

Development Standards Committee  
May 5th, 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, Kim Hess and Chris Florack

Staff Present: Amanda Cambron, Devon Jordan, Pam Forde, Chris Feist, Hennie van Rensburg and Kim McKenna

Legal Counsel Present: Brett Strong

Others in Attendance: As reflected by the attached Sign-in Sheet for May 5<sup>th</sup>, 2010.

- I.** Welcome/Call Meeting to Order  
The meeting was called to order in regular session, open to the public by Chairwoman Deborah Sargeant at 5:40 p.m.
- II.** Approve Minutes of Previous Meetings  
It was moved by Ken Parker and seconded by Chris Florack to approve the minutes of the regular meeting of April 7<sup>th</sup>, 2010 as presented. The motion carried unanimously. Robert Heineman was not present for the vote.
- III.** Presentation of Summary List  
Chairwoman Deborah Sargeant presented the Summary List as presented by Staff Recommendation. The list consisted of commercial item A and residential Items 21, 22, 23, 24, 25, 26, 28, 29, 30, 31, 32, 33, 34. It was moved by Michael Sawran and seconded by Ken Parker to approve the Summary List as presented by staff. The motion carried unanimously. Robert Heineman was not present for the vote.
- IV.** Review and Disposition of Commercial Applications
  - A.** Request for Consideration and Action  
Extension of Deadline for Conditions of Approval for Chiller Compound Installation  
Millside Office Building – 01-010-0006-0547-0860-000  
2170 Buckthorne Place  
Village of Grogan’s Mill  
This item was reviewed under the summary approval list as presented by staff. It was moved by Michael Sawran and seconded by Ken Parker to conditionally approve the item with the requirement that the property owner must execute a Memorandum of Agreement requiring that the building exterior will be repaired or remodeled in a manner that will eliminate the patched look within a two year period. The motion carried unanimously. Robert Heineman was not present for the vote.
  - B.** Request for Consideration and Action  
Variance for Proposed Construction Signage  
Memorial Herman Bed Tower Expansion  
Parcel 3H-1

9250 Pinecroft

This item was reviewed by the full committee. After presentation by Kim Hess with details provided by Dawn Diamond, representing Memorial Hermann, and discussion by the committee, it was moved by Kim Hess and seconded by Chris Florack to conditionally approve the item subject to the following conditions: 1) a new design must be submitted for signs C.004 and C.005 (construction signs located along I-45 frontage road) that will match the tan and purple format of the other signs on campus; 2) the standard Woodlands directional sign format is approved for temporary sign C.001 that is proposed to be located in the ROW along I-45 frontage road north of this property; 3) a re-design for monument signs C.051, C.052 and C.053 must be submitted to match the new tan and purple format of the other signs on campus; and 4) the temporary illuminated box signs, C.015, C.016 and C.017 are approved to be temporarily hung on the building during construction only. Once construction is complete, these signs must be removed. Any additional proposed signs must be re-submitted for approval. Approval by this committee does not constitute approval by the additional easement holders, the county, or TXDOT. The owner must obtain approval by those entities and may be subject to removal. The motion carried.

- V. Report on “Commercial Staff Approval List” for May 5<sup>th</sup>, 2010  
The report was accepted as presented.

VI. Review and Disposition of Residential Applications

1. Consideration and action to proceed with legal action for failure to comply with the action of Development Standards Committee, regarding the conditions of approval for a driveway expansion and relocation of a basketball goal.

Nancy Manning

46 Acorn Cluster Court

Lot 10, Block 02, Section 35 Village of Panther Creek

This item was reviewed by the full committee. The staff provided the committee with the conditions of approval set by their original action of April 2, 2008. Additionally, the committee reviewed the PowerPoint presentation regarding the changes made to the home and the conditions of approval which had not been met. It was noted that the driveway had been expanded beyond the original permit, the basketball goal had not been relocated in accordance with the conditions of approval and the committee discussed the need for additional vegetation to meet the requirement of substantial vegetation to soften and screen the view. The home owner addressed the committee and provided landscaping plans for additional vegetation. She expressed the importance of basketball on her sons’ lives and an opportunity to obtain scholarships for their achievements in basketball. She addressed why the additional paving was installed to allow for varying locations for a 3 point shot. After much deliberation, it was moved by Chris Florack and seconded by Ken Anderson to approve the pursuit of legal action in 60 days on the following conditions: 1) the owner must remove portions of the driveway nearest the fence line and install a planter bed no less than 18 inches in width that spans the entire length of the fence nearest the pool and adjacent to the driveway. 2) The owner must plant and maintain additional vegetation, as submitted in her proposal, behind the basketball and along the adjoining fence to soften and screen the view of the basketball goal. 3) the owner must sign and execute a memorandum of agreement demonstrating that basketball in the current location is a violations of the Standards and the committee will consent to delay enforcement of the relocation or removal of the goal, based upon the execution of a memorandum of agreement which requires the owner to remove the goal from the lot or relocate the goal in accordance with the Standards, when the owner no longer owns the home, transfers title, or is no longer the primary resident, whichever comes first.

All conditions of approval were granted 60 days to come into compliance prior to pursuing legal action. Robert Heineman and Ken Parker abstained from the vote. The motion carried.

2. Request for approval for existing landscape beds, which are located beyond the owner's lot in the street right-of-way.

Andrew Davis and Beth Cooper-Davis

46 West Trace Creek Drive

Lot 15, Block 02, Section 03 Village of Indian Springs

This item was reviewed by the full committee. The owner and Mr. Faulkner were present to address the committee. The staff provided a power point presentation of the home and the planter beds that encroached into the street rights of way. The Committee determined that the improvements complied with the Residential Development Standards for Street Rights of Way improvements. There is a mixture of edibles and native vegetation in the beds. Mr. Faulkner voiced his concerns regarding the granting of a variance as well as what type of plants had been placed in the beds and did not want to see tomato vines and such since it would not blend with the overall character of the Woodlands. The Committee determined that there was no variance required. It was motioned by Ken Parker and seconded by Chris Florack to conditionally approved the planter beds on the condition that the plantings be looked at every 3 months for a period of 1 year to ensure they are maintained. The owner will also not be permitted to place any types of cages or stakes in the beds to allow for upward growth of plants such as the edibles. The motion carried unanimously.

3. Consideration and Action to proceed with legal action, regarding failure to comply with the Covenants and Standards for outstanding violations on the home.

Nicholas Jiga

4 North Circlewood Glen

Lot 02, Block 02, Section 09 Village of Panther Creek

This item was reviewed by the full committee. The staff provided the committee with a PowerPoint presentation, describing the covenant violations on the home. Staff member Keith Weaver provided the committee with his involvement in the Revitalization Program and any assistance offered to the home owner. The committee reviewed their minutes from the previous meeting and inquired if the home owner had provided the staff with an update regarding the committee request for a definitive start date and completion date for the work required on the home. The staff confirmed they had not received any new information from the home owner. It was then moved by ken Parker and seconded by Chris Florack to approve the 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.

4. Consideration and Action to proceed with legal action, regarding failure to comply with the Covenants and Standards for outstanding violations on the home.

John Jiga

6 North Circlewood Glen

Lot 3, Block 2, Section 9, Village of Panther Creek

This item was reviewed by the full committee. The staff provided the committee with a PowerPoint presentation, describing the covenant violations on the home. Staff member Keith

Weaver provided the committee with his involvement in the Revitalization Program and any assistance offered to the home owner. The committee reviewed their minutes from the previous meeting and inquired if the home owner had provided the staff with an update regarding the committee request for a definitive start date and completion date for the work required on the home. The staff confirmed they had not received any new information from the home owner. It was then moved by Ken Parker and seconded by Chris Florack to approve the 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.

5. Home owner request for a hearing regarding notices sent for outstanding covenant violations on the property  
Elizabeth Arrambide  
219 South Deerfoot Cir  
Lot 1, Block 3, Section 28 Village of Grogan's Mill  
The staff provided the committee with an update regarding the status of the property. The homeowner was not present for the item. However, the committee, recalled the son attending the previous meeting to address the status of the property during public comments. The son noted that his mother is preparing the house to rent. The mildew, yard and fence will be addressed in the next week. The owner plans to have the driveway corrected by the end of the month. The homeowner's son is completing the majority of the projects and would like additional time, to allow him to complete his final exams. Home owner will pressure wash and complete the yard work this week. He plans to submit an application for the garage door color and he will have the driveway repaired by the end of the month. It was then moved by Chris Florack and seconded by Ken Anderson, to allow the home owner additional time to make corrections to the home. The Committee did note that if the items were not corrected by the following meeting of June 2, 2010 the staff should place the item on the agenda to consider proceeding with legal action.
6. Home owner request for a hearing regarding failure to apply for improvement violations on the property  
Randy Ervin  
10719 East Timberwagon Circle  
Lot 6, Block 8, Section 6 Village of Grogan's Mill  
The staff provided the committee with an update regarding the status of the property. The homeowner was present and asked the committee what he needed do to bring the house in compliance. He also argued that much of the change to the home was as a result of hurricane damage. An affected neighbor was also present and addressed the committee regarding the status of the property and argued that the home was not a repair but a remodel from what previously existed.
7. Home owner request for a hearing regarding conditions of approval not met for tree removals.  
Dwayne and Vicki Sides  
21 Purple Top Court  
Lot 80, Block 03, Section 01 Village of Panther Creek  
This item was reviewed by the full committee. The owner was present to address the committee. The staff provided a power point presentation of the home. The trees that were removed and noted that the home owner was present to address the trees removed as a result of the hurricane

and the reasoning behind the additional trees be removed. The home owner noted 4 of the trees fell as a result of the hurricane. The owner also discussed concerns of the trees and the hazard to their home. They noted that the impact of the hurricane had left a strong impression on their daughter who was very frightened regarding the potential of any more trees falling on the house. The committee discussed the placement of trees and understood the reason for removing the trees damaged during the hurricane. It was then moved by Chris Florack and seconded by Mike Sawran to require the owner replant six fifteen gallon native evergreen trees anywhere on the lot, but noted their preference would be for all six replants to occur in the rear yard. The motion carried unanimously.

8. Consideration and action to proceed with legal action for failure to comply with action of Development Standards Committee regarding a second story room addition.

Mark Haug

7 Hickory Oak Drive

Lot 04, Block 02, Section 15 Village of Panther Creek

This item was reviewed by the full committee. The home owner was not present to address the committee. The staff provided the committee with a review of the previous actions and the requirement to allow the staff into the property and in the improvement to verify the conditions of approval. The staff noted their attempts to contact the owner, and schedule a site inspection. However, the owner had not responded to the calls and a site inspection has not been made. It was then moved by Chris Florack and seconded by Mike Sawran to approve the 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.

9. Variance request for a sport court, which encroaches into the rear building setback, exceeds the maximum height and number of lights allowed, does not include fencing in keeping with the Standards and may cause an impact to adjoining neighbors.

George Weaver

70 South Tranquil Path

Lot 3&4, Block 2, Section 61 Village of Grogan's Mill.

The item was reviewed by the full committee. The staff provided the committee with a presentation noting the location, dimensions and overall design of the proposed court. The staff noted that the permit was received through the new home permit process from Ken Anderson and associates. As a result the staff was not able to send letters to affected neighbors notifying them of the request for a variance. The committee discussed concerns to the adjoining property owner. However, it was noted by staff that the reason the tennis court would require a variance is because of the encroachment on the rear setback. However, if the owner was to relocate the court out of the rear setback, it would cause the court to be closer to the adjoining property. It was then moved by Chris Florack and seconded by Deborah Sargeant to approve on the condition the height of the lights and installation of perimeter fencing be installed to meet the Standards and that the number of lights be restricted to 6 poles of the design submitted with the light illumination respecting the Standards. Additionally, the staff must send letters to the adjoining property owners, setting a deadline to respond regarding the proposed sport court. If negative responses are obtained, require the item be placed at the following agenda for review by the full committee. If no responses are received after the specified deadline, the sport court is approved to encroach the set

back conditioned upon the conditions noted above. Additionally, the owner must plant and maintain substantial vegetation around the court, to soften and screen the view. Sport Court must meet code and pass inspection. The motion carried unanimously.

10. Variance request for a proposed tree removal application to remove four trees.

Scott and Patricia MacMillan

58 Meadowridge Place

Lot 24, Block 01, Section 33, Village of Cochran's Crossing

This item was reviewed by the full committee. The owner was present to address the committee. The staff provided a power point presentation of the trees proposed for removal. The home owner was present. It was noted some of the trees were removed through the Residential Design Review Committee approval and one tree was removed in error, due to a miscommunication in the marking of the trees. The staff affirmed the removal was a result of miscommunication when the permit was returned. The home owner provided the committee with their concerns regarding the existing trees and the proposed plans for landscaping and proposed improvements. It was then moved by Ken Parker and seconded by Chris Florack to approve trees marked and require the owner plant and maintain four fifteen gallon native trees anywhere on the lot. The motion carried unanimously.

11. Variance request for a proposed room addition/expansion, which will exceed the maximum amount of living area allowed per the Neighborhood Criteria.

Shahzad Bashir

38 S. Tranquil Path Drive

Lot 20, Block 1, Section 60 Village of Grogan's Mill

The item was reviewed by the full committee. An agent for the owner was present to address the committee. The staff provided the committee with a presentation noting the location, dimensions and overall design of the proposed addition. The committee discussed concerns of the impact to the adjoining property and the need for additional screening to soften the view. It was then moved by Chris Florack and seconded by Mike Sawran to approve the proposed improvement on the conditions the owner must meet code and pass final inspection and plant a substantial amount of native trees and shrubbery to include both mid growth and canopy that will soften and screen the view of the improvement from the adjoining property. The motion carried unanimously.

12. Variance request for a proposed Storage Building which would encroach into the 5 foot rear yard easement.

Hubert Hernandez

10 Skyland Place

Lot 15, Block 06, Section 06, 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 proposed detached building. The committee discussed concerns of the visibility of the building to the adjoining properties in the rear, especially considering the view would be to a front yard and visible from the street. The committee felt the building itself, while in the same location as the lattice structure, would be more of an impact and more visible from the adjacent area. It was then moved by Chris Florack and seconded by Deborah Sargeant to deny the request for a variance and request the owner consider submitting a proposal that is more in keeping with the Standard. The motion carried unanimously.

13. Variance request for a proposed Storage Building would encroach into the 5 foot side yard easement and would exceed the maximum height allowed for buildings which do not match the dwelling.

Robert and Barbara Laible

103 W Lakemist Circle

Lot 01, Block 02, Section 20, Village of Cochran's Crossing

This item was heard by the full committee. The staff informed the committee that the owner had contacted the office and was unable to attend due to a surgery. However, he was fine with the committee acting in his absence. The staff also informed the committee that two affected neighbor responses were received in objection to the storage building. It was then moved by Robert Heineman and seconded by Mike Sawran to table the item and allow the owner to be informed of the affected neighbor responses and attend the meeting. The motion carried unanimously.

14. Variance request for a proposed 8 foot picket, type "J" fence, which would exceed the maximum height allowed as established by the Neighborhood Criteria for the lot and would not be set back 5 feet from the front façade of the dwelling.

Karen Cole

156 W Amberglow Circle

Lot 01, Block 02, Section 26, Village of Cochran's Crossing

This item was heard by the full committee. The staff provided the committee with a PowerPoint presentation noting the location of the proposed fence. The home owner was present to address the committee. The staff informed the committee the vegetation surrounding the home was substantial, thus making the view of the fence from the street and adjacent property significantly screened. The owner addressed the committee to discuss the need for more privacy and to assist with a reduction in noise due to the street behind the home. Additionally, he mentioned that he would like to include in the proposed variance request an opportunity to increase the height of the side fencing to the adjoining property to 8 feet when a change in ownership occurred. It was then moved by Chris Florack and seconded by Kim Hess to allow 8 foot fencing at the rear of the property and along the side adjoining Smokewood Road, conditioned upon the owner tapering the side fencing down to 6foot six inches one or two panels before the front façade portion of fencing. The motion carried unanimously.

15. Variance request for a proposed circular driveway for a lot which is less than 85 feet in width will not allow for a 16 foot turning radius and will be wider than 16 foot.

Stephen & Peggy Pierce

8 Sandlily Court

Lot 6, Block 1, Section 8 Village of Grogan's Mill

This item was heard by the full committee. The staff provided the committee with a PowerPoint presentation noting the location of the proposed circular driveway. The contractor was present to address the committee. The staff included in the presentation the homes in the surrounding area that were cited by the owner for having circular driveways. The committee discussed concerns regarding the amount of paving in the front yard and the limited amount of space in the area, to accommodate a circular driveway. It was then moved by Chris Florack and seconded by Ken Anderson to deny the variance request as proposed. The motion carried unanimously.

16. Variance request for a color change, which was not considered to be compatible with the dwelling and neighborhood, by the Residential Design Review Committee.

Tammy Sumrall

17 Oldstream Court

Lot 12, Block 02, Section 12 Village of Panther Creek

This item was heard by the full committee. The staff provided the committee with a PowerPoint presentation noting the color change to the home. Overall the committee felt the color of the home would not be a color they would select to approve. However, they felt that there were other

colors in the neighborhood that were also not compatible. It was then moved by Chris Florack and seconded by Ken Anderson to conditionally approve the existing color of the home, on the conditions the owner may not repaint the home the current color when the home is in need of painting and the home owner must submit an application and obtain an approval for a new color to the home, when the home is in need of repainting or when the home owner plans to repaint the home. The motion carried unanimously.

17. Variance request, from the neighbor (2831 W Wildwind Cir) to appeal the decision of the RDRC regarding the committee allowance that the home owner is not required to remove a leaning tree from the property.

Balakrishna R. Medavarapu  
2827 W. Wildwind Circle

Lot 17, Block 10, Section 12 Village of Grogan's Mill

This item was heard by the full committee. The staff provided the committee with a PowerPoint presentation noting the location of the tree. The owner and the affected neighbor were both present to address the committee. The home owner noted that he lost many trees during the hurricane and he felt this one survived the hurricane and should remain. The committee discussed with the home owner the concern that the tree was not healthy and that it was being held up by the adjoining property owner's vegetation. The committee informed the home owner of their understanding of insurance issues, for trees that are not considered healthy. Additionally they informed the adjoining property owner of his right to trim the portions of the tree that were hanging over his property line. The agent for the adjoining property owner said his father in law understood his right to remove that portion of the tree. However, he was hoping to resolve it through the committee. It was then moved by Michael Sawran and seconded by Ken Parker to require the owner of 2827 West Wildwind Circle to remove the tree from the property. The motion carried unanimously.

18. Variance request for an existing fence, which was built with the construction side facing outward from the lot.

Bryan Presgrove  
5 East Willowood Court

Lot 29, Block 00, Section 01 Village of Panther Creek, Willowbend Townhomes

This item was heard by the full committee. The staff provided the committee with a PowerPoint presentation noting the location of the existing fence. The owner was present to address the committee. The committee reviewed the fence and the areas where the fence was construction side visible from any street or tract of land. As a result it was then moved by Chris Florack and seconded by Kim Hess to deny the variance as proposed and require the owner modify the portions of fencing visible from the street or adjacent tract of land, so that the finished side of the fence faces outward from the lot. The portions of construction side out fencing between the properties are not required to be modified to the finished side out. The motion carried unanimously.

19. Variance request for an existing fence, which was built with the construction side facing outward from the lot.

Harold Presgrove  
9 East Willowood Court

Lot 30, Block 00, Section 01 Village of Panther Creek, Willowbend Townhomes

This item was heard by the full committee. The staff provided the committee with a PowerPoint presentation noting the location of the existing fence. The owner's brother was present to address the committee. The committee reviewed the fence and the areas where the fence was construction

side visible from any street or tract of land. As a result it was then moved by Chris Florack and seconded by Kim Hess to deny the variance as proposed and require the owner modify the portions of fencing visible from the street or adjacent tract of land, so that the finished side of the fence faces outward from the lot. The portions of construction side out fencing between the properties are not required to be modified to the finished side out. The motion carried unanimously.

20. Variance request for an existing Air Conditioning unit, which does not match the color of the dwelling and was not installed so that the top of the unit was less than 6 feet above natural grade and not visible from ground level on any adjacent street or property.

Larry Martin

56 Laughing Brook Court

Lot 92, Block 2, Section 38 Village of Grogan's Mill

This item was heard by the full committee. The staff provided the committee with a PowerPoint presentation noting the location of the existing air Conditioning unit. It was noted that the air conditioning unit was discovered during a g visit to the property. The committee discussed concerns regarding air conditioning units and how the committee has acted in the past disallowing units to be visible especially from the street and in a second story window. It was then moved by Chris Florack and seconded by Ken Parker to deny the variance and require the owner remove the unit from the window and consider alternate options such as units to the interior of the home. The motion carried unanimously.

21. Variance request for existing and proposed rock bollards in the street right-of-way, which are not in keeping with the Standard.

Margaret Moorehead

35 North Rushwing Circle

Lot 08, Block 08, Section 01 Village of Indian Springs

This item was heard under the summary list, as presented by Staff. It was moved by Michael Sawran and seconded by Ken Parker to approve the existing rock bollards as presented. Approval by this committee does not constitute approval by the additional easement holders or the county. The owner must obtain approval by those entities and may be subject to removal. The motion carried. Robert Heineman was not present for the vote.

22. Variance request for a proposed driveway widening, which will be located within the five foot side yard easement, will cause the driveway to exceed the maximum width allowed, and will be constructed of flagstone, which is not an approved hard surface for parking, all of which are not in keeping with the Standard.

Clayton and Stephanie Hall

14 Pebble Hollow Court

Lot 59, Block 02, Section 32 Village of Panther Creek

This item was heard under the summary list, as presented by Staff. It was moved by Michael Sawran and seconded by Ken Parker to table the item to June 2<sup>nd</sup> to allow the home owner to attend. The motion carried. Robert Heineman was not present for the vote.

23. Variance request for a proposed cabana, which would be located beyond the 15 foot side setback.

Philip and Marie Towle

38 West Windward Cove

Lot 14, Block 01, Section 42 Village of Panther Creek

This item was heard under the summary list, as presented by Staff. It was moved by Michael Sawran and seconded by Ken Parker to approve on the condition the owner must meet code and

pass final inspection. Additionally the home owner should plant and maintain some native vegetation at the side property line, to soften the view of the improvement from the adjoining property. The motion carried. Robert Heineman was not present for the vote.

24. Variance request for a proposed privacy wall, which would be located beyond the 15 foot side setback.  
Philip and Marie Towle  
38 West Windward Cove  
Lot 14, Block 01, Section 42 Village of Panther Creek  
This item was heard under the summary list, as presented by Staff. It was moved by Michael Sawran and seconded by Ken Parker to approve the proposed privacy wall on the condition the owner must meet code and pass final inspection. Additionally the home owner should plant and maintain some native vegetation at the side property line, to soften the view of the improvement from the adjoining property. The motion carried. Robert Heineman was not present for the vote.
25. Variance request for a proposed room addition which will encroach into the rear 10 foot easement.  
Hamid Afshari  
1 Dunloggin Lane  
Lot 15, Block 1, Section 11 Village of Grogan's Mill  
This item was heard under the summary list, as presented by Staff. It was moved by Michael Sawran and seconded by Ken Parker to approve the proposed room addition, on the condition the homeowner meets code and passes final inspection. Approval by this committee does not constitute approval by the additional easement holders. It is the owner's responsibility to obtain approval by those entities and may be subject to removal. The motion carried. Robert Heineman was not present for the vote.
26. Variance request for proposed pool decking, which encroaches the rear and side yard easements.  
Charles & Rhonda Howell  
14 Moonvine Court  
Lot 8, Block 1, Section 27 Village of Grogan's Mill  
This item was heard under the summary list, as presented by Staff. It was moved by Michael Sawran and seconded by Ken Parker to approve the proposed pool decking, on the condition the homeowner meets code and passes final inspection. Approval by this committee does not constitute approval by the additional easement holders. It is the owner's responsibility to obtain approval by those entities and may be subject to removal. The motion carried. Robert Heineman was not present for the vote.
27. Variance request for existing paving, which exceeds the maximum amount of hard surface area allowed.  
Joanne Vacek  
2225 West Settlers Way  
Lot 4, Block 9, Section 2 Village of Grogan's Mill  
This item was heard by the full committee. The owner was present to address the committee. It was noted that the hard surface area allowed for the lot was 80% according to the neighborhood criteria. It was then moved by Ken Parker and seconded by Ken Anderson to approve the existing paving as presented. The motion carried unanimously.
28. Variance request for an existing roof color, (Owens Corning "Sand Dune") which is not in keeping with the Standard.  
Estate of Roberta Frazier c/o Ruth Robinson

19 Knoll Pines Court

Lot 23, Block 04, Section 14, Village of Panther Creek

This item was heard under the summary list, as presented by Staff. It was moved by Michael Sawran and seconded by Ken Parker to approve the existing roof color as presented. The motion carried. Robert Heineman was not present for the vote.

29. Variance request for an existing window air conditioning unit, which was installed so that the top of the unit is visible at ground level from streets or other properties and does not match or appear to be compatible in color to the dwelling.

Estate of Roberta Frazier c/o Ruth Robinson

19 Knoll Pines Court

Lot 23, Block 04, Section 14 Village of Panther Creek

This item was heard under the summary list, as presented by Staff. It was moved by Michael Sawran and seconded by Ken Parker to deny the variance for the existing window air conditioning unit and consent to delay enforcement based upon the execution of a memorandum of agreement which requires the owner to remove the ac unit from the lot or relocate the unit so that the top of the unit is not visible at ground level from streets or other properties, when the owner no longer owns the home, transfers title, or is no longer the primary resident, whichever comes first. Also suggest the home owner consider the alternatives recommended by the RDRC. The motion carried. Robert Heineman was not present for the vote.

30. Variance request for an existing Play Structure, which encroaches into the 10 foot rear yard easement.

Albert Barouh

2 Stony Run Place

Lot 25, Block 06, Section 06, Village of Cochran's Crossing

This item was heard under the summary list, as presented by Staff. It was moved by Michael Sawran and seconded by Ken Parker to deny the variance for the existing play structure and consent to delay enforcement based upon the execution of a memorandum of agreement which requires the owner to remove the play structure from the lot, when the owner no longer owns the home, transfers title, or is no longer the primary resident, or when the structure is in disrepair and in need of repair and replacement. The motion carried. Robert Heineman was not present for the vote.

31. Variance request for existing landscape rocks, which are located within the street right-of-way and are located less than 18" from the pavement edge.

Harish Rao

7 Nightfall Place

Lot 20, Block 01, Section 28, Village of Cochran's Crossing

This item was heard under the summary list, as presented by Staff. It was moved by Michael Sawran and seconded by Ken Parker to approve the existing landscape rocks as presented. Approval by this committee does not constitute approval by the additional easement holders or the county. The owner must obtain approval by those entities and may be subject to removal. The motion carried. Robert Heineman was not present for the vote.

32. Variance request for existing landscape rocks are located within the street right-of-way and are located less than 18" from the pavement edge.

Dennis Scott

67 N Crossed Birch Place

Lot 04, Block 01, Section 50, Village of Cochran's Crossing

This item was heard under the summary list, as presented by Staff. It was moved by Michael Sawran and seconded by Ken Parker to approve the existing landscape rocks as presented. Approval by this committee does not constitute approval by the additional easement holders or the county. The owner must obtain approval by those entities and may be subject to removal. The motion carried. Robert Heineman was not present for the vote.

33. Variance request for existing landscape rocks are located within the street right-of-way and are located less than 18” from the pavement edge.

Alan Berkowitz

71 N Crossed Birch Place

Lot 05, Block 01, Section 50, Village of Cochran’s Crossing

This item was heard under the summary list, as presented by Staff. It was moved by Michael Sawran and seconded by Ken Parker to approve the existing landscape rocks as presented.

Approval by this committee does not constitute approval by the additional easement holders or the county. The owner must obtain approval by those entities and may be subject to removal. The motion carried. Robert Heineman was not present for the vote.

34. Variance request for an existing fence, which was built with the construction side facing outward from the lot.

Larry Ainsworth

11015 Ellwood Street

Lot 16, Block 7, Section 7 Village of Grogan’s Mill

This item was heard under the summary list, as presented by Staff. It was moved by Michael Sawran and seconded by Ken Parker to approve on the condition a fence is installed at the adjoining property owner’s lot, which would screen the view of the unfinished side of the fence from the street. If the adjacent neighbor decides not to install the fence, the owner must modify the portion of the fence where the unfinished side is visible to the street, in order to comply with the Standards. The motion carried. Robert Heineman was not present for the vote.

35. Consideration and Action to proceed with legal action, regarding failure to comply with the Covenants and Standards for outstanding violations on the home, related to failure to comply with the Residential Design Review Committee’s conditions of approval.

Robert Gaskill

4 East Wavy Oak Circle

Lot 08, Block 08, Section 07 Village of Panther Creek

This item was heard by the full committee. The home owner was present to address the committee. The staff provided the committee with a PowerPoint presentation noting the improvements in need of a variance. It was noted that the improvements required a variance and the staff must obtain a written request from the home owner in order to process the improvements to the variance committee. The committee asked the home owner if he knew what was required in order for the committee not to proceed with legal action. The home owner asked who he should send his request to. The committee asked the home owner to coordinate with staff regarding the necessary paperwork. It was then moved by Ken Anderson and seconded by Chris Florack to require the owner to submit an appeal to for DS to review, regarding the pavers. Allow the owner’s fence as it is currently, n the condition the owner continue to maintain the vegetation to soften and screen the view. The motion carried unanimously.

## **VII. Public Comments**

There were no public comments.

## **VIII. Member Comments**

There were no member's comments.

- IX.** Consideration and Action to allow Boy Scouts of America Troop 72 to place American flags in the front yard of homes, in The Woodlands without requiring that the flag be placed a minimum of 20 feet back and would allow the troop to place the flags closer to the streets edge, for the duration of the days of: Memorial Day, Flag Day, July 4<sup>th</sup>, Labor Day, September 11<sup>th</sup>, Veteran's Day and President's Day.  
The committee deliberated on this item and shared concerns regarding the size of the flags and the concern for the flags to be removed. A motion was never brought before the committee.
- X.** Consideration and Action to approve the proposed revisions to the Residential Development Standards, of The Woodlands.  
This item was withdrawn from the agenda. The staff noted that an email regarding the upcoming changes should be sent in the next few weeks.
- XI.** Staff Reports  
Kim McKenna noted that she will more than likely be on maternity leave for the next meeting and mentioned that the Village Supervisors will each be taking a turn to present items to the committee, while she is in on maternity leave.
- XII.** Adjourn  
There being no further business. It was moved by Ken Parker and seconded by Deborah Sargeant to adjourn the meeting at 10:00p.m. The motion carried.