

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

Staff Present: Chris Feist and Kim McKenna

I. Welcome/Call Meeting to Order

The meeting was called to order in regular session, open to the public by Chairman Deborah Sargeant at 5:31 p.m.

II. Consideration and Action of the Applications in Section III recommended for summary action.

Chairwoman Deborah Sargeant presented the summary list of applications from section III, as presented through staff recommendation. The list consisted of items 2, 3, 5, 6, 7, 8, 9, 10, 14, 15, 18, 19, 20, 23, 24, 25, 26, 27, 29, 30, 31, 32, 33 & 34. It was moved by Herman Weindel and seconded by Chris Florack to approve the items listed on the summary list as presented. The motion carried unanimously.

III. Review and Disposition of Applications

1. Consideration and Action for the proposed restaurant installation, which includes additional paving to the front of building to create an outdoor dining area and adding an access ramp to the rear entrance.
Taco USA in Grogan's Mill Shopping Center
7 Switchbud Place
Lot 840, Block 547, Section 6, Village of Grogan's Mill
This item was reviewed by the full committee. Representatives of the Restaurant were present to address the committee. The staff provided a PowerPoint presentation, noting the location and the proposed renovations. It was then moved by Kim Hess and seconded by Herman Weindel to approve the proposed restaurant installation on the conditions it meets code, passes all necessary inspections, the guard rail surrounding the patio area is a continuous section, stemming from the stairway guardrail and vegetation is maintained and planted to soften and screen the view around the outdoor patio area.
2. Consideration and Action regarding approval of proposed revised materials to the 5th Grade building addition
Mayer
John Cooper School
1 John Cooper Drive
Lot 0230, Block 0592, Section 0060, Village of Indian Springs.
This item was reviewed under the summary items list as presented by staff recommendation. It was moved by Herman Weindel and seconded by Chris Florack to approve the proposed revisions to the materials of the 5th Grade Building Addition. On the following conditions: The brick must match the brick used on Performing Arts Center. Plant and maintain landscaping around the new addition. All Conditions of Approval from the original permit apply. (Such as, construction requirements, hours of operation, code requirements and inspections.) The motion carried unanimously.
3. Rehearing request for an existing patio that encroaches into the ten foot rear yard easement.
Scott and Linda James
7 Tanager Trail
Lot 14, Block 01, Section 07, Village of Cochran's Crossing
This item was reviewed under the summary items list as presented by staff recommendation. It was moved by Herman Weindel and seconded by Chris Florack to approve the request for a rehearing and allow the owner to present his request at the meeting of January 2, 2012. Additionally the owner should provide written statements from the adjacent owner identifying their approval of the area.

4. Consideration and Action regarding the conditions of approval for the existing arbor and related improvements previously acted upon by the Development Standards Committee on May 2, 2012.
Paul Funkhouser
94 Northgate Drive
Lot 17, Block 06, Section 49, Village of Grogan's Mill
This item was reviewed by the full committee. The staff provided a PowerPoint presentation, noting the location and the proposed renovations. The home owner and the affected neighbors were present. The committee discussed the landscaping plan and deliberated on the placement and number of plants and trees. It was then moved by Chris Florack and seconded by Herman Weindel to approve the landscaping plan as submitted and require the owner add an additional wax myrtle to the rear of the structure and place the wax myrtles a little farther apart to allow for growth and more coverage. The motion carried unanimously.
5. Variance request for a proposed fence replacement located beyond the ten foot platted Building Line. The proposed courtyard fence would not be a capped picket style fence with rot board and iron gate to match existing, as required by the Neighborhood Criteria for the lot.
Marsha Pierce Tomlin
3 Emery Cliff Place
Lot 16, Block 4, Section 06, Village of Cochran's Crossing
This item was reviewed under the summary items list as presented by staff recommendation. It was moved by Herman Weindel and seconded by Chris Florack to approve on the condition the owner must relocate the fence to respect the property line. Additionally, the owner must plant and maintain vegetation in to soften and screen the view of the fence over the building line and the rot board from the street. The motion carried unanimously.
6. Variance request for a proposed solid fence located beyond the ten foot platted building line.
Shawki May Freiha
1903 Foxtail Place
Lot 27, Block 02, Section 04, Village of Grogan's Mill
This item was reviewed under the summary items list as presented by staff recommendation. It was moved by Herman Weindel and seconded by Chris Florack to approve on the condition the existing vegetation is maintain in order to soften and screen the view of the improvements.
7. Variance request for a proposed screened room roof color which was not considered to harmonize with the natural landscape when reviewed by the Residential Design Review Committee; and the screen color is not charcoal gray.
Keenan C Cashman
32 Hickory Oak Dr
Lot 53, Block 01, Section 15, Village of Panther Creek
This item was reviewed under the summary items list as presented by staff recommendation. It was moved by Herman Weindel and seconded by Chris Florack to approve as presented. The improvements must meet code and pass final inspection. The roofing material must be muted and create a level of glare or illumination that is offensive when viewed by adjacent property owner's. The motion carried unanimously.
8. Variance request for a proposed boat dock which will encroach into the rear twenty foot easement.
David W Norton
86 N Windsail Pl
Lot 27, Block 01, Section 33, Village of Panther Creek
This item was reviewed under the summary items list as presented by staff recommendation. It was moved by Herman Weindel and seconded by Chris Florack to approve as presented. Approval by this committee does not constitute approval by any other entity or easement holder. Including the Windward Cove Home Owner's Association. It is the owner's responsibility to obtain those approvals. The motion carried unanimously.
9. Variance request to appeal the staff conditions of approval regarding replant and request to donate a tree to The Woodlands Township instead of meeting replant conditions
Ralph Maddalena
39 Harbor Cove Drive
Lot 18, Block 03, Section 24, Village of Panther Creek

This item was reviewed under the summary items list as presented by staff recommendation. It was moved by Herman Weindel and seconded by Chris Florack to approve the request to donate the tree to The Woodlands Township for placement, instead of the owner's property. The motion carried unanimously.

10. Variance request for a proposed walkway which will exceed the maximum width allowed.

Michael and Sandra Stansberry

14 Hidden Pond Pl

Lot 27, Block 4, Section 4, Village of Cochran's Crossing

This item was reviewed under the summary items list as presented by staff recommendation. It was moved by Herman Weindel and seconded by Chris Florack to approve on the condition the owner must reduce the amount of paving adjacent to the driveway in order to eliminate the opportunity to additional parking and establish the area as a pathway to the front door and not a driveway extension. Additionally the owner must plant and maintain native evergreen vegetation to the front of the walkway to soften and screen the view from the street. The planting must be consistent with the proposed landscaping plan. The motion carried unanimously.

11. Variance request for proposed driveway widening which will exceed the maximum width allowed.

Paul and Alexandra Vera

10 Fawnmist Place

Lot 104, Block 4, Section 4, Village of Cochran's Crossing

This item was reviewed by the full committee. The staff provided a PowerPoint presentation, noting the location and the proposed renovations. It was moved by Chris Florack and seconded by Herman Weindel to approve the driveway widening on the condition the owner must plant and maintain native evergreen vegetation to the screen the widening from the side and rear properties. The motion carried. Ken Anderson was not present for the vote.

12. Variance request for conceptual plans for a proposed cabana with summer kitchen which would be located beyond the forty foot rear and fifteen foot side yard setback.

James S McEwen

51 Hollymead Drive

Lot 8, Block 2, Section 9, Village of Cochran's Crossing

This item was reviewed by the full committee. The staff provided a PowerPoint presentation, noting the location and the proposed renovations. It was moved by Robert Heineman and seconded by Chris Florack to approve the concept on the condition the owner must plant and maintain vegetation to the rear and of the structure to soften the view from the adjacent property and the golf course. Owner must submit a final application and sealed plans, as required in the Standards, for staff's final review and processing. The final proposal must meet code and pass final inspection. The proposal must not halt or materially impede drainage as defined in the Standards. The motion carried. Ken Anderson was not present for the vote.

13. Variance request for an existing screened room located within the five foot side easement; and was not considered to be architecturally compatible with the dwelling when reviewed by the Residential Design Review Committee. .

Hiroko Walker

143 North Dreamweaver Circle

Lot 17, Block 02, Section 65, Village of Grogan's Mill

This item was reviewed under the summary items list as presented by staff recommendation. It was moved by Herman Weindel and seconded by Chris Florack to table the item. The motion carried unanimously.

14. Variance request for an existing fence which is not set back five feet from the front façade.

Thomas and Vickie Broussard

72 Fallenstone Drive

Lot 3, Block 4, Section 1, Village of Cochran's Crossing

This item was reviewed under the summary items list as presented by staff recommendation. It was moved by Herman Weindel and seconded by Chris Florack to deny the variance and consent to delay enforcement based upon the execution of a memorandum of agreement requiring the owner to correct the fence to meet the Standard. The owner must submit an application and obtain approval prior to modifying the fence. The fence must be corrected when the owner sells the home, transfers title, is no longer the primary resident or when the fence is in need of repair and replacement, whichever comes first. The Memorandum will be recorded with the court house and binding on the land. The motion carried unanimously.

15. Variance request for the existing rear yard patio that is located within the ten foot rear easement.
Russell and Sonja Knighton
28 North Greenbud Ct.
Lot 104, Block 04, Section 38, Village of Grogan's Mill
This item was reviewed under the summary items list as presented by staff recommendation. It was moved by Herman Weindel and seconded by Chris Florack to approve the improvement on the condition the owner must plant and maintain native evergreen vegetation to the exterior of the paved area to soften and screen the view to adjacent properties. Approval by this committee does not constitute approval by the additional easement holders. It is the owner's responsibility to obtain those approvals and may be subject to removal. Additionally the improvement must not halt or materially impede drainage as defined in the Residential Development Standards. The motion carried unanimously.
16. Variance request for the existing pool barrier fence that exceeds the maximum height allowed, was constructed with more than one six inch rot board, was built with the construction side facing outward from the lot, and is not located at least five feet back from the front façade of the dwelling.
Russell and Sonja Knighton
28 North Greenbud Ct.
Lot 104, Block 04, Section 38, Village of Grogan's Mill
This item was reviewed by the full committee. The staff provided a PowerPoint presentation, noting the location and the proposed renovations. The home owner was present. It was moved by Chris Florack and seconded by Kim Hess to approve the overall height and location of the fence on the conditions the rot board exposed to the adjacent property is covered by double siding the fence and plant and maintain vegetation at the front to screen the view from the street. The motion carried. Ken Anderson was not present for the vote.
17. Variance request for an existing rear yard fence, which was built with a rot board that is not screened from an adjacent street right-of-way and does not have a rot board that is beveled at a 45 degree angle.
Robert and Aimee Broadhurst
46 South Dreamweaver Cir.
Lot 05, Block 01, Section 65, Village of Grogan's Mill
This item was reviewed by the full committee. The staff provided a PowerPoint presentation, noting the location and the proposed renovations. The home owner and the affected neighbors were present. It was moved by Deborah Sargeant and seconded by Chris Florack to approve the fence as presented on the condition the owner add vegetation to the exterior of the fence at the rear, if the neighboring property owner agrees. The vegetation should be planted and maintained to soften and screen the view from the street, or the owner must modify the rot board by beveling the rot board to remain consistent with The Standards. The motion carried. Ken Anderson was not present for the vote.
18. Variance request for an existing storage shed which encroaches into the ten foot rear and five foot side easements.
James R Cratty
3 Thornhedge Ct
Lot 50, Block 03, Section 14, Village of Panther Creek
This item was reviewed under the summary items list as presented by staff recommendation. It was moved by Herman Weindel and seconded by Chris Florack to deny the variance and consent to delay enforcement based upon the execution of a memorandum of agreement requiring the owner to remove the detached building from the property when the owner no longer owns the home, sells or transfers title, is no longer the primary resident or when the detached building is in disrepair. The memorandum will be recorded at the courthouse and binding on the land. The motion carried unanimously.
19. Variance request for an existing swimming pool and associated concrete decking that encroach into the ten foot rear yard easement.
Dale Rahlfs
31 Petalcup Place
Lot 32, Block 3, Section 23, Village of Cochran's Crossing
This item was reviewed under the summary items list as presented by staff recommendation. It was moved by Herman Weindel and seconded by Chris Florack to approve the pool and associated concrete decking on the condition the owner maintain the original action to plant and maintain the five fifteen gallon native evergreen trees. Vegetation should be focused on screening the improvements from the adjacent properties. Approval by this committee does not constitute approval by the additional easement holders. It is the owner's responsibility to obtain

those approvals and may be subject to removal. Furthermore, the improvements must not halt or materially impede drainage as defined in the Residential Development Standards. The motion carried unanimously.

20. Consideration and Action for an existing home business.

Raymond Orr

39 Thorn Berry Pl

Lot 05, Block 01, Section 04, Village of Indian Springs

This item was reviewed under the summary items list as presented by staff recommendation. It was moved by Herman Weindel and seconded by Chris Florack to approve the business on the conditions the owner must comply with the Home Business Standards and must resubmit an application for a renewal for the home business if the business is in operation after 2 years., Furthermore the business is subject to revocation at any time at the discretion of the Development Standards Committee or when I violation of The Standards occurs.

21. Variance request for a proposed deck which encroaches into the rear and side easements.

Daniel Mackie

24 E Wandering Oak Dr

Lot 04, Block 07, Section 05, Village of Panther Creek

This item was reviewed by the full committee. The staff provided a PowerPoint presentation, noting the location and the proposed renovations. It was moved by Chris Florack and seconded by Danie van Loggerenberg to deny the variance as proposed and require the owner modify the deck to respect the easements. The committee will consider future proposals that would allow for an encroachment of two feet into the five foot side yard easement and no more than 3 feet in the rear yard easement. The owner must submit revised plans and drawing to the staff for final review. For any portions of decking in the easement the owner must construct the decking in palletized sections to allow for easy access in the easement. Approval by this committee does not constitute approval by any additional easement holders. It is the owner's responsibility to obtain those approvals and may be subject to removal. The motion carried. Ken Anderson was not present for the vote.

22. Variance request for a proposed storage shed which encroaches into the rear and side easements.

Daniel Mackie

24 E Wandering Oak Dr

Lot 04, Block 07, Section 05, Village of Panther Creek

This item was reviewed by the full committee. The staff provided a PowerPoint presentation, noting the location and the proposed renovations. It was moved by Chris Florack and seconded by Herman Weindel to deny the variance and require the owner relocate the proposed shed out of the easement and comply with The Standards. The motion carried. Ken Anderson was not present for the vote.

23. Variance request for an existing fence structure that was not found to be architecturally compatible with the home when reviewed by the Residential Design Review Committee.

Michael F Heller

114 E Placid Hill Cir

Lot 55, Block 1, Section 7, Village of Cochran's Crossing

This item was reviewed under the summary items list as presented by staff recommendation. It was moved by Herman Weindel and seconded by Chris Florack to approve as presented. The motion carried. Ken Anderson was not present for the vote.

24. Variance request for an existing patio cover that was not found to be architecturally compatible with the home when reviewed by the Residential Design Review Committee.

Michael F Heller

114 E Placid Hill Cir

Lot 55, Block 1, Section 7, Village of Cochran's Crossing

This item was reviewed under the summary items list as presented by staff recommendation. It was moved by Herman Weindel and seconded by Chris Florack to approve as presented on the condition the owner must meet code and pass final inspection. The motion carried unanimously.

25. Variance request for an existing fireplace that was not found to be architecturally compatible with the home when reviewed by the Residential Design Review Committee.
Michael F Heller
114 E Placid Hill Cir
Lot 55, Block 1, Section 7, Village of Cochran's Crossing
This item was reviewed under the summary items list as presented by staff recommendation. It was moved by Herman Weindel and seconded by Chris Florack to approve on the condition the owner must plant and maintain native evergreen vegetation to the rear of the fireplace, to soften and screen the view to the adjacent property. The improvements must meet code and pass final inspection. The motion carried unanimously.
26. Variance request for an existing fence which is not located at least five feet back from the front façade of the dwelling.
Richard W. Bell
8 Paintedcup Ct.
Lot 51, Block 01, Section 18, Village of Grogan's Mill
This item was reviewed under the summary items list as presented by staff recommendation. It was moved by Herman Weindel and seconded by Chris Florack to approve the fence on the condition the owner must modify the rot board to comply with the Standards by either beveling the rot board or planting and maintaining vegetation to screen the view of the rot board. The motion carried unanimously.
27. Variance request for an existing color change.
Gloria C Carnes
9 Bitterwood Cir.
Lot 03, Block 01, Section 20, Village of Panther Creek
This item was reviewed under the summary items list as presented by staff recommendation. It was moved by Herman Weindel and seconded by Chris Florack to approve as presented.
28. Variance request existing fence with the construction side visible to the street.
Ching Kwei Kang
38 Carriage Pines Ct
Lot 17, Block 02, Section 35, Village of Panther Creek
This item was reviewed by the full committee. The staff provided a PowerPoint presentation, noting the location and the proposed renovations. It was moved by Chris Florack and seconded by Danie van Loggerenberg to table the item to a future meeting and place the trellis at a follow up meeting, prior to addressing the fence.
29. Variance request for an existing driveway replacement, which exceeds the maximum width allowed.
Philip A Beckler
27 Golden Shadow Circle
Lot 6, Block 4, Section 2, Village of Cochran's Crossing
This item was reviewed under the summary items list as presented by staff recommendation. It was moved by Herman Weindel and seconded by Chris Florack to approve as presented. The motion carried unanimously.
30. Variance request for an existing walkway replacement, which exceeds the maximum width allowed.
Philip A Beckler
27 Golden Shadow Circle
Lot 6, Block 4, Section 2, Village of Cochran's Crossing
This item was reviewed under the summary items list as presented by staff recommendation. It was moved by Herman Weindel and seconded by Chris Florack to approve as presented. The motion carried unanimously.
31. Variance request for existing paving, which encroaches into the left and right side easements.
Thomas James Hartley
6 Sheep Meadow Place
Lot 45, Block 03, Section 01, Village of Indian Springs
This item was reviewed under the summary items list as presented by staff recommendation. It was moved by Herman Weindel and seconded by Chris Florack to approve on the condition the owner must ensure the improvement does not halt or materially impede drainage as defined in the Residential Development

Standards. Approval by this committee does not constitute approval by the additional easement holders. It is the owner's responsibility to obtain those approvals and may be subject to removal. The motion carried unanimously.

32. Variance request for the existing rear yard detached shed, that is located within the easement and is not screened by six foot solid fencing.

Kenneth Burdick

222 N. Tranquil Path

Lot 07, Block 02, Section 63, Village of Grogan's Mill

This item was reviewed under the summary items list as presented by staff recommendation. It was moved by Herman Weindel and seconded by Chris Florack to deny the variance and consent to delay enforcement based upon the execution of a memorandum of agreement requiring the owner to remove the storage shed from the easement and submit an application for an alternate location, when the owner no longer owns the home, is no longer the primary resident or when the shed is in disrepair and requires replacement. The memorandum will be recorded at the courthouse and binding on the land. The motion carried unanimously.

33. Variance request for the existing rear yard attached patio cover that requires sealed drawings.

Charlotte Ward

36 South Morningwood Ct

Lot 77, Block 04, Section 38, Village of Grogan's Mill

This item was reviewed under the summary items list as presented by staff recommendation. It was moved by Herman Weindel and seconded by Chris Florack to approve on the condition the owner must ensure the improvement meets code and pass final inspection. Additionally, the improvement must not halt or materially impede drainage as defined in The Standards. The motion carried unanimously.

34. Consideration and Action to proceed with legal action for outstanding covenant violations on the home.

Buchholz

30 Tanager Trail

Lot 4, Block 2, Section 3, Village of Cochran's Crossing

This item was reviewed under the summary items list as presented by staff recommendation. It was moved by Herman Weindel and seconded by Chris Florack 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.

IV. Public Comments

There were no public comments.

V. Member Comments

There were no member comments.

VI. Staff Reports

The staff noted that due to the Holidays and the inability to obtain a quorum the meeting of January 2, 2013 was cancelled.

VII. Adjourn

There being no further business it was moved by Kim Hess and seconded by Chris Florack to adjourn the meeting at 7:43p.m.