Development Standards Committee February 1, 2023, at 5:00 p.m. The Woodlands Township 2801 Technology Forest Boulevard The Woodlands, TX 77381 MINUTES

Members Present: Walter Lisiewski, Arthur Bredehoft, John Anderson, Jim McDaniell, Bob Adams, Mary Funderburg, Dan Kolkhorst

Staff Present: Neslihan Tesno, Kim McKenna, Hennie van Rensburg, Delilah Campos, Rick Wohlfarth, and Donna Stanley

- I. Welcome/Call Meeting to Order. The meeting was called to order by Walter Lisiewski at 5:00 p.m. and a quorum was declared.
- II. Public Comments No public comments

III. Receive, consider, and act upon adoption of the meeting agenda. Motion to approve the minutes was moved by Arthur Bredehoft seconded by Mary Funderburg. The motion carried unanimously.

- IV. Consideration and action regarding the minutes of the meeting January 4, 2023 Motion to approve the minutes was moved by John Anderson seconded by Bob Adams. The motion carried unanimously.
- V. Consideration and Action of the items recommended for Summary Action. Staff presented the Commercial Summary list. It was moved by Bob Adams and seconded by John Anderson to approve the Commercial Summary List as presented. The motion carried unanimously.

Staff presented the Residential Summary List. It was moved by Arthur Bredehoft and seconded by Mary Funderburg to approve the Residential Summary List as presented. The motion carried unanimously.

- VI. Recess to Executive Session to consult with the Development Standards Committee's attorney pursuant to 551.071, Texas Government Code. There was no Executive Session.
- VII. Reconvene in Public Session. There was no Executive Session.

VIII. Consideration and Action of the Commercial Applications and Covenant Violations.

A. Request for a rehearing to amend the Development Standards Committee's conditions of approval requiring a patio screen wall.

Technology Forest Partners LP / Local Table

4223 Research Forest Drive, Suite 800

Lot 6568 Block 0547 Section 0999 Village of Research Forest

This item was heard under the summary list as presented by staff. It was moved by Bob Adams and seconded by John Anderson to approve the rehearing request and place the item on an upcoming DSC meeting for full committee review. The motion carried unanimously.

B. Variance request for the proposed canopy cabinet signs and ACM panel.

AR Business, LLC / Woodland Buzzy Bee

2101 Buckthorne Place

Lot 0880 Block 0547 Section 0006 Village of Grogan's Mill

This item was heard under the summary list as presented by staff. It was moved by Bob Adams and seconded by John Anderson to approve the revised plans on the following conditions:

- Reduce size of Shell logos to be no higher than 3 feet.
- ACM panel to remain neutral in color to match the building.
- Must comply with Commercial Planning and Design Standards.
- This approval does not constitute the approval of any other entities. It is the owner's responsibility to obtain those approvals.

The motion carried unanimously.

C. Variance request for the proposed monument signs that exceed the maximum logo and overall size allowed, do not include address numbers and do not match the building sign.

AR Business, LLC / Woodland Buzzy Bee

2101 Buckthorne Place

Lot 0880 Block 0547 Section 0006 Village of Grogan's Mill

This item was heard under the summary list as presented by staff. It was moved by Bob Adams and seconded by John Anderson to approve the revised plans on the following conditions:

- Reduce logo size to no more than 20% of the sign panel.
- Add address numbers to sign locate don Buckthorne Place.
- Must comply with Commercial Planning and Design Standards.
- This approval does not constitute the approval of any other entities. It is the owner's responsibility to obtain those approvals.

The motion carried unanimously.

D. Variance request for the proposed building sign that exceeds the maximum height allowed, does not contain individually mounted channel letters, has a return color that does comply with the standards and does not match the monument sign; and consideration and action to relocate the existing Service Center building sign.

AR Business, LLC / Woodland Buzzy Bee

2101 Buckthorne Place

Lot 0880 Block 0547 Section 0006 Village of Grogan's Mill

This item was heard by the full committee. The committee deliberated regarding the improvements, impact to adjacent properties, and applicable standards. After deliberation it was moved by Bob Adams and seconded by John Anderson to deny as presented and require the owner to revise and resubmit on the following conditions:

- Buzzy Bee sign to contain individual channel cut letters and limited to 24" high for one line of copy.
- Return colors to be black.
- Approve relocation of "Service Center" sign.
- Future submissions must comply with Commercial Planning and Design Standards.
- Actions by this committee do not constitute action by any other entities. It is the owner's responsibility to obtain those approvals.

The motion carried unanimously.

E. Consideration and action for the proposed canopy and vacuum system.

Ventura Car Wash LLC 6771 Woodlands Parkway Lot 0506 Block 0592 Section 0060 Village of Indian Springs

This item was heard under the summary list as presented by staff. It was moved by Bob Adams and seconded by John Anderson to deny as presented and require the owner revise and resubmit on the following conditions:

- Relocate the vacuum system outside of the vehicular path into a parking space, which is blocked by the vacuum stations, and provide a masonry enclosure with adequate access doors to screen the equipment from public view and to provide safety from vehicles entering the property
- Submit photos of the equipment in a similar configuration currently installed.
- Canopy lighting strips are to be restricted to the interior supports only, as indicated in red. Lighting specifications, including intensity, and light color temperature, are to be provided.
- Vacuum system overhead collector pipe tube support details are to be provided.
- The canopy frame color is to be painted to match the body color of the adjacent buildings. The proposed Cedar Canopy Color is approved as submitted.
- Under-canopy vacuum station equipment is to be protected with bollards, which shall match the bollards currently on site.
- All conduit or disconnect junction boxes for the power supply shall be painted to match the wall to which it is mounted.
- All concrete pours and/or repairs will be required to match in color and texture of adjacent concrete.
- No exterior improvements are approved other than previously approved. All exterior improvements must be submitted for review and written Committee Approval prior to fabrication and installation.
- The proposed permanent improvement must comply with The Woodlands Commercial Planning and Design Standards.
- The action of the committee does not constitute the approval of any other entities. It is the owner's responsibility to obtain those approvals.

The motion carried unanimously.

IX. Consideration and Action of the Residential Applications and Covenant Violations.

1. Consideration and action regarding a proposed concept new home construction with a rear patio cover that would encroach into the rear 20 foot setback and includes related tree removal.

Gary Alan Bumpass

25 Sweetleaf Court

Lot 06, Block 04, Section 22 Village of Panther Creek

This item was heard by the full committee. The committee deliberated regarding the proposed improvement, impact to adjacent properties and applicable standards. After deliberation it was moved by Walt Lisiewski and seconded by Arthur Bredehoft to approve the concept/preliminary proposal on the following conditions: At final submission, provide the following documents.

- Submit design, material, color and construction plans for the installation of the paver driveway.
- Provide a sample board and/or artist renderings that describe all materials and colors proposed for the house and roof. The design should choose colors that will clearly delineate between each material. For example, from roof to board and batten should have color choices that clearly define each material and not blend into one another.
- The patio cover at the rear should have a more defined and larger column with integrated materials used on the home.
- The storage areas above the garage and off the game room and the mechanical/attic must be defined, calculated to note the potential increase in livable space if converted and identified on the architectural plans including framing and any electrical or plumbing. Owner must sign a memorandum of agreement requiring that the areas will not be converted into livable space without first obtaining approval by the Plan Review Committee or their designees.

• Complete architectural plans that include all exterior elevations.

Additionally, submissions for a final new home construction proposal require the following:

• A complete application for all improvements proposed including all final sealed Architectural plans and all final sealed structural plans.

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- A tree site survey identifying all trees on the lot and noting those proposed for removal and those proposed to remain. The tree site survey should include location, type and size.
- A comprehensive landscaping plan in accordance with the Standards. The owner must submit a comprehensive landscape plan at the time of the final submission for the new home construction. The landscape plan should include the type, size, and location of all the trees proposed for planting on one comprehensive survey and should focus a large portion of trees and vegetation to the sides of the lot to reforest and soften the view to the adjacent tracts.
- A comprehensive drainage plan in accordance with the Standards.
- A construction timeline in accordance with the Standards Request for additional time must be reviewed for approval.

Staff to review final submission for verification the submission complies with the requirements set forth in the conceptual review.

The motion carried unanimously.

2. Variance request for a proposed roof that was not found to be compatible with the home and neighborhood when acted on by the Cochran's Crossing Residential Design Review Committee.

Elizabeth & Joseph Jolley

34 Silverstrand Place

Lot 77, Block 04, Section 04 Village of Cochran's Crossing

This item was heard under the summary list as presented by staff. It was moved by Arthur Bredehoft and seconded by Mary Funderburg to approve the item as presented. The installation must comply with the standards. The motion carried unanimously.

3. Variance request for proposed pool that exceeds the maximum amount of water surface area allowed. David Barnes

2 Kittatinny Place

Lot 08, Block 04, Section 03 Village of Creekside Park

This item was heard by the Committee under the summary list as presented by staff. It was then moved by Arthur Bredehoft and seconded by Mary Funderburg to approve on the condition improvements must comply with the Residential Standards, meet code, and pass all inspections. The owner must plant and maintain TWO (2) 30-gallon native trees anywhere on lot. Palms are not allowed as replacement trees and will not be considered in this number. Pool equipment may not be visible to street and neighboring properties. Plant dense evergreen vegetation at least 4 feet tall at the time of planting as needed to screen pool equipment. Upon completion staff to determine if additional vegetation is required for screening. Pool and decking may not encroach into any easement. Verify all CenterPoint Energy easements as they may differ from the covenant easements. 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. Access must remain on owner's lot and Access area must be restored to original condition. All conditions must be met within 150 days of approval. The staff will review upon completion to determine if any native evergreen vegetation is necessary to soften and screen the impact or view to adjacent properties.

Please contact Harris County for any additional permitting requirements. Failure to meet requirements and conditions of approval may result in forfeiture of the Compliance Deposit. The motion carried unanimously.

Variance request for a proposed patio cover with summer kitchen that does not respect the rear 20 foot setback.
REWON RE 2106 LLC
33 Violet Sunset Lane
Lot 29, Block 01, Section 38 Village of Creekside Park West
This item was heard by the Committee under the summary list as presented by staff. It was then moved by Arthur
Bredehoft and seconded by Mary Funderburg to approve on the condition improvements must comply with Standard

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conditions, must meet code and pass all inspections. Staff to review upon completion to determine if any screening needed. 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. Access area must be restored to original condition. NOTE PROXIMITY TO 5' SIDE EASEMENT OR BUILDING LINES - MAY NOT ENCROACH. Verify all CenterPoint Energy easements as they may differ from the covenant easements. All conditions must be met within 150 days of approval. Failure to meet requirements and conditions of approval may result in forfeiture of the Compliance Deposit. Please contact Harris County for any additional permitting requirements. The motion carried unanimously.

5. Variance request for a proposed patio cover that does not respect the rear 20 foot setback.

Angel Rivera Jr

50 Prosewood Drive

Lot 25, Block 01, Section 01 Village of Grogan's Forest in College Park

This item was heard by the Committee under the summary list as presented by staff. It was then moved by Arthur Bredehoft and seconded by Mary Funderburg to approve on the condition improvements must comply with standard conditions and must meet code and pass all inspections. The staff will review upon completion to determine if any native evergreen vegetation is necessary to soften and screen the view to adjacent properties. If for any reason the staff receives an objection to the proposed improvement, the plan review committees and their designee reserve the right to reevaluate the improvement and may require additional conditions to mitigate impact. Access area must be restored to original condition. Verify all CenterPoint Energy easements as they may differ from the covenant easements. 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). All conditions must be met within 150 days of approval. Failure to meet requirements and conditions of approval may result in forfeiture of the Compliance Deposit. The motion carried unanimously.

6. Variance request for a proposed fence that exceeds the maximum height allowed.

Maria Eugenia Celorio

78 South Dove Trace Circle

Lot 03 Block 02, Section 24 Village of Indian Springs (TWA)

This item was heard by the Committee under the summary list as presented by staff. It was moved by Arthur Bredehoft and seconded by Mary Funderburg to allow the 8ft. height along left side for 28 feet and then taper to meet the rear fence height. Improvements must meet code pass inspections. All conditions must be met within 150 days of approval. Failure to meet requirements and conditions of approval may result in forfeiture of the Compliance Deposit. The motion carried unanimously.

7. Variance request for a proposed driveway that exceeds the maximum width allowed.

Chad Smith

15 Floral Vista Drive

Lot 23, Block 01, Section 41 Village of Creekside Park West

This item was heard by the Committee under the summary list as presented by staff. It was moved by Arthur Bredehoft and seconded by Mary Funderburg to approve as submitted. The motion carried unanimously.

8. Variance request for an existing fence that is not an approvable design per the Development Criteria for Section 74, Village of Alden Bridge

Michael Geiger

91 East Evangeline Oaks Circle

Lot 13 Block 02 Section 74 Village of Alden Bridge

This item was heard by the Committee under the summary list as presented by staff. It was moved by Arthur Bredehoft and seconded by Mary Funderburg to approve as submitted. The motion carried unanimously.

9. Variance request for existing driveway borders, walkway and driveway that exceed the maximum width and hard surface area allowed. Additionally, the walkways are not at least one foot from the side property line. LWS Living Trust

11 Betony Place

Lot 37 Block 01 Section 44 Village of Alden Bridge

This item was heard by the Committee under the summary list as presented by staff. It was then moved by Arthur Bredehoft and seconded by Mary Funderburg to approve as submitted on the condition 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. Access area must be restored to original condition. The motion carried unanimously.

- 10. Request for approval for renewal of a Short Term Rental property.
 - Carmela McGovern

78 Cobble Gate Place

Lot 24, Block 1, Section 2 Village of Grogan's Forest College Park

This item was heard by the Committee under the summary list as presented by staff. It was then moved by Arthur Bredehoft and seconded by Mary Funderburg to approve the renewal on the condition that the owner must sign the Short-Term Rental Maintenance and User Agreement, pay compliance deposit, submit insurance certificate and must provide a secondary responsible party in order to accommodate the possible absence of the primary responsible party. Owner must also comply with all the Short-Term Rental regulations per Section 3.7 of The Woodlands Residential Development Standards. This approval is valid for a period not to exceed one year. Owner must reapply by February 2024. Short Term Rental application may be revoked at any time for failure to comply with the conditions of approval, as a result of impact or at the discretion of the Development Standards Committee. The motion carried unanimously.

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

Rhett John Despeaux

21 Legacy Ridge Drive

Lot 27, Block 1, Section 26 Village of Creekside Park West

This item was heard by the Committee under the summary list as presented by staff. It was then moved by Arthur Bredehoft and seconded by Mary Funderburg 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 **(by screening to street and neighbor properties with dense evergreen vegetation at least 4' tall at the time of planting)** 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.

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

Richard A & Justina O Shonibare

82 West Twinvale Loop

Lot 13, Block 2, Section 102 Village of Alden Bridge

This item was heard by the Committee under the summary list as presented by staff. It was then moved by Arthur Bredehoft and seconded by Mary Funderburg 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 **(by removing the house from rental sites until submittal of an application and obtaining approval for short-term rental application)** will result in a lawsuit filed & court hearing scheduled. Furthermore, we recommend The Township Board authorize funding of legal action, as

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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.

13. Variance request for the color of the mesh on a wrought iron fence.

Scott McKelvey

26 Sandwell Place

Lot 32, Block 01, Section 09 Village of Creekside Park

This item was heard by the Committee members present. The staff provided the Committee with a presentation. The homeowner was present and provided the committee with an elevation of a new fence concept that depicted a wrought iron fence that included "removable wood panel stained whatever color the Township prefers. Placed only between the homes and removed when/if (the owner) moves", a copy of the property survey depicting the approximate location of where the wrought iron/wood fence would be located, and a letter to the committee dated February 1, 2023. Due to the newly presented fence plan not being apart of the posted the agenda, the committee could not discuss it and recommended that the owner submit an application. It was moved by Arthur Bredehoft and seconded by Jim McDaniell to deny as presented and recommended the owner continue to work with staff on possible solutions to screen the view of the neighboring property at the side of the home. The motion carried unanimously.

14. Variance request for a proposed detached patio cover with summer kitchen that will not respect the

20 foot rear setback.

Kevin J Harsy 39 Chelsea Bridge Court

Lot 13 Block 02 Section 54 Village of Alden Bridge

This item was heard by the Committee members present. The staff provided the Committee with a presentation. The homeowner was present and provided the committee with a letter of approval from the neighbor at 35 Chelsea Bridge Ct. and a photo depicting water damage within the existing gazebo in the back yard. It was moved by Walt Lisiewski and seconded by Jim McDaniell to approve on the condition the improvements must comply with standard conditions, must meet code, and pass all inspections. The owner must also plant and maintain evergreen trees/shrubs at time of planting to screen view of patio cover. Staff to review upon completion to determine if any evergreen screening is needed to rear and right side. 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. Access area must be restored to original condition. All conditions must be met within 150 days of approval. Failure to meet requirements and conditions of approval may result in forfeiture of the Compliance Deposit. The motion carried unanimously.

15. Variance request for an existing fence stain that is an approvable stain color and does not fit the neighborhood character.

LWS Living Trust

11 Betony Place

Lot 37 Block 01 Section 44 Village of Alden Bridge

This item was heard by the Committee members present. The staff provided the Committee with a presentation. It was moved by Arthur Bredehoft and seconded by Walter Lisiewski to approve as submitted. The motion carried unanimously. Upon further discussion, Jim McDaniell noted that he mistook the motion and didn't agree with the action and requested to rescind his vote of approval. After deliberation, it was motioned by Arthur Bredehoft and seconded by Jim McDaniell to reconsider the item as presented. The motion to reconsider the item as presented carried unanimously. It was then motioned by Arthur Bredehoft and seconded by Jim McDaniell to reconsider the homeowner to change the front right-side fence to an approved stain color. The motion to allow the existing interior fence stain and require the homeowner to change the front right-side fence to an approved stain color failed by a vote of 3:4 - Dan Kolkhorst, Arthur Bredehoft, and Jim McDaniell approved; John Anderson, Bob Adams, Walter Lisiewski, and Mary Funderburg opposed. It was then motioned by Bob Adams and seconded by Walt Lisiewski to

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reaffirm the committee's decision to approve the item as submitted. Jim McDaniell opposed; the motion carried.

- X. Consideration and action regarding the Residential Development Standards and Commercial Planning and Design Standards and/or any promulgated rules for interim actions during emergency situations. No Action.
- Consideration of items for placement on a future workshop or Joint Session Meeting. Prior final actions of the Development Standards Committee are not considered for placement on a future agenda. A future workshop item will include discussion regarding fence stains.

XII. DSC Member Comments

Arthur Bredehoft requested an update as to when the final copy of the by-laws and code of conduct will be made available to the committee.

XIII. Staff Reports and Comments

- Hennie van Rensburg thanked the committee for their time and work during the evenings meeting.
- Kimberly McKenna reported that she'd spoken with the Township's legal counsel and confirmed that the code of conduct and by-laws would be available at the next meeting.
- Neslihan Tesno commented that she would be reaching out the Committee the following week to coordinate the Committee's availability to perform a site visit at the Pipers Green Townhouses in Alden Bridge regarding the phased tree removal plan submitted by the Pipers Green Homeowners Association, as required by the Committee.

XIV. Adjourn

Chair Walter Lisiewski asked for a motion to adjourn. It was moved by John Anderson and seconded by Bob Adams to adjourn the meeting at 6:27p.m. The motion carried unanimously.

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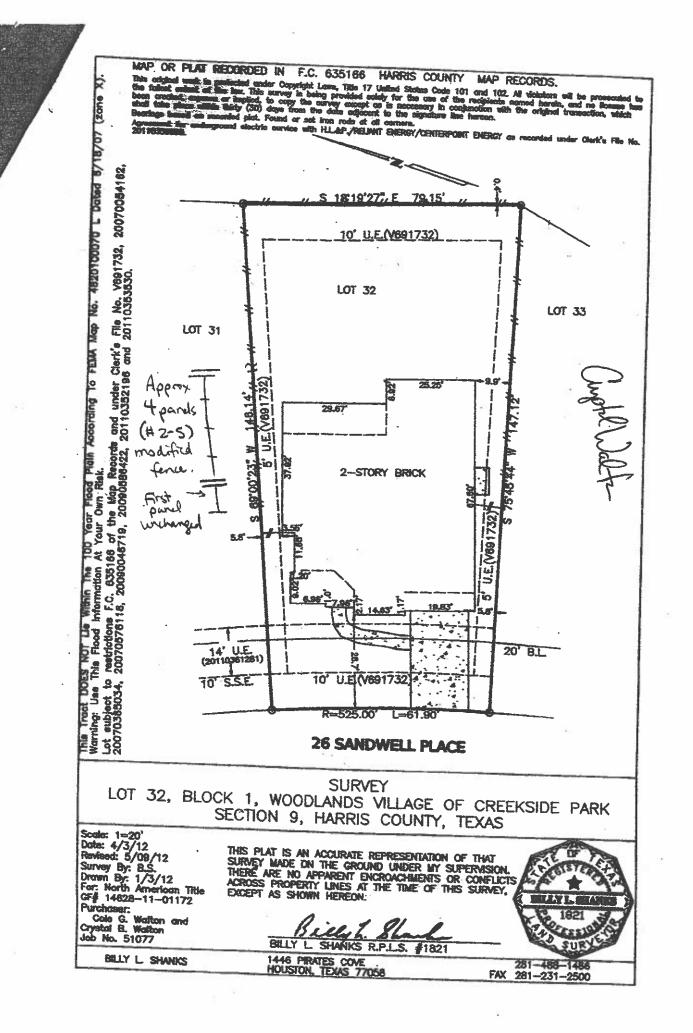
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February 1, 2023

Letter requesting a fence variance for 26 Sandwell Place in Creekside Park Village, Lot 32, Block 1, Section 9. Presented at the 5pm Development Standards Committee meeting.

Thank you for agreeing to review our variance request. We know that you are working to keep the property values as high as possible in The Woodlands. My husband and I are also doing this. We just installed a gorgeous \$100,000 in-ground pool and \$17,000 worth of hardwood flooring in our home.

There used to be a thick hedge on both sides of the existing fence that is only 8 feet from our large kitchen window and their patio, and the colder winters killed our hedge there and the new neighbors not trimming their hedge means that it has grown into trees, so there is no more privacy.

My husband and I had a long talk about this fence this morning after looking at the photos of the canvas on the fence. In any color we think it looks cheap and not up to The Woodland's standards. A hedge could be an option, but putting in a new hedge will remove our ability to have a walkway along that fence. On the south side of the house, the pool equipment and hedges will not allow a walkway.

Therefore, we would like you to reconsider our offer of a custom-made, removable, panel of beautifully crafted boards stained to the Township's preference. (See drawing) There are 12 panels along the fence, and we would only modify panels 2-5, which lie directly between our homes and are not visible from the street or by any other neighbor. This will save the existing wrought-iron fence. It will be more aesthetically pleasing than either canvas or the bulky 6-foot fence that is on the Township approval list, especially since we are only changing 4 panels. And we will happily remove it if or when we sell the property and move.

Thank you for your consideration of our variance request.

Sincerely,

Heather and Scott McKelvey

Return Address: Daniel and Ashley Coffelt 35 Chelsea Bridge Ct. The Woodlands, TX 77382

To Whom it may concern The Woodlands Township 2801 Technology Forest Blvd. The Woodlands, TX 77381

Re: Outdoor kitchen build at 39 Chelsea Bridge Ct

To whom it may concern:

We are writing this letter of recommendation for our nextdoor neighbors at 39 Chelsea Bridge Ct., Kevin and Anne Harsey. We would like to express both our consent and appreciation of this outdoor project. We think that it will add value to the property and our neighborhood. Please feel free to reach out to us with any questions you amy have.

Thank you for your time.

Sincerely,

Daniel and Ashley Coffelt 35 Chelsea Bridge Ct., The Woodlands, TX 77382 (His Cell): 337-356-4858 (Her Cell): 337-280-8134

Sent from my iPhone

Begin forwarded message:

From: Jojit Coronel <jojit.coronel@gmail.com> Date: January 23, 2023 at 10:01:13 AM CST To: <u>ikegal@thewoodlandstownship-tx.gov</u> Cc: Kimberly Coronel <<u>kimberly.coronel@gmail.com</u>>, <u>kharsey@aol.com</u> Subject: Variance Request 39 Chelsea Bridge Ct

Thank you for the letter regarding request for a variance for 39 Chelsea Bridge Court. The proposed improvements are acceptable to our family and highly encourage approval. The Harvey's are a valuable member of our Clover Gate community and The Woodlands.

Sent from my iPhone

*****This is an email from an EXTERNAL source. DO NOT click links or open attachments without positive sender verification of purpose. Never enter USERNAME, PASSWORD or sensitive information on linked pages from this email. *****

