

Development Standards Committee

Special Meeting

August 22, 2011 at 5:30 PM

The Woodlands Township Service Center

2201 Lake Woodlands Drive

The Woodlands, Texas 77380

Members Present: Deborah Sargeant, Robert Heineman, Kim Hess, Ken Anderson, Chris Florack, Mike Bass and Herman Weindel

Members Absent: None

Staff Present: Neslihan Tesno, Pam Forde and Sharlene Novak

Others in Attendance: As reflected by the attached Sign-in Sheet for August 22, 2011.

I. Welcome/Call Meeting to Order

The meeting was called to order by Chairwoman Deborah Sargeant at 5:31 p.m.

II. Consideration and Action for approval of Minutes of DSC Meeting on July 20, 2011.

It was moved by Chris Florack and seconded by Ken Anderson to approve the minutes of the previous meeting 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. The list consisted of Residential Items 1-6 and 8-18 and Commercial items A-C. Residential Items #7 was Tabled. It was moved by Mike Bass 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. Request for Consideration and Action

Final Approval

Dairy Queen

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

Village of Grogan's Mill

This item was presented to the full Committee by Kim Hess. The plan includes a paving setback variance granted at Concept Application review and a variance to the requirement for Preliminary Approval submission and review. Kim Hess made the motion to approve the item subject to adding vegetation as required at final site inspection and submission of lighting and signage specifications. It was moved by Kim Hess and seconded by Michael Bass to approve the item. The motion carried unanimously.

B. Report on "**Commercial Staff Approval List**" for August 22, 2011

The report was accepted as presented.

V. Review and Disposition of Residential Applications

1. Request for approval for a home business.

Brian and Nancy Haub

69 Sugar Grove

Lot 38, Block 1, section 59 Village of Alden Bridge

This item was reviewed under the summary approval list as presented by staff. It was moved by Mike Bass and seconded by Chris Florack to conditionally approve, a renewal must be obtained in 2 years, standard conditions. The motion carried unanimously.

2. Request for approval for a home business.
Glenn and Patricia Fox
115 South Trinity Oaks Circle
Lot 36, Block 1, Section 14 Village of Indian Springs
This item was reviewed under the summary approval list as presented by staff. It was moved by Mike Bass and seconded by Chris Florack to conditionally approve on the conditions the clients must park in the driveway, be limited to the amount of clients specified by the permit & a renewal must be obtained in 2 years. The motion carried unanimously.
3. Variance request for proposed summer kitchen which is not located at least ten feet from adjacent property.
Ronald and Renee Atkinson
14 Mosaic Point Place
Lot 11, Block 1, Section 6 Village of Creekside Park
This item was reviewed under the summary approval list as presented by staff. It was moved by Mike Bass and seconded by Chris Florack to conditionally approve, meet code, standard conditions. The motion carried unanimously.
4. Variance request for proposed fireplace with chimney which does not respect the 25 foot rear setback.
Ewoud and Merritt Hulsewe
26 North Shimmering Aspen Circle
Lot 1, Block 2, Section 19 Village of Creekside Park
This item was reviewed under the summary approval list as presented by staff. It was moved by Mike Bass and seconded by Chris Florack to conditionally approve, meet code, standard conditions. The motion carried unanimously.
5. Variance request for proposed concept approval for room addition that will exceed the maximum allowed Living Area per the Development Criteria.
Scott and Julia Lile
3 East Horizon Ridge Place
Lot 7, Block 1, Section 17 Village of Indian Springs – TWA
This item was reviewed under the summary approval list as presented by staff. It was moved by Mike Bass and seconded by Chris Florack to conditionally approve the concept to allow for 3600 ft² living area, submit final plans, associated fees and deposits and documentation. Standard conditions Meet code. No future living area may be added to the property without a change in the ILUD. The motion carried unanimously.
6. Variance request for a proposed swimming pool that exceeds the maximum hard surface allowed.
Karl and Anna Jones
75 Silvermont Drive
Lot 3, Block 1, Section 26 Village of Sterling Ridge
This item was reviewed under the summary approval list as presented by staff. It was moved by Mike Bass and seconded by Chris Florack to conditionally approve, meet code, standard conditions, Plant and maintain 4 native 30 gallon trees. The motion carried unanimously.
7. Variance request for a proposed walkway that will extend to street which will be located in easement and street right of way.
Deborah Dekazos
43 Tapestry Forest Place
Lot 11, Block 1, Section 8 Village of College Park (Grogan's Forest)
This item was tabled by the owner prior to the meeting.
8. Variance request for proposed summer kitchen that will not be ten feet from adjacent property line.

Timothy and Liliana Scarborough

46 South Almondell Way

Lot 1, Block 2, Section 92 Village of Sterling Ridge

This item was reviewed under the summary approval list as presented by staff. It was moved by Mike Bass and seconded by Chris Florack to conditionally approve. Meet code and standard conditions. The motion carried unanimously.

9. Variance request for an existing driveway which exceeds the maximum width allowed.

Richard and Linda Broussard

50 North Beech Springs Circle

Lot 17, Block 4, Section 10 Village of Creekside Park

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

10. Request for approval of rehearing for a fence that is over the building line.

Ron and Marcia 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 Mike Bass and seconded by Chris Florack to approve a rehearing for the deck and spa. The motion carried unanimously.

11. Variance request for an existing driveway which exceeds the maximum width allowed.

Edward and Tonia Raine

11 Oakley Downs Place

Lot 19, Block 2, Section 22 Village of Indian Springs - TWA

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

12. Variance request for existing concrete patio that is located in the rear ten foot easement.

John and Catherine Glynn

23 South Manorcliff Place

Lot 14, Block 1, Section 63 Village of Alden Bridge

This item was reviewed under the summary approval list as presented by staff. It was moved by Mike Bass 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 the improvement may be subject to removal. The motion carried unanimously.

13. Variance request for existing window ac unit located on the front of the dwelling.

Linda and Monroe Ezernack

262 Misty Dawn Drive

Lot 23, Block 1, Section 4 Village of College Park (Harper's Landing)

This item was reviewed under the summary approval list as presented by staff. It was moved by Mike Bass and seconded by Chris Florack to conditionally approve, remove a/c unit when no longer medically needed. The owner must inform staff when removed. The motion carried unanimously.

14. Variance request for existing deck located in the rear ten foot easement.

Adsum Akitoi Sursum LLC

27 Ricegrass Place

Lot 25, Block 1, Section 10 Village of Creekside Park

This item was reviewed under the summary approval list as presented by staff. It was moved by Mike Bass 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 the improvement may be subject to removal. The motion carried unanimously.

15. Variance request for existing play structure is located in the five foot side yard and ten foot rear yard easements.
Paul and Morgan Frontczak
23 Quintelle Court
Lot 6, Block 1, Section 64 Village of Sterling Ridge
This item was reviewed under the summary approval list as presented by staff. It was moved by Mike Bass 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 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 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 the improvement may be subject to removal. The motion carried unanimously.

16. Variance request for existing driveway extension - landscape borders - which exceeds width allowed.
Mark and Donna Naras
63 West Frontera Circle
Lot 5, Block 2, Section 61 Village of Sterling Ridge
This item was reviewed under the summary approval list as presented by staff. It was moved by Mike Bass and seconded by Chris Florack to conditionally approve, plant and maintain a planting bed along side of driveway to help soften view of driveway. The motion carried unanimously.

17. Variance request for existing wood deck and arbor which is located in the five foot side yard easement.
Michael & Ashley Newman
18 Mulberry Glen Place
Lot 3, Block 1, Section 28 Village of Alden Bridge
This item was reviewed under the summary approval list as presented by staff. It was moved by Mike Bass 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 the improvement may be subject to removal. The motion carried unanimously.

18. Variance request for one existing and one proposed driveway extension - landscape borders - which exceeds width allowed.
Christopher & Katherine Fuentes
47 South Bethany Bend Circle
Lot 6, Block 2, Section 36 Village of Alden Bridge
This item was reviewed under the summary approval list as presented by staff. It was moved by Mike Bass and seconded by Chris Florack to conditionally approve, border only allowed on the one side, plant and maintain vegetation to soften view of the border. The motion carried unanimously.

19. Consideration and Action to approve Neighborhood Criteria for the Village of College Park – Harper's Landing Sections 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15 and 16.
Neslihan Tesno presented the members with the proposed Neighborhood Criteria, the Development Criteria and the Initial Land Use Designation document for each section. Staff went over the procedure for developing these criteria which included multiple checks by staff for accuracy and a field check to confirm that the criteria and the existing improvements agreed. Staff informed the committee that any proposed criteria with substantial changes would be called out to the committee. Robert Heineman and Ken Anderson stated that neighborhood criteria should not be recorded for areas of active new home construction such as Creekside Park and parts of Sterling Ridge since the builders would have to comply with the Development Criteria for initial construction.

Deborah Sargeant made a motion to approve the Neighborhood Criteria for the Village of College Park – Harper’s Landing Sections 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15 and 16. Herman Weindel seconded. Mike Bass had left the meeting prior to this item being reviewed. The motion passed unanimously.

20. Variance request for color change for garage door which is not in keeping with the character of the neighborhood.

Farid and Patricia Ahmadi

26 Ricegrass Place

Lot 21, Block 1, Section 10 Village of Creekside Park

This item was reviewed by the full committee. The staff provided the committee with a PowerPoint presentation. The homeowner was present to address the committee. The committee had not been able to visit the site to view the color of the garage doors. The committee asked staff to send directions to the address. It was moved by Mike Bass and seconded by Kim Hess to table the item until the committee could visit the site. The motion carried unanimously.

21. Rehearing for a deck and spa which are located in the side five foot easement.

Charles Scott and Linda Shaver

159 Fairwind Trail Drive

Lot 7, Block 2, Section 11 Village of College Park

This item was reviewed by the full committee. The staff provided the committee with a PowerPoint presentation. The homeowner was not present to address the committee. It was moved by Chris Florack and seconded by Deborah Sargeant to disapprove and consent to delay enforcement, based upon the execution of a memorandum of agreement, requiring the owner to remove the deck and spa from the easement, when the owner no longer owns the home, transfers title or when the owner is no longer the primary resident, or when the deck and spa 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 the improvement may be subject to removal. Mike Bass had left the meeting prior to this item being reviewed. The motion passed unanimously.

22. Variance request for a sun shade structure which may create negative neighbor impact.

Ruan and Debbie Lance

43 South Longsford Circle

Lot 18, Block 2, Section 12 Village of Sterling Ridge

This item was reviewed by the full committee. The staff provided the committee with a PowerPoint presentation. The homeowner was not present to address the committee. It was moved by Chris Florack and seconded by Kim Hess to conditionally approve, maintain existing vegetation, staff to determine if additional planting is required upon installation. Vegetation should screen view of shade structure from adjacent properties and street. Mike Bass had left the meeting prior to this item being reviewed. The motion passed unanimously.

23. Variance request for proposed patio cover and fireplace do not respect the 15 foot rear setback.

Michael and Colleen Pillow

47 Gauntlet Drive

Lot 5, Block 4, Section 80 Village of Sterling Ridge

This item was reviewed by the full committee. The staff provided the committee with a PowerPoint presentation. The homeowner was not present to address the committee. The contractor was present and addressed the committee. The contractor explained that due to the small yard the encroachment was not avoidable and that it would be heavily landscaped. He assured the committee that they would use native vegetation and not palm trees. It was moved by Mike Bass and seconded by Chris Florack conditionally approve, the fireplace/chimney must have a spark arrester, must submit landscape plan before construction

starts, plan to be approved by staff. Landscape plan must show screening of structure to adjacent properties and street. Meet code and standard conditions. The motion passed unanimously.

24. Variance request for proposed Gazebo does not respect the rear 25 foot setback.

Toni and Dina Gerges

39 Marquise Oaks Place

Lot 9, Block 1, Section 45 Village of Sterling Ridge

This item was reviewed by the full committee. The staff provided the committee with a PowerPoint presentation. The homeowner was not present to address the committee. It was moved by Deborah Sargeant and seconded by Robert Heineman to conditionally approve, the lights on structure must be shielded down and not toward adjacent properties and the owner must submit a landscape plan to be approved by staff that will screen view to adjacent properties, meet code and standard conditions. The owner must apply for any future improvements to gazebo such as summer kitchen, fireplace, lights, etc. Mike Bass had left the meeting prior to this item being reviewed. The motion passed unanimously.

25. Variance request for proposed fireplace will not respect the rear 25 foot building setback and may have a negative impact on neighbor.

Russell and Kristin Barron

42 Wintress Drive

Lot 3, Block 3, Section 80 Village of Sterling Ridge

This item was reviewed by the full committee. The staff provided the committee with a PowerPoint presentation. The homeowner and the contractor were present to address the committee. The owner stated that they were unaware of the building setback when they design structure and there was not other place out of the setback to move it to. A discussion followed concerning the wood burning fireplace and the possibility of smoke issues to neighbor. It was moved by Chris Florack and seconded by Herman Weindel to conditionally approve, the fireplace must be gas only, meet code, standard conditions. Additionally, The Owner must ensure that the placement of the improvement 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 motion carried unanimously.

26. Variance request for proposed cabana may not be architecturally compatible due to mass, scale and proportion and neighbor impact.

Keith Seanard and Stephanie Tulloch

19 Indigo Bunting Place

Lot 49, Block 1, Section 13 Village of Creekside Park

This item was reviewed by the full committee. The staff provided the committee with a PowerPoint presentation. The homeowners were present to address the committee. The owners informed committee that they were trying to keep all the trees they could to help with screening. They had planted shrubs to screen the structure from the adjacent neighbor and were planning on additional planting. It was moved by Chris Florack and seconded by Mike Bass to conditionally approve, the owner must submit a landscape plan to be approved by staff that will screen view to adjacent properties, and the structure must meet code and standard conditions. The motion carried unanimously.

27. Variance request for an existing patio cover and arbor which has an unapproved roofing material.

Norman & Ellen Lance

2 Cinnamon Teal Place

Lot 1, Block 3, Section 1 Village of Alden Bridge

This item was reviewed by the full committee. The staff provided the committee with a PowerPoint presentation. The homeowner and the contractor were present to address the committee. It was moved by Chris Florack and seconded by Ken Anderson to conditionally approve-plant and maintain evergreen vegetation along full length of arbor from rear street view. Must be at least 6-7' in height at time of planting. Meet code,

standard conditions. Staff is to approve planting upon completion. Mike Bass had left the meeting prior to this item being reviewed. The motion passed unanimously.

- VI.** Action to call a special meeting of The Development Standards Committee, regarding the promulgation of rules and revisions to The Residential Development Standards.
Staff requested a date for the special meeting of the DSC to discuss and take action on possible amendments to the Standards. It was decided that the meeting would be set for Wednesday September 14, 2011.

- VII.** Public Comments
There were no public comments.

- VIII.** Member Comments
Chris Florack mentioned that due to drought conditions the DSC might be reviewing more tree issues than normal. Staff stated that they require a certified arborist report for trees that are questionable.

- IX.** Staff Reports
There were no staff reports.

- X.** Adjourn
There being no further business it was moved by Chris Florack and seconded by Herman Weindel to adjourn the meeting at 7:13 p.m. The motion carried unanimously.

Agenda Items may have been reviewed in a different order than shown.