

Development Standards Committee

September 15, 2010 at 5:30PM

The Woodlands Township Service Center

2201 Lake Woodlands Drive

The Woodlands, Texas 77380

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

Members Absent: Deborah Sargeant

Staff Present: Neslihan Tesno, Pam Forde and Sharlene Novak

Others in Attendance: As reflected by the attached Sign-in Sheet for September 15, 2010.

I. Welcome/Call Meeting to Order

The meeting was called to order by Chairwoman Deborah Sargeant at 5:32 p.m.

II. Approve Minutes of DSC Meeting on August 18, 2010.

Mike Bass stated that he did not abstain on items #41 and #42; he voted in favor of the motion. It was moved by Ken Parker and seconded by Chris Florack to approve the minutes of the previous meeting as corrected. The motion carried unanimously.

III. Consideration and Action of the Summary List

Vice Chairman Robert Heineman presented the Summary List as presented by Staff Recommendation. Item #24 was tabled. Items # 17 and #18 were withdrawn. The list consisted of Residential Items 1,2,3, 4, 5, 6, 7, 8, 9, 10, 11, 13, 14, 22, and 23. It was moved by Ken Parker and seconded by Chris Florack to approve the Summary List as presented by staff. The motion carried unanimously.

IV. Review and Disposition of Commercial Applications

A. Report on "Commercial Staff Approval List" for September 15, 2010

The List was accepted as presented.

V. Review and Disposition of Residential Applications

1. Variance request for a proposed patio cover which does not respect the rear 20' building line.

Jorge and Denise Ramirez

2 Prosewood Court

Lot 37, Block 1, Section 1, Village of College Park – Grogan's Forest

This item was reviewed under the summary approval list as presented by staff. It was moved by Ken Parker and seconded by Chris Florack to conditionally approve, meet code and pass inspections. May require additional evergreen vegetation after completion – staff to confirm at completion. The motion carried unanimously.

2. Variance request for a proposed room addition which will not respect the 15' side yard setback for the second story

Russell and Ana Mascari
63 North Wooded Brook Circle

Lot 1, Block 2, Section 12, Village of Alden Bridge

This item was reviewed under the summary approval list as presented by staff. It was moved by Ken Parker and seconded by Chris Florack to conditionally approve as submitted, meet code, pass inspections, standard conditions. The motion carried unanimously.

3. Variance request for a proposed shed which does not respect the rear 10' and side 5' easement.

Brian & Tracy Ridd

2 Cleerebrook Place

Lot 16, Block 1, Section 49, Village of Alden Bridge

This item was reviewed under the summary approval list as presented by staff. It was moved by Ken Parker and seconded by Chris Florack to conditionally approve not to encroach side 5foot easement, must be at least 8foot from rear fence and no concrete slab allowed –use concrete blocks as foundation. 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 may be subject to removal. The motion carried unanimously.

4. Variance request for a proposed shed which exceeds the maximum height allowed.

Zbigniew and Malgorzata Fedko

43 Delphinium Place

Lot 52, Block 2, Section 29, Village of Sterling Ridge

This item was reviewed under the summary approval list as presented by staff. It was moved by Ken Parker 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 remove the shed 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 shed 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 may be subject to removal. Maintain existing vegetation as screening. The motion carried unanimously.

5. Variance request for a proposed patio cover/cabana which will exceed the maximum living area allowed.

Daniel and Pauline Roeske

66 North Spring Trellis Circle

Lot 5, Block 1, Section 20, Village of Indian Springs

This item was reviewed under the summary approval list as presented by staff. It was moved by Ken Parker and seconded by Chris Florack to conditionally approve, roofing and siding material to match dwelling material to meet code, pass inspection, standard conditions. Plant and maintain evergreen vegetation to screen. Staff to approve upon completion. The motion carried unanimously.

6. Variance request for an existing front patio and walkway does not respect the front 25' building line.

James Picone

270 North Maple Glade Circle

Lot 10, Block 2, Section 38, Village of Alden Bridge

This item was reviewed under the summary approval list as presented by staff. It was moved by Ken Parker and seconded by Chris Florack to approve as submitted. The motion carried unanimously.

7. Variance request for a generator and an existing fence that do not respect the side platted building line.

Ronald Watson

123 Green Gables Court

Lot 51, Block 1, Section 9, Village of Alden Bridge

This item was reviewed under the summary approval list as presented by staff. It was moved by Ken Parker and seconded by Chris Florack to conditionally approve the generator –meet code and standard conditions and to disapprove and consent to delay enforcement for the fence, based upon the execution of a memorandum of agreement, requiring the owner to replace the fence in the approved location (five feet past the building line) on 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 fence 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.

8. Variance request for an existing walkway which encroaches into the 5’ side yard easement and existing front yard paver patio which does not respect the 25’ front building line and the 10’ front yard easement.

Marla Cook

26 Dovewing Place

Lot 19, 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 Ken Parker and seconded by Chris Florack to conditionally approve, no storage of umbrellas, plastic furniture or BBQ grills allowed on front patio area. Maintain existing vegetation. 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 may be subject to removal. The motion carried unanimously.

9. Variance request for existing trellises that do not respect the 10’ rear easement.

Stephen and Victoria Jones

174 West Greywing Circle

Lot 9, Block 2, Section 6, Village of Alden Bridge

This item was reviewed under the summary approval list as presented by staff. It was moved by Ken Parker and seconded by Chris Florack to approve as submitted. 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 may be subject to removal. The motion carried unanimously.

10. Variance request for existing walkway partially encroaches into the side 5’ easement.

Michael Starzyk

27 Filigree Pines

Lot 43, Block 1, Section 7, Village of Sterling Ridge

This item was reviewed under the summary approval list as presented by staff. It was moved by Ken Parker and seconded by Chris Florack to approve as submitted. 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 may be subject to removal.

The motion carried unanimously.

11. Variance request for existing play structure that does not respect the 10' rear easement.

Joseph Glowacki

43 Player Vista Place

Lot 24, Block 1, Section 84, Village of Sterling Ridge

This item was reviewed under the summary approval list as presented by staff. It was moved by Ken Parker 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 remove play structure 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 plays structure 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 may be subject to removal. The motion carried unanimously.

12. Variance request for existing driveway extension that exceeds width allowed.

Manuel and Christina Tatavak

74 South Rocky Point Circle

Lot 39, Block 01, Section 05, Village of Creekside Park

This item was reviewed under the summary approval list as presented by staff. It was moved by Ken Parker and seconded by Chris Florack to approve as submitted. The motion carried unanimously.

13. Variance request for existing play structure that does not respect the 10' rear easement

Daniel Hernandez and Maria Enriquez

23 Kittatinny Place

Lot 17, Block 04, Section 03, Village of Creekside Park

This item was reviewed under the summary approval list as presented by staff. It was moved by Ken Parker 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 remove play structure 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 play structure 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 may be subject to removal. The motion carried unanimously.

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

Edward Rivero

91 North Merryweather Circle

Lot 57, Block 1, Section 82, Village of Alden Bridge

These items were reviewed under the summary approval list as presented by staff. It was moved by Ken Parker and seconded by Chris Florack 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 basketball goal from property or moving it to an approvable location) 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.

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

Frederick L. Ebers

22 Courtland Green Street

Lot 6, Block 3, Section 55, Village of Alden Bridge

This item was reviewed by the full committee. The staff provided the committee with a PowerPoint presentation of the violation. The front porch had been painted an unapproved color and the owner had not cured complied with the conditions of the previous variance to paint the riser step gray to match concrete. The homeowner was not present to address the committee. It was moved by Mike Bass and seconded by Ken Parker to revoke the previous condition of painting the riser of the patio step and required the owner to paint the entire porch an approvable color. It was further moved that if this is not corrected within 30 days the pursuit of legal action was approved 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 painting porch approvable color within 30 days) 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.

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

Richard E. Snider

103 West Knightsbridge Drive

Lot 3, Block 2, Section 2, Village of College Park

This item was reviewed by the full committee. The staff provided the committee with a PowerPoint presentation of the violation. The homeowner was present to address the committee. The owner stated he had purchased home this year with existing front patio and yard structure (ceiling fan on pole) which has been there since 1999. The owners would like to keep improvements. It was moved by Mike Bass and seconded by Chris Florack to approve the patio as submitted and to disapprove the fan and consent to delay enforcement, based upon the execution of a memorandum of agreement, requiring the owner to remove fan and pole 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 yard structure (ceiling fan on pole) 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 may be subject to removal. The motion carried unanimously.

17. Rehearing request for existing walkway in easement that was conditionally approved at August 18, 2010 DSC meeting.
Christine and John Guidot
31 Pendleton Park Point
Lot 8, Block 1, Section 64, Village of Sterling Ridge
This item was withdrawn by the owner.
18. Request for rehearing concerning conditions issued for a variance by the Development Review Committee for a patio cover that was built without approval and sealed plans.
Kevin Gallien
34 South Oriel Oaks Circle
Lot 28, Block 1, Section 62, Village of Sterling Ridge
This item was withdrawn by the owner.
19. Variance request for proposed driveway widening which exceeds maximum allowed width.
Elmo Danforth
15 Steep Trail Place
Lot 117, Block 1, Section 5 Village of College 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 not present to address the committee. It was moved by Mike Bass and seconded by Ken Parker to disapprove. The motion carried unanimously.
20. Variance request for proposed driveway extension which exceeds the maximum width allowed.
Justin and Sarah Gable
171 Pinto Point Place
Lot 86, Block 01, Section 12, 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. The owner stated they needed more room to maneuver in and out of vehicles without stepping off into grass and flower beds. It was moved by Mike Bass and seconded by Chris Florack to conditionally approve, extension not to go past edge of house, taper to 16' wide at property line, staff to approve design. Plant and maintain planter bed alongside driveway extension, staff to approve upon completion. The motion carried unanimously.
21. Variance request for proposed generator that does not respect the side easement.
Paul and Lisa Butero
35 Glenleigh Place
Lot 24, Block 01, Section 15, Village of Indian Springs
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. It was moved by Mike Bass and seconded by Ken Parker to disapprove. The motion carried unanimously.

22. Variance request for proposed pool will not respect the 10 ft platted building line.
Sung and Regina Lee
110 E Tupelo Green Circle
Lot 01, Block 03, Section 10, Village of Creekside Park
These items were reviewed under the summary approval list as presented by staff. It was moved by Ken Parker and seconded by Chris Florack to conditionally approve, meet code, standard conditions, plant and maintain evergreen vegetation to screen pool and equipment. The motion carried unanimously.
23. Variance request for proposed pool will not respect the 10 ft platted building line.
Sung and Regina Lee
110 E Tupelo Green Circle
Lot 01, Block 03, Section 10, Village of Creekside Park
These items were reviewed under the summary approval list as presented by staff. It was moved by Ken Parker and seconded by Chris Florack to conditionally approve fence on property line – meet code pass inspections. The motion carried unanimously.
24. Variance request for a concept of a proposed room addition will exceed the maximum living area allowed of 2900sq. ft. under the Neighborhood Criteria and Initial Land Use Designation.
Anthony & Michelle George
6 East Sienna Place
Lot 11, Block 01, Section 30, Village of Alden Bridge
This item was tabled at the request of the homeowner.
25. Variance request for an existing paving that exceeds the maximum allowed hard surface area.
Jerry and Andrea Byrd
19 Oakley Downs Place
Lot 17, Block 02, Section 22, Village of Indian Springs
This item was reviewed by the full committee. The staff provided the committee with a PowerPoint presentation of the existing improvements. The homeowners were present to address the committee. It was moved by Ken Anderson and seconded by Mike Bass to approve as submitted. The motion carried unanimously.
26. Variance request for an existing walkway which encroaches the rear and side easements and existing patio, arbor, fountain and summer kitchen all of which encroach the rear easement.
Randall and Sarita Holt
6 Serenade Pines Place
Lot 6, 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 existing improvements. The homeowners were present to address the committee. It was moved by Mike Bass and seconded by Ken Anderson to approve the walkway, arbor, fountain, summer kitchen and patio in Rear. 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 may be subject to removal. The motion carried unanimously.
27. Variance request for existing awning which is not an approvable color.
David and Elizabeth Matos
15 Shay Pond Place

Lot 35, Block 2, Section 1, Village of Alden Bridge

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. It was moved by Chris Florack and seconded by Mike Bass to approve – if needs replacing must be one color muted tone. The motion carried unanimously.

28. Consideration and Action concerning the maximum allowed driveway widths in regard to 3 car garages and a possible Standard amendment.

This item was reviewed by the full committee. The staff provided the committee with a PowerPoint presentation of the driveway standards and the issues that the three car garage driveways were causing. Staff proposed changing standard since the maximum width of 16 feet was not sufficient in some cases where maneuvering area was limited. Ken Anderson submitted diagrams of some proposed changes. It was moved by Mike Bass and seconded by Ken Anderson to increase the width of driveways supporting 3 car garages to a max of 20 feet wide beginning 16' from the front face of the garage. It was further moved that Ken Anderson would develop diagram to reflect the proposed amendment. The motion carried unanimously.

VI. Public Comments

There were no public comments.

VII. Member Comments

Mike Bass stated he would not be available from October 23 to November 10. Chris Florack informed staff he would not be available for the November 3, 2010 DSC meeting.

VIII. Staff Reports

There were no staff reports.

IX. Adjourn

There being no further business it was moved by Mike Bass and seconded by Chris Florack to adjourn the meeting at 7:05 p.m. The motion carried unanimously.

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