

**Development Standards Committee**

**September 3, 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 and Kim Hess

**Staff Present:** Kimberly McKenna, Kathleen Eaton and Sharon Davis

**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 the minutes of the previous meetings.**

The minutes were reviewed by the committee. It was moved by Chris Florack and seconded by Mark Bacon to approve the minutes of the meeting of July 2, 2014 as presented. The motion carried unanimously. It was then moved by Kim Hess and seconded by Robert Heineman to approve the minutes of the meeting of August 4, 2014 as presented. Chris Florack abstained. The motion carried.

**III. Consideration and Action of the Applications and Covenant Violations in Section III, 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 1, 3-12, 14-20, 22, 23 and 25-27. It was moved by Chris Florack and seconded by Deborah Sargeant to approve the Summary List as presented by staff recommendation. The motion carried unanimously.

**IV. Consideration and Action of the Applications and Covenant Violations.**

1. Consideration and action to remodel the interior and exterior of the existing building.

Brinker Texas/ Chili's Grill and Bar

1110 Lake Woodlands Drive

Lot 0655, Block 0599, Section 0999 Village of Town Center

This item was reviewed under the summary approval list as presented by staff. It was moved by Chris Florack and seconded by Deborah Sargeant to approve the exterior and interior remodel to the Chili's Bar and Grill. All improvements must meet code and pass inspection. Approval by this committee does not constitute approval by any additional entity it is the owner's responsibility to obtain those approvals. The motion carried unanimously.

2. Consideration and action regarding a permanent storage building that was not considered to be architecturally compatible with the surrounding area and may cause an impact to adjacent properties.

Woodlands Country Club Tournament Course

1830 South Millbend Drive

Lot 0320, Block 0599, Section 0036 Village of Grogan's Mill

This item was heard by the full committee. A representative from Sequoia golf was present to address the committee. Additionally, several residents from the adjacent properties were present to address the committee. The residents addressed the committee concerned about the design of the building, the potential for noise due to the metal structure, the use as more than storage. The residents inquired about a landscaping plan or plans for forestation. They expressed concerns regarding the revision at nine feet tall would not improve the concerns of the structure given the current proposal. They noted that Home owners are not allowed to have corrugated metal building for storage units and the golf course should be the same. The representative for Sequoia discussed opportunities to paint the metal, add vegetation and addressed inquiries about alternate locations and the difficulty due to the need and use of that area. The committee reviewed the deadline of September 8, 2014 to have the temporary storage containers removed and the area cleared of all debris. The committee discussed the need to visit the property prior to any future action on a temporary building. It was then moved by Deborah Sargeant and seconded by Kim Hess to deny the variance request as proposed and require the area is cleared and in accordance with the committee's original action requiring all disapproved temporary storage buildings as well as debris, equipment and/or trash be removed prior to allowing a review and action for a permanent facility or improvement. Additionally, the committee requested any revised plan include a landscape plan. Chris Florack opposed the motion. The motion carried.

3. Consideration and action regarding modification to the Landscaping and hardscape.  
First Baptist Church of The Woodlands  
11801 Grogan's Mill Road  
Lot 0500, Block 0599, Section 0006 Village of Grogan's Mill  
This item was reviewed under the summary approval list as presented by staff. It was moved by Chris Florack and seconded by Deborah Sargeant to approve on the condition final review of the landscaping is reviewed by the staff and a designated DSC Member, Kim Hess to require additional re-forestation as needed to meet the standards and as necessary to screen the stair tower on the parking garage. The Development Standards Committee representative and Township staff will verify on site. The motion carried unanimously.
4. Consideration and action regarding approval for a two story office building and one story lab building addition to the existing Lonestar College Campus  
Houston Advanced Research Center Headquarters (H.A.R.C.)  
4800 Research Forest Drive  
Located near Research Forest and Gosling  
Block 0051, Lot 0804 Village of Research Forest  
This item was reviewed under the summary approval list as presented by staff. It was moved by Chris Florack and seconded by Deborah Sargeant to approve as submitted. The motion carried unanimously.
5. Consideration and action regarding the final plan approval for a 12 story office building  
3 Hughes Landing  
1780 Hughes Landing Boulevard  
Lot 630, Block 599, Section 999, Village of Town Center  
This item was reviewed under the summary approval list as presented by staff. It was moved by Chris Florack and seconded by Deborah Sargeant to approve as submitted. The motion carried unanimously.
6. Consideration and action regarding a proposed business located in the home.  
Lisa J Norman  
22 Bending Branch Place  
Lot 31, Block 04, Section 12 Village of Cochran's Crossing  
This item was reviewed under the summary approval list as presented by staff. It was moved by Chris Florack and seconded by Deborah Sargeant to approve as presented on the condition the owner must run the business in accordance with the Residential Development Standards, the Home Business application must be resubmitted for review and action in September, 2016. Additionally the Plant Review Committee or their designee may revoke the permit at any time or whenever it is not being operated in accordance with the Standards. The motion carried unanimously.
7. Consideration and action regarding a proposed business located in the home.  
Jon M Bartell  
24 Tangle Brush Drive  
Lot 10, Block 01, Section 06 Village of Panther Creek  
This item was reviewed under the summary approval list as presented by staff. It was moved by Chris Florack and seconded by Deborah Sargeant to approve as presented on the condition the owner must run the business in accordance with the Residential Development Standards, the Home Business application must be resubmitted for review and action in September 2016. Additionally the Plant Review Committee or their designee may revoke the permit at any time or whenever it is not being operated in accordance with the Standards. The motion carried unanimously.
8. Consideration and action regarding the proposed culvert improvement that will be located in the street right-of-way.  
Liu Family Interests LTD  
6 Maple Branch Street  
Lot 09, Block 04, Section 05 Village of Grogan's Mill  
This item was reviewed under the summary approval list as presented by staff. It was moved by Chris Florack and seconded by Deborah Sargeant to approve as submitted. The motion carried unanimously.

9. Variance request for a proposed fence gate, that will be encroach into the platted building line.  
Lakshmi Singh  
43 North Longspur Drive  
Lot 08, Block 04, Section 45 Village of Grogan's Mill  
This item was reviewed under the summary approval list as presented by staff. It was moved by Chris Florack and seconded by Deborah Sargeant to approve on the condition the owner must plant and maintain a continuous landscape bed of native evergreen trees and or shrubs, at the front of the fence, to soften and screen the view of the fence and gate from the street. If the fence will serve as a security barrier the fence must comply with code and pass final inspection. Additionally the owner must construct the fence in accordance the Fire Department requirement to obtain a KNOX box for access of emergency vehicles to the front of the home. Approval by this committee does not constitute approval by any other easement holder or entity. It is the owner's responsibility to obtain those approvals and may be subject to removal. The motion carried unanimously.
10. Variance request for a proposed room addition that would exceed the maximum living area allowed according to the Neighborhood Criteria.  
Steven Charbonneau  
2805 South Logrun Circle  
Lot 13, Block 02, Section 02 Village of Grogan's Mill  
This item was reviewed under the summary approval list as presented by staff. It was moved by Chris Florack and seconded by Deborah Sargeant to approve on the condition the owner meets code and pass final inspection. Additionally the owner must ensure the improvements do not halt or materially impede drainage as defined in the residential Development Standards. The motion carried unanimously.
11. Variance request for a proposed carport that was disapproved by the Residential Design Review Committee and was not considered architecturally compatible with the existing dwelling and neighborhood.  
Yerby Revocable Living Trust  
74 Driftoak Circle  
Lot 06, Block 02, Section 40 Village of Cochran's Crossing  
This item was reviewed under the summary approval list as presented by staff. It was moved by Chris Florack and seconded by Deborah Sargeant to approve the car port and extended rear patio cover areas as presented on the condition the owner must meet code pass final inspection, maintain the existing vegetation in the front to soften the view of the carport from the street. The area in the front of the garage must be used for the purposes of a carport; the area should not contain storage of furniture or other patio/outdoor living area components. Additionally the improvements must not halt or materially impede drainage as defined in the Residential Development Standards.
12. Variance request for proposed six foot overhead door, at the rear of the garage, that was that was disapproved by the Residential Design Review Committee and was not considered architecturally compatible with the existing dwelling and neighborhood.  
Yerby Revocable Living Trust  
74 Driftoak Circle  
Lot 06, Block 02, Section 40 Village of Cochran's Crossing  
This item was reviewed under the summary approval list as presented by staff. It was moved by Chris Florack and seconded by Deborah Sargeant to approve on the condition the garage is not converted to livable space. Garage door must meet code and pass final inspection. The motion carried unanimously.
13. Variance request for tree requested for removal.  
Ann H Jackson  
17 North Wavy Oak Circle  
Lot 19, Block 09, Section 07 Village of Panther Creek  
This item was heard by the full committee. The staff provided the committee with a PowerPoint presentation noting the location and condition of the trees proposed for removal and included the actions on the trees by the Residential Design Review Committee. It was then moved by Deborah Sargeant and seconded by Kim Hess to disapprove the proposal as submitted. The motion failed. It was then moved by Mark Bacon and seconded by Kim Hess to allow the removal of the proposed trees on the condition the owner must replant one thirty gallon native evergreen tree in the front yard, in addition to the replants required by the Residential Design review Committee. Chris Florack opposed the motion. The motion carried.

14. Variance request for an existing waterfall that exceeds the maximum height allowed.  
Sondra Alisa Whetstone  
18 Brandenberry Court  
Lot 24, Block 04, Section 08 Village of Cochran's Crossing  
This item was reviewed under the summary approval list as presented by staff. It was moved by Chris Florack and seconded by Deborah Sargeant to approve the waterfall wall on the condition the owner must plant and maintain native evergreen vegetation including trees and shrubs to significantly screen the rear of the water wall from the adjacent properties. Additionally, the improvements must meet code and pass final inspection. It is the owner's responsibility to ensure the improvements do not halt or materially impede the drainage as defined in the Residential Development Standards. The motion carried unanimously.
15. Variance request for an existing deck that encroaches into the rear yard easement.  
Terry and Sandi Haynes  
27 Skyland Place  
Lot 22, Block 06, Section 06 Village of Cochran's Crossing  
This item was reviewed under the summary approval list as presented by staff. It was moved by Chris Florack and seconded by Deborah Sargeant to approve the deck as presented. The motion carried unanimously.
16. Variance request for an existing fence with the construction side of the fence facing out from the lot.  
Mary Branham  
7 Glorybower Court  
Lot 10, Block 02, Section 13 Village of Grogan's Mill  
This item was reviewed under the summary approval list as presented by staff. It was moved by Chris Florack and seconded by Deborah Sargeant to deny the existing fence as presented and require all portions of the fence that are construction side facing outward from the lot and visible to a street, such as Timbermill. Fencing between properties that are construction side out but not visible to a street can remain as presented. Additionally the owner may take up to one year to complete the fence corrections. Fence modifications must occur no later than September 7, 2015. The motion carried unanimously.
17. Variance request for an existing fence that exceeds the maximum height allowed, was constructed with more than one six inch rot board, is located beyond the property line and the platted building line.  
Karen Boyd  
15 Painted Sunset  
Lot 21, Block 1, Section 65 Village of Grogan's Mill  
This item was reviewed under the summary approval list as presented by staff. It was moved by Chris Florack and seconded by Deborah Sargeant to deny the variance and consent to delay enforcement based upon the execution of a memorandum of agreement requiring the owner relocate the fence to the property line when the fence is in disrepair and in need of replacement, when the owner no longer owns the home or when the owner sells or transfers title. The memorandum will be recorded at the courthouse and binding on the land. Additionally the owner must maintain the existing vegetation to the exterior of the fence to maintain the softened the view from the street. The motion carried unanimously.
18. Variance request for an existing fence that is located over the platted building line.  
Bryan Richardson  
40 Night Hawk Place  
Lot 15, Block 07, Section 25 Village of Grogan's Mill  
This item was reviewed under the summary approval list as presented by staff. It was moved by Chris Florack and seconded by Deborah Sargeant to approve the fence as presented on the condition the owner must maintain the existing vegetation in front of the fence to soften and screen the view.

19. Variance request for an existing above ground pool, located within the ten foot and five foot easements.  
Darrin and Lisa Dempsey  
50 Lyrebird Drive  
Lot 56, Block 06, Section 25 Village of Grogan's Mill  
This item was reviewed under the summary approval list as presented by staff. It was moved by Chris Florack and seconded by Deborah Sargeant to deny the variance as presented and consent to delay enforcement, based upon the execution of a memorandum of agreement requiring the owner to remove the above ground pool, when the owner no longer owns the home, sells or transfers title, is no longer the primary resident or when the pool is in disrepair and in need of replacement. Additionally the pool must be inspected to meet code and pass final inspection. 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 memorandum of agreement will be recorded at the courthouse and binding on the land. The motion carried unanimously.
20. Variance request for existing windows that are not in keeping with the Neighborhood Criteria.  
William Meitzen  
1765 Berryview Court  
Lot 36, Block 01, Section 62 Village of Grogan's Mill  
This item was reviewed under the summary approval list as presented by staff. It was moved by Chris Florack and seconded by Deborah Sargeant to approve the windows as presented. The motion carried unanimously.
21. Variance request for the existing color of the home.  
Bryan and Deborah Stuart  
115 South Mill Trace Drive  
Lot 22, Block 01, Section 31 Village of Panther Creek  
This item was reviewed by the full committee. The home owner was present to address the committee. The committee inquired why the color was completed with an application. The owner apologized for the oversight noting that there was a communication in the family regarding the submission of the color change application. It was then moved by Chris Florack and seconded by Mark Bacon to approve the color change as submitted. Deborah Sargeant opposed the motion. The motion carried.
22. Variance request for the existing fence that was installed with the construction side facing outward from the lot.  
Brian J Marcus  
7 Fallshire Drive  
Lot 60, Block 01, Section 12 Village of Panther Creek  
This item was reviewed under the summary approval list as presented by staff. It was moved by Chris Florack and seconded by Deborah Sargeant to deny the fence as presented and require all portions of the fence that are construction side facing outward from the lot and visible to a street (such as Trummel Court). Fencing between properties that are construction side out but not visible to a street can remain as presented. Additionally the owner may take up to one year to complete the fence corrections. Fence modifications must occur no later than September 7, 2015.
23. Variance request for an existing pool barrier fence that was installed with the construction side facing outward from the lot and does not have prior written consent submitted from the owners of the adjoining properties.  
Armon Paul Taylor  
2816 West Wildwind Circle  
Lot 19, Block 09, Section 12 Village of Grogan's Mill  
This item was reviewed under the summary approval list as presented by staff. It was moved by Chris Florack and seconded by Deborah Sargeant to approve as presented. The fence must meet code and pass final inspection. The motion carried unanimously.

24. Variance request for an existing fence that exceeds the maximum height allowed and is constructed with the unfinished side visible to a tract of land.  
Angel Luis Mourino  
99 North Floral Leaf Circle  
Lot 07, Block 02, Section 28 Village of Cochran's Crossing  
This item was reviewed by the full committee. The staff provided the committee with a presentation noting the fence. It was then moved by Kim Hess and seconded by Chris Florack to approve the fence on the condition the front corner of the fence, where the heights vary is modified, so that the trellis and extended fence height is set back one panel from the front corner of the fence. The motion carried unanimously.
25. Variance request for an existing trampoline that encroaches into the rear and side yard easements.  
Robert and Christina Rabson  
1 Snowbird Place  
Lot 127, Block 04, Section 04 Village of Cochran's Crossing  
This item was reviewed under the summary approval list as presented by staff. It was moved by Chris Florack and seconded by Deborah Sargeant to deny as presented and require the owner to relocate the trampoline out of the five foot side yard easement and place the basketball ball goal furthest away from the side yard; and consent to delay enforcement for the trampoline to be located in the ten foot rear yard easement based upon the execution of a memorandum of agreement requiring the owner remove the trampoline from the home, no longer owns the home, sells or transfers title, is no longer the primary resident or when the trampoline is in disrepair and requires replacement. The memorandum will be recorded at the courthouse and binding on the land. Additionally request the staff revoke the original memorandum of agreement for the original location. The motion carried unanimously.
26. Variance request for an existing nine foot tall detached building that exceeds the maximum height allowed for buildings within an easement and is not painted to match the existing dwelling.  
Amanda Ohm  
6 Sylvan Forest Drive  
Lot 138, Block 03, Section 01 Village of Cochran's Crossing  
This item was reviewed under the summary approval list as presented by staff. It was moved by Chris Florack and seconded by Deborah Sargeant to deny the variance and consent to delay enforcement based upon the execution of a memorandum of agreement requiring the owner must apply to relocate the structure or remove the storage building from the property when the owner no longer owns the home, sells or transfers title, is no longer the primary resident or when the shed is in disrepair and in need of removal. The memorandum will be signed by the owner, recorded at the courthouse and binding on the land. Additionally, 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 unanimously.
27. Variance request for an existing barrier fence which exceeds the maximum height allowed and is constructed with a rot board which exceeds the maximum height allowed.  
John J Omohundro  
14 Irish Moss Place  
Lot 06, Block 02, Section 41 Village of Cochran's Crossing  
This item was reviewed under the summary approval list as presented by staff. It was moved by Chris Florack and seconded by Deborah Sargeant to approve as presented on the condition the owner must plant and maintain native evergreen vegetation in front of the fence to soften and screen the view from the street. The motion carried unanimously.

28. Variance request for an existing seven foot tall storage building which is located in the side yard easement and is not screened from view at ground level from adjacent public or private property by a six-foot high solid fence. In addition, the Storage Building was considered to be not compatible with the existing dwelling and neighborhood when viewed by the Residential Design Review Committee.

Rowan Collins

62 West Palmer Bend

Lot 3, Block 02, Section 54 Village of Cochran's Crossing

This item was heard by the full committee. The staff provided the committee with a presentation noting the storage building. The home owner was present to address the committee. He discussed his neighbor building the improvement for him and that it was bolted into the neighboring property. The committee discussed concerns regarding placement over the property line and in an easement. It was then moved by Deborah Sargeant and seconded by Mark Bacon to deny the improvement as presented. The motion carried unanimously.

29. Variance request for an existing six foot six inch tall trash and recycle cart screen which is located more than three feet into the five foot side yard easement. In addition, the trash and recycle cart screen is constructed of wood pickets which have been painted and was considered to be not compatible with the existing dwelling and neighborhood when viewed by the Residential Design Review Committee.

Rowan Collins

62 West Palmer Bend

Lot 3, Block 02, Section 54 Village of Cochran's Crossing

This item was heard by the full committee. The staff provided the committee with a presentation noting the storage screen building. The home owner was present to address the committee. He discussed his neighbor building the improvement for him and that it was bolted into the neighboring property. The committee discussed concerns regarding placement over the property line and in an easement. It was then moved by Deborah Sargeant and seconded by Mark Bacon to deny the improvement as presented. The motion carried unanimously.

**V. Public Comments**

Mrs. Wade addressed the committee concerned about an issue she raised at the previous meeting regarding her neighbor's violations and the status of the property. She notified the Committee that she intends to attend the Residential Design Review Committee meeting as well. Chairperson Deborah Sargeant requested she meet with the staff to discuss her concerns, informed her they could not discuss the item as it would be in violation of the Open Meetings Act. However, they would place her item on the agenda for future discussion. Ms. Wade provided the committee and staff with some documentation to include in the records.

**VI. Member Comments**

Kim Hess noted a fence issue on item number 13 previously reviewed in the meeting and requested the staff research the fence and follow up as necessary.

**VII. Staff Reports**

The staff notified the Committee that the revised Residential Development Standards were going to be recorded in Montgomery and Harris County real property records on Friday September 5, 2014.

**VIII. Adjourn**

There being no further business it was moved by Chris Florack and seconded by Mark Bacon to adjourn the meeting at 7:16p.m.