

Development Standards Committee  
August 4, 2010 at 5:30PM  
The Woodlands Township Service Center  
2201 Lake Woodlands Drive  
The Woodlands, Texas 77380

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

Staff Present: Amanda Cambron, Chris Feist, Susan Schneider and Vicki McGuire

**I. Welcome/Call Meeting to Order**

The meeting was called to order in regular session, open to the public by Chair, Deborah Sargeant at 5:38 p.m.

**II. Approve Minutes of Meeting of July 7, 2010**

It was moved by Chris Florack and seconded by Ken Parker to approve the minutes of the regular meeting of July 7, 2010. 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 commercial item A and residential items 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, and 20 and. It was moved by Mike Bass and seconded by Kim Hess to approve the Summary List as presented by staff. The motion carried unanimously. Robert Heineman was not present for the vote.

**IV. Review and Disposition of Commercial Applications**

**A. Request for Consideration and Action**

Final Approval  
Woodlands Fire Station No. 8  
Parcel 1M-2b – Gosling Road  
Village of Panther Creek

This item was heard under the summary list, as presented by Staff. It was moved by Mike Bass and seconded by Kim Hess to approve subject to 1) additional plantings may be required to supplement the forest preserves; 2) the unpaved ROW must be irrigated and maintained; and 3) exterior light pole fixtures must match The Woodlands criteria. The motion carried. Robert Heineman was not present for the vote.

**V. Report on “Commercial Staff Approval List” for August 4, 2010**

The report was accepted as presented.

**VI. Review and Disposition of Residential Applications**

1. Variance request for a proposed Patio Cover that would be located beyond the 25' Rear Building Setback as established by the Neighborhood Criteria for the lot.

Jordan and Liz Mergist  
6 Swan Song Place  
Lot 16, Block 02, Section 11, Village of Cochran's Crossing

This item was heard under the summary list, as presented by Staff. It was moved by Mike Bass and seconded by Kim Hess to approve the proposed Patio Cover, on the condition that the homeowner ensures that construction meets code and passes final inspection. 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. Robert Heineman was not present for the vote.

2. Variance request for a proposed Covered Patio with paving that would extend beyond the 10' Side Building Setback

Richard and Pat Riedel

70 Copperknoll Circle

Lot 31, 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 Mike Bass and seconded by Kim Hess to approve the proposed Patio Cover on the condition that the homeowner ensures that construction meets code and passes final inspection. 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. Robert Heineman was not present for the vote.

3. Variance request for a proposed walkway that would encroach into the 5' rear yard easement.

Richard and Pat Riedel

70 Copperknoll Circle

Lot 31, 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 Mike Bass and seconded by Kim Hess to approve the walkway as presented. 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 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. Robert Heineman was not present for the vote.

4. Variance request for an existing fence which is not set back 5' from the front façade of the home.

Maria Perry

27 Gannet Hollow Place

Lot 62, Block 03, Section 01, Village of Cochran's Crossing

This item was heard under the summary list, as presented by Staff. It was moved by Mike Bass and seconded by Kim Hess to approve the fence on the condition that vegetation is planted and maintained to screen any visible rot board from view of the street. The motion carried. Robert Heineman was not present for the vote.

5. Variance request for an existing fence which is not set back 5' from the front façade of the home and is constructed with rot board that is visible from the street right of way.

Rachel Galvin

160 W Golden Arrow Circle

Lot 08, 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 Mike Bass and seconded by Kim Hess to approve the fence on the condition that vegetation is planted and maintained to screen any visible rot board from view of the street. The motion carried. Robert Heineman was not present for the vote.

6. Variance request for an existing paver driveway widening which causes the driveway to exceed the maximum width allowed.

Steven Charbonneau

3 Pastoral Pond Circle

Lot 96, Block 04, Section 60, Village of Grogan's Mill

This item was heard under the summary list, as presented by Staff. It was moved by Mike Bass and seconded by Kim Hess to table the item until the meeting of September 1, 2010 to allow the home owner to attend. The motion carried. Robert Heineman was not present for the vote.

7. Variance request for an existing attached patio cover that is located beyond the 25' rear building setback as determined by the Neighborhood Criteria for the lot.

Michael Seder

9 Crinkleroot Court

Lot 12, Block 01, Section 19, Village of Grogan's Mill

This item was heard under the summary list, as presented by Staff. It was moved by Mike Bass and seconded by Kim Hess to approve the Patio Cover on the condition that the homeowner ensures that construction meets code and passes final inspection. 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. Robert Heineman was not present for the vote.

8. Variance request for existing front yard walkways that exceed the maximum width allowed.

Jay McClanahan

39 North Brokenfern Drive

Lot 19, Block 02, Section 40, Village of Grogan's Mill

This item was heard under the summary list, as presented by Staff. It was moved by Mike Bass and seconded by Kim Hess to approve the walkway as presented. 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 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. Robert Heineman was not present for the vote.

9. Variance request for an existing window air conditioning unit that is installed with the top of the unit more than 6' above natural grade visible from ground level of an adjacent property.

Thomas Ward

3 Gambrel Oak Place

Lot 34, Block 01, Section 14, Village of Grogan's Mill

This item was heard under the summary list, as presented by Staff. It was moved by Mike Bass and seconded by Kim Hess to approve the existing window air conditioning unit as presented. The motion carried. Robert Heineman was not present for the vote.

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

Terrance Sunday

235 E. Rainbow Ridge Circle

Lot 17, Block 2, Section 01, Village of Cochran's Crossing

This item was heard under the Summary List as presented by Staff. It was moved by Mike Bass and seconded by Kim Hess to approve pursuit of legal action by authorizing TWT attorneys and staff to send letters to the owner notifying them of the actions of the Development Standards Committee; the requirements to cure the violations and to establish a reasonable time frame for resolution. The letter will include notice that failure to correct these violations 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. Robert Heineman was not present for the vote.

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

Daniel Armstrong

16 Night Hawk Place

Lot 20, Block 07, Section 25, Village of Grogan's Mill

This item was heard under the summary list, as presented by Staff. It was moved by Mike Bass and seconded by Kim Hess to withdraw the item. The motion carried. Robert Heineman was not present for the vote.

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

David Wright

29 Doe Run Drive

Lot 23, Block 01, Section 16, Village of Grogan's Mill

This item was heard under the Summary List as presented by Staff. It was moved by Mike Bass and seconded by Kim Hess to approve pursuit of legal action by authorizing TWT attorneys and staff to send letters to the owner notifying them of the actions of the Development Standards Committee; the requirements to cure the violations and to establish a reasonable time frame for resolution. The letter will include notice that failure to correct these violations 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. Robert Heineman was not present for the vote.

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

Betty Gray  
30 Bitterwood Circle  
Lot 05, Block 02, Section 20 Village of Panther Creek

This item was heard under the Summary List as presented by Staff. It was moved by Mike Bass and seconded by Kim Hess to approve pursuit of legal action by authorizing TWT attorneys and staff to send letters to the owner notifying them of the actions of the Development Standards Committee; the requirements to cure the violations and to establish a reasonable time frame for resolution. The letter will include notice that failure to correct these violations 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. Robert Heineman was not present for the vote.

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

Mark Clayton  
8 Meadow Star Court  
Lot 45, Block 01, Section 15, Village of Panther Creek

This item was heard under the Summary List as presented by Staff. It was moved by Mike Bass and seconded by Kim Hess to approve pursuit of legal action by authorizing TWT attorneys and staff to send letters to the owner notifying them of the actions of the Development Standards Committee; the requirements to cure the violations and to establish a reasonable time frame for resolution. The letter will include notice that failure to correct these violations 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. Robert Heineman was not present for the vote.

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

Kari Phillips  
46 South Stony Bridge Circle  
Lot 18, Block 03, Section 10, Village of Cochran's Crossing

This item was heard under the Summary List as presented by Staff. It was moved by Mike Bass and seconded by Kim Hess to approve pursuit of legal action by authorizing TWT attorneys and staff to send letters to the owner notifying them of the actions of the Development Standards Committee; the requirements to cure the violations and to establish a reasonable time frame for resolution. The letter will include notice that failure to correct these violations 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. Robert Heineman was not present for the vote.

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

William Herron  
42 N Duskwood Place  
Lot 05, Block 03, Section 26, Village of Cochran's Crossing

This item was heard under the Summary List as presented by Staff. It was moved by Mike Bass and seconded by Kim Hess to approve pursuit of legal action by authorizing TWT attorneys and staff to send letters to the owner notifying them of the actions of the Development Standards Committee; the requirements to cure the violations and to establish a reasonable time frame for resolution. The letter will include notice that failure to correct these violations 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. Robert Heineman was not present for the vote.

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

John Stepanski  
3 Raindream Place

Lot 68, Block 07, Section 01, Village of Cochran's Crossing

This item was heard under the Summary List as presented by Staff. It was moved by Mike Bass and seconded by Kim Hess to approve pursuit of legal action by authorizing TWT attorneys and staff to send letters to the owner notifying them of the actions of the Development Standards Committee; the requirements to cure the violations and to establish a reasonable time frame for resolution. The letter will include notice that failure to correct these violations 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. Robert Heineman was not present for the vote.

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

Lillian Stephens  
22 West Mistybreeze Circle

Lot 06, Block 06, Section 01, Village of Cochran's Crossing

This item was heard under the Summary List as presented by Staff. It was moved by Mike Bass and seconded by Kim Hess to approve pursuit of legal action by authorizing TWT attorneys and staff to send letters to the owner notifying them of the actions of the Development Standards Committee; the requirements to cure the violations and to establish a reasonable time frame for resolution. The letter will include notice that failure to correct these violations 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. Robert Heineman was not present for the vote.

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

Daniel McGuirk  
39 Silver Elm Place  
Lot 79, Block 03, Section 01, Village of Cochran's Crossing

This item was heard under the Summary List as presented by Staff. It was moved by Mike Bass and seconded by Kim Hess to approve pursuit of legal action by authorizing TWT attorneys and staff to send letters to the owner notifying them of the actions of the Development Standards Committee; the requirements to cure the violations and to establish a reasonable time frame for resolution. The letter will include notice that failure to correct these violations 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. Robert Heineman was not present for the vote.

20. Consideration and Action to proceed with legal action, regarding failure to comply with the action of the DSC regarding a second story room addition.

Mark John Haug  
7 Hickory Oak Drive

Lot 04, Block 02, Section 15, Village of Indian Springs

This item was heard under the Summary List as presented by Staff. It was moved by Mike Bass and seconded by Kim Hess to approve pursuit of legal action by authorizing TWT attorneys and staff to send letters to the owner notifying them of the actions of the Development Standards Committee; the requirements to cure the violations and to establish a reasonable time frame for resolution. The letter will include notice that failure to correct these violations 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. Robert Heineman was not present for the vote.

21. Variance request for an existing 8' fence that was not "stepped down" vertically one foot in equal horizontal increments equal to the span of the fence from post to post (a one foot drop in fence height for each five to eight feet), and was built with the construction side facing outward from the lot on the left side.

Adam Shumaker  
31 Gambrel Oak Place

Lot 20, Block 01, Section 14, Village of Grogan's Mill

This item was reviewed by the full committee. The staff provided the committee with a PowerPoint presentation noting that the existing fence slopes from 6' to 8' instead of being "stepped down" as required by the Standard. It was also noted that the lot is adjacent to a major thoroughfare, Sawdust Road, and that the construction side of the fence is visible to the street and neighboring property. The homeowner was not in attendance. The committee discussed the view from the street at the rear and the neighboring lot and the impact of the fence on the neighboring lot. It was moved by Chris Florack and seconded by Ken Anderson to approve the rear 6' to 8' fence as presented. The left side fence must be modified to meet the Standard so that the construction side is not visible from Sawdust Road by adding pickets to the exterior in a shadowbox design, double-side, or reversing the pickets. Final determination of the conditions of approval may be made by the staff. The motion carried unanimously.

22. Variance request for a proposed Gazebo with Summer Kitchen and related paving that was considered to be not architecturally compatible with the home and the neighborhood.  
Mauricio and Clara Fabre Zarandona  
7 E. Palmer Point  
Lot 02, Block 01, Section 55, Village of Cochran's Crossing  
This item was reviewed by the full committee. The staff provided the committee with a PowerPoint presentation noting the location of the proposed Gazebo with Summer Kitchen and the visibility from adjacent properties. The owner was not present to address the committee. The committee discussed the design of the Gazebo and its compatibility with the home. It was moved by Robert Heineman and seconded by Chris Florack to approve the Gazebo with Summer Kitchen on the condition that the owner ensures that construction meets code and passes 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). The motion carried unanimously.
23. Variance request for a proposed fence that would be located beyond the property line in the street right-of-way and beyond the 10' and 25' platted building lines.  
Mark Williams  
34 Elm Branch Court  
Lot 08, Block 02, Section 51, Village of Grogan's Mill  
This item was reviewed by the full committee. The staff provided the committee with a PowerPoint presentation noting the location of the fence that would be located beyond the property line in the street right-of-way and beyond the 10' and 25' platted building lines. It was noted that the original fence was constructed in the existing location and the new fence will also be in the same location. The owner was present and addressed the committee. He stated that as he had no prior knowledge of the noncompliance of the fence, he felt it would be unjust to be punished for the way the builder installed the fence. It was moved by Mike Bass and seconded by Chris Florack to approve the fence on the condition that it is not located more than 5' beyond the 10' building line, that the owner ensures that construction meets pool barrier code and passes final inspection. Additionally, a continuous landscaping bed must be installed and maintained along the exterior of the fence to soften and screen the fence from view of the street. The motion carried unanimously.
24. Variance request for a proposed fence that would be constructed of a wood composite, which is not an acceptable fence material as determined by the Standard.  
Asa Hoffman  
50 Wood Scent Court  
Lot 55, Block 05, Section 38, Village of Grogan's Mill  
This item was reviewed by the full committee. The staff provided the committee with a PowerPoint presentation noting the location of the proposed fence that would be constructed of wood composite. The owner was not present to address the committee. The committee noted that a wood composite fence was reviewed and approved at the meeting of July 7, 2010. It was moved by Chris Florack and seconded by Robert Heineman to approve the fence on the condition that the color is weathered pine. The motion carried unanimously.



25. Variance request for a proposed circular driveway addition that would be located on a lot that is not wider than 85' and may not be architecturally compatible with the home and surrounding lots.  
Giti Zarinkelk  
2825 South Logrun Circle  
Lot 04, Block 02, Section 02, Village of Grogan's Mill  
This item was reviewed by the full committee. The staff provided the committee with a PowerPoint presentation noting the location of the proposed circular driveway and photos of additional homes in the area having circular driveways. The homeowner was not present to address the committee. The committee discussed concerns regarding the amount of paving in the front yard and the limited amount of space in the area, to accommodate a circular driveway. It was then moved by Robert Heineman and seconded by Chris Florack to deny the variance request as proposed. The motion carried unanimously.
26. Variance request for a proposed room addition that would be located within the five foot side yard easement and beyond the 25' front building setback as determined by the Neighborhood Criteria for the lot.  
Ross and Tiffany Davidson  
11419 Slash Pine Place  
Lot 09, Block 01, Section 08, Village of Grogan's Mill  
This item was reviewed by the full committee. The staff provided the committee with a PowerPoint presentation noting the location of the proposed room addition that would be located within the five foot side yard easement and beyond the 25' front building setback as determined by the Neighborhood Criteria for the lot. The owner was present and addressed the committee. They stated that they are extending the living area on the first floor of their home, under the previously approved second story deck which is encroaching into the 5' side yard easement as are many of the homes in the area. It was noted that second story deck was reviewed and approved at the meeting of October 21, 2009. The committee discussed the previous variance and the lots in the area. It was moved by Ken Parker and seconded by Mike Bass to approve the room addition on the condition that the owner ensures that construction meets code and passes final inspection. 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. Additionally, 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). The motion carried unanimously.
27. Variance request for proposed white trim color that is not architecturally compatible with the dwelling or neighborhood.  
Maria Celaya  
11427 Slash Pine Place  
Lot 13, Block 01, Section 08, Village of Grogan's Mill  
This item was reviewed by the full committee. The staff provided the committee with a PowerPoint presentation noting the proposed color change to the home and the existing colors of other homes in the area. The owner was present and addressed the committee. They stated that they wish to change the trim color of their home to give the home a more modern look. They are also updating the color of the siding and felt that the white trim would complement the new brown color. They then provided the committee with samples of the colors and photos of the homes in the area. The committee discussed the architectural compatibility of the color palette

selected. It was moved by Kim Hess and seconded by Mike Bass to approve the color change on the condition that a toned-down, softer off-white cream blend color sample is submitted to staff for review prior to painting the home. The motion carried unanimously.

28. Variance request for concept approval for a proposed patio cover that will be located beyond the 15' side building setback as determined by the Neighborhood Criteria for the lot.

Brian and Cindy Taylor

43 W. Windward Cove

Lot 06, Block 02, Section 42, Village of Panther Creek

This item was reviewed by the full committee. The staff provided the committee with a PowerPoint presentation noting the location of the proposed patio cover. It was noted that the plans for the patio cover were conceptual and that the patio cover will not be located beyond the 15' side building setback as stated but would be located beyond the 40' rear building setback as determined by the Neighborhood Criteria for the lot. The owner was not present. The committee discussed the measurements depicted on the plans provided by the homeowner and the photos in the PowerPoint presentation. It was moved by Chris Florack and seconded by Kim Hess to table the item for correct measurements until the next regularly scheduled meeting of September 1, 2010. The motion carried unanimously.

29. Variance request for concept approval for a proposed room addition that will be located beyond the 40' rear building setback as determined by the Neighborhood Criteria for the lot.

Brian and Cindy Taylor

43 W. Windward Cove

Lot 06, Block 02, Section 42, Village of Panther Creek

This item was reviewed by the full committee. The staff provided the committee with a PowerPoint presentation noting the location of the proposed room addition. It was noted that the plans for the room addition were conceptual and that the room addition will not be located beyond the 40' rear building setback as stated but would be located beyond the 15' side building setback as determined by the Neighborhood Criteria for the lot. The owner was not present. The committee discussed the measurements depicted on the plans provided by the homeowner and the photos in the PowerPoint presentation. It was moved by Chris Florack and seconded by Kim Hess to table the item for correct measurements until the next regularly scheduled meeting of September 1, 2010. The motion carried unanimously.

30. Variance request for existing paving that encroaches into the right 5' side yard easement and exceeds the maximum width allowed.

Jonathan Long

57 Rolling Links Court

Lot 8, Block 2, Section 58, Village of Grogan's Mill

This item was reviewed by the full committee. The staff provided the committee with a PowerPoint presentation of the existing paving that encroaches into the right 5' side yard easement and exceeds the maximum width allowed. It was noted that the driveway extension was originally reviewed by the committee on March 3, 2010 and was disapproved. The owner was present and addressed the committee. He stated that the previous driveway was originally constructed in the easement and also exceeded the allowed width. He stated that the configuration of the driveway caused the cars backing out of the driveway to damage the grass and curb and that the new driveway had solved the previous problems. The committee discussed the configuration of the driveway on the lot and the amount of paving in the front yard. It was

moved by Mike Bass and seconded by Robert Heineman to approve the driveway on the condition that the landscape bed is extended and that a bed extends from the corner of the driveway extension with plants and shrub planted and maintained to soften the view. The motion failed. Mike Bass moved to approve the driveway on the condition that the owner submits a landscape plan to staff to include pots with vegetation to be maintained on the street side of the left side driveway addition. The motion was seconded by Chris Florack. Deborah Sargeant and Ken Parker abstained from voting.

31. Variance request for an existing fence that is not an approved style and color.

June Hinkle

10 Edgewood Forest Court

Lot 47, Block 01, Section 16, Village of Panther Creek

This item was reviewed by the full committee. The staff provided the committee with a PowerPoint presentation of the existing fence that is not an approved style and color. The owner's friend, Liz Wortham who constructed the fence with the assistance of church volunteers was present for the item and addressed the committee stating that the lattice would be covered in climbing roses and jasmine. Ms. Wortham explained the need for installing the fence and its purpose to allow the owner privacy and separate the side yards in an area that has poor drainage off the neighbor's roof. The owner of the neighboring lot, 12 Edgewood Forest Court, Dana Smith, was also present for the item and indicated that the tenants would be moving out soon. Following consideration, it was moved by Ken Parker to deny the variance and suggest the owner install a hedge for privacy. The motion was seconded by Chris Florack and carried unanimously.

32. Variance request for existing paving that encroaches into the 10' rear and 5' side yard easements of the lot.

Scott Burns

20 Mellow Leaf Court

Lot 13, Block 02, Section 18, Village of Panther Creek

This item was reviewed by the full committee. The staff provided the committee with a PowerPoint presentation of the existing pool decking that encroaches into the 10' rear and 5' side yard easements. The owner was present for the item. The committee discussed the measurements taken on site. Upon consideration, it was moved by Ken Parker to approve the variance with the understanding that 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. Additionally, 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). The motion was seconded by Ken Anderson and carried unanimously.

33. Consideration and action of a rehearing request for existing paving that encroaches into the right 5' side yard easement and exceeds the maximum width allowed.

Clayton and Stephanie Hall

14 Pebble Hollow Court

Lot 59, Block 02, Section 32, Village of Panther Creek

This item was reviewed by the full committee. The staff provided the committee with a PowerPoint presentation of the existing and proposed paver parking areas to be located within the 5' side yard easement. The owner was present for the item. Staff indicated the owner's new

design plan and the movement of the existing flower bed to accommodate the parking area. The new parking area would be adjacent to the driveway and the adjoining property fence. Upon consideration, it was moved by Chris Florack and seconded by Ken Parker to approve the variance for the paver parking area with the understanding that 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. Additionally, 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). The motion carried unanimously.

34. Consideration and action of a hearing request by the homeowner regarding violation of the Residential Development Standards.

Elizabeth Kinder

220 South Deerfoot Circle

Lot 58, Block 01, Section 28, Village of Grogan's Mill

This item was reviewed by the entire committee. The owner was present for the item. Staff provided the committee with a PowerPoint presentation with photographs of the existing artificial turf and surrounding front yard as seen from the street. The owner, Ms. Kinder addressed the committee and explained the need for the product as vegetation would grow in the area due to tree coverage. The committee asked questions about the permeability of the synthetic lawn. Because several members felt the need to see the project either in person, on site or better represented in photos, Ken Parker moved to table the item for the meeting of September 1, 2010. The motion was seconded by Kim Hess and unanimously carried.

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

Elizabeth Kinder

220 South Deerfoot Circle

Lot 58, Block 01, Section 28, Village of Grogan's Mill

Chris Florack moved to table the item for the meeting of September 1, 2010 to allow the committee and staff to gather more information. The motion was seconded by Kim Hess and unanimously carried.

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

David A. Thomas

140 Eagle Rock Circle

Lot 07, Block 01, Section 05, Village of Indian Springs

This item was reviewed by the entire committee. Staff provided the committee with a PowerPoint presentation and the minutes of the previous meeting at which the committee consented to allow the home owner additional time to obtain estimates and a schedule of repairs to the driveway to be submitted at the August 4, 2010 meeting. The Committee did note that if the owner did not submit the schedule of repairs by the following meeting on August 4, 2010 the staff should place the item on the agenda to consider proceeding with legal action. Upon consideration, Robert Heineman moved to approve pursuit of legal action if the owner did not comply with the committee's previous action to submit a schedule of repairs within 48 hrs of the meeting. If staff did not received the statement from the owner within 48hrs, the committee

consented to authorize TWT attorneys and staff to send letters to the owner notifying them of the actions of the Development Standards Committee; the requirements to cure the violations and to establish a reasonable time frame for resolution. The letter will include notice that failure to correct these violations 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 was seconded by Chris Florack and carried unanimously.

37. Consideration and action of a rehearing request from the rear affected neighbor regarding the July 7, 2010 DSC action on the existing rear yard trellis.

Leonard and Laurie Reinsmith  
Daniel E. Lewis (affected neighbor)  
15 Treasure Cove Drive

Lot 38, Block 01, Section 24, Village of Panther Creek

The item was reviewed by the full committee. Staff provided the committee with the neighbor's request for a rehearing to present the committee with new information. The affected neighbor, Mrs. Lewis was present for the item. Upon consideration, Deborah Sargeant moved to approve the rehearing for the existing rear yard trellis to be scheduled for the next regular DSC meeting, September 1, 2010. The motion was seconded by Ken Parker and carried with Chris Florack voting in opposition.

**VII.** Public Comments  
There were none.

**VIII.** Member Comments  
There were none.

**IX.** Staff Reports  
There were none.

**X.** Adjourn  
There being no further business, Mike Bass moved to adjourn the meeting at 7:43 p.m. The motion was seconded by Kim Hess and unanimously carried.

**\*\*The Above Schedule Represents an Estimate of the Order for the Agenda Items Listed and is Subject To Change\*\***