



CITY OF WEST LAKE HILLS, TEXAS
NOTICE OF ZONING & PLANNING COMMISSION (ZAPCO) REGULAR MEETING
Wednesday, July 21, 2021 at 6:30 PM

Notice is hereby given that the Zoning and Planning Commission (ZAPCO) of the City of West Lake Hills, Texas, will hold a REMOTE Regular Meeting on the 21st day of July, 2021 at 6:30 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 Zoning and Planning Commission of the City of West Lake Hills will conduct a telephonic meeting in order to advance the public health goal of limiting face-to-face meetings (also called “social distancing”) to slow the spread of the Coronavirus (COVID19).

The public may participate in this meeting by dialing in to the following toll free number: (346) 248-7799, Meeting ID 849 8940 9174, Password: 620780

If you wish to speak during the meeting, please provide your name, phone number and the item number you wish to speak on to pzsec@westlakehills.org by 1:00 P.M. on July 21, 2021

Members of the public who wish to submit their written comments in lieu of speaking shall submit their comments by emailing pzsec@westlakehills.org. Comments must be received by 1:00 P.M. on July 21, 2021

1. Call to Order. Chairman Robert Meisel.
2. Consent Agenda The following items are considered to be self-explanatory by the Commission and will be enacted with one motion. There will be no separate discussion of these item/s unless a Commission Member or citizen so requests.
 - A. Approval of the June 16, 2021 Regular Meeting Minutes
3. Land Use 110 Reveille Road: Public Hearing and Discussion/recommendation on an application for a variance request to remove a tree with a diameter of greater than 14 inches (West Lake Hills Code Sec. 22.03.304). Zachary Mills.

A. Section 22.03.304 – Tree and Vegetation Removal and Replacement

4. Land Use 116 Skyline Drive: Public Hearing and Discussion/recommendation on an application for a variance request to encroach a front building setback (West Lake Hills Code Sec. 22.03.281 & 22.03.275). Kim Power agent for Brian Sharples.
 - A. Section 22.03.281 – Encroachment in a Building Setback
Section 22.03.275 – Building Setback Distances
5. Land Use 201 West Spring Drive: Public Hearing and Discussion/recommendation on an application for a variance request to (West Lake Hills Code Sec. 22.03.281). Rafael Acuna
 - A. Section 22.03.281 – Encroachment in a building setback
6. Land Use 613 Rock Park Drive: Public Hearing and Discussion/recommendation on an application for a variance request related to density, building setbacks and tree removal (West Lake Hills Code Sec. 38.03.034, 22.03.281 and 22.03.304). Brad Walters agent for Christopher Crane.
 - A. Section 38.03.034 – More than two (2) single-family dwelling units per acre;
Section 22.03.281 – Encroachment in a building setback;
Section 22.03.304 - Tree and vegetation removal and replacement
7. Land Use 708 Split Rail Trail: Public Hearing and Discussion/recommendation on an application for a variance request to remove two trees greater than 14 inches in diameter (West Lake Hills Code Sec. 22.03.304). Stephen Hawkins agent for Chris and Shanon Smith.
 - A. Section 22.03.304 – Tree and Vegetation Removal and Replacement
8. Land Use 3423 Bee Cave Road: Public Hearing and Discussion/recommendation on an application for a request for multiple variances to construct a new medical office building: 1) Removal of Six Trees 14 inches or greater (#5140, 15 Inch Live Oak, #5143, 14 Inch Live Oak, #5373, 14 Inch Cedar, #5374, 15 Inch Live Oak, #5385, 15 Inch Cedar and #5548, 15 Inch Cedar), 2) Building Height exceeds maximum permitted height, 3) Impervious Cover exceeds maximum permitted, 4) Cut and Fill exceeds maximum permitted; (West Lake Hills Code Sec. 22.03.170, 22.03.281, 22.03.249, 22.03.278 & 22.03.304). Peter Narvarte agent for KCBC LLC.
 - A. Section 22.03.170 – Site Disturbance (Excavation, Grading or Filling)
Section 22.03.281 – Schedule of Regulations. (Impervious Cover & Height)
Section 22.03.249 – Driveway, Parking and Loading Area Setbacks
Section 22.03.304 – Tree and Vegetation Removal and Replacement

9. Land Use 4101 Bee Cave Road: Public hearing and Discussion/recommendation on an application for a sign variance request (West Lake Hills Code Sec. 32.03.006, 32.01.016). Andrew Chapman agent for Eanes ISD.

A. Section 32.03.006 – Freestanding Commercial Signs
Section 32.01.016 – Prohibited Signs

10. Adjournment. Chairman Robert Meisel.

Robert Meisel, Chairman
By Mark Littrell, Zoning & Planning
Secretary

Certificate

I certify that the above Notice of the July 21, 2021 Zoning & Planning Commission Meeting was posted on the bulletin board at the Municipal Building, 911 Westlake Drive, West Lake Hills, Texas on July 16, 2021 by 5:00 pm, and will remain posted continuously until said meeting is convened.

By Mark Littrell, Zoning & Planning 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. ZAPCO reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by Texas Government Code Sections 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices), and 551.086 (Economic Development).

CITY OF WEST LAKE HILLS, TEXAS
MINUTES OF A ZONING & PLANNING COMMISSION (ZAPCO) REGULAR MEETING
Wednesday, 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 FLOOR 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.

DRAFT



TREE VARIANCE
STAFF REPORT

July 21, 2021

Project Address: 110 Reveille Road

Project Number: 16703

Agenda Item: Land Use: **110 Reveille Road:** Discussion/recommendation on an application for a variance request to remove a tree with a diameter of greater than 14 inches (West Lake Hills Code Sec. 22.03.304). Zachary Mills.

- Section 22.03.304 – Tree and Vegetation Removal and Replacement

Applicant Information: Zachary Mills

Hearing Dates:

July 21, 2021

ZAPCO

July 28, 2021

City Council

Location: The subject property is located at 110 Reveille Road.

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 variance to construct a new residence:

- **Removal of T3782 – 18.5” Pecan**

This requires a replacement value of 27.75 inches.

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 tree is in a very difficult position on the lot. To design a house around it, while possible, would make for poor use of the space. It would require more hallways, less usable square footage, and overall would be far less efficient. We will be planting more trees in locations beneficial to the neighbors and the lot in general.”*

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

The application states – *“After removal of this tree, there will still be 22 trees on the survey of our 0.37- acre lot. We are utilizing the same general footprint of the existing house, with some additions, as well as that of the driveway.”*

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

The application states – *“We originally designed the house to have the garage on the opposite side (North), however this put Pecan #3764 in the middle of our driveway. This design provided a little more room around the variance tree, but even then, there was no good options.”*

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

The application states – *“We have designed this house so that only the removal of this one tree is necessary.”*

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

The application states – *“There will still be an abundance of trees on our lot and a good portion of our lot will still be underneath canopies.”*

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

The application states – *“The adjacent property to the South is owned by the City and used as drainage. The subject tree provides little shade, if any, to either adjacent property. Much of the tree cannot be seen by the adjacent homeowners due to the existing house. WE will be planting multiple hardwood species along the North side of the lot at the end of the project.”*

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.

Staff Recommendation

Staff recommends APPROVAL of the variance request based on the following findings of fact:

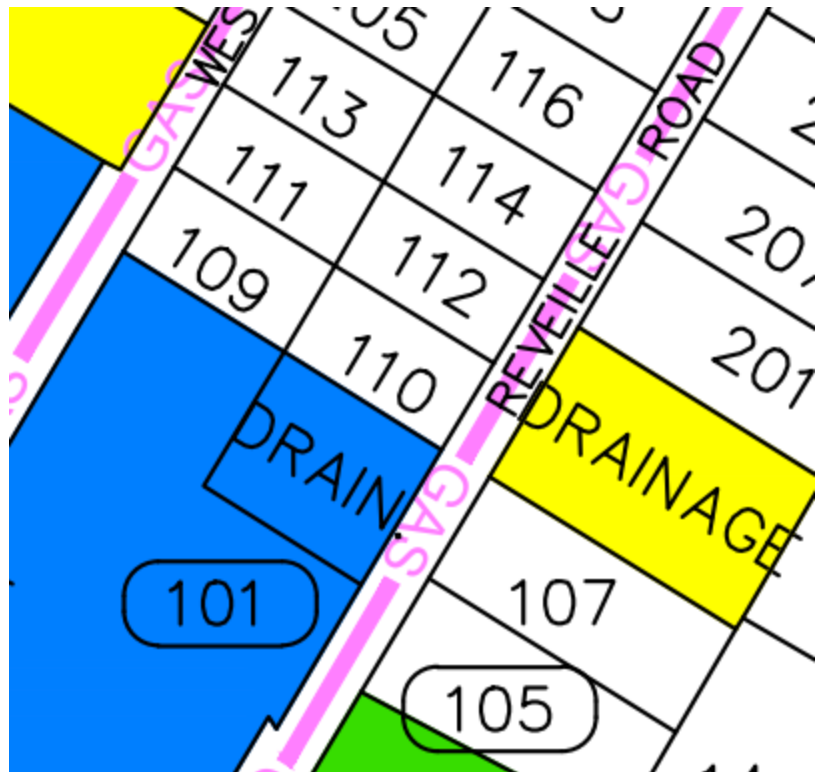
- There will not be unreasonable disruption of the natural terrain or unreasonable destruction of existing flora.
- The variance will not be greater than the minimum required to alleviate the difficulty or hardship complained of.
- The variance does not violate the intent of the Zoning Ordinance or goals 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:

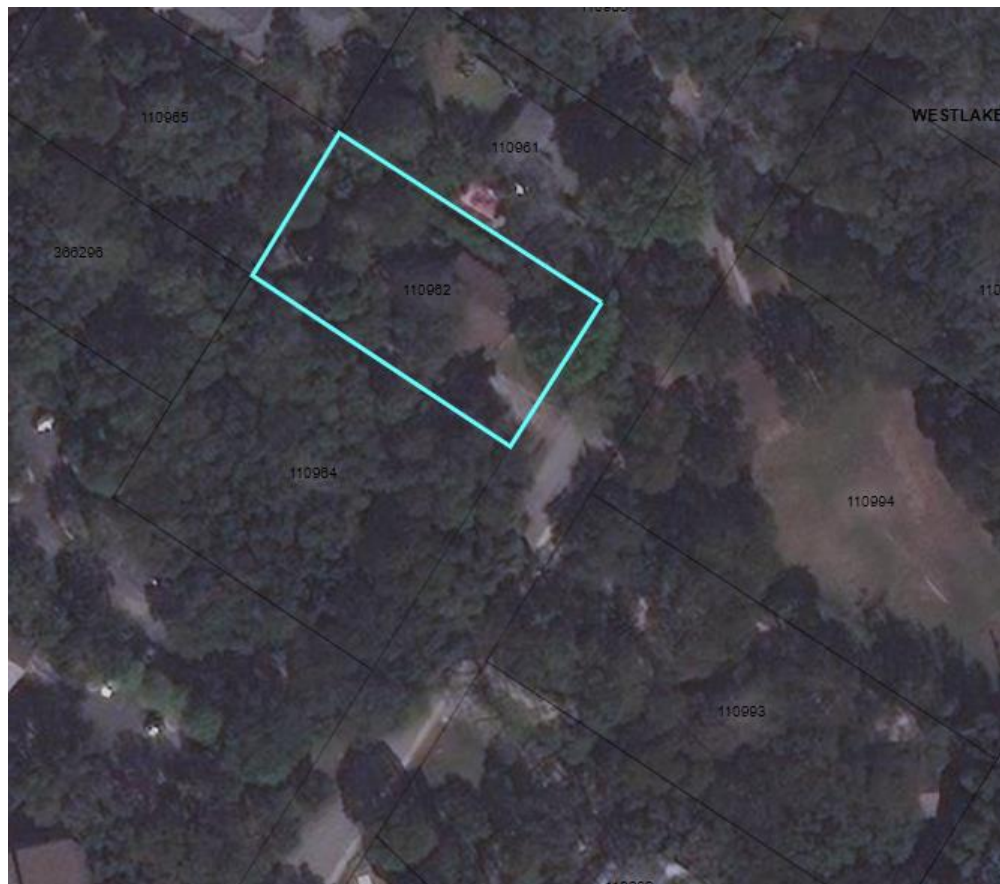
- [Sec 22.03.304 – Tree and Vegetation Removal and Replacement](#)
- [Sec. 22.03.514 Criteria and process required for granting variance](#)

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 INSITUTIONAL



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: Icarus Construction Phone: 512 541-5348

Email: [REDACTED]

Address: 9317 McNeil Rd City: Austin State: TX Zip: 78758

Agent*: Zachary Mills Phone: 512 541-5348

Email: [REDACTED]

Address: 9317 McNeil Rd City: Austin State: TX Zip: 78758

Property Address: 110 Reveille City: Westlake Hills State: TX Zip: 78746

Property Information

Subdivision Name: Resub of Lot 11 Smith Joe Resub

Block: 6 Lot: 6 TCAD Tax Parcel ID: 110962

Current Zoning Classification: A Total Lot Size (Acres): .3846

***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) Tree removal - #3782 18.5" Pecan
- 2) _____
- 3) _____
- 4) _____
- 5) _____



VARIANCE APPLICATION

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

Brief Description of project/why variances are needed: New construction of single family home.

This tree is in the middle of our build envelope and the options of constructing around it are very limited.

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.

This tree is in a very difficult position on the lot. To design a house around it , while possible, would make for poor use of the space. It would require more hallways, less usable square footage, and overall would be far less efficient. We will be planting more trees in locations beneficial to the neighbors and the lot in general.

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?

After removal of this tree, there will still be 22 trees on the survey of out .37 acre lot.
We are utilizing the same general footprint of the existing house, with some additions, as well as that of the driveway.

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

We originally designed the house to have the garage on the opposite side (North), however this put pecan #3764 in the middle of our driveway. This design provided a little more room around the variance tree, but even then there was no good options.

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

We have designed this house so that only the removal of this one tree is necessary.



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?

There will still be an abundance of trees on our lot and a good portion of our lot will still be underneath canopies.

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 adjacent property to the South is owned by the city and used as drainage. The subject tree provides very little shade, if any, to either adjacent properties. Much of the tree cannot be seen by the adjacent homeowner due to the existing house. We will be planting multiple hardwood species along the North side of the lot at the end of the project.

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).

Zach Mills
Signature

May 27th, 2021
Date

Zachary Mills
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
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- 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:

Zachary Mills
9317 McNeil Rd
Austin, TX 78758

June 21, 2021

City of Westlake Hills Zoning and Planning Commission
Robert Meisel
911 Westlake Dr
West Lake Hills, TX 78746

Re: Variance for 110 Reveille

Dear Mr. Meisel,

I am going to remove the existing structure and build a new single family residence at 110 Reveille. There is an 18.5" Pecan in the middle of the build envelope that greatly reduces the possibilities for the design of the new house. I am asking to remove this single tree. In addition, we will be removing 3 other trees that do not require a variance. There will still be around 20 trees over 3" on our lot and we will be planting more at the end of the project. We are using as much of the existing footprint as possible in our design and making every effort to retain the existing vegetation.. The removal of this tree will allow us to build a house that is more efficient and provide better utilization of the lot. I think this house will be a great addition to the neighborhood and Westlake community.

Thank you,

Zacchary Mills

LOT 10
BLOCK A
JOE SMITH RESUBDIVISION OF LOTS 37, 38, 39,
& THE WEST 1/2 OF LOT 40 OF BARTON SPRINGS ESTATES
VOLUME 13 PAGE 77

The record bearings and distances for Lot 10
form a mathematically closed figure.

(S59°58'E 354.5') per 13/77
S59°58'49"E 354.6'

(S60°04'E 177.0') per 32/32

(S60°04'E 177.70') per 32/32

LOT 4

**BLOCK A
RESUBDIVISION OF LOT 11
JOE SMITH RESUBDIVISION
OF LOTS 37, 38, 39, AND THE
WEST ONE-HALF OF LOT 40,
BARTON SPRINGS ESTATES
VOLUME 32 PAGE 32**

(S59°38'E 177.36') per 32/32
S59°32'49"E 177.27'

LOT 1

S59°33'53"E 177.47'
(S59°39'E 177.33') per 32/32

previously LOT 11
BLOCK A

JOE SMITH RESUBDIVISION
OF LOTS 37, 38, 39,
& THE WEST 1/2 OF LOT 40
OF BARTON SPRINGS ESTATES
VOLUME 13 PAGE 77

The record bearings and distances for Lot 11
do not form a mathematically closed figure.

LOT 2

LOT 5

S59°09'38"E 177.60'
(S59°19'E 177.71') per 32/32

LOT 3

(N59°02'W 177.71') per 32/32
N59°01'00"W 177.27'

N58°57'24"W 353.81'
(N60°04'W 353.9') per 13/77

LOT 12
BLOCK A

JOE SMITH RESUBDIVISION OF LOTS 37, 38, 39, & THE WEST 1/2 OF LOT 40 OF BARTON SPRINGS ESTATES
VOLUME 13 PAGE 77

The record bearings and distances for Lot 12 do not form
a mathematically closed figure.
Also the record bearings and distances for Lots 11 and 12
together do not form a mathematically closed figure.

MAP OF TOPOGRAPHIC SURVEY OF
LOT 6, BLOCK A, RESUBDIVISION OF LOT 11
JOE SMITH RESUBDIVISION OF LOTS 37, 38, 39, AND THE
WEST ONE-HALF OF LOT 40, BARTON SPRINGS ESTATES,
A SUBDIVISION IN TRAVIS COUNTY, TEXAS, ACCORDING
TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 32
PAGE 32 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS.
LOCATED AT 110 REVELLE ROAD. PAGE 1 OF 2

SCALE: 1"=40'

- LEGEND**
- ⊙ 1/2" Iron Rod Found
 - ipf ⊙ 1/2" Iron Pipe Found
 - ⊕ Calculated Point
 - ⊙ 1/2" Iron Rod Set with Plastic Cap
Marked "Holt Carson, Inc."
(Record Bearing and Distance)

Orientation for this survey is based on a bearing of
S87°41'03"E between points A and B labeled hereon.

PREPARED: March 8, 2021
BY:

Anne Thayer

Anne Thayer
Registered Professional Land Surveyor No. 5850



HOLT CARSON, INC.
1904 FORTVIEW ROAD
AUSTIN, TX 78704
(512) 442-0990

MAP OF TOPOGRAPHIC SURVEY OF
LOT 6, BLOCK A, RESUBDIVISION OF LOT 11
JOE SMITH RESUBDIVISION OF LOTS 37, 38, 39, AND THE
WEST ONE-HALF OF LOT 40, BARTON SPRINGS ESTATES,
A SUBDIVISION IN TRAVIS COUNTY, TEXAS, ACCORDING
TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 32
PAGE 32 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS.
LOCATED AT 110 REVEILLE ROAD. PAGE 2 OF 2

LOT 5

BLOCK A
RESUBDIVISION OF LOT 11 JOE SMITH RESUBDIVISION
OF LOTS 37, 38, 39, AND THE WEST ONE-HALF OF LOT 40,
BARTON SPRINGS ESTATES
VOLUME 32 PAGE 32

SCALE: 1"=20'

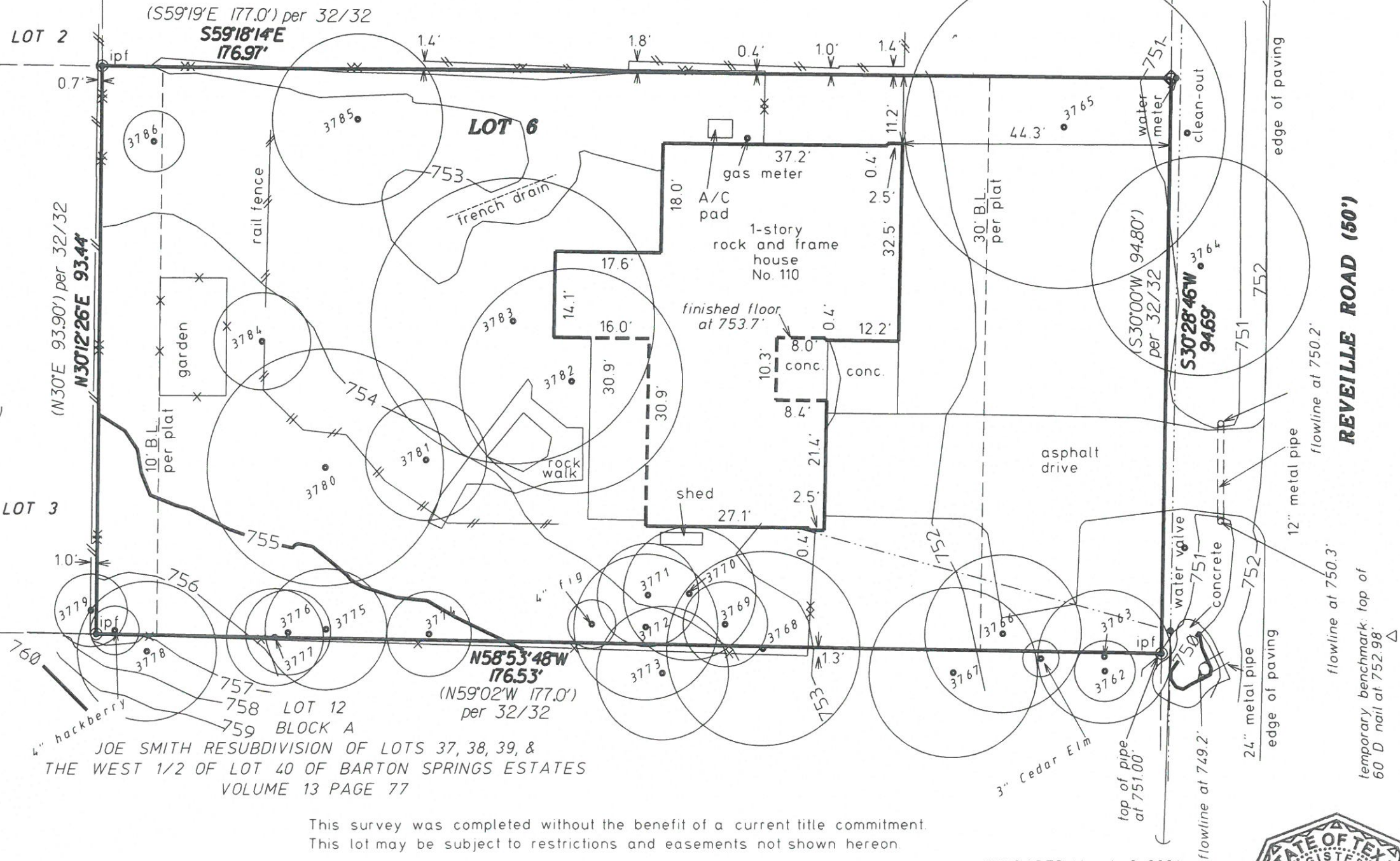
LEGEND

- ⊙ ½" Iron Rod Found
- ipf ⊙ ½" Iron Pipe Found
- ⊗ Calculated Point
- ⊕ ½" Iron Rod Set with Plastic Cap Marked "Holt Carson, Inc."
- Wood Fence
- x- Wire Fence
- *- Chain Link Fence
- .- Overhead Utility Line
- guy wire
- (Record Bearing and Distance)

TREE LIST

Tag No.	Description
3762	5" Spanish Oak
3763	11" Lygustrum (3", 5" and 7" stems)
3764	18" Pecan
3765	26.5" Spanish Oak
3766	13" Cedar Elm
3767	14" Live Oak
3768	16" Cedar Elm
3769	7" Live Oak
3770	11" Live Oak
3771	8.5" Live Oak
3772	12" Live Oak
3773	11" Live Oak
3774	7" Cedar
3775	10" Cedar
3776	7" Cedar
3777	8" Cedar
3778	11.5" Live Oak
3779	6" Cedar
3780	19.5" Lygustrum (two 13" stems)
3781	10" Pecan
3782	18.5" Pecan
3783	23.5" Spanish Oak
3784	8" Spanish Oak
3785	14" Pecan
3786	5" Live Oak

HOLT CARSON, INC.
1904 FORTVIEW ROAD
AUSTIN, TX 78704
1070128 (512) 442-0990



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

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

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

PREPARED March 8, 2021
BY:

Anne Thayer

Anne Thayer
Registered Professional Land Surveyor No. 5850
Texas Licensed Surveying Firm







MULTIPLE VARIANCE
STAFF REPORT

July 21, 2021

Project Address: 116 Skyline Drive

Project Number: 16638

Agenda Item: Land Use: **116 Skyline Drive:** Discussion/recommendation on an application for a variance request to encroach a front building setback (West Lake Hills Code Sec. 22.03.281 & 22.03.275). Kim Power agent for Brian Sharples.

- Section 22.03.281 – Encroachment in a Building Setback
- Section 22.03.275 – Building Setback Distances

Applicant Information: Kim Power agent for Brian Sharples

Hearing Dates:

July 21, 2021	ZAPCO
August 11, 2021	Board of Adjustment

Location: The subject property is located at 116 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 an encroachment into the front setback to construct a carport over an existing parking area.

- **The proposed encroachment is to build the carport all the way up to the property, an encroachment of 50 feet into the front 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 – *“In addition to the limited buildable area due to the irregular shape of the property, the significantly sloped topography and dense mature tree cover necessitate a narrow, linear access point to the site. The existing garage & driveway were built on the footprint of the previous garage & driveway, which encroached into the front setback. While this minimized concrete & impervious cover for the driveway, it created a driveway and parking area that was restricted to the front setback.”*

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

The application states – *“The natural terrain and existing flora should not be disturbed, as the parking area already exists. The cover will be supported on four columns, which will be mounted to the existing concrete retaining wall. No demolition and no sitework will be required, no trees will be removed, and no additional impervious cover will be created.”*

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

The application states – *“Because the existing garage and driveway are entirely within the front setback, there is no place to locate a parking cover that does not encroach into the front setback. Any other solution would involve adding impervious cover and creating site disturbance.”*

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

The application states – *“The objective is to add utility to the site with minimal intervention, to resolve the problem of debris and the elements created by parking exposed surrounded by trees. By putting a carport over an existing parking area, we are achieving protected parking with minimal intervention and minimal visual impact.”*

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

The application states – *“Although this adds a roof structure in the front setback, it only goes over a portion of the existing driveway and does not create a visual obstruction or interference. The roof structure will be dark metal, to match the existing house as well as to blend in with the trees and natural landscape.”*

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

The application states – *“The roof structure will be as thin as possible (approx. 12”-15” thick), simple and minimal in design, and supported by thin columns which blend in with the surroundings. The structure will not add building mass or enclosure and maintain the existing street access.”*

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.

Staff Recommendation

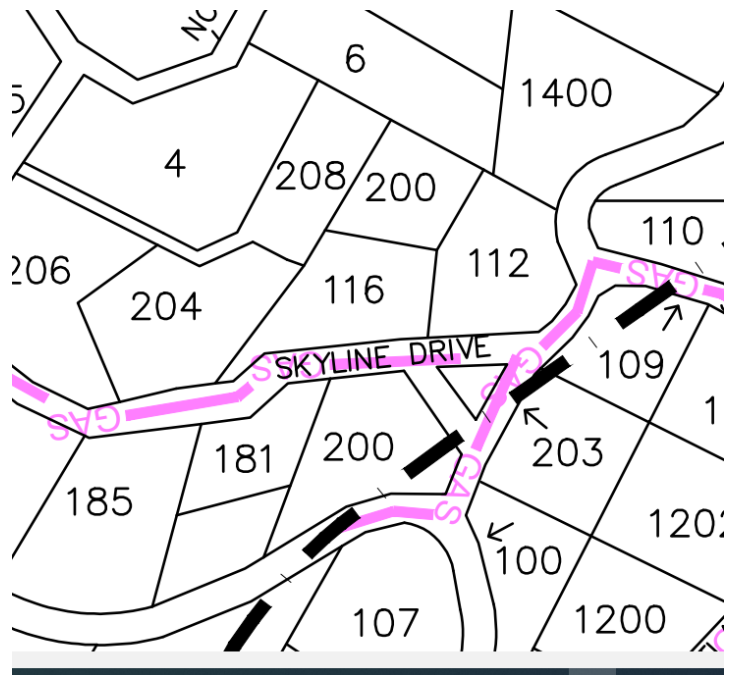
Staff recommends DENIAL of the variance request based a lack of hardship.

Links to Relevant Code:

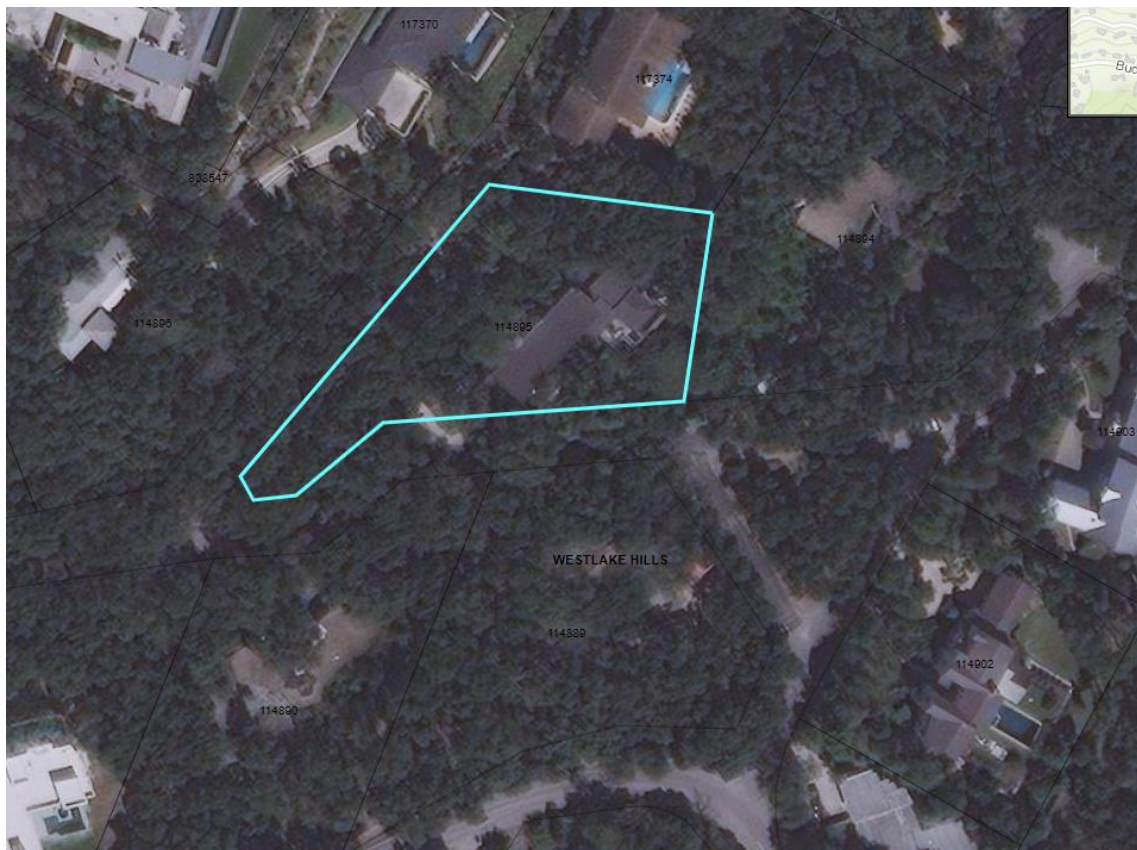
- [Sec. 22.03.281](#) [Schedule of Regulations](#)
- [Sec. 22.03.275](#) [Building Setback Distances](#)
- [Sec. 22.03.514](#) [Criteria and process required for granting variance](#)

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 INSITUTIONAL



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: Brian Sharples Phone: 512-750-8531

Email: _____

Address: 116 Skyline Dr City: West Lake State: TX Zip: _____

Agent*: Kim Power / Dick Clark + Associates Phone: 512-472-4980

Email: _____

Address: 2120 E 7th St. City: Austin State: TX Zip: 78702

Property Address: 116 Skyline Dr City: West Lake State: TX Zip: 78746

Property Information

Subdivision Name: _____

Block: _____ Lot: _____ TCAD Tax Parcel ID: 114895

Current Zoning Classification: R-1 One Family Total Lot Size (Acres): .85

**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) Variance for Carport to encroach into 50' Front Building Setback (22.03.275)
- 2) _____
- 3) _____
- 4) _____
- 5) _____



VARIANCE APPLICATION

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

Brief Description of project/why variances are needed: _____

The existing home has a 2-car garage, and the owner needs additional covered parking. There are 2 existing guest parking spots, which are uncovered, and it is proposed to place a roof over these existing spots. Due to the unusual shape of the lot, the buildable area is severely limited, and the only available parking is within the front 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.

In addition to the limited buildable area due to the irregular shape of the property, the significantly sloped topography and dense mature tree cover necessitate a narrow, linear access point to the site. The existing garage & driveway were built on the footprint of the previous garage & driveway, which encroached into the front setback. While this minimized concrete & impervious cover for the driveway, it created a driveway and parking area that was restricted to the front setback.

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 and existing flora should not be disturbed, as the parking area already exists. The cover will be supported on four columns, which will be mounted to the existing concrete retaining wall. No demolition and no sitework will be required, no trees will be removed, and no additional impervious cover will be created.

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

Because the existing garage and driveway are entirely within the front setback, there is no place to locate a parking cover that does not encroach into the front setback. Any other solution would involve adding impervious cover and creating site disturbance.

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

The objective is to add utility to the site with minimal intervention, to resolve the problem of debris and the elements created by parking exposed surrounded by trees. By putting a carport over an existing parking area, we are achieving protected parking with minimal intervention and minimal visual impact.



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?

Although this adds a roof structure in the front setback, it only goes over a portion of the existing driveway and does not create a visual obstruction or interference. The roof structure will be dark metal, to match the existing house as well as to blend in with the trees and natural landscape.

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 roof structure will be as thin as possible (approx. 12"-15" thick), simple and minimal in design, and supported by thin columns which blend in with the surroundings. The structure will not add building mass or enclosure, and maintain the existing street access.

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

04/30/2021
Date

Kim Power, AIA
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.*)
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- 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

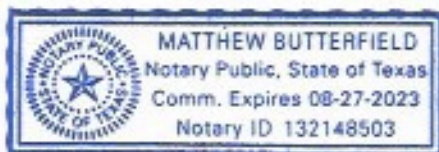
KNOW ALL PERSONS BY THIS DOCUMENT that I, BRIAN SHARPLES
 have made, constituted and appointed KIM POWER (DICK CLARK + ASSOCIATES)
 to be my duly authorized representative in connection with an application dated 4/30/2021,
 to be heard by the Building Design Committee, Zoning & Planning Commission, and 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.

<u>BRIAN SHARPLES</u>			
Property Owner/Applicant Name		Property Owner/Applicant Signature	
<u>116 SKYLINE DRIVE</u>	<u>WEST LAKE HILLS</u>	<u>TX</u>	<u>78746</u>
Street Address	City	State	Zip Code

512-750-8531
 Property Owner/Applicant Phone Number

This instrument was acknowledged before me on this the 29th day of April, 2021.

 Matthew Butterfield
 Notary Public in and for the State of Texas



LETTER TO ZAPCO CHAIRPERSON

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

April 30, 2021

Dear Mr. Chairman:

The property located at 116 Skyline Dr. is currently an existing two-story, single-family home, with a 2-car garage and two additional uncovered parking spaces at the side of the driveway. As the garage does not provide enough space to meet the parking needs of the home and there is not space to expand the garage, the two uncovered parking spaces are used virtually full time on a daily basis.

However, the existing uncovered parking spaces are under mature trees, subjecting the cars to the elements – in particular, a significant amount of debris from the trees overhead.

The owner would like to construct a cover over the existing parking spaces, to protect their vehicles.

We are requesting one variance for the proposed design: encroachment into the 50' front yard setback. The existing home was constructed in 2011 on top of the footprint of the previous home, which has a front setback of approximately 10'. The home received a variance for this at that time because it was determined that the most thoughtful and sensitive way to build on the site was to keep the existing footprint and slide the house in along the contours and between the trees, minimizing the site disturbance. As a result, the amount of driveway and parking space is adequate but limited. There is no reasonable design solution to expand the garage to obtain more covered parking behind the setback (doing so would require many feet of cut and fill and tree disturbance to the extent that more variances would be required), and placing a cover over the existing parking is both minimally invasive and perfectly functional.

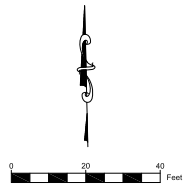
The proposed design is to cover the back part of the driveway with a roof that matches the existing house (low profile, black metal) to make a carport. It would be supported on steel columns set on top of the existing concrete retaining walls, so no site work, tree impacts, or additional impervious cover would be necessary.

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

Respectfully,



Kim Power, AIA
Partner - Dick Clark + Associates



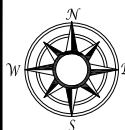
Note:
The bearing basis for this survey is the
State Plane Coordinate System,
NAD83, Texas Central Zone, (4203),
GEOID: 12A
Datum: NAVD83
CONVERGENCE: 1" 18' 20.96"

PARTIAL TOPOGRAPHIC SURVEY FOR
BRIAN AND TRACEY SHARPLES
0.85 ACRES
KLK CONSTRUCTION CO., INC. HERITAGE TITLE COMPANY OF AUSTIN, INC.
CALLED 0.854 AC. OF THE WILKENS SPARKS SUR. #4 A-21
DOC. 2011084202, a.k.a. LOT 6 OF THE L.L. BRADSHAW SUBDIVISION,
CITY OF WESTLAKE HILLS, IN TRAVIS COUNTY, TEXAS

LEGEND

ELEVATION BENCHMARK	⊕
AXLE FOUND	✱
STEEL COTTON SPINDLE	⊙
IRON PIN FOUND	●
CORNER NOT FOUND, REPLACED WITH 1/2" IRON PIN	⊙
IRON PIN SET	⊙
IRON PIPE FOUND	⊙
FENCE POST	⊕
NAIL FOUND	⊕
NAIL SET	⊕
MAG SPIKE SET	⊕
CONCRETE MONUMENT FOUND	⊕
EXISTING WIRE FENCE	— X —
CHAINLINK FENCE	— o —
BOARD FENCE	— — —
DRAINAGE MANHOLE	⊕
GAS LINE VALVE	⊕
WELL	⊕
FIRE HYDRANT	⊕
POWER POLE	⊕
WATER VALVE	⊕
TELEPHONE CABLE	— T —
WATERLINE EXISTING	— W —
OVERHEAD POWER LINE	— E —
CENTER LINE OF CHANNEL	— C —
RECORD CALLS (BEARING / DISTANCE)	— — —
RECORD FILE LOCATION VOLUME / PAGE	— — —
DATA THIS SURVEY BEARING / DISTANCE	— — —
SPECIAL FLOOD HAZARD AREA PER F.E.M.A. (APPROXIMATE LIMIT WILL VARY WITH CONDITIONS)	— — —
TRACT LINES	— — —
BOUNDARY LINES	— — —
LAND GRANT LINES	— — —
All document references are in Travis Co. Official Public Records of Travis Co., Tx. OPRTCT	

116 SKYLINE



Forest Surveying & Mapping Company
1002 Ash St. Georgetown, Texas
phone: 512-930-5927
www.forestsurveying.com
TBPLS FIRM NO. 10002000

Surveying Services are regulated by the Texas Board of Professional Engineers
and Land Surveyors 1917 S Interstate 35 Austin, TX 78741, US (512) 440-7723

THIS SURVEY HAS BEEN COMPLETED WITHOUT THE BENEFIT OF AN ABSTRACTED TITLE.
RECORD EASEMENTS HAVE BEEN LISTED HEREON AS IDENTIFIED FOR THIS SURVEY BY
COMMITMENT OF 201300346, EFF. DATE JAN. 31, 2013 PROVIDED BY HERITAGE TITLE
COMPANY OF AUSTIN, INC. AS FOLLOWS (MAY APPLY IF EXTENDING TO SITE):

A) EASEMENTS, MINERAL RIGHTS AND OTHER MATTERS THAT HAVE NOT BEEN REQUESTED
HAVE NOT BEEN REVIEWED AS A PART OF THIS SURVEY.

B) RESTRICTIVE COVENANTS HAVE NOT BEEN REVIEWED.

SCHEDULE B EASEMENT ITEMS AS FOLLOWS:
B. 10. C. A 5' WIDE ELECTRIC AND TELEPHONE LINE EASEMENT GRANTED TO THE CITY OF
AUSTIN, BY INSTRUMENT OF RECORD IN VOL. 8347, PG. 206 OF THE DEED RECORDS OF
TRAVIS COUNTY TEXAS IN SHOWN HEREON. IT IS NOTED THAT THE EXISTING POWER LINE IS
ONLY PARTIALLY WITHIN THE DESCRIBED EASEMENT.

NOTE: THE CITY OF WESTLAKE HILLS GRANTED A VARIANCE ON AUGUST 11, 2011 TO ALLOW
THE CONSTRUCTION A BUILDING ON THIS TRACT TO ENCRACH 4.0' INTO THE 50' FRONT
BUILDING SETBACK (SECTION 22.03.281 OF THE WESTLAKE HILLS CODE). SEE OTHER TERMS
FOR RETAINING WALLS.

STANDARD SURVEY NOTE:
THIS SURVEY HAS BEEN COMPLETED WITHOUT THE BENEFIT OF AN ABSTRACTED TITLE. A CURRENT
TITLE COMMITMENT HAS NOT BEEN PROVIDED TO IDENTIFY ADDITIONAL RECORD EASEMENTS WHICH
MAY BE APPLICABLE. RESTRICTIVE COVENANTS AND OTHER MATTERS HAVE NOT BEEN RESEARCHED
AS A PART OF THIS SURVEY. SEE APPLICABLE RESTRICTIVE COVENANTS AND LOCAL CODES FOR
APPLICABLE DEVELOPMENT LIMITATIONS. NOTHING IN THIS SURVEY IS INTENDED TO EXPRESS AN
OPINION REGARDING OWNERSHIP OR TITLE.

I, THE UNDERSIGNED HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND OF THE PROPERTY
LEGALLY DESCRIBED HEREON UNDER MY SUPERVISION. THIS PLAT IS TRUE AND CORRECT TO THE BEST OF
MY KNOWLEDGE AND BELIEF.

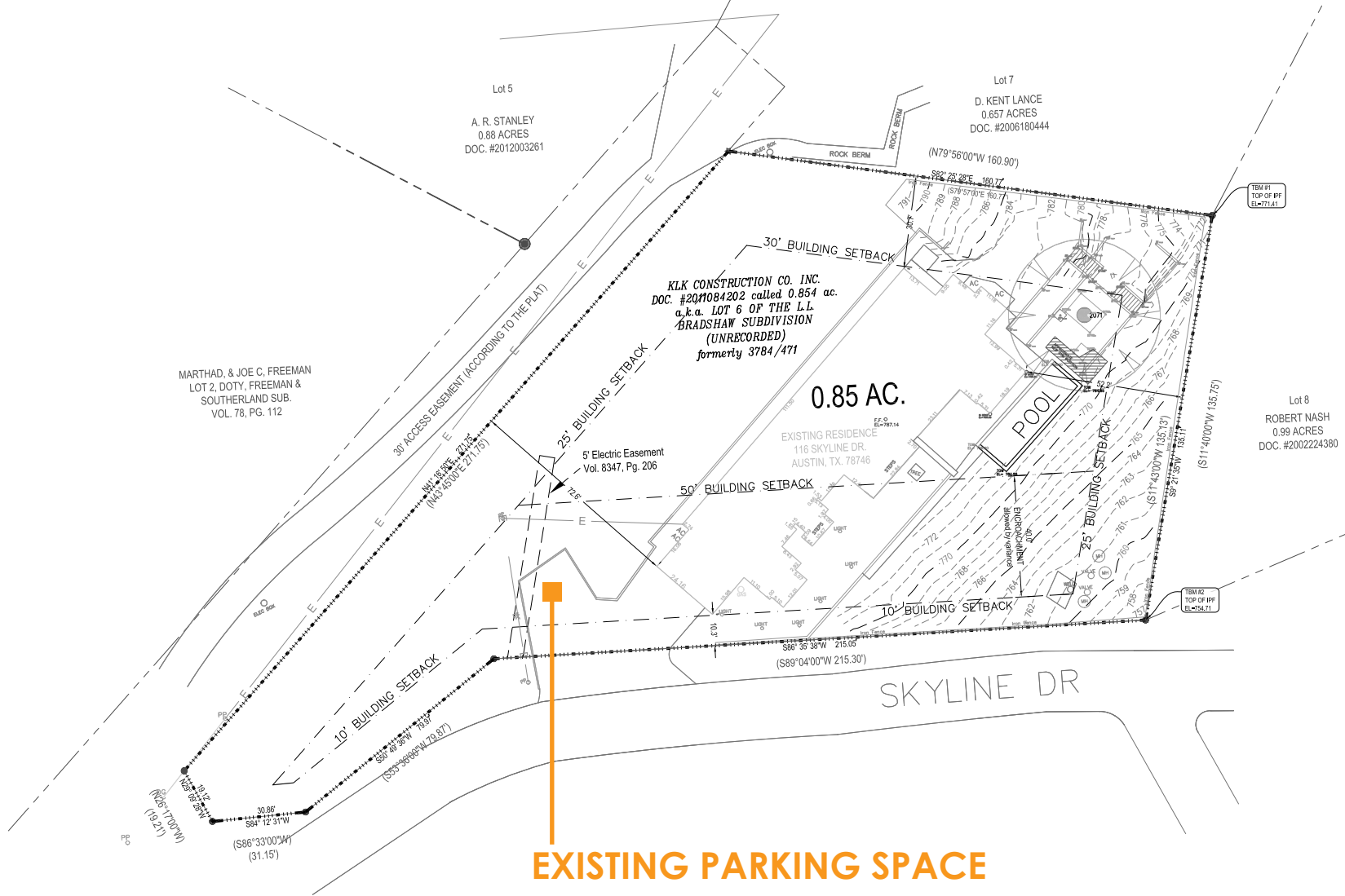
Survey Date September 22, 2020

William F. Forest, Jr.
William F. Forest, Jr., R.P.L.S. 1847



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DATE: September 24, 2020
PROJECT: 116 Skyline
DRAWING: 116 Skyline Boundary
Sheet One of One



DICK CLARK + ASSOCIATES
ARCHITECTURE • INTERIORS

SHARPLES RESIDENCE: CARPORT ADDITION
SITE SURVEY



DICK CLARK + ASSOCIATES
ARCHITECTURE • INTERIORS

SHARPLES RESIDENCE: CARPORT ADDITION
EXISTING CONDITIONS: UPSTREET VIEW



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ARCHITECTURE • INTERIORS

SHARPLES RESIDENCE: CARPORT ADDITION
EXISTING CONDITIONS: UPSTREET VIEW



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ARCHITECTURE • INTERIORS

SHARPLES RESIDENCE: CARPORT ADDITION
EXISTING CONDITIONS: DOWNSTREET



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ARCHITECTURE • INTERIORS

SHARPLES RESIDENCE: CARPORT ADDITION
EXISTING CONDITIONS: DOWNSTREET



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SHARPLES RESIDENCE: CARPORT ADDITION
PROPOSED CARPORT: DOWNSTREET VIEW



DICK CLARK + ASSOCIATES
ARCHITECTURE • INTERIORS

SHARPLES RESIDENCE: CARPORT ADDITION
PROPOSED CARPORT: DRIVEWAY VIEW



SETBACK VARIANCES
STAFF REPORT

July 21, 2021

Project Address: 201 West Spring Drive

Project Number: 16671

Agenda Item: Land Use: **201 West Spring Drive:** Discussion/recommendation on an application for a variance request to (West Lake Hills Code Sec. 22.03.281). Rafael Acuna

- Section 22.03.281 – Encroachment in a building setback;

Applicant Information: Rafael Acuna

Hearing Dates:

July 21, 2021

ZAPCO

August 11, 2021

Board of Adjustment

Location: The subject property is located at 201 West Spring 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 into both side setbacks. The encroachment into the west side setback is proposed at a 15-foot encroachment into the 20-foot setback. The encroachment into the east side setback is a 9-foot setback for the house, with the a/c pad further encroached than the structure.**

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 – *“201 West Spring is a .2599 Acre Parcel, and contains the foundation footprint of the Original Home built in the 1960’s. This is one of the smallest lots in the City of West Lake Hills, yet it contains 13 Trees (Primarily Oaks and Elms) that are at least 14” or Greater in Caliper Dimension. These trees grew over the years, in and around the existing foundation. The original home was originally constructed with significantly smaller setback dimensions. Building within the constraints of the current 20’ side setbacks, while seeking to preserve ALL of the 14”+ Diameter trees, will pose great risk to the 1/2 and Full CRZ’s of the trees. An engineer has deemed the existing foundation as suitable to support the proposed home, while limited site disturbance in and around all the protected trees.”*

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

The application states – *“The variances that we are applying for (both side yard setbacks) are so that the existing building foundation can be re-used. Working within the constraints of re-using the existing building foundation (which encroach into the current side yard building setbacks) would greatly reduce the risk of further disturbance in the existing root zones that have grown around the existing building foundation over the years.”*

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

The application states – *“Demolishing the building and its original foundation COMPLETELY and REBUILDING a new home that complies with the current 20’ side setbacks will very likely severely impact the existing rootzones of the protected trees.”*

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

The application states – *“Preserving and Re-using the existing foundation in and of itself is minimizing the impact on the site and protected trees...Minimization is able to be achieved across many aspects of this project. The First Floor would be built on the existing foundation, and the Second Floor would be*

built to conform to the current 20' side setback...No variances would be needed for height, impervious cover and all 14" trees on the site could be protected and preserved."

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

The application states – *"We believe that the variances to encroach into the side setbacks with the same distance as the original 1960's home encroached and stepping the second floor BACK so that it CONFORMS with the current side yard setbacks, meets the intent of the Building Ordinances."*

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

The application states – *"We believe that the variances to encroach into the side setbacks will preserve the first-floor volume of the original home and carport and at the same time honor additional privacy to both neighboring properties both visually and spatially. "*

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.

Staff Recommendation

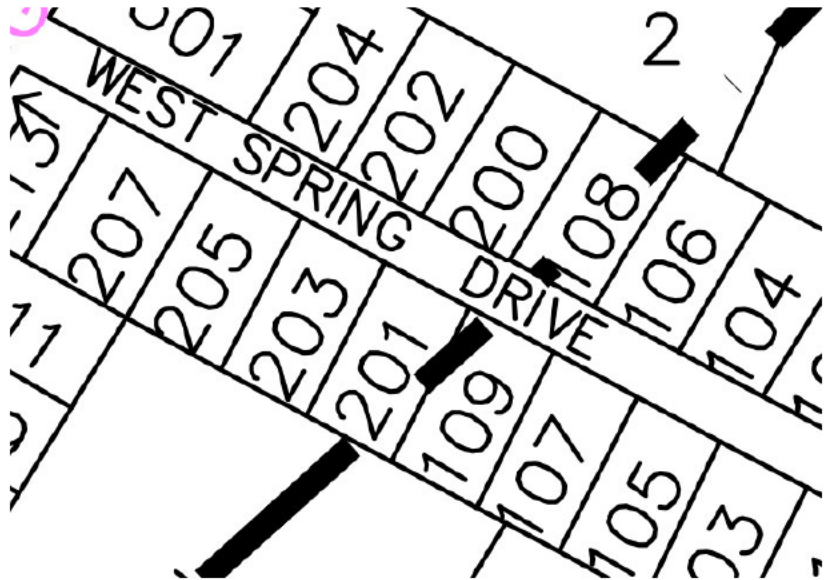
Staff recommends DENIAL of the variance request based on the lack of hardship. Encroaching into 20-foot setbacks 15-feet and 9-feet reduces the space in between houses and does not allow for vegetative screening between houses.

Links to Relevant Code:

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

ZONING MAP

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



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: Madira LLC Phone: 5127484351
Email: _____
Address: 201 West Spring City: West Lake Hills State: TX Zip: 78746
Agent*: _____ Phone: _____
Email: _____

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

Property Information

Subdivision Name: Westlake Park
Block: _____ Lot: 17 TCAD Tax Parcel ID: 01131509100000
Current Zoning Classification: R1 - SF Residential Total Lot Size (Acres): .2599 Acres

*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) East Side Setback Encroachment - 20' Wide for 2 Story Structure

The Existing Foundation Encroaches 9' into the 20' Side Setback for a 2 Story Structure
(or would encroach 4' into the 15' Side Setback for a Single Story Structure)
We are seeking a variance to build upon the existing foundation in this exact same area for the First Floor Only
The proposed Second Floor would be built to conform with the current 20' Side Setback

2) West Side Setback Encroachment - 20' Wide for 2 Story Structure

The Existing Foundation Encroaches 15' into the 20' Side Setback for a 2 Story Structure
(or would encroach 10' into the 15' Side Setback for a Single Story Structure)
We are seeking a variance to build upon the existing foundation in this exact same area for the First Floor Only.
The proposed Second Floor would be built to conform with the current 20' Side Setback



VARIANCE APPLICATION

NO VARIANCES WOULD BE NEEDED FOR:

- FRONT BUILDING SETBACK
- REAR BUILDING SETBACK
- REMOVAL OF TREES 14" OR GREATER (There are 13 Trees on this site that measure at least 14" in Diameter)
- BUILDING HEIGHT
- IMPERVIOUS COVER

Brief Description of project/why variances are needed: _____

201 West Spring is an extremely small home site.

We are requesting these variances in order to rebuild a home on the existing foundation:

- To protect and preserve all 13 of the existing trees that measure 14" in Diameter,
- Minimize site disturbance and CRZ impact.
- Minimize Building Footprint
- Minimize the total # of possible variances that would be necessary if a new home was built conforming to the current rules.

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.

201 West Spring is a .2599 Acre Parcel, and contains the foundation footprint of the Original Home built in the 1960's. This is one of the smallest lots in the City of West Lake Hills, yet it contains 13 Trees (Primarily Oaks and Elms) that are at least 14" or Greater in Caliper Dimension. These trees grew over the years, in and around the existing foundation. The original home was originally constructed with significantly smaller setback dimensions. Building within the constraints of the current 20' side setbacks, while seeking to preserve ALL of the 14"+ Diameter trees, will pose great risk to the 1/2 and Full CRZ's of the trees. An engineer has deemed the existing foundation as suitable to support the proposed home, while limiting site disturbance in and around all the protected 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 variances that we are applying for (both sideyard setbacks) are so that the existing building foundation can be re-used. Working within the constraints of re-using the existing building foundation (which encroach into the current sideyard building setbacks) would greatly reduce the risk of further disturbance in the existing rootzones that have grown around the existing building foundation over the years.

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

Demolishing the building and its original foundation COMPLETELY, and REBUILDING a new home that complies with the current 20' side setbacks will very likely severely impact the existing rootzones of the protected trees, as they grew around the original building foundation. Building a new building foundation, and the equipment needed to demolish and rebuild a new foundation will pose a great amount of distress to those existing rootzones, and trees themselves.

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

Preserving and Re-using the existing building foundation in and of itself is minimizing the impact on the site and the protected trees. By granting these variances... Minimization is able to be achieved across many aspects of the project.

- The First Floor would be built on the existing foundation, and the Second Floor would be built to conform with the current 20' side setbacks, stepping the building back, above the main level. No variances would be needed for Height, Impervious Cover, and all 14" trees on the site could be protected, and preserved... Seeing that there are many 14" trees in the front building setback, and being able to preserve those, will protect and preserve the dense tree canopy and historic trees that define the character of West Spring Drive.



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?

We believe that the variances to encroach into the side setbacks with the same distance as the original 1960's home encroached, and stepping the second floor BACK so that it CONFORMS with the current sideyard setbacks, meets the intent of the Building Ordinances, because the home will replicate the same visual encroachments that have existing since the 1960's, while honoring the code of maintaining the proper visual setbacks for the 2nd floor of the building. Thus minimizing the second floor's volume to be further away from the neighboring homes building envelopes.

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

We believe that the variances to encroach into the side setbacks on the main level of the home, and then step the second floor BACK to conform with the current setback lines, will preserve the first floor volume of the original home and carport, and at the same time honor additional privacy to both neighboring properties both visually and spatially.

AUTHORIZATION & ACKNOWLEDGEMENT

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

Signature

Date

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:



Genesis 1 Engineering Company

(T.B.P.E – Registered Firm # F-2565)

2605 6104 SOUTH FIRST STREET, SUITE 105, AUSTIN, TEXAS 78745-4052

(512) 899-2246 FAX: (512) 899-2203 EMAIL: [REDACTED]

A CONSULTING ENGINEERING COMPANY
COMMERCIAL PROJECTS • RESIDENTIAL PROJECTS

EXISTING FOUNDATION EVALUATION REPORT

MAY 12, 2021

RE: **EVALUATION OF EXISTING RESIDENTIAL STRUCTURE CONCRETE FOUNDATION**

201 WEST SPRING DRIVE, WEST LAKE HILLS, TEXAS

LEGAL DESCRIPTION: LOT 17, WESTLAKE PARK SUBDIVISION

C.O.W.L.H. PERMIT APP NO.: 16602

GENESIS 1 ENGINEERING PROJECT NO. AU-19-72

To Whom It May Concern:

Madira, LLC., and Mr. Rafael Acuna, Owner-Developer for this project, retained my professional services to evaluate the existing concrete foundation of the existing remnants residential structure, located at the address given above. On May 11, 2021, I arrived at the site at approximately 4:00 pm and reconnoitered the site. The following are my observations:

1. **Background:** The existing residence is going through a remodeling project and a significant of the existing wood framed structure has been demolished and removed offsite in a lawful manner. All that remains currently is the existing concrete slab-on-grade foundation (exposed to the open) and remnants of the former wooden wall stud construction the front of structure exterior wall and portions of other walls at the perimeter of the exterior edge of the concrete foundation.
2. **Exterior portion of the foundation-**I reconnoitered the exterior of the concrete foundation at ground level and did not observed any superficial cracking of the veneer of the underpinning above natural ground. I did not observe any visual deformations, settlement or movement of the foundation at the perimeter of the structure
3. **Interior portion of the foundation-**I reconnoitered the interior of the existing concrete foundation and did not find any superficial or structural cracking, settlement, or movement.
4. **Drainage of the exterior landscape areas-**the landscaped slopes of the terrain drain in an easterly direction, around the north and south sides of the existing structure' foundation and onward to the east of the property and beyond to the adjacent residential property. The gentle slopes drain any storm runoff without affecting the existing concrete foundation or the existing remnants of the structure and there are no indications that the concrete foundation has suffered any adverse conditions during the lifetime of the foundation. It appears that the drainage system is working properly, as originally designed.



Genesis 1 Engineering Company

(T.B.P.E - Registered Firm # F-2565)

2605 6104 SOUTH FIRST STREET, SUITE 105, AUSTIN, TEXAS 78745-4052

(512) 899-2246 FAX: (512) 899-2203 EMAIL: [REDACTED]

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Evaluation of Existing Concrete Foundation-201 West Spring Drive, West Lake Hills, TX
May 12, 2021

Page 2 of 2

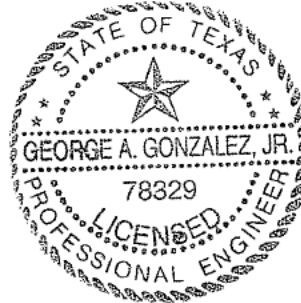
CONCLUSION:

Based on the visual physical inspection visit, I conclude that the existing slab-on-grade foundation for this structure is performing in accordance with the original design, and it is sound for its intended remodeling and addition purposes

If you have any questions, please feel free to contact me

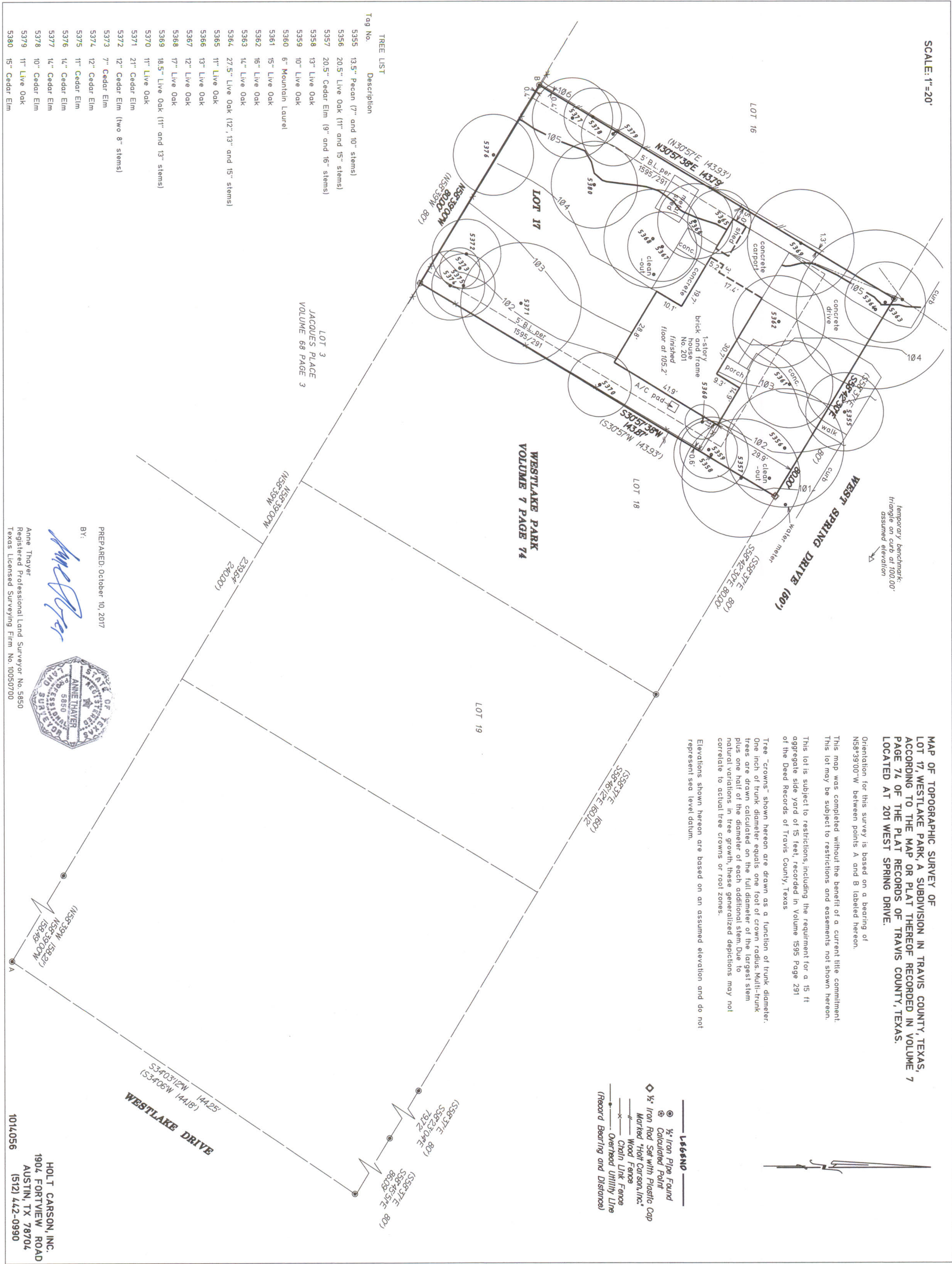
Sincerely,

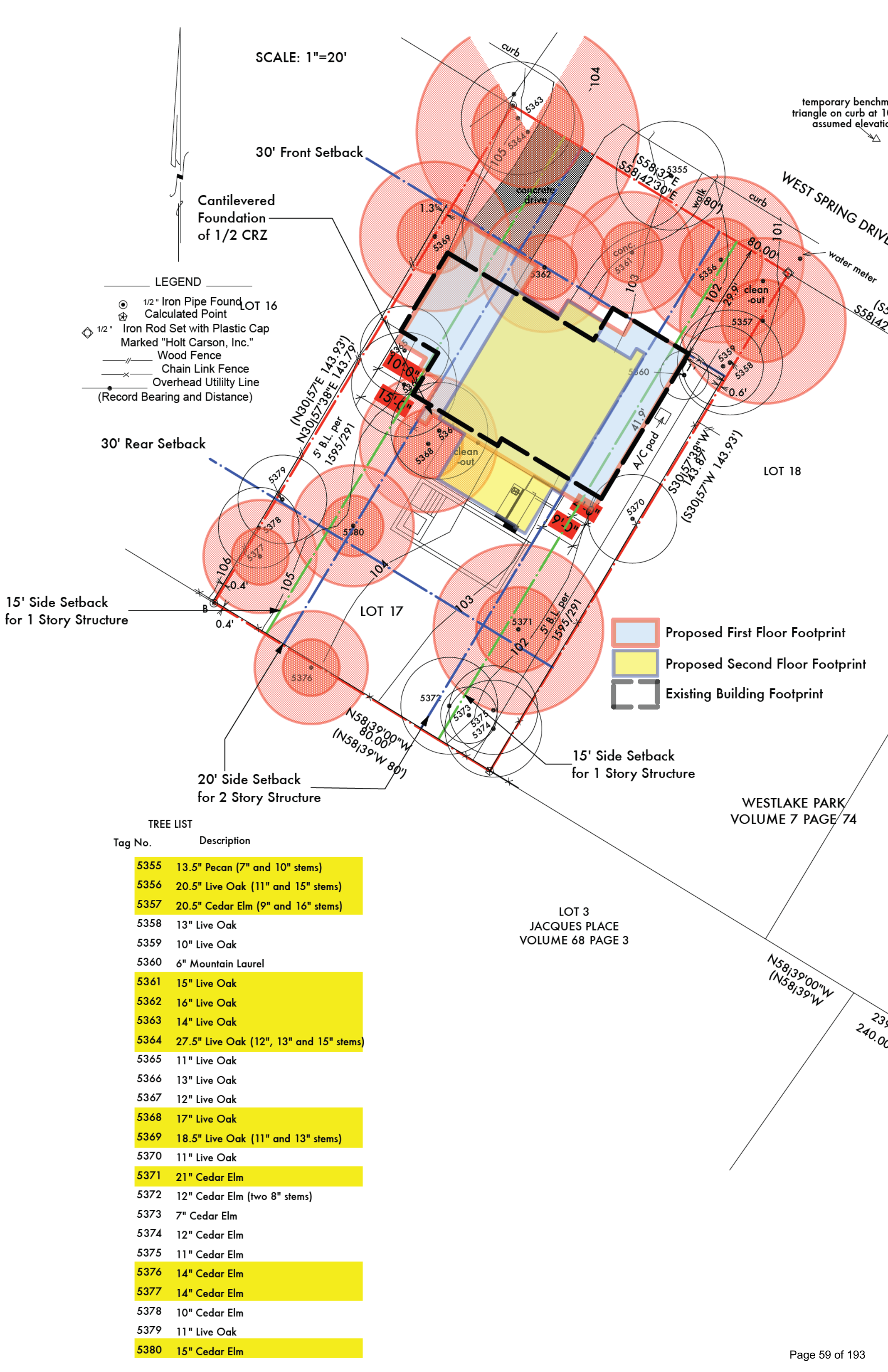

George A. Gonzalez Jr
Consulting Civil Engineer
Texas Registration No. 78329
Austin, Texas



05/12/21
(512) 899-2246

SCALE: 1"=20'





SCALE: 1"=20'

30' Front Setback

Cantilevered
Foundation
of 1/2 CRZ

LEGEND

- 1/2" Iron Pipe Found
- Calculated Point
- 1/2" Iron Rod Set with Plastic Cap
Marked "Holt Carson, Inc."
- Wood Fence
- Chain Link Fence
- Overhead Utility Line
(Record Bearing and Distance)

30' Rear Setback

15' Side Setback
for 1 Story Structure

20' Side Setback
for 2 Story Structure

15' Side Setback
for 1 Story Structure

TREE LIST

Tag No.	Description
5355	13.5" Pecan (7" and 10" stems)
5356	20.5" Live Oak (11" and 15" stems)
5357	20.5" Cedar Elm (9" and 16" stems)
5358	13" Live Oak
5359	10" Live Oak
5360	6" Mountain Laurel
5361	15" Live Oak
5362	16" Live Oak
5363	14" Live Oak
5364	27.5" Live Oak (12", 13" and 15" stems)
5365	11" Live Oak
5366	13" Live Oak
5367	12" Live Oak
5368	17" Live Oak
5369	18.5" Live Oak (11" and 13" stems)
5370	11" Live Oak
5371	21" Cedar Elm
5372	12" Cedar Elm (two 8" stems)
5373	7" Cedar Elm
5374	12" Cedar Elm
5375	11" Cedar Elm
5376	14" Cedar Elm
5377	14" Cedar Elm
5378	10" Cedar Elm
5379	11" Live Oak
5380	15" Cedar Elm

WESTLAKE PARK
VOLUME 7 PAGE 74

LOT 3
JACQUES PLACE
VOLUME 68 PAGE 3

N58°39'00"W
(N58°39'W)

MECHANICAL NOTES

1. HVAC SYSTEM NOMINAL CAPACITY IS ESTIMATED AT 3.5 TO 4 TONS (PER UNIT), WITH 1 AIR HANDLING UNIT AND 1 CONDENSING UNIT. SYSTEM DESIGN: MULTI-POSITION FLOWER WITH HEAT PUMP OUTDOOR CONDENSING UNIT.
2. HVAC SYSTEM DUCTWORK CONSTRUCTION SHALL BE REINFORCED FOIL FACED SEMI-RIGID GLASS FIBER DUCTS (SQUARE, RECTANGULAR), WITH FLEX DUCT CONNECTIONS AT MOST REDUCERS OR DIFFUSERS. SUPPLY AIR AND RETURN AIR DUCTWORK SHALL BE MINIMUM R-8 INSULATION. FLEX DUCTWORK CONNECTIONS SHALL ALSO BE RATED MINIMUM R-8.
3. PROVIDE ENERGY EFFICIENT AIR HANDLING AND CONDENSING UNITS WITH MINIMUM 14 SEER, COMPLY WITH COA STANDARDS.
4. HIGH QUALITY RESIDENTIAL SUPPLY DIFFUSERS AND RETURN AIR GRILLES, AS APPROVED BY THE OWNER, SHALL BE PROVIDED. STAMPED METAL GRILLES WILL NOT BE ACCEPTABLE.
5. VIBRATION ISOLATION AT THE AIR HANDLING UNIT SHALL BE PROVIDED, UTILIZING MINIMUM OF 4 - 1" THICK RUBBER ISOLATION PADS.

FLOOR PLAN NOTES

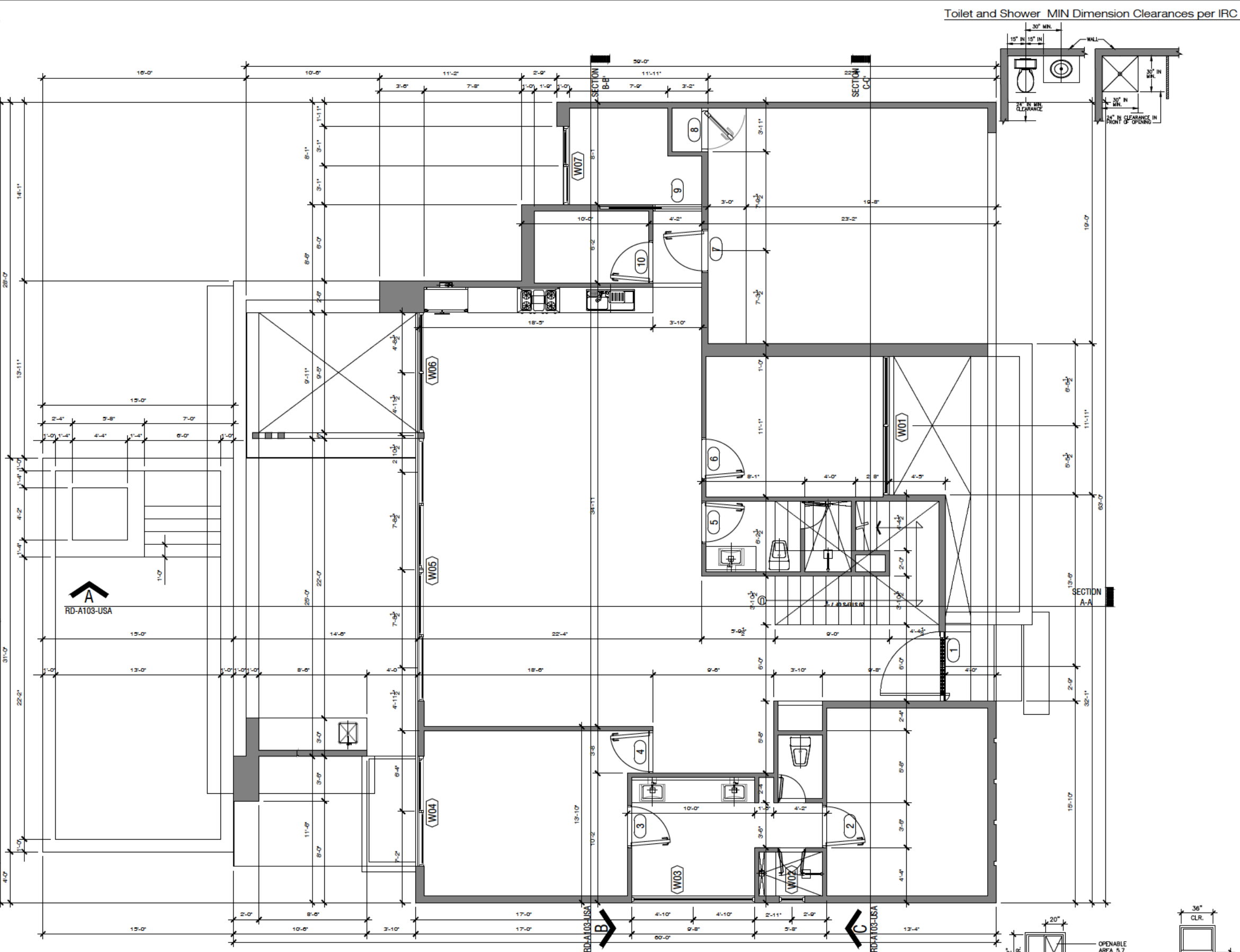
1. CONTRACTOR SHALL FIELD VERIFY AND CORRELATE ALL DIMENSIONS ON THE JOBSITE.
2. FIELD VERIFY AND USE DIMENSIONS AS INDICATED. DO NOT SCALE DIMENSIONS FROM THE DRAWINGS.
3. CONTRACTOR TO LOCATE AND LAY-OUT ALL WALLS AND PARTITIONS AS THEY RELATE TO THE STRUCTURE AND OTHER BUILDING ELEMENTS AS SHOWN ON THE DRAWINGS, AND IN CONFORMANCE WITH THE DESIGN CONCEPT AND INTENT.
4. ALL FLOOR PLAN DIMENSIONS ARE TO THE FACE OF PLYWOOD SHEATHING OR GYPSUM BOARD AT WOOD FRAME EXTERIOR WALLS OR INTERIOR PARTITIONS OR FINISH ASSEMBLIES, THE FACE OF THE EXTERIOR/PERIMETER EDGE OF THE CONCRETE SLAB OR FOUNDATION WALLS, AND LINES ON THE CENTER LINE OF COLUMNS AND BEAMS; THE FACE OF MASONRY WALLS OR VENEERS; THE FACE OF WINDOWS FRAMES OR ROLLUP METAL DOOR FRAMES; THE EXPOSED FACE OF WOOD DOOR FRAMES (JAMBS) AT MINIMAL DOOR OPENINGS, UNLESS NOTED OTHERWISE, (U.N.O.).
5. FLOOR PLAN DIMENSIONS AT EXTERIOR PERIMETER WALLS ARE TO THE FACE OF THE SHEARING (OSB, PLYWOOD, GYPSUM) AND THE EDGE OF THE CONCRETE SLAB FOUNDATION, AND DO NOT INCLUDE THE THICKNESS OF THE EXTERIOR FINISH MATERIALS; FIBER CEMENT OR WOOD Siding AND TRIM; STUCCO OR CEMENT PLASTER, AND/OR METAL WALL PANELS AND TRIM, OR OTHER MATERIALS AS INDICATED OR NOTED. FLOOR PLAN DIMENSIONS AT EXTERIOR PERIMETER CAVITY WALLS WITH MASONRY OR STONE VENEERS ARE TO THE FACE OF THE MASONRY OR STONE VENEERS AND THE EDGE OF THE CONCRETE SLAB FOUNDATION, UNLESS NOTED OR INDICATED OTHERWISE.
6. DIMENSIONS NOTED AS CLR. (CLEAR) AND O.T.O. (OUTSIDE TO OUTSIDE) ARE TO FINISH WALL OR PARTITIONS SURFACES.
7. PROVIDE CONCEALED WOOD BLOCKING, WOOD SUPPORT FRAMEWORK AND BRACING, AND ALL MISC. WOOD NAILERS, ETC., AS REQUIRED.
8. PROVIDE CONCEALED WOOD BLOCKING, CONTINUOUS, WHERE REQUIRED IN ALL WOOD STUD PARTITIONS FOR THE PROPER ANCHORAGE OF WALL ATTACHED ITEMS, SUCH AS MIRRORS, TOILET ACCESSORIES, FUTURE GRAB BARS, WALL-HUNG AND BASE CABINETS, COUNTERTOPS, WALL-HUNG LAVATORIES, CLOSET RODS, CLOSET LEVER STRIPS AND SHELVES, METALS SHELF BRACKETS, OWNER PROVIDED CLOSET SYSTEM.
9. ALL INTERIOR PARTITION WALLS EXTEND TO THE STRUCTURE OR THE BOTTOM OF CEILING/FLOOR FRAMING OR CEILING/ROOF FRAMING, UNLESS NOTED OR INDICATED OTHERWISE. ALL INTERIOR PARTITIONS THAT DO NOT EXTEND TO THE FRAMING SHALL BE BRACED TO THE STRUCTURE AS REQUIRED TO PREVENT MOVEMENT OR DEFLECTION.
10. NOTIFY THE ARCHITECT IMMEDIATELY OF DISCREPANCIES IN THE DRAWINGS, BETWEEN THE DRAWINGS AND SPECIFICATIONS, OR BETWEEN THE DRAWINGS AND ACTUAL JOB CONDITIONS WHICH AFFECT THE EXECUTION OF THE WORK AS INTENDED. THE ARCHITECT WILL ISSUE A CLARIFICATION OR PREPARE ALTERNATE DOCUMENTS WHICH MAY BE REQUIRED.
11. THE CONTRACTOR IS RESPONSIBLE FOR COORDINATING THE WORK OF ALL TRADES, FOR CHECKING AND COORDINATING ALL CONTRACT DOCUMENTS, SUBMITTALS, FIELD CONDITIONS AND DIMENSIONS FOR ACCURACY, AND CONFIRMING THAT THE WORK IS BUILDABLE AS SHOWN AND INTENDED, BEFORE PROCEEDING WITH CONSTRUCTION. IF THERE ARE QUESTIONS REGARDING THESE OR ANY OTHER COORDINATION ISSUES, THE CONTRACTOR IS RESPONSIBLE FOR OBTAINING CLARIFICATION FROM THE ARCHITECT REGARDING THE WORK, OR ANY RELATED WORK, IN QUESTION, BEFORE PROCEEDING WITH THE WORK.
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RCP NOTES

1. CONTRACTOR SHALL FIELD VERIFY AND CORRELATE ALL DIMENSIONS ON THE JOBSITE.
2. DIMENSIONS INDICATED ON THE REFLECTED CEILING PLAN ARE TO THE FACE OF GYPSUM BOARD PARTITIONS OR FINISH ASSEMBLIES, THE FACE OF MASONRY SURFACES, WINDOWS FRAMES, AND GRID LINES, AND TO THE CENTER LINE OF LIGHT FIXTURES, CEILING FANS, SUPPLY AIR DIFFUSERS, EXHAUST AND RETURN AIR GRILLES, ETC., UNLESS NOTED OTHERWISE.
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5. REFER TO THE MECHANICAL AND ELECTRICAL PLAN SYMBOL SCHEDULES.
6. REFER TO THE ROOM FINISH SCHEDULE FOR CEILING SYSTEM MATERIALS AND FINISHES. CEILING HEIGHTS ARE NOTED ON THE FLOOR AND THE REFLECTED CEILING PLANS AND THE BUILDING SECTIONS.
7. COORDINATE ALL WORK WITH OTHER TRADES. REFER TO THE PLUMBING, MECHANICAL AND ELECTRICAL DRAWINGS AS REQUIRED.
8. TYPICAL CEILINGS TO BE PAINTED GYPSUM BOARD CEILING SYSTEM, UNLESS NOTED OTHERWISE, WITH CEILING OFFSETS AND FURR DOWNS AS INDICATED.
9. PROVIDE RECESSED FLUSH MOUNTED ACCESS PANELS TO PLUMBING, MECHANICAL AND ELECTRICAL EQUIPMENT LOCATED ABOVE THE FINISH CEILING IN ALL SUSPENDED GYPSUM BOARD CEILINGS AS REQUIRED.
10. NOTIFY ARCHITECT FOR OBSERVATION OF THE ABOVE CEILING MEP WORK PRIOR TO THE INSTALLATION OF GYPSUM BOARD CEILINGS.
11. USE 2"x4" FRAMING FOR ALL FURR DOWNS.

PLUMBING NOTES

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3. THE COLD AND HOT WATER PLUMBING SYSTEMS ARE NOT SHOWN ON THE DRAWINGS.
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5. WATER SYSTEM PIPING: PEX, CROSS-LINKED FLEXIBLE, POLYETHYLENE. PLASTIC PIPING WITH HIGH TEMPERATURE POLYMER FITTINGS PROVIDE 1" THICK FOAM INSULATION AT ALL HOT WATER PIPING, AND 1/2" THICK AT ALL COLD WATER PIPING ABOVE THE SLAB, INCLUDING UNDER THE CONCRETE SLAB. PROVIDE CONTINUOUS PLASTIC SHEATHING AT ALL WATER SYSTEM PIPING PLACED BENEATH THE SLAB, COLOR CODED TO PROTECT THE TUBING - NOT SHOWN IN THIS PLAN.
6. WATER SYSTEM PIPING SHALL BE INSTALLED UNDERNEATH THE VAPOR BARRIER MEMBRANE FOR THE CONCRETE SLAB. NO JOINTS IN THE PIPING OR TUBING BENEATH THE SLAB ARE PERMITTED.
7. WASTE WATER DRAIN AND VENT PIPING: PVC, SCHEDULE 40.



Proposed 1st Floor Plan

scale: 1/8" = 1'-0" (11x17 Sheet)

scale: 1/4" = 1'-0" (24x36 Sheet)

NOTES:

- INSTALL SMOKE DETECTORS TO CODE
- ALL WET AREA RECEPS. ON GFCI
- CONSULT OWNER REGARDING SPEAKER, TV, PHONE AND SECURITY SYSTEM WIRING REQUIREMENTS
- ELECTRICAL DRAWINGS ARE SCHEMATIC ONLY AND ARE TO BE REVIEWED AND INSTALLED BY A LICENSED PROFESSIONAL TO MEET ALL APPLICABLE CODES

emergency escape and rescue windows
SCALE: N.T.S.

Toilet and Shower MIN Dimension Clearances per IRC

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ARQUITECTOS

Rio Rosas 900 col. del valle
San Pedro Garza García
Monterrey, Mexico

contempo
DESIGN GROUP

Builder on Record

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Suite#300
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E.rafael@contempoas in com
Phone: (512) 748-4351

COWLH SET
12/22/20

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7th Modern Design Studio, LLC

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Cibola, Texas. 78108
Cell phone:
(830) 743-8487

sheet title

sheet **A-3**

Note: Foundation and Structural will be engineered by a register licensed engineer and inspected before final inspection is perform.

MECHANICAL NOTES

1. HVAC SPLIT SYSTEM NOMINAL CAPACITY IS ESTIMATED AT 3.5 TO 4 TONS (PER UNIT), WITH 1 AIR HANDLING UNIT AND 1 CONDENSING UNIT. SYSTEM DESIGN: MULTI-POSITION BLOWER WITH HEAT PUMP OUTDOOR CONDENSING UNIT.
2. HVAC SYSTEM DUCTWORK CONSTRUCTION SHALL BE REINFORCED FOIL-FACED SEMI-RIGID GLASS FIBER DUCTS (SQUARE, RECTANGULAR), WITH FLEX DUCT CONNECTIONS AT MOST REDUCERS OR DIFFUSERS. SUPPLY AIR AND RETURN AIR DUCTWORK SHALL BE MINIMUM R-8 INSULATION. FLEX DUCTWORK CONNECTIONS SHALL ALSO BE RATED MINIMUM R-8.
3. PROVIDE ENERGY EFFICIENT AIR HANDLING AND CONDENSING UNITS WITH MINIMUM 14 SEER, COMPLY WITH COA STANDARDS.
4. HIGH QUALITY RESIDENTIAL SUPPLY DIFFUSERS AND RETURN AIR GRILLES, AS APPROVED BY THE OWNER, SHALL BE PROVIDED. STAMPED METAL GRILLES WILL NOT BE ACCEPTABLE.
5. VIBRATION ISOLATION AT THE AIR HANDLING UNIT SHALL BE PROVIDED, UTILIZING MINIMUM OF 4 - 1" THICK RUBBER ISOLATION PADS.

FLOOR PLAN NOTES

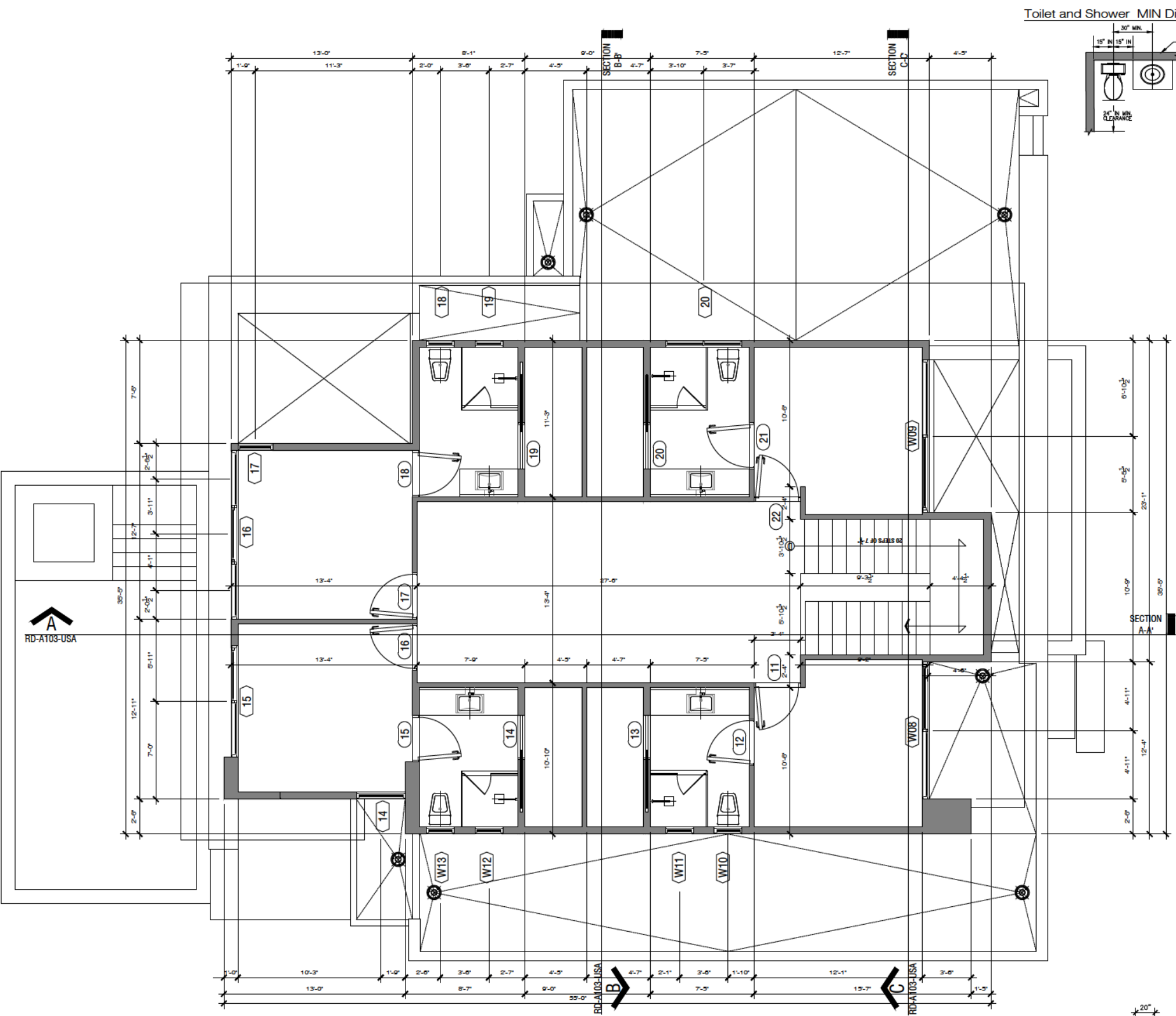
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5. FLOOR PLAN DIMENSIONS AT EXTERIOR PERIMETER WALLS ARE TO THE FACE OF THE SHEATHING (OSB, PLYWOOD, GYPSUM) AND THE EDGE OF THE CONCRETE SLAB FOUNDATION, AND DO NOT INCLUDE THE THICKNESS OF THE EXTERIOR FINISH MATERIALS; FIBER CEMENT OR WOOD Siding AND TRIM; STUCCO OR CEMENT PLASTER, AND/OR METAL WALL PANELS AND TRIM, OR OTHER MATERIALS AS INDICATED OR NOTED. FLOOR PLAN DIMENSIONS AT EXTERIOR PERIMETER CAVITY WALLS WITH MASONRY OR STONE VENEERS ARE TO THE FACE OF THE MASONRY OR STONE VENEERS AND THE EDGE OF THE CONCRETE SLAB FOUNDATION, UNLESS NOTED OR INDICATED OTHERWISE.
6. DIMENSIONS NOTED AS C.L.R. (CLEAR) AND O.T.O. (OUTSIDE TO OUTSIDE) ARE TO FINISH WALL OR PARTITIONS SURFACES.
7. PROVIDE CONCEALED WOOD BLOCKING, WOOD SUPPORT FRAMEWORK AND BRACING, AND ALL MISC. WOOD NAILERS, ETC., AS REQUIRED.
8. PROVIDE CONCEALED WOOD BLOCKING, CONTINUOUS, WHERE REQUIRED IN ALL WOOD STUD PARTITIONS FOR THE PROPER ANCHORAGE OF WALL ATTACHED ITEMS, SUCH AS MIRRORS, TOILET ACCESSORIES, FUTURE GRAB BARS, WALL-HUNG AND BASE CABINETS, COUNTERTOPS, WALL-HUNG LAVATORIES, CLOSET RODS, CLOSET LEVER STRIPS AND SHELVES, METALS SHELF BRACKETS, OWNER PROVIDED CLOSET SYSTEM.
9. ALL INTERIOR PARTITION WALLS EXTEND TO THE STRUCTURE OR THE BOTTOM OF CEILING/FLOOR FRAMING OR CEILING/ROOF FRAMING, UNLESS NOTED OR INDICATED OTHERWISE. ALL INTERIOR PARTITIONS THAT DO NOT EXTEND TO THE FRAMING SHALL BE BRACED TO THE STRUCTURE AS REQUIRED TO PREVENT MOVEMENT OR DEFLECTION.
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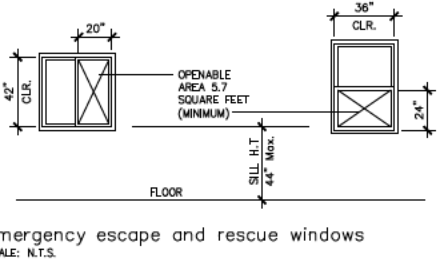
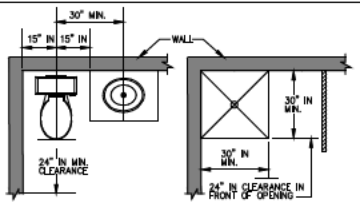
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Toilet and Shower MIN Dimension Clearances per IRC



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Proposed 2nd Floor Plan

scale: 1/8" = 1'-0" (11x17 Sheet)

scale: 1/4" = 1'-0" (24x36 Sheet)

Note: Foundation and Structural will be engineered by a register licensed engineer and inspected before final inspection is perform.

POZAS
ARQUITECTOS

Rio Rosas 900 col. del valle
San Pedro Garza García
Monterrey, Mexico



Builder on Record

1301 S.Capitol of Texas Highway
Suite#300
Austin, Texas 78746

E.rafael@contempoaus in com
Phone: (512) 748-4351

COWLH SET
12/22/20

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Rafael Acuna

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7th Modern Design Studio, LLC

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no.

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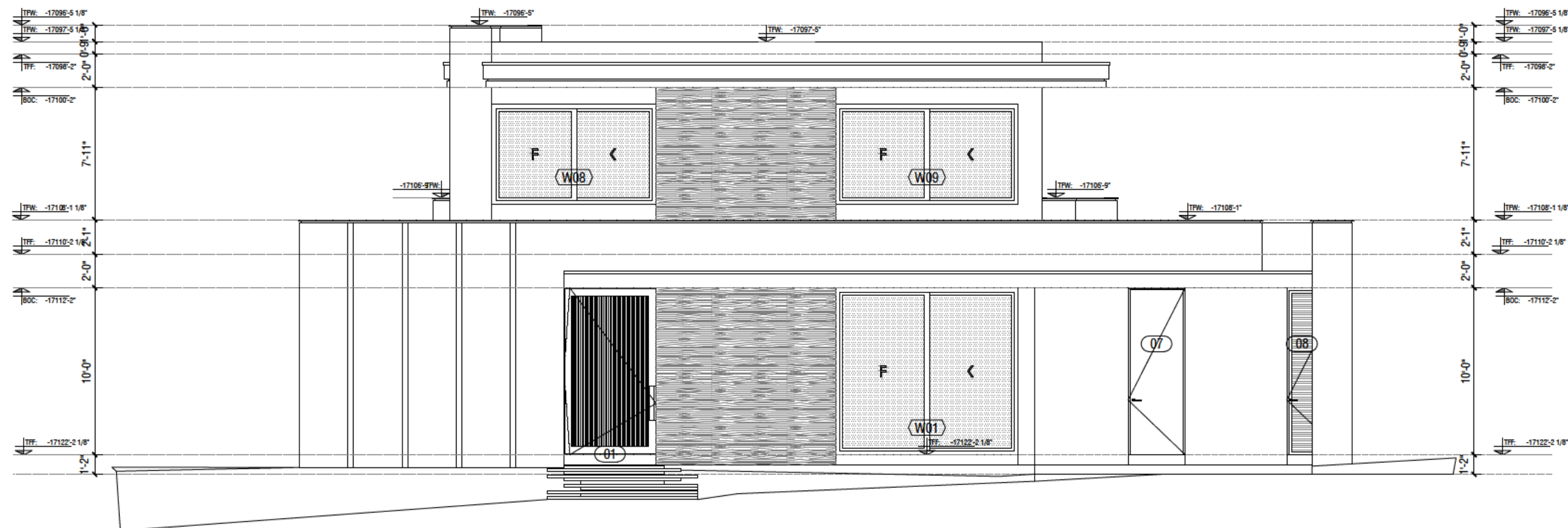
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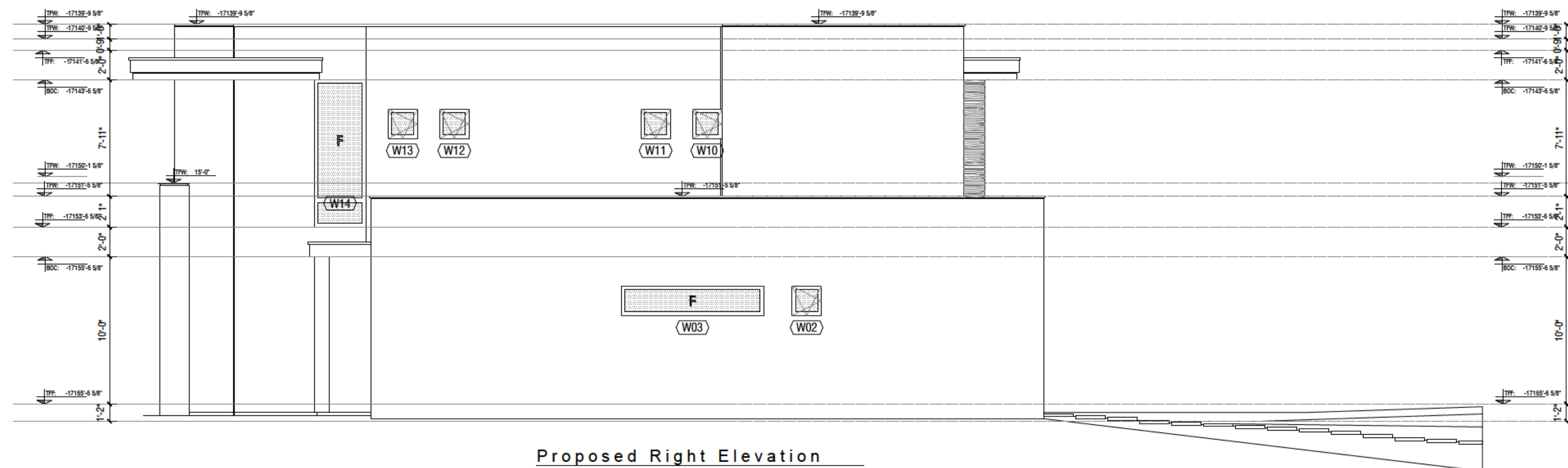
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Proposed Front Elevation

scale: 1/8"= 1'-0" (11x17 Sheet)

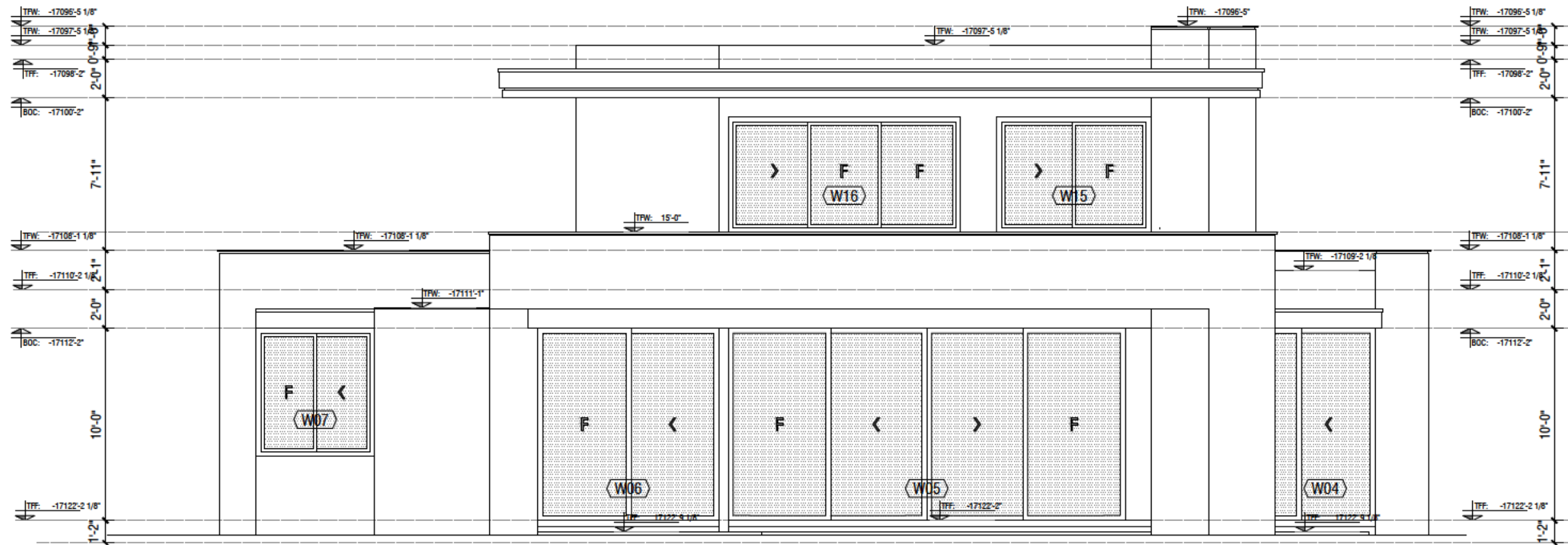
scale: 1/4"= 1'-0" (24x36 Sheet)



Proposed Right Elevation

scale: 1/8"= 1'-0" (11x17 Sheet)

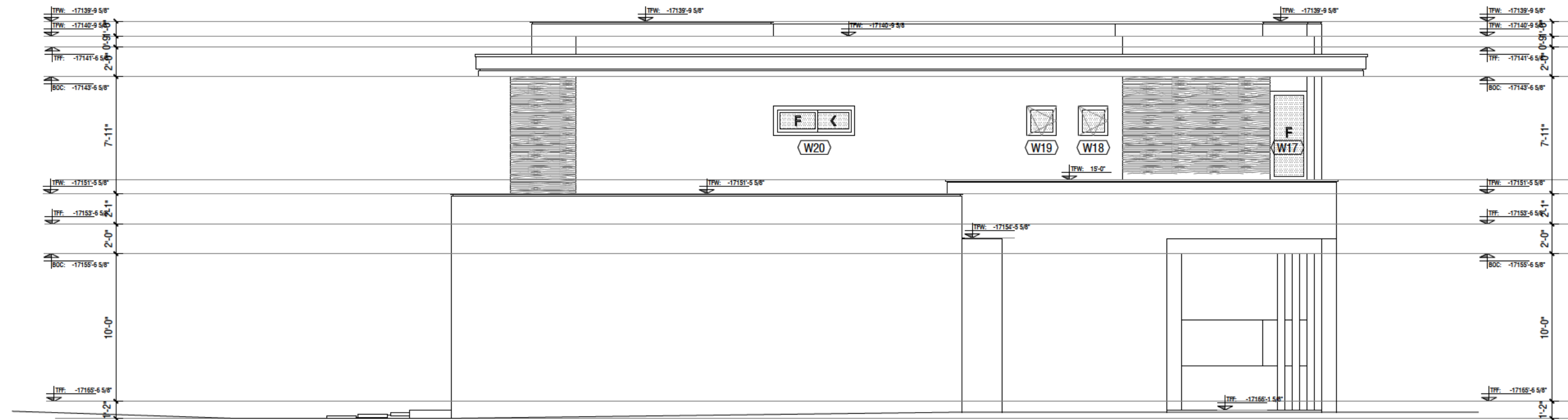
scale: 1/4"= 1'-0" (24x36 Sheet)



Proposed Rear Elevation

scale: 1/8" = 1'-0" (11x17 Sheet)

scale: 1/4" = 1'-0" (24x36 Sheet)



Proposed Left Elevation

scale: 1/8" = 1'-0" (11x17 Sheet)

scale: 1/4" = 1'-0" (24x36 Sheet)

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MULTIPLE VARIANCE
STAFF REPORT

July 21, 2021

Project Address: 613 Rock Park Drive

Project Number: 16676

Agenda Item: Land Use: **613 Rock Park Drive:** Discussion/recommendation on an application for a variance request related to density, building setbacks and tree removal (West Lake Hills Code Sec. 38.03.034, 22.03.281 and 22.03.304). Brad Walters agent for Christopher Crane.

- Section 38.03.034 – More than two (2) single-family dwelling units per acre;
- Section 22.03.281 – Encroachment in a building setback;
- Section 22.03.304 – Tree Removal

Applicant Information: Brad Walters agent for Christopher Crane

Hearing Dates:

July 21, 2021

ZAPCO

August 11, 2021

Board of Adjustment

Location: The subject property is located at 613 Rock Park Drive.

Zoning & Site Characteristics:

The subject property is zoned R3 Transitional 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.

- **Density:**
 - Applicant is proposing 2 single-family dwelling units on a lot that is 0.4242 acres;
- **Encroachment in a Building Setback:**
 - Applicant has requested the following setbacks:
 - Front – 30 feet;

- Side – 10 Feet;
- Rear – 20 Feet;
- **Tree Removal:**
 - T105 – 17-Inch Live Oak;
 - T106 – 15-Inch Cedar Elm;
 - T138 – 15- and 17-Inch Hackberry;

The property is subject to a development agreement that is included in the packet.

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 owner entered into the annexation and development agreement with the City in good faith. The owner’s re-development rights per the development agreement would be effectively taken.”*

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

The application states – *“One of the requested variance trees is a Hackberry, considered by many to be an undesirable invasive species. The property is heavily wooded and nine (9) trees exceeding 14” are to remain.”*

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

The application states – *“The property has many large trees. Other alternatives would result in additional tree variances.”*

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

The application states – *“Two detached single-family homes is low density compared to a multifamily building, which would be allowed per the development agreement.”*

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

The application states – *“The proposed use is consistent with the zoning district intent as described below in the language from the City code: R3 district is intended to provide a transitional zone between nonresidential districts and R-1 one-family districts where structures may be clustered to better utilize property topography and to better provide buffering greenbelts between traffic thoroughfares and the adjacent R-1 one-family residential districts.”*

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

The application states – *“The R-3 property is adjacent to commercial zoned property and multi-family projects.”*

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.

Staff Recommendation

Staff recommends DENIAL of the variance request for lack of hardship.

Links to Relevant Code:

- [Sec. 22.03.281 Schedule of Regulations](#)
- [Section 22.03.304 – Tree Removal](#)
- [Section 38.03.034 – More than two \(2\) single-family dwelling units per acre;](#)
- [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

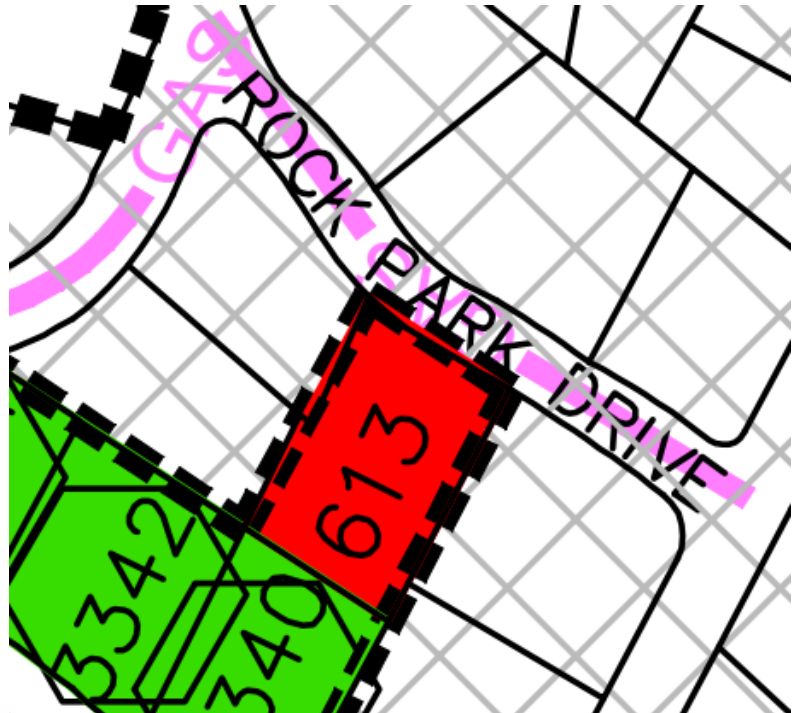
O OFFICE

B-1 BUSINESS 1

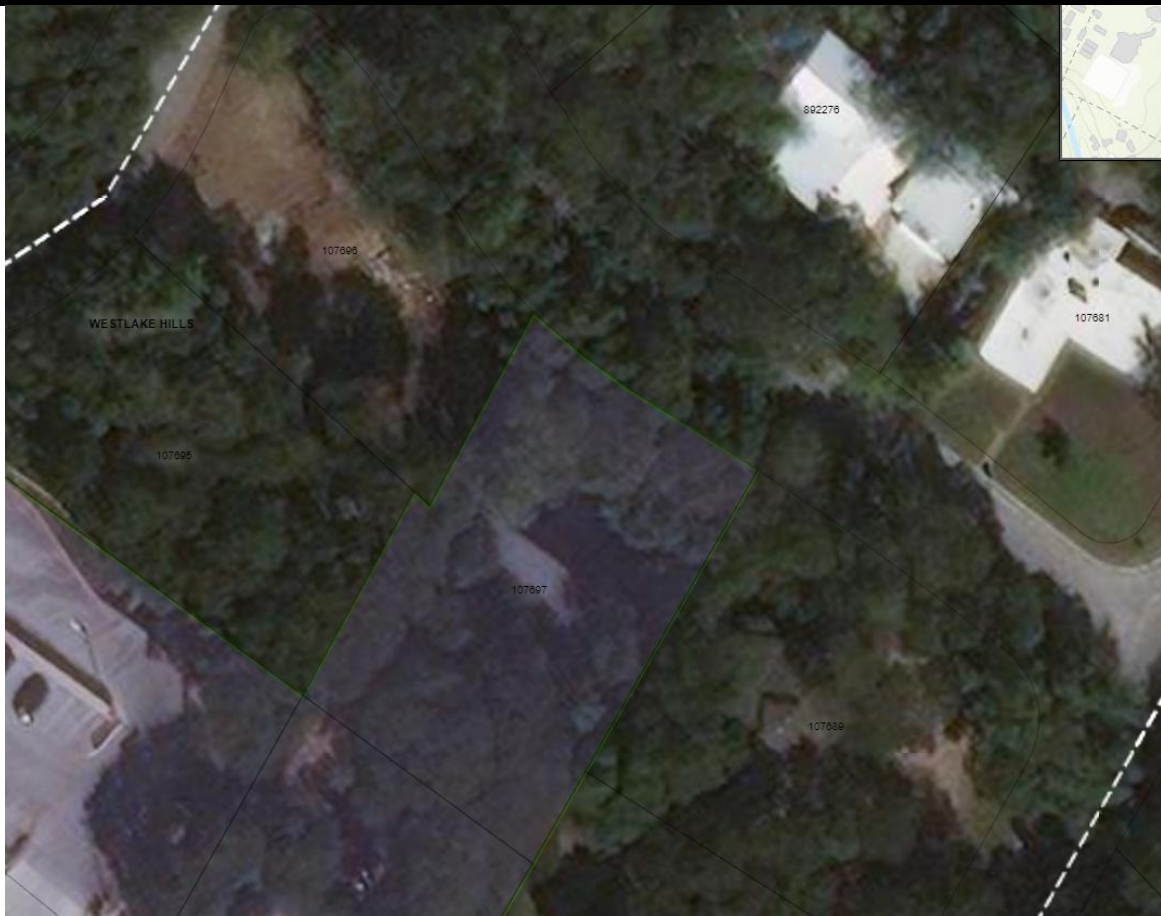
B-2 BUSINESS 2

B-3 BUSINESS 3

GUI GOVERNMENT, UTILITY
INSITUTIONAL



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: Christopher Crane Phone: (512) 777-1287

Email: [REDACTED]

Address: 613 Rock Park Drive City: Westlake Hills State: TX Zip: 78746

Agent*: Brad Walters Phone: (512) 788-2449

Email: [REDACTED]

Address: 3300 Bee Caves Rd, #650-1174 City: Austin State: TX Zip: 78746

Property Address: 613 Rock Park Drive City: Westlake Hills State: TX Zip: 78746

Property Information

Subdivision Name: Westwood Villas

Block: Section 2 Lot: 9 TCAD Tax Parcel ID: 107697

Current Zoning Classification: R-3 Transitional Residential Total Lot Size (Acres): 0.43

**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) More than two single-family dwelling units per acre (Sec. 38.03.034)
- 2) Side setback of 10' vs. 50' per city code (Sec. 22.03.281)
- 3) Front setback of 30' vs. 50' per city code (Sec. 22.03.281)
- 4) Rear setback of 20' vs. 50' per city code (Sec. 22.03.281)
- 5) Remove 17" Live Oak #105



VARIANCE APPLICATION

- 6) Remove 15" Cedar Elm #106
- 7) Remove 24.5" Hackberry #138
- 8) _____
- 9) _____
- 10) _____

Brief Description of project/why variances are needed: _____

The City and the Owner entered into an annexation and development agreement that allows the Owner to re-develop the property to its "maximum density" subject to a 50% impervious cover limitation.

The requested variances are necessary for the Owner to re-develop the property as allowed by the development agreement.

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.

The Owner entered into the annexation and development agreement with the City in good faith. The Owner's re-development rights per the development agreement would effectively be taken.

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?

One of the requested variance trees is a Hackberry, considered by many to be an undesirable invasive species. The property is heavily wooded and nine (9) trees exceeding 14" are to remain.

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

The property has many large trees. Other alternatives would result in additional tree variance requests.

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

Two detached single family homes is low density compared to a multifamily building, which would be allowed per the development agreement.



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?

The proposed use is consistent with the zoning district intent as described below in the language from the city code:

R-3 district is intended to provide a transitional zone between nonresidential districts and R-1 one-family residential districts where structures may be clustered to better utilize property topography and to better provide buffering greenbelts between traffic thoroughfares and the adjacent R-1 one-family residential districts.

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 R-3 property is adjacent to commercial zoned property and multifamily properties.

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).

DocuSigned by:

Brad Walters

858B3B76D7444F3...

5/20/2021

Signature

Date

Brad Walters

Printed Name



VARIANCE APPLICATION

APPLICATION CHECKLIST

Variance Application Checklist

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

Variance Process and Information

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



VARIANCE APPLICATION

STAFF NOTES

For Completion by Staff Only

Date public notification letters mailed: _____

Date of ZAPCO Meeting: _____

ZAPCO Recommendation: _____

Date of City Council/BOA Meeting: _____

City Council/BOA

Action: _____

Notes:

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

June 21, 2021

Re: 613 Rock Park Drive – Variance Requests

Dear Mr. Chairman:

We are requesting the minimum number of variances we believe are reasonably required to re-develop the property as contemplated in the attached Development Agreement dated July 14, 2010.

Upon annexation, or shortly thereafter, the City of Westlake Hills (the “City”) determined that the property would be zoned R-3 Transitional Residential. Compliance with the development standards of the R-3 zoning category would effectively prohibit the re-development of the property, as described below.

1. More than two single-family dwelling units per acre (Sec. 38.03.034)
 - a. The property is 0.43 acres. Compliance with this development standard would appear to prohibit the re-development of any residential units on the property, which currently holds a 4-unit apartment building.
2. Side setback of 10' vs. 50' per city code (Sec. 22.03.281)
 - a. The property is approximately 106' wide at the street frontage. Compliance with 50' side setbacks would leave a 17' wide building area. The current structure complies with the 10' side setbacks that are shown on the plat. We request that our proposed re-development of the property be allowed to conform to the 10' side setbacks shown on the final plat.
3. Front setback of 30' vs. 50' per city code (Sec. 22.03.281)
 - a. The property is approximately 175' deep. Compliance with a 50' front setback would unreasonably restrict the re-development of the property and would be inconsistent with the intent of the attached development agreement. We request that our proposed re-development of the property be allowed to comply with the 30' front setback line shown on the final plat.
4. Rear setback of 20' vs. 50' per city code (Sec. 22.03.281)
 - a. The property is approximately 175' deep. Compliance with a 50' rear setback would unreasonably restrict the re-development of the property and would be inconsistent with the intent of the attached development agreement. We request that our proposed re-development of the property be allowed to comply with the 20' front setback line shown on the final plat.

5. Remove 17" Live Oak #105
 - a. The subject tree appears to be in poor health and the re-development plan preserves 10 trees that are 14" or greater. Strict compliance with this standard would be inconsistent with the intent of the attached development agreement.
6. Remove 15" Cedar Elm #106
 - a. The re-development plan preserves 10 trees that are 14" or greater. Strict compliance with this standard would be inconsistent with the intent of the attached development agreement.
7. Remove 24.5" Hackberry #138
 - a. The subject tree is considered by most to be an invasive species that is unstable. The re-development plan preserves 10 trees that are 14" or greater. Strict compliance with this standard would be inconsistent with the intent of the attached development agreement.

Thank you for your consideration.

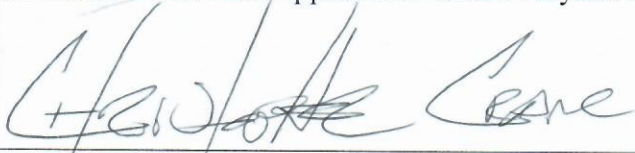
Sincerely,

Brad Walters

Brad Walters

SPECIAL POWER OF ATTORNEY

KNOW ALL PERSONS BY THIS DOCUMENT that I Christopher M. Crane,
being the owner(s) of the property identified below, have made, constituted and appointed
Brad Walters to be my duly authorized representative in connection with
a variance application dated February 8, 2020 and relating to my property at
613 Rock Park Drive, to be heard by the Zoning and Planning
Commission and BOA/City Council 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.



Property Owner/Applicant's Signature

900 Theresa Ave Austin TX 78703
Street Address City, State, Zip Code

(512) 410-9550
Phone Number

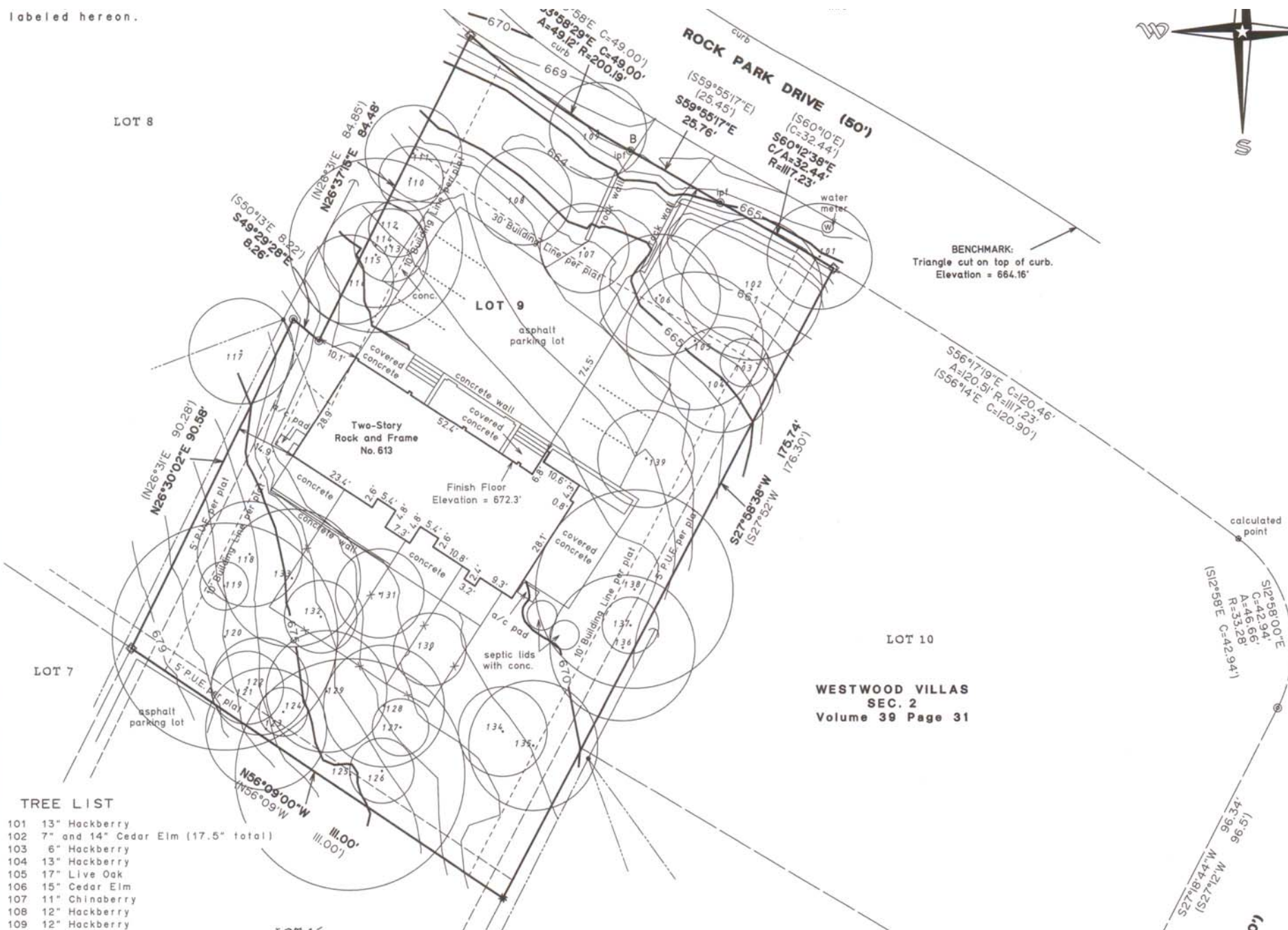
The instrument was acknowledged before me on this the 3rd day of February, 2020.



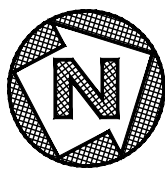
Notary Public in and for the State of Texas



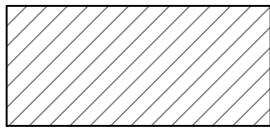
labeled hereon.






GRAPHIC SCALE IN FEET


LEGEND

 PROPOSED PAVEMENT

- TREE LIST
- | | | |
|-----|--------------------|-------------------------|
| 101 | 13" | Hackberry |
| 102 | 7" and 14" | Cedar Elm (17.5" total) |
| 103 | 6" | Hackberry |
| 104 | 13" | Hackberry |
| 105 | 17" | Live Oak |
| 106 | 15" | Cedar Elm |
| 107 | 11" | Chinaberry |
| 108 | 12" | Hackberry |
| 109 | 12" | Hackberry |
| 110 | 8" | Hackberry |
| 111 | 12" | Live Oak |
| 112 | 7" | Hackberry |
| 113 | 9" | Hackberry |
| 114 | 13" and 15" | Live Oak (21.5" total) |
| 115 | 13" | Live Oak |
| 116 | 11" | Hackberry |
| 117 | 13" | Chinaberry |
| 118 | 13" | Cedar Elm |
| 119 | 6" | Cedar Elm |
| 120 | 6", two-9" and 16" | Cedar Elm (28" total) |
| 121 | 9" | Cedar Elm |
| 122 | 12" | Cedar Elm |
| 123 | 15" | Cedar Elm |
| 124 | 5" and 6" | Cedar Elm |
| 125 | 11", 14", and 16" | Cedar Elm (28.5" total) |
| 126 | 8" | Live Oak |
| 127 | 7" | Live Oak |
| 128 | 15" | Cedar Elm |
| 129 | 15" | Cedar Elm |
| 130 | 9" | Texas Ash |
| 131 | 11" | Cedar Elm |
| 132 | 9" | Cedar Elm |
| 133 | 17" | Cedar Elm |
| 134 | 11" | Texas Ash |
| 135 | 16" | Texas Ash |
| 136 | 18" | Hackberry |
| 137 | 7" | Hackberry |
| 138 | 15" and 17" | Hackberry (24.5" total) |
| 139 | 12" | Arizona Ash |

SITE PLAN

613 ROCK PARK DRIVE

613 ROCK PARK DRIVE
AUSTIN, TX 78746

REVISIONS

NO.	DATE	DESCRIPTION

JOB NO.

DESIGNED BY:

DRAWN BY:

CHECKED BY:

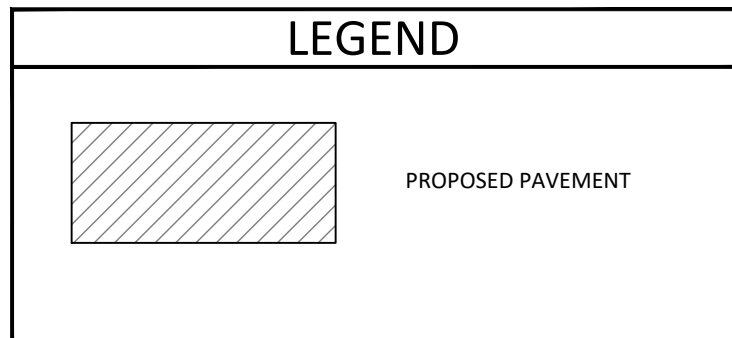
DATE:

SHEET:



5707 Southwest Pkwy • Bldg. 2 • Suite 250 • Austin, Texas 78735
Tel: 512.306.8252
(TX REG. F-1114)

613 ROCK PARK DRIVE
AUSTIN, TX 78746



TREE LIST

101	13" Hackberry
102	7" and 14" Cedar Elm (17.5" total)
103	6" Hackberry
104	13" Hackberry
105	17" Live Oak
106	15" Cedar Elm
107	11" Chinaberry
108	12" Hackberry
109	12" Hackberry
110	8" Hackberry
111	12" Live Oak
112	7" Hackberry
113	9" Hackberry
114	13" and 15" Live Oak (21.5" total)
115	13" Live Oak
116	11" Hackberry
117	13" Chinaberry
118	13" Cedar Elm
119	6" Cedar Elm
120	6", two-9" and 16" Cedar Elm (28" total)
121	9" Cedar Elm
122	12" Cedar Elm
123	15" Cedar Elm
124	5" and 6" Cedar Elm
125	11", 14", and 16" Cedar Elm (28.5" total)
126	8" Live Oak
127	7" Live Oak
128	15" Cedar Elm
129	15" Cedar Elm
130	9" Texas Ash
131	11" Cedar Elm
132	9" Cedar Elm
133	17" Cedar Elm
134	11" Texas Ash
135	16" Texas Ash
136	18" Hackberry
137	7" Hackberry
138	15" and 17" Hackberry (24.5" total)
139	12" Arizona Ash

[illegible]

SITE PLAN

DUNAWAY
5707 Southwest Pkwy • Bldg. 2 • Suite 250 • Austin, Texas 78735
Tel: 512.306.8252
(TX REG. F-1114)

613 ROCK PARK DRIVE
613 ROCK PARK DRIVE
AUSTIN, TX 78746

JOB NO.
DESIGNED BY:
DRAWN BY:
CHECKED BY:
DATE:
SHEET:

613 Rock Park Drive A

Westwood Neighborhood

New Construction

Eanes ISD

613 Rock Park Drive A

Available Spring 2022



2889
sq ft



4
Beds



3.5
Baths

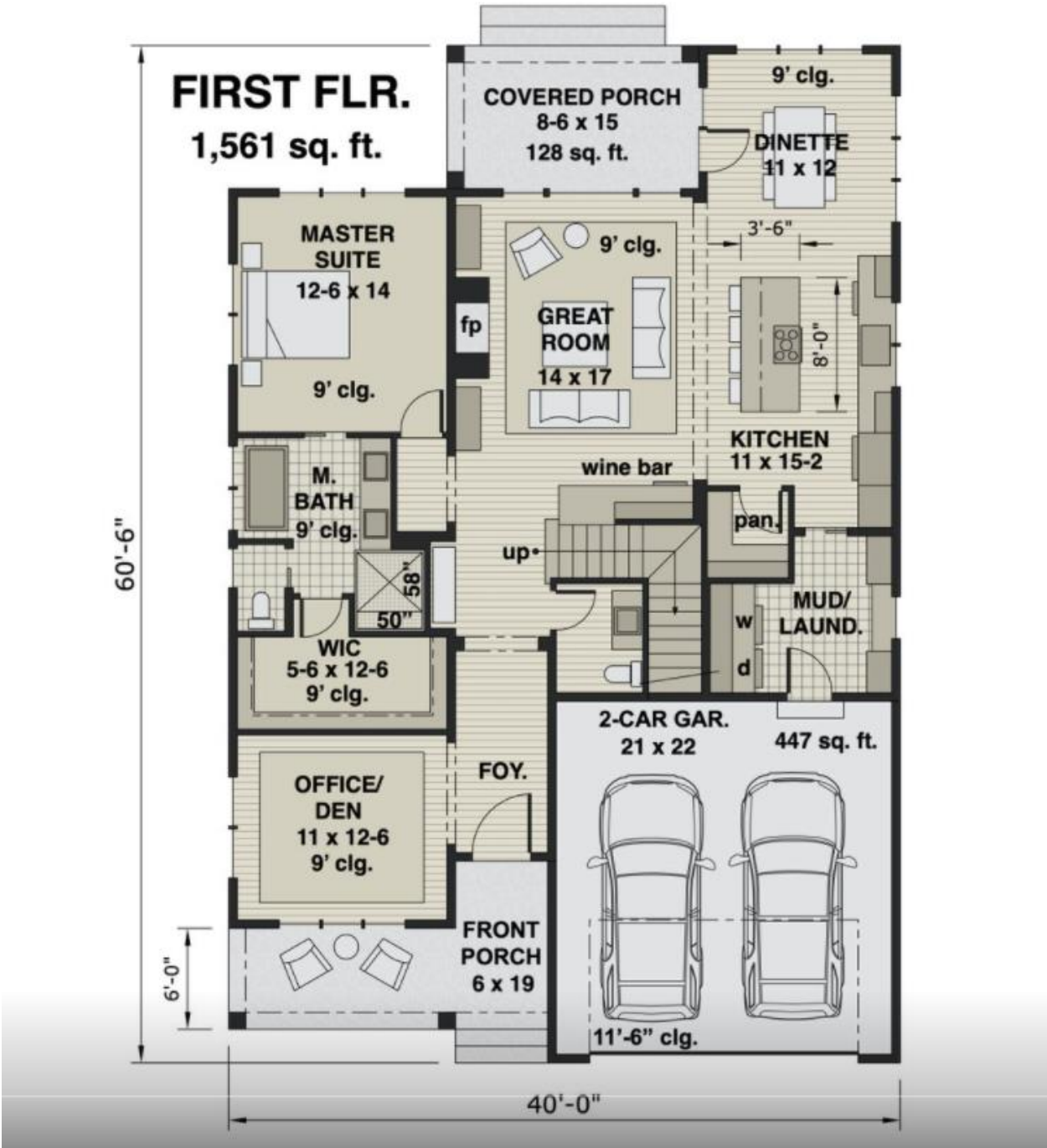


2
Floors



2
Garages





613 Rock Park Drive A



613 Rock Park Drive A



613 Rock Park Drive B

Westwood Neighborhood
613 Rock Park Drive B

New Construction
Available Spring 2022

Eanes ISD

2,580
Square Feet

4
Bedrooms

3
Bathrooms

1
Garage



Construction Specs

Foundation: Slab on Grade
Exterior Walls: 2x6
Roof Pitch: 12:12 Primary
Ceiling Height First Floor: 9'-0"
Ceiling Height Second Floor: 9'-0"
Exterior Cladding: Board and Batten, Lap Siding
Roof Cladding: Metal

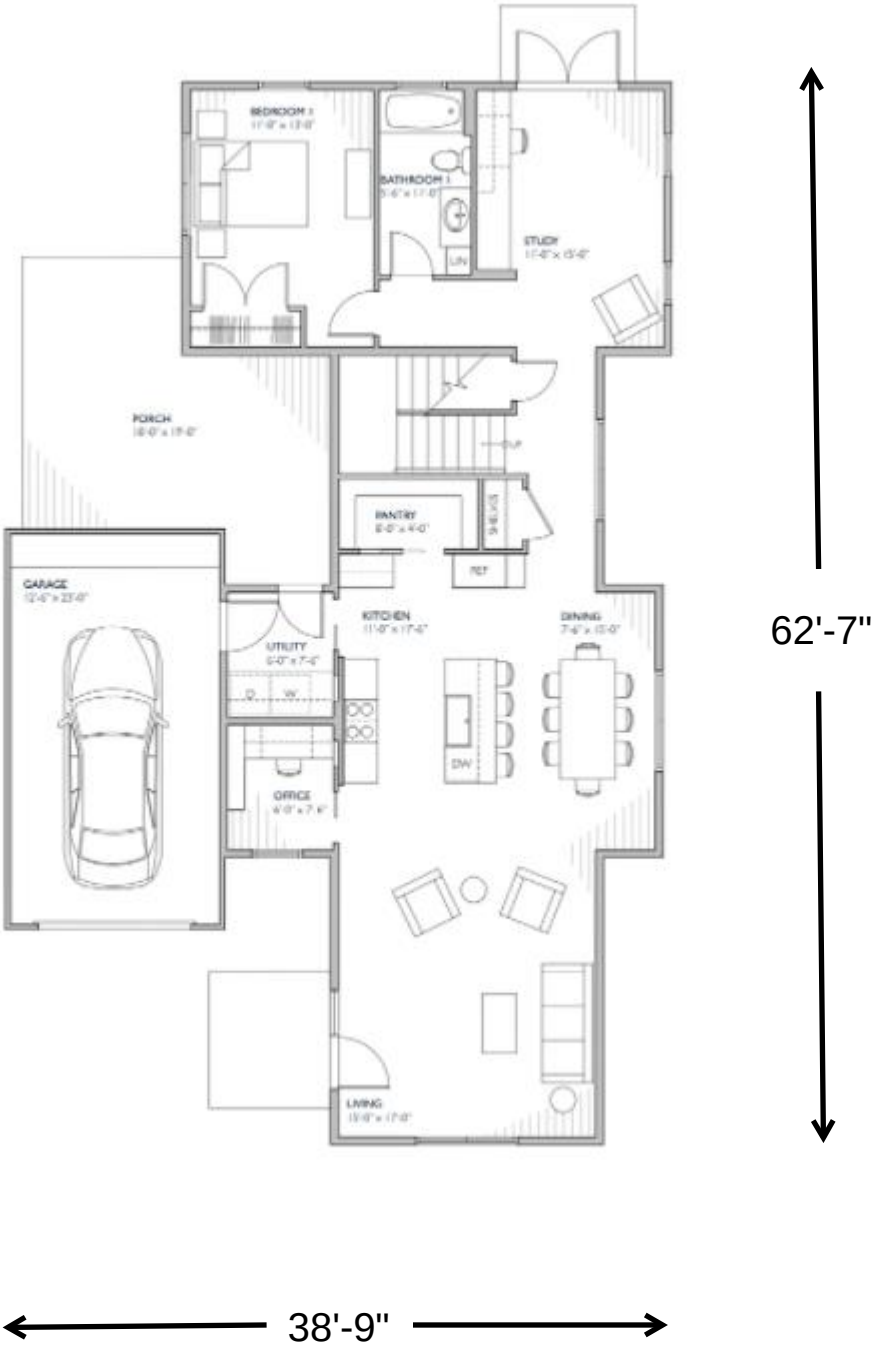
Living Specs

First Floor: 1368SF
Second Floor: 1212SF
Total Covered Area: 3227SF
Overall Dimensions: 38'-9" x 62'-7"
Garage Dimensions: 13'-0" x 23'-7"
Kitchen Dimensions: 11'-2" x 16'-6"

Enhancements

His and Hers Closets in Master Suite
Freestanding Tub in Master Bath
First Floor Guest Bedroom
Pass-thru Utility
Floating Shelves in Kitchen
Ceiling Fans in All Bedrooms

613 Rock Park Drive B





613 Rock Park Drive B



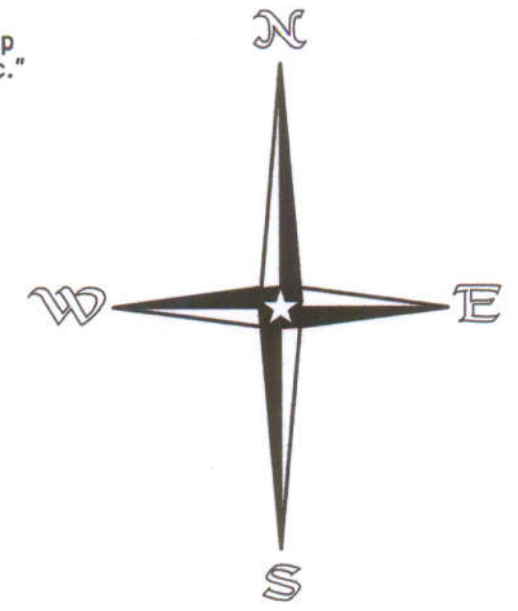
Orientation for this survey is based on a bearing of S46°20'E between points A and B labeled hereon.

Legend

- 1/2" Iron Rod Found
- 1/2" Iron Pipe Found
- 1/2" Iron Rod Set with plastic cap, imprinted with "Holt Carson, Inc."
- Spindle Set
- Concrete Monument Found
- Wire Fence
- Overhead Utility Line (Record Bearing and Distance)

- 14"+ Trees to Remain
- Proposed Variance Trees
- Proposed Residences

SCALE 1" = 20'



BENCHMARK:
Triangle cut on top of curb.
Elevation = 664.16'

TREE LIST

- 101 13" Hackberry
- 102 7" and 14" Cedar Elm (17.5" total)
- 103 6" Hackberry
- 104 13" Hackberry
- 105 17" Live Oak
- 106 15" Cedar Elm
- 107 11" Chinaberry
- 108 12" Hackberry
- 109 12" Hackberry
- 110 8" Hackberry
- 111 12" Live Oak
- 112 7" Hackberry
- 113 9" Hackberry
- 114 13" and 15" Live Oak (21.5" total)
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- 119 6" Cedar Elm
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- 122 12" Cedar Elm
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- 124 5" and 6" Cedar Elm
- 125 11", 14", and 16" Cedar Elm (28.5" total)
- 126 8" Live Oak
- 127 7" Live Oak
- 128 15" Cedar Elm
- 129 15" Cedar Elm
- 130 9" Texas Ash
- 131 11" Cedar Elm
- 132 9" Cedar Elm
- 133 17" Cedar Elm
- 134 11" Texas Ash
- 135 16" Texas Ash
- 136 18" Hackberry
- 137 7" Hackberry
- 138 15" and 17" Hackberry (24.5" total)
- 139 12" Arizona Ash

TOPOGRAPHIC SURVEY MAP OF:

LOT 9, WESTWOOD VILLAS, SEC. 2, A
SUBDIVISION IN TRAVIS COUNTY, TEXAS,
ACCORDING TO THE MAP OR PLAT THEREOF
RECORDED IN VOLUME 39 PAGE 31 OF THE
PLAT RECORDS OF TRAVIS COUNTY, TEXAS.

LOCATED AT 613 ROCK PARK DRIVE.

NOTES:

- This map was prepared without the benefit of a current title commitment, and therefore this lot may be subject to easements and/or restrictions in addition to the ones shown hereon.
- NAVD88 Elevations shown hereon are based upon post processed static GPS observations.
- Tree "crowns" shown hereon are drawn as a function of one inch of trunk diameter equals one foot of "crown" radius. Trees with multiple trunks are calculated by adding the diameter of the largest trunk plus half the diameter of the smaller trunks.

AREA TABLE

LAND AREA	18,790 Sq. Ft.
Building Footprint	1,886 Sq. Ft.
Asphalt Area	2,932 Sq. Ft.
Concrete Area	1,352 Sq. Ft.
Rock Walls	59 Sq. Ft.
A/C Pads	37 Sq. Ft.
The above improvements comprise 6,307 Sq. Ft. or 33.6% of land area.	



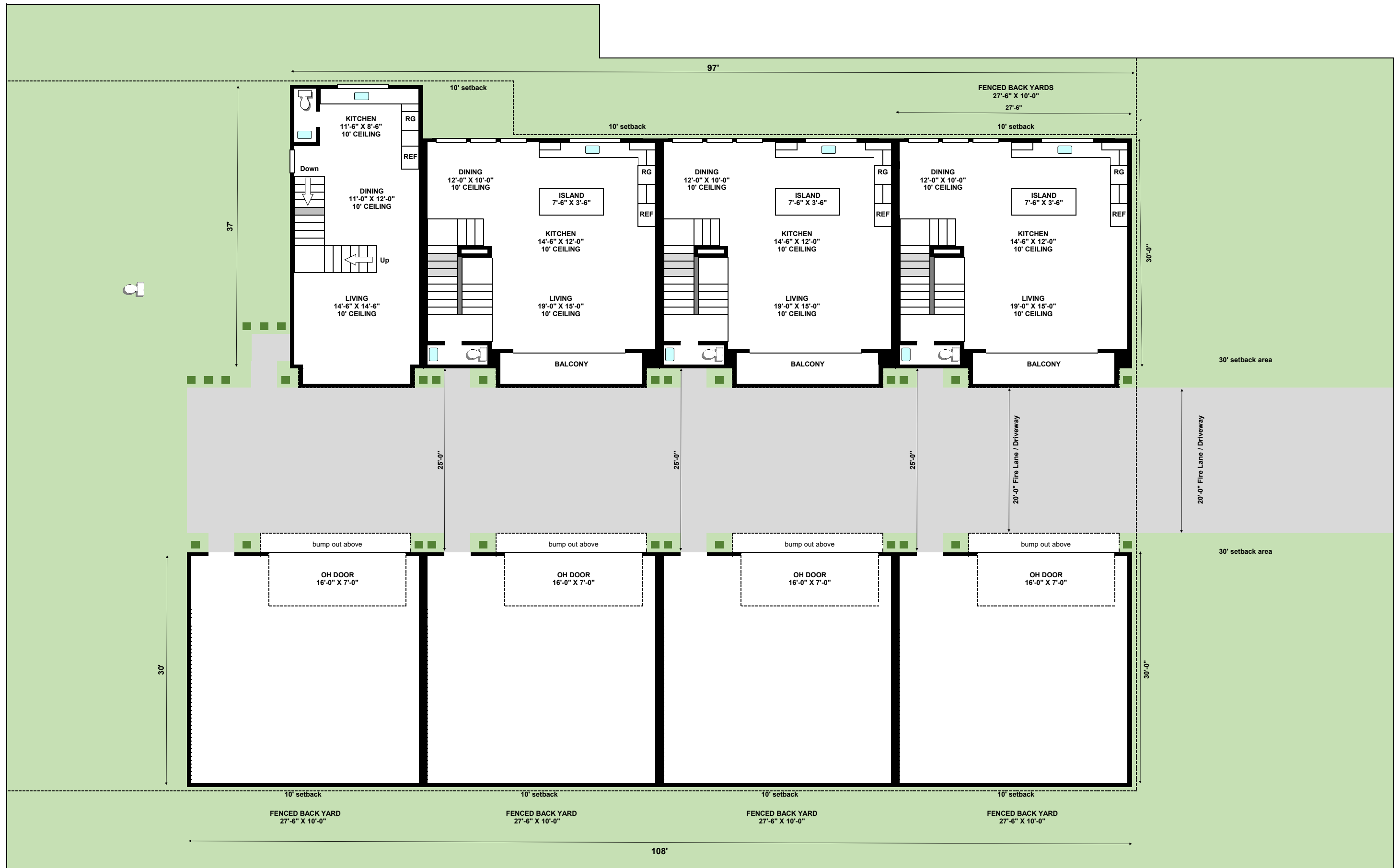
PREPARED: October 10th, 2017

BY:

Holt Carson

Holt Carson
Registered Professional Land Surveyor No. 5166
HOLT CARSON, INC.
1904 Fortview Road Austin, Texas 78704
(512)-442-0990
Firm Registration Number 10050700







City of West Lake Hills

ORDINANCE ANNEXING AREA ON REQUEST OF AREA VOTERS

ORDINANCE NO. 378

AN ORDINANCE OF THE CITY OF WEST LAKE HILLS, TEXAS, ANNEXING A CERTAIN AREA INTO THE INCORPORATED MUNICIPAL BOUNDARIES OF THE CITY OF WEST LAKE HILLS, TEXAS ON REQUEST OF A MAJORITY OF THE QUALIFIED VOTERS RESIDING IN THE AREA; A REPEALER; SEVERABILITY; AND PROPER NOTICE AND MEETING.

WHEREAS, Section 43.024 of the Texas Local Government Code authorizes a Type A general-law municipality to annex territory into its municipal boundaries (i.e., corporate limits or city limits) upon request of area voters if that territory is one-half mile or less in width and is contiguous to the municipality; and

WHEREAS, the City of West Lake Hills (City) is a Type A general-law municipality with the rights and privileges thereto; and

WHEREAS, the City Council of the City of West Lake Hills (City Council) has received an affidavit from three qualified voters in an area within the City's extraterritorial jurisdiction (ETJ) reflecting that a majority of the qualified voters in that area have requested annexation of the area into the City's corporate boundaries; and

WHEREAS, the area is one-half mile or less in length and is contiguous to the City; and

WHEREAS, in accordance with Section 43.024(c) of the Texas Local Government Code the Mayor has certified that the affidavit to the City Council and the City Council determines that it is in the best interests of the City to annex the area in accordance with that provision; and

WHEREAS, the City Council has conducted three public hearings regarding annexation of the area and has provided all required notices within the timeframes established under Chapter 43 of the Texas Local Government Code; and

WHEREAS, the City has prepared a service plan for the area to be annexed in accordance with Section 43.064 of the Texas Local Government Code providing for full municipal services to such area, which service plan was made available to the public and explained at the scheduled public hearings; and

WHEREAS, the City Council deems it to be in the best interest of the citizens of West Lake Hills to annex said territory into the City.

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

1. FINDINGS OF FACT

All of the above premises are hereby found to be true and correct legislative and factual findings of the City Council of West Lake Hills, and are hereby approved and incorporated into the body of this Ordinance as if copied herein in their entirety.

2. ANNEXATION OF TERRITORY

- A.** The area described in Exhibit "A", which is attached hereto and incorporated herein for all purposes, is hereby annexed and brought within the municipal boundaries (i.e., corporate limits) of the City of West Lake Hills, and is made an integral part, hereof.
- B.** The official map and boundaries of the City of West Lake Hills are hereby amended and revised so as to include the area annexed.
- C.** A service plan prepared in accordance with applicable provisions of state law pertaining to annexation is attached hereto as Exhibit "B" and incorporated herein for all intents and purposes.
- D.** The owners and inhabitants of the area herein annexed are entitled to all of the rights and privileges of other citizens of the City of West Lake Hills and are hereby bound by all acts, ordinances and other legal actions now in full force and effect and those that may be hereafter adopted or enacted.

3. EFFECTIVE DATE

This ordinance is effective and the annexation achieved herein shall be final and complete upon adoption of this Ordinance on the date set forth below.

4. FILING

- A.** The City Secretary is hereby instructed to include this Ordinance in the records of the City and to have maps depicting the new municipal boundaries prepared, as necessary.
- B.** The Mayor is hereby instructed to file a certified copy of this Ordinance with the Travis County Clerk.

5. SEVERABILITY

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences,

paragraphs and sections of this Ordinance be severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this Ordinance, and the remainder of this Ordinance shall be enforced as written.

6. PROPER NOTICE AND MEETING

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

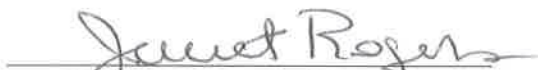
PASSED AND APPROVED this the 12th day of January 2011, by a vote of 5 (ayes) to 0 (nays) to 0 (abstentions) of the City Council of the City of West Lake Hills, Texas.



THE CITY OF WEST LAKE HILLS


Dave Claunch, Mayor

ATTEST:


Janet Rogers, City Secretary

APPROVED AS TO FORM:

Alan J. Bojorquez, City Attorney

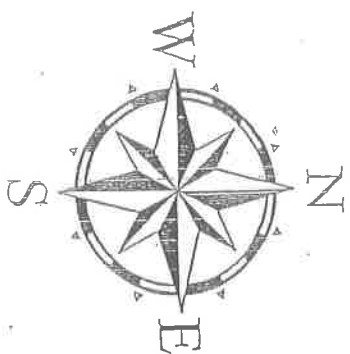
Exhibit "A"

Description of Area to be Annexed

The area to be annexed consists of five (5) distinct lots:

1. 613 Rock Park Drive (i.e., LOT 9 WESTWOOD VILLAS SEC 2)
2. 3340 Bee Cave Road (i.e., LOT 16 WESTWOOD VILLAS SEC 2)
3. 3342 Bee Cave Road (i.e., LOT 16 LESS 0.0610 ACR WESTWOOD VILLAS SEC 1)
4. 3344 Bee Cave Road (i.e., LOT 17 LESS 0.0600 ACR WESTWOOD VILLAS SEC 2)
5. 100 Bulian Lane (i.e., LOT 15 WESTWOOD VILLAS SEC 2)

Close-Up of Proposed Annexation Area



Legend

- West Lake Hills City Limits
- Roads
-  Parcels to be Annexed *
-  Proposed Annexation Area

0 0.0125 0.025 0.05 Miles

* Parcels were annexed on 4/12/11.



— West Lake Hills City Limits

— Roads

Parcels to be Annexed

Proposed Annexation Area



Exhibit "B"

ANNEXATION SERVICE PLAN FOR PROPERTY ANNEXED BY ORDINANCE 378

I. DESCRIPTION OF PROPERTY ANNEXED BY ORDINANCE 378

- Tract 1: 613 Rock Park Drive (i.e., LOT 9 WESTWOOD VILLAS SEC 2)
- Tract 2: 3340 Bee Cave Road (i.e., LOT 16 WESTWOOD VILLAS SEC 2)
- Tract 3: 3342 Bee Cave Road (i.e., LOT 16 LESS 0.0610 ACR WESTWOOD VILLAS SEC 1)
- Tract 4: 3344 Bee Cave Road (i.e., LOT 17 LESS 0.0600 ACR WESTWOOD VILLAS SEC 2)
- Tract 5: 100 Bulian Lane (i.e., LOT 15 WESTWOOD VILLAS SEC 2)

II. MUNICIPAL SERVICES

Municipal services to the properties described above shall be furnished by or on behalf of the City of West Lake Hills, Texas, in the following ways:

POLICE PROTECTION

1. Traffic patrols, radio responses, watch list and other standard police services, as are provided throughout the City, shall be provided on the effective date of annexation.
2. Traffic signals, traffic signs, street markings, and other traffic control devices shall be installed as needed in accordance with appropriate studies and traffic standards and in accordance with City policies and procedures.

FIRE PROTECTION AND EMERGENCY MEDICAL SERVICES

Fire protection will be provided by a separate political subdivision, Travis County Emergency Services District No. 9.

Emergency medical services will be provided by Austin-Travis County EMS.

SOLID WASTE COLLECTION

The City of West Lake Hills will provide solid waste collection at the same level and with the same terms and conditions as it is provided in the rest of the City on the effective date of annexation.

OPERATION AND MAINTENANCE OF PUBLIC WATER AND WASTEWATER FACILITIES

1. Water facilities will be maintained by a separate political subdivision, Water Control and Improvement District No. 10.
2. Wastewater service will be available on the effective date of annexation with the same terms and conditions as it is made available in the rest of the City.

OPERATION AND MAINTENANCE OF PRIVATE ACCESS EASEMENTS AND/OR PUBLIC ROADS AND STREETS (INCLUDING LIGHTING)

1. Emergency maintenance of streets (repair of hazardous chuckholes, measures necessary for traffic flow, etc.) will begin on the effective date of annexation.
2. A program of standard maintenance and repairs, as is provided throughout the City, shall commence on the effective date of annexation.

MAINTENANCE OF PARKS, PLAYGROUNDS, AND SWIMMING POOLS

The City of West Lake Hills does not own or maintain any parks, playgrounds, or swimming pools.

MAINTENANCE OF ANY OTHER PUBLICLY-OWNED FACILITY, BUILDING OR SERVICE WITHIN THE AREA TO BE ANNEXED

There is no existing publicly owned facility, building or service within the area to be annexed.

BUILDING INSPECTIONS

Construction inspection shall be available and shall be required upon annexation. The City of West Lake Hills provides consultation with commercial developers and residential builders in order for them to meet the building code requirements of the City of West Lake Hills. The City shall also inspect existing structures in the area to be annexed and on-site inspection services for new construction in every aspect of construction except for those inspection conducted by other entities such as Austin Energy and Travis County Emergency Services District No. 9.

SANITATION (PRIVATE SEWAGE FACILITY) INSPECTIONS

The annexed property may have private sewage facilities maintained by property owners and shall be inspected by City of West Lake Hills as per Section 86 of the West Lake Hills Code, as amended, if necessary.

PROPERTY OWNER FILE

The City maintains a property owner file for each parcel of land and the file will contain a permanent record of all permits issued and inspections completed and other applicable documents pertaining to the property on the effective date of annexation.

PLANNING AND ZONING

The planning and zoning jurisdiction of the City will be extended to the annexed area on the effective date of annexation. The City's Zoning and Planning Commission, after study, will recommend to the Council appropriate zoning for the area annexed.

CAPITAL IMPROVEMENTS

The City of West Lake Hills is not contemplating capital improvements in the area to be annexed. However, after the effective date of annexation, the City shall initiate the acquisition or construction of capital improvements necessary for providing municipal services adequate to serve the area. Adequacy shall be determined according to the City's ordinances, rules, regulations, and policies for the expansion and extension of infrastructure in other areas of the municipality with similar topography, land use and population density. In areas where improvements are required, such infrastructure shall be provided within 10 years after the effective date of annexation. Upon the submission of a request for a subdivision, the City may require that the subdivider construct or improve streets and other capital improvements within and adjacent to the proposed subdivision.

OTHER SERVICES

1. Immediately upon annexation, all of the City's ordinances, including zoning, building, excavation, grading and landfill, site clearance, construction code, electrical code, plumbing code, mechanical code, etc., shall govern in the newly annexed area.
2. In addition, the City will exercise its jurisdiction over the annexed area and enforce all of its ordinances, such as signs, fireworks, firearms, hunting, noise, odors, solicitation, peddlers, litter, stray dogs, animals, etc.

III. GENERAL FINDINGS

The City Council of the City of West Lake Hills finds and determines that this proposed Service Plan will not provide any fewer services, and it will not provide a lower level of service in the area proposed to be annexed than were in existence in the proposed area at the time immediately preceding the annexation process.

City of West Lake Hills

Dave Claunch, Mayor

911 Westlake Drive
West Lake Hills, Texas 78746-4509



CITY COUNCIL MEMBERS:

Andrew Schwartz, Mayor Pro Tem

Davin Fillpot

Stan Graham

Jean Goehring

Spencer Stevens

Robert J. Wood, City Administrator

City Hall: (512) 327-3628

Fax: (512) 327-1863

www.westlakehills.org

cityhall@westlakehills.org

Police Department: (512) 327-1195

Fax: (512) 329-5517

March 31, 2011

Kiester, Lockwood & Ciccone, L.L.P.
611 West 14th Street
Austin, TX 78701

Re: Development Agreement between the City of West Lake Hills and Christopher M. Crane

To Whom It May Concern:

Enclosed please find a copy of the above referenced Development Agreement that was recorded in the Official Records of Travis County on March 16, 2011.

Please forward a copy of the recorded agreement to Christopher M. Crane for his files.

Sincerely,

Janet Rogers
City Secretary

Enclosure



TRV

41 PGS

2011038380

Handwritten initials

City of West Lake Hills
Received
MAR 27 2011

City of West Lake Hills
Received
MAR 27 2011

CONFIDENTIAL ECONOMIC DEVELOPMENT COMMUNICATION

ETJ Development Agreement

between

City of West Lake Hills

&

Christopher M. Crane

July 14, 2010

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ETJ DEVELOPMENT AGREEMENT

STATE OF TEXAS

§

COUNTY OF TRAVIS

§

§

This Development Agreement (this “Agreement”) is between the **City of West Lake Hills**, (“City”), and **Christopher M. Crane** (“Owner”). In this Agreement, the City and Owner are sometimes individually referred to as a “Party” and collectively referred to as the “Parties”.

RECITALS:

WHEREAS, Owner possesses a four-unit, multi-family residential complex (the “Property”) located wholly within the extraterritorial jurisdiction (“ETJ”) of the City and in Travis County, Texas (the “County”), which is more fully described in *Exhibit A* attached hereto; and

WHEREAS, the City has adopted a Comprehensive Plan to guide the City in planning for future growth and development and the City Council finds that this Agreement is consistent with the Comprehensive Plan; and

WHEREAS, the City has determined that development agreements such as this will benefit the City by establishing land use controls; preserving a desired form of residential housing; providing for the construction of appropriate and necessary utility infrastructure; encouraging economic development; protecting the environment; preserving the scenic ambiance; and promoting the welfare of the citizens of the City and its ETJ; and

WHEREAS, this Agreement grants Owner a measure of predictability in terms of applicable municipal regulations and services; and

WHEREAS, this Agreement runs with the land, and thus shall be acknowledged by a Texas Notary Public, then filed in and among the land records of Travis County, and is binding upon subsequent purchasers of the Property, or any portions thereof; and

WHEREAS, the City is statutorily authorized to enter into such agreements with owners of property located in the City’s ETJ pursuant to Texas Local Government Code Section 212.172; and

WHEREAS, Owner and the City have conducted numerous public hearings, posted sufficient public notice, and received broad public input regarding the proposal contained within this Agreement.

City of West Lake Hills
Christopher Crane

ETJ Development Agreement
Page 3 of 14

NOW THEREFORE, FOR GOOD & VALUABLE CONSIDERATION, the receipt and sufficiency of which are hereby acknowledged, including the above recitals and the agreements set forth below, the City and Owner agree as follows:

ARTICLE 1. DEFINITIONS

1.1 General

Words and phrases used in this Agreement shall have the meanings set forth in this section. Terms that are not defined below, but are defined in the City's Code of Ordinances (the "Code"), shall be given the meanings set forth in the Code. Words and phrases not defined in the Code shall be given their common, ordinary meaning unless the context clearly requires otherwise. When not inconsistent with the context, words used in the present tense shall include the future tense; words in the plural number shall include the singular number (and vice versa); and words in the masculine gender shall include the feminine gender (and vice versa). The word "shall" is always mandatory, while the word "may" is merely directory. Headings and captions are for reference purposes only.

1.2 Specific

Agreement: This contract between the City of West Lake Hills, Texas and Owner, including all Exhibits hereto, which are incorporated herein for all intents and purposes.

City: The City of West Lake Hills, an incorporated Type A, general-law municipality located in Travis County, Texas.

City Council: The governing body of the City of West Lake Hills, Texas, (i.e., the Board of Alderman).

City Limits: The incorporated municipal boundary of the City of West Lake Hills.

County: Travis County, Texas.

Effective Date: The date upon which this Agreement is executed by all Parties.

Impervious Cover: Manmade or constructed coverage of the natural ground with any structure or surface that impedes, inhibits or does not permit the absorption or passage of water into the subsurface of the natural land. Impervious cover includes, but is not limited to, buildings, parking areas, roads, streets, driveways, sidewalks, swimming pools, impermeable concrete, asphalt paving, compacted base material, and brick pavers on compacted base. Permeable pavement, pavers and manmade areas of compacted or uncompacted rock or stone shall be considered 100 percent (100%) impervious cover, regardless of how much water they allow to pass through to natural ground. Decks that allow the passage of water to natural ground shall be considered 50 percent (50%)

impervious cover. Roof overhangs/eaves are not considered impervious cover. For purposes of compliance with this Chapter, the term expressly excludes storage tanks for rainwater collection systems.

LCRA: The Lower Colorado River Authority, a quasi-governmental entity created and operating under the laws of the State of Texas, or its successor agency.

Master Plan: The master plan of the City, originally presented in 1979, as may be amended, modified or supplemented by the City, sometimes referred to as the Comprehensive Plan.

Owner: Christopher M. Crane, and any successor and assign; and any subsequent owner(s).

Property: Approximately 0.424 acres of land located in Travis County, Texas, at 613 Rockpark Drive (sometimes also referred to as “Rock Park” Drive), 78746 (LOT 9, WESTWOOD VILLAS, SEC 2), more fully described on the attached *Exhibit A*.

Septic System: A privately owned and operated on-site sewage facility (OSSF).

ZAPCO: The Zoning and Planning Commission, a volunteer citizen advisory board of the City of West Lake Hills that has been granted specific land use and development regulatory authority pursuant to City ordinances and state statutes.

ARTICLE 2. PUBLIC BENEFITS

- 2.1 Orderly Growth:** The City desires that development within its ETJ occur in an orderly manner in order to protect the health, safety and welfare of the City’s present and future citizens; preserve the environment; enhance property values; and provide for preservation and expansion of the City’s tax base. This Agreement will benefit the City by facilitating the annexation of property into the City Limits, thus expanding the tax base and the scope of the City’s regulatory authority.
- 2.2 Economic Development:** This Agreement serves a legitimate economic development purpose by perpetuating a use of land that is compatible with the nearby Bee Cave Road commercial area, but that will not adversely impact neighboring single-family or multi-family residences.
- 2.3 Provision of Housing:** Multi-family housing is scarce in the City. This Agreement preserves a type of housing for the City’s present and future citizens and allows for potential redevelopment of housing that will minimize negative environmental impacts and promote the aesthetic enhancement of the City Limits and its ETJ. Further, the development of housing in accordance with this Agreement will promote safe and attractive housing conditions and a self-sustaining community.

ARTICLE 3. WASTEWATER INFRASTRUCTURE

- 3.1 The City will not conduct regular Septic System inspections of the Property until the year 2020 or until such time as wastewater service is available to the Property, whichever comes first. Alternatively, the City will allow the septic system to be maintained and repaired as opposed to replaced as long as it can be repaired to operate in good and work like manner. Owner will maintain the Septic System and perform routine repairs necessary to ensure compliance with all City and State regulations. Nothing herein shall be interpreted as the City's waiver of Owner's legal obligations to keep Septic System in working order.
- 3.2 When, if ever, in accordance with its capital improvements plan, the City extends its centralized municipal wastewater system to the Property and commences the provision of wastewater service to the Property, the Property will be eligible to connect to and be served by that system. The City will waive the first ten thousand dollars (\$10,000.00) of all fees involved for Owner to connect. Any connection fees that exceed ten thousand dollars (\$10,000.00) at the time shall be paid for by Owner.

ARTICLE 4. SOLID WASTE

- 4.1. **Level of Service:** The City will provide each residential dwelling on the Property with the same level of municipal solid waste collection and disposal service as is provided to single-family residential dwellings.
- 4.2. **Fees for Service:** The fees for solid waste services provided to the Property shall be at the same rate as that charged to single-family dwellings in the City until such time as wastewater service is available to the Property.

ARTICLE 5. PROPERTY DEVELOPMENT

- 5.1. **Land Use:** The Property can continue to be used or redeveloped for multi-family residential purposes, including apartments, condominiums or townhouses.
- 5.2. **Density:** If Owner redevelops the Property, Owner is allowed under this Agreement to achieve the maximum density for the property so long as it does not exceed the impervious cover requirements as stipulated herein. If the Owner decides to redevelop the Property, then the City agrees to cooperate in good faith and approve of any permits, certifications or licensure requested by the Owner that are otherwise compliant with City and State regulations.
- 5.3. **Impervious Cover:** The Parties agree to limit the Impervious Cover on the Property to a maximum of fifty percent (50%) of the Property.

- 5.4. **Permits:** Upon the Effective Date of this Agreement, Owner may utilize or redevelop the Property consistent with this Agreement. Any future permits required by law for the construction, use or redevelopment of the Property shall be subject to this Agreement. Unless specifically provided for herein, the Property shall be subject to the City of West Lake Hills' Code of Ordinances.
- 5.5. **Deed Restrictions:** Owner agrees that all restrictive covenants for the Project shall reinforce the provisions of this Agreement, and shall be applied to all builders and subsequent buyers, and shall be appropriately drafted and filed to effectuate this intent and Agreement.

ARTICLE 6. ANNEXATION

The Parties acknowledge that this Agreement is contingent upon:

- (1) Owner submitting to the City a valid request for annexation;
- (2) the City granting such request; and
- (3) such request becoming effective so that the Property is formally annexed into the City Limits.

ARTICLE 7. DURATION

- 7.1. **Initial Term.** The term of this Agreement will commence on the Effective Date and continue for 25 years unless sooner terminated under this Agreement. This Agreement may be extended for a longer duration not to exceed an additional five (5) years upon mutual agreement of the Parties. In the event such an extension is agreed to all, provisions of this Agreement shall remain in full force and effect throughout the extension.
- 7.2. **Expiration.** After the Initial Term and any extension, this Agreement will be of no further force and effect. Expiration of this Agreement shall not affect the validity of any annexations or regulatory actions on the Property prior to the expiration date.
- 7.3. **Termination or Amendment.** This Agreement may be terminated or amended as to all of the Property at any time by mutual written consent of the City and Owner or may be terminated or amended only as to a portion of the Property by the mutual written consent of the City and Owner of only the portion of the Property affected by the amendment or termination. Neither the City or Owner may unilaterally amend or terminate this Agreement.

ARTICLE 8. GENERAL PROVISIONS

8.1. Assignment & Binding Effect:

- 8.1.1.** This Agreement, and the rights and obligations of Owner hereunder, may be assigned by Owner to a subsequent purchaser of all or a portion of the Property provided that the assignee assumes all of the obligations hereunder. Any assignment must be in writing, specifically describe the Property, set forth the assigned rights and obligations and be executed by the proposed assignee. A copy of the assignment document must be delivered to the City and recorded in the real property records as may be required by applicable law. Upon any such assignment, the assignor will be released of any further obligations under this Agreement as to the Property.
- 8.1.2.** The provisions of this Agreement will be binding upon, and inure to the benefit of the Parties, and their respective successors and assigns.
- 8.1.3.** Owner agrees that all restrictive covenants for the Property shall reinforce this Agreement. The Agreement shall be recorded in the Travis County land records to place subsequent purchasers on notice.

- 8.2. **Severability:** If any provision of this Agreement is illegal, invalid, or unenforceable, under present or future laws, it is the intention of the Parties that the remainder of this Agreement not be affected, and, in lieu of each illegal, invalid, or unenforceable provision, that a provision be added to this Agreement which is legal, valid, and enforceable and is as similar in terms to the illegal, invalid or enforceable provision as is possible.
- 8.3. **Governing Law, Jurisdiction & Venue:** This Agreement shall be governed by and construed in accordance with the laws of the State of Texas, as it applies to contracts performed within the State of Texas and without regard to any choice of law rules or principles to the contrary. The parties acknowledge that this Agreement is performable in *Travis County*, Texas and hereby submit to the jurisdiction of the courts of that County, and hereby agree that any such Court shall be a proper forum for the determination of any dispute arising hereunder.
- 8.4. **No Third Party Beneficiary:** This Agreement is not intended, nor will it be construed, to create any third-party beneficiary rights in any person or entity who is not a Party, unless expressly otherwise provided.
- 8.5. **Remedies for Default:** If either Party defaults under this Agreement, the non-defaulting Party will have all rights and remedies available under this Agreement and applicable law, including the right to institute legal action to enjoin any threatened or attempted violation of this Agreement or to enforce the defaulting Party's obligations under this Agreement by specific performance or writ of mandamus, or to terminate this Agreement. In the event of a default by the City, Owner will be entitled to seek a writ of mandamus, in addition to seeking any other available remedies. All remedies available to a Party will be cumulative and the pursuit of one remedy will not constitute an election of remedies or a waiver of the right to pursue any other available remedy.
- 8.6. **Reservation of Rights:** To the extent not inconsistent with this Agreement, each Party reserves all rights, privileges, and immunities under applicable laws.
- 8.7. **Attorneys Fees:** The prevailing Party in any dispute under this Agreement will be entitled to recover from the non-prevailing Party its reasonable attorney's fees, expenses and court costs in connection with any original action, any appeals, and any post-judgment proceedings to collect or enforce a judgment in accordance with Section 271.159 of the Texas Local Government Code, as amended.

- 8.8. **Waiver:** Any failure by a Party to insist upon strict performance by the other Party of any provision of this Agreement will not, regardless of the length of time during which that failure continues, be deemed a waiver of that Party's right insist upon strict compliance with all terms of this Agreement. In order to be effective as to a Party, any waiver of default under this Agreement must be in writing, and a written waiver will only be effective as to the specific default and as to the specific period of time set forth in the written waiver. A written waiver will not constitute a waiver of any subsequent default, or of the right to require performance of the same or any other provision of this Agreement in the future.
- 8.9. **Entire Agreement:** This Agreement contains the entire agreement of the Parties, and there are no other agreements or promises, oral or written, between the Parties regarding the subject matter of this Agreement. This Agreement may be amended only by written agreement signed by the Parties. An amendment to this Agreement may only be approved by an affirmative vote of at least three of the five (3 of 5) members of the City Council.
- 8.10. **Exhibits, Headings, Construction & Counterparts:** All exhibits attached to this Agreement are incorporated into and made a part of this Agreement for all purposes. The paragraph headings contained in this Agreement are for convenience only and do not enlarge or limit the scope or meaning of the paragraphs. Each of the Parties has been actively and equally involved in the negotiation of this Agreement. Accordingly, the rule of construction that any ambiguities are to be resolved against the drafting Party will not be employed in interpreting this Agreement or its exhibits. This Agreement may be executed in any number of counterparts, each of which will be deemed to be an original, and all of which will together constitute the same instrument. This Agreement will become effective only when one or more counterparts, individually or taken together, bear the signatures of all of the Parties.
- 8.11. **Time:** Time is of the essence of this Agreement. In computing the number of days for purposes of this Agreement, all days will be counted, including Saturdays, Sundays and legal holidays; however, if the final day of any time period falls on a Saturday, Sunday or legal holiday, then the final day will be deemed to be the next day that is not a Saturday, Sunday or legal holiday.
- 8.12. **Authority for Execution:** The City certifies, represents, and warrants that the execution of this Agreement has been duly authorized and that this Agreement has been approved in conformity with City ordinances and other applicable legal requirements. Owner certifies, represents, and warrants that the execution of this Agreement is duly authorized in conformity with Owner's authority.
- 8.13. **Property Rights:** Owner expressly and unconditionally waives and releases the City from any obligation to perform a takings impact assessment under the Texas Private Real Property Rights Act, Texas Government Code Chapter 2007, as it may apply to this Agreement, and the Property.

- 8.14. Notices:** Any notices or approvals under this Agreement must be in writing and may be sent by hand delivery, facsimile (with confirmation of delivery) or certified mail, return receipt requested, to the Parties at the following addresses or as such addresses may be changed from time to time by written notice to the other Parties:

CITY:

Original: Robert J. Wood
City Administrator
City of West Lake Hills
911 Westlake Drive
West Lake Hills, TX 78746
Tel: (512) 327-3628
Fax: (512)-327-1863

Copy to: Bojorquez Law Firm, PLLC
Attention: Alan J. Bojorquez
West Lake Hills City Attorney
12325 Hymeadow Dr., Ste. 2-100
Austin, Texas 78750
Tel: (512) 250-0411
Fax: (512) 250-0749

OWNER:

Original: Christopher M. Crane
613 Rockpark Drive
Austin, TX 78746

Copy to: Kiester, Lockwood & Ciccone, L.L.P.
611 West 14th Street
Austin, Texas 78701
Tel: (512) 477-5796
Fax: (512) 477-5821

Either City or Owner may change their mailing address at any time by giving written notice of such change to the other in the manner provided herein at least ten days prior to the date such change is effected. All notices under this Agreement will be deemed given on the earlier of the date personal delivery is effected or on the delivery date or attempted delivery date shown on the return receipt or facsimile confirmation.

ARTICLE 9. EXHIBITS

Exhibits: The following exhibits are attached to this Agreement, and made a part hereof for all purposes:

Exhibit A - Map depicting graphic illustration of the Property

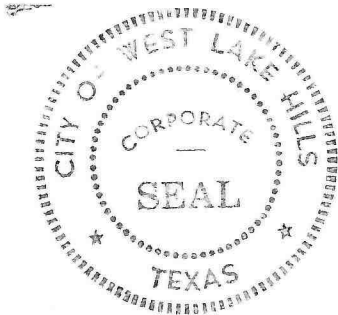
Exhibit B - Annexation Petition

STATE OF TEXAS

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COUNTY OF TRAVIS

IN WITNESS WHEREOF, the undersigned Parties have executed this Agreement on the dates indicated below, to be effective on the date the last party signs.



CITY OF WEST LAKE HILLS:

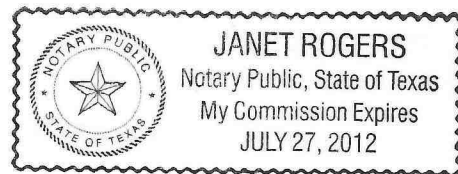
by: [Signature]
Dave Claunch, Mayor

date: 1/12/11

This instrument was executed by **Dave Claunch** before me on this, the 12th day of January 2010: 2011

[Signature]
Notary Public, State of Texas

My commission expires: 7/27/12



City of West Lake Hills
Christopher Crane

ETJ Development Agreement
Page 13 of 14

STATE OF TEXAS

COUNTY OF TRAVIS

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§
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OWNER:

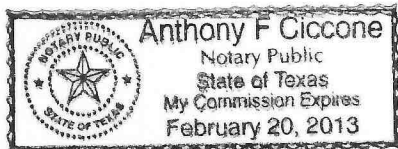
by:

Christopher M. Crane
Christopher M. Crane

date:

7-27-2010

This instrument was executed by **Christopher M. Crane** before me on this, the 3rd day of Sept 2010.



Anthony F. Ciccone
Notary Public, State of Texas

My commission expires: 9/3/10

City of West Lake Hills
Christopher Crane

ETJ Development Agreement
Page 14 of 14



MULTIPLE TREE VARIANCE
STAFF REPORT

July 21, 2021

Project Address: 708 Split Rail Trail

Project Number: 16718

Agenda Item: Land Use: **708 Split Rail Trail:** Discussion/recommendation on an application for a variance request to remove two trees greater than 14 inches in diameter (West Lake Hills Code Sec. 22.03.304). Stephen Hawkins agent for Chris and Shanon Smith.

- Section 22.03.304 – Tree and Vegetation Removal and Replacement

Applicant Information: Stephen Hawkins agent for Chris and Shanon Smith

Hearing Dates:

July 21, 2021	ZAPCO
August 11, 2021	City Council

Location: The subject property is located at 708 Split Rail Trail.

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 a variance to remove two trees that are greater than 14 inches in diameter:

- T490 – 17.5 Inch Ash Juniper (Cedar)
- T638 – 18 Inch Red Oak;

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 natural slope of the lot combined with dense tree coverage, limit the buildable area to a relatively small portion of the lot. The existing residence makes use of the area in the 30' setback which we cannot build on. This prohibits building in the existing footprint and avoid trees altogether.”*

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

The application states – *“The removal of two trees on a lot with a nearly full canopy, is a minimal impact to the natural character on a lot with approx 350 surveyed trees. The owner plans to replace the more than 100% of the caliper inches removed.”*

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

The application states – *“The initial design would have required 7 variances for tree removal. It was drawn and redrawn to minimize the amount of trees removed, and consultants were hired to assist in determining how to maneuver the residence in order to reduce the number of variances. We have explored many options for the footprint of the residence and the current proposed location best serves the intent of the regulations regarding trees, slope, and set.”*

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

The application states – *“As mentioned above, many hours were invested designing, and many redesigns were explored in attempts to comply with the regulations to the maximum extent possible. The layout of the proposed residence is atypical simply because of our efforts in design to maintain the natural character of the lot.”*

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

The application states – *“The intent of the ordinance to keep as much natural character within its boundaries has been fully respected and what we propose in mitigation will push the lot further in the direction of the why the ordinance exists.”*

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

The application states – *“The trees are interior trees on the lot and each side of the proposed residence has such an abundance of trees and vegetation that the neighboring houses are not visible from the proposed house location and will remain that way with our design. Neither tree being removed is visible from the neighboring lots.”*

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.

Staff Recommendation:

Staff recommends APPROVAL of the variance request based on 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 22.03.304 – Tree and Vegetation Removal and Replacement](#)

ZONING MAP

R-1 ONE FAMILY RESIDENTIAL

R-2 MULTI-FAMILY RESIDENTIAL

R-3 TRANSITIONAL

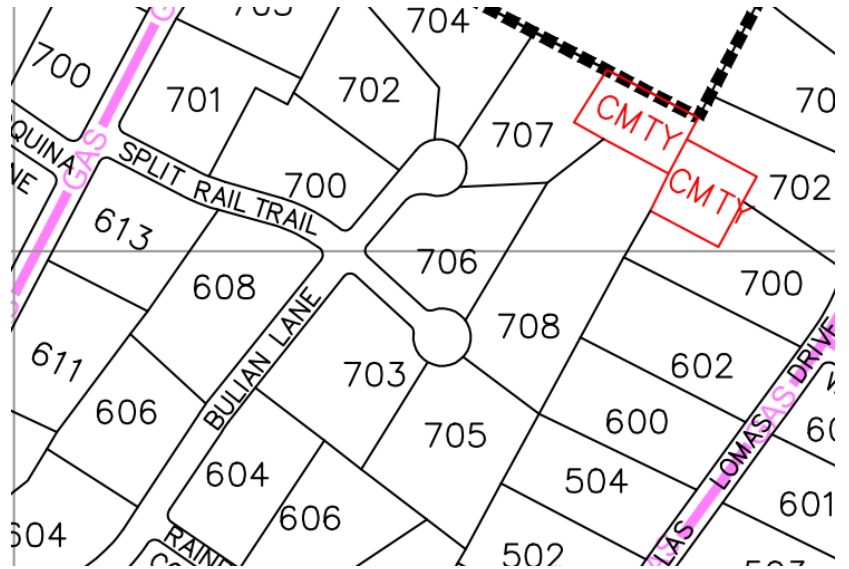
O OFFICE

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: Chris & Shanon Smith Phone: 512-699-3827

Email: _____

Address: 300 Hillcrest Court City: Westlake Hills State: Tx Zip: _____

Agent*: Stephen Hawkins Phone: 512-750-1402

Email: _____

Address: 6504 Betty Cook Drive City: Austin State: Tx Zip: _____

Property Address: 708 Split Rail Trail City: Westlake State: Tx Zip: 78746

Property Information

Subdivision Name: RAINBOW'S END ESTATES

Block: SEC 2 Lot: LOT 9 * LESS .5 ACR TCAD Tax Parcel ID: 521119

Current Zoning Classification: R-1 One Family Total Lot Size (Acres): 1.92

*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) Tree Removal - Tree T490-17.5" ASH JUNIPER
- 2) Treer Removal - Tree T638-18" RED OAK
- 3) _____
- 4) _____
- 5) _____



VARIANCE APPLICATION

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

Brief Description of project/why variances are needed: Trees were in the sole buildable location of lot.

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.

The natural slope of the lot combined with dense tree coverage, limit the buildable area to a relatively small portion of the lot. The existing residence makes use of the area in the 30' setback which we cannot build on. This prohibits building in the existing footprint and avoid trees altogether.

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 removal of two trees on a lot with a nearly full canopy, is a minimal impact to the natural character on a lot with approx 350 surveyed trees. The owner plans to replace the more than 100% of the caliper inches removed.

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

The initial design would have required 7 variances for tree removal. It was drawn and redrawn to minimize the amount of trees removed, and consultants were hired to assist in determining how to maneuver the residence in order to reduce the number of variances. We have explored many options for the footprint of the residence and the current proposed location best serves the intent of the regulations regarding trees, slope, and setbacks.

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

As mentioned above, many hours were invested designing, and many redesigns were explored in attempts to comply with the regulations to the maximum extent possible. The layout of the proposed residence is atypical simply because of our efforts in desing to maintain the natural character of the lot.



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?

The intent of the ordinance to keep as much natural character within it's boundaries
has been fully respected and what we propose in mitigation will push the lot further in
the direction of the why the ordinance exists.

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 trees are interior trees on the lot and each side of the proposed residence has
such an abundance of trees and vegetation that the neighboring houses are not visible
from the proposed house location and will remain that way with our design. Neither
tree being removed is visible from the neighboring lots.

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

Stephen Hawkins

Printed Name

6/20/21

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:

Aqua Permits LLC

Date: May 24 , 2021

ZAPCO Chairman,

Re: Variance request for tree removal for new residential project at 708 Split Rail Trail.

Dear Chairman:

On Behalf of the owner of the referenced property I am submitting a variance request for the removal of two protected sized trees to accommodate the new residence. There are several factors which we hope you consider when making the determination for our request.

Firstly, the lot as it currently exists is heavily wooded and will remain so after construction due to our proposed mitigation trees and the small percentage of removal we are requesting. Of the +350 trees surveyed on the lot, we are only asking for 2 to be removed. In our design process we took every measure including design and multiple re-designs (our initial design required 7 protected removals) to maintain the natural character of the lot.

It should be known that the current house on the lot exists within the 30' side yard setback that our proposed house can not use, thus disallowing using only the footprint of the existing residence.

The trees requested are a 17.5" ash juniper and an 18" red oak. Both trees are in the center of the lot, and will have no impact on the view of the neighbors. Both neighboring lots are shielded from viewing our proposed house from heavily wooded lot lines.

We believe we are following and upholding the intent of the ordinance we are requesting a variance from, by providing more than 100% mitigation of caliper inches removed and by not negatively impacting the natural character of the lot in a visual sense or in terms of ecological benefit.

Thank you for considering our request,

Stephen Hawkins



Aqua Permits LLC

Aqua Permits LLC

- Site Plan Application and Project Summary Letter > Provided
- Agent Authorization Letter > Provided
- Environmental Resource Inventory for the Residential Lot > Provided
- 2020 Tax Certificate > Provided
- Site Plan > Provided

I, Daniel Hamm, certify that the proposed plans for the hydraulic and physical design of the boat dock project is adequate. The proposed layout will not increase the level of the base flood elevation (LDC 25-12-3 Section G103.5).

It should be noted that the property owner is seeking no special privilege to develop a new boatdock not already given to owners of other similar situated property with approximately contemporaneous development and as provided. The proposal would result in promoting ecological function and maintaining the natural character of the lakeshore. Any denial of the requested application for Site Plan would be constructed as deprivation of a privilege given to other property owners and would effectively deny the property owner a reasonable use.

Please let me know if you should have any questions or required any additional information.

Daniel Hamm, PE
Consultant

State: Texas

Special Power of Attorney

I, GEORGE SMITH ("Declarant"), residing at 360 HILLCREST DR, hereby appoint Aqua Permits as my Attorney-in-Fact ("Agent") to act in my capacity to represent me in the matter of permitting applications and permitting management for the aforementioned property:

Street 708 Split Rail Trail
City Westlake Hills
State Texas 78746

The rights, powers, and authority of my Agent to exercise any and all of the rights and powers herein granted shall commence and be in full force and effect on June 10th, 2021, and shall remain in full force and effect until June 10th, 2022 or unless specifically extended or rescinded earlier by either party.

Col Sin Date: 6/10/21
Declarant (signature)

Declarant Full Legal Name: GEORGE CHRISTOPHER SMITH

The foregoing instrument was acknowledged before me on 6/10/21, by Claimant, George C. Smith, who is personally known to me or who has produced Driver License as identification.

[Signature]
Signature of Notary taking acknowledgment
Date of Expiration: 2/15/2023

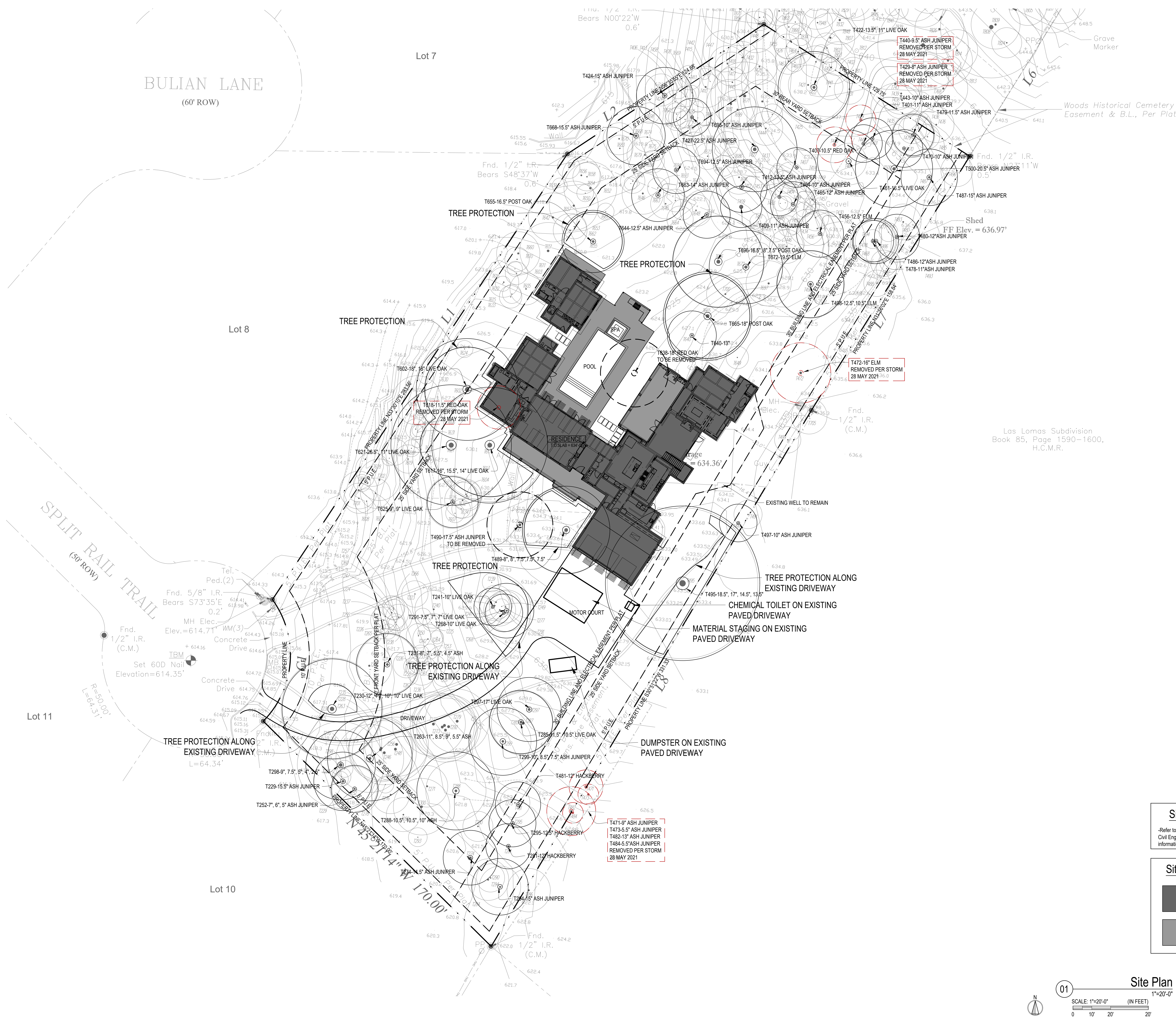


Split Rail Residence
708 Split Rail Trail
West Lake Hills, Texas

[illegible]

Site Plan

A1.1





MULTIPLE VARIANCES
STAFF REPORT

July 21, 2021

Project Address: 3423 Bee Cave Road

Project Number: 16719

Agenda Item: Land Use: **3423 Bee Cave Road:** Discussion/recommendation on an application for a request for multiple variances to construct a new medical office building: 1) Removal of Six Trees 14 inches or greater (#5140, 15 Inch Live Oak, #5143, 14 Inch Live Oak, #5373, 14 Inch Cedar, #5374, 15 Inch Live Oak, #5385, 15 Inch Cedar and #5548, 15 Inch Cedar), 2) Building Height exceeds maximum permitted height, 3) Impervious Cover exceeds maximum permitted, 4) Cut and Fill exceeds maximum permitted; (West Lake Hills Code Sec. 22.03.170, 22.03.281, 22.03.249, 22.03.278 & 22.03.304). Peter Narvarte agent for KCBC LLC.

- Section 22.03.170 – Site Disturbance (Excavation, Grading or Filling)
- Section 22.03.281 – Schedule of Regulations. (Impervious Cover & Height)
- Section 22.03.249 – Driveway, Parking and Loading Area Setbacks
- Section 22.03.304 – Tree and Vegetation Removal and Replacement

Applicant Information: Peter Narvarte agent for KCBC LLC

Hearing Dates:

January 20, 2021	ZAPCO (Postponed)
June 16, 2021	ZAPCO (Postponed)
July 21, 2021	ZAPCO
August 11, 2021	Board of Adjustment

Location: The subject property is located at 3423 Bee Cave Road

Zoning & Site Characteristics:

The subject property is zoned B1 Business 1.

The site has O (Office) to the east, B2 (Business 2) to the north, GUI and Office to the west, and City of Austin Residential to the south.

Background & Analysis:

The applicant is requesting several variances to construct a new office building at this location. The proposed building would become the permanent location of several medical and dental offices. The building is 30,000sf is two stories with a building footprint of 15,000sf and includes a ground level parking garage in addition to surface parking.

There are existing buildings and parking areas on the site that will remain, including the Primrose School and Acton Academy.

Variance Request Summary:

Below is a summary of each of the requested variances:

- Site Disturbance: requesting up to 8 feet of cut and fill that includes retaining walls, code allowance is 6 feet.
- Height of building: requesting height variances for the proposed building – up to 37 feet. Maximum height allowed is 30 feet but up to 37 feet if incentives listed in the Code are met.
- Impervious cover: seeking variance/incentives approval to receive up to 41% impervious cover (base impervious cover allowance is 35% with up to 47% if incentives listed in Code are met)
- Tree variances: requesting the removal of six trees that are 14 Inches or greater (#5140, 15 Inch Live Oak, #5143, 14 Inch Live Oak, #5373, 14 Inch Cedar, #5374, 15 Inch Live Oak, #5385, 15 Inch Cedar and #5548, 15 Inch Cedar).

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 looking to develop approximately 30,000 sf. During the planning for a location, size, and height, we considered the zoning, which is B-1, the current use on site, the impervious cover, drainage, and trees. The B-1 zoning limits us to a singular 15,000 sf footprint per building. If we were to propose building two buildings, we would far exceed impervious cover and remove more trees that we would like or would be acceptable.”

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

The application states – “After consulting the West Lake Hills Drainage and Erosion Control Design Manual, Code of Ordinances Sec. 22.03.210, Sec. 22.03.170, and Article 22.03, we would propose building across a drainage valley and improving the capture and direction of the drainage. This will allow us opportunity to relocate/replant existing and new native landscaping elements with intentional irrigation that allow for the remaining and new flora to flourish.”

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

The application states – “We have reviewed 4 options including the option we are presenting.” (see application for details of the other three options)

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

The application states – “We have been thoughtful with our approach to this request...as local business owners and residents we are trying to keep the fabric of West Lake Hills intact and want to continue to operate our businesses in Westlake and become property owners.”

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

The application states – “We believe there to be a specific challenge with the topography of the site that works directly opposed to the intent of City criteria and 22.03.281 Schedule of

Regulations. As shown in the attached section view and street view from Bee Caves Road we believe there is a specific challenge for development on this site due to the topography.”

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

The application states – “The building we are proposing will sit within the compatibility setbacks for our zoning and the zoning around us as required by the WLH Code of Ordinances. The height we are proposing will place the top of the building approximately 10 feet above the existing tree line.”

Lighting

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

Building Code

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

Subdivision

This request will not change the subdivision.

Comprehensive Planning Analysis

The goal of the master plan for nonresidential areas is to permit continued growth and development in a manner consistent with the needs of the residents of the City of West Lake Hills and in a manner complementary with the city’s rural character. Land in this area may be used for church, appropriate residential, commercial, office, school, or public purposes.

Staff Recommendation

Staff recommends APPROVAL of the variance request based on the following findings of fact:

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

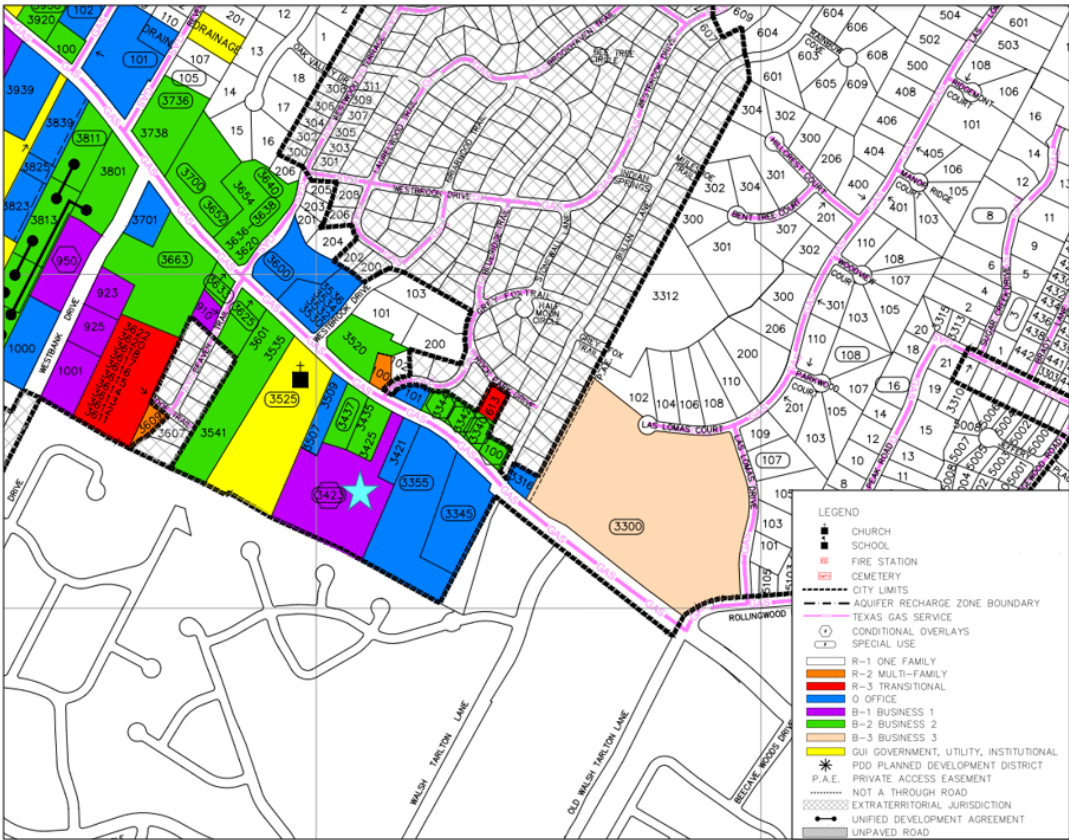
Zoning and Planning Commission Action:

The Zoning and Planning Commissioners may 1) recommend approving the variance requests as submitted by the applicant; 2) recommend approving the requests subject to specified conditions; or 3) recommend disapproving the requests.

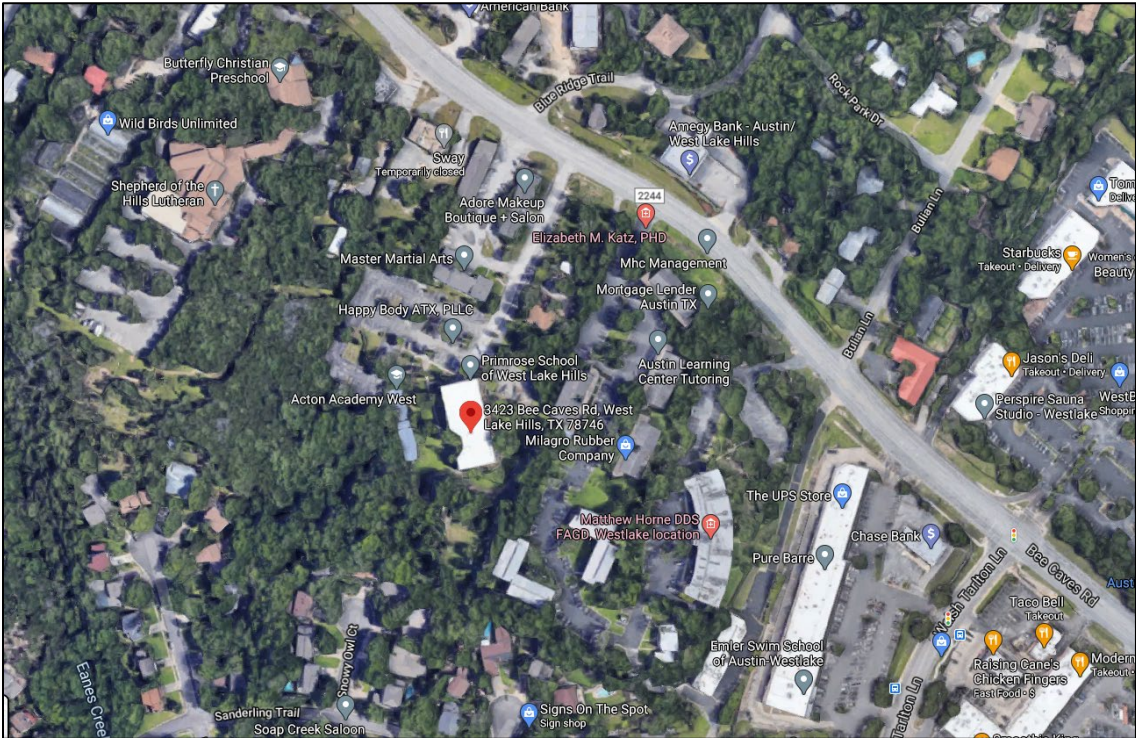
Links to Relevant Code:

- [Sec. 22.03.281 Schedule of Regulations](#)
- [Sec. 22.03.170 Site disturbance \(excavation, grading or filling\)](#)
- [Sec. 22.03.304 Tree and vegetation removal and replacement](#)
- [Sec. 22.03.514 Criteria and process required for granting variance](#)

Zoning:



Aerial:



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: KCBC, LLC Phone: 512-439-8628

Email: [REDACTED]

Address: 1221 S Mopac Expressway City: Austin State: TX Zip: 78704

Agent*: Peter Narvarte Phone: 512-563-6707

Email: [REDACTED]

Address: 701 South Lamar Suite C City: Austin State: TX Zip: 78704

Property Address: 3423 Bee Cave Rd City: West Lake Hills State: TX Zip: 78746

Property Information

Subdivision Name: Keene Brodie Phase 3

Block: _____ Lot: 2B TCAD Tax Parcel ID: 107838

Current Zoning Classification: B-1 Total Lot Size (Acres): 6.2301

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

PROJECT INFORMATION

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

- 1) Impervious Cover (within the incentives allowed by WLH Code)
- 2) Height (within the incentives allowed by WLH Code)
- 3) Tree Removal above 14-inch diameter
- 4) Encroaching into the 5-foot Vegetative Buffer to the West along the entrance drive
- 5) Cut and Fill



VARIANCE APPLICATION

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

Brief Description of project/why variances are needed: _____

We have a site zoned for B-1 Commercial development. This site has steep topography requiring us to be creative with location of the Project. This is our second approach with a more modest development. We have tried to address comments from ZAPCO, Council, and the Community regarding Safety, Height, Impervious Cover, Scale, Drainage, and site lines to the neighborhood.

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.

The steep topography is preventing a traditional design while balancing impervious cover, trees, parking, height, and access/egress.

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?

Responded to in the letter for each Variance

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

Responded to in the letter for each Variance

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

Responded to in the letter for each Variance



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?

Responded to in the letter for each Variance

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

Responded to in the letter for each Variance

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).

Peter Narvarte

Digitally signed by Peter Narvarte
DN: cn=Pete, o=Central Axis in Management Group, ou=Central Axis in Management Group, email=p.narvarte@centralaxis.com, cn=Pete Narvarte
Reason: I attest to the accuracy and integrity of this document
Contact info: 512-265-8707
DN W 2021.05.05 17:23:17-0500

Signature

Date

Pete Narvarte

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
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- ☒ Photos of property showing existing conditions (for tree variances, include photos of proposed variance trees)
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- ☐ Payment of application fees (*refer to Appendix A: Fee Schedule in the Code of Ordinances for current fees. Fees are due upfront with application.*)
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- 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, Mitchell Johnson, KCBU
have made, constituted and appointed Peter Narvarte
to be my duly authorized representative in connection with an application dated 12/4/2020
to be heard by the Building Design Committee, Zoning & Planning Commission, and City
Council/Board of Adjustment of the City of West Lake Hills, Texas. All representations, whether
oral or written, made by the representative in support of the request have the full force and effect
of the applicant's approval. I do by this document constitute the above named representative as
my true and lawful attorney-in-fact to act in my name, place and stead, to do and perform any act
in connection with such application which I myself might perform or do if I was personally present.

Mitchell Johnson
Property Owner/Applicant Name

Mitchell Johnson
Property Owner/Applicant Signature

Mailing:

1221 S. Mopac Expy.

Austin

TX

78746

Street Address

City

State

Zip Code

Property:

3423 Bee Cave Rd.

Austin

TX

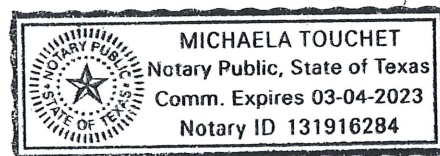
78746

512-439-8628

Property Owner/Applicant Phone Number

This instrument was acknowledged before me on this the 3rd day of Dec, 20 20.

Michaela Touchet
Notary Public in and for the State of Texas



June 9, 2021 (Resubmittal)

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

Dear Mr. Chairman,

We represent a group of West Lake Hills physicians interested in purchasing and developing a permanent location in Westlake for their longstanding medical/dental practices. Drs. Vincent Cavaretta, Randy Kunik, Juan Vesga and David Yu have decades of experience serving the West Lake Hills community and will be partners in this project.

We presented to ZAPCO in March 2021 and were denied because we did not define a hardship. We also presented to Council in April. Our hardship for this proposed development is primarily the existing topography. Secondary hardship is maintaining parking agreements on site that support commercial businesses at 3425 Bee Caves and Sway.

In April we listened to the concerns raised by the Community and Council regarding scale, height, drainage, safety, and site lines and have revised our location and massing to better address those issues. Our current proposal is to take a more modest approach to our previous design with regard to height, location, and site lines. This letter attempts to answer the Variance Questions for each requested Variance. Below are the variances requested:

- **Cut and Fill** [Sec. 22.03.170]
- **Impervious Cover** [Sec. 22.03.281_III.(a)(i)]
- **Setbacks** [Sec. 22.03.249]
- **Removal of Trees** [Sec. 22.03.303-305]
- **Height of Building** [Sec. 22.03.278-280]

Thank you for taking the time to consider these requests.

Sincerely,

Peter Narvarte,
Vice President of Development
Central Austin Management Group
www.causmg.com // 512-563-6707

Encl:

- Variance Application [*December 2020 form*]
- Application Checklist Items

3423 Bee Cave Road – Variance Request Exhibit

Below is the list of 5 (five) requested variances:

1. Cut and Fill Variance [Sec. 22.03.170]

We request an increase of the cut/fill limits in the Code of Ordinances Sec. 22.03.170 Site disturbance (excavation, grading or filling), and the Drainage and Erosion Control Design Manual, Section 7.4.1 to allow 7-8 feet of cut and fill including retaining walls:

- 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.
 - *With the existing topography and the resulting slopes, strict adherence to the cut/fill limits would eliminate the usability of this site. A 7-8 foot cut and fill is requested for the proposed buildings, drive aisles, parking and retaining walls to protect improvements and trees to the greatest extent possible. Currently, spalling asphalt due to existing slopes affect proposed and existing fire protection and parking for this site and our proposal attempts to correct and protect these issues.*
- 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 Cut/Fill variance will allow a greater use of flat areas without resulting in new slopes on grade changes that may unnecessarily remove existing vegetation.*
- 3) What other alternatives have you considered? Why won't those other options alleviate the difficulty or hardship that you think exists?
 - *Other alternatives included grading on slopes which will result in removal of existing vegetation, including the existing 100'+ vegetative site buffer that exists today between this development and the neighbors to the south. We believe this vegetation to be an asset for the neighbors and the tenants.*
- 4) Why do you believe the variance you are requesting is the minimum required to alleviate the difficulty or hardship you think exists?
 - *The increased cut/fill limits are the minimum departure from Code possible for topography on this site. Care will be taken to minimize conditions where the design approaches those limits outside the building envelope.*
- 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 increased cut/fill limits are the minimum departure from Code possible for topography on this site. The areas of cut and fill are designed to merge into the existing topography, not deviate from it. Retaining Walls will be implemented to minimize the areas of increased cuts and fills.*
- 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 topography and southern vegetative buffer of this site will preclude the effects of the cut/fill variance from being a nuisance to the neighbors. It has been requested so that, when the neighbors use the services intended for this office building, they may safely and comfortably drive, park, and walk into the proposed medical offices.*

To the greatest extent possible, great care has been taken to layout the drives, parking and buildings along natural contour lines while minimizing destruction of flora. In order to achieve that goal, the proposed development will need to convey the existing drainage way via a sufficiently sized pipe system beneath the building and the parking area as shown. The existing drainage way has existing slopes exceeding 35% and a variance will be required to fill in this drainage to construct the piped system. We propose a variance to the Drainage and Erosion Control Design Manual, Section 7.4.1 - CUT/FILL LIMITS, to allow a maximum of 8' of fill and 8' of cut, regardless of slope category, to facilitate design and construction of a building with parking area at drivable grades while accommodating parking area of the proposed Medical Office building. Please note that stormwater will be conveyed to the existing pond, maintaining the current drainage pattern.

2. **Impervious Cover** [Sec. 22.03.281.III.(a)(i)]

We request an increase of the impervious limits in the Code of Ordinances Sec. 22.03.281 III.(a)(i) to allow 41% impervious cover excluding credits.

- 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 request the additional impervious cover to be credited to our site under the Code provisions approved under Sec. 22.03.281 III.(a)(i). We intend to comply with the incentives detailed in that section as follows:*
 - o *i. Willing to consider item b for increased setbacks of the front and one side by more than 50% of the ordinance requirements which would allow 2% increase in impervious cover.*
 - o *ii. We would incorporate item g, low water consumption plumbing fixtures into the buildings which would allow a 1% increase.*
 - o *iii. We would consider item h for donation of ROW for a 2% increase to impervious cover*
 - o *iv. We would like to have a charrette with WLH to achieve as many points under item i as the city council would allow.*
 - *Item 1 – We would be creating a 3rd building on site which breaks up the architecture and massing on site instead of proposing one or more single buildings on a much larger footprint.*
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We request a decrease of the property line vegetative setback limits in the Code of Ordinances Sec. 22.03.249 (Driveway, parking and loading area setbacks) to allow a small area to have zero feet setback as requested along the property line with 3425 Bee Cave Rd. We have addressed this with Brian Rogers who is the owner of the property and he supports our request.

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5. **Height of Building** [Sec. 22.03.278-280]

We request a variance for the height of the structure as required by 22.03.279 and 22.03.281 which states that we are allowed to build up to 30-feet in height y right for a B-1 zoned commercial building. We intend to comply with items 1-5 of height adjustments listed in Section 22.03.281 VIII (a) which would allow Council to approve an additional 7-foot height variance from natural grade. If these incentives were to be granted by Council then our building height would be entirely below this 37' feet height above natural grade. Our current proposal is responding to Council/Community comments regarding scale, height, location, and site lines.

- To respond to the concern of appropriate scale, we have reduced the overall square footage to 20,000sf which is split between two floors.
- To respond to the concern of height we are proposing a structure that has a second floor that steps back from the first floor footprint to manage the steep slope and keep a usable footprint on the second floor. This step back and reduced scale has allowed us to reduce the request for variance in height.
- To respond to location and safety, we pushed the entirety of the building to the west side of the property to separate construction traffic and doctor parking from the schools.

- To respond to site lines of employees and clients as well as light shining into back yards and homes we have configured the building in such a way that the short side of the building points to the residential neighborhood. This will allow us to have a clerestory façade on the south side that prevent clients from looking to the south. In the areas on the west and east, the architect will be able to use shading devices to prevent site lines to the south. We still believe that practically this will not be an issue we have responded with our design in an effort to address concerns from the Community.
- 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 proposed location is attempting to balance the topography with the impervious cover, the cut/fill, and the height variances. If we are allowed the incentives for an additional 7-feet then the building would be below this 37-foot limit in every location.*
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 - *We have described the disruption in the other variance requests. Allowing the building location and cut/fill variances will allow us to create some areas for additional flora and fauna.*
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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?
 - *This is a B-1 Zoned property which encourages commercial building. We have not asked for a larger footprint than Code requires and would add a 3rd building to our site. This building would be a Class-A medical office and would be designed in accordance with WLH code and comprehensive plan.*
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 - *The orientation and scale of the proposed building responds to concerns from tenants on this property and community members and council members. We are moving the construction and future traffic to the west side of the property, we are directing the short side of the building to the south so that we may control site lines with design elements. We have tried to keep the building central to the site. We have the support of two property owners to the north and will try to meet with neighbors to discuss their concerns with this new plan and explain how we have tried to address their previous concerns.*

~~June 9, 2021 (Resubmittal)~~ **July 13, 2021 (Updated)**

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

Dear Mr. Chairman,

We represent a group of West Lake Hills physicians interested in purchasing and developing a permanent location in Westlake for their longstanding medical/dental practices. Drs. Vincent Cavaretta, Randy Kunik, Juan Vesga and David Yu have decades of experience serving the West Lake Hills community and will be partners in this project.

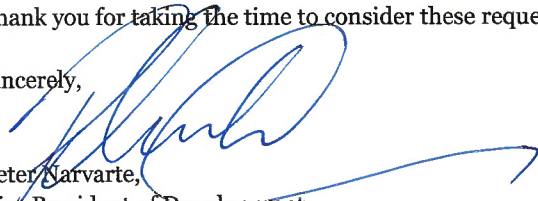
We presented to ZAPCO in March 2021 and were denied because we did not define a hardship. We also presented to Council in April. Our hardship for this proposed development is primarily the existing topography. Secondary hardship is maintaining parking agreements on site that support commercial businesses at 3425 Bee Caves and Sway.

In April we listened to the concerns raised by the Community and Council regarding scale, height, drainage, safety, and site lines and have revised our location and massing to better address those issues. Our current proposal is to take a more modest approach to our previous design with regard to height, location, and site lines. This letter attempts to answer the Variance Questions for each requested Variance. Below are the variances requested:

- **Cut and Fill** [Sec. 22.03.170]
- **Impervious Cover** [Sec. 22.03.281_III.(a)(i)]
- **Setbacks** [Sec. 22.03.249]
- **Removal of Trees** [Sec. 22.03.303-305] - **UPDATED**
- **Height of Building** [Sec. 22.03.278-280]

Thank you for taking the time to consider these requests.

Sincerely,



Peter Narvarte,
Vice President of Development
Central Austin Management Group
www.causmg.com // 512-563-6707

Encl:

- Variance Application [*December 2020 form*]
- Application Checklist Items

3423 Bee Cave Road – Variance Request Exhibit

Below is the list of 5 (five) requested variances:

1. Cut and Fill Variance [Sec. 22.03.170]

We request an increase of the cut/fill limits in the Code of Ordinances Sec. 22.03.170 Site disturbance (excavation, grading or filling), and the Drainage and Erosion Control Design Manual, Section 7.4.1 to allow 7-8 feet of cut and fill including retaining walls:

- 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.
 - *With the existing topography and the resulting slopes, strict adherence to the cut/fill limits would eliminate the usability of this site. A 7-8 foot cut and fill is requested for the proposed buildings, drive aisles, parking and retaining walls to protect improvements and trees to the greatest extent possible. Currently, spalling asphalt due to existing slopes affect proposed and existing fire protection and parking for this site and our proposal attempts to correct and protect these issues.*
- 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 Cut/Fill variance will allow a greater use of flat areas without resulting in new slopes on grade changes that may unnecessarily remove existing vegetation.*
- 3) What other alternatives have you considered? Why won't those other options alleviate the difficulty or hardship that you think exists?
 - *Other alternatives included grading on slopes which will result in removal of existing vegetation, including the existing 100'+ vegetative site buffer that exists today between this development and the neighbors to the south. We believe this vegetation to be an asset for the neighbors and the tenants.*
- 4) Why do you believe the variance you are requesting is the minimum required to alleviate the difficulty or hardship you think exists?
 - *The increased cut/fill limits are the minimum departure from Code possible for topography on this site. Care will be taken to minimize conditions where the design approaches those limits outside the building envelope.*
- 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 increased cut/fill limits are the minimum departure from Code possible for topography on this site. The areas of cut and fill are designed to merge into the existing topography, not deviate from it. Retaining Walls will be implemented to minimize the areas of increased cuts and fills.*
- 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 topography and southern vegetative buffer of this site will preclude the effects of the cut/fill variance from being a nuisance to the neighbors. It has been requested so that, when the neighbors use the services intended for this office building, they may safely and comfortably drive, park, and walk into the proposed medical offices.*

To the greatest extent possible, great care has been taken to layout the drives, parking and buildings along natural contour lines while minimizing destruction of flora. In order to achieve that goal, the proposed development will need to convey the existing drainage way via a sufficiently sized pipe system beneath the building and the parking area as shown. The existing drainage way has existing slopes exceeding 35% and a variance will be required to fill in this drainage to construct the piped system. We propose a variance to the Drainage and Erosion Control Design Manual, Section 7.4.1 - CUT/FILL LIMITS, to allow a maximum of 8' of fill and 8' of cut, regardless of slope category, to facilitate design and construction of a building with parking area at drivable grades while accommodating parking area of the proposed Medical Office building. Please note that stormwater will be conveyed to the existing pond, maintaining the current drainage pattern.

July 13
June 9, 2021 ZAPCO letter

2. Impervious Cover [Sec. 22.03.281.III.(a)(i)]

We request an increase of the impervious limits in the Code of Ordinances Sec. 22.03.281 III.(a)(i) to allow 41% impervious cover excluding credits.

- 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 request the additional impervious cover to be credited to our site under the Code provisions approved under Sec. 22.03.281 III.(a)(i). We intend to comply with the incentives detailed in that section as follows:*
 - o *i. Willing to consider item b for increased setbacks of the front and one side by more than 50% of the ordinance requirements which would allow 2% increase in impervious cover.*
 - o *ii. We would incorporate item g, low water consumption plumbing fixtures into the buildings which would allow a 1% increase.*
 - o *iii. We would consider item h for donation of ROW for a 2% increase to impervious cover*
 - o *iv. We would like to have a charette with WLH to achieve as many points under item i as the city council would allow.*
 - *Item 1 – We would be creating a 3rd building on site which breaks up the architecture and massing on site instead of proposing one or more single buildings on a much larger footprint.*
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UPDATE 7/13/21:

- *See Attached Exhibit called "CAMG 3423 Bee Cave Tree Report" containing the report from Arborist Tree Mann Solutions LLC regarding the eight (8) trees that we originally asked for removal. We are adjusting our site parking and proposed decking to keep 2 live oaks 5055 and 5540. The adjusted site parking plan is also attached to reflect how we plan to keep 5055.*

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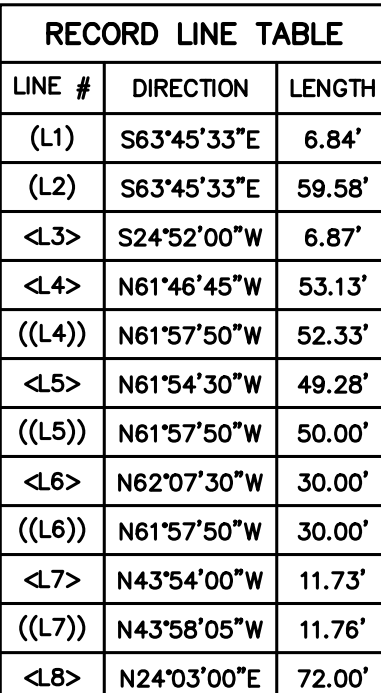
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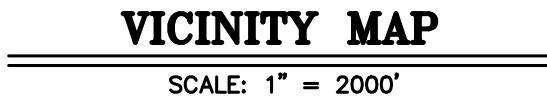
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UPDATE 7/13/21:

- *See Attached Exhibit called "210709_3423 Bee Cave_topo Ex" reflecting a side by side comparison of a flat lot versus the lot we are proposing. This is intended to show our hardship of topography as well as show how we are adjusting the building massing to accommodate the slope. To get completely under the 30' height from natural grade we would have to lower the building or push it back into the slope (which would also lower the building). We are backed up to easements/setbacks on the west side so we cannot push the footprint further west. If we were to lower the building any more, we would be battling flooding issues on the ground floor.*

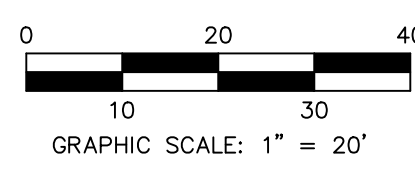
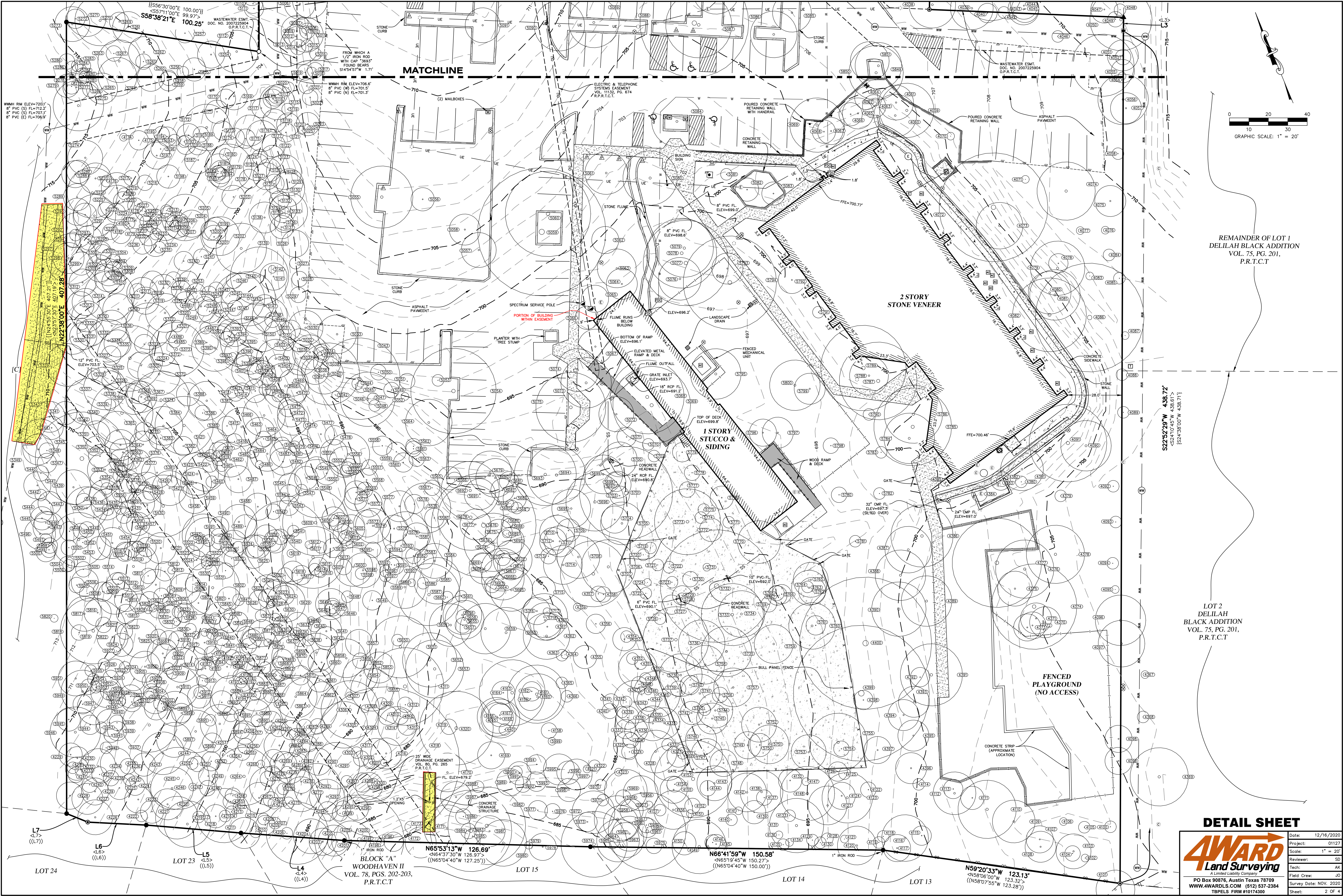


RECORD CURVE TABLE					
CURVE #	RADIUS	LENGTH	DELTA	BEARING	DISTANCE
(C1)	1,962.88'	59.39'	1°44'00"	S62°5'3"32"E	59.38'
(C2)	989.87'	40.27'	2°19'47"	S62°35'40"E	40.25'
(C3)	1,962.88'	151.26'	4°24'55"	N59°49'05"W	151.23'
(C4)	1,962.88'	135.27'	3°56'55"	N55°38'10"W	135.25'
(C5)	1,962.88'	102.52'	2°59'33"	N52°09'56"W	102.51'



**LAND TITLE,
TOPOGRAPHIC & TREE
SURVEY OF LOT 2B,
BRODIE KEENE
SUBDIVISION
PHASE THREE
City of Westlake Hills,
Travis County, Texas**

Date:	12/16/2020
Project:	01127
Scale:	1" = 50'
Reviewer:	SD
Tech:	AK
Field Crew:	JO
Survey Date:	NOV. 2020
Sheet:	1 OF 4



REMAINDER OF LOT 1
DELLAH BLACK ADDITION
VOL. 75, PG. 201,
P.R.T.C.T

S22°52'29"W 438.72'
S24°10'45"W 438.85'
S24°38'00"W 438.71'

LOT 2
DELLAH
BLACK ADDITION
VOL. 75, PG. 201,
P.R.T.C.T

DETAIL SHEET

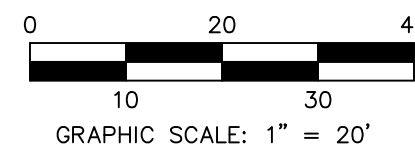


PO Box 90876, Austin Texas 78709
WWW.4WARDLS.COM (512) 537-2384
TPELS FIRM #10174500

Date:	12/16/2020
Project:	01127
Scale:	1" = 20'
Reviewer:	SD
Tech:	AK
Field Crew:	JO
Survey Date:	NOV. 2020
Sheet:	2 OF 4

SURVEY CONTROL POINT
GRID N: 10,073,468.54
GRID E: 3,094,892.92
ELEV.= 728.24'

RANCH TO MARKET ROAD 2244
(A.K.A. BEE CAVE ROAD)
(R.O.W. WIDTH VARIES)



REMAINDER
OF LOT 1
BEN ATWELL
ADDITION
VOL. 82, PG. 38
P.R.T.C.T.
OWNER: OFLP I LTD.
DOC. NO. 2005182002
O.P.R.T.C.T.

REMAINDER OF LOT 3
BRODIE KEENE
SUBDIVISION,
PHASE THREE
VOL. 80, PG. 265-266
P.R.T.C.T.
OWNER: TON HEIN HUYNH
VOL. 10681, PG. 46,
R.P.R.T.C.T.

REMAINDER OF LOT 1
BRODIE KEENE
SUBDIVISION
VOL. 65, PG. 60,
P.R.T.C.T.
OWNER: BEE CAVE
CENTER, LLC
DOC. NO. 2011095274,
O.P.R.T.C.T.

REMAINDER OF LOT 1
DELILAH BLACK ADDITION
VOL. 75, PG. 201, P.R.T.C.T.
OWNER: 3355 BEE CAVE ROAD, LTD.
VOL. 11446, PG. 1341, R.P.R.T.C.T.

DETAIL SHEET

4WARD
Land Surveying
A Limited Liability Company
PO Box 90876, Austin Texas 78709
WWW.4WARDLS.COM (512) 537-2384
TPELS FIRM #10174300

Date: 12/16/2020
Project: 01127
Scale: 1" = 20'
Reviewer: SD
Tech: AK
Field Crew: JO
Survey Date: NOV. 2020
Sheet: 3 OF 4
P:\01127\04\01127.dwg

TREE LIST

NO.	DESCRIPTION
4000	12" LIGUSTRUM 6-4-4-3
4001	5-4-35 CRATE MYRTLE 6-6-6-6(x3)-4(x4)-3(x10)
4002	16" CRATE MYRTLE 4-4-4-4-4-4-3
4003	10" LIVE OAK
4004	5" LIVE OAK
4005	5" LIVE OAK
4006	8" LIVE OAK
4007	10" LIVE OAK
4008	9" LIVE OAK
4009	11" LIVE OAK
4010	10" LIVE OAK
4011	16" CRATE MYRTLE 6-5-4-4-4-4-3
4012	4" HACKBERRY
4013	11" HACKBERRY
4014	5 CRATE MYRTLE 4-3-2-2-2-2
4015	8" LIGUSTRUM
4016	21" LIGUSTRUM 9-8-8-7
4017	10" LIVE OAK
4018	12" LIVE OAK
4019	17" LIVE OAK
4020	4" PERSIMMON 2-2-2-2
4021	5" LIVE OAK
4022	6" CEDAR ELM
4023	3" LIGUSTRUM
4024	9" LIGUSTRUM 4-3-3-3
4025	9" JERUSALEM THORN 6-5
4026	7" PERSIMMON 3-2-2-2-2
4027	5 CRATE MYRTLE 1-4-4-4
4028	3" JERUSALEM THORN
4029	2" CEDAR ELM
4030	3" LIGUSTRUM 2-2
4031	20" LIVE OAK
4032	22" LIGUSTRUM 9-2-6-5-4-4
4033	10" CEDAR ELM
4034	5" HACKBERRY
4035	2" HACKBERRY
4036	17" CRATE MYRTLE 5-4-4-4-4-4-2-2
4037	8" CEDAR ELM
4038	12" HACKBERRY
4039	11" CEDAR ELM
4040	5" CEDAR ELM 4-2
4041	16" CEDAR
4042	3" HACKBERRY
4043	8" CEDAR ELM
4044	7" CEDAR ELM
4045	7" CEDAR ELM
4046	3" SUMAC
4047	5" LIGUSTRUM 3-4-3-2
4048	3" HACKBERRY
4049	4" HACKBERRY
4050	15" CEDAR ELM 12-5
4051	8" HACKBERRY
4052	4" CEDAR ELM
4053	15" LIVE OAK
4054	2" HACKBERRY
4055	6" CEDAR 4-3
4056	12" CEDAR 5-4-3-3-3
4057	5" HACKBERRY
4058	3" LIVE OAK
4059	14" CEDAR 6-6-4-3-2
4060	10" CEDAR 5-3-3-2-2
4061	8" LIVE OAK 7-2
4062	2" CEDAR ELM
4063	6" CEDAR 4-3
4064	6" CEDAR 3-3-2
4065	8" CEDAR 5-3-2
4066	6" CEDAR 4-2-2
4067	7" CEDAR 9-3
4068	6" CEDAR ELM
4069	15" HACKBERRY 10-9
4070	2" LIVE OAK
4071	2" ASH
4072	26" MESQUITE 9-7-6-5-5-4-3-3
4073	11" MESQUITE 5-4-3-3
4074	15" LIVE OAK
4075	8" MESQUITE 3-2-2-2-2-2
4076	5" LIVE OAK
4077	2" ASH
4078	5" MESQUITE
4079	13" MESQUITE 6-4-4-3-3
4080	10" MESQUITE 4-4-3-3-2
4081	12" MESQUITE 5-4-3-3-3
4082	19" HACKBERRY
4083	5" LIVE OAK
4084	3" CEDAR ELM
4085	3" ASH
4086	27" MESQUITE 9-8-6-6-5-5-5
4087	2" CEDAR ELM
4088	3" CEDAR ELM
4089	3" CEDAR ELM
4090	13" MESQUITE 4-4-4-4-3-2
4091	20" MESQUITE 6-6-6-6-5-4
4092	3" CEDAR ELM
4093	3" CEDAR ELM 2-2
4094	3" CEDAR ELM
4095	2" CEDAR ELM 1-1
4096	13" CEDAR ELM 9-7
4097	12" CEDAR 8-7
4098	7" CEDAR ELM
4099	7" CEDAR ELM
4100	3" CEDAR ELM
4101	10" LIVE OAK
4102	2" HACKBERRY
4103	9" CEDAR ELM
4104	4" PERSIMMON 2-2-2-2
4105	3" ASH
4106	6" CEDAR ELM
4107	7" CEDAR ELM
4108	8" CEDAR ELM
4109	11" CEDAR ELM
4110	15" HACKBERRY 11-8
4111	6" CEDAR ELM
4112	11" CEDAR ELM
4113	5" CEDAR ELM
4114	3" CEDAR ELM
4115	5" CEDAR ELM
4116	12" CEDAR ELM
4117	7" CEDAR
4118	3" HACKBERRY
4119	3" CEDAR ELM
4120	10" CEDAR ELM
4121	2" HACKBERRY
4122	4" HACKBERRY
4123	13" HACKBERRY
4124	7" CEDAR
4125	3" HACKBERRY
4126	5" HACKBERRY
4127	10" LIVE OAK AD*
4128	3" HACKBERRY
4129	3" HACKBERRY 2-2
4130	3" PERSIMMON
4131	14" CEDAR
4132	6" LIGUSTRUM
4133	3" HACKBERRY
4134	2" HACKBERRY
4135	3" HACKBERRY
4136	2" CEDAR ELM
4137	4" LIGUSTRUM
4138	15" LIGUSTRUM 8-6
4139	6" LIGUSTRUM
4140	3" HACKBERRY
4141	2" HACKBERRY
4142	10" LIGUSTRUM 8-3
4143	9" CEDAR ELM
4144	4" CEDAR ELM
4145	5" CEDAR AD
4146	4" HACKBERRY
4147	2" LIGUSTRUM
4148	14" LIGUSTRUM 8-6-4-2
4149	13" CEDAR 10-3-3
4150	6" HACKBERRY
4151	2" LIGUSTRUM
4152	4" LIGUSTRUM
4153	20" CEDAR 17-6
4154	4" CEDAR ELM
4155	7" CEDAR ELM 5-3
4156	10" LIGUSTRUM 8-3
4157	3" LIGUSTRUM
4158	4" LIGUSTRUM
4159	6" CEDAR ELM
4160	12" LIGUSTRUM 5-5-5-4
4161	15" CEDAR ELM 10-9
4162	5" CEDAR
4163	17" RED OAK
4164	6" LIGUSTRUM 4-3
4165	8" CEDAR ELM
4166	10" LIVE OAK

TREE LIST

NO.	DESCRIPTION
4167	6" CEDAR ELM
4168	10" LIVE OAK
4169	7" CEDAR ELM
4170	10" HACKBERRY
4171	12" LIGUSTRUM 6-5-5-2
4172	8" HACKBERRY
4173	3" HACKBERRY
4174	2" LIVE OAK
4175	5" LIVE OAK 3-3
4176	6" CEDAR 4-3
4177	4" CEDAR
4178	2" HACKBERRY
4179	6" CEDAR 4-4
4180	3" CEDAR
4181	4" CEDAR
4182	4" CEDAR
4183	4" CEDAR
4184	3" CEDAR
4185	5" CEDAR
4186	6" CEDAR
4187	3" CEDAR
4188	4" CEDAR
4189	4" CEDAR
4190	4" LIVE OAK
4191	3" LIGUSTRUM
4192	9" CEDAR ELM
4193	3" LIVE OAK
4194	3" LIVE OAK
4195	10" LIVE OAK
4196	5" HACKBERRY
4197	23" LIGUSTRUM 8-8-7-6-5-3
4198	2" CEDAR ELM
4199	4" CEDAR 3-2
4200	10" CEDAR 8-3
4201	5" CEDAR
4202	8" CEDAR
4203	8" CEDAR 6-4
4204	9" CEDAR
4205	16" CEDAR 8-7-5-4
4206	3" CEDAR
4207	3" CEDAR
4208	3" CEDAR
4209	5" CEDAR
4210	3" CEDAR
4211	5" CEDAR ELM
4212	2" CEDAR
4213	3" CEDAR 2-1
4214	3" CEDAR
4215	14" LIVE OAK
4216	6" CEDAR
4217	16" LIVE OAK
4218	12" CEDAR
4219	11" LIGUSTRUM 8-4-2
4220	16" LIVE OAK
4221	6" CEDAR 4-3
4222	3" CEDAR
4223	7" CEDAR 5-4
4224	3" CEDAR
4225	6" LIVE OAK
4226	9" LIVE OAK
4227	8" LIVE OAK
4228	7" LIVE OAK
4229	6" LIVE OAK
4230	3" CEDAR
4231	3" CEDAR
4232	6" LIVE OAK
4233	3" CEDAR
4234	9" CEDAR 7-3
4235	8" CEDAR
4236	3" LIVE OAK
4237	3" LIVE OAK
4238	4" CEDAR
4239	7" CEDAR
4240	4" CEDAR
4241	4" CEDAR 3-2
4242	3" LIVE OAK
4243	6" CEDAR
4244	11" CEDAR
4245	16" LIVE OAK 11-5-4
4246	11" CEDAR
4247	10" LIVE OAK
4248	4" CEDAR
4249	5" CEDAR
4250	3" CEDAR
4251	4" CEDAR
4252	5" CEDAR
4253	5" CEDAR
4254	4" CEDAR
4255	4" CEDAR
4256	4" CEDAR
4257	6" CEDAR 4-3
4258	4" CEDAR
4259	5" CEDAR
4260	2" CEDAR
4261	4" CEDAR
4262	3" CEDAR
4263	8" CEDAR ELM
4264	15" CEDAR
4265	4" CEDAR
4266	4" CEDAR 3-2
4267	8" CEDAR
4268	2" CEDAR
4269	6" CEDAR
4270	4" CEDAR
4271	4" CEDAR
4272	10" CEDAR 6-5-3
4273	4" LIVE OAK
4274	3" CEDAR
4275	3" CEDAR
4276	3" CEDAR 2-1
4277	9" CEDAR
4278	6" CEDAR
4279	3" CEDAR
4280	8" CEDAR
4281	7" CEDAR
4282	4" CEDAR
4283	3" CEDAR
4284	3" CEDAR
4285	3" CEDAR 2-1
4286	5" CEDAR
4287	4" CEDAR
4288	4" CEDAR
4289	6" CEDAR 5-2
4290	7" CEDAR
4291	12" CEDAR
4292	12" CEDAR
4293	9" CEDAR 7-4
4294	5" CEDAR
4295	10" CRATE MYRTLE 3-3-3-3-3-3
4296	6" CEDAR
4297	3" CEDAR
4298	5" CEDAR
4299	7" CEDAR
4300	3" CEDAR
4301	3" CEDAR
4302	4" CEDAR
4303	3" CEDAR
4304	1" LIGUSTRUM
4305	12" LIVE OAK
4306	15" LIVE OAK
4307	2" LIGUSTRUM
4308	4" CEDAR
4309	3" CEDAR
4310	5" CEDAR
4311	20" LIVE OAK 15-9
4312	4" CEDAR
4313	4" LIVE OAK
4314	10" LIVE OAK
4315	5" HACKBERRY
4316	8" LIVE OAK
4317	8" LIVE OAK
4318	39" LIVE OAK 19-17-13-10
4319	4" HACKBERRY
4320	19" CHINABERRY 13-11
4321	4" CEDAR
4322	6" CEDAR
4323	2" HACKBERRY
4324	4" HACKBERRY
4325	4" CEDAR
4326	4" CEDAR ELM
4327	11" CEDAR ELM 8-6
4328	9" CEDAR
4329	6" HACKBERRY
4330	3" CEDAR ELM
4331	3" CEDAR ELM
4332	4" CEDAR ELM
4333	8" CEDAR ELM
4334	9" CEDAR ELM

TREE LIST

NO.	DESCRIPTION
4335	4" CEDAR ELM
4336	5" LIVE OAK
4337	5" HACKBERRY 3-3
4338	6" LIVE OAK
4339	3" BUNELIA
4340	8" HACKBERRY
4341	4" CEDAR
4342	3" HACKBERRY
4343	5" LIVE OAK 4-3
4344	6" CEDAR 4-3
4345	12" CEDAR ELM
4346	2" HACKBERRY
4347	2" HACKBERRY
4348	4" HACKBERRY
4349	10" CEDAR ELM
4350	10" CEDAR ELM
4351	3" LIGUSTRUM 4-1-1
4352	5" LIGUSTRUM 4-3
4353	3" LIGUSTRUM 2-2
4354	6" CEDAR
4355	5" CEDAR
4356	5" CEDAR
4357	4" CEDAR
4358	4" CEDAR
4359	2" LIGUSTRUM
4360	9" CEDAR ELM
4361	7" CEDAR 5-4
4362	17" CEDAR ELM
4363	3" CEDAR
4364	2" CEDAR
4365	3" CEDAR
4366	3" CEDAR
4367	2" CEDAR ELM
4368	3" CEDAR ELM
4369	3" CEDAR ELM
4370	8" CEDAR ELM
4371	8" CEDAR ELM
4372	8" CEDAR ELM
4373	7" CEDAR ELM
4374	22" HACKBERRY
4375	8" CEDAR ELM
4376	15" CEDAR ELM
4377	23" CEDAR 17-11
4378	15" CEDAR ELM
4379	11" LIVE OAK
4380	3" ASH
4381	11" MESQUITE 8-5
4382	4" HACKBERRY
4383	3" HACKBERRY
4384	4" HACKBERRY
4385	4" HACKBERRY
4386	16" CEDAR ELM
4387	12" CEDAR
4388	16" LIVE OAK
4389	13" CEDAR ELM
4390	14" HACKBERRY
4391	16" CEDAR ELM
4392	16" CEDAR HACKBERRY 4-3
4393	8" CEDAR ELM
4394	8" CEDAR ELM
4395	8" CEDAR ELM
4396	8" CEDAR ELM
4397	7" CEDAR
4398	3" CEDAR
4399	33" CEDAR 11-9-8-7-7-5-4-4
4400	32" CEDAR 9-9-9-9-8-5-5
4401	3" LIVE OAK
4402	11" MOUNTAIN LAUREL 3-3-3-3-2-2-2
4403	11" MOUNTAIN LAUREL 3-3-3-3-2-2-2
4404	3" ASH
4405	12" CEDAR 7-5-5
4406	5" CEDAR
4407	5" CEDAR
4408	5" CEDAR
4409	5" CEDAR
4410	5" CEDAR
4411	5" CEDAR
4412	5" CEDAR
4413	5" CEDAR
4414	5" CEDAR
4415	5" CEDAR
4416	5" CEDAR
4417	5" CEDAR
4418	5" CEDAR
4419	5" CEDAR
4420	5" CEDAR
4421	5" CEDAR
4422	5" CEDAR
4423	5" CEDAR
4424	5" CEDAR
4425	5" CEDAR
4426	5" CEDAR
4427	5" CEDAR
4428	5" CEDAR
4429	5" CEDAR
4430	5" CEDAR
4431	5" CEDAR
4432	5" CEDAR
4433	5" CEDAR
4434	5" CEDAR
4435	5" CEDAR
4436	5" CEDAR
4437	5" CEDAR
4438	5" CEDAR
4439	5" CEDAR
4440	5" CEDAR
4441	5" CEDAR
4442	5" CEDAR
4443	5" CEDAR
4444	5" CEDAR
4445	5" CEDAR
4446	5" CEDAR
4447	5" CEDAR
4448	5" CEDAR
4449	5" CEDAR
4450	5" CEDAR
4451	5" CEDAR
4452	5" CEDAR
4453	5" CEDAR
4454	5" CEDAR
4455	5" CEDAR
4456	5" CEDAR
4457	5" CEDAR
4458	5" CEDAR
4459	5" CEDAR
4460	5" CEDAR
4461	5" CEDAR
4462	5" CEDAR
4463	5" CEDAR
4464	5" CEDAR
4465	5" CEDAR
4466	5" CEDAR
4467	5" CEDAR
4468	5" CEDAR
4469	5" CEDAR
4470	5" CEDAR
4471	5" CEDAR
4472	5" CEDAR
4473	5" CEDAR
4474	5" CEDAR
4475	5" CEDAR
4476	5" CEDAR
4477	5" CEDAR
4478	5" CEDAR
4479	5" CEDAR
4480	5" CEDAR
4481	5" CEDAR
4482	5" CEDAR
4483	5" CEDAR
4484	5" CEDAR
4485	5" CEDAR
4486	5" CEDAR
4487	5" CEDAR
4488	5" CEDAR
4489	5" CEDAR
4490	5" CEDAR
4491	5" CEDAR
4492	5" CEDAR
4493	5" CEDAR
4494	5" CEDAR
4495	5" CEDAR
4496	5" CEDAR



3423 Bee Caves Road

Height Adjustment Update

Contact

Client

Location

Date

Image

Michael Hsu
Office Of Architecture

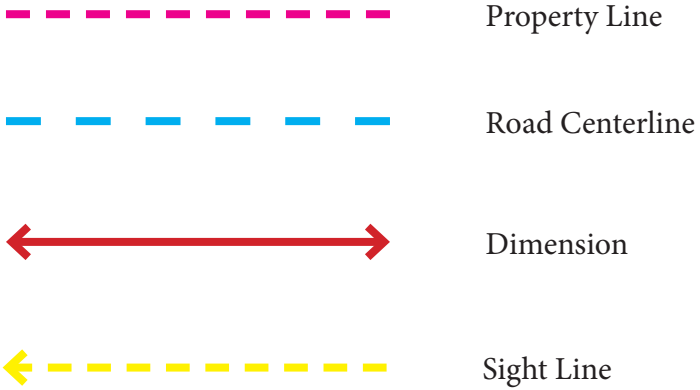
4910 Burnet Road
Austin, Texas 78756
(512) 706.4303

3423 Bee Caves Road

Austin, Texas

9 June 2021

Cover Page



Contact

Client

Location

Date

Image

Michael Hsu
Office Of Architecture

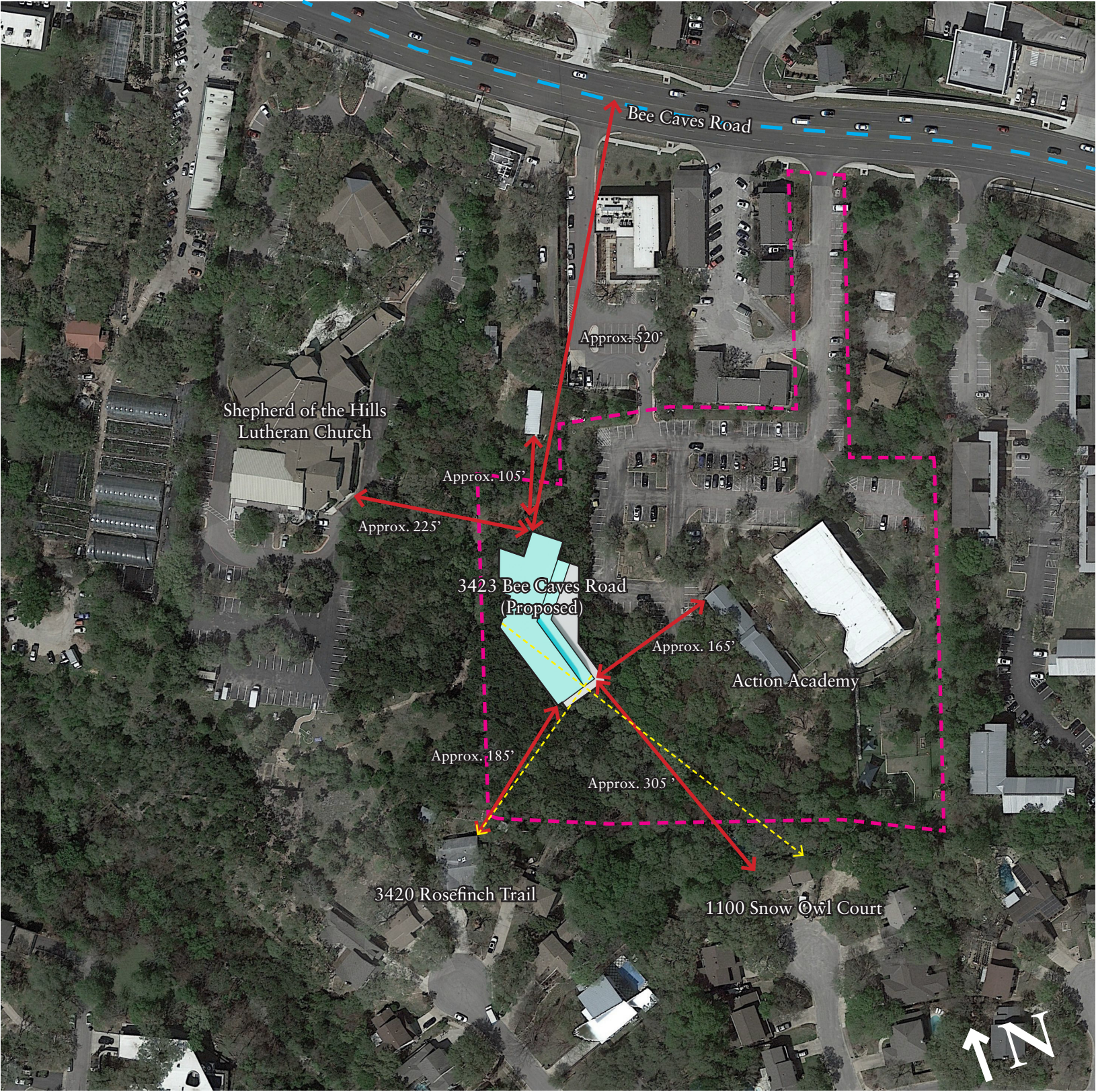
4910 Burnet Road
Austin, Texas 78756
(512) 706.4303

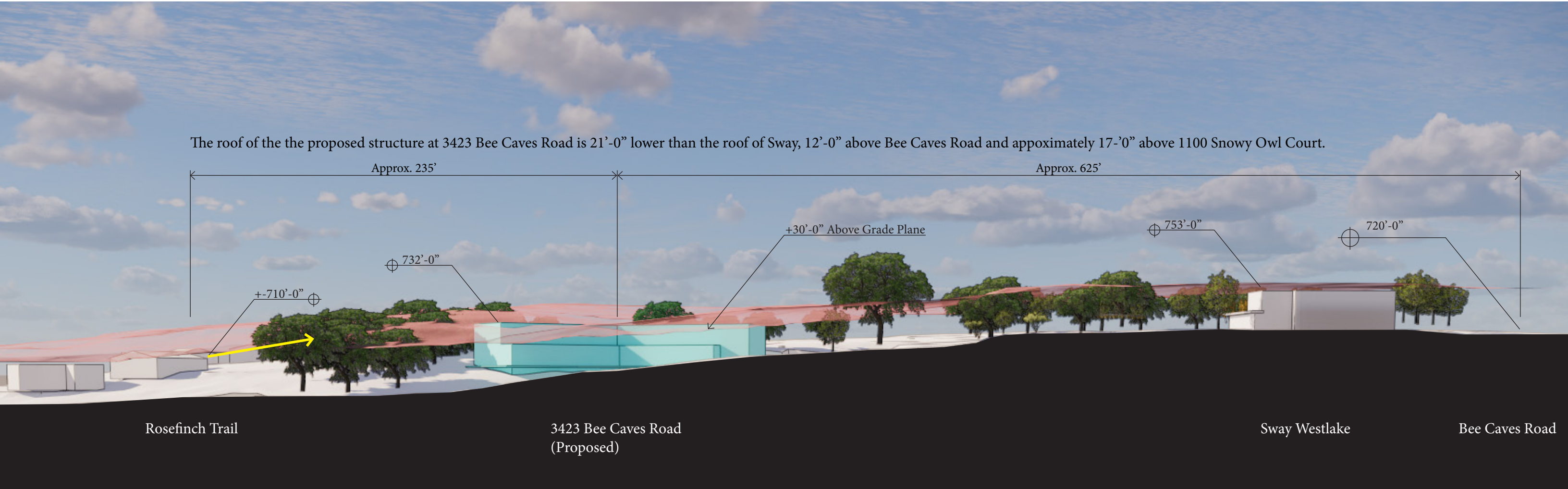
3423 Bee Caves Road

Austin, Texas

9 June 2021

Vicinity Map





Contact

Client

Location

Date

Image

Michael Hsu
Office Of Architecture

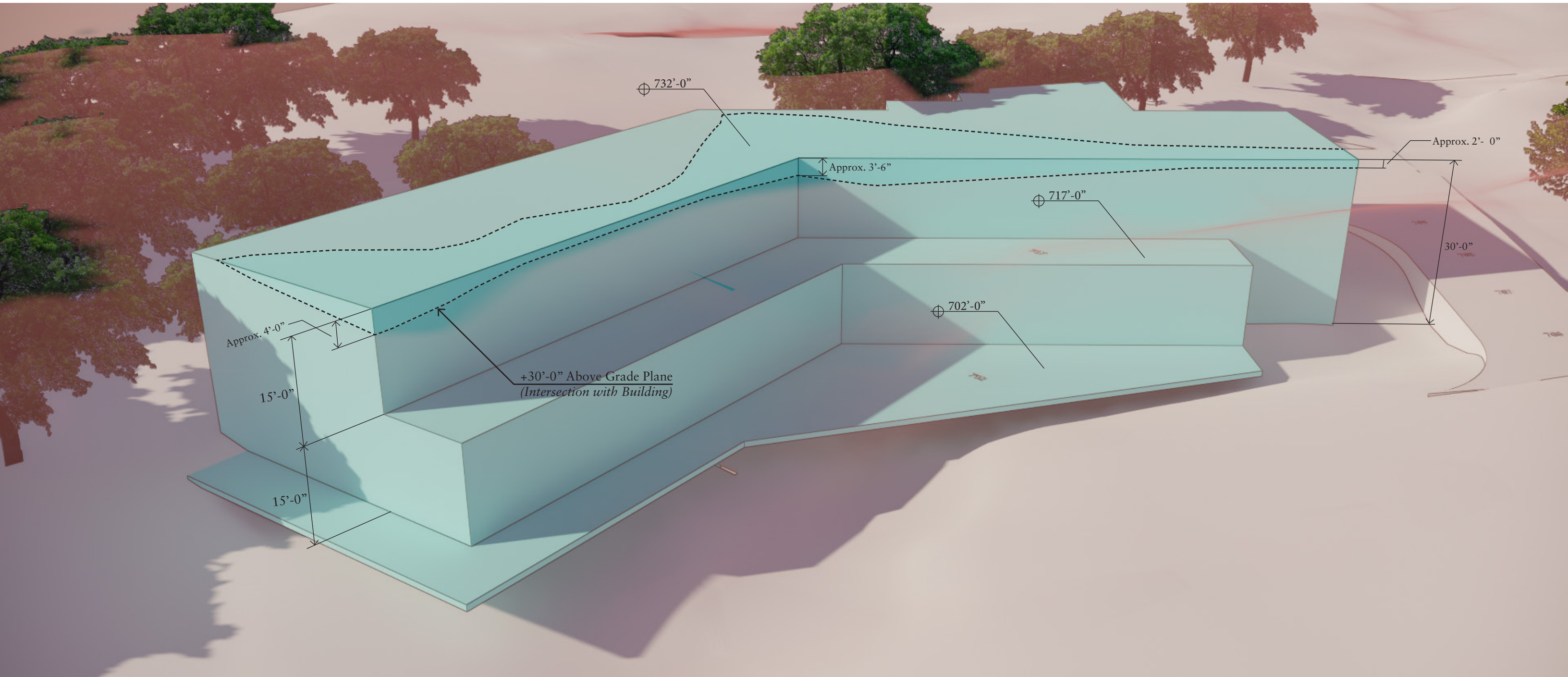
4910 Burnet Road
Austin, Texas 78756
(512) 706.4303

3423 Bee Caves Road

Austin, Texas

9 June 2021

Site Section



Contact

Client

Location

Date

Image

Michael Hsu
Office Of Architecture

4910 Burnet Road
Austin, Texas 78756
(512) 706.4303

3423 Bee Caves Road

Austin, Texas

9 June 2021

Aerial View



HUYNH TON HEIN
VOL. 10681, PG. 46

0-FT LOT

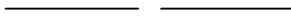
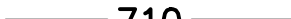
0-FT LOT LINE SETBACK PROPOSED

EXISTING 5-FT SETBACK TO REMAIN

DOC. NO. 2003-021500
KEVIN MCFARLEY

EXISTING 50-FT SETBACK TO REMAIN

LEGEND

	EXISTING MAJOR CONTOURS
	EXISTING MINOR CONTOURS
	EXISTING SETBACKS
	PROPOSED WALL
 710	PROPOSED MAJOR CONTOURS
 702	PROPOSED MINOR CONTOURS
 FIRE	PROPOSED FIRE LANE
	PROPOSED BUILDING
	PROPOSED FRONT OF CURB
	PROPOSED BACK OF CURB
 ST	PROPOSED STORM WATER PIPE
 WW	EXISTING WASTEWATER MAIN
	EXISTING PAVEMENT STRIPING
	PROPOSED PAVEMENT STRIPING
	EXISTING WASTEWATER MANHOLE
	EXISTING TREES TO BE REMOVED
	EXISTING TREES

REVISION RECORD

[illegible]

Civil & Environmental Consultants, Inc.
Texas Registered Engineering Firm T-38
3711 South Mac Expressway · Building 1, Suite 550 · Austin, TX 78746
Ph: 512.439.0400 · Fax: 512.329.0096
www.cecinc.com

**MEDICAL OFFICE BUILDING
3423 BEE CAVES ROAD
CITY OF WEST LAKE HILLS
TRAVIS COUNTY, TEXAS 78746**

**OPTION D
SETBACK EXHIBIT**

DATE:	6/9/2021	DRAWN BY:	CEC
DWG SCALE:	1" = 20'	CHECKED BY:	JCM
PROJECT NO:	304831.0001		
APPROVED BY:	JCM		

DRAWING NC

EXHIBIT
SHEET 1 OF 1

THIS DOCUMENT IS
RELEASED FOR
REVIEW ONLY AND IS
NOT INTENDED FOR
PERMITTING,
CONSTRUCTION, OR
ANY OTHER PURPOSE
JAMES C. MASSARO
P.E. 92530 (TEXAS)
June 9, 2021

REFERENCE

EXISTING TOPOGRAPHIC FEATURES FROM CADD FILE "SITE SURVEY - BeeCAVES update.modified20200817.dwg";
PREPARED BY OTHERS.
EXISTING TREES FROM CAD FILE DATED 12/2/2020 PROVIDED BY 4WARD LAND SURVEYING; PREPARED BY OTHERS
EXISTING TOPOGRAPHIC CONTOUR LINES FROM 2012 CITY OF AUSTIN GIS; PREPARED BY OTHERS.

SCALE IN FEET

Peter Narvarte

From: Brian Rodgers <brianx19rodgers@gmail.com>
Sent: Wednesday, April 7, 2021 6:50 AM
To: mayor@westlakehills.org; mayor@westlakehills.gov; wlhcc1@westlakehills.org; wlhcc1@westlakehills.gov; wlhcc2@westlakehills.org; wlhcc2@westlakehills.gov; wlhcc3@westlakehills.org; wlhcc3@westlakehills.gov; wlhcc4@westlakehills.org; wlhcc4@westlakehills.gov; wlhcc5@westlakehills.org; wlhcc5@westlakehills.gov
Cc: Anjali Naini; 'Mark pzsec'; smills@westlakehills.org; smills@westlakehills.gov
Subject: New Dental Office Project at 3421 Bee Caves Road

[External Email]

Use caution before opening links or attachments.

- Helpdesk

Dear Mayor and City Council,

Thirty years ago I purchased the Bee Cave Center at 3425 Bee Caves Road with my business partner, Kevin Reichle. The Bee Cave Center would be the most affected from the proposed dental practice building, and we fully support the project on the six acres behind us.

We believe in supporting local businesses and local owners. Over the years we have had three exemplary and considerate neighbors, from The Westlake Bible Church to Matt Mathias to the Keller group. We hope that this will continue with the addition of the dental and oral surgery building, whose responsible doctors have helped thousands of our friends and neighbors over the years, including Kevin's own two sons, now grown men.

New project opposition usually turns to complaints about traffic. I can tell you that we are very happy and relieved that a substantial amount of additional parking will be included. Our concerns have been that a developer would build an office building and use every existing space to meet parking criteria which would fully congest the drive lanes with both cars and pedestrians. With the proposed project, the layout offers a continuation of the relaxed campus feel, only achieved by allowing the height variance. If this project is voted down, we could fully expect a jammed and crammed operator given the increasing price of land, and the potential loss of the educational facilities from market rent pressure. With the proposed project, the tenant status is maintained and the acres of greenbelt protected.

We met with the principals of the project and know that any traffic safety concerns will be met with an assortment of traffic calming measures. It is not an issue for us. Our tenants will benefit from the additional customer base.

This project has our full support. We hope you vote in its favor and welcome them and their project.

Thank you,

Brian Rodgers
Logan Reichle
Landon Reichle

Owners, Bee Cave Center

Peter Narvarte

From: Patrick Jeffers <patrick@newwaterloo.com>
Sent: Friday, March 12, 2021 12:03 PM
To: zapco@westlakehills.org; zapco@westlakehills.gov; anaini@westlakehills.org; Mark Littrell; pzsec@westlakehills.gov
Subject: 3423 Bee Caves Road

[External Email]

Use caution before opening links or attachments.

- Helpdesk

West Lake Hills City Council and Mayor,

As the Owner of Sway, the restaurant operating just to the north of this property, I am writing in support of the proposed development at 3423 Bee Caves Road. I feel that this building will be additive to the West Lake Hills community and harmonious with surrounding businesses, schools and residences.

Drs. Randy Kunik, Vincent Cavaretta, Juan Vesga and David Yu have practiced oral medicine in West Lake Hills for over 75 collective years. They have served our community as doctors, Eanes ISD parents and have supported West Lake Hills organizations and schools through volunteering and charitable giving. They currently practice right down the street and seek to build and invest in a permanent home for their businesses. This project is being designed specifically for them and they will occupy the majority of the new building.

Their use does not require visibility from Bee Caves Rd., and thus they have designed the building to be intentionally tucked away below the street to capture the treeline view from the site. There have been some references made to a three-story building, but in speaking with them, one of these "stories" is for their covered parking, which allows them to minimize surface parking and preserve green space. The new building's roofline will sit below that of our restaurant and will hardly be visible from Bee Cave Rd. The building is set back almost 250 feet (versus a allowable minimum of 40 feet) from the property line and is buffered by dense existing trees.

As a group of dentists with many young clients (including Randy's orthodontic practice), they see the proximity to our restaurant, the schools and youth-oriented businesses as beneficial to all. Acton, Primrose and Sandbox will continue to have access to enviable green space and circulation and parking on the site will be improved. Their practices are all appointment-based, which reduces traffic significantly in comparison with other potential occupants.

3423 Bee Caves is a rare 6+ acre site in desirable Westlake Hills. The proposed project, to be owned and occupied by this group of doctors, will preserve several acres of green space for decades to come. They are not looking to maximize rentable square footage with this plan and have proposed a new building that I believe is appropriately scaled to coexist nicely with the current landscape of tenants and businesses. As such, it is a plan that has my full support.

Thank you for your consideration.

Sincerely,

Patrick Jeffers

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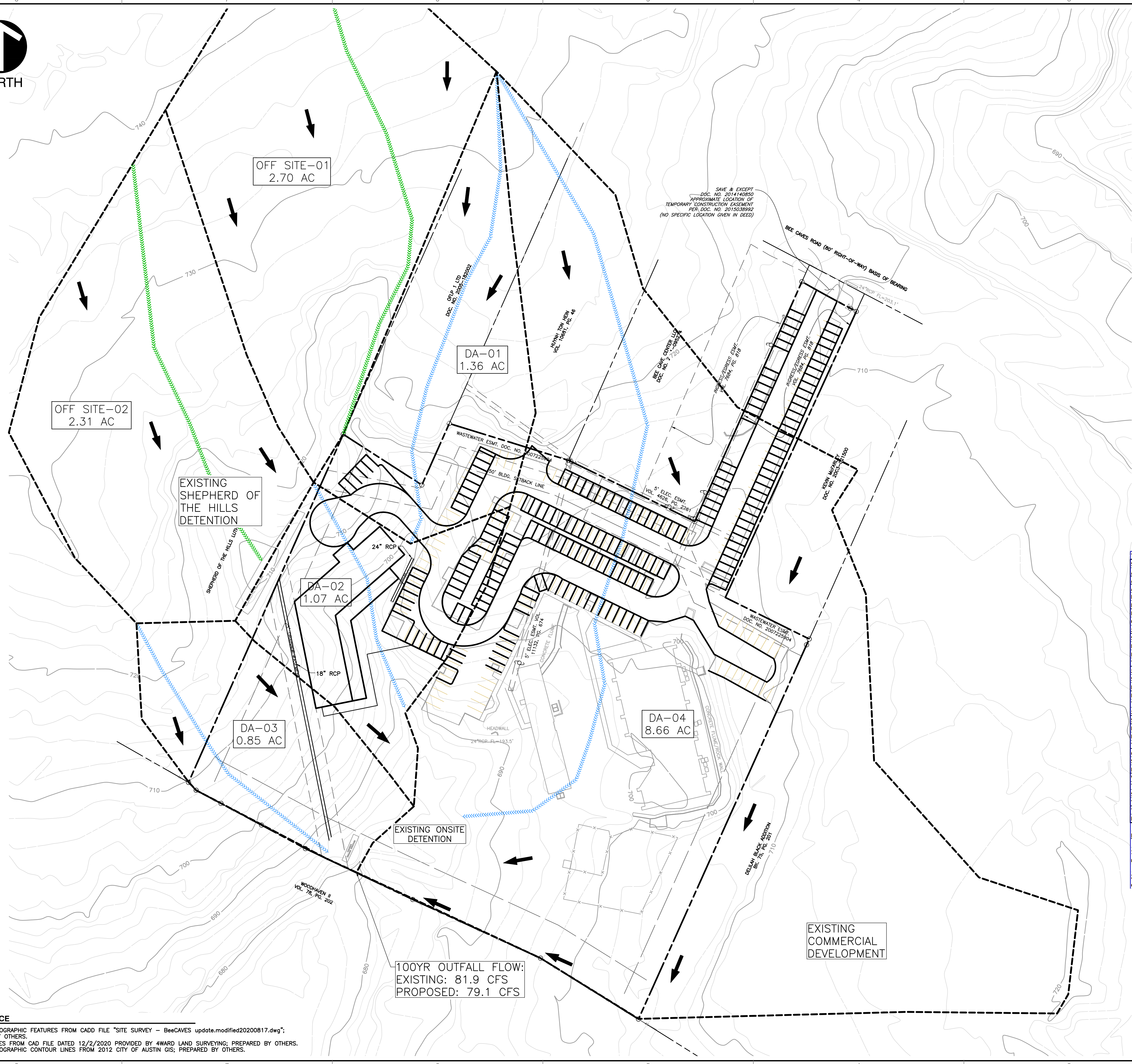
PATRICK JEFFERS
PARTNER

520 E OLTORF ST, AUSTIN, TX 78704
p (512)582-0844 | m (512)296-6324
e PATRICK@NEWWATERLOO.COM

NEWWATERLOO.COM



NORTH



_____	EXISTING MAJOR CONTOURS
_____	EXISTING MINOR CONTOURS
_____	EXISTING SETBACKS
- - - - -	EXISTING EASEMENT BOUNDARY
=====	PROPOSED WALL
-----710-----	PROPOSED MAJOR CONTOURS
-----702-----	PROPOSED MINOR CONTOURS
-----FIRE-----	PROPOSED FIRE LANE
=====	PROPOSED BUILDING
=====	PROPOSED FRONT OF CURB
=====	PROPOSED BACK OF CURB
-----ST-----	PROPOSED STORM WATER PIPE
-----WW-----	EXISTING WASTEWATER MAIN
=====	EXISTING PAVEMENT STRIPING
=====	PROPOSED PAVEMENT STRIPING
- - - - -	DRAINAGE AREA BOUNDARY
>>>>>>>>>>>>>>>>>>>>>>>>>	TIME OF CONCENTRATION (T_c) DRAINAGE AREA (DA)
>>>>>>>>>>>>>>>>>>>>>>>>>	TIME OF CONCENTRATION (T_c) OFF SITE (OS) AREA

Time of Concentration (TR-55 method)							
Subbasin	Existing DA-01	Existing DA-02	Existing DA-03	Existing DA-04	Existing OS-01	Existing OS-02	
Area	sqft	59437.31	46630.28	37237.31	377129.43	117747.5	100628.32
Area	ac.	1.36	1.07	0.85	8.66	2.70	2.31
Area	sqmi	0.00213	0.00167	0.00134	0.01353	0.00422	0.00361
Impervious	sqft	6383.24	7541.59	0.00	64062.66	65524.00	30189.5
Impervious	%	11%	16%	0%	17%	56%	30%
Perious	Cn	75	75	75	75	75	75
Composite	Cn	77	75	75	79	88	82
Sheet Flow							
Slope	in/in	0.0100	0.0667	0.0350	0.0100	0.0200	0.0200
Length	ft.	100	45	100	100	100	100
Roughness	n	0.011	0.011	0.011	0.011	0.011	0.011
Time	hr.	0.02	0.01	0.01	0.02	0.02	0.02
Shallow Concentrated							
Slope	in/in	0.0306	0.0725	0.0703	0.0258	0.0240	0.0129
Length	ft.	424.71	137.97	220.58	387.44	415.90	774.00
Paved?	p/u	u	u	u	p	p	p
Time	hr.	0.04	0.01	0.01	0.03	0.04	0.09
Shallow Concentrated							
Slope	in/in	0.0000	0.0385	0.0000	0.0267	0.0000	0.0000
Length	ft.	0.00	78.00	0.00	448.98	0.00	0.00
Paved?	p/u	u	u	u	u	u	u
Time	hr.	0.00	0.01	0.00	0.05	0.00	0.00
Channel Flow							
Slope	in/in	0	0	0	0	0.01	0
Length	ft.	0	0	0	0	101	0
Velocity	fps	0	0	0	0	5	0
Time	hr.	0.00	0.00	0.00	0.00	0.01	0.00
Summary							
Travel Time	hr.	0.07	0.02	0.03	0.06	0.06	0.11
Tc	min.	3.92	1.18	1.72	3.39	3.61	6.65
Lag Time	min.	3.00	3.00	3.00	3.00	3.00	3.99

Time of Concentration (TR-55 method)		Proposed DA-01	Proposed DA-02	Proposed DA-03	Proposed DA-04
Subbasin					
Area	sqft	59437.31	46630.28	37237.31	377129.43
Area	ac.	1.36	1.07	0.85	8.66
Area	sqmi	0.00213	0.00167	0.00134	0.01353
Impervious	sqft	10939.41	26557.02	0.00	88233.63
Impervious	%	18%	57%	0%	23%
Pervious	Cn	75	75	75	75
Composite	Cn	79	88	75	80
Sheet Flow					
Slope	in/in	0.0100	0.0667	0.0350	0.0100
Length	ft.	100	45	100	100
Roughness	n	0.011	0.011	0.01	0.01
Time	hr.	0.02	0.01	0.01	0.02
Shallow Concentrated					
Slope	in/in	0.0379	0.0725	0.0703	0.0258
Length	ft.	342.76	137.97	220.58	387.44
Paved?	p/u	u	u	u	u
Time	hr.	0.03	0.01	0.01	0.04
Shallow Concentrated					
Slope	in/in	0.0488	0.0385	0.0000	0.0341
Length	ft.	81.95	78.00	0.00	351.79
Paved?	p/u	u	u	u	u
Time	hr.	0.01	0.01	0.00	0.03
Channel Flow					
Slope	in/in	0	0	0	0
Length	ft.	0	0	0	0
Velocity	fps	0	0	0	0
Time	hr.	0.00	0.00	0.00	0.00
Summary					
Travel Time	hr.	0.06	0.02	0.03	0.07
Tc	min.	3.53	1.18	1.72	3.90
Lag Time	min.	3.00	3.00	3.00	3.00

Notes:

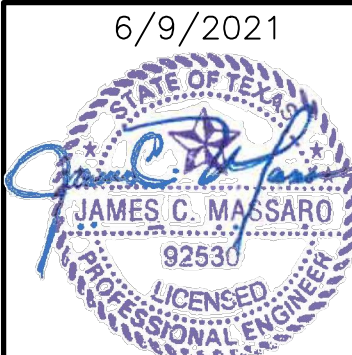
- 1) Lag Times less than 3 min, are assumed to be 3 min, to correspond to a 5 minute minimum Time of Concentration.
- 2) Calculations are based upon aerial photography, topography, and field observation of the existing conditions.

EXISTING TOPOGRAPHIC FEATURES FROM CADD FILE "SITE SURVEY - BeeCAVES update.modified20200817.dwg";
PREPARED BY OTHERS.
EXISTING TREES FROM CAD FILE DATED 12/2/2020 PROVIDED BY 4WARD LAND SURVEYING; PREPARED BY OTHERS.
EXISTING TOPOGRAPHIC CONTOUR LINES FROM 2012 CITY OF AUSTIN GIS; PREPARED BY OTHERS.

SCALE IN FEET



0 50 100



EXT

6/9/2021	DRAWN BY:	CEC
1" = 50'	CHECKED BY:	JCM
		304831.0001
		JCM

IBIT

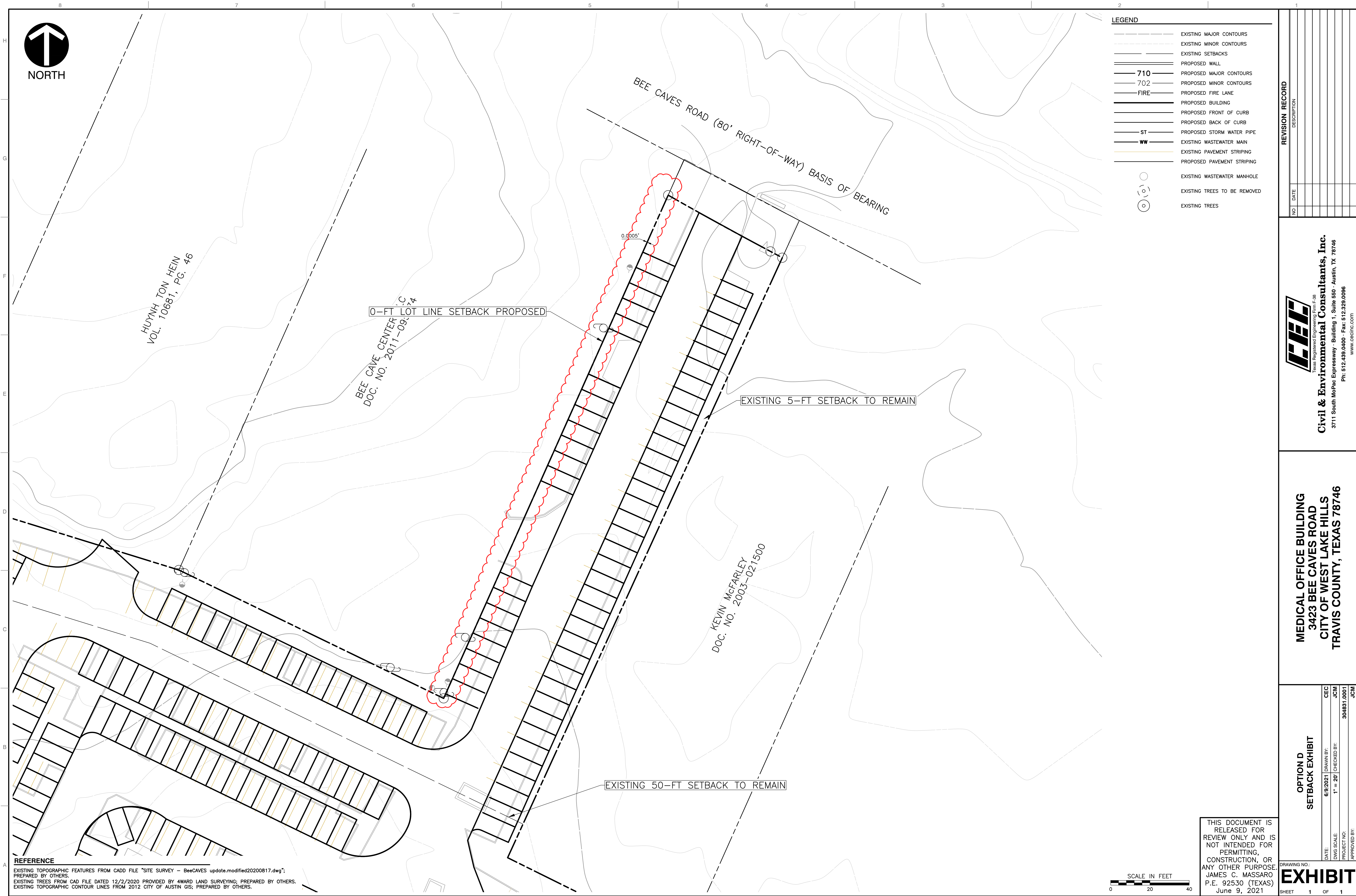
**MEDICAL OFFICE BUILDING
3423 BEE CAVES ROAD
CITY OF WEST LAKE HILLS
TRAVIS COUNTY, TEXAS 78746**

CEE
Texas Registered Engineering Firm F-38

Civil & Environmental Consultants, Inc.
3711 South MoPac Expressway · Building 1, Suite 550 · Austin, TX 78746
Ph: 512.439.0400 · Fax: 512.329.0096

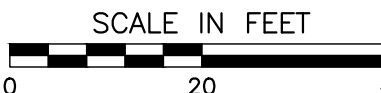
167 of 193

A:\200-2001\2001-2371-CADD\DWG\200-2371-PrelimEngineering\304831-CADD-PrelimEngineering\304831-CADD-PrelimEngineering.dwg - SETBACK.dwg(2/24/2021 15:09:20) - LP: 6/9/2021 4:50 PM



REFERENCE
EXISTING TOPOGRAPHIC FEATURES FROM CADD FILE "SITE SURVEY - BeeCAVES update.modified20200817.dwg";
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LEGEND	
	EXISTING MAJOR CONTOURS
	EXISTING MINOR CONTOURS
	EXISTING SETBACKS
	PROPOSED WALL
	PROPOSED MAJOR CONTOURS
	PROPOSED MINOR CONTOURS
	PROPOSED FIRE LANE
	PROPOSED BUILDING
	PROPOSED FRONT OF CURB
	PROPOSED BACK OF CURB
	PROPOSED STORM WATER PIPE
	EXISTING WASTEWATER MAIN
	EXISTING PAVEMENT STRIPING
	PROPOSED PAVEMENT STRIPING
	EXISTING WASTEWATER MANHOLE
	EXISTING TREES TO BE REMOVED
	EXISTING TREES



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ANY OTHER PURPOSE.
JAMES C. MASSARO
P.E. 92530 (TEXAS)
June 9, 2021

OPTION D SETBACK EXHIBIT		EXHIBIT	
DATE: 6/9/2021	DRAWN BY: JCM	SHEET 1	OF 1
DWG SCALE: 1" = 20'	CHECKED BY: JCM		
PROJECT NO: 304831.0001	APPROVED BY: JCM		

REVISION RECORD

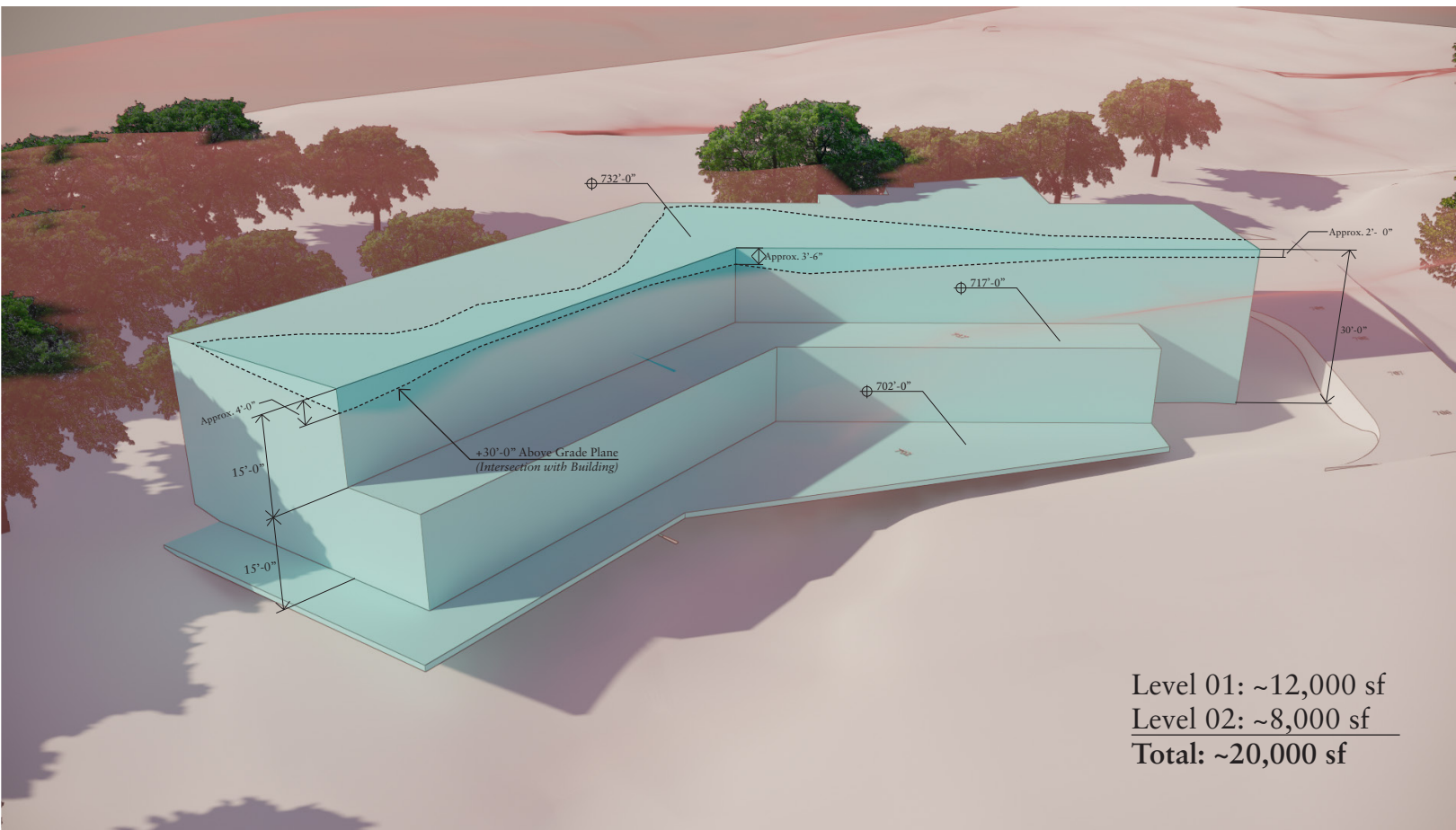
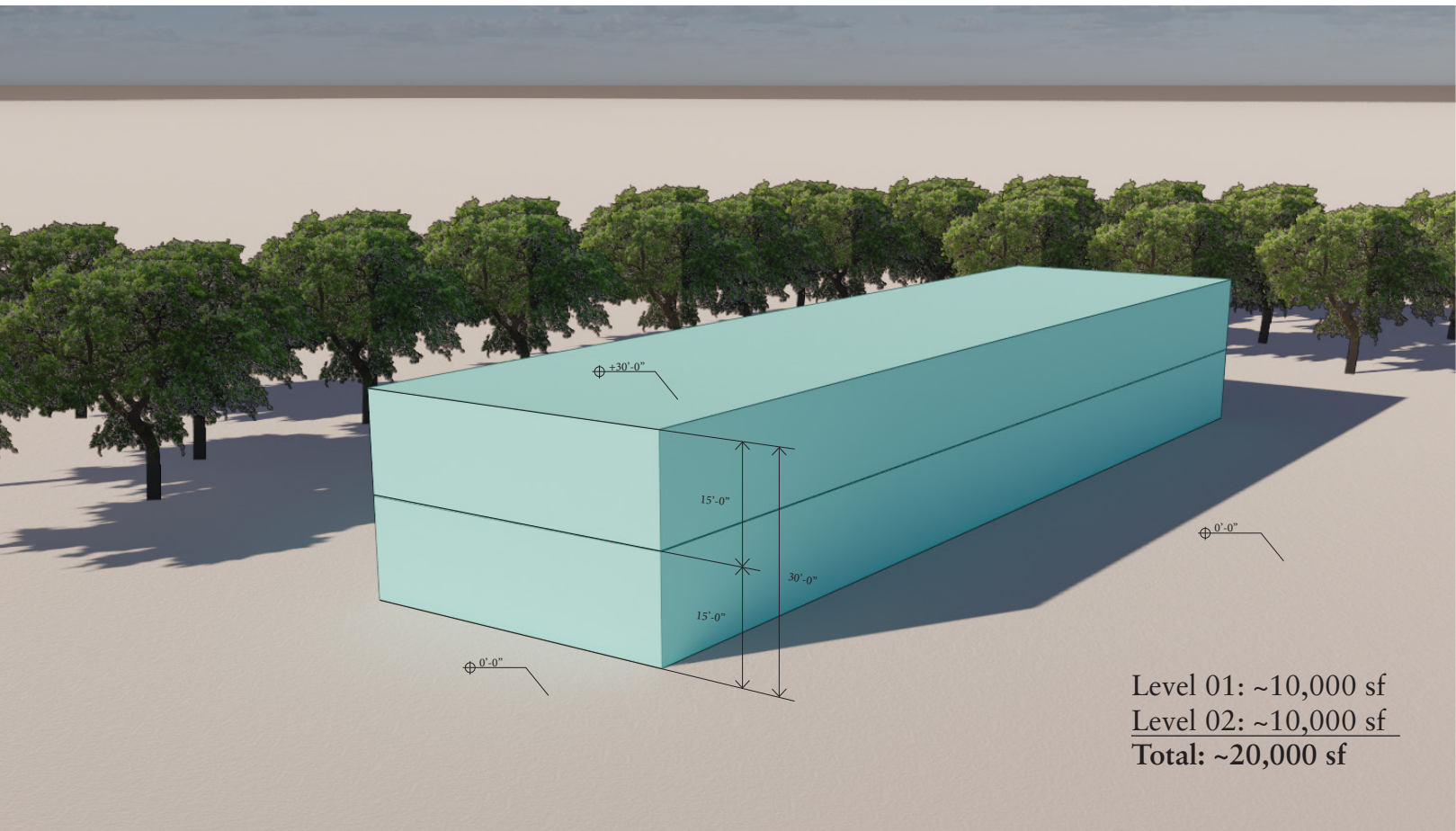
NO	DATE	DESCRIPTION

Civil & Environmental Consultants, Inc.
Texas Registered Engineering Firm F-38
3711 South MoPac Expressway - Building 1, Suite 550 - Austin, TX 78746
Ph: 512.439.0400 - Fax: 512.329.0096
www.cecinc.com

**MEDICAL OFFICE BUILDING
3423 BEE CAVES ROAD
CITY OF WEST LAKE HILLS
TRAVIS COUNTY, TEXAS 78746**

3423 Bee Cave Rd - Structure Map





Contact

Client

Location

Date

Image

Michael Hsu
Office Of Architecture

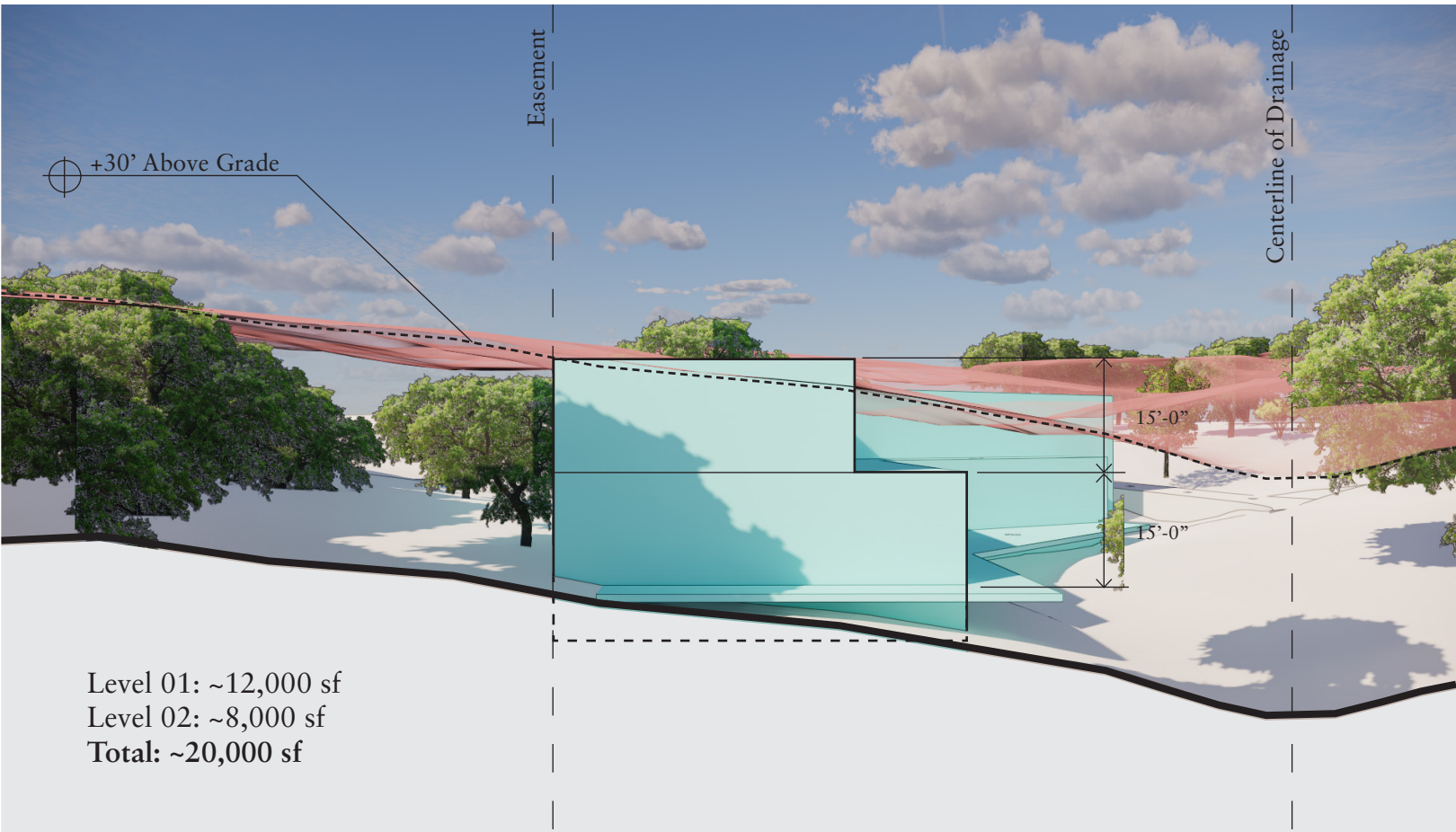
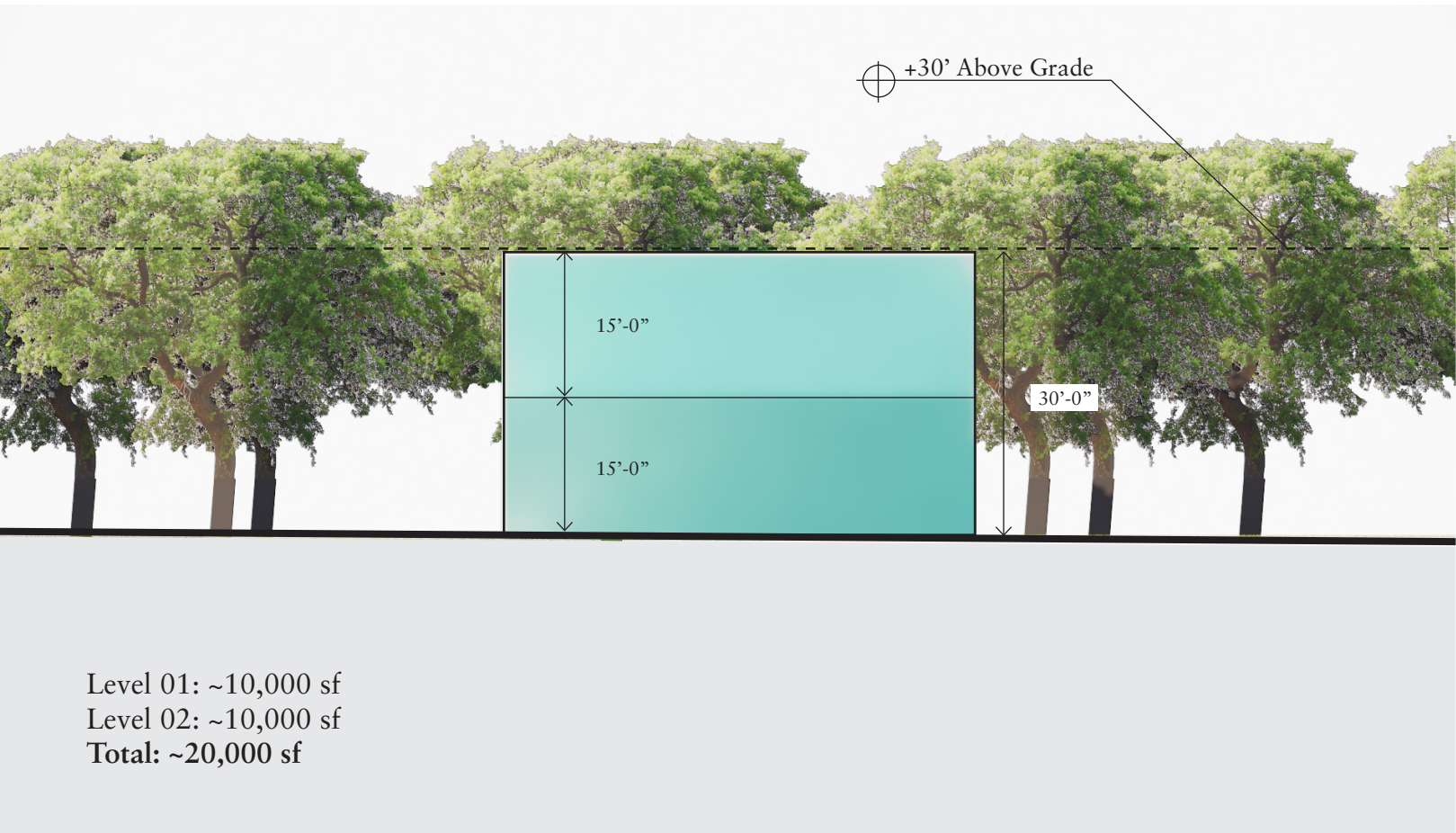
4910 Burnet Road
Austin, Texas 78756
(512) 706.4303

3423 Bee Caves Road

Austin, Texas

9 July 2021

Aerial View



Contact

Client

Location

Date

Image

Michael Hsu
Office Of Architecture

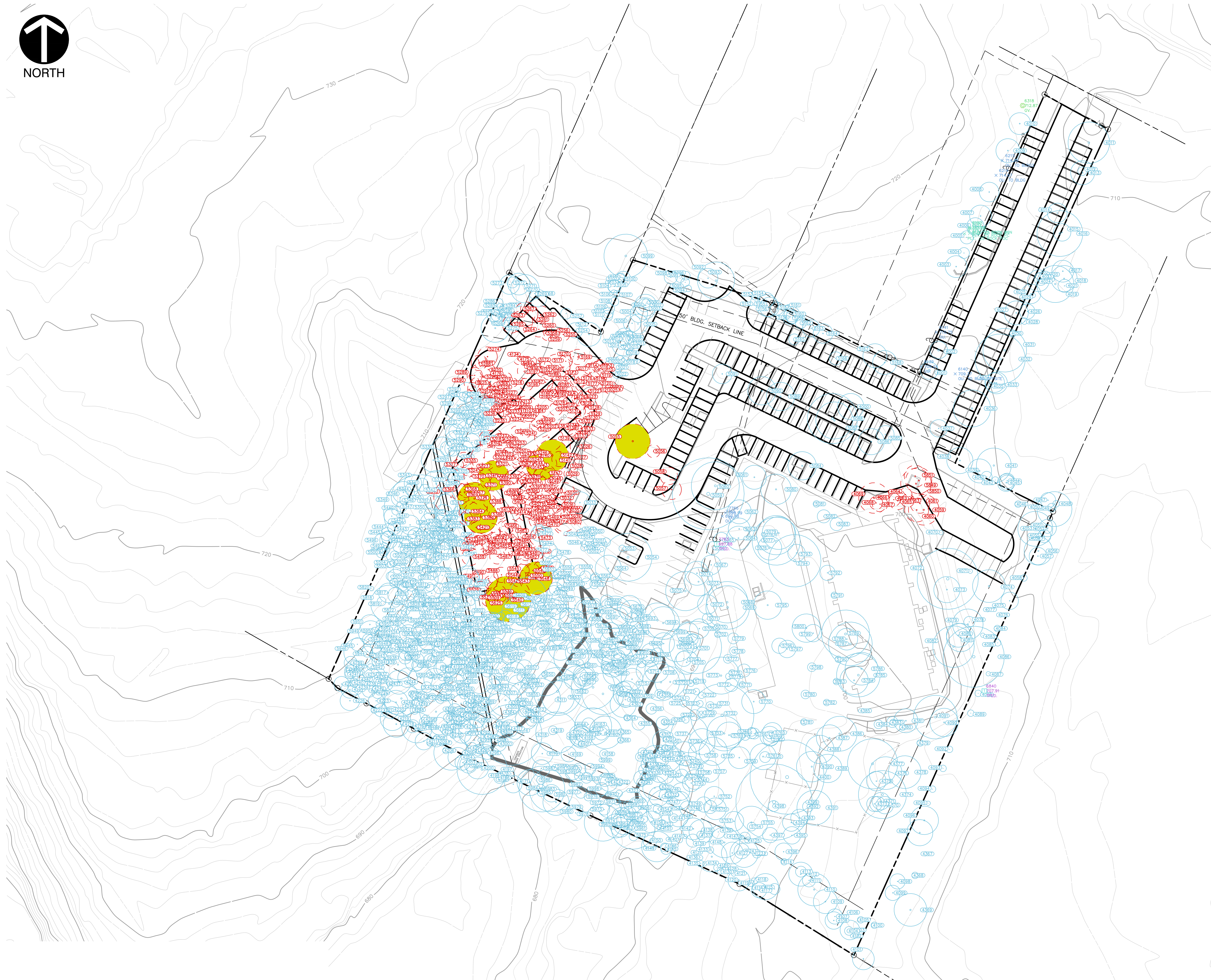
4910 Burnet Road
Austin, Texas 78756
(512) 706.4303

3423 Bee Caves Road

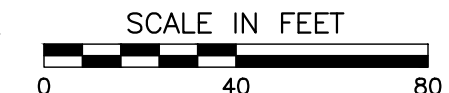
Austin, Texas

9 July 2021

Sections



LEGEND	
	EXISTING MAJOR CONTOURS
	EXISTING MINOR CONTOURS
	EXISTING SETBACKS
	PROPOSED WALL
	PROPOSED MAJOR CONTOURS
	PROPOSED MINOR CONTOURS
	PROPOSED FIRE LANE
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	PROPOSED FRONT OF CURB
	PROPOSED BACK OF CURB
	PROPOSED STORM WATER PIPE
	EXISTING WASTEWATER MAIN
	EXISTING WASTEWATER MANHOLE
	EXISTING TREES TO BE REMOVED
	EXISTING TREES





SIGN VARIANCE
STAFF REPORT

July 21, 2021

Project Address: 4101 Bee Cave Road

Project Number: 16422

Agenda Item: Land Use: **4101 Bee Cave Road:** Discussion/recommendation on an application for a sign variance request (West Lake Hills Code Sec. 32.03.006, 32.01.016). Andrew Chapman agent for Eanes ISD.

- Section 32.03.006 – Freestanding Commercial Signs
- Section 32.01.016 – Prohibited Signs

Applicant Information: Andrew Chapman agent for Eanes ISD.

Hearing Dates:

July 21, 2021

ZAPCO

July 28, 2021

City Council

Location: The subject property is located at 4101 Bee Cave Road.

Zoning & Site Characteristics:

The subject property is zoned GUI – Government, Utility, Institutional

The site is surrounded by B2 (Business 2) to the west, R1 (One-Family Residential) to the North, GUI and B1 to the east, and R1 to the south.

Background & Analysis:

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

- Section 32.03.006 – Freestanding Commercial Signs
 - Requesting a 28.75 square foot sign
- Section 32.01.016 – Prohibited Signs
 - Requesting a sign with changeable letters

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 school sign would not be able to communicate important messages to the community. One of the most practical uses for changeable messages is advertising information related to public health such as school messages regarding the COVID-19 pandemic. Additionally, parents would not be able to send messages to their children, such as congratulations for significant awards and achievements.”

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

The application states – “The changeable messages would not impact the natural terrain or flora as it would not come in to contact with it. The marquee is non-illuminated, so there will be no excess light pollution to negatively impact the night skies.

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

The application states – “We would prefer to have a digital screen such as what we have at our other schools Bridge Point Elementary and Cedar Creek Elementary which fall within the City of Austin. At the minimum, changeable lettering is the least intrusive way for schools to send custom messages.”

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

The application states – “Most schools have some sort of customizable messaging on their signage. It has not become a standard means of communication for many school districts. Since digital screens are not an option, the only other option is changeable lettering.”

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

The application states – “The intent for not having changeable letters is to avoid a distraction for drivers, and these are not moving letters. The letters would be adjusted every other day on average, so there would be no distraction to drivers.”

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

The application states – “The new sign would be an attractive upgrade from the existing sign and would benefit families and students by providing helpful, important and time sensitive information.”

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

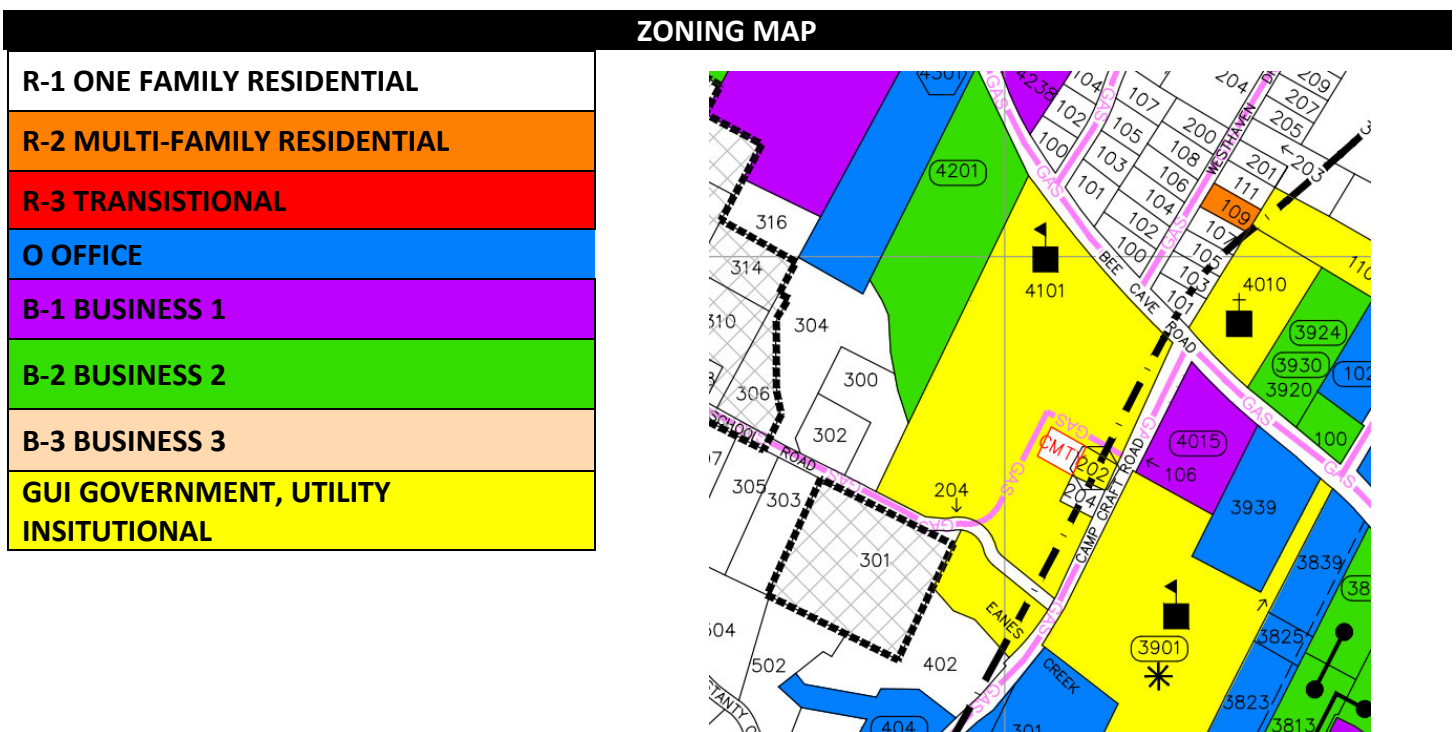
The existing and future land use is in conformance with the City of West Lake Hills Master Plan.

Staff Recommendation

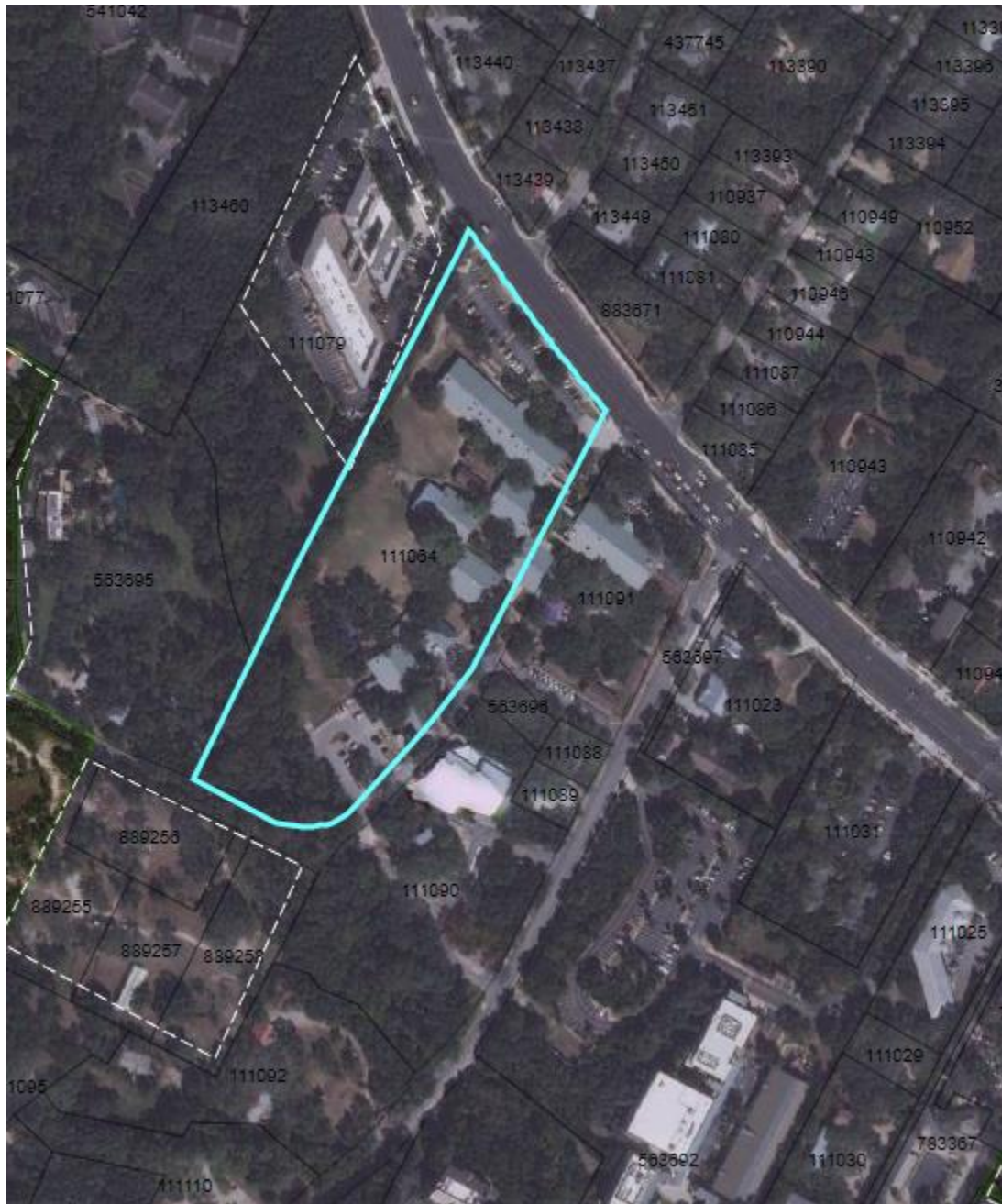
Staff recommends DENIAL of the variance request based on a lack of hardship.

Links to Relevant Code:

- [Section 32.03.006 – Freestanding Commercial Signs](#)
- [Section 32.01.016 – Prohibited Signs](#)
- [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: Eanes ISD (512) 732-9046 ext. 20614
Phone: _____

Email: _____

Address: 601 Camp Craft Road City: Austin State: TX Zip: 78746

Agent*: FSG Signs Andrew Chapman Phone: 512-494-0002

Email: _____

Address: 10212 Metric Blvd City: Austin State: TX Zip: _____

Property Address: 4101 Bee Cave Road City: WestLakeHills State: TX Zip: 78746

Property Information

Subdivision Name: Eanes Elementary School

Block: _____ Lot: 17 TCAD Tax Parcel ID: 111064

Current Zoning Classification: GUI Total Lot Size (Acres): _____

**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) Sign Variance _____
- 2) _____
- 3) _____
- 4) _____
- 5) _____



VARIANCE APPLICATION

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

Brief Description of project/why variances are needed: _____

Our Project involves replacing the main sign at the primary entrance to the school because the City of Westlake removed our original sign when they added a turn lane onto Camp Craft Road off Bee Cave Road. -
The Variance sought is for the City to allow our replacement sign to function as it previously and currently -
does. The original sign featured changeable letters and we would like our replacement sign to feature -
changeable letters so we can continue to communicate with our community.

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.

The school sign would not be able to communicate important messages to the community. One of the most practical uses for changeable messages is advertising information related to public health such as school messages regarding the COVID-19 pandemic. Additionally, parents would not be able to send messages to their children, such as congratulations for significant awards and achievements.

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 changeable messages would not impact the natural terrain or flora as it would not come into contact with it. The marquee is non-illuminated, so there will be no excess light pollution to negatively impact the night skies.

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

We would prefer to have a digital screen such as what we have at our other schools Bridge Point Elementary and Cedar Creek Elementary which fall within the city of Austin. At the minimum, changeable lettering is the least intrusive way for schools to send custom messages. Banners are another option for temporary messages, but due to the expense and time constraints for more

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

Most schools have some sort of customizable messaging on their signage. It has now become a standard means of communication for many school districts. Since digital screens are not an option, the only other option is changeable lettering.



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?

The intent for not having changeable letters is to avoid a distraction for drivers, and these are not moving letters. The letters would only be adjusted every other day on average, so there would be no distraction to drivers.

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 new sign would be an attractive upgrade from the existing sign, and would benefit families and students by providing helpful, important, and time-sensitive information. There are no neighboring properties within the vicinity of this proposed sign. The sign would only be viewable on Bee Cave Road when parents are arriving at the school and by cars directly in front of the school.

AUTHORIZATION & ACKNOWLEDGEMENT

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

Signature

Date

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: _____

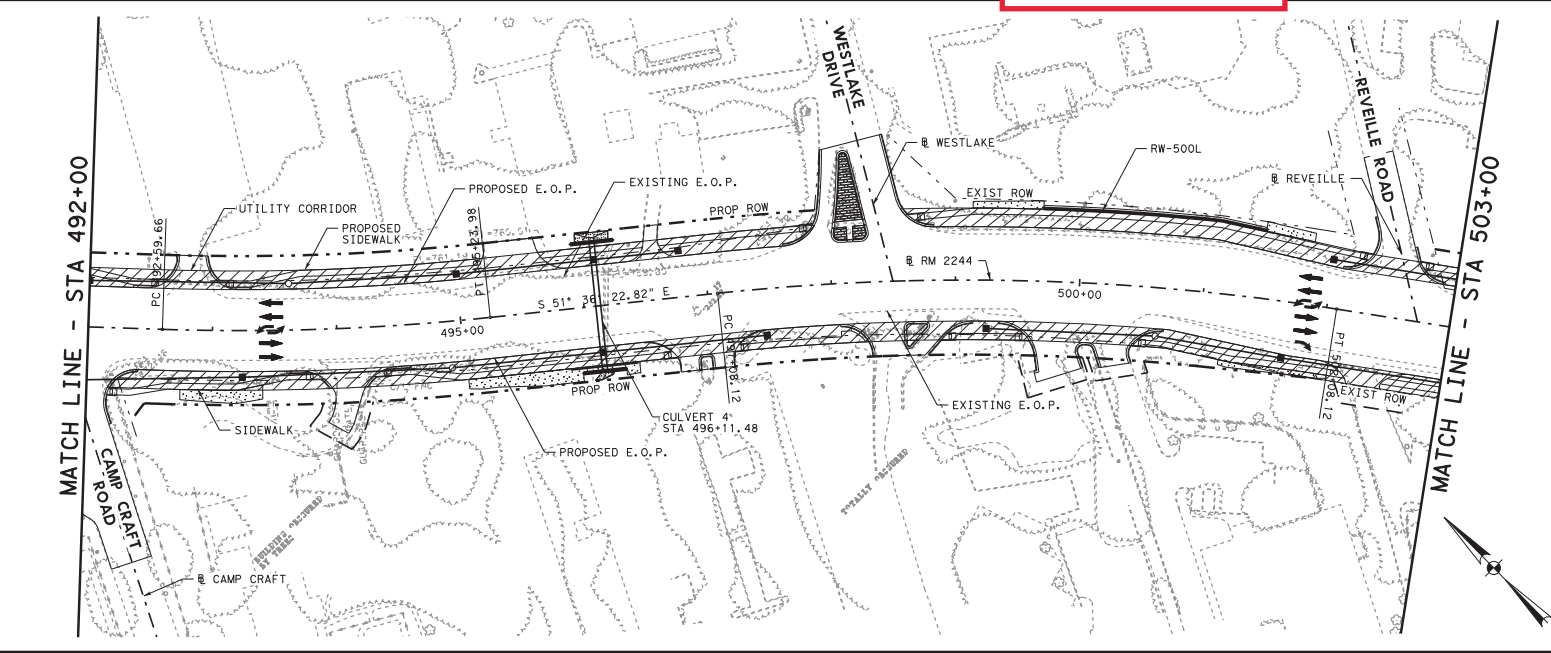
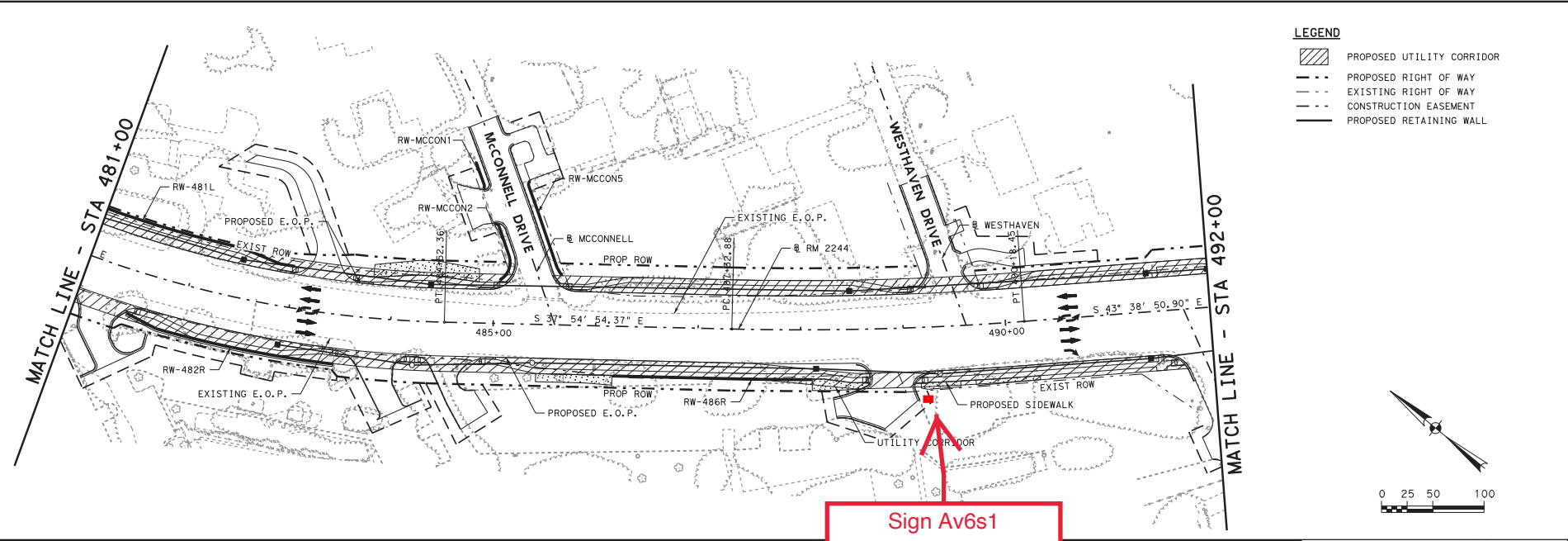
City Council/BOA

Action: _____

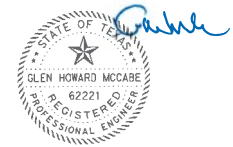
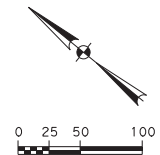
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- LEGEND**
- PROPOSED UTILITY CORRIDOR
 - PROPOSED RIGHT OF WAY
 - EXISTING RIGHT OF WAY
 - CONSTRUCTION EASEMENT
 - PROPOSED RETAINING WALL



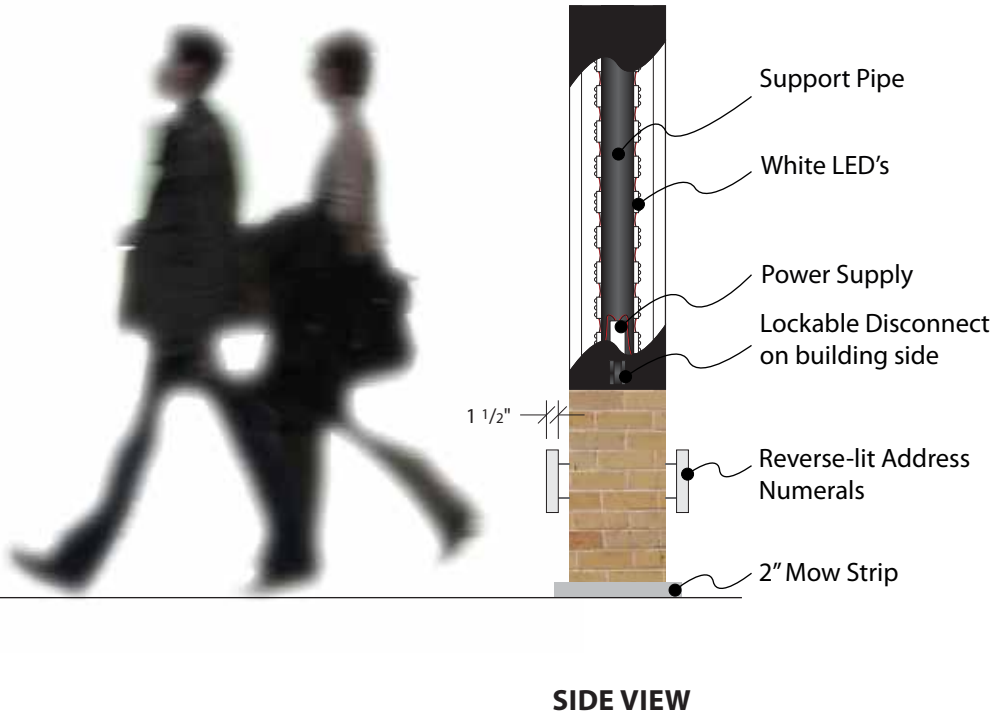
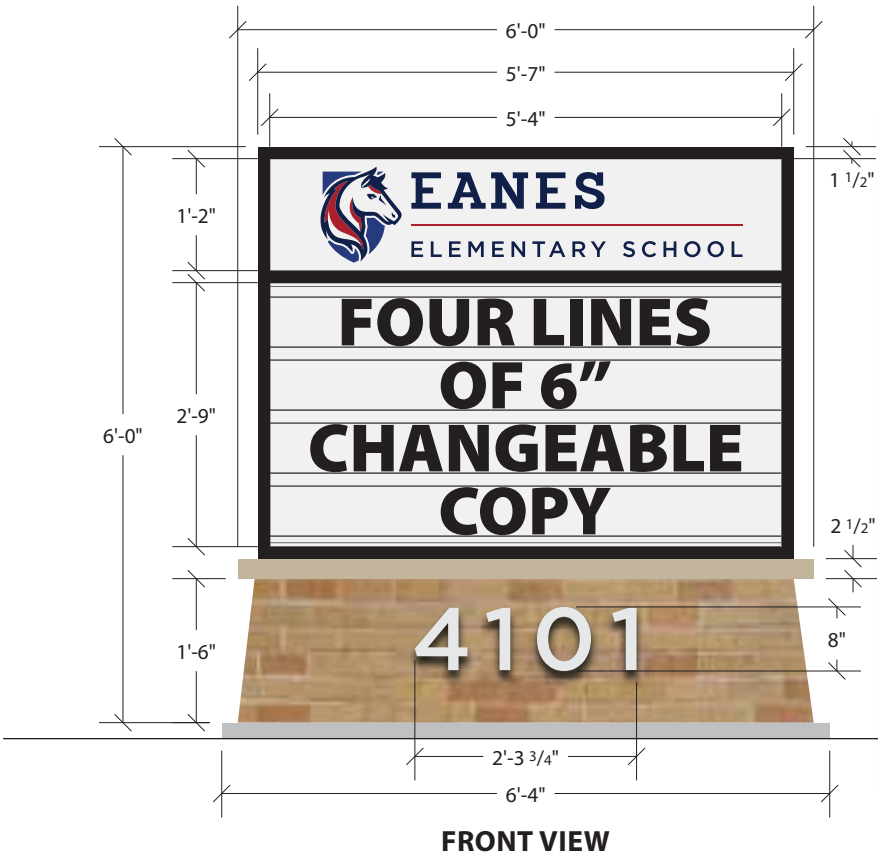
05/20/2015

NO.		DATE		REVISION		APPROV.	
CH2MHILL TBPE FIRM NO. F-2297 Texas Department of Transportation © 2015 TxDOT RM 2244 PROJECT LAYOUT STA 481+00 TO STA 503+00 SHEET 3 OF 5							
FED. RD. DIV. NO.		PROJECT NO.		SHEET NO.			
6		STP 1502(598), etc		5			
STATE		DIST.		COUNTY			
TEXAS		AUS		TRAVIS			
CONT.		SECT.		JOB		HIGHWAY NO.	
2102		01		066, etc		RM 2244	

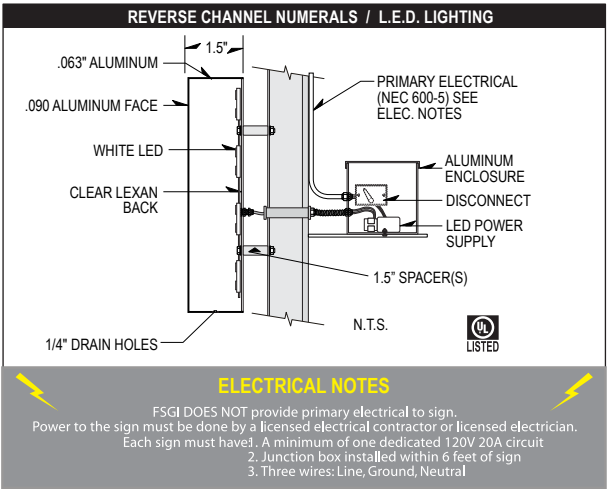
A
.01 Double Sided Monument Sign
Scale: 1/2" = 1'

Fabricate and install ONE(1) Double side monument sign to specifications;

- **Top Cabinet:** Welded Alum. frame w/ .090" alum. skin / 1.5" retainers / finished MP Black / 3/16" White Acrylic faces overlaid with 3M Translucent Vinyls / **White LED illumination;**
- **Marquee Reader Board:** 3/16" White acrylic face with zip tracks for 6" changeable copy tiles, and lock-down cabinet face / **Non-Illuminated;**
- **Address Numerals:** Clear Lexan Backs / .063" alum. returns / .090" alum. faces / depth 1.5" - finished in MP White / 1.5" standoffs / **White LED illumination;**
- Brick base to match brick on school building (TBD) - fabricated alum. cap finished in MP to match mortar color (TBD);
- Fill dirt to be added and compacted to even out the sloped grade at the sign location;
- Landscaping to be added at sign base - 120 s.f. minimum per city code - by others;
- 120V Primary electrical installed within six feet of sign by others;



- Infinity Blue 3630-187
- Cardinal Red 3630-53
- Indigo 3630-77



Eanes Elementary 4101 Bee Cave Rd. West Lake Hills, TX 78746	Start Date: 04/24/2019 Last Revision: 3/29/21 AWA Job#: 92J10246 Dwg. #92J10246Av7s1	Design Rep.: Juan Rivera Sales: Thomas Myers	CLIENT APPROVAL APPROVAL: I have reviewed and approved the sign details on this drawing for fabrication and installation. DATE [IF REQUIRED:] LANDLORD APPROVAL APPROVAL: I have reviewed and approved the sign details on this drawing for fabrication and installation. DATE	MEMBER INTERNATIONAL SIGN ASSOCIATION UL LISTED UL INSTALLATION REQUIREMENTS: THIS SIGN IS INTENDED TO BE INSTALLED IN ACCORDANCE WITH THE REQUIREMENTS OF ARTICLE 600 OF THE NATIONAL ELECTRICAL CODE AND/OR OTHER APPLICABLE LOCAL CODES. THIS INCLUDES PROPER GROUNDING AND BONDING OF THE SIGN	
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SPECIAL POWER OF ATTORNEY FORM

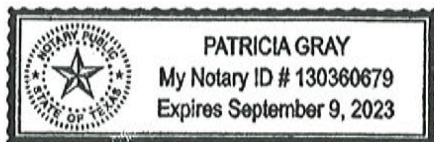
KNOW ALL PERSONS BY THIS DOCUMENT that I, Brian Bolck
have made, constituted and appointed FSG (FACILITY SOLUTIONS GROUP)
to be my duly authorized representative in connection with an application dated 5-13-2021,
to be heard by the Building Design Committee, Zoning & Planning Commission, and City
Council/Board 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.

Brian Bolck
Property Owner/Applicant Name
601 Camp Craft Rd Austin TX 78746
Street Address City State Zip Code

512-732-9040
Property Owner/Applicant Phone Number

This instrument was acknowledged before me on this the 13th day of May, 2021.

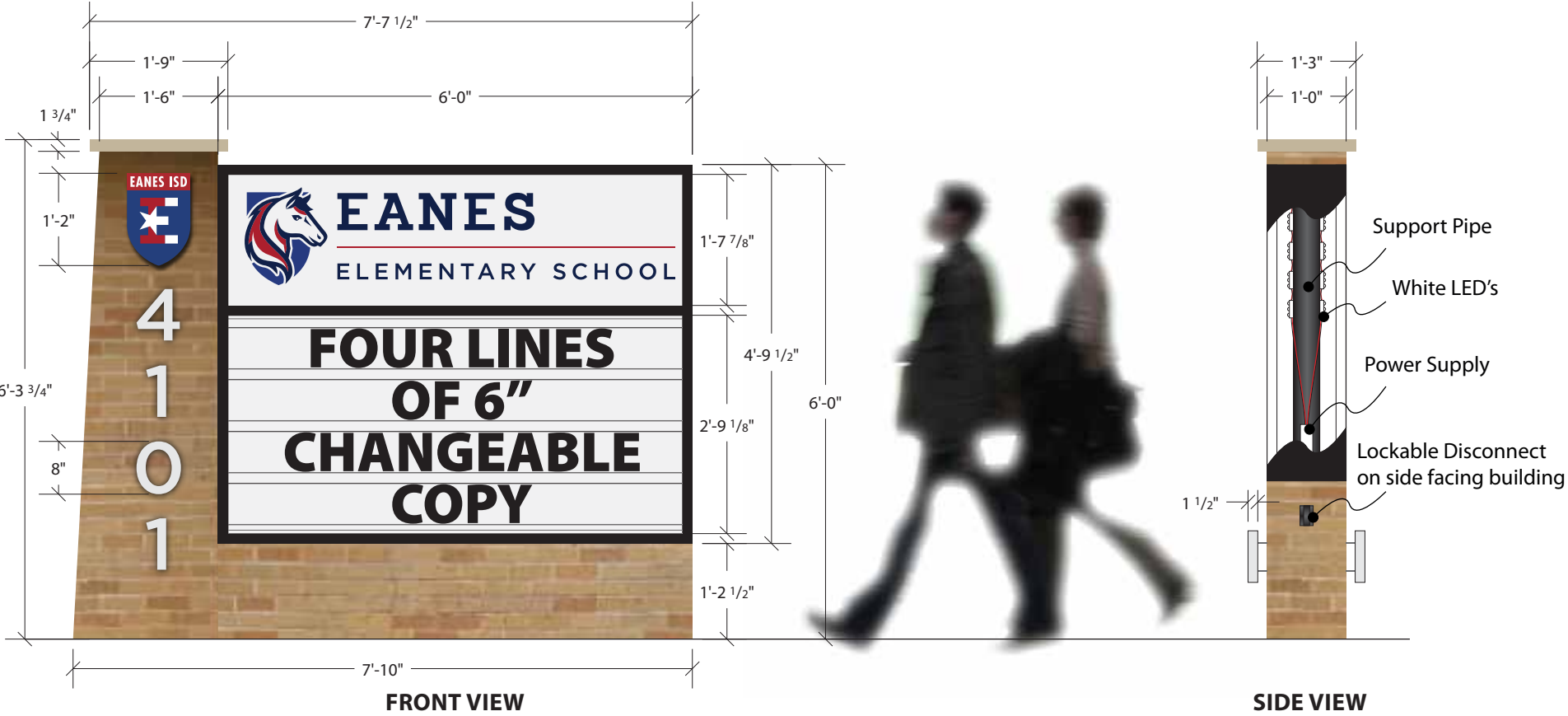
Patricia Gray
Notary Public in and for the State of Texas



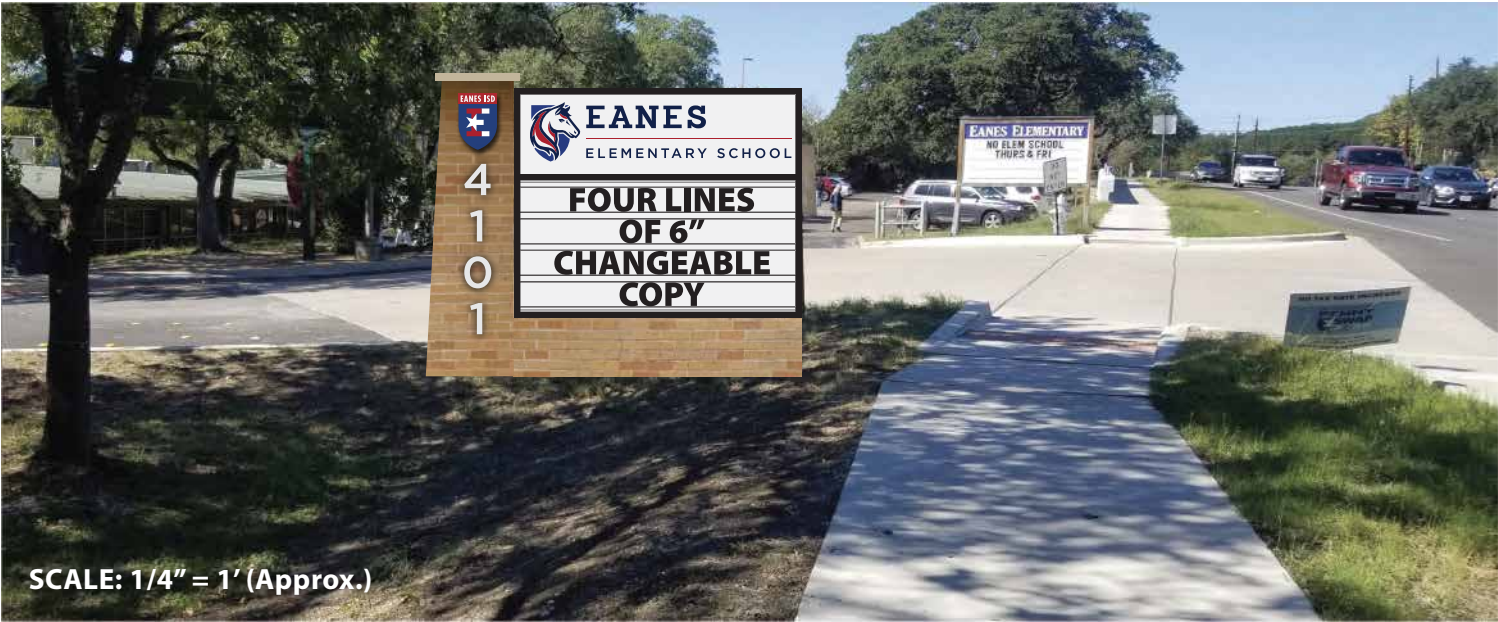
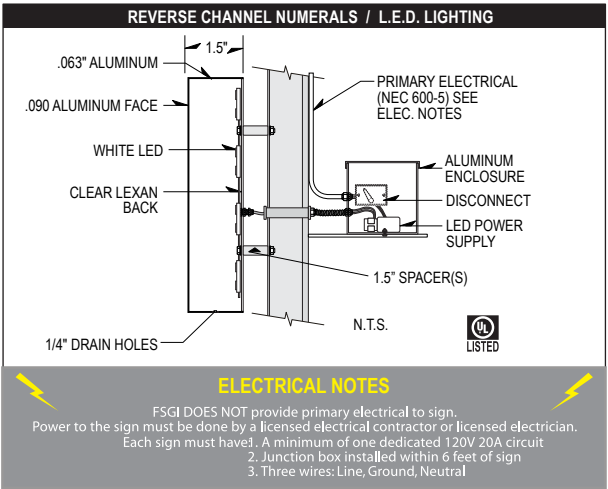
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Scale: 1/2" = 1'

Fabricate and install ONE(1) Double side monument sign to specifications;

- **Top Cabinet:** Welded Alum. frame w/ .090" alum. skin / 1.5" retainers / finished MP Black / 3/16" White Acrylic faces overlaid with 3M Translucent Vinyls / **White LED illumination;**
- **Marquee Reader Board:** 3/16" White acrylic face with zip tracks for 6" changeable copy tiles, and lock-down cabinet face / **Non-Illuminated;**
- **Logo Channel:** .090" alum. faces / .063" alum. returns, 1.5" depth / finished in MP to match artwork and overlaid with White Opaque vinyl / flush mounted with studs / **Non-illuminated;**
- **Address Numerals:** Clear Lexan Backs / .063" alum. returns / .090" alum. faces / depth 1.5" - finished in MP White / 1.5" standoffs / **White LED illumination;**
- Brick pole cover and base to match brick on school building (TBD) - fabricated alum. cap finished in MP to match mortar color (TBD);
- Fill dirt to be added and compacted to even out the sloped grade at the sign location;
- 120V Primary electrical installed within six feet of sign by others;



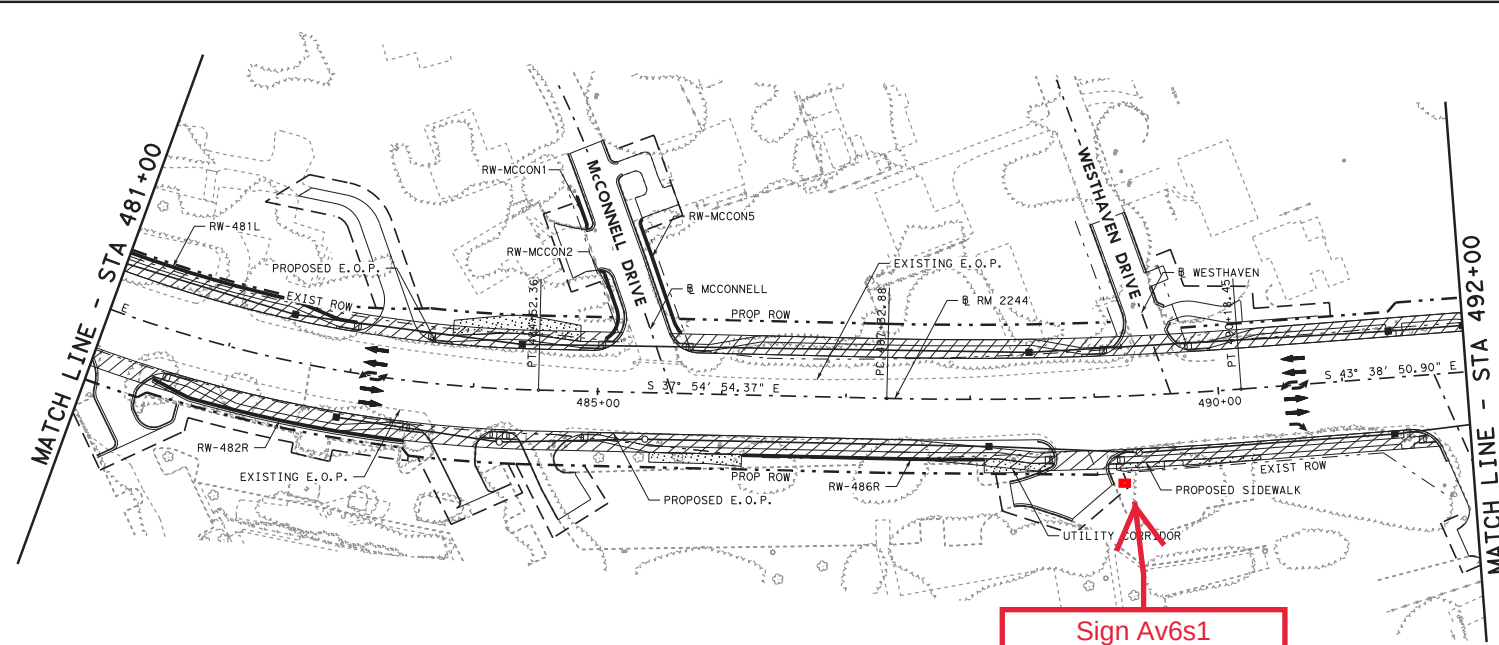
- Infinity Blue 3630-187
- Cardinal Red 3630-53
- Indigo 3630-77



Eanes Elementary 4101 Bee Cave Rd. West Lake Hills, TX 78746	Start Date: 04/24/2019 Last Revision: 12/14/20 AWA Job#: 92J10246 Dwg. #92J10246Av6s1	Design Rep.: Juan Rivera Sales: Thomas Myers	CLIENT APPROVAL APPROVAL: I have reviewed and approved the sign details on this drawing for fabrication and installation. DATE [IF REQUIRED:] LANDLORD APPROVAL APPROVAL: I have reviewed and approved the sign details on this drawing for fabrication and installation. DATE	MEMBER INTERNATIONAL SIGN ASSOCIATION UL LISTED	UL INSTALLATION REQUIREMENTS: THIS SIGN IS INTENDED TO BE INSTALLED IN ACCORDANCE WITH THE REQUIREMENTS OF ARTICLE 600 OF THE NATIONAL ELECTRICAL CODE AND/OR OTHER APPLICABLE LOCAL CODES. THIS INCLUDES PROPER GROUNDING AND BONDING OF THE SIGN	
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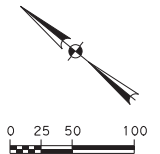
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LEGEND

- PROPOSED UTILITY CORRIDOR
- PROPOSED RIGHT OF WAY
- EXISTING RIGHT OF WAY
- CONSTRUCTION EASEMENT
- PROPOSED RETAINING WALL



05/20/2015

NO.	DATE	REVISION	APPROV.

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RM 2244

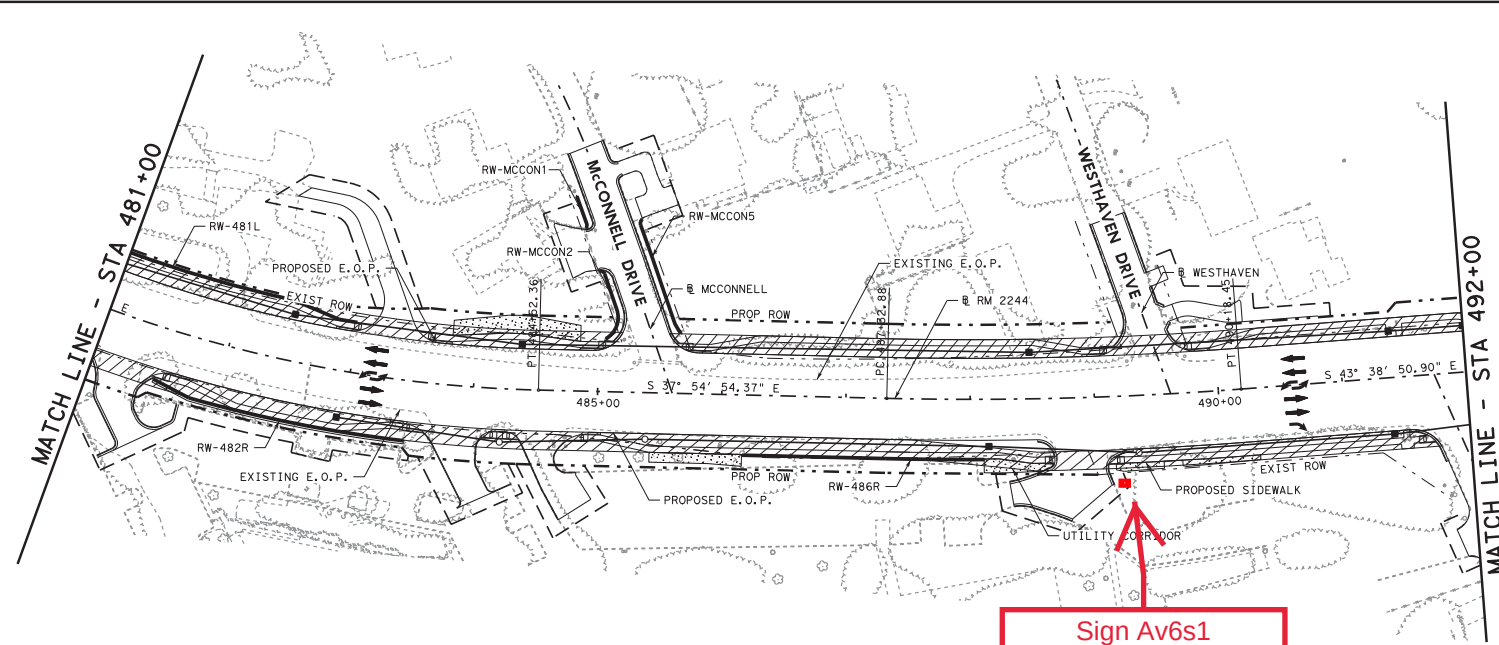
PROJECT LAYOUT
STA 481+00 TO STA 503+00

SHEET 3 OF 5

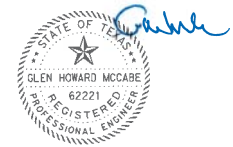
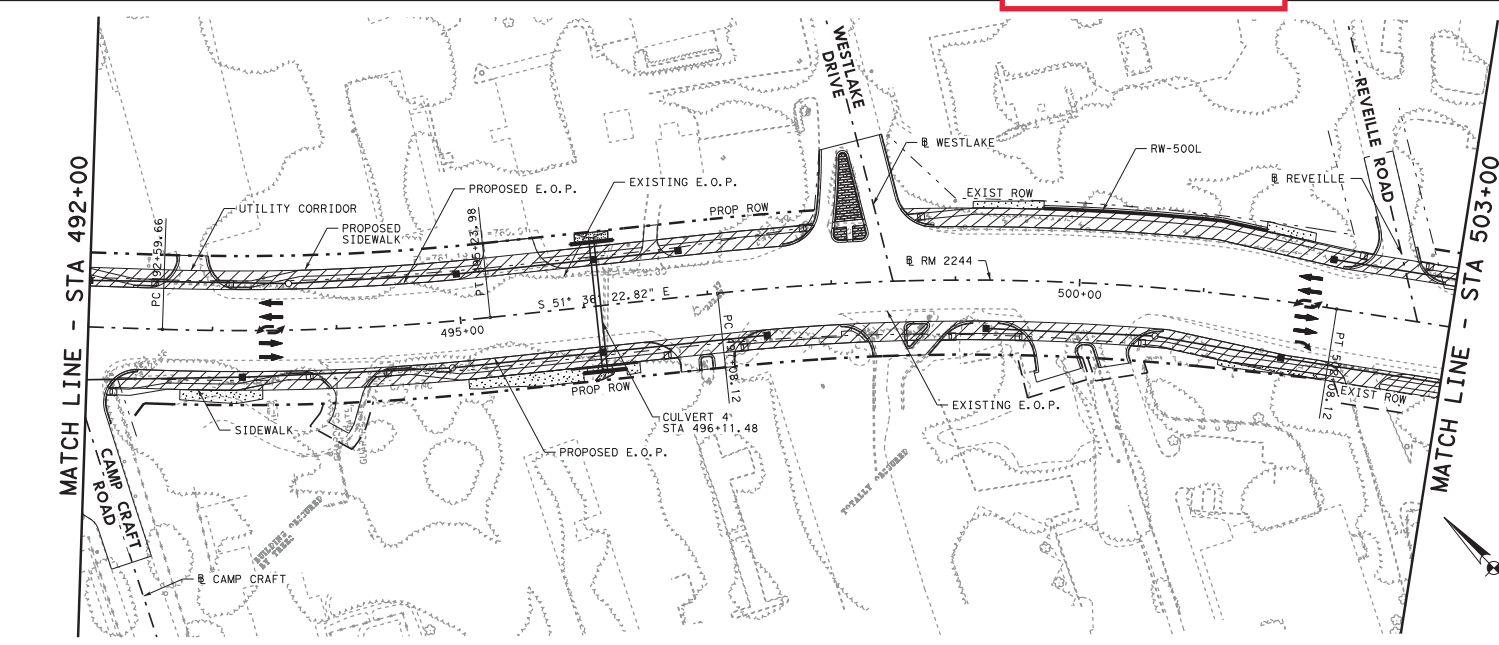
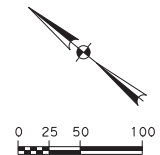
FED. RD. DIV. NO.	PROJECT NO.	SHEET NO.
6	STP 1502(598), etc	5
STATE	DIST.	COUNTY
TEXAS	AUS	TRAVIS
CONT.	SECT.	JOB
2102	01	066, etc
		HIGHWAY NO.
		RM 2244

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Texas Department of Transportation
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PROJECT LAYOUT
 STA 481+00 TO STA 503+00

SHEET 3 OF 5

FED. RD. DIV. NO.	PROJECT NO.	SHEET NO.
6	STP 1502(598), etc	5
STATE	DIST.	COUNTY
TEXAS	AUS	TRAVIS
CONT.	SECT.	JOB
2102	01	066, etc
		HIGHWAY NO.
		RM 2244

Limits of liability extend only to the work detailed, for the quantity of assemblies indicated (1 unless noted otherwise), at the location specified, and by the client listed; use of these plans and/or corresponding structural calculations in violation of either voids all liability.

GENERAL

- ALL MATERIALS AND WORK SHALL CONFORM TO THE REQUIREMENTS OF THE 2018 INTERNATIONAL BUILDING CODE (IBC).
- CONSTRUCTION METHODS AND PROJECT SAFETY: DRAWINGS AND SPECIFICATIONS REPRESENT THE FINISHED STRUCTURE AND DO NOT INDICATE METHODS, PROCEDURES, OR SEQUENCE OF CONSTRUCTION. TAKE NECESSARY PRECAUTIONS TO MAINTAIN AND ENSURE THE INTEGRITY OF THE STRUCTURE DURING CONSTRUCTION. THE EOR WILL NOT ENFORCE SAFETY MEASURES OR REGULATIONS. THE CONTRACTOR SHALL DESIGN, CONSTRUCT, AND MAINTAIN ALL SAFETY DEVICES AND SHALL BE SOLELY RESPONSIBLE FOR CONFORMING TO ALL LOCAL, STATE, AND FEDERAL SAFETY AND HEALTH STANDARDS, LAWS, AND REGULATIONS.
- VERIFY ALL DIMENSIONS, ELEVATIONS AND SITE CONDITIONS PRIOR TO THE START OF CONSTRUCTION AND NOTIFY THE ENGINEER IMMEDIATELY OF ANY DISCREPANCIES OR INCONSISTENCIES THAT ARE FOUND. NOTED DIMENSIONS TAKE PRECEDENCE OVER SCALED DIMENSIONS. DO NOT SCALE DRAWINGS.
- ALL OMISSIONS AND/OR CONFLICTS BETWEEN THE VARIOUS ELEMENTS OF THE WORKING DRAWINGS AND SPECIFICATIONS SHALL BE BROUGHT TO THE ATTENTION OF THE ENGINEER AND FIELD INSPECTOR. THE ENGINEER SHALL PROVIDE A SOLUTION PRIOR TO PROCEEDING WITH ANY WORK AFFECTED BY THE CONFLICT OR OMISSION.
- WHERE NO CONSTRUCTION DETAILS ARE SHOWN OR NOTED FOR ANY PART OF THE WORK, USE THOSE FOR OTHER SIMILAR WORK.
- WHEN A DETAIL IS IDENTIFIED AS TYPICAL, APPLY IN ESTIMATING AND CONSTRUCTION TO EVERY LIKE CONDITION WHETHER OR NOT THE REFERENCE IS REPEATED IN EVERY INSTANCE.
- CHANGES TO THE DRAWINGS: OBTAIN PRIOR WRITTEN APPROVAL.
- WORK PERFORMED IN CONFLICT WITH THE DRAWINGS OR APPLICABLE BUILDING CODE REQUIREMENTS SHALL BE CORRECTED AT THE EXPENSE OF THE CONTRACTOR.

DESIGN CRITERIA

- STRUCTURE IS DESIGNED IN ACCORDANCE WITH ASCE 7-16: MINIMUM DESIGN LOADS FOR BUILDINGS AND OTHER STRUCTURES.
- WIND LOAD:
BASIC WIND SPEED, V_{ULT} = 110 MPH
RISK CATEGORY: II EXPOSURE: C
- SNOW LOAD:
IMPORTANCE FACTOR, I_s = 1.0
SURFACE ROUGHNESS: - EXPOSURE: ---
GROUND 5 PSF

STEEL

- STEEL SHAPES SHALL CONFORM TO THE FOLLOWING (U.N.O.):
RND. HSS ASTM A500, GR B $F_y=42$ KSI MIN.
SQ./RECT. HSS ASTM A500, GR B $F_y=46$ KSI MIN.
THREADED ROD ASTM A36 $F_y=36$ KSI MIN.
STEEL PLATE ASTM A36 $F_y=36$ KSI MIN.
ANGLE & CHANNEL ASTM A36 $F_y=36$ KSI MIN.
STD. PIPE ASTM A53, GR B $F_y=35$ KSI MIN.
STRUCT. PIPE ASTM A500, GR B $F_y=46$ KSI MIN.
- MACHINE BOLTS SPECIFIED AS "A307" SHALL CONFORM TO ASTM A307 w/ NUTS PER ASTM A563A & WASHERS PER ASTM F444 (U.N.O.). THREADED PARTS, NUTS, AND WASHERS SHALL BE HDG OR ZP AS DEFINED HEREIN.
- STRUCTURAL BOLTS SHALL CONFORM TO ASTM F3125 GRADES A325 OR A490 AS SPECIFIED ("A325" OR "A490") w/ NUTS PER ASTM A563DH & WASHERS PER ASTM F436.
A. WHERE DESIGNATED AS "-X", CARE MUST BE TAKEN TO ENSURE THREADS ARE EXCLUDED FROM THE SHEAR PLANE(S).
B. WHERE DESIGNATED AS "-N" OR IF NO DESIGNATION IS NOTED, THREADS MAY BE INCLUDED IN THE SHEAR PLANE(S).
C. WHERE SPECIFIED, "A325" MAY BE HDG OR ZP AS DEFINED HEREIN.
D. GRADE "A490" SHALL NOT BE HDG OR ZP AS DEFINED HEREIN.
- ANCHORS CAST IN CONCRETE SHALL CONFORM TO ASTM F1554 GR. 36 (U.N.O.) w/ NUTS TO ASTM A563 AND WASHERS TO ASTM F436. PARTS SHALL BE HOT-DIP GALVANIZED (HDG) OR ZINC (MECHANICAL) PLATED (ZP). PARTS EMBEDDED ENTIRELY IN CONCRETE MAY BE PLAIN STEEL.
- WHERE SPECIFIED FOR STEEL THREADED PARTS, NUTS, AND WASHERS, HOT-DIP GALVANIZING (HDG) SHALL CONFORM TO ASTM F2329 AND ZINC (MECHANICAL) PLATING (ZP) TO CLASS 55 PER ASTM B695.
- PLAIN STEEL FASTENERS ARE NOT TO BE USED UNLESS SPECIFIED.
- ZINC ELECTRO-PLATED FASTENERS PER ASTM F1941 MAY BE SUBSTITUTED FOR INTERIOR APPLICATIONS, BUT ARE OTHERWISE NOT TO BE USED UNLESS SPECIFIED.
- NUTS AND WASHERS SHALL HAVE THE SAME COATING AS THE CORRESPONDING THREADED PART.
- WHERE SPECIFIED, IRON AND STEEL HARDWARE SHALL BE HOT-DIP GALVANIZED PER ASTM A153.
- STAINLESS STEEL (SS) BOLTS, STUDS, AND THREADED ROD SHALL CONFORM TO ASTM F593 AND BE ALLOY 304 OR 316 w/ NUTS TO ASTM F594. NUTS AND WASHERS SHALL MATCH THE ALLOY OF THE THREADED PART.
- WELDING:
A. WELD STRUCTURAL STEEL IN COMPLIANCE WITH ANSI/AWS D1.1 AND AISC SPECIFICATION, CHAPTER J. WELDERS SHALL BE CERTIFIED AS REQUIRED BY THE LOCAL BUILDING AUTHORITY. WELDING SHALL BE DONE BY ELECTRIC ARC PROCESS USING LOW-HYDROGEN ELECTRODES WITH SPECIFIED TENSILE STRENGTH NOT LESS THAN 70 KSI UNLESS NOTED OTHERWISE.
B. UNLESS A LARGER WELD SIZE IS INDICATED, PROVIDE MINIMUM SIZE WELD PER AISC SPECIFICATION, SECTION J2, TABLE J2.4.

ALUMINUM

- FABRICATE AND ERECT ALUMINUM IN COMPLIANCE WITH THE 2010 ALUMINUM DESIGN MANUAL (ADM1), THE SPECIFICATIONS FOR ALUMINUM SHEET METAL WORK (ASM35), AND CHAPTER 20 OF THE BUILDING CODE.
- ALUMINUM SHAPES SHALL CONFORM TO THE FOLLOWING:
PIPE & TUBE G061-T6 ASTM B429 $F_y=35$ KSI MIN.
STRUCT. PROFILES G061-T6 ASTM B308 $F_y=35$ KSI MIN.
SHEET & PLATE G061-T6 ASTM B209 $F_y=35$ KSI MIN.
STAPLE TUBE G063-T5 ASTM B221 $F_y=16$ KSI MIN.
- ALL SHOP AND FIELD WELDS SHALL BE PERFORMED BY AN AISC QUALITY CERTIFIED FABRICATOR.
- UNLESS A LARGER WELD SIZE IS INDICATED, PROVIDE MINIMUM SIZE

- WELD PER ADM 1.
- FILLER SHALL BE 5556 ALLOY REGARDLESS OF MEMBER THICKNESS. NO OTHER FILLER ALLOY SHALL BE USED UNLESS NOTED OTHERWISE.

CONCRETE & REINFORCEMENT

- MINIMUM 28-DAY COMPRESSIVE STRENGTH (f_c) SHALL BE 2,500 PSI.
- REINFORCEMENT TO BE ASTM A615 GR 60, $F_y=60$ KSI UNO.
- CALCIUM CHLORIDE OR ADDED CHLORIDE IS NOT PERMITTED.
- ALL REINFORCED CONCRETE SHALL BE CONSOLIDATED WITH MECHANICAL VIBRATORS.
- MINIMUM CONCRETE COVER:
CAST AGAINST & EXPOSED TO EARTH 3"
EXPOSED TO EARTH OR WEATHER 2"
- CHAIRS AND SPACERS: AS REQUIRED TO MAINTAIN COVER.
- SIGN MAY BE INSTALLED ON FOUNDATION AFTER A MINIMUM CURING TIME OF (14) DAYS PROVIDED CURING PROCESS IS PROPERLY MAINTAINED PER ACI 318.
- GROUT SHALL BE NON-SHRINK AND NON-METALLIC WITH A MINIMUM COMPRESSIVE STRENGTH OF 5,000 PSI AT (1) DAY. MIX AND PLACE IN ACCORDANCE WITH MANUFACTURER INSTRUCTIONS.

FOUNDATIONS

- DESIGN BEARING PRESSURES ARE PER IBC CLASS 4 PRESUMPTIVE VALUES (NO SPECIAL INSPECTION REQUIRED):
LATERAL BEARING: 150 PSF/FT
VERTICAL BEARING: 2,000 PSF

EXISTING CONDITIONS

- ENGINEER WILL NOT BE PERFORMING ON-SITE INSPECTIONS OR VERIFICATIONS. IT IS THE RESPONSIBILITY OF THE INSTALLER AND OWNER(S) TO IDENTIFY EXISTING CONDITIONS AND CONTACT ENGINEER WITH ANY DISCREPANCIES OR CONCERNS.
- EXISTING INFORMATION HAS BEEN FURNISHED BY THE ENTITY WHOM THIS DOCUMENT WAS PREPARED FOR. ENGINEER IN NO WAY CERTIFIES THIS INFORMATION AS "AS-BUILT".
- FEATURES OF WORK ANNOTATED AS "VERIFY" (OR SIMILAR) MUST BE INSPECTED, VERIFIED AS SUCH, AND DOCUMENTED PRIOR TO FABRICATION AND INSTALLATION.
- IF THERE IS ANY REASON TO BELIEVE THE EXISTING CONDITIONS DETAILED HEREIN ARE NOT ACCURATE, CONTRACTOR SHALL CEASE WORK AND NOTIFY ENGINEER IMMEDIATELY.
- CONTRACTOR SHALL INSPECT AND CONFIRM THE QUALITY OF EXISTING STRUCTURE AS "IN GOOD REPAIR". STRUCTURE SHALL BE FREE OF CORROSION, DECAY, AND ANY OTHER MATERIAL FABRICATION, ASSEMBLY, OR INSTALLATION DEFECT. IF THERE ARE ANY INDICATIONS THAT THIS IS NOT THE CASE, CONTRACTOR SHALL CEASE WORK IMMEDIATELY AND NOTIFY ENGINEER.

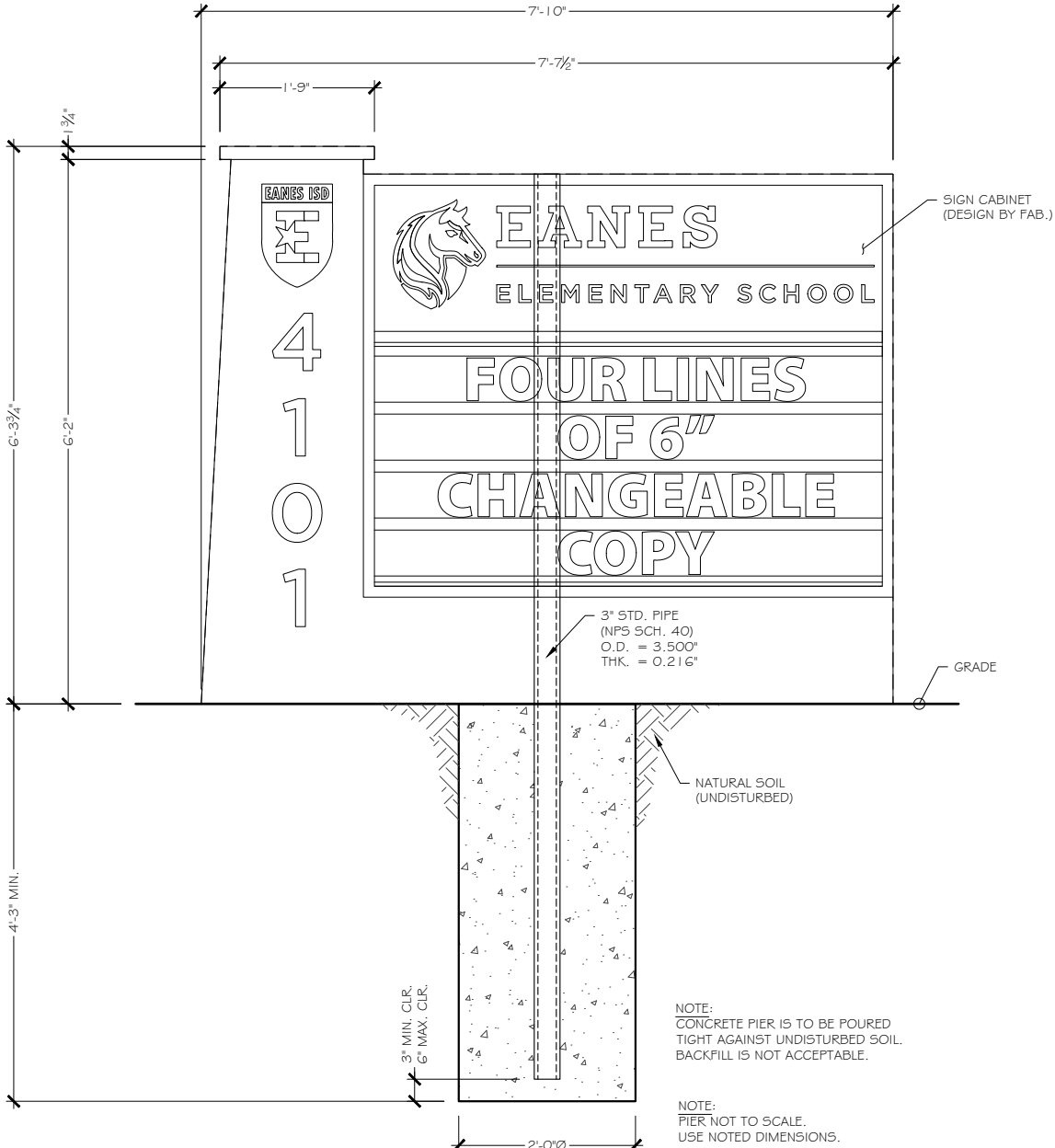
PRODUCT EVALUATION REPORT SCHEDULE

WHERE APPLICABLE, ANCHORS SHALL CONFORM TO AND BE INSTALLED PER THEIR RESPECTIVE EVALUATION REPORT(S) AS FOLLOWS:

ANCHOR TYPE (REPORT NAME)	ICC-ESR #	LARR #
HILTI KBTZ MASONRY ANCHORS	3785	26057
HILTI KB3 MASONRY ANCHORS	1385	25577
HILTI KB3 CONCRETE ANCHORS	2302	25901
HILTI KBTZ ANCHORS IN CONCRETE	1917	25701
HILTI HIT-HY 200 ADHESIVE ANCHORS IN CONCRETE	3187	25964
HILTI HIT-HY 200 ADHESIVE ANCHORS IN MASONRY	3963	26077
TAPCON ANCHORS [IN MASONRY]	1671	----
TAPCON ANCHORS [IN CONCRETE]	2202	----
TAPCON+ SCREW ANCHORS AND SAMMYS THREADED ROD ANCHORS [IN CONCRETE]	3699	----
ITW BUILDEX TEKS SD5	1976	2591
SIMPSON TITEN HD SCREW ANCHORS [MASONRY]	1056	25560
SIMPSON TITEN HD SCREW ANCHORS [CONCRETE]	2713	25741
SIMPSON STRONG-BOLT 2 WEDGE ANCHORS [CONC.]	3037	25705

ABBREVIATIONS

ABV. ABOVE	G.C. GENERAL CONTRACTOR
ADD'L. ADDITIONAL	HDG. HOT DIP GALVANIZED
APF. ABOVE FINISHED FLOOR	HOR. HORIZONTAL
ALT. ALTERNATE	O.C. ON CENTER
ALUM. ALUMINUM	LOC. LOCATION
A.O.R. ARCHITECT OF RECORD	MAX. MAXIMUM
ARCH. ARCHITECTURAL	MIN. MINIMUM
BTM. BOTTOM	(N) NEW
BLK'G. BLOCKING	N.T.E. NOT TO EXCEED
CIRC. CIRCLE/CIRCULAR	O/ OVER
CONC. CONCRETE	O.D. OUTSIDE DIAMETER
CONN. CONNECTION	OPT. OPTIONAL
CONT. CONTINUOUS	PENE. PENETRATION
CTR. CONTRACTOR	REINF. REINFORCEMENT
DIA. DIAMETER	RND. ROUND
DET. DETAIL	SIM. SIMILAR
(E) EXISTING	SS. STAINLESS STEEL
EXIST. EXISTING	STD. STANDARD
EA. EACH	SUPP. SUPPLEMENTAL
E.W. EACH WAY	SQ. SQUARE
ELEV. ELEVATION	T/O TOP OF
EMBED. EMBEDMENT	TYP. TYPICAL
E.O.R. ENGINEER OF RECORD	THK. THICK(NESS)
FAB. FABRICATOR/FABRICATION	U.N.O. UNLESS NOTED OTHERWISE
FDN. FOUNDATION	VERT. VERTICAL
FRM'G. FRAMING	w/ WITH
FTG. FOOTING	w/o WITHOUT
F.V. FIELD VERIFY	ZP ZINC (MECHANICAL) PLATED



1

ELEVATION

RE

REVERENCE

ENGINEERING

www.reverenceengineering.com
(619) 354-1152
600 B STREET, STE 300
SAN DIEGO, CA 92101

PREPARED FOR:

FACILITY SOLUTIONS
GROUP, INC.

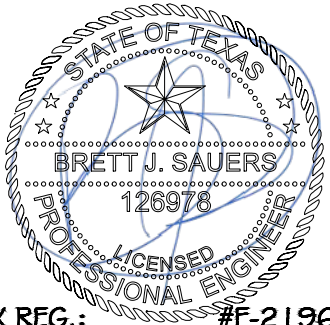
PROJECT #:

2101004

EANES ELEMENTARY
SCHOOL
MONUMENT SIGN

4101 BEE CAVE RD.
WEST LAKE HILLS, TX 78746

No.	Issue/Revision:	Date:
----	Initial Submittal	1-11-2021
1		
2		
3		
4		



TX REG.: #F-21966

SHEET TITLE:

STRUCTURAL

SHEET:

S.1

ORIGINAL SHEET SIZE: 11x17



STRUCTURAL CALCULATIONS

for

Eanes Elementary School Monument Sign

at

4101 Bee Cave Rd.

West Lake Hills, TX 78746

Prepared for:

Facility Solutions Group, Inc.

Package Type:

Initial Submittal

Project #:

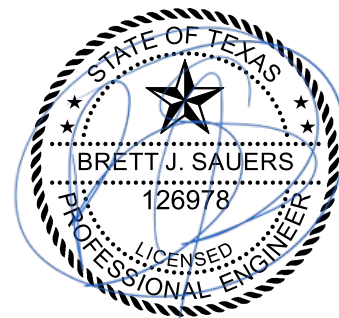
2101004

DESIGN SPECIFICATIONS

- 1 International Building Code (IBC) 2018
- 2 ASCE 7-16: Minimum Design Loads for Buildings and Other Structures
- 3 ACI 318-14: Building Code Requirements for Structural Concrete
- 4 ANSI/AISC 360-16: Specification for Structural Steel Buildings

DESIGN CRITERIA

::Wind:: $V_{ult} = 110$ mph
Exposure: C
::Ground Snow Load:: $p_g = 5$ psf



1-11-2021

TEXAS REGISTRATION #21966

WIND LOADS ON OTHER STRUCTURES AND BUILDING APPURTENANCES PER CHAPTER 29

DESIGN WIND LOADS - SOLID SIGNS (SECTION 29.5)

V = 110 mph	Basic Wind Speed	s/h = 1 -	Cabinet to Overall Height Ratio	Exposure Category: C
h = 6.3125 ft	Average Height	B/s = 1.2409 -	Cabinet Width to Height Ratio	
s = 6.3125 ft	Vertical sign dimension	$z_g = 900$ ft	Terrain Exposure Constant [Table 26.9-1]	
B = 7.8333 ft	Horizontal sign dimension	$\alpha = 9.5 -$	Terrain Exposure Constant [Table 26.9-1]	
$\epsilon = 100\%$ -	Solid to Gross Area Ratio (porosity)	$K_d = 0.85$	Directionality Factor [Table 26.6-1]	
FoS = 0% -	Add'l. FoS applied to p_z	$K_{zt} = 1$	Topographic Factor [26.8.2]	
		G = 0.85 -	Gust Effect Factor [26.9.1]	

IF two poles, spacing: 0 ft

[0 for one pole]

0.2B = 1.5667 ft

Case B Offset (Used for minimum torsion in the case of a single pole)

Distribution Factor: 1 -

(Fraction of sign load that must be attributed to each pole, if more than one is present)

Figure 29.4-1 C_f Cases A & B

s/h	Aspect Ratio B/s											
	0.05	0.1	0.2	0.5	1	2	4	5	10	20	30	45
1.00	1.80	1.70	1.65	1.55	1.45	1.40	1.35	1.35	1.30	1.30	1.30	1.30
0.90	1.85	1.75	1.70	1.60	1.55	1.50	1.45	1.45	1.40	1.40	1.40	1.40
0.70	1.90	1.85	1.75	1.70	1.65	1.60	1.60	1.55	1.55	1.55	1.55	1.55
0.50	1.95	1.85	1.80	1.75	1.75	1.70	1.70	1.70	1.70	1.70	1.70	1.75
0.30	1.95	1.90	1.85	1.80	1.80	1.80	1.80	1.80	1.80	1.85	1.85	1.85
0.20	1.95	1.90	1.85	1.80	1.80	1.80	1.80	1.80	1.85	1.90	1.90	1.95
0.16	1.95	1.90	1.85	1.85	1.80	1.80	1.85	1.85	1.85	1.90	1.90	1.95

INTERPOLATION			
	1	1.2409	2
1	1.45	1.44	1.40
1		1.44	
0.90	1.55	1.54	1.50

 $C_f = 1.438 -$

Force Coefficient [Figure 29.4-1]

SIGN BUILD

FORCE is PER POLE and reflects distribution per Case B to applicable components

#	Δh (ft)	Width (ft)	Cant.	CAB?	h (ft)	z (ft)	K _z	q _z (psf)	p _z (psf)	A _F (sqft)	F _u (kip)	M _u (k-ft)	T _u (k-ft)	M _{u1}	M _{u2}
1	2	7.8333			2.0	1	0.8489	22.351	27.318	15.7	0.4	0.4	0.7		
2	2	7.724			4.0	3	0.8489	22.351	27.318	15.4	0.4	1.3	0.7		
3	2	7.6146			6.0	5	0.8489	22.351	27.318	15.2	0.4	2.1	0.6		
4	0.1667	1.5104	3.5885		6.2	6.0833	0.8489	22.351	27.318	0.3	0.0	0.0	0.0		
5	0.1458	1.75	3.7031		6.3	6.2396	0.8489	22.351	27.318	0.3	0.0	0.0	0.0		
6															
7															
8															
9															
10															
11															
12															
13															
14															
15															
16															
17															
18															
19															
20															
H = 6.3125 ft Overall height check											1.3 kip	3.9 kip-ft	2.0 kip-ft	0.0 kip-ft	0.0 kip-ft

h = Cumulative Height to top of section

z = Centroid of Section Height

K_z = Velocity Pressure Exposure Coefficient

[Table 29.3-1]

q_h = Velocity Pressure (psf)

$$q_z = 0.00256 \cdot K_d \cdot K_z \cdot K_{zt} \cdot V^2$$

[Eqn 27.3-1]

p = Design Wind Pressure (psf)

$$p = q_h \cdot G \cdot C_f$$

[Eqn 29.4-1]

SPLICE (OR SECTION) LOADS

Moments include an additional 10% per 29.4-1 if s/h=1

Splice	h (ft)	Index-	h- (ft)	w+ (ft)	h+ (ft)	p+ (psf)	A _F (sqft)	F _u (kip)	z (ft)	V (kip)	M (k-ft)	T (k-ft)
1												
2												
3												
4												
GRADE										1.280	4.246	2.013

CAST-IN-PLACE PIER DESIGN

Primary

b = 2 ft Footing diameter*
 M_u = 4.25 k-ft Moment at grade V_u = 1.28 k Shear at grade ω = 1.3 Per IBC 1605.3.2
 M_s = 2.5473 k-ft Service M (0.6*M_u) V_s = 0.768 k Service V (0.6*V_u) P = 998.3 lb Lateral Wind Force
 s = 150 psf/ft Lateral Bearing per IBC Table 1806.2
 s' = 400 psf/ft Increased per IBC 1806.1 & 1806.3.4
 ITERATION PER IBC 1807.3.2.1
 h = 3.32 ft S1 = 542.37 psf
 d = 4.0678 ft A = 2.1536 ft

DESIGN RESULTS

MIN. PIER DEPTH: 4 ft and 1 in
 MIN. PIER DIAMETER*: 2 ft and 0 in

Ratio
 2.041666667

*Also refers to diagonal of a square or rectangle

MEMBER SELECTION

STAGE: 1

LRFD DESIGN

Section Type: PipeA53			M _u = 4.25	k-ft	T _u = 2.01	k-ft	φ = 0.9	F _y = 35 ksi						
			V _u = 1.28	kip	L = 6.3125	ft	= 75.75 in	Z _{req} = 1.6173 in ³						
()	LEASTZ SELECT ON	Section Name	Z	φM _n			φV _n			φT _n			Combined	
			(in ³)	(k-ft)	D/C	Check	(kip)	D/C	Check	(k-ft)	D/C	Check	D/C	Check
		3" Std. Pipe	2.19	5.7488	0.7385	OK!	19.562	0.0654	OK!	5.412	0.3719	OK!	0.9298	OK!
(X)	MANUAL SELECT ON	Section Name	Z	φM _n			φV _n			φT _n			Combined	
			(in ³)	(k-ft)	D/C	Check	(kip)	D/C	Check	(k-ft)	D/C	Check	D/C	Check
		3" Std. Pipe	2.19	5.7488	0.7385	OK!	19.562	0.0654	OK!	5.412	0.3719	OK!	0.9298	OK!