

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

THURSDAY, DECEMBER 18, 2008



6:30 P.M.

1.0 Call to Order at 6:30 p.m.

The meeting was called to order by Chairman Ford. Other members present were:

Board Member Shannon
Board Member Tomlinson
Board Member Dunagin
Board Member Tynes

Alternate Board Member Ross – Excused Absence

Others present:

Director of Engineering & Planning – Mark McClure, P.E.
City Planner / Community Development Coordinator – Kelly Violette
Assistant City Planner – Rodney Schmidt
Engineering & Planning Administrative Assistant – Brandy Pate
City Attorney – Scott Bounds

2.0 No Public Comments were received.

3.0 Reports & Announcements

3.1 Kelly Violette proposed a tentative Board of Adjustments meeting on January 22, 2009 to the Board.

4.0 Motion was made by Board Member Tomlinson to Approve the Minutes of the Regular Board of Adjustments Meeting of October 30, 2008; second by Board Member Tynes.

Motion carried unanimously.

5.0 New Business

5.1 Public Hearing Regarding: **BOA Case P08-079**: Request by John L. Lynch, CPA for

two variances from the City of Tomball Code of Ordinances to address parking at 705 Mason Street, Tomball, Texas: a variance to allow a 9 foot aisle width for two-way traffic where the city requires a 24 foot two-way traffic drive aisle; and a variance to allow vehicular access to the non-residential use from the adjacent alley. The project site consists of Lots 43 & 44 of Block 96 of Tomball Townsite recorded in Volume 4, page 25 of the map records of Harris County was opened by Chairman Ford at 6:33 p.m.

Rodney Schmidt, Assistant City Planner provided staff report.

Applicant, John Lynch spoke on behalf of the project.

Frankie Stewart, resident of 706 Mason spoke in opposition.

Sharon Thompson, resident of 200 N. Poplar spoke in opposition.

Shawn Sergeant, resident of 713 Mason spoke in opposition.

David Fowler, resident of 716 Mason spoke in opposition.

The public hearing was closed at 6:58 p.m.

- 5.2 Motion was made by Commissioner Dunagin to Approve **BOA Case P08-079:** Request by John L. Lynch, CPA for two variances from the City of Tomball Code of Ordinances to address parking at 705 Mason Street, Tomball, Texas: a variance to allow a 9 foot aisle width for two-way traffic where the city requires a 24 foot two-way traffic drive aisle; and a variance to allow vehicular access to the non-residential use from the adjacent alley, consisting of Lots 43 & 44 of Block 96 of Tomball Townsite recorded in Volume 4, page 25 of the map records of Harris County, with contingencies; second by Commissioner Shannon.

Motion carried unanimously.

- 5.3 Chairman Ford announced that the Public Hearing regarding **BOA Case P08-81:** Appeal by Marty Comeaux, Professional Welding Supply, from alleged error by City official in interpretation of Zoning Ordinance Section 40.2 (A) requiring a building which is being remodeled at 503 East Main Street, Tomball, Texas, to adhere to the Zoning Ordinance's landscaping standards, or alternatively a request for a variance from the terms of the City of Tomball Code of Ordinances requiring the subject site to adhere to Sections 40.6 (B, 1& 2) of the Zoning Ordinance. The project site totals approximately 0.5019 acres of land out of Block 88 and a portion of an abandoned road formally known as Ash Street according to the Revised Map of Tomball as recorded in Volume 4, Page 25 of the map records of Harris County, Texas was not necessary due to the withdrawal of item 5.4 at the request of the applicant.

- 5.4 Chairman Ford announced that the consideration to approve **BOA Case P08-81:** Appeal by Marty Comeaux, Professional Welding Supply, from alleged error by City official in interpretation of Zoning Ordinance Section 40.2 (A) requiring a building which is being remodeled at 503 East Main Street, Tomball, Texas, to adhere to the Zoning Ordinance's landscaping standards, or alternatively a request for a variance from the terms of the City of Tomball Code of Ordinances requiring the subject site to adhere to Sections 40.6 (B, 1& 2) of the Zoning Ordinance. The project site totals approximately 0.5019 acres of land out of Block 88 and a portion of an abandoned road formally known as Ash Street according to the Revised Map of Tomball as recorded in Volume 4, Page 25 of the map records of Harris County, Texas was withdrawn at the request of the applicant.
- 6.0 Motion was made by Board Member Tomlinson to adjourn; second by Board Member Shannon.

Motion carried unanimously.

Meeting adjourned at 7:19 p.m.

PASSED AND APPROVED this 22nd day of January 2009.

Kelly Violette
Kelly Violette
City Planner /
Community Development Coordinator

John Ford
John Ford
Chairman