

Development Standards Committee
Community Associations Building
2201 Lake Woodlands Drive
The Woodlands, Texas 77380
October 21st, 2009 - 5:30PM
Minutes

Members Present: Deborah Sargeant, Michael Sawran, Ken Parker, Ken Anderson and Kim Hess,

Staff Present: Chris Feist, Pam Forde and Kim McKenna

Others in Attendance: As reflected by the attached Sign-in Sheet for October 21, 2009.

I. Welcome/Call Meeting to Order

The meeting was called to order by Staff member Kim McKenna-O'Donoghue at 5:30p.m. It was noted that the Chairman and Vice Chairman were not in attendance for the meeting. Ken Anderson nominated Michael Sawran to serve as pro-tem Chairman. Ken Parker seconded the motion. The motion carried.

II. Approve Minutes of Previous Meetings

It was moved by Ken Parker and seconded by Kim Hess to approve the minutes for the meetings as presented. The motion carried. Deborah Sargeant was not present for the vote.

III. Presentation of Summary List

Pro-tem Chairman Michael Sawran presented the Summary List as presented by Staff Recommendation. The list consisted of residential items 3, 6, 7, 10, 13, 14, 15, 17, 18 & 20. It was moved by Ken Anderson and seconded by Kim Hess to approve the Summary List as presented by staff. The motion carried. Deborah Sargeant was not present for the vote. At the completion of the summary approval list, Michael Sawran announced he would relinquish his duty of pro-tem Chairman, as Chairwoman Deborah Sargeant arrived in the meeting. Chairwoman Deborah Sargeant thanked Mike for his facilitation of the meeting in her absence.

IV. Presentation of the Staff Approval List for Commercial Applications.

The Staff Approval List was accepted as presented.

V. Review and Disposition of Commercial Applications

**a. Request for Consideration and Action
Pathway**

St. Paul's Baptist Church – 01-030-0047-0163-0300-0000
5401 Shadowbend Place
Village of Cochrans Crossing

This item was heard by the full committee. Gerald Irons was present to address the committee. After staff's presentation of the item, it was moved by Ken Anderson and seconded by Kim Hess to conditionally approve the path with the requirement that the path must be brought into compliance with ADA requirements. The motion carried unanimously.

b. Request for Consideration and Action

Monument Signs
Panther Creek Village Center – 01-020-0040-0045-0283-0000
4775 Panther Creek Drive
Village of Panther Creek

This item was heard by the full committee with the exception that Deborah Sargeant was not present at the beginning of the presentation. After staff's presentation of the primary entrance sign design and noting that the secondary entrance sign specs had not yet been received, it was moved by Kim Hess and seconded by Ken Anderson to conditionally approve the primary entrance sign with the requirements that the stone must match the existing secondary entrance signs and the new secondary entrance signs must

complement the new primary entrance sign; in addition Staff can review and approve complementing secondary entrance signs. The motion carried, with Deborah Sargeant abstaining.

c. Request for Consideration and Action

Storage Container

Christ Church United Methodist – 01-030-0067-0101-0400-0000

6363 Research Forest Drive

Village of Cochran's Crossing

TABLED

VI. Review and Disposition of Residential Applications

1. Variance request for existing 6' 6" J style fence replacement is located beyond the 10' Platted Building Line and does not comply with the Neighborhood Criteria for the lot

Danyce Rundell

64 Prides Crossing Drive

Lot 02, Block 05, Section 06, Village of Cochran's Crossing

This item was heard by the full committee. The owner was present to address the committee. The staff provided the committee with a PowerPoint presentation, noting the location, design and applicable Standards for the improvement. It was noted that the fence design is a Standard design. However, it was the more restrictive Neighborhood Criteria requiring a specific style of fencing. The committee deliberated on the aesthetics of the neighborhood and the overall impact of allowing the fence style, approvable in the woodlands, but as a variance to the Criteria. It was then moved by Deborah Sargeant and seconded by Ken Anderson to approve the fence as submitted. The motion carried unanimously.

2. Variance request for an existing storage shed/greenhouse exceeds the maximum height of 10' and is not architecturally and aesthetically compatible with the neighborhood

Felipe Arteaga

105 Grogan's Point Road

Lot 2, Block 1, Section 49 Village of Grogan's Mill

This item was heard by the full committee. The owner was present to address the committee. Additionally, affected neighbors were present and informed the committee of the impact to their property, providing additional views of the improvement from their home. The staff provided the committee with a PowerPoint presentation, noting the location, design and applicable Standards for the improvement. The staff informed the committee of some variables in the interpretation of the Standards as height restrictions vary based upon the greenhouse, versus the storage shed and for the materials used. The committee discussed the concern of the impacted neighbors and the view of the adjoining properties. Chairwoman Deborah Sargeant stressed the importance of consistency regarding storage buildings, and recollected the previous actions for a storage shed in Grogan's Point. Kim Hess questioned the comparison as the previous shed had additional parameters in violation of the shed. The staff noted the previous actions were based on height, size, location and impact to adjoining properties. It was then moved by Ken Parker and seconded by Michael Sawran to deny the variance as proposed and require the owner reduce the overall height to 7 feet in accordance with the Standard, screen the improvement with additional vegetation, to screen the view from the adjoining properties and suggested the owner consider relocating the improvement to a more centralized portion of the lot, to reduce the impact to the adjacent property owners. Kim Hess was opposed to the motion. The motion carried.

3. Variance request for existing landscape rocks are located within the street right-of-way, are taller than 8" and are located less than 18" from the pavement edge

Patricia Cavalier

3 Cedar Chase Place

Lot 14, Block 02, Section 06, Village of Cochran's Crossing

This item was heard under the summary approval list as presented by staff. It was moved by Ken Anderson and seconded by Kim Hess to approve as presented. Approval by this committee does not constitute approval by the additional easement holders or the county. It is the owner's responsibility to

obtain approval by the additional entities and may be subject to removal by those entities for access needed. The motion carried unanimously. Deborah Sargeant was not present for the vote.

4. Variance request for proposed fire pit, paving (patio) and proposed sitting walls this would encroach into the 10' rear yard easement all of which would cause the lot to exceed the maximum percent of Hard Surface Area allowed as established by the Neighborhood Criteria for the lot.
James and Lauren Seamans

7 Swan Song Place

Lot 18, Block 02, Section 11, Village of Cochran's Crossing

This item was heard by the full committee. The owner was present to address the committee. The staff provided the committee with a PowerPoint presentation, noting the location, design and applicable Standards for the improvement. The committee addressed concerns regarding the impact and use of the area in the ten foot rear yard easement. The committee deliberated on previous actions, and felt they had only granted one or two foot encroachments in the past. The staff noted that the items shown in the PowerPoint presentation address both the improvements cited in agenda item 4 and 5. This item is to address the improvements in the easements. It was moved by Mike Sawran and seconded by Kim Hess to deny the variance proposed for the fire pit, paving and proposed sitting walls in the easement and require the owner redesign the area, so that the overall encroachment does not exceed 2 feet into the rear yard easement. The motion carried unanimously.

5. Request for approval for proposed paving (pool decking replacement) which would cause the lot to exceed the maximum percent of Hard Surface Area allowed as established by the Neighborhood Criteria for the lot.

James and Lauren Seamans

7 Swan Song Place

Lot 18, Block 02, Section 11, Village of Cochran's Crossing

This item was heard by the full committee. The owner was present to address the committee. The staff provided the committee with a PowerPoint presentation, noting the location, design and applicable Standards for the improvements. The home owner and their contractor noted, that while the change in the Standard has caused the pavers to be considered hard surface, the material the home owner's have chosen, is more porous, than the current pavers surrounding the pool. Additionally the contractor and owner noted some additional areas, where they planned to include landscaping beds around the home. The staff noted that they did not have a copy of the proposed planter areas, which would decrease the amount of hard surface on the lot. It was then moved by Ken Anderson and seconded by Michael Sawran to approve the improvement on the condition the owner submit a revised plan and survey providing the updated plan with the inclusion of landscaping beds and require the plan be reviewed by the staff. The motion carried unanimously.

6. Request for approval for an existing Room Addition which has been constructed without Sealed Plans and has not had inspection by a Qualified Inspector to review code compliance

James and Bernie Alexander

18 Mallard Glen Place

Lot 95, Block 02, Section 03, Village of Cochran's Crossing

This item was heard under the summary approval list as presented by staff. It was moved by Ken Anderson and seconded by Kim Hess to table till the meeting of November 4th, 2009. The motion carried unanimously. Deborah Sargeant was not present for the vote.

7. Variance request for existing landscape rocks are located within the street right-of-way and are located less than 18" from the pavement edge

Frederick Steigert

31 Nightfall Place

Lot 26, Block 01, Section 28, Village of Cochran's Crossing

This item was heard under the summary approval list as presented by staff. It was moved by Ken Anderson and seconded by Kim Hess to approve as presented. Approval by this committee does not constitute approval by the additional easement holders or the county. It is the owner's responsibility to

obtain approval by the additional entities and may be subject to removal by those entities for access needed. The motion carried unanimously. Deborah Sargeant was not present for the vote.

8. Variance request for existing brick retaining wall exceeds the maximum height allowed for placement within an easement and is located within the street right-of-way

Friederich and Maureen Teuscher

43 Cricket Hollow Place

Lot 85, Block 07, Section 01, Village of Cochran's Crossing

This item was reviewed by the full committee. It was moved by Michael Sawran and seconded by Kim Hess to approve the improvement as presented. Approval by this committee does not constitute approval by the additional easement holders or the county. It is the owner's responsibility to obtain approval by the additional entities and may be subject to removal by those entities for access needed. The motion carried unanimously.

9. Variance request for existing driveway extension encroaches into the 5' side yard easement and causes the driveway to exceed the maximum width allowed

Hugh and Laura Celestino

59 Driftoak Circle

Lot 08, Block 01, Section 40, Village of Cochran's Crossing

This item was heard by the full committee. The owner was present to address the committee. The staff provided the committee with a PowerPoint presentation, noting the location, design and applicable Standards for the improvements. The committee discussed the visibility of the driveway extensions and the existing landscaping on the property. Additionally the committee discussed concerns regarding the area closest to the garage, encroaching all the way to the property line and the aesthetic concerns of the hard surface immediately adjacent to the fence. It was then moved by Ken Parker and seconded by Michael Sawran to deny the variance as proposed and require the owner redesign the area. The portion closest to the garage must be reduced, so that the addition of a landscaping bed with a minimum of 18 inches wide is added to the fence line to soften the view and reduce the overall driveway extension. Additionally, the portion nearest the street must be redesigned, not to exceed 16 feet in width, so that it complies with the current Standard. The motion carried unanimously.

10. Variance request for proposed gazebo and fireplace which would encroach beyond the 40' rear building setback

Don & Terry Sparling

6 Red Sable Point

Lot 2, Block 3, Section 59 Village of Grogan's Mill

This item was heard under the summary approval list as presented by staff. The home owner was present for this item. It was moved by Ken Anderson and seconded by Kim Hess to approve on the condition the owner must plant and maintain 3- 15gallon native evergreen trees to the rear of the lot and require the improvement meet code and pass inspections. The motion carried unanimously. Deborah Sargeant was not present for the vote.

11. Variance request for an existing fence which was built with the Construction Side Out

Ruth Pinney

18 Starviolet Street

Lot 71, Block 1, Section 17 Village of Grogan's Mill

This item was heard by the full committee. The affected neighbor was present for the item and addressed the committee. The staff provided the committee with the timelines noting the dates and actions that had occurred. The timelines were submitted by the Village Manager and the affected neighbor. In addition, the staff provided the committee with the PowerPoint presentation of the fence. The staff noted that the Village Manager had received an email from the owner noting that the owner intends to withdraw the application and remove the fence. The affected neighbor noted that the committee was not told the entire story and that the home owner had not been honest with the committee at their last meeting. The committee did ask the affected neighbor why the fence was objectionable. They also noted that if the fence were to be removed, the owner will be required to install a new fence, at which time; he will be required to see the construction side of the fence. The affected neighbor assured the committee, that he

would design a fence and submit it to the Covenant Administration Department in accordance with the Standards. It was then moved by Ken Parker and seconded by Michael Sawran to take no action on the item based upon the email that the owner is removing the fence, and request the staff follow up with the necessary notification for the removal of the fence, and the necessity for a security barrier for the adjoining property owner's pool. The motion carried unanimously.

12. Variance request for proposed paving, room addition & second story balcony encroach into the 5' side yard easement

Ross & Tiffany Davidson

11419 Slash Pine Place

Lot 9, Block 1, Section 8 Village of Grogan's Mill

This item was heard by the full committee. The owner was present to address the committee. The staff provided the committee with a PowerPoint presentation, noting the location, design and applicable Standards for the improvements. The staff noted that the majority of the homes in this area had a portion of the home which encroached into the easement and was on the property line. The owner's noted the maintenance issues required on the home and requested that the committee allow them to proceed with the modification requested so that they could improve upon the home and clean the property. The committee deliberated on the design modification, noting concern with the height of the concrete slab, at the front of the home. The committee asked the owner, how long they projected the construction to occur and be completed at the home. The home owner's projected; once they get started it will take approximately three months. It was moved by Ken Parker and seconded by Michael Sawran to Conditionally approve the proposed improvements on the condition the owner must provide the staff with the materials and sample boards for the home and add significant vegetation to the front of the home to soften and screen the view of the concrete slab from the street and adjoining property. The motion carried unanimously.

13. Variance request for existing fence was built with a rot board that is visible from an adjacent street right-of-way, and was built with more than one 6" rot board

Keith and Janet Sherman

3 Forge Hill Place

Lot 15, Block 27, Section 01 Village of Indian Springs

This item was heard under the summary approval list as presented by staff. The home owner was present for this item. It was moved by Ken Anderson and seconded by Kim Hess to withdraw the item from the agenda. The motion carried. Deborah Sargeant was not present for the vote.

14. Variance request for an existing fence, which was built with the construction side facing outward on the left and right sides, was built with a rot board that exceeds 6" in height and constructed with an overall height which exceed the maximum height allowed

Keith DeVillier

6 Rockridge Drive

Lot 64, Block 03, Section 01 Village of Indian Springs

This item was heard under the summary approval list as presented by staff. The home owner was present for this item. It was moved by Ken Anderson and seconded by Kim Hess to withdraw the item from the agenda. The motion carried. Deborah Sargeant was not present for the vote.

15. Variance request for an existing rear yard waterfall is located within the five foot side utility easement

Amanda and Jimm Enriquez

2 East Racing Cloud Court

Lot 20, Block 01, Section 46 Village of Panther Creek

This item was heard under the summary approval list as presented by staff. The home owner was present for this item. It was moved by Ken Anderson and seconded by Kim Hess to approve as presented. Approval by this committee does not constitute approval by the additional easement holders. It is the owner's responsibility to obtain approval by the additional entities and may be subject to removal by those entities for access needed. The motion carried. Deborah Sargeant was not present for the vote.

16. Variance request for proposed driveway widening would cause the driveway to exceed the maximum width allowed

Amanda and Jimm Enriquez

2 East Racing Cloud Court

Lot 20, Block 01, Section 46 Village of Panther Creek

This item was reviewed by the full committee. The staff provided the committee with a PowerPoint presentation, noting the location, design and applicable Standards for the improvements. The committee reviewed the overall width of the proposed driveway as well as the driveway width of the adjoining properties. Additionally, Committee member Ken Parker noted that due to the cul-de-sac design and the median in the center of the cul-de-sac, he felt the design of the driveway width extending to the left hand side, nearest adjoining house #2, encouraged drivers to ingress and egress from the lot from the incorrectly. It was then moved by Kim Hess and seconded by Michael Sawran to deny the variance as proposed and allow the owner to extend the side of the driveway nearest #6 East Racing Cloud, but deny a driveway extension nearest #2 Racing Cloud. The motion carried unanimously.

17. Variance request for an existing paver retaining wall is located in the street right-of-way and was placed in the right-of-way without prior County approval

Amanda and Jimm Enriquez

2 East Racing Cloud Court

Lot 20, Block 01, Section 46 Village of Panther Creek

This item was heard under the summary approval list as presented by staff. The home owner was present for this item. It was moved by Ken Anderson and seconded by Kim Hess to withdraw the item from the agenda. The motion carried. Deborah Sargeant was not present for the vote.

18. Variance request for existing "Shakewood" roof color is not architecturally compatible and is not within the acceptable range of approvable colors

Aaron Adams

8 Lea Oak Court

Lot 23, Block 08, Section 07 Village of Panther Creek

This item was heard under the summary approval list as presented by staff. The home owner was present for this item. It was moved by Ken Anderson and seconded by Kim Hess to approve as presented. The motion carried. Deborah Sargeant was not present for the vote.

19. Variance request for the existing garage door which is painted black, and does not match the color of the siding or trim of the dwelling

Scott and Cindy McMinn

242 South Crimson Clover Circle

Lot 04, Block 02, Section 30 Village of Panther Creek

This item was heard by the full committee. The owner was present to address the committee. The staff provided the committee with a PowerPoint presentation, noting the home and the colors on the property. The home owner thanked the committee for their time and service to the residents. He noted this was his third appearance before the committee. He felt the colors were compatible with the home and because of the position of the house and the garage. The owner felt the garage would stand out more if it was painted to match the trim or the siding of the home. It was then moved by Michael Sawran and seconded by Kim Hess to approve the color change as presented. The motion carried unanimously.

20. Consideration and Discussion of the status of the home regarding compliance with the Covenants and Standards for outstanding violations on the home.

Joseph Hammond

9 Indian Cedar Lane

Lot 34, Block 1, Section 18, Village of Grogan's Mill

This item was heard under the summary approval list as presented by staff. The home owner was present for this item. It was moved by Ken Anderson and seconded by Kim Hess to table this item until January of 2010 in order to allow work to commence on the property, see the overall improvement and general routine maintenance at the home. The owner and his agents remain in contact with the Community Association regarding the status of the property.

21. Consideration and Action regarding contractors in violation of the Standards.

This item was heard under the summary approval list as presented by staff. The home owner was present for this item. It was moved by Ken Anderson and seconded by Kim Hess to withdraw the item from the agenda. The motion carried. Deborah Sargeant was not present for the vote.

VII. Public Comments

John Nanninga spoke to the committee in regards to item number 20. The committee reiterated the action to the resident. He mentioned that he had spoken to the neighbor about the item.

VIII. Member Comments

There were no comments.

IX. Staff Report

There were no staff reports.

X. Adjourn

There being no further business it was moved by Ken Parker and seconded by Deborah Sargeant to adjourn the meeting at 7:50p.m.