

Development Standards Committee  
January 20, 2010 at 5:30PM  
The Woodlands Township Service Center  
2201 Lake Woodlands Drive  
The Woodlands, Texas 77380  
Minutes

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

Staff Present: Pam Forde, Chris Feist, Neslihan Tesno, Amanda Cambron John Powers and Kim McKenna

Others in Attendance: As reflected by the attached Sign-in Sheet for January 20, 2010.

- I. Welcome/Call Meeting to Order  
The meeting was called to order Chairwoman Deborah Sargeant at 5:30 p.m.
- II. Approve Minutes of Previous Meetings  
It was moved by Michael Sawran and seconded by Ken Parker to approve the minutes of the previous meeting as presented. The motion carried unanimously.
- III. Presentation of Summary Approvals List  
There were no summary items to present.
- IV. Review and Disposition of Commercial Applications
  - A. Request for Consideration and Action  
Monument Sign Panel  
Kumon Math and Reading  
Beth Shalom Church – 01-030-0047-0163-0290-0000  
5125 Shadowbend Place  
Village of Cochran's Crossing  
This item was reviewed by the full committee. Vickie Huckabay of Kumon Math and Reading was present. After presentation of the item by staff, it was moved by Robert Heineman and seconded by Kim Hess to table the item to allow further investigation by staff to determine if the property is in violation of the Initial Land Use Designation. The motion carried unanimously.
- V. Report on "Commercial Staff Approval List" for January 20, 2010.  
The List was accepted as presented.
- VI. Review and Disposition of Residential Application
  1. Variance request for an existing color change, where the garage door is not the same color as the siding or trim of the house.  
Thomas Price

DSC Meeting 01/20/10 – 5:30 p.m.

180 S. Deerfoot Circle

Lot 48, Block 1, Section 28 Village of Grogan's Mill

This item was reviewed by the full committee. The owner and two representatives of the Residential Design Review Committee were present. The staff provided the committee with a PowerPoint presentation noting the color change and the surrounding colors in the neighborhood. The owner was irate and felt it was not appropriate to have employees routinely driving through the neighborhoods and taking photographs in front homes. Additionally, he did not feel it was necessary to allow the employee in the backyard to take a photo of the rear of the property. Chairperson, Deborah Sargeant provided an explanation regarding routine maintenance and that all vehicles would be identifiable with the magnet. Additionally, she noted the reason for the rear of the home, is because of the difference in viewing the colors, as seen from adjoining property, streets or tracts of land at the rear and difference in the color changes as seen against the brick facade versus the siding. It was then moved by Michael Sawran and seconded by Kim Hess deny the variance as presented and delay requirement to correct the color change, by requiring the owner must paint the home to match the garage door or paint the garage door to match the siding or trim of the home, when the home is in need of repainting. The motion carried unanimously.

2. Variance request for an existing spa, which encroaches the 5 foot side yard easement

Mariann Siegert

9 Wolly Bucket Place

Lot 13, Block 4, Section 5 Village of Grogan's Mill

This item was reviewed by the full committee. The owner and two representatives of the Residential Design Review Committee were present. The staff provided the committee with a PowerPoint presentation noting the existing improvements. The owner addressed the committee, requesting a variance because these improvements were in place prior to the hurricane. They were only repaired as a result of hurricane damage. Additionally, the home owner requesting allowing the improvements as presented, as they served as a memorial to her son, who passed away. It was then moved by Ken Anderson and seconded by Ken Parker 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 spa out of the easement, when the owner transfers title, is no longer the primary residence. Or when the spa is in need of repair and replacement, whichever comes first. The memorandum of agreement will be recorded with the court house and binding to the land. Mike Sawran was opposed to the motion. The motion carried.

3. Variance request for an existing Fence replacement, which exceeds the maximum height allowed and is constructed with the unfinished side facing outward from the lot.

Mariann Siegert

9 Wolly Bucket Place

Lot 13, Block 4, Section 5 Village of Grogan's Mill

This item was reviewed by the full committee. The owner and two representatives of the Residential Design Review Committee were present. The staff provided the committee with a PowerPoint presentation noting the existing improvements. The owner addressed the committee, requesting a variance because these improvements were in place prior to the hurricane. They were only repaired as a result of hurricane damage. Additionally, the home owner requesting allowing the improvements as presented, as they served as a memorial to her son, who passed away. Additionally, the fence provided additional privacy around her spa, and

kept the dog from hopping over the fence. The staff also provided the committee with a letter from the adjoining property owner, noting there were in favor of the improvements on the lot and had no objections. It was then moved by Robert Heineman and seconded by Michael Sawran to approve the fence on the condition the fence must comply with standards and code if applicable. Ken Parker was opposed to the motion. The motion carried.

4. Variance request for an existing deck, which encroaches the 10 foot rear and 5 foot side yard easements.  
Mariann Siegert  
9 Wolly Bucket Place  
Lot 13, Block 4, Section 5 Village of Grogan's Mill  
This item was reviewed by the full committee. The owner and two representatives of the Residential Design Review Committee were present. The staff provided the committee with a PowerPoint presentation noting the existing improvements. The owner addressed the committee, requesting a variance because these improvements were in place prior to the hurricane. They were only repaired as a result of hurricane damage. Additionally, the home owner requesting allowing the improvements as presented, as they served as a memorial to her son, who passed away. The staff also provided the committee with a letter from the adjoining property owner, noting there were in favor of the improvements on the lot and had no objections. It was then moved by Michael Sawran and seconded by Ken Anderson to approve the deck as submitted. Ken Parker was opposed to the motion. The motion carried.
5. Variance request for an existing privacy structure, which is not considered integrated into the architectural design of the dwelling and is located within the storm sewer easement  
Kevin Petersburg  
12 Dunlin Meadow Dr.  
Lot 17, Block 01, Section 18 Village of Panther Creek  
This item was reviewed by the full committee. The owner was present. The staff provided the committee with a PowerPoint presentation noting the existing privacy structure at the home. The staff noted that the fence structure was enclosing bathroom window and served as a privacy screen for the owner's. It was moved by Michael Sawran and seconded by Robert Heineman to approve the privacy structure on the condition the owner must plant and maintain native evergreen vegetation, to soften and screen the view from the street and adjacent property. Ken Parker was opposed to the motion. The motion carried.
6. Variance request for existing bollards, which are located within the street right-of-way, were placed in the street right-of-way without prior approval by Montgomery County, are not placed more than 18 inches from the pavement edge and are not integrated with landscaping.  
Straitz  
37 East White Willow Circle  
Lot 14, Block 02, Section 03 Village of Panther Creek  
This item was reviewed by the full committee. The owner and his attorney were present and addressed the committee. The staff provided the committee with a PowerPoint presentation noting the existing bollards at the side of the property. Additionally the staff reviewed the plat and survey of the home, to note that the placement of the rocks were not in the street right of way. It was then moved by Michael Sawran and seconded by Ken Anderson to approve the bollards as submitted. The motion carried unanimously.

7. Variance request for an existing perimeter fence, which extends over the platted building line.  
Straitz  
37 East White Willow Circle  
Lot 14, Block 02, Section 03 Village of Panther Creek  
This item was reviewed by the full committee. The owner and his attorney were present and addressed the committee. The staff provided the committee with a PowerPoint presentation noting the fence was previously located over the building line and was replaced in the same location. Additionally the staff noted that the location of the building line was unique and very close to the side of the home, without a 45 degree angle. It was noted that the neighbors at the rear had explained to an affected neighbor in attendance, that they preferred the additional fencing for privacy and security. The committee noted that the security may be better served if the fence was not obstructing the view of the home from the street of White Willow. IT was then moved by Robert Heineman and seconded by Michael Sawran to approve the present location of the fence on the condition the owner must plant and maintain and native evergreen low level landscape bed to the exterior of the fence, to soften and screen the view of the fence. The motion carried unanimously.
  
8. Variance request for an existing front yard patio, which is located beyond the 25 foot, platted Building Line.  
Russell Henderson  
44 N Pathfinders Circle  
Lot 13, Block 07, Section 01, Village of Cochran's Crossing  
It was moved by Deborah Sargeant and seconded by Michael Sawran to table this item to the meeting of February 3, 2010. The motion carried unanimously.
  
9. Variance request for existing flagstone pavers, extending from the driveway, which encroach into the 5 foot side yard easement; and cause the driveway to exceed the maximum width allowed  
Susie Galvan and Mark Cones  
14 Plum Blossom Place  
Lot 41, Block 01, Section 29, Village of Cochran's Crossing  
It was moved by Deborah Sargeant and seconded by Michael Sawran to table this item due to a family emergency. The motion carried unanimously.
  
10. Variance request for an existing fence replacement, which exceeds the maximum height allowed and portions are constructed with the unfinished side facing outward from the lot.  
James and Brenda Cunningham  
6 Song Sparrow Place  
Lot 66, Block 02, Section 03, Village of Cochran's Crossing  
This item was reviewed by the full committee. The owner was present. The staff provided the committee with a PowerPoint presentation noting the existing fence replacement. It was moved by Michael Sawran and seconded by Ken Anderson to approve the fence as presented. Ken Parker was opposed to the motion. The motion carried.

11. Consideration and action to pursue legal action, for failure to comply with the Covenants and Standards regarding, required home maintenance and repair; and failure to obtain a permit for a detached building, color and material change.

Nicholas Jiga

4 North Circlewood Glen

Lot 02, Block 02, Section 09 Village of Panther Creek

It was moved by Michael Sawran and seconded by Kim Hess to table this item at home owner request and allow him an additional month to prepare for the meeting and work on changes to the home.

12. Consideration and action to pursue legal action, for failure to comply with the Covenants and Standards regarding required home maintenance and repair.

John Jiga

6 North Circlewood Glen

Lot 03, Block 02, Section 09 Village of Panther Creek

It was moved by Michael Sawran and seconded by Kim Hess to table this item at home owner request and allow him an additional month to prepare for the meeting and work on changes to the home.

**VII.** Public Comments

There were no public comments.

**VIII.** Member Comments

Ken Parker noted that his objection to item 5 was based on the committee's previous action on the trellis at the last meeting. Additionally the committee requested the staff work with Mr. Price so that he understands he is not required to paint the home immediately. The staff noted they would follow up with a letter to the owner. Additionally Deborah Sargeant asked the staff to review when the next joint session would be and request that we have a joint committee meeting.

**IX.** Staff Reports

There were no staff reports.

**X.** Adjourn

There being no further business it was moved by Ken Parker and seconded by Michael Sawran to adjourn the meeting at 6:55 p.m. The motion carried unanimously.