

Development Standards Committee Minutes

March 20, 2013 at 5:30 PM

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

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

Member absent: Chris Florack

Staff Present: Kim McKenna, Neslihan Tesno, Sharlene Novak

I. Welcome/Call Meeting to Order

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

II. Consideration and Action of the minutes of Development Standards Committee Meetings on February 20, 2013. It was moved by Ken Anderson and seconded by Kim Hess to approve the minutes of the February 20, 2013 DSC meeting. 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. Chair Deborah Sargeant presented the Summary List as presented by Staff. The list consisted of Items 1- 5 and 7 - 23. It was moved by Danie van Loggerenberg and seconded by Herman Weindel to approve the Summary List as presented. The motion carried unanimously.

IV. Consideration and Action regarding the agenda for the Joint Session of The Residential Design Review Committees and Development Standards Committee meeting of April 1, 2013.

This item was discussed at the end of the meeting. Deborah Sargeant reminded committee about Joint meeting set for April 1, 2013. It was determined that staff would send out a summary of the proposed standards to all RDRC and DSC committee members. The summary would detail out which items resolved and items still in need of review.

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 a proposed boat dock, which would encroach into the easements.

Bruce and Debbie Glascock

6 West Isle Place

Lot 16, Block 1, Section 25 Village of Panther Creek

This item was reviewed under the summary approval list as presented by staff. It was moved by Danie van Loggerenberg and seconded by Herman Weindel to approve as presented. Approval by this committee does not constitute approval by the additional easement holders or Lake Woodlands Property Owner's Association. It is the owner's responsibility to obtain those approvals and may be subject to removal. The motion carried unanimously.

2. Variance request for proposed summer kitchen and patio cover that do not respect the 20 foot rear building setback.

Craig Monahan

2 Rosy Finch Place

Lot 7, Block 4, Section 11 Village of Creekside Park

This item was reviewed under the summary approval list as presented by staff. It was moved by Danie van Loggerenberg and seconded by Herman Weindel to conditionally approve, plant and maintain evergreen trees or shrubs at least 7' tall at time of planting to rear of the patio cover, staff to determine if sufficient upon completion, meet code and standard conditions. The motion carried unanimously.

3. Variance request for a proposed wood fence which is not allowed by Development Criteria.

Jeremy and Shannon Oliver

122 Heritage Mill Circle

Lot 4, Block 1, Section 4 Village of Creekside Park

This item was reviewed under the summary approval list as presented by staff. It was moved by Danie van Loggerenberg and seconded by Herman Weindel to conditionally approve to replace the two wrought iron panels with wood fence to match existing wood fence (6' height and design). The motion carried unanimously.

4. Variance request for a proposed play structure that does not respect the rear ten foot easement.

Brian and Jennifer Steelman

47 South Piney Plains Circle

Lot 17, Block 1, Section 7 Village of Alden Bridge

This item was reviewed under the summary approval list as presented by staff. It was moved by Danie van Loggerenberg 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 at their discretion. The motion carried unanimously.

5. Variance request for a proposed shed that does not respect the side five foot easement.

Michael R Wildman

127 South Brooksedge Circle

Lot 19, Block 3, Section 58 Village of Alden Bridge

This item was reviewed under the summary approval list as presented by staff. It was moved by Danie van Loggerenberg 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. The motion carried unanimously.

6. Variance request for a proposed patio cover, fireplace, pergola and summer kitchen that does not respect the 25 foot rear building setback for the dwelling and proposed summer kitchen will not be located ten foot away from any property line that is adjacent to another residential property line

Norman J Ponzi

118 East Fairbranch Circle

Lot 6, Block 1, Section 44 Village of Alden Bridge

This item was heard by the full committee. Staff provided the committee with a PowerPoint presentation. The homeowner, his contractor and two affected neighbors were present to address the committee. Mr. Ponzi stated that drainage should not be a problem since he already has a yard drainage system and will the improvement to existing system and he intends on planting a screen. One neighbor spoke in favor of the project. Another neighbor spoke in opposition with concerns of impact, drainage and screening.

It was moved by Robert Heineman and seconded by Herman Weindel to conditionally approve, lower chimney to minimum required by code, plant and maintain evergreen trees or shrubs at least 7' tall at time of planting to screen to left and rear of structure. Staff to review plantings to determine if sufficient screening – additional planting could be required for screening. Meet code and standard conditions. Plant and maintain at least 2 30 gallon native trees to replace trees that have been removed without permit. Ensure proper drainage to street. Additionally, The Owner must ensure that the placement of the improvement does not halt or materially impede drainage flowing off of a neighboring tract, and does not redirect the flow or significantly increase the amount of water flowing onto a neighboring tract. Enforcement of this requirement is by the affected property owner(s). The motion carried unanimously.

7. Variance request for a proposed patio cover does not respect the 30 foot rear setback.

Christopher Rosseneu

39 East Black Knight Drive

Lot 9 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 Danie van Loggerenberg and seconded by Herman Weindel to conditionally approve, plant and maintain evergreen trees or shrubs to soften and screen view of patio cover to adjacent properties. Must be at least 7' tall at time of planting. Staff to determine if sufficient planting upon completion. Meet code and standard conditions. The motion carried unanimously.

8. Variance request for a proposed fireplace does not respect the 20 foot rear setback.

John Frost

47 Golden Orchard Place

Lot 37 Block 1, Section 95 Village of Sterling Ridge

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

9. Variance request for a proposed driveway widening that exceeds maximum width allowed.

Mark Gunther

70 West Lansdowne Circle

Lot 33, Block 1 Section 27 Village of Indian Springs (TWA)

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

10. Variance request for an existing play structure is that does not respect the ten foot rear easement

Stuart and Kerrie Lewis

58 Paloma Bend Place

Lot 16, Block 1, Section 25 Village of Creekside Park

This item was reviewed under the summary approval list as presented by staff. It was moved by Danie van Loggerenberg and seconded by Herman Weindel to disapprove and consent to delay enforcement, based upon the execution of a memorandum of agreement, requiring the owner to remove the play structure from the property, when the owner no longer owns the home, transfers title or when the owner is no longer the primary resident, or when the play structure is in disrepair and needs replacement whichever comes first. The memorandum will be recorded with the court house and binding on the land. Approval by this committee does not constitute approval by the additional entities. It is the owner's responsibility to obtain approval by those entities. The improvement may be subject to removal if determined necessary by easement holders. The motion carried unanimously.

11. Variance request for an existing play structure that does not respect the five foot side and ten foot rear easements.
Bryan Joseph Williams
118 South Clovergate Circle
Lot 1, Block 1, Section 54 Village of Alden Bridge
This item was reviewed under the summary approval list as presented by staff. It was moved by Danie van Loggerenberg 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 is 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.

12. Variance request for an existing play structure and trampoline that does not respect the ten foot rear easement
Scott Alan Warren
63 North Flickering Sun Circle
Lot 15, Block 2, Section 93 Village of Alden Bridge
This item was reviewed under the summary approval list as presented by staff. It was moved by Danie van Loggerenberg 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 and or 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 play structure and or 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.

13. Variance request for an existing shed that does not respect the side five foot easement.
Kenneth & Tammy Samoff
14 Painted Canyon Place
Lot 18, Block 1, Section 8 Village of Indian Springs (TWA)
This item was reviewed under the summary approval list as presented by staff. It was moved by Danie van Loggerenberg 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. The motion carried unanimously.

14. Variance request for an existing play structure that does not respect the ten foot rear easement
Brad Crenshaw
58 Hidden Meadow Drive
Lot 6, Block 2, Section 41 Village of Alden Bridge
This item was reviewed under the summary approval list as presented by staff. It was moved by Danie van Loggerenberg and seconded by Herman Weindel to Disapprove and consent to delay enforcement, based upon the execution of a memorandum of agreement, requiring the owner to remove the play structure from the property, when the owner no longer owns the home, transfers title or when the owner is no longer the primary resident, or when the play structure is in disrepair and needs replacement whichever comes first. The

memorandum will be recorded with the court house and binding on the land. Approval by this committee does not constitute approval by the additional entities. It is the owner's responsibility to obtain approval by those entities. The improvement may be subject to removal if determined necessary by easement holders. The motion carried unanimously.

15. Variance request for existing spa that does not respect the rear ten foot easement.

Harold N Fournier Jr.

254 Sentry Maple Place

Lot 18, Block 3, Section 66 Village of Alden Bridge

This item was reviewed under the summary approval list as presented by staff. It was moved by Danie van Loggerenberg and seconded by Herman Weindel to conditionally approve, meet code and standard conditions. 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 deck that does not respect the side five foot easement and 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.

Mela M Logan Meinhardt

66 North Walden Elms Circle

Lot 50, 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 Danie van Loggerenberg 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 deck that does not respect the rear ten foot easement and 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.

Michael B Boeck

46 Timberstar Street

Lot 24, Block 2, Section 42 Village of Alden Bridge

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

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

Mark Miller

39 Quillwood Place

Lot 6 Block 1, Section 93 Village of Sterling Ridge

This item was reviewed under the summary approval list as presented by staff. It was moved by Danie van Loggerenberg and seconded by Herman Weindel to disapprove and consent to delay enforcement, based upon the execution of a memorandum of agreement, requiring the owner to remove the play structure from the property, when the owner no longer owns the home, transfers title or when the owner is no longer the primary resident, or when the play structure is in disrepair and needs replacement whichever comes first. The memorandum will be recorded with the court house and binding on the land. Approval by this committee does not constitute approval by the additional entities. It is the owner's responsibility to obtain approval by those entities. The improvement may be subject to removal if determined necessary by easement holders. The motion carried unanimously.

19. Consideration and Action to proceed with legal action, regarding failure to comply with the Covenants and Standards for outstanding violations on the home.
Francisco Gonzalez Manon
7 River Ridge Loop
Lot 3, Block 3, Section 3 Village of Creekside Park
This item was reviewed under the summary approval list as presented by staff. It was moved by Danie van Loggerenberg and seconded by Herman Weindel to approve pursuit of legal action by authorizing our attorneys and staff to send letters to the owner notifying them of the Development Standards Committee's actions; what is required to cure the violations and establishing a reasonable time frame for resolution if not cured within 3 weeks. The letter will include notice that failure to correct these violations (by repairing the fence) will result in a lawsuit filed & court hearing scheduled. Furthermore, we recommend The Township Board authorize funding of legal action, as necessary, in order to correct these violations of the Woodlands Covenants and Residential Development Standards, if the initial correspondence by The Strong Firm and the staff does not resolve these violations prior to filing the lawsuit. The motion carried unanimously.
20. Consideration and Action to proceed with legal action, regarding failure to comply with the Covenants and Standards for outstanding violations on the home.
Jason Halstead
10 Segoe Lily Court
Lot 70, Block 1, Section 13 Village of Creekside Park
This item was reviewed under the summary approval list as presented by staff. It was moved by Danie van Loggerenberg 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.
21. Consideration and Action to proceed with legal action, regarding failure to comply with the Covenants and Standards for outstanding violations on the home.
Jose Ruben Ferrer Del Rio
39 North Shimmering Aspen Circle
Lot 8, Block 1, Section 19 Village of Creekside Park
This item was reviewed under the summary approval list as presented by staff. It was moved by Danie van Loggerenberg 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 black mesh and complying with the conditions set on the pool permit to screen the pool equipment: Plant and maintain sufficient evergreen vegetation to screen pool equipment from view of street and neighboring properties. Vegetation must be at least 4 feet tall at time of planting. Any fencing constructed to screen pool equipment requires an application and will be limited to a 4 foot high solid capped picket fence screened completely from view with native evergreen vegetation.) 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.
Brandon and Angela Fisher
79 Lakeside Green Court
Lot 5, Block 1, Section 33 Village of Sterling Ridge
This item was reviewed under the summary approval list as presented by staff. It was moved by Danie van Loggerenberg 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 complying with pool permit conditions and screening pool equipment as required) 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. Request for approval for a Home Business.
Randall J Ross
30 Juniper Grove Place
Lot 16, 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 Danie van Loggerenberg and seconded by Herman Weindel to conditionally approve for a period of 2 years – then must renew permit. No clients to visit home and address not to be advertised. Must comply with all regulations per the Home Business Standards 3.1. The motion carried unanimously.
24. Request for approval for a home business.
Ray Clyde Coleman Jr.
30 Wintergreen Trail
Lot 37, Block 1, Section 48 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 Robert Heineman and seconded by Ken Anderson to conditionally approve the home business for a period of 2 years – then must renew permit. No clients to visit home and address not to be advertised. Must comply with all regulations per the Home Business Standards 3.1. The motion carried unanimously.
25. Variance request for a proposed workshop that exceeds the allowable height and may be visible through the wrought iron fence and it exceeds 120 square feet and proposed shed exceeds the allowable height for encroachment into the side easement.
Jeff Newcom
14 Wood Manor Place
Lot 47, 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 Deborah Sargeant and seconded by Herman Weindel to disapprove, resubmit new design with lower plate height of 8', incorporate storage with this building and attach to dwelling. The motion carried unanimously.
26. Variance request for Concept approval for a detached garage addition that does not respect the side five foot easement and does not respect the side 20 foot development setback and front 55 foot development setback.
Rick Wark
2 South Gary Glen Circle
Lot 37 Block 1, Section 23 Village of Sterling Ridge
This item was heard by the full committee. Staff provided the committee with a PowerPoint presentation. The homeowner and his contractor were present to address the committee. The homeowner submitted revised

plans showing the structure attached to the dwelling. It was moved by Ken Anderson and seconded by Herman Weindel to conditionally approve the concept design of attached garage addition, submit final plans, required documents and fees with a landscape plan, and return to DSC for review. The motion carried unanimously.

27. Variance request for a proposed pool with hard surface area that exceeds the maximum allowed for the lot and a summer kitchen that is not ten feet from the adjacent property line.

William C. Swan

130 South Arrow Canyon Circle

Lot 22, Block 1, Section 3 Village of Creekside Park

This item was heard by the full committee. Staff provided the committee with a PowerPoint presentation. The homeowner and the contractor were present to address the committee. The owner asked for consideration of the plan since they would like to be able to have these improvements otherwise they would need to move. It was moved by Robert Heineman and seconded by Herman Weindel to conditionally approve the summer kitchen as follows: plant and maintain tall evergreen trees or shrubs at least 7' at time of planting to right of summer kitchen/pergola, meet code and standard conditions. Additionally to conditionally approve the Swimming Pool as follows: Standard conditions must meet code and pass all inspections. Plant and maintain 3-30 gallon native trees - at least two must be planted in the rear yard. Palm trees are not native and are not considered in this number. Plant and maintain sufficient evergreen vegetation to screen pool equipment from the view of street and neighboring properties. Vegetation must be at least 4 feet tall at time of planting. Any fencing constructed to screen pool equipment requires an application and will be limited to a 4 foot high solid capped picket fence screened completely from view with native evergreen vegetation. Pool and decking may not encroach into any easement. Verify all CenterPoint Energy easements as they may differ from the covenant easements. The motion carried unanimously.

28. Variance request for a proposed patio cover, summer kitchen and fireplace that does not respect the 20 foot rear setback and may cause negative neighbor impact.

Timothy Schuh

118 North Almondell Circle

Lot 9, Block 4, Section 92 Village of Sterling Ridge

This item was heard by the full committee. Staff provided the committee with a PowerPoint presentation. The homeowner was present to address the committee. The owner stated he attempted to design improvement to match existing and look original to home. The committee was concerned about the steep slope to the rear yard. It was moved by Deborah Sargeant and seconded by Herman Weindel to disapprove as presented, redesign with a step down or with a design that is not open to the rear. Submit landscape plan with screening to rear. The motion carried unanimously.

29. Variance request for a proposed patio cover that does not respect the 30 foot rear setback

Hamid Sarshar

11 Chivary Oaks Court

Lot 8 Block 4, Section 77 Village of Sterling Ridge

This item was heard by the full committee. Staff provided the committee with a PowerPoint presentation. The homeowner and the contractor were present to address the committee. The owner stated that they needed some shaded space in rear yard and that they spoke to their neighbors. It was moved by Ken Anderson and seconded by Herman Weindel to conditionally approve – must reduce length by 5', submit landscape plan and return for DSC review April 3, 2013. The motion carried unanimously.

30. Variance request for a proposed Summer Kitchen that is not at least ten feet from property line and two detached patio covers do not respect the rear 30 foot setback.

Timothy Haggerty

14 North Player Crest Circle

Lot 23 Block 1, Section 83 Village of Sterling Ridge

This item was heard by the full committee. Staff provided the committee with a PowerPoint presentation. The homeowner and the contractor were present to address the committee. Committee was concerned about the roofs of the covers not matching the dwelling. They suggested the covers be redesigned as arbors. It was moved by Ken Anderson and seconded by Herman Weindel to disapprove the patio covers and to conditionally approve the summer kitchen –meet code, standard conditions, plant and maintain evergreen trees or shrubs screen view of summer kitchen to right adjacent property. Must be at least 7' tall at time of planting. Staff to determine if sufficient planting upon completion. The motion carried unanimously.

31. Variance request for a proposed fence stain that is not an approvable color.

James and Marcela Hall

155 South Arrow Canyon Circle

Lot 7, Block 4, Section 3 Village of Creekside Park

This item was heard by the full committee. Staff provided the committee with a PowerPoint presentation. The homeowner was not present to address the committee. It was moved by Deborah Sargeant and seconded by Robert Heineman to approve as submitted. The motion carried unanimously.

32. Variance request for existing landscaping that is not compatible with the adjacent properties and neighborhood and has crushed rock that is not used in limited quantities.

Anna Sue Burton

55 South Mews Wood Court

Lot 9, Block 1, Section 12 Village of College Park

This item was heard by the full committee. Staff provided the committee with a PowerPoint presentation. The homeowner and the contractor were present to address the committee. The contractor informed the committee that since the plants were just installed they have not had time to establish and they will fill out given time. It was moved by Deborah Sargeant and seconded by Herman Weindel to table for 90 days – return to DSC for review once plants have filled in and grown. The motion carried unanimously.

33. Variance request for existing walkway along the side of house is not located at least 1' from property line.

John and Brittney McCauley

30 Sandwell Place, The Woodlands, TX

Lot 31, Block 1, Section 9 Village of Creekside Park

This item was heard by the full committee. Staff provided the committee with a PowerPoint presentation. The homeowner was not present to address the committee. It was moved by Ken Anderson and seconded by Kim Hess to conditionally approve, plant and maintain evergreen screen to front of fence and alongside fence on neighbor's property to screen view of pool equipment– submit written permission for the planting from the adjacent property owner. 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 at their discretion. The motion carried unanimously.

34. Variance request for an existing gazebo that does not respect the 20 foot rear setback and ten foot rear building easement and the roof does not match the dwelling. In addition the paving does not respect the rear ten foot easement.

Julio Schmithalter

74 South Dove Trace Circle

Lot 4, Block 2, Section 24 Village of Indian Springs (TWA)

This item was heard by the full committee. Staff provided the committee with a PowerPoint presentation. The homeowner and an affected neighbor were present to address the committee. The owner stated that the structure was there when he purchased home however the canvas roof was destroyed during a storm so he replaced it with a sturdy roof. He also added flagstone under the cover up to the fence line. He stated he has a drainage system and that the neighbor to the rear drains onto his lot. The affected neighbor spoke in opposition with concerns about drainage and structural integrity of gazebo. It was moved by Deborah Sargeant and seconded by Ken Anderson to conditionally approve, submit certification from structural engineer, and remove

flagstone and mortar from the fence to the columns, roof shingles to match dwelling roof and ensure proper drainage to street. Additionally, the Owner must ensure that the placement of the improvement does not halt or materially impede drainage flowing off of a neighboring tract, and does not redirect the flow or significantly increase the amount of water flowing onto a neighboring tract. Enforcement of this requirement is by the affected property owner(s). Meet code and standards. 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 at their discretion. Robert Heineman was not present at the time of this vote. The motion carried.

35. Variance request for an existing patio that is located in the ten foot rear yard easement, existing driveway widening encroaches into the five foot side yard easement and is wider than the maximum width allowed and the existing hard surface area exceeds the maximum allowed.

Aradio F. Zambrano

73 North Old Cedar Circle

Lot 32, Block 1, Section 19 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 Deborah Sargeant and seconded by Ken Anderson to conditionally approve as follows: plant and maintain evergreen shrubs or trees to rear of patio in rear yard and in front yard by driveway parking pads to block view from street. Plantings to be at least 7' tall at time of planting. The motion carried unanimously.

VI. Public Comments

There were no public comments.

VII. Member Comments

There were no member comments.

VIII. Staff Reports

Staff reminded committee about the Joint Meeting on April 1, 2013.

IX. Adjourn

There being no further business it was moved by Herman Weindel and seconded by Robert Heineman to adjourn the meeting at 8:11 p.m. The motion carried unanimously.