

Development Standards Committee

May 19, 2010 at 5:30PM

The Woodlands Township Service Center
2201 Lake Woodlands Drive
The Woodlands, Texas 77380

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

Member Absent: Robert Heineman

Staff Present: Sharlene Novak and Neslihan Tesno

Board Member Present: Claude Hunter

Others in Attendance: As reflected by the attached Sign-in Sheet for May 19, 2010.

I. Welcome/Call Meeting to Order

The meeting was called to order by Chairwoman Deborah Sargeant at 5:34 p.m.

II. Approve Minutes of DSC Meeting on April 21, 2010.

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

III. Consideration and Action of the Summary List

Chairwoman Deborah Sargeant presented the Summary List as presented by Staff Recommendation. The list consisted of residential Items 1 through 27, excluding #26 which was withdrawn. It was moved by Ken Anderson and seconded by Mike Sawran to approve the Summary List as presented by staff. The motion carried unanimously.

IV. Review and Disposition of Residential Applications

1. Variance request for a proposed front yard patio which will project beyond the front building line.

Thomas and Debbie Dye

14 Stockbridge Landing Drive

Lot 39, Block 01, Section 17, Village of Alden Bridge

This item was reviewed under the summary approval list as presented by staff. It was moved by Ken Anderson and seconded by Mike Sawran to conditionally approve the item with the no plastic furniture, grills or umbrellas to be stored on patio, require homeowner to remove mold from front of house. The motion carried unanimously.

2. Variance request for a proposed cabana, which will encroach the 20' building setback line and existing patio encroaches the 10' rear easement.

Michael Lalime

27 Egan Lake Place

Lot 10, Block 3, Section 36, Village of Alden Bridge

This item was reviewed under the summary approval list as presented by staff. It was moved by Ken Anderson and seconded by Mike Sawran to conditionally approve, meet code, plant and maintain evergreen vegetation along rear of structure to soften view to adjacent owners. 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 unanimously.

3. Variance request for a proposed roof color, which is not within the acceptable color range.
Michael and Susanne Branham
54 West Gaslight Place
Lot 93, Block 1, Section 26, Village of Alden Bridge
This item was reviewed under the summary approval list as presented by staff. It was moved by Ken Anderson and seconded by Mike Sawran to approve as submitted. The motion carried unanimously. The motion carried unanimously.
4. Variance request for a proposed deck that will be located closer than 2' to a property line on a zero lot line property.
Renee Pousson
215 Blushwood Place
Lot 54, Block 1, Section 66, Village of Alden Bridge
This item was reviewed under the summary approval list as presented by staff. It was moved by Ken Anderson and seconded by Mike Sawran to approve as submitted. The motion carried unanimously.
5. Variance request for a proposed walkway which extends into the side 5' easement and exceeds the hard surface area allowed.
Richard Meeks
26 Lyreleaf Place
Lot 18, Block 1, Section 39, Village of Alden Bridge
This item was reviewed under the summary approval list as presented by staff. It was moved by Ken Anderson and seconded by Mike Sawran to conditionally approve, portion in easement to be pavers set in pervious material. 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. Require owner to submit application for attic conversion. The motion carried unanimously.
6. Variance request for a proposed gazebo and fireplace that does not respect the 25' rear building setback.
Jose Luis Rincon
7 Gateshead Place
Lot 44, Block 1, Section 15, Village of Sterling Ridge
This item was reviewed under the summary approval list as presented by staff. It was moved by Ken Anderson and seconded by Mike Sawran to conditionally approve, meet code and standards and plant native evergreen vegetation to soften view to rear.
The motion carried unanimously.
7. Variance request for proposed pool equipment that will encroach into the 10' rear easement.
Tim and Cay Diadiun

3 Tree Cove Court

Lot 22, Block 2, Section 11, Village of Grogan's Forest at College Park

This item was reviewed under the summary approval list as presented by staff. It was moved by Ken Anderson and seconded by Mike Sawran approve as submitted. 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 unanimously.

8. Variance request for proposed pizza oven that will encroach the 25' rear building setback.

Richard Yao

14 North Fair Manor Circle

Lot 1, Block 2, Section 78, Village of Sterling Ridge

This item was reviewed under the summary approval list as presented by staff. It was moved by Ken Anderson and seconded by Mike Sawran to Conditionally Approve – meet code and standards. The motion carried unanimously.

9. Variance request for a proposed walkway that will encroach into the side 5' easement.

Thomas and Regina Egolf

14 Stickleby Court

Lot 42, Block 4, Section 62, Village of Sterling Ridge

This item was reviewed under the summary approval list as presented by staff. It was moved by Ken Anderson and seconded by Mike Sawran to approve 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 unanimously.

10. Variance request for proposed room addition that will exceed the maximum living area allowed.

James and Stephanie Keller

48 Acrewoods Place

Lot 1, Block 2, Section 43, Village of Sterling Ridge

This item was reviewed under the summary approval list as presented by staff. It was moved by Ken Anderson and seconded by Mike Sawran to conditionally approve, meet code and standards, pass inspections. The motion carried unanimously.

11. Variance request for proposed room expansion that will exceed the maximum living area allowed.

James Houlden

99 West Ambassador Bend

Lot 10, Block 1, Section 33, Village of Sterling Ridge

This item was reviewed under the summary approval list as presented by staff. It was moved by Ken Anderson and seconded by Mike Sawran to Conditionally Approve – meet code and standards. The motion carried unanimously.

12. Variance request for an existing walkway which extends into the rear 10' easement.

John and Ginger Smith

130 North Westwinds Circle

Lot 12, Block 1, Section 67, Village of Alden Bridge

This item was reviewed under the summary approval list as presented by staff. It was moved by Ken Anderson and seconded by Mike Sawran to approve 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 unanimously.

13. Variance request for an existing deck which extends into the rear 10' easement.

Geoffrey Wayne Maduzia

19 Cloud Bank Place

Lot 62, Block 1, Section 93, Village of Alden Bridge

This item was reviewed under the summary approval list as presented by staff. It was moved by Ken Anderson and seconded by Mike Sawran to approve 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 unanimously.

14. Variance request for an existing fence which is located within 5' of the front façade of the home.

Robert and Adele Mozek

99 East Green Gables Circle

Lot 45, Block 1, Section 9, Village of Alden Bridge

This item was reviewed under the summary approval list as presented by staff. It was moved by Ken Anderson and seconded by Mike Sawran to approve as submitted. The motion carried unanimously.

15. Variance request for an existing front yard patio which encroaches beyond the 25' front platted building line.

Nathaniel L. Aheron

254 North Maple Glade Circle

Lot 8, Block 2, Section 38, Village of Alden Bridge

This item was reviewed under the summary approval list as presented by staff. It was moved by Ken Anderson and seconded by Mike Sawran to conditionally approve no plastic furniture, grills or umbrellas to be stored on patio and maintain existing vegetation. The motion carried unanimously.

16. Variance request for an existing deck which extends into the rear 10' easement.

Rick and Katrina Cantrell

19 Shady Pond Place

Lot 36, Block 2, Section 1, Village of Alden Bridge

This item was reviewed under the summary approval list as presented by staff. It was moved by Ken Anderson and seconded by Mike Sawran to approve 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 unanimously.

17. Variance request for existing paving that encroaches into the side 5' easement.

Kenneth and Taunya Zipse

3 Mosaic Point Place

Lot 13, Block 1, Section 6, Village of Creekside Park

This item was reviewed under the summary approval list as presented by staff. It was moved by Ken Anderson and seconded by Mike Sawran to approve 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 unanimously.

18. Variance request for existing driveway expansion that exceeds width allowed.

Vernon and Jo Ann Dill

126 North Almondell Circle

Lot 10, Block 4, Section 92, Village of Sterling Ridge

This item was reviewed under the summary approval list as presented by staff. It was moved by Ken Anderson and seconded by Mike Sawran to approve as submitted. The motion carried unanimously.

19. Variance request for existing play structure that encroaches into the rear 10' and 14' easements.

Janean Germany

10 Fresh Pond Place

Lot 40, Block 1, Section 25, Village of Sterling Ridge

This item was reviewed under the summary approval list as presented by staff. It was moved by Ken Anderson and seconded by Mike Sawran to disapprove and consent to delay enforcement, based upon the execution of a memorandum of agreement, requiring the owner to remove the play structure 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 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 and may be subject to removal. The motion carried unanimously.

20. Variance request for existing play structure that encroaches into the rear 10' and 14' easements.

Jurgen Petersen

31 Desert Rose Place

Lot 22, Block 1, Section 20, Village of Sterling Ridge

This item was reviewed under the summary approval list as presented by staff. It was moved by Ken Anderson and seconded by Mike Sawran to disapprove and consent to delay enforcement, based upon the execution of a memorandum of agreement, requiring the owner to remove the play structure 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 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 and may be subject to removal. The motion carried unanimously.

21. Variance request for existing play structure that encroaches into the rear 10' easement.

Patrick and Erin Benton

2 Harmony Links Place

Lot 39, Block 1, Section 18, Village of Sterling Ridge

This item was reviewed under the summary approval list as presented by staff. It was moved by Ken Anderson and seconded by Mike Sawran to disapprove and consent to delay enforcement,

based upon the execution of a memorandum of agreement, requiring the owner to remove the play structure 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 play structure is in disrepair and needs replacement whichever comes first. Additionally plant and maintain one 30 gallon native evergreen tree behind fort section of play structure. 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 and may be subject to removal. The motion carried unanimously.

22. Variance request existing storage shed that encroaches into the side 5' easement.

Patrick and Erin Benton

2 Harmony Links Place

Lot 39, Block 1, Section 18, Village of Sterling Ridge

This item was reviewed under the summary approval list as presented by staff. It was moved by Ken Anderson and seconded by Mike Sawran to disapprove 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 shed is in disrepair and needs replacement whichever comes first. Additionally, evergreen vegetation is required to screen view of shed from the street. 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 and may be subject to removal. The motion carried unanimously.

23. Variance request for two existing trampolines on a property when only one is allowed.

Steven and Angie Starke

83 South Player Manor Circle

Lot 5, Block 2, Section 82 Village of Sterling Ridge

This item was reviewed under the summary approval list as presented by staff. It was moved by Ken Anderson and seconded by Mike Sawran to disapprove and consent to delay enforcement, based upon the execution of a memorandum of agreement, requiring the owner to remove the one trampoline, when the owner no longer owns the home, transfers title or when the owner is no longer the primary residence, or when the trampoline is in disrepair and needs replacement, or when pool is built, 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 and may be subject to removal. Remove if neighbor complaints. The motion carried unanimously.

24. Variance request for an existing attached storage structure which extends into the side 5' easement and applicant has not paid a compliance deposit.

Michael and Lori Mason

78 North Silver Crescent Circle

Lot 31, Block 3, Section 1, Village of Alden Bridge

This item was reviewed under the summary approval list as presented by staff. It was moved by Ken Anderson and seconded by Mike Sawran to disapprove 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 shed is in disrepair and needs

replacement whichever comes first. Additionally, install wall (with door) on rear of structure, paint to match garage siding. 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 and may be subject to removal. No compliance deposit required. The motion carried unanimously.

25. Variance request for an existing fence that is past the side platted building line.

Tim and Cay Diadiun

3 Tree Cove Court

Lot 22, Block 2, Section 11, Village of Grogan's Forest at College Park

This item was reviewed under the summary approval list as presented by staff. It was moved by Ken Anderson and seconded by Mike Sawran to conditionally approve, maintain existing vegetation. The motion carried unanimously.

26. Variance request for amending the ILUD for Alden Bridge Section 9, all numbered lots, to 3950 square feet from 3700 square feet.

David and Mary Howes

30 Baylark Place

Lot 24, Block 1, Section 9, Village of Alden Bridge

Withdrawn

27. Variance request for a conceptual home addition that will exceed the maximum allowed living area.

David and Mary Howes

30 Baylark Place

Lot 24, Block 1, Section 9, Village of Alden Bridge

This item was reviewed under the summary approval list as presented by staff. It was moved by Ken Anderson and seconded by Mike Sawran CONCEPT – Move to Conditionally approve, submit final sealed plans. Meet code and standards, pass inspections. The motion carried unanimously.

28. Consideration and Action to allow Boy Scouts of America Troop 772 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 4th, Labor Day, September 11th, Veteran's Day and President's Day.

This item was reviewed by the full committee. The staff provided the committee with a PowerPoint presentation of the request by Boy Scouts of America Troop 772 to place American flags in the front yard of homes. It was moved by Chris Florack and seconded by Kim Hess to approve as submitted. The motion carried unanimously.

29. Appeal request of an RDRC decision requiring the lowering of an existing 6 foot wood fence used to screen pool equipment.

William Baird

15 North Fair Manor Circle

Lot 4, Block 01, Section 78, Village of Sterling Ridge

This item was reviewed by the full committee. The staff provided the committee with a PowerPoint presentation of the appeal request not to require the lowering the height of the wood fence that is a pool equipment screen. The homeowner was not present. It was moved by

Chris Florack and seconded by Mike Sawran to conditionally approve, reduce height to top of pool filter, plant and maintain evergreen vegetation in front to screen view from street. Vegetation must be at least 3-4 feet in height at installation. The motion carried unanimously.

30. Consideration and Action of a request by an affected property owner (Peter Fearn) at 55 North Gary Glen Circle to reconsider conditions required by the Sterling Ridge Residential Design Review Committee and the Development Review Committee for a pool house at 47 North Gary Glen Circle.

Penney and David Loane
47 North Gary Glen Circle

Lot 8, Block 2, Section 23, Village of Sterling Ridge

This item was reviewed by the full committee. The staff provided the committee with a PowerPoint presentation of the request to reconsider conditions for the Pool House. The homeowner of the neighboring property of 55 Gary Glen (Peter Fearn) was present to address the committee in regard to their request. Additionally the homeowners of 47 Gary Glen, Penney and David Loane were present to address the committee. Mr. Loane spoke first and stated that he had done everything the Sterling Ridge RDRC and the DRC has asked him to do in regard to the landscaping. Mr. Fearn (affected neighbor) read the attached letter. The committee discussed the landscaping and determined that it was sufficient. A discussion continued in regard to the visibility of the adjacent property from the second floor windows. It was moved by Chris Florack and seconded by Mike Sawran to approve the appeal, and to request homeowner of 47 Gary Glen to work with staff on potential mitigation of windows with treatments (such as frosting, glazing, shutters and drapery). Return to DSC in 60 days. The motion carried unanimously.

31. Variance request for proposed waterfall that will encroach into the rear 10' and side 5' easements.

Robert and Patricia Evans
34 South Weeping Spruce Court
Lot 12, Block 01, Section 84, Village of Alden Bridge

This item was reviewed by the full committee. The staff provided the committee with a PowerPoint presentation of the proposed waterfall. The homeowner was present to address the committee. It was moved by Mike Sawran and seconded by Chris Florack to conditionally approve, resubmit design not to encroach more than 5' into rear 10' easement. Plant and maintain evergreen vegetation behind waterfall to screen.

32. Variance request for proposed driveway widening which exceeds the maximum width allowed.

Mark and Starlet Agrella
23 North Fair Manor Circle
Lot 6, Block 1, Section 78, Village of Sterling Ridge

This item was reviewed by the full committee. The staff provided the committee with a PowerPoint presentation of the proposed driveway widening. The homeowner was present to address the committee. Mrs. Agrella stated that due to design and narrowness of driveway and the configuration of the rear facing garage and carport it is impossible to use the single bay garage to park car and they have no room to park a car and maneuver other cars out of the drive. Committee felt that the design submitted was not in keeping with the neighborhood.

It was moved by Chris Florack and seconded by Kim Hess to disapprove, resubmit different design, and recommend widening driveway to 16' only, with vegetation. Return new design to DSC for review. The motion passed. Mike Sawran was opposed to the motion.

33. Variance request for play structure that is not in keeping with neighborhood character.

Simon and Denise Tait

79 North Gary Glen Circle

Lot 4, Block 2, Section 23, Village of Sterling Ridge

This item was reviewed by the full committee. The staff provided the committee with a PowerPoint presentation of the existing play structure. The homeowner was present to address the committee. Mr. Tait stated that he had planted a tree to screen the view of the tree house from the street and that he would paint to match home. It was moved by Ken Parker and seconded by Mike Sawran to conditionally approve, paint and trim play house to match dwelling. Plant and maintain 3 - wax myrtles minimum of 15 gallon each to screen view of tree house from left side neighbor. The motion carried unanimously.

34. Variance request for an existing lattice fence extension which exceeds the 6' height allowed and is not an approvable material.

Richard Meeks

26 Lyreleaf Place

Lot 18, Block 1, Section 39, Village of Alden Bridge

This item was reviewed by the full committee. The staff provided the committee with a PowerPoint presentation of the fence extension. The homeowner was present to address the committee. Mr. Meeks informed committee of privacy issues and conflicts with his neighbor behind him which necessitated need to increase height of fence. He mentioned that he wanted to grow vines on the lattice so it would grow over the fence. The committee had concerns about the attachment to the fence and ownership of the fence. It was moved by Ken Anderson and seconded by Mike Sawran to conditionally approve, remove lattice and pickets from fence, build 6' solid picket fence with 6" rot board inside existing fence. The motion carried unanimously.

35. Variance request for an existing storage shed that encroaches into the 5' side yard easement.

Lorna Alan Clarke

120 North Acacia Park Circle

Lot 22, Block 5, Section 28, Village of Alden Bridge

This item was reviewed by the full committee. The staff provided the committee with a PowerPoint presentation of the storage shed in the easement. The homeowner was not present. It was moved by Mike Sawran and seconded by Ken Anderson to disapprove 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 shed is in disrepair and needs replacement whichever comes first. Additionally, plant and maintain 2 native evergreen shrubs on side of shed facing street to block view from adjacent right neighbor's window. 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 and may be subject to removal. No compliance deposit required. The motion carried unanimously.

V. Public Comments

There were no public comments.

VI. Member Comments

Chris Florack inquired about legal procedures. It was confirmed that if the violations are cured, the attorney would remove lawsuit from court docket. Chris Florack also mentioned that he had visited the garden on Trace Creek and was concerned with the condition of yard. He also inquired about when 15 Wild Colt would be back on agenda. Staff stated that it would be placed on agenda once the chair had addressed the issue with the Township Board.

VII. Staff Reports

Staff inquired about availability of members for June meeting. Mike Sawran would probably not be able to make the July meeting and Ken Parker was not sure if he could attend in June.

VIII. Adjourn

There being no further business it was moved by Mike Sawran and seconded by Ken Parker to adjourn the meeting at 7:35 p.m. The motion carried unanimously.

****The Above Schedule Represents an Estimate of the Order for the Agenda Items Listed and is Subject To Change****