

Development Standards Committee  
March 7, 2012 at 5:30 p.m.  
The Woodlands Township  
2801 Technology Forest Boulevard  
The Woodlands, Texas, 77381  
Minutes

Members present: Deborah Sargeant, Kim Hess, Ken Anderson, Herman Weindel, Mike Bass 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 5:40 p.m.

**II. Approve Minutes of Meeting of February 1, 2012**

It was moved by Chris Florack and seconded by Herman Weindel to approve the minutes 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 residential items 4, 7, 9, 10, 13, 14, 15, 16, 17, 18, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 34 & 35. It was moved by Kim Hess and seconded by Chris Florack to approve the Summary List as presented. The motion carried unanimously.

**IV. Review and Disposition of Commercial Applications**

**A. Consideration and Action to install a new public pathway along South Millbend**

The Woodlands Lodge Apartments  
2500 South Millbend  
Village of Grogan's Mill

This item was heard by the full committee. Staff provided the committee with a PowerPoint presentation noting the proposed pathway along the front of the property. It was moved by Kim Hess and seconded by Herman Weindel to approve the proposed walkway on the condition the owner coordinate with staff to design the walkway to retain the existing trees and possibly plant and maintain additional vegetation to soften and screen the view along South Millbend. Additionally, approval by this committee does not constitute approval by the county. It is the owner's responsibility to obtain that approval and may be subject to removal for maintenance. Motion carried unanimously.

**V. Review and Disposition of Residential Application**

1. Request for approval of a portable basket ball goal in a street right of way.

2, 7, 10, 11, 14, 15, 18, 19, 22, 23, 27, 31, and 35 Wildever Place  
Section 36, Block 1, Lots 23-36 excluding lot 27, Village of Sterling Ridge

This item was reviewed by the full committee. The staff provided the committee with a PowerPoint presentation. The homeowner at 2 Wildever, Matt Johnson, was present to address the committee. He stated that there were two reasons they should be allowed to keep the goal in its present location: safety and aesthetics. Robert Heineman stated it was determined 20 years ago that there would be liability if the DSC approved these goals in the street rights of way. Deborah Sargeant made a motion with Chris Florack seconding to table the issue till the DSC can get legal advice and find out the true liability to The Township. The issue will be placed on the agenda of the DSC meeting of March 21, 2012. The motion carried unanimously.

2. Rehearing of a DSC decision to allow a detached building that is not fully screened by a solid six-foot high fence.  
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Owner: Amro Hamza  
67 West Majestic Woods Place  
Lot 22, Block 1, Section 17 Village of Sterling Ridge  
Requester: David and Jane Oseng  
66 West Majestic Woods Place

Lot 23, Block 1, Section 17 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 affected neighbor were present to address the committee. The neighbor is concerned about visual impact to her property. The owner offered to plant screening. It was moved by Chris Florack and seconded by Herman Weindel to require tall evergreen screening (such as wax myrtle or bottle brush) between the detached building and the fence/pathway. The motion carried unanimously.

3. 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's contractor was present to address the committee. It was moved by Chris Florack and seconded by Ken Anderson to conditionally approve the concept; submit final sealed plans, must have a 3' offset to rear from the front façade, must plant and maintain heavy evergreen vegetation between garage and adjacent neighbor to the right, staff to approve upon completion of planting. The motion carried. Robert Heineman abstained.

4. Request for a rehearing regarding the Development Standards Committee's condition of approval requiring the owner plant and maintain (1) 30 gallon native tree.

Michael A Walters

37 Rockfern Road

Lot 32, Block 01, Section 38 Village of Grogan's Mill

This item was heard under the summary items as presented by staff. It was moved by Kim Hess and seconded by Chris Florack to table this item to the meeting April 4, 2012. Motion carried unanimously.

5. Variance request rehearing regarding the Development Standards Committee's conditional approval of a six foot wooden fence, located beyond the platted building line.

Deborah Morgan

15 N Timber Top Drive

Lot 41, Block 02, Section 13 Village of Grogan's Mill

This item was heard by the full committee. Staff provided the committee with a PowerPoint presentation noting the existing fence that is constructed beyond the 20' platted building line and located beyond the owner's lot. The homeowner was present for this item. It was moved by Chris Florack and seconded by Kim Hess to deny the variance as proposed and consent to delay enforcement based upon the execution of a memorandum of agreement requiring the owner to remove the fence and seek to obtain an application for the installation of a new fence. Upon receipt of an application the fence may extend 5' over the platted building line. Additionally, the owner must plant and maintain vegetation to soften and screen the fence from view. Robert Heineman was opposed to the motion. The motion carried.

6. Variance request for a proposed patio cover resubmission, with related summer kitchen and fireplace with chimney, which would be located beyond the forty rear building setback.

Michael and Heidi Alderman

98 Northgate Drive

Lot 16, Block 06, Section 49 Village of Grogan's Mill

This item was heard by the full committee. Staff provided the committee with a PowerPoint presentation noting a proposed patio cover with related summer kitchen and chimney which would be located beyond the 40' rear building setback. The homeowner and affected neighbor were present for this item. It was moved by Chris Florack and seconded by Herman Weindel to approve on the condition the owner meet code and pass final inspection. Additionally the owner must plant and maintain one native evergreen tree to soften the view to the adjacent property at the rear, staff member may review and act on final submission. Motion carried unanimously.

7. Variance request for a proposed six foot wrought iron fence, which allows the unfinished sides of the solid wood fence to be visible through the proposed wrought iron fence.

Michael and Carol Dafferner  
118 E Shadowpoint Circle

Lot 12, Block 03, Section 08, Village of Cochran's Crossing

This item was heard under the summary items as presented by staff. The homeowner was present for this item. It was moved by Kim Hess and seconded by Chris Florack to approve as presented on the condition the owner maintain vegetation at the sides of the fence, to soften and screen the view to the rear. Motion carried unanimously.

8. Variance request for a proposed room addition, which may cause an impact on neighboring properties and may not be architecturally compatible with the dwelling.

Timothy Seay  
2614 South Wildwind Circle

Lot 03, Block 10, Section 01 Village of Grogan's Mill

This item was heard by the full committee. Staff provided the committee with a PowerPoint presentation noting a proposed room addition. The contractor and affected neighbor were present for this item. It was moved by Ken Anderson and seconded by Chris Florack to approve the concept addition on the condition that the contractor or designer modify the front elevation, by raising the roof across to the existing home and provide a drainage plan to mitigate drainage concerns to the adjacent property. Motion passed unanimously.

9. Variance request for a proposed circular driveway, which exceeds the maximum width allowed.

Tim and Sandra Carroll  
91 South Longspur Drive

Lot 10, Block 01, Section 45 Village of Grogan's Mill

This item was heard under the summary items as presented by staff. The homeowner was present for this item. It was moved by Kim Hess and seconded by Chris Florack to approve 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 those approvals and may be subject to removal. Motion carried unanimously.

10. Variance request for a proposed room addition, which would encroach into the sixty five foot front building setback line.

Bart and Amy Thedinger  
63 Chancery Place

Lot 01, Block 03, Section 46, Village of Cochran's Crossing

This item was heard under the summary items as presented by staff. The homeowner was present for this item. It was moved by Kim Hess and seconded by Chris Florack to approve on the condition the owner meet code pass final inspection and plant and maintain vegetation around the closet addition to soften the view. Motion carried unanimously.

11. Variance request for a proposed detached patio cover with summer kitchen, which would be located beyond the forty foot rear building setback line.

Steven and Susan Spackey  
115 S Meadowmist Circle

Lot 32, Block 04, Section 33, Village of Cochran's Crossing

This item was heard by the full committee. Staff provided the committee with a PowerPoint presentation noting a proposed detached patio cover with summer kitchen located beyond the 40' rear building setback line. The homeowner was present for this item. It was moved by Deborah Sargeant and seconded by Kim Hess to approve the patio cover and summer kitchen on the condition the improvement meets code and pass final inspection and the owner add vegetation to the side of the home to soften and screen the view to the adjacent property. Motion carried unanimously.

12. Variance request for a proposed basketball court, which would be located beyond the forty rear building setback line.

Philip and Ellen Asherman  
38 Grand Garden Court

Lot 32, Block 04, Section 33, Village of Cochran's Crossing

This item was heard by the full committee. Staff provided the committee with a PowerPoint presentation noting a proposed basketball court that will be located beyond the 40' rear building setback line. The contractor was present for DSC Draft Minutes 03/07/12

this item. The committee deliberated sharing concerns of impact to neighbor and over all use. It was moved by Deborah Sargeant and seconded by Chris Florack to deny the request as presented. Robert Heineman abstained. Motion carried unanimously.

13. Variance request for a proposed detached patio cover with summer kitchen, which will be located beyond the ten foot side yard setback line and located less than ten feet from the adjacent property.

Charles and Melba Stoute  
38 Waterford Bend

Lot 07, Block 01, Section 44, Village of Cochran's Crossing

This item was heard under the summary items as presented by staff. The homeowner was present for this item. It was moved by Kim Hess and seconded by Chris Florack to approve on the condition the owner plant and maintain vegetation to soften and screen the view of the structure to the adjacent property. Additionally the improvement must meet code and pass final inspection. The improvements must not halt or materially impede drainage as defined in the Residential Development Standards. Motion carried unanimously.

14. Variance request for an existing paver driveway widening that exceeds the maximum width allowed.

Jack Owen and Catherine Hawn  
43 Palmer Green Place

Lot 10, Block 05, Section 55, Village of Cochran's Crossing

This item was heard under the summary items as presented by staff. It was moved by Kim Hess and seconded by Chris Florack to approve as presented on the condition the area is used as a step off or walkway. Approval by this committee does not constitute approval by the county. It is the owner's responsibility to obtain approval by the county and may be subject to removal. Motion carried unanimously.

15. Variance request for proposed paving, which will be located within the street right-of-way.

William Arraez  
26 N Deerfoot Circle

Lot 09, Block 01, Section 09 Village of Grogan's Mill

This item was heard under the summary items as presented by staff. It was moved by Kim Hess and seconded by Chris Florack to approve as presented. Approval by this committee does not constitute approval by the county. It is the owner's responsibility to obtain approval by the county and may be subject to removal. Motion carried unanimously.

16. Variance request for the existing rear yard paving, which encroaches into the ten foot rear easement.

William Arraez  
26 N Deerfoot Circle

Lot 09, Block 01, Section 09 Village of Grogan's Mill

This item was heard under the summary items as presented by staff. It was moved by Kim Hess and seconded by Chris Florack to approve 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 those approvals and may be subject to removal. Motion carried unanimously.

17. Variance request for the existing rear yard paver retaining wall, which encroaches into the ten foot rear easement.

William Arraez  
26 N Deerfoot Circle

Lot 09, Block 01, Section 09 Village of Grogan's Mill

This item was heard under the summary items as presented by staff. The homeowner was present for this item. It was moved by Kim Hess and seconded by Chris Florack to approve on the condition the owner plant vegetation to the exterior of the wall to soften the view. Approval by this committee does not constitute approval by the additional easement holders or the county. It is the owner's responsibility to obtain those approvals and may be subject to removal. Motion carried unanimously.

18. Consideration and Action to revoke an existing home business conditional approval with Development Standards Committee on September 7, 2011.

Rachel Kizer  
50 N High Oaks Circle

Lot 94, Block 04, Section 38 Village of Grogan's Mill

This item was heard under the summary items as presented by staff. The homeowner withdrew their home business  
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application and has relocated their business to an office space.

19. Variance request for the existing rear yard detached storage shed, which exceeds the maximum square footage allowed, is located within the ten foot rear and five foot side yard easements; and is constructed with a corrugated metal roof.

Rachel Kizer  
50 N High Oaks Circle

Lot 94, Block 04, Section 38 Village of Grogan's Mill

This item was heard by the full committee. Staff provided the committee with a PowerPoint presentation noting an existing rear, detached storage shed. The affected neighbors were present to address the committee. It was moved by Chris Florack and seconded by Robert Heineman to deny, owner must remove within 30 days. Motion carried unanimously.

20. Variance request for the existing storage shed, which is located within the ten foot rear easement, is not screened by a six foot solid fence and exceeds the maximum height allowed for sheds made of plastic.

Felipe Pontigo  
137 South Timber Top Drive

Lot 32, Block 02, Section 15 Village of Grogan's Mill

This item was heard under the summary items as presented by staff. It was moved by Kim Hess and seconded by Chris Florack to deny as proposed and require the owner submit an application to relocate the shed on his property. Motion carried unanimously.

21. Consideration and Action regarding previous actions of a boat dock at 2 Hampton Place.

Russell and Sharon Stolle  
2 Hampton Place

Lot 22, Block 1, Section 45 Village of Panther Creek

This item was heard under the summary items as presented by staff. It was moved by Kim Hess and seconded by Chris Florack to rescind all actions taken by the Development Standards Committee related to the boat dock and submit all paperwork through The Woodlands Development Company and AMI. Motion carried unanimously.

22. Variance request for an existing fence which is located beyond the ten foot platted building line.

Mark and Donna Bonney  
41 Fallenstone Drive

Lot 43, Block 05, Section 01, Village of Cochran's Crossing

This item was heard under the summary items as presented by staff. It was moved by Kim Hess and seconded by Chris Florack to approve on the condition the owner plant and maintain a landscape bed with integrated vegetation, to soften the view of the fence to the street. Motion carried unanimously.

23. Variance request for an existing fence, which is located beyond the thirty nine foot platted building line.

Kimberly Cameron  
18 Crested Cloud Court

Lot 13, Block 01, Section 51 Village of Grogan's Mill

This item was heard under the summary items as presented by staff. It was moved by Kim Hess and seconded by Chris Florack to approve on the condition the owner maintain the existing vegetation at the front of the fence, to soften and screen the view. Motion carried unanimously.

24. Variance request for the existing trampoline, which is located beyond the thirty nine foot platted building line and has poles that are not muted in color.

Kimberly Cameron  
18 Crested Cloud Court

Lot 13, Block 01, Section 51 Village of Grogan's Mill

This item was heard under the summary items as presented by staff. It was moved by Kim Hess 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 remove the trampoline from the home when the owner no longer owns the home, sells or transfers title, is no longer the primary resident, or when the trampoline is in disrepair. The memorandum will be a covenant running with the land. Motion carried unanimously.

25. Variance request for an existing fence, which is not located at least five feet back from the front façade of the dwelling.

Deborah A. Steimel  
12115 Gray Oak Place

Lot 08, Block 09, Section 03 Village of Grogan's Mill

This item was heard under the summary items as presented by staff. It was moved by Kim Hess and seconded by Chris Florack to approve as presented. Motion carried unanimously.

26. Variance request for an existing fence, which is located beyond the twenty five foot platted building line.

Stephen and Kathryn Hirth  
2722 Echo Street

Lot 09, Block 02, Section 03 Village of Grogan's Mill

This item was heard under the summary items as presented by staff. It was moved by Kim Hess and seconded by Chris Florack to approve as presented. Motion carried unanimously.

27. Variance request for the existing paver driveway widening, which exceeds the maximum width allowed.

Michael P. McConnachie  
46 Lyrebird Drive

Lot 55, Block 06, Section 25 Village of Grogan's Mill

This item was heard under the summary items as presented by staff. The homeowner was present for this item. It was moved by Kim Hess and seconded by Chris Florack to approve as presented. Motion carried unanimously.

28. Variance request for the existing pavers, which are located in the street right-of-way.

Michael P. McConnachie  
46 Lyrebird Drive

Lot 55, Block 06, Section 25 Village of Grogan's Mill

This item was heard under the summary items as presented by staff. The homeowner was present for this item. It was moved by Kim Hess 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 remove the pavers from the street right of way when the owner no longer owns the home, sells or transfers title or when the owner is no longer the primary resident. The memorandum will be a covenant running with the land. Approval by this committee does not constitute approval by the additional easement holders or the county. It is the owner's responsibility to obtain those approvals and may be subject to removal. Motion carried unanimously.

29. Variance request for the existing privacy screen/arbor, which encroaches into the rear ten foot easement.

Edward Dey  
16 Meadow Star Court

Lot 43, Block 1, Section 15 Village of Panther Creek

This item was heard under the summary items as presented by staff. It was moved by Kim Hess and seconded by Chris Florack to approve 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 those approvals and may be subject to removal. Motion carried unanimously.

30. Variance request for the existing deck, which encroaches into the rear ten foot easement.

Edward Dey  
16 Meadow Star Court

Lot 43, Block 1, Section 15 Village of Panther Creek

This item was heard under the summary items as presented by staff. It was moved by Kim Hess and seconded by Chris Florack to approve 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 those approvals and may be subject to removal. Motion carried unanimously.

31. Variance request for the existing garage conversion, which does not allow for sufficient area to park two vehicles in the garage.

Bill Johns  
32 South Rain Forest Court

Lot 32, Block 06, Section 38 Village of Grogan's Mill

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This item was heard under the summary items as presented by staff. It was moved by Kim Hess 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 remove the added living space and convert the area back to the garage when the owner no longer owns the home, sells or transfers title or when the owner is no longer the primary resident. The memorandum will be a covenant running with the land. Motion carried unanimously.

32. Variance request for an existing fence which is located beyond the ten foot platted building line.

George Wagner  
128 E Pathfinders Circle

Lot 67, Block 07, Section 01, Village of Cochran's Crossing

This item was heard under the summary items as presented by staff. It was moved by Kim Hess and seconded by Chris Florack to approve on the condition the owner plant and maintain a landscape bed to the exterior of the fence, to soften and screen the view from the front and side streets. Motion carried unanimously.

33. Variance request for the existing color change.

Alfredo and Victoria Mayuman  
3 Cirrus Court

Lot 18, Block 01, Section 51 Village of Grogan's Mill

This item was heard by the full committee. Staff provided the committee with a PowerPoint presentation noting an existing color change to "Honey Beige". It was moved by Deborah Sargeant and seconded by Kim Hess to deny the color as presented and required the owner seek to obtain approval for a new color change, owner must submit application in 60 days. Motion carried unanimously.

34. Variance request for the existing rear yard detached shed, which exceeds the maximum height allowed for sheds constructed with plastic.

James Pippin  
9 North Timber Top Drive

Lot 49, Block 02, Section 13 Village of Grogan's Mill

This item was heard under the summary items as presented by staff. It was moved by Kim Hess 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 remove the shed from the home, when the owner no longer owns the home transfers title or is no longer the primary residence. The memorandum will be a binding obligation on the land. Additionally the owner must plant and maintain vegetation at the front of the fence to screen the view of the shed from the street. Motion carried unanimously.

35. Variance request for an existing driveway widening, which exceed the maximum width allowed.

Glicelda Sanabria  
10 Rosedale Brook Court

Lot 29, Block 2, Section 10 Village of Panther Creek

This item was heard under the summary items as presented by staff. It was moved by Kim Hess and seconded by Chris Florack to approve on the condition the owner maintain the existing vegetation on each side of the driveway to soften the view. Approval by this committee does not constitute approval by the additional easement holders or the county. It is the owner's responsibility to obtain those approvals and may be subject to removal. Motion carried unanimously.

36. Variance request for an existing pool barrier fence, which is not located at least five feet back from the front façade of the dwelling and does not respect the platted building line.

Francis Mayville  
3023 North Millbend Drive

Lot 01, Block 05, Section 07 Village of Grogan's Mill

This item was heard by the full committee. Staff provided the committee with a PowerPoint presentation noting an existing pool barrier fence is not located at least 5' back from the front façade of the dwelling and does not respect the platted building line. Homeowner was present for this item. It was moved by Deborah Sargeant and seconded by Herman Weindel to approve the portion of fencing that does not respect the five foot setback requirement and require the owner obtain approval from the county for the portion of fencing off of the property line and one the county road right of way. The committee does not take action for the portion of fence off of the property line. 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. Motion carried unanimously.

**VI. Public Comments**

A Grogan's Mill resident requested the staff review covenant violations at 73 W Timberspire Court regarding a storage pod in the driveway and trash in front of the garage door.

**VII. Member Comments**

Robert Heineman requested the staff review fences with legal counsel regarding safety, design and liability.

**VIII. Staff Reports**

There were no staff reports.

**IX. Adjourn**

There being no further business, it was moved by Deborah Sargeant and seconded by Chris Florack to adjourn the meeting at 8:06 pm. Motion passed unanimously.