

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

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

Staff Present: Chris Feist, Pam Forde and Hennie van Rensburg

Legal Counsel D. Joe Griffin

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 September 7th, 2011

It was moved by Mike Bass and seconded by Herman Weindel to approve the minutes of the regular meeting of September 7th, 2011 as presented. The motion carried. Chris Florack abstained from the motion.

III. Consideration and Action of the Summary List

Chairwoman Deborah Sargeant presented the Summary List as presented by Staff Recommendation. The list consisted residential items 2, 3, 4, 5, 6, 7, 8, 9, 14, 15, 16, 17, 18, 19, 21, 22, 23, 24, 26, 27, 28 & 33. It was moved by Chris Florack and seconded by Kim Hess 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
Concept Approval
The Woodlands Township Central Fire Station
9951 Grogans Mill Road – 01-080-0006-0547-0335
Village of Grogan's Mill

V. Review and Disposition of Residential Applications

1. Consideration and Action regarding a proposed home business.
Patrick Mann
7 Box Turtle Lane
Lot 33, Block 01, Section 32 Village of Grogan's Mill
This item was heard by the full committee. Our legal counsel discussed the modified conditions of approval for the home owner to sign, as it relates to business use in the home. It was moved by Mike Bass and seconded by Herman Weindel to approve the home business on the condition the business adhere to and execute a signed agreement, regarding the guidelines of the home business as drafted by staff and legal counsel with the stipulation that Item A.1 of the proposed draft be eliminated. This approval is for a one year period, with the applicant returning in October 2012 to reapply. Additionally, a home business is subject to revocation if a violation of the Standards or condition of approval occurs. The motion carried unanimously.
2. Consideration and Action regarding a proposed home business.
Murray & Keri Fershtman
48 S. Woodstock Circle Drive
Lot 43, 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 Herman Weindel to approve the home business. 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 or condition of approval occurs. The home owner must resubmit an application to continue the use of the home business, if the business still exists after October of 2013. The motion carried unanimously.

3. Consideration and Action regarding a proposed home business renewal.

William Nash

12220 Rock Oak Place

Lot 22, Block 08, 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 Herman Weindel to approve the home business. 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 or condition of approval occurs. The home owner must resubmit an application to continue the use of the home business, if the business still exists after October of 2013. The motion carried unanimously.

4. Consideration and Action regarding a proposed home business renewal.

Ronald and Nancy Ryan

9 Huntsman's Horn Circle

Lot 05, Block 01, Section 35 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 Herman Weindel to approve the home business. 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 or condition of approval occurs. The home owner must resubmit an application to continue the use of the home business, if the business still exists after October of 2013. The motion carried unanimously.

5. Variance request for a proposed front yard fountain, which would be located beyond the twenty five foot platted building 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 Mike Bass and seconded by Herman Weindel to approve on the condition the owner maintain vegetation at the front of the fence to soften and screen the view of the fountain to the street. The motion carried unanimously.

6. Variance request for the proposed summer kitchen, which would not be located ten feet from the adjoining property.

Shirley A. Le Sage

12114 Acorn Oak Street

Lot 02, 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 Herman Weindel to approve on the condition the owner plants and maintains vegetation to the rear of the grill area and arbor to soften and screen the view to the adjacent property. Additionally, the owner must meet code and pass final inspection. The owner must not halt or materially impede drainage as defined in the Residential Development Standards. The motion carried unanimously.

7. Consideration and Action regarding proposed changes to the previously approved concept plans regarding a room addition and second story balcony.

Bharat Latthe

37 Leeward Cove Drive

Lot 2, Block 2, Section 24 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 Herman Weindel to table the item. The motion carried unanimously.

8. Variance request for a proposed fireplace, which will encroach into the five foot rear utility easement.

Paul & Jane Brown

7 Dorset Square

Lot 16, Block 1, Section 45 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 Herman Weindel to approve the fireplace on the condition the owner meet code and passes final inspection. In addition the owner must plant or maintain vegetation to the side of the improvement to soften and screen the view of the kitchen to the adjacent property. The owner must not halt or materially impede drainage as defined in The Residential Development Standards. The motion carried unanimously.

9. Variance request for a proposed summer kitchen, which would not be located ten feet from the adjoining property.
Paul & Jane Brown
7 Dorset Square
Lot 16, Block 1, Section 45 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 Herman Weindel to approve the proposed summer kitchen on the condition the owner meet code and passes final inspection. In addition the owner must plant or maintain vegetation to the side of the improvement to soften and screen the view of the kitchen to the adjacent property. The owner must not halt or materially impede drainage as defined in The Residential Development Standards. The motion carried unanimously.
10. Variance request for the proposed fence, which is not setback five feet from the front façade of the home.
Nancy Anderson
88 S. Wavy Oak Circle
Lot 17, Block 8, Section 7 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 PowerPoint presentation of the home and the improvement. It was then moved by Mike Bass and seconded by Herman Weindel to deny the variance as proposed and approve a modified variance to set the fence back two feet from the corner of the house or front façade; and provide for a front gate that will extend to the side fence to join the owner's existing side fence, in order to screen the trash cans from the adjacent property. Request the staff coordinate with the owner to see if there are opportunities through the Revitalization program. In addition, allow the owner 120 days to come into compliance with the disapproval and requirement to correct. The motion carried unanimously.
11. Variance request for a proposed room addition and garage addition, which would cause the lot to exceed the maximum living area allowed as determined by the Neighborhood Criteria and Initial Land Use Designation; and consideration and Action to allow the owner to pursue amending The Initial Land Use Designation in order to increase the maximum amount of living area allowed.
Michelle Imhoff
98 Huntsmans Horn Circle
Lot 02, Block 01, Section 18 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 home and the improvement. It was then moved by Ken Anderson and seconded by Mike Bass to approve the request to amend the Initial Land Use Designation and require the owner must coordinate with staff for the final approval of plans once the Land Use has been amended. Plans should be designed to reflect no windows to the top right side facing the adjacent property, the siding portion extending to the existing dwelling must be stucco. In addition the new air conditioning unit must be placed behind the existing unit. All improvements must meet code and pass final inspection. Deborah Sargeant abstained from the vote. The motion carried.
12. Variance request for a proposed pool barrier fence, which would not be set back five feet from the front façade of the home and would not be in compliance with the Neighborhood Criteria for the lot.
Walter and Madalyn Cooke
26 Skyland Place
Lot 19, Block 06, Section 06, 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 the home and the improvement. It was moved by Mike Bass and seconded by Herman Weindel to conditionally approve the fence on the condition the wood portion of the fence must be constructed of the wood fence design that complies with the Neighborhood Criteria and he owner must submit a landscaping plan to provide additional screening in front of the fence. The staff should review and act on the landscaping plan. The motion carried unanimously.

13. Variance request for an existing solar protection panels which were considered to be not compatible with and not appropriate to the architectural character of the dwelling and neighborhood.
Walter and Madalyn Cooke
26 Skyland Place
Lot 19, Block 06, Section 06, 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 the home and the improvement. It was moved by Mike Bass and seconded by Chris Florack to approve the solar screens as submitted.
14. Variance request for the existing driveway extension, which exceeds the maximum width allowed.
Alfonso Reyes
1 East Wandering Oak Drive
Lot 31, Block 7, Section 5 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 Herman Weindel to approve as the driveway extension as presented, on the condition the owner must maintain the existing vegetation at the front of the extension to soften and screen the view of the widening to the street. The owner must not halt or materially impede drainage as defined in the Residential Development Standards.
15. Variance request for the existing backyard paving, which encroaches into the ten foot rear yard easement.
Alfonso Reyes
1 East Wandering Oak Drive
Lot 31, Block 7, Section 5 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 Herman Weindel to approve the paving as presented. Approval by this committee does not constitute approval by the additional easement holders. It is the owner's responsibility to obtain approval by the additional easement holders and may be subject to removal. The owner must not halt or materially impede drainage as defined in the Residential Development Standards.
16. Variance request for the existing trampoline, which encroaches into the five foot side yard easement.
Jana Calhoun
40 Wood Cove Drive
Lot 16, Block 1, Section 24 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 Herman Weindel to deny the variance for the existing trampoline; and consent to delay enforcement based upon the execution of a memorandum of agreement, requiring the owner to remove the trampoline from the easement, when the owner no longer owns the home, Transfers title or is no longer the primary resident, whichever comes first. The memorandum of agreement will be recorded with the courthouse and binding on the land. The motion carried unanimously.
17. Variance request for the existing playhouse, which encroaches into the five foot side and ten foot rear easements.
Jana Calhoun
40 Wood Cove Drive
Lot 16, Block 1, Section 24 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 Herman Weindel to deny the variance for an existing play house and consent to delay enforcement based upon the execution of a memorandum of agreement, requiring the owner to remove the play structure from the easement, when the owner no longer owns the home, Transfers title or is no longer the primary resident, whichever comes first. The memorandum of agreement will be recorded with the courthouse and binding on the land. The motion carried unanimously.
18. Variance request for the existing play structure, which encroaches into the ten foot rear easement.
Chris & Cheryl Richie
4 Falling Star Road
Lot 2, Block 3, 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

Herman Weindel to deny the variance for an existing play structure and consent to delay enforcement based upon the execution of a memorandum of agreement, requiring the owner to remove the play structure from the easement, when the owner no longer owns the home, Transfers title or is no longer the primary resident, whichever comes first. The memorandum of agreement will be recorded with the courthouse and binding on the land. The motion carried unanimously.

19. Variance request for the existing trampoline encroaches into the ten foot rear and five foot side easements.
Chris & Cheryl Richie
4 Falling Star Road
Lot 2, Block 3, 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 Herman Weindel to deny the variance form an existing trampoline; and consent to delay enforcement based upon the execution of a memorandum of agreement, requiring the owner to remove the trampoline from the easement, when the owner no longer owns the home, Transfers title or is no longer the primary resident, whichever comes first. The memorandum of agreement will be recorded with the courthouse and binding on the land.
20. Variance request for the existing bollards (rocks), which are not part of an integrated landscape bed, and are located in the street right-of-way.
Lyuben & Irina Ivanov
12 Brentwood Court
Lot 18, Block 1, Section 16 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 PowerPoint presentation of the home and the improvement. It was then moved by Chris Florack and seconded by Deborah Sargeant to approve as presented. Mike Bass opposed the motion. The motion carried.
21. Variance request for the existing fence, which exceeds the maximum height allowed and has a rot board that exceeds 6 inches in height.
George and Kay King
2006 Longstraw Place
Lot 15, Block 01, Section 04 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 Herman Weindel to approve the fence on the condition the owner maintains vegetation to the rear of the fence to soften and screen the view to Timberwild. The owner must not halt or materially impede drainage as defined in the Residential Development Standards. The motion carried unanimously.
22. Variance request for the existing fence, which is not located at least five feet back from the front façade of the dwelling; and was built with the construction side facing outward from the lot.
Terry Doherty and Catherine Vaughan
5 Green Blade Lane
Lot 21, Block 02, Section 20 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 Herman Weindel to approve as presented on condition the owner maintain the existing vegetation in front of the fence to soften and screen the view of the fence. The motion carried unanimously.
23. Variance request for the existing rear yard detached storage shed, which exceeds the maximum height allowed and is located within the five foot side yard easement.
Roy and Kristina Villareal
9 Paintedcup Court
Lot 64, Block 01, Section 18 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 Herman Weindel to deny the variance and consent to delay enforcement based upon the execution of a memorandum of agreement requiring the owner to remove the storage shed form the easement, when the owner no longer owns the home, sells or transfers title or is no longer the primary resident. The memorandum will be recorded with the courthouse and binding on the land. Additionally the owner should plant and maintain one native evergreen shrub to the exterior of the fence, to soften and screen any view from street. The motion carried unanimously.

24. Variance request for the existing rear yard greenhouse, which exceeds the maximum square footage allowed and is located within the ten foot rear and five foot side yard easements.
Bruce Moore
82 Northgate Drive
Lot 20, Block 06, Section 49 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 Herman Weindel to deny the variance and consent to delay enforcement based upon the execution of a memorandum of agreement requiring the owner to remove the greenhouse from the easement, when the owner no longer owns the home, sells or transfers title, is no longer the primary resident or when the green house is in disrepair and needs replacement. The memorandum will be recorded with the courthouse and binding on the land. The motion carried unanimously.
25. Variance request for the existing window air conditioning unit, which is located in the front of the home and is not screened from view.
Harry Van Heldorf
2103 North Red Cedar Circle
Lot 46, Block 02, Section 10 Village of Grogan's Mill
This item was heard by the full committee. The staff provided the committee with a PowerPoint presentation of the home and the improvement. It was then moved by Chris Florack and seconded by Deborah Sargeant to conditionally approve the air conditioning unit for seasonal use only. The owner must sign and execute a memorandum of agreement requiring the owner to remove the unit form the window, when the owner no longer owns the home, sells or transfers title or is no longer the primary resident. The memorandum will be recorded with the courthouse and binding on the land. The motion carried unanimously.
26. Variance request for the existing second story rear yard deck, which was submitted without the required sealed drawings.
Justin Ulmer
11005 Meadow Rue Street
Lot 14, Block 03, Section 07 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 Herman Weindel to approve the rear yard deck on the condition the owner meets code and passes final inspection.
27. Variance request for the existing fence, which is not located at least five feet back from the front façade of the dwelling.
Erik Bengtson
1909 North Red Cedar Circle
Lot 41, Block 02, Section 10 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 Herman Weindel to approve the fence on the condition the owner plant and maintain vegetation to the exterior of the fence, in a continuous landscape bed to soften and screen the view of the rot board to the street. The motion carried unanimously.
28. Variance request for the existing fence, which was built with the construction side facing outward from the lot.
Boyce Sutherland
1907 North Red Cedar Circle
Lot 40, Block 02, Section 10 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 Herman Weindel to deny the variance for the fence 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, sells or transfers title, is no longer the primary resident or when the fence is in need of repair. The memorandum will be recorded with the courthouse and binding on the land. The motion carried unanimously.
29. Variance request for the existing lattice fence gate, which is made of plastic and not considered to be an acceptable construction material as determined by the Standard.

Boyce Sutherland
1907 North Red Cedar Circle
Lot 40, Block 02, Section 10 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 home and the improvement. It was then moved by Mike Bass and seconded by Deborah Sargeant to disapprove the material of the fence and require the owner replace the fence with a wood material and maintain the same design. The motion carried unanimously.

30. Variance request for an existing color change to the home.

Betty Gray
30 Bitterwood Circle
Lot 5, Block 2, Section 20 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 PowerPoint presentation of the home and the improvement. It was then moved by Mike Bass and seconded by Kim Hess to approve the color change as presented. Chris Florack abstained from the vote. The motion carried.

31. Variance request for an existing color change to the garage door.

Vernette Simkins
4 Redberry Court
Lot 28, Block 9, 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 home and the improvement. It was then moved by Herman Weindel and seconded by Chris Florack to approve the color change as presented.

32. Variance request for the existing power generator, which is located entirely in the five foot left side easement.

Larry & Mari Vernier
168 North Mill Trace Drive
Lot 6, Block 03, Section 30 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 PowerPoint presentation of the home and the improvement. It was then moved by Mike Bass and seconded by Chris Florack to approve the power generator on the condition the owner must install the unit to the manufacturer's specifications, meet code and pass final inspection. The motion carried unanimously.

33. Variance request for a tree, removed without a permit.

Randall & Carolyn Barron
8 Twelve Pines Court
Lot 37, Block 1, 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 Herman Weindel to approve the tree removal on the condition the owner plant and maintain two 30 gallon native evergreen trees anywhere in the rear yard. The owner stated he has all ready planted Texas redbud trees. The motion carried unanimously.

34. Variance request for an existing dog house with paving which exceeds the maximum size allowed is not screened from view behind the wrought iron fence and may have a negative impact on the adjacent property. In addition, the dog house is located in a dog run that is located less than 3' from the property line.

Oscar Moreno and Annett Roland
55 Hollymead Drive
Lot 07, Block 02, Section 09, 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 Herman Weindel to table the item to November 2, 2011. The motion carried unanimously.

35. Variance request for an existing fence that is constructed with the unfinished side facing outward from the lot towards an adjacent tract of land.

George and Ann Evans
243 S Pathfinders Circle

Lot 62, Block 06, Section 01, 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 the home and the improvement. It was then moved by Mike Bass and seconded by Herman Weindel to approve the existing fence on the condition the owner maintains the existing vegetation to soften and screen the view of the fence. The motion carried unanimously.

36. Variance request for an existing fence that is constructed with the unfinished side facing outward from the lot towards an adjacent tract of land.

Jessica and Joey Holmes

25 Hornsilver Place

Lot 34, Block 01, Section 07, 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 the home and the improvement. It was then moved by Chris Florack and seconded by Mike Bass to disapprove the left and right side fences and require the owner comply with Standards and table the rear fence to the meeting of November 2nd, 2011 in order to determine visibility at the rear. The motion carried unanimously.

37. Variance request for an existing fence that exceeds the maximum height allowed and is constructed with the unfinished side facing outward.

Gustavo and Cheryl Guido

16 Lullwater Place

Lot 101, Block 03, Section 01, 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 the home and the improvement. It was then moved by Chris Florack and seconded by Mike Bass to conditionally approve the fence on the condition the owner modifies the first four sections of fencing of the left hand side to be reduced to six feet and then gradually taper up to seven feet in height. The motion carried unanimously.

VI. Public Comments

There were no public comments.

VII. Member Comments

There were no member comments.

VIII. Staff Reports

There were no staff reports.

IX. Adjourn

There being no further business it was moved by Ken Anderson and seconded by Chris Florack to adjourn the meeting at 7:35 p.m. The motion carried unanimously.