

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

Staff Present: Chris Feist, Neslihan Tesno and Kim McKenna

I. Welcome/Call Meeting to Order.

The meeting was called to order in regular session, open to the public by Chairman Deborah Sargeant at 5:34 p.m.

II. Approve the minutes of the meeting of April 3, 2013.

The minutes of the previous meeting were reviewed. It was moved by Kim Hess and seconded by Chris Florack 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 7, 8, 9, 10, 11, 14, 21, 22, 23, 24, 25, 26, 27, 28, 29, 31, 33, 34, 35, 36, 37, 38, 39, 40, 41 and 42. It was moved by Kim Hess and seconded by Herman Weindel to approve the items listed on the summary list as presented. The motion carried unanimously. After discussing item 43 with the owner, the staff requested the Committee consider allowing item #43 to be acted on as presented through staff recommendation. It was then moved by Chris Florack and seconded by Herman Weindel to approve item 43 as summarily presented. The motion carried unanimously.

IV. Review and Disposition of Applications

1. Variance request for Concept approval for a attached 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 reviewed by the full committee. The owner was present to address the committee. The staff provided the Committee with a PowerPoint presentation noting the proposed changes to the previous approved plans. The garage was reduced in size and attachment area to the dwelling. The homeowner was not present to address the committee. It was moved by Chris Florack and seconded by Deborah Sargeant to approve the attached garage on the condition that Ken Anderson (DSC member) reviews and approves the roof plan; the owner submits final sealed plans, fees, documents and landscape plan for staff review. Standard conditions and meet code. The motion carried unanimously.

2. Rehearing regarding an existing gazebo that does not respect the rear ten foot easement or the rear building line.

Julio Schmithalter

74 South Dove Trace Circle

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

This item was reviewed by the full committee. The staff provided the Committee with a PowerPoint presentation noting that both the adjacent neighbor to the rear who had requested a rehearing and the owner were present to address the committee. Mr. Kovacich (neighbor) asked the committee to consider the impact to his property and requested for the removal of the gazebo and paving out of the easement. Mr. Schmithalter stated that the previous gazebo had been on the property in the same location for a number of years with no complaints. It was moved by Deborah Sargeant and seconded by Herman Weindel to require the owner, Mr. Schmithalter to plant and maintain evergreen shrubs /trees at least 7 feet in height at the time of planting to screen the structure to the rear. Chris Florack voted in opposition. The motion carried.

3. Variance request for a proposed sports court that will not respect the rear 20 foot setback and the rear ten foot easement.
Chad Moore
95 North Almondell Circle
Lot 16 Block 3, Section 92 Village of Sterling Ridge
This item was reviewed by the full committee. The staff provided the Committee with a PowerPoint presentation noting that this item had been tabled at the previous DSC meeting so that the committee could visit the site. Kim Hess and Danie van Loggerenberg gave their observations from the site visit. It was moved by Kim Hess and seconded by Danie van Loggerenberg to approve on the following conditions: - remove out of easement, move to the left more to center in yard, eliminate light, plant and maintain minimum 15 gallon waxmyrtles between bamboo to the right and plant minimum 15 gallon wax myrtle along rear and left side fencing to screen. Staff to approve planting upon completion Additional planting could be required if not considered sufficient. The motion carried unanimously.
4. Consideration and action for final approval for the office building addition
2 Hughes Landing
Village of Grogan's Mill at Lake Front Circle
This item was reviewed by the full committee. The staff provided the Committee with a presentation noting the proposed building location and construction plans, including the clearing plan. It was then moved by Robert Heineman and seconded by Kim Hess to approve the final plans including the proposed landscaping and clearing plans for the development of 2 Hughes Landing. All improvement must comply with code and pass final inspection. The motion carried unanimously.
5. Consideration and action for final approval of the landscaping plan.
Impact Church
5401 Shadowbend Place
Lot 300, Block 163, Section 47 Village of Cochran's Crossing
This item was reviewed by the full committee. The staff provided the Committee with a presentation noting the status of the construction at the property as well as the existing vegetation and the forest preserve surrounding the property. It was then moved by Robert Heineman and seconded by Kim Hess to deny the proposed landscaping plan as submitted and require the property owner resubmit a landscaping plan for final review by the staff Kim McKenna to include the following conditions, which must be represented on the final landscaping plan. The landscaping plan must include reforestation of any forest preserve areas as required to meet forest preserve requirements per The Woodlands Commercial Planning and Design Standards. All new plantings will require irrigation. Add ground cover or ornamental grasses in the landscape islands in lieu of sod. All live oak trees should be 65 gal minimum at the time of planting. Add a continuous row of evergreen hedge along the edge of the head-in parking in the play area and along continuous landscape island between original parking area and new parking area. Add more shrubs and/ or seasonal color to existing Landscape Island in front of the existing building. The motion carried unanimously.
6. Consideration and action of the proposed paved culvert and landscaping located in the street right-of-way.
Walter H Goggan Jr
35 Wedgewood Forest Dr
Lot 01, Block 04, Section 11 Village of Panther Creek
This item was reviewed by the full committee. The owner was present to address the committee. The staff provided the Committee with a presentation noting the owner's improvement and landscaping plans. The staff also provided examples of properties in split rock with a similar design in the street right of way. The affected neighbor addressed the committee regarding concerns related to the design and aesthetics of the improvement. It was then moved by Chris Florack and seconded by Kim Hess to table the item until a further meeting and require the owner provide the following information: Provide a section detail drawing that defines the base of the improvement the elevation and the inclusion of moss rock to the sides of the drainage swale. Provide a sample material of the stain or color sample for the stained concrete. Furthermore, the committee felt the home owner may want to consider including a layer of bull rock on the top of the proposed concrete culvert to soften and screen the view from the street, The home owner noted that the visibility of the improvement is very well screened due to the change in elevation. The motion carried unanimously.

7. Variance request for a revision to the proposed summer kitchen to include extending the covered area, which encroaches into the rear easement.
Gary and Deborah Packer
3 Regent Square
Lot 01, 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, on the condition the improvement meets code and passes 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. The motion carried unanimously.
8. Variance request for a revision to the proposed summer kitchen to include extending the covered area, which encroaches into the open space reserve.
Gary and Deborah Packer
.0650 Acres Restricted Reserve A
Lot 01, Block 00, 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, on the condition the improvement meets code and passes 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. The motion carried unanimously.
9. Variance request for a proposed patio cover that would be located beyond the twenty foot rear building setback line.
Curt E Beck
174 S Cochran's Green Cir
Lot 05, Block 01, Section 23, Village of Cochran's Crossing
This item was reviewed under the summary items list as presented by staff recommendation. It was moved by Chris Florack and seconded by Herman Weindel to approve as presented on the condition the improvements must meet code and pass final inspection. The motion carried unanimously.
10. Variance request for a proposed fireplace that would be located beyond the twenty foot rear building setback line.
Curt E Beck
174 S Cochran's Green Cir
Lot 05, Block 01, Section 23, Village of Cochran's Crossing
This item was reviewed under the summary items list as presented by staff recommendation. It was moved by Chris Florack and seconded by Herman Weindel to approve as presented on the condition the improvements must meet code and pass final inspection. The motion carried unanimously.
11. Variance request for a proposed patio cover that would be located beyond the twenty five foot rear building setback.
Emily M Bowlin
2807 Logrun Cir.
Lot 12, Block 02, Section 02 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 as presented on the condition the improvements must meet code and pass final inspection. The motion carried unanimously.
12. Variance request for the proposed summer kitchen that would be located beyond the twenty five rear building setback.
Emily M Bowlin
2807 Logrun Cir.
Lot 12, Block 02, Section 02 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 as presented on the condition the improvements must meet code and pass final inspection. The motion carried unanimously.

13. Variance request for the proposed patio cover that would encroach into the forty foot rear and fifteen foot side setback.

Jack B Weaverling
87 N Windsail Pl

Lot 20, Block 01, Section 33 Village of Panther Creek

This item was reviewed by the full committee. The owner was present to address the committee. The staff provided the Committee with a presentation noting the owner's improvement and landscaping plans. The staff also provided alternate location for the proposed structure based upon site inspection to the property. The committee discussed concerns regarding the extensive encroachment into setback. It was then moved by Robert Heineman and seconded by Herman Weindel to deny the variance as proposed and allow the owner to resubmit an alternate proposal that would allow for an encroachment no greater than ten feet into the forty foot rear setback and include substantial landscaping to soften and screen the view to adjacent properties. The Committee authorized to staff to review and complete the final permit, based upon the conditions identified in a proposed alternate proposal. The motion carried unanimously.

14. Variance request for the proposed pergola that would be located within the ten foot rear easement.

Carlos and Barbara Liendo
11433 Slash Pine Pl.

Lot 16, Block 01, Section 08 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 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. The motion carried unanimously.

15. Variance request for proposed walkways and a patio area that would be located within the ten foot rear easement and cause the lot to exceed the maximum hard surface area allowed.

Carlos and Barbara Liendo
11433 Slash Pine Pl.

Lot 16, Block 01, Section 08 Village of Grogan's Mill

This item was reviewed by the full committee. The owner was present to address the committee. The staff provided the Committee with a presentation noting the owner's improvement. It was then moved by Chris Florack and seconded by Deborah Sargeant to approve the proposed pergola on the condition that the owner must landscape at the rear of the pergola to soften and screen the view from the adjacent property. Additionally, the owner must remove a 2 foot wide section of concrete located between at the center of the home, to incorporate a landscaping bed under the windows at the rear of the home. Furthermore the owner must add pavers or modify portions of the concrete with patterned or scored concrete to eliminate the visual impact of hard surface proposed for the rear of the home. The motion carried unanimously.

16. Consideration and action to pursue amending the Initial Land Use Designation for Panther Creek section 35, to increase the maximum amount of living area allowed, accommodating a proposed conceptual remodel.

Douglas C Cooper
18 Graceful Elm Ct

Lot 56, Block 01, Section 35 Village of Panther Creek

This item was reviewed by the full committee. The owner and affected neighbors were present to address the committee. The staff provided the Committee with a presentation noting the owner's improvements. The owner's specified they had considered multiple modifications for the property. Upon discovering the improvements would require an amendment to the maximum living area allowed according to the Initial Land Use Designation, the owner's proposed the option with the greatest change to the square footage of living area proposed. However, they informed the committee they would receptive to modifications and have an opportunity to modify the existing attic area. Many affected neighbor's spoke in regards to impact, visibility, mass scale and proportion. It was then moved by Chris Florack and seconded by Herman Weindel to approve the request to pursue a modification to the land use designation and allow the owner to obtain approval to increase the maximum amount of living area allowed to 4,300 square feet and obtain approval by The Development Company and 2/3 signatures of the owners specified on the land use designation. On the condition the owner coordinate with the staff to modify the concept for the attic conversion on the following conditions: allow a dormer over the front of the garage. The existing roof line may

not be modified. The attic conversion should primarily use the existing space and little modification to the exterior of the structure should be made. Deborah Sargeant opposed the motion. The motion carried.

17. Variance request for a proposed conceptual bathroom addition that would exceed the maximum living area allowed and would not respect the twenty five foot rear setback.

Douglas C Cooper
18 Graceful Elm Ct

Lot 56, Block 01, Section 35 Village of Panther Creek

This item was reviewed by the full committee. The owner and affected neighbors were present to address the committee. The staff provided the Committee with a presentation noting the owner's improvements. The owner's specified they had considered multiple modifications for the property. Upon discovering the improvements would require an amendment to the maximum living area allowed according to the Initial Land Use Designation, the owner's proposed the option with the greatest change to the square footage of living area proposed. However, they informed the committee they would receptive to modifications and have an opportunity to modify the existing attic area. Many affected neighbor's spoke in regards to impact, visibility, mass scale and proportion. It was then moved by Deborah Sargeant and seconded by Chris Florack to deny the conceptual proposal as presented and require the owner coordinate with the staff to modify the concept for the attic conversion on the following conditions: allow a dormer over the front of the garage. The existing roof line may not be modified. The attic conversion should primarily use the existing space and little modification to the exterior of the structure should be made. The motion carried unanimously.

18. Variance request for a proposed conceptual attic conversation that would exceed the maximum living area allowed, and would not respect the twenty five foot rear setback.

Douglas C Cooper
18 Graceful Elm Ct

Lot 56, Block 01, Section 35 Village of Panther Creek

This item was reviewed by the full committee. The owner and affected neighbors were present to address the committee. The staff provided the Committee with a presentation noting the owner's improvements. The owner's specified they had considered multiple modifications for the property. Upon discovering the improvements would require an amendment to the maximum living area allowed according to the Initial Land Use Designation, the owner's proposed the option with the greatest change to the square footage of living area proposed. However, they informed the committee they would receptive to modifications and have an opportunity to modify the existing attic area. Many affected neighbor's spoke in regards to impact, visibility, mass scale and proportion. It was then moved by Deborah Sargeant and seconded by Chris Florack to deny the conceptual proposal as presented and require the owner coordinate with the staff to modify the concept for the attic conversion on the following conditions: allow a dormer over the front of the garage. The existing roof line may not be modified. The attic conversion should primarily use the existing space and little modification to the exterior of the structure should be made. The motion carried unanimously.

19. Variance request for a proposed conceptual interior remodel that would exceed the maximum living area allowed and would not respect the twenty five foot rear setback.

Douglas C Cooper
18 Graceful Elm Ct

This item was reviewed by the full committee. The owner and affected neighbors were present to address the committee. The staff provided the Committee with a presentation noting the owner's improvements. The owner's specified they had considered multiple modifications for the property. Upon discovering the improvements would require an amendment to the maximum living area allowed according to the Initial Land Use Designation, the owner's proposed the option with the greatest change to the square footage of living area proposed. However, they informed the committee they would receptive to modifications and have an opportunity to modify the existing attic area. Many affected neighbor's spoke in regards to impact, visibility, mass scale and proportion. It was then moved by Deborah Sargeant and seconded by Chris Florack to deny the conceptual proposal as presented and require the owner coordinate with the staff to modify the concept for the attic conversion on the following conditions: allow a dormer over the front of the garage. The existing roof line may not be modified. The attic conversion should primarily use the existing space and little modification to the exterior of the structure should be made. The motion carried unanimously.

20. Variance request for a proposed front yard patio that would be located beyond the twenty five foot platted front yard building line.
Joe and Shirley Cusack
100 N. Rockfern Ct.
Lot 28, Block 02, Section 65 Village of Grogan's Mill
This item was reviewed under the summary items list as presented by staff recommendation. It was moved by 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. The motion carried unanimously.
21. Consideration and action to pursue amending the Initial Land Use Designation to increase the maximum amount of living area allowed for Panther Creek Section 43, in order to accommodate a proposed addition.
Emad A 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 the pursuit of amending the land use designation to increase the maximum allowed living area to 6,800 square feet and obtain approval by The Development Company and 2/3 signatures of the owners specified on the land use designation. The motion carried unanimously.
22. Variance request for the proposed home construction that would exceed the maximum living area allowed.
Emad A 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 the proposed home construction as presented, on the condition the owner obtain approval and executes an amended land use designation prior to proceeding with the revised home construction. Additionally, the improvement must meet code and pass final inspection. 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.
23. Variance request for a proposed pool remodel, including a fire pit that would encroach into the twenty foot rear easements.
Emad A 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 as presented. Approval by this committee does not constitute approval by the additional easement holders or the sub-home owner's association. It is the owner's responsibility to obtain those approvals and may be subject to removal. The motion carried unanimously.
24. Variance request for a proposed pool remodel including a vanishing edge that would encroach into the twenty foot rear easement.
Emad A 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 as presented. Approval by this committee does not constitute approval by the additional easement holders or the sub-home owner's association. It is the owner's responsibility to obtain those approvals and may be subject to removal. The motion carried unanimously.

25. Variance request for a proposed retaining wall that would encroach into the twenty foot easement.
Emad A 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 as presented. Approval by this committee does not constitute approval by the additional easement holders or the sub-home owner's association. It is the owner's responsibility to obtain those approvals and may be subject to removal. The motion carried unanimously.
26. Variance request for a proposed patio that would exceed the maximum amount of hard surface area allowed.
Robert J Schumaker
18 Lucky Leaf Ct
Lot 13, Block 03, Section 30 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 the patio as presented, on the condition the improvement does not halt or materially impede drainage as defined in the Residential Development Standards. The motion carried unanimously.
27. Variance request for the proposed air conditioning compressor unit that is located in the ten foot rear easement and beyond the owner's lot in the townhome common area.
Vincent Elias
19 Fairway Oaks Pl
Lot 18, Block 00, Section 01 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 the air conditioning unit as presented. Approval by this committee does not constitute approval by any additional property owner, sub home owner's association etc. for encroachment into the common area. It is the owner's responsibility to obtain those approvals and may be subject to removal. The motion carried unanimously.
28. Variance request for a proposed driveway that would exceed the maximum width allowed and encroaches into the left side easement.
Tenel J Tayar
82 Towering Pines Dr
Lot 27, Block 03, Section 17 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 or the county. It is the owner's responsibility to obtain those approvals and may be subject to removal. The motion carried unanimously.
29. Variance request for a proposed summer kitchen which will not be located at least ten feet away from the adjacent property line.
Raymond Yeager Jr
52 Prides Crossing Dr
Lot 16, Block 05, Section 06, Village of Cochran's Crossing
This item was reviewed under the summary items list as presented by staff recommendation. It was moved by Chris Florack and seconded by Herman Weindel to approve as presented on the condition the improvement must meet code and pass final inspection. The motion carried unanimously.
30. Variance request for a proposed fence that would be located beyond the ten foot platted building line.
Thelma Williams
2 Lush Meadow Pl
Lot 32, Block 03, Section 19, Village of Cochran's Crossing

This item was reviewed by the full committee. The owner was not present to address the committee. The staff provided the Committee with a presentation noting the owner's improvement. It was then moved by Chris Florack and seconded by Deborah Sargeant to approve the proposed fence as presented. The motion carried unanimously.

31. Variance request for a proposed wrought iron fence with entry gates and columns that will not be located five feet from the lot boundary line along the front of the lot and will not respect the platted building line. In addition, the decorative columns will not be located ten feet away from the corners of the lot.

John Renee Harkins

35 Chancery Pl

Lot 08, Block 03, Section 46, 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 on the condition the owner plant and maintain significant native evergreen vegetation to the front of the fence to soften and screen the view from the street. The fence must comply with all code requirements and the owner must obtain a K.N.O.X. box for emergency vehicle access. Additionally, approval by this committee does not constitute approval by the additional easement holders. It is the owner's responsibility to obtain those approvals and may be subject to removal. The motion carried unanimously.

32. Variance request for a proposed driveway widening that would exceed the maximum width allowed.

Joyce Lynn Alpha

99 S Castlegreen Cir

Lot 08, Block 02, Section 52, Village of Cochran's Crossing

This item was reviewed by the full committee. The owner was present to address the committee. The staff provided the Committee with a presentation noting the owner's improvement. It was moved by Kim Hess and seconded by Herman Weindel to approve the driveway widening as proposed on the condition the owner plant and maintain vegetation to soften and screen the view from the street and the adjacent property. The motion carried unanimously.

33. Variance request for a proposed seven foot tall storage building that was not considered to be compatible with the dwelling and the neighborhood, when it was reviewed by the Residential Design Review Committee.

Richard Crouse

2 S Crossed Birch Pl

Lot 24, Block 1, Section 50, 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 and consent to delay enforcement based upon the condition the owner must sign and execute 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, when the home is no longer the primary residence or when the shed is in disrepair and in need of repair and replacement, whichever comes first. The memorandum will be recorded at the courthouse and binding on the land. The motion carried unanimously.

34. Variance request for an existing patio that is located in the ten foot rear yard easement.

Richard Crouse

2 S Crossed Birch Pl

Lot 24, Block 1, Section 50, 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 and consent to delay enforcement based upon the condition the owner must sign and execute a memorandum of agreement requiring the owner to remove the pavers from the easement, when the owner no longer owns the home, sells or transfers title, when the home is no longer the primary residence whichever comes first. The memorandum will be recorded at the courthouse and binding on the land. The motion carried unanimously.

35. Variance request for an existing fence that does not meet the Neighborhood Criteria.

Richard Crouse

2 S Crossed Birch Pl

Lot 24, Block 1, Section 50, 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 and request the staff review and revise the neighborhood criteria including eliminating the restriction of arched gates. The motion carried unanimously.

36. Variance request for an existing fence that does not meet the Neighborhood Criteria.
Gordon Goodale
3 S Crossed Birch Pl
Lot 25, Block 1, Section 50, 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 and request the staff review and revise the neighborhood criteria including eliminating the restriction of arched gates. The motion carried unanimously.
37. Variance request for an existing seven foot ten inch tall storage building that is located in the five foot side and ten foot rear yard easement; and is built with colors and materials that were not considered to be compatible with the dwelling when reviewed by the Residential Design Review Committee.
Gordon Goodale
3 S Crossed Birch Pl
Lot 25, Block 1, Section 50, 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 and consent to delay enforcement based upon the condition the owner must sign and execute 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, when the home is no longer the primary residence or when the shed is in disrepair and in need of repair and replacement, whichever comes first. The memorandum will be recorded at the courthouse and binding on the land. The motion carried unanimously.
38. Variance request for an existing fence that does not meet the Neighborhood Criteria for the lot.
Terry Covington
94 N Crossed Birch Pl
Lot 12, Block 1, Section 50, 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 and request the staff review and revise the neighborhood criteria including eliminating the restriction of arched gates. The motion carried unanimously.
39. Variance request for existing pool equipment that encroaches into the right side easement.
Glenn Baker Davis
246 S Berryline Circle
Lot 02, Block 02, Section 36 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, on the condition the improvements 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. The motion carried unanimously.
40. Variance request for an existing trampoline that encroaches into the five foot side and ten foot rear yard easements.
Shawnda Bryant
22 E Stony Bridge Ct
Lot 06, Block 04, Section 10, 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 and consent to delay enforcement based upon the condition the owner must sign and execute a memorandum of agreement requiring the owner to remove the trampoline from the lot, when the owner no longer owns the home, sells or transfers title, when the home is no longer the primary residence or when the trampoline is in disrepair and in need of repair and replacement, whichever comes first. The memorandum will be recorded at the courthouse and binding on the land. The motion carried unanimously.
41. Variance request for the existing rear yard wooden walkways and decks that are located within the ten foot rear easements.
Brian Justice
10503 E. Wildwind Cir
Lot 09, Block 09, Section 12 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 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 remove the walkways and decking area when they are in need of repair and replacement and the apply for proposed walkway and decking prior to installation. The motion carried unanimously.

42. Variance request for an existing play structure which encroaches into the rear ten foot easement.

Carlton Thomson

32 W. Torch Pine Circle

Lot 05, Block 01, 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 condition the owner must sign and execute a memorandum of agreement requiring the owner to remove the play structure from the lot, when the owner no longer owns the home, sells or transfers title, when the home is no longer the primary residence or when the play structure is in disrepair and in need of repair and replacement, whichever comes first. The memorandum will be recorded at the courthouse and binding on the land. Action by this committee does not constitute approval or action by the easement holders. It is the owner's responsibility to obtain those approvals and may be subject to removal. The motion carried unanimously.

43. Variance request for an existing driveway widening which exceeds the maximum width allowed.

William Pieper

127 S Copperknoll Cir

Lot 11, Block 2, Section 27, Village of Cochran's Crossing

This item was reviewed by the full committee. The owner was present to address the committee. The staff provided the Committee with a presentation noting the owner's improvements. It was moved by Chris Florack and seconded by Deborah Sargeant to approve the driveway extension and the location, on the condition the owner modify the landscaping to incorporate bull rock instead of the existing stone. The motion carried unanimously.

44. Variance request for the existing side yard patio cover that is located within the five foot side easement and is built with an unapproved roofing material.

Max Gonzales

4 Sweetbeth Ct.

Lot 11, Block 02, Section 15 Village of Grogan's Mill

This item was reviewed by the full committee. The owner was not present to address the committee. The staff provided the Committee with a presentation noting the owner's improvement. The committee shared concerns regarding architectural compatibility and concerns with unapproved materials. It was then moved by Deborah Sargeant and seconded by Chris Florack to deny the patio cover as presented. The motion carried unanimously.

45. Variance request for the existing rear yard porch enclosure that is built with an unapproved roofing material.

Marguerite Soufflas

1002 E. Red Cedar Cir.

Lot 01, Block 01, Section 10 Village of Grogan's Mill

This item was reviewed by the full committee. The owner was not present to address the committee. The staff provided the Committee with a presentation noting the owner's improvement. The committee shared concerns regarding architectural compatibility and concerns with unapproved materials. It was then moved by Deborah Sargeant and seconded by Herman Weindel to deny the existing porch enclosure as presented. The motion carried unanimously.

V. Consideration and Action regarding revisions to the Development Standards Committee's Meeting Process Overview Document.

The Chairman suggested the committee review the document and submit any revisions or corrections to Kim McKenna for completion. It will then be placed on the May 15, 2013 agenda for final action. No further action was taken on this item.

VI. Public Comments

The home owner Mary Martin addressed the committee discuss the concerns of the pending lawsuit and the covenant violations in need of correction at her home.

VII. Member Comments

There were no member comments.

VIII. Staff Reports

Kim McKenna provided the committee with a report on legal action at 55 Wind Whisper and the activity to date.

IX. Adjourn

There being no further business it was moved by Deborah Sargeant and seconded by Chris Florack to adjourn the meeting at 8:59 p.m. The motion carried unanimously.