

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

THURSDAY, JULY 11, 2013



6:30 P.M.

1.0 Call to Order

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

Board Member Tynes
Board Member Hemby
Alternate Board Member Pilgrim
Alternate Board Member Roquemore

Members absent:

Board Member Lynch – Absent

Others present:

Community Development Director – Craig Meyers
City Engineer – Lori Lakatos
City Planner – Rebeca Guerra
City Attorney – Loren Smith
City Secretary – Doris Speer
City Intern – Spenser Harden
Alternate Board Member Wolfe
Board Member Ross – Arrived late

2.0 No Public Comments were received.

3.0 No Reports or Announcements were received.

4.0 Motion was made by Board Member Tynes, second by Board Member Pilgrim, to approve the Minutes of the Special Board of Adjustments Meeting of June 13, 2013.

Motion carried unanimously.

5.0 New Business:

5.1 Consideration to approve **BOA Case P13-083:** Request by Leland and Lynda Conn for a Variance from Section 41.2.3 of the City of Tomball Zoning Ordinance to allow a pool and related site work to be constructed within an aerial easement and utility easement where they are required to be 3 feet from a utility easement line. The project site is approximately 0.22 acres, generally located southerly of Serene Trail at 1331 Serene Trail, is zoned Single-Family Residential-9 District, and is legally described as Lot 2, Block 2, Springwood.

- Chairman Ford opened the Public Hearing on **BOA Case P13-083** at 6:33 p.m.
- Rebeca Guerra presented the Staff Report.
- Leland and Lynda Conn, Applicants, presented information supporting their request for variance from Section 41.2.3 of the Zoning Ordinance.
- Public Comments were received:
 - Pat Bailey, 1319 Dove Trails, 77375 – Expressed her support for the variance from Section 41.2.3 of the Zoning Ordinance.

No further public comments being received, Chairman Ford closed the Public Hearing at 6:41 p.m.

Motion was made by Board Member Tynes, second by Board Member Hemby, to approve the request for variance from Section 41.2.3 of the Zoning Ordinance, requiring the letter of no objection from the easement holder but not requiring the 3-ft. minimum distance from the 16-ft. utility easement. Vote was as follows:

Alternate Board Member Pilgrim	<u>Aye</u>
Board Member Hemby	<u>Aye</u>
Alternate Board Member Roquemore	<u>Aye</u>
Board Member Tynes	<u>Aye</u>
Chairman Ford	<u>Aye</u>

Motion carried unanimously.

5.2 Consideration to approve **BOA Case P13-102:** Request by Sammie Jean Cole to reverse, affirm, or modify, in whole or in part, an administrative official's decision regarding the construction of a single-family residence on a non-conforming lot in the Old Town & Mixed Use District as described in Section 34.4.D of the Tomball Zoning Ordinance.

Chairman Ford advised that the Applicant had withdrawn the request for Decision modification for BOA Case P13-102, and that Item 5.2 would not be discussed during the meeting and the public hearing would not be held.

- Conduct a Public Hearing on **BOA Case P13-102**

No action taken regarding BOA Case P13-102; no public hearing held.

5.3 Consideration to approve **BOA Case P13-103**: Request by Monique Dermaux to reverse, affirm, or modify, in whole or in part, an administrative official's decision regarding the construction of a single-family residence on a non-conforming lot in the Old Town & Mixed Use District as described in Section 34.4.D of the Tomball Zoning Ordinance.

- Chairman Ford opened the Public Hearing on **BOA Case P13-103** at 6:54 p.m.
- Rebeca Guerra presented the Staff Report.
- Monique Dermaux, Applicant, presented information supporting her request for variance from Section 34.4.D of the Zoning Ordinance.
- Public Comments were received:
 - Jim McKinney, 1306 Dove Trails, 77375 – Expressed his support for the variance from Section 34.4.D of the Zoning Ordinance.
 - Mary Harvey, 405 S. Walnut, 77375 – Expressed her support for the variance from Section 34.4.D of the Zoning Ordinance.
 - Pat Bailey, 1319 Dove Trails, 77375 – Expressed her support for the variance from Section 34.4.D of the Zoning Ordinance.
 - Linda Wrentz, 31203 Antonia Lane, 77375 – Expressed her support for the variance from Section 34.4.D of the Zoning Ordinance.
 - James Wrentz, 31203 Antonia Lane, 77375 – Expressed his support for the variance from Section 34.4.D of the Zoning Ordinance.

No further public comments being received, Chairman Ford closed the Public Hearing at 7:12 p.m.

Motion was made by Board Member Tynes, second by Board Member Roquemore, to affirm the administrative official's decision regarding the construction of a single-family residence on a non-conforming lot in the Old Town & Mixed Use District as described in Section 34.4.D of the Tomball Zoning Ordinance. Vote was as follows:

Alternate Board Member Pilgrim	<u>Aye</u>
Board Member Hemby	<u>Aye</u>
Alternate Board Member Roquemore	<u>Aye</u>
Board Member Tynes	<u>Aye</u>
Chairman Ford	<u>Aye</u>

Motion carried unanimously.

5.4 Discussion was held regarding the Zoning Ordinance Update.

No action taken.

6.0 Motion was made by Board Member Hemby, second by Board Member Pilgrim, to adjourn.

Motion carried unanimously.

Meeting adjourned at 8:01 p.m.

PASSED AND APPROVED this 14th day of November 2013.

Doris Speer
Doris Speer
City Secretary

John Ford
John Ford
Chairman