

Development Standards Committee

April 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, Chris Florack, and Herman Weindel

Member absent: Kim Hess

Staff Present: Neslihan Tesno, Kim McKenna O'Donoghue and Sharlene Novak

I. Welcome/Call Meeting to Order

The meeting was called to order by Chair Deborah Sargeant at 5:34 p.m.

II. Consideration and Action of Minutes of DSC Meeting on March 21, 2012.

It was moved by Ken Anderson and seconded by Herman Weindel to approve the minutes of the March 21, 2012 DSC meeting. The motion carried. Chris Florack arrived after the vote.

III. Consideration and Action regarding the promulgation of rules for signs

One member of the public spoke and passed out a copy of the Supreme Court ruling on signs in cities. It was moved by Deborah Sargeant and seconded by Herman Weindel to hold a Public Forum for resident input in regard to sign regulations at a time and place that is convenient to the public. Chris Florack arrived after the vote.

IV. Consideration and Action of the Summary List

Chairperson Deborah Sargeant presented the Summary List as presented by Staff. Items # 17 and 27 were removed off the summary list and placed on the Review list by Chris Florack and Herman Weindel respectively. The list consisted of Residential Items 1-14, 16, 18-26 and 28-35, 37 and 38. Items 39 and 54 were tabled at the owners request and Item 15 was withdrawn. It was moved by Chris Florack and seconded by Herman Weindel 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.

This item was moved to the end of the agenda. After discussion of the proposed changes to the Standards it was moved by Deborah Sargeant and seconded by Chris Florack approve the proposed standards in regard to Trash and recycle carts as amended. The motion carried unanimously.

VI. Review and Disposition of Residential Applications

1. Request for approval of a home business.

Morris Joseph Diehl
10 Prairie Oak Drive

Lot 3, Block 1, Section 15 Village of College Park (Harper's Landing)

This item was reviewed under the summary approval list as presented by staff. It was moved by Chris Florack and seconded by Herman Weindel to conditionally approve the business as follows: permit must be renewed in 2 years, comply with standards, pet sitting to be performed off site. The motion carried unanimously.

2. Variance request for proposed patio cover/cabana and summer kitchen that may create a negative impact due to mass, scale and proportion.

Wilbert Gilberto Orlaineta Argente
2 Yarbrough Court

Lot 24, Block 5, Section 15 Village of Creekside Park

This item was reviewed under the summary approval list as presented by staff. It was moved by Chris

Florack and seconded by Herman Weindel conditionally approve as follows: exterior to match the dwelling, submit final drainage plan, plant and maintain evergreen vegetation (tall shrubs and trees) to screen view from right side adjacent property, staff to approve upon completion of planting, standard conditions, meet code. Additionally, the Owner must ensure that the placement of the improvement does not halt or materially impede drainage flowing off of a neighboring tract, and does not redirect the flow or significantly increase the amount of water flowing onto a neighboring tract. Enforcement of this requirement is by the affected property owner(s). The motion carried unanimously.

3. Variance request for a proposed pool bath that would not allow garage to provide adequate parking for **3 cars - a requirement of the Development Criteria and provide at least 135 sq. ft. of storage space per** the standard.
Wilbert Gilberto Orlaineta Argente
2 Yarbrough Court
Lot 24, Block 5, Section 15 Village of Creekside Park
This item was reviewed under the summary approval list as presented by staff. It was moved by Chris Florack and seconded by Herman Weindel to conditionally approve - Standard conditions, meet code. The motion carried unanimously.
4. Variance request for existing living area that does not allow garage to provide adequate parking for 3 cars as required by Development Criteria.
Wilbert Gilberto Orlaineta Argente
2 Yarbrough Court
Lot 24, Block 5, Section 15 Village of Creekside Park
This item was reviewed under the summary approval list as presented by staff. It was moved by Chris Florack and seconded by Herman Weindel to conditionally approve, submit final plan of single car garage, meet code. The motion carried unanimously.
5. Variance request for existing living area that does not allow garage to provide adequate parking for 3 cars as required by Development Criteria.
Miguel Angel Orlaineta Argente
2 Freestone Stream Place
Lot 13, Block 5, Section 15 Village of Creekside Park
This item was reviewed under the summary approval list as presented by staff. It was moved by Chris Florack and seconded by Herman Weindel to conditionally approve, submit final plan of single car garage, meet code. The motion carried unanimously.
6. Variance request for existing living area that does not allow garage to provide adequate parking for 3 cars as required by Development Criteria.
Roger Gutierrez
34 Freestone Stream
Lot 5, Block 5, Section 15 Village of Creekside Park
This item was reviewed under the summary approval list as presented by staff. It was moved by Chris Florack and seconded by Herman Weindel to conditionally approve, submit final plan of single car garage, meet code. The motion carried unanimously.
7. Approval request for a proposed driveway that will exceed the maximum width allowed.
Karen Bergman
179 North Vesper Bend Circle
Lot 6, Block 2, Section 30 Village of Sterling Ridge
This item was reviewed under the summary approval list as presented by staff. It was moved by Chris Florack and seconded by Herman Weindel **to approve as submitted - maintain in good repair**. The motion carried unanimously.
8. Approval request for a proposed driveway that will exceed the maximum width allowed.
Jeffrey Anderson
3 Lagato Place

Lot 27, Block 1, Section 44 Village of Sterling Ridge

This item was reviewed under the summary approval list as presented by staff. It was moved by Chris Florack and seconded by Herman Weindel to approve as submitted. (Screening is already required on a separate permit for the current driveway permit which has not been constructed as of yet). The motion carried unanimously.

9. Variance request for a proposed summer kitchen that is not located at least ten feet from the side property line.
Scott and Lorna Anderson
27 Player Oaks Place
Lot 5, Block 2, Section 72 Village of Sterling Ridge
This item was reviewed under the summary approval list as presented by staff. It was moved by Chris Florack and seconded by Herman Weindel to **conditionally approve with 6' tall evergreen vegetation** to screen view of the summer kitchen and meet code and standards. The motion carried unanimously.
10. Variance request for proposed **patio cover that will not respect the 20' rear building setback**.
Cathy Spurr
6 Willow Run Place
Lot 32, Block 2, Section 2 Village of Alden Bridge
This item was reviewed under the summary approval list as presented by staff. It was moved by Chris Florack and seconded by Herman Weindel conditionally approve, plant and maintain one native 30 gallon tree. Meet code, standards conditions. The motion carried unanimously.
11. Variance request for proposed patio cover and summer kitchen will not respect the 20 foot rear building setback line.
Grider Gordon
87 South Bluff Creek Circle
Lot 40, Block 1, Section 73 Village of Alden Bridge
This item was reviewed under the summary approval list as presented by staff. It was moved by Chris Florack and seconded by Herman Weindel to conditionally approve, meet code and standard conditions. The motion carried unanimously.
12. Variance request for proposed summer kitchen that is not located at least ten feet from the side property line.
Marco A. Poisler
75 South Shimmering Aspen Circle
Lot 17, Block 1, Section 19, Village of Creekside Park
This item was reviewed under the summary approval list as presented by staff. It was moved by Chris Florack and seconded by Herman Weindel to conditionally approve, meet code, standard conditions. Plant and maintain evergreen vegetation as screening between summer kitchen and fence. The motion carried unanimously.
13. Variance request for proposed summer kitchen that is not located at least ten feet from the side property line.
Juan Domene
54 South Freemont Ridge Loop
Lot 11, 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 Chris Florack and seconded by Herman Weindel to conditionally approve, meet code, standard conditions. Plant and maintain evergreen vegetation as screening between summer kitchen and fence. The motion carried unanimously.
14. Variance request for proposed summer kitchen that is not located at least ten feet from the side property line.
Andrew Sabatier
106 South Arrow Canyon Circle

Lot 28, Block 1, Section 3 Village of Creekside Park

This item was reviewed under the summary approval list as presented by staff. It was moved by Chris Florack and seconded by Herman Weindel to conditionally approve, meet code, standard conditions. The motion carried unanimously.

15. Variance request for proposed patio cover does not respect the 40 foot rear building setback and the proposed summer kitchen is not located at least 10 feet from the adjacent property line.
Vicente Suarez Mafud
10 Marin Creek Place
Lot 19, Block 1, Section 22 Village of Creekside Park
This item was withdrawn by the owner prior to the meeting.
16. Variance request for proposed patio cover that will not respect the rear 25 foot building line.
Ryan J. Wilson
11 Childres Pond Court
Lot 24, 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 Chris Florack and seconded by Herman Weindel to conditionally approve. Standard conditions/must meet code and pass all inspections. The motion carried unanimously.
17. Variance request for a proposed patio cover and fireplace that will not respect the rear 20 foot building line.
Stephen and Annette Obrien
3 Almondell Court
Lot 4, Block 3, Section 92 Village of Sterling Ridge
This item was heard by the full committee. Staff provided the committee with a PowerPoint presentation. The homeowner was not present to address the committee. It was moved by Chris Florack and seconded by Herman Weindel to conditionally approve, meet code and standard **conditions. Verify all CenterPoint Energy easements as they may differ with the covenant easements.** Improvement not to encroach into easement. The motion carried unanimously.
18. Variance request for exiting fence stain that is not an approvable color.
Eduardo E. Chang
10 South Sage Sparrow Circle
Lot 2, Block 4, Section 11 Village of Creekside Park
This item was reviewed under the summary approval list as presented by staff. It was moved by Chris Florack and seconded by Herman Weindel to conditionally approve, maintain in good repair and plant and maintain evergreen shrubs to screen view of stained fence to street. The motion carried unanimously.
19. Appeal of the conditions of a tree removal permit to require replanting a tree on the lot.
Michael and Laura Matheidas
14 Baylark Place
Lot 27, Block 1, Section 9 Village of Alden Bridge
This item was reviewed under the summary approval list as presented by staff. It was moved by Chris Florack and seconded by Herman Weindel to approve as submitted. The motion carried unanimously.
20. Variance request for an existing wood deck and pergola which is located in the ten foot rear easement.
Khen Thach
6 Florian Court
Lot 62, Block 1, Section 1 Village of College Park (Harper's Landing)
This item was reviewed under the summary approval list as presented by staff. It was moved by Chris Florack and seconded by Herman Weindel to conditionally approve, plant and maintain tall evergreen trees or shrubs (minimum 7'in height) to screen view of structure from adjacent streets. 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 if determined necessary

by easement holders. The motion carried unanimously.

21. Variance request for an existing flagstone patio which is located in the side five foot and rear ten easements.
Judith Martin
43 South Lace Arbor Drive
Lot 7, Block 2, Section 10 Village of Alden Bridge
This item was reviewed under the summary approval list as presented by staff. It was moved by Chris Florack and seconded by Herman Weindel to approve as submitted. 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 if determined necessary by easement holders. The motion carried unanimously.
22. Variance request for an existing driveway and patio/walkway that exceeds the size allowed by standards, and the patio/walkway is located beyond the front building line.
Manuel Haro
31 Lanesend Place
Lot 34, Block 1, Section 23 Village of Indian Springs (TWA)
This item was reviewed under the summary approval list as presented by staff. It was moved by Chris Florack and seconded by Herman Weindel **to conditionally approve - maintain existing evergreen** vegetation as a screen to soften view of walkway to the front door. The motion carried unanimously.
23. Variance request for existing play structure located in the rear ten foot easement.
Christopher Fritsche
59 North Winterport Circle
Lot 22, Block 2, Section 5 Village of Alden Bridge
This item was reviewed under the summary approval list as presented by staff. It was moved by Chris Florack and seconded by Herman Weindel to disapprove 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. 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 if determined necessary by easement holders. The motion carried unanimously.
24. Variance request for existing play structure located in the rear ten foot easement.
Jayland D. Keeney
7 Spring Basket Trail
Lot 32, Block 1, Section 7 Village of Creekside Park
This item was reviewed under the summary approval list as presented by staff. It was moved by Chris Florack and seconded by Herman Weindel to disapprove 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. 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 if determined necessary by easement holders. The motion carried unanimously.
25. Variance request for existing play structure located in the side five foot easement.
Koy and Nicole Schoppe
47 West Beckonvale Circle
Lot 14, Block 2, Section 6 Village of Sterling Ridge
This item was reviewed under the summary approval list as presented by staff. It was moved by Chris Florack and seconded by Herman Weindel Disapprove 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. 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 if determined necessary by easement holders. The motion carried unanimously.

26. Variance request for existing storage building is located in the ten foot rear yard easement.

Vasileios & Christin Maschas
143 North Downy Willow Circle

Lot 36, Block 1, Section 60 Village of Alden Bridge

This item was reviewed under the summary approval list as presented by staff. It was moved by Chris Florack and seconded by Herman Weindel to disapprove and consent to delay enforcement, based upon the execution of a memorandum of agreement, requiring the owner to remove the shed 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 shed is in disrepair and needs replacement whichever comes first. The memorandum will be recorded with the court house and binding on the land. This **committee's** actions do 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 if determined necessary by easement holders. The motion carried unanimously.

27. Variance request for existing storage building is located in the ten foot rear yard easement.

Mark Peterson
18 South Oriel Oaks Circle

Lot 32, Block 1, Section 62 Village of Sterling Ridge

This item was heard by the full committee. Staff provided the committee with a PowerPoint presentation. The homeowner was not present to address the committee. It was moved by Chris Floack and seconded by Herman Weindel to conditionally approve - paint metal flashing and trim to **match garage siding or roof color - metallic color should not be visible, and plant and maintain** evergreen tall trees or shrubs to rear and right side to screen view of shed.

28. Variance request for existing storage building is located in the ten foot rear yard easement.

Tarab Ali
123 Genesee Ridge

Lot 42, Block 1, Section 11 Village of College Park (**Harper's Landing**)

This item was reviewed under the summary approval list as presented by staff. It was moved by Chris Florack and seconded by Herman Weindel to disapprove and consent to delay enforcement, based upon the execution of a memorandum of agreement, requiring the owner to remove the shed 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 shed is in disrepair and needs replacement whichever comes first. The memorandum will be recorded with the court house and binding on the land. This **committee's** actions do 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 if determined necessary by easement holders. The motion carried unanimously.

29. Variance request for existing detached building that is not located behind a six foot high solid fence.

Rex McIntosh
70 North Arrow Canyon Circle

Lot 4, Block 2, Section 3 Village of Creekside Park

This item was reviewed under the summary approval list as presented by staff. It was moved by Chris Florack and seconded by Herman Weindel to conditionally approve, must be screened completely from view at ground level from the street view with native evergreen vegetation. Vegetation must be at least 6 feet tall at time of planting. Two tiers of vegetation may be required consisting of shrubs and trees. Staff to approve upon completion. The motion carried unanimously.

30. Consideration and Action to proceed with legal action, regarding failure to comply with the Covenants and Standards for outstanding violations on the home.
Bill Voss
98 North Mews Wood Court
Lot 18, Block 3, Section 10 Village of College Park (Grogan's Forest)
This item was reviewed under the summary approval list as presented by staff. It was moved by Chris Florack and seconded by Herman Weindel to approve a Notice of Lien 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 submission of documentation of Pool inspection passing from a qualified third party inspector) will result in a Lien being placed on the property. The motion carried unanimously.
31. Consideration and Action to proceed with legal action, regarding failure to comply with the Covenants and Standards for outstanding violations on the home.
William C. Swan
130 South Arrow Canyon Circle
Lot 22, Block 1, Section 3 Village of Creekside Park
This item was reviewed under the summary approval list as presented by staff. It was moved by Chris Florack and seconded by Herman Weindel to approve a Notice of Lien 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 submission of documentation of Firepit inspection passing from a qualified third party inspector) will result in a Lien being placed on the property. The motion carried unanimously.
32. Consideration and Action to proceed with legal action, regarding failure to comply with the Covenants and Standards for outstanding violations on the home.
Timothy Matthews
14 South Mews Wood Court
Lot 7, Block 1, Section 10 Village of College Park (Harpers Landing)
This item was reviewed under the summary approval list as presented by staff. It was moved by Chris Florack and seconded by Herman Weindel to approve a Notice of Lien 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 submission of documentation of Pool inspection passing from a qualified third party inspector) will result in a Lien being placed on the property. The motion carried unanimously.
33. Consideration and Action to proceed with legal action, regarding failure to comply with the Covenants and Standards for outstanding violations on the home.
Lillian Garcia
31 Mohawk Path Place
Lot 104, Block 1, Section 6 Village of Creekside Park
This item was reviewed under the summary approval list as presented by staff. It was moved by Chris Florack and seconded by Herman Weindel to approve 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 an application for the fireplace) 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.
34. Consideration and Action to proceed with legal action, regarding failure to comply with the Covenants

and Standards for outstanding violations on the home.

Patricia Rovira

117 North Villa Oaks Drive

Lot 30, Block 1, Section 52 Village of Alden Bridge

This item was reviewed under the summary approval list as presented by staff. It was moved by Chris Florack and seconded by Herman Weindel to approve 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 commercial vehicle from public view) 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.

35. Consideration and Action to proceed with legal action, regarding failure to comply with the Covenants and Standards for outstanding violations on the home.

Noel I. Knowis

6 Vinca Trail

Lot 35, Block 1, Section 59 Village Alden Bridge

This item was reviewed under the summary approval list as presented by staff. It was moved by Chris Florack and seconded by Herman Weindel to approve 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 cured by May 15, 2012. The letter will include notice that failure to correct these violations (by defining the edge of the beds and maintaining the yard in good repair (mowing, weeding, edging and defining beds)) 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.

36. Rehearing 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 heard by the full committee. Staff provided the committee with a PowerPoint presentation. The homeowner's daughter was present to address the committee. One resident spoke in opposition to the request. It was moved by Deborah Sargeant and seconded by Herman Weindel to table the item until after the Public Forum concerning signs. The motion carried unanimously.

37. Consideration and action to amend the Initial Land Use Designation by requesting to increase the **maximum amount of living area allowed in Grogan's Mill Section 31.**

Marvin Haass

5 North Autumnwood Way

Lot 45, Block 2, Section 31 Village of Grogan's Mill

This item was reviewed under the summary approval list as presented by staff. It was moved by Chris Florack and seconded by Herman Weindel to allow the 1st requested proposal for the owner to proceed in obtaining approval to Amend the Initial Land Use Designation to 3500 square feet. And deny the second proposal requesting the Land Use be amended to allow 4500 square feet, allowing for 3 story homes with flat roof tops for the purposes of entertainment areas with the inclusion of greenbelt trellis areas. The motion carried unanimously.

38. Variance request for proposed pavers, which will encroach into the side easement.

Vi Vuong

16 Spicebush Court

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

This item was reviewed under the summary approval list as presented by staff. It was moved by Chris Florack and seconded by Herman Weindel to approve as presented. Approval by this committee does not constitute approval by the additional. The motion carried unanimously.

39. Request for rehearing of a conditional approval of a variance request for proposed driveway that will exceed the maximum width allowed of 16 feet.
Amber Brawner
6 Archbriar Place
Lot 30, Block 1, Section 3 Village of Alden Bridge
This item was tabled as a summary item at owner's request; he was not able to attend.
40. Variance request for a proposed shed that will be located in the rear easement, will not be screened by a six foot solid fence and exceeds the height allowed.
German Michel
34 Veilwood Circle
Lot 9, Block 1, Section 65 Village of Sterling Ridge
This item was heard by the full committee. Staff provided the committee with a PowerPoint presentation. The homeowner was present to address the committee. It was moved by Hernab Weindel and secnded by Ken Anderson to conditionally approve, locate the shed against the rear wall of the garage. Shed to be painted to match garage siding. Maintain existing evergreen vegetation on left side to screen view. Plant and maintain evergreen tree to screen to rear. The motion carried unanimously.
41. Variance request for proposed **patio cover that will not respect the 20' rear building setback.**
Javier Gonzales
7 South Dulcet Hollow Circle
Lot 19, Block 2, Section 7 Village of Sterling Ridge
This item was heard by the full committee. 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 Herman Weindel to disapprove the patio cover and to redesign with patio cover relocated or rotated to decrease encroachment. The motion carried unanimously.
42. Variance request for proposed room addition that exceeds the maximum living area allowed by the Amended Initial Land use Designation.
Walter Bentley III
11 Daylight Ridge
Lot 16, Block 2, Section 19 Village of Sterling Ridge
This item and item #43 were heard concurrently by the full committee. Staff provided the committee with a PowerPoint presentation. The homeowners were present to address the committee. After a lengthy discussion concerning the layout of the proposed addition and the amount of encroachment it was moved by Ken Anderson and seconded by Herman Weindel to table these items until the owners submit **revised plans with proposed improvement out of rear 25' building setback and plans must be detailed and clearly show location of proposed improvements.** The motion carried unanimously.
43. Variance request for proposed room addition that exceeds the maximum living area allowed by the Development Criteria and additionally the room addition and fireplace will not **respect the 25' rear building setback.**
Walter Bentley III
11 Daylight Ridge
Lot 16, Block 2, Section 19 Village of Sterling Ridge
This item and item #42 were heard concurrently by the full committee. Staff provided the committee with a PowerPoint presentation. The homeowners were present to address the committee. After a lengthy discussion concerning the layout of the proposed addition and the amount of encroachment it was moved by Ken Anderson and seconded by Herman Weindel to table these items until the owners submit **revised plans with proposed improvement out of rear 25' building setback and plans must be detailed and clearly show location of proposed improvements.** The motion carried unanimously.

44. Variance request for proposed permanent Basketball Goal encroaches into the 5 foot side utility easement.
Gerald K. Matthews
2 Childres Pond Court
Lot 28, Block 1, Section 2 Village of Creekside Park
This item was heard by the full committee. Staff provided the committee with a PowerPoint presentation. The homeowner was not present to address the committee. It was moved by Chris Florack and seconded by Ken Anderson to approve the basket ball goal as submitted. The motion carried unanimously.
45. Variance request for proposed sports court that will not respect the 25 foot rear building line and may create adverse neighbor impact.
Brauweiler
3 Mirror Ridge Court
Lot 84, Block 1, Section 18, Village of Indian Springs (TWA)
This item was heard by the full committee. Staff provided the committee with a PowerPoint presentation. The homeowners and their contractor were present to address the committee. Potential impact of the sprots court was discussed. It was moved by Chris Florack and seconded by Herman Weindel to conditionally approve the sports court as follows: submit letter of support from neighbor immediately adjacent to the sports court, plant and maintain evergreen vegetation (shrubs and trees) - densely planted to act as screening behind basket ball goal, staff to review planting for sufficient screening. The motion carried unanimously.
46. Variance request for proposed patio cover that will not respect the 25 foot rear building line.
Brauweiler
3 Mirror Ridge Court
Lot 84, Block 1, Section 18, Village of Indian Springs (TWA)
This item was heard by the full committee. Staff provided the committee with a PowerPoint presentation. The homeowners and their contractor were present to address the committee. It was moved by Robert Heineman and seconded by Herman Weindel to conditionally approve as follows: plant and maintain evergreen vegetation to act as screening to rear, staff to approve planting upon completion and meet code. The motion carried unanimously.
47. Variance request for proposed sports court that does not respect the 50 foot rear setback and may create adverse neighbor impact.
Antonio Neri
10 Player Pond Place
Lot 13, Block 2, Section 23 Village of Sterling Ridge
This item was heard by the full committee. Staff provided the committee with a PowerPoint presentation. The homeowner was not present to address the committee. It was moved by Deborah Sargeant and seconded by Chris Florack to conditionally approve the sports court as follows: 1) Court to be earth tone colors only, 2) Plant and maintain evergreen vegetation to rear and street side to screen. 3) Light should not measure more than 1 foot candle at property line. 4) Material on the court should be noise reducing - staff to approve 5) Staff to make best effort to contact the two rear neighbors to inform them of the sports court and get positive feedback. The motion carried unanimously.
48. Variance request for proposed driveway will exceed the maximum width allowed of 16 feet.
Mark Klepacz
127 North Westwinds Circle
Lot 18, Block 2, Section 67 Village Alden Bridge
This item was heard by the full committee. Staff provided the committee with a PowerPoint presentation. The homeowner was present to address the committee. The owner said he did not have space to park two cars on his driveway side by side. It was moved by Chris Florack and seconded by Deborah Sargeant to conditionally approve as follows: Allow width of garage then must taper back to **the 10' driveway. See photo for more detail, must leave green area (grass/plant area) between dwelling**

and driveway. The motion carried unanimously.

49. Variance request for proposed sports court that does not respect the 15 foot rear setback, the lights will be over the maximum wattage allowed and it may have an adverse impact to neighbors.

Chris & Jennifer Brotherhood

19 Watermint Place

Lot 42, Block 1, Section 84 Village Alden Bridge

This item was heard by the full committee. Staff provided the committee with a PowerPoint presentation. The homeowners and neighbors were present to address the committee. Owner spoke of need for court for her daughter and that they did not know about the 15 foot setback when designed court and could move it out of the setback and further away from neighbor. Neighbors spoke of concerns of light and proximity but agreed would not have objections if moved away from their property and no lights. The committee discussed possible noise issues and alternative materials such as Latexite for the court surface to reduce noise. It was moved by Herman Weindel and seconded by Ken Anderson to conditionally approve the sports court as follows: center the sports court in rear yard, court **to be out of setback, no sports court lighting, and use different material that reduces noise for court** - work with staff, plant and maintain evergreen vegetation on both sides to act as screen, staff to approve planting upon completion. The motion carried unanimously.

50. Variance request for a proposed patio cover and fireplace that will not respect the 40 foot rear setback for golf course lots.

Mark and Lisa Clifford

106 Millsap Circle

Lot 1, Block 1, Section 67 Village of Sterling Ridge

This item was heard by the full committee. Staff provided the committee with a PowerPoint presentation. The homeowners and their contractor were present to address the committee. The **committee was concerned that the improvement did not match the dwelling - the owner stated they** would be amenable to changing the material. It was moved by Chris Florack and seconded by Herman Weindel to conditionally approve the patio cover and fire place as follows: meet all codes and standards; maintain vegetative screening, columns to be stacked stone and chimney and summer kitchen sides to **be brick or flagstone - submit to staff for approval, verify all CenterPoint Energy easements as they may differ with the covenant easements, improvement not to encroach into easement.** The motion carried unanimously.

51. Variance request for existing walkway in the side yards that does not leave one foot unpaved area next to the fence. Additionally the pavers installed on the sides and rear of the pool encroach the side and rear easements, and the property exceeds the maximum allowed hard surface area.

Paez

66 North Creekmist Place

Lot 6, Block 2, Section 4 Village of College Park (Harper's Landing)

This item was heard by the full committee. Staff provided the committee with a PowerPoint presentation. The homeowner was present to address the committee. The homeowner stated that his **backyard is very small and very shady - grass does not grow. The paving was installed to prevent debris** from entering the pool. It was moved by Ken Anderson and seconded by Herman Weindel to **conditionally approve the paving as follows: remove a 1' wide section of flagstone along the entire side fence line on both sides of the property.** The motion carried unanimously.

52. Variance request for existing trampoline and play structure that will be located in the rear ten and side five foot easements.

Michael Tucker

35 Freestone Stream Place

Lot 20, Block 5, Section 15 Village of Creekside Park

This item was heard by the full committee. Staff provided the committee with a PowerPoint presentation. The homeowner was present to address the committee. It was moved by Herman Weindel and Robert Heineman to disapprove and consent to delay enforcement of the two structures, 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 and or the trampoline is in disrepair and needs replacement whichever comes first. The memorandum will be recorded with the court house and binding on the land. 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 if determined necessary by easement holders. Additionally plant and maintain evergreen tall vegetation (trees and shrubs) to rear of the play structures. The motion carried unanimously.

53. Variance request for existing **front yard patio that extends over the 25'platted building line and pavers** and landscaping rocks used as ground cover for front yard that are not considered limited amounts and **may have an adverse impact to the existing neighborhood's character**

James Gibson

203 South Brooksedge Circle

Lot 3, Block 3, Section 58 Village of Alden Bridge

This item was heard by the full committee. Staff provided the committee with a PowerPoint presentation. The homeowner was present to address the committee. Owner stated that the grass died last summer during drought and that he always had trouble with yard and it was very costly due to water, fertilizer and chemicals. He replaced all the grass in the front portion of the yard with rocks and pavers. It was moved by Deborah Sargeant and seconded by Chris Florack to table the items until the committee members could visit the site in person. The item will be heard at the May 2, 2012 DSC meeting. The motion carried unanimously.

54. Variance request for existing fence that is located past the side ten foot building line.

Matthew and Joy Mitchell

3 Coughton Court

Lot 11, Block 1, Section 54 Village of Sterling Ridge

This item was heard by the full committee. Staff provided the committee with a PowerPoint presentation. The homeowner was present to address the committee.

55. Variance request for existing driveway extension that exceeds the maximum allowable width.

Kenneth Ivanic

3 Cayuga Pond Court

Lot 29, Block 1, Section 2 Village of Creekside Park

This item was heard by the full committee. Staff provided the committee with a PowerPoint presentation. The homeowner was not present to address the committee. It was moved by Deborah Sargeant and seconded by Herman Weindel to **conditionally approve, remove ½ the width of the pavers - can install** same reduced width on opposite side of driveway if owner wishes. Plant and maintain shrubs in a bed to the right of the driveway to soften view of the extension. The motion carried unanimously.

56. Variance request for existing play structure that is located in the rear ten foot easement.

Joel Michael Eberlein

42 South Victoriana Circle

Lot 6, Block 3, Section 7 Village of Creekside Park

This item was heard by the full committee. Staff provided the committee with a PowerPoint presentation. The homeowner was not present to address the committee. It was moved by Ken Anderson and seconded by Herman Weindel to disapprove and consent to delay enforcement of the play structure, 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. 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 if determined necessary by easement holders. Additionally plant and maintain evergreen tall vegetation (trees and shrubs) to rear of the play structure -staff to approve upon completion. The motion carried unanimously.

VII. Public Comments

Ted Stanley stated that he had 3 items: 1) He came to observe and see how the DSC handles situations. 2) He commended the DSC for what they do and he appreciates the hard work. 3) He wanted to make sure the DSC knew that Jim Doyle - a speaker during Item III - was not a resident of The Woodlands.

VIII. Member Comments

Deborah Sargeant stated that she would not be able to attend the May 2, 2012 DSC meeting. Chris Florack would like to schedule a special DSC meeting to discuss DSC operations and would also like to add Sport Court regulations to future discussions of Standard Revisions. Deborah Sargeant also wanted staff to schedule a Joint meeting of the RDRCs and the DSC in May.

IX. Staff Reports

There were no staff reports.

X. Adjourn

There being no further business it was moved by Herman Weindel and seconded by Chris Florack to adjourn the meeting at 9:26 p.m. The motion carried unanimously.