

Development Standards Committee

January 20, 2016 at 5:30 PM

The Woodlands Township

2801 Technology Forest Boulevard

The Woodlands, Texas 77381

Members Present: Deborah Sargeant, Robert Heineman, Chris Florack, Ken Anderson, Kim Hess, Danie van Loggerenberg and Walter Lisiewski

Members Absent: None

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

Legal Counsel: None

I. Welcome/Call Meeting to Order

The meeting was called to order by Chair Deborah Sargeant at 5:31 p.m.

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

The minutes were reviewed by the committee. It was moved by Chris Florack and seconded by Ken Anderson to approve the minutes as presented. Kim Hess abstained. The motion carried.

III. Consideration and Action of the Applications and Violations in Section VI 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 1-7, 15-26 and 28-38. Items 12, 27 and VII were tabled. It was moved by Ken Anderson and seconded by Danie van Loggerenberg to approve the Summary List. The motion carried unanimously.

IV. The Committee did not recess to Executive Session.

V. Consideration and Action of the Applications and Covenant Violations.

1. Consideration and action regarding the final plan for a proposed new building sign.

Huntsman Corporation

10003 Woodloch Forest Drive

Lot 9001, 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 Danie van Loggerenberg to approve as presented, noting the revised location shifted to the side instead of centered to accommodate the limitations of the building fascia due to the windows on the upper story. Installation must be accordance with the specifications provided and meet all code requirements. The motion carried unanimously.

2. Variance request to eliminate three parking spaces that are located within the City of Shenandoah's city limits, which would reduce the parking ratio to 3.4 spaces/1,000 square feet.

AT&T Pinecroft

28033 Interstate I-45

Lot 0581, 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 Danie van Loggerenberg to approve as presented. The motion carried unanimously.

3. Consideration and action regarding the revision to the cornice profile detail.
AT&T Pinecroft
28033 Interstate I-45
Lot 0581, 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 Danie van Loggerenberg to approve s presented on the condition the improvements comply with the commercial Planning and Design Standards. Approval by this committee does not constitute approval by any other entity. It is the owner’s responsibility to obtain those approvals. The motion carried unanimously.
4. Consideration and action for a proposed building sign that is not centered over the storefront entrance.
Windy City Grill & Pizza
1500 Research Forest Drive
Lot 9380, Block 0350, Section 1000 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 Danie van Loggerenberg to approve the variance request to allow the building sign to be located on the tower instead of over the main entrance on the conditions that the building sign is modified to include two lines of copy and is centered on the tower and that the fonts used on the building sign and monument signs match. Approval by this committee does not constitute approval by any other entity. It is the owner’s responsibility to obtain those approvals. The motion carried unanimously.
5. Variance request for proposed building and monument signs that may not comply with the criteria for this area.
Prosperity Bank
3205 College Park Drive
Lot 0807, Block 0388, Section 0999 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 Danie van Loggerenberg to approve the variance request to allow the color of the letters of the building signs to be blue on the condition that the logo and logo type of the small entrance sign be reduced in size so that the text fits within the columns. The larger arched sign and logo is approved as submitted. The monument signs are approved on the condition the logo and logo type is reduced in size to allow for a greater boarder for the background. The motion carried unanimously.
6. Consideration and action for the approval of a new roof.
Brighton Academy
10400 Gosling Road
Lot 0561, Block 0045, Section 0040 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 Danie van Loggerenberg to approve on the condition the owner must select the tile sample that matches and is compatible with the roofing color located at the adjacent property Panther Creek Village Shopping Center. The color selection should not have a pattern or varying hues. The motion carried unanimously.
7. Consideration and action for approval of a proposed building sign and addition of 15 awnings; and a variance request for window dressing.
Chick Fil A
8020 Research Forest Drive
Lot 550, Block 257, Section 47 Village of Alden Bridge
This item was heard by the full committee. The staff provided the committee with a presentation. It was moved by Kim Hess and seconded by Danie van Loggerenberg to conditionally approve the sign, awnings and window dressing. No address numbers are allowed in the front windows by the playground area; they are allowed only over the main entrance. Font is to be changed to Garamond on the door decals. The motion carried unanimously. Chris Florack asked that the committee consider website names and free wifi availability be added to the commercial sign standards.

8. Variance request for a proposed pool slide and related water feature that exceeds the maximum height allowed and may result in a negative impact to the neighborhood.
Edgar Sanchez
7 E Ambassador Bend
Lot 39 Block 01, Section 33 Village of Sterling Ridge
See below.
9. Variance request for a proposed patio cover with integrated summer kitchen that would encroach into the rear setback and may result in a negative impact to the neighborhood.
Edgar Sanchez
7 E Ambassador Bend
Lot 39 Block 01, Section 33 Village of Sterling Ridge
This item was heard by the full committee. The staff provided the committee with a presentation. The owner and contractor were present to address the Committee. It was moved by Deborah Sargeant and seconded by Ken Anderson to conditionally approve the concept. Homeowner must return to DSC with the documentation from easement holders that the proposed landscaping can be placed in the easement, reduce height of the slide so that the standing base be no higher than 8 feet (structure can be taller where it supports the patio cover/grotto connection). Submit revised drawings to be reviewed by the DSC. The motion carried unanimously.
10. Variance request for a proposed recreation surface/sport court that would encroach into the twenty five foot rear building setback and may result in a negative impact on adjacent properties.
Javier Guzman
39 South Bacopa Drive
Lot 13, Block 05, Section 07 Village of Creekside Park
This item was heard by the full committee. The staff provided the committee with a presentation. The owner was not present to address the Committee. It was moved by Deborah Sargeant and seconded by Danie van Loggerenberg to conditionally approve the recreational surface as follows: no basketball goals, no lights to be installed. A document will be recorded with the county stating that it cannot be used as a sports court by future residents. The motion carried unanimously.
11. Variance request for a home business that does not comply with the Standards for operating a business out of the home.
Alejandro Morales
7 Tallgrass way
Lot 09 , Block 02 , Section 14 Village of Creekside Park
This item was heard by the full committee. The staff provided the committee with a presentation. The owner was not present to address the Committee; however affected neighbors Larry Miller of 10 Picture Rock Place and Charles Abell of 3 Tallgrass Way were present to express their opposition to this home business. It was moved by Deborah Sargeant and seconded by Chris Florack to table the issue until the DSC has finalized the short term rental standards. The motion carried unanimously.
12. Consideration and action regarding the request by Danielle and Andrew MacMillan of 170 N Taylor Point Drive to appeal the decision to approve a play structure on the lot of the adjacent property owner at 2 Moss Bluff Court.
Charles Alex Fortinberry
2 Moss Bluff Court
Lot 34 Block 01, Section 22 Village of Alden Bridge
This item was tabled at the request of the homeowner.

13. Consideration and action regarding the home owner's appeal of the conditions of approval requiring the owner replant four 30 gallon native trees on lot.
Tracy Dorsett
78 South Crisp Morning Circle
Lot 12 Block 03 Section 93 Village of Alden Bridge
This item was heard by the full committee. The staff provided the committee with a presentation. The owner was not present to address the Committee. It was moved by Robert Heineman and seconded by Danie van Loggerenberg to deny the appeal. The original conditions will apply; the homeowner must plant four trees. Chris Florack voted nay, all other committee members voted in agreement.
14. Variance request for existing paving that does not respect the five foot side easement.
Mauricio Morales
58 Oriel Oaks Court
Lot 22 Block 1, Section 62 Village of Sterling Ridge
This item was heard by the full committee. The staff provided the committee with a presentation. The owner was present to address the Committee. It was moved by Deborah Sargeant and seconded by Ken Anderson to conditionally approve the paving, remove all paving in the side 5' easement (the rest is allowable). Complete within 30 days. Homeowner must get permits before any additional improvements (including doghouse and shed). The motion carried unanimously.
15. Variance request for the proposed retaining wall that is five feet tall and located in the easement, which exceeds the maximum height allowed for retaining walls in an easement and was submitted without the required engineering drawings.
Robert and Michelle Fountain
10 Hampton Lodge
Lot 18 Block 1, Section 14 Village of Indian Springs – TWA
This item was reviewed under the summary list as presented by staff. It was moved by Chris Ken Anderson and seconded by Danie van Loggerenberg to approve the retaining wall as submitted. The motion carried unanimously.
16. Variance request for a patio cover with integrated summer kitchen and fire place that would encroach into the fifteen foot rear set back.
Jeremy Tinker
3 Celeste Court
Lot 01, Block 02, Section 03 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 Danie van Loggerenberg to conditionally approve the patio cover, summer kitchen and fireplace as submitted. They must meet code, pass inspections and standards. The motion carried unanimously.
17. Variance request for a proposed fence does not meet the Neighborhood Criteria for Section 19 of Alden Bridge requiring a six foot capped picket (Type H) on the rear property line of the lots backing to Alden Bridge Drive and Kendall Green Drive.
Mark F. Karier
18 Mayborough Court
Lot 37, Block 01, Section 19 Village Alden Bridge
This item was reviewed under the summary list as presented by staff. It was moved by Ken Anderson and seconded by Danie van Loggerenberg to approve as submitted. The motion carried unanimously.

18. Variance request for a fence stain, that is not considered one of the approvable colors as identified by the Plan Review Committees.
Haxell Lavalle Mora
3 Pine Lodge Place
Lot 40 Block 01, Section 18 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 Danie van Loggerenberg to approve as submitted. Stain must match the existing color of the rear fence as closely as possible. The motion carried unanimously.

19. Variance request for a fence stain, that is not considered one of the approvable colors as identified by the Plan Review Committees.
William H. Applegate IV
11 Almond Dale Court
Lot 23 Block 01 Section 73 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 Danie van Loggerenberg to approve the fence stain as submitted. The motion carried unanimously.

20. Variance request for a fence stain, that is not considered one of the approvable colors as identified by the Plan Review Committees.
Ian Arthur Collie
15 Almond Dale Court
Lot 24 Block 01 Section 73 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 Danie van Loggerenberg to approve the fence stain as submitted. The motion carried unanimously.

21. Variance request for an existing trampoline located in the side and rear yard easements of the property.
Garry Lynn Carr Jr.
42 Pagehurst Court
Lot 27 Block 1, Section 22 Village of Indian Springs – TWA
This item was reviewed under the summary list as presented by staff. It was moved by Ken Anderson and seconded by Danie van Loggerenberg to disapprove the trampoline and consent to delay enforcement, based upon the execution of a memorandum of agreement, requiring the owner to remove the trampoline from the easement, when the owner no longer owns the home, transfers title or when the owner is no longer the primary resident, or when the trampoline is in disrepair and needs replacement whichever comes first. The memorandum will be recorded with the court house and binding on the land. 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.

22. Variance request for an existing trampoline located in the rear yard easement of the property.
Robert Brown
74 S Fair Manor Circle
Lot 09 Block 02, Section 78 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 Danie van Loggerenberg to disapprove the trampoline and consent to delay enforcement, based upon the execution of a memorandum of agreement, requiring the owner to remove the trampoline from the easement, when the owner no longer owns the home, transfers title or when the owner is no longer the primary resident, or when the trampoline is in disrepair and needs replacement whichever comes first. The memorandum will be recorded with the court house and binding on the land. 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.

23. Variance request for a play structure located in the easement and installed with a striped tarp.

Joaquim Portela
78 Rhapsody Bend Drive
Lot 01 Block 01, Section 27 Village of Sterling Ridge
See below.

24. Variance request for pavers and a wood deck that encroach into the easement.

Joaquim Portela
78 Rhapsody Bend Drive
Lot 01 Block 01, Section 27 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 Danie van Loggerenberg to disapprove the play structure and consent to delay enforcement, based upon the execution of a memorandum of agreement, requiring the owner to remove the play structure from the easement, when the owner no longer owns the home, transfers title or when the owner is no longer the primary resident, or when the play structure is in disrepair and needs replacement whichever comes first. The memorandum will be recorded with the court house and binding on the land. 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. Pavers and deck are to be removed at the same time as the play structure. The motion carried unanimously.

25. Variance request for a proposed detached storage shed that would exceed the maximum height allowed.

Lucy Lerma
1604 N Red Cedar Circle
Lot 01, Block 03, Section 10 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 Danie van Loggerenberg to deny the variance and consent to delay enforcement based upon the execution of a memorandum of agreement requiring the owner to remove the shed from the home when the owner no longer owns the home, sells or transfers title or when the storage shed is in disrepair and requires maintenance, whichever comes first. The memorandum will be recorded at the courthouse and binding on the land. Additionally the owner must plant and maintain native vegetation to the exterior of the fence to soften and screen the view of the shed from the street. The motion carried unanimously.

26. Variance request for more than one type of play structure on the lot and one of the playhouses encroaches into the rear yard easement and both playhouses exceed the maximum height allowed.

Heidi Adams
10 Coronet Ridge Court
Lot 32, Block 02, Section 15 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 Danie van Loggerenberg to disapprove the playhouses and consent to delay enforcement, based upon the execution of a memorandum of agreement, requiring the owner to remove the playhouses from the easement/property, when the owner no longer owns the home, transfers title or when the owner is no longer the primary resident, or when the playhouses are in disrepair and needs replacement whichever comes first. The memorandum will be recorded with the court house and binding on the land. 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.

In addition, the owner must plant and maintain evergreen trees at least 7' tall at time of planting to soften view of houses to the rear. The motion carried unanimously.

27. Variance request for an existing pool, spa and decking that encroaches into the ten foot rear yard easement.
Steven W Passmore
34 North Bluff Creek Circle
Lot 17 Block 02, Section 73 Village of Alden Bridge
This item was tabled at the request of the homeowner.
28. Consideration and Action to proceed with legal action for outstanding Covenant violations.
Romeo Homes Texas LLC
11 Bowie Bend Court; 77385-3480
Lot 20, Block 1, Section 1 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 Danie van Loggerenberg 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 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.
29. Consideration and Action to proceed with legal action for outstanding Covenant violations.
Peter J Fox
70 North Lace Arbor Drive; 77382-1200
Lot 9 Block 3 Section 10 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 Danie van Loggerenberg 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.
30. Consideration and Action to proceed with legal action for outstanding Covenant violations.
Tanja K Knott
10 Vista Mill Place; 77382-1223
Lot 21, Block 1, Section 11 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 Danie van Loggerenberg 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, edging, weeding and defining beds on a regular basis and removing debris and 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.

31. Consideration and Action to proceed with legal action for outstanding Covenant violations.

Donald Warren

3 Rolling Ridge Court; 77385-3695

Lot 26, Block 1, 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 Danie van Loggerenberg 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 dog run/house from property) 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.

32. Consideration and Action to proceed with legal action for outstanding Covenant violations.

Pachri Phongharnich

30 South Vesper Bend Circle; 77382-5519

Lot 88, Block 2, Section 29 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 Danie van Loggerenberg 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 maintaining yard including weeding a defining beds) 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.

33. Consideration and Action to proceed with legal action for outstanding Covenant violations.

Gary W Wong

83 South Regan Mead Circle; 77382-2790

Lot 38, Block 2, Section 29 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 Danie van Loggerenberg 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 maintaining yard including weeding a defining beds) 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.

34. Consideration and Action to proceed with legal action for outstanding Covenant violations.

Henry G Bebee

15 East Shale Creek Circle; 77382-5506

Lot 4, Block 1, Section 20 - 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 Danie van Loggerenberg 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, recycle carts and debris from 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.

35. Consideration and Action to proceed with legal action for outstanding Covenant violations.

David A Wallace

19 Leaf Spring Place; 77382-1207

Lot 35, Block 3, Section 10 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 Danie van Loggerenberg 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 from public view and storing a basketball goal in keeping with the Residential Development Standards and Covenants) 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.

36. Consideration and Action to proceed with legal action for outstanding Covenant violations.

Rajat Bhatnagar

58 South Bristol Oak Circle; 77382-1216

Lot 50, Block 2, Section 11 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 Danie van Loggerenberg 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 artificial flowers in front yard) 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.

37. Consideration and Action to proceed with legal action for outstanding Covenant violations.

Todd A Giles

99 South Regan Mead Circle; 77382-2790

Lot 34, Block 2, Section 29 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 Danie van Loggerenberg 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 maintaining yard including weeding and defining flower beds) 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.

38. Consideration and Action to proceed with legal action for outstanding Covenant violations.

Villa Corina Corp

15 North Rocky Point Circle; 77389-5344

Lot 30, Block 2, Section 5 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 Danie van Loggerenberg 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 dead 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.

VII. Consideration and action in regard to establishing the minimum and maximum amount of living area specified in the neighborhood criteria.

This item was tabled by staff.

VIII. Consideration and action in regard to Regal Pools and requirement for increased compliance deposit due to starting work without approved applications, changes made without approval and missing inspections.

This item was heard by the full committee. The staff provided the committee with a presentation. It was moved by Chris Florack and seconded by Ken Anderson to allow the Township to assess a \$5000 Compliance Deposit Fee for all future Regal Pools projects, refundable only if Regal complies with the Standards, follows the application and approval process and projects are built as permitted and fully inspected. In addition, all future Regal Pools projects will be inspected weekly at the contractor's expense. The homeowner will still pay the standard compliance deposit for the project(s), refundable upon completion, passing final inspection and compliance with the Standards and approval conditions where applicable. Staff will consult with the attorneys to determine the legality of denying permits to those contracts who repeatedly violate the Standards approval process.

IX. Public Comments

There were no public comments.

X. Member Comments

Walter Lisiewski asked that Open Carry signs be put on the next joint DSC/RDRC agenda for discussion in March. Robert Heineman said he would not be able to attend either February DSC meeting.

XI. Staff Reports

There were no staff reports.

XII. Adjourn

There being no further business Chair Deborah Sargeant asked for a motion to adjourn. It was moved by Ken Anderson and seconded by Chris Florack to adjourn the meeting at 6:42 p.m.