

Development Standards Committee  
February 17<sup>th</sup>, 2010 at 5:30PM  
The Woodlands Township Service Center  
2201 Lake Woodlands Drive  
The Woodlands, Texas 77380  
Minutes

Members Present: Deborah Sargeant, Robert Heineman, Michael Sawran, Ken Anderson, Ken Parker, Chris Florack and Kim Hess

Staff Present: Pam Forde, Chris Feist and Kim McKenna

Others in Attendance: As reflected by the attached Sign-in Sheet for February 17<sup>th</sup>, 2010.

**I. Welcome/Call Meeting to Order**

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

**II. Approve Minutes of Previous Meetings**

It was moved by Michael Sawran and seconded by Chris Florack to approve the minutes of the previous meeting as presented. The motion carried unanimously.

**III. Presentation of Summary Approvals List**

There were no items listed on the summary agenda.

**IV. Review and Disposition of Commercial Applications**

**A. Request for Consideration and Action**

Monument Sign Panel

Congregation Beth Shalom – 01-030-0047-0163-0290-0000

5125 Shadowbend Place

Village of Cochran's Crossing

This item was not heard by the committee. It was moved by Robert Heineman and seconded by Ken Anderson to table the item. This item was tabled for additional information. The motion carried unanimously.

**V. Report on "Commercial Staff Approval List" for February 17, 2010**

The list was accepted as presented.

**VI. Review and Disposition of Residential Applications**

1. Variance request for a proposed pool, which would be located in the front courtyard of the home.

Jack Siegler

19 Regent Square

Lot 05, Block 01, Section 45 Village of Panther Creek

This item was reviewed by the full committee. The staff provided the committee with a PowerPoint presentation noting the location of the proposed pool and security barrier. The staff noted to variations for the courtyard security barrier. One incorporated vegetation around a

stucco wall. The second option incorporated, landscaping vegetation similar to what is existing on the home with wrought iron fencing surrounding the courtyard. The home owner was present to address the committee. It was then moved by Chris Florack and seconded by Michael Sawran to approve on the condition the owner must plant and maintain vegetation surrounding the fence area, similar to the current style of vegetation, to screen the pool from view. The owner must select a final fence design and submit it for processing to the staff. Additionally, the pool and barrier must comply with code and all other Standards and pass final inspection. The motion carried unanimously.

2. Request for a rehearing regarding the attached patio cover which is located in the ten foot rear yard easement and twenty foot rear Building Setback.

Joaquim Horta

185 Purple Slate Place

Lot 13, Block 03, Section 37, Village of Cochran's Crossing

This item was presented to the full committee. It was noted by staff that the request was for a rehearing. The home owner was not present to address the committee. The staff then recited the owner's hearing request letter. The committee requested a brief review of the PowerPoint presentation, to remind them of the improvement. After reviewing the presentation as presented by staff it was moved by Deborah Sargeant and seconded by Chris Florack to deny the rehearing request, affirm their original action and require the owner comply within 90 days from date of this meeting and require staff to proceed with a violation if the structure has not been removed. The motion carried unanimously.

3. Variance request for an existing color change to the home.

Lloyd & Natalia Waight

99 North Deerfoot Circle

Lot 21, Block 2, Section 28 Village of Grogan's Mill

This item was reviewed by the full committee. The staff provided the committee with a PowerPoint presentation noting the existing color change, the surrounding colors in the neighborhood and previous colors on the home. The home owner was present to address the committee. Additionally, the Residential Design review Committee (R.D.R.C.) member was present to address the committee. The owner felt the colors were very compatible and an improvement from the previous colors selected for the home. The RDRC member expressed the concern of the committee regarding the impact of the overall colors on the home. The committee addressed the varying color in the garage door and shutters. Overall the committee felt the garage door was an acceptable range of colors, which were compatible with the home. However, it was noted that the shutters needed to be more muted, perhaps one solid color. It was then moved by Chris Florack and seconded by Michael Sawran to deny the color application as presented and require the owner modify the shutters to be one solid color, which must be one of the existing colors used on the home. The committee allowed the garage door to remain as presented. The motion carried unanimously.

4. Variance request for an existing roof.

Lloyd & Natalia Waight

99 North Deerfoot Circle

Lot 21, Block 2, Section 28 Village of Grogan's Mill

This item was reviewed by the full committee. The staff provided the committee with a PowerPoint presentation noting the existing roof, the surrounding colors in the neighborhood

and previous colors on the home. The home owner was present to address the committee. Additionally, the Residential Design review Committee (R.D.R.C.) member was present to address the committee. The RDRC member felt the roof was too bold and submitted a photo he took that afternoon for the committee to review. The home owner felt the color of the roof was acceptable and noted her need to repair the roof, due to the hurricane and noted that the color selected was the only shingle color they could get at the time. It was then moved by Deborah Sargeant and seconded by Chris Florack to table the roof and allow the committee an opportunity to drive by the home and see the color of the roof. The motion carried unanimously.

5. Variance request for an existing walkway, which exceeds the maximum allowed width.

Charles Houston

18 Cirrus Court

Lot 23, Block 1, Section 51 Village of Grogan's Mill

This item was reviewed by the full committee. The staff provided the committee with a PowerPoint presentation noting the existing walkway. The home owner was present to address the committee. He explained the walkway was added to aesthetically improve his property and to allow more of a walkway, instead of walking on his grass, after exiting their vehicles. The staff noted responses from adjoining property owner's complimenting the appearance of the additional paving. Additionally, the Residential Design review Committee (R.D.R.C.) member was present to address the committee. The RDRC member expressed the committee's concern that the walkway area was excessive and did not need to extend to the corner of the front patio area. It was then moved by Robert Heineman and seconded by Ken Parker to approve the existing walkway on the condition the owner plant and maintain landscaping in front of the walkway area, to soften and screen the view. The motion carried unanimously.

6. Variance request for an existing rear yard paved area, which is located within the ten foot rear and five foot side yard easements.

Jeffery Wallace

54 Yewleaf Road

Lot 40, Block 03, Section 01 Village of Panther Creek

This item was reviewed by the full committee. The staff provided the committee with a PowerPoint presentation noting the existing paving. The home owner was present to address the committee. The committee discussed concerns regarding precedent. The resident renting the property noted that he was planning to purchase the home and installed the improvements with his landlord's approval. It was then moved by Chris Florack and seconded by ken Anderson to consider allowing the paving with a memorandum of agreement to remove when the ownership changes. However, the staff commented that the memorandum of agreement would require the current owner have it removed before the existing renter bought the home. Chris Florack rescinded his motion and asked that the committee consider hearing the detached storage building prior to acting on the paving. After the committee acted on Item 7, It was then moved by Chris Florack and seconded by Deborah Sargeant to deny the storage shed as proposed and require the owner submit an application with less paving encroaching the easement. The motion carried unanimously.

7. Variance request for an existing detached storage building, which exceeds the maximum square footage allowed and is located within the five foot side yard and ten foot rear utility easement.  
Jeffery Wallace  
54 Yewleaf Road  
Lot 40, Block 03, Section 01 Village of Panther Creek  
This item was reviewed by the full committee. The staff provided the committee with a PowerPoint presentation noting the existing detached storage building. The home owner was present to address the committee. The committee discussed concerns regarding precedent. The resident renting the property noted that he was planning to purchase the home and installed the improvements with his landlord's approval. The staff noted that an affected neighbor responded in objection to the improvement. Additionally, the residential Design review Committee recommended disapproval of the improvement. The committee discussed the need for the shed, but shared concerns regarding the allowance of a shed that was both too tall and in the easement. It was then moved by Chris Florack and seconded by Deborah Sargeant to deny as proposed and require the owner resubmit an application to reduce the overall size of the detached building and comply with the Standards. The motion carried unanimously.
  
8. Variance request to appeal the Residential Design Review Committee's conditions of approval for the play structure in the rear yard.  
Stephen Tucker  
2835 South Logrun Circle  
Lot 29, Block 2, Section 2 Village of Grogan's Mill  
This item was reviewed by the full committee. The staff provided the committee with a PowerPoint presentation noting the photos that were taken from the open space area outside of the owner's property. It was noted that the staff was not allowed on the owner's property to take photos and make measurements. The home owner was present to address the committee. The staff provided the committee with the previous actions taken regarding the play structure in 1979. However, the staff noted that they home owner was required to submit an application, in accordance with the standards because the damage caused repair and replacement which requires compliance with the current Standard. It was then moved by Chris Florack and seconded by Michael Sawran to require the owner complete the required information, allow the staff access to the yard to make the necessary measurement and hear the item once all the information has been received. Ken Parker was opposed to the motion.
  
9. Variance request for an existing mercury vapor light, which is not in keeping with the Standard.  
Bill Kutsche  
56 East White Willow Circle  
Lot 65, Block 01, Section 03 Village of Panther Creek  
This item was reviewed by the full committee. The staff provided the committee with a PowerPoint presentation noting the existing light. The staff noted that the light has been in place since at least 1994. Because the department has record of the light, past the point of laches law, the staff was not able to pursue it. However, the current owner wanted to submit an application for the light in order to address any previous issues with the home. The staff noted that the owner would like to maintain the light because there have been no complaints and it provides light to adjacent pathway which leads to the park. It was then moved by Chris Florack and seconded by Ken Parker to deny the light as proposed and consent to delay enforcement based upon the execution of a memorandum of agreement requiring the owner to, remove the light from the home, when the owner no longer owns the home, is no longer the primary

residence or when the light fixture is in need of repair and replacement. The memorandum will be recorded with the court house and binding on the land. Additionally, if the staff receives any complaints from affected neighbors objecting to the glare or impact of the light; The owner will be required to remove the light within 15 days and comply with the Standards for any future lighting. The motion carried unanimously.

10. Variance request for an existing dog run and fenced area, where the fence extension is located less than five feet back from the front façade of the dwelling. The fence serves as a part of the dog run, which is located less than three feet from all perimeter fencing to the property line and confines an animal to an area immediately adjacent to the property line.

Michael Littrell

35 Flagstone Path

Lot 47, Block 01, Section 42, Village of Cochran's Crossing

This item was reviewed by the full committee. The staff provided the committee with a PowerPoint presentation noting the location of the dog run, the fence and the surrounding homes. The home owner was present to address the committee. He noted that while the area was originally intended for confining the dog, they only have a very small dog that never goes in the dog run. The committee discussed the interpretation of a dog run. The staff provided the committee with an affected neighbor response regarding concerns related to dog runs. It was then moved by Chris Florack and seconded by Michael Sawran to approve the dog run and fence as presented. The motion carried unanimously.

11. Variance request for an existing fence, which serves as a dog run, which is located less than three feet from all perimeter fencing to the property line and confines an animal to an area immediately adjacent to the property line.

Joel and Regina Pelham

20 Thunder Hollow Place

Lot 53, Block 04, Section 08, Village of Cochran's Crossing

This item was reviewed by the full committee. The staff provided the committee with a PowerPoint presentation noting the location of the dog run, the fence and the surrounding homes. The home owner was present to address the committee. She noted that the dog run is only used on temporary occasions to confine the dog from the pool while the pool cleaners are there or during visits with a guest. The home owner also noted that the dog house has been removed. The committee discussed the interpretation of a dog run. The staff provided the committee with an affected neighbor response regarding concerns related to dog runs. It was then moved by Chris Florack and seconded by Michael Sawran to approve the dog run and fence as presented. The motion carried unanimously.

**VII.** Consideration and Action on an agreement regarding the Delegation of Covenant Responsibilities from the Development Review Committee to the Development Standards Committee.

This item was not heard by the committee. It was moved by Deborah Sargeant and seconded by Robert Heineman to table this item. The motion carried unanimously. The motion carried unanimously.

- VIII.** Consideration and Action to adopt the display of notices regarding the National Electrical Safety Code for all Centerpoint easements; and to include the notice of the code in the Residential Development Standards.  
This item was not heard by the committee. It was moved by Deborah Sargeant and seconded by Robert Heineman to table this item. The motion carried unanimously. The motion carried unanimously.
- IX.** Public Comments  
There were no public comments.
- X.** Member Comments  
The committee asked a question about the delegation of authority item tabled earlier. The staff noted that the legal counsels were completing the final draft of the agreement and it would be reviewed once the draft is complete.
- XI.** Staff Reports  
There were no staff reports.
- XII.** Adjourn  
There being no further business it was moved by Chris Florack and seconded by Kim Hess to adjourn the meeting at 7:30. The motion carried unanimously.