

Development Standards Committee

May 6, 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, Danie van Loggerenberg and Ken Anderson

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

- I.** Welcome/Call Meeting to Order.
The meeting was called to order by Chair Deborah Sargeant at 5:35 p.m.
- II.** Consideration and action regarding the minutes of the meeting of April 1, 2015.
The minutes were reviewed by the committee. It was moved by Chris Florack and seconded by Danie van Loggerenberg to approve the minutes as presented. The motion carried unanimously.
- 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, 7, 12-14, 17, 18, 20, 21, 24-27, 29 and 30. It was moved by Ken Anderson and seconded by Danie van Loggerenberg to approve the Summary List as presented by staff recommendation. The motion carried unanimously.
- IV.** Consideration and Action of the Applications and Covenant Violations.

 1. Consideration and action to proceed with legal action, regarding failure to comply with the Covenants and Standards for outstanding violations on the home.
Murkowski, Brian P & Kristin Cole
42 South Downy Willow Circle
Lot 3, Block 2, Section 60 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 maintaining the pool and the pool equipment in proper working order) 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.
 2. Consideration and action to amend an approved home business which was reviewed by the committee and acted on at the meeting of April 15, 2015.
Thomas and Michelle Bolsch
15 Quintelle Court
Lot 4 Block 1, Section 64 Village of Sterling Ridge
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 then moved by Robert Heineman and seconded by Ken Anderson to approve on the condition that the Owners sign a written agreement that limits the business as Temporary until the storefront is opened or November 1, 2015 whichever is first. Applicant may apply for time extension if needed. The agreement will include the normal verbiage prepared by the attorney. The motion carried unanimously.

3. Consideration and action to amend an existing patio cover with summer kitchen which was reviewed by the committee and acted on at the meeting of April 15, 2015.
Thomas and Lisa Wojahn
46 Corbel Point Way
Lot 52 Block 01, Section 16 Village of Creekside Park West
This item was heard by the full committee. The staff provided the committee with a presentation. The owner was present to address the Committee and noted that they had changed the roof as requested by the committee at considerable expense but still wished to keep the exterior material as stucco. It was then moved by Robert Heineman and seconded by Chris Florack to conditionally approve as follows: roof is acceptable as presented – original height and design, stucco allowed as exterior material – must be beige and match the dwelling, meet code, standard conditions. The motion carried unanimously.
4. Variance request a proposed outdoor living area that incorporates a patio cover with a fireplace and summer kitchen does not respect the eight foot side and 30 foot rear building setbacks.
Brad and Christy Mize
170 East Bracebridge Circle
Lot 14 Block 1, Section 21 Village of Indian Springs (TWA)
This item was heard by the full committee. The staff provided the committee with a presentation and with the requested data collected on the size ratios of past approved patio covers. The owner and contractor were present to address the Committee. They noted that that the improvements were designed to with the topography and to increase impact. It was then moved by Chris Florack and seconded by Kim Hess to conditionally approve as follows: standard conditions, meet code, staff to review and approve landscape plan for sufficient screening. Ken Anderson voted in opposition. The motion carried.
5. Rehearing regarding the Development Standards Committee action for a proposed outdoor living area, which includes patio cover, fireplace and summer kitchen that extends beyond the rear 40 foot setback and a chimney that will not be brick or stone as required by the Neighborhood Criteria for Section 49 of Alden Bridge
John M. Mizell
38 Freestone Place
Lot 35 Block 1, Section 49 Village of Alden Bridge
This item was heard by the full committee. The staff provided the committee with a presentation and with the requested data collected on the size ratios of past approved patio covers. The owner and contractor were present to address the Committee. It was then moved by Chris Florack and seconded by Kim Hess to conditionally approve as follows: standard conditions, meet code, staff to review and approve landscape plan for sufficient screening. Ken Anderson voted in opposition. The motion carried.
6. Variance request for new monument signs.
Taco Bell
4490 Panther Creek Pines
Lot 0385, Block 0045, Section 0007 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 improvement, the modifications made based on previous action and the impact to adjacent properties. A sign representative was present to address the Committee. It was moved by Kim Hess and seconded by Chris Florack to conditionally approve the monument signs on the conditions:
The masonry material surrounding the sign is kept in the proposed “L” shape design and not the framed proposal. The stone material should be a more muted earth tone shade. The base of the sign is raised to 18 inches and the lumen output is modified to a lower tone. The committee requested the final revisions to the stone and the interior illumination are returned to the committee for final review. The motion carried unanimously.
7. Consideration and action regarding the installation of a new monument sign.
GeoSouthern
1425 Lake Front Circle
Lot 0350, 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 the monument sign as presented. The sign must be installed in accordance

with the approved plans and must comply with all other Commercial Planning and Development Standards. The motion carried unanimously.

8. Consideration and action to modify the conditions of approval regarding the outdoor patio and request for tree removals and installations including incorporated landscaping adjacent to the outdoor patio.
Republic Grille
4775 Panther Creek Drive
Lot 0283, Block 0045, Section 0040 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 improvement, trees proposed for removal and reforestation and overall landscaping plan and the view from the adjacent tracts of land. The owner was present to address the Committee and confirmed approval of the landlord for all proposed improvements. It was then moved by Kim Hess and seconded by Chris Florack to approve as presented, on the condition the owner plant and maintain vegetation in keeping the submitted landscape plan and include two 200 gallon Oak trees. Additionally the Committee will allow the improvement on the condition the patio area posts remain in their current naturally treated design on the condition and not require the original conditions of approval to paint the patio to match the brown color of the building covered walkway area. The motion carried unanimously.
9. Consideration and action regarding a time extension to allow a temporary building.
Spirit Filled Celebration Church
6565 Research Forest Drive
Lot 0200, Block 0101, Section 0067 Village of Cochran's Crossing
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. A representative was present to address the Committee. The Committee discussed future plans for the school, the current impact to the surrounding parcels and the number of students attending. It was moved by Deborah Sargeant and seconded by Kim Hess to Table any action on this property, allow the owners to submit a renewal request within 90 days on the condition a conceptual site plan for the future plans and expansion of the site are submitted. The motion carried unanimously.
10. Consideration and action regarding the addition of a sports court and playground area with required tree removals.
Woodlands Country Club - Palmer Course
100 Grand Fairway
Lot 0001, Block 0257, Section 0060 Village of Cochran's Crossing
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. A representative was present to address the Committee. It was moved by Deborah Sargeant and seconded by Ken Anderson to approve the sports court on the condition the court color are modified to a muted green and white court design and the hours of operation are restricted to from dawn till dusk. Chris Florack abstained from the motion. The motion carried.
11. Consideration and action to allow for the removal of a living tree near The Waterway.
Two Waterway Lofts
3 Waterway Court
Lot 001A, Block 0000, Section 0000 Village of Town Center
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. Representatives were present to address the Committee. Robert Heineman provided some history in regards to the design of the waterway around the existing tree as well as the efforts put toward the tree historically in order to save it. Nonetheless all members agreed the state of tree was poor and in need of removal. Therefore it was moved by Deborah Sargeant and seconded by Robert Heineman to allow the removal of the tree on the condition an 80 gallon tree be replanted on any portion of the property facing the waterway, in accordance with the Commercial Planning and Design Standards, in order to reforest the property. The Committee pleaded with the representatives to consider working with the Art Alliance or another individual to submit a proposal for a sculpture or monumental art piece made form a trunk of the tree. The motion carried unanimously.
12. Consideration and action regarding the conceptual plans for new building construction including landscaping.
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 the conceptual plan as presented on the condition the final plans are submitted for review and final action. The motion carried unanimously.

13. Consideration and action of the final plans for the proposed math and science building addition.
The John Cooper School
1 John Cooper Drive
Lot 0230, Block 0592, Section 0060 Village of Indian Springs
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, on the condition the improvements meet code and pass final inspection and landscaping in accordance with the Commercial Planning and Design Standards. Approval by this committee does not constitute approval by the additional easement holders. It is the owner's responsibility to obtain those approvals. The motion carried unanimously.
14. Variance request to exceed the maximum hard surface area allowed for the lot, for the construction of a detached patio cover with integrated fireplace and summer kitchen, and pool remodel.
David and Denise Hamilton
31 Grogan's Point Road
Lot 02, Block 05, Section 45 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 approve as presented. All improvements must meet code and pass final inspection. The motion carried unanimously.
15. Variance request for a proposed rear yard patio cover extension that will be located beyond the forty foot rear building setback.
Texas Direct Properties
10510 East Wildwind Circle
Lot 47, Block 09, Section 01 Village of Grogan's Mill
This item was reviewed by the full committee. The affected neighbors were present to address the committee. The staff provided the committee with a presentation of the proposed improvements and their impact to adjacent lots. It was moved by Chris Florack and seconded by Kim Hess to conditionally approve the improvement as presented on the condition the improvement meet code and pass final inspection. Robert Heineman was not present for the vote. Ken Anderson abstained from the vote. The motion carried.
16. Variance request for a proposed circular driveway that would be located within the fifty foot pipeline easement and would exceed the maximum width allowed.
Texas Direct Properties
10510 East Wildwind Circle
Lot 47, Block 09, Section 01 Village of Grogan's Mill
This item was reviewed by the full committee. The affected neighbors were present to address the committee. The staff provided the committee with a presentation of the proposed improvements and their impact to adjacent lots. It was moved by Chris Florack and seconded by Deborah Sargeant to deny the variance as presented and require the owner redesign the driveway to be more consistent with the Standards, reduce the overall driveway and hard surface and consider a landscaping plan for review. The motion carried unanimously.
17. Variance request for a proposed driveway replacement and proposed widening that will exceed the maximum width allowed.
Kathleen Rodosovich
156 South Deerfoot Circle
Lot 42, Block 01, 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 Danie van Loggerenberg to approve the proposed driveway as presented. The motion carried unanimously.
18. Consideration and action for a proposed home business.
Kevin and Rhonda Hamm
134 Songful Woods Place

Lot 24, Block 03, Section 65 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 approve on the conditions the home business remain in compliance with the business use Standards. Additionally the owner must reapply for the business in May of 2017. The approval is only granted for a two year period. At any time the Business permit may be revoked, for failure to comply with the Standards, The Committee's actions or when the business creates a hardship or impact on the neighborhood. The motion carried unanimously.

19. Variance request for a proposed trash and recycle cart privacy screen that will not be setback from the front façade of the dwelling and was not considered to be architecturally compatible with the homes in the area when reviewed by the Residential Design Review Committee.

Victor and Wendy Melton

10721 East Timberwagon Circle

Lot 05, Block 08, Section 06 Village of Grogan's Mill

This item was reviewed by the full committee. The owner was present to address the committee. The staff provided the committee with a presentation of the proposed improvements and their impact to adjacent lots. It was moved by Deborah Sargeant and seconded by Chris Florack approve the privacy screen on the condition the owner must plant and maintain vegetation to soften and screen the view of the fence to adjacent properties. Additionally the owner must adhere to the residential Development Standards regarding improvement that may not be stored in public view. (including but are not limited to barbeque grills, plastic lawn, furniture, etc.) The motion carried unanimously.

20. Variance request for a proposed pool slide that exceeds the maximum allowed height of eight feet.

Seth Lyman

150 North Berryline Circle

Lot 26, Block 02, Section 36 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 the pool and related pool slide on the condition the owner must plant and maintain native evergreen vegetation to the rear of the slide to soften and screen the view from the adjacent properties. Additionally the owner must plant and maintain five fifteen gallon native evergreen trees in addition to the vegetation behind the slide in order reforest the property. (If trampoline requires relocation, the owner must submit an application for the proposed new location.) The motion carried unanimously.

21. Variance request for the removal of a living tree.

Paul and Marilyn Hanslik

6 South Buck Ridge

Lot 26, Block 02, Section 36 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 plant and maintain two fifteen gallon native evergreen trees anywhere on the lot to provide reforestation for the trees proposed for removal. The motion carried unanimously.

22. Variance request for a proposed guest suite that would encroach into the rear twenty five foot setback and the improvement was not considered to be architecturally compatible with the homes in the area when reviewed by the Residential Design Review Committee.

Chirag R. Parghi

15 South Highland Court

Lot 10, Block 03, Section 29 Village of Panther Creek

This item was reviewed by the full committee. The staff provided the committee with a presentation of the proposed improvements and their impact to adjacent lots. It was moved by Deborah Sargeant and seconded by Chris Florack to deny the guest suite as presented and request the owner consider redesigning the improvement to reduce the encroachment into the setback, require the improvement is located closer to the home and integrated to the main area through the use of a covered breezeway or patio cover area. The motion carried unanimously.

23. Variance request for a proposed detached carport that was not considered to be architecturally compatible when reviewed by the Residential Design Review Committee; and does not comply with the Neighborhood Criteria prohibiting detached carports.

Aaron DeSmet

62 Northgate Drive

Lot 16, Block 02, Section 45 Village of Grogan's Mill

This item was reviewed by the full committee. The staff provided the committee with a presentation of the proposed improvements and their impact to adjacent lots. The committee reviewed the responses received and shared concerns regarding the architectural compatibility to the existing home. It was then moved by Ken Anderson and seconded by Chris Florack to deny the variance as presented. The motion carried unanimously.

24. Variance request for an existing roof that is not composed of an approvable shingle color.

Penny Morris

1 Wakerobin Court

Lot 35, Block 02, Section 20 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 approve the roof as presented. The motion carried unanimously.

25. Variance request for an existing play structure that encroaches into the rear and side easements.

Christian Morro

51 Sandpebble Drive

Lot 13, Block 01, Section 01 Village of Indian Springs

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 remove the play structure from the property, when the owner no longer owns the home, sells or transfers property and when the play structure is in disrepair, whichever occurs first. The memorandum will be recorded at the courthouse and binding on the land. The motion carried unanimously.

26. Variance request for an existing fence that was built with the construction side facing outward from the lot.

Christian Morro

51 Sandpebble Drive

Lot 13, Block 01, Section 01 Village of Indian Springs

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 on the condition no portion of the fence have exposed construction side members do not become visible to the street. The motion carried unanimously.

27. Variance request for existing paving that encroaches into the side easement, and exceeds the maximum width allowed where it adjoins the driveway.

Michael Pinon

251 South Berryline Circle

Lot 01, Block 01, Section 36 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 disapprove and consent to delay enforcement based upon the execution of a memorandum of agreement requiring the owner to remove the pavers at the side of the driveway when the owner no longer owns the home, sells or transfers title, whichever comes first. Additionally the owner must plant and maintain vegetation to the front of the extension to soften and screen the view to the street. The motion carried unanimously.

28. Variance request for an existing fence that does not comply with the Neighborhood Criteria; and is constructed with the unfinished side facing out.

John A. Truhe, Jr.

7 Rolling Stone Pl

Lot 02, Block 02, Section 32 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 Danie van Loggerenberg to table the item until the meeting of June 3, 2015. The motion carried unanimously.

29. Variance request for an existing fence that exceeds the maximum height allowed and is constructed with the unfinished side visible to the neighboring property.

Mark C. Harriman

46 Aberdeen Crossing Place

Lot 19, Block 01, Section 48 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 Danie van Loggerenberg to table the item until the meeting of June 3, 2015. The motion carried unanimously.

30. Variance request for an existing fence which exceeds the maximum height allowed.

Robert Smith

54 Lakeridge Drive

Lot 04, Block 01, Section 003, Forest Lake, 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 Danie van Loggerenberg to table the item until the meeting of June 3, 2015. The motion carried unanimously.

31. Consideration and action for a variance request regarding a modified design for the existing bridge which is located in the street right-of-way and was previously disapproved by the Development Standards Committee.

Enzo and Signe Aconcha

5 North Deerfoot Circle

Lot 02, Block 02, Section 28 Village of Grogan's Mill

This item was reviewed by the full committee. The home owner was present to address the committee. The staff provided the committee with a presentation of the proposed improvements and their impact to adjacent lots. It was moved by Deborah Sargeant and seconded by Chris Florack to deny the bridge as proposed and require the owner modify the bridge in mass scale and proportion to the home. Robert Heineman was not present for the vote. The motion carried unanimously.

32. Variance request for the existing wooden posts that are located in the street right-of-way.

Patricia Tubbs

120 South Timber Top Drive

Lot 10, Block 01, Section 15 Village of Grogan's Mill

This item was reviewed by the full committee. The staff provided the committee with a presentation of the proposed improvements. It was moved by Kim Hess and seconded by Chris Florack to take no action on the item, allow the bollards to remain in their current location and not consider them a violation. The motion carried unanimously.

33. Consideration and action regarding outstanding covenant violations.

Randy J. Demars

20 North Mossrock Road

Lot 05, Block 01, Section 47 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 approve the pursuit of legal action; 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

There were no member comments.

VII. Staff Reports

There were no staff reports.

VIII. Adjourn

There being no further business it was moved by Kim Hess and seconded by Ken Anderson to adjourn the meeting at 8:34p.m. The motion carried.

