



CITY OF WEST LAKE HILLS, TEXAS
NOTICE OF BOARD OF ADJUSTMENT (BOA) REGULAR MEETING
Wednesday, July 14, 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 14th day of July 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 867 1110 1593 Password: 725624

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 July 14, 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 July 14, 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 June 9, 2021 Regular Meeting Minutes
 - b. **701 S Capital of Texas Hwy Suite G700 (Lee's Kitchen and Cocktails):** Adopt an Ordinance for a Special Use Permit Request to Allow the Sale of Alcoholic Beverages in a Restaurant for On-Site and Off-Site Consumption for Property Zoned B – 3 – Business 3 District (West Lake Hills Code Sec. 38.03.038 & Article 38.04). The applicant is Sara Lee.
 - c. **3638 Bee Cave Road Suit 104 (Austin Pizza):** Adopt an Ordinance for a Special Use Permit Request to Allow the Sale of Alcoholic Beverages in a Restaurant for On-Site and Off-Site Consumption for Property Zoned B – 2 – Business 2 District (West Lake Hills Code Sec. 38.03.038 & Article 38.04). Applicant Eshea Cabrera.
4. **Land Use 313 Oakridge Drive:** Discuss and Consider Action on an application for a variance request to (West Lake Hills Code Sec. 22.03.281 & 22.03.003). Angelica Nobel agent for Todd and Katrina Ohlmeyer.
 - Section 22.03.281 – Encroachment into a building setback;
 - Section 22.03.281 - Increase in the maximum impervious coverage; and
 - Section 22.03.003 - Outdoor lighting in the minimum side-yard setback
 - a. Public Hearing: All Persons Wishing to Speak for or Against Shall be Heard.
5. **Land Use 110 Skyline Drive:** Discuss and Consider Action on an Application for a Variance Request to (West Lake Hills Code Sec. 22.03.281). James Legeai agent for James Saadi.
 - Section 22.03.281 – Encroachment in a building setback;
 - Section 22.03.170(f) – Cut and Fill/Grading in a building setback; and
 - Section 22.03.275 – Building structure in a front yard setback
 - a. Public Hearing: All Persons Wishing to Speak for or Against Shall be Heard.
6. **Land Use 1407 Wildcat Hollow:** Discuss and Consider Action on an Application for a Variance Request to (West Lake Hills Code Sec. 22.03.281 & 22.03.125)). Kristopher White agent for Andrew & Kaitlyn Coney.
 - Section 22.03.281 – Encroachment in a building setback; and
 - Section 22.03.125 – Excavating or grading
 - a. Public Hearing: All Persons Wishing to Speak for or Against Shall be Heard.
7. **Land Use 507 Konstanty Circle:** Discuss and Consider Action on a Variance Request for a Sport Court Encroaching the Front Setback (West Lake Hills Code Sec. 22.03.281). Applicant Hank Smith
 - Section 22.03.281 – Encroachment into the 50' front building setback
 - a. Public Hearing: All Persons Wishing to Speak for or Against Shall be Heard.
8. Adjournment

Approved by: Linda Anthony, Mayor

Certificate

I certify that the above Notice of the July 14, 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, July 9 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, June 9, 2021, at 7:00 PM

1. Call to Order

With a quorum present, Mayor Anthony called the meeting to order at 7:13 p.m. Members in attendance were Mayor Linda Anthony, Mayor Pro Tem Walker, Councilmembers Rhonda McCollough, Brian Plunkett, Beth South and Gordon Bowman.

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 May 12, 2021 Regular Meeting Minutes

Motion for Approval made by Mayor Pro Tem Walker with a Second by Councilmember McCollough

Motion for Approval carried unanimously by a vote of 6 ayes to 0 nays

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

Applicant Daniel Doman spoke on this item

Motion for Approval made by Mayor Pro Tem Walker with a Second by Councilmember McCollough

Motion for Approval carried unanimously by a vote of 6 ayes to 0 nays

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

Applicants Kim Power and Sergio Alvarez spoke on this item
Citizens David Carr, Katy Rees, Mark Lacy, Jon Luce, Gretchen Shartle, James Umstattd, and Patrick Dunley spoke on this item
Motion for Denial made by Councilmember McCollough with a Second by Councilmember South
Motion for Denial carried unanimously by a vote of 6 ayes to 0 nays

6. Adjournment

Motion to Adjourn the meeting made at 8:23 p.m. by Mayor Pro Tem Walker with a Second by Councilmember Plunkett
Motion to Adjourn carried unanimously by a vote of 6 ayes to 0 nays

Respectfully submitted,

LINDA ANTHONY, MAYOR

ATTEST:

Stephanie Mills, City Secretary

These minutes were approved on July 14, 2021.

CITY OF WEST LAKE HILLS, TEXAS
MINUTES OF A ZONING & PLANNING COMMISSION (ZAPCO) REGULAR MEETING
Wednesday, June 16, 2021 at 6:30 PM

1. **Call to Order. Chairman Robert Meisel.**

With a quorum present, Chairman Meisel called the meeting to order at 6:35 p.m. Members in attendance were Chairman Robert Meisel, Vice-Chairman Jim Pledger, Commissioners Bill Harwell, Laaurie Maccini, Karen Bartoletti and James Vaughan.

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 May 19, 2021 Regular Meeting Minutes**

COMMISSIONER BARTOLETTI MOVES TO APPROVE. VICE-CHAIRMAN PLEDGER SECONDS. UNANIMOUS (5-0) APPROVAL.

3. Land Use 507 Konstanty Circle in the City of West Lake Hills, Texas Tom **Hank and Brandon Brydson** have filed an Application with the City of West Lake Hills, Texas requesting variances according to the following Sections of the City's Code of Ordinances:

Section 22.03.281 – Encroachment into a 50' front building setback

Staff Briefing

Interim Planner Cullis gives the staff briefing. Staff Recommendation: Approval based on topography.

Commissioner Maccini: We talked about lights and fencing. I don't see anything in this report.

Interim Planner Cullis: The adjacent property has a sport court out front that doesn't encroach.

Presentation by Applicant

Hank Smith: I'm the engineer. The owner met with city staff. The house behind us the front faces the back of our house. If we put the court in the back it would be

within 50' from their front porch which would be closer to the neighbor. We do not have any fencing around the court. If lighting, it would meet code. It will not be visible. This is 300' from Westlake stadium. It will flat, at grade and within code. I appreciate your time.

Public Hearing

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

Deliberation and Action

Commissioner Maccini: I appreciate the applicant showing the reason. There is no hardship.

Commissioner Harwell: On the aerial photo, is there a swimming pool in the back park?

Interim Planner Cullis: Yes.

Commissioner Harwell: Is there ample room in the back yard and be within the allotted setback?

Hank: We would encroach a setback. It is smaller than the neighbor's court. There would be more tree removal in the rear.

Chairman Meisel: The court is considered flatwork.

Commissioner Bartoletti: The initial rationale was not a viable place because of topography. Is it trees or topo?

Hank: Trees would have to be removed. It is flat at grade on the grass. It's a very steep driveway.

Commissioner Maccini: Are you doing any fill?

Hank: Roughly 4'.

Chairman Meisel: That's within the allowable.

COMMISSIONER MACCINI MOVES TO RECOMMEND DENIAL DUE TO LACK OF HARDSHIP. VICE-CHAIRMAN JIM PLEDGER SECONDS. UNANIMOUS (5-0) DENIAL.

4. Land Use **3625 Bee Cave Road** in the City of West Lake Hills, Texas, Casey Britten and Yoshihiro Hatsuno have filed an Application with the City of West Lake Hills, Texas requesting variances according to the following Sections of the City's Code of Ordinances: Section 32.01.016(16) – Freestanding Commercial Signs – LED Signs

Re-facing an existing monument sign and retrofitting to LED lighting.

Chairman Meisel: LED signs are prohibited. I don't think we can use a variance to allow this.

Assistant City Attorney Cristian Rosas-Grillet: It would be an amendment to the ordinance.

Commissioner Harwell: We approved a similar sign change to McDonald's a few months ago?

Chairman Meisel: Let's proceed.

Staff Briefing

Interim Planner Cullis gives the Staff Briefing. Staff Recommendation: Denial with no hardship and not within the content of the code.

Presentation by Applicant

Ruben Britten: The issue is there is no hardship. Our objection is that right now the 7-Eleven is having to manually change those numbers. We want to get on one program so it can be done by computer. This isn't an LED board, it is just the gas price digits that change. That is pretty much all I have.

Public Hearing

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

Deliberation and Action

VICE-CHAIRMAN PLEDGER MOVES TO RECOMMEND DENIAL FOR LACK OF HARDSHIP AND CONSISTENCY TO CODE. COMMISSIONER BARTOLETTI SECONDS. DENIED (4-1) COMMISSIONER HARWELL OPPOSES.

5. Land Use 4100 Westbank Drive in the City of West Lake Hills, Texas Eanes ISD (Westlake High School Robotics Center) have filed an Application with the City of West Lake Hills, Texas requesting variances according to the following Sections of the City's Code of Ordinances:

Section 32.03.009(2) – Projecting, wall and commercial hanging signs

Purpose: Allow sign to exceed allowable square footage to 59.5 sq. ft.

Chairman Meisel requests to discuss Items 5 and 6 together.

Staff Briefing

Interim Planner Cullis gives the staff briefing. Staff Recommendation: Denial due to no hardship and the scale of the signs.

Presentation by Applicant

Brian Bolek: This one is something because these buildings are really far off the road. The sign is just the name of the building. We have many visitors that will be coming to these facilities. It does fit the buildings really well. The parking lot is at different elevations. We do recognize that is not a hardship but we do need the ability to locate the buildings.

Public Hearing

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

Deliberation and Action

Commissioner Maccini: As a parent of a recent graduate, the directional signs are what matter; not what is on the building. You're right; there is no hardship.

Vice-Chairman Pledger: Can the applicant give us information of where these buildings are located?

Commissioner Maccini: Westbank toward Loop 360. The Robotics Building is attached to the Bus Barn Building. The Aquatics Center is on the top of the hill. You won't be able to miss it.

Chairman Meisel: Put up Robotics and Aquatics and drop the Westlake High School. Directional is much more important.

Brian: I will bring up your suggestions.

COMMISSIONER HARWELL MOVES TO RECOMMEND DENIAL AS SUBMITTED. COMMISSIONER MACCINI SECONDS. UNANIMOUS (5-0) DENIAL.

6. Land Use 4100 Westbank Drive in the City of West Lake Hills, Texas Eanes ISD (West Lake High School Aquatics Center) have filed an Application with the City of West Lake Hills, Texas requesting variances according to the following Sections of the City's Code of Ordinances:

Section 32.03.009(2) – Projecting, wall and commercial hanging signs
Allow sign to exceed allowable square footage to 59.5 sq. ft.

This Item was addressed with Item 5.

7. Land Use 313 Oak Ridge Drive in the City of West Lake Hills, Texas **Angelica Norton, Todd and Katrina Ohlmeyer** have filed an Application with the City of West Lake Hills, Texas requesting variances according to the following Sections of the City's Code of Ordinances:

Section 22.03.281 – Encroachment into a building setback;
Section 22.03.281 - Increase in the maximum impervious coverage; and
Section 22.03.003 - Outdoor lighting in the minimum side-yard setback.

The request is so that the property owners may: Encroach 14' 11" into a 30' rear setback and encroach 9' 11" into a 20' side setback for the construction of decking around an existing non-conforming swimming pool.

Staff Briefing

Interim Planner Cullis gives the staff briefing. Staff Recommendation: Approval

Presentation by Applicant

Angelica Norton is with Open Envelope. Erosion is a huge problem. The hardship is the house is located far enough back that most of the house is in the setback. The living space in the back is stacked. Our design solution was to create two living spaces around the pool and connect to the doors. Our intent was to not change waterflow dramatically. The impervious number is inflated but it is for erosion control. The intent is to make livable space. Lighting is for security and we're using low landscape lighting and more in tune with the dark sky initiative.

Public Notice

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

Deliberation and Action

Commissioner Maccini: This was recently remodeled. They have a huge flat front yard. This is design driven and there is not a hardship.

Chairman Meisel: A significant portion is the driveway. It is pre-existing non-conforming. At this point, the applicant is seeking to modernize their use of the pool. There is legal precedent.

Commissioner Maccini: It was there when they moved in. Just the extension of it. Denying them is not disallowing them from using their pool.

Todd is the property owner: We feel that it is a hardship that we can't use the area around the pool. It makes it very difficult because of the mud. Our front yard is usable for some activities but not when kids are coming in and out of the mud from the front and back yard. When we bought this house complete, we did not remodel it. We didn't know this would be an issue.

Commissioner Maccini: You can fix that with the landscaping without asking for variances.

Angelica: Mulch would just end up running off. That adds to the need to increase the impervious cover.

Commissioner Vaughan: I'm not inclined to vote for this.

Commissioner Bartoletti: What is existing impervious cover now?

Angelica: It started at 29.68%. It was already non-compliant.

Vice-Chairman Pledger: Did you consider plants?

Angelica: If there is going to be any furniture, we would need a little hardscape under it. This would still allow soil to runoff.

Commissioner Harwell: Is the artificial turf is that erosion control?

Angelica: There was river stone in that area which is not a great path to walk on.

Commissioner Harwell: Astroturf?

Angelica: It has realistic look to it until you get up to it and is permiable.

Commissioner Maccini: It looks like bamboo along the fence line?

Angelica: This variety is not invasive.

Vice-Chairman Pledger: I heard a comment I heard a while ago, a putting green? We are always required to insure that the applicant has minimized the amount of the variance. The idea that we need a deck and putting green is part of what is causing this to go over.

Todd: The turf is for the kids to be able to run and play in the backyard.

Chairman Meisel: This is driven by the non-conforming.

COMMISSIONER VAUGHAN MOVES TO RECOMMEND APPROVAL AS REQUESTED. COMMISSIONER BARTOLETTI SECONDS. MOTION DIES.

VICE-CHAIRMAN PLEDGER MOVES TO RECOMMEND DENIAL FOR LACK OF MINIMIZATION AND LACK OF HARDSHIP. COMMISSIONER MACCINI SECONDS. DENIED (3-2) COMMISSIONER VAUGHAN AND BARTOLETTI OPPOSE.

8. Land Use 110 Skyline Drive in the City of West Lake Hills, Texas **James Saadi and Ashley Kroh** have filed an Application with the City of West Lake Hills, Texas requesting variances according to the following Sections of the City's Code of Ordinances:

Section 22.03.281 – Encroachment in a building setback;
Section 22.03.170(f) – Cut and Fill/Grading in a building setback; and
Section 22.03.275 – Building structure in a front yard setback.

Staff Briefing

Interim Planner Cullis gives staff briefing. Staff Recommendation: Approval due to the shape of the property.

Commissioner Maccini: Is the deck already existing?

Presentation by Applicant

James Leguia is with Dick Clark and Associates. James describes existing conditions. Existing house was built in 1955 as a hunting lodge. The expansion on page 3 includes a new master bed and bath. This is already permitted and under construction. We're asking for an extension of the living room roof and loft space for a home office. The buildable area is quite small. Page 4 shows the rear view. The expansion will accommodate a home office. Page 9 shows you where we are extending and page 10 is

the current view from Skyline and future view. We appreciate your time and am here to answer any questions.

Public Hearing

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

Deliberation and Action

Commissioner Maccini: I'm okay with the third floor extension. I'm concerned about trees. The pool could be minimized and is design driven.

Vice-Chairman Pledger: When I looked at this house, my first thought was it did leave the original house in the setback and you did a good job in staying, but the pool is totally in the setback. I worry about trees a lot and the pool will cause the loss of a couple. That troubles me a lot.

COMMISSIONER MACCINI MOVES TO APPROVE THIRD FLOOD EXTENSION AND DENY THE POOL AS DESIGNED.

James Leguia: If we were able to pull that pool back would that be sufficient?

Vice-Chairman Pledger: Grading all relates to the pool.

VICE-CHAIRMAN PLEDGER MAKES A MOTION TO RECOMMEND APPROVAL SUBJECT TO MINIMIZATION OF THE POOL TO AVOID DAMAGE TO THE TREES.

Commissioner Bartoletti: We're talking about a Cedar and a Hackberry?

Commissioner Vaughan: I second Karen's motion.

Commissioner Bartoletti: I'm not bothered by the potential harm to these trees. Page 134, can they tell us which of these request go with what aspect? The pool impacts the front setback?

James Leguia: The first is for the pool; second is cut and fill; third is two trees; and four is the third floor structure and fifth is extension of the roof.

COMMISSIONER BARTOLETTI MOVES TO RECOMMEND APPROVAL OF THE WHOLE PACKAGE. COMMISSIONER VAUGHAN SECONDS. APPROVED (4-1) COMMISSIONER MACCINI OPPOSES.

9. Land Use 1407 Wildcat Hollow in the City of West Lake Hills, Texas Andrew and Kaitlyn

Comey have filed an Application with the City of West Lake Hills, Texas requesting variances according to the following Sections of the City's Code of Ordinances:

Section 22.03.281 – Encroachment in a building setback;
Section 22.03.125 – Excavating or grading.

Remodeling an existing non-conforming house and driveway.

Staff Briefing

Interim Planner Cullis gives the staff briefing. Staff Recommendation: Approval based on topography.

Commissioner Maccini: Was this property effected by the Jaffe property?

Presentation by Applicant

Kristopher White is with Dick Clark and Associates. There are two different variances. They want to evenly displace the water. We are over the impervious cover. We are not adding, we are re-shaping for a turnaround space. Second, our site was not impacted so there weren't trees cleared on our problem. We do want a retaining wall for erosion which is affecting septic. We thank you for considering this matter.

Commissioner Maccini: You're protecting trees in that driveway?

Kristopher White: Yes, they bought this property and want to protect those trees. We are re-grading.

Vice-Chairman Pledger: I would get rid of that 18" drain. Get water away from the driveway.

Chairman Meisel: I see a safety issue and they are creating a drain away from the house. We require that.

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

COMMISSIONER MACCINI MOVES TO RECOMMEND APPROVAL AS REQUESTED. VICE-CHAIRMAN PLEDGER SECONDS. UNANIMOUS (5-0) APPROVAL.

10. Adjournment. Chairman Robert Meisel.

Motion to adjourn the meeting made at 8:41 p.m. by Chairman Meisel.

Respectfully submitted,

ROBERT MEISEL, CHAIRMAN

ATTEST:

ZAPCO Secretary Mark Litrell

These minutes were approved on _____, 2021.



SPECIAL USE PERMIT (SUP) STAFF REPORT

July 14, 2021

Permit Number: 16629

Agenda Item: 701 S Capital of Texas Hwy Suite G700 (Lee's Kitchen and Cocktails): Adopt an Ordinance for a Special Use Permit Request to Allow the Sale of Alcoholic Beverages in a Restaurant for On-Site and Off-Site Consumption for Property Zoned B – 3 – Business 3 District (West Lake Hills Code Sec. 38.03.038 & Article 38.04). Applicant Sara Lee.

Applicant Information: Sara Lee

Hearing Dates:

July 14, 2021 Board of Adjustment

Requested Action: Special Use Permit for sale of beer and wine for on-premises and off-premises consumption.

Location: The property is located 701 S Capital of Texas Hwy Suite G700.

Zoning & Site Characteristics: The subject property is a shopping center (The Village at Westlake Hills) zoned B – 3 Business 3 District. The surrounding adjacent properties are zoned O – Office; B – 1 – Business 1 District; and R – 1– Family Residential District

Background & Analysis: Lee's Kitchen and Cocktails is a restaurant that includes the sale of wine for on and off-premises consumption. They are under contract leasing a suite G700 in the he Village at Westlake Hills shopping center, occupying a space that is currently utilized by a Biderman's Deli. The proposed hours of operation are Tuesday through Saturday, 11:00am to 9:30pm, and Saturday 11:00 am to 10:00pm.

It is the Owner's responsibility to obtain any licenses required by the TABC.

SUP Criteria & Analysis:

A proposal to sell alcoholic beverages in a restaurant for on- or off-premises consumption must comply with the following specific criteria and conditions, as well as the general criteria in section 38.04.033 (refer to Code section of staff report below for additional requirements for alcohol SUPs and criteria applicable to all SUPs):

- (1) The restaurant where the alcoholic beverage is proposed to be sold shall not be located within 300 feet of a church or school as measured by state law;
 - The location complies with TABC requirements regarding distance to churches.
- (2) The restaurant where the alcoholic beverage is proposed to be sold shall not be located on property, two or more sides of which abut property in a residential zoning district;
 - Refer to the zoning map included at the end of this report. There is one property zoned R-1 – Family Residential abutting to the south and located outside of the Village at Westlake Hills.
- (3) The gross receipts derived from the sale of alcoholic beverages shall not exceed the gross receipts derived from the sale of food;
 - The primary business of this restaurant is the sale of food.
- (4) The permit shall be reviewed annually by the city administrator and, if reissued, reissued at the end of the calendar year; and
 - City staff will review annually and keep track of when the SUP needs to be reissued.
- (5) Additional fees are to be collected after three years' operation in accordance with the alcoholic beverage commission permit rules.
 - City staff will review and ensure all applicable fees are collected in accordance with TABC rules.

Traffic/Transportation

No impact expected.

Lighting

Outdoor lighting is not proposed with this application.

Building Code

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

Subdivision

This request will not change the subdivision.

Comprehensive Planning Analysis

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

Staff Recommendation:

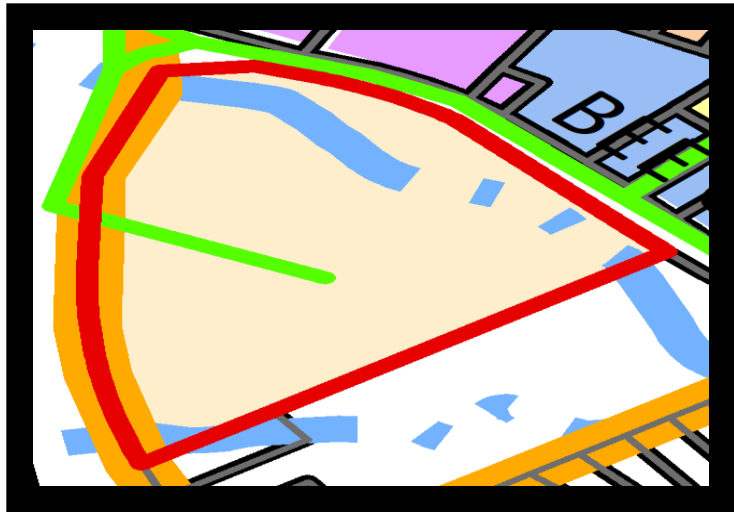
Staff recommends approval. The application as presented meets City Code requirements.

Links to Code:

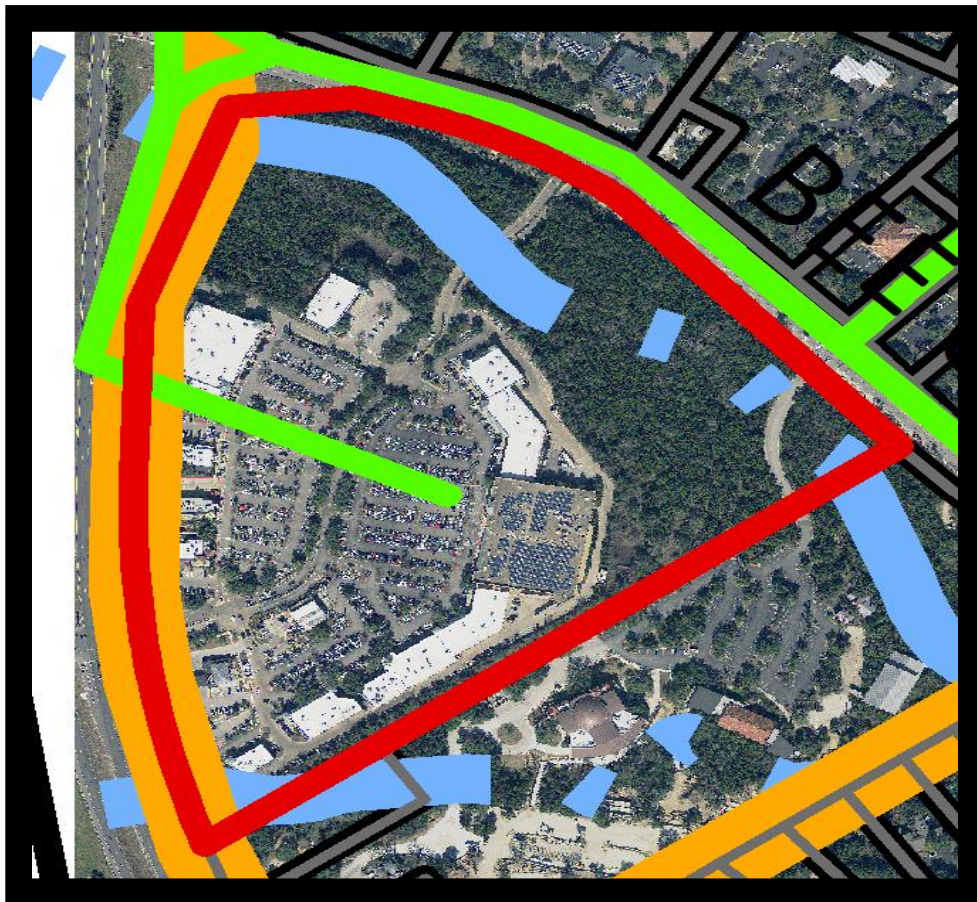
- [Sec. 38.03.037 B-3 business 3 district](#)
- [Article 38.04 Supplementary Regulations, Division 2. Special Uses](#)

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



SPECIAL USE PERMIT APPLICATION



Date Received: <u>5/3/21</u>	Received By: <u>[Signature]</u>
Amount Due \$ <u>652.00</u>	Date Payment Received: _____
Admin Complete Date: _____	Permit No: <u>15639</u>

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

APPLICANT INFORMATION

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

Property Owner: Sara Lee Phone: 512-294-1437
 Email: [Redacted]
 Address: 8510 Galeana Trace Cove City: Austin State: TX Zip: 78733
 Agent*: _____ Phone: _____
 Email: _____
 Address: _____ City: _____ State: _____ Zip: 78733

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

PROJECT INFORMATION

Property Address: 701 S Capital of TX Hwy, Suite G700, Austin, TX 78746
 Subdivision Name: The Village at Westlake
 Block: _____ Lot: _____ Tax Parcel ID: _____
 Current Zoning Classification: _____ Total Lot Area: _____ acres
 Proposed Special Use: _____ Applying for Variance ☐ Yes ☒ No
 (if yes, please submit separate variance application)
 Name of Business (if applicable): Lee's Kitchen + Cocktails
 Hours of Operation: 11am-10pm Duration of Use: _____
 Present Land Use: Restaurant



SPECIAL USE PERMIT APPLICATION

Brief description of proposed project:
Full service restaurant

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

5/3/21

Date

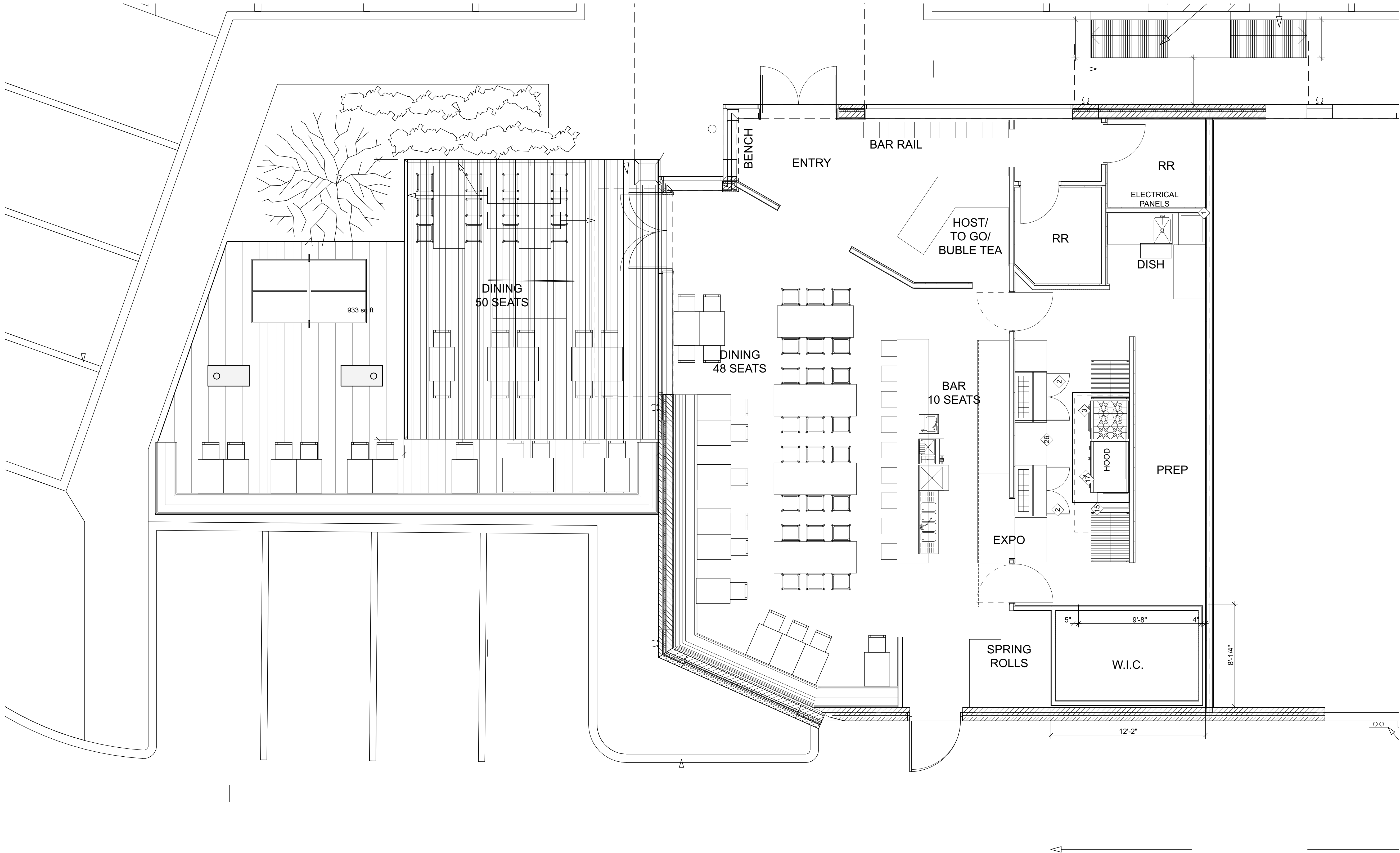
Sara Lee

Printed Name

APPLICATION CHECKLIST

Special Use Permit Application Checklist

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



1 LEVEL 1 FLOOR PLAN
SCALE: 1/4" = 1'-0"

CAUTION: DO NOT SCALE DRAWINGS
THESE DRAWINGS ARE THE PROPERTY OF
THE ARCHITECT AND MAY ONLY BE USED IN
CONJUNCTION WITH THIS PROJECT

SEAL



PROJECT

LEE'S KITCHEN

#Site Address1
WESTLAKE, TX #Site Postcode

DRAWN BY
XX, XX, XX

SET ISSUE

REVISIONS

REV ID	CHANGE NAME	DATE
--------	-------------	------

SHEET TITLE

FLOOR PLAN LEVEL 1

SHEET:

A1.1



SPECIAL USE PERMIT (SUP) STAFF REPORT

July 14, 2021

Permit Number: 16717

Agenda Item: 3638 Bee Cave Road Suit 104 (Austin Pizza) Adopt an Ordinance for a Special Use Permit Request to Allow the Sale of Alcoholic Beverages in a Restaurant for On-Site and Off-Site Consumption for Property Zoned B – 2 – Business 2 District (West Lake Hills Code Sec. 38.03.038 & Article 38.04). Applicant Eshea Cabrera.

Applicant Information: Eshea Cabrera

Hearing Dates:

July 14, 2021

Board of Adjustment

Requested Action: Special Use Permit for sale of beer and wine for on-premises and off-premises consumption

Location: The property is located 3638 Bee Cave Road Suit 104.

Zoning & Site Characteristics: The subject property is a shopping center (Westlake Square) zoned B – 2 Business 2 District. The surrounding adjacent properties are zoned O – Office; B – 2 – Business 2 District; and R – 1 – Family Residential

Background & Analysis: Austin Pizza is a restaurant that includes the sale of wine for on and off-premises consumption. They are under contract leasing a suite in the Westlake Square shopping center. The proposed hours of operation are Tuesday through Sunday, 11:00am to 10:00pm.

It is the Owner's responsibility to obtain any licenses required by the TABC.

SUP Criteria & Analysis:

A proposal to sell alcoholic beverages in a restaurant for on- or off-premises consumption must comply with the following specific criteria and conditions, as well as the general criteria in section 38.04.033 (refer to Code section of staff report below for additional requirements for alcohol SUPs and criteria applicable to all SUPs):

(1) The restaurant where the alcoholic beverage is proposed to be sold shall not be located within 300 feet of a church or school as measured by state law;

- The location complies with TABC requirements regarding distance to churches.
- (2) The restaurant where the alcoholic beverage is proposed to be sold shall not be located on property, two or more sides of which abut property in a residential zoning district;
- Refer to the zoning map included at the end of this report. There is one property zoned R-1 – Family Residential abutting to the north of West Lake Court.
- (3) The gross receipts derived from the sale of alcoholic beverages shall not exceed the gross receipts derived from the sale of food;
- The primary business of this restaurant is the sale of food.
- (4) The permit shall be reviewed annually by the city administrator and, if reissued, reissued at the end of the calendar year; and
- City staff will review annually and keep track of when the SUP needs to be reissued.
- (5) Additional fees are to be collected after three years' operation in accordance with the alcoholic beverage commission permit rules.
- City staff will review and ensure all applicable fees are collected in accordance with TABC rules.

Traffic/Transportation

No impact expected.

Lighting

Outdoor lighting is not proposed with this application.

Building Code

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

Subdivision

This request will not change the subdivision.

Comprehensive Planning Analysis

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

Staff Recommendation:

Staff recommends approval. The application as presented meets City Code requirements.

Links to Code:

- [Sec. 38.03.037 B-2 business 2 district](#)
- [Article 38.04 Supplementary Regulations, Division 2. Special Uses](#)

(Maps to follow)

ZONING MAP

R-1 ONE FAMILY RESIDENTIAL

R-2 MULTI-FAMILY RESIDENTIAL

R-3 TRANSITIONAL

O OFFICE

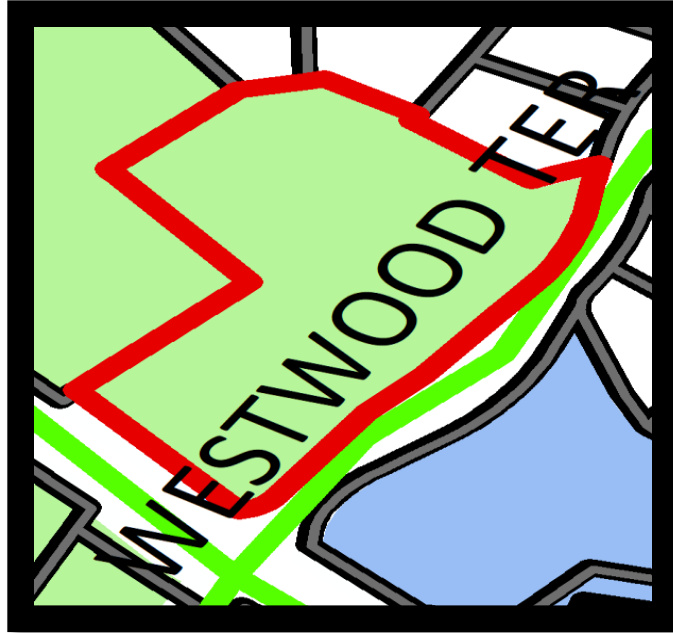
B-1 BUSINESS 1

B-2 BUSINESS 2

B-3 BUSINESS 3

GUI GOVERNMENT, UTILITY
INSTITUTIONAL

AERIAL



AERIAL





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

Property Address: 3638 Bee Cave Rd. #104 Austin, TX 78746

Subdivision Name: Las Brisas Block: A Lot: 1 Tax Parcel ID: 110989

Current Zoning Classification: B2 Total Lot Area: 3 acres

Proposed Special Use: Beer and wine license for food establishment Applying for Variance ☐ Yes ☒ No
(if yes, please submit separate variance application)

Name of Business (if applicable): Austin's Pizza, LLC

Hours of Operation: 11pm - 10am Tuesday-Saturday and Sunday Duration of Use:

Present Land Use: Food Establishment



Brief description of proposed project:

Beer and wine license for a food establishment

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).

Eshea Cabrera

Signature

6/8/2021

Date

Eshea Cabrera
Printed Name

APPLICATION CHECKLIST

Special Use Permit Application Checklist

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



SPECIAL USE PERMIT APPLICATION

SPECIAL USE PERMIT PROCESS & PROCEDURES

Public Hearings

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

Public Notices

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

Application Deadlines

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

SUP Review Criteria

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

STAFF NOTES

For Completion by Staff Only

Date public notification letters mailed: _____

Newspaper notice deadline: _____ Publication

Date: _____ Date of Board of Adjustment Meeting:

Board of Adjustment Action: _____

Notes:



MULTI- VARIANCE STAFF REPORT

July 14, 2021

Project Address: 313 Oak Ridge Drive

Project Number: 16559

Agenda Item: Land Use: **313 Oakridge Drive:** Discuss and Consider Action on an application for a variance request to (West Lake Hills Code Sec. 22.03.281 & 22.03.003). Angelica Nobel agent for Todd and Katrina Ohlmeyer.

1. Section 22.03.281 – Encroachment into a building setback.
2. Section 22.03.281 - Increase in the maximum impervious coverage
3. Section 22.03.003 - Outdoor lighting in the minimum side-yard setback.

The request is so that the property owners may: **Encroach 14' 11" into a 30' rear setback and encroach 9' 11" into a 20' side setback for the construction of decking around an existing non-conforming swimming pool.** The owner is also requesting a maximum impervious cover of 54.23%, almost 20% over the maximum allowed 25% impervious cover.

Applicant Information: Angelica Nobel agent for Todd & Katrina Ohlmeyer

Hearing Dates:

June 16, 2021

ZAPCO

July 14, 2021

Board of Adjustment

Location: The subject property is located along Oak Ridge Drive, surrounded by similar single-family residential lots.

Zoning & Site Characteristics:

The subject property is zoned R1 Family Residential.

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

Background & Analysis:

The applicant is requesting the following variances:

1. Encroach into a building setback.

The applicant is requesting to Increase in the maximum impervious coverage, as shown I the table below table below:

IMPERVIOUS COVERAGE		
Total Lot Area	21,914 sf	
Existing House	3,418 sf	
Existing Covered Porches	385 sf	
Existing Limestone pool Coping	666 sf	
Existing Driveway	1339 sf	
Existing Utility Pads	90sf	
Existing Gravel in Setbacks 50%	348 sf	
Proposed Replacement		
Wood Deck Replacement 50%	260sf	
Stone Wall Replacement	19 sf	
Concrete Landings	141 sf	
Concrete Pavers	112 sf	
Gravel (Outside of Setback) 50%	388 sf	
Gravel (Inside of Setback)100%	250 sf	
Artificial Turf (Outside of Setback) 50%	4 sf	
Artificial Turf (Inside of Setback) 100%	1,870 sf	
ADDED IMPERVIOUS COVERAGE	5,380 sf	
TOTAL IMPERVIOUS COVERAGE	11,833 sf	Percentage of Lot: 54.23

2. Outdoor lighting in the minimum side-yard setback.
3. Encroaching into the rear yard setback.

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 pool is existing non-compliant, encroaching in the 25’ rear yard setback; the pool and pool decking obviously cannot be changed or moved. The grade around the pool slopes on the East side, disallowing living space immediately surrounding the pool. Grass has consistently failed around the splash zone, leaving exposed soil, which can erode to neighboring properties. Furniture can’t easily fit on the pool decking without blocking circulation. The main bedroom exits to the West side of the pool, and a step of any kind encroaches on the side yard setback. While this part of the yard is more level, the existing pool*

decking is even narrower on this side. Some surface treatment is necessary to provide level play and living spaces around the pool, and the ordinance setbacks, as it stands, restricts its usage and enjoyment."

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

The application states – "The natural terrain slopes and decks would delicately create level living spaces with minimal disturbance via deck posts. There is no existing native flora in these locations and turf grass won't take."

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

The application states – "*The two proposed composite decks provide a barefoot connection from house to the pool, reducing the debris currently tracked into the water. Any other surface treatment would not work as well. Exposed soil or mulch is messy and erodes, natural pavers would be slippery, concrete and natural pavers would add 50% more impervious cover than wood/composite decking, and gravel hurts bare feet. Composite decks have been proven to be an appropriate solution around splashing and allow for more permeability of rainfall.*"

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

The application states – "*The dimensions of the East deck encroach in the rear setback only enough to allow for loungers, growing the space 2' 5 ½" away from the existing pool decking. The rest of the deck aligns to the edge of the sliding door. The West deck allows for a landing and steps down from the main bedroom. The 10' x 13' 5 ½" usable space (outside of the circulation) of the deck is scaled for four to six chairs facing each other over a dining table or fire feature. It is pushed as close to the pool as possible, with the intention of being surrounded by dense planting beds.*"

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

The application states – "*Visibility is minimized as the decks are within the privacy of the backyard and are ensconced by vegetative screening, so the look and character of the neighborhood are both preserved and the backyard space is improved for the increased enjoyment of the home.*"

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

The application states – "*The two decks do not adversely affect nearby neighbors as the backyard is already in use by the homeowners, and no line of sight is visible through the existing fence.*"

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 Commission Recommendation:

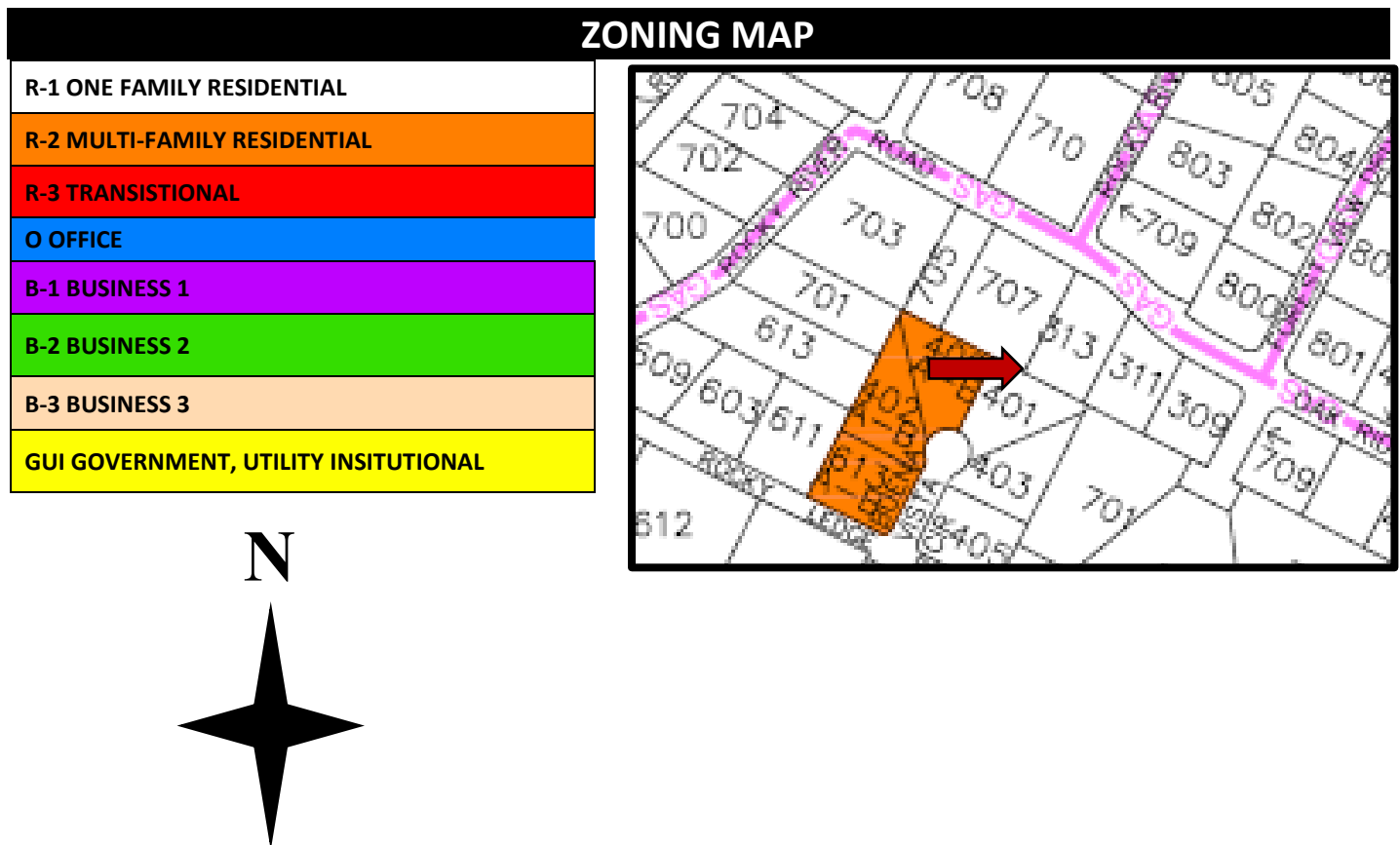
On Wednesday, June 16, 2021, the ZAPCO Commission held a public hearing for this case and forwarded a recommendation to the City Council for DENIAL with a vote of 3-2.

Staff Recommendation:

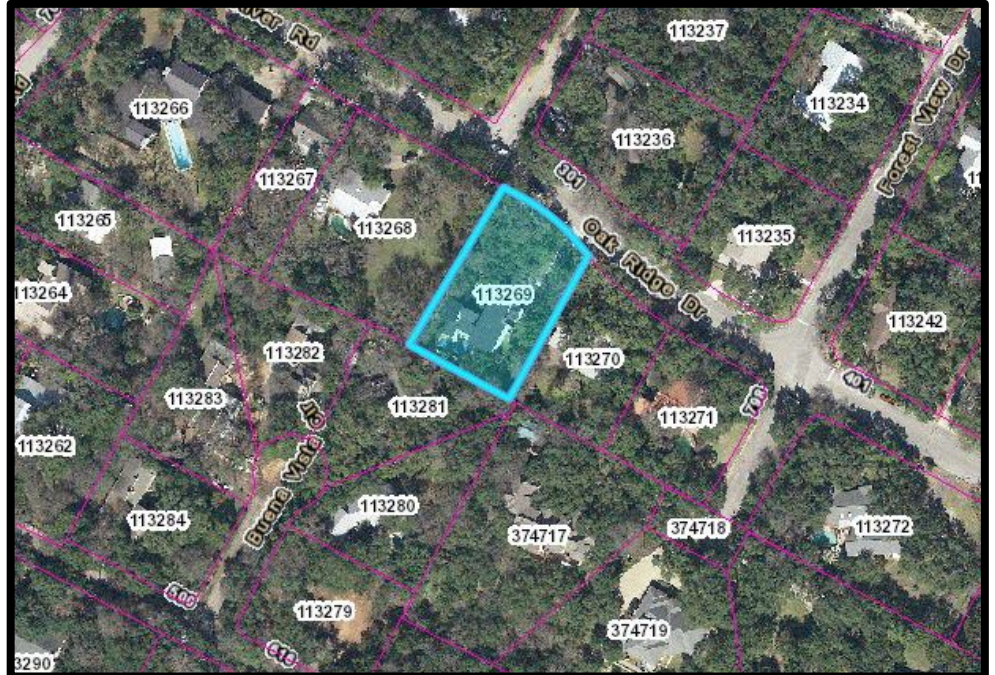
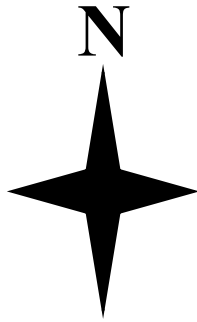
Staff recommends DENIAL based on the request not being the minimum needed to grant relief.

Links to Relevant Code:

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



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: Todd + Katrina Ohlmeyer Phone: 512-638-0901

Email: [REDACTED]

Address: 313 Oak Ridge Dr City: WLH State: TX Zip: 787

Agent*: Angelica Norton Phone: 512-293-6972

Email: [REDACTED]

Address: 828 Airport Blvd #1 City: Austin State: TX Zip: 787

Property Address: 313 Oak Ridge Dr City: WLH State: TX Zip: 78746

Property Information

Subdivision Name: Liveoak Terrace Partial Replat

Block: 1 Lot: 1 TCAD Tax Parcel ID: 0113130514

Current Zoning Classification: R-1 Total Lot Size (Acres): .4927

***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) rear yard setback - 14' 11" encroachment
- 2) side yard setback - 9' 11" encroachment
- 3) _____
- 4) _____
- 5) _____



VARIANCE APPLICATION

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

Brief Description of project/why variances are needed: _____

Two composite decks flanking an existing pool that already encroaches on the rear setback; one of the decks would encroach on the side yard setback

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 separate document for answers 1 - 6

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?

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

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



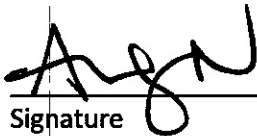
VARIANCE APPLICATION

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?

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

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

3/31/2021

Date

Angelica Norton

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:

VARIANCE QUESTIONNAIRE

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 pool is existing non-compliant, encroaching in the 25' rear yard setback; the pool and pool decking obviously cannot be changed or moved.

The grade around the pool slopes on the East side, disallowing living space immediately surrounding the pool. Grass has consistently failed around the splash zone, leaving exposed soil, which can erode to neighboring properties. Furniture can't easily fit on the pool decking without blocking circulation.

The main bedroom exits to the West side of the pool, and a step of any kind encroaches on the side yard setback. While this part of the yard is more level, the existing pool decking is even narrower on this side.

Some surface treatment is necessary to provide level play and living spaces around the pool, and the ordinance setbacks, as it stands, restricts its usage and enjoyment.

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

The natural terrain slopes and decks would delicately create level living spaces with minimal disturbance via deck posts. There is no existing native flora in these locations and turf grass won't take.

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

The two proposed composite decks provide a barefoot connection from house to the pool, reducing the debris currently tracked into the water. Any other surface treatment would not work as well. Exposed soil or mulch is messy and erodes, natural pavers would be slippery, concrete and natural pavers would add 50% more impervious cover than wood/composite decking, and gravel hurts bare feet. Composite decks have been proven to be an appropriate solution around splashing and allow for more permeability of rainfall.

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

The dimensions of the East deck encroach in the rear setback only enough to allow for loungers, growing the space 2' 5 1/2" away from the existing pool decking. The rest of the deck aligns to the edge of the sliding door. The West deck allows for a landing and steps

down from the main bedroom. The 10' x 13' 5 ½" usable space (outside of the circulation) of the deck is scaled for four to six chairs facing each other over a dining table or fire feature. It is pushed as close to the pool as possible, with the intention of being surrounded by dense planting beds.

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?

Visibility is minimized as the decks are within the privacy of the backyard and are ensconced by vegetative screening, so the look and character of the neighborhood are both preserved and the backyard space is improved for the increased enjoyment of the home.

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 two decks do not adversely affect nearby neighbors as the backyard is already in use by the homeowners, and no line of sight is visible through the existing fence.

April 1, 2021

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

Dear Mr. Chairman:

I am writing on behalf of Todd and Kati Ohlmeyer, owners of 313 Oak Ridge Drive. I am a co-owner of and landscape designer at Open Envelope Studio. They came to us because of several needs in their backyard, namely a sloped yard that felt unusable, grass that did not want to become established after several tries, and for larger living spaces surrounding their pool..

To make their backyard more usable, inviting, and aesthetically pleasing, our design proposal included two composite decks flanking the existing pool, in order to extend the existing pool decking by just under 2' 6" in order to fit loungers, and to create a nook over by the main bedroom to sit in a small group. The pool has a somewhat narrow pool decking that is scaled for passage around the pool; pool decking by the spa it is slightly larger, however putting a chair would mean cutting off circulation. There was a small deck on this east side that acted as a landing coming out of the sliding door which provided an awkward connection to the pool as the ground plane slopes from the pool decking down to the side yard. On the west side, there is a concrete stoop coming out from the main bedroom, but there is no formal connection to the pool. The ground is more level here, but all around the pool in the splash zone, the exposed soil becomes a muddy mess. The usable yard feels confined to the porch at the back of the house.

The pool is already in use and enjoyed by the family, and decks would reduce the volume of debris that is tracked into the water. In order to minimize the change to the natural terrain, we felt decks were an appropriate solution as they float above the ground plane and allow water to permeate between the deck boards. Part of our landscape proposal (in a separate permit application) addresses methods of erosion control under the decks.

Our landscape proposal also includes vegetative screening as a visual buffer to the living spaces being brought further out into the yard closer to adjoining fences. Neighbors have sent in letters of support expressing that the decks pose no problems to them, but we wanted to include privacy strategies regardless, to benefit the homeowners as well as neighbors.

Since the pool is situated in the rear setback and cannot be moved, we are asking for a variance for the two composite decks. The areas we proposed encroach into the rear and side yard setbacks. The deck on the east encroaches by 14' 5" into the rear 25' setback; the deck on the west encroaches by 14' 11" into the rear setback and 9' 11" into the side setback.

Thanks very much for your consideration,

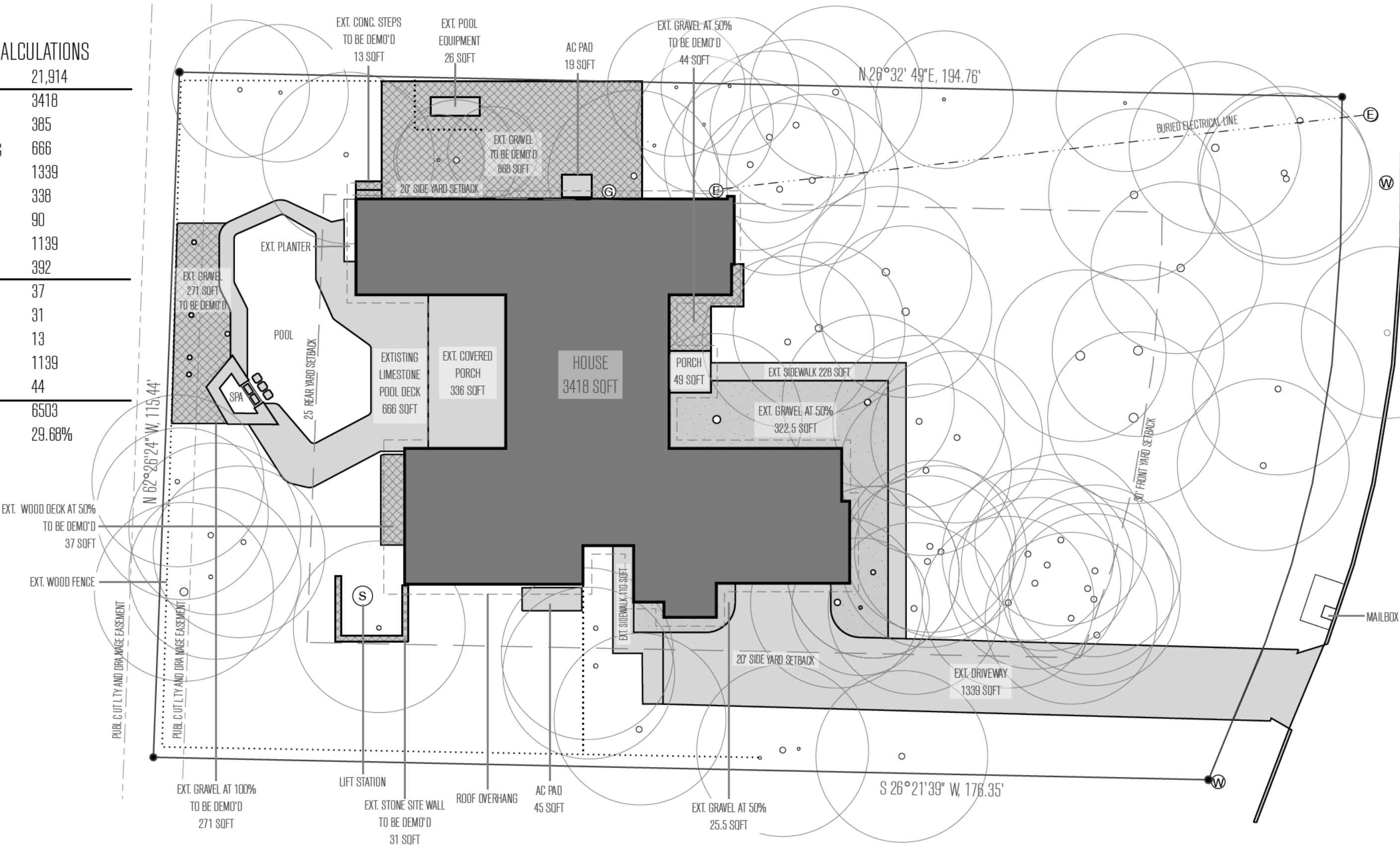
A handwritten signature in black ink, appearing to read 'Angelica', with a stylized flourish at the end.

Angelica Norton
Agent of The Ohlmeyers

IMPERVIOUS COVERAGE CALCULATIONS

EXISTING	LOT AREA	21,914
	HOUSE	3418
	COVERED PORCHES	385
	LIMESTONE POOL DECK + COPING	666
	DRIVEWAY	1339
	SIDEWALKS	338
	UTILITY PADS	90
	GRAVEL OUTSIDE SETBACK	1139
TO BE REMOVED	GRAVEL INSIDE SETBACK	392
	WOOD DECK	37
	SITEWALL	31
	CONCRETE STEPS	13
	GRAVEL OUTSIDE SETBACK	1139
	GRAVEL INSIDE SETBACK	44
	TOTAL COVERAGE	6503
	PERCENT OF LOT	29.68%

-  EXT. IMPERVIOUS
-  TO BE DEMO'D
-  GRAVEL AT 100%/
INSIDE SETBACK
-  GRAVEL AT 50%/
OUTSIDE SETBACK



00 16' 32' 64'



L :: EXISTING IMPERVIOUS COVERAGE PLAN
104 scale: 1/16"=1' on 13" x 19" sheet

LANDSCAPE DESIGNER
Open Envelope Studio
828 Airport Blvd
Austin, TX 78702
www.oes.design
AN (512) 293-6972
angelica@openenvelopestudio.com
MN (512) 825-2363
matt@openenvelopestudio.com

PROJECT
Ohlmeyer Residence
313 Oak Ridge Dr
Austin, TX 78746

DRAWING
Existing Impervious

STAGE
[NOT FOR CONSTRUCTION]
1/Schematic Design
2/Design Development
3/Final Revision
[CONSTRUCTION DOCS]
::4/Build

DRAWN BY
MN

PLOT DATE
05.03.2021

REVISIONS
02.28.2021
03.26.2021

SHEET
L104

IMPERVIOUS COVERAGE CALCULATIONS

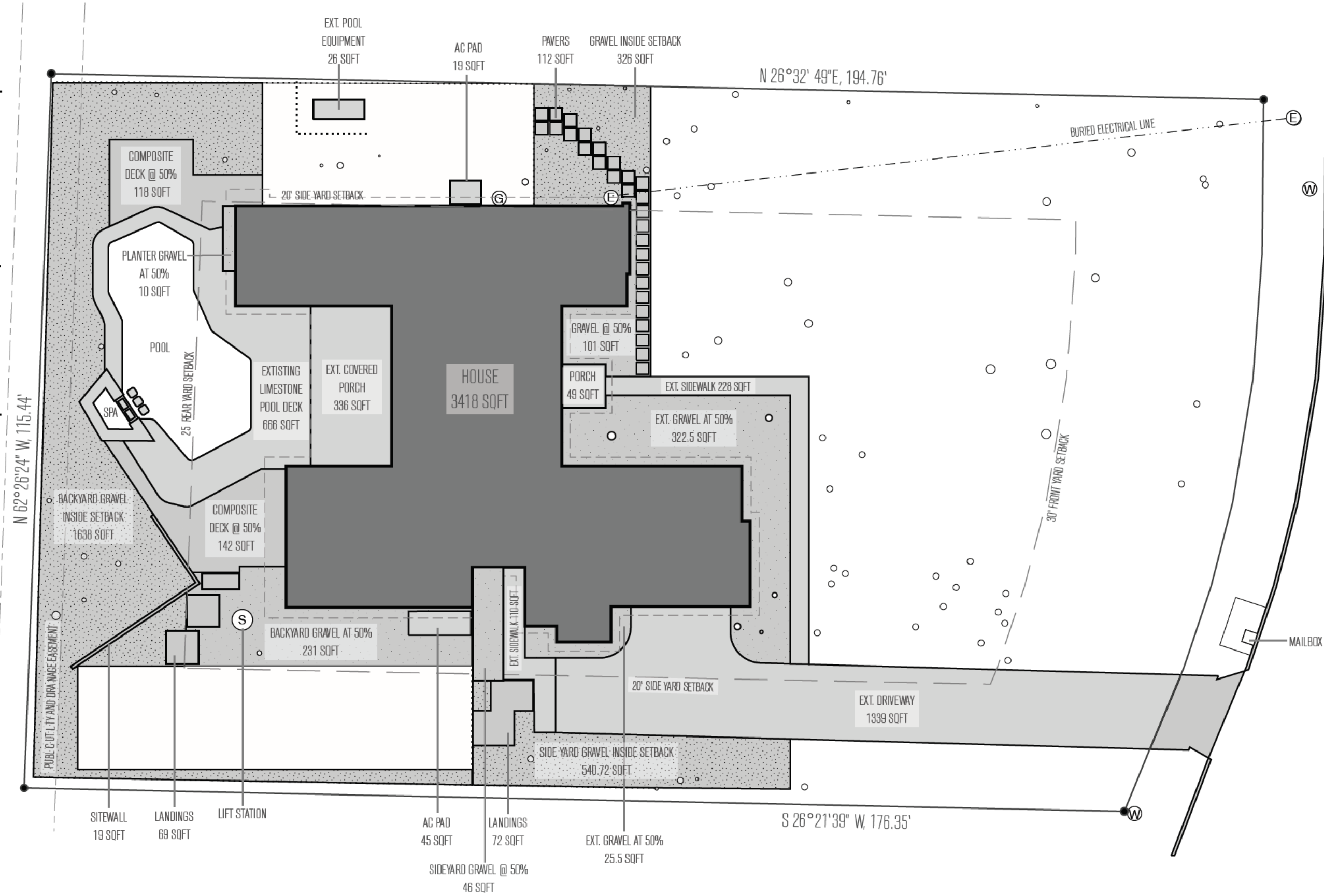
EXISTING	LOT AREA	21914
	HOUSE	3418
	COVERED PORCHES	385
	LIMESTONE POOL DECK + COPING	666
	DRIVEWAY	1339
	SIDEWALKS	338
	UTILITY PADS	90
PROPOSED	GRAVEL OUTSIDE SETBACK	348
	WOOD DECKS	260
	SITEWALL	19
	CONCRETE LANDINGS	141
	CONCRETE PAVERS	112
	GRAVEL OUTSIDE SETBACK	388
	GRAVEL INSIDE SETBACK	2505
TOTAL COVERAGE		10,009
PERCENT OF LOT		45.67%
TOTAL ADDED IMPERVIOUS		3506

-
- EXT. IMPERVIOUS

PROPOSED DECKING AND HARDSCAPE

GRAVEL AT 100%/INSIDE SETBACK

GRAVEL AT 50%/OUTSIDE SETBACK



00 16' 32' 64'



L :: PROPOSED IMPERVIOUS COVERAGE PLAN
105 scale: 1/16"=1' on 13" x 19" sheet

LANDSCAPE DESIGNER
Open Envelope Studio
828 Airport Blvd
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www.oes.design
AN (512) 293-6972
angelica@openenvelopestudio.com
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matt@openenvelopestudio.com

PROJECT
Ohlmeyer Residence
313 Oak Ridge Dr
Austin, TX 78746

DRAWING
Proposed Impervious

STAGE
[NOT FOR CONSTRUCTION]
1/Schematic Design
2/Design Development
3/Final Revision
[CONSTRUCTION DOCS]
4/Build

DRAWN BY
MN

PLOT DATE
05.03.2021

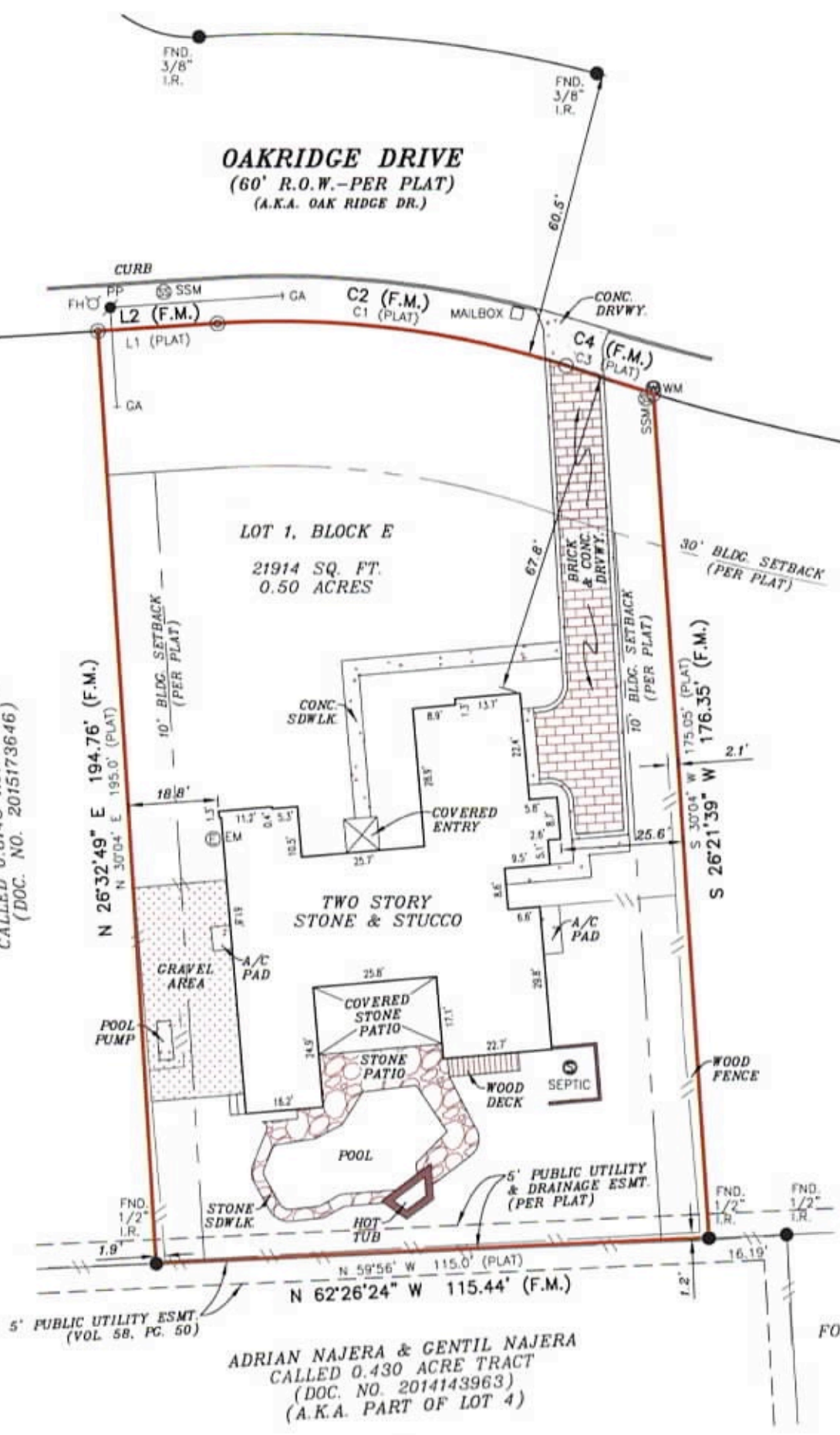
REVISIONS
02.28.2021
03.26.2021

TOM R. WALTON JR.
CALLED 0.8145 ACRE TRACT
(DOC. NO. 2015173646)

OAKRIDGE DRIVE
(60' R.O.W. - PER PLAT)
(A.K.A. OAK RIDGE DR.)

LOT 1, BLOCK E
21914 SQ. FT.
0.50 ACRES

LOT 2



ADRIAN NAJERA & GENTIL NAJERA
CALLED 0.430 ACRE TRACT
(DOC. NO. 2014143963)
(A.K.A. PART OF LOT 4)

FOREST VIEW SU
(VOL. 95, PG.
LOT 1

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PROJECT

Olmeyer Residence

313 Oak Ridge Dr

Austin, TX 78746

DRAWING

Rendered Site Plan

STAGE

[NOT FOR CONSTRUCTION]

1/Schematic Design

2/Design Development

3/Final Revision

[CONSTRUCTION DOCS]

::4/Build

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AN

PLOT DATE

03.31.2021

REVISIONS

04.24.2020

05.22.2020

06.29.2020

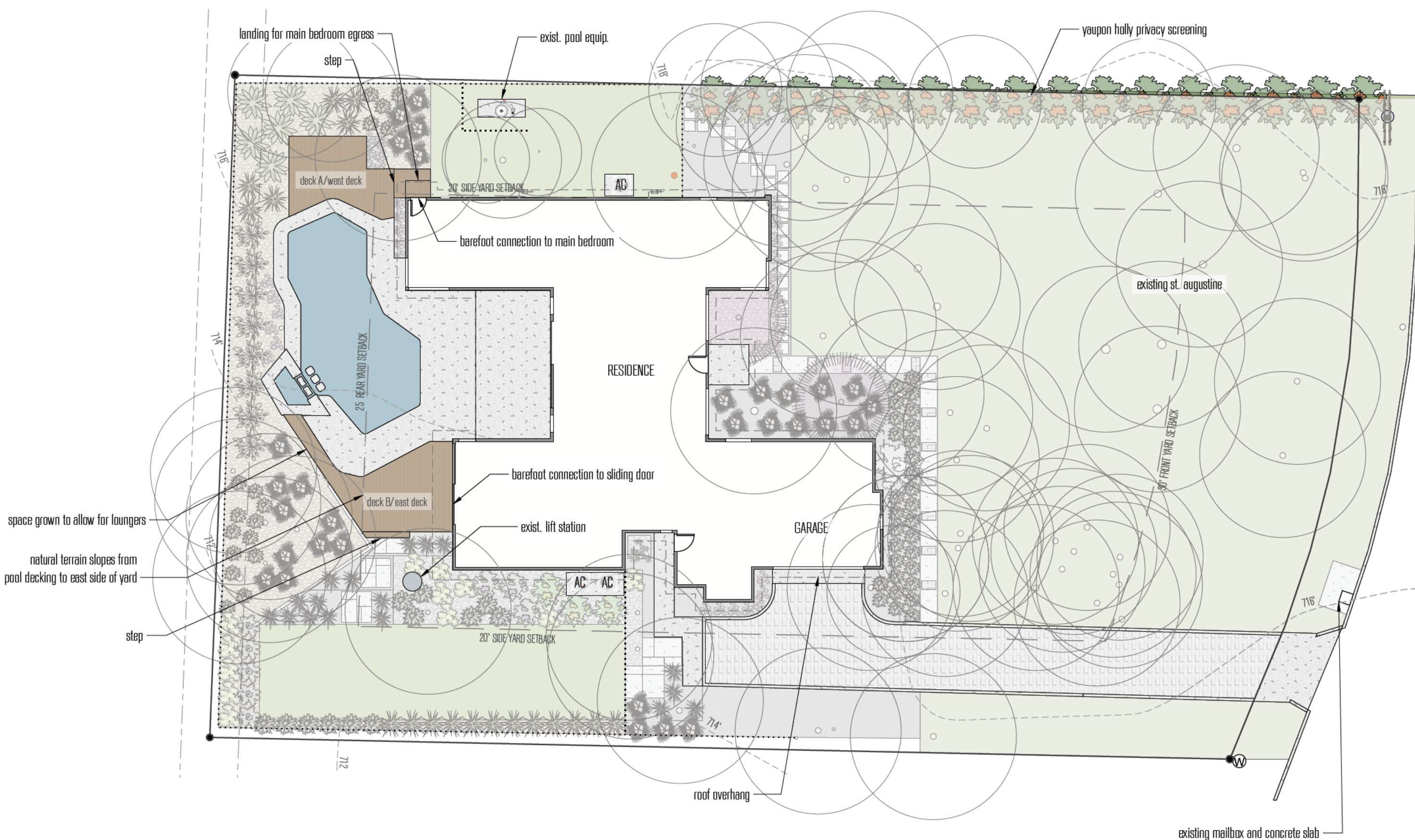
10.27.2020

02.28.2021

SHEET

L101

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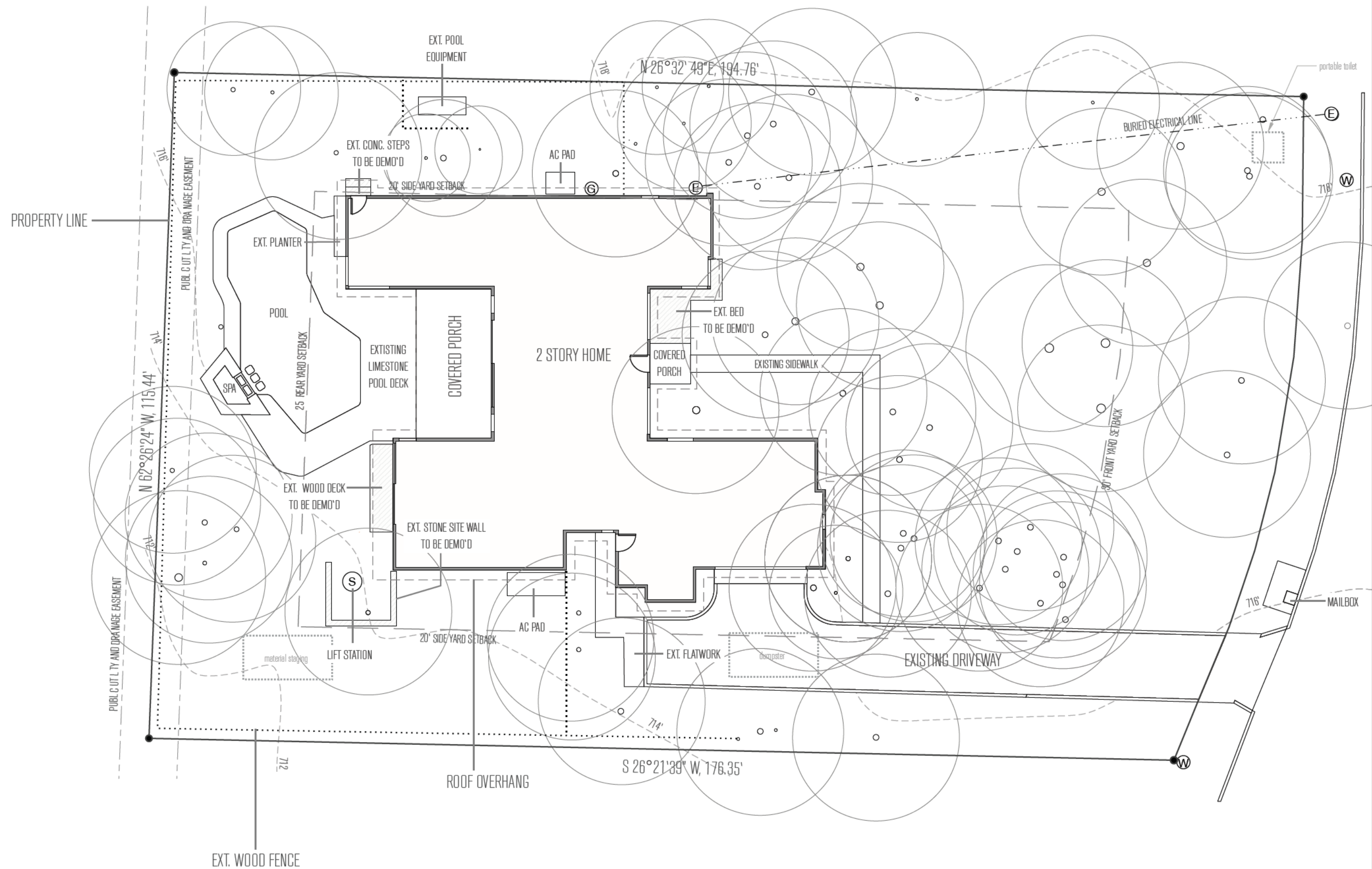


- NOTES**
1. Plan rendered in transparent white is in a separate landscape permit or existing
 2. Both decks are composite

00 16' 32' 64'

L :: RENDERED SITE PLAN

109 scale: 1/16"=1' on 13" x 19" sheet



L :: EXISTING SITE PLAN
102 scale: 1/16"=1' on 13" x 19" sheet

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PROJECT
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DRAWING
Existing Site Plan

STAGE
[NOT FOR CONSTRUCTION]
1/Schematic Design
2/Design Development
3/Final Revision
[CONSTRUCTION DOCS]
4/Build

DRAWN BY
MN

PLOT DATE
02.28.2021

REVISIONS

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PROJECT
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DRAWING
 Proposed Site Plan

STAGE
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 1/Schematic Design
 2/Design Development
 3/Final Revision
 [CONSTRUCTION DOCS]
 ::4/Build

DRAWN BY
 MN

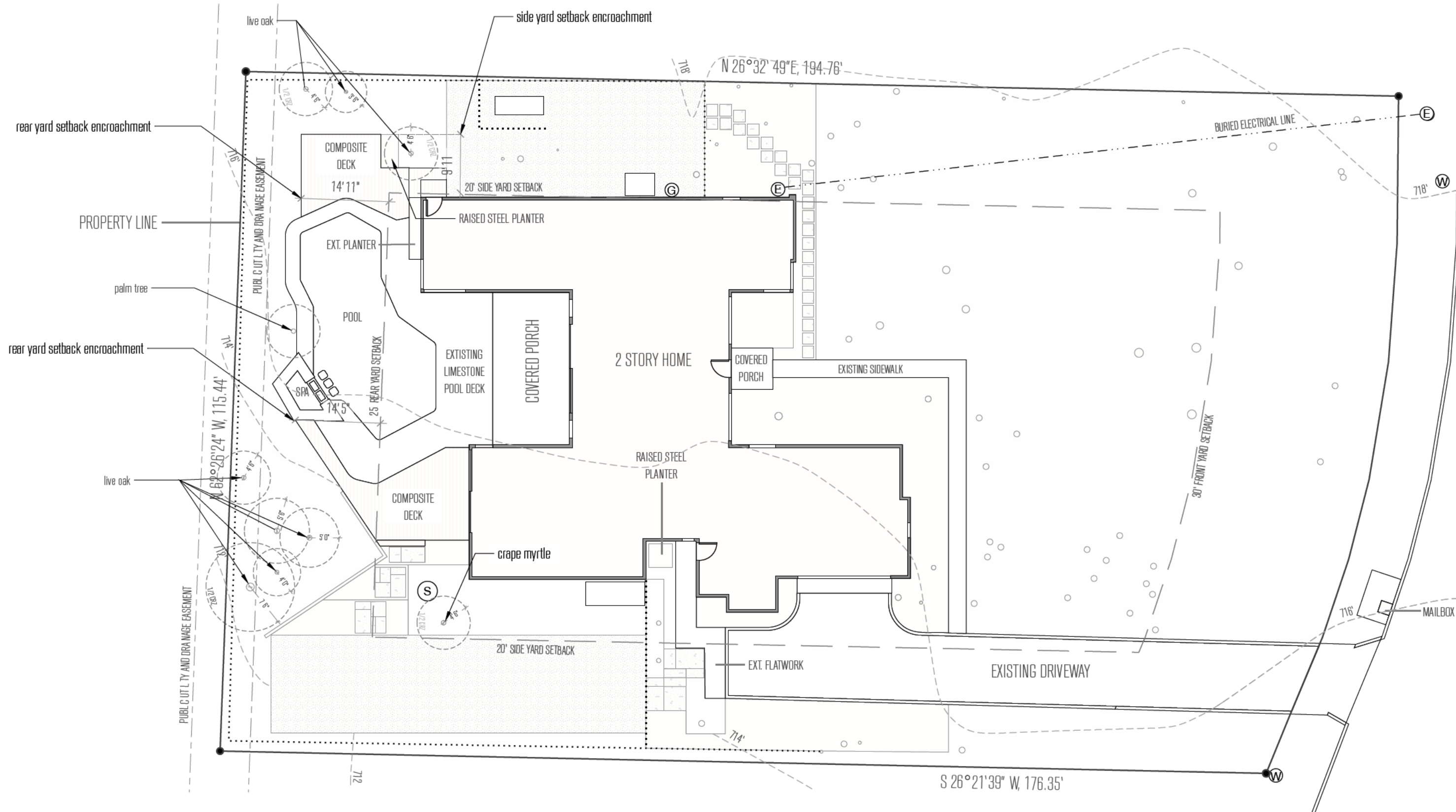
PLOT DATE
 03.31.2021

REVISIONS
 02.28.2021

SHEET

L103

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NOTES

1. Plan rendered in transparent white is in a separate landscape permit or existing
2. Proposed strategies for tree preservation: only hand tools used for excavation for consideration of Tree Preservation; 1/2 and 1/4 CRZ protected during construction process of decks and concrete wall and paver installation. No more than 4" cut or cover will impact existing trees. Existing trees are preserved to the "greatest extent possible" and no demolition is planned to remove any trees.
3. Site Disturbance minimization strategies: any grading or excavation shall be covered by revegetation or gravel (for erosion prevention); earth work is used to gently expose tree flares to discourage collar rot as well as address current erosion issues by redirecting stormwater flow to percolate on site instead of on neighboring properties.

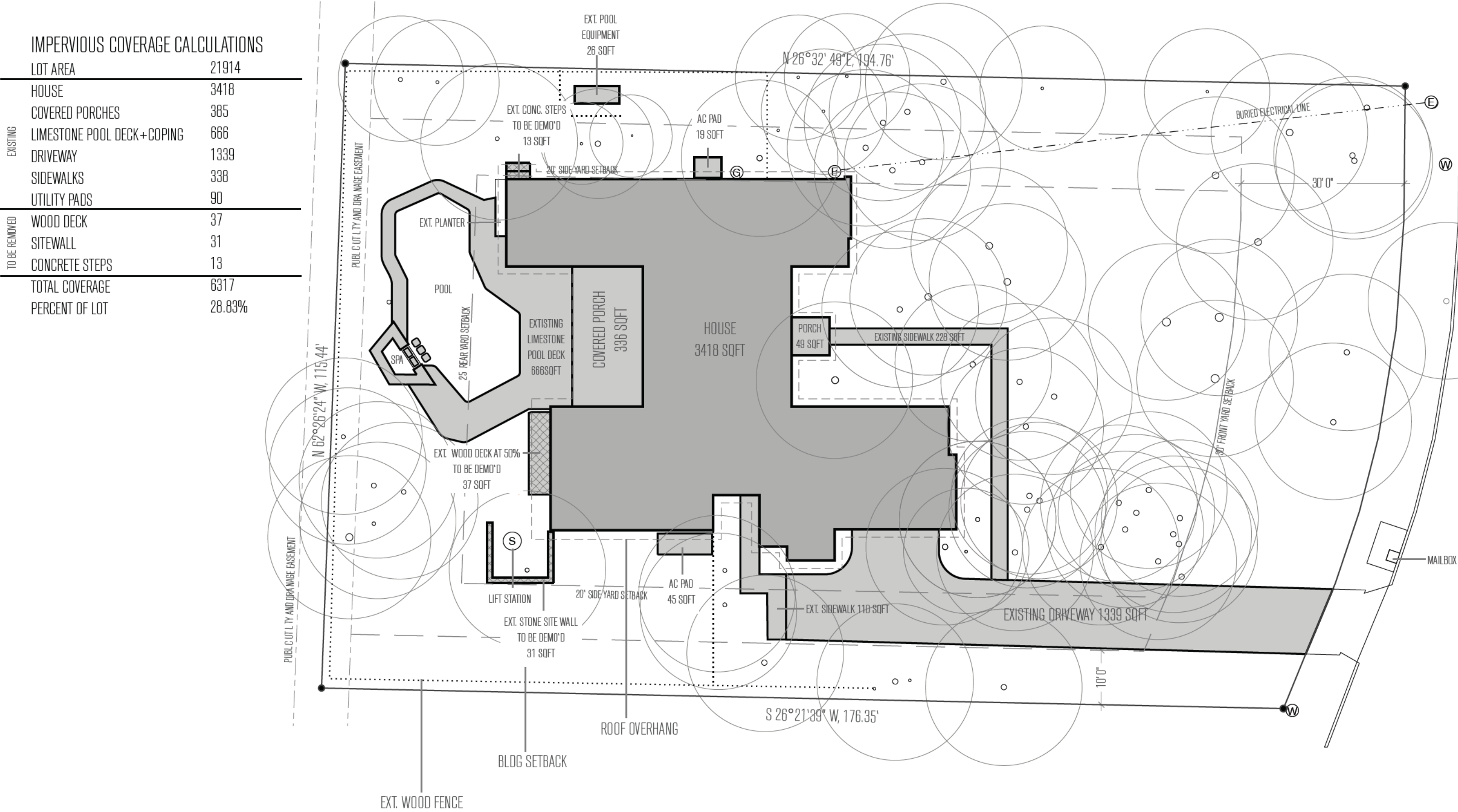
00 16' 32' 64'



L :: PROPOSED SITE PLAN
 103 scale: 1/16"=1' on 13" x 19" sheet

IMPERVIOUS COVERAGE CALCULATIONS

EXISTING	LOT AREA	21914
	HOUSE	3418
	COVERED PORCHES	385
	LIMESTONE POOL DECK+COPING	666
	DRIVEWAY	1339
	SIDEWALKS	338
TO BE REMOVED	UTILITY PADS	90
	WOOD DECK	37
	SITEWALL	31
	CONCRETE STEPS	13
	TOTAL COVERAGE	6317
	PERCENT OF LOT	28.83%



00 16' 32' 64'



L :: EXISTING IMPERVIOUS COVERAGE PLAN
104 scale: 1/16"=1' on 13" x 19" sheet

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DRAWING
Existing Impervious

STAGE
[NOT FOR CONSTRUCTION]
1/Schematic Design
2/Design Development
3/Final Revision
[CONSTRUCTION DOCS]
4/Build

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MN

PLOT DATE
02.28.2021

REVISIONS

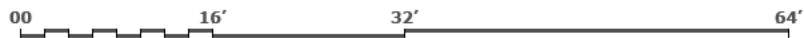
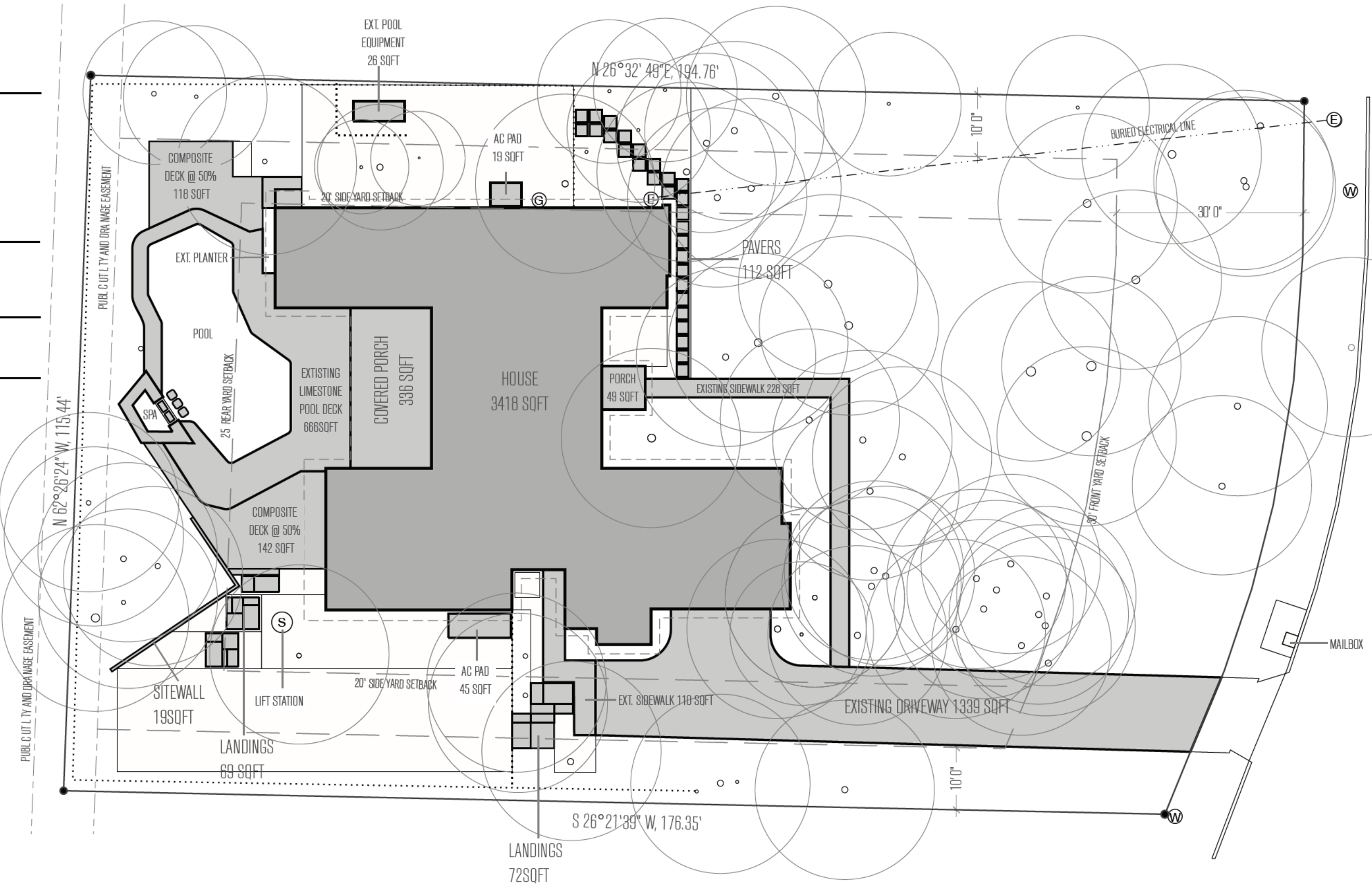
LOT AREA	21914
----------	-------

HOUSE	3418
COVERED PORCHES	385
LIMESTONE POOL DECK+COPING	666
DRIVEWAY	1339
SIDEWALKS	338
UTILITY PADS	90

SITEWALL	19
CONCRETE LANDINGS	141
CONCRETE PAVERS	112

COMPOSITE DECKS 260

TOTAL COVERAGE	6768
PERCENT OF LOT	30.88%



L	:: PROPOSED IMPERVIOUS COVERAGE PLAN
105	scale: 1/16"=1' on 13" x 19" sheet

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PROJECT
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DRAWING

Proposed Impervious

STAGE
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/Schematic Design
/Design Development
/Final Revision
CONSTRUCTION DOCS]
4/Build

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31.12.2021

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02.28.2021

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105

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Ohlmeyer Residence

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DRAWING

Drainage Site Plan

STAGE

[NOT FOR CONSTRUCTION]

1/Schematic Design

2/Design Development

3/Final Revision

[CONSTRUCTION DOCS]

::4/Build

DRAWN BY

MN

PLOT DATE

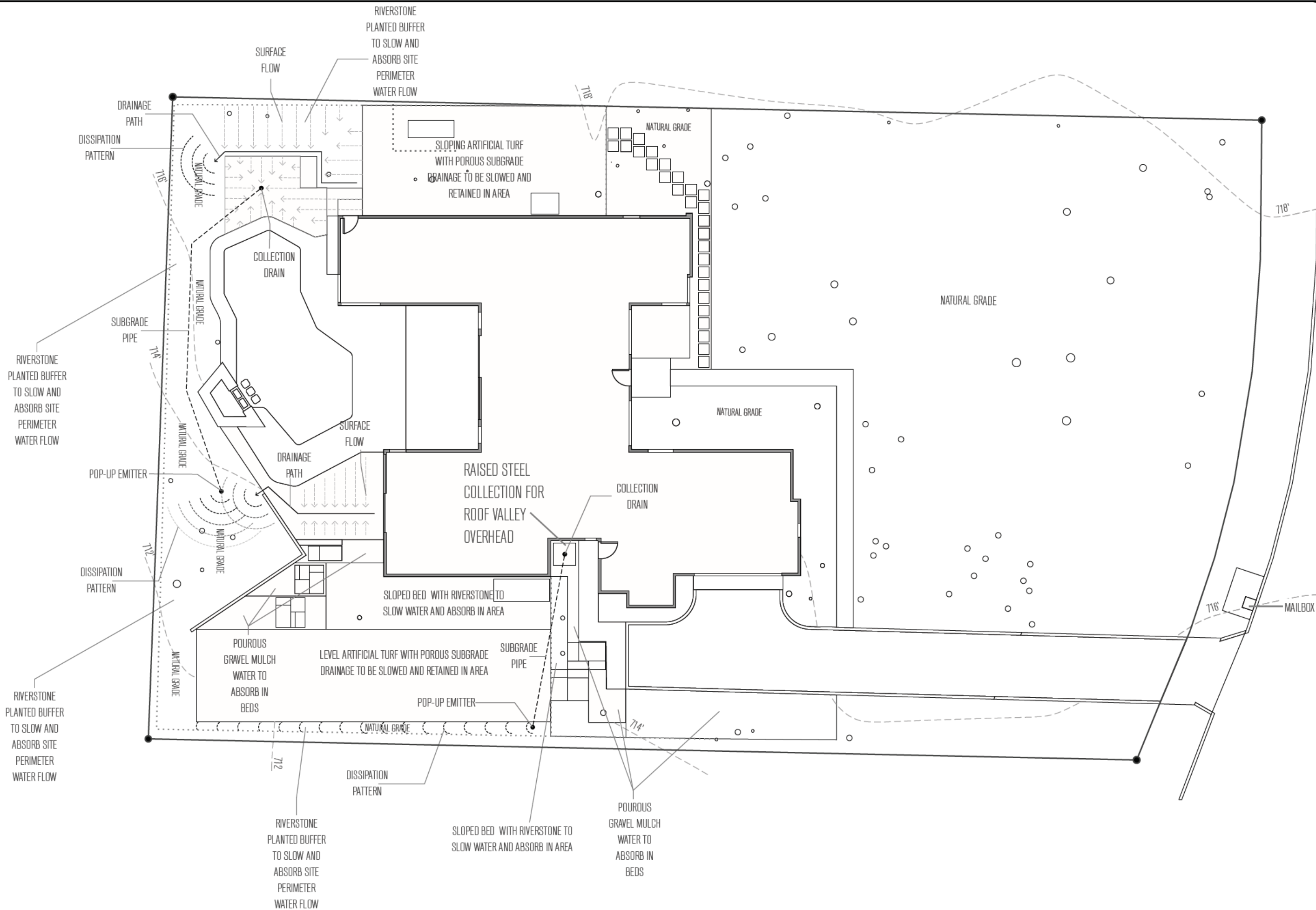
02.28.2021

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NOTES

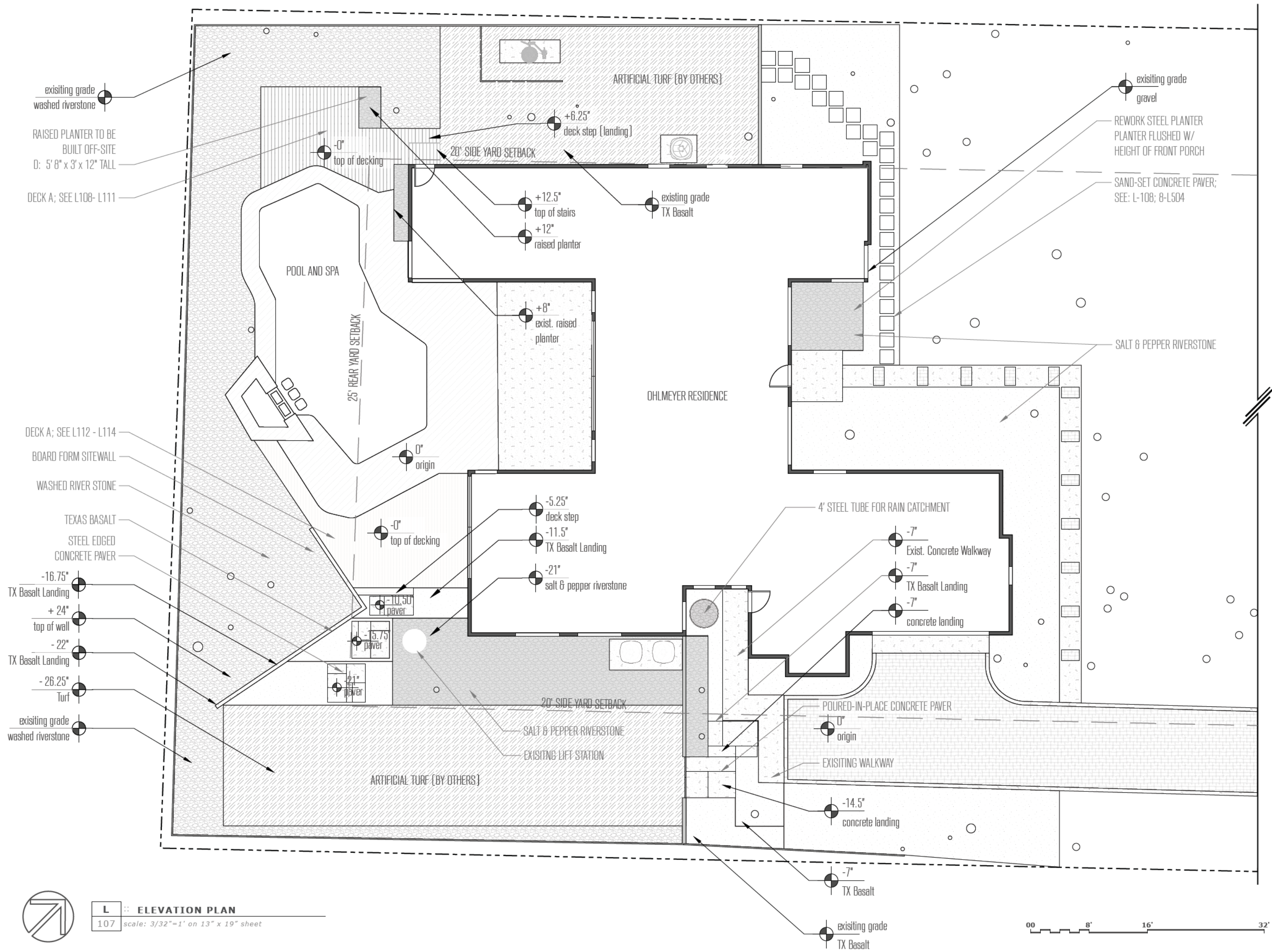
Erosion and stormwater strategies to include: in areas of extreme shade and moving sediment, where grass has been shown to repeatedly fail to establish, 5/8" Texas basalt has proven to be an excellent surface treatment that can both limit future soil movement and act as pathway. River rock is used in beds where no foot traffic is expected (besides maintenance), and its 1-2" size shows minimal movement on slopes like those on the property. The larger voids between the rounded stones, in addition to vegetative buffers with native plants that can withstand riparian conditions found in creek beds, do an excellent job of slowing down water flow and directing percolation along roots below grade. Gravel as a surface treatment is specifically selected for the filtration properties for cleaner percolation of stormwater into the ground plane per University of Florida's Field Guide to Low Impact Development as well as "riprap or rock blanket hard armor" erosion protection per USDA Forest Service's Erosion Control Treatment Selection Guide. No fines are used in surface treatment and sub grade is permeable [not compacted].

00 16' 32' 64'



L :: DRAINAGE PLAN

106 scale: 1/16"=1' on 13" x 19" sheet



L :: ELEVATION PLAN
107 scale: 3/32"=1' on 13" x 19" sheet

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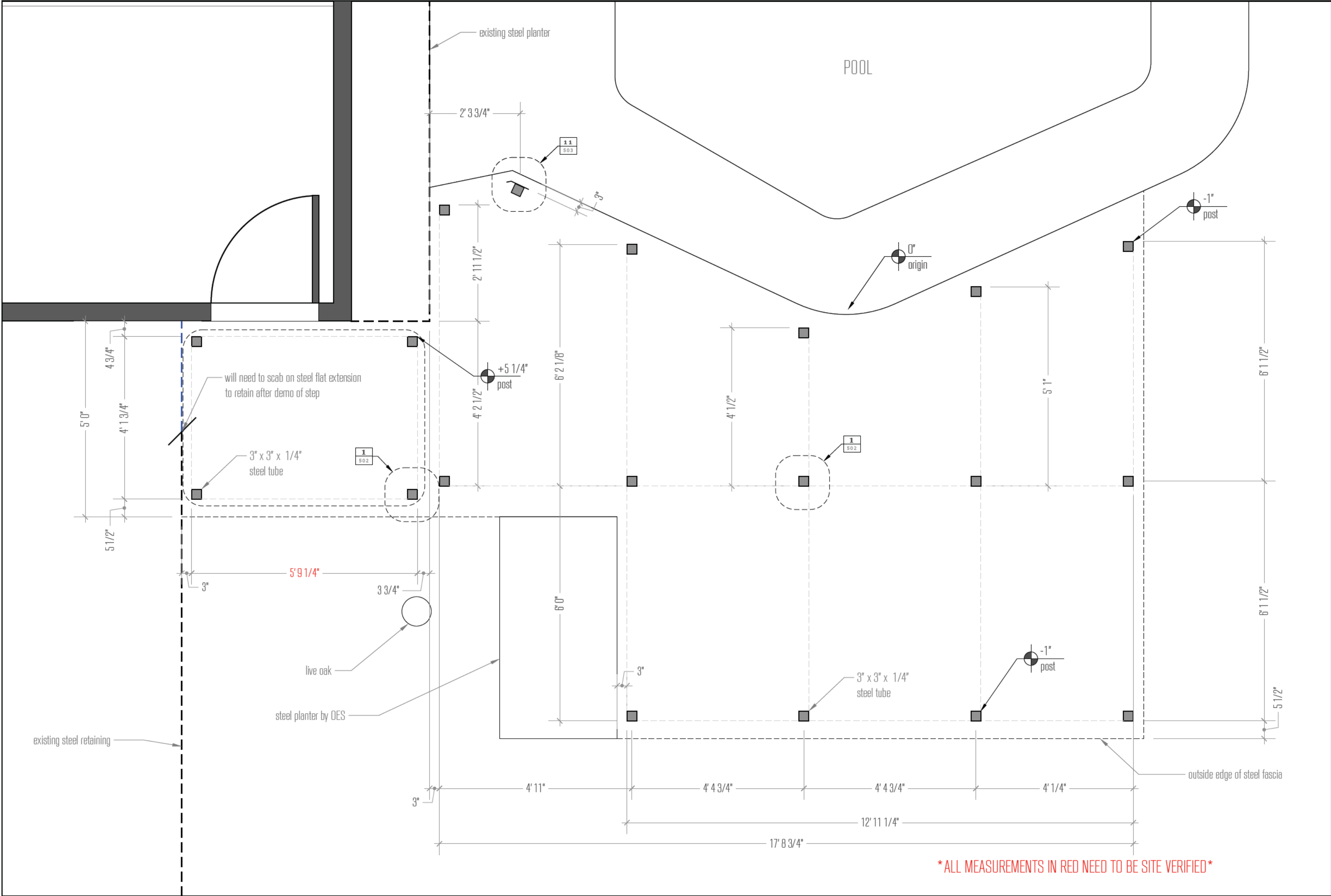
DRAWING
Elevation Plan

STAGE
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::4/Build

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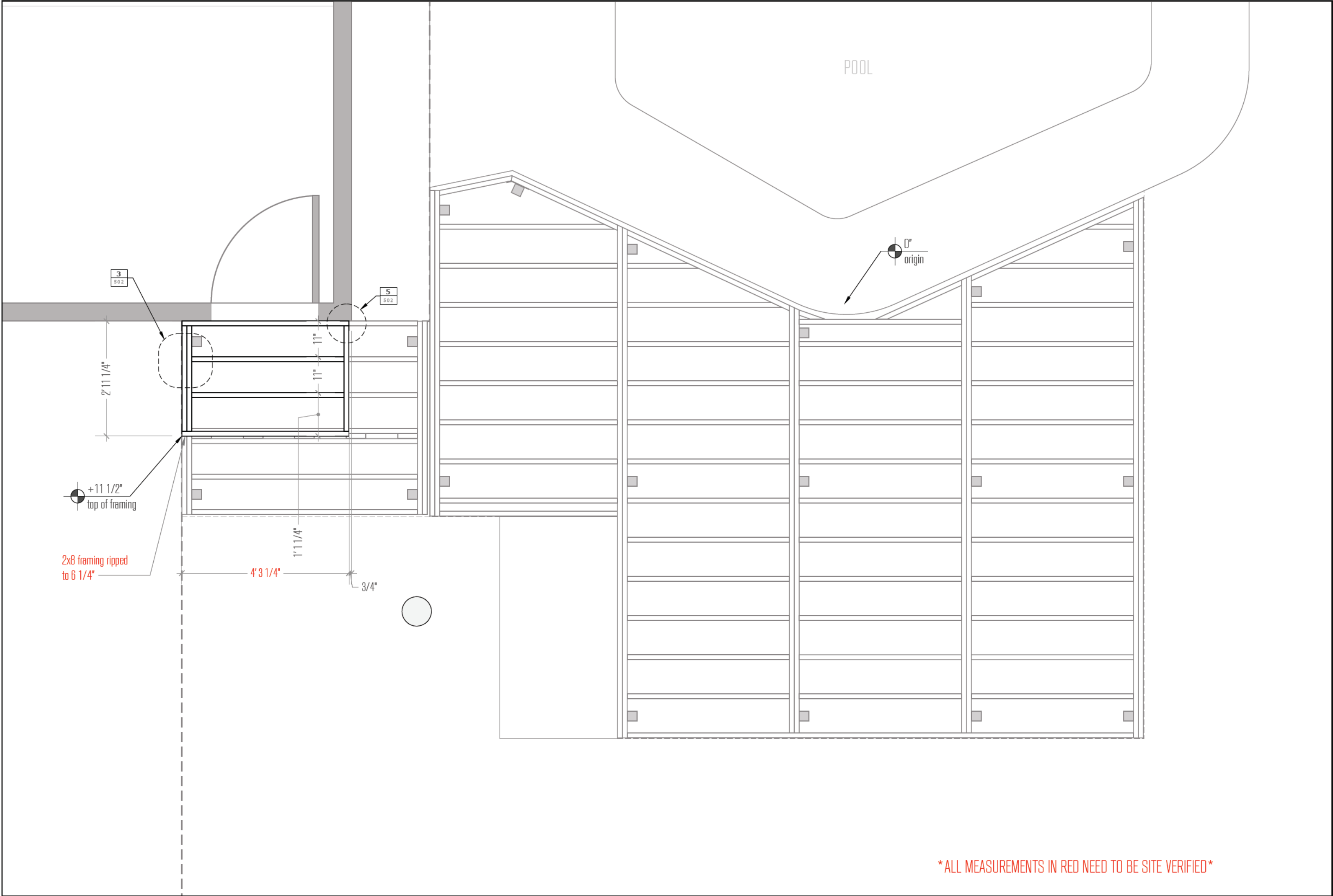
DRAWING
Enlargement: Deck A Posts

STAGE
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1/Schematic Design
2/Design Development
3/Final Revision
[CONSTRUCTION DOCS]
::4/Build

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REVISIONS



L :: TOP STEP FRAMING
403 scale: 1/2"=1' on 13" x 19" sheet

00 2' 4' 8'

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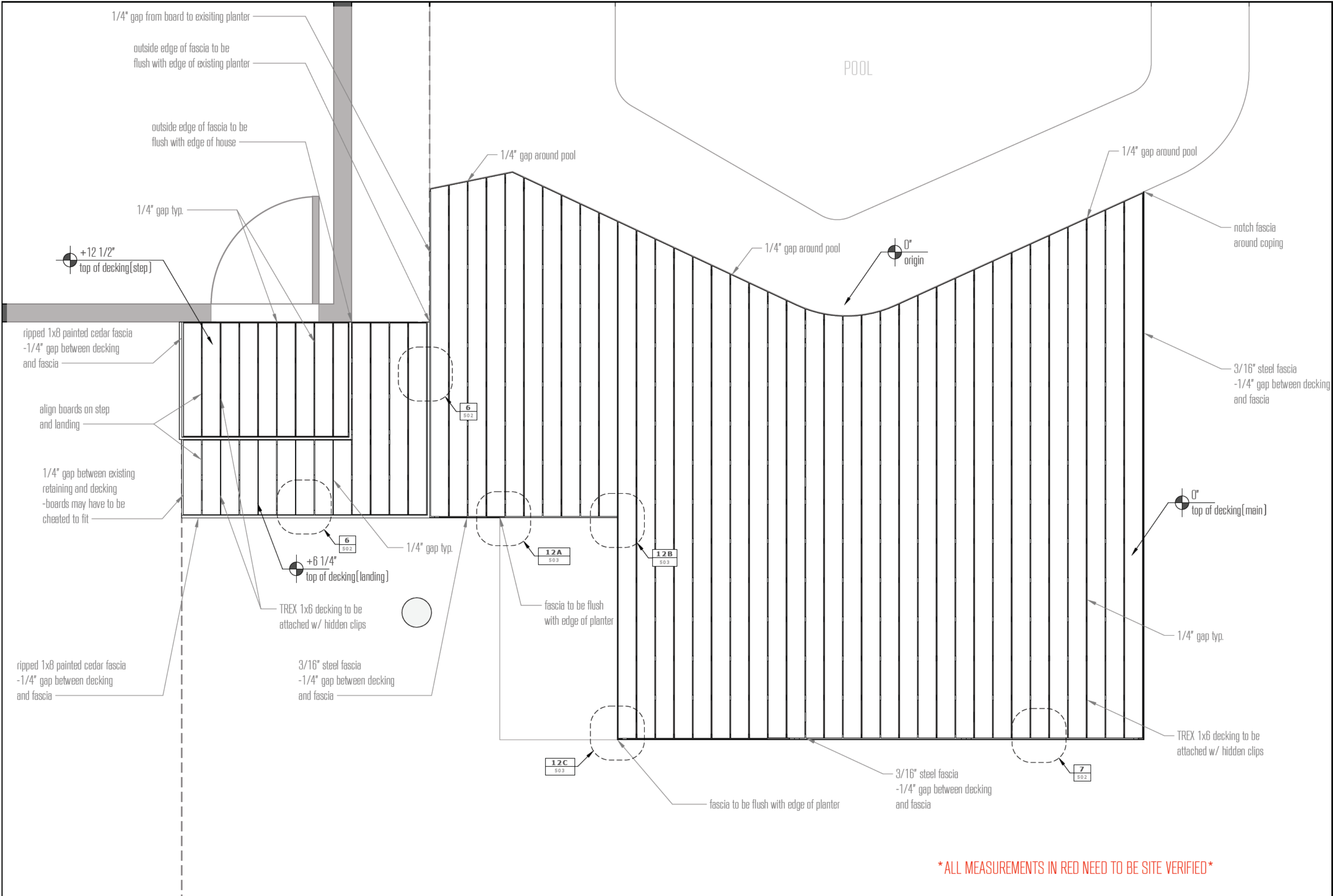
DRAWING
Enlargement: Deck A Top
Step Framing

STAGE
[NOT FOR CONSTRUCTION]
1/Schematic Design
2/Design Development
3/Final Revision
[CONSTRUCTION DOCS]
::4/Build

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REVISIONS



L :: **DECK A DECKING**

404 scale: 1/2"=1' on 13" x 19" sheet



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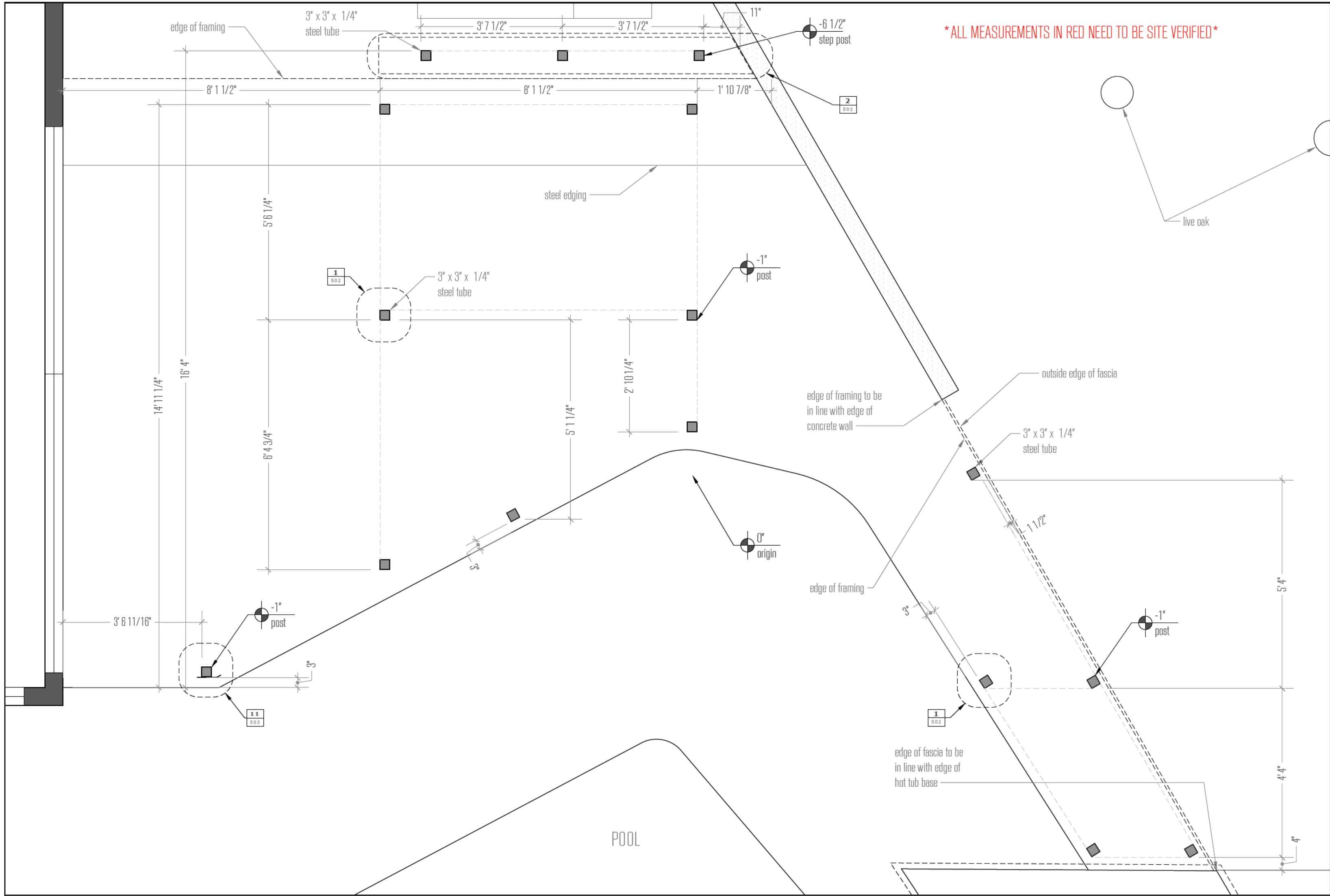
DRAWING
Enlargement: Deck A
Decking

STAGE
[NOT FOR CONSTRUCTION]
1/Schematic Design
2/Design Development
3/Final Revision
[CONSTRUCTION DOCS]
::4/Build

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PLOT DATE
02.28.2021

REVISIONS



ALL MEASUREMENTS IN RED NEED TO BE SITE VERIFIED

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PROJECT

Olmeyer Residence

313 Oak Ridge Dr

Austin, TX 78746

DRAWING

Enlargement: Deck B Posts

STAGE

[NOT FOR CONSTRUCTION]

1/Schematic Design

2/Design Development

3/Final Revision

[CONSTRUCTION DOCS]

::4/Build

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PLOT DATE

02.28.2021

REVISIONS

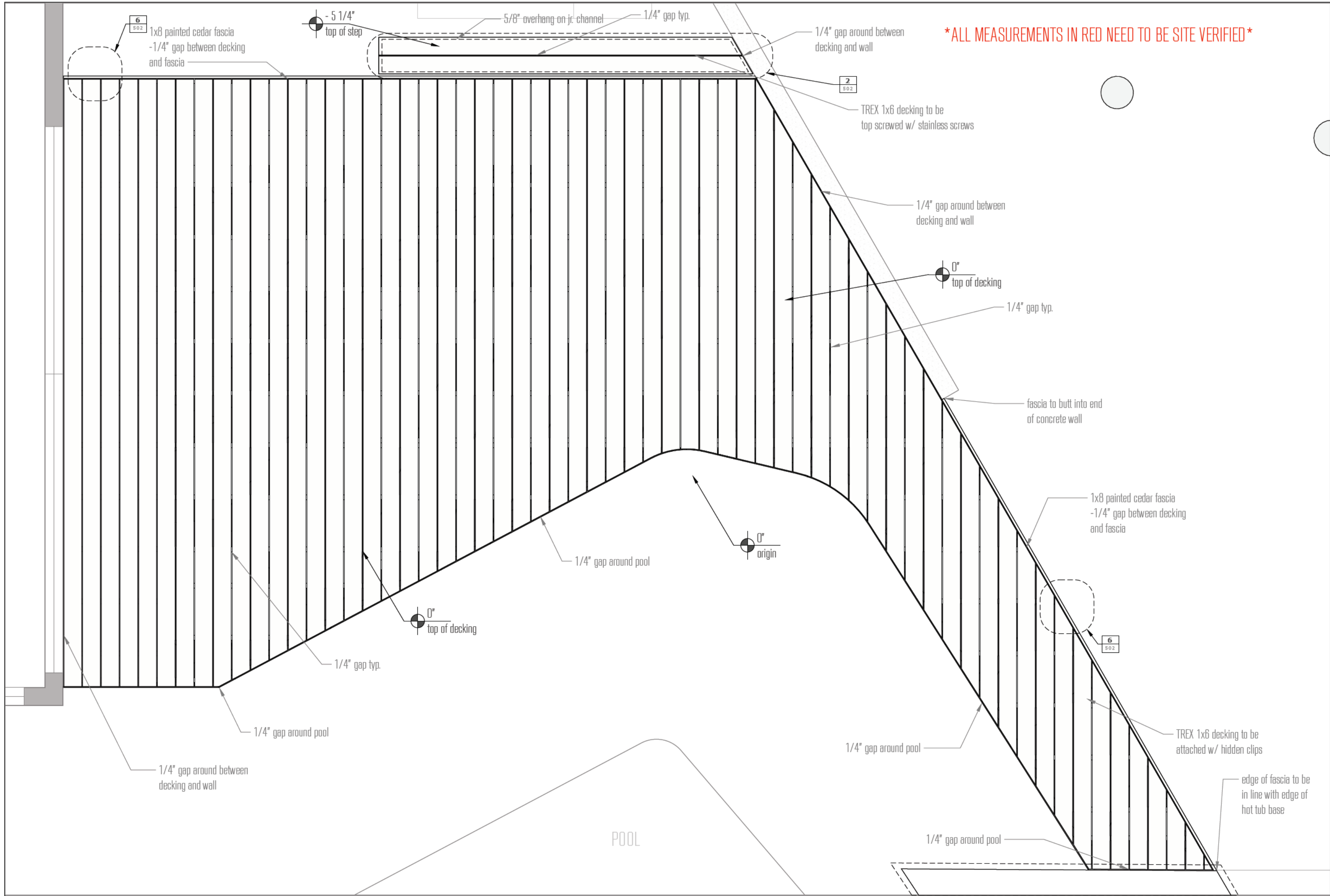
SHEET

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Page 56 of 151





L :: DECK B DECKING
407 scale: 1/2"=1' on 13" x 19" sheet

00 2' 4' 8'

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PROJECT
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DRAWING
Enlargement: Deck B
Decking

STAGE
[NOT FOR CONSTRUCTION]
1/Schematic Design
2/Design Development
3/Final Revision
[CONSTRUCTION DOCS]
::4/Build

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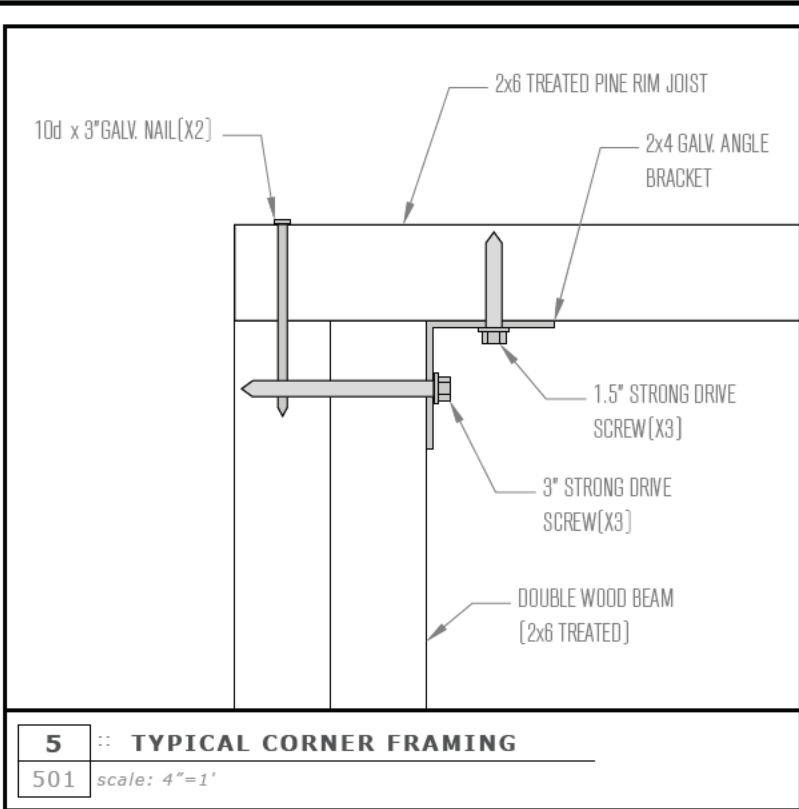
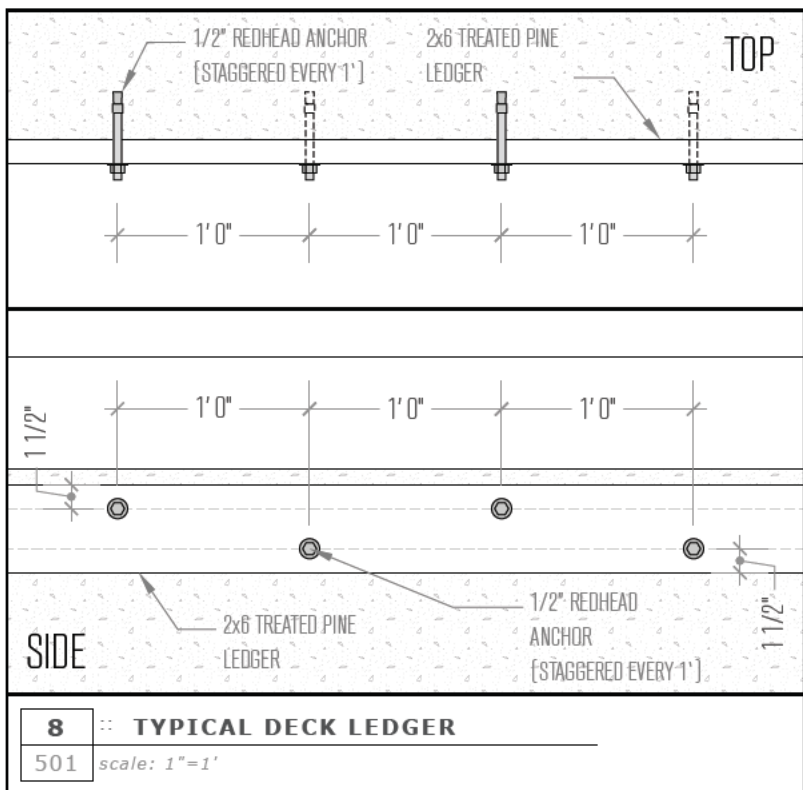
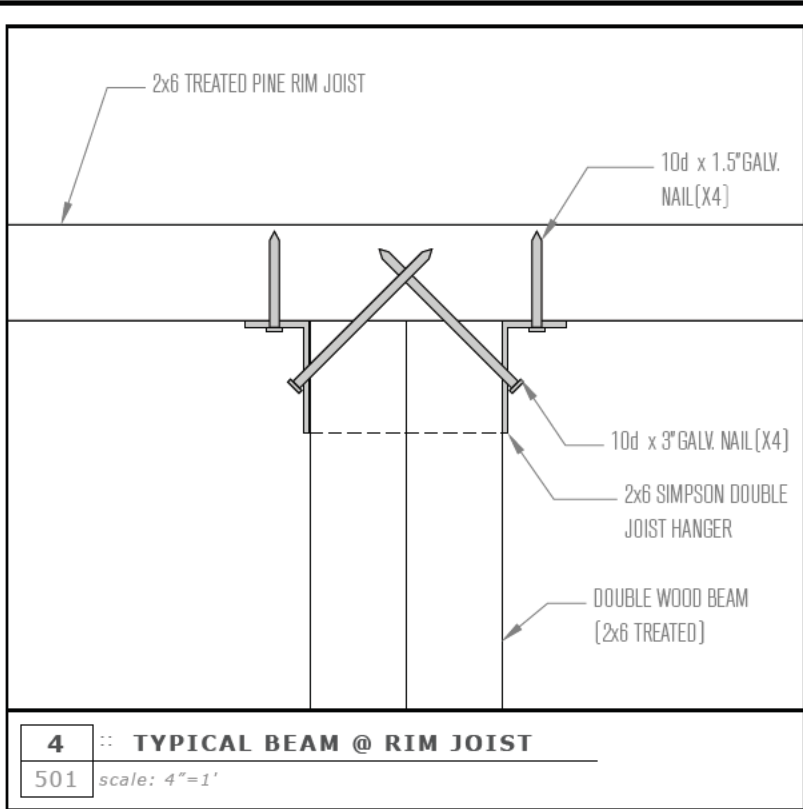
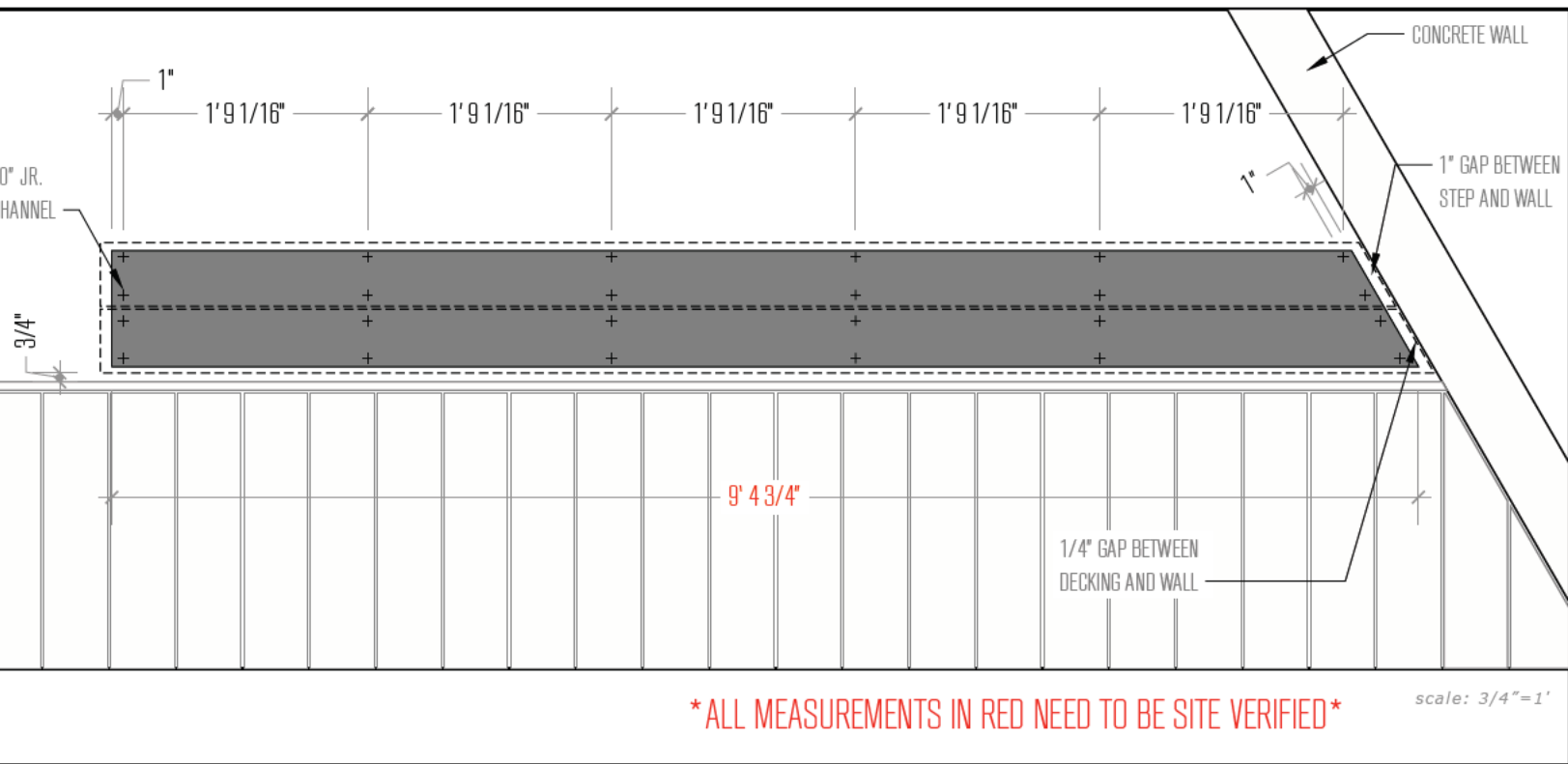
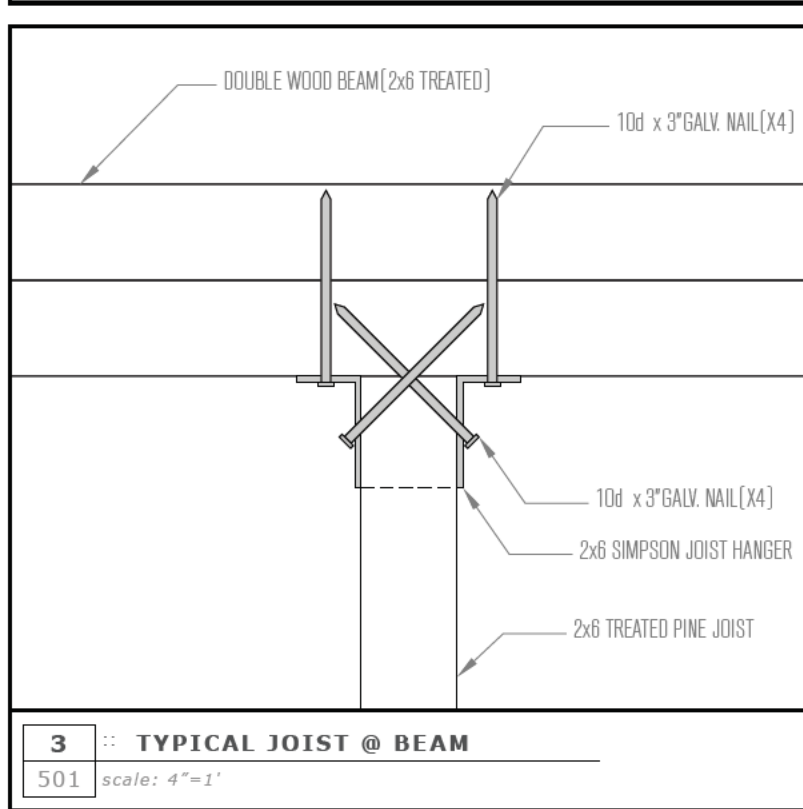
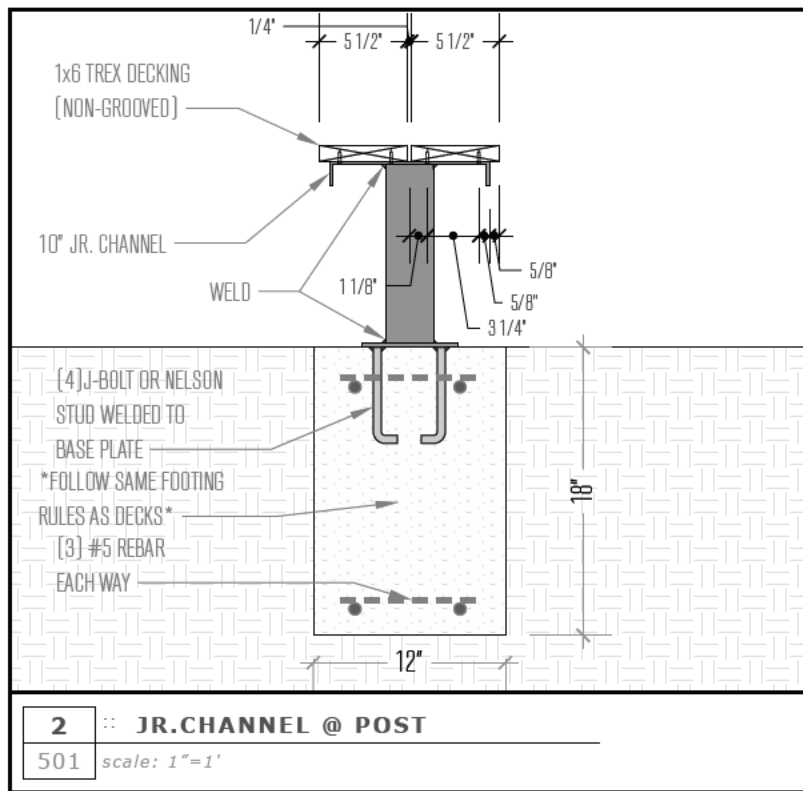
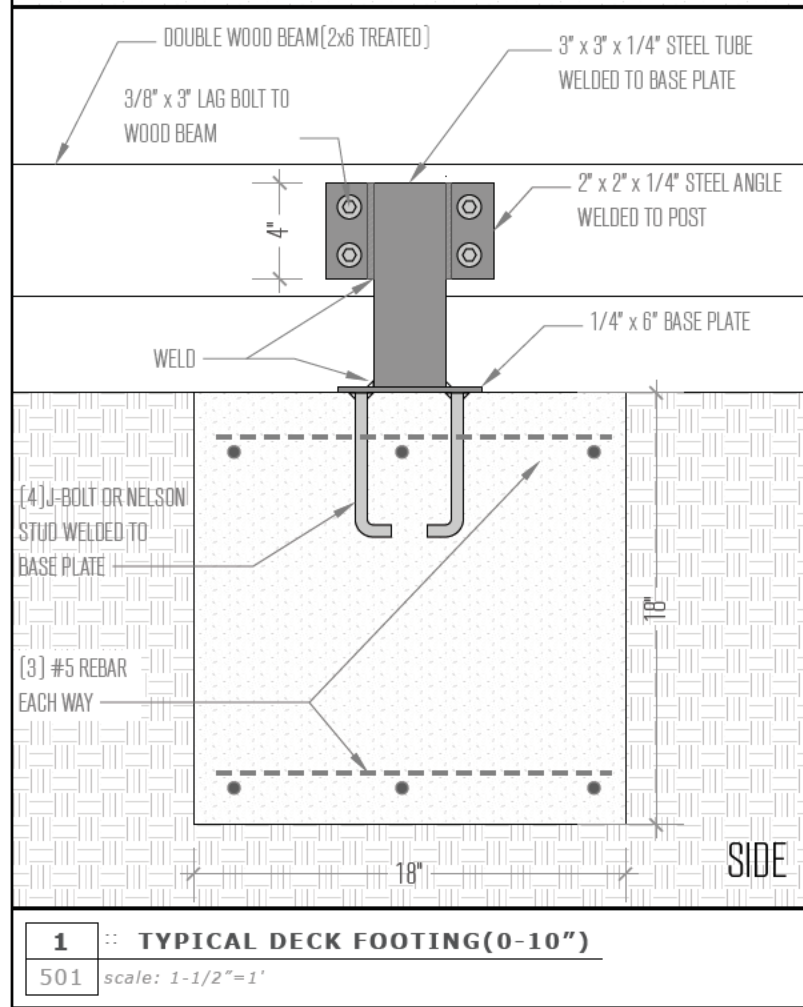
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02.28.2021

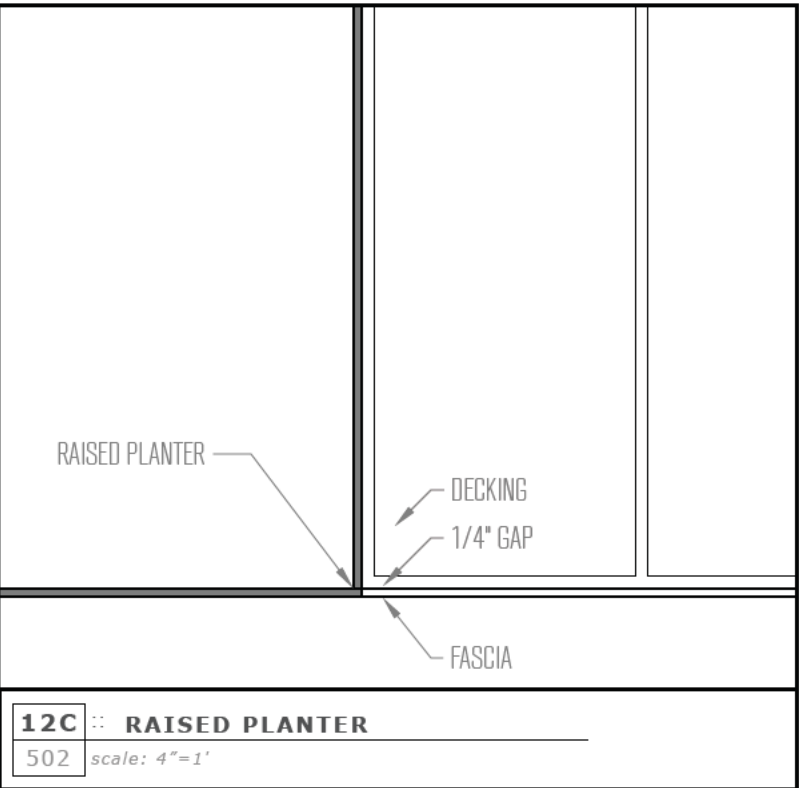
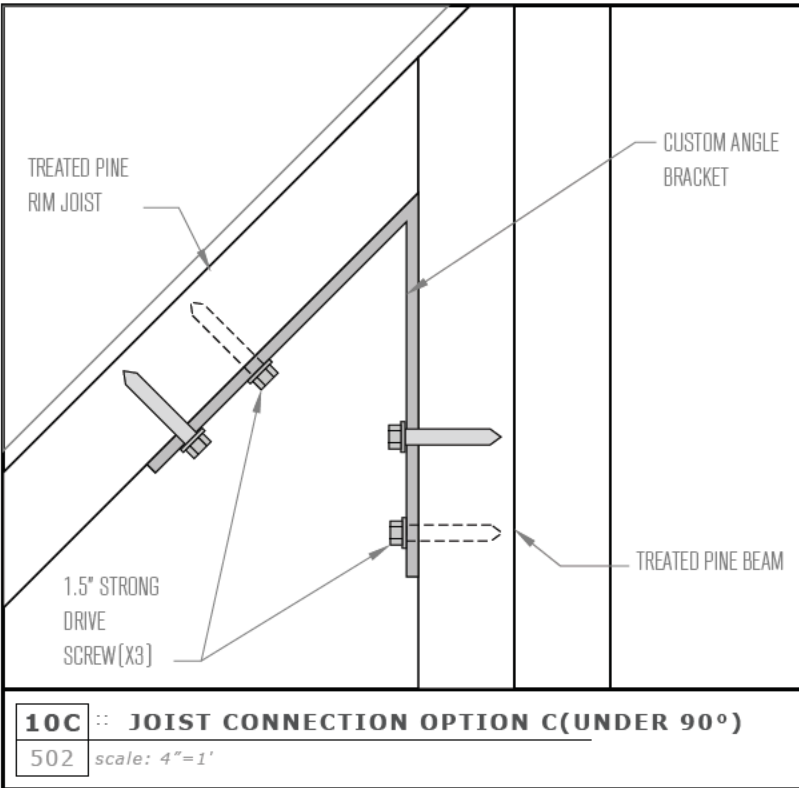
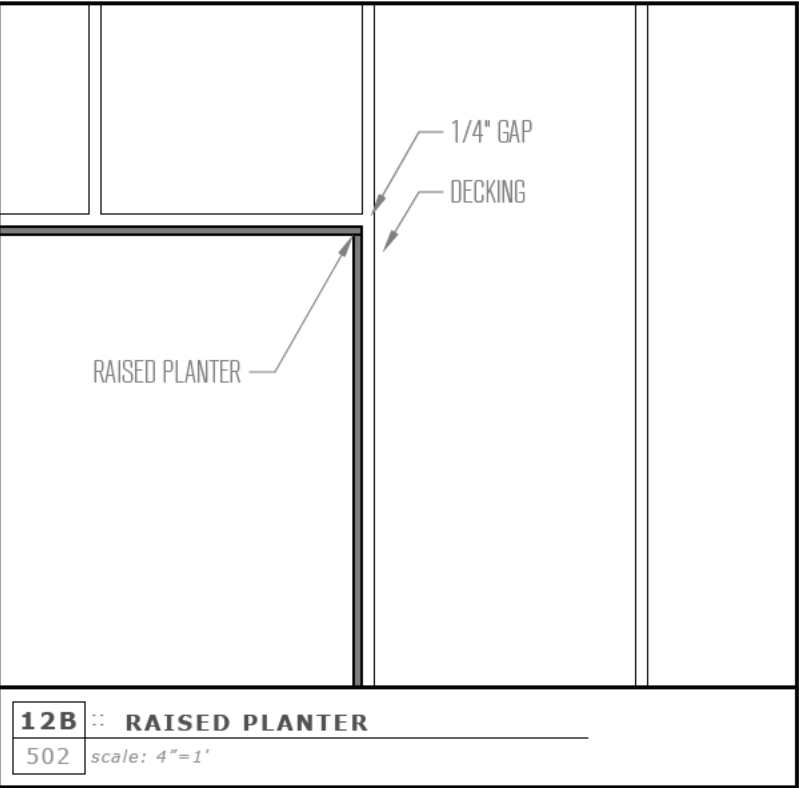
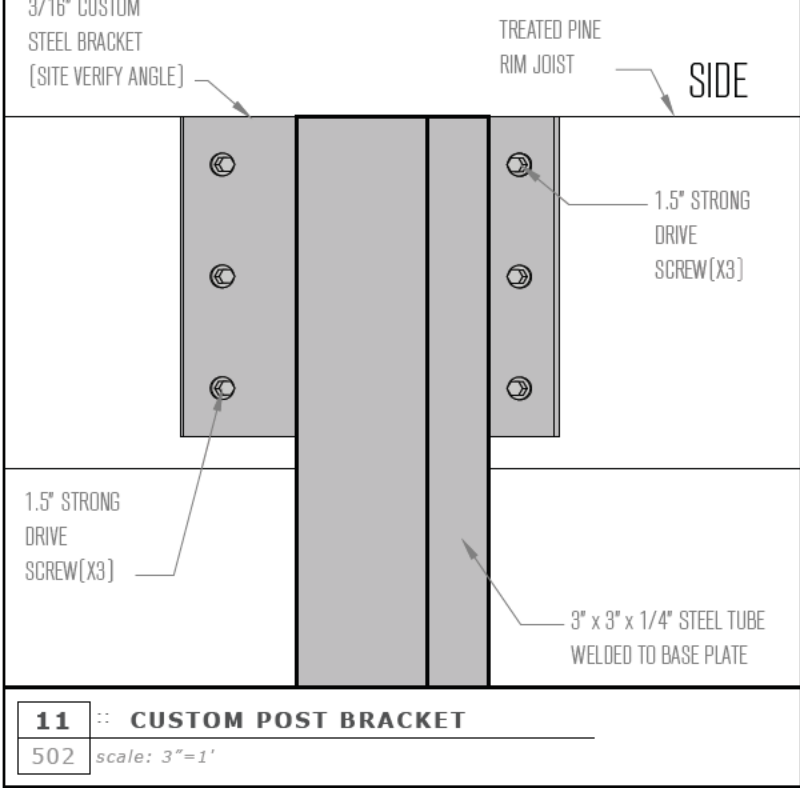
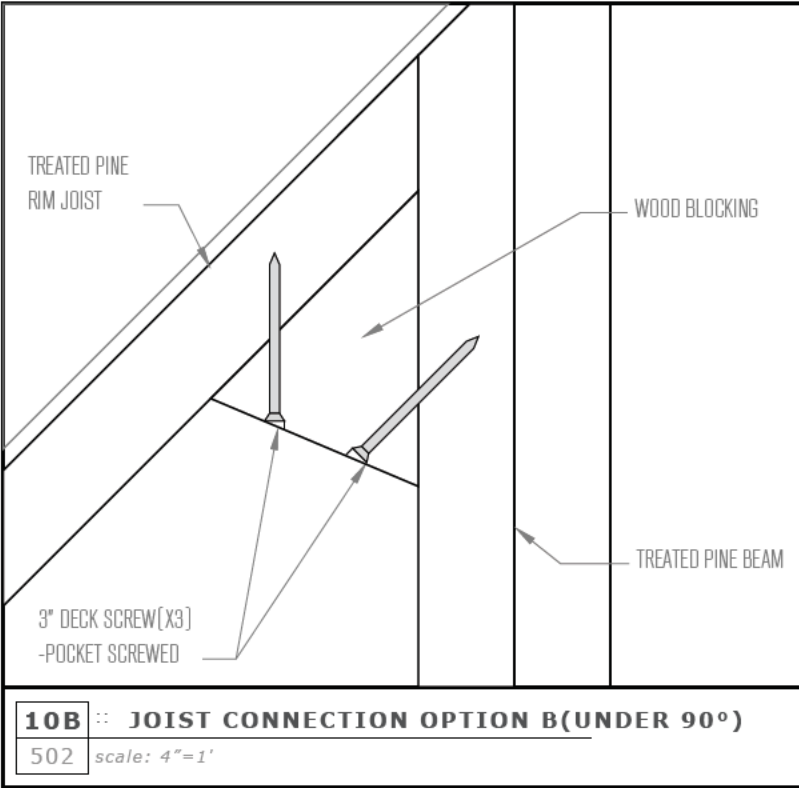
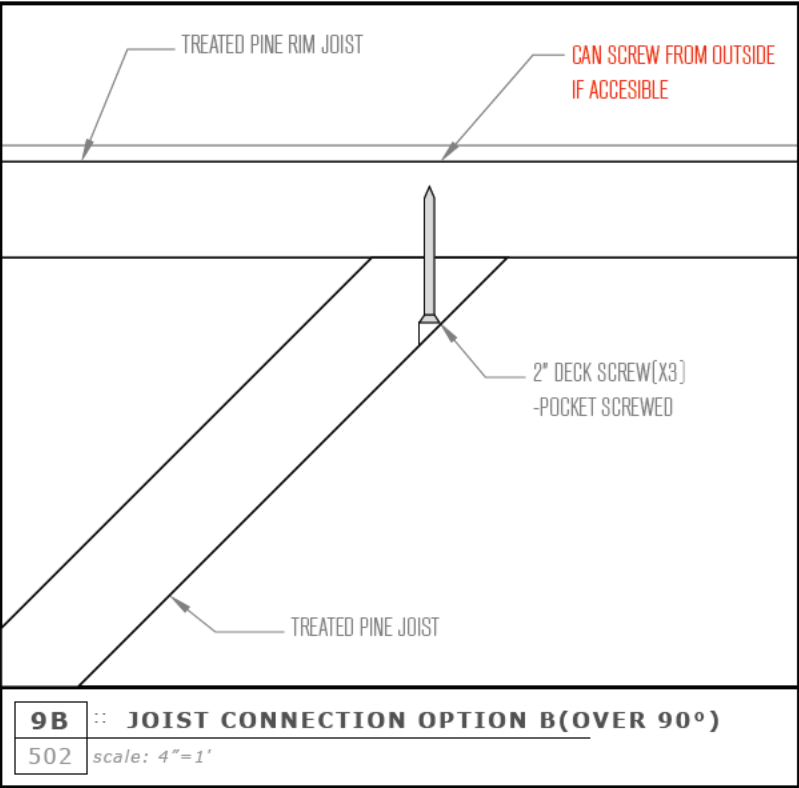
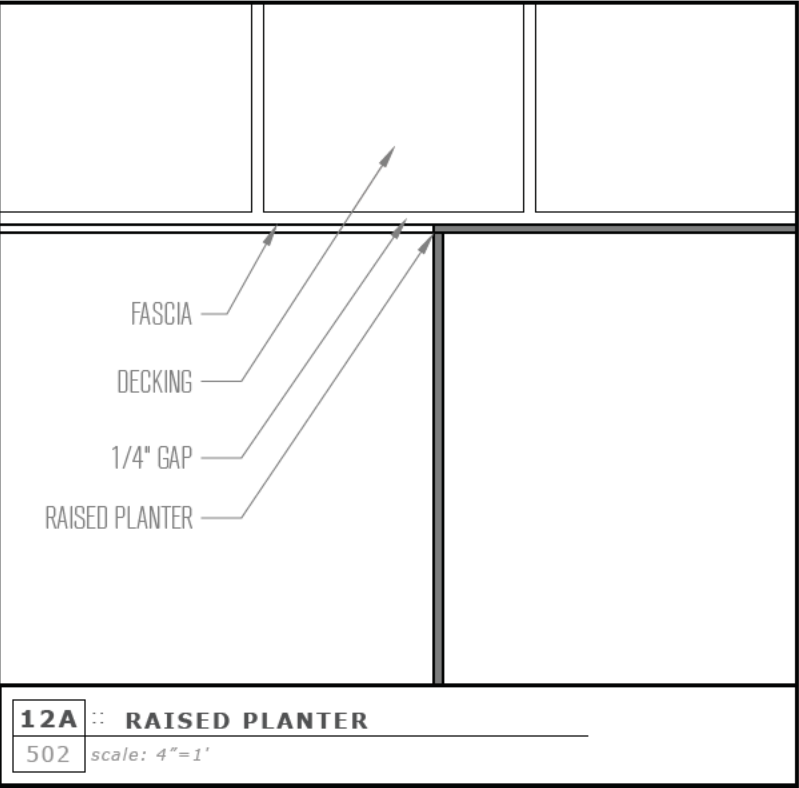
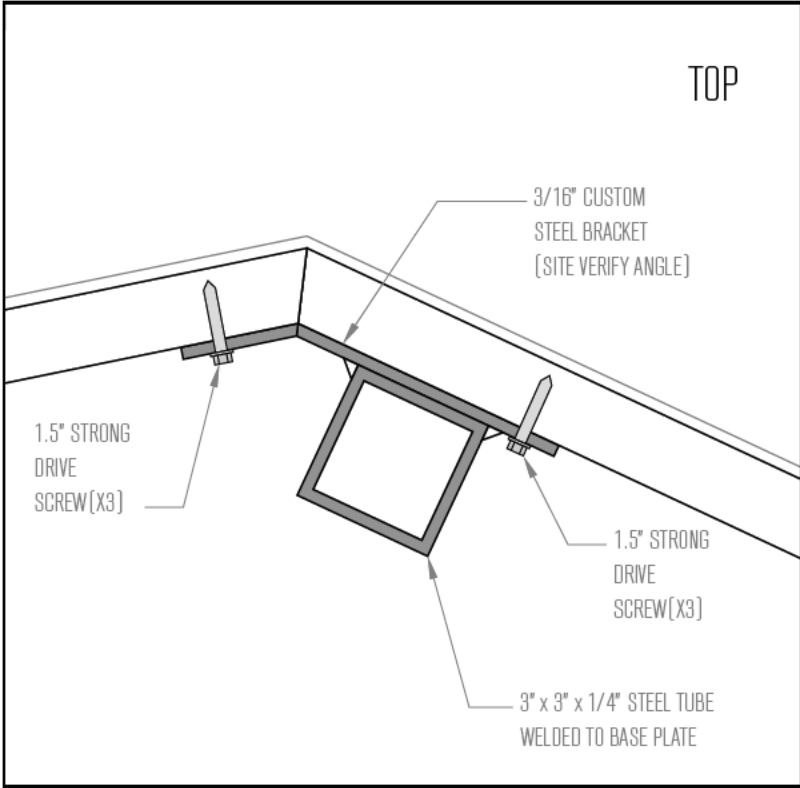
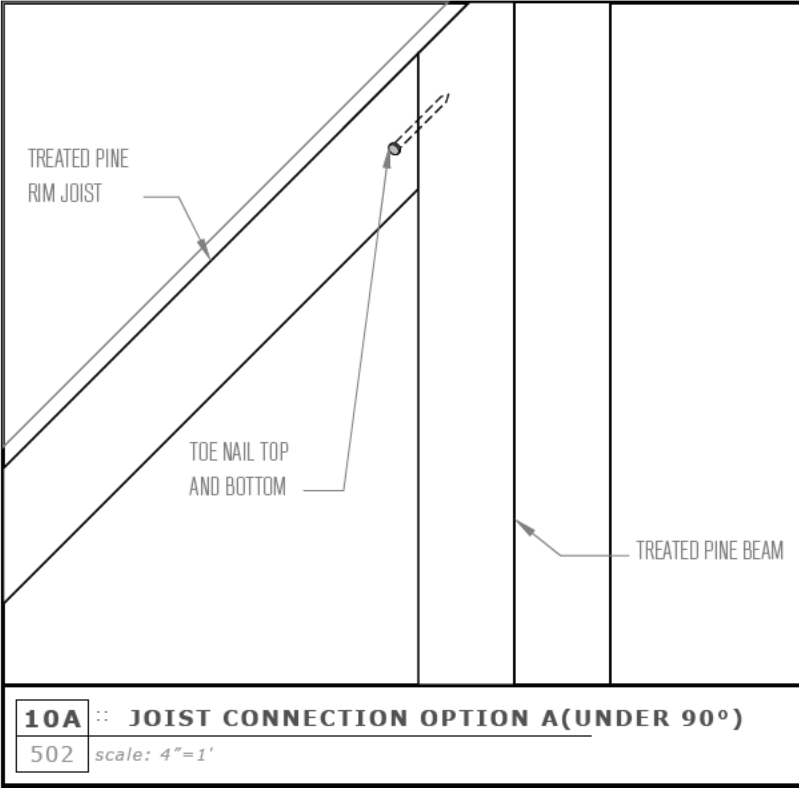
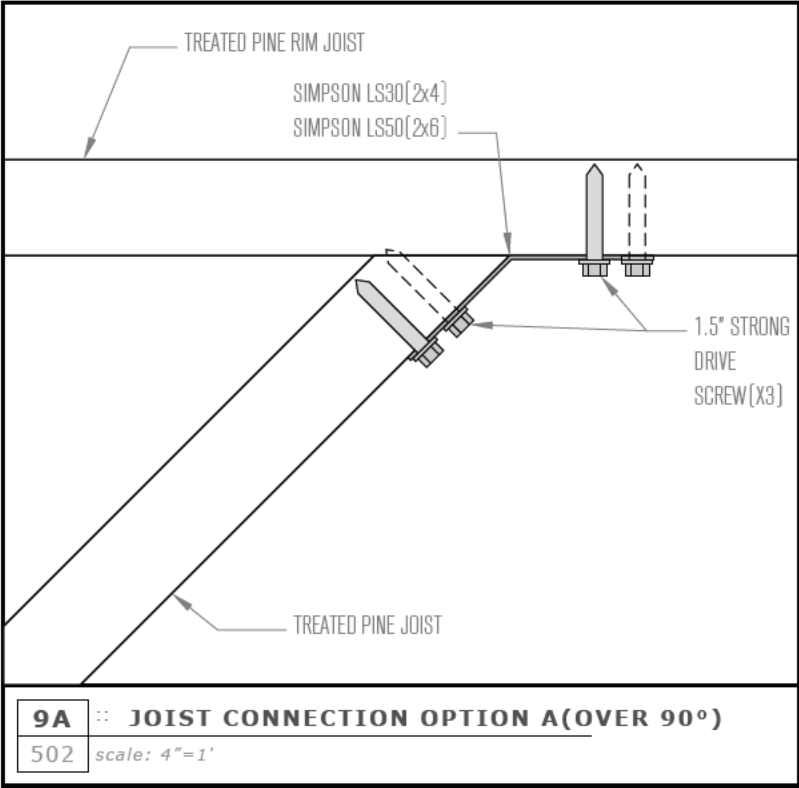
REVISIONS

SHEET

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PROJECT

Olmeyer Residence

313 Oak Ridge Dr

Austin, TX 78746

DRAWING

Enlargement: Deck A

Decking

STAGE

[NOT FOR CONSTRUCTION]

1/Schematic Design

2/Design Development

3/Final Revision

[CONSTRUCTION DOCS]

::4/Build

DRAWN BY

MN

PLOT DATE

02.28.2021

REVISIONS

SHEET

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CONCRETE SUB
TBD

SUBCONTRACTOR
TBD

DRAWING
3D Conceptual Renderings

STAGE
[NOT FOR CONSTRUCTION]
1/Schematic Design
2/Design Development
3/Final Revision
[CONSTRUCTION DOCS]
4/Build

DRAWN BY
AN

PLOT DATE
06.29.2020

REVISIONS
04.24.2020
05.22.2020

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PROJECT

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CONCRETE SUB
TBD

SUBCONTRACTOR
TBD

DRAWING
3D Conceptual Renderings

STAGE
[NOT FOR CONSTRUCTION]
1/Schematic Design
2/Design Development
::3/Final Revision
[CONSTRUCTION DOCS]
4/Build

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AN

PLOT DATE
06.29.2020

REVISIONS
04.24.2020
05.22.2020

SHEET
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CONCRETE SUB
TBD

SUBCONTRACTOR
TBD

DRAWING
3D Conceptual Renderings

STAGE
[NOT FOR CONSTRUCTION]
1/Schematic Design
2/Design Development
3/Final Revision
[CONSTRUCTION DOCS]
4/Build

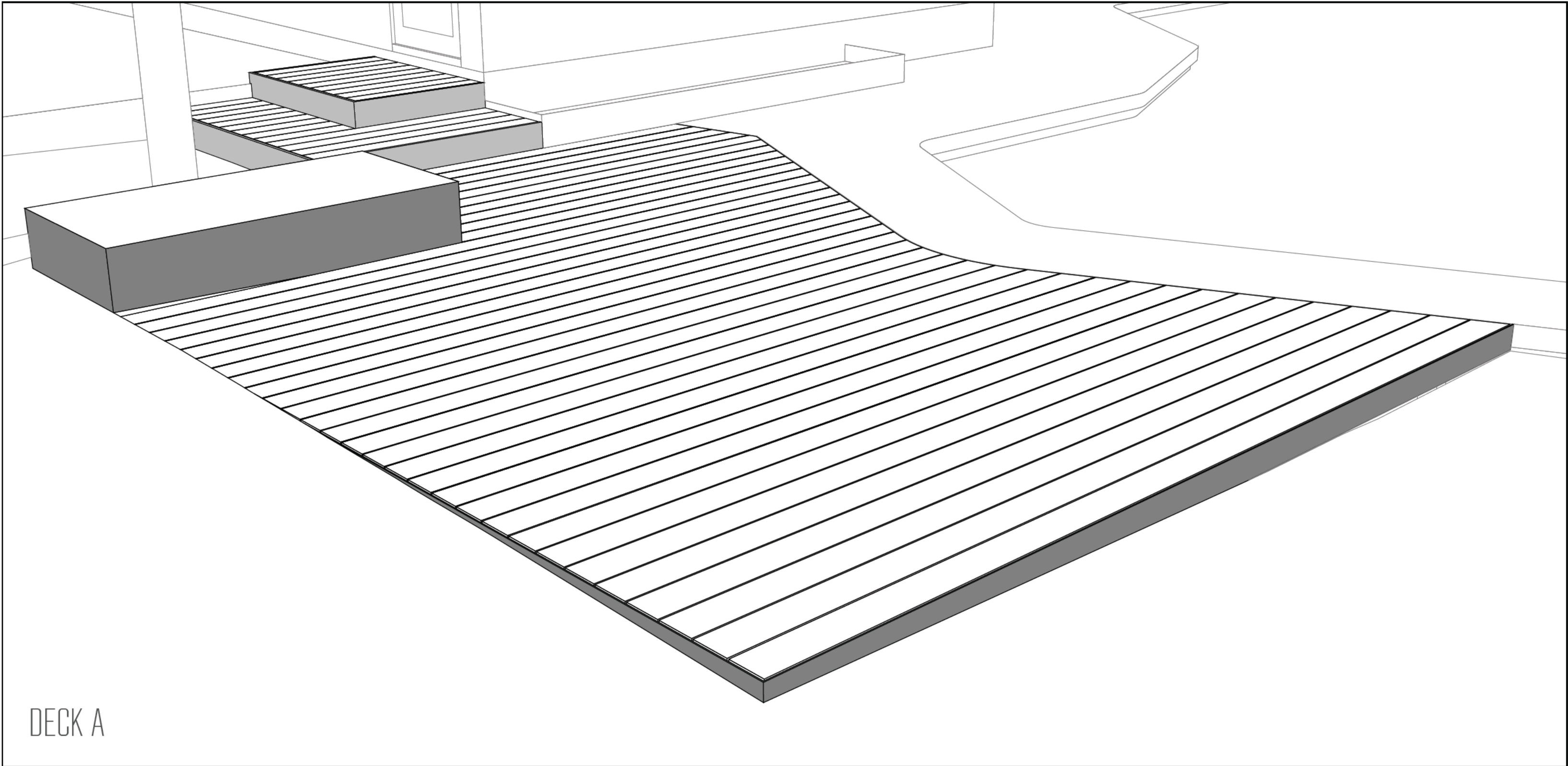
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AN

PLOT DATE
06.29.2020

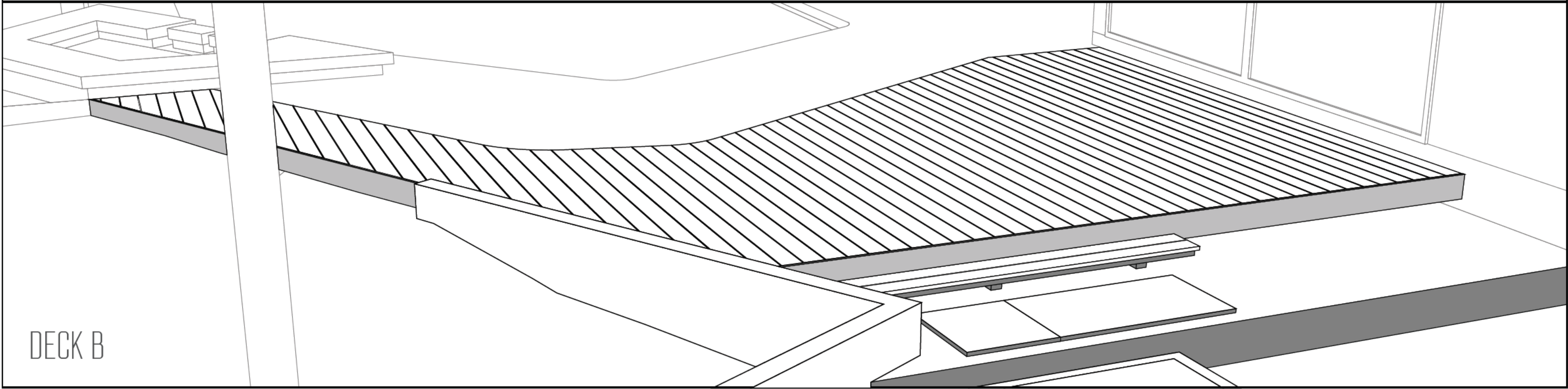
REVISIONS
04.24.2020
05.22.2020

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DECK A



DECK B



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PROJECT

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DRAWING

3D Representation: Decks

STAGE

[NOT FOR CONSTRUCTION]

1/Schematic Design

2/Design Development

3/Final Revision

[CONSTRUCTION DOCS]

::4/Build

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PLOT DATE

02.28.2021

REVISIONS

SHEET

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FROM THE DESK OF

Tom R. Walton, Jr.

March 31, 2021

Todd & Kati Ohlmeyer

Hello.

My name is Tom Walton and I am a longtime neighbor and owner of the adjoining property to the west of Todd and Kati Ohlmeyer. I would like to state that I have no problems with any of Ohlmeyer's home improvements projects or contractors. I would like to express my full support of their landscaping project and I attest that I have no objection to the new decks around their pool that are inside the rear and side yard setback in their fenced backyard. Feel free to contact me anytime.

Sincerely yours,

Tom R Walton Jr.

Tom R Walton, Jr

707 Rocky River Road

West Lake Hills, Texas 78746



(512) 656-2666

707 ROCKY RIVER ROAD, WEST LAKE HILLS, TEXAS 78746



3.31.2021

To Whom it may Concern,

My name is Adrian Najera, my wife Gentil and I live at 401 Buena Vista Circle. Todd and Kati Ohlmeyer live directly behind us. I would like to state that I have absolutely no problem with their current landscape project and support it 100 percent. Please feel free to reach out with any questions.

Many Thanks,

A handwritten signature in black ink, appearing to be 'Adrian Najera', with a large loop at the start and a trailing flourish.

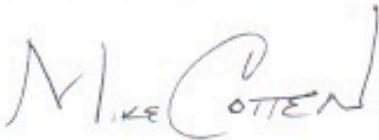
Adrian Najera
512.563.8142

March 31, 2021

To Whom It May Concern:

My name is Michael Cotten and I am a neighbor of Todd and Kati Ohlmeyer. I would like to state that I have no problems with the decks the Ohlmeyer family wants to build on the property adjoining mine.

Sincerely,

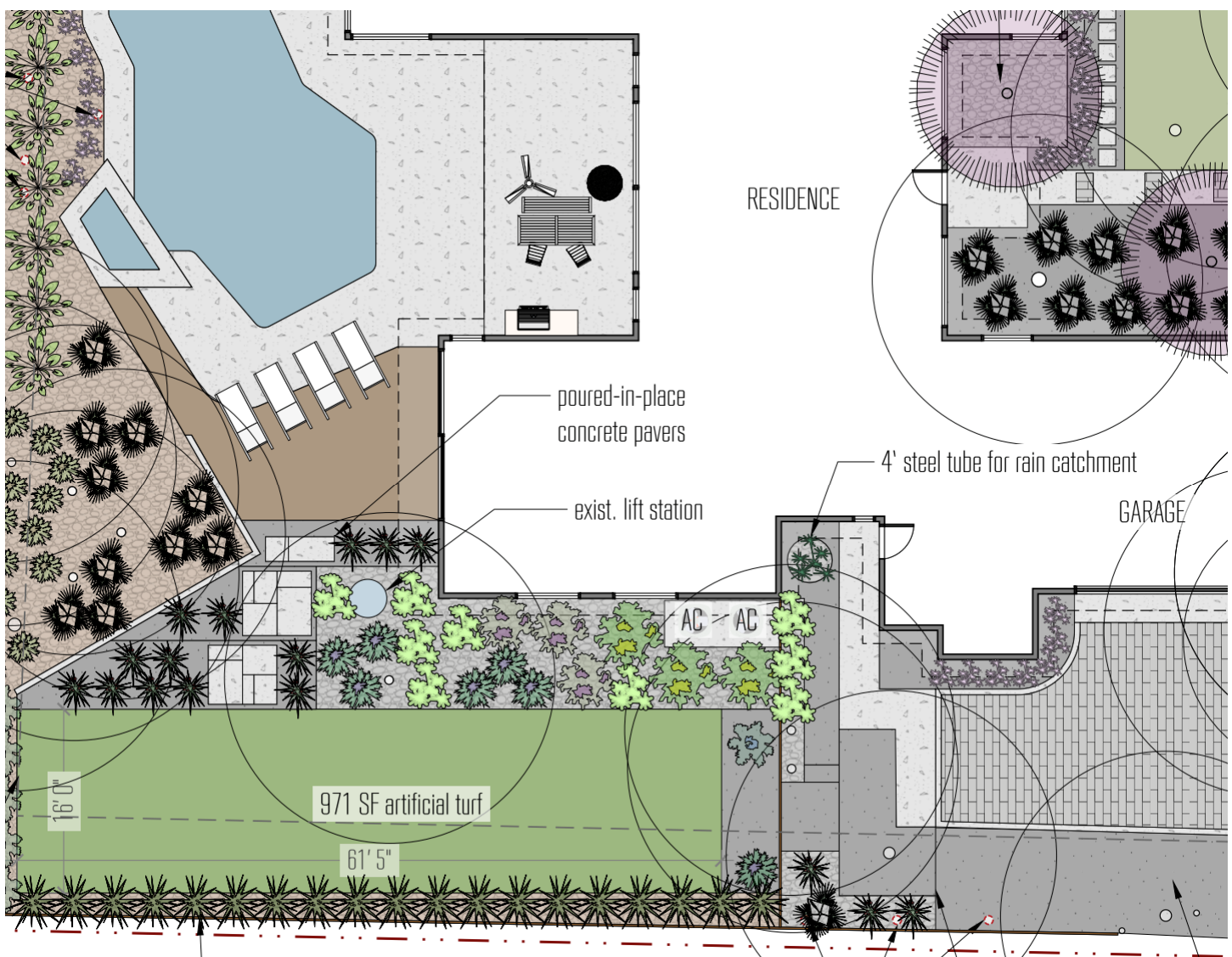
A handwritten signature in black ink. The first part of the signature is 'Mike' written in a cursive style. The second part is 'COTTEN' written in a more formal, slightly cursive capital letter style.

Michael Cotten
311 Oak Ridge Drive
West Lake Hills, TX 78746
512-327-2180

Stephanie Mills

From: Todd Ohlmeyer
Sent: Tuesday, May 18, 2021 4:24 PM
To: Noah Cullis
Subject: 313 Oak Ridge Drive

Thanks for the follow up Noah. I spoke with my contact with the group that is doing the artificial grass area. He informed me underneath the artificial turf is Class 2 Road Base and decomposed granite, all three of which are permeable. The area of this "grass" is 971 square feet. Please let me know if you have any other questions or would like to speak with him as I am sure I can arrange a call.





MULTIPLE VARIANCES

STAFF REPORT

July 14, 2021

Project Address: 110 Skyline Drive

Project Number: 16563

Agenda Item: Land Use: **110 Skyline Drive**: Discuss and consider action on an application for a variance request to (West Lake Hills Code Sec. 22.03.281). James Legeai agent for James Saadi

- Section 22.03.281 – Encroachment in a building setback;
- Section 22.03.170(f) – Cut and Fill/Grading in a building setback; and
- Section 22.03.275 – Building structure in a front yard setback.

Applicant Information: James Legeai agent for James Saadi

Hearing Dates:

June 16, 2021 ZAPCO

July 14, 2021 Board of Adjustment

Location: The subject property is located at 110 Skyline Drive.

Zoning & Site Characteristics:

The subject property is zoned R1 Family Residential.

The site is surrounded by single-family residential lots.

Background & Analysis:

The applicant is requesting the following dimensional standard variances for a building addition on an existing dwelling unit.

- **Encroachment of 40 feet 1-1/4 inches in a building setback;**
- **Cut and Fill/Grading in a building setback; and**
- **Building structure in a front yard setback;**

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 buildable area of this property is severely limited due to the triangular shape of the lot with two adjacent front yard setbacks along the long sides. The resultant buildable area is limited to 3,415 SF. When compared to the site area (23,228 SF) the buildable area to lot ratio is less than 0.15:1. As the existing building, built in 1955, is located primarily in the 50’ front yard setback along Skyline Drive and the addition is located almost entirely within the buildable area, any addition to the existing house or structures in the rear of the house can only be placed within the 50’ front yard setback (Variance 1 + 4). As a result of the site limitations, the proposed footprint of the pool will require the cut and fill of more than 18” within the front yard setback (Variance 2). This will also require us to build on the flattest part of the property that is available which means that we will be encroaching into the ½ critical root zone of two trees over 14”; a 17” Cedar (Variance 3A) and a 18” Hackberry (Variance 3B).”*

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

The application states – *“The proposed design is a response to a combination of the buildable area restrictions and footprint of the existing house. By limiting the majority of the construction to the flattest parts of the lot and on top of the existing house the design preserves the vast majority of the existing flora on the property. The lawn and pool are located directly adjacent to the deck so that we disturb the minimum amount of vegetation. We purposely restricted the size of the lawn and pool so that we would not have to remove the two variance trees. The 3rd floor office addition also allows us to build on top of the existing building so that we will not have to remove any vegetation.”*

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

The application states – *“Other reasonable alternatives were considered, but due to the limitation of the buildable area, any combination of efficient layout and good design that accommodates the clients’ needs would almost certainly require even more building within the front yard setback than is currently planned in order to connect to the existing house and meet the project objectives.”*

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

The application states – *“The main objective of this renovation and addition on the third floor (Variance 4) is to provide an at home office space for the clients. They have one child and a second on the way. The existing house is a 3 bedroom/3 bath. They are both working from home for the foreseeable future due to COVID concerns and have no office space. In order to accommodate the clients’ growing family in this new work from home reality, we feel that expanding the third floor to provide an office space is the most reasonable and minimal option. The proposed addition brings the conditioned square footage of the house to approximately 4,100 GSF, which, along with the new layout, is a reasonable size for the current neighborhood. The location of the lawn and pool are situated so as not to impact the street view from Skyline Drive. If the location of the pool and lawn were changed, multiple variances would be required; either for removal of additional trees or additional square footage within the setbacks.”*

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

The application states – *“The placement, configuration, and elevation of the addition and lawn and pool are designed to follow the preferred practice of building a residence that responds to the landscape, terrain, and site boundary requirements.”*

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

The application states – *“The pool and lawn will have little-to-no effect on views from adjacent properties or the street as it is located toward the center of the site, behind and lower than the existing house. It is also surrounded by existing trees on all sides and located 60’ back from the street.”*

“The third-floor addition will be somewhat visible from the street though given the trees surrounding the house, the impact on the existing view will be minimal. We have also designed the addition to be in keeping with the feel of the rest of the design so that it will not feel like an eyesore. Due to the site’s slope, the first floor of the existing house is between 10’ and 15’ below the street elevation.

The addition is a horizontal expansion of the existing third floor, we are not adding height to the existing structure.”

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 Commission Recommendation:

On Wednesday, June 16, 2021, the ZAPCO Commission held a public hearing for this case and forwarded a recommendation to the City Council for APPROVAL with a vote of 4-1.

Staff Recommendation:

Staff recommends APPROVAL because of the following findings of fact:

- The strict or literal enforcement of the terms of this chapter, because of special conditions, will result in unnecessary hardship to the applicant.
- There will not be unreasonable disruption of the natural terrain or unreasonable destruction of existing flora.
- There is no reasonable alternative to the requisite variance that will alleviate the difficulty or hardship complained of.
- The variance will not be greater than the minimum required to alleviate the difficulty or hardship complained of.
- The variance does not violate the intent of the Zoning Ordinance or goals of the Comprehensive Plan.
- The variance will not adversely affect neighboring properties or interfere with the enjoyment of these properties by their owners.

Links to Relevant Code:

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

ZONING MAP

R-1 ONE FAMILY RESIDENTIAL

R-2 MULTI-FAMILY RESIDENTIAL

R-3 TRANSITIONAL

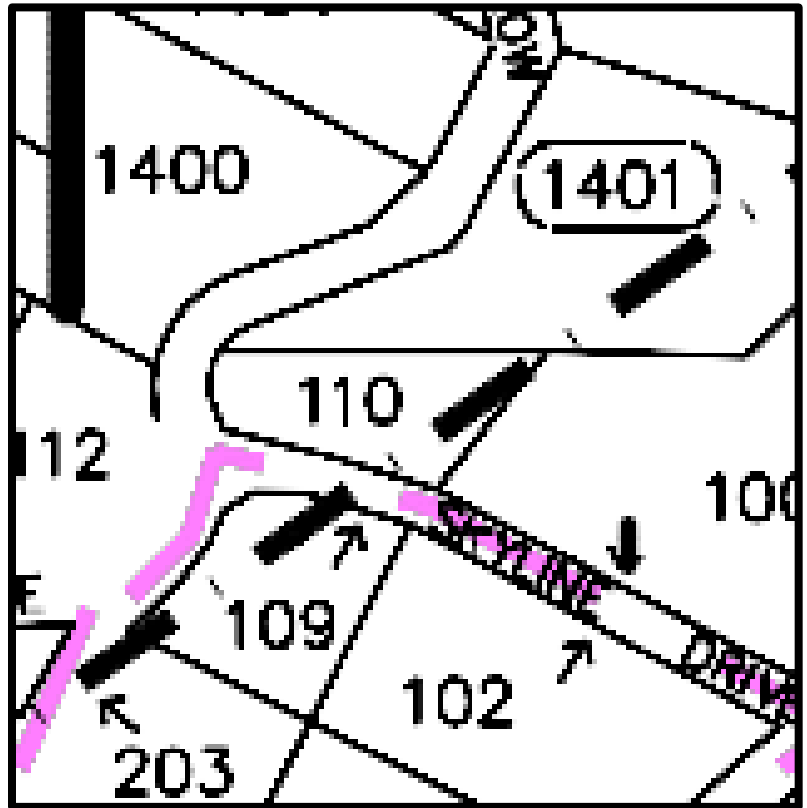
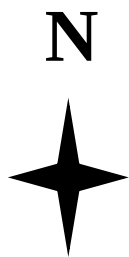
O OFFICE

B-1 BUSINESS 1

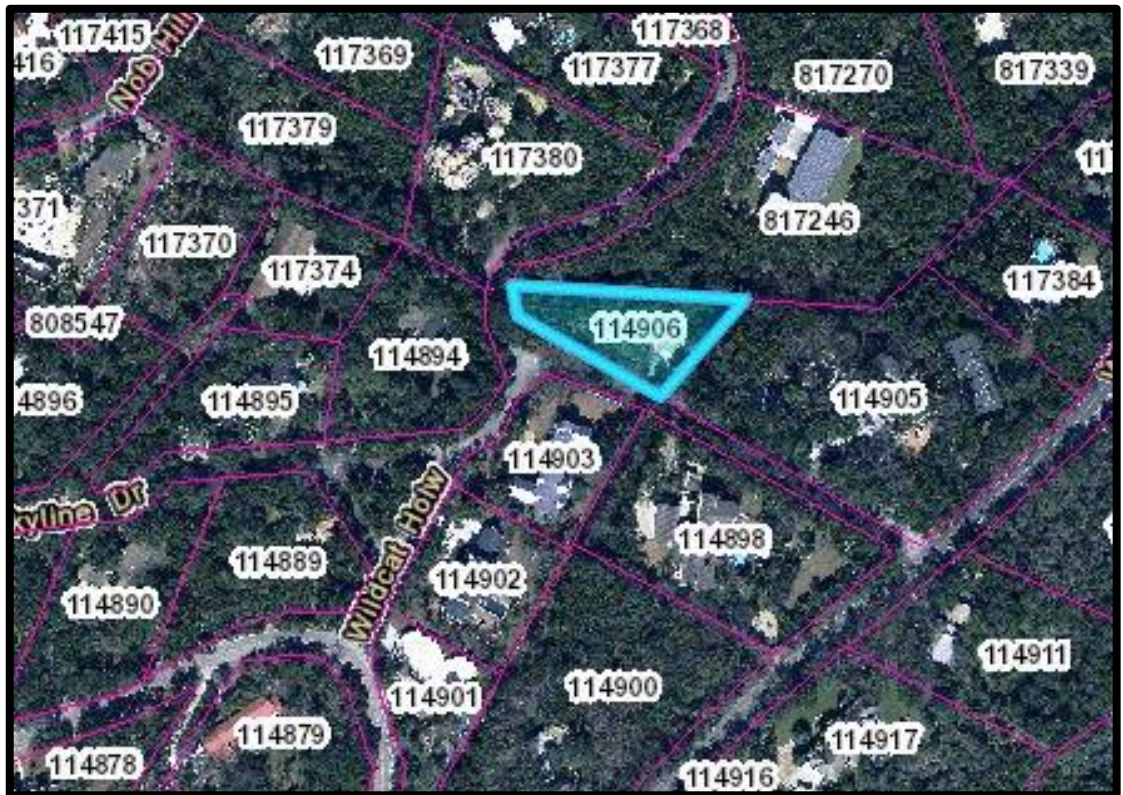
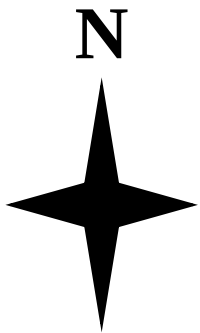
B-2 BUSINESS 2

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:

Phone: _____

Email _____

Address: 110 Skyline City: West Lake Hills State: TX Zip: _____

Agent*: James Legeai Phone: 5046550108

Email: _____

Address: 2120 E 7th St City: Austin State: TX Zip: _____

Property Address: 110 Skyline Dr City: West Lake Hills State: TX Zip: 78746

Property Information

Subdivision Name: O'Connor Subdivision

Block: - Lot: 1 TCAD Tax Parcel ID: 114906

Current Zoning Classification: R-1 Total Lot Size (Acres): .53

**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) Building structure in front yard setback [22.03.275] _____
- 2) Cut/Fill/Grading in setback [22.03.170.f] _____
- 3) 3A + 3B. Impact to 1/2 critical root zone _____
- 4) Building structure in the front yard setback [22.03.275] _____
- 5) _____



VARIANCE APPLICATION

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

Brief Description of project/why variances are needed: _____

see separate attachment

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 separate attachment

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 separate attachment

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

see separate attachment

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

see separate attachment



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 separate attachment

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 separate attachment

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

James Legeai

Printed Name

04/13/2021

Date



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

April 02, 2021

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

Dear Mr. Chairman:

The property located at 110 Skyline Dr. is a residential lot, approximately 1/2 acre in size, and in an atypical triangular shape; the two long sides of the lot front Skyline Drive and Wildcat Hollow, respectively. Due to the unique shape and orientation of the lot in combination with a 50' front yard setback on two sides, the buildable area is limited to about 3,415 SF acute triangle in the center of the site.

The existing residence on the lot, a renovated hunting lodge built in 1955, is a 1 bedroom, 2 bath, multi-level house of approximately 2,500 SF. The rustic home is located almost entirely in the 50' front yard setback along Skyline Drive. The owners, James Saadi and Ashley Kroh, fell in love with the unassuming characteristics of the original house and wish to maintain its distinctive quality even as they seek to renovate and expand. Now that they have a 2 year old and one on the way, they are renovating the existing residence and build an additional 2 bedrooms and 2 bathrooms. All of this work has already been permitted and they are under construction. The work for which we are requesting a variance is the addition of a lawn and pool behind the house and the expansion of the existing third floor loft space in order to accommodate a home office as both clients will be working from home for the foreseeable future. The third floor addition will be located completely over the existing second floor, so the building footprint will not be expanded. The lawn and pool is located in the flattest part of the site where it will have a minimal impact on the existing trees and vegetation.

Our design team evaluated various approaches to the layout and location of the pool and lawn area. Given the existing topography, the proposed design is oriented along the site's existing contours to minimize the impact to the natural conditions of the site. This approach allows the pool and lawn to remain within the behind the existing house and at a lower elevation so as to minimize any impact on the current view from the street. This location is also ideal as it requires a minimal number of trees to be disturbed. As a result of the location of the existing septic system and building setback orientation, the proposed pool and lawn structure will be located in the front yard setback (Variance 1) and will require cut and fill over 18" in the setback (Variance 2). It will also require us to build within the half critical root zone of two trees that are over 14" in diameter: 255 - 17" Cedar (Variance 3A) and 259 - 18" Hackberry (Variance 3B).

The third floor addition is an expansion of the existing third floor space. This space will accommodate a home office that will allow them to continue working from home after their second child is born. The

expansion does not add height to the existing third floor; it will simply elongate over the existing second floor structure. As the existing house was built in the 1950s and renovated again in the 70s, the current building is completely within the front yard setback. Therefore, it would be impossible to expand this third floor space without obtaining a variance for structures within the setback (Variance 4).

We very much appreciate your consideration and look forward to working with you.

Sincerely,

James Legeai, RA

Associate - Dick Clark + Associates

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.

The buildable area of this property is severely limited due to the triangular shape of the lot with two adjacent front yard setbacks along the long sides. The resultant buildable area is limited to 3,415 SF. When compared to the site area (23,228 SF) the buildable area to lot ratio is less than 0.15:1. As the existing building, built in 1955, is located primarily in the 50' front yard setback along Skyline Drive and the addition is located almost entirely within the buildable area, any addition to the existing house or structures in the rear of the house can only be placed within the 50' front yard setback (Variance 1 + 4). As a result of the site limitations, the proposed footprint of the pool will require the cut and fill of more than 18" within the front yard setback (Variance 2). This will also require us to build on the flattest part of the property that is available which means that we will be encroaching into the ½ critical root zone of two trees over 14"; a 17" Cedar (Variance 3A) and a 18" Hackberry (Variance 3B).

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

The proposed design is a response to a combination of the buildable area restrictions and footprint of the existing house. By limiting the majority of the construction to the flattest parts of the lot and on top of the existing house, the design preserves the vast majority of the existing flora on the property. The lawn and pool are located directly adjacent to the deck so that we disturb the minimum amount of vegetation. We purposely restricted the size of the lawn and pool so that we would not have to remove the two variance trees. The 3rd floor office addition also allows us to build on top of the existing building so that we will not have to remove any vegetation.

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

Other reasonable alternatives were considered, but due to the limitation of the buildable area, any combination of efficient layout and good design that accommodates the clients' needs would almost certainly require even more building within the front yard setback than is currently planned in order to connect to the existing house and meet the project objectives.

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

The main objective of this renovation and addition on the third floor (Variance 4) is to provide an at home office space for the clients. They have one child and a second on the way. The existing house is a 3 bedroom/3 bath. They are both working from home for the foreseeable future due to COVID concerns and have no office space. In order to accommodate the clients' growing family in this new work from home reality, we feel that expanding the third floor to provide an office space is the most reasonable and minimal option. The proposed addition brings the conditioned square footage of the house to approximately 4,100 GSF, which, along with the new layout, is a reasonable size for the current neighborhood.

The location of the lawn and pool are situated so as not to impact the street view from Skyline Drive. If the location of the pool and lawn were changed, multiple variances would be required; either for removal of additional trees or additional square footage within the setbacks.

(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 placement, configuration, and elevation of the addition and lawn and pool are designed to follow the preferred practice of building a residence that responds to the landscape, terrain, and site boundary requirements.

(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 pool and lawn will have little-to-no effect on views from adjacent properties or the street as it is located toward the center of the site, behind and lower than the existing house. It is also surrounded by existing trees on all sides and located 60' back from the street.

The third floor addition will be somewhat visible from the street though given the trees surrounding the house, the impact on the existing view will be minimal. We have also designed the addition to be in keeping with the feel of the rest of the design so that it will not feel like an eyesore. Due to the site's slope, the first floor of the existing house is between 10' and 15' below the street elevation. The addition is a horizontal expansion of the existing third floor, we are not adding height to the existing structure.

Property Address: 110 Skyline Drive, West Lake Hills, TX 78746

West Lake Hills Construction Site Plan Submittal Cover Sheet

Property Address: 110 Skyline Dr Date: 04/02/2021

Project Name: Kroh-Saddi Addition and Backyard Improvements

Applicants requesting review of submitted construction drawings and a building permit for construction in the City of West Lake Hills must read and acknowledge the following items relating to the City’s Code of Ordinances. This cover sheet is intended to highlight the most common errors and omissions made during the approval process for new construction projects. All references to the City's Code of Ordinances can be found on the City's website at www.westlakehills.org.

Instructions: All three parties are asked to confirm their understanding of the code requirements listed below where applicable. The Architect should initial in section A, the contractor/builder should initial in section B, and the property owner/client in Section C. If the item is not relevant to the proposed project, check “Not Applicable,” and still initial. If your project is not compliant with the item and you intend to request a variance to that requirement, check “Requesting A Variance,” and also initial. All three parties should print and sign their name at the bottom of the form.

1. Impervious cover: (WLH Code Sections 22.03.001 and 22.03.281)

- a) Impervious cover varies with the lot size. For your project, have you correctly determined the allowable percentage of impervious cover?

A: B: C: JS ☐ Not Applicable ☐ Requesting A Variance
- b) Have you correctly determined what various materials/conditions constitute impervious cover: concrete, asphalt, pavers, swimming pools, crushed gravel and granite, decking materials, etc.?

A: B: C: JS ☐ Not Applicable ☐ Requesting A Variance

2. Setbacks: (WLH Code Sections 22.03.175 (Residential), 22.03.249 (Non-Residential), 22.03.275, 22.03.276, and 22.03.281)

- a) Setbacks are determined by the lot size. Have you correctly determined the setbacks for your project?

A: B: C: JS ☐ Not Applicable ☐ Requesting A Variance
- b) If your property fronts one or more streets, each setback along those streets must conform to front setback requirements. Have you checked your project for this condition?

A: B: C: JS ☐ Not Applicable ☐ Requesting A Variance
- c) Roof eaves and overhangs are not allowed in the building setbacks. Have you verified that the project's roof eaves and overhangs are not within the setbacks?

A: B: C: JS ☐ Not Applicable ☐ Requesting A Variance
- d) Have you insured that no building, accessory building, or structure is located within the setback? This requirement includes but is not limited to retaining walls, patios, fountains, air conditioning pads, pool equipment, pergolas and arbors.

A: B: C: JS ☐ Not Applicable ☒ Requesting A Variance
- e) Do your project's driveways meet the driveway setback requirements?

A: B: C: JS ☐ Not Applicable ☒ Requesting A Variance
- f) Do you understand that no site disturbance (cutting, filling, grading, etc.) is allowed in the setback?

A: B: C: JS ☐ Not Applicable ☒ Requesting A Variance

3. **Structure height:** (WLH Code Section 22.03.001 and 22.03.279)

- a)

Has a current, topographic ground survey with 1-foot contour lines produced by a licensed surveyor been submitted? Your height calculations must be determined from this survey.

A: / / . B: C: JS ☐ Not Applicable ☐ Requesting A Variance
- b)

Has the correct methodology as defined in the code, been used to calculate the height of your project?

A: / / . B: C: JS ☐ Not Applicable ☐ Requesting A Variance
- c)

Do you understand that the height restriction includes all roof appurtenances and building materials?

A: / / . B: C: JS ☐ Not Applicable ☐ Requesting A Variance

4. **Trees and vegetation:** (WLH Code Sections 22.03.301 to 22.03.305)

- a)

Has a current and certified tree survey been submitted to the city inspector?

A: / / . B: C: JS ☐ Not Applicable ☐ Requesting A Variance
- b)

Do you understand that no site clearing, brush/undergrowth removal, or tree removal can be done until a tree permit and building permit have been issued by the City?

A: / / . B: C: JS ☐ Not Applicable ☐ Requesting A Variance
- c)

Do you understand that NO tree with a diameter greater than or equal to 14 inches can be removed without obtaining a variance from the City Council?

A: / / . B: C: JS ☐ Not Applicable ☐ Requesting A Variance
- d)

Do you understand that all tree replacement must be completed before a certificate of occupancy will be issued?

A: / / . B: C: JS ☐ Not Applicable ☐ Requesting A Variance

5. **Additional considerations:**

- a)

If required, have you reviewed the slope/grade restrictions for driveways? (WLH Code Sections 22.03.175 (Residential) and 22.03.241 (Non-Residential))

A: / / . B: C: JS ☒ Not Applicable ☐ Requesting A Variance
- b)

If required, has a septic system design been submitted to the city inspector for approval? (WLH Code Section 18.03.067)

A: / / . B: C: JS ☒ Not Applicable ☐ Requesting A Variance
Existing system capacity confirmed as adequate
- c)

Does your site plan show all of the structures, hardscape elements such as retaining walls and planters, patios, decks, sidewalks, driveways, water tanks, pool equipment and other items? Please note that such items are not allowed in the setbacks and may not be installed later without City approval. ? (WLH Code Sections 22.03.276 and 22.03.281)

A: / / . B: C: JS ☐ Not Applicable ☒ Requesting A Variance
- d)

Do you understand that no work (including but not limited to mailbox construction or placement, planting, grading, landscaping, etc.) may be done in the City Right of Way without City approval? (WLH Code Sections 22.03.484 and 22.03.485)

A: / / . B: C: JS ☐ Not Applicable ☐ Requesting A Variance
- e)

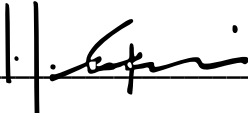
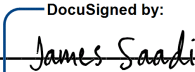
Do you understand that a certification letter from a septic designer must be submitted if an existing septic system is being utilized? (WLH Code Section 18.03.067)

A: / / . B: C: JS ☐ Not Applicable ☐ Requesting A Variance

Version Date: 20180221

- f) Do you understand that your project may require a tree permit in addition to a building permit? (WLH Code Sections 22.03.301 to 22.03.305)
A: / B: C: JS ☐ Not Applicable ☐ Requesting A Variance
- g) Do you understand that if your project is in the Edward's Aquifer Recharge and/or Contributing Zone, you may be required to submit a Water Pollution Abatement Plan? (State requirement)
A: / B: C: JS ☐ Not Applicable ☐ Requesting A Variance
- h) Do you understand that a separate permit must be obtained for fence construction and that the requirements in WLH Code Section 22.03.173 must be followed? Do you understand that front yard fences (as defined in WLH Code Section 22.03.173) have special requirements?
A: / B: C: JS ☐ Not Applicable ☐ Requesting A Variance
- i) Do you understand that a separate permit must be obtained for a swimming pool and that the requirements in WLH Code Section 22.03.167 and 22.03.207 must be followed?
A: / B: C: JS ☐ Not Applicable ☐ Requesting A Variance
- j) Do you understand that if any professional services (attorneys, engineers, surveyors, etc.) are required to be used by the city that those fees will be passed-through and will be the responsibility of the applicant? (WLH Code Section A9.006).
A: / B: C: JS ☐ Not Applicable ☐ Requesting A Variance
- k) Do you understand and have correctly identified any and all nonconforming uses and structures? (38.04.061)
A: / B: C: JS ☐ Not Applicable ☐ Requesting A Variance
- l) Have you correctly verified if you project is located within the floodplain and obtained the necessary permits if it is?
A: / B: C: JS ☒ Not Applicable ☐ Requesting A Variance

I hereby acknowledge that I have read and understand the requirements listed above. I further understand that nothing in this document relieves me of my legal responsibility to comply with any and all relevant West Lake Hills Ordinances regarding this project including the requirements referenced in this document.

	<u>NAME</u>	<u>SIGNATURE</u>	<u>DATE</u>
A: Architect:	<u>James Legeai (DC+A)</u>		<u>04/02/2021</u>
B: Builder/Contractor:	_____	_____	_____
C: Property Owner/Client:	<u>James Saadi</u>	DocuSigned by:  4C9604A5C78742B	<u>4/2/2021</u>

Version Date: 20180221

APPLICATION COVER SHEET

Property Address: 110 Skyline Dr
Applicant Name: James Saadi + Ashley Kroh
Designated Agent (if any, Power of Attorney Required): _____
Applicant Phone Number: 512-472-4980 Email _____
Date Application was Submitted: 04/02/2021
Variance(s) Requested: 1. Building structure in front yard setback [22.03.275]
2. Cut/Fill/Grading in setback [22.03.170.f]
3A + 3B. Impact to 1/2 critical root zone
4. Building structure in the front yard setback [22.03.275]

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: _____



Project Name:

Kroh-Saadi Remodel - 110 Skyline

Date:

30 APRIL 2021

Image Name:

ADJACENT PROPERTIES



TREE TABLE

230	8" CEDAR
231	15" DBL HACKBERRY
232	3" YAUPON
233	22" DBL LIVE OAK
234	5" MT. LAUREL
235	3" MT. LAUREL
236	11" ASH
237	8" HACKBERRY
238	7" MT. LAUREL
239	9" MT. LAUREL
240	6" MT. LAUREL
241	10" LIVE OAK
243	5.5" DBL CRAPPEMYRTLE
244	13" ELM
245	14" ELM
246	20" LIVE OAK
247	18" LIVE OAK
248	5" CHINKAPIN OAK
249	11" ASH
250	4" PERSIMMON
251	14" LIVE OAK
252	14" CEDAR
253	13" DBL CEDAR
254	7" HACKBERRY
255	17" CEDAR
256	11" LIGUSTRUM
257	12" CEDAR
258	11.5" LIGUSTRUM
259	18" HACKBERRY
260	10" LIGUSTRUM
261	6" LIGUSTRUM
262	16" CEDAR
263	8" HACKBERRY
264	10.5" SHIN OAK
265	10" SHIN OAK
266	6" ELM
267	6" ELM
268	22" CHINABERRY
269	7" ELM
270	6" HACKBERRY
271	6" ELM
272	5" ELM
273	16.5" DBL CEDAR
274	5" ELM
275	10" DBL ELM
276	6" SHIN OAK
277	17" CEDAR
278	10" LIGUSTRUM
279	16" CEDAR

Project Name:

Date:

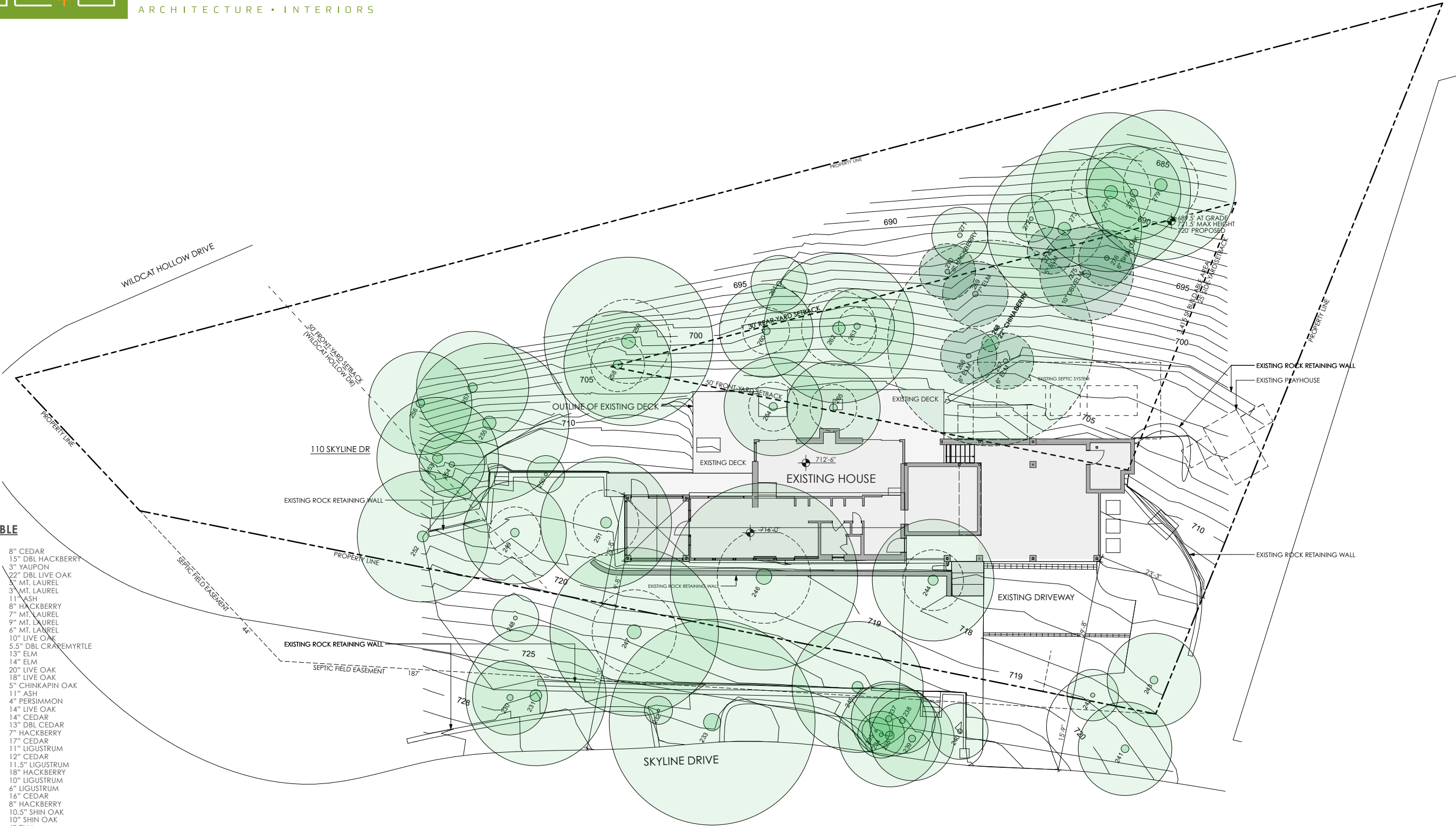
Image Name:

Kroh-Saadi Remodel - 110 Skyline

30 APRIL 2021

EXISTING SITE PLAN

2





TREE TABLE

230	8" CEDAR
231	15" DBL HACKBERRY
232	3" YAUPON
233	22" DBL LIVE OAK
234	5" MT. LAUREL
235	3" MT. LAUREL
236	11" ASH
237	8" HACKBERRY
238	7" MT. LAUREL
239	9" MT. LAUREL
240	6" MT. LAUREL
241	10" LIVE OAK
243	5.5" DBL CrapeMyrtle
244	13" ELM
245	14" ELM
246	20" LIVE OAK
247	18" LIVE OAK
248	5" CHINKAPIN OAK
249	11" ASH
250	4" PERSIMMON
251	14" LIVE OAK
252	14" CEDAR
253	13" DBL CEDAR
254	7" HACKBERRY
255	17" CEDAR
256	11" LIGUSTRUM
257	12" CEDAR
258	11.5" LIGUSTRUM
259	18" HACKBERRY
260	10" LIGUSTRUM
261	6" LIGUSTRUM
262	16" CEDAR
263	8" HACKBERRY
264	10.5" SHIN OAK
265	10" SHIN OAK
266	6" ELM
267	6" ELM
268	22" CHINABERRY
269	7" ELM
270	6" HACKBERRY
271	6" ELM
272	5" ELM
273	16.5" DBL CEDAR
274	5" ELM
275	10" DBL ELM
276	6" SHIN OAK
277	17" CEDAR
278	10" LIGUSTRUM
279	16" CEDAR

Project Name:

Date:

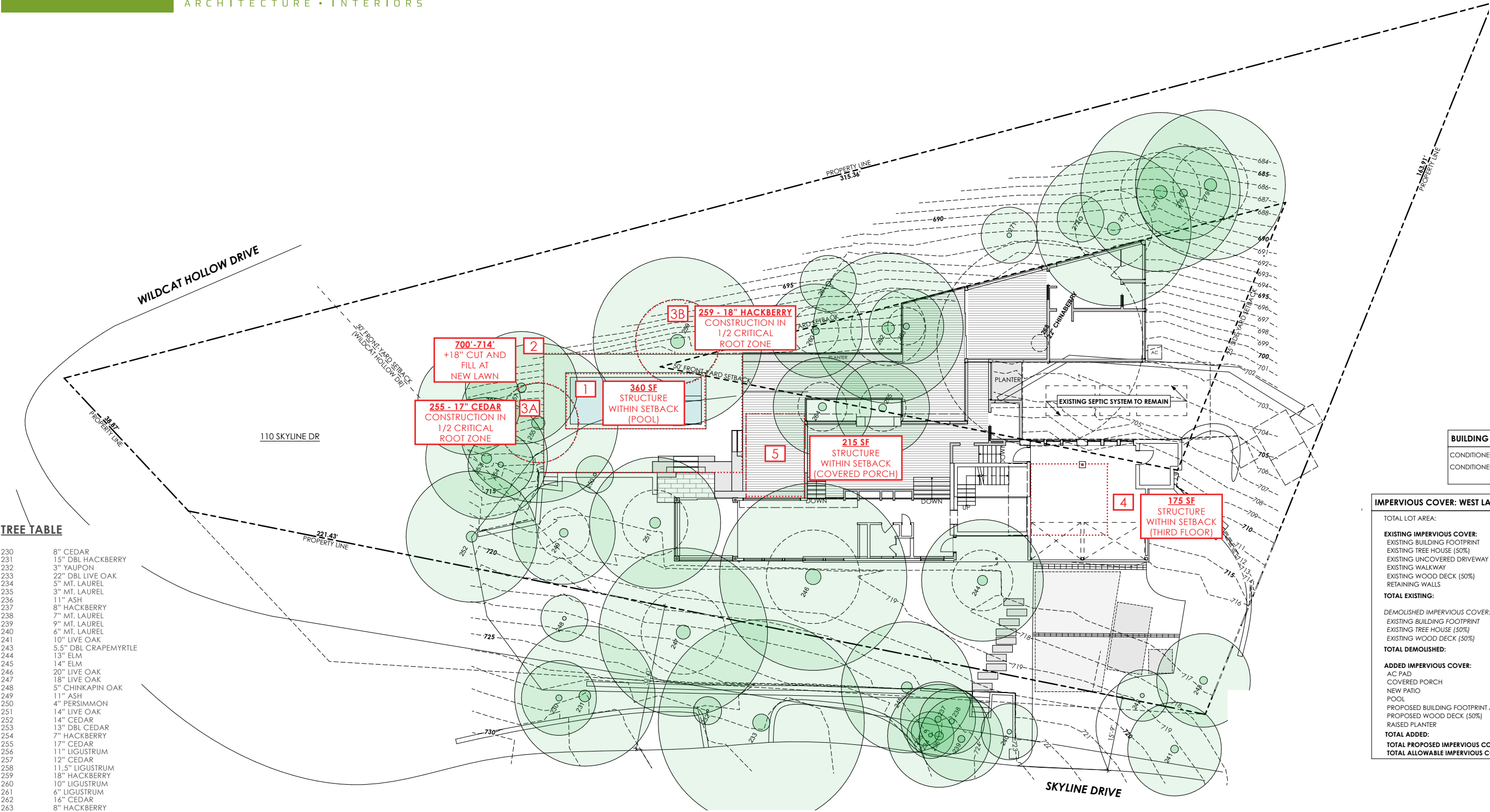
Image Name:

Kroh-Saadi Remodel - 110 Skyline

30 APRIL 2021

PROPOSED SITE PLAN

3

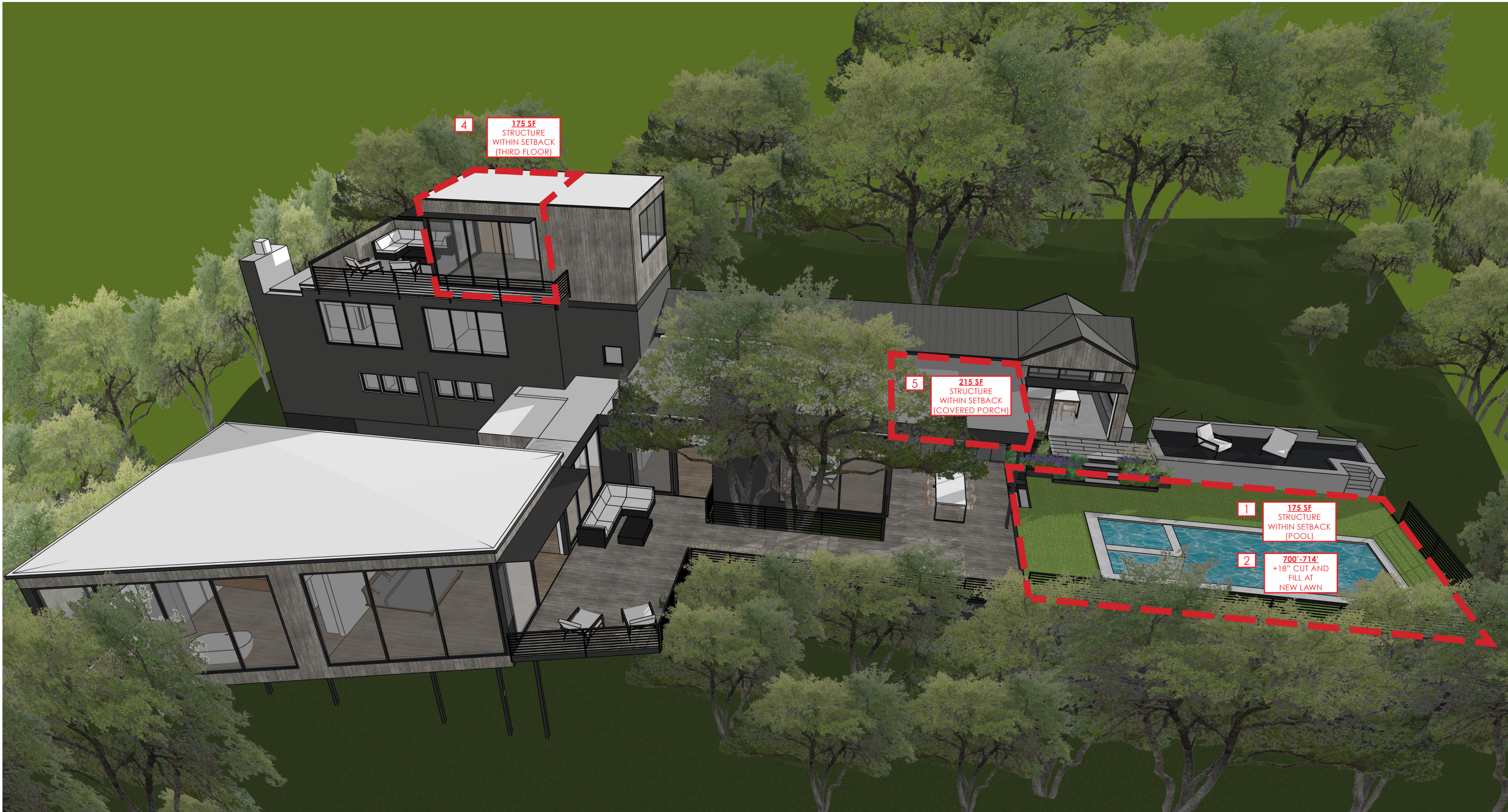


BUILDING AREA		
CONDITIONED (EXISTING)	2,653	SF
CONDITIONED (NEW)	1,511	SF
	4,164	SF

IMPERVIOUS COVER: WEST LAKE HILLS		
TOTAL LOT AREA:	23,228 SF	100%
EXISTING IMPERVIOUS COVER:		
EXISTING BUILDING FOOTPRINT	2,339 SF	10.1%
EXISTING TREE HOUSE (50%)	79 SF	0.3%
EXISTING UNCOVERED DRIVEWAY	761 SF	3.3%
EXISTING WALKWAY	114 SF	0.5%
EXISTING WOOD DECK (50%)	441 SF	2.1%
RETAINING WALLS	314 SF	1.4%
TOTAL EXISTING:	4,047 SF	17.6%
DEMOLISHED IMPERVIOUS COVER:		
EXISTING BUILDING FOOTPRINT	415 SF	1.8%
EXISTING TREE HOUSE (50%)	79 SF	0.3%
EXISTING WOOD DECK (50%)	441 SF	1.9%
TOTAL DEMOLISHED:	-936 SF	4%
ADDED IMPERVIOUS COVER:		
AC PAD	27 SF	0.1%
COVERED PORCH	160 SF	0.6%
NEW PATIO	70 SF	0.2%
POOL	360 SF	1.5%
PROPOSED BUILDING FOOTPRINT ADDITION	1,524 SF	6.6%
PROPOSED WOOD DECK (50%)	373 SF	1.6%
RAISED PLANTER	163 SF	0.7%
TOTAL ADDED:	2,677 SF	11.3%
TOTAL PROPOSED IMPERVIOUS COVER	5,788 SF	24.9%
TOTAL ALLOWABLE IMPERVIOUS COVER	5,807 SF	25%



SCALE: 1" = 20'



Project Name:

Date:

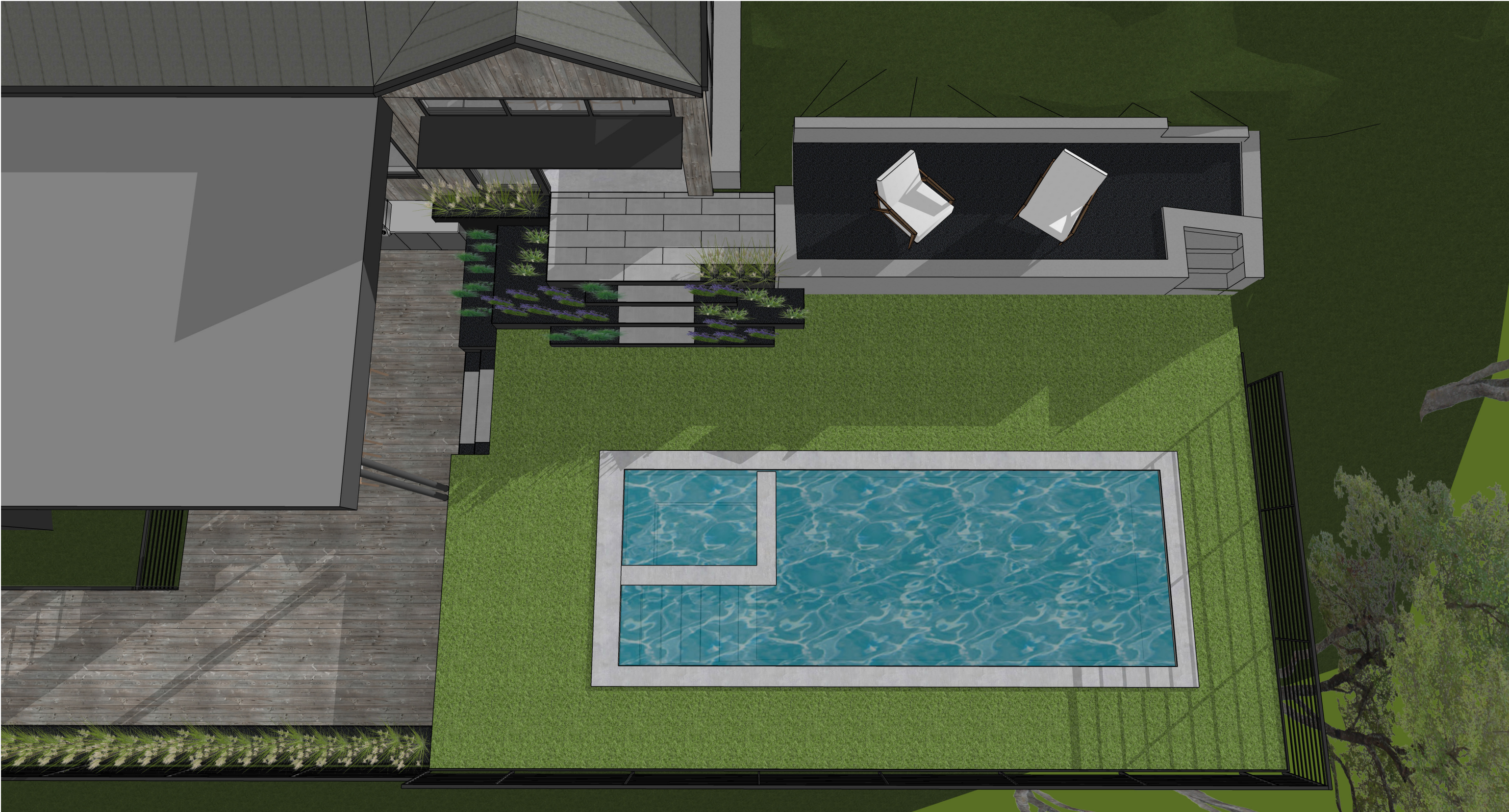
Image Name:

Kroh-Saadi Remodel - 110 Skyline

2 APRIL 2021

OVERALL: View from Rear

4



Project Name:

Date:

Image Name:

Kroh-Saadi Remodel - 110 Skyline

30 APRIL 2021

POOL: Overhead View

5



Project Name: Kroh-Saadi Remodel - 110 Skyline
Date: 30 APRIL 2021



Image Name: **EXISTING:** View of Rear Deck



Project Name:

Date:

Image Name:

Kroh-Saadi Remodel - 110 Skyline

30 APRIL 2021

POOL: View from Lower Deck



Project Name:

Date:

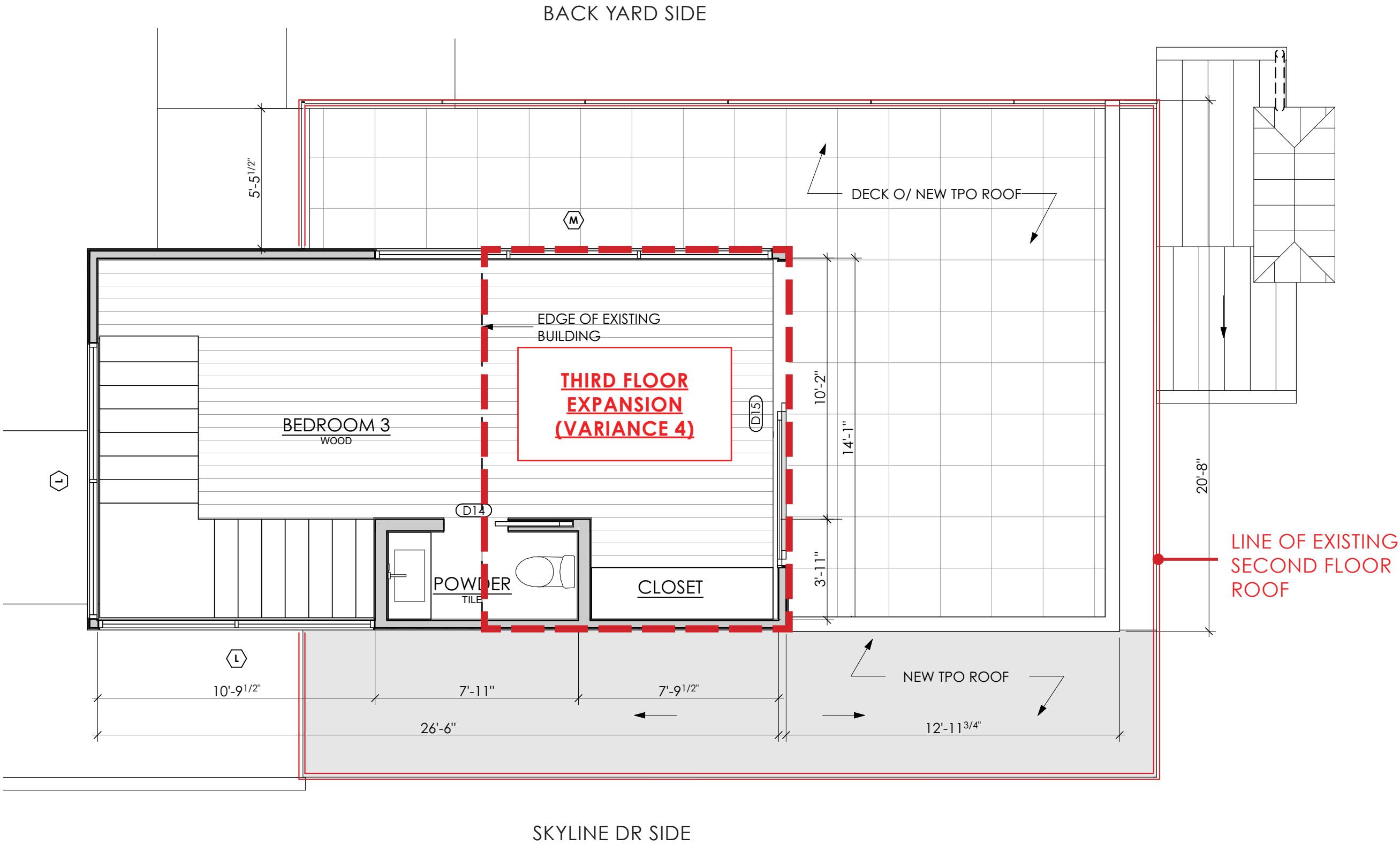
Image Name:

Kroh-Saadi Remodel - 110 Skyline

30 APRIL 2021

POOL: View from Pool Area

8



Project Name:

Date:

Image Name:

Kroh-Saadi Remodel - 110 Skyline

30 APRIL 2021

THIRD FLOOR EXPANSION



Project Name:

Date:

Image Name:

Kroh-Saadi Remodel - 110 Skyline

30 APRIL 2021

EXISTING: View from Skyline

10



Project Name:

Kroh-Saadi Remodel - 110 Skyline

Date:

30 APRIL 2021

Image Name:

PROPOSED: View from Skyline



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REGISTRATION #17707
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PROJECT

KROH-SAADI RESIDENCE

110 SKYLINE DRIVE
WEST LAKE HILLS, TX 78746

DRAWN BY
KP, JL, CA, BS

SET ISSUE

REVISIONS

REV ID	CHANGE NAME	DATE
--------	-------------	------

SHEET TITLE

ARCHITECTURAL SITE
PLAN

A0.2

Friday, July 9, 2021 | 09:31
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BUILDING AREA		
CONDITIONED (EXISTING)	2,653	SF
CONDITIONED (NEW)	1,511	SF
	4,164	SF

IMPERVIOUS COVER: WEST LAKE HILLS		
TOTAL LOT AREA:	23,228 SF	100%
EXISTING IMPERVIOUS COVER:		
EXISTING BUILDING FOOTPRINT	2,339 SF	10.1%
EXISTING TREE HOUSE (50%)	79 SF	0.3%
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TOTAL ALLOWABLE IMPERVIOUS COVER	5,807 SF	25%



1 ARCHITECTURAL SITE PLAN
SCALE: 1" = 10'



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PROJECT

KROH-SAAD RESIDENCE
110 SKYLINE DRIVE
WEST LAKE HILLS, TX 78746

DRAWN BY
KP, JL, CA, BS

SET ISSUE
07/01/2020 - PERMIT SUBMISSION
11/24/2020 - COMMENT RESPONSE
12/23/2020 - PRICING SET
01/28/2021 - 100% CD

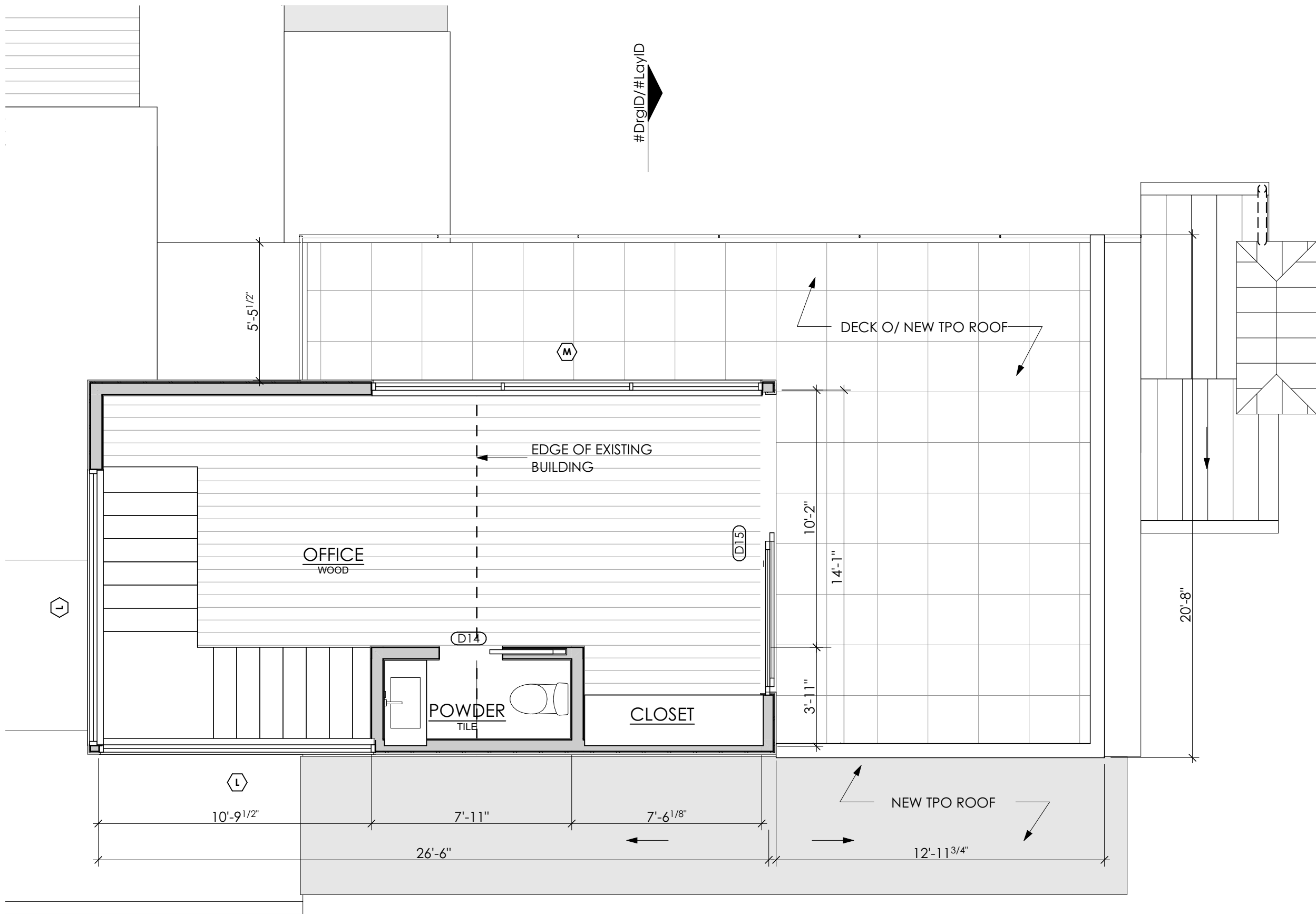
REVISIONS		
REV ID	CHANGE NAME	DATE

SHEET TITLE

PLAN: THIRD FLOOR & ROOF

A1.3

Friday, April 2, 2021 | 10:33 AM
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PLAN: THIRD FLOOR
SCALE: 1/4" = 1'-0"

GRAPHIC LEGEND	
EXISTING WALLS	
PROPOSED WALLS	
ALL DIMENSIONS SHOWN ILLUSTRATE DISTANCES TO FRAMING, U.N.O. VERIFY ALL DIMENSIONS IN FIELD.	

FINISH SCHEDULE: EXTERIOR FINISHES

NOTE: SOME FINISH IMPROVEMENTS OUTSIDE LIMIT OF ADDITION

STUCCO-1: STO BRAND STUCCO SYSTEM - "STOPOWERWALL-DRAINSCREEN", SMOOTH, "COLOR"

MASONRY-1: PARGED STONE, INTEGRAL COLOR STUCCO or EXISTING STONE

WOOD SIDING-1: T&G RAINSCREEN SYSTEM, CYPRESS

M-1: BRAKE METAL TO MATCH WINDOW SYSTEM

M-2: PAINTED GUARDRAILS

CONC-1: PAINTED

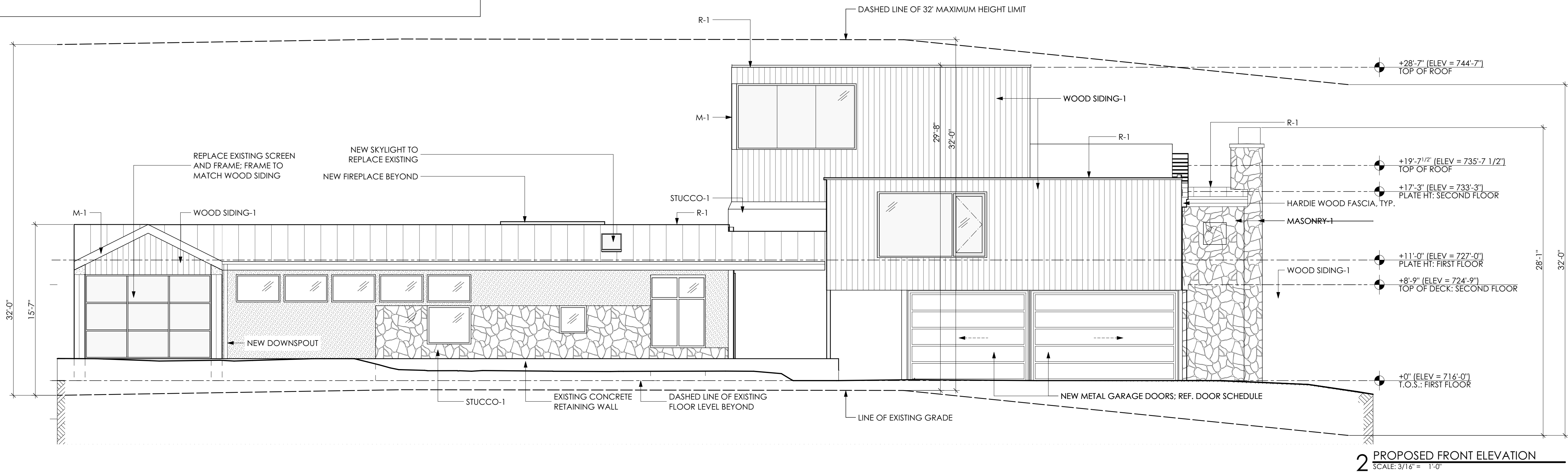
R-1 STANDING SEAM METAL ROOF: BERRIDGE, COLOR: MATTE BLACK

R-2 TPO ROOF MEMBRANE: DUROLAST GRAY 60MIL FULLY ADHERED TPO ROOFING WITH METAL EDGE TO MATCH STANDING SEAM METAL ROOF

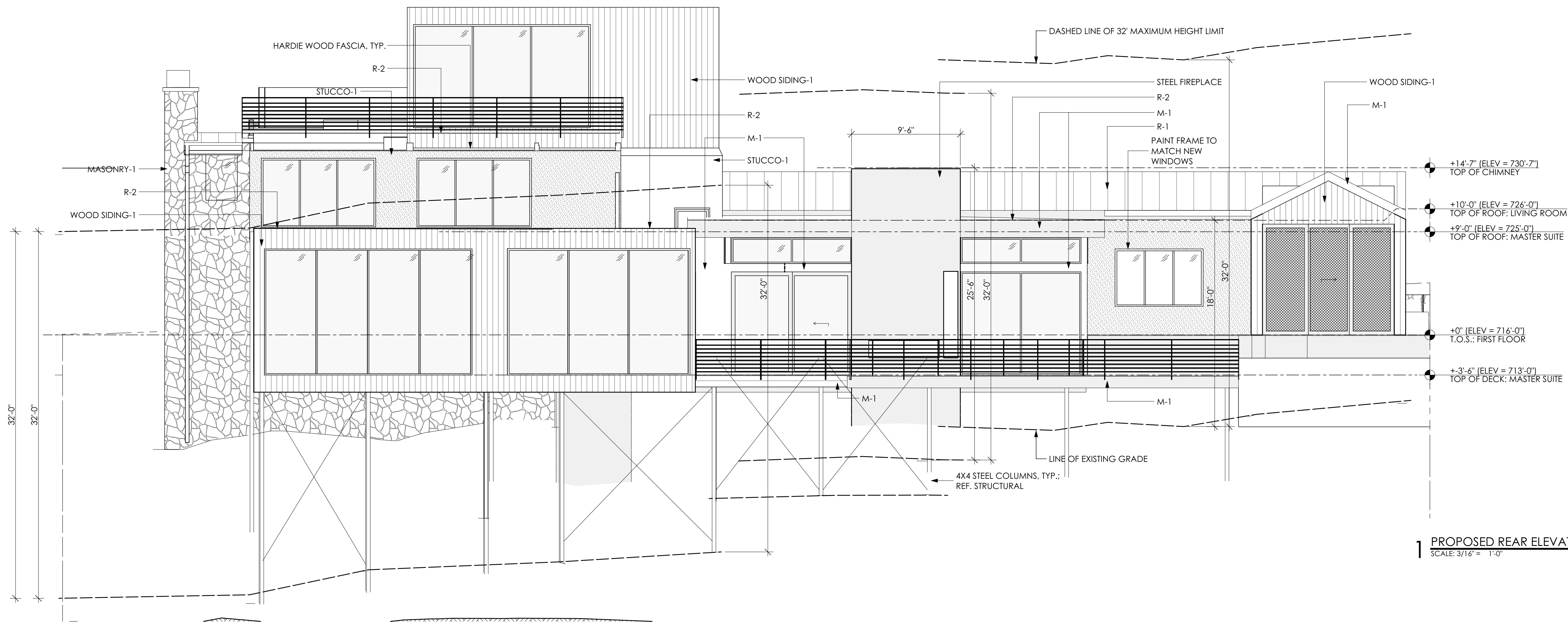
NOTES:

ALL DIMENSIONS SHOWN
ILLUSTRATE DISTANCES TO
FRAMING, U.N.O.

VERIFY ALL DIMENSIONS IN
FIELD



2 PROPOSED FRONT ELEVATION
SCALE: 3/16" = 1'-0"



1 PROPOSED REAR ELEVATION
SCALE: 3/16" = 1'-0"

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PROJECT

KROH-SAADI RESIDENCE

110 SKYLINE DRIVE
WEST LAKE HILLS, TX 78746

DRAWN BY

REV. (U) L. (DATE) NAME DATE

SHEET TITLE

EXTERIOR ELEVATIONS

A2.1

FINISH SCHEDULE: EXTERIOR FINISHES

NOTE: SOME FINISH IMPROVEMENTS OUTSIDE LIMIT OF ADDITION

STUCCO-1: STO BRAND STUCCO SYSTEM - "STOPOWERWALL-DRAINSCREEN", SMOOTH, "COLOR"

MASONRY-1: PARGED STONE, INTEGRAL COLOR STUCCO o/ EXISTING STONE

WOOD SIDING-1: T&G RAINSCREEN SYSTEM, CYPRESS

M-1: BRAKE METAL TO MATCH WINDOW SYSTEM

M-2: PAINTED GUARDRAILS

CONC-1: PAINTED

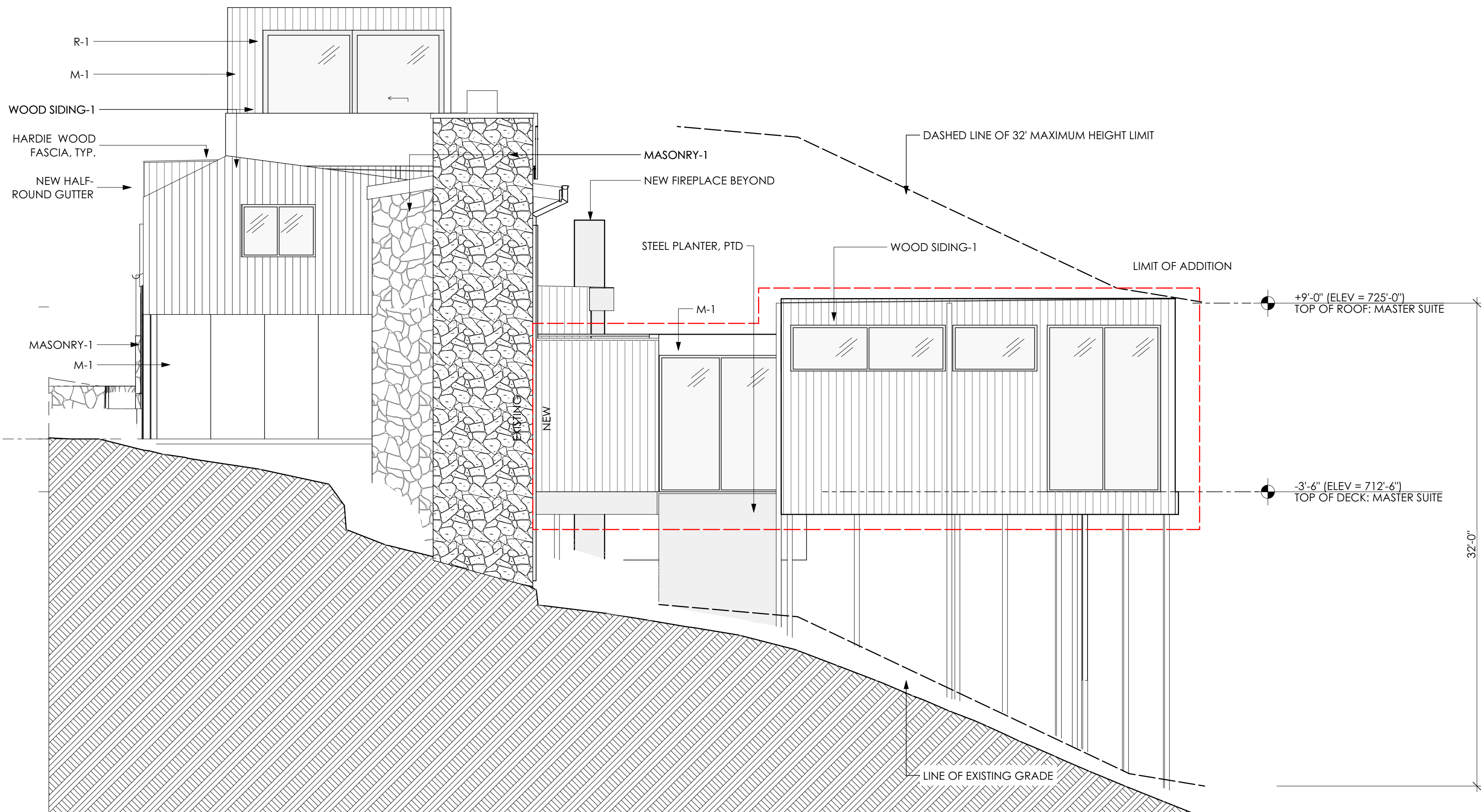
R-1 STANDING SEAM METAL ROOF: BERRIDGE, COLOR: MATTE BLACK

R-2 TPO ROOF MEMBRANE: DUROLAST GRAY 60MIL FULLY ADHERED TPO ROOFING WITH METAL EDGE TO MATCH STANDING SEAM METAL ROOF

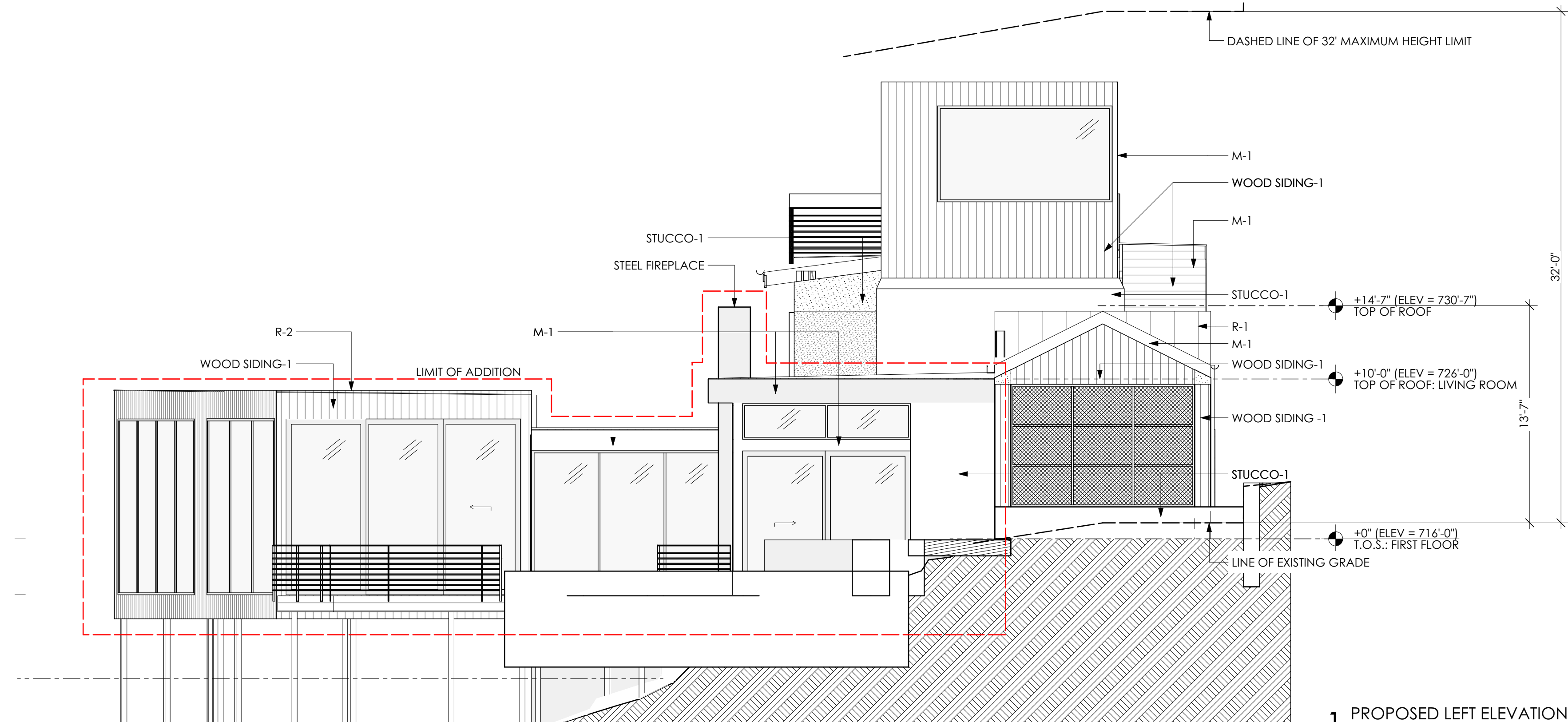
NOTES:

ALL DIMENSIONS SHOWN
ILLUSTRATE DISTANCES TO
FRAMING, U.N.O.

VERIFY ALL DIMENSIONS IN
FIELD



2 PROPOSED RIGHT ELEVATION
SCALE: 3/16" = 1'-0"



1 PROPOSED LEFT ELEVATION
SCALE: 3/16" = 1'-0"



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PROJECT

KROH-SAADI RESIDENCE

110 SKYLINE DRIVE
WEST LAKE HILLS, TX 78746

DRAWN BY

KP, JL, CA, BS

SET ISSUE

07/01/2020 - PERMIT SUBMISSION

11/24/2020 - COMMENT RESPONSE

12/23/2020 - PRICING SET

01/28/2021 - 100% CD

REVISIONS

REV ID	CHANGE NAME	DATE
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SHEET TITLE

EXTERIOR ELEVATIONS

A2.2

Friday, April 2, 2021 | 10:33 AM

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MULTIPLE VARIANCE

STAFF REPORT

July 14, 2021

Project Address: 1407 Wildcat Hollow

Project Number: 16627

Agenda Item: Land Use: **1407 Wildcat Hollow:** Discuss and Consider Action on an Application for a Variance Request to (West Lake Hills Code Sec. 22.03.281). Kristopher White agent for Andrew & Kaitlyn Coney

- Section 22.03.281 – Encroachment in a building setback;
- Section 22.03.125 – Excavating or grading.

Applicant Information: Kristopher White agent for Andrew & Kaitlyn Coney

Hearing Dates:

June 16, 2021 ZAPCO

July 14, 2021 Board of Adjustment

Location: The subject property is located 1407 Wildcat Hollow.

Zoning & Site Characteristics:

The subject property is zoned R1 One Family Residential

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

Background & Analysis:

The applicant is requesting an encroachment in a building setback and excavating/grading in the setback to modify the existing drainage on the front of the site not to be concentrated and directed into a culvert that runs all stormwater under the existing main floor and adjacent to the lower floor exterior wall. The attempt is to re-create the driveway in order to slow down and more evenly disperse the stormwater appropriately into the existing ravine that runs along the side of the property.

The request involves regrading and reconstructing the driveway which triggers the variance request of cut/fill in the setback over 18 inches.

The second request is for cut/fill in the rear setback over 18 inches for a retaining wall for up to a 6 foot tall retaining wall.

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 – #1) *“The current stormwater drainage for the front 1/3 of the lot is all collected and directed to a 5’ narrow spot between the house and the beautiful 28” live oak tree. This concentrated stream of rainwater travels along the house in a ditch and into a culvert below the front door that then runs under the main floor, turns a 90 degree corner and runs along the wall of the lower floor between the hill and the house before finally dumping the stormwater into the ravine in a concentrated location. Even during a normal rain event, this is a considerable amount of water running through within the house footprint to drain into the ravine that spans along the entire property.”*

“We are requesting to remove the concern of so much water running within our building footprint. But we also understand that the existing 1955 house and property are currently over the current code’s Impervious Cover limits. Our proposition to fix this is by asking to remove the existing driveway to allow for us to re-grade and re-pour the driveway and turn-around space for two major benefits:

- “re-distributing the stormwater coming down the driveway and hillside to disperse directly into the drainage ravine using drainage trench strips in the driveway to slow the speed of water and direct the stormwater more evenly and conventionally into the ravine before coming to the house.”*
- “re-pouring the driveway (between the trenches) in a rougher finish concrete to help slow the inundation of water as it comes down the hill. The added benefit is traction for vehicle tires that currently slip while it rains.”*

2) “Beyond creating some stability from the ravine in the side yard, there is also a decent amount of unpredictable site work right up on the homeowners’ rear property line. With the ever-changing terrain from the neighboring property, The Coneys would like to have a structural engineer design a steel retaining wall to make sure their property and rear yard is secured along the property line.”

“Additionally, with septic standards being different from 1955, the septic engineer confirmed that the septic system will need to be replaced. With the considerations listed above and to assist keeping the septic effluent on our site before slumping into the ravine, the homeowners have requested to flatten out a small portion of the rear of the lot to allow for a small flatter area to end the backyard.”

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

The application states –

#1) “We are requesting to remove the existing pavers that create the driveway and replace with concrete to the extents of the current driveway and motor court. With reasonable disturbance to the site from extending the trenches to daylight into the ravine, we will be replacing and improving what is already there.”

#2) “The rear property line and subsequent retaining wall that comes back towards the house is at the extent of where the current septic leach field needs replacing. The current state of the rear property line has been cut and refilled a few times on the neighboring property. It is not evident if there was previous flora or fauna there. The retaining wall and cut/fill we are requesting will stay out of any ½ CRZ.”

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

The application states – *#1) “Currently, without the variance to modify the driveway, there are no other alternates that we can design to modify the drainage path. With respect to the large trees that cover the allowable building area in the front portion of the house, other trenches, ditches or pathways would be more invasive on the valuable trees on the lot in order to avoid sending the water through the house footprint.”*

#2) “We considered terracing the backyard to assist both the assurance of lot stability and the septic effluent, but without exceeding 18” for any retaining portion, it becomes a much more invasive project and troublesome for both a septic leach field and usability.”

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

The application states – *“#1) We are requesting to address the problem from it’s source and not to continue to patch the effects. The driveway was created in the best way it could when the house was built and we are requesting to improve the drainage path of the stormwater and slow the velocity to disperse properly as if we were able to design the driveway today.”*

#2) *"The hardship here is asking ourselves if we can rely on our neighbor to support our lot, but feel like we would want to make sure it is engineered and designed to hold. So we are requesting to take that responsibility upon ourselves. The little bit of yard we are flattening is a request as this gets completed since the homeowner would already be going to the effort of doing the site work for the septic field and would like a tiny benefit from that expense. A plate steel retaining wall will be utilized so as not to add impervious cover."*

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

The application states – *"#1) By re-developing the previously disturbed land and replacing the existing driveway with a new system that is designed to handle the current storm water volume in a much more efficient and evenly-distributed method, this variance looks to preserve the existing look to the site while helping to remove the homeowners' worries about what happens when it rains. The proposed design is a replacement of what is there, for a zero net change in impervious cover."*

"#2) This variance looks to preserve the goals of the Master Plan by disturbing the land where previous development is being replaced and while creating peace of mind to secure their lot and quality of life. A plate steel retaining wall will be utilized so as not to add impervious cover."

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

The application states – *#1) "The work associated with this variance would be visible from the street as you walked or drove by, but the slope falls away from the street at a rapid pace, as the house sits well below Wild Cat Hollow. It would not be visible from either neighbor while standing on their lot."*

#2) "Even though this is our rear property line, it is our neighbors side yard and their house sits past our entire property. The location of the retaining walls is also around 40 feet lower in elevation than their home. There is a high probability that they will not be able to see the walls at all. The height of the retaining wall be mostly under 18" but the back corner will start at 0" up to a max of 6'-0" in height for the 30' length of the wall along the property line."

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 Commission Recommendation:

On Wednesday, June 16, 2021, the ZAPCO Commission held a public hearing for this case and forwarded a recommendation to the City Council for APPROVE with a vote of 5-0.

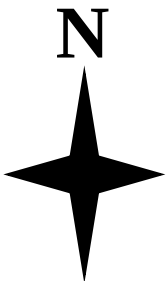
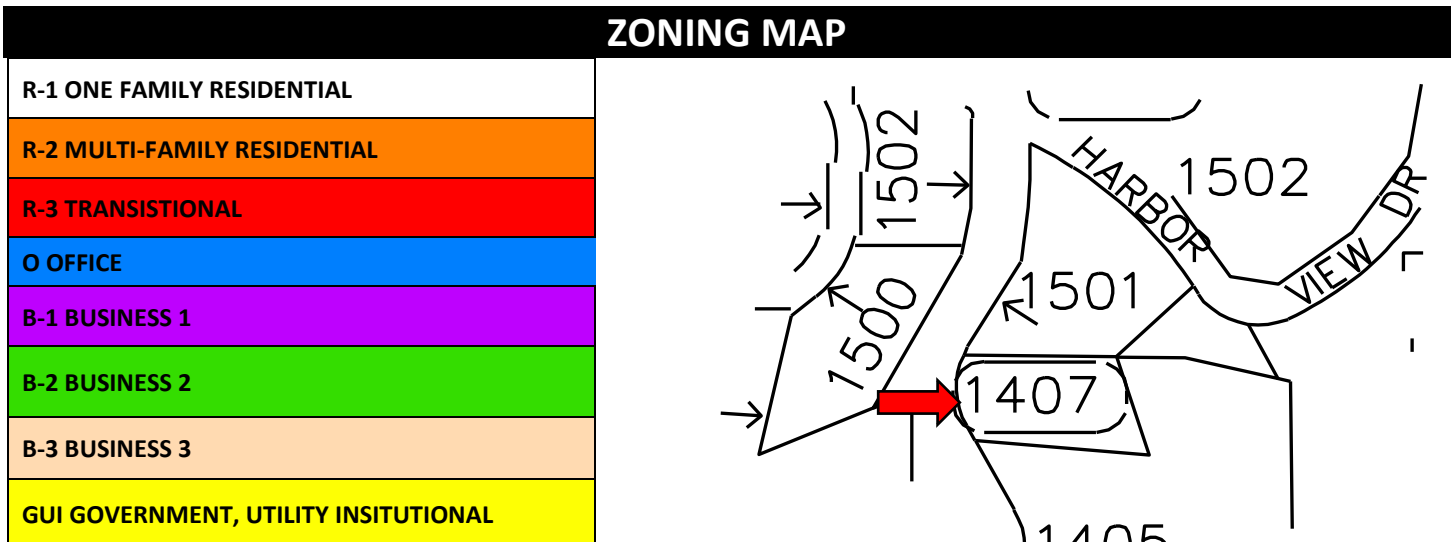
Staff Recommendation

Staff recommends APPROVAL because of the following findings of fact:

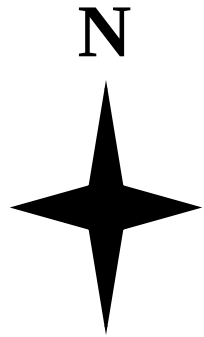
- The strict or literal enforcement of the terms of this chapter, because of special conditions, will result in unnecessary hardship to the applicant.
- There will not be unreasonable disruption of the natural terrain or unreasonable destruction of existing flora.
- There is no reasonable alternative to the requisite variance that will alleviate the difficulty or hardship.
- The variance will not be greater than the minimum required to alleviate the difficulty or hardship.
- The variance does not violate the intent of the Zoning Ordinance or goals of the Comprehensive Plan.
- The variance will not adversely affect neighboring properties or interfere with the enjoyment of these properties by their owners.

Links to Relevant Code:

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



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: Andrew & Kaitlyn Coney Phone: 512.913.2005

Email: _____

Address: 1407 Wild Cat Hollow City: West Lake Hills State: TX Zip: _____

Agent*: Dick Clark + Associates Phone: 512.472.4980

Email: _____

Address: 2120 E. 7th Street City: Austin State: TX Zip: _____

Property Address: 1407 Wild Cat Hollow City: West Lake Hills State: TX Zip: 78746

Property Information

Subdivision Name: Gill R Scott Trust & William J Stegeman Trust

Block: _____ Lot: _____ TCAD Tax Parcel ID: 117388

Current Zoning Classification: R.1 Total Lot Size (Acres): 0.35

****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) Request to remove existing driveway to re-grade and replace in exact location with concrete and drainage trenches to improve site drainage and driveway traction.
- 2) Request to allow greater than 18" steel retaining wall in rear setback to level septic drain field and protect against neighbors' lot cutting.
- 3) _____
- 4) _____
- 5) _____



VARIANCE APPLICATION

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

Brief Description of project/why variances are needed: _____

- #1) Improve the stormwater drainage in the front yard of the site to drain and disperse away from house.
#2) For both stability against septic erosion into the ravine and reassurance against unpredictable site work directly against the homeowners' rear property line.

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.

#1) The current stormwater drainage for the front 1/3 of the lot is all collected and directed to a 5' narrow spot between the house and the beautiful 28" live oak tree. This concentrated stream of rainwater travels along the house in a ditch and into a culvert below the front door that then runs under the main floor, turns a 90 degree corner and runs along the wall of the lower floor between the hill and the house before finally dumping the stormwater into the ravine in a concentrated location. Even during a normal rain event, this is a considerable amount of water running through within the house footprint to drain into the ravine that spans along the entire property. We are requesting to remove the concern of so much water running within our building footprint. But we also understand that the existing 1955 house and property are currently over the current code's Impervious Cover limits. Our proposition to fix this is by asking to remove the existing driveway to allow for us to re-grade and re-pour the driveway and turn-around space for two major benefits:
• re-distributing the stormwater coming down the driveway and hillside to disperse directly into the drainage ravine using drainage trench strips in the driveway to slow the speed of water and direct the stormwater more evenly and conventionally into the ravine before coming to the house
• re-pouring the driveway (between the trenches) in a rougher finish concrete to help slow the inundation of water as it comes down the hill. The added benefit is traction for vehicle tires that currently slip while it rains.
#2) Beyond creating some stability from the ravine in the sideyard, there is also a decent amount of unpredictable site work right up on the homeowners' rear property line. With the ever changing terrain from the neighboring property, The Coneys would like to have a structural engineer design a steel retaining wall to make sure their property and rear yard is secured along the property line. Additionally, with septic standards being different from 1955, the septic engineer confirmed that the septic system will need to be replaced. With the considerations listed above and to assist keeping the septic effluent on our site before slumping into the ravine, the homeowners have requested to flatten out a small portion of the rear of the lot to allow for a small flatter area to end the backyard.

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?

- #1) We are requesting to remove the existing driveway and replace with concrete to the extents of the current driveway, turn-around and parking space. With reasonable disturbance to the site from extending the trenches to daylight into the ravine, we will be replacing and improving what is already there.
#2) The rear property line and subsequent retaining wall that comes back towards the house is at the extent of where the current septic leach field needs replacing. The current state of the rear property line has been cut and refilled a few times on the neighboring property. It is not evident if there was previous flora or fauna there. The retaining wall and cut/fill we are requesting will stay out of any 1/2 CRZ

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

- #1) Currently, without the variance to modify the driveway, there are no other alternates that we can design to modify the drainage path. With respect to the large trees that cover the allowable building area in the front portion of the house, other trenches, ditches or pathways would be more invasive on the valuable trees on the lot in order to avoid sending the water through the house footprint.
#2) We considered terracing the backyard to assist both the assurance of lot stability and the septic effluent, but without exceeding 18" for any retaining portion, it becomes a much more invasive project and troublesome for both a septic leach field and usability.

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

- #1) We are requesting to address the problem from it's source and not to continue to patch the effects. The driveway was created in the best way it could when the house was built and we are requesting to improve the drainage path of the stormwater and slow the velocity to disperse properly as if we were able to design the driveway today.
#2) The hardship here is asking ourselves if we can rely on our neighbor to support our lot, but feel like we would want to make sure it is engineered and designed to hold. So we are requesting to take that responsibility upon ourselves. The little bit of yard we are flattening is a request as this gets completed since the homeowner would already be going to the effort of doing the site work for the septic field and would like a tiny benefit from that expense. A plate steel retaining wall will be utilized so as not to add impervious cover.



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?

#1) By re-developing the previously disturbed land and replacing the existing driveway with a new system that is designed to handle the current storm water volume in a much more efficient and evenly-distributed method, this variance looks to preserve the existing look to the site while helping to remove the homeowners' worries about what happens when it rains. The proposed design is a replacement of what is there, for a zero net change in impervious cover.

#2) This variance looks to preserve the goals of the Master Plan by disturbing the land where previous development is being replaced and while creating peace of mind to secure their lot and quality of life. A plate steel retaining wall will be utilized so as not to add impervious cover.

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

#1) The work associated with this variance would be visible from the street as you walked or drove by, but the slope falls away from the street at a rapid pace, as the house sits well below Wild Cat Hollow. It would not be visible from either neighbor while standing on their lot.

#2) Even though this is our rear property line, it is our neighbors side yard and their house sits past our entire property. The location of the retaining walls is also around 40 feet lower in elevation than their home. There is a high probability that they will not be able to see the walls at all. The height of the retaining wall be mostly under 18" but the back corner will start at 0" up to a max of 6'-0" in height for the 30' length of the wall along the property line.

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

04.30.21

Date

Kristopher White

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

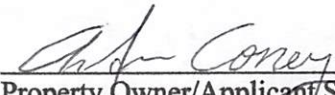
Action: _____

Notes:



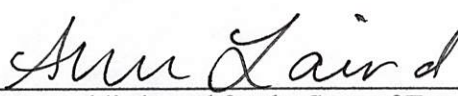
SPECIAL POWER OF ATTORNEY FORM

KNOW ALL PERSONS BY THIS DOCUMENT that I, Andrew Coney
have made, constituted and appointed Dick Clark + Associates
to be my duly authorized representative in connection with an application dated 04.30.21,
to be heard by the Building Design Committee, Zoning & Planning Commission, and City
Council/Board of Adjustment of the City of West Lake Hills, Texas. All representations, whether
oral or written, made by the representative in support of the request have the full force and effect
of the applicant's approval. I do by this document constitute the above named representative as
my true and lawful attorney-in-fact to act in my name, place and stead, to do and perform any act
in connection with such application which I myself might perform or do if I was personally present.

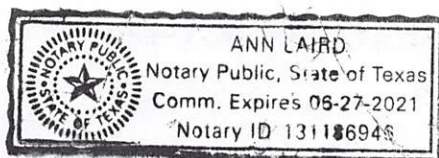
<u>Andrew Coney</u>			
Property Owner/Applicant Name		Property Owner/Applicant Signature	
<u>1407 Wild Cat Hollow</u>	<u>West Lake Hills</u>	<u>TX</u>	<u>78746</u>
Street Address	City	State	Zip Code

512.913.2005
Property Owner/Applicant Phone Number

This instrument was acknowledged before me on this the 28th day of April, 20 21.



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.

#1) The current stormwater drainage for the front 1/3 of the lot is all collected and directed to a 5' narrow spot between the house and the beautiful 28" live oak tree. This concentrated stream of rainwater travels along the house in a ditch and into a culvert below the front door that then runs under the main floor, turns a 90 degree corner and runs along the wall of the lower floor between the hill and the house before finally dumping the stormwater into the ravine in a concentrated location. Even during a normal rain event, this is a considerable amount of water running through within the house footprint to drain into the ravine that spans along the entire property.

We are requesting to remove the concern of so much water running within our building footprint. But we also understand that the existing 1955 house and property are currently over the current code's Impervious Cover limits. Our proposition to fix this is by asking to remove the existing driveway to allow for us to re-grade and re-pour the driveway and turn-around space for two major benefits:

- re-distributing the stormwater coming down the driveway and hillside to disperse directly into the drainage ravine using drainage trench strips in the driveway to slow the speed of water and direct the stormwater more evenly and conventionally into the ravine before coming to the house
- re-pouring the driveway (between the trenches) in a rougher finish concrete to help slow the inundation of water as it comes down the hill. The added benefit is traction for vehicle tires that currently slip while it rains.

#2) Beyond creating some stability from the ravine in the sideyard, there is also a decent amount of unpredictable site work right up on the homeowners' rear property line. With the ever changing terrain from the neighboring property, The Coneys would like to have a structural engineer design a steel retaining wall to make sure their property and rear yard is secured along the property line.

Additionally, with septic standards being different from 1955, the septic engineer confirmed that the septic system will need to be replaced. With the considerations listed above and to assist keeping the septic effluent on our site before slumping into

the ravine, the homeowners have requested to flatten out a small portion of the rear of the lot to allow for a small flatter area to end the backyard.

(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?

#1) We are requesting to remove the existing pavers that create the driveway and replace with concrete to the extents of the current driveway and motor court. With reasonable disturbance to the site from extending the trenches to daylight into the ravine, we will be replacing and improving what is already there.

#2) The rear property line and subsequent retaining wall that comes back towards the house is at the extent of where the current septic leach field needs replacing. The current state of the rear property line has been cut and refilled a few times on the neighboring property. It is not evident if there was previous flora or fauna there. The retaining wall and cut/fill we are requesting will stay out of any ½ CRZ.

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

#1) Currently, without the variance to modify the driveway, there are no other alternates that we can design to modify the drainage path. With respect to the large trees that cover the allowable building area in the front portion of the house, other trenches, ditches or pathways would be more invasive on the valuable trees on the lot in order to avoid sending the water through the house footprint.

#2) We considered terracing the backyard to assist both the assurance of lot stability and the septic effluent, but without exceeding 18" for any retaining portion, it becomes a much more invasive project and troublesome for both a septic leach field and usability.

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#2) The hardship here is asking ourselves if we can rely on our neighbor to support our lot, but feel like we would want to make sure it is engineered and designed to hold. So we are requesting to take that responsibility upon ourselves. The little bit of yard we are flattening is a request as this gets completed since the homeowner would already be going to the effort of doing the site work for the septic field and would like a tiny benefit from that expense. A plate steel retaining wall will be utilized so as not to add impervious cover.

(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?

#1) By re-developing the previously disturbed land and replacing the existing driveway with a new system that is designed to handle the current storm water volume in a much more efficient and evenly-distributed method, this variance looks to preserve the existing look to the site while helping to remove the homeowners' worries about what happens when it rains. The proposed design is a replacement of what is there, for a zero net change in impervious cover.

#2) This variance looks to preserve the goals of the Master Plan by disturbing the land where previous development is being replaced and while creating peace of mind to secure their lot and quality of life. A plate steel retaining wall will be utilized so as not to add impervious cover.

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#1) The work associated with this variance would be visible from the street as you walked or drove by, but the slope falls away from the street at a rapid pace, as the house sits well below Wild Cat Hollow. It would not be visible from either neighbor while standing on their lot.

#2) Even though this is our rear property line, it is our neighbors side yard and their house sits past our entire property. The location of the retaining walls is also around 40 feet lower in elevation than their home. There is a high probability that they will not be able to see the walls at all. The height of the retaining wall be mostly under 18" but the back corner will start at 0" up to a max of 6'-0" in height for the 30' length of the wall along the property line.

Property Address: 1407 Wildcat Hollow, West Lake Hills, TX 78746

LETTER TO ZAPCO CHAIRPERSON

April 30, 2021

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

Dear Mr. Chairman:

First of all, thank you for your consideration and support in the variance for the remodel work on this house in December. These subsequent variance requests below are dealing with issues that have come up with the site and although we regret that we have to come in front of your Commission again, we truly appreciate your time and effort in considering these next items.

As discussed before, Andrew & Kaitlyn Coney own the property located at 1407 Wild Cat Hollow, an existing two-story, single-family home built in 1955 on an incredibly sloped lot of .35 acres. The lot has a significant downward slope away from the street. Centered right in the middle of the lot, within the existing courtyard, there is a stunning 28" Live Oak tree that commands the site and existing home layout. The main floor of the house sits under and around the tree, pushing the existing house into the side yard & front yard setbacks and thus making some of the south side and the carport, a non-conforming structure, which you were gracious enough to allow to be remodeled.

We are, respectfully, requesting two variances on behalf of the Homeowners, Andrew, Kaitlyn and 3 daughters :

- #1) Due to the significant slope and the beautiful tree taking up most of the buildable front site area, we are requesting to modify the existing drainage on the front of the site not to be concentrated and directed into a culvert that runs all that stormwater under the existing main floor and adjacent to the lower floor exterior wall. The proper way to do this is to re-create the driveway to slow down and more evenly disperse the stormwater appropriately into the existing ravine that runs along the side of the property. We realize we are limited by modifying the existing driveway in the front setback and that the impervious cover for the lot is currently non-conforming. We propose to regrade & rebuild the driveway, but maintain the existing footprint (extents) of the current driveway and thus no change in impervious cover square footage.
- #2) Separately, we are also asking to build an engineered steel retaining wall within the rear setback for both stability against septic erosion into the ravine, and reassurance against unpredictable site work directly against the homeowners' rear property line. We are requesting permission to build a retaining wall in the backyard setback to do so, which involves cut and fill of more than 18". We will use steel as the retaining material to avoid adding additional impervious cover.

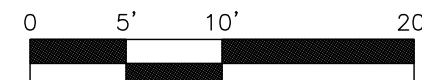
We feel these variances allow some piece of mind and affect the quality of life for the Coneys, whom are excited to make this house their home and begin to enjoy many happy years here in West Lake Hills.

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

Respectfully,

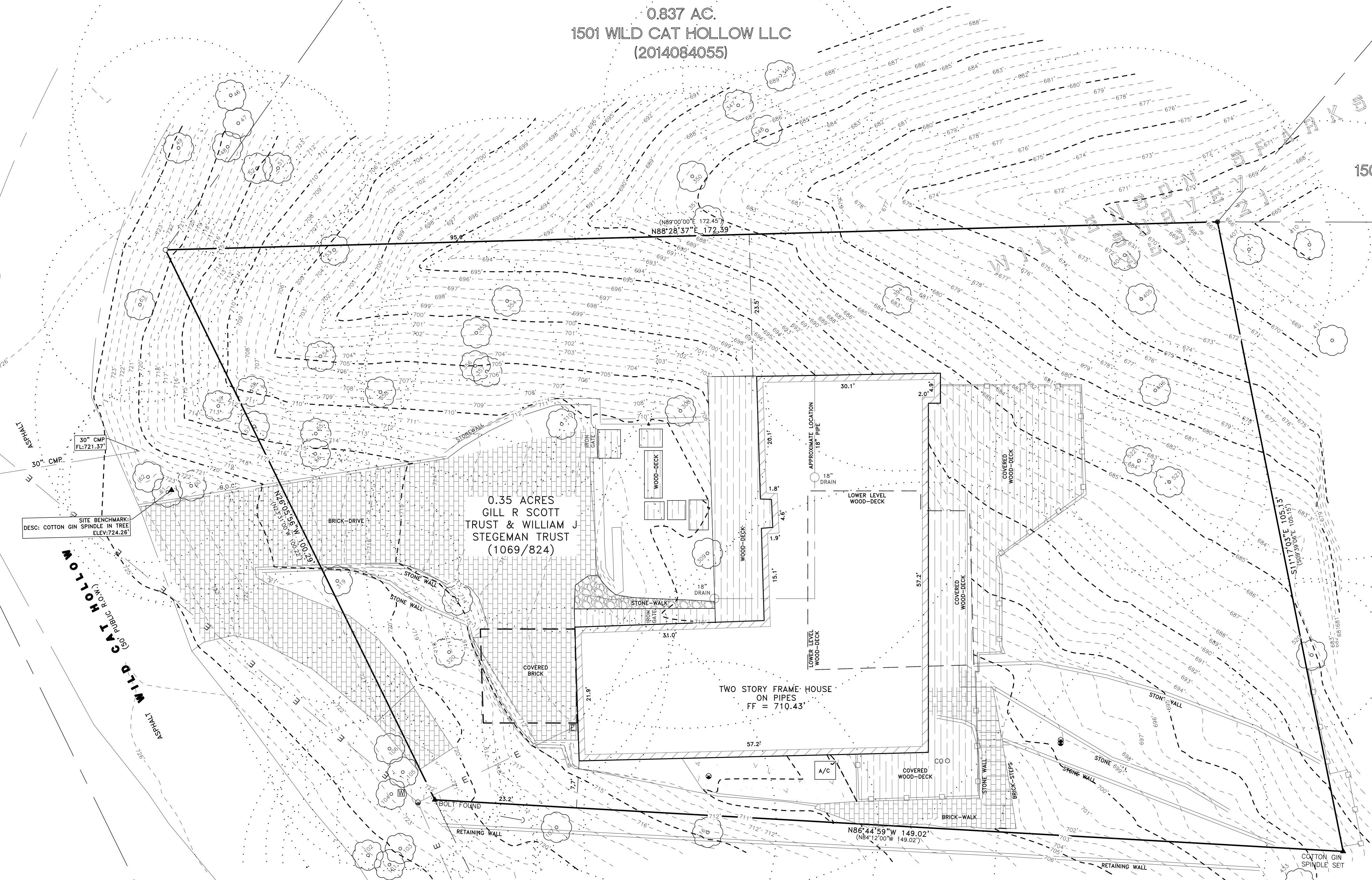


Kristopher White, AIA
Partner - Dick Clark + Associates



GRAPHIC SCALE: 1" = 10'

- LEGEND
- IRON PIPE FOUND
 - IRON ROD FOUND
 - IRON ROD SET
 - CAPPED "RPLS 5687"
 - "X" IN CONCRETE
 - PK FOUND
 - CALCULATED POINT
 - CONCRETE MONUMENT
 - FIRE HYDRANT
 - WATER METER
 - WATER VALVE
 - CLEANOUT
 - GAS VALVE
 - POWER POLE
 - OVERHEAD ELECTRIC LINE
 - DOWN GUY
 - ELECTRIC METER
 - LIGHT POLE
 - WOOD FENCE
 - CHAIN LINK FENCE
 - WIRE FENCE
 - METAL FENCE
 - GAS METER
 - TELEPHONE PEDESTAL
 - CABLE PEDESTAL
 - SANITARY SEWER MANHOLE
 - STW M
 - STW M
 - STW M
 - ELECTRIC GROUND
 - CONTROL POINT
 - UNDERGROUND UTILITY MARKER SIGN
 - UNDERGROUND UTILITY TEST STATION
 - SIGN POST
 - ELECTRIC TRANSFORMER
 - TRAFFIC SIGNAL BOX
 - P.U.E. PUBLIC UTILITY EASEMENT
 - DRAINAGE EASEMENT
 - B.L. BUILDING LINE
 - (BRG-DIST) RECORD CALL
 - TREE
 - TREE DRIP LINE



K & J
SUBDIVISION
(91/389)

LOT 1
K & J P SUBD
JAFF VENTURES LLC
(2017008915)

TREE TABLE				TREE TABLE				TREE TABLE			
NO.	DESCRIPTION	NORTHING	EASTING	NO.	DESCRIPTION	NORTHING	EASTING	NO.	DESCRIPTION	NORTHING	EASTING
46	13" CEDAR	10081224.1	3097062.7	102	7" LIVE OAK	10081099.6	3097085.1	351	11" HACKBERRY	10081203.9	3097140.9
47	3" CEDAR	10081219.5	3097063.9	103	11" LIVE OAK	10081100.7	3097090.4	354	15" LAGUSTRUM	10081185.9	3097107.9
48	12" CEDAR	10081215.6	3097062.2	104	9" CEDAR	10081109.6	3097089.0	355	19" LAGUSTRUM	10081185.2	3097102.9
49	9" HACKBERRY	10081215.4	3097054.1	105	8" CEDAR ELM	10081113.2	3097090.8	356	9" HACKBERRY	10081179.7	3097102.7
51	7" CEDAR	10081212.1	3097070.4	106	10" CEDAR	10081117.1	3097088.7	357	14" LIVE OAK	10081178.8	3097104.6
52	8" CEDAR ELM	10081212.1	3097067.0	107	18" LIVE OAK	10081104.2	3097116.0	358	15" CEDAR ELM	10081175.4	3097087.2
53	8" HACKBERRY	10081198.7	3097079.6	116	14" CEDAR ELM	10081103.3	3097140.8	394	14" LAGUSTRUM	10081190.5	3097171.9
54	8" CEDAR	10081181.3	3097077.4	123	28" SPAN. OAK QUAD.	10081176.3	3097140.8	404	17" HACKBERRY	10081197.9	3097209.1
55	3" HACKBERRY	10081166.8	3097076.6	308	28" HACKBERRY	10081172.4	3097136.3	405	10" CEDAR	10081190.7	3097211.8
56	7" CEDAR ELM	10081165.3	3097076.3	309	28" LIVE OAK	10081149.1	3097140.8	406	4" CEDAR ELM	10081175.7	3097214.1
57	3" HACKBERRY	10081169.8	3097066.3	310	17" CEDAR ELM	10081170.2	3097116.9	407	5" CEDAR ELM	10081198.8	3097226.5
58	9" CEDAR ELM	10081175.8	3097066.1	311	18" HACKBERRY	10081141.4	3097099.8	410	5" LAGUSTRUM	10081199.6	3097236.4
59	15" CEDAR ELM	10081173.2	3097060.6	319	10" MAPLE	10081144.5	3097080.1	411	18" LAGUSTRUM	10081183.9	3097243.1
60	10" CEDAR ELM	10081160.1	3097056.2	320	18" PINE	10081132.9	3097098.4	433	25" LIVE OAK	10081094.9	3097237.7
61	9" HACKBERRY	10081159.1	3097052.3	346	8" CEDAR	10081227.3	3097152.7	520	6" LAGUSTRUM	10081132.4	3097238.7
62	7" CEDAR	10081161.6	3097049.1	347	11" CEDAR	10081222.4	3097145.8	521	8" LAGUSTRUM	10081160.7	3097216.4
63	8" HACKBERRY	10081189.8	3097047.8	348	5" LAGUSTRUM	10081218.3	3097150.5	522	9" LIVE OAK	10081164.2	3097211.4
101	12" LIVE OAK	10081098.0	3097088.7	350	9" LAGUSTRUM	10081210.8	3097138.3				

NOTES:

1) THIS SURVEY WAS COMPLETED WITHOUT THE BENEFIT OF A COMMITMENT FOR TITLE, AND MAY BE SUBJECT TO ANY RECORDED EASEMENTS, RESTRICTIONS, COVENANTS, AND RIGHT-OF-WAYS NOT SHOWN HEREON.

2) ACCORDING TO THE NATIONAL FLOOD INSURANCE RATE MAP COMMUNITY PANEL NO. 448430046K, DATED JANUARY 22, 2020, THIS LOT IS LOCATED IN ZONE "X" (UNSHADED), WHICH IS AN AREA OUTSIDE THE FEMA DESIGNATED 100-YEAR FLOODPLAIN.

3) BEARING BASIS DERIVED BY OPS MEASUREMENTS ADJUSTED BY HANN (HIGH ACCURACY REFERENCE NETWORK) & PROJECTED TO TEXAS STATE PLANE CENTRAL COORDINATES & NAD83 (HORIZONTAL) & NAVD83 (VERTICAL).

REFERENCE BENCHMARK: SAN MARCOS GPS NO. 1 DESCRIPTION: ALUMINUM DISK SET IN CONCRETE ELEVATION: 607.64' NAVD83.

TOPOGRAPHIC BOUNDARY AND
IMPROVEMENT SURVEY OF:
0.35 ACRE TRACT OF LAND
WILKINSON SPARKS
SURVEY ABSTRACT 21
CITY OF WEST LAKE HILLS

1. RICHARD H. TAYLOR, DO HEREBY CERTIFY THAT THIS PLAT OF THE PROPERTY SHOWN HEREON, WAS PREPARED FROM A SURVEY PERFORMED UNDER MY DIRECTION AND SUPERVISION DURING OCTOBER 2020, AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AND THAT SAID PROPERTY HAS ACCESS TO AND FROM A PUBLIC RIGHT OF WAY.

RICHARD H. TAYLOR, RPLS
REGISTERED PROFESSIONAL LAND SURVEYOR
NUMBER 3986 - STATE OF TEXAS
©ASH & ASSOCIATES, L.L.C.

10/16/2020
DATE

REVISIONS			
NO.	REVISION	APPL.	DATE

ASH &
ASSOCIATES
142 JACKSON LANE
SAN MARCOS, TEXAS 78666
(512) 392-1719
ashandassociates.net
Surveying: 100847-00
Architecture: 120240
"SERVING THE COMMUNITY OF TEXAS"

DRAWING INFORMATION

DESIGNED BY: - DATE: 10/16/2020
DRAWN BY: MAM PROJECT NO: 20-7619
APPROVED BY: RHT
FILE NAME: TOPO/B&I
PLOT SCALE: 1" = 10'

TOPOGRAPHIC BOUNDARY AND
IMPROVEMENT SURVEY
0.35 ACRE TRACT OF LAND
WILKINSON SPARKS
SURVEY ABSTRACT 21
CITY OF WEST LAKE HILLS

DRAWING
TOPO/B&I
SHEET: 1
OF 1



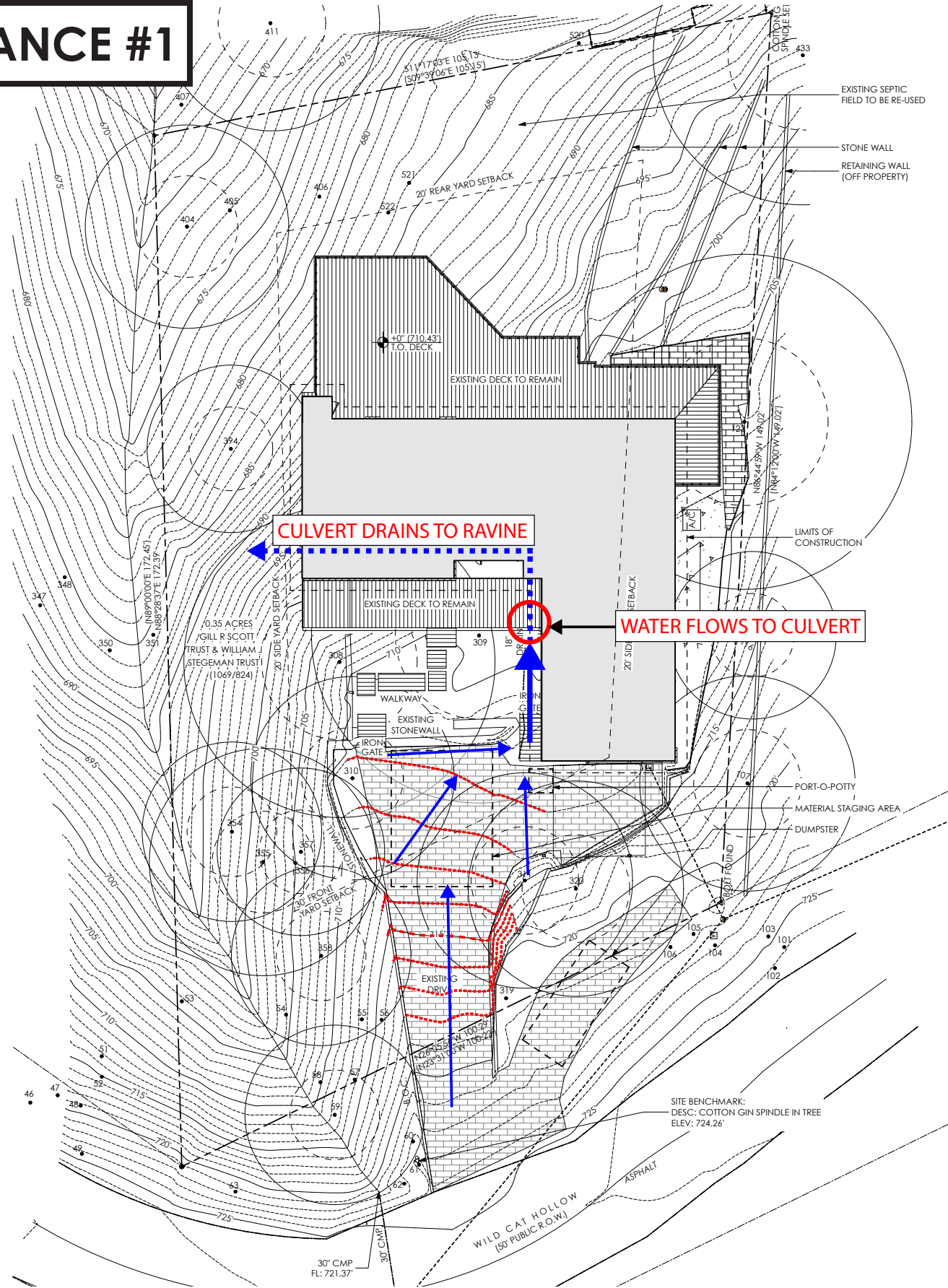
DICK CLARK + ASSOCIATES
ARCHITECTURE • INTERIORS

IMAGE NAME:
Existing Site Plan

DATE:
April 2021

Coney Residence - WCH

VARIANCE #1



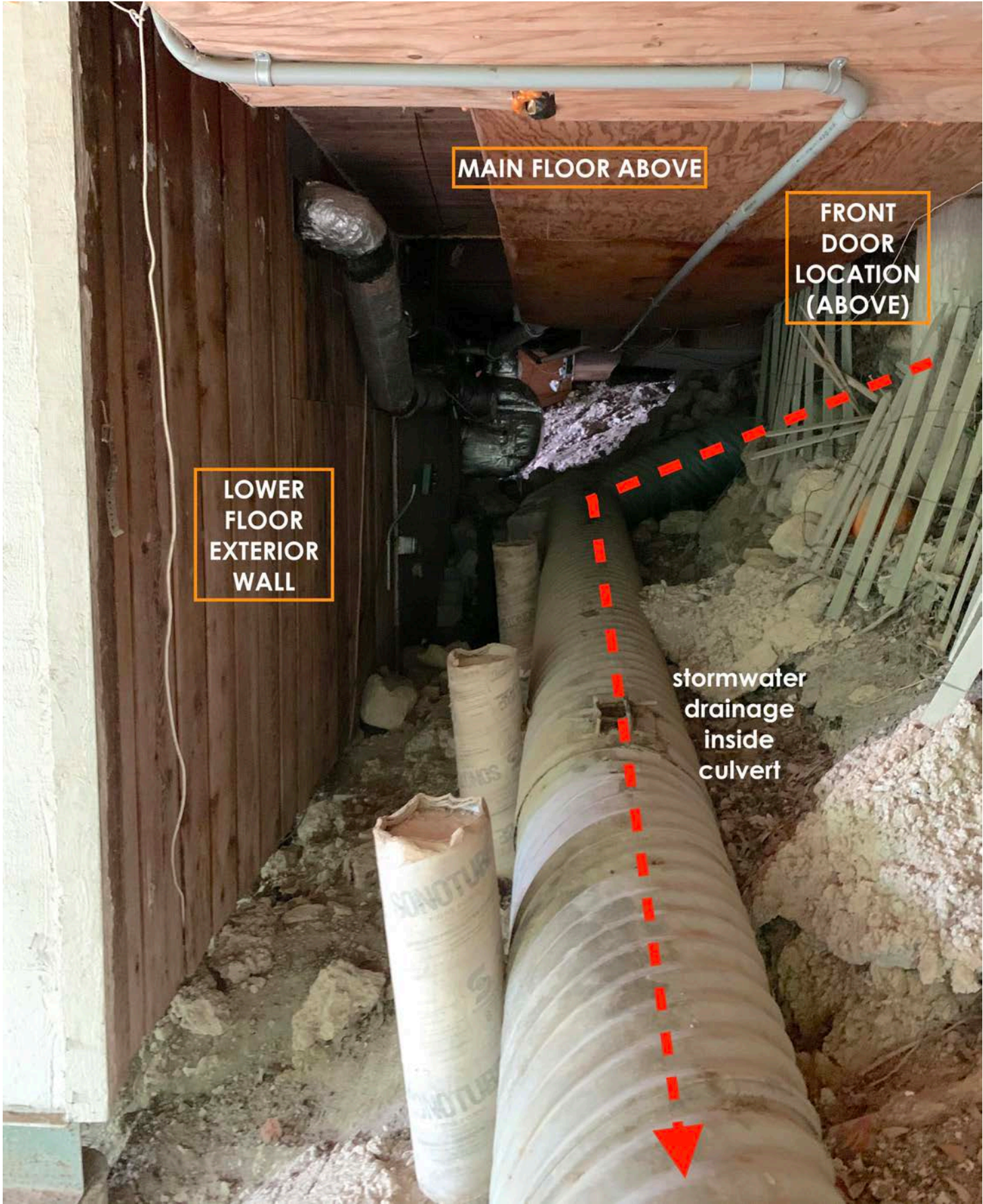
DICK CLARK + ASSOCIATES
ARCHITECTURE • INTERIORS

IMAGE NAME:
Existing Driveway Water Runoff

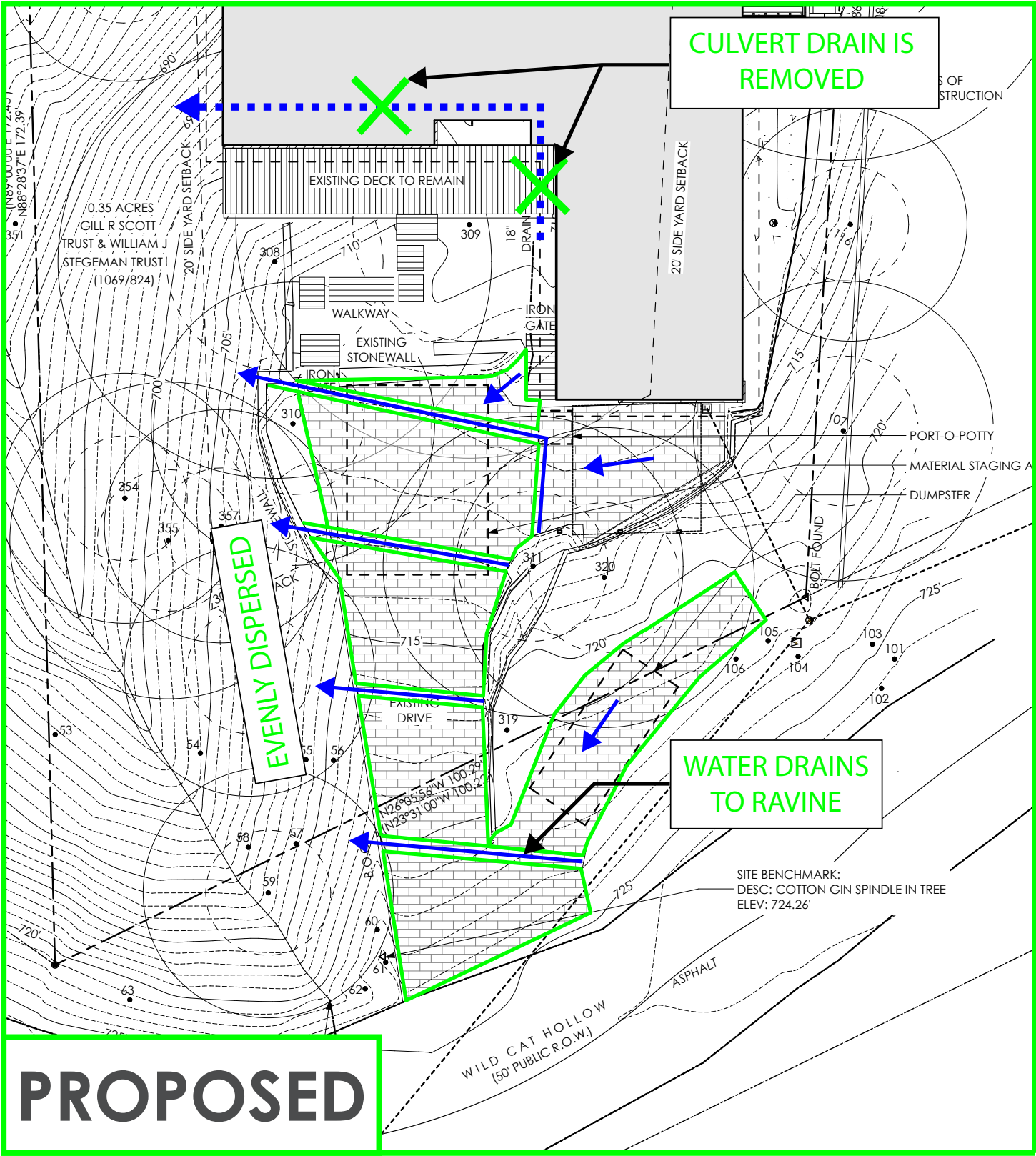
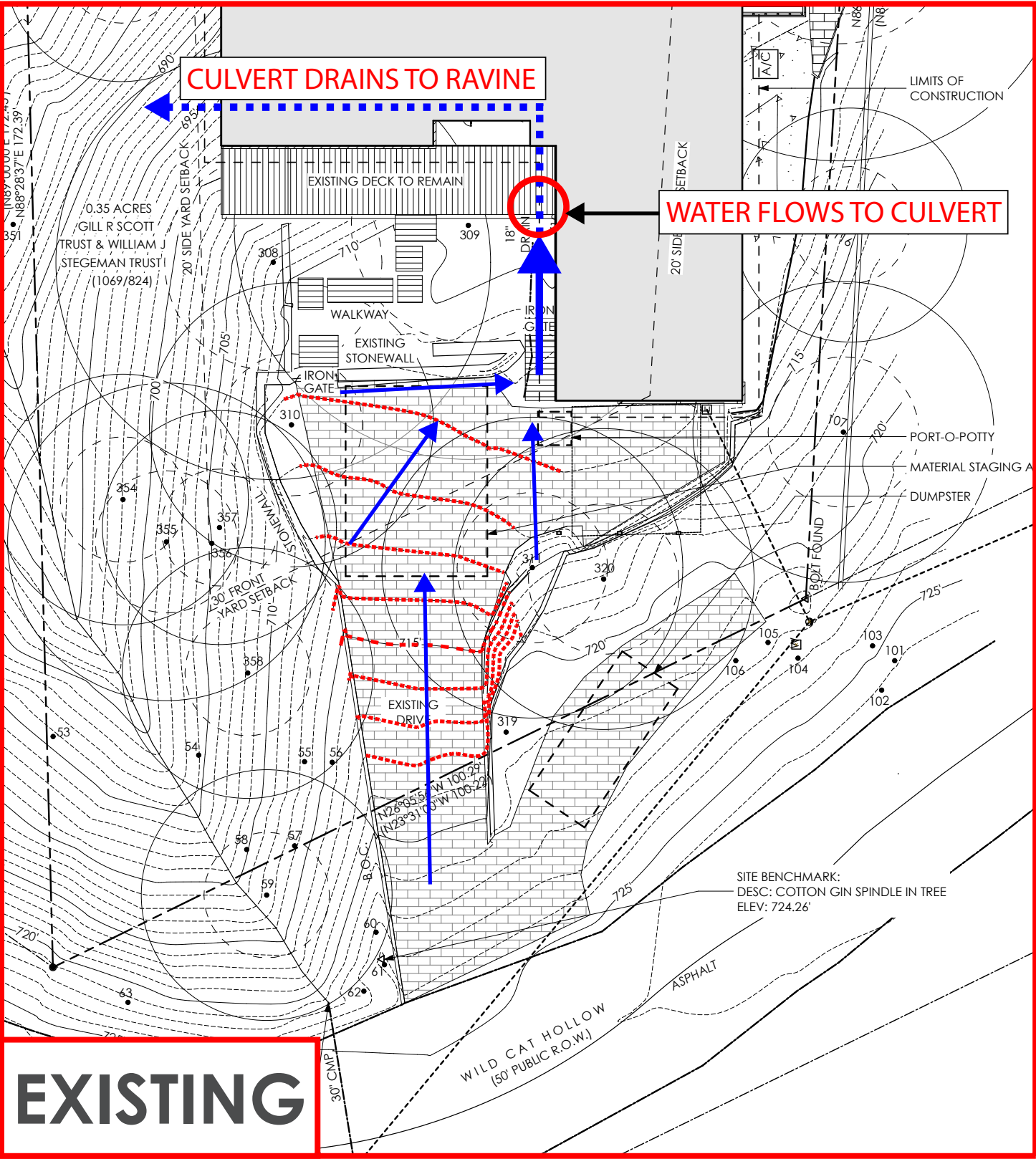
DATE:
April 2021

Coney Residence - WCH

VARIANCE #1



VARIANCE #1



VARIANCE #1

ravine on
side of
house

PROPOSED Driveway
Drainage AWAY
from house

Current Driveway
Drainage
TOWARDS house



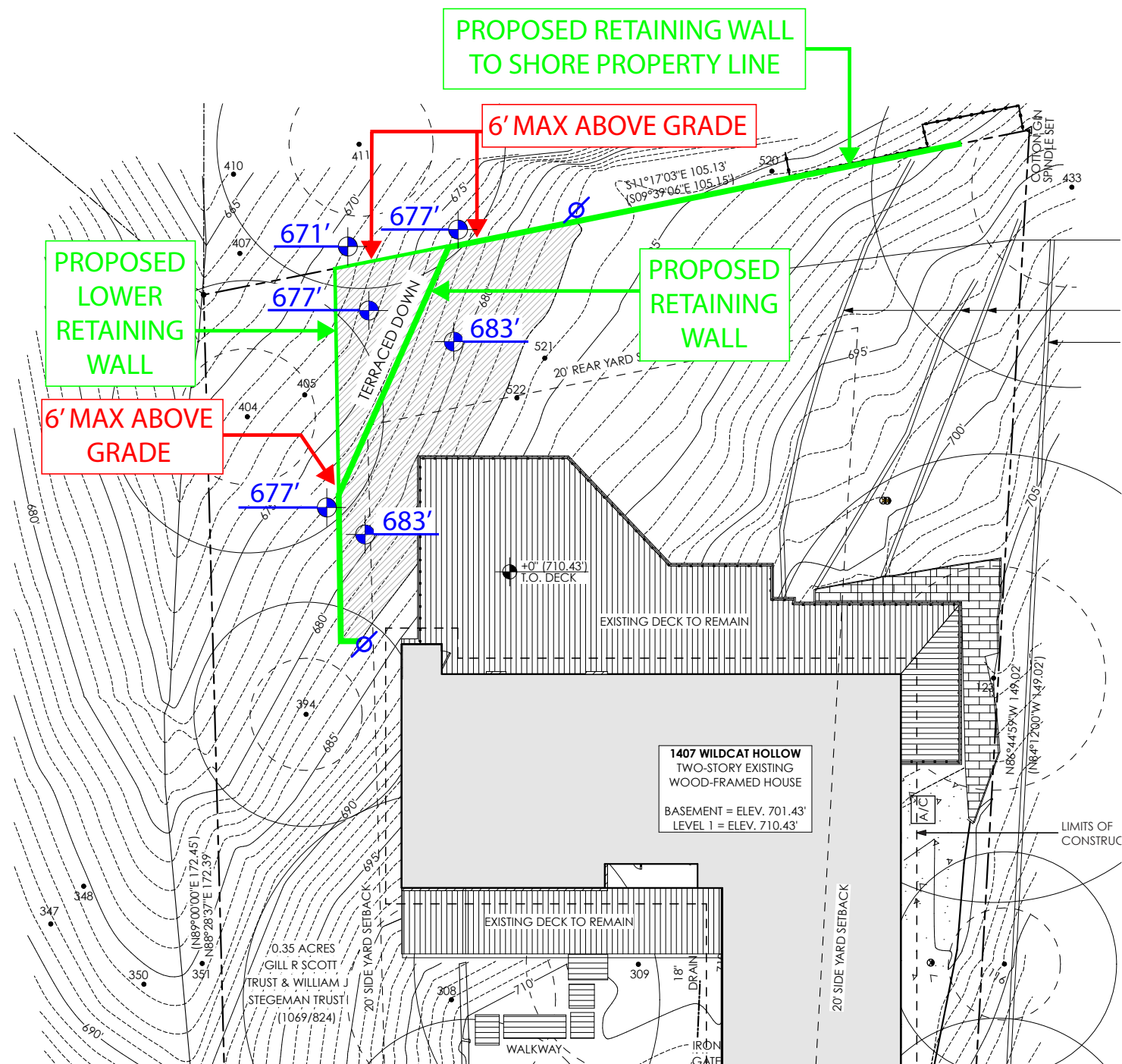
DICK CLARK + ASSOCIATES
ARCHITECTURE • INTERIORS

IMAGE NAME:
Existing vs Proposed

DATE:
April 2021

Coney Residence - WCH

VARIANCE #2



VARIANCE #2



VARIANCE #2



VARIANCE PROPOSED FOR
RETAINING WALL HERE
IN REAR SETBACK

VARIANCE PROPOSED FOR
RETAINING WALL HERE
TO SHORE UP PROPERTY LINE

AREA PROPOSED
TO FLATTEN

VARIANCE #2



DICK CLARK + ASSOCIATES
ARCHITECTURE • INTERIORS

IMAGE NAME:
Proposed Septic Retaining Wall

DATE:
April 2021

Coney Residence - WCH

VARIANCE #2





SETBACK AND VARIANCE STAFF REPORT

July 14, 2021

Project Address: 507 Konstanty Circle

Project Number: 16557

Agenda Item: Land Use: **507 Konstanty Circle:** Discussion/consideration of a variance request for a sport court encroaching the front setback (West Lake Hills Code Sec. 22.03.281). Applicant Hank Smith

Applicant Information: Hank Smith of Atwell Group

Hearing Dates:

May 19, 2021 ZAPCO

June 16, 2021 ZAPCO

July 14, 2021 BOA

Location: The subject property is in a single-family residential subdivision along Konstanty Circle.

Zoning & Site Characteristics:

The subject property is zoned R-1 One Family Residential.

The site is in a single-family residential neighborhood.

Background & Analysis:

The applicant is requesting a variance for a 30' front setback instead of 50' and the removal of five (5) trees in order to build a pickleball court is 32.8' from the ROW.

The property is located in a single-family residential subdivision near West Lake Hills High School. The property includes an existing residence.

On May 19th, a public hearing was held on this case in which the ZAPCO Commission chose to postpone the case to the next hearing date in order for the applicant to gather further research to the reasoning for placing the sport court in the front of the property instead of the rear.

In discussion with the applicant, if the sport court were to be placed in the rear yard of the property there would be a loss of some large trees and they believe the impact would be greater than placing it in the front of 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: *"We are proposing a 30x50ft pickleball court at the home of Mr. Brandon Brydson. This sport court will be constructed between the house/ driveway and the front of the lot. There is not enough room between the front of the lot and the existing driveway to comply with a 50' setback from the front ROW. This location will also allow us to protect and preserve the most number of trees."*

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

The application states: *"The proposed pickle ball court will only require the removal of 5 trees. The trees are 13" in diameter or less. The one tree that is a 13" oak will be mitigated at 1:1."*

As stated on the applicant's application, five (5) trees will need to be removed

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

The application states: *"We first attempted to move the sport court behind the 50' setback. However, the sport court then interfered with the existing driveway."*

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

The application states: *"Using a 30' setback will allow the sport court to be in the front of the lot, as the owner requested, but still not interfere with the driveway."*

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

The application states: *"Even with the 30' setback, the sport court will still be far enough from the ROW to be concealed by trees for the owner's privacy. The sport court will not overshadow the street, so it still conforms to the intent of the Zoning Ordinance and Comprehensive Plan."*

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

The application states: *"Even with the 30' setback, the sport court will still be far enough from the ROW to be concealed by trees for the owner's privacy. The sport court will not overshadow the street, so it still conforms to the intent of the Zoning Ordinance and Comprehensive Plan."*

Outdoor Lighting

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 Commission Recommendation:

On Wednesday, June 16, 2021, the ZAPCO Commission held a public hearing for this case and forwarded a recommendation to the City Council for DENIAL with a vote of 5-0.

Staff Recommendation:

Staff recommends DENIAL based on a lack of hardship.

Links to Relevant Code:

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

ZONING MAP

R-1 ONE FAMILY RESIDENTIAL

R-2 MULTI-FAMILY RESIDENTIAL

R-3 TRANSITIONAL

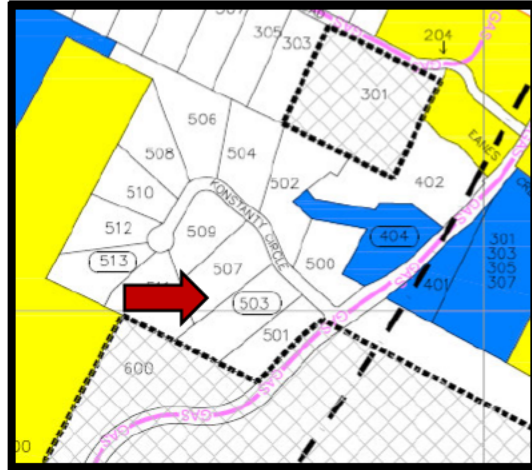
O OFFICE

B-1 BUSINESS 1

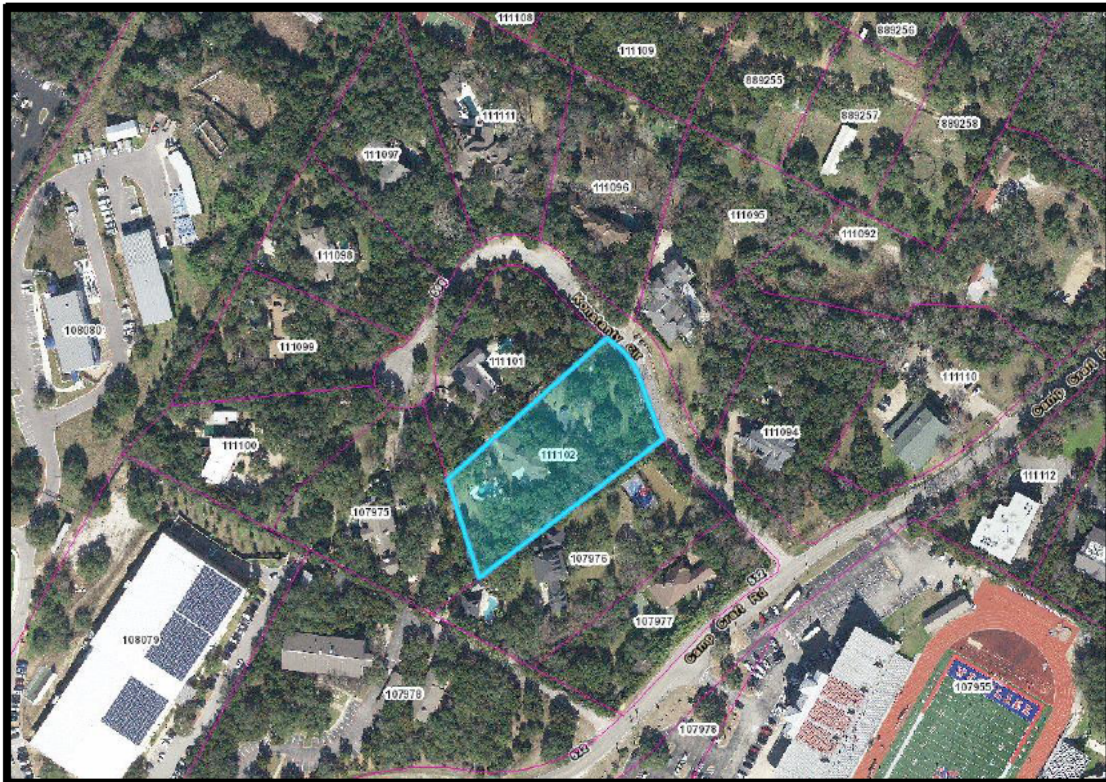
B-2 BUSINESS 2

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: Brandon Brydson Phone: (512) 983-4042

Email: [REDACTED]

Address: 507 Konstanty Circle City: West Lake Hills State: TX Zip: 78746

Agent*: Hank Smith Phone: (512) 695-3914

Email: [REDACTED]

Address: 805 Las Cimas Parkway, Suite 310 City: Austin State: TX Zip: 78746

Property Address: 507 Konstanty Circle City: West Lake Hills State: TX Zip: 78746

Property Information

Subdivision Name: Konstanty Circle

Block: _____ Lot: 3 TCAD Tax Parcel ID: 111102

Current Zoning Classification: R-1 One Family Total Lot Size (Acres): 1.488

***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) We request a variance for a 30' front setback instead of 50'. Our proposed pickleball court is 32.8' from the ROW.

2) _____

3) _____

4) _____



VARIANCE APPLICATION

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

Brief Description of project/why variances are needed: We request a variance for a 30' front setback instead of 50'. Our proposed pickleball court is 32.8' from the ROW.

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.

We are proposing a 30x50ft pickleball court at the home of Mr. Brandon Brydson. This sport court will be constructed between the house/ driveway and the front of the lot. There is not enough room between the front of the lot and the existing driveway to comply with a 50' setback from the front ROW. This location will also allow us to protect and preserve the most number of trees.

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

The proposed pickleball court will only require the removal of 5 trees. The trees are 13" in diameter or less. The one tree that is a 13" oak will be mitigated at 1:1.

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

We first attempted to move the sport court behind the 50' setback. However, the sport court then interfered with the existing driveway.

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

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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?

Even with the 30' setback, the sport court will still be far enough from the ROW to be concealed by trees for the owner's privacy. The sport court will not overshadow the street, so it still conforms to the intent of the Zoning Ordinance and Comprehensive Plan.



VARIANCE APPLICATION

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

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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).

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Signature

March 30, 2021

Date

Hank B. Smith

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.)
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- ☐ 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

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VARIANCE APPLICATION

STAFF NOTES

For Completion by Staff Only

Date public notification letters mailed: _____

Date of ZAPCO Meeting: _____

ZAPCO Recommendation: _____

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Date of City Council/BOA Meeting: _____

City Council/BOA

Action: _____

Notes:



SPECIAL POWER OF ATTORNEY FORM

KNOW ALL PERSONS BY THIS DOCUMENT that I, Brandon Brydson
have made, constituted and appointed Hank Smith (Attwell)
to be my duly authorized representative in connection with an application dated March 30, 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.

Brandon Brydson

Property Owner/Applicant Name

[Signature]

Property Owner/Applicant Signature

507 Konstanty Cir Westlake Hills

Street Address

City

TX

State

78746

Zip Code

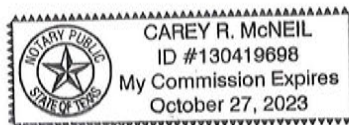
512-983-4042

Property Owner/Applicant Phone Number

This instrument was acknowledged before me on this the 28 day of April, 20 21.

Carey R McNeil

Notary Public in and for the State of Texas





GENERAL NOTES:

- ALL MATERIALS AND CONSTRUCTION METHODS FOR SITE GRADING, PAVING, SITEWORK, AND DRAINAGE SHALL BE IN ACCORDANCE WITH THE CURRENT CITY OF AUSTIN SPECIFICATIONS, UNLESS OTHERWISE NOTED. ALL WORK SHALL BE IN ACCORDANCE WITH THE BUILDING CODES, ORDINANCES, SAFETY CODES, AND RULES AND PROCEDURES OF THE CITY OF WEST LAKE HILLS.
- ALL RESPONSIBILITY FOR THE ADEQUACY OF THESE PLANS REMAINS WITH THE ENGINEER WHO PREPARED THEM. IN REVIEWING THESE PLANS, THE CITY OF WEST LAKE HILLS MUST RELY ON THE ADEQUACY OF THE WORK OF THE DESIGN ENGINEER.
- PRIOR TO ANY CONSTRUCTION, THE CONTRACTOR SHALL APPLY FOR AND SECURE ALL PROPER PERMITS FROM THE APPROPRIATE AUTHORITIES.
- BLASTING OR BURNING SHALL NOT BE PERMITTED ON THIS PROJECT.
- THE CONTRACTOR SHALL VERIFY ALL DEPTHS AND LOCATIONS OF EXISTING UTILITIES PRIOR TO BEGINNING CONSTRUCTION. ANY DISCREPANCIES WITH THE CONSTRUCTION PLANS FOUND IN THE FIELD SHALL BE BROUGHT TO THE ATTENTION OF THE DESIGN ENGINEER IMMEDIATELY. THE DESIGN ENGINEER SHALL BE RESPONSIBLE FOR REVISING THE PLANS AS APPROPRIATE AND SUBMITTING A REVISION TO THE CITY.
- CONTRACTOR WILL BE RESPONSIBLE FOR KEEPING ROADS AND DRIVES ADJACENT TO AND NEAR THE SITE FREE FROM SOIL, SEDIMENT, AND DEBRIS. CONTRACTOR WILL NOT REMOVE SOIL, SEDIMENT, OR DEBRIS FROM ANY AREA OR VEHICLE BY MEANS OF WATER, ONLY SHOVELING AND SWEEPING WILL BE ALLOWED. CONTRACTOR WILL BE RESPONSIBLE FOR DUST CONTROL FROM THE SITE.
- ANY EXISTING UTILITIES, PAVEMENT, CURBS, SIDEWALKS, STRUCTURES, TREES, ETC., NOT PLANNED FOR DESTRUCTION OR REMOVAL OR OTHER PUBLIC INFRASTRUCTURE DAMAGED OR REMOVED WILL BE BY THE CONTRACTOR AT HIS EXPENSE BEFORE ACCEPTANCE OF THE PROJECT.
- AFTER THE CONSTRUCTION PERMIT HAS BEEN ISSUED AND PRIOR TO THE BEGINNING CONSTRUCTION, THE OWNER OR HIS REPRESENTATIVE SHALL SCHEDULE A PRE-CONSTRUCTION CONFERENCE BETWEEN THE CITY OF WEST LAKE HILLS, DESIGN ENGINEER, CONTRACTORS, OTHER UTILITY COMPANIES, AND ANY OTHER AFFECTED PARTIES. THE CITY OF WEST LAKE HILLS SHALL BE CONTACTED TO SET UP THE MEETING AT LEAST 48 HOURS PRIOR TO THE PROPOSED MEETING TIME.
- ANY CHANGES OR REVISIONS TO THESE APPROVED PLANS MUST BE SUBMITTED BY THE DESIGN ENGINEER AND APPROVED BY THE CITY OF WEST LAKE HILLS PRIOR TO CONSTRUCTION OF THE REVISION.
- AVAILABLE BENCHMARKS THAT MAY BE UTILIZED FOR THE CONSTRUCTION OF THIS PROJECT ARE DESCRIBED AS FOLLOWS:

- "PROJECT IS A TYPE 2 DEVELOPMENT"
- "WE CERTIFY THAT ALL EASEMENTS ARE SHOWN ON THIS PLAN."
- "NO CONCENTRATED STORMWATER FLOWS WILL LEAVE THIS LOT ONTO ADJACENT PROPERTIES, UNLESS THEY DISCHARGE DIRECTLY INTO AN APPROVED CHANNEL THAT IS WITHIN A DRAINAGE EASEMENT."
- "NO FENCES OR STRUCTURES ARE ALLOWED ACROSS ANY DRAINAGE EASEMENT."
- "THE DRAINAGE DESIGNER IS RESPONSIBLE FOR THE ADEQUACY OF THESE PLANS. IN ACCEPTING THESE PLANS, THE CITY OF WEST LAKE HILLS AND ALL REVIEWERS RELY UPON THE ADEQUACY OF THE DESIGN BY THE DRAINAGE DESIGNER."
- "PER TYPES GENERAL PERMIT NO. 150000, DISTURBED AREAS ON WHICH CONSTRUCTION ACTIVITIES HAVE CEASED (TEMPORARILY OR PERMANENTLY) SHALL BE STABILIZED WITHIN 14 DAYS UNLESS ACTIVITY RESUMES WITHIN 21 DAYS."
- "THE OWNER OF THE PROPERTY IS RESPONSIBLE FOR CLEANING AND REMOVING ALL SEDIMENT THAT IS WASHED FROM THE SITE IN DEDICATED STREETS, ALLEYS, WATERWAYS, OR OTHER PROPERTIES."
- "STRIPPING OF VEGETATION FROM PROJECT SITES SHALL BE PHASED SO AS TO EXPOSE THE MINIMUM AMOUNT OF AREA TO SOIL EROSION FOR THE SHORTEST POSSIBLE PERIOD OF TIME PER THE WEST LAKE HILLS DRAINAGE AND EROSION CONTROL DESIGN MANUAL SEC. 7.1(1)."

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TRENCH SAFETY:

- IN ACCORDANCE WITH THE LAWS OF THE STATE OF TEXAS AND THE U.S. OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION REGULATIONS, ALL TRENCHES OVER 5 FEET IN DEPTH, NEITHER HARD OR COMPACT OR SOFT AND UNSTABLE SOIL SHALL BE SLOPED, SHORED, SHEETED, BRACED OR OTHERWISE SUPPORTED. FURTHERMORE, ALL TRENCHES LESS THAN 5 FEET IN DEPTH SHALL ALSO BE EFFECTIVELY PROTECTED WHEN HAZARDOUS GROUND MOVEMENT MAY BE EXPECTED. TRENCH SAFETY SYSTEMS TO BE UTILIZED FOR THIS PROJECT WILL BE PROVIDED BY THE CONTRACTOR.
- IN ACCORDANCE WITH THE U.S. OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION REGULATIONS, WHEN PERSONS ARE IN TRENCHES 4 FEET DEEP OR MORE, ADEQUATE MEANS OF EXIT, SUCH AS A LADDER OR STEPS, MUST BE PROVIDED AND LOCATED SO AS TO REQUIRE NO MORE THAN 25 FEET OF LATERAL TRAVEL.
- IF TRENCH SAFETY SYSTEM DETAILS WERE NOT PROVIDED IN THE PLANS BECAUSE TRENCHES WERE ANTICIPATED TO BE LESS THAN 5 FEET IN DEPTH, IT IS FOUND THAT TRENCHES ARE, IN FACT, 5 FEET OR MORE IN DEPTH OR TRENCHES LESS THAN 5 FEET IN DEPTH ARE IN AN AREA WHERE HAZARDOUS GROUND MOVEMENT IS EXPECTED. ALL CONSTRUCTION SHALL CEASE. THE TRENCHED AREA SHALL BE BARRICADED AND THE ENGINEER NOTIFIED IMMEDIATELY. CONSTRUCTION SHALL NOT RESUME UNTIL APPROPRIATE TRENCH SAFETY SYSTEM DETAILS, AS DESIGNED BY A PROFESSIONAL ENGINEER, ARE RETAINED AND COPIES SUBMITTED TO THE CITY OF WEST LAKE HILLS.

STREET AND DRAINAGE NOTES:

- ALL TESTING SHALL BE DONE BY AN INDEPENDENT LABORATORY AT THE APPLICANT'S EXPENSE. A CITY INSPECTOR SHALL BE PRESENT DURING ALL TESTS. TESTING SHALL BE COORDINATED WITH THE CITY INSPECTOR AND HE SHALL BE GIVEN A MINIMUM OF 24-HOUR NOTICE PRIOR TO ANY TESTING.
- BACKFILL BEHIND THE CURB SHALL BE COMPACTED TO OBTAIN A MINIMUM OF 85% MAXIMUM DENSITY TO WITHIN 3 INCHES OF THE TOP OF CURB. MATERIAL USED SHALL BE PRIMARILY GRANULAR WITH NO ROCKS LARGER THAN 3 INCHES IN THE GREATEST DIMENSION. THE REMAINING 3 INCHES SHALL BE CLEAN TOPSOIL FREE FROM ALL CLODS AND SUITABLE FOR SUSTAINING PLANT LIFE.
- ALL RCP SHALL BE MINIMUM CLASS III.

- THE SUBGRADE MATERIAL FOR THE STREETS SHOWN HEREIN WAS TESTED BY THE PAVING SECTIONS WERE DESIGNED BY IN ACCORDANCE WITH THE CURRENT CITY OF WEST LAKE HILLS DESIGN CRITERIA. THE PAVING SECTIONS ARE TO BE CONSTRUCTED AS FOLLOWS:

STREET	STATION	FLEX BASE THICKNESS	HMAC THICKNESS	LIME STAB. THICKNESS

- LOTS IN THIS SUBDIVISION ARE LOCATED OVER THE EDWARDS AQUIFER RECHARGE ZONE AND SUBJECT TO THE CURRENT TEXAS COMMISSION ON ENVIRONMENTAL QUALITY EDWARDS RULES. NO BUILDING PERMIT WILL BE ISSUED BY THE CITY OF WEST LAKE HILLS UNTIL THE REQUIREMENTS OF THE EDWARDS RULES ARE FULLY COMPLIED WITH. THE APPLICANT FOR A BUILDING PERMIT IS RESPONSIBLE FOR FURNISHING THE CITY WRITTEN COMPLIANCE TO THE EDWARDS AQUIFER RULES FROM THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY (IF APPLICABLE).
- THE FEMA MAPS FOR THE CITY OF WEST LAKE HILLS, TEXAS, INDICATE THAT THE PROPERTY SHOWN HEREON DOES/DOES NOT LIE WITHIN A SPECIAL FLOOD HAZARD AREA AS DEFINED BY FIRM PANEL _____ DATED _____.
- FLOOD WARNING: THE DEGREE OF FLOOD PROTECTION REQUIRED BY THE CITY OF WEST LAKE HILLS FLOOD DAMAGE PREVENTION ORDINANCE IS CONSIDERED REASONABLE FOR REGULATORY PURPOSES AND IS BASED ON SCIENTIFIC AND ENGINEERING CONSIDERATIONS. ON RARE OCCASIONS, GREATER FLOODS CAN AND WILL OCCUR AND FLOOD HEIGHTS MAY BE INCREASED BY NATURAL CAUSES. ACCEPTANCE OF THIS PLAN BY THE CITY COUNCIL DOES NOT IMPLY THAT LAND OUTSIDE THE AREAS OF SPECIAL FLOOD HAZARDS OR USES PERMITTED WITHIN SUCH AREAS WILL BE FREE FROM FLOODING OR FLOOD DAMAGES. NOR SHALL ACCEPTANCE OF THIS PLAN CREATE LIABILITY ON THE PART OF THE CITY OF WEST LAKE HILLS OR ANY OFFICIAL OR EMPLOYEE THEREOF FOR ANY FLOOD DAMAGES THAT RESULT FROM RELIANCE ON THE INFORMATION CONTAINED WITHIN THIS PLAN OR ANY ADMINISTRATION DECISION LAWFULLY MADE HEREUNDER.

TRAFFIC MARKING NOTES:

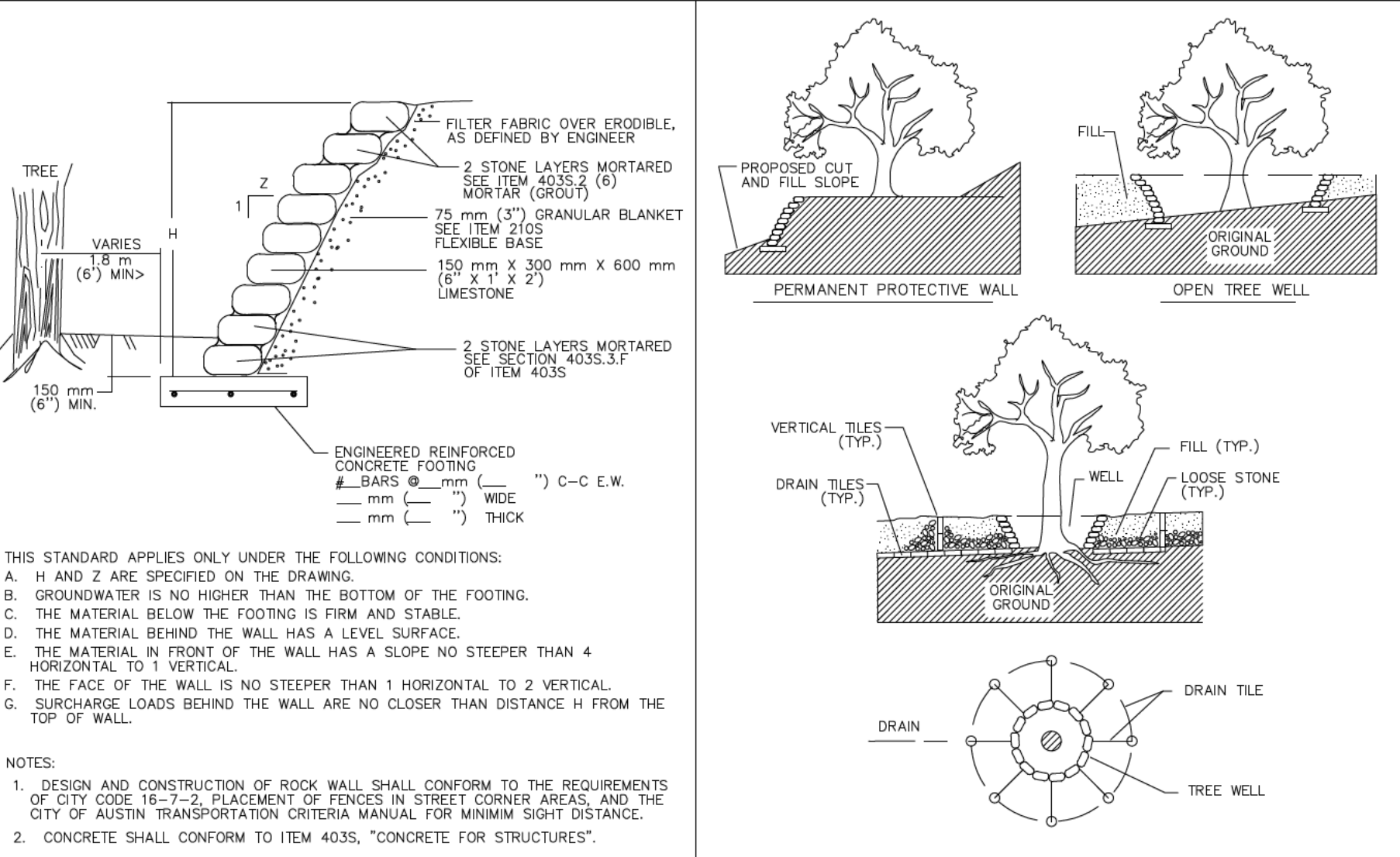
- BARRICADES BU TO THE TEXAS MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES STANDARDS SHALL BE CONSTRUCTED ON ALL DEAD-END STREETS AND AS NECESSARY DURING CONSTRUCTION TO MAINTAIN JOB AND PUBLIC SAFETY.
- ANY METHODS, STREET MARKINGS, AND SIGNAGE NECESSARY FOR WARNING MOTORISTS, WARNING PEDESTRIANS, OR DIVERTING TRAFFIC DURING CONSTRUCTION SHALL CONFORM TO THE TEXAS MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES FOR STREETS AND HIGHWAYS, LATEST EDITION.
- ALL PAVEMENT MARKINGS, MARKERS, PAINT, TRAFFIC BUTTONS, TRAFFIC CONTROLS, AND SIGNS SHALL BE INSTALLED IN ACCORDANCE WITH THE TEXAS DEPARTMENT OF TRANSPORTATION STANDARD SPECIFICATIONS FOR CONSTRUCTION OF HIGHWAYS, STREETS AND BRIDGES AND THE TEXAS MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES FOR STREETS AND HIGHWAYS, LATEST EDITIONS.

EROSION CONTROL NOTES:

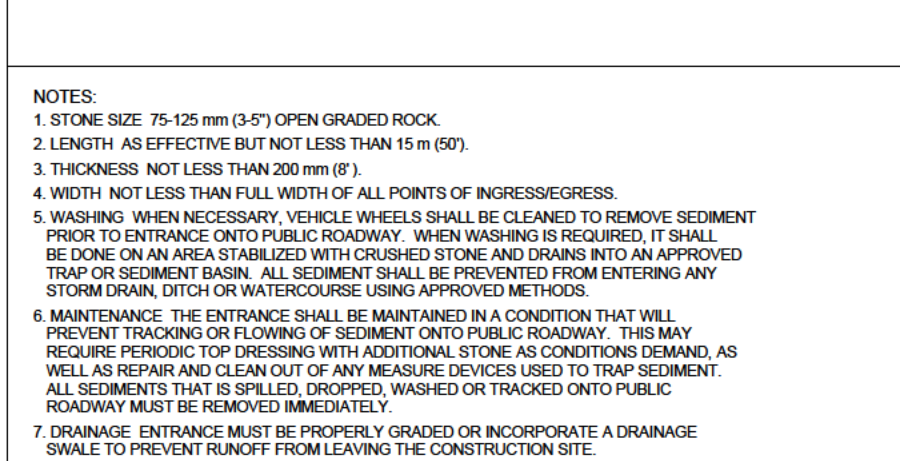
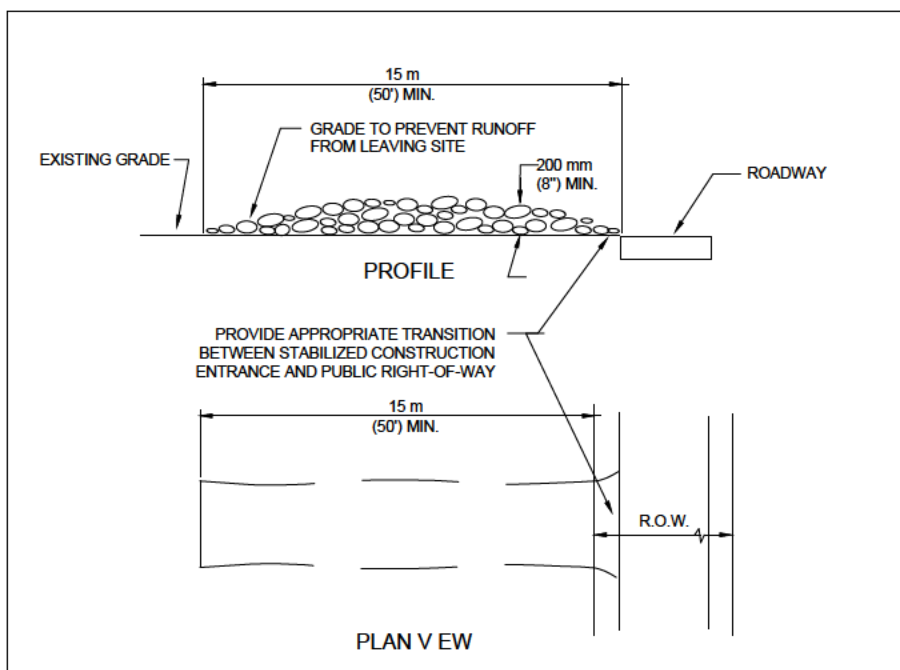
- EVERY LOT IN THIS SUBDIVISION IS SUBJECT TO THE CITY OF WEST LAKE HILLS SITE CLEARANCE PROCEDURES. NO SITE CLEARANCE, EXCAVATION, GRADING OR LANDFILL SHALL COMMENCE UNLESS A PERMIT SHALL HAVE FIRST BEEN ISSUED FOR SUCH WORK IN ACCORDANCE WITH THE PROVISIONS OF APPLICABLE ORDINANCES. IMPERVIOUS COVER SHALL NOT EXCEED THE MAXIMUM PERCENTAGE PERMITTED UNDER CITY ORDINANCE.
- THE CONTRACTOR SHALL INSTALL EROSION/SEDIMENTATION CONTROLS AND TREE/NATURAL AREA PROTECTIVE FENCING PRIOR TO ANY SITE PREPARATION WORK (CLEARING, GRUBBING OR EXCAVATION). THE PLACEMENT OF EROSION/SEDIMENTATION CONTROLS SHALL BE IN ACCORDANCE WITH THE CURRENT CITY OF WEST LAKE HILLS DRAINAGE AND EROSION CONTROL MANUAL AND THE APPROVED EROSION AND SEDIMENTATION CONTROL PLAN. NO EROSION CONTROLS SHALL BE PLACED BEYOND THE PROPERTY LINES OF THE SITE UNLESS WRITTEN PERMISSION HAS BEEN OBTAINED FROM ADJACENT PROPERTY OWNERS.
- ALL SLOPES SHALL BE SODDED OR SEEDED WITH APPROVED GRASS, GRASS MIXTURES, OR GROUND COVER SUITABLE TO THE AREA AND SEASON IN WHICH THEY ARE APPLIED.
- ANY MAJOR VARIATION IN MATERIALS OR LOCATIONS OF CONTROLS OR FENCES FROM THOSE SHOWN ON THE APPROVED PLANS WILL REQUIRE A REVISION AND MUST BE APPROVED BY THE ENGINEER. MAJOR REVISIONS MUST BE APPROVED BY THE CITY. MINOR CHANGES TO BE MADE AS FIELD REVISIONS TO THE EROSION AND SEDIMENTATION CONTROL PLAN MAY BE REQUIRED BY THE CITY INSPECTOR DURING THE COURSE OF CONSTRUCTION TO CORRECT CONTROL INADEQUACIES.
- THE CONTRACTOR IS REQUIRED TO INSPECT THE CONTROLS AT WEEKLY INTERVALS AND AFTER ANY RAINFALL EVENT TO ENSURE THAT THEY ARE FUNCTIONING PROPERLY. THE PERSON(S) RESPONSIBLE FOR MAINTENANCE OF CONTROLS AND FENCES SHALL IMMEDIATELY MAKE ANY NECESSARY REPAIRS TO DAMAGED AREAS. SILT ACCUMULATION AT CONTROLS MUST BE REMOVED WHEN THE DEPTH REACHES SIX (6) INCHES.
- ALL TEMPORARY EROSION CONTROL MEASURES SHALL NOT BE REMOVED UNTIL FINAL INSPECTION AND APPROVAL OF THE PROJECT BY THE CITY INSPECTOR. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO MAINTAIN ALL TEMPORARY EROSION CONTROL STRUCTURES AND TO REMOVE EACH STRUCTURE AS APPROVED BY THE CITY INSPECTOR.
- PER TYPES REQUIREMENTS, DISTURBED AREAS ON WHICH CONSTRUCTION ACTIVITIES HAVE CEASED (TEMPORARILY OR PERMANENTLY) SHALL BE STABILIZED WITHIN 14 DAYS UNLESS ACTIVITY RESUMES WITHIN 21 DAYS. SEEDING DOES NOT CONSTITUTE AS STABILIZATION.
- STRIPPING OF VEGETATION FROM PROJECT SITES SHALL BE PHASED SO AS TO EXPOSE THE MINIMUM AMOUNT OF AREA TO SOIL EROSION FOR THE SHORTEST POSSIBLE PERIOD OF TIME PER THE DRAINAGE AND EROSION CONTROL DESIGN MANUAL SEC. 7.1(1).
- PRIOR TO FINAL ACCEPTANCE BY THE CITY, HAUL ROADS AND WATERWAY CROSSINGS CONSTRUCTED FOR TEMPORARY CONSTRUCTION ACCESS MUST BE REMOVED AND SEDIMENT REMOVED FROM THE WATERWAY AND THE AREA RESTORED TO THE ORIGINAL GRADE AND REVEGETATED. ALL LAND CLEARING DEBRIS SHALL BE DISPOSED OF IN APPROVED SPOIL DISPOSAL SITES.

STANDARD SEQUENCE OF CONSTRUCTION

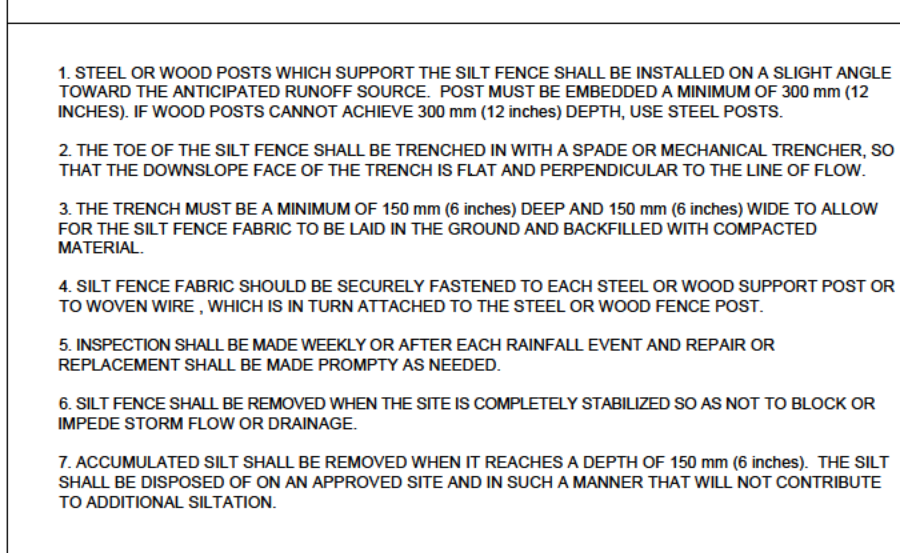
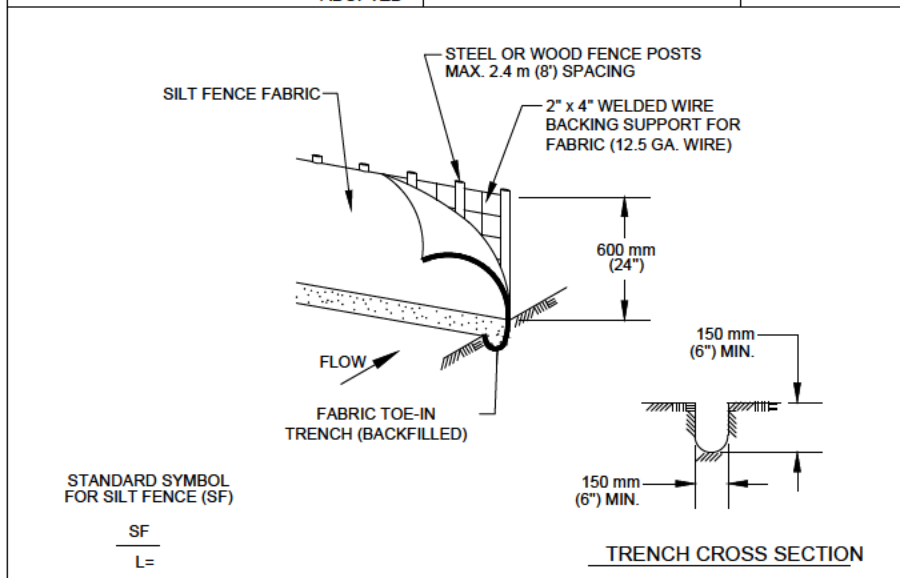
- TEMPORARY EROSION AND SEDIMENTATION CONTROLS ARE TO BE INSTALLED AS INDICATED ON THE APPROVED SITE PLAN OR SUBDIVISION CONSTRUCTION PLAN AND IN ACCORDANCE WITH THE EROSION SEDIMENTATION CONTROL PLAN (ESC) AND STORMWATER POLLUTION PREVENTION PLAN (SWPPP) THAT IS REQUIRED TO BE POSTED ON THE SITE. INSTALL TREE PROTECTION, INITIATE TREE MITIGATION MEASURES AND CONDUCT "PRE-CONSTRUCTION" TREE FERTILIZATION (IF APPLICABLE).
- THE ENVIRONMENTAL PROJECT MANAGER OR SITE SUPERVISOR MUST CONTACT THE DEVELOPMENT SERVICES DEPARTMENT, ENVIRONMENTAL INSPECTION, AT 512-974-2278, 72 HOURS PRIOR TO THE SCHEDULED DATE OF THE REQUIRED ON-SITE PRE-CONSTRUCTION MEETING.
- THE ENVIRONMENTAL PROJECT MANAGER, AND/OR SITE SUPERVISOR, AND/OR DESIGNATED RESPONSIBLE PARTY, AND THE GENERAL CONTRACTOR WILL FOLLOW THE EROSION SEDIMENTATION CONTROL PLAN (ESC) AND STORM WATER POLLUTION PREVENTION PLAN (SWPPP) POSTED ON THE SITE. TEMPORARY EROSION AND SEDIMENTATION CONTROLS WILL BE REVISITED, IF NEEDED, TO COMPLY WITH CITY INSPECTOR'S DIRECTIVES, AND REVISED CONSTRUCTION SCHEDULE RELATIVE TO THE WATER QUALITY PLAN REQUIREMENTS AND THE EROSION PLAN.
- ROUGH GRADE THE POND(S) AT 100% PROPOSED CAPACITY. EITHER THE PERMANENT OUTLET STRUCTURE OR A TEMPORARY OUTLET MUST BE CONSTRUCTED PRIOR TO DEVELOPMENT OF EMBANKMENT OR EXCAVATION THAT LEADS TO PONDING CONDITIONS. THE OUTLET SYSTEM MUST CONSIST OF A SUMP PIT OUTLET AND AN EMERGENCY SPILLWAY MEETING THE REQUIREMENTS OF THE DRAINAGE CRITERIA MANUAL AND/OR THE ENVIRONMENTAL CRITERIA MANUAL, AS REQUIRED. THE OUTLET SYSTEM SHALL BE PROTECTED FROM EROSION AND SHALL BE MAINTAINED THROUGHOUT THE COURSE OF CONSTRUCTION UNTIL INSTALLATION OF THE PERMANENT WATER QUALITY POND(S).
- TEMPORARY EROSION AND SEDIMENTATION CONTROLS WILL BE INSPECTED AND MAINTAINED IN ACCORDANCE WITH THE EROSION SEDIMENTATION CONTROL PLAN (ESC) AND STORM WATER POLLUTION PREVENTION PLAN (SWPPP) POSTED ON THE SITE.
- BEGIN SITE CLEARING/CONSTRUCTION (OR DEMOLITION) ACTIVITIES.
- IN THE BARTON SPRINGS ZONE, THE ENVIRONMENTAL PROJECT MANAGER OR SITE SUPERVISOR WILL SCHEDULE A MID-CONSTRUCTION CONFERENCE TO COORDINATE CHANGES IN THE CONSTRUCTION SCHEDULE AND EVALUATE EFFECTIVENESS OF THE EROSION CONTROL PLAN AFTER POSSIBLE CONSTRUCTION ALTERATIONS TO THE SITE. PARTICIPANTS SHALL INCLUDE THE CITY INSPECTOR, PROJECT ENGINEER, GENERAL CONTRACTOR AND ENVIRONMENTAL PROJECT MANAGER OR SITE SUPERVISOR. THE ANTICIPATED COMPLETION DATE AND FINAL CONSTRUCTION SEQUENCE AND INSPECTION SCHEDULE WILL BE COORDINATED WITH THE APPROPRIATE CITY INSPECTOR.
- PERMANENT WATER QUALITY PONDS OR CONTROLS WILL BE CLEANED OUT AND FILTER MEDIA WILL BE INSTALLED PRIOR TO CONCURRENTLY WITH REVEGETATION OF SITE.
- COMPLETE CONSTRUCTION AND START REVEGETATION OF THE SITE AND INSTALLATION OF LANDSCAPING.
- UPON COMPLETION OF THE SITE STRUCTURE AND REVEGETATION OF A PROJECT SITE, THE DESIGN ENGINEER SHALL SUBMIT AN ENGINEER'S LETTER OF CONCURRENCE BEARING THE ENGINEER'S SEAL, SIGNATURE, AND DATE TO THE DEVELOPMENT SERVICES DEPARTMENT. NOTIFY THAT CONSTRUCTION, INCLUDING REVEGETATION, IS COMPLETE AND IN SUBSTANTIAL COMPLIANCE WITH THE APPROVED PLANS. AFTER RECEIVING THIS LETTER, A FINAL INSPECTION WILL BE SCHEDULED BY THE APPROPRIATE CITY INSPECTOR.
- UPON COMPLETION OF LANDSCAPE INSTALLATION OF A PROJECT SITE, THE LANDSCAPE ARCHITECT SHALL SUBMIT A LETTER OF CONCURRENCE TO THE DEVELOPMENT SERVICES DEPARTMENT. NOTIFY THAT THE REQUIRED LANDSCAPING IS COMPLETE AND IN SUBSTANTIAL CONFORMITY WITH THE APPROVED PLANS. AFTER RECEIVING THIS LETTER, A FINAL INSPECTION WILL BE SCHEDULED BY THE APPROPRIATE CITY INSPECTOR.
- AFTER A FINAL INSPECTION HAS BEEN CONDUCTED BY THE CITY INSPECTOR AND WITH APPROVAL FROM THE CITY INSPECTOR, REMOVE THE TEMPORARY EROSION AND SEDIMENTATION CONTROLS AND COMPLETE ANY NECESSARY FINAL REVEGETATION. RESULTS OF THE CONTROLS CONDUCT ANY MAINTENANCE AND REHABILITATION OF THE WATER QUALITY PONDS OR CONTROLS.



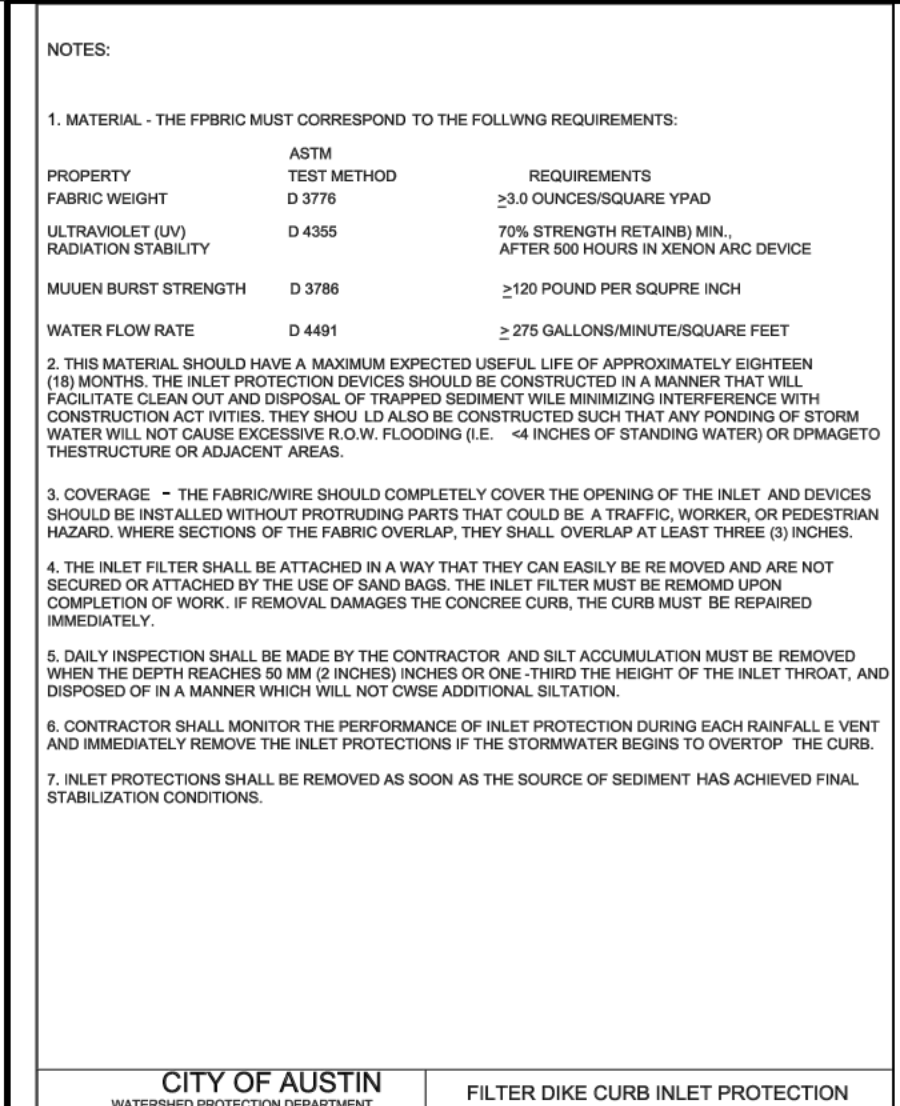
CITY OF AUSTIN	CITY OF AUSTIN
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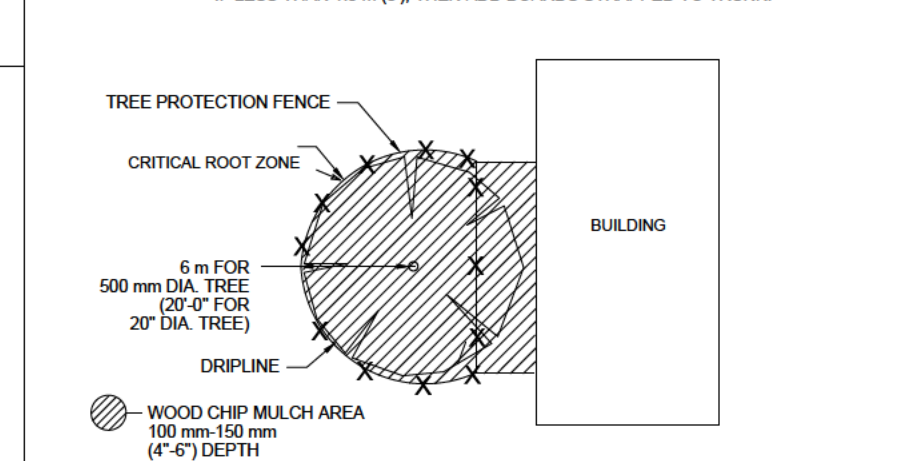
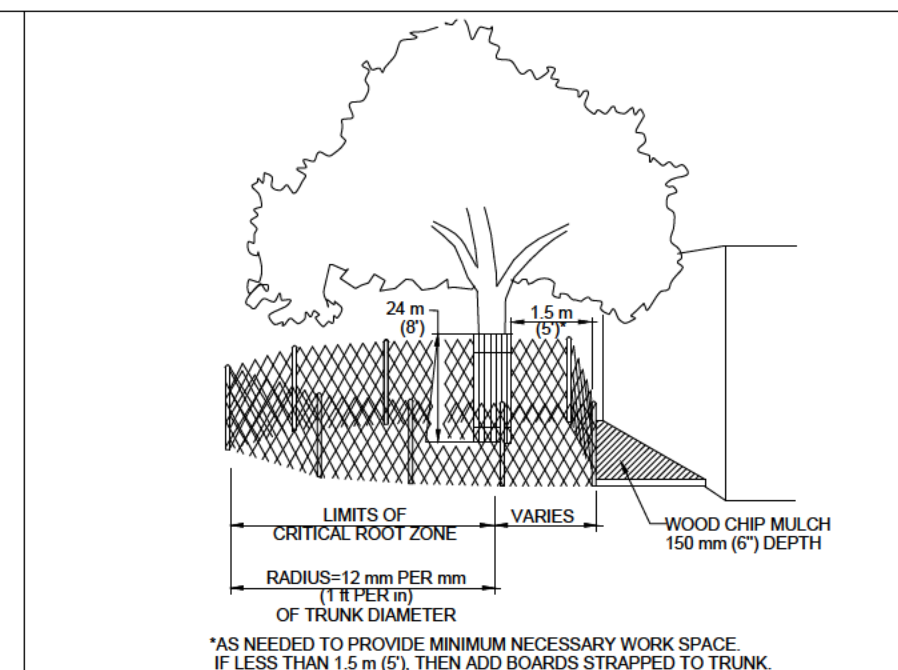
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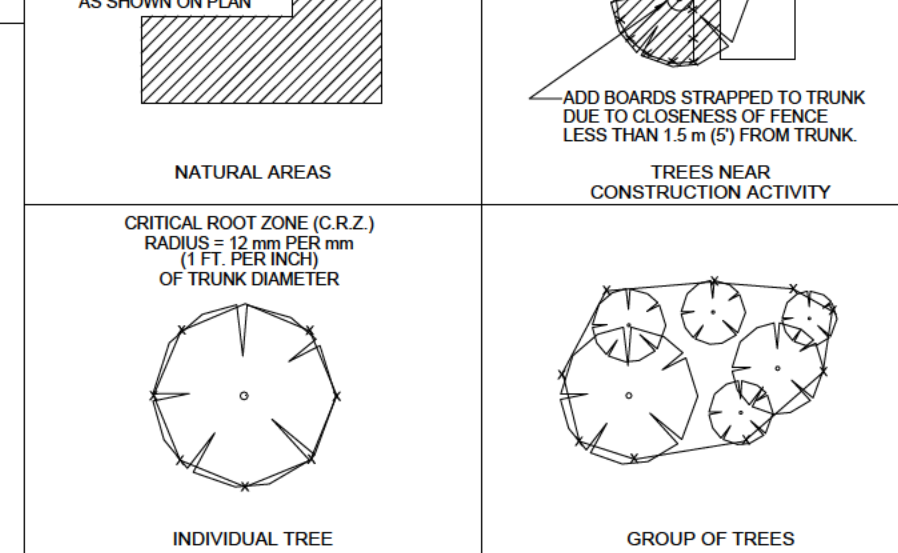
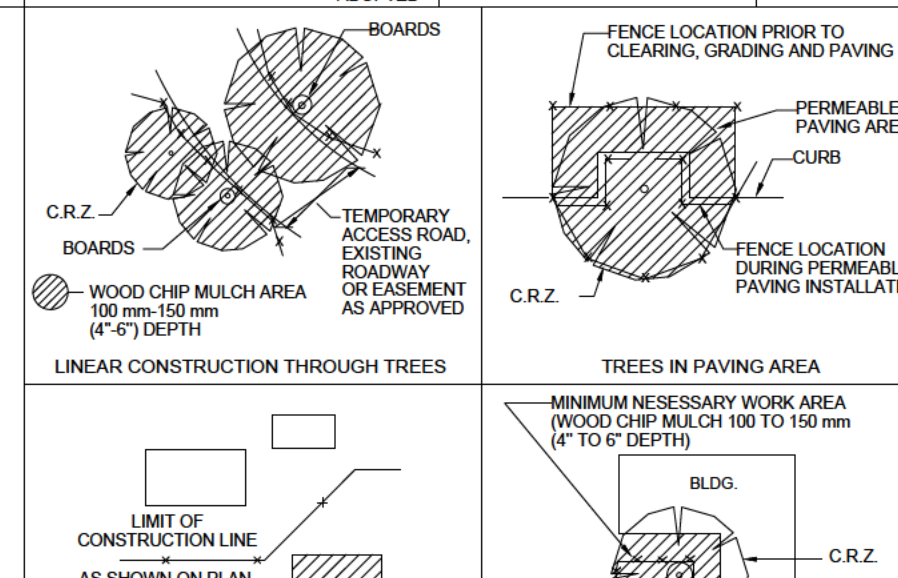
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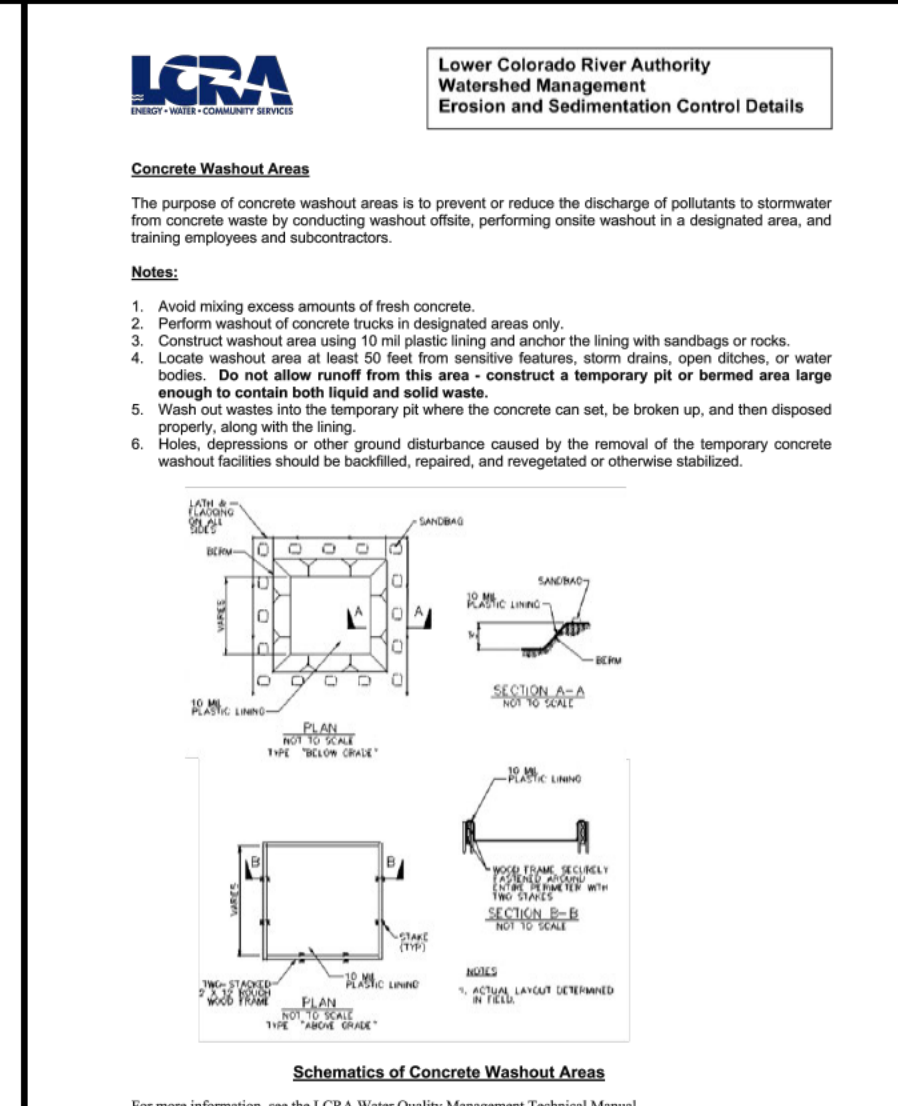
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RECORD COPY SIGNED BY J. PATRICK MURPHY	STANDARD NO. 628S-2



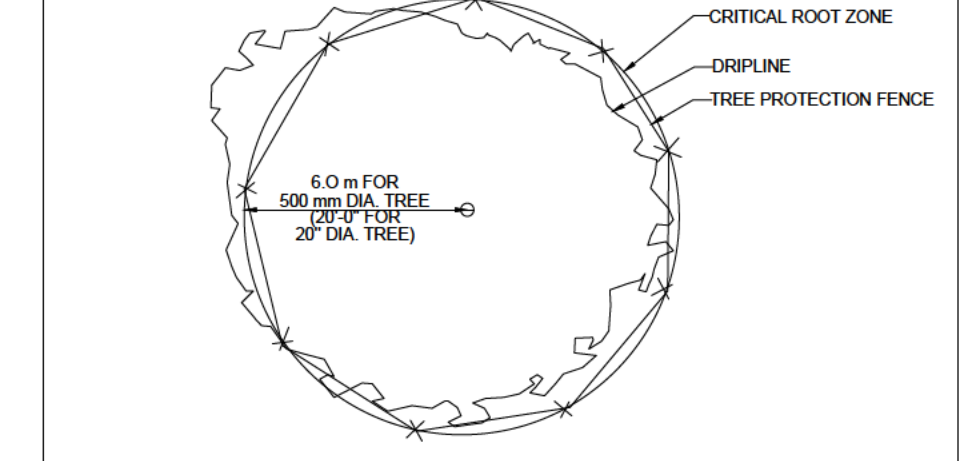
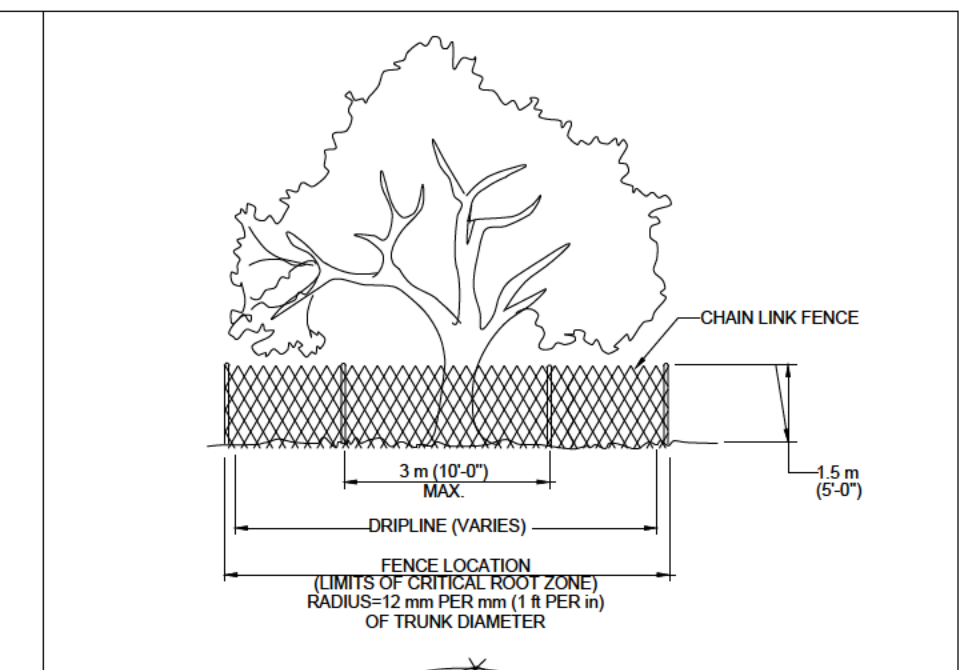
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RECORD COPY SIGNED BY J. PATRICK MURPHY	STANDARD NO. 610S-4



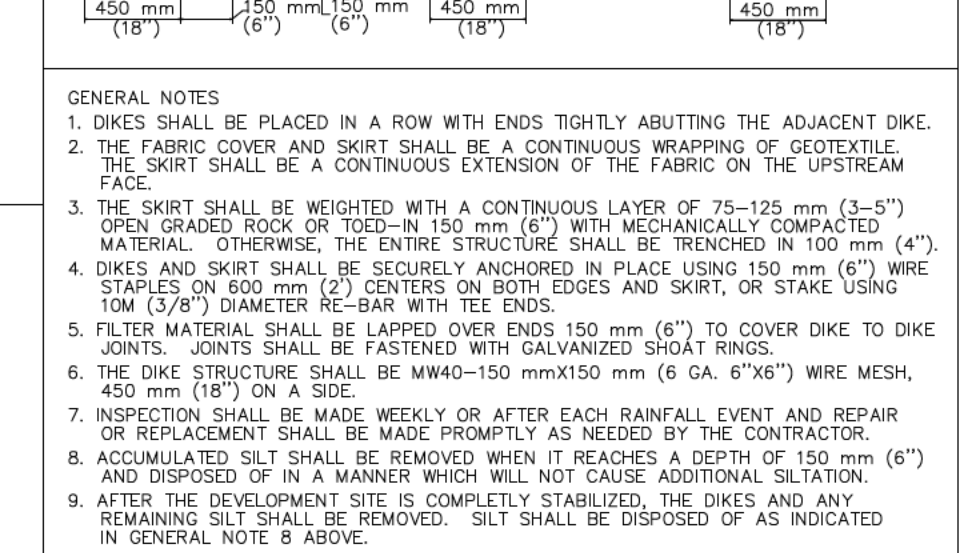
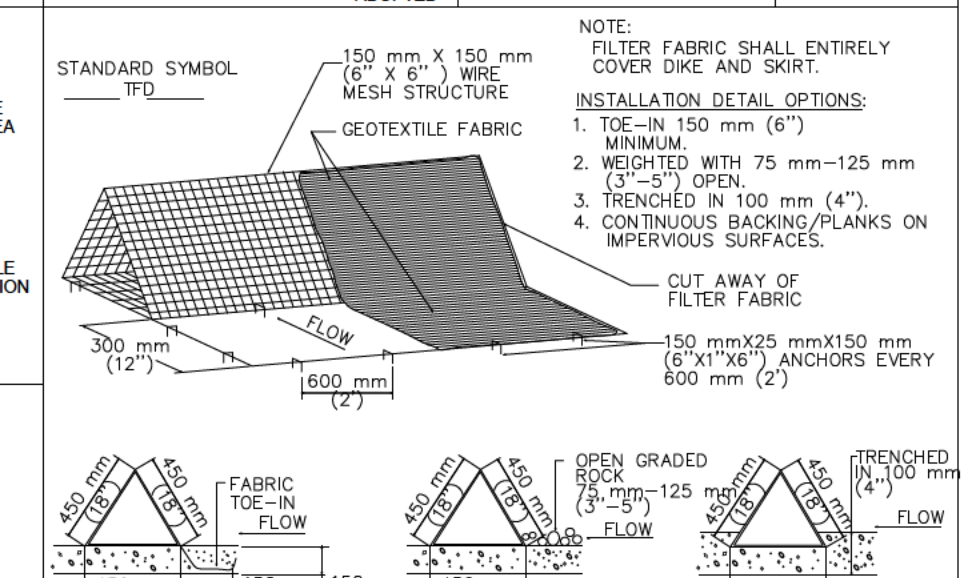
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RECORD COPY SIGNED BY J. PATRICK MURPHY	STANDARD NO. 610S-1



CITY OF AUSTIN	TRIANGULAR SEDIMENT FILTER DIKE
RECORD COPY SIGNED BY J. PATRICK MURPHY	STANDARD NO. 628S



CITY OF AUSTIN	TREE PROTECTION FENCE
RECORD COPY SIGNED BY J. PATRICK MURPHY	STANDARD NO. 610S-2



CITY OF AUSTIN	TRIANGULAR SEDIMENT FILTER DIKE
RECORD COPY SIGNED BY J. PATRICK MURPHY	STANDARD NO. 628S



CITY OF AUSTIN	TRIANGULAR SEDIMENT FILTER DIKE
RECORD COPY SIGNED BY J. PATRICK MURPHY	STANDARD NO. 628S

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NOTES

GENERAL NOTES

- DIKES SHALL BE PLACED IN A ROW WITH ENDS TIGHTLY ABUTTING THE ADJACENT DIKE.
- THE FABRIC COVER AND SKIRT SHALL BE A CONTINUOUS WRAPPING OF GEOTEXTILE. THE SKIRT SHALL BE A CONTINUOUS EXTENSION OF THE FABRIC ON THE UPSTREAM FACE.
- THE SKIRT SHALL BE WEIGHED WITH A CONTINUOUS LAYER OF 75-125 mm (3-5") OPEN GRADED ROCK OR TIED-IN 150 mm (6") WITH MECHANICALLY COMPACTED MATERIAL. OTHERWISE, THE EXISTING STRUCTURE SHALL BE TRENCHED IN 100 mm (4").
- DIKES AND SKIRT SHALL BE SECURELY ANCHORED IN PLACE USING 150 mm (6") WIRE TIES (2) CENTERS ON BOTH EDGES AND SKIRT, OR STAKE USING 100 mm (4") DIAMETER RE-BAR WITH TIE ENDS.
- FILTER MATERIAL SHALL BE LAPPED OVER ENDS 150 mm (6") TO COVER DIKE TO DIKE JOINTS. JOINTS SHALL BE FASTENED WITH GALVANIZED SHAPED RINGS.
- THE DIKE STRUCTURE SHALL BE MW40-150 mmX150 mm (6 GA. 6"x6") WIRE MESH, 450 mm (18") ON A SIDE.
- INSPECTION SHALL BE MADE WEEKLY OR AFTER EACH RAINFALL EVENT AND REPAIR OR REPLACEMENT SHALL BE MADE PROMPTLY AS NEEDED BY THE CONTRACTOR.
- AFTER THE DEVELOPMENT SITE IS COMPLETELY STABILIZED, THE DIKES AND ANY REMAINING SILT SHALL BE REMOVED. SILT SHALL BE DISPOSED OF AS INDICATED IN GENERAL NOTE 8 ABOVE.

CLIENT

DATE

February 5, 2021

DR. CJM CH. AA

P.M. MZ

BOOK

JOB 19003836

SHEET NO. 3 OF 7

BRANDON BRYDSON

507 KONSTANTY CIR. AUSTIN, TEXAS 78746

SCALE 0

DR. CJM CH. AA

P.M. MZ

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JOB 19003836

SHEET NO. 3 OF 7

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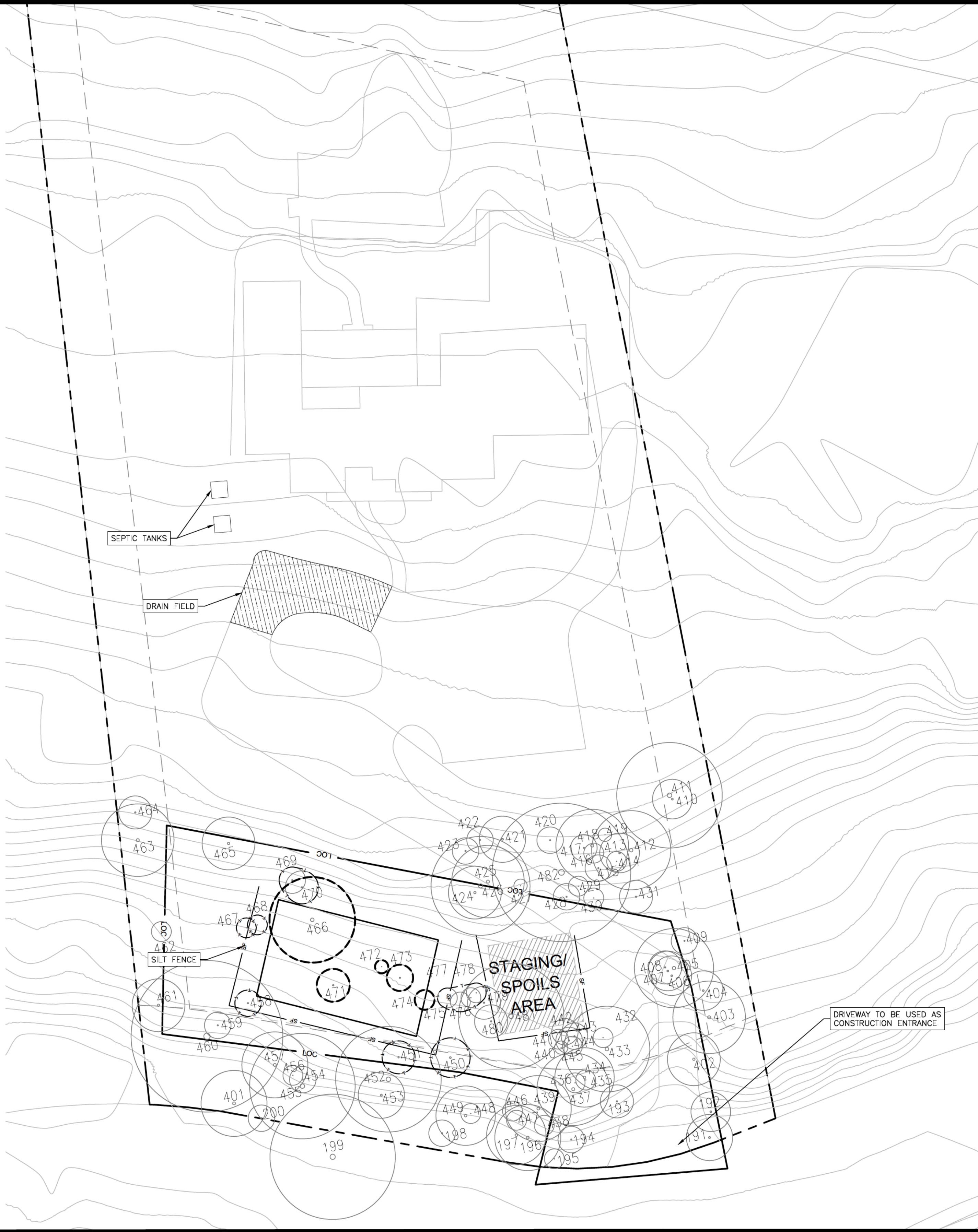
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TREE SURVEY LIST

191	7" OAK
192	6" OAK
193	5" OAK
194	4" OAK
195	3" OAK
196	10" OAK
197	9" OAK
198	4" M.S. OAK
199	19" COTTONWOOD
200	4" OAK
401	10" OAK
402	8" OAK
403	11" COTTONWOOD
404	6" COTTONWOOD
405	12" OAK
406	6" OAK
407	6" OAK
408	5" OAK
409	4" MTN. LAUREL
410	6" M.S. YAUPON
411	16" CEDAR
412	12" M.S. OAK
413	6" M.S. YAUPON
414	3" MTN. LAUREL
415	4" M.S. YAUPON
416	3" YAUPON
417	4" M.S. YAUPON
418	11" OAK
419	2" YAUPON
420	4" YAUPON
421	7" M.S. YAUPON
422	4" M.S. YAUPON
423	5" YAUPON
424	8" OAK
425	15" OAK
426	11" M.S. OAK
427	2" MTN. LAUREL
428	4" MTN. LAUREL
429	3" MTN. LAUREL
430	3" MTN. LAUREL
431	5" M.S. YAUPON
432	3" MTN. LAUREL
433	13" M.S. CEDAR
434	9" CEDAR
435	3" M.S. YAUPON
436	3" M.S. OAK
437	11" M.S. CEDAR
438	3" M.S. OAK
439	10" CEDAR
440	2" MTN. LAUREL
441	3" M.S. MTN. LAUREL
442	4" M.S. MTN. LAUREL
443	4" M.S. MTN. LAUREL
444	4" M.S. MTN. LAUREL
445	3" M.S. MTN. LAUREL
446	3" MTN. LAUREL
447	3" M.S. MTN. LAUREL
448	3" M.S. OAK
449	9" CEDAR
450	6" M.S. MTN. LAUREL
451	5" M.S. MTN. LAUREL
452	16" M.S. OAK
453	7" M.S. YAUPON
454	4" M.S. YAUPON
455	16" M.S. CEDAR
456	3" OAK
457	10" CEDAR
458	4" HACKBERRY
459	4" M.S. MTN. LAUREL
460	23" M.S. CEDAR

TREE SURVEY LIST

461	8" CEDAR
462	3" OAK
463	11" HACKBERRY
464	5" PECAN
465	8" M.S. YAUPON
466	13" OAK
467	3" MTN. LAUREL
468	3" MTN. LAUREL
469	4" MTN. LAUREL
470	5" M.S. MTN. LAUREL
471	5" M.S. OAK
472	2" MTN. LAUREL
473	4" MTN. LAUREL
474	3" M.S. MTN. LAUREL
475	3" M.S. MTN. LAUREL
476	3" MTN. LAUREL
477	3" M.S. MTN. LAUREL
478	2" MTN. LAUREL
479	5" M.S. MTN. LAUREL
480	5" M.S. MTN. LAUREL
481	16" OAK
482	21" OAK



LEGEND	NOTES	TREE LEGEND	NORTH ARROW & SCALE	KEYMAP
PROPOSED CONTOURS EXISTING CONTOURS EX PROPERTY BOUNDARY LIMITS OF CONSTRUCTION SILT FENCE TREE PROTECTION FENCE STAGING & TEMPORARY SPOILS AREA STABILIZED CONSTRUCTION ENTRANCE INLET PROTECTION TEMPORARY ROCK BERM	- LIMITS OF CONSTRUCTION: 1.50 ACRES - THE CONTRACTOR SHALL PROVIDE DUST CONTROL IN ACCORDANCE WITH THE CITY OF AUSTIN ENVIRONMENTAL CRITERIA MANUAL, SECTION 1.4.5.D. - ALL AREA INLETS SHALL HAVE INLET PROTECTION IN PLACE UNTIL THE COMPLETION OF GRADING AND REVEGETATION. - THE TRAVIS COUNTY AND COA INSPECTORS HAVE THE AUTHORITY TO MODIFY EROSION/SEDIMENTATION CONTROLS AS REQUIRED TO ENSURE THE CONTROLS ARE FUNCTIONING PROPERLY. - ANY DIRT, MUD, ROCKS OR OTHER DEBRIS CARRIED ONTO EXISTING ROADS SHALL BE REMOVED IMMEDIATELY AND THE ROAD RESTORED TO A DRIVABLE CONDITION, FREE FROM OBSTRUCTIONS. - WHERE STREET IMPROVEMENTS END ON A GRADE THAT ALLOWS OFFSITE SEDIMENT TO WASH ONTO PAVEMENT, THE CONTRACTOR SHALL INSTALL ROCK BERMS AT THE EDGE OF PAVEMENT, ROCK BERMS SHALL BE MAINTAINED AND REMAIN IN PLACE UNTIL ADJACENT PHASE IMPROVEMENTS BEGIN. - AT THE COMPLETION OF STREET AND UTILITY IMPROVEMENTS, THE CONTRACTOR SHALL REVEGETATE THE AREAS DISTURBED BY CONSTRUCTION IN ACCORDANCE WITH THE CONDITIONS LISTED ON THE GENERAL NOTES SHEET. - IN AREAS WHERE SILT FENCE IS TO BE INSTALLED CROSSING CONTOURS, J-HOOKS SHALL BE ADDED TO THE SILT FENCE EVERY 100'. - OFFSITE DISPOSAL OF SPOIL MATERIAL MUST BE CLEARED BY COUNTY INSPECTOR PRIOR TO THE REMOVAL FROM THE JOBSITE. - DIRT TRACKED INTO THE ROADWAY OUTSIDE THE LOC MUST BE IMMEDIATELY REMOVED UPON DISCOVERY. - CONTRACTOR SHALL ATTEMPT TO REVEGETATE MAJOR AND CRITICAL PORTIONS OF THE PROJECT IN DISCREET PHASES AND AS EARLY AS POSSIBLE. - FOR THE STABILIZATION OF ALL THE SLOPES 3:1 OR GREATER, SUITABLE ESC MATTING (TYPE I) WILL BE UTILIZED IN CONJUNCTION WITH REVEGETATIVE EFFORTS ONSITE. (TYPE I) FOR CHANNELS. - ENVIRONMENTAL INSPECTOR HAS THE AUTHORITY TO ADD/OR MODIFY EROSION/SEDIMENTATION CONTROLS ON SITE TO KEEP PROJECT IN-COMPLIANCE WITH CITY OF AUSTIN RULES AND REGULATIONS. - CONTRACTOR SHALL UTILIZE DUST CONTROL MEASURES DURING SITE CONSTRUCTION SUCH AS IRRIGATION TRUCKS AND MULCHING AS PER ECOM 1.4.5 (A), OR AS DIRECTED BY THE ENVIRONMENTAL INSPECTOR. - THE CONTRACTOR WILL CLEAN UP SPOILS THAT MIGRATE ONTO THE ROADS A MINIMUM OF ONCE DAILY. - FOR OFF-SITE UTILITY LINES- PROVIDE PERPENDICULAR EROSION CONTROLS EVERY 30' AS YOU FINISH LINE.	TREE PROTECTED TREE REMAIN TREE REMOVE	 SCALE: 1" = 20'	

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ENVIRONMENTAL
PROTECTION PLAN

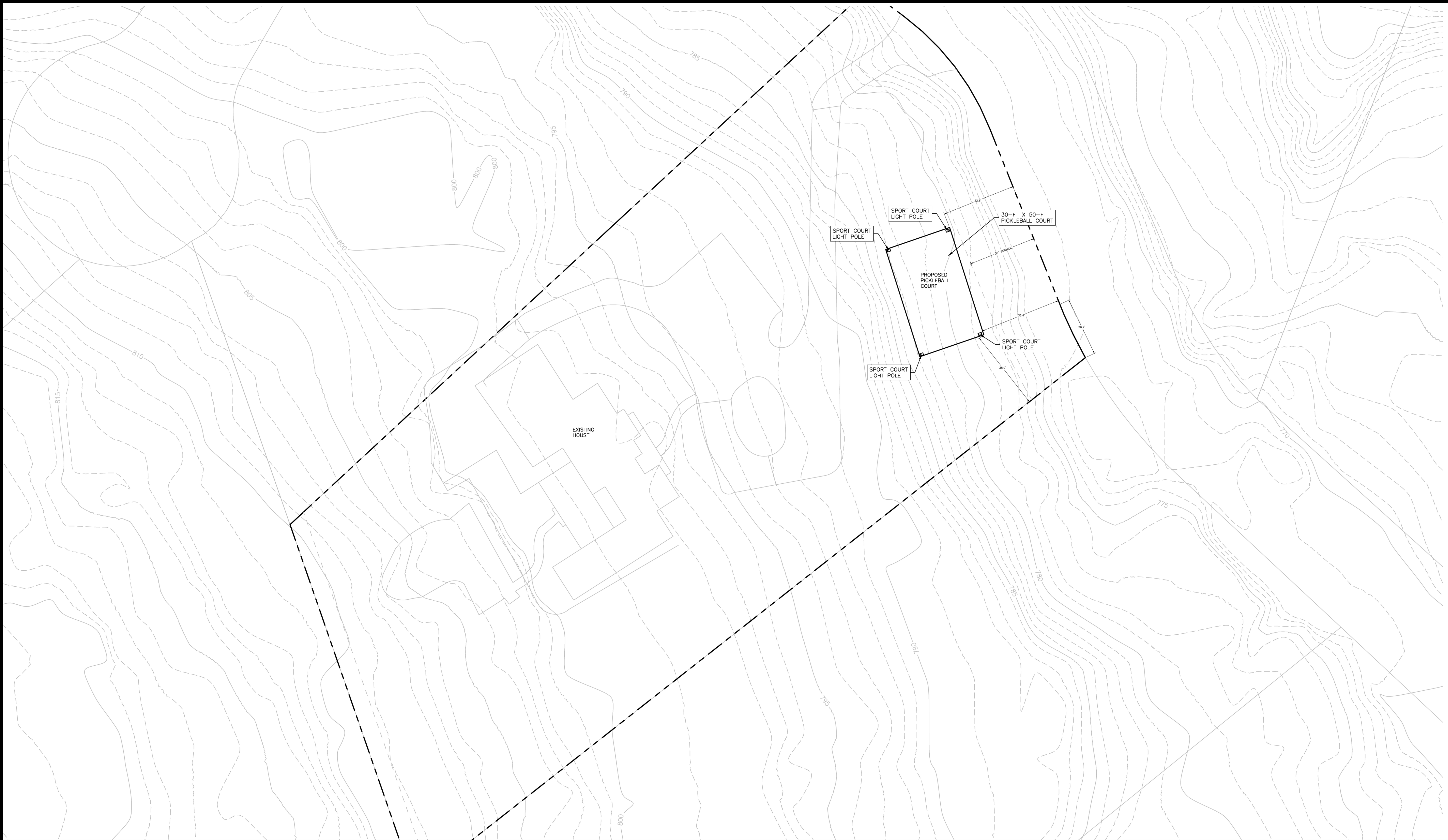
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AUSTIN, TEXAS 78746

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BOOK	--		
JOB	19003836		
SHEET NO.	4	OF	7

CAD FILE: B 507 KC ESD.DWG

T:\PRIVATE\MONREAL FRAMING\DESIGN\SHIT'S CONSTRUCTION\B 507 KC STE.DWG 2/5/2021 4:24 PM ABIGAIL SHELTON



LINE & CURVE TABLES:

LEGEND

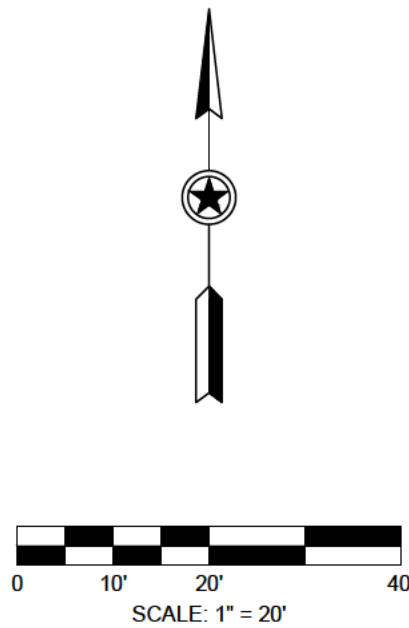
- PROPERTY BOUNDARY
- RIGHT OF WAY
- STREET CENTERLINE
- SIDEWALK
- CURB AND GUTTER
- PROPOSED CONTOURS
- EXISTING CONTOURS
- EXISTING EASEMENT
- ACCESSIBLE PATH

TREE LEGEND

- TREE PROTECTED
- TREE REMAIN
- TREE REMOVE

NOTES

NORTH ARROW & SCALE



KEYMAP



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SITE AND DIMENSION CONTROL

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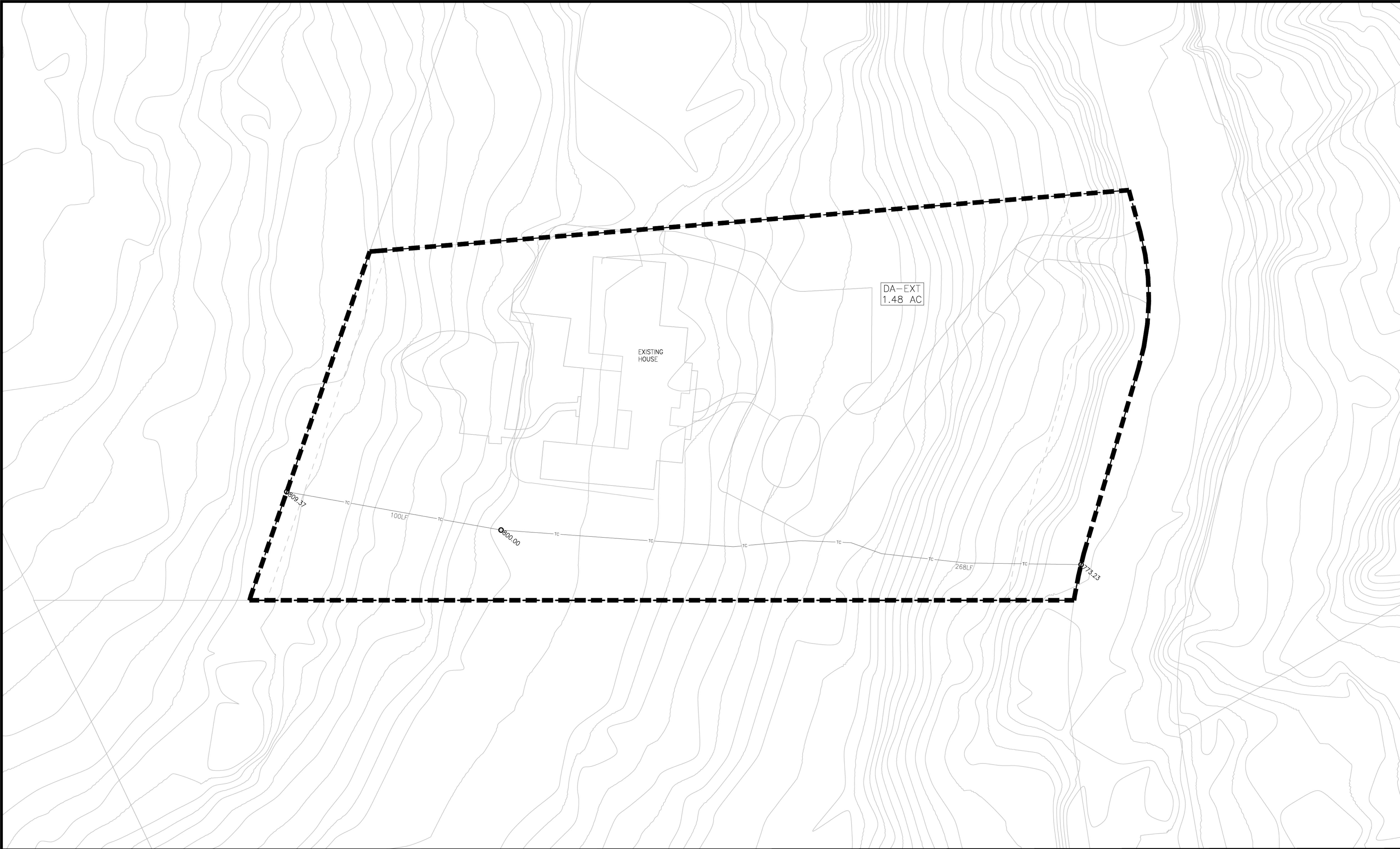
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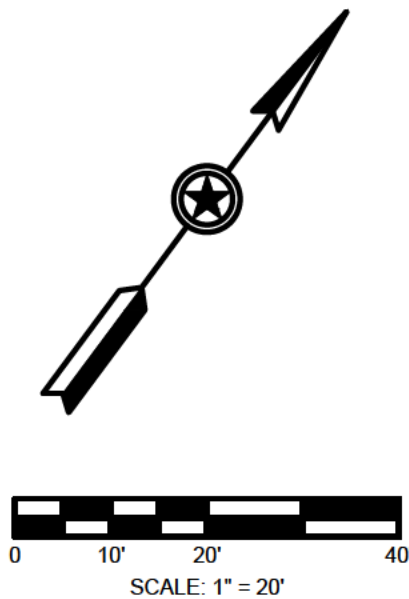
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BOOK	-		
JOB	19003836		
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Storm Sewer Drainage Calculations - Basin IC Tables						
Basin Name	Area (sq ft)	Area (ac)	Total IC (%)	Total IC (ac)	Street/ House IC (sf)	Sidewalk IC (sf)
EXT	64,518	1.48	25.34	0.38	14,459	1,890
PROP	64,518	1.48	27.67	0.41	15,959	1,890

Storm Sewer Drainage Calculations (Rational Method)																												
Drainage Area / Basin Name	Area (ac)	Total IC (%)	Composite C Value				Sheet Flow						Shallow Concentrated Flow - Unpaved						Tc-Total (min)	Intensity				Q _{peak} (Rational Method)				Basin Area
			2-Year	10-Year	25-Year	100-Year	Length (ft)	Mannings n	Delta - Vertical (ft)	Slope (ft/ft)	2yr-24hr Rainfall (in)	Tc-Sheet (min)	Length (ft)	Delta - Vertical (ft)	Slope (ft/ft)	Velocity (ft/sec)	Tc-Shallow (min)	2-Year		10-Year	25-Year	100-Year	Q-2yr (cfs)	Q-10yr (cfs)	Q-25yr (cfs)	Q-100yr (cfs)		
EXT	1.48	25.34	0.47	0.52	0.57	0.64	100.00	0.24	9.37	0.094	4.14	6.76	268.00	26.77	0.100	5.10	0.88	7.64	5.57	8.45	10.36	13.52	3.84	6.55	8.69	12.85	EXT	
PROP	1.48	27.67	0.48	0.53	0.58	0.65	100.00	0.24	9.37	0.094	4.14	6.76	268.00	26.77	0.100	5.10	0.88	7.64	5.57	8.45	10.36	13.52	3.92	6.67	8.84	13.05	PROP	



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EXISTING DRAINAGE AREA MAP

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AUSTIN, TEXAS 78746

DATE: February 5, 2021

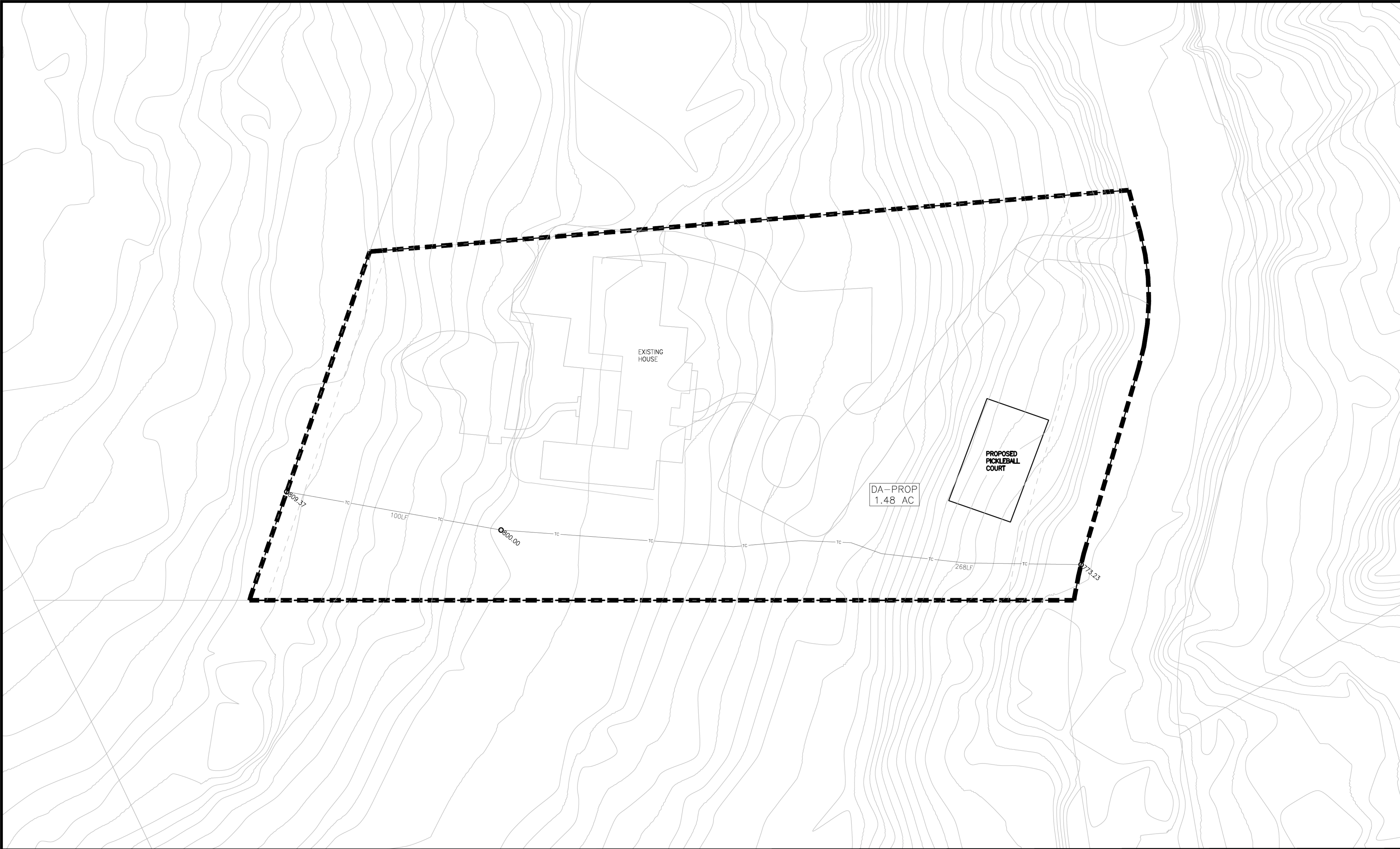
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SHEET NO. 6 OF 7

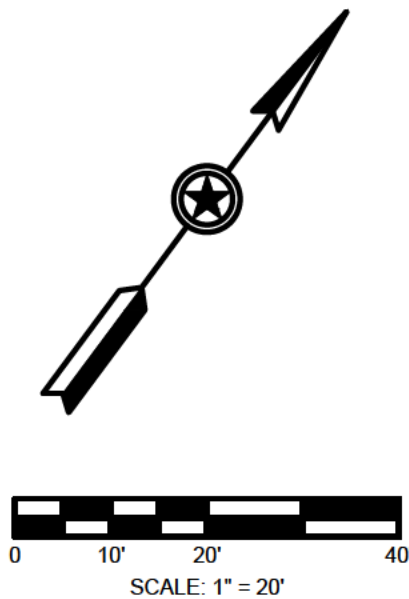
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PROPOSED DRAINAGE AREA MAP

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