

CITY OF WEST LAKE HILLS, TEXAS
MINUTES OF A ZONING & PLANNING COMMISSION (ZAPCO) REGULAR MEETING
Wednesday, October 19, 2022 at 6:30 PM

1. Call to Order. Chairman Robert Meisel.

With a quorum present, Chairman Robert Meisel called the meeting to order at 6:30 p.m.

Members in attendance were Chairman Robert Meisel, Vice-Chairman Jim Pledger, Commissioners Laurie Maccini, Karen Bartoletti, James Vaughan and Patrick Stewart.

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 items unless a Commission Member or citizen so requests.

- a. Approval of the September 21, 2022 Regular Zoning and Planning Commission Meeting Minutes.

- b. Report on Board of Adjustment and City Council Responses.

COMMISSIONER BARTOLETTI MOVES TO APPROVE THE MINUTES. SECONDED BY COMMISSIONER LAURIE MACCINI. (4-1) APPROVAL. VICE-CHAIRMAN PLEDGER ABSTAINED DUE TO HIS ABSENCE LAST MONTH.

Commissioner Maccini: Made a comment that Hackberry trees are native trees and benefit wildlife.

3. Land Use 902 Redbud Trail - Discussion/Recommendation on a request for an amended plat at 902 Redbud Trail, Stonehedge Estates Replat (Chapter 36 of the West Lake Hills Code). Applicant Samy Aboel-Nil.

Staff Briefing

Director Grundman: Staff briefing is given. Staff Recommendation: Approval.

Presentation by Applicant

David Bench, representative for the homeowner, is present on Zoom for questions.

Public Hearing

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

Deliberation/Recommendation

COMMISSIONER BARTOLETTI MOVES TO RECOMMEND APPROVAL. SECONDED BY VICE-CHAIRMAN PLEDGER. UNANIMOUS (5-0) APPROVAL.

4. **Land Use 800 Rock Creek** - Discussion/Recommendation on variances to remove three trees with diameters larger than 14 inches to demolish and construct a new single family residence (Section 22.03.304 of the West Lake Hills Code). Applicant Representative Renee Godinez.

Staff Briefing

Director Grundman: This property is a corner lot with two front setbacks. The applicant worked extensively with City staff. **Staff Recommendation:** Approval.

Commissioner Maccini: Live Oak Tree #31 - 16.5", its not saying the tree is dying.

Director Grundman: I would defer to the applicant.

Presentation by Applicant

Rene Godinez is representing the homeowner. Regarding the tree, I don't have anything to add about it. It is not balanced.

Taylor Holt is the General Contractor on the project. That tree is unbalanced and has a bad canopy. The driveway is being moved out of the setback. The tree is in very bad health.

Renee: I agree with Taylor.

Public Hearing

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

Deliberation/Recommendation

Commissioner Maccini: Is this a spec home?

Director Grundman: I'm not sure. The existing pool is going to be removed and the new pool will comply.

Chairman Meisel: Impervious Cover?

Director Grundman: They comply.

**COMMISSIONER BARTOLETTI MOVES TO RECOMMEND APPROVAL.
SECONDED BY COMMISSIONER VAUGHAN SUBJECTED TO THE TREES
BEING MONITORED BY THE CITY ARBORIST AND COMMENTS FROM THE
NEIGHBORS. UNANIMOUS (5-0) APPROVAL AS AMENDED.**

5. Land Use 1000 Live Oak Circle - Discussion/Recommendation on a variance to allow a fence 18 feet from the pavement (Section 22.03.173 of the West Lake Hills Code).
Applicant Lauren Viator.

Staff Briefing

**Director Grundman: Due to safety concerns and a letter of support from a neighbor,
Staff Recommendation: Approval.**

Commissioner Stewart: The 18' is for the concrete?

Director Grundman: Yes.

Commissioner Stewart: I'm concerned it could create another problem.

**Vice-Chairman Pledger: It looks like most of the fence is not on their property. I'm
not willing to approve this on the right-of-way.**

Chairman Meisel: Was the sportcourt previously there?

Director Grundman: It was there when they bought the property.

Presentation by Applicant

**Lauren Viator is the property owner. We have a basketball court with two young
children. Trucks and delivery vehicles use it to turn around and it is a safety concern.
We want to fence in the rest of the house. There is currently construction going on
across the street. The neighbors are in support because their kids play in the yard
also.**

Public Hearing

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

Deliberation/Recommendation

Commissioner Bartoletti: Do you anticipate a gate?

Lauren: Only for additional parking; a swing gate.

Vice-Chairman Pledger: The pictures look like the open space is the length of a car.

Is it on your property or the right-of-way?

Lauren: I'm not sure where the right-of-way is. 18' was chosen to save the large tree.

Chairman Meisel: Would you consider getting rid of that driveway?

Commissioner Vaughan: I'd be in favor for the fence without the gate.

Commissioner Bartoletti: What is the right-of-way?

Director Grundman: Live Oak is 50' wide.

Commissioner Maccini: If you only have 12', nothing should be sticking out in the road. What would a fence do to that large tree? I want a more detailed placement of the fence.

Chairman Meisel: It cannot come outside the property line. This doesn't provide enough information.

COMMISSIONER VAUGHAN RECOMMENDS POSTPONEMENT TO GET CLEARER INFORMATION. SECONDED BY COMMISSIONER MACCINI. UNANIMOUS (5-0) ACCEPTANCE OF APPLICANT'S REQUEST TO POSTPONE TO THE NOVEMBER 16, 2022 MEETING.

6. Land Use 8 Nob Hill - Discussion/Recommendation on a variance to allow a second driveway access (Section 22.03.175(e)(2) of the West Lake Hills Code). Applicant Tom Walters.

Staff Briefing

Director Grundman: Staff briefing is given. **Staff Recommendation:** Denial due to lack of hardship.

Presentation by Applicant

Tom Walters is the property owner. The property is currently under construction. My hardship is no on-street parking and it would restrict emergency access. Other addresses are pointed out with more than one driveway. We are under the impervious cover and do not require tree removal.

Public Hearing

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

Deliberation/Recommendation

Commissioner Stewart: Is there any additional grading?

Tom: With the re-orientation there is less cutting than the original plan.

Chairman Meisel: Given the size of Nob Hill, it is a safety issue.

Commissioner Bartoletti: The number of additional cuts were pre-existing? The lack of parking doesn't move me very much.

Chairman Meisel: I'm thinking about somebody needing an ambulance.

Commissioner Maccini: Front yard gates and fences are causing more problems. This has a 5-car garage.

Director Grundman: Would a condition of no gated fences eliminate that?

Commissioner Vaughan: Ashby, can you walk me through your recommendation for denial?

Director Grundman: There is parking on-site. Looking at the layout you can fit many cars on site.

VICE-CHAIRMAN PLEDGER MOVES TO RECOMMEND DENIAL WITH NO HARDSHIP. SECONDED BY COMMISSIONER STEWART. UNANIMOUS (5-0) DENIAL.

7. Adjournment. Chairman Robert Meisel.

Chairman Meisel adjourns the meeting at 7:22 p.m.

Respectfully submitted,

ROBERT MEISEL, CHAIRMAN

ATTEST:

ZAPCO Secretary Mark Litrell

These minutes were approved on _____, 2020.