

Development Standards Committee Special Meeting
November 8th, 2010 at 5:30PM
The Woodlands Township Service Center
2201 Lake Woodlands Drive
The Woodlands, Texas 77380
Minutes

Members present: Chris Florack, Ken Anderson, Robert Heineman, Kim Hess, Ken Parker,
and Deborah Sargeant

Staff Present: Chris Feist and Kim McKenna

I. Welcome/Call Meeting to Order

The meeting was called to order by Chair Deborah Sargeant at 5:40 p.m.

II. Approve Minutes of Meeting of October 6, 2010

It was moved by Chris Florack and seconded by Ken Parker to approve the minutes of the regular meeting of October 6, 2010 as presented. The motion carried unanimously.

III. Consideration and Action of the Summary List

Committee Chair, Deborah Sargeant presented the Summary List as presented by Staff Recommendation. The list consisted of residential items 2, 7, 8, 9, 10, 12, 13, 14, 16, 20, 21, 22, 23, 25, 26, 27, and 28. It was moved by Ken Anderson and seconded by Chris Florack to remove item #13 from the summary and approve the Summary List as presented by staff. The motion carried unanimously.

IV. Review and Disposition of Residential Applications

1. Consideration and Action for approval of the plat and plans for the development of approximately 51 lots for the Nursery Road Patio Home Development
Silver Crest Developments, LLC

Minutes of the October 6th, Meeting:

This item was brought to the full committee. The staff provided the committee with a PowerPoint presentation noting the area in which the development was proposed. The Committee asked questions regarding the approval by the county, the status of the plat approval and the opportunity for vegetation for screening. The committee also shared concerns regarding the view of the modern style homes, backing to some of the original and more traditional style homes in Maple Branch. It was moved by Chris Florack to approve the site plan conditioned upon obtaining final approval of the plat and to table the review and action of the plans, until the meeting of December 1st, 2010. At which time the committee, would like to see a rear elevation drawings of the homes as seen from the adjoining properties, send affected neighbor letters to the surrounding homes and request sample boards to display the materials and colors to be used on the homes. Deborah Sargeant opposed the motion. The motion carried.

2. Variance request for a proposed eight foot fence, which will exceed the maximum height allowed; and will be constructed with the construction side of the fence facing out, causing the unfinished side to be visible to the street.

Travis L. Cagney

6 Gentry Oak Court

Lot 31, Block 02, Section 35 Village of Panther Creek

This item was heard under the summary list, as presented by Staff. It was moved by Ken Anderson and seconded by Chris Florack to table the meeting to December 1, 2010; and allow the committee to perform a site inspection. The motion carried unanimously.

3. Request for approval regarding the design of the, "Treats" ice cream vendor truck, requesting a mobile permit from The Woodlands Township.

Julia Ward

Treats- Ice Cream Vendor

This item was reviewed by the full committee. The committee discussed the area where the vending would take place and the discussed the mass and scale this type of project could present. The committee felt that a set of Standards should be adopted first, that the committee could then apply to proposed vendor trucks or tents. The committee requested the staff research other Cities and Home Owners' Associations for Restrictions and regulations regarding vending materials and use. It was then moved by Chris Florack and seconded by Deborah Sargeant to table the item and require the committee create a set of Standards. Ken Parker opposed the motion. The motion carried.

4. Request for approval regarding the design of the, "Uncle Bubba's" Bar-be-queue vendor truck, which has requested a mobile permit from The Woodlands Township.

Oliver Williams

Uncle Bubba's Bar-be-queue

This item was reviewed by the full committee. The committee discussed the area where the vending would take place and the discussed the mass and scale this type of project could present. The committee felt that a set of Standards should be adopted first, that the committee could then apply to proposed vendor trucks or tents. The committee requested the staff research other Cities and Home Owners' Associations for Restrictions and regulations regarding vending materials and use. It was then moved by Chris Florack and seconded by Deborah Sargeant to table the item and require the committee create a set of Standards. Ken Parker opposed the motion. The motion carried.

5. Request for approval regarding the design of the, "Kona Ice" shaved ice vendor truck, which has requested a mobile permit from The Woodlands Township.

Dave Deswein

Kona Ice

This item was reviewed by the full committee. The committee discussed the area where the vending would take place and the discussed the mass and scale this type of project could present. The committee felt that a set of Standards should be adopted first, that the committee could then apply to proposed vendor trucks or tents. The committee requested the staff research other Cities and Home Owners' Associations for Restrictions and regulations regarding vending materials and use. It was then moved by Chris Florack and seconded by Deborah Sargeant to table the item and require the committee create a set of Standards. Ken Parker opposed the motion. The motion carried.

6. Request for approval regarding the design of the, "Sayved" merchandise vendor tent, which has requested a mobile permit from The Woodlands Township.

Vincent Flores

Sayved Merchandise and Apparel

This item was reviewed by the full committee. The committee discussed the area where the vending would take place and the discussed the mass and scale this type of project could present. The committee felt that a set of Standards should be adopted first, that the committee could then apply to proposed vendor trucks or tents. The committee requested the staff research other Cities and Home Owners' Associations for Restrictions and regulations regarding vending materials and use. It was then moved by Chris Florack and

seconded by Deborah Sargeant to table the item and require the committee create a set of Standards. Ken Parker opposed the motion. The motion carried.

7. Variance request for improvements located in the Street Right of Way in the Cul-de-sac Lacewing Court.
Grogan's Mill
This item was heard under the summary list, as presented by Staff. It was moved by Ken Anderson and seconded by Chris Florack to table the meeting to December 1, 2010. The motion carried unanimously.
8. Consideration and action, to allow the owner to proceed in attempting to Amend the Amended Land Use Designation, to increase the maximum allowed living area; and a Variance request for a conceptual Home/ Garage additions, which would cause the maximum amount of Living Area
Dale and Janis Andreas
19 Brandenberry Place
Lot 26, Block 04, Section 08, Village of Cochran's Crossing
This item was heard under the summary list, as presented by Staff. It was moved by Ken Anderson and seconded by Chris Florack to approve the owner attempting to amend the land use designation to a maximum amount of living area not to exceed 5,100 square feet and approve the conceptual room addition provided that the owner submit a complete set of sealed plans for the staff to review. The motion carried unanimously.
9. Variance request for a proposed Cabana with Summer Kitchen, which will be located beyond the 40 foot rear building setback.
Glenn and Karen Terry
307 S Silvershire Circle
Lot 26, Block 02, Section 43, Village of Cochran's Crossing
This item was heard under the summary list, as presented by Staff. It was moved by Ken Anderson and seconded by Chris Florack to approve the Cabana with Summer Kitchen on the condition the owner must meet code and pass final inspection. Additionally the owner must plant and maintain native evergreen trees and shrubs, (at least two 15 gallon trees) to soften and screen the view of the improvement from the golf course. The motion carried unanimously.
10. Variance request for a proposed patio cover with concrete patio, which would be located within the ten foot rear utility easement.
Ron and Linda Curington
2 Liliun Court
Lot 21, Block 01, Section 13 Village of Grogan's Mill
This item was heard under the summary list, as presented by Staff. It was moved by Ken Anderson and seconded by Chris Florack to approve the patio cover with concrete patio on the condition the owner must meet code and pass final inspection. The Owner must ensure that the placement of the improvement and landscaping 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). Approval by this committee does not constitute approval by the additional easement holders. It is the owner's responsibility to obtain approval by those entities and may be subject to removal.
11. Variance request for a proposed driveway widening would cause the driveway to exceed the maximum width allowed.
Robert and Gail Thomas
91 Laughing Brook Court

Lot 76, Block 02, Section 38 Village of Grogan's Mill

This item was heard by the full committee. The owner's were present to address the committee. The staff provided the committee with a PowerPoint presentation noting the proposed driveway widening. The committee discussed concerns regarding a precedent. The committee asked the owner about the material proposed and whether or not he would consider modifying the material, in order to provide more definition around the driveway, instead of the driveway looking widened it would appear to have a border or walkway around it. The owner was receptive to the idea and asked questioned around whether or not he could pour concrete and cap it with an alternate material. It was then moved by Robert Heineman and seconded by Chris Florack to deny the driveway widening as proposed and require the owner modify the proposal to one of the following options. Option one would require the owners use a material, such as pavers or stone to the proposed widened area and would allow the alternate material to be located in the owner's original proposal. The second option would require the owner modify the driveway width to allow an expanded portion near the house and adjoining the walkway, but require the owner taper the driveway back down to the original width approximately two thirds down the driveway. The motion carried unanimously.

12. Variance request for a proposed color change, which the Residential Design Review Committee, felt the colors selected for the siding and trim were not compatible.

Michael and Teresa Walters

37 Rockfern Road

Lot 32, Block 01, Section 38 Village of Grogan's Mill

This item was heard under the summary list, as presented by Staff. It was moved by Ken Anderson and seconded by Chris Florack to approve the color change as presented. The motion carried unanimously.

13. Variance request for trees proposed for removal.

Scott and Julie Kendall

15 Lantern Hollow Place

Lot 56, Block 04, Section 12, Village of Cochran's Crossing

This item was heard by the full committee. The owner's were present to address the committee. The staff provided the committee with a PowerPoint presentation noting the trees requested for removal. Additionally, the owner provided the committee with two statements regarding the condition of the tree and the damage to the drive. It was then moved by Chris Florack and seconded by Ken Parker to approve the trees proposed for removal on the condition the owner must replant and maintain one fifteen gallon native evergreen tree or three fifteen gallon native shrubs anywhere on the lot. The motion carried unanimously.

14. Variance request for three trees proposed for removal.

Larry W. Quimby

6 Graceful Elm Court

Lot 53, Block 01, Section 35 Village of Panther Creek

This item was heard under the summary list, as presented by Staff. It was moved by Ken Anderson and seconded by Chris Florack to approve the proposed tree removal on the condition the owner must replant and maintain three native evergreen trees anywhere on the lot. The motion carried unanimously.

15. Variance request for three trees proposed for removal.

Glenn W. Warner

58 Spotted Deer Drive

Lot 25, Block 23, Section 01 Village of Indian Springs

This item was heard by the full committee. The owner's were present to address the committee. The staff provided the committee with a PowerPoint presentation noting the trees requested for removal. The owner stated the concern with the tree behind the garage was due to the placement of the pool equipment; and the lines for the equipment cutting the tree roots. The committee discussed alternate locations for the pool equipment. It was then moved by Chris Florack and seconded by Kim Hess to allow the owner to remove trees marked 6 and 7 on the survey and require the owner maintain tree marked number 5, which was the large pine at the rear of the property. Additionally, the owner must replant and maintain one fifteen gallon native evergreen tree anywhere on the lot. Ken Parker was opposed to the motion. The motion carried.

16. Variance request for an existing spa decking, which is located within the 10 foot rear utility easement.

Hector and Susanna Solano
35 South High Oaks Circle

Lot 39, Block 05, Section 38 Village of Grogan's Mill

This item was heard under the summary list, as presented by Staff. It was moved by Ken Anderson and seconded by Chris Florack to approve the existing spa decking on the condition the owner meets code and complies with the Standards. Approval by this committee does not constitute approval by the additional easement holders. It is the owner's responsibility to obtain approval by those entities and may be subject to removal. The motion carried unanimously.

17. Variance request for an existing fence, which exceeds the maximum height allowed; and is constructed with a rot board that exceeds the maximum height allowed.

Chris and Jennifer Majors
8 Windfellow Place

Lot 105, Block 03, Section 01, Village of Cochran's Crossing

This item was reviewed by the full committee. The committee discussed concerns regarding the view of the rot board, setting a precedent for the increased, the visibility to the street and the concern of the appearance of a tall fence up to almost the second floor plate height of the home. The owners' were present and addressed the committee. It was noted that they felt they received incorrect information from the contractor and a neighboring real estate agent. It was moved by Chris Florack and seconded by Ken Anderson to deny the fence as proposed and require all portions of fencing facing the street must be reduced to an overall height of six feet six inches. If the owner chooses to keep the rot board at 12 inches in height, the rot boards must be screened with a continuous landscaping bed with mix of native evergreen trees and shrubs along the front of the fences where the rot board is visible to the street. Additionally, where any front fencing adjoins side fencing the side fence height must taper down to match the height of the front fencing of six feet six inches. Additionally the overall height of any gates must match the height of the fences and all fencing in need of pool barrier compliance must meet code and pass final inspection. Additionally the committee requested the staff notify the contractor and agent of the requirements and restrictions of The Woodlands. Ken Parker opposed the motion. The motion carried.

18. Variance request for an existing fence, which exceeds the maximum height allowed; and is constructed with a rot board that exceeds the maximum height allowed.

Todd Sullivan
12 Windfellow Place

Lot 106, Block 03, Section 01, Village of Cochran's Crossing

This item was reviewed by the full committee. The committee discussed concerns regarding the view of the rot board, setting a precedent for the increased, the visibility to the street and the concern of the appearance of a tall fence up to almost the second floor

plate height of the home. The owners' were present and addressed the committee. It was noted that they felt they received incorrect information from the contractor and a neighboring real estate agent. It was moved by Chris Florack and seconded by Ken Anderson to deny the fence as proposed and require all portions of fencing facing the street must be reduced to an overall height of six feet six inches. If the owner chooses to keep the rot board at 12 inches in height, the rot boards must be screened with a continuous landscaping bed with mix of native evergreen trees and shrubs along the front of the fences where the rot board is visible to the street. Additionally, where any front fencing adjoins side fencing the side fence height must taper down to match the height of the front fencing of six feet six inches. Additionally the overall height of any gates must match the height of the fences and all fencing in need of pool barrier compliance must meet code and pass final inspection. Additionally the committee requested the staff notify the contractor and agent of the requirements and restrictions of The Woodlands. Ken Parker opposed the motion. The motion carried.

19. Variance request for an existing fence, which exceeds the maximum height allowed; and is constructed with a rot board that exceeds the maximum height allowed.

Dan and Susan Keffer

16 Windfellow Place

Lot 107, Block 03, Section 01, Village of Cochran's Crossing

This item was reviewed by the full committee. The committee discussed concerns regarding the view of the rot board, setting a precedent for the increased, the visibility to the street and the concern of the appearance of a tall fence up to almost the second floor plate height of the home. The owners' were present and addressed the committee. It was noted that they felt they received incorrect information from the contractor and a neighboring real estate agent. It was moved by Chris Florack and seconded by Ken Anderson to deny the fence as proposed and require all portions of fencing facing the street must be reduced to an overall height of six feet six inches. If the owner chooses to keep the rot board at 12 inches in height, the rot boards must be screened with a continuous landscaping bed with mix of native evergreen trees and shrubs along the front of the fences where the rot board is visible to the street. Additionally, where any front fencing adjoins side fencing the side fence height must taper down to match the height of the front fencing of six feet six inches. Additionally the overall height of any gates must match the height of the fences and all fencing in need of pool barrier compliance must meet code and pass final inspection. Additionally the committee requested the staff notify the contractor and agent of the requirements and restrictions of The Woodlands. Ken Parker opposed the motion. The motion carried.

20. Variance request for an existing play structure, which encroaches the 10 foot rear yard easement.

Raymona C. Sparkman

5 Thornhedge Ct

Lot 49, Block 03, Section 14 Village of Panther Creek

This item was heard under the summary list, as presented by Staff. It was moved by Ken Anderson and seconded by Chris Florack to deny the variance for the existing play structure and consent to delay enforcement, based upon the execution of a memorandum of agreement, requiring the owner to remove the play structure from the easement, when the owner no longer owns the home, transfers title or when the owner is no longer the primary residence, 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 easement holders or the County. It is the owner's responsibility to obtain approval by those additional entities and maybe subject to removal. The motion carried unanimously.

21. Variance request for fence, which exceeds the maximum height allowed.
Raymona C Sparkman
5 Thornhedge Ct
Lot 49, Block 03, Section 14 Village of Panther Creek
This item was heard under the summary list, as presented by Staff. It was moved by Ken Anderson and seconded by Chris Florack to approve the fence as presented. The motion carried unanimously.
22. Variance request for an existing home business.
Chris Kolp
188 N Golden Arrow Circle
Lot 01, Block 02, Section 12, Village of Cochran's Crossing
This item was heard under the summary list, as presented by Staff. It was moved by Ken Anderson and seconded by Chris Florack to table the item. The motion carried unanimously.
23. Variance request appealing the decision of the Residential Design Review Committee's condition of approval, requiring the owner to plant and maintain two 100 gallon native trees anywhere on the lot to replace the trees that were removed.
Dan and Gabriela Huffaker
1932 Nursery Road
Lot 32, Block 02, Section 04 Village of Grogan's Mill
This item was heard under the summary list, as presented by Staff. It was moved by Ken Anderson and seconded by Chris Florack to approve the request to appeal the residential design review committee's decision on the condition the owner must plant and maintain 3- 30 gallon native evergreen trees, anywhere on the lot. The motion carried unanimously.
24. Variance request for an existing driveway, which exceeds the maximum width allowed.
Michael and Theresa Soliz
1903 Old Field Place
Lot 31, Block 03, Section 04 Village of Grogan's Mill
This item was heard by the full committee. The owner's were present to address the committee. The staff provided the committee with a PowerPoint presentation noting the improvements. The home owner's informed the committee that they had several issues with the contractor and large portion of the work was not done in accordance with the owner's request, according to the owner. It was then moved by Chris Florack and seconded by Ken Parker to deny the variance as proposed and require the owner meet Standards for the driveway and modify the paving area leading to the rear of the home, to comply with the Standards for a walkway. The portion of paving behind the fence is approved. The Committee requested reports regarding the overall status of the project and items requiring correction in 60 day timeframes. The motion carried unanimously.
25. Variance request for an existing driveway, which exceeds the maximum width allowed and was not found to be aesthetically compatible with the neighborhood.
Thomas Wertheim
43 Pleasure Cove
Lot 13, Block 02, Section 24 Village of Panther Creek
This item was heard under the summary list, as presented by Staff. It was moved by Ken Anderson and seconded by Chris Florack to approve the driveway as presented. Approval by this committee does not constitute approval by the additional easement holders or the County. It is the owner's responsibility to obtain approval by those additional entities and maybe subject to removal. The motion carried unanimously.

26. Variance request for an existing fence, which is not setback at least five feet back from the front façade of the home.
William N. Gibler
8 Emory Oak Court
Lot 06, Block 08, Section 05 Village of Panther Creek
This item was heard under the summary list, as presented by Staff. It was moved by Ken Anderson and seconded by Chris Florack to approve the existing fence as presented. The motion carried unanimously.
27. Variance request for an existing fence, which is not setback at least five feet back from the front façade of the home.
Mari D Anne Geffon
27 S Indian Sage Circle
Lot 42, Block 01, Section 12, Village of Cochran's Crossing
This item was heard under the summary list, as presented by Staff. It was moved by Ken Anderson and seconded by Chris Florack to approve the existing fence as presented. The motion carried unanimously.
28. Variance request for an existing flagstone patio and walkway, which encroach into the 50 foot Storm Sewer Easement.
R Dennis and Jan Conine
128 S Copperknoll Circle
Lot 16, Block 01, Section 27, Village of Cochran's Crossing
This item was heard under the summary list, as presented by Staff. It was moved by Ken Anderson and seconded by Chris Florack to approve the flagstone patio and walkway as presented. The Owner must ensure that the placement of the improvement and landscaping 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). Approval by this committee does not constitute approval by the additional easement holders. It is the owner's responsibility to obtain approval by those entities and may be subject to removal. The motion carried unanimously.

- V.** Consideration and Action regarding Development Standards Committee adopting procedures to determine the order of the meeting, scheduling a time frame for residents to attend for their items and the order of public comments.
The committee discussed the order of public comments, the consideration to schedule times for items on the agenda and a consideration to adopt formal procedures for the Development Standards Committee the request to place the item on this agenda and the current guidelines set for the Development Standards Committee. The staff presented the committee with the request received by Mr. Nanninga during the last meeting as well as information submitted by Mike Bass for review. The committee felt the public comments at the beginning of the meeting could cause a delay in the meeting. Additionally they felt the majority of public comments were related to an item that had been acted on at the meeting. Therefore the public comments at the end better served the residents. Furthermore, it was noted that all agendas are drafted with the opportunity to take items out of turn, in which case the Committee can request to hear public comments prior to the end of the meeting, in the interest of any parties involved. Additionally the committee asked the staff how they currently determine the order of items on the agenda. It was noted that all items tabled or deferred from a previous meeting are heard first. Second, any proposed improvements requesting a variance would be placed on the agenda in front of any existing improvements? The staff will place like kind items on the agenda

together. Finally, all legal action items are at the end of the agenda. Additionally the staff noted they are not aware of who will plan to attend. Often times those who say they will attend, end not attending and vice versa. Deborah Sargeant also noted, that is why we take items based on the residents in attendance. It was then moved by Deborah Sargeant and seconded by Chris Florack to maintain the current procedure as defined above and consider drafting a procedure to post to the public.

VI. Public Comments

There were no public comments.

VII. Member Comments

There were no member comments.

VIII. Staff Reports

The staff wished everyone a Happy Thanksgiving and noted the next meeting would be December first.

IX. Adjourn

There being no further business it was moved by Deborah Sargeant and seconded by Chris Florack to adjourn the meeting at 8:00p.m.