

## **Development Standards Committee Minutes**

**October 15, 2014 at 5:30 PM**

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

Members Present: Deborah Sargeant, Ken Anderson, Chris Florack, Kim Hess, Robert Heineman and Mark Bacon

Member absent: Danie van Loggerenberg

Staff Present: Neslihan Tesno and Sharlene Novak

- I.** Welcome/Call Meeting to Order  
The meeting was called to order by Chair Deborah Sargent at 5:30 p.m.
- II.** Consideration and Action of the minutes of the Development Standards Committee (DSC) Meeting on September 17, 2014.  
It was moved by Chris Florack and seconded by Ken Anderson to approve the minutes with the addition of the words "and seconded by" to #14 before the following words "Chris Florack". The motion carried unanimously.
- III.** Consideration and Action to amend the Neighborhood Criteria for the Stellar Point in Indian Springs (TWA) Section 17 Block 1 Lots 1 – 26.  
Staff presented this to the full committee as a change to the criteria as a direct result of the ILUD being amended. It was moved by Mark Bacon and seconded by Ken Anderson to approve. The motion carried unanimously.
- IV.** Consideration and Action of the Applications and Violations in Section VIII recommended for Summary Action.  
This item was heard by the full committee. Chair Deborah Sargent presented the Summary List as presented by Staff. The list consisted of Items 1-21. Item 9 was tabled and Item 11 was placed on the review list. It was moved by Ken Anderson and seconded by Mark Bacon to approve the Summary List as presented. The motion carried unanimously.
- V.** Request from the affected neighbor, Katherine M. Wade of 80 West Sandalbranch Circle, to consider and act upon a possible covenant violation related to home maintenance at the Diane Lyons Residence at 82 West Sandalbranch Circle. Village of Alden Bridge.  
This item was heard by the full committee. Staff presented a PowerPoint of pictures submitted by Katherine Wade of 80 West Sandalbranch Circle. Ms. Wade addressed the committee about possible violations on an adjacent lot. She detailed out the issues she had with the adjacent property as follows: drainage issues, debris and storage between the fence and the adjacent garage, open pipes, and sewer smell. The committee had previously ruled that the storage of items beside the garage was not a violation. They informed Ms. Wade that the drainage issue would have to be handled by residents as the Standards and the Texas law states that drainage issues are enforced by affected parties. The committee also referred Ms. Wade to the San Jacinto River Authority in regard to the sewage smell. Ms. Wade informed the committee that she would address all these issues with her attorneys. The DSC did not take any action on this issue.
- VI.** Consideration and Discussion of Access approval for Geo Southern construction at 1425 Lakefront Circle.  
This item was heard by the full committee. Kim Hess presented this issue to the committee. GeoSouthern is asking for the DSC's help in getting Pineroft Center to agree to negotiate an access to the GeoSouthern site from the Pineroft service drive. The original development criteria for GeoSouthern planned for a shared access with the future development to the south (now Pineroft). When Pineroft developed, they did not locate their access drive along the shared property line giving them both a shared access to Six Pines. Pineroft's tenant (Ross) is not cooperating, and therefore they cannot get the access easement.

GeoSouthern's representatives Eric Hogg and John Jones were present to address the committee. They were of the opinion that the access would increase safety and not impede traffic patterns. It was moved by Robert Heineman and seconded by Chris Florack to have The Strong Firm draft a letter from the DSC to the Pinecroft Center to encourage them to allow the access for GeoSouthern. The motion carried unanimously.

**VII.** Consideration and action regarding approvable roof types and designs.

This item was heard by the full committee. Staff presented a PowerPoint of the samples of roofing type and design. The manufacturer is offering a variety of colors in a new design – diamond shape.

It was moved by Chris Florack and seconded Mark Bacon to approve as an approvable design with the submitted colors for Liberty Branch in Creekside Park Village. The motion carried unanimously.

**VIII.** Review and Disposition of applications and violations.

1. Variance request or final action on the additional building proposed for classroom purposes.

Community Baptist Church

8909 Cochran's Crossing Drive

Lot 0300, Block 0257, Section 0067 Village of Cochran's Crossing

This item was reviewed under the summary approval list as presented by staff. It was moved by Ken Anderson and seconded by Mark Bacon to allow the building till July of 2018, through the execution of a memorandum of agreement requiring the church submits a construction schedule for the master plan to the DSC to review no later than January 2018. Additionally the church must add vegetation to screen the view of building as needed. The motion carried unanimously.

2. Variance request for a building mounted sign.

The Woodlands United Methodist Church – The Loft Building

9201 Grogan's Mill Road

Lot 0650, Block 0590, Section 0999 Village of Research Forest

This item was reviewed under the summary approval list as presented by staff. It was moved by Ken Anderson and seconded by Mark Bacon to approve on the condition the sign is modified so that the logo is no larger than 5 feet in diameter. New plans must be submitted noting the modified sign and may be reviewed and verified by the Covenant Administration staff, in accordance with these conditions of approval. The motion carried unanimously.

3. Consideration and action for the final landscape plan.

The Woodlands United Methodist Church – Harvest Building

2200 Lake Woodlands Drive

Lot 8600, Block 0547, Section 0999 Village of Research Forest

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

4. Consideration and action for the updated landscape plan

The Woodlands United Methodist Church – The Loft Building

9201 Grogan's Mill Road

Lot 0650, Block 0590, Section 0999 Village of Research Forest

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

5. Consideration and action for a proposed home business.

Andee Parker

83 East Bracebridge Circle

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

This item was reviewed under the summary approval list as presented by staff. It was moved by Ken Anderson and seconded by Mark Bacon to conditionally approve the design/remodel/build home business, reapply in 2 years, must comply with Standards for home Business. The motion carried unanimously.

6. Consideration and action for a proposed home business.

Troy Salazar

22 Chippewa Trail

Lot 28, Block 4, Section 3 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 Mark Bacon to conditionally approve the interior design home business, reapply in 2 years, must comply with Standards for home Business. The motion carried unanimously.

7. Variance request for a proposed room addition that will exceed the maximum allowed living area square footage per the Development Criteria for Section 43 of Sterling Ridge.

Jeffrey & Traci Korkowski

6 Wooded Path Place

Lot 17 Block 1, 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 Mark Bacon to conditionally approve as follows: meet code and standards. The motion carried unanimously.

8. Variance request for an existing shed that does not respect the rear ten foot and side five foot easements.

Muhammad Ehtesham

94 Buck Trail Place

Lot 60, Block 3, Section 4 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 Mark Bacon to Disapprove and consent to delay enforcement, based upon the execution of a memorandum of agreement, requiring the owner to remove the shed from the property, when the owner no longer owns the home, transfers title or when the owner is no longer the primary resident, or when the shed is in disrepair and needs replacement whichever comes first. The memorandum will be recorded with the court house and binding on the land. Approval by this committee does not constitute approval by the additional entities. It is the owner's responsibility to obtain approval by those entities. The improvement may be subject to removal if determined necessary by easement holders. Additionally plant and maintain evergreen shrubs to screen shed to front view. The motion carried unanimously.

9. Variance request for an existing shed that does not respect the rear ten foot and side five foot easements.

Adam Kuhl

56 North York Gate Court

Lot 8 Block 2 Section 19 Village of Alden Bridge

This item was tabled on the request of the owner.

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

Rubing Liou

23 Quiet Yearling Place

Lot 18, Block 1, Section 1 Village of Creekside Park West

This item was reviewed under the summary approval list as presented by staff. It was moved by Ken Anderson and seconded by Mark Bacon to disapprove and consent to delay enforcement, based upon the execution of a memorandum of agreement, requiring the owner to remove the shed from the property, when the owner no longer owns the home, transfers title or when the owner is no longer the primary resident, or when the shed is in disrepair and needs replacement whichever comes first. The memorandum will be recorded with the court house and binding on the land. Approval by this committee does not constitute approval by the additional

entities. It is the owner's responsibility to obtain approval by those entities. The improvement may be subject to removal if determined necessary by easement holders. The motion carried unanimously.

11. Variance request for an existing shed that does not respect the rear ten foot and side five foot easements.  
Carolyn Seals  
23 Granite Path Place  
Lot 14, Block 3, Section 4 Village of Creekside Park  
This item was reviewed by the full committee after it was removed from the summary list by the request of the homeowner. Staff provided the committee with a PowerPoint presentation. The homeowner and a neighbor were present to address the committee. The owner stated he had no extra storage space and placed the shed in that location to so it would not use up valuable space in rear yard. He also requested the ability to leave shed in the location if he sold the property. The neighbor was concerned about visibility. The committee felt the shed had too much impact. It was moved by Mark Bacon and seconded by Kim Hess to conditionally approve as follows: 1) Remove out of easements. 2) Move 5' from rear fence and plant and maintain tall evergreen shrubs or trees at least 7' tall at time of planting to screen to rear. Approval by this committee does not constitute approval by the additional entities. It is the owner's responsibility to obtain approval by those entities. The improvement may be subject to removal if determined necessary by easement holders. The motion carried unanimously.
  
12. Variance request for an existing storage shed that does not respect the five foot side easement and is more than six feet in height.  
Robert & Alicia Kortlang  
246 North Misty Dawn Drive  
Lot 2, Block 2 Section 5 Village of College Park  
This item was reviewed under the summary approval list as presented by staff. It was moved by Ken Anderson and seconded by Mark Bacon to disapprove and consent to delay enforcement, based upon the execution of a memorandum of agreement, requiring the owner to remove the shed from the property, when the owner no longer owns the home, transfers title or when the owner is no longer the primary resident, or when the shed is in disrepair and needs replacement whichever comes first. The memorandum will be recorded with the court house and binding on the land. Approval by this committee does not constitute approval by the additional entities. It is the owner's responsibility to obtain approval by those entities. The improvement may be subject to removal if determined necessary by easement holders. The motion carried unanimously.
  
13. Variance request for the existing play structure that exceeds the maximum height of seven feet for any elevated platform and contains more than 72 square feet of elevated floored areas.  
Christoval Sanchez  
103 North Willow Point Circle  
Lot 12 Block 2 Section 33 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 Mark Bacon to conditionally approve – maintain existing vegetation to screen to the surrounding properties. The motion carried unanimously.
  
14. Variance request for an existing walkway that is not at least one foot from the property line.  
William Walker  
35 North Longsford Circle  
Lot 19 Block 2, Section 12 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 Mark Bacon to approve as submitted. Approval by this committee does not constitute approval by the additional entities. It is the owner's responsibility to obtain approval by those entities. The improvement may be subject to removal if determined necessary by easement holders. Additionally, The Owner must ensure that the placement of the improvement 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). The motion carried unanimously.

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

Stephen Aguayo

19 Snow Woods Court

Lot 47 Block 1, Section 3 Village of College Park

This item was reviewed under the summary approval list as presented by staff. It was moved by Ken Anderson and seconded by Mark Bacon 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 (by removing and storing the trash and recycle carts out of public view) 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.

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

Bulent Izgec

3 Sunny Oaks Place

Lot 28 Block2, Section 9 Village of College Park

This item was reviewed under the summary approval list as presented by staff. It was moved by Ken Anderson and seconded by Mark Bacon 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 (by removing and storing the trash and recycle carts out of public view) 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.

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

Paul Phillips Jr.

22 Terrell Trail Court

Lot 43 Block 2, Section 3 Village of College Park

This item was reviewed under the summary approval list as presented by staff. It was moved by Ken Anderson and seconded by Mark Bacon 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 (by removing and storing the trash and recycle carts out of public view) 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.

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

Matthew Vaughn

123 Wimberly Way

Lot 33 Block 2, Section 3 Village of College Park

This item was reviewed under the summary approval list as presented by staff. It was moved by Ken Anderson and seconded by Mark Bacon 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 (by removing and storing the trash and recycle carts out of public view) 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.

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

Ashley York Wallace

155 North Wimberly Way

Lot 25 Block 2, Section 3 Village of College Park

This item was reviewed under the summary approval list as presented by staff. It was moved by Ken Anderson and seconded by Mark Bacon 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 (by removing and storing the trash and recycle carts out of public view) 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.

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

Naveen Veluri

314 Leaf Sage Court

Lot 29 Block2, Section 8 Village of Indian Springs (TWA)

This item was reviewed under the summary approval list as presented by staff. It was moved by Ken Anderson and seconded by Mark Bacon 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 (by removing and storing the trash and recycle carts out of public view) 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.

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

Gregory R and Barry C Sinclair

266 Liriope Court

Lot 67 Block 1, Section 99 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 Mark Bacon 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 (by mowing, weeding and edging the yard and continually maintaining the yard in good repair which includes mowing, weeding, edging and defining the beds) 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.

22. Variance request for a proposed patio cover with integrated fireplace that will extend beyond the 25 foot rear building setback line.  
Vladimir Khavkin  
18 Spincaster Drive  
Lot 26, Block 1, Section 30 Village of Creekside Park  
This item was reviewed by the full committee. Staff provided the committee with a PowerPoint presentation. The homeowner was not present to address the committee. It was moved by Chris Florack and seconded by Ken Anderson to disapprove as proposed. Robert Heinemann was not present in the room. The motion passed.
23. Variance request for a proposed wood fence that does not comply with the Development Criteria for Section 30, Creekside Park which requires wrought iron fencing.  
William Faltesek  
63 East Crystal Canyon Court  
Lot 49, Block 1, Section 1 Village of Creekside Park  
This item was reviewed by the full committee. Staff provided the committee with a PowerPoint presentation. The homeowner was present to address the committee. It was moved by Robert Heinemann and seconded by Chris Florack to conditionally approve the fence as presented. The fence must meet code and pass inspections. The motion carried unanimously.
24. Variance request for a proposed wood fence that does not comply with the Development Criteria for Section 55 Alden Bridge in design and location.  
Mark Davies  
2 Courtland Green Street  
Lot 1 Block 3 Section 55 Village of Alden Bridge  
This item was reviewed by the full committee. Staff provided the committee with a PowerPoint presentation. The homeowner was present to address the committee. Homeowner stated that the wrought iron would be an upgrade to area. It was moved by Ken Anderson and seconded by Deborah Sargeant to conditionally approve with the wrought iron fence and a continuous 5' planter bed with a forest mix of trees, shrubs and plants along the fence. Mark Bacon voted in opposition. The motion failed due to there not being sufficient residential votes in favor. It was then moved by Ken Anderson and seconded by Chris Florack to conditionally approve as follows: wrought iron allowed as perimeter fencing except for the fence located between the houses and the garages, must install a 5' wide planting bed with forest mix of trees, shrubs and plants along outside perimeter of wrought iron fence. This motion carried unanimously.
25. Variance request for the existing wood fence that is not built with the finished side facing outward to the street or any tract of land.  
Samuel B Slater  
23 Meadow Brook Place  
Lot 26 Block 1 Section 12 Village of Alden Bridge  
This item was reviewed by the full committee. Staff provided the committee with a PowerPoint presentation. The homeowner was not present to address the committee. It was moved by Deborah Sargeant and seconded by Chris Florack to conditionally approve, double side or place pickets on outside of fence, pass all inspections and meet code. The motion carried unanimously.
26. Variance request for a proposed attached patio cover that will extend beyond the 25 foot rear setback line.  
Jason Currie  
22 Valcourt Place

Lot 6, Block 2, Section 3 Village of Sterling Ridge

This item was reviewed by the full committee. Staff provided the committee with a PowerPoint presentation. The homeowner was not present to address the committee. It was moved by Chris Florack and seconded by Deborah Sargeant to disapprove as submitted. The motion carried unanimously.

27. Variance request for a proposed sports court that may have negative neighbor impact.

Michael O'Connor

129 Cezanne Woods Place

Lot 3 Block 1, Section 21 Village of Sterling Ridge

This item was reviewed by the full committee. Staff provided the committee with a PowerPoint presentation. The homeowner was present to address the committee. He stated that the area of the proposed sports court is in full sun and difficult to keep plants growing. His driveway has a slope and he felt a pool makes more noise than a basketball court. It was moved by Deborah Sargeant and seconded by Chris Florack to conditionally approve as follows: submit written letter of no objection to the basketball court from both adjacent neighbors at 133 and 125 Cezanne Woods Place, no lights to be installed for court and screen heavily to adjacent property line. The motion carried unanimously.

28. Variance request for a proposed driveway that exceeds the maximum width allowed and does not respect the rear easement.

Jose Antonio Mansur Jr.

2 Heather Bank Place

Lot 26 Block 1, Section 6 Village of Sterling Ridge

This item was reviewed by the full committee. Staff provided the committee with a PowerPoint presentation. The homeowner was present to address the committee. It was moved by Chris Florack and seconded by Kim Hess to approve as submitted. Approval by this committee does not constitute approval by the additional entities. It is the owner's responsibility to obtain approval by those entities. The improvement may be subject to removal if determined necessary by easement holders. The motion carried unanimously.

29. Variance request for a proposed patio cover that does not respect the 25 foot rear building setback.

Grant L and Christine L Gilbert

54 Paloma Bend Place

Lot 17, Block 1, Section 25 Village of Creekside Park

This item was reviewed by the full committee. Staff provided the committee with a PowerPoint presentation. The homeowner was not present to address the committee. It was moved by Chris Florack and seconded by Deborah Sargeant to conditionally approve as presented Option 1 which includes: rotate patio cover 90 degrees with summer kitchen along the right side facing the side street, solid wall at rear of patio cover facing rear neighbor, screening as per the submitted landscape plan, submitted grade and elevation plans (showing the required drop in finished floor grade). Ken Anderson voted in opposition. The motion passed.

**IX. Public Comments**

There were no public comments.

**X. Member Comments**

Deborah Sargeant asked for an update about a Town hall meeting concerning redevelopment.

**XI. Staff Reports**

There were no staff reports.

**XII. Adjourn**

There being no further business to discuss it was moved by Chris Florack and seconded by Mark Bacon to adjourn at 7:22 p.m. The motion carried unanimously.