

Development Standards Committee
November 6, 2013 at 5:30 p.m.
The Woodlands Township
2801 Technology Forest Boulevard
The Woodlands, Texas, 77381
Minutes

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

Staff Present: Kimberly McKenna, Henie van Rensburg and Sharon Davis

- I.** Welcome/Call Meeting to Order.
The meeting was called to order in regular session, open to the public by Chairman Deborah Sargeant at 5:31 p.m.
- II.** Approve the minutes of the meeting of October 2, 2013.
The minutes of the previous meeting were reviewed. It was moved by Chris Florack and seconded by Danie van Loggerenberg to approve the minutes as presented. The motion carried unanimously.
- III.** Consideration and Action of the Applications and Covenant Violations in Section IV, recommended for Summary Action.
Chairwoman Deborah Sargeant presented the summary list of applications, as presented through staff recommendation. The list consisted of items 1, 2, 3, 4, 6, 7, 8, 9, 10, 11, 12, 15, 16, 17, 18, 19 and 21. It was moved by Herman Weindel and seconded by Kim Hess to approve the items listed on the summary list as presented in staff recommendation. The motion carried unanimously.
- IV.** Review and Disposition of Applications and Covenant Violations
 1. Consideration and action for conceptual approval of addition of a new event center and parking lot addition.
St's Simon and Jude Catholic Parish
26777 Glen Loch Drive
Lot 0420, Block 0045, Section 0007, Village of Panther Creek
This item was reviewed under the summary agenda. It was moved by Herman Weindel and seconded by Kim Hess to conditionally approve subject to submitting a landscape and irrigation plan for review and approval, including adding additional vegetation to the forest preserve along Glen Loch Drive in accordance with The Woodlands Standards. The motion carried unanimously.
 2. Consideration and action to sub-divide the property into two separate parcels and sell half of the 8.3732 acres.
Hope Pointe Church
3333 South Panther Creek Drive
Lot 0250, Block 0045, Section 0007, Village of Panther Creek
This item was reviewed under the summary agenda. It was moved by Herman Weindel and seconded by Kim Hess to approve as presented. The motion carried unanimously.
 3. Consideration and action for temporary outdoor selling of Christmas trees
Kroger
Cochran's Crossing Shopping Center
4747 Research Forest Drive
Lot 0100, Block 0687, Section 0047, Village of Cochran's Crossing
This item was reviewed under the summary agenda. It was moved by Herman Weindel and seconded by Kim Hess to withdraw the item from the agenda. The motion carried unanimously.
 4. Consideration and action to determine if the existing vegetation screen will be considered in compliance with the Development Standards Committee action of February 6, 2013.
Mike and Ally Seder
31 Star Fern Place

Lot 08, Block 01, Section 54, Village of Grogan's Mill

This item was reviewed under the summary agenda. It was moved by Herman Weindel and seconded by Kim Hess to approve the existing vegetation screen for the purposes of planting vegetation to soften and screen the view of the summer kitchen. Owner must maintain the existing vegetation. The motion carried unanimously.

5. Request by the owner of 6 Turtle Rock Court to consider and act on an existing tree 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 reviewed by the full committee. The home owner and adjacent property owner were present to address the committee. The Staff provided the information to the committee. The staff provided a presentation noting the location and the adjacent property, as well as the documentation provided by the interested parties. IT was then moved by Deborah Sargeant and seconded by Danie van Loggerenberg to table the item and request a legal counsel opinion regarding the Development Standards Committees and any action regarding the tree in question. The motion carried unanimously.

6. Variance request for a proposed attached patio cover that would be located beyond the twenty five foot rear building setback.

Linda Kyle

90 Driftoak Circle

Lot 02, Block 02, Section 40, Village of Cochran's Crossing

This item was reviewed under the summary agenda. It was moved by Herman Weindel and seconded by Kim Hess to approve the attached patio cover as presented. The improvements must meet code, pass final inspection. Improvements must not halt or materially impede drainage as defined in the Residential Development Standards. The motion carried unanimously.

7. Consideration and action for a proposed home business.

Scott Loghry

28 North High Oaks Circle

Lot 85, Block 04, Section 38, Village of Grogan's Mill

This item was reviewed under the summary agenda. It was moved by Herman Weindel and seconded by Kim Hess to approve the business on the condition the home business is subject to revocation for the following reasons: The Business does not adhere to the standards for home businesses or at the discretion of the Plan Review Committee. The Home business permit is approved for two years and subject to resubmission for approval in November of 2015. The motion carried unanimously.

8. Consideration and action for a proposed home business.

G.C. & L.R. Van der Post

95 Northgate Drive

Lot 05, Block 05, Section 49, Village of Grogan's Mill

This item was reviewed under the summary agenda. It was moved by Herman Weindel and seconded by Kim Hess to approve the business on the condition the home business is subject to revocation for the following reasons: The Business does not adhere to the standards for home businesses or at the discretion of the Plan Review Committee. The Home business permit is approved for two years and subject to resubmission for approval in November of 2015. The motion carried unanimously.

9. Variance request for a proposed rear deck and rear walkway that would extend beyond the twenty foot platted building line and encroach into the rear ten foot easement, which is not in accordance to the Residential Standards.

Cinda Kay Redmond

39 Leeward Cove Drive

Lot 03, Block 02, Section 24, Village of Panther Creek

This item was reviewed under the summary agenda. It was moved by Herman Weindel and seconded by Kim Hess to approve the proposed deck and walkways as presented. Approval by this committee does not constitute approval by the additional entities and easement holders. It is the owner's responsibility to obtain those approvals and may be subject to removal. The motion carried unanimously.

10. Variance request for a proposed wood picket style fence that would be located beyond the ten foot and twenty five foot platted building line.
William H Alger
67 West Lost Pond Circle
Lot 07, Block 02, Section 24, Village of Cochran's Crossing
This item was reviewed under the summary agenda. It was moved by Herman Weindel and seconded by Kim Hess to approve on the condition the owner modify the rear corner to align with the rear building setback at a 45 degree angle. The owner must maintain the existing vegetation to the exterior of the improvement to soften to screen the view. The motion carried unanimously.
11. Variance request for a proposed fireplace that was considered to have an adverse impact on the adjacent property and may not be compatible with the home when viewed by the Residential Development Standards Committee.
Michael and Beth Bailey
46 Somerset Pond Place
Lot 38, Block 01, Section 48, Village of Cochran's Crossing
This item was reviewed under the summary agenda. It was moved by Herman Weindel and seconded by Kim Hess to approve the proposed fireplace on the condition the owner plant and maintain vegetation to the rear of the fireplace to soften and screen the view. The fireplace must meet code and pass final inspection. The motion carried unanimously.
12. Variance request for a proposed summer kitchen that will not be located a minimum of ten feet from the adjacent property.
Michael and Beth Bailey
46 Somerset Pond Place
Lot 38, Block 01, Section 48, Village of Cochran's Crossing
This item was reviewed under the summary agenda. It was moved by Herman Weindel and seconded by Kim Hess to approve the proposed summer kitchen as presented. Improvements must meet code and pass final inspection. Additionally the improvements must not halt or materially impede drainage as defined in the Standards. The motion carried unanimously.
13. Variance request for a proposed swimming pool that will encroach into the twenty foot platted building line.
Lenny Jue
7 Pleasure Cove Drive
Lot 04, Block 02, Section 24, Village of Panther Creek
This item was reviewed by the full committee. The contractor was present to address the committee. The staff provided a presentation noting the location and the adjacent properties. The Committee deliberated regarding the building line and the necessity to respect the building line. It was then moved by Deborah Sargeant and seconded by Chris Florack to deny the variance request as presented. The motion carried unanimously.
14. Variance request for a proposed two story deck that will encroach into the forty foot rear setback.
Lenny Jue
7 Pleasure Cove Drive
Lot 04, Block 02, Section 24, Village of Panther Creek
This item was reviewed by the full committee. The contractor was present to address the committee. The staff provided a presentation noting the location and the adjacent properties. The Committee discussed the concern regarding revisions to the pool and the potential to modify the plans for the second story deck. It was then moved by Chris Florack and seconded by Danie van Loggerenberg to table the item and allow the owner an opportunity to review the pool and possible revisions. The motion carried unanimously.
15. Variance request for a proposed fence replacement that would be located beyond the front façade of the dwelling and over the platted building line.
Bruce G. Jacobson
10914 Fawnlily Street
Lot 01, Block 01, Section 07, Village of Grogan's Mill
This item was reviewed under the summary agenda. It was moved by Herman Weindel and seconded by Kim Hess to approve the fence as presented. The motion carried unanimously.

16. Variance request for an existing gazebo that encroaches into the five foot side and ten foot rear yard easements.
Glenn Taylor
35 W Southfork Pines Circle
Lot 07, Block 02, Section 17, Village of Panther Creek
This item was reviewed under the summary agenda. It was moved by Herman Weindel and seconded by Kim Hess to deny the existing gazebo as presented and consent to delay enforcement based upon the execution of a memorandum of agreement requiring the owner to remove the gazebo when the owner no longer owns the home, sells or transfers title, is no longer their primary residence or when the gazebo is in disrepair and requires removal, whichever comes first, The memorandum will be recorded at the courthouse and binding on the land. Action by this committee does not constitute allowance by any additional entity and easement holder. It is the owner's responsibility to obtain those actions and may be subject to removal. The motion carried unanimously.
17. Variance request for an existing play structure that encroaches into the ten foot rear yard easement.
David L Gilley
14 Windledge Circle
Lot 32, Block 02, Section 18, Village of Cochran's Crossing
This item was reviewed under the summary agenda. It was moved by Herman Weindel and seconded by Kim Hess to approve on the condition the owner must plant and maintain vegetation to soften and screen the view to the rear adjacent property and maintain the tarp to a solid muted earth tone color. Approval by this committee does not constitute approval by any additional easement holders. It is the owner's responsibility to obtain those approvals and may be subject to removal. The motion carried unanimously.
18. Variance request for an existing driveway that exceeds the maximum width allowed and causes the lot to further exceed the maximum amount of hard surface area allowed on the lot.
Christopher Wren
109 South Timber Top Drive
Lot 09, Block 02, Section 15, Village of Grogan's Mill
This item was reviewed under the summary agenda. It was moved by Herman Weindel and seconded by Kim Hess to approve as presented. The motion carried unanimously.
19. Variance request for existing paving that encroaches into the five foot side and ten foot rear yard easements.
Robert and Linda Holmes
202 Sandpebble Drive
Lot 18, Block 05, Section 01, Village of Indian Springs
This item was reviewed under the summary agenda. It was moved by Herman Weindel and seconded by Kim Hess to deny as presented and consent to delay enforcement based upon the execution of a memorandum of agreement requiring the owner to remove the paving when the owner no longer owns the home, sells or transfers title, is no longer their primary residence or when the paving is in disrepair and requires removal, whichever comes first, The memorandum will be recorded at the courthouse and binding on the land. Action by this committee does not constitute allowance by any additional entity and easement holder. It is the owner's responsibility to obtain those actions and may be subject to removal. The motion carried unanimously.
20. Variance request for an existing fence that was built with the construction side of the fence facing outward.
Robert and Linda Holmes
202 Sandpebble Drive
Lot 18, Block 05, Section 01, Village of Indian Springs
This item was reviewed by the full committee. The home owner was present to address the committee. The staff provided a presentation noting the location and the adjacent properties. It was moved by Deborah Sargeant and seconded by Ken Anderson to take no further action on the existing fence. The motion carried unanimously.
21. Consideration and Action regarding outstanding covenant violations on the home.
Peter L Phillips
22 Camberwell Court
Lot 39, Block 02, Section 42, Village of Grogan's Mill
This item was reviewed under the summary agenda. It was moved by Herman Weindel and seconded by Kim Hess to approve the pursuit of legal action; and authorize our attorneys and staff to notify the owner of the Committee's action, what is required to cure the violations and establish a reasonable timeframe for resolution. Correspondence will

include that failure to correct these violations will result in a lawsuit filed and a 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.

V. Consideration and action regarding revisions to the Residential Development Standards.
There was no action taken on this item.

VI. Public Comments
There were no public comments.

VII. Member Comments
Chris Florack and Ken Anderson informed the Committee they would be unable to attend the meeting November 20th, 2013. Deborah Sargeant informed the Committee she would not be able to attend the meeting December 4, 2013.

VIII. Staff Reports
There were 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 6:30 p.m.