

Development Standards Committee

October 21, 2015 at 5:30 PM

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

Members Present: Danie van Loggerenberg, Kim Hess, Walter Lisiewski, and Ken Anderson

Members Absent: Deborah Sargeant, Robert Heineman, Chris Florack

Staff Present: Neslihan Tesno, Kim McKenna, and Sharlene Novak

I. Welcome/Call Meeting to Order

The meeting was called to order by Neslihan Tesno at 5:30 p.m. She requested a nomination for a Chair Pro Tem since both the Chair and Vice Chair were not in attendance. It was moved by Danie van Loggerenberg and seconded by Ken Anderson to appoint Kim Hess as Chair Pro Tem. The motion passed. Kim Hess abstained.

II. Consideration and Action of the minutes of the Development Standards Committee (DSC) Meeting on September 16, 2015.

The minutes were reviewed by the committee. It was moved by Ken Anderson and seconded by Walter Lisiewski to approve the minutes as presented. The motion carried unanimously.

III. Consideration and Action of the minutes of the Development Standards Committee (DSC) Special Meetings on September 22, 2015 and October 2, 2015

The minutes were reviewed by the committee. It was moved by Ken Anderson and seconded by Walter Lisiewski to approve the minutes as presented. The motion carried unanimously.

IV. Consideration and Action of the Applications and Violations in Section VII recommended for Summary Action.

This item was heard by the full committee. Chair Pro Tem Kim Hess presented the Summary List as presented by Staff. The list consisted of Items 1-2 and 6-24. Item 3 was tabled. Items 4 and 5 were Review items. It was moved by Ken Anderson and seconded by Danie van Loggerenberg to approve the summary list. The motion carried unanimously.

V. Review and Disposition of applications and violations.

1. Variance request to allow the installation of a temporary portable banquet style tent on the patio dining area during the holiday season.

Americas Restaurant
21 Waterway Avenue, Suite 130
Lot 2629, Block 0599, Section 0999 Village of Town Center

This item was reviewed under the summary list as presented by staff. It was moved by Ken Anderson and seconded by Walter Lisiewski to approve the installation of the temporary tents from December 2 through January 3 on the condition the owner place planted pots with vegetation to soften the view of the tent from the Waterway. Additionally, the owner must submit an application annually for the proposed installation of temporary tents. The motion carried unanimously.

2. Consideration and action for the concept plan for parking lot expansion, driveway and entrance from North Millbend Drive.
First Church of Christ, Scientist
1340 N. Millbend Drive
Lot 0210, Block 0599, Section 0036 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 Walter Lisiewski to approve the allowance for the new driveways entrances and allowance for future additional parking on the condition a revised plan for the parking lot expansion is submitted and is in compliance with our Commercial Planning and Design Standards in regards to parking areas, medians, landscaping installation and dimensions for parking areas. Approval by this committee does not constitute approval by any additional easement holder or entity. It is the owner's responsibility to obtain those approvals and may be subject to removal. All final plans must be submitted for review and action by the committee. The motion carried unanimously.
3. Variance request for a proposed pine tree requested for removal, that does not meet the requirements the Residential Development Standards.
Jo Nell Kelly
36 Rockfern Court
Lot 58, Block 04, Section 38 Village of Grogan's Mill
This item was tabled and will be heard at a future DSC meeting.
4. Consideration and action for Concept approval for temporary mobile medical lab and connector to building at Lake Woodlands Surgical Center.
Lake Woodlands Surgical Center
6701 Lake Woodlands Drive
Lot 550, Block 499, Section 46 Village of Sterling Ridge
This item was heard by the full committee. The staff provided the committee with a presentation. A representative was present to address the committee. It was moved by Ken Anderson and seconded by Walter Lisiewski to conditionally approve the mobile medical lab and connector for a period of 9 months. Connection must either match or be architecturally compatible with the building. No exterior signs are permitted and plants must be added around the exterior to soften the view. The motion carried unanimously.
5. Consideration and action for approval of an addition of an exterior staircase to access rooftop.
Kroger's
6700 Woodlands Parkway
Lot 200, Block 499, Section 0000 Village of Sterling Ridge
This item was heard by the full committee. The staff provided to committee with a presentation. The contractor was present to address the committee. It was moved by Walter Liseiwski and seconded by Danie van Loggerenberg to conditionally approve the staircase. The fence must be made of an unclimbable material, color to match existing exterior surface of building, meet code and pass inspections. The motion carried unanimously.
6. Consideration and action for Concept approval of enclosing rear covered porch and interior renovation.
Carlton Woods Sales Office
61 Carlton Woods Drive
Lot 1, Block 0, Section 12 Village of Sterling Ridge

This item was reviewed under the summary list as presented by staff. It was moved by Ken Anderson and seconded by Walter Lisiewski to approve the concept and preliminary plans for enclosing the porch and interior remodeling. Final sealed plans and documentation must be submitted for final approval. The structure must also pass inspections and comply with standards. The motion carried unanimously.

7. Variance request for a Swimming Pool, Patio Cover and Summer Kitchen that will exceed the maximum percent coverage of hard surface area for the lot.

Gerardo Quevedo

79 North Concord Valley Circle

Lot 34 Block 1, Section 25 Village of Sterling Ridge

This item was reviewed under the summary list as presented by staff. It was moved by Ken Anderson and seconded by Walter Lisiewski to conditionally approve as submitted, meet code and standard conditions, and pass inspections. The owner must plant and maintain three native 30 gallon trees in the rear yard. Additionally, 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.

8. Variance request for a proposed patio cover with summer kitchen that will not respect the rear 25 foot building setback.

Ronaldo Ferreira

30 Pondera Point

Lot 4 Block 2, Section 13 Village of Creekside Park West

This item was reviewed under the summary list as presented by staff. It was moved by Ken Anderson and seconded by Walter Lisiewski to conditionally approve - Plant and maintain evergreen trees or shrubs at least 7' at time of planting to screen structure to adjacent property lines. Staff will review planting upon completion to determine if sufficient screening; additional plantings maybe required. Additionally, 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). Meet code and standard conditions. Verify all CenterPoint easements. The motion carried unanimously.

9. Variance request for a proposed fireplace that will not respect the rear 30 foot building setback

Richard & Emilie Heo

11 Chivary Oaks Court

Lot 8, Block 4, Section 77 Village of Sterling Ridge

This item was reviewed under the summary list as presented by staff. It was moved by Ken Anderson and seconded by Walter Lisiewski to conditionally approve – meet code and pass inspections. The motion carried unanimously.

10. Variance request for a proposed deck does not respect the side five foot easement.

Christopher Rawson

6 Gentle Haze Court

Lot 14 Block 1, Section 15 Village of Sterling Ridge

This item was reviewed under the summary list as presented by staff. It was moved by Ken Anderson and seconded by Walter Lisiewski to approve as submitted. 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 motion carried unanimously.

11. Variance request for an existing flagstone patio that does not respect the ten foot rear easement.

Chris Butler

3 Petaldrop Place

Lot 30 Block 1, Section 64 Village of Alden Bridge

This item was reviewed under the summary list as presented by staff. It was moved by Ken Anderson and seconded by Walter Lisiewski to approve as submitted. 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 motion carried unanimously.

12. Consideration and action for a proposed home business renewal.

Stanley Lawrence Jones

15 Wild Colt Place

Lot 19 Block 3, Section 9 Village of Alden Bridge

This item was reviewed under the summary list as presented by staff. It was moved by Ken Anderson and seconded by Walter Lisiewski to conditionally approve the home business to sell firearms under strict guidelines based upon conditions set forth in signed document on file. Owner must renew in two years. The business must comply with Home Business Standards. The motion carried unanimously.

13. Consideration and action for a proposed home business renewal.

Timothy R. Cappolino

27 Colewood Court

Lot 14 Block 1, Section 68 Village of Sterling Ridge

This item was reviewed under the summary list as presented by staff. It was moved by Ken Anderson and seconded by Walter Lisiewski to conditionally approve based on the submitted application and a signed Firearm Business Agreement (provided previously by Township attorney). No more than one client allowed within a 24 hour period to visit home, must park in driveway. The business must comply with Home Business Standards. Owner must renew in two years. The motion carried unanimously.

14. Consideration and action to proceed with legal action, regarding failure to comply with the Covenants and Standards for outstanding violations on the home.

Alex G. Arias Flores

119 Wimberly Way

Lot 34, Block 2, Section 3 Village of College Park

This item was reviewed under the summary list as presented by staff. It was moved by Ken Anderson and seconded by Walter Lisiewski to approve pursuit of legal action by authorizing our attorneys and staff to send letters to the owner notifying them of the Development Standards Committee's actions; what is required to cure the violations and establishing a reasonable time frame for resolution. The letter will include notice that failure to correct these violations (by removing the algae/mold from the exterior of the dwelling and maintaining the dwelling in good repair) will result in a lawsuit filed & 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.

15. Consideration and action to proceed with legal action, regarding failure to comply with the Covenants and Standards for outstanding violations on the home.

J. Stewart Kennedy

94 Genesee Ridge Drive

Lot 71, Block 3, Section 11 Village of College Park

This item was reviewed under the summary list as presented by staff. It was moved by Ken Anderson and seconded by Walter Lisiewski to approve pursuit of legal action by authorizing our attorneys and staff to send letters to the owner notifying them of the Development Standards Committee's actions; what is required to cure the violations and establishing a reasonable time frame for resolution. The letter will include notice that failure to correct these violations (by removing the algae/mold from the exterior of the dwelling and maintaining the dwelling in good repair) will result in a lawsuit filed & 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.

16. Consideration and action to proceed with legal action, regarding failure to comply with the Covenants and Standards for outstanding violations on the home.

Alfred Coker

27 Wild Orchid Court

Lot 21, Block 1, Section 7 Village of College Park

This item was reviewed under the summary list as presented by staff. It was moved by Ken Anderson and seconded by Walter Lisiewski to approve pursuit of legal action by authorizing our attorneys and staff to send letters to the owner notifying them of the Development Standards Committee's actions; what is required to cure the violations and establishing a reasonable time frame for resolution. The letter will include notice that failure to correct these violations (by removing and storing the trash and recycle carts out of public view and removing the window air conditioning unit from the second floor window) will result in a lawsuit filed & 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.

17. Consideration and action to proceed with legal action, regarding failure to comply with the Covenants and Standards for outstanding violations on the home.

Alberto Miranda Linero

43 Wood Drake Place

Lot 8, Block 2, Section 4 Village of Creekside Park West

This item was reviewed under the summary list as presented by staff. It was moved by Ken Anderson and seconded by Walter Lisiewski to approve pursuit of legal action by authorizing our attorneys and staff to send letters to the owner notifying them of the Development Standards Committee's actions; what is required to cure the violations and establishing a reasonable time frame for resolution. The letter will include notice that failure to correct these violations (by mowing, weeding and edging the yard and continually maintaining the yard in good repair which includes but is not limited to mowing, weeding, edging and defining the beds; additionally the tree support posts that are not in use must be removed) will result in a lawsuit filed & 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.

18. Consideration and action to proceed with legal action, regarding failure to comply with the Covenants and Standards for outstanding violations on the home.

Salvador Castaneda Espinosa

14 Black Swan Court

Lot 10, Block 2 Section 97 Village of Sterling Ridge

This item was reviewed under the summary list as presented by staff. It was moved by Ken Anderson and seconded by Walter Lisiewski to approve pursuit of legal action by authorizing our attorneys and staff to send letters to the owner notifying them of the Development Standards Committee's actions; what is required to cure the violations and establishing a reasonable time frame for resolution. The letter will include notice that failure to correct these violations (by mowing, weeding and edging the yard and continually maintaining the yard in good repair which includes mowing, weeding, edging and defining the beds, and by removing any dead vegetation, shrubs or trees) will result in a lawsuit filed & 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.

19. Consideration and action to proceed with legal action, regarding failure to comply with the Covenants and Standards for outstanding violations on the home.

Charles G. Ryland

15 Indigo Bunting Place

Lot 48, Block 1, Section 13 Village of Creekside Park

This item was reviewed under the summary list as presented by staff. It was moved by Ken Anderson and seconded by Walter Lisiewski to approve pursuit of legal action by authorizing our attorneys and staff to send letters to the owner notifying them of the Development Standards Committee's actions; what is required to cure the violations and establishing a reasonable time frame for resolution. The letter will include notice that failure to correct these violations (by removing and storing the trash and recycle carts out of public view) will result in a lawsuit filed & 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.

20. Consideration and action to proceed with legal action, regarding failure to comply with the Covenants and Standards for outstanding violations on the home.

Paul Miller Living Trust

15 East Matisse Meadow Court

Lot 12, Block 1, Section 37 Village of Sterling Ridge

This item was reviewed under the summary list as presented by staff. It was moved by Ken Anderson and seconded by Walter Lisiewski to approve pursuit of legal action by authorizing our attorneys and staff to send letters to the owner notifying them of the Development Standards Committee's actions; what is required to cure the violations and establishing a reasonable time frame for resolution. The letter will include notice that failure to correct these violations (by removing and storing the trash and

recycle carts out of public view) will result in a lawsuit filed & 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. Victor H Guerrero

82 East Heritage Mill Circle

Lot 9, Block 3, Section 2 Village of Creekside Park West

This item was reviewed under the summary list as presented by staff. It was moved by Ken Anderson and seconded by Walter Lisiewski to approve pursuit of legal action by authorizing our attorneys and staff to send letters to the owner notifying them of the Development Standards Committee's actions; what is required to cure the violations and establishing a reasonable time frame for resolution. The letter will include notice that failure to correct these violations (by removing and storing the trash and recycle carts out of public view, and repair the garage door and remove the dead tree) will result in a lawsuit filed & 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 to proceed with legal action, regarding failure to comply with the Covenants and Standards for outstanding violations on the home.

Gerod Barron Rush

31 Paloma Bend Place

Lot 4 Block 1, Section 25 Village of Creekside Park

This item was reviewed under the summary list as presented by staff. It was moved by Ken Anderson and seconded by Walter Lisiewski to approve pursuit of legal action by authorizing our attorneys and staff to send letters to the owner notifying them of the Development Standards Committee's actions; what is required to cure the violations and establishing a reasonable time frame for resolution. The letter will include notice that failure to correct these violations (by removing or applying for and receiving approved permits for the walkway and play structure) will result in a lawsuit filed & 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 to proceed with legal action, regarding failure to comply with the Covenants and Standards for outstanding violations on the home.

Vannesa Zambrano

143 Gildwood Place

Lot 9 Block 1, Section 13 Village of Creekside Park

This item was reviewed under the summary list as presented by staff. It was moved by Ken Anderson and seconded by Walter Lisiewski to approve pursuit of legal action by authorizing our attorneys and staff to send letters to the owner notifying them of the Development Standards Committee's actions; what is required to cure the violations and establishing a reasonable time frame for resolution. The letter will include notice that failure to correct these (by submitting final passing inspection from a qualified inspector as defined in The Woodlands Residential Development Standards) will result in a lawsuit filed & 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 to proceed with legal action, regarding failure to comply with the Covenants and Standards for outstanding violations on the home.

Enrique Homs Munoz

110 Spincaster Drive

Lot 1 Block 1, Section 17 Village of Creekside Park

This item was reviewed under the summary list as presented by staff. It was moved by Ken Anderson and seconded by Walter Lisiewski to approve pursuit of legal action by authorizing our attorneys and staff to send letters to the owner notifying them of the Development Standards Committee's actions; what is required to cure the violations and establishing a reasonable time frame for resolution. The letter will include notice that failure to correct these (by submitting final passing inspection from a qualified inspector as defined in The Woodlands Residential Development Standards) will result in a lawsuit filed & 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.

25. Variance request for an existing fence that is stained an unapproved color.

Allan Thyme Bayer

27 Canterbury Place

Lot 44 Block 2, Section 2 Village of Creekside Park West

This item was heard by the full committee. The staff provided to committee with a presentation. It was moved by Danie van Loggeranberg and seconded by Ken Anderson to approve the fence stain as submitted. The motion carried unanimously. The committee suggested this color be added to the approvable stain list.

26. Request to appeal of condition of approval of a tree removal requiring a replant of 1x15 gallon native trees on lot.

John Passero

27 South Belfair Place

Lot 37 Block 1 Section 53 Village of Alden Bridge

This item was heard by the full committee. The staff provided to committee with a presentation. The owner was present to address the committee. He was granted permission by the Alden Bridge RDRC to remove a tree that was damaging his driveway on the condition that another tree is planted in its place. He was concerned that replanting a tree in the same location would cause further damage to the driveway. The owner gave the committee photos that showed a number of trees on the property. It was moved by Kim Hess and seconded by Ken Anderson to grant the homeowner's appeal of the tree planting condition, but he must plant and maintain shrubs and flowers in area of where the original tree was removed. The motion carried unanimously.

VI. Public Comments

There were no public comments.

VII. Member Comments

There were no member comments.

VIII. Staff Reports

There were no staff reports.

IX. Adjourn

There being no further business it was moved by Ken Anderson and seconded by Walter Lisiewski to adjourn the meeting at 6:00 p.m.