

Development Standards Committee
July 6, 2011 at 5:30 p.m.
The Woodlands Township Service Center
2201 Lake Woodlands Drive
The Woodlands, Texas 77380
Minutes

Members present: Deborah Sargeant, Ken Anderson, Kim Hess, Ken Parker and Chris Florack,

Staff Present: Chris Feist and Kim McKenna

I. Welcome/Call Meeting to Order

The meeting was called to order in regular session, open to the public by Chairperson Deborah Sargeant at 5:33 p.m.

II. Approve Minutes of Meeting of June 1st and 17th, 2011

It was moved by Chris Florack and seconded by Robert Heineman to approve the minutes of the regular meeting of June 1, 2011 as presented. The motion carried unanimously. It was moved by Ken Parker and seconded by Ken Anderson to approve the minutes of the special meeting of June 17th, 2011 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 Recommendation. The list consisted of residential items 2, 3, 4, 5, 7, 8, 9, 10, 12, 13, 14, 15, 16, 17, 21, 22, 28, 29 and 30. It was moved by Ken Anderson and seconded by Kim Hess to approve the Summary List as presented by staff. The motion carried unanimously. .

IV. Review and Disposition of Residential Applications

1. Request for a second rehearing regarding the existing flagstone pavers that 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 owner was present to address the committee. The staff informed the committee, that a request was submitted to the Assistant to The General Manager of The Woodlands Township to request a rehearing regarding this item. The home owner addressed the committee and stated that she had spoken to John Powers of The Woodlands Township, who complimented her improvement. It was then moved by Ken Parker and seconded by Chris Florack to approve the rehearing request to be heard and acted upon at their meeting of August 3, 2011. The motion carried unanimously.

2. Request for a Rehearing regarding the original committee's action to screen the power generator with a solid brick wall.

Robert Kopal

10 Shoreline Point Drive

Lot 11, Block 01, Section 26 Village of Panther Creek

This item was heard under the summary list, as presented by Staff. It was moved by Ken Anderson and seconded by Kim Hess to approve the rehearing request to be heard and acted upon at their meeting of August 3, 2011. The motion carried unanimously.

3. Variance request for a proposed pool, which exceeds the maximum amount of hard surface area allowed.
Christopher & Blanca Hale
18 Rockridge Drive
Lot 67, Block 03, Section 01 Village of Indian Springs
This item was heard under the summary list, as presented by Staff. It was moved by Ken Anderson and seconded by Kim Hess to approve the proposed pool on the condition the owner plant and maintain native vegetation to the rear and side of the lot to soften and screen the view to the adjoining property. Additionally, the improvement must affect drainage as defined in the residential Development Standards.
4. Variance request for a proposed room addition which would be located beyond the 20 foot rear Building Setback line.
Tomas Natividad Sanchez
23 Treestar Place
Lot 53, Block 02, Section 18, Village of Cochran's Crossing
This item was heard under the summary list, as presented by Staff. It was moved by Ken Anderson and seconded by Kim Hess to approve on the condition the owner must meet code and pass final inspection. Additionally the owner must not affect drainage as it is defined in the Residential Development Standards. The motion carried unanimously.
5. Variance request for a proposed driveway replacement constructed of concrete turf stone pavers, which are not considered to be an acceptable hard surface material for the driveway.
German and Rita Cura
42 Grand Garden Court
Lot 14, Block 01, Section 46, Village of Cochran's Crossing
This item was heard under the summary list, as presented by Staff. It was moved by Ken Anderson and seconded by Kim Hess to approve the driveway replacement as presented. The motion carried unanimously.
6. Variance request for proposed trellises which would not be screened by a solid fence and would not be an approvable style for use as fencing.
Diana Gaines
45 N Lakeridge Circle
Lot 023, Block 09, Section 01, Forest Lake Townhomes, Village of Cochran's Crossing
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 where the trellis would be located and the design of the improvement. The Committee discussed varying options regarding the size, design and vegetation for the proposed improvement. It was then moved by Chris Florack and seconded by Ken Parker to approve the trellis on the condition the trellis may not exceed 6 feet 4 inches tall as measured from natural grade, they must be set in 2 feet from the existing rail fencing, the trellis must be stained to match the home and the owner must plant and maintain native evergreen vegetation to the trellis to screen the view. The motion carried. Deborah Sargeant abstained from the vote.
7. Variance request for a proposed wrought iron and brick column fence, which would be located beyond the 25 foot platted building line and not set back five feet from the front yard property line.
Vince Rossitto
6 Deerberry Court
Lot 15, 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 Ken Anderson and seconded by Kim Hess to approve the fence on the condition the owner plants and maintains significant vegetation at the front of the fence to soften and screen

the view to the street. Additionally, the owner must apply for the trees removed from the home and the paver improvements made to the home, all of which require an application. The motion carried unanimously.

8. Variance request for the existing paving on each side of the driveway, which exceeds the maximum width allowed and is located within the street right-of-way.
Jerome and Rena McBroom
18 Rolling Stone Place
Lot 21, Block 02, Section 32, Village of Cochran's Crossing
This item was heard under the summary list, as presented by Staff. It was moved by Ken Anderson and seconded by Kim Hess to approve the existing paving as presented. Approval by this committee does not constitute approval by the additional easement holders or the county. It is the owner's responsibility to obtain approval from the additional entities and may be subject to removal. The motion carried unanimously.
9. Variance request for the existing retaining walls which exceed the maximum height allowed; and are located within the easements and street right-of-way.
Jerome and Rena McBroom
18 Rolling Stone Place
Lot 21, Block 02, Section 32, Village of Cochran's Crossing
This item was heard under the summary list, as presented by Staff. It was moved by Ken Anderson and seconded by Kim Hess to approve the retaining walls as presented. Approval by this committee does not constitute approval by the additional easement holders or the county. It is the owner's responsibility to obtain approval from the additional entities and may be subject to removal. The motion carried unanimously.
10. Variance request for the existing driveway extension, which encroaches into the 10 foot rear utility easement.
Don Norrell
8 Birchbrook Court
Lot 6, Block 1, Section 44, Village of Grogan's Mill
This item was heard under the summary list, as presented by Staff. It was moved by Ken Anderson and seconded by Kim Hess to approve the existing driveway widening as presented. The motion carried unanimously.
11. Variance request for the existing paving adjacent to the driveway which exceeds the maximum width allowed for driveways and is located in the five foot side yard easement.
Larry Leslie
41 N Hidden View Circle
Lot 40, Block 01, Section 17, Village of Cochran's Crossing
This item was heard by the full committee. The staff provided the committee with a PowerPoint presentation of where the paving is located and how it adjoins the driveway. It was then moved by Deborah Sargeant and seconded by Ken Parker to allow the portion of pavers to extend adjacent to the driveway on the condition the width is reduced by one column of pavers and the area is not used for permanent parking. Additionally, the owner must plant and maintain additional vegetation in front of the paved area to screen the view of the pavers from the street. Approval by this committee does not constitute approval by the additional easement holders. It is the owner's responsibility to obtain approval from the additional entities; and may be subject to removal. The motion carried unanimously.
12. Variance request for the existing rear yard second story deck repairs, which were submitted without the required sealed plans.
Kathleen Rodosovich
156 South Deerfoot Circle
Lot 42, 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 Ken Anderson and seconded by Kim Hess to approve the second story deck repairs as presented on the condition the owner obtains a final inspection from an inspector.

13. Variance request for existing paving, which encroaches into the rear ten foot utility easement.
Richard Lee II
14 Shadow Stone
Lot 31, Block 01, Section 32 Village of Panther Creek
This item was heard under the summary list, as presented by Staff. It was moved by Ken Anderson and seconded by Kim Hess to approve the existing paving as presented. Approval by this committee does not constitute approval by the additional easement holders or the county. It is the owner's responsibility to obtain approval from the additional entities and may be subject to removal
14. Variance request for an existing wood deck, which encroaches into the five foot side yard easement.
Margaret Flores
35 North Wavy Oak Circle
Lot 10, Block 09, Section 07 Village of Panther Creek
This item was heard under the summary list, as presented by Staff. It was moved by Ken Anderson and seconded by Kim Hess to approve the wood deck as presented. Approval by this committee does not constitute approval by the additional easement holders. It is the owner's responsibility to obtain those approvals and may be subject to removal. The motion carried unanimously.
15. Variance request for the existing landscaping border in the front yard easement which exceeds 12 inches in height.
Adam & Christina Frome
37 Pebble Hollow Court
Lot 75, Block 02, Section 32 Village of Panther Creek
This item was heard under the summary list, as presented by Staff. It was moved by Ken Anderson and seconded by Kim Hess to approve the landscape border as presented. Approval by this committee does not constitute approval by the additional easement holders or the county. It is the owner's responsibility to obtain approval from the additional entities and may be subject to removal. The motion carried unanimously.
16. Variance request for an existing painted breezeway fence, which was disapproved by the Residential Design Review Committee because they felt that the color may not be architecturally appropriate; and should be considered by the Development Standards Committee.
George and Sandra Kunde
30 Sparklewood Place
Lot 42, Block 02, Section 32, Village of Cochran's Crossing
This item was heard under the summary list, as presented by Staff. It was moved by Ken Anderson and seconded by Kim Hess to move to deny the variance and consent to delay enforcement based upon the execution of a memorandum of agreement requiring the owner to correct the fence to comply with the standards, when the owner no longer owns the home, transfers title, is no longer the primary resident or when the fence is in disrepair. The Memorandum will be recorded at the court house and binding on the land. The motion carried unanimously.
17. Variance request for an existing painted fence, which was disapproved by the Residential Design Review Committee because they felt that the color may not be architecturally appropriate; and should be considered by the Development Standards Committee.

Doug and Sheila McCormick

36 Woodelves Place

Lot 124, 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 Ken Anderson and seconded by Kim Hess to approve on the condition the lighting improvements meet code, comply with Standard and pass final inspection. The motion carried unanimously.

18. Variance request for an existing storage building, which encroaches into the ten foot rear utility easement.

Dwayne & Vicki Sides

21 Purple Top Court

Lot 80, Block 03, Section 01 Village of Panther Creek

This item was heard by the full committee. The staff provided the committee with a PowerPoint presentation of where the storage building was located. It was then moved by Chris Florack and seconded by Ken Parker to deny the variance as proposed and require the owner move the storage shed out of the easement and require the owner plant and maintain a minimum of 4- 15 gallon native evergreen trees around the shed to soften and screen the view to the adjacent properties. The motion carried unanimously.

19. Variance request for the existing paving, front yard patio, which was not considered to be compatible with the home and neighborhood in mass, scale and proportion.

Andrew Smith

64 E Village Knoll Circle

Lot 05, Block 02, Section 10, Village of Cochran's Crossing

This item was heard by the full committee. The staff provided the committee with a PowerPoint presentation of where the existing paving and front yard patio were located. The committee noted driving through the area, the view of the patio was not very visible to the street. It was then moved by Chris Florack and seconded by Ken Parker to approve as presented, on the condition the owner does not store any bar-be-queue grills, grilling materials, umbrellas or plastic furniture on the patio area. The owner must maintain the vegetation on the side of the lot and plant additional vegetation to the front of the property to continue to soften and screen the view to the street. The motion carried unanimously.

20. Variance request for the existing fence, where portions of the fence were constructed with the construction members facing outward, and was not considered architecturally compatible with the neighborhood.

Bello Rayle Investments LLC

David Rayle

71 Hickory Oak Drive

Lot 49, Block 02, Section 15 Village of Panther Creek

This item was heard by the full committee. The representative for the owner was present to address the committee. The staff provided the committee with a PowerPoint presentation of where the existing fence was located. The committee discussed concerns of the design, neighborhood impact and aesthetics concerns. It was then moved by Ken Parker and seconded by Chris Florack to deny the variance as proposed and require the owner work with staff to correct the fence to comply with the Standards. The motion carried unanimously.

21. Variance request for the existing rear yard fence, which was built with the construction side facing outward from the lot.

Dennis Van Metre

25 Summer Star Court

Lot 09, Block 05, Section 38 Village of Grogan's Mill

This item was heard under the summary list, as presented by Staff. It was moved by Ken Anderson and seconded by Kim Hess to deny the variance and consent to delay enforcement based upon the execution of a memorandum of agreement requiring the owner must correct the fence to comply with the standards, when the owner no longer owns the home, transfers title, is no longer the primary resident or when the fence is in disrepair. The Memorandum will be recorded at the court house and binding on the land. The motion carried unanimously.

22. Variance request for the existing power generators, which are not screened from view and are visible at ground level from an adjacent street or property.

Hamid Afshari

1 Dunloggin Lane

Lot 15, Block 01, Section 11 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 where the power generators were located. The committee shared concerns of visibility, impact and neighbor impact. The owner noted that there was not an issue, as the neighbor did not have a concern with the generators. The committee addressed the owner to note that while the neighbor did not have a concern, the committee still felt there was concerns regarding impact, visibility and setting a precedent. It was then moved by Chris Florack and seconded by Ken Parker to approve the generators on the condition the owner plant and maintain vegetation to the front and side of the generators to soften and screen the view from the adjacent property and the street. The motion carried unanimously.

23. Variance request for the existing attached arbor/patio cover with summer kitchen. The arbor/patio cover encroaches into the five foot side yard easement and covers a summer kitchen that is located 10 feet away from the adjacent property line.

Barry and Nancy Wertz

39 Somerset Pond Place

Lot 30, Block 01, Section 48, Village of Cochran's Crossing

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 where the existing attached arbor/patio cover with summer kitchen would be located and how it impacted other properties. The committee had concerns regarding the proximity to the adjacent properties roofline and the inability to effectively access between the home and the structure. The committee also discussed concerns regarding code issues. It was then moved by Chris Florack and seconded by Ken Anderson to deny the structure as proposed and require the owner modify the structure to comply with the easement and only allow a one foot encroachment into the easement for the overhang only. The improvements must meet code and pass final inspection. The motion carried unanimously.

24. Variance request for the existing walkway, which is located in the street right of way and exceeds the maximum width allowed.

Barry and Nancy Wertz

39 Somerset Pond Place

Lot 30, Block 01, Section 48, Village of Cochran's Crossing

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 where the existing walkway was located. The owner discussed the need for access from the side of the home for a wheelchair in case of an emergency. The affected neighbors noted the wheelchair accessibility was no longer needed. The owner confirmed. It was then moved by Ken Parker and seconded by Chris Florack to deny the variance and consent to delay enforcement based upon the execution of a memorandum of agreement requiring the owner to correct the walkway to comply with the standards, when the owner no longer owns the home, transfers title, is no longer the primary resident or when the walkway is

in disrepair. The Memorandum will be recorded at the court house and binding on the land. The motion carried unanimously.

25. The Committee convened in executive session in accordance with the Texas Open Meetings Act, Section 551.071 at 7p.m. to deliberate on legal matters with its attorney concerning agenda items 25-30. The Committee reconvened in open session in accordance with the Texas Open Meetings Act, Section 551.071 at 7:28p.m.
26. Consideration and Action regarding possible Covenant Violation of Article X Section 10.03 of The Woodlands Covenant Restrictions Easements Charges and Liens.
Arles
22 Grey Birch
Lot 11, Block 2, Section 12, Village of Cochran's Crossing.
It was moved by Chris Florack and seconded by Deborah Sargeant to take no action in regards to the item. The motion carried unanimously.
27. Consideration and action to proceed with legal action regarding failure to comply with the Covenant and Standards for outstanding violations on the home, regarding the breezeway fence.
Arles
22 Grey Birch
Lot 11, Block 2, Section 12, Village of Cochran's Crossing.
It was moved by Chris Florack and seconded by Deborah Sargeant to take no action in regards to the item. The motion carried unanimously.
28. Consideration and Action, to grant an extension of time to resolve the outstanding violations on the property and consideration and action proceed with legal action for the outstanding violation on the home.
Kari Phillips
46 S Stony Bridge Circle
Lot 18, Block 03, Section 10, Village of Cochran's Crossing
This item was heard under the summary list, as presented by Staff. It was moved by Ken Anderson and seconded by Kim Hess to approve the pursuit of legal action, if the outstanding items of trash storage, yard maintenance, yard debris and removal of lawn furniture are not resolved immediately and allow till October 3, 2011 to complete the repairs for the siding. Pursuit of legal action will include 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 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.
29. Consideration and Action to proceed with legal action for outstanding violations on the home.
Lecandas Company LLC
82 South Tranquil Path
Lot 06, 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 Ken Anderson and seconded by Kim Hess to approve the 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 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.

30. Consideration and Action to proceed with legal action for outstanding violations on the home.

Teresita Lindenman
10 Watertree Drive

Lot 04, Block 02, Section 48, Village of Grogan's Mill

This item was heard under the summary list, as presented by Staff. It was moved by Ken Anderson and seconded by Kim Hess to approve the 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 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.

31. The Committee reconvened in open session in accordance with the Texas Open Meetings Act, Section 551.071 at 7:28p.m.

V. Consideration and Action of appointments for the Chairman and Vice Chairman of the Development Standards Committee.

It was moved by Robert Heineman and seconded by Ken Anderson to nominate Deborah Sargeant to serve as Chair to the Development Standards Committee for the one year term. The motion carried unanimously. It was then moved by Deborah Sargeant and seconded by Kim Hess to nominate Robert Heineman to serve as Vice Chair to the Development Standards Committee for the one year term. The motion carried unanimously.

VI. Public Comments

There were no public comments.

VII. Member Comments

The Committee discussed a special meeting to consider possible Standards revisions, regarding the new recycle bins and their storage. The Committee requested we consider a special meeting for sometime in September.

VIII. Staff Reports

There were no staff reports.

IX. Adjourn

There being no further business it as moved by Chris Florack and seconded by Ken Parker to adjourn the meeting at 7:49 p.m. The motion carried unanimously.