

Development Standards Committee

Special Meeting

December 16, 2010 at 5:30PM

The Woodlands Township Service Center
2201 Lake Woodlands Drive
The Woodlands, Texas 77380

Members Present: Deborah Sargeant, Ken Anderson, Robert Heineman, Kim Hess, and Ken Parker

Members Absent: Mike Bass and Chris Florack

Staff Present: Neslihan Tesno, Pam Forde and Sharlene Novak

Others in Attendance: As reflected by the attached Sign-in Sheet for December 16, 2010.

I. Welcome/Call Meeting to Order

The meeting was called to order by Chairwoman Deborah Sargeant at 5:30 p.m.

II. Consideration and Action for approval of Minutes of DSC Meeting on November 18, 2010.

It was moved by Ken Anderson and seconded by Robert Heineman to approve the minutes of the previous meeting as presented. The motion carried unanimously.

III. Consideration and Action of the Summary List

Chairwoman Deborah Sargeant presented the Summary List as presented by Staff. The list consisted of Residential Items 1,2, 4, 5, 6, 7, 8, 9, 10, 11, 12, and 13. It was moved by Ken Parker and seconded by Robert Heineman to approve the Summary List as presented by staff. The motion carried unanimously. Item #3 was removed from the Summary list to be reviewed by the committee.

IV. Review and Disposition of Commercial Applications

A. Report on "Commercial Staff Approval List" for December 16, 2010

The list was accepted as presented.

V. Review and Disposition of Residential Applications

1. Variance request for proposed fireplace which will extend beyond the 10 foot platted building line.

Matt and Jennifer Schmittauer

54 Chamomile Court

Lot 80, Block 1, Section 6 Village of Sterling Ridge

This item was reviewed under the summary approval list as presented by staff. It was moved by Ken Parker and seconded by Robert Heineman to conditionally approve meet code and standard conditions. The motion carried unanimously.

2. Variance request for existing pool decking which encroaches into the 5 foot side yard easement.

Ryan & Natalia Graves

35 Teak Mill Place

Lot 23, Block 1, Section 40 Village of Alden Bridge

This item was reviewed under the summary approval list as presented by staff. It was moved by Ken Parker and seconded by Robert Heineman to approve. Approval by this committee does not constitute approval by the additional entities. It is the owner's responsibility to obtain approval by those entities and the improvement may be subject to removal. The motion carried unanimously.

3. Variance request for an existing driveway extension which exceeds the maximum allowed width for a driveway.

Ryan & Natalia Graves

35 Teak Mill Place

Lot 23, Block 1, Section 40 Village of Alden Bridge

This item was reviewed by the full committee. The staff provided the committee with a PowerPoint presentation of the existing improvements. The homeowner was present to address the committee. It was moved by Robert Heineman and seconded by Ken Anderson to conditionally approve, remove portion of pavers along driveway approach to street edge (portion of street right of way). The motion passed. Ken Parker was opposed.

4. Variance request for an existing fence which extends beyond the 10 foot platted building line.

Veronica Ibarguengoitia

3 North Arrow Canyon Circle

Lot 55, Block 4, Section 3, Village of Creekside Park

This item was reviewed under the summary approval list as presented by staff. It was moved by Ken Parker and seconded by Robert Heineman to conditionally approve, maintain existing vegetation. The motion carried unanimously.

5. Variance request for an existing play structure which encroaches the rear 10 foot easement.

Christopher and Amy Seuss

15 Elfen Way

Lot 11, Block 2, Section 6 Village of Sterling Ridge

This item was reviewed under the summary approval list as presented by staff. It was moved by Ken Parker and seconded by Robert Heineman to disapprove and consent to delay enforcement, based upon the execution of a memorandum of agreement, requiring the owner to remove play structure from the property, when the owner no longer owns the home, transfers title or when the owner is no longer the primary resident, or when the play structure is in disrepair and needs replacement whichever comes first. The memorandum will be recorded with the court house and binding on the land. Approval by this committee does not constitute approval by the additional entities. It is the owner's responsibility to obtain approval by those entities and the improvement may be subject to removal. The motion carried unanimously.

6. Variance request for an existing play structure which encroaches the rear 10 foot easement.

Josh and Linda Froelich

19 Caulfield Court

Lot 5, Block 1, Section 40 Village Sterling Ridge

This item was reviewed under the summary approval list as presented by staff. It was moved by Ken Parker and seconded by Robert Heineman to disapprove and consent to delay enforcement, based upon the execution of a memorandum of agreement, requiring the owner to remove play structure from the property, when the owner no longer owns the home, transfers title or when the owner is no longer the primary resident, or when the play structure is in disrepair and needs replacement whichever comes first. The memorandum will be recorded with the court house and binding on the land. Approval by this committee does not constitute approval by the

additional entities. It is the owner's responsibility to obtain approval by those entities and the improvement may be subject to removal. The motion carried unanimously.

7. Variance request for an existing retaining wall which encroaches the rear 10 foot easement.

Josh and Linda Froelich

19 Caulfield Court

Lot 5, Block 1, Section 40 Village Sterling Ridge

This item was reviewed under the summary approval list as presented by staff. It was moved by Ken Parker and seconded by Robert Heineman to approve as submitted. Approval by this committee does not constitute approval by the additional entities. It is the owner's responsibility to obtain approval by those entities and the improvement may be subject to removal. Additionally, The Owner must ensure that the placement of the improvement does not halt or materially impede drainage flowing off of a neighboring tract, and does not redirect the flow or significantly increase the amount of water flowing onto a neighboring tract. Enforcement of this requirement is by the affected property owner(s).

The motion carried unanimously.

8. Variance request for an existing gazebo and paving which encroach into the 10 foot rear easement.

Sergio Roldan

7 Petaldrop Place

Lot 31, Block 1, Section 64 Village of Alden Bridge

This item was reviewed under the summary approval list as presented by staff. It was moved by Ken Parker and seconded by Robert Heineman to approve as submitted. Approval by this committee does not constitute approval by the additional entities. It is the owner's responsibility to obtain approval by those entities and the improvement may be subject to removal. The motion carried unanimously.

9. Variance request for an existing trampoline which encroaches into the 10 foot rear easement.

Sergio Roldan

7 Petaldrop Place

Lot 31, Block 1, Section 64 Village of Alden Bridge

This item was reviewed under the summary approval list as presented by staff. It was moved by Ken Parker and seconded by Robert Heineman to disapprove and consent to delay enforcement, based upon the execution of a memorandum of agreement, requiring the owner to remove trampoline from the property, when the owner no longer owns the home, transfers title or when the owner is no longer the primary resident, or when the trampoline is in disrepair and needs replacement whichever comes first. The memorandum will be recorded with the court house and binding on the land. Approval by this committee does not constitute approval by the additional entities. It is the owner's responsibility to obtain approval by those entities and the improvement may be subject to removal.

The motion carried unanimously.

10. Consideration and Action to proceed with legal action, regarding failure to comply with the Covenants and Standards for outstanding violations on the home.

Corey Joseph Gibbs

3 Mohawk Path Place

Lot 97, Block 1, Section 6, Village of Creekside Park

This item was reviewed under the summary approval list as presented by staff. It was moved by Ken Parker and seconded by Robert Heineman to approve the pursuit of legal action by

authorizing our attorneys and staff to send letters to the owner notifying them of the Development Standards Committee's actions; what is required to cure the violations and establishing a reasonable time frame for resolution. The letter will include notice that failure to correct these violations (by applying for play structure or removing it) will result in a lawsuit filed & court hearing scheduled. Furthermore, we recommend The Township Board authorize funding of legal action, as necessary, in order to correct these violations of the Woodlands Covenants and Residential Development Standards, if the initial correspondence by The Strong Firm and the staff does not resolve these violations prior to filing the lawsuit. The motion carried unanimously.

11. Consideration and Action to proceed with legal action, regarding failure to comply with the Covenants and Standards for outstanding violations on the home.

Jerald L. Goodrick

35 Wild Orchid Court

Lot 19, Block 1, Section 7, Village of College Park

This item was reviewed under the summary approval list as presented by staff. It was moved by Ken Parker and seconded by Robert Heineman to approve the pursuit of legal action by authorizing our attorneys and staff to send letters to the owner notifying them of the Development Standards Committee's actions; what is required to cure the violations and establishing a reasonable time frame for resolution. The letter will include notice that failure to correct these violations (by removing blue tarp and repairing roof) will result in a lawsuit filed & court hearing scheduled. Furthermore, we recommend The Township Board authorize funding of legal action, as necessary, in order to correct these violations of the Woodlands Covenants and Residential Development Standards, if the initial correspondence by The Strong Firm and the staff does not resolve these violations prior to filing the lawsuit. The motion carried unanimously.

12. Consideration and Action to proceed with legal action, regarding failure to comply with the Covenants and Standards for outstanding violations on the home.

Dennis C. Mezzatesta

47 Quillwood Place

Lot 4, Block 1, Section 93 Village of Sterling Ridge

This item was reviewed under the summary approval list as presented by staff. It was moved by Ken Parker and seconded by Robert Heineman to approve the pursuit of legal action by authorizing our attorneys and staff to send letters to the owner notifying them of the Development Standards Committee's actions; what is required to cure the violations and establishing a reasonable time frame for resolution. The letter will include notice that failure to correct these violations (by maintaining yard – weed beds) will result in a lawsuit filed & court hearing scheduled. Furthermore, we recommend The Township Board authorize funding of legal action, as necessary, in order to correct these violations of the Woodlands Covenants and Residential Development Standards, if the initial correspondence by The Strong Firm and the staff does not resolve these violations prior to filing the lawsuit. The motion carried unanimously.

13. Consideration and Action to proceed with legal action, regarding failure to comply with the Covenants and Standards for outstanding violations on the home.

Gregorio Carlos Fuentes

150 West Sundance Circle

Lot 51, Block 1, Section 59 Village of Alden Bridge

This item was reviewed under the summary approval list as presented by staff. It was moved by Ken Parker and seconded by Robert Heineman to approve the pursuit of legal action by authorizing our attorneys and staff to send letters to the owner notifying them of the Development Standards Committee's actions; what is required to cure the violations and establishing a reasonable time frame for resolution. The letter will include notice that failure to correct these violations (by removing trash can from public view and keeping it out of view) will result in a lawsuit filed & court hearing scheduled. Furthermore, we recommend The Township Board authorize funding of legal action, as necessary, in order to correct these violations of the Woodlands Covenants and Residential Development Standards, if the initial correspondence by The Strong Firm and the staff does not resolve these violations prior to filing the lawsuit. The motion carried unanimously.

14. Consideration and Action to proceed with legal action, regarding failure to comply with the Covenants and Standards for outstanding violations on the home.

Shelly A Felton

76 Benton Woods Ct

Lot 2, Block 1, Section 43 Village of Alden Bridge

This item was resolved prior to the meeting.

15. Variance request for a tree removal approved by the Residential Design Review Committee.

Arthur Bredehoft

10 East Cottage Green Street

Lot 3, Block 4, Section 35 Village of Alden Bridge

This item was reviewed by the full committee. The staff provided the committee with a PowerPoint presentation of the existing improvements. The homeowner was not present to address the committee. It was moved by Ken Anderson and seconded by Kim Hess to conditionally approve, coordinate with Parks and Recreation Department in regard to location, species, and size of the 4 trees to be planted through the Gifts to Our Community Program. The motion carried unanimously.

16. Variance request for proposed room addition on 1st story, which will exceed the maximum living area allowed per Development Criteria.

Sean and Deann Guidry

34 Player Green Place

Lot 5, Block 1, Section 18 Village of Sterling Ridge

This item was reviewed by the full committee. The staff provided the committee with a PowerPoint presentation of the existing improvements. The homeowner was present to address the committee. It was moved by Robert Heineman and seconded by Ken Parker to conditionally approve, meet code and standards. The motion carried unanimously.

17. Variance request for proposed room addition on the 2nd story which will exceed the maximum living area allowed per Development Criteria and Initial Land Use Designation.

Sean and Deann Guidry

34 Player Green Place

Lot 5, Block 1, Section 18 Village of Sterling Ridge

This item was reviewed by the full committee. The staff provided the committee with a PowerPoint presentation of the existing improvements. The homeowner was present to address the committee. It was moved by Robert Heineman and seconded by Ken Parker to conditionally approve if the ILUD amendment is approved by The Woodlands Land Development Company, owner to complete process for ILUD amendment, submit required documents and

signatures then conditionally approve, submit final plans, pay required fees and meet code and standard conditions. The motion carried unanimously.

18. Variance request for an existing play house which encroaches into the rear 10 foot easement and side 5 foot easement.
Sean and Deann Guidry
34 Player Green Place
Lot 5, Block 1, Section 18 Village of Sterling Ridge
This item was reviewed by the full committee. The staff provided the committee with a PowerPoint presentation of the existing improvements. The homeowner was present to address the committee. When asked, the homeowner indicated the play house could be moved out of the rear easement. It was moved by Robert Heineman and seconded by Ken Parker to Conditionally approve, move the play house out of easement and plant and maintain vegetative barrier from golf course and right side no less than 5' in height at time of planting, staff to approve planting upon completion. The motion carried unanimously.

19. Variance request for proposed a spa with two waterfalls which will exceed the maximum height allowed and which may create negative neighbor impact due to mass, scale and proportion.
Kevin and Leah Trahan
31 Silvermont Drive
Lot 14, Block 1, Section 26 Village of Sterling Ridge
This item was reviewed by the full committee. The staff provided the committee with a PowerPoint presentation of the existing improvements. Upon learning that the owner intended to submit more plans for additional projects in the rear yard the committee felt that they should see the entire project to make an informed decision. The homeowner was present but did not address the committee since the item was tabled. It was moved by Deborah Sargeant and seconded by Kim Hess to table the issue until the owner could return to the DSC with the entire project and submit rear and side elevations showing proposed structures and landscaping, contractor must include any berms, retaining walls and/or landscaping borders. The motion carried unanimously.

20. Variance request for two proposed fire towers which may create negative neighbor impact due to mass, scale and proportion.
Kevin and Leah Trahan
31 Silvermont Drive
Lot 14, Block 1, Section 26 Village of Sterling Ridge
This item was reviewed by the full committee. The staff provided the committee with a PowerPoint presentation of the existing improvements. Upon learning that the owner intended to submit more plans for additional projects in the rear yard the committee felt that they should see the entire project to make an informed decision. The homeowner was present but did not address the committee since the item was tabled. It was moved by Deborah Sargeant and seconded by Kim Hess to table the issue until the owner could return to the DSC with the entire project and submit rear and side elevations showing proposed structures and landscaping, contractor must include any berms, retaining walls and/or landscaping borders. The motion carried unanimously.

21. Variance request for a proposed fire pit and stone bench which may create negative neighbor impact due to mass, scale and proportion.
Kevin and Leah Trahan
31 Silvermont Drive

Lot 14, Block 1, Section 26 Village of Sterling Ridge

This item was reviewed by the full committee. The staff provided the committee with a PowerPoint presentation of the existing improvements. Upon learning that the owner intended to submit more plans for additional projects in the rear yard the committee felt that they should see the entire project to make an informed decision. The homeowner was present but did not address the committee since the item was tabled. It was moved by Deborah Sargeant and seconded by Kim Hess to table the issue until the owner could return to the DSC with the entire project and submit rear and side elevations showing proposed structures and landscaping, contractor must include any berms, retaining walls and/or landscaping borders. The motion carried unanimously.

Robert Heineman left after this vote.

22. Variance request for a proposed detached building which will encroach into the side 5 foot easement.

Gregory Hodgson

158 West Greywing Circle

Lot 13, Block 2, Section 6 Village of Alden Bridge

This item was reviewed by the full committee. The staff provided the committee with a PowerPoint presentation of the existing improvements. The homeowner was not present to address the committee. It was moved by Ken Parker and seconded by Ken Anderson to conditionally approve, move shed out of easement or reduce height of shed to 6 feet and locate in the side easement. The motion carried unanimously.

VI. Public Comments

There were no public comments.

VII. Member Comments

There were no member comments.

VIII. Staff Reports

There were no staff reports.

IX. Adjourn

There being no further business it was moved by Kim Hess and seconded by Deborah Sargeant to adjourn the meeting at 6:13 p.m. The motion carried unanimously.