

Development Standards Committee

June 15, 2016 at 5:30 PM

The Woodlands Township

2801 Technology Forest Boulevard

The Woodlands, TX 77381

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

Members Absent: Walter Lisiewski

Staff Present: Neslihan Tesno, Kimberly McKenna, Sharlene Novak, Danielle Allen and Kathleen Eaton

Legal Counsel: None

I. Welcome/Call Meeting to Order.

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

II. Consideration and action regarding the minutes of the meeting of May 18, 2016.

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

III. Consideration and Action of the Applications and Covenant Violations in Section VI, recommended for Summary Action.

This item was heard by the full committee. Chair Deborah Sargeant presented the Summary List as presented by Staff. The list consisted of Items 13, 16-22, 24-35. Items 2, 8, 9 and 10 were tabled and Item 33 was resolved prior to the meeting. It was moved by Chris Florack and seconded by Danie van Loggerenberg to approve the Summary List. 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.

No action was taken on this item.

V. Reconvene in Public Session

No action was taken on this item.

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

1. Consideration and action for the final plan approval of the proposed parking area and expansion to the central plant. St. Anthony of Padua Catholic Church

7801 Bay Branch Drive

Lot 0001, Block 0000, Section 0039 Village of Cochran's Crossing

7985 Bay Branch Drive

Lot 2000, Block 0257, Section 0047 Village of Alden Bridge

This item was reviewed under full committee review. Representatives from the Church and affected neighbors from the adjacent residential property were present to address the Committee. The staff provided the committee with a presentation noting the location of the improvements. The Committee deliberated on location, forest preserve, development, parking requirements, impact and location. It was then moved by Deborah Sargeant and seconded by Ken Anderson to Table the item, requesting the property owner research the possibility of a parking garage, contact The Joint Powers Agency regarding forestation in the area immediately adjacent to the property line, consider the allowance of a fence at the rear of the property with integrated vegetation to soften and screen the view. The motion carried unanimously.

2. Consideration and action of applications from Crown Castle NG Central LLC, to replace existing street light poles with new light poles that will contain a small cell network at the following locations:

- #1 – Six Pines Drive, north of Lake Woodlands
- #2 – Grogan’s Mill Road, south of Lake Front Circle
- #3 – Lake Front Circle, north of Lake Woodlands Drive
- #4 - Lake Woodlands Drive, West of Grogan’s Mill Road
- #5 – Six Pines Drive, north of Lake Robbins
- #6 – Woodloch Forest Drive, north of Lake Robbins Drive

This item was reviewed under the summary list as presented by staff. It was moved by Chris Florack and seconded by Danie van Loggerenberg to table this item. The motion passed unanimously.

3. Variance request for a new building sign for an existing tenant.

3 Waterway Holdings LLC (Waste Connections)
3 Waterway Square Place

Lot 9700, Block 0599, Section 0999 Village of Town Center

This item was reviewed under full committee review. Representatives were present to address the committee. The staff provided a presentation noting the location, specifications and dimensions of the sign request. The Committee deliberated on the design. It was then moved by Robert Heineman and seconded by Kim Hess to approve the sign on the condition the owner modify the sign support structures to a darker blended color to soften and screen the support structure against the building. The motion carried unanimously.

4. Consideration and action for the replacement of two building signs and the addition of a monument and blade sign.

Americas/ Churrascos

21 Waterway Avenue

Lot 2629, Block 0599, Section 0999 Village of Town Center

This item was reviewed under full committee review. Representatives were present to address the committee. The staff provided a presentation noting the location, specifications and dimensions of the sign request. The committee deliberated on the size of the monument sign nearest the waterway. It was then moved by Kim Hess and seconded by Chris Florack to approve the blade sign and building signs as presented and deny the monument sign as proposed, requiring the owner modify the monument sign by significantly reducing the overall size of the sign, attaching it to the existing support structure of the shade sail canopy located on the lower story patio area. The motion carried unanimously.

5. Variance request for two building signs for one business that incorporate services offered that are not part of the registered name and may include a logo that is not registered.

Frog Fitness

2408 Timberloch Place

Lot 0320, Block 0547, Section 0006 Village of Town Center

This item was reviewed under full committee review. The staff provided a presentation noting the location, specifications and dimensions of the sign request. The committee discussed the use and uniqueness of noting a fitness center and Headquarters sign. It was then moved by Kim Hess and seconded by Ken Anderson to deny the variance as presented, require the signs be modified to match the specifications and materials of the existing sign on the building and resubmit to the staff for review and approval. The motion carried unanimously.

6. Consideration and action for mid-growth clearing of the forest preserve in front of restaurant along SH 242

Whataburger

3073 College Park Drive

Lot 9053, 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 Danie van Loggerenberg to deny the clearing of the forest preserve. The Committee recommended removal of the vegetation near the monument sign to provide a view corridor of approximately sixty (60) degrees from each side of the sign face. The motion passed unanimously.

7. Consideration and action for mid-growth clearing of the forest preserve in front of FM 2978.

Whataburger

30330 FM 2978

Lot 200, Block 458, Section 46 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 Danie van Loggerenberg to deny the clearing of the forest preserve. The Committee recommended removal of the vegetation near the monument sign to provide a view corridor of approximately sixty (60) degrees from each side of the sign face. The motion passed unanimously.

8. Consideration and action for the addition of two monument sign face replacements, one building sign replacement, directional, informational and parking sign replacements and a new sign above the teller window.
Wells Fargo Bank
4880 W. Panther Creek Drive
Lot 0325, Block 0045, Section 0040 Village of Panther Creek
This item was reviewed under the summary list as presented by staff. It was moved by Chris Florack and seconded by Danie van Loggerenberg to table this item. The motion passed unanimously.
9. Consideration and action for approval of two monument signs and four building signs and a new sign above the teller window.
Wells Fargo Bank
9901 Woodlands Parkway
Lot 600, Block 78, Section 46 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 Danie van Loggerenberg to table this item. The motion passed unanimously.
10. Consideration and action to replace an existing awning.
Wells Fargo Bank
4880 W. Panther Creek Drive
Lot 0325, Block 0045, Section 0040 Village of Panther Creek
This item was reviewed under the summary list as presented by staff. It was moved by Chris Florack and seconded by Danie van Loggerenberg to table this item. The motion passed unanimously.
11. The Development Standards Committee is meeting to consider and act upon a time extension request 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 reviewed by the full committee. The homeowner was present to address the committee. The staff gave a presentation noting the update of the property, the status of improvement and the current condition of the home. It was then moved by Deborah Sargeant and seconded by Chris Florack to allow a time extension on the conditions the staff continued routine monitoring of the home and request the staff and owner provide a report to the committee in September, regarding the status of the home. The motion carried unanimously.
12. Existing garage conversion does not allow for the parking of two vehicles, which is not in accordance to the Residential Standards.
James Monroe
54 South Circlewood Glen
Lot 55, Block 02, Section 09 Village of Panther Creek
This item was reviewed by the full committee. The homeowner was present to address the committee. The staff gave a presentation noting the improvement, the change in ownership to the home. It was then moved by Chris Florack and seconded by Ken Anderson to require the owner who just closed on the house to complete an application form regarding the improvement and the committee would deny the variance and consent to delay enforcement based upon the execution of a memorandum of agreement requiring the new owner of the property to remove the improvement and convert the room back to the garage at the time the owner sells or transfers title, is

no longer the primary resident or when the room is no longer in use, whichever comes first. The motion carried unanimously.

13. Consideration and action for approval of two building signs and a monument sign.

Autohaus ANH Full Automotive & Tire

6801 Woodlands Parkway

Lot 503, Block 592, Section 60 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 Danie van Loggerenberg to disapprove the proposed sign. The Committee advised Autohaus to address the following issues and resubmit their application:

1. Sign backs must be 0.063 gauge minimum.
 2. Returns and trim caps must be MBCI "Koko Brown."
 3. Sign face is to be Rohm & Haas Plexiglas, White #7328 (no digital print).
 4. Sign depth is to be 6".
 5. Provide dimensions of existing monument sign, scale of proposed letters does not seem to match rendering.
 6. Monument sign letters and installation should match existing letter height, color and installation.
 7. Address numbers on monument sign should be smaller than letter height of business name.
 8. Power wash, paint, and clean up existing monument sign base to "like new" condition.
 9. Landscape bed around the monument sign not more than 8' wide must be installed, maintained and irrigated.
- The improvements must comply with the Commercial Planning and Design Standards. The motion passed unanimously.

14. Variance requests for approval of a building sign and a monument sign.

Allergy & ENT Associates

10847 Kuykendahl Road Suite 100

Lot 551, Block 592, Section 60 Village of Indian Springs TWA

This item was heard by the full committee. The staff provided the committee with a presentation. It was moved by Robert Heineman and seconded by Deborah Sargeant to deny the sign as presented. The Committee advised Allergy and ENT Associates address the following issues and resubmit their application:

1. Building wall sign must be 15"x1/4" Stud Mounted Brushed Silver Aluminum letters, centered in the designated tenant sign area. Overall maximum height for sign is 36", including one six inch space between the two lines of text.
2. Monument sign tenant panel
 - a. Red "&" is not allowed
 - b. Graphics color, font type and application to match existing

The motion passed unanimously.

15. Consideration and action for approval of replacement of two monument signs.

QEH Woodlands LLC/Marcel Crossing II

8000 McBeth Way

Lot 850, Block 499, Section 46 Village of Sterling Ridge

This item was heard by the full committee. The staff provided the committee with a presentation. It was moved by Robert Heineman and seconded by Kim Hess to conditionally approve the internally lit signs as follows:

No black panels allowed – only allowed one background neutral color (bronze or lighter) and one verbiage color.

Business names on monument Signs must be the same as business names on building mounted Signs.

Business names to be routed aluminum with white acrylic backer. The improvements must comply with the Commercial Planning and Design Standards. The motion passed unanimously.

16. Consideration and action for approval of a building sign.

The Woodlands Hair Elite

9420 College Park Drive Suite 210

Lot 500, Block 490, Section 46 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 Danie van Loggerenberg to conditionally approve the building sign as follows:

1. Returns and trim caps should be MPC Rich Brown
2. Construction and material type for "The Woodlands" and "Hair Elite" signs must match (different fonts are allowed).

Additionally the logo/logotype must be registered with the United States Patent and Trademark Office within one (1) year of this conditional approval. If it is not registered with the USPTO at that time, the applicant will be required to remove this conditionally approved panel/logo and replace with a panel using standard Arial or Helvetica font until such time as the applicant can provide certification from the USPTO of a registered logo/logotype. The motion passed unanimously.

17. Variance request for a proposed pergola that does not respect the rear ten foot easement.

Eduardo Camberos

15 Rhapsody Bend Drive

Lot 34 Block 1, Section 27 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 Danie van Loggerenberg to conditionally approve the pergola as follows: maintain existing vegetation, staff will review upon completion to determine if additional planting of evergreen trees or shrubs are required to screen structure. 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 passed unanimously.

18. Variance request for proposed driveway borders that exceed the width allowed and does not respect the side five foot easement.

John Miller

154 Golden Autumn Place

Lot 10 Block 03 Section 84 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 Danie van Loggerenberg to approve the driveway borders 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 passed unanimously.

19. Variance request for proposed fence that will have an unfinished side visible to a neighboring tract of land.

Michelle Goodman

50 Legend Mill Court

Lot 30 Block 1 Section 17 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 Danie van Loggerenberg to approve the fence as submitted. The motion carried unanimously.

20. Variance request for proposed driveway borders that exceed the width allowed and does not respect the side five foot easement.

Mani Iyer

62 South Winsome Path Circle

Lot 6, Block 1, Section 66 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 Danie van Loggerenberg to approve the driveway borders as submitted. The motion carried unanimously.

21. Variance request for proposed fence stain that is not an approved color.

Jeff and ClancyDee Rasmituth

2 Indigo Bunting Place

Lot 55 Block 1, Section 13 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 Danie van Loggerenberg to approve the fence stain as submitted. The motion carried unanimously.

22. Variance request for proposed patio cover that does not respect the rear building line.

Current Owner

111 North Greenprint Circle

Lot 19 Block 4, Section 2 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 Danie van Loggerenberg to conditionally approve the patio cover as follows: the homeowner must plant and maintain additional evergreen vegetation in rear to fill in screening. Staff will review upon completion to determine if screening is sufficient. The patio cover must also meet code and standard conditions and pass inspection. The motion passed unanimously.

23. Variance request for an existing roof that is not an approvable color.

Kevin J Donigan

26 Redland Place

Lot 33 Block 1 Section 36 Village of Alden Bridge

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 Robert Heineman to approve as submitted. The motion passed unanimously.

24. Variance request for an existing basketball goal that does not respect the side five foot easement.

Martha and William Miranda

123 Gildwood Place

Lot 4, Block 1, Section 13 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 Danie van Loggerenberg 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 passed unanimously.

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

Christopher Smith

15 Poplar Pine Court; 77385-3693

Lot 52, Block 3, Section 11 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 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 storing trash/recycle carts and miscellaneous debris, including toys and play equipment 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 passed unanimously.

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

Cory Jeffers

91 Drifting Shadows Court 77385-3741

Lot 36, Block 2, 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 Danie van Loggerenberg to approve pursuit of legal action by authorizing our attorneys and staff to send letters to the owner notifying them of the Development Standards Committee's actions, what is required to cure the violations and establishing a reasonable time frame for resolution. The letter will include notice that failure to

correct these violations (by removing the tire, wooden post, and any other miscellaneous debris 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 passed unanimously.

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

Jorge Ortiz

51 Tidwillow Place; 77375-4429

Lot 22, Block 2, Section 2 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 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 storing trash and recycle cart away from public view, removing debris from driveway and storing trailer 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 passed unanimously.

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

Thomas Robert Doyle III

35 Classic Oaks Place; 77382-1136

Lot 26, Block 1, Section 7 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 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 submit an application for a fence 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 passed unanimously.

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

Juan Carlos Fernandez

93 South Rocky Point Circle

Lot 19, Block 2, Section 5 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 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 storing trash/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 passed unanimously.

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

Harold Lee Powell Jr.

26 Glentrace Circle; 77382-5602

Lot 20, Block 1, Section 56 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 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 submit an application for pool barrier fence 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 passed unanimously.

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

Angelica Arbeloa De Suarez

7 Glade Bank Place; 77382-1113

Lot 27, Block 3, Section 6 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 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 submit an application for pool barrier fence 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 passed unanimously.

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

Christopher M Killian

179 Bristol Bend Circle; 77382-1118

Lot 19, Block 1, Section 8 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 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 remove 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 passed unanimously.

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

Ryan Steven Morgan

59 Terraglen Drive

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

This item was resolved prior to the meeting.

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

Maria Melida Uribe

26 South Bethany Bend Circle

Lot 48, Block 3, Section 36 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 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 repair/replace the damaged brick and trim boards on the chimney, remove algae on exterior of home, remove the air conditioner window unit from the second story of the home and failure to maintain the yard (including but not limited to mowing, edging, weeding, creating a defined edge for your landscape beds and removing dead vegetation and all yard 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 passed unanimously.

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

Berardino Cimetta

70 South Camellia Grove Circle

Lot 23, Block 1, Section 23 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 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 maintain yard, this includes but not limited to mowing, edging, weeding, creating a defined edge for your landscape beds and removing dead vegetation and all yard debris, failure to remove algae on exterior of home, failure to remove trash can/recycle cart and debris (including but not limited to empty pots and other miscellaneous items) 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 passed unanimously.

36. Request for rehearing 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. The homeowners were present to address the committee. It was moved by Deborah Sargeant and seconded by Danie van Loggerenberg to deny the rehearing request. The Committee's decision of April 20, 2016, requiring the homeowner to remove the play structure or relocate it to an approvable location stands. The motion to deny the rehearing passed unanimously.

37. Request to appeal the conditions of approval to replant 2x30 gallon native trees for trees removed during installation of a pool.

Hugo Chacon

158 West Sterling Pond Circle

Lot 81 Block 3 Section 3 Village of Alden Bridge

This item was heard by the full committee. The staff provided the committee with a presentation. It was moved by Deborah Sargeant and seconded by Robert Heineman to disapprove the appeal and require the homeowner to comply with the conditions of the pool permit. The motion passed unanimously.

38. Variance request for existing trampoline, play structure and retaining wall that do not respect the ten foot rear and five foot side yard easements.

Craig Keller

226 Greylake Place

Lot 26, Block 1, Section 98 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 as follows:

Play Structure – The Committee disapproved the play structure but consented to delay enforcement, 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. 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.

Trampoline – The Committee disapproved the trampoline but consented to delay enforcement, based upon the execution of a memorandum of agreement, requiring the owner to remove the trampoline 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 trampoline is in disrepair and needs replacement whichever comes first. The memorandum will be recorded with the court house and binding on the land. Approval by this committee does not constitute approval by the additional entities. It is the owner’s responsibility to obtain approval by those entities. The improvement may be subject to removal if determined necessary by easement holders. Additionally the owner must plant tall evergreen shrubs along the fence line to the side of the trampoline to screen view – they can be similar in height to the shrubs located down the fence line toward the house.

Retaining Wall – The Committee approved the retaining wall 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 passed unanimously.

39. Variance request for a proposed circular driveway that does not meet the lot width of 85 feet required for a circular driveway and does not appear to allow for a 16 foot turning radius.

Christopher Werner

22 East Ambassador Bend

Lot 33, Block 1, Section 33 Village of Sterling Ridge

This item was heard by the full committee. The staff provided the committee with a presentation. The contractor was present to address the committee. It was moved by Robert Heineman and seconded by Ken Anderson to disapprove the circular driveway. The motion passed unanimously.

40. Variance request for a proposed home business.

Mazen Elzarka

10 North French Oaks Circle

Lot 02 Block 01 Section 49 Village of Sterling Ridge

This item was heard by the full committee. The staff provided the committee with a presentation. It was moved by Deborah Sargeant and seconded by Ken Anderson to disapprove the home business. The motion passed unanimously.

41. Variance request for a proposed attic conversion that exceeds the maximum allowed living area per the Development Criteria and the Initial Land Use Designation.

Isabel Puertes Gil

147 North Sage Sparrow Circle

Lot 45, Block 3, Section 11 Village of Creekside Park

This item was heard by the full committee. The staff provided the committee with a presentation. The homeowner’s daughter and a neighbor were present to address the committee. It was moved by Deborah Sargeant and seconded by Kim Hess to disapprove the attic conversion, requiring the living area in the home to be re-measured to confirm the square footage. If the square footage is over the Initial Land Use Designation, the homeowner must obtain approval for amending the ILUD. In addition, the attic must pass inspections; alternatively, it must be converted back to non-living area. The motion passed unanimously.

42. Variance request for a proposed fence that exceeds the maximum height allowed.

James and Rebecca Richardson

91 West Thymewood Place

Lot 34, Block 1, Section 4 Village of Sterling Ridge

This item was heard by the full committee. The staff provided the committee with a presentation. The homeowner was present to address the committee. It was moved by Chris Florack and seconded by Ken Anderson to conditionally approve the fence at 7 feet tall along the reserve (style L) and 6 feet, 6 inches tall along the left side of the property (style J). The height measurement includes a rot board. The fence must meet code and pass inspection. The motion passed unanimously.

43. Variance request for a proposed detached building (shed) that exceeds the maximum allowed height and does not respect the rear ten foot easement.

Ryan and Nicole Anderson

11 Marshside Place

Lot 11, Block 1, Section 21 Village of Creekside Park

This item was heard by the full committee. The staff provided the committee with a presentation. The homeowner was present to address the committee and stated his intention to landscape around the shed. It was moved by Deborah Sargeant and seconded by Chris Florack to conditionally approve the shed; the homeowner must reduce the height and move it out of the easement. The motion passed unanimously.

44. Variance request for a proposed garage conversion, pavers and walkway that are not in keeping with the neighborhood character.

Alatorre F. Investments LLC

2 Moatwood Court

Lot 13 Block 03 Section 80 Village of Sterling Ridge

This item was heard by the full committee. The staff provided the committee with a presentation. The contractor was present to address the committee. It was moved by Ken Anderson and seconded by Danie van Loggerenberg as follows: the garage conversion was conditionally approved; it must meet code and pass inspections. The pavers/planter was approved as submitted and the walkway was disapproved. The motion passed unanimously.

45. Variance request for a proposed patio cover does not respect the 25 foot rear building setback.

Ronnie and Leslie Compton

47 Pondera Point Drive

Lot 23 Block 1, Section 13 Village of Creekside Park West

This item was heard by the full committee. The staff provided the committee with a presentation. The contractor was present to address the committee. It was moved by Chris Florack and seconded by Danie van Loggerenberg to conditionally approve the patio cover. It must meet code and pass inspections. The motion passed unanimously.

46. Variance request for an existing and proposed wrought iron fence that does not respect the 15 foot platted building line.

Sean and Staci Loftus

31 River Ridge Loop

Lot 1 Block 3, Section 3 Village of Creekside Park

This item was heard by the full committee. The homeowner was present to address the committee. The staff provided the committee with a presentation. It was moved by Ken Anderson and seconded by Danie van Loggerenberg to conditionally approve the fence. The homeowner must plant and maintain a planting bed with integrated trees and plants placed immediately next to the fence; it must meet code and pass inspections. Staff to review if planting is sufficient upon completion. The motion passed unanimously.

VII. Consideration and action concerning possible violation for a commercial type vehicle.

This item was heard by the full committee. Representatives of the Ashley Green Homeowners Association were present to address the committee and stated the vehicle was moved from the property shortly after the May 18 DSC meeting. The Committee took no action on this item; however it was suggested by Deborah Sargeant that the Committee look at the standards for commercial and recreational vehicles. The Committee also requested staff to go out and measure the vehicle if it reappears on the property.

VIII. Public Comments

There were no public comments (other than those recorded for Item 1).

IX. Member Comments

There were no member comments.

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 Kim Hess to adjourn the meeting at 8:49 p.m.