



CITY OF WEST LAKE HILLS, TEXAS
NOTICE OF BOARD OF ADJUSTMENT (BOA) REGULAR MEETING
Wednesday, August 10, 2022 at 7:00 PM

Notice is hereby given that the Board of Adjustment (BOA) of the City of West Lake Hills, Texas, will hold a Regular Meeting on the 10th day of August 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:

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

<https://us02web.zoom.us/j/3499549035>

Meeting ID:349 954 9035

If you wish to listen to the meeting via telephone: Dial (346) 248-7799, Meeting ID 349 954 9035.

If you wish to speak during the meeting or provide written comment, 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 August 10, 2022.

1. Call to Order
2. Citizen Communications The City Council Welcomes Public Comments at this Point on any Issue. If the Issue is Listed on the Agenda, the Speaker May Choose to Comment During the Public Comment Period or When the Specific Agenda item is Taken Up by the Council Later in the Meeting. The Council Cannot Respond to Matters Not Listed on the Agenda Until a Future Meeting. Speakers Shall Limit Their Comments to Five (5) Minutes Each
3. Consent Agenda All Consent Agenda Items Listed are Considered to be Routine by the City Council and Will be Enacted by One (1) Motion. No Separate Discussion or Action

on any of the Items is Necessary Unless Desired by a Council Member or Citizen

- a. Approval of the July 13, 2022 Regular Meeting Minutes.
4. **Land Use 803 Westlake Drive:** Discussion and consider action on an application for variances for side setback reduction, a conservation easement reduction, driveway setback encroachment and minimum lot width variance for a proposed subdivision. (West Lake Hills Code Section 22.03.281, Section 36.01.007, 22.03.249). Applicants Doyle and Colleen Moore.
5. **Land Use 707 Butler Cove -** Discuss and consider action on the removal of fifteen trees with trunk diameters of fourteen inches or greater, accessory structure in a side building setback and cut and fill in a setback. (Sections 22.03.304, 22.03.281 and 22.03.170 of the West Lake Hills Code.) Applicant Justin Zucarelli.

DUAL ACTION ITEM

6. **Land Use 300 Hillcrest Court -** Discuss and consider action on a variance to locate pool equipment in a setback. (West Lake Hills Code Section 22.03.281). Applicant Robert Stephen Homes.
7. **Land Use 212 Buckeye Trail -** Discuss and consider action for an encroachment into a building setback for retaining walls. (Section 22.03.281 of the West Lake Hills Code.) Applicant Darush Rahmani.
8. **Land Use 706 Terrace Mountain -** Discuss and consider action on variances to encroach a front building setback, fence height, cut and fill, front yard fence visibility, landscape wall in a building setback and removal of a 17" Cedar Tree for the construction of a new single family residence. (Sections 22.03.281, 22.03.173, 22.03.125, 22.03.173 and 22.03.304 of the West Lake Hills Code.) Applicant Ashley Knight.

DUAL ACTION ITEM

9. Adjournment

Approved by: Linda Anthony, Chair

Certificate

I certify that the above Notice of the August 10, 2022 Board of Adjustment Regular Meeting was posted on the bulletin board at the Municipal Building, 911 Westlake Drive, West Lake Hills, Texas on August 5, 2022 at 5:00 pm. and will remain posted continuously until said meeting is convened.

Signed by: Terry Blanchard, 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
NOTICE OF ZONING & PLANNING COMMISSION (ZAPCO) REGULAR MEETING
Wednesday, July 20, 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 May 18, 2022 Regular Meeting Minutes.
 - b. Board of Adjustment and City Council results.

Vice-Chairman Pledger moves to approve the consent agenda. Seconded by Commissioner Vaughan. Unanimous (3-0) approval.

Commission goes into Executive Session at 6:32 p.m.

Commissioners return from Executive Session at 6:38 p.m.

3. **803 Westlake Drive:** Discussion/Recommendation on an application for variances for side setback reduction, a conservation easement reduction, driveway setback encroachment and minimum lot width variance for a proposed subdivision. (West Lake Hills Code Section 22.03.281, Section 3.01.007, 22.03.249). Applicants Doyle and Colleen Moore.

Staff Briefing

Director Grundman: Staff briefing is given. Staff recommendation: None at this time.

Commissioner Maccini: What is the concept plan?

Director Grundman: Exhibit C is the layout.

Presentation by Applicant

Michael Linehan is representing the application and gives a history of the property. They are requesting 7 one-acre lots. We want to meet the intent of West Lake Hills. Each variance request is explained. The 7 lots would be narrow and have 2 access driveways for the property.

Public Hearing

Chairman Meisel opened the meeting for public comments.

Robert Kleeman is the attorney representing some adjacent property owners and references the letter he sent. This sounds like a Zoning Application. The Board of Adjustment has strict state law requirements. Robert references the pending lawsuit. Special conditions don't exist on the property. What can be developed without variances? I urge you to not recommend approval.

Jack Downing lives at 905 Westlake Drive which is next door to City Hall. The setbacks are 10' in the plans. 50 Live Oak trees would be destroyed in this application. This is not the right site to be approved. The hardship is created by the applicants.

George Payton lives at 7 Rocky River Cove which is directly behind this property. My comments were mailed in. ZAPCO has a good history of requesting hardships.

Randy Lee lives at 6 Rocky River Cove since 1989. It doesn't fit with the character of the city. Make this a preserve. It would add value to the community.

Chairman Meisel closes the Public Hearing

Discussion/Recommendation

Vice-Chairman Pledger: I didn't hard about a hardship.

Commissioner Vaughan: I'm conflicted because of the agreement. I see no hardship.

Commissioner Maccini: I'm concerned by the size of the houses as a hardship and also concerned about the setbacks.

VICE-CHAIRMAN PLEDGER MOVES TO RECOMMEND DENIAL DUE TO LACK OF HARDSHIP. SECONDED BY COMMISSIONER MACCINI. UNANIMOUS (3-0) DENIAL.

4. 301 Buckeye Trail - Discussion/Recommendation on an application for variance to remove one tree of fourteen inches or greater (Tree #199 - 14" Live Oak) to remodel and expand an existing garage (Section 22.03.304 of the West Lake Hills Code). Applicant Ben Brieger.

Staff Briefing

Director Grundman: Staff Recommendation is approval conditioned on tree replacements.

Presentation by Applicant

Ben Brieger is the applicant and property owner and explains his previous variance request that was denied. ZAPCO recommended he remodel. It is not visible from the street.

Alfredo is the architect. The impervious cover was reduced and the design protects the larger trees.

Public Hearing

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

Discussion/Recommendation

Vice-Chairman Pledger: If we expand the driveway, will there be a line of cars waiting to be worked on?

Ben: No. It will be out of sight. We will be beautifying the yard.

Commissioner Maccini: Your safety is compelling. The replacement should be trees that grow well.

Commissioner Vaughan: This is a 1,379 sq. ft. house? The garage is over 1,000 sq. ft.? I'm for the variance.

Vice-Chairman Pledger: There are four 10" Live Oak and four 11" Live Oak on the property.

COMMISSIONER VAUGHAN MOVES TO RECOMMEND APPROVAL. SECONDED BY COMMISSIONER MACCINI. UNANIMOUS (3-0) APPROVAL.

5. 803 Forest View - Discussion/Recommendation on a variance application for a front setback encroachment (West Lake Hills Code Section 22.03.281). Applicants Sam and Katie Owen.

Staff Briefing

Director Grundman: Staff Recommendation: Approval.

Presentation by Applicant

Not present.

Public Hearing

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

Discussion/Recommendation

Commissioner Maccini: This property is for sale? I have a problem granting variance for a house for sale.

ITEM IS TABLED.

6. 300 Hillcrest Court - Discussion/Recommendation on an After-the-Fact variance to locate pool equipment in a setback. (West Lake Hills Code Section 22.03.281). Applicant Robert Stephen Homes.

Staff Briefing

Director Grundman: Staff Recommendation: Denial due to no hardship.

Presentation by Applicant

Robert Swett is the applicant. After the snow storm they needed to relocate the equipment. Photos are handed out for reference. When relocating we didn't know it would be a building issue.

Public Hearing

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

Discussion/Recommendation

Chairman Meisel: Was this permitted?

Director Grundman: After-the-fact.

Vice-Chairman Pledger: References a location inside the setback.

COMMISSIONER VAUGHAN MOVES TO DENY THE VARIANCE. SECONDED BY VICE-CHAIRMAN PLEDGER. UNANIMOUS (3-0) DENIAL.

7. 707 Butler Cove - Discussion/Recommendation on numerous after-the-fact tree removals, accessory structure in a side building setback and cut and fill in a setback. (Sections 22.03.304, 22.03.281 and 22.03.170 of the West Lake Hills Code.) Applicant Justin Zucurelli.

Staff Briefing

Director Grundman: Staff Recommendation: Denial due to lack of hardship.

Vice-Chairman Pledger: Are Cherry Laurels appropriate?

Director Grundman: Code states like for like.

Vice-Chairman Pledger: Planters in the setback are an issue?

Director Grundman: Yes.

Presentation by Applicant

Chris Johns is the attorney for the applicant. They were unaware of the tree regulations. The owners regret cutting trees. We are seeking a path to correct everything. Explains the 59" removed off of the neighbor's property. Russell Cain approved the Cherry Laurels. Total of 600" of replacement. We are trying to resolve the situation with the neighbors, the Patels. We are going above and beyond the ordinance requirements. We need guidance. The planters help with run-off.

Public Hearing

Vijay Patel resides at 711 Butler Cove. Large photos are presented. The attorney gave incorrect information. We reported our trees being cut. Before and after photos are presented.

Keely Denenberg lives at 719 Butler Cove. There is no hardship. The trees referenced were put in last week. Why would they plant last week? They know the rules. Why is the homeowners not here but has 3 paid employees? The run-off issue was created when they removed cedars.

Dina Patel resides at 711 Butler Cove. The word I can think of that is appropriate is "respect" the community. I request you deny. The owners knew what they were doing. Today is the first day the attorney contacted us.

James Ferguson lives at 501 Redbud Trail. When we built we had to plant Live Oaks and Red Oaks to make it a forest.

Steve Butler lives at 3 Limerick Lane. I'm against the variances. This is a like a small condo unit. They clear cut. Whatever you are required to replace will never mitigate to how it was.

Chairman Meisel closes the Public Hearing.

Discussion/Recommendation

Commissioner Vaughan: Where is this agreement with Russell Cain?

Director Grundman: It would have been on e-mail. No formal agreement.

Commissioner Maccini: i find these actions awful. Ignorance of the law is no excuse. Putting Cherry Laurels in a planter is not planting a tree. I'm sad for the Patels. Absolutely no on the request.

Chairman Meisel: After-the-fact variances require like-for-like?

Director Grundman: References the Code.

Chairman Meisel: Staff is not authorized to grant variances. We need to enforce Code. Replacement needs.

Vice-Chairman Pledger: References the planting last week?

Commissioner Vaughan: If we deny and they come back, we just deny?

Chairman Meisel: We are policy keepers.

COMMISSIONER VAUGHAN MOVES TO RECOMMEND DENIAL ON ALL VARIANCES. SECONDED BY COMMISSIONER MACCINI. UNANIMOUSLY (3-0) DENIAL.

8. 212 Buckeye Trail - Discussion/Recommendation on an encroachment into a building setback to replace old retaining walls. (Section 22.03.281 of the West Lake Hills Code.) Applicant Darush Rahmani.

Staff Briefing

Director Grundman: Approval based on the existing non-conforming.

Commissioner Maccini: Is there a future gate?

Director Grundman: Gate columns are not part of the approval.

Presentation by Applicant

Darush Rahmani is the applicant and homeowner. I don't know when they were built. The wall was rebuilt inside the footprint. Height is the same. We hopefully will build a gate in the future.

Public Hearing

Al Bessin lives at 216 Buckeye Trail. We share the driveway. I have concerns about the wall comes out to the street. The narrowness is a concern. Having a long wall is not in character.

Darush: It is replacing what was there. We did not decrease the width.

Vice-Chairman Pledger: This sounds like an after-the-fact?

Director Grundman: We issued a stop work order but the wall was finished. That is code enforcement.

Commissioner Vaughan: Staff recommends for approval?

Director Grundman: There is a more appropriate solution.

COMMISSIONER VAUGHAN MOVES TO RECOMMEND APPROVAL OF THE EXISTING RETAINING WALLS WITH NO INCREASE IN HEIGHT OR GATE POSTS. SECONDED BY VICE-CHAIRMAN PLEDGER. UNANIMOUS (3-0) APPROVAL WITH CONDITIONS.

9. 902 Yaupon Valley - Discussion/Recommendation on tree removals (Tree #3008 - 20" Cedar, Tree #3027 - 15" Cedar and Tree #3025 - 16" Live Oak) for construction of a single family residence. (Section 22.03.304 of the West Lake Hills Code.) Applicant Shayne Horne

Staff Briefing

Director Grundman: Denial due to no hardship.

Presentation by Applicant

James is one of the contractors. We want to demo. Time is important.

Public Notice

Joe Loehman lives at 900 Yaupon for 28 years. The proposed 9,100 sq. ft. home is a concern for flooding problems. It's going to be a year and a half to build that large of a house.

Erica Nelson lives at 904 Yaupon Valley. It will not fit in with the neighborhood. I have concerns about the trees. I moved here for the trees.

Chairman Meisel closes the Public Hearing.

Discussion/Recommendation

Vice-Chairman Pledger: I hate reposting variances.

Chairman Meisel: We'll deal with all the variances with the August meeting.

10. 706 Terrace Mountain - Discussion/Recommendation on variances to encroach a front building setback, fence height, cut and fill, front yard fence visibility, landscape wall in a building setback and removal of a 17" Cedar Tree for the construction of a new single family residence. (Sections 22.03.281, 22.03.173, 22.03.125, 22.03.173 and 22.03.304 of the West Lake Hills Code.) Applicant Ashley Knight.

Staff Briefing

Director Grundman: Staff Recommendation: Approval of the setbacks and tree. Denial all others.

Presentation by Applicant

Ashley Knight is the applicant and addresses the front setbacks and slopes. The design is done to go with the slope of the lot. The cut and fill is for drainage improvements.

Public Hearing

John Kato lives on Basin Ledge. This suggests a setback variance. Are the drawings wrong? The fence directs the water run-off and the current grade is toward my garage. They are asking to remove one tree. Removing the tree will cause more water problems.

Jared Haas: The updated plans were not provided to the neighbors but added to the packet. This lot has many trees.

Chairman Meisel closes the Public Hearing.

Discussion/Recommendation

Commissioner Vaughan: The updated design meets code.

Chairman Meisel: The drawings submitted give me concern. The setback should be limited to the building footprint.

Commissioner Maccini: I agree with that.

Director Grundman: Drainage is addressed at the building stage.

COMMISSIONER VAUGHAN MOVES TO RECOMMEND APPROVAL ON THE SETBACK IN STRUCTURE ONLY AND THE TREE VARIANCE. NO ON THE OTHERS. SECONDED BY COMMISSIONER MACCINI. UNANIMOUS (3-0) APPROVAL WITH CONDITIONS.

11. Adjournment. Chairman Robert Meisel.

Meeting is adjourned at 9:09 p.m.

CITY OF WEST LAKE HILLS, TEXAS
MINUTES OF A BOARD OF ADJUSTMENT (BOA) REGULAR MEETING
Wednesday, July 13, 2022 at 7:00 PM

1. Call to Order

With a quorum present, Chair Anthony called the meeting to order at 7:01 p.m. Members in attendance were Chair Linda Anthony, Board Members Darin Walker Brian Plunkett, Beth South and alternate Katherine Loayza.

2. Citizen Communications

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

3. All Consent Agenda Items Listed are Considered to be Routine by the City Council and Will be Enacted by One (1) Motion. No Separate Discussion or Action on any of the Items is Necessary Unless Desired by a Council Member or Citizen

a. Approval of the June 22, 2022 Special Called Meeting Minutes

b. 3300 Bee Cave Road, Suite 110 (Flower Child): Adopt an Ordinance for a Special Use Permit Request to Allow the Sale of Alcoholic Beverages in a Restaurant for On-Site Consumption for Property Zoned B-3, Business 3 (West Lake Hills Code Sec. 38.03.038 & Article 38.04).

Board Member Plunkett moves to approve. Seconded by alternate Katherine Loayza. Unanimous (5-0) approval.

4. Adjournment

Motion to adjourn the meeting made at 7:03 p.m. by Board Member with a Second by Board Member South. Motion to Adjourn carried unanimously by a vote of 5 ayes to 0 nays.

Respectfully submitted,

LINDA ANTHONY, CHAIR

ATTEST:

Terry Blanchard, City Secretary

These minutes were approved on _____, 2022.



**SIDE SETBACK, CONSERVATION EASEMENT, DRIVEWAY SETBACK AND LOT WIDTH VARIANCES
STAFF REPORT**

AUGUST 10, 2022

Project Address: 803 Westlake Drive (Moore Tract)

Project Number: 2022-1064

Agenda Item: Land Use: **803 Westlake Drive:** Discuss and consider action on an application for variances for side setback reduction, a conservation easement reduction, driveway setback encroachment and minimum lot width variance for a proposed subdivision. (West Lake Hills Code Section 22.03.281, Section 36.01.007, 22.03.249). Applicants Doyle and Colleen Moore.

Applicant Information: Doyle and Colleen Moore (Paul Linehan – Landscape Architect)

Hearing Dates:

June 15, 2022, ZAPCO (meeting cancelled)

July 20, 2022, ZAPCO

July 27, 2022, Board of Adjustment

Location: The subject property is located on Westlake Drive, between Buckeye Trail and Carrara Drive.

Property Information, Zoning & Site Characteristics:

Owner: Doyle and Colleen Moore

Legal Description: Abstract 21 Survey 1 Sparks W, 7.829 Acres

Lot Size: 7.829 acres (3415,031.24 square feet)

Zoning: R1 – One Family Residential

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

Background & Analysis:

The applicant has submitted a variance request with four proposed variances:

- Side Setback- to reduce the side setbacks from 25-feet to 15-feet per the provided concept plan.
- Conservation Easement – request is to reduce the required 50-foot conservation easement on the north side of the lot from 50-feet to 40-feet. The applicant has proposed to increase the easement on the south side from 50-feet to 60-feet.
- Lot Width – deviation from the minimum lot width of 150 feet.
- Driveway Setback – deviation from the required 30-foot driveway setback.

This application is tied to an agreement in 1972 with the Moore's and the City of West Lake Hills, where the city would grant a variance to allow 8 lots.

This variance request is tied to an upcoming subdivision application for seven (7) lots. There is currently a lawsuit pending against the City of West Lake Hills regarding this property as well.

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 – *“Development on the overall property is limited due to the presence of floodplain in the rear and additional space in the front required to provide joint use access driveway. These encumbrances will require the lots to be narrower, thus reducing the developable area per lot, while meeting the minimum one-acre lot size and protecting specific trees. We believe reducing the minimum side setback from 25' to 15' is reasonable. Moore Estates Subdivision proposes 7 lots (reduced from originally proposed 8 lots), to include a joint use access driveway to reduce the number of driveway locations on Westlake Drive, benefitting the health, safety, and welfare of this area.”*
2. There will not be unreasonable disruption of the natural terrain or unreasonable destruction of existing flora.
The application states – *“We propose to retain all protected trees. All trees required for removal to provide residential buildable area on each lot are not classified as protected trees. This subdivision proposes to adverse effects to the existing floodplain.”*
3. There is no reasonable alternative to the requisite variance that will alleviate the difficulty or hardship complained of.
The application states – *“This property is currently associated with an ongoing lawsuit (Cause No. D-1-GN-21-002632) to alleviate certain subdivision requirements and allow development of this property in accordance with the Code of Ordinances as much as possible.”*
4. The variance will not be greater than the minimum required to alleviate the difficulty or hardship complained of.
The application states – *“We are proposing a 10-foot reduction in the minimum side setback, from 25 feet to 15 feet. Development on the overall property is limited due to the presence of floodplain in the rear and additional space in the front required to provide joint use access driveway. These encumbrances will require the lots to be narrower, thus reducing the developable area per lot, while meeting the minimum one-acre lot size and protecting specific trees.”*
5. The variance does not violate the intent of the Zoning Ordinance or goals of the Comprehensive Plan.
The application states – *“This is a minimal change in side setback for a subdivision of 7 lots on a private joint-access driveway, which will reduce the number of driveway locations on Westlake Drive and benefit the health, safety and welfare in this area. Each lot will retain sufficient protected trees, will retain the minimum one-acre lot size per R-1 district, and not adversely affect the existing drainage easement / floodplain.”*
6. The variance will not adversely affect neighboring properties or interfere with the enjoyment of these properties by their owners.
The application states – *“This is a minimal change in side setback for a subdivision of 7 lots on a private joint-access driveway, which will reduce the number of driveway locations on Westlake Drive and benefit the health, safety and welfare in this area. Each lot will retain sufficient protected trees, will retain the minimum one-acre lot size per R-1 district, and not adversely affect the existing drainage easement / floodplain.”*

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 is the first step towards a future subdivision on the lot that would be seven (7) lots.

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

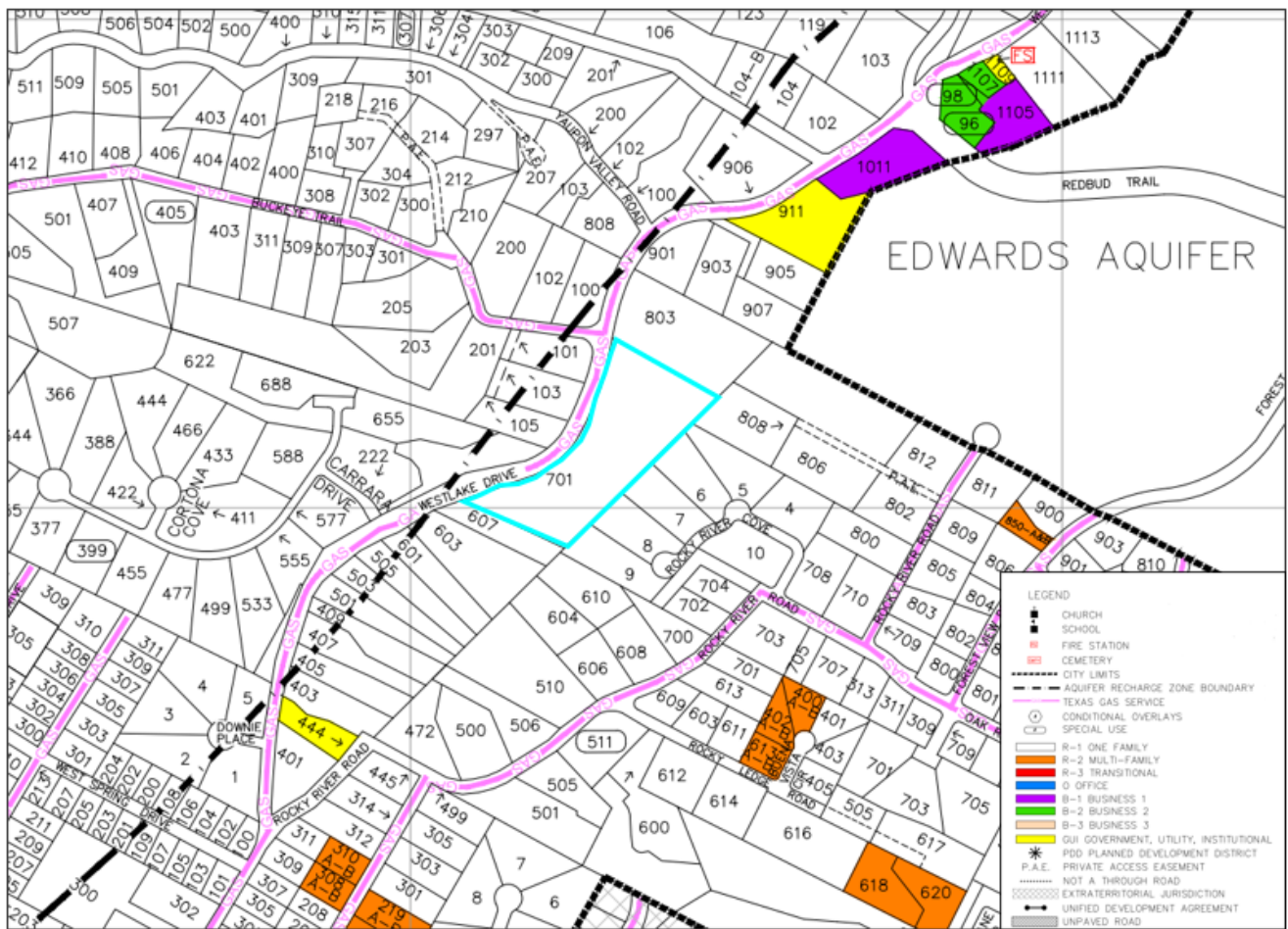
ZAPCO voted to recommend denial for lack of hardship, 3-0.

Staff Recommendation

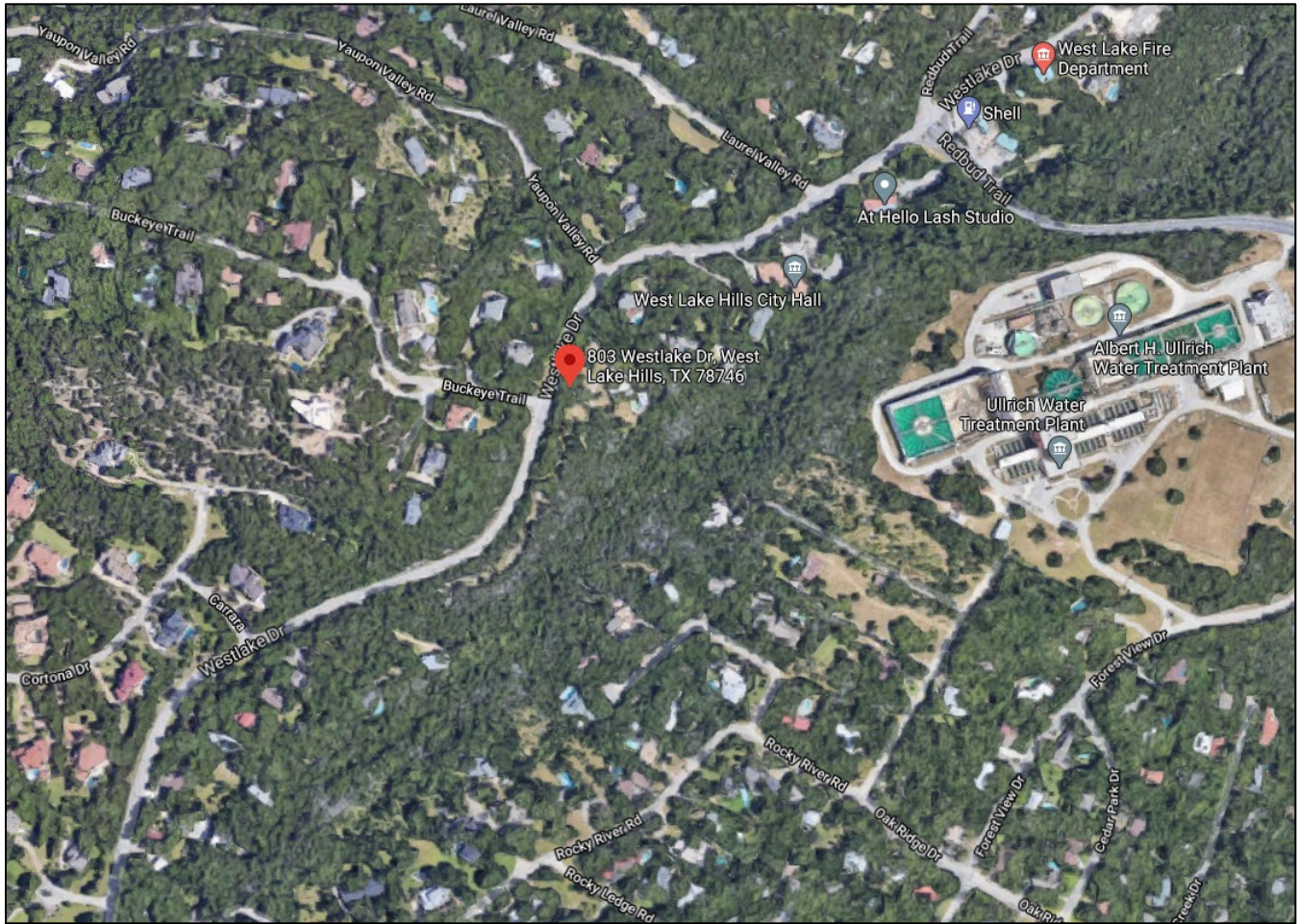
No staff recommendation.

Links to Relevant Code:

- | | |
|---|--|
| • <u>Sec. 22.03.281</u> | <u>Schedule of Regulations</u> |
| • <u>Sec. 22.03.514</u> | <u>Criteria and process required for granting variance</u> |
| • <u>Sec. 22.03.249</u> | <u>Driveway, Parking and Loading Area Setbacks</u> |
| • <u>Sec. 36.01.007(f)(1)</u> | <u>Plat Preparation, Contents and Submittal</u> |



AERIAL PHOTO



June 24, 2022

Ashby Grundman, AICP
City of West Lake Hills
Director of Building and Development Services

Re: Moore Estates Subdivision
Agreement Summary Letter and Variance Request

Dear Ashby:

Land Strategies, Inc., on behalf of the property owner, respectfully submits the following information to act as a summary letter for the agreement associated with the referenced Moore Estates Subdivision, located at the intersection of West Lake Drive and Buckeye Trail. This letter also provides information specific to the building setback variance being proposed with this subdivision.

Site History and General Information

On February 10, 2021, the Moore Estates Subdivision was submitted for review. To-date, no response or comment report has been provided by the City in this regard.

On October 11, 2021, the property owner's attorney filed Cause No. D-1-GN-21-002632 against the City of West Lake Hills. To-date, no response or comment report has been provided by the City in this regard.

Section 20.03.017(b) of the Code of Ordinances states that, "...the city and the property owner may, at any time, enter into a development agreement ... to the extent authorized by law, modifies the determination and the applicable development regulations to be applied to the project. The issue of which rules apply to a permit application may be resolved by mutual agreement. The agreement may contain special terms and conditions, as deemed necessary to protect the public interest." Based on this allowance, we continue to coordinate and negotiate a development agreement with the City of West Lake Hills to govern subdivision of the subject property, as provided in previous documentation and exhibits, and as included with this agreement summary letter.

The property owner's consultant team has been working with City of West Lake Hills staff for several months to come to an equitable agreement for the proposed Moore Estates Subdivision, which is proposed to decrease the total number of lots from the original submittal, and providing justification for a minor variance to side setback regulations. That information is detailed below. All of this coordination has been done in good faith toward the goal of finalizing a Moore Estates Subdivision Agreement, in accordance with Section 20.03.017(b), described above.

Requested Variance (1): Side Setback

Attached please find Exhibits C and D for inclusion in the agreement document. Exhibit C reflects the lot layout, joint use access driveway, acreage information per lot, the proposed 15-foot side setback (please see variance information below), and proposed building pad locations. Exhibit D reflects a list of the trees proposed for removal for each lot.

Variance Request: Findings of Fact (1): Side Setback

I, Paul Linehan, am the applicant's representative specific to this variance request. On behalf of the property owner, I request a variance from Section 22.03.281(b) of the Code of Ordinances requiring a minimum 25-foot side setback for the R-1 zoning district. With this subdivision, we request a minimum 15-foot side setback. This variance is justified due to the following site elements:

1. Development on the overall property is limited due to the presence of floodplain in the rear of the property, as well as additional space in the front of the property required to provide the joint use access driveway. These encumbrances will require the lots to be narrower, thus reducing the developable area per lot, while meeting the minimum one-acre lot size and protecting specific trees. Therefore, we believe reducing the minimum side setback from 25 feet to 15 feet is reasonable in this situation. Note on the attached Exhibit C, all trees shown in green are protected trees; Exhibit D reflects the only trees proposed for removal on each lot to provide sufficient developable area.
2. The Moore Estates Subdivision proposes a total of 7 lots (reduced from the originally proposed 8 lots), to include a joint use access driveway. This joint use access driveway will reduce the number of driveway locations on Westlake Drive, which will benefit the health, safety and welfare of this area of the City.

Requested Variance (2): Conservation Easement

Exhibit C and the Final Plat (Exhibit B) reflects the requested conservation easement required for subdivisions greater than five (5) acres in size. However, due to the site information described below, this site cannot accommodate the required 50-foot conservation easement on both sides of the overall property.

Variance Request: Findings of Fact (2): Conservation Easement

I, Paul Linehan, am the applicant's representative specific to this variance request. On behalf of the property owner, I request a variance from Section 36.01.007(f)(2)(F)(v) of the Code of Ordinances requiring a 50-foot undisturbed conservation easement for all subdivisions larger than five (5) acres. While the western undisturbed conservation easement meets the 50-foot width requirement, with this subdivision, we request a variance to allow a combination of a 40-foot undisturbed conservation easement on the northern boundary and a 60-foot undisturbed conservation easement on the southern boundary; collectively, these two undisturbed conservation easements will total 100 feet in width, which is the general intent of the referenced code section. This variance is justified due to the following site elements:

1. Development on the overall property is limited due to the presence of floodplain in the rear of the property, as well as additional space in the front of the property required to provide the joint use access driveway. These encumbrances will require the lots to be narrower, thus reducing the developable area per lot, while meeting the minimum one-acre lot size and protecting specific trees. Therefore, we believe altering the undisturbed conservation easements to a 40-foot and 60-foot easement area as described above will allow the subdivision to meet the intent of this code section.

2. It is important to note that approximately 58.3% of the site is encumbered with floodplain (approximately 2.87 acres) and setbacks (approximately 2.04 acres for the joint-use driveway setback). The undisturbed conservation easement area will be located on portions of proposed Lot 1 and proposed Lot 7.

Requested Variance (3): Minimum Lot Width

Reflected on Exhibit C and the proposed Final Plat (Exhibit B) are the proposed lot widths for each lot. Lots 1, 2, 3, and 4 cannot meet the minimum lot width requirement of 150 feet for property in the R-1 zoning district. While the widths of these lots are narrow at the front, they do widen in the rear and buildable area.

Variance Request: Findings of Fact (3): Minimum Lot Width

I, Paul Linehan, am the applicant's representative specific to this variance request. On behalf of the property owner, I request a variance from Section 22.03.281(b) of the Code of Ordinances requiring a minimum 150-foot minimum lot width for the R-1 zoning district. With this subdivision, we request a minimum 60-foot lot width for Lots 1, 2, 3, and 4. This variance is justified due to the following site elements:

1. Development on the overall property is limited due to the presence of floodplain in the rear of the property, the need to protect specific trees, and additional space in the front of the property required to provide the joint use access driveway. These encumbrances will require the lots to be narrower, thus reducing the developable area per lot, while meeting the minimum one-acre lot size. Therefore, we believe reducing the minimum lot width from 150 feet to 60 feet is reasonable in this situation. Note on the attached Exhibit C, all trees shown in green are protected trees; Exhibit D reflects the only trees proposed for removal on each lot to provide sufficient developable area.

Requested Variance (4): Minimum Driveway Setback

Reflected on Exhibit C are the proposed driveway locations for each lot. Lots 1 and 2 cannot meet the minimum driveway setback from side lot lines of 30 feet for property in the R-1 zoning district, due to the restricted width of the lots as described in variance #3 above.

Variance Request: Findings of Fact (4): Minimum Driveway Setback

I, Paul Linehan, am the applicant's representative specific to this variance request. On behalf of the property owner, I request a variance from Section 22.03.249(b)(2) of the Code of Ordinances requiring a minimum 30-foot driveway setback from property lines for the R-1 zoning district. With this subdivision, we request a minimum 10-foot driveway setback for Lots 1 and 2, in order to allow for a potential joint-use driveway between these two lots. This variance is justified due to the following site elements:

1. Development on the overall property is limited due to the presence of floodplain in the rear of the property, the need to protect specific trees, and additional space in the front of the property required to provide the joint use access driveway. These encumbrances will require the lots to be narrower, thus reducing the developable area per lot, while meeting the minimum one-acre lot size. Additionally, in order to retain the protected trees, access to Lots 1 and 2 may require a joint-use driveway, which will require reducing the driveway setback distance. Therefore, we believe reducing the minimum driveway setback from 30 feet to 10 feet is reasonable in this situation for Lots 1 and 2. Note on the attached Exhibit C, all trees shown in green are protected trees; Exhibit D reflects the only trees proposed for removal on each lot to provide sufficient developable area.

Please feel free to contact me with any questions or should you need additional information.

Best regards,

A handwritten signature in black ink, appearing to read "Paul W. Linehan". The signature is fluid and cursive, with a large initial "P" and "L".

Paul W. Linehan, ASLA
President

Attachments

cc: Frosty Moore, property owner
cc: Robert (Ric) Thompson, P.E., Thompson Land Engineering, LLC



May 31, 2022

Ashby Grundman, AICP
City of West Lake Hills
Director of Building and Development Services

Re: Moore Estates Subdivision
Agreement Summary Letter and Variance Request

Dear Ashby:

Land Strategies, Inc., on behalf of the property owner, respectfully submits the following information to act as a summary letter for the agreement associated with the referenced Moore Estates Subdivision, located at the intersection of West Lake Drive and Buckeye Trail. This letter also provides information specific to the building setback variance being proposed with this subdivision.

Site History and General Information

On February 10, 2021, the Moore Estates Subdivision was submitted for review. To-date, no response or comment report has been provided by the City in this regard.

On October 11, 2021, the property owner's attorney filed Cause No. D-1-GN-21-002632 against the City of West Lake Hills. To-date, no response or comment report has been provided by the City in this regard.

Section 20.03.017(b) of the Code of Ordinances states that, "...the city and the property owner may, at any time, enter into a development agreement ... to the extent authorized by law, modifies the determination and the applicable development regulations to be applied to the project. The issue of which rules apply to a permit application may be resolved by mutual agreement. The agreement may contain special terms and conditions, as deemed necessary to protect the public interest." Based on this allowance, we continue to coordinate and negotiate a development agreement with the City of West Lake Hills to govern subdivision of the subject property, as provided in previous documentation and exhibits, and as included with this agreement summary letter.

Attached please find Exhibits C and D for inclusion in the agreement document. Exhibit C reflects the lot layout, joint use access driveway, acreage information per lot, the proposed 15-foot side setback (please see variance information below), and proposed building pad locations. Exhibit D reflects a list of the trees proposed for removal for each lot.

The property owner's consultant team has been working with City of West Lake Hills staff for several months to come to an equitable agreement for the proposed Moore Estates Subdivision, which is proposed to decrease the total number of lots from the original submittal, and providing justification for a minor variance to side setback regulations. That information is detailed below. All of this coordination has been done in good faith toward the goal of finalizing a Moore Estates Subdivision Agreement, in accordance with Section 20.03.017(b), described above.

Variance Request : Findings of Fact

I, Paul Linehan, am the applicant's representative specific to this variance request. On behalf of the property owner, I request a variance from Section 22.03.281(b) of the Code of Ordinances requiring a minimum 25-foot side setback for the R-1 zoning district. With this subdivision, we request a minimum 15-foot side setback. This variance is justified due to the following site elements:

1. Development on the overall property is limited due to the presence of floodplain in the rear of the property, as well as additional space in the front of the property required to provide the joint use access driveway. These encumbrances will require the lots to be narrower, thus reducing the developable area per lot, while meeting the minimum one-acre lot size and protecting specific trees. Therefore, we believe reducing the minimum side setback from 25 feet to 15 feet is reasonable in this situation. Note on the attached Exhibit C, all trees shown in green are protected trees; Exhibit D reflects the only trees proposed for removal on each lot to provide sufficient developable area.
2. The Moore Estates Subdivision proposes a total of 7 lots (reduced from the originally proposed 8 lots), to include a joint use access driveway. This joint use access driveway will reduce the number of driveway locations on Westlake Drive, which will benefit the health, safety and welfare of this area of the City.

Please feel free to contact me with any questions or should you need additional information.

Best regards,



Paul W. Linehan, ASLA
President

Attachments

cc: Frosty Moore, property owner
cc: Robert (Ric) Thompson, P.E., Thompson Land Engineering, LLC

WARRANTY DEED

FILM CODE

00005680722

Date: January 28, 1998

Grantor: Doyle H. Moore and wife, Colleen N. Moore

Grantor's Mailing Address (including county):

803 Westlake Drive
Austin, Travis County, Texas 78746

Grantee: Doyle H. Moore and Colleen Bohn Moore, Trustees of the Moore Family Trust, Under Trust Agreement of even date herewith

Grantee's Mailing Address (including county):

803 Westlake Drive
Austin, Travis County, Texas 78746

Consideration:

Partial funding of a revocable management trust for the benefit of Grantors

Property (including any improvements):

A 2.89 acre tract of land, more or less, out of a 9 acre tract in the Wilkinson Sparks Survey Number 4, in Travis County, Texas, as set out in deed to Doyle H. Moore and wife Colleen N. Moore recorded in Vol. 1342, Page 161, Travis County Deed Records;

AND

A 5.11 acre tract of land, more or less, out of a 9.0 acre tract in the Wilkinson Sparks Survey Number 4, in Travis County, Texas, as set out in deed to Doyle H. Moore recorded in Vol. 1741, Page 118, Travis County Deed Records;

LESS THE

0.058 acres, more or less, out of said tracts which was conveyed to the City of West Lake Hills, Texas by Right-Of Way Deed dated October 24, 1972 of record in Volume 4434 at page 1113 of the Deed Records of Travis County, Texas;

AND LESS THE

0.021 acres, more or less, and the 0.046 acres, more or less, out of said tracts which were conveyed to the City of West Lake Hills, Texas by Right-Of Way Deed dated October 26, 1972 of record in Volume 4434 at page 1111 of the Deed Records of Travis County, Texas.

Reservations from and Exceptions to Conveyance and Warranty:

Easements, rights-of-way, and prescriptive rights, whether of record or not; all presently recorded instruments, including liens and conveyances, that affect the property; taxes for 1998, the payment of which Grantee assumes.

Grantor, for the consideration and subject to the reservations from and exceptions to conveyance and warranty, grants, sells, and conveys to Grantee the property, together with all and singular the rights and appurtenances thereto in any wise belonging, to have and hold it to Grantee, Grantee's heirs, executors, administrators, successors, or assigns forever. Grantor binds Grantor and Grantor's heirs, executors, administrators, and successors to warrant and forever defend all and singular the property to Grantee and Grantee's heirs, executors, administrators, successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the reservations from and exceptions to conveyance and warranty.

When the context requires, singular nouns and pronouns include the plural.

REAL PROPERTY RECORDS
TRAVIS COUNTY, TEXAS

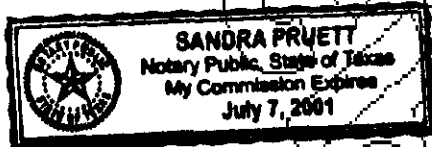
Doyle H. Moore
DOYLE H. MOORE

Colleen N. Moore
COLLEEN N. MOORE

STATE OF TEXAS

COUNTY OF TRAVIS

This instrument was acknowledged before me on the 28th day of January, 1998, by Doyle H. Moore and Colleen N. Moore.



Sandra Pruett
Notary Public, State of Texas

AFTER RECORDING RETURN TO:

Rinehart & Pruett
9300 Research Blvd.
Suite 300
Austin, Texas 78759

PREPARED IN THE LAW OFFICE OF:

Rinehart & Pruett
9300 Research Blvd.
Suite 300
Austin, Texas 78759

FILED

98 FEB -3 PM 2:07

DANA DEDEAUVOIR
COUNTY CLERK
TRAVIS COUNTY, TEXAS

STATE OF TEXAS COUNTY OF TRAVIS
I hereby certify that this instrument was FILED on
the date and at the time stamped hereon by me; and
was duly RECORDED in the Volume and Page of the
named RECORDS of Travis County, Texas, on

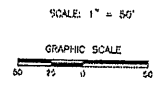
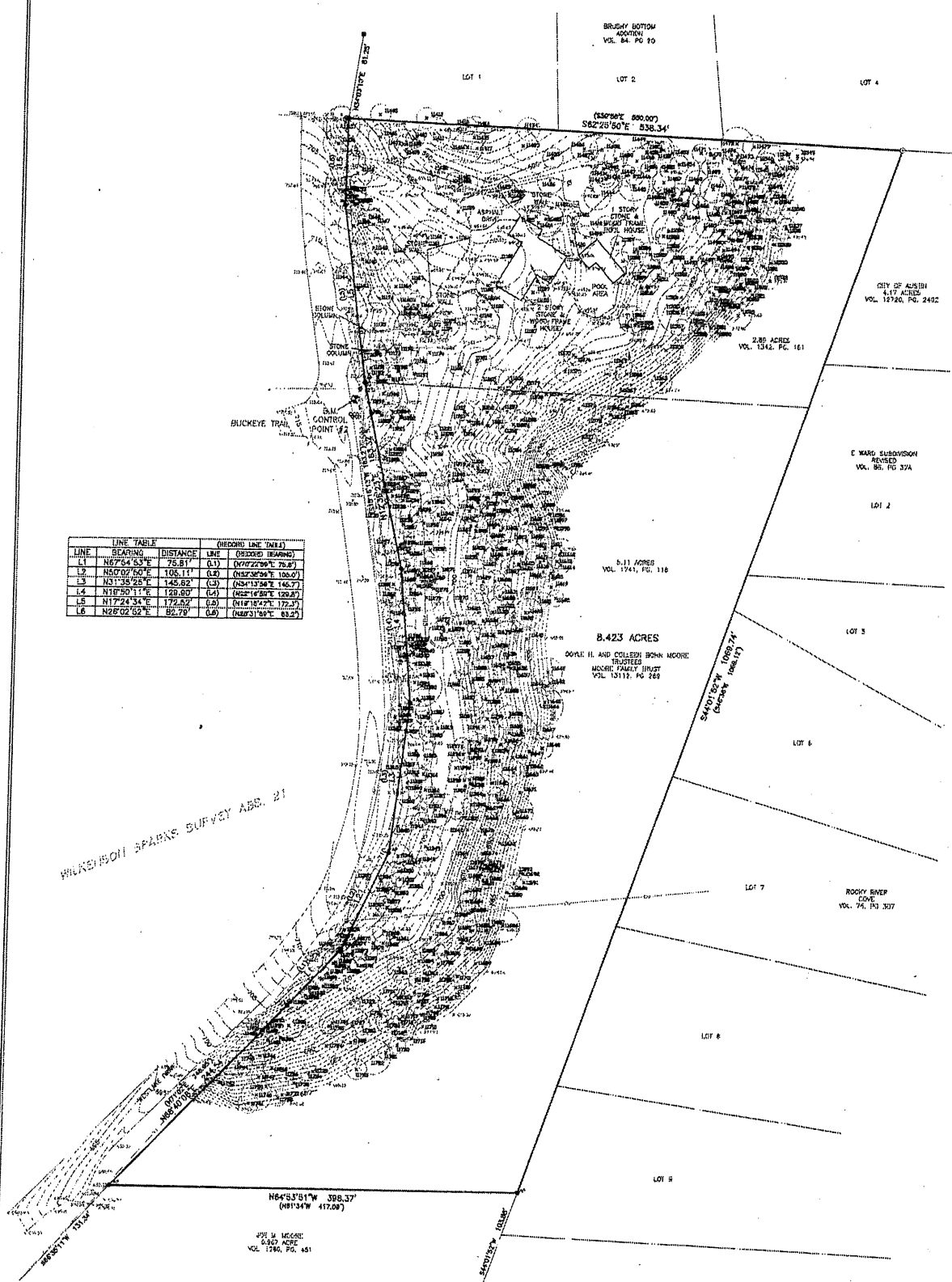
FEB 3 1998



COUNTY CLERK
TRAVIS COUNTY, TEXAS

RECEIPT#: 000897440 TRANS#: 01726 DEPT: REGULAR RECORD \$11.00
CASHIER: KHTUC FILE DATE: 2/3/98 TRANS DATE: 2/3/98
PAID BY: CHECK# 20400

REAL PROPERTY RECORDS
TRAVIS COUNTY, TEXAS



- LEGEND
- 1/2" REBAR FOUND (OR AS NOTED)
 - 1/2" REBAR WITH "CHAMARRAL" CAP FOUND
 - 1/2" IRON PIPE FOUND
 - CONTROL POINT/BENCHMARK LOCATION
 - UTILITY POLE
 - OUT WIRE
 - OVERHEAD UTILITIES
 - TELEPHONE UTILITY
 - GROUNDWATER
 - BDN

BENCHMARK INFORMATION:
 BM 423 (this set on the east side of Westlake Dr. at the NW corner of Buckeye Trail +/- 5' from edge of asphalt).
 ELEVATION = 810.34'
 VERTICAL DATUM: NAVD 83 (GEOID 128)

THIS IS A SURFACE DRAWING.
 BEARING BASIS: THE TEXAS COORDINATE SYSTEM OF 1983 (DADED), INITIAL ZONE, BASED ON GPM SOLUTIONS FROM THE NATIONAL GEODETIC SURVEY (NGS), ON-LINE POSITIONING USER SERVICE (OPUS) FOR CHAMARRAL CONTROL POINT 21.
 600 MSL SET
 SURFACE COORDINATES:
 N 10075317.84
 E 3095754.07
 TEXAS STATE PLANE COORDINATES:
 N 10075310.03
 E 3095448.83
 ELEVATION = 812.35'
 VERTICAL DATUM: NAVD 83 (GEOID 128)
 COMBINED SCALE FACTOR = 0.999999910 (FOR SURFACE TO GRID CONVERSION)
 INVERSE SCALE FACTOR = 1.000100 (FOR GRID TO SURFACE CONVERSION)
 SCALED ABOUT 0.0
 TIE IN ANGLE 0°00'00"

LINE	BEARING	DISTANCE	LINE	BEARING	DISTANCE
1	N77°44'33"E	75.51'	1	N77°44'33"E	75.51'
2	N50°02'50"E	105.11'	2	N50°02'50"E	105.11'
3	N31°35'25"E	145.82'	3	N31°35'25"E	145.82'
4	N16°50'11"E	129.60'	4	N16°50'11"E	129.60'
5	N17°24'34"E	172.52'	5	N17°24'34"E	172.52'
6	N26°02'52"E	85.79'	6	N26°02'52"E	85.79'



LAND STRATEGIES INC.

1983 - 2022
39
YEARS OF EXPERIENCE

1411 W. 5TH ST.
SUITE 100
AUSTIN, TX 78703
PH: (512) 328-6050
FAX: (512) 328-6172

THIS DOCUMENT IS
INCOMPLETE AND MAY NOT BE
USED FOR REGULATORY
APPROVAL, PERMITTING OR
CONSTRUCTION

NOTES:

FROSTY MOORE WESTLAKE

EXHIBIT C

REVISIONS

SET ISSUED
05.25.2022
DRAWN BY
DM
SHEET NAME

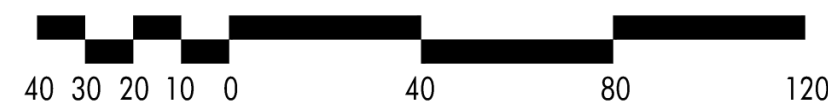
SHEET

Page 27 of 162



LEGEND

- EXISTING TREE
- EXISTING PROTECTED TREE
- REMOVED TREE
- COMMON DRIVEWAY
- PRIVATE DRIVEWAY
- FENCE
- EROSION SEDIMENTATION CONTROL
- BUILDING AREA



SCALE: 1" = 40'

EXHIBIT D

INDIVIDUAL LOT TREE CALCULATIONS

(W/O CEDAR, HACKBERRY, & CHINA BERRY)

FROSTY MOORE WESTLAKE

TREE NO.	TREE TYPE	TREE REMOVED (CAL. IN.)	TREE NO.	TREE TYPE	TREE REMOVED (CAL. IN.)
11432	CEDAR ELM	9.0	11680	LIVE OAK	8.0
11409	CEDAR ELM	8.0	11681	LIVE OAK	9.0
11440	CEDAR ELM	7.0	11683	LIVE OAK	10.0
11442	LIVE OAK	9.0	TOTAL TREES REMOVED LOT 7= 27.0		
11446	LIVE OAK	9.0	GRAND TOTAL TREES REMOVED= 576.5 (CAL. IN.)		
11447	LIVE OAK	10.0			
11464	LIVE OAK	12.0			
11463	LIVE OAK	10.0			
11495	LIVE OAK	7.0			
11497	CEDAR ELM	9.0			
11499	CEDAR ELM	11.0			
TOTAL TREES REMOVED LOT 1=		101.0 (CAL. IN.)			
11159	LIVE OAK	9.0			
11162	LIVE OAK	13.0			
11148	LIVE OAK	7.0			
11150	LIVE OAK	12.0			
11424	LIVE OAK	12.0			
11421	LIVE OAK	6.0			
11507	LIVE OAK	7.0			
11508	LIVE OAK	9.0			
11512	LIVE OAK	6.0			
11560	LIVE OAK	13.0			
11559	LIVE OAK	12.0			
11561	LIVE OAK	7.0			
TOTAL TREES REMOVED LOT 2=		116.0 (CAL. IN.)			
11165	LIVE OAK	7.0			
11163	SPANISH OAK	9.0			
11166	LIVE OAK	9.0			
11167	LIVE OAK	11.0			
11168	LIVE OAK	9.0			
11169	LIVE OAK	10.0			
11185	LIVE OAK	12.0			
11184	LIVE OAK	7.0			
11183	LIVE OAK	11.0			
11182	LIVE OAK	10.0			
TOTAL TREES REMOVED LOT 3=		95.0 (CAL. IN.)			
11197	LIVE OAK	10.0			
11199	LIVE OAK	12.0			
11234	LIVE OAK	17.5			
11215	LIVE OAK	9.0			
11213	LIVE OAK	13.0			
11214	LIVE OAK	9.0			
11179	LIVE OAK	11.0			
11243	SPANISH OAK	8.0			
11213	LIVE OAK	13.0			
TOTAL TREES REMOVED LOT 4=		102.5 (CAL. IN.)			
11239	LIVE OAK	8.0			
11236	LIVE OAK	9.0			
11271	LIVE OAK	7.0			
11340	LIVE OAK	6.0			
11332	LIVE OAK	6.0			
11333	LIVE OAK	8.5			
11249	SPANISH OAK	11.0			
11602	SPANISH OAK	11.0			
11600	LIVE OAK	7.0			
11251	CEDAR ELM	10.0			
11273	LIVE OAK	6.0			
TOTAL TREES REMOVED LOT 5=		95.5 (CAL. IN.)			
11288	LIVE OAK	12.0			
11296	CEDAR ELM	6.0			
11297	CEDAR ELM	8.0			
11298	CEDAR ELM	7.0			
11299	CEDAR ELM	6.0			
TOTAL TREES REMOVED LOT 6=		39.5 (CAL. IN.)			





LAND-USE SUMMARY	
LAND USE	ACRES (±)
7 LOTS	8.40
FLOODPLAIN/ BUFFER SETBACKS	2.87
JOINT USE DRIVEWAY SETBACKS	2.04
BUILDABLE AREA	3.49

LAND STRATEGIES INC.

1983 - 2022

39

YEARS OF EXCELLENCE

1411 W. 5TH ST.

SUITE 100

AUSTIN, TX. 78703

PH: (512) 328-6050

FAX: (512) 328-6177

EMAIL: LSI@LSIaustin.COM

THIS DOCUMENT IS

INCOMPLETE AND MAY NOT BE

USED FOR REGULATORY

APPROVAL, PERMITTING OR

CONSTRUCTION

NOTES:

MOORE ESTATE DIVISION

EXHIBIT C

LSI # 2073

REVISIONS

SET ISSUED

07.22.2022

DRAWN BY

DM

SHEET NAME

SHEET

LEGEND

EXISTING TREE

EXISTING PROTECTED TREE

REMOVED TREE

COMMON DRIVEWAY

PRIVATE DRIVEWAY

FENCE

EROSION SEDIMENTATION CONTROL

BUILDING AREA

40

30

20

10

0

40

80

120

SCALE: 1" = 40'

Page 29 of 162

SNEED, VINE & PERRY
A PROFESSIONAL CORPORATION
ATTORNEYS AT LAW
ESTABLISHED 1926

2705 BEE CAVE ROAD, SUITE 160
AUSTIN, TEXAS 78746

TELEPHONE (512) 476-6955

FACSIMILE (512) 476-1825

Writer's Direct Dial:
(512) 494-3135

Writer's e-mail address:
[REDACTED]

July 14, 2022

Via email only AGrundman@westlakehills.gov

Ashby Grundman
Board of Adjustment
City of West Lake Hills
911 Westlake Drive
West Lake Hills, TX 78746

Re: 7.829 Acres Located at 803 Westlake Drive ("Property"); Three Zoning Variance Applications; ("Variance Requests"); City Project No. 2022-1064

Dear Mayor and Members of the Board of Adjustment:

This firm represents Randy Lee and George Peyton with respect to the above referenced Variance Requests being requested by Doyle and Colleen Moore (collectively, the "Applicant"). According to the June 24, 2022 letter from Paul Linehan of Land Strategies ("Linehan Letter"), the Applicant is requesting three variances to zoning regulations regarding lot width, side setback, and driveway setback in the R-1 Zoning District ("Zoning Variances"). Additionally, the Applicant requests a variance to the City's subdivision ordinance regarding the minimum width of a conservation easement required for subdivisions containing more than 5 acres ("Subdivision Variance").

The premise of this letter is the Zoning Variances cannot be granted as a matter of law based on caselaw interpreting the controlling statutes found in Chapter 211, Texas Local Government Code ("TLGC"). In sum, the Applicant cannot establish by "competent evidence" that a literal enforcement of the City's Zoning Ordinance would result in "unnecessary hardship." Section 211.009(a)(3) TLGC; Section 38.05.032(1)(A), City Code.

Section 211.009(a)(3), TLGC grants the BOA the authority to grant zoning variances if four conditions are met:

"(a) The board of adjustment may . . .

(3) authorize in specific cases a variance from the terms of a zoning ordinance if [1] the variance is not contrary to the public interest and, [2] **due to special conditions**, [3] a literal enforcement of the ordinance would result in **unnecessary hardship**, and [4] so that the spirit of the ordinance is observed and substantial justice is done." (emphasis added).

Per Section 38.05.037, City Code, the Board of Adjustment (“BOA”) has jurisdiction and authority to decide upon all four variances. The City Code of Ordinances establishes *Conditions Required For Granting Variances* (Section 38.05.032) and *Interpretative Criteria* (Section 38.05.033). Section 38.05.034(h) states the “board shall not grant a variance unless it finds, based on competent evidence, that each of the conditions in section 38.05.032 has been established.” (emphasis added). The term “competent evidence” means the evidence would be admissible in a court of law. Therefore, hearsay, speculation, and non-germane evidence and testimony would not be competent evidence and can be ignored by the BOA.

Applicant’s Basis for Zoning Variance Requests

The Linehan Letter presents a single special condition of the Property the floodplain at the rear of the Property:

“Development on the overall property is limited due to [1] the presence of floodplain in the rear and [2] additional space in the front required to provide joint use access driveway. These encumbrances will require the lots to be narrower, thus reducing the developable area per lot, while meeting the minimum one-acre lot size and protecting specific trees.”

Special Conditions

Section 38.05.033, City Code recognizes “exceptional irregularity of shape or topography, which are peculiar to the parcel of land involved and not shared generally by other parcels in the neighborhood” as unusual conditions that meet the statutory “special conditions” requirement. The City’s zoning regulations are neither an “unusual condition” nor a “special condition” of the Property.

“Where, owing to no fault of the owner, lots were configured in such a way as to make them incompatible with applicable zoning laws, and the strict application of those zoning laws would deny the property owner reasonable use of the property, the city board of adjustment had the authority to grant a variance from the zoning restrictions.”¹

Unnecessary Hardship

The Applicant seeks to subdivide the Property for the purpose of the selling the lots for profit. The Applicant pursuit of a subdivision of the Property and earn a profit is a quintessential

¹ 77 Tex. Jur. 3d Zoning § 209 citing *Ferris v. City of Austin*, 150 S.W.3d 514 (Tex. App. Austin 2004).

example of commercial activity. “A variance is not authorized merely to accommodate the highest and best use of the property, but only where the zoning ordinance does not permit any reasonable use of the lot.”²

“There is no unnecessary hardship if the property in question is suitable and usable for the uses permitted in the district in which it lies even if there will be a loss of profit or other economic disadvantage on account of the use³. Thus, financial hardship⁴, diminution of market value, or interference with a property owner’s personal plans and desires relative to his or her property⁵ are not sufficient to show unnecessary hardship and entitle the owner to a variance.”

A finding of hardship must be based on a finding that the property, as situated, would not support some conforming use.⁶

Texas caselaw recognizes a different standard of “unnecessary hardship” where the applicant owns a lot and seeks a variance to allow the construction of an ancillary structure, such as swimming pool. The courts have recognized the recreational use of a residential lot is a customarily recognized property that most lot owners have.⁷ That line of cases is not applicable here because the proposed subdivision is a commercial activity.

The fundamental question that the City’s Board of Adjustment must ask and the Applicant must answer is how many lots can be platted on the Property without any of the Zoning Variances. The requested variances must be considered in light of the baseline number of lots that can be platted without a variance.

The stated goal of the four requested variances is to plat an additional (7th) residential lot on the Property. If four, five or six lots could be platted on the Property without any of the requested variances, then the only possible “unnecessary hardship” would be lessened profit to the Applicant. Based on the previously discussed case law, the Applicant cannot meet the applicable standards for granting the four variance.

2 77 Tex. Jur. 3d Zoning § 181 *citing Board of Adjustment of City of San Antonio v. Willie*, 511 S.W.2d 591 (Tex. Civ. App. San Antonio 1974), writ refused n.r.e., (Dec. 11, 1974).

3 *Id.* *citing Board of Adjustment v. Stovall*, 218 S.W.2d 286 (Tex. Civ. App. Fort Worth 1949); *Luse v. City of Dallas*, 131 S.W.2d 1079 (Tex. Civ. App. Dallas 1939), writ refused, (Nov. 29, 1939).

4 *Id.* *citing City Of Alamo Heights v. Boyar*, 158 S.W.3d 545 (Tex. App. San Antonio 2005); *Ferris v. City of Austin*, 150 S.W.3d 514 (Tex. App. Austin 2004).

5 *Id.* *citing Biddle v. Board of Adjustment, Village of Spring Valley*, 316 S.W.2d 437 (Tex. Civ. App. Houston 1958), writ refused n.r.e.

6 *Ferris v. City of Austin*, 150 S.W.3d 514 (Tex. App. Austin 2004).

7 *Board of Adjustment of City of Piney Point Village v. Solar*, 171 S.W.3d 251 (Tex. App. Houston 14th Dist. 2005).

Board of Adjustment Authority

“The powers of the board of adjustment are limited to those conferred on it by statute,⁸ and the board’s powers must be exercised within their proper limits.⁹ A board of adjustment must act within the strictures set by the legislature and the city council and may not stray outside its specifically granted authority.”¹⁰

Development Agreement for Moore Estates Subdivision

The Linehan Letter states that it is a summary letter for an agreement associated with the Moore Estates Subdivision and then cites Section 20.03.017(b) as the authority for a development agreement. The Linehan Letter does not provide a complete quote of this section.

Section 20.03.017(b) states:

“Notwithstanding the binding nature of a determination issued by the development review committee or city administrator, and any ruling by the BOA, the city and the property owner may, at any time, enter into a development agreement or negotiate the enactment of a planned development district that, to the extent authorized by law, modifies the determination and the applicable development regulations to be applied to the project. The issue of which rules apply to a permit application may be resolved by mutual agreement. The agreement may contain special terms and conditions, as deemed necessary to protect the public interest.” (emphasis added).

It is not clear how Section 20.03.017(b) has any relevance to the three Zoning Variances. I request the BOA clarify during the public hearing the relevancy, if any, of a Section 20.03.017(b) agreement to the merits of the requested Zoning Variances and BOA consideration of the Zoning Variances.

⁸ 77 Tex. Jur. 3d Zoning § 210 *citing* Town of Bartonville Planning and Zoning Bd. of Adjustments v. Bartonville Water Supply Corp., 410 S.W.3d 23 (Tex. App. San Antonio 2013); West Texas Water Refiners, Inc. v. S & B Beverage Co., Inc., 915 S.W.2d 623 (Tex. App. El Paso 1996)

⁹ *Id.* *citing* Board of Adjustment of City of San Antonio v. Nelson, 577 S.W.2d 783 (Tex. Civ. App. San Antonio 1979), writ refused n.r.e., 584 S.W.2d 701 (Tex. 1979); Board of Adjustment v. Stovall, 218 S.W.2d 286 (Tex. Civ. App. Fort Worth 1949).

¹⁰ *Id.* *citing* City of San Antonio v. El Dorado Amusement Co., Inc., 195 S.W.3d 238 (Tex. App. San Antonio 2006).

Board of Adjustment
City of West Lake Hills
Page 5
July 14, 2022

Please distribute this letter to members of the Planning and Zoning Commission as well as the Board of Adjustment.

Please let me know if you have any questions.

Very truly yours,

SNEED, VINE & PERRY,
A PROFESSIONAL CORPORATION

By: 
Robert J. Kleeman

RJK/mb

Cc: Randy Lee
George Peyton
Paul Linehan
Mark Littrell, Planning and Zoning Secretary

Karen and Jack Downing

905 Westlake Drive
West Lake Hills, Texas 78746

July 28, 2022

Ms. Linda Anthony, Mayor
City of West Lake Hills, TX

Re: Moore Estates Subdivision Application and Variance Request dated May 31, 2022

Linda,

Karen and I have been residents of Westlake Hills and literally your next-door neighbors since 2007.

We and our neighbors strongly spoke against the previous variance request made in 2021 and, during the recent ZAPCO meeting, I again voiced my objection to the latest edition- the Moore Estates Subdivision Application and Variance Request dated May 31, 2022.

For your reference, I have attached Moore **EXHIBIT C** from the application upon which we have labeled lots 1 through 7 and highlighted the requested side setbacks for these lots.

In general, the bases of our objection at this time include the following:

A. SIDE YARD SETBACKS

The Agreement and Summary Letter with Variance Request written by Land Strategies, Inc. and dated May 31, 2022 refers to "*a minor variance to side setback regulations*". We strongly disagree that this would be a minor variance.

1. The Application and Variance Request states that the side yard setback for all of the lots will be 15' which is 40% less than the 25' minimum requirement. Those non-complying 15' setbacks are shown in pink color on the attachment to this letter. It appears that every building pad would come in contact that 15' setback. Opposing building pads such as 3 and 4, 4 and 5, and 6 and 7 would result in areas of extremely narrow separation.
2. Contrary to what is stated in the Application and Variance Request, a closer examination of **EXHIBIT C** in the Application and Variance Request reveals that the side yard setbacks for lots 1 and 7, shown in orange color on the attachment to this letter, would actually be not 15', but 10' which is 60% less than the minimum 25' requirement. **EXHIBIT C** is misleading, erroneous, and inconsistent with what is stated in the Application and Variance Request.

B. TREES

1. The Application and Variance Request shows that 50 Live Oak and Spanish Oak trees would be destroyed on the 7.875-acre tract. (This does not include Cedar Elm and Ash Juniper trees.) This is a total of 504 caliper inches of Oak trees to be destroyed.
2. **EXHIBIT C** in the Application and Variance Request is not clear as to which and how many existing "Protected Trees" will be destroyed.
3. The existing "Protected Trees" to remain are shown in **EXHIBIT C** in the Application and Variance Request. Approximately 13 of these trees are located very close to the proposed building pads. More likely than not, these trees will suffer damage to their trunks and limbs and/or root systems during and after construction and will not survive.

C. HABITAT DESTRUCTION

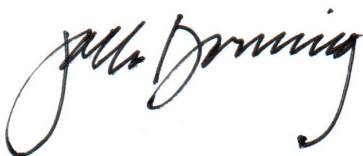
We have been the beneficiaries of the presence of a wide range of wildlife visiting our neighborhood. This includes coyotes, ringtail cats, gray foxes, road runners, racoons, opossums, reptiles, many types of birds, and loads of insects pollinating our flower gardens. Studies have shown that there are even more critters that also make their homes along the feeder to Little Bee Creek. If this tract is over-developed and damaged as proposed by this Application and Variance Request, it will destroy significant habitat for one of the things that makes West Lakes Hills special. It would be especially egregious if this were to occur as a result of the approval of an unsupported variance request.

D. APPROPRIATENESS

The Application and Variance Request is ill-conceived, mis-leading, and inappropriate. There are too many constraints with this site for the proposed density. As shown by **EXHIBIT C** in the Application and Variance Request, many of the building pad configurations are forced into the shape of the site and are awkward. Because of this, if the request is approved, we are certain that owners, engineers, architects, and builders will be pursuing variances based upon "hardships" imposed by the layout and physical limitations of the "Moore Estates Subdivision".

Karen and I appreciate your reading of this communication. We strongly object to the Moore Application and Variance Request and we hope that you will consider our concerns and agree and vote "no".

Sincerely,

A handwritten signature in black ink, appearing to read "John Drinning". The signature is fluid and cursive, with a large initial "J" and a long, sweeping underline.

Enclosure

Moore EXHIBIT "C" w/highlights



To: West Lake Hills Zoning and Planning Commission and West Lake City Council

From: Randy & Sherry Lee, 6 Rocky River Cove, West Lake Hills Texas

Re: Objection statement concerning Moore Estates Subdivision Application and Variance Request

Date: June 15th and June 22, 2022

Members of the West Lake City Council and Zoning and Planning Commission, my name is Randy Lee and my wife Sherry and I have resided in the city of West Lake Hills since December, 1989, or 33 years at 6 Rocky River Cove.

I appear before you today to strongly object to the Moore Estate applicant's request to seek approval for a subdivision development agreement and variance for the 7.875-acre tract. This proposal places 7 houses on this very steep and fairly unbuildable piece of property. In West Lake Hills variances are for hardships, not style and prebuilding decisions and preferences. These awkwardly configured lots will bring nothing but a barrage of building construction variance requests over the next few years.

You declined, and correctly so, to adopt approval of the final subdivision of this tract in early 2021. Yes, the applicants are taking another bite at the apple and have reduced the number of lots to 7. However, in order to not ask for a side setback variance of 15 feet, the applicant should have submitted 5, maybe 6 lots. So now, potentially there will be 7 California style box buildings hanging on the side of a steep cliff because of this narrowing variance request, which will look like condos all in a row.

You know it is okay to just say NO to this variance request and subdivision application. When I served on ZAPCO, we said no to the developer of the Baldwin track where Westbank Village sits today, when that developer asked for narrower side setback variances to build residences closer together. Fortunately, we saw a better plan. A new plan for use was developed and the community is much better for the reevaluation.

As I said and objected to at the two previous hearings, a better use for this property for the long term benefit of the community is to let qualified credible conservation organizations fund and preserve it. This property lies in the Upper Little Bee Creek watershed which is a sensitive environmental resource. As a matter of fact, since the initial application was denied, and even before the hearings, a group of us, through Dr. Andrew Sansom, tried reaching out to Doyle Moore, Jr. and his real estate agent to offer a free appraisal and begin negotiations to purchase the tract to set aside as a conservation area; not a park, but an undisturbed natural tract which would benefit the citizens of West Lake Hills for many years to come.

As stated on the city's website regarding trees, "for several decades, the City of West Lake Hills has had various ordinances in effect regulating the removal of trees and vegetation in order to promote and enhance a superior community environment, to maintain the rural character, to maintain air quality and ecologic balance, to maintain property values, and to ensure the maximum preservation of the valuable natural features and scenic rural/wooded character."

The information which the applicants have submitted shows approximately 74 + trees to be cut and removed, mostly live oak. Remediation and replanting certainly cannot be sufficiently accomplished given the hard dense limestone ground of the subject property and the steep incline.

For over a year and a half now, we have been rebuffed by the applicant at all attempts to resolve this problem. While the applicant has the right to dispose of this property for the benefit of the estate and its beneficiaries, to ask for a variance in this process is untenable. This is all about the money, not hardship.

Since before the first two hearings in early 2021, we have asked and utilized the professional environmental services of Nico M. Hauwert, Ph.D., Professional Geoscientist, Program Manager Balcones Canyonlands Preserve, Austin Water Wildlands Conservation Division. He has studied the entire Little Bee Creek watershed for many years. His credentials and knowledge of this area are unparalleled. Please see the report I asked him to forward to Ashby Grundman and to be included in your packets. Since his initial report in April 5, 2021, a more significant environmental discovery has been revealed. I quote from Dr. Huawert's email to Mr. Grundman:

"As example, since the attached memo was produced, in January 2022 on the 4th examination of Box Spring in the Bee Creek BCP Preserve by contractor Crystal Datri, a listed endangered aquatic Barton Springs salamander (*Eurycea sosorum*) was discovered. This discovery reflects the excellent water quality of the Edwards Aquifer in this area. The proximity of the cluster of perennial springs near the Mount Bonnell Fault suggest that this geologic feature plays a role in conveying groundwater through the Edwards Aquifer in this area."

I ask you for two things:

1. Please say no to this subdivision and to the requested variance.
2. Work with us and the applicant and members of the community to further study and consider making this property a valuable conservation preserve for all of the citizens of West Lake Hills.

Thank you.

Randy M. Lee

6/15/2022ZAPCO6/15/2022

803 Westlake Drive

Thank you for the opportunity to comment on this important issue.

My name is Andrew Sansom and I have lived since 1988 at 722 Yaupon Valley Road in Westlake Hills.

My purpose here is to inform you that I have been attempting for many months to arrange purchase of the property at 803 Westlake Drive as a unit of the Balcones Canyonlands Preserve. I have had several meetings with Mr. Moore and his real estate broker to discuss this option but currently have not received replies from the family or its representative.

I am confident that funds can be made available for such a purpose which would protect this ecologically important property in perpetuity.

Thank you very much for the opportunity to comment.

Andrew Sansom

GEORGE AND JOHANNA PEYTON

7 Rocky River Cove, West Lake Hills, TX 78746 · 817-691-6011



To: West Lake Hills Zoning and Planning Committee and City Council Members

Dear Members,

We are writing you to express our concern regarding, and arguments against, the proposed subdivision and variance request of the property at 803 Westlake Drive, known as the Moore Estates Subdivision. The proposed subdivision is situated directly behind our property and home. Our property will arguably be one of the most negatively impacted should the subdivision move forward. Below are our arguments against the proposal:

- 1) **Impact on Nature:** While we have been residents of Austin since 2009, we moved to West Lake Hills and recently bought our current house in early 2019 precisely because of the beauty, privacy and natural greenspace behind it. West Lake Hills had already undergone tremendous growth, and we were confident that the City would adequately enforce building codes preserving the natural settings. In fact, we paid a premium to surrounding property sales in order to enjoy the privacy and natural beauty of this area, much of which is largely due to disciplined development adjacent to our property. The windows from every room in our house look directly onto the proposed subdivision.
- 2) **Unsuitable Construction Sites:** The terrain is so steep and unsuitable for construction that the engineering work would lead to homes on stilts that stick out of the hillside, not homes that blend gently into the rolling landscape of West Lake Hills. Furthermore, there will undoubtedly be water drainage issues and environmental damages that cannot be rectified through the current city codes. Finally, the request for a side setback variance only proves that the lots are not buildable as proposed.
- 3) **Traffic:** Traffic on Westlake Drive has increased considerably over the years. The addition of multiple new homes will lead to even more congestion on Westlake Drive, and will inevitably cause accidents as drivers are forced to slow down to allow entrance and egress from the proposed subdivision lots. We have three children, all of whom will be driving on Westlake Drive in a few short years.
- 4) **Property Value Impact:** Due to the nature of the subdivision, the loss of natural views from our property, and the additional 4+ neighboring large houses directly viewable from our home, the property value of our house will be negatively

impacted. The defining attribute of our home is its natural setting. Such a setting is why our property had multiple purchase offers when it was for sale, and is why we paid a premium to purchase the home. If the proposed subdivision and subsequent construction are allowed to proceed, that setting will change materially, and our property value will certainly decline relative to its worth currently.

- 5) **Alternatives:** Finally, there are viable alternatives that would conserve and protect the property for future generations. Greenspace is becoming increasingly important as the area becomes more fully developed. To that end, the City and several private foundations have funds in reserve for precisely these types of situations; causes that our family has generously supported over the years. As this property has been for sale in years past, I would suggest the applicant seek to divest it to a group whose interests are more aligned with those of greater West Lake Hills, rather than seek to monetarily exploit the natural environment that has led to the enjoyment and prosperity of so many local property owners.

We greatly appreciate the service performed by the City Planners and Council, and because of you we are thankful to call West Lake Hills home. Thank you for your consideration.

Regards,
George and Johanna Peyton
7 Rocky River Cove
West Lake Hills, TX 78746



MEMORANDUM

To: Randy Lee and Doris Robitaille, West Lake Hills neighbor coordinators for Proposed Expansion of Little Bee Creek Preserve

From: Nico M. Hauwert, Ph.D., Texas Professional Geoscientist 5171
Austin Water Balcones Canyonland Preserve Program Manager

Date: April 5, 2021

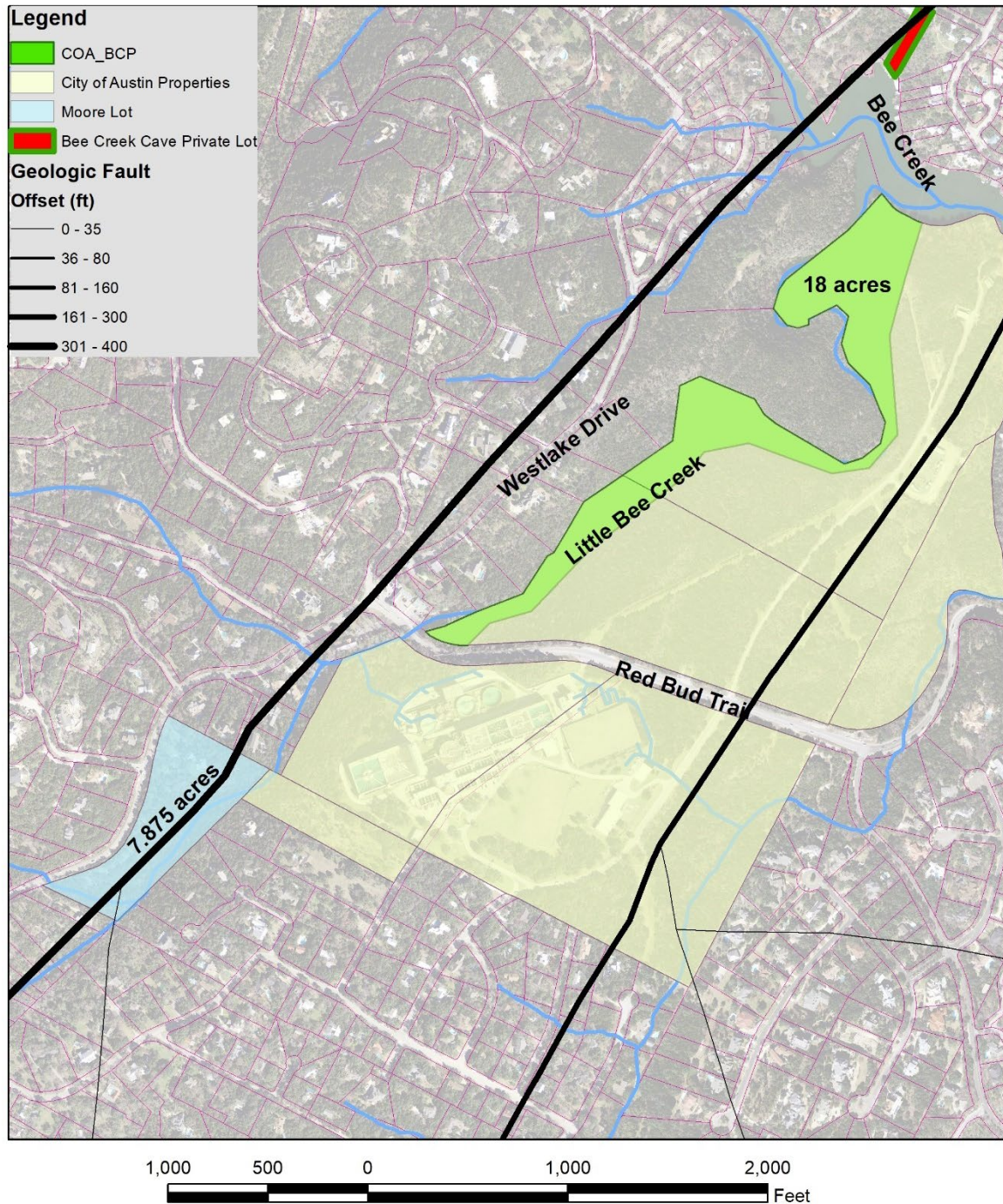
Subject: Initial Assessment of Little Bee Creek

Thank you for reaching out to me for more information on Little Bee Creek. Our Austin Water Balcones Canyonland Preserve program (AW BCP) is committed to preserving portions of Little Bee Creek and Bee Creek for compliance with our federal Balcones Canyonland Conservation Plan Permit issued by the U.S. Fish & Wildlife Service (USFW). Travis County is a partner on this permit. We welcome the opportunity to partner with neighbors and I hope to reach out to the City of West Lake Hills staff in the future, as land preservation here can be mutually beneficial. We appreciate the opportunity to examine your properties to better understand the geology and environmental resources of this area.

The AW BCP manages an existing 18-acre preserve including the mouth of Little Bee Creek that includes Little Bee Creek Cave (Figure 1). Both Little Bee Creek Cave and Bee Creek Cave, which lies on a private lot north of Bee Creek, are both listed for protection with adequate karst preserve (s). Our attempts to acquire the lot containing Bee Creek Cave has so far been unsuccessful. Our permit does have provisions to substitute another cave of similar species and quality if a cave cannot be protected. USFW guidelines include a minimum 50-acre size for a moderate quality karst preserve and 100-acres for a high-quality preserve. Enlarging the size of our existing karst preserve would help us meet compliance with our federal permit.

The Little Bee Creek to Rollingwood area has four known caves including Bee Creek Cave, Little Bee Creek Cave, Bandit Cave (all three on our permit) and Little Black Hole (outside any BCP preserve on AW Ullrich property) which contain the extremely limited range of the listed endangered Bee Creek Cave harvestman (*Texella reddelli*, Figure 2). While these four caves essentially comprise the only known, surveyed caves remaining in this area that naturally had many. We have had success in restoring filled caves to allow former cave ecosystems to return and thrive (Hauwert and Sanders, 2019, [here](#)). My staff cave biologists are fairly confident that *Texella reddelli* would be found in other caves in this area, even previously filled caves that could be restored.

Figure 1. Little Bee Creek Area including AW BCP Little Bee Creek Karst Preserve



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Figure 2. Bee Creek Cave harvestman (*Texella reddelli*) in Little Bee Creek Cave. Photo by Colin Strickland AW BCP biologist.



Figure 3. Little Bee Creek Cave (photo by Mark Sanders, AW BCP biologist)



Our existing Little Bee Creek karst preserve is also one of the few places that bracted twistflower (*Streptanthus bracteatus*, Figure 4) is found. It is becoming increasingly rare and its limited habitat destroyed such that it may be listed as endangered in the future. It is likely present on adjacent properties as well. The area is also confirmed habitat for the endangered Golden-cheeked Warbler (Figure 5).

Figure 4. Bracted twistflower (*Streptanthus bracteatus*)



Figure 5. Golden-cheeked Warbler



The springs in our preserve located near the mouth of Little Bee Creek might be found to have threatened or endangered aquatic life including aquatic Eurycea salamanders. The springs discharging from the mouth of the tributary would likely have Eurycea salamanders as every spring up to Cold Springs (in the Colorado River about a half mile downstream of Bee Creek) that enough effort is spent eventually finds them. In February 2021, we found aquatic subterranean (stygobitic) isopods in one of the springs, which is a sign of a healthy groundwater ecosystem. While the springs are already protected in a preserve, its source area is likely higher on Little Bee Creek. The springflow and runoff of Little Bee Creek enter the Colorado River a short distance upstream of the intake for the Ullrich Water Treatment Plant. Consequently, preserving the water quality of Little Bee Creek is important for water supply.

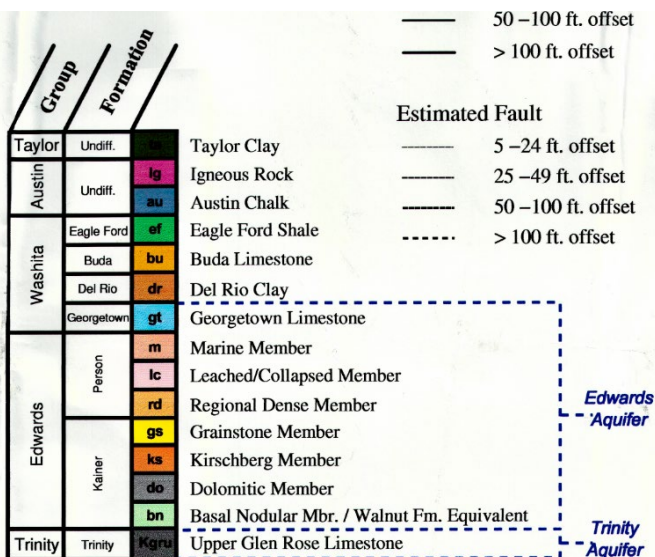
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I have had the fortune of conducting geological mapping of this area, initially as part of a published cooperative project between the US Geological Survey and the Barton Springs/Edwards Aquifer Conservation District ([USGS 1996 Report](#); [2002 BSEACD map](#))

The Mount Bonnell Fault has a displacement of roughly 300 feet in this area and roughly parallels West Lake Drive in this area. This fault generally defines the boundary between the Edwards Aquifer Recharge Zone and Contributing Zone. The large crushing action along this fracture seems to have contributed to the development of caves in this area. At the surface along Westlake Drive, this fault separates the Upper Glen Rose Formation of the Trinity Group to the northwest from the Kirschberg Member of the Edwards Group to the southeast. I was able to verify the presence of the Kirschberg Member of the Edwards Group on your property and also observed the location of the fault separating the Edwards Group and Upper Glen Rose Formation crossing Westlake Drive as we mapped it in the 1996 and 2002 maps. The fault location is similarly mapped, in a 1997 geologic map of the Austin West Quadrangle by the Bureau of Economic Geology (https://store.beg.utexas.edu/5002-tm_thickbox_default/gq0038d.jpg).

We discussed the possibility of extending a preserve further upstream along Little Bee Creek. You mentioned a 7.875-acre Moore tract along Westlake Drive that had been for sale in the

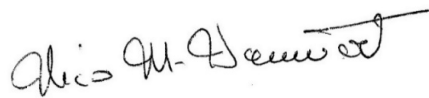
Figure 6. Clip of 2002 Barton Springs/Edwards Aquifer Conservation District 2002 Surface Geology Map of the Little Bee Creek Area



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In order to consider any tract for acquisition, I would need to examine the site to examine its environmental resources and surface geology. I would be happy to work with the owner to assess its possible value as a preserve and seek funding to acquire it, or work with other partners in preserving it. I could conceive that with conservation easements and fee simple acquisition for caves along Little Bee Creek we could potentially create a karst preserve greater than 50 acres in area with multiple caves containing this endangered cave invertebrates.

If you have any questions, comments or ideas please contact me at 512-695-4597.



Nico M. Hauwert, Ph.D., Professional Geoscientist, Program Manager

Balcones Canyonlands Preserve

Austin Water Wildlands Conservation Division

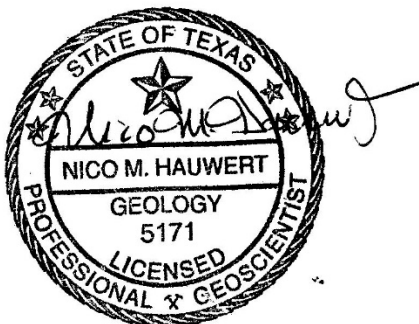
3621 South FM 620, Austin, Texas 78738

Office phone: 512-972-1661 Cell phone: 512-695-4597 Fax: 512-972-1665

nico.hauwert@austintexas.gov

In accordance with the Texas Board of Professional Geoscientists rules 22 Texas Administrative Code, Part 39, Chapter 851, Subchapter C, article 851.156, this report is signed and sealed to insure the work has been performed by the following professional geoscientist who takes full responsibility for this work.

The computer generated seal appearing on this document was authorized by Nico M. Hauwert, P.G. #5171 on April 5, 2021.





MEMORANDUM

To: Randy Lee and Doris Robitaille, West Lake Hills neighbor coordinators for Proposed Expansion of Little Bee Creek Preserve

From: Nico M. Hauwert, Ph.D., Texas Professional Geoscientist 5171
Austin Water Balcones Canyonland Preserve Program Manager

Date: April 5, 2021

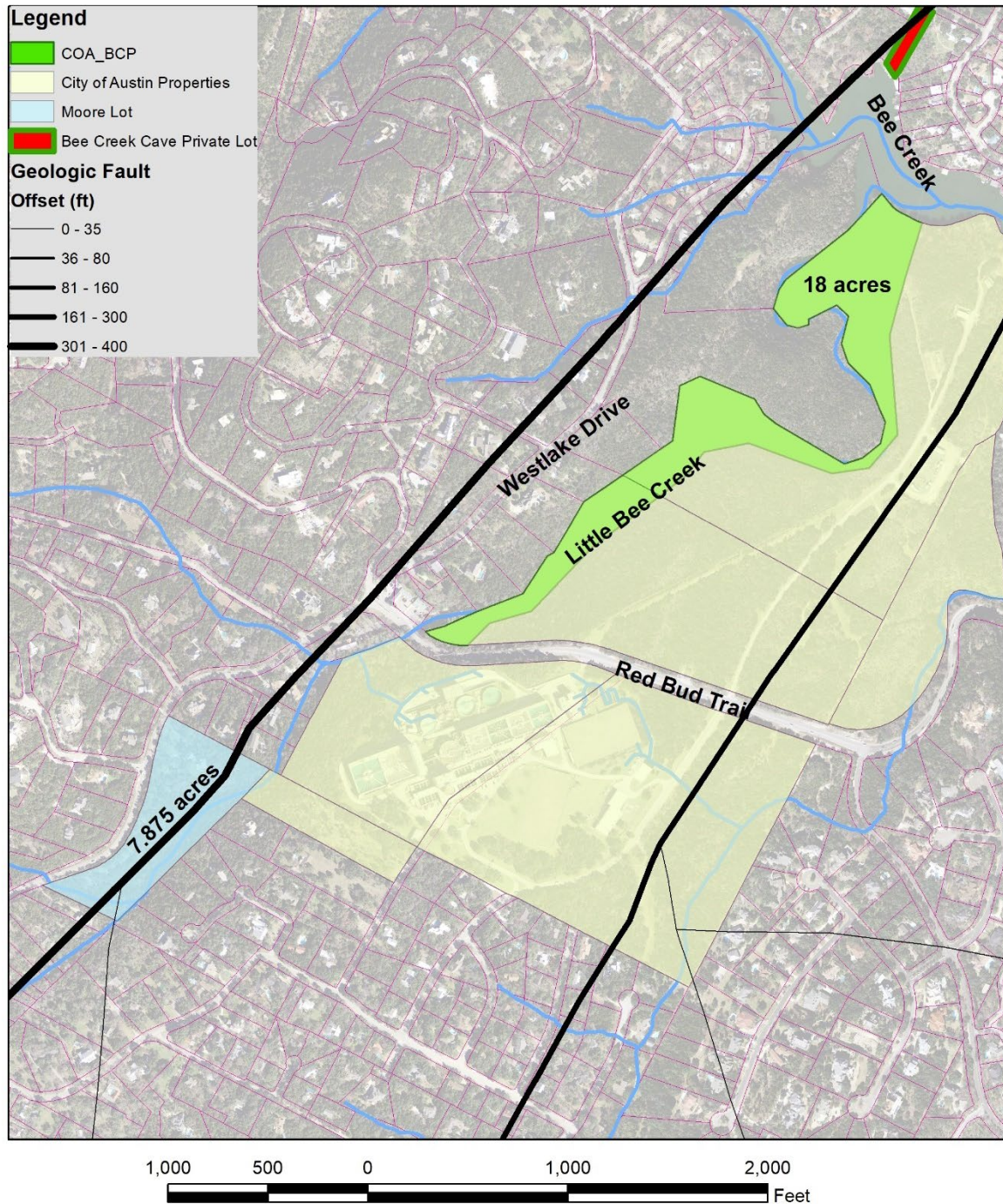
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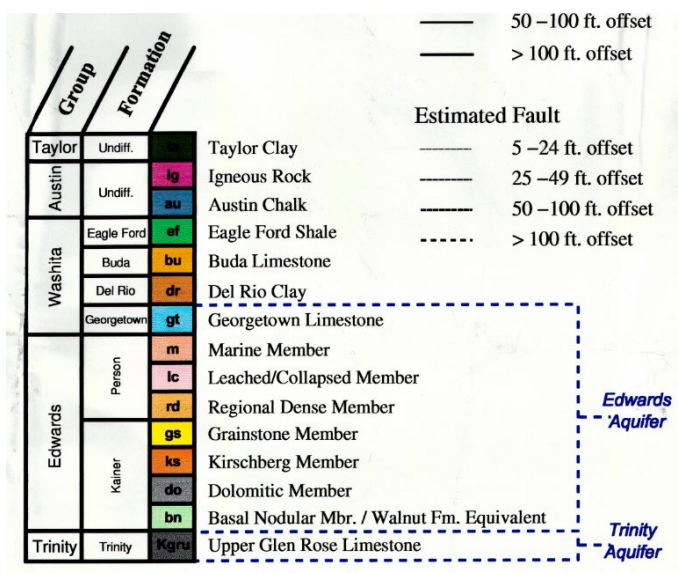
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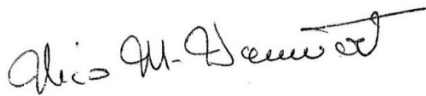
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Nico M. Hauwert, Ph.D., Professional Geoscientist, Program Manager

Balcones Canyonlands Preserve

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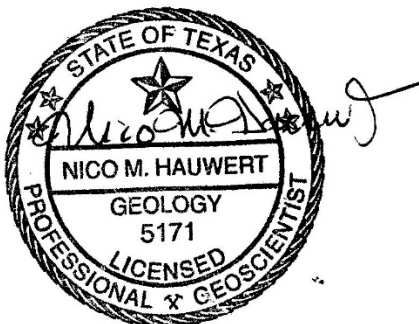
3621 South FM 620, Austin, Texas 78738

Office phone: 512-972-1661 Cell phone: 512-695-4597 Fax: 512-972-1665

nico.hauwert@austintexas.gov

In accordance with the Texas Board of Professional Geoscientists rules 22 Texas Administrative Code, Part 39, Chapter 851, Subchapter C, article 851.156, this report is signed and sealed to insure the work has been performed by the following professional geoscientist who takes full responsibility for this work.

The computer generated seal appearing on this document was authorized by Nico M. Hauwert, P.G. #5171 on April 5, 2021.





**TREE, RETAINING WALL AND CUT/FILL VARIANCES
STAFF REPORT**

AUGUST 10, 2022

Project Address: 707 Butler Cove

Project Number: 2022-1051

Agenda Item: Land Use: **707 Butler Cove:** Discuss and consider action tree removals, retaining wall and cut/fill in a side building setback. (Sections 22.03.304, 22.03.281 and 22.03.170 of the West Lake Hills Code.) Applicant Justin Zucarelli.

Applicant Information: Justin Zucarelli

Hearing Dates:

July 20, 2022, ZAPCO

August 10, 2022, City Council/Board of Adjustment

Location: The subject property is located along the private access easement portion of Butler Cove, south of Redbud Trail.

Property Information, Zoning & Site Characteristics:

Owner: 1836 Real Estate LLC

Legal Description: Lot 5, Block A, Overlook at Butler Cove

Lot Size: 1.1690 acres (50,921.64 square feet)

Zoning: R1 – One Family Residential

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

Background & Analysis:

There is currently a single-family residence with a swimming pool on the lot. In early 2021, the property owner removed many trees on their lot without permits and some trees on the neighboring lots as well.

The applicant, then planted over 500 inches of cherry laurels, many along the shared property line with 711 Butler Cove (south side), along with a non-conforming coreten retaining wall/planter (see photos in packet).

Staff met with the agent, property owner's attorney and city attorney to discuss a path forward. The applicant had already planted the cherry laurels along the property line totaling 504 inches. They have agreed in principle to plant an additional 96 inches of oaks, for a total of 600 inches.

There were fifteen (15) trees removed with trunk diameters of fourteen inches or greater. They are:

- T670 – 15" Spanish Oak
- T231 – 16" Cedar
- T659 – 17" Live Oak
- T1258 – 14" Spanish Oak
- T733 – 16.5" Spanish Oak

- T613 – 18.5” Spanish Oak
- T633 – 18.5” Spanish Oak
- T715 – 14” Cedar
- T1267 – 19” Spanish Oak
- T725 – 15” Cedar
- T635 – 18” Spanish Oak
- T664 – 14.5 Spanish Oak
- T634 – 16.5” Spanish Oak
- T1246 – 16” Cedar
- T1247 – 14” Cedar

A total of 242.5 inches, with a required replacement of 363.75 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 hardship here is that the applicant cannot turn back the hands of time and not cut down the protected trees. The applicant desires to plant more inches of new trees than what were cut down. The applicant has met with City staff to formulate a mitigation plan. Even though only 546.75 inches of protected trees were removed, the applicant has already planted 504 inches of trees and has agreed to plant an additional 96 inches (for a total of 600 inches). The remaining 96 inches to be planted will be oak trees what were cut down. The applicant has met with City staff to formulate a mitigation plan. Even though only 546.75 inches of protected trees were removed, the applicant has already planted 504 inches of trees and has agreed to plant an additional 96 inches (for a total of 600 inches). The remaining 96 inches to be planted will be oak trees.”

“A variance would prevent several hardships. First, the planter prevents or at least mitigates the runoff problem from the neighboring property, and removing the planter would allow water to continue eroding the foundation of the applicant’s home. Second, transplanting the trees currently contained in the planter will likely cause them to die (according to the arborist who inspected them). Third, the neighboring property owner requested that trees be planted to create a privacy screen, which both neighbors desire given the orientation of the houses and windows. Fourth, removing the planter would create a financial hardship for the homeowner, who is already working with City staff to carry out a six-figure mitigation plan to plant 600 inches (diameter) of trees to replace 433 inches (diameter) of trees that the homeowner mistakenly removed, unaware of City regulations. In good faith, the applicant is replanting an extra 53.25 inches beyond what City regulations strictly require.”
2. There will not be unreasonable disruption of the natural terrain or unreasonable destruction of existing flora.
The application states – “The planter was a continuation of the existing planter already installed by the homebuilder. If we are made to remove the addition to the planter, it will cause more disruption to the area, as we will need to bring in a small front end loader and other machinery to transplant the mitigation trees into the earth. Further, once the trees are put into the ground, there is no guarantee of survival. The applicant is providing photos for the City’s consideration.
3. There is no reasonable alternative to the requisite variance that will alleviate the difficulty or hardship complained of.

The application states – “The applicant has considered completely removing the planter. But, as described above in the response regarding unnecessary hardship, removal of the planter will be bad both for the land, the surrounding structures, and the trees currently contained in the planter. Removal of the planter will allow erosion to continue, which in turn will weaken the foundation of the applicant’s home. Removal of the planter and replanting of the trees currently contained in it would also likely lead to the death of many of those trees.

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

The application states – “The planter already exists, so leaving it in place is the least amount of disruption to the environment. Nothing would need to be done if we were allowed to keep it. Further, keeping the planter is the least-intrusive means of (1) preventing or mitigating erosion from water running off the neighboring property, (2) ensuring the continued health of the trees contained in it, and (3) providing the screening that the owners on both sides of the property boundary desire.

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

The application states – “As the applicant understands the City’s intent and objectives, the City’s code was not designed to prevent development; it was put in place to regulate construction and preserve the aesthetics of the community. In this case, the continuation of the preexisting planter provides a nourishing environment for the 288 inches of mitigation cherry laurels and continues the aesthetic that was originally designed. This is not a case where the applicant has built a home or other large structure within the setback; unlike a house or other tall structure, the planter does not create a sense of crowding or a serious risk of danger from the collapse of a tall structure. It is a largely a landscaping device that promotes the health of the trees it contains and provides a screen that neighbors on both sides of the fence desire.

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

The application states – “The applicant consulted with the neighboring landowner, who specifically asked for the kind of screening trees contained in the planter. The extension of the planter has accommodated the desires of both the applicant and the neighbors. The planter height and the types of trees planted are providing both properties with the desired privacy and add a natural look from the trees.

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, 3-0.

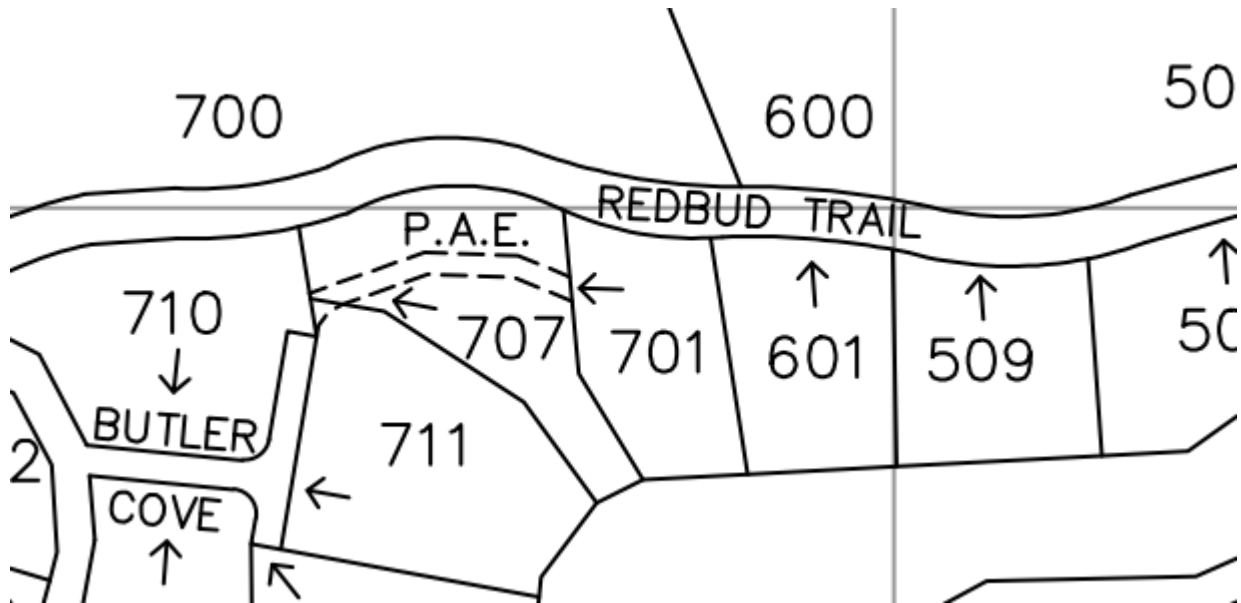
Staff Recommendation

Staff recommends: DENIAL of all variances, there is no hardship present.

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](#)
- [Sec. 22.03.170](#) [Site Disturbance \(excavation, grading or filling\)](#)

ZONING MAP

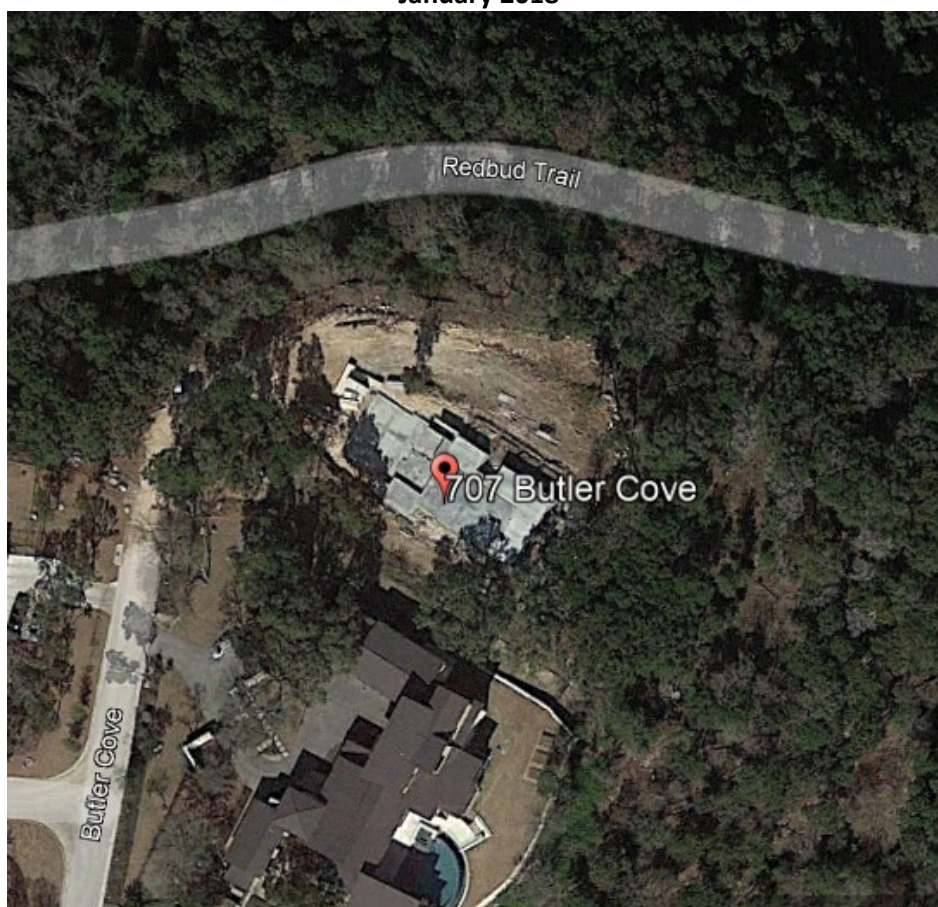


AERIAL PHOTO

January 2022



January 2018



1836 Real Estate LLC

5900 Balcones Dr.

Suite 100

Austin, TX 78731

Date: 1/5/22

Address of Project:

707 Butler Cove

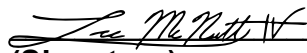
Austin TX, 78746

Re: LETTER OF AUTHORIZATION

Please be advised that 1836 Real Estate LLC authorizes Justin Zucarelli to act as an agent on its behalf in all matters related to requesting, obtaining, and executing municipal permits, approvals, and other related documents.

We further understand and agree that this company shall remain responsible for all permit conditions, permit provisions, fees, deposits, additional charges and collections resulting from permit application processing, permit issuance and inspection of work.

This agreement shall expire on August 1, 2022.


(Signature)

1/5/22
Date

Company Address:

5900 Balcones Dr.

Suite 100

Austin, TX 78731

Inquiry Phone Number:

(512) 522-1060

Arbor Vitae Tree Care

Owned & operated by Guy LeBlanc, Certified Arborist #Tx-0108

P.O. Box 91924 Austin, TX 78709 512-301-8700

December 8, 2021

Justin Zucarelli
707 Butler Cove
Austin, TX 78746

Dear Justin:

Regarding the cherry laurels in the planter along the edge of the property listed above, it is my opinion that they would do quite poorly if you were to remove them from the planter and replant them at the existing grade on that site. This is because first, this species (*Prunus caroliniana*) tends to do poorly in the alkaline soils found throughout west Austin, meaning it really is best for it to be in a planter with amended soil, and secondly, you stated that this would be the third time these plants will have been transplanted recently, meaning that they would undergo a significant amount of “transplant shock”. Between these two factors, primarily due to the former, again my opinion is that these specimens will do very poorly if that is done.

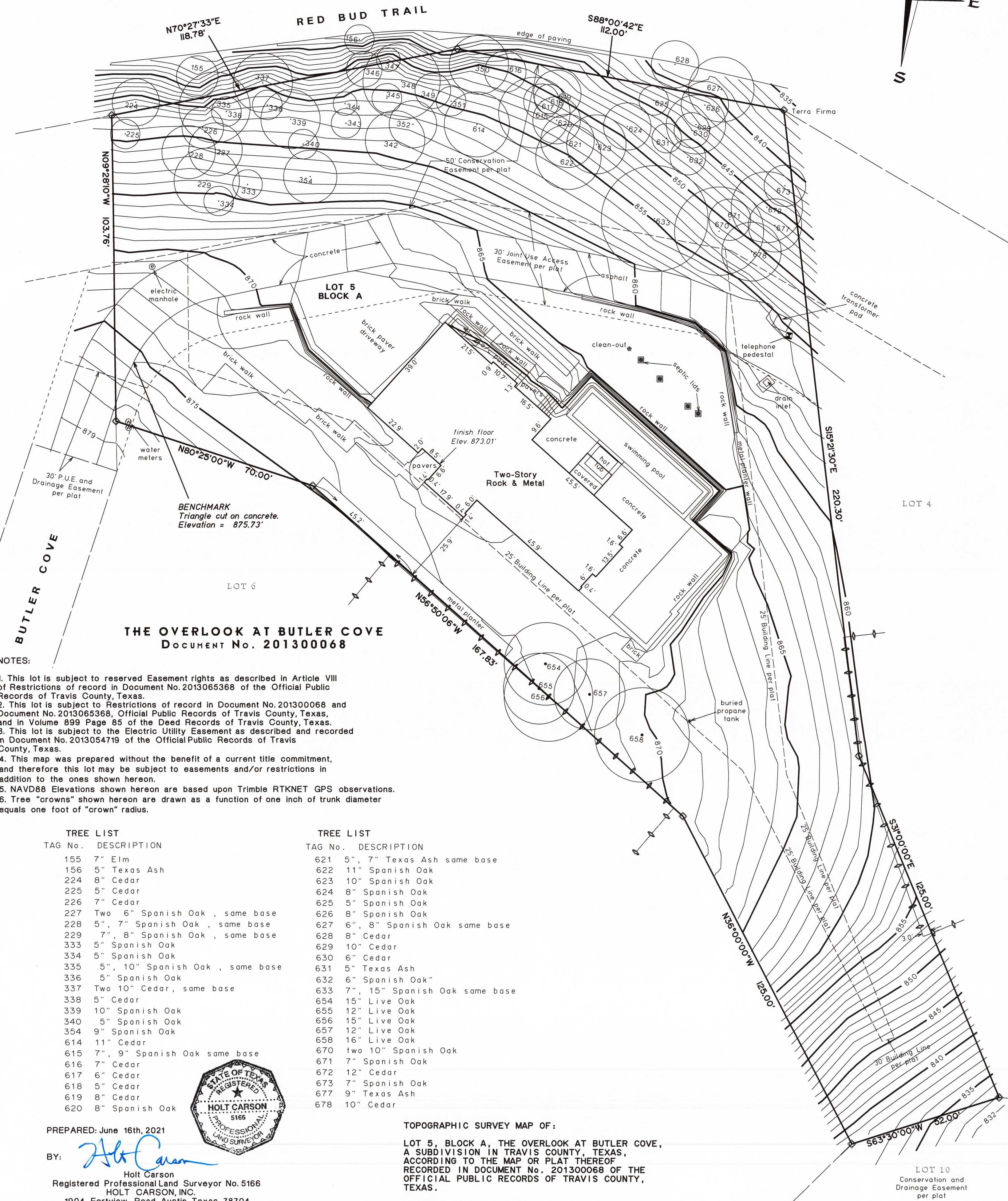
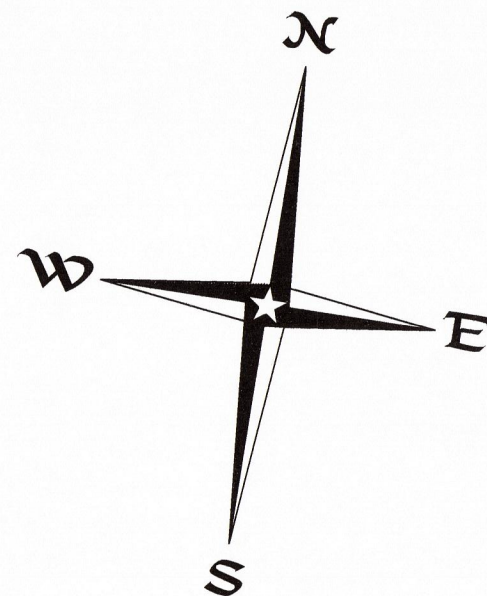
Sincerely,

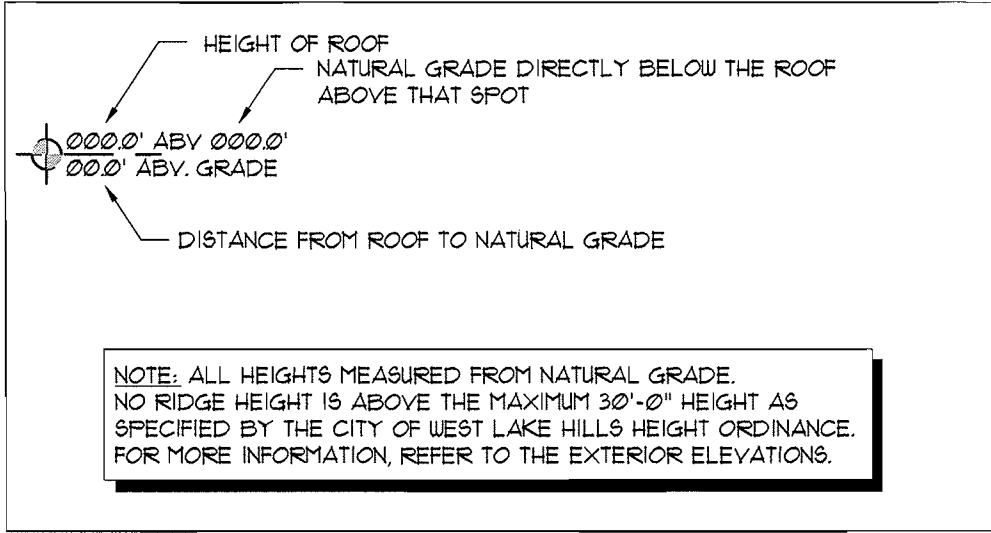
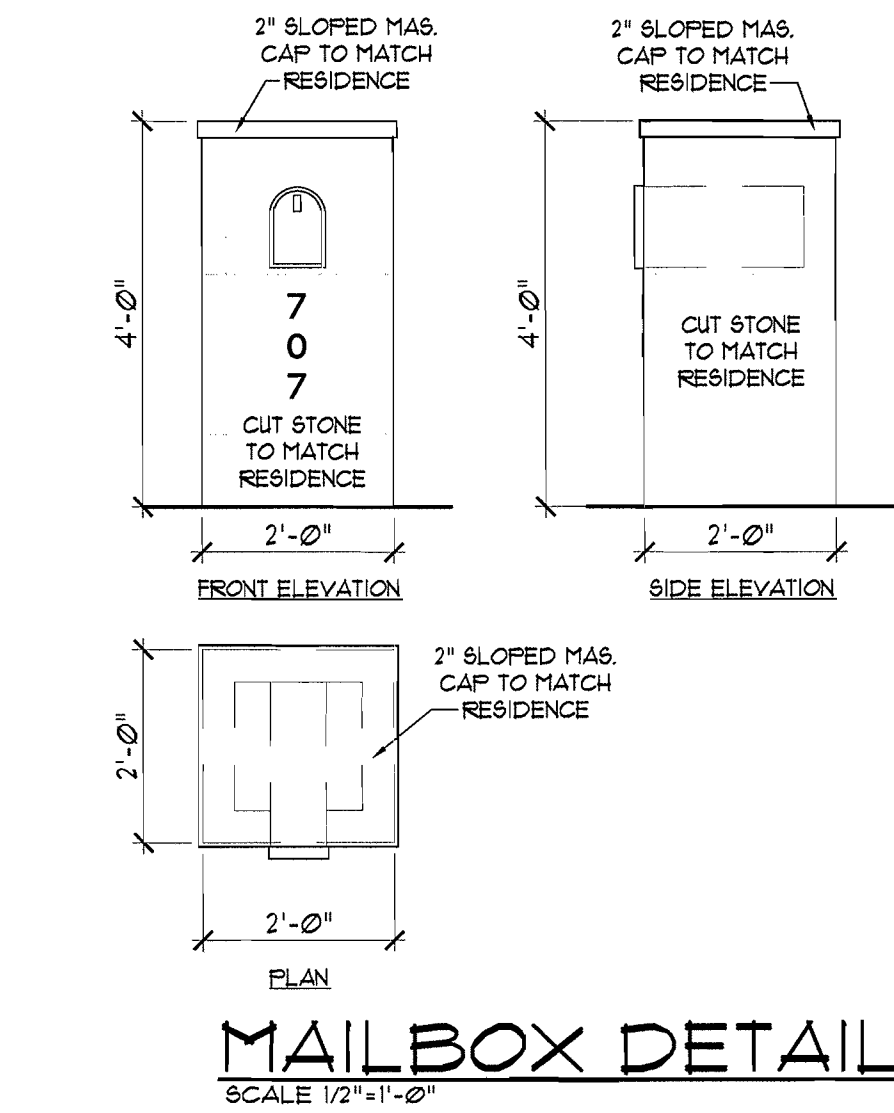
Guy LeBlanc, Certified Arborist

SCALE 1" = 20'

Legend

- ◇ ½" Iron Rod Found with plastic cap
imprinted with "Holt Carson, Inc."
- Wrought Iron Fence





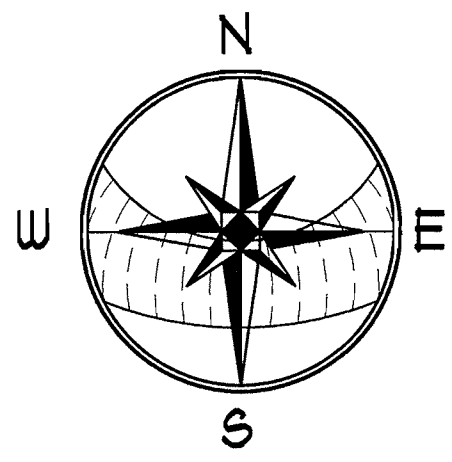
LEGAL DESCRIPTION:
T01 BUTLER COVE
LOT 5
OVERLOOK AT BUTLER COVE
WEST LAKE HILLS, TEXAS
TRAVIS COUNTY

NOTE: PROVIDE FIRE SUPPRESSION SYSTEM PER CODE

IMPERVIOUS	COVER	CALCULATIONS
RESIDENCE		42624 / 8.4%
POOL DECK		2584 / 0.5%
POOL		5364 / 1%
DRIVEWAY		38004 / 15%
ACCESS EASEMENT		18814 / 3.1%
AG PADS		1524 / 0.3%
SITE WALLS		254 / 0.4%
WALKS		5204 / 10%
IMPERVIOUS:		116324 / 72.8%
PERVIOUS:		392854 / 112%
TOTAL		509174 / 100%
ALLOWED		127284 / 25%

TO PROTECT TREES AND TREE ROOTS WITHIN THE FENCED CRZ, DO NOT DO THE FOLLOWING:
STOCKPILE CONSTRUCTION MATERIALS OR DEMOLITION DEBRIS.
PARK VEHICLE OR EQUIPMENT AROUND TREES.
PILE SOIL AND/OR MULCH.
TRENCH FOR UTILITIES INSTALLATION OR REPAIR, OR FOR IRRIGATION SYSTEM INSTALLATION.
CHANGE SOIL GRADE BY CUTTING OR FILLING.
DAMAGE ROOTS BY GRADING, TEARING, OR GRUBBING.
COMPACT SOIL WITH EQUIPMENT, VEHICLES, MATERIAL STORAGE, AND/OR FOOT TRAFFIC.
CONTAMINATE SOIL FROM WASHING OUT EQUIPMENT (ESPECIALLY CONCRETE) AND VEHICLE MAINTENANCE.
INSTALL IMPERVIOUS PARKING LOTS, DRIVEWAYS, AND WALKWAYS.
ATTACH ANYTHING TO TREES USING NAILS, SCREWS, AND/OR SPIKES.
WOUND OR BREAK TREE TRUNKS OR BRANCHES THROUGH CONTACT WITH VEHICLES AND HEAVY EQUIPMENT.
WOUND TRUNKS WITH STRING WEED TRIMMERS AND LAWN MOWERS.
CAUSE INJURY BY FIRE OR EXCESSIVE HEAT.

CONSTRUCTION FENCING AROUND TREES 14" OR GREATER SHOULD BE OUT OF THE CRZ OR DRIPLINE.
TREE TRUNKS ON ALL HARDWOODS TO BE UNRAFFED WITH 2x4'S.
MULCH HARDWOOD TREES TO PREVENT SOIL COMPACTION AND DAMAGE TO THE ROOTS.



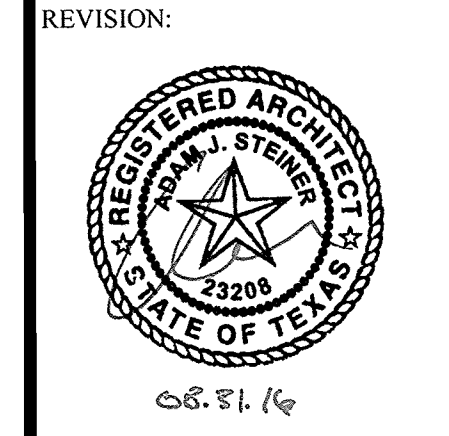
SITE PLAN
SCALE 1/2"

GENERAL SITE NOTES:

10. BUILDER TO RESURFCE TOPO/FINISH GRADE TO PROVIDE PROPER DRAINAGE OF SURFACE WATER AWAY FROM BUILDING AS REQ'D.
20. FINAL LOCATION OF PROPOSED RESIDENCE TO BE DETERMINED BY BUILDER.
30. EXPOSED FOUNDATION TO BE MINIMUM OF 8" AND A MAXIMUM OF 12" ABOVE FINISHED GRADE OR PER SUBDIVISION REQUIREMENTS. UNDERPIN ALL EXPOSED FOUNDATIONS.
40. THERE ARE NO STORM SEWER INLETS WITHIN THE LOT FRONTAGE OR 10'-0" BEYOND THE SIDE PROPERTY LINES.
50. UTILITY LINE LOCATIONS ARE APPROXIMATE- GENERAL CONTRACTOR TO FIELD VERIFY FOR EXACT LOCATIONS.
60. VERIFY METER AND UTILITY SERVICE LOCATIONS PRIOR TO INSTALLATION.
70. EROSION CONTROL BARRIERS TO BE INSTALLED PRIOR TO COMMENCEMENT OF CONSTRUCTION.
80. STABILIZED TEMPORARY CONSTRUCTION DRIVEWAY TO BE IN PLACE PRIOR TO COMMENCEMENT OF CONSTRUCTION.
90. CONFIRM ALL DRIVEWAY, WALKWAY AND PVC LAYOUTS/LOCATIONS PRIOR TO COMMENCING WORK.
100. PROVIDE CONTROL AND EXPANSION JOINTS AS REQUIRED ON CONCRETE DRIVES, WALKS AND PATIOS.
110. ALL EXTERIOR HVAC EQUIPMENT TO BE SCREENED PER CITY REQUIREMENTS. DEED RESTRICTIONS OF SUBDIVISION OR NEIGHBORHOOD ASSOCIATION.
120. GARBAGE RECEPTACLES TO BE STORED IN GARAGE OR SCREENED FROM VIEW AND ANIMAL ACCESS.
130. LOCATION OF MAILBOX AND EXTERIOR DRIVEWAY LIGHT(S) TO BE VERIFIED PRIOR TO INSTALLATION.
140. ALL CONSTRUCTION MATERIALS AND WASTE TO BE STORED ON SITE DURING CONSTRUCTION.
150. LANDSCAPE PLANS TO BE PROVIDED BY OTHERS AND PERMIT FOR SAME TO BE OBTAINED SEPARATELY FROM THESE PLANS.
160. NO EXISTING TREES TO BE REMOVED OR DISTURBED WITHOUT OWNER APPROVAL.
170. ALL STUMPS AND ROOTS SHALL BE REMOVED FROM THE SOIL TO A DEPTH OF 12" BELOW THE SURFACE OF THE GROUND IN THE AREA OF THE BUILDING.
180. CONTRACTOR SHALL CLEAN UP AREAS AFFECTED BY DAILY WORK AND REMOVE DEBRIS AND MATERIALS FROM THE SITE UPON COMPLETION OF THE WORK.



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WHEELER DUPONT SPEC.

A-2
2 OF 17
PROJECT NO. 16034
DRAWN BY: AS
DATE: 08.31.16
CHECKED BY: AS/PC
PROJECT MGR: AS



TREES ON LOT:

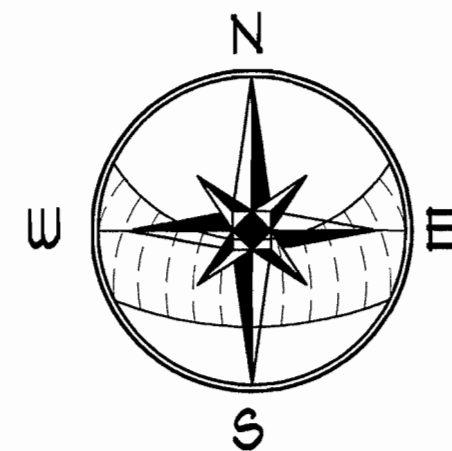
- 225 5' CEDAR -
- 226 7' CEDAR
- 227 TWO 6" SPANISH OAK , SAME BASE
- 228 5", 7" SPANISH OAK , SAME BASE
- 229 7", 8" SPANISH OAK , SAME BASE
- 230 6' ASH
- 231 16' CEDAR
- 232 6" ASH+ R
- 233 12" CEDAR- R
- 234 11" CEDAR NR
- 235 5" CEDAR- NR
- 236 5" CEDAR- NR
- 237 6" CEDAR
- 238 7" CEDAR
- 239 4" CEDAR
- 240 4" POST OAK -
- 241 4" CEDAR -
- 242 8" CEDAR
- 243 4" CEDAR -
- 244 5" POST OAK -
- 245 6" CEDAR
- 256 7" CEDAR
- 311 7" LIVE OAK
- 312 6" CEDAR
- 313 6" CEDAR
- 314 8" CEDAR
- 315 12" CEDAR
- 316 10" CEDAR
- 317 7" CEDAR
- 318 7" CEDAR
- 319 11" CEDAR
- 320 8" CEDAR
- 321 7" CEDAR
- 322 7" CEDAR NR
- 323 5" POST OAK -
- 324 6" POST OAK- NR - IN F5BZ
- 325 5" POST OAK- NR - IN F5BZ
- 326 5" POST OAK- NR - IN F5BZ
- 327 6" CEDAR R
- 328 9" CEDAR
- 329 4" CEDAR- NR
- 330 5" CEDAR NR
- 331 13" CEDAR R
- 332 9" CEDAR
- 333 9" SPANISH OAK -
- 334 9" SPANISH OAK -
- 335 5", 10" SPANISH OAK , SAME BASE
- 336 5" SPANISH OAK
- 337 TWO 10", SAME BASE
- 338 5" CEDAR
- 339 10" SPANISH OAK
- 340 5" SPANISH OAK -
- 341 8", 11" SPANISH OAK , SAME BASE
- 342 10" SPANISH OAK
- 343 5" SPANISH OAK
- 344 4" SPANISH OAK -
- 345 5" CEDAR
- 346 6" CEDAR
- 348 13" CEDAR
- 349 6" SPANISH OAK
- 350 10" CEDAR
- 351 5" CEDAR -
- 352 5" CEDAR
- 353 8" SPANISH OAK
- 354 9" SPANISH OAK
- 355 11" SPANISH OAK
- 356 5" ASH NR
- 357 6" ASH R
- 358 9" CEDAR- NR - IN F5BZ
- 359 8" CEDAR- NR - IN F5BZ
- 360 8" CEDAR
- 361 3" HACKBERRY -
- 604 7" CEDAR
- 605 10" CEDAR
- 606 7" CEDAR
- 607 10" CEDAR NR - IN F5BZ
- 608 9" ELM NR - IN F5BZ
- 609 5" ASH -
- 610 7" CEDAR NR - IN F5BZ
- 611 3" SPANISH OAK NR - IN F5BZ
- 612 TWO 7" SPANISH OAK SAME BASE
- 613 5", 8" AND 10" SPANISH OAK SAME BASE
- 614 11" CEDAR
- 615 7", 9" SPANISH OAK SAME BASE
- 616 7" CEDAR
- 617 6" CEDAR
- 618 5" CEDAR -
- 619 8" CEDAR
- 620 8" SPANISH OAK
- 621 5", 7" ASH SAME BASE
- 622 11" SPANISH OAK
- 623 10" SPANISH OAK
- 624 8" SPANISH OAK
- 625 5" SPANISH OAK -
- 626 8" SPANISH OAK
- 629 10" CEDAR
- 630 6" CEDAR
- 631 5" ASH -
- 632 6" 9"
- 633 7", 15" SPANISH OAK SAME BASE
- 634 9", 12" SPANISH OAK SAME BASE
- 635 TWO 8", 10" SPANISH OAK SAME BASE
- 636 8" SPANISH OAK NR
- 637 7" CEDAR
- 638 9" CEDAR NR - IN F5BZ
- 639 6" POST OAK NR - IN F5BZ
- 640 8" POST OAK NR - IN F5BZ
- 641 10" CEDAR NR - IN F5BZ
- 642 5" ASH -
- 643 6" HACKBERRY NR - IN F5BZ
- 644 7" CEDAR NR - IN F5BZ
- 645 10" ELM NR - IN F5BZ
- 646 8", 14" CEDAR SAME BASE R
- 647 8" CEDAR NR - IN F5BZ
- 648 10" CEDAR NR - IN F5BZ
- 649 8" CEDAR NR - IN F5BZ
- 650 9" CEDAR NR - IN F5BZ
- 651 8" CEDAR NR - IN F5BZ
- 652 4" POST OAK NR - IN F5BZ
- 653 8" CEDAR NR - IN F5BZ
- 654 14" LIVE OAK
- 655 12" LIVE OAK
- 656 15" LIVE OAK
- 657 12" LIVE OAK
- 658 16" LIVE OAK
- 659 17" LIVE OAK
- 660 FOUR 3" ASH -
- 661 7" CEDAR
- 662 4" HACKBERRY -
- 663 TWO 9" CEDAR SAME BASE
- 664 9", 10" SPANISH OAK SAME BASE
- 665 12" CEDAR
- 666 12" GUMMI
- 667 8" CEDAR
- 668 6" SPANISH OAK
- 669 12" CEDAR
- 670 TWO 10" SPANISH OAK
- 671 7" SPANISH OAK
- 672 12" CEDAR
- 673 7" SPANISH OAK
- 677 9" ASH
- 678 10" CEDAR
- 679 9" CEDAR
- 680 7" SPANISH OAK
- 707 13" CEDAR
- 710 10" CEDAR
- 711 5", 8" CEDAR SAME BASE
- 712 6" CEDAR
- 713 7" CEDAR
- 714 8" CEDAR
- 715 THREE 7" CEDAR SAME BASE
- 716 10" CEDAR
- 717 10" CEDAR
- 718 11" CEDAR
- 720 5" BOX ELDER-
- 721 3" POST OAK -
- 722 4" POST OAK -
- 723 7" SPANISH OAK
- 724 8" CEDAR
- 725 8", 11" CEDAR SAME BASE
- 726 9" CEDAR
- 728 6" CEDAR
- 729 6" CEDAR
- 730 9" CEDAR
- 731 9" CEDAR
- 732 TWO 7" CEDAR SAME BASE
- 733 THREE 5" AND TWO 6" SPANISH OAK SAME BASE
- 1255 5" ASH -
- 1256 10" SPANISH OAK
- 1257 9" LIVE OAK
- 1258 4", AND TWO 8" SPANISH OAK SAME BASE
- 1259 TWO 5" SPANISH OAK SAME BASE
- 1260 6" SPANISH OAK
- 1261 9" CEDAR
- 1262 5" SPANISH OAK -
- 1267 TWO 7" AND TWO 8" SPANISH OAK SAME BASE

TOTAL ON SITE = 1,608"
TOTAL REMOVED FROM SITE = 260"
REQUIRES REPLACEMENT WITHIN 5 YRS = 214"
(IN THE FIRE SAFETY BUFFER ZONE)
REQUIRES IMMEDIATE REPLACEMENT = 46"
-REQUIRES 75% REPLACEMENT = 30.5"
-REQUIRES 150% REPLACEMENT = 15.5"
-TOTAL REPLACEMENT REQUIRED = 46.125"

IMMEDIATE REPLACEMENT OPTIONS
OP. A - (4) 6" TREES
OP. B - (3) 6" TREES & (4) 3" TREES
OP. C - (2) 6" TREES & (8) 3" TREES
OP. D - (1) 6" TREE & (12) 3" TREES
OP. E - (16) 3" TREES

TO PROTECT TREES AND TREE ROOTS WITHIN THE FENCED CRZ DO NOT DO THE FOLLOWING:
STOCKPILE CONSTRUCTION MATERIALS OR DEMOLITION DEBRIS.
PARK VEHICLE OR EQUIPMENT AROUND TREES.
PILE SOIL AND/ OR MULCH.
TRENCH FOR UTILITIES INSTALLATION OR REPAIR OR FOR IRRIGATION SYSTEM INSTALLATION.
CHANGE SOIL GRADE BY CUTTING OR FILLING.
CHANGE ROOTS BY GRADING, TEARING, OR GRUBBING.
COMPACT SOIL WITH EQUIPMENT, VEHICLES, MATERIAL STORAGE, AND/OR FOOT TRAFFIC.
CONTAMINATE SOIL FROM WASHING OUT EQUIPMENT (ESPECIALLY CONCRETE) AND VEHICLE MAINTENANCE.
INSTALL IMPERVIOUS PARKING LOTS, DRIVEWAYS, AND WALKWAYS.
ATTACH ANYTHING TO TREES USING NAILS, SCREWS, AND/OR SPIKES.
WOUND OR BREAK TREE TRUNKS OR BRANCHES THROUGH CONTACT WITH VEHICLES AND HEAVY EQUIPMENT.
WOUND TRUNKS WITH STRING WEED TRIMMERS AND LAWN MOWERS.
CAUSE INJURY BY FIRE OR EXCESSIVE HEAT.

CONSTRUCTION FENCING AROUND TREES 14" OR GREATER SHOULD BE OUT OF THE CRZ OR DRIPLINE.
TREE TRUNKS ON ALL HARDWOODS TO BE WRAPPED WITH 2x4S.
MULCH HARDWOOD TREES TO PREVENT SOIL COMPACTION AND DAMAGE TO THE ROOTS.

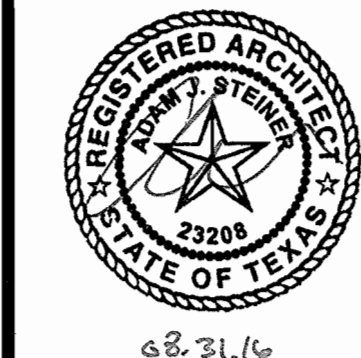


TREE REPLACEMENT PLAN
SCALE 1/2"



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REVISION:



WHEELER DUPONT SPEC.

SHEET
A-3
3 OF 17
PROJECT NO. 16034
DRAWN BY: CRR
DATE: 08.31.16
CHECKED BY: AS/PC
PROJECT MGR: AS







City of West Lake Hills
Received
JUN 28 2022

2 Limerick Lane
Austin TX 78746

27 June 2022

To Whom it May Concern:

I am writing in opposition to the After-the-Fact Variance request by 1836 Real Estate, LLC for the property at 707 Butler Cove in West Lake Hills. I moved to West Lake in 1947 and have always loved the wooded environment of the neighborhoods that I grew up in. I was shocked to see what had happened at 707 Butler Cove. The clearing of so many trees is totally out of keeping with the essence of life in West Lake Hills. It saddens my heart that so many large oaks have been cut down. It is a tragedy.

Thank you,

A handwritten signature in cursive script that reads "Meta Butler Hunt". The signature is fluid and elegant, with a large initial 'M' and a long, sweeping underline.

Meta Butler Hunt

2 Limerick Lane
West Lake Hills

Ashby Grundman

From: David Dormady [REDACTED]
Sent: Wednesday, July 13, 2022 12:34 PM
To: Ashby Grundman
Cc: vjpatel13@gmail.com
Subject: variance for 707 Butler Cove

Hello Mr. Grundman,

We walk our neighborhood each morning and have become acquainted with Vijay and Dina Patel at 711 Butler Cove. They built one of our favorite homes in the city about 7 years ago. The residents next door at 707 Butler Cove did a wholesale removal of trees (without a permit) in their backyard. They also removed **many** trees from the backyard of the Patel's. This outrageous act literally and figuratively stripped bare the ability of the Patel family to peacefully enjoy their lives in WLH. The valuation per the city code of the improperly removed trees at 707 Butler Cove is over 150K. The damage to the Patel's property (per code) is likewise more than \$150K. The residents of 707 Butler Cove have requested an **after the fact variance** to retroactively allow the removal of trees from their property. Additionally, they clear cut a section of the property at 710 Butler Cove and put in a parking area. This is against everything that WLH is about. Adherence to the rules is paramount in maintaining the essence of our city. We strongly oppose granting this variance. I hope you will give this matter your full attention.

Sincerely,

David and Joyce Dormady
911 Terrace Mountain Drive



**BUILDING SETBACK VARIANCE
STAFF REPORT**

AUGUST 10, 2022

Project Address: 300 Hillcrest Court

Project Number: 2022-1055

Agenda Item: Land Use: **300 Hillcrest Court:** Discuss and consider action on an application for a variance request to locate pool equipment in a side building setback. (West Lake Hills Code Section 22.03.281). Applicant Robert Swett.

Applicant Information: Robert Swett

Hearing Dates:

July 20, 2022, ZAPCO

August 10, 2022, Board of Adjustment

Location: The subject property is located along the north side of Hillcrest Court, just west of Las Lomas Drive, in the Las Lomas Subdivision.

Property Information, Zoning & Site Characteristics:

Owner: Robert 300 Hillcrest Court, LLC

Legal Description: Lot 20, Block C, Las Lomas Subdivision

Lot Size: 1.01 acres (43,995.60 square feet)

Zoning: R1 – One Family Residential

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

Background & Analysis:

There is currently a single-family residence with a swimming pool on the lot. The owners installed the pool equipment in the setback without proper approvals and are now seeking a variance for the equipment.

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 – “Pool equipment was completely compromised during the freeze last year. As we replaced the units, we learned from the previous owner, that the existing location above the pool was causing the electrical components to fail and fall off line on a regular basis. In our effort to replace the equipment it was necessary to find a location that would allow for proper functionality while not disrupting the defined drainage on the lot. The location chosen was closer to the pool and screened by both fencing and landscaping to prevent site or noise from affecting neighbors while ensuring the proper function of the new units.”

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

Applicant did not answer this question.

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

The application states – “Given the location of the pool to the house, which is 7-8 feet below the structure, and the drainage on the lot, we were very limited in where we could place the units without continued issues with functionality. We chose the location that was farthest from the pool, while maintaining the required relationship to the waterline for proper functioning. It is also as far from any neighbor as allowable by grading and drainage.”

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

The application states – “There are no better alternatives to our positioning available on the site without compromising the established drainage patterns or without causing a hardship to the owner for constant maintenance and management costs.”

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

The application states – “The unique layout and topography of this lot paired with the draining pattern that is needed to move water away from the structure and lot are not conducive to locating the equipment elsewhere without it becoming an eyesore or ongoing issue for maintenance of the units. We have done our best to make this as hidden and non-discernable as possible from any vantage point while taking care of the owners property and financial considerations.”

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

The application states – “The lots in this area are typically an acre in size and allow for ample distance between properties. The equipment is behind a 5 foot wooden fence, and screened by landscaping. The new equipment that was installed has substantially less noise emitting from it than previous equipment by default of better technology. If one stands a short distance from the equipment it is barely perceptible.”

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.

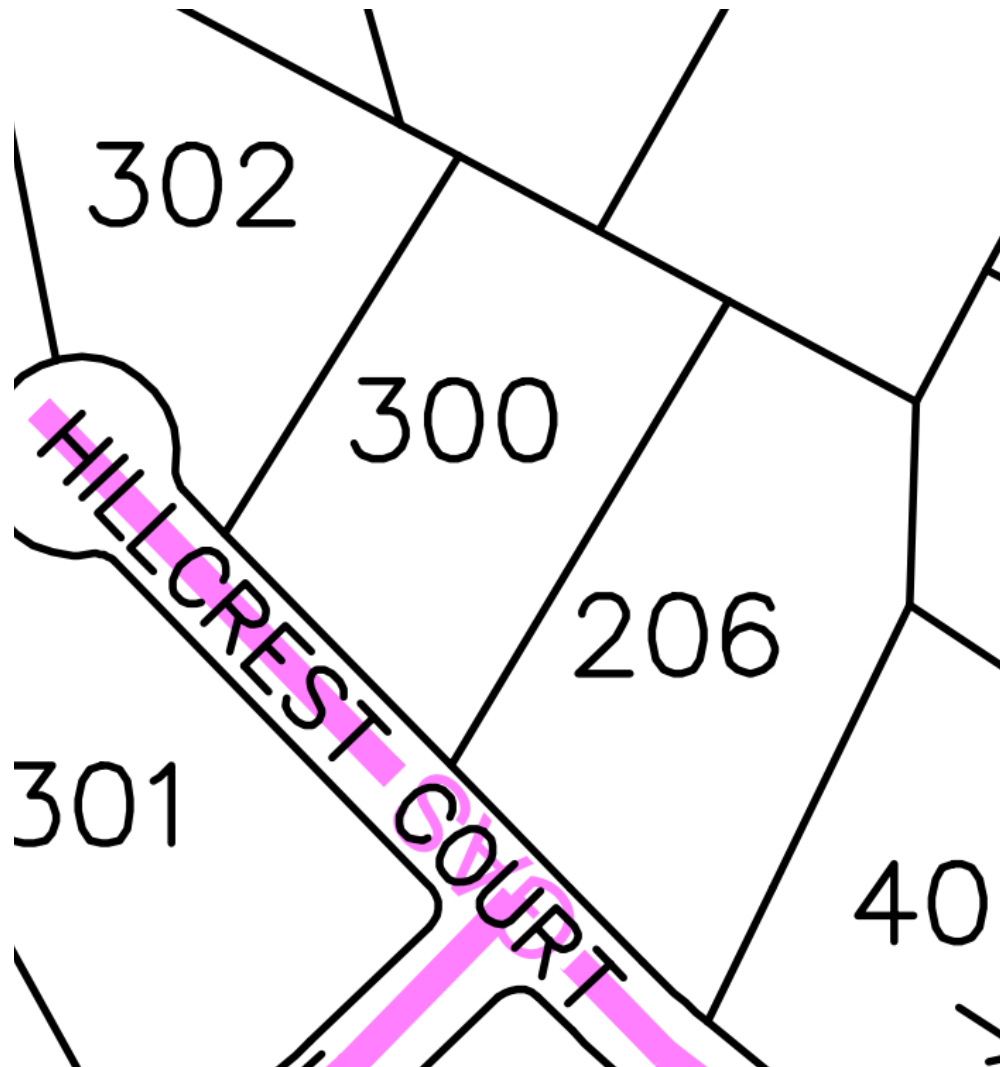
Staff Recommendation

Staff recommends: DENIAL of the variance request as there is no hardship present.

Links to Relevant Code:

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

ZONING MAP



AERIAL PHOTO



West Lake Hills
911 Westlake Drive
West Lake Hills, Texas 78746

Dear City of West Lake Hills,

Robert Stephen Homes relocated pool equipment at 300 Hillcrest and are writing to request a variance for the new location. The original pool equipment was completely compromised during the freeze last year and as we replaced the units, we learned from the previous owner, that the existing location above the pool was causing the electric components to fail and fall offline on a regular basis. In our effort to replace the equipment, it was necessary to find a location that would allow for proper functionality while not disrupting the defined drainage on the lot.

Given the location of the pool to the house, which is 7-8 feet below the structure, and the drainage on the lot, we were very limited in where we could place the units without continued issues with functionality. We chose the location that was farthest from the pool, while maintaining the required relationship to the waterline for proper functioning. It is also as far from any neighbor as allowable by grading and drainage. The location chosen was closer to the pool and screened by both fencing and landscaping to prevent site or noise from affecting neighbors while ensuring the proper function of the new units.

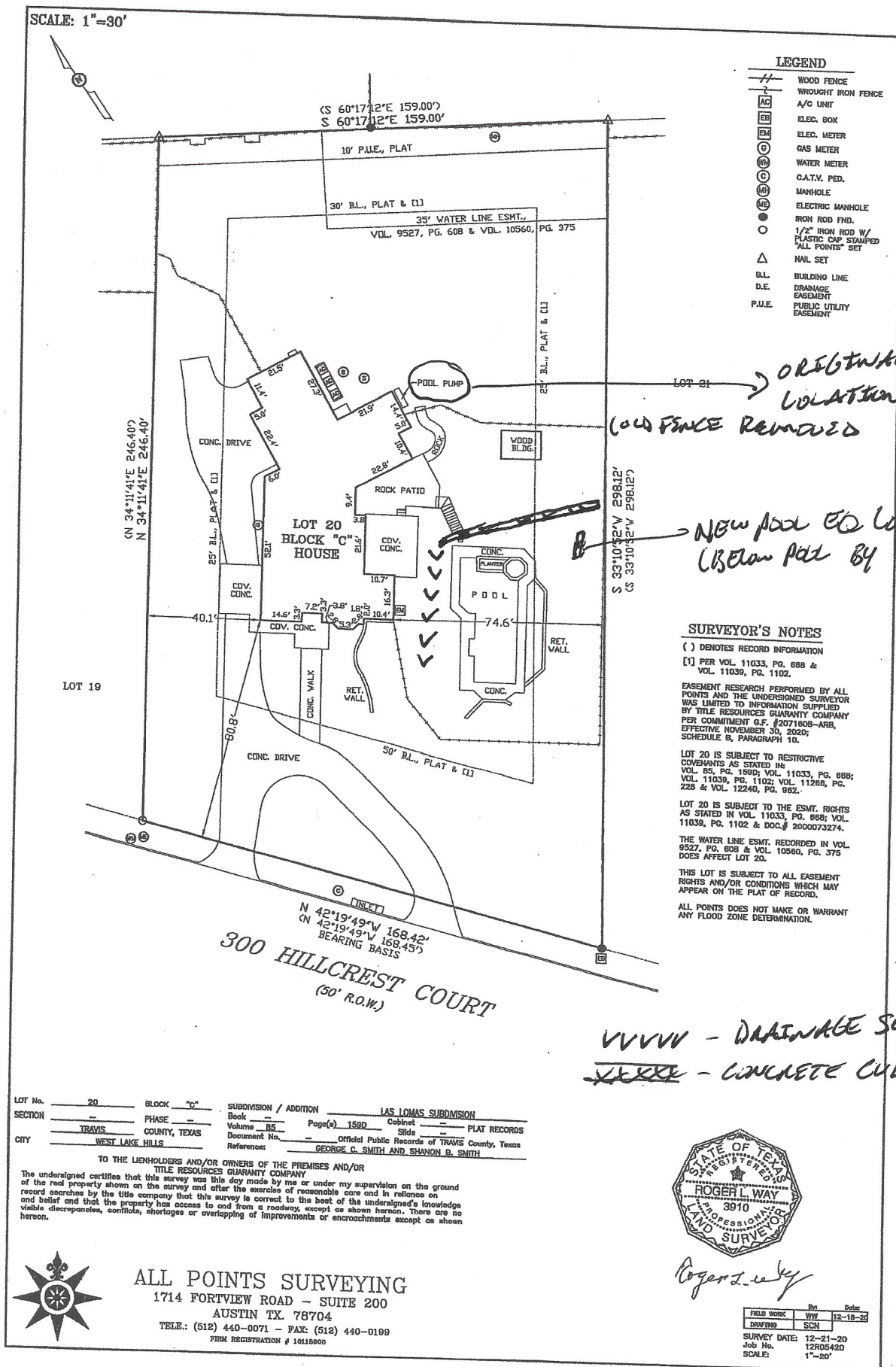
We of course respect the regulations but were challenged to find better alternatives to our positioning available on the site without compromising the established drainage patterns or without causing a hardship to the owner for constant maintenance and management costs.

We have done our best to make this as hidden and non-discernable as possible from any vantage point while taking care of the owners property and financial considerations. The lots in this area are typically an acre in size and allow for ample distance between properties. The equipment is behind a 5 foot wooden fence, and screened by landscaping. The new equipment that was installed has substantially less noise emitting from it than previous equipment by default of better technology. If one stands a short distance from the equipment, it is barely perceptible.

Thank you very much in advance for your time and consideration. Your regulations ensure the beauty of our community, and we want to always work with you to guarantee that natural beauty is protected.

Rob Swett
Owner/President
Robert Stephen Homes
www.robertstephenhomes.com
512-203-0426

SCALE: 1"=30'



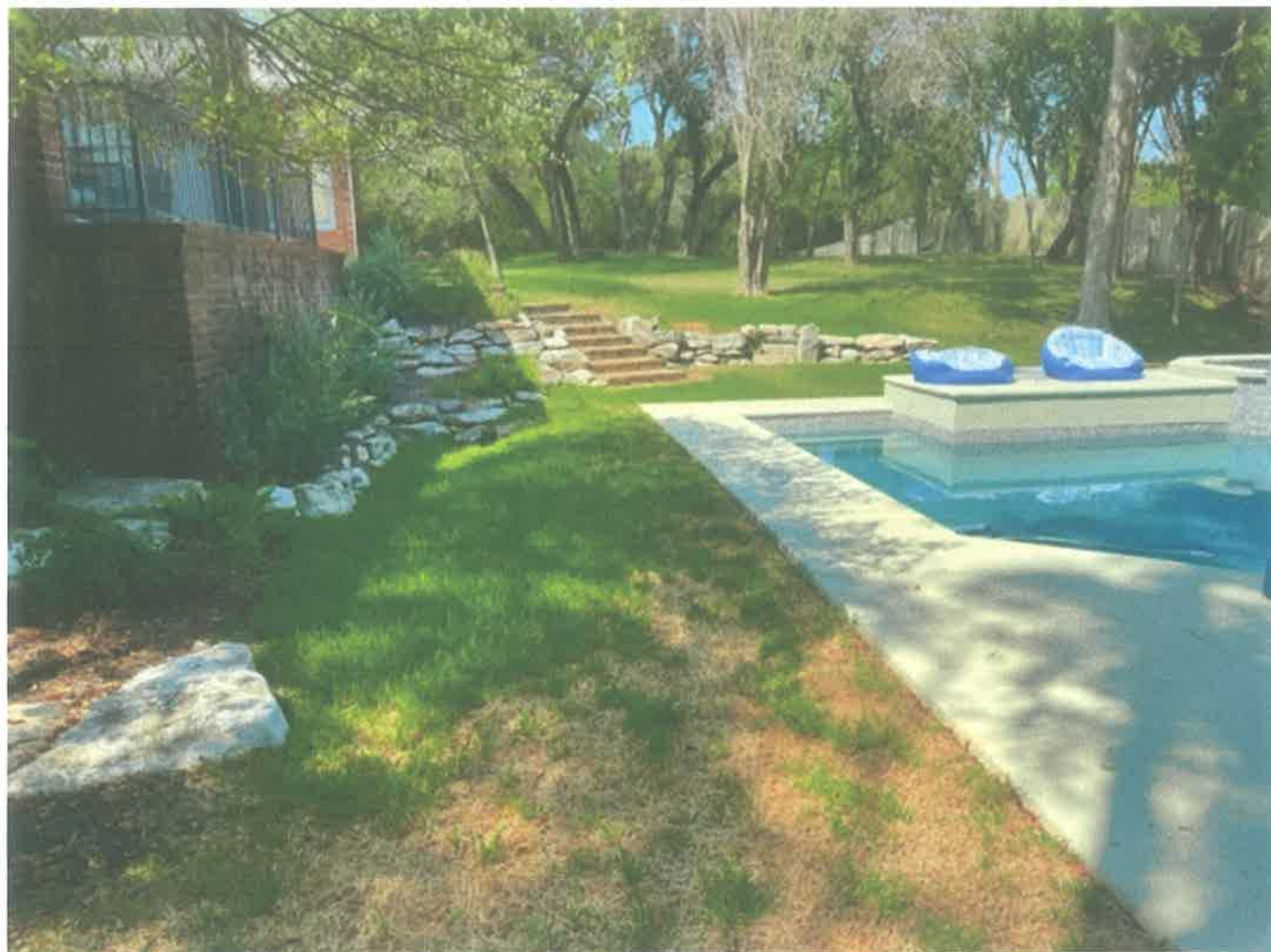
Hillcrest pics

robertswett Swett

Wed 7/20/2022 5:39 PM

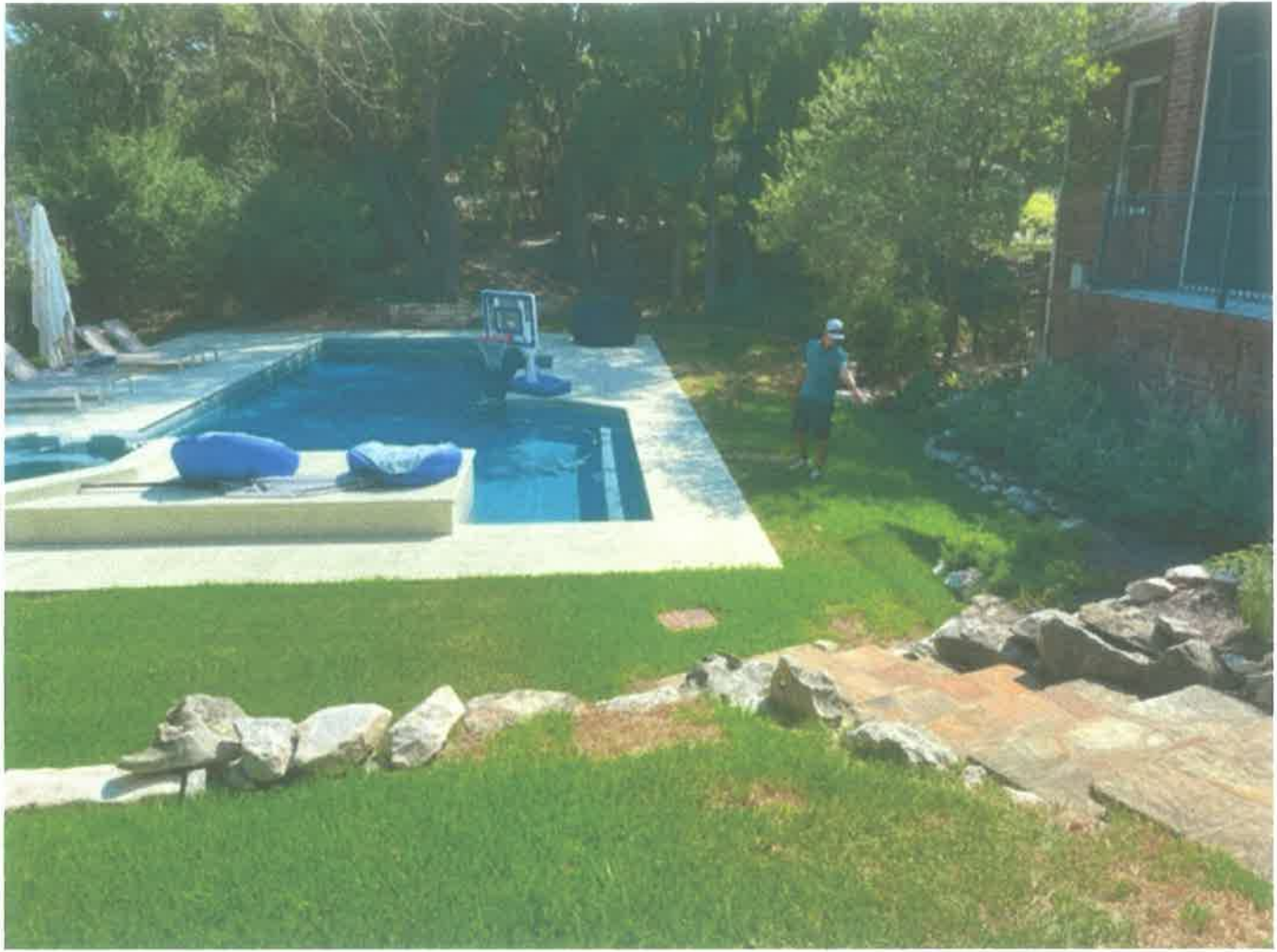
To:robertswett Swett [REDACTED]

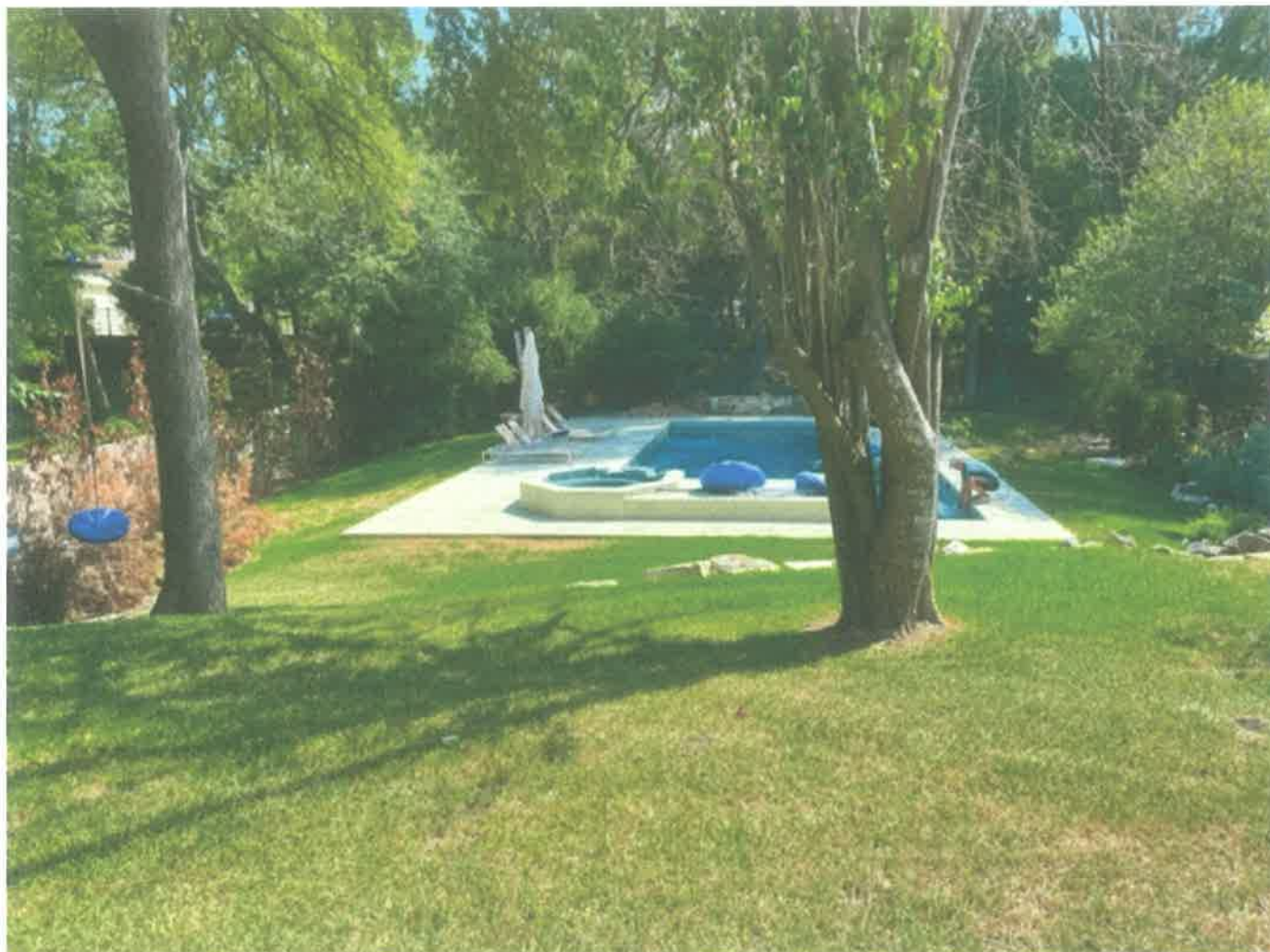


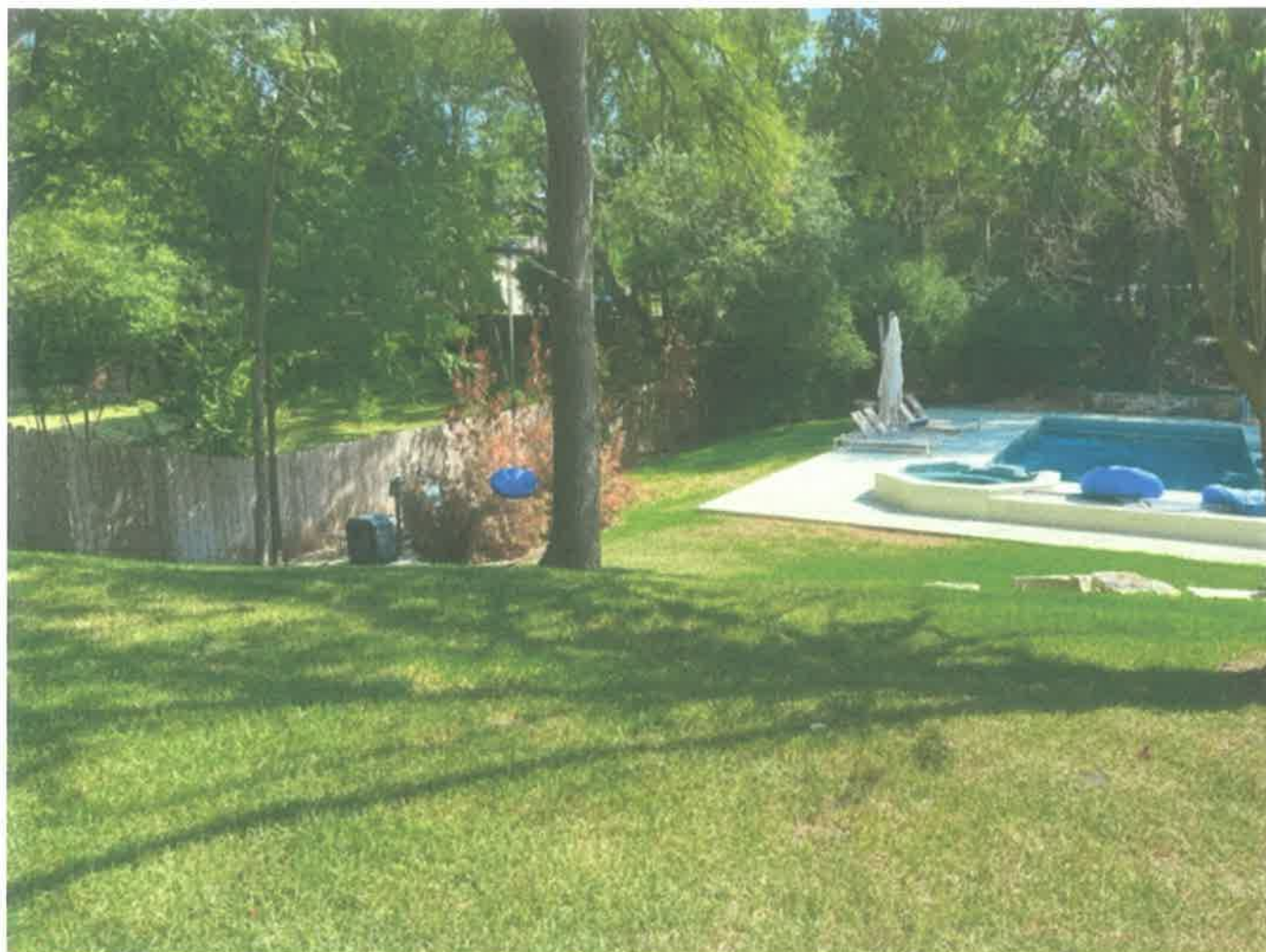


















Rob Swett
President
Robert Stephen Homes, Ltd.
C: 512.203.0426
Sent from my iPhone



**RETAINING WALL VARIANCE
STAFF REPORT**

AUGUST 10, 2022

Project Address: 212 Buckeye Trail

Project Number: 2022-1067

Agenda Item: Land Use: **212 Buckeye Trail:** Discuss and consider action on an encroachment into a building setback to for retaining walls and gate columns. (Section 22.03.281 of the West Lake Hills Code.) Applicant Darush Rahmani.

Applicant Information: Darush Rahmani

Hearing Dates:

July 20, 2022, ZAPCO

August 10, 2022, Board of Adjustment

Location: The subject property is located on the north side of Buckeye Trail, west of Westlake Drive.

Property Information, Zoning & Site Characteristics:

Owner: Darush and Sara Rahmani

Legal Description: Abstract 198, TJ Chambers Survey 504, 0.460 acres

Lot Size: 0.460 acres (20,037.60 square feet)

Zoning: R1 – One Family Residential

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

Background & Analysis:

There were existing nonconforming walls on the site. The applicant began to replace them without proper permits and variances. The applicant was told to stop working and apply for necessary approvals, which he did. There are photos in the packet that show the walls in April and again in July, no further work has been done.

The walls that were installed are taller than the previous walls and have a cap on top. In addition there was no wall on the south side of the driveway and the applicant installed gate columns to support a future gate that do not comply with code.

I have included a street view photo of the wall is was in January of 2020 for comparison to the current wall.

Variance Criteria Review:

When applying for a variance, the applicant has established by competent evidence that:

1. The strict or literal enforcement of the terms of this chapter, because of special conditions, will result in unnecessary hardship to the applicant.

The application states – “The retaining walls are needed for erosion control. They have been built already. The columns are needed to support a future gate. If they were built 20 feet away from the setback, they would obstruct the driveway.”

2. There will not be unreasonable disruption of the natural terrain or unreasonable destruction of existing flora.
The application states – “We are replacing an old retaining wall. We will not need to disrupt the existing flora and there are no obstructions where we built the structures.”
3. There is no reasonable alternative to the requisite variance that will alleviate the difficulty or hardship complained of.
The application states – “Unfortunately there are no other options for the retaining walls. They will be the most effective means of erosion control.”
4. The variance will not be greater than the minimum required to alleviate the difficulty or hardship complained of.
The application states “We are replacing an old poorly built retaining wall that was falling apart.”
5. The variance does not violate the intent of the Zoning Ordinance or goals of the Comprehensive Plan.
The application states – “The new retaining wall is built better and more solid. Also more aesthetically pleasing.”
6. The variance will not adversely affect neighboring properties or interfere with the enjoyment of these properties by their owners.
The application states – “The retaining wall between my house and my neighbor will not interfere with the enjoyment of their property. I obtained permission from the Walker’s before starting 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.

Zoning and Planning Commission Recommendation

ZAPCO voted to recommend approval of the existing retaining walls with no increase in height and no gate columns.

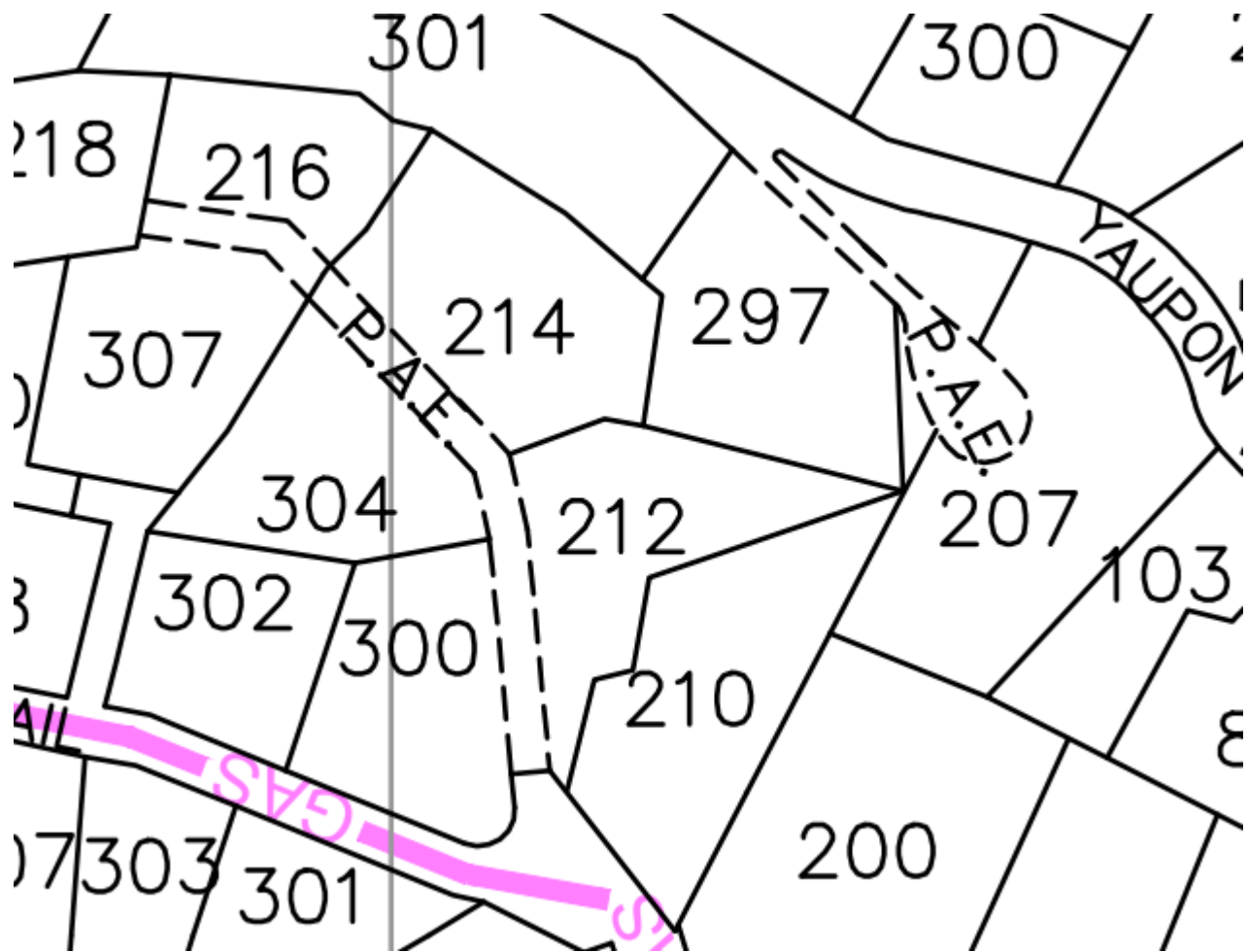
Staff Recommendation

Staff recommends: Approval of the wall on the north side to retain the hillside with no height increase over the previous wall but not the gate columns or the wall on the south side of the driveway. There was no wall there before. Staff recommends that the walls height be as it is a replacement of an old, failing retaining wall.

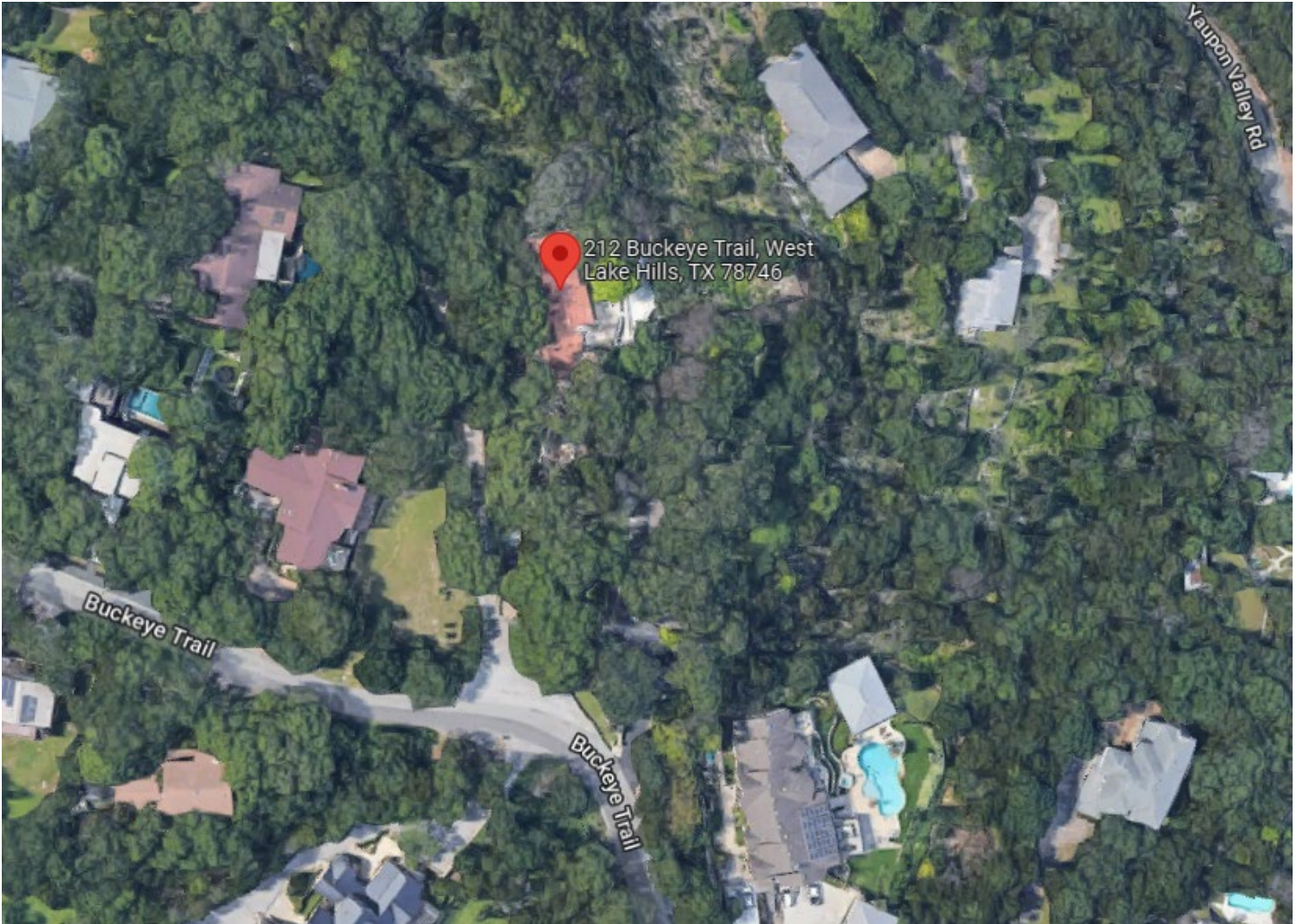
Links to Relevant Code:

- | | |
|----------------------------------|---|
| • Sec. 22.03.514 | Criteria and process required for granting variance |
| • Sec 22.03.281 | Schedule of Regulations |

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: Darush Rehmani Phone: 512 638 3597
 Email: [REDACTED]
 Address: 212 Buckeye TRL City: West Lake Hills State: TX Zip: 78746
 Agent*: _____ Phone: _____
 Email: _____

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

Property Information

Subdivision Name: _____
 Block: A35198 SUR 504 Chambers TS ACR Lot: .460 TCAD Tax Parcel ID: 115002
 Current Zoning Classification: SF3 Total Lot Size (Acres): 0.46

**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) Replaced old retaining walls along driveway and
- 2) front of home w/ new retaining walls
- 3) Placed two gate columns in driveway for future
- 4) gate
- 5) _____



VARIANCE APPLICATION

6)

7)

8)

9)

10)

Brief Description of project/why variances are needed: The retaining walls
are in the setback and so are the gate
columns

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 retaining walls are need for erosion control. They
have been built already
The columns are needed to support a future gate
If these were built 20ft away from the setback
they would obstruct the driveway in most places

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?

We are replacing an old retaining wall. We will not
need to disrupt the existing flora and there are
not obstructions where we built the structures

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

Unfortunately there are no other options for
the retaining walls. They will be the most
effective means for erosion control

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

We are replacing an old poorly built retaining
wall that was falling apart



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 new retaining wall is built better and more solid. Also more aesthetically pleasing.

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 retaining wall between my house and my neighbor will not interfere with the enjoyment of their property. I obtained permission from the Walker's before starting 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).

Signature

5/4/22

Date

Darush Rahmani

Printed Name

June 07, 2022

To Whom It May Concern

Re: Pre-Pour inspection at **212 Buckeye Trl, Austin, TX 78746**

To Whom It May Concern:

BSA Structural Engineers have observed the poured footing of the proposed retaining wall in the left side of the property. Based on our observations and review available pictures prior to the pour, the footing was poured same as our recommendations. We approve the placement of stone retaining wall as shown in the details we provided.

Thank you for this opportunity to be of service. If you have any questions, please do not hesitate to contact us.

Sincerely,



Staff Engineer

06/07/2022

Drainage Report
Darush Rahmani Residence
212 Buckeye Trail
West Lake Hills, Texas 78746

June 9, 2022

Prepared By:

Thonhoff Consulting Engineers, Inc.
1301 Capital of Texas Highway South
Suite A-236
Austin, Texas 78746
Phone: 512-328-6736
Fax: 512-328-6848
Website: www.TCEtx.com
Firm Registration # F-002921



Sui Lam Matthew Chu, P.E.

**Darush Rahmani Residence
Drainage Report**

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Figure 2b	City of Austin Property Profile - Edwards Aquifer Recharge Verification Zone
Figure 3	National Flood Hazard Layer FIRMette
Figure 4	Time of Concentration Calculations for DA1
Figure 5	Time of Concentration Calculations for DA2
Figure 6	Drainage Calculation for DA1 and DA2 in Pre-Developed Conditions
Figure 7	Drainage calculations for DA1 and DA2 in Post-Developed Conditions
Figure 8	Summary Table of Pre- and Post-Developed Conditions
Figure 9	Time of Concentration Calculations for DA3
Figure 10	Drainage Calculations for DA3
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Attachment 1	Property Survey
Attachment 2	Structural Plan of Retaining Wall and Fence Wall Design
Attachment 3	Proposed Development
Attachment 4	Site Drainage Area Map
Attachment 5	New Fence Wall Drainage Area Map

Darush Rahmani Residence Drainage Report

1.0 INTRODUCTION

The purpose of this drainage report is to demonstrate that there will be no adverse impact to adjacent property owners, particularly downstream property owners, with the development to the site.

The property address is 212 Buckeye Trail, West Lake Hills, Texas 78746 and is located in the West Lake Hills Full Purpose Jurisdiction. A location map is shown in **Figure 1**. The property is located within the Little Bee Creek Watershed and the Edwards Aquifer Recharge Verification Zone. **Figures 2a and 2b** are screenshots captured from the City of Austin Property Profile. **Figure 3** is a National Flood Hazard Layer FIRMette, indicating that no point of the property is located inside the 100-year floodplain.

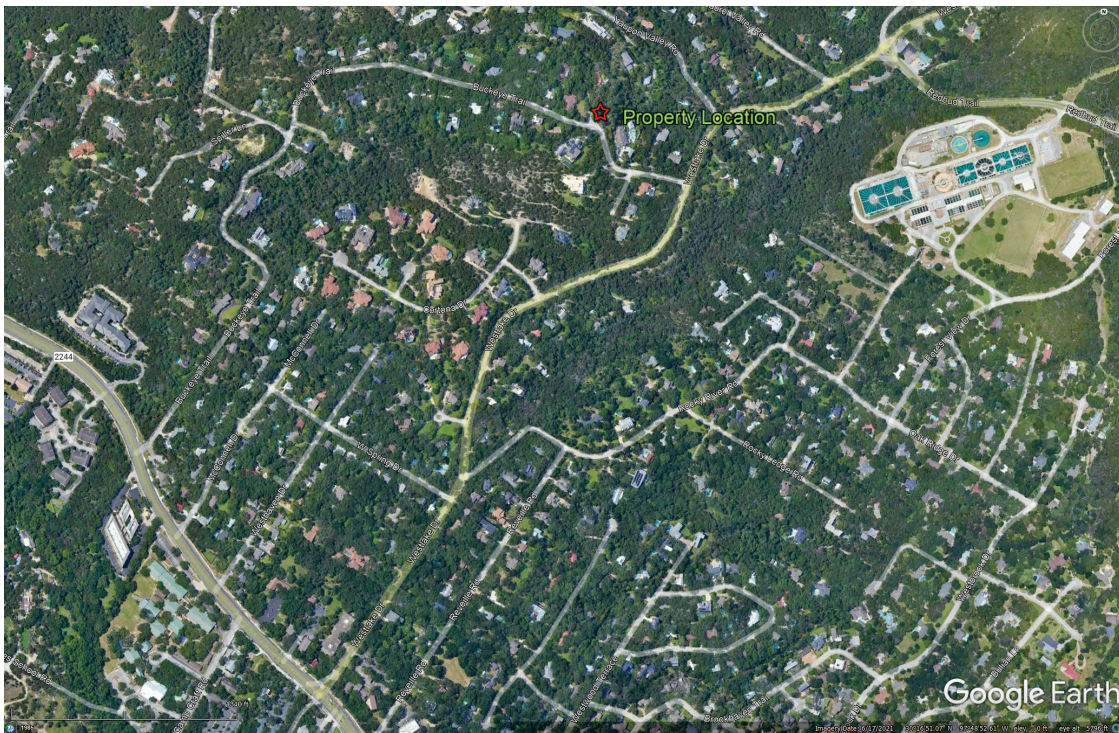
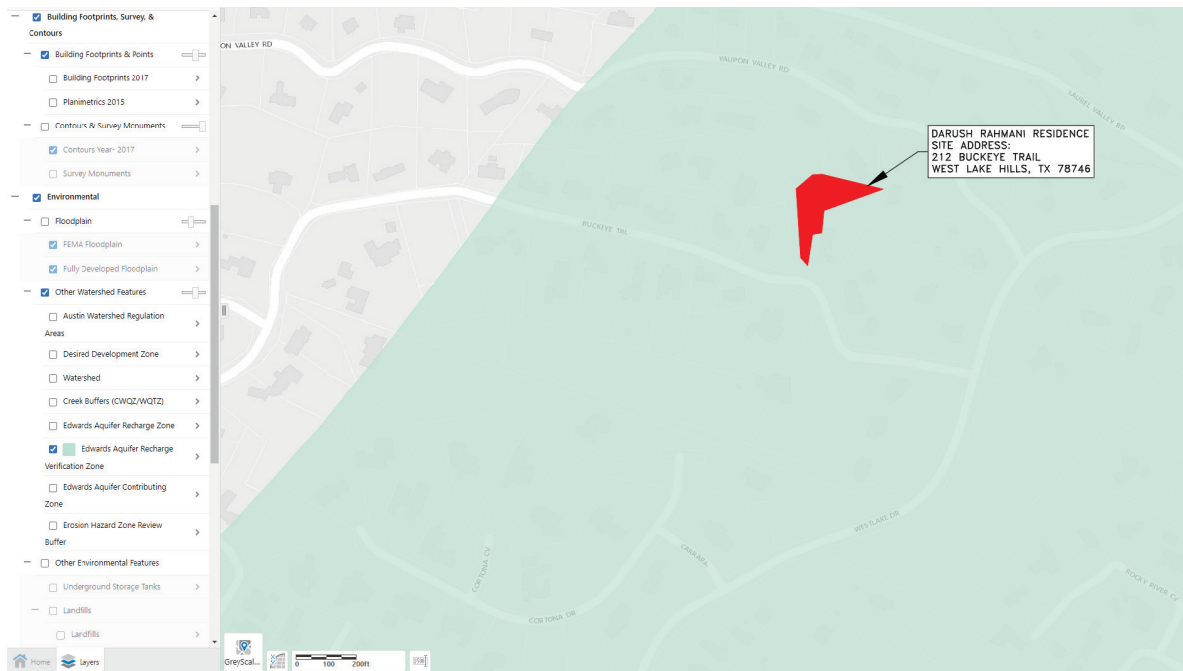
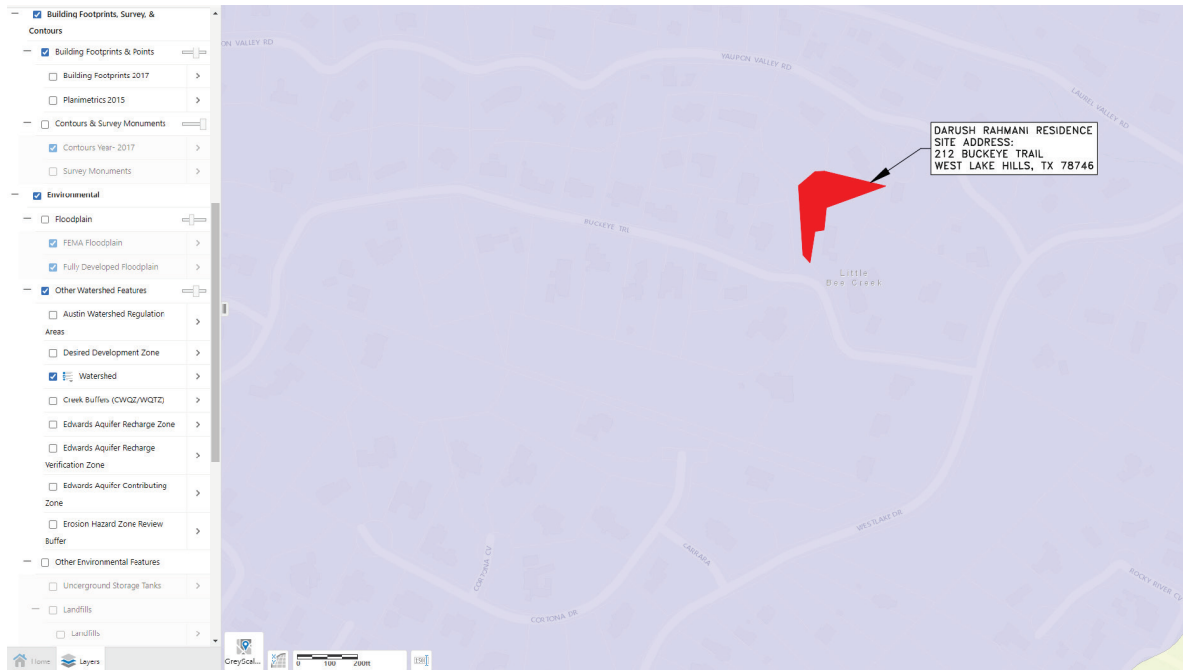


Figure 1



National Flood Hazard Layer FIRMette



Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

SPECIAL FLOOD HAZARD AREAS	Without Base Flood Elevation (BFE) Zone A, V, A99 With BFE or Depth Zone AE, AO, AH, VE, AR Regulatory Floodway
OTHER AREAS OF FLOOD HAZARD	0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone X Future Conditions 1% Annual Chance Flood Hazard Zone X Area with Reduced Flood Risk due to Levee. See Notes, Zone F Area with Flood Risk due to Levee Zone D
OTHER AREAS	NO SCREEN Area of Minimal Flood Hazard Zone X Effective LOMR Area of Undetermined Flood Hazard Zone D
GENERAL STRUCTURES	Channel, Culvert, or Storm Sewer Levee, Dike, or Floodwall
OTHER FEATURES	Cross Sections with 1% Annual Chance Water Surface Elevation Coastal Transect Base Flood Elevation Line (BFE) Limit of Study Jurisdiction Boundary Coastal Transect Baseline Profile Baseline Hydrographic Feature
MAP PANELS	Digital Data Available No Digital Data Available Unmapped

The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards.

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 6/6/2022 at 2:33 PM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmoderated areas cannot be used for regulatory purposes.

Figure 3

2.0 DEVELOPMENT

The owner purchased this property in mid-2020 and shortly thereafter started development of the property. **Attachment 1** is a survey of the property in its existing condition in early 2020.

The majority of the development will involve remodeling the existing house and updating and replacing most of the existing stone walls with new retaining walls. A new fence wall, approximately 96 linear feet, will be constructed along the low side of the driveway. **Attachment 2** shows the structural plan of the retaining wall and fence wall design. Asphalt will be removed and replaced with new pavers on the existing driveway. New pavers will be installed from the property entrance all the way to the house. **Attachment 3** shows the proposed development of the property.

The existing building footprint, deck, pool, and majority of the landscape area will remain the same.

3.0 DEVELOPMENT SUBMITTAL REQUIREMENTS

The property is approximately 25,601 square feet, of which 30% is impervious cover in both pre-developed and post-developed conditions. The disturbed area is estimated to be approximately 15,150 square feet, just over 1/3 acre. The new impervious cover will be approximately 445 square feet for the newly widened driveway entrance and the fence wall. Removal of impervious cover including existing stone walls and existing pond will be approximately 114 square feet. The new fence wall to be constructed along the entrance driveway will require a variance by the City of West Lake Hills.

With the various constraints and requirements, this property is being categorized as a Residential Type III Development.

4.0 DRAINAGE STUDY AND CALCULATIONS

Development on this residential property will have minimal impact on existing drainage. All new retaining walls will replace existing stone walls with the same maximum heights. Only the new fence wall along the low side at the entrance driveway and the widening of the entrance driveway are considered new development, which consists of approximately 445 square feet of new impervious cover.

Based on the City of West Lake Hills Drainage and Erosion Control Design Manual, when there is less than 1000 square feet of impervious covered added to a property and no change to the general drainage pattern is taking place, the Rational Method can be used to calculate the peak flow for the 2-, 10-, 25-, and 100-year storm frequencies in pre-developed and post-developed conditions. All calculations follow this manual.

Attachment 4 shows the site drainage area map. DA1 is the upstream drainage area that produces runoff; DA2 is the drainage area of property that produces runoff. **Figure 4** shows the Time of Concentration Calculations for DA1 and **Figure 5** shows the Time of Concentration Calculations for DA2. **Figure 6** shows the Drainage Calculation for DA1 and DA2 in pre-developed conditions and **Figure 7** shows the drainage calculations for DA1 and DA2 in post-developed conditions.

DA1 - Offsite Drainage Area Runon

TIME OF CONCENTRATION

Type of Flow	Length (ft.)	n	Slope (ft/ft)	Velocity (fps)	Time (min)
Sheet Flow	22	0.015	0.011	4.89	0.08
Sheet Flow	102	0.150	0.044	0.98	1.74
Sheet Flow	16	0.016	0.031	7.70	0.03
Sheet Flow	182	0.150	0.049	1.04	2.92
Shallow Concentrated Flow	95	0.150	0.057	1.59	0.99
Shallow Concentrated Flow	16	0.016	0.064	15.81	0.02
Shallow Concentrated Flow	20	0.150	0.147	2.56	0.13
Time of Concentration					5.91 min.
USE					5.91 min.

Figure 4

DA2 - Onsite Drainage Area Runoff - Pre Developed Condition

TIME OF CONCENTRATION

Type of Flow	Length (ft.)	n	Slope (ft/ft)	Velocity (fps)	Time (min)
Sheet Flow	20	0.150	0.2035	2.11	0.16
Sheet Flow	88	0.015	0.1819	19.90	0.07
Sheet Flow	147	0.150	0.2816	2.48	0.99
Time of Concentration					1.22 min.
USE					5.0 min.
Lag					3.0 min.

Figure 5

AREA DA1 - RUNON Drainage Basin					COMPOSITE C CALCULATIONS			
Event	2-yr	10-yr	25-yr	100-yr		ACRES	%	Event C
Acres	1.63	1.63	1.63	1.63				
C	0.49	0.49	0.49	0.49	29,728	0.682	41.9	Grass/Lawn/Good/Average 2-7% 0.35
Tc	5.91	5.91	5.91	5.91	22,668	0.520	31.9	Grass/Lawn/Good/ Step Over 7% 0.40
I	6.03	9.17	11.25	14.69	11,829	0.272	16.7	Concrete 0.83
k	1.00	1.00	1.10	1.25	6,755	0.155	9.5	Asphalt 0.81
Q	4.81	7.31	9.87	14.66	TOTALS	1.629	100	0.49

AREA DA2 - RUNOFF Drainage Basin					COMPOSITE C CALCULATIONS			
Event	2-yr	10-yr	25-yr	100-yr		ACRES	%	Event C
Acres	0.59	0.59	0.59	0.59	-	0.000	0.0	Grass/Lawn/Good/Average 2-7% 0.35
C	0.53	0.53	0.53	0.53	17,757	0.408	69.3	Grass/Lawn/Good/ Step Over 7% 0.40
Tc	5.00	5.00	5.00	5.00	4,780	0.110	18.7	Concrete 0.83
I	6.31	9.61	11.79	15.42	3,088	0.071	12.1	Asphalt 0.81
k	1.00	1.00	1.10	1.25	TOTALS	0.588	100	0.53
Q	1.96	2.99	4.04	6.01				

Total Pre-Developed Discharge from DA-2				
Event	2-yr	10-yr	25-yr	100-yr
Q	6.77	10.31	13.91	20.66

Figure 6

AREA DA1 - RUNON Drainage Basin					COMPOSITE C CALCULATIONS			
Event	2-yr	10-yr	25-yr	100-yr		ACRES	%	Event C
Acres	1.63	1.63	1.63	1.63	29,728	0.682	41.9	Grass/Lawn/Good/Average 2-7% 0.35
C	0.49	0.49	0.49	0.49	22,668	0.520	31.9	Grass/Lawn/Good/ Step Over 7% 0.40
Tc	5.91	5.91	5.91	5.91	11,829	0.272	16.7	Concrete 0.83
I	6.03	9.17	11.25	14.69	6,755	0.155	9.5	Asphalt 0.81
k	1.00	1.00	1.10	1.25	TOTALS	1.629	100	0.49
Q	4.81	7.31	9.87	14.66				

AREA DA2 - RUNOFF Drainage Basin					COMPOSITE C CALCULATIONS			
Event	2-yr	10-yr	25-yr	100-yr		ACRES	%	Event C
Acres	0.59	0.59	0.59	0.59	-	0.000	0.0	Grass/Lawn/Good/Average 2-7% 0.35
C	0.53	0.53	0.53	0.53	17,426	0.400	68.0	Grass/Lawn/Good/ Step Over 7% 0.40
Tc	5.00	5.00	5.00	5.00	4,729	0.109	18.5	Concrete 0.83
I	6.31	9.61	11.79	15.42	3,470	0.080	13.5	Asphalt 0.81
k	1.00	1.00	1.10	1.25	TOTALS	0.588	100	0.53
Q	1.98	3.02	4.08	6.07				

Total Post-Developed Condition Discharge from DA-2				
Event	2-yr	10-yr	25-yr	100-yr
Q	6.79	10.34	13.95	20.72

Figure 7

Figure 8 provides a summary table that highlights the difference between pre-developed and post-developed conditions. It demonstrates that the maximum increase in discharge is 0.06 cfs in 100-year storm frequency after development on the property takes place, which is insignificant and is considered within the limits of rounding errors. The 0.06 cfs increase in discharge will not produce adverse effects to downstream property owners.

Differential between Pre-Developed Condition and Post-Developed Condition Discharge from DA-2				
Event	2-yr	10-yr	25-yr	100-yr
Q	0.02	0.03	0.04	0.06

Figure 8

Attachment 5 shows the new fence wall drainage area map. DA3 is the combination of the upstream drainage area (runon) and partial site drainage area (runoff) that produces runon and runoff to the new fence wall. **Figure 9** depicts the Time of Concentration Calculations for DA3, and **Figure 10** depicts the Drainage Calculations for DA3.

DA3 - Drainage Area Flows to New Fence Wall

TIME OF CONCENTRATION

Type of Flow	Length (ft.)	n	Slope (ft/ft)	Velocity (fps)	Time (min)
Sheet Flow	61	0.015	0.0412	9.48	0.11
Sheet Flow	13	0.015	0.0933	14.25	0.02
Sheet Flow	56	0.150	0.0671	1.21	0.77
Sheet Flow	53	0.015	0.0375	9.04	0.10
Sheet Flow	74	0.150	0.0605	1.15	1.08
Sheet Flow	13	0.015	0.0796	13.17	0.02
Sheet Flow	8	0.150	0.0600	1.14	0.12
Shallow Concentrated Flow	46	0.015	0.1204	23.13	0.03
Shallow Concentrated Flow	91	0.150	0.1257	2.36	0.64
Shallow Concentrated Flow	8	0.015	0.1184	22.94	0.01
Shallow Concentrated Flow	24	0.150	0.1250	2.36	0.17
Time of Concentration					3.06 min.
USE					5.0 min.

Figure 9

AREA DA3 - Drainage Basin to Fence Wall					COMPOSITE C CALCULATIONS			
Event	2-yr	10-yr	25-yr	100-yr		ACRES	%	Event
Acres	0.73	0.73	0.73	0.73				C
C	0.61	0.61	0.61	0.61	5,536	0.127	17.5	Pasture/Range 2-7%
Tc	5.00	5.00	5.00	5.00	9,749	0.224	30.9	Grass/Fair 2-7%
I	6.31	9.61	11.79	15.42	13,334	0.306	42.2	Concrete
k	1.00	1.00	1.10	1.25	2,964	0.068	9.4	Asphalt
Q	2.80	4.26	5.75	8.54	TOTALS	0.725	100	
								0.61

Figure 10

The new fence wall has an 8"H x 12"W hole at four feet on center as shown in the structural plan in **Attachment 2**. The new fence wall which is approximately 96 linear feet will have 24 holes for runon and runoff to pass through. The general flow pattern is straight to the fence wall and is shown in **Attachment 5** – New Fence Wall Drainage Area Map. This fence wall will redistribute and generate a sheet flow pattern when runon and runoff flow pass the 8"H x 12"W holes.

If we assume that the runon and runoff from DA3 will never cover these 8"H x 12"W holes, we can treat these holes as weirs and can calculate the pass-through flow at each hole by using the Weir Equation.

Figure 11 shows the calculations for discharge flow and height in 2-, 10-, 25-, and 100-year storm frequencies. The maximum height of runoff is 2.90 inches at each 8"H x 12"W hole, which is much less than the height (8 inches) at each hole.

Weir Equation

$$Q = cLH^{1.5}$$

where, Q = weir flow rate (cfs)

C = weir coefficient (use 3 for 1 ft wide weir)

L = horizontal length of weir crest (ft)

H = head above weir crest elevation (ft)

**FENCE WALL HOLE (8"H x 12" W)
DISCHARGE CALCULATIONS (Q2)**

Minimum Weir Height, H (ft)	0.11
Weir Length, L (ft)	1.00
Weir Coefficient, c	3.00
DA3 RUNOFF calculated by Rational Method (Q2)(cfs)	2.80
Flow at Each Weir, q (ft ³ /s)	0.12
Velocity at Each Weir, v (ft/s)	1.02
Number of Weir Required	23.99
DISCHARGE FLOW HEIGHT (INCH) AT EACH HOLE	
Number of Hole Provided	24
Flow Height (inch)	1.38

**FENCE WALL HOLE (8"H x 12" W)
DISCHARGE CALCULATIONS (Q25)**

Minimum Weir Height, H (ft)	0.19
Weir Length, L (ft)	1.00
Weir Coefficient, c	3.00
DA3 RUNOFF calculated by Rational Method (Q25)(cfs)	5.75
Flow at Each Weir, q (ft ³ /s)	0.24
Velocity at Each Weir, v (ft/s)	1.29
Number of Weir Required	23.99
DISCHARGE FLOW HEIGHT (INCH) AT EACH HOLE	
Number of Hole Provided	24
Flow Height (inch)	2.23

**FENCE WALL HOLE (8"H x 12" W)
DISCHARGE CALCULATIONS (Q10)**

Minimum Weir Height, h (ft)	0.15
Weir Length, l (ft)	1.00
Weir Coefficient, c	3.00
DA3 RUNOFF calculated by Rational Method (Q10)(cfs)	4.26
Flow at Each Weir, q (ft ³ /s)	0.18
Velocity at Each Weir, v (ft/s)	1.17
Number of Weir Required	23.99
DISCHARGE FLOW HEIGHT (INCH) AT EACH HOLE	
Number of Hole Provided	24
Flow Height (inch)	1.82

**FENCE WALL HOLE (8"H x 12" W)
DISCHARGE CALCULATIONS (Q100)**

Minimum Weir Height, h (ft)	0.24
Weir Length, l (ft)	1.00
Weir Coefficient, c	3.00
DA3 RUNOFF calculated by Rational Method (Q100)(cfs)	8.54
Flow at Each Weir, q (ft ³ /s)	0.36
Velocity at Each Weir, v (ft/s)	1.47
Number of Weir Required	23.99
DISCHARGE FLOW HEIGHT (INCH) AT EACH HOLE	
Number of Hole Provided	24
Flow Height (inch)	2.90

Figure 11

5.0 CONCLUSIONS

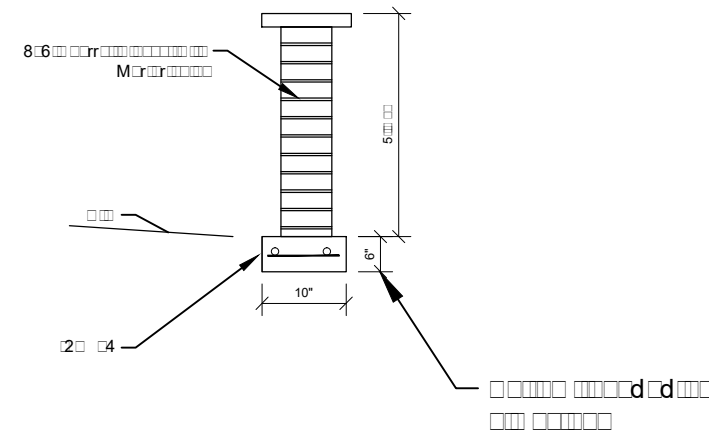
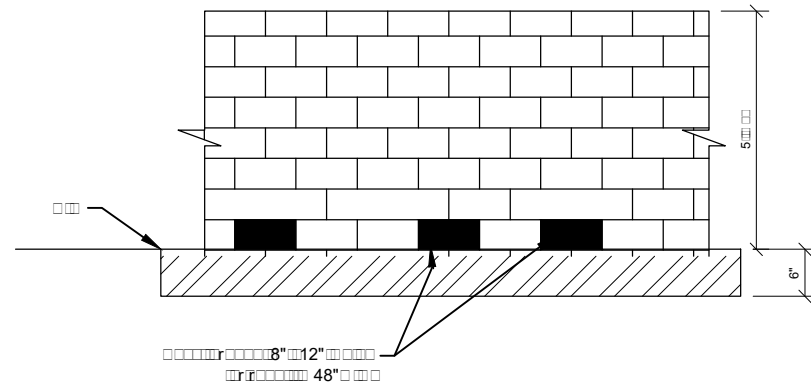
There will be an insignificant increase in discharge (0.06 cfs) from this residential property development. As a result, there will be no impact to downstream property owners.

The new fence wall that will be built along the low side of the entrance driveway can provide sufficient runoff pass-through in a 100-year storm event. The flow pattern will be in sheet flow and there will be no impact to downstream properties.

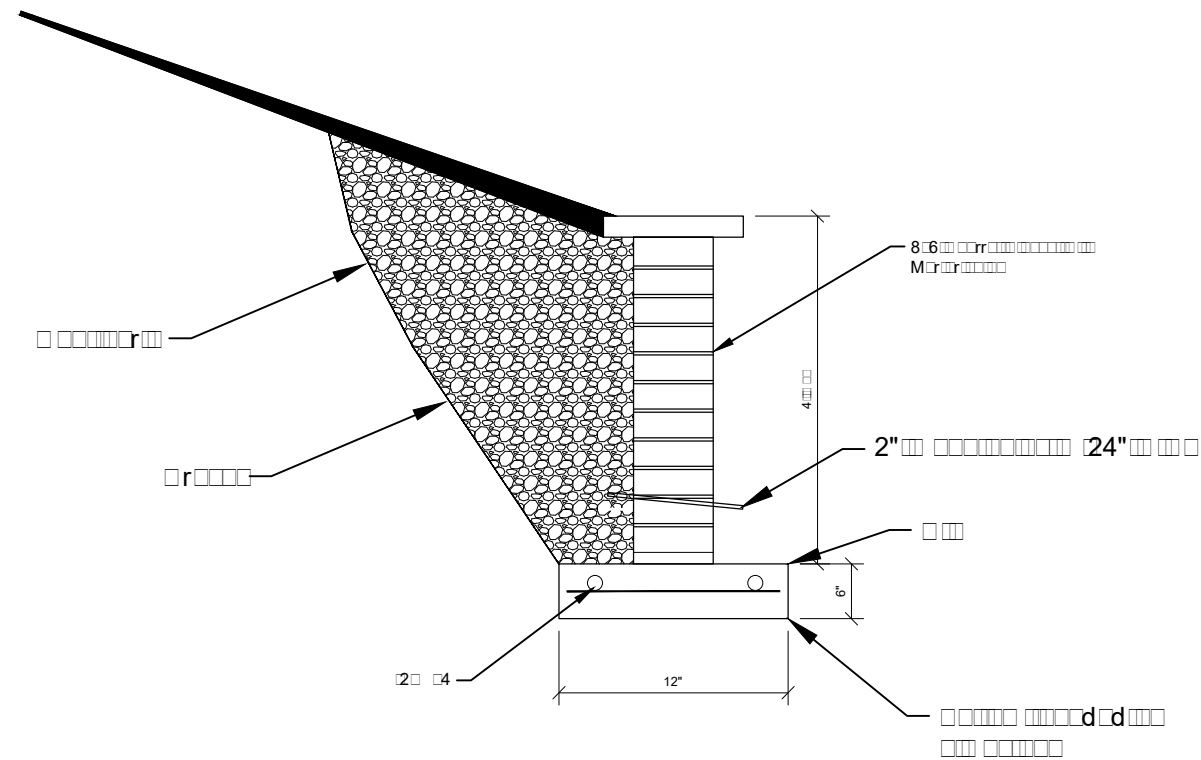
Attachment 1
Property Survey

Attachment 2
Structural Plan of Retaining Wall
and Fence Wall Design

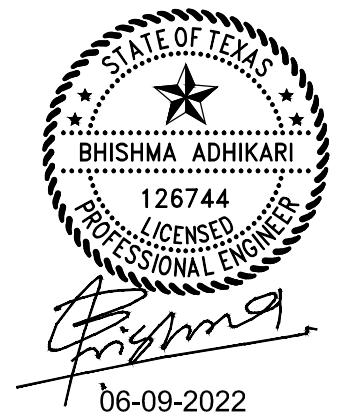
**ATTACHMENT 2: STRUCTURAL PLAN OF RETAINING WALL AND FENCE WALL DESIGN
(FOR REFERENCE ONLY)**



Fence Wall



RETAINING WALL

[illegible]

REVISIONS:		DESCRIPTIONS		DATE:		INITIAL:	
A- REV							
B- REV							
C- REV							
D- REV							

212 BUCKEYE TRAIL							
SUBDIVISION				DATE		06-09-2022	
LOT		BLOCK		PH/SEC		JOB NO.	
CITY				WESTLAKE HILLS, TX		DRN BY RA	
CLIENT				CHK BY		SA	



B

S

A

STRUCTURAL ENGINEERS

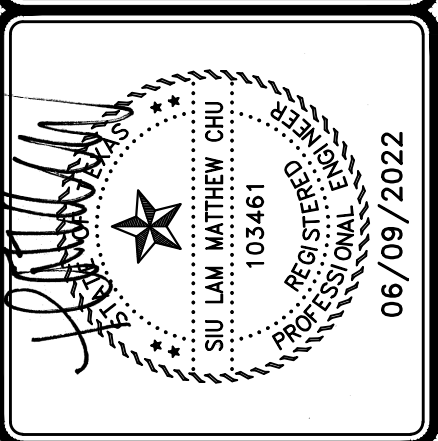
TBPE FIRM LICENSE #: 19354
 2911 A.W. GRIMES BLVD, SUITE 203
 PFLUGERVILLE, TX 78660
 PH: (512)-577-2974
 ADMIN@BSA-ENGINEERS.COM
 FOUNDATION/FRAMING/
 WIND BRACING
 INSPECTION

SHEET #

R1 OF 1

Page 11 of 162

Attachment 3
Proposed Development



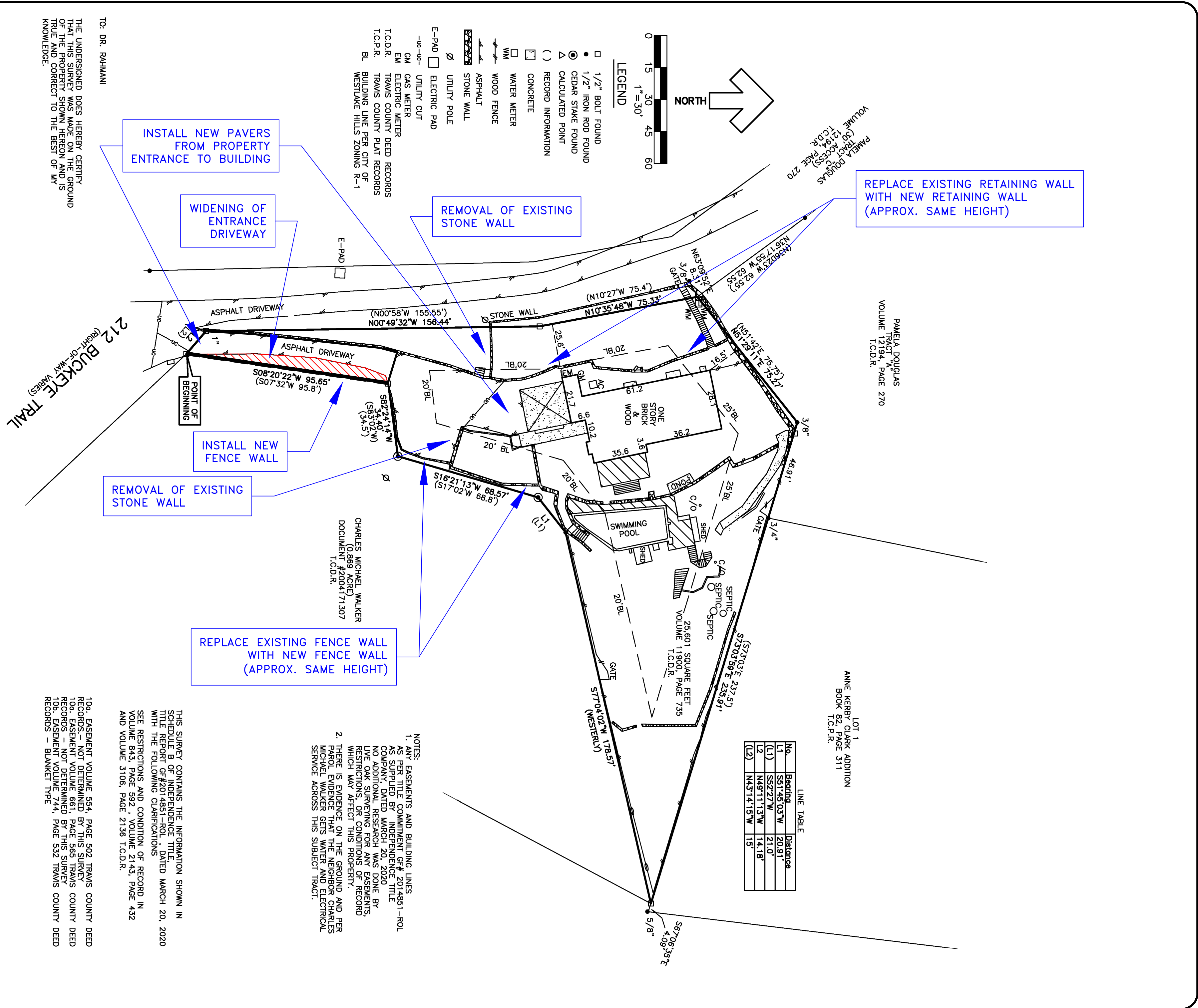
TCE
THONHOFF CONSULTING ENGINEERS, INC.
MUNICIPAL • ENVIRONMENTAL • WATER & WASTEWATER
FIRM REGISTRATION NO. F-002821

DARUSH RAHMANI RESIDENCE	PROPOSED DEVELOPMENT
--------------------------	----------------------

JOB NO. 22018.1.100

DESIGNED	SMC
DRAWN BY	SMC
APPROVED	RHT
DATE	JUNE 2022
SCALE AS NOTED	

SHEET
ATTACHMENT 3
 REVISION NO. 
 DATE

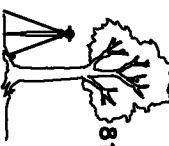


NOTE:
THIS PLAN IS TO SHOW NEW DEVELOPMENT ON EXISTING SITE SURVEY COMPLETED IN MID 2020.
ALL DATA ARE APPROXIMATE AND FOR REFERENCE ONLY.

0 30 60 Feet

SCALE: 1" = 30' FULL SIZE (22x34)
1" = 60' HALF SIZE (11x17)

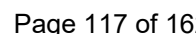
CLIENT: TOM KIM FIELD BOOK: 141, PAGE: 63 DRAWN BY: D.W. PROJECT NO.: 1187-20-20 DATE: 4-1-2020 FILE: 1187/20/DWG	DEAN A WOOLEY REGISTERED PROFESSIONAL LAND SURVEYOR NO. 5086 DATE:
--	---

©COPYRIGHT DEAN WOOLLEY, 2020	TREE AND TOPOGRAPHIC SURVEY OF 0.49 ACRE TRACT AS CONVERTED TO MARTHA ALICE BAKER AS RECORDED IN VOLUME 11900 PAGE 735 TRAVIS COUNTY DEED RECORDS, TEXAS PART OF THE THOMAS J. CHAMBERS SURVEY NO. 504
	LIVE OAK SURVEYING 818 WAGON TRAIL #1212 AUSTIN, TX 78758 (512) 786-5025 FIRM#10075600

©COPYRIGHT DEAN WOOLLEY, 2020

Attachment 4
Site Drainage Area Map

Attachment 5
New Fence Wall Drainage Area Map



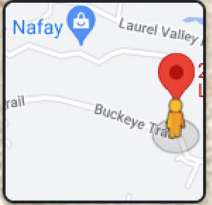
210 Buckeye Trail
West Lake Hills, Texas

Google

Street View - Jan 2020



Google



From: [Alex Sanchez](#)
To: [Ashby Grundman](#)
Subject: FW: 212 Buckeye
Date: Wednesday, July 27, 2022 7:12:44 AM

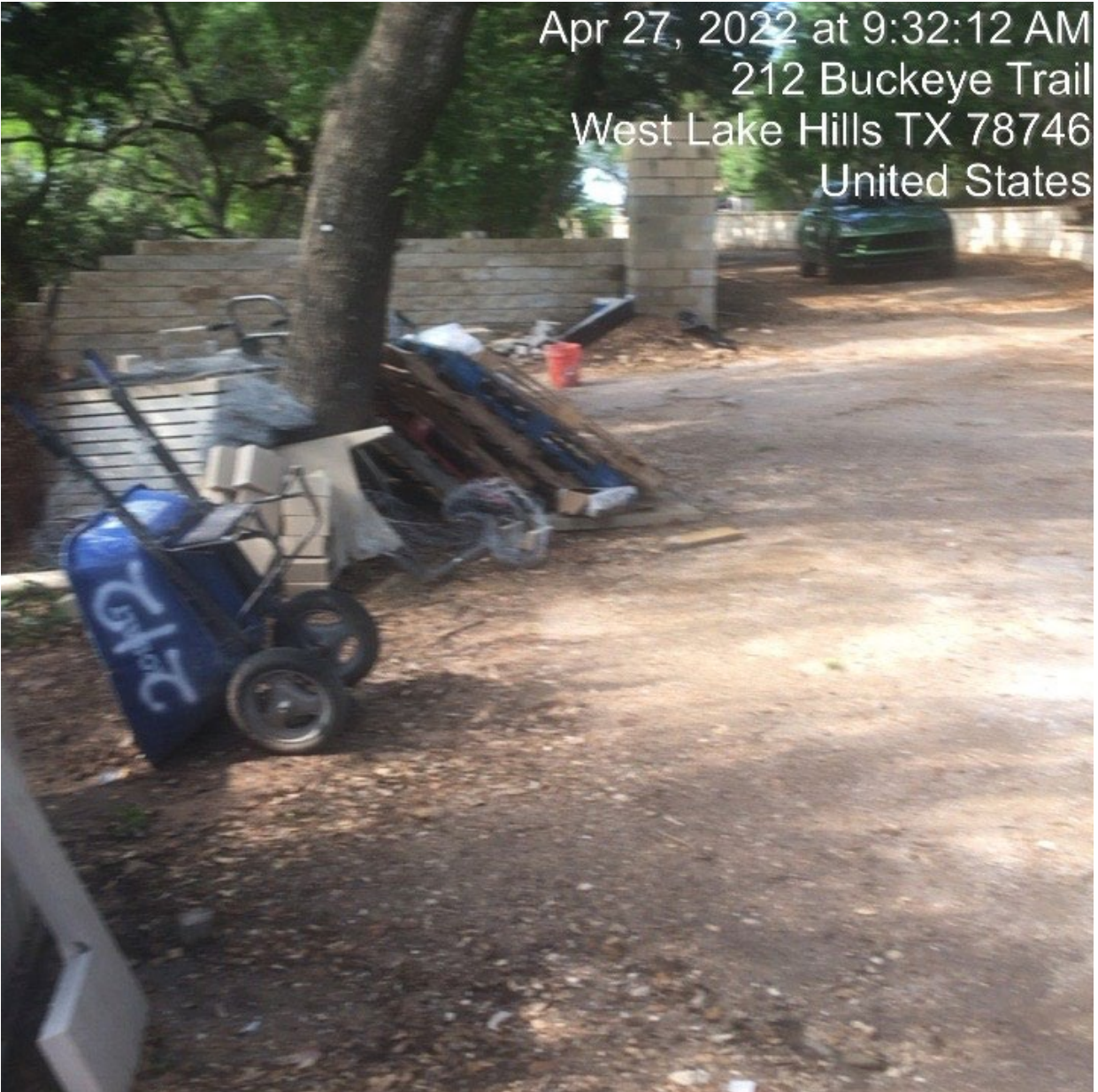
Ashby:

These photos were taken before our meeting on 5/3/2022

From: [REDACTED]
Sent: Wednesday, April 27, 2022 11:39 AM
To: Alex Sanchez <asanchez@westlakehills.gov>
Subject: 212 Buckeye



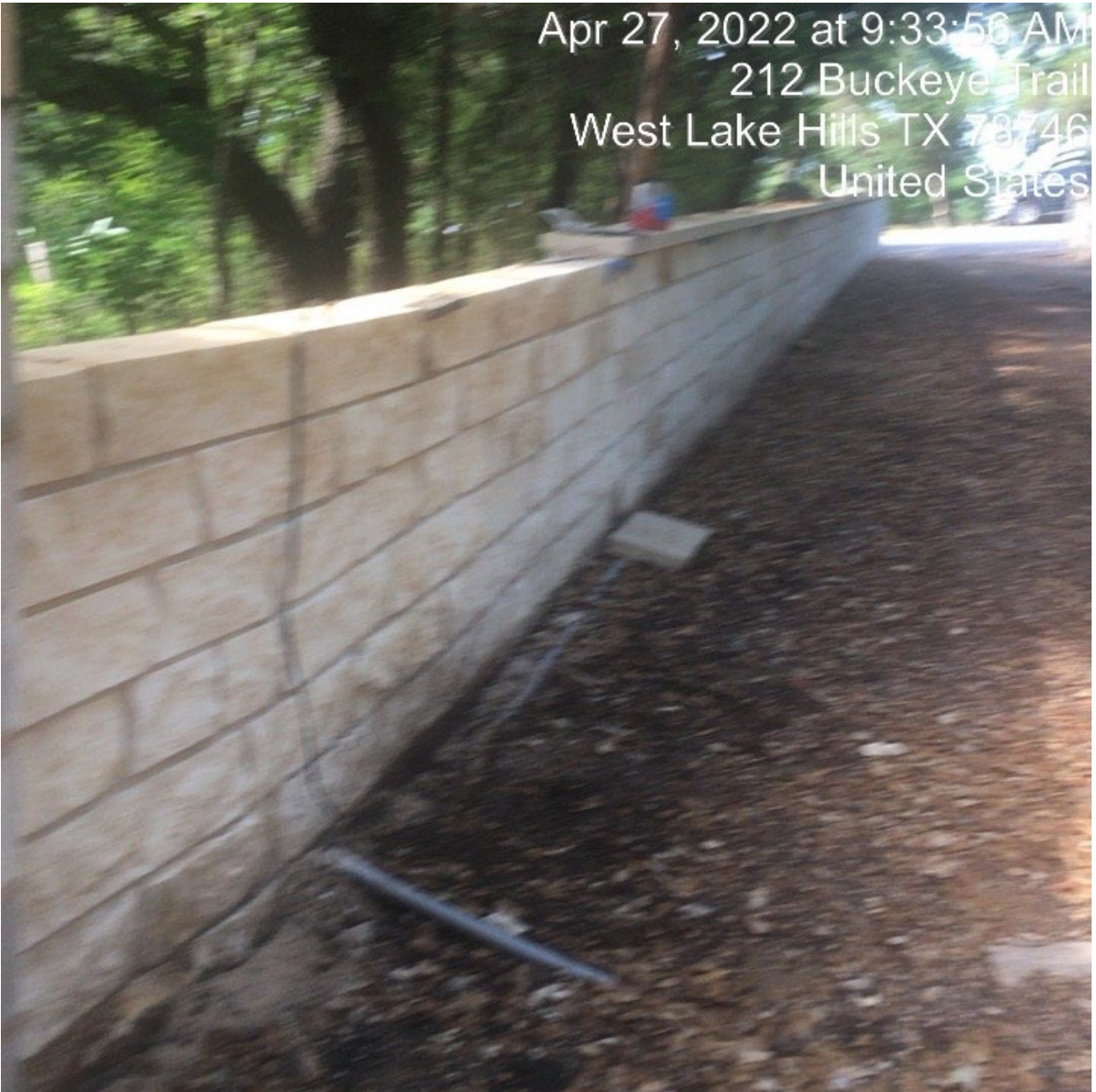
Apr 27, 2022 at 9:32:12 AM
212 Buckeye Trail
West Lake Hills TX 78746
United States



Apr 27, 2022 at 9:32:09 AM
212 Buckeye Trail
West Lake Hills TX 78746
United States



Apr 27, 2022 at 9:33:56 AM
212 Buckeye Trail
West Lake Hills TX 78746
United States



Apr 27, 2022 at 9:34:05 AM
212 Buckeye Trail
West Lake Hills TX 78746
United States





Sent from my iPhone

From: [Alex Sanchez](#)
To: [Ashby Grundman](#)
Subject: FW: 212 Buckeye
Date: Thursday, July 21, 2022 9:12:06 AM

Here you go!

From: [REDACTED]
Sent: Thursday, July 21, 2022 9:10 AM
To: Alex Sanchez <asanchez@westlakehills.gov>
Subject: 212 Buckeye



Jul 21, 2022 at 9:01:41 AM
300 Buckeye Trail
West Lake Hills TX 78746
United States







Jul 21, 2022 at 9:02:02 AM
210 Buckeye Trail
West Lake Hills, TX 78746
United States



Jul 21, 2022 at 9:02:15 AM
210 Buckeye Trail
West Lake Hills TX 78746
United States







Sent from my iPhone

From: [REDACTED]
To: [Ashby Grundman](#)
Subject: Fwd: WLH Building setback variance request at 212 Buckeye Trail
Date: Wednesday, July 27, 2022 8:06:17 AM

----- Forwarded message -----

From: Mike Walker [REDACTED]
Date: Tue, Jul 26, 2022 at 8:28 PM
Subject: Fwd: WLH Building setback variance request at 212 Buckeye Trail
To: darush rahmani [REDACTED]

Darush,

FYI

Mike

Begin forwarded message:

From: Mike Walker [REDACTED]
Subject: WLH Building setback variance request at 212 Buckeye Trail
Date: July 26, 2022 at 8:27:10 PM CDT
To: AGrundman@westlakehills.gov

Dear Mr. Grundman,

My wife and I are residents of West lake Hills, residing at [210 Buckeye Trail](#), next door to this Dr.Rahmani's home at 212. We fully support granting the variance request because the subject wall, which is on Dr. Rahmani's side of our joint property line, provides a much higher degree of privacy for our house, which is downhill but still very close to Dr. Rahmani's driveway. The wall prevents views into all of our bathroom windows, which are on that side of the house.

We urge that the variance request be granted, and that the wall remains as built, and be completed at the existing heights.

If you have any questions or comments about this request, please let us know.

Sincerely,

Charles M. Walker
Anne R. Walker
210 Buckeye Trail
(512) 750-8930



**SETBACKS, FENCE, CUT/FILL AND TREE VARIANCES
STAFF REPORT**

AUGUST 10, 2022

Project Address: 706 Terrace Mountain Drive

Project Number: 2022-1070

Agenda Item: Land Use: **706 Terrace Mountain Drive:** Discuss and consider action on variances to encroach a front building setback, fence height, cut and fill, front yard fence visibility, landscape wall in a building setback and removal of a 17" Cedar Tree for the construction of a new single-family residence. (Sections 22.03.281, 22.03.173, 22.03.125, and 22.03.304 of the West Lake Hills Code.) Applicant Ashley Knight.

Applicant Information: Ashley Knight

Hearing Dates:

July 20, 2022, ZAPCO

August 10, 2022, Board of Adjustment/City Council

Location: The subject property is located at the northeast corner of Terrace Mountain Drive and Basin Ledge.

Property Information, Zoning & Site Characteristics:

Owner: Rio Austin, LLC

Legal Description: Lot 4, Block P, Stonehedge Estates

Lot Size: 0.71 acres (30,927.60 square feet)

Zoning: R1 – One Family Residential

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

Background & Analysis:

There is currently a single-family residence on the lot. The property was purchased in December of 2021, with the plan to demolish the existing non-conforming house and construct a new single-family residence.

The current house sits at 30-feet from the property line, and the applicant is requesting the variances to maintain that setback distance.

T856 – 17 Inch Cedar is being requested for removal. This tree sits in the location the garage is proposed to be located on the western side of the proposed structure.

The applicant is requesting a variance to fill 1'-6" over the maximum allowed fill of 18 inches in the setback and a proposed fence that does not meet the 80% visibility requirements and is over 6 feet in height, with a proposed height of 8'-8".

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 configuration of this corner lot fronts two roadways and it is assigned three front yard setbacks due to its thin, peninsula shape which is overly burdensome. The lot is only on average about 100ft wide between the two streets so the 50ft setbacks off each street reduce the buildable area to a 4.8% of the lot total and only a 1,498sq.ft. sliver that is too small to build a home of adequate size for this neighborhood, or any neighborhood for that matter. Additionally, the substandard width limits private yard space. The existing slope of the lot creates a hardship for privacy. A 6ft fence is inadequate against a natural slope in excess of 15ft from natural grade of construction to the elevation of the street. This slope also necessitates additional fill to correct drainage issues and remove and replace an existing, non-compliant retaining wall which was previously allowed to cut in more than 4ft and is existing in the setback. And finally, there are over 22 protected trees on this site that is less than an acre which restricts build-able area considerably when the other aspects of lot shape, setback and slope are considered.”
2. There will not be unreasonable disruption of the natural terrain or unreasonable destruction of existing flora.
The application states – “The setback reductions do not affect the existing flora or natural terrain in any way as they are the same setbacks that were previously allowed for decades. The increased fence height is requested to work with the slope of the natural terrain and will not present as being any more than 5-3/8" over the elevation of the street, far less than the 6ft allowed. The increased fill is requested to remove a large, noncompliant retaining wall in the setback which did not comply with cut limits. The request to replace the noncompliant wall with a front yard fence and landscape wall that comply with cut limits and only requests exception from visibility rules is an improvement to the existing flora as it returns the natural grade and improves drainage conditions. The request to remove just one of 22 protected trees allows for a configuration of the driveway that enabled designers to save more trees and this one removal will result in a 150% replacement, leaving the site with more trees that it had previously.
3. There is no reasonable alternative to the requisite variance that will alleviate the difficulty or hardship complained of.
The application states – “Alternative design was considered for the garage placement in order to attempt to save the 17" Cedar tree but the alternate design was found to cause even more tree removals than just the one cedar tree. Due to the limited build-able area of the lot, the existing slope and existing trees, design options are very limited. We have submitted a proposed design that strategically avoids the majority of trees and requires only minor setback reductions that were already allowed on this lot previously and if anything, the restoration of the lot to previous conditions with the replacement of the non-compliant retaining wall with a more compliant front yard fence and planter to return the lot to its natural grade and a new landscape wall to improve drainage, as well as increase the amount of trees on the lot as a whole.”
4. The variance will not be greater than the minimum required to alleviate the difficulty or hardship complained of.
The application states – “The proposed design makes the best use of the space allotted by the existing setbacks, trees and slope and requests the least amount of reduction to the setback standards, considering the 30 foot front setbacks were approved for the home previously built on the lot. The tree removal requests to remove only one of 22 protected trees on a comparatively small lot, while proposing to replace said tree at 150%, is minimal. The fence height request is not in excess of what is allowable when the slope is considered, in fact it is over 5ft shorter than a typical 6ft fence is

allowed to be over the street elevation, and the fill variance is requested to return the site to its previous natural condition, utilizing a planter to create a step down approach to allow for a minimal amount of fill to be used to restore the natural grade which existed before man-made retaining wall improvements from the previous owner were installed out of compliance with cut limits. The requested fill will not result in excess of 18in over the preexisting natural grade and is only needed in small areas, thanks to the planter design.

5. The variance does not violate the intent of the Zoning Ordinance or goals of the Comprehensive Plan.
The application states – “The configuration of this corner lot, is a special circumstance creating three front yards. The reduction we are requesting to 30ft was previously approved. The requested fence height increase is not obtrusive or obstructive to any other views due to the slope of the property and the requested fill is not in excess of 18in over natural grade. The requested front yard fence complies with all zoning regulations except for the 80% visibility but is so far below the street elevation that it is only a 5-3/8" obstruction to neighboring views and vehicle traffic. The planter allows for a restoration of the natural grade and requires no more than 18in of fill on top of said natural grade, once the man made wall is removed and filled. The request for the front yard fence to be in the setback is just as the previous wall was allowed. The request for the new landscape wall is similar to the existing rock walls off Basin ledge but less obstructive given the new location. The removal of 1 protected tree is proposed in order to save 22 protected trees and will be mitigated with 150% replacement. The proposed variance maintains the intent of the previously approved plan and Zoning regulations.
6. The variance will not adversely affect neighboring properties or interfere with the enjoyment of these properties by their owners.
The application states – “The changes proposed maintain the setbacks and build-able area of the previous home. There is only 1 neighboring property and there is no change requested to the setback against that lot line. The proposed encroachment into the setback is a more compliant front yard fence and planter than what was previously allowed with the non-compliant retaining wall and it restores the natural grade of the property once the retaining wall is removed. The new landscape wall in the setback is similar but less visible to the existing rock walls in the opposite setback off Basin Ledge. The fill is not over 18in of the natural grade and the fence height will not appear to be excessive in height from the outside of the property due to the slope of the grade and the high elevation of the street. The tree removal is on the interior of the lot and will not affect neighboring properties.”

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 approval of the setback encroachments and the tree, but denial of the fence height, fence visibility and cut/fill variances, 3-0.

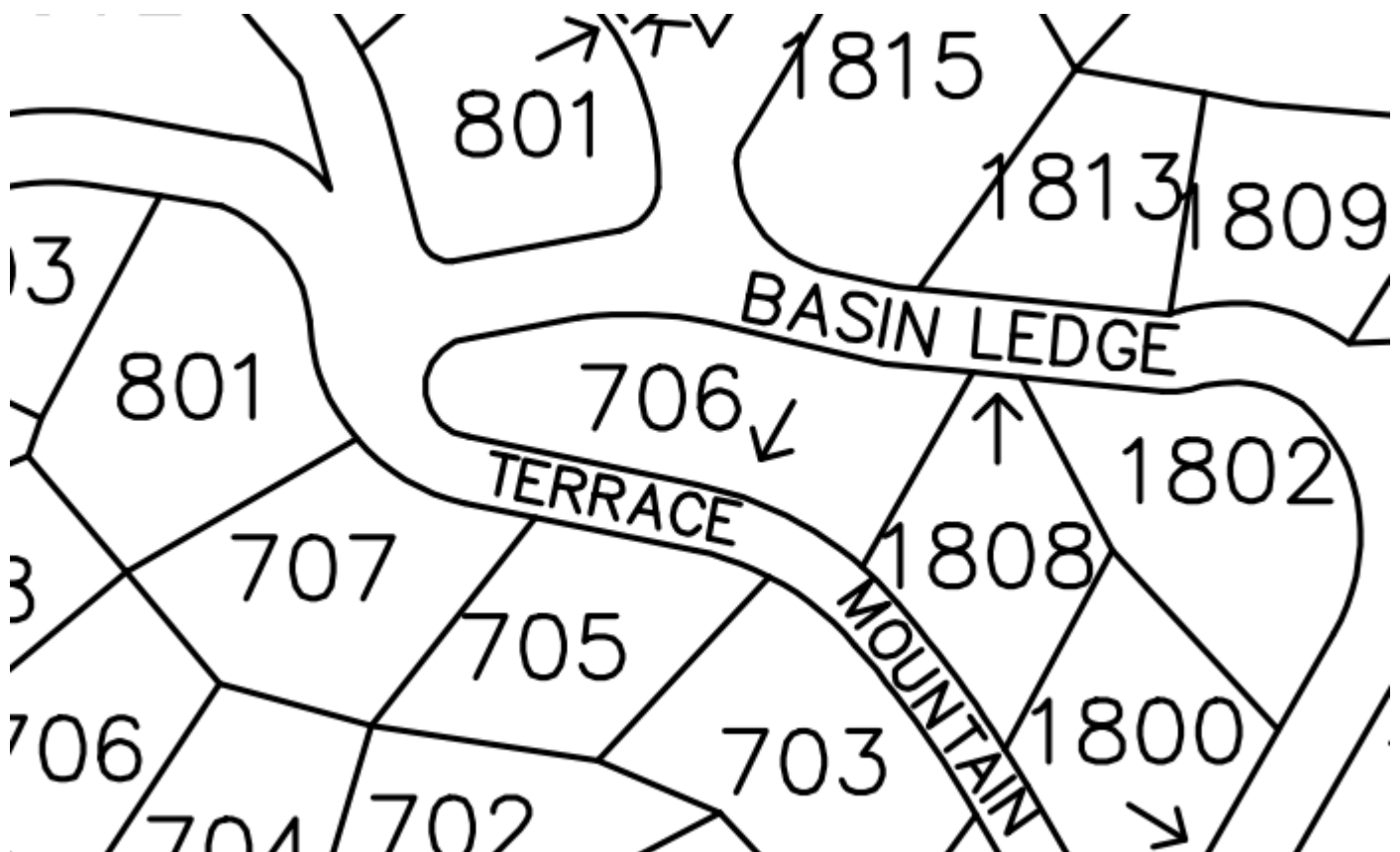
Staff Recommendation

Staff recommends: Approval of the setback encroachments, the cut/fill and tree variances, but denial of the fence variances.

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](#)
- [Sec. 22.03.173](#) [Fences](#)

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: Rio Austin Phone: 5125900929

Email: [REDACTED]

Address: 100 Congress Ave Ste 1445 City: Austin State: TX Zip: 78701

Agent*: Matthew Ditlow Phone: 5125900929

Email: [REDACTED]

Address: 100 Congress Ave Ste 1445 City: Austin State: TX Zip: 78701

Property Address: 706 Terrace Mtn City: West Lake Hills State: TX Zip: 78746

Property Information

Subdivision Name: Stonehedge Estates

Block: P Lot: 4 TCAD Tax Parcel ID: 0119130501

Current Zoning Classification: R-1 Total Lot Size (Acres): .71ac

*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) Adjust the Setbacks to account for the proposed structure.
- 2) Fence height increase from 6ft to 8'8" due to slope of property
- 3) Fill increased to 5ft to accommodate drainage plan
- 4) Allow exception to the 80% visibility rule for front yard fence to address lack of private yard space due to 3 street frontages
- 5) The addition of a new landscape wall to accommodate drainage plan



VARIANCE APPLICATION

6) Tree removal of 17" cedar T856

7)

8)

9)

10)

Brief Description of project/why variances are needed: 706 Terrace Mtn is a corner lot that fronts two streets on 3 sides of the

property and has an excessive slope in its natural grade. The lot is substandard in width, on average 100 feet wide, 50ft less than the prescribed minimum for an R-1 zoned lot. The 3 front yards, excessive slope and substandard width create hardships that relate to build-able area, tree protection and privacy.

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 configuration of this corner lot fronts two roadways and it is assigned three front yard setbacks due to its peninsula shape which is overly burdensome. The lot is only on average about 100ft wide between the two streets, so the 50ft setbacks off each street reduce the build-able area to a 4.8% 1496sq. ft. sliver that is too small to build a home of adequate size for this neighborhood. Additionally, the existing slope of the lot creates a hardship for privacy as a 6ft fence is inadequate against a natural slope in excess of 15ft from natural grade of construction to the elevation of the street. This slope also necessitates a new landscape wall and 5ft of fill to accommodate the drainage plan that moves the excessive water that comes down the slope toward the house away from the house and away from neighboring properties. The excessive slope and road frontages create the need for 0% visibility on the front yard fence to allow for a private yard. And finally, there are over 22 protected trees on a site that is less than an acre large which restricts build-able area considerably when the other aspects of lot shape, setback and slope are also considered.

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 setback reductions do not affect the existing flora or natural terrain in any way as they were previously allowed. The increased fence height is requested to work with the slope of the natural terrain and will not present as being any more than 5 3/8" over the elevation of the street, far less than the 6ft allowed. The increased fill and wall and fence request is an improvement to the existing flora as it returns the natural grade, improves drainage conditions and creates a more natural aesthetic than the stone retaining wall and stairs that it proposes to replace. The request to remove just one of 22 protected trees allows for a new configuration of the drive that enabled designers to save more trees and this one removal will result in a replacement in excess of the removed tree as 150% of the 17" tree will be replaced

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

Alternative design was considered for the garage to save the 17" cedar tree but only resulted in the loss of more than one additional other trees. Due to the limited build-able area of the lot, the existing slope and the existing trees, design options are very limited. We have submitted a proposed design that strategically avoids the majority of trees and requires only minor setback reductions that were already allowed on this lot previously and an improved drainage plan, as well as an increased amount of trees for the lot as a whole.

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

The proposed design makes the best use of the space allotted by the existing setbacks, trees and slope and requests the least amount of reduction to the setback standards, considering 30 foot front setbacks were approved for the home previously built on the lot and in some areas, setback in excess of 50ft are proposed. The tree removal requests to remove only one of 22 protected trees on a comparatively small lot, while proposing to replace said tree at 150%. The fence height request is not in excess of what is allowable when the slope is considered, in fact it is over 5ft shorter than a typical 6ft fence is allowed to be over the street elevation, and the fill variance is requested to return the site to its previous natural condition, utilizing a step down approach to allow for a minimal amount of fill to be used to restore the natural grade which existed before man-made improvements from the previous owner were installed out of compliance with cut limits. The requested fill will not result in excess of 18in over the preexisting natural grade and is only needed in small areas, thanks to the step down design



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 configuration of this corner lot, is a special circumstance creating three front yards. The reduction we are requesting to 30ft was previously approved. The requested fence height increase is not obtrusive due to the slope of the property and the requested fill is not in excess of 18in over natural grade. The requested front yard fence complies with all zoning regulations except for the 80% visibility but is so far below the street elevation that it is only a 5-3/8" obstruction to neighboring views and no obstruction to vehicle traffic. The request for the new landscape wall is similar to the existing rock walls off Basin Ledge but less obstructive given the new location. The removal of 1 protected tree is proposed in order to save 22 protected trees and will be mitigated with 150% replacement. The proposed variance maintains the intent of the previously approved plan and Zoning regulations.

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 changes proposed maintain the setbacks and build-able area of the previous home and even proposed setback in excess of the 50ft prescribed by code in some areas. There is only 1 neighboring property and there is no change requested to the setback against that lot line. The proposed encroachment into the setback is a more compliant front yard fence than what was previously allowed with the non-compliant retaining wall and restores the natural grade of the property. The new landscape wall in the setback is similar but less visible to the existing rock walls in the opposite setback off Basin Ledge. The fill is not over 18in of the natural grade and the fence height will not appear to be excessive in height from the outside of the property due to the slope of the grade and the high elevation of the street. The tree removal is on the interior of the lot and will not affect neighboring 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).


Matthew Ditlow (Aug 3, 2022 13:02 CDT)

Signature

Matthew Ditlow

Printed Name

Aug 3, 2022

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: _____

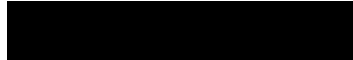
Notes:



PERMIT PARTNERS, LLC

300 E Highland Mall Blvd. | Suite 207 | Austin, Texas 78752

Office: 512.593.5361



August 3, 2022

City of Westlake Hills
Westlake Hills, TX 78746
Attn: Board of Adjustment

RE: 706 Terrace Mountain Variance Request

Board of Adjustment Members,

Thank you for your time and consideration of this request before you, which is a variance request for the following as it relates to the property located at 706 Terrace Mountain. Since meeting with ZAPCO and hearing their comments, concerns and suggestions, as well as the comments and concerns of the next door neighbor, we have modified the design and request to address their thoughts. As such, our requests of the Board are as follows:

- Adjust the setbacks to account for the proposed structure.
- Allow for an increase of 2'8" to the allowable 6-foot fence height to accommodate an excessive slope that will result in the fence only being 5 3/8" over the elevation of the adjacent street
- Allow 5ft of fill to accommodate the drainage plan provided herein.
- Allow exceptions to the front yard fence requirements: 0% visibility rule for front yard fence to address lack of private yard space due to 3 street.
- New landscape wall to accommodate drainage plan provided herein.
- Allow for the removal of one 17" Cedar tree which will be replaced at 150%.

The intent is to redevelop this site via demolition of the existing structure and new construction of a single-family home that will abide by the prescribed side lot line setback, height requirements and will comply with the 25% impervious cover limit. The goal of this design team has been to propose new construction that is more compliant with the intent of the code and has less of an impact than what is existing as it related to natural surroundings and neighbors.

The lot at 706 Terrace Mountain has two overly burdensome hardships. The first of which being its long and thin peninsula shape which creates right of way frontage with two streets on three sides of the lot, resulting in three front yards. The average width of this lot is only 100 feet, which is 50 feet less than the prescribed minimum of 150 feet wide for a R-1 zoned lot. Even at its absolute widest point, it is only 145 feet wide, so it is clearly substandard. As a result, the prescribed 50-foot setbacks along each of the three right of way frontages reduce the buildable area to just 4.8% of the lot total and leave only 1,498 square feet of buildable area. The expectation to only utilize 4.8% of your lot is unfair as 1,498 square feet is hardly sufficient for a



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single-family home. When you consider this long, thin lot also houses 22 protected trees, the constraints of the 50-foot setbacks become even more burdensome as the leave limits space for structures and even less for a private yard which is a bigger need on this lot than standard lots due to the public visibility that 3 right of way frontages present.

The second hardship is the slope of the lot which is excessive with a 25-foot change in elevation over the very widest portion of the lot which is only 145 feet wide and is 25ft past the side lot setback. Within the 25ft side lot setback and the existing and requested 30ft setbacks, the slope is well over 15%, even exceeding 60% in some areas. This steep slope creates the need for creative solutions with cut and fill and higher privacy fences to account for the higher elevation of Terrace Mountain Drive, in relation to the finished floor of the new home. Such privacy is needed, again, due to the excessive amount of public visibility that results from the 3 right of way frontages.

The first variance request is to adjust the setbacks off Terrace Mountain Drive and Basin Ledge which front 3 sides of the property, creating 3 front yards. This is a very rare situation and creates an undue hardship. The prescribed 25-foot side lot line setback will be complied with so there is no adverse effect to the one adjacent neighboring lot. The requested 30-foot setback off Basin Ledge is existing and has been enjoyed on this lot since the construction of the existing home over 22 years ago. The ZAPCO Board suggested we adjust the setback request to accommodate the structure so we have pulled back the blanket 30ft setback request from the tip of the peninsula and reduced it well past the 50ft setback requirement as it is not needed for the proposed design. We have also pushed the setback request off Terrace Mountain to include the walls needed to accommodate the drainage plan which has been provided as an update to this package. Drainage was the main concern of the adjacent neighbor, so we wanted to be sure the plan to divert water safely away from his property was included in this package. If the prescribed 50-foot setbacks were applied to this .71ac lot, the buildable area would be reduced to 1,498 square feet and just 4.8% of the lot area which is overly burdensome. The request to modify the setbacks is not accompanied by a request to increase impervious cover limits as the proposed construction will easily comply with the 25% impervious cover limit.

The second variance request is to increase the allowable 6-foot fence height to 8'8". This request is necessary due to the overly burdensome slope of the lot's existing grade. The elevation of Terrace Mountain Drive sits at 661 feet whereas the proposed finished floor of the home is 647.63 feet. A fence outside of this home, with a height of 8'8" at its highest point, will only be 5-3/8" over the elevation of Terrace Mountain Drive. Where a 6-foot fence on a flat lot would create a 6-foot-tall barrier to the pedestrian and vehicular passersby, the requested variance to install a 8'8" fence will only create a 5-3/8" barrier to the same pedestrian and vehicle passing by 706 Terrace Mountain Drive. This more than complies with the intent of the fencing code as quoted in Sec. 22.03.173, "*(a)In approving permits to construct fences, the city shall be guided by their*



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appropriateness to the character of the neighborhood and the rights of adjacent landowners to views and prevailing breezes.(b) Unless required by an applicable international, national, or uniform code adopted by the city, fences in general, and “front-yard” fences in particular, are discouraged or limited by the city with due regard to the rights of privacy and security inherent in the ownership of property. This policy derives from the desire to preserve the rural nature and aesthetic attractiveness of the environs and to facilitate the safe movement of people, wildlife, and vehicles about the city.”

The third variance request is to increase the fill limit to 5ft in order to accommodate the provided drainage plan. The designers went to great lengths to design *with* the natural slope of the lot to avoid excessive cut and fill and this is why you see the bottom floor on grade with the Basin Ledge side. The second floor is just slightly below grade with the natural slope of the property on the Terrace Mountain side, requiring a minimal amount of fill to level that area out and divert the water that comes towards the house off the considerable slope away from the house and also away from the neighbor. Although 3-5ft of fill is necessary to achieve this leveling with the existing slope, the result will not be more than 18in over the natural grade, which is the amount code allows.

Which brings us to our fourth request for variance, the exception to the 80% visibility rule for front yard fences. As shown in the submitted renderings, the fencing will comply with all other front yard fencing requirements in code Sec. 22-03-173(d)(6)(A)-(B) except 80% visibility. Again, the request for a 0% visibility is to maximize the small amount of privacy that is available on a lot which is of substandard width, with 3 right of way frontages. The smallest amount of height increase is being requested, natural colors and materials will be used, the location is no more than 20 feet from the pavement's edge as code allows for lots less than .75acres. The only exceptions requested are 0% visibility on a fence that is only a 5-3/8" obstruction from the right of way elevation.

The fifth variance request is the addition of a landscape wall located in the 30ft setback to allow for grade modifications that are needed due to the slope of the property and to allow for drainage to flow away from the structure. This landscape wall will serve a similar purpose as the previously allowed rock walls in the opposite setback of Basin Ledge, although its appearance will be less obstructive given the new location. It will require no cut variance and only the same 3-5 foot fill variance previously requested. It will have a minimal presence from the right of way as it runs perpendicular to the largest portion of Terrace Mountain, and is at grade where it is closest to the right of way, only reaching above grade as the slope increases towards the house. Its full length is only partially visible from one half of the tip of the peninsula shaped lot, as Terrace Mountain Drive turns to become Basin Ledge. Its addition to the site will allow for better drainage conditions and is an overall improvement in function and aesthetic compared to the two rock walls off Basin Ledge it will replace.



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The sixth and final variance request is to remove a 17" Cedar tree. Alternate designs were attempted in hopes of saving this tree however with all explored options, more trees were compromised. The removal of this tree allowed designers to reconfigure the shape of the driveway so that additional trees could be saved. Of 22 protected trees, on a lot less than .75ac, with highly restrictive setback requirements and substandard width, the removal of just one Cedar tree took exhaustive design efforts. Additional efforts have been made in order to replace this tree at 150%, adding 25.5" of new trees to the site. As with all other aspects of the proposed design, extensive efforts have been made to leave this site better than it was found.

In closing, we ask the Board to please consider the hardships placed on this lot due to its substandard width of less than 150-feet and the rare existence of right of way frontages on 3 sides of the lot, in addition to its excessive slope. We also ask the Board to please consider the efforts the design team has made to create a solution to these unique hardships that does not exceed in any great way what was already allowed on this lot. And finally, please recognize that the proposed development offers improvements in compliance wherever possible and even more than what code prescribes in areas where available. The proposed design ensures that its impact to existing flora and neighboring residences presents a relief and not a burden. As mentioned, all efforts have been made to leave this site better than it was found and we appreciate your consideration and help in achieving this goal.

We will be reaching out to neighboring community members, and we welcome inquiries from all interested parties. I look forward to our discussion at the board meeting.

Thank you for your time and consideration.

Respectfully,

Ashley Knight
Permit Partners LLC



INTERIOR PERSPECTIVE 1



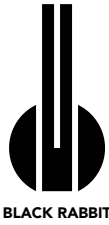
EXTERIOR PERSPECTIVE 2



EXTERIOR PERSPECTIVE 1



ISOMETRIC VIEW



BLACK RABBIT

PROJECT DESIGNER

COMPANY: BLACK RABBIT DESIGN
EMAIL: INFO@BLACKRABBIT.CO
PHONE: 512.474.2544
WEB: BLACKRABBIT.CO
ADDRESS: 1110 WEST AVE.
AUSTIN, TX 78701

OWNER

COMPANY: RIO AUSTIN, LLC
CONTACT: MATTHEW ROBINS
EMAIL: MATTHEW.ROBINS@BELLMAN.COM
PHONE: 512.496.0235

GENERAL CONTRACTOR

COMPANY: STEWART AND CO. CONSTRUCTION
CONTACT: RYAN STEWART
EMAIL: RYAN@STEWARTCO.COM
PHONE: 512.954.2321

STRUCTURAL ENGINEER

COMPANY: SEC SOLUTIONS
CONTACT: DEBBIE WILES
EMAIL: WWW.SECTEXAS.COM
PHONE: 512.215.4364

INTERIOR DESIGNER

COMPANY: SLIC DESIGN
CONTACT: SARA CUKERBAUM
EMAIL: SARA@SLIC-DESIGN.COM
PHONE: 646.263.5304

POOL CONSULTANT

COMPANY: CASCADE POOLS
CONTACT: TJ THOMPSON
EMAIL: TJ@CASCADECUSTOMPOOLS.COM
PHONE: 512.264.2453

CIVIL ENGINEER

COMPANY: SEC SOLUTIONS
CONTACT: MARCO CASTANEDA
EMAIL: MARCO@SECTEXAS.COM
PHONE: 512.785.8446

NOTES:

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50% CONSTRUCTION SET

TERRACE MOUNTAIN-706

TERRACE MOUNTAIN DRIVE
WEST LAKE HILLS, TX 78746

CD9.1
3D VIEWS

Page 148 of 162



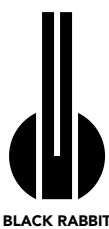
TREE 856 TO BE REMOVED



TREE REPLACEMENT LEGEND			
TREES LESS THAN 6": (NO REPLACEMENT REQUIRED)			
T842 4" SPANISH OAK			
TREES 6" TO 14": (75% REPLACEMENT REQUIRED)			
T815 11" SPANISH OAK			
T816 8.5" SPANISH OAK			
T817 9.5" SPANISH OAK			
T818 13" DRAKE ELM			
T840 8" SPANISH OAK			
T841 11.5" SPANISH OAK			
T854 13" BRADFORD PEAR			
T855 3", TWO-4" AND TWO-5.5" CrapeMyrtle (13.75" TOTAL)			
T873 12" SPANISH OAK			
T878 5" AND 10" DRAKE ELM (12.5" TOTAL)			
T880 SIX-3.5" CrapeMyrtle (12.25" TOTAL)			
T881 10" SPANISH OAK			
T882 11" CEDAR			
TREES 14" & ABOVE: (150% REPLACEMENT REQUIRED)			
T856 17"			
TREE REPLACEMENT CALCULATIONS:			
TREE TYPE	DIAMETER REMOVED	REPLACEMENT	REPLACEMENT REQ.
6" TO 14":	146"	75%	109.5"
14" & ABOVE:	17"	150%	25.5"
TOTAL REPLACEMENT REQUIRED:			
135" DIAMETER TO BE REPLACED			

TREE LEGEND	
TREE KEY:	
T799 6.5" CEDAR	T800 10" CEDAR
T801 12" CEDAR	T802 8" CEDAR
T803 12.5" CEDAR	T804 7" CEDAR
T805 11" CEDAR	T806 9" LIVE OAK
T807 4" AND 8" CEDAR (10" TOTAL)	T808 7" CEDAR
T809 8" CEDAR	T810 4" CEDAR
T811 10.5" SPANISH OAK	T812 8" CEDAR
T813 TWO-4" CEDAR (8" TOTAL)	T814 4.5" SPANISH OAK
T815 11" SPANISH OAK	T816 8.5" SPANISH OAK
T817 9.5" SPANISH OAK	T818 13" DRAKE ELM
T819 6" CEDAR	T820 4" AND 8" CEDAR (8" TOTAL)
T821 13.5" CEDAR	T822 7" CEDAR
T823 4" AND 8" CEDAR (10" TOTAL)	T824 4" CEDAR
T825 12" SPANISH OAK	T826 5" AND 8" SPANISH OAK (8.5" TOTAL)
T827 4" CEDAR	T828 8.5" HACKBERRY
T829 TWO-7" SPANISH OAK (10.5" TOTAL)	T830 9" CEDAR
T831 15" SPANISH OAK	T832 10.5" CEDAR
T833 10.5" SPANISH OAK	T834 8" SPANISH OAK
T835 6" AND 7" SPANISH OAK (10" TOTAL)	T836 6" AND 11" CEDAR (14" TOTAL)
T837 8" SPANISH OAK	T838 9" AND 14.5" SPANISH OAK (19" TOTAL)
T839 8" 5" AND 7.5" SPANISH OAK (12.5" TOTAL)	T840 8" SPANISH OAK
T841 11.5" SPANISH OAK	T842 4" SPANISH OAK
T843 12" CEDAR	T844 6" SPANISH OAK
T845 6" SPANISH OAK	T846 4.5" CEDAR
T847 8" SPANISH OAK	T848 6" CEDAR
T849 7" SPANISH OAK	T850 8" SPANISH OAK
T851 5" SPANISH OAK	T852 11.5" CEDAR
T853 7" CEDAR	T854 13" BRADFORD PEAR
T855 3", TWO-4" AND TWO-5.5" CrapeMyrtle (13.75" TOTAL)	T856 17" CEDAR
T857 10" CEDAR	T858 8" SPANISH OAK
T859 5" AND 10" CEDAR (14.25" TOTAL)	T860 6" CEDAR
T861 4" CEDAR	T862 5" CEDAR
T863 5" CEDAR	T864 8" CEDAR
T865 10" SPANISH OAK	T866 8.5" CEDAR
T867 9.5" AND 16" CEDAR (20.75" TOTAL)	T868 18" CEDAR
T869 10" SPANISH OAK	T870 7.5" CEDAR
T871 6" SPANISH OAK	T872 12" SPANISH OAK
T873 12" SPANISH OAK	T874 8" CEDAR
T875 8" SPANISH OAK	T876 6" CEDAR
T877 3.5" SPANISH OAK	T878 5" AND 10" DRAKE ELM (12.5" TOTAL)
T879 5" AND 10" CEDAR (14.5" TOTAL)	T880 SIX-3.5" CrapeMyrtle (12.25" TOTAL)
T881 10" SPANISH OAK	T882 11" CEDAR
T883 TWO-7" AND 8.5" SPANISH OAK (15.5" TOTAL)	T884 13.5" CEDAR
T885 15" CEDAR	T886 15" CEDAR
T887 6" SPANISH OAK	T888 9" ARIZONA ASH
T889 9" CEDAR	T890 8" CEDAR
T891 8" CEDAR	T892 13" CEDAR
T893 7" SPANISH OAK	T894 16" SPANISH OAK
T895 7" CEDAR	T896 6" CEDAR
T897 6" CEDAR	T898 15" LIGUSTRUM
T899 23" CEDAR	T900 18.2" CEDAR
T901 9" CEDAR	T902 3" SPANISH OAK
T903 7" CEDAR	T904 12" CEDAR
T905 7" CEDAR	T906 8" CEDAR
T907 4.5" SPANISH OAK	T908 4" CEDAR
T909 8" CEDAR	T910 5" CEDAR
T911 5" CEDAR	T912 14.5" CEDAR
T913 7" CEDAR	T914 11" CEDAR
T915 5" AND 11" CEDAR (15" TOTAL)	T916 5" AND 10" CEDAR (8.5" TOTAL)
T917 10" CEDAR	T918 4" CEDAR
T919 6" CEDAR	T920 15" LIVE OAK
T921 8" LIGUSTRUM	T922 4" CEDAR
T923 7" CEDAR	T924 6" CEDAR
T925 11" CEDAR	T926 11" LIGUSTRUM
T927 4" CEDAR	T928 7" CEDAR
T929 2" AND 7.5" LIGUSTRUM (9.75" TOTAL)	T930 10" CEDAR
T931 5" CEDAR	T932 11" CEDAR
T933 6" CEDAR	T934 9" CEDAR
T935 4.5" LIGUSTRUM	T936 8" CEDAR
T937 7" CEDAR	T938 8" CEDAR
T939 8.5" CEDAR	T940 11" CEDAR
T941 7" CEDAR	T942 15.5" CEDAR
T943 14" SPANISH OAK	T944 17" CEDAR
T945 17" CEDAR	T946 8" CHINESE PAROL
T947 4" AND 10" SPANISH OAK (12" TOTAL)	T948 8" SPANISH OAK
T949 7" CEDAR	T950 22" CEDAR
T951 15" CEDAR	T952 8" CEDAR
T953 7" LIGUSTRUM	T954 13" CEDAR
T955 4.5" AND 7.5" LIGUSTRUM (9.75" TOTAL)	T956 THREE-9" BOX ELDER (18" TOTAL)
T957 21" BOX ELDER	T958 12.5" CEDAR
T959 12.5" CEDAR	T960 8", 7", 9.5", 10" AND 12" LIGUSTRUM (27.75" TOTAL)
T961 9" BOX ELDER	T962 10" BOX ELDER
T963 14" HACKBERRY	T964 9" SPANISH OAK
T965 8" SPANISH OAK	T966 8.75" SPANISH OAK

GENERAL NOTES	
1. REFER TO A0.0 FOR PROJECT INFORMATION, CODE ANALYSIS, OUTLINE SPECIFICATIONS, AND SCHEDULES.	
2. REFER TO A0.1 FOR GENERAL NOTES, ABBREVIATIONS, AND LEGENDS.	
KEYNOTES	
DEMOLITION	MEP
001 SAVE FOR FUTURE USE	601 WIRE/SWITCH FROM LEVEL ABOVE/BELOW
SITE	602 MECHANICAL CHASE
203 EXPANSION JOINT (BITUMINOUS MATERIAL WITH 6" SPACING)	603 PROPOSED HVAC DUCT
205 LANDSCAPE PAVEMENT (2" GAP TYPICAL)	604 DIMENSION TO BE VERIFIED IN FIELD BY MECHANICAL ENGINEER OR HVAC CONTRACTOR
206 CONCRETE AC PAD	605 ALIGN LIGHT WITH CENTER OF STEP TREAD
207 GAS METER	606 WIRE TO POOL LIGHTING
208 ELECTRIC METER	CONSTRUCTION
209 WATER METER	801 EXISTING STRUCTURE
210 NATURAL GRADE	802 LINE OF STRUCTURE/ SOFFIT/ ROOF ABOVE
211 DECOMPOSED GRANITE PAVING	803 LINE OF STRUCTURE/ ROOF BELOW
212 RAISED PLANTER AREA	804 LINE OF RIDGE ABOVE
213 GABION WALL	805 LINE OF VISIBLE NO-STEP ROUTE BLOCKING AS REQUIRED BY LDC 25-12-243, R320.2
214 1/4" STEEL LANDSCAPE EDGE	806 CONCRETE SLAB (EXPOSED)
215 GAS LINE FOR FUTURE GAS FIXTURE	807 CONCRETE
216 LANDSCAPE GRAVEL FINISH	808 CONCRETE FOOTING
217 LANDSCAPE GRAVEL FILL	809 CONCRETE WALL
218 4" PERFORATED PVC DRAINAGE TILE SET IN GRAVEL BASE, DRAINED TO PUMP	810 CONCRETE STEPS
219 WOOD FENCE, MATCH RAISED PLANTER WOOD FINISH	813 CMU SITE WALL / RAILING
220 WOOD DECK, MATCH ADJ. WOOD SIDING	814 CMU WALL
221 STEEL FENCE / GATE	815 CMU CHIMNEY
223 ACCESSIBLE CONCRETE RAMP, MAX 1:12 SLOPE	816 2X JOIST
224 1/4" STEEL LANDSCAPE EDGE	817 2X STUD COLUMN
225 SITE FILL	818 (2) 2X HEADER
226 TREE PROTECTION FENCING PER CITY OF AUSTIN REQUIREMENTS	819 WOOD TRUSS
227 AREA DESIGNATED FOR MATERIAL STAGING, DUMPSTER, SPOILS REPLACEMENT, PORTABLE TOILET, CONCRETE WASHOUT AND PAINT WASHOUT	820 2X SILL PLATE
228 POOL EQUIPMENT & CONDENSER PAD PER POOL AND HVAC CONSULTANT; FURRING STRIP REPLACEMENT, DETAILS FOR MORE INFORMATION	821 2X LEDGER
FF&E	822 RIDGE BEAM
402 FINISH TBD	824 2X RIPPER, SLOPED PER PLANS
403 CASEWORK	825 2X SLEEPER
404 SHELF SHELVES	826 2X TRELLIS
405 PULLOUT DRAWERS (BEYOND PANEL)	827 FURRING STRIP
406 COUNTERTOP	829 WOOD BLOCKING AS REQUIRED
407 BACKSPLASH, MATCH COUNTERTOP	831 1/2" PLYWOOD SHEATHING
408 1/2" GYPSUM BOARD	832 1/2" PLYWOOD DECKING
411 WOOD SIDING/ FINISH	833 5/8" PLYWOOD DECKING
412 STUCCO / PLASTER WALL FINISH WHERE APPLICABLE	834 1/16" PLYWOOD DECKING
413 METAL SIDING/ FINISH	835 1/2" PLYWOOD SPACER
414 MASONRY VENEER	837 STEEL COLUMN
415 CMU VENEER	838 STEEL BEAM
416 STONE VENEER	839 STEEL JOIST
418 FINISH (TO MATCH ADJACENT DOORS/ WINDOWS)	840 OPEN WEB STEEL JOIST
420 ROOF MEMBRANE	841 STEEL PLATE
422 LIGHT FIXTURE	842 1-1/2" STEEL TUBE
423 MIRROR	843 WOOD HANDRAIL
425 CUSTOM CONCRETE COUNTERTOPS	844 1-1/2" X 1/2" STEEL BAR STOCK
426 4" SLAB/STRUCTURE DROP FOR SHOWER/TUB AREA PER SHOWER DETAILS (NECESSARY)	845 STEEL MESH INFILL PANEL WELDED TO OUTSIDE
427 WOOD SLAT FLOOR PER SHOWER DETAILS	847 1-1/2" X 1/2" STEEL BAR STOCK LOUVER
428 WALL OPENING PER ELEVATOR MANUFACTURE SPECIFICATIONS	848 STEEL STRINGER
429 SHOWER NICHE WITH WOOD SHELVES TO MATCH WOOD SLAT FLOOR	849 WOOD TREAD & RISER
430 WOOD FINISH FLOOR	850 1/2" WOOD TRIM
431 5/4" WOOD DECKING	851 1X WOOD FASCIA TRIM
432 WATERFALL EDGE TO MATCH COUNTERTOP ABOVE	852 1X BASEBOARD
433 VERTICAL PANEL TO MATCH COUNTERTOP MATERIAL	853 ANCHOR BOLT
434 OVERHEAD PANEL TO MATCH COUNTERTOP MATERIAL	854 BOLT
435 WOOD PANEL (BELOW) TO MATCH ADJ. CASEWORK FINISH	855 BATT INSULATION
436 BUILT IN WOOD BENCH WITH 4" FABRIC UPHOLSTERY SEAT	856 SPRAY FOAM INSULATION
437 COUNTERTOP, PROVIDE WALL SUPPORTS AS NECESSARY	857 RIGID INSULATION
438 BUILT IN MURPHY BED	860 RIDGE VENT
439 CURTAIN & CEILING OUTLINE SPECIFICATIONS	861 1" EXPANSION JOINT, PER STRUCTURAL
440 CASEWORK CURTAIN POCKET	862 1/8" REVEAL
	863 1/4" REVEAL
	865 REGLET
	866 SEALANT (BACKER ROD AS NECESSARY)
	867 PARAPET FLASHING
	868 FLASHING
	869 MASONRY COPING
	870 INTERNAL GUTTER PER DETAILS
	871 METAL DOWNSPOUT
	872 INTERNAL DOWNSPOUT
	873 SCUPPER
	876 CONCRETE SPLASH BLOCK, SLOPE AWAY FROM BUILDING
	877 DRAINAGE GRAVEL SILL PAN
	879 ADA THRESHOLD
	880 THRESHOLD
	882 GLASS DOOR / ENCLOSURE (TEMPERED) PER INTERIOR ELEVATIONS
	883 GLASS SHOWER DOOR (TEMPERED) 1" X 2, 1/2" STEEL ANGLE
	885 1" X 1" STEEL TUBE
	886 1" X 2, 1/2" STEEL TUBE
	888 TRIM BOARD
	889 STEEL ANGLE
	890 CMU BOND BEAM
	891 CONCRETE DRIVEWAY
	892 GAS FIREPLACE SURROUND PER IRC REQUIREMENTS. SEE FIREPLACE DETAILS
	893 GLASS RAILING
	894 METAL CHIMNEY CAP
	895 POOL INFINITY EDGE 2X WOOD GATE TO A MATCH RAIN SCREEN FINISH



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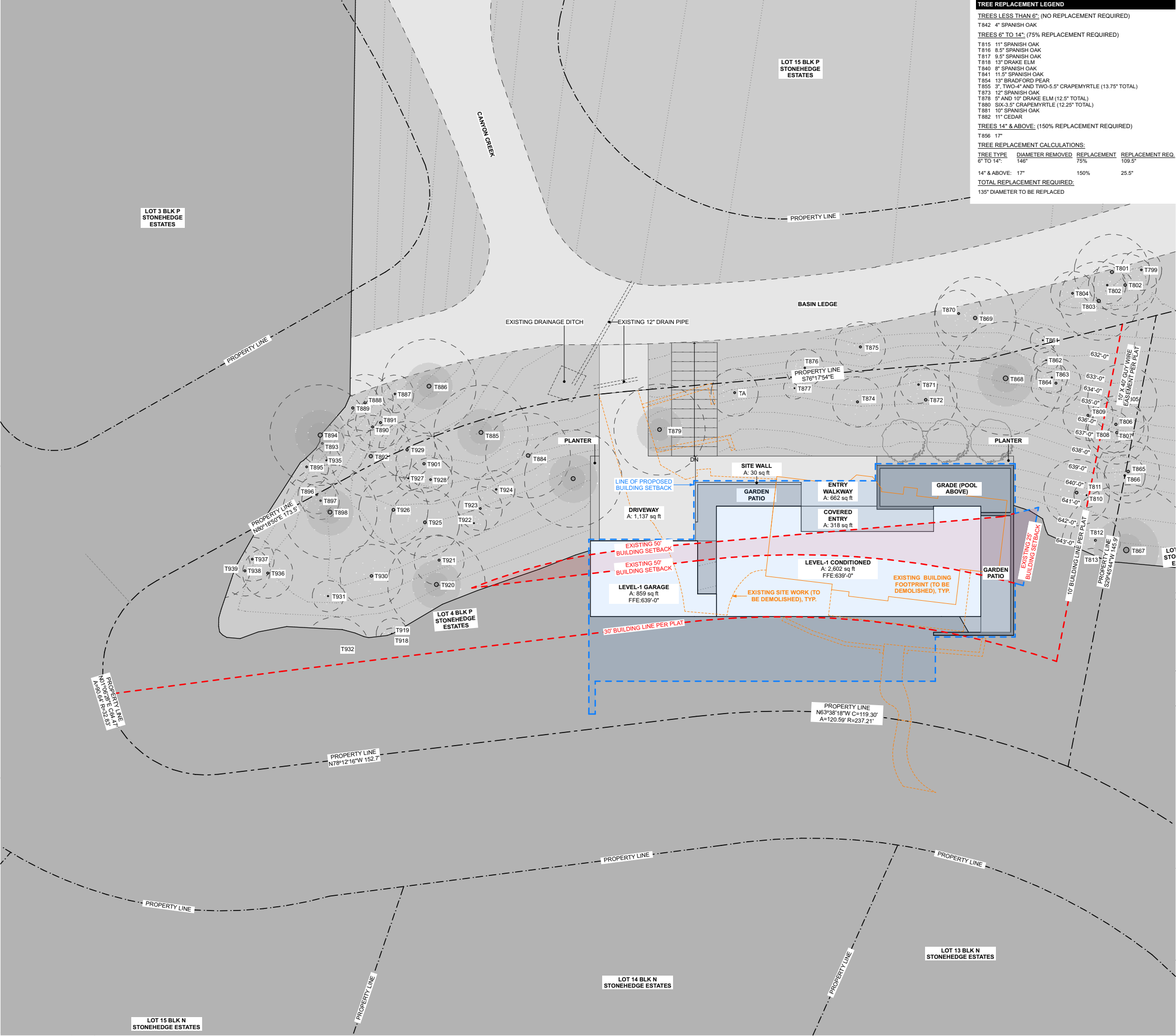
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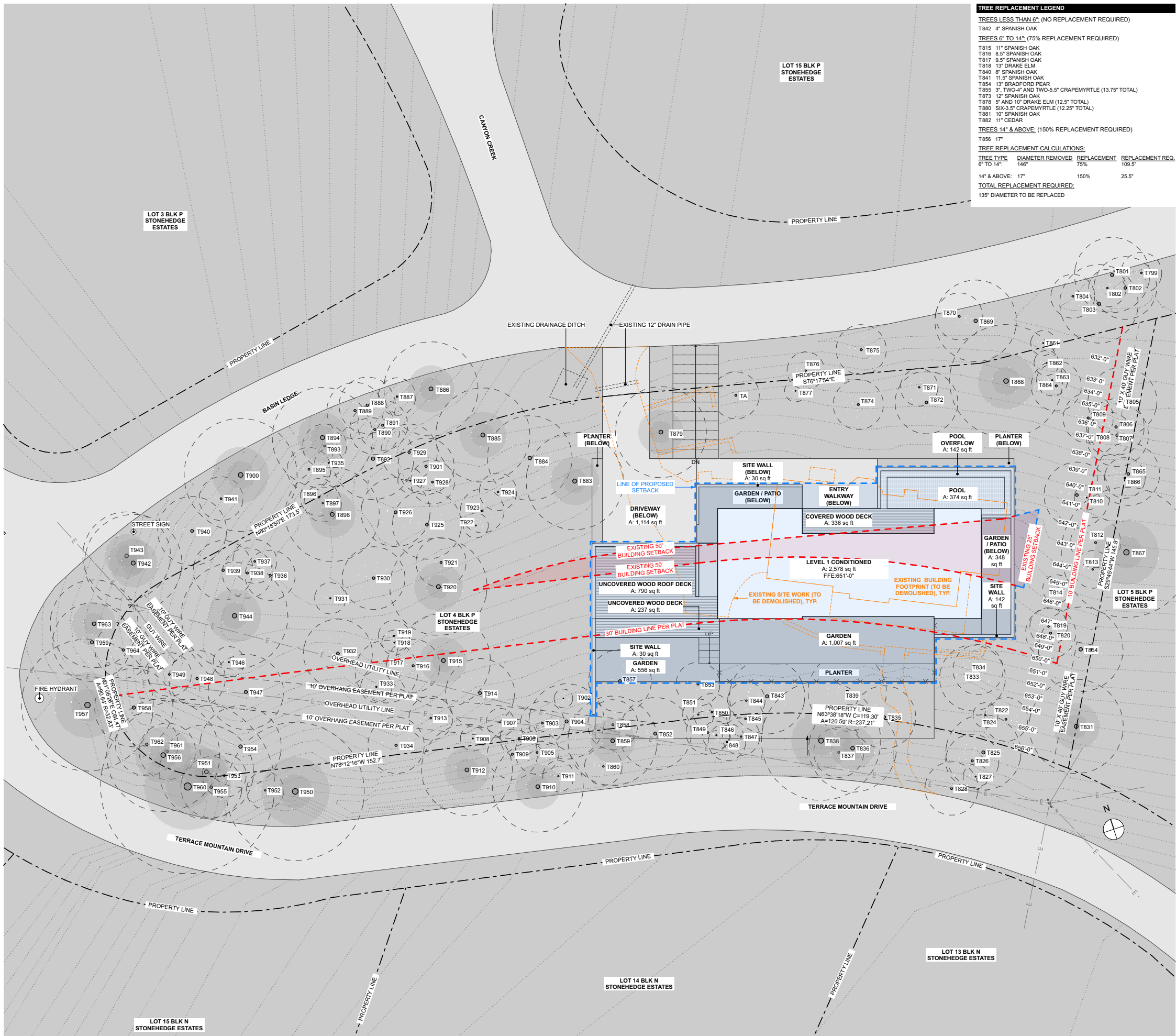
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50% CONSTRUCTION SET

TERRACE MOUNTAIN-706
TERRACE MOUNTAIN DRIVE
WEST LAKE HILLS, TX 78746

CD9.2
LEVEL 1 EXISTING SITE AND AREA PLAN

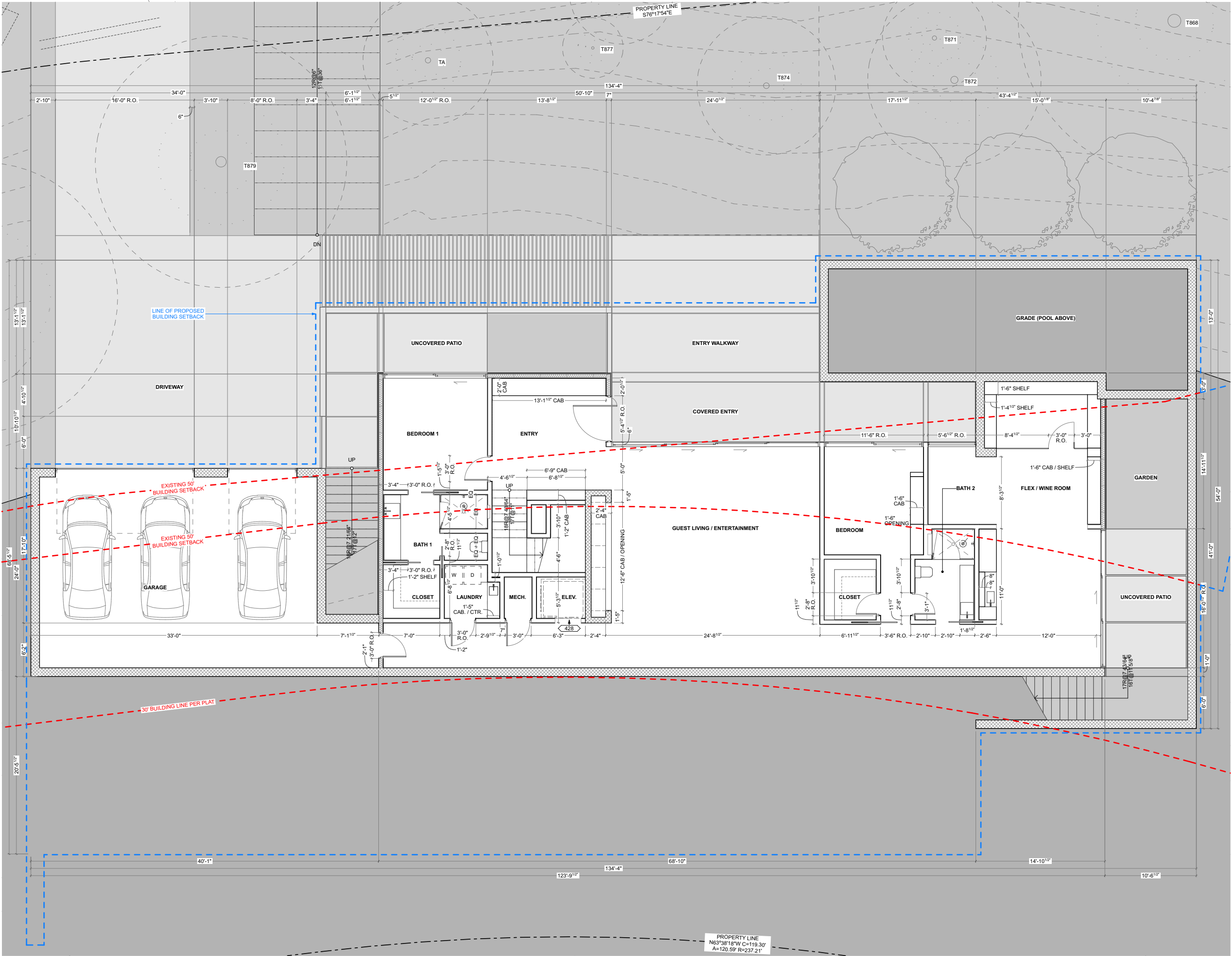




TREE REPLACEMENT LEGEND			
TREES LESS THAN 6" (NO REPLACEMENT REQUIRED)			
T842 4" SPANISH OAK			
TREES 6" TO 14" (75% REPLACEMENT REQUIRED)			
T815 11" SPANISH OAK			
T816 8.5" SPANISH OAK			
T817 9.5" SPANISH OAK			
T818 13" DRAKE ELM			
T840 8" SPANISH OAK			
T841 11.5" SPANISH OAK			
T854 13" BRADFORD PEAR			
T855 3" TWO-4" AND TWO-5.5" CrapeMyrtle (13.75" TOTAL)			
T873 12" SPANISH OAK			
T878 5" AND 10" DRAKE ELM (12.5" TOTAL)			
T880 SIX-3.5" CrapeMyrtle (12.25" TOTAL)			
T881 10" SPANISH OAK			
T882 11" CEDAR			
TREES 14" & ABOVE (150% REPLACEMENT REQUIRED)			
T856 17"			
TREE REPLACEMENT CALCULATIONS:			
TREE TYPE	DIAMETER REMOVED	REPLACEMENT	REPLACEMENT REQ.
6" TO 14":	146"	75%	109.5"
14" & ABOVE:	17"	150%	25.5"
TOTAL REPLACEMENT REQUIRED:			
135" DIAMETER TO BE REPLACED			

TREE LEGEND	
TREE KEY:	
T799 6.5" CEDAR	T800 10" CEDAR
T801 12" CEDAR	T802 8" CEDAR
T803 12.5" CEDAR	T804 7" CEDAR
T805 11" CEDAR	T806 9" LIVE OAK
T807 4" AND 8" CEDAR (10" TOTAL)	T808 7" CEDAR
T809 8" CEDAR	T810 4" CEDAR
T811 10.5" SPANISH OAK	T812 8" CEDAR
T813 TWO-4" CEDAR (8" TOTAL)	T814 4.5" SPANISH OAK
T815 11" SPANISH OAK	T816 8.5" SPANISH OAK
T817 9.5" SPANISH OAK	T818 13" DRAKE ELM
T819 6" CEDAR	T820 4" AND 8" CEDAR (8" TOTAL)
T821 13.5" CEDAR	T822 7" CEDAR
T823 4" AND 8" CEDAR (10" TOTAL)	T824 4" CEDAR
T825 12" SPANISH OAK	T826 5" AND 8" SPANISH OAK (8.5" TOTAL)
T827 4" CEDAR	T828 8.5" HACKBERRY
T829 TWO-7" SPANISH OAK (10.5" TOTAL)	T830 9" CEDAR
T831 15" SPANISH OAK	T832 10.5" CEDAR
T833 10.5" SPANISH OAK	T834 8" SPANISH OAK
T835 6" AND 7" SPANISH OAK (10" TOTAL)	T836 6" AND 11" CEDAR (14" TOTAL)
T837 8" SPANISH OAK	T838 9" AND 14.5" SPANISH OAK (19" TOTAL)
T839 4" 6" AND 7.5" SPANISH OAK (12.5" TOTAL)	T840 8" SPANISH OAK
T841 11.5" SPANISH OAK	T842 4" SPANISH OAK
T843 12" CEDAR	T844 6" SPANISH OAK
T845 6" SPANISH OAK	T846 4.5" CEDAR
T847 8" SPANISH OAK	T848 6" CEDAR
T849 7" SPANISH OAK	T850 8" SPANISH OAK
T851 5" SPANISH OAK	T852 11.5" CEDAR
T853 7" CEDAR	T854 13" BRADFORD PEAR
T855 3" TWO-4" AND TWO-5.5" CrapeMyrtle (13.75" TOTAL)	T856 17" CEDAR
T857 10" CEDAR	T858 8" SPANISH OAK
T859 4" AND 10" CEDAR (14.25" TOTAL)	T860 6" CEDAR
T861 4" CEDAR	T862 11" CEDAR
T863 5" CEDAR	T864 6" CEDAR
T865 10" SPANISH OAK	T866 8.5" CEDAR
T867 9.5" AND 16" CEDAR (20.75" TOTAL)	T868 18" CEDAR
T869 13" CEDAR	T870 7.5" CEDAR
T871 6" SPANISH OAK	T872 12" SPANISH OAK
T873 12" SPANISH OAK	T874 8" CEDAR
T875 6" SPANISH OAK	T876 6" CEDAR
T877 3.5" SPANISH OAK	T878 5" AND 10" DRAKE ELM (12.5" TOTAL)
T879 9" AND 10" CEDAR (14.5" TOTAL)	T880 SIX-3.5" CrapeMyrtle (12.25" TOTAL)
T881 10" SPANISH OAK	T882 11" CEDAR
T883 TWO-7" AND 8.5" SPANISH OAK (15.5" TOTAL)	T884 13.5" CEDAR
T885 15" CEDAR	T886 15" CEDAR
T887 6" SPANISH OAK	T888 9" ARIZONA ASH
T889 9" CEDAR	T890 8" CEDAR
T891 8" CEDAR	T892 13" CEDAR
T893 7" SPANISH OAK	T894 16" SPANISH OAK
T895 7" CEDAR	T896 6" CEDAR
T898 15" LIGUSTRUM	T899 23" CEDAR
T900 18.2" CEDAR	T901 9" CEDAR
T902 3" SPANISH OAK	T903 7" CEDAR
T904 12" CEDAR	T905 7" CEDAR
T906 8" CEDAR	T907 4.5" SPANISH OAK
T908 4" CEDAR	T909 8" CEDAR
T910 5" AND 10" CEDAR (14.5" TOTAL)	T911 5" CEDAR
T912 14.5" CEDAR	T913 7" CEDAR
T914 11" CEDAR	T915 5" AND 11" CEDAR (15" TOTAL)
T916 5" AND 10" CEDAR (8.5" TOTAL)	T917 10" CEDAR
T918 4" CEDAR	T919 5" CEDAR
T920 16" LIVE OAK	T921 8" LIGUSTRUM
T922 4" CEDAR	T923 7" CEDAR
T924 6" CEDAR	T925 11" CEDAR
T926 11" LIGUSTRUM	T927 4" CEDAR
T928 7" CEDAR	T929 4" AND 7.5" LIGUSTRUM (9.75" TOTAL)
T930 10" CEDAR	T931 5" CEDAR
T932 11" CEDAR	T933 6" CEDAR
T934 9" CEDAR	T935 4.5" LIGUSTRUM
T936 8" CEDAR	T937 7" CEDAR
T938 8" CEDAR	T939 8.5" CEDAR
T940 11" CEDAR	T941 7" CEDAR
T942 15.5" CEDAR	T943 14" SPANISH OAK
T944 17" CEDAR	T945 17" CEDAR
T946 8" CHINESE PAROL	T947 4" AND 10" SPANISH OAK (12" TOTAL)
T948 9" SPANISH OAK	T949 7" CEDAR
T950 22" CEDAR	T951 15" CEDAR
T952 8" CEDAR	T953 7" LIGUSTRUM
T954 13" CEDAR	T955 4.5" AND 7.5" LIGUSTRUM (9.75" TOTAL)
T956 THREE-9" BOX ELDER (18" TOTAL)	T957 21" BOX ELDER
T958 12.5" CEDAR	T959 12.5" CEDAR
T960 8" CEDAR	T961 9" BOX ELDER
T962 10" BOX ELDER	T963 14" HACKBERRY
T964 9" SPANISH OAK	T965 8" SPANISH OAK
T966 8.75" SPANISH OAK	

GENERAL NOTES	
1. REFER TO A0.0 FOR PROJECT INFORMATION, CODE ANALYSIS, OUTLINE SPECIFICATIONS, AND SCHEDULES.	
2. REFER TO A0.1 FOR GENERAL NOTES, ABBREVIATIONS, AND LEGENDS.	
KEYNOTES	
DEMOLITION	MEP
001 SAVE FOR FUTURE USE	601 WIRE/SWITCH FROM LEVEL ABOVE/ BELOW
SITE	602 MECHANICAL CHASE
203 EXPANSION JOINT (BITUMINOUS MATERIAL WITH 6" SPACING)	603 PROPOSED HVAC DUCT
205 LANDSCAPE PAVEMENT (2" GAP TYPICAL)	604 DIMENSION TO BE VERIFIED IN FIELD BY MECHANICAL ENGINEER OR HVAC CONTRACTOR
206 CONCRETE AC PAD	605 ALIGN LIGHT WITH CENTER OF STEP TREAD
207 GAS METER	606 WIRE TO POOL LIGHTING
208 ELECTRIC METER	CONSTRUCTION
209 WATER METER	801 EXISTING STRUCTURE/ SOFFIT/ ROOF ABOVE
210 NATURAL GRADE	802 LINE OF STRUCTURE/ SOFFIT/ ROOF ABOVE
211 DECOMPOSED GRANITE PAVING	803 LINE OF STRUCTURE/ ROOF BELOW
212 RAISED PLANTER AREA	804 LINE OF RIDGE ABOVE
213 GABION WALL	805 LINE OF VISIBLE NO-STEP ROUTE IN GRAVEL BASE, REQUIRED BY LDC 25-12-243, R320.2
214 1/4" STEEL LANDSCAPE EDGE	806 BLOCKING AS REQUIRED BY LDC 25-12-243, R320.2
215 GAS LINE FOR FUTURE GAS FIXTURE	807 CONCRETE SLAB (EXPOSED)
216 LANDSCAPE GRAVEL	808 CONCRETE FOOTING
217 LANDSCAPE GRAVEL FILL	809 CONCRETE WALL
218 4" PERFORATED PVC DRAINAGE TILE SET IN GRAVEL BASE, DRAINED TO PUMP	810 CONCRETE STEPS
219 WOOD FENCE, MATCH RAISED PLANTER WOOD FINISH	813 CMU SITE WALL / RAILING
220 WOOD DECK, MATCH ADJ. WOOD SIDING	814 CMU WALL
221 STEEL FENCE / GATE	815 CMU CHIMNEY
223 ACCESSIBLE CONCRETE RAMP, MAX 1:12 SLOPE	816 2X JOIST
224 1/4" STEEL LANDSCAPE EDGE	817 2X STUD COLUMN
225 STEP W/ LANDSCAPE GRAVEL	818 (2) 2X HEADER
226 STEPS	819 WOOD TRUSS
227 SITE FILL	821 2X SILL PLATE
228 TREE PROTECTION FENCING PER CITY OF AUSTIN REQUIREMENTS	822 2X LEDGER
229 AREA DESIGNATED FOR MATERIAL STAGING	823 RIDGE BEAM
230 DUMPSTER, SPOILS REPLACEMENT, PORTABLE TOILET, CONCRETE, WASHOUT AND PAINT WASHOUT	824 2X RIPPER, SLOPED PER PLANS
231 POOL EQUIPMENT & CONDENSER PAD PER POOL AND HVAC CONSULTANT; FURRING STRIP REPAIRS FOR MORE INFORMATION	825 2X SLEEPER
232 AREA DESIGNATED FOR MATERIAL STAGING	826 2X TRELLIS
233 DUMPSTER, SPOILS REPLACEMENT, PORTABLE TOILET, CONCRETE, WASHOUT AND PAINT WASHOUT	827 FURRING STRIP
234 POOL EQUIPMENT & CONDENSER PAD PER POOL AND HVAC CONSULTANT; FURRING STRIP REPAIRS FOR MORE INFORMATION	829 WOOD BLOCKING AS REQUIRED
235 AREA DESIGNATED FOR MATERIAL STAGING	831 1/2" PLYWOOD SHEATHING
236 DUMPSTER, SPOILS REPLACEMENT, PORTABLE TOILET, CONCRETE, WASHOUT AND PAINT WASHOUT	832 1/2" PLYWOOD DECKING
237 POOL EQUIPMENT & CONDENSER PAD PER POOL AND HVAC CONSULTANT; FURRING STRIP REPAIRS FOR MORE INFORMATION	833 5/8" PLYWOOD DECKING
238 AREA DESIGNATED FOR MATERIAL STAGING	834 1 1/8" PLYWOOD DECKING
239 DUMPSTER, SPOILS REPLACEMENT, PORTABLE TOILET, CONCRETE, WASHOUT AND PAINT WASHOUT	835 1/2" PLYWOOD SPACER
240 POOL EQUIPMENT & CONDENSER PAD PER POOL AND HVAC CONSULTANT; FURRING STRIP REPAIRS FOR MORE INFORMATION	837 STEEL COLUMN
241 AREA DESIGNATED FOR MATERIAL STAGING	838 STEEL BEAM
242 DUMPSTER, SPOILS REPLACEMENT, PORTABLE TOILET, CONCRETE, WASHOUT AND PAINT WASHOUT	839 STEEL JOIST
243 POOL EQUIPMENT & CONDENSER PAD PER POOL AND HVAC CONSULTANT; FURRING STRIP REPAIRS FOR MORE INFORMATION	840 OPEN WEB STEEL JOIST
244 AREA DESIGNATED FOR MATERIAL STAGING	841 STEEL PLATE
245 DUMPSTER, SPOILS REPLACEMENT, PORTABLE TOILET, CONCRETE, WASHOUT AND PAINT WASHOUT	842 1 1/2" STEEL TUBE
246 POOL EQUIPMENT & CONDENSER PAD PER POOL AND HVAC CONSULTANT; FURRING STRIP REPAIRS FOR MORE INFORMATION	843 WOOD HANDRAIL
247 AREA DESIGNATED FOR MATERIAL STAGING	844 MATCH
248 DUMPSTER, SPOILS REPLACEMENT, PORTABLE TOILET, CONCRETE, WASHOUT AND PAINT WASHOUT	845 HANDRAIL SUPPORT
249 POOL EQUIPMENT & CONDENSER PAD PER POOL AND HVAC CONSULTANT; FURRING STRIP REPAIRS FOR MORE INFORMATION	846 STEEL MESH INFILL
250 AREA DESIGNATED FOR MATERIAL STAGING	847 1 1/2" X 1/2" STEEL BAR STOCK
251 DUMPSTER, SPOILS REPLACEMENT, PORTABLE TOILET, CONCRETE, WASHOUT AND PAINT WASHOUT	848 HANDRAIL SUPPORT
252 POOL EQUIPMENT & CONDENSER PAD PER POOL AND HVAC CONSULTANT; FURRING STRIP REPAIRS FOR MORE INFORMATION	849 STEEL STRINGER
253 AREA DESIGNATED FOR MATERIAL STAGING	850 1/2" WOOD TRIM
254 DUMPSTER, SPOILS REPLACEMENT, PORTABLE TOILET, CONCRETE, WASHOUT AND PAINT WASHOUT	851 1X WOOD FASCIA TRIM
255 POOL EQUIPMENT & CONDENSER PAD PER POOL AND HVAC CONSULTANT; FURRING STRIP REPAIRS FOR MORE INFORMATION	852 1X BASEBOARD
256 AREA DESIGNATED FOR MATERIAL STAGING	853 ANCHOR BOLT
257 DUMPSTER, SPOILS REPLACEMENT, PORTABLE TOILET, CONCRETE, WASHOUT AND PAINT WASHOUT	854 BOLT
258 POOL EQUIPMENT & CONDENSER PAD PER POOL AND HVAC CONSULTANT; FURRING STRIP REPAIRS FOR MORE INFORMATION	855 BATT INSULATION
259 AREA DESIGNATED FOR MATERIAL STAGING	856 SPRAY FOAM
260 DUMPSTER, SPOILS REPLACEMENT, PORTABLE TOILET, CONCRETE, WASHOUT AND PAINT WASHOUT	857 RIGID INSULATION
261 POOL EQUIPMENT & CONDENSER PAD PER POOL AND HVAC CONSULTANT; FURRING STRIP REPAIRS FOR MORE INFORMATION	858 RIGID INSULATION
262 AREA DESIGNATED FOR MATERIAL STAGING	859 RIDGE VENT
263 DUMPSTER, SPOILS REPLACEMENT, PORTABLE TOILET, CONCRETE, WASHOUT AND PAINT WASHOUT	860 INTEGRATED SINK
264 POOL EQUIPMENT & CONDENSER PAD PER POOL AND HVAC CONSULTANT; FURRING STRIP REPAIRS FOR MORE INFORMATION	861 PER STRUCTURAL DROP FOR SHOWER/TUB AREA
265 AREA DESIGNATED FOR MATERIAL STAGING	862 1/8" REVEAL
266 DUMPSTER, SPOILS REPLACEMENT, PORTABLE TOILET, CONCRETE, WASHOUT AND PAINT WASHOUT	863 1/4" REVEAL
267 POOL EQUIPMENT & CONDENSER PAD PER POOL AND HVAC CONSULTANT; FURRING STRIP REPAIRS FOR MORE INFORMATION	865 REGLET
268 AREA DESIGNATED FOR MATERIAL STAGING	866 SEALANT (BACKER ROD AS NECESSARY)
269 DUMPSTER, SPOILS REPLACEMENT, PORTABLE TOILET, CONCRETE, WASHOUT AND PAINT WASHOUT	867 PARAPET FLASHING
270 POOL EQUIPMENT & CONDENSER PAD PER POOL AND HVAC CONSULTANT; FURRING STRIP REPAIRS FOR MORE INFORMATION	868 FLASHING
271 AREA DESIGNATED FOR MATERIAL STAGING	869 SPECIFICATIONS
272 DUMPSTER, SPOILS REPLACEMENT, PORTABLE TOILET, CONCRETE, WASHOUT AND PAINT WASHOUT	870 INTERNAL GUTTER
273 POOL EQUIPMENT & CONDENSER PAD PER POOL AND HVAC CONSULTANT; FURRING STRIP REPAIRS FOR MORE INFORMATION	871 PER DETAILS
274 AREA DESIGNATED FOR MATERIAL STAGING	872 METAL DOWNSPOUT
275 DUMPSTER, SPOILS REPLACEMENT, PORTABLE TOILET, CONCRETE, WASHOUT AND PAINT WASHOUT	873 DOWNSPOUT
276 POOL EQUIPMENT & CONDENSER PAD PER POOL AND HVAC CONSULTANT; FURRING STRIP REPAIRS FOR MORE INFORMATION	874 SCUPPER
277 AREA DESIGNATED FOR MATERIAL STAGING	875 CONCRETE SPLASH BLOCK, SLOPE AWAY FROM BUILDING
278 DUMPSTER, SPOILS REPLACEMENT, PORTABLE TOILET, CONCRETE, WASHOUT AND PAINT WASHOUT	876 DRAINAGE GRAVEL SILL PAN
279 POOL EQUIPMENT & CONDENSER PAD PER POOL AND HVAC CONSULTANT; FURRING STRIP REPAIRS FOR MORE INFORMATION	877 ADA THRESHOLD
280 AREA DESIGNATED FOR MATERIAL STAGING	878 THRESHOLD
281 DUMPSTER, SPOILS REPLACEMENT, PORTABLE TOILET, CONCRETE, WASHOUT AND PAINT WASHOUT	879 GLASS DOOR / ENCLOSURE (TEMPERED) PER INTERIOR ELEVATIONS
282 POOL EQUIPMENT & CONDENSER PAD PER POOL AND HVAC CONSULTANT; FURRING STRIP REPAIRS FOR MORE INFORMATION	880 1" X 2 1/2" STEEL ANGLE
283 AREA DESIGNATED FOR MATERIAL STAGING	881 1" X 1" STEEL TUBE
284 DUMPSTER, SPOILS REPLACEMENT, PORTABLE TOILET, CONCRETE, WASHOUT AND PAINT WASHOUT	882 TUBE
285 POOL EQUIPMENT & CONDENSER PAD PER POOL AND HVAC CONSULTANT; FURRING STRIP REPAIRS FOR MORE INFORMATION	883 TRIM BOARD
286 AREA DESIGNATED FOR MATERIAL STAGING	884 UPHOLSTERY SEAT
287 DUMPSTER, SPOILS REPLACEMENT, PORTABLE TOILET, CONCRETE, WASHOUT AND PAINT WASHOUT	885 CMU BOND BEAM
288 POOL EQUIPMENT & CONDENSER PAD PER POOL AND HVAC CONSULTANT; FURRING STRIP REPAIRS FOR MORE INFORMATION	886 CONCRETE DRIVEWAY
289 AREA DESIGNATED FOR MATERIAL STAGING	887 GAS FIREPLACE
290 DUMPSTER, SPOILS REPLACEMENT, PORTABLE TOILET, CONCRETE, WASHOUT AND PAINT WASHOUT	888 SURROUND PER IRC REQUIREMENTS. SEE FIREPLACE DETAILS
291 POOL EQUIPMENT & CONDENSER PAD PER POOL AND HVAC CONSULTANT; FURRING STRIP REPAIRS FOR MORE INFORMATION	889 GLASS RAILING
292 AREA DESIGNATED FOR MATERIAL STAGING	890 METAL CHIMNEY CAP
293 DUMPSTER, SPOILS REPLACEMENT, PORTABLE TOILET, CONCRETE, WASHOUT AND PAINT WASHOUT	891 POOL INFINITY EDGE
294 POOL EQUIPMENT & CONDENSER PAD PER POOL AND HVAC CONSULTANT; FURRING STRIP REPAIRS FOR MORE INFORMATION	892 2X WOOD GATE TO A MATCH RAIN SCREEN FINISH
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SITE	602 MECHANICAL CHASE
203 EXPANSION JOINT (BITUMINOUS MATERIAL WITH 6" SPACING)	603 PROPOSED HVAC DUCT
205 LANDSCAPE PAVER (2" GAP TYPICAL)	604 DIMENSION TO BE VERIFIED IN FIELD BY MECHANICAL ENGINEER OR HVAC CONTRACTOR
206 CONCRETE A/C PAD	605 ALIGN LIGHT WITH CENTER OF STEP TREAD
207 GAS METER	606 WIRE TO POOL LIGHTING
208 ELECTRIC METER	CONSTRUCTION
209 WATER METER	801 EXISTING STRUCTURE
210 NATURAL GRADE	802 LINE OF STRUCTURE/ SOFFIT/ ROOF ABOVE
211 PERVIOUS DECOMPOSED GRANITE PAVING	803 LINE OF STRUCTURE/ ROOF BELOW
212 RAISED PLANTER AREA	804 LINE OF RIDGE ABOVE
213 GABION WALL	805 LINE OF VISITABLE NO-STEP ROUTE
214 1/4" STEEL LANDSCAPE EDGE	806 BLOCKING AS REQUIRED BY LDC
215 GAS LINE FOR FUTURE GAS FIXTURE	807 CONCRETE SLAB (EXPOSED)
216 SOIL	808 CONCRETE FOOTING
217 LANDSCAPE GRAVEL FILL	809 CONCRETE WALL
218 4" PERFORATED PVC DRAINAGE TILE SET IN GRAVEL BASE, DRAINED TO PUMP	812 CONCRETE STEPS
219 WOOD FENCE, MATCH RAISED PLANTER WOOD FINISH	813 CMU SITE WALL / RAILING
220 WOOD DECK, MATCH ADJ. WOOD SIDING	814 CMU WALL
221 STEEL FENCE / GATE ACCESSIBLE	815 CMU CHIMNEY
222 CONCRETE RAMP, MAX 1:12 SLOPE	816 2X JOIST
223 1/4" STEEL LANDSCAPE EDGE STEP W/ LANDSCAPE GRAVEL STEPS	817 2X STUD COLUMN
224 1/4" STEEL LANDSCAPE GRAVEL STEPS	818 (2) 2X HEADER
225 SITE FILL	819 WOOD TRUSS
226 TREE PROTECTION FENCING PER CITY OF AUSTIN REQUIREMENTS	820 2X TOP PLATE
227 AREA DESIGNATED FOR MATERIAL STAGING, DUMPSTER, SPOILS REPLACEMENT, PORTABLE TOILET, CONCRETE WASHOUT AND PAINT WASHOUT	821 2X SILL PLATE
228 POOL EQUIPMENT & CONDENSER PAD PER POOL AND HVAC CONSULTANT. REFERENCE SITE DETAILS FOR MORE INFORMATION	822 2X LEDGER
F&E	823 RIDGE BEAM
402 FINISH TBD	824 2X RIPPER, SLOPED PER PLANS
403 CASEWORK	825 2X SLEEPER, SLOPED PER PLANS
404 SHELF/ SHelves	826 TRELLIS STRUCTURE
405 PULLOUT DRAWERS (BEYOND PANEL)	827 FURRING STRIP
406 COUNTERTOP BACKSPLASH, MATCH COUNTERTOP	829 WOOD BLOCKING AS REQUIRED
408 1/2" GYPSUM BOARD FINISH	831 1/2" PLYWOOD SHEATHING
411 WOOD SIDING/ FINISH	832 1/2" PLYWOOD DECKING
412 STUCCO / PLASTER APPLICABLE	833 5/8" PLYWOOD DECKING
413 METAL SIDING / FINISH	834 1/8" PLYWOOD DECKING
414 MASONRY VENEER	835 1/2" PLYWOOD SPACER
415 CMU VENEER	837 STEEL COLUMN
416 STONE VENEER	838 STEEL BEAM
418 BRASS METAL FINISH (TO MATCH ADJACENT DOORS/ WINDOWS)	839 STEEL JOIST
420 ROOF MEMBRANE	840 OPEN WEB STEEL JOIST
422 LIGHT FIXTURE	841 STEEL PLATE
423 MIRROR	842 1 1/2" STEEL TUBE POST
425 CUSTOM CONCRETE COUNTERTOPS / INTEGRATED SINK	843 WOOD HANDRAIL
426 4" SLAB/STRUCTURE DROP FOR SHOWER/TUB AREA	844 1 1/2" X 1/2" STEEL BAR STOCK
427 WOOD SLAT FLOOR PER SHOWER DETAILS	845 STEEL MESH INFILL PANEL WELDED TO OUTSIDE
428 WALL OPENING PER ELEVATOR MANUFACTURE SPECIFICATIONS	847 1 1/2" X 1/2" STEEL BAR STOCK LOUVER
429 SHOWER NICHE WITH WOOD SHELVES TO MATCH WOOD SLAT FLOOR FINISH	848 STEEL STRINGER
430 DOWNSPROUT FLOOR SCUPPER	849 WOOD TREAD & RISER
431 5/4" WOOD DECKING	850 1/2" WOOD TRIM
432 WATERFALL EDGE TO MATCH COUNTERTOP ABOVE	851 1X WOOD FASCIA
433 VERTICAL PANEL TO MATCH COUNTERTOP MATERIAL	852 1X BASEBOARD
434 OVERHEAD PANEL TO MATCH COUNTERTOP MATERIAL	853 ANCHOR BOLT
435 WOOD PANEL (BELOW) TO MATCH ADJ. CASEWORK FINISH	854 BOLT
436 BUILT IN WOOD BENCH WITH 4" FABRIC UPHOLSTERY SEAT	855 BATT INSULATION
437 WALL HUNG COUNTERTOP PROVIDE WALL SUPPORTS AS NECESSARY	856 SPRAY FOAM INSULATION
438 CURTAIN & CEILING TRACK PER OUTLINE SPECIFICATIONS	857 RIGID INSULATION
440 CASEWORK CURTAIN POCKET	858 RIGID INSULATION
	859 1" EXPANSION JOINT, PER STRUCTURAL
	860 1/8" REVEAL
	861 1/4" REVEAL
	862 1/4" REVEAL
	863 REGLET
	864 SEALANT (BACKER ROD AS NECESSARY)
	865 PARAPET FLASHING
	866 FLASHING
	867 MASONRY COPING
	868 INTERNAL GUTTER PER DETAILS
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	876 GLASS SHOWER DOOR (TEMPERED) 1" X 2, 1/2" STEEL ANGLE
	877 1" X 1" STEEL TUBE
	878 1" X 2, 1/2" STEEL TRIM BOARD
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	884 METAL CHIMNEY CAP
	885 POOL INFINITY EDGE
	886 2X WOOD GATE TO A MATCH RAIN SCREEN FINISH

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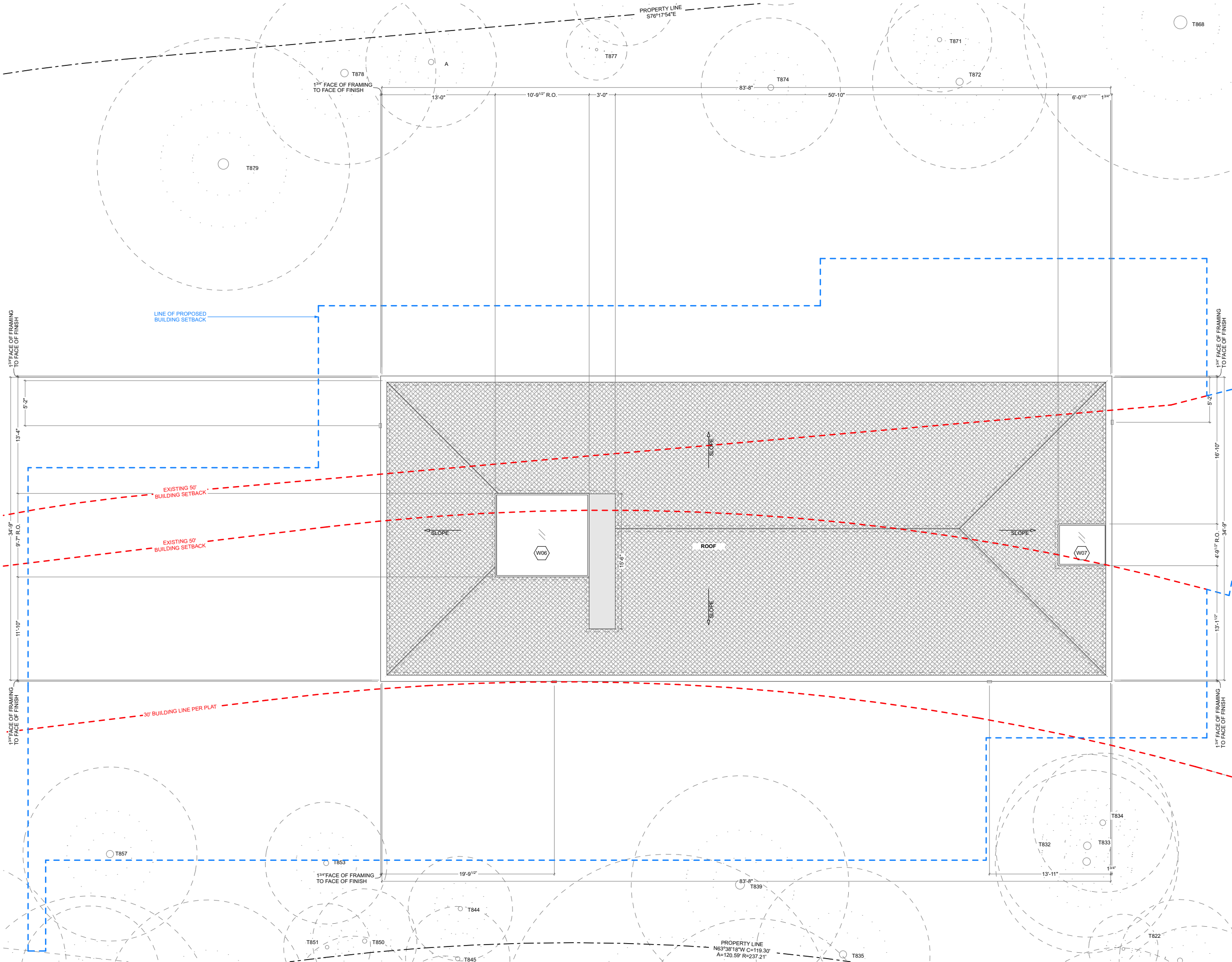
50% CONSTRUCTION SET

TERRACE MOUNTAIN-706
TERRACE MOUNTAIN DRIVE
WEST LAKE HILLS, TX 78746

CD9.5
LEVEL -1 DIMENSION PLAN

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BLACK RABBIT



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408 1/2" GYPSUM BOARD	827 5/8" PLYWOOD DECKING
409 WOOD SIDING/ FINISH	828 11/8" PLYWOOD DECKING
410 STUCCO / PLASTER WALL FINISH WHERE APPLICABLE	829 STEEL COLUMN
411 METAL SIDING / FINISH	830 STEEL BEAM
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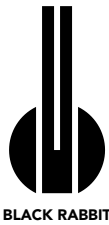
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50% CONSTRUCTION SET

TERRACE MOUNTAIN-706
TERRACE MOUNTAIN DRIVE
WEST LAKE HILLS, TX 78746

CD9.7
ROOF DIMENSION PLAN



PROJECT DESIGNER

COMPANY: BLACK RABBIT DESIGN
EMAIL: INFO@BLACKRABBIT.CO
PHONE: 512.474.2544
WEB: BLACKRABBIT.CO
ADDRESS: 1110 WEST AVE.
AUSTIN, TX 78701

OWNER

COMPANY: RIO AUSTIN, LLC
CONTACT: MATTHEW ROBINS
EMAIL: MATTHEW.ROBINS@ELLIMAN.COM
PHONE: 512.496.0235

GENERAL CONTRACTOR

COMPANY: STEWART AND CO. CONSTRUCTION
CONTACT: RYAN STEWART
EMAIL: RYAN@STEWANDCO.COM
PHONE: 512.954.2321

STRUCTURAL ENGINEER

COMPANY: SEC SOLUTIONS
CONTACT: DEBBIE WILES
EMAIL: WWW.SECTEXAS.COM
PHONE: 512.215.4364

INTERIOR DESIGNER

COMPANY: SLIC DESIGN
CONTACT: SARA CUKERBAUM
EMAIL: SARA@SLIC-DESIGN.COM
PHONE: 646.263.5304

POOL CONSULTANT

COMPANY: CASCADE POOLS
CONTACT: TJ THOMPSON
EMAIL: TJ@CASCADECUSTOMPOOLS.COM
PHONE: 512.264.2453

CIVIL ENGINEER

COMPANY: SEC SOLUTIONS
CONTACT: MARCO CASTANEDA
EMAIL: MARCO@SECTEXAS.COM
PHONE: 512.785.8446

NOTES:

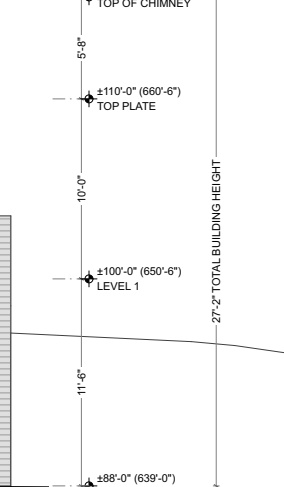
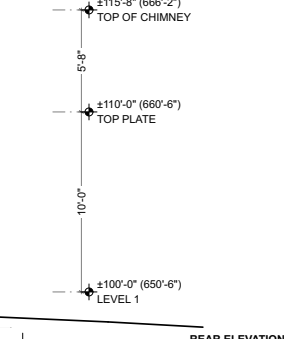
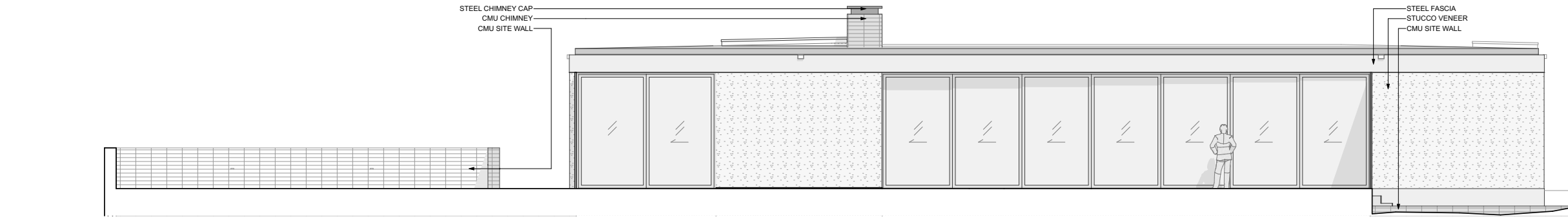
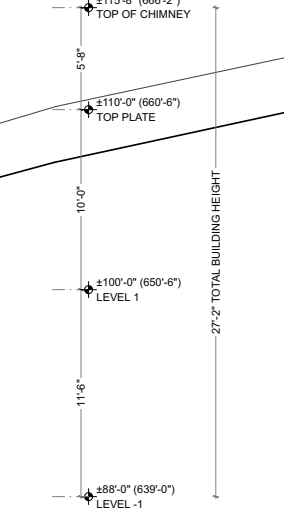
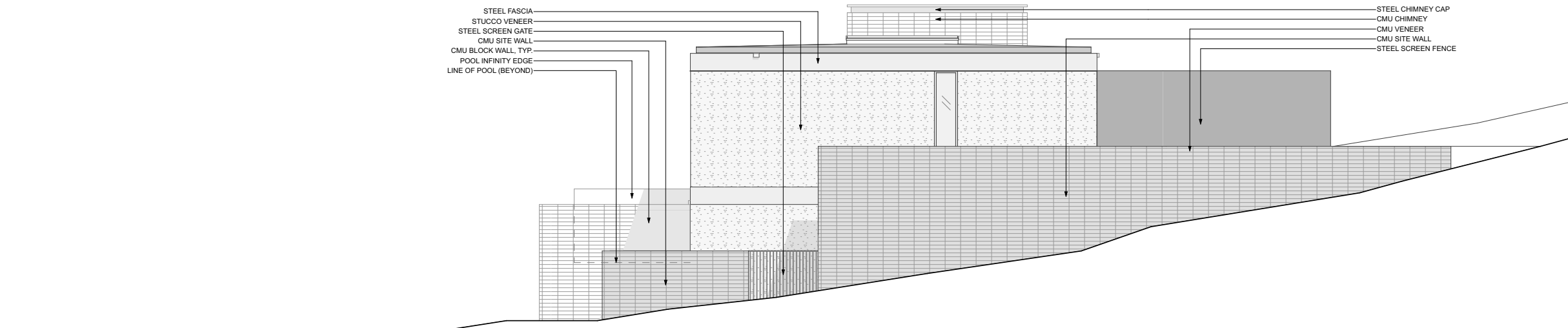
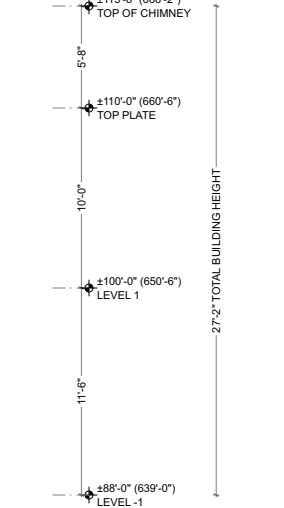
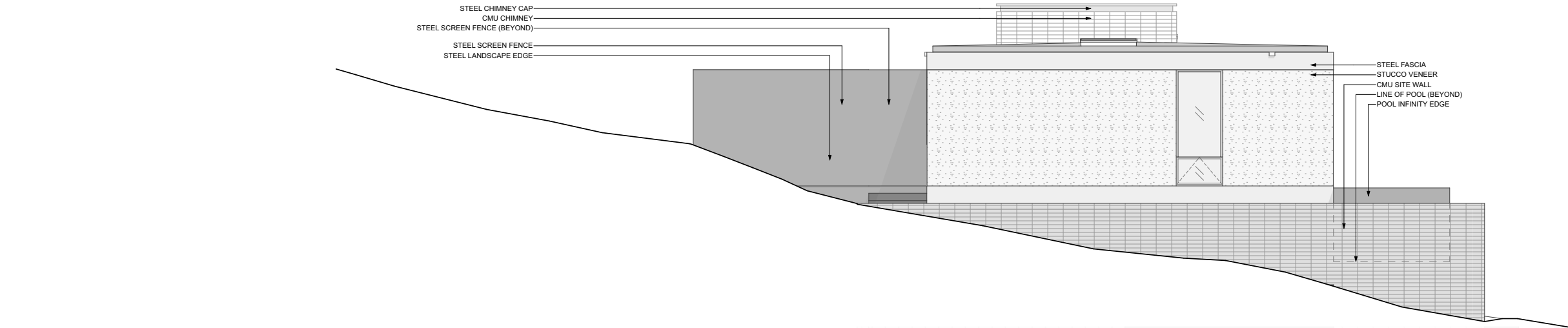
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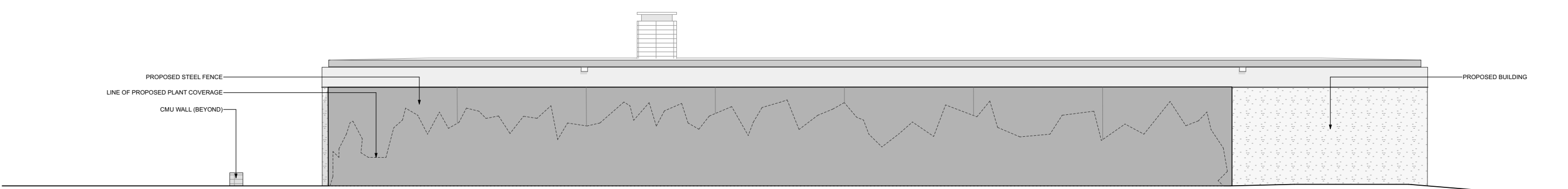
50% CONSTRUCTION SET

TERRACE MOUNTAIN-706
TERRACE MOUNTAIN DRIVE
WEST LAKE HILLS, TX 78746

CD9.8
EXTERIOR ELEVATIONS

Page 155 of 162

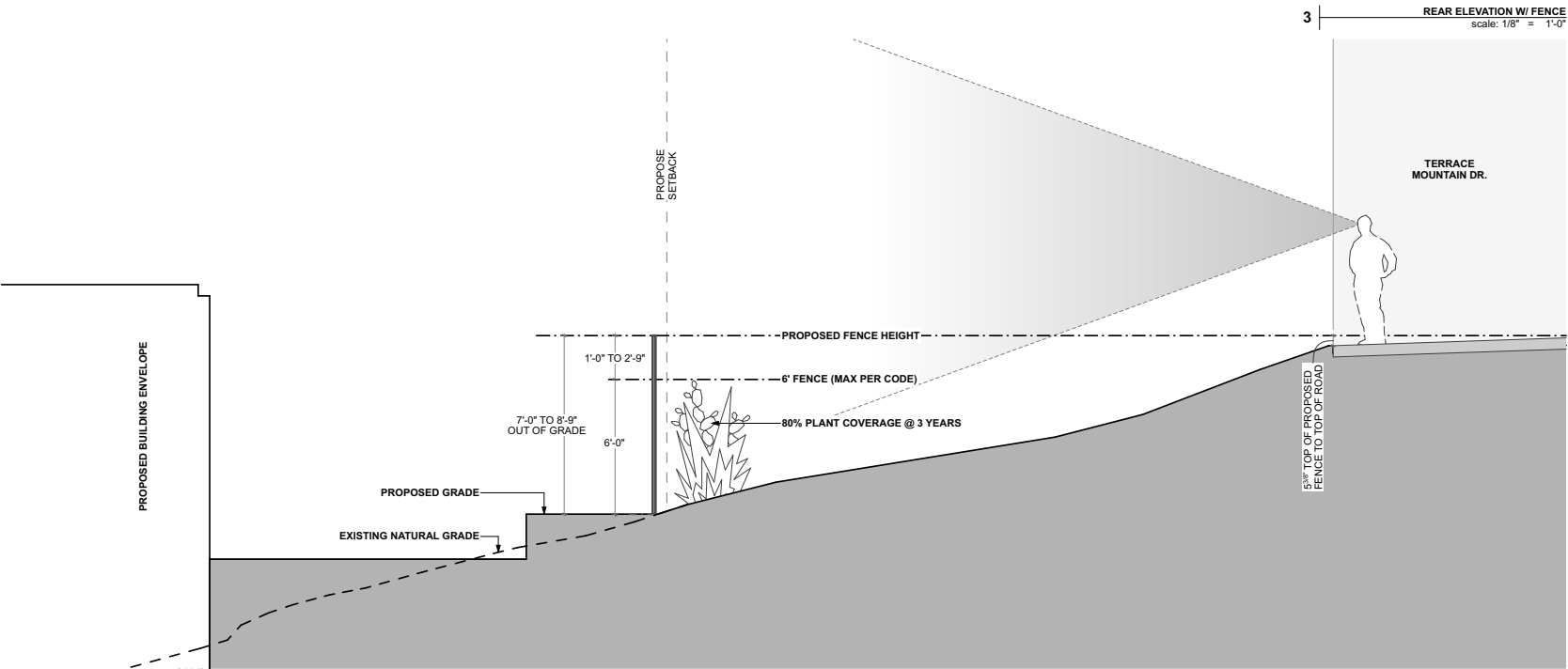




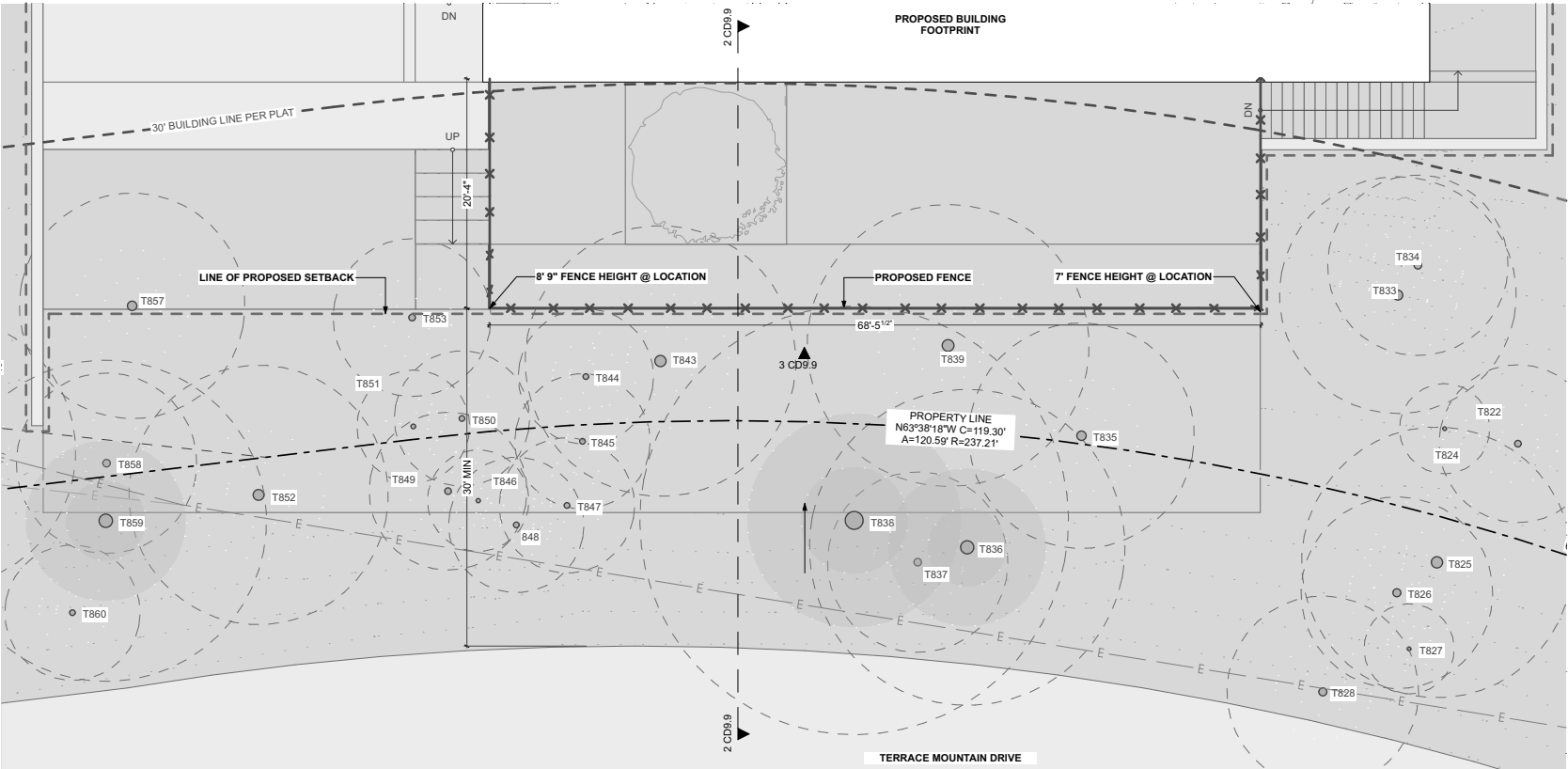
PROPOSED FENCE 3D VIEW



FENCE AT MAX 6 FT ABOVE NATURAL GRADE

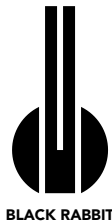


REAR ELEVATION W/ FENCE
scale: 1/8" = 1'-0"



FENCE SECTION
scale: 1/8" = 1'-0"

FENCE PLAN DIAGRAM
scale: 1/16" = 1'-0"



BLACK RABBIT

PROJECT DESIGNER

COMPANY: BLACK RABBIT DESIGN
EMAIL: INFO@BLACKRABBIT.CO
PHONE: 512.474.2544
WEB: BLACKRABBIT.CO
ADDRESS: 1110 WEST AVE.
AUSTIN, TX 78701

OWNER

COMPANY: RIO AUSTIN, LLC
CONTACT: MATTHEW ROBINS
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PHONE: 512.496.0235

GENERAL CONTRACTOR

COMPANY: STEWART AND CO. CONSTRUCTION
CONTACT: RYAN STEWART
EMAIL: RYAN@STEWANDCO.COM
PHONE: 512.954.2321

STRUCTURAL ENGINEER

COMPANY: SEC SOLUTIONS
CONTACT: DEBBIE WILES
EMAIL: WWW.SECTEXAS.COM
PHONE: 512.215.4364

INTERIOR DESIGNER

COMPANY: SLIC DESIGN
CONTACT: SARA CUKERBAUM
EMAIL: SARA@SLIC-DESIGN.COM
PHONE: 646.263.5304

POOL CONSULTANT

COMPANY: CASCADE POOLS
CONTACT: TJ THOMPSON
EMAIL: TJ@CASCADECUSTOMPOOLS.COM
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CIVIL ENGINEER

COMPANY: SEC SOLUTIONS
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50% CONSTRUCTION SET

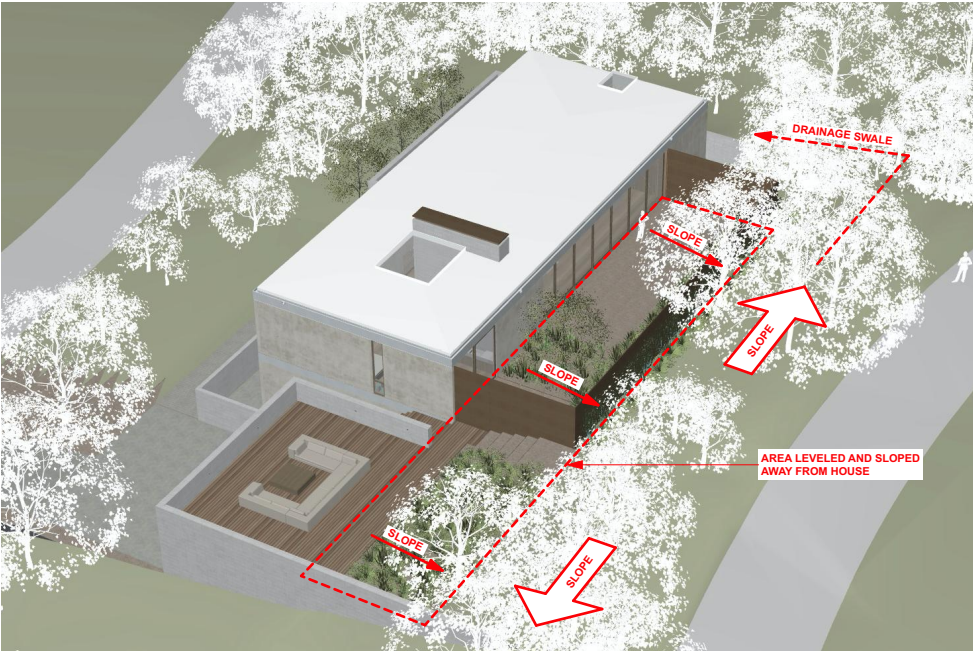
TERRACE MOUNTAIN-706

TERRACE MOUNTAIN DRIVE
WEST LAKE HILLS, TX 78746

CD9.9

FENCE EXHIBIT

Page 156 of 162



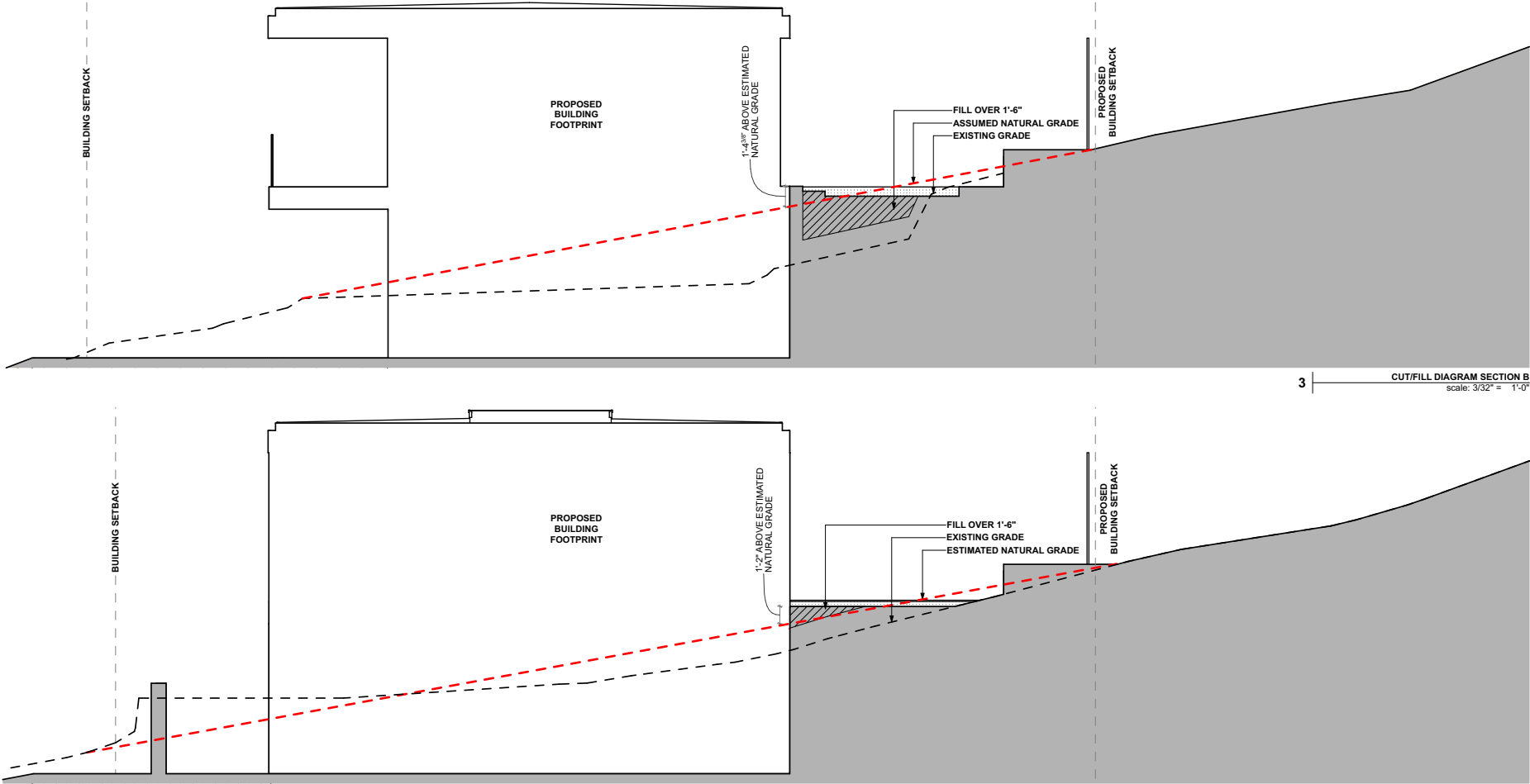
PROPOSED FILL LOCATION & DRAINAGE DIAGRAM



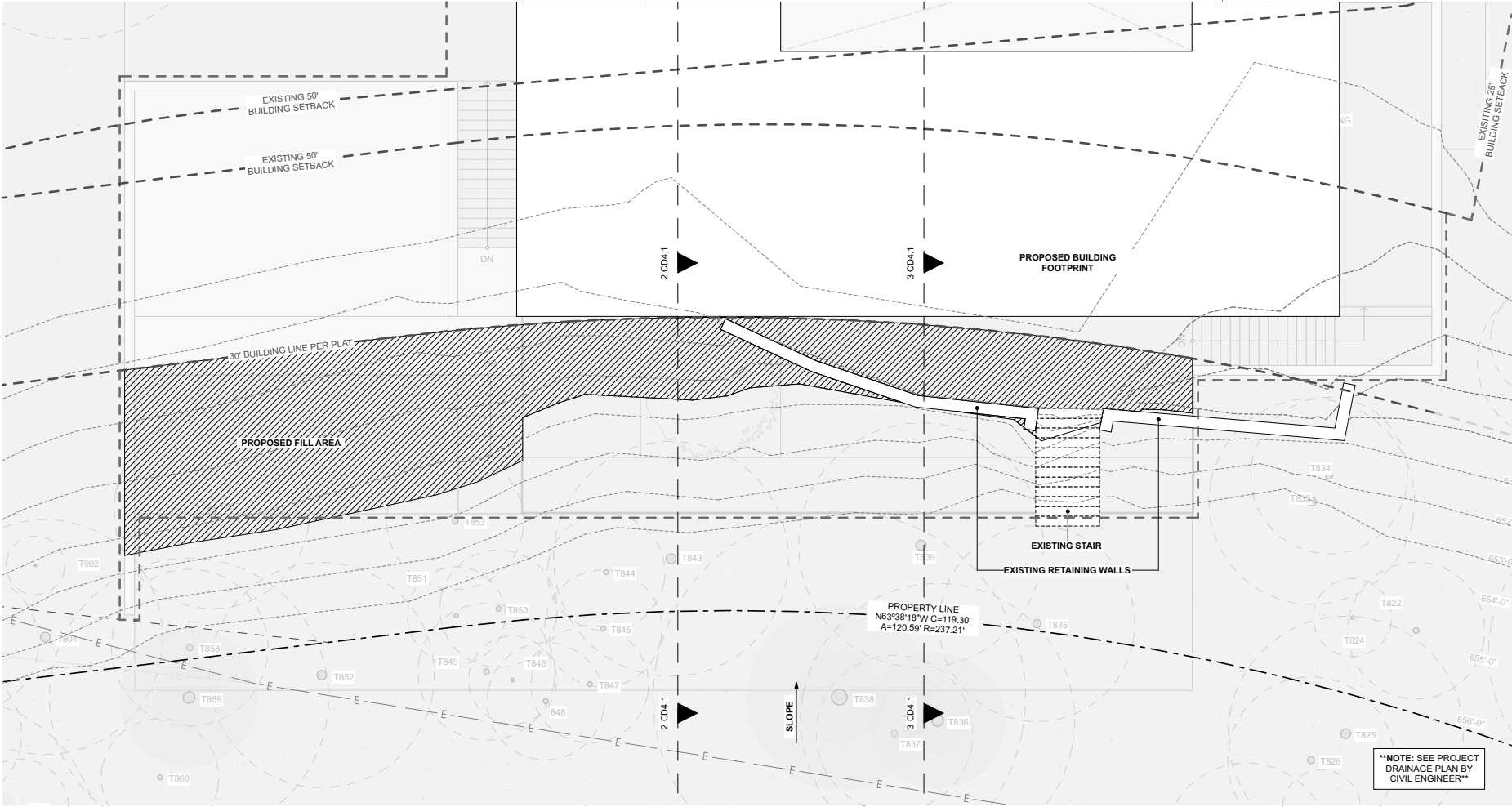
EXISTING (NON-COMPLIANT) SITE WALL



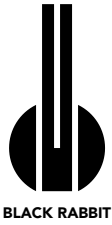
EXISTING (NON-COMPLIANT) CUT AREA



2 CUT/FILL DIAGRAM SECTION A
scale: 3/32" = 1'-0"



1 CUT FILL PLAN DIAGRAM
scale: 1/16" = 1'-0"



BLACK RABBIT

PROJECT DESIGNER

COMPANY: BLACK RABBIT DESIGN
EMAIL: INFO@BLACKRABBIT.CO
PHONE: 512.474.2544
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ADDRESS: 1110 WEST AVE.
AUSTIN, TX 78701

OWNER

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CONTACT: MATTHEW ROBINS
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GENERAL CONTRACTOR

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EMAIL: RYAN@STEWANDCO.COM
PHONE: 512.954.2321

STRUCTURAL ENGINEER

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50% CONSTRUCTION SET

TERRACE MOUNTAIN-706

TERRACE MOUNTAIN DRIVE
WEST LAKE HILLS, TX 78746

CD9.10

CUT / FILL EXHIBIT

Page 157 of 162

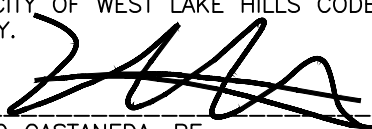
706 TERRACE MOUNTAIN DRIVE
TYPE II DEVELOPMENT PLAN

OWNERS CERTIFICATION:
AS OWNER OF THIS PROPERTY, I INTEND TO DEVELOP AND MAINTAIN THIS PROPERTY AS DESCRIBED BY THIS PLAN

NAME OF OWNER/TRUSTEE _____ DATE _____

ENGINEERS CERTIFICATION:

STATE OF TEXAS
COUNTY OF TRAVIS
I, MARCO CASTANEDA, P.E. DO HEREBY CERTIFY THAT THE PUBLIC WORKS AND DRAINAGE IMPROVEMENTS DESCRIBED HEREIN HAVE BEEN DESIGNED IN COMPLIANCE WITH THE CITY OF WEST LAKE HILLS CODE OF ORDINANCES, THE CITY MASTER PLAN AND CITY POLICY.

 _____
MARCO CASTANEDA, PE DATE 8/2/22



CITY ACCEPTANCE BLOCK
ALL RESPONSIBILITY FOR THE ADEQUACY OF THESE PLANS REMAINS WITH THE ENGINEER WHO PREPARED THEM. IN ACCEPTING THESE PLANS, THE CITY OF WEST LAKE HILLS MUST RELY UPON THE ADEQUACY OF THE WORK OF THE DESIGN ENGINEER.

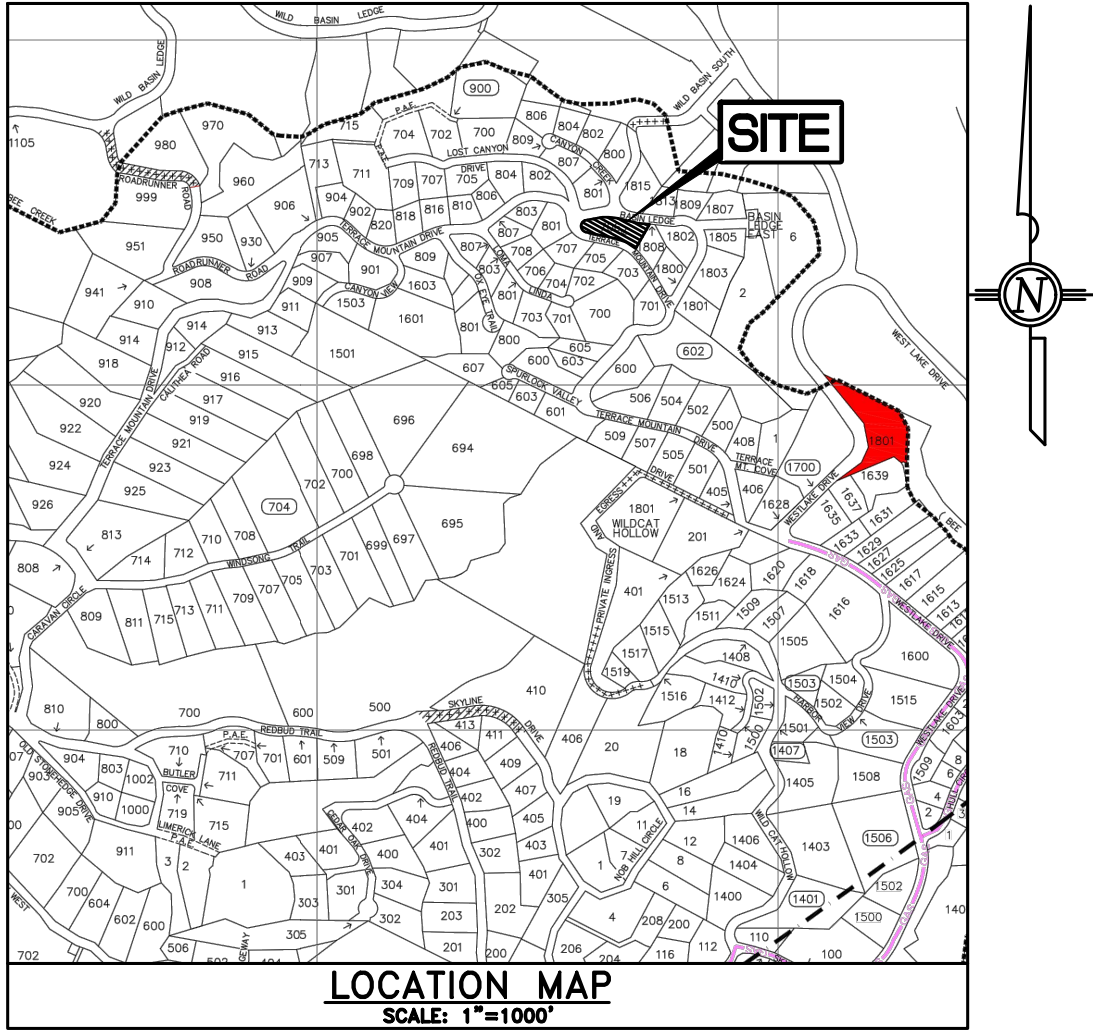
ACCEPTED FOR CONSTRUCTION:

CITY ADMINISTRATOR _____ DATE _____

THE CONTRACTOR SHALL FIELD VERIFY THE EXACT LOCATION OF ALL EXISTING UTILITIES BEFORE COMMENCING WORK AND TO USE EXTREME CAUTION WHEN WORKING AROUND ABOVE GROUND OR UNDER GROUND UTILITIES.

REVISIONS / CORRECTIONS

REVISION NO.	DESCRIPTION	REVISE (R) ADD (A) VOID (V) SHEET NO.'S	TOTAL # SHTS. IN PLAN SET	NET CHANGE IMP. COVER (SQ. FT.)	TOTAL SITE IMP. COVER (SQ./FT.)/ [%]	CITY OF WEST LAKE HILLS APPROVAL / DATE	DATE IMAGED



- SHEET INDEX
- 1. COVER SHEET
 - 2. GENERAL NOTES
 - 3. EXISTING CONDITIONS SURVEY
 - 4. DRAINAGE AREA PLAN
 - 5. GRADING PLAN

PROJECT DATA	
PROJECT NAME:	706 TERRACE MOUNTAIN DRIVE
PROJECT ADDRESS:	706 TERRACE MOUNTAIN DRIVE WEST LAKE HILLS, TEXAS 78746
OWNER:	RIO AUSTIN, LLC 615 BLAZE BLVD EDINBURG, TX 78539
ARCHITECT:	BLACK RABBIT 1110 WEST AVE Austin, TX 78701 512-474-2544 CONTACT: AUSTIN SMOCK
ENGINEER:	RANGER ENGINEERING, PLLC 5524 BEE CAVE ROAD, SUITE J-3 PH. (512) 785-8446 CONTACT: MARCO CASTANEDA, P.E. marco@sectexas.com
SURVEYOR:	HOLT CARSON SURVEYING 1904 FORTVIEW ROAD AUSTIN, TEXAS 76704 CONTACT: HOLT CARSON PH: 512-442-0990 survey@hciaustin.com
LEGAL DESCRIPTION:	LOT 4, BLK P, STONEHEDGE ESTATES, RECORDED IN VOLUME 13, PAGE 28, TRAVIS COUNTY PLAT RECORDS
ZONING:	R-1 ONE FAMILY
PROPOSED USE:	ONE FAMILY

REV. NO.	REVISION DESCRIPTION	APPROVED BY:	DATE



RANGER ENGINEERING, PLLC
CIVIL ENGINEERING
TYPE REG. NO. F-22406
5524 BEE CAVES ROAD, STE J-3
AUSTIN, TEXAS 78746
PHONE: (512) 785-8446
email: marco@sectexas.com

706 Terrace Mountain Drive

West Lake Hills, Texas 78746

COVER SHEET

PROJECT: _____

DATE: AUGUST 2, 2022

DRAWN BY: MEC

CHECKED BY: MEC

SHEET NO. _____

GENERAL NOTES

1. All materials and construction methods for site grading, paving, sitework, and drainage shall be in accordance with the current City of Austin Standard Specifications, unless otherwise noted. All work shall be in accordance with the building codes, ordinances, safety codes, and rules and procedures of the City of West Lake Hills.
2. All responsibility for the adequacy of these plans remains with the Engineer who prepared them. In reviewing these plans, the City of West Lake Hills must rely on the adequacy of the work of the design engineer.
3. Prior to any construction, the Contractor shall apply for and secure all proper permits from the appropriate authorities.
4. Blasting or burning shall not be permitted on this project.
5. The contractor shall verify all depths and locations of existing utilities prior to beginning construction. Any discrepancies with the construction plans found in the field shall be brought to the attention of the design engineer immediately. The design engineer shall be responsible for revising the plans as appropriate and submitting a revision to the City.
6. Contractor will be responsible for keeping roads and drives adjacent to and near the site free from soil, sediment, and debris. Contractor will not remove soil, sediment, or debris from any area or vehicle by means of water, only shoveling and sweeping will be allowed. Contractor will be responsible for dust control from the site.
7. Any existing utilities, pavement, curbs, sidewalks, structures, trees, etc., not planned for destruction or removal or other public infrastructure damaged or removed will be by the contractor at his expense before acceptance of the project.
8. After the construction permit has been issued and prior to the beginning construction, the owner or his representative shall schedule a pre-construction conference between the City of West Lake Hills, Design Engineer, Contractor(s), other utility companies, and any other affected parties. The City of West Lake Hills shall be contacted to set up the meeting at least 48 hours prior to the proposed meeting time.
9. Any changes or revisions to these approved plans must be submitted by the design engineer and approved by the City of West Lake Hills prior to construction of the revision.
10. Available benchmarks that may be utilized for the construction of this project are described as follows:
PK NAIL ON EDGE OF ASPHALT NORTH OF WEST CORNER = 889.05

TRENCH SAFETY NOTES

1. In accordance with the Laws of the State of Texas and the U. S. Occupational Safety and Health Administration regulations, all trenches over 5 feet in depth in either hard and compact or soft and unstable soil shall be sloped, shored, sheeted, braced or otherwise supported. Furthermore, all trenches less than 5 feet in depth shall also be effectively protected when hazardous ground movement may be expected. Trench safety systems to be utilized for this project will be provided by the contractor.
2. In accordance with the U. S. Occupational Safety and Health Administration regulations, when persons are in trenches 4-feet deep or more, adequate means of exit, such as a ladder or steps, must be provided and located so as to require no more than 25 feet of lateral travel.
3. If trench safety system details were not provided in the plans because trenches were anticipated to be less than 5 feet in depth and during construction it is found that trenches are in fact 5 feet or more in depth or trenches less than 5 feet in depth are in an area where hazardous ground movement is expected, all construction shall cease, the trenched area shall be barricaded and the Engineer notified immediately. Construction shall not resume until appropriate trench safety system details, as designed by a professional engineer, are retained and copies submitted to the City of West Lake Hills.

STREET AND DRAINAGE NOTES

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 be given a minimum of 24 hour notice prior to any testing.
2. Backfill behind the curb shall be compacted to obtain a minimum of 85% maximum density to within 3 inches of the top of curb. Material used shall be primarily granular with no rocks larger than 3 inches in the greatest dimension. The remaining 3 inches shall be clean topsoil free from all clods and suitable for sustaining plant life.
3. All RCP shall be minimum Class III.
4. The subgrade material for the streets shown herein was tested by N/A. The paving sections were designed by N/A in accordance with the current City of West Lake Hills design criteria. The paving sections are to be constructed as follows:
- | Street | Station | Flex. Base Thickness | HMAC Thickness | Lime Stab. Thickness |
|--------|---------|----------------------|----------------|----------------------|
| N/A | -- | -- | -- | -- |
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 area as defined by FIRM Panel 48453C-0445K, dated January 22, 2020.
7. FLOOD WARNING: The degree of flood protection required by the City of West Lake Hills Flood Damage Prevention Ordinance is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. On rare occasions, greater floods can and will occur and flood heights may be increased by man made or natural causes. Acceptance of this plan by the City Council does not imply that land outside the areas of special flood hazards or uses permitted within such areas will be free from flooding or flood damages. Nor shall acceptance of this plan create liability on the part of the City of West Lake Hills or any official or employee thereof for any flood damages that result from reliance on the information contained within this plan or any administration decision lawfully made hereunder.

TRAFFIC MARKING NOTES

1. Barricades built to the Texas Manual on Uniform Traffic Control Devices standards shall be constructed on all dead-end streets and as necessary during construction to maintain job and public safety.
2. Any methods, street markings, and signage necessary for warning motorists, warning pedestrians, or diverting traffic during construction shall conform to the Texas Manual of Uniform Traffic Control Devices for Streets and Highways, latest edition.
3. All pavement markings, markers, paint, traffic buttons, traffic controls, and signs shall be installed in accordance with the Texas Department of Transportation Standard Specifications for Construction of Highways, Streets and Bridges and the Texas Manual of Uniform Traffic Control Devices for Streets and Highways, latest editions.

EROSION CONTROL NOTES

1. Every lot in this subdivision is subject to the City of West Lake Hills' site clearance procedures. No site clearance, excavation, grading or landfill shall commence unless a permit shall have first been issued for such work in accordance with the provisions of applicable ordinances. Impervious cover shall not exceed the maximum percentage permitted under City Ordinance.
2. The contractor shall install erosion/sedimentation controls and tree/natural area protective fencing prior to any site preparation work (clearing, grubbing or excavation). The placement of erosion/sedimentation controls shall be in accordance with the current City West Lake Hills Drainage and Erosion Control Manual and the approved Erosion and Sedimentation Control Plan. No erosion controls shall be placed beyond the property lines of the site unless written permission has been obtained from adjacent property owners.
3. All slopes shall be sodded or seeded with approved grass, grass mixtures, or ground cover suitable to the area and season in which they are applied.
4. Any major variation in materials or locations of controls or fences from those shown on the approved plans will require a revision and must be approved by the Engineer. Major revisions must be approved by the City. Minor changes to be made as field revisions to the Erosion and Sedimentation Control Plan may be required by the City Inspector during the course of construction to correct control inadequacies.
5. The contractor is required to inspect the controls at weekly intervals and after any rainfall event to ensure that they are functioning properly. The person(s) responsible for maintenance of controls and fences shall immediately make any necessary repairs to damaged areas. Silt accumulation at controls must be removed when the depth reaches six (6) inches.
6. All temporary erosion control measures shall not be removed until final inspection and approval of the project by the City Inspector. It shall be the responsibility of the Contractor to maintain all temporary erosion control structures and to remove each structure as approved by the City Inspector.
7. Per TPDES requirements, disturbed areas on which construction activities have ceased (temporarily or permanently) shall be stabilized within 14 days unless activity resumes within 21 days. Seeding does not constitute as stabilization.
8. Stripping of vegetation from project sites shall be phased so as to expose the minimum amount of area to soil erosion for the shortest possible period of time per the Drainage and Erosion Control Design Manual Sec.7.1(i).
9. Prior to final acceptance by the City, haul roads and waterway crossings constructed for temporary contractor access must be removed, accumulated sediment removed from the waterway and the area restored to the original grade and revegetated. All land clearing debris shall be disposed of in approved spoil disposal sites.

SEQUENCE OF CONSTRUCTION

1. Temporary erosion and sedimentation controls are to be installed as indicated on the approved site plan and in accordance with the Erosion Sedimentation Control Plan (ESC) and Stormwater Pollution Prevention Plan (SWPPP) that is required to be posted on the site. Install tree protection.
2. The Environmental Project Manager or Site Supervisor must contact the Development Services Department, Environmental Inspection, 72 hours prior to the scheduled date of the required on-site pre-construction meeting.
3. The Environmental Project Manager, and/or Site Supervisor, and/or Designated Responsible Party, and the General Contractor will follow the Erosion Sedimentation Control Plan (ESC) and Storm Water Pollution Prevention Plan (SWPPP) posted on the site. Temporary erosion and sedimentation controls will be revised, if needed, to comply with City Inspectors' directives, and revised construction schedule relative to the erosion plan.
4. Temporary erosion and sedimentation controls will be inspected and maintained in accordance with the Erosion Sedimentation Control Plan (ESC) and Storm Water Pollution Prevention Plan (SWPPP) posted on the site.
5. Begin site clearing/construction (or demolition) activities.
6. Complete construction and start revegetation of the site and installation of landscaping.
7. Upon completion of the site construction and revegetation of a project site, the design engineer shall submit an engineer's letter of concurrence bearing the engineer's seal, signature, and date to the Development Services Department indicating that construction, including revegetation, is complete and in substantial compliance with the approved plans. After receiving this letter, a final inspection will be scheduled by the appropriate City inspector.
8. After a final inspection has been conducted by the City inspector and with approval from the City inspector, remove the temporary erosion and sedimentation controls and complete any necessary final revegetation resulting from removal of the controls.

TREE LIST

789 6.5" Cedar	849 7" Spanish Oak	899 23" Cedar	950 22" Cedar
800 10" Cedar	850 6" Spanish Oak	900 18.2" Cedar	951 15" Cedar
801 12" Cedar	851 5" Spanish Oak	901 9" Cedar	952 6" Cedar
802 6" Cedar	852 11.5" Cedar	902 3" Spanish Oak 903 7" Cedar	953 7" Ligustrum
803 12.5" Cedar 804 7" Cedar	853 7" Cedar	904 12" Cedar	954 13" Cedar
805 11" Cedar	854 13" Bradford Pear	905 7" Cedar	955 4.5" and 7.5" Ligustrum (9.75" total)
806 9" Live Oak	855 3", two-4" and two-5.5" Crapemyrtle (13.75" total)	906 6" Cedar	956 Three-9" Box Elder (18" total)
807 4" and 8" Cedar (10" total)	856 17" Cedar	907 4.5" Spanish Oak	957 21" Box Elder
808 7" Cedar	857 10" Cedar	908 4" Cedar	958 12.5" Cedar
809 6" Cedar	858 8" Spanish Oak	909 8" Cedar	959 12.5" Cedar
810 4" Cedar	859 8.5" and 10" Cedar (14.25" total)	910 3", 6" and 10" Cedar (14.5" total)	960 5", 7", 9.5", 10" and 12" Ligustrum (27.75" total)
811 10.5" Spanish Oak	860 6" Cedar	911 5" Cedar	961 9" Box Elder
812 8" Cedar	861 4" Cedar	912 14.5" Cedar	962 10" Box Elder
813 two-4" Cedar (8" total)	862 4" Cedar	913 7" Cedar	963 14" Hackberry 964 9" Spanish Oak
814 4.5" Spanish Oak	863 5" Cedar	914 11" Cedar	A 7.5" Spanish Oak
815 11" Spanish Oak	864 8" Cedar	915 8" and 11" Cedar (15" total)	
816 8.5" Spanish Oak	865 10" Spanish Oak	916 5" and 6" Cedar (8.5" total)	
817 9.5" Spanish Oak	866 6.5" Cedar	917 10" Cedar	
818 13" Drake Elm	867 9.5" and 16" Cedar (20.75" total)	918 4" Cedar	
819 6" Cedar	868 18" Cedar	919 5" Cedar	
820 4" and 6" Cedar (8" total)	869 13" Cedar	920 15.5" Live Oak	
821 13.5" Cedar	870 7.5" Cedar	921 8" Ligustrum	
822 7" Cedar	871 6" Spanish Oak	922 4" Cedar	
823 4" and 8" Cedar (10" total)	872 10" Spanish Oak	923 7" Cedar	
824 4" Cedar 825 12" Spanish Oak	873 12" Spanish Oak	924 6" Cedar	
826 5" and 6" Spanish Oak (8.5" total)	874 8" Cedar	925 11" Cedar	
827 4" Cedar 828 8.5" Hackberry	875 8" Spanish Oak	926 11" Ligustrum	
829 two-7" Spanish Oak (10.5" total)	876 6" Cedar	927 4" Cedar	
830 9" Cedar 831 15" Spanish Oak	877 3.5" Spanish Oak	928 7" Cedar	
832 10.5" Cedar	878 5" and 10" Drake Elm (12.5" total)	929 3" and 7.5" Ligustrum (9" total)	
833 10.5" Spanish Oak	879 9" and 10" Cedar (14.5" total)	930 10" Cedar	
834 8" Spanish Oak	880 six-3.5" Crapemyrtle (12.25" total)	931 5" Cedar	
835 6" and 7" Spanish Oak (10" total)	881 10" Spanish Oak	932 11" Cedar	
836 6" and 11" Cedar (14" total)	882 11" Cedar	933 5" Cedar	
837 8" Spanish Oak	883 two-7" and 8.5" Spanish Oak (15.5" total)	934 9" Cedar	
838 9" and 14.5" Spanish Oak (19" total)	884 13.5" Cedar	935 4.5" Ligustrum	
839 4", 6" and 7.5" Spanish Oak (12.5" total)	885 15" Cedar	936 8" Cedar	
840 8" Spanish Oak	886 15" Cedar	937 7" Cedar	
841 11.5" Spanish Oak	887 6" Spanish Oak	938 8" Cedar	
842 4" Spanish Oak	888 9" Arizona Ash	939 9.5" Cedar	
843 12" Cedar 844 6" Spanish Oak	889 9" Cedar	940 11" Cedar	
845 6" Spanish Oak	890 8" Cedar	941 7" Cedar	
846 4.5" Cedar 847 6" Spanish Oak	891 8" Cedar	942 15.5" Cedar	
848 6" Cedar	892 13" Cedar	943 14" Spanish Oak	
	893 7" Spanish Oak	944 17" Cedar	
	894 16" Spanish Oak	945 17" Cedar	
	895 7" Cedar	946 5" Chinese Parool	
	896 6" Cedar	947 4" and 10" Spanish Oak (12" total)	
	897 6" Cedar 898 15" Ligustrum	948 9" Spanish Oak	
		949 7" Cedar	



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CIVIL ENGINEERING
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706 Terrace Mountain Drive
West Lake Hills, Texas 78746

GENERAL NOTES

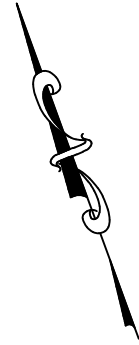
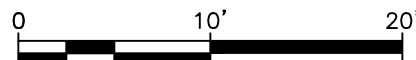
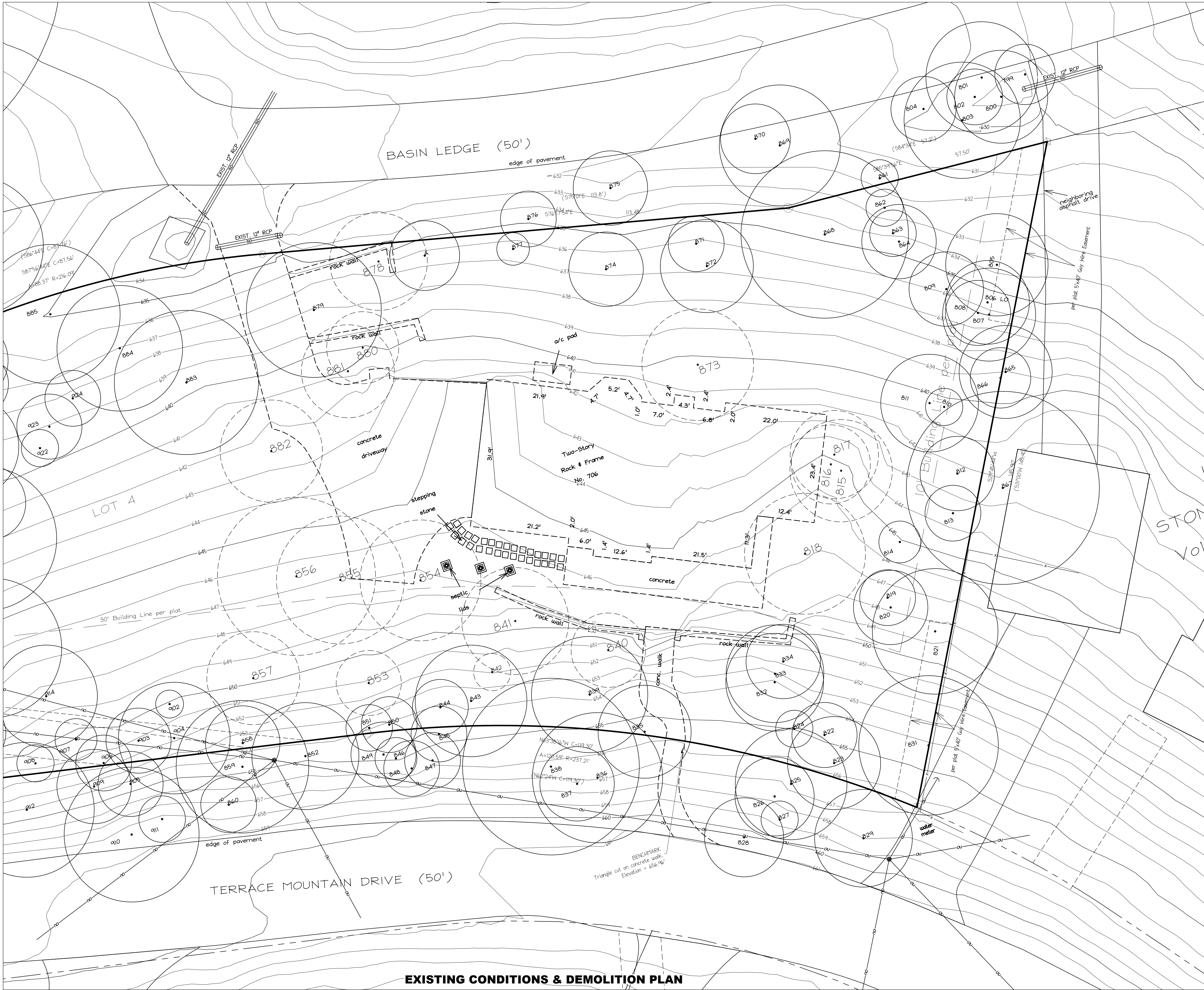
PROJECT: _____

DATE: AUGUST 2, 2022

DRAWN BY: MEC

CHECKED BY: MEC

SHEET NO. _____



DEMOLITION LEGEND

- IMPROVEMENTS TO BE REMOVED
- IMPROVEMENTS TO REMAIN
- TREES TO BE REMOVED
- TREES TO REMAIN

SEE SHEET 2 FOR TREE LIST

REV. NO.	REVISION DESCRIPTION	APPROVED BY:	DATE



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EXISTING CONDITIONS SURVEY

PROJECT:	
DATE:	AUGUST 2, 2022
DRAWN BY:	MEC
CHECKED BY:	MEC
SHEET NO.	



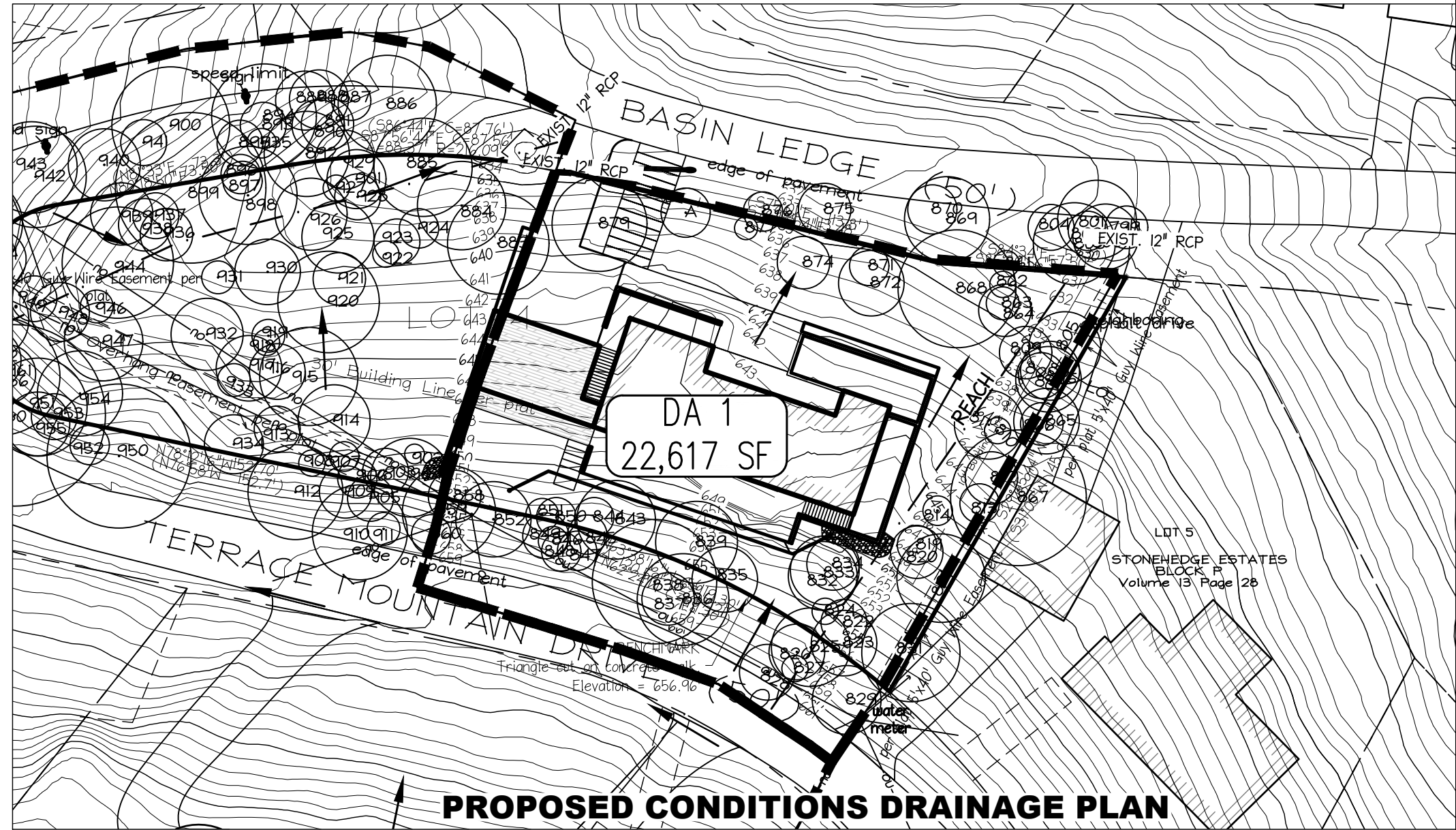
OFF-SITE & EXISTING CONDITIONS DRAINAGE PLAN

TIME OF CONCENTRATION

Drainage Area No.	Sheet				ShwConc				Channel				Comp Tc		Lag (0.6*Tc)	
	FI Lgth (ft)	slope	surface	Tc (hr)	FI Lgth (ft)	slope	surface	Tc (hr)	FI Lgth (ft)	slope	n-value	Tc (hr)	(min)	(min)		
OFS 1	100	0.042	grass	0.17	510	0.223	unpaved	0.019	190	0.078	0.25	0.002	11.5	6.9	assumed	
DA1 E	100	0.214	grass	0.089	60	0.187	unpaved	0.002					5.5	5.0		
DA1 P	100	0.214	grass	0.089	60	0.187	unpaved	0.002					5.5	5.0	assumed	

DRAINAGE CALCULATIONS

Drainage Area No.	Area		TuD Soil Group D (assumed)				Composite				Type III 24-hr Rainfall Distribution			
	(sf)	(ac)	Open Sp (ac)	Imperv Cvr (ac)	Imperv Cvr (%)	Composite CN	Composite Tc (min)	Q2 (cfs)	Q10 (cfs)	Q25 (cfs)	Q100 (cfs)			
OFS 1	368,902	8.469	0.0132325	5.928	2.541	30.0%	85	28.40	49.60	63.78	87.79			
DA1 E	22,617	0.519	0.0008113	0.403	0.116	22.4%	84	1.86	3.32	4.29	5.94			
DA1 P	22,617	0.519	0.0008113	0.393	0.126	24.4%	84	1.88	3.34	4.30	5.95			



PROPOSED CONDITIONS DRAINAGE PLAN

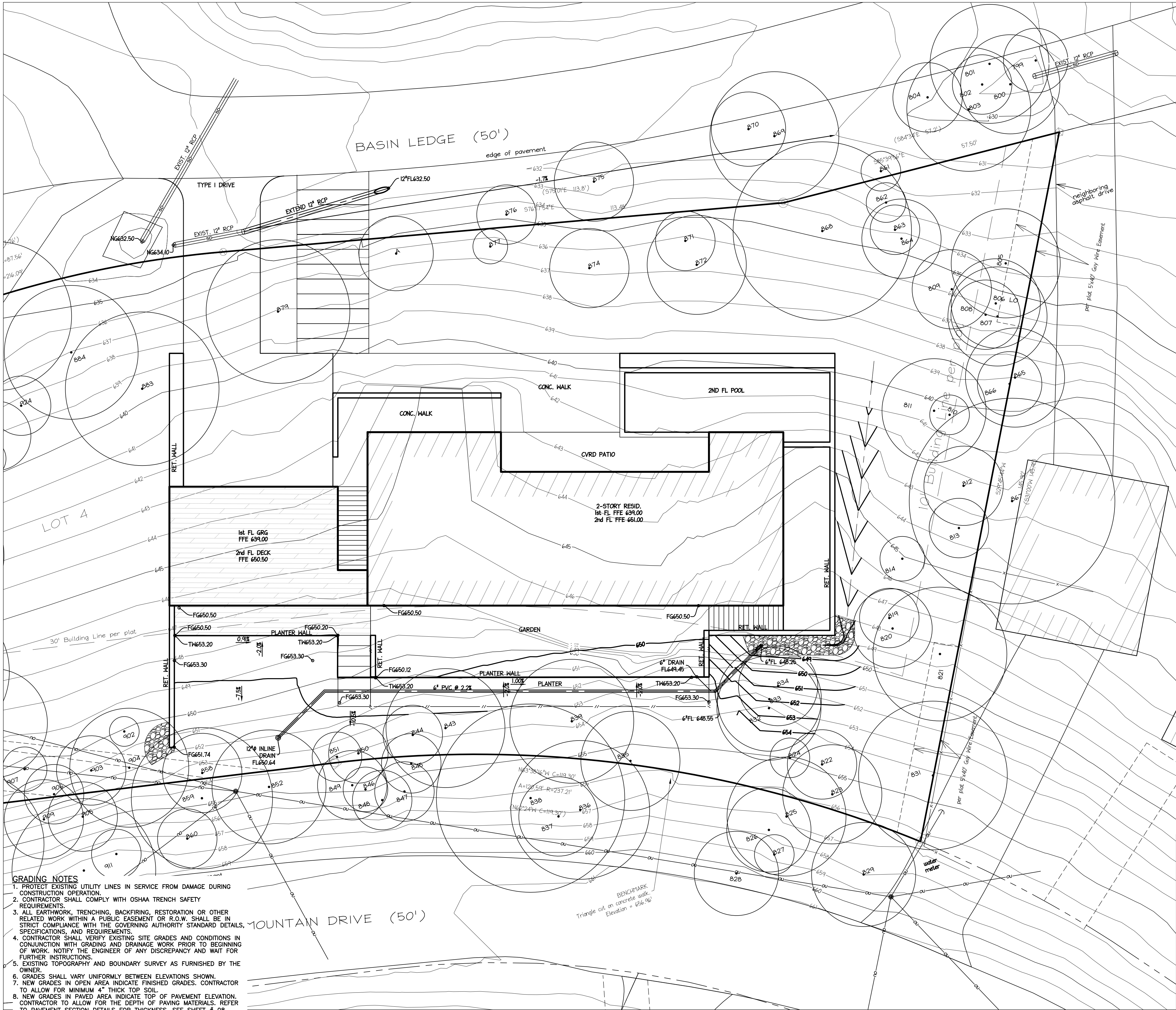
REV. NO.	REVISION DESCRIPTION	APPROVED BY:	DATE



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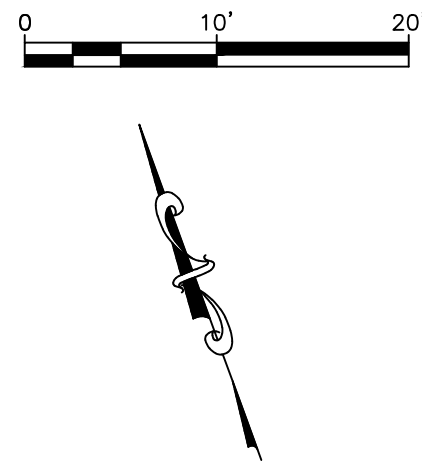
706 Terrace Mountain Drive
West Lake Hills, Texas 78746
DRAINAGE AREA PLAN

PROJECT: _____
DATE: AUGUST 2, 2022
DRAWN BY: MEC
CHECKED BY: MEC
SHEET NO. _____



- GRADING NOTES**
1. PROTECT EXISTING UTILITY LINES IN SERVICE FROM DAMAGE DURING CONSTRUCTION OPERATION.
 2. CONTRACTOR SHALL COMPLY WITH OSHA TRENCH SAFETY REQUIREMENTS.
 3. ALL EARTHWORK, TRENCHING, BACKFILLING, RESTORATION OR OTHER RELATED WORK WITHIN A PUBLIC EASEMENT OR R.O.W. SHALL BE IN STRICT COMPLIANCE WITH THE GOVERNING AUTHORITY STANDARD DETAILS, SPECIFICATIONS, AND REQUIREMENTS.
 4. CONTRACTOR SHALL VERIFY EXISTING SITE GRADES AND CONDITIONS IN CONJUNCTION WITH GRADING AND DRAINAGE WORK PRIOR TO BEGINNING OF WORK. NOTIFY THE ENGINEER OF ANY DISCREPANCY AND WAIT FOR FURTHER INSTRUCTIONS.
 5. EXISTING TOPOGRAPHY AND BOUNDARY SURVEY AS FURNISHED BY THE OWNER.
 6. GRADES SHALL VARY UNIFORMLY BETWEEN ELEVATIONS SHOWN.
 7. NEW GRADES IN OPEN AREA INDICATE FINISHED GRADES. CONTRACTOR TO ALLOW FOR MINIMUM 4" THICK TOP SOIL.
 8. NEW GRADES IN PAVED AREA INDICATE TOP OF PAVEMENT ELEVATION. CONTRACTOR TO ALLOW FOR THE DEPTH OF PAVING MATERIALS. REFER TO PAVEMENT SECTION DETAILS FOR THICKNESS. SEE SHEET # 08.
 9. MAXIMUM SLOPE IS 3:1 (3' HORIZONTAL TO 1' VERTICAL) UNLESS OTHERWISE INDICATED.
 10. AT INTERSECTION OF NEW AND EXISTING VEHICULAR OR PEDESTRIAN PAVEMENT (ASPHALT OR CONCRETE) SAW CUT EXISTING PAVEMENT TO PROVIDE CLEAN AND SOLID JOINT. IN ALL CASES MATCH TOP OF NEW AND EXISTING PAVEMENT ELEVATIONS.
 11. FOR ADDITIONAL INFORMATION OF THE SITE EXISTING GRADES, REFER TO THE SITE TOPOGRAPHY AND BOUNDARY SURVEY DRAWING # 03.
 12. TOP OF NEW PAVEMENT ELEVATION IS 6" BELOW TOP OF CURB ELEVATION UNLESS OTHERWISE INDICATED.
 13. ALL PROPOSED SIDEWALKS SHALL COMPLY WITH HANDICAPPED ACCESSIBLE ROUTE REQUIREMENTS [TAS 4.3.7]. SLOPES ON ACCESSIBLE ROUTES MAY NOT EXCEED 1:20 (5.0%) AND A CROSS SLOPE OF 1:50 (2.0%) UNLESS OTHERWISE DESIGNATED AS AN ACCESSIBLE RAMP. ACCESSIBLE RAMPS MAY NOT EXCEED A SLOPE OF 1:12.
 14. CONTRACTOR SHALL PROVIDE BARRICADES, FLAGMAN, FLASHING WARNING LIGHTS AND ANY SAFETY MEASURES, ETC., DEEMED NECESSARY TO PROTECT PUBLIC AND ON-SITE WORKERS UNTIL COMPLETION OF THIS WORK.

PROPOSED CONDITIONS & GRADING PLAN



LEGEND

- 700 — EXISTING CONTOUR
- 700 — PROPOSED CONTOUR
- TC 7XX.XX TOP OF CURB
- TP 7XX.XX TOP OF PAVEMENT
- TS 7XX.XX TOP OF SIDEWALK
- FG 7XX.XX FINISHED GRADE
- TW 7XX.XX TOP OF WALL
- FL 7XX.XX FLOW LINE
- TB 7XX.XX TOP OF BERM
- NG 7XX.XX NATURAL OR EXISTING GRADE
- AREA INLET
- FLOW DIRECTION ARROW
- #105 TREE TO REMAIN (W/ 1/2 CRZ)
- RG# RAIN GARDEN
- RHT# RAIN HARVESTING TANK
- SEE SHEET 2 FOR TREE LIST

- NOTES:**
- a) PROJECT IS A TYPE II DEVELOPMENT UNDER WEST LAKE HILLS DEVELOPMENT ORDINANCE.
 - b) WE CERTIFY THAT ALL EASEMENTS ARE SHOWN ON THIS PLAN.
 - c) NO CONCENTRATED STORMWATER FLOWS WILL LEAVE THIS LOT ON ADJACENT PROPERTIES, UNLESS THEY DISCHARGE DIRECTLY INTO AN APPROVED CHANNEL THAT IS WITHIN A PUBLIC R.O.W. OR DRAINAGE EASEMENT.
 - d) NO FENCES OR STRUCTURES ARE ALLOWED ACROSS ANY DRAINAGE EASEMENT.
 - e) THE DRAINAGE DESIGNER IS RESPONSIBLE FOR THE ADEQUACY OF THESE PLANS. IN ACCEPTING THESE PLANS, THE CITY OF WEST LAKE HILLS AND ALL REVIEWERS RELY UPON THE ADEQUACY OF THE DESIGN BY THE DRAINAGE DESIGNER.
 - f) PER TEXAS GENERAL PERMIT NO. 150000, DISTURBED AREAS ON WHICH CONSTRUCTION ACTIVITIES HAVE CEASED (TEMPORARILY OR PERMANENTLY) SHALL BE STABILIZED WITHIN 14 DAYS UNLESS ACTIVITY RESUMES WITHIN 21 DAYS.
 - g) THE OWNER OF THE PROPERTY IS RESPONSIBLE FOR CLEANING AND REMOVING ALL SEDIMENT THAT IS WASHED FROM THE SITE IN DEDICATED STREETS, ALLEYS, WATERWAYS, OR OTHER PROPERTIES.
 - h) STRIPPING OF VEGETATION FROM PROJECT SITES SHALL BE PHASED SO AS TO EXPOSE THE MINIMUM AMOUNT OF AREA TO SOIL EROSION FOR THE SHORTEST POSSIBLE PERIOD OF TIME PER THE WEST LAKE HILLS DRAINAGE AND EROSION CONTROL DESIGN MANUAL, SEC. 7.1(L).
 - i) NO PORTION OF THIS TRACT IS WITHIN THE BOUNDARIES OF THE 100 YEAR FLOODPLAIN OF A WATERWAY THAT IS WITHIN THE LIMITS OF STUDY OF THE FEDERAL FLOOD INSURANCE ADMINISTRATION FIRM MAP # 484530445K, DATED JANUARY 22, 2020 FOR TRAVIS COUNTY, TEXAS.
 - j) THIS SITE IS FULLY LOCATED WITHIN THE EDWARD'S AQUIFER CONTRIBUTING ZONE.

