

Development Standards Committee

May 4, 2016 at 5:30 p.m.

The Woodlands Township

2801 Technology Forest Boulevard

The Woodlands, Texas 77381

MINUTES

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

Staff Present: Kimberly McKenna, Neslihan Tesno, Sharon Davis and Kathleen Eaton

- I. Welcome/Call Meeting to Order.**
The meeting was called to order by Deborah Sargeant at 5:30p.m.
- II. Consideration and action regarding the minutes of the meeting of April 6, 2016.**
The minutes were reviewed by the committee. It was then moved by Walter Lisiewski and seconded by Danie van Loggerenberg to approve the minutes for the meetings of April 6, 2016 as presented. The motion carried unanimously.
- III. Consideration and Action of the Applications and Covenant Violations in Section VI, recommended for Summary Action.**
This item was reviewed by the committee. The list consisted of items 2-4, 8, 15, 16, 20-23, 26 and 29-33. 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. Recess to Executive Session to consult with the Development Standards Committee's attorney pursuant to 551.071, Texas Government Code.**
There was no executive session.
- V. Reconvene in Public Session.**
There was no executive session.
- VI. Consideration and Action of the Applications and Covenant Violations.**
 1. Consideration and action for approval of monument sign and possible variance for logos.
Steele Building One
61 Carlton Woods Drive
Lot 1, Block 000, Section 12 Village of Sterling Ridge
This item was heard by the full committee. The staff provided the committee with a presentation noting that the logos requested were not registered trademark logos. A representative was present to address the committee. The committee deliberated the use and need of the logos on the panel signs. It was then moved by Ken Anderson and seconded by Chris Florack to conditionally approve the sign based on the following conditions: remove the logos and center the business name on the panels and move panels up 6" to allow for landscape clearance. The location of the sign is approved. Monument Signs must be placed at least one (1) foot behind the Property Line and located to minimize removal of mature vegetation. Proposed landscape area is approved. Formal planting area cannot be more than eight (8) feet wide. Revise and resubmit plans with above conditions. The installation must be in accordance with the Commercial Planning and Design Standards. The motion carried unanimously.
 2. Consideration and action for approval of building mounted sign.
JEI Learning Center
8008 Ashlane Way Suite 120
Lot 825, Block 499, Section 46 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. Owner must comply with the Commercial Planning and Design Standards. The motion carried unanimously.

3. Consideration and action for approval of a building mounted sign and window graphics.
Spider Smart
9420 College Park Drive
Lot 500, Block 490, Section 46 Village of Alden Bridge
This item was heard by the full committee after being removed from the Summary list at the request of the business owner. The staff provided the committee with a presentation of the requested building sign and window graphics. The owner addressed the committee and stated that there were other businesses with color in their signs in the center. Staff pointed out that the registered name had no color nor was proof of a trademarked logo submitted. It was then moved by Deborah Sargeant and seconded by Chris Florack to table the item to allow the owner time to obtain proof of trademark and revise their submittal. The motion carried unanimously.
4. Consideration and action for the approval of patio expansion, gas fireplace, trellis wrought iron fencing and decorative twin wire mesh landscape fencing.
The Republic Grille
30340 FM 2978 Suite 800
Lot 220, Block 78, Section 46 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 table this item and allow the Development Review Committee an opportunity to review the item and provide a recommendation to the Development Standards Committee. The motion carried unanimously.
5. Request for a rehearing regarding the conceptual room addition that would exceed the maximum living area per the Neighborhood Criteria and the Initial Land Use Designation.
Michael and Dawn Child
18 Greenridge Forest Court
Lot 25, Block 03, Section 14 Village of Panther Creek
This item was heard by the full committee. The staff provided the committee with a presentation. The owner was present to address the committee. The committee reviewed the details of surrounding properties, the land use designation and the variations regarding living area established from real estate website, the original house permit and the Appraisal district. The committee did not feel there was new information that had not been reviewed and considered at their original action meeting. Therefore, it was then moved by Deborah Sargeant and seconded by Ken Anderson to deny the request for a rehearing. The motion carried unanimously.
6. Consideration and action for the addition of a new building sign and store front awnings.
Marilyn Monroe Spas
24 Waterway Avenue
Lot 2640, Block 0599, Section 0999 Village of Town Center
This item was heard by the full committee. The staff provided the committee with a presentation. The Committee discussed the current design for the surrounding properties and possible modifications to the existing signage requested. It was then moved by Ken Anderson and seconded by Chris Florack to deny as presented and require the owner resubmit plans to note following modifications. Remove the message "Salon Nails Massage Facials" from the awnings. Modify the awning design and reduce the size of the awning to replicate the design noted for the surrounding awnings such as Morton's Grill. The motion carried unanimously.
7. Variance request for existing patio seating that includes the display of a logo on the umbrellas.
Orange Leaf
1440 Lake Woodlands Drive
Lot 8300, Block 0599, Section 0999 Village of Town Center
This item was heard by the full committee. The staff provided the committee with a presentation. A representative was present to address the Committee. The committee reviewed the number of umbrellas and the varying designs that had a logo on the umbrella. It was then moved by Deborah Sargeant and seconded by Ken

Anderson to approve the umbrellas as presented and notify the establishment to modify the umbrellas at the time of replacement to include a fringe at the base of the canopy to allow a logo on the bottom of the fringe or remove the logo from the umbrella if they want to maintain the same design. The motion carried unanimously.

8. Variance request to install a sidewalk that does not comply with the Commercial Planning and Design Standards.
Chevron Phillips Chemical Company
10001 Six Pines Drive
Lot 9035, 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 on the condition the application is modified to a path that is located through the trees and constructed of a decomposed granite paver material. Final location of the path should be installed with the maximum tree preservation and may include additional landscaping for reforestation. Final location of the installed path must be reviewed and approved by The Covenant Administration Staff. The owner must ensure the installation of the path is code compliant. Approval by this committee does not constitute approval by any other entity. The owner must seek to obtain approvals by separate entities if applicable. The motion carried unanimously.
9. Consideration and Action to allow the home owner to proceed in amending the land use designation for Grogan's Mill Section 27.
Michael and Angela Tuller
11 Wild Ginger Court
Lot 13, Block 01, Section 27 Village of Grogan's Mill
This item was heard by the full committee. The staff provided the committee with a presentation. The owner was present to address the committee. The committee discussed the initial land use designation and the concern to increase the land use by more than 500 square feet. It was then moved by Ken Anderson and seconded by Deborah Sargeant to deny the request to amend the Land Use Designation as requested. The motion carried unanimously.
10. Variance request for a proposed concept room addition will exceed the maximum allowed living area, as determined by the Initial Land Use Designation and Neighborhood Criteria and will include storage space that will be located beyond the ten foot side setback for the lot.
Michael and Angela Tuller
11 Wild Ginger Court
Lot 13, Block 01, Section 27 Village of Grogan's Mill
This item was heard by the full committee. The staff provided the committee with a presentation. The owner was present to address the committee. The committee discussed the initial land use designation and their denial to allow an amendment to the land use designation for the requested amount of living area. Therefore, it was then moved by Ken Anderson and seconded by Deborah Sargeant to deny the proposed concept as presented. The motion carried unanimously.
11. Variance request for the proposed detached building that will be used as a garage to store a golf cart which will exceed the maximum height allowed and the Neighborhood Criteria requires garages to be attached to the dwelling.
Glenn Cox
11116 Meadow Rue Street
Lot 19, Block 07, Section 07 Village of Grogan's Mill
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 then moved by Chris Florack and seconded by Ken Anderson to approve the request for a variance for the detached building on the condition the improvement meets code and passes final inspection. Additionally the owner must significantly increase the vegetation at the front of the driveway to soften and screen the view from the street. The motion carried unanimously.
12. Variance request for the existing driveway widening that exceeds the maximum width allowed.
Glenn Cox
11116 Meadow Rue Street
Lot 19, Block 07, Section 07 Village of Grogan's Mill

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 then moved by Chris Florack and seconded by Ken Anderson to approve the request for a variance for the driveway widening on the condition the owner must significantly increase the vegetation at the front of the driveway to soften and screen the view from the street. The motion carried unanimously.

13. Variance request for a proposed patio cover that encroaches past the front twenty five foot platted building line.
Michael J. Althoff
18 South Cypress Pine Drive
Lot 15, Block 01, Section 24 Village of Panther Creek
This item was heard by the full committee. The staff provided the committee with a presentation. The owner was present to address the committee. The committee informed the owners of the impossibilities to construct over the platted building line. It was then moved by Ken Anderson and seconded by Danie van Loggerenberg to deny the structure as presented and require the owner consider modifying the design of the structure, only allowing the overhang of the roof to cantilever over the platted building line without any support posts into the platted building setback line and before submitting a revision, check with the title company to be sure the suggested proposal wouldn't cloud the owner's title. The motion carried unanimously.
14. Variance request for a proposed circular driveway that would cause the lot to exceed the maximum hard surface area allowed.
Rhese Hoylman
26 Wakerobin Court
Lot 72, Block 02, Section 20 Village of Grogan's Mill
This item was heard by the full committee. The staff provided the committee with a presentation. The owner was present to address the committee. The committee shared concerns regarding the amount of paving in the front and the concern of permanent parking in front of the home. It was then moved by Chris Florack and seconded by Ken Anderson to deny as presented and consider widening the existing driveway to widen on both sides for an extended length and then taper near the road right of way, with suggested vegetation where it tapers to soften and screen. The motion carried unanimously.
15. Variance request for a proposed fence that will exceed the maximum height allowed per the Neighborhood Criteria.
Barbara Macnair
15 Bitterwood Circle
Lot 04, Block 01, Section 20 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 as presented on the condition the fence is painted to match the home and does not include a trellis above the fence. The motion carried unanimously.
16. Consideration and action regarding the proposed cul-de-sac arbor located in the road right of way and not considered to be one of the approved street right-of-way improvements.
Kim Blair
28 Paintedcup Court
Lot 58, Block 01, Section 18 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 condition the owner surrounding the cul-de-sac island sign an agreement to maintain the improvement and any landscaping of the cul-de-sac island. The arbor should be installed with integrated native evergreen vegetation to soften the view from the street. Approval by this committee does not constitute approval by any additional entity, such as the county. It is the applicants' responsibility to obtain those approvals and may be subject to removal. The motion carried unanimously.
17. Variance request for a proposed patio cover that will encroach past the rear forty foot setback.
Jefy Mathew
6 West Windward Cove
Lot 22, Block 01, Section 42 Village of Panther Creek

This item was heard by the full committee. The staff provided the committee with a presentation. The owner was present to address the committee. The committee discussed the design and impact to adjacent properties. It was then moved by Chris Florack and seconded by Deborah Sargeant to deny the variance request as presented and require the owner redesign the structure and return to the committee for review. The Committee suggested the owner modify the roof to composition shingle to match the home and modify the roof pitch to comply with code when the material is modified to shingles. The motion carried unanimously.

18. Variance request for a proposed summer kitchen that will encroach past the rear forty foot setback.

Jefy Mathew

6 West Windward Cove

Lot 22, Block 01, Section 42 Village of Panther Creek

This item was heard by the full committee. The staff provided the committee with a presentation. The owner was present to address the committee. The committee discussed the design and impact to adjacent properties. It was then moved by Chris Florack and seconded by Deborah Sargeant to deny the variance request as presented due to the denial of the patio cover. The committee suggested the owner resubmit all improvements once the owner redesigns the structure. The motion carried unanimously.

19. Variance request for a proposed fireplace that will encroach past the rear forty foot setback.

Jefy Mathew

6 West Windward Cove

Lot 22, Block 01, Section 42 Village of Panther Creek

This item was heard by the full committee. The staff provided the committee with a presentation. The owner was present to address the committee. The committee discussed the design and impact to adjacent properties. It was then moved by Chris Florack and seconded by Deborah Sargeant to deny the variance request as presented due to the denial of the patio cover. The committee suggested the owner resubmit all improvements once the owner redesigns the structure. The motion carried unanimously.

20. Variance request for proposed wood decking that would encroach into the ten foot rear yard easement.

Jack M Roach

5 Linnet Chase Place

Lot 88, Block 02, Section 03 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 approve as presented. Approval by this committee does not constitute approval by the additional easement holders. It is the owner's responsibility to obtain those approvals and may be subject to removal for access or maintenance needed. Additionally, the owner must ensure the improvements do not halt or materially impede drainage as defined in the residential. Development Standards. The motion carried unanimously.

21. Variance request for proposed paving that would encroach into the five foot side yard easement.

Jack M Roach

5 Linnet Chase Place

Lot 88, Block 02, Section 03 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 approve as presented. Approval by this committee does not constitute approval by the additional easement holders. It is the owner's responsibility to obtain those approvals and may be subject to removal for access or maintenance needed. Additionally, the owner must ensure the improvements do not halt or materially impede drainage as defined in the residential. Development Standards. The motion carried unanimously.

22. Variance request for a proposed fence that would be constructed with the unfinished sides of the wood fence visible to an adjacent tract of land, through wrought iron at the rear.

Caroline Zirilli

35 Trailhead Place

Lot 33, Block 02, Section 19 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 approve as presented. The motion carried unanimously.

23. Variance request for proposed artificial turf in the rear yard which is not considered an approvable landscape material.
William Duran
11 Treasure Cove Drive
Lot 39, Block 01, Section 24 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 artificial turf is installed in accordance with the proposed landscaping plan and existing landscaping to soften the view and the home should maintain the existing solid wood fence the rear yard. The motion carried unanimously.
24. Consideration and action regarding a request for a time extension for the construction activity and incomplete improvements on the property.
Brian and Jill Schweiker
5 South Doe Run Drive
Lot 02, Block 01, Section 16 Village of Grogan's Mill
This item was heard by the full committee. The staff provided the committee with a presentation. The owner was present to address the committee. The committee discussed the status of the home, the time necessary to complete the project and the improvements not yet started. It was then moved by Deborah Sargeant and seconded by Chris Florack to approve an extension of 120 days on the condition the owner correct all covenant violations regarding maintenance, trash and debris and yard. The owner must routinely provide removal of trash and debris, clean the construction site/property daily and remove all construction debris or trash and debris in a timely manner. Additionally the owner must attend the Development Standards Committee meetings once a month to provide the committee with an update on the property during June, July and August. If the owner fails to provide routine and consistent maintenance to the property at all times during the time extension for the construction of the current improvements., the Committee authorizes the staff to proceed in 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.
25. Variance request for existing play equipment that is stored in the front yard that can be seen from the street and adjacent properties at ground level when not in use and is considered an impact to adjacent properties.
Gayle Fisher
34 Stargazer Place
Lot 11, Block 01, Section 28 Village of Cochran's Crossing
This item was heard by the full committee. The staff provided the committee with a presentation. The owner and her son attended to address the committee. The owner informed the committee of the need for the rope swing and the tree in the front yard being the only tree to provide space for the rope. The owner informed the committee of National Law regarding Individuals with Disabilities and Americans with Disabilities Act. It was then moved by Chris Florack and seconded by Danie an 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 rope swing when the rope is no longer in use. The memorandum must be signed and executed in Montgomery county real property records. The motion carried unanimously.
26. Variance request to appeal the Staff's condition of approval requiring the owner to replant one (1) fifteen (15) gallon native tree anywhere on the lot.
John E Boyle
11 Shoreline Point Drive
Lot 06, Block 01, Section 26 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 table the item. The motion carried unanimously.

27. Variance request for an existing fence that was built with the construction side facing outward from the lot and is not of a preapproved design.
Daniel and Maria Beck
10 Woodlot Court
Lot 11, Block 03, Section 28 Village of Grogan's Mill
This item was heard by the full committee. The staff provided the committee with a presentation. The owner was present to address the committee. The committee reviewed the fence design and visibility to adjacent tracts. It was then moved by Ken Anderson and seconded by Danie van Loggerenberg to deny the variance request as presented and require the owner modify the fence to comply with the Residential Development Standards.
28. Consideration and action for failure to adhere to the Panther Creek Residential Design Review Committee's conditional approval not to remove a tree from the lot.
Seth Lyman
150 North Berryline Circle
Lot 26, Block 02, Section 36 Village of Panther Creek
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 approve the tree removed on the condition the trees adjacent to the walkway remain. The motion carried unanimously.
29. Variance request for existing artificial turf that is not an approvable landscape material.
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 on the condition the artificial turf is installed in accordance with the proposed landscaping plan and existing landscaping to soften the view and the home should maintain the existing solid wood fence the rear yard. The motion carried unanimously.
30. Variance request for an existing fence stain that was considered to be not compatible with the home and the neighborhood when viewed by the Residential Design Review Committee.
Richard B Herschmann
7 Silver Canyon Place
Lot 59, Block 01, Section 06 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 approve as presented. The motion carried unanimously.
31. Variance request for an existing fence that is not set back three feet from the front façade of the dwelling.
Vinson Revocable Trust
23 Poplar Hill Place
Lot 10, Block 05, Section 06 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 approve as presented, on the condition the owner maintains the existing vegetation on the lot to soften and screen the view of the fence from the street. The motion carried unanimously.
32. Consideration and action to proceed with legal action, regarding existing violations on the home.
Perry Anderson
60 Yewleaf Road
Lot 37, Block 03, Section 01 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 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.

33. Consideration and action to proceed with legal action, regarding existing violations on the home.

Perry Anderson

56 Yewleaf Road

Lot 39, Block 03, Section 01 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 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.

VII. Consideration and discussion of changes to the Residential Development Standards and upcoming public forum.

The Chair Deborah Sargeant reminded everyone of the Public Forum scheduled for 6:30 on May 11, 2016.

VIII. Public Comments

There were no public comments.

IX. Member Comments

Chris Florack requested he would like artificial turf be placed on the regular agenda and does not feel they should qualify for summary consent agenda until they have an opportunity to review more materials proposed and the extent of the work.

Walter Lisiewski noted concerns regarding the need for Standards in the Commercial area for the new Penal Code notices. Deborah Sargeant requested the staff place the item on the next agenda.

X. Staff Reports

There were no staff reports.

XI. Adjourn

There being no further business it was moved by Ken Anderson and seconded by Walter Lisiewski to adjourn the meeting at 8:06p.m. The motion carried unanimously.