

Development Standards Committee

April 20, 2016 at 5:30 PM

The Woodlands Township

2801 Technology Forest Boulevard

The Woodlands, TX 77381

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

Members Absent: Robert Heineman and Kim Hess

Staff Present: Neslihan Tesno, Kimberly 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 5:30 p.m.
- II. Consideration and action regarding the minutes of the meeting of March 16, 2016
The minutes were reviewed by the committee. It was moved by Chris Florack and seconded by Ken Anderson to approve the minutes as presented. The motion carried unanimously.
- III. Consideration and action regarding the minutes of the Development Standards Committee's special meetings of October 2, 2015, October 9, 2015, and April 1, 2016.
The minutes were reviewed by the committee. It was moved by Ken Anderson and seconded by Chris Florack to approve the minutes as presented. The motion carried unanimously.
- IV. Consideration and Action of the Applications and Covenant Violations in Section VII, 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, 3 and 5-34. Item 4 was added to the Summary List. It was moved by Chris Florack and Walter Lisiewski to approve the Summary List. The motion carried unanimously.
- V. Recess to Executive Session to consult with the Development Standards Committee's attorney pursuant to 551.071, Texas Government Code.
No action was taken on this item.
- VI. Reconvene in Public Session
No action was taken on this item.
- VII. Consideration and Action of the Applications and Covenant Violations.
 1. Variance request for building and monument temporary banners that would not meet the requirements as stated in the Commercial Planning and Design Standards.
Dunkin' Donuts/Baskin Robbins
3085 College Park Drive
Lot 9058, Block 0555, Section 0000 Village of College Park
This item was reviewed under the summary list as presented by staff. It was moved by Chris Florack and seconded by Walter Lisiewski to approve the variance request for two temporary building banners and one banner near the monument sign on the condition the signs are remove no later than April 28, 2016 and the installation is in accordance with the Commercial Planning and Design Standards. The motion carried unanimously.
 2. Variance request for a building mounted sign for a sub-leased department within the Target store (CVS Pharmacy) which includes a logo that may exceed the maximum size allowed.
Target
1100 Lake Woodlands Drive

Lot 0590, Block 0599, Section 0999 Village of Town Center

This item was review by the full committee. The staff provided a PowerPoint presentation, noting the existing pharmacy sign and the request to modify the sign to note CVS and include the logo and logo type. The staff provided the committee with the Commercial Standards regarding sub-leased departments identified on building signage. The committee deliberated on the need for the identification inside the store versus the interpretation of advertisement. It was then moved by Deborah Sargeant and seconded by Ken Anderson to approve the building mounted sign on the condition the sign is installed in accordance with the Commercial Planning and Design Standards. The motion carried unanimously.

3. Consideration and action for the renewal of an existing home business.

Steven Gallia

2 West Trace Creek Drive

Lot 26, Block 02, Section 03 Village of Indian Springs

This item was reviewed under the summary list as presented by staff. It was moved by Chris Florack and seconded by Walter Lisiewski to approve the business renewal for two years on the condition the owner remains in compliance with the Residential Development Standards. The Committee may revoke the home business permit at any time or for a violation of the Standards. The owner must reapply in April 2018 if the business continues to be operated form the home. The motion carried unanimously.

4. Consideration and action for approval of addition of small service yard and riser room along with exterior painting as needed.

Chick Fil A

8020 Research Forest Drive

Lot 550, Block 257, Section 47 Village of Alden Bridge

This item was reviewed under the summary list as presented by staff. It was moved by Chris Florack and seconded by Walter Lisiewski to conditionally approve the addition. The service yard and sprinkler riser room are to match the existing building. Exterior paint is to match existing colors on the building. Submit landscape plan for the area of improvement in the rear. The installation must be in accordance with the Commercial Planning and Design Standards. The motion carried unanimously.

5. Variance request for proposed fence that will exceed the maximum height allowed.

Marty Bredehoft

46 Trellis Gate Street

Lot 2 Block 1 Section 35 Village of Alden Bridge

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

6. Variance request for proposed fence that will exceed the maximum height allowed.

Thomas J Smith

50 Trellis Gate Street

Lot 1 Block 1 Section 35 Village of Alden Bridge

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

7. Variance request for a proposed wrought iron fence that will not comply with the Development Criteria for Section 12 in Creekside Park.

Gerrado Estrada

Participaciones Gestratto

98 North Pinto Point

Lot 63 Block 1, Section 12 Village of Creekside Park

This item was reviewed under the summary list as presented by staff. It was moved by Chris Florack and seconded by Walter Lisiewski to conditionally approve the fence as submitted. It must meet code and pass inspections. The motion carried unanimously.

8. Variance request for a proposed fence that will allow the unfinished side to be visible to another tract of land.

Casey B Pickard
7 Vista Mill Place

Lot 34 Block 01 Section 11 Village of Alden Bridge

This item was reviewed under the summary list as presented by staff. It was moved by Chris Florack and seconded by Walter Lisiewski to conditionally approve the fence as submitted. It must meet code and pass inspections. The motion carried unanimously.

9. Variance request for a proposed fence that will exceed the maximum height allowed per the Neighborhood Criteria for Section 22 in Alden Bridge

Stephen L. Ice
26 Cypress Lake Place

Lot 2 Block 1 Section 22 Village of Alden Bridge

This item was reviewed under the summary list as presented by staff. It was moved by Chris Florack and seconded by Walter Lisiewski to conditionally approve the fence as submitted. It must meet code and pass inspections. Staff will amend the Neighborhood Criteria to allow the 6'6" fences per the Standards. The motion carried unanimously.

10. Variance request for a proposed swimming pool that exceeds the maximum water surface area allowed.

Kenneth and Jennifer Malik
167 West New Harmony Trail

Lot 6 Block 2, Section 21 Village of Creekside Park

This item was reviewed under the summary list as presented by staff. It was moved by Chris Florack and seconded by Walter Lisiewski to conditionally approve the pool. The homeowner must plant and maintain ten native trees at least 30 gallons. Palm trees are not considered in this number. Additionally the homeowner must plant and maintain sufficient evergreen vegetation to screen pool equipment from the view of STREET AND NEIGHBORING PROPERTIES. Vegetation must be at least 4 feet tall at time of planting. Any fencing constructed to screen pool equipment requires an application and will be limited to a 4 foot high solid capped picket fence screened completely from view with native evergreen vegetation. Pool and decking may not encroach into any easement. The motion carried unanimously.

11. Variance request for a proposed patio cover that does not respect the rear setback.

David Domingue
191 North Vershire Circle

Lot 24, Block 1, Section 91 Village of Sterling Ridge

This item was reviewed under the summary list as presented by staff. It was moved by Chris Florack and seconded by Walter Lisiewski to conditionally approve the patio. The homeowner must plant and maintain two evergreen trees or shrubs at least 7' tall at time of planting to screen to right side neighbors. The patio cover must meet code and pass inspections. The motion carried unanimously.

12. Variance request for proposed pavers for the pool decking, driveway, and walkways that may not be in keeping with the character of the neighborhood.

Jonathan Breazeale
30 Sutton Mill Place

Lot 41 Block 1, Section 3 Village of Sterling Ridge

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

13. Request to amend the conditions set by the Development Standards Committee for existing pool decking that exceeds the maximum allowed hard surface area.
Dennis Banks
110 North Concord Valley Circle
Lot 3 Block 2, Section 25 Village of Sterling Ridge
This item was reviewed under the summary list as presented by staff. It was moved by Chris Florack and seconded by Walter Lisiewski to conditionally approve a portion of the pool decking. The homeowner must remove the portions as presented to equal no less than 148 ft². The motion carried unanimously.

14. Variance request for an existing basketball goal that does not respect the side five foot easement.
Chris and Rebecca Hummel
23 North Curly Willow
Lot 5 Block 2, Section 15 Village of Creekside Park West
This item was reviewed under the summary list as presented by staff. It was moved by Chris Florack and seconded by Walter Lisiewski to conditionally approve the basketball goal. The homeowner must plant and maintain evergreen trees and shrubs to screen to the street and the adjacent property line. Trees should be at least 10' tall at time of planting. 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.

15. Variance request for an existing wood fence that extends beyond the ten foot platted building line.
Janice S Cain Revocable Living Trust
34 West Greenvine Court
Lot 50 Block 2 Section 37 Village of Alden Bridge
This item was reviewed under the summary list as presented by staff. It was moved by Chris Florack and seconded by Walter Lisiewski to conditionally approve the fence, allowing it to remain in its current location. The homeowner must plant and maintain some additional evergreen shrubs/plants along to fence line to fill in the existing vegetation. The motion carried unanimously.

16. Variance request for an existing wood fence that has the unfinished side visible to a tract of land and does not meet the Development Criteria for Section 55 of Alden Bridge.
Robert T. Nolan
11 Trellis Gate Street
Lot 9 Block 1 Section 55 Village of Alden Bridge
This item was reviewed under the summary list as presented by staff. It was moved by Chris Florack and seconded by Walter Lisiewski to conditionally approve the fence. The construction side must not be visible to the street view. The homeowner may double side the fence and add a rot board on the rear section of fence visible to Courtland Green Street. The motion carried unanimously.

17. Variance request for an existing play structure does not respect the five foot side and ten foot rear yard easements.
Peter Michael Cymbala
90 South Goldenvine Circle
Lot 31 Block 1, Section 65 Village of Alden Bridge
This item was reviewed under the summary list as presented by staff. It was moved by Chris Florack and seconded by Walter Lisiewski to conditionally approve the play structure, moving it out of the easements to comply with standards. The motion carried unanimously.

18. Variance request for an existing trash and recycle cart enclosure that is not screened from view and is not set back at least three feet from the front of the home.
Neil Churaman
115 East Lasting Spring Circle

Lot 28 Block 2, Section 8 Village of Creekside Park

This item was reviewed under the summary list as presented by staff. It was moved by Chris Florack and seconded by Walter Lisiewski to conditionally approve the enclosure. The homeowner must plant and maintain evergreen shrubs to screen the enclosure. Plants must be at least 4' tall at time of planting and screen to street and adjacent properties. The motion carried unanimously.

19. Variance request for an existing play structure that may exceed the maximum height and floor area allowed.

Paul and Dawn Garcia

91 West Jagged Ridge

Lot 14 Block 8, Section 3 Village of Creekside Park

This item was reviewed under the summary list as presented by staff. It was moved by Chris Florack and seconded by Walter Lisiewski to conditionally approve the play structure. It must have wood roof or shingle to match dwelling. The motion carried unanimously.

20. Variance request for an existing basketball goal that does not respect the front ten foot easement.

Donald Link

26 Beacons Light Place

Lot 27 Block 1, Section 19 Village of Creekside Park West

This item was reviewed under the summary list as presented by staff. It was moved by Chris Florack and seconded by Walter Lisiewski to approve the basketball goal 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.

21. Variance request for an existing driveway that exceeds the maximum width allowed.

Christopher Johnston

62 West French Oaks Circle

Lot 15 Block 1, Section 49 Village of Sterling Ridge

This item was reviewed under the summary list as presented by staff. It was moved by Chris Florack and seconded by Walter Lisiewski to approve the driveway widening as submitted. The motion carried unanimously.

22. Consideration and action for a proposed home business.

Julio Lopez

31 Solebrook Path

Lot 6 Block 2, Section 14 Village of Creekside Park West

This item was reviewed under the summary list as presented by staff. It was moved by Chris Florack and seconded by Walter Lisiewski to conditionally approve the home business for 2 years on the condition the owner must reapply for renewal in April 2018. Additionally the business must operate in accordance with the Residential Development Standards and may be revoked at any time for a violation of these standards, impact to adjacent properties or by The Development Standards Committee. The motion carried unanimously.

23. Consideration and action to pursue legal action for outstanding Covenant violations.

ARLP Trust 3 % OCWEN Loan Servicing LLC

23 Marquise Oaks Place

Lot 6, Block 1, Section 45 Village of Sterling Ridge

This item was reviewed under the summary list as presented by staff. It was moved by Chris Florack 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 (including but not limited to mowing, weeding and edging the yard and continually maintaining the yard in good repair which includes mowing, weeding, edging and defining the beds, by removing and storing the trash and recycle carts out of public view, by removing debris and dead vegetation and by maintaining the pool in 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.

24. Consideration and action to pursue legal action for outstanding Covenant violations.

Jack E Watkins III

103 West Hobbit Glen Drive

Lot 7, Block 2, Section 76 Village of Alden Bridge

This item was reviewed under the summary list as presented by staff. It was moved by Chris Florack 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 (including but not limited to 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.

25. Consideration and action to pursue legal action for outstanding Covenant violations.

Randall A. Garver

134 South Goldenvine Circle

Lot 11, Block 1, Section 65 Village of Alden Bridge

This item was reviewed under the summary list as presented by staff. It was moved by Chris Florack 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 (including but not limited to 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.

26. Consideration and action to pursue legal action for outstanding Covenant violations.

Kenneth and Jennifer Wong

136 South Goldenvine Circle

Lot 10, Block 1, Section 65, Village of Alden Bridge

This item was reviewed under the summary list as presented by staff. It was moved by Chris Florack 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 remove trash and recycle carts from public view violations 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.

27. Consideration and action to pursue legal action for outstanding Covenant violations.

Adam Borden

162 South Sawbridge Circle

Lot 42 Block 1, Section 29 Village of Creekside Park

This item was reviewed under the summary list as presented by staff. It was moved by Chris Florack 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 (including but not limited to 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.

28. Consideration and action to pursue legal action for outstanding Covenant violations.

James F Bull

3 Sentinel Place; 77382-1051

Lot 20, Block 2, Section 4 Village of Alden Bridge

This item was reviewed under the summary list as presented by staff. It was moved by Chris Florack 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 (including but not limited to removing debris and trash and recycle carts 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.

29. Consideration and action to pursue legal action for outstanding Covenant violations.

Matthew A Temple

82 North Lace Arbor Drive

Lot 6 Block 3 Section 10 Village of Alden Bridge

This item was reviewed under the summary list as presented by staff. It was moved by Chris Florack 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 remove and store trash and recycle carts 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.

30. Consideration and action to pursue legal action for outstanding Covenant violations.

Antonio Roberto De Lilla Centrone

58 North Planchard Circle

Lot 11, Block 2, Section 68 Village of Sterling Ridge

This item was reviewed under the summary list as presented by staff. It was moved by Chris Florack 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 (including but not limited to removal and storage of trashcans and debris from public view and removal of mold from home) 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 pursue legal action for outstanding Covenant violations.

Jeffrey Spencer Samules

22 Baccara Place

Lot 47 Block 1 Section 97 Village of Alden Bridge

This item was reviewed under the summary list as presented by staff. It was moved by Chris Florack 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 (including but not limited to removal and storage of trash and recycle carts 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.

32. Consideration and action to pursue legal action for outstanding Covenant violations.

John Jefferson Jr.

79 North Indigo Circle

Lot 11, Block 4, Section 9 Village of Indian Springs –TWA

This item was reviewed under the summary list as presented by staff. It was moved by Chris Florack 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 (including but not limited to cleaning or repainting the siding on the home to remove mold/algae and stains) 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 pursue legal action for outstanding Covenant violations.

Scott Schultz

10 West Prairie Dawn Circle

Lot 3, Block 2, Section 6 Village of Harper's Landing at College Park

This item was reviewed under the summary list as presented by staff. It was moved by Chris Florack 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 (including but not limited to maintaining the yard by mowing, edging, weeding and cleaning up debris) 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 pursue legal action for outstanding Covenant violations.

Carole Broadbent

42 Drifting Shadows Circle

Lot 11, Block 1, Section 7 Village of Harper's Landing at College Park

This item was reviewed under the summary list as presented by staff. It was moved by Chris Florack 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 (including but not limited to mowing, weeding and edging the yard and continually maintaining the yard in good repair which includes mowing, weeding, edging and defining the 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.

35. Consideration and action for the existing satellite dishes at 118 North Pinto Point Circle, requested by an adjacent neighbor at 114 North Pinto Point Circle.

Jacob Gorsky

118 North Pinto Point Circle

Lot 68, Block 1, Section 12 Creekside Park

This item was heard by the full committee. The staff provided the committee with a presentation. The adjacent neighbor, Mr. Koczman, was present and addressed the committee. It was moved by Deborah Sargeant and seconded by Chris Florack to take no action on this item. The motion carried unanimously.

36. Variance request for a proposed patio cover that does not respect the 30 foot rear set back.

Tim Shelby

6922 Lake Paloma Trail

Lot 9R Block 1, Section 10 Village of Creekside Park

This item was heard by the full committee. The staff provided the committee with a presentation. The homeowner was present and addressed the committee. It was moved by Ken Anderson and seconded by Danie van Loggerenberg to conditionally approve the patio cover. The homeowner must plant and maintain native 30 gallon trees as screening, meet code and standards conditions and pass inspections. Staff will review upon completion to determine if screening is sufficient. The motion carried unanimously.

37. Variance request for a patio cover with associated fireplace, fire pit and tree removals that does not meet the required minimum living area per the ILUD and Development Criteria, the fence may exceed the maximum height allowed, the putting green does not respect the 15 foot development setback, and the pavers do not respect the rear ten foot easement and the 15 foot development setback.

Peter and Megan K. Shedden

7 Player Bend Drive

Lot 11, Block 1, Section 23 Village of Sterling Ridge

This item was heard by the full committee. The staff provided the committee with a presentation. The contractor was in attendance to address the committee. It was moved by Chris Florack and seconded by Danie van Loggerenberg to conditionally approve the patio cover, fireplace and firepit. The homeowner must plant and maintain one native at least 30 gallon tree for replacement, install planting per the landscape plan to screen to street, meet code and pass inspections; the fence and gates were conditionally approved and must be the same height as the existing wrought iron fence, meet code and pass inspection. The putting green, paving and walkway were approved as submitted. The motion carried unanimously.

38. Variance request for pavers/walkway that do not respect the rear ten foot easement and the 15 foot development setback.

Peter and Megan K. Shedden

2 Saint Peter's Gate

Lot 10, Block 1, Section 23 Village of Sterling Ridge

This item was heard by the full committee. The staff provided the committee with a presentation. The contractor was in attendance to address the committee. It was moved by Chris Florack and seconded by Danie van Loggerenberg to approve the paving and walkway as submitted. The motion carried unanimously.

39. Consideration and action for a proposed home business for martial arts lessons.

William Atteridge

22 Windswept Oaks Place

Lot 73 Block 1, Section 5 Village of College Park

This item was heard by the full committee. The staff provided the committee with a presentation. The homeowner was present and addressed the committee. It was moved by Deborah Sargeant and seconded by Chris Florack to allow the business for a 6 month trial period on the condition that all vehicles must be parked in the driveway. The hours of operation are restricted to no earlier than 8a.m. no later than 7p.m. The home business will be reviewed again by the committee after the 6 month trial period. Additionally the Home Business application may be revoked at any time by the Development Standards Committee or for a violation of the Home Business Standards.

40. Variance request for trampoline that does not respect the side five foot and rear ten foot easements and artificial ground cover.

Chad & Wendy Ryan

50 West Loftwood Circle

Lot 22 Block 3, Section 77 Village of Sterling Ridge

This item was heard by the full committee. The staff provided the committee with a presentation. It was moved by Ken Anderson and seconded by Chris Florack to approve the artificial ground cover as submitted. The trampoline was disapproved with enforcement delayed based upon the execution of a memorandum of agreement, requiring the owner to remove the play structure from the property, 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. In addition the trampoline must be moved out of the rear 10 foot easement and as much as possible out of the side easement. The motion carried unanimously.

41. Variance request for a play structure that does not respect the rear ten foot easement and will require the removal of trees.

Joseph Beagle

2 Acadia Branch Place

Lot 6 Block 2, Section 23 Village of Alden Bridge

This item was heard by the full committee. The staff provided the committee with a presentation. The homeowner was present and addressed the committee. It was moved by Chris Florack and seconded by Ken Anderson to conditionally approve the play structure and to allow tree B to be removed. The homeowner must plant evergreen trees or shrubs at least 7' in height at time of planting to screen to street and in direct line of sight between front and the adjacent home's windows located on the side of the dwelling. The motion carried unanimously.

42. Variance request for an existing play structure that does not respect the side five foot easement.

Julio and Nicole Abril

183 West New Harmony Trail

Lot 10 Block 2, Section 21 Village of Creekside Park

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 Danie van Loggerenberg to disapprove the play structure, requiring it to be removed or relocated to an approvable location within 30 days. The motion carried unanimously.

43. Variance request for pool decking that will exceed the maximum allowed hard surface area for the lot.

Hubbard H Donald Jr.

58 East Sandalbranch Circle

Lot 28 Block 1 Section 18 Village of Alden Bridge

This item was heard by the full committee. The staff provided the committee with a presentation. The homeowner was present and addressed the committee. It was moved by Ken Anderson and seconded by Danie van Loggerenberg to disapprove the variance and require new plans showing the concrete replaced by a deck. The motion carried unanimously.

44. Consideration and action in regard to contractor compliance and deposit fees.

This item was heard by the full committee. The staff provided the committee with a presentation. Antoine di Muro of Innova Pools and Sergio Ortiz of Nuarc Pools were present and addressed the committee. It was moved by Ken Anderson and seconded by Chris Florack to conditionally approve the increased deposit fees for these contractors if an additional violation occurs, with enforcement beginning immediately. The motion carried unanimously.

VIII. Public Comments

There were no public comments.

IX. Member Comments

Deborah Sargeant asked that the May 12 forum on short term rentals be put on the May 4 agenda for discussion.

X. Staff Reports

There were no staff reports.

XI. 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 6:59 p.m.