



CITY OF WEST LAKE HILLS, TEXAS
NOTICE OF CITY COUNCIL REGULAR MEETING
Wednesday, March 23, 2022 at 7:00 PM

Notice is hereby given that the City Council of the City of West Lake Hills, Texas, will hold a Regular Meeting on the 23rd day of March 2022 at 7:00 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:

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/82198014087?pwd=Nkp2cG9zY0tVd1dxYk5iUjJ0ZVc0dz09>

Meeting ID: 821 9801 4087

Passcode: 732461

If you wish to listen to the meeting via telephone: Dial (346) 248-7799, Meeting ID 821 9801 4087, Password: 732461.

If you wish to speak during the meeting, please provide your name, phone number and the item number you wish to speak on to citysec@westlakehills.gov by 1:00 P.M. on March 23, 2022.

Members of the public who wish to submit their written comments in lieu of speaking shall submit their comments by emailing citysec@westlakehills.gov. Comments must be received by 1:00 P.M. on March 23, 2022.

1. Call to Order
2. Ceremonial Swearing in of new Police Officer, Erika DeVaux
3. Ceremonial Recognition of the Promotion of Officers Robert Allensworth, Jared Mathis and Aaron Ozuna to the Rank of Corporal

4. Citizen Communications The City Council Welcomes Public Comments at this Point on any Issue. If the Issue is Listed on the Agenda, the Speaker May Choose to Comment During the Public Comment Period or When the Specific Agenda item is Taken Up by the Council Later in the Meeting. The Council Cannot Respond to Matters Not Listed on the Agenda Until a Future Meeting. Speakers Shall Limit Their Comments to Five (5) Minutes Each
5. Consent Agenda All Consent Agenda Items Listed are Considered to be Routine by the City Council and Will be Enacted by One (1) Motion. No Separate Discussion or Action on any of the Items is Necessary Unless Desired by a Council Member or Citizen
 - a. Approval of the March 9, 2022 Regular Meeting Minutes
6. Land Use **300 Westlake Drive:** Discuss/decision on an application for a variance to remove one tree with a trunk diameter of fourteen inches or greater (West Lake Hills Code Section 22.03.304). Applicant Nicolas Bustamonte.
7. Ordinance Discuss and consider action for Approval of an Ordinance of the City of West Lake Hills, Texas, amending Appendix A, Article A9.00, Building and Development Fees and Section 22.03.302, Preservation of Existing Landscape Vegetation and Natural Features, of the Code of Ordinances by amending the fee schedule; and providing for the following: findings of fact; enactment; repealer; severability; penalty; codification; effective date; and proper notice & meeting
8. Executive Session Executive Session An Executive Session may be held in accordance with the contained in Texas Government Code, section 551.071 for:
 - a. Deliberate the purchase, exchange, lease, or value of real property for new City Hall building. (Texas Government Code Section 551.072).
 - b. Consultation with City Attorney Regarding Pending Litigation on the Denial of the Moore Estates Subdivision Application: Project 16329 located at 803 Westlake Drive. (Texas Government Code Section 551.071)
 - c. Discuss pending litigation in Cause No. D-1-GN-21-007357; *Alvarez v. City of West Lake Hills Board of Adjustment*, 200th District Court, Travis County, Texas – 1505 Wildcat Hollow
 - d. Consultation with City Attorney regarding pending litigation in Cause No D-1-GN-22-000843; *Taylor v. City of West Lake Hills Board of Adjustment*, 261st District Court, Travis County, Texas - 1109 Yaupon Valley Road
9. Administration Take Any Necessary or Appropriate Action on Matters Posted for Consideration in Closed/Executive Session.

10. Adjournment

Approved by: Linda Anthony, Mayor

Certificate

I certify that the above Notice of the March 23, 2022 City Council Regular Meeting was posted on the bulletin board at the Municipal Building, 911 Westlake Drive, West Lake Hills, Texas on Friday, March 18, 2022 by 5:00 p.m. and will remain posted continuously until said meeting is convened.

Signed by: Stephanie Mills, City Secretary

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

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

CITY OF WEST LAKE HILLS, TEXAS
MINUTES OF A CITY COUNCIL REGULAR MEETING
Wednesday, March 9, 2022 at 7:00 PM

1. Call to Order

With a quorum present, Mayor Anthony called the meeting to order at 8:01 p.m. Members in attendance were Mayor Linda Anthony, Mayor Pro Tem Walker, Councilmembers Rhonda McCollough, Brian Plunkett, and Beth South. Councilmember Gordon Bowman was absent

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

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

3. Consent Agenda All Consent Agenda Items Listed are Considered to be Routine by the City Council and Will be Enacted by One (1) Motion. No Separate Discussion or Action on any of the Items is Necessary Unless Desired by a Council Member or Citizen
- a. Approval of the February 23, 2021 Regular Meeting Minutes
 - b. Public Safety Participate in both the TEVA and ENDO Opioid Settlements
 - c. **4010 Bee Cave Road:** Approval of a Sign Permit Application to install a new face on a current free standing sign, Faith Bible Church (West Lake Hills Code Chapter 32). Applicant: Karole Fedrick, Faith Bible Church.

A Motion for Approval of the Consent Agenda was made by Mayor Pro Tem Walker with a Second by Councilmember McCollough.

The Motion for Approval carried by a vote of 4 ayes to 0 nays, with Councilmember Bowman absent.

4. Land Use **107 Reveille Road:** Discuss and Consider Action on an application for variances to remove two trees with trunk diameters of greater than 14 inches and encroach a side driveway setback (West Lake Hills Code Section 22.03.175 and 22.03.304). Applicant William Rodriguez.

DUAL ACTION ITEM

A Motion for Approval was made by Mayor Pro Tem Walker with a Second by Councilmember South.

The Motion for Approval carried by a vote of 4 ayes to 0 nays, with Councilmember Bowman absent.

5. Land Use 112 Bluff Park Circle: Discuss and Consider Action on an After-the-Fact variance request for a fence with the finished side on the interior. (West Lake Hills Code Sec. 22.03.173). Applicant David Hebert.

Anne Marie McComb spoke on behalf of the applicant, Citizen Nancy Dickelman spoke on this item.

A Motion for Denial was made by Mayor Pro Tem Walker with a Second by Councilmember South.

The Motion for Denial carried by a vote of 4 ayes to 0 nays, with Councilmember Bowman absent.

6. Executive Session Executive Session An Executive Session may be held in accordance with the contained in Texas Government Code, section 551.071 for:
- a. Consultation with City Attorney under Section 551.071 of the Government Code regarding pending litigation in Cause No. D-1- GN-21-007357; Alvarez v. City of West Lake Hills Board of Adjustment, 200th District Court, Travis County, Texas – 1505 Wildcat Hollow
 - b. Consultation with City Attorney under Section 551.071 of the Government Code regarding pending litigation in Cause No D-1- GN-22-000843; Taylor v. City of West Lake Hills Board of Adjustment, 261st District Court, Travis County, Texas - 1109 Yaupon Valley Road
 - c. Deliberate the purchase, exchange, lease, or value of real property for new City Hall building. (Texas Government Code Section 551.072).

Council went into Executive Session at 8:22 p.m. and reconvened in Open Session at 8:46 p.m.

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

No action was taken on this item

8. Adjournment

A Motion to adjourn the meeting was made at 8:47 p.m. by Mayor Pro Tem Walker with a Second by Councilmember South.

The Motion for Adjournment carried by a vote of 4 ayes to 0 nays, with Councilmember Bowman absent.

Respectfully submitted,

LINDA ANTHONY, MAYOR

ATTEST:

Stephanie Mills, City Secretary

These minutes were approved on _____, 2022.



CITY OF WEST LAKE HILLS, TEXAS
NOTICE OF ZONING & PLANNING COMMISSION (ZAPCO) REGULAR MEETING
Wednesday, March 16, 2022 at 6:30 PM

1. Call to Order. Chairman Robert Meisel.

Chairman Meisel calls the meeting to Order at 6:30 p.m.

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 February 16, 2021 Regular Meeting Minutes.

Commissioner Bartoletti moves to approve the minutes. Commissioner Vaughan seconds. Unanimous (4-0) approval.

3. Land Use: 300 Westlake Drive: Discuss/decision on an application for a variance to remove one tree with a trunk diameter of fourteen inches or greater (West Lake Hills Code Section 22.03.304). Applicant Nicolas Bustamonte.

Staff Briefing

Director Grundman: Staff Briefing is given. Staff Recommendation: Approved with appropriate mitigation.

Presentation by Applicant

Kyle McCollum is with Sitespecifics and will be speaking for the applicant. The tree requested to be removed is a 17.5" Live Oak (multi-trunk) that has a common root ball. Redesigning the house would require more trees to be removed.

Public Hearing

All Persons Wishing to Speak for or Against Shall be Heard. Being none, the Public Hearing is closed.

Deliberation and Action

Commissioner Maccini: The problem I have with this application is it's a big lot with a large home. It doesn't fit the hardship. This is design driven. The design is not a hardship.

Commissioner Vaughan: Is this a single story home? I'm having a hard time disagreeing with Commissioner Maccini. It is design driven.

COMMISSIONER MACCINI MOVES TO RECOMMEND DENIAL DUE TO LACK OF HARDSHIP. COMMISSIONER VAUGHAN SECONDS. (3-1) DENIAL. COMMISSIONER BARTOLETTI ABSTAINS.

4. Land Use: **200 Redbud Trail**: Discuss and consider action on an application to allow cut and fill for a driveway slope. (West Lake Hills Code 22.03.170(f)). Applicant Mezz Management Company, LLC.

Staff Briefing

Director Grundman gives the Staff Briefing. Staff Recommendation: Approval due to the topography and needing a safe access to the site.

Commissioner Maccini: There are no other variances being asked for?

Director Grundman: No, just the driveway.

Presentation by Applicant

Jonathan Kaplan is with Urban Building and is representing the application. The current drive is beyond the slope allowed. We want to match the length without cutting too far down the lot. We are doing the same design as the adjoining property. The current driveway is hazardous. No trees will be affected. We have no issue with doing engineered drainage.

Public Hearing

All Persons Wishing to Speak for or Against Shall be Heard. Being none, the Public Hearing is closed.

Deliberation and Action

Vice-Chairman Pledger: On Page 45, the house is at 39.2' from the property line?

Director Grundman: That is the existing house.

Chairman Meisel: That is a tire track driveway? My concern is for emergency access.

Jonathan: The width is 14'.

COMMISSIONER VAUGHAN MOVES TO RECOMMEND APPROVAL. COMMISSIONER BARTOLETTI SECONDS. UNANIMOUS (4-0) APPROVAL.

5. Land Use: **309 Laurel Valley Road**: Discussion/recommendation on an application for a variance request to exceed the maximum allowed cut and fill and retaining wall in the front setback, construct on slopes greater than the maximum allowed and a front driveway setback encroachment (West Lake Hills Code Section 22.03.175, 22.03.170 and Drainage Criteria Manual Section 7.4.1). Applicant Graham Schmergel.

Staff Briefing

Director Grundman gives the Staff Briefing. The lot slope is 739' to 706' at the house. Staff Recommendation: Approval based on topography.

Vice-Chairman Pledger: Is there an option for the drive be on Yaupon Valley? It looks less steep.

Commissioner Bartoletti: There is retention and septic down there on the Laurel Valley side.

Presentation by Applicant

Graham Schmergel is the property owner. We've been at this for a very long time. We looked at Laurel Valley but it would affect septic and the setbacks. Running the driveway from the top was better. This lot is a steep slope and we hope for your support.

Public Hearing

All Persons Wishing to Speak for or Against Shall be Heard. Being none, the Public Hearing is closed.

Deliberation and Action

Vice-Chairman Pledger: There are many steep driveways on Laurel Valley.

Commissioner Maccini: I appreciate the work done on this application.

VICE-CHAIRMAN PLEDGER MOVES TO RECOMMEND APPROVAL. COMMISSIONER BARTOLETTI SECONDS. UNANIMOUS (4-0) APPROVAL.

6. Adjournment

Chairman Meisel adjourns the meeting at 6:54 p.m.



**TREE REMOVAL
STAFF REPORT**

MARCH 23, 2022

Project Address: 300 Westlake Drive

Project Number: 2022-1024

Agenda Item: Land Use: **300 Westlake Drive:** Discussion/recommendation on an application for a variance request to remove one tree with a trunk diameter of 14 inches or greater (West Lake Hills Code Section 22.03.279 and 22.03.304). Applicant Nicolas Bustamonte.

Applicant Information: Nicolas Bustamonte

Hearing Dates:

March 16, 2022,

ZAPCO

March 23, 2022,

City Council

Location: The subject property is located along the west side of Westlake Drive, north of Bee Cave Road and south of West Spring Drive.

Zoning & Site Characteristics:

The subject property is zoned R1 Family Residential.

The site is surrounded by a single-family residential property on all sides.

Background & Analysis:

Currently there is a single-family residential house on the property. The owner is proposing to demolish the existing residence and build a new one.

The proposed variance request is for the removal of T663, a 17.5-inch Live 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 terrain and number of trees on the property present significant challenges for design of the proposed home. The proposed design has incorporated multiple trees surrounding the home while following the contours to reduce foundation cost and minimize environmental impact.”*
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 will not be unreasonable disrupted because the architect has gone to great lengths to minimize the number of trees needing to be removed while creating a unique design to fit within the natural setting.”*

3. There is no reasonable alternative to the requisite variance that will alleviate the difficulty or hardship complained of.
The application states – *“Numerous footprint design options were considered for the residence and because of the number and density of trees on the property, other options would require more trees/inches to be removed.”*
4. The variance will not be greater than the minimum required to alleviate the difficulty or hardship complained of.
The application states – *“This unique design has incorporated the shape and placement of the building footprint to minimize the variance request to just this one tree. Alternative designs that were considered required tree removal to a greater extent.”*
5. The variance does not violate the intent of the Zoning Ordinance or goals of the Comprehensive Plan.
The application states – *“The variance does not violate the intent of the zoning ordinance because the proposed design has made every effort to retain as many trees as possible while maintaining the reasonable economic enjoyment of the property.”*
6. The variance will not adversely affect neighboring properties or interfere with the enjoyment of these properties by their owners.
The application states – *“The lot is heavily wooded and naturally buffered from neighboring properties. Tree #863 is on the interior of the lot and surrounded by numerous other trees so views or enjoyment of these properties by their owners will not be affected with the removal of this tree.”*

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.

Zoning and Planning Commission Recommendation

ZAPCO voted to recommend denial unanimously (4-0).

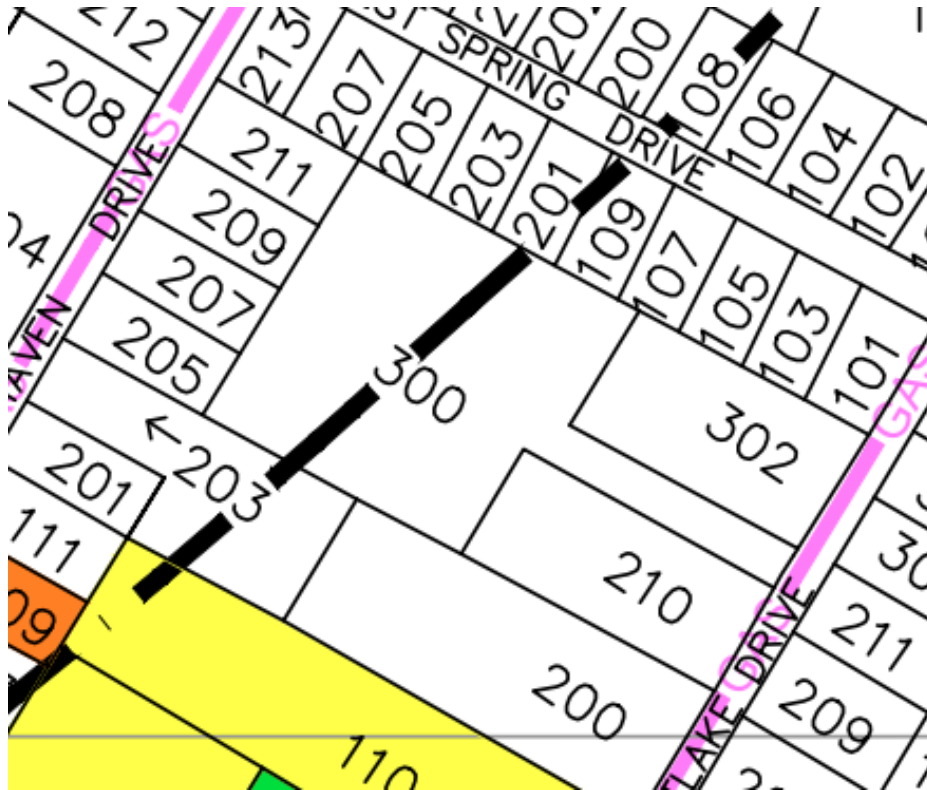
Staff Recommendation

Staff recommends: APPROVAL of the variance request

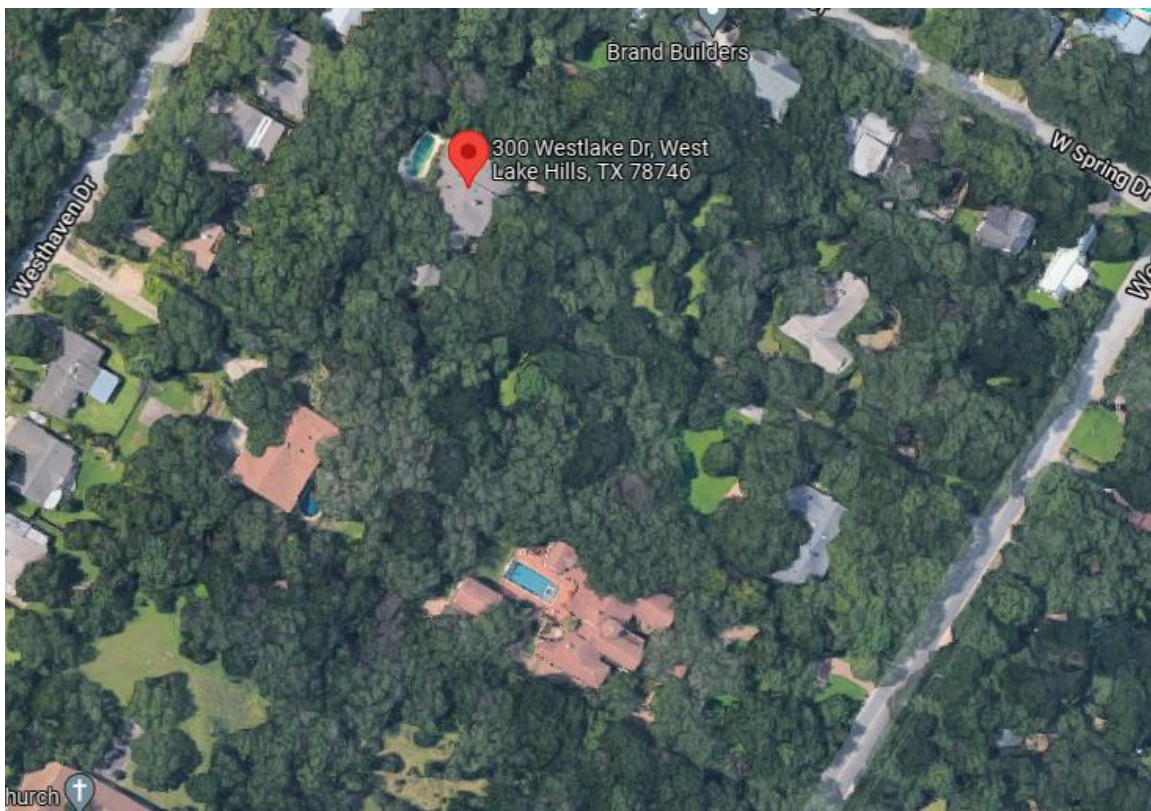
Links to Relevant Code:

- [Sec. 22.03.281](#) [Schedule of Regulations](#)
- [Sec. 22.03.514](#) [Criteria and process required for granting variance](#)
- [Sec. 22.03.304](#) [Tree and Vegetation Removal and Replacement](#)

ZONING MAP



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: Nicolas Bustamonte Phone: 5126586354

Email: [REDACTED]

Address: 300 Westlake Drive City: West Lake Hills State: TX Zip: 787486

Agent*: John Hussey/Site Specifics Phone: 5124725252

Email: [REDACTED]

Address: 700 N. Lamar Blvd. 200A City: Austin State: TX Zip: 787486

Property Address: 300 Westlak Drive City: West Lake Hills State: TX Zip: 78746

Property Information

Subdivision Name: Jacques Place

Block: _____ Lot: 3 TCAD Tax Parcel ID: 0111150214

Current Zoning Classification: R-1 Total Lot Size (Acres): 2.97 ac

**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 request to remove Tree #663, 17-1/2" Live Oak
- 2) _____
- 3) _____
- 4) _____
- 5) _____



VARIANCE APPLICATION

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

Brief Description of project/why variances are needed: _____

The project is a proposed new residence on a heavily vegetated lot. The footprint of the proposed primary structure requires a variance for the removal of tree #663. The overall design layout preserves as many other trees as possible.

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 terrain and number of trees on the property present significant challenges for design of the proposed home. The proposed design has incorporated multiple trees surrounding the home while following the contours to reduce foundation cost and minimize environmental impact

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 will not be unreasonably disrupted because the architect has gone to great lengths to minimize the number of trees needing to be removed while creating a unique design to fit within the natural setting

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

Numerous footprint design options were considered for the residence and because of the number and density of trees on the property, other options would require more trees/inches to be removed.

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

This unique design has incorporated the shape and placement of the building footprint to minimize the variance request to just this one tree. Alternative designs that were considered required tree removal to a greater extent.



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?

This variance does not violate the intent of the Zoning Ordinance because the proposed design has made every effort to retain as many mature trees as possible while maintaining the reasonable economic enjoyment of the private property.

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 lot is heavily wooded and naturally buffered from neighboring properties. Tree #863 is on the interior of the lot and surrounded by numerous other trees so views or the enjoyment of these properties by their owners will not be affected with the removal of this tree.

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).

John Hussey

Digitally signed by John Hussey
Date: 2022.01.14 10:01:25 -06'00'

Signature

1/14/2022

Date

John Hussey

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:



S I T E S P E C I F I C S

January 14, 2022

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

Re: Tree Variance Application

300 Westlake Drive

Chairman Weisel,

On behalf of Nicolas Bustamante, owner of the property located at 300 Westlake Drive, we are requesting a variance from the City zoning ordinance to remove a 17 ½" Live Oak tree for the construction of the new Bustamonte residence. The tree in question is a multi-trunk with two trunks split below 4.5', totaling 17 ½".

This lot is heavily vegetated with over 500 trees cataloged on the tree list provided with the application submittal. Mr. Bustamonte and his architect have worked diligently on a unique design to meet the property owner's needs, while fitting the proposed residence into the existing terrain and minimizing trees to be removed. This design has resulted in the need for a variance to remove the identified 17 ½" Live Oak. Alternative footprint designs and placement options resulted in the need for more trees and tree inches to be removed. The heavily wooded lot is naturally buffered from neighboring properties and we feel this request would not adversely affect the adjacent property owners.

With the information stated above, we feel our request is reasonable and justified. We respectfully request your consideration and approval of this variance request for the removal of the tree # 663, 17 ½" Live Oak.

Sincerely,

John Hussey
Site Specifics
512-472-5252

[illegible]

Jan. 11, 2021

A00 I

Survey



1 Overall Site Plan
1" = 30'-0"

MATERIAL LIST			
KEY	DESCRIPTION	FINISH	SAMPLE/HOOK UP REQUIRED
G.W.B. 1	5/8" GYPSUM WALL BOARD	LEVEL 4 FINISH- PRIMED & PAINTED	
G.W.B. 2	5/8" GYPSUM WALL BOARD	LEVEL 5 FINISH- DIAMOND COAT FINISH	
PLASTER 1	5/8" GYPSUM WALL BOARD	LEVEL 5 FINISH- DIAMOND COAT FINISH	
PLASTER 2	5/8" GYPSUM WALL BOARD	LEVEL 5 FINISH- DIAMOND COAT FINISH	
MTL1	3/8" OR 1/2" MILD ARCHITECTURAL PLATE STEEL	PRIMED & PAINTED (EXTERIOR) / BLACKENED (INTERIOR), LOW SHEEN SEALER	
MTL2	MILD EXPOSED STRUCTURAL STEEL	PRIMED & PAINTED, LOW SHEEN SEALER	
MTL3	ANODIZED BREAK METAL	DARK BRONZE ANODIZED	
ST. TILE 1	1- 3/4" THICK BUFF LIMESTONE LUIDERS- CUT ALL 4 SIDES (LARGE FORMAT)	HONED FINISH	
ST. TILE 2	2- 1/4" THICK BUFF LIMESTONE LUIDERS- CUT ALL 4 SIDES (LARGE FORMAT)	BUSH HAMPER FINISH (ALL EXTERIOR, U.N.O.)	
STONE 1	TUMBLED GREY LIMESTONE LUIDERS- 3/8" RANDOM ASHLAR PATTERN, OVER MORTARED	KNOCKED DOWN SPILT FACE FINISH W/ HEAVY MORTAR	
STONE 2	GREY LIMESTONE LUIDERS- CUT ON ALL 4 SIDES- 4" THICK (VENIER)	HONED FINISH	
WOOD 1	VERTICAL GRAIN DOUGLAS FIR- 1X4 DADO "TEX GAF"	STAIN, LOW SHEEN SEALER	
WOOD 2	VENERED NORTH AMERICAN WHITE OAK PANELING & MATCHING SOLID STOCK	STAIN, LOW SHEEN SEALER	
WOOD 3	VERTICAL GRAIN DOUGLAS FIR- 1X4 MILLED FOR CLIP	STAIN, LOW SHEEN SEALER	
CONC. 1	ARCHITECTURAL 2X6 EXPOSED BOARD FORMED CONCRETE. SP9 FORMS	SEALED	
CONC. 2	EXPOSED (POTIOR COURT & DRIVEWAY)	LIGHT BROOM FINISH	
CONC. 3	EXPOSED STRUCTURAL CONCRETE (UNDERPINNING & EXPOSED SLAB)	SMOOTH SANDED FINISH	
ROOF 1	FLAT ROOF (NO BALLAST)- "GAF" EVERGLUARD EXTREME T.P.O. MEMBRANE ROOF	GREY COLOR T.P.O.	
OUTLET 1	TRUNG LEVITON RECEPTACLE	MATCH G.W.B.	

[illegible][illegible]

STREET & DRAINAGE NOTES

1. All testing shall be done by an independent laboratory at the Applicant's expense. A City Inspector shall be present during all tests. Testing shall be coordinated with the City Inspector and he shall give a minimum of 24-hour notice prior to any testing.
2. Backfill behind the curb shall be compacted to attain a minimum of 85% maximum density within 3 inches of the top of curb. Material used shall be primarily granular with no more than 5% fines. Within 3 inches in the grassed dimension. The remaining 3 inches shall be clean topsoil free from all clods and suitable for seeding.
3. All RCP shall be placed in accordance with the current City of West Hills design criteria.

The paving sections were designed by _____ in accordance with the current City of West Hills design criteria. The paving sections are to be constructed as follows:

STREET	STATION	FLEX BASE THICKNESS	HPAC THICKNESS	LIPE SLAB THICKNESS
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5. Lots in this subdivision are located over the Edwards Aquifer Recharge Zone and subject to the current Texas Commission on Environmental Quality Edwards Rules. No building permit will be issued by the City of West Lake Hills until the requirements of the Edwards Rules are fully complied with. The applicant for a building permit is responsible for furnishing the City written compliance to the Edwards Aquifer Rules from the Texas Commission on Environmental Quality (if applicable).

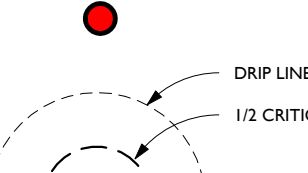
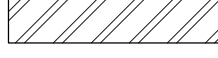
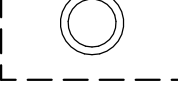
6. The FEMA maps for the City of West Lake Hills, Texas, indicate that the property shown hereon does/does not lie within a special flood hazard zone as defined by FEMA. [initials]

F. FLOOD WARNING: The degree of flood protection required by the City of West Lake Hills Flood Damage Prevention Ordinance is considered necessary for regulatory purposes and is based on scientific and engineering considerations. On rare occasions, floodwaters may exceed the design flood level. The City of West Lake Hills does not intend to be held liable for any damage to property or injury to persons that may result from floodwaters that exceed the design flood level. The City of West Lake Hills or any official does not imply that land outside the area of special flood hazards or unpermitted development is not subject to flooding. The City of West Lake Hills does not assume any liability for the use of this plan or secondary liability for the use of this plan by the City of West Lake Hills or any official or employee thereof for any flood damages that result from reliance on the information contained within this plan or any advancement decision lawfully made hereunder.

TRAFFIC HAZARD NOTES

- Bicycles built to the Texas Manual on Uniform Traffic Control Devices standards that be constructed on all dead-end streets and certain local streets.
- Any method, street markings, and signage necessary for pedestrian safety, warning pedestrians, or diverting traffic from the project area.
- All pavement markings, markers, paint, traffic signals, traffic controls, and signs shall be installed in accordance with the Texas Department of Transportation Standard Specifications for Construction of Highways, Streets and Bridges and the Texas Manual on Uniform Traffic Control Devices.

[illegible]

PROJECT INFORMATION	
OWNER	INTERIOR DESIGNER
E. NUG@NIMATE.COM	KOFFER TAYLOR INTERIORS, LLC 88TH TOWERS, 88TH - PRINCIPAL 19 W. 29TH ST. AUSTIN, TX 78705 E.BETTING@KOFFERTAYLOR.COM
ARCHITECT	LIGHTING DESIGNER
McCOLLUM STUDIO ARCHITECTS, LLC. ROSE H. McCOLLUM, AIA, PRINCIPAL, TRAE # 25554 DEREK DYNTH, ASSOC. AIA, ARCHITECTURAL DESIGNER 1300 WEST 17TH ST. SUITE 110, AUSTIN, TX 78703 P. 512.458.8354 E. KYLIE@MCCOLLUMSTUDIO.COM	FOUR POINT LIGHTING DESIGN, LLC DEBORAH FRANKHOEHLER, PRINCIPAL E. FOURPOINTLIGHTINGDESIGN@GMAIL.COM
CONTRACTOR	STRUCTURAL ENGINEER
VH HOMER, LLC - DAVID LYNE, PRESIDENT 1701 LOMAXES CROSSING, SUITE 100, AUSTIN, TX 78734 P. 512.442-1149 E. DOLYN@VHHOMES.COM	TRENHAM LUEVANG STRUCTURES RICHARD LUEVANG, P.E., PRINCIPAL P. 512.891.6156 E. ROBERT@STRUCTURES.COM
MECHANICAL ENGINEER	GEOTECHNICAL ENGINEER
POSITIVE ENERGY ERIC GRIPPIN, PRODUCTION MANAGER P. 512.462.1900 E. ERIC@POSITIVEENERGY.PRO	HOLT ENGINEERING 2220 BARTON SKYWAY AUSTIN, TX 78704 P. 512.478.6166 E. T.BRYANT@HOLTENG.COM
SITE NOTES	
SEPTIC TYP. CISE, SEE ENGINEER	
SITE LIGHTING: REFER TO LIGHTING CONSULTANT CIRCUITRY & COORDINATE WITH LANDSCAPE ARCHITECT. ALL LIGHTS SHALL BE SHIELDED.	
POOL, DRAWN FOR EXTENTS AND REFERENCE ONLY. FINAL DESIGN, DETAILS AND MECHANICAL REQUIREMENTS BY OTHERS.	
PLANTERS: ALL LANDSCAPED & IRRIGATED ARE FOR REFERENCE ONLY. FINAL PLANTER SIZES, LOCATIONS, MATERIALS ETC. BY LANDSCAPE ARCHITECT.	
	
EXISTING TREE TO REMAIN	
NEW TREE (REFERENCE ONLY), COORDINATE WITH LANDSCAPE ARCHITECT	
	
TREE PROTECTION FENCES	
UTILITY TRENCH	
SILT FENCE EROSION CONTROL	
FINISHED FLOOR	
BRICK LINE	
EXISTING GRADE (GROUND)	
FINISHED GRADE (GROUND)	
	
DRAINAGE EXPANSET	
	
SEPTIC TANKS, W.V.E.	
	
PLANTER, W.V.L.A.	
	
METAL ROOF	
	
CONCRETE	

TREE REMOVAL LIST		REPLACEMENT
86	(1) P & S CRPE MYRTLES	N/A
87	(4) P CRPE MYRTLES	N/A
88	(3) P CRPE MYRTLES	N/A
89	3 CRPE MYRTLES	N/A
90	8-S LIVE OAK	(3) LIVE OAKS
91	3 S & 7 A & 2 B & 7 U GUSTONOS	N/A
101	3 CRPE GUSTONIA	N/A
102	4-S GUSTONIA	N/A
103	17 CEDAR ELPH	(2) 4" LIVE OAKS
140	17 CEDAR ELPH	(2) 4" LIVE OAKS
141	9-S LIVE OAK	(2) LIVE OAKS
621	3 CEDAR ELPH	(3) 4" LIVE OAKS
630	12-S LIVE OAK	(4) 4" LIVE OAKS
631	12-S LIVE OAK VARIANCE TREE	(4) 4" LIVE OAKS
632	10-S LIVE OAK	(3) LIVE OAKS
633	13-S LIVE OAK	(3) LIVE OAKS
1121	(2) P & S CRPE MYRTLES	N/A
1122	(2) P & S CRPE MYRTLES	N/A
1123	(2) P & S CRPE MYRTLES	N/A
1226	4 & 3 S & 4 CRPE MYRTLES	N/A
1227	4-S CRPE MYRTLES	N/A
1228	4-S CRPE MYRTLES	N/A
1229	4-S CRPE MYRTLES	N/A
1230	4-S CRPE MYRTLES	N/A
1231	4-S CRPE MYRTLES	N/A
1232	4-S CRPE MYRTLES	N/A
1233	4-S CRPE MYRTLES	N/A
1234	4-S CRPE MYRTLES	N/A
1235	4-S CRPE MYRTLES	N/A
1236	4-S CRPE MYRTLES	N/A
1237	4-S CRPE MYRTLES	N/A
1238	4-S CRPE MYRTLES	N/A
1239	4-S CRPE MYRTLES	N/A
1240	4-S CRPE MYRTLES	N/A
1241	4-S CRPE MYRTLES	N/A
1242	4-S CRPE MYRTLES	N/A
1243	4-S CRPE MYRTLES	N/A
1244	4-S CRPE MYRTLES	N/A
1245	4-S CRPE MYRTLES	N/A
1246	4-S CRPE MYRTLES	N/A
1247	4-S CRPE MYRTLES	N/A
1248	4-S CRPE MYRTLES	N/A
1249	4-S CRPE MYRTLES	N/A
1250	4-S CRPE MYRTLES	N/A
1251	4-S CRPE MYRTLES	N/A
1252	4-S CRPE MYRTLES	N/A
1253	4-S CRPE MYRTLES	N/A
1254	4-S CRPE MYRTLES	N/A
1255	4-S CRPE MYRTLES	N/A
1256	4-S CRPE MYRTLES	N/A
1257	4-S CRPE MYRTLES	N/A
1258	4-S CRPE MYRTLES	N/A
1259	4-S CRPE MYRTLES	N/A
1260	4-S CRPE MYRTLES	N/A
1261	4-S CRPE MYRTLES	N/A
1262	4-S CRPE MYRTLES	N/A
1263	4-S CRPE MYRTLES	N/A
1264	4-S CRPE MYRTLES	N/A
1265	4-S CRPE MYRTLES	N/A
1266	4-S CRPE MYRTLES	N/A
1267	4-S CRPE MYRTLES	N/A
1268	4-S CRPE MYRTLES	N/A
1269	4-S CRPE MYRTLES	N/A
1270	4-S CRPE MYRTLES	N/A
1271	4-S CRPE MYRTLES	N/A
1272	4-S CRPE MYRTLES	N/A
1273	4-S CRPE MYRTLES	N/A
1274	4-S CRPE MYRTLES	N/A
1275	4-S CRPE MYRTLES	N/A
1276	4-S CRPE MYRTLES	N/A
1277	4-S CRPE MYRTLES	N/A
1278	4-S CRPE MYRTLES	N/A
1279	4-S CRPE MYRTLES	N/A
1280	4-S CRPE MYRTLES	N/A
1281	4-S CRPE MYRTLES	N/A
1282	4-S CRPE MYRTLES	N/A
1283	4-S CRPE MYRTLES	N/A
1284	4-S CRPE MYRTLES	N/A
1285	4-S CRPE MYRTLES	N/A
1286	4-S CRPE MYRTLES	N/A
1287	4-S CRPE MYRTLES	N/A
1288	4-S CRPE MYRTLES	N/A
1289	4-S CRPE MYRTLES	N/A
1290	4-S CRPE MYRTLES	N/A
1291	4-S CRPE MYRTLES	N/A
1292	4-S CRPE MYRTLES	N/A
1293	4-S CRPE MYRTLES	N/A
1294	4-S CRPE MYRTLES	N/A
1295	4-S CRPE MYRTLES	N/A
1296	4-S CRPE MYRTLES	N/A
1297	4-S CRPE MYRTLES	N/A
1298	4-S CRPE MYRTLES	N/A
1299	4-S CRPE MYRTLES	N/A
1300	4-S CRPE MYRTLES	N/A
1301	4-S CRPE MYRTLES	N/A
1302	4-S CRPE MYRTLES	N/A
1303	4-S CRPE MYRTLES	N/A
1304	4-S CRPE MYRTLES	N/A
1305	4-S CRPE MYRTLES	N/A
1306	4-S CRPE MYRTLES	N/A
1307	4-S CRPE MYRTLES	N/A
1308	4-S CRPE MYRTLES	N/A
1309	4-S CRPE MYRTLES	N/A
1310	4-S CRPE MYRTLES	N/A
1311	4-S CRPE MYRTLES	N/A
1312	4-S CRPE MYRTLES	N/A
1313	4-S CRPE MYRTLES	N/A
1314	4-S CRPE MYRTLES	N/A

TOTAL (APPLICABLE) INCHES REMOVED	101.5"
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TOTAL REPLACEABLE INCHES = 101.5" X 75% = 76.125" MINIMUM REQUIRED		TOTAL PROPOSED REPLACEMENT = 78"
IMPERVIOUS COVERAGE		SQ. FT.
LOT AREA (ACRES)		128.94 (2.90 ACRES)
MAXIMUM ALLOWABLE IMPERVIOUS COVERAGE		(@ 25% = 32,237.25)
HOUSE BUILDING PAD		9,748
RETAINING WALLS		1,154
MOTOR CARS & DRIVEWAY (ALLOWABLE W/ IMPERVIOUS CONCRETE)		15,343 (@ 75% = 11,507.25)
PADS, PATHS, PORCHES & PAVILIONS		6,094.5
WATER FEATURES & POOL SURFACES		2,165

TOTAL IMPERVIOUS COVERAGE	30,668.75 SQ. FT.
FINAL IMPERVIOUS COVERAGE %	23.78 %

AREA CHART

Main Floor Heated	7960
Guest Suite	608
Studio	406
Total Heated Footage	8974
Covered Pitches	2203
Main Garage	1391
Pool Equipment, Storage & Mechanical	405
Sports Garage	1472

The diagram shows a building footprint with a semi-circular roof. Below the footprint is a compass rose. The North arrow points upwards. A line labeled 'PROJECT WEST' is drawn at an angle of 31.00° from the North arrow. Another line labeled 'PROJECT NORTH' is also shown, extending from the North arrow.

TREE LIST
86? 3'+3'+3'+3.5' CREPE MYRTLE
87? 2'+2'+2'+2' CREPE MYRTLE
88? 3'+3'+3'+3'+3' CREPE MYRTLE
89? 3.75' CREPE MYRTLE
90? 3'+3'+2.75'+2.75' CREPE MYRTLE
91? 3'+3'+3'+2.75'+2.75' CREPE MYRTLE
92? 15.75' CEDAR ELM
93? 13.5' CEDAR ELM
94? 15' CEDAR ELM
95? 17' CEDAR ELM
96? 24' LIVE OAK (H)
97? 12.5' LIVE OAK
98? 17.5' CEDAR ELM
99? 16.5'+13.5' LIVE OAK
100? 19' CEDAR ELM (P)
101? 8.5' LIVE OAK
108? 2.75'+3'+4.5' LIGUSTRUM
109? 4'+3'+4'+5' LIGUSTRUM
111? 13.5' CEDAR ELM
112? 16.5' CEDAR ELM
113? 17' CEDAR ELM
117? 8' LIVE OAK
118? 16' LIVE OAK
119? 16' LIVE OAK
134? 2'+2' LIGUSTRUM
135? 3.5' LIGUSTRUM
136? 3' LIGUSTRUM
137? 16.5' CEDAR ELM
145? 4' LIGUSTRUM
146? 3.5' LIGUSTRUM
147? 3.5'+3' LIGUSTRUM
148? 13' CEDAR ELM
149? 12.5' CEDAR ELM
150? 11' CEDAR ELM
153? 3.5'+2' LIGUSTRUM
154? 14.25' CEDAR ELM
155? 13.25' CEDAR ELM
156? 4.25' LIGUSTRUM
157? 3.5' LIGUSTRUM
158? 3.5'+3'+2+2+3' LIGUSTRUM
159? 3.75' LIGUSTRUM
160? 4.5' LIGUSTRUM
166? 10.25' LIVE OAK
167? 18.25' CEDAR ELM
168? 6.75'+6+5' LIGUSTRUM
184? 18' LIVE OAK
185? 13' ASH
189? 10' CEDAR ELM
190? 9.75' CEDAR ELM
191? 8.25' CEDAR ELM
192? 5' CEDAR ELM
193? 5.5'+4' CEDAR ELM
194? 10' CEDAR ELM
195? 6.75' CEDAR ELM
217? 8' LIVE OAK
218? 12' LIVE OAK
219? 17' LIVE OAK
221? 5.5' LIVE OAK
222? 8.5' LIVE OAK
223? 14.5' CEDAR ELM
224? 8' LIVE OAK
225? 10.5' LIVE OAK
226? 9' LIVE OAK
227? 6.5' LIVE OAK
232? 9.5' CEDAR ELM
233? 19.5' CEDAR ELM (P)
235? 7.5' LIVE OAK
236? 10.25' LIVE OAK
237? 8.5' LIVE OAK
238? 8' LIVE OAK
244? 9' LIVE OAK
247? 7.5' LIVE OAK
248? 13.5' CEDAR ELM
251? 18' CEDAR ELM
252? 7.5' LIVE OAK
253? 6' LIVE OAK
254? 8.5' LIVE OAK
255? 7.25' LIVE OAK
256? 7' LIVE OAK
258? 7' LIVE OAK
259? 10' LIVE OAK
260? 6.5' LIVE OAK
261? 10.5' LIVE OAK
262? 10.5' LIVE OAK
266? 4' CHINABERRY
267? 4' CHINABERRY
268? 10' LIVE OAK
269? 6' LIVE OAK
270? 8.5' LIVE OAK
271? 10' LIVE OAK
272? 8.75' LIVE OAK
273? 3' LIVE OAK
274? 3' LIVE OAK
276? 3.25' LIVE OAK
277? 7' LIVE OAK
278? 4.5' LIVE OAK
279? 4.5' LIVE OAK
280? 10.5' LIVE OAK
281? 6.75' LIVE OAK
282? 8.5' LIVE OAK
283? 6.5' LIVE OAK

TREE LIST
284? 4.5' LIVE OAK
285? 5.5' LIVE OAK
286? 4.75' LIVE OAK
287? 8' LIVE OAK
288? 7.5' LIVE OAK
289? 7.5' LIVE OAK
291? 11' CEDAR
292? 12.5'+9.5' CEDAR ELM
293? 9' CEDAR ELM
294? 11' CEDAR ELM
295? 11' LIVE OAK
296? 9' LIVE OAK
299? 8' LIVE OAK
300? 8.5' CEDAR ELM
301? 9' LIVE OAK
302? 6.5' LIVE OAK
304? 9.5' LIVE OAK
305? 7.5' LIVE OAK
306? 6.5' LIVE OAK
307? 8.5'+6.5' LIVE OAK
308? 8.5' LIVE OAK
309? 6' LIVE OAK
310? 9' LIVE OAK
311? 9.5' LIVE OAK
312? 8' LIVE OAK
315? 3' CEDAR ELM
316? 5' CEDAR ELM
317? 6' CEDAR ELM
318? 6' CEDAR ELM
323? 7' LIVE OAK
324? 16.5' CEDAR ELM
330? 3' CEDAR ELM
331? 16' LIVE OAK
334? 3.25' CEDAR ELM
335? 11' LIVE OAK
336? 12' LIVE OAK
337? 12.75' LIVE OAK
344? 11' ELM
345? 16' CEDAR ELM
347? 9' LIVE OAK
348? 9.5' LIVE OAK
349? 6.5' LIVE OAK
351? 7.5' LIVE OAK
352? 6.5' LIVE OAK
354? 10' LIVE OAK
355? 6.5' LIVE OAK
356? 5' LIVE OAK
358? 4' CEDAR
359? 4' CEDAR
360? 8' LIVE OAK
362? 4' CEDAR
363? 8.5' LIVE OAK
364? 3' CEDAR ELM
365? 7.5' LIVE OAK
366? 8.5' LIVE OAK
369? 3' CEDAR ELM
370? 4' HACKBERRY
371? 7.75' LIVE OAK
372? 7' LIVE OAK
376? 6' LIVE OAK
377? 4.5' CEDAR
378? 4.5' CEDAR
379? 9' LIVE OAK
382? 3' PERSIMMON
383? 12' LIVE OAK
384? 9.25' LIVE OAK
385? 3' CEDAR ELM
386? 16.5' CEDAR
387? 8' CEDAR
389? 6' CEDAR
390? 16' CEDAR
391? 6' CEDAR
395? 4' CEDAR ELM
397? 7.75' LIVE OAK
398? 7' LIVE OAK
399? 6.5' LIVE OAK
400? 9' LIVE OAK
401? 7.5' LIVE OAK
402? 8' LIGUSTRUM
403? 8' LIGUSTRUM
404? 4'+4' MAGNOLIA
405? 4'+3' MAGNOLIA
406? 11' LIVE OAK
409? 3.5' CEDAR ELM
410? 3.5' CEDAR ELM
411? 7.5' CEDAR
412? 4' CEDAR ELM
419? 9' CEDAR
420? 3' CEDAR
421? 3' PERSIMMON
422? 3.5' CEDAR
423? 3' CEDAR
424? 8.5' LIVE OAK
425? 8.5' LIVE OAK
426? 11.75' LIVE OAK
427? 9.5' LIVE OAK
428? 7' LIVE OAK
429? 8.25' LIVE OAK
430? 6' LIGUSTRUM
431? 7' LIVE OAK
433? 10.5' LIVE OAK

TREE LIST
434? 3' CEDAR ELM
435? 6' LIVE OAK
436? 6' LIVE OAK
437? 9' LIVE OAK
438? 9' LIVE OAK
441? 6.75' LIVE OAK
442? 5.5' LIVE OAK
443? 7' LIVE OAK
444? 5' CEDAR
445? 4.5' HACKBERRY
450? 6.25' CEDAR
451? 4.5' LIVE OAK
455? 7.25' CEDAR
456? 5.5' CEDAR
458? 12' CEDAR
459? 11' CEDAR
460? 7.5' CEDAR
461? 4.5' LIVE OAK
462? 13' LIVE OAK
463? 6.5' LIGUSTRUM
464? 11' LIVE OAK
465? 6' LIVE OAK
466? 12' LIVE OAK
467? 11.5' CEDAR
468? 8' CEDAR
469? 10' CEDAR
471? 15' CEDAR
472? 6' LIVE OAK
473? 5' LIVE OAK
474? 5.5' LIVE OAK
475? 6.25' LIVE OAK
477? 7.5' LIVE OAK
478? 5' LIVE OAK
481? 13' CEDAR
486? 13' LIVE OAK
488? 9.5' CEDAR
493? 7' LIGUSTRUM
494? 15' LIVE OAK
495? 12' LIVE OAK
496? 13' LIVE OAK
497? 10' LIVE OAK
498? 4' MAGNOLIA
499? 4.5' MAGNOLIA
501? 8' CEDAR
502? 8' CEDAR
503? 6' LIGUSTRUM
505? 6.5' CEDAR
507? 11' LIVE OAK
508? 25.5' LIVE OAK (H)
509? 14.5' LIVE OAK
510? 11' LIVE OAK
512? 11.75' LIVE OAK
516? 20' LIVE OAK (P)
521? 14' LIVE OAK
525? 12' LIVE OAK
526? 10' LIVE OAK
527? 8.25' LIVE OAK
528? 11' LIVE OAK
529? 19' LIVE OAK (P)
531? 15.5' LIVE OAK
534? 10' LIGUSTRUM
539? 10.5' LIVE OAK
545? 7' HACKBERRY
546? 1'+1.5' CREPE MYRTLE
547? 3'+2.5' CREPE MYRTLE
548? 1'+1'+2'+2' CREPE MYRTLE
549? 20' CEDAR
556? 6.5' SPANISH OAK
557? 6.5' SPANISH OAK
558? 6.5' SPANISH OAK
559? 3.75' SPANISH OAK
560? 6.5' CEDAR
562? 12' LIGUSTRUM
563? 3.5' HACKBERRY
565? 8.5' HACKBERRY
566? 5.75' HACKBERRY
572? 11' CEDAR
573? 10'+10' LIGUSTRUM
578? 3' HACKBERRY
580? 6.5' LIGUSTRUM
581? 6.5' LIGUSTRUM
582? 5.25' HACKBERRY
583? 5.25' LIGUSTRUM
584? 5.25' LIGUSTRUM
588? 5.5' HACKBERRY
589? 7.5' LIGUSTRUM
590? 3' LIGUSTRUM
591? 3' HACKBERRY
593? 6' LIGUSTRUM
594? 6.5' LIGUSTRUM
595? 6.25' LIGUSTRUM
596? 8' CEDAR
597? 11' HACKBERRY
598? 5.5' LIGUSTRUM
599? 3.5' HACKBERRY
600? 4' LIGUSTRUM
601? 39' LIVE OAK
603? 3.25' MT. LAUREL
608? 15.5' LIVE OAK
609? 3.5' LIGUSTRUM
610? 9.5' HACKBERRY

TREE LIST
612? 4.5' LIGUSTRUM
613? 6' LIGUSTRUM
614? 6' LIGUSTRUM
615? 10' LIGUSTRUM
616? 5' LIGUSTRUM
617? 15.5' LIVE OAK
618? 15' LIVE OAK
619? 10' LIVE OAK
620? 9.5' LIVE OAK
621? 9.5' LIVE OAK
625? 11' LIVE OAK
626? 14' LIVE OAK
628? 12'LGSTRM
629? 11.5'LGSTRM
630? 3' CEDAR ELM
639? 6' LIGUSTRUM
640? 3.25' HACKBERRY
641? 6' LIGUSTRUM
642? 13' CEDAR
648? 7.5' LIVE OAK
649? 7.5' LIVE OAK
650? 9.5' LIVE OAK
651? 11.75' LIVE OAK
652? 12.5' LIVE OAK
653? 7.5' LIVE OAK
654? 8' LIVE OAK
655? 11.5' LIVE OAK
656? 9.5' LIVE OAK
662? 9' LIVE OAK
663? 17.5' LIVE OAK
664? 7' LIVE OAK
665? 6' LIVE OAK
666? 13.5' LIVE OAK
668? 13.5' CEDAR ELM
671? 13.5' CEDAR ELM
672? 9.5' LIVE OAK
681? 7' CEDAR
682? 10.75' CEDAR ELM
683? 13.5' CEDAR ELM
684? 3' CEDAR ELM
685? 8' CEDAR
686? 3'+3' MT. LAUREL
689? 8.75' CEDAR
690? 7' CEDAR
691? 9.5' CEDAR
692? 8' CEDAR ELM
696? 10' CEDAR ELM
697? 7' CEDAR ELM
698? 12.25' CEDAR ELM
699? 11.25' CEDAR ELM
703? 10' CEDAR ELM
704? 10.5' CEDAR ELM
705? 10' CEDAR ELM
706? 7.5' CEDAR ELM
707? 14.5' CEDAR ELM
708? 4.75' CEDAR ELM
709? 4' CEDAR ELM
711? 10.5' LIVE OAK
714? 14.25' CEDAR ELM
715? 8' LIVE OAK
716? 11' CEDAR ELM
717? 12' CEDAR ELM
718? 13.5' CEDAR ELM
720? 8.25' CEDAR ELM
721? 10' CEDAR ELM
722? 7.5' LIVE OAK
723? 8' LIVE OAK
725? 11.75' CEDAR ELM
726? 12.5' CEDAR ELM
727? 14' CEDAR ELM
728? 8.5' LIVE OAK
729? 8.5' LIVE OAK
730? 4' CEDAR ELM
731? 14.5' CEDAR ELM
732? 13' LIVE OAK
734? 8.75' LIVE OAK
735? 7' LIVE OAK
736? 6.5' LIVE OAK
737? 8' LIVE OAK
738? 16' CEDAR ELM
739? 8.25' LIVE OAK
743? 8' LIVE OAK
744? 9' CEDAR ELM
745? 5' LIVE OAK
747? 6.25' LIVE OAK
750? 5' CEDAR ELM
754? 6.75' LIVE OAK
755? 10.5' LIVE OAK
756? 9.25' LIVE OAK
757? 11' LIVE OAK
760? 8.5' LIVE OAK
761? 3' CEDAR ELM
762? 4' CEDAR ELM
763? 4' CEDAR ELM
764? 6.5' CEDAR ELM
765? 3.5' CEDAR ELM
772? 12' LIVE OAK
773? 15.5' CEDAR ELM
777? 6.5' LIGUSTRUM
778? 6.5' LIGUSTRUM
779? 5' LIGUSTRUM

TREE LIST
780? 4.5' LIGUSTRUM
781? 12.5' CEDAR ELM
782? 3.25' CEDAR ELM
784? 7' LIVE OAK
785? 9' LIVE OAK
786? 7.5' LIVE OAK
787? 9.5' CEDAR ELM
788? 17.5' CEDAR ELM
789? 9' LIVE OAK
801? 6.5' LIGUSTRUM
803? 4.5' LIGUSTRUM
804? 8.5' LIGUSTRUM
805? 7.5' LIGUSTRUM
806? 4.5' LIGUSTRUM
807? 7' LIGUSTRUM
808? 3' CEDAR ELM
809? 4.5' CEDAR ELM
812? 7.75' LIGUSTRUM
813? 3' CEDAR ELM
814? 3' CEDAR ELM
815? 4.5' CEDAR ELM
816? 4' CEDAR ELM
817? 5.5' CEDAR ELM
818? 16.5' LIVE OAK
819? 3' CEDAR ELM
820? 4.5' CEDAR ELM
821? 14'+14' LIVE OAK
822? 4.25' CEDAR ELM
824? 7.5' CEDAR ELM
825? 4.5' MAGNOLIA
829? 15' LIVE OAK
831? 8' CEDAR
837? 6' CEDAR
840? 15' LIVE OAK
841? 9' LIVE OAK
854? 3.5' PERSIMMON
855? 5.5' CEDAR
877? 4' LIVE OAK
878? 15.25' CEDAR ELM
879? 5.5' CEDAR ELM
880? 14.5' CEDAR ELM
888? 11.5' CEDAR ELM
889? 13' CEDAR ELM
890? 12.25' LIVE OAK
891? 10.75' LIVE OAK
892? 12' LIVE OAK
893? 11' CEDAR ELM
894? 12' CEDAR ELM
895? 9.5' LIVE OAK
896? 8' LIVE OAK
897? 13.5' LIVE OAK
898? 16' LIVE OAK
899? 16' LIVE OAK
900? 19.25' CEDAR ELM (P)
901? 9'+6.5' CEDAR ELM
902? 17.5' CEDAR ELM
903? 6.5' LIVE OAK
904? 11' CEDAR ELM
905? 12' CEDAR ELM
923? 22' CEDAR ELM (P)
929? 12' CEDAR ELM
930? 11' CEDAR ELM
931? 17.25' CEDAR ELM
938? 9.5' LIVE OAK
939? 8.25' LIVE OAK
940? 11' LIVE OAK
941? 10' LIVE OAK
942? 9.5' LIVE OAK
943? 7.5' CEDAR ELM
944? 6.75' CEDAR ELM
945? 8.25' CEDAR ELM
956? 18.5' CEDAR ELM
957? 6.5' LIVE OAK
958? 7.5' LIVE OAK
959? 8.25' CEDAR ELM
960? 10.25' LIVE OAK
961? 10.5' CEDAR ELM
962? 9.5' CEDAR ELM
963? 7.5' CEDAR ELM
964? 17' CEDAR ELM
965? 9.5' LIVE OAK
966? 6' LIVE OAK
967? 6'+11' LIVE OAK
981? 11.5' LIVE OAK
982? 12.5' LIVE OAK
983? 11.25' CEDAR ELM
984? 10.5' LIVE OAK
985? 10' LIVE OAK
986 13.5' LIVE OAK
996? 11.25' CEDAR ELM
997? 13.5' LIVE OAK
998? 9' LIVE OAK
999? 8.5' LIVE OAK
1000? 10' LIVE OAK
1001? 12' CEDAR ELM
1002? 14.5' CEDAR ELM
1003? 11.75' LIVE OAK
1004? 12.5' LIVE OAK
1107? 3'+3' CREPE MYRTLE
1136? 4' LIVE OAK
1137? 16.5' LIVE OAK

TREE LIST
1138? 11'+5.5' LIVE OAK
1139? 8.5' LIVE OAK
1140? 11'+7.5' LIVE OAK
1141? 11.5' LIVE OAK
1142? 7.25' LIVE OAK
1143? 7.5' LIVE OAK
1144? 8.5' LIVE OAK
1149? 3' CEDAR ELM
1150? 7' LIVE OAK
1151? 10' LIVE OAK
1152? 8' LIVE OAK
1153? 7.5' LIVE OAK
1154? 6' LIVE OAK
1155? 15.75' CEDAR ELM
1162? 6' CEDAR
1163? 10.5' LIVE OAK
1164? 9.5' LIVE OAK
1172? 4.5' CEDAR
1173? 8' LIVE OAK
1180? 10.75' LIVE OAK
1181? 8' LIVE OAK
1195? 9' CEDAR ELM
1196? 5.5' CEDAR ELM
1197? 8.5' CEDAR ELM
1198? 21.5' CEDAR ELM (P)
1199? 12.75' CEDAR ELM
1221? 14.5' LIVE OAK
1222? 3'+3' MT. LAUREL
1225? 3'+3.25'+3' CREPE MYRTLE
1226? 4'+3.5'+4' CREPE MYRTLE
1227? 4.5'+4.5' CREPE MYRTLE
1228? 4.25' MT. LAUREL
1289? 20.5' LIVE OAK (P)
1290? 10.5' LIVE OAK
1291? 11.5' LIVE OAK
1292? 11' LIVE OAK
1293? 8' LIVE OAK
1294? 13' LIVE OAK
1295? 8.25' LIVE OAK
1296? 9.5' LIVE OAK
1297? 12' LIVE OAK
1298? 9.25' LIVE OAK
1299? 9.5' LIVE OAK
1300? 9.5' LIVE OAK
1367? 4' PERSIMMON
1368? 3.25' PERSIMMON
1369? 3.5' PERSIMMON
TOTAL TREES7552

TREE LEGEND

- (P) PROTECTED TREE (OVER 19")
(H) HERITAGE TREE (OVER 24")

ADDRESS				
GARY FLUSCHE AND LOREN C. RICE 300 WESTLAKE DRIVE WEST LAKE HILLS, TRAVIS COUNTY, TEXAS				
				
9020 ANDERSON MILL RD AUSTIN, TEXAS 78729 (512) 249-8149 PHONE (512) 331-5217 FAX TBPLS FIRM NO. 10135000				
SURVEY DATE:	JULY 31, 2019	FIELD BY:	DERICK SOLOMON	07/28/2019
TITLE CO.:	-	CALC. BY:	CHRIS ZOTTER	07/29/2019
G.F. NO.:	-	DRAWN BY:	SEAN SUTTON	07/31/2019
JOB NO.:	A0703019	RPLS CHECK:	EDWARD RUMSEY	07/31/2019



**FEE SCHEDULE AMENDMENT
STAFF REPORT**

MARCH 23, 2022

Agenda Item: Ordinance: Discuss and consider action for Approval of an Ordinance of the City of West Lake Hills, Texas, amending Appendix A, Article A9.00, Building and Development Fees and Section 22.03.302, Preservation of Existing Landscape Vegetation and Natural Features, of the Code of Ordinances by amending the fee schedule; and providing for the following: findings of fact; enactment; repealer; severability; penalty; codification; effective date; and proper notice & meeting.

Hearing Dates:

March 23, 2022 City Council

Background/Analysis:

Staff proposes to amend the Building and Development Fees to reflect the cost of obtaining building permits more accurately in the city. The goal of this amendment is to have the costs reflect what the city currently pays our third-party consultants to review permits. Those third-party consultants include K Friese, the city Engineer, ATS, the City's Building Code reviewer, and Oldner Lighting, who reviews all outdoor lighting plans. In addition to that, staff is proposing adding fees for tree permits to account for staff time associated with the permits and a technology fee to account for equipment needed for staff to complete the reviews, especially being fully digital with MyPermitNow.

The other proposed change is to add a statement to the code that citations issued for brush will be fined at the maximum amount allowable by state law. This will help ensure that if there are brush violations they are remedied immediately because harboring brush poses such a high fire risk.

The current fees support the Building and Development Services Department including staff time for reviewing permits, and cover some of the costs passed on to the city by third-party reviewers, but the city has been losing money on these reviews, especially some of the more complicated projects that take multiple reviews. Increasing the fees to reflect these charges will improve efficiency and transparency.

The proposed fees are detailed in the draft ordinance included in the packet.

Staff Recommendation

Staff recommends approval of the proposed Code amendments.

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF WEST LAKE HILLS, TEXAS, AMENDING APPENDIX A, ARTICLE A9.00, BUILDING AND DEVELOPMENT FEES AND SECTION 22.03.302, PRESERVATION OF EXISTING LANDSCAPE VEGETATION AND NATURAL FEATURES, OF THE WEST LAKE HILLS CODE OF ORDINANCES, TO UPDATE THE FEES AND CHARGES FOR CERTAIN CITY SERVICES; PROVIDING FOR A SCHEDULE OF FEES AND CHARGES; AND PROVIDING FOR THE FOLLOWING: FINDINGS OF FACT; ENACTMENT; REPEALER; SEVERABILITY; PENALTY; CODIFICATION; EFFECTIVE DATE; AND PROPER NOTICE & MEETING.

WHEREAS, the City Council of the City of West Lake Hills (“City Council”) seeks to provide for reasonable fees; and

WHEREAS, a review has been made by the City Staff covering rates, fees and charges of the City for certain services rendered or provided by the City; and

WHEREAS, it is deemed advantageous to set out said rates, fees, and charges in one ordinance for the convenience of the City, its employees and the citizens of West Lake Hills and the public in general; and

WHEREAS, it is the purpose and intent of this ordinance to adopt rate schedules, fees and charges for such utilities and services provided by the City; and

WHEREAS, pursuant to Texas Local Government Code Section 51.001, the City has general authority to adopt an ordinance or police regulation that is for the good government, peace or order of the City and is necessary or proper for carrying out a power granted by law to the City; and

WHEREAS, the City Council finds that the fees approved and instituted by this Ordinance are consistent with, and in accordance with, the annual budget for the City.

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

1. FINDINGS OF FACT

The foregoing recitals are incorporated into this Ordinance by reference as findings of fact as if expressly set forth herein.

2. ENACTMENT

Appendix A Fee Schedule, of the City of West Lake Hills Code of Ordinances is hereby established so to read in accordance with *Attachment A*, which is attached hereto and incorporated into this Ordinance for all intents and purposes. Underlined and italicized text shall be added, and struck-through and bracketed text shall be deleted as indicated in *Attachment A*.

3. REPEALER

All ordinances, or parts thereof, that are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters regulated, herein.

4. SEVERABILITY

Should any of the clauses, sentences, paragraphs, sections, or parts of this Ordinance be deemed invalid, unconstitutional, or unenforceable by a court of law or administrative agency with jurisdiction over the matter, such action shall not be construed to affect any other valid portion of this Ordinance.

5. CODIFICATION

The City Secretary is hereby directed to record and publish the attached rules, regulations and policies in the City's Code of Ordinances as authorized by Section 52.001 of the Texas Local Government Code.

6. EFFECTIVE DATE

This Ordinance shall be effective immediately upon passage and publication.

7. PROPER NOTICE & MEETING

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

PASSED & APPROVED THIS, THE ____ DAY OF _____, 2022.

CITY OF WEST LAKE HILLS:

Linda Anthony, Mayor

ATTEST:

Stephanie Mills, City Secretary

ATTACHMENT A

ARTICLE A9.00 BUILDING AND DEVELOPMENT FEES

Sec. A9.001 Master plan

- (a) Each change: \$250.00. (Ordinance 375, att. A, adopted 8/28/19)

Sec. A9.002 Signs

- (a) Permit application (temporary, permanent or banner style): \$25.00.
- (b) Each commercial type: \$50.00.
- (c) Subdivision or monument: \$100.00.
- (d) Site development: \$100.00.
- (e) Each variance:
 - (1) Commercial: \$500.00.***
 - (2) Residential: \$250.00.***
- (f) Sign impoundment: \$25.00.
- (g) Uniform sign agreements:
 - (1) New: \$500.00.
 - (2) Amendment: \$250.00.

*** An additional fee of \$150.00 will be added for notification costs.

(Ordinance 2020-009 adopted 7/8/20)

Sec. A9.003 Building

- (a) New commercial permit: \$6,300.00 plus:
 - (1) \$0.10 per square foot for all construction under 10,000 square feet; or
 - (2) \$0.25 per square foot for all construction of 10,000 square feet or greater.
 - (3) ~~\$2,000.00~~ **\$2400.00** drainage review fee.
 - (4) ~~\$200.00~~ **\$250.00** outdoor lighting review fee, if applicable.
- (b) New residential permit (initial application)*: \$3,050.00 plus:
 - (1) \$0.10 per square foot for all construction under 7,000 square feet; or
 - (2) \$0.25 per square foot for all construction of 7,000 square feet or greater.
 - (3) Drainage review fees as follows:
 - (A) Type I application: ~~\$500.00~~; **\$600.00**
 - (B) Type II application: ~~\$1,000.00~~; **\$1200.00**
 - (C) Type III application: ~~\$1,500.00~~; **\$1800.00**
 - (4) ~~\$100.00~~ outdoor lighting review fee, if applicable. **\$125.00**
 - (5) ~~\$750.00~~ inspections/technical code review fee **\$900**
- (c) New residential permit (first extension): \$4,575.00 plus:
 - (1) \$0.10 per square foot for all construction under 7,000 square feet; or
 - (2) \$0.25 per square foot for all construction of 7,000 square feet or greater.
- (d) New residential permit (second extension): \$7,625.00 plus:
 - (1) \$0.10 per square foot for all construction under 7,000 square feet; or
 - (2) \$0.25 per square foot for all construction of 7,000 square feet or greater.
- (e) New residential permit (third extension): \$9,150.00 plus:
 - (1) \$0.10 per square foot for all construction under 7,000 square feet; or
 - (2) \$0.25 per square foot for all construction of 7,000 square feet or greater.

(f) Commercial remodel: \$2,180.00–\$4,740.00 (\$2,180.00 base permit fee plus \$640.00 per each \$100,000.00 of construction costs) plus \$0.10 per square foot, plus technical review and inspection fees listed below:

- (1) ~~\$400.00~~ **\$550** inspections/technical review fee.
- (2) ~~\$1,000.00~~ **\$1,200.00** drainage review fee, if applicable.
- (3) ~~\$100.00~~ **\$125.00** outdoor lighting review fee, if applicable.

(g) Commercial addition: \$2,900.00–\$5,460.00 (\$2,900.00 base permit fee plus \$640.00 per each \$100,000.00 of construction costs) plus \$0.10 per square foot, plus technical review and inspection fees listed below:

- (1) ~~\$1,000.00~~ **\$1,200.00** drainage review fee.
- (2) ~~\$100.00~~ **\$125.00** outdoor lighting review fee, if applicable
- (3) ~~\$500.00~~ **\$650** inspections/technical review fee.

(h) Residential remodel: \$500.00 plus \$0.10 per square foot, plus technical review and inspection fees listed below:

- (1) Drainage review fees as follows:
 - (A) Type I application: ~~\$500.00~~; **\$600.00**
 - (B) Type II application: ~~\$1,000.00~~; **\$1200.00**
 - (C) Type III application: ~~\$1,500.00~~ (if applicable). **\$1800.00**
- (2) ~~\$100.00~~ **\$125.00** outdoor lighting review fee, if applicable.
- (3) ~~\$400.00~~ **\$550** inspections/technical review fee.
- (4) Residential remodel permit extension: Half of the original permit fee.

(i) Residential addition: \$500.00 plus \$0.10 per square foot, plus technical review and inspection fees listed below:

- (1) Drainage review fees as follows:
 - (A) Type I application: ~~\$500.00~~; **\$600.00**
 - (B) Type II application: ~~\$1,000.00~~; **\$1200.00**
 - (C) Type III application: ~~\$1,500.00~~ (if applicable). **\$1800.00**
- (2) ~~\$100.00~~ **\$125.00** outdoor lighting review fee, if applicable.
- (3) ~~\$400.00~~ **\$550** inspections/technical review fee.
- (4) Residential addition permit extension: Half of the original permit fee.

(j) Swimming pool: \$1,440.00 + \$0.10/square foot, plus technical review and inspection fees listed below:

- (1) Drainage review fees as follows:
 - (A) Type I application: ~~\$500.00~~; **\$600.00**
 - (B) Type II application: ~~\$1,000.00~~; **\$1200.00**
 - (C) Type III application: ~~\$1,500.00~~ (if applicable). **\$1800.00**

This includes up to 3 reviews. Each review after is billed at an hourly rate.
- (2) ~~\$100.00~~ **\$125.00** outdoor lighting review fee, if applicable.
- (3) ~~\$275.00~~ **\$425** inspections/technical review fee.

(k) Utility development (each mile): \$500.00.

(l) Structure movement (through): \$150.00.

(m) -Structure movement (into): \$350.00.

(n) Consultant, per request: \$200.00 or cost.

(o) Consultant, per hour: \$200.00 or cost.

(p) Each variance or appeal:

- (1) Commercial \$750.00.***
- (2) Residential: \$500.00.***

(q) Building demolition:

- (1) Residential: \$100.00.
- (2) Commercial: \$500.00.

(r) Permit revision:

- (1) Residential: \$500.00
- (2) Commercial: \$1,000.00

(s) Small project permits: \$75.00

(t) Solar: \$150.00

~~(u)~~ Oak wilt, each permit: \$150.00 for residential, \$300.00 for commercial.

~~(v)~~ Plumbing inspections: \$500.00 (see applicable inspections fees listed under individual permit types).

~~(w)~~ Landscaping:

- (1) Tree application: No fee

(2) Tree Inspection

(1) Remodel, demo, swimming pool: \$150

(2) New construction: \$250

~~(3)~~ Tree removal and replacement for nondiseased trees between ten (10) inches and less than fourteen (14) inches ([section 22.03.301](#) et seq.): ~~\$150.00~~ \$200 per caliper inch.

~~(4)~~ Tree removal and replacement for nondiseased trees fourteen (14) inches and greater ([section 22.03.301](#) et seq.): ~~\$200.00~~ \$300 per caliper inch.

(4) Unauthorized tree removal for nondiseased trees ([section 22.03.301](#) et seq.): ~~\$500.00~~ \$750 per caliper inch

~~(x)~~ Unified development agreement application:

- (1) Commercial: \$500.00.
- (2) Residential: \$250.00.

~~(y)~~ Fence permit application: \$250.00 for residential, \$500.00 for commercial.

~~(z)~~ Mailbox permit application: \$100.00.

In addition to the standard fee, professional services fees may be required depending on the nature of the request (see [section A9.007](#)).

*** An additional fee of \$150.00 will be added for notification costs.

~~* An initial deposit of double the initial permit fee shall be submitted upon application for a residential building permit.~~

Note: For work done without a variance, building permit, or special use permit, all application fees will be doubled.

Note: All permit fees include an additional \$5 technology fee.

(Ordinance 2021-004, att. H, adopted 6/23/21)

Sec. A9.004 Subdivision

- (a) Subdivision plat: \$500.00.**
- (b) Land use/acre, (nonresidential): \$200.00.
- (c) Each lot in plat: \$200.00.**
- (d) Each variance or appeal:

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- (1) Commercial: \$500.00.***
- (2) Residential: \$250.00.***
- (e) Vacation document filing: \$200.00.
- (f) Oak wilt, per acre: \$100.00.
- (g) Resubmission of denied subdivision plat within ninety (90) days of denial: \$500.00 (with no per lot charge).

In addition to the standard fee, professional services fees may be required depending on the nature of the request (see [section A9.007](#)).

**Plats which combine two or more residential lots into a single larger residential lot shall pay a flat fee of \$300.00 in lieu of the \$500.00 fee for a subdivision plat and the \$200.00 fee for each lot in the plat.

*** An additional fee of \$150.00 will be added for notification costs if required.

Sec. A9.005 Site plans

- (a) Site plans:
 - (1) Nonresidential: \$500 plus \$0.10/square foot added impervious cover.
 - (2) Residential: \$250.00.
 - (3) Consultant review fees: At cost
- (b) Each variance or appeal:
 - (1) Commercial \$500.00.***
 - (2) Residential: \$250.00.***
- (c) Resubmission of denied site plan within ninety (90) days of denial:
 - (1) Nonresidential: \$500.00 (with no per square foot of added impervious cover charge).
 - (2) Residential: \$100.00.
- (d) Resubmission of denied site plan within ninety (90) days of denial: \$500.00 (with no per square foot charge).

In addition to the standard fee, professional services fees may be required depending on the nature of the request (see [section A9.007](#)).

(Ordinance 375, att. A, adopted 8/28/19)

Sec. A9.006 Zoning

- (a) Each variance - adjustment/appeal:
 - (1) Commercial: \$500.00.***
 - (2) Residential: \$250.00.***
- (b) Each change to an approved site plan: \$150.00.
- (c) Oak wilt (per acre): \$100.00.
- (d) Special use requests:
 - (1) Initial issue:
 - (A) Home occupation: \$150.00.
 - (B) All others: \$500.00.***
 - (2) Renewals by city council: \$300.00.
 - (3) Renewals by city administrator:
 - (A) Residential: \$150.00.***
 - (B) Commercial: \$300.00.***
- (e) Zoning change requests: \$1,000.00.***
- (f) Zoning determination letter requests: \$50.00.
- (g) Appeals to board of adjustment of administrative official: \$250.00.

(h) Planned development district:

(1) Application: \$2,500.00.***

(A) Per code deviation: \$150.00.

In addition to the standard fee, professional services fees may be required depending on the nature of the request (see [section A9.007](#)).

*** An additional fee of \$150.00 will be added for notification costs if notification is required to be made by the city for an applicant.

([Ordinance 2021-013, att. D, adopted 12/8/21](#))

Sec. A9.007 Professional services fees

In situations where the city administrator anticipates the city's out-of-pocket expenses for professional services related to review of an application will exceed the amount recouped by the imposition of standard fees, the city shall require the applicant to pay a deposit. The amount of the deposit may range from \$1,000.00–\$10,000.00, as deemed necessary by the city administrator. Examples of projects for which a deposit may be warranted include (but are not limited to) subdivision plats, rezoning requests, and planned development districts. The deposit shall solely be applied to payment of professional services by engineers, attorneys, surveyors, architects, landscape architects, etc., that are specifically engaged by the city to consult directly on the applicant's proposed project. Payment of this deposit shall be an express condition of the city's review of and determination upon the application. Payment of the deposit does not guarantee approval of the application. Nor does payment of the deposit create a client relationship between the applicant and the professional services provider. Deposit funds shall not be expended by the city on code enforcement activities. The deposit shall be replenished by the applicant upon depletion within 30 days of being notified by the city in writing. Unused account balances shall be reimbursed to the applicant or applied to future permit applications, at the applicant's discretion.

Sec. A9.008 Work done without obtaining a no-fee permit

(a) The fee for work started or completed that requires a no-fee permit, without first obtaining such a permit is ~~\$100.00~~\$250.00.

(b) This fee is to be assessed to recoup the city's reasonable administrative expenses related processing permit applications after the fact, and is not established as a penalty or fine.

(Ordinance 375, att. A, adopted 8/28/19)

Sec. 22.03.302 Preservation of existing landscape vegetation and natural features

- (a) Landscape shall be preserved in its natural state to the greatest extent possible.
- (b) Vegetative screening shall be maintained to the greatest extent possible, especially along the perimeter of all properties in order to maximize the screening and buffering of structures, driveways and parking areas from adjacent properties.
- (c) Structures, driveways, and parking areas shall be designed and located to fit harmoniously with the natural terrain and to minimize the necessity for removing trees, vegetation, and soil, or the addition of fill.
- (d) It is unlawful for any property owner or tenant to harbor dead trees, dead vegetation, dead brush piles, and other flammable dead organic material on their property. Exceptions would be allowed for contained compost piles and stacked and stored firewood. In order to reduce the risk of fire on all properties, all dead trees and brush piles, and other flammable dead organic material shall be cleared and removed in accordance with [section 22.03.303](#) below. In the case of dead trees and understory, the city inspector must confirm that the vegetation is dead prior to its removal in order for the owner to avoid replacement requirements as described in [section 22.03.304](#) (d) below. Any person violating any provision of this article shall be deemed guilty of a misdemeanor and each such person shall be deemed guilty of a separate offense for each and every day, or portion thereof, during which any violation of any provision of this article is committed, continued or permitted and upon the conviction of any such violation, such person shall be punishable by a fine of not more than \$2,000.00, except where otherwise provided in this article.
- (e) The city is responsible for all vegetation and trees that are located on city-owned property.

(Ordinance 363 adopted 4/11/18)

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Permits and Fees

- Continue with no
 - contractor registration fee
 - no flatwork fee
- Apply a technology fee of \$5.00 to every permit, including trees.

Increases (3rd party reviewers)

- Outdoor lighting \$125 (up from \$100)
- Drainage – up to 3 reviews; increase 20 percent of each fee. This includes 3 reviews. After 3 reviews, pass through charges to the applicant.

Suggested new fees:

- Solar-\$150
 - Requires rough and final electrical inspection. Most are also installing a battery backup system. This does not include any roof inspection.
- Roof- \$75
 - Currently don't charge but ATS does inspections
- Window replacement fee \$75
 - Requires 1 inspection
- Remodel extension -Half of original fee and good for 1 year
 - Currently only for new residential
- Revised plans -\$150 per reviewer per review

Tree fees

Fee Type	Current Fee	Proposed Fee	Covers
Pre development meeting- onsite walk	0	150	Remodel, pool
Pre development meeting-onsite walk	0	250	Demo, New residential, New commercial
Removal	0	100	Per tree
Tree mitigation	150	300	Per cal inch