

Development Standards Committee Minutes

February 15, 2017 at 5:30 p.m.

The Woodlands Township
2801 Technology Forest Boulevard
The Woodlands, Texas 77381

Members Present: Deborah Sargeant, Robert Heineman, Ken Anderson, John Anderson, Walter Lisiewski, Ron Harris

Members Absent: Chris Florack

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

Legal Counsel: Not Present

- I.** Welcome/Call Meeting to Order.
The meeting was called to order by Chair Deborah Sargeant at 5:28 p.m.
- II.** Consideration and action for the election of the Chair and Vice Chair for the Development Standards Committee.
This item was moved to the end of the meeting. At that time it was moved by Ken Anderson and seconded by John Anderson that Deborah Sargeant continue as Chair and Chris Florack continue as Vice Chair. The motion carried unanimously.
- III.** Consideration and action regarding the minutes of the meeting of January 18, 2017.
The minutes were reviewed by the committee. It was moved by Ken Anderson and seconded by Walter Lisiewski to approve the minutes as presented. Ron Harris abstained from voting as he was not present at that meeting. The motion carried unanimously.
- IV.** 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, 4, 6-11, 13 & 14. It was moved by Walter Lisiewski and seconded by Ken Anderson to approve the Summary List as presented. The motion carried unanimously.
- V.** Recess to Executive Session to consult with the Development Standards Committee's attorney pursuant to 551.071, Texas Government Code.
No action was taken on this item.
- VI.** Reconvene in Public Session
No action was taken on this item.
- VII.** Consideration and Discussion regarding the status of the development of St. Anthony of Padua.
There was no discussion on this item since St. Anthony of Padua had another item on the agenda.
- VIII.** Consideration and Action of the Applications and Covenant Violations.
 1. Request to approve between 20 and 24 inches of clearing in the forest preserve for the installation of the fence at the rear of the lot, in order to comply with the Development Standards Committee's conditions of approval.
St. Anthony of Padua Catholic Church
7801 Bay Branch Drive
Lot 0001, Block 0000, Section 0039 Village of Cochran's Crossing
This item was heard by the full committee. The staff provided the committee with a presentation regarding the request to approve additional clearing in the forest preserve in order to install the fence at the rear of the lot. A

representative from the church was in attendance. It was moved by Deborah Sargeant and seconded by Ken Anderson to deny the request as presented, and to require the owner to:

- Submit a landscape plan identifying any areas in need of additional removal and the specified vegetation proposed for reforestation
- Consider portions where the fence can be moved inward, where it is not adjacent to top parking areas, in order to maintain the existing vegetation
- Tie back some yaupon in an effort to clear some space for construction without removal.
- Replant 2-3 large trees in specified areas where the most thinning has occurred.

The motion carried unanimously.

2. Consideration and action for the removal of an existing deck.

Pinecroft Center

1335 Lake Woodlands Drive

Lot 2400, 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 Walter Lisiewski to approve on the condition the owner provides a comprehensive landscape plan to the designated staff. The plans must include specified planting, maintenance of vegetation and installation of irrigation in accordance with the Commercial Planning and Design Standards to allow for reforestation of the forest preserve. Completion of the reforestation will be reviewed and verified by the designated staff at the time of completion for compliance with the Committee's actions and the Commercial Planning and Design Standards. The motion carried unanimously.

3. Consideration and action for the preliminary phase of a two-story education building addition.

Trinity Episcopal Church

3901 South Panther Creek Drive

Lot 0280, Block 0045, Section 0007, Village of Panther Creek

This item was heard by the full committee. Staff provided the committee with a presentation regarding the addition of the new education building. It was moved by Deborah Sargeant and seconded by Robert Heineman to approve the preliminary drawings on the following conditions:

- Eliminate the downspouts on the front of the new building (as seen in the rendering).
- Applicant must provide additional information at the time of final submission regarding plans and additional specification for the expansion of chiller. (provide plans, elevations and proposed materials and need).
- Transformer must be screened from view.
- At the fire lane driveway extension, the culvert needs to be upgraded to a safety end treatment (SET's) on both sides.
- At their proposed sanitary sewer line tie-in to an existing manhole, there appears that they will have to clear on the forest preserve to accomplish this. Please make sure that landscape to reforest is planted.
- Coordinate construction vehicle schedules with McCullough Junior High to minimize impact during peak school traffic hours and consider commencing construction during the summer when school is not in session.
- Owner must comply with all requirements of the Commercial Planning and Design Standards, including but not limited to, hours of operation, staging and storing of materials, tree protection and maintenance of the Construction site.

The motion carried unanimously.

4. Variance request for a building sign that does not include a registered logo and is not located over the storefront.

YogaOne

9595 Six Pines Drive

Lot 7111, Block 0599, Section 0999 Village of Town Center

This item was reviewed under the Summary portion of the agenda. It was moved by Ken Anderson and seconded by Walter Lisiewski to approve on the condition the logo must be registered with the USPTO or The Texas Secretary of

State within one (1) year of this conditional approval by February 15, 2018. If not registered with the USPTO or The Texas Secretary of State at that time, applicant will be required to remove this conditionally approved logo until such time as the applicant can provide certification of a registered logo/logotype. The Committee suggests you consider submit an application to add a directory of tenants on the exterior wall of the shared building entry. Installation must be in accordance with the Commercial Planning and Design Standards. The motion carried unanimously.

5. Consideration and action of the new home and garage construction.

Lehmann

43 Hollymead Drive

Lot 10, Block 02, Section 09, Village of Cochran's Crossing

This item was reviewed by the full committee. The staff provided the committee with a full presentation. There was not a representative for the owner present. The committee had questions regarding the plans and potential for a future build out which could exceed the maximum amount of living area allowed. It was moved by Ken Anderson and seconded by Walter Lisiewski to table this item. The motion carried unanimously.

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

David Martinez

7 East Twin Ponds Court

Lot 40 Block 1, Section 10 Village of Creekside Park

This item was reviewed under the summary list as presented by staff. It was moved by Walter Lisiewski and seconded by Ken Anderson to conditionally approve the patio cover as follows: staff to review upon completion to determine if any evergreen vegetation is required for screening. (If screening is required, the minimal standards require evergreen trees or shrubs 7 feet tall at time of planting.) Standard conditions apply. The patio cover must meet code and pass inspections. The motion carried unanimously.

7. Variance request for existing corrugated roofing material on a pergola which is an unacceptable construction material.

Morgan Hughes

11 East Russet Grove Circle

Lot 33 Block 2 Section 75 Village of Alden Bridge

This item was reviewed under the summary list as presented by staff. It was moved by Walter Lisiewski and seconded by Ken Anderson to conditionally approve the roofing material. The corrugated edge must be trimmed and the pergola must meet code and pass inspections. The motion carried unanimously.

8. Variance request for an existing garage conversion that exceeds the maximum living area allowed, per Development Criteria for Section 11 in the Village of Creekside Park

Brandon Richardson

131 North Sage Sparrow Circle

Lot 41 Block 3, Section 11 Village of Creekside Park

This item was reviewed under the summary list as presented by staff. It was moved by Walter Lisiewski and seconded by Ken Anderson to conditionally approve the garage conversion; the home is not to exceed 3886 square feet of living area. The garage conversion must meet code and pass inspections. No exterior changes to the home are allowed. The motion carried unanimously.

9. Variance request for an existing attic conversion that exceeds the maximum living area allowed, per Development Criteria for Section 56 in the Village of Alden Bridge

Marcus Asmann

91 Glentrace Circle

Lot 3 Block 2 Section 56 Village of Alden Bridge

This item was reviewed under the summary list as presented by staff. It was moved by Walter Lisiewski and seconded by Ken Anderson to conditionally approve the attic conversion; the home is not to exceed 3774 square feet of living area. The attic conversion must meet code and pass all inspections. No exterior changes to the home are allowed. The motion carried unanimously.

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

Daniel Witucki

22 Jaden Oaks Place

Lot 9 Block 1, Section 24 Village of Creekside Park West

This item was reviewed under the summary list as presented by staff. It was moved by Walter Lisiewski and seconded by Ken Anderson 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 is required to plant and maintain evergreen vegetation in front of the play structure to screen from street view. The vegetation must be at least 7 feet tall at time of planting. The motion carried unanimously.

11. Consideration and action regarding a renewal of a home business application.

Richard and Andee Parker

83 East Bracebridge Circle

Lot 3 Block 2, Section 21 Village of Indian Springs (TWA)

This item was reviewed under the summary list as presented by staff. It was moved by Walter Lisiewski and seconded by Ken Anderson to conditionally approve the home business for a period of 2 years; the permit must then be renewed. No clients are to visit the home and the home address is not to be advertised. No open storage of materials is allowed; all business-related vehicles must park in the driveway. The homeowner must comply with all regulations per the Home Business Standards 3.1. The motion carried unanimously.

12. Consideration and action regarding a renewal of a home business application.

Sofia L Morales Jr.

22 South York Gate Court

Lot 2 Block 1, Section 19 Village of Alden Bridge

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 Deborah Sargeant and seconded by John Anderson to conditionally approve the home business for a period of 6 months; the permit must then be renewed. No clients are to visit the home and the home address is not to be advertised. No open storage of materials is allowed. No work relating to the business is to be performed in the rear yard. The homeowner must comply with all regulations per the Home Business Standards 3.1. The motion carried unanimously.

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

Stephen E Fischer

15 Garland Grove Place

Lot 15, Block 2, Section 10 Village of Indian Springs (TWA)

This item was reviewed under the summary list as presented by staff. It was moved by Walter Lisiewski and seconded by Ken Anderson 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 window a/c unit on the 2nd story of the home) will result in a lawsuit filed & court hearing scheduled. Furthermore, we recommend The Township Board authorize funding of legal action, as necessary, in order to correct these violations of the Woodlands Covenants and Residential Development Standards, if the initial correspondence by The Strong Firm and the staff does not resolve these violations prior to filing the lawsuit. The motion carried unanimously.

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

James R Johnson

200 Bristol Bend Circle

Lot 26, Block 3, Section 8 Village of Alden Bridge

This item was reviewed under the summary list as presented by staff. It was moved by Walter Lisiewski and seconded by Ken Anderson 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 repairing/replacing the damaged/missing pickets on 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 carried unanimously.

15. Variance request for an existing attic conversion that exceeds the maximum living area allowed, per Development Criteria for Section 26 in the Village of Sterling Ridge and requires sealed plans.

Karl Jones

75 Silvermont Drive

Lot 3 Block 1, Section 26 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 Deborah Sargeant and seconded by Ken Anderson to conditionally approve the attic conversion. The home is not to exceed 4051 square feet of living area, and the attic conversion meet code and pass all inspections. No exterior changes to the home are allowed except for altering the window in the front to meet code (must be made operable). The motion passed unanimously.

16. Variance request for an existing shed that does not respect the side five-foot easement and exceeds the maximum height allowed

Ryan Gimpel

27 Hollow Glen Place

Lot 7, Block 1, Section 10 Village of College Park (Harper's Landing)

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 Deborah Sargeant and seconded by Robert Heineman to disapprove the shed and consent to delay enforcement, based upon the execution of a memorandum of agreement, requiring the owner to remove the shed 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 shed 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. The motion passed unanimously.

17. Variance request for a proposed fence that will not be set back at least three feet from front façade of the dwelling and will extend beyond five feet over the ten-foot platted building line.

D. Keaton and Carla McDaniel

35 Silver Bluff Court

Lot 13 Block 2 Section 1 Village of Alden Bridge

This item was heard by the full committee. The staff provided the committee with a presentation. The homeowner was present to address the committee. Owner stated safety was a concern due to past security issues. It was moved by Deborah Sargeant and seconded by Robert Heineman to conditionally approve the fence, allowing it to be set back a minimum of 18 inches from the front façade of the home; the side fence is allowed to be a maximum of 7 feet over the side building line. The homeowner must plant and maintain a planting bed alongside the fence (forest mix of evergreen trees, shrubs and plants). The fence must meet code and pass inspections. The motion passed unanimously.

18. Variance request for an existing fence that exceeds the maximum height allowed and has the construction side of the fence is visible to the street.

Richard and Lise Jarema

123 Wimberly Way

Lot 33, Block 2, Section 3 Village of College Park (Harper's Landing)

This item was tabled at the homeowner's request and will be heard at the March 15, 2017 meeting.

- IX.** Consideration and Action regarding proposed Joint Session of the Residential Design Review Committees and Development Standards Committee.
The Committee chose two dates for Joint Session Meetings of the Residential Design Review Committees and Development Standards Committee: Tuesday March 28, 2017 and Tuesday August 22, 2017.

- X.** Public Comments
There were no public comments.

- XI.** Member Comments
There were no member comments.

- 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 Walter Lisiewski to adjourn the meeting at 6:42 p.m.

2/15/17

DEVELOPMENT STANDARDS COMMITTEE MEETING OF

| NAME (PLEASE PRINT) | HOMEOWNER, NEIGHBOR OR CONTRATOR | AGENDA ITEM ADDRESS | AGENDA ITEM NUMBER | SIGN-IN TIME | SIGNATURE |
|------------------------|--|---|-----------------------|-----------------|------------------------|
| Jose Luis Morales | owner | 22 S. YORK Gate C/T The executives TX 77382 | 12 | 5:04 PM | Jose Luis Morales |
| Morgan Hughes | owner | 11 E Russet Grove Cir 77384 | 7 | 5:05pm | Morgan Hughes |
| DAVID CRAIG | owner | 7801 Baybraney | 1 | 5:05pm | David Craig |
| Kristen Paula McDaniel | owner | 35 Silver Bluff 77382 | 17 | 5:16 | Kristen Paula McDaniel |
| Anne & Karl Jones | owner | 75 SILVERMONT | 15 | 5:17 | Anne & Karl Jones |
| RYAN GIMPEL | owner | 27 HOWARD CLEN DL 77385 | 16 | 5:20 | Ryan Gimpel |
| CAROLIA BERMANO | owner | 91 GENTRACE | | | Carolina Bermano |
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