

Development Standards Committee  
April 2, 2014 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, Mark Bacon, Ken Anderson, Danie van Loggerenberg and Kim Hess.

Staff Present: Kimberly McKenna, 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 5:29 p.m.

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

The minutes of the previous meeting were reviewed. It was moved by Ken Anderson and seconded by Kim Hess to approve the minutes as presented. The motion carried. Chris Florack was not present for the vote.

**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 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17 & 19. 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. Chris Florack was not present for the vote.

**IV. Review and Disposition of Applications and Covenant Violations**

1. Variance request for an existing fence color that may not be in keeping with neighborhood character.  
Korbin Family Trust  
50 South Vesper Bend Circle  
Lot 93, Block 2, Section 29 Village of Sterling Ridge  
This item was heard by the full committee. Staff provided the committee with a PowerPoint presentation. It was moved by Deborah Sargeant and seconded by Kim Hess to table the item to a later time and allow Chris Florack to attend the meeting. Upon full committee review it was moved by Chris Florack and seconded by Mark Bacon to deny the fence color improvement as presented. The motion carried unanimously.
2. Variance request for a proposed gazebo which would be located beyond the twenty five foot rear building setback line.  
Perry J Walker  
43 South Flagstone Path Circle  
Lot 45, Block 01, Section 42 Village of Cochran's Crossing  
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 discussed concerns in regards to the design of the gazebo and the overall pitch of the roof. It was then moved by Danie van Loggerenberg and seconded by Ken Anderson to deny the gazebo as proposed and require the owner redesign the improvement to lower the pitch of the roof, to the lowest possible pitch. Additionally the owner must plant and maintain native evergreen vegetation to soften and screen the improvement from adjacent properties. The motion carried unanimously.
3. Consideration and action of the preliminary application for a 25,000 square foot, two-story office building and a two-story parking garage addition with 5,000 square foot fitness center on ground floor.  
GeoSouthern Energy Corporation  
1425 Lake Front Circle  
Lot 0350, Block 0599, Section 0999 Village of Town Center

This item was heard by the full committee. Staff provided the committee with a PowerPoint presentation. It was then moved by Kim Hess and seconded by Ken Anderson to conditionally approval subject to the following:

- Push the parking garage and fitness center north to align with the forest preserve setback in order to maintain more of the forest preserve along the south side of garage and drive
- Allow only a five foot encroachment variance into the south side of the garage to encroachment into five foot forest preserve with the drive.
- Plant and Maintain trees and additional landscaping between the proposed parking garage/ fitness center and the drive,
- Submit clearing plan and staging plan, including the temporary parking area
- Submit all exterior lighting specifications
- Submit all proposed exterior signage.

The motion carried unanimously.

4. Consideration and action of the final plans for a multi-purpose building addition.

Living Word Lutheran Church

9500 West Panther Creek

Block 0547, Section 0040 Village of Panther Creek

This item was reviewed under the summary agenda. It was moved by Ken Anderson and seconded by Danie van Loggerenberg to conditionally approve the proposed improvements on the following conditions:

- Submit clearing plan
- Add landscape beds between the drive and the new enlarged playground area
- Submit landscape and irrigation plan
- Submit all proposed exterior signage

The motion carried unanimously.

5. Variance request for a proposed trash and recycle cart screen which would be located more than three feet into the five foot side yard easement.

Michael S Rhea

42 Sweetdream Place

Lot 49, Block 03, Section 19 Village of Cochran's Crossing

This item was reviewed under the summary agenda. It was moved by Ken Anderson and seconded by Danie van Loggerenberg to approve the trash and recycle cart screen as presented, on the condition the owner must plant and maintain native evergreen vegetation to the front of the trash and recycle cart screen to soften and screen the view from the street and adjacent property. The motion carried. Chris Florack was not present for the vote.

6. Variance request for a proposed detached building that would not be entirely screened by a six-foot high solid fence.

Jerry L Jackson

54 South Castlegreen Circle

Lot 26, Block 01, Section 52 Village of Cochran's Crossing

This item was reviewed under the summary agenda. It was moved by Ken Anderson and seconded by Danie van Loggerenberg to approve the detached building as presented, on the condition the owner must plant and maintain significant native evergreen vegetation screen any view of the storage shed from the golf course. The motion carried. Chris Florack was not present for the vote.

7. Variance request for a proposed fence that exceeds the maximum height allowed.

Kari Lefeat

50 Split Rock Road

Lot 06, Block 05, Section 17 Village of Panther Creek

This item was reviewed under the summary agenda. It was moved by Ken Anderson and seconded by Danie van Loggerenberg to approve the fence as presented. Installation of the improvement must not halt or materially impede drainage as defined in the Residential Development Standards. The motion carried. Chris Florack was not present for the vote.

8. Variance request for a proposed porte-cochere that encroaches past the forty foot rear setback and the seven foot side setback.  
Timothy Fox  
34 Wood Cove Drive  
Lot 14, Block 01, Section 24 Village of Panther Creek  
This item was reviewed under the summary agenda. The homeowner was present to address the committee. It was moved by Ken Anderson and seconded by Danie van Loggerenberg to approve the proposed porte-co-chere as presented, on the condition the media room windows are removed from the media room on the western side of the property, adjacent to lot 15 as described in the left elevation. All improvements must meet code and pass final inspection. The owner must ensure the placement of the improvements do not halt or materially impede drainage as defined in the Residential Development Standards. The motion carried. Chris Florack was not present for the vote.
9. Variance request for a proposed patio cover that encroaches past the rear 40 foot setback.  
Timothy Fox  
34 Wood Cove Drive  
Lot 14, Block 01, Section 24 Village of Panther Creek  
This item was reviewed under the summary agenda. The homeowner was present to address the committee. It was moved by Ken Anderson and seconded by Danie van Loggerenberg to approve the proposed patio cover on the condition the owner must plant and maintain native evergreen vegetation to soften and screen the view of the improvements. Additionally the improvement must meet code and pass final inspection. The owner must ensure the improvements do not halt or materially impede drainage as defined in the residential Development Standards. The motion carried. Chris Florack was not present for the vote.
10. Variance request for a proposed second story room addition encroaches past the forty foot rear setback and the seven foot side setback.  
Timothy Fox  
34 Wood Cove Drive  
Lot 14, Block 01, Section 24 Village of Panther Creek  
This item was reviewed under the summary agenda. The homeowner was present to address the committee. It was moved by Ken Anderson and seconded by Danie van Loggerenberg to approve the proposed second story room addition on the condition the owner modifies the plans to remove the 2 windows from the media room on the western side of the property, adjacent to lot 15 as described in the left elevation. All improvements must 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. Chris Florack was not present for the vote.
11. Variance request for a driveway replacement which exceeds the maximum width allowed.  
Carolus DeRozario  
5 North Hornbeam Place  
Lot 04, Block 03, Section 05 Village of Grogan's Mill  
This item was reviewed under the summary agenda. It was moved by Ken Anderson and seconded by Danie van Loggerenberg to approve the driveway replacement as presented. Approval by this committee does not constitute approval by the additional entities; it is the owner's responsibility to obtain and may be subject to removal for access. Improvements must not halt or materially impede drainage as defined in the Standards. The motion carried. Chris Florack was not present for the vote.
12. Variance request for a fence that encroaches over the 25 foot rear platted building line.  
Ashley Hayes  
2830 South Logrun Circle  
Lot 25, Block 01, Section 02 Village of Grogan's Mill  
This item was reviewed under the summary agenda. It was moved by Ken Anderson and seconded by Danie van Loggerenberg to approve as presented. The owner must maintain the existing vegetation to soften and screen the view. The motion carried. Chris Florack was not present for the vote.
13. Variance request for a front yard patio area that encroaches into the twenty five foot front yard building line and easement.  
Ferol Johnson

31 Maple Branch Street

Lot 11, Block 03, Section 25 Village of Grogan's Mill

This item was reviewed under the summary agenda. It was moved by Ken Anderson and seconded by Danie van Loggerenberg to approve the front yard patio as presented. Approval by this committee does not constitute approval by the additional easement holders. It is the owner's responsibility to obtain those approvals and may be subject to removal for access needed. The motion carried. Chris Florack was not present for the vote.

14. Variance request for an existing dog run and dog house that is located in an area that may cause a disproportionate or adverse impact on neighboring properties when viewed by the Residential Design Review Committee.

Chad Runeberg

3 Flatcreek Place

Lot 24, Block 02, Section 24 Village of Cochran's Crossing

This item was reviewed under the summary agenda. The homeowner was present to address the committee. It was moved by Ken Anderson and seconded by Danie van Loggerenberg to approve the dog run and dog house as submitted on the condition the owner maintain the dog run area in accordance with the Standards and good animal husbandry, as defined in the Covenants.

15. Variance request for an existing pavestone patio which encroaches into the five foot side yard easement.

Chad Runeberg

3 Flatcreek Place

Lot 24, Block 02, Section 24 Village of Cochran's Crossing

This item was reviewed under the summary agenda. The homeowner was present to address the committee. It was moved by Ken Anderson and seconded by Danie van Loggerenberg to approve the pavestone patio as presented. Approval by this committee does not constitute approval by the additional easement holders. It is the owner's responsibility to obtain those approvals and may be subject to removal. The motion carried. Chris Florack was not present for the vote.

16. Variance request for an existing bocce ball court which encroaches into the ten foot rear yard easement.

Davy Patmos Holak

40 Cornerbrook Place

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

This item was reviewed under the summary agenda. The homeowner was present to address the committee. It was moved by Ken Anderson and seconded by Danie van Loggerenberg to approve the existing bocce ball court as presented. Approval by this committee does not constitute approval by the additional easement holders. It is the owner's responsibility to obtain those approvals and may be subject to removal. Additionally the owner must ensure placement of the improvements does not halt or materially impede drainage as defined in the Standards. The motion carried. Chris Florack was not present for the vote.

17. Variance request for an existing driveway widening which exceeds the maximum width allowed.

Linda Diane Stiles

132 West Bonneymead Circle

Lot 03, Block 01, Section 13 Village of Cochran's Crossing

This item was reviewed under the summary agenda. The homeowner was present to address the committee. It was moved by Ken Anderson and seconded by Danie van Loggerenberg to approve the existing driveway widening as presented. Improvements must not halt or materially impede drainage as defined in the Standard. Approval by this committee does not constitute approval by the additional easement holders. It is the owner's responsibility to obtain those approvals and may be subject to removal for access needed. The motion carried. Chris Florack was not present for the vote.

18. Variance request for an existing fence that encroaches past the 25 foot platted building line, is taller than the maximum height allowed, has a rot board that is not screened or beveled, and is not an approvable fence style.

Donald K Siler

2 Edgewood Forest Court

Lot 51, Block 01, Section 16 Village of Panther Creek

This item was heard by the full committee. Staff provided the committee with a PowerPoint presentation. It was moved by Robert Heineman and seconded by Danie van Loggerenberg to deny the fence as presented and consent to delay enforcement based upon the execution of a memorandum of agreement requiring the owner to remove the

fence or correct the fence to comply with the Standards, when the owner no longer owns the home, sells or transfers title or the fence is in need of repair and replacement. The motion was opposed by Chris Florack, Deborah Sargeant, Mark Bacon and Kim Hess. The motion did not carry. It was then moved by Ken Anderson and seconded by Mark Bacon to deny the fence as presented, require the owner correct the fence design to comply with the Standards and allow the encroachment over the building line, on the condition the owner must plant and maintain a continuous landscape bed including a mix of shrubs and trees to soften and screen the view of the fence from the adjacent road right of way. The motion carried unanimously.

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

Alvano Copolla

6 Meadow Star Court

Lot 46, Block 01, Section 15 Village of Panther Creek

This item was reviewed under the summary agenda. It was moved by Ken Anderson and seconded by Danie van Loggerenberg 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. Chris Florack was not present for the vote.

20. Recess to Executive Session to consult with the Development Standards Committee's attorney pursuant to 551.071, Texas Government Code regarding item 22.

This item was withdrawn from the agenda.

21. Reconvene in Public Session.

This item was withdrawn from the agenda.

22. Consideration and Action of the Amended and Restated Agreement with Regard to Delegation of Covenant Responsibilities from the Development Review Committee to the Development Standards Committee.

This item was withdrawn from the agenda.

**V. Consideration and action regarding revisions to the Residential Development Standards.**

The committee discussed the status of the Standards and any feedback they had received. The date and time of the Public Forum was noted. No action was taken on this item.

**VI. Public Comments**

There were no public comments.

**VII. Member Comments**

Chris Florack mentioned that he might not be in attendance at the next meeting.

**VIII. Staff Reports**

There were no staff reports.

**IX. Adjourn**

There being no further business it was moved by Ken Anderson and seconded by Kim Hess to adjourn the meeting at 6:21p.m. The motion carried unanimously.