

Development Standards Committee Minutes

December 19, 2012 at 5:30 PM

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

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

Member absent: Kim Hess

Staff Present: Neslihan Tesno, Sharlene Novak, and Kim McKenna

I. Welcome/Call Meeting to Order

The meeting was called to order by Vice Chair Robert Heineman at 5:30 p.m. Deborah Sargeant had informed staff she would be arriving late.

II. Consideration and Action of the minutes of Development Standards Committee Meetings on November 14, 2012.

It was moved by Herman Weindel and seconded by Chris Florack to approve the minutes of the November 14, 2012 DSC meetings. The motion carried unanimously.

III. Consideration and Action of the Applications in Section V recommended for Summary Action.

This item was heard by the full committee. Vice Chairperson Robert Heineman presented the Summary List as presented by Staff. The list consisted of Items 1-20 and 22-32. Items #21 was tabled. It was moved by Herman Weindel and seconded by Ken Anderson to approve the Summary List as presented. The motion carried unanimously.

IV. Consideration and Action of the design of the Veggie Grow Wall in the Community Garden at Alden Bridge Sports Fields.

This item was heard by the full committee. Staff provided the committee with a PowerPoint presentation. Bob Dailey of the Parts Department and Sarah Mundy of Interfaith spoke in favor of the request. It was moved by Ken Anderson and seconded by Donnie van Loggerenberg to approve as requested. The motion carried unanimously.

V. Review and Disposition of Applications

1. Variance request for a proposed patio cover that will extend beyond the rear 30 foot building setback.

James and Sheri Barth

163 East Bracebridge Circle

Lot 16, Block 2, Section 21 Village of Indian Springs (TWA)

This item was reviewed under the summary approval list as presented by staff. It was moved by Herman Weindel and seconded by Ken Anderson to conditionally approve, maintain existing vegetation – staff to review screening upon completion to determine if existing is sufficient, additional plantings may be required. Meet code and comply with standards. The motion carried unanimously.

2. Variance request for a proposed fireplace with will encroach into the side building setback.

O'Neill McDonald

66 Vintage Path Place

Lot 20, Block 2 Section 11 Village of College Park/Grogan's Forest

This item was reviewed under the summary approval list as presented by staff. It was moved by Herman Weindel and seconded by Ken Anderson to approve as submitted. Maintain existing vegetation. The motion carried unanimously.

3. Variance request for a proposed storage shed which exceeds the maximum floor area allowed.
Tim and Angie Smith
55 Hearthwick Place
Lot 17, Block 4, Section 2 Village of Creekside Park
This item was reviewed under the summary approval list as presented by staff. It was moved by Herman Weindel and seconded by Ken Anderson to conditionally approve. Plant and maintain evergreen vegetation to screen from view of street and neighboring properties. Vegetation to be 6'-8' tall at time of planting. Color of shed to match trim on house. The motion carried unanimously.
4. Variance request for a proposed retaining wall that will not respect the rear ten foot easement.
David P Richoux
43 Hermit Thrush Place
Lot 45, Block 1, Section 79 Village of Alden Bridge
This item was reviewed under the summary approval list as presented by staff. It was moved by Herman Weindel and seconded by Ken Anderson 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.
5. Consideration and Action regarding conditions of approval for a pool previously acted upon by the Development Review Committee which required the pool to be stepped down and the pool equipment does not respect the side five foot easement.
Rob and Maggie Kite
47 Spincaster Drive
Lot 39, Block 1, Section 30 Village of Creekside Park
This item was reviewed under the summary approval list as presented by staff. It was moved by Herman Weindel and seconded by Ken Anderson to conditionally approve –maintain evergreen vegetation to left of pool decking to act as screen - 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. Meet code. The motion carried unanimously.
6. Variance request for a proposed summer kitchen is not located a minimum of 10 feet from the adjacent property line.
Rob and Maggie Kite
47 Spincaster Drive
Lot 39, Block 1, Section 30 Village of Creekside Park
This item was reviewed under the summary approval list as presented by staff. It was moved by Herman Weindel and seconded by Ken Anderson Motion to conditionally approve – meet code and standard conditions. The motion carried unanimously.
7. Variance request for a proposed summer kitchen is not located a minimum of 10 feet from the adjacent property line.
Darren and Jennifer Rush
31 Red Moon Place
Lot 23, 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 Herman Weindel and seconded by Ken Anderson to conditionally approve – meet code and standard conditions. The motion carried unanimously.
8. Variance request for an existing basketball goal that is located in the five foot side yard easement.
Christopher Gilbert
34 East Loftwood Circle

Lot 18, Block 3, Section 77 Village of Sterling Ridge

This item was reviewed under the summary approval list as presented by staff. It was moved by Herman Weindel and seconded by Ken Anderson 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.

9. Variance request for an existing storage shed that encroaches into the easement and exceeds the maximum height of seven feet for a plastic shed

Jerry Armstrong

54 Prosewood Drive

Lot 24, Block 1, Section 1 College Park (Grogan's Forest)

This item was reviewed under the summary approval list as presented by staff. It was moved by Herman Weindel and seconded by Ken Anderson 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. 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.

10. Variance request for an existing paving exceeds the maximum allowed hard surface area and does not respect the side and rear easements.

Jerry Armstrong

54 Prosewood Drive

Lot 24, Block 1, Section 1 College Park (Grogan's Forest)

This item was reviewed under the summary approval list as presented by staff. It was moved by Herman Weindel and seconded by Ken Anderson 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.

11. Variance request for an existing flagstone walkway set in crushed rock is wider than the four feet maximum width allowed for a walkway.

Karen Walker

122 South Merryweather Circle

Lot 14, Block 2, Section 82 Village Alden Bridge

This item was reviewed under the summary approval list as presented by staff. It was moved by Herman Weindel and seconded by Ken Anderson to approve as submitted. The motion carried unanimously.

12. Variance request for existing play house that does not respect the ten foot rear easement.

Ty Garner

2 South Dulcet Hollow Cir

Lot 57, Block 1, Section 7 Village of Sterling Ridge

This item was reviewed under the summary approval list as presented by staff. It was moved by Herman Weindel and seconded by Ken Anderson to disapprove and consent to delay enforcement, based upon the execution of a memorandum of agreement, requiring the owner to remove the play house from the easement, when the owner no longer owns the home, transfers title or when the owner is no longer the primary resident, or when the play house 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 patio that do not respect the ten foot rear easement.

John V Cronkhite

86 East Foxbriar Forest Circle

Lot 17, Block 1, Section 79 Village Alden Bridge

This item was reviewed under the summary approval list as presented by staff. It was moved by Herman Weindel and seconded by Ken Anderson 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.

14. Variance request for an existing shed that does not respect the rear ten foot and side five foot easements and exceeds the maximum allowed for a shed made of plastic material.

Thomas F Kernan

11 Almond Branch Place

Lot 17, Block 2, Section 57 Village of Alden Bridge

This item was reviewed under the summary approval list as presented by staff. It was moved by Herman Weindel and seconded by Ken Anderson 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. 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 trampoline that does not respect the rear ten foot and side five foot easements.

David W Warner

62 South Wynnoak Circle

Lot 5, Block 2, Section 57 Village of Alden Bridge

This item was reviewed under the summary approval list as presented by staff. It was moved by Herman Weindel and seconded by Ken Anderson to disapprove and consent to delay enforcement, based upon the execution of a memorandum of agreement, requiring the owner to remove the trampoline 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 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. The motion carried unanimously.

16. Variance request for an existing trash and recycle cart screen is not setback three feet from the front façade and a portion of the fence is less than the minimum height..

Morris A Keene

50 West Fairbranch Circle

Lot 61, Block 1, Section 44 Village of Alden Bridge

This item was reviewed under the summary approval list as presented by staff. It was moved by Herman Weindel and seconded by Ken Anderson to approve as submitted. The motion carried unanimously.

17. Consideration and Action regarding conditions of approval for a shed previously acted upon by the Development Review Committee.
John Citso
79 North Silver Crescent Circle
Lot 30, Block 2, Section 1 Village Alden Bridge
This item was reviewed under the summary approval list as presented by staff. It was moved by Herman Weindel and seconded by Ken Anderson to conditionally approve – electricity for lighting purposes only. The motion carried unanimously.
18. Request for approval of a Home Business
James Jia Xu
51 Prosewood Drive
Lot 15, Block 1, Section 1 Village of College Park (Grogan's Forest)
This item was reviewed under the summary approval list as presented by staff. It was moved by Herman Weindel and seconded by Ken Anderson to conditionally approve – renew in two years, Standards Conditions for Home businesses. The motion carried unanimously.
19. Request for approval of a Home Business
William M Bass
54 North Goldenvine Circle
Lot 40, Block 1, Section 65 Village of Alden Bridge
This item was reviewed under the summary approval list as presented by staff. It was moved by Herman Weindel and seconded by Ken Anderson to conditionally approve – renew in two years, Standards Conditions for Home businesses. 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.
Rupino Guo
2 Split Rail Place
Lot 28, Block 1 Section 24 Village of Indian Springs (TWA)
This item was reviewed under the summary approval list as presented by staff. It was moved by Herman Weindel and seconded by Ken Anderson 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 from the home 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.
21. Consideration and Action to proceed with legal action, regarding failure to comply with the Covenants and Standards for outstanding violations on the home.
Vinod Ramayanam
75 Drifting Shadows Circle
Lot 40, Block 2, Section 7 Village of College Park
This item was tabled.
22. Consideration and Action to proceed with legal action, regarding failure to comply with the Covenants and Standards for outstanding violations on the home.
Steven Goldman
123 North Delta Mill Circle

Lot 52, Block 1, Section 1 Village of College Park

This item was reviewed under the summary approval list as presented by staff. It was moved by Herman Weindel and seconded by Ken Anderson 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.

Heath Derkowski

7 Fresh Pond Place

Lot 44, Block 1, Section 25 Village of Sterling Ridge

This item was reviewed under the summary approval list as presented by staff. It was moved by Herman Weindel and seconded by Ken Anderson 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 and storing the trash and recycle carts and debris out of 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.

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

Janet C Wingerter

150 South Walden Elms Circle

Lot 29, Block 1, Section 42 Village of Alden Bridge

This item was reviewed under the summary approval list as presented by staff. It was moved by Herman Weindel and seconded by Ken Anderson 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 and storing the trash and recycle carts out of 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.

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

Michael Langton

30 Verbena Bend Place

Lot 30, Block 2, Section 52 Village of Alden Bridge

This item was reviewed under the summary approval list as presented by staff. It was moved by Herman Weindel and seconded by Ken Anderson 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 artificial ground cover, reducing the hard surface

area on the property and removing paving out of easements or by requesting a variance from DSC and complying with their conditions if granted) 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.

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

John Mitchell, Jr.

215 Fairwind Trail Court

Lot 22, Block 2, Section 11 Village of College Park

This item was reviewed under the summary approval list as presented by staff. It was moved by Herman Weindel and seconded by Ken Anderson 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 completing the pool and submitting passing inspection reports and meeting all RDRC conditions for the pool) 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.

William Eberwien

42 North Freemont Ridge Loop

Lot 14, 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 Herman Weindel and seconded by Ken Anderson 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 and storing the trash and recycle carts out of 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.

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

Richard Scardino

99 East Cove View Trail

Lot 52, 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 Herman Weindel and seconded by Ken Anderson 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 improvements) 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.
Alfred Amparan Garza
110 East Cove View Trail
Lot 85, 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 Herman Weindel and seconded by Ken Anderson 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.
30. Consideration and Action to proceed with legal action, regarding failure to comply with the Covenants and Standards for outstanding violations on the home.
Mohamed Seijari
50 South April Mist Circle
Lot 15, Block 1, Section 13 Village of College Park
This item was reviewed under the summary approval list as presented by staff. It was moved by Herman Weindel and seconded by Ken Anderson 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 from the home 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.
31. Consideration and Action to proceed with legal action, regarding failure to comply with the Covenants and Standards for outstanding violations on the home.
Terry Wayne Cart
11 South Creekmist Place
Lot 12, Block 1, Section 8 Village of College Park
This item was reviewed under the summary approval list as presented by staff. It was moved by Herman Weindel and seconded by Ken Anderson 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 and storing the trash and recycle carts out of 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.
32. Consideration and Action to proceed with legal action, regarding failure to comply with the Covenants and Standards for outstanding violations on the home.
Donald Warren
3 Rolling Ridge Court
Lot 26, Block 1, Section 11 Village of College Park (Harpers Landing)

This item was reviewed under the summary approval list as presented by staff. It was moved by Herman Weindel and seconded by Ken Anderson 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 of the conceptual proposal for a building expansion and parking garage addition.
First Baptist Church of The Woodlands
11801 Grogan's Mill Road
Lot 500, Block 599, Section 6, Village of Grogan's Mill
This item was heard by the full committee. The staff gave a presentation noting the location of the proposed addition and garage. The architect and representative from the Church were present. The request was to accommodate the growth of the congregation. The shared parking arrangement will remain and it was noted that the completion of the garage would allow for approximately three or four hundred more parking spaces. IT was then moved by Robert Heineman and seconded by Danie van Loggerenberg to approve the concept as proposed and require the representatives submit plans for preliminary and final review. The motion carried unanimously.
34. Consideration and Action for the revised plans for the patio cover and related fireplace located beyond the twenty five foot rear building setback, which was approved at the Development Standards Committee meeting of October 3, 2012.
Mike and Ally Seder
31 Star Fern Pl
Lot 08, Block 01, Section 54 Village of Grogan's Mill
This item was reviewed by the full committee. The home owner and the affected neighbors were present to address the committee. The staff provided a PowerPoint presentation, noting the location of the structure and the view from the adjacent properties. The neighbor shared concerns regarding the visibility and impact from her property. The owner discussed the opportunity to plant vegetation. The staff informed the committee this item was not a rehearing, but rather a review of the revised plans brought by the home owner. The neighbor informed the committee they had placed a rehearing request with the staff. It was then moved by Deborah Sargeant and seconded by Chris Florack to approve the revised plans with the original conditions of approvals, noting the chimney should be no taller than the required height to meet code and the structure must comply with code, pass final inspection. The owner must plant and maintain additional Italian Cypress or Cedar Juniper trees to the exterior of the structure to soften and screen the view from the adjacent properties. The motion carried unanimously.
35. Variance request for a proposed attached patio cover that exceeds the hard surface area allowed and extends into the 20 foot rear building setback.
Karla Hoskins
11 Ramey Heights Court
Lot 40, Block 1, Section 12 Village of College Park/Grogan's Forest
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 Danie van Loggerenberg to conditionally approve, plant and maintain evergreen trees or shrubs to the right of the patio cover – must be at least 7' in height at time of planting, Meet code & standard conditions.
36. Request for approval of a Home Business
Rick Osborne
26 English Lavender Place
Lot 24, Block 2, Section 24 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 Ken Anderson and seconded by Chris Florack to conditionally approve the firearm business based on the submitted application and a signed Firearm Business Agreement (provided previously by Township attorney) and proof of Federal Firearms License. Permit be renewed in one year by DSC. It was also moved to conditionally approve the real estate inspection home business based on the submitted application and complying with Standards – must be renewed every two years. The motion carried unanimously.

37. Appeal of the Residential Design Review Committees decision to require replanting 3x30 gallon native trees on lot.

Christopher Riggs
27 Bethany Bend Drive
Lot 3, Block 2, Section 36 Village of Alden Bridge

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 Danie van Loggerenberg to allow the original decision to stand with the allowance of working with the Parks Department and planting the trees through the Gifts for our Community Program or any combination of the two. The motion carried unanimously.

38. Variance request for a proposed pool and summer kitchen which will exceed the maximum hard surface area allowed.

Alejandro and Sandra Ibarra
27 Doeskin Place
Lot 36, Block 3, Section 59 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 Chris Florack and seconded by Herman Weindel to conditionally approve the summer kitchen as submitted; meet code and standards and the pool was conditionally approved; reduce hard surface area by putting a minimum 3' deep planting bed under right side corner at rear of dwelling and removing some paving at right corner of dwelling – see plan, remove a small section of paving on the left rear corner of the dwelling, plant and maintain 2 30 gallon native trees, Meet code and standard conditions. The motion carried unanimously.

39. Variance request for proposed pool equipment that will encroach into the side five foot easement.

Jose Antonio Bandin
42 Spotted Lily Way
Lot 10 Block 02, Section 96 Village of Sterling Ridge

This item was heard by the full committee in conjunction with Item #40. Staff provided the committee with a PowerPoint presentation. The homeowner and numerous neighbors were present to address the committee. The contractor stated that due to the narrow width of the lot there was only 5' to each side. The neighbors spoke in opposition to placing pool equipment on the side. It was moved by Chris Florack and seconded by Herman Weindel to conditionally approve as follows: , submit revised plans, and step down 24 inches from existing patio slab for pool decking and pergola and summer kitchen. Drainage to be directed to existing lateral swales, Plant and maintain evergreen trees and shrubs at least 7' tall at time of planting to rear and side of pergola. Pool equipment to be relocated to rear of property. Meet code and standard conditions. Plant and maintain 1 native 30 gallon tree. The motion carried unanimously.

40. Variance request for proposed pergola and summer kitchen which may have possible negative neighbor impact.

Jose Antonio Bandin
42 Spotted Lily Way
Lot 10, Block 02, Section 96 Village of Sterling Ridge

This item was heard by the full committee in conjunction with Item #39. Staff provided the committee with a PowerPoint presentation. The homeowner and numerous neighbors were present to address the committee. ,

The contractor stated that due to the narrow width of the lot there was only 5' to each side. The neighbors spoke in opposition to placing pool equipment on the side. It was moved by Chris Florack and seconded by Herman Weindel to conditionally approve as follows: , submit revised plans, and step down 24 inches from existing patio slab for pool decking and pergola and summer kitchen. Drainage to be directed to existing lateral swales, Plant and maintain evergreen trees and shrubs at least 7' tall at time of planting to rear and side of pergola. Pool equipment to be relocated to rear of property. Meet code and standard conditions. Plant and maintain 1 native 30 gallon tree. The motion carried unanimously.

41. Variance request for proposed summer kitchen which is less than ten feet from the adjacent property, fireplace which does not respect the 25 foot rear setback, paving which is over allowed the maximum allowed hard surface area and an arbor which may cause negative neighbor impact.

Tracie & Lisa Baker

39 Silver Maple Place

Lot 22, Block 1, Section 3 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 Chris Florack and seconded by Herman Weindel as follows: Summer kitchen –conditionally approve – meet code/standard conditions.

Fireplace and paving – Conditionally approve, submit revised plans, reduce hard surface area by 3%, meet code/standard conditions. The motion carried unanimously.

42. Appeal of the Residential Design Review Committees decision to require plantings as a screen.

David Tarkowski

10 Childres Pond Court

Lot 26, 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 Herman Weindel to grant the appeal – no planting required. The motion carried unanimously.

43. Variance request for existing trash cart enclosure that has an access gate that is not located at rear or side and a retaining wall that does not respect the side five foot easement.

Richard Laner

18 Valcourt Place

Lot 5, Block 2, Section 3 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, gate allowed in front, plant and maintain heavy dense evergreen vegetation alongside of retaining wall timbers. The motion carried unanimously.

44. Variance request for an existing color on the dwelling that is not approvable per the Standards.

Christopher M & Kim Biggerstaff

67 Pleasant Bend Drive

Lot 6, Block 1, Section 23 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 paint appeared to be a gloss which is not allowed – the owner claimed it was satin. It was moved by Deborah Sargeant and seconded by Herman Weindel to conditionally approve the paint if it is satin or flat finish. The motion carried unanimously.

45. Variance request for an existing gazebo does not respect the rear setback and has an unacceptable roofing material

Todd W. Wilkens

2 Noble Bend Place

Lot 46, Block 1, Section 49 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. Homeowner apologized for building before getting approval – felt that the thatch roof looked natural, it blended in with the surroundings and has been treated with a fire retardant material. 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 palapa 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 palapa is in disrepair and needs replacement whichever comes first. The memorandum will be recorded with the court house and binding on the land. Additionally owner must submit certification of fire retardant coating every two years or as required by specifications. The motion carried unanimously.

VI. Public Comments

There were no public comments.

VII. Member Comments

Both Deborah Sargeant and Ken Anderson voiced concerns about residents not getting their Affected neighbor letters. They recommended that the letters be sent by certified mail. Deborah suggested only the properties adjacent to the lot in question should have these letters sent certified. Deborah stated she would talk to the Director of Covenant Administration concerning this matter.

VIII. Staff Reports

There were no staff reports.

IX. Adjourn

There being no further business it was moved by Herman Weindel and seconded by Chris Florack to adjourn the meeting at 8:23 p.m. The motion carried unanimously.