



**TOWN OF WESTLAKE, TEXAS  
ZONING BOARD OF ADJUSTMENT**

**AGENDA**

**AUGUST 22, 2016**

**WESTLAKE TOWN HALL  
1301 SOLANA BLVD., BLDG. 4  
SUITE 4202, 2<sup>ND</sup> FLOOR  
COUNCIL CHAMBERS**

**5:00 P.M.**

- 1. CALL TO ORDER**
- 2. DISCUSS AND CONSIDER APPROVAL OF THE MINUTES FROM THE OCTOBER 28, 2013, MEETING.**
- 3. CONDUCT A PUBLIC HEARING REGARDING AN VARIANCE APPLICATION FOR AN EXEMPTION FROM THE REAR YARD SETBACK REQUIREMENTS FOR A PROPOSED SINGLE FAMILY RESIDENCE LOCATED AT 1847 BROKEN BEND IN THE GLENWYCK SUBDIVISION.**

#### **4. ADJOURNMENT**

#### **CERTIFICATION**

I certify that the above notice was posted at the Town Hall of the Town of Westlake, 1301 Solana Blvd., Bldg. 4, Ste. 4202, Westlake, Texas 76262, by August 18, 2016, by 5:00 p.m. under the Open Meetings Act, Chapter 551 of the Texas Government Code.

---

Kelly Edwards, Town Secretary

If you plan to attend this public meeting and have a disability that requires special needs, please advise the Town Secretary 48 hours in advance at 817-490-5710 and reasonable accommodations will be made to assist you.



**MINUTES OF THE  
TOWN OF WESTLAKE  
ZONING BOARD OF ADJUSTMENT**

**October 28, 2013**

**PRESENT:** Chairman Carol Langdon, Board Members: Michael Barrett, Rick Rennhack, Clif Cox, Wayne Stoltenberg and Alternate Laura Wheat.

**ABSENT:**

**OTHERS PRESENT:** Town Manager Tom Brymer, Assistant to the Town Manager Amanda DeGan, Town Secretary Kelly Edwards, and Planning and Development Director Eddie Edwards.

**1. CALL TO ORDER**

Chairman Langdon called to order at 5:12 p.m.

**2. DISCUSS AND CONSIDER APPROVAL OF THE MINUTES FROM THE  
SEPTEMBER 16, 2013, MEETING.**

**MOTION:** Member Wheat made a motion to approve the minutes. Member Rennhack seconded the motion. The motion carried by a vote of 5-0.

**3. CONDUCT A PUBLIC HEARING REGARDING AN APPLICATION FOR A VARIANCE FOR AN EXEMPTION FROM THE MINIMUM MASONRY REQUIREMENTS FOR A PROPOSED SINGLE FAMILY RESIDENCE TO BE LOCATED AT 5939 MAHOTEA BOONE TRAIL; CARPENTER ADDITION, LOT 10.**

Planning and Development Director Edwards provided an overview of the request.

Chairman Langdon introduced the item and opened the public hearing.

Mr. Skip Blake, Architect, provided a drawing of the home showing the proposed modifications keeping the same look and feel of the current structure.

Chairman Langdon closed the public hearing.

**MOTION:** Member Rennhack made a motion to approve the request based on the meeting the criteria outline for a variance. Member Cox seconded the motion. The motion carried by a vote of 5-0.

**4. ADJOURNMENT**

There being no further business to come before the board, Chairman Langdon asked for a motion to adjourn.

**MOTION:** Member Rennhack made a motion to adjourn. Member Stoltenberg seconded the motion. The motion carried by a vote of 5-0.

Chairman Langdon adjourned the meeting at 5:18 p.m.

**Approved by the Zoning Board of Adjustment on August 22, 2013.**

ATTEST:

\_\_\_\_\_  
Chairman

\_\_\_\_\_  
Kelly Edwards, Town Secretary

# **Westlake Zoning Board of Adjustments**



## TYPE OF ACTION

Regular Meeting - Action Item

## **Westlake Zoning Board of Adjustments Monday, August 22, 2016**

**TOPIC:** Conduct a Public Hearing and consider an application for a variance to Article IV. – District Development Standards, Section 102-124, Residential development standards. Figure 2 Westlake Development Standards Chart.

**STAFF CONTACT:** Eddie Edwards, Director of Building Services

### Strategic Alignment

<u>Vision, Value, Mission</u>	<u>Perspective</u>	<u>Strategic Theme &amp; Results</u>	<u>Outcome Objective</u>
Mission: Westlake is a unique community blending preservation of our natural environment and viewsapes, while serving our residents and businesses with superior municipal and academic services that are accessible, efficient, cost-effective, & transparent.	Municipal & Academic Operations	High Quality Planning, Design & Development - We are a desirable well planned, high-quality community that is distinguished by exemplary design standards.	Preserve Desirability & Quality of Life
<b><u>Strategic Initiative</u></b>			
Outside the Scope of Identified Strategic Initiatives			

**Time Line - Start Date:** July 7, 2016      **Completion Date:** August 22, 2016

**Funding Amount:** 0      **Status -**  **Not Funded**      **Source -** N/A

### EXECUTIVE SUMMARY (INCLUDING APPLICABLE ORGANIZATIONAL HISTORY)

The granting of the requested variance will allow the proposed additions to be constructed closer to the rear property line than allowed by ordinance. The existing home has built on a lot that is shaped differently than the other lots in the subdivision due to the floodplain boundaries that existed when the property was platted.

Code of Ordinances Section being referenced:

Sec. 102-124. - District development standards.

- (a) District development standards chart.
- (1) The district development chart in Figure 2 sets out standards for density, minimum building area, building height, minimum setbacks from property lines, required landscaping, requirement for site plan approval, and requirement for submission of a development schedule.
- (2) Front yard setbacks are required in all instances where a property line abuts a street right-of-way.
- (3) The chart shall establish the minimum requirements for these elements except as otherwise provided in this article.

FIGURE 2  
WESTLAKE DISTRICT DEVELOPMENT STANDARDS CHART

	District	Density		Minimum Principal Building Area	Height	*Lot Width Bldg. Line	Minimum Setbacks			
		Minimum Lot Size	u/a, FAR				Front	Rear	Side	Side Paving
R-5	Country Residential (5 ac.)	217,800 s.f.	1 u/a	2,000 s.f. bldg. min.	2.5 st/35'	200	<u>50</u>	<u>50</u>	30	
R-2	Rural Residential (2 ac.)	87,120 s.f.	1 u/a	2,000 s.f. bldg. min.	2.5 st/35'	150	<u>50</u>	<u>50</u>	25	
R-1	Estate Residential (1 ac.)	43,560 s.f.	1 u/a	1,800 s.f. bldg. min.	2.5 st/35'	125	40	40	20	
R-O.5	Neighborhood Residential (.5 ac.)	21,780 s.f.	1 u/a	1,500 s.f. bldg. min.	2.5 s.t./35'	100	35	35	15	
RA	Residential Airpark	43,560 s.f.	1 u/a	1,800 s.f. bldg min	2.5 st/35'	125	40	40	20	

Legal information regarding granting/denying a variance:

Texas Local Government Code

§ 211.009. AUTHORITY OF BOARD. (a) The board of adjustment may:

- (1) hear and decide an appeal that alleges error in an order, requirement, decision, or determination made by an administrative official in the enforcement of this subchapter or an ordinance adopted under this subchapter;
- (2) hear and decide special exceptions to the terms of a zoning ordinance when the ordinance requires the board to do so;
- (3) authorize in specific cases a variance from the terms of a zoning ordinance if the variance is not contrary to the public interest and, due to special conditions, a literal enforcement of the ordinance would result in unnecessary hardship, and so that the spirit of the ordinance is observed and substantial justice is done; and

Code of Ordinances

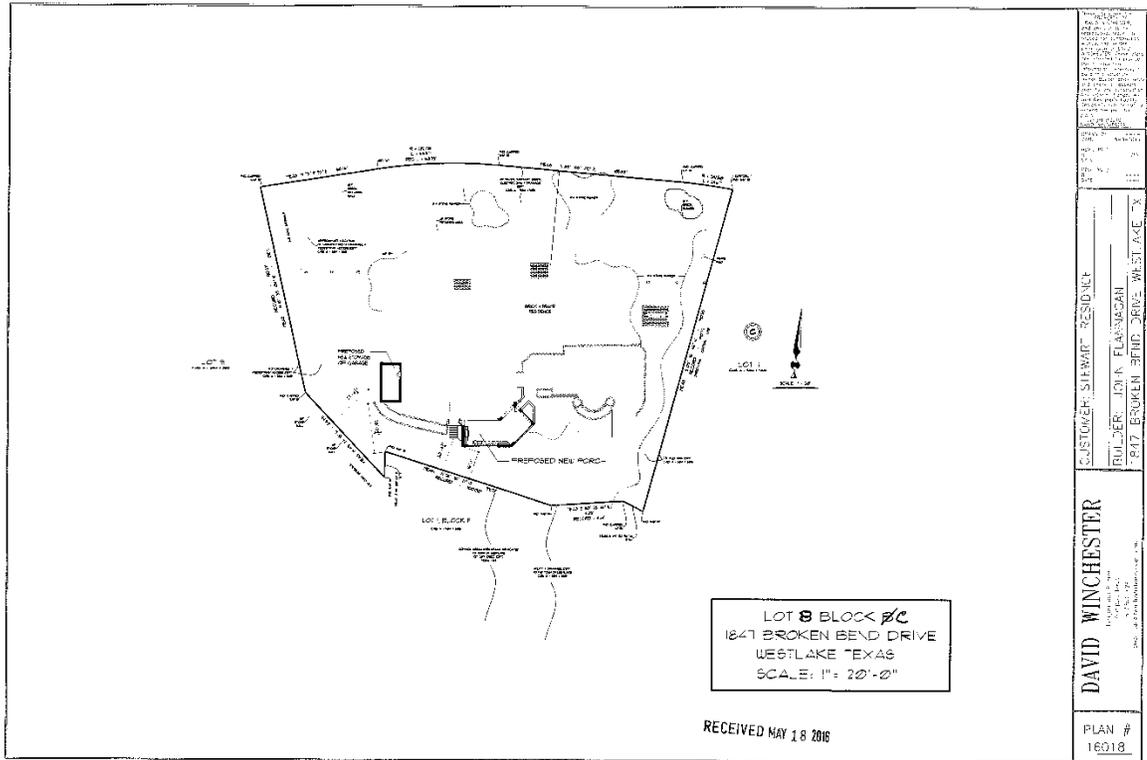
Sec. 26-68. Board of adjustment.

(a) Organization. The board of aldermen shall sit as the board of adjustment for the purposes of this section.

(d) Criteria for granting variances. The board of aldermen, acting as the town's board of adjustment, pursuant to the powers conferred upon it by state law, the ordinances of the town, and this division may grant variances to the provisions of the UDC upon finding that:

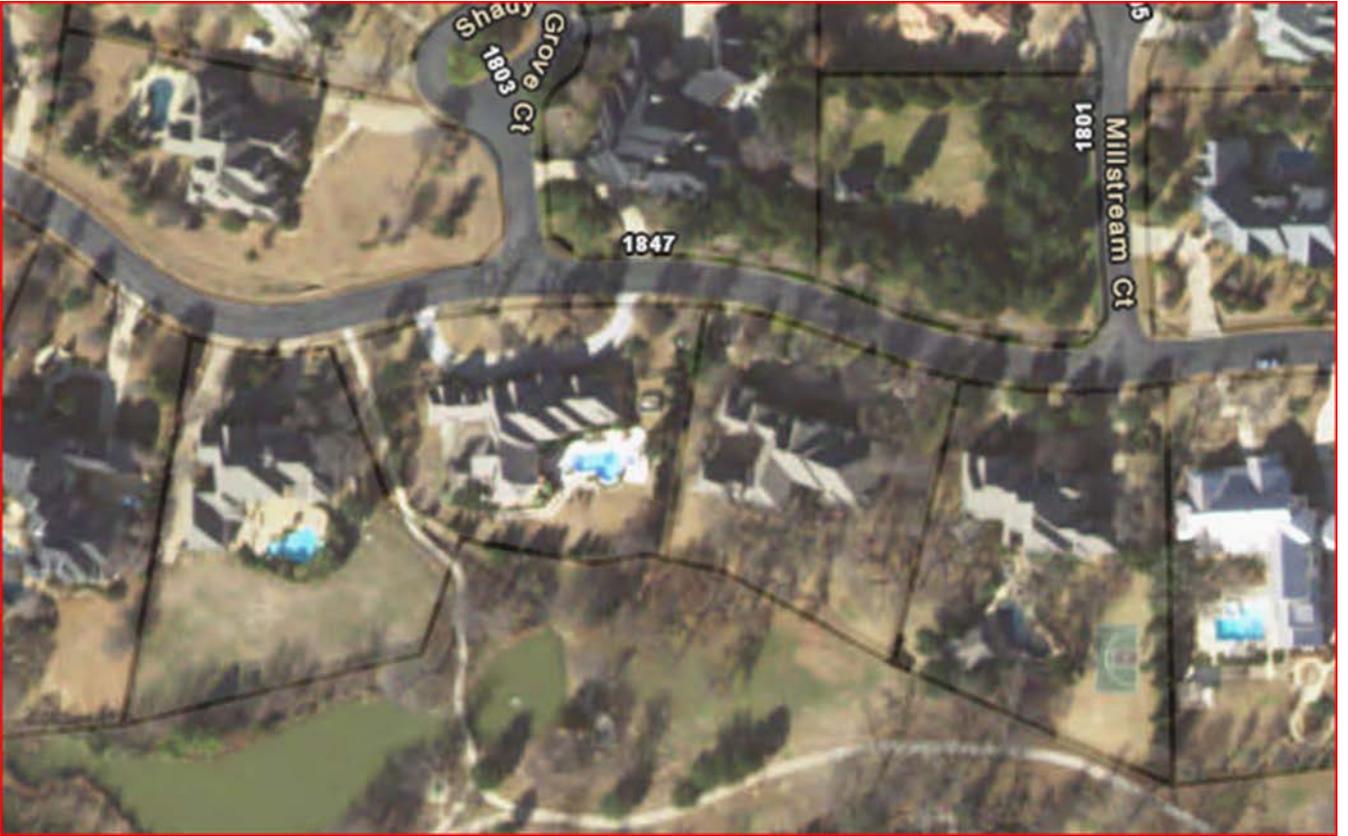
- (1) Such variance will not substantially or permanently injure the appropriate use of adjacent property in the same district;
- (2) Such variance will not adversely affect the health, safety or general welfare of the public;
- (3) Such variance will not be contrary to the public interest;
- (4) Such variance will not authorize the operation of a use other than those uses specifically authorized for the district in which the property for which the variance is sought is located, except as provided in subsection (c) of this section;
- (5) Such variance will be in harmony with the spirit and purpose of the UDC;
- (6) Such variance will not alter the essential character of the district in which is located the property for which the variance is sought;
- (7) Such variance will not substantially weaken the general purposes of the zoning regulations established for the district in which the property is located;
- (8) Due to special conditions, a literal enforcement of the UDC would result in unnecessary hardship;
- (9) The plight of the owner of the property for which the variance or exception is sought is due to unique circumstances existing on the property, including but not limited to the area, shape or slope, and the unique circumstances were not created by the owner of the property and are not merely financial, and are not due to or the result of general conditions in the district in which the property is located;
- (10) The variance or exception is not a self-created hardship; and

(11) The variance is clearly identified as a variance to the town's standards on the concept plan, site plan or text of chapter 102.



1847 BROKEN BEND DR. / OUTDOOR ADDITION #16-0181







**RECOMMENDATION**

Staff recommends approval of the variance requested.

**ATTACHMENT**

---

# Zoning Board of Adjustment

---

Item # 4 – Adjournment  
Regular Session

---

Back up material has not  
been provided for this  
item.

---