



CITY OF WEST LAKE HILLS, TEXAS
NOTICE OF BOARD OF ADJUSTMENT (BOA) REGULAR MEETING
Wednesday, June 9, 2021 at 7:00 PM

Notice is hereby given that the Board of Adjustment (BOA) of the City of West Lake Hills, Texas, will hold a REMOTE Regular Meeting on the 9th day of June 2021 at 7:00 p.m., at which time the following items will be discussed, to-wit:

REMOTE ACCESS ONLY:

In accordance with the Open Meetings Act update from the Office of the Texas Attorney General issued March 19, 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 820 6547 6864, Password: 563083

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 June 9, 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 June 9, 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 May 12, 2021 Regular Meeting Minutes

4. **Land Use 603 Rocky Ledge:** Discuss and Consider Action for a Variance Request to Build a Pool Increasing the Maximum Impermeable Coverage. (West Lake Hills Code Sec. 22.03.281) Applicant is Daniel and Aysha Doman
 - Section 22.03.281 – Encroachment into a 30’ rear building setback
 - Section 22.03.281 – Allow 28.8% impervious cover.
 - a. Public Hearing: All Persons Wishing to Speak for or Against Shall be Heard
5. **Land Use 1505 Wildcat Hollow:** Discuss and Consider Action for a Variance Request for a Driveway and Home Expansion Which Will Encroach into the Minimum Front Yard Setback. (West Lake Hills Code Sec. 22.03.281). Applicant is Kim Power of Dick Clark and Associates.
 - Section 22.03.170(f) – Cut and Fill/Grading in a setback;
 - Section 22.03.175 – Off-street parking in residential areas;
 - Section 38.03.032 – Guest quarters to exceed 800 sq. ft.
 - Section 38.03.032 – Guest quarters to have more than one bedroom.
 - a. Public Hearing: All Persons Wishing to Speak for or Against Shall be Heard
6. Adjournment

Approved by: Linda Anthony, Mayor

Certificate

I certify that the above Notice of the June 9, 2021 Board of Adjustment REMOTE Regular Meeting was posted on the bulletin board at the Municipal Building, 911 Westlake Drive, West Lake Hills, Texas on Friday, June 4, 2021 by 5:00 pm. and will remain posted continuously until said meeting is convened.

Signed by: Stephanie Mills, City Secretary

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

All items on the agenda are for discussion and/or action. City Council reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the

matters listed above, as authorized by Texas Government Code Sections 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices), and 551.086 (Economic Development).

CITY OF WEST LAKE HILLS, TEXAS
MINUTES OF A BOARD OF ADJUSTMENT (BOA) REGULAR MEETING
Wednesday, May 12, 2021, at 7:00 PM

1. Call to Order

With a quorum present, Mayor Anthony called the meeting to order at 7:03 p.m. Members in attendance were Mayor Linda Anthony and Councilmembers Brian Plunkett, and Beth South. Councilmembers Rhonda McCollough and Darin Walker were absent.

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

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

3. Consent Agenda All Consent Agenda Items Listed are Considered to be Routine by the City Council and Will be Enacted by One (1) Motion. No Separate Discussion or Action on any of the Items is Necessary Unless Desired by a Council Member or Citizen
- a. Approval of the April 14, 2021 Regular Meeting Minutes
 - b. **3638 Bee Cave Road, Ste. 102 & 103 (YPW Spanish Immersion School):**
Adopt an Ordinance for a Special Use Permit Request to Allow for the Expansion of Preschool and Day Care Services for a Property Zoned B – 2 Business 2 District (West Lake Hills Code Sec. 38.03.037 and Article 38.04, Division 2). Applicant Ramon Aguirre

Motion for Approval made by Councilmember Plunkett with a Second by Councilmember Bowman

Motion for Approval carried by a vote of 3 ayes to 0 nays, with Councilmembers Rhonda McCollough and Darin Walker absent

4. Adjournment

Motion to adjourn the meeting made at 7:07 p.m. by Councilmember Plunkett with a Second by Councilmember South.

Motion to Adjourn carried by a vote of 3 ayes to 0 nays, with Councilmembers Rhonda McCollough and Darin Walker absent

Respectfully submitted,

LINDA ANTHONY, MAYOR

ATTEST:

Stephanie Mills, City Secretary

These minutes were approved on _____, 2021.



SETBACK VARIANCE STAFF REPORT

June 9, 2021

Project Address: 603 Rocky Ledge Road

Project Number: 16562

1. **Agenda Item Land Use: 603 Rocky Ledge:** Discussion / consideration of a variance request to build a pool increasing the maximum impermeable coverage. (West Lake Hills Code Sec. 22.03.281) Applicant is Daniel and Aysha Doman
 - **Section 22.03.281 – Encroachment into a 30’ rear building setback**
 - **Section 22.03.281 – Allow 28.8% impervious cover.**

Applicant Information: Owners/Agent Daniel & Aysha Doman

Hearing Dates:

May 19, 2021 ZAPCO
June 9, 2021 Board of Adjustment

Location: The subject property fronts Rocky Ledge Road and is surrounded by similar single-family residential home parcels.

Zoning & Site Characteristics:

The subject property is zoned R-1 – One-Family Residential and is approximately .539 acres and near the intersection of Buena Vista and Rocky Ledge Road. The property consists of an existing single-family residential home, built by the previous owners and a detached garage. The City did grant a variance for a decrease the maximum impervious cover allowed to build the detached garage.

The site is surrounded by single-family homes and are under similar development constraints.

Background & Analysis:

The applicant is requesting two variances to the City’s Land Use Code in order to build an outdoor pool:

- An increase to the impervious cover from 28.8% to 29.4% in order to build a pool and spa totaling 553 square feet.
- Decrease in the minimum rear setback from 30 feet to 10 feet.

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 – *“Because our house was originally a duplex transported to this location over 50 years ago and placed further back in the lot, we don’t have wiggle room in the backyard. Today, I can attest that our house and driveway are pretty efficiently laid out in the lot. The house is of average footprint for the adjacent neighborhood and the footprint is not wasteful (I.e. no 4 car garage or anything egregious). This means that in order to build a pool, we would have to remove square footage from our home somehow (to meet impervious cover) AND place it in the front yard (to avoid rear setback issue). Both of these are pretty challenging propositions for us as homeowners with realistic financial constraints. Our immediately adjacent neighbor to the west is in the same situation with respect to the placement of their home near the back of their lot, and they built a pool inside the rear setback, less than 10 ft from our property line. It has NOT caused any degradation of our ability to enjoy our property.”*

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

The application states – *“There isn’t much to be disrupted. The current area is occupied by grass and some gravel from the previous owner’s landscaping. The large oak tree on the side yard has been documented in the drawing provided and will be appropriately avoided and protected during the project. The closest point of the pool is 35+ feet away from this tree. Access for any construction related equipment will happen on the other side of 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 I allude above, I think the only option would be to remove square footage from the house AND place the pool in the front yard. In addition to being cost prohibitive, I feel confident that my neighbors would be against this option. As part of my application, I’ve included emails (and will add more as they come in) from our adjacent neighbors in support of us receiving these two variances for the purpose of adding a pool in the backyard.”*

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

The application states – *“I think our proposal is for a modest pool size (not overly elaborate in size nor scope) and located in a place that minimizes impact to our friends and neighbors by being in the more appropriate backyard setting. Additionally, and as mentioned above, we’ve taken steps to reduce impervious cover previous to this project and as a part of this project to minimize the ratio. We, too, love our green space and want to maximize it.”*

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

The application states – *“Admittedly, deciphering intent of the Zoning Ordinance is a hard thing to do, but I hope the spirit of the Ordinances and Plan is to allow homeowners the ability to enjoy their property without inconveniencing VARIANCE APPLICATION City of West Lake Hills December 2020 Variance Application Page 4 of 6 others and also to maintain standards that allow for aesthetic continuity within the neighborhood. As I look around the neighborhood, I see many people who are in the same boat (having previously required variances for impervious cover and setbacks) and I notice that they have been able to add pools that achieve both of these intentions of the Ordinances and Plan. I am confident that our plan and approach will too. Thank you for your consideration.”*

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

The application states – *“I believe we have handled this in the most appropriate and neighborly fashion. We’ve personally reached out to all of our adjacent neighbors, shared our plan with them,*

answered their questions, and received their support. Some of this support has been added to this application and more will be added as we get it in writing. We have a great relationship with our neighbors and that is very important to us. From our perspective, nothing replaces an active dialogue with neighbors, and this has been our top priority throughout this process.”

Outdoor Lighting

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

Compliance with Adopted Uniform 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 is in conformance with the City of West Lake Hills Master Plan.

ZAPCO Recommendation

During the May 19, 2021 ZAPCO meeting, the Commissioners recommended APPROVAL of the variance request by a vote of 4 – 0 for:

- An increase to the impervious cover to 28% in order to build a pool and spa totaling 553 square feet.
- Decrease in the minimum rear setback from 30 feet to 10 feet.

Staff Recommendation

Staff recommends APPROVAL due the limited space and that granting the request will not adversely affect the neighboring properties or undue damage to flora or fauna and does not violate the intent of the City Zoning Ordinance or Comprehensive Plan.

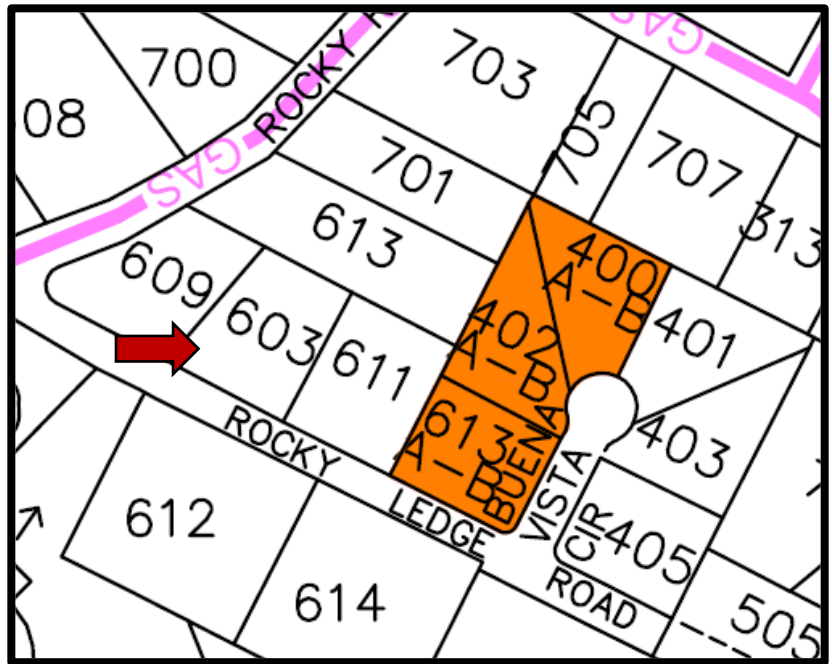
Links to Relevant Code:

- [Sec. 22.03.281](#) [Schedule of Regulations](#)
- [Sec. 22.03.514](#) [Criteria and process required for granting variance](#)

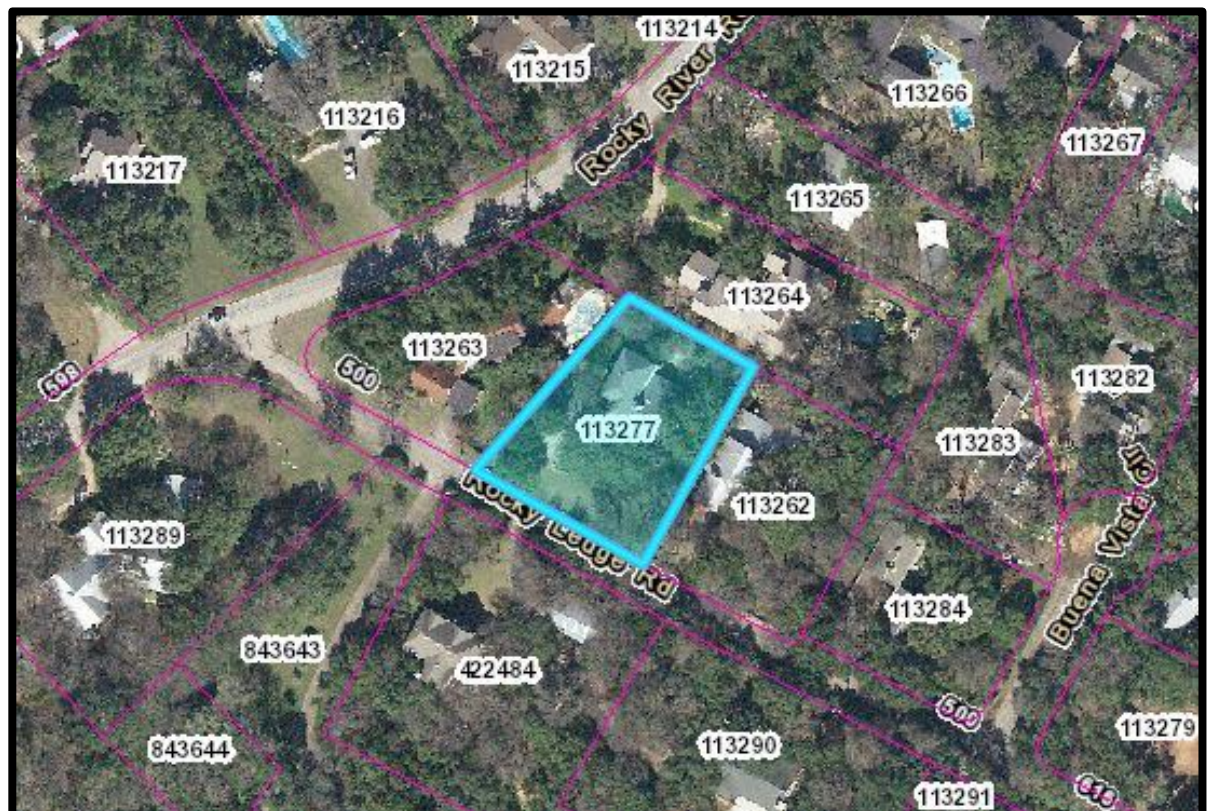
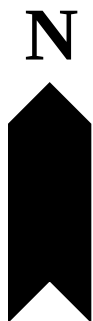
(Maps to follow)

ZONING MAP

R-1 ONE FAMILY RESIDENTIAL
R-2 MULTI-FAMILY RESIDENTIAL
R-3 TRANSITIONAL
O OFFICE
B-1 BUSINESS 1
B-2 BUSINESS 2
B-3 BUSINESS 3
GUI GOVERNMENT, UTILITY INSTITUTIONAL



AERIAL PHOTO



VARIANCE APPLICATION



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

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

APPLICANT & PROPERTY INFORMATION

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

Property Owner: Daniel & Aysha Doman Phone: (512) 284-1591

Email: _____

Address: 603 Rocky Ledge Rd. City: West Lake Hills State: TX Zip: 78746

Agent*: owner

Phone: _____

Email: _____

Address: _____ City: _____ State: _____ Zip: _____

Property Address: _____ City: _____ State: _____ Zip: _____

Property Information

Subdivision Name: Forest View

Block: CORE M5700 Lot: LOT 2 COLVIN M R NO 1 TCAD Tax Parcel ID: 113277

Current Zoning Classification: Residential? Total Lot Size (Acres): .5319

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

PROJECT INFORMATION

Please list all variances being applied for: (Please be detailed-for tree variances, must include tree #, size, species; setback variances-which setback and how far is requested encroachment; for height specify how much height being requested; etc.)

- 1) Impervious Coverage (to 28.8% from 29.4% - see explanation below)
- 2) Build in Rear Setback (30ft for our lot, which is just slightly over .5 acre)
- 3) _____
- 4) _____



VARIANCE APPLICATION

- 5) _____
- 6) _____
- 7) _____
- 8) _____
- 9) _____
- 10) _____

Brief Description of project/why variances are needed:

Our project is to build a modest sized pool (~16.5' by 28', outside dimensions including coping) and slightly overlapping spa (9' by 9', outside dimensions including coping). The total impervious cover (with equipment concrete pads) should be approximately 553 sq ft. Because our lot is a hair over .5 acres (.5319 precisely) and our home is situated near the back of the lot we have an extremely tight buildable area given the code. Our house is not oversized for the lot – 2 floors and ~3800 total sq ft. Thus, we require two variances (as mentioned above) for this project. It is worth noting that we could technically wedge the pool in the front yard and NOT require the variance to build in the rear setback (nor infringe on the front setback), but for obvious reasons we don't think that option fits with the spirit of West Lake Hills, nor that of the more immediate neighborhood.

A point on the impervious cover variance – In 2007, the previous owners received variances for a project (garage, I believe). One of the variances awarded was to take impervious cover to 29.4% (2007 City of West Lake Hills letter attached to application). According to the letter, this actually brought the impervious cover ratio down from 29.9%. Since 2007, the previous owners and, subsequently since purchasing the home in late 2019, my wife and I, have removed even more impervious cover in the form of decking and lueder paths, bringing the current ratio down to 27.1%. As part of this project we will removing an additional 163 sq. Ft and then adding 553 sq. Ft. For the pool. This will bring the proposed impervious cover ratio to ~28.8%. I think it is worth pointing out that we are doing our best to minimize impact here and, as it concerns the city, effectively bringing the ratio down by over half a percent from the previously granted level of 29.4%. I will also point out that we are on city wastewater/sewer; i.e. no septic field on property. Lastly, I will point out that we spent a good portion of 2020 remodeling our residence and made it a priority to not increase the footprint of the house, nor add a single square foot to any of the structures on the property.

Variance Questionnaire (Applicant must demonstrate a hardship for variance request. The ZAPCO Commissioners, Board of Adjustment/City Council consider these responses when evaluating your application.)

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.

Because our house was originally a duplex transported to this location over 50 years ago and placed further back in the lot, we don't have much wiggle room in the backyard. Today, I can attest that our house and



VARIANCE APPLICATION

driveway are pretty efficiently laid out in the lot. The house is of average footprint for the adjacent neighborhood and the footprint is not wasteful (i.e. no 4 car garage or anything egregious). This means that in order to build a pool, we would have to remove square footage from our home somehow (to meet impervious cover) AND place it in the front yard (to avoid rear setback issue). Both of these are pretty challenging propositions for us as homeowners with realistic financial constraints. Our immediately adjacent neighbor to the west is in the same situation with respect to the placement of their home near the back of their lot, and they built a pool inside the rear setback, less than 10 ft from our property line. It has NOT caused any degradation of our ability to enjoy our property.

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 isn't much to be disrupted. The current area is occupied by grass and some gravel from the previous owner's landscaping. The large oak tree on the side yard has been documented in the drawing provided and will be appropriately avoided and protected during the project. The closest point of the pool is 35+ feet away from this tree. Access for any construction related equipment will happen on the other side of the house.

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

As I allude above, I think the only option would be to remove square footage from the house AND place the pool in the front yard. In addition to being cost prohibitive, I feel confident that my neighbors would be against this option. As part of my application, I've included emails (and will add more as they come in) from our adjacent neighbors in support of us receiving these two variances for the purpose of adding a pool in the backyard.

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

I think our proposal is for a modest pool size (not overly elaborate in size nor scope) and located in a place that minimizes impact to our friends and neighbors by being in the more appropriate backyard setting. Additionally and as mentioned above, we've taken steps to reduce impervious cover previous to this project and as a part of this project to minimize the ratio. We, too, love our green space and want to maximize it.

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?

Admittedly, deciphering intent of the Zoning Ordinance is a hard thing to do, but I hope the spirit of the Ordinances and Plan is to allow homeowners the ability to enjoy their property without inconveniencing



VARIANCE APPLICATION

others and also to maintain standards that allow for aesthetic continuity within the neighborhood. As I look around the neighborhood, I see many people who are in the same boat (having previously required variances for impervious cover and setbacks) and I notice that they have been able to add pools that achieve both of these intentions of the Ordinances and Plan. I am confident that our plan and approach will too. Thank you for your consideration.

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

I believe we have handled this in the most appropriate and neighborly fashion. We've personally reached out to all of our adjacent neighbors, shared our plan with them, answered their questions, and received their support. Some of this support has been added to this application and more will be added as we get it in writing. We have a great relationship with our neighbors and that is very important to us. From our perspective, nothing replaces an active dialogue with neighbors, and this has been our top priority throughout this process.

AUTHORIZATION & ACKNOWLEDGEMENT

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

Signature

Date

Daniel Doman
Printed Name



VARIANCE APPLICATION

APPLICATION CHECKLIST

Variance Application Checklist

- ☐ Completed, signed application
- ☐ Power of Attorney form, if applicable
- ☐ Proof of ownership of subject property
- ☐ Completed Variance Hardship Questionnaire
- ☐ Property survey
- ☐ Proposed site plan with building setbacks clearly labeled
- ☐ Building elevations, if applicable
- ☐ Tree and topo survey, if applicable
- ☐ Preliminary plans for proposed project (pool plans, building plans, fence design, etc.)
- ☐ Photos of property showing existing conditions (for tree variances, include photos of proposed variance trees)
- ☐ Letters/emails of support from neighbors, if able to obtain
- ☐ Payment of application fees (*refer to Appendix A: Fee Schedule in the Code of Ordinances for current fees. Fees are due upfront with application.*)
- ☐ Other relevant information, as determined necessary by staff (for example, if variance is for cut/fill/retaining wall, you may be requested to provide a drainage report)

Variance Process and Information

- City staff will prepare public notification letters and will provide you a public notice sign to place on the property. You will be notified when the public notice sign is available to be picked-up.
- If you want to see example variance applications, please see the Agenda page on the City website at <https://www.westlakehills.org/> to view the latest ZAPCO, Council and BOA packets
- All variance applications are first considered by the Zoning and Planning Commission (ZAPCO), which is an advisory commission only. Final action is then determined by either City Council or Board of Adjustment, depending on the type of variance being requested.
- Agenda packets are digital and posted on the website the Friday prior to the meeting by 5pm. Staff will send you a meeting reminder email after the agenda and packet are posted.
- Applicants or a designated representative are required to attend/speak at each public hearing; otherwise you will risk postponement or denial for no-show. Applicants should keep remarks brief and the typical time allotment is 5 minutes for ZAPCO and 5 – 10 minutes for City Council/BOA.
- Please note ZAPCO is an advisory commission only – final action must be taken by City Council or BOA, depending on the type of variance. If ZAPCO recommends denial, you can still move forward to City Council/BOA unless you decide to withdraw or postpone your variance request.
- If City Council/BOA denies your variance, you have to wait one year before you can reapply for the same variance.
- If approved by City Council/BOA, variances expire within one year of the approval date if a permit application has not been filed to perform the scope of work related to the variance.



VARIANCE APPLICATION

STAFF NOTES

For Completion by Staff Only

Date public notification letters mailed: _____

Date of ZAPCO Meeting: _____

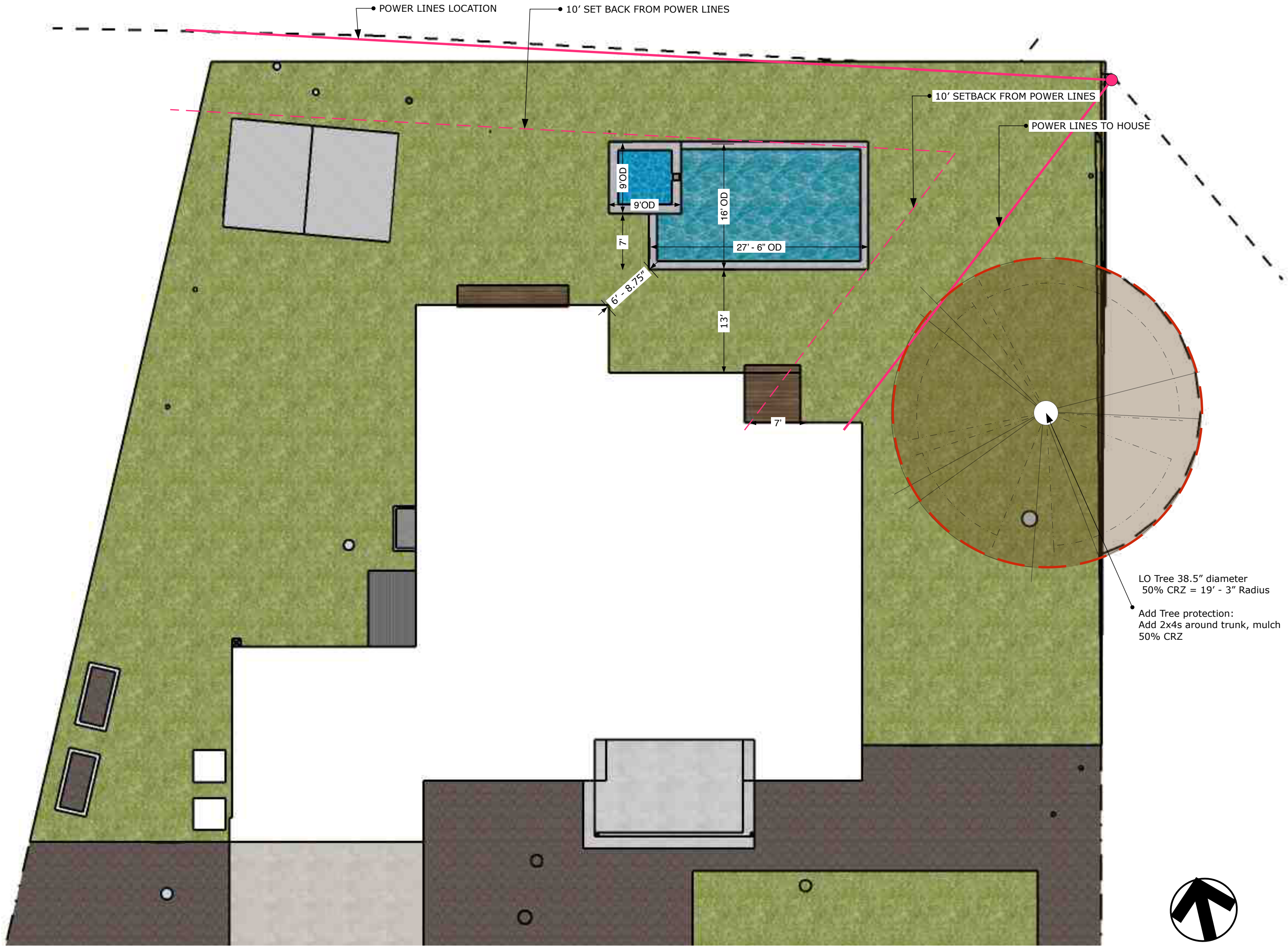
ZAPCO Recommendation: _____

Date of City Council/BOA Meeting: _____

City Council/BOA

Action: _____

Notes:



SOMOS
o u t d o o r s

DOMAN RESIDENCE
603 Rocky Ledge Rd.
Austin, Texas 78746

A 001

SCALE: 1"=30'

LEGEND

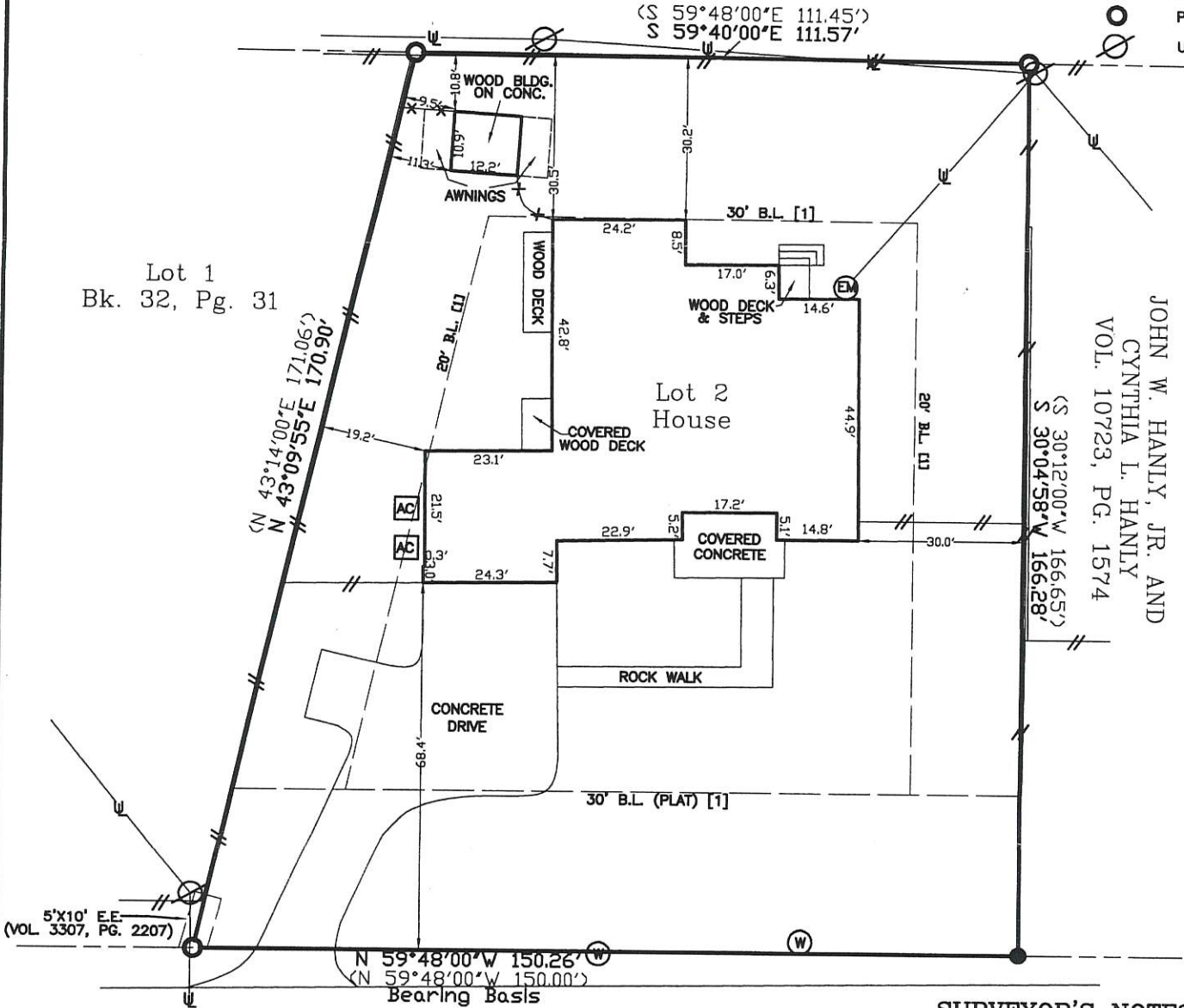
- WOOD FENCE
- UTILITY LINE
- A/C UNIT
- ELEC. METER
- GAS METER
- WATER METER
- IRON ROD FND.
- PIPE FND.
- UTILITY POLE

LOWELL S. FINK
DOC. #2002000374

(S 59°48'00"E 111.45')
S 59°40'00"E 111.57'

Lot 1
Bk. 32, Pg. 31

JOHN W. HANLY, JR. AND
CYNTHIA L. HANLY
VOL. 10723, PG. 1574



603 ROCKY LEDGE ROAD
(40' R.O.W.)

SURVEYOR'S NOTES

() DENOTES RECORD INFORMATION
[1] BUILDING LINE PER CITY OF WESTLAKE HILLS ZONING ORDINANCE.

ESMT. RESEARCH PERFORMED BY ALL POINTS AND THE UNDERSIGNED SURVEYOR WAS LIMITED TO INFORMATION SUPPLIED BY TITLE RESOURCE GUARANTY CO. PER COMMITMENT G.F. #9991-091116 PARAGRAPH 10, EFFECTIVE DATE: JANUARY 8, 2009
LOT 2 IS SUBJECT TO THE ESMT. RIGHTS, BUILDING LINES & RESTRICTIVE COVENANTS AS STATED IN: VOL. 816, PG. 134
VOL. 32, PG. 31 (PLAT)

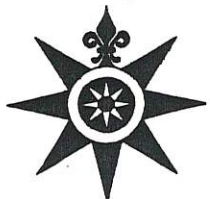
LOT 2 IS NOT SUBJECT TO THE EASEMENT IN VOL. 554, PG. 508.

ALL POINTS DOES NOT MAKE OR WARRANT ANY FLOOD ZONE DETERMINATION.

LOT No. 2 BLOCK " " SUBDIVISION / ADDITION M.R. COLVIN
SECTION - PHASE - Book 32 Page(s) 31 Cabinet - Slide - PLAT RECORDS
CITY TRAVIS COUNTY, TEXAS
Reference: CHRIS LOWRIMORE

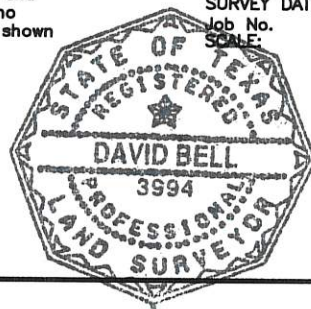
TO THE LIENHOLDERS AND/OR OWNERS OF THE PREMISES AND/OR
TITLE RESOURCES GUARANTY COMPANY/PREFERRED HOME LOAN, LTD.

The undersigned certifies that this survey was this day made by me or under my supervision on the ground of the real property shown on the survey and after the exercise of reasonable care and in reliance on record searches by the title company that this survey is correct to the best of the undersigned's knowledge and belief and that the property has access to and from a roadway, except as shown hereon. There are no visible discrepancies, conflicts, shortages or overlapping of improvements or encroachments except as shown hereon.



ALL POINTS SURVEYING
611 SOUTH CONGRESS AVENUE - SUITE 100
AUSTIN TX. 78704

TELE.: (512) 440-0071 - FAX: (512) 440-0199



By:	Date:
FIELD WORK	WW
DRAFTING	NM
FINAL CHECK	DB
CORRECTIONS	
UP DATE	

SURVEY DATE: 2-11-2009
Job No. 02R10409
SCALE: 1"=30'

RE: Pool Variance Discussion

[REDACTED]
Sat 4/3/2021 10:58 AM

To: 'D Doman' [REDACTED]

Dan & Aysha,

We are happy to support your efforts at obtaining the variance(s) for the pool. If you need us to attend a council meeting, either online or at city hall, we will be pleased to attend.

Our pool should be open sometime next week. We will let you know. Your family may use the pool at any time. Please let us know if you wish to use it.

Regards.

Harry & Nancy

From: "D Doman"
To: "Harry & Nancy Keirns"
Cc: "Aysha Doman"
Sent: Wednesday March 31 2021 11:19:39PM
Subject: Pool Variance Discussion

Harry & Nancy,

Hope you are both well and enjoying this weather. As I mentioned to Harry in the street this afternoon, I'm writing to get your feedback and, ultimately, your support towards our variance quest from the City of Westlake for a pool - something we know our young kids would love to use in the hot summer months. As we look to follow the strict letter of the law to obtain a pool permit, we potentially have two issues that I'm sure will lead to neighbor notification. I'm hoping to get in front of that and give you the details ahead of time. We are likely seeking 1-2 variances - rear setback & impervious cover (maybe). Because our lot is just over .5 acre (which is the line of demarcation for stricter guidelines) and our house is situated near the rear of the lot, we have a hard time wedging the pool inside the City's definition of our buildable area in the back. Ironically, we wouldn't have an issue putting the pool in the front yard, but I think that may be contrary to the spirit of our neighborhood!

Long story short, to put a modest sized pool in the backyard we will need to build inside the rear setback, which is technically 30 feet. Also, we might need a variance to increase our impervious cover by a few percent above the current limit of 25% of the lot. We've taken care to count every damn rock, lueder, square ft of structure and driveway! Know that we knew this was likely to be an issue when we did our remodel last year and, thus, we didn't add a square foot to our house's footprint during that process.

Lastly, it is worth noting that we will not need a variance for either 25 foot side setback (including the side we share with you). The pool will be pretty far from our shared property line - the closest edge to you starts at mid-house and actually goes in the other direction.

Anyway... hoping to get your support on this so we can let the City know that we've been proactive with neighbors. Please let me know if you have any questions. We are around and happy to discuss any details further. Much appreciated.

Dan & Aysha

Re: 603 Rocky Ledge Neighbors (Domans)

John Hanly [REDACTED]

Tue 3/30/2021 4:41 PM

To: D Doman [REDACTED]**Cc:** Cindy Hanly [REDACTED]

Hello Dan & Ashlie,

I don't see this as a problem. Do you happen to have a drawing of the design layout I can look at?

Also, I think if you are on city sewer instead of septic the impervious requirements change in your favor. You might check with the city on that.

Anyway, good luck with your project and let me know if there is anything I can do to help.

Have a great evening and welcome to the neighborhood.

John Hanly

Founder

Commercial Real Estate Solutions LLC.

611 Rocky Ledge

Austin, TX 78746

Mobile [512-203-5608](tel:512-203-5608)<http://www.CRESolutions.com>

"No warranty, or representation, expressed or implied, is made as to the accuracy of the information contained herein, and same is submitted subject to errors, omissions, change of price, rental or other conditions, withdrawal without notice, and to any special listing conditions, imposed by our principals."

On Mar 29, 2021, at 1:53 PM, D Doman [REDACTED] > wrote:

Cindy & John,

Hope you are both well and your plumbing adventure is behind you. I'm writing to get your feedback and, ultimately, your support towards our variance quest from the City of Westlake for a pool - something we know our young kids would love to use in the hot summer months. As we look to follow the strict letter of the law to obtain a pool permit, we have two issues that I'm sure will lead to neighbor notification. I'm

hoping to get in front of that and give you the details ahead of time. We are seeking two variances - rear setback & impervious cover. Because our lot is just over .5 acre (which is the line of demarcation for stricter guidelines) and our house is situated near the rear of the lot, we have a hard time of wedging the pool inside of our buildable area in the back. Ironically, we wouldn't have an issue putting the pool in the front yard, but I think that may be contrary to the spirit of our neighborhood!

Long story short, to put a modest sized pool in the backyard we will need to build inside the rear setback, which is technically 30 feet. Also, we will need a variance to increase our impervious cover by a few percent above the current limit of 25% of the lot. We've taken care to count every damn rock, lueder, square ft of structure and driveway! Know that we knew this was likely to be an issue when we did our remodel last year and, thus, we didn't add a square foot to our house's footprint during that process.

Lastly, it is worth noting that we will not need a variance for either side setback (including the side we share with you), which is 25 feet. The pool will be over 30 feet from our shared property line.

Anyway... hoping to get your support on this so we can let the City know that we've been proactive getting our neighbors' support here. Please let me know if you have any questions. We are around and happy to discuss any details. Much appreciated.

Dan & Aysha

	2007	2021 (Current)	2021 (Proposed)
House & Garage	3201.0	3201.0	3201.0
Driveway	1809.0	1809.0	1809.0
Entry Walk	246.0	246.0	246.0
Wood Decking (@50%)	89.6	89.6	89.6
Misc. Imp Cover (since removed)	532.9	0.0	0.0
AC Pads	23.0	23.0	23.0
Shed	250.0	250.0	250.0
Misc. Stone/Lueder Paths	379.5	379.5	216.5
Covered Front Porch	280.0	280.0	280.0
Proposed Pool + Equip	0.0	0.0	553.0
Total	6811.0	6278.1	6668.1
TCAD Lot Size (sq. ft)	23168.0	23168.0	23168.0
Impervious Cover Ratio	29.40%	27.10%	28.78%



MINIMUM SETBACK VARIANCE STAFF REPORT

June 9, 2021

Project Address: 1505 Wildcat Hollow

Project Number: 16564

- 1. Agenda Item:** Land Use: **1505 Wildcat Hollow:** Discussion/consideration of a variance request for a driveway and home expansion which will encroach into the minimum front yard setback. (West Lake Hills Code Sec. 22.03.281). Applicant is Kim Power of Dick Clark and Associates.
- **Section 22.03.170(f) – Cut and Fill/Grading in a setback;**
 - **Section 22.03.175 – Off-street parking in residential areas;**
 - **Section 38.03.032 – Guest quarters to exceed 800 sq. ft.**
 - **Section 38.03.032 – Guest quarters to have more than one bedroom.**

Applicant Information: Kim Power of Dick Clark and Associates

Hearing Dates:

May 19, 2021 ZAPCO
June 9, 2021 Board of Adjustment

Location: The subject property is located near the corner of Wildcat Hollow and Harbor View Drive.

Zoning & Site Characteristics:

The subject property is zoned R-1 One Family Residential. (See City Zoning Map on page 4).

The site is surrounded by single-family residential home lots.

Background & Analysis:

The applicant is requesting a reduction in the minimum front yard and side yard setbacks to allow a driveway and home expansion to be developed.

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: "(Driveway cut/fill): Additional off-street parking is a safety and functional necessity for the family. The existing home contains 3 parking spaces, which is not adequate for the family, guests and service people. Currently, visitors are forced to park in the street along Wildcat Hollow, which is a narrow and winding road with limited visibility and maneuvering, causing unsafe and undesirable conditions for the Alvarezes and their neighbors. The site slopes steeply on nearly all parts, and much of it is densely covered in

trees. As such, the existing driveway, garage, and turnaround are compressed at the front (top) of the lot, and there is not room to construct additional parking or drive areas within the building setbacks. The only option is to drive around the side of the house and construct additional garage and guest parking space to the rear of the house. Due to the significant slope of the site, is not possible to build driveway access without more than 18" of cut/fill in the setback."

"Variance 2 & 3 (Guesthouse): The existing house is set along the front setback line at the uphill side of the property, and even though the majority of the house is one-story and is cut in several feet at the front, all parts of it come in right under the height limit at the downhill side of the property. Connecting to the existing house is preferred, but the only way to do this would be to build an enclosed projection that angles down with the height limit and squeezes between the ½ CRZ of the trees behind the existing garage. From a design perspective, this would be visually & functionally awkward, and from a code/neighborhood perspective, this would result in a more visible building mass added to the back of the house which is high out of grade, rather than a detached structure completely dropped below the level of the existing house. Due to the setbacks and extreme slope of the lot, there is not a place to add to the existing home the additional 2 bedrooms needed and supplemental living and parking spaces to accommodate the growing family. Thus, this space is proposed as a detached accessory structure, which falls under the code's definition of Guesthouse as it contains bedrooms."

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

The application states – "No trees sized 14" diameter or greater will need to be removed or have ½ CRZ impacts. The additional driveway is pulled off of the existing driveway and woven between the protected trees as an elevated bridge with only the column footings touching the ground. This not only minimizes impervious cover and site grading, it allows for the natural understory vegetation to be restored and cultivated after construction. The proposed design places the accessory structure in the part of the site that is already the most open and the least sloped. The elevation of the garage level has been carefully calculated to minimize the overall driveway run distance needed for access, and the driveway slope is optimized to balance code compliance (max 20%) with again minimizing the overall run distance (approx. 125'). Detaching the structure allows us to maintain clearance from the protected trees along the back of the existing garage and carport. If the structure were to be attached, these trees would need to be removed."

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

The application states – "Variance 1 (Driveway cut/fill): The design team worked through a number of different parking/driveway configurations, and the proposed design is the most minimal in scope and size. Staying within the building setbacks for cut/fill would require connecting through the existing garage/carport, but height limitations at the back do not allow for expansion at the level of the existing garage. Tearing down the existing garage and/or carport and rebuilding at a lower level is not possible due to the existing driveway already being sloped as much as allowable, and starting the new driveway slope near the top as shown is necessary to achieve enough drop to avoid running switchbacks across the backyard, which would be incredibly disruptive to the site and require the removal of more trees. Additionally, there are multiple 14"+ diameter trees along the back of the existing

garage/carport that would require removal for any intervention other than coming in separately around the south side as proposed. Adding a second driveway around the north side was considered, but code limits one driveway per property, and the house's utility connections and propane tank are located in this area along the north side. Variance 2 & 3 (Guesthouse): Due to the limitation of the buildable area by setbacks, height requirements, and tree CRZs, it made the most sense to detach the structure and place it below the existing house. The height restrictions prevent virtually any addition to the existing structure other than along the very front of the house, but there is not sufficient space to add even one bedroom without breaking the building height limitations. Attaching the structure to the house requires additional building mass projecting from the back of the house at some point, but detaching the structure allows it to be set much lower and entirely behind the house. The top of the roof of the proposed structure is a full story (11') below the main floor level of the existing house."

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

The application states: "Variance 1 (Driveway cut/fill): The proposed driveway complies with the code's driveway setbacks (10' at side), slope (max 20%), and is composed of a "bridge" elevated above the ground to minimize concrete cover. There are no impacts to protected-size trees. Variance 2 & 3 (Guesthouse): The main objective of this project is to provide additional spaces needed to accommodate the homeowners' growing family. This includes 2 bedrooms (one designated for their parents to stay when visiting, and one for a maid's quarters), as well as a fitness room, media room, playroom, and storage. This program exceeds 800 sq ft, but accommodates the full scope of spaces for the family and their extended family guests and maintenance of the home. The extreme slope of the lot does not allow for these spaces to be added on to the existing home."

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

The application states – "Variance 1 (Driveway cut/fill): The additional garage space enabled by the driveway will remove cars from the street and allow the homeowners to store their cars and guest cars out of sight. The driveway addition was carefully configured to work with and extend from the existing driveway in order to keep the street connection intact and avoid making a variance request for a second driveway. Variance 2 & 3 (Guesthouse): Functionally, this structure is an extension of their existing house and is well within the scale of building appropriate for a 1.93-acre lot. While it met their needs very well before having children, the existing home's size and components do not adequately serve a growing family with parents who live far away and therefore need a designated place to stay when visiting. The family-focused design will accommodate their day-to-day life with places to play and be together.

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

The application states – "Variance 1 (Driveway cut/fill): The additional garage and parking area this driveway serves will provide much needed off-street parking to alleviate the congestion and safety issues at the street. Cut and fill of this nature and configuration would be required in order to provide any amount of additional vehicular accommodation on this site. The proposed driveway respects the 10' driveway setback along property lines. Variance 2 & 3 (Guesthouse): The existing house is set below Wildcat Hollow, and the

proposed additional structure is set well below and behind the existing house. It is near the center of the 1.93-acre property, which has dense tree cover around the perimeter. The structure will be used for guest and domestic employee quarters as allowed by Special Use in R-1 districts, and uses incidental to the main house (gym, playroom, additional parking and storage, etc). The use of the property will not change from its existing single-family character and is compatible with the surrounding neighborhood uses.”

Outdoor Lighting

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

Compliance with Adopted Uniform 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 is in conformance with the City of West Lake Hills Master Plan.

ZAPCO Recommendation:

During the May 19, 2021 ZAPCO meeting, the Commissioners recommended DENIAL of the variance request by a vote of 4 – 0.

Links to Relevant Code:

- [Sec. 22.03.281](#) [Schedule of Regulations](#)
- [Sec. 22.03.514](#) [Criteria and process required for granting variance](#)

(Maps to follow)

ZONING MAP

R-1 ONE FAMILY RESIDENTIAL

R-2 MULTI-FAMILY RESIDENTIAL

R-3 TRANSITIONAL

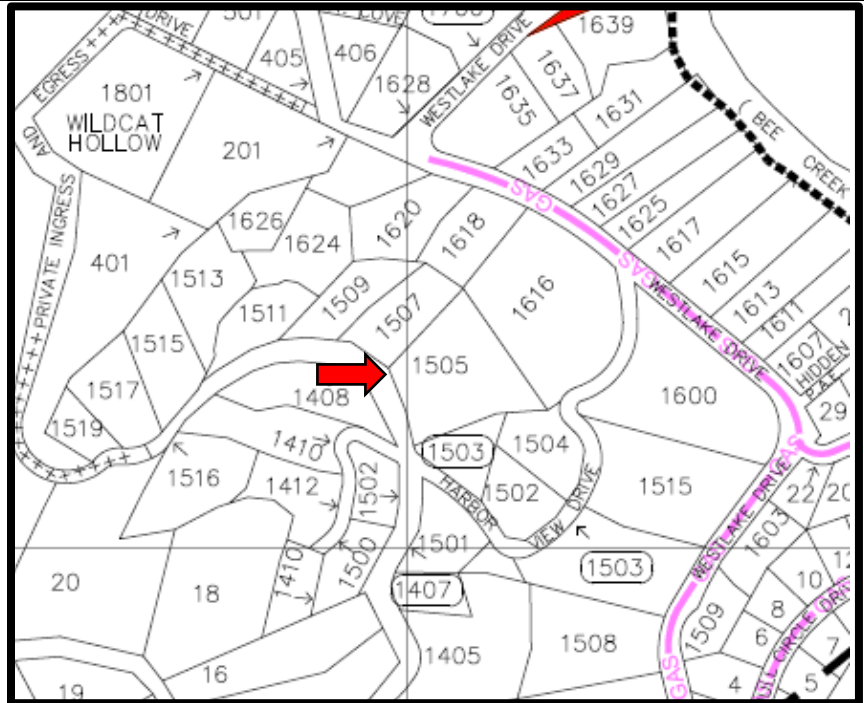
O OFFICE

B-1 BUSINESS 1

B-2 BUSINESS 2

B-3 BUSINESS 3

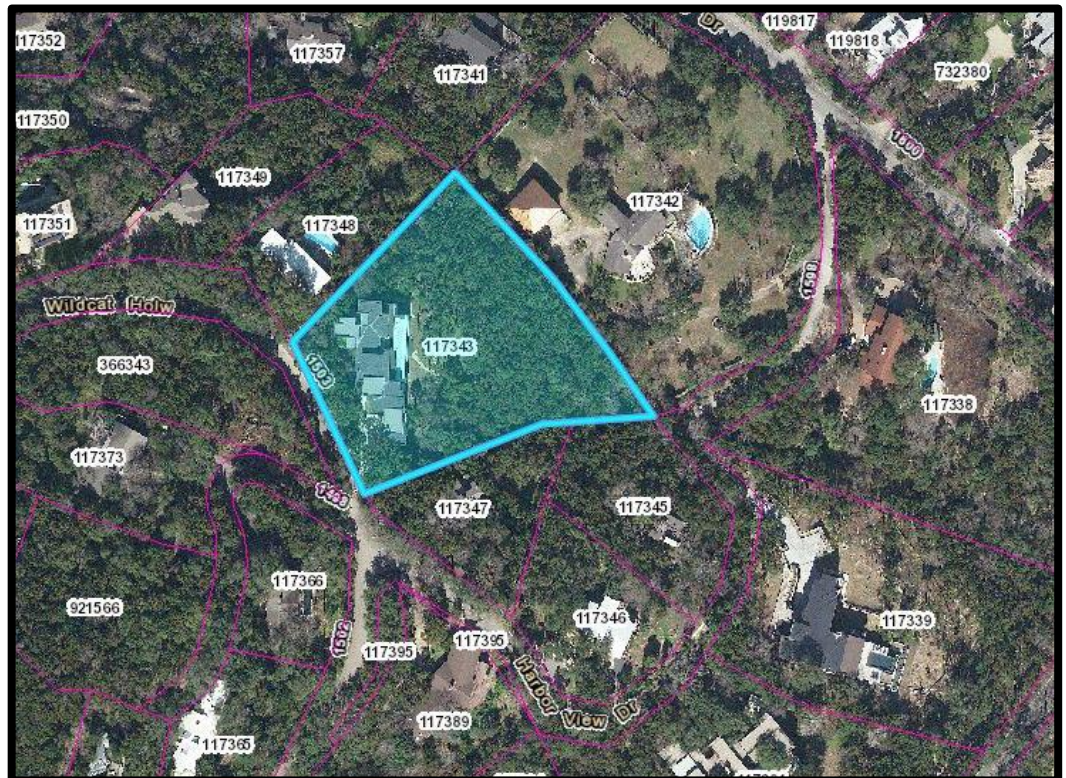
GUI GOVERNMENT, UTILITY
INSITUTIONAL



N



AERIAL PHOTO



N



APPLICATION COVER SHEET

Property Address: 1505 WILDCAT HOLLOW

Applicant Name: SERGIO ALVAREZ

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

Applicant Phone Number: KIM: 512-472-4980 ext 239 Email Address: _____

Date Application was Submitted: 4/2/2021

Variance(s) Requested: 1. Sec. 22.03.170 (f) - Grading/filling in setback exceeding 18" (not exceeding 6').
2. Sec. 1.01.003 Guesthouse - guest quarters exceeding 800 sq ft in size.
3. Sec. 1.01.003 Guesthouse - containing more than one bedrm (2 bedrms proposed).

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: _____

VARIANCE APPLICATION



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

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

APPLICANT & PROPERTY INFORMATION

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

Property Owner: SERGIO ALVAREZ Phone: 214-797-4082

Email: SERGIOALVAREZMD@GMAIL.COM

Address: 1505 WILDCAT HOLLOW City: WEST LAKE HILLS State: TX Zip: 78746

Agent*: KIM POWER (DC+A) Phone: 512-472-4980 ext. 239

Address: 2120 E. 7TH ST. Ste 200 City: AUSTIN State: TX Zip: 78702

Property Address: 1505 WILDCAT HOLLOW City: WEST LAKE HILLS State: TX Zip: 78702

Property Information

Subdivision Name: WILKINSON SPARKS SURVEY

Block: ABSTRACT 21 Lot: N/A TCAD Tax Parcel ID: 117343

Current Zoning Classification: R-1 Total Lot Size (Acres): 1.932

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

PROJECT INFORMATION

Please list all variances being applied for: (Please be detailed-for tree variances, must include tree #, size, species; setback variances-which setback and how far is requested encroachment; for height specify how much height being requested; etc.)

- 1) Sec. 22.03.170 (f) - Grading/filling in setback exceeding 18" - for extension of driveway to new structure.
- 2) Sec. 1.01.003 Guesthouse - Containing more than one bedroom (2 bedrooms proposed).
- 3) Sec. 1.01.003 Guesthouse - Guest quarters exceeding 800 sq ft in size (approx. 4,000 sq ft
- 4) proposed, including accessory spaces for existing house).
- 5) _____



VARIANCE APPLICATION

- 6) _____
- 7) _____
- 8) _____
- 9) _____
- 10) _____

Brief Description of project/why variances are needed: _____

Expand existing home to provide additional spaces for the family (playroom, gym, media room, in-law suite) and maid's room, and additional garage & storage area to alleviate congestion and safety issues due to parking at street. The slope of the lot and existing house placement necessitates extending driveway around the side of the house to provide vehicular access to the added garage & guest parking.

Variance Questionnaire *(Applicant must demonstrate a hardship for variance request. The ZAPCO Commissioners, Board of Adjustment/City Council consider these responses when evaluating your application.)*

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.

See attached.

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?

See attached.

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

See attached.

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

See attached.



VARIANCE APPLICATION

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?

See attached.

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

See attached.

AUTHORIZATION & ACKNOWLEDGEMENT

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

Kim Power
Signature

4/2/21
Date

KIM POWER, AIA (DC+A)
Printed Name



VARIANCE APPLICATION

APPLICATION CHECKLIST

Zoning Change Application Checklist

- ☐ Completed, signed application
- ☐ Power of Attorney form, if applicable
- ☐ Proof of ownership of subject property
- ☐ Completed Variance Hardship Questionnaire
- ☐ Letter addressed to ZAPCO Chairperson explaining zoning change request and proposed use
- ☐ Property survey
- ☐ Proposed site plan with building setbacks clearly labeled
- ☐ Building elevations, if applicable
- ☐ Tree and topo survey, if applicable
- ☐ Preliminary plans for proposed project (pool plans, building plans, fence design, etc.)
- ☐ Photos of property showing existing conditions (for tree variances, include photos of proposed variance trees)
- ☐ Letters/emails of support from neighbors, if able to obtain
- ☐ Payment of application fees (*refer to Appendix A: Fee Schedule in the Code of Ordinances for current fees. Fees are due upfront with application.*)
- ☐ Other relevant information, as determined necessary by staff (for example, if variance is for cut/fill/retaining wall, you may be requested to provide a drainage report)

Variance Process and Information

- City staff will prepare public notification letters and will provide you a public notice sign to place on the property. You will be notified when the public notice sign is available to be picked-up.
- If you want to see example variance applications, please see the Agenda page on the City website at <https://www.westlakehills.org/> to view the latest ZAPCO, Council and BOA packets
- All variance applications are first considered by the Zoning and Planning Commission (ZAPCO), which is an advisory commission only. Final action is then determined by either City Council or Board of Adjustment, depending on the type of variance being requested.
- Agenda packets are digital and posted on the website the Friday prior to the meeting by 5pm. Staff will send you a meeting reminder email after the agenda and packet are posted.
- Applicants or a designated representative are required to attend/speak at each public hearing; otherwise you will risk postponement or denial for no-show. Applicants should keep remarks brief and the typical time allotment is 5 minutes for ZAPCO and 5 – 10 minutes for City Council/BOA.
- Please note ZAPCO is an advisory commission only – final action must be taken by City Council or BOA, depending on the type of variance. If ZAPCO recommends denial, you can still move forward to City Council/BOA unless you decide to withdraw or postpone your variance request.
- If City Council/BOA denies your variance, you have to wait one year before you can reapply for the same variance.
- If approved by City Council/BOA, variances expire within one year of the approval date if a permit application has not been filed to perform the scope of work related to the variance.



VARIANCE APPLICATION

STAFF NOTES

For Completion by Staff Only

Date public notification letters mailed: _____

Date of ZAPCO Meeting: _____

ZAPCO Recommendation: _____

Date of City Council/BOA Meeting: _____

City Council/BOA

Action: _____

Notes:

LETTER TO ZAPCO CHAIRPERSON

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

April 2, 2021

Dear Mr. Chairman:

The property located at 1505 Wildcat Hollow is currently an existing two-story, single-family home on an incredibly sloped lot of 1.93 acres. Dr. Sergio and Erika Alvarez would like to expand their home to meet their family's spatial needs, and provide additional off-street parking space to alleviate the congestion and safety issues along their section of Wildcat Hollow.

Currently their home does not allow for adequate parking, and guests or service people must park along Wildcat Hollow, which is a narrow and curving road. Visibility is severely limited, and access is tight. Street parking creates unsafe traffic conditions for this and neighboring properties, which would be alleviated by the addition of supplemental garage space. Additionally, the owners are a young, growing family, whose parents travel to visit for periods of time, and the existing home does not accommodate adequate play space for children and guest space for parents.

We are requesting 3 variances per the proposed design:

1. Cut/fill greater than 18" in the building setback – to tie into the existing concrete driveway, the concrete connection will be 0' to 6' above grade. Once the driveway exceeds 6' out of grade, it will transition to an open steel "bridge" structure, supported on steel columns in footings to float above the ground and minimize grading & disturbance in the side setback.
2. Guest Quarters greater than 800 sq ft – because the guest quarters are combined with the additional living areas supplementing the existing house, the area exceeds 800 sq ft. Due to site considerations, we did not feel it was practical to construct a separate guest house detached from the living & accessory spaces and the additional garage.
3. Guest Quarters containing more than 1 bedroom – one bedroom is needed for the owners' visiting parents, and one bedroom for a live-in housekeeper.

The proposed two-level structure will be located entirely behind the existing home, with the top of the new roof set 11' below the first floor of the existing home. Driveway access will be provided by tying into the existing driveway, connecting at the side and extending around the side of the existing house to the new garage level. The proposed structure will be within the building setback lines, and comply with impervious cover limits, height limits, and drainage regulations. The placement of the structure is intended to conceal it behind the existing home to minimize visibility, and does not require removal or ½ CRZ impacts of any trees 14" diameter or greater.

The design team explored options for a fully-connected structure in order to avoid the Special Use Permit limitations, and extending the garage to avoid the side driveway, but height considerations and protected trees on this steeply sloping lot would necessitate a much more obtrusive solution. The intent of the proposed design is to provide an elegant, enjoyable series of spaces to effectively extend the living areas of the house.

We very much appreciate your consideration and look forward to your comments.
Respectfully,



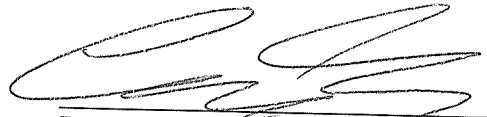
Kim Power, AIA
Partner - Dick Clark + Associates



SPECIAL POWER OF ATTORNEY FORM

KNOW ALL PERSONS BY THIS DOCUMENT that I, SERGIO ALVAREZ
have made, constituted and appointed KIM POWER (DICK CLARK + ASSOCIATES)
to be my duly authorized representative in connection with an application dated 4/2/2021,
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.

SERGIO ALVAREZ
Property Owner/Applicant Name

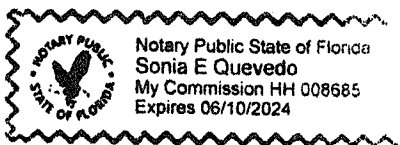

Property Owner/Applicant Signature

1505 WILDCAT HOLLOW WEST LAKE HILLS TX 78746
Street Address City State Zip Code

214-797-4082
Property Owner/Applicant Phone Number

This instrument was acknowledged before me on this the 31 day of March, 20 21.

Sonia Quevedo, SONIA QUEVEDO
Notary Public in and for the State of Texas



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.

(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.

Variance 1 (Driveway cut/fill): Additional off-street parking is a safety and functional necessity for the family. The existing home contains 3 parking spaces, which is not adequate for the family, guests and service people. Currently, visitors are forced to park in the street along Wildcat Hollow, which is a narrow and winding road with limited visibility and maneuvering, causing unsafe and undesirable conditions for the Alvarezes and their neighbors. The site slopes steeply on nearly all parts, and much of it is densely covered in trees. As such, the existing driveway, garage, and turnaround are compressed at the front (top) of the lot, and there is not room to construct additional parking or drive areas within the building setbacks. The only option is to drive around the side of the house and construct additional garage and guest parking space to the rear of the house. Due to the significant slope of the site, is not possible to build driveway access without more than 18" of cut/fill in the setback.

Variance 2 & 3 (Guesthouse): The existing house is set along the front setback line at the uphill side of the property, and even though the majority of the house is one-story and is cut in several feet at the front, all parts of it come in right under the height limit at the downhill side of the property. Connecting to the existing house is preferred, but the only way to do this would be to build an enclosed projection that angles down with the height limit and squeezes between the ½ CRZ of the trees behind the existing garage. From a design perspective, this would be visually & functionally awkward, and from a code/neighborhood perspective, this would result in a more visible building mass added to the back of the house which is high out of grade, rather than a detached structure completely dropped below the level of the existing house. Due to the setbacks and extreme slope of the lot, there is not a place to add to the existing home the additional 2 bedrooms needed and supplemental living and parking spaces to accommodate the growing family. Thus, this space is proposed as a detached accessory structure, which falls under the code's definition of Guesthouse as it contains bedrooms.

(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?

No trees sized 14" diameter or greater will need to be removed or have ½ CRZ impacts. The additional driveway is pulled off of the existing driveway and woven between the protected trees as an elevated bridge with only the column footings touching the ground. This not only minimizes impervious cover and site grading, it allows for the natural understory vegetation to be restored and cultivated after construction. The proposed design places the accessory structure in the part of the site that is already the most open and the least sloped. The

elevation of the garage level has been carefully calculated to minimize the overall driveway run distance needed for access, and the driveway slope is optimized to balance code compliance (max 20%) with again minimizing the overall run distance (approx. 125'). Detaching the structure allows us to maintain clearance from the protected trees along the back of the existing garage and carport. If the structure were to be attached, these trees would need to be removed.

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

Variance 1 (Driveway cut/fill): The design team worked through a number of different parking/driveway configurations, and the proposed design is the most minimal in scope and size. Staying within the building setbacks for cut/fill would require connecting through the existing garage/carport, but height limitations at the back do not allow for expansion at the level of the existing garage. Tearing down the existing garage and/or carport and rebuilding at a lower level is not possible due to the existing driveway already being sloped as much as allowable, and starting the new driveway slope near the top as shown is necessary to achieve enough drop to avoid running switchbacks across the backyard, which would be incredibly disruptive to the site and require the removal of more trees. Additionally, there are multiple 14"+ diameter trees along the back of the existing garage/carport that would require removal for any intervention other than coming in separately around the south side as proposed. Adding a second driveway around the north side was considered, but code limits one driveway per property, and the house's utility connections and propane tank are located in this area along the north side.

Variance 2 & 3 (Guesthouse): Due to the limitation of the buildable area by setbacks, height requirements, and tree CRZs, it made the most sense to detach the structure and place it below the existing house. The height restrictions prevent virtually any addition to the existing structure other than along the very front of the house, but there is not sufficient space to add even one bedroom without breaking the building height limitations. Attaching the structure to the house requires additional building mass projecting from the back of the house at some point, but detaching the structure allows it to be set much lower and entirely behind the house. The top of the roof of the proposed structure is a full story (11') below the main floor level of the existing house.

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

Variance 1 (Driveway cut/fill): The proposed driveway complies with the code's driveway setbacks (10' at side), slope (max 20%), and is composed of a "bridge" elevated above the ground to minimize concrete cover. There are no impacts to protected-size trees.

Variance 2 & 3 (Guesthouse): The main objective of this project is to provide additional spaces needed to accommodate the homeowners' growing family. This includes 2 bedrooms

(one designated for their parents to stay when visiting, and one for a maid's quarters), as well as a fitness room, media room, playroom, and storage. This program exceeds 800 sq ft, but accommodates the full scope of spaces for the family and their extended family guests and maintenance of the home. The extreme slope of the lot does not allow for these spaces to be added on to the existing home.

(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?

Variance 1 (Driveway cut/fill): The additional garage space enabled by the driveway will remove cars from the street and allow the homeowners to store their cars and guest cars out of sight. The driveway addition was carefully configured to work with and extend from the existing driveway in order to keep the street connection intact and avoid making a variance request for a second driveway.

Variance 2 & 3 (Guesthouse): Functionally, this structure is an extension of their existing house and is well within the scale of building appropriate for a 1.93-acre lot. While it met their needs very well before having children, the existing home's size and components do not adequately serve a growing family with parents who live far away and therefore need a designated place to stay when visiting. The family-focused design will accommodate their day-to-day life with places to play and be together.

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

Variance 1 (Driveway cut/fill): The additional garage and parking area this driveway serves will provide much needed off-street parking to alleviate the congestion and safety issues at the street. Cut and fill of this nature and configuration would be required in order to provide any amount of additional vehicular accommodation on this site. The proposed driveway respects the 10' driveway setback along property lines.

Variance 2 & 3 (Guesthouse): The existing house is set below Wildcat Hollow, and the proposed additional structure is set well below and behind the existing house. It is near the center of the 1.93-acre property, which has dense tree cover around the perimeter. The structure will be used for guest and domestic employee quarters as allowed by Special Use in R-1 districts, and uses incidental to the main house (gym, playroom, additional parking and storage, etc). The use of the property will not change from its existing single-family character and is compatible with the surrounding neighborhood uses.

Property Address: 1505 Wildcat Hollow, West Lake Hills, TX 78746



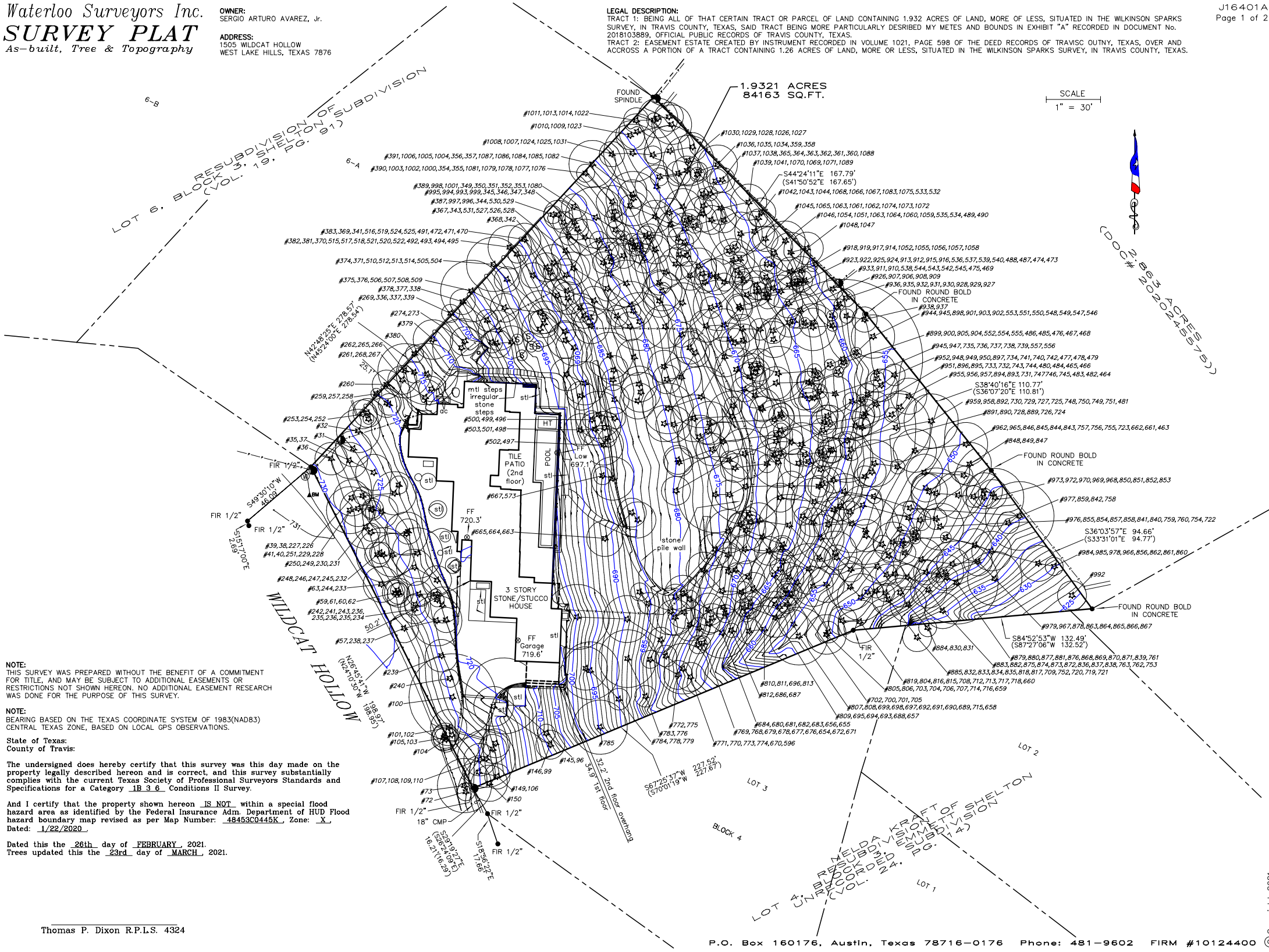
Waterloo Surveyors Inc.
SURVEY PLAT
As-built, Tree & Topography

OWNER:
SERGIO ARTURO AVAREZ, Jr.

ADDRESS:
1505 WILDCAT HOLLOW
WEST LAKE HILLS, TEXAS 7876

LEGAL DESCRIPTION:
TRACT 1: BEING ALL OF THAT CERTAIN TRACT OR PARCEL OF LAND CONTAINING 1.932 ACRES OF LAND, MORE OR LESS, SITUATED IN THE WILKINSON SPARKS SURVEY, IN TRAVIS COUNTY, TEXAS, SAID TRACT BEING MORE PARTICULARLY DESCRIBED MY METES AND BOUNDS IN EXHIBIT "A" RECORDED IN DOCUMENT No. 2018103889, OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS.
TRACT 2: EASEMENT ESTATE CREATED BY INSTRUMENT RECORDED IN VOLUME 1021, PAGE 598 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS, OVER AND ACROSS A PORTION OF A TRACT CONTAINING 1.26 ACRES OF LAND, MORE OR LESS, SITUATED IN THE WILKINSON SPARKS SURVEY, IN TRAVIS COUNTY, TEXAS.

J16401A
Page 1 of 2



NOTE:
THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A COMMITMENT FOR TITLE, AND MAY BE SUBJECT TO ADDITIONAL EASEMENTS OR RESTRICTIONS NOT SHOWN HEREON. NO ADDITIONAL EASEMENT RESEARCH WAS DONE FOR THE PURPOSE OF THIS SURVEY.

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

State of Texas:
County of Travis:

The undersigned does hereby certify that this survey was this day made on the property legally described hereon and is correct, and this survey substantially complies with the current Texas Society of Professional Surveyors Standards and Specifications for a Category 1B.3.6 Conditions II Survey.

And I certify that the property shown hereon IS NOT within a special flood hazard area as identified by the Federal Insurance Adm. Department of HUD Flood hazard boundary map revised as per Map Number: 48453C0445K, Zone: X, Dated: 1/22/2020.

Dated this the 26th day of FEBRUARY, 2021.
Trees updated this the 23rd day of MARCH, 2021.

Thomas P. Dixon R.P.L.S. 4324

P.O. Box 160176, Austin, Texas 78716-0176 Phone: 481-9602 FIRM #10124400

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PROJECT NAME:

ALVAREZ ADDITION

IMAGE NAME:

SITE CONTEXT



DATE:

4/2/21



MAID'S QUARTERS	327
BASEMENT LEVEL	3,560
GARAGE LEVEL	4,500

PROJECT NAME:

ALVAREZ ADDITION



EXISTING IMPERVIOUS COVER	10,920
PROPOSED IMPERVIOUS COVER	8,715
	19,635 sq ft 23 %
ALLOWABLE IMPERVIOUS COVER	21,031 SF 25 %

NO IMPACT AT GROUND LEVEL TO PROTECTED TREE 1/2 CRITICAL ROOT ZONE

THIS PORTION OF DRIVEWAY TO BE ELEVATED PERVIOUS BRIDGE ON PIER STRUCTURE

PROPOSED VARIANCE #1:
+18" CUT FILL INSIDE FRONT SETBACK
HIGHLIGHTED AREA TO BE CONCRETE DRIVEWAY, HEIGHT NOT TO EXCEED 6'-0" ABOVE ADJACENT GRADE

GENERAL NOTE:
ALL PROTECTED TREES ARE SHOWN WITH GREEN FILL & 1/2 CRITICAL ROOT ZONE SHOWN DASHED

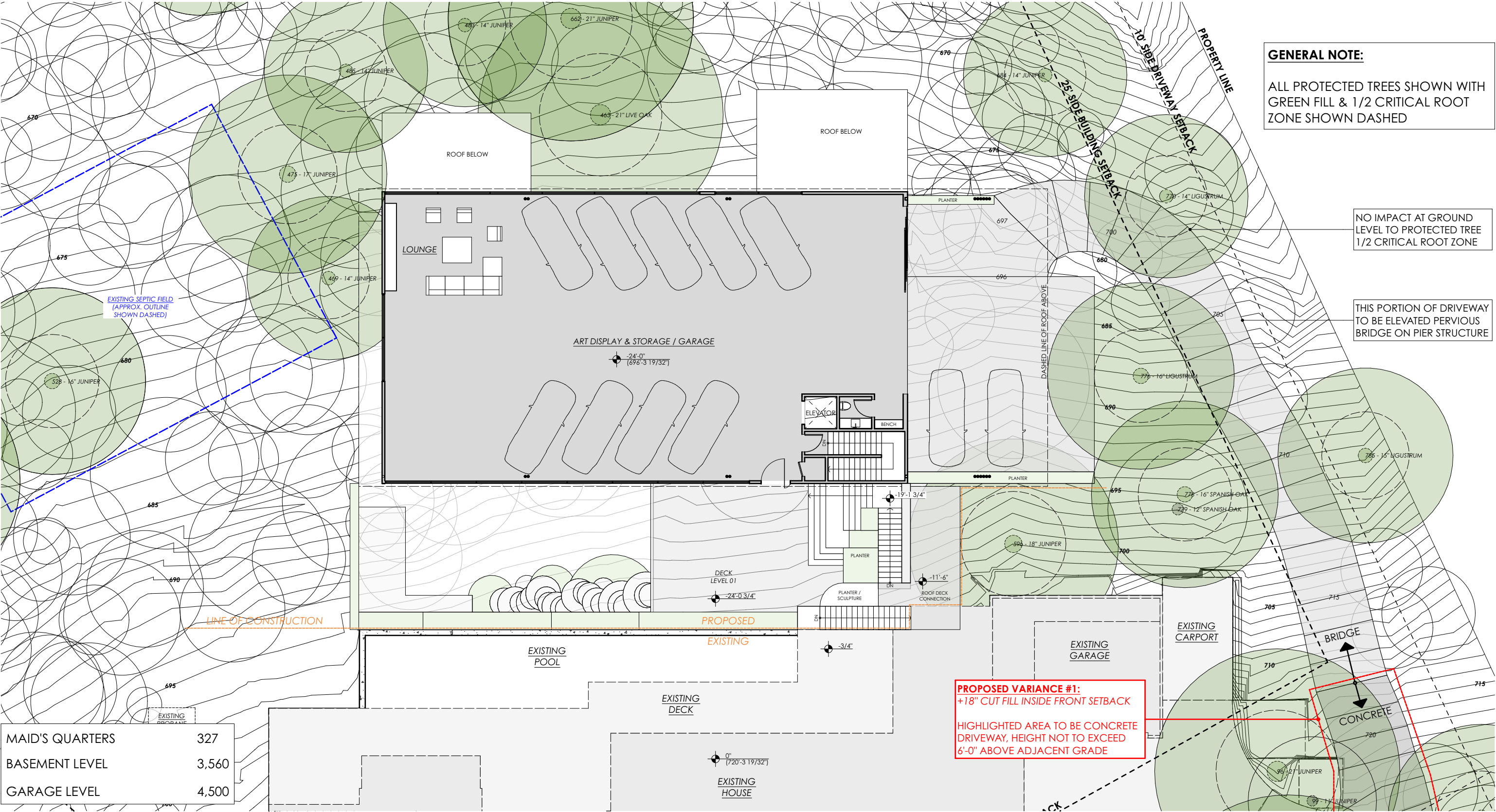
IMAGE NAME: SCALE: DATE:

SITE PLAN



1" = 30'

4/2/21



MAID'S QUARTERS	327
BASEMENT LEVEL	3,560
GARAGE LEVEL	4,500

PROJECT NAME:

ALVAREZ ADDITION

IMAGE NAME:

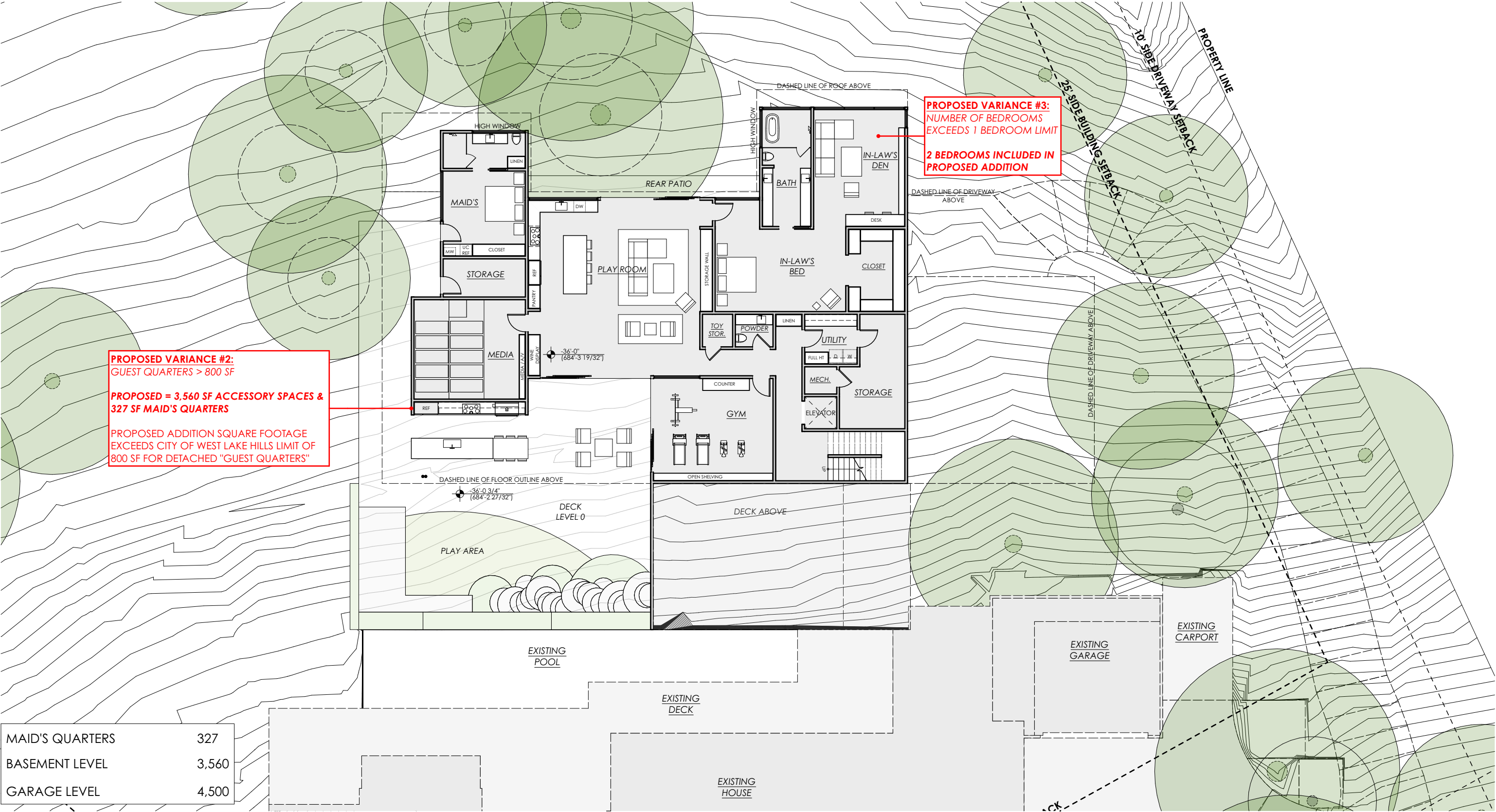
FLOOR PLAN - GARAGE

SCALE:

1/16" = 1'-0"

DATE:

4/2/21



PROJECT NAME:

ALVAREZ ADDITION

IMAGE NAME:

FLOOR PLAN - BASEMENT

SCALE:

1/16" = 1'-0"

DATE:

4/2/21



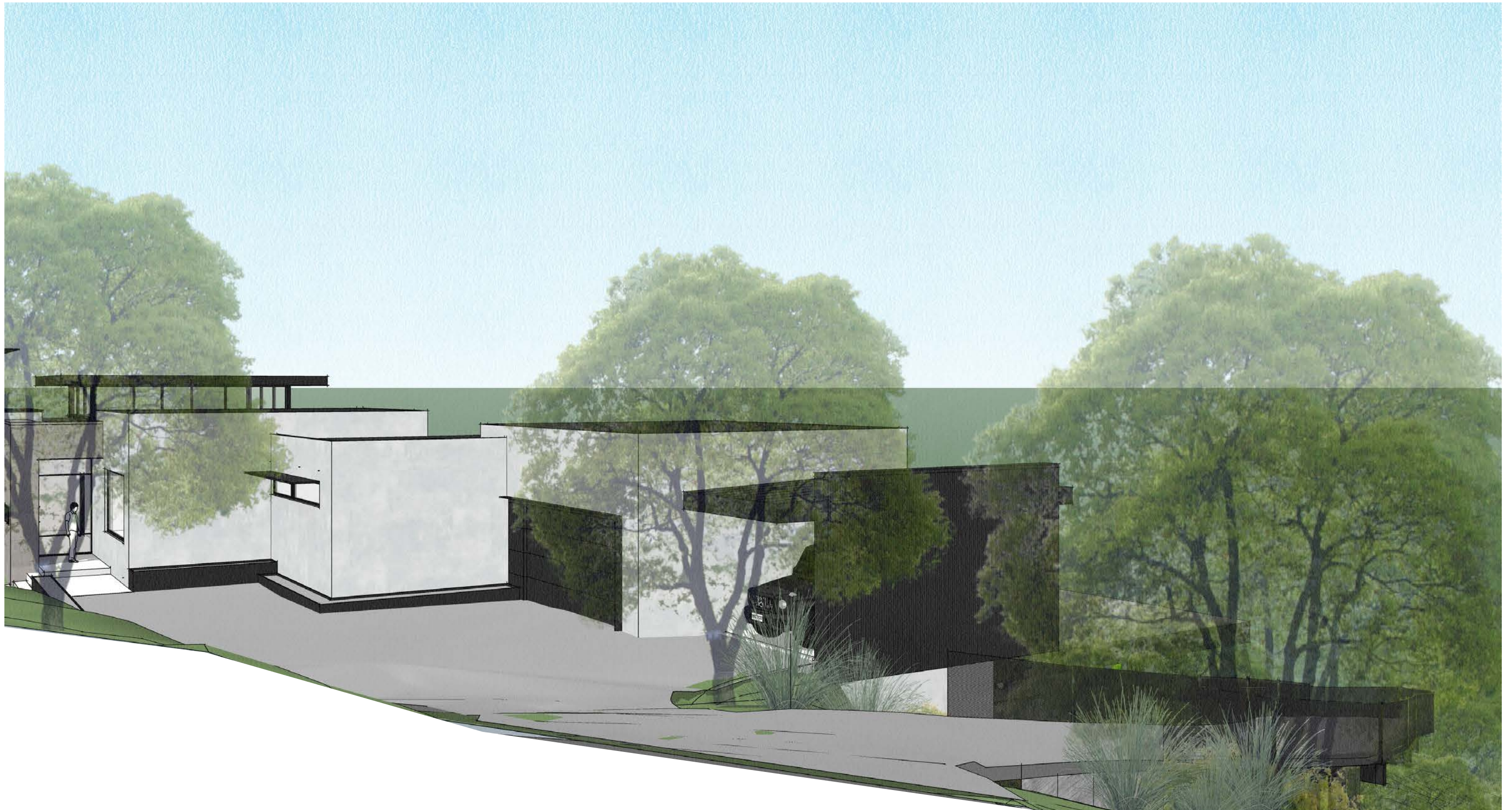
ALVAREZ ADDITION
04-02-2021

EXISTING DRIVE FROM WILDCAT HOLLOW



ALVAREZ ADDITION
04-02-2021

EXISTING DRIVE FROM WILDCAT HOLLOW



ALVAREZ ADDITION
04-02-2021

PROPOSED DRIVE FROM WILDCAT HOLLOW



ALVAREZ ADDITION
04-02-2021

DRIVEWAY TRANSITION



ALVAREZ ADDITION
04-02-2021

ELEVATED DRIVEWAY



ALVAREZ ADDITION
04-02-2021

COVERED PARKING



ALVAREZ ADDITION
04-02-2021

REAR



ALVAREZ ADDITION
04-02-2021

ROOF DECK CONNECTION



ALVAREZ ADDITION
04-02-2021

DECK 0 COURTYARD



ALVAREZ ADDITION
06-03-2021

PROPOSED DRIVE FROM WILDCAT HOLLOW
ALTERNATIVE DESIGN SHOWN RED - NO VARIANCE REQUIRED



ALVAREZ ADDITION
06-03-2021

DRIVEWAY TRANSITION
ALTERNATIVE DESIGN SHOWN RED - NO VARIANCE REQUIRED



ALVAREZ ADDITION
06-03-2021

ELEVATED DRIVEWAY
ALTERNATIVE DESIGN SHOWN RED - NO VARIANCE REQUIRED



ALVAREZ ADDITION
06-03-2021

REAR
ALTERNATIVE DESIGN SHOWN RED - NO VARIANCE REQUIRED



ALVAREZ ADDITION
06-03-2021

EXISTING HOUSE AT PROPOSED CONNECTION



ALVAREZ ADDITION
06-03-2021

VIEW FROM PROPOSED ROOF



ALVAREZ ADDITION
06-03-2021

VIEW FROM PROPOSED COVERED PARKING