

**Development Standards Committee**

**November 16, 2016 at 5:30 p.m.**

The Woodlands Township

2801 Technology Forest Boulevard

The Woodlands, Texas 77381

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

Members Absent: Chris Florack

Staff Present: Neslihan Tesno, Kimberly McKenna, Danielle Allen and Donna Stanley

Legal Counsel: Not Present

- I. Welcome/Call Meeting to Order.  
The meeting was called to order by Chair Deborah Sargeant at 5:32 p.m.
- II. Consideration and action regarding the minutes of the meeting of October 19, 2016.  
The minutes were reviewed by the committee. It was moved by Ken Anderson and seconded by Walter Lisiewski to approve the minutes as presented. The motion carried unanimously.
- III. Consideration and Action of the Applications and Covenant Violations in Section VIII, recommended for Summary Action.  
This item was heard by the full committee. Chair Deborah Sargeant presented the Summary List as prepared by Staff. The list consisted of Items 2, 6-7, 12, 16, 18-34. Items 3, 9, 35 and 39 were tabled. It was moved by Danie van Loggerenberg and seconded by Walter Lisiewski 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 regarding the Short Term Rental Standards.  
This item was moved to the end of the agenda.
- VII. Consideration and Discussion regarding the status of the development of St. Anthony of Padua.  
DSC Chair Deborah Sargeant reported on the status of construction at St. Anthony of Padua. St. Anthony was formally put on notice regarding construction activity. Resident Leila Duncan said the weekend construction noise was unacceptable as it started before 6:30 AM. The construction light on the pole is glaring in neighbors' homes; she lives four houses away and the light is coming into her house. The next meeting with the neighbors and St. Anthony will be December 6, 2016.
- VIII. Consideration and Action of the Applications and Covenant Violations.
  1. Consideration and action for preliminary and or final approval of parking lot expansion.  
Hindu Temple of The Woodlands  
7601 South Forestgate Drive  
Lot 300, Block 592, Section 0000 Village of Indian Springs (TWA)  
This item was heard by the full committee. The staff provided the committee with a presentation. A representative, Mr. Pinnapureddy, was present to address the committee. He stated that the Master Plan that had been submitted

with the original construction included this parking lot extension. He also stated that they intend to work with their neighbors. More than a dozen adjacent and affected neighbors attended and spoke in regard to the proposed parking and impact to their properties. Please see attached attendance sheet for a list of attendees. Their main concerns were potential for increased flooding, visibility of the temple, increase in noise due to less buffer, light trespass and property values. It was suggested that there be less parking spaces, relocation of parking spaces or to use a shuttle during the large festivals that cause street parking. The committee asked the representative if the Temple had considered a parking garage, Mr. Pinnapureddy replied they had but it was cost prohibitive. The committee debated the request and the comments. It was moved by Deborah Sargeant and seconded by Danie van Loggerenberg to conditionally approved with the submittal of **revised plans with the following conditions:**

- Remove of the 9 parking spaces facing the ditch,
- Reforestation and landscape plan,
- Lighting plans with technical specs and shielding info,
- 8' capped wood fence is required along the ditch side - this fence should be located in the forest preserve at the edge of the parking lot.
- Landscape islands need to be added so that there aren't any more than 19 continuous parking spaces.
- In addition, parking lot islands adjacent to the forest preserve should be located in order to save the most trees - and those trees that are large and will be the ablest to survive after construction. (This will mostly need to be decided in the field with DSC representation present.)
- The committee also appointed two members, Deborah Sargent and Chris Florack as the DSC representatives during the project.
- The improvements must comply with the Commercial Planning and Design Standards.

The appointed DSC representatives and staff will meet on site with a representative for the project prior to, during and at the end of the project. Walter Lisiewski opposed. The motion passed.

2. Consideration and action to allow temporary barricades to be located at the entrances to the property and garage.  
Anadarko  
1200 Timberloch Place  
Lot 5600, Block 0599, Section 0999 Village of Town Center  
This item was reviewed under the summary list as presented by staff. It was moved by Danie van Loggerenberg and seconded by Walter Lisiewski to approve the temporary barricades for 6 months and request the barricades be evaluated again in June 2017 if still in use. The motion carried unanimously.
3. Consideration and action for the installation of a building sign at the new boat house.  
The Woodlands Township (Northshore Park)  
2505 Lake Woodlands Drive  
Lot 0200, Block 0547, Section 0000 Village of Panther Creek  
This item was reviewed under the summary list as presented by staff. It was moved by Danie van Loggerenberg and seconded by Walter Lisiewski to table this issue to the December 7, 2016 meeting. The motion carried unanimously.
4. Variance request for a sign package that includes a logo that does not match the registered trademark logo and includes a color scheme that is not compatible with the shopping center criteria.  
Take 5 Oil Change  
4450 Woodlands Parkway  
Lot 0520, Block 0045, Section 0007 Village of Panther Creek  
This item was reviewed under full committee review. The Committee discussed the color renderings and the colors existing on the surrounding shopping center as well as the noted in the Criteria. It was then moved by Robert Heineman and seconded by Danie van Loggerenberg to conditionally approve the sign package on the condition overall colors of the proposed building and sign are modified. Installation must be in accordance with the approved plans.
5. Variance request to repaint the building with colors that are not compatible with the shopping center criteria.  
Take 5 Oil Change

4450 Woodlands Parkway

Lot 0520, Block 0045, Section 0007 Village of Panther Creek

This item was reviewed under full committee review. The Committee discussed the color renderings and the colors existing on the surrounding shopping center as well as the noted in the Criteria. It was then moved by Robert Heineman and seconded by Danie van Loggerenberg to conditionally approve a color change on the condition the owner submit a revised color scheme that is compatible with the existing colors found on the Village Shopping Center properties and provide the modified color for staff to review and provide final permit in accordance with the Committee's conditions of approval. The motion carried unanimously.

6. Variance request to allow a "Coming Soon" banner for a new business that is proposed to exceed the maximum amount of time allowed to display the banners.

Panda Express

3375 College Park Drive

Lot 0813, Block 0388, Section 0999 Village of College Park

This item was reviewed under the summary list as presented by staff. It was moved by Danie van Loggerenberg and seconded by Walter Lisiewski to approve the banner for an extended allowance of time to display the banner from November 28 through December 22. The motion carried unanimously.

7. Consideration and action regarding the existing solar panels and piping.

Paul A. Hanslik

6 South Buck Ridge

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

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

8. Variance request for the proposed pool that exceed the maximum hard surface area allowed.

Kyle Mathis

21 Crinkleroot Court

Lot 6, Block 1, Section 19 Village of Grogan's Mill

This item was reviewed by the full committee. The owners and affected neighbors were present to address the committee. The committee deliberated regarding impact on adjacent properties and identified the submittal proposal needed additional detail. It was then moved by Deborah Sargeant and seconded Danie van Loggerenberg to The Committee deliberated on the improvement submitted for consideration. The committee shared concerns in regards to the hard surface area which would exceed the maximum allowed and also shared concerns regarding the landscaping and drainage. As a result, the committee tabled action on the variance and has requested the following: Resubmit modified plans with drainage plans sealed by a civil engineer and landscape plans sealed by a landscape architect. Note where gutters will be placed on the home and identify the direction the downspouts will direct water runoff. Provide a timeline for all proposed construction. If drainage plans redirect the flow of water toward the golf course, please provide a document from the golf course stating the allowance of drainage towards the golf course and request the golf course identify how they intend to accommodate the increase water, if drainage is to be directed towards golf course. The motion carried unanimously.

9. Variance request for a proposed pergola that encroaches into the ten (10) foot rear utility easement.

Duncan P. Sandiland

10 Carriage Pines Court

Lot 31, Block 01, Section 35 Village of Panther Creek

This item was reviewed under the summary list as presented by staff. It was moved by Danie van Loggerenberg and seconded by Walter Lisiewski to table this issue to the December 7, 2016 meeting. The motion carried unanimously.

10. Variance request for a proposed swimming pool and spa decking that exceeds the maximum hard surface allowed.

Stephen R. Heinen  
230 Split Rock Road  
Lot 17, Block 02, Section 32 Village of Panther Creek

This item was reviewed by the full committee. The committee discussed impact to adjacent properties and overall hard surface and water surface for the lot. It was then moved by Deborah Sargeant and seconded by Danie van Loggerenberg to disapprove the plans as presented and require the owner revise the drawings to reduce the hard surface not to exceed a total of 50% hard surface for the lot. Allowing for a 5% additional hard surface to the maximum allowed. The revised plans would be approved for the hard surface area to exceed the maximum allowed on the condition the owner modify the existing plan. The improvements must meet code and pass final inspection. Additionally, the owner must ensure the improvements must not halt or materially impede drainage as defined in the Residential Development Standards. The owner should submit a drainage plan with the modified plans to demonstrate how water will be directed from the lot. The revised plans should be submitted to our office for review and final action prior to construction. The motion carried unanimously.

11. Variance request for two proposed monument signs and two building mounted signs.

Take 5 Oil Change LLC  
7940 Research Forest Drive

Lot 650, Block 257, Section 47 Village of Alden Bridge

This item was heard by the full committee. Dr. Quintero was present to address the committee. The staff provided the committee with a presentation. It was moved by Ken Anderson and seconded by Kim Hess to conditionally approve as follows: BUILDING SIGNS - 1) In lieu of the tag line on the front of the building, the Committee suggests spelling out "Take 5 Oil Change" using channel letters in accordance with The Woodlands Commercial Planning and Design Standards. The Committee will allow the use of the logo combined with the spelling out of the business name. 2) Banners are not approved and must be removed. 3) If "State Inspection" signage is required use a plaque style sign in lieu of a banner.

Monument Signs- Conditionally Approved- 1. Monument sign face material to be Texas Cream Limestone engraved with painted copy and border. 2. Add engraved border to match Alden Bridge Specifications. 3. Number location is approved. 4. Reduce the size of the logo to allow a visual break between the logo and the engraved border. The motion carried unanimously.

12. Variance request to repaint the building with colors that are not compatible with the shopping center criteria.

Take 5 Oil Change LLC  
7940 Research Forest Drive

Lot 650, Block 257, Section 47 Village of Alden Bridge

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

13. Consideration and action for proposed building mounted sign

The Zoo Health Club  
30420 FM 2978 Suite 200

Lot 110, Block 458, Section 46 Village of Sterling Ridge

This item was reviewed by the full committee. The staff provided the committee with a presentation. It was moved by Deborah Sargeant and seconded by Kim Hess to conditionally approve the sign based on the following conditions: **1.** Prior to installing any new signage, the holes from the existing signage must be patched and painted so the wall surface appears to be "like new". No ghosting from the previous sign should remain. **2.** The variance request for the height of the sign is recommended to be denied. Instead of the variance, the committee suggests the applicant proceed with one of the two following sign design options: **a. Option 1:** Stack "The Zoo Health Club" per their logo as found on Google images and place it above the entry door centered within the sign band area. See attached comments for more details. Overall height of this sign may be a max of 42" to be in compliance with the tenant sign criteria for this stopping center. **b. Option 2:** Keep "The Zoo Health Club" all in one line and in the location where it is proposed, all letters must be a max height of 24" to be in compliance with the tenant sign criteria for this shopping center. **3.** Notes on sign construction: **a.** Sign to be 4" thick instead of 5" as shown on the

drawings. **b.** Illumination to be equivalent to 6500 white neon; LED is okay as long as the color matches the sign criteria. Must comply with the Commercial Planning and Design Standards. The motion carried unanimously.

14. Variance request for a proposed building mounted sign.

9 Round 30 Minute Kickbox Fitness  
30420 FM 2978 Suite 170

Lot 110, Block 458, 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 Kim Hess and seconded by Ken Anderson to conditionally approve the sign based on the following conditions: **1.** A variance is allowed for "30 Minute Kickbox Fitness" to be a reverse lit module with the letters routed out similar to the sign approved at The Hummingbird Café and Bakery. **2.** All Letters/components to be 4" thick. **3.** Center the sign horizontally over lease space. **4.** Sign face to be 0.125 Aluminum with 0.063 welded return. **5.** Illuminate by 6500 White Neon (Back-lit) and powered by 30 MA transformers per shopping center criteria. **6.** Standoffs to be 2". Must comply with the Commercial Planning and Design Standards. The motion carried unanimously.

15. Consideration and action for approval of parking signs for Kroger's Clicklist program

Kroger Grocery Store  
8000 Research Forest Drive Suite 300  
Lot 400, Block 257, Section 47 Village of Alden Bridge

This item was heard by the full committee. The staff provided the committee with a presentation. It was moved by Kim Hess and seconded by Danie van Loggerenberg to conditionally approval the parking lot signs under the following conditions-if any work affects the exterior of the building the new materials must match the existing building materials. Mounting height to top of signs may not exceed a typical handicap sign height. Must comply with The Woodlands Commercial Planning and Design Standards. The motion carried unanimously.

16. Consideration and action for proposed building mounted sign.

Stoner's Pizza Joint  
8000 McBeth Way Suite 170  
Lot 850, Block 499, Section 46 Village of Sterling Ridge

This item was reviewed under the summary list as presented by staff. It was moved by Danie van Loggerenberg and seconded by Walter Lisiewski to conditionally approve the building mounted sign. Plexiglass faces must be white and the improvements must comply with the Commercial Planning and Design Standards. The motion carried unanimously.

17. Request for rehearing for building and monument signs.

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. Dr. Quintero was present to address the committee. The staff provided the committee with a presentation. It was moved by Robert Heineman and seconded by Danie van Loggerenberg to grant the rehearing. The motion carried unanimously.

18. Variance request for proposed pool decking that does not respect the five foot side yard easement.

John Harris  
14 Sundown Ridge Place  
Lot 4 Block 1, Section 16 Village of Creekside Park West

This item was reviewed under the summary list as presented by staff. It was moved by Danie van Loggerenberg and seconded by Walter Lisiewski to approve as follows: the pool decking must be at least one foot from the adjacent dwelling. 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 ensure that the placement of the improvement does not halt or materially impede drainage flowing off of a neighboring tract, and does not redirect the flow or

significantly increase the amount of water flowing onto a neighboring tract. Enforcement of this requirement is by the affected property owner(s). The motion carried unanimously.

19. Variance request for a proposed patio cover that does not respect the rear 15 foot setback.  
Francisco Serrano  
6 Pinestead Court  
Lot 30 Block 2, Section 22 Village of Creekside Park West  
This item was reviewed under the summary list as presented by staff. It was moved by Danie van Loggerenberg and seconded by Walter Lisiewski to conditionally approve the patio cover. It must meet code, pass inspections and comply with the Standards. The motion carried unanimously.
20. Variance request for a proposed patio cover with integrated summer kitchen that does not respect the rear 15 foot setback.  
Scott Custer  
34 East Artist Grove Place  
Lot 68, Block 01, Section 21 Village of Sterling Ridge  
This item was reviewed under the summary list as presented by staff. It was moved by Danie van Loggerenberg and seconded by Walter Lisiewski to conditionally approve the patio cover with integrated summer kitchen. It must meet code, pass inspections and comply with the Standards. The motion carried unanimously.
21. Variance request for a proposed driveway that will exceed the maximum width allowed.  
Steven P. & Nina Daloia  
62 Wrens Song Place  
Lot 61, Block 03, Section 10 Village of Alden Bridge  
This item was reviewed under the summary list as presented by staff. It was moved by Danie van Loggerenberg and seconded by Walter Lisiewski to approve the driveway widening as submitted. The motion carried unanimously.
22. Variance request for a proposed Attic Conversion that exceeds the maximum living area allowed per the Development Criteria for Section 10 of Creekside Park West  
Goya Lin  
38 Caprice Bend Place  
Lot 10 Block 01, Section 12 Village of Creekside Park West  
This item was reviewed under the summary list as presented by staff. It was moved by Danie van Loggerenberg and seconded by Walter Lisiewski to conditionally approve the attic conversion as submitted. It must meet code, pass inspections and comply with the Standards. The motion carried unanimously.
23. Variance request for a proposed fence that will not meet the Neighborhood Criteria for Section 22 of Alden Bridge by exceeding the maximum allowed height for a rear fence.  
Andrew Patrick  
15 Moss Bluff Court  
Lot 38 Block 01 Section 22 Village of Alden Bridge  
This item was reviewed under the summary list as presented by staff. It was moved by Danie van Loggerenberg and seconded by Walter Lisiewski to conditionally approve the fence as submitted. It must meet code, pass inspections and comply with the Standards. Additionally, the pickets must be stepped down to the height of the adjacent fences. The motion carried unanimously.
24. Variance request for existing paving that does not respect the rear ten foot easement.  
Shannon Lee Crowden  
82 North Valley Oaks Circle  
Lot 21, Block 1, Section 51 Village of Alden Bridge  
This item was reviewed under the summary list as presented by staff. It was moved by Danie van Loggerenberg and seconded by Walter Lisiewski to approve the paving 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.

25. Variance request for existing wooden deck that does not respect the side five foot easement.

Hugo Lafuente

86 South Abram Circle

Lot 16 Block 02, Section 24 Village of Sterling Ridge

This item was reviewed under the summary list as presented by staff. It was moved by Danie van Loggerenberg and seconded by Walter Lisiewski to approve the deck 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.

26. Variance request for an existing fence that does not respect the ten foot platted side building line and portions of the fence project over the property line.

Ann Bullion Mears

139 Bryce Branch Circle

Lot 01 Block 02, Section 34 Village of Sterling Ridge

This item was reviewed under the summary list as presented by staff. It was moved by Danie van Loggerenberg and seconded by Walter Lisiewski to disapprove the fence and consent to delay enforcement, based upon the execution of a memorandum of agreement, requiring the owner to locate the fence in compliance with the standards when the fence is in disrepair and needs replacement. 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 install a planting bed along the front and side fence line at least 3 feet in width with a forest mix of plants, shrubs and trees. The motion carried unanimously.

27. Variance request for an existing play structure that does not respect the rear ten foot easement.

Thomas L Whitten Jr

39 North Winterport Circle

Lot 27, Block 2, Section 5 Village of Alden Bridge

This item was reviewed under the summary list as presented by staff. It was moved by Danie van Loggerenberg and seconded by Walter Lisiewski to disapprove the play structure and consent to delay enforcement, based upon the execution of a memorandum of agreement, requiring the owner to remove the play structure from the 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. Additionally the owner must plant two evergreen trees or shrubs at least 7 feet in height at time of planting to screen to rear neighbor. The motion carried unanimously.

28. Variance request for existing paving that does not respect the side five foot easement and is not located at least one foot from the property line.

Christopher Degen

163 South Queenscliff Circle

Lot 2, Block 2, Section 13 Village of Sterling Ridge

This item was reviewed under the summary list as presented by staff. It was moved by Danie van Loggerenberg and seconded by Walter Lisiewski to conditionally approve only the portion on the applicant's property. 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 neighbor must submit application for paving on their property or removal is required. The motion carried unanimously.

29. Request to appeal conditions of approval for a tree removal.

Jimmy C Williams  
23 Rockledge Drive

Lot 6 Block 02 Section 63 Village of Alden Bridge

This item was reviewed under the summary list as presented by staff. It was moved by Danie van Loggerenberg and seconded by Walter Lisiewski to conditionally approve the tree removal if a written recommendation from a certified arborist/degreed forester for the removal of Tree #2 is submitted. Removal of tree # 1 is approved. The homeowner must plant and maintain one 15 gallon native tree. The motion carried unanimously.

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

Marc & Tania Celia  
263 Genesee Ridge Court

Lot 32, Block 2, Section 11 Village of Harpers Landing at College Park

This item was reviewed under the summary list as presented by staff. It was moved by Danie van Loggerenberg and seconded by Walter Lisiewski to 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 planting three evergreen trees at least 7' tall at time of planting to soften the view for the left side neighbor)** 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.

Joshua & Rachael Schuette  
14 Prairie Oak Drive

Lot 4, Block 1, Section 15 Village of Harpers Landing at College Park

This item was reviewed under the summary list as presented by staff. It was moved by Danie van Loggerenberg 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 **(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 carried unanimously.

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

James & Sheri Weynard  
35 West Bracebridge Circle

Lot 4, Block 4, Section 21 Village of Indian Springs (TWA)

This item was reviewed under the summary list as presented by staff. It was moved by Danie van Loggerenberg and seconded by Walter Lisiewski This item was reviewed under the summary list as presented by staff. It was moved by and seconded by 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 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.  
Miguel Angel Bermudez Zurita & Erendira G Mendoza  
22 Cohasset Place  
Lot 12, Block 2, Section 8 Village of Creekside Park West  
This item was reviewed under the summary list as presented by staff. It was moved by Danie van Loggerenberg and seconded by to approve pursuit of legal action by authorizing our attorneys and staff to send letters to the owner notifying them of the Development Standards Committee's actions; what is required to cure the violations and establishing a reasonable time frame for resolution. The letter will include notice that failure to correct these **violations (by removing the dead tree in the front yard)** will result in a lawsuit filed & court hearing scheduled. Furthermore, we recommend The Township Board authorize funding of legal action, as necessary, in order to correct these violations of the Woodlands Covenants and Residential Development Standards, if the initial correspondence by The Strong Firm and the staff does not resolve these violations prior to filing the lawsuit. The motion carried unanimously.
34. Consideration and action to pursue legal action for outstanding Covenant violations.  
Joshua Southerland  
142 North Misty Dawn Drive  
Lot 28 Block 2, Section 5 Village of Harpers Landing at College Park  
This item was reviewed under the summary list as presented by staff. It was moved by Danie van Loggerenberg 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 **(by removing the fence 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 carried unanimously.
35. Variance request for removal of trees that do not meet requirements for removal per the Standards.  
Ganesan & Niruba Anurudran  
27 Strawberry Canyon Place  
Lot 7, Block 1, Section 16 Village of Sterling Ridge  
This item was reviewed under the summary list as presented by staff. It was moved by Danie van Loggerenberg and seconded by Walter Lisiewski table this item at the homeowners' request. The motion carried unanimously.
36. Request for rehearing for conditions for a variance request for a proposed wood fence that will exceed the maximum height allowed, extend beyond the side platted building line more than standards allow and will not meet the Development Criteria for Section 79 of Alden Bridge  
Janis A Seuthe Revocable Living Trust  
51 Heartride Court  
Lot 16 Block 02 Section 79 Village of Alden Bridge  
This item was heard by the full committee. The homeowner was present to address the committee. The staff provided the committee with a presentation. The owner requested the rehearing as she did not want to plant along the fence line as required by the conditions of approval. She felt that it was too hard to maintain the plantings in that location. It was moved by Deborah Sargeant and seconded by Danie van Loggerenberg to approve the rehearing. The item will be heard on December 7. The motion carried unanimously.
37. Request for rehearing for a proposed outdoor living area with a summer kitchen that does not respect the 25 foot rear setback.  
Erik and Donna Davidsen  
23 Serenity Woods Place

Lot 13, Block 3, Section 13 Village of Alden Bridge

This item was heard by the full committee. The homeowners were present to address the committee. The staff provided the committee with a presentation. The owners stated that the approved location had more impact to their neighbors – 3 of which submitted no objection to the original proposed location. It was moved by Kim Hess and seconded by Danie van Loggerenberg to approve the rehearing. The item will be heard on December 7. The motion carried unanimously.

38. Request to appeal conditions of approval for a proposed atrium enclosure that is not in keeping with the neighborhood's existing character.

Billy C Jolly

107 East Foxbriar Forest Circle

Lot 9, Block 2, Section 79 Village of Alden Bridge

This item was heard by the full committee. The staff provided the committee with a presentation. A consultant Code Inspector certified that the proposed improvement to the dwelling would not meet the Building Code due to no secondary egress. It was moved by Deborah Sargeant and seconded by Ken Anderson to disapprove the project. The motion carried unanimously.

39. Variance request for removal of trees that do not meet requirements for removal per the Standards.

Blake Roberts

51 South Dulcet Hollow Circle

Lot 11, Block 2, Section 7 Village of Sterling Ridge

This item was reviewed under the summary list as presented by staff. It was moved by Danie van Loggerenberg and seconded by Walter Lisiewski table this item at the homeowners' request. The motion carried unanimously.

40. Request to appeal approval for a color change for a dwelling at 38 Ivy Garden by affected neighbors.

Joseph W Templet

38 Ivy Garden Street

Lot 10 Block 03 Section 35 Village of Alden Bridge

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 Deborah Sargeant and seconded by Danie van Loggerenberg to amend the DSC conditions of approval as follows: Paint the entire chimney the yellow (Butter Up) except for cap that must match roof, repaint the gutters white. The motion carried unanimously.

41. Variance request for a proposed trellis in the easement that exceeds the maximum height allowed.

Jacob E & Olesya Gorsky

118 Pinto Point Circle

Lot 68, Block 1, Section 12 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 Deborah Sargeant and seconded by Danie van Loggerenberg to disapprove the trellis. The motion carried unanimously.

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

Carlos Gonzalez Macias

162 East Concord Valley Circle

Lot 8, Block 2, Section 25 Village of Sterling Ridge

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 Deborah Sargeant to conditionally approve the fence. It must meet code and pass inspections. The motion carried unanimously.

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

William J & Mary Kate Groel

166 East Concord Valley Circle

Lot 7, Block 2, Section 25 Village of Sterling Ridge

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 Deborah Sargeant conditionally approve the fence. It must meet code and pass inspections. The motion carried unanimously.

44. Variance request for a proposed house color and painting of brick that is not in keeping with character of neighborhood.

Luis & Claudia Galan

2 Antique Rose Court

Lot 4, Block 2, Section 67 Village of Sterling Ridge

This item was heard by the full committee. The staff provided the committee with a presentation. It was moved by Walter Lisiewski and seconded by Ken Anderson to approve the proposed color as submitted. The motion carried unanimously.

45. Variance request for a proposed patio cover that requires sealed plans and may have an adverse impact on neighboring properties

Zane & Teresa Bolen

91 East Slatestone Circle

Lot 35, Block 1, Section 50 Village of Alden Bridge

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 Robert Heineman and seconded by Ken Anderson to conditionally approve the patio cover. It must be reduced to below 400 square feet, the plate height must not exceed 9 feet, pitch to be 8 on 12. The homeowner must plant and maintain evergreen trees or shrubs at least 7 feet tall at time of planting to screen to the side. The patio cover must meet code and pass inspections. The motion carried unanimously.

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

Chhay H & Sou C Tay

19 West Old Sterling Circle

Lot 26, Block 2, Section 3 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 Danie van Loggerenberg to conditionally approve the patio cover. The homeowner must plant and maintain evergreen trees or shrubs at least 7 feet tall at time of planting to screen to the rear. The patio cover must meet code and pass inspections. The motion carried unanimously.

47. Variance request for a proposed Sport Court does not respect the ten foot side setback.

Steven & Shelly Brewer

54 Blairs Way

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

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 Deborah Sargeant to disapprove the sports court. The motion carried unanimously.

48. Variance request for Concept Approval of a proposed Patio Cover with fireplace and summer kitchen that does not respect the rear 20 foot building line.

Jason A & Rebecca Oefinger

38 West Mirror Ridge Circle

Lot 17, Block 1, Section 18 Village of Indian Springs (TWA)

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 Deborah Sargeant and seconded by Walter Lisiewski to conditionally approve the concept. The homeowner must submit complete plans and documents and any required fees. The project must meet code and pass inspections. The motion carried unanimously.

49. Variance request for an existing patio cover with summer kitchen constructed without required sealed plans.

Omar E Guzman Garcia

95 Pioneer Canyon Place

Lot 25, Block 1, Section 22 Village of Creekside Park West

This item was heard by the full committee. The staff provided the committee with a presentation. It was moved by Kim Hess and seconded by Danie van Loggerenberg to conditionally approve the projects. They must meet code and pass inspections. The motion carried unanimously.

50. Variance request for a proposed attached Pool Bath that does not respect the seven foot side setback, a Patio Cover with integrated fireplace and summer kitchen that does not respect the rear 25 foot and 7 foot side setback.

Stephen J. & Kristen M Byrnes

58 Chamomile Court

Lot 79, Block 1, Section 6 Village of Sterling Ridge

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 Deborah Sargeant and seconded by Ken Anderson to conditionally approve the projects. The homeowner must plant and maintain evergreen trees or shrubs at least 7 feet tall at the time of planting to screen to the side. The projects must meet code and pass inspections. The motion carried unanimously.

51. Variance request for a proposed patio cover does not respect the 20 foot rear setback.

Michael Stephen Habib

42 East Sterling Pond Circle

Lot 11, Block 3, Section 3 Village of Alden Bridge

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 Deborah Sargeant and seconded by Danie van Loggerenberg to conditionally approve the patio cover. The homeowner must plant and maintain evergreen trees or shrubs at least 7 feet tall at the time of planting to screen to rear. The fence pickets to be repaired or replaced. The patio cover must meet code and pass inspections. The motion carried unanimously.

52. Variance request for existing decorative wrought iron fencing that may not be compatible with neighborhood character or comply with Standards.

Jay Nowlin Jr.

14 Snowbell Place

Lot 18, Block 2, Section 13 Village of Indian Springs (TWA)

This item was heard by the full committee. The homeowner was not present to address the committee. The staff provided the committee with a presentation. It was moved by Ken Anderson and seconded by Walter Lisiewski to conditionally approve the wrought iron fencing. The homeowner must plant and maintain evergreen plants and shrubs to screen the fencing or relocate the fencing to the rear yard. The motion passed unanimously.

53. Variance request for an existing conversion of non-living area to living area without required plans.

Philip & Kim Thomas

46 West Mirror Ridge Circle

Lot 15, Block 1, Section 18 Village of Indian Springs (TWA)

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 Robert Heineman to conditionally approve the living area. It must meet code and pass inspections. The motion passed unanimously.

54. Variance request for a proposed patio cover does not respect the 20 foot rear setback.

Caroline and Alexander Mesters

18 Argosy Bend Place

Lot 23 Block 1, Section 24 Village of Creekside Park West

This item was heard by the full committee. The homeowner was not present to address the committee. The staff provided the committee with a presentation. It was moved by Ken Anderson and seconded by Deborah Sargeant to disapprove the patio cover as presented. The motion carried unanimously.

- IX.** 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. It was moved by Deborah Sargeant and seconded by Danie van Loggerenberg to conditionally approve the increased compliance deposit fee of \$5,000 per project for Arkitrend International.
- X.** Public Comments  
There were no public comments.
- XI.** Member Comments  
Robert Heineman is researching the New York State short term rental laws. A special DSC meeting on short term rental standards will take place on December 2, 2016.
- XII.** Staff Reports  
There were no staff reports.
- XIII.** 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 9:23 p.m.