

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

THURSDAY, JANUARY 22, 2009



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 Dunagin
Board Member Tynes
Alternate Board Member Ross

Board Member Tomlinson – 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 February 19, 2009 to the Board.

4.0 Motion was made by Board Member Shannon to Approve the Minutes of the Special Board of Adjustments Meeting of December 18, 2008; second by Board Member Tynes.

Motion carried unanimously.

5.0 New Business

5.1 Public Hearing Regarding: **BOA CASE P08-086**: Request by David Janke for a variance from the City of Tomball Code of Ordinances to legalize an existing storage building that does not meet the required side yard setback.

The variance request is to allow a 7' side setback where the city requires a 25' side yard setback for accessory structures. The project site is located at 1335 Neal Drive, Tomball, Texas in the SF-20-E Single-Family Estate Residential-20 District. The approximately 5 acre tract is legally described as Lot 33 of the Tomball Outlots Subdivision, Volume 2, Page 65 of the map records of Harris County, Texas was opened by Chairman Ford at 6:33 p.m.

Kelly Violette, City Planner provided staff report.

Applicant, David Janke spoke on behalf of the project.

Brian Rhone, resident of 1345 Neal Dr. spoke in opposition.

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

Commissioner Dunagin made a motion to Table **BOA Case P08-079** requesting additional information from staff regarding the structure; second by Commissioner Shannon.

Motion carried unanimously.

- 5.2 Public Hearing Regarding **BOA CASE P08-089**: Request by Clem S. Lewandowski for variances related to the proposed construction of an accessory structure and the relocation of an existing single family residence, a result of the Rudolph Road Widening Project, located at 1102 Rudolph Road, situated on the easterly side of Rudolph Road, northerly of the Harris County Flood Control drainage ditch. Variances requested: 1). to allow a 9 foot side yard setback for the accessory structure where the Code requires a 25 foot minimum side yard; and 2). to allow an 8 foot front yard setback for the single family residence where the Code requires a minimum 35 foot front setback was opened by Chairman Ford at 7:00 p.m.

Kelly Violette, City Planner provided staff report.

Applicant, Clem Lewandowski spoke on behalf of the project.

Mark Lewandowski, resident of 20615 Rosehill Church Rd. spoke in favor.

The public hearing was closed at 7:07 p.m.

Commissioner Shannon made a motion to Approve **BOA Case P08-089**; second by Commissioner Dunagin.

Motion carried unanimously.

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

Motion carried unanimously.

Meeting adjourned at 7:08 p.m.

PASSED AND APPROVED this 19th day of February 2009.

Kelly Violette
Kelly Violette
City Planner /
Community Development Coordinator

John Ford
John Ford
Chairman