

Development Standards Committee Minutes

August 21, 2013 at 5:30 PM

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

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

Member absent: Ken Anderson

Staff Present: Kim McKenna, Neslihan Tesno and 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 the Development Standards Committee Meetings on July 17, 2013.

It was moved by Chris Florack and seconded by Herman Weindel to approve the minutes of the July 17, 2013 Development Standards Committee Meetings. The motion carried unanimously.

III. Consideration and Action of the Applications and legal items in Section IV 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 # 3-31. Item # 48 was withdrawn. It was moved by Herman Weindel and seconded by Kim Hess to approve the Summary List as presented. The motion carried unanimously.

IV. Review and Disposition of applications.

1. Variance request for a proposed fireplace with related tree removal that will not respect the 30 foot rear building setback.

Brian and Jill Schweiker

5 South Doe Run Drive

Lot 2, Block 1, Section 16 Village of Grogan's Mill

This item was reviewed by the full committee. The staff provided a PowerPoint presentation of the improvement. It was moved by Chris Florack and seconded by Herman Weindel to approve the revised plan & landscaping, on the condition the owner plant and maintain native evergreen vegetation to soften and screen the view and the improvements must meet code & pass final inspection and the owner must coordinate with the township staff for final review & approval of established vegetation to soften & screen the view. The motion carried unanimously.

2. Consideration and Action to install an entry gate.

The Nursery Road Development

Silver Crest Development LLC.

Parcel 31193, Village of Grogan's Mill

This item was reviewed by the full committee. The staff provided a PowerPoint presentation of the improvement. It was moved by Chris Florack and seconded by Kim Hess to conditionally approve the gate with the submission of a sample board of the material, staff and a DSC member to approve the sample, submit Knox Box application with the fire department and meet code. The motion carried unanimously.

3. Variance request for a proposed patio cover that will not respect the rear 20 foot building setback.

Lee J Hall

7 Emery Mill Place

Lot 34, Block 2, Section 86 Village of Alden Bridge

This item was reviewed under the summary approval list as presented by staff. It was moved by Herman Weindel and seconded by Kim Hess to conditionally approve, meet code, standard conditions, staff to determine if additional evergreen vegetation is necessary upon completion of the structure for screening. The motion carried unanimously.

4. Variance request for a proposed summer kitchen that is not located ten feet from the adjacent property line.
Jeffrey Girotto
11 North Arrow Canyon Circle
Lot 53, Block 4, Section 3 Village of Creekside Park
This item was reviewed under the summary approval list as presented by staff. It was moved by Herman Weindel and seconded by Kim Hess to conditionally approve as submitted – pass inspection and meet code. The motion carried unanimously.
5. Variance request for a proposed summer kitchen that is not located ten feet from the adjacent property line.
Cynthia Bryant
26 South Oriel Oaks Circle
Lot 30, Block 1, Section 62 Village of Sterling Ridge
This item was reviewed under the summary approval list as presented by staff. It was moved by Herman Weindel and seconded by Kim Hess to conditionally approve, meet code and pass inspections. Plant and maintain evergreen trees or shrubs at least 7' tall at time of planting to the left side of the summer kitchen. The motion carried unanimously.
6. Variance request for a proposed summer kitchen that is not located ten feet from the adjacent property line.
Robert Forrest and Holly Duke
102 South Wyckham Circle
Lot 1, Block 1, Section 63 Village of Sterling Ridge
This item was reviewed under the summary approval list as presented by staff. It was moved by Herman Weindel and seconded by Kim Hess to approve, meet code and standard conditions. The motion carried unanimously.
7. Variance request for the proposed patio cover does not respect the 25 foot rear building line.
Raul Rosas and Dora Chavez
3 Snowbell Place
Lot 13, Block 2 Section 13 Village of Indian Springs (TWA)
This item was reviewed under the summary approval list as presented by staff. It was moved by Herman Weindel and seconded by Kim Hess to conditionally approve, meet code, standard conditions, plant and maintain evergreen trees or shrubs at least 7' tall at time of planting to supplement existing screening. Staff to determine if plantings are sufficient for screening – additional plants may be required. The motion carried unanimously.
8. Variance request for a proposed fence that will exceed the maximum height allowed with rot board. The height of the rot board will exceed the maximum height allowed of 6". In addition, the fence will not meet the Neighborhood Criteria for Section 7 of Alden Bridge.
Kirk S Murray
27 Classic Oaks Place
Lot 24, 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 Herman Weindel and seconded by Kim Hess to conditionally approve – Not to exceed the height of neighboring fence at 23 Classic Oaks. No clearing of the reserve allowed for fence installation. The motion carried unanimously.
9. Variance request for the proposed detached structures which are not permitted on condominium or town home properties except in common areas.

Melvin & Helen Romine
63 Cobble Gate Place
Lot 19, Block 1, Section 2 Village of College Park (Grogan's Forest)

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

10. Variance request for the proposed summer kitchen that is not located ten feet from the adjacent property line.

Thomas R Whaley
59 South Hawthorne Hollow Circle
Lot 17, Block 2, Section 86 Village of Alden Bridge

This item was reviewed under the summary approval list as presented by staff. It was moved by Herman Weindel and seconded by Kim Hess to conditionally approve - Standard conditions, pass inspections. The motion carried unanimously.

11. Variance request for the proposed removal of six trees that were disapproved by the Residential Design Review Committee.

Mehrasa Khodaverdi
39 South Lace Arbor Drive
Lot 8, Block 2, Section 10 Village of Alden Bridge

This item was reviewed under the summary approval list as presented by staff. It was moved by Herman Weindel and seconded by Kim Hess to conditionally approve the removal of 6 trees, plant and maintain native trees (30 gallon) on subject property at least two in front yard. The owner must coordinate with Township staff for replacement of other three trees with the Gifts to our Community Program. The motion carried unanimously.

12. Variance request for the proposed pergola and fireplace that may have neighbor impact and the fireplace does not respect the rear 25 foot building line.

Joe and Kathryn Sutton
43 South Spring Trellis Circle
Lot 4, Block 2, Section 20 Village of Indian Springs (TWA)

This item was reviewed under the summary approval list as presented by staff. It was moved by Herman Weindel and seconded by Kim Hess to approve the pergola –as submitted – meet code & pass inspections and to conditionally approve the fireplace - plant and maintain tall evergreen trees in gaps to the rear to aid in screening of the structure. Staff to review planting at completion to determine if sufficient. Meet code and standard conditions. The motion carried unanimously.

13. Variance request for existing pool equipment that does not respect the side five foot easement.

John McDonald
23 Red Wagon Drive
Lot 6, Block 2, Section 7 Village of Creekside Park

This item was reviewed under the summary approval list as presented by staff. It was moved by Herman Weindel and seconded by Kim Hess to approve as built, meet code and pass inspections. Approval by this committee does not constitute approval by the additional entities. It is the owner's responsibility to obtain approval by those entities. The improvement may be subject to removal if determined necessary by easement holders. The motion carried unanimously.

14. Variance request for existing paving that does not respect the rear ten foot easement.

John McDonald
23 Red Wagon Drive
Lot 6, Block 2, Section 7 Village of Creekside Park

This item was reviewed under the summary approval list as presented by staff. It was moved by Herman Weindel and seconded by Kim Hess to approve. 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 patio and light poles that do not respect the rear ten foot easement.

Wolfgang Faust

27 Chase Mills Place

Lot 3, Block 1, Section 6 Village of Creekside Park West

This item was reviewed under the summary approval list as presented by staff. It was moved by Herman Weindel and seconded by Kim Hess to approve as submitted. Lights – 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 existing shed that does not respect the side five foot easement.

Tracy Van Dorselaer

27 Picasso Path Place

Lot 55, Block 1, Section 21, Village of Sterling Ridge

This item was reviewed under the summary approval list as presented by staff. It was moved by Herman Weindel and seconded by Kim Hess 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.

17. Variance request for an existing firepit that does not respect the rear ten foot easement.

Daniel Salcich

110 Fledgling Path Street

Lot 18, Block 1, Section 9 Village of Sterling Ridge

This item was reviewed under the summary approval list as presented by staff. It was moved by Herman Weindel and seconded by Kim Hess to approve. 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 existing play structure that does not respect the rear ten foot easement.

Aaron Bubke

30 Clare Point Drive

Lot 3, Block 2, Section 96 Village of Sterling Ridge

This item was reviewed under the summary approval list as presented by staff. It was moved by Herman Weindel and seconded by Kim Hess 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. Additionally, plant and maintain a tall evergreen shrub at least 7' in height at time of planting to the rear of the fort area for screening. The motion carried unanimously.

19. Variance request for an existing bar cover that does not respect the rear building line and also has a thatched roofing material that is not an approvable material.

Ernest Fuhrmann
8 Frontier Path Court

Lot 23, Block 1 Section 2 Village of College Park

This item was reviewed under the summary approval list as presented by staff. It was moved by Herman Weindel and seconded by Kim Hess to conditionally approve, roof must have fire retardant treatment applied and maintained, maintain existing evergreen vegetation to screen. The motion carried unanimously.

20. Variance request for existing flagstone paving set in crushed granite that does not respect the side five foot and rear ten foot easements.

Tony Hayslip

7 Bridgewood Cove Court

Lot 29, Block 2 Section 11 Village of College Park (Grogan's Forest)

This item was reviewed under the summary approval list as presented by staff. It was moved by Herman Weindel and seconded by Kim Hess 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.

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

Jonathan and Rachael Brown

53 South Peaceful Canyon Circle

Lot 18, Block 1 Section 12 Village of Indian Springs (TWA)

This item was reviewed under the summary approval list as presented by staff. It was moved by Herman Weindel and seconded by Kim Hess 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.

22. Variance request for an existing patio cover that does not respect the 40 foot rear setback.

Ian Laterreur

39 Paloma Bend Place

Lot 6, 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 Herman Weindel and seconded by Kim Hess to conditionally approve, plant and maintain tall (at least 7' tall at time of planting) evergreen trees or shrubs along right side of structure to screen. The motion carried unanimously.

23. Variance request for an existing fence that does not meet the Neighborhood Criteria for Section 35 of Alden Bridge

Julie K Manley

54 Trellis Gate Street

Lot 26, Block 2, Section 35 Village of Alden Bridge

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

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

Wei Shao

55 Drifting Shadows Circle

Lot 44, Block 2, Section 7 Village of College Park (Harper's Landing)

This item was reviewed under the summary approval list as presented by staff. It was moved by Herman Weindel and seconded by Kim Hess 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.

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

Kevin Herndon

98 Zephyr Bend Place

Lot 24, Block 1, Section 4 Village of College Park (Grogan's Forest)

This item was reviewed under the summary approval list as presented by staff. It was moved by Herman Weindel and seconded by Kim Hess 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.

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

Tracy Glassel

27 Wintergrass Place

Lot 7, Block 1, Section 41 Village of Alden Bridge

This item was reviewed under the summary approval list as presented by staff. It was moved by Herman Weindel and seconded by Kim Hess 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.

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

Rodrigo Orozco

19 Valley Cottage Place

Lot 5, Block 1, Section 26 Village of Creekside Park

This item was reviewed under the summary approval list as presented by staff. It was moved by Herman Weindel and seconded by Kim Hess 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 all conditions for approval for the fence and pool equipment; by removing the dog house or successfully obtaining a variance, and by applying for or removing the

walkway) 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.

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

Chris Verhalen

2 Culverdale Place

Lot 12, Block 1, Section 23 Village of Indian Springs (TWA)

This item was reviewed under the summary approval list as presented by staff. It was moved by Herman Weindel and seconded by Kim Hess 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 painting the garage doors to match - an approvable color) 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.

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

Paul Jude Naquin

18 South Lace Arbor Drive

Lot 47, Block 3, Section 10 Village of Alden Bridge

This item was reviewed under the summary approval list as presented by staff. It was moved by Herman Weindel and seconded by Kim Hess 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 mowing, weeding and edging the yard and continually maintaining the yard in good repair which includes mowing, weeding, edging and defining the beds) 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.

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

Robert Verkon

10 Churchdale Place

Lot 41, 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 Herman Weindel and seconded by Kim Hess 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 mowing, weeding and edging the yard and continually maintaining the yard in good repair which includes mowing, weeding, edging and defining the beds, by removing and debris out of public view, by cleaning pool and maintaining it in good condition, by removing the dead tree and vegetation, and by maintaining the home in good repair by removing the mold/algae from the dwelling and repairing the trim on the dwelling) 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.

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

Laszlo Demeter

50 South Apple Springs Circle

Lot 14, Block 2, Section 59 Village of Alden Bridge

This item was reviewed under the summary approval list as presented by staff. It was moved by Herman Weindel and seconded by Kim Hess 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 consistently maintaining the pool and pool in good repair and by mowing, weeding and edging the yard and continually maintaining the yard in good repair which includes mowing, weeding, edging and defining the beds) 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.

32. Consideration and Action to proceed with legal action, regarding failure to comply with the Covenants and Standards for outstanding violations on the home and a request for variance to allow owner to keep the multiple potted plants in public view.

Tuyethong Tran Tonthat

143 Prairie Dawn Circle

Lot 8, Block 1, Section 6 Village of College Park (Harper's Landing)

This item was heard by the full committee. Staff provided the committee with a PowerPoint presentation. The homeowner was not present to address the committee. It was moved by Herman Weindel to removal 1 pots from the view in the front yard. The motion died from lack of a second. It was moved by Deborah Sargeant and seconded by Chris Florack to allow no more than 10 pots to be visible to the street from the side or front of the dwelling, no plastic pots, all pots must be consistent in style and color and be compatible with the dwelling and earth toned. Pots should be arranged in an orderly fashion. Herman Weindel abstained, the motion carried.

33. Consideration and action regarding of a possible violation of Residential Development Standard regarding yard maintenance.

Dwight N. Crawford II

27 Gold Leaf Place

Lot 54, Block 2, Section 75 Village of Alden Bridge

This item was heard by the full committee. Staff provided the committee with a PowerPoint presentation. The homeowner was present to address the committee. Mr. Crawford presented a petition signed by 20 of his neighbors stating that they had no opposition to the current condition of the grass on his property. It was moved by Chris Florack and seconded by Herman Weindel to require the owner to consistently maintain the lawn, remove grass from around tree wells, and that the grass along dwelling should be even with or no taller than the foundation. The motion carried unanimously.

34. Consideration and action regarding of a possible violation of Residential Development Standard regarding youth activity signs.

Christine Langston

39 South Bethany Bend Circle

Lot 4, Block 2, Section 36 Village of Alden Bridge

This item was heard by the full committee. Staff requested the committee table the item at the request of the homeowner who was unable to attend. It was moved by Deborah Sargeant and seconded by Kim Hess to table the item. The motion carried unanimously.

35. Consideration and action regarding of a possible violation of Residential Development Standard regarding youth activity signs and a request for variance for more than one youth activity sign.
Marcel M. Landwehr
18 West Greenvine Court
Lot 54, Block 2, Section 37 Village of Alden Bridge
This item was heard by the full committee. Staff provided the committee with a PowerPoint presentation. The homeowner was present to address the committee. The owner, Mr. Landwehr, stated that the standards do not apply to these type signs since they are not temporary, that there were many residences with multiple youth signs and that it was a harmless issue. Deborah Sargeant gave a short synopsis of how the DSC developed the sign standards and the steps they took to inform the public. It was moved by Deborah Sargeant and seconded by Herman Weindel to disapprove the request for more than one youth activity sign. The motion carried unanimously.
36. Variance request for more than one youth activity sign on a residential property.
Todd and Margie Brain
83 North Greenvine Circle
Lot 21, Block 3, Section 37 Village of Alden Bridge
This item was heard by the full committee Staff provided the committee with a PowerPoint presentation. The homeowner was present to address the committee. The owner stated that this standard does not reflect The Woodlands pride on community and family and that it was not fair to the children to restrict the signs. It was moved by Deborah Sargeant and seconded by Herman Weindel to disapprove the request for more than one youth activity sign. The motion carried unanimously.
37. Request for an appeal by Patricia McDougall of 18 Verdin Place regarding the impact of a pergola and fireplace at 15 Indigo Bunting Place.
George Gregory Ryland
15 Indigo Bunting Place
Lot 48, Block 1, Section 13 Village of Creekside Park
This item was heard by the full committee. The homeowner was present to address the committee. However, the applicant for the rehearing was not present. It was moved by Deborah Sargeant and seconded by Dannie van Loggerenberg to table the item. After a brief discussion the vote was called, no one voted in favor and the motion failed. It was then moved by Chris Florack and seconded by Herman Weindel to disapprove the request. The motion carried unanimously.
38. Request for an appeal by Keith Luechtefeld of 74 South Player Manor Circle regarding a fence extension at 78 South Player Manor Circle
Sean and Robin Lynch
78 South Player Manor Circle
Lot 6, Block 1, Section 82 Village of Sterling Ridge
This item was heard by the full committee. Staff provided the committee with a PowerPoint presentation. The homeowner was not present to address the committee. However, the applicant for the rehearing was present. The applicant, Mr. Luechtefeld, stated that he did not want the neighbor to replace a portion of the wrought iron fence between their homes with a double sided capped picket fence since that the wrought iron fence was a more attractive and desirable fence. He felt that the Development Criteria limited the downgrade in quality of fence material. After a discussion of fence ownership and logistics (when and who built the fence) it was moved by Chris Florack and seconded by Deborah Sargent to take no action on this request. The motion carried unanimously.

39. Request for an appeal by Mike Rampolla of 11 Spotted Lily regarding the location of pool equipment at 7 Spotted Lily Way.
Matthew and Jodi Rutledge
7 Spotted Lily Way
Lot 20, Block 1, Section 96 Village of Sterling Ridge
Withdrawn prior to the meeting.
40. Consideration and action in regard to DSC conditions of approval for screening of a play structure.
Alfred Amparan Garza
110 Cove View Trail
Lot 85, Block 1, Section 6 Village of Creekside Park
This item was heard by the full committee. Staff provided the committee with a PowerPoint presentation showing the replants for the play structure variance. The homeowner was not present to address the committee. It was moved by Deborah Sargeant and seconded by Kim Hess to require the owner to plant one additional tall evergreen tree (at least 7' tall at time of planting) behind the fort to the rear. The motion carried unanimously.
41. Request for approval of a home business for private counseling.
Bridget K Caletka
23 North Benton Woods Circle
Lot 10, Block 1, Section 43 Village of Alden Bridge
This item was heard by the full committee. Staff provided the committee with a PowerPoint presentation. The homeowner was present to address the committee. Two affected neighbors were also present to address the committee. The owner, Bridget Caletka, stated that she was new to area and wanted to start her part time practice focusing on providing therapy in client's homes and Walk & Talks and occasionally in her own home if needed. Affected neighbor, Fred Koetting was concerned about setting precedent and other type businesses requesting permits. Marsha Meltzer stated her concerns about having this type of business with potentially unstable people in this neighborhood and felt that the owner should not have any clients at her house. She was also concerned about the 75 foot notice rule and would like that increased in areas with large lots. It was moved by Deborah Sargeant and seconded by Herman Weindel to conditionally approve the home business: permit to be renewed every two years, clients to park in property owner's driveway, client traffic to be minimal, no overlapping appointments, and no advertising the address. Standard Conditions apply. Chris Florack abstained, the motion carried.
42. Variance request for a proposed relocation of the fence that will not respect the side platted building line.
Carlos Ruiz
18 Wenoah Loop
Lot 43, Block 3, Section 4 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 Kim Hess to table the item so that the homeowner can attend the DSC meeting and to have the fence location marked in the field for staff to photo. The motion carried unanimously.
43. Variance request for an existing detached pergola does not respect the five foot side and ten foot rear easements.
Vannak Marroquin
51 Orchid Grove Place
Lot 15, Block 2 Section 7 Village of College Park
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 said he built the pergola in this location to take advantage of the shade and to avoid trees and roots. He said he spoke to the adjacent neighbor and he had no objections. It was moved by Kim Hess and seconded by Danie van Loggerenberg to conditionally approve, plant

and maintain evergreen trees or shrubs at least 7' tall at time of planting to screen alongside and to the front street area. 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.

44. Variance request for a proposed patio cover that does not respect the 20 foot rear setback.

Brian and Karen Clarke

2 Pilot Rock Place

Lot 24, Block 2, Section 8 Village of Creekside Park West

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 said they preferred the summer kitchen was not close to the house and located the patio cover to the rear of the property. The committee was concerned with the amount of encroachment. It was moved by Chris Florack and seconded by Herman Weindel to disapprove the request as presented and to submit revised plans with the patio cover and pool locations switched, or move the patio cover out of the setback. The motion carried unanimously.

45. Variance request for proposed patio and walkway that does not respect the rear ten foot and side five foot easements.

Scott and Lisa Howard

19 Libretto Court

Lot 27, Block 1, Section 27 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 said he wanted to improve property value by adding the outdoor area. The contractor informed the committee that the paving located in the easements are pavers and easily moved. It was moved by Kim Hess and seconded by Deborah Sargent to approve the walkway and patio as submitted – Tiles of the patio to be 2" from the adjoining neighbor's wall. 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.

46. Variance request for a proposed garage conversion that may not be architecturally compatible with the home and neighborhood.

Paul and Pam Glandt

56 Acrewoods Place

Lot 47, Block 1, Section 43 Village of Sterling Ridge

This item was heard by the full committee. Staff provided the committee with a PowerPoint presentation. The homeowner was present to address the committee. It was moved by Robert Heineman and seconded by Herman Weindel to conditionally approve, replace hardiplank side wall with brick to match dwelling. The motion carried unanimously.

47. Variance request for a proposed driveway widening that will exceed the maximum width allowed and will be located in the five foot side yard easement.

Hendrix J Van Vuuren

106 West Laurelhurst Circle

Lot 11, Block 2, Section 45 Village of Alden Bridge

This item was heard by the full committee. Staff provided the committee with a PowerPoint presentation. The homeowner was present to address the committee. The owner informed the committee he was trying to keep from parking a car on the street and there was not sufficient space on driveway for the cars. It was moved by Deborah Sargeant and seconded by Chris Florack to conditionally approve, 3' of concrete addition allowed on left side of driveway (4' clearance from fence) and 2' allowed on the right side of the driveway not to extend past the sidewalk. 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.

48. Variance request for an existing driveway widening that exceeds the maximum allowed width.

Mark Crawford

10 Tioga Place

Lot 17, Block 1, Section 7 Village of Creekside Park West

This item was heard by the full committee. Staff requested the committee table the item at the request of the homeowner who was unable to attend. It was moved by Deborah Sargeant and seconded by Herman Weindel to table the item. The motion carried unanimously.

V. Consideration and Action regarding the Residential Development Standards.

Neslihan Tesno informed the committee that staff was mostly complete with standards review and would be moving forward with a Joint meeting in near future.

VI. Public Comments

Erin Summrall of 75 North Berryline spoke in opposition of the ILUD for 18 Graceful Elm – she believed the owner obtained the required signatures deceptively without telling residents that neighbors were in opposition to the ILUD change and questioned the allowed extension of the deadline for signature submittals.

Jo Blayne of 22 Graceful Elm asked that the committee place the ILUD discussion on a future agenda and has many suggestions for the ILUD process. She feels that the immediate neighbor's opinion should have more weight and also did not agree with the deadline extension.

VII. Member Comments

Deborah Sargeant directed staff to put the ILUD on the agenda of the next DSC meeting. She also will ask for help reading the Summary items in future meetings. Herman Weindel stated that there needs to be more accountability of home builders to prevent them from building improvements without approval. Chris Florack inquired whether the Village Associations would be able to assist in the ILUD process by providing a venue of information dispersal. Robert Heineman noted that a staff "affected neighbor" letter should suffice as notice for ILUDs.

VIII. Staff Reports

There were no staff reports.

IX. Adjourn

There being no further business it was moved by Deborah Sargeant and seconded by Kim Hess to adjourn the meeting at 8:14 p.m. The motion carried unanimously.