

Development Standards Committee

June 20, 2012 at 5:30 PM

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

Members Present: Deborah Sargeant, Robert Heineman, Chris Florack, Kim Hess, Herman Weindel and Danie van Loggerenberg

Member absent: Ken Anderson

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

I. Welcome/Call Meeting to Order

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

II. Consideration and Action of the minutes of Development Standards Committee Meeting on May 16, 2012.

It was moved by Chris Florack and seconded by Kim Hess to approve the minutes of the May 16, 2012 DSC meeting. The motion carried unanimously.

III. Consideration and Action of the minutes of the Development Standards Committee Special Meetings on April 13, 2012, April 25, 2012 and May 11, 2012.

It was moved by Chris Florack and seconded by Kim Hess to approve the minutes of the DSC Special Meetings on April 13, 2012, April 25, 2012 and May 11, 2012. The motion carried unanimously.

IV. Consideration and Action to amend the Initial Land Use Designation, for the 16.086 acre tract of land, formally known as **The Mitchell Energy and Development Corporation Headquarters Site in Grogan's Mill**. This item was reviewed by the full committee. The committee discussed the modification from a termination to an amended land use. The committee discussed the possibilities for development based on the amended land use. It was then moved by Robert Heineman and seconded by Herman Weindel to approve the amended land use designation as presented.

V. Request for approval for The Indian Springs Village Association to have Boy Scout Troop 776 install American Flags at the Indian Springs Village Entrance Monuments.

ISVA requests permission for the "Flags Across America" program currently supported By The Woodlands Boy Scout Troop 772. The locations that are being requested for DSC approval are The Indian Springs Village Entrance Monuments at:

- Flintridge and Woodlands Parkway
- Flintridge and Kuydendahl -2
- John Cooper and Woodlands Parkway
- Falconwing and Woodlands Parkway
- Flintridge and Gosling

This item was reviewed by the full committee. It was moved by Deborah Sargeant and seconded by Robert Heineman to conditionally approve as follows: must comply with the United States Flag Code, must **coordinate installation with Township Staff. Approval by this entity does not constitute approval by additional entities. It is the installer's responsibility to obtain approval by those entities. The improvement may be subject to removal if determined necessary.** The motion carried unanimously.

VI. Review and Disposition of Commercial Applications

A. Consideration and Action for exterior lighting at sports fields

Harper's Landing Park
The Woodlands Township
2 Blair Bridge Drive

Village of College Park - **Harper's Landing**

This item was reviewed by the full committee in conjunction with Item B. Staff presented the committee with a PowerPoint presentation and Parks Director Chris Nunes was in attendance to answer questions. Resident Steve Khoury of 171 S. Delta Mill was concerned about potential light overspill and the current traffic situation in the commercial areas near his home in College Park. Ted Stanley spoke in favor of the lights. It was moved by Chris Florack and seconded by Danie van Loggerenberg to grant concept approval for the lights in both parks - Creekwood and **Harper's Landing**, measurements must be taken of the light impact at Mr. **Khoury's** property (171 S. Delta Mill) before and after installation - **mitigate if necessary** and the DSC will visit the other parks where this type of lighting is currently installed. Staff to coordinate visit. The motion carried unanimously.

B. Consideration and Action for exterior lighting at sports fields

Creekwood Park

The Woodlands Township

3383 South Panther Creek Drive

Village of Panther Creek

This item was reviewed by the full committee in conjunction with Item A. Staff presented the committee with a PowerPoint presentation and Parks Director Chris Nunes was in attendance to answer questions. Resident Steve Khoury of 171 S. Delta Mill was concerned about potential light overspill and the current traffic situation in the commercial areas near his home in College Park. Ted Stanley spoke in favor of the lights. It was moved by Chris Florack and seconded by Danie van Loggerenberg to grant concept approval for the lights in both parks - Creekwood and **Harper's Landing**, **measurements must be taken of the light impact at Mr. Khoury's** property (171 S. Delta Mill) before and after installation - **mitigate if necessary** and the DSC will visit the other parks where this type of lighting is currently installed. Staff to coordinate visit. The motion carried unanimously.

C. Consideration and Action regarding the installation of a New Monument Sign

Tangle Brush Villa

3300 Tangle Brush Drive

Lot 300, Block 45, Section 7 Village Panther Creek

This item was heard by the full committee. Staff provided the committee with a PowerPoint presentation noting the sign proposal and the previous sign. The Committee discussed concerns regarding the additional information on the sign and the advertising it allowed. It was then moved by Robert Heineman and seconded by Kim Hess to approve the installation of a new monument sign on the condition the sign is modified and may only include the information which currently exists. The additional information should be removed from the sign. The motion carried unanimously.

D. Consideration and Action regarding final approval for the installation of a parking area

John Cooper School

1 John Cooper Dr

Lot 230, Block 592, Section 60 Village Indian Springs

This item was heard by the full committee. The staff provided the committee with a PowerPoint presentation, noting the location of the proposed additional parking, and the need for parking due to increased growth and enrollment. The staff noted the parking area would not extend into the forest preserve and would allow for approximately 35 more parking spaces. A representative from the school was present to address the committee. It was then moved by Robert Heineman and seconded by Chris Florack to approve the installation of a new parking area on the condition the area meet all Commercial Standards regarding parking spaces, dimensions and adherence to the Landscaping Standard. The motion carried unanimously.

E. Consideration and Action for a revised concept, including exterior elevations and site plan

McDonald's Corporation

McDonald's in Panther Creek Shopping Center

4600 Woodlands Parkway
Lot 530, Block 45, Section 7, Village of Panther Creek

This item was heard by the full committee. The staff provided the committee with a PowerPoint presentation, noting the original proposal and the changes submitted for the revised concept proposal. It was then moved by Chris Florack and seconded by Herman Weindel to approve the conceptual proposal on the condition the welcome sign above the entrance is removed, the minimum distance requirement for ingress and egress to the angles parking is met and the preliminary and final proposal are submitted to the Development Standards Committee, for final review and action. The motion carried unanimously.

F. Consideration and Action regarding final approval for Orthodontist Office Building

Dr. Brad Leiker
4000 South Panther Creek Drive
Village of Panther Creek

This item was heard by the full committee. IT was noted that this item had previously been reviewed and approved under conceptual proposal. The committee deliberated regarding landscaping, lighting and proximity to adjacent housing. It was then moved by Kim Hess and seconded by Chris Florack to approve the final proposal for the office building on the following conditions, reduce the overall amount of lights on the building, ensure all exterior lighting is designed in recessed canisters and set downward lighting that shields from the adjacent tracks of land. The lights at the rear of the facility must be removed. The landscaping around the property must be increased. **The transformer is to be located closer to the building as to disturb as little of the forest preserve as possible** - additional plantings to screen. The motion carried unanimously.

G. Consideration and Action regarding preliminary approval of Phase II Building Addition

Community Baptist Church
8909 Cochran's Crossing Drive
Lot 300, Block 257, Section 67, Village of Cochran's Crossing

This item was heard by the full committee. The staff provided the committee with a PowerPoint presentation. The plans for the building addition were submitted. It was noted the Church has a shared parking agreement with the school. IT was then moved by Kim Hess and seconded by Danie van Loggerenberg to approve the preliminary plan on the condition a landscape plan is incorporated in the final proposal and the final plans are submitted to the Development Standards Committee for final review and action. The motion carried unanimously.

H. Variance request to install a Temporary Sign for a proposed town home development.

Mill Reserve Lake Harrison
11206 Winterberry Drive
Lot 420, Block 547, Section 6, Village of Grogan's Mill

This item was heard by the full committee. Staff provided the committee with a PowerPoint presentation, noting the location, the proposed temporary sign and the sign previously approved for the commercial apartment complex adjacent to the site. It was noted the sign was required for review and action through the committee as it is a residential area, requiring approval for the temporary sign. The sign is consistent with the Commercial Standards for new sites. It was moved by Kim Hess and seconded by Danie van Loggerenberg to approve the temporary sign as proposed. The motion carried unanimously.

VII. Consideration and Action of the Applications in Section V and VIII, recommended for Summary Action. Chairperson Deborah Sargeant presented the Summary List as presented by Staff. The list consisted of Residential Items V, V1-H and 1-26, 28-35. Item 27 was resolved prior to the meeting. Items 26, V and V1-H were removed off the Summary list to be reviewed by the full committee. It was moved by Chris Florack and seconded by Herman Weindel to approve the Summary List as amended above. The motion carried unanimously.

VIII. Review and Disposition of Residential Applications

1. Variance request for a proposed attached pool bath that exceeds the maximum living area allowed per the development criteria and requires sealed plans.
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 the pool bath, meet code and standard conditions. Plant and maintain evergreen vegetation to screen view to adjacent property. The motion carried unanimously.
2. Variance request for proposed summer kitchen that is not located at least ten feet from the side property line.
Mark and Erin Macicek
23 North French Oaks Circle
Lot 6, Block 2, Section 49 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 the summer kitchen as follows: standard conditions and meet code. The motion carried unanimously.
3. Variance request for proposed gazebo that will not respect the 25 foot rear building setback and the walkways area located partially in the rear ten foot easement.
Kathy Barbieri
3 Desert Rose Place
Lot 16, Block 1, Section 20 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 the walkway as submitted and to conditionally approve the gazebo as follows: Standard conditions, meet code and maintain evergreen screening. **Additional plantings maybe required to screen -staff to review upon completion.** The motion carried unanimously.
4. Variance request for a proposed driveway that will exceed the maximum width allowed.
Brett and Jennifer Gerard
18 Heather Bank Place
Lot 22, Block 1, 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 to approve the driveway expansion as submitted. The motion carried unanimously.
5. Variance request for proposed patio cover and garage door improvements for which no certified survey was provided.
Jerry & Cynthia Jenkins
130 Golden Autumn Place
Lot 16, Block 3, Section 84 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 the patio cover and garage door improvement without submission of a certified survey as follows: meet code and standards conditions. The motion carried unanimously.
6. Variance request for proposed front yard patio extends beyond the 25 foot platted building line and the **existing wood deck located in the rear yard encroaches into the 10' rear yard easement.**
Jared Reeves
10 Lamps Glow Place
Lot 42, 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 approve the deck as submitted and to conditionally

approve the front patio - no plastic furniture, umbrellas or BBQ grills to be stored on patio. 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.

7. Variance request for an existing fence that encroaches past the ten foot platted side building line.
Matthew and Joy Mitchell
3 Coughton Court
Lot 11, Block 1, Section 54 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 the fence, plant and maintain a planting bed (extend existing bed) with a forest mix of trees, shrubs and plants alongside the street side **of the fence. Bed should be a minimum of 3' wide.** The motion carried unanimously.
8. Variance request for an existing **retaining wall/landscape border is taller than 12"** to be located in the street right-of-way.
Donna Newhouse
42 East Greywing Circle
Lot 35, Block 4, Section 6 Village Alden of 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 the fence 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.
9. Variance request for an existing fence stain that is not an approvable color.
Evin and Mikah Macaluso
85 North Sage Sparrow Circle
Lot 26, Block 3, Section 11 Village of Creekside Park
This item was reviewed under the summary approval list as presented by staff. It was moved by Chris Florack and seconded by Herman Weindel to conditionally approve the fence stain: maintain fence in good repair and maintain vegetation to screen the view of the fence in rear yard from the street. The motion carried unanimously.
10. Variance request for an existing fence stain that is not an approvable color.
Jason Branch
86 West Cove View Trail
Lot 12, Block 2, 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 conditionally approve the fence stain: maintain fence in good repair and maintain vegetation to screen the view of the fence in rear yard from the street. The motion carried unanimously.
11. Variance request for an existing patio that is located in the rear ten foot easement.
Okechuku West
214 West Misty Dawn Drive
Lot 10, Block 2, Section 5 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 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.
12. Variance request for existing play structure located in the rear ten foot easement.
Ryan and Natalie Graves
6 Rustic Bend Place
Lot 21, Block 2, Section 38 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.

13. Variance request for existing play structure located in the rear ten foot easement.

Kenneth Pustejovsky

2 Heron Hollow Court

Lot 18, Block 2, Section 13 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 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.

14. Variance request for an existing basketball goal and pavers are located in the side yard easement.

Damian Billeadeau

43 Cinnamon Teal Place

Lot 11, Block 3, Section 1 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.

15. Variance request for an existing pergola and wood deck that is located in the rear ten foot easement.

Robert Borsh

18 Danby Place

Lot 24, 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 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.

16. Variance request for an existing paving located in the ten foot rear yard easement.

Erich and Lisa Polack

163 Bristol Bend Circle

Lot 15, Block 1, Section 8 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.

17. Variance request for an existing fountain that is located in the rear ten foot easement.

Leonard S. Salazar

330 East Tupelo Green Circle
Lot 4, Block 1, Section 12 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 as follows: Must submit waiver and release of liability form, standard conditions/must meet code and pass all inspections. Approval by this **committee does not constitute approval by the additional entities. It is the owner's responsibility to obtain approval by those entities and the improvement may be subject to removal by those entities.** The motion carried unanimously.

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

Estate of Rogelio Pena

147 West Misty Dawn Drive

Lot 19, Block 1, Section 5 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 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 mowing, weeding and edging the yard and continually maintaining the yard in good repair which includes mowing, weeding, edging and defining the 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.

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

Carlos E. Diaz and Alejandra Lua Silva

22 Thicket Grove

Lot 39, Block 1, Section 16 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 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 the seasonal lights from the front of the dwelling) 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.

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

Chris Bechtel

43 North Heritage Hill Circle

Lot 16, Block 1, Section 14 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 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 attic conversion inspection passing from a qualified third party inspector) will result in a Lien being placed on the property. The motion carried unanimously.

21. Consideration and Action to proceed with legal action, regarding failure to comply with the Covenants

and Standards for outstanding violations on the home.

Terri E. Ferguson

86 West Knightsbridge Circle Drive

Lot 7, Block 1, **Section 12 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 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 patio cover inspection passing from a qualified third party inspector) will result in a Lien being placed on the property. The motion carried unanimously.

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

Carole Broadbent

42 Drifting Shadows Circle

Lot 11, Block 1, **Section 7 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 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 mowing, weeding and edging the yard and continually maintaining the yard in good repair which includes mowing, weeding, edging and defining the 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.

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

Carlos Calderon Macias

67 Cobble Gate Place

Lot 20, Block 1, **Section 2 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 pursuit of legal action by authorizing our attorneys and staff to send letters to the owner notifying them of the Development Standards **Committee's actions; what is required to cure the violations and establishing a reasonable time frame** for resolution. The letter will include notice that failure to correct these violations (by removing the mold/algae form the dwelling and continually maintaining the dwelling in good repair) 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.

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

Manuel Del Castillo Uribe

10 Serenade Pines Place

Lot 5, Block 1, **Section 27 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 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 arbor inspection passing from a qualified third party inspector) will result in a Lien being placed on the

property. The motion carried unanimously.

25. Consideration and Action to proceed with legal action, regarding failure to comply with the Covenants and Standards for outstanding violations on the home.
Luis Franceschi
3 Ivy Castle Court
Lot 23, Block 3, Section 80 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 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 summer kitchen and pergola inspection passing from a qualified third party inspector) will result in a Lien being placed on the property. The motion carried unanimously.
26. Consideration and Action to proceed with legal action, regarding failure to comply with the Covenants and Standards for outstanding violations on the home.
Terry J. Demaret
27 Agate Stream Place
Lot 7, Block 1, Section 12 Village of Indian Springs (TWA)
This item was reviewed by the full committee. The homeowner addressed the committee concerning the algae/mold stains on his home. He pointed out that he removed the algae and mold from the right side of the home but it was rust stains on the left of the dwelling not algae. It was moved by Chris Florack and seconded by Kim Hess 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 the violations are not cured within 30 days. The letter will include notice that failure to correct these violations (by removing the rust stains and maintaining home in good repair) 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.
27. Consideration and Action to proceed with legal action, regarding failure to comply with the Covenants and Standards for outstanding violations on the home.
Deanna Oden
2 Drifting Shadows Circle
Lot 1, Block1, Section 7 Village of College Park (Harper's Landing)
Resolved prior to the meeting- Owner submitted plans.
28. Consideration and Action to proceed with legal action, regarding failure to comply with the Covenants and Standards for outstanding violations on the home.
Amanda Gatewood
114 Snowdance Court
Lot 22, Block 1, 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 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 or applying for a variance for the play structure) 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.

29. Consideration and Action to proceed with legal action, regarding failure to comply with the Covenants and Standards for outstanding violations on the home.
June S Mabry
130 Chorale Grove Court
Lot 8, Block 1, Section 81 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 submitting a variance request for consideration or to remove the arbors attached to the fence gates to come into compliance) 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.
30. Consideration and Action to proceed with legal action, regarding failure to comply with the Covenants and Standards for outstanding violations on the home.
Stephen P. Soileau
70 East Stockbridge Landing Circle
Lot 25, Block 1, Section 17 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 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 arbor 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.
Anna K Moriarty
3 Harpstone Place
Lot 10, Block 3, 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 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 mowing, weeding and edging the yard and continually maintaining the yard in good repair which includes mowing, weeding, edging and defining the 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.
32. Consideration and Action to proceed with legal action, regarding failure to comply with the Covenants and Standards for outstanding violations on the home.
Jeffrey Small
31 Sagamore Ridge Place
Lot 26, Block 1, Section 14 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 removing the trash carts out of public view and keeping them out of public view-street and adjacent properties) 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. Additionally we recommend if the violation is not cured that upon notice to the owner the trash carts will be removed out of public view by a contractor and a lien filed for the cost of service and attorney fees. 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.

Abraham Luna

3 Kittatinny Circle

Lot 22, Block 4, 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 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 or applying for the fence stain) 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 for failure to resolve outstanding covenant violations on the home.

Virginia Magliolo

10 Greenridge Forest Drive

Lot 5, Block 2, Section 14, 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 the pursuit of legal action by authorizing our attorneys and staff to continue to send letters notifying the owner of the Development Standards Committee's action, what is required to cure the violations; and establishing a reasonable timeframe for resolution. Notifications will include that failure to correct these violations will result in a lawsuit filed and a 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 for failure to resolve outstanding covenant violations on the home.

Ben Shatswell

4 Thornhedge Court

Lot 36, Block 3, Section 14, 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 the pursuit of legal action by authorizing our attorneys and staff to continue to send letters notifying the owner of the Development Standards Committee's action, what is required to cure the violations; and establishing a reasonable timeframe for resolution. Notifications will include that failure to correct these violations will result in a lawsuit filed and a 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. Variance request for conceptual approval of a house rebuild due to extensive fire damage.

Marvin Haass
5 North Autumnwood Way
Lot 45, Block 2, Section 31, Village of Grogan's Mill

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 Kim Hess to conditionally approve the concept with the submittal of sealed plans and a sample board of materials. The motion carried unanimously.

37. Consideration and action to verify the conditions of approval regarding the sport court.

10 Player Pond Place

Antonio Neri

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 Herman Weindel and seconded by Chris Florack to conditionally approve the sports court as follows: plant and maintain a large evergreen tree between street and sports court, plant and maintain a dense row of evergreen trees and shrubs along the right side of sports and wrapping around the right rear corner-plantings to be reviewed by staff for sufficient screening. The use of the sports court is limited as follows: Sunday through Thursday not past 9pm, Friday and Saturday not past 10pm. The motion carried unanimously.

38. Rehearing request of a shed in the rear easement by an affected neighbor due to impact.

Roderick Edmond - affected neighbor

Mark Peterson - owner

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 affected neighbor was present to address the committee however the homeowner was not present. Mr. Edmond stated that the structure was an eyesore and impacted his property from many view points. Staff stated that the conditions had not been complied with as per the DSC decision of 4-18-2012. **It was moved by Chris Florack to approve the hearing - the motion failed for lack of a second.** It was then moved by Kim Hess and seconded by Herman Weindel to disapprove the request for rehearing and directed staff to follow up with the owner. The motion carried unanimously. The committee stated they disapproved the request because they felt that the conditions of approval had not been met yet. They stated that the vegetation that was planted is not sufficient screening since it is below the fence line and does not screen view of shed and that the metal material has not been painted. The committee informed the affected neighbor that they could request the rehearing once the conditions have been met if they still believe their property is impacted by the shed.

39. Consideration and action to verify the conditions of approval regarding the proposed pool that may create a significant negative neighbor impact due to a steep elevation change in the yard.

Gerardo and Ingrid Amado

66 West Shale Creek Circle

Lot 15, Block 2, Section 20 Village of Sterling Ridge

This item was heard by the full committee. Staff provided the committee with a PowerPoint presentation. The homeowner and the contractor were present to address the committee. The owner presented a revised plan to the committee with the removal of the decking along the side fence line and placement of the pool closer to the side. It was moved by Chris Florack and seconded by Danie van Loggerenberg to **amend the previous DSC decision to conditionally approve as submitted -Plant and maintain a dense evergreen screen of trees and shrubs at least 8' tall at time of planting, staff to verify upon completion if sufficient, additional plantings could be required. Meet code, standard conditions.** 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.

40. 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 was heard by the full committee. Staff provided the committee with a PowerPoint presentation. The designer was present to address the committee. The designer presented revised plans that reduced size of structure and decreased encroachment into setback and moved the fireplace to the corner to reduce rear impact. It was moved by Kim Hess and seconded by Deborah Sargeant to conditionally approve the revised plans of the room addition and fireplace as follows: standard conditions, meet code, submit sealed plans, and plant and maintain evergreen tall vegetation to screen view of structure to rear. Staff to review plantings at completion to determine sufficiency. The motion carried unanimously.
41. Variance request for proposed patio cover that does not respect the 20 foot rear building setback.
Brian Essex
10 Petal Park Place
Lot 29, Block 1, Section 63 Village of Sterling Ridge
This item was heard by the full committee. Staff provided the committee with a PowerPoint presentation. The homeowner and the neighbor were present to address the committee. The owner stated that he needed the additional shade and that he had installed drainage along both sides. He offered an alternative plan that revised the patio cover to having open roof pergola on two sides to reduce the encroachment. The rear neighbor was concerned about drainage and the visual impact. It was moved by Chris Florack and seconded by Herman Weindel to conditionally approve the concept of **the alternate design - combination patio cover and pergola, submit sealed plans and a landscape plan** to show detail for screening the structure. The motion carried unanimously. Committee stated that staff could approve upon resubmittal.
42. Variance request for proposed driveway extension which exceeds maximum width allowed.
Terry and Janet Barrett
38 North Terrace Mill Circle
Lot 12, Block 1, Section 36 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. The owner stated that a family member that lived in the house was confined to a wheelchair and needed the extra area to maneuver in and out of the vehicles. It was moved by Chris Florack and seconded by Kim Hess to conditionally **approve, allow the driveway extension starting at 7' width at the top of the driveway, taper down to 5' width and then taper to the original driveway at 20' from street edge. Plant and maintain a landscape bed** alongside front portion of extension to screen from street and right adjacent property. The motion carried unanimously.
43. Variance request for proposed sports court that does not respect the 50 foot rear or 20 foot side setback.
Bernardo De La Guardia
91 North Gary Glen Circle
Lot 1, 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 Danie van Loggerenberg to conditionally approve the sports court, no lights, maintain heavy vegetation as screening. Chris Florack voted in opposition. The motion passed.
44. Variance request for proposed patio cover that does not respect the 20 foot rear building setback.
Matias N. Bulox
27 Beebrush Place
Lot 60, Block 1, Section 13 Village of Creekside Park

This item was heard by the full committee. Staff provided the committee with a PowerPoint presentation. The homeowner and the contractor were present to address the committee. The owner stated that the rear location was selected to allow for room to stay open to the side of the pool for kids to play. It was moved by Chris Florack and seconded by Deborah Sargeant to conditionally approve the patio cover as follows: plant and maintain evergreen shrubs or trees taller than fence line for screening. The motion carried unanimously.

45. Variance request for existing front yard patios that are located past the 25 foot front building line.

Rajnikant Kushwaha

15 Greycrest Place

Lot 20, Block 1, Section 50 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. It was moved by Deborah Sargeant and seconded by Chris Florack to conditionally approve, no plastic furniture, umbrellas or BBQ grills to be stored on the patios. Plant and maintain evergreen vegetation to screen from street. The motion carried unanimously.

46. Variance request for existing fence which exceeds the height allowed and a breezeway fence that does not comply with any approvable design and is not integrated into the architectural design of the dwelling.

Bradley Cesak

11 Tamarind Place

Lot 29, Block 1, Section 10 Village of Indian Springs (TWA)

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 Kim Hess to disapprove the fence and require owner to come into compliance. The motion carried unanimously.

47. Variance request for existing dog run that exceeds size allowed and is not located at least three feet from the perimeter fence.

Chris and Jennifer Conner

46 Canoe Bend Drive

Lot 20, Block 1, Section 24 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. The owner said he would move the dog run to 3' from the perimeter as required by the standards. It was moved by Deborah Sargeant and seconded by Herman Weindel to conditionally approve, move at least 3' from rear fence line - Standard conditions apply. The motion carried unanimously.

IX. Consideration and Action of the public forum related to Sign Standards

The committee tentatively scheduled a special meeting to discuss the sign standards including an executive session for July 10, 2012 at 5:30 pm. Staff to confirm upon reserving rooms.

X. Public Comments

Claude Hunter stated that the DSC should go back to the Covenants concerning the sign issue - allow no signs except those allowed by state and federal laws.

XI. Member Comments

Kim Hess commented that the DSC should review Summary before Commercial items. Chris Florack mentioned he would like to visit the site of 11 Daylight Ridge once it has been completed. The rest of the DSC agreed. Staff made a note to inform committee upon completion of construction.

XII. Staff Reports

There were no staff reports.

XIII. Adjourn

There being no further business it was moved by Chris Florack and seconded by Kim Hess to adjourn the meeting at 8:41 p.m. The motion carried unanimously.