

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

THURSDAY, OCTOBER 21, 2010



6:30 P.M.

1.0 Call to Order at 6:37 p.m.

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

Board Member Lynch
Board Member Tynes
Alternate Board Member Chervenak
Alternate Board Member Hemby

Excused Absence:

Board Member Ross
Board Member Tomlinson

Others present:

Mayor – Gretchen Fagan
City Manager – George Shackelford
Director of Engineering & Planning – Mark McClure, PE, CFM
City Planner / Community Development Coordinator – Kelly Violette
Engineering & Planning Senior Administrative Assistant – Brandy Pate
City Attorney – David Olson

2.0 No Public Comments were received.

3.0 No Reports or Announcements were received.

4.0 Motion was made by Board Member Tynes to Approve the Minutes of the Special Board of Adjustments Meeting of August 19, 2010; second by Board Member Lynch.

Motion carried unanimously.

5.0 New Business

5.1 Consideration and Possible Action Regarding **BOA Case P10-276:** Request by Urban Meridian Group, Inc. (“UMG”), on behalf of Texas Petroleum Group, LLC, for 4 special exceptions and 1 variance from the City of Tomball Comprehensive Zoning Ordinance related to the proposed construction of an approximately 6,541 square foot

retail building at the northwest corner of the intersection of F.M. 2920 and S.H. 249 Business. UMG requests special exceptions for a landscaping plan that varies from Section 40 "Landscape Requirements": 40.6.B.2 (15 foot front landscape buffer), 40.6.B.5 (frontage trees), 40.6.C.2 (parking lot trees), and 40.6.D.3 (shade trees). Additionally, a variance is requested for a 5 foot rear yard setback where a 15 foot rear yard setback is required by Section 27.4.B.3. The project site is legally described as Restricted Reserve "A" of the Star Tomball Final Plat. The site address is 14002 FM 2920, Tomball, Texas 77375, within the GR-General Retail District.

The Public Hearing regarding **BOA Case P10-276** was opened at 6:39 p.m.

Kelly Violette, City Planner provided staff report.

Applicant, Ronny Hecht from Urban Meridian Group, Inc., Broker, Robert Bailey, and Architect, Dick Vane spoke on behalf of the request.

Mary Harvey, resident of 405 S. Walnut spoke in favor of the request.

The Public Hearing was closed at 7:06 p.m.

Board Member Tynes made a motion to Approve **BOA Case P10-276**; second by Board Member Hemby.

The vote was as follows:

BOARD MEMBER LYNCH	<u>AYE</u>
BOARD MEMBER TYNES	<u>AYE</u>
BOARD MEMBER FORD	<u>AYE</u>
ALT. BOARD MEMBER CHERVENAK	<u>AYE</u>
ALT. BOARD MEMBER HEMBY	<u>AYE</u>

Motion to Approve carried 5-0

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

Motion carried unanimously.

Meeting adjourned at 7:25 p.m.

PASSED AND APPROVED this 18th day of November 2010.

Kelly Violette
Kelly Violette
City Planner /
Community Development Coordinator

Brett Tynes
Brett Tynes
Vice-Chairman