

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

THURSDAY, JULY 21, 2011



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 Tynes
Board Member Tomlinson
Board Member Lynch
Alternate Board Member Gray

Excused Absence:

Board Member Ross

Others present:

Assistant City Planner – Rodney Schmidt
Assistant City Engineer – Lori Lakatos
City Intern – Sarah Shackelford
City Attorney – Scott Bounds
Engineering & Planning Senior Administrative Assistant – Brandy Pate

2.0 No Public Comments were received.

3.0 Motion was made by Board Member Tynes to Approve the Minutes of the Special Board of Adjustments Meeting of May 19, 2011; second by Board Member Tomlinson.

Motion carried unanimously.

4.0 New Business

- 4.1 Consideration and Possible Action Regarding **BOA Case P11-336**: Request by Philip O’Sullivan, on behalf of Rose Land Ventures LLC, for five variances from the terms of the City of Tomball Code of Ordinances related to the proposed construction of two duplexes. Variances requested include (1) a 15 foot front yard setback along Mechanic Street where a 20 foot front yard setback is required by Section 34.4.B.4, (2) a 15 foot front yard setback along Timkin Road where a 20 foot front yard setback is required by Section 34.4.B.4, (3) a 0 foot front yard setback at the southern terminus of Ash Street where a 20 foot front yard setback is required by Section

34.4.B.4, (4) a 0 foot side yard setback along Ash Street where a 10 foot side yard setback is required by Section 34.4.B.6, and (5) a minimum lot depth of 0 feet for two proposed lots where a minimum lot depth of 100 feet is required by Section 34.4.A.3. The project site is legally described as Lot 25, Block 82, Kana Industrial Park and a 7,827.73 square foot portion of abandoned Ash Street right-of-way. The site is generally located between Mechanic Street and Timkin Road, west of Ash Street within the Old Town & Mixed Use District.

The Public Hearing regarding **BOA Case P11-336** was opened at 6:33 p.m.

Rodney Schmidt, Assistant City Planner, provided a staff report.

Applicant, Philip O'Sullivan, spoke on behalf of the request.

The Public Hearing was closed at 6:48 p.m.

Board Member Tynes made a motion to approve **BOA Case P11-336**; second by Board Member Ford.

The vote was as follows:

ALTERNATE BOARD MEMBER GRAY	<u>AYE</u>
BOARD MEMBER TOMLINSON	<u>NAY</u>
BOARD MEMBER LYNCH	<u>AYE</u>
BOARD MEMBER TYNES	<u>AYE</u>
BOARD MEMBER FORD	<u>NAY</u>

Motion failed 3-2

Board Member Ford made a motion to deny variances:

(1) a 15 foot front yard setback along Mechanic Street where a 20 foot front yard setback is required by Section 34.4.B.4; and

(2) a 15 foot front yard setback along Timkin Road where a 20 foot front yard setback is required by Section 34.4.B.4; and

Approve variances:

(3) a 0 foot front yard setback at the southern terminus of Ash Street where a 20 foot front yard setback is required by Section 34.4.B.4,

(4) a 0 foot side yard setback along Ash Street where a 10 foot side yard setback is required by Section 34.4.B.6; and

(5) a minimum lot depth of 73' feet for two proposed lots where a minimum

lot depth of 100 feet is required by Section 34.4.A.3.

Second by Board Member Tynes.

The vote was as follows:

ALTERNATE BOARD MEMBER GRAY	<u>AYE</u>
BOARD MEMBER TOMLINSON	<u>AYE</u>
BOARD MEMBER LYNCH	<u>AYE</u>
BOARD MEMBER TYNES	<u>AYE</u>
BOARD MEMBER FORD	<u>AYE</u>

Motion carried 5-0

- 5.0 Motion was made by Board Member Tomlinson to adjourn; second by Board Member Lynch.

Motion carried unanimously.

Meeting adjourned at 7:17 p.m.

PASSED AND APPROVED this 12th day of April 2012.

Rodney Schmidt
Rodney Schmidt
Assistant City Planner

John Ford
John Ford
Chairman