

Development Standards Committee

January 7, 2015 at 5:30 p.m.

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

MINUTES

Members Present: Deborah Sargeant, Robert Heineman, Chris Florack, Walter Lisiewski, Ken Anderson and Kimberly Hess

Staff Present: Kimberly McKenna, Hennie van Rensburg, Neslihan Tesno, Kathleen Eaton and Sharon Davis

- I.** Welcome/Call Meeting to Order.
The meeting was called to order by Chair Deborah Sargeant at 5:33 p.m.
- II.** Consideration and action regarding the minutes of the meeting of November 5th and December 3rd, 2014.
The minutes were reviewed by the committee. It was moved by Chris Florack and seconded by Ken Anderson to approve the minutes as presented. Walter Lisiewski abstained. The motion carried.
- III.** Consideration and Action of the Applications and Covenant Violations in Section IV, 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, 6, 8, 9, 12-18 & 20-26. It was moved by Ken Anderson and seconded by Kim Hess 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 for new entry signs at the intersection of FM1488 and Kuykendahl Road.
The Woodlands Development Company
FM 1488 and Kuykendahl Road.
This item was reviewed under the summary list as presented by staff. It was moved by Ken Anderson and seconded by Kim Hess to approve the sign as presented with the condition the installation of the improvements are completed in accordance with the Residential Development Standards.
 2. Variance request for an existing paving that does not respect the side five foot and rear ten foot easements.
Green Set LLC Series O
35 Witherbee Place
Lot 21, Block 01, Section 05 Village of Creekside Park West
This item was heard by the full committee. The staff provided the committee with a presentation, noting the location of the proposed improvement and the impact to adjacent properties. It was then moved by Chris Florack and seconded by Ken Anderson to conditionally approve: Owner to confirm that their property complies with the master drainage plan. 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 Owner must ensure that the placement of the improvement does not halt or materially impede drainage flowing off of a neighboring tract, and does not redirect the flow or significantly increase the amount of water flowing onto a neighboring tract. Enforcement of this requirement is by the affected property owner(s). The motion carried unanimously.
 3. Variance request for the replacement of a monument sign that proposes more than 4 tenants and has colors that may not be considered aesthetically in keeping with the Standards.
Shops at Sawdust and Sawmill
1400 Sawdust Road
Lot 0400, Block 0599, Section 0006 Village of Grogan's Mill
This item was heard by the full committee. The staff provided the committee with a presentation, noting the location of the proposed improvement and the impact to adjacent properties. It was moved by Deborah Sargeant and seconded by Chris Florack to deny the variance request as submitted and require the owner submit a reviewed application in compliance with the Commercial Planning and Design Standards. The motion carried unanimously.

4. Consideration and action regarding the installation of light pole banners along Woodlands Parkway and Grogan's Mill Road, recognizing "The Red Cross InterAmerican Conference" that will be held at The Woodlands Conference Center and Resort on March 26-27th.
This item was heard by the full committee. The staff provided the committee with a presentation, noting the proposed banner, the event and the entity requesting the banners. The committee discussed concerns in regards to advertising private events on the light pole banners and believed the intent of the light pole banner advertising should be restricted to public events. It was then moved by Deborah Sargeant and Kim Hess to deny the proposed light pole banners as presented. The motion carried unanimously.
5. Variance request for the installation of an existing temporary sign.
Robard's Restaurant
2301 North Millbend Drive
Lot 0470, Block 0547, Section 0006 Village of Grogan's Mill
This item was heard by the full committee. The staff provided the committee with a presentation, noting the location of the existing temporary sign. The staff provided the committee with the conceptual plans for a permanent monument sign to include Robard's restaurant. It was then moved by Kim Hess and seconded by Chris Florack to lower the sign to be more compatible with the existing permanent monument sign and low enough to allow for visibility at the entrance and exit of the property. In addition the sign is approved until June 15, 2015 at which time the Committee requests an application is submitted for modifications to the existing monument sign. The motion carried unanimously.
6. Consideration and action regarding tree removals, reforestation and pathways.
Lone Star College System
5000 Research Forest Drive
Lot 0803, Block 0051, Section 0000 Village of Research Forest
This item was reviewed under the summary list as presented by staff. It was moved by Ken Anderson and seconded by Kim Hess to approve the improvements on the condition only underbrush; dead trees less than 8 inch caliper and live trees less than 4inch caliper are approved for removal in the 50 foot pathway area. Additionally, the vegetation and trees proposed for removal must be marked for staff verification prior to removal. Improvements must comply with the Commercial Planning and Design Standards. The motion carried unanimously.
7. Variance request to appeal the decision of the Residential Design Review Committee's condition of approval regarding only one "No Feeding the Ducks" sign to be attached to existing "No Trespassing" sign.
Magnolia Pond Condominium Association
0 S Magnolia Pond Place
Lot 04, Block 00, Section 40 Village of Panther Creek
This item was heard by the full committee. The staff provided the committee with a presentation, noting the location of the proposed additional signs. Representatives from The Forum, The Magnolia Properties Owners' Association, Residents of the Area and the Residential Design review Committee representative were all present to address the committee. Information regarding the need for the signs, the concerns of the damage caused by ducks, the concerns regarding allowing signs and the impact and aesthetics concerns were provided to the committee. It was then moved by Deborah Sargeant and seconded by Chris Florack to deny the request to appeal the Residential Design Review Committee's conditions of approval and reaffirm the committee original action to allow one sign regarding no feeding the ducks on the condition that only one sign be constructed and installed on the existing No Trespassing sign. The motion carried unanimously.
8. Variance request for a proposed wooden fence would exceed the maximum height allowed.
Terry Everett
2708 N Logrun Circle
Lot 26, Block 02, Section 02 Village of Grogan's Mill
This item was reviewed under the summary list as presented by staff. It was moved by Ken Anderson and seconded by Kim Hess to approve the fence on the condition the fence must taper down to 6' 6" at the front and the fence extending from the front right and left hand sides of the home must be 6' 6". Tapering should have a gradual change that occurs over one-two panels. The fence must meet code and pass final inspection. The motion carried unanimously.

9. Variance request to remove a tree.
Michael Mondville
90 West Copper Sage Circle
Lot 12, Block 04, Section 12 Village of Cochran's Crossing
This item was reviewed under the summary list as presented by staff. It was moved by Ken Anderson and seconded by Kim Hess to approve the request as submitted. The motion carried unanimously.
10. Variance request to appeal the decision of the Residential Design Review Committee regarding the conditions of approval for an existing fence with rot board and portions of which have construction sides facing adjacent lots.
Kenneth L Butcher
6 Deer Lake Court
Lot 11, Block 06, Section 28 Village of Panther Creek
This item was heard by the full committee. The staff provided the committee with a presentation, noting the location of the existing improvement and the Residential Design review Committee action. The homeowner, their attorney, the affected neighbor, a civil engineer for the owner and the former residential Design review Committee member were all present to address the committee. It was then moved by Robert Heineman and seconded by Ken Anderson to deny the request to appeal the Residential Design Review Committee's conditions of approval and reaffirm the committee original action to approved the fence on the condition that the portion of fence that adjoins the rear neighbor and the open space reserve, will remove and or replace the rot board to provide a 2 inch clearance between the bottom of the rot board and the ground. Additionally the fence should also pass inspection as a pool barrier. The motion carried unanimously.
11. Consideration & action for a gated privacy entrance including a fence and integrated columns at West Isle Place.
West Isle Estate Property Owners Association
West Isle Estate
Section 25 Village of Panther Creek
This item was reviewed under the summary list as presented by staff. It was moved by Ken Anderson and seconded by Kim Hess to withdraw the item from the agenda. The motion carried unanimously.
12. Variance request for an existing fence that is not located at least three feet back from the front façade of the dwelling.
Don and Mary Lorenz
10 Woodchuck Lane
Lot 30, Block 01, Section 26 Village of Grogan's Mill
This item was reviewed under the summary list as presented by staff. It was moved by Ken Anderson and seconded by Kim Hess to approve the fence as submitted. The motion carried unanimously.
13. Variance request for an existing fence that is not located at least three feet back from the front façade of the dwelling.
Sherry Blattel
1 Woodhaven Wood Court
Lot 11, Block 04, Section 28 Village of Grogan's Mill
This item was reviewed under the summary list as presented by staff. It was moved by Ken Anderson and seconded by Kim Hess to approve the fence as submitted. The motion carried unanimously.
14. Variance request for an existing fence that is not located at least three feet back from the front façade of the dwelling.
Monica Balleio
11 Sand Piper Place
Lot 47, Block 02, Section 03 Village of Cochran's Crossing
This item was reviewed under the summary list as presented by staff. It was moved by Ken Anderson and seconded by Kim Hess to approve the fence as submitted. The motion carried unanimously.
15. Variance request for an existing fence that is not located at least three feet back from the front façade of the dwelling
Daniel Norvell
23 Barnstable Place
Lot 11, Block 03, Section 06 Village of Cochran's Crossing
This item was reviewed under the summary list as presented by staff. It was moved by Ken Anderson and seconded by Kim Hess to approve the fence as submitted. The motion carried unanimously.

16. Consideration and action for the renewal of an existing home business.
Petrene Soames
19 Emery Cliff Place
Lot 12, Block 04, Section 06 Village of Cochran's Crossing
This item was reviewed under the summary list as presented by staff. It was moved by Ken Anderson and seconded by Kim Hess to approve the business in the home on the condition the business must remain in compliance with the Conditions of approval for a Home Business Operation as defined in The Residential Standards 3.1 I.A. Additionally, the business may be revoked at any time for violation of the Standards, impact on adjacent properties or by the Development Standards Committee. The motion carried unanimously.
17. Variance request for an existing deck that encroaches into the ten foot rear and five foot side yard easements.
Vivir Realty LLC
80 Fallenstone Drive
Lot 01, Block 04, Section 01 Village of Cochran's Crossing
This item was reviewed under the summary list as presented by staff. It was moved by Ken Anderson and seconded by Kim Hess to approve the deck 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 unanimously.
18. Variance request for an existing above-ground spa that encroaches into the ten foot rear yard easement.
Vivir Realty LLC
80 Fallenstone Drive
Lot 01, Block 04, Section 01 Village of Cochran's Crossing
This item was reviewed under the summary list as presented by staff. It was moved by Ken Anderson and seconded by Kim Hess to approve the above ground spa 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 unanimously.
19. Consideration and action regarding outstanding covenant violations.
Evelyn Smith
11619 Timberwild Street
Lot 34, Block 01, Section 04 Village of Grogan's Mill
This item was reviewed under the summary list as presented by staff. It was moved by Ken Anderson and seconded by Kim Hess to table the item as a result of a request for rehearing. The motion carried unanimously.
20. Consideration and action regarding outstanding covenant violations.
Paul D Balcom
2716 Echo Street
Lot 06, Block 02, Section 03 Village of Grogan's Mill
This item was reviewed under the summary list as presented by staff. It was moved by Ken Anderson and seconded by Kim Hess to approve the pursuit of legal action after January 12, 2015; and authorize our attorneys and staff to notify the owner of the Committee's action, 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.
21. Consideration and action regarding outstanding covenant violations.
Julie E Pflueger
22 Lazy Lane
Lot 09 Block 01 Section 03 Grogan's Mill Village 11
This item was reviewed under the summary list as presented by staff. It was moved by Ken Anderson and seconded by Kim Hess to approve the pursuit of legal action after January 12, 2015; and authorize our attorneys and staff to notify the owner of the Committee's action, 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.

22. Consideration and action regarding outstanding covenant violations.

William Chason McDaniell
15 North Timber Top Drive

Lot 41, Block 02, Section 13 Village of Grogan's Mill

This item was reviewed under the summary list as presented by staff. It was moved by Ken Anderson and seconded by Kim Hess to approve the pursuit of legal action after January 12, 2015; and authorize our attorneys and staff to notify the owner of the Committee's action, 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.

23. Consideration and action regarding outstanding covenant violations.

Dwayne Dysinger
14 Dewthread Court

Lot 33, Block 02, Section 13 Village of Grogan's Mill

This item was reviewed under the summary list as presented by staff. It was moved by Ken Anderson and seconded by Kim Hess to approve the pursuit of legal action after January 12, 2015; and authorize our attorneys and staff to notify the owner of the Committee's action, 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.

24. Consideration and action regarding outstanding covenant violations.

Francisco J Rivera
90 South Placid Hill Circle

Lot 04, Block 01, Section 03, Village of Cochran's Crossing

This item was reviewed under the summary list as presented by staff. It was moved by Ken Anderson and seconded by Kim Hess to withdraw the item. The staff noted all violations had been resolved. The motion carried unanimously.

25. Consideration and action regarding outstanding covenant violations.

Amy Lynn Burns Brown
14 Camberwell Court

Lot 41, Block 02, Section 42 Village of Grogan's Mill

This item was reviewed under the summary list as presented by staff. It was moved by Ken Anderson and seconded by Kim Hess to approve the pursuit of legal action after January 12, 2015; and authorize our attorneys and staff to notify the owner of the Committee's action, 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.

26. Consideration and action regarding outstanding covenant violations.

James M Armstrong
9 Plover Lane

Lot 13, Block 01, Section 24 Village of Grogan's Mill

This item was reviewed under the summary list as presented by staff. It was moved by Ken Anderson and seconded by Kim Hess to approve the pursuit of legal action after January 12, 2015; and authorize our attorneys and staff to

notify the owner of the Committee's action, 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. Public Comments

There were no public comments.

VI. Member Comments

The Chairman provided information regarding her attendance at the Grogan's Mill Village Association meeting. Additionally she requested the staff coordinated in regards to a Joint Residential Design Review and Development Standards Committee. Vice Chairman commented that he would like the staff to consider in the ongoing revisions to the Standards that the consideration to add guidelines and Standards for Bike Racks on commercial properties be considered for the next revisions to the Commercial Planning and Design Standards.

VII. Staff Reports

The staff notified the committee of the potential for an upcoming public forum regarding proposed improvements. It was noted the Director would be following up with the Committee concerning the item.

VIII. Adjourn

There being no further business it was moved by Kim Hess and seconded by Ken Anderson to adjourn the meeting at 7:34p.m. The motion carried unanimously.