

Development Standards Committee
March 3rd, 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 March 3, 2010.

I. Welcome/Call Meeting to Order

The meeting was called to order Chairwoman Deborah Sargeant at 5:32 p.m.

II. Approve Minutes of Previous Meetings

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

III. Presentation of Summary Approvals List

Chairwoman Deborah Sargeant presented the Summary List as presented by Staff Recommendation. The list consisted of commercial items A and B and residential Items 1, 5, 6, 7, 8, 10, 11 and 12. It was moved by Kim Hess and seconded by Michael Sawran to approve the Summary List as presented by staff. The motion carried unanimously.

IV. Review and Disposition of Commercial Applications

A. Request for Consideration and Action

Monument Sign

First Church of Christ, Scientist – 01-010-0036-0599-0210-0000

1340 North Millbend Drive

Village of Grogan's Mill

This item was reviewed under the summary approval list as presented by staff. It was moved by Kim Hess and seconded by Michael Sawran to approve the item as presented. The motion carried unanimously.

B. Request for Consideration and Action

Monument Sign

Trinity Episcopal – 01-020-0007-0045-0280-0000

3901 South Panther Creek Drive

Village of Panther Creek

This item was reviewed under the summary approval list as presented by staff. It was moved by Kim Hess and seconded by Michael Sawran to approve the item with the

condition that the posts must be painted dark grey or brown. The motion carried unanimously.

V. Report on “Commercial Staff Approval List” for March 3, 2010
The list was accepted as presented.

VI. Review and Disposition of Residential Applications

1. Variance request for a proposed room addition, which would exceed the maximum living area allowed as determined by the Neighborhood Criteria.
Harold Skip and Aeri York
55 Pebble Cove Drive
Lot 42, Block 01, Section 24, Village of Panther Creek
This item was heard under the summary approval list as presented by staff. It was moved by Kim Hess and seconded by Michael Sawran to approve on the condition the owner meets code and passes final inspection. The motion carried unanimously.
2. Variance request for a proposed room addition and garage expansion, which would encroach the 20 foot rear dwelling setback.
Wincenty and Ludmilla Kaminski
10 Snowbird Place
Lot 110, Block 04, Section 04, Village of Cochran’s Crossing
This item was reviewed by the full committee. The staff provided the committee with a PowerPoint presentation noting the proposed room addition and garage expansion. The home owner was present to address the committee. The owner’s stated the additional space was needed, because their son is a quadriplegic and requires constant assisted care. The additional living area will accommodate their needs. It was then moved by Chris Florack and seconded by Michael Sawran to approve on the condition the owner plant and maintain native trees and shrubs to the rear of the garage, to soften and screen the view from the adjoining property. The improvement must meet code and pass final inspection. The motion carried unanimously.
3. Variance request for a proposed patio cover without submitting required sealed plans, in accordance with the Standards.
Gerald F. Craig
2138 E. Settlers Way
Lot 4, Block 8, Section 1 Village of Grogan’s Mill
This item was reviewed by the full committee. The staff provided the committee with a PowerPoint presentation of the proposed patio cover. The home owner was present to address the committee. The committee reviewed the home owner’s drawings and discussed concerns regarding the size of the patio cover and the support beam described in the drawings. The Residential Design Review Committee Member was in attendance and shared their committee concerns regarding the lack of sealed drawings. Committee members Ken Anderson and Robert Heineman discussed modifications to the header or support beam of the cover. It was then moved by Chris Florack and seconded by Ken Anderson to approve the proposed patio cover on the condition the owner must modify the construction of the patio cover to include a header comprised of two 2x10 boards to provide a thicker header that allows enough support for the weight of the structure. The motion carried unanimously.

4. Variance request for proposed paving adjacent to the driveway, which would encroach the 5 foot side yard easement; and would cause the driveway to exceed the maximum width allowed.
Jonathan Long
57 Rolling Links Court
Lot 8, Block 2, Section 58 Village of Grogan's Mill
This item was reviewed by the full committee. The staff provided the committee with a PowerPoint presentation of the proposed paving adjacent to the driveway. The staff noted that the original posting of the item was established as a proposed improvement. However, the staff had gone to the property earlier to obtain additional measurements and photos, at which time it was discovered the paving was complete. The Residential Design Review Committee Member was in attendance and shared their committee concerns regarding the amount of paving in the front yard. The staff noted the original recommendation to modify the design of the driveway allowing for a smaller driveway expansion and an alternate location for additional paving in the front yard, consistent with a front yard patio, was originally recommended when the improvement was proposed. The committee discussed concerns of allowing that much paving in the front yard and the precedent it would have. Additionally, the committee noted that historically they have not allowed driveway extensions that would allow for parking primarily in the front yard, as opposed to the side. It was then moved by Chris Florack and seconded by Michael Sawran to deny the variance as presented, and require the owner submit a redesigned plan. The plan should include a reduction to the extension adjacent to the driveway. The motion carried unanimously.

5. Variance request for a proposed fence where the rot board will be visible to the adjoining street right-a-way.
David Miller
1 Moonvine Court
Lot 28, Block 1, Section 27 Village of Grogan's Mill
This item was withdrawn from the agenda. The home owner withdrew his request for a variance and corrected the fence to comply with the Standards.

6. Variance request for a proposed 8 foot rear fence, where no adjoining 8 foot fencing is proposed.
Ben Swank
107 Sandpebble Drive
Lot 27, Block 01, Section 01 Village of Indian Springs
This item was heard under the summary approval list as presented by staff. The home owner was present to address the committee. It was moved by Kim Hess and seconded by Michael Sawran to approve on the condition the owner is able to construct eight foot fencing for his contiguous neighbors, or require the owner taper the fence down one foot for each panel of fencing so that the fence meets the adjoining fence height or six feet six inches. The motion carried unanimously.

7. Variance request for an existing rear yard arbor and related deck located within the 10 foot rear utility easement.
Ben Swank
107 Sandpebble Drive
Lot 27, Block 01, Section 01 Village of Indian Springs

This item was heard under the summary approval list as presented by staff. The home owner was present to address the committee. It was moved by Kim Hess and seconded by Michael Sawran to approve as presented. Approval by this committee does not include approval by the additional easement holders; and is subject to removal by those easement holders. It is the owner's responsibility to obtain approval by the additional entities. The motion carried unanimously.

8. Variance request for an existing roof, which is not one of the approvable colors in accordance with the Standards.

Samuel and Evangeline Solomon

12 Ridgeline Court

Lot 24, Block 02, Section 15 Village of Panther Creek

This item was heard under the summary approval list as presented by staff. It was moved by Kim Hess and seconded by Michael Sawran to approve as presented. The motion carried unanimously.

9. Variance request to renew a permit for an existing home business, which is not in keeping with the Standards.

Glenn and Patricia Fox

50 E Shadowpoint Circle

Lot 42, Block 03, Section 08, Village of Cochran's Crossing

This item was reviewed by the full committee. The staff provided the committee with a PowerPoint presentation of the request to renew a permit for an existing home business. The home owner was present to address the committee. Additionally, neighbors in the surrounding area were present and addressed the committee to object to the business. The Committee reviewed the information provided by the home owner. It was noted that no parking would occur in the street. The driveway could accommodate any clients traveling to the business. The owner questioned whether or not the amount of clients travelling to and from the home in conjunction with the business was considered frequent. The committee questioned if the home owner's were aware that the business all ready existed; and how the renewal would change the current impact on the surrounding community. It was then moved by Chris Florack and seconded by Ken Parker to approve the home business for one year condition upon, all clients travelling to and from the home in conjunction with the business must be limited to one client at a time and clients must park in the driveway and not on the street. Additionally, the home business permit may be revoked at any time if it violates any other Home Business Standard or creates an unreasonable impact to adjoining properties. The committee also noted that they would like the staff to consider drafting an article in the magazine regarding home businesses and the Standards regarding Businesses. The motion carried unanimously.

10. Variance request for an existing wood deck, which is located within the 10 foot rear utility and 5 foot side yard easements.

Edwin Escobar

29 North Wavy Oak Circle

Lot 13, Block 09, Section 07 Village of Panther Creek

This item was heard under the summary approval list as presented by staff. The home owner was present to address the committee. It was moved by Kim Hess and seconded by Michael Sawran to disapprove the existing wood deck and consent to delay enforcement, based

upon the execution of an memorandum of agreement, requiring the owner to remove the deck out of the easement, when the owner no longer owns the home, transfers title or when the owner is no longer the primary residence, or when the deck is in disrepair and needs replacement whichever comes first. The memorandum will be recorded with the court house and binding on the land. Additionally, approval by this committee does not constitute approval by the additional entities. It is the owner's responsibility to obtain approval by those entities and may be subject to removal. The motion carried unanimously.

11. Variance request for an existing storage shed, which is located within the 10 foot rear utility and 5 foot side yard easements.

Edwin Escobar

29 North Wavy Oak Circle

Lot 13, Block 09, Section 07 Village of Panther Creek

This item was heard under the summary approval list as presented by staff. The home owner was present to address the committee. It was moved by Kim Hess and seconded by Michael Sawran to disapprove the existing storage shed and consent to delay enforcement, based upon the execution of a memorandum of agreement, requiring the owner to remove the shed out of the easement, when the owner no longer owns the home, transfers title or when the owner is no longer the primary residence, or when the deck is in disrepair and needs replacement whichever comes first. The memorandum will be recorded with the court house and binding on the land. Additionally the owner must modify the roof and paint the shed to match the existing home. Additionally, approval by this committee does not constitute approval by the additional entities. It is the owner's responsibility to obtain approval by those entities and may be subject to removal. The motion carried unanimously.

12. Variance request for an existing window air conditioning unit, which is visible and not in accordance with the Standard.

Scott and Carolyn Dalglish

22 Tree Crest Circle

Lot 14, Block 30, Section 01 Village of Indian Springs

This item was heard under the summary approval list as presented by staff. The home owner was present to address the committee. It was moved by Kim Hess and seconded by Michael Sawran to disapprove the existing window air conditioning unit and consent to delay enforcement based upon the execution of a memorandum of agreement requiring the owner to remove the air conditioning unit from the home, when the owner no longer owns the home, transfers title, or the home is no longer the primary residence. The memorandum will be recorded with the court house and binding on the land. Additionally, the owner must plant and maintain native shrubbery around the air conditioning unit, to soften and screen the view from the street and adjoining properties. The motion carried unanimously.

13. The existing pond with waterfall may not be located so as to minimize impact on neighboring properties.

Scott and Carolyn Dalglish

22 Tree Crest Circle

Lot 14, Block 30, Section 01 Village of Indian Springs

This item was reviewed by the full committee. The staff provided the committee with a PowerPoint presentation of the existing pond with waterfall. The home owner was present to address the committee. The staff also provided the Committee with the responses from

neighbors regarding concerns with the drainage in the area. The committee discussed the drainage in that area. It was then moved by Chris Florack and seconded by Michael Sawran to approve as presented. The Owner must ensure that the placement of the improvement and landscaping 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).

VII. Consideration and Action for Final Approval for the Construction of Fire Station No. 8 located off of Gosling Road in The Village of Indian Springs.

This item was reviewed by the full committee. It was noted that the plans submitted were for conceptual approval and the committee would review the item again for final approval. The committee determined the location of the fire station and asked some questions regarding the size of the station and whether or not it was a two story building. It was noted that the Fire Station is located in the Village of Panther Creek but will also service the Village of Indian Springs. It was then moved by Robert Heineman and seconded by Ken Anderson to approve the concept as presented. The motion carried unanimously.

VIII. 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 withdrawn from the agenda.

IX. 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 withdrawn from the agenda.

X. Public Comments

There were no public comments.

XI. Member Comments

There were no committee member comments.

XII. Staff Reports

The staff noted that the next meeting would be March 17th, 2010 which is during the spring break week. It was noted that enough members would be able to attend to have a quorum.

XIII. Adjourn

There being no further business it was moved by Deborah Sargeant and seconded by Chris Florack to adjourn the meeting at 7:00p.m. The motion carried unanimously.