

MINUTES OF BOARD OF ADJUSTMENT (BOA)  
REGULAR MEETING  
CITY OF WEST LAKE HILLS, TEXAS  
Wednesday, February 8, 2017  
7:00 p.m.

**PRESENT:** BOA Chairman Linda Anthony BOA Members Stan Graham, Jim O'Connor, Rhonda McCollough, Brian Plunkett and Darin Walker.

**ABSENT:** None.

1. **Called to Order by Chair Linda Anthony at 7:00 p.m., suspended at 7:20 p.m., reconvened at 7:21 p.m., suspended at 7:40 p.m., reconvened at 7:41 p.m.**
2. **CONSENT AGENDA:** The following items are anticipated to require little or no individualized discussion due to their nature being clerical, ministerial, mundane or routine. In an effort to enhance the efficiency of BOA Meetings, it is intended that these items will be acted upon by the BOA with a single motion because no public hearing or determination is necessary. However, a BOA Member or Citizen may request separate deliberation for a specific item, in which event those items will be removed from the consent agenda prior to the BOA voting on the consent agenda as a collective, singular item. Citizens requesting items be removed from the consent agenda must submit a written Speaker Card to the City Secretary before the meeting begins. Prior to voting on the consent agenda, the BOA may add additional items that are listed elsewhere on the same agenda.
  - a. Approval of the January 11, 2017 Regular Meeting Minutes. City Secretary Lacie Hale.

**BOA MEMBER McCOLLOUGH MOTIONED TO APPROVE THE CONSENT AGENDA WITH THE ADDITION OF AGENDA ITEM #4 FOR APPROVAL. BOA MEMBER O'CONNOR SECONDED THE MOTION AND IT PASSED BY 6-0 VOTE.**

3. **Land Use: Proposed Rezone from (O) Office to (GUI), a Site Plan Amendment with multiple variances (two trees with trunk diameters greater than 14 inches (15 inch cedar and 18 inch cedar), cut/fill, hydropneumatic water tank, water tank size, driveway setback encroachment, septic tank setback, septic field distance from water tank), for Travis County Water Control and Improvement District #10 at 5324 Bee Cave Road. (Chapter 18 – Article 18.02 and Chapter 22 – Article 22.03 of the West Lake Hills Code.) Applicant Carla Glass.**
  - a. **Staff Briefing. Mayor Anthony introduced the applicant, Tom Arndt, and explained that this is the first of many improvements that will increase fire flow in hydrants and promote fire safety in the city.**
  - b. **Presentation by applicant. Applicant's representative Tom Arndt explained the proposed project on the site and the need for the variances.**
  - c. **Public Hearing:**  
**Daniel Bates, owner of 5410 and 5320 Bee Cave Road, read a statement that they are in support of the requested variances. They are concerned about the compatibility of the driveway use to access Water District #10 new commercial property. They hope that the City of West Lake Hills and Water District #10 will be open to a future replat of Water District #10 Guitierrez subdivision lot with his two Bee Cave Road frontage lots, in a manner that would relocate the new facilities driveway access.**

- d. Deliberation and action.  
(Dual Action Required: Board of Adjustment on all variances except for the trees, City Council on the Rezone, site plan amendment and tree variances.)

**BOA asked about the noise of the pump station motors and how it will impact the neighbors. BOA agreed that this site works well for the project.**

**BOA MEMBER GRAHAM MOTIONED TO APPROVE ALL OF THE REQUESTED VARIANCES, EXCEPT THE TREE VARIANCES. BOA MEMBER PLUNKETT SECONDED THE MOTION AND IT PASSED BY 6-0 VOTE.**

4. Land Use: Proposed Amended Plat on Lots 1, 2, 13 and a portion of 14 of the Los Rincones Subdivision with a variance for a driveway setback at 1906 Yaupon Valley Road. (Chapter 36 and Section 22.03.281 of the West Lake Hills Code.) Applicant Rhett Hoestenbach.
  - a. Staff Briefing.
  - b. Presentation by applicant.
  - c. Public Hearing: All persons wishing to speak for or against shall be heard.
  - d. Deliberation and action.  
(Dual Action Required: Board of Adjustment for the driveway setback variance, City Council for the Plat).

**Item was moved to consent agenda.**

5. Land Use: Request for multiple variances (encroachment into a front and a side building setback; height of a building over 32 feet; and removal of two Cedar trees larger in diameter than 14 inches (18 inch cedar and 14 (10 inch and 8 inch multi-trunk) inch cedar) for the construction of a new residence at 6 Nob Hill. (Sections 22.03.281, 22.03.279 and 22.03.304 of the West Lake Hills Code.) Applicants Jon Luce and Tom Kite.
  - a. Staff Briefing. **City Planner Ashby Grundman told BOA that ZAPCO voted 4-2, in favor of the requests. The two who voted against the project were concerned about the side setback encroachments.**
  - b. Presentation by applicant. **Applicant Jon Luce explained that the hardship is the terrain on the lot. He then briefly explained the requested variances and the proposed buildings minimization.**
  - c. Public Hearing: **Tom Walters neighbor that shares a fence line in the questioned side setback, shared that he is in favor of all four requested variances. This is a hardship lot. The trees are located only where a house can be built. It is a minimally sized house and the only way to make it livable is to stretch into one of the side variances. He lives on the side and has looked very close at this. He has measured the triangle of encroachment. It is of zero consequence to him, as a neighbor. He plans on living there the rest of his life. Felt that these requests represent minimal variances necessary to allow residential construction on this difficult hardship lot, while respecting the city's charter. The owner and builder team have repeatedly demonstrated the vision of Westlake in their previous properties and development project. He asked Council to allow them to continue to demonstrate their zeal, by approving the four variances for the project.**
  - d. Deliberation and action.  
(Dual Action Required: Board of Adjustment of the setback and height variances, City Council on the tree variances).

BOA members, except BOA Member Graham, agreed that this project is exactly the kind that they want in West Lake Hills. The variances are in the spirit of the Master Plan and ordinance. BOA Member Graham opposed based on his principle issue with the height.

BOA MEMBER PLUNKETT MOTIONED TO APPROVE ALL OF THE REQUESTED VARIANCES, EXCEPT THE TREE VARIANCES. BOA MEMBER O'CONNOR SECONDED THE MOTION AND IT PASSED BY 5-1 VOTE. BOA MEMBER GRAHAM OPPOSED.

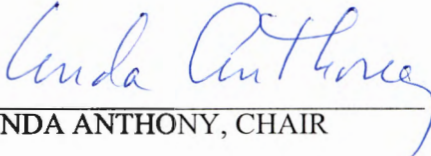
6. Land Use: Request for a variance reducing the fire flow requirement for 309 Buckeye Trail. (Chapter 8, Article 8.04 of the West Lake Hills Code.)
  - a. Staff Briefing. City Planner Ashby Grundman explained that the actual variance request is to allow the applicant an additional 3.5% reduction in the required fire flow. ZAPCO recommended approval, vote 6-0.
  - b. Presentation by applicant. Applicant Travis Young, explained that while investigating the remodel options, they discovered the new fire code required a certain amount of fire flow for the size of the house. Mr. Young also described the proposed mitigating options to reduce the fire flow requirement.
  - c. Public Hearing: No one spoke.
  - d. Deliberation and action.

BOA Members asked the applicant to reconsider the design to decrease the square footage of the house and review other mitigation options.

Item was postponed.

7. Adjourned by Chair Linda Anthony at 8:16 p.m.

Certificate

  
LINDA ANTHONY, CHAIR

Attest:

  
LACIE HALE, CITY SECRETARY

