

## Development Standards Committee

### Special Meeting Minutes

February 20, 2012 at 8:00 AM

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

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

Members Absent: Kim Hess

Staff Present: Hennie van Rensburg, Neslihan Tesno, **Kim McKenna O'Donoghue** and Sharlene Novak

Legal Counsel: D. Joe Griffin, Strong Law Firm

#### I. Welcome/Call Meeting to Order

The meeting was called to order by Chair Deborah Sargeant at 8:02 a.m.

#### II. Recess to Executive Session to consult with the Development Standards Committee's attorney pursuant to 551.071, Texas Government Code

The public session was recessed into executive session at 8:03 a.m. Ken Anderson left for a prior commitment at 8:45.

#### III. Reconvene in Public Session

The public session was reconvened at 8:56 a.m.

#### IV. Consideration and Discussion regarding the promulgation of rules for signs.

It was moved by Chris Florack and seconded by Deborah Sargeant to table. The motion carried. Herman Weindel was not in the room.

#### V. Variance request for a proposed sign that may have an adverse impact to the neighborhood's character.

Michael M Tower

2 South Hawthorne Hollow Circle

Lot 86, Block 1, Section 86 Village of Alden Bridge

This item was reviewed by the full committee. The staff provided the committee with a PowerPoint presentation. Deborah Sargeant opened the floor to anyone present who wished to speak on the issue: many residents spoke in favor and in opposition to the variance request. Mike Tower, homeowner said that he has had this sign up for 5 years (during the 40-day periods) and got a notice for the first time last fall. **He drove around over the weekend and saw signs for Valentine's Day, school plays, township elections, and other events, plus signs saying welcome, pray for peace, support our troops.** He asked who defines adverse impact and what word on the sign is offensive.

Mike Bass said the committee often faces a balancing act between homeowner's rights and covenants. Standards allow 8 types of signs and others must be applied for. Enforcement has been inconsistent. The standards set general criteria and this sign does not violate those criteria. Denying this sign impinges the right of free speech. The standards should be clarified. He is in favor of granting the variance. Herman Weindel was in favor of not making a decision at this time and wanted to make a motion to take no action. Deborah asked him to wait till all committee members had a chance to speak. This motion later died due to a lack of a second. Chris Florack said that new categories such as Event Signs come up however that the sign standards are almost unenforceable. Robert Heineman stated that any other type signs are required to be approved by committee and he does not remember approving any in the past. He is opposed based upon precedent. He acknowledged uneven enforcement. Deborah Sargeant stated staff is made aware of signs by application, complaint or monitor notice and not all sign violations will be caught. There are venues for community event signs; they are more appropriate in

public spaces; approval of this would open the door to too many signs in neighborhoods. Discussion followed concerning other avenues for residents to express themselves. It was moved by Chris Florack and seconded by Deborah Sargeant to disapprove the variance for the sign based upon precedent. Mike Bass voted in opposition. Robert Heineman abstained. The motion carried.

**VI. Public Comments**

Many residents spoke in opposition and in favor of the decision.

**VII. Member Comments**

Mike Bass was disappointed in the decision; he stated that this is about the ability of the resident to express themselves and that there was nothing objectionable about the sign. He said that he thought the DSC overstepped boundaries as it deals with free speech. He does not want to be associated with this decision so he resigned from the DSC effective immediately. Chris Florack stated that there were other methods for residents to get their message out and that it is the DSC's intention to preserve the neighborhood from clutter. Deborah Sargeant thanked the committee and the public for attending.

**VIII. Staff Reports**

There were no staff reports.

**IX. Adjourn**

Chris Florack moved to adjourn with Herman Weindel seconding. The motion carried unanimously. The meeting was adjourned at 10:06 a.m.