

**MINUTES OF  
SPECIAL BOARD OF ADJUSTMENTS MEETING  
CITY OF TOMBALL, TEXAS**

**THURSDAY, OCTOBER 30, 2008**



**6:00 P.M.**

1.0 Call to Order at 6:22 p.m.

The meeting was called to order by Board Member Dunagin. Other members present were:

Board Member Tynes  
Alternate Board Member Tomlinson

Chairman Ford – Excused Absence  
Board Member Shannon – Excused Absence  
Board Member Lackey – Excused Absence

Others present:

Director of Engineering & Planning – Mark McClure, P.E.  
Assistant City Planner – Rodney Schmidt  
Engineering & Planning Administrative Assistant – Brandy Pate  
City Attorney – Scott Bounds

2.0 No Public Comments were received.

3.0 No Reports or Announcements were given.

4.0 Motion was made by Board Member Tynes to Approve the Minutes of the Regular Board of Adjustments Meeting of September 4, 2008; second by Board Member Tomlinson.

Motion carried unanimously.

Meeting was adjourned for recess at 6:24 p.m.

The meeting was called to order by Board Member Dunagin at 6:33 p.m. Other members present were:

Board Member Tynes  
Alternate Board Member Tomlinson

Alternate Board Member Ross

Discussion/Action of the Following Items:

5.0 New Business

- 5.1 Public Hearing Regarding: **BOA Case P08-061**: Request by Rose Land Ventures, LLC for variances related to the construction of a duplex development on three lots totaling approximately 0.2238 acres at 409 Ash Street, situated on the easterly side of Ash Street, southerly of Timkin Road in the D-Duplex Residential District. Variances requested: 1) to allow the creation of a lot, the result of a proposed three-parcel replat, with a lot width of 75 feet where a minimum lot width of 85 feet is required for newly created lots in the D-Duplex Residential District; 2) to allow the creation of a lot with a total lot area of 9,750 sq. ft. where a minimum lot area of 10,200 sq. ft. is required; 3) to allow the front of the duplex structure to face the side yard where the Code requires structures to face the front yard; 4) to allow a 15' front setback where the Code requires a 25' front setback; and 5) to allow a 6' tall fence to encroach 10' feet into the required 25' front setback, was opened by Board Member Dunagin at 6:35 p.m.

Rodney Schmidt, Assistant City Planner provided staff report.

*Chairman Ford arrived at 6:45 p.m. and assumed Chair Duties.*

Applicant, Phillip O'Sullivan spoke on behalf of the project.

No public comments were received and the public hearing was closed at 6:58 p.m.

- 5.2 Motion was made by Board Member Dunagin to Approve: **BOA Case P08-061**: Request by Rose Land Ventures, LLC for variances related to the construction of a duplex development on three lots totaling approximately 0.2238 acres at 409 Ash Street, situated on the easterly side of Ash Street, southerly of Timkin Road in the D-Duplex Residential District. Variances requested: 1) to allow the creation of a lot, the result of a proposed three-parcel replat, with a lot width of 75 feet where a minimum lot width of 85 feet is required for newly created lots in the D-Duplex Residential District; 2) to allow the creation of a lot with a total lot area of 9,750 sq. ft. where a minimum lot area of 10,200 sq. ft. is required; 3) to allow the front of the duplex structure to face the side yard where the Code requires structures to face the front yard; 4) to allow a 15' front setback where the Code requires a 25' front setback; and 5) to allow a 6' tall fence to encroach 10' feet into the required 25' front setback; second by Board Member Tynes.

Motion carried unanimously.

6.0 Motion was made by Board Member Tomlinson to adjourn; second by Board Member Tynes.

Motion carried unanimously.

Meeting adjourned at 7:02 p.m.

PASSED AND APPROVED this 18<sup>th</sup> day of December 2008.

Kelly Violette  
Kelly Violette  
City Planner /  
Community Development Coordinator

John Ford  
John Ford  
Chairman