

## VARIANCE APPLICATION

Project: 1514 Meandering way, Westlake TX

- **Pre-Application Meeting** held on 05-23-2025
- **Application fees:** To be paid by check
- **Drawing of proposed improvements:** Grading and Drainage (03-12-2025) & Site plan (03-25-2025) attached.
- **Statement of Approval or Consent:** (03-26-2025) – Attached HOA approval.

The current plans, which show the sports courts encroaching over the utility easement and the building setback line were formally reviewed and approved by the HOA and the Quail Hollow Architectural Review Board, further reinforcing that the proposed layout is not only practical given the site constraints, but also consistent with prior approvals and neighborhood standards.

### Written Justification (05-28-2025)

- Summary of Variance appeal or request:

I am requesting a variance to allow the construction of a tennis court and a pickle ball court over a utility easement and building setback. Specifically, where the sewer line, not the manhole, runs under the proposed location. This location has been engineered and improved to accommodate the tennis court, including the relocation of the manhole and sewer line, and was previously approved by the Town of Westlake and the Quail Hollow architectural review board.

- Summary description of zoning requirement for which variance is requested:

It is my understanding that the zoning and municipal code restricts the construction of permanent structures over easements and within setbacks. However, in the recent past, features such as sports courts, retaining walls, fences, and driveways were not classified as permanent structures and were therefore permitted within these areas. It was only after my project had been fully designed, with significant time and financial investment already committed and the plans submitted for permitting, that I was informed of the revised interpretation.

I respectfully request clarification and a variance to allow this project to proceed in a manner consistent with the character and precedent of previously approved & current projects in Quail Hollow and other R-1 zoned districts within the surrounding community.

This request seeks to align the proposed work with established standards already permitted and constructed under similar conditions, ensuring compatibility with the existing built environment and neighborhood expectations. Granting this variance will maintain continuity in design and planning practices previously deemed acceptable in comparable R-1 contexts.

- Summary justification/hardship. Explain why the request is needed:

The request for this variance is based on three unique physical hardships that significantly limit the usable area of the lot and directly impact on the homeowner's ability to construct the tennis and pickleball courts as currently planned. First, the sewer easement runs through the property, severely restricting buildable space and the placement of large, flat features such as sport courts. Second, the lot has a dramatic 30-foot elevation drop, which necessitated the construction of extensive engineered retaining walls—already approved by the Town of Westlake and the Quail Hollow Architectural Review Board—to create a level, functional area on the property. Third, the pond located at the rear of the lot further reduces usable space and creates visual and functional limitations for any alternate court locations.

Together, these site constraints leave only one feasible location on the property for the tennis and pickleball courts, precisely where they are currently planned. The entire layout of the home was designed to accommodate these features, including a significant investment to relocate a sewer line and manhole, all of which were approved by the Town of Westlake and HOA. Furthermore, the current site plan, showing the tennis court encroaching over the sewer easement and the setbacks for both courts—were reviewed and approved by the HOA, supporting the position that this layout is consistent with community standards and prior approvals. Denying this variance would invalidate years of planning, approved construction, and substantial investment, causing irreparable personal and financial hardship. This request is not based on preference, but on the only practical and previously approved solution to realize the intended and best use of the property.

- Summary statement regarding any negative impact on the neighborhood or public good:

The proposed court does not obstruct views, disrupt the neighborhood aesthetic, or interfere with public utilities. In fact, its location was carefully chosen to minimize visibility and preserve the view of the adjacent pond for myself and nearby residents. Furthermore, I am fully willing to sign a legal agreement accepting all future costs and liability related to removal or access in the event the Town of Westlake or utility providers need to service the sewer line. This variance poses no foreseeable negative impact to the public good and aligns with historical precedent in the Town of Westlake.