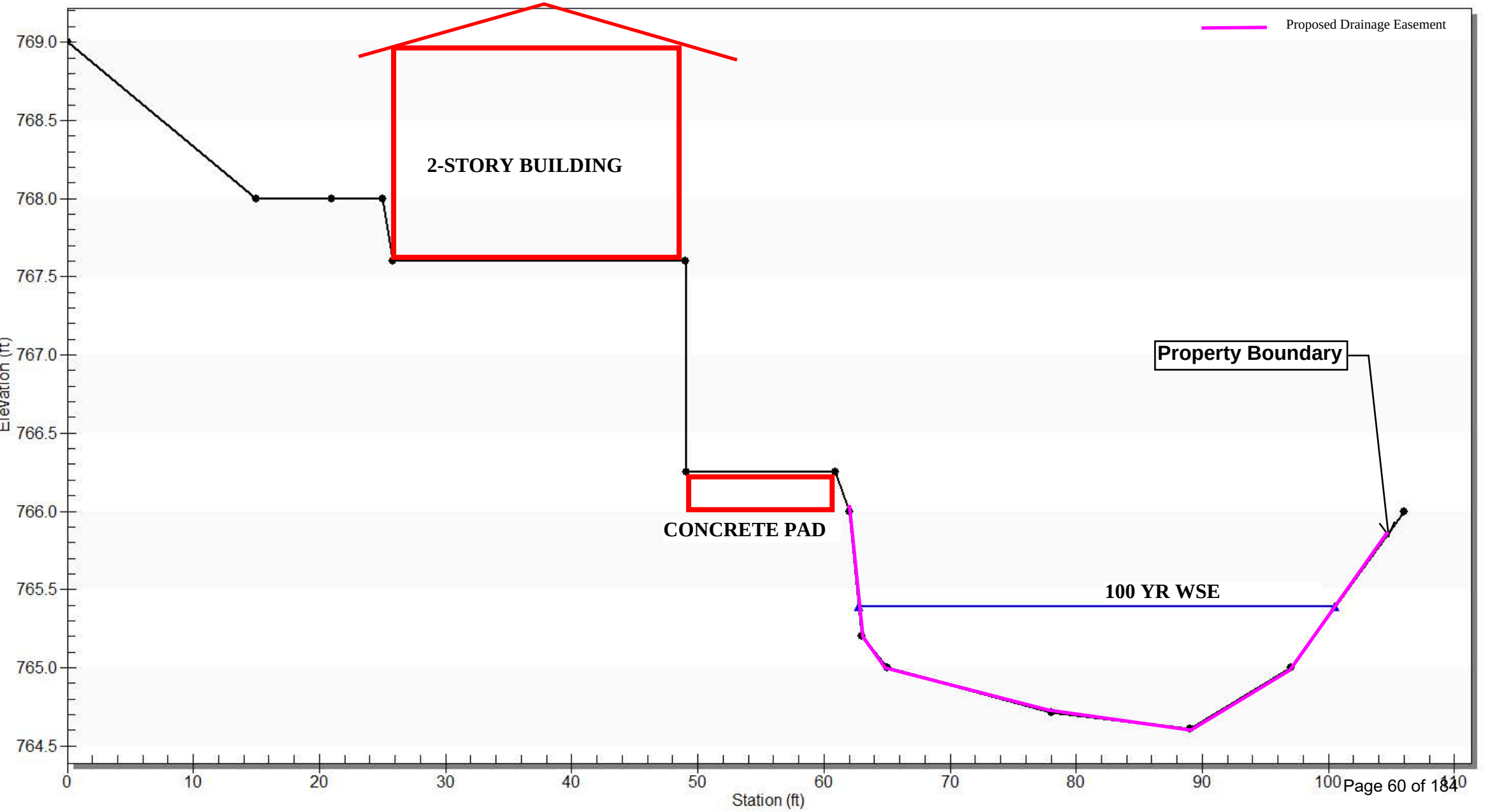
Cross Section 1

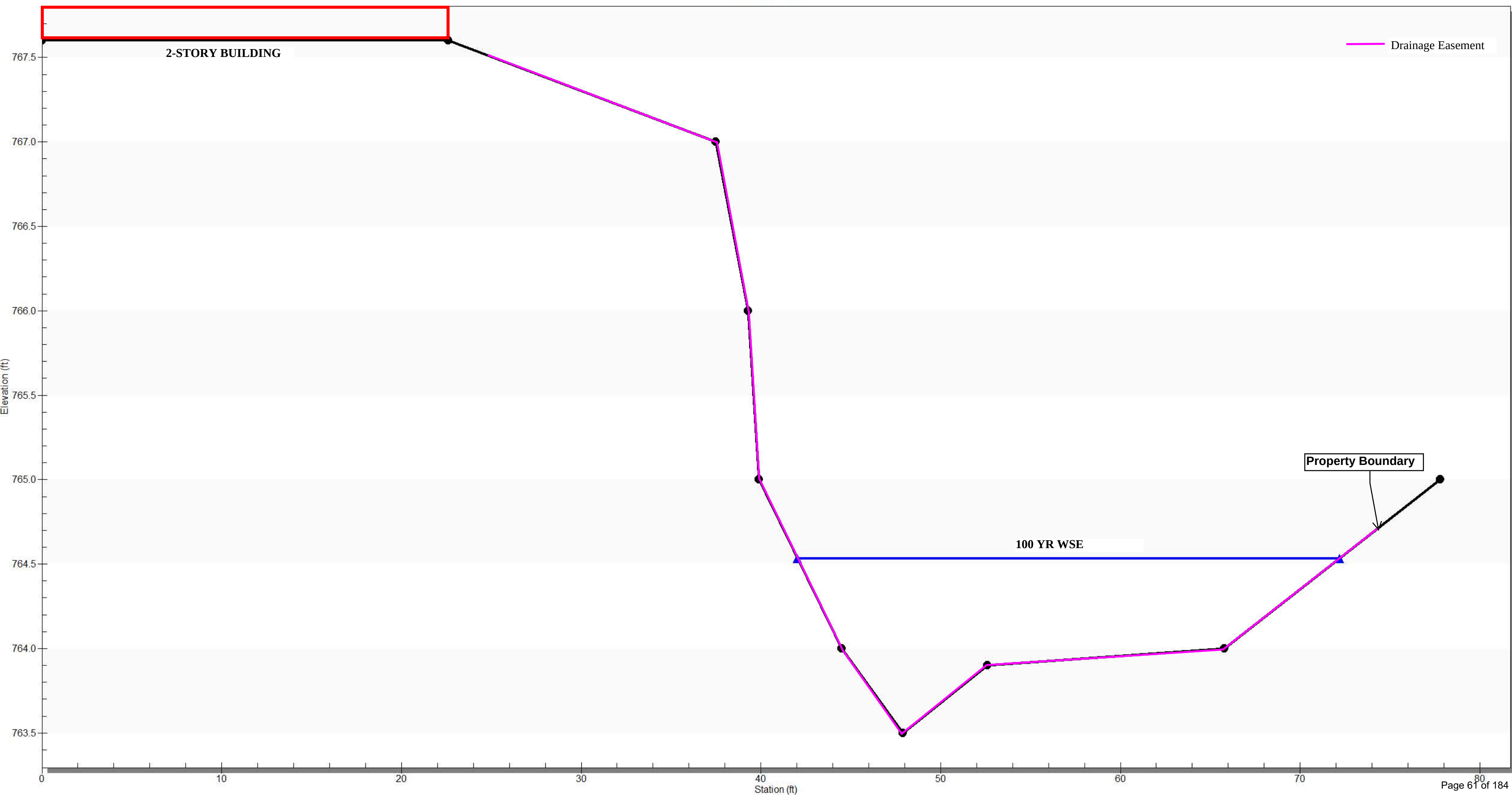


Cross Section 2 (PRE DEVELOPED)

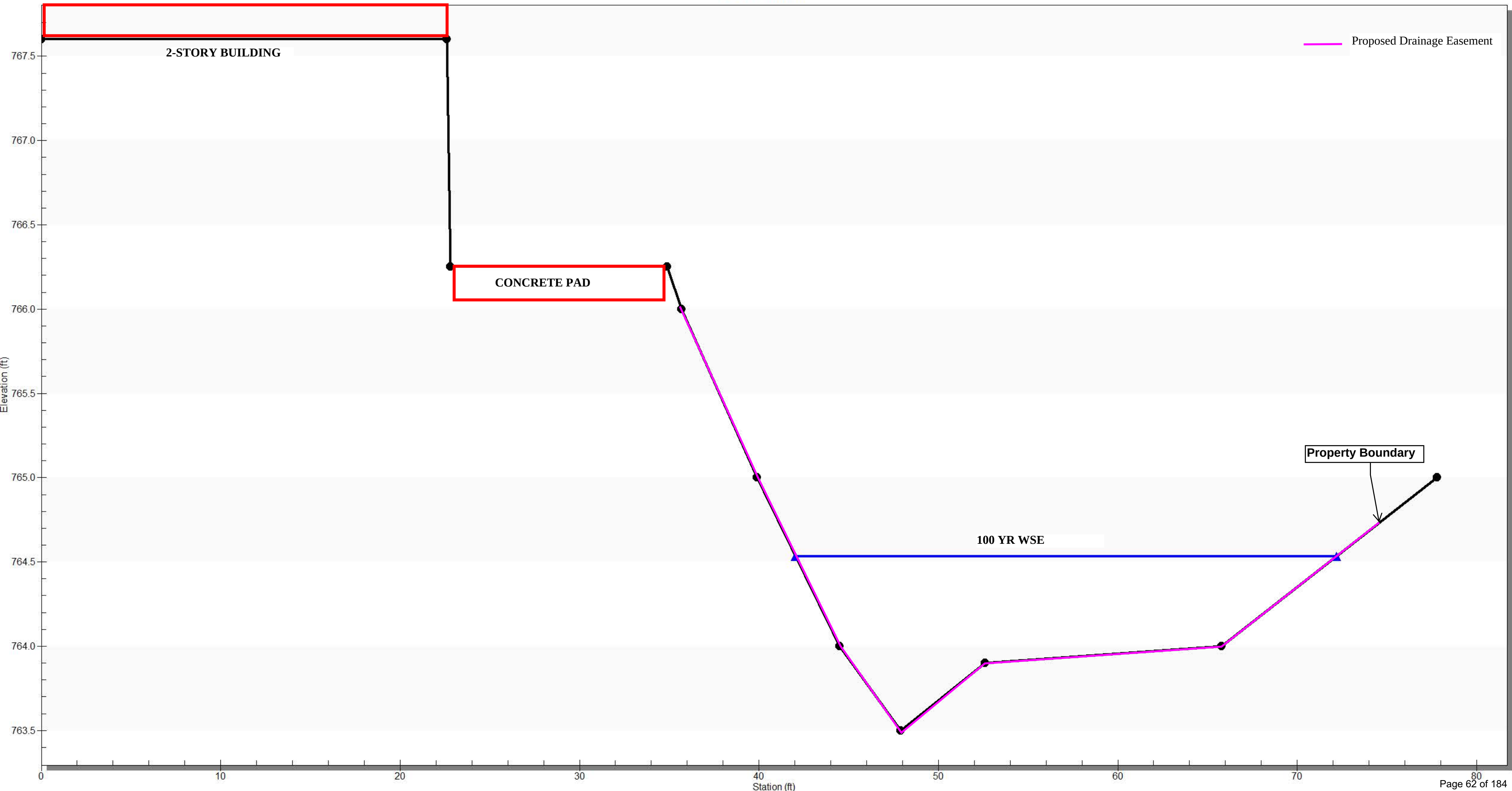


Cross Section 2 (DEVELOPED)

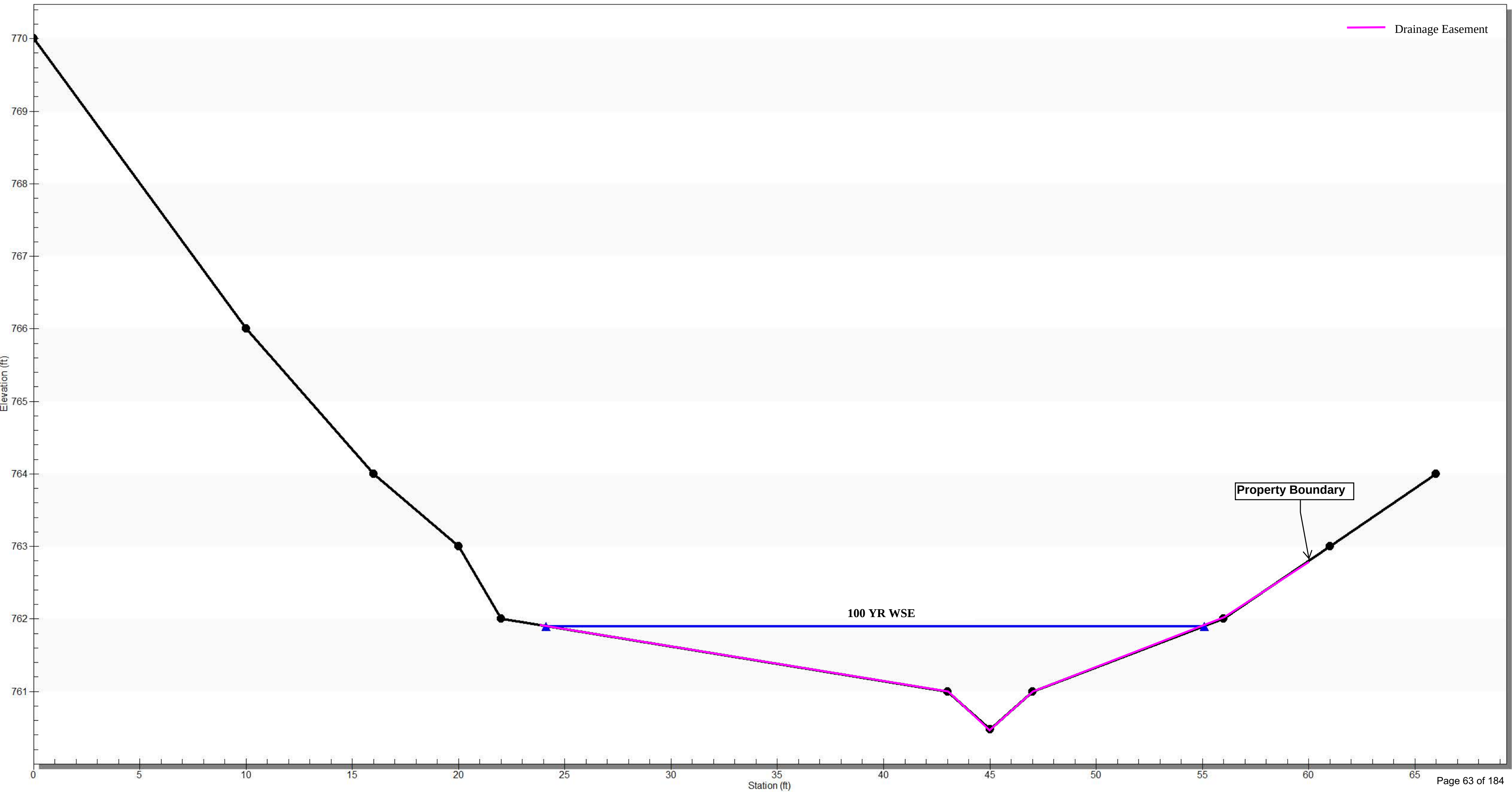


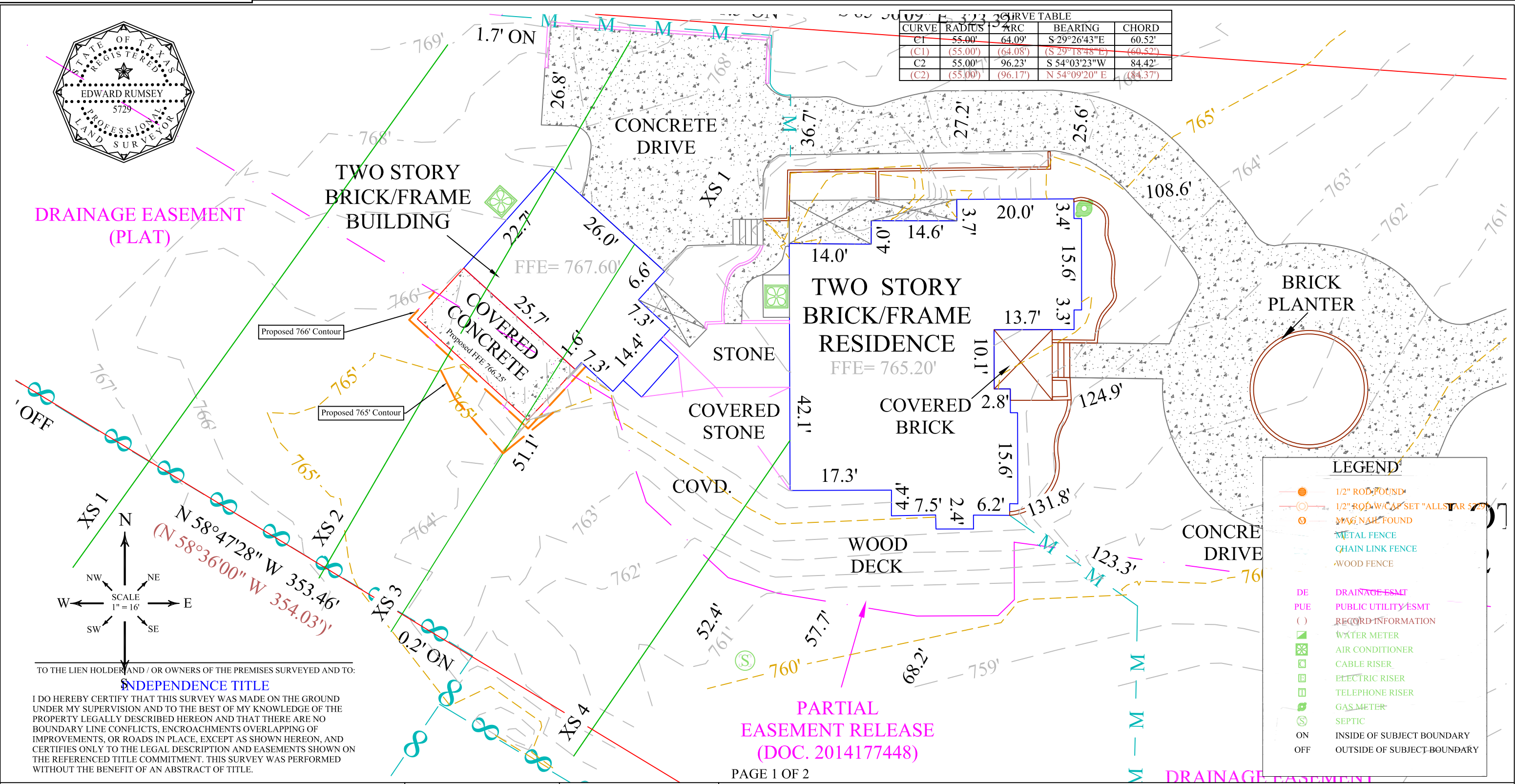


Cross Section 3 (DEVELOPED)



Cross Section 4





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		RPLS CHECK:	EDWARD RUMSEY	06/19/2020															



SETBACK & RETAINING WALL VARIANCES STAFF REPORT

OCTOBER 21, 2020

Project Address: 409 Ledgeway Ridge

Project Number: 16111

Agenda Item: Land Use: 409 Ledgeway Ridge: Discussion/recommendation on a variance application with five (5) variance requests in order to construct a new residence: 1) roof overhang setback encroachment on east side of house; 2) roof overhang setback encroachment on west side of house; 3) & 4) two (2) retaining walls encroaching into the setbacks; and 5) landscape arbor encroaching the front setback (West Lake Hills Code Sec. 22.03.170). Owners Jim and Laura McBride/Applicant Kyle McCollum.

Applicant Information: Owners Jim and Laura McBride | Applicant Kyle McCollum

Hearing Dates:

October 21, 2020 ZAPCO

November 11, 2020 Board of Adjustment

Location: The subject property is located between Laurel Valley Road and Ledgeway Street. The property is located in the East Ledgeway Subdivision.

Zoning & Site Characteristics:

The subject property is zoned R-1 – One-Family Residential and is approximately 1.11 acres. It is Lot 6 of the East Ledgeway Subdivision and is undeveloped. The property has steep topography and the buildable area is limited by a conservation easement, 100-year floodplain and drainage easement.

Background & Analysis:

The applicant is requesting several variances in order to construct a new home on an undeveloped property located in the East Ledgeway Subdivision. The proposed design includes five variance requests: two variance requests for roof eave encroachments into the side setbacks; two retaining walls over 18" encroaching into the front setback; and a landscape arbor encroaching into the front setback. The property's buildable area is limited by a drainage easement and 100-year floodplain and steep topography.

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.
The application states – “The existing site has a significant hardship in the form of a drainage easement that renders more than half of the property unbuildable. With the buildable area remaining and due to the steepness of the topography, development was forced uphill. Site area for erosion and drainage control, as well as space to provide privacy from the street was severely affected. Net buildable area has been severely reduced, negatively impacting property values and marketability of homes.”
2. There will not be unreasonable disruption of the natural terrain or unreasonable destruction of existing flora.
The application states – “The plans and new residence have been designed specifically for this property and has been customized with the express purpose to have as little impact on the existing topography and trees as possible.”
3. There is no reasonable alternative to the requisite variance that will alleviate the difficulty or hardship complained of.
The application states – “The magnitude of the site hardship forced the design uphill significantly. As the house was forced much closer to the street, additional topographic manipulation was required for access and drainage/erosion control. The resultant proximity to the street also necessitated the construction of additional landscape structures for privacy (i.e. higher than allowed retaining walls and ivy arbor).”
4. The variance will not be greater than the minimum required to alleviate the difficulty or hardship complained of.
The application states – “Due to the steepening topography closer to the street, and as a result of the hardship in the rear, the design solution was specifically integrated into the natural topography to protect it from future detrimental erosion and to provide secure access to the property from the street. The overhang variances are the request of the owner for the purpose of maintaining a consistent architectural style and protection offered by the proposed overhangs. With the reduced net buildable area, the Owner feels that since the extents of the foundation have complied with the more restrictive net area, relief for 2 overhang encroachments into the setback would represent a possible compromise.”
5. The variance does not violate the intent of the Zoning Ordinance or goals of the Comprehensive Plan.
The application states – “It does not violate the original intent of the zoning ordinance in that no foundation or heated footage violates the setback requirements. The proposed structures allow erosion and drainage control to be properly managed and allow necessary privacy to be established from the street.

The variance requests do not encroach on the perceived distance between neighbors. No trees are affected by the variance requests.”

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

The application states – “The nature of the requests do not compromise the adjacent properties’ views, privacy, or access. In fact, we believe the variances will be received with great value from adjacent property owners because they properly manage hillside erosion, establish privacy to the structure from the street, and help maintain a consistent architectural theme. The variances will allow the project to remain a consistent single story design which will elevate its marketability and minimize the visual impact on the existing site.”

Lighting

Outdoor lighting is not proposed with this variance request. Any outdoor lighting will need to comply with the City’s Code and reviewed when the building permit application is submitted.

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.

Staff Recommendation

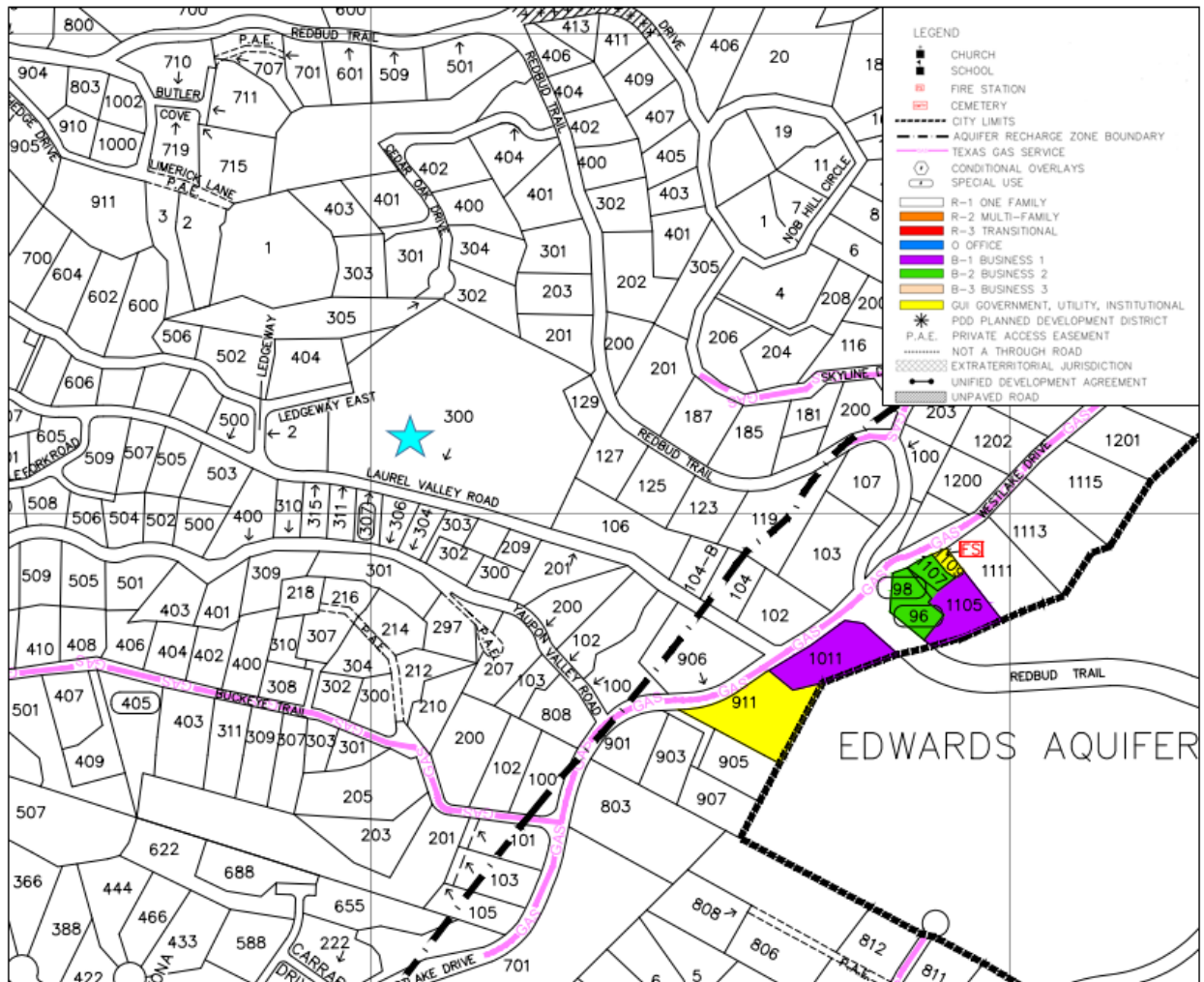
The staff recommendation is denial. While there are unique circumstances (i.e. floodplain and drainage easement), it appears that the proposed home could be redesigned in a way that would comply with the City’s Codes.

Links to Relevant Code:

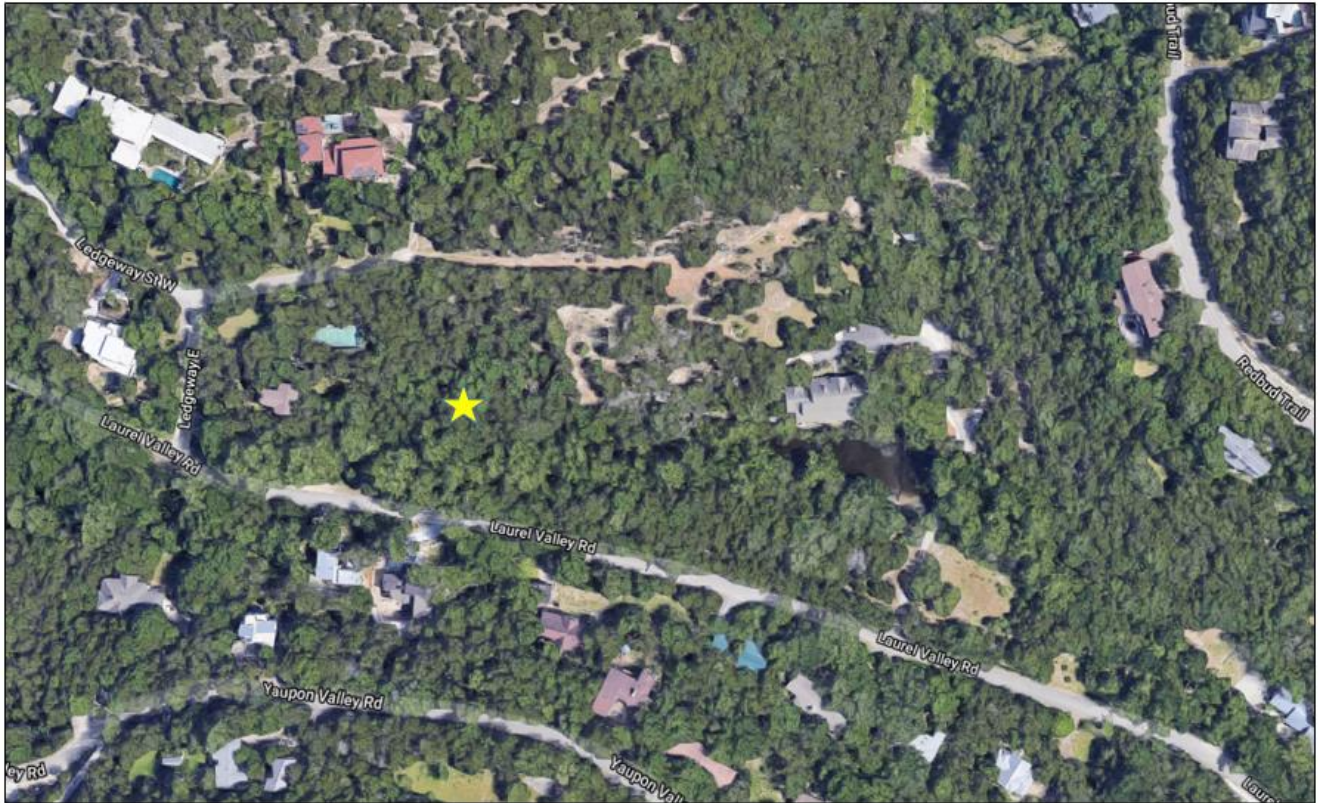
- [Division 8 Dimensional Regulations](#)
- [Sec. 22.03.514 Criteria and process required for granting variance](#)
- [Sec. 22.03.170 Site disturbance \(excavation, grading or filling\)](#)

(Maps to follow)

Zoning:



Aerial:



APPLICATION COVER SHEET

Property Address: 409 Ledgeway Ridge, West Lake Hills, 78746

Applicant Name: Jim & Laura McBride

Designated Agent (if any, Power of Attorney Required): Kyle H. McCollum, AIA

Applicant Phone Number: 512.658.6354 Email Address: _____

Date Application was Submitted: Sept. 1, 2020

Variance(s) Requested: 4 Variances: (1) Overhang encroachment on western bedroom wing, (2) Overhang encroachment on eastern Office wing, (3) Construct a retaining wall & landscape arbor for privacy and erosion control (4) Construct a retaining wall to secure hill and manage drainage, erosion, and privacy.

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: _____

Letter to ZAPCO Chairperson

McCollum Studio Architects, llc

1300 West Lynn St., Suite 110

Austin, Texas 78703

www.mccollumstudio.com

McBride Residence- Setback Variance Request

409 Ledgeway Ridge, Westlake Hills, Texas 78746

Date: Aug. 31, 2020

Chairperson Robert Meisel

Westlake Hills Zoning and Planning Commission

911 Westlake Drive, Westlake Hills, Texas 78746

Dear Mr. Chairman:

I am writing to you as representative of Jim and Laura McBride, the recent buyers of a property on the newly platted Ledgeway East subdivision (Lot 6) off Ledgeway Ridge. During our preliminary investigations, the owner and design team discovered a significant hardship in the form of a prohibitive drainage easement and flood plain. While our early design efforts did not encroach on the floodplain and were fully compliant with existing setbacks, the design team felt the most compliant course of action was to drastically shift the design of the home to avoid encroachment into the drainage easement as well. This rendered the site less than ½ of its original net size. The original lot size is 1.1 acres. Because of the magnitude of the hardship, the site was reduced to a buildable area less than that allowed for ½ acre lots that have smaller setbacks. As a result of our best and repeated efforts to comply with existing ordinance and due to our unique hardship, we were forced to move the project up the hill 30' closer to the street. As an example of our best efforts to comply with existing setback limitations, and to avoid a 2 story design solution, we have placed the walls and foundation limits of the house within the existing setback limits of 25 feet. We are requesting setback relief for 2 overhangs and the front retaining walls & entry arbor. We are requesting approval for 2 overhang encroachment variances, and a variance for the retaining walls & arbor (that do not come closer than 25 feet from the front property line). We feel that this will attend to the existing spirit of the setbacks, maintain intended buffer, and will compensate for the loss of half of the buildable area to the rear and will allow us to construct compliant landscape structures to mitigate drainage and erosion from encroaching on the residence from the uphill street. Relief for the overhangs will help compensate for the loss of overall buildable net area. Thank you for your consideration and review.

Sincerely,



Kyle H. McCollum, AIA

McCollum Studio Architects



Aug. 31, 2020

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.

The existing site has a significant hardship in the form of a drainage easement that renders more than half of the property unbuildable. With the buildable area remaining and due to the steepness of the topography, development was forced uphill. Site area for erosion and drainage control, as well as space to provide privacy from the street was severely affected. Net buildable area has been severely reduced, negatively affecting property values and marketability of homes.

- (2) Why do you think the natural terrain and existing flora will not be unreasonably disrupted or destroyed in the variance you are requesting is granted?

The plans and new residence have been designed specifically for this property and has been customized with the express purpose to have as little impact on the existing topography and trees as possible.

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

The magnitude of the site hardship forced the design uphill significantly. As the house was forced much closer to the street, additional topographic manipulation was required for access and drainage/erosion control. The resultant proximity to the street also necessitated the construction of additional landscape structures for privacy (i.e. higher than allowed retaining walls and ivy arbor).

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

Due to the steepening topography closer to the street, and as a result of the hardship at the rear, the design solution was specifically integrated into the natural topography to protect it from future detrimental erosion and to provide secure access to the property from the street. The overhang variances are the request of the owner for the purpose of maintaining a consistent architectural style and protection offered by the proposed overhangs. With the reduced net buildable area, the Owner feels that since the extents of the foundation have complied with the more restrictive net area, relief for 2 overhang encroachments into the setback would represent a possible compromise.

- (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?

It does not violate the original intent of the zoning ordinance in that no foundation or heated footage violates the setback requirements. The proposed structures allow erosion and drainage control to be properly managed and allow necessary privacy to be established from the street. The variance requests do not encroach on the perceived distance between neighbors. No trees are affected by the variance requests.

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

The nature of the requests do not compromise the adjacent properties views, privacy, or access. In fact, we believe the variances will be received with great value from adjacent property owners because they properly manage hillside erosion, establish privacy to the structure from the street, and help maintain a consistent architectural theme. The variances will allow the project to remain a consistent single story design which will elevate its marketability and minimize its visual impact on the existing site.

Property Address: 409 Ledgeway Ridge, Westlake Hills, Tx 78746

LAUREL VALLEY ROAD (50')

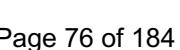
LEGAL DESCRIPTION
409 LEDGERWAY RIDGE, BLOCK A, LOT 6 CITY OF WEST AND HILL COUNTY, LEDGERWAY EAST SUBDIVISION

1 Site Plan
1" = 20'-0"

Page 75 of 184



SHEET INFORMATION





1300 west lynn st. suite 110
austin, texas 78703
512.658.6354.

SEAL

PROJECT NAME & LOCATION

REVISIONS

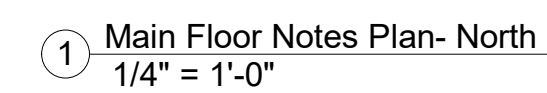
Sept. 1, 2020

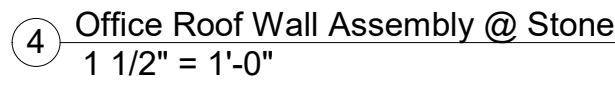
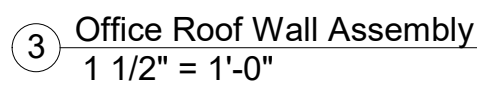
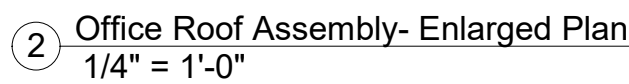
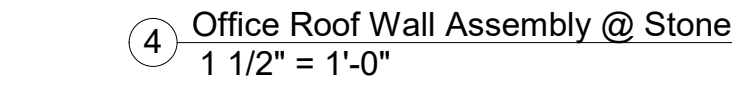
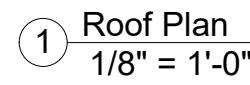
Main Floor Notes Plan- South

Page 77 of 184



SHEET INFORMATION





Page 79 of 184



Elevations & Sections

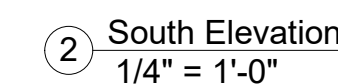
Page 80 of 184

② North Elevation/Section
1/4" = 1'-0"

1 West Elevation
1/4" = 1'-0"



— 100 —





SPECIAL POWER OF ATTORNEY FORM

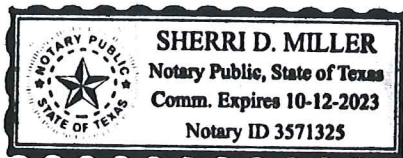
KNOW ALL PERSONS BY THIS DOCUMENT that I, James D. McBride III
have made, constituted and appointed Kyle McCollum
to be my duly authorized representative in connection with an application dated _____,
to be heard by the Building Design Committee, Zoning & Planning Commission, and City
Council/Board of Adjustment of the City of West Lake Hills, Texas. All representations, whether
oral or written, made by the representative in support of the request have the full force and effect
of the applicant's approval. I do by this document constitute the above named representative as
my true and lawful attorney-in-fact to act in my name, place and stead, to do and perform any act
in connection with such application which I myself might perform or do if I was personally present.

<u>James D. McBride III</u>		<u>James D. McBride III</u>	
Property Owner/Applicant Name		Property Owner/Applicant Signature	
<u>409 Ledgeway Ridge</u>	<u>Austin</u>	<u>TX</u>	<u>78746</u>
Street Address	City	State	Zip Code

512-760-4226
Property Owner/Applicant Phone Number

This instrument was acknowledged before me on this the 12th day of August, 20 20.

Sherr D. Miller
Notary Public in and for the State of Texas





TREE VARIANCES STAFF REPORT

OCTOBER 21, 2020

Project Address: 301A Cedar Oak Drive

Project Number: 16126

Agenda Item: Land Use: 301 A Cedar Oak Drive: Discussion/recommendation on a variance application for the removal of five (5) trees equal to or greater than 14" in diameter in order to construct a new residence: 1) Tree # 1000 - 15" Cedar; 2) Tree # 1081 - 15" Cedar; 3) Tree # 1087 - 14" Cedar; 4) Tree # 1127 - 19" Cedar; and 5) Tree # 1187 - 16" Cedar (West Lake Hills Code Sec. 22.03.304). Applicant Greg Reynolds.

Applicant Information: Applicant Greg Reynolds | Reynolds Custom Homes, Inc.

Hearing Dates:

October 21, 2020 ZAPCO

October 28, 2020 City Council

Location: The subject property is located at the end of the Cedar Oak Drive cul-de-sac, north of Laurel Valley Road, west and south of Redbud Trail, and north of Ledgeway Ridge. The property is located in the East Ledgeway Subdivision.

Zoning & Site Characteristics:

The subject property is zoned R-1 – One-Family Residential and is approximately 1.12 acres. It is Lot 2 of the East Ledgeway Subdivision and is undeveloped. The property has steep topography and the buildable area is limited by conservation easements.

Background & Analysis:

The applicant is requesting variances for the removal of five cedar trees that are 14" or greater. The property is undeveloped and applicant is planning to construct a new home. The applicant wishes to preserve a 20" oak tree in the center of the property, and has designed the home around it. Additionally, the property has a limited buildable area due to conservation easements and numerous trees. The applicant does not think that the removal of the requested variance trees will have negative visual impact on the surrounding properties or the street, and the required mitigation would be utilized to enhance the vegetative buffer.

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.

The application states – “While the total area of this site is over an acre, only 35% is buildable. The building setback lines on the site are very restrictive. Further, there is a beautiful 20” live oak tree (#1001) in the center of the buildable area. We have designed a house to preserve and feature this tree, but it does require removal of several 14” + cedar trees.”

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

The application states – “The proposed variance trees are all cedar trees which are not proximate to the perimeter of the site. The site is heavily wooded and many other trees will buffer visibility of the trees from the street or other adjacent properties.”

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

The application states – “We considered requesting removal of the 20” specimen live oak tree to allow for a more compact design, but believe that the preservation of this tree will dramatically improve the aesthetics of the property for both the owners and the neighbors.”

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

The application states – “While we could potentially tweak the design to keep one of the cedar trees (#1081), the tree would hang over the swimming pool and would be so close to the pool that its survival would be unlikely.”

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

The application states – “We understand that it is the City’s intent to preserve the natural environment that makes West Lake Hills such a desirable place to live. Since the property is at the end of a cul-de-sac and is heavily wooded, we do not feel that the proposed removal of these trees will have any visual impact from the street or the adjacent properties. There are many other trees on the site which obscure the view of the trees which are proposed for removal. Further, we plan to use our mitigation trees to advance the privacy of the home from the street and from the neighbors.”

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

The application states – “As stated in the previous response, we do not believe that the neighboring properties would be negatively impacted by the removal of these

trees. We would be pleased to work with the neighbors to locate mitigation trees to ensure that this is the case.”

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.

Staff Recommendation

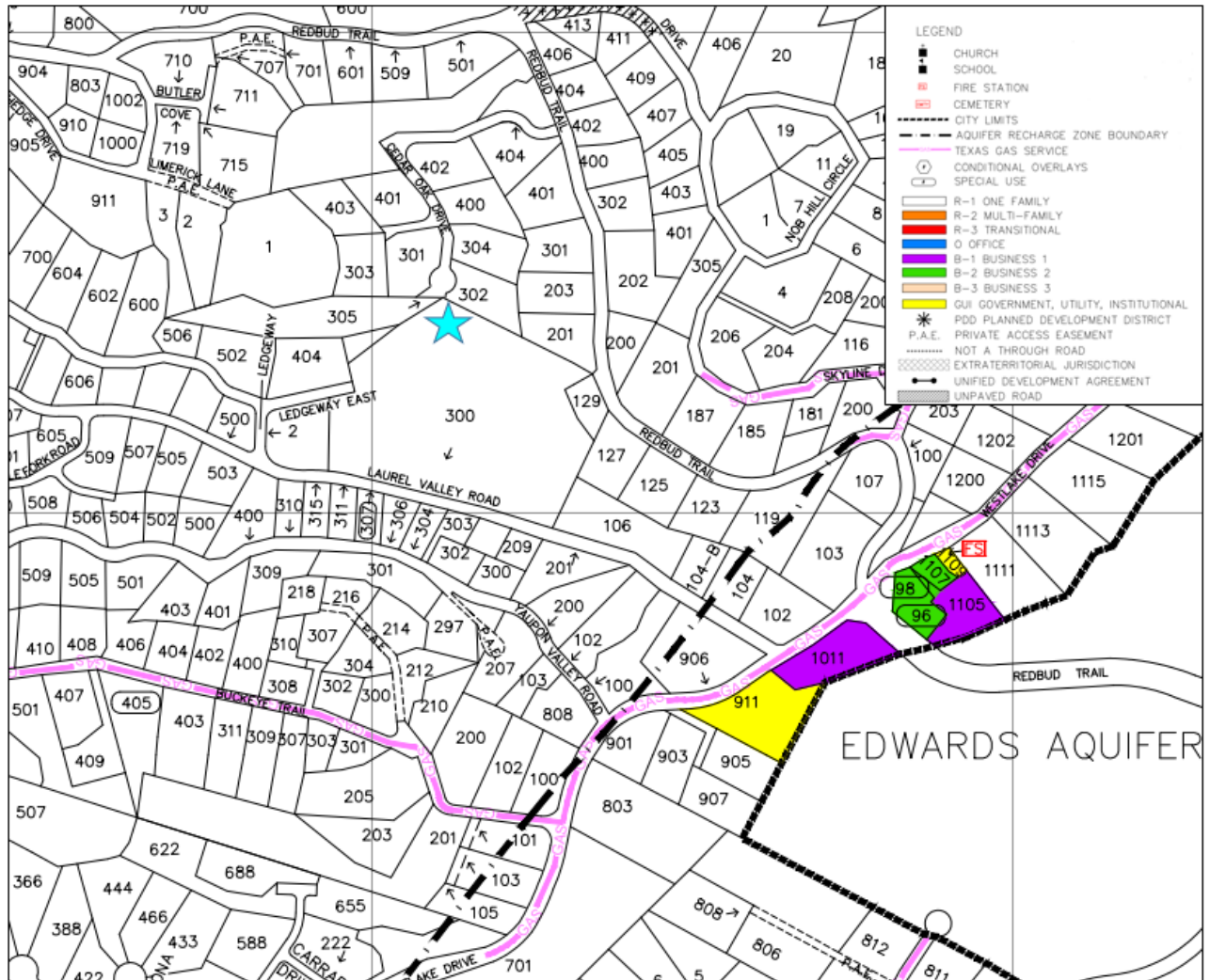
The staff recommendation is approval due to the unique characteristics and limitations on the buildable area. However, the Commissioners may want to consider each tree variance request individually.

Links to Relevant Code:

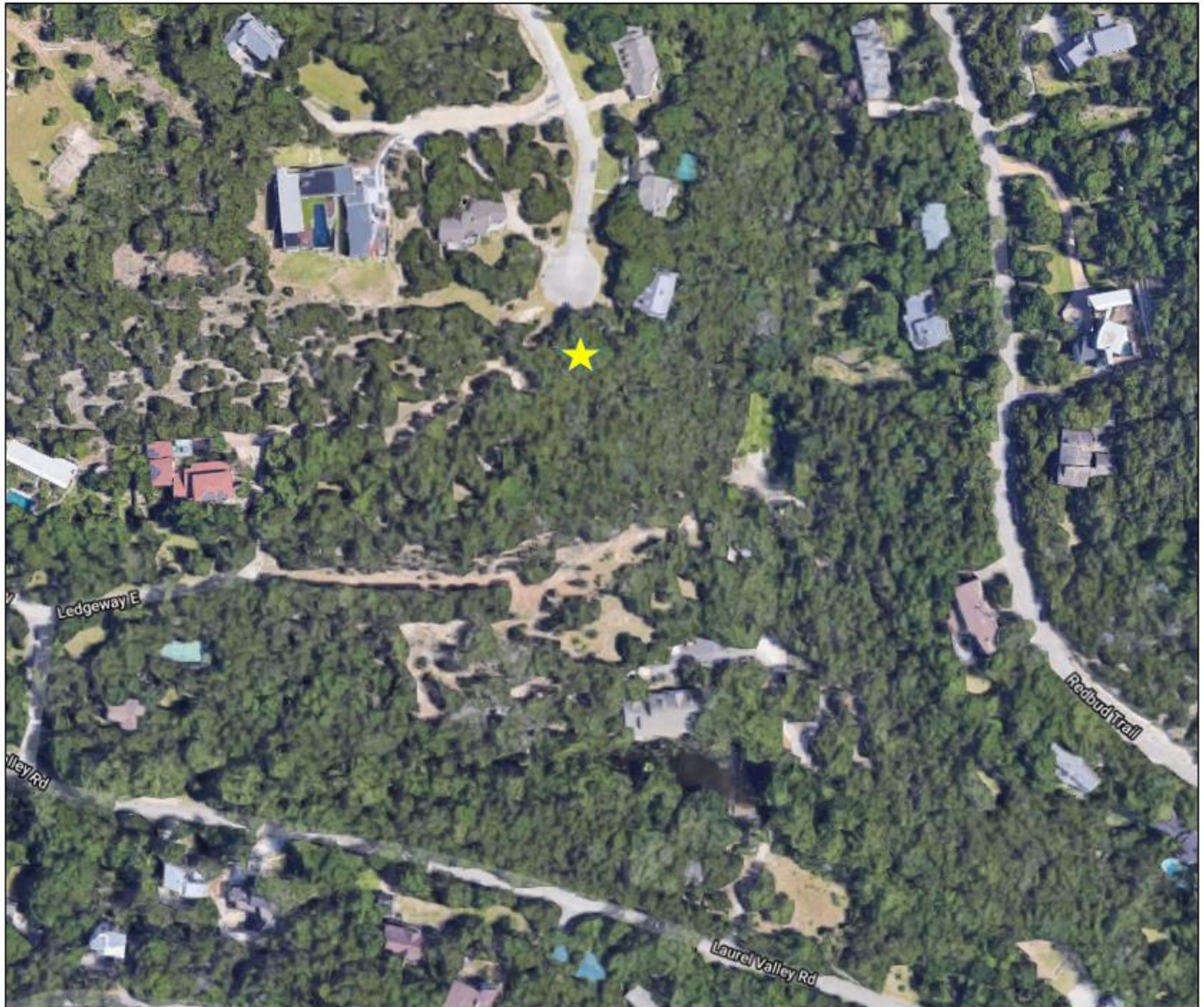
- [Sec. 22.03.304 Tree and vegetation removal and replacement](#)
- [Sec. 22.03.514 Criteria and process required for granting variance](#)

(Maps to follow)

Zoning:



Aerial:



APPLICATION COVER SHEET

Property Address: 301 A Cedar Cove
Applicant Name: Greg Reynolds - Reynolds Custom Homes
Designated Agent (if any, Power of Attorney Required):
Applicant Phone Number: 512-658-9018 Email Address: [REDACTED]
Date Application was Submitted: _____

Variance(s) Requested: Tree Variance to remove:
① #1000 15" Cedar ③ #1087 14" Cedar ⑤ #1187 16" Cedar
② #1081 15" Cedar ④ #1127 19" Cedar

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): Full tree survey graphic
☐ 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: _____

September 10, 2020

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

Re: Tree Variance Request

Dear Mr. Chairman:

We request your consideration of the attached application for a Tree Variance for 301A Cedar Cove. The lot is in the newly developed Ledgeway East subdivision.

While the 1.12 acre site appears to be spacious, the building setbacks significantly limit the buildable area. The site features a specimen (20") live oak tree in the center of the building envelope. The proposed home was designed with the priority of saving and featuring this beautiful tree. The house design effectively surrounds the tree – while also allowing enough space around it so that it can thrive.

To accommodate this tree, we do require the removal of five cedar trees which are 14-19" in diameter. None of these cedar trees are proximate to the perimeter of the lot and there are many other trees to buffer the adjacent properties which will be retained. We hope you will agree that the removal of these five trees would not have a negative impact on the view from the street or from the neighboring properties. Further, we propose to use our mitigation trees to further enhance the buffering of the house from the perimeter.

Please review this application and let me know if we can provide any additional information which would be helpful in your evaluation. We have built several other homes in West Lake Hills in recent years and are confident that we can work cooperatively with your team to build another high-quality and City-compliant home on this property.

Sincerely,



Greg Reynolds
Reynolds Custom Homes, Inc.
1010 Land Creek Cove #250
Austin, Texas 78746
Cell 512-658-9018

CITY OF WESTLAKE HILLS

ANSWERS TO VARIANCE APPROVAL CRITERIA QUESTIONS

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

While the total area of this site is over an acre, only 35% of the area is buildable. The building setback lines on the site are very restrictive. Further, there is a beautiful 20" live oak tree (#1001) in the center of the buildable area. We have designed a house to preserve and feature this tree, but it does require removal of several 14"+ cedar trees. Removal of these trees would also be beneficial in creating a fire break between the house and the surrounding tree canopies.

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?

The proposed variance trees are all cedar trees which are not proximate to the perimeter of the site. The site is heavily wooded and many other trees will buffer visibility of the trees from the street or other adjacent properties.

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

We considered requesting removal of the 20" specimen live oak tree to allow for a more compact design, but believe that the preservation of this tree will dramatically improve the aesthetics of the property for both the owner and the neighbors.

4. Why do you believe the variance you are requesting is the minimum required to alleviate the difficulty or hardship you think exist?

While we could potentially tweak the design to keep one of the cedar trees (#1081), the tree would hang over the swimming pool and would be so close to the pool that its survival would be unlikely. This tree would also create a fire hazard as it would be proximate to the house.

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

We understand that it is the City's intent to preserve the natural environment that makes Westlake Hills such a desirable place to live. Since the property is at the end of a cul-de-sac and is heavily wooded, we do not feel that the proposed removal of these trees will have any visual impact from the street or the adjacent properties. There are many other trees on the site which obscure the view of the trees which

are proposed for removal. Further, we plan to use our mitigation trees to advance the privacy of the home from the street and from the neighbors.

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

As stated in the previous response, we do not believe that the neighboring properties would be negatively impacted by the removal of these trees. We would be pleased to work with the neighbors to locate mitigation trees to ensure that this is the case.

SHEET 1 - SITE PLAN

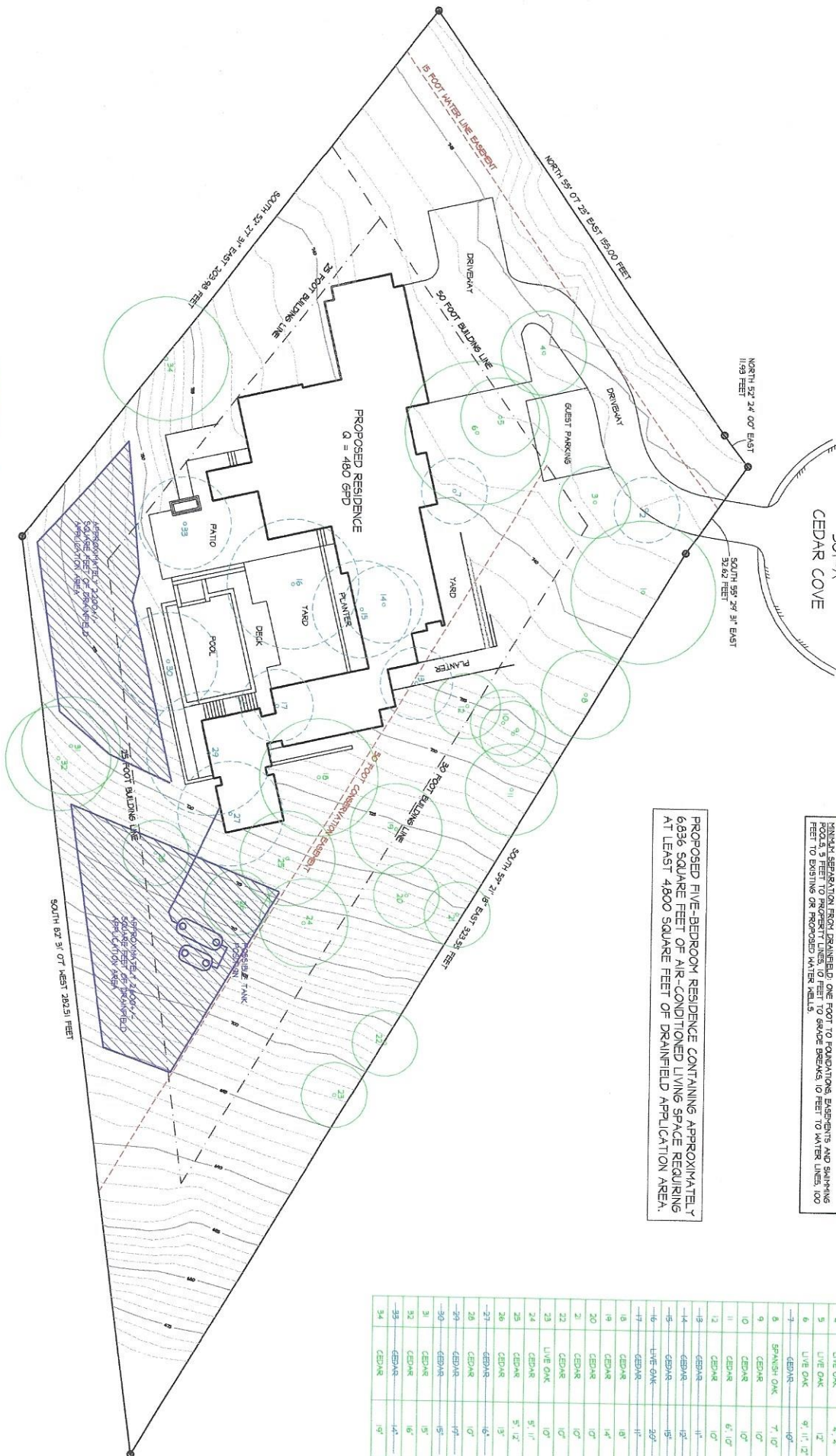
SETBACK REQUIREMENTS:
INSTALLERS SHALL ACHIEVE ALL MINIMUM REQUIRED SEPARATION DISTANCES AS SET FORTH BY THE TCEQ IN TITLE 20, TAC CHAPTER 106, EFFECTIVE DECEMBER 2012, AND ANY ADDITIONAL LOCAL REQUIREMENTS.

MINIMUM SEPARATION FROM EXISTING 5 FEET TO FOUNDATIONS, SHADING POOLS, AND PROPERTY LINES, ONE FOOT TO EXISTING 5 FEET TO PLUMBING EXISTENTS AND ABOVE GROUND, 10 FEET TO WATER LINES, 50 FEET TO EXISTING OR PROPOSED WATER WELLS.

MINIMUM SEPARATION FROM SHADDED ONE FOOT TO FOUNDATIONS, EXISTENTS AND SHADING POOLS, 5 FEET TO PROPERTY LINES, 10 FEET TO GRAVE PRENS, 10 FEET TO WATER LINES, 100 FEET TO PAVING OR PROPOSED WATER WELLS.

PROPOSED FIVE-BEDROOM RESIDENCE CONTAINING APPROXIMATELY 6,836 SQUARE FEET OF AIR-CONDITIONED LIVING SPACE REQUIRING AT LEAST 4,800 SQUARE FEET OF DRAINFIELD APPLICATION AREA

TRIBE LIST		
TRIBE	TRIBE TYPE	SIZE
1	LIVE OAK	8' 9" to 9'
-2	CEPAR	10'
3	LIVE OAK	11'
4	LIVE OAK	4', 8'
5	LIVE OAK	12'
6	LIVE OAK	9', 11', 12'
-7	CEPAR	10'
8	SPANISH OAK	7', 10'
9	CEPAR	10'
10	CEPAR	10'
11	CEPAR	6', 10'
12	CEPAR	10'
-13	CEPAR	11'
-14	CEPAR	12'
-15	CEPAR	15'
-16	LIVE OAK	20'
-17	CEPAR	11'
18	CEPAR	14'
19	CEPAR	14'
20	CEPAR	10'
21	CEPAR	10'
22	CEPAR	10'
23	LIVE OAK	10'
24	CEPAR	5', 11'
25	CEPAR	5', 12'
26	CEPAR	13'
-27	CEPAR	14'
28	CEPAR	10'
-29	CEPAR	17'
30	CEPAR	15'
31	CEPAR	15'
32	CEPAR	16'
33	CEPAR	14'
34	CEPAR	10'



ENVIRONMENTAL SYSTEMS, L.L.C.

 **DELCON**

CLIENT: 1218 MALESTIC OAKS DRIVE
ASTIN, TEXAS 76732
(912) 366-1997

STREET: 301-A GEAR DRIVE, WEST LAKE HILLS
LOT 2, OFF GEAR DRIVE, LOT 1, BLOCK A.
CITY OF WEST LAKE HILLS

PERMIT AUTHORITY: DATE: SCALE: 1" = 30'

DRAWN BY: DATE: 09/05/2020

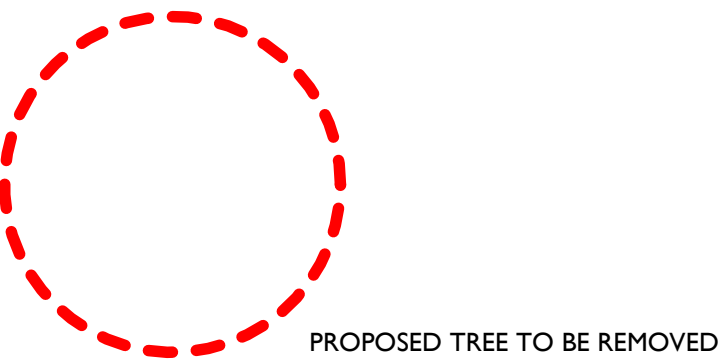
D.E. JOHNSON, R.S.



LEGAL DESCRIPTION	
LOT 2 BLOCK A	
A.F. DELONEY SUBDIVISION	
GENERAL NOTES	
1. BUILDER TO VERIFY METES AND BOUNDS, BUILDING LINES AND EASEMENTS PRIOR TO PERFORMING ANY LOT IMPROVEMENTS.	
IMPERVIOUS COVERAGE CHART	
AREAS	COVERAGE (SF)
AREA OF SLAB	-
AREA OF WALKS & DRIVES	-
AREA OF PADS, WALLS, ETC.	-
TOTAL IMPERVIOUS COVERAGE	-
AREA OF LOT	- ACRES
PERCENTAGE OF IMPERVIOUS COVERAGE	- %
APPROX. AREA OF TURF OR LANDSCAPE	
-	

PROTECTED TREES TO BE REMOVED (+14")*	
TAG NO.	DESCRIPTION
1000	15" CEDAR
1081	15" CEDAR
1087	14" CEDAR
1127	19" CEDAR
1187	16" CEDAR

*VARIANCE REQUESTED FOR REMOVAL



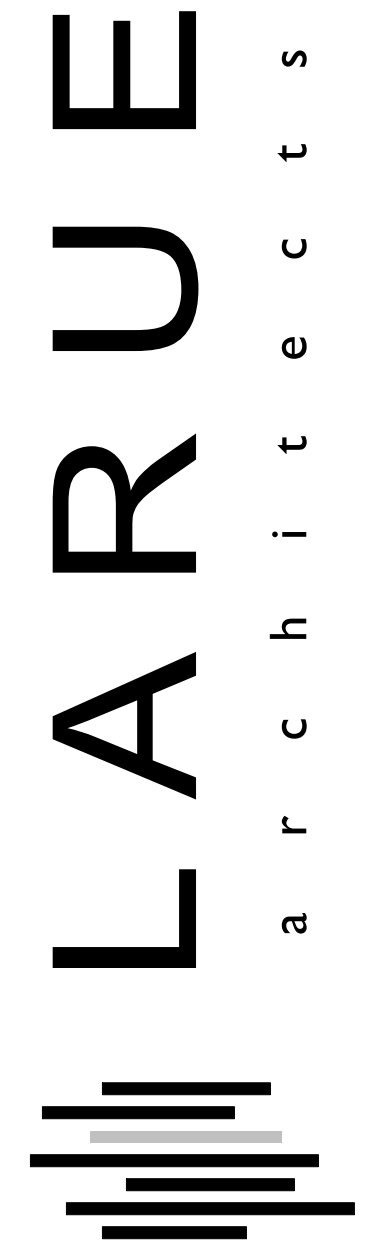
I SITE PLAN



Copyright 2020, James D. LaRue Architecture Design, Inc.
Drawn By: FBM

JAMES D. LARUE ARCHITECTS
500 N. CAPITAL OF TEX. HWY.
Bldg 6, ste 110
AUSTIN, TX 78746
512.347.1688
www.larue-architects.com

JAMES D. LARUE ARCHITECTS
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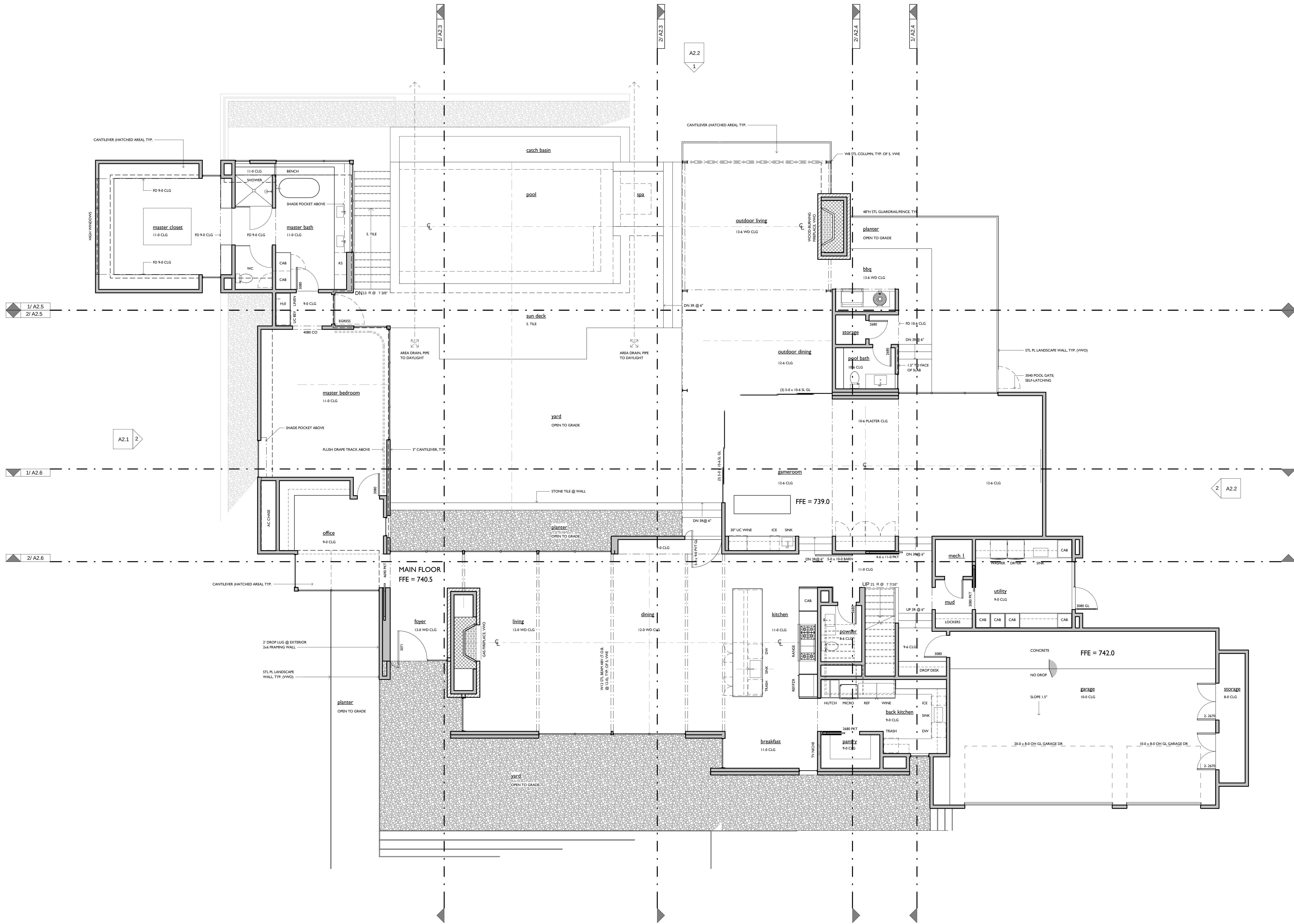
CEDAR COVE
WEST LAKE HILLS, TX

Revision Schedule	
Revision Number	Revision Date

SEP 9, 2020

SITE PLAN

ASP-3



- 1. GENERAL NOTES**

1. PLANS THAT ARE NOT SIGNED AND SEALED BY JAMES D. LARUE, ARCHITECT ARE TO BE CONSIDERED PRELIMINARY.

2. THE WORKING DRAWINGS IN THIS SET MAY NOT ADDRESS ALL THE REQUIREMENTS IN THE BUILDING CODES. IT IS THE CONTRACTOR'S RESPONSIBILITY TO KNOW THE CODES AND THAT CONSTRUCTION COMPLY WITH THE LATEST VERSION OF THE BUILDING CODES AS ADOPTED BY THE JURISDICTION HAVING AUTHORITY OVER THIS PROJECT. THE CONTRACTOR SHALL PERFORM THE WORK IN ACCORDANCE WITH ALL APPLICABLE LOCAL GOVERNMENT CODES AND SHALL CONFORM TO THE APPLICABLE BUILDING AND PERFORMANCE STANDARDS PROTECTED BY THE DECEPTIVE TRADE PRACTICES ACT OF TEXAS, THE RESIDENTIAL CONSTRUCTION LIABILITY ACT OF TEXAS, OR ANY SUCCESSOR THERETO.

3. HVAC ZONE 1: XXXX
HVAC ZONE 2: XXXX
HVAC ZONE 3: XXXX

4. WH ZONE 1: XXXX
WH ZONE 2: REMAINDER OF HOUSE

5. REFER TO NOTE, DIMENSION AND ENGINEERING PLANS TO FRAME OR TO PROVIDE ENGINEERED TRUSSES.
- 2. ABBREVIATIONS**

WINDOWS	MISC.
GL - GLASS	CLG - CEILING
TEMP - TEMPERED GLASS	CO - CASED OPENING
DOORS	COL - COLUMN
FG - FIBERGLASS	FD - FUHR DOWN
SDL - SIMULATED DIVIDED LITE	HB - HOSE BIB
SL - SINGLE LITE	MAS - MASONRY
SC - SOLID CORE	MCTR - MANUFACTURER
MECHANICAL	MTL - METAL
RAG - RETURN AIR GRILL	OPT - OPTIONAL
FLOORING	SRO - SHEET ROCK OPENING
CONC - CONCRETE	VWA - VERIFY WITH ARCHITECT
CRPT - CARPET	VWB - VERIFY WITH BUILDER
HDWD - HARDWOOD	VWE - VERIFY WITH ENGINEER (STRUCTURAL)
S TILE - STONE TILE	VVID - VERIFY WITH INTERIOR DESIGNER
	VVLA - VERIFY WITH LANDSCAPE ARCHITECT
	VVLD - VERIFY WITH LIGHTING DESIGNER
	VVME - VERIFY WITH MECHANICAL ENGINEER
	VWV - VERIFY WITH OWNER
- 3. LEGEND**

	2 X FRAMING WALL
	MASONRY VENEER OR WALL
- 4. AREA CHART**

	SQ. FT.
LOWER FLOOR	856
MAIN FLOOR	4,410
UPPER FLOOR	1,570
TOTAL HEATED	6,836
GARAGES	976
COVERED PORCHES	951
MECHANICAL & STORAGE	150
TOTAL UNHEATED/COVERED	2,077
TOTAL COVERED	8,913

MAIN FLOOR NOTES PLAN

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Drawn By: PBM

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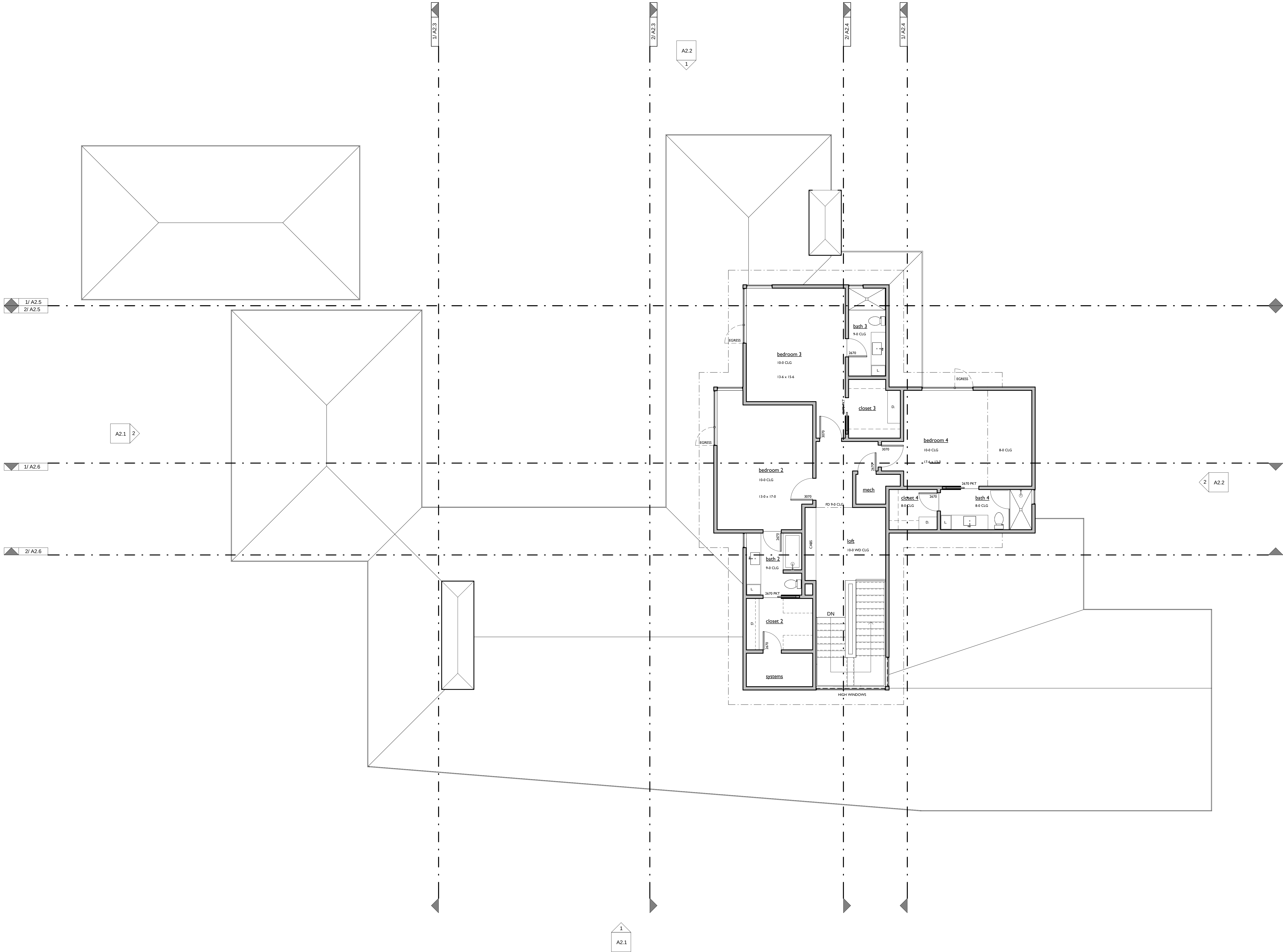
CEDAR COVE
WEST LAKE HILLS, TX

Revision Schedule
Revision Number Revision Date

SEP 9, 2020

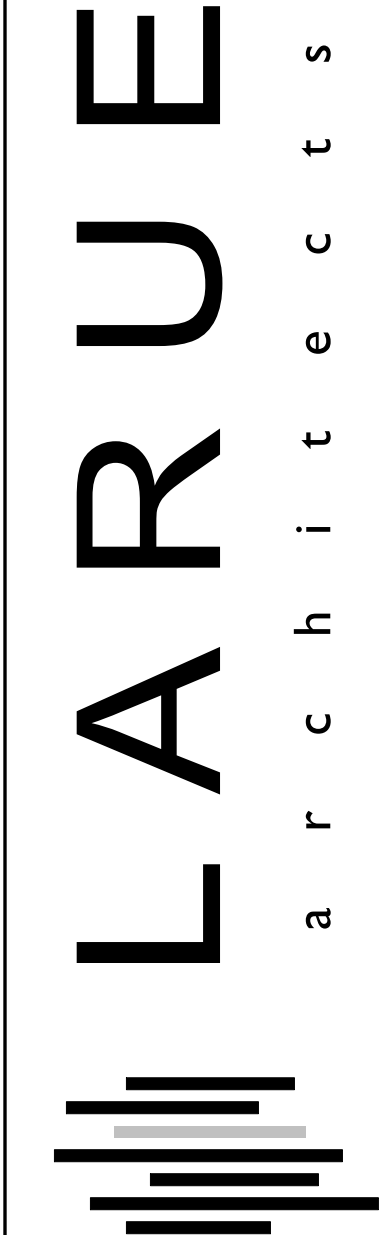
MAIN FLOOR NOTES
PLAN

AI.IN



I UPPER FLOOR NOTES PLAN

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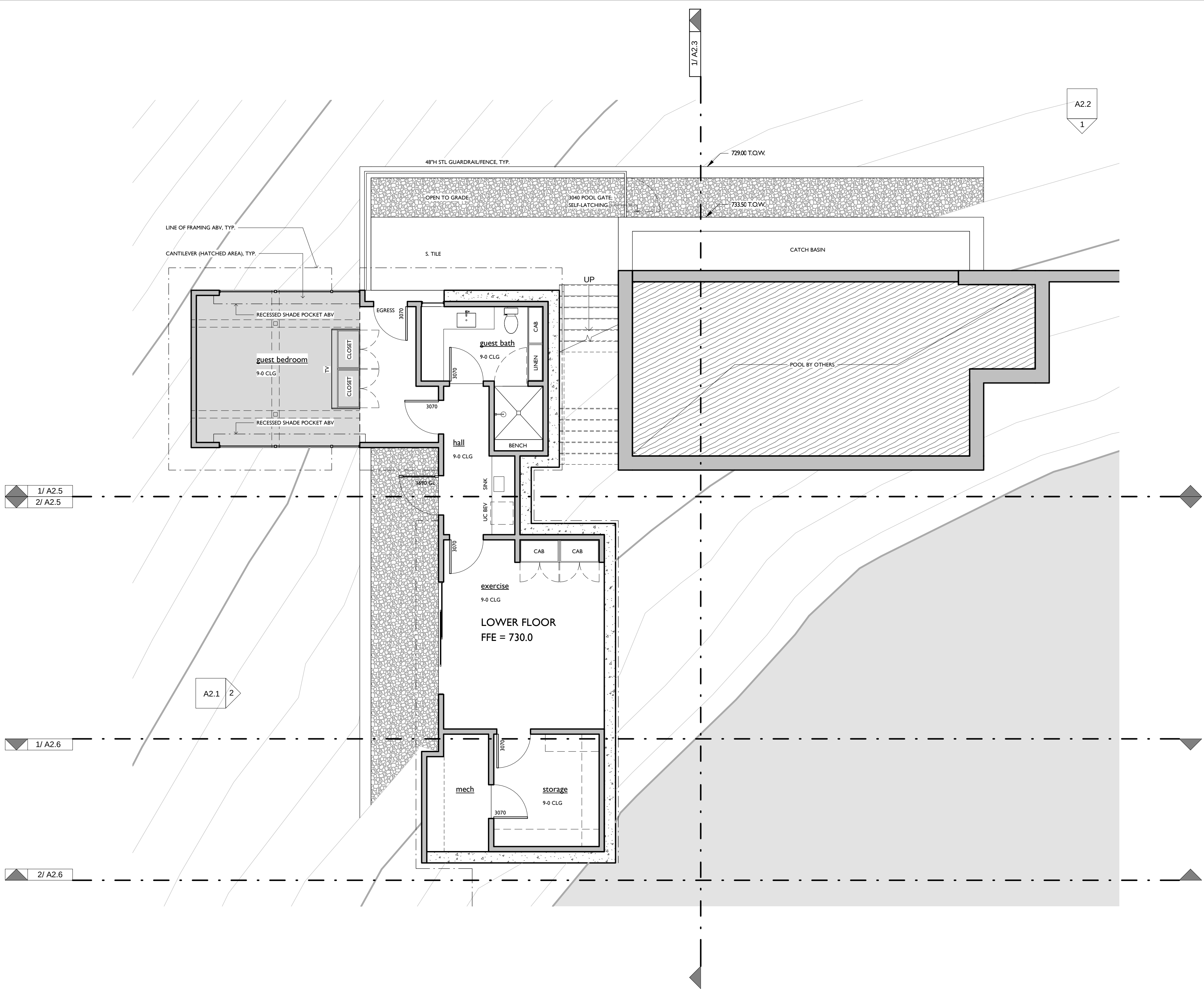
CEDAR COVE
WEST LAKE HILLS, TX

Revision Schedule	
Revision Number	Revision Date

SEP 9, 2020
UPPER FLOOR
NOTES PLAN

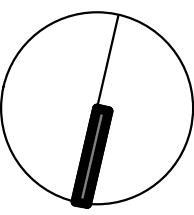
A1.2N

JAMES D. LARUE
ARCHITECTS
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IN TEXAS
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AUSTIN, TX 78701
J.D.LARUE



I LOWER FLOOR NOTES PLAN

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Drawn By: PBM



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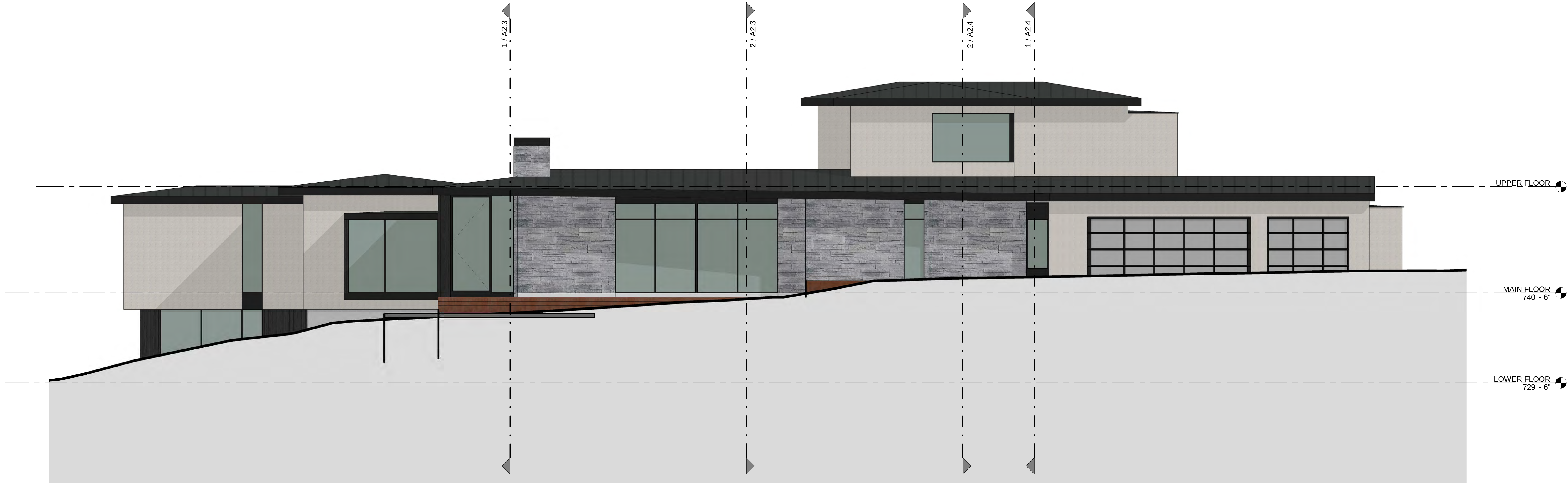
JARUE
architects

CEDAR COVE
WEST LAKE HILLS, TX

Revision Schedule	
Revision Number	Revision Date

SEP 9, 2020
LOWER FLOOR
NOTES PLAN

A1.3N

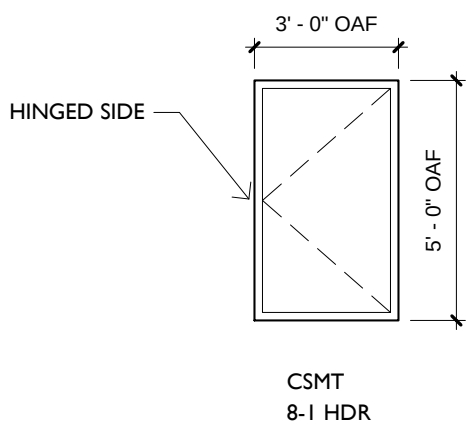


1 NORTH ELEVATION 3/16" = 1'-0"



2 EAST ELEVATION 3/16" = 1'-0"

- 1. GENERAL NOTES**
1. WINDOW SIZES: 3'X5' = 3'-0" OVERALL FRAME X 5'-0" OVERALL FRAME, VWM
- 8'-1" HDR = BOTTOM OF HEADER @ 8'-1"
2. EX. OPERABLE CASEMENT WINDOW OR AWNING WINDOW:



- 2. ABBREVIATIONS**
- MISC**
- | | |
|--|---|
| AF - ABOVE FINISHED FLOOR | MAS - MASONRY |
| AMC - ALUMINUM MULL COVER (BY WINDOW MANUFACTURER) | MECTR - MANUFACTURER |
| AWN - AWNING | MTL - METAL |
| CL - CENTERLINE | OPT - OPTIONAL |
| CLG - CEILING | PG - PAINT GRADE |
| COL - COLUMN | SDL - SIMULATED DIVIDED LITE |
| CONC - CONCRETE | TEMP - TEMPERED GLASS |
| CSMT - CASEMENT | TS - TUBE STEEL |
| DH - DOUBLE HUNG | VWA - VERIFY WITH ARCHITECT |
| DS - DOWNSPOUT | VWB - VERIFY WITH BUILDER |
| FD - FLURR DOWN | VWE - VERIFY WITH ENGINEER (STRUCTURAL) |
| FXD - FIXED | VWID - VERIFY WITH INTERIOR DESIGNER |
| GWB - GYPSUM WALL BOARD | VWLD - VERIFY WITH LIGHTING DESIGNER |
| HB - HOSE BIB | VWME - VERIFY WITH MECHANICAL ENGINEER |
| HDR - HEADER | VWO - VERIFY WITH OWNER |
| HWOD - HARDWOOD | VWV - WINDOW |
| | WD - WOOD |

- 3. LEGEND**
- | | |
|-------------------------|--------------------------|
| PLATE | STONE VENEER |
| HEADER | STONE TILE |
| FINISHED FLOOR | STUCCO VENEER |
| BRICK LINE | METAL ROOF AND/OR SIDING |
| EXISTING GRADE (GROUND) | CONCRETE |
| FINISHED GRADE (GROUND) | |

exterior elevations 3/16" = 1'-0"

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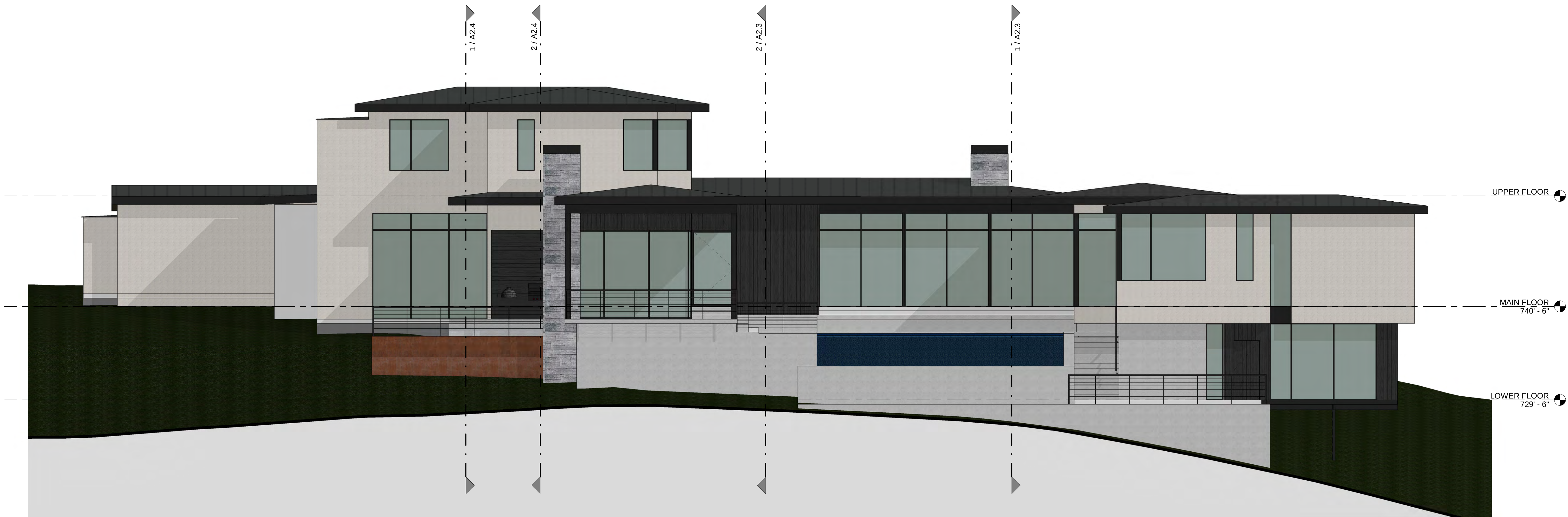
CEDAR COVE
WEST LAKE HILLS, TX

Revision Schedule
Revision Number Revision Date

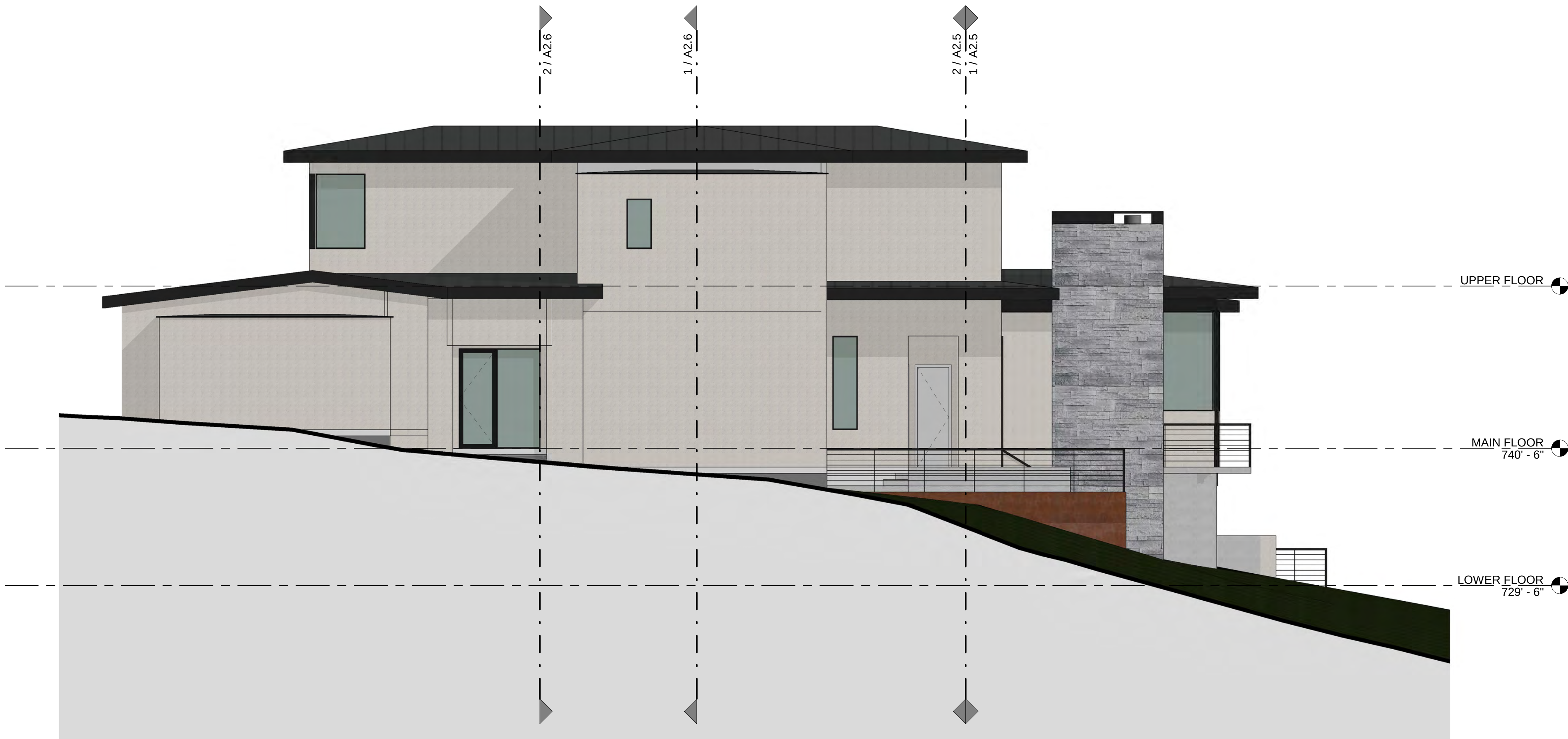
SEP 9, 2020

EXTERIOR
ELEVATIONS

A2.1



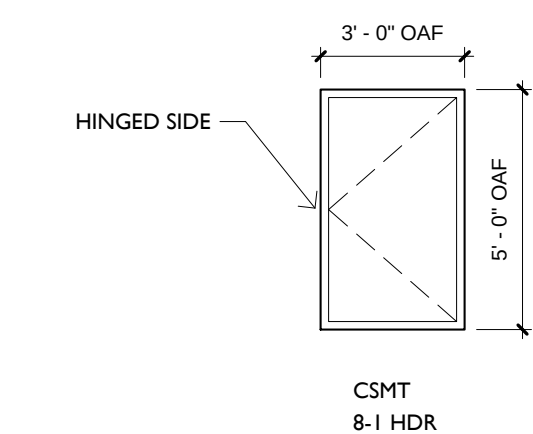
1 SOUTH ELEVATION 3/16" = 1'-0"



2 WEST ELEVATION 3/16" = 1'-0"

1. GENERAL NOTES

1. WINDOW SIZES: 3'X5' = 3'-0" OVERALL FRAME X 5'-0" OVERALL FRAME, VWM
8'-1" HDR = BOTTOM OF HEADER @ 8'-1"
2. EX. OPERABLE CASEMENT WINDOW OR AWNING WINDOW:



2. ABBREVIATIONS

- MISC
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|--|---|
| AF - ABOVE FINISHED FLOOR | MAS - MASONRY |
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| FXD - FIXED | VWID - VERIFY WITH INTERIOR DESIGNER |
| GWB - GYPSUM WALL BOARD | VWLD - VERIFY WITH LIGHTING DESIGNER |
| HB - HOSE BB | VWME - VERIFY WITH MECHANICAL ENGINEER |
| HDR - HEADER | VWQ - VERIFY WITH OWNER |
| HOWD - HARDWOOD | VWDW - WINDOW |
| | WD - WOOD |

3. LEGEND

- | | |
|-------------------------|--------------------------|
| PLATE | STONE VENEER |
| HEADER | STONE TILE |
| FINISHED FLOOR | STUCCO VENEER |
| BRICK LINE | METAL ROOF AND/OR SIDING |
| EXISTING GRADE (GROUND) | CONCRETE |
| FINISHED GRADE (GROUND) | |

exterior elevations 3/16" = 1'-0"

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CEDAR COVE
WEST LAKE HILLS, TX

Revision Schedule

Revision Number Revision Date

SEP 9, 2020

EXTERIOR
ELEVATIONS

A2.2













301A Cedar Oak - Neighboring Properties



Legend

Municipal Jurisdictions (Full Pl

- | Neighborhood | 2019 | 2020 | 2021 | 2022 | 2023 | 2024 |
|---------------------------------|------|------|------|------|------|------|
| Austin | 100% | 100% | 100% | 100% | 100% | 100% |
| Bee Cave | 100% | 100% | 100% | 100% | 100% | 100% |
| Blaircliff | 100% | 100% | 100% | 100% | 100% | 100% |
| Cedar Park | 100% | 100% | 100% | 100% | 100% | 100% |
| Creedmoor | 100% | 100% | 100% | 100% | 100% | 100% |
| Elgin | 100% | 100% | 100% | 100% | 100% | 100% |
| Jonestown | 100% | 100% | 100% | 100% | 100% | 100% |
| Lago Vista | 100% | 100% | 100% | 100% | 100% | 100% |
| Lakeway | 100% | 100% | 100% | 100% | 100% | 100% |
| Leander | 100% | 100% | 100% | 100% | 100% | 100% |
| Manor | 100% | 100% | 100% | 100% | 100% | 100% |
| Mustang Ridge | 100% | 100% | 100% | 100% | 100% | 100% |
| Plugerville | 100% | 100% | 100% | 100% | 100% | 100% |
| Poinc Venturo | 100% | 100% | 100% | 100% | 100% | 100% |
| Rollingwood | 100% | 100% | 100% | 100% | 100% | 100% |
| Round Rock | 100% | 100% | 100% | 100% | 100% | 100% |
| San Leanna | 100% | 100% | 100% | 100% | 100% | 100% |
| Sunset Valley | 100% | 100% | 100% | 100% | 100% | 100% |
| The Hills | 100% | 100% | 100% | 100% | 100% | 100% |
| Volente | 100% | 100% | 100% | 100% | 100% | 100% |
| Webberville | 100% | 100% | 100% | 100% | 100% | 100% |
| West Lake Hills | 100% | 100% | 100% | 100% | 100% | 100% |
| Travis County Region | 100% | 100% | 100% | 100% | 100% | 100% |
| Travis County Metropolitan Area | 100% | 100% | 100% | 100% | 100% | 100% |
| Not Maintained | 100% | 100% | 100% | 100% | 100% | 100% |

Notes

Enter notes here!

1: 2,257

0.1 Miles

0.04

0.

0.1

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

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October 14, 2020

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

Re: 301A Cedar Oak Cove -Tree Variance Application

Dear Mr. Chairman:

We have been made aware of the Tree Variance application that has been filed for 301A Cedar Oak Cove and have met with Greg Reynolds, owner of the property, at the site. He showed us the 20" oak tree that he plans to build around, along with the five (5) protected cedar trees that he proposes for removal.

Having gathered the facts, we have no objection to Greg's request to remove the five (5) cedar trees, as proposed in the Variance Application.

Please feel free to contact me if you require further clarification.

Sincerely,



Steve Brown
Brown Family Revocable Trust
Owner of 300 Cedar Oak Drive
Owner of Lot 1, Ledgeway East Subdivision
West Lake Hills, Texas 78746
[REDACTED]

October 14, 2020

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

Re: 301A Cedar Oak Cove -Tree Variance Application

Dear Mr. Chairman:

We have been made aware of the Tree Variance application that has been filed for 301A Cedar Oak Cove and have met with Greg Reynolds, owner of the property, at the site. He showed us the 20" oak tree that he plans to build around, along with the five (5) protected cedar trees that he proposes for removal.

Having gathered the facts, we have no objection to Greg's request to remove the five (5) cedar trees, as proposed in the Variance Application.

Please feel free to contact me if you require further clarification.

Sincerely,

A handwritten signature in blue ink that reads "E.P. McCall, Jr." with a stylized, cursive script.

E.P. McCall, Jr.
Owner of Lot 3, Ledgeway East Subdivision
West Lake Hills, TX 78746
[REDACTED]

October 14, 2020

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

Re: 301A Cedar Oak Tree Variance Application

Dear Mr. Chairman:

We have been made aware of the Tree Variance application that has been filed for 301A Cedar Oak Cove and have met with Greg Reynolds, owner of the property, at the site. He showed us the 20" oak tree that he plans to build around, along with the five (5) protected cedar trees that he proposes for removal.

Having gathered the facts, we have no objection to Greg's request to remove the five (5) cedar trees, as proposed in the Variance Application.

Please feel free to contact me if you require further clarification.

Sincerely,



Danny LeBourgeois
302 Cedar Oak
West Lake Hills, TX 78746
[REDACTED]



SETBACK VARIANCE STAFF REPORT

OCTOBER 21, 2020

Project Address: 416 Ridgewood Road

Project Number: 16124

Agenda Item: Land Use: 416 Ridgewood Road: Discussion/recommendation on a variance request to encroach a setback in order to construct an accessory building to serve as a home office or school room (West Lake Hills Code Sec. 22.03.001) Applicant Victoria Keith.

Applicant Information: Applicant Victoria Keith

Hearing Dates:

October 21, 2020 ZAPCO

November 11, 2020 Board of Adjustment

Location: The subject property is located east of Brady Lane, south of Hatley Drive, and north of Rollingwood Drive and Bee Cave Road. The property is approximately 0.2172 acre.

Zoning & Site Characteristics:

The subject property and surrounding neighborhood are zoned R-1 – One-Family Residential.

Background & Analysis:

The homeowner, Ms. Keith, is seeking a side setback variance to construct a small standalone accessory structure in her backyard to serve as a home office/school room. The structure's measurements are 10ft x 12ft, and would encroach approximately 7ft into the side setback. If the structure is placed within the allowable buildable area, it would occupy the middle of the backyard, reducing the functionality of the outdoor space.

Ms. Keith's home is approximately 1,377sf and she needs additional space to work from home and space for her son's virtual schooling. The accessory structure will not include any plumbing.

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.

The application states – “At .21 acre, this lot is one of the smallest residential lots in WLH. Imposing the current setbacks means 5,753 SF or 61% of my lot area is contained within the restricted building setbacks, e.g. there remains only 3,708 SF of allowable buildable area.”

“The 15’ setback requirement as applied to either side of backyard would put the structure in the middle of my backyard, greatly reducing the aesthetic appearance as well as functionality of my yard. My 12 year old son enjoys playing in the yard with friends. Placement in the proposed area would fit perfectly with the existing landscape and “tucked away” in an unused space to the side. The max height of the structure in its proposed location will be approximately 10’.”

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

The application states – “There is only dead grass on the area now. No grass or trees are impacted nor any change in the terrain.”

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

The application states – “The only alternative is to add onto the home itself, which would require a greater variance, is cost prohibitive for me at this time as well as a much longer process.”

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

The application states – “The proposed structure is a very small (10 x 12, 120 square feet) building with only electrical service. This is the absolute minimum that will allow me a functional office or school space. It is fully portable with skid foundation. I am requesting a 7’ setback variance; the proposed site has an 8’ setback. if placed within the 15’ setbacks, the building would be in the middle of my yard and fall within existing landscaping.”

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

The application states – “My home is tiny, 1377 square feet. I need only a single 7 foot variance on one side of my yard. Placement at the suggested is basically tucked into an unused space and the unobtrusive. It will not be visible from the street.”

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

The application states – “I see no impact at all to my neighbors: no view is obstructed, no additional noise or traffic will result.”

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.

Staff Recommendation

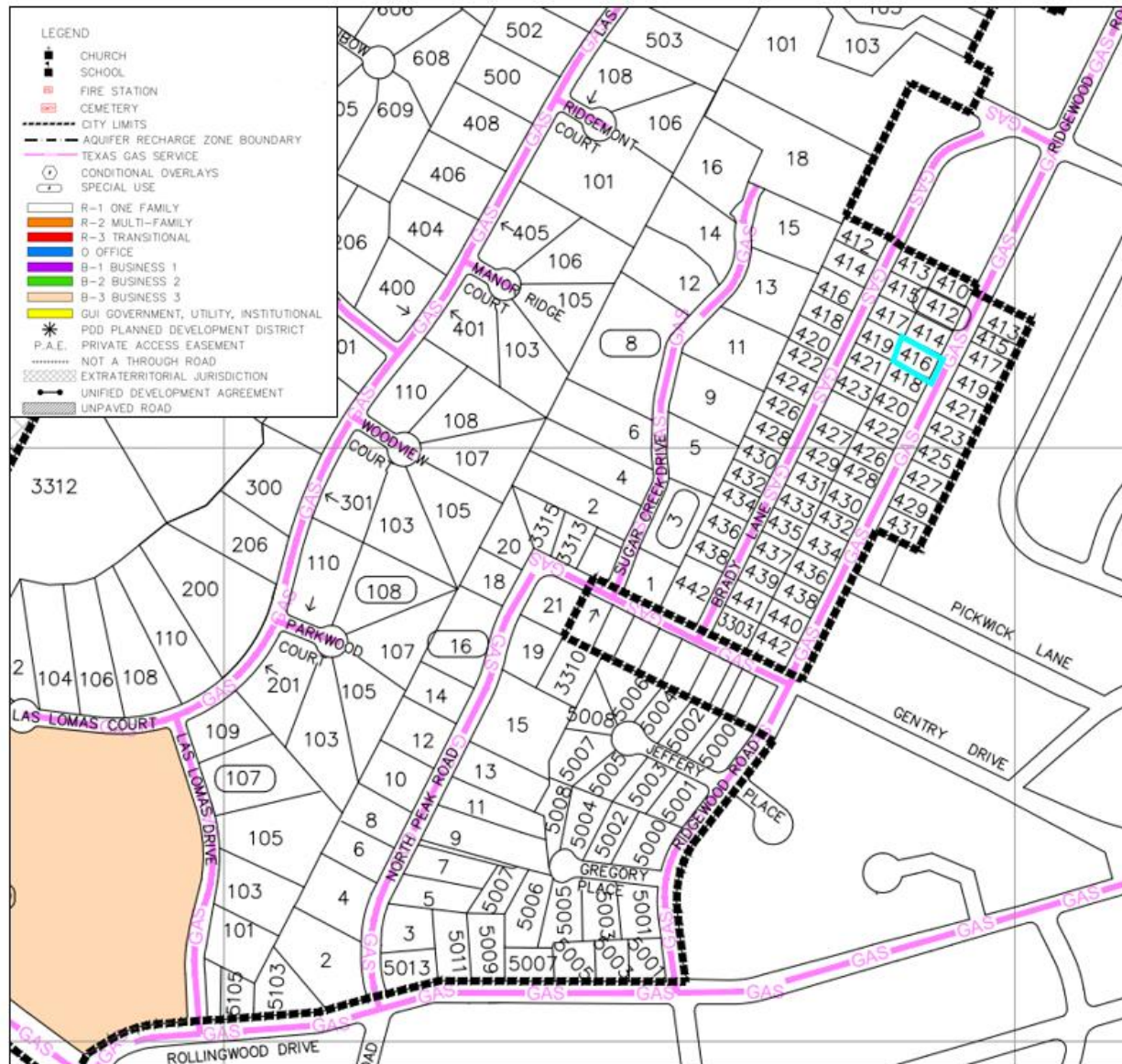
The staff recommendation is denial due to lack of hardship. It appears there are other possible location for the proposed accessory structure that would comply with the City's Code.

Links to Relevant Code:

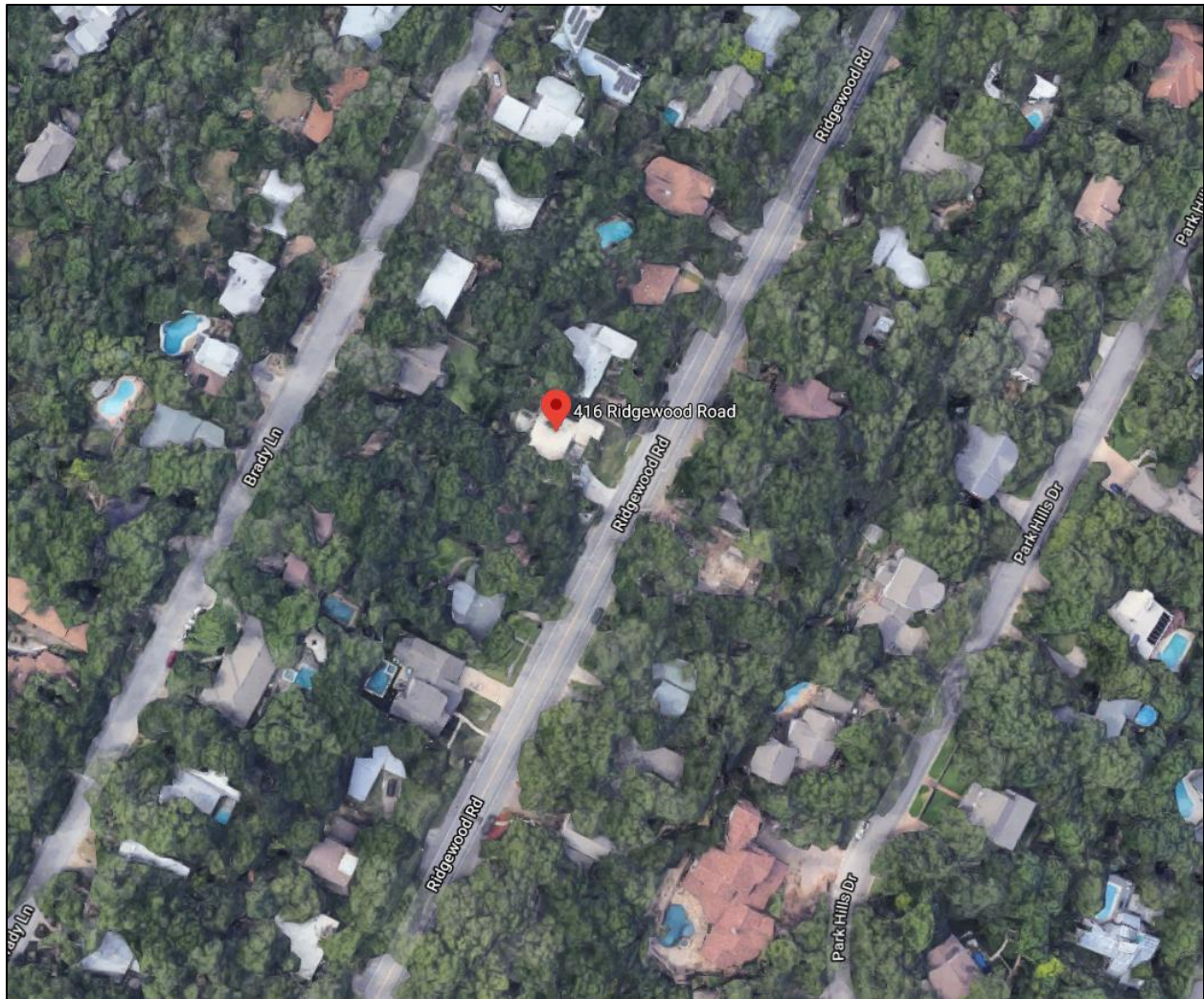
- [Article 22.03, Division 8 Dimensional Regulations](#)
- [Sec. 22.03.514 Criteria and process required for granting variance](#)

(Maps to follow)

Zoning:



Aerial:



APPLICATION COVER SHEET

Property Address: 416 RIDGEWOOD RD. AUSTIN, TX 78746
Applicant Name: VICTORIA (TORI) KEITH
Designated Agent (if any, Power of Attorney Required): _____
Applicant Phone Number: 512-699-6272 Email Address: [REDACTED]
Date Application was Submitted: _____
Variance(s) Requested: _____

SETBACK

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: _____

ANSWERS TO VARIANCE APPROVAL CRITERIA QUESTIONS

- 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.**

At .21 Acres, this lot is one of the smallest residential lots in WLH. Imposing the current setbacks means 5,753 SF or 61% of my lot area is contained within the restricted building setbacks, e.g. there remains only 3,708 SF of allowable buildable area.

The 15' setback requirement as applied to either side of backyard would put the structure in the middle of my backyard, greatly reducing the aesthetic appearance as well as functionality of my yard. My 12 year old son enjoys playing in the yard with friends. Placement in the proposed area would fit perfectly with existing landscape and "tucked away" in an unused space to the side. The max height of the structure, in it's proposed location will be approximately 10'.

- 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?**

There is only dead grass on the area now. No grass or trees are impacted nor any change in the terrain.

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

The only alternative is to add onto the home itself, which would require a greater variance, is cost prohibitive for me at this time as well as a much longer process.

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

The proposed structure is a very small (10 x 12, 120 square feet) building with only electrical service. This is the absolute minimum that will allow me a functional office or school space. It is fully portable with skid foundation. I am requesting a 7' set back variance; the proposed site has an 8' setback. If placed within the 15' setbacks, the building would be in the middle of my yard and fall within existing landscaping.

- 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?**

My home is tiny, 1377 square feet. I need only a single 7 foot variance on one side of my yard. Placement at the suggested site is basically tucked into an unused space and the unobtrusive. It will not be visible from the street.

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

I see no impact at all to my neighbors: no view is obstructed, no additional noise or traffic will result.

Property Address: 416 Ridgewood Road

LETTER TO ZAPCO CHAIRPERSON

September 10, 2020

Chairman Robert Meisel
West Lake Hills Zoning and Planning Commission
911 Westlake Drive
West Lake Hills, TX 78746

Dear Mr. Chairman:

I purchased a very small home in June, 2019, for my son and myself at 416 Ridgewood Road. To be exact, my home is a whopping 1377 square feet! I appreciated the ease, efficiency and small environmental footprint of the home and since I worked in an office five days a week and my son was at school and often at his father's house, it worked well for us - until the prolonged shut down due to Covid-19.

I am a single, full-time working mother, now in my 6th straight month of working from home as well as homeschooling my middle school son. My office will remain closed until the summer of 2021, and my son will be in remote school until at least January, 2021 and very possibly next semester as well. As you might imagine, this is a very difficult situation in such a small space.

I cannot afford to add onto the home at this time, and need a faster simpler solution to having a little bit more space. I found an excellent solution – a site built, stand alone accessory structure that is 10' x 12', 120 square foot offering. This building will have electrical service only, no plumbing, and will serve as an office or school room – or both! I have the ideal spot for it: it fits perfectly within existing landscaping and will cover unsightly dead grass. Photos included.

My lot is extremely small, and while a 15' set back from the rear of the yard is no problem, 15' from either the left or right side places the building in the middle of the yard, encroaching on existing landscaping and impairing the function and aesthetics of my beautiful lush yard. I am thus requesting a setback variance of 7 feet on the left side of my yard. I have attached photos of the yard, the building, and proposed site. I look forward to discussing this with you and the Board soon. Thank you.

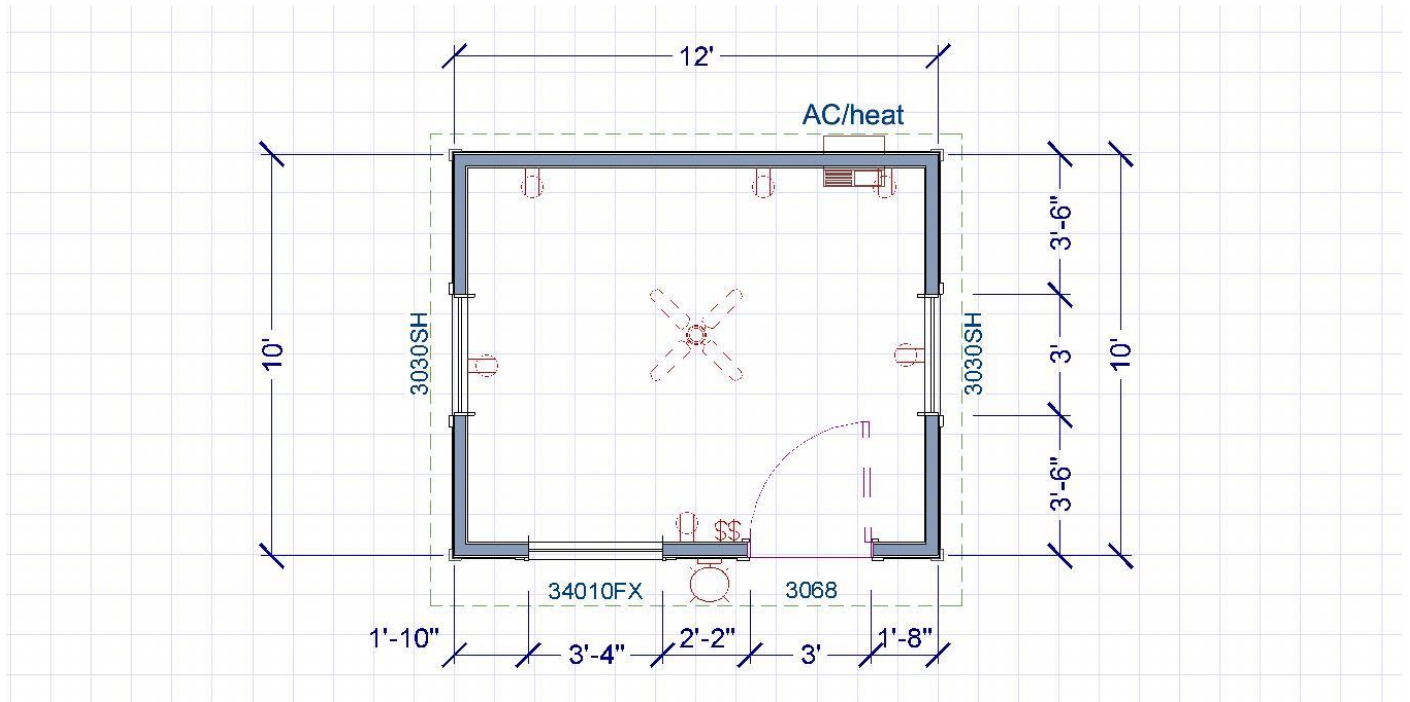
Sincerely,
Tori (Victoria) Ott Keith



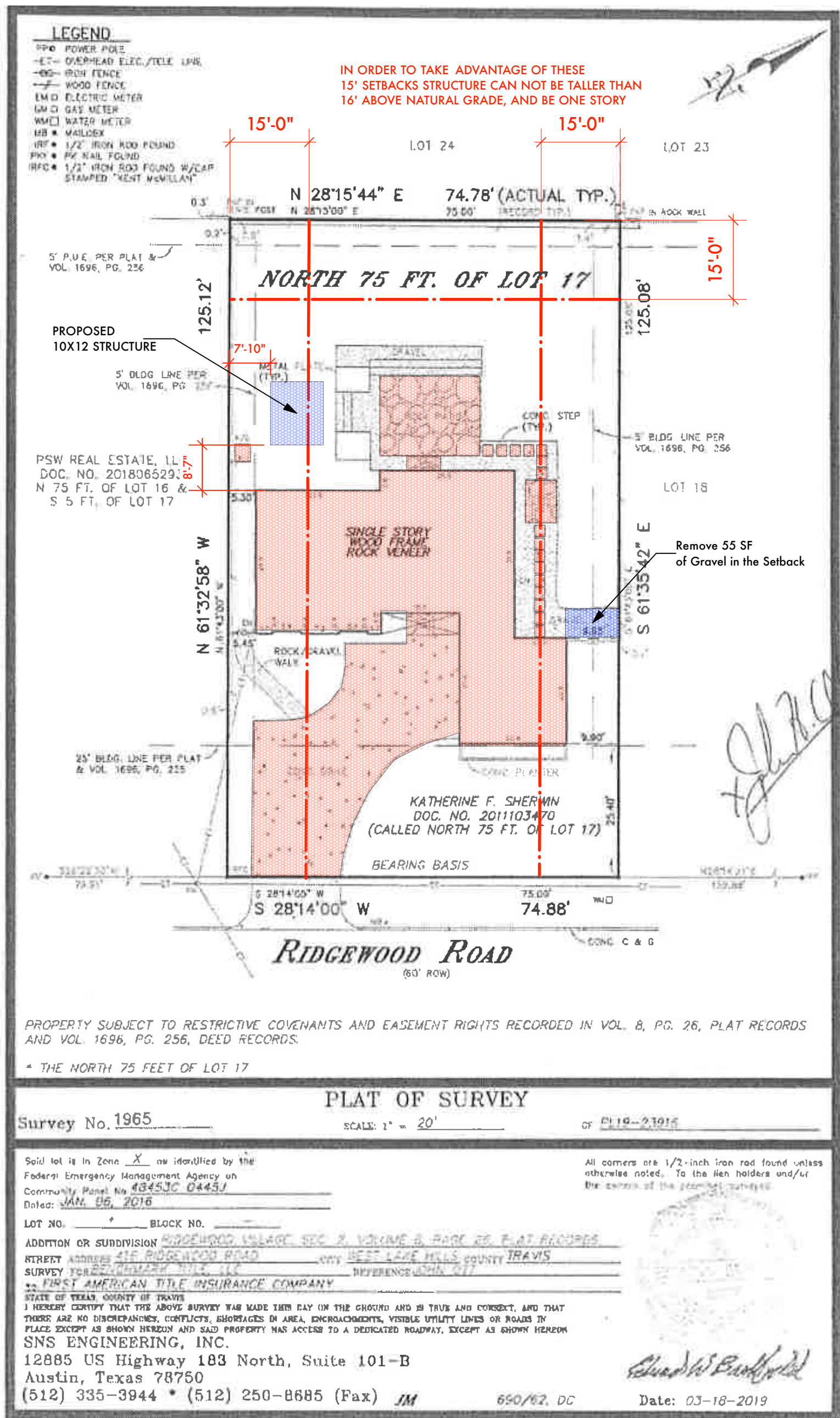












9461 SF = .21 Acres
Allowable IC - Sliding Scale = 39.5% IC
3737 SF of IC Permitted

House and Driveway = 2877
Pavers, Rock and AC Pad = 425
Landscape Gravel NOT IN SETBACK = 402 SF @ 50% = 201 SF
Landscape Gravel IN SETBACK = 126 SF
REMOVE 55 SF OF GRAVEL IN SETBACK = -55
Proposed Improvement - 10x12m= 120

TOTAL EXISTING AND PROPOSED IC = 3,694 SF



**PLANNED DEVELOPMENT DISTRICT
STAFF REPORT**

OCTOBER 21, 2020

Project Address: 1801 Westlake Drive (Lago Vista)

Project Number: 15871

Agenda Item: Land Use: Discussion/recommendation of an ordinance and zoning map amendment to rezone 1801 Westlake Drive from Transitional Residential District (R-3) to a Planned Development District (PDD) with a base zoning district of R-3 in order to construct residential condominiums (West Lake Hills Code Sec. 38.05.092 and Sec. 38.06). Applicants 1801 Westlake Drive Venture, LLC & BV Austin Apartments, LLC.

Applicant Information: 1801 Westlake Drive Venture, LLC & BV Austin Apartments, LLC

Hearing Dates:

October 21, 2020	Zoning and Planning Commission
October 28, 2020	City Council

Requested Action: Approval of a zoning change from R – 3 to PDD with a base zoning district of R – 3.

Location: The subject property is located on Westlake Drive, east of Terrace Mountain Drive, and bordering Bee Creek and the West Lake Hills city limits at the rear of the property.

Zoning & Site Characteristics:

The property is zoned R – 3 – Transitional Residential District. It is approximately 1.948 acres. The property includes an existing apartment complex (Boca Chica) totaling 26 units. The surrounding adjacent properties are zoned R-1 – One-Family Residential, and the property borders Bee Creek along the rear property line. The site has several challenges and unique characteristics, including steep topography, drainage easement and floodplain.

Project Summary and Background:

The owners are applying for a PDD in order to demolish the existing apartments and redevelop the property into residential condominiums totaling 20 units (a reduction of 6 units compared to the existing apartments). The PDD contemplates two separate buildings (current apartment complex is one building). Building 1 is a 3-story building containing 12 2-bedroom units, and Building 2 is a 4-story building containing 2 2-bedroom units and 6 3-bedroom units. The

proposed height is 35ft for Building 1 and 46ft for Building 2, and the maximum proposed impervious cover is 34.01%.

Current Zoning:

The current zoning is R – 3 – Transitional Residential District. The purpose of this district is to provide a transitional zone between nonresidential districts and R-1 one-family districts where structures may be clustered together to better utilize property topography and provide a buffer between thoroughfares and adjacent residential districts. The R – 3 District permits apartments, but only those that are preexisting when annexed into the city limits.

Proposed Zoning:

The proposed zoning is PDD, maintaining the existing R – 3 zoning as the base district. The PDD modifies several code provisions as described in the Variance & Code Deviations Chart and in the PDD Ordinance. Unless otherwise stated in the Variance & Code Deviations Chart or PDD Ordinance, the project is otherwise subject to applicable City Codes and regulations.

The following is a brief summary of the proposed Code deviations:

- Maximum impervious cover (maintaining existing 34.01%/maximum allowed is 25%)
- Minimum lot size (2 acres for R-3/combined, the two tracts are 2.3352 acres and exceed this requirement)
- Building setbacks (minimum 50ft required from property line; applicant is proposing 5.5ft from southern side property line, 40ft from northern side property line, 40ft from eastern rear property line)
- Height (maximum allowed is 30ft, or 32ft if slopes exceed 25% - proposed to be 35ft for Building 1 and 46ft for Building 2)
- Cut and fill (maximum limit is 6ft, but fire truck turnaround area will exceed 20ft cut/fill for a few lineal feet)
- Tree removal (10 trees 14" or greater are proposed to be removed)
- Structure in a drainage easement (proposed pool location is in a drainage easement; however, the PDD does not waive the process for drainage easement modifications/releases, it is acknowledging that this is an additional approval that will be required at a separate time)
- Erosion (it is possible that at a later time the City will need to administratively consider waiver requests to the Drainage and Erosion Control Manual after a full engineering analysis has been completed)

Traffic/Transportation

It is not anticipated for the proposed project to generate additional traffic. The property currently has an apartment building with 26 units, and the proposed project will have 20 units.

Lighting: This site must comply with the Outdoor Lighting Ordinance.

Building Code: All new proposed construction will be required to comply with all applicable building codes unless otherwise stated in the PDD Ordinance or Code Deviation chart.

Subdivision: The subdivision will not be affected.

Comprehensive Planning Analysis: This request is compatible with the Master Plan based on existing and future use.

Recommended ZAPCO Action:

The Zoning & Planning Commission has the following options for making a recommendation to City Council:

- a) Recommend approval.
- b) Recommend postponement to the next regular ZAPCO meeting (Per City Code, ZAPCO may postpone an item only one time per the applicant's request).
- c) Recommend denial.
- d) Forward the Ordinance to the City Council without making a recommendation.

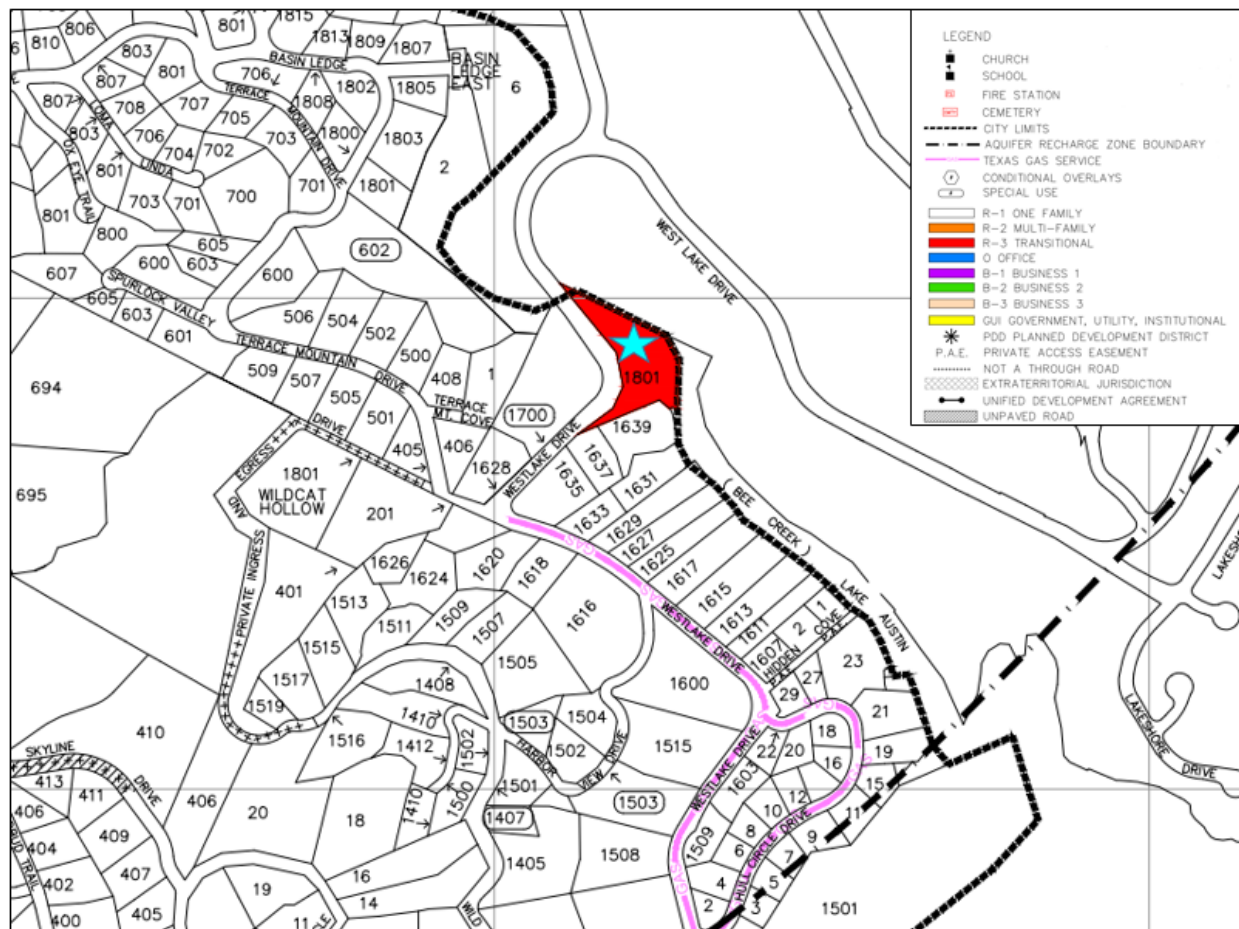
Links to Relevant City Code:

- [Section 22.03.174 Use restrictions in R-3 districts](#)
- [Article 22.03, Division 8 Dimensional Regulations](#)
- [Section 22.03.304 Tree and vegetation removal and replacement](#)
- [Article 38.06 Planned Development Districts](#)
- [Article 38.03 Zoning Districts](#)

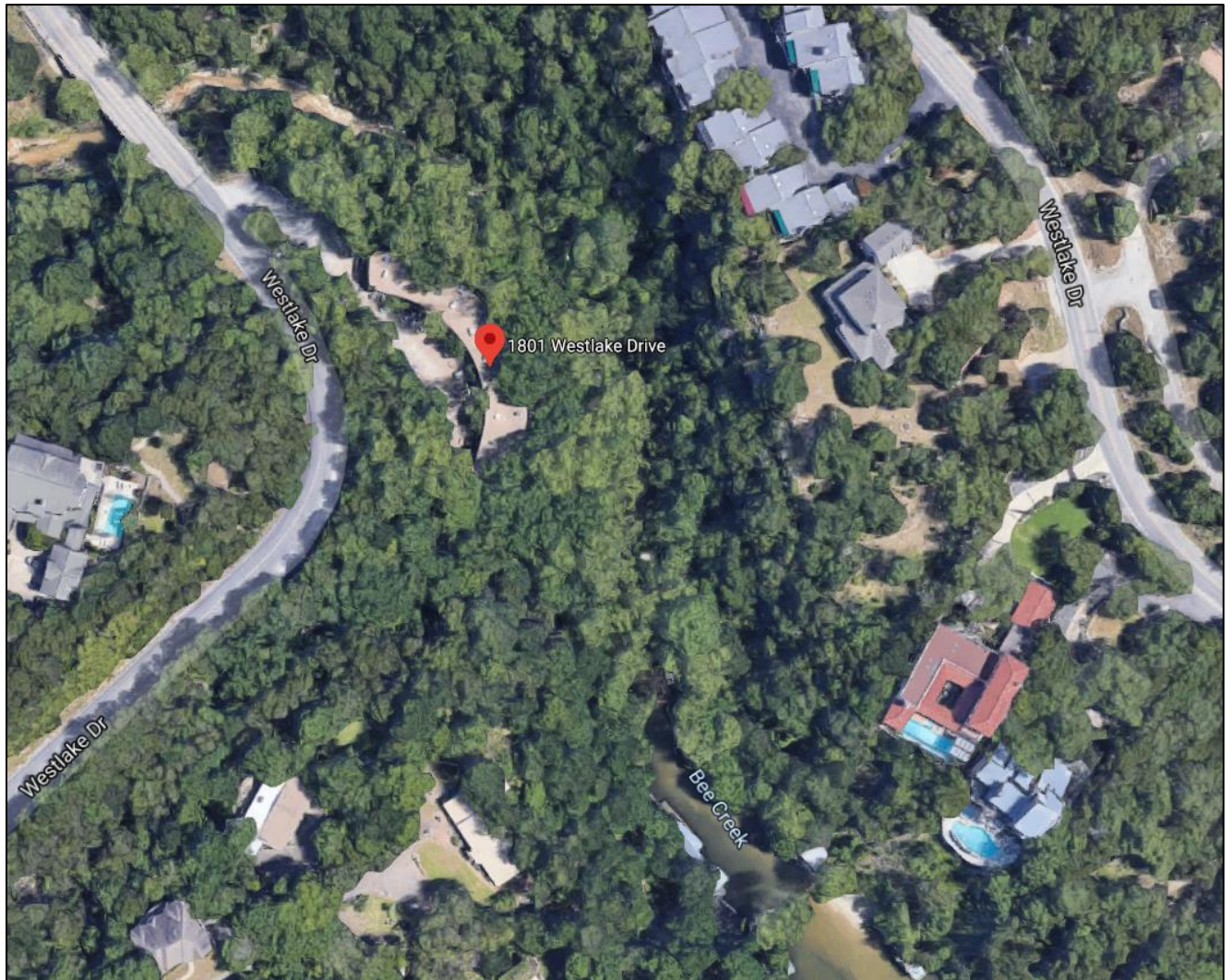
(maps to follow)

Maps

Zoning:



Aerial:





SPROUSE SHRADER SMITH PLLC
ATTORNEYS AT LAW

TERRENCE L. IRION

(512) 615-6653

June 5, 2020

Travis Askey
City of West Lake Hills

TAskey@westlakehills.org

Re: Planned Development District Application at 1801 Westlake Drive

Dear Mr. Askey:

We are submitting the draft of our Planned Development District Application electronically due to the current covid situation. You will find attached the following documents:

1. Zoning Change Application applying for Planned Development District, signed by Terrence L. Irion as attorney;
2. Special Power of Attorney Forms for 1801 Westlake Drive Venture, LLC and BV Austin Apartments, LLC to be signed and notarized;
3. Draft of the PDD Ordinance;
4. Survey of the property;
5. PD Master Plan; and
6. Deeds showing proof of ownership.

We are working on having our clients execute and return the original Powers of Attorney and will forward those to you shortly. We will need to discuss the drainage plan per the City's Drainage and Erosion Control Manual with your engineer and the applicant's engineer, Dan Brown with Malone Wheeler. Please advise if you require a hard copy to be mailed to your office along with the \$2,500.00 application fee. Please note that we have not included the calculations for variances in the fee which may change. Please contact our office if you have any questions or need any additional information.

Sincerely,



Terrence L. Irion

cc: Craig Van De Mark
Brian Van De Mark
Judy Yhu



ZONING CHANGE APPLICATION



Date Received: _____ Received By: _____
Amount Due \$ _____ Date Payment Received: _____
Admin Complete Date: _____ Permit No: _____

****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.

1801 Westlake Drive
Venture, LLC and BV Austin
Apartments, LLC
Property Owner: _____ Phone: 512-615-6650

Email: _____
Address: 1801 Westlake Drive City: Austin State: TX Zip: 78746

Agent*: Terrence L. Irion Phone: 512-615-6650

Email: _____
Address: 805 Las Cimas Parkway, Bldg. III, Suite 350 City: Austin State: TX Zip: 78746

*Please submit Power of Attorney form designating authorized agent.

PROJECT INFORMATION

Property Address: 1801 Westlake Drive, Austin, TX 78746

Subdivision Name: Westlake Cove Addition

Block: _____ Lot: 1 Tax Parcel ID: 0119130707

Current Zoning Classification: LA Total Lot Area: 1.948 acres

Proposed Zoning Classification: _____ Applying for Variance ☐ Yes ☐ No
(if yes, please submit separate variance application)

Applying for a Planned Development District (PDD)? ☒ Yes ☐ No

If yes, what is the proposed base zoning classification? R-3

Present Land Use: Apartments

Present land use of adjacent properties: Single Family Residential



ZONING CHANGE APPLICATION

Types and location of existing structures on subject property: The Property currently has one 2-story building
with 26 residential units that has 19,415.50 sq. ft. of living area and occupying 34,460 sq. ft. of impervious cover.

Brief description of proposed project including proposed land use:

The proposed project will be a 2-building condominium, a 3-story and a 4-story building, consisting of 20 new units and
occupying 33,545 sq. ft. of impervious cover. The new project will stay within the existing setbacks; will not increase
impervious cover from existing; will increase parking, and provide a firetruck access lane and turnaround.

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

6/15/2020
Date

Terrence L. Drion
Printed Name

APPLICATION CHECKLIST

Zoning Change 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 ZAPCO Chairperson explaining zoning change request and proposed use
- ☐ Property survey
- ☐ Proposed site plan and 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*)



ZONING CHANGE APPLICATION

PDD Request Checklist

(Refer to Article 38.06 of the City Code)

- ☐ 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*). Requirement can be waived by Council.
- ☐ Letter addressed to ZAPCO Chairperson explaining zoning change request and proposed use
- ☐ Property survey
- ☐ Pictures of property
- ☐ Elevations, renderings, perspectives of proposed development
- ☐ Drainage plan per City's Drainage and Erosion Control Design Manual
- ☐ PD Master Plan (*includes site plan identifying existing site conditions, tree survey, proposed layout of building locations, proposed land uses and densities, open space boundaries, access points to streets and internal streets, proposed sidewalks/trails, and any other information as required by the City*)
- ☐ PD Informational Statement
- ☐ Draft PDD Ordinance including development standards, code deviations, and exhibits including information described in this checklist. Contact staff for example PDD Ordinance.
- ☐ Adequate utilities such a water, wastewater, electricity (*applicant will need to coordinate with the appropriate entities for utilities*)
- ☐ Payment of application fees by check or credit card (*refer to Appendix A: Fee Schedule in the Code of Ordinances for current fees*)

STAFF NOTES

For Completion by Staff Only

Date public notification letters mailed: _____

Newspaper notice deadline: _____ Publication Date: _____

Date of ZAPCO Meeting: _____

ZAPCO Recommendation: _____

Date of City Council Meeting: _____

City Council Action: _____

Notes:



SPECIAL POWER OF ATTORNEY FORM

KNOW ALL PERSONS BY THIS DOCUMENT that I, Brian Van De Mark, Manager
have made, constituted and appointed Terrence L. Irion
to be my duly authorized representative in connection with an application dated June 5, 2020,
to be heard by the Building Design Committee, Zoning & Planning Commission, and City
Council/Board of Adjustment of the City of West Lake Hills, Texas. All representations, whether
oral or written, made by the representative in support of the request have the full force and effect
of the applicant's approval. I do by this document constitute the above named representative as
my true and lawful attorney-in-fact to act in my name, place and stead, to do and perform any act
in connection with such application which I myself might perform or do if I was personally present.
BV Austin Apartments, LLC

By: Brian Van De Mark, Manager
Property Owner/Applicant Name

Brian Van De Mark
Property Owner/Applicant Signature

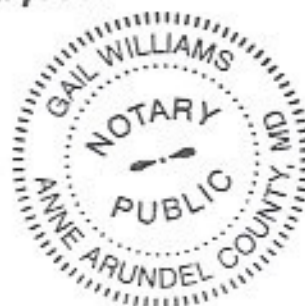
<u>1801 Westlake Drive</u>	<u>Austin</u>	<u>TX</u>	<u>78746</u>
Street Address	City	State	Zip Code

410-212-4555
Property Owner/Applicant Phone Number

This instrument was acknowledged before me on this the 6 day of June, 20 20.

Notary Public in and for the State of ~~Texas~~ Maryland

My Commission Expires 4.24.2021





SPECIAL POWER OF ATTORNEY FORM

KNOW ALL PERSONS BY THIS DOCUMENT that I, Craig M. Van De Mark, Manager
have made, constituted and appointed Terrence L. Irion
to be my duly authorized representative in connection with an application dated June 5, 2020,
to be heard by the Building Design Committee, Zoning & Planning Commission, and City
Council/Board of Adjustment of the City of West Lake Hills, Texas. All representations, whether
oral or written, made by the representative in support of the request have the full force and effect
of the applicant's approval. I do by this document constitute the above named representative as
my true and lawful attorney-in-fact to act in my name, place and stead, to do and perform any act
in connection with such application which I myself might perform or do if I was personally present.
1801 Westlake Drive Venture, LLC

By: Craig M. Van De Mark, Manager
Property Owner/Applicant Name

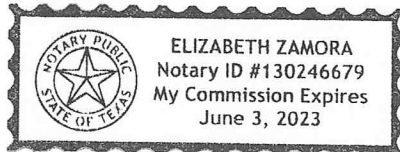
Craig M. Van De Mark, Manager
Property Owner/Applicant Signature

<u>1801 Westlake Drive</u>	<u>Austin</u>	<u>TX</u>	<u>78746</u>
Street Address	City	State	Zip Code

713-320-5164
Property Owner/Applicant Phone Number

This instrument was acknowledged before me on this the 9 day of June, 20 20.

Elizabeth Zamora
Notary Public in and for the State of Texas





SPECIAL WARRANTY DEED

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

DATE: January 4, 2012

GRANTOR: Nueces Capital Partners, Ltd., a Texas limited partnership (as to an undivided 1/3 interest); Craig M. Van De Mark (as to an undivided 1/3 interest); and Brian Van De Mark (as to an undivided 1/3 interest)

GRANTOR'S MAILING ADDRESS:

Craig M. Van De Mark and Nueces Capital Partners, Ltd.
3865 Chevy Chase Drive, Houston, TX 77009

Brian Van De Mark
46E Queen Anne Way, Chester, MD 21619

GRANTEE: 1801 Westlake Drive Venture LLC, a Texas limited liability company

GRANTEE'S MAILING ADDRESS: 3865 Chevy Chase Drive, Houston, TX 77019

CONSIDERATION:

Cash and other valuable consideration.

PROPERTY (including any improvements):

See Exhibit "A" attached hereto and made a part hereof.

RESERVATIONS FROM AND EXCEPTIONS TO CONVEYANCE AND WARRANTY:

This conveyance is made and accepted subject to the items listed on Exhibit "B" attached hereto and made a part hereof to the extent that they are valid, existing, properly of record and affect the property; and, subject, further, to taxes for the year 2012 and subsequent years.

SPECIAL WARRANTY DEED

Page 13

Grantor, for the consideration and subject to the reservations from and exceptions to conveyance and warranty, grants, sells and conveys to Grantee the property, together with all and singular the rights and appurtenances thereto in anywise belonging, to have and hold it to Grantee, Grantee's heirs, executors, administrators, successors, or assigns forever. Grantor binds Grantor and Grantor's heirs, executors, administrators, successors and assigns to warrant and forever defend all and singular the property to Grantee and Grantee's heirs, executors, administrators, successors and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the reservations from and exceptions to conveyance and warranty, when the claim is by, through, or under Grantor, but not otherwise.

When the context requires, singular nouns and pronouns include the plural.

Nueces Capital Partners, Ltd., a Texas limited partnership

By: Nueces Capital Partners Management, Company, LLC, a Texas limited liability its company, its General Partner

By: Craig M. L

Name: Craig M. Van De Mark

Title: Manager

Craig M. L

Craig M. Van De Mark also known as
Craig Van De Mark

Brian Van De Mark

Grantor, for the consideration and subject to the reservations from and exceptions to conveyance and warranty, grants, sells and conveys to Grantee the property, together with all and singular the rights and appurtenances thereto in anywise belonging, to have and hold it to Grantee, Grantee's heirs, executors, administrators, successors, or assigns forever. Grantor binds Grantor and Grantor's heirs, executors, administrators, successors and assigns to warrant and forever defend all and singular the property to Grantee and Grantee's heirs, executors, administrators, successors and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the reservations from and exceptions to conveyance and warranty, when the claim is by, through, or under Grantor, but not otherwise.

When the context requires, singular nouns and pronouns include the plural.

Nueces Capital Partners, Ltd., a Texas limited partnership

By: Nueces Capital Partners Management, Company, LLC, a Texas limited liability its company, its General Partner

By: _____

Name: Craig M. Van De Mark

Title: Manager

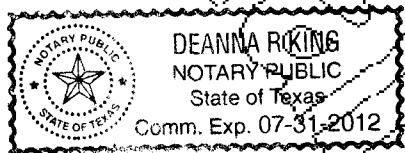
Craig M. Van De Mark

Brian Van De Mark
Brian Van De Mark

Acknowledgment

STATE OF TEXAS
COUNTY OF TRAVIS

This instrument was acknowledged before me on the 4th day of January, 2012, by Craig M. Van De Mark, Manager of Nueces Capital Partners Management Company, LLC, a Texas limited liability company, General Partner of Nueces Capital Partners, Ltd., a Texas limited partnership, on behalf of said limited partnership.

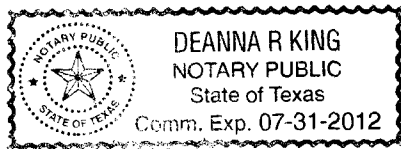


[Signature]
Notary Public, State of Texas

Acknowledgment

STATE OF TEXAS
COUNTY OF TRAVIS

This instrument was acknowledged before me on the 4th day of January, 2012, by Craig M. Van De Mark.



[Signature]
Notary Public, State of Texas

SPECIAL WARRANTY DEED

Page 3

Acknowledgment

STATE OF Maryland
COUNTY OF Queen Anne's

This instrument was acknowledged before me on the 4th day of January, 2012, by Brian Van De Mark.

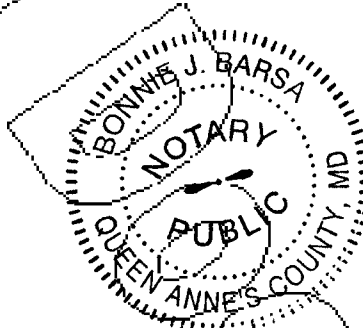
My Commission Expires 10/6/15

Bonnie J. Barsa
Notary Public, State of Maryland

After Recording Return To:

1801 Westlake Drive Venture LLC
3865 Chevy Chase Drive
Houston, TX 77019

Dj2266-sw



SPECIAL WARRANTY DEED

Page 4

EXHIBIT "A"

TRACT 1: Lot 1 of WESTLAKE COVE ADDITION, a subdivision in Travis County, Texas, according to the map or plat thereof, recorded in Volume 82, Page 41 of the Plat Records of Travis County, Texas. Said plat corrected as to surveyor's notes by instrument recorded in Volume 13020, Page 284 of the Real Property Records of Travis County, Texas.

TRACT 2: Being all of that certain 0.4 acre tract of land, more or less, out of the Wilkenson Sparks Survey No. 4 situated in Travis County, Texas, being the same tract of land described by metes and bounds under "Second Tract" in deed dated July 24, 2002, to Robert E. Price, Trustee of the Westlake Cove Apartments Trust recorded under Document No. 2002152483 of the Official Public Records of Travis County, Texas.

EXHIBIT B

Volume 82, Page 41 of the Plat Records and Volume 651, Page 68 and Volume 847, Page 77 of the Deed Records, all of Travis County, Texas. (TRACT 1)

Volume 818, Page 568 of the Deed Records of Travis County, Texas. (TRACT 2)

1. **Perpetual easement and right to the use and control of inundation submerge and overflow granted to the City of Austin by instrument dated February 2, 1939, recorded in Volume 608, Page 196 of the Deed Records of Travis County, Texas. (TRACT 2)**
2. **Electric transmission and/or distribution line easement granted to the City of Austin by instrument dated October 15, 1940, recorded in Volume 659, Page 558 of the Deed Records of Travis County, Texas. (TRACT 2)**
3. **Reverter rights for violation of restrictions set forth in deeds dated (i) May 19, 1940, recorded in Volume 651, Page 68 and (ii) March 10, 1947, recorded in Volume 847, Page 77 of the Deed Records of Travis County, Texas. (TRACT 1)**
4. **An undivided One-Half (1/2) interest in and to all of the oil, gas and other minerals, together with all rights related thereto, expressed or implied, all of which are expressly excepted herefrom and not insured hereunder, reserved in deeds dated (i) May 19, 1940, recorded in Volume 651, Page 68 and (ii) March 10, 1947, recorded in Volume 847, Page 77 of the Deed Records of Travis County, Texas. Said mineral estate not traced further herein. (TRACT 1)**
5. **An undivided One-Half (1/2) interest in and to all of the oil, gas and other minerals, together with all rights related thereto, expressed or implied, all of which are expressly excepted herefrom and not insured hereunder, reserved in deeds dated June 10, 1944, recorded in Volume 818, Page 568 of the Deed Records of Travis County, Texas. Said mineral estate not traced further herein. (TRACT 2)**
6. **An undivided One-Half (1/2) interest in and to all of the oil, gas and other minerals, together with all rights related thereto, expressed or implied, all of which are expressly excepted herefrom and not insured hereunder, reserved in deeds dated April 15, 1938, recorded in Volume 589, Page 44 of the Deed Records of Travis County, Texas. Said mineral estate not traced further herein. (TRACT 2)**
7. **Building setback lines of varied distances located along the perimeters of the property as shown on the plat recorded in Volume 82, Page 41 of the Plat Records of Travis County, Texas. (TRACT 1)**
8. **Drainage easement of varied width located along the northerly, easterly and southerly property lines as shown on the plat recorded in Volume 82, Page 41 of the Plat Records of Travis County, Texas. (TRACT 1)**
9. **Right-of-way easement for the purpose of maintaining and connecting a wastewater line retained in deed dated August 1, 1978, recorded in Volume 6270, Page 2156 of**

the Deed Records of Travis County, Texas. (TRACT 2)

10. Intentionally Deleted
11. Terms, conditions and stipulations contained in that certain Service and Easement Agreement dated January 29, 1998, by and between Scott Vandermark and Time Warner Entertainment - Advance/Newhouse Partnership d/b/a Time Warner Cable, evidenced by that certain Easement and Memorandum recorded in Volume 13123, Page 231 of the Real Property Records of Travis County, Texas. (TRACT 1)
12. Terms, conditions and stipulations contained in that certain Cable Television Installation Agreement dated May 1, 1984, by and between Lou Williams and American Television and Communications Corporation dba Austin Cablevision evidenced by that certain Easement and Memorandum recorded in Volume 8863, Page 84 of the Real Property Records of Travis County, Texas. (TRACT 1)
13. Changes in area or boundary resulting from erosion, accretion or avulsion caused by Colorado River (Lake Austin), which forms a boundary of the subject property. (TRACT 2)
14. Any and all leases, recorded or unrecorded, with rights of tenants in possession.
15. Intentionally Deleted
16. Intentionally Deleted
17. Encroaching of building into 10 foot wide drainage easement as shown on survey dated November 3, 2011, prepared by Thomas P. Dixon, Registered Professional Land Surveyor No. 4324 ("the Survey").
18. Location of electric line and anchor wire as shown on the Survey
19. Encroachment of wood deck, concrete walk and pool into drainage easement as shown on the Survey.

FILED AND RECORDED
OFFICIAL PUBLIC RECORDS

Dana DeBeauvoir

Jan 06, 2012 03:55 PM 2012002571
BENAVIDESV: \$44.00
Dana DeBeauvoir, County Clerk
Travis County TEXAS

FILED AND RECORDED
OFFICIAL PUBLIC RECORDS



Dana DeBeauvoir

Dana DeBeauvoir, County Clerk
Travis County, Texas

Dec 23, 2019 09:30 AM Fee: \$42.00

2019201354

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This page is
intentionally added for
electronic file stamp.

SPECIAL WARRANTY DEED

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

THE STATE OF TEXAS

§

KNOW ALL PERSONS BY THESE PRESENTS:

COUNTY OF TRAVIS

§

§

THAT **1801 WESTLAKE DRIVE VENTURE LLC**, a Texas limited liability company ("**Grantor**"), for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable consideration to Grantor in hand paid by **BRIAN S. VAN DE MARK**, an individual residing in Chester, Maryland ("**Grantee**"), whose mailing address is 1622 Bayside Drive, Chester, Maryland 21619, the receipt and sufficiency of which consideration is hereby acknowledged and confessed, subject to all of the matters set forth or referred to herein, has GRANTED, SOLD, AND CONVEYED, and by these presents does GRANT, SELL, AND CONVEY unto Grantee an undivided 33.33 percent interest in those two (2) certain tracts or parcels of land, with Tract 1 containing approximately 1.98 acres and Tract 2 containing approximately 0.40 acres, both lying and being situated in the State of Texas and County of Travis, being more particularly described on **Exhibit "A"** attached hereto and made a part hereof for all purposes (collectively, the "**Property**"), together with (a) all improvements thereon, (b) all rights and appurtenances belonging or pertaining thereto, (c) all right, title and interest of Grantor in and to all strips, gores, easements, leases, rights of ingress or egress, streets, alleys and other rights-of-way abutting, adjoining or benefiting such land or improvements, and (d) all right, title and interest of Grantor in and to all applications, permits, plats, plans, governmental approvals, soils and engineering reports, reimbursements for costs or fees paid relating to such land, development fees, development fee waivers or credits or other entitlements.

from any applicable governmental authority relating to such land, utility service commitments or allocations, and all other rights and benefits relating to the development of such land.

THIS CONVEYANCE is made and accepted subject to any and all matters, restrictions, covenants, conditions, ordinances, rights of way, easements, shortages in area, matters shown on surveys, maps or plats, maintenance charges and the lien securing said charges, and all outstanding mineral and royalty interests, if any, affecting the Property, filed of public record in the office of the County Clerk of Travis County, Texas to the extent, but only to the extent, the same are now in force and effect and relate to the Property.

TO HAVE AND TO HOLD the Property, together with all and singular the rights and appurtenances thereto in any wise belonging unto Grantee and Grantee's successors and assigns, forever; and, subject to all of the matters set forth or referred to herein, Grantor does hereby bind itself and its successors to **WARRANT and FOREVER DEFEND** all and singular the Property unto Grantee and Grantee's successors and assigns, against every person whomsoever lawfully claiming or to claim the same, or any part thereof, by, through, or under Grantor, but not otherwise.

AD VALOREM TAXES with respect to the Property for the current year have been prorated as of the date hereof and Grantee assumes and agrees to pay the same.

EXECUTED effective as of the 2nd day of December, 2019

1801 WESTLAKE DRIVE VENTURE LLC
a Texas limited liability company

By: Craig M. Van De Mark, Manager
Craig M. Van De Mark, Manager

By: Brian S. Van De Mark, Manager
Brian S. Van De Mark, Manager

THE STATE OF TEXAS

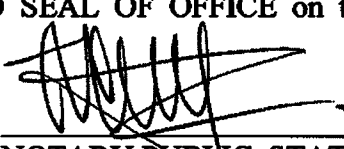
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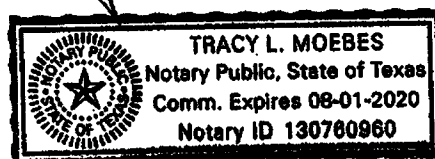
COUNTY OF HARRIS

BEFORE ME, the undersigned authority, on this day personally appeared Craig M. Van De Mark, Manager of 1801 Westlake Drive Venture LLC, a Texas limited liability company, known to me to be the person whose name is subscribed to the foregoing instrument, and he acknowledged to me that he executed the same for the purposes and consideration therein expressed, in the capacity therein stated and as the act and deed of said limited liability company.

GIVEN UNDER MY HAND AND SEAL OF OFFICE on this the 20th day of December, 2019.

STAMP NAME AND DATE OF
EXPIRATION OF COMMISSION
BELOW:


NOTARY PUBLIC, STATE OF TEXAS



THE STATE OF MARYLAND

§

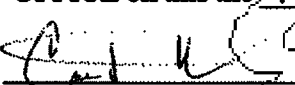
COUNTY OF QUEEN ANNE'S

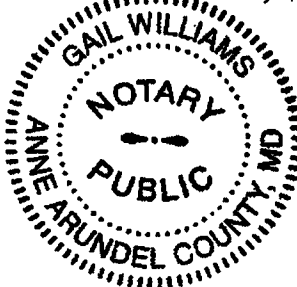
§

BEFORE ME, the undersigned authority, on this day personally appeared Brian S. Van De Mark, Manager of 1801 Westlake Drive Venture LLC, a Texas limited liability company, known to me to be the person whose name is subscribed to the foregoing instrument, and he acknowledged to me that he executed the same for the purposes and consideration therein expressed, in the capacity therein stated and as the act and deed of said limited liability company.

GIVEN UNDER MY HAND AND SEAL OF OFFICE on this the 18th day of December, 2019.

STAMP NAME AND DATE OF
EXPIRATION OF COMMISSION
BELOW: 4.24.2021


NOTARY PUBLIC, STATE OF Maryland



AFTER RECORDING RETURN TO:

Craig M. Van De Mark
3865 Chevy Chase Drive
Houston, Texas 77019

EXHIBIT "A"**Legal Description of the Property**

TRACT 1: Lot 1 of WESTLAKE COVE ADDITION, a subdivision in Travis County, Texas, according to the map or plat thereof, recorded in Volume 82, Page 41 of the Plat Records of Travis County, Texas. Said Plat corrected as to surveyor's notes by instrument recorded in Volume 13020, page 284 of the Real Property Records of Travis County, Texas.

TRACT 2: Being all of that certain 0.4 acre tract of land, more or less, out of the Wilkenson Sparks Survey No. 4 situated in Travis County, Texas, being the same tract of land described by metes and bounds under "Second Tract" in deed dated July 24, 2002, to Robert E. Price, Trustee of the Westlake Cove Apartments Trust recorded under Document No. 2002152483 of the Official Public Records of Travis County, Texas.

FILED AND RECORDED
OFFICIAL PUBLIC RECORDS



Dana DeBeauvoir

Dana DeBeauvoir, County Clerk
Travis County, Texas

Dec 23, 2019 09:30 AM Fee: \$42.00

2019201355

Electronically Recorded

This page is
intentionally added for
electronic file stamp.

SPECIAL WARRANTY DEED

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

THE STATE OF TEXAS §
 § KNOW ALL PERSONS BY THESE PRESENTS:
 COUNTY OF TRAVIS §

THAT **BRIAN S. VAN DE MARK**, an individual residing in Chester, Maryland ("Grantor") whose mailing address is 1622 Bayside Drive, Chester, Maryland 21619, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable consideration to Grantor in hand paid by **BV AUSTIN APARTMENTS, LLC**, a Texas limited liability company ("Grantee"), the receipt and sufficiency of which consideration is hereby acknowledged and confessed, subject to all of the matters set forth or referred to herein, has GRANTED, SOLD, AND CONVEYED and by these presents does GRANT, SELL, AND CONVEY unto Grantee an undivided 33.33 percent interest in those two (2) certain tracts or parcels of land, with Tract 1 containing approximately 1.98 acres and Tract 2 containing approximately 0.40 acres, both lying and being situated in the State of Texas and County of Travis, being more particularly described on **Exhibit "A"** attached hereto and made a part hereof for all purposes (collectively, the "**Property**"), together with (a) all improvements thereon, (b) all rights and appurtenances belonging or pertaining thereto, (c) all right, title and interest of Grantor in and to all strips, gores, easements, leases, rights of ingress or egress, streets, alleys and other rights-of-way abutting, adjoining or benefiting such land or improvements, and (d) all right, title and interest of Grantor in and to all applications, permits, plats, plans, governmental approvals, soils and engineering reports, reimbursements for costs or fees paid relating to such land, development fees, development fee waivers or credits or other entitlements from any applicable governmental authority

relating to such land, utility service commitments or allocations, and all other rights and benefits relating to the development of such land.

THIS CONVEYANCE is made and accepted subject to any and all matters, restrictions, covenants, conditions, ordinances, rights of way, easements, shortages in area, matters shown on surveys, maps or plats, maintenance charges and the lien securing said charges, and all outstanding mineral and royalty interests, if any, affecting the Property, filed of public record in the office of the County Clerk of Travis County, Texas to the extent, but only to the extent, the same are now in force and effect and relate to the Property.

TO HAVE AND TO HOLD the Property, together with all and singular the rights and appurtenances thereto in any wise belonging unto Grantee and Grantee's successors and assigns, forever; and, subject to all of the matters set forth or referred to herein, Grantor does hereby bind itself and its successors to **WARRANT and FOREVER DEFEND** all and singular the Property unto Grantee and Grantee's successors and assigns, against every person whomsoever lawfully claiming or to claim the same, or any part thereof, by, through, or under Grantor, but not otherwise.

AD VALOREM TAXES with respect to the Property for the current year have been prorated as of the date hereof and Grantee assumes and agrees to pay the same.

EXECUTED effective as of the 3rd day of December, 2019.

Brian S. Van De Mark

Brian S. Van De Mark

THE STATE OF MARYLAND §
COUNTY OF QUEEN ANNE'S §

BEFORE ME, the undersigned authority, on this day personally appeared Brian S. Van De Mark, known to me to be the person whose name is subscribed to the foregoing instrument, and he acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE on this the 18th day of December, 2019.

STAMP NAME AND DATE OF EXPIRATION OF COMMISSION BELOW: 4-24-2021

AFTER RECORDING RETURN TO:

Craig M. Van De Mark
3865 Chevy Chase Drive
Houston, Texas 77019

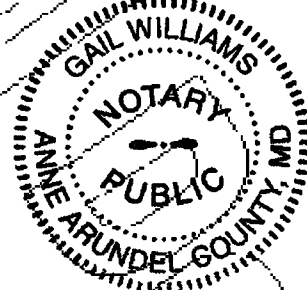


EXHIBIT "A"**Legal Description of the Property**

TRACT 1: Lot 1 of WESTLAKE COVE ADDITION, a subdivision in Travis County, Texas, according to the map or plat thereof, recorded in Volume 82, Page 41 of the Plat Records of Travis County, Texas. Said Plat corrected as to surveyor's notes by instrument recorded in Volume 13020, page 284 of the Real Property Records of Travis County, Texas.

TRACT 2: Being all of that certain 0.4 acre tract of land, more or less, out of the Wilkenson Sparks Survey No. 4 situated in Travis County, Texas, being the same tract of land described by metes and bounds under "Second Tract" in deed dated July 24, 2002, to Robert E. Price, Trustee of the Westlake Cove Apartments Trust recorded under Document No. 2002152483 of the Official Public Records of Travis County, Texas.

Informational Statement

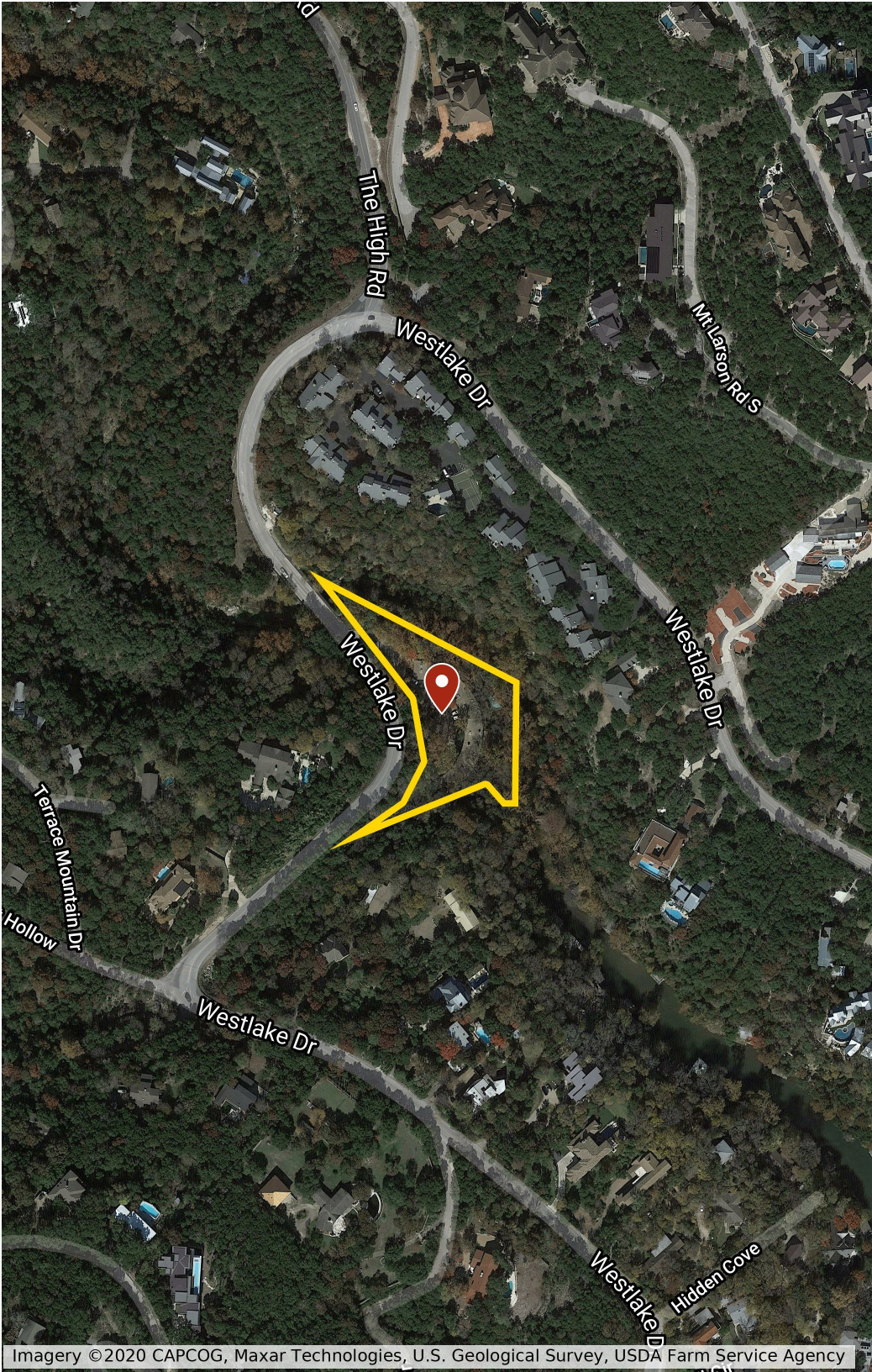
1. The proposed PD District is compatible with the City's Comprehensive Plan in that it retains the current base zoning district classification of R-3 and maintains the use as a low-density multi-family project, without increasing impervious cover or reducing building setbacks. This is accomplished while providing for private covered parking for each unit, designated visitor parking, and code compliant fire department emergency access and turnaround capability.
2. The total acreage of the proposed PD District is 1.948 acres.
3. The development will consist of one 3-story residential building and one 4-story residential building which will be built out in its entirety in one phase.
4. An aerial photograph with the boundaries of the PD Master Plan is attached hereto.

1801 Westlake Drive Aerial Map

Untitled layer

-  1801 Westlake Drive
-  1801 Westlake Dr

Aerial View with Boundaries



ORDINANCE NO _____

PLANNED DEVELOPMENT DISTRICT #6:

Lago Creek

AN ORDINANCE ENACTING CHAPTER 38, ARTICLE 38.03, DIVISION 2, SECTION 38.03.47 OF THE WEST LAKE HILLS CODE OF ORDINANCES; ESTABLISHING PLANNED DEVELOPMENT DISTRICT NUMBER 6; DESIGNATING THE ZONING OF SUCH PROPERTY AS A PLANNED DEVELOPMENT DISTRICT; APPROVING A PD MASTER PLAN; APPROVING DEVELOPMENT STANDARDS AND CONTAINING OTHER PROVISIONS RELATING TO THE PLANNED DEVELOPMENT DISTRICT; PROVIDING A REPEALER AND SAVINGS CLAUSE, SEVERABILITY CLAUSE; AND PENALTY CLAUSE; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City of West Lake Hills (the "City") previously adopted Article 38.06 of the City Code, the City's Planned Development District Ordinance (the "PD District Ordinance"), which provides standards and procedures for the legislative creation of specialized zoning districts crafted specifically for certain land endeavors (each, a "PD District"); and

WHEREAS, 1801 Westlake Drive Venture, LLC and BV Austin Apartments, LLC (the "Property Owner") has applied to the City for the creation of a PD District over the 2.3352 acres consisting of two (2) tracts of land at 1801 Westlake Drive, West Lake Hills, Texas, Travis County, described as follows:

Tract 1: Lot 1 of WESTLAKE COVE ADDITION, a subdivision in Travis County, Texas, according to the map or plat thereof, recorded in Volume 82, Page 41 of the Plat Records of Travis County, Texas. Said Plat corrected as to surveyor's notes by instrument recorded in Volume 13020, Page 284 of the Real Property Records of Travis County, Texas.

Tract 2: Being all of that certain 0.4 acre tract of land, more or less, out of the Wilkenson Sparks Survey No. 4 situated in Travis County, Texas, being the same tract of land described by metes and bounds under "Second Tract" in deed dated July 24, 2002, to Robert E. Price, Trustee of the Westlake Cove Apartments Trust recorded under Document No. 2002152483, of the Official Public Records of Travis County, Texas.

(See *Exhibit "A"* to *Attachment "A"* to this Ordinance) (the "Property"); and

WHEREAS, in support of its application for the development of a condominium on the Property (the "Project"), the Property Owner has submitted to the City the proposed PD

Master Plan attached as **Exhibit "B"** to **Attachment "A"** to this ordinance (the "PD Master Plan"), an information statement, the proposed PD district development standards, and other information required by the City's PD District Ordinance; and

WHEREAS, the proposed changes were reviewed by City staff, including the City's Land Planner, with the consensus being that the proposed changes are reasonable under the circumstances and consistent with Article 38.06 and the PD Master Plan; and

WHEREAS, the City's Building Design Committee reviewed proposal in its early stages; and

WHEREAS, after public notice as required by law, a public hearing was held before the Zoning and Planning Commission (ZAPCO) on _____, at which public testimony was received and information was considered for and against proposed changes in certain zoning classifications; and

WHEREAS, after public notice and public hearing on the proposal, ZAPCO recommended approval of the proposed changes; and

WHEREAS, pursuant to Chapter 211 of the Texas Local Government Code, the City has the authority to zone and rezone property; and

WHEREAS, the City Council now desires to enact an ordinance approving the PD zoning, PD Development Standards, PD Master Plan, and landscape plan for the Property.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of West Lake Hills, Texas, that:

1. DEFINITIONS

The following words, terms, and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning. Terms not defined in this section shall have the meaning customarily assigned to them.

- A. *City.* The City of West Lake Hills, an incorporated municipality located in Travis County, Texas.
- B. *City's Code of Ordinances (Code of Ordinances).* Shall mean the City of West Lake Hills, Texas, adopted Code of Ordinances as adopted or may be amended.
- C. *Development Approvals.* Applications for permits for the Project, including but not limited to building permits, site plan, plats, tree removal permits, which are submitted in conformance with the PD Master Plan, Code of Ordinances, and this Planned Development District.
- D. *Drainage Easement.* Zone reserved for unobstructed drainage flow purposes that may be amended from time to time upon recommendation of the City engineer and approval by the

Zoning & Planning Commission and City Council, provided the area remaining reserved for such purpose is adequate to contain the stormwater runoff.

- E. *Effective Date*. The date upon which this Ordinance is approved by City Council.
- F. *Condominium Owners Association*. A homeowners' or property owners' association established by condominium declarant, as a permanent entity to support long term property maintenance interests of the site. Among these interests will be management of assessments, maintenance over general common areas, and review and approval of all repairs or remodeling to any units.
- G. *PD Master Plan*. A development plan that serves as the basis for the enactment of a planned development district. The plan may be for one or more lots. The plan depicts the existing and proposed conditions of the lot, including: water features; landscaping and open spaces; walkways, means of ingress and egress; circulation; utility services; structures and buildings; signs and lighting; screening devices; and any other information required by the City's Code of Ordinances. A PD Master Plan is not required to have an engineer's seal.
- H. *Property Owner*. Any part owner, joint owner, tenant in common, tenant in partnership, joint tenant or tenant by the entirety of the whole or part of a structure, building or land.

2. FINDINGS OF FACT

The foregoing recitals are incorporated into this Ordinance by reference as findings of fact as if expressly set forth herein.

3. ENACTMENT

- A. **Codification**. Chapter 38, Article 38.03, Division 2, Section 38.03.47 of the City of West Lake Hills Code of Ordinances is hereby established to read in accordance with *Attachment "A"*, which is attached and incorporated into this Ordinance for all intents and purposes. Any underlined text shall be inserted into the Code and any struck-through text shall be deleted from the Code, as stated on *Attachment "A"*.
- B. **Zoning Map**. The official zoning map established under Section 38.03.003 of the City's Code of Ordinances is amended to reflect the zoning designations established in *Attachment "A"*.
- C. **Development Plan**: This Ordinance, together with the Attachments and related exhibits, constitutes the development plan for the PD District for the Property created by this Ordinance. All land use and development within the PD District for the Property must conform to the limitations and conditions set forth in this Ordinance, the Attachments, and related exhibits.
- D. **PD Master Plan**. The PD Master Plan attached as *Exhibit "B"* to *Attachment "A"* is hereby approved. Permits for the Project will be issued by the City upon request for construction activities in conformance with this Ordinance, the PD Master Plan, and

Applicable regulations.

- E. Application Regulations.** Except as otherwise specifically provided by this Ordinance, the Attachments, and related exhibits, the Project is subject to all provisions of the City's Code of Ordinances in effect on the date of the City's receipt of a complete application for a permit required by the Code of Ordinances. To the extent any provision of this Ordinance or the Attachments and related exhibits conflict with any provision of the Code of Ordinances or any related regulations, the provisions of this Ordinance, the Attachments, and related exhibits will control.
- F. Variances.** To the extent specific, enumerated provisions of this Ordinance vary from particular provisions of the Code of Ordinances, the approval of this Ordinance, the Attachments, and the related exhibits will be deemed to constitute the approval of variances from those conflicting provisions of the Code of Ordinances.
- G. Attachments and Exhibits.** The following Attachments and their related exhibits are incorporated into this Ordinance in their entirety, as though set forth fully in the text of this Ordinance:

Attachment A: Chapter 38, Article 38.03, Division 2, Section 38.03.47, Code of Ordinances, with the following exhibits:

Exhibit A: Survey

Exhibit B: PD Master Plan

Exhibit C: Variance and Code Deviations Chart

4. REPEALER

All ordinances, resolutions, or parts thereof, that are in conflict or inconsistent with any provision of this Ordinance are hereby repealed as applied to this Project, to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters regulated, herein.

5. SEVERABILITY

Should any of the clauses, sentences, paragraphs, sections or parts of this Ordinance be deemed invalid, unconstitutional, or unenforceable by a court of law or administrative agency with jurisdiction over the matter, such action shall not be construed to affect any other valid portion of this Ordinance.

6. CODIFICATION

The City Secretary is hereby directed to record and publish the attached rules, regulations and policies in the City's Code of Ordinances as authorized by Section 52.001 of the Texas Local Government Code.

7. EFFECTIVE DATE

This Ordinance shall be effective immediately upon passage and publication.

8. ENFORCEMENT

The provisions of this Ordinance may be enforced through civil and criminal means in accordance with the Code of Ordinances and state law.

9. PROPER NOTICE AND MEETING

It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public, and that public notice of the time, place and purpose said meeting was given as required by the Open Meetings Act, chapter 551 of the Texas Government Code. Notice was also provided as required by chapter 52 of the Texas Local Government Code.

PASSED & APPROVED this, the _____ day of _____, 2020, by a vote of ____ (ayes) to ____ (nays) to ____ (abstentions) of the City Council of West Lake Hills, Texas.

CITY OF WEST LAKE HILLS:

By: _____
Linda Anthony, Mayor

By: _____
Stephanie Mills, City Secretary

Attachment "A"

City of West Lake Hills
Code of Ordinances
CHAPTER 38: ZONING
ARTICLE 38.03: ZONING DISTRICTS
DIVISION 1. GENERALLY
Sec. 38.03.001 Classification of districts

The city is hereby divided into the following zoning districts:

<u>Abbreviated</u>	<u>Zoning District Designation</u>
R-1	One-Family Residential
R-2	Two-Family Residential
R-3	Transitional Residential
O	Professional and Business Office
B-1	Business 1
B-2	Business 2
B-3	Business 3
GUI	Government, Utility and Institutional
MU1	Mixed Use 1
CO	Conditional Overlay
PDD #1	Planned Development District Number 1
PDD #2	Planned Development District Number 2
PDD #3	Planned Development District Number 3
PDD #4	Planned Development District Number 4
PDD #5	Planned Development District Number 5
<u>PDD #6</u>	<u>Planned Development District Number 6</u>

DIVISION 2. USE REGULATIONS

Sec.38.03.047 PDD #6 Planned Development District Number

(a) Applicability. This section shall apply solely to the following tracts, which shall herein be referred to collectively as the Property:

Tract 1: Lot 1 of WESTLAKE COVE ADDITION, a subdivision in Travis County, Texas, according to the map or plat thereof, recorded in Volume 82, Page 41 of the Plat Records of Travis County, Texas. Said Plat corrected as to surveyor's notes by instrument recorded in Volume 13020, Page 284 of the Real Property Records of Travis County, Texas.

Tract 2: Being all of that certain 0.4 acre tract of land, more or less, out of the Wilkenson Sparks Survey No. 4 situated in Travis County, Texas, being the same tract of land described by metes and bounds under "Second Tract" in deed dated July 24, 2002, to Robert E. Price, Trustee of the Westlake Cove Apartments Trust recorded under Document No. 2002152483, of the Official Public Records of Travis County, Texas.

(b) Development Approvals. Applications for permits for the Project (including but not limited to Building Permits, Site Plan, Plats) shall be submitted in conformance with the Code of Ordinances, and this section (PDD #6). If there is a conflict between this section and any other rule or regulation of the city, and the conflicting rules or regulations cannot be harmonized so that both be given effect, the provisions of this section shall govern.

(c) Base Zoning District. The Property is hereby zoned PDD #6, Base District Transitional Residential (R-3), and shall hereafter be governed by the rules applying in that zoning district, as may be modified by this section.

(d) Development Standards for Property. The development regulations for Property will be consistent with those applicable to the base districts (See Sec. 38.03.047(c) above), except as otherwise provided in these development standards.

(1) Land Use. The approved use of the Property is a new 20-unit condominium project described as follows:

- (i) Building 1:** A 3-story building with 12 x 2-bedroom units. Each 2 bedroom unit will not exceed 2,100 square feet of floor area.
- (ii) Building 2:** A 4-story building with 2 x 2-bedroom and 6 x 3-bedroom units. Each 2-bedroom unit will not exceed a floor area of 2,100 square feet and each 3-bedroom unit will not exceed a floor area of 2,500 square feet.

- (2) **Height.** The maximum roof height of Building 1 will be 35 feet, and the maximum roof height of Building 2 will be 46 feet.
- (3) **Density.** The maximum number of units will be 20 units: 12 units in Building 1 and 8 units in Building 2.
- (4) **Mass.** The entire project will have a ground footprint of 19,611 square feet: 12,004 square feet in Building 1 and 7,607 square feet in Building 2.
- (5) **Parking and Access.** Access shall include a firetruck access lane and turnaround; 24 covered parking spaces for residents in Building 1 (2 spaces per unit); 16 covered parking spaces in Building 2 (2 spaces per unit); and 6 uncovered parking spaces for guests which will include 2 handicap parking spaces, one of which will be van accessible.
- (6) **Impervious Cover.** The maximum impervious cover will be 34,599 square feet (34.01%).
- (7) **Setbacks.** The footprint of the two buildings will have the following setback lines: Front street setback is 50 feet; rear setback is 40 feet along the creek; 5.5 feet on the south side; and 50 feet on the north side Property Line.
- (8) **Building Design and Construction.** All building construction will conform to the applicable technical and construction codes as adopted by the City, including the most current adopted versions of the International Building Code, Residential Code, Plumbing Code, Mechanical Code, Fuel Gas Code, Energy Conservation Code, Fire Code, and National Electric Code. The Building will likely be steel or concrete structures with primarily glass curtain walls. Both buildings will have a flat roof with a gravel or turf finish.
- (9) **Condominium Management.** A condominium declaration will be recorded; a condominium owners association will be formed; and the association's board will manage assessments, maintenance over general common areas, and review and approval of all repairs or remodeling to any units. A copy of the declaration will be made available for final approval by the City Council.

**ATTACHMENT
TO
PD MASTER PLAN**

Development Standards for Property. The development regulations for Property will be consistent with those applicable to the base districts (See Sec. 38.03.047(c)), except as otherwise provided in these development standards.

- (1) Land Use.** The approved use of the Property is a new 20-unit condominium project described as follows:

 - (i) **Building 1:** A 3-story building with 12 x 2-bedroom units. Each 2 bedroom unit will not exceed 2,100 square feet of floor area.
 - (ii) **Building 2:** A 4-story building with 2 x 2-bedroom and 6 x 3-bedroom units. Each 2-bedroom unit will not exceed a floor area of 2,100 square feet and each 3-bedroom unit will not exceed a floor area of 2,500 square feet.
- (2) Height.** The maximum height roof of Building 1 will be 35 feet, and the maximum roof height of Building 2 will be 46 feet.
- (3) Density.** The maximum number of units will be 20 units: 12 units in Building 1 and 8 units in Building 2.
- (4) Mass.** The entire project will have a ground footprint of 19,611 square feet: 12,004 square feet in Building 1 and 7,607 square feet in Building 2.
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- (7) Setbacks.** The footprint of the two buildings will have the following setback lines: Front street setback is 50 feet; rear setback is 40 feet along the creek; 5.5 feet on the south side; and 50 feet on the north side Property Line.

(8) Building Design and Construction. All building construction will conform to the applicable technical and construction codes as adopted by the City, including the most current adopted versions of the International Building Code, Residential Code, Plumbing Code, Mechanical Code, Fuel Gas Code, Energy Conservation Code, Fire Code, and National Electric Code. The Building will likely be steel or concrete structures with primarily glass curtain walls. Both buildings will have a flat roof with a gravel or turf finish.

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Waterloo Surveyors Inc.
SURVEY PLAT

EXHIBIT "A"

J13032A

TREE NOTE:

THE TREE CIRCLES SHOWN HEREON HAVE ONE (1) FOOT RADIUS DRAWN FOR EVERY ONE (1) INCH OF MEASURED TRUNK DIAMETER. GENERALLY, TRUNK DIAMETER IS MEASURED AT A DISTANCE OF 4.5 FEET ABOVE GROUND LEVEL. MULTI-TRUNK TREES ARE DISPLAYED USING THE FOLLOWING FORMULA: SUM OF THE LARGEST TRUNK + 1/2 OF THE SUM OF SMALLER TRUNKS.

TREE, DRIPLINE & NUMBER

TREES TO BE REMOVED *(#, TYPE, SIZE)*
FLAGGED TREES +(#, TYPE, SIZE)+

TREE LIST:

TYPE SIZE
21, LIVE OAK 16"
22, LIVE OAK 10"
69, SYCAMORE 17"
70, SYCAMORE 20"
71, SYCAMORE 8"
75, HACKBERRY 19" 18"
76, CHINABERRY 8"
77, ELM 9"
78, ELM 8"
79, SYCAMORE 18"
80, SYCAMORE 12"
81, SYCAMORE 14"
82, SYCAMORE 8"
83, HACKBERRY 9"
84, HACKBERRY 11"
85, HACKBERRY 11"
86, HACKBERRY 11"
87, SYCAMORE 17"
88, SYCAMORE 10"
89, ELM 16"
90, SYCAMORE 8"
104, HACKBERRY 11"
105, SYCAMORE 16"
106, ELM 8" 5"
107, ELM 9"
108, JUNIPER 9"
109, SYCAMORE 9"
110, JUNIPER 11"
111, SYCAMORE 10"
114, CHINABERRY 8"
116, SYCAMORE 9"
117, JUNIPER 9"
118, CHINABERRY 8"
152, SYCAMORE 9" 5"
157, SYCAMORE 11"
164, SYCAMORE 9"
168, ELM 12" 7"
+190, ELM 17" 16" 13" +
+197, ELM 25" 22" +*
217, HACKBERRY 8"
219, SYCAMORE 24"
220, SYCAMORE 13"
221, ELM 11"
222, SYCAMORE 11"
223, HACKBERRY 9"
224, SYCAMORE 18"
225, SYCAMORE 20"
226, ELM 13"
227, ELM 11" 8"
228, SYCAMORE 14"
229, SYCAMORE 12"
230, HACKBERRY 10"
232, CYPRESS 17"
233, SYCAMORE 9"
234, SYCAMORE 26"
235, SYCAMORE 19"

TREE LIST: (cont.)

TYPE SIZE
236, SYCAMORE 11"
237, ELM 10"
238, SYCAMORE 12"
240, SYCAMORE 17"
242, SYCAMORE 8"
251, SYCAMORE 13"
252, SYCAMORE 17"
+*278, ELM 20" 15" +*
+*285, ELM 24" +*
306, SYCAMORE 16"
313, ELM 15"
315, ELM 13"
321, SYCAMORE 17"
+357, ELM 8" 8" 7" 5" 9" +
+358, ELM 20" +
359, SYCAMORE 17"
360, SYCAMORE 13" 10"
361, HACKBERRY 10"
362, SYCAMORE 32"
363, HACKBERRY 10"
364, SYCAMORE 12"
365, SYCAMORE 25"
373, SYCAMORE 12"
374, SYCAMORE 14"
375, ELM 8"
384, SYCAMORE 10"
385, SYCAMORE 9"
388, ELM 25"
389, ELM 11"
+404, ELM 27" +
406, LIGUSTRUM 9"
407, ELM 18"
408, ELM 12"
409, ELM 10"
410, ELM 12"
412, SYCAMORE 18"
413, LIGUSTRUM 9" 7"
414, ELM 13"
415, SYCAMORE 29"
422, SYCAMORE 14"
425, SYCAMORE 20"
+430, SYCAMORE 24" +
439, SYCAMORE 21"
441, SYCAMORE 19"
452, SPANISH OAK 14"
454, JUNIPER 13"
455, JUNIPER 13"
+*457, ELM 22" 17" +*
460, HACKBERRY 21"
463, HACKBERRY 8"
466, JUNIPER 8"
467, ELM 8"
468, ELM 8" 7"
469, JUNIPER 11"
471, LIGUSTRUM 8" 4"
473, ELM 25"

TREE LIST: (cont.)

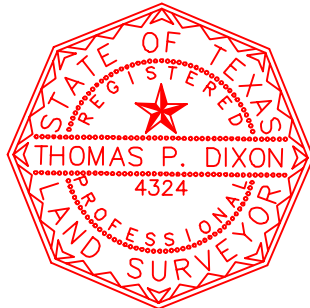
TYPE SIZE
476, ELM 17"
477, LIGUSTRUM 10"
+490, CHINABERRY 16" *
+491, CHINABERRY 17" 6" 5" +
504, ELM 10"
505, ELM 20"
507, ELM 11"
509, ELM 11"
512, ELM 19"
513, HACKBERRY 14"
514, HACKBERRY 8" 7"
515, ELM 11"
+*564, ELM 19" +*
565, ELM 8"
566, SYCAMORE 9"
567, SYCAMORE 12"
568, ELM 8"
569, ELM 8"
570, SYCAMORE 16"
571, SYCAMORE 17"
575, ELM 18"
576, ELM 15"
577, ELM 8"
578, SYCAMORE 9"
579, SYCAMORE 8"
580, ELM 17"
+583, SPANISH OAK 8" *
590, LIGUSTRUM 8"
592, HACKBERRY 8"
593, SYCAMORE 16"
596, SYCAMORE 16"
597, SYCAMORE 8"
598, ELM 9"
602, JUNIPER 8"
604, JUNIPER 8"
608, SPANISH OAK 9"
610, SPANISH OAK 8" 7"
611, JUNIPER 10"
613, JUNIPER 11"
634, JUNIPER 10" 6" 5"
635, JUNIPER 10"
642, LIGUSTRUM 9" 5"
643, LIGUSTRUM 9" 7" 4"
644, ASH 9"
646, ELM 19"

TREE LIST: (cont.)

TYPE SIZE
655, HACKBERRY 11
656, CREPE MYRTLE 8 6
657, CREPE MYRTLE 12
658, SYCAMORE 7
659, JUNIPER 6
660, CHINABERRY 4
661, HACKBERRY 4
662, dead SYCAMORE 4
663, CHINABERRY 6
664, ELM 5
665, ELM 4
666, CHINABERRY 4
667, CREPE MYRTLE 6
668, tree 3 3 3 2
669, SYCAMORE 14
670, RED OAK 8
671, PALM 6 4
672, dead SYCAMORE 4
673, SYCAMORE 14
674, LIGUSTRUM 3 3 2 2 2 2
675, LOQUAT 6
676, CREPE MYRTLE 2 2 2
677, LOQUAT 5
678, JUNIPER 6
679, HACKBERRY 6
680, JUNIPER 6
681, SPANISH OAK 8
682, LOQUAT 5 4
683, JUNIPER 7 3
684, SPANISH OAK 4
685, JUNIPER 5
686, JUNIPER 8
687, HACKBERRY 5
689, LIGUSTRUM 7
690, SYCAMORE 20 5
691, SYCAMORE 20

SCALE
1" = 40'

LEGEND
FOUND 1/2" IRON ROD FIRC
FOUND "X" FNDX
FOUND 1/2" IRON ROD W/CAP FIRC
WOOD FENCE ————
WROUGHT IRON FENCE —X—X—
GUARD RAIL —X—X—
WATER METER (W)
UTILITY POLE & ELECTRIC LINE
CLEANOUT (C)
(RECORD)



State of Texas:
County of Travis:

Thomas P. Dixon R.P.L.S. 4324
FIRM #10124400

The undersigned does hereby certify that this survey was this day made on the property legally described hereon and is correct, and this survey substantially complies with the current Texas Society of Professional Surveyors Standards and Specifications for a Category 5 6 Conditions II Survey.

And I certify that the property shown hereon IS PARTIALLY within a special flood hazard area as identified by the Federal Insurance Adm. Department of HUD Flood hazard boundary map revised as per Map Number: 48453C0445J, Zone: A & AE, Dated: 1/6/216.

Dated this the 3rd day of NOVEMBER, 2011.
Tree & topography added this the 4th day of JUNE, 2018.
Trees updated this the 5th day of AUGUST, 2020.

OWNER:
1801 WESTLAKE DRIVE VENTURE, LLC

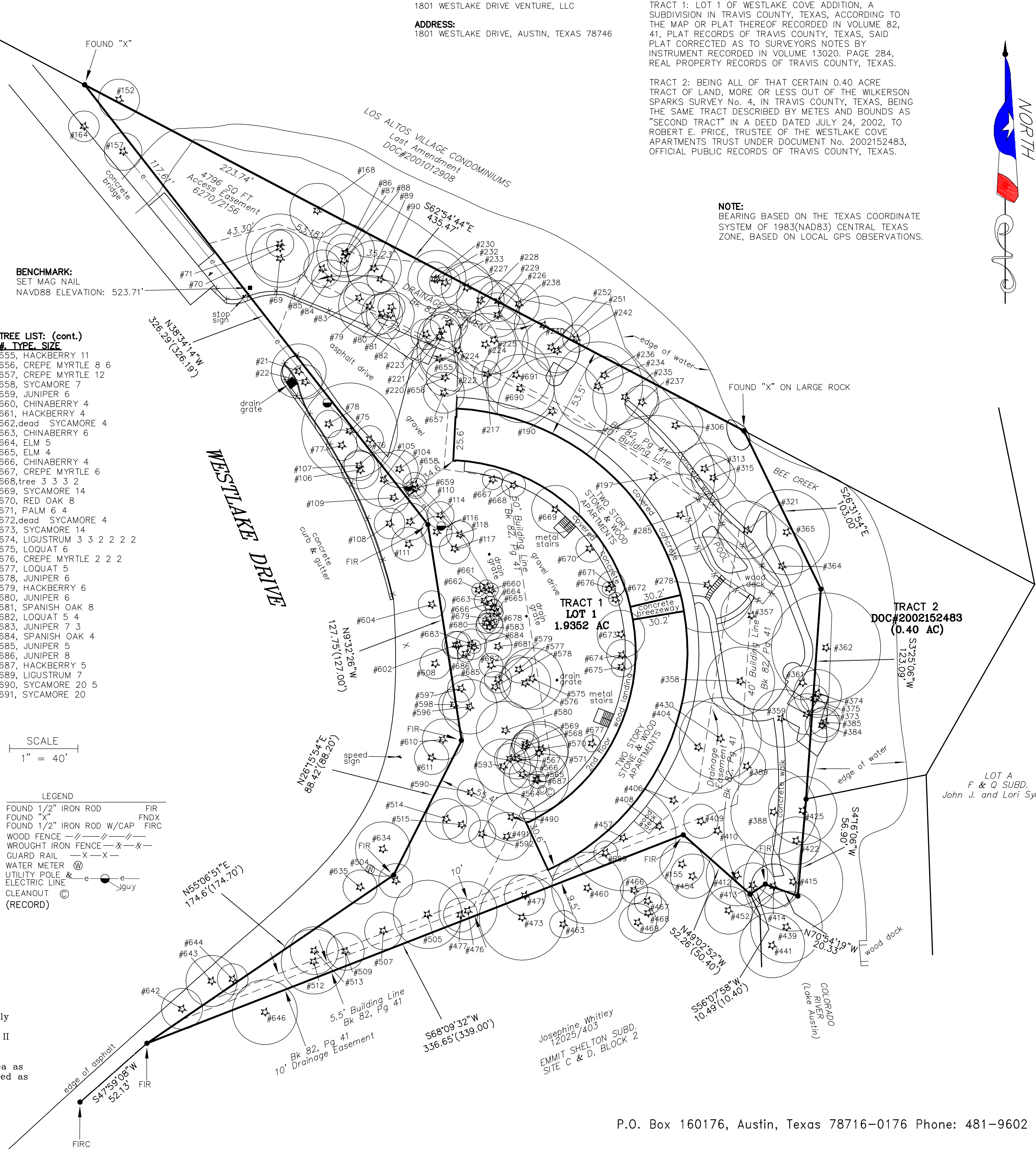
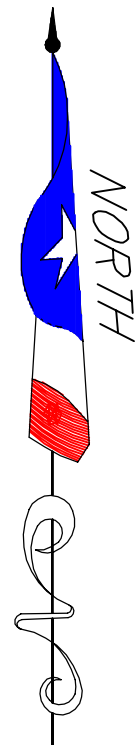
ADDRESS:
1801 WESTLAKE DRIVE, AUSTIN, TEXAS 78746

LEGAL DESCRIPTION:

TRACT 1: LOT 1 OF WESTLAKE COVE ADDITION, A SUBDIVISION IN TRAVIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 82, 41, PLAT RECORDS OF TRAVIS COUNTY, TEXAS, SAID PLAT CORRECTED AS TO SURVEYORS NOTES BY INSTRUMENT RECORDED IN VOLUME 13020. PAGE 284, REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS.

TRACT 2: BEING ALL OF THAT CERTAIN 0.40 ACRE TRACT OF LAND, MORE OR LESS OUT OF THE WILKERSON SPARKS SURVEY No. 4, IN TRAVIS COUNTY, TEXAS, BEING THE SAME TRACT DESCRIBED BY METES AND BOUNDS AS "SECOND TRACT" IN A DEED DATED JULY 24, 2002, TO ROBERT E. PRICE, TRUSTEE OF THE WESTLAKE COVE APARTMENTS TRUST UNDER DOCUMENT No. 2002152483, OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS.

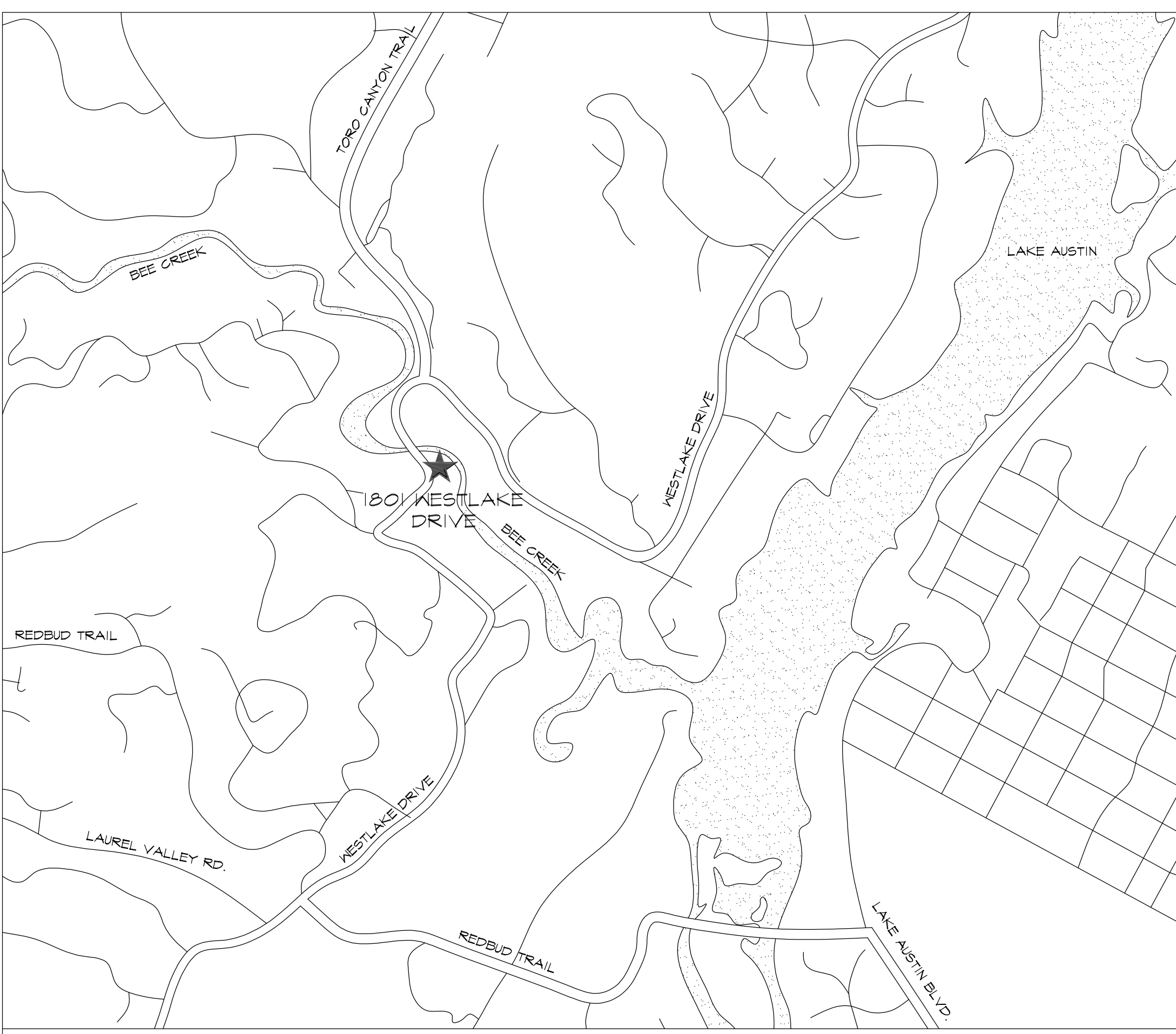
NOTE:
BEARING BASED ON THE TEXAS COORDINATE SYSTEM OF 1983(NAD83) CENTRAL TEXAS ZONE, BASED ON LOCAL GPS OBSERVATIONS.



P.O. Box 160176, Austin, Texas 78716-0176 Phone: 481-9602

Copyright 2020

TREE LIST							
#	TYPE	SIZE		#	TYPE	SIZE	
21	LIVE OAK	16"		236	SYCAMORE	11"	
22	LIVE OAK	10"		237	ELM	10"	
69	SYCAMORE	17"		238	SYCAMORE	12"	
70	SYCAMORE	20"		240	SYCAMORE	17"	
71	SYCAMORE	8"		242	SYCAMORE	8"	
75	HACKBERRY	18"18"		251	SYCAMORE	13"	
76	HACKBERRY	8"		252	SYCAMORE	17"	
77	ELM	9"		278	ELM	20"15"	
78	ELM	8"		283	ELM	24"	
79	SYCAMORE	18"		306	SYCAMORE	16"	
80	SYCAMORE	12"		313	ELM	15"	
81	SYCAMORE	14"		315	ELM	13"	
82	SYCAMORE	8"		321	SYCAMORE	17"	
83	HACKBERRY	9"		357	ELM	8"8"7"5"9"	
84	HACKBERRY	11"		358	ELM	20"	
85	HACKBERRY	11"		359	SYCAMORE	17"	
86	HACKBERRY	11"		360	SYCAMORE	13"10"	
87	SYCAMORE	17"		361	HACKBERRY	10"	
88	SYCAMORE	10"		362	SYCAMORE	32"	
89	ELM	16"		363	HACKBERRY	10"	
90	SYCAMORE	8"		364	SYCAMORE	12"	
104	HACKBERRY	11"		365	SYCAMORE	25"	
105	SYCAMORE	16"		373	SYCAMORE	12"	
106	ELM	8"5"		374	SYCAMORE	14"	
107	ELM	9"		375	ELM	8"	
108	JUNIPER	9"		384	SYCAMORE	10"	
109	JUNIPER	9"		385	SYCAMORE	9"	
110	JUNIPER	11"		388	ELM	25"	
111	SYCAMORE	10"		389	ELM	11"	
114	SYCAMORE	9"		404	ELM	27"	
116	SYCAMORE	9"		406	LIGUSTRUM	9"	
117	JUNIPER	9"		407	ELM	12"	
118	CHINABERRY	9"		408	ELM	12"	
152	SYCAMORE	9"5"		409	ELM	10"	
157	SYCAMORE	11"		410	ELM	12"	
164	SYCAMORE	9"		412	SYCAMORE	18"	
168	ELM	12"7"		413	LIGUSTRUM	9"7"	
190	ELM	17"16"13"		414	ELM	13"	
191	ELM	25"22"		415	SYCAMORE	29"	
217	HACKBERRY	8"		422	SYCAMORE	14"	
219	SYCAMORE	24"		423	SYCAMORE	20"	
220	SYCAMORE	13"		430	SYCAMORE	24"	
221	ELM	11"		439	SYCAMORE	21"	
222	SYCAMORE	11"		441	SYCAMORE	19"	
223	HACKBERRY	9"		452	SPANISH OAK	14"	
224	SYCAMORE	18"		454	JUNIPER	13"	
225	SYCAMORE	20"		455	JUNIPER	13"	
226	ELM	13"		457	ELM	22"17"	
227	ELM	11"8"		460	HACKBERRY	21"	
228	SYCAMORE	14"		463	HACKBERRY	8"	
229	SYCAMORE	12"		465	JUNIPER	8"	
230	HACKBERRY	10"		467	ELM	8"	
232	CYPRESS	17"		468	ELM	8"7"	
233	SYCAMORE	9"		469	JUNIPER	11"	
234	SYCAMORE	26"		471	LIGUSTRUM	8"4"	
235	SYCAMORE	19"		473	ELM	25"	
476	ELM	17"		666	CHINABERRY	4"	
477	LIGUSTRUM	10"		667	CREPE MYRTLE	6"	
480	CHINABERRY	14"		668	tree	3"3"3"2"	
481	CHINABERRY	14"		669	SYCAMORE	8"	
504	ELM	10"		670	RED OAK	8"	
505	ELM	20"		671	PALE	6"4"	
507	ELM	11"		672	SYCAMORE (DEAD)	4"	
509	ELM	11"		673	SYCAMORE	14"	
512	ELM	19"		674	LIGUSTRUM	3"2"2"2"	
513	HACKBERRY	14"		675	LOQUAT	6"	
514	HACKBERRY	8"7"		676	CREPE MYRTLE	2"2"2"	
515	ELM	11"		677	LOQUAT	5"	
564	ELM	19"		678	JUNIPER	6"	
565	ELM	8"		679	HACKBERRY	6"	
566	ELM	9"		680	JUNIPER	6"	
567	SYCAMORE	12"		681	SPANISH OAK	6"	
568	ELM	8"		682	JUNIPER	5"4"	
569	ELM	8"		683	JUNIPER	7"3"	
570	SYCAMORE	17"		684	SPANISH OAK	4"	
571	SYCAMORE	17"		685	JUNIPER	5"	
575	ELM	18"		686	JUNIPER	5"	
576	ELM	13"		687	HACKBERRY	5"	
577	ELM	8"		689	LIGUSTRUM	7"	
578	SYCAMORE	9"		690	SYCAMORE	20"5"	
579	SYCAMORE	8"		691	SYCAMORE	20"	
580	ELM	17"					
583	SPANISH OAK	8"					
590	LIGUSTRUM	8"					
592	HACKBERRY	8"					
593	SYCAMORE	16"					
596	SYCAMORE	16"					
597	SYCAMORE	8"					
598	ELM	9"					
602	JUNIPER	8"					
604	JUNIPER	8"					
605	SPANISH OAK	8"					
606	SPANISH OAK	8"7"					
610	SPANISH OAK	10"					
611	JUNIPER	10"					
613	JUNIPER	11"					
634	JUNIPER	10"6"5"					
635	JUNIPER	10"					
636	LIGUSTRUM	9"5"					
643	LIGUSTRUM	9"7"4"					
644	ASH	9"					
646	ELM	19"					
655	HACKBERRY	11"					
656	CREPE MYRTLE	8"6"					
657	CREPE MYRTLE	12"					
658	SYCAMORE	7"					
659	JUNIPER	6"					
660	CHINABERRY	4"					
661	HACKBERRY	4"					
662	SYCAMORE (DEAD)	4"					
663	CHINABERRY	6"					
664	ELM	5"					
665	ELM	4"					



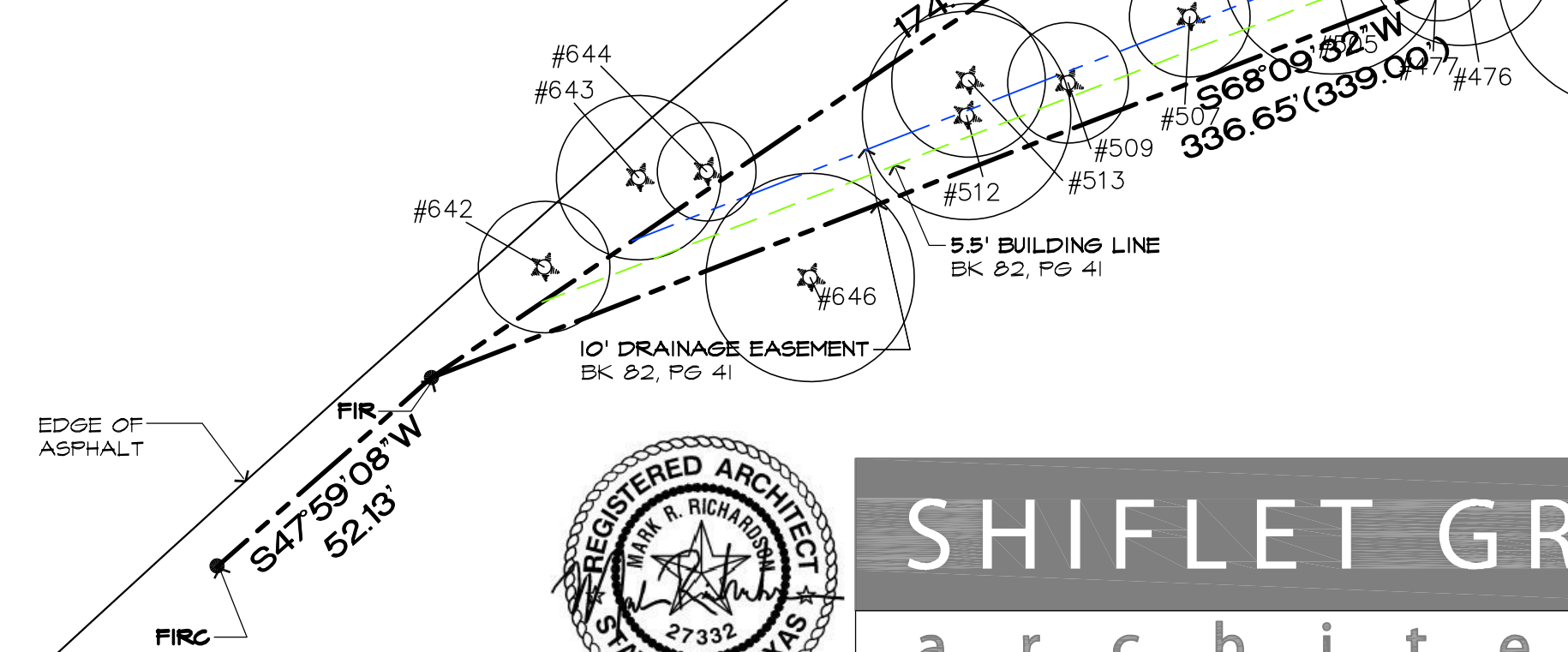
VICINITY MAP
SCALE: NOT TO SCALE

ZONING/USE
ZONING: R-3, TRANSITIONAL
CURRENT USE: TRANSITIONAL HOUSING,
MULTI-FAMILY RESIDENTIAL
PROPOSED USE: TRANSITIONAL HOUSING,
MULTI-FAMILY RESIDENTIAL

TREE NOTES
THE TREE CIRCLES SHOWN HEREON HAVE ONE (1) FOOT RADIUS DRAWN FOR EVERY ONE (1) INCH OF MEASURED TRUNK DIAMETER. GENERALLY, TRUNK DIAMETER IS MEASURED AT A DISTANCE OF 4.5 FEET ABOVE GROUND LEVEL. MULTI-TRUNK TREES ARE DISPLAYED USING THE FOLLOWING FORMULA: SUM OF THE LARGEST TRUNK + 1/2 OF THE SUM OF SMALLER TRUNKS.

LEGEND
FOUND 1/2" IRON ROD
FOUND "X"
FOUND 1/2" IRON ROD W/ CAP
WATER METER
UTILITY POLE & ELECTRIC LINE
CLEANOUT (RECORD)
BUILDING SETBACK
DRAINAGE EASEMENT
FLOODPLAIN
FIR
FNDX
FIRC
3/4"

LEGAL DESCRIPTION
LEGAL DESCRIPTION:
TRACT 1, LOT 1 OF WESTLAKE COVE ADDITION, A SUBDIVISION IN TRAVIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 82, 41, PLAT RECORDS OF TRAVIS COUNTY, TEXAS, SAID PLAT CORRECTED AS TO SURVEYORS NOTES BY INSTRUMENT RECORDED IN VOLUME 13020, PAGE 284, REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS.
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NOTE:
BEARING BASED ON THE TEXAS COORDINATE SYSTEM OF 1983(NAD83) CENTRAL TEXAS ZONE, BASED ON LOCAL GPS OBSERVATIONS.



SHIFLET GROUP
architects
100 Westlake Drive Austin, Texas info@sgaustin.com 512.328.2955

LAGO CREEK
PD MASTER PLAN
1801 Westlake Dr. Austin, Texas 78746
1801 Westlake Drive Venture, LLC
DRAWN BY: DW
CHECKED BY:
DATE: 9-14-2020

SITE PLAN
W/ TREES
A-1

SITE ANALYSIS:	
BUILDING COVERAGE:	
BUILDING 1:	12,004 S.F.
BUILDING 2:	7,607 S.F.
TOTAL BUILDING COVERAGE:	19,611 S.F.
IMPERVIOUS COVER:	
BUILDING 1:	12,004 S.F.
BUILDING 2:	7,607 S.F.
HARDSCAPE:	10,724 S.F.
TOTAL PROPOSED:	33,068 S.F.
TOTAL EXISTING:	34,599 S.F.
AREA CALCULATIONS:	
BUILDING 1:	
GROUND FLOOR A/C:	6,125 S.F.
LEVEL 1 A/C:	10,724 S.F.
LEVEL 2 A/C:	7,600 S.F.
LEVEL 3 A/C:	N/A
BUILDING 2:	
GROUND FLOOR A/C:	0 S.F.
LEVEL 1 A/C:	6,650 S.F.
LEVEL 2 A/C:	6,650 S.F.
LEVEL 3 A/C:	4,815 S.F.
TOTAL CONDITIONED AREA:	42,764 S.F.
UNIT BREAKDOWN:	
MAXIMUM 2 BED UNIT:	2,100 S.F.
MAXIMUM 3 BED UNIT:	2,500 S.F.
2 BEDROOM UNITS:	14
3 BEDROOM UNITS:	6
TOTAL PROPOSED UNITS:	20
TOTAL EXISTING UNITS:	26
PARKING BREAKDOWN:	
BUILDING 1:	
COVERED PARKING SPACES:	24
BUILDING 2:	
COVERED PARKING SPACES:	16
TOTAL COVERED PARKING SPACES:	40
GUEST PARKING (UNCOVERED):	6
TOTAL PROPOSED PARKING SPACES:	46
TOTAL EXISTING PARKING SPACES:	32

FOR REGULATORY APPROVAL ONLY

#	TYPE	SIZE	TYPE	SIZE	#	TYPE	SIZE	#	TYPE	SIZE	
21	LIVE OAK	16"	236	SYCAMORE	11"	476	ELM	17"	666	CHINA BERRY	4"
22	LIVE OAK	10"	237	ELM	10"	477	LIGUSTRUM	10"	667	CREPE MYRTLE	6"
69	SYCAMORE	17"	238	SYCAMORE	12"	440	CHINA BERRY	14"	668	tree	3'3'3'2'
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85	HACKBERRY	11"	359	SYCAMORE	20"	567	SYCAMORE	12"	681	SPANISH OAK	8"
86	HACKBERRY	11"	360	SYCAMORE	13'10"	568	ELM	8"	682	LOQUAT	5'4"
87	SYCAMORE	17"	361	HACKBERRY	10"	569	ELM	8"	683	JUNIPER	7'3"
88	SYCAMORE	10"	362	SYCAMORE	32"	570	SYCAMORE	16"	684	SPANISH OAK	4"
89	ELM	16"	363	HACKBERRY	10"	571	SYCAMORE	11"	685	JUNIPER	8"
90	SYCAMORE	8"	364	SYCAMORE	12"	315	ELM	18"	686	JUNIPER	8"
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117	JUNIPER	4"	407	ELM	18"	597	SYCAMORE	8"			
118	CHINA BERRY	8"	408	ELM	12"	598	ELM	8"			
119	SYCAMORE	4'15"	409	ELM	10"	602	JUNIPER	8"			
157	SYCAMORE	11"	410	ELM	12"	604	JUNIPER	8"			
164	SYCAMORE	9"	412	SYCAMORE	18"	608	SPANISH OAK	9"			
160	ELM	12'7"	413	LIGUSTRUM	9'17"	610	SPANISH OAK	8'7"			
162	ELM	17'16'13"	414	ELM	13"	611	JUNIPER	10"			
171	ELM	25'22'22"	415	SYCAMORE	24"	613	JUNIPER	11"			
217	HACKBERRY	8"	422	SYCAMORE	14"	634	JUNIPER	10'6'15"			
218	SYCAMORE	24"	425	SYCAMORE	20"	635	JUNIPER	10"			
220	SYCAMORE	13"	430	SYCAMORE	24"	642	LIGUSTRUM	9'5"			
221	ELM	11"	439	SYCAMORE	21"	643	LIGUSTRUM	9'17'4"			
222	ELM	11"	441	SYCAMORE	4"	644	ASH	11"			

ZONING: R-3, TRANSITIONAL
CURRENT USE: TRANSITIONAL HOUSING,
MULTI-FAMILY RESIDENTIAL
PROPOSED USE: TRANSITIONAL HOUSING.
MULTI-FAMILY RESIDENTIAL

THE TREE CIRCLES SHOWN HEREON HAVE ONE (1) FOOT RADIUS DRAWN FOR EVERY ONE (1) INCH OF MEASURED TRUNK DIAMETER. GENERALLY, TRUNK DIAMETER IS MEASURED AT A DISTANCE OF 4.5 FEET ABOVE GROUND LEVEL. MULTI-TRUNK TREES ARE DISPLAYED USING THE FOLLOWING FORMULA: SUM OF THE LARGEST TRUNK + 1/2 OF THE SUM OF SMALLER TRUNKS.

FOUND $\frac{1}{2}$ " IRON ROD
FOUND "X"
FOUND $\frac{1}{2}$ " IRON ROD W/ CAP
WATER METER
UTILITY POLE & ELECTRIC LINE
CLEANOUT (RECORD)
BUILDING SETBACK
DRAINAGE EASEMENT
FLOODPLAIN

FIR
FNDX
FIRC

Diagram showing a utility pole with a water meter and electric line, and a cleanout (record) marked with a circle and 'X'.

LEGAL DESCRIPTION:
TRACT 1, LOT 1 OF NESTLACE COVE ADDITION A
SUBDIVISION IN TRAVIS COUNTY, TEXAS, ACCORDING
TO THE MAP OR PLAT THEREOF RECORDED IN
VOLUME 82, 41 PLAT RECORDS OF TRAVIS COUNTY,
TEXAS, SAID PLAT CORRECTED AS TO SURVEYORS
NOTES BY THE COUNTY CLERK OF TRAVIS COUNTY
IN 1920, PAGE 284, REAL PROPERTY RECORDS OF
TRAVIS COUNTY, TEXAS.

TRACT 2, BEING MORE OF THAT CERTAIN 0.40 ACRE
TRACT OF LAND MORE OR LESS OUT OF THE
WILKERSON SPARKS SURVEY NO. 4, IN TRAVIS
COUNTY, TEXAS, BEING THE SAME TRACT DESCRIBED
BY METES AND BOUNDS AS "SECOND TRACT" IN A
DEED DATED JULY 24, 2002, TO ROBERT E. PRICE,
TRUST, BEING THE SAME TRACT OF LAND, TRAVIS
COUNTY, TEXAS, BEING THE SAME TRACT OF LAND
TRUST UNDER DOCUMENT NO. 2002152483, OFFICIAL
PLAT RECORDS OF TRAVIS COUNTY, TEXAS.

NOTE:
BEARINGS BASED ON THE TEXAS COORDINATE
SYSTEM OF 1983 (NAD83). CENTRAL TEXAS ZONE,
BASED ON LOCAL GPS OBSERVATIONS.

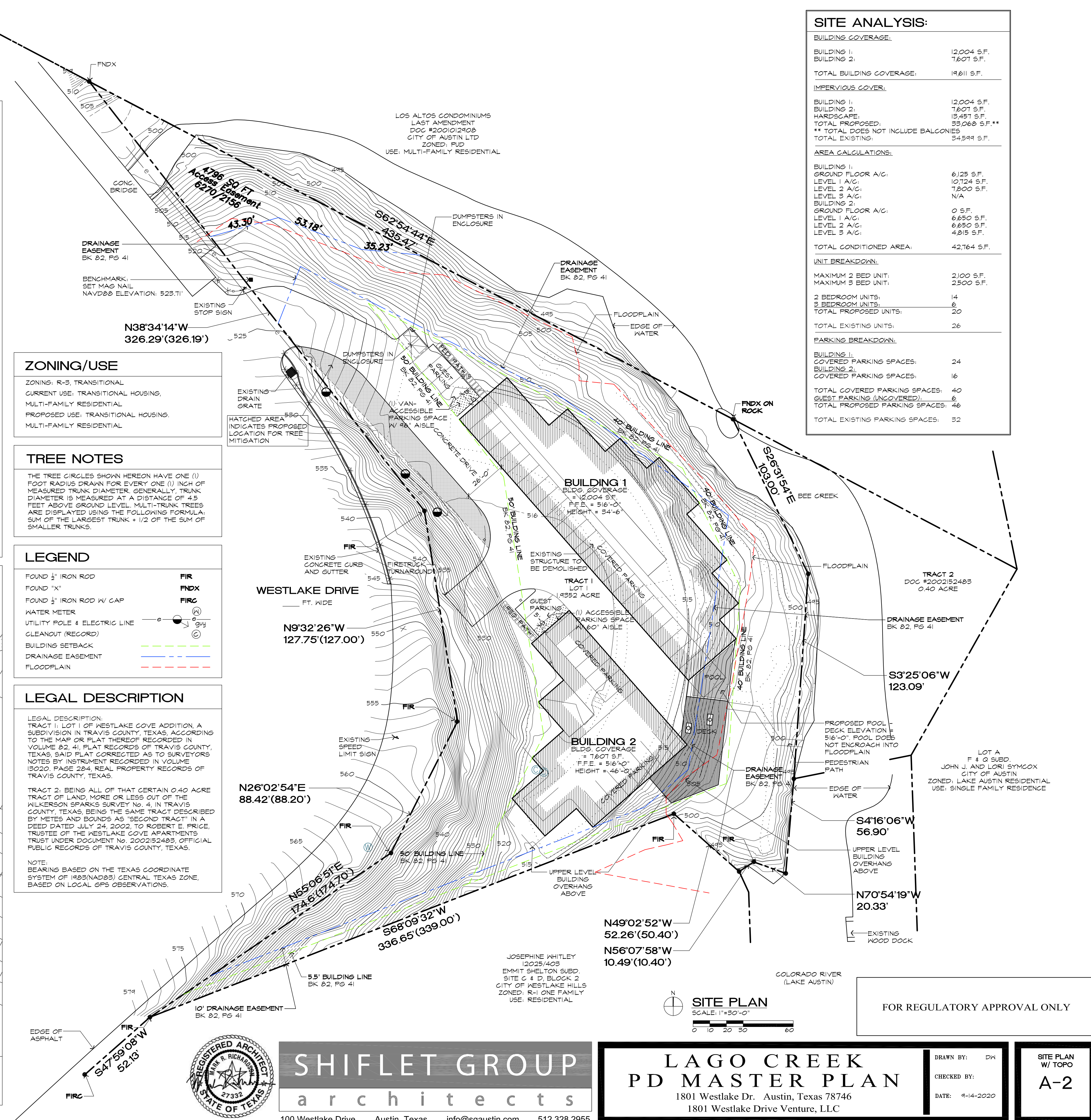


EXHIBIT “C”

VARIANCES AND CODE DEVIATIONS CHART

Variances. The following specific, enumerated provisions (“variances”) set forth in this exhibit vary from the requirements for the R-3 base zoning district. These variances have been approved by all required City Boards and Commissions and the City Council and are granted by the City with respect to the development of the project. This exhibit shall serve as guidance for the review and approval of any additional waivers, variances, exceptions, or other municipal authorizations not specifically included in this section.

CODE DEVIATIONS CHART					
	CODE DEVIATIONS	CODE REQUIREMENTS	CODE SECTION	PROPERTY LOCATION	EXPLANATION
1	Impervious Cover (IC): Proposed 33,068 SF (32.51%) (existing impervious cover is 34,599 SF (34.01%))	Maximum Impervious Cover 25%	22.03.281	Overall	Existing IC on Tract 1 is 34,599 sf (34.01%). In order for the Applicant to build a replacement residential structure meeting health and safety code, fire code, and in a financially viable manner within the existing setback lines, Applicant cannot reduce the proposed IC all the way down to current code but will not increase above existing IC.
2	Total Lot Size: 2.3352 acre Tract 1: 1.9352 acre Tract 2: .40 acre	Minimum 2 Acres for R-3	22.03.281	Overall	The two tracts combined exceed the code minimum acreage requirement in the R-3 District. The site is code compliant to the acreage requirement.
3	Building Setback: Existing 5.5 Feet from Southern (Side) Property Line	Minimum 50 feet from property line	22.03.174; 22.03.281	Southern Side	The existing site development is legal non-conforming to the setback requirement. Applicant is improving safety related requirements and redeveloping property that has exceeded its useful life without increasing the degree of non-conformity with respect to required setbacks
4	Building Setback: Existing 40 Feet from Northern (Side) Property Line	Minimum 50 feet from property line	22.03.174; 22.03.281	Northern Side	The existing site development is legal non-conforming to the setback requirement. Applicant is improving safety related requirements and redeveloping property that has exceeded its useful life without increasing the degree of non-conformity with respect to required setbacks
5	Building Setback: Existing 40 Feet from Eastern (Rear) Property Line	Minimum 50 feet from property line	22.03.174; 22.03.281	Eastern Side	The existing site development is legal non-conforming to the setback requirement. Applicant is improving safety related requirements and redeveloping property that has exceeded its useful life without increasing the degree of non-conformity with respect to required setbacks
6	Building 1 Height: Proposed not to exceed 35 feet from front elevation of its building	Maximum height is 30 feet; if slope exceeds 25%, maximum height is 32 feet	22.03.279; 22.03.281	Building 1	Because of the sloping grade and the ordinance requirement that building height be measured from the lowest grade rather than the average grade, the measured height from the rear of the building will exceed the 35 foot height at the front of the building. The increase in measured height from the rear of the building has no negative impact on surrounding property owners or from the front view from the street

CODE DEVIATIONS CHART

	CODE DEVIATIONS	CODE REQUIREMENTS	CODE SECTION	PROPERTY LOCATION	EXPLANATION
					because of its location in a hollow with steep canyon walls facing the building rear. Building Height is limited to three stories on Building 1. Building 1 is the only building visible from the driveway at the street view corridor. The four story Building 2 is hidden behind the hill fronting Westlake Drive and the canyon wall to the rear of Building 2 as was discussed with Council Members at the concept plan hearing. Roofline/eaves will overhang the two building foundations over certain façade areas. Applicant has stated that it will honor the current building setbacks and final architectural plans will incorporate this design constraint into the construction plans.
7	Building 2 Height: Proposed not to exceed 46 feet	Maximum height is 30 feet; if slope exceeds 25%, maximum height is 32 feet	22.03.279; 22.03.281	Building 2	At the 46' front elevation height, the roof of this building is almost completely screened along the road frontage by existing trees and the hillside. Because of the sloping grade and the ordinance requirement that building height be measured from the lowest grade rather than the average grade, the measured height from the rear of the building will exceed the 46 foot height measurement at the front of the building. The increase in measured height from the rear of the building has no negative impact on surrounding property owners or from the front view from the street because of its location in a hollow with steep canyon walls facing the building rear. Roofline/eaves will overhang the two building foundations over certain façade areas. Applicant has stated that it will honor the current building setbacks and final architectural plans will incorporate this design constraint into the construction plans.
8	Total Number of Dwelling Units: 20	Maximum number of dwelling units not to exceed an average of 2 single-family dwelling units per acre Transitional Residential 10 to 30 Units	22.03.174; 38.03.034	Overall	Section 38.03.034 provides that in an R-3 Transitional Residential District, apartment dwelling units between 10 and 30 units are permitted if on central sewage system in recognition of the preexisting use of the property. Because the subject property is on a central sewage system, the 20-unit plan is code compliant as an R-3 Transitional Residential District.

CODE DEVIATIONS CHART

	CODE DEVIATIONS	CODE REQUIREMENTS	CODE SECTION	PROPERTY LOCATION	EXPLANATION
9	Fire Truck Turnaround	Maximum Cut & Fill limit is 6 feet	City's Drainage & Erosion Control Manual under Section 7.4.1 and Table 7-1	Overall	Cut and fill for the fire truck turnaround could exceed 20 feet for a few lineal feet. Currently there is no code compliant emergency vehicle access to this property. The turnaround is absolutely necessary to allow fire trucks to enter and fight a fire from the access drive, and to do so, they need a turnaround.
10	Tree Removal: #197, #278, #285, #358, #490, #491, #564, #669, #673, #690 Note: species and caliper inches of each tree is identified in the Exhibit A Survey	Variance is required for removal of trees in excess of 14" caliper or greater	22.03.304	Overall	The tree survey lists over 190 trees, 3" or larger. Only 36 of those trees are proposed to be removed. The described ten trees 14" caliper inches or larger include five large Elm trees ranging from 19" to 25" caliper, two 14" China Berries, and three Sycamores ranging from 14" to 20.5" caliper inches. A number of the Elm trees to be removed currently have major limbs which overhang the existing building and present a potential safety hazard from storm related falling limbs or a brush fire which could engulf trees and spread to the occupied structure under their canopy. Applicant proposes mitigation for the trees removed in accordance with the City's mitigation formula.
11	Tree Removal: #406, #583, #655, #656, #657, #660, #661, #662, #663, #664, #665, #666, #667, #668, #670, #671, #672, #674, #675, #676, #677, #678, #679, #680, #687, #689 Note: species and caliper inches of each tree is identified in the Exhibit A Survey	Code Compliant	22.03.304	Overall	19 of the 26 trees are 6" or smaller, including three Hackberries, four Crepe Myrtles, three China Berries, and two dead Sycamores. Eleven of these 26 trees that are proposed to be removed are to allow a code compliant, safe emergency turnaround for fire trucks which the existing project does not currently have. Applicant proposes mitigation for the trees removed in accordance with the City's mitigation formula. Applicant will propose to remove all 3" and 4" non-native invasive species to make room for replacement with approved under story plants.
12	Water Quality No water quality ponds required.	City Code 22.03.059	City's Drainage & Erosion Control Manual Chapter 2.6	Overall	No variance is required. Westlake Hills Code defers to TCEQ for the determination of water quality pond requirements since no increase in existing impervious cover is proposed, it is anticipated that no water quality pond is required either by City ordinance or TCEQ regulation.
13	Proposed Pool in Drainage Easement	City Code 22.03.059	22.02.095	Southern Side; Pool	In response to staff review comments, the pool is being relocated to the south end of Building 1. It will be approximately 10' of elevation above the existing pool. It will still be in the drainage easement. It has been relocated

CODE DEVIATIONS CHART

	CODE DEVIATIONS	CODE REQUIREMENTS	CODE SECTION	PROPERTY LOCATION	EXPLANATION
					outside of the 100-yr floodplain and is within the existing building setback. It will only be built if a waiver from the drainage criteria requirements of the City is approved by the City Administrator or Council as appropriate with City Engineer concurrence after a full engineering analysis during the building permit drainage review stage of the process. A partial vacation/modification of the existing drainage easement will be requested by separate action of the Council after engineering analysis of the drainage requirements of the project to be constructed. The proposed decking around the swimming pool will be built on piers more than two feet above the floodplain elevation.
13	Erosion	Streambank Erosion Hazard Setback is 50 feet	City's Drainage & Erosion Control Manual under Chapter 7.4.2; 2.3.1 and Table 2-3	Overall	Applicant's engineer is not aware of any streambank erosion in the area of the proposed site development. By the code, the streambank erosion hazard setback of 50 feet from the center line of the stream which has not been precisely determined. It is anticipated that a small portion of Building 1 encroaches into the erosion hazard setback area and may be approved administratively after engineering analysis at time of approval of final construction plans subject to any mitigation requirements conditioning such waiver as approved by the City Administrator and/or City Council.
14	Cut & Fill	Maximum Cut and Fill Limit is 6 feet	City's Drainage & Erosion Control Manual under Section 7.4.1 and Table 7-1	Overall	Besides the cut and fill addressed in Item 9 above for the fire truck turnaround, it is not anticipated that any variance will be required for cut and fill outside of the building footprint. Applicant has not determined if the foundation on the sloped property for Building 1 will be slab on grade under fill or pier and beam or a combination of the two. It is not however anticipated that any cut and fill outside of the building foundations or as previously noted for fire truck turnaround will require a variance.



BEFORE

LAGO CREEK
1801 WESTLAKE DRIVE
SHIFLET GROUP
a r c h i t e c t s



AFTER

LAGO CREEK
1801 WESTLAKE DRIVE

SHIFLET GROUP
a r c h i t e c t s

BEFORE



LAGO CREEK
1801 WESTLAKE DRIVE

SHIFLET GROUP
architects

AFTER

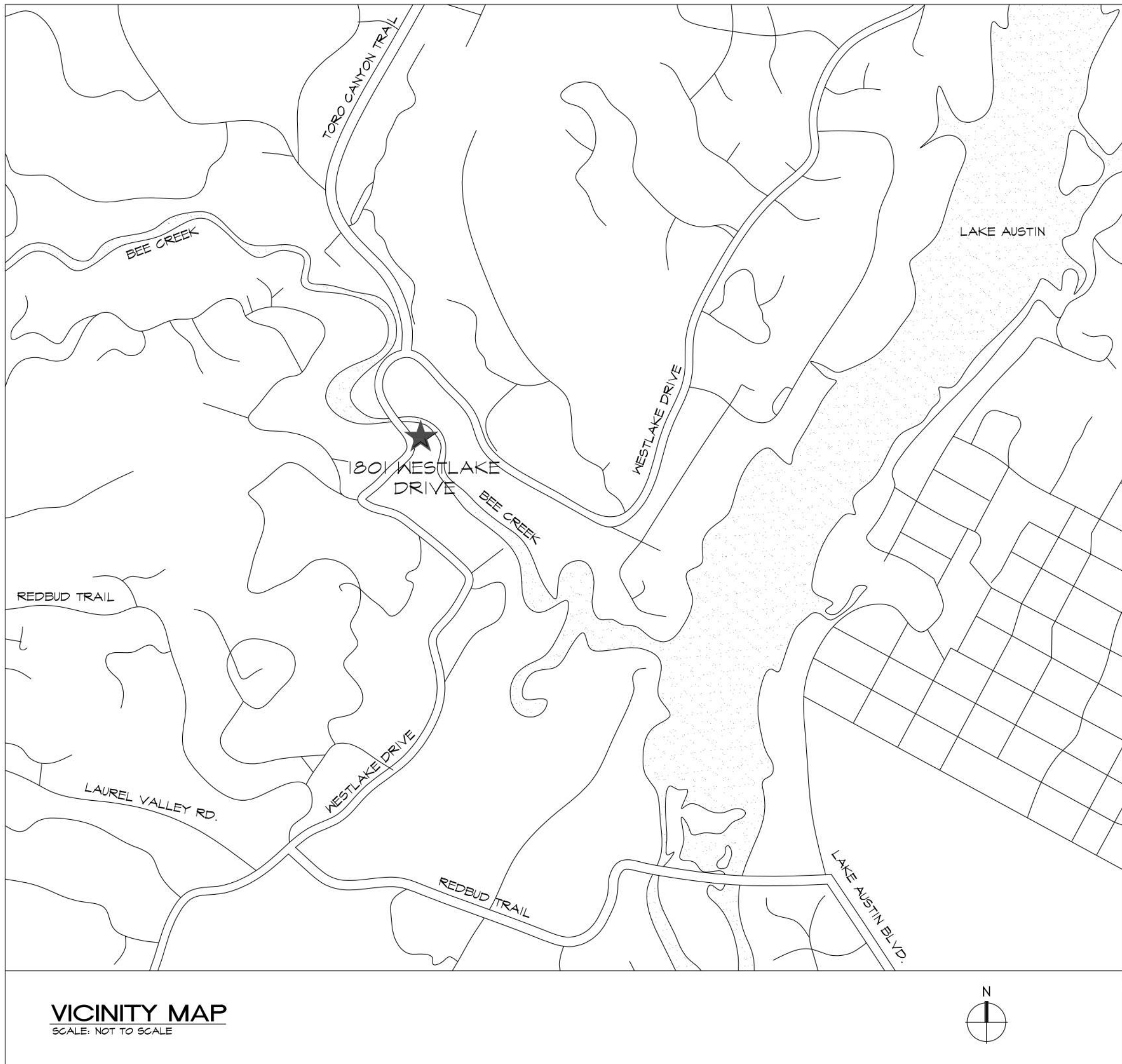


1801 WESTLAKE DRIVE

LAGO CREEK
1801 WESTLAKE DRIVE

SHIFLET GROUP
a r c h i t e c t s

TREE LIST											
#	TYPE	SIZE	#	TYPE	SIZE	#	TYPE	SIZE	#	TYPE	SIZE
21	LIVE OAK	16"	236	SYCAMORE	11"	476	ELM	17"	666	CHINABERRY	4"
22	LIVE OAK	10"	237	ELM	10"	477	LIGUSTRUM	10"	667	CREPE MYRTLE	6"
69	SYCAMORE	17"	238	SYCAMORE	12"	478	CHINABERRY	14"	668	SYCAMORE	3'3"3'2"
70	SYCAMORE	20"	240	SYCAMORE	17"	480	CHINABERRY	14"	669	SYCAMORE	14"
71	SYCAMORE	8"	242	SYCAMORE	8"	504	ELM	10"	670	RED OAK	8"
75	HACKBERRY	19'18"	251	SYCAMORE	13"	505	ELM	20"	671	PALM	6'4"
76	HACKBERRY	8"	252	SYCAMORE	17"	507	ELM	11"	672	SYCAMORE (DEAD)	4"
77	ELM	9"	278	ELM	20'15"	509	ELM	11"	673	SYCAMORE	14"
78	ELM	8"	285	ELM	24"	512	ELM	19"	674	LIGUSTRUM	3'2'2'2"
79	SYCAMORE	18"	306	SYCAMORE	16"	513	HACKBERRY	14"	675	LOQUAT	6"
80	SYCAMORE	12"	313	ELM	15"	514	HACKBERRY	8'7"	676	CREPE MYRTLE	2'2'2'2"
81	SYCAMORE	14"	315	ELM	13"	515	ELM	11"	677	LOQUAT	5"
82	SYCAMORE	8"	321	SYCAMORE	17"	564	ELM	19"	678	JUNIPER	6"
83	HACKBERRY	9"	357	ELM	8'8'7'5'9"	565	ELM	8"	679	HACKBERRY	6"
84	HACKBERRY	11"	358	ELM	20"	566	SYCAMORE	9"	680	JUNIPER	6"
85	HACKBERRY	11"	364	SYCAMORE	17"	567	SYCAMORE	12"	681	SPANISH OAK	8"
86	HACKBERRY	11"	360	HACKBERRY	13'10"	568	ELM	8"	682	LOQUAT	5'4"
87	SYCAMORE	17"	361	SYCAMORE	10"	569	ELM	8"	683	JUNIPER	7'13"
88	SYCAMORE	10"	362	SYCAMORE	32"	570	SYCAMORE	16"	684	SPANISH OAK	4"
89	ELM	16"	363	HACKBERRY	10"	571	SYCAMORE	17"	685	JUNIPER	5"
90	SYCAMORE	8"	364	SYCAMORE	12"	575	ELM	18"	686	JUNIPER	8"
104	HACKBERRY	11"	365	SYCAMORE	25"	576	ELM	15"	687	HACKBERRY	3"
105	SYCAMORE	16"	373	SYCAMORE	12"	577	ELM	8"	689	LIGUSTRUM	7"
106	ELM	8'5"	374	SYCAMORE	14"	578	SYCAMORE	9"	690	SYCAMORE	20'5"
107	ELM	9"	375	ELM	8"	579	SYCAMORE	8"	691	SYCAMORE	20"
108	JUNIPER	9"	384	SYCAMORE	10"	580	ELM	17"			
109	SYCAMORE	9"	385	SYCAMORE	9"	583	SPANISH OAK	8"			
110	JUNIPER	11"	388	ELM	25"	590	LIGUSTRUM	8"			
111	SYCAMORE	10"	389	ELM	11"	592	HACKBERRY	8"			
114	CHINABERRY	8"	404	ELM	27"	593	SYCAMORE	16"			
116	SYCAMORE	9"	406	LIGUSTRUM	9"	596	SYCAMORE	16"			
117	JUNIPER	9"	407	ELM	18"	597	SYCAMORE	8"			
118	CHINABERRY	8"	408	ELM	12"	598	ELM	9"			
152	SYCAMORE	9'5"	409	ELM	10"	602	JUNIPER	8"			
157	SYCAMORE	11"	410	ELM	12"	604	JUNIPER	8"			
164	SYCAMORE	9"	412	ELM	18"	608	SPANISH OAK	9"			
168	ELM	12'7"	413	LIGUSTRUM	9'7"	610	SPANISH OAK	8'7"			
190	ELM	17'16'13"	414	ELM	13"	611	JUNIPER	10"			
197	ELM	25'22"	415	SYCAMORE	29"	613	JUNIPER	11"			
217	HACKBERRY	8"	422	SYCAMORE	14"	634	JUNIPER	10'6'5"			
219	SYCAMORE	24"	425	SYCAMORE	20"	635	JUNIPER	10"			
220	SYCAMORE	13"	430	SYCAMORE	24"	642	LIGUSTRUM	9'5"			
221	ELM	11"	439	SYCAMORE	21"	643	LIGUSTRUM	9'1'4"			
222	SYCAMORE	11"	441	SYCAMORE	21"	644	ASH	9"			
223	HACKBERRY	9"	452	SPANISH OAK	14"	646	ELM	19"			
224	SYCAMORE	18"	454	JUNIPER	13"	655	HACKBERRY	11"			
225	SYCAMORE	20"	455	JUNIPER	13"	656	CREPE MYRTLE	8'6"			
226	ELM	13"	457	ELM	22'17"	657	CREPE MYRTLE	12"			
227	ELM	11'8"	460	HACKBERRY	8"	658	SYCAMORE	7"			
228	SYCAMORE	14"	463	HACKBERRY	8"	659	JUNIPER	6"			
229	SYCAMORE	12"	466	JUNIPER	8"	660	CHINABERRY	4"			
230	HACKBERRY	10"	467	ELM	8"	661	HACKBERRY	4"			
232	CYPRESS	17"	468	ELM	8'7"	662	SYCAMORE (DEAD)	4"			
233	SYCAMORE	9"	469	JUNIPER	11"	663	CHINABERRY	6"			
234	SYCAMORE	26"	471	LIGUSTRUM	8'4"	664	ELM	5"			
235	SYCAMORE	19"	473	ELM	25"	665	ELM	4"			



ZONING/USE

ZONING: R-3, TRANSITIONAL
CURRENT USE: TRANSITIONAL HOUSING,
MULTI-FAMILY RESIDENTIAL
PROPOSED USE: TRANSITIONAL HOUSING,
MULTI-FAMILY RESIDENTIAL

LEGEND

FOUND 1/2" IRON ROD
FOUND "X"
FOUND 1/2" IRON ROD W/ CAP
WATER METER
UTILITY POLE & ELECTRIC LINE
CLEANOUT (RECORD)
BUILDING SETBACK
DRAINAGE EASEMENT
FLOODPLAIN

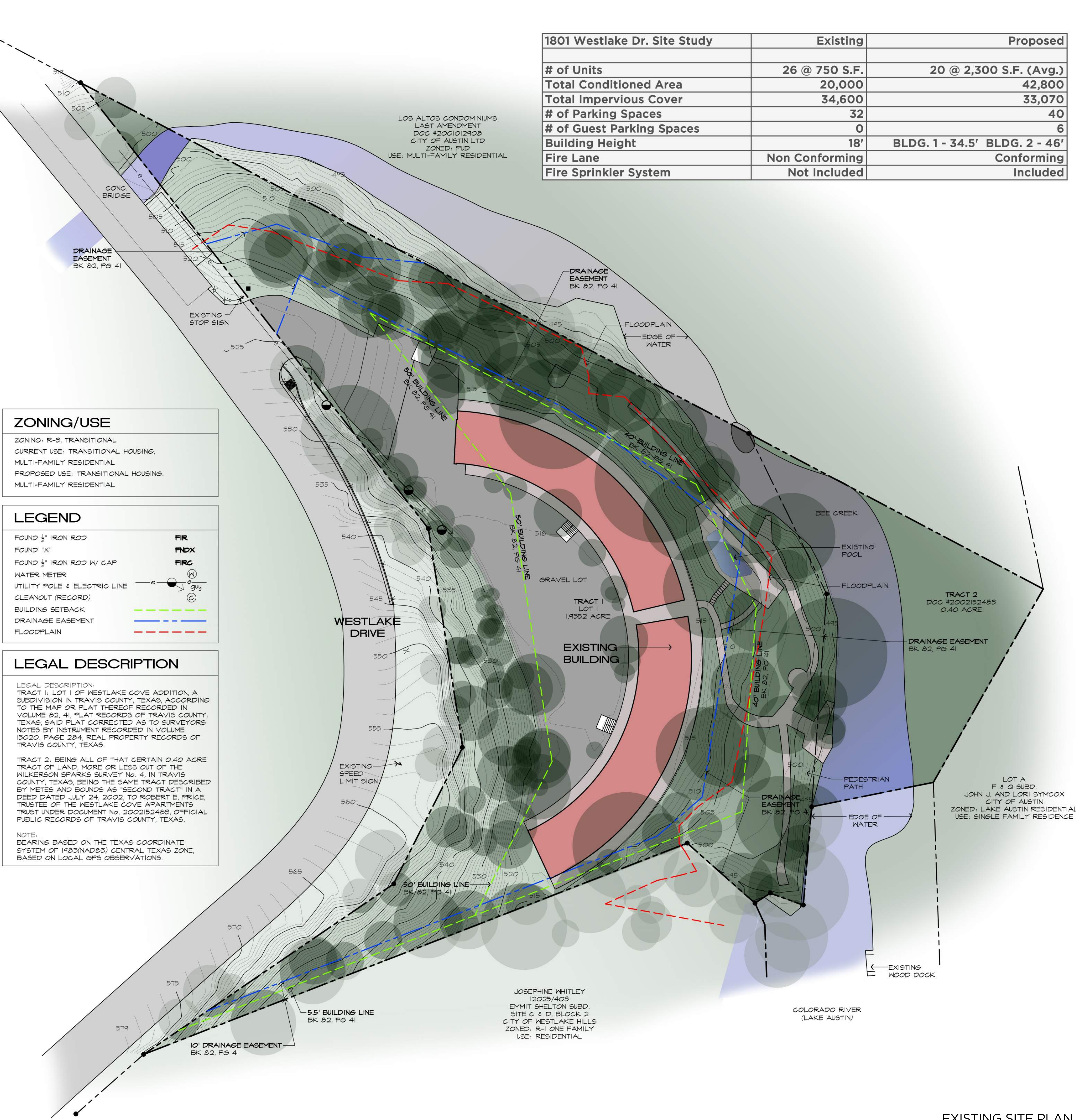
FIR
FIRX
FIRC
9/4
9/4

LEGAL DESCRIPTION

LEGAL DESCRIPTION:
TRACT 1: LOT 1 OF WESTLAKE COVE ADDITION, A SUBDIVISION IN TRAVIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 82, 41, PLAT RECORDS OF TRAVIS COUNTY, TEXAS, SAID PLAT CORRECTED AS TO SURVEYORS NOTES BY INSTRUMENT RECORDED IN VOLUME 13020, PAGE 284, REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS.

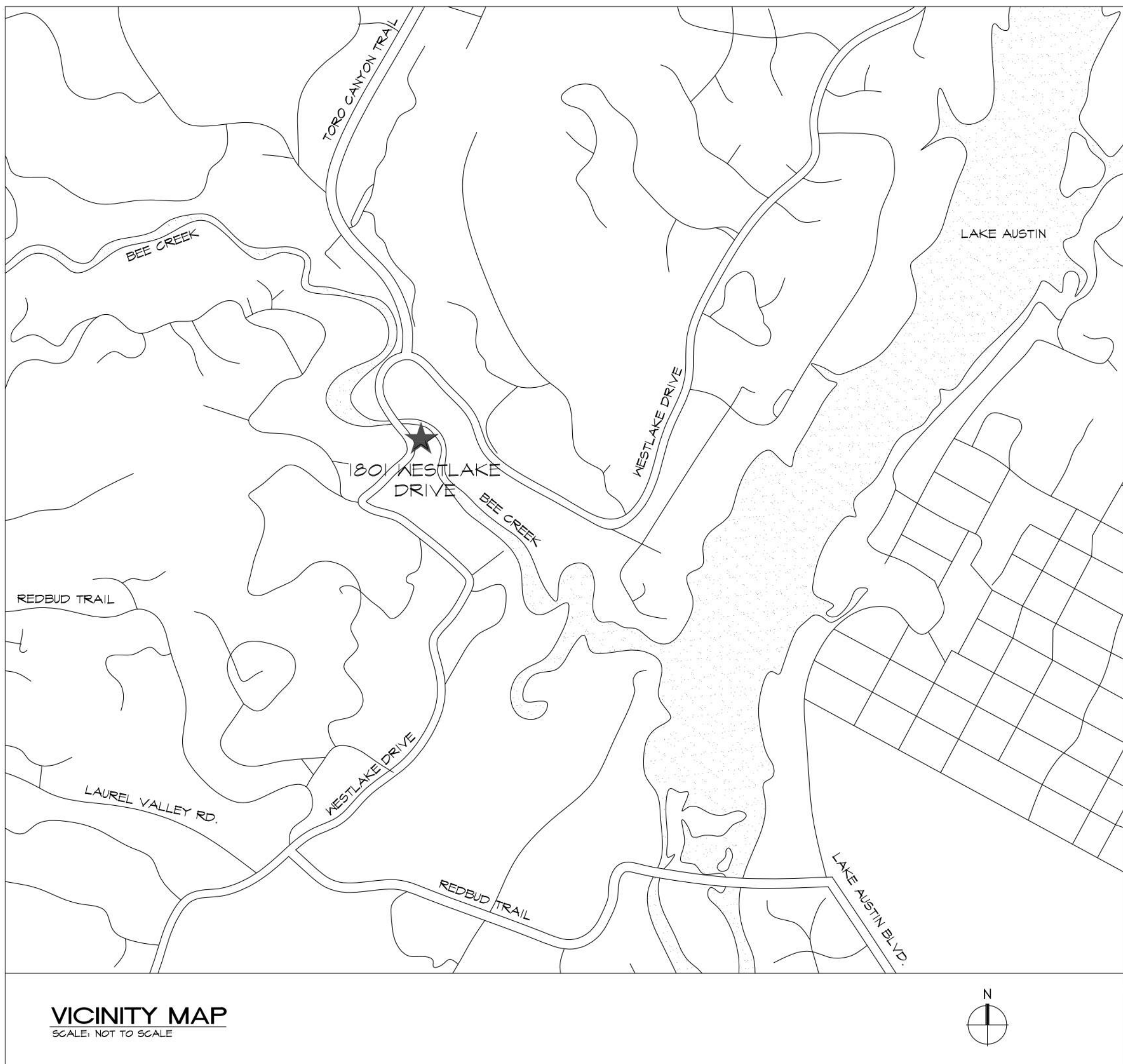
TRACT 2: BEING ALL OF THAT CERTAIN 0.40 ACRE TRACT OF LAND, MORE OR LESS OUT OF THE WILKERSON SPARKS SURVEY NO. 4, IN TRAVIS COUNTY, TEXAS, BEING THE SAME TRACT DESCRIBED BY METES AND BOUNDS AS "SECOND TRACT" IN A DEED DATED JULY 24, 2002, TO ROBERT E. PRICE, TRUSTEE OF THE WESTLAKE COVE APARTMENTS TRUST UNDER DOCUMENT NO. 2002152483, OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS.

NOTE: BEARING BASED ON THE TEXAS COORDINATE SYSTEM OF (883/NAD83) CENTRAL TEXAS ZONE, BASED ON LOCAL GPS OBSERVATIONS.



1801 Westlake Dr. Site Study	Existing	Proposed
# of Units	26 @ 750 S.F.	20 @ 2,300 S.F. (Avg.)
Total Conditioned Area	20,000	42,800
Total Impervious Cover	34,600	33,070
# of Parking Spaces	32	40
# of Guest Parking Spaces	0	6
Building Height	18'	BLDG. 1 - 34.5' BLDG. 2 - 46'
Fire Lane	Non Conforming	Conforming
Fire Sprinkler System	Not Included	Included

TREE LIST											
#	TYPE	SIZE		#	TYPE	SIZE		#	TYPE	SIZE	
21	LIVE OAK	16"		236	SYCAMORE	11"		476	ELM	17"	
22	LIVE OAK	10"		237	ELM	10"		477	LIGUSTRUM	10"	
69	SYCAMORE	17"		238	SYCAMORE	12"		440	CHINABERRY	14"	
70	SYCAMORE	20"		240	SYCAMORE	17"		441	CHINABERRY	14"	
71	SYCAMORE	8"		242	SYCAMORE	8"		504	ELM	10"	
75	HACKBERRY	19" 1/8"		251	SYCAMORE	13"		505	ELM	20"	
76	HACKBERRY	8"		252	SYCAMORE	17"		507	ELM	11"	
77	ELM	9"		253	ELM	20" 1/2"		508	ELM	11"	
78	ELM	8"		255	ELM	24"		512	ELM	19"	
79	SYCAMORE	18"		306	SYCAMORE	16"		513	HACKBERRY	14"	
80	SYCAMORE	12"		313	ELM	15"		514	HACKBERRY	8" 7/8"	
81	SYCAMORE	14"		315	ELM	13"		515	ELM	11"	
82	SYCAMORE	8"		321	SYCAMORE	17"		564	ELM	19"	
83	HACKBERRY	9"		357	ELM	8" 3/4" 17" 5/8" 1"		565	ELM	9"	
84	HACKBERRY	11"		358	ELM	20"		566	SYCAMORE	9"	
85	HACKBERRY	11"		364	SYCAMORE	17"		567	SYCAMORE	12"	
86	HACKBERRY	11"		360	HACKBERRY	13" 1/2"		568	ELM	8"	
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88	SYCAMORE	10"		362	SYCAMORE	32"		570	SYCAMORE	16"	
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110	JUNIPER	11"		388	ELM	25"		590	LIGUSTRUM	8"	
111	SYCAMORE	10"		389	ELM	11"		592	HACKBERRY	8"	
114	CHINABERRY	8"		404	ELM	27"		593	SYCAMORE	16"	
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190	ELM	17" 1/2" 13"		414	ELM	13"		611	JUNIPER	10"	
197	ELM	25" 22"		415	SYCAMORE	29"		613	JUNIPER	11"	
217	HACKBERRY	8"		422	SYCAMORE	14"		634	JUNIPER	10" 6" 5"	
219	SYCAMORE	24"		425	SYCAMORE	20"		635	JUNIPER	10"	
220	SYCAMORE	13"		430	SYCAMORE	24"		642	LIGUSTRUM	9" 5"	
221	ELM	11"		439	SYCAMORE	21"		643	LIGUSTRUM	9" 7/4"	
222	SYCAMORE	18"		441	SYCAMORE	18"		644	ASH	9"	
223	HACKBERRY	9"		452	SPANISH OAK	14"		646	ELM	19"	
224	SYCAMORE	18"		454	JUNIPER	13"		655	HACKBERRY	11"	
225	SYCAMORE	20"		455	JUNIPER	13"		656	CREPE MYRTLE	8" 6"	
226	ELM	13"		457	ELM	22" 1/8"		657	CREPE MYRTLE	12"	
227	ELM	11" 3/8"		460	HACKBERRY	8"		658	SYCAMORE	11"	
228	SYCAMORE	14"		463	HACKBERRY	8"		659	JUNIPER	6"	
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234	SYCAMORE	26"		471	LIGUSTRUM	8" 4"		664	ELM	5"	
235	SYCAMORE	19"		473	ELM	25"		665	ELM	4"	



ZONING/USE

ZONING: R-3, TRANSITIONAL
CURRENT USE: TRANSITIONAL HOUSING,
MULTI-FAMILY RESIDENTIAL
PROPOSED USE: TRANSITIONAL HOUSING,
MULTI-FAMILY RESIDENTIAL

LEGEND

FOUND 1/2" IRON ROD
FOUND "X"
FOUND 1/2" IRON ROD W/ CAP
WATER METER
UTILITY POLE & ELECTRIC LINE
CLEANOUT (RECORD)
BUILDING SETBACK
DRAINAGE EASEMENT
FLOODPLAIN

FIR
FIRX
FIRC
3/4"
2"

HATCHED AREA INDICATES PROPOSED LOCATION FOR TREE MITIGATION

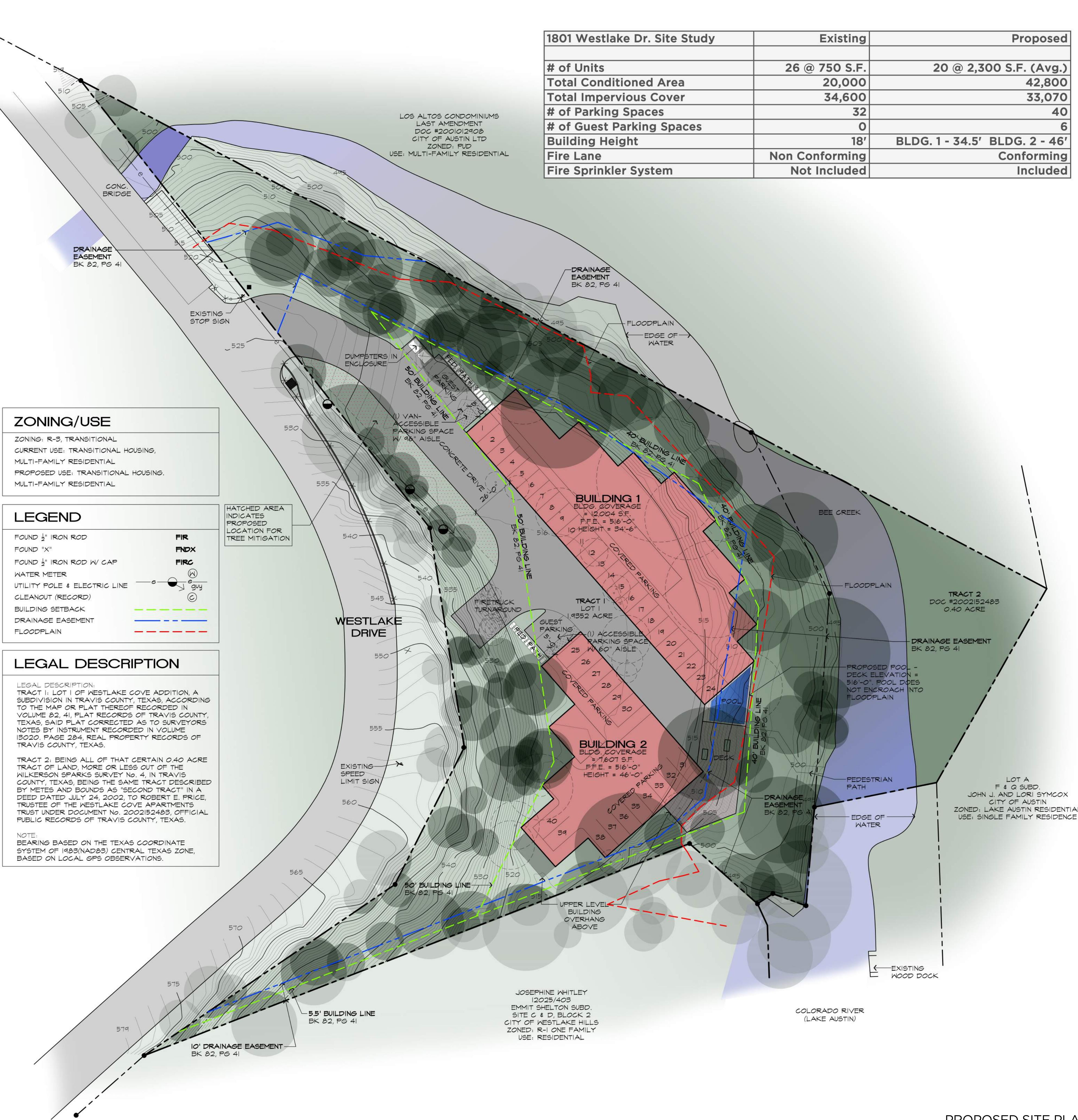
LEGAL DESCRIPTION

LEGAL DESCRIPTION:
TRACT 1: LOT 1 OF WESTLAKE COVE ADDITION, A SUBDIVISION IN TRAVIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 82, 41, PLAT RECORDS OF TRAVIS COUNTY, TEXAS, SAID PLAT CORRECTED AS TO SURVEYORS NOTES BY INSTRUMENT RECORDED IN VOLUME 13020, PAGE 284, REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS.

TRACT 2: BEING ALL OF THAT CERTAIN 0.40 ACRE TRACT OF LAND, MORE OR LESS OUT OF THE WILKERSON SPARKS SURVEY NO. 4, IN TRAVIS COUNTY, TEXAS, BEING THE SAME TRACT DESCRIBED BY METES AND BOUNDS AS "SECOND TRACT" IN A DEED DATED JULY 24, 2002, TO ROBERT E. FRICE, TRUSTEE OF THE WESTLAKE COVE APARTMENTS TRUST UNDER DOCUMENT NO. 2002152483, OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS.

NOTE: BEARING BASED ON THE TEXAS COORDINATE SYSTEM OF (1983/NAD83) CENTRAL TEXAS ZONE, BASED ON LOCAL GPS OBSERVATIONS.

1801 Westlake Dr. Site Study	Existing	Proposed
# of Units	26 @ 750 S.F.	20 @ 2,300 S.F. (Avg.)
Total Conditioned Area	20,000	42,800
Total Impervious Cover	34,600	33,070
# of Parking Spaces	32	40
# of Guest Parking Spaces	0	6
Building Height	18'	BLDG. 1 - 34.5' BLDG. 2 - 46'
Fire Lane	Non Conforming	Conforming
Fire Sprinkler System	Not Included	Included



BEFORE



LAGO CREEK
1801 WESTLAKE DRIVE

SHIFLET GROUP

architects



AFTER

LAGO CREEK
1801 WESTLAKE DRIVE

SHIFLET GROUP

architects

A
4

Page

BEFORE



AFTER

LAGO CREEK
1801 WESTLAKE DRIVE

SHIFLET GROUP
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