

Development Standards Committee Meeting  
May 4, 2011 at 5:30PM  
The Woodlands Township Service Center  
2201 Lake Woodlands Drive  
The Woodlands, Texas 77380  
Minutes

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

Staff Present: Chris Feist, Hennie van Rensburg 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 5:37 p.m.

**II. Approve Minutes of Meeting of April 6, 2011**

It was moved by Chris Florack and seconded by Ken Parker to approve the minutes of the regular meeting of April 6, 2011 as presented. Mike Bass abstained from the vote. The motion carried.

**III. Review and Disposition of Commercial Items**

There were no commercial items to discuss.

**IV. 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, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 15, 16, 17, 18, 19, 20, 22 and 24 It was moved by Mike Bass and seconded by Ken Parker to approve the Summary List as presented by staff, excluding items 8, 9 & 12 from the Summary List. Deborah Sargeant opposed the motion removing the items from the staff summary list. The motion carried.

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

1. Consideration and Action regarding siding that may or may not be in need of repainting/ or staining, due the Development Standards Committees' action on February 1, 2006, which allowed siding to remain without repainting or staining.

David McDow

23 E. White Willow Circle

Lot 21, Block 02, Section 3 Village of Panther Creek

This item was reviewed by the full committee. The home owner was present to address the committee. The staff provided a PowerPoint presentation noting the siding of the home, the surrounding homes and the condition of the siding as seen on record, from years prior. It was then moved by Mike Bass and seconded by Chris Florack to allow the siding to remain in the current condition and request the staff discontinue any notices in regard to the siding, unless the siding is damaged or rotten, the natural condition of the siding is allowed to remain and does not require painting or staining. The motion carried unanimously.

2. Variance request for proposed patio cover which does not respect the 25 foot rear setback.

Srikrishna Marupudi

58 South Fair Manor Circle

Lot 7, Block 2, Section 78 Village of Sterling Ridge

This item was heard under the summary list, as presented by Staff. It was moved by Mike Bass and seconded by Ken Parker to conditionally approve the proposed patio cover on the condition the owner plant and maintain evergreen native vegetation to screen and soften view to the left and rear. The improvement must meet code and pass final inspection. The motion carried.

3. Variance request for proposed wrought iron style, aluminum hand rails, located on each side of the driveway, which was determined by the Grogan's Mill Residential Design Review Committee, to not be architecturally compatible with the neighborhood.

Jim Upham

17 Brookflower Road

Lot 23, Block 03, Section 28 Village of Grogan's Mill

This item was reviewed by the full committee. The home owner was present to address the committee. The staff provided the committee with a presentation noting the home and the proposed improvement. Additionally the staff provided the committee with the responses received from nearby homes. The home owner also provided an additional home owner response. Not received by the staff in time for the meeting. The committee discussed neighborhood character, precedent and possible modification to the design of the handrail. It was then moved by Mike Bass and seconded by Robert Heineman to approve the handrails on the condition the owner must reduce the overall length of the handrails, not to exceed 12 feet long. The handrails should remain closer to the home and not extend further out toward the street. Additionally, the owner must plant and maintain native evergreen shrubbery on each side of the exterior of the handrail, to soften and screen the view from the adjoining properties and the street. Chris Florack opposed the motion and Deborah Sargeant abstained from the vote. The motion carried.

4. Consideration and Action to allow a proposed Home Business.

Kim Burt

140 Red Sable Drive

Lot 15, Block 02, 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 Ken Parker to approve on the condition the home business approval will be for two years; and is subject to revocation by the committee at any time. Additionally, a home business is subject to revocation if a violation of the Standards occurs. The home owner must resubmit an application to continue the use of the home business, if the business still exists after May of 2013. The motion carried.

5. Consideration and Action to allow a proposed Home Business.

Andrew Cuthbert

135 Rush Haven

Lot 06, Block 30, Section 01 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 on the condition the home business approval will be for two years; and is subject to revocation by the committee at any time. Additionally, a home business is subject to revocation if a violation of the Standards occurs. The home owner must resubmit an application to continue the use of the home business, if the business still exists after May of 2013. The motion carried.

6. Variance request for a proposed Home/Garage Conversion, which would cause the property to exceed the maximum living area allowed as determined by the Neighborhood Criteria; and would be located within the 7 foot side setback.

De Layne and Julia Etheridge

2706 Timberjack Place

Lot 10, Block 06, Section 06 Village of Grogan's Mill

Lot 06, Block 30, Section 01 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 on the condition the owner meets code, all other Standards and pass final inspection. The motion carried.

7. Variance request for a proposed pavestone driveway, which will exceed the maximum width allowed.  
De Layne and Julia Etheridge  
2706 Timberjack Place  
Lot 10, Block 06, Section 06 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 on the condition the owner meets code, all other Standards and pass final inspection. The motion carried.
8. Variance request for a proposed patio cover, which encroaches the rear 20 foot setback.  
David & Janlyn Nentwig  
31 Night Rain Court  
Lot 74, Block 03, Section 29 Village of Panther Creek  
This item was removed from the summary list and presented to the full committee. The home owner and their contractor were present to address the committee. After the staff provided the committee with a presentation regarding the improvement, Mike Bass noted that he had no concerns with the staff recommended motion. He informed the committee, that he had not had a chance to look at the item. Due to the recent questions that were discussed in the previous meeting regarding summer kitchens, Mike felt as though the project should be reviewed by the committee. It was then moved by Mike Bass and seconded by Ken Parker to approve the patio cover on the condition the owner must plant and maintain vegetation to screen the view of the addition from the adjoining properties. Additionally, the owner must meet code pass final inspection and comply with all other Standards. The motion carried unanimously.
9. Variance request for a proposed summer kitchen, which encroaches the rear 20 foot setback.  
David & Janlyn Nentwig  
31 Night Rain Court  
Lot 74, Block 03, Section 29 Village of Panther Creek  
This item was removed from the summary list and presented to the full committee. The home owner and their contractor were present to address the committee. After the staff provided the committee with a presentation regarding the improvement, Mike Bass noted that he had no concerns with the staff recommended motion. He informed the committee, that he had not had a chance to look at the item. Due to the recent questions that were discussed in the previous meeting regarding summer kitchens, Mike felt as though the project should be reviewed by the committee. It was then moved by Mike Bass and seconded by Ken Parker to approve the summer kitchen on the condition the owner must plant and maintain vegetation to screen the view of the addition from the adjoining properties. Additionally, the owner must meet code pass final inspection and comply with all other Standards. The motion carried unanimously.
10. Variance request proposed paver patio with retaining walls would encroach into the 10' rear yard easement.  
Dean Harmon  
70 Quail Rock Pl  
Lot 08, Block 01, Section 58, 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 proposed paver patio as presented. The motion carried.

11. Variance request for a proposed paving in the right side of the yard, which encroaches the 5 foot side easement and a front yard walkway encroaches the 10 foot front yard easement, and exceeds the maximum allowed width.

William Stone

29 Falling Star Rd.

Lot 01, Block 04, Section 14 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 as presented on the condition the owner plant and maintain vegetation to soften the view of the walkway at the street's edge and surrounding the bridge area. The motion carried.

12. Variance request for a proposed tree removal.

Ravinder Tanwar

89 East Stony End

Lot 11, Block 02, Section 31, Village of Cochran's Crossing

This item was heard under full committee review. Mike Bass requested the item be removed from the summary list, in order to allow the committee to review the arborist report. The home owner provided the arborist report to the committee. The letter was read aloud. Mike Bass then noted he had no concern with the removal of the tree and made a motion to accept the staff recommended motion. It was then moved by Ken Parker and seconded by Chris Florack to approve the tree removal as presented. Robert Heineman was opposed to the motion. The motion carried.

13. Variance request for an existing boat dock, which is not one of the pre-approved dock designs.

Jimmy and Amanda Enriquez

2 E. Racing Cloud Ct.

Lot 20, Block 01, Section 46 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 until the meeting of June 1, 2011. The motion carried.

14. Variance request for a proposed driveway extension, which would exceed the maximum width allowed; and will encroach into the 5 foot side yard easement.

John Cheatham

99 Quiet Oak Circle

Lot 57, Block 01, Section 05, Village of Cochran's Crossing

This item was heard by the full committee. The home owner was present to address the committee. The staff presented the location and dimensions of the driveway widening and noted the request was in regards to a family member in need of additional hard surface area, to safely enter and exit a vehicle. It was then moved by Mike Bass and seconded by Ken Parker to approve the driveway widening on the condition the owner plant and maintain vegetation at the front of the extension, to soften the view of the extension to the street. Additionally, the owner must maintain the vegetation between the driveway extension and the property line. Finally, the owner must use the extended portion primarily as a step off or walkway, and not for parking. Chris Florack and Robert Heineman were opposed to the motion. The motion carried.

15. Variance request for an existing solid fence, which does not comply with style and height required.

William Bender

2 Doe Run Drive

Lot 01, Block 03, 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 Ken Parker to approve the fence on the condition the owner plant and maintain a continuous landscaping bed at the rear of the fence, to soften and screen the view of the rot board from the golf course. Additionally, the owner must maintain the existing vegetation to screen the view of the rot board on the side. Furthermore, the owner must meet code and pass final inspection. The motion carried.

16. Variance request for an existing driveway extension, which exceeds the maximum width allowed.

Kimberly Phillips  
35 Village Knoll Pl

Lot 95, Block 04, 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 Ken Parker to approve the driveway extension as presented. The motion carried.

17. Variance request for an existing trampoline, which is located within the 5 foot side yard easement; and has pole coverings that are not considered to be a muted shade.

John and JoAnn Hibbeler  
17 South Doe Run Drive

Lot 04, 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 Ken Parker to deny the variance and consent to delay enforcement based upon the execution of a memorandum of agreement requiring the owner must remove the trampoline from the easement, when the owner no longer owns the home, transfers title, is no longer the primary resident or when the trampoline is in disrepair. The Memorandum will be recorded at the court house and binding on the land. The motion carried.

18. Variance request for an existing detached storage building, which is located within the 5 foot side yard easement; and exceeds the maximum height allowed for storage buildings with materials that do not match the dwelling.

Wally Gilmore  
38 North Timber Top Drive

Lot 13, Block 0, Section 13 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 and consent to delay enforcement based upon the execution of a memorandum of agreement requiring the owner must remove the storage shed from the easement, when the owner no longer owns the home, transfers title, is no longer the primary resident or when the storage shed is in disrepair. The Memorandum will be recorded at the court house and binding on the land. The motion carried.

19. Consideration and action to allow a tree removal application, without the condition of approval requiring the owner to plant and maintain three 25 gallon native trees on the lot.

Larry and Dyanne Clark  
41 Night Hawk Place

Lot 13, 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 Ken Parker to approve the allowance of the removal without requiring the condition of approval, on the condition the owner replant one fifteen gallon native evergreen anywhere on the lot. The motion carried.

20. Variance request for an existing rear yard detached storage building, which is located within the 5 foot side and 10 foot rear yard easements, which is not in keeping with the Standard.  
Bob McManus  
152 South Deerfoot Circle  
Lot 41, 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 and consent to delay enforcement based upon the execution of a memorandum of agreement requiring the owner must remove the storage shed from the easement, when the owner no longer owns the home, transfers title, is no longer the primary resident or when the storage shed is in disrepair. The Memorandum will be recorded at the court house and binding on the land. The motion carried.
21. Variance request for an existing driveway, which exceeds the maximum width allowed.  
Michael Evans  
24 E. Wandering Oak Dr  
Lot 04, Block 07, Section 05 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 presentation of the design and dimensions of the driveway widening. The owner informed the committee, the driveway was completed to allow for safer entry and exit for a vehicle and for accommodations for an elderly family member. It was then moved by Chris Florack and seconded by Mike Bass to approve the driveway widening on the condition the owner include vegetation on the right hand side of the driveway to soften and screen the view and maintain all vegetation surrounding the driveway. Ken Parker was opposed to the motion. The motion carried.
22. Variance request for existing flagstone pavers, which will exceed the maximum width allowed for a driveway widening; and are located within the street right-of-way.  
Mohammed Hassanein  
111 W Trillium Court  
Lot 15, Block 02, Section 19, 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, on the condition the small portion flagstone pavers is not used for parking of a vehicle. The motion carried.
23. Variance request for existing flagstone pavers, which are located within the street right-of-way; and 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 home owner and their contractor were present to address the committee. The staff provided the committee with a presentation noting the design and dimensions for the flagstone pavers. It was then moved by Ken Parker and seconded by Chris Florack to allow the flagstone and crushed granite at the curb's edge on the condition the owner modify the area so that the portion at the curb's edge is no greater than two feet six inches deep and no more than five feet in length. The motion carried unanimously.
24. Variance request for an existing play structure, which has an elevated platform area that exceeds 7 feet in height; and the color of the structure, may not be considered architecturally compatible with the home and neighborhood, according to the Residential Design Review Committee,  
Stuart Meyers  
30 Skyland Place

Lot 20, Block 06, Section 06, 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 on the condition the owner apply a darker more muted stain to the play structure to soften and screen the view, and allow it to blend in with the vegetation. The motion carried.

25. Variance request for an existing fence, which is located beyond the 10 foot and 20 foot platted building lines.

Eric Madera

2 South Greenbud Court

Lot 123, Block 04, Section 38 Village of Grogan's Mill

This item was heard by the full committee. The home owner and their contractor were present to address the committee. The staff provided the committee with a presentation noting the design and dimensions for the fence. It was then moved by Deborah Sargeant and seconded by Chris Florack to deny the variance as requested. However, the committee requested the staff work with the owner, regarding the respect to the building line, to allow minimal modifications to the fence in order to construct the 45 degree angle required. The motion carried unanimously.

26. Variance request for an existing detached storage shed, which is located within the 10 foot rear easement; and exceeds the maximum height allowed for detached buildings made of materials that do not match the dwelling.

Greg Harbin

5 Roserush Court

Lot 06, Block 02, Section 15 Village of Grogan's Mill

This item was heard by the full committee. The home owner and their contractor were present to address the committee. The staff provided the committee with a presentation noting the design and dimensions for the storage shed. The owner noted the reasons for needing the shed. He also provided letters from some of the adjoining properties regarding the building. The committee review the item and shared concerns regarding the placement of the shed, it's impact to adjoining properties and the concern the shed was more a primary view to the adjacent properties. It was then moved by Ken Parker and seconded by Chris Florack to deny the variance and require the owner redesign a storage building that complies with the Standards.

27. Variance request for existing bollards, which are located within the Street Right-of-Way; and beyond the platted building line.

Susana Truex

2708 Echo Street

Lot 02, Block 02, Section 03 Village of Grogan's Mill

This item was heard by the full committee. The home owner and their contractor were present to address the committee. The staff provided the committee with a presentation noting the design and dimensions for the fence. It was then moved by Chris Florack and seconded by Kim Hess to take no action on the fence and consider the item to be allowed to remain without considering it a violation or requiring an approval. Mike Bass opposed the motion. The motion carried.

**VI. Consideration and Discussion to review the proposed Amendment to The agreement of the Development Standards Committee and The Development Review Committee, with regard to the delegation of Covenant Responsibilities, relating to the review and action of permits for Home Businesses at residential properties.**

This item was reviewed by the full committee. It was identified that the inclusion of the Covenant Article XIII would allow for the review and action of any Home Business. IT was then moved by Robert Heineman and seconded by Deborah Sargeant to approve and accept the Amendment as presented. Additionally, the motion included the designation

by the Development Standards Committee, to authorize, Deborah Sargeant to sign the Amendment on behalf of the Committee. The motion carried unanimously.

**VII. Public Comments**

A home owner noted a few items on the agenda regarding elderly families and questioned the committee regarding the involvement of The Americans with Disabilities Act and when that becomes an issue.

**VIII. Member Comments**

There were no member comments.

**IX. Staff Reports**

There were no staff reports.

**X. Adjourn**

There being no further business it was moved by Deborah Sargeant and seconded by Chris Florack to adjourn the meeting at 7:25p.m. The motion carried.