

Development Standards Committee Meeting
March 2, 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 Chairwoman, Deborah Sargeant at 5:35 p.m.

II. Approve Minutes of Meeting of February 2, 2011

It was moved by Mike Bass and seconded by Ken Parker to approve the minutes of the regular meeting of February 2, 2011 as presented. Deborah Sargeant abstained from the vote. The motion carried.

III. Consideration and Action of the Summary List

Chairwoman Deborah Sargeant presented the Summary List as presented by Staff Recommendation. The list consisted of residential items 2, 3, 4, 5, 8, 9, 10, 14, 15, 16 and 19. It was moved by Mike Bass and seconded by Ken Parker to approve the Summary List as presented by staff. The motion carried unanimously.

IV. Review and Disposition of Commercial Items

A. Request for Consideration and Action

ILUD Amendment to Allow a Columbarium

Christ Church United Methodist

6363 Research Forest Drive

Village of Cochran's Crossing

This item was reviewed by the full committee. After presentation by Kim Hess, and with comments by Rev. Hannon, the committee discussed possible residential neighbor concerns with the Columbarium. It was also noted that the Columbarium was not posted as an item to discuss, only the ILUD to allow a Columbarium. A motion was made by Kim Hess to allow a change to the ILUD to allow a Columbarium and to also approve the next item, the Building Addition. Mike Bass then requested that the motion be amended to require that owners of residential properties backing up to the drainage ditch behind the church must be advised of the proposed Columbarium. Ken Anderson seconded the motion. The motion carried unanimously.

B. Request for Consideration and Action

Building Addition

Christ Church United Methodist

6363 Research Forest Drive

Village of Cochran's Crossing

This item was reviewed by the full committee at the same time as the item above to allow an ILUD Amendment to Allow a Columbarium. After presentation by Kim Hess, and with comments by Rev. Hannon, a motion was made by Kim Hess for both items: 1) to approve the Building Addition, as well as 2) to allow

the change to the ILUD to allow a Columbarium. Mike Bass then requested that the motion be amended to require that owners of residential properties backing up to the drainage ditch behind the church must be advised of the proposed Columbarium. Ken Anderson seconded the motion.

V. Review and Disposition of Residential Applications

1. Request for a rehearing (submitted by Bette Osborn of 39 Pleasure Cove Drive, The Woodlands, TX 77381), regarding the fountain, fencing with wing walls and gates, which were acted on by the Development Standards Committee at their meeting of February 2, 2011.

Thomas Wertheim

43 Pleasure Cove

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

This item was reviewed by the full committee. The staff informed the Committee that a request for a rehearing had been requested and that the owner and affected neighbors were all present to address the committee regarding any new information that would cause a rehearing. The Committee requested the staff read the action from the previous meeting. An excerpt of the minutes was read to the Committee. Surrounding home owner provided the committee with their concerns regarding the overall modifications to the home as well as the current items discussed. After deliberation it was moved by Mike Bass and seconded by Ken Parker to deny the request for a rehearing and affirm their original action of February 2, 2011. The motion carried unanimously.

2. Variance request for a proposed room addition, which would encroach the twenty five foot side setback.

Saeid Rahimian

86 South Tranquil Path

Lot 07, Block 02, Section 61 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 Ken Parker to approve the room addition on the condition it meets code, passes final inspection and the owner plants and maintains vegetation to the exterior of the addition to soften the view to adjoining properties. 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). The motion carried unanimously.

3. Variance request for a proposed play structure, which will be located in an area that may obstruct the view of the golf course from adjoining lots; and was not considered being architecturally compatible with the home and neighborhood, according to the residential Design review Committee. .

Sean and Cher Lynch

6 Lyric Arbor Circle

Lot 23, Block 01, Section 38, 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 Ken Parker to approve as presented. Approval is for the secondary location adjacent to the reserve. The motion carried unanimously.

4. Variance request for a proposed deck, which would be located beyond the owner's property line in the common area, which is not in keeping with the Standard.
Linda Grasso
24 Sawmill Grove Court
Lot 15, Block 01, Section 41 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 Ken Parker to approve the proposed deck for portions of decking on the owner's property. The Committee takes no action for all improvements outside of the owner's property. The motion carried unanimously.
5. Variance request for a proposed fence, which would be located beyond the owner's property line in the common area.
Linda Grasso
24 Sawmill Grove Court
Lot 15, Block 01, Section 41 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 Ken Parker to approve the portions of fencing on the owner's property. The Committee takes no action for all improvements outside of the owner's property. The motion carried unanimously.
6. Variance request for an existing color change to the trim of the dwelling, which is not in keeping with the Neighborhood Criteria for the lot and the existing garage door color, was not considered to be compatible with the dwelling.
Richard and Kathleen Roberts
98 West High Oaks Circle
Lot 32, Block 01, Section 42 Village of Grogan's Mill
This item was heard by the full committee. The staff provided the committee with a PowerPoint presentation of the overall property showing the existing color change. Photographs noting the adjacent properties were included in the presentation, to show the Committee a representation of the color schemes in the neighborhood. It was then moved by Robert Heineman and seconded by Mike Bass to deny the variance as proposed and require the owner modify the garage door color and side passenger door of the garage to a color that matches one of the colors in the brick of the home. The home owner should coordinate with the staff to determine an acceptable color prior to painting the home. The motion carried unanimously.
7. Variance request for an existing greenhouse, which exceeds the maximum square footage allowed; and is constructed with a corrugated roof material.
Greg Holt
63 Northgate Drive
Lot 30, Block 03, Section 45 Village of Grogan's Mill
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 view of the greenhouse. The owner described his request for a variance related to the design of the structure and his concerns would the material be modified. Additionally the staff noted that the owner intends to plant additional vegetation around the greenhouse to screen the view from the street and surrounding properties. It was then moved by Mike Bass and seconded by Kim Hess to approve the greenhouse as presented, on the condition the owner must plant and maintain vegetation as proposed to soften and screen the view of the greenhouse to the street and adjacent properties. The motion carried unanimously.
8. Variance request for an existing attached patio cover, which was constructed without sealed plans.
Dennis and Ellen Drotar
4 Cat Feet Court

Lot 150, 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 Ken Parker to approve the attached patio cover on the condition the owner meets code and passes final inspection. The motion carried unanimously.

9. Variance request for existing paving, which causes the driveway to exceed the maximum width allowed.
Chris and Julia McFarland
31 Berryfrost Lane
Lot 03, Block 01, Section 43 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 Ken Parker to approve the paving as presented on the condition the owner uses the area as a step off and not for permanent parking. Additionally the owner must maintain the existing vegetation to soften the view. The motion carried unanimously.
10. Variance request for existing paving, which is considered to be an unapproved parking surface
Michael Miller
27 Spurwood Court
Lot 13, 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 Ken Parker to approve the existing paving as submitted. The motion carried unanimously.
11. Variance request for existing flagstone pavers, which are located within the street right-of-way beyond the platted building line.
Steven Ward
19 Silent Brook Court
Lot 68, Block 02, Section 02, 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 view of the improvement. The Committee shared concerns in regards to the size of the area and the view from the street. Additionally the committee shared concerns regarding the precedent set for the area, if the item was to be approved. It was then moved by Mike Bass and seconded by Ken Parker to deny the variance as proposed and require the owner remove the flagstone pavers. The motion carried unanimously.
12. Variance request for an existing air conditioning unit, which was installed with the top of the unit more than six feet above natural grade and visible from ground level to adjacent streets and properties.
Dan Simkins
4 Redberry Court
Lot 28, Block 09, Section 7 Village of Panther Creek
This item was heard by the full committee. The staff provided the committee with a PowerPoint presentation of the overall property and the view of the improvements. The Committee asked the staff to specify the use the owner had placed on the application. It was noted that the owner completed an application for an ac unit to be used on a shed. However, the detached building was noted as a play area. Due to the use of the building, the committee felt the owner should submit an application for a home garage construction and the improvement should be viewed as living area. It was then moved by Mike Bass and seconded by Kim Hess to deny as presented and require the owner resubmit a home garage construction application that meets Standards, to address the additional living area and include the air conditioning in the application. The motion carried unanimously.

13. Variance request for an existing detached building, which is taller than the maximum height allowed.

Dan Simkins
4 Redberry Court

Lot 28, Block 09, Section 7 Village of Panther Creek

This item was heard by the full committee. The staff provided the committee with a PowerPoint presentation of the overall property and the view of the improvements. The Committee asked the staff to specify the use the owner had placed on the application. It was noted that the owner completed an application for an ac unit to be used on a shed. However, the detached building was noted as a play area. Due to the use of the building, the committee felt the owner should submit an application for a home garage construction and the improvement should be viewed as living area. It was then moved by Mike Bass and seconded by Kim Hess to deny as presented and require the owner resubmit a home garage construction application that meets Standards, to address the additional living area and include the air conditioning in the application. The motion carried unanimously.

14. Variance request for the existing roof.

Chun Y. Lee
136 South Deerfoot Circle

Lot 37, Block 01, Section 28 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 Ken Parker to deny the variance for the roof and consent to delay enforcement, based upon the execution of a memorandum of agreement requiring the owner to submit an application and obtain an approval for a new roof, when the existing roof is in disrepair or when the owner no longer owns the home, sells or transfers title of the property or is no longer the primary resident. The memorandum of agreement will be recorded with the courthouse and binding on the land. The motion carried unanimously.

15. Variance request for an existing garage, which was converted to living area and does not allow sufficient area to park vehicles in accordance with the Standards and does not have the required sealed drawings.

Ted Maier
2402 Box Oak Place

Lot 28, Block 06, Section 03 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 Ken Parker to deny the variance for the addition including the air conditioning unit and consent to delay enforcement, based upon the execution of a memorandum of agreement requiring the owner to return the addition back to a garage when the owner no longer owns the home, sells or transfers title of the property or is no longer the primary resident. The memorandum of agreement will be recorded with the courthouse and binding on the land. Additionally the owner must plant and maintain vegetation at the rear of the garage to screen the view of the air conditioning unit. The motion carried unanimously.

16. Variance request, from the owner, to appeal the Residential Design Review Committee's condition of approval requiring that three, fifty gallon native trees are planted and maintained in the front yard to replace those that were removed.

Martha Hicks
71 Marabou Place

Lot 35, Block 02, 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 Ken Parker to approve the owner's request to appeal the condition of the RDRC. The owner will only be required to maintain the existing trees and vegetation on the lot. The motion carried unanimously.

17. Variance request for 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 reviewed by the full committee. The home owner was present to address the committee. The Committee discussed the size of the extension and the overall need for the driveway extension. The owner noted that the improvement itself ended up larger than he imagined. It was then moved by Deborah Sargeant and seconded by Ken Parker to deny the variance as proposed and require the owner modify the design, so that the driveway curves inward from the street pavement edge toward the home. The driveway width should then taper in to the portion of the driveway measuring 17 feet in width. Additionally the owner must plant vegetation at the base of the driveway to soften the view of the driveway extension from the street. The committee noted this could be done in a low level landscape bed. The motion carried unanimously.

18. Variance request for an existing dog run and dog house, which is located in the rear easement and exceeds the maximum height and length allowed.

Chris Hyek

8 Smokey Oak Rd.

Lot 6, Block 07, Section 7 Village of Panther Creek

This item was reviewed by the full committee. The home owner was present to address the committee. The owner was present to address the committee. The staff provided the committee with a PowerPoint presentation of the overall property and the view of the dog house. The owner noted there was a boy scout who had completed a similar structure. He questioned why he was being penalized for his structure, when the Boy Scout was being rewarded. The Committee reviewed the structure and provided suggestion to the home owner regarding modifications. It was clarified that the Boy Scout who constructed the building, did so for an Eagle Scout project. The structures were for rehabilitating wild animals. The structures were then sent to a rehabilitation facility. It was then moved by Deborah Sargeant and seconded by Mike Bass to deny the variance for the dog run and consent to delay enforcement, based upon the execution of a memorandum of agreement requiring the owner to remove the dog run when the structure is in disrepair, when the owner no longer owns the home, sells or transfers title of the property, is no longer the primary resident or when the dog no longer uses the structure or passes away. In addition if The Woodlands Township received any complaints from the neighbors regarding the structure the home owner will be required to reduce the height to be lower than the fence height. Furthermore, the owner must plant and maintain vegetation to soften and screen the view of the structure to the street and surrounding neighbors. The memorandum of agreement will be recorded with the courthouse and binding on the land. The motion carried unanimously.

19. Variance request for an existing fence, which was constructed with the construction side facing outward and with a rot board taller than the maximum height allowed.

Robert Jaynes

150 West Woodstock Circle Drive

Lot 89, Block 01, Section 2 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 Ken Parker to table the item to the April 6, 2011 meeting, in order to allow the homeowner to attend the meeting. The motion carried unanimously.

VI. Public Comments

There were no public comments.

VII. Member Comments

Kim Hess noted that she would not be able to attend the meeting of March 16th, 2011. The committee discussed any additional members who would be absent for that meeting. Robert Heineman and Ken Parker noted they might not be able to attend, but would coordinate with the staff if they were unable to make it.

VIII. Staff Reports

There were no staff reports.

IX. Adjourn

There being no further business it was moved by Ken Parker and seconded by Ken Anderson to adjourn the meeting at 7:46p.m. The motion carried unanimously.