

Development Standards Committee Minutes

February 20, 2013 at 5:30 PM

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

Members Present: Robert Heineman, Danie van Loggerenberg, Kim Hess, Herman Weindel and Ken Anderson

Member absent: Deborah Sargeant and Chris Florack

Staff Present: Hennie van Rensburg, Neslihan Tesno, Sharlene Novak

I. Welcome/Call Meeting to Order

The meeting was called to order by Vice Chair Robert Heineman at 5:32 p.m.

II. Consideration and Action of the minutes of Development Standards Committee Meetings on January 16, 2013.

It was moved by Herman Weindel and seconded by Ken Anderson to approve the minutes of the December 5, 2012 and December 19, 2012 DSC meetings. The motion carried unanimously.

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

This item was heard by the full committee. Vice Chair Robert Heineman presented the Summary List as presented by Staff. The list consisted of Items 1- 17 and 19- 29. Item 18 was withdrawn. It was moved by Ken Anderson and seconded by Herman Weindel to approve the Summary List as presented. The motion carried unanimously.

IV. Consideration and Action regarding the display and placement of The Flag of The United States of America, which will be provided by Cub Scout Pack 889 in the Village of Alden Bridge.

This item was reviewed by the full committee. Staff provided a power point presentation to the committee detailing the request as follows: **American Flags - 3' x 5' on a 10' pole will be put up in morning and taken down in evening on the following days: Memorial Day, Flag Day, Independence Day, Labor day, and Veteran's Day**

PVC sleeve to be inserted in yard as directed by owner. The sleeve will be placed about 12 inches from **the curb - flush with the ground. Using a probe to ensure there is nothing in the area.** It was moved by Kim Hess and seconded by Danie van Loggerenberg to approve the request as submitted from Cub Scout Pack 889 to install American flags in the Alden Bridge areas of Pleasant Bend and Taylor Point. The motion carried unanimously.

V. Review and Disposition of items for the Villages of Alden Bridge, Creekside Park, Indian Springs TWA, Sterling Ridge and College Park.

1. Variance request for proposed fences that will not comply with the Development Criteria for Section 70 of Alden Bridge - Proposed fences will be over the maximum height of six feet, will not be of one design, and will not be capped picket.

Ashley Greens Homeowners Association

Ashley Green

Lots 1-9, 25, 37-39, 40-45, 48, 49, 50-52,55-59, 60, 80, 81 Block 1, Section 70 Village of Alden Bridge
This item was reviewed under the summary approval list as presented by staff. It was moved by Ken Anderson and seconded by Herman Weindel to conditionally approve- one horizontal board two inches in width and six inches or less in height is permitted at the bottom of the fence pickets provided that the rot board is beveled at a 45-degree angle where it meets the fence pickets. If the rot board is not beveled, then it needs to be screened by vegetation so that it is not visible from an adjoining street right-of-way (SROW). The total fence height may not exceed the approved height. No vegetation may be

removed. The fences on any lot that requires a pool barrier must meet code and pass inspections. The motion carried unanimously.

2. Variance request for a proposed shed does not respect the side five foot and rear ten foot easements and the shed exceeds the height allowed for placement in the easements.
Jose Luis and Karen Pedraza
38 Bowie Bend Court
Lot 32, 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 Ken Anderson and seconded by Herman Weindel to disapprove and consent to delay enforcement, based upon the execution of a memorandum of agreement, requiring the owner to remove the shed from the property, when the owner no longer owns the home, transfers title or when the owner is no longer the primary resident, or when the shed is in disrepair and needs replacement whichever comes first. The memorandum will be recorded with the court house and binding on the land. Approval by this committee **does not constitute approval by the additional entities. It is the owner's responsibility to obtain approval** by those entities. The improvement may be subject to removal if determined necessary by easement holders. **Additionally plant and maintain tall evergreen trees or shrubs at least 7' tall at time of planting** to left of shed. The motion carried unanimously.
3. Variance request for a proposed shed that does not respect the side five foot and rear ten foot easements. Gabriel and Patricia Sabadell
6 Wildever Place
Lot 27, Block 1, Section 36 Village of Sterling Ridge
This item was reviewed under the summary approval list as presented by staff. It was moved by Ken Anderson and seconded by Herman Weindel to Disapprove and consent to delay enforcement, based upon the execution of a memorandum of agreement, requiring the owner to remove the shed from the property, when the owner no longer owns the home, transfers title or when the owner is no longer the primary resident, or when the shed is in disrepair and needs replacement whichever comes first. The memorandum will be recorded with the court house and binding on the land. 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. No concrete slab as a base. The motion carried unanimously. The committee suggests that **the owners use concrete stepping stones as base - easily movable.**
4. Variance request for a proposed summer kitchen that will not be located a minimum of ten feet from the adjacent property line.
Bryan Schorzman
18 Glowing Star Place
Lot 51, Block 3, Section 6 Village of Sterling Ridge
This item was reviewed under the summary approval list as presented by staff. It was moved by Ken Anderson and seconded by Herman Weindel to conditionally approve the summer kitchen, plant and maintain evergreen tall plantings at least **6-7'** in height at time of planting - Staff to approve screening upon completion. Meet code and standard conditions. The motion carried unanimously.
5. Variance request for a proposed summer kitchen that will not be located a minimum of ten feet from the adjacent property line.
Richard Graff
39 Goldwood Place
Lot 29, Block 1, Section 15 Village of Sterling Ridge
This item was reviewed under the summary approval list as presented by staff. It was moved by Ken Anderson and seconded by Herman Weindel to conditionally approve, plant and maintain evergreen plantings at least **6-7'** in height at time of planting to screen from view - staff to review if sufficient screening upon completion. Meet code and standard conditions. The motion carried unanimously.
6. Variance request for a proposed summer kitchen that will not be located a minimum of ten feet from the

adjacent property line.

Mark J. Winter

50 West Wolf Cabin Circle

Lot 19, Block 5, Section 14 Village of Creekside Park

This item was reviewed under the summary approval list as presented by staff. It was moved by Ken Anderson and seconded by Herman Weindel to conditionally approve the summer kitchen, Staff to determine if evergreen plantings required for screening upon completion. Meet code and standard conditions. The motion carried unanimously.

7. Variance request for an existing patio that is encroaching past the front building line.

Rena C. Stevens

58 South Bethany Bend Circle

Lot 8, Block 1, Section 36 Village of Alden Bridge

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

8. Variance request for an existing summer kitchen that is not located a minimum of ten feet from the adjacent property line and a portion of the pool deck does not respect the side easement.

Carlos Gonzalez

87 Wood Manor Place

Lot 31, Block 1, Section 12 Village of College Park (Grogan's Forest)

This item was reviewed under the summary approval list as presented by staff. It was moved by Ken Anderson and seconded by Herman Weindel to conditionally approve the summer kitchen, meet code and standard conditions and to conditionally approve the pool - meet code and standard conditions. VERIFY ALL CENTERPOINT ENERGY EASEMENTS AS THEY MAY DIFFER FROM THE COVENANT EASEMENTS. The motion carried unanimously.

9. Variance request for two existing sheds that do not respect the side five foot and rear ten foot easements.

Orlando Rodriguez

55 North Spinning Wheel Circle

Lot 14, Block 1, Section 56 Village of Sterling Ridge

This item was reviewed under the summary approval list as presented by staff. It was moved by Ken Anderson 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 sheds(s) 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 or sheds are 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 existing play structure does not respect the rear ten foot easement.

Catherine and Stephen Gramss

42 South Victoriana Circle

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

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

11. Variance request for existing driveway widening that exceeds maximum width allowed for a driveway.
David Sandel
58 North Merryweather Circle
Lot 7, Block 2, Section 82 Village of Alden Bridge
This item was reviewed under the summary approval list as presented by staff. It was moved by Ken Anderson and seconded by Herman Weindel to approve as submitted. The motion carried unanimously
12. Variance request for an existing deck that does not respect the side five foot easement.
E Eric Carlson
79 North Merryweather Circle
Lot 54, Block 1, Section 82 Village of Alden Bridge
This item was reviewed under the summary approval list as presented by staff. It was moved by Ken Anderson 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.
13. Variance request for existing paving that does not respect the side five foot easement.
Christopher J McGinniss
95 East Green Gables Circle
Lot 44, Block 1, Section 9 Village of Alden Bridge
This item was reviewed under the summary approval list as presented by staff. It was moved by Ken Anderson 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.
14. Variance request for existing trampoline does not respect the side five or rear ten foot easements.
Regier Family Living Trust
15 Betony Place
Lot 38, 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 Ken Anderson 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 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.
15. Variance request for an existing wood deck that does not respect the ten foot rear yard easement, is not located a minimum of two feet from the property line and is immediately adjacent to the fence that is located on the property line.
Daniel R Duplessis
70 North Walden Elms Circle
Lot 49, 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 Ken Anderson 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 wood deck that does not respect the ten foot rear yard easement,
Robert D Wheeler

74 North Walden Elms Circle
Lot 48, Block 1, Section 42 Village Alden Bridge

This item was reviewed under the summary approval list as presented by staff. It was moved by Ken Anderson 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 patio that does not respect the side five or rear ten foot easements and exceeds the maximum hard surface area.

Gary N Boercker

54 South Willow Point Circle

Lot 59, Block 1, Section 33 Village of Alden Bridge

This item was reviewed under the summary approval list as presented by staff. It was moved by Ken Anderson 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 pavers 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 pavers are 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.

18. Variance request for an existing patio that does not respect the rear ten foot easement.

Al Sanchez

95 North Silver Crescent Circle

Lot 58, Block 2, Section 1 Village of Alden Bridge

This item was withdrawn prior to the meeting.

19. Variance request for existing summer kitchen that is not at least ten feet from the adjacent property line.

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 Ken Anderson and seconded by Herman Weindel to conditionally approve the summer kitchen – meet code and standard conditions. 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.

Michael S Crusham

58 South Wynnoak Circle

Lot 4, 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 Ken Anderson 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 trampoline out of the easement or applying for the trampoline) 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.

Robert E Carter

112 Snowdance Court

Lot 23, 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 Ken Anderson 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 and storing the trash, 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.

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

Jeffery K Evans

74 East Whistlers Bend Circle

Lot 22, 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 Ken Anderson 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 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.

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

Concetta Arancio

82 North Creekmist Place

Lot 10, Block 2, Section 4 Village of College Park

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

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

Toby Gaines

99 Victoriana Circle

Lot 25, 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 Ken Anderson 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 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.

25. Consideration and Action to proceed with legal action, regarding failure to comply with the Covenants and Standards for outstanding violations on the home.
Gonzalo Silva Castillo
30 Mohawk Path Place
Lot 89, 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 Ken Anderson 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 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.

26. Consideration and Action to proceed with legal action, regarding failure to comply with the Covenants and Standards for outstanding violations on the home.
Harper Real Estate Investors Inc.
11 Long Hearth Place
Lot 41, 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 Ken Anderson 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 applying for the fence and passing inspection for pool barrier and by submitting application for paving) 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. Request for approval for a renewal of a Home Business.
Al Sanchez
95 North Silver Crescent Circle
Lot 58, Block 2, Section 1 Village of Alden Bridge
This item was reviewed under the summary approval list as presented by staff. It was moved by Ken Anderson and seconded by Herman Weindel to conditionally approve for a period of 2 years - then must renew permit. Must comply with all regulations per the Home Business Standards 3.1. The motion carried unanimously.

28. Request for approval for a Home Business.
Juan and Gabriela Rodriguez
119 South Star Ridge Circle
Lot 19, Block 3, Section 51 Village of Sterling Ridge
This item was reviewed under the summary approval list as presented by staff. It was moved by Ken Anderson and seconded by Herman Weindel to conditionally **approve for a period of 2 years - then must renew permit. No storage of chemicals or supplies at the house.** Must comply with all regulations per the Home Business Standards 3.1. The motion carried unanimously.

29. Request for approval for a home business.
Stuart and Katie Gibbs
58 East Stockbridge Landing Circle
Lot 28, 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 Ken Anderson and seconded by Herman Weindel to conditionally approve for a period of 2 years - then must renew permit. Comply with Home Business Standards 3.1. Clients to park in driveway and no overlapping appointments. The motion carried unanimously.
30. Approval request for a revision of a Home Business
Timothy Ryan Cappolino, Jr.
27 Colewood Court
Lot 14, Block 1, Section 68 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 Ken Anderson to approve the revision of the previously approved home business permit # 10-06020 by adding that the owner may manufacture and assemble firearms. The motion carried unanimously.
31. Rehearing for shed that does not respect the side five foot easement previously disapproved by the Development Standards Committee.
Leonardo Ballesteros
82 South Scribewood Circle
Lot 16, Block 1, Section 40 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. Owner stated that he had planted to the front of the gate to screens the shed and provided pictures of current condition. It was moved by Kim Hess and seconded by Herman Weindel to disapprove and consent to delay enforcement on the shed , based upon the execution of a memorandum of agreement, requiring the owner to remove the shed 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 shed are in disrepair and needs replacement whichever comes first. The memorandum will be recorded with the court house and binding on the land. **Approval by this committee does not constitute approval by the additional entities. It is the owner's responsibility to obtain approval by those entities.** The improvement may be subject to removal if determined necessary by easement holders. Additionally the owner must plant an additional tree (similar in size and type to the one existing) to on the outside of the fence between the two existing trees. The motion carried unanimously.
32. Variance request for an existing fence that has a rot board that exceeds maximum height allowed.
Arron S Angle
10 Verdant Valley Place
Lot 24, Block 1, Section 23 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 Robert Heineman and seconded by Danie van Loggerenberg to conditionally approve - Meet code and pass inspections for pool barrier. The motion carried unanimously.
33. Variance request for a proposed trampoline that will not respect the rear ten foot easement and the side five foot easement.
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 was not present to address the committee; however an affected neighbor was in attendance. It was moved by Herman Weindel and seconded by Kim Hess to disapprove the trampoline request. The motion carried unanimously.

34. Variance request for a proposed **sign that might have an adverse impact to the neighborhood's** character.
Tish Billeaudeau
43 Cinnamon Teal Place
Lot 11, Block 3, Section 1 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 Ken Anderson and seconded by Herman Weindel to disapprove the sign request. The motion carried unanimously.
35. Variance request for a proposed pool with water surface area that exceeds the maximum allowed for the lot.
Brett A Bulcroft
75 South Millport Circle
Lot 58, Block 1, Section 40 Village of Alden Bridge
This item was heard by the full committee. Staff provided the committee with a PowerPoint **presentation. The homeowner's contractor was** present to address the committee. Contractor pointed out that the property had an additional 5% hard surface area allowed and he is asking for an additional 2.6% water surface area. It was moved by Ken Anderson and seconded by Danie van Loggerenberg to conditionally approve - plant and maintain 6 30 gallon native trees (palm trees are not acceptable as replants) meet code and standard conditions. Pool equipment light must be lower than fence line and comply with standards. Herman Weindel voted in opposition. The motion carried.
36. Variance request for an existing fence that exceeds the maximum height allowed, rot board exceeds the maximum height allowed and the fence was built with the construction side facing out.
John H Miller Jr.
23 Moss Bluff Court
Lot 40, Block 1, Section 22 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 Ken Anderson and seconded by Herman Weindel to conditionally approve - CSO to be fixed in all visible locations, get letter from neighbors otherwise double side fence and entire fence to meet code. The motion carried unanimously.
37. Variance request for existing pool decking that does not respect the rear ten foot easement, the existing fence, proposed patio cover, proposed summer kitchen and paving will extend beyond the ten foot side platted building line. In addition, the proposed patio cover and summer kitchen encroach upon the building setback of 20 foot for the rear of the dwelling
Karl Henry Watson
11 Valleybrook Place
Lot 28, Block 1, Section 58 Village of Alden Bridge
This item was heard by the full committee. Staff provided the committee with a PowerPoint presentation. The homeowner was present to address the committee. Committee discussed their authority on variances for platted building line encroachments. It was moved by Ken Anderson and seconded by Herman Weindel as follows: **Fence** -conditionally approve - **fence allowed to be up to 5'** into the platted building line, plant and maintain planting bed along street side of fence with forest mix of trees, shrubs and plants.
Decking -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. **Patio Cover, Patio and Summer kitchen** - Disapproved. The motion carried unanimously.
38. Variance request for concept approval of a fence that may not be architecturally compatible.
Robert and Karen Ronchetto
71 East Black Knight Drive

Lot 1, Block 3, Section 77 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 Danie van Loggerenberg to approve the concept as follows: **allowed to adjust the fence forward to not conflict with side windows. Pass inspection meet code - submit final plans.** The motion carried unanimously.

39. Variance request for play structure that has an elevated floor area that exceeds the allowed height.

Alfred Amparan Garza
110 East Cove View Trail

Lot 85, Block 1, Section 6 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 Herman Weindel and seconded by Robert Heineman to conditionally approve the play structure - plant and maintain tall evergreen trees (at least 7' tall at time of planting) to screen view of play structure to rear and side. The motion carried unanimously.

VI. Public Comments

John Citizen, Dorothy and Jim Bat talked to the committee about a complaint on a violation at 31 Poplar Pine in Harper's Landing. **Staff informed him of current status.**

VII. Member Comments

Herman Weindel asked staff to check on the DSC approval of the pool at 66 West Shale Creek in Sterling Ridge.

VIII. Staff Reports

Hennie van Rensburg reminded committee of special meeting on Wednesday, February 27, 2013 at 8am.

IX. Adjourn

There being no further business it was moved by Robert Heineman and seconded by Kim Hess to adjourn the meeting at 6:56 p.m. The motion carried unanimously.