

# LAKEWAY CITY BUILDING COMMISSION

## MINUTES OF REGULAR MEETING

**November 15, 2012 at 9:00 A.M.**

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

**Members absent:** Hagedorn

**Council Representative present:** Wallace

**Staff present:** Buckovinsky, Blaine and Anderson

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

**Minutes of 10/25/12:** Motion by Petter/Benasutti to approve the minutes as written

Passed Unanimously

**416 Indianwood Drive, (FR@HC-3/163):                      VARIANCE: IRON FENCE IN DRAINAGE EASEMENT**

Applicant: Prominence Homes, Bryan Rome present

CBC: 11/15/12

The CBC reviewed a request from Prominence Homes, LLC, the owner of the above referenced property, for a variance of the Lakeway Code of Ordinances to allow an iron fence that was constructed in a dedicated drainage easement to remain.

Chairman Anderson opened the public hearing and recessed the meeting until it could be reconvened on site at 10:00 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, Jim Powell, Dave Vories and Rick Wilsey

City Staff:                              Sally Buckovinsky and Marshall Blaine

Council Representative:              Dennis Wallace

The meeting reconvened on public property at 10:00 a.m. The public hearing was re-opened. Chairman Anderson closed the public hearing without input from the public.

Petter made a motion to approve the variance request on the understanding that the City and/or water district retains the right to require the homeowners to remove the fencing from the drainage easement at their expense, should it be deemed necessary for easement access or to allow for proper drainage flow at any time in the future.

The motion was seconded by Vories.

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

The motion was unopposed.

The motion carried 7-0.

**303 Palos Verdes, (LW-26/2795):                      WAIVER REQUEST: FROM YARD LIGHT LOCATION W/ 15' OF FRONT P/L**

Applicant: Centerra Homes of Texas

CBC: 11/15/12

The applicant requested that the CBC consider allowing the Ordinance required yard light that was placed 22 feet from the front property line to remain. Due to the topography of the lot, the applicant feels that placing it at this location will provide better illumination. The Lakeway Code of Ordinances requires that the yard light be located within 15' of the front property line.

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

Following a site visit, Aldrich made a motion to **deny** the waiver request because the yard light at 22 feet from the front property line will not provide the street lighting that the yard light is designed to provide. Petter seconded the motion. The applicant must either relocate the existing light to within 15' of the front property line or install an additional yard light so that it is located within the same distance parameters.

Passed Unanimously

**420 Malabar, (LW-31/3343):**

**VARIANCE: DRIVEWAY EXCEEDS MAXIMUM ALLOWED SLOPE**

Applicant: Lake Ridge Custom Homes, Tom Crider present

CBC: 11/15/12

The CBC reviewed a request from Lake Ridge Custom Homes, on behalf of Paul and Louisa Howatson, the owners of the above referenced property, for a variance of the Lakeway Code of Ordinances to construct a driveway that exceeds the maximum slope allowed by Code.

Chairman Anderson opened the public hearing. Diane Blevins was present to voice her concerns about surface water run-off. Chairman Anderson recessed the meeting until it could reconvene on site at 10:20 a.m. as there was no one else to speak for or against the variance request.

**Present on site:**

CBC Members:	Jim Anderson, Chuck Petter, Ken Aldrich, Joe Benasutti, Jim Powell, Dave Vories and Rick Wilsey
City Staff:	Sally Buckovinsky and Marshall Blaine
Council Representative:	Dennis Wallace
Applicant:	Tom Crider

The meeting reconvened on public property at 10:20 a.m. The public hearing was re-opened. Chairman Anderson closed the public hearing without input from the public.

Petter made a motion to approve the variance request on the condition that steps be constructed along the right edge of the driveway to provide safer pedestrian access from the garage to the street.

The motion was seconded by Benasutti.

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

The motion was unopposed.

The motion carried 7-0.

**823 Sunfish, (LW-4/507):**

**VARIANCE: IRON FENCE IN 25' GOLF COURSE SETBACK**

Applicant: William and Patricia Evans

CBC: 11/15/12

Representative: Sue Collyer-Potter, present

The CBC reviewed a request from William and Patricia Evans, the owners of the above referenced property, for a variance of the Lakeway Code of Ordinances to extend the encroachment of the existing fence in the 25-foot golf course setback by relocating it to the right side property line.

Chairman Anderson opened the public hearing and recessed the meeting until it could be reconvened on site at 10:40 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, Jim Powell, Dave Vories and Rick Wilsey
City Staff:	Sally Buckovinsky and Marshall Blaine
Council Representative:	Dennis Wallace
Applicants:	William and Patricia Evans
Representative:	Sue Collyer-Potter

The meeting reconvened on public property at 10:40 a.m. The public hearing was re-opened. Chairman Anderson closed the public hearing without input from the public.

Wilsey made a motion to approve the variance request because the impact on the golf course is negligible.

The motion was seconded by Petter.

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

The motion was unopposed.

The motion carried 7-0.

**209 Golf Crest Lane, (LW-28V/3743):**

**HEIGHT DETERMINATION:**

Applicant: Kenneth E. Hale, present

CBC: 11/15/12

The CBC reviewed a request for a height of 42 feet, 0 inches above the iron rod located at the right front corner of the lot (32'-0" above the highest natural grade under slab).

Chairman Anderson opened the public hearing. Marta Leahy was present to object to the height request. Chairman Anderson recessed the meeting until it could reconvene on site at 11:15 a.m. as there was no one else to speak for or against the height request.

**Present on site:**

CBC Members:	Jim Anderson, Chuck Petter, Ken Aldrich, Joe Benasutti, Jim Powell, Dave Vories and Rick Wilsey
City Staff:	Sally Buckovinsky and Marshall Blaine
Council Representative:	Dennis Wallace
Applicant:	Kenneth E. Hale
Others:	Ahimsa Hodari Marta Leahy Anne Ballard

The meeting reconvened on site at 11:15 am. The CBC and all others present went to 207 Golf Crest Lane to ascertain the view concerns and then gathered in the right-of-way in front of 209 Golf Crest Lane where Chairman Anderson re-opened the public hearing. Marta Leahy again protested the height. 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. Vories seconded the motion.

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

The motion was unopposed.

The motion carried 7-0.

**1112 Challenger, (LW-17/1530):**

**HEIGHT DETERMINATION:**

Applicant: Jeffrey and Nadja Glauber, Nadja Glauber present

CBC: 11/15/12

The CBC reviewed a request for a height of 22 feet, 0 inches above the water meter located at the right front corner of the lot on the left side of the property and 36 feet, 0 inches above the same benchmark on the right side of the property (21 feet, 0 inches above the highest natural grade under the slab).

Chairman Anderson opened the public hearing and recessed the meeting until it could be reconvened on site at 11:40 a.m.; there was no one to speak for or against the height request.

**Present on site:**

CBC Members:	Jim Anderson, Chuck Petter, Ken Aldrich, Joe Benasutti, Jim Powell, Dave Vories and Rick Wilsey
City Staff:	Sally Buckovinsky and Marshall Blaine
Council Representative:	Dennis Wallace
Applicants:	Jeffrey and Nadja Glauber

The meeting reconvened on site at 11:40 am. Chairman Anderson re-opened the public hearing in the right-of-way in front of 1112 Challenger and closed it as there was no one present to speak for or against the request.

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

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

The motion was unopposed.

The motion carried 7-0.

**311 Aguja Court, (RH-2/A/12):**

**FINAL C.O.**

**Permit #11001323**

Applicant: Scott Felder Homes

CBC: 11/15/12

A Final Certificate of Occupancy was issued with no conditions.

**102 Long Wood Cove, (LW-28/3268):**

**HEIGHT DETERMINATION:**

Applicant: Wright Homes

CBC: 11/15/12

Property Owner: Jamie Stern, present

The CBC reviewed a request for a height of 39 feet, 0 inches above the telephone pedestal located at the right front corner of the lot (32'-0" above the highest natural grade under slab).

Chairman Anderson opened the public hearing and recessed the meeting until it could be reconvened on site at 12:00 pm.; there was no one to speak for or against the height request.

**Present on site:**

CBC Members: Jim Anderson, Chuck Petter, Ken Aldrich, Joe Benasutti, Jim Powell, Dave Vories and Rick Wilsey  
City Staff: Sally Buckovinsky and Marshall Blaine  
Council Representative: Dennis Wallace

The meeting reconvened on site at 12:00 pm. Chairman Anderson re-opened the public hearing in the right-of-way in front of 102 Long Wood Cove and closed it as there was no one present to speak for or against the request.

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

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

The motion was unopposed.

The motion carried 7-0.

**1813 Cando Court, (LW-22/2415):**

**REVISED HEIGHT DETERMINATION:**

Applicant: The Donovan Paul Company, Tim Elbrecht present

CBC: 11/15/12

The CBC reviewed a request for a height of 31 feet, 0 inches above the water meter located at the front left of the lot (32'-0" above the highest natural grade under slab).

On 10/11/12, the CBC approved a height of 29 feet, 2 inches above the highest natural grade under the slab (28 feet, 2 inches above the top of the water meter located at the mid left side of the lot). The applicant found during the course of house plan submittal that he actually needed to request an additional 2 feet, 10 inches to the approved height.

Chairman Anderson opened the public hearing and recessed the meeting until it could be reconvened on site at 12:20 pm.; there was no one to speak for or against the revised height request.

**Present on site:**

CBC Members: Jim Anderson, Chuck Petter, Ken Aldrich, Joe Benasutti, Jim Powell, Dave Vories and Rick Wilsey  
City Staff: Sally Buckovinsky and Marshall Blaine  
Council Representative: Dennis Wallace  
Applicant: Tim Elbrecht  
Associate: Seth Thornton

The meeting reconvened on site at 12:20 pm. Chairman Anderson re-opened the public hearing in the right-of-way in front of 1813 Cando Court and closed it as there was no one present to speak for or against the request.

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

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

The motion was unopposed.

The motion carried 7-0.

**303 Palos Verdes, (LW-26/2795):**

**FINAL C.O.**

**Permit #11001017**

Applicant: Centerra Homes of Texas

CBC: 11/15/12

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

- ◆ Either relocate yard light to within 15' of the front property line or install an additional yard light that is code compliant;

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

**DISCUSSION: CONSIDER A CODE AMENDMENT**

Applicant: Abercorn International School

CBC: 11/15/12

Staff presented the CBC with a draft language amending municipal code Section 30.03.015 District GUI (Governmental, Utility and Institutional) regulations pertaining to height regulations and determinations for their consideration and recommendation.

Petter made a motion to recommend that City Council approve the code amendment. The motion was seconded by Vories.

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

The motion was unopposed.

The motion carried 7-0.

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

**FINAL C.O.**

**Permit #11001258**

Applicant: Peter Strobel & Associates

CBC: 11/15/12

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

- ◆ Install address numbers on house;

**124 Kildrummy, (LW Highlands-1/1/B/12):**

**FINAL C.O.**

**Permit #12000356**

Applicant: Grand Haven Homes

CBC: 11/15/12

A Final Certificate of Occupancy was issued with no conditions.

**104 Fraser Cove, (LW Highlands-1/1/B/22):**

**FINAL C.O.**

**Permit #12000437**

Applicant: Grand Haven Homes

CBC: 11/15/12

A Final Certificate of Occupancy was issued with no conditions.

**111 Feritti Drive, (RH-5C/C/192):**

**FINAL C.O.**

**Permit #12000512**

Applicant: Scott Felder Homes

CBC: 11/15/12

A Final Certificate of Occupancy was issued with no conditions.

**15203 Joseph Drive, (CH-4A/73):**

**FINAL C.O.**

**Permit #12000467**

Applicant: Meritage Homes

CBC: 11/15/12

A Final Certificate of Occupancy was issued with no conditions.

**15205 Joseph Drive, (CH-4A/72):**

**FINAL C.O.**

**Permit #12000410**

Applicant: Meritage Homes

CBC: 11/15/12

A Final Certificate of Occupancy was issued with no conditions.

**15092 Dorothy Drive, (CH-5/92):**

**FINAL C.O.**

**Permit #12000583**

Applicant: Meritage Homes

CBC: 11/15/12

A Final Certificate of Occupancy was issued with no conditions.

**15400 Barrie Drive, (CH-4/142):**

**FINAL C.O.**

**Permit #12000411**

Applicant: Meritage Homes

CBC: 11/15/12

A Final Certificate of Occupancy was issued with no conditions.

**112 Bellagio Drive, (NLV-3/A/10):**

**FINAL C.O.**

**Permit #12000481**

Applicant: Ryland Homes

CBC: 11/15/12

A Final Certificate of Occupancy was issued with no conditions.

**113 Bellagio Drive, (NLV-3/A/23):**

**FINAL C.O.**

**Permit #12000694**

Applicant: Ryland Homes

CBC: 11/15/12

A Final Certificate of Occupancy was issued with no conditions.

**826 San Remo Blvd, (NLV-2/1):**

**FINAL C.O.**

**Permit #12000546**

Applicant: Ryland Homes

CBC: 11/15/12

A Final Certificate of Occupancy was issued with no conditions.

<b>112 Burgess Cove, (R@AV/D/19A):</b>	<b>FINAL C.O.</b>	<b>Permit #12000569</b>
Applicant: Gehan Homes		CBC: 11/15/12
A Final Certificate of Occupancy was issued with no conditions.		
<b>302 Indianwood Drive, (FR@HC-3/168):</b>	<b>FINAL C.O.</b>	<b>Permit #11000927</b>
Applicant: Prominence Homes		CBC: 11/15/12
A Final Certificate of Occupancy was issued with no conditions.		
<b>108 Tonkawa Trail, (Palomba Add-2/11):</b>	<b>FINAL C.O.</b>	<b>Permit #12000264</b>
Applicant: Meritage Homes		CBC: 11/15/12
A Final Certificate of Occupancy was issued with no conditions.		
<b>117 Tonkawa Trail, (Palomba Add-2/9):</b>	<b>FINAL C.O.</b>	<b>Permit #12000449</b>
Applicant: Meritage Homes		CBC: 11/15/12
A Final Certificate of Occupancy was issued with no conditions.		
<b>2410 RR 620 S., (LWTC/A/3A):</b>	<b>FINAL C.C.</b>	<b>Permit #11001270</b>
Applicant: John King Construction		CBC: 11/15/12
Project: Starbuck's Shell Building		
A Final Certificate of Completion was issued with no conditions.		
<b>301 Malabar, (LW-12/1302):</b>	<b>FINAL C.O.</b>	<b>Permit #11001447</b>
Applicant: Griffin Custom Homes		CBC: 11/15/12
A Final Certificate of Occupancy was issued with no conditions.		