

Development Standards Committee

February 16, 2011 at 5:30 PM

The Woodlands Township Service Center

2201 Lake Woodlands Drive

The Woodlands, Texas 77380

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

Members Absent: Ken Anderson

Staff Present: Neslihan Tesno, Pam Forde and Danielle Allen

Others in Attendance: As reflected by the attached Sign-in Sheet for February 16, 2011.

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 January 19, 2011.

It was moved by Chris Florack and seconded by Ken Parker 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 1-5. It was moved by Mike Bass and seconded by Kim Hess to approve the Summary List as presented by staff. The motion carried unanimously.

IV. Consideration and Action of The Woodlands Commercial Planning and Design Standards

Pam Forde presented the new Commercial Standards for adoption. It was moved by Kim Hess and seconded by Robert Heineman to adopt The Woodlands Commercial Planning and Design Standards as presented by staff. The motion carried unanimously.

V. Review and Disposition of Commercial Applications

A. Report on "Commercial Staff Approval List" for February 16, 2011

The list was accepted as presented.

VI. Review and Disposition of Residential Applications

1. Variance request for proposed walkway which will encroach into the 10 foot rear easement.

William & Kim Mace

2 South Greywing Place

Lot 7, Block 1, Section 6 Village of Alden Bridge

This item was reviewed under the summary approval list as presented by staff. It was moved by Mike Bass and seconded by Kim Hess to conditionally approve. 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). 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.

2. Variance request for proposed fireplace will extend beyond the 25' rear setback.
David & Donna Anglin
30 Glenrace Circle
Lot 19, Block 1, Section 56 Village of Alden Bridge
This item was reviewed under the summary approval list as presented by staff. It was moved by Mike Bass and seconded by Kim Hess to conditionally approve, meet code and standards conditions apply. The motion carried unanimously.
3. Variance request for an existing trampoline which encroaches into the rear 10 foot and side 5 foot utility easements.
Gary and Tammy Walston
94 East Bracebridge Circle
Lot 33, Block 1, Section 21 Village of Indian Springs
This item was reviewed under the summary approval list as presented by staff. It was moved by Mike Bass and seconded by Kim Hess to disapprove and consent to delay enforcement, based upon the execution of a memorandum of agreement, requiring the owner to remove the 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.
4. Variance request for existing pool decking which encroaches into the rear 10 foot utility easement.
Kevin and Renee Dempsey
18 Driftdale Place
Lot 11, Block 1, Section 4 Village of Creekside Park
This item was reviewed under the summary approval list as presented by staff. It was moved by Mike Bass and seconded by Kim Hess to conditionally 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.
5. Consideration and Action to proceed with legal action, regarding failure to comply with the Covenants and Standards for outstanding violations on the home.
Jose Luis Gonzalez Jimenez
155 Rocky Point Drive
Lot 7, Block 2, Section 5, Village of Creekside Park
This item was reviewed under the summary approval list as presented by staff. It was moved by Mike Bass and seconded by Kim Hess to approve 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 the dead trees) 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.

6. Variance request for a proposed bench encroaches into the 5 ft side utility easement.

Roger and Marybeth Balog

194 Oarwood Place

Lot 18, Block 1, Section 1 Village of Creekside Park

This item was reviewed by the full committee. The staff provided the committee with a PowerPoint presentation of the proposed improvements. The homeowner was present to address the committee. It was moved by Robert Heineman and seconded by Chris Florack 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.

7. Variance request for proposed summer kitchen which is not located 10 feet away from the adjacent property line.

Ron and Mary Harris

6 Libretto Court

Lot 21, Block 1, Section 27 Village of Sterling Ridge

This item was reviewed by the full committee. The staff provided the committee with a PowerPoint presentation of the proposed improvements. The homeowner was not present to address the committee. The contractor addressed the committee as a representative of the owner. It was moved by Ken Parker and seconded by Chris Florack to conditionally approve, meet code and standard inspections. The motion carried unanimously.

8. Variance request for a gazebo with summer kitchen which does not respect the rear building line and which may create a negative neighbor impact due to the mass scale proportion.

Chris and April Davis

51 Bessdale Court

Lot 34, Block 1, Section 65 Village of Sterling Ridge

Items 8 & 9 were reviewed by the full committee jointly. The staff provided the committee with a PowerPoint presentation of the proposed improvements. The homeowner was not present to address the committee. The contractors addressed the committee as representatives of the owner. It was moved by Mike Bass and seconded by Chris Florack to conditionally approve; plant and maintain evergreen vegetation to soften view of retaining wall and screen the arbor and patio cover. Submit landscape plan to staff. Plant and maintain a minimum of 5 native 30 gallon trees –trees to be planted in beds. Palms will not be counted toward tree requirement. Plant and maintain evergreen shrubs to screen view of pool equipment from street and adjacent properties, must be 3' in height at time of planting. Pool equipment light must be shielded to direct illumination downward. Maximum light wattage is 100 watts total. Meet code and standards. Staff to determine if sufficient vegetation upon completion of planting.

Owner must verify all Centerpoint Energy easements and Unigas-Universal Natural Gas Easements, as they may differ with the covenant easements. The motion carried unanimously.

9. Variance request for a swimming pool, retaining wall and a detached arbor which may create a negative neighbor impact due to the mass scale proportion.

Chris and April Davis

51 Bessdale Court

Lot 34, Block 1, Section 65 Village of Sterling Ridge

Items 8 & 9 were reviewed by the full committee jointly. The staff provided the committee with a PowerPoint presentation of the proposed improvements. The homeowner was not present to address the committee. The contractors addressed the committee as representatives of the owner. It was moved by Mike Bass and seconded by Chris Florack to conditionally approve; plant and maintain evergreen vegetation to soften view of retaining wall and screen the arbor and patio cover. Submit landscape plan to staff. Plant and maintain a minimum of 5 native 30 gallon trees –trees to be planted in beds. Palms will not be counted toward tree requirement. Plant and maintain evergreen shrubs to screen view of pool equipment from street and adjacent properties, must be 3' in height at time of planting. Pool equipment light must be shielded to direct illumination downward. Maximum light wattage is 100 watts total. Meet code and standards. Staff to determine if sufficient vegetation upon completion of planting. Owner must verify all Centerpoint Energy easements and Unigas-Universal Natural Gas Easements, as they may differ with the covenant easements. The motion carried unanimously.

10. Variance request for an existing driveway that was not built by the builder according to the approved plan and exceeds the 16 ft maximum width allowed per the Standards.

David and Shirley Valicevic

102 South Beech Springs Circle

Lot 4, Block 4, Section 10 Village of Creekside Park

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 Chris Florack and seconded by Mike Bass to conditionally approve- plant and maintain a planter bed with a mix of shrubs and plants at the portion of the driveway that tapers. The motion carried unanimously.

11. Variance request for existing awning which is not a solid muted shade.

William and Mary Jane Hendryx

59 North Emory Bend Place

Lot 6, Block 1, Section 7 Village of College Park

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 Robert Heineman and seconded by Chris Florack to disapprove and consent to delay enforcement, based upon the execution of a memorandum of agreement, requiring the owner to replace the striped awning fabric with one that is one color and solid muted tone, when the owner no longer owns the home, transfers title or when the owner is no longer the primary resident, or when the awning is in disrepair and needs replacement whichever comes first. The memorandum will be recorded with the court house and binding on the land. The motion carried unanimously.

VII. Public Comments

There were no public comments.

VIII. Member Comments

There were no member comments.

IX. Staff Reports

Staff reported that they contacted the two contractors that installed improvements without prior approval (from last month's meeting) to inform them of the proper procedures.

X. Adjourn

There being no further business it was moved by Kim Hess and seconded by Robert Heineman to adjourn the meeting at 6:10 p.m. The motion carried unanimously.