

MINUTES OF BOARD OF ADJUSTMENT (BOA)  
REGULAR MEETING  
CITY OF WEST LAKE HILLS, TEXAS  
Wednesday, September 14, 2016  
7:00 p.m.

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

**ABSENT: None.**

1. **Called to Order by Chair Linda Anthony 7:05 PM suspended at 7:50 p.m., recovened at 7:55 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 June 8, 2016 Regular Meeting Minutes. City Secretary Lacie Hale.

**BOA MEMBER WALKER MOTIONED TO APPROVE THE CONSENT AGENDA. BOA MEMBER O'CONNOR SECONDED THE MOTION AND IT PASSED BY 6-0 VOTE.**

3. **Land Use:** Variance to allow an accessory structure in the front setback at 914 Terrace Mountain Drive. (22.03.276 of the West Lake Hills Code.) Applicant representative Shaney Clemmons.
  - a. Staff Briefing. Mayor Anthony gave briefing that this project went before ZAPCO and has been slightly amended. **City Planner Ashby Grundman gave briefing that ZAPCO recommended approval 4-0.**
  - b. Presentation by applicant. Applicant Shaney Clemmons explained that they are requesting two variances. One is to allow a guard rail in the 30 foot setback and the second is to allow for another section of the guard rail to be in the right of way. They recognized the hardships to be a safety concern for the residents children and also a visual cue for motorists.
  - c. **Public Hearing: No one spoke.**
  - d. Deliberation and action.  
**BOA questioned the apparence of the guard rail. They agreed that safety is an issue.**

**BOA MEMBER O'CONNOR MOTIONED TO APPROVE THE REQUESTED VARIANCES. BOA MEMBER WALKER SECONDED THE MOTION AND IT PASSED BY 6-0 VOTE.**

4. **Land Use:** Request for a Plat Vacation of Pledger Addition with a variance at 1007 Madrone Road. (Sections 22.03.281 and 36.01.004(f) of the West Lake Hills Code.) Applicant Jim Pledger.
  - a. Staff Briefing. **City Planner Ashby Grundman gave briefing that ZAPCO recommended denial because of the lack of hardship.**
  - b. Presentation by applicant. Applicant Jim Pledger purchased two lots in 1989. They would like to separate the lots to how they were when the Pledger's purchased them in 1989. They have filed a subsequent applicant because the

smaller lot is smaller than an acre. He has spoke with the neighbors that are most likely impacted. Their responses have been positive.

- c. Public Hearing:  
Tom Mooney shared that he is against this request, and there are neighbors that are not for it.

Julia Harris of 1102 Black Acre Trail agreed with Mr. Mooney.

- d. Deliberation and action.  
(Note: This item requires dual action. BOA action on the variance request. Council action on the plat vacation.)

BOA expressed confusion on what neighbors were for it and against it.

**BOA MEMBER GRAHAM MOTIONED TO DENY THE VARIANCE REQUEST FOR LOT SMALLER THAN 1 ACRE, DUE TO THE LACK OF THE HARDSHIP. BOA MEMBER PLUNKETT SECONDED THE MOTION AND IT PASS ED BY 5-1 VOTE. BOA MEMBER O'CONNOR OPPOSED.**

5. Land Use: Request for variances to replace an existing retaining wall within a front building setback and the removal of four trees with a trunk diameter of 14 inches or greater at 802 Canyon Creek Drive. (Sections 22.03.276 and 22.03.304 of the West Lake Hills Code.) Applicants Jim DeCosmo and Cindy Hendricks.
- a. Staff Briefing.
- b. Presentation by applicant. Applicant Jim DeCosmo shared the proposed changes of the project. The retaining wall crosses into the 50 foot setback. The hardship is that they are location locked on what can be done with the retaining wall.
- c. Public Hearing: No one spoke.
- d. Deliberation and action.  
(Note: This item requires dual action. BOA action on the non-tree variance. Council action on the tree variances.)

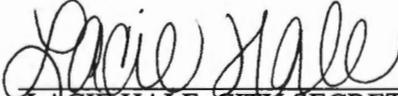
**BOA MEMBER WALKER MOTIONED TO APPROVE THE REQUESTED VARIANCES FOR THE RETAINING WALL AND ENCROACHMENT. BOA MEMBER GRAHAM SECONDED THE MOTION AND IT PASSED BY 6-0 VOTE.**

6. Adjourned by Chair Linda Anthony at 8:20 pm.

Certificate

  
LINDA ANTHONY, CHAIR

ATTEST:

  
LACIE HALE, CITY SECRETARY

