

Development Standards Committee Minutes

November 20, 2013 at 5:30 PM

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

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

Member absent: Ken Anderson and Chris Florack

Staff Present: Kim McKenna, Neslihan Tesno, Hennie van Rensburg 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 October 16, 2013.
It was moved by Kim Hess and seconded by Herman Weindel to approve the minutes of the October 16, 2013 Development Standards Committee Meeting. The motion carried unanimously.
- III. Consideration and Action of the Applications and legal items in Section VI 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 2 - 4, and 7 - 34. Items 26 and 33 were resolved prior to the meeting. Item 6 and 42 were withdrawn prior to the meeting. It was moved by Herman Weindel and seconded by Danie van Loggerenberg to approve the Summary List as presented. The motion carried unanimously.
- IV. **Recess to Executive Session to consult with the Development Standards Committee's attorney pursuant to 551.071 of the Texas Government Code regarding the Request by the owner of 6 Turtle Rock Court to consider and act on an existing tree located at 10 Turtle Rock Court, which is considered to be in need of removal, according to the affected neighbor.**
The meeting was recessed to Executive session at 5:37 p.m.
- V. **Reconvene in Public Session.**
The meeting was reconvened in public session at 5:45 p.m.
- VI. Review and Disposition of applications and violations.
 1. Request by the owner of 6 Turtle Rock Court to consider and act on an existing tree located at 10 Turtle Rock Court, which is considered to be in need of removal, according to the affected neighbor.
Edward Gardere
10 Turtle Rock Court
Lot 06, Block 04, Section 28, Village of Panther Creek
This item was heard by the full committee. Staff provided the committee with a PowerPoint presentation, all arborist's reports and documentation submitted by the home owner and the adjacent property owner and the background history of the issue. The Committee consulted with their Legal Counsel in executive session to discuss the matter. The owner of 6 Turtle Rock Court and the owner of 10 Turtle Rock Court were present and addressed the committee. It was moved by Danie van Loggerenberg and seconded by Deborah Sargeant to take No Action by the Development Standards Committee and informed the parties of their rights to pursue the enforcement of the Covenants in a civil litigious manner, if they felt it was necessary. The motion carried unanimously.
 2. Consideration and Action to allow a twelve story office building

Hughes Landing - Project Champion Development

1835 Hughes Landing Boulevard

Village of Town Center

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

3. Consideration and Action to allow a thirteen story office building

Hughes Landing - Project Champion Development Hughes Landing - Project Champion

1825 Hughes Landing Boulevard

Village of Town Center

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

4. Consideration and Action to allow a twelve story parking garage

Hughes Landing - Project Champion Development

1835 and 1825 Hughes Landing Boulevard

Village of Town Center

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

5. Consideration and action to allow concept approval of 3 new buildings and variance request for the buildings to encroach into the building setback line along South Panther Creek Drive.

Trinity Episcopal Church

3901 S. Panther Creek Drive

Lot 0280, Block 00457, Section 0007 Village of Panther Creek

This item was heard by the full committee. The staff provided the committee with a PowerPoint presentation noting the location and the design. The church had a representative to address the committee. It was moved by Kim Hess and seconded by Robert Heineman to conditionally approve the request subject to reforestation of the forest preserves, consistent with the Commercial Planning and Design Standards and to maintain the shared parking agreement between the park and adjacent school. The motion carried unanimously.

6. Variance request for a proposed swimming pool that is not in keeping with the standards.

Lenny Jue

7 Pleasure Cove Drive

Lot 04, Block 02, Section 24, Village of Panther Creek

Withdrawn prior to meeting – submitted revised plans that did not require variance.

7. Variance request for a proposed two story deck that will encroach into the rear setback.

Lenny Jue

7 Pleasure Cove Drive

Lot 04, Block 02, Section 24, Village of Panther Creek

This item was reviewed under the summary approval list as presented by staff. It was moved by Herman Weindel and seconded by Danie van Loggerenberg to approve on the condition the owner provide a landscaping plan to significantly screen the view of the improvement from the side property line from 11 Pleasure Cove, meet code, pass final inspections, do not cause any drainage problems. The motion carried unanimously.

8. Consideration and Action regarding outstanding covenant violations on the home.

Brandon Higbie

7 Stillglen Court

Lot 37, Block 02, Section 01, Village of Panther Creek

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

9. Variance request for a proposed summer kitchen that is not located ten feet from the adjacent property line.
Vicente Suarez
10 Marin Creek Place
Lot 19, Block 1, Section 22 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 Danie van Loggerenberg to approve as follows: meet code and standard conditions. The motion carried unanimously.

10. Variance request for a proposed room addition that will exceed the maximum living area allowed per the Development Criteria for Section 20 Village of Sterling Ridge
Kevin Dunleavy
26 Desert Rose Place
Lot 28, Block 1, Section 20 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 Danie van Loggerenberg approve as follows: meet code and standard conditions. The motion carried unanimously.

11. Variance request for a proposed summer kitchen that is not located ten feet from the adjacent property line.
Timothy Hertel
11 Desert Rose Place
Lot 18, Block 1, Section 20 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 Danie van Loggerenberg approve as follows: meet code and standard conditions. The motion carried unanimously.

12. Variance request for a proposed patio that is not a minimum of two feet from the property line and is immediately adjacent to the fence that is located on the property line.
Ann Leoni
58 Camber Pine Place
Lot 26, Block 1, Section 61 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 Danie van Loggerenberg approve as submitted. The motion carried unanimously.

13. Variance request for a proposed driveway widening will exceed the maximum width allowed of 16 feet for a driveway.
Douglas Owyang
30 Teakwood Place
Lot 27, Block 1, Section 82 Village of Alden Bridge
This item was reviewed under the summary approval list as presented by staff. It was moved by Herman Weindel and seconded by Danie van Loggerenberg conditionally approve, must be of contrasting material/design and cannot exceed 18" from second expansion joint to the street. The motion carried unanimously.

14. Variance request for a proposed patio cover that will exceed the maximum allowable percent coverage of hard surface area.
John T Miller
94 North Linton Ridge Circle
Lot 13, Block 1, Section 34 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 Danie van Loggerenberg Approve as submitted, meet code and standard conditions. The motion carried unanimously.
15. Variance request for an existing driveway that exceeds the maximum allowed width.
Joshua and Jessica Meador
47 Butternut Grove Place
Lot 21, Block 1, Section 4 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 Danie van Loggerenberg approve as submitted. The motion carried unanimously.
16. Variance request for an existing trampoline and pavers that do not respect the easements.
Bryan Toma
38 Beckonvale Court
Lot 38, Block 1, Section 6 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 Danie van Loggerenberg approve the pavers as submitted. Additionally, the trampoline was disapproved with a consent to delay enforcement, based upon the execution of a memorandum of agreement, requiring the owner to remove the trampoline from the property, when the owner no longer owns the home, transfers title or when the owner is no longer the primary resident, or when the trampoline is in disrepair and needs replacement whichever comes first. The memorandum will be recorded with the court house and binding on the land. Approval by this committee does not constitute approval by the additional entities. It is the owner's responsibility to obtain approval by those entities. The improvement may be subject to removal if determined necessary by easement holders. The motion carried unanimously.
17. Variance request for an existing play structure that does not respect the rear easement.
Packard Holdings LLC
7 Red Adler Place
Lot 16, Block 1, Section 42 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 Danie van Loggerenberg 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.
18. Variance request for paving that does not respect the side five foot easement.
Steve D Thompson
15 Wooded Brook Drive
Lot 9, Block 2, Section 12 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 Danie van Loggerenberg 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.

19. Variance request for an existing patio cover extends beyond the 20 foot building rear setback and sealed plans for an existing room addition
June S Mabry
130 Chorale Grove Court
Lot 8, Block 1, Section 81 Village of Alden Bridge
This item was reviewed under the summary approval list as presented by staff. It was moved by Herman Weindel and seconded by Danie van Loggerenberg to approve the patio cover and addition of living area as submitted – meet code and standard conditions pass inspections. The committee also indicated that the owner needed to be informed in writing that all improvements need prior approval before starting work and that continual violations of this kind may lead to legal action. The motion carried unanimously.

20. Consideration and Action to proceed with legal action, regarding failure to comply with the Covenants and Standards for outstanding violations on the home.
Veronica Guadalupe Galnares Mier Teran
22 Pendleton Park Point
Lot 21, Block 1, Section 64 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 Danie van Loggerenberg 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 or applying for the paving) will result in a lawsuit filed & court hearing scheduled. Furthermore, we recommend The Township Board authorize funding of legal action, as necessary, in order to correct these violations of the Woodlands Covenants and Residential Development Standards, if the initial correspondence by The Strong Firm and the staff does not resolve these violations prior to filing the lawsuit. The motion carried unanimously.

21. Consideration and Action to proceed with legal action, regarding failure to comply with the Covenants and Standards for outstanding violations on the home.
Matt Chapman
14 Coughton Court
Lot 15, Block 1, Section 54 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 Danie van Loggerenberg 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.

22. Consideration and Action to proceed with legal action, regarding failure to comply with the Covenants and Standards for outstanding violations on the home.
Matthew Pine
23 East Shale Creek Circle
Lot 6, Block 1, Section 20 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 Danie van Loggerenberg 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.

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

Javier Gonzalez Jimenez

51 North Regan Mead Circle

Lot 47, Block 2, Section 29 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 Danie van Loggerenberg to approve pursuit of legal action by authorizing our attorneys and staff to send letters to the owner notifying them of the Development Standards Committee's actions; what is required to cure the violations and establishing a reasonable time frame for resolution. The letter will include notice that failure to correct these violations (by removing and storing the trash and recycle carts out of public view) will result in a lawsuit filed & court hearing scheduled. Furthermore, we recommend The Township Board authorize funding of legal action, as necessary, in order to correct these violations of the Woodlands Covenants and Residential Development Standards, if the initial correspondence by The Strong Firm and the staff does not resolve these violations prior to filing the lawsuit. The motion carried unanimously.

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

Rene Mendez

58 West French Oaks Circle

Lot 14, Block 1, Section 49 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 Danie van Loggerenberg 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.

James A Geerlings

34 Lamps Glow Place

Lot 48, Block 2, Section 5 Village of Alden Bridge

This item was reviewed under the summary approval list as presented by staff. It was moved by Herman Weindel and seconded by Danie van Loggerenberg 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.
Sudhakar Kalaga
102 North Winterport Circle
Lot 28, Block 1, Section 5 Village of Alden Bridge
Resolved: Violation cured prior to meeting.
27. Consideration and Action to proceed with legal action, regarding failure to comply with the Covenants and Standards for outstanding violations on the home.
Troy Herrera
99 North Merryweather Circle
Lot 59, Block 1, Section 82 Village of Alden Bridge
This item was reviewed under the summary approval list as presented by staff. It was moved by Herman Weindel and seconded by Danie van Loggerenberg 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 (by submitting final passing inspection from a qualified inspector as defined in The Woodlands Residential Development Standards) 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.
Steve Murski
82 North Rambling Ridge Place
Lot 37, Block 2, Section 4 Village of College Park
This item was reviewed under the summary approval list as presented by staff. It was moved by Herman Weindel and seconded by Danie van Loggerenberg 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.
29. Consideration and Action to proceed with legal action, regarding failure to comply with the Covenants and Standards for outstanding violations on the home.
Brian P Murkowski
42 South Downy Willow Circle
Lot 3, Block 2, Section 60 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 Danie van Loggerenberg 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 repairing the fence and continually maintaining it in good repair) 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.
Vinod Ramayanam
75 Drifting Shadows Circle
Lot 40, Block 2, Section 7 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 Danie van Loggerenberg 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.
31. Consideration and Action to proceed with legal action, regarding failure to comply with the Covenants and Standards for outstanding violations on the home.
John Mitchell Jr.
215 Fairwind Trail Court
Lot 22, Block 2, Section 11 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 Danie van Loggerenberg 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.
32. Consideration and Action to proceed with legal action, regarding failure to comply with the Covenants and Standards for outstanding violations on the home.
Daniel Brauweiler
3 Mirror Ridge Court
Lot 84, Block 1, Section 18 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 Danie van Loggerenberg to approve pursuit of legal action by authorizing our attorneys and staff to send letters to the owner notifying them of the Development Standards Committee's actions; what is required to cure the violations and establishing a reasonable time frame for resolution. The letter will include notice that failure to correct these violations (by applying for the color change of garage doors) 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.
33. Consideration and Action to proceed with legal action, regarding failure to comply with the Covenants and Standards for outstanding violations on the home.
Marsha Young
118 North Shawnee Ridge Circle
Lot 8, Block 1, Section 22 Village of Indian Springs (TWA)

Resolved: Violation cured prior to meeting.

34. Consideration and Action to proceed with legal action, regarding failure to comply with the Covenants and Standards for outstanding violations on the home.
Antonio Enrique Cancino Chavez
2 Mariscal Place
Lot 24, Block 3, Section 10 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 Danie van Loggerenberg to approve pursuit of legal action by authorizing our attorneys and staff to send letters to the owner notifying them of the Development Standards Committee's actions; what is required to cure the violations and establishing a reasonable time frame for resolution. The letter will include notice that failure to correct these violations (by removing the dead tree) 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.
35. Request for approval for a Home Business for residential real estate investment.
Paul Brundage
6 Sunspree Place
Lot 25, Block 2, Section 64 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. He stated that he would be taking his address off the HAR site. It was moved by Deborah Sargeant and seconded by Herman Weindel to conditionally approve – remove address from HAR website, comply with Home Business standards. Renew in 2 years. The motion carried unanimously.
36. Appeal of the swimming pool permit condition to replant six 30 gallon native trees.
Paul Phelps
51 Lively Oaks Place
Lot 16, Block 1, Section 10 Village of Alden Bridge
This item was heard by the full committee. Staff provided the committee with a PowerPoint presentation. The homeowner was not present to address the committee. It was moved by Robert Heineman and seconded by Danie van Loggerenberg to disapprove – the owner must plant 6 30 gallon trees as required by original permit. The motion carried unanimously.
37. Variance request for a proposed garage door color change to dark mahogany which is not in keeping with the neighborhood character.
Thomas Jones
7 Pascale Creek Place
Lot 106, Block 1, Section 21 Village of Sterling Ridge
This item was heard by the full committee. Staff provided the committee with a PowerPoint presentation. The homeowner was not present to address the committee. It was moved by Deborah Sargent and seconded by Kim Hess to approve as submitted. The motion carried unanimously.
38. Variance request for a proposed patio cover with fireplace that does not respect the 40 foot rear setback.
Antonio and Iraczu Torres
38 North Freemont Ridge Loop
Lot 15, Block 1, Section 23 Village of Creekside Park
This item was heard by the full committee. Staff provided the committee with a PowerPoint presentation. The homeowner's contractor was present to address the committee. It was moved by Robert Heineman and seconded by Kim Hess to conditionally approve the improvements, plant and maintain evergreen shrubs or trees

at least 7' tall at time of planting to screen the structure to the right neighbor. Meet code and standard conditions. The motion carried unanimously.

39. Variance request for a proposed fence will be of an unacceptable fencing material and the unfinished side of the existing wood fence will be visible to the tract of land
Hendrick Christoffel DeWet
15 Vista Mill Place
Lot 32, Block 1, Section 11 Village of Alden Bridge
This item was heard by the full committee. Staff provided the committee with a PowerPoint presentation. The homeowner was not present to address the committee. It was moved by Deborah Sargent and seconded by Herman Weindel to disapprove the request. The motion carried unanimously.
40. Variance request for an existing garage conversion that does not meet the development criteria in which the garage must have parking for three cars.
David Fernandez
55 North Bacopa Drive
Lot 3, Block 6, Section 7 Village of Creekside Park
This item was heard by the full committee. Staff provided the committee with a PowerPoint presentation. The homeowner's contractor was present to address the committee. He indicated the area was meant to be used as a gym. It was moved by Deborah Sargent and seconded by Danie van Loggerenberg to disapprove and consent to delay enforcement, based upon the execution of a memorandum of agreement, requiring the owner to convert the living space to garage parking space, when the owner no longer owns the home, transfers title or when the owner is no longer the primary resident. The memorandum will be recorded with the court house and binding on the land. Additionally the owner must submit a final passing inspection report. The motion carried unanimously.
41. Variance request for proposed sports court that does not respect the rear 30 foot setback.
Kathryn Eberwein
47 Player Point Drive
Lot 12, Block 1, Section 32 Village of Sterling Ridge
This item was heard by the full committee. Staff provided the committee with a PowerPoint presentation. The homeowner and the contractor were present to address the committee. Both indicated that they were willing to plant a screen of vegetation along the property line and install an eleven foot tall fence to block balls from going to neighbors. After a discussion about impact it was moved by Danie van Loggerenberg and seconded by Herman Weindel to disapprove the request. The motion carried unanimously.
42. Variance request for a proposed Detached Patio Cover will not respect the 20 foot rear building setback.
Jack L Dyer
64 North York Gate Court
Lot 10, Block 2, Section 19 Village of Alden Bridge
This item was withdrawn prior to the meeting by the property owner.
43. Variance request for an existing fence that exceeds the maximum allowable height, the left side yard walkway exceeds the maximum allowable width, and backyard paving encroaches into the side yard easement.
Larry & Ginny Cutburth
66 Hunting Path Place
Lot 23, Block 2, Section 13 Village of Indian Springs (TWA)
This item was heard by the full committee. Staff provided the committee with a PowerPoint presentation. The homeowner was present to address the committee. He stated that the fence and paving were on a landscape plan that was submitted to the Township however they were not approved at that time. He installed drainage systems in the area to take care of any drainage issues. It was moved by Deborah Sargeant and seconded by Herman Weindel to approve the pavers and walkway as submitted. Additionally, The Owner must ensure that

the placement of the improvement does not halt or materially impede drainage flowing off of a neighboring tract, and does not redirect the flow or significantly increase the amount of water flowing onto a neighboring tract. Enforcement of this requirement is by the affected property owner(s). It was also moved that the fence be approved as submitted. The motion carried unanimously.

44. Variance request for an existing fence which is not an approvable design.

Jose Maldonado

7 Yarbrough Court

Lot 26, Block 5, Section 15 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 Sargent and seconded by Herman Weindel to approve the fence as submitted. The motion carried unanimously.

45. Variance request for an existing fence that does not respect platted building line.

James H Larkin III

2 Royal Ridge Place

Lot 14, 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. It was moved by Robert Heineman and seconded by Danie van Loggerenberg to conditionally approve the fence as follows: revise rear fence with a 45 degree angle to start at least 10 feet from the rear corner and plant and maintain a landscape bed with evergreen screening (shrubs, trees and plants) along the side fence line as indicated on the survey. The motion carried unanimously.

46. Variance request for a proposed patio cover does not respect the 15 foot rear yard setback.

Joaquin Samper

35 Herons Flight Place

Lot 32, Block 1, Section 37 Village of Creekside 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 stated that he has a serious drainage issue in his rear yard with a swale that dissects the yard in half – he had to place the structure behind the swale to preserve the drainage and not create. It was moved by Deborah Sargent and seconded by Herman Weindel to conditionally approve the patio cover as follows: plant 3 additional trees (similar to the one already in rear yard) one next to existing tree and the other two on opposite side of property – see site plan. Meet code and pass inspections. The motion carried unanimously.

VII. Consideration and Action regarding the Residential Development Standards.

Staff stated that there was no news to report on the revised standards.

VIII. Public Comments

Ted Stanley (College Park Village Association and Residential Design Review Committee) thanked the committee for all their hard work.

IX. Member Comments

Deborah Sargent informed the committee that she gave a brief update to the Township Board in regard to the status of the Standard revisions. She also commented that the Board would hear the DSC applicant at their December 12th meeting.

X. Staff Reports

There were no staff reports.

XI. Adjourn

There being no further business it was moved by Herman Weindel and seconded by Kim Hess to adjourn the meeting at 7:26 p.m. The motion carried unanimously.

