

Members present: Robert Heineman, Deborah Sargeant, Chris Florack, Mark Bacon, Ken Anderson and Kim Hess.

Staff Present: Kimberly McKenna, Neslihan Tesno, Sharon Davis and Donna Parr

**I. Welcome/Call Meeting to Order.**

The meeting was called to order in regular session, open to the public by Chairman Deborah Sargeant at 5:34 p.m.

**II. Approve the minutes of the meeting of February 5, 2014.**

The minutes of the previous meeting were reviewed. It was moved by Chris Florack and seconded by Mark Bacon 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 3, 4, 5, 6, 8, 10, 11, 12, 13, 14, 15, 18, 19, 20, 22, 23, 24, 25, 26, 27, 30, 31, 32, 33 and 34. It was moved by Ken Anderson and seconded by Danie van Loggerenberg 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. Rehearing 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 homeowner was present to address the committee. The homeowner stated he was able to get written documentation from all his adjacent neighbors that they had no objection to the sports court and he was willing to plant evergreen vegetation to screen. It was moved by Robert Heineman and seconded by Deborah Sargeant to conditionally approve the court on the condition the owner plant and maintain evergreen trees and shrubs along the fence line as proposed for screening, no lights. The motion passed unanimously.
2. Variance request for a patio cover and fireplace that does not respect the rear 40 foot building setback.  
Richard Harper  
22 Nesting Crane Court  
Lot 32, Block 1, Section 6 Village of Creekside Park  
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. The contractor stated that the structure would be 20' from the water edge and would match the dwelling. It was moved by Deborah Sargeant and seconded by Kim Hess to conditionally approve, submit landscape plan, staff will review for sufficient screening upon completion, meet code and standards. The motion passed unanimously.
3. Consideration and action regarding preliminary plans of the site clearing for the hotel.  
Hughes Landing Hotel  
1855 Hughes Landing Boulevard  
This item was reviewed under the summary agenda. It was moved by Chris Florack and seconded by Mark Bacon to approve the preliminary plan submittal and site clearing for the nine story hotel and six floor parking garage.

4. Consideration and action regarding the trees requested for removal.  
Village Square Apartments  
2301 South Millbend Drive  
Lot 0200, Block 0547, Section 0006 Village of Grogan's Mill  
This item was reviewed under the summary agenda. It was moved by Chris Florack and seconded by Mark Bacon to withdraw this item. The motion carried unanimously.
5. Consideration and action regarding the installation of a Monument Sign.  
Village Square Apartments  
2301 South Millbend Drive  
Lot 0200, Block 0547, Section 0006 Village of Grogan's Mill  
This item was reviewed under the summary agenda. It was moved by Chris Florack and seconded by Mark Bacon to approve on the condition the owner must plant and maintain native evergreen vegetation in accordance with the Commercial Planning and Design Standards. Additionally, the sign must be modified to capitalize The Woodlands. The motion carried unanimously.
6. Consideration and action regarding the installation of an outdoor living area for the common area of the apartment complex, that includes a fire pit, gas grill, arbor, patio, trellis and decking.  
Village Square Apartments  
2301 South Millbend Drive  
Lot 0200, Block 0547, Section 0006 Village of Grogan's Mill  
This item was reviewed under the summary agenda. It was moved by Chris Florack and seconded by Mark Bacon to approve the outdoor living area on the condition the owner must plant and maintain native evergreen vegetation to soften and screen the area. Additionally the improvements must meet code and pass final inspection. Please contact Montgomery county permitting for code inspections.
7. Consideration and action regarding the proposed color change.  
Village Square Apartments  
2301 South Millbend Drive  
Lot 0200, Block 0547, Section 0006 Village of Grogan's Mill  
This item was reviewed by the full committee. The owner was present to address the committee. The staff provided the committee with a presentation, noting the improvements, their location and their impact to adjacent properties. It was moved by Kim Hess and seconded by Deborah Sargeant to approve the request for a color change on the condition the apartment complex work with the staff and the designated committee member Deborah Sargeant to review and act on the final color selection, contingent on site inspection and view of renderings and color concepts currently placed on the property. The motion carried unanimously.
8. Consideration and action for allowance to operate a car wash in the mall area.  
Let It Shine Car Wash  
The Woodlands Mall  
This item was reviewed under the summary agenda. It was moved by Chris Florack and seconded by Mark Bacon to withdraw this item. The motion carried unanimously.
9. Variance request for a variance regarding the installation of a storage building addition.  
Woodlands Community Church  
5401 Rush Haven Drive  
Lot 0220, Block 0592, Section 0060 Village of Indian Springs  
This item was reviewed by the full committee. The owner was present to address the committee. The staff provided the committee with a presentation, noting the improvements, their location and their impact to adjacent properties. The committee shared concerns regarding the damage to the forest preserve, the visual impact of the improvement and the need for a more permanent detached structure that will be more architecturally compatible with the area. The motion carried unanimously.
10. Consideration and action regarding the installation of a generator at the cell tower location.  
Verizon – Cell Tower Site  
4881 West Panther Creek Drive  
Lot 0305, Block 0045, Section 0040 Village of Panther Creek

This item was reviewed under the summary agenda. It was moved by Chris Florack and seconded by Mark Bacon to withdraw this item. The motion carried unanimously.

11. Consideration and action for a home business renewal.

Ron Ryan

9 Huntsman's Horn Circle

Lot 05, Block 01, Section 35 Village of Grogan's Mill

This item was reviewed under the summary agenda. It was moved by Chris Florack and seconded by Mark Bacon to approve as submitted on the following conditions. The business must remain in compliance with the Standards. The Development Standards Committee may revoke the permit at any time. If it is determine the business causes a negative impact on the neighborhood the business permit may be revoked. Approval process is for 2 years. A renewal must be submitted by March 2016. The motion carried unanimously.

12. Consideration and action for a home business renewal.

Dale H. Weibe

12 Blue Fox Court

Lot 3A, Block 01, Section 29 Village of Grogan's Mill

This item was reviewed under the summary agenda. It was moved by Chris Florack and seconded by Mark Bacon to approve as submitted on the following conditions. The business must remain in compliance with the Standards. The Development Standards Committee may revoke the permit at any time. If it is determine the business causes a negative impact on the neighborhood the business permit may be revoked. Approval process is for 2 years. A renewal must be submitted by March 2016. The motion carried unanimously.

13. Consideration and action for a home business renewal.

Scott Kruegel

57 South Waxberry Road

Lot 06, Block 03, Section 01 Village of Panther Creek

This item was reviewed under the summary agenda. It was moved by Chris Florack and seconded by Mark Bacon to approve as submitted on the following conditions. The business must remain in compliance with the Standards. The Development Standards Committee may revoke the permit at any time. If it is determine the business causes a negative impact on the neighborhood the business permit may be revoked. Approval process is for 2 years. A renewal must be submitted by March 2016. The motion carried unanimously.

14. Variance request for a proposed patio cover that would encroach past the rear 25 foot setback.

Colin R Ocker

15 Crested Pines Court

Lot 21, Block 02, Section 35 Village of Panther Creek

This item was reviewed under the summary agenda. It was moved by Chris Florack and seconded by Mark Bacon to approve as presented on the conditions the improvements meet code and pass final inspection. The owner must ensure the placement of the improvements does not halt or materially impede drainage as defined in the Residential Development Standards. The motion carried unanimously.

15. Variance request for a proposed breezeway gate that exceeds the maximum height allowed and was not considered to be architecturally compatible when reviewed by the Residential Design Review Committee.

Colin R Ocker

15 Crested Pines Court

Lot 21, Block 02, Section 35 Village of Panther Creek

This item was reviewed under the summary agenda. It was moved by Chris Florack and seconded by Mark Bacon to approve as presented on the conditions the improvements meet code and pass final inspection. The owner must ensure the placement of the improvements does not halt or materially impede drainage as defined in the Residential Development Standards. The motion carried unanimously.

16. Variance request for a proposed addition over the detached garage that would be located beyond the 20 foot rear building setback.

Andrew R Salmon

111 West Copper Sage Circle

Lot 49, Block 01, Section 12 Village of Cochran's Crossing

This item was reviewed by the full committee. The owner was present to address the committee. The staff provided the committee with a presentation, noting the improvements, their location and their impact to adjacent properties. The committee reviewed the architectural compatibility, the impact to adjacent properties and the opportunity to review the design in order to allow less of an encroachment into the setback, reduce the impact to adjacent properties and become more architecturally integrated into the home. It was then moved by Chris Florack and seconded by Ken Anderson to deny the variance as presented and request the owner work with the staff and the designated committee review to revise the plans and submit them to the staff and designee for final review and action. The committee agreed the allowance of an encroachment into the easement should be close to a 5 foot encroachment into the setback when submitted for final review. The motion carried unanimously.

17. Variance request for an existing roof color, approved for a rehearing. The original action included a memorandum of agreement to remove at sell or transfer of title.

Wesley and Teresa Crawford

23 Nightwind Place

Lot 44, Block 01, Section 17, Village of Cochran's Crossing

This item was reviewed by the full committee. The owner was present to address the committee. The staff provided the committee with a presentation, noting the improvement and the previous action of the committee. It was then moved by Deborah Sargeant and seconded by Chris Florack to approve the roof as presented and release the existing memorandum of agreement requiring removal and replacement of the existing roof when the owner sold, transferred title or was no longer the primary resident. The motion carried unanimously.

18. Variance request for the proposed wrought iron driveway gate that causes construction side of the rear yard wooden fence to be visible from the street and was not considered to be compatible with the existing neighborhood character.

Robin Ida Craig

8 Roserush Court

Lot 04, Block 02, Section 15 Village of Grogan's Mill

This item was reviewed under the summary agenda. It was moved by Chris Florack and seconded by Mark Bacon to approve on the condition the owner plant and maintain native evergreen vegetation to the rear of the property to soften and screen the view of the construction side members from the street. Additionally the owner must store the trash and recycle carts out of public view, by either storing them inside the garage or submitting an application to install a trash and recycle cart screen. The motion carried unanimously.

19. Variance request for a culvert retaining structure in the street right-of-way that was approved for a rehearing. The Development Standards Committee action of June 5, 2013 required that the owner must plant and maintain vegetation to soften the view.

Jay and Julia McGregor

43 Halfmoon Court

Lot 17, Block 01, Section 49 Village of Grogan's Mill

This item was reviewed under the summary agenda. It was moved by Chris Florack and seconded by Mark Bacon to approve this item as presented. The motion carried unanimously.

20. Variance request for the proposed retaining wall with related patio that would be located beyond the 20 foot platted building line.

Murray Smith

1849 Lake Terrace Court

Lot 29, Block 01, Section 62 Village of Grogan's Mill

This item was reviewed under the summary agenda. It was moved by Chris Florack and seconded by Mark Bacon to approve the proposed retaining wall as presented. It is the owner's responsibility to obtain those approvals and may be subject to removal. Improvement must not halt or materially impede drainage as defined in the Residential Development Standards. The motion carried unanimously.

21. Variance request for tree removals.

Murray Smith

1849 Lake Terrace Court

Lot 29, Block 01, Section 62 Village of Grogan's Mill

This item was reviewed by the full committee. The owner was present to address the committee. The staff provided the committee with a presentation, noting the improvements and the requests for tree removals. It was moved by Deborah Sargeant and seconded by Ken Anderson to deny the variance to remove the tree as requested. The motion carried unanimously.

22. Variance request for an existing perimeter fence that was rebuilt with the construction side facing out and was submitted without prior approval from the adjacent property owners.  
Tsong Dar Vincent Lin  
8 Brookflower Road  
Lot 47, Block 02, Section 28 Village of Grogan's Mill  
This item was reviewed under the summary agenda. It was moved by Chris Florack and seconded by Mark Bacon to approve the fence as presented. The motion carried unanimously.
23. Variance request for an existing rear yard fence that was replaced with the construction side facing out from the lot.  
James Gibson  
24 Night Hawk Place  
Lot 22, Block 07, Section 25 Village of Grogan's Mill  
This item was reviewed under the summary agenda. It was moved by Chris Florack and seconded by Mark Bacon to deny the variance and request to delay enforcement based upon the execution of a memorandum of agreement, requiring the owner correct the fence to comply with the Standards when the owner no longer owns the home, sells or transfers title. The memorandum will be recorded at the courthouse and binding on the land. The motion carried unanimously.
24. Variance request for an existing rear yard detached storage shed that is not screened from view from the adjacent properties by a six foot solid perimeter fence.  
Sidney Prichard  
167 Timber Mill Street  
Lot 01, Block 04, Section 13 Village of Grogan's Mill  
This item was reviewed under the summary agenda. It was moved by Chris Florack and seconded by Mark Bacon to approve the storage shed on the condition the owner plant and maintain significant native evergreen vegetation to soften and screen the view from the street and adjacent property. Screening can include trellises at the front and rear to soften and screen the view. The motion carried unanimously.
25. Variance request for an existing fence that exceeds the maximum height allowed and has a lattice top design which was rebuilt beyond the platted building line.  
Jake Latimer  
180 Maple Branch Street  
Lot 32, Block 01, Section 24 Village of Grogan's Mill  
This item was reviewed under the summary agenda. It was moved by Chris Florack and seconded by Mark Bacon to approve on the condition the owner must plant and maintain significant native evergreen vegetation to soften and screen the view in front of the garage and between the home and garage. The motion carried unanimously.
26. Variance request for the existing pool equipment that encroaches into the side yard easement.  
Richard G Cheplick  
6 Still Glen Court  
Lot 25, Block 02, Section 01 Village of Panther Creek  
This item was reviewed under the summary agenda. It was moved by Chris Florack and seconded by Mark Bacon to approve on the condition the location of the equipment does not cause a security barrier issue for the adjacent property owner's lot. If the adjacent property owner requires a secure barrier fence, the owner must modify the fence or the location of the equipment to allow the adjacent property owner a secure pool barrier. All improvement must meet code and pass final inspection. Approval by this committee does not constitute approval by the additional easement holder. It is the owner's responsibility to obtain those approvals and may be subject to removal. The motion carried unanimously.
27. Variance request for an existing storage shed that encroaches into the ten foot rear and five foot side easement.  
James Morrival  
14 Lucky Leaf Court

Lot 12, Block 03, Section 30 Village of Panther Creek

This item was reviewed under the summary agenda. It was moved by Chris Florack and seconded by Mark Bacon to deny the variance and consent to delay enforcement based upon the execution of a memorandum of agreement, requiring the owner to remove the storage shed from the lot when the owner no longer owns the home, sells or transfers title or when the shed is in disrepair and requires removal. The memorandum will be recorded at the courthouse and binding on the land. Additionally the owner must maintain the existing vegetation and fencing on the lot to soften and screen the view of the shed from the adjacent properties. The motion carried unanimously.

28. Consideration and action to appeal the conditions of approval regarding trees that were denied for removal in conjunction with proposed in-ground pool and spa, and request for variance for proposed tree that does not meet the criteria for removal.

Robert J Page  
2 Golden Place

Lot 02, Block 22, Section 01 Village of Indian Springs

This item was reviewed by the full committee. The owner was present to address the committee. The staff provided the committee with a presentation, noting the improvement and request for tree removal. It was moved by Robert Heineman and seconded by Chris Florack to approve the removal of trees marked 2 and 3 on the survey on the condition the owner must plant and maintain 2 native evergreen trees that are a minimum of thirty gallon size at the time of installation. Additionally tree number 6 marked on the survey is not approved for removal and must remain on the lot. The motion carried unanimously.

29. Variance request for the existing trash and recycle cart screen that is not one of the pre-approved designs and does not match the style of the existing perimeter fence.

Gloria Mongonia  
161 Maple Branch Street

Lot 34, Block 01, Section 23 Village of Grogan's Mill

This item was reviewed by the full committee. The staff provided the committee with a presentation, noting the improvement. The committee shared concerns regarding the placement and visibility. It was then moved by Mark Bacon and seconded by Kim Hess to deny the variance as requested the owner modify the structure to comply with the Standards and submit a new application to seek to obtain a permit. The motion carried unanimously.

30. Variance request for an existing rear yard metal storage shed that is encroaches into the ten foot rear and five foot side yard easements.

Steven Boswell  
69 North Deerfoot Circle

Lot 15, Block 02, Section 28 Village of Grogan's Mill

This item was reviewed under the summary agenda. It was moved by Chris Florack and seconded by Mark Bacon to deny the variance and consent to delay enforcement based upon the execution of a memorandum of agreement requiring the owner to remove the shed from the property when the owner no longer owns the home or sells and transfers title. The memorandum will be recorded at the courthouse and binding on the land. The motion carried unanimously.

31. Variance request for an existing awning that is made of corrugated plastic.

Patricia J. Moritz  
1 Muskmallow Court

Lot 30, Block 01, Section 19 Village of Grogan's Mill

This item was reviewed under the summary agenda. It was moved by Chris Florack and seconded by Mark Bacon to approve the awning as presented and require the trim board surrounding the roof, must remain above the corrugated material to screen the view from the street, when viewed at ground level. The motion carried unanimously.

32. Variance request for an existing fence that was not considered to be compatible with the neighborhood when viewed by the Residential Design Review Committee; and a portion of the fence was constructed with the unfinished side visible to an adjacent tract with a rot board that is visible to the street.

Scott and Jenny Roltsch  
40 Highbrush Court

Lot 14, Block 4, Section 42, Village of Cochran's Crossing

This item was reviewed under the summary agenda. It was moved by Chris Florack and seconded by Mark Bacon to deny the variance and consent to delay enforcement based upon the execution of a memorandum of agreement that requires the owner to modify the fence on or before the time that the owner sells or transfers title to the property or when the fence is in disrepair and requires replacement. The memorandum will be recorded at the courthouse and binding on the land. Additionally the fence must meet code. The motion carried unanimously.

33. Consideration and action to pursue legal action for outstanding violations on the home.

Mark Palmer

6 Wolly Bucket Place

Lot 19, Block 04, Section 05 Village of Grogan's Mill

This item was reviewed under the summary agenda. It was moved by Chris Florack and seconded by Mark Bacon to approve the pursuit of legal action; and authorize our attorneys and staff to notify the owner of the Committee's action, that is, 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.

34. Consideration and action to pursue legal action for outstanding violations on the home.

Graciela Anguiano

8 Plover Lane

Lot 15, Block 01, Section 24 Village of Grogan's Mill

This item was reviewed under the summary agenda. It was moved by Chris Florack and seconded by Mark Bacon to approve the pursuit of legal action; and authorize our attorneys and staff to notify the owner of the Committee's action, that is, 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 were considerations or action made to the Standards for this meeting.

**VI. Public Comments**

There were no public comments.

**VII. Member Comments**

Chairperson Deborah Sargeant noted that she may not be able to attend the meeting of March 19<sup>th</sup>, 2014.

**VIII. Staff Reports**

The staff informed the committee that Danie van Loggerenberg had called to say he was sick and would not be available to attend the meeting; he requested we apologize to the committee.

**IX. Adjourn**

There being no further business it was moved by Chris Florack and seconded by Ken Anderson to adjourn the meeting at 7:09p.m.