

Development Standards Committee  
April 3, 2013 at 5:30 p.m.  
The Woodlands Township  
2801 Technology Forest Boulevard  
The Woodlands, Texas, 77381  
Minutes

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

Staff Present: Chris Feist, Neslihan Tesno and Kim McKenna

Legal Counsel: Adam Looney

**I. Welcome/Call Meeting to Order**

The meeting was called to order in regular session, open to the public by Chairman Deborah Sargeant at 5:32 p.m.

**II. Approve the minutes of the meetings of March 6, 2013**

The minutes of the previous meeting were reviewed. It was moved by Chris Florack and seconded by Ken Anderson to approve the minutes as presented.

**III. Consideration and Action of the Applications in Section IV, recommended for Summary Action.**

Chairwoman Deborah Sargeant presented the summary list of applications, as presented through staff recommendation. The list consisted of items 1, 3, 4, 5, 7, 8, 9, 10, 11, 15, 16, 18, 19, 20, 21, 22, 23, 24, 25, 28, 29, 32, 33 and 36. It was moved by Chris Florack and seconded by Herman Weindel to approve the items listed on the summary list as presented. The motion carried unanimously.

**IV. Review and Disposition of Applications**

- 1) Request for approval for two proposed detached arbors.

Timothy Haggerty

14 North Player Crest Circle

Lot 23 Block 1, Section 83 Village of Sterling Ridge

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

- 2) Request for a rehearing regarding 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 reviewed by the full committee. The owner was present to address the committee. The staff provided the Committee with a presentation regarding the rehearing request and allowed the owner to provide the new information to the committee. It was then moved by Deborah Sargeant and seconded by Danie van Loggerenberg to approve the request for a rehearing and review the item at their following meeting of April 17<sup>th</sup>, 2013. The motion carried unanimously.

- 3) Variance request for proposed landscape stone borders, which will be located in the Street Right-of-Way.

Norma Lord

34 Palmer Crest Ct

Lot 06, Block 02, Section 55, Village of Cochran's Crossing

This item was reviewed under the summary items list as presented by staff recommendation. It was moved by Chris Florack and seconded by Herman Weindel to approve the arbors as presented. Approval by this committee does not constitute approval by the additional easement holders or the county and may be subject to removal. The owner must maintain vegetation around the stone borders to soften and screen the view from the street. The motion carried unanimously.

- 4) Variance request for a proposed second story deck addition that would be located beyond the rear and side building setback.  
Robert and Lisa Towery  
112 S. Timber Top Dr.  
Lot 06, Block 01, Section 15 Village of Grogan's Mill  
This item was reviewed under the summary items list as presented by staff recommendation. It was moved by Chris Florack and seconded by Herman Weindel to approve on the condition the owner must meet code and pass final inspection. Additionally the improvements must not halt or materially impede drainage as defined in the Residential Development Standards. The motion carried unanimously.
- 5) Variance request for a proposed attached screened room that would be located beyond the rear building setback.  
Linda Kyle  
90 Driftoak Cir  
Lot 2, Block 2, Section 40, Village of Cochran's Crossing  
This item was reviewed under the summary items list as presented by staff recommendation. It was moved by Chris Florack and seconded by Herman Weindel approve on the condition the owner's improvement meet code and pass final inspection. Owner must maintain existing vegetation on the property to screen the improvement. Improvement must not halt or materially impede drainage as defined in the Residential Development Standards. The motion carried unanimously.
- 6) Variance request for a proposed fireplace that would be located beyond the rear building setback.  
Courtney and Brandon Foster  
45 Doe Run Dr.  
Lot 19, Block, 01 Section 16 Village of Grogan's Mill  
This item was reviewed under the summary items list as presented by staff recommendation. It was moved by Chris Florack and seconded by Herman Weindel to approve on the condition the owner plant and maintain vegetation to the exterior of the fireplace to soften and screen the view of the improvement from the golf course. The motion carried unanimously.
- 7) Variance request for a proposed patio cover that would be located within the rear easement, beyond the rear building setback and is being submitted with drawings sealed by a civil engineer.  
Victor Miguelez  
62 Mill Point Pl  
Lot 18, Block 01, Section 67 Village of Grogan's Mill  
This item was reviewed under the summary items list as presented by staff recommendation. It was moved by Chris Florack and seconded by Herman Weindel to approve on the condition the owner meet code and pass final inspection. 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 owner must ensure that placement of the improvements does not halt or materially impede drainage as defined in the Residential Development Standards. The motion carried unanimously.
- 8) Variance request for a trash and recycle cart screen that will be less than the minimum height allowed and will not be set back a minimum of 3' from the front façade.  
Thomas Blumenkamp  
6 N Copperknoll Cir  
Lot 47, Block 1, Section 27, Village of Cochran's Crossing  
This item was reviewed under the summary items list as presented by staff recommendation. It was moved by Chris Florack and seconded by Herman Weindel to approve as presented, on the condition the owner plant and maintain vegetation to the exterior of the screen, to screen the view from the street. The motion carried unanimously.
- 9) Variance request for an existing above-ground spa that encroaches into the side yard easement.  
Thomas Blumenkamp  
6 N Copperknoll Cir  
Lot 47, Block 1, Section 27, Village of Cochran's Crossing  
This item was reviewed under the summary items list as presented by staff recommendation. It was moved by Chris Florack and seconded by Herman Weindel to disapprove the variance and consent to delay enforcement based upon

the execution of a memorandum of agreement requiring the owner to remove the spa from the lot when the owner no longer owns the home, sells or transfers title or is no longer the primary resident, whichever comes first. 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.

- 10) Variance request for an existing storage building that exceeds the maximum height allowed and encroaches into the side yard easement.

Thomas Blumenkamp

6 N Copperknoll Cir

Lot 47, Block 1, Section 27, Village of Cochran's Crossing

This item was reviewed under the summary items list as presented by staff recommendation. It was moved by Chris Florack and seconded by Herman Weindel to disapprove the variance and consent to delay enforcement based upon the execution of a memorandum of agreement requiring the owner to remove the shed from the lot when the owner no longer owns the home, sells or transfers title or is no longer the primary resident, whichever comes first. The owner must maintain the existing vegetation surrounding the shed to soften and screen the view. 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.

- 11) Variance request for a proposed eight foot tall fence that exceeds the maximum height allowed.

Ken W Weisenburger

10 Gentry Oak Ct

Lot 30, Block 02, Section 35 Village of Panther Creek

This item was reviewed under the summary items list as presented by staff recommendation. It was moved by Chris Florack and seconded by Herman Weindel to approve as presented. The home owner must design the fence to taper down the height of the fence at each corner, where the fencing adjoins six foot fencing. Fencing must meet code and pass final inspection as a pool security barrier. The motion carried unanimously.

- 12) Variance request for a proposed room addition that was considered to have an impact to neighboring properties and may adversely impact the neighborhood's character, when it was reviewed by the Residential Design Review Committee.

Victor Maia

1 Greenridge Forest Ct

Lot 34, Block 03, Section 14 Village of Panther Creek

This item was reviewed by the full committee. The owner and the contractor were present to address the committee. The committee reviewed the proposed plans and shared some concerns regarding the design of the proposed improvements and how the improvements were integrated with the existing home. After deliberating on varied design proposals it was moved by Danie van Loggerenberg and seconded by Chris Florack to deny the proposal as presented and request the owner coordinate with the staff to revise the drawings and resubmit an alternate design, consistent with the committee's suggestion, for final review and action. The staff requested the committee designate an architect/designer from the committee to consult regarding design details. It was moved by Deborah Sargeant and seconded by Chris Florack to designate Danie van Loggerenberg to consult on questions or review items by the staff. Both motions carried unanimously.

- 13) Variance request for a proposed porte-co-chere that was considered to have an impact to neighboring properties and may adversely impact the neighborhood's character, when it was reviewed by the Residential Design Review Committee.

Victor Maia

1 Greenridge Forest Ct

Lot 34, Block 03, Section 14 Village of Panther Creek

This item was reviewed by the full committee. The owner and the contractor were present to address the committee. The committee reviewed the proposed plans and shared some concerns regarding the design of the proposed improvements and how the improvements were integrated with the existing home. After deliberating on varied design proposals it was moved by Danie van Loggerenberg and seconded by Chris Florack to deny the proposal as presented and request the owner coordinate with the staff to revise the drawings and resubmit an alternate design, consistent with the committee's suggestion, for final review and action. The staff requested the committee designate an architect/designer from the committee to consult regarding design details. It was moved by Deborah Sargeant and

seconded by Chris Florack to designate Danie van Loggerenberg to consult on questions or review items by the staff. Both motions carried unanimously.

- 14) Variance request for a proposed driveway that exceeds the maximum width allowed for a three car garage, encroaches into the side easement, and exceeds the maximum amount of hard surface area allowed.

Victor Maia

1 Greenridge Forest Ct

Lot 34, Block 03, Section 14 Village of Panther Creek

This item was reviewed by the full committee. The owner and the contractor were present to address the committee. The committee reviewed the proposed plans and shared some concerns regarding the design of the proposed improvements and how the improvements were integrated with the existing home. After deliberating on varied design proposals it was moved by Danie van Loggerenberg and seconded by Chris Florack to deny the proposal as presented and request the owner coordinate with the staff to revise the drawings and resubmit an alternate design, consistent with the committee's suggestion, for final review and action. The staff requested the committee designate an architect/designer from the committee to consult regarding design details. It was moved by Deborah Sargeant and seconded by Chris Florack to designate Danie van Loggerenberg to consult on questions or review items by the staff. Both motions carried unanimously.

- 15) Variance request for a proposed storage shed that exceeds the maximum height allowed.

James L Gallup

36 E Wandering Oak Dr

Lot 10, Block 07, Section 05 Village of Panther Creek

This item was reviewed under the summary items list as presented by staff recommendation. It was moved by Chris Florack and seconded by Herman Weindel 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 property when the owner no longer owns the home, sells or transfers title or when the shed is in disrepair and in need of replacement. The memorandum of agreement will be recorded and the courthouse and binding on the land. The motion carried unanimously.

- 16) Variance request for a proposed summer kitchen which will not be located ten feet from the adjacent property line.

Vick Revocable Trust

26 Stonecroft Pl

Lot 3, Block 1, Section 56, Village of Cochran's Crossing

This item was reviewed under the summary items list as presented by staff recommendation. It was moved by Chris Florack and seconded by Herman Weindel to approve the proposed summer kitchen presented on the condition the owner must meet code and pass final inspection. Additionally, the improvements may not halt or materially impede drainage as defined in the Residential Standards. This item was added to the summary at the beginning of the meeting as a result of the staff receipt of a letter from the adjacent property owner, noting they were in favor of the proposed improvements. The motion carried unanimously.

- 17) Variance request for a proposed basketball court, which was not considered to be compatible with the neighborhood and may have an adverse impact on neighboring properties, reviewed by the Residential Design Review Committee.

Cecil Gregg

50 Palmer Woods Dr

Lot 3, Block 2, Section 45, Village of Cochran's Crossing

This item was reviewed by the full committee. The committee discussed the proposed area and the landscaping plan to screen the view from the street and adjacent property owner. It was also noted that the staff received correspondence from the adjacent property owner in favor of the proposed improvement. It was confirmed the proposal did not include any lighting. It was then moved by Chris Florack and seconded by Danie van Loggerenberg to approve the proposed sport court as presented on the condition the owner must plant and maintain significant vegetation to soften and screen the view from the street and adjacent properties. The motion carried unanimously.

- 18) Variance request for a proposed garage door color change which was not found to be architecturally compatible with the approved colors of the home.

Brian Redmond

25 Treescape Cir

Lot 17, Block 3, Section 16, Village of Cochran's Crossing

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

- 19) Variance request for an existing walkway which exceeds the maximum width allowed and encroaches into the side yard easement.

David Lombardi  
11 Gallant Oak Pl

Lot 55, Block 02, Section 41, Village of Cochran's Crossing

This item was reviewed under the summary items list as presented by staff recommendation. It was moved by Chris Florack and seconded by Herman Weindel to approve as presented. 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 owner must not halt or materially impede drainage as defined in the Residential Development Standards. The motion carried unanimously.

- 20) Variance request for an existing storage building which exceeds the maximum height allowed for buildings located within an easement.

Dykes  
19 Seder's Walk

Lot 23, Block 3, Section 16, Village of Cochran's Crossing

This item was reviewed under the summary items list as presented by staff recommendation. It was moved by Chris Florack and seconded by Herman Weindel to deny the variance request and consent to delay enforcement based upon the execution of a memorandum of agreement requiring the owner to remove the shed from the lot when the owner no longer owns the home, sells or transfers title or when the shed is in disrepair and requires replacement, whichever comes first. The memorandum will be recorded at the courthouse and binding on the land. 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.

- 21) Variance request for an existing storage shed, which is located within the five foot side easement, which is not in keeping with the Standard.

R. David Lapaglia  
44 Dew Fall Court

Lot 58, Block 06, 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 Chris Florack and seconded by Herman Weindel to deny the variance request and consent to delay enforcement based upon the execution of a memorandum of agreement requiring the owner to remove the storage shed from the lot, when the owner no longer owns the home, sells or transfers title or when the shed is in disrepair and in need of replacement, whichever comes first. Additionally, the owner must plant and maintain native evergreen vegetation to the front of the yard to soften and screen the view of the storage shed from the street. Additionally the placement of the storage shed must not halt or materially impede drainage as defined in the residential Development Standards. The motion carried unanimously.

- 22) Variance request for a proposed driveway, which exceeds the maximum length allowed for a three car garage.

Urs M Geser  
62 N Turtle Rock Ct

Lot 42, Block 02, Section 32 Village of Panther Creek

This item was reviewed under the summary items list as presented by staff recommendation. It was moved by Chris Florack and seconded by Herman Weindel to approve on the condition the owner plant and maintain some native evergreen vegetation in front and beside the driveway extension, to soften and screen the view from the street and adjacent property. The must ensure placement of the improvement does not halt or materially impede drainage as defined in the Residential Standards. The motion carried unanimously.

- 23) Variance request for a proposed patio cover that encroaches into the rear setback.

Massino Bonora  
42 Pebble Cove Dr

Lot 15, Block 04, Section 24 Village of Panther Creek

This item was reviewed under the summary items list as presented by staff recommendation. It was moved by Chris Florack and seconded by Herman Weindel to approve on the condition the owner must ensure the improvements

meet code and pass final inspection. Installation of the improvement does not halt or materially impede drainage as defined in the Residential Standards. The motion carried unanimously.

- 24) Variance request for existing paving, which encroaches into the ten foot rear easement.

John Jurrius

10 Hampton Pl

Lot 20, Block 01, Section 45 Village of Panther Creek

This item was reviewed under the summary items list as presented by staff recommendation. It was moved by Chris Florack and seconded by Herman Weindel to approve as presented. 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 improvements must not halt or materially impede drainage as defined in the Residential Development Standards. The motion carried unanimously.

- 25) Consideration and Action for paving located in the Restricted Open Space Reserve

John Jurrius

0.0131 acre tract of Restricted Reserve B

Lot 20, Block 01, Section 45 Village of Panther Creek

This item was reviewed under the summary items list as presented by staff recommendation. It was moved by Chris Florack and seconded by Herman Weindel to approve as presented. 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 improvements must not halt or materially impede drainage as defined in the Residential Development Standards. The motion carried unanimously.

- 26) Variance request for an existing driveway widening, which exceeds the maximum width allowed, is not considered as an approved driveway material and is located within the ten foot rear easement.

Joe Kim Davies

11009 North Millbend Drive

Lot 15, Block 5, Section 2, Village of Grogan's Mill

This item was reviewed by the full committee. The home owner was present to address the committee. The staff provided the committee with a presentation noting the improvement and the location on the lot. It was moved by Robert Heineman and seconded by Chris Florack to approve the driveway widening on the condition the owner must plant and maintain native evergreen vegetation to soften and screen the view. The motion carried unanimously.

- 27) Variance request for existing brick pavers that are not an approved surface for parking and are located within the rear easement.

Joe Kim Davies

11009 N. Millbend Dr.

Lot 15, Block 05, Section 02 Village of Grogan's Mill

This item was reviewed by the full committee. The home owner was present to address the committee. The staff provided the committee with a presentation noting the improvement and the location on the lot. It was moved by Robert Heineman and seconded by Chris Florack to approve the existing brick pavers on the condition the owner must maintain native evergreen vegetation to soften and screen the view. The motion carried unanimously.

- 28) Variance request for proposed fence columns that exceed the maximum height allowed for a property expanding less than 85 feet wide at the front property line.

Emad Elrafie

1 Destiny Cove

Lot 14, Block 01, Section 43 Village of Panther Creek

This item was reviewed under the summary items list as presented by staff recommendation. It was moved by Chris Florack and seconded by Herman Weindel to approve on the condition the owner must plant and maintain significant vegetation to the front of the fence to soften the view from the street. The owner must meet code and pass final inspection and obtain a KNOX box for emergency vehicle access. The motion carried unanimously.

- 29) Variance request for existing driveway widening which exceeds the maximum width allowed.

Mark Hecker  
131 S Copperknoll Cir

Lot 10, Block 2, Section 27, Village of Cochran's Crossing

This item was reviewed under the summary items list as presented by staff recommendation. It was moved by Chris Florack and seconded by Herman Weindel to approve as submitted. The improvements must not halt or materially impede drainage as defined in the Residential Standards. The motion carried unanimously.

- 30) Variance request for an existing rear yard gazebo that is located beyond the rear and side building setback.

Michael and Kathy Kunzig

18 Chestnut Hill Court

Lot 14, Block 06, Section 49 Village of Grogan's Mill

This item was reviewed by the full committee. The home owner was present to address the committee. The staff provided the committee with a presentation noting the improvement and the location on the lot. It was moved by Chris Florack and seconded by Deborah Sargeant to approve the gazebo as submitted. The motion carried unanimously.

- 31) Variance request for the existing rear yard fence with lattice top that exceeds the maximum height allowed and was not considered to be architecturally compatible with the neighborhood.

Gladius Partners

11 N. Timber Top Dr.

Lot 48, Block 02, Section 13 Village of Grogan's Mill

This item was reviewed by the full committee. The home owner was present to address the committee. The staff provided the committee with a presentation noting the improvement and the location on the lot. It was moved by Deborah Sargeant and seconded by Danie van Loggerenberg to deny the fence as proposed and require the owner remove the lattice portion from the fence. The owner can maintain the existing fence without the lattice or apply to install an alternate fence. The motion carried unanimously.

- 32) Variance request for an existing trellis over six feet in height that is not completely screened from view by a solid fence.

Mark M Dowd

5 Swiftstream Pl

Lot 16, Block 01, Section 25, Village of Cochran's Crossing

This item was reviewed under the summary items list as presented by staff recommendation. It was moved by Chris Florack and seconded by Herman Weindel to approve as presented; on the condition the owner must maintain vegetation to the trellis to soften the view from the street. The motion carried unanimously.

- 33) Variance request for an existing fence which is not set back five feet from the front façade of the home.

Mark M Dowd

5 Swiftstream Pl

Lot 16, Block 01, Section 25, Village of Cochran's Crossing

This item was reviewed under the summary items list as presented by staff recommendation. It was moved by Chris Florack and seconded by Herman Weindel to approve as presented. The owner must maintain the existing vegetation in front of the fence to soften the view. The fence must meet code and pass final inspection. The motion carried unanimously.

- 34) Variance request for an existing driveway widening that exceeds the maximum width allowed.

Mark M Dowd

5 Swiftstream Pl

Lot 16, Block 01, Section 25, Village of Cochran's Crossing

This item was reviewed by the full committee. The home owner was present to address the committee. The staff provided the committee with a presentation noting the improvement and the location on the lot. It was moved by Herman Weindel to approve the driveway widening as presented. The motion failed for lack of a second. It was then moved by Deborah Sargeant and seconded by Herman Weindel to conditionally approve a driveway widening on the condition the owner modify the driveway to reduce a portion of the driveway near the curb and add vegetation that would soften and screen the view of the driveway widening. The motion carried unanimously.

- 35) Variance request for existing driveway widening that exceeds the maximum width allowed.

David G Staat  
55 N Copperknoll Cir

Lot 29, Block 02, Section 27, Village of Cochran's Crossing

This item was reviewed by the full committee. The staff provided the committee with a presentation noting the improvement and the location on the lot. It was moved by Kim Hess and seconded by Herman Weindel to conditionally approve the driveway widening on the condition the owner reduce the amount of materials and remove the bull rock and extend the front yard landscaping bed to soften and screen the view from the street.

- 36) Variance request for an existing walkway that does not extend from the front entrance of the home to the drive or rear of the home.

David G Staat  
55 N Copperknoll Cir

Lot 29, Block 02, Section 27, Village of Cochran's Crossing

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

**I. Recess to Executive Session to consult with the Development Standards Committee's attorney pursuant to 551.071 of the Texas Government Code regarding potential litigation matters.**

The committee convened in executive session at 7:26p.m. to consult with legal counsel regarding litigation matters.

**II. Reconvene in Public Session.**

The committee reconvened in public session at 8:04 p.m. No action was taken by the committee.

**III. Consideration and Discussion regarding the Residential Development Standards regarding Summer Kitchens and Outdoor Living Areas.**

The committee deliberated on varying issues regarding summer kitchens, outdoor living areas and felt the item should be discussed further in a special meeting.

**IV. Public Comments**

There were no public comments.

**V. Member Comments**

Chris Florack requested the staff place the overview process of the Development Standards Committee to the following agenda.

**VI. Staff Reports**

There were no staff reports.

**VII. Adjourn**

There being no further business it was moved by Chris Florack and seconded by Deborah Sargeant to adjourn the meeting at 8:42p.m. The motion carried unanimously.