

LAKEWAY CITY BUILDING COMMISSION

MINUTES OF REGULAR MEETING

October 25, 2012 at 9:00 A.M.

Members present: Anderson, Petter, Aldrich, Benasutti, Vories, and Wilsey

Members absent: Hagedorn and Powell

Council Representative present: Wallace

Staff present: Anderson, Buckovinsky

Continuing on site visits: Anderson, Petter, Aldrich, Benasutti, Vories, and Wilsey

Minutes of 10/11/12: Motion by Petter/Benasutti to approve the minutes as written

Passed Unanimously

805 Challenger, (LW-4/583):

VARIANCE: IRON FENCE IN 25' FRONT SETBACK

Applicant: Keith Trecker, present

CBC: 10/25/12

The CBC reviewed a request from Keith Trecker, the owner of the above referenced property, for a variance of the Lakeway Code of Ordinances to construct a yard fence within the 25-foot street-side setback facing Sunfish on 10/11/12. Because the commission wanted a stake placed on the property line and a string line run along the 25' building set to identify these benchmarks, the CBC tabled their decision until this meeting.

Chairman Anderson opened the public hearing and recessed the meeting until it could be reconvened on site at 10:30 a.m.; there was no one to speak for or against the variance request.

Present on site:

CBC Members: Jim Anderson, Chuck Petter, Ken Aldrich, Joe Benasutti, Dave Vories and Rick Wilsey

City Staff: Sally Buckovinsky and Troy Anderson

Council Representative: Dennis Wallace

Applicant: Keith Trecker

The meeting reconvened on public property at 10:30 a.m. The public hearing was re-opened. Chairman Anderson closed the public hearing without input from the public.

Aldrich made a motion to approve an encroachment of 17.5 feet into the 25-foot street-side setback because the impact on the streetscape is negligible.

The motion was seconded by Petter.

The vote was Aldrich/Petter/Benasutti/Vories/Wilsey for the motion.

The motion was opposed by Anderson.

The motion carried 5-1.

115 Sebastian's Run, (R@AV/E/21A):

WAIVER REQUEST: FROM OBTAINING HEIGHT FOR A DECK EXTENSION

Applicant: Wright Homes of Austin

CBC: 10/25/12

The applicant requested that the CBC consider a waiver request from the requirement that the CBC establish a maximum height elevation for each lot on which an addition is to be built. The applicant does not believe that any view will be blocked by the proposed second story deck extension because the ridge line of the house is much higher.

The determination was deferred until the CBC could visit the site.

Following a site visit, Aldrich made a motion to approve the waiver as requested because view blocking was determined not to be an issue. Vories seconded the motion.

Passed Unanimously

301 Malabar, (LW-12/1302):

FINAL C.O.

Permit #11001447

Applicant: Griffin Custom Homes

CBC: 10/25/12

A Final Certificate of Occupancy was issued with no conditions.

601 RR 620 S., (CH-3/17A):

DISCUSSION: CONSIDER A CODE AMENDMENT

Applicant: Abercorn International School

CBC: 10/25/12

The CBC was presented with a request to consider recommending approval of a municipal code amendment to Section 30.03.015 District GUI (Governmental, Utility and Institutional) regulations pertaining to height regulations and determinations. This was first discussed at the meeting of 10/11/12, but was tabled to allow further time to consider the proposal.

The request is related to the Abercorn International School; they are planning an addition to their existing location but the proposed addition exceeds the maximum height allowance of thirty-two feet above highest natural grade under slab.

The CBC asked Staff to expand height determinations for both GUI and C-1 zoned properties either in or adjacent to the VPCO (View Protection Conditional Overlay) district.

Wilsey made a motion to recommend that Staff revise the language of the proposal and provide it for review at the next CBC meeting. The motion was seconded by Benasutti.

The vote was Wilsey/Benasutti/Anderson/Petter/Aldrich/Vories for the motion.

The motion was unopposed.

The motion carried 6-0.

704 Bermuda, (LW-5/687):

HEIGHT DETERMINATION:

Applicant: Terra Prime Partners, LLC, Andrew Pearce present

CBC: 10/25/12

The CBC reviewed a request for a height of 28 feet, 6 inches above the electric transformer pad located at the left front corner of the lot (36'-6" above the highest natural grade under slab).

The requested height exceeds the maximum allowed by code and the applicant has applied for a variance. Rather than submitting the request for a variance to the CBC as has been customary, because of a change when the codes were codified in 2011, the variance request for the additional height above 32 feet is now a variance of the zoning regulations and all variances to the provisions of the zoning chapter are heard by the Board of Adjustment (BOA). The CBC have been asked to make a determination on the requested height before BOA considers the variance because if view blocking is determined to be an issue, the height that the CBC grants will be less than 32 feet above highest natural grade under slab which will impact the variance request in terms of the number of feet in excess of the 32 feet maximum.

Chairman Anderson opened the public hearing; John Hoopingarner spoke in support of the height request. Chairman Anderson recessed the public hearing until the CBC could meet on site at 11:00 am without any further public input.

Present on site:

- CBC Members: Jim Anderson, Chuck Petter, Ken Aldrich, Joe Benasutti, Dave Vories and Rick Wilsey
- City Staff: Sally Buckovinsky and Troy Anderson
- Council Representative: Dennis Wallace
- Applicant: Andrew Pearce

The meeting reconvened on site at 11:00 am. Chairman Anderson re-opened the public hearing in the right-of-way in front of 704 Bermuda and closed it as there was no one present to speak for or against the request.

Petter made a motion that view blocking is not an issue and therefore a height of 32 feet above highest natural grade under slab is approved. Wilsey seconded the motion. The applicant will need to obtain a variance for any height in excess of this approval from the Board of Adjustment.

The vote was Petter/Wilsey/Anderson/Aldrich/Benasutti/Vories for the motion.

The motion was unopposed.

The motion carried 6-0.

104 Stone Shadow, (RH-7/A/9):

FINAL C.O.

Permit #10001134

Applicant: Sterling Homes

CBC: 10/25/12

A Final Certificate of Occupancy was issued with no conditions.

RAINWATER COLLECTION TANKS

DISCUSSION: CONSIDER A CODE AMENDMENT

CBC: 10/25/12

The CBC was presented with a request to discuss rainwater collection and distribution systems and a determination needs to be made as to which aspects of rainwater harvesting systems the City of Lakeway wants to regulate such as size and height limitations, location and screening requirements.

The commission indicated that they would like to limit the height of the tanks to 5 feet with a requirement for tank screening that is constructed of wood or masonry fencing that is 1 foot higher than the top of the tank (6 feet). The CBC suggested that we also include a requirement that the local water district be contacted.

BDS Manager, Troy Anderson, indicated that he would do a little more research and when he has prepared a more formal code amendment that includes the direction that was given by the CBC today, it will be brought back to the CBC for consideration.

801 Bermuda, (LW-5/600):

HEIGHT DETERMINATION:

Applicant: John & Judy Hoopingarner, both present

CBC: 10/25/12

The CBC reviewed a request for a height of 35 feet, 8-7/16 inches above the water meter at the northwest corner of the lot (25'-0" above the highest natural grade under slab).

This height request was originally reviewed by the CBC on 8/23/12 but was tabled until additional poles could be erected to establish the proposed roof line and until the height was lowered and the height of the ridge poles was verified by a licensed surveyor.

Chairman Anderson opened the public hearing public hearing. Sue Collyer-Potter, representing the new owners of the property at 802 Sunfish, was present to share some concerns regarding the request. Janet Hobbs, designer for the Hoopingarner's, clarified some facts. There was no one else to speak for or against the height request. Chairman Anderson recessed the public hearing until the CBC could meet on site at 11:30 am.

Present on site:

- CBC Members: Jim Anderson, Chuck Petter, Ken Aldrich, Joe Benasutti, Dave Vories and Rick Wilsey
- City Staff: Sally Buckovinsky and Troy Anderson
- Council Representative: Dennis Wallace
- Applicants: John & Judy Hoopingarner
- Applicant's Representative: Janet Hobbs
- Interested Parties: Sue Potter
Tommy Cokins

The meeting reconvened on site at 11:36 am. The CBC and all others present went to 802 Sunfish to ascertain the view concerns and then gathered in the right-of-way where Chairman Anderson re-opened the public hearing. Sue Potter stated that the new owner of 802 Sunfish can "live with" the proposed height on the condition that the trees are trimmed when they grow to a point that they block the view of the lake. The commission stated that no such condition could be attached to their motion. Chairman Anderson closed the public hearing as there was no one else present to speak for or against the request.

Petter made a motion that view blocking is not an issue and therefore the requested height is approved. Wilsey seconded the motion.

The vote was Petter/Wilsey/Anderson/Aldrich/Benasutti/Vories for the motion.

The motion was unopposed.

The motion carried 6-0.

106 Cheerful Court, (LW-28IV/3868A):

FINAL C.O.

Permit #09000731

Applicant: Kevin Krupa Construction

CBC: 10/25/12

A Final Certificate of Occupancy was **denied** for the following reason:

- ◆ Roof pipes and chimney top needs to be painted.

203 Glenfiddich, (LW Highlands-2/1/A/66):

FINAL C.O.

Permit #12000354

Applicant: Standard Pacific Homes

CBC: 10/25/12

A Final Certificate of Occupancy was issued with no conditions.

114 Los Altos, (LW-26/2823):

DETERMINATION: 2" – 3" ROCKS IN ROW

Applicant: Greenscapes Landscape

CBC: 10/25/12

The CBC reviewed a request to allow 2"-3" rocks to be placed in the right-of-way in front of the home that is under construction. The landscape plan is in the final stages of design and it includes rocks in the right-of-way because the area is not suitable for grass because of a steep slope. The Code of Ordinances states that gravel, stones, and rocks are not permitted in the city's rights-of-way without specific approval of the CBC.

The CBC deferred their decision until they could visit the property.

Following a site visit, the CBC approved the request for the rocks in the right-of-way. The motion was made by Aldrich, seconded by Vories.

Passed Unanimously

108 Reflection Bay, (FR@HC-3/140):

FINAL C.O.

Permit #11001373

Applicant: Prominence Homes

CBC: 10/25/12

A Final Certificate of Occupancy was issued with no conditions.

15206 Dorothy Drive, (CH-4A/103):

FINAL C.O.

Permit #11001296

Applicant: Meritage Homes

CBC: 10/25/12

A Final Certificate of Occupancy was issued with no conditions.