

MINUTES OF ZONING AND PLANNING COMMISSION  
PUBLIC HEARINGS AND REGULAR MEETING  
CITY OF WEST LAKE HILLS, TEXAS  
April 18, 2018  
6:30 P.M.

PRESENT: ZAPCO Chairman Robert Meisel, Vice-Chairman Les Gage, Commissioners Kathy Tullos, Rhett Hoestenbach, Bill Vandersteel, Sarah Swanson and Laurie Maccini

ABSENT: None

1. Call to Order. Chairman Robert Meisel.

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

**Commission goes to Executive Sessions at 6:32 p.m.**

**Commission returns from Executive Session at 6:43 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 March 21, 2018 Regular Meeting Minutes.
  - b. Request to Postpone. Proposed Amendment to a Planned Development District Agreement for Trinity Episcopal School at 3901 Bee Cave Road. (Article 38.06 of the West Lake Hills Code.) Applicant David Hartman.

**CHAIRMAN MEISEL PULLS APPROVAL OF THE MARCH 21, 2018 MINUTES FROM THE CONSENT AGENDA.**

**VICE-CHAIRMAN GAGE MOVES TO APPROVE. COMMISSIONER TULLOS SECONDS. UNANIMOUS (6-0) APPROVAL.**

**COMMISSIONER SWANSON PROPOSES CHANGES WITHOUT READING THEM OUT. IT WOULD PROBABLY BE FASTER.**

**Chairman Meisel: For the record, there has been a written amendment to the meeting minutes submitted by Commissioner Swanson. Anybody have a problem including that? Anybody need more time to review it?**

**Commissioner Swanson: It would replace those areas of the minutes. I think it would be clearer.**

**COMMISSIONER TULLOS MOVES TO ACCEPT THE AMENDMENTS TO THE MINUTES. VICE-CHAIRMAN GAGE SECONDS. UNANIMOUS (6-0) APPROVAL.**

**COMMISSIONER MACCINI MOVES TO APPROVE THE MINUTES AS AMENDED. COMMISSIONER HOESTENBACH SECONDS. UNANIMOUS (6-0) APPROVAL.**

3. Land Use: Variance request to exceed maximum allowed impervious cover for renovations to an existing deck at 102 West Spring Drive. (Section 22.03.281 of the West Lake Hills Code.) Applicant Douglas Kurtz.

- a. Staff Briefing.

**City Planner Grundman:** This is a request for an impervious cover variance. They are currently at 44.1% which is over the 37.42% allowed by code because they have a smaller lot and are connected to sewer. They've got two options proposed in your packets. One is to have a covered deck which would increase the impervious cover up 3% to 47%. The other option is to do an uncovered deck which would increase the impervious cover less than a 10<sup>th</sup> of a percent. It's an existing deck. They are reconfiguring it and reworking it a little bit with a small addition for a walkway.

**Chairman Meisel:** You've left staff recommendations for both. Which one do you recommend?

**City Planner Grundman:** Both.

- b. Presentation by applicant.

Douglas Kurtz is present. This is a removal and replacement almost board for board for an existing deck first. It's 11 square feet more for a stairwell down to a pool that is more suitable for an elderly person so it would be 5' wider, so that would be 11 square feet more than what is there now. That is the first proposal. The second one is because it's over a wooden deck, the owner is requesting that we could put a shed roof above for the blockage of sun. This deck had been built by the new owner 25 years ago when he was nine years old with his dad. He already had the pool and the deck was failing. The framing underneath was deteriorating. The deck is gone for safety reasons. He bought it from his grandmother's estate who passed away about three months ago, is my understanding. It's clearly over the impervious coverage. The reason why I applied is because the first one is a removal and replacement. It has somewhat of a safety factor so that his aunt can get down the stairs to the pool. The second part is more luxury for applying for a shade. My client is requesting for those reasons.

- c. Public Hearing: All persons wishing to speak for or against shall be heard.

**Chairman Meisel closes the Public Hearing and reconvenes the meeting.**

- d. Deliberation and action.

**Chairman Meisel:** There is an existing stairway or there was a stairway from the deck to the pool?

**Douglas:** They were walking around. The terrain is too much to handle. She's a part time visitor.

**Commissioner Hoestenbach:** The staircase has been proposed is actually going to be built out over existing impervious cover?

**Douglas:** It will 2 1/3 foot.

**Commissioner Hoestenbach:** That's the space between the deck and the retaining wall and that's where you can up with the 11 feet?

**City Planner Grundman:** Wood deck is 50%.

**Commissioner Vandersteel:** In terms of the impervious cover the roof puts on, is this deck faces north, if you just cut back the edge by 40% then the angle of the sun would give you shade over most of the deck. It might not need to be this big. It might look nicer and feel nicer.

**Commissioner Tullos:** About the pool equipment and A/C pad, do we need to do anything with those? They look pretty close the property line?

**City Planner Grundman:** You're not touching the pool?

**Douglas:** No.

**Commissioner Tullos:** Nothing to the pool equipment?

**Douglas:** Just as existing.

**Commissioner Hoestenbach:** I was little confused. There is 270 additional sq. ft. that is being added that's if you put on the roof or is that without the roof? The deck has been removed?

**Douglas:** It had fallen.

**Commissioner Hoestenbach:** How do you know you're putting it back exactly has it was previously?

**Douglas:** I have pictures.

**Commissioner Hoestenbach:** I was looking for a photograph. This is a photograph of pre-existing.

**Commissioner Tullos:** Our ordinances require for a variance needs to show a hardship. I get shade in summer, I don't know if that rises to the level of hardship. Is there any way to shade part of the deck? Maybe make it little bit smaller than the original. You have some to give back. I'm having a hard time seeing the hardship.

**Commissioner Swanson:** The owner is how old?

**Commissioner Hoestenbach:** You've demonstrated the hardship on the stairs. If we're going to make a recommendation on that we need to bless the roof.

**Douglas:** I don't see the implication of the water. What about water collection?

**Commissioner Hoestenbach:** You're adding more impervious cover.

**Douglas: I can put the rain barrels there on existing walkway.**

**Commissioner Tullos: I don't know if our ordinances give you that type of trade off.**

**Vice-Chairman Gage: He's asking for the deck with or without the roof. For me, without the roof.**

**Commissioner Vandersteel: There are other options.**

**Commissioner Maccini: Talking about the roof, do you need a canvas cover, does that have to be permitted?**

**Commissioner Tullos: That look like sails.**

**Commissioner Maccini: That doesn't have to be permitted?**

**VICE-CHAIRMAN GAGE MOVES TO APPV THE DECK WITHOUT HTHE ROOF AND WITH THE STAIRS. COMMISSIONER SWANSON SECONDS. THE HARDSHIP IS EXPECTATION TO REPLACE AND MAINTAIN. OPTION ONE IS LEAST INTRUSIVE. UNANIMOUS (6-0) APPROVAL.**

4. Land Use: Commercial Site Plan Amendment and Building Permit for new outdoor lighting in a parking lot for Independent Bank at 101 Westlake Drive. (Section 24.03.003 of the West Lake Hills Code.) Applicant Mike Heins.

- a. Staff Briefing.

**City Planner Grundman: They are requesting lot lights with the new ordinance requiring commercial lighting go through the process. It conforms to code.**

**Commissioner Hoestenbach: They have blue dots. Are these the 15' the places, there are four?**

**City Planner Grundman: Yes.**

- b. Presentation by applicant.

**Mike is with Fox Service Company. Currently the only lighting is a drive through canopy and some under the walkway. In the parking lot they have 2 or 3 small low landscape lights. Other than that. They are worried about life safety. When it gets dark they have tenants that operate after dark. All the lighting meets current ordinance. The poles and fixtures are going where they are at. We're not having to worry about trimming trees. That the basis of the project.**

- c. Public Hearing: All persons wishing to speak for or against shall be heard.

**Chairman Meisel closes the Public Hearing and reconvenes the meeting.**

- d. Deliberation and action.

**Commissioner Vandersteel: Most of the light are under the trees. I like the design of the fixtures. You're getting double duty there. They will shut off at 11:00 so they won't burn all night.**

**COMMISSIONER VANDERSTEEL MOVES TO RECOMMEND APPROVAL. APPR. COMMISSIONER TULLOS SECONDS. UNANIMOUS (6-0) APPROVAL.**

5. Adjournment by Chairman Robert Meisel.

**Chairman Meisel adjourns the meeting at 7:06 p.m.**