

Development Standards Committee Meeting
February 2nd, 2011 at 5:30PM
The Woodlands Township Service Center
2201 Lake Woodlands Drive
The Woodlands, Texas 77380
Minutes

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

Staff Present: Chris Feist, Pam Forde and Kim McKenna

I. Welcome/Call Meeting to Order

The meeting was called to order in regular session, open to the public by Vice Chairman, Robert Heineman at 5:35 p.m.

II. Approve Minutes of Meeting of January 5th, 2011

It was moved by Ken Parker and seconded by Mike Bass to approve the minutes of the regular meeting of January 5, 2011 as presented. The motion carried unanimously.

III. Consideration and Action of the Summary List

Committee Vice Chairman, Robert Heineman presented the Summary List as presented by Staff Recommendation. The list consisted of residential items 1, 4, 5, 6, 8, 9, 10, 11, 13, and 14. It was moved by Kim Hess and seconded by Ken Anderson to approve the Summary List as presented by staff. The motion failed. It was then moved by Ken Parker and seconded by Mike Bass to remove item #13 from the summary agenda and approve items 1, 4, 5, 6, 8, 9, 10, 11 and 14 as presented by staff. The motion carried unanimously.

IV. Review and Disposition of Commercial Items

A. Request for Consideration and Action

Final Approval

The Woodlands Garden Apartments

11111 Winterberry Place – 01-010-0006-0547-0360

Village of Grogan's Mill

This item was reviewed by the full committee. After presentation by Kim Hess and discussion by the committee, a motion was made by Kim Hess and seconded by Ken Anderson to approve the item with the conditions that 1) finishes for the retaining walls and handrail details must be submitted for review and approval, 2) all iron fencing must be black, 3) carport elevations and specifications must be submitted for review and approval, 4) pavers must be added to the center of the entrance round-a-bout in lieu of the landscape planter, 5) pine trees must be a minimum of 30 gallon size, 6) dwarf wax myrtles surround the trash enclosures must be replaced with full size wax myrtles for screening and additional plants may be required to provide a screen from the public walkway, 7) all wall pack lighting must be fully shielded, 8) additional plantings may be required to supplement the forest preserves, especially along the south side adjacent to residential properties and must be verified by the Development Standards Committee representative before completion of the project, 9) additional plantings may be required along the dog park to help screen from the public. The motion carried unanimously.

B. Request for Consideration and Action

Concept Approval for Lights & Decorative Items

Sonic

2300 Buckthorne Place – 01-010-0006-0547-0700

Village of Grogan's Mill

This item was reviewed by the full committee. After presentation by Kim Hess and discussion by the committee, a motion was made by Kim Hess and seconded by Chris Florack to approve the item with the conditions that 1) the “stall stars” are approvable, 2) the “blue” circles are approvable if they are of materials that compatible with the building, are backlit, and do not contain advertising, 3) the “Open” sign on the front of the building must be removed, 4) the “tower” must be of materials that are compatible with the building materials, 5) no neon lighting will be allowed, 6) the directional signs must comply with the Standards. The motion carried unanimously, with Ken Anderson abstaining from the vote.

V. Review and Disposition of Residential Applications

1. Variance request for a proposed fence, which would be located beyond the 10 foot platted building line.

Suzanne G. Blount
3 Amber Sky Place

Lot 11, Block 02, Section 13, Village of Cochran’s Crossing

This item was heard under the summary list, as presented by Staff. It was moved by Ken Parker and seconded by Mike Bass to approve the proposed fence on the condition the owner maintain vegetation to the exterior of the fence to soften the view to the street. Owner may need to plant additional vegetation in any bare areas. The motion carried unanimously.

2. Variance request for a proposed conceptual room addition which will exceed the maximum living area; and will encroach the left side easement and the left side setback.

Bharat Lathe
37 Leeward Cove Drive

Lot 02, Block 02, Section 24 Village of Panther Creek

This item was heard by the full committee. The owner was present to address the committee. Additionally the adjoining property owners’ were present. The staff provided the committee with a PowerPoint presentation of the overall property and the improvements proposed. Photographs noting the existing structure and the proposed additions were shown, as well as their impact to the adjacent properties. The owner noted the request for additional space to accommodate elderly family moving into the home, including modifications to allow for the new family member to reside on the first floor. The proposed addition would allow the owner to build a master bedroom suite upstairs to accommodate moving off of the first floor. Additionally, the owner noted changes that will improve the family area. The affected neighbor responses from each adjoining property shared concerns that the homes are all ready close together, the windows impact privacy, the addition obstructs their natural lighting and exclude any views from their windows, possible drainage concerns and questioned re-sale value. The committee deliberated on the proposed changes and discussed the use of the improvements. They shared concerns regarding windows, mass scale and proportion as well as an opportunity to modify the proposed closet space and remove the portion of the addition encroaching into the easement. It was then moved by Robert Heineman and seconded by Chris Florack to request the owner modify the sketches to consider the neighbor concern regarding impact, modify the windows remove the portion from the easement and reduce the impact to adjacent properties. The motion carried unanimously.

3. Variance request for a proposed room addition, which will encroach the twenty five foot rear setback.

Mark Polzer
47 West Windward Cove

Lot 05, Block 02, Section 42 Village of Panther Creek

This item was heard by the full committee. The architect was present to address the

committee. Additionally the staff noted the letters received from neighboring properties. Robert Heineman clarified that the responses received did not address any architectural concerns with the addition proposed, but rather a separate matter with the home owner and his Sub-home owner's association. The staff confirmed Mr. Heineman's observation and referred the committee to the letters received. The staff provided the committee with a PowerPoint presentation of the overall property and the improvements proposed. Photographs noting the existing structure and the proposed additions were shown, as well as their impact to the adjacent properties. Additionally the committee discussed the criteria and the reference of a setback issue, noting the orientation of the house and the rear setback and the need to correct the neighborhood criteria for this property. It was then moved by Robert Heineman and seconded by Mike Bass to approve the proposed addition on the condition the owner must modify the windows to the adjacent property to be frosted or etched glass, plant and maintain significant vegetation to soften and screen the view to the adjacent properties and to the street and the staff must draft and correct the neighborhood criteria to address the modification in the neighborhood criteria for a twenty five foot setback and unlimited maximum on living area. The motion carried unanimously.

4. Variance request for an existing flagstone paving, which encroaches the five foot side yard easement and also causes the driveway to exceed the maximum width allowed.
Michael Riginio
19 Greeningdon St.
Lot 08, Block 02, Section 12 Village of Panther Creek
This item was heard under the summary list, as presented by Staff. It was moved by Ken Parker and seconded by Mike Bass to table the item to the meeting of March 2, 2011. The motion carried unanimously.
5. Consideration and Action regarding the allowance of an existing Home Business.
Daniel Durban
2 West Misty Morning Court
Lot 09, Block 03, Section 31 Village of Panther Creek
This item was heard under the summary list, as presented by Staff. It was moved by Ken Parker and seconded by Mike Bass to approve the home business on the condition the owner maintains the business in the home in keeping with the Standards and Covenants. Approval is granted for 2 years; and is subject to revocation if a violation of the Residential Development Standards occurs. The motion carried unanimously.
6. Variance request for an existing driveway, which exceeds the maximum width allowed, and is located within the five foot side utility easement.
Do Nguyen
16 Wild Ginger Court
Lot 24, Block 01, Section 27 Village of Grogan's Mill
This item was heard under the summary list, as presented by Staff. It was moved by Ken Parker and seconded by Mike Bass to approve the driveway as presented and notify the owner that the additional hard surface to the driveway causes him to reach the maximum amount of hard surface area allowed, which will impact any future plans for hard surface. Approval by this committee does not constitute approval by the additional easement holders. It is the owner's responsibility to obtain approval by those easement holders and maybe subject to removal. The owner must ensure that the placement of any improvement or 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 drainage from each lot should be directed to the street where possible. In instances where the rear area of a lot is lower than the elevation of the street, a lot-to-lot drainage solution may be needed. In these situations, a lot cannot block drainage from an adjacent lot that naturally flows across that lot on a path to a drainage swale, stream, or outlet. Enforcement of this requirement is by the affected property owner(s).

7. Variance request for an existing fence, which does not respect the five foot setback from the front façade of the home, was built with the construction side facing outward from the lot, exceeds the maximum allowed height and has a rot board that is visible from the street.

Edward Heard

24 West Southfork Pines Circle

Lot 04, Block 03, Section 17 Village of Panther Creek

This item was heard by the full committee. The owner was present to address the committee. The staff provided the committee with a PowerPoint presentation of the overall property and the improvements proposed. It was then moved by Robert Heineman and seconded by Ken Parker to deny the variance as proposed but consent to delay enforcement based upon the execution of a memorandum of agreement and the following conditions: Condition 1: the owner must plant and maintain vegetation at the front of the home to screen the view of the rot board from the street.

Condition 2: the owner must obtain approval from the adjoining property owner, as described in the Standards to allow the orientation of the right side of the fence, to remain construction side out to the neighbor. Memorandum: the owner will be required to sign a memorandum of agreement requiring the owner to bring the rear fence into compliance with the Standards when the owner no longer owns the home, sells or transfers title of the property or when the fence is in disrepair and in need of replacement. The memorandum of agreement will be recorded with the courthouse and binding on the land. The motion carried unanimously.

8. Variance request for an existing fence, which is located beyond the thirty nine foot platted building line.

Kimberly Cameron

18 Crested Cloud Court

Lot 13, Block 01, Section 51 Village of Grogan's Mill

This item was heard under the summary list, as presented by Staff. It was moved by Ken Parker and seconded by Mike Bass to table the item to the meeting of March 2, 2011. The motion carried unanimously.

9. Variance request for an existing trampoline, which is located beyond the thirty nine foot platted building line; and has poles that are not muted in color.

Kimberly Cameron

18 Crested Cloud Court

Lot 13, Block 01, Section 51 Village of Grogan's Mill

This item was heard under the summary list, as presented by Staff. It was moved by Ken Parker and seconded by Mike Bass to table the item to the meeting of March 2, 2011. The motion carried unanimously.

10. Variance request for an existing trampoline, which encroaches into the ten foot rear yard easement and has poles that are not muted in color.

Juan Torres

19 Windstar Court

Lot 04, Block 03, Section 16, Village of Cochran's Crossing

This item was heard under the summary list, as presented by Staff. It was moved by Ken Parker and seconded by Mike Bass to deny the variance for the trampoline and consent to delay enforcement, based upon the execution of a memorandum of agreement requiring the owner to remove the trampoline or relocate it out of the easement to comply with the Standards when the owner no longer owns the home, sells or transfers title of the property or when the trampoline is in disrepair and in need of replacement. The memorandum of agreement will be recorded with the courthouse and binding on the land. Additionally the owner must modify the supporting poles and accessories to a muted shade. The motion carried unanimously.

11. Variance request for an existing detached storage shed, which is located within the five foot side yard easement and exceeds the maximum allowed height.

Joe Rowton

20 Tulip Hill Court

Lot 09, Block 01, Section 42 Village of Grogan's Mill

This item was heard under the summary list, as presented by Staff. It was moved by Ken Parker and seconded by Mike Bass to deny the variance for the detached building and consent to delay enforcement, based upon the execution of a memorandum of agreement requiring the owner to remove the improvement or relocate it out of the easement to comply with the Standards when the owner no longer owns the home, sells or transfers title of the property or when the building is in disrepair and in need of replacement. The memorandum of agreement will be recorded with the courthouse and binding on the land. Additionally the owner must plant and maintain some native vegetation to soften the view. Approval by this committee does not constitute approval by the additional easement holders. It is the owner's responsibility to obtain approval by those easement holders and maybe subject to removal. The motion carried unanimously.

12. Consideration and action regarding the homeowner's appeal of the Residential Design Review Committee's conditions of approval; that pickets must be added to the rear fence to screen construction members from view.

Gustavo and Adeline Moncivais

16 Tanager Trail

Lot 03, Block 01, Section 07, Village of Cochran's Crossing

This item was heard by the full committee. The staff provided the committee with a PowerPoint presentation of the overall property and the improvements. The staff informed the Committee of the Residential Design Review Committee's conditions of approval. The Development Standards Committee affirmed the Residential Design Review Committee's conditions of approval. It was moved by Chris Florack and seconded by Ken Anderson to deny the variance and confirm the Residential Design Review Committee's action. The owner must modify the rear fence to comply with the Standard regarding the construction side portion of the fence visible to Shadowbend and the adjoining pathway. The owner must comply within 60 days. The motion carried. Robert Heineman was not present for the vote.

13. Variance request for partially completed fencing, wing walls and gates, which are not an approved fencing design, are located beyond the front twenty five foot building line, and may not be considered as compatible with or appropriate in scale, color, and mass to the architectural character of the dwelling and the neighborhood.

Thomas Wertheim

43 Pleasure Cove

Lot 13, Block 02, Section 24 Village of Panther Creek

This item was heard by the full committee. The owner was present to address the committee. The staff provided the committee with a PowerPoint presentation of the overall property and the improvements. The staff noted the original permit and the change in dimension from what was originally approved and what the owner began to construct. It was then moved by Chris Florack and seconded by Ken Parker to approve the fencing, wind walls and gates on the condition the owner meets code, passes final inspection and adheres to the dimensions specified on the permit; and does not make any modifications or changes during construction without obtaining approval for any deviations. The motion carried unanimously.

14. Variance request for a partially completed fountain which may not be compatible with or appropriate in scale, color, and mass to the architectural character of the dwelling and 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 Parker and seconded by Mike Bass to approve the fountain on the condition the owner meets code, passes final inspection and adheres to the dimensions specified on the permit; and does not make any modifications or changes during construction without obtaining approval for any deviations. 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 Ken Parker and seconded by Chris Florack to adjourn the meeting at 8:01p.m.

