

Development Standards Committee
April 4, 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 5:37 p.m.

II. Approve Minutes of Meeting of March 7, 2012

It was moved by Chris Florack and seconded by Kim Hess 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 5, 6, 7, 8, 9, 10, 13, 14, 15, 16, 18, 19, 21 & 22. It was moved by Chris Florack and seconded by Kim Hess to approve the Summary List as presented. The motion carried unanimously.

IV. Report on the "Commercial Staff Action List" for April 4, 2012

There was no report to present.

V. Review and Disposition of Commercial Applications

A. Consideration and Action regarding Preliminary Approval

Dr. Brad Leiker Orthodontist Office Building
4000 South Panther Creek Drive
Village of Panther Creek

The site was reviewed by the full committee. Kim has presented the item. The staff provided the committee with a PowerPoint presentation noting the location of the proposed improvements. The committee deliberated on the location of the proposed office building and the parking ratio. It was then moved by Kim Hess and seconded by Robert Heineman to approve the preliminary proposal on the conditions the owner provide a detailed chimney, submit civil details for approval, provide additional plantings around the building and include landscaped islands of the parking lot, add landscape beds around the monument sign. Additionally the owner must complete a site package for review and approval and submit exterior light specifications for review and approval. All wall packs must be fully shielded and an irrigation plan must be incorporated for the street right-of-way. The motion carried unanimously

B. Consideration and Action regarding the installation of a new fence

Texas Center for Cosmetic and Implant Dentistry
Guy M. Lewis
4800 West Panther Creek Ste#100

020-0040-0045-0315, Village of Panther Creek

This item was heard by the full committee. The staff presented the committee with a PowerPoint presentation, noting the location of the proposed fence. The committee reviewed existing fences as well as face orientation and visibility to the street. It was moved by Chris Florack and seconded by Robert Heineman to approve the fence on the condition the owner modifies the fence to a design that is double sided picket or shadow boxed so that the construction side is not visible to the street and adjacent properties. Additionally the owner must maintain significant vegetation to ensure the fence is not visible from W. Panther Creek Dr. the motion carried unanimously.

C. Consideration and Action regarding placement of commercial umbrellas, tables and Chairs

Panther Creek Shopping Center
Realty Executives
4775 West Panther Creek Dr, Ste#240B
020-0040-0045-0285-0018, Village of Panther Creek

This item is heard by the full committee. The business owner was present to address the committee. The staff provided the committee with a PowerPoint presentation noting the location of the improvements and similar umbrella and chair designs in the Panther Creek shopping center. The committee discussed concerns in regards to the advertisement on the umbrellas and the concern for the color. The committee deliberated on opportunities to modify the design of the umbrella to exclude the Realty executives on portions of the umbrella flaps. It was then moved by Robert Heineman and seconded by Chris Florack to deny the improvement has proposed and request the owner submit a redesign that reduces the signage by either modifying the flap or eliminating Realty executives on portions of the umbrella. The committee will consent to delay enforcement for 30 days from the date of the meeting in order to allow the homeowner to resubmit a design that is in keeping with the Development Standards Committees' request. The motion carried unanimously.

VI. Review and Disposition of Residential Application

1. Rehearing for a proposed shade canopy that is not in keeping with the character of the neighborhood.
Alfonso Madrid
15 Shimmering Aspen Circle

Lot 2, Block 1, Section 19 Village of Creekside Park

Initially this item was tabled by Chris Florack and seconded by Herman Weindel since the homeowner was not in attendance. The motion carried unanimously. Upon arrival of the homeowner, it was moved by Herman Weindel and seconded by Chris Florack to place the item back on the agenda. The motion carried unanimously. 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 Herman Weindel to approve as submitted. The motion carried unanimously.

2. Request for a rehearing of the Development Standards Committee by Michael and Kathy Kunzig regarding the action of their meeting of August 12, 2010 related to the arbor and privacy walls.

Paul Funkhouser
94 Northgate Drive

Lot 17, Block 06, Section 49 Village of Grogan's Mill

This item is heard by the full committee. The homeowner and some affected neighbors were present to address the committee. The staff provided the committee a PowerPoint presentation regarding the location of the improvement and the reason for the affected neighbors request for rehearing. The committee asked questions in regards to the improvement and whether or not it was built in accordance with the original plan. The staff confirmed that the improvement was built according to the specifications. It was noted that additional plantings is a condition of approval that required additional time to inclement weather and some plants dying during the drought. The homeowner addressed the committee to affirm that he intends to plant additional vegetation. The affected neighbors requested a rehearing in order to address their concerns with regard to impact and visibility. It was then moved by Chris Florack and seconded by Deborah Sargeant to allow the rehearing. The rehearing will be heard at the Development Standards Committee meeting of May 2, 2012. Additionally the committee requested the staff set up a site inspection to view the improvements from the owner and the affected neighbor's properties prior to the meeting. The motion carried unanimously.

3. Request for a rehearing of the Development Standards Committee regarding the action of the meeting of September 7, 2011 related to the requirement to replant a tree.

Michael A Walters
37 Rockfern Road

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

This item is heard by the full committee. The staff provided the committee with a PowerPoint presentation noting the owner's request for a modified replant. The homeowner was present to address this item and spoke to the committee in regards to his concern for the replant of the tree it was then moved by Chris Florack and seconded by Deborah Sargeant to approve the request for rehearing. The rehearing will be heard on May 2, 2012. The motion carried unanimously.

4. Variance request for a proposed room addition and garage expansion which would be located over 20 foot rear setback.

Wincenty and Ludmilla Kaminski
10 Snowbird Place

Lot 110, Block 04, Section 04, 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 noting location of the proposed room addition and garage expansion. It was noted that the committee had reviewed this application previously. The owner was required to resubmit the application due to the length of time from the previous approval. It was also noted that no changes had occurred from the original proposal. The committee reviewed the original application and the proposed presentation and deliberated on whether or not the second story addition respected the 20 foot rear setback. It was then moved by Deborah Sargeant and seconded by Chris Florack to approve the proposed improvements on the condition the owner plant and maintain native evergreen vegetation at the rear of the property to soften and screen the view from the adjacent properties. The motion carried unanimously.

5. Variance request for a conceptual garage conversion and related room addition, veranda, fireplace and summer kitchen which causes the lot to be without a garage or carport with sufficient area to park two vehicles each with direct access to the driveway.

George Turek
199 North Tranquil Path

Lot 18, Block 03, Section 63 Village of Grogan's Mill

This item was reviewed by the full committee. The contractor for the homeowner was present to address the committee. The staff provided the committee with a PowerPoint presentation noting the owners conceptual proposal. It was then moved by Chris Florack and seconded by Deborah Sargeant to approve the concept on the condition the owner plant and maintain vegetation in front of the veranda to soften and screen the view from the street. Additionally, the owner must provide final plans for the conversion and plans for the garage addition. Approval of the garage conversion is conditioned upon the owner obtaining approval for the garage addition. The motion carried unanimously.

6. Variance request for a proposed arbor, which encroaches into the fifteen foot rear easement and may have impact to adjacent properties.

Gary and Deborah Packer
3 Regent Square

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

This item was reviewed under the summary list as presented by staff. It was moved by Herman Weindel and seconded by connectors to withdraw this item from the agenda. The motion carried unanimously.

7. Variance request for a proposed fire pit, which will encroach into the fifteen foot rear easement.

Gary and Deborah Packer
3 Regent Square

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

This item was reviewed under the summary list as presented by staff. It was moved by Herman Weindel and seconded by connectors to withdraw this item from the agenda. The motion carried unanimously.

8. Variance request for a proposed pool and equipment, which may have an impact to adjacent properties, does not respect the zero lot line, and encroaches into the fifteen foot rear.

Gary and Deborah Packer
3 Regent Square

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

This item was reviewed under the summary list as presented by staff. It was moved by Herman Weindel and seconded by connectors to withdraw this item from the agenda. The motion carried unanimously.

9. Variance request for a proposed summer kitchen which may have an impact to adjacent properties.

Gary and Deborah Packer
3 Regent Square

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

This item was reviewed under the summary list as presented by staff. It was moved by Herman Weindel and seconded by Ken Anderson to withdraw this item from the agenda. The motion carried unanimously.

10. Variance request for a proposed fence, which will encroach into the twenty five foot front building line.

Daniel Vertrees
94 Windward Cove

Lot 2, Block 1, Section 42 Village of Panther Creek

This item was reviewed under the summary list as presented by staff. The owner was present to address the committee. It was moved by Herman Weindel and seconded by Ken Anderson to approve the improvement on the condition the owner maintain the existing trees and modify the fence to accommodate the trees. The owner must submit a landscaping plan to the staff showing how the brick base of the fence will be screened and landscaping will be incorporated. The motion carried unanimously.

11. Variance request for a proposed ten foot solid wood fence, which exceeds the maximum height allowed.

Lyndon Evans
92 S Bonneymead Circle

Lot 13, Block 01, Section 13, Village of Cochran's Crossing

This item was reviewed by the full committee. The owner was present to address the committee. This staff provided the committee with a PowerPoint presentation noting the location of the improvement and the significant vegetation existing on Cochran's crossing drive and Woodlands Parkway. The owner address the committee noting the concern in regards to the unbearable noise, the effect that it has on his family life and his health. The committee deliberated on the effectiveness of the fence for noise mitigation. It was then moved by Deborah Sargeant and seconded by Herman Weindel to approve the fence as proposed on the condition that the home owner allow the staff, in conjunction with the Development Standards Committee representatives from Ken Anderson's office to do a sound study before and after the fence is built. If the homeowner does not feel that the fence is effective the committee will allow the fence to be double-sided with the installation of insulation or modify the material to a hearty siding, all of which can be reviewed and acted upon by the covenant administration department staff. The owner must plant and maintain significant vegetation to screen the view of the fence. The motion carried unanimously.

12. Variance request for a proposed trash and recycle cart screen.

Charles Johnson
31 Dovetail Place

Lot 14, Block 02, Section 14, Village of Cochran's Crossing

This item was heard by the full committee. The homeowner was present to address the committee. The staff provided a PowerPoint presentation noting the location of the proposed trash and recycle cart screen made of fencing material. It was moved by Chris Florack and seconded by Kent Anderson to approve the proposed trash and recycle cart screen as presented. The motion carried unanimously.

13. Variance request for a proposed detached building, which would exceed the maximum square footage and height allowed.

John and Valli Cheatham
99 Quiet Oak Circle

Lot 57, Block 01, Section 05, Village of Cochran's Crossing

This item was reviewed under the summary list as presented by staff recommendation. The homeowner was present for this item. It was moved by Herman Weindel and seconded by Ken Anderson to approve the improvements on the condition the owner plant and maintain native evergreen vegetation to the rear of the shed to soften it screen the view from the adjacent property. The motion carried unanimously.

14. Variance request for a proposed storage shed, which will encroach into the easements.

Kevin Franklin
23 W. Trace Creek Drive

Lot 2, Block 3, Section 3 Village of Indian Springs

This item was reviewed under the summary list as presented by staff. It was moved by Herman Weindel and seconded by Ken Anderson to withdraw this item from the agenda. The motion carried unanimously.

15. Consideration and Action regarding home owner's request for allow a tree stump to remain in the front yard.

Vi Vuong
16 Spicebush Court

Lot 9, Block 5, Section 5 Village of Panther Creek

This item was reviewed under the summary list as presented by staff. It was moved by Herman Weindel and seconded by DSC Minutes 04/04/12

Ken Anderson to withdraw this item from the agenda. The motion carried unanimously.

16. Consideration and Action for the renewal of an existing home business.

Richard and Judy Bell
8 Paintedcup Court

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

This item was reviewed under the summary list as presented by staff. The homeowner was present to address the committee. It was moved by Herman Weindel seconded by Ken Anderson 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 homeowner must resubmit an application to continue the use of the home business, if the business still exists after April of 2014. Approval by this committee does not constitute approval by any other entity. The motion carried unanimously.

17. Consideration and Discussion of Committee Action regarding Trellis and action regarding approvable trellis request

Ching Kwei Kang
38 Carriage Pines Court

Lot 17, Block 2, Section 35 Village of Panther Creek

This item was reviewed by the full committee. The owner was present to address the committee. The staff provided the committee with a PowerPoint presentation noting the location of the existing trellis. The homeowner addressed the committee with examples of other trellis designs; and requested information from the committee regarding what type of trellis the committee would approve. After much deliberation the committee suggested the homeowner consider the Lincoln trellis in stages so that the overall trellis is not seen until the vegetation is substantially in place.

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

Caroline Nicolai De Ramirez
23 Palmer Green Place

Lot 15, Block 05, Section 55, Village of Cochran's Crossing

This item was reviewed under the summary list as presented by staff. It was moved by Herman Weindel seconded by Ken Anderson to approve the existing paver driveway widening as presented. The driveway widening was approved on the condition the area is used as a step off or walkway and not for parking. Approval by this committee does not constitute approval by the county is the owners responsibility to obtain approval by the County and may be subject to removal. The motion carried unanimously.

19. Variance request for an existing rear yard detached storage shed, which is located within the five foot side yard easement and exceeds the height allowed for sheds made of plastic.

Carlos Calderon
18 Woodhaven Wood Drive

Lot 20, Block 04, Section 28 Village of Grogan's Mill

This item was reviewed under the summary list as presented by staff. It was moved by Herman Weindel and seconded by Ken Anderson to deny the variance for the detached storage building as presented and consent to delay enforcement, based upon the execution of a memorandum of agreement. The owner must remove the storage shed from the lot when the owner no longer owns the home, cells or transfers title or is no longer the primary resident the memorandum of agreement will be recorded with the courthouse and binding on all. The motion carried unanimously.

20. Variance request for the existing patio cover, which encroaches into the easements and the side setback.

Cinda Redmond
39 Leeward Cove Drive

Lot 3, Block 2, Section 24 Village of Panther Creek

This item was reviewed by the full committee. The owner and an effective neighbor were present to address the committee. The staff provided the committee with a PowerPoint presentation noting the existing patio cover and the view from the adjacent property. The owner addressed the committee to note the need for the patio cover in order to allow for privacy for the seating area around their pool. The effective neighbor's addressed the committee to no concerns regarding visibility from their bay window area. The committee deliberated and discussed the bay windows would be frosted as a result of the conditions of approval set forth at their previous meeting. It was then moved by Chris Florack and seconded by Deborah Sargeant to approve the patio cover as presented. The motion carried unanimously.

21. Variance request for an existing flagstone patio that is located beyond the Platted Building Line.

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Christopher and Ami Doran

35 E Trillium Circle

Lot 3, Block 01, Section 19, Village of Cochran's Crossing

This item was reviewed under the summary list as presented by staff. It was moved by Herman Weindel and seconded by Ken Anderson to approve as presented on the condition the area is used as a step off or walkway and not for the purposes of parking. The owner may not store plastic lawn furniture barbecue grills on the paved area. The owner must plan maintain some vegetation at the front of the patio area, to soften the screen view to the street. 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. The motion carried unanimously.

22. Variance request for an existing deck, which encroaches into the easement.

William Downs

37 W. Wedgewood Glen

Lot 34, Block 1, Section 11 Village of Panther Creek

This I was heard under the summary list as presented by staff recommendation. It was moved by Herman Weindel and seconded by Ken Anderson to approve the deck as presented. Approval by this committee does not constitute approval by any other easement holder or entity. The owner must seek to obtain approval by the additional easement holders and may be subject to removal. The motion carried unanimously.

23. Variance request for an existing fence, which exceeds the maximum height allowed.

William Downs

37 W. Wedgewood Glen

Lot 34, Block 1, Section 11 Village of Panther Creek

This item was heard by the full committee. The staff provided the committee with a PowerPoint presentation noting the existing fence. The committee deliberated in regards to the fence height. It was then moved by Deborah Sargeant and seconded by Kim Hess to deny the fence as proposed and require the owner reconstructs the fence not to exceed 6'6" in overall height. The motion carried unanimously.

24. Variance request for an existing patio cover, which encroaches into the side easement.

William Downs

37 W. Wedgewood Glen

Lot 34, Block 1, Section 11 Village of Panther Creek

This item was heard by the full committee. The staff provided the committee with a PowerPoint presentation noting the existing patio cover and its location in the easement. The committee reviewed the objection from the effective neighbor and shared concerns in regards to impact to adjacent properties. It was then moved by Deborah Sargeant and seconded by Herman Weindel to deny the patio cover as it exists and require the owner relocate the patio cover to comply with the standards. The motion carried unanimously.

25. Variance request for an existing yard structure (outdoor cage) that exceeds the maximum height allowed for structures that may be located within an easement and is constructed with a corrugated roof, and was not considered to be compatible with the home or the neighborhood when acted upon by the Residential Design Review Committee.

James and Lisa Wolling

6 Twin Feather Place

Lot 21, Block 02, Section 18, Village of Cochran's Crossing

This item was reviewed by the full committee. The homeowner was present to address the committee. The staff provided the committee with a PowerPoint presentation noting the location of the existing yard structure. The owner informed the committee of her need for the cages in regards to wildlife rehabilitation. The owner provided the committee with her license as a wildlife rehabilitator. In addition it was noted that the cage was constructed as part of an Eagle Scout project and donated to friends of Texas wildlife for the owner to use. The owner informed the committee that she has been in contact with her adjacent property owners who do not object to the use of the cages. It was then moved by Deborah Sargeant and seconded by Robert Heineman to deny the cages as proposed and consent to delay enforcement based upon the execution of a memorandum of agreement requiring the owner to remove the cages from the easement when the owner sells or transfers title is no longer the primary resident or when the cages are no longer in need. The memorandum of agreement will be recorded at the courthouse and binding on the land. Additionally the owner must modify the roof of the cage from corrugated curial to a flat acrylic roof. Herman Weindel abstained from the vote. The motion carried

VII. Public Comments

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There were no public comments.

VIII. Member Comments

Committee member Chris Florack and Deborah Sargeant mentioned the consideration for and orientation of new development standards committee members. Herman Weindel thanked the committee for their consideration in regards to item 25 related to the rehabilitation of wildlife. Chris Florack encourage the committee to review the Woodlands Township board of directors meeting on the website in regards to the items related to the development standards committees operation. It was noted that there were concerns and errors with some of the statements made by former committee member Mike Bass and felt that it was unfortunate in regards to how and when it was presented. Chris Florack also noted that he agreed with some of the statements from former committee member Mike Bass and felt there could be improvement in regards to orientation and corrections to the bylaws or process and procedure of the Committee. He also encouraged all committee members present to bring forward these types of items to the committee in order to address them.

IX. Staff Reports

The staff requested the committee consider the meeting time for a special meeting to be held either Thursday or Friday, April 12 or 13th.

X. Adjourn

There being no further business it was moved by Herman Weindel and seconded by Kim Hess to adjourn the meeting at 8:50 PM. The motion carried unanimously.