



CITY OF WEST LAKE HILLS, TEXAS
NOTICE OF ZONING & PLANNING COMMISSION (ZAPCO) REGULAR MEETING
Wednesday, November 17, 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 Regular Meeting on the 17th day of November 2021 at 6:30 p.m., in the Council Chamber, Municipal Building, 911 Westlake Drive, West Lake Hills, Texas, at which time the following items will be discussed, to-wit:

REMOTE ACCESS:

Due to the COVID-19 status in Travis County, any citizens or applicants that wish to speak at the meeting are encouraged to attend virtually, as the number of people in the chambers will be limited due to physical distancing. Facial Coverings are not required, but highly recommended, and will be available for any that need one.

Join Zoom Meeting: Copy and Paste the link below:

<https://us02web.zoom.us/j/89352415136?pwd=aVhTbVVINHhOQ0xFLZlmajliQ2pHUT09>

Meeting ID: 893 5241 5136

Passcode: 105086

If you wish to listen to the meeting via telephone: Dial (346) 248-7799, Meeting ID 893 5241 5136, Password: 105086.

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.gov by 1:00 P.M. on November 17, 2021.

Members of the public who wish to submit their written comments in lieu of speaking shall submit their comments by emailing pzsec@westlakehills.gov. Comments must be received by 1:00 P.M. on November 17, 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 October 20, 2021 Regular Meeting Minutes.
3. Land Use 900 Forest View: Discussion/recommendation on a variance request to exceed the maximum allowed impervious cover to build a garage (West Lake Hills Code Sec. 22.03.281). Applicant Jorge Camargo.
4. Land Use 1801 Wildcat Hollow: Discussion/recommendation on an application for a variance for a second driveway cut (West Lake Hills Code Sec 22.03.175). Kim Power, Agent for Florian Aigrain.
5. Land Use 902 Terrace Mountain: Discussion/recommendation on a variance request to construct a driveway that encroaches in the front and side driveway setbacks and exceeds the maximum allowed slope. (West Lake Hills Code Sec. 22.03.175). Stephen Breaux, Agent for Matt and Jennifer Vonderahe.
6. Land Use Wildcat Harbor Minor Plat: Discussion/recommendation on an application for a minor subdivision plat at 1501 Wildcat Hollow, 1.1426 acres of land, zoned One-Family Residential. (West Lake Hills Code Chapter 36 - Subdivisions). Davin Fillpot, Agent for Vincent and Heidi Restivo.
7. Adjournment. Chairman Robert Meisel.

Robert Meisel, Chairman
By Ashby Grundman, Building and
Development Services Director

Certificate

I certify that the above Notice of the November 17, 2021 Zoning & Planning Commission Meeting was posted on the bulletin board at the Municipal Building, 911 Westlake Drive, West Lake Hills, Texas by November 12, 2021 at 5:00 pm. and will remain posted continuously until said meeting is convened.

By Ashby Grundman, Building and Development
Services Director

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, October 20, 2021 at 6:30 PM

1. Call to Order. Chairman Robert Meisel.

With a quorum present, Chairman Meisel called the meeting to order at 6:30 p.m. Members in attendance were Chairman Robert Meisel, Commissioners James Vaughan, Karen Bartoletti and Laurie Maccini. Absent was Jim Pledger and Bill Harwell (resigned 10/19/21).

2. Consent Agenda The following items are considered to be self-explanatory by the Commission and will be enacted with one motion. There will be no separate discussion of these item/s unless a Commission Member or citizen so requests.

- a. Approval of the September 15, 2021 Regular Meeting Minutes.

COMMISSIONER VAUGHAN MOVES TO APPROVE. COMMISSIONER BARTOLETTI SECONDS. UNANIMOUS (3-0) APPROVAL.

- b. Board of Adjustment and City Council Results

3. Land Use 402 Camp Craft Road: Discussion/recommendation on an application for a variance request the removal of a two trees with a trunk diameter of greater than 14 inches (West Lake Hills Code Sec. 22.03.304). Robert and Tanja Lee.

Director Grundman: Staff Briefing is given. Staff Recommendation: Approval conditioned with replacements.

Presentation by Applicant

Linda Sullivan is the applicant representative. After re-surveying they needed an additional tree to remove. They worked very hard to not remove any trees. Both trees are pushing on slabs and will be happy to do whatever is required.

Public Hearing

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

Deliberation and Action

Chairman Meisel: We did already approve a previous variance.

**COMMISSIONER BARTOLETTI MOVES TO RECOMMEND APPROVAL.
COMMISSIONER VAUGHAN SECONDS. UNANIMOUS (3-0) APPROVAL.**

Commissioner Vaughan: How were these two trees not realized the first time?

Director Grundman: They may not have surveyed back there. I can't speak to the history there.

Linda: I was told by the architect the 14.5 tree and the 17 tree was an error on their part. They re-surveyed and made a mistake on that.

Commissioner Maccini: I recommend a variety of native trees for replacement.

Linda: That will be done.

4. Land Use 313 Oak Ridge Drive: Discussion/recommendation on an application for variances to exceed the maximum allowed impervious cover and to encroach in the rear and side setbacks for a deck extension (West Lake Hills Code Sec. 22.03.281). Todd and Kati Ohlmeyer.

Director Grundman: Staff Briefing given. **Staff Recommendation:** Approval based on the applicant's minimization effort.

Chairman Meisel: The supplemental material showed artificial turf?

Director Grundman: Our engineer has reviewed it and would count as 50% impervious due to drainage.

Presentation by Applicant

Todd and Kati are present. We bought this property in 2018. We hired a company to help. We are seeking guidance to bring this into compliance as possible. Thank you.

Davin Fillpot. I helped them do the impervious cover analysis as part of the landscape. I'm here if anybody has any questions and anything I can do for clarification.

Public Hearing

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

Deliberation and Action

Commissioner Vaughan: I think in the submittal it mentioned the lot is .5 acres and you thought you were .49 acres?

Director Grundman: If it is under half an acre and on sewer, there is a formula to give a better impervious cover total. Setbacks are effected.

Chairman Meisel: What is your professional opinion on this turf?

Davin Fillpot: It was provided by the applicant. It is an engineered system like Westlake High School. It's designed to drain through the turf surface and into the ground. There is a subgrade prep that has to be done in order to operate properly. If permitted along that will be prepping the underneath surface. When installed properly it works. It is designed to go into the ground.

Commissioner Maccini: The trees, 868 sq. ft., if you have to prepare the ground, what is that going to do to the trees? How does a tree react?

Davin Fillpot: If the subgrade is done properly, you are allowed to go into a root zone within the acceptable range of a tree. You're not getting down to the where the roots are. It will drain just like grass would.

Commissioner Maccini: It will drain perfectly and the tree won't be at risk?

Davin Fillpot: I can't speak professionally to that exact question.

Commissioner Vaughan: The sub-grade will be inspected before the turf is done?

Director Grundman: Yes, the City would inspect to make sure it was done correctly for drainage. There will be an inspection process done.

Chairman Meisel: I'm familiar with this property. As a matter of policy we have been liberal in allowing non-conforming structures to continue their use. We need to see they have made a good case for an adjustment here. My personal opinion is they have shown a lot of effort. Can we move forward here?

Commissioner Maccini: I understand the neighbors are fine. I do wish since it is non-conforming that they stick to that percentage. I don't see a hardship to increase the non-conforming percentage.

Chairman Meisel: The outside force is the increased tree covering has created a mud pit. The turf is what is increasing the impervious cover due to losing their natural lawn.

Commissioner Maccini: I'm just looking at the deck. I'm fine with the setbacks on the pool.

Todd: From a hardship standpoint, it's hard to get in and out of the house without going through a mud area. We can't grow or put anything there that will survive. This seems to be the best option.

Commissioner Vaughan: If removing the turf, how close would you be to the limit?

Director Grundman: It would be close to the existing.

Commissioner Vaughan: We will be inspecting to make sure it works as intended? We will end up being where it is right now. I'm on the side of approving this variance.

COMMISSIONER BARTOLETTI MOVES TO RECOMMEND APPROVAL. COMMISSIONER VAUGHAN SECONDS. APPROVED (2-1). COMMISSIONER MACCINI ABSTAINS.

5. Land Use 703 Loma Linda: Discussion/recommendation on an application for variances requesting the removal of two trees with trunk diameters of 14 inches or greater (West Lake Hills Code Sec. 22.03.304). Steven Johnson.

Director Grundman: Staff Briefing given. **Staff Recommendation:** Approval with required tree replacement.

Commissioner Maccini: Is this a remodel or an existing home?

Director Grundman: The owner will know more.

Presentation by Applicant

Steven Johnson is the property owner. We have two trees that are against the foundation. We have a foundation company that gave us readings. The integrity of the home and foundation are being effected. We started as a remodel but we're leaning toward a new construction. We have over 300 trees on our property.

Public Hearing

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

Deliberation and Action

Commissioner Bartoletti: That explanation and photos are sufficient.

COMMISSIONER BARTOLETTI MOVES TO RECOMMEND APPROVAL WITH THE REPLACEMENT REQUIREMENTS.

MOTION DIES WITH NO SECONDS.

Commissioner Vaughan: I remember in my first or second meeting, they wanted to do a remodel, I'm worried about, and this is a question for Ashby, we're seeing a sequence of protecting an old house for tenants but it looks like we're building a new home. In terms of procedure, do we have to assume that with the foundation as is if kept, it's a hardship. The applicant just stated they are building a new house. How do I consider this?

Chairman Meisel: The applicant has made this application as a potential remodel. If they scrape this off they're going to use this space anyhow. Beyond that he needs this variance now to protect this structure. We can't peer to determine what might happen in the future.

Commissioner Maccini: My concern is we've talked about this before. We don't do proactive tree removal in anticipation for future structures. These are 2 huge trees that are going to be cut down. That lot is a huge lot. Our hands are tied on that one.

Chairman Meisel: We cannot control the future. We need to look at it as presented.

Commissioner Maccini: If a new build, I would urge the applicant a new design of the house. Build a house amongst the trees.

**COMMISSIONER BARTOLETTI MOVES TO RECOMMEND APPROVAL.
COMMISSIONER VAUGHAN SECONDS. UNANIMOUS (3-0) APPROVAL.**

6. Land Use **Wildcat Club Subdivision** - 0 Wildcat Hollow - A proposed Final Plat of a subdivision to be known as Wildcat Club Subdivision, consisting of six (6) single-family residential lots and two (2) open space lots, described as Abstract 75 503 Bonham AD, 12.306 acres (West Lake Hills Code, Chapter 36 – Subdivisions). Applicant Wes Wigginton.

Director Grundman: Staff Briefing given. Staff Recommendation: Approval. They did add plat notes clarifying open space lots. 21 outlines the open space, lots 4 and 7 cannot be developed.

Chairman Meisel: As to the maintenance of the road, does the City have the power there?

Director Grundman: The City would have recourse.

Commissioner Vaughan: The plat notes were a major issue. Council has already approved the preliminary.

Commissioner Bartoletti: Is what we get in our packet basically the final plat application or excerpts? It is my impression the final that it had the plat notes that it

Chairman

Wes: We can work together on that language.

COMMISSIONER BARTOLETTI MOVES TO RECOMMEND APPROVAL OF THE FINAL PLAT SUBJECT TO (1) DECLARATIONS BE MODIFIED TO BE CONSISTANT WITH THE MASTER PLAN AND CODE WITH LANDSCAPING AND FENCING; (2) CLEARLY SET OUT THE DEVELOPMENT/HOA OBLIGATION WITH RESPECT TO MAINTENANCE OF PRIVATE ROADS, FROM TERRACE MOUNTAIN DRIVE TO THE SUBDIVISION; (3) TO CLEARLY SET OUT THE DEVELOPMENT/HOA OBLIGATION TO MAINTAIN THE OPEN SPACE LOTS; AND (4) MAKE THE CITY THE BENEFICIARY OF THE MAINTENANCE/REPAIR OBLIGATION WITH THE PRIVATE ROAD. COMMISSIONER MACCINI SECONDS. UNANIMOUS (3-0) APPROVAL.

7. Adjournment. Chairman Robert Meisel.

Motion to adjourn the meeting made at 7:56 p.m. by Chairman Meisel.

Respectfully submitted,

ROBERT MEISEL, CHAIRMAN

ATTEST:

ZAPCO Secretary Mark Litrell

These minutes were approved on _____, 2020.



**IMPERVIOUS COVER VARIANCE
STAFF REPORT**

NOVEMBER 17, 2021

Project Address: 900 Forest View Drive

Project Number: 2021-1012

Agenda Item: Land Use: 900 Forest View Drive: Discussion/recommendation on an application for a variance to exceed the maximum allowed impervious cover to build a garage (West Lake Hills Code Sec. 22.03.281). Applicant Jorge Camargo.

Applicant Information: Jorge Camargo

Hearing Dates:

November 17, 2021

ZAPCO

December 8, 2021

Board of Adjustment

Location: The subject property is located along the north side of Forest View Drive, at the eastern boundary of the city limits.

Zoning & Site Characteristics:

The subject property is zoned R1 Family Residential.

The site is surrounded by a duplex to the south, single-family residential to the east and west and the Ullrich Water Treatment Plant to the north.

Background & Analysis:

Currently there is a single-family residential house on the property with a large driveway and a swimming pool. The owner would like to build a two-car garage within the buildable area but is already over the maximum allowed impervious cover.

The lot is 30,492 square feet, which equals 0.70 acres, which by code allows for a maximum of 25% impervious cover, equaling 7,623 square feet. Currently, there is 11,647 square feet of impervious cover, which equals 38.19 percent impervious cover. The proposal includes removing some impervious cover, and reducing the total impervious cover by 165 square feet or 0.5 percent.

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.



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:

Links to Relevant Code:

- [Sec. 22.03.175 Off-street parking and parking pad requirements in residential areas](#)
- [Sec. 22.03.514 Criteria and process required for granting variance](#)



VARIANCE APPLICATION

STAFF NOTES

For Completion by Staff Only

Date public notification letters mailed: _____

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City Council/BOA

Action: _____

Notes:
