

## **Development Standards Committee**

**January 15, 2014 at 5:30 PM**

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

Members Present: Deborah Sargeant, Robert Heineman , Ken Anderson, Chris Florack, Danie van Loggerenberg, Kim Hess and Mark Bacon

Member absent: None

Staff Present: Hennie van Rensburg, 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 appointment of Chair and Vice Chair.**

It was moved by Deborah Sargeant and seconded by Ken Anderson to move this item to the end of the agenda. After all other items were reviewed it was moved by Chris Florack and seconded by Kim Hess to appoint Deborah Sargeant as Chair and Robert Heineman as Vice Chair. The motion carried unanimously.

**III. Consideration and Action of the minutes of the Development Standards Committee Meetings on December 18, 2013.**

It was moved by Chris Florack and seconded by Danie van Loggerenberg to approve the minutes. The motion carried unanimously.

**IV. Consideration and Action of the Applications and legal items in Section V 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 2-5, 7-16 and 20 – 23. Items 1 and 6 were removed from summary to be reviewed by the full committee. Items 17 and 19 were resolved prior to the meeting. It was moved by Ken Anderson and seconded by Kim Hess to approve the Summary List as presented. The motion carried unanimously.

**V. Review and Disposition of applications and violations.**

1. Variance request for a proposed driveway extension that exceeds the maximum width allowed.

David Chedraui

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 was not present to address the committee. Two neighbors were present and presented their concerns. It was moved by Robert Heineman and seconded by Mark Bacon to conditionally approve as follows: Driveway extension and landscaping may not impede existing drainage and may not encroach into the side 5' easement. Maintain decorative brick ribbon. Plant and maintain evergreen shrubs along front curve to soften view from street. The motion carried unanimously.

2. Variance request for a proposed Trash and Recycle Cart Screen that will be more than 3' into the side yard easement.

Carlos A Trevino

43 East Sterling Pond Circle

Lot 11, Block 1, Section 3 Village of Alden Bridge

This item was reviewed under the summary approval list as presented by staff. It was moved by Ken Anderson 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.

3. Variance request for proposed garage conversion to living area and porch that will not respect the rear 20 foot building setback for the dwelling.

Volker Ahrens

27 Bluff Creek Place

Lot 10, Block 2, Section 73 Village of Alden Bridge

This item was reviewed under the summary approval list as presented by staff. It was moved by Ken Anderson and seconded by Kim Hess to conditionally approve – Window in bathroom to be opaque, standard conditions; pass inspections. The motion carried unanimously.

4. Variance request for a remodel to exceed the maximum allowed living area set by the Development Criteria for Section 17 of Sterling Ridge.

Dean Ferguson

38 Pendleton Park Point

Lot 64, Block 1, Section 17 Village of Sterling Ridge

This item was reviewed under the summary approval list as presented by staff. It was moved by Ken Anderson and seconded by Kim Hess to conditionally approve – meet code and standards. The motion carried unanimously.

5. Variance request for a room addition to exceed the maximum allowed living area set by the Development Criteria for Section 56 of Alden Bridge

Daniel Durham

2 Lancepine Place

Lot 22, Block 3, Section 56 Village of Alden Bridge

This item was reviewed under the summary approval list as presented by staff. It was moved by Ken Anderson and seconded by Kim Hess to conditionally approve – meet code and standards. The motion carried unanimously.

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

Steve & Amy Maciejewski

7 Lysander Place

Lot 19, Block 2, Section 39 Village of Sterling Ridge

This item was heard by the full committee. Staff provided the committee with a PowerPoint presentation. The homeowner and contractor were present to address the committee. It was moved by Robert Heineman and seconded by Ken Anderson to approve the staff recommendation; Chris Florack asked to amend the motion to require one additional tree. The amendment was accepted and the request was conditionally approved as follows: plant and maintain at least three tall evergreen trees or shrubs to rear of patio cover to screen to rear – must be 7' tall at time of planting. Meet code and standard conditions. The motion carried unanimously.

7. Variance request for an existing play structure that does not respect the five foot side and ten foot rear easement.

Nicolas Pietropinto

111 South Beech Springs Circle

Lot 11, 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 Ken Anderson 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.

8. Variance request for an existing patio does not respect the rear ten foot and the side five foot easements.  
Marchelle Becher  
19 Violetta Court  
Lot 5, Block 3, Section 10 Village of College Park  
This item was reviewed under the summary approval list as presented by staff. It was moved by Ken Anderson 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.
9. Variance request for existing wooden decks that do not respect the five foot side easement and the rear ten foot easement.  
Christopher S Whitehead  
11 South Greywing Place  
Lot 10, Block 1, Section 6 Village of Alden Bridge  
This item was reviewed under the summary approval list as presented by staff. It was moved by Ken Anderson 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 decks 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 wood deck (or decks) are 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.  
Walkway – motion to approve as submitted. The motion carried unanimously.
10. Variance request for an existing play structure that contains more than 36 square feet for any single elevated floored area.  
Joseph Michael Liittjohann  
106 Grape Arbor Court  
Lot 4, Block 1, Section 54 Village of Alden Bridge  
This item was reviewed under the summary approval list as presented by staff. It was moved by Ken Anderson and seconded by Kim Hess to approve as submitted. The motion carried unanimously.
11. Variance request for an existing front yard patio that extends beyond the front platted building line.  
Stephen M Beller  
174 West Bristol Oak Circle  
Lot 4, Block 2, Section 11 Village of Alden Bridge  
This item was reviewed under the summary approval list as presented by staff. It was moved by Ken Anderson and seconded by Kim Hess to conditionally approve- Maintain existing vegetation to screen and lessen impact from street view. No tables, plastic furniture or umbrella to be stored on the patio. The motion carried unanimously.
12. Consideration and action to revise the Residential Design Review Committee decision of approval regarding the reduction of water surface area for a pool.  
Raul Merino  
19 Delta Mill Court

Lot 5, Block 1 Section 1 Village of College Park

This item was reviewed under the summary approval list as presented by staff. It was moved by Ken Anderson and seconded by Kim Hess to allow the water surface area as submitted – Pool – plant and maintain 2 native 30 gallon trees, meet code and standard conditions. The motion carried unanimously.

13. Variance request for an existing driveway extension that exceeds the maximum width allowed.

James F. Leever

7 Garland Grove Place

Lot 17, Block 2, Section 10 Village of Indian Springs (TWA)

This item was reviewed under the summary approval list as presented by staff. It was moved by Ken Anderson and seconded by Kim Hess to conditionally approve – concrete of driveway extension must have stain, texture or stamped concrete in a contrasting earth-tone color that is compatible with the dwelling. The motion carried unanimously.

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

Robert M Kastl

166 West Greywing Circle

Lot 11, Block 2, Section 6 Village of Alden Bridge

This item was reviewed under the summary approval list as presented by staff. It was moved by Ken Anderson 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 (by meeting conditions of DSC approval to plant and maintain evergreen trees or shrubs along rear fence to screen view of structure and 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.

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

Henrick Mortensen

15 Butterfly Branch Place

Lot 44, Block 2, Section 52 Village of Alden Bridge

This item was reviewed under the summary approval list as presented by staff. It was moved by Ken Anderson 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.

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

Kenneth R Stein

174 Lattice Gate Street

Lot 35, Block 1, Section 55 Village of Alden Bridge

This item was reviewed under the summary approval list as presented by staff. It was moved by Ken Anderson 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 (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.

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

Kristan York

22 Brywood Place

Lot 11, Block 1, Section 24 Village of Indian Springs (TWA)

Resolved prior to meeting.

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

Luis Rueda

11 Canyon Wren Drive

Lot 6, Block 1, Section 13 Village of Creekside Park

This item was reviewed under the summary approval list as presented by staff. It was moved by Ken Anderson 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 (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.

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

Lee McKean

99 Cresta Bend Place

Lot 36, Block 1, Section 18 Village of Creekside Park

Resolved prior to meeting.

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

El Caobo

170 Bauer Point Circle

Lot 70, Block 1, Section 6 Village of Creekside Park

This item was reviewed under the summary approval list as presented by staff. It was moved by Ken Anderson 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 (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.

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

Ratnesh Sharma

19 Aquiline Oaks Place

Lot 52, Block 1, Section 60 Village of Sterling Ridge

This item was reviewed under the summary approval list as presented by staff. It was moved by Ken Anderson 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.

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

Vannak Marroquin

51 Orchid Grove Place

Lot 15, 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 Ken Anderson 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 the shed or by applying and receiving a variance for the shed) 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.

Brad Ridgeway

66 West Knightsbridge Drive

Lot 29, 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 Ken Anderson 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.

24. Variance request for a proposed pool slide that exceeds the maximum height allowed.

Henrique M Paula

30 Broadweather Place

Lot 82, Block 1, Section 50 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 mentioned that the proposed slide was well screened by the garage and evergreen screening. It was moved by Kim Hess and seconded by Chris Florack to conditionally approve – plant and maintain 7 30 gallon native trees. Meet code and standard conditions. Staff to review upon completion to determine if additional vegetation is needed to screen the slide to adjacent property. The motion carried unanimously.

25. Variance request for a proposed sports court that will not respect the rear 25 foot setback and may create negative neighbor impact.

Daniel Simoni

75 Nocturne Woods Place

Lot 19, Block 1, Section 44 Village of Sterling Ridge

This item was heard by the full committee. Staff provided the committee with a PowerPoint presentation. The contractor was present to address the committee. The committee commented that there seemed more space on the opposite side of the property nearer the street however the contractor stated more trees would have to be removed. It was moved by Deborah Sargent and seconded by Chris Florack to table the item until the committee could schedule a site visit and required the owner/contractor to mark the outline of the proposed and alternate location. The motion carried unanimously.

26. Variance request for a proposed patio cover that does not respect the rear 25 foot setback.

Matthew & Kara Loach

58 North Veilwood Circle

Lot 15, Block 1, Section 65 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 Kim Hess and seconded by Danie van Loggerenberg to conditionally approve – Plant and maintain evergreen trees and shrubs (at least 7’ tall at time of planting) along left side to screen. Staff to review upon completion to determine if additional vegetation is needed to screen the slide to adjacent property. Meet code and standard conditions. Chris Florack abstained and Robert Heineman was not present. The motion carried.

27. Request for time extension for a removal of a tree considered to be dead.

Youlin Hu

86 North Flickering Sun Circle

Lot 70, Block 01, Section 93 Village 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 Sargeant and seconded by Chris Florack disapprove the time extension as requested. However they allowed 30 days – then required removal of the tree or the owner to submit a letter from a certified arborist or degreed forester that the tree is not dead, diseased, dying or hazardous. The legal process will continue. Ken Anderson was not present. The motion carried.

28. Consideration and Action regarding a request for monument signs at the entrance to Piper’s Green neighborhood in Alden Bridge.

This item was heard by the full committee. Staff provided the committee with a PowerPoint presentation. The applicant, Pipers’ Green sub HOA was not present to address the committee. It was moved by Kim Hess and seconded by Danie van Loggerenberg to approve as submitted with the approvals from any right of way or easement holders. 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 or the county. The motion carried unanimously.

**VI.** Consideration and action regarding Neighborhood Criteria for Indian Springs (TWA)

Section 15 Block 1 Lots 1-44, Block 2 Lots 1-17, Block 3 Lots 1-6

Section 17 Block 1 Lots 1-26, Block 2 Lots 1-31

Section 18 Block 2 Lots 1-47

Section 20 Block 1 Lots 1-56, Block 2 Lots 1-7, Block 3 Lots 1-8, Block 4 Lots 1 & 2

Section 21 Block 1 Lots 1-39, Block 2 Lots 1-31, Block 3 Lots 1-26, Block 4 Lots 1-7

Section 22 Block 1 Lots 1-37, Block 2 Lots 1-29

Section 23 Block 1 Lots 1-52, Block 2 Lots 1-12

Section 24 Block 1 Lots 1-60, Block 2 Lots 1-13

Section 27 Block 1 Lots 1-50, Block 2 Lots 1-35

This item was heard by the full committee. Staff described the process of creating the Neighborhood Criteria from the original Development Criteria. It was moved by Deborah Sargent and seconded by Ken Anderson to approve as submitted. The motion carried unanimously.

**VII.** Consideration and action regarding Neighborhood Criteria for College Park, Harper's Landing

Section 7 Block 1 Lots 1-60

This item was heard by the full committee. It was moved by Deborah Sargent and seconded by Ken Anderson to approve as submitted. The motion carried unanimously.

**VIII.** Consideration and Action regarding the Residential Development Standards.

Some items were discussed concerning the revisions of the standards: Alternative configurations of the youth activity signs that are being allowed – two of the normal size signs affixed to a post not to exceed the height limit or the square footage. Also discussed were artificial turf, greenhouse materials and the definition of a solid roof versus open roof (pergola). Staff was directed to allow slight modification to the greenhouse standard and not to revise the standards in regard to artificial turf. Staff is also to review previous suggestions concerning revisions to the standards in regard to the flat roofs – open versus solid roof structures.

**IX.** Public Comments

Dave McCorquodale a landscape architect was concerned about the issue of flat roof structures being allowed to be located beyond the rear building setback and what was considered "open" roof.

**X.** Member Comments

Chris Florack inquired if the DSC procedures are still available to attendees as they signed in. Staff confirmed that the information sheets are available at the front desk along with the agendas.

**XI.** Staff Reports

There were no staff reports.

**XII.** Adjourn

There being no further business it was moved by Kim Hess and seconded by Ken Anderson to adjourn the meeting at 7:00 p.m. The motion carried unanimously.