



CITY OF WEST LAKE HILLS, TEXAS
NOTICE OF CITY COUNCIL REGULAR MEETING
Wednesday, January 27, 2021 at 7:00 PM

Notice is hereby given that the City Council of the City of West Lake Hills, Texas, will hold a REMOTE Regular Meeting on the 27th day of January 2021 at 7:00 p.m., at which time the following items will be discussed, to-wit:

REMOTE ACCESS ONLY:

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

The public may participate in this meeting by dialing in to the following toll free number: (346) 248-7799, Meeting ID 828 4727 2699, Password: 134420

If you wish to speak during the meeting, please provide your name, phone number and the item number you wish to speak on to citysec@westlakehills.org by 1:00 P.M. on January 27, 2021

Members of the public who wish to submit their written comments in lieu of speaking shall submit their comments by emailing citysec@westlakehills.org. Comments must be received by 1:00 P.M. on January 27, 2021

1. Call to Order
2. Citizen Communications The City Council Welcomes Public Comments at this Point on any Issue. If the Issue is Listed on the Agenda, the Speaker May Choose to Comment During the Public Comment Period or When the Specific Agenda item is Taken Up by the Council Later in the Meeting. The Council Cannot Respond to Matters Not Listed on the Agenda Until a Future Meeting. Speakers Shall Limit Their Comments to Five (5) Minutes Each
3. Consent Agenda All Consent Agenda Items Listed are Considered to be Routine by the City Council and Will be Enacted by One (1) Motion. No Separate Discussion or Action on any of the Items is Necessary Unless Desired by a Council Member or Citizen

- a. Approval of the January 13, 2021 Regular Meeting Minutes
 - b. Quarterly Investment Report
4. Proclamation Recognizing the West Lake High School Football Team's State Championship Win
5. Administration Discuss and Consider Action to Adopt an Ordinance Calling a General Election to be held on May 1, 2021 for the Purpose of Electing a Councilmember Place 1, Councilmember Place 3 and Councilmember Place 5
 - a. Citizens Communications: All Persons Wishing to Speak on this Matter Shall be Heard
6. Administration Discuss and Consider Action to Contract with Travis County for Election Services Performed for the May 1, 2021 General Election
 - a. Citizens Communications: All Persons Wishing to Speak on this Matter Shall be Heard
7. Land Use **1001 Live Oak Ridge**: Discussion/recommendation on a variance request to remove three trees 14" or greater in order to construct a new home: 1) Tree # 5037 - 15.25" Cedar; 2) Tree # 5051 - 16.75" Live Oak; and 3) Tree # 5057 - 29" Cedar (West Lake Hills Code Sec. 22.03.304). Owner/Applicant Ricardo Lyra.
 - a. Public Hearing: All Persons Wishing to Speak for or Against Shall be Heard.
8. Land Use **4611 Bee Cave Road (Eagle Center)**: Discussion/recommendation on a variance request to construct a new monument sign that exceeds the maximum allowed height, sign base height, and area. (West Lake Hills Code Sec. 32.03.006). Applicant David Alsmeyer.
 - a. Public Hearing: All Persons Wishing to Speak for or Against Shall be Heard.
9. Land Use **618 Rocky Ledge**: Discussion/recommendation on a variance request to construct a fence and driveway gates encroaching the front yard setback (West Lake Hills Code Sec. 22.03.173(d)(6)(a)). Owner Chris Birchby/Applicant Austin Nelson.
 - a. Public Hearing: All Persons Wishing to Speak for or Against Shall be Heard.
10. Land Use **201 Redbud Trail**: Discussion/recommendation on a variance request to remove four trees 14" or greater in order to construct a new residence: 1) Tree # 5710 - 16" Cedar; 2) Tree # 5620 - 14.5" Cedar; 3) Tree # 5696 - 16.5" Multi-Trunk Spanish Oak; and 4) Tree # 5686 - 17.5" Multi-Trunk Spanish Oak (West Lake Hills Code Sec. 22.03.304). Owner Mark Hutchinson.
 - a. Public Hearing: All Persons Wishing to Speak for or Against Shall be Heard.

11. Executive Session An Executive Session may be held in accordance with the authority contained in Texas Government Code, Section 551 for:
 - a. Consultation with City Attorney Regarding Pending Litigation, including Submitted Master Grading and Vegetation Plan, in Cause No. 2019032801; City of West Lake Hills, Plaintiff, v. Jaffe Ventures, LLC; Douglas Jaffe III, and 1405 Wild Cat Hollow, West Lake Hills, Texas, Defendants and Cause No. D1GN19007546: City of West Lake Hills, Plaintiff v. Jaffe Ventures, LLC and Douglas Jaffe III (Texas Government Code Section 551.071)
12. Administration Take any necessary or appropriate action on matters posted for consideration in closed/executive session
13. Adjournment

Approved by: Linda Anthony, Mayor

Certificate

I certify that the above Notice of the January 27, 2021 City Council Regular Meeting was posted on the bulletin board at the Municipal Building, 911 Westlake Drive, West Lake Hills, Texas on Friday, January 22 by 5:00 pm. and will remain posted continuously until said meeting is convened.

Signed by: Stephanie Mills, City Secretary

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

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

CITY OF WEST LAKE HILLS, TEXAS
MINUTES OF A CITY COUNCIL REGULAR MEETING
Wednesday, January 13, 2021 at 7:00 PM

1. Call to Order

With a quorum present, Mayor Pro Tem O'Connor called the meeting to order at 7:03 p.m.

Members in attendance were Mayor Pro Tem Jim O'Connor, Councilmembers Rhonda McCollough, Brian Plunkett, Beth South and Darin Walker. Mayor Linda Anthony was absent for roll call

2. Citizen Communications The City Council Welcomes Public Comments at this Point on any Issue. If the Issue is Listed on the Agenda, the Speaker May Choose to Comment During the Public Comment Period or When the Specific Agenda item is Taken Up by the Council Later in the Meeting. The Council Cannot Respond to Matters Not Listed on the Agenda Until a Future Meeting. Speakers Shall Limit Their Comments to Five (5) Minutes Each

Mayor Pro Tem O'Connor opened the meeting for public comments. Hearing none, the public comment section was closed

3. Announcements Recognition of the City of West Lake Hills as a Recipient of the Richard R. Lillie, FAICP Program for Planning Excellence Certificate from the Texas Chapter of the American Planning Association

Building & Development Services Director Anjali Naini gave a presentation on this award

At the conclusion of this item, Mayor Anthony joined the meeting and adjourned the City Council Meeting at 7:12 pm to begin the Board of Adjustment Meeting

4. Consent Agenda All Consent Agenda Items Listed are Considered to be Routine by the City Council and Will be Enacted by One (1) Motion. No Separate Discussion or Action on any of the Items is Necessary Unless Desired by a Council Member or Citizen
- a. Approval of the December 9, 2020 Regular Meeting Minutes

Mayor Anthony reconvened the meeting to order at 7:40 p.m.

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

Motion for Approval carried unanimously by a vote of 5 ayes to 0 nays

5. **Land Use 809 Canyon Creek:** Discuss and Consider Action on 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.

Note: This item requires dual BOA and City Council action. BOA considers variances #1 – 6 and City Council considers variance #7

- a. Public Hearing: All Persons Wishing to Speak for or Against Shall be Heard.

Motion for Approval of Item #7 made by Councilmember Plunkett with a Second by Councilmember South

Motion for Approval carried unanimously by a vote of 5 ayes to 0 nays

6. **Public Works** Discuss and Consider Action to Approve an Interlocal Agreement with Water District 10 for the City's Cost Sharing Portion of Wildcat, Skyline and Harbor View Drive Roadway and Drainage Improvements Project in the Total Amount of \$141,623.59

- a. Citizens Communications: All Persons Wishing to Speak on this Matter Shall be Heard

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

Motion for Approval carried unanimously by a vote of 5 ayes to 0 nays

7. **Public Works** Discuss and Consider Action to Authorize the Award of a Paving Contract with QA Construction in the Amount of \$297,704.59 for the Wildcat Hollow/Harbor View Paving Project as Described and Required per the City's Interlocal Agreement with Water District #10

- a. Citizens Communications: All Persons Wishing to Speak on this Matter Shall be Heard

Motion for Approval made by Mayor Pro Tem O'Connor with a Second by Councilmember South

Motion for Approval carried unanimously by a vote of 5 ayes to 0 nays

8. Executive Session An Executive Session may be held in accordance with the authority contained in Texas Government Code, Section 551 for:
- a. Consultation with City Attorney Regarding Pending Litigation, including Submitted Master Grading and Vegetation Plan, in Cause No. 2019032801; City of West Lake Hills, Plaintiff, v. Jaffe Ventures, LLC; Douglas Jaffe III, and 1405 Wild Cat Hollow, West Lake Hills, Texas, Defendants and Cause No. D1GN19007546: City of West Lake Hills, Plaintiff v. Jaffe Ventures, LLC and Douglas Jaffe III (Texas Government Code Section 551.071)

No Executive Session was held at this time

9. Administration Take any necessary or appropriate action on matters posted for consideration in closed/executive session

No action was taken on this item

10. Adjournment

Motion to adjourn the meeting made at 7:50 pm by Councilmember Walker with a Second by Councilmember McCollough

Motion for Approval carried unanimously by a vote of 5 ayes to 0 nays

Respectfully submitted,

LINDA ANTHONY, MAYOR

ATTEST:

Stephanie Mills, City Secretary

These minutes were approved on _____, 2021.

City of West Lake Hills

Investment Report
Quarter Ended 12/31/2020

	Current Book Value	Current Market Value	Previous Book Value	Change in Book Value	Interest Earned	% of Portfolio	Annual Percentage Yield Earned
General Fund Investments							
Frost Bank	1,469,269	1,469,269	484,207	985,062	-	14.40%	0.00%
Lone Star Liquidity Fund	6,965,000	6,965,400	6,962,541	2,459	2,459	68.26%	0.15%
Total General Fund	<u>\$ 8,434,269</u>	<u>\$ 8,434,669</u>	<u>\$ 7,446,748</u>	<u>\$ 987,520</u>	<u>\$ 2,459</u>	<u>82.66%</u>	
Wastewater Fund Investments							
Lone Star Liquidity Fund	36,055	36,057	36,042	13	13	0.35%	0.15%
Total Wastewater Fund	<u>\$ 36,055</u>	<u>\$ 36,057</u>	<u>\$ 36,042</u>	<u>\$ 13</u>	<u>\$ 13</u>	<u>0.35%</u>	
Wastewater Construction Fund							
Lone Star Liquidity Fund	485,953	485,981	485,781	172	172	4.76%	0.15%
Total WW Construction Fund	<u>\$ 485,953</u>	<u>\$ 485,981</u>	<u>\$ 485,781</u>	<u>\$ 172</u>	<u>\$ 172</u>	<u>4.76%</u>	
Wastewater Debt Service Fund							
Frost Bank Money Market	1,247,437	1,247,437	1,247,409	28	28	12.23%	0.005%
Total WW Debt Service Fund	<u>\$ 1,247,437</u>	<u>\$ 1,247,437</u>	<u>\$ 1,247,409</u>	<u>\$ 28</u>	<u>\$ 28</u>	<u>12.23%</u>	
Total	<u>\$ 10,203,713</u>	<u>\$ 10,204,143</u>	<u># \$ 9,215,981</u>	<u>\$ 987,733</u>	<u>\$ 2,671</u>	<u>100.00%</u>	

Signature on file _____ 1/21/2021
City Administrator _____ Date

Signature on file _____ 1/21/2021
Finance Officer _____ Date

ORDINANCE 2021-001

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WEST LAKE HILLS CALLING A GENERAL ELECTION AND ESTABLISHING THE PROCEDURE FOR THE GENERAL ELECTION FOR CITY OFFICERS TO BE HELD ON MAY 1, 2021 IN THE CITY OF WEST LAKE HILLS, TEXAS; AND PROVIDING OTHER MATTERS RELATING TO THE ELECTION

WHEREAS, the laws of the State of Texas provide that on May 1, 2021, there shall be a general election for municipal officers; and

WHEREAS, the Texas Election Code is applicable to said election, and in order to comply with said Code, an ordinance should be passed calling the election and establishing the procedures to be followed in said election and designating the voting place for said election.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WEST LAKE HILLS, TEXAS, THAT:

1. GENERAL ELECTION ORDERED

A general election shall be held on May 1, 2021 to elect the following city officers: Council Member Place 1, Council Member Place 3 and Council Member Place 5 of the City of West Lake Hills, Texas.

2. FILING PERIOD

Candidates for the above offices may file their application beginning at 8:00 a.m. January 13, 2021 and shall file their applications no later than 5:00 p.m. February 12, 2021. All candidates for the offices to be filled in the election to be held on May 1, 2021, shall file their application to become candidates, with the City Secretary of the City at City Hall, 911 Westlake Drive, West Lake Hills, Texas, on any weekday that is not a City holiday between 8:00 a.m. and 5:00 p.m., and all of said applications shall be on a form as prescribed by the Election Code of the State of Texas.

3. DRAWING

The order in which the names of the candidates are to be printed on the ballot shall be determined by a drawing conducted by the City Secretary as provided by the Election Code. Such drawing will be held at 9:30 a.m. on Monday, February 22, 2021 at City Hall in the Council Chamber.

4. ELECTION PRECINCT 364 AND ELECTION DAY POLLING PLACE

The entire city shall be the election precinct for said election. The City hereby designates the polling location for Precinct 364 designated by the Travis County Elections Division.

5. ELECTION OFFICERS

Dana DeBeauvoir, Travis County Clerk and Election Officer is appointed to serve as the City's Election Officer, Regular Early Voting Clerk and the Joint Custodian of Records for precincts which may be affected, to conduct the City's elections on May 1, 2021. City Secretary Stephanie Mills is appointed to serve as Custodian of Records for the City.

The County will designate a person to serve in the capacity of the Presiding Judge for the Early Voting Ballot Board who shall appoint two or more elections clerks and such Judge and clerks shall constitute the Early voting Ballot Board and shall count and return early voting ballots, and perform other duties set forth in accordance with the Election Code.

6. EARLY VOTING

That early voting in said election shall be designated by the Travis County Elections Division. Requests for applications for early voting ballots by mail should be mailed to: Travis County Clerk Elections Division, P.O. Box 149325, Austin, Texas 78714.

7. NOTICE OF ELECTION

That notice of election shall be given by the Mayor in accordance with the terms and provisions of the Texas Election Code.

8. General

Said election shall be held in accordance with the Texas Election Code, and only resident qualified voters of said City shall be eligible to vote at said election. The City Secretary/Travis County Election Officer is hereby authorized and instructed to provide and furnish all necessary election supplies to conduct said election. Returns of said election shall be made known as soon as possible after the closing of the polls.

PASSED AND APPROVED this 27th day of January 2021.

Linda Anthony, Mayor

ATTEST:

Stephanie Mills, City Secretary

ORDENANZA 2021-001

UNA ORDENANZA DEL CONSEJO MUNICIPAL DE LA CIUDAD DE WEST LAKE HILLS CONVOCANDO UNA ELECCIÓN GENERAL Y ESTABLECIENDO EL PROCIDIMIENTO PARA LA ELECCIÓN GENERAL PARA FUNCIONARIOS MUNICIPALES PARA SER CELEBRADA EL 1 DE MAYO DE 2021 EN LA CIUDAD DE WEST LAKE HILLS, TEXAS; Y PROPORCIONANDO OTROS ASUNTOS RELACIONADOS CON LA ELECCIÓN

CONSIDERANDO QUE, las leyes del Estado de Texas estipulan que el 1 de mayo de 2021, habrá una elección general para funcionarios municipales; y

CONSIDERANDO QUE, el Código Electoral de Texas es aplicable a dicha elección, y para cumplir con dicho Código, una ordenanza debería ser aprobada convocando la elección y estableciendo los procedimientos que se seguirán en dicha elección, y estableciendo el lugar de votación para dicha elección.

AHORA, POR LO TANTO, SE ORDENA POR EL CONSEJO MUNICIPAL DE LA CIUDAD DE WEST LAKE HILLS, TEXAS, QUE:

1. ELECCIÓN GENERAL ORDENADA

Una elección general será celebrada el 2 de mayo de 2021 para elegir a los siguientes funcionarios municipales: Miembro del Consejo, Lugar 1, Miembro del Consejo, Lugar 3 y Miembro del Consejo, Lugar 5, de la Ciudad de West Lake Hills, Texas.

2. PERIODO PARA PRESENTAR LA CANDIDATURA

Los candidatos para los cargos más arriba pueden presentar sus solicitudes empezando a las 8:00 a.m. el 13 de enero de 2021, y pueden presentar sus solicitudes a más tardar las 5:00 p.m. el 12 de febrero de 2021. Todos los candidatos para los cargos que se llenarán en la elección que será celebrada el 1 de mayo de 2021 presentarán sus solicitudes para ser candidatos, con el Secretario Municipal de la Ciudad en City Hall (el Ayuntamiento), 911 Westlake Drive, West Lake Hills, Texas, cualquier día de semana que no sea día festivo para la Ciudad entre las 8:00 a.m. y las 5:00 p.m., y todas solicitudes dichas estarán en un formulario prescrito por el Código Electoral del Estado de Texas.

3. EL SORTEO

El orden en que se imprimirán los nombres de los candidatos en la boleta será determinado por un sorteo realizado por el Secretario Municipal como estipulado por el Código Electoral. Dicho sorteo será a las 9:30 a.m. el viernes, 22 de febrero de 2021 en el Ayuntamiento en la Sala Consistorial.

4. EL PRECINTO ELECTORAL 364 Y EL LUGAR DE VOTACIÓN EL DÍA ELECTORAL

Toda la ciudad será el precinto electoral para dicha elección. La Ciudad designa el lugar de votación para el Precinto 364 designado por la División de Elecciones del Condado de Travis.

5. LOS ENCARGADOS ELECTORALES

Dana DeBeauvoir, Secretario del Condado de Travis y oficial de la elección es designado para servir como oficial de la elección de la Ciudad, Oficial de votación anticipada regular y el Depositario Común de los Récoros por recintos que pueda resultar afectado, para llevar a cabo las elecciones de la Ciudad el 1 de mayo de 2021. Secretario Municipal Stephanie Mills es designado para servir como Administrador de registros de la Ciudad.

El Condado nombrará a una persona para servir en la calidad del Juez Presidente para la Junta de Votación Adelantada quien nombrará a dos o más secretarios electorales y tal Juez y secretarios constituirán la Junta de Votación Adelantada y contarán y entregarán las boletas para la votación adelantada, y realizarán otras obligaciones expuestas de acuerdo con el Código Electoral.

6. LA VOTACIÓN ADELANTADA

Que la votación anticipada en dicha elección será designada por la División de Elecciones del Condado de Travis. Los pedidos para solicitudes de boletas que se votarán adelante por correo se deben enviar a: Travis County Clerk Elections Division, P.O. Box 149325, Austin, Texas 78714.

7. AVISO DE ELECCIÓN

El aviso de elección será dado por el Alcalde de acuerdo con los términos y provisiones del Código Electoral de Texas.

8. GENERAL

Dicha elección será celebrada de acuerdo con el Código Electoral de Texas, y solo los residentes de dicha Ciudad calificados para votar podrán votar en dicha elección. El Secretario Municipal/Encargado Electoral del Condado de Travis es autorizado y ordenado por la presente a proporcionar todos materiales electorales necesarios para realizar dicha elección. Se harán públicos los resultados de dicha elección lo antes posible después de que cierra la votación.

HECHO PÚBLICO Y APROBADO este, el 27 día de enero de 2021

Linda Anthony, Alcalde

ATESTIGUADO:

Stephanie Mills, Secretario Municipal

ELECTION AGREEMENT BETWEEN TRAVIS COUNTY AND CITY OF WEST LAKE HILLS

Pursuant to Chapter 31, Subchapter D, Chapter 123, and Chapter 271 of the Texas Election Code and Chapter 791 of the Texas Government Code, Travis County (the “County”) and [City of West Lake Hills](#) (“Participating Entity”) enter into this agreement (this “Agreement”) for the Travis County Clerk, as the County’s election officer (the “Election Officer”), to conduct the Participating Entity’s elections, including runoffs, and for the Participating Entity’s use of the County’s current or future-acquired election equipment for any voting system that the County adopts, as authorized under Title 8 of the Texas Election Code, for all Participating Entity elections. The purpose of this Agreement is to maintain consistency and accessibility in voting practices, polling places, and election procedures in order to best assist the voters of the Participating Entity.

Section 1. GENERAL PROVISIONS

- (A) Except as otherwise provided in this Agreement, the term “election” refers to any Participating Entity election, occurring on any uniform election date prescribed by the Texas Election Code or a primary election date, along with any resulting runoff, if necessary, within all Participating Entity’s territory located in Travis County. If a runoff is necessary, the Participating Entity shall work with the Election Officer to determine a mutually acceptable run-off date. In the event that the Participating Entity (and any other entity for which the County is providing election services or for which the County is conducting a joint election) do not agree on a run-off date, the Participating Entity agrees to whichever run-off date is selected by the Election Officer.
- (B) If the Participating Entity determines it is necessary to conduct an election during a time other than that specified in Section 1(A), the Election Officer and a representative designated by the Participating Entity will meet as soon as possible thereafter to determine the feasibility of the Election Officer conducting such an election. If both parties agree that the Election Officer will administer the election, the new election will be based on all other applicable provisions of this Agreement except provisions that are inconsistent and cannot be feasibly applied.
- (C) Except as otherwise provided in this Agreement:
 - (1) The term “Election Officer” refers to the Travis County Clerk;
 - (2) The term “precinct” means all precincts in the territory of the Participating Entity located within Travis County.
 - (3) The term “election services” refers to services used to perform or supervise any or all of the duties and functions that the Election Officer determines necessary for the conduct of an election.
 - (4) The term “cost for election services” includes the costs for personnel, supplies, materials, or services needed for providing these services as

permitted by the Texas Election Code but does not refer to costs relating to the use of the voting equipment.

- (D) Except as otherwise provided in this Agreement, the cost for “use of voting equipment” for a particular election is the amount the County will charge the Participating Entity for use of the County’s voting equipment in use at the time of that election.
- (E) The Participating Entity agrees to commit the funds necessary to pay for all election-related expenses for Participating Entity elections in accordance with this Agreement.
- (F) The Election Officer has the right to enter into agreements with other entities at any time, including during the dates listed in Section 1(A).
- (G) As a condition for providing election services and equipment usage, the Election Officer may require authorities of political subdivisions holding elections on the same day in all or part of the same territory to enter into a joint election agreement as authorized in Chapter 271 of the Texas Election Code, and the Participating Entity agrees to enter into any joint election agreement required by the County.

SECTION 2. PARTICIPATING ENTITY’S USE OF VOTING EQUIPMENT; DUTIES OF THE ELECTION OFFICER AND OF THE PARTICIPATING ENTITY

The County shall make available to the Participating Entity the County’s current voting system and any future-acquired voting system as authorized under Title 8 of the Texas Election Code, subject to restrictions and conditions imposed by the Election Officer to ensure availability of the equipment for County-ordered elections, primary elections, special elections, and subsequent runoff elections, if applicable. The Election Officer may also impose restrictions and conditions to protect the equipment from misuse or damage.

SECTION 3. APPOINTMENT OF ELECTION OFFICER

- (A) The Travis County Election Officer (“Election Officer”) is appointed to serve as the Participating Entity’s Election Officer and Early Voting Clerk to conduct the Participating Entity’s elections described in Section 1.
- (B) As the Participating Entity’s Election Officer and Early Voting Clerk, the Election Officer shall coordinate, supervise, and conduct all aspects of administering voting in Participating Entity elections in compliance with all applicable laws, subject to Section 3(C) below.
- (C) The Participating Entity shall continue to perform those election duties listed in (1) through (7) below and any other election duties, such as receipt of candidate applications, that are not allowed to be delegated to another governmental entity:

- (1) preparing, adopting, and publishing all required election orders, resolutions, notices, and other documents, including bilingual materials, evidencing action by the governing authority of the Participating Entity necessary to the conduct of an election, except that:
 - a. The Election Officer may provide newspaper notices on behalf of the Participating Entity with respect to a specific election if:
 - i. Not later than 60 days before election day for that election, the Participating Entity submits a written request to the Election Officer to provide newspaper notices on behalf of the Participating Entity, provides the Election Officer the content of the notices and information as which newspapers those notices are to be published and the dates of publication and any other information required by the Election Officer for providing newspaper notices, and
 - ii. The Participating Entity pays the Election Officer all costs associated with providing the newspaper notices.
 - b. With respect to each debt obligation election the Election Officer conducts for the Participating Entity pursuant to this Agreement:
 - i. The Election Officer, after receiving from the Participating Entity a copy of the debt obligation election order, shall post the notice required by and in accordance with Texas Election Code Section 4.003(f)(1) on election day and during early voting by personal appearance, in a prominent location at each polling place;
 - ii. The Election Officer shall provide written confirmation that to the Participating Entity that the debt obligation election order was posted in accordance with Texas Election Code Section 4.003(f)(1); and
 - iii. The Participating Entity shall pay any applicable expenses incurred by the Election Officer that directly relates to the posting required by Texas Election Code Section 4.003(f)(1).
- (2) Preparing the text for the Participating Entity's official ballot in English and Spanish and any other languages as required by law;
- (3) Providing the Election Officer with a list of candidates or propositions showing the order and the exact manner in which the candidates' names and the propositions are to appear on the official ballot;
- (4) Conducting the official canvass of a Participating Entity election;
- (5) administering the Participating Entity's duties under state and local campaign finance laws;
- (6) having a Participating Entity representative serve as the custodian of its election records; and

- (7) Filing the Participating Entity's annual voting system report to the Secretary of State as required under Texas Election Code Chapter 123.
- (D) The Participating Entity shall also be responsible for proofing and attesting to the accuracy of all ballot language, including any required language translations, and format information programmed by the County. This includes any information programmed for use with the audio or tactile button features of the equipment. The Participating Entity will also monitor and review all logic and accuracy testing and mandatory tabulations. The Participating Entity will complete its duties within timeframes as prescribed by the County. If the Participating Entity finds any discrepancies or concerns, it will immediately report them to the Election Officer and work with her to resolve any issues so that final approval can be reached. The Participating Entity shall be responsible for any and all actual costs associated with correcting the ballot and ballot programming if the error is discovered after the Participating Entity has signed off on its final proof containing the error.
- (E) [Stephanie Mills, City Secretary](#) will assist the County whenever possible when the conduct of the election requires assistance from Participating Entity departments and staff. [Stephanie Mills, City Secretary](#) will serve as the Regular Early Voting Clerk for the Participating Entity to receive requests for applications for early voting ballots and forward these applications to the Joint Early Voting Clerk. [Stephanie Mills, City Secretary](#) will serve as the Custodian of Records for the Participating Entity to complete those tasks in the Texas Election Code that the Election Officer will not perform.

SECTION 4. ELECTION WORKERS AND POLLING PLACES

- (A) For presentation to the governing body of the Participating Entity, the County shall provide a list containing the locations, times, and dates of early voting polling places suitable for consideration and adoption by the governing body in accordance with Texas Election Code Chapter 85. The Election Officer will designate and confirm all Election Day polling place locations.
- (B) The Election Officer will assume the responsibility for recruiting election personnel; however, if by the 5th day before the Election, the Election Officer reports vacancies in positions for election judges, alternate judges, election day clerks, early voting ballot board, receiving substation clerks, or any other key election personnel, the Participating Entity shall provide emergency personnel in these positions.
- (C) The Election Officer shall notify each of the election judges and alternates of their appointment and the eligibility requirements that pertain to them and to the selection of Election Day clerks. Included in this notification will be the number of clerks that each precinct should have in addition to the election judge and alternate judge. The election judges and/or the alternates are responsible for recruiting and

supervising their clerks.

- (D) All election workers must agree to attend training sessions as determined by the Election Officer. Costs for these training sessions and compensation for attendees will be included as part of the election services costs.
- (E) During any election and any subsequent runoff election that involve entities in addition to the Participating Entity, the Election Officer will work with all parties to find a plan that can be agreed upon regarding the designation of polling places. If agreement cannot be reached, the Election Officer will resolve the differences. **In all cases, the Election Officer has sole discretion to determine whether polling place changes are necessary.**

SECTION 5. PAYMENTS FOR ELECTION SERVICES

- (A) Costs and payments for the use of voting equipment are addressed separately in Section 6 of this Agreement.
- (B) Requests for Election Services. For each election the Participating Entity desires the Election Officer to conduct, the Participating Entity must submit a written request to the Election Officer that describes the general nature of the election and specifies the date of the election. Each request for election services, including each request for the Election Officer to conduct a runoff election, must be accompanied by a non-refundable payment of \$150 to the Election Officer.
- (C) Cancellations. On or before 11:59 p.m. on the 68th day before an election for which the Participating Entity has requested election services, the Participating Entity shall notify the Election Officer as to whether the Participating Entity anticipates the cancellation of its election, and on or before 11:59 p.m. on the 60th day before the election the Participating Entity shall notify the Election Officer as to whether the Participating Entity will cancel that election. If the Election Officer receives written notice from the Participating Entity on or before 11:59 p.m. of the 60th day before an election that the Participating Entity's election will be cancelled, the Participating Entity will accrue no further costs relating to that cancelled election.
- (D) Notice, Cost Estimate, Initial Invoicing, and Initial Payment.
 - (1) Notwithstanding the provisions in Section 9(B), the County and the Participating Entity agree that notice under Section 5 can be provided via e-mail. The following e-mail address will be used for e-mail communications to or from the County pursuant to Section 5: elections@traviscountytexas.gov, with a copy to Election.Entities@traviscountytexas.gov. The Participating Entity has designated [Stephanie Mills, City Secretary as the Participating Entity's representative for sending and receiving](#) e-mail communications under Section 5, and the Participating Entity designates the following e-mail address as the Participating Entity's email address for sending and

receiving e-mail communications pursuant to Section 5:
citysec@westlakehills.org.

- (2) Initial Cost Estimate. On or before the 60th day before an election for which the Participating Entity has requested election services, the Election Officer will mail and/or email to the Participating Entity a cost estimate for conducting the election. The cost estimate will include an administrative fee that is equal to 10% of the total estimated cost of conducting the Participating Entity's election, excluding the costs of voting equipment. In the event of a joint election, the cost estimate will reflect that election costs will be divided on a pro rata basis among all entities involved in the election in the manner set forth in this Section 5. The proportional cost for the Election Officer to conduct each participating entity's election will be calculated by dividing the number of registered voters in the territorial jurisdiction of each participating entity by the total number of registered voters for all of the participating entities involved in the joint election and multiplying that quotient by the total cost of the election. The product of these numbers is the pro rata cost share for each participating entity. The Participating Entity acknowledges and understands that if any other participating entity listed in the cost estimate cancels its election, each remaining participating entity's pro rata cost (including the Participating Entity's pro rata cost share) will result in a proportionate cost increase.
- (3) Initial Invoice and Initial Payment. Along with the initial cost estimate, the Election Officer will also include an initial invoice for the Participating Entity to pay 75% of the initial cost estimate. The Participating Entity must pay the County the amount specified in each invoice no later than 30 days after the Participating Entity's receipt of the invoice.
- (4) Runoff Elections. For each runoff election the Participating Entity has requested that the Election Officer conduct, the Participating Entity must make a payment equal to 75% of the projected costs for the runoff election no later than three business days after receiving that cost estimate from the Election Officer. The projected share of election costs will include an administrative fee that is equal to 10% of the total estimated cost of conducting the Participating Entity's runoff election, excluding the costs of voting equipment.
- (5) Each party may change its respective email addresses for e-mail communications under this Section 5, without the need to amend this Agreement, by sending notice to the other party in accordance with Section 9(B).
- (F) Final Accounting and Final Invoice. The County will send the Participating Entity a final invoice of election expenses not later than 90 day unless the Election Officer notifies the Participating Entity during that 90-day period following the election that

the Election Officer requires additional time to send a final invoice to the Participating Entity. The final invoice will include a listing of additional costs incurred at the Participating Entity's behalf and specify the total payment due from the Participating Entity for any unpaid portion of the Participating Entity's costs.

- (1) Within thirty days after receipt of an election cost invoice setting forth the Election Officer's actual contract expenses and charges incurred in the conduct of the election, the Participating Entity shall pay the Election Officer the balance due on each final invoice no later than 30 days after the Participating Entity's receipt of that invoice.
 - (2) A refund may be due from the County to the Participating Entity if the final costs are lower than the amount already paid by the Participating Entity or if, at the end of the calendar year, the County Auditor's Office makes adjustments to the election workers' payroll and the amount already paid by the Participating Entity for election worker payroll costs exceeds the payroll amounts calculated by the County Auditor's Office.
- (G) The Participating Entity shall promptly review an election invoice and any supporting documentation when received from the County. The Participating Entity may audit, during the County's normal business hours, relevant County election or accounting records upon reasonable notice to the County. The Participating Entity shall pay the entire final invoice or the undisputed portion of the final invoice not later than the 30th day after receiving the invoice. Failure by the Participating Entity to timely pay an invoice in full may impact the Election Officer's participation in future elections with the Participating Entity.

SECTION 6. PAYMENTS FOR USE OF VOTING EQUIPMENT

- (A) The Election Officer shall conduct elections using a voting system certified by the Secretary of State in accordance with the Texas Election Code and that has been approved for use by the Travis County Commissioners Court unless otherwise agreed upon by the Participating Entity, the Travis County Clerk, and the Travis County Commissioners Court.
- (B) The Participating Entity shall make payments to Travis County as consideration for the use of the County's voting equipment.
- (1) For each election the Election Officer conducts for the Participating Entity after **January 1, 2021 through January 1, 2022**, the Participating Entity shall pay one half of one percent of the cost of the electronic voting system equipment installed at a polling place and **one percent** for each unit of other electronic equipment used by the Travis County Clerk's Office to conduct the election or provide election services.
 - (2) In this Agreement "other electronic equipment" includes ballot marking devices, ballot scanners, ballot printers, ballot tabulators, and ballot programming software.

- (C) Payment by the Participating Entity to the County for voting equipment is due no later than 30 days after the Participating Entity's receipt of an invoice from the County.
- (D) If the County acquires additional equipment, different voting equipment, or upgrades to existing equipment during the term of this Agreement, the charge for the use of the equipment may be renegotiated.

SECTION 7. ADDITIONAL EARLY VOTING LOCATIONS

- (A) All of the Participating Entity's voters within Travis County will have access to all of the Travis County Early Voting sites in each election at no additional cost.
- (B) If the Participating Entity desires to have one or more early voting sites that are in addition to those sites the Election Officer has already selected for a specific election, the Participating Entity must submit the request to the Election Officer no later than 60 days before the election, and the Election Officer will thereafter provide a written estimate to the Participating Entity that sets forth the estimated cost for providing the additional early voting location(s) and the deadline by which the cost estimate must be paid. If, after receiving the cost estimate, the Participating Entity desires to move forward with having the additional early voting location(s), the Participating Entity will notify the Election Officer and include payment of the cost estimate with the Participating Entity's notice to the Election Officer no later than the deadline specified in the Election Officer's cost estimate. *Pursuant to Texas Election Code Section 85.064(b) and notwithstanding any provision to the contrary, the Election Officer has sole discretion to determine whether to provide any additional early voting sites requested by the Participating Entity.*

SECTION 8. COMMUNICATIONS

- (A) The Participating Entity and the Election Officer shall each designate a member of their staff to serve as the primary contact for the respective offices under this Agreement and provide the name and contact information for that individual to the other party. Each party may change their designated staff members by sending notice to the other party without the further need to amend this Agreement.
- (B) Throughout the term of this Agreement, the Participating Entity and the County will engage in ongoing communications on issues related to Participating Entity elections, the use of County's voting equipment, and the delivery of services under this Agreement and, when necessary, the County Clerk, elections division staff members, and other election workers shall meet with the Participating Entity to discuss and resolve any problems which might arise under this Agreement.

- (C) The Election Officer shall be the main point of media contact for election information related to election administration. The Participating Entity shall designate a contact to be the main point of contact for matters related to the content of the Participating Entity's ballot or candidates.

SECTION 9. MISCELLANEOUS PROVISIONS

(A) Amendment/Modification

Except as otherwise provided, this Agreement may not be amended, modified, or changed in any respect whatsoever, except by a further Agreement in writing and duly executed by the parties hereto. No official, representative, agent, or employee of the County has any authority to modify this Agreement except pursuant to such expressed authorization as may be granted by the Commissioners Court of Travis County, Texas. No official, representative, agent, or employee of the Participating Entity has any authority to modify this Agreement except pursuant to such expressed authorization as may be granted by the governing body of the Participating Entity. Dana DeBeauvoir, Travis County Clerk, may propose necessary amendments or modifications to this Agreement in writing in order to conduct a joint election smoothly and efficiently, except that any such proposals must be approved by the Commissioners Court of the County and the governing body of the Participating Entity.

(B) Notice

Unless otherwise provided herein, any notice to be given hereunder by any party to the other shall be in writing and may be affected by personal delivery, by certified mail, or by common carrier. Notice to a party shall be addressed as follows:

City of West Lake Hills
911 Westlake Drive
Austin, TX 78746

TRAVIS COUNTY
Honorable Dana DeBeauvoir, Travis County Clerk
1000 Guadalupe Street, Room 222
Austin, Texas 78701

Cc: Honorable **Delia Garza**, Travis County Attorney (or her successor)
314 West 11th Street, 5th Floor
Austin, Texas 78701

Notice by hand-delivery is deemed effective immediately, notice by certified mail is deemed effective three days after deposit with a U.S. Postal Office or in a U.S. Mail Box, and notice by a common carrier, is deemed effective upon receipt. Each

party may change the address for notice to it by giving notice of such change in accordance with the provisions of this Section. When notices by e-mail are permitted by this Agreement, (1) the notice is deemed effective upon the day it is sent if the e-mail is received before 5:00 p.m. on a business day; (2) the notice is deemed effective on the first business day after the e-mail was received if the email was received after 5:00 p.m. on a business day or anytime on a Saturday or Sunday. In this Agreement, "business day" means any weekday that is not a holiday designated by the Travis County Commissioners Court.

(C) Force Majeure

In the event that the performance by the County of any of its obligations or undertakings hereunder shall be interrupted or delayed by any occurrence not occasioned by its own conduct, whether such occurrence be an act of God or the result of war, riot, civil commotion, sovereign conduct, or the act or condition of any persons not a party hereto or in privity thereof, then it shall be excused from such performance for such period of time as is reasonably necessary after such occurrence to remedy the effects thereof.

(D) Venue and Choice of Law

The Participating Entity agrees that venue for any dispute arising under this Agreement will lie in the appropriate courts of Austin, Travis County, Texas. This Agreement shall be governed by and construed in accordance with the laws of the State of Texas and the United States of America.

(E) Entire Agreement

This Agreement contains the entire agreement of the parties relating to the rights herein granted and the obligations herein assumed and also supersedes all prior agreements, including prior election services contracts and prior agreements to conduct joint elections. Any prior agreements, promises, negotiations, or representations not expressly contained in this Agreement are of no force or effect. Any oral representations or modifications concerning this Agreement shall be of no force or effect, excepting a subsequent modification in writing as provided herein.

(F) Severability

If any provision of this Agreement is found to be invalid, illegal or unenforceable by a court of competent jurisdiction, such invalidity, illegality or unenforceability shall not affect the remaining provisions of this Agreement. Parties to this Agreement shall perform their obligations under this Agreement in accordance with the intent of the parties to this Agreement as expressed in the terms and provisions of this Agreement.

(G) Breach

In the event that Participating Entity or County breaches any of its obligations under this Agreement, the non-breaching party shall be entitled to pursue any and all rights and remedies allowed by law.

(H) Payments from Current Revenues

Payments made by the Participating Entity in meeting its obligations under this Agreement shall be made from current revenue funds available to the governing body of the Participating Entity. Payments made by the County in meeting its obligations under this Agreement shall be made from current budget or revenue available to the County.

(I) Other Instruments

The County and the Participating Entity agree that they will execute other and further instruments or any documents as may become necessary or convenient to effectuate and carry out the purposes of this Agreement.

(J) Third Party Beneficiaries

Except as otherwise provided herein, nothing in this Agreement, expressed or implied, is intended to confer upon any person, other than the parties hereto, any benefits, rights or remedies under or by reason of this Agreement.

(K) Joint Election Agreements

The County and the Participating Entity expressly understand and acknowledge that each may enter into other joint election agreements with other jurisdictions, to be held on Election Day and at common polling places covered by this Agreement.

When mediation is acceptable to both parties in resolving a dispute arising under this Agreement, the parties agree to use a mutually agreed upon mediator, or a person appointed by a court of competent jurisdiction, for mediation as described in Section 154.023 of the Texas Civil Practice and Remedies Code. Unless both parties are satisfied with the result of the mediation, the mediation will not constitute a final and binding resolution of the dispute. All communications within the scope of the mediation shall remain confidential as described in Section 154.053 of the Texas Civil Practice and Remedies Code unless both parties agree, in writing, to waive the confidentiality. Notwithstanding the foregoing, the parties intend to fully comply with the Texas Open Meetings Act and the Texas Public Information Act whenever applicable. The term "confidential" as used in this Agreement has the same meaning as defined and construed under the Texas Public Information Act and the Texas Open Meetings Act.

(L) Addresses for Payments

Payments made to the County or the Participating Entity under this Agreement shall be addressed to following respective addresses:

Travis County Clerk – Elections Division
P.O. Box 149325
Austin, Texas 78714

City of West Lake Hills
911 Westlake Drive
Austin, TX 78746

- (M) This Agreement is effective upon execution by both parties and remains in effect until either party terminates this agreement for any reason upon providing 60 days written notice to the other party.
- (N) All times referenced in this Agreement are to Central Time, and in all instances, the time-stamp clock used by the Travis County Clerk's Office at 5501 Airport Boulevard in Austin, Texas is the official clock for determining the correct time.
- (O) The individuals below have been authorized to sign this Agreement.

IN TESTIMONY WHEREOF, the parties hereto have executed this Agreement in multiple copies, each of equal dignity, and this Agreement takes effect on the date it is fully executed by the Participation Entity, the Travis County Judge (on behalf of the Travis County Commissioners Court), and the Travis County Clerk.

[Signatures on following page]

WEST LAKE HILLS

BY: _____
Linda Anthony
Mayor

DATE: _____

ATTEST: _____
Stephanie Mills
City Secretary

DATE: _____

TRAVIS COUNTY

BY: _____
Andy Brown (or his successor)
County Judge

DATE: _____

BY: _____
Dana DeBeauvoir
County Clerk

DATE: _____



TREE VARIANCES STAFF REPORT

JANUARY 27, 2021

Project Address: 1001 Live Oak Ridge Road

Project Number: 16323

Agenda Item: Land Use: 1001 Live Oak Ridge: Discussion/recommendation on a variance request to remove three trees 14" or greater in order to construct a new home: 1) Tree # 5037 - 15.25" Cedar; 2) Tree # 5051 - 16.75" Live Oak; and #3) Tree # 5057 - 29" Cedar (West Lake Hills Code Sec. 22.03.304). Owner/Applicant Ricardo Lyra.

Applicant Information: Owners/Applicants Ricardo and Elena Lyra

Hearing Dates:

January 20, 2021 ZAPCO

January 27, 2020 City Council

Location: The subject property is located north of Yaupon Valley Road, south and east of Redbud Trail, and west of Westlake Drive.

Zoning & Site Characteristics:

The subject property is zoned R-1 – One-Family Residential and is approximately 1.05 acre. There is an existing home on the property that the homeowners plan to demolish to construct a new home.

Background & Analysis:

The applicant is requesting variances for the removal of three trees that are 14" or greater in order to construct a new home. However, due to the recent storm, one of the requested trees – Tree # 5057(29" Cedar) fell down and no longer needs to be contemplated in the variance request. A permit was issued for its removal by the City Arborist. Therefore, two variance requests for Tree # 5037 (15.25" Cedar) and Tree # 5051 (16.75" Live Oak) remain.

The applicants are proposing to construct a new home while conserving as many trees as possible. In particular, the design takes into account three large Live Oak trees in addition to several other specimens being preserved. The property is heavily treed with 250 surveyed trees, including 40 that are 14" or greater. To minimize impact, the design of the proposed home will stay within the footprint of the existing home to the extent possible as well as utilize existing flat areas on the property.

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 choices made for this project were based on several criteria including minimal impact to site and trees and financial feasibility...The design protects 3 large Live Oak trees (14.5”, 11.0” and 11.0”) which sit almost in the center of the lot and significantly limit the site’s buildable option toward the South. Thus, the design required the house to extend on an East/West axis.”

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

The application states – “There will be minimal impact to the existing terrain and flora as the new house will occupy nearly the same footprint as the old one. Expansion decisions were done after alternative designs were considered, where protection of the natural environment was always a top priority. This led to the decision to extend the existing driveway instead of building a new one and locate the pool away from the new house though ideally, from a design standpoint, it would have sat closer to the house.”

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

The application states – “As mentioned in Questions 1 and 2, alternative configurations were considered, which required more substantial vegetation removal, due to either a new driveway and alternate placement of the kitchen or relocation of the pool. Given the quantity of existing large trees on the site and the buildable area being limited by their location, other design solutions would require the removal of a greater number of trees in order to create an adequate building footprint.”

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

The application states – “The site is a heavily wooded sloped lot with 250 trees (identified in the Tree Survey.) The new building was designed to have minimal impact to its natural environmental while delivering attributes in line with other residences in the neighborhood. By utilizing nearly the same footprint as the previous house, extending and reutilizing the existing driveway and minimally expanding into areas of least tree and terrain impact, the new project is able to protect several large trees...”

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

The application states – “The design utilizes the site’s attributes to create a project with minimal impact to its environment. Protecting the natural wooded beauty of Westlake Hills is a top priority of this project. The new house will utilize the old house’s footprint protecting trees and making use of flat areas to avoid terrain alterations. Design decisions, such as situating the home on a East/West axis, extending the existing driveway and the location of the pool, were made with the objective of minimizing alteration of the site’s natural beauty.”

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

The application states – “As previously mentioned, the new house will occupy nearly the same footprint as the old house. Thus, neighbors will not be significantly impacted by the new structure.”

Lighting

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

Building Code

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

Subdivision

This request will not change the subdivision.

Comprehensive Planning Analysis

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

Zoning and Planning Commission Recommendation

During the January 20, 2021 ZAPCO meeting, the Commissioners unanimously recommended approval of the requested variances by a vote of 5 – 0.

Staff Recommendation

Staff recommends approval of the requested variance trees due to the topography.

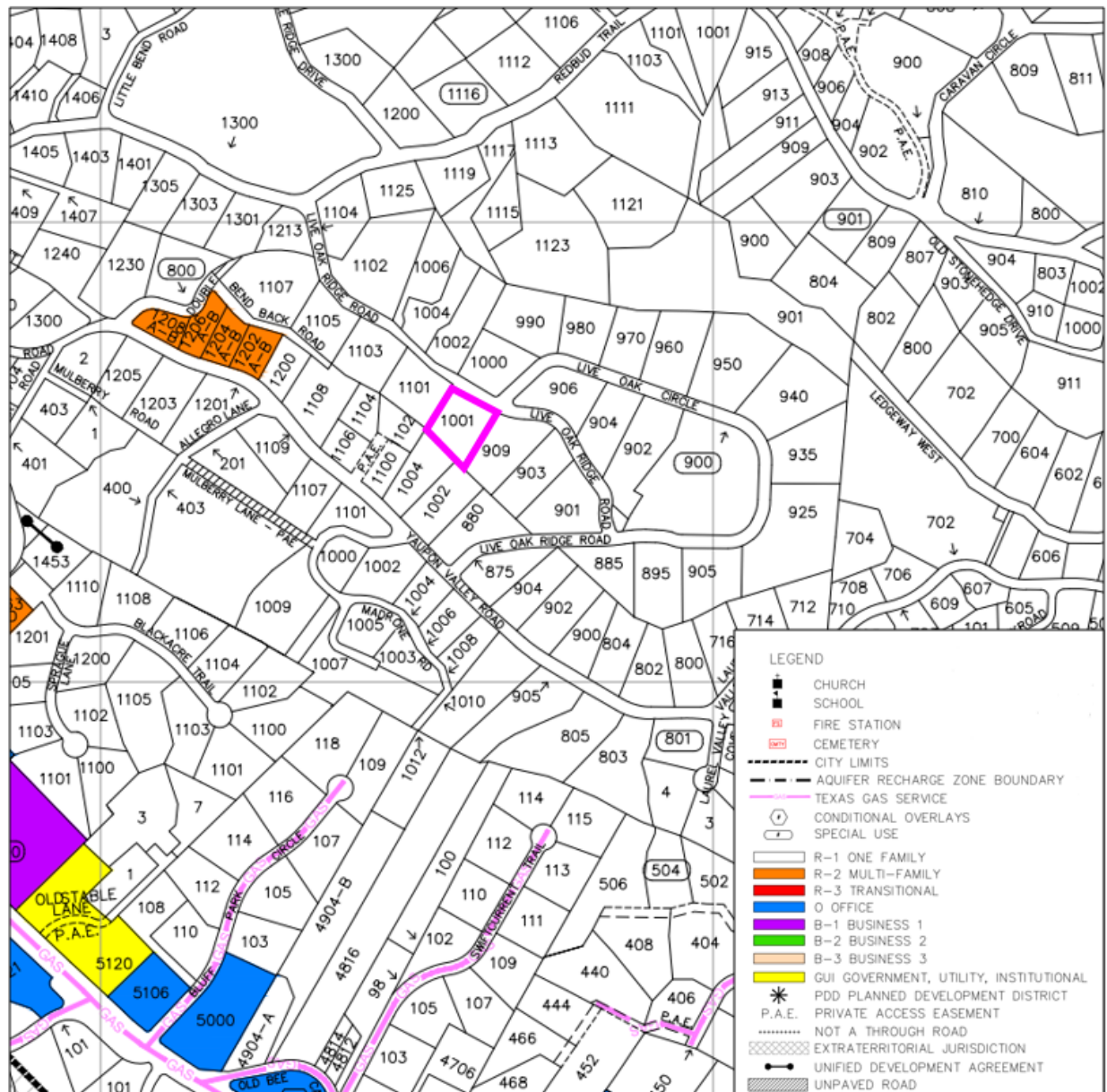
Removal of trees 14” and greater require mitigation at 150%.

Links to Relevant Code:

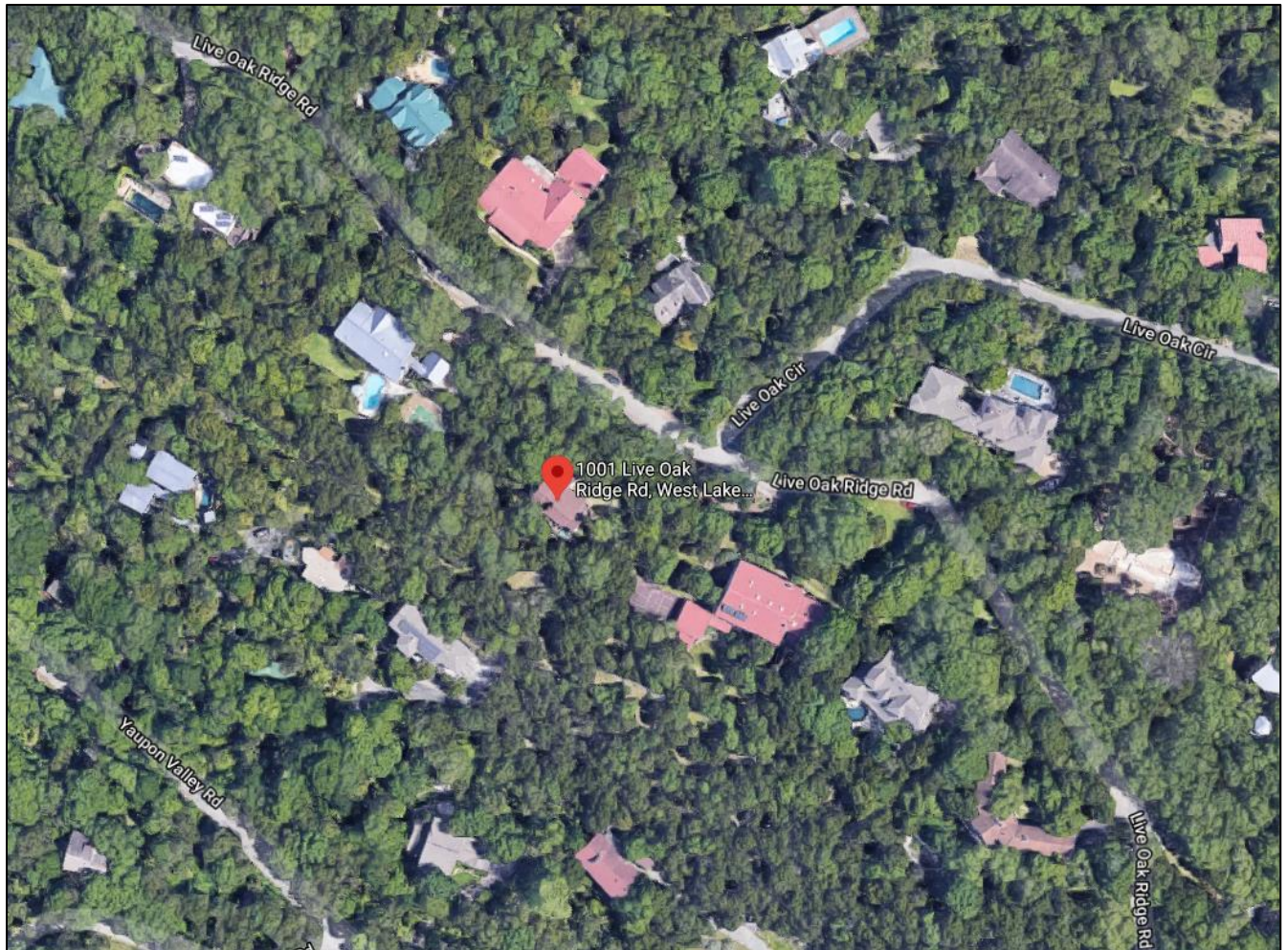
- [Sec. 22.03.304 Tree and vegetation removal and replacement](#)
- [Sec. 22.03.514 Criteria and process required for granting variance](#)

(Maps to follow)

Zoning:



Aerial:



CITY OF WEST LAKE HILLS, TEXAS
MINUTES OF A ZONING & PLANNING COMMISSION (ZAPCO) REGULAR MEETING
Wednesday, January 20, 2021 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 Commissioners Jim Pledger, Bill Harwell, Laurie Maccini, Karen Bartoletti and James Vaughn

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 October 21, 2020 Regular Meeting Minutes.
 - b. Approval of the November 18, 2020 Regular Meeting Minutes.

Motion for Approval made by Commissioner Harwell with a Second by Commissioner Pledger

Motion for Approval carried unanimously by a vote of 5 ayes to 0 nays

3. Land Use 118 Bluff Park Circle: Discussion/recommendation on a variance request to construct a swimming pool encroaching a building setback (West Lake Hills Code Sec. 22.03.281). Owners/Applicants Emily & Matt Franke.
 - a. Staff Briefing
 - b. Presentation by applicant

Applicant Emily Franke spoke

- c. Public Hearing: All Persons Wishing to Speak for or Against Shall be Heard.

**Chairman Meisel opened the public hearing
A neighbor spoke in opposition to this item
Chairman Meisel closed the public hearing**

- d. Deliberation and Action

This item was postponed by the applicant to the February 18, 2021 meeting

4. Land Use 1001 Live Oak Ridge: Discussion/recommendation on a variance request to remove three trees 14" or greater in order to construct a new home: 1) Tree # 5037 -

15.25" Cedar; 2) Tree # 5051 - 16.75" Live Oak; and 3) Tree # 5057 - 29" Cedar (West Lake Hills Code Sec. 22.03.304). Owner/Applicant Ricardo Lyra.

- a. Staff Briefing
- b. Presentation by applicant

Applicant Ricardo Lyra spoke

- c. Public Hearing: All Persons Wishing to Speak for or Against Shall be Heard.

Chairman Meisel opened the public hearing, hearing no one, Chairman Meisel closed the public hearing

- d. Deliberation and Action

**Motion for Approval, with the removal of #3 Tree # 5057 from consideration, made by Commissioner Vaughn with a Second by Commissioner Pledger
Motion for Approval carried unanimously by a vote of 5 ayes to 0 nays**

- 5. Land Use 4611 Bee Cave Road (Eagle Center): Discussion/recommendation on a variance request to construct a new monument sign that exceeds the maximum allowed height, sign base height, and area. (West Lake Hills Code Sec. 32.03.006). Applicant David Alsmeyer.

- a. Staff Briefing
- b. Presentation by applicant

Applicants David Alsmeyer and Paul DiBernadini spoke

- c. Public Hearing: All Persons Wishing to Speak for or Against Shall be Heard.

Chairman Meisel opened the public hearing, hearing no one, Chairman Meisel closed the public hearing

- d. Deliberation and Action

**Motion for Approval made by Commissioner Vaughn with a Second by Commissioner Bartoletti
Motion for Approval carried by a vote of 3 ayes to 2 nays**

- 6. Land Use 618 Rocky Ledge: Discussion/recommendation on a variance request to construct a fence and driveway gates encroaching the front yard setback (West Lake Hills Code Sec. 22.03.173(d)(6)(a)). Owner Chris Birchby/Applicant Austin Nelson.

- a. Staff Briefing

- b. Presentation by applicant

Applicants Austin Nelson and Chris Birchby spoke

- c. Public Hearing: All Persons Wishing to Speak for or Against Shall be Heard.

Chairman Meisel opened the public hearing, hearing no one, Chairman Meisel closed the public hearing

- d. Deliberation and Action

Motion for Approval made by Commissioner Vaughn, after receiving no Second motion, motion failed

**Motion for Denial, with suggestions for changes to the setback to be made before presented again by Commissioner Pledger with a Second by Commissioner Harwell
Motion for Denial carried unanimously by a vote of 5 ayes to 0 nays**

- 7. Land Use 201 Redbud Trail: Discussion/recommendation on a variance request to remove four trees 14" or greater in order to construct a new residence: 1) Tree # 5710 - 16" Cedar; 2) Tree # 5620 - 14.5" Cedar; 3) Tree # 5696 - 16.5" Multi-Trunk Spanish Oak; and 4) Tree # 5686 - 17.5" Multi-Trunk Spanish Oak (West Lake Hills Code Sec. 22.03.304). Owner Mark Hutchinson.
 - a. Staff Briefing
 - b. Presentation by applicant

Applicants Mark Hutchinson and Colter Sonnevile spoke

- c. Public Hearing: All Persons Wishing to Speak for or Against Shall be Heard.

Chairman Meisel opened the public hearing, hearing no one, Chairman Meisel closed the public hearing

- d. Deliberation and Action

Motion for Approval made by Commissioner Bartoletti with a Second by Commissioner Pledger

Motion for Approval carried by a vote of 5 ayes to 0 nays

- 8. Land Use 200 Blue Ridge Trail: Discussion/recommendation on a variance request to construct a new garage encroaching the side building setback (West Lake Hills Code Sec. 22.03.281). Owners/Applicants Stephanie & Jonathan Mandle.
 - a. Staff Briefing

- b. Presentation by applicant

Applicants Stephanie and Jonathan Mandle spoke

- c. Public Hearing: All Persons Wishing to Speak for or Against Shall be Heard.

Chairman Meisel opened the public hearing, hearing no one, Chairman Meisel closed the public hearing

- d. Deliberation and Action

Motion for Approval made by Commissioner Pledger with a Second by Commissioner Bartoletti

Motion for Approval carried by a vote of 4 ayes to 0 nays, with Commissioner Vaughn recusing

- 9. Land Use 1407 Wildcat Hollow: Discussion/consideration of a variance request to alter the roofline and remodel exterior walls of an existing non-conforming home that encroaches the side building setback (West Lake Hills Code Sec. 22.03.281). Owners Andrew & Kaitlyn Coney/Applicant Kristopher White - Dick Clark & Associates.

- a. Staff Briefing
- b. Presentation by applicant

Applicant Kristopher White spoke

- c. Public Hearing: All Persons Wishing to Speak for or Against Shall be Heard.

Chairman Meisel opened the public hearing, hearing no one, Chairman Meisel closed the public hearing

- d. Deliberation and Action

Motion for Approval made by Commissioner Harwell with a Second by Commissioner Pledger

Motion for Approval carried unanimously by a vote of 5 ayes to 0 nays

- 10. Land Use 3423 Bee Cave Road: Discussion/recommendation on a request for several variances in order to construct a new medical office building: 1) removal of six trees 14" or greater (#5040 - 16" Cedar; #5046 - 14" Cedar; #5140 - 15" Live Oak; # 5143 - 14" Live Oak; #5324 - 18" Cedar; & # 5373 - 14" Cedar); 2) building height exceeds maximum permitted height; and 3) impervious cover exceeds maximum permitted (West Lake Hills Code Sec. 22.03.304 & Sec. 22.03.281). Owner the Keller Group/Applicant Central Austin Management Group-Peter Narvarte.

- 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

This item was postponed by Chairman Meisel until the March 18, 2021 meeting

11. Land Use 4700 & 4704 Bee Cave Road: Discussion/Consideration of a rezoning request from One-Family Residential District (R-1) to Government, Utility, & Institutional District (GUI) with the following variances: 1) cut/fill; 2) driveway and parking setback encroachments; 3) retaining walls encroaching a setback and exceeding maximum permitted height; 4) minimum lot size; 5) rear and side building setback encroachments; 6) consider incentives to have up to 45.2% impervious cover; and 7) removal of 48 trees 14" or greater (West Lake Hills Code Sec. 38.05.092, Sec. 22.03.210, Sec. 22.03.249, Sec. 22.03.276, Sec. 22.03.281, & Sec. 22.03.304). Owner/Applicant Ramon Aguirre - Young Peoples Workshop.

- 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

This item was postponed by Chairman Meisel until the February 18, 2021 meeting

12. Adjournment. Chairman Robert Meisel.

Chairman Meisel adjourned the meeting at 8:32 pm

Respectfully submitted,

ROBERT MEISEL, CHAIRMAN

ATTEST:

ZAPCO Secretary Mark Litrell

These minutes were approved on _____, 2021.

DRAFT

APPLICATION COVER SHEET

Property Address: 1001 Live Oak Ridge Rd - West Lake Hills, TX 78746
Applicant Name: Ricardo Lyra
Designated Agent (if any, Power of Attorney Required): N/A
Applicant Phone Number: (512) 484-6780 Email Address: [REDACTED]
Date Application was Submitted: December 2, 2020
Variance(s) Requested:

Variance to remove 3 trees:

(1) #5037 - 15.25" Cedar; (2) #5051 - 16.75" Live Oak; (3) #5057 - 29" 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): _____
☐ 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: _____

December 2, 2020

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

Tree variance request - Lyra Residence

Dear Mr. Chairman,

We request your consideration of the attached application for tree variances on 1001 Live Oak Ridge Rd. for the construction of our new home. The design had tree conservation as a top priority. Thus, we went to great lengths to occupy practically the same footprint as our current house. The project was designed to protect and highlight 3 large Live Oak trees as well as preserve several other large specimens. This generated many challenges to the design process and we believe that we succeeded in creating a new home for our family that will satisfy our day-to-day needs while also protecting the neighborhood's wooded and shady environment.

The site is a heavily wooded sloping lot with 250 surveyed trees, of which 40 are greater than 14". We believe our three variance requests will have little to no impact on neighboring properties or views from the streets due to their location in the lot and to their small representation within the total amount of trees.

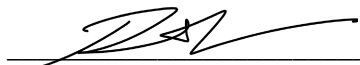
Please find a summary of the tree variance requests in the bullets that follow (photos included in this package):

- #5037: 15.25" Cedar (4 branches): This tree sits where we plan to extend our driveway down to the main level (bottom-floor) of the house. Two factors are critical to this variance request: (1) to protect the site's trees, we opted to utilize the existing driveway and extend it rather than build a new one, and (2) the driveway extension is necessary since the bottom-floor of the house has incorporated ADA accessibility attributes; thus vehicle arrival at that level is critical for wheelchair accessibility. Tree #5037 sits where the driveway extension is situated - designing the extension around it leads to a variance request for a 19" Hackberry tree.
- #5051: 16.75" Live Oak (2 branches): This tree sits about 2' behind the current house (as per picture provided). To protect the 3 large Live Oaks (mentioned above), the house is unable to expand South (to the back of the lot) and, thus, it must sit on a East/West axis. This situates Tree #5051 about 1' from the new house. We attempted to save this tree by flipping the driveway and kitchen to the opposite side of the house and lot, but found we would have to build an entirely new driveway, which would impact many more trees, including two Red Oaks. We opted for protecting the 3 large Live Oaks and the Red Oaks.
- #5057: 29.00" Cedar (10 branches): This tree's critical root zone is found in the location where we plan to build a pool. The pool's location was chosen as it sits in the only clearing in the lot and impacts the least amount of trees. Its size and precise location protect the root zones of a large 29.50" Live Oak and several other trees (including a 14.75" Cedar). Relocation of the pool further south in the lot would impact a cluster of 8 trees and require pathways to be built that would impact the large 29.50" Live Oak and add to the impervious covered area.

Approved tree extractions will be replaced in accordance with mitigation requirements protecting the long term wooded environment of the site and enhancing the privacy of our neighbors. Please let me know if we can provide any other information after you review this application. We are confident our home will be a much better fit for our family, and a positive and compliant fit to the neighborhood.

Thank you for your consideration.

Sincerely,



Ricardo Lyra
Home owner and applicant
512-484-6780

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 design choices made for this project were based on several criteria including minimal impact to site and trees and financial feasibility. Unfortunately, we faced situations that required the extraction of 3 trees greater than 14". The design protects 3 large Live Oak trees (14.5", 11.0" and 11.0"), which sit almost in the center of the lot and significantly limit the site's buildable options toward the South. Thus, the design required the house to extend on an East/West axis. Tree #5051, a 16.75" Live Oak (2 branches), which currently sits less than 2' from the current structure, will need to be extracted to protect the 3 central Live Oaks since the new house will sit approximately 1' from the tree. Though the new building will occupy nearly the same footprint as the previous one, ADA access to the main level (bottom floor) requires an extension to the current driveway, which will be utilized to mitigate further disturbance to the site. To protect a 19.0" Hackberry tree, Tree #5037, a 15.25" Cedar (4 branches), will need to be removed. Relocation of the driveway and kitchen to the eastern side of the lot were considered but would require the extraction of numerous other trees, including 2 Red Oaks (8.5" and 16.0"). Thus, we preferred to utilize the existing driveway and extend it to the main level of the house. The pool's location was chosen as it sits in the only clearing in the lot. Its size and precise location protect the root zones of a large 29.5" Live Oak and several other trees (including a 14.75" Cedar). Tree #5057, a 29" Cedar (10 branches), has its critical root zone where the pool will be located. Relocation of the pool further south in the lot would impact a cluster of 8 trees and require pathways to be built that would impact the large 29.5" Live Oak.

(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 will be minimal impact to the existing terrain and flora as the new house will occupy nearly the same footprint as the old one. Expansion decisions were done after alternative designs were considered, where protection of the natural environment was always a top priority. This led to the decision to extend the existing driveway instead of building a new one and locate the pool away from the new house though ideally, from a design standpoint, it would have sat closer to the house. In both instances, decisions were made prioritizing the protection of the greatest number of trees. Additionally, the pool is set on the least sloping portion of the backyard, which will also reduce the need for changes to the terrain. Of the 250 trees identified in the Tree Survey, 40 are over 14". The current project was able to increase the square footage of the home protecting 37 of the largest trees (or over 90%). Existing vegetation will be protected during construction and approved tree extractions will be replaced in accordance with mitigation requirements.

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

As mentioned in Questions 1 and 2, alternate configurations were considered, which required more substantial vegetation removal, due to either a new driveway and alternate placement of the kitchen or relocation of the pool. Given the quantity of existing large trees on the site and the buildable area being limited by their location, other design solutions would require the removal of a greater number of trees in order to create an adequate building footprint.

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

The site is a heavily wooded sloped lot with 250 trees (identified in the Tree Survey). The new building was designed to have minimal impact to its natural environment while delivering attributes in line with other residences in the neighborhood. By utilizing nearly the same footprint as the previous house, extending and reutilizing the existing driveway and minimally expanding into areas of least tree and terrain impact, the new project is able to protect several large trees (please refer to Questions 1 and 2 for more details). Preserving the original wooded environment of the site is a top priority of this design project. As previously mentioned, other design options were evaluated but proved more burdensome on the natural attributes of the site (please refer to Question 1 and 2 for more details).

(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?

The design utilizes the site's attributes to create a project with minimal impact to its environment. Protecting the natural wooded beauty of Westlake Hills is a top priority of this project. The new house will utilize the old house's footprint protecting trees and making use of flat areas to avoid terrain alterations. Design decisions, such as situating the home on a East/West axis, extending the existing driveway and the location of the pool, were made with the objective of minimizing alteration to the site's natural beauty. All setback and easement areas are respected as well as impervious cover limits. Of the 250 trees identified in the Tree Survey, 40 are over 14" and the design was able to protect all but 3 trees (please refer to Questions 1 and 2 for more details). We believe we are protecting and maintaining the uniqueness of the neighborhood with this design - other options were evaluated, but had greater impact to the site's trees.

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

As previously mentioned, the new house will occupy nearly the same footprint as the old house. Thus, neighbors will not be significantly visually impacted by the new structure. The site, which is heavily wooded, will have the vast majority of its trees preserved by the design (please refer to Question 5 for more tree details). This Variance Process (removal of 3 trees) represents, as per the Tree Survey, only 1.2% of trees and 2.7% of tree inches in the site. Additionally, approved tree extractions will be replaced in accordance with mitigation requirements protecting the long term natural environment of the site.

Property Address: 1001 Live Oak Ridge Rd. - West Lake Hills, 78746

FLOOD INFORMATION

PER WWW.FEMA.GOV, THIS PROPERTY APPEARS TO BE LOCATED IN ZONE X. THIS PROPERTY WAS FOUND IN MAP NUMBER 48453C0440J, DATED 01/22/2020.

DATUM & BEARING BASIS

TEXAS STATE PLANE COORDINATE SYSTEM, GRID NORTH, CENTRAL ZONE (4203), NAD 83. ELEVATION DATA NAVD 88, GEOID 128. DISTANCES IN US SURVEY FEET (GRID).

GENERAL NOTES:

- 1) THIS PROPERTY IS SUBJECT TO ANY AND ALL RECORDED AND UNRECORDED EASEMENTS. SURVEYOR HAS MADE NO INVESTIGATION FOR EASEMENTS OF RECORD, ENCUMBRANCES, RESTRICTIVE COVENANTS OR OWNERSHIP TITLE EVIDENCE.
- 2) THIS SURVEY ONLY SHOWS ABOVE GROUND IMPROVEMENTS.
- 3) SUBJECT TO ALL APPLICABLE CITY OF AUSTIN DEVELOPMENT CODES AND ZONING ORDINANCES.
- 4) DUE TO DIFFERING BUILDING PRACTICES, BUILDING DIMENSIONS ARE APPROXIMATE.
- 5) ANY UTILITIES SHOWN HEREON MAY BE EXAGGERATED FOR GRAPHIC REPRESENTATION ONLY.
- 6) OWNERSHIP DEED RECORDED IN DOCUMENT NO. 2017015632, TRAVIS COUNTY RECORDS.
- 7) TREE TYPES TO BE VERIFIED BY A CERTIFIED ARBORIST.

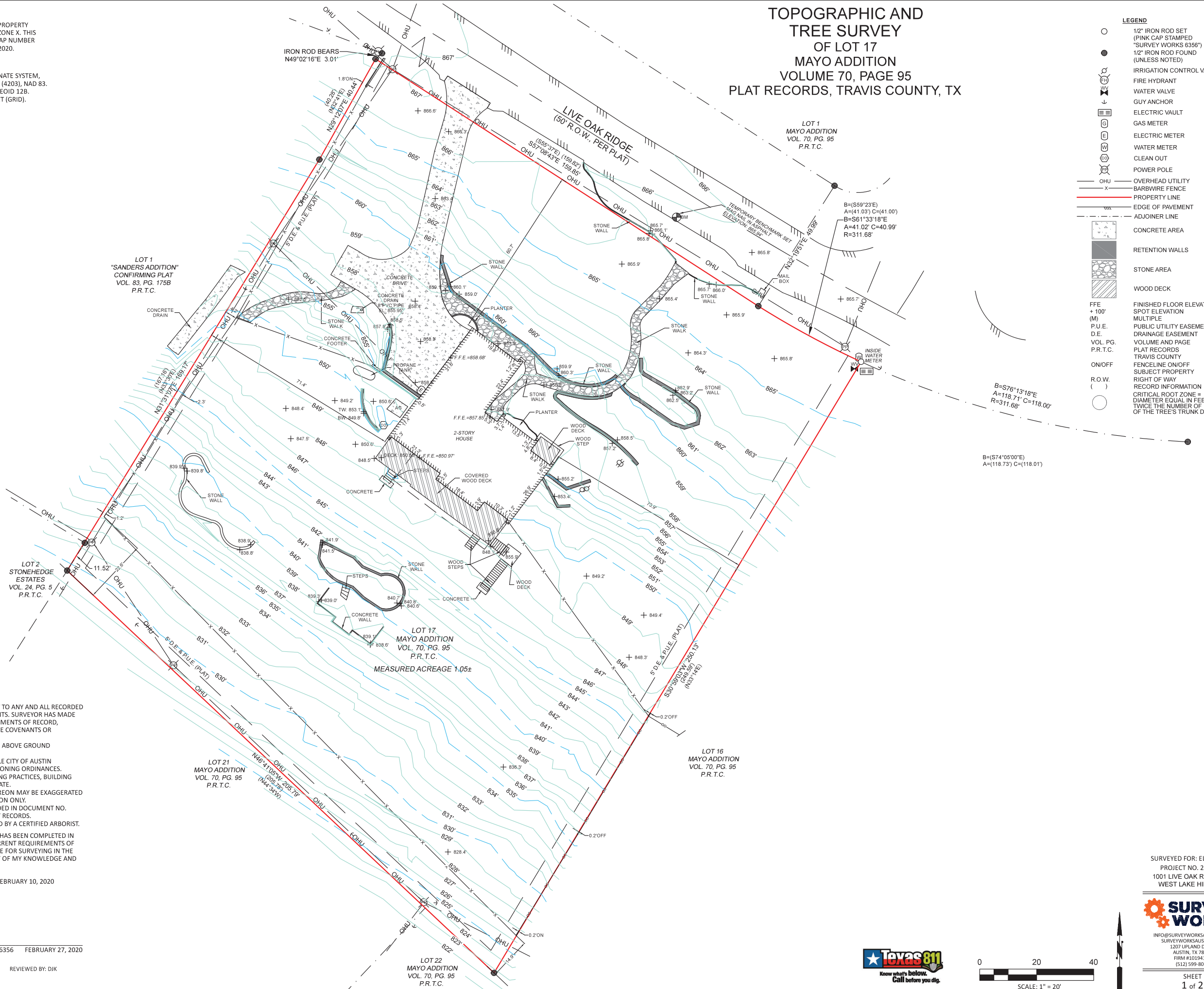
I CERTIFY THAT THIS SURVEY HAS BEEN COMPLETED IN ACCORDANCE WITH THE CURRENT REQUIREMENTS OF THE STANDARDS OF PRACTICE FOR SURVEYING IN THE STATE OF TEXAS TO THE BEST OF MY KNOWLEDGE AND BELIEF.

DATE OF LAST FIELD WORK: FEBRUARY 10, 2020

DEREK KINSAUL, R.P.L.S. NO. 6356 FEBRUARY 27, 2020

DRAWN BY: M. LEONARDO
FIELD CREW: E. MAURER

REVISION #:



LEGEND

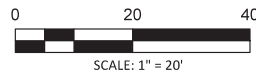
- 1/2" IRON ROD SET (PINK CAP STAMPED "SURVEY WORKS 6356")
- 1/2" IRON ROD FOUND (UNLESS NOTED)
- IRRIGATION CONTROL VALVE
- FIRE HYDRANT
- WATER VALVE
- GUY ANCHOR
- ELECTRIC VAULT
- GAS METER
- ELECTRIC METER
- WATER METER
- CLEAN OUT
- POWER POLE
- OVERHEAD UTILITY
- BARB WIRE FENCE
- PROPERTY LINE
- EDGE OF PAVEMENT
- ADJOINER LINE
- CONCRETE AREA
- RETENTION WALLS
- STONE AREA
- WOOD DECK
- FFE + 100' (M)
- MULTIPLE
- P.U.E.
- D.E.
- VOL. PG.
- P.R.T.C.
- ON/OFF
- R.O.W. ()
- FINISHED FLOOR ELEVATION
- SPOT ELEVATION
- MULTIPLE
- PUBLIC UTILITY EASEMENT
- DRAINAGE EASEMENT
- VOLUME AND PAGE
- PLAT RECORDS
- TRAVIS COUNTY
- FENCELINE ON/OFF
- SUBJECT PROPERTY
- RIGHT OF WAY
- RECORD INFORMATION
- CRITICAL ROOT ZONE = DIAMETER EQUAL IN FEET TO TWICE THE NUMBER OF INCHES OF THE TREE'S TRUNK DIAMETER

SURVEYED FOR: ELENA LYRA
PROJECT NO. 20-0031
1001 LIVE OAK RIDGE RD,
WEST LAKE HILLS, TX



INFO@SURVEYWORKSAUSTIN.COM
SURVEYWORKSAUSTIN.COM
1207 UPLAND DRIVE
AUSTIN, TX 78741
FIRM #10194157
(512) 599-8067

SHEET
1 of 2



PER WWW.FEMA.GOV, THIS PROPERTY
APPEARS TO BE LOCATED IN ZONE X. THIS
PROPERTY WAS FOUND IN MAP NUMBER
48453C0440J, DATED 01/22/2020.

DATUM & BEARING BASIS

LOT 1
MAYO ADDITION
VOL. 70, PG. 95
P.R.T.C.

	1/2" IRON ROD SET (PINK CAP STAMPED "SURVEY WORKS 6356")
	1/2" IRON ROD FOUND (UNLESS NOTED)
	IRRIGATION CONTROL VALVE
	FIRE HYDRANT
	WATER VALVE
	GUY ANCHOR
	ELECTRIC VAULT
	GAS METER
	ELECTRIC METER
	WATER METER
	CLEAN OUT
	POWER POLE
	OVERHEAD UTILITY
	BARBWIRE FENCE
	PROPERTY LINE
	EDGE OF PAVEMENT
	ADJOINER LINE
	CONCRETE AREA
	RETENTION WALLS
	STONE AREA
	WOOD DECK
FFE + 100' (M)	FINISHED FLOOR ELEVATION SPOT ELEVATION MULTIPLE
P.U.E.	PUBLIC UTILITY EASEMENT
D.E.	DRAINAGE EASEMENT
VOL. PG.	VOLUME AND PAGE
P.R.T.C.	PLAT RECORDS TRAVIS COUNTY
ON/OFF	FENCELINE ON/OFF SUBJECT PROPERTY
R.O.W. ()	RIGHT OF WAY RECORD INFORMATION
	CRITICAL ROOT ZONE = DIAMETER EQUAL IN FEET TO TWICE THE NUMBER OF INCHES OF THE TREE'S TRUNK DIAMETER

TREE TABLE		
Tag No.	Type	Trunk
5018	CEDAR	8.6"(M)
5019	CEDAR	8.6"(M)
5020	CEDAR	8.5,5.3"(M)
5021	LIVE OAK	11 "
5022	CEDAR	9.5.4"(M)
5023	CEDAR	7.5,5.4"(M)
5024	LIVE OAK	8 "
5025	CEDAR	4 "
5026	LIVE OAK	9 "
5027	CEDAR	3.5 "
5028	CEDAR	7.5,4.5,3.3"(M)
5029	CEDAR	8.5,7.3"(M)
5030	LIVE OAK	7.5"(M)
5031	CEDAR	6 "
5032	CEDAR	4 "
5033	LIVE OAK	9.5 "
5034	CEDAR	9.8,5.6"(M)
5035	CEDAR	4 "
5036	CEDAR	4 "
5037	CEDAR	7.5,7.5,4.4"(M)
5038	LIVE OAK	6 "
5039	HACKBERRY	19 "
5040	CEDAR	10 "
5041	CEDAR	11 "
5042	CEDAR	11 "
5043	LIVE OAK	9.5,3.5"(M)
5044	LIVE OAK	8 "
5045	CEDAR	8 "
5046	CEDAR	7.5,7.6,5.6,5.5,5"(M)
5047	CEDAR	9 "
5048	YALPUN	3 "
5049	YALPUN	4 "
5050	YALPUN	4.5,4.3"(M)
5051	LIVE OAK	13.7,5"(M)
5052	LIVE OAK	10.5,8"(M)
5053	LIVE OAK	11 "
5054	LIVE OAK	11 "
5055	LIVE OAK	3 "
5056	CEDAR	6.3"(M)
5057	CEDAR	7.5,6.5,5.5,5.5,4.5,4.3"(M)
5058	CEDAR	5 "
5059	LIVE OAK	16.14,13"(M)
5060	CEDAR	4 "
5061	CEDAR	9 "
5062	CEDAR	6.5 "
5063	CEDAR	5 "
5064	CEDAR	5.5 "
5065	CEDAR	4.4"(M)
5066	CEDAR	3 "
5067	CEDAR	4.5 "
5068	CEDAR	8.5,5.3,5"(M)
5069	CEDAR	6.5,4"(M)
5070	CEDAR	6.5,6.5,5.5"(M)
5071	CEDAR	8.3,5.3,5"(M)
5072	LIVE OAK	7 "
5073	LIVE OAK	5 "
5074	CEDAR	4.5 "
5075	CEDAR	5 "
5076	CEDAR	5.5"(M)
5077	CEDAR	5.5 "(M)
5078	CEDAR	5 "
5079	CEDAR	8.5 "
5080	CEDAR	15 "

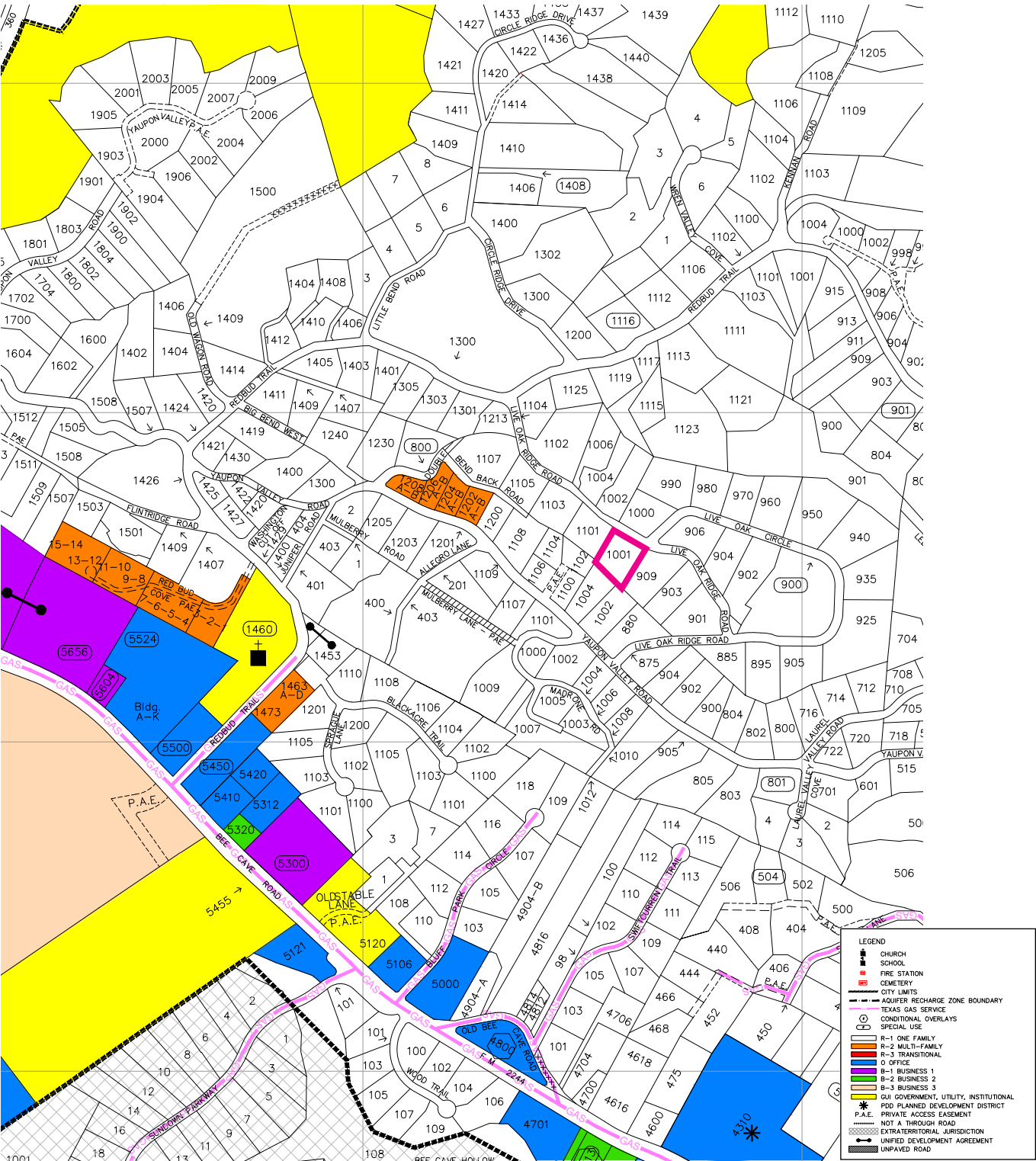
TREE TABLE		
Tag No.	Type	Trunk
5081	CEDAR	7.5"
5082	CEDAR	7.5"
5083	CEDAR	7.5 7.5"(M)
5084	CEDAR	5.5"
5085	CEDAR	7"
5086	CEDAR	7.7 6.5 5"(M)
5087	CEDAR	7.7 5.4"(M)
5088	CEDAR	6.6 5.4 4.5"(M)
5089	CEDAR	5"
5090	CEDAR	10.5"(M)
5091	CEDAR	5"
5092	CEDAR	10"
5093	CEDAR	6.5 3.3"(M)
5094	CEDAR	3"
5095	CEDAR	8.5"
5096	CEDAR	7.5 9.5 3"(M)
5097	CEDAR	7.5"
5098	CEDAR	6.4 5"(M)
5099	CEDAR	5.5"
5100	CEDAR	8.5 5.5"(M)
5101	LIVE OAK	7.5"
5102	LIVE OAK	6.5"
5103	CEDAR	4.5 4.4"(M)
5104	CEDAR	5"
5105	CEDAR	5.5"
5106	CEDAR	6.5"
5107	CEDAR	8"
5108	CEDAR	7.4"(M)
5109	CEDAR	3.5"
5110	CEDAR	3"
5111	CEDAR	3"
5112	LIVE OAK	8"
5113	CEDAR	9.6 5.5 5.5"(M)
5114	CEDAR	4.3 5.3"(M)
5115	CEDAR	3.5"
5116	CEDAR	6.5 5.5 5.4"(M)
5201	CEDAR	5.5"(M)
5202	CEDAR	5"
5203	CEDAR	4"
5204	CEDAR	5"
5205	CEDAR	5.5"
5206	CEDAR	4.5"
5207	CEDAR	7.7 4.3 5"(M)
5208	CEDAR	5"
5209	CEDAR	5.5 4"(M)
5210	CEDAR	5"
5211	CEDAR	5.4 3.3"(M)
5212	CEDAR	9"
5213	CEDAR	8.6"(M)
5214	CEDAR	8.5"(M)
5215	LIVE OAK	8.5 5.4 4.5 4.5 3.5 3.5 3"(M)
5217	LIVE OAK	5"
5218	CEDAR	8.5 6.5 6.6 5.5"(M)
5219	CEDAR	8.7 7.5 4.4 4"(M)
5220	CEDAR	4.3 3.3"(M)
5221	CEDAR	7.6"(M)
5222	CEDAR	2.5"
5223	CEDAR	9"
5224	LIVE OAK	7.5"
5225	CEDAR	5.4 4.4"(M)



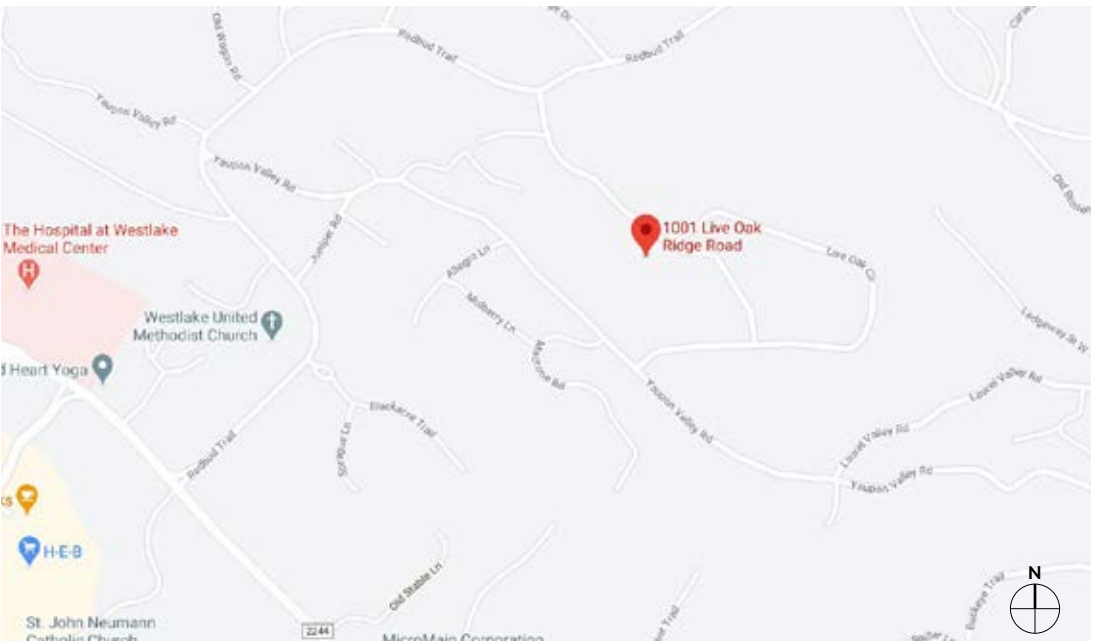
**SURVEY
WORKS**

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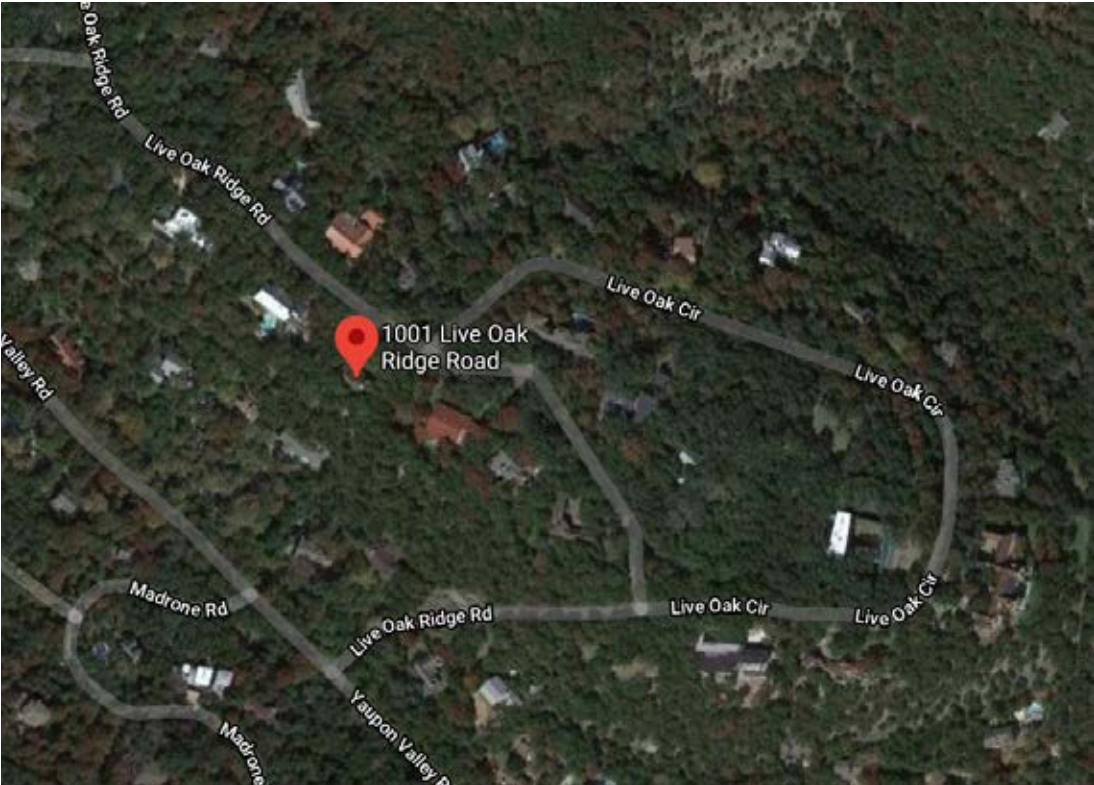
SHEET
2 of 2



City of West Lake Hills Zoning Districts



Area map



Aerial View



Adjacent Properties

December 2, 2020

LYRA RESIDENCE
1001 Live Oak Ridge Rd



(512) 975-0252 | www.renew-design.com

contact@renew-design.com | Austin, TX



View from the street, NE corner.



View from the street, front approach.



View from street, NW side of property, driveway approach.



View from SW corner of property.



View from southern part of property.



View from SE corner of property.



5037 Cedar (Multiple branches) - 15.25"
Removal due to extension of driveway.



Existing driveway, to be extended down.



5051 Live Oak (Multiple branches) - 16.75"
Removal due to proximity to dwelling.

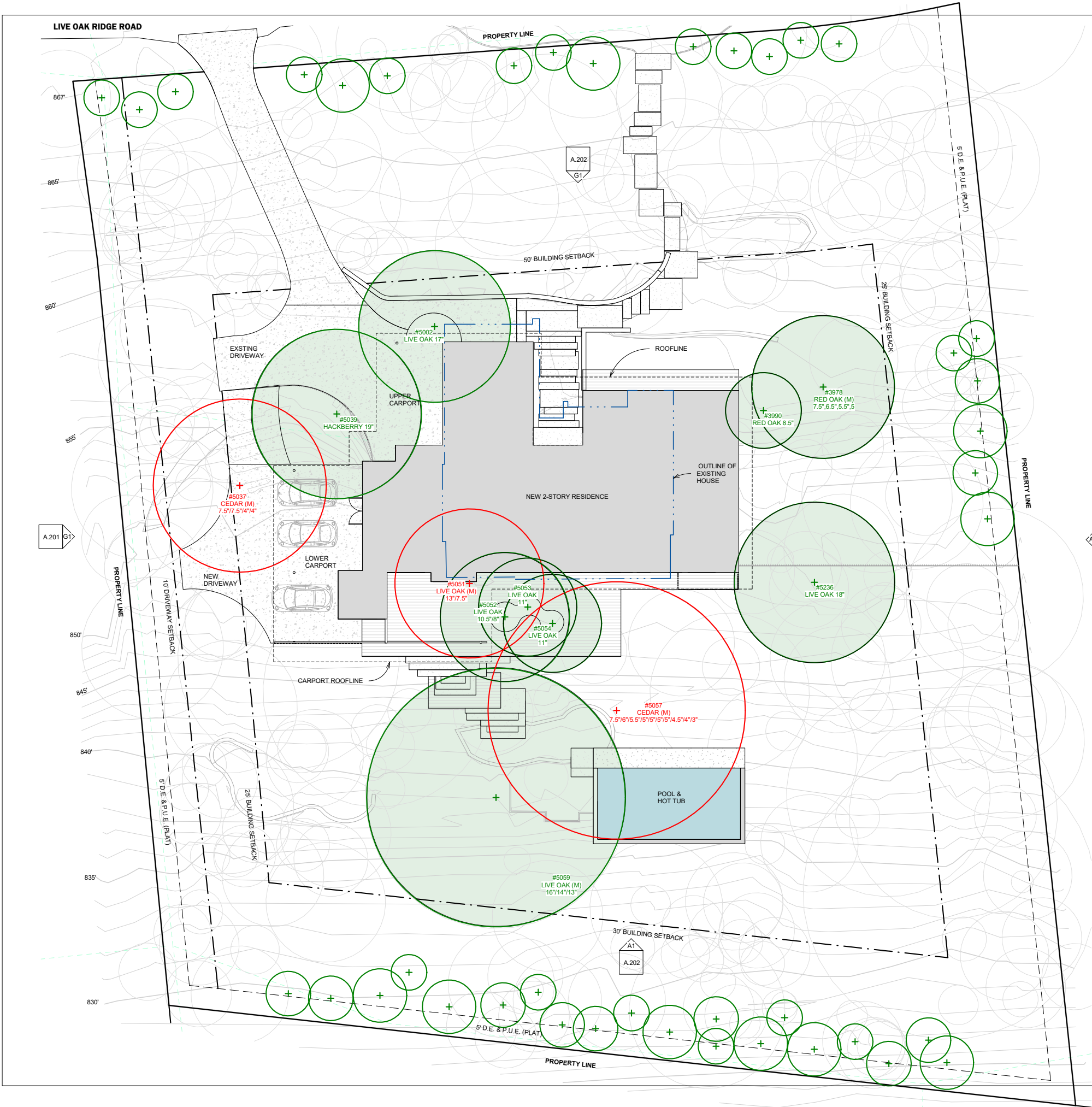




5057 Cedar (Multiple branches) - 29"
Removal due to building of the pool.



Natural clearing, pool's chosen site.



LEGEND

- + REQUESTED VARIANCE TREES TO BE REMOVED
- + SPECIMEN TREES TO REMAIN
- + REPLACEMENT TREES (REFERENCE ONLY). TO BE COORDINATED W/ LANDSCAPE ARCHITECT

VARIANCE TREES (14"++)

5037	CEDAR (M)	15.25"	23" REQ. REPLACEMENT
5051	LIVE OAK (M)	16.75"	26" REQ. REPLACEMENT
5057	CEDAR (M)	29"	44" REQ. REPLACEMENT

AREA CHART

	SQ. FT.
LOWER LEVEL CONDITIONED	2,163
UPPER LEVEL CONDITIONED	2,864
TOTAL CONDITIONED SPACE	5,027

IMPERVIOUS COVERAGE

	SQ. FT.
LOT AREA (1.05 ACRES)	45,738
MAXIMUM ALLOWABLE COVERAGE (@ 25%)	11,435
FOUNDATION PAD	3,371
DRIVEWAY AND CARPORTS	3,014
WALKWAYS AND POOL COPING	1,272
WOOD DECKING (1,659 @ 50%)	830
TOTAL IMPERVIOUS COVERAGE	8,487
FINAL IMPERVIOUS COVERAGE %	18.56%

LEGAL LOT DESCRIPTION

1001 LIVE OAK RIDGE RD., WESTLAKE HILLS, TX. 78746
LOT 17 MAYO ADDITION
VOLUME 70, PAGE 95 - PLAT RECORDS, TRAVIS COUNTY, TX

PROJECT
LYRA RESIDENCE
1001 Live Oak Ridge Rd
Westlake Hills, TX 78746

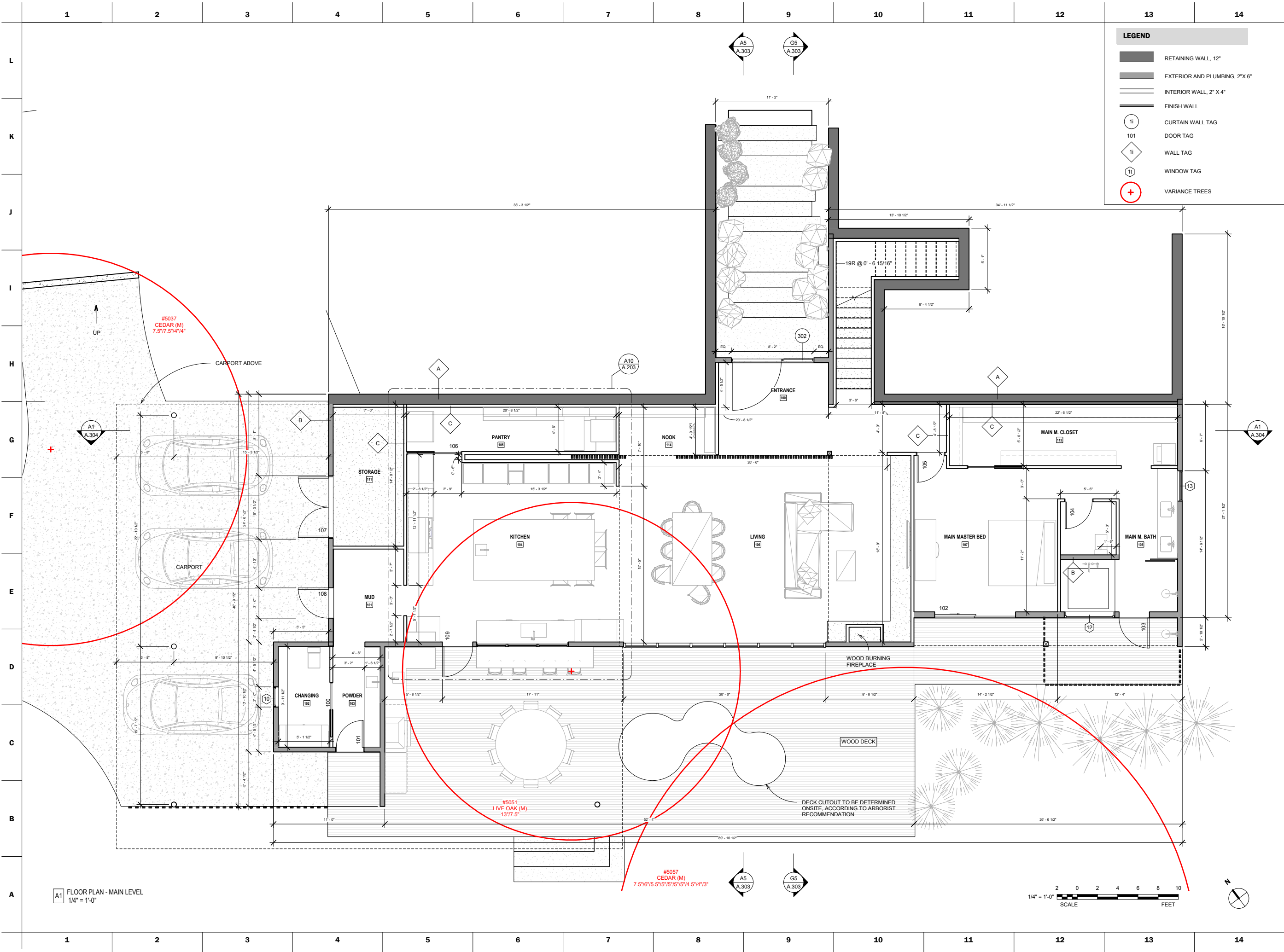
CLIENT
Ricardo & Elena Lyra

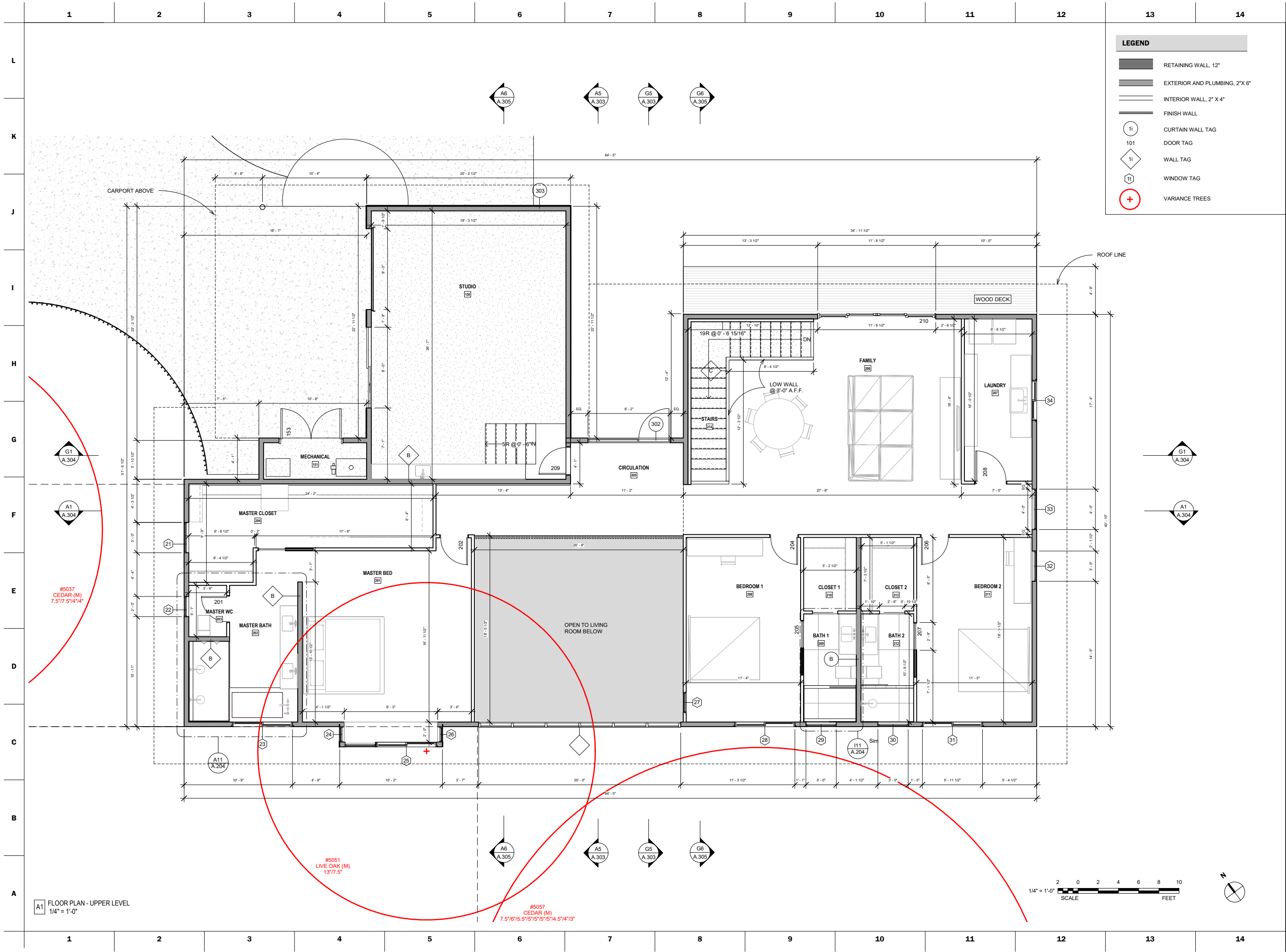
REVISION LIST

DATE	DESCRIPTION

PROJECT NUMBER 2020001
DESIGNED BY ELL

SITE PLAN & TREE
VARIANCE REQUEST





LEGEND

- RETAINING WALL, 12"
- EXTERIOR AND PLUMBING, 2" X 6"
- INTERIOR WALL, 2" X 4"
- FINISH WALL
- 11 CURTAIN WALL TAG
- 101 DOOR TAG
- 11 WALL TAG
- 11 WINDOW TAG
- + VARIANCE TREES

reNew design
reNew Design
contact@renew-design.com
www.renew-design.com
(512) 975.0252

PROJECT
LYRA RESIDENCE
1001 Live Oak Ridge Rd
Westlake Hills, TX 78746

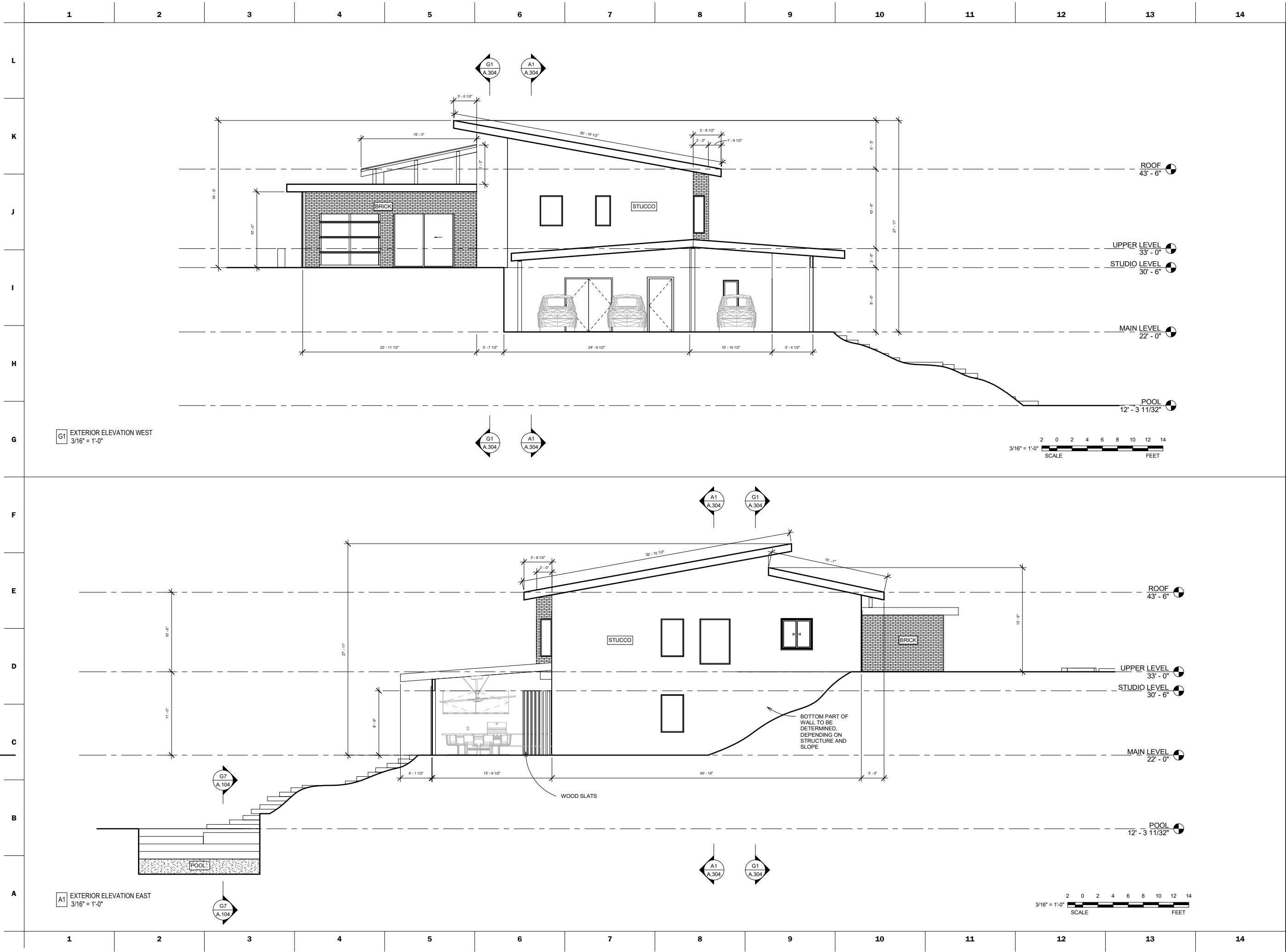
CLIENT
Ricardo & Elena Lyra

REVISION LIST

DATE	DESCRIPTION

PROJECT NUMBER 2020001
DESIGNED BY EL

FLOOR PLAN - UPPER
LEVEL



PROJECT
LYRA RESIDENCE
1001 Live Oak Ridge Rd
Westlake Hills, TX 78746

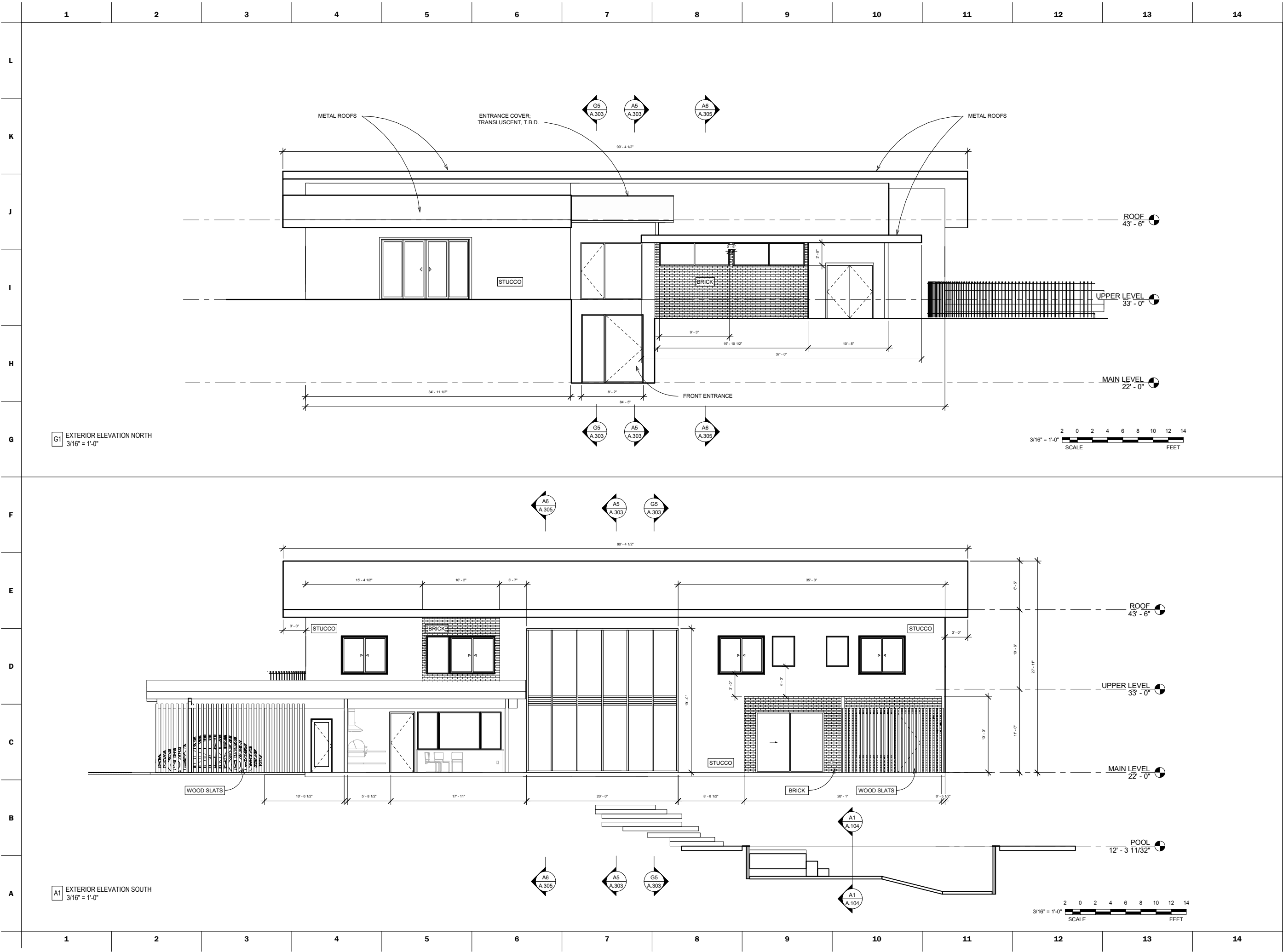
CLIENT
Ricardo & Elena Lyra

REVISION LIST

DATE	DESCRIPTION

PROJECT NUMBER 2020001
DESIGNED BY EL

ELEVATIONS E & W



reNew Design
contact@renew-design.com
www.renew-design.com
(512) 975.0252

PROJECT
LYRA RESIDENCE
1001 Live Oak Ridge Rd
Westlake Hills, TX 78746

CLIENT
Ricardo & Elena Lyra

REVISION LIST

DATE	DESCRIPTION

PROJECT NUMBER 2020001
DESIGNED BY EL

ELEVATIONS N & S



Render - View from the street

December 2, 2020

LYRA RESIDENCE
1001 Live Oak Ridge Rd



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Page 53 of 135



Render - Back view

December 2, 2020

LYRA RESIDENCE

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SIGN VARIANCE APPLICATION STAFF REPORT

JANUARY 27, 2021

Project Address: 4611 Bee Cave Road

Project Number: 16026

Agenda Item: Land Use: **4611 Bee Cave Road:** Discussion/recommendation on a variance request to construct a new monument sign that exceeds the maximum allowed height, area, and sign base height. (West Lake Hills Code Sec. 32.03.006). Applicant David Alsmeyer.

Applicant Information: David Alsmeyer

Location: The property is located on the south side of Bee Cave Road, west of Buckeye Trail and east of Swiftcurrent Trail.

Zoning & Site Characteristics:

The property is zoned O – Office District. The entire property is approximately 2 acres.

Hearing Dates:

November 18, 2020 ZAPCO (*withdrawn at Applicant's request-no discussion*)

January 20, 2021 ZAPCO

January 27, 2021 City Council

Background/Analysis:

The Applicant is applying for a variance for a new monument sign to replace the existing sign. The driveway has a steep grade, and the applicant is asking for a height variance in order for the sign to be more visible from the street level. The proposed sign is 12ft 11in tall, and the Code allows a maximum of 8ft measured from natural ground grade. The total sign area is approximately 57.35sf, and the maximum allowed area is 36sf. Additionally, the sign base exceeds the maximum permitted 18in.

Sign Review under City Code Sec. 32.03.006 (Freestanding commercial signs, multitenant shopping center or office complex; option I, option II, and option III) – Option II

- 1) Purpose. *To identify the name of the multitenant shopping center or office complex (subject to the limitations contained in subsection (F) below) and the businesses located therein.* | **Complies**

- 2) Size. *A maximum size of 36 square feet, with a horizontal dimension of no greater than 9 feet.* | **The proposed sign is approximately 57.53sf (or 35.64sf for the sign panels minus the base) – variance requested.**
- 3) Height. *No part of the sign shall extend above 8 feet from average natural grade, including a base no greater than 18 inches tall.* | **Proposed sign is 12’11” – variance requested.**
- 4) Number. *One sign on the major traffic street or main entrance. If a multitenant shopping center has two or more public entrances, a separate sign is permitted on the subordinate driveway and such sign shall be limited in area to 12 square feet, no part of such sign shall extend above 5 feet from average natural grade and such sign shall only contain the name of the center (subject to the limitations contained in subsection (F) below) and the street address.* | **Only one sign proposed; complies. Proposed sign will replace existing monument sign.**
- 5) Location. *On premises of the center or complex and adjacent to major trafficway which the building abuts, between the right-of-way and the building setback lines so as not to create a traffic hazard.* | **Location complies**
- 6) Design. *The monument sign design shall contain the name of the center and the address at the top of the sign; the individual businesses may be listed under the name of the complex. Lettering designating the name of the shopping center and street address shall not exceed a maximum of 7 inches in height. Other subordinate lettering designating retail businesses shall not exceed 3 inches in height. The base of the monument sign shall have a maximum height of 18 inches in a landscaped setting, and any design shall be shown not to create a traffic hazard. The name of the multitenant shopping center or office complex may not be the same or similar to any individual tenant or business located in such shopping center or office complex.* | **Sign base is 4’11” and maximum permitted base is 18”.**
- 7) Lighting. *Indirect.* | **Sign is internally illuminated, complies.**
- 8) Landscaping: Shall be as follows:
 - (i) A landscaped area of 120 square feet at the base of the sign;
 - (ii) All landscaped areas shall be maintained in a neat, clean and healthy condition throughout the life of the permit; and
 - (iii) A plan showing the landscaping must be submitted to the council by the applicant at the time of application. | **Complies**

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 – “Due to the topography of the site and the raised roadbed from the reconstruction of Bee Cave Road, the proposed sign location sits 4’11”

below the street level. In addition, the proposed sign sits approximately 20 feet from the road due to easements and road ROW. Lastly, a large heritage oak tree to the west of the proposed sign limits visibility from the West. Without a height variance we believe these 3 factors will result in poor visibility of the sign.”

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

The application states – “We are using the existing masonry sign base so there will be no excavation work or removal of any existing plant material. We worked with the City Arborist in the Fall of 2019 to prune a nearby heritage oak tree to make sure the proposed sign would not interfere with the tree’s canopy.”

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

The application states – “The frontage of the site falls off very steeply from the road and is heavily wooded in a natural terrain setting including several heritage trees. Any other location for the sign on the site would result in major disruption to the landscaping and would probably be less visible due to a concrete bulkhead installed during the road reconstruction.”

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

The application states – “The height and sign base variance we are requesting will bring the monument sign to 8 feet above street level and is needed for effective visibility. The variance for area of the sign face is necessary because the 4’11” sign base that is needed to raise the sign is included in the calculation.”

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

The application states – “We believe the intent of the Ordinance is to limit the height of tenant signs to 8 feet and 36 sf of area on the sign face at street level. At the street level, our proposed sign is in full compliance with the ordinance. The height and sign base variances are necessary to position the sign to where it can be seen. The sign face area complies if the sign base is not included in the calculation.”

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

The application states – “The neighboring properties have similar tenant signage include the Bright Horizons sign at the property to our west. Their site has similar topo as the subject site. The sign constructed there is nearly 17’ above grade with 42 sf of sign area. Our proposed sign is modeled after the Bright Horizons sign but is much smaller. We used the same sign company to design our sign and it will be constructed with high quality materials/illumination. In addition, our proposed sign

sits approximately 20 feet back from the road and will not be visible from the neighboring properties.”

Zoning and Planning Commission Recommendation

During the January 20, 2021 ZAPCO meeting, the Commissioners recommended approval of the requested variances by a vote of 3 (ayes) – 2 (nays).

Staff Recommendation

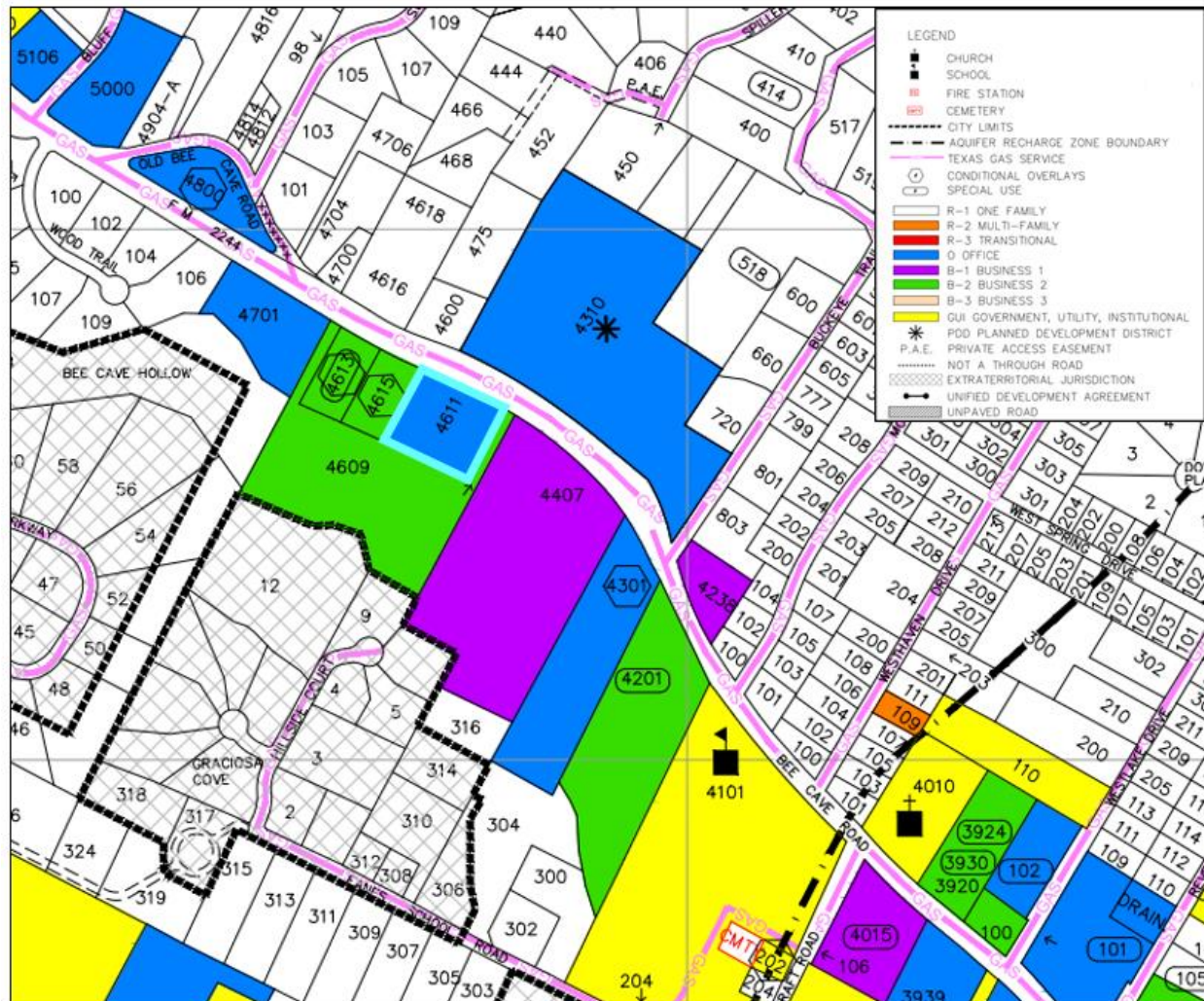
The proposed sign is much larger than what the Code permits at almost 5ft taller than the maximum height, and the total sign area is a little over one and a half times the permitted size. The original design was much larger and the Applicant has brought the height down by approximately one foot and significantly reduced the sign area.

As proposed, the sign does not appear to be the minimum needed to alleviate the hardship. Staff therefore recommends: 1) denial; or 2) ZAPCO could consider recommending a smaller sign that minimizes the requested variances.

Relevant Code Links:

- [Article 32.02 – Permits and Inspections](#)
- [Section 32.01.013 – Design review guidelines](#)
- [Section 32.03.006 – Freestanding commercial signs, multitenant shopping center or office complex; option I, option II, and option III](#)

Zoning:



Aerial:



APPLICATION COVER SHEET

Property Address: 4611 BEE CAVE RD.
Applicant Name: DAVID ALSMEYER
Designated Agent (if any, Power of Attorney Required): N/A
Applicant Phone Number: 512-971-9111 Email Address: [REDACTED]
Date Application was Submitted: 12/11/20
Variance(s) Requested:

- OVERALL HEIGHT (4'11")
- SIGN BASE (4'11")
- SIGN FACE AREA (21.7 SF)

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

January 14, 2020

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

Dear Mr. Chairman:

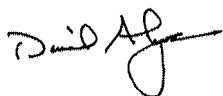
This letter summarizes our request to raise a proposed tenant sign 4' 11" on a multi-tenant office building located at 4611 Bee Caves Road. We believe a hardship exists because of the following:

1. The reconstruction of Bee Caves Road resulted in a raised roadbed and the installation of a concrete bulkhead and railing along the front of the property, and;
2. The topography of the site is such that it falls steeply from the road. This puts the foundation of the proposed sign 4' 11" below and 20 feet back from the current surface of the road, and;
3. We tried to find an alternate location for the sign but the topography and presence of heavily landscaped natural terrain including several heritage trees on the site made this option more disruptive to the landscaping.

We plan to replace the existing sign using the same masonry foundation so that the footprint of the sign will not change. From the reconstructed roadway, the proposed sign will be 8 feet above street level. It will be made of high-quality materials and comply with all other parts of the sign ordinance.

Without a variance, we believe the tenant sign would lack visibility from the road. This sign is the sole sign on the property and is the only place the address is posted. First responders and building visitors alike rely on clear, visible signage to safely identify and enter the property.

Sincerely,



David Alsmeyer
Managing Agent,
4611 Bee Cave Holdings, LLC

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.**

Due to the topography of the site and the raised roadbed from the reconstruction of Bee Cave Road, the proposed sign location sits 4' 11" below the street level. In addition, the proposed sign location is approximately 20 feet back from the road due to easements and road ROW. Lastly, a large heritage oak tree to the west of the proposed sign location limits visibility from the West. These 3 factors have created a hardship that will result in poor visibility of the sign.

- (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?**

We are using the existing masonry sign foundation so there will be no excavation work or removal of any existing plant material. We worked with the City Arborist in the Fall of 2019 to prune a nearby heritage oak tree so the proposed sign would not interfere with the tree's canopy.

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

The frontage of the site falls off very steeply from the road and is heavily wooded in a natural terrain setting including several heritage trees. Any other location for the sign on the site would result in major disruption to the landscaping and would probably be less visible due to a concrete bulkhead installed during the road reconstruction.

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

The height & sign base variance we are requesting will bring the monument sign to 8 feet above street level and is needed for effective visibility. The variance for area of the sign face is necessary because the 4' 11" sign base that is needed to raise the sign is included in the area calculation.

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

We believe the intent of the Ordinance is to limit the height of tenant signs to 8 feet and 36 sf of area on the sign face at street level. At the street level, our proposed sign is in full compliance with the ordinance. The height & sign base variances are necessary to position the sign to where it can be seen. The sign face area complies if the sign base is not included in the calculation.

- (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 neighboring properties have similar tenant signage including the Bright Horizons sign at the property to our west. Their site has similar topo as the subject site. The sign constructed there is nearly 17' above grade with 42 sf of sign area. Our proposed sign is modeled after the Bright Horizons sign but is much smaller. We used the same sign company to design our sign and it will be constructed with high quality materials/illumination.

In addition, our proposed sign sits approximately 20 feet back from the road and will not be visible from the neighboring properties.



EAGLE CENTER

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Eagle Center
4611 Bee Caves
Rd.
West Lake Hill,
TX 78746

PAGE	2	OF	5
ART VERSION	190557-16		
DATE	01/13/21		
SALES	Paul		
PM	PM		
DESIGN	Jeg		

09/16/20 CHANGES JEG
11/12/20 SQFT ADJUSTMENT BY
JEG
01/13/21 ADD TOTAL SQFT
01/14/21 DATA ADDED

CONCEPTUAL DESIGN ONLY FINAL
DIMENSIONS DETERMINED AT
PRODUCTION.

ALL DESIGNS ARE PROPERTY OF AND FOR
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REPRODUCTION OF ITS DESIGNS UPON
DISCOVERY THAT A DESIGN HAS BEEN
SHARED, RECREATED OR REPRODUCED
WITHOUT APPROPRIATE PERMISSIONS.

A/ DOUBLE SIDED MONUMENT SIGN

FONT: BLAIR MD ITC / PRESICAV REG.
SQ. FOOTAGE: 57.35
SCALE: 1/8"=1'-0"

SCOPE OF WORK: FABRICATE AND INSTALL **ONE (1)** MONUMENT SIGN TO SPECIFICATIONS

- WELDED SQUARE TUBE FRAME
- .090 ALUMINUM CABINET FINISHED MP 02653 MEDICI IVORY STUCCO
EAGLE CENTER
- 1/2" PUSH THRU WHITE MILKY WHITE ACRYLIC LETTERS
TENANT PANELS
- .090 ALUMINUM CABINETS FINISHED FAUX CORTEN STEEL WITH ROUTED
OUT LETTERS BACKED WITH WHITE TRANSLUCENT ACRYLIC
- WHITE LED ILLUMINATION
4611
- 1/4" FLAT CUT OUT NUMBERS FINISHED IN MP DARK BONZE WITH
.063 ALUMINUM BACK PLATE FINISHED IN MP WHITE MOUNTED ON TOP
OF CABINET
- LANDSCAPE BY OTHERS
- POLE AND FOUNDATION PER ENGINEERING

MINIMUM ELECTRICAL REQUIREMENTS:

ONE (1) 120V 20A DEDICATED CIRCUITS WITHIN 6' OF SIGN, INSTALLED BY OTHERS

- MP DARK BRONZE 20190
- MP02653 MEDICI IVORY



EXISTING



PROPOSED



NIGHT VIEW

Eagle Center
4611 Bee Caves
Rd.
West Lake Hill,
TX 78746

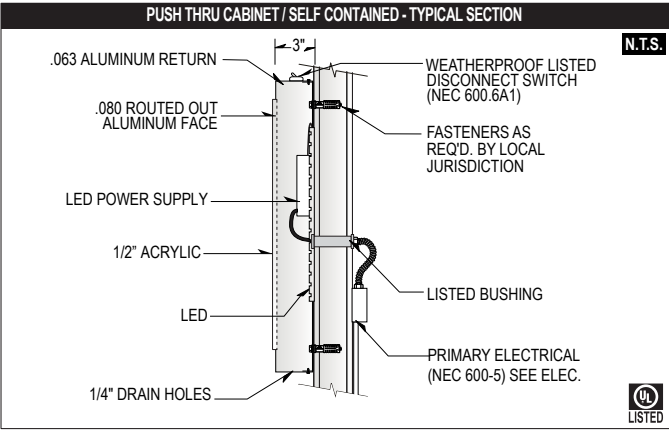
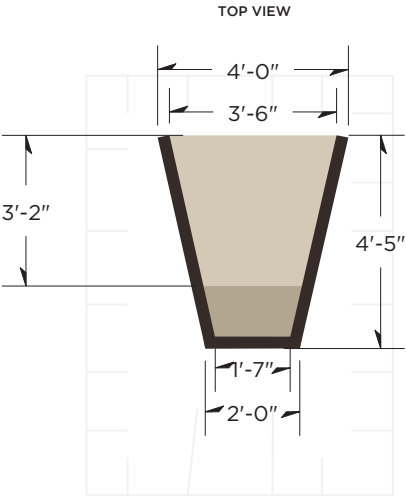
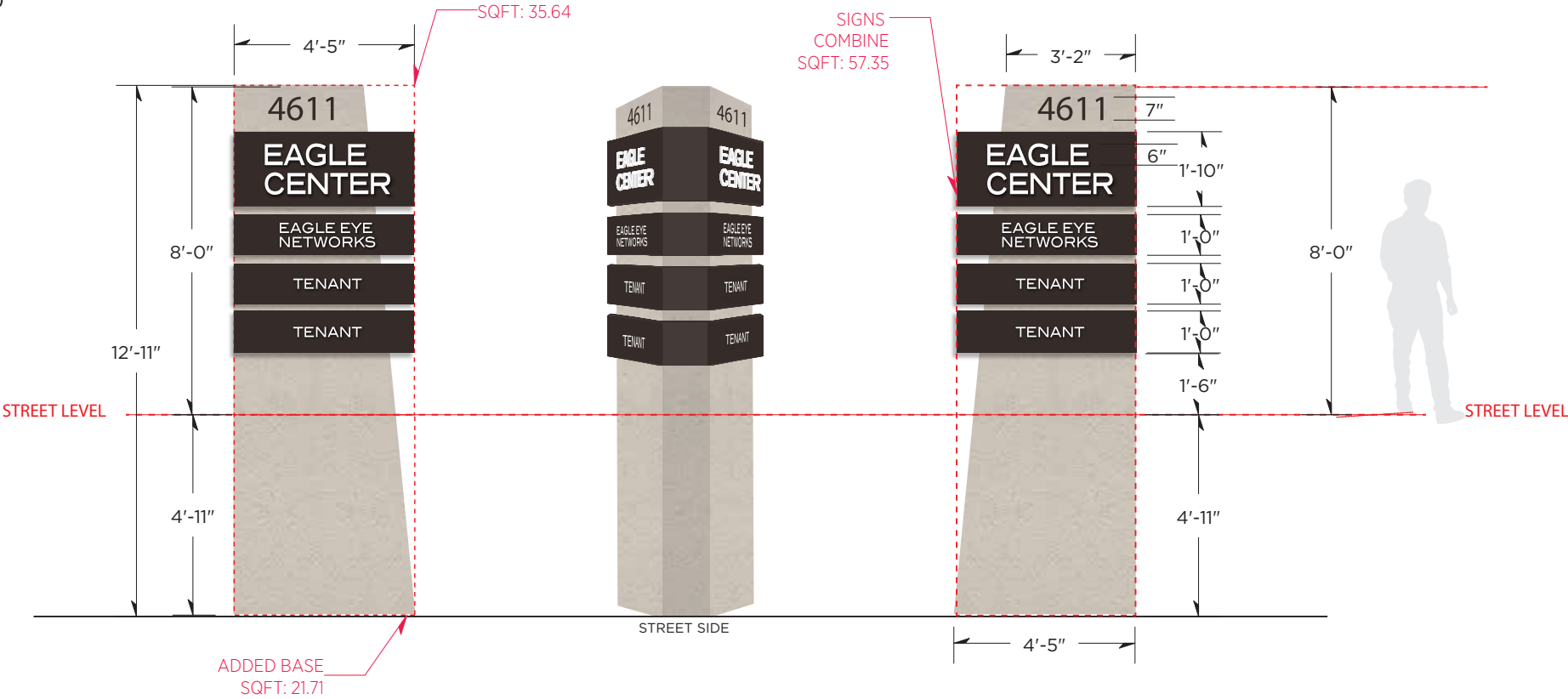
PAGE	3	OF	5
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SALES	Paul		
PM	PM		
DESIGN	Jeg		

09/16/20 CHANGES JEG
11/12/20 SQFT ADJUSTMENT BY JEG
01/13/21 ADD TOTAL SQFT
01/14/21 DATA ADDED

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SCALE: 1/4"=1'-0"





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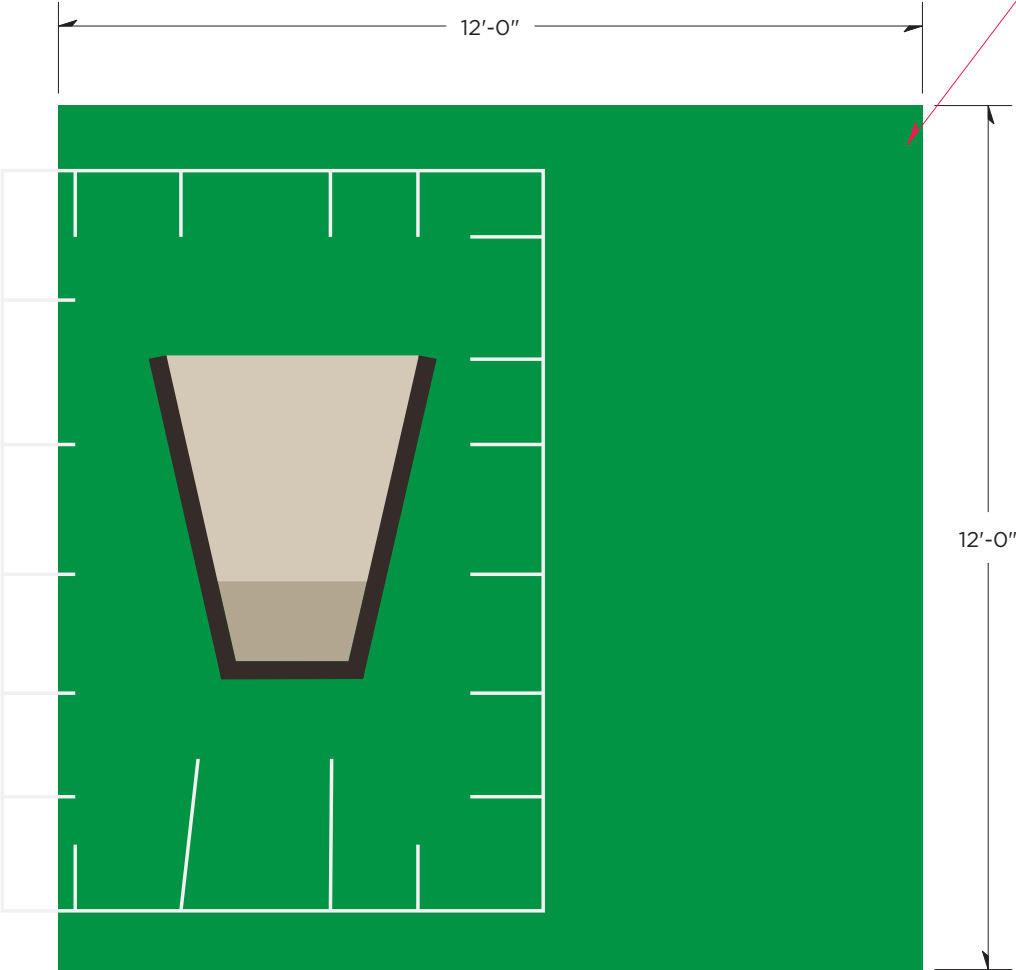
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LANDSCAPE AREA OF 120' SQFT SURROUNDING
BASE OF SIGN AREA



ASIAN JASMINE GROUND COVER

SCALE: 3/8"=1'-0"





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GROUND LEVEL REFERENCE



NTS





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PAGE	2	OF	6
ART VERSION	190557-12		
DATE	09/30/20		
SALES	Paul		
PM	PM		
DESIGN	Capo		

09/16/20 CHANGES JEG

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A / VARIANCE PHOTOS



FROM MIDDLE LANE



FROM LEFT LANE



FROM RIGHT LANE





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PAGE	3	OF	6
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09/16/20 CHANGES JEG

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WEST BOUND



EAST BOUND

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TX 78746

PAGE	4	OF	6
ART VERSION	190557-12		
DATE	09/30/20		
SALES	Paul		
PM	PM		
DESIGN	Capo		

09/16/20 CHANGES JEG

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DAMAGED SIGN

NEIGHBORS PROPERTY

Bright Horizons
4611 Bee Caves
Rd., Austin, TX
78746

PAGE	2	OF	3
ART VERSION	170412-2		
DATE	9/11/17		
SALES	Paul		
PM	pm		
DESIGN	Ashleigh		

DATE REVISION NOTE
9/14 ADD ILLUMINATION

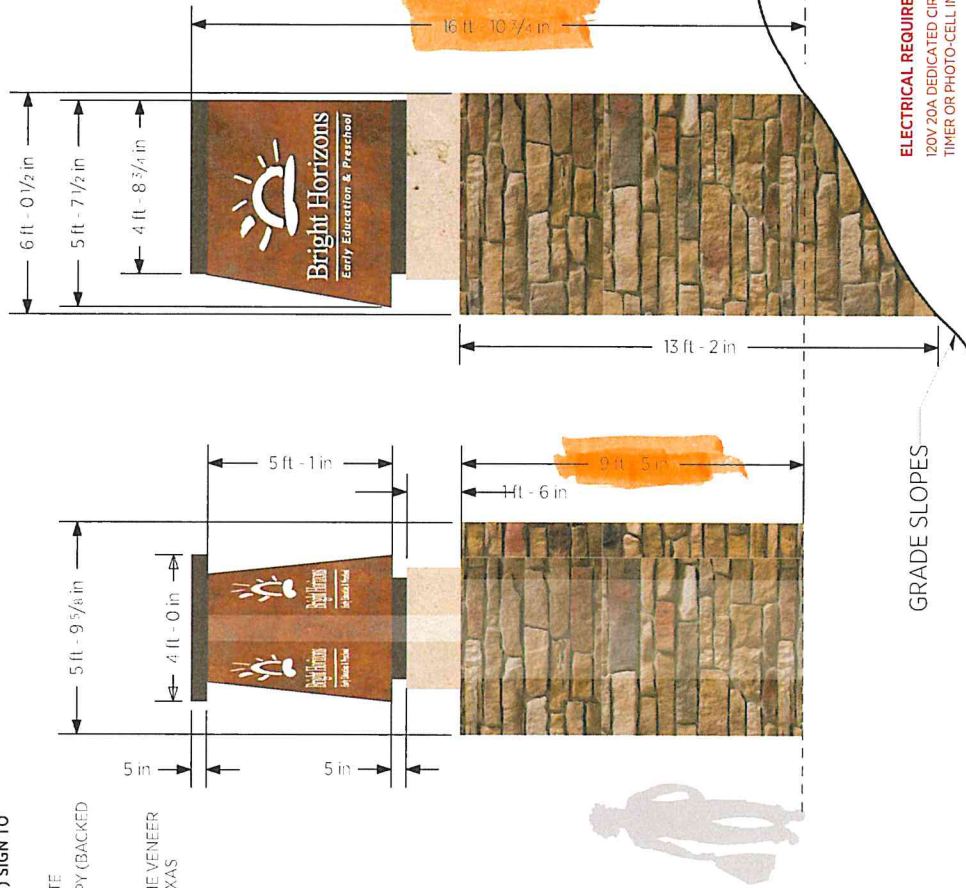
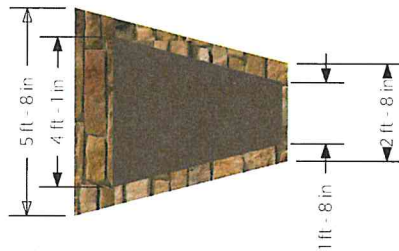
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1A / DOUBLE FACE ILLUMINATED MONUMENT

FONT: PER ART
SQ. FT: 30
SCALE: 1/2" = 1'

SCOPE OF WORK: FABRICATE AND INSTALL ONE (1) SIGN TO UL SPECIFICATIONS

- WELDED SQ. TUBE FRAME WITH ALUMINUM PLATE
- ROUTED ALUMINUM FACE WITH WHITE PLEX COPY (BACKED AND PUSH-THROUGH)
- WHITE LED ILLUMINATION
- SINGLE POLE SUPPORT WITH POLE COVER, STONE VENEER MATCHING EXISTING MONUMENT STONE AND TEXAS LIMESTONE



GRADE SLOPES

SCALE: 1" = 1/4"

ELECTRICAL REQUIREMENT:
120V 20A DEDICATED CIRCUIT WITHIN 6' OF SIGN. INSTALLED BY OTHERS
TIMER OR PHOTO-CELL INSTALLED BY OTHERS

CND SIGNS DOES NOT provide primary electrical to sign. Power to the sign must be done by a licensed electrical contractor or licensed electrician. Each sign must have: 1. A minimum of one dedicated 120V 20A circuit 2. Junction box installed within 6 feet of sign 3. Three wires: Line, Ground, Neutral
TECL 18581- REGULATED BY THE TEXAS DEPARTMENT OF LICENSING AND REGULATION P.O. BOX 12157, AUSTIN, TEXAS 78711, 1-800-803-9202, 512-463-6595; WEBSITE: WWW.LICENSE.STATE.TX.US/COMPLAINTS





FENCE VARIANCE STAFF REPORT

JANUARY 27, 2021

Project Address: 618 Rocky Ledge

Project Number: 16338

Agenda Item: Land Use: 618 Rocky Ledge: Discussion/recommendation on a variance request to construct a fence and driveway gates encroaching the front yard setback (West Lake Hills Code Sec. 22.03.173(d)(6)(a)). Owner Chris Birchby/Applicant Austin Nelson.

Applicant Information: Owner Chris Birchby/Applicant Austin Nelson

Hearing Dates:

January 20, 2021 ZAPCO

January 27, 2021 City Council

Location: The subject property is located north of Bee Cave Road, west of Bulian Lane, and south of Oak Ridge Drive.

Zoning & Site Characteristics:

The subject property is zoned R-2 – Two-Family Residential and is approximately 1.0339 acres.

Background & Analysis:

The applicant is seeking a variance to the front yard fence and gate setback of 30ft to provide a secure area for the owner's children and dogs to safely play. Due to a natural limestone outcropping in the front yard and landscaped terraces, installing a fence at the 30ft setback would pose a challenge and significant disruption to the landscape as well as the natural features and septic field. The applicant is therefore requesting to install a fence and driveway gate 15ft back from the street pavement edge.

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 front yard at 618 Rocky Ledge presents multiple hardships in the form of existing topographical features and natural terracing of the land. The lot, as a whole, presents topographical challenges that subsequently led to

the layout of the home and landscape design decisions to protect the natural qualities of the unique landscape...The placement of a fence beyond 15ft from the private street would result in the fence having to traverse a significant limestone boulder terrace that exceeds 10ft in height as well as a significant limestone outcropping.”

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

The application states – “The sole purpose of this variance is to ensure minimal impact to the existing natural terrain and flora. The placement of this fence has been dictated by the natural terracing of the property as well as an effort to minimally impact the larger trees and existing vegetation. At the 30 foot setback, the fence would have conflict with the limestone terracing and make construction impossible due to rapid elevation change, render the fence ineffective by creating gaps, or make it unable to meet the city design standards (height).”

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

The application states – “We have considered routing the fence at the required setback, but in doing so, the fence would be significantly disruptive to the septic field, water mitigation/site flow, surrounding vegetation, and natural terracing that currently existing on the site.”

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

The application states – “The 15 ft setback we are requesting is the maximum setback we can request in order to avoid impacting the natural limestone terracing in the front yard or significant trees located in the setback.”

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

The application states – “With respect to the City’s comprehensive plan, this variance is strongly considering the disruption to natural environment/terrain and the impact the fence may have on the streetscape. We believe that this fence is both respecting the intent of a natural street scape by minimizing its impact to the existing natural environment.”

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

The application states – “When current ownership purchased 618 Rocky Ledge, they also purchased 620 Rocky Ledge (the adjacent property to the east). The property across the street (617 Rocky Ledge) also has a non-conforming fence, set back at 15 feet. The home located across Rocky Ledge and to the west (505 Rocky Ledge) does not have direct views of the house or new fence from their home.”

Lighting

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

Building Code

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

Subdivision

This request will not change the subdivision.

Comprehensive Planning Analysis

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

Zoning and Planning Commission Recommendation

During the January 20, 2021 ZAPCO meeting, the Commissioners unanimously recommended denial of the requested variance by a vote of 5 – 0. The motion made by Vice Chairman Pledger included a suggestion for the Applicant to show a clearer location of the proposed setback and show minimization before going to City Council.

Staff Recommendation

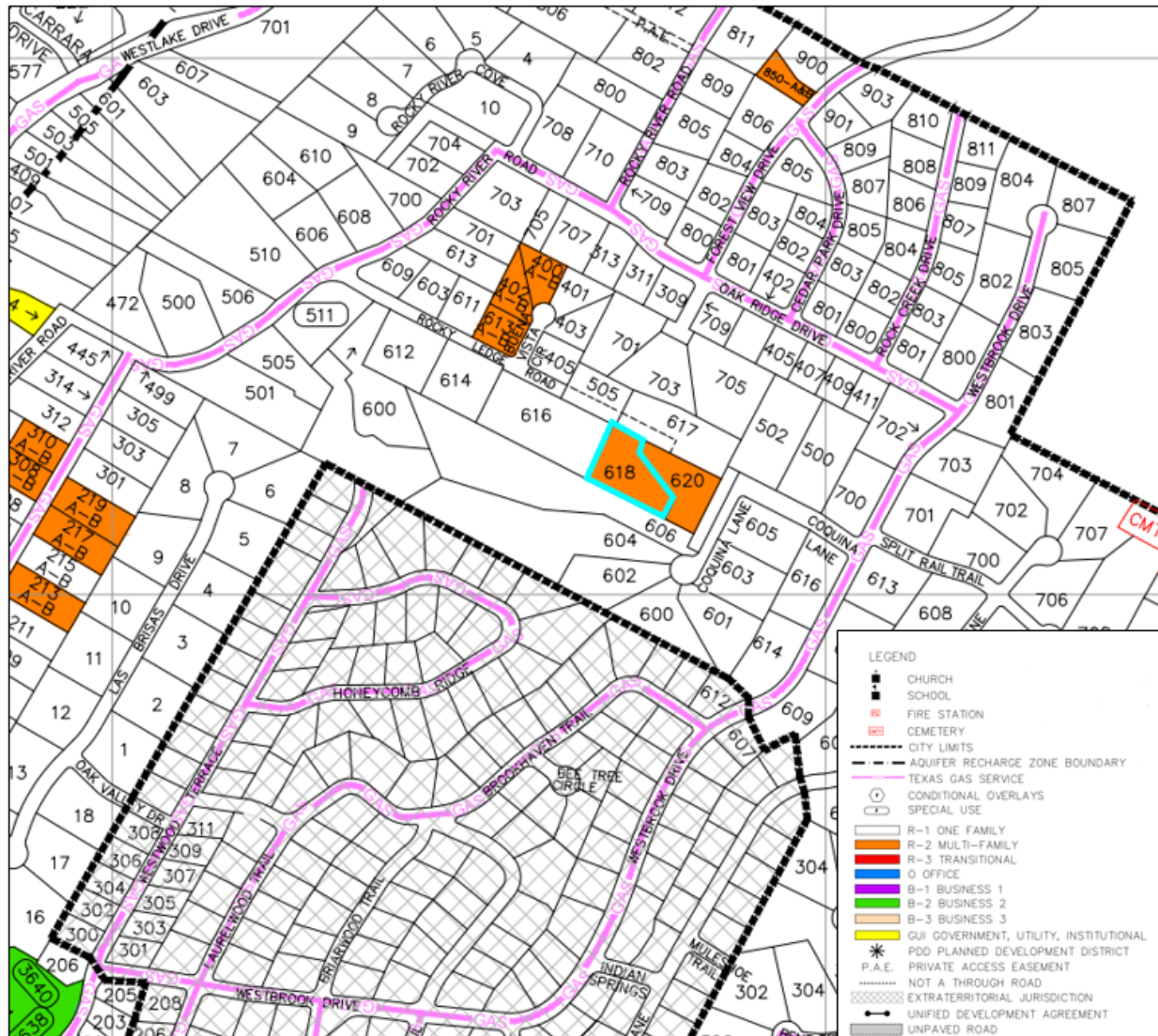
Staff recommends approval of the requested setback variance due to the natural site constraints including limestone outcroppings and vegetation that prevent the fence from complying with the setback.

Links to Relevant Code:

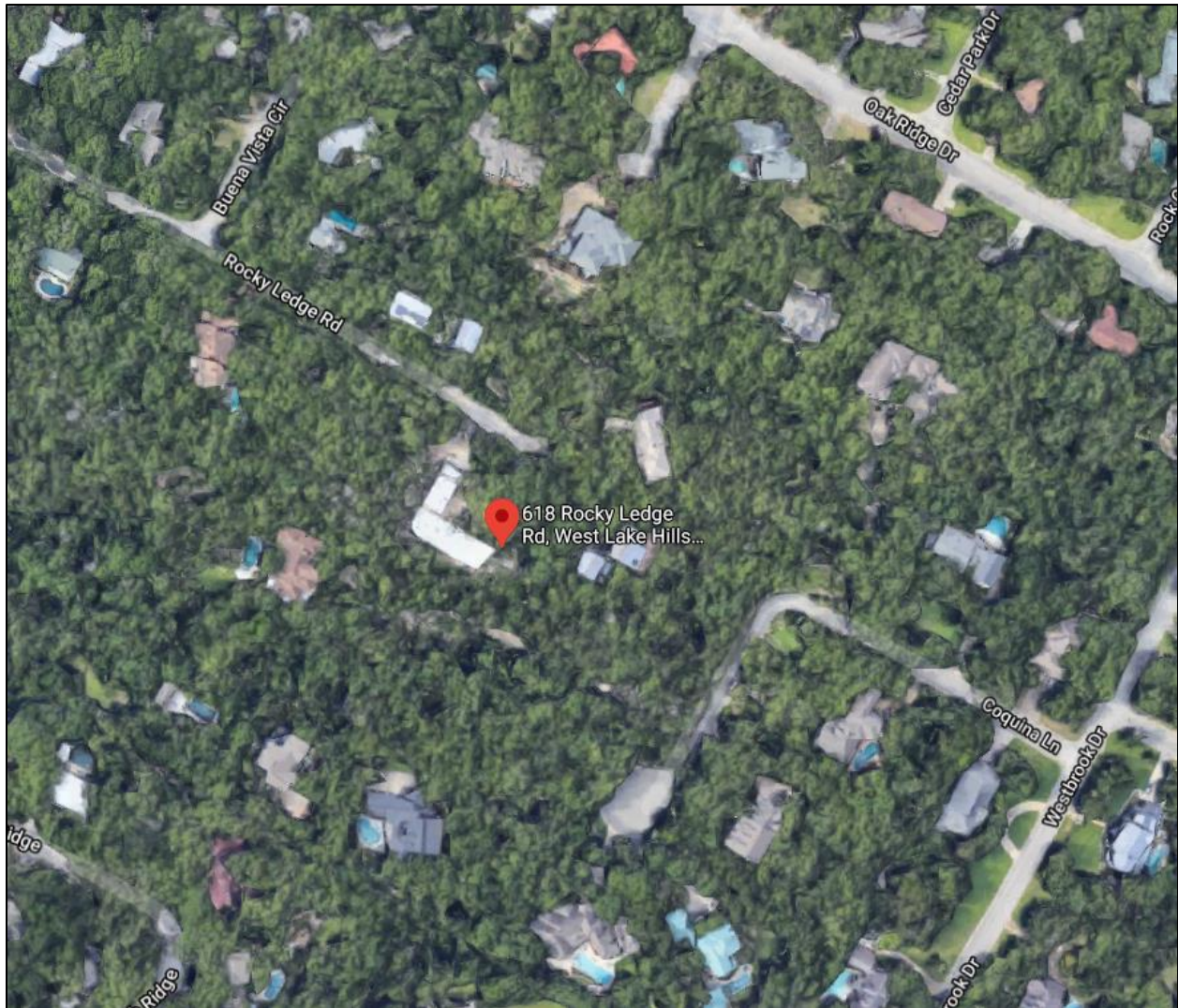
- [Sec. 22.03.281](#) [Schedule of Regulations](#)
- [Sec. 22.03.173](#) [Fences](#)

(Maps to follow)

Zoning:



Aerial:



APPLICATION COVER SHEET

Property Address: 618 Rocky Ledge, Westlake Hills, Austin Texas 78746

Applicant Name: Chris Birchby

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

Applicant Phone Number: 512.522.6804 Email Address: [REDACTED]

Date Application was Submitted: December 3, 2020

Variance(s) Requested:

Front yard fence Setback at 15ft from from the private street, rather than the required 30 ft setback for lots exceeding .75 acres

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: _____

Date: 12/3/2020

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

Dear Mr. Chairman,

I am seeking a variance to the required front yard fence setback at 618 Rocky Ledge in an effort to provide a secure space for the owner's children and dogs while adhering as closely as possible to existing guidelines and design standards of the City of Westlake. The subject property, due to its size, is required to have a 30 ft fence setback. However, due to the natural limestone outcropping in the front yard that begins at roughly 20 feet setback from the paved road and the landscaped terraces for the purpose of water flow/mitigation, adhering to a 30 foot setback causes significant challenges and hardships in both constructability as well as substantial disruption to the landscape, septic field, and natural rock formations. For this reason, we are requesting a variance to allow us to build at fence at 15 feet setback from the edge of paving of the street. It is worth noting that the subject property is located at the dead end of Rocky Ledge, which is a private drive, and the only other adjacent property located at 617 Rocky Ledge also has a non-conforming fence set back at 15 feet from the edge of the paved surface.

We fully understand the intent of the City's comprehensive plan in regards to front yard fences, and will be adhering to all of the design guidelines with exception of the setback. Due to the location and nature of the property located at 618 Rocky Ledge, we do not believe this variance would impact the intent of the City's comprehensive plan or be uncharacteristic of Rocky Ledge in general, as it is already home to 3 other non-conforming fences and multiple non-conforming structures. Rocky Ledge is a very unique street that is maintained solely by ownership of the surrounding properties. It is nearly a one lane, dead end street and incredibly private. We believe this variance will not cause any uncharacteristic changes to the street scape or nature of the private drive, and will not encumber or disturb the enjoyment of any nearby residences or neighbors. The goal of this variance is to allow the owners to build a fence for the safety and enjoyment of their family while adhering to design standards and minimally disrupt the natural and landscaped environment.

I greatly appreciate your consideration in this matter and look forward to working with you and the city to find a solution that is copesetic with this community.

Sincerely,

Austin Nelsen
Owner's Representative

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.

The front yard at 618 Rocky Ledge presents multiple hardships in the form of existing topographical features and natural terracing of the land. The lot, as a whole, presents topographical challenges that subsequently led to the layout of the home and landscape design decisions to protect the natural qualities of the unique landscape and provide avenues for water to flow across the property without impacting or flooding the existing structures. The placement of a fence beyond 15 feet from the private street would result in the fence having to traverse a significant limestone boulder terrace that exceeds 10 feet in height as well as a significant limestone outcropping. Due to the nature of the topography, it would be physically impossible to construct the fence in accordance with the City of Westlake fencing requirements and maintain a consistent design aesthetic for the length of the fence that would face the private street.

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

The sole purpose of this variance request is to ensure minimal impact to the existing natural terrain and flora. The placement of this fence has been dictated by the natural terracing of the property as well as an effort to minimally impact the larger trees and existing vegetation. At the 30 foot setback, the fence would have conflict with the limestone terracing and make construction impossible due to rapid elevation change, render the fence ineffective by creating gaps, or make it unable to meet city design standards (height). Within the 20-30 foot setback lies most of the large trees and significant vegetation in the front of the lot. Fencing in the 20ft setback would require multiple jogs in the fence line to avoid substantial / protected trees, and would impact critical root zones in any case. At 15 Feet, the landscape already has a natural clearing between the larger trees and the smaller shrubs and flora. Locating this fence at the 15 foot setback would allow construction of the fence while creating minimal impact to the terrain and flora.

3. What other reasonable alternatives have you considered. Why wont these other options alleviate the difficulty or hardship you think exists?

We have considered routing the fence at the required setback, but in doing so, the fence would be significantly disruptive to the septic field, water mitigation/site flow, surrounding vegetation, and natural terracing that currently exists on the site. The goal of this fence and variance request is to minimize the impact to the naturally occurring landscape, adhering to aesthetic design standards, and providing a functional fence for the property.

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

The 15 ft setback we are requesting is the maximum setback we can request in order to avoid impacting the natural limestone terracing in the front yard or significant trees located in the setback. The natural terracing creates a pinch-point between itself and the road, where large trees

ANSWERS TO VARIANCE APPROVAL CRITERIA QUESTIONS

and smaller shrubs occupy the space. At the 15 ft setback, there is a natural path for a fence line that would be minimally disruptive to the landscape.

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?

With respect to the City's comprehensive plan, this variance is strongly considering the disruption to natural environment/terrain and the impact the fence may have on the streetscape. We believe that this fence is both respecting the intent of a natural street scape by minimizing its impact to the existing natural environment. The subject property is located at the dead end of a private street that does not ultimately contribute significantly to the through streets that characterize the City of Westlake as referenced in the Comprehensive Plan.

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

When current ownership purchased 618 Rocky Ledge, they also purchased 620 Rocky Ledge (The adjacent property to the EAST). The property directly across the street (617 Rocky Ledge) also has a non-conforming fence, set back at 15 feet. The home located across Rocky Ledge and to the west (505 Rocky Ledge), does not have direct views of the house or new fence from their home. It is also worth noting 505 Rocky Ledge has a non-conforming driveway and garage, with a variance granted due to similar site constraints facing 618 Rocky Ledge. 601 Rocky Ledge, 611 Rocky Ledge, and 617 all have non-conforming 15 ft setback fences, creating a precedence for the setback on the Street. 618 (Subject property) and 620 Rocky Ledge are last homes on the dead end / private street and are under same ownership. For these reasons we do not believe our variance will adversely affect the neighboring properties or lead to a significant change in the streetscape, but rather, will compliment similar existing condition on Rocky Ledge.

Property Address: 618 Rocky Ledge, West Lake Hills, Texas 78746



Proposed Fence Design
Final design will meet 80%
visibility design criteria.



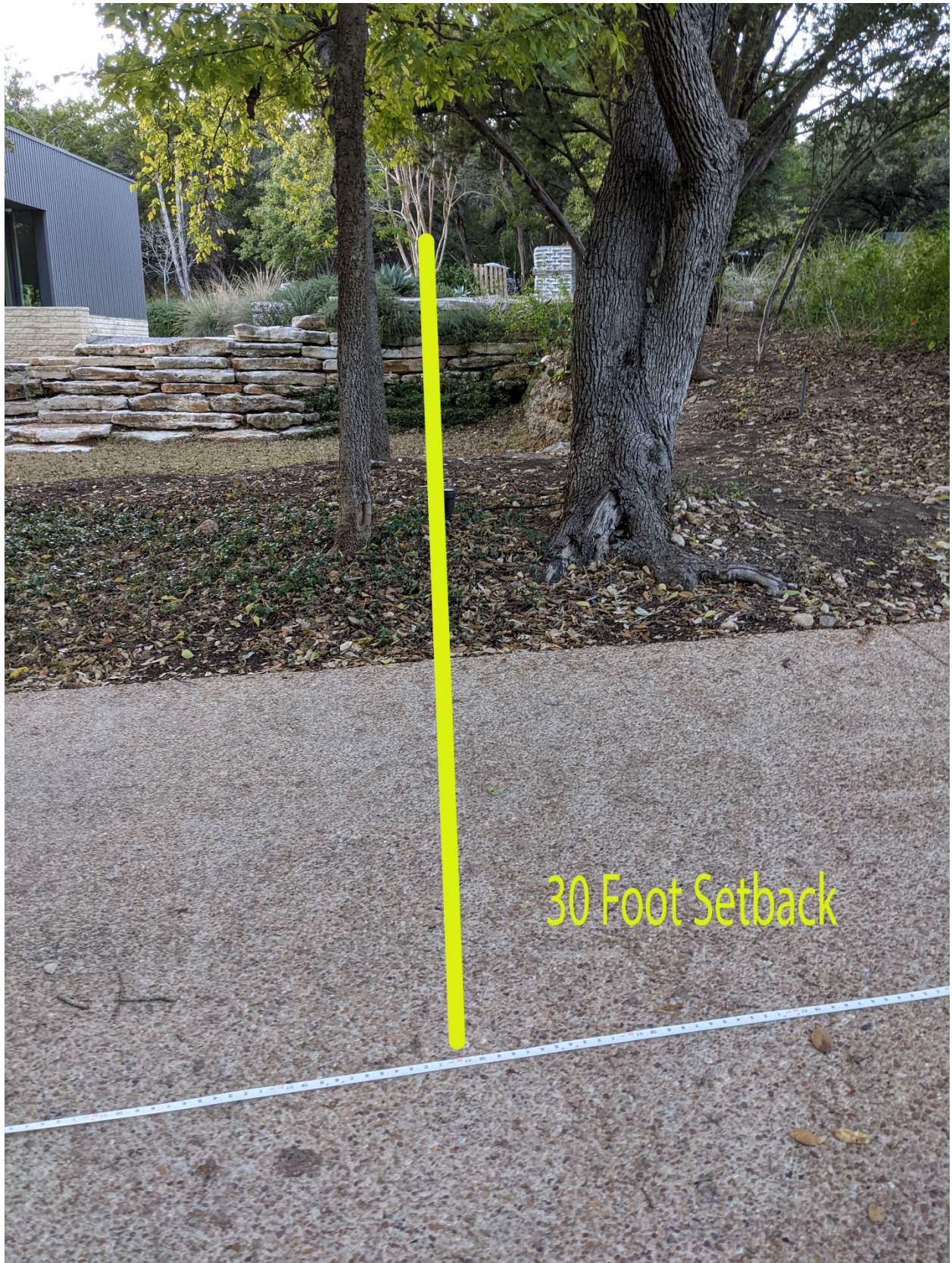












30 Foot Setback



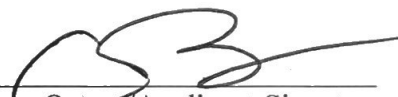


SPECIAL POWER OF ATTORNEY FORM

KNOW ALL PERSONS BY THIS DOCUMENT that I, Chris Birchby
have made, constituted and appointed Austin Nelsen
to be my duly authorized representative in connection with an application dated 12/3/2020,
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.

Chris Birchby

Property Owner/Applicant Name


Property Owner/Applicant Signature

618 Rocky Ledge

Street Address

Westlake Hills

City

Texas

State

78746

Zip Code

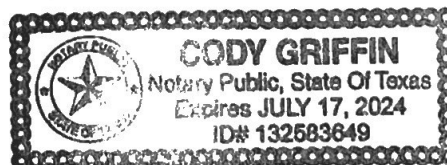
310-346-6868

Property Owner/Applicant Phone Number

This instrument was acknowledged before me on this 15 day of December, 2020.



Notary Public in and for the State of Texas



PRELIMINARY:
NOT FOR
REGULATORY
APPROVAL,
PERMITTING
OR CONSTRUCTION

RockyLEDGE

618 Rocky Ledge Road West Lake Hills TX

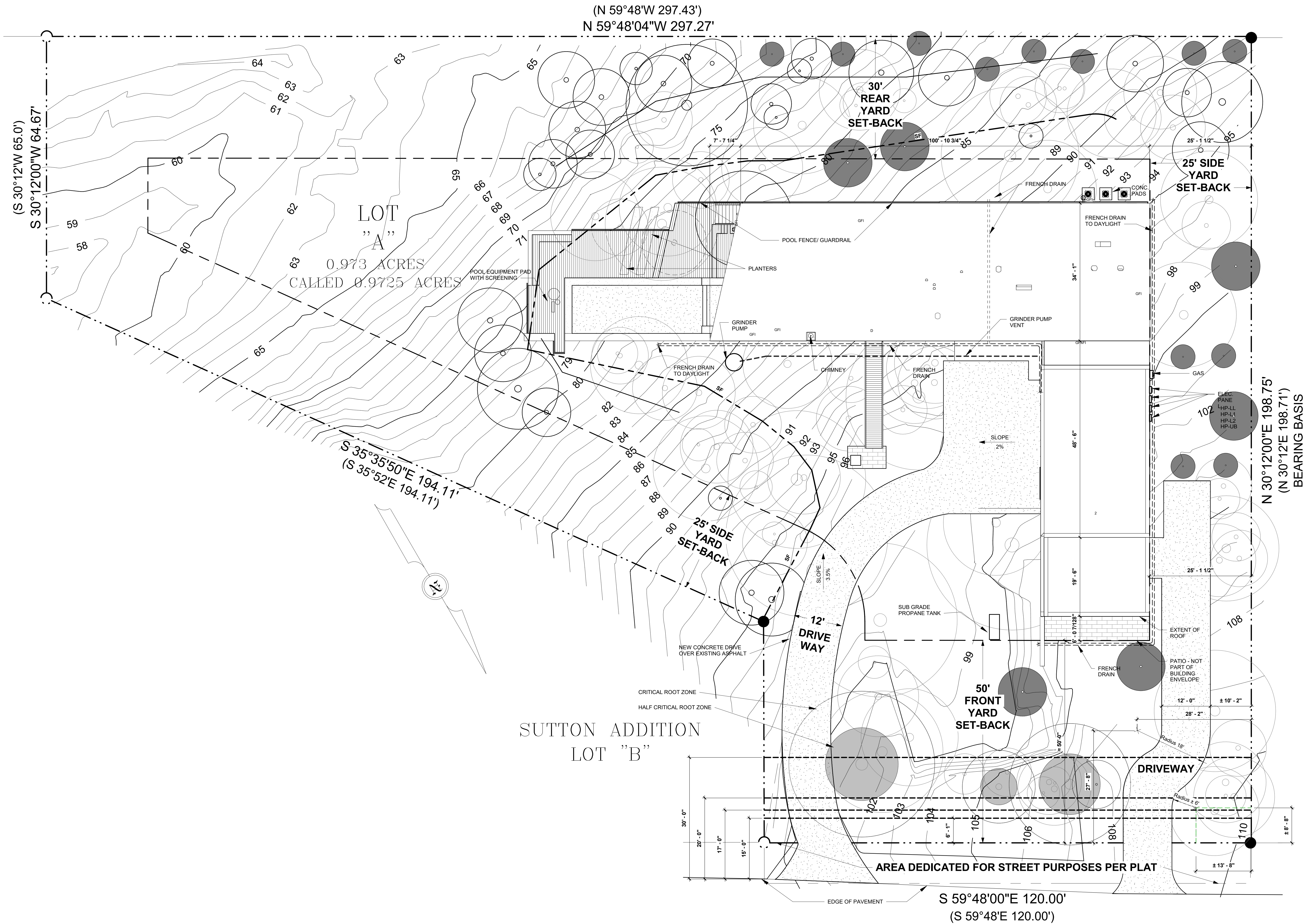
Date
01/21/21
Revisions

Drawings and written material appearing
herein constitute original and unpublished
work of the architect and may not be
copied, used, or disclosed without
written consent of the architect.

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Project No.
2021-05

A101
SITE PLAN



1 SITE PLAN
SCALE: NTS

PRELIMINARY:
NOT FOR
REGULATORY
APPROVAL,
PERMITTING
OR CONSTRUCTION

RockyLEDGE

618 Rocky Ledge Road West Lake Hills TX

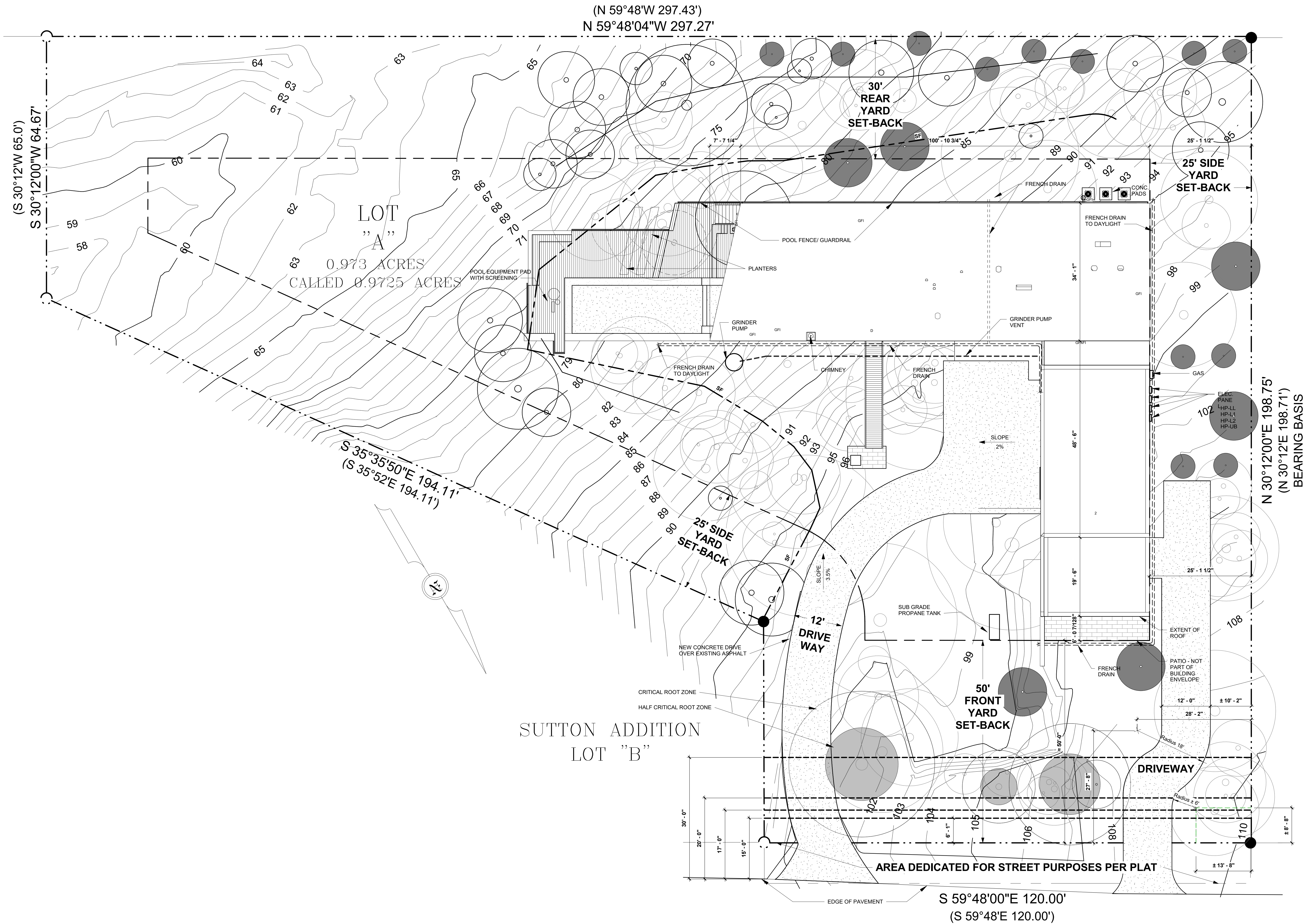
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Project No.
2021-05

A101
SITE PLAN



1 SITE PLAN

SCALE: NTS



Proposed Fence Design
Final design will meet 80%
visibility design criteria.



30 Foot Line



30 Foot Setback
Pinch point at ledges
Facing West



Facing East

15 Ft

17Ft

20 Ft



20 Ft Setback Tree Conflicts
Facing East

Ledge



<3FT to ledge

20ft

15 FT

17FT







Facing West

20 Ft

17 Ft

15 Ft





West Facing

20 Ft

17 ft

15 Ft



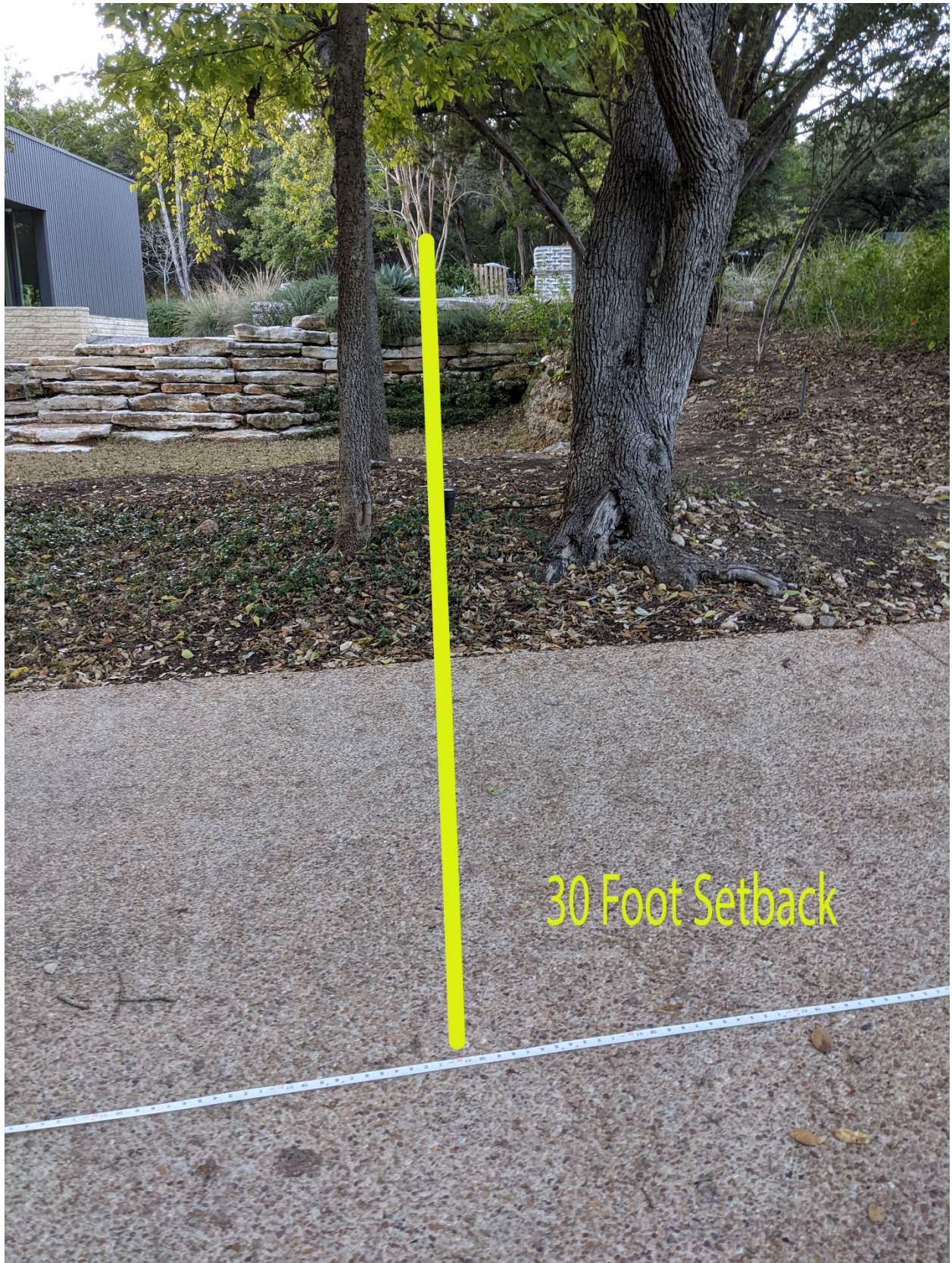
















TREE VARIANCES STAFF REPORT

JANUARY 27, 2021

Project Address: 201 Redbud Trail

Project Number: 16327

Agenda Item: Land Use: 201 Redbud Trail: Discussion/recommendation on a variance request to remove four trees 14" or greater in order to construct a new residence: 1) Tree # 5710 - 16" Cedar; 2) Tree # 5620 - 14.5" Cedar; 3) Tree # 5696 - 16.5" Multi-Trunk Spanish Oak; and 4) Tree # 5686 - 17.5" Multi-Trunk Spanish Oak (West Lake Hills Code Sec. 22.03.304). Owner Mark Hutchinson.

Applicant Information: Applicant Mark Hutchinson

Hearing Dates:

January 20, 2021 ZAPCO

January 27, 2020 City Council

Location: The subject property is located north of Laurel Valley Road, west of Westlake Drive, and southwest of Nob Hill Circle.

Zoning & Site Characteristics:

The subject property is zoned R-1 – One-Family Residential and is approximately 1.0 acre. The property is vacant.

Background & Analysis:

The applicant is requesting variances for the removal of four trees greater than 14" – 1) Tree # 5620 (14.5" Cedar); 2) Tree # 5686 (17.5" Spanish Oak); 3) Tree # 5696 (16.5" Spanish Oak); and 4) Tree # 5710 (16" Cedar).

The property is vacant, and the proposed home takes into consideration the numerous trees in addition to other site constraints including steep slopes and a drainage easement located at the rear of the property. Due to the density of the vegetation, if the home were to be pushed further back, it would result in a large loss of trees (including those under 14"). The property is densely wooded enough to provide a vegetative buffer from neighboring properties.

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 the this site is 1 acre, only about 38% of the site is buildable due to the setback requirements at the front, sides and rear of the property and a drainage easement at the rear of the property.

Furthermore, the site has a steady, relatively steep downhill slope to it as you progress further from the street, which effectively is forcing us to locate the home as close to the 50’ front yard setback as possible.”

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

The application states – “We believe that the natural terrain and existing flora will not be unreasonably disrupted because the site is heavily wooded and since the propose variance trees are not proximate to the perimeter of the property, so the removal of these trees would not be expected to be visible to any of the neighbors. The remaining trees on the property would be expected to buffer visibility of the trees from the street and from the 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 attempted to design the home further recessed from the street and to locate the driveway on the other side of the property, in such a way that we could potentially preserve the proposed variance trees. However, after reviewing the proposed design with the concrete subcontractors, structural engineer and an arborist, we came to the conclusion that building the home deeper on the lot would make the construction of the foundation significantly more difficult and expensive, and it would most likely result in an even larger loss of total tree diameter because the trees become much denser the further back you go on the lot.”

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

The application states – “We have modified the design of the home to create various recesses along the perimeter of the home to provide space for a number of existing trees to be preserved, these trees are all below 14” in diameter though so they are not affected by this variance request. The four proposed variance trees are situated right in the middle of the property...”

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 Westlake Hills such a desirable place to live. Since the property is heavily wooded, and since these proposed variance trees are in the

middle of the lot, we do not believe that the proposed removal of these trees will have any visual impact from the street or adjacent properties.”

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

The application states – “We do not believe that the neighboring properties would be negatively impacted by the removal of these trees due to the heavily wooded nature of the lot, and the location of these proposed variance trees in the middle of the lot, while the trees on the perimeter of the lot will remain as visual buffers for all of the neighboring properties.”

Lighting

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

Building Code

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

Subdivision

This request will not change the subdivision.

Comprehensive Planning Analysis

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

Zoning and Planning Commission Recommendation

During the January 20, 2021 ZAPCO meeting, the Commissioners unanimously recommended approval of the requested variances by vote of 5 – 0.

Staff Recommendation

Staff recommends approval of the requested variance trees due to site constraints including steep topography, a drainage easement at the back of the property and the unique lot shape.

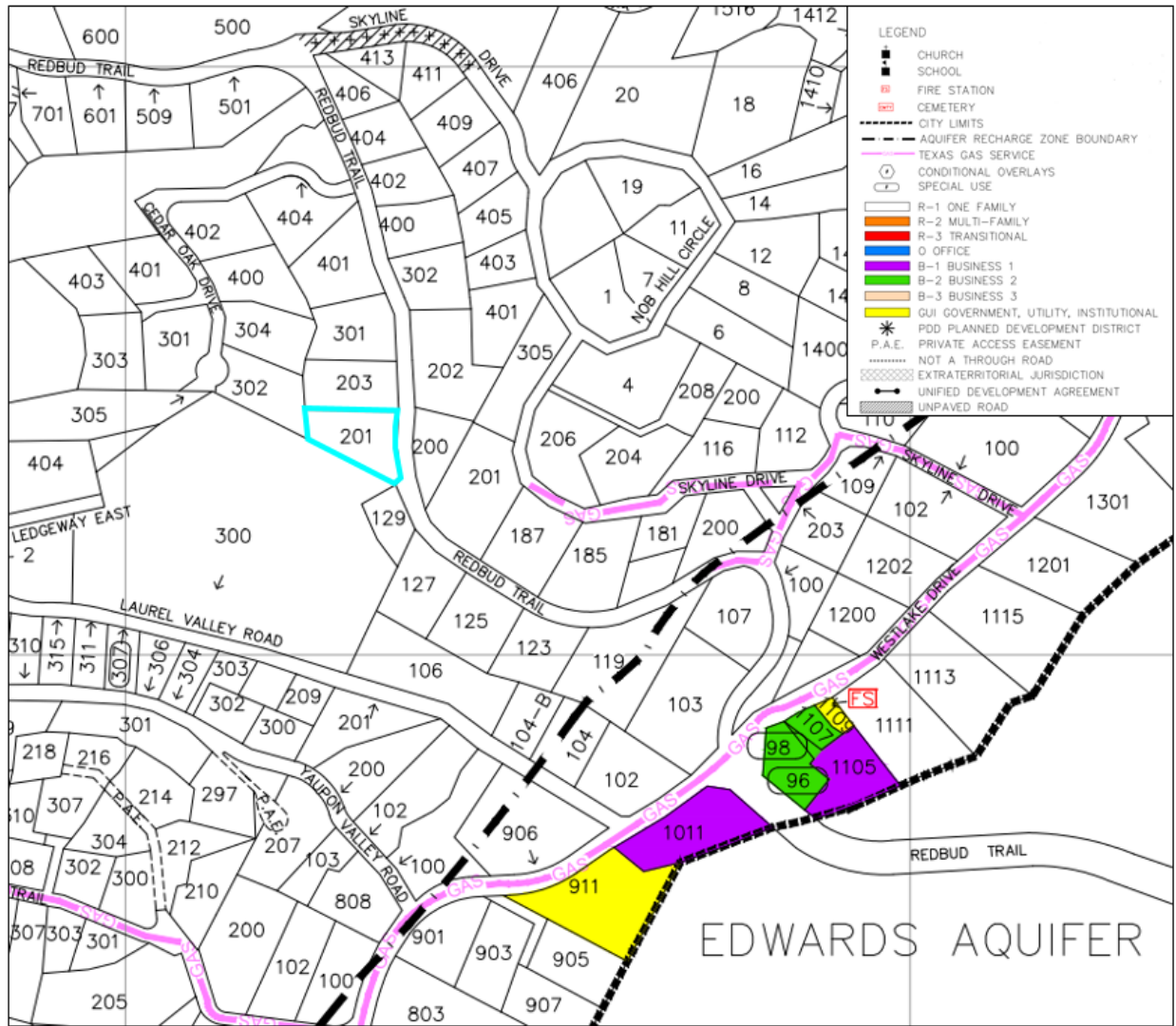
Removal of trees 14” and greater require mitigation at 150%.

Links to Relevant Code:

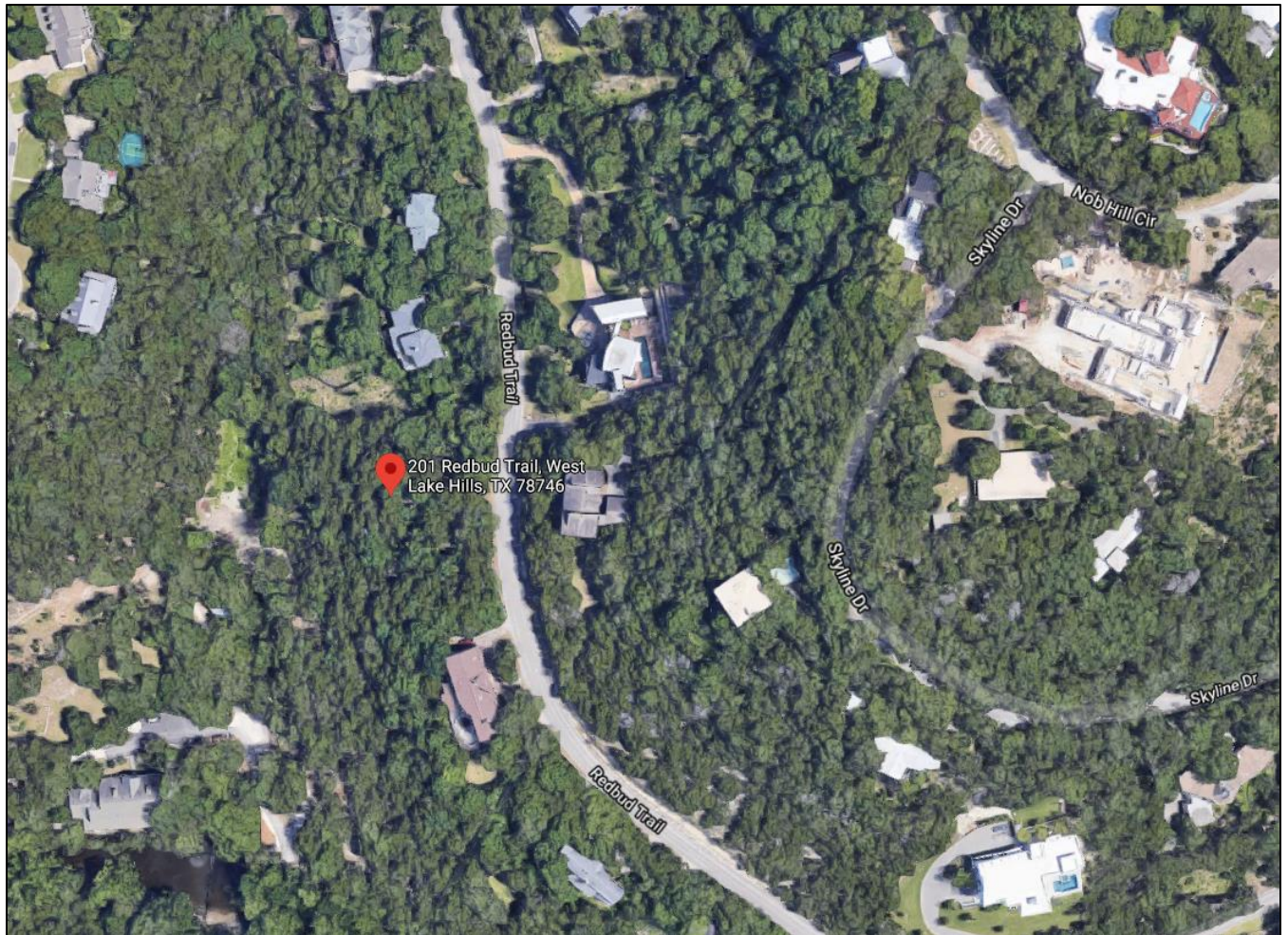
- **Sec. 22.03.304 Tree and vegetation removal and replacement**
- **Sec. 22.03.514 Criteria and process required for granting variance**

(Maps to follow)

Zoning:



Aerial:



APPLICATION COVER SHEET

Property Address: 201 Redbud Trail, West Lake Hills, TX, 78746

Applicant Name: Mark Hutchinson

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

Applicant Phone Number: 214-776-6970

Email Address: _____

Date Application was Submitted: December 4, 2020

Variance(s) Requested: Tree variance to remove four trees.

- ① #5620 (14.5" cedar, 4", 8" and three 3" stems), ② #5686 (17.5" Spanish Oak, 5", 8" and 11" stems)
③ #5696 (16.5" Spanish Oak, 11", 8" and 3" stems), ④ #5710 (16" 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): _____

☐ 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: _____

December 4, 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 201 Redbud Trail, Westlake Hills, TX, 78746 for the removal of four trees that are 14" diameter or larger. The four trees are a Cedar of 16" diameter (#5710), a Cedar of 14.5" diameter (#5620), a Spanish Oak with three trunks which add up to 16.5" diameter (#5696) and a Spanish Oak that has three trunks which add up to a 17.5" diameter (#5686). We wanted to note upfront that our arborist believes, in his professional opinion, that both of the multi-stem trees (#5686 and #5696) have a damaged stem which reduces their caliper below the 14" threshold required for a variance, however, we would like to proceed with the normal variance process for both trees.

While the 1-acre site appears to be spacious, we are severely limited in where we can locate the home. First, the building setbacks and utility easements reduce the buildable area by roughly 62%. Then, within this remaining buildable area, we were strongly advised by our structural engineer and the concrete contractors to design the building close to the 50' front setback because the steepness of the lot would make the construction of the home increasingly onerous for every foot that it went deeper into the lot. In addition, the density of trees increases significantly as you go further back into the lot, so if we did design the home further back into the lot to avoid these proposed variance trees, then this would probably result in a larger total loss of tree caliper due to the large number of trees below 14" diameter that we would be forced to remove.

None of these trees are proximate to the perimeter of the lot and we hope that you will agree that the removal of these four trees will not have a negative visual impact from the street or adjacent properties. The lot is heavily wooded and the remaining trees will continue to provide a strong buffer for all adjacent properties. In fact, the lot is so heavily wooded that our arborist had a difficult time locating areas where new trees could be planted where they would get enough sunlight to be able to thrive. He provided a plan for the mitigation trees, but we are very open to amending this plan to best suit the desires of all neighbors.

Please review this application and let me know if I can provide any additional information which would be helpful in your evaluation. I have been building homes in Austin for a number of years but I have not yet had the good fortune of building a home in West Lake Hills. I am looking forward to working cooperatively with your team to build a high-quality and City-compliant home on this property, and hope to one day be able to build my own home somewhere nearby and become part of the West Lake Hills community,

Sincerely,



Mark Hutchinson
Construct ATX LLC
1901 East 8th Street,
Austin, TX, 78702
Cell 215-776-6970

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 1 acre, only about 38% of the site is buildable due to the setback requirements at the front, sides and rear of the property and a drainage easement at the rear of the property. Furthermore, the site has a steady, relatively steep downhill slope to it as you progress further from the street, which effectively is forcing us to locate the home as close to the 50' front yard setback as possible. We started the design process with the intent of minimizing the impact on the existing trees to the largest extent possible and the design that we have settled upon requires a variance to remove four trees which are larger than 14", however, we were able to design around a large number of smaller trees that are on the property to be able to retain those trees for the future.

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?

We believe that the natural terrain and existing flora will not be unreasonably disrupted because the site is heavily wooded and since the proposed variance trees are not proximate to the perimeter of the property, so the removal of these trees would not be expected to be visible to any of the neighbors. The remaining trees on the property would be expected to buffer visibility of the trees from the street and from the 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 attempted to design the home further recessed from the street and to locate the driveway on the other side of the property, in such a way that we could potentially preserve the proposed variance trees. However, after reviewing the proposed design with the concrete subcontractors, structural engineer and an arborist, we came to the conclusion that building the home deeper on the lot would make the construction of the foundation significantly more difficult and expensive, and it would most likely result in an even larger loss of total tree diameter because the trees become much denser the further back you go on the lot. In addition, we thought that the extended requirements for a longer driveway (to get further back into the lot if we pushed the house further back from the street), would potentially cause more damage to the existing flora than if we kept the home up against the 50' setback line near the front of the property.

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

We have modified the design of the home to create various recesses along the perimeter of the home to provide space for a number of existing trees to be preserved, these trees are all below 14" in diameter though so they are not affected by this variance request. The four proposed variance trees are situated right in the middle of the property, which is the only reasonable location where we can build the home, so unfortunately, we were not able to devise a design which would allow for these trees to remain.

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 Hill's such a desirable place to live. Since the property is heavily wooded, and since these proposed variance trees are in the middle of the lot, we do not believe that the proposed removal of these trees will have any visual impact from the street or adjacent properties. There are many other trees on the site which obscure the view of the trees which are proposed for removal.

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?

We do not believe that the neighboring properties would be negatively impacted by the removal of these trees due to the heavily wooded nature of the lot, and the location of these proposed variance trees in the middle of the lot, while the trees on the perimeter of the lot will remain as visual buffers for all of the neighboring properties. We would be pleased to work with the neighbors to locate mitigation trees in such a way as to further increase the privacy that all neighbors seek and to minimize any visual impact that we have on any neighbors.

LEGEND
 ① 1/2" Iron Rod Found
 ipf ② 1/2" Iron Pipe Found
 — Overhead Utility Line
 — Wire Fence
 (Record Bearing and Distance)

SCALE: 1"=20'

LOT 8

**BLOCK A
 RED BUD HILLS
 VOLUME 85 PAGE 175A**

(S85°38'09"E 284.49')
 S88°16'43"E 284.79'

with yellow cap
 N17°54'52"W
 7.59'
 marked "McAngus"
 10' P.U.E. per plat and
 10' drainage easement per plat

LOT 1

1" ipf
 N55°08'08"W 32.62'
 (N56°14'51"W 32.19')
 marked "Holt Carson, Inc."

LOT 2

N61°58'19"W 322.85'
 (N59°26'40"W 324.00')

LOT 3

EAST LEDGEWAY SUBDIVISION
 (RESUBDIVISION OF LOT 1 BLOCK A
 A.F. DELONEY SUBDIVISION)
 DOCUMENT NO. 201900132

25' B.L. per plat
 drainage easement per plat
 20' P.U.E. and Drainage Easement per plat

MAP OF TOPOGRAPHIC SURVEY OF
 LOT 9, BLOCK A, RED BUD HILLS,
 A SUBDIVISION IN TRAVIS COUNTY,
 TEXAS, ACCORDING TO THE MAP OR
 PLAT THEREOF RECORDED IN
 VOLUME 85 PAGE 175A OF THE PLAT
 RECORDS OF TRAVIS COUNTY, TEXAS.
 LOCATED AT 201 RED BUD TRAIL.
 PAGE 1 OF 2: SEE PAGE 2 FOR TREE LIST

This survey was completed without the benefit of a current title commitment.
 This lot may be subject to restrictions and easements not shown hereon.

Elevations shown hereon are based on GPS
 observations over a Trimble RTK network NAVD88 datum.

Tree "crowns" shown hereon are drawn as a function of trunk diameter.
 One inch of trunk diameter equals one foot of crown radius. Multi-trunk
 trees are drawn calculated on the full diameter of the largest stem
 plus one half of the diameter of each additional stem. Due to
 natural variations in tree growth, these generalized depictions may not
 correlate to actual tree crowns or root zones.

Not all trees in the drainage easement on the rear of the lot were located.

PREPARED: September 30, 2020

BY:

Anne Thayer

Anne Thayer
 Registered Professional Land Surveyor No. 5850



ipf

N62°02'01"W 288.19'
 (N59°26'40"W 287.11')

1.9'

marked "Holt Carson, Inc."

S63°49'37"W 117.95'
 S64°02'10"W 26.93'
 (S66°20'53"W 27.31')

LOT 1
 JEBEL AL-ASSAD
 CONFIRMING PLAT
 VOLUME 84 PAGE 93B

HOLT CARSON, INC.
 1904 FORTVIEW ROAD
 AUSTIN, TX 78704
 1073070 (512) 442-0990
 Texas Licensed Surveying Firm No. 10050700

Temporary benchmark:
 triangle on concrete
 at 710.22'

Bearing Basis
 (S06°31'36"W)
 (N05°53'10"E)
 S03°57'04"W
 105.52'
 20' drainage easement
 and P.U.E. per plat
REDBUD TRAIL
 edge of paving

(S06°46'12"E)
 (N94°93'10"E)
 S06°57'40"E 94.89'

(S03°34'14"E)
 (N101°10'10"E)
 S06°09'21"E
 7.07'

5611 13" Spanish Oak
5612 9" Cedar
5613 7" Cedar
5614 3" Cedar
5615 7" Cedar
5616 4" Spanish Oak
5617 7.5" Spanish Oak (3" and two 4" stems)
5618 4" Spanish Oak
5619 4" Spanish Oak
5620 14.5" Cedar (4", 8" and three 3" stems)
5621 8" Cedar
5622 12" Cedar
5623 10" Cedar
5624 9" Cedar (two 6" stems)
5625 5" Live Oak
5626 4" Cedar
5627 5" Live Oak
5628 4" Live Oak
5629 4" Cedar
5630 5" Cedar
5631 8.5" Cedar (5" and 6" stems)
5632 7" Cedar
5633 8" Cedar
5634 12" Cedar
5635 4" Cedar
5636 7" Cedar
5637 7" Cedar
5638 8" Cedar
5639 3" Cedar
5640 4" Cedar
5641 3" Cedar
5642 9" Cedar (4" and 7" stems)
5643 10" Cedar
5644 4" Cedar
5645 6" Cedar
5646 4" Cedar
5647 3" Cedar
5648 6.5" Live Oak (5" and 3" stems)
5649 4" Cedar
5650 4" Cedar
5651 4" Cedar
5652 8" Live Oak
5653 4" Cedar
5654 4" Spanish Oak
5655 3" Cedar
5656 5" Ash
5657 7" Cedar
5658 5" Cedar
5659 6" Cedar
5660 13.5" Cedar (4", 5" and 9" stems)
5661 5" Cedar
5662 5" Cedar
5663 11" Cedar
5664 6" Cedar
5665 7" Spanish Oak
5666 12.5" Spanish Oak (7" and 9" stems)
5667 5" Cedar
5668 4" Cedar
5669 11" Spanish Oak (4" and 9" stems)
5670 5" Cedar
5671 8.5" Spanish Oak (5" and 6" stems)
5672 6" Cedar
5673 8" Cedar
5674 7" Cedar
5675 5" Cedar
5676 3" Spanish Oak
5677 11" Cedar
5678 6" Cedar
5679 4" Cedar
5680 5" Cedar
5681 5.5" Cedar (3" and 4" stems)
5682 5" Cedar
5683 5.5" Cedar (3" and 4" stems)
5684 5" Cedar
5685 7" Cedar

5686 17.5" Spanish Oak (5", 8" and 11" stems)
5687 5" Cedar
5688 11" Cedar
5689 7" Cedar
5690 8" Cedar
5691 6" Cedar
5692 6" Ash
5693 8" Cedar
5694 6" Cedar
5695 5" Spanish Oak
5696 16.5" Spanish Oak (3", 8" and 11" stems)
5697 5" Cedar
5698 8" Cedar
5699 6" Live Oak
5700 7" Spanish Oak
5701 23.5" Spanish Oak (9", two 4", three 7" stems)
5702 7" Spanish Oak
5703 6" Spanish Oak
5704 8" Cedar
5705 6" Spanish Oak
5706 16" Cedar
5707 8" Cedar
5708 4" Cedar
5709 11" Spanish Oak (4" and 9" stems)
5710 16" Cedar
5711 9" Cedar
5712 9" Cedar
5713 9" Cedar
5714 5.5" Spanish Oak (3" and 4" stems)
5715 7" Cedar
5716 6" Cedar
5717 8" Cedar
5718 11.5" Spanish Oak (7" and 8" stems)
5719 6" Cedar
5720 5" Cedar
5721 8" Spanish Oak
5722 6" Cedar
5723 4" Cedar
5724 7" Cedar
5725 7" Cedar
5726 4" Cedar
5727 5" Spanish Oak
5728 11" Spanish Oak
5729 7" Cherry
5730 11" Cedar
5731 6" Cedar
5732 9" Cedar
5733 9" Cedar
5734 4" Cedar
5735 7" Cedar
5736 5" Cedar
5737 6" Cedar
5738 14" Cedar
5739 9" Cedar (4" and 7" stems)
5740 6" Cedar
5741 4" Cedar
5742 5" Cedar
5743 14" Cedar
5744 12" Cedar
5745 9" Cedar
5746 5" Cedar
5747 8" Cedar
5748 4" Cedar
5749 5" Live Oak
5750 4" Cedar
5751 14" Cedar
5752 12" Cedar
5753 7" Live Oak
5754 10" Live Oak
5755 14" Cedar
5756 4" Cedar
5757 6" Cedar
5758 5" Cedar
5759 10.5" Cedar (5" and 8" stems)
5760 5" Cedar
5761 11" Cedar

5762 9" Cedar
5763 13.5" Live Oak (two 9" stems)
5764 9" Live Oak
5765 7" Cedar
5766 11" Cedar
5767 7" Cedar
5768 8" Cedar
5769 7" Cedar
5770 10" Cedar
5771 8" Cedar
5772 6" Cedar
5773 8" Cedar
5774 4" Cedar
5775 4" Live Oak
5776 5" Cedar
5777 8" Cedar
5778 6" Spanish Oak
5779 5" Cedar
5780 4" Cedar
5781 8" Cedar
5782 7" Cedar
5783 7" Cedar
5784 4" Cedar
5785 11.5" Spanish Oak (7" and 8" stems)
5786 5" Cedar
5787 4" Cedar
5788 4" Cedar
5789 7" Cedar
5790 10" Cedar
5791 8" Cedar
5792 7" Cedar
5793 10" Cedar
5794 4" Spanish Oak
5795 4" Cedar
5796 8" Live Oak
5797 4" Cedar
5798 Not used
5799 8" Cedar
5800 5" Cedar
5801 6" Cedar
5802 9" Cedar
5803 6" Cedar
5804 8.5" Spanish Oak (5" and 6" stems)
5805 4" Spanish Oak
5806 6" Cedar
5807 6" Cedar
5808 7" Cedar
5809 8" Cedar
5810 9" Cedar
5811 6" Spanish Oak
5812 7.5" Spanish Oak (two 5" stems)
5813 5" Spanish Oak
5814 6" Cedar
5815 6.5" Spanish Oak (3" and 5" stems)
5816 4" Cedar
5817 5" Cedar
5818 13" Spanish Oak (8" and 9" stems)
5819 11.5" Spanish Oak (7" and 8" stems)
5820 7" Cedar
5821 9.5" Spanish Oak (5" and 7" stems)
5822 8" Cedar
5823 8" Cedar
5824 7" Cedar
5825 9" Cedar
5826 8" Cedar
5827 13.5" Spanish Oak (6" and two 7" stems)
5828 11" Spanish Oak (6" and 8" stems)
5829 4" Cedar
5830 4" Cedar
5831 6" Cedar
5832 8" Cedar
5833 6" Cedar
5834 5" Cedar
5835 6" Cedar
5836 9" Cedar
5837 8" Cedar

5838 9" Live Oak
5839 5" Cedar
5840 5" Cedar
5841 6" Cedar
5842 6" Cedar
5843 8" Cedar
5844 5" Cedar
5845 6" Cedar (two 4" stems)
5846 7" Cedar (4" and 5" stems)
5847 5.5" Cedar (3" and 4" stems)
5848 3" Cedar
5849 5" Cedar
5850 7" Cedar
5851 7" Cedar
5852 10" Cedar
5853 4" Cedar
5854 8" Cedar
5855 5" Cedar
5856 5" Cedar
5857 5" Cedar
5858 4" Cedar
5859 9" Cedar
5860 6" Cedar
5861 5" Cedar
5862 6" Cedar
5863 6" Cedar
5864 5" Cedar
5865 8" Cedar
5866 6" Cedar
5867 6" Cedar
5868 7" Cedar
5869 4" Cedar
5870 5" Cedar
5871 5" Cedar
5872 8" Cedar
5873 6" Cedar
5874 4" Cedar
5875 5" Cedar
5876 11" Cedar
5877 4" Cedar
5878 8" Live Oak
5879 4" Cedar
5880 14" Spanish Oak (8" and 10" stems)
5881 7" Cedar
5882 9" Cedar
5883 8" Cedar
5884 4" Cedar
5885 6" Cedar
5886 5" Cedar
5887 25.5" Live Oak (11" and 20" stems)
5888 12" Spanish Oak (two 8" stems)
5889 15" Cedar

MAP OF TOPOGRAPHIC SURVEY OF
LOT 9,BLOCK A,RED BUD HILLS,
A SUBDIVISION IN TRAVIS COUNTY,
TEXAS,ACCORDING TO THE MAP OR
PLAT THEREOF RECORDED IN
VOLUME 85 PAGE 175A OF THE PLAT
RECORDS OF TRAVIS COUNTY,TEXAS.
LOCATED AT 201 RED BUD TRAIL.

PAGE 2 OF 2



PREPARED: September 30, 2020

BY:

Anne Thayer

Anne Thayer
Registered Professional Land Surveyor No.5850

HOLT CARSON, INC.
1904 FORTVIEW ROAD
AUSTIN, TX 78704
1073070 (512) 442-0990
Texas Licensed Surveying Firm No.10050700



201 REDBUD TRAIL
WEST LAKE HILLS, TX 78746

ISSUE:

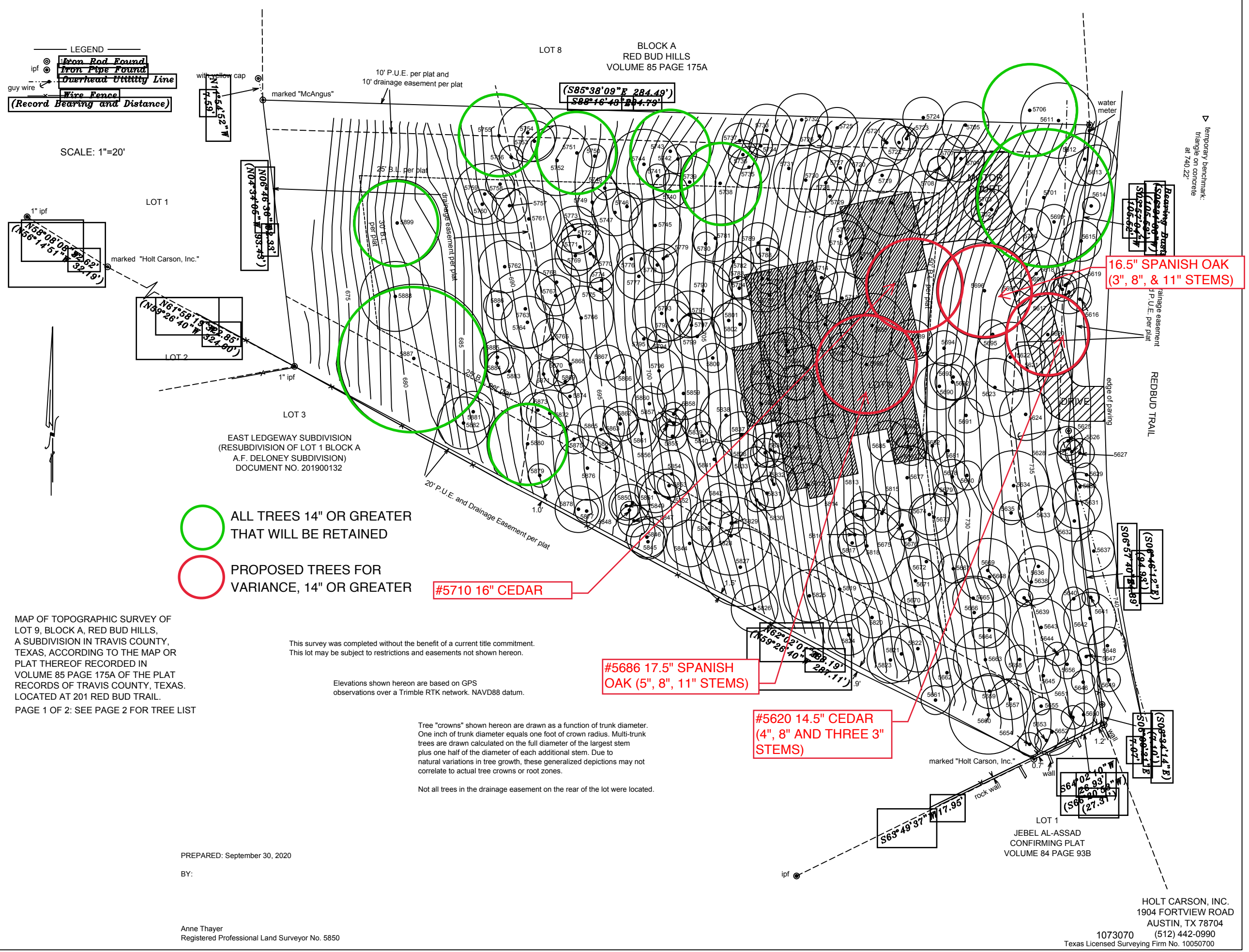
DRAWING TITLE:

CONCEPTUAL
SITE PLAN

SCALE: 1/32" = 1' - 0"

SHEET:

NOT FOR
CONSTRUCTION



LEGEND
ipf
Iron Rod Found
Iron Pipe Found
Overhead Utility Line
Wire Fence
(Record Bearing and Distance)
guy wire

SCALE: 1"=20'

1" ipf
(N56°08'08" E 32.62')
(N56°14'51" E 32.19')

marked "Holt Carson, Inc."
(N61°58'13" E 32.85')
(N69°26'40" W 32.90')

(N06°46'36" E 33.33')
(N04°37'05" E 33.43')

EAST LEDGEWAY SUBDIVISION
(RESUBDIVISION OF LOT 1 BLOCK A
A.F. DELONEY SUBDIVISION)
DOCUMENT NO. 201900132

ALL TREES 14" OR GREATER
THAT WILL BE RETAINED
PROPOSED TREES FOR
VARIANCE, 14" OR GREATER

#5710 16" CEDAR

#5686 17.5" SPANISH
OAK (5", 8", 11" STEMS)

#5620 14.5" CEDAR
(4", 8" AND THREE 3"
STEMS)

16.5" SPANISH OAK
(3", 8", & 11" STEMS)

temporary benchmark:
triangle on concrete
at 740.22

Bearing Brush
(S06°04'09" E 30.59')
(S05°52'03" E 30.52')
(S05°52'03" E 30.52')

(S06°46'12" E 34.93')
(S06°57'40" E 34.89')

(S06°34'14" E 34.10')
(S06°00'13" E 34.07')

LOT 1
JEBEL AL-ASSAD
CONFIRMING PLAT
VOLUME 84 PAGE 93B

HOLT CARSON, INC.
1904 FORTVIEW ROAD
AUSTIN, TX 78704
(512) 442-0990
1073070
Texas Licensed Surveying Firm No. 10050700

PREPARED: September 30, 2020

BY:

Anne Thayer
Registered Professional Land Surveyor No. 5850

TREE CONDITION ASSESSMENT
FOR
201 REDBUD TR, WEST LAKE HILLS, TX

PREPARED FOR:

Mark Hutchinson
1908 E 2ND St
Austin, TX 78702

PREPARED BY:

Colter Sonnevile, *PLA, ISA Arborist*

ISA Arborist # IL-9225A

December 2020

Tree #5686, 17.5" Spanish Oak

The survey lists this tree as a 17.5" multi-stem Spanish Oak (11", 8", 5" stems). However, a field examination revealed that the 8" stem has sustained catastrophic storm damage and is a dead limb. Because this limb no longer supports the tree's biomass functions, the actual caliper of the tree should be considered 11" + half of the 5" limb, 13.5". This would change the tree's mitigation rate from 150% to 75%.



Tree #5696, 16.5" Spanish Oak

The survey lists this tree as a 16.5" multi-stem Spanish Oak (11", 8", 3" stems). However, a field examination revealed that the 8" stem is actually a severely damaged stem. While there is some foliage on the stem, there is no potential for meaningful regrowth. In addition, the tree is growing out of a complex formation of limestone boulders, and there's a strong probability that excavating boulders outside the ½ CRZ will damage or expose the tree's roots. I recommend that the 8" stem be removed from the multi-stem calculation, resulting in a 12.5" caliper tree that is unprotected (75% mitigation).

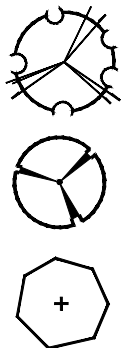


TREES IN SURVEY				TREES REMOVED			
TREE SURVEY DATE: UNK				TREE CATEGORIES FROM CHAPTER 24 (ENVIRONMENTAL PROTECTION)			
Tag #	SPECIES	CAL 1	CALIPER TOTAL	14" + 150%	6-14" 75%	<6" 0%	Cedars <12" within FS&Z 0%
5620	CEDAR	14.5		14.5			8
5621	CEDAR	8					5
5682	CEDAR	5					5.5
5683	CEDAR	5.5					5
5684	CEDAR	5					7
5685	CEDAR	7					
5686*	SPANISH OAK	13.5			13.5		
5687	CEDAR	5					5
5688	CEDAR	11					11
5689	CEDAR	7					7
5696*	RED OAK	12.5			12.5		
5697	CEDAR	5					5
5698	CEDAR	8					8
5700	SPANISH OAK	7			7		
5702	SPANISH OAK	7			7		
5703	SPANISH OAK	6			6		
5704	CEDAR	8					8
5709	SPANISH OAK	11			11		
5710	CEDAR	16		16			
5711	CEDAR	9					9
5713	CEDAR	9					9
5714	SPANISH OAK	5.5				5.5	
5715	CEDAR	7					7
5716	CEDAR	6					6
5717	CEDAR	8					8
5718	SPANISH OAK	11.5			11.5		
5783	CEDAR	7					7
5784	CEDAR	4					4
5785	CEDAR	5					5
5786	CEDAR	5					5
5787	CEDAR	4					4
5802	CEDAR	9			9		
5803	CEDAR	6					6
5804	SPANISH OAK	8.5			8.5		
5805	SPANISH OAK	4				4	
5806	CEDAR	6					6
5809	CEDAR	8					8
5810	CEDAR	9					9
5811	SPANISH OAK	6			6		
5812	SPANISH OAK	7.5			7.5		
Total caliper inches removed per category				30.5	99.5	10	168
Grand Total caliper inches removed				307			

Minimum Replacement			
Replacement %	150%	75%	0%
Subtotal Replacement Inches	46	75	0
Total Replacement (caliper inches)	120		
Grand Total over 10" (22.03.304(f)(3)) from above	79		
Minus trees planted (inches)	22		
Mitigation Required (inches)	57		
Mitigation Fee	57	x	\$150
			\$8,550

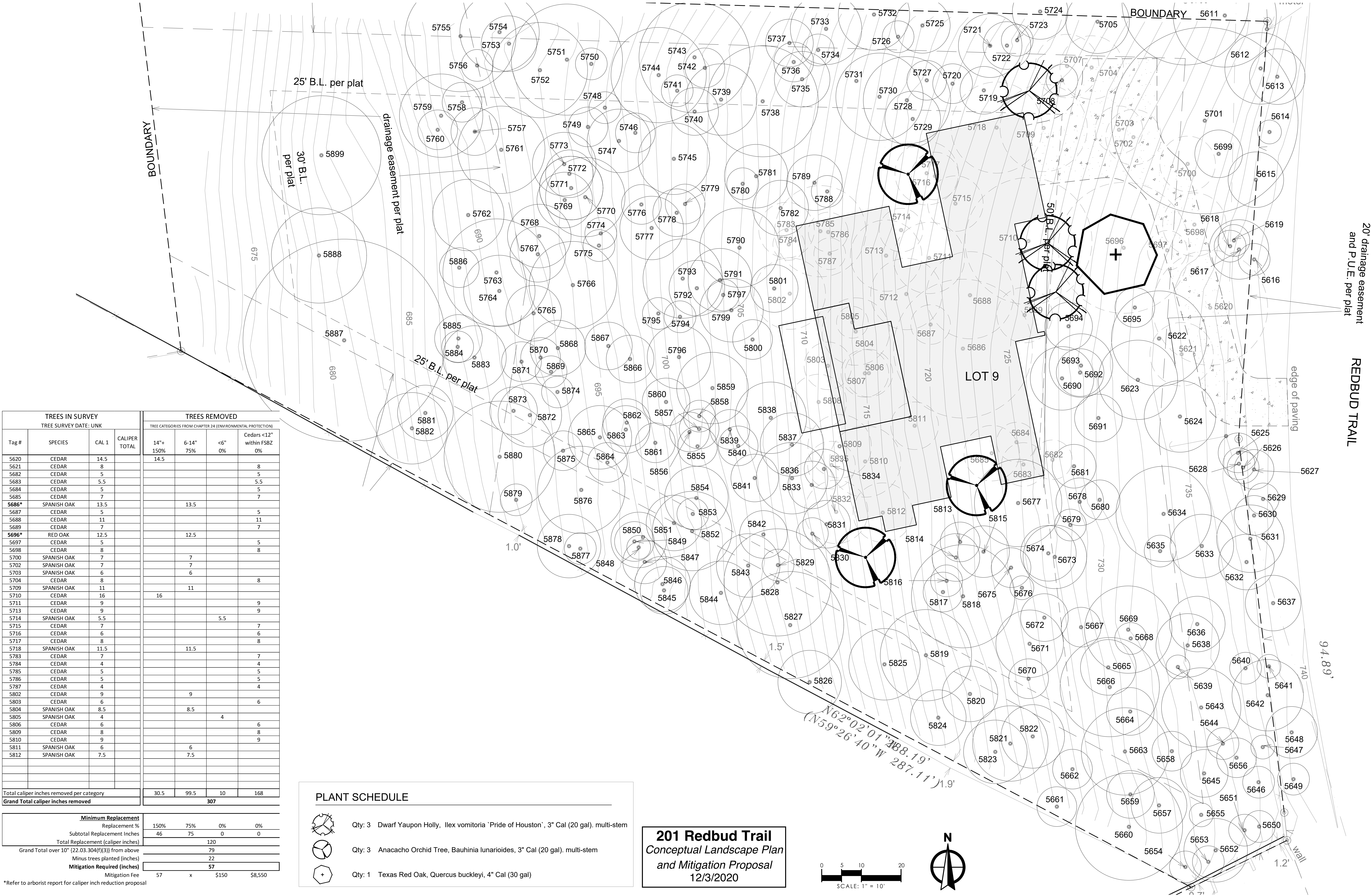
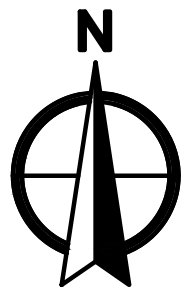
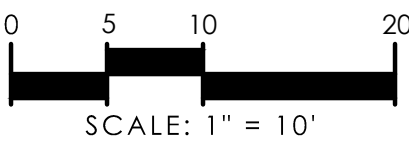
*Refer to arborist report for caliper inch reduction proposal

PLANT SCHEDULE



- Qty: 3 Dwarf Yaupon Holly, Ilex vomitoria 'Pride of Houston', 3" Cal (20 gal). multi-stem
- Qty: 3 Anacacho Orchid Tree, Bauhinia lunarioides, 3" Cal (20 gal). multi-stem
- Qty: 1 Texas Red Oak, Quercus buckleyi, 4" Cal (30 gal)

201 Redbud Trail
Conceptual Landscape Plan
and Mitigation Proposal
12/3/2020



LEGEND

- Iron Rod Found
- Iron Pipe Found
- Overhead Utility Line
- Wire Fence (Record Bearing and Distance)

SCALE: 1"=20'

UNIT (1000GPD) WITH
TANK NO CHLORINATOR
SUPPLY LINE
PIPE SUPPLY LINE
PIPE RETURN LINE
CONTROL VALVE
LOCATED AT
LINE CONNECTION
SOMI-B
REGULATOR

ON
N LINE
POINT OF FIELD
& ZONE 2 = 1350') OF .6 GPH
TUBING WILL BE INSTALLED ON 6" OF
PARALLEL TO CONTOUR.
WITH 8" OF CLASS III SOIL, SEEDED
ION BLANKET
CHING VALVE

NOTES:

- * ALL PIPING SHALL BE BEDDED WITH FOUR INCHES CLASS IB, CLASS II OR, CLASS III SOIL WITH LESS THAN 30% GRAVEL. THE BEDDING SOIL SHALL BE FREE OF ORGANIC MATERIAL AND ANY ROCKS OR GRAINS LARGER THAN HALF INCH
- * OSSF TO REMAIN A MINIMUM 10' AWAY FROM ALL POTABLE WATER SOURCES

Future pool and equipment must maintain a 10' separation form all OSSF components

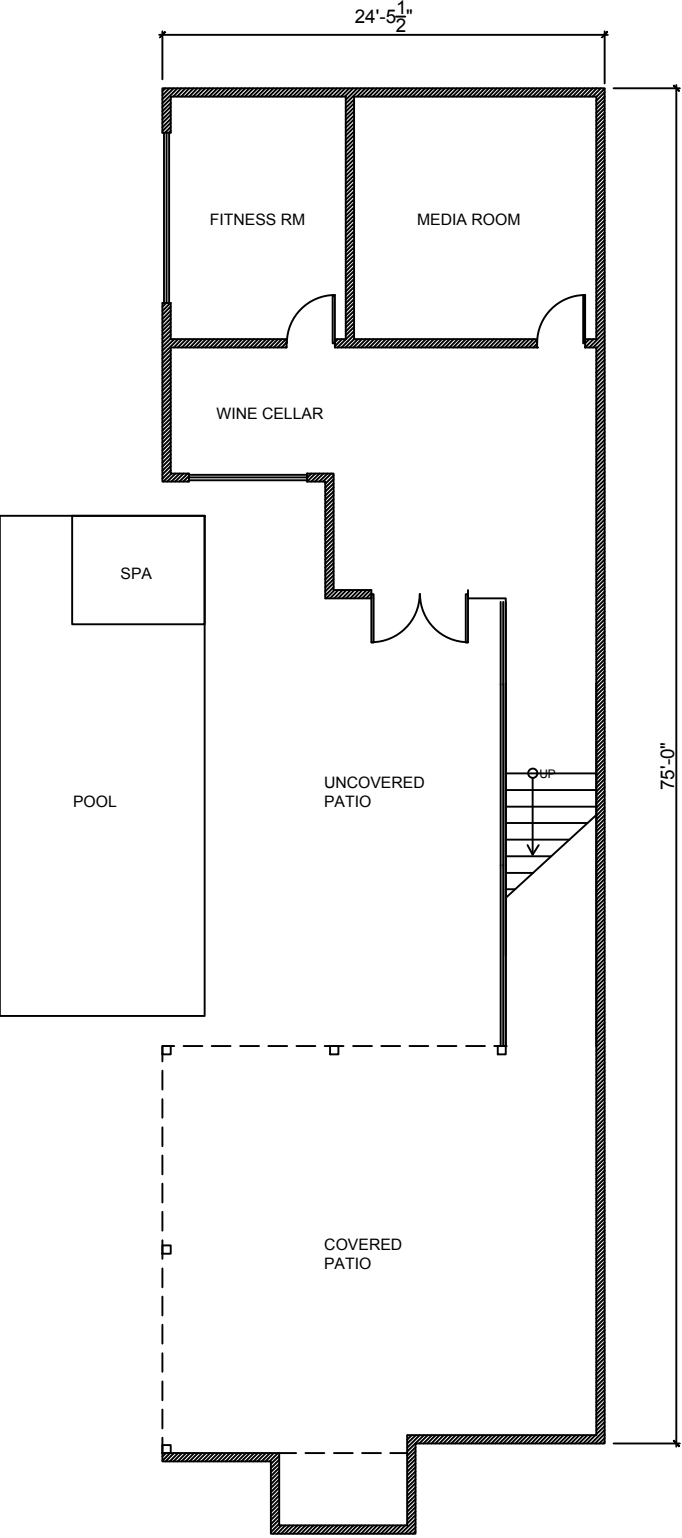
LOT 8 BLOCK A RED BUD HILLS VOLUME 85 PAGE 175A
(S85°38'09"E 284.49')
(S85°16'43"E 84.79')

marked "McAngus"
with yellow cap
marked "Hot Carson, Inc."
marked "Hot Carson, Inc."

EAST LEDGEWAY SUBDIVISION (RESUBDIVISION OF LOT 1 BLOCK A F. DELONEY SUBDIVISION) DOCUMENT NO. 201900132

LOT 9
LOT 10
JEBEL AL-ASSAD CONFIRMING PLAT VOLUME 84 PAGE 93B
HOLT CARSON, INC. 1904 FORTVIEW ROAD AUSTIN, TX 78704 (512) 442-0990 Texas Licensed Surveying Firm No. 10050700

Page 131 of 135



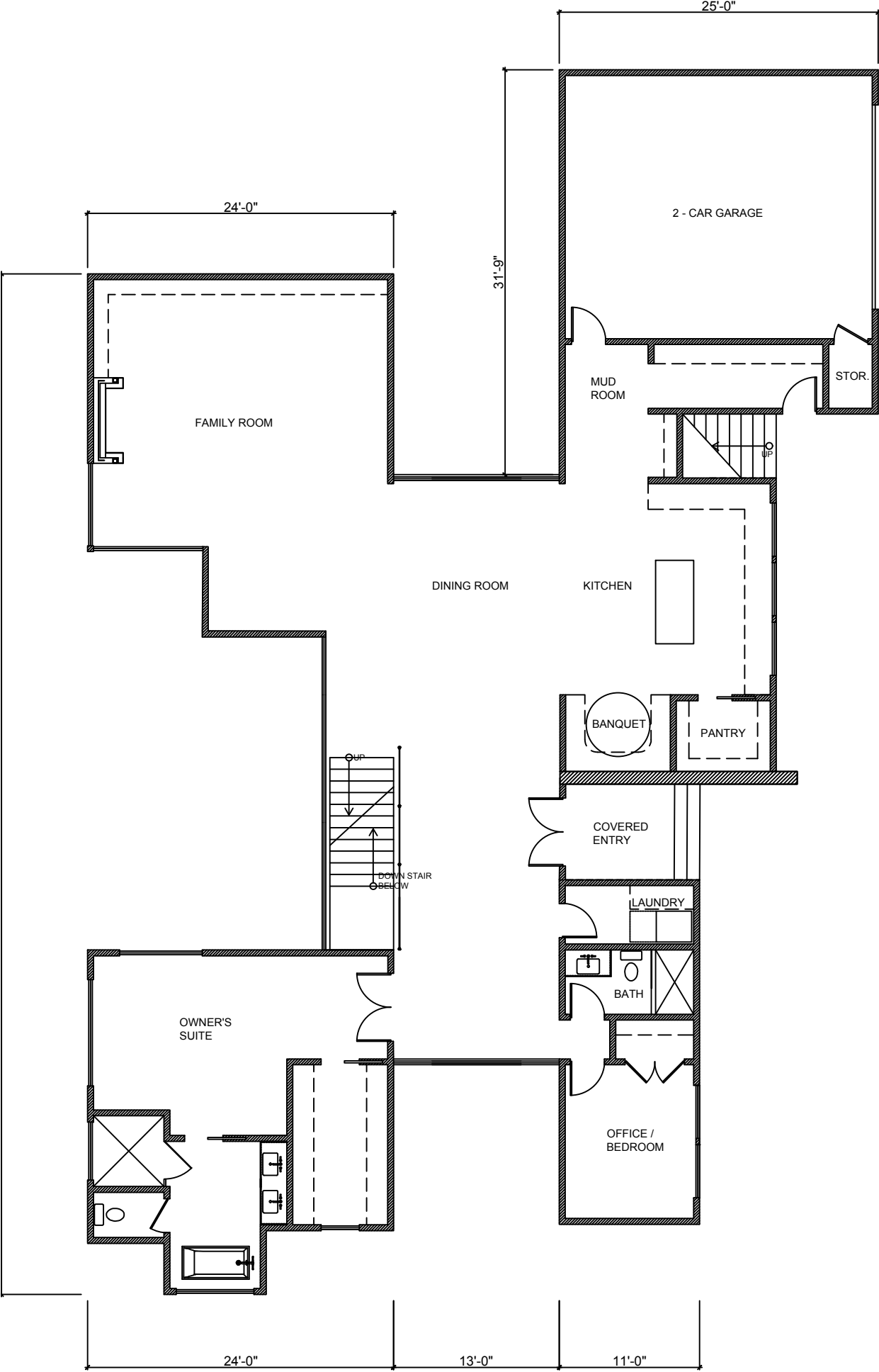
1 BASEMENT FLOOR PLAN
SCALE: 3/32" = 1'-0"

ISSUE:

DRAWING TITLE:
CONCEPTUAL
FLOOR PLAN

SCALE: 3/32" = 1' - 0"

SHEET:
NOT FOR
CONSTRUCTION



1 GROUND FLOOR PLAN
SCALE: 3/32" = 1'-0"



201 REDBUD TRAIL
WEST LAKE HILLS, TX 78746

ISSUE:

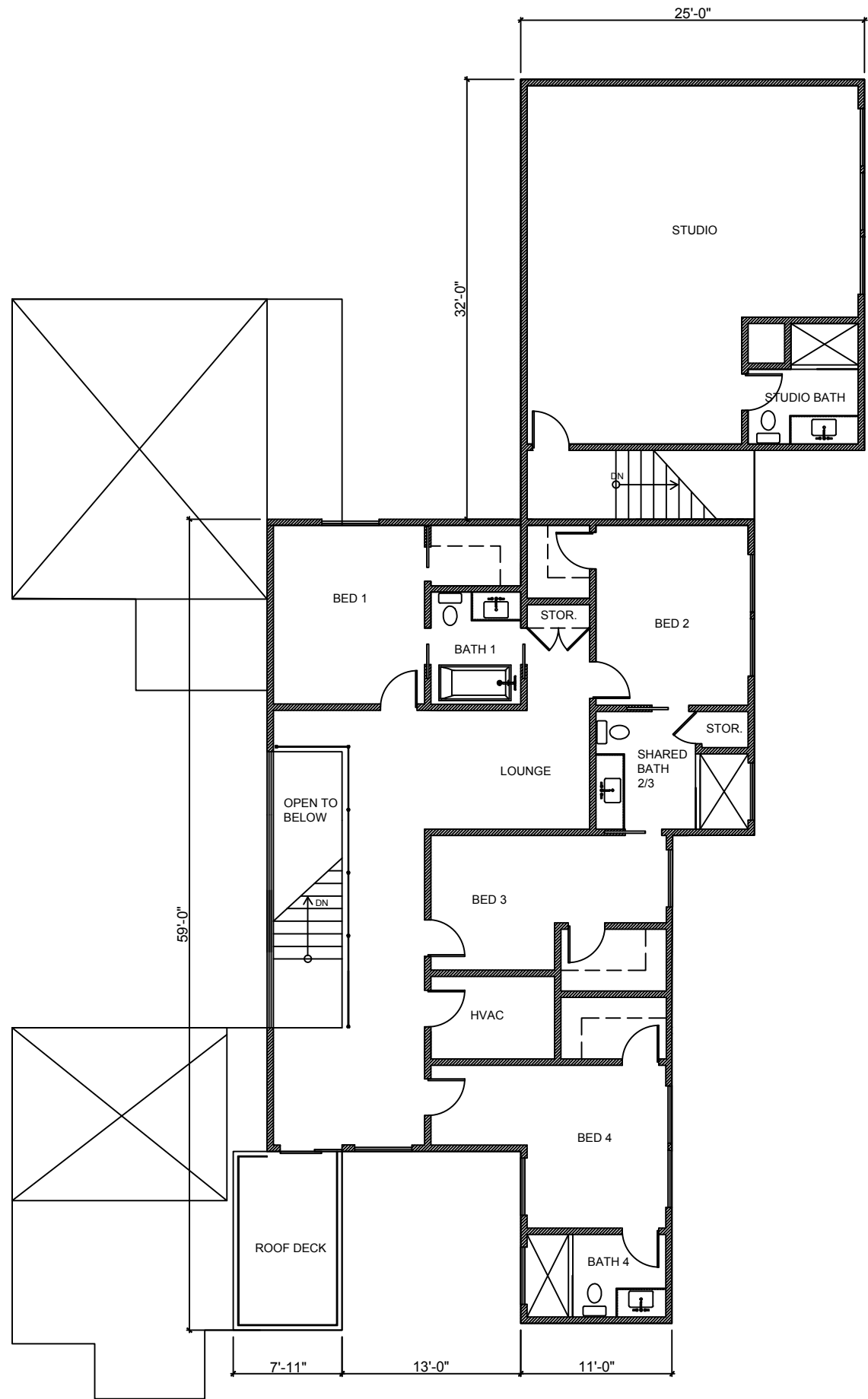
DRAWING TITLE:

CONCEPTUAL
FLOOR PLAN

SCALE: 3/32" = 1' - 0"

SHEET:

NOT FOR
CONSTRUCTION



1 2ND FLOOR PLAN
SCALE: 3/32" = 1'-0"



201 REDBUD TRAIL
WEST LAKE HILLS, TX 78746

ISSUE:

DRAWING TITLE:

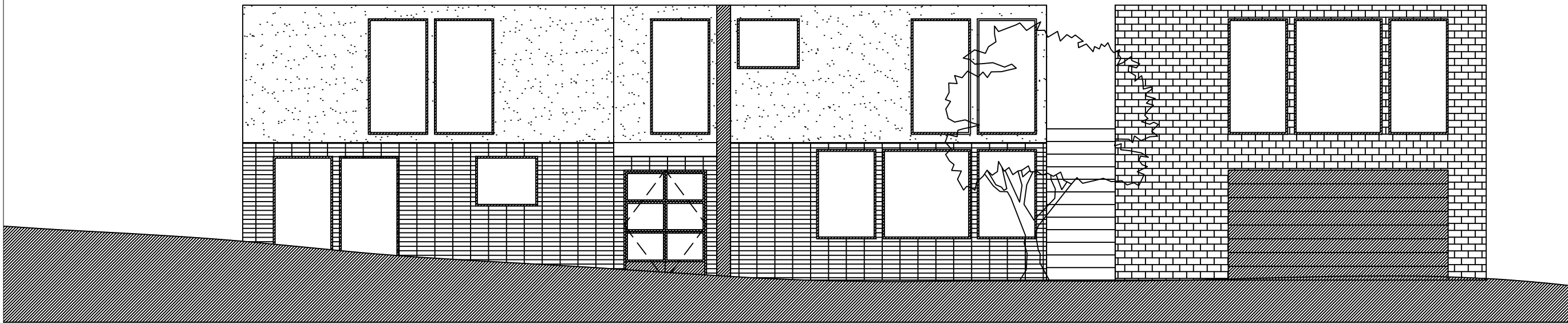
CONCEPTUAL
FLOOR PLAN

SCALE: 3/32" = 1' - 0"

SHEET:

NOT FOR
CONSTRUCTION

ISSUE:



1 FRONT ELEVATION
SCALE: 1/8" = 1'-0"

DRAWING TITLE:

CONCEPTUAL
ELEVATION

SCALE: 1/8" = 1' - 0"

SHEET:

NOT FOR
CONSTRUCTION