

Development Standards Committee

January 18, 2012 at 5:30 PM

The Woodlands Township
2801 Technology Forest Drive
The Woodlands, Texas 77381

Members Present: Deborah Sargeant, Robert Heineman, Ken Anderson, Mike Bass, Chris Florack, Kim Hess 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 January 18, 2012

I. Welcome/Call Meeting to Order

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

II. Consideration and Action of Minutes of DSC Meeting on December 14, 2011.

It was moved by Mike Bass and seconded by Robert Heineman to approve the minutes of the previous meeting as presented. The motion carried. Chris Florack was not in the room.

III. Consideration and Action of Minutes of Special DSC Meeting September 14, 2011.

It was moved by Mike Bass and seconded by Robert Heineman to approve the minutes of the previous meeting as presented. The motion carried. Chris Florack was not in the room.

IV. Consideration and Action of the Summary List

Chairperson Deborah Sargeant presented the Summary List as presented by Staff. The list consisted of Residential Items 1-7, 9-13, and 15. Items 8 and 14 were resolved. Items 16, 17 and 21 were tabled. It was moved by Mike Bass and seconded by Robert Heineman to approve the Summary List as presented by staff. The motion carried unanimously.

V. Consideration and Action regarding the promulgation of rules for trash cans and recycle bins.

The committee debated enforcement of the trash can standards due to the new large recycle can being issued to residents this month. It was moved by Mike Bass and seconded by Chris Florack that no violations would be issued for trash cans or recycle cans that were not compliant to the Standards in regard to location for a period of 90 days starting from January 1, 2012. The motion carried unanimously. Staff presented a PowerPoint presentation to the committee with sample trash/recycle can enclosures. The committee asked that staff return with a more detailed proposal to include the following: **Must be no higher than 5', must be set back 5' from front façade of home,** color/design/materials must be compatible with dwelling or fence, framed lattice enclosures allowed and enclosures on properties with wrought iron perimeter fencing must screen enclosure with vegetation. Staff to place this item on the next DSC meeting.

VI. Review and Disposition of Commercial Applications

A. Request for Consideration and Action

Landscape Plan to Replace Removed Trees Lone Star College System

5000 Research Forest Drive - File #01-090-0000-0051-0805-0000
Research Forest

This item was reviewed by the full committee. After presentation of the item by Pam Forde, and discussion by the Committee, it was moved by Kim Hess and seconded by Ken Anderson to approve the plan. The motion carried, with Mike Bass opposing.

B. Request for Consideration and Action

**Parking Lot Identification Signs
Cochran Crossing Village Center**

4747 Research Forest Drive - File #01-030-0047-0687-0100-0000

Village of Cochran's Crossing

This item was reviewed by the full committee. After presentation of the item by Pam Forde, and discussion by the Committee, it was moved by Deborah Sargent and seconded by Mike Bass to disapprove the item. The motion carried unanimously.

C. Request for Consideration and Action

Monument Sign "A"

Village Square Apartments

2301 South Millbend Drive - File #01-010-0006-0547-0200-0000

Village of Grogan's Mill

This item was reviewed by the full committee. After presentation of the item by Pam Forde, adding that the applicant has decided to rescale the proposed signs to match the existing sizes, it was moved by Chris Florack and seconded by Kim Hess to approve the item. The motion carried unanimously.

D. Request for Consideration and Action

Monument Sign "B"

Village Square Apartments

2301 South Millbend Drive - File #01-010-0006-0547-0200-0000

Village of Grogan's Mill

This item was reviewed by the full committee. After presentation of the item by Pam Forde, adding that the applicant has decided to rescale the proposed signs to match the existing sizes, it was moved by Chris Florack and seconded by Kim Hess to approve the item. The motion carried, with Mike Bass opposing.

E. Request for Consideration and Action

Monument Sign "C"

Village Square Apartments

2301 South Millbend Drive - File #01-010-0006-0547-0200-0000

Village of Grogan's Mill

This item was reviewed by the full committee. After presentation of the item by Pam Forde, adding that the applicant has decided to rescale the proposed signs to match the existing sizes, it was moved by Chris Florack and seconded by Kim Hess to approve the item. The motion carried unanimously.

F. Request for Consideration and Action

Final Approval

The Woodlands Township Central Fire Station

9951 Grogans Mill Road - 01-080-0006-0547-0335

Village of Grogan's Mill

This item was reviewed by the full committee. After presentation of the item by Kim Hess, it was moved by Kim Hess and seconded by Mike Bass to approve the item with the conditions that the wall screening the Dumpster/utility area must be entirely of masonry with a metal gate to match the building, that they must supplement the forest preserve near Riva Row as needed to comply with Standards. A final monument sign design was not reviewed. The motion carried unanimously.

G. Report on "Commercial Staff Approval List" for January 18, 2012

The list was accepted as presented.

VII. Review and Disposition of Residential Applications

1. Variance request for proposed summer kitchen which is not at least ten feet from the adjacent side

property line.

Bryan Forry

23 South Sage Sparrow Circle

Lot 10, Block 3, Section 11 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 Robert Heineman to conditionally approve the summer kitchen, meet code and standard conditions. The motion carried unanimously.

2. Variance request for proposed summer kitchen which is not at least ten feet from the adjacent side property line.
Stephen P. Seiler
7 Paloma Pines Place
Lot 2, Block 1, Section 23 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 Robert Heineman to conditionally approve summer kitchen, meet code and standard conditions. Plant and maintain sufficient evergreen vegetation to soften impact to neighbor on left. Vegetation must be at least 6 feet tall at time of planting. The motion carried unanimously.
3. Variance request for a proposed fireplace does not respect the 25 foot rear building setback for lake front lots.
Daryl Stilley
155 West Hullwood Court
Lot 11R, Block 1, Section 2 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 Robert Heineman to conditionally approve the fireplace, meet code and standard conditions. Plant and maintain sufficient evergreen vegetation to soften impact to neighbor on left. Vegetation must be at least 6 feet tall at time of planting. The motion carried unanimously.
4. Variance request for proposed attic conversion will exceed the maximum living area allowed of 3600 square feet per the Development Criteria for Section 56 of Alden Bridge existing fence stains that are not approvable colors.
Daniel & Leslie Mills
3 Lancepine Place
Lot 23, Block 3, Section 56 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 Robert Heineman to conditionally approve the attic conversion, meet code and standard conditions. The motion carried unanimously.
5. Variance request for existing wood deck that is located in the ten foot rear yard easement.
Steven and Samantha Colonna
18 East Sterling Pond Circle
Lot 5, Block 3, Section 3 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 Robert Heineman to approve the deck. Approval by this committee does not **constitute approval by additional entities. It is the owner's responsibility to obtain approval by those entities.** The improvement may be subject to removal. The motion carried unanimously.
6. Variance request for an existing arbor and paving are located in the ten foot rear yard easement.
Robert & Deborah MacMillan
18 Broadweather Place
Lot 79, Block 1, Section 50 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 Robert Heineman to conditionally approve the arbor and the paving, maintain existing vegetation on arbor. Approval by this committee does not constitute approval by the additional **entities. It is the owner's responsibility to obtain approval by those entities.** The improvement may be

subject to removal. The motion carried unanimously.

7. Variance request for a proposed fireplace will be located beyond the 25 foot rear building setback line for the dwelling and the existing play structure is located in the ten foot rear yard easement.
Minoj & Mita Desai
2 Floret Court
Lot 73, Block 1, Section 44 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 Robert Heineman to conditionally approve the fireplace; meet code and standard conditions. Approval by this committee does not constitute approval by the additional entities. **It is the owner's responsibility to obtain** approval by those entities. The improvement may be subject to removal. It was also moved that the play structure be disapproved 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. The motion carried unanimously.
8. Variance request for an existing putting green, which encroaches into the easement.
Vincent Aquino
82 West Windward Cove
Lot 5, Block 1, Section 42, Village of Panther Creek
Resolved prior to the meeting.
9. Consideration and Action to proceed with legal action, regarding failure to comply with the Covenants and Standards for outstanding violations on the home.
Kimmelyn Jean Buff Isbell
6 West Trace Creek Drive
Lot 25, Block 2, Section 3, 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 Robert Heineman 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 (by submitting application for lattice structure or removing it, and by maintaining the yard on a regular basis and removing the dead vegetation and by repairing and painting the damaged shutters and front door.) 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.
10. Consideration and Action to proceed with legal action, regarding failure to comply with the Covenants and Standards for outstanding violations on the home.
Kim Deloach
63 East Sterling Pond Circle
Lot 16, Block 1, Section 3 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 Robert Heineman 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 (repairing the broken window and removing the plywood and replacing it with glass) 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.

11. Consideration and Action to proceed with legal action, regarding failure to comply with the Covenants and Standards for outstanding violations on the home.
Stephen A. Dyczko
34 Wineberry Place
Lot 8, Block 3, Section 66 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 Robert Heineman 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 (by removing the arbor and modifying the fence or submitting a request for appeal) 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.
12. Consideration and Action to proceed with legal action, regarding failure to comply with the Covenants and Standards for outstanding violations on the home.
Victor W. Hughes, Jr.
154 North Taylor Point Drive
Lot 8, Block 2, Section 13 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 Robert Heineman 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 if not resolved within 2 weeks. The letter will include notice that failure to correct these violations (by maintaining the yard on a regular basis and removing the dead vegetation and debris from the property) 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.
13. Consideration and Action to proceed with legal action, regarding failure to comply with the Covenants and Standards for outstanding violations on the home.
Frank D Zapata
95 East Whistlers Bend Circle
Lot 14, Block 2, Section 81 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 Robert Heineman 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 (by maintaining the yard on a regular basis and removing the dead vegetation and debris from the property) 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.
14. Consideration and Action to proceed with legal action, regarding failure to comply with the Covenants and Standards for outstanding violations on the home.
Jesus Padilla
136 South Brooksedge Circle
Lot 32, Block 1, Section 58 Village of Alden Bridge

Resolved prior to the meeting.

15. Consideration and Action to proceed with legal action, regarding failure to comply with the Covenants and Standards for outstanding violations on the home.
Richard Meeks
26 Lyreleaf Place
Lot 18, Block 1, Section 39 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 Robert Heineman 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 (submitting the final inspection report for the attic conversion by a certified inspector) will result in a lawsuit filed & court hearing scheduled. Furthermore, we recommend The Township Board authorize funding of legal action, as necessary, in order to correct these violations of the Woodlands Covenants and Residential Development Standards, if the initial correspondence by The Strong Firm and the staff does not resolve these violations prior to filing the lawsuit. The motion carried unanimously.
16. Variance request for existing paving that does not respect the 20 foot front building line, ten foot easement and is located in the Street Right of Way.
Heath Derkowski
7 Fresh Pond Place
Lot 44, Block 1, Section 25 Village of Sterling Ridge
Tabled by owner request
17. Variance request for proposed gazebo that may possibly create negative neighbor impact.
Joe Newcomb
47 Dresden Place
Lot 92, Block 1, Section 1 Village of Sterling Ridge
Tabled by owner request
18. Variance request for existing patio cover that does not respect the 40 foot rear setback.
Jose Ruben Ferrer Del Rio
39 North Shimmering Aspen Circle
Lot 8, Block 1, Section 19 Village of Creekside Park
This item was reviewed by the full committee. The staff provided the committee with a PowerPoint presentation. The homeowner's **representative** was present to address the committee. It was moved by Chris Florack and seconded by Ken Anderson to conditionally approve the patio cover; plant and maintain vegetation to soften view of the concrete foundation of the patio cover from the rear view. Staff to approve the planting upon completion. The motion carried unanimously.
19. Variance request for existing patio cover that does not respect the 40 foot rear setback.
Joaquin Martinez
43 North Shimmering Aspen Circle
Lot 9, Block 1, Section 19 Village of Creekside Park
This item was reviewed by the full committee. The staff provided the committee with a PowerPoint presentation. The homeowner's **representative** was present to address the committee. It was moved by Chris Florack and seconded by Ken Anderson to conditionally approve the patio cover; plant and maintain vegetation to soften view of the concrete foundation of the patio cover from the rear view. Staff to approve the planting upon completion. The motion carried unanimously.
20. Variance request for concept approval for an existing garage conversion/garage addition that does not allow adequate parking for at 3 cars and a driveway extension that will exceed the maximum width allowed.
El Caobo/Mattias Leon

177 Bauer Point Circle
Lot 6, Block 3, Section 6 Village of Creekside Park

This item was reviewed by the full committee. The staff provided the committee with a PowerPoint presentation. The homeowner and his representative were present to address the committee. The committee informed the owner and his representative that the proposed structure did not allow for sufficient space for the garage use and that they had concerns due to mass/scale/proportion. It was moved by Mike Bass and seconded by Herman Weindel to disapprove the concept. The motion carried unanimously. The committee recommended that if they submit another concept to only provide simple drawings to decrease cost.

21. Variance request for existing patio that has a roof cover of an unapproved material.
Darwin Pressley, Jr.
78 Genesee Ridge Drive
Lot 67, Block 3, Section 11 Village of College Park (Harper's Landing)
Tabled by owner request

22. Variance request for a proposed fence stain that is not an approvable color.
Andrew and Cari Sarantapoulis
7 Chipped Sparrow Place
Lot 39, Block 2, Section 13 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. It was moved by Chris Florack and seconded by Robert Heineman to conditionally approve the fence stain, plant and maintain **evergreen shrubs to screen view of wood fences on left side of property - except for gate area**. Herman Weindel voted in opposition. The motion passed.

23. Request for appeal of the Residential Design Review Committees decision to require replanting 7x30 gallon native trees.
Andrej Rizen
14 Canoe Birch Place
Lot 37, Block 1, Section 40 Village of Alden Bridge
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. It was moved by Herman Weindel and seconded by Mike Bass that the owner must plant one 30 gallon native tree in front yard, 3 30 gallon native trees in rear yard along rear fence, these are to be intermingled with 3- 30 gallon southern wax myrtle trees. Staff to approve the planting upon completion. Allow 60 days for completion. The motion carried unanimously.

VIII. Public Comments

There were no public comments.

IX. Member Comments

Mike Bass requested that the proposed Columbarium standards be placed on the next meeting agenda for a status update and also would like an update on the columbarium project at Christ Church United Methodist on Research Forest. He informed the rest of the committee of the Public Information Meeting that was being held by The Development Review Committee in regard to the proposed Hindu temple in Alden Bridge.

X. Staff Reports

There were no staff reports.

XI. Adjourn

There being no further business it was moved by Kim Hess and seconded by Ken Anderson to adjourn the meeting at 7: 17 p.m. The motion carried unanimously.