

**NOTICE OF REGULAR PLANNING AND ZONING COMMISSION  
MEETING  
CITY OF TOMBALL, TEXAS**



**MONDAY, JANUARY 8, 2018**

**6:00 P.M.**

Notice is hereby given of a meeting of the Planning and Zoning Commission, to be held on Monday, January 8, 2018 at 6:00 P.M., City Hall, 401 Market Street, Tomball, Texas, 77355, for the purpose of considering the following agenda items. All agenda items are subject to action. The Planning and Zoning Commission reserves the right to meet in a closed session for consultation with attorney on any agenda item should the need arise and if applicable pursuant to authorization by Title 5, Chapter 551, of the Texas Government Code.

- 1.0 Call to Order
- 2.0 Public Comments and Receipt of Petitions *[At this time, anyone will be allowed to speak on any matter other than personnel matters or matters under litigation, for length of time not to exceed three minutes. No Council/Board discussion or action may take place on a matter until such matter has been placed on an agenda and posted in accordance with law.]*
- 3.0 Reports and Announcements
- 4.0 Consideration to Approve the Minutes of the Regular Planning and Zoning Commission Meeting of December 11, 2017.
- 5.0 New Business:
  - 5.1 Consideration to Approve Final Plat of **CITY OF TOMBALL RAILROAD MUSEUM**: A Subdivision of 2.135 Acres (93,000 SQ FT.) being a replat of lots

1-12 in block 6, being a portion of Florence Street abandoned, lots 1-5 in block 26, lots 1-6 in block 27 of the revised map of Tomball, an addition in Harris County, Texas, as recorded in volume 4, page 25, of Harris County map records, situated in the William Hurd Survey, A-371, Harris County, Texas.

5.2 Consideration to Approve Final Plat of **R SPINKS SUBDIVISION**: 1.8261 acres (79,543.35 Square Feet) located in the J House Survey, A-34 Harris County, Texas.

5.3 Consideration to Approve **Zoning Case P17-0137**: Request by Lance Langenhoven to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 5.8588 acres of land legally described as Lot 61 Block 1 Abandoned Animal Rescue Replat within the City of Tomball, Harris County, Texas, generally located on the north side of East Hufsmith at Hospital Road, from the Agricultural District to the Commercial District.

- Conduct Public Hearing on **Zoning Case P17-0137**

5.4 Consideration to Approve **Zoning Case P17-0166**: Request by Lance Langenhoven for a Conditional Use Permit to operate a *mini-warehouse / self-storage* facility at 419 E. Hufsmith Road. The property is approximately 5.8588 acres, legally described as Lot 61 Block 1 Abandoned Animal Rescue Replat within the City of Tomball, Harris County, Texas, generally located on the north side of East Hufsmith at Hospital Road, and is zoned Agricultural District.

- Conduct Public Hearing on **Zoning Case P17-0166**

6.0 Adjournment

### C E R T I F I C A T I O N

I hereby certify that the above notice of meeting was posted on the bulletin board of City Hall; City of Tomball, Texas, a place readily accessible to the general public at all times, on the 4th day of January, 2018 by 5:00 p.m., and remained posted for at least 72 continuous hours proceeding the scheduled time of said meeting.

Doris Speer

---

Doris Speer  
City Secretary, TRMC

This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please feel free to contact the City Secretary's office at (281) 290-1002 or FAX (281) 351-6256 for further information.

AGENDAS MAY ALSO BE VIEWED ONLINE AT [www.ci.tomball.tx.us](http://www.ci.tomball.tx.us).

Regular Planning and Zoning Commission  
Agenda Item  
Data Sheet

Meeting Date: January 8, 2018

**Topic:**

**Background:**

**Origination:**

**Recommendation:**

**Party(ies) responsible for placing this item on agenda:**

| ACTION TAKEN                                                         |                                                                                                      |       |
|----------------------------------------------------------------------|------------------------------------------------------------------------------------------------------|-------|
| Approval<br><input type="checkbox"/> Yes <input type="checkbox"/> No | Readings Passed<br><input type="checkbox"/> 1 <sup>st</sup> <input type="checkbox"/> 2 <sup>nd</sup> | Other |

Regular Planning and Zoning Commission  
Agenda Item  
Data Sheet

Meeting Date: January 8, 2018

**Topic:**

**Background:**

**Origination:**

**Recommendation:**

**Party(ies) responsible for placing this item on agenda:**

| ACTION TAKEN                                                         |                                                                                                      |       |
|----------------------------------------------------------------------|------------------------------------------------------------------------------------------------------|-------|
| Approval<br><input type="checkbox"/> Yes <input type="checkbox"/> No | Readings Passed<br><input type="checkbox"/> 1 <sup>st</sup> <input type="checkbox"/> 2 <sup>nd</sup> | Other |

Regular Planning and Zoning Commission  
Agenda Item  
Data Sheet

Meeting Date: January 8, 2018

**Topic:**  
Consideration to Approve the Minutes of the Regular Planning and Zoning Commission Meeting of December 11, 2017.

**Background:**

**Origination:**

**Recommendation:**

**Party(ies) responsible for placing this item on agenda:**

| ACTION TAKEN                                                         |                                                                                                      |       |
|----------------------------------------------------------------------|------------------------------------------------------------------------------------------------------|-------|
| Approval<br><input type="checkbox"/> Yes <input type="checkbox"/> No | Readings Passed<br><input type="checkbox"/> 1 <sup>st</sup> <input type="checkbox"/> 2 <sup>nd</sup> | Other |

**ATTACHMENTS:**

Minutes 12.11.2017

**NOTICE OF  
REGULAR PLANNING & ZONING COMMISSION MEETING  
CITY OF TOMBALL, TEXAS**

**MONDAY, DECEMBER 11, 2017**



**6:00 P.M.**

Notice is hereby given of a meeting of the City of Tomball Planning & Zoning Commission, to be held on Monday, December 11, 2017 at 6:00 p.m., at City Hall, 401 Market Street, Tomball, Texas 77375, for the purpose of considering the following agenda items. All agenda items are subject to action. The Planning and Zoning Commission reserves the right to meet in a closed session for consultation with attorney on any agenda item should the need arise and if applicable pursuant to authorization by Title 5, Chapter 551, of the Texas Government Code.

- 1.0 Call to Order
- 2.0 Public Comments and Receipt of Petitions *(At this time, anyone will be allowed to speak on any matter other than personnel matters or matters under litigation, for length of time not to exceed three minutes. No Commission discussion or action may take place on a matter until such matter has been placed on an agenda and posted in accordance with law.)*
- 3.0 Reports and Announcements
- 4.0 Consideration to Approve the Minutes of the Regular Planning and Zoning Commission Meeting of November 13, 2017.

Discussion/Action of the Following Items:

- 5.0 New Business:
  - 5.1 Consideration to Approve Final Plat of **MAPLE GROUP**: A Subdivision of 26.0384 Acres of land situated in the C.M. Pillot Survey, Abstract No. 632, City of Tomball, Harris County, Texas.
  - 5.2 Consideration to Approve Final Plat of **SABUROV LOTS**: A Replat of Lots 17, 18 and 19 in Block 85 into New Lots 17 and 18 in Block 85 of Revised Map of Tomball, an addition in Harris County, Texas, according to the map or plat thereof recorded in Volume 4, Page 25, of the Map Records of Harris County, Texas.
  - 5.3 Consideration to Approve Final Plat of **THEIS ROAD WAREHOUSES**: A Subdivision of 3.0046 Acres (130,880.37 SQ FT.) being a replat of outlot 195 of Tomball Townsite recorded in Volume 2, Page 65, Harris County Map Records, situated in the Pruitt Survey, Abstract 629, City of Tomball, Harris County, Texas.

- 5.4 Consideration to Approve **Zoning Case P17-0131**: Request by Marie Reynolds to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 0.35 acres of land legally described as Tract 6 Block 2 Hirschfield Farms Sec 1 U/R within the City of Tomball, Harris County, Texas, generally located south of Hirschfield Road between SH 249 and High Meadow Road, from the Agricultural District to the Commercial District.
- Conduct Public Hearing on **Zoning Case P17-0131**
- 5.5 Consideration to Approve **Zoning Case P17-0137**: Request by Lance Langenhoven to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 5.8588 acres of land legally described as Lot 61 Block 1 Abandoned Animal Rescue Replat within the City of Tomball, Harris County, Texas, generally located on the north side of East Hufsmith at Hospital Road, from the Agricultural District to the Commercial District.
- Conduct Public Hearing on **Zoning Case P17-0137**
- 5.6 Consideration to Approve **Zoning Case P17-0145**: Request by the City of Tomball to amend Sections 50-115 of the Tomball Code of Ordinances in regards to refuse areas.
- Conduct Public Hearing on **Zoning Case P17-0145**
- 6.0 Adjournment

#### C E R T I F I C A T I O N

I hereby certify that the above notice of meeting was posted on the bulletin board of City Hall; City of Tomball, Texas, a place readily accessible to the general public at all times, on the **7<sup>th</sup>** day of **December, 2017** by 5:00 p.m., and remained posted for at least 72 continuous hours proceeding the scheduled time of said meeting.

Elizabeth Jones  
Elizabeth Jones  
Administrative Assistant

This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please feel free to contact the City Secretary's office at (281) 290-1002 or FAX (281) 351-6256 for further information. AGENDAS MAY ALSO BE VIEWED ONLINE AT [www.tomballtx.gov](http://www.tomballtx.gov).

Regular Planning and Zoning Commission  
Agenda Item  
Data Sheet

Meeting Date: January 8, 2018

**Topic:**

Consideration to Approve Final Plat of **CITY OF TOMBALL RAILROAD MUSEUM:** A Subdivision of 2.135 Acres (93,000 SQ FT.) being a replat of lots 1-12 in block 6, being a portion of Florence Street abandoned, lots 1-5 in block 26, lots 1-6 in block 27 of the revised map of Tomball, an addition in Harris County, Texas, as recorded in volume 4, page 25, of Harris County map records, situated in the William Hurd Survey, A-371, Harris County, Texas.

**Background:**

**Origination:**

**Recommendation:**

**Party(ies) responsible for placing this item on agenda:**

**ACTION TAKEN**

| Approval<br><input type="checkbox"/> Yes <input type="checkbox"/> No | Readings Passed<br><input type="checkbox"/> 1 <sup>st</sup> <input type="checkbox"/> 2 <sup>nd</sup> | Other |
|----------------------------------------------------------------------|------------------------------------------------------------------------------------------------------|-------|
|----------------------------------------------------------------------|------------------------------------------------------------------------------------------------------|-------|

**ATTACHMENTS:**

RR Museum Plat

STATE OF TEXAS §  
COUNTY OF HARRIS §

We, the city of Tomball, acting by and through Gretchen Fagan, Mayor, being an officer of the city of Tomball, hereinafter referred to as owners of the 2.135 acre tract described in the above and foregoing plat of "City of Tomball Railroad Museum", do hereby make and establish said subdivision of said property according to all liens, dedications, restrictions and notations on said map or plat and hereby dedicate to the use of the public forever, all streets (except private), alleys, parks, water courses, drains, easements, and public places shown thereon for the purposes and considerations herein expressed, and do hereby bind ourselves and our heirs, successors, and assigns to warrant and defend the title to the land so dedicated.

FURTHER, owners have dedicated and by these presents do dedicate to the use of the public for public utility purpose an unobstructed aerial easement five feet in width from a plane twenty feet above the ground upward, located adjacent to all public utility easements shown hereon.

FURTHER, owners do hereby covenant and agree that all of the property within the boundaries of this plat shall be restricted to provide that drainage structures under private driveways shall have a net drainage opening area of sufficient size to permit the free flow of water without backwater and in no instance have a drainage opening of less than one and three quarters (1-3/4) square feet (18" diameter) with culverts or bridges to be provided for all private walkways crossing such drainage facilities.

FURTHER, owners do hereby dedicate to the public a strip of land 25 feet wide on each side of the centerline of any and all bayous, creeks, gullies, ravines, draws, sloughs or other natural drainage courses located in said plat, as easements for drainage purposes, giving the City of Tomball, Harris County, or any other governmental agency, the right to enter upon said easement at any and all times for the purpose of construction and maintenance of drainage facilities and structures.

FURTHER, owners do hereby covenant and agree that all of the property within the boundaries of this plat and adjacent to any drainage easement, ditch, gully, creek, or natural drainage way shall hereby be restricted to keep such drainage ways and easements clear of fences, buildings, planting, and other obstructions to the operations and maintenance of the drainage facility and that such abutting property shall not be permitted to drain directly into this easement except by means of an approved drainage structure.

WITNESS our hand, this \_\_\_\_ day of \_\_\_\_\_, 2018.

City of Tomball

By: \_\_\_\_\_  
Gretchen Fagan,  
Mayor

STATE OF TEXAS §  
COUNTY OF HARRIS §

BEFORE ME, the undersigned authority, on this day personally appeared Gretchen Fagan, Mayor respectively of the City of Tomball, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that they executed the same for the purposes and considerations therein expressed and in the capacity therein and herein stated, and as the act and deed of said owners.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this \_\_\_\_ day of \_\_\_\_\_, 2018.

Notary Public in and for the State of Texas  
County of HARRIS

My commission expires: \_\_\_\_\_

This is to certify that the Planning Commission of the City of Tomball, Texas, has approved this plat and subdivision of City of Tomball Rail Road Museum, in conformance with the laws of the State of Texas and the ordinances of the City of Tomball, as shown hereon, and authorized the recording of this plat this \_\_\_\_\_, day of \_\_\_\_\_, 2018.

By: \_\_\_\_\_ By: \_\_\_\_\_  
Barbara Tague Darrell Roquemore  
Chairman Vice-Chairman

I, Stan Stanart, Clerk of the County Court of Harris County, Texas, do hereby certify that within the instrument with its certification of authentication was filed for registration in my office on the \_\_\_\_ day of \_\_\_\_\_, 2018 at \_\_\_\_ o'clock \_\_\_\_ M., and was duly recorded on the \_\_\_\_ day of \_\_\_\_\_, 2018 at \_\_\_\_ o'clock \_\_\_\_ M. and filed under Film Code No. \_\_\_\_\_ of the Map Records of Harris County, Texas.

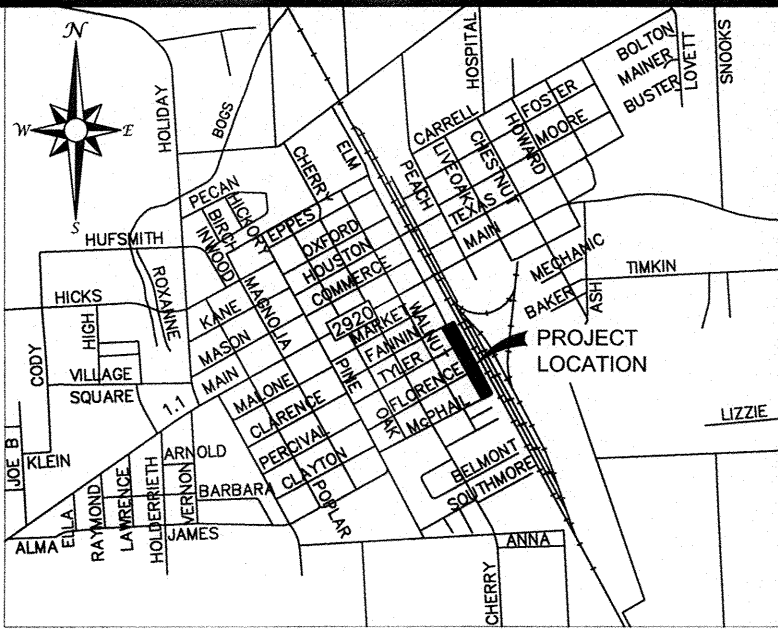
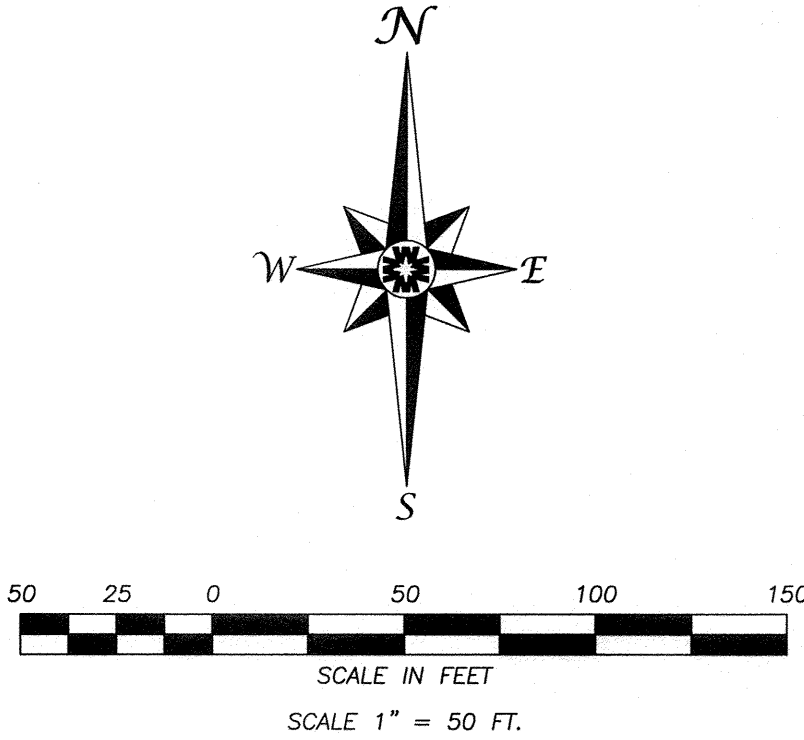
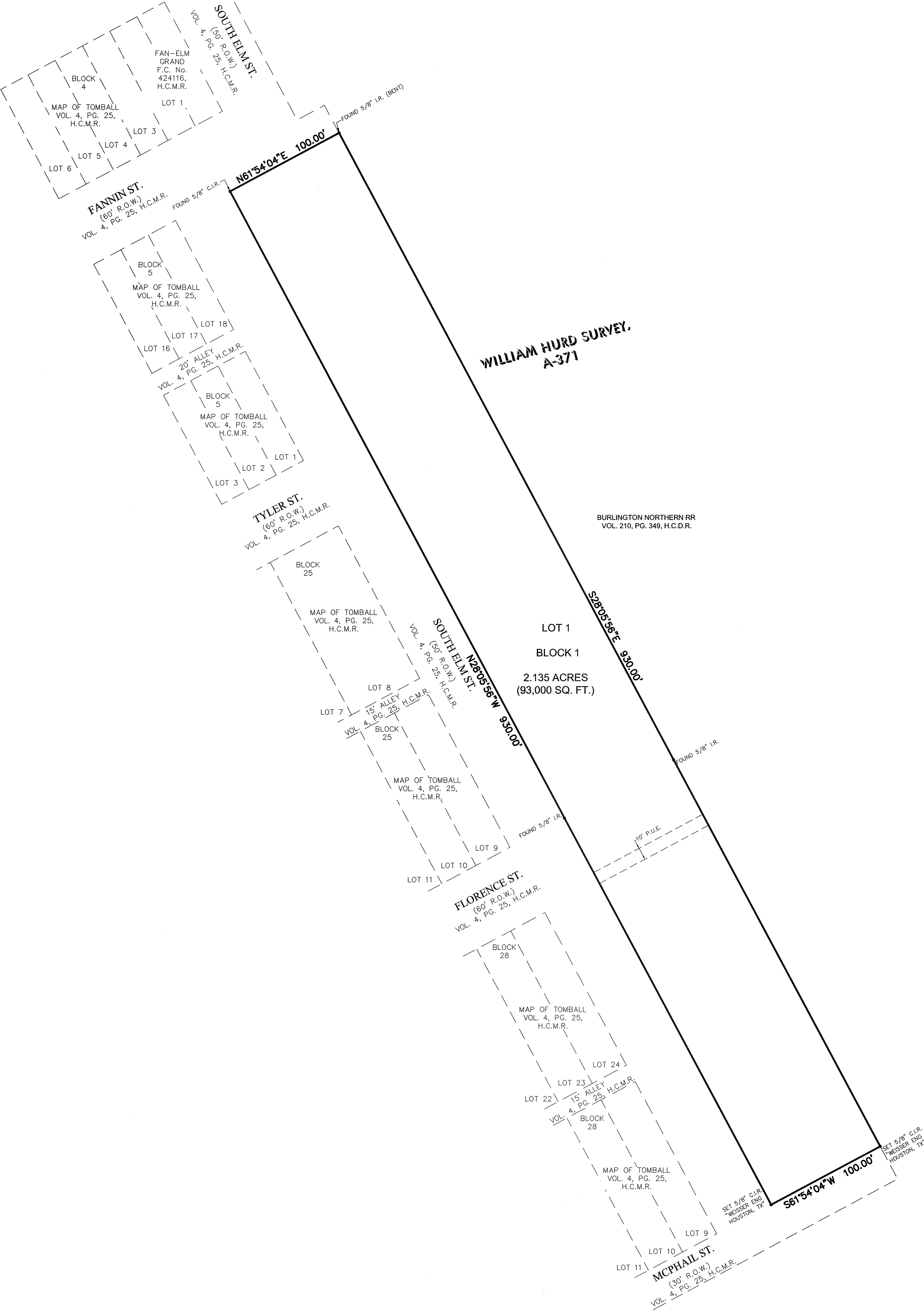
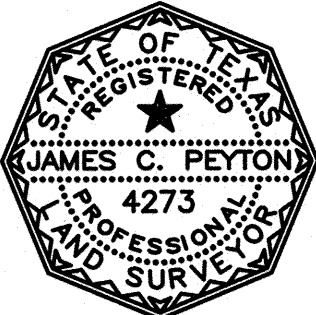
WITNESS MY HAND AND SEAL OF OFFICE AT HOUSTON, TEXAS, THE DATE AND DATE LAST ABOVE WRITTEN.

Stan Stanart  
County Clerk  
of Harris County, Texas

By: \_\_\_\_\_  
Deputy Edwina V. Mack

I, James C. Peyton, am authorized (or registered) under the laws of the State of Texas to practice the profession of surveying and hereby certify that the above subdivision is true and accurate; was prepared from an actual survey of the property made under my supervision on the ground; that, except as shown, all boundary corners, angle points, points of curvature and other points of reference have been marked with iron (or other objects of a permanent nature) pipes or rods having an outside diameter of not less than five eighths (5/8) inch and a length of not less than three (3) feet; and that the plat boundary corners have been tied to the Texas Coordinate System of 1983, south central zone.

James C. Peyton  
Registered Professional Land Surveyor  
Texas Registration No. 4273



VICINITY MAP  
N.T.S.  
Key Map No. 288-M

- LEGEND
- A.E. - AERIAL EASEMENT
  - B.L. - BUILDING LINE
  - C.I.R. - CAPPED IRON ROD
  - D.E. - DRAINAGE EASEMENT
  - F.C. NO. - FILM CODE NUMBER
  - H.C.C.F. NO. - HARRIS COUNTY CLERK FILE NUMBER
  - H.C.D.R. - HARRIS COUNTY DEED RECORD
  - H.C.F.C.D. - HARRIS COUNTY FLOOD CONTROL DISTRICT
  - H.C.M.R. - HARRIS COUNTY MAP RECORDS
  - I.R. - IRON ROD
  - P.G. - PAGE
  - P.U.E. - PUBLIC UTILITY EASEMENT
  - O.P.R.P.H.C. - OFFICIAL PUBLIC RECORDS OF REAL PROPERTY OF HARRIS COUNTY, TEXAS
  - R.O.W. - RIGHT-OF-WAY
  - STM. S. ESMT. - STORM SEWER EASEMENT
  - S.S.E. - SANITARY SEWER EASEMENT
  - SQ.FT. - SQUARE FEET
  - VOL. - VOLUME
  - U.E. - UTILITY EASEMENT
  - W.L.E. - WATERLINE EASEMENT

NOTES:

- All oil/gas pipelines or pipeline easements with ownership through the subdivision have been shown.
- All oil/gas wells with ownership (plugged, abandoned, and/or active through the subdivision have been shown.
- No building or structure shall be constructed across any pipelines, building lines, and/or easements. Building setback lines will be required, adjacent to all oil/gas pipelines. The setbacks at a minimum should be 15 feet off centerline of low pressure gas lines, and feet off centerline of high pressure gas lines.
- This plat does not attempt to amend or remove any valid restrictions or covenants.
- Abandonment of Florence Street right-of-way, per City Ordinance No. 2017-41.

PUBLIC EASEMENTS:  
Public easements denoted on this plat are hereby dedicated to the public forever. Any public utility, including the City of Tomball, shall have the right at all times, of ingress and egress to and from and upon said easements for the purpose of construction, reconstruction, inspection, patrolling, maintaining and adding to or removing all or part of its respective systems without the necessity of any time of procuring the permission of the property owner. Any public utility, including the City of Tomball, shall have the right to move and keep moved all or part of any building, fences, trees, shrubs, other growths or improvements that in any way endanger or interfere with the construction, maintenance or efficiency of its respective systems on any of the easements shown on this plat. Neither the City of Tomball nor any other public utility shall be responsible for any damages to property within an easement arising out of the removal or relocation of any obstruction in the public easement.

FLOOD INFORMATION:  
According to FEMA Firm Panel No.48201C0230L (Dated June 18, 2007), this property is in Zone "X" and is not in the 0.2% Annual Chance Flood Plain.

## CITY OF TOMBALL RAIL ROAD MUSEUM

A SUBDIVISION OF 2.135 ACRES ( 93,000 SQ.FT.),  
BEING A REPLAT OF LOTS 1-12 IN BLOCK 6, BEING A PORTION OF  
FLORENCE STREET ABANDONED, LOTS 1-5 IN BLOCK 26, LOTS 1-6  
IN BLOCK 27 OF THE REVISED MAP OF TOMBALL,  
AN ADDITION IN HARRIS COUNTY, TEXAS, AS RECORDED IN  
VOLUME 4, PAGE 25, OF THE HARRIS COUNTY MAP RECORDS,  
SITUATED IN THE WILLIAM HURD SURVEY, A-371,  
HARRIS COUNTY, TEXAS.

1 LOT 1 BLOCK

OWNER:

City of Tomball  
401 MARKET STREET  
TOMBALL, TX 77375

SURVEYOR:

 **WEISSER**  
Engineering Company, Inc.  
19500 PARK ROW, SUITE 100  
HOUSTON, TEXAS 77084  
(281) 579 - 7300  
WWW.WEISSERENG.COM  
T.B.P.E.R. #F-68  
T.B.P.L.S. #100518-00

Regular Planning and Zoning Commission  
Agenda Item  
Data Sheet

Meeting Date: January 8, 2018

**Topic:**

Consideration to Approve Final Plat of **R SPINKS SUBDIVISION**: 1.8261 acres (79,543.35 Square Feet) located in the J House Survey, A-34 Harris County, Texas.

**Background:**

**Origination:**

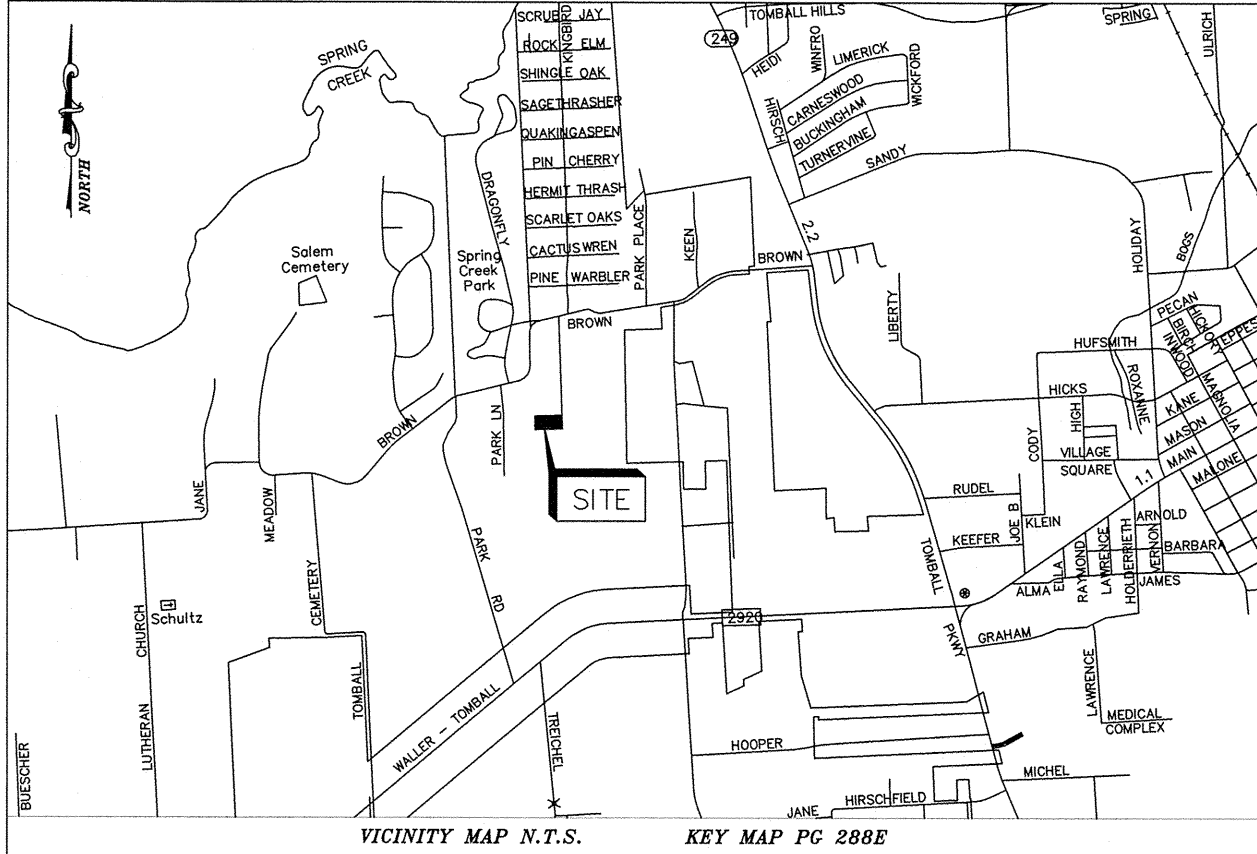
**Recommendation:**

**Party(ies) responsible for placing this item on agenda:**

| ACTION TAKEN                                                                |                                                                                                             |              |
|-----------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------|--------------|
| <b>Approval</b><br><input type="checkbox"/> Yes <input type="checkbox"/> No | <b>Readings Passed</b><br><input type="checkbox"/> 1 <sup>st</sup> <input type="checkbox"/> 2 <sup>nd</sup> | <b>Other</b> |

**ATTACHMENTS:**

R Spinks Subdivision Plat



## LEGEND

These standard symbols will be found in the drawing.

- FOUND MONUMENT
- SET 5/8" I.R. W/CAP
- POWER POLE
- GRAVEL

- BARB WIRE FENCE
- OVERHEAD POWER

- H.C.C.F. HARRIS COUNTY CLERK'S FILE
- M.R.H.C. MAP RECORDS OF HARRIS COUNTY
- H.C.D.R. HARRIS COUNTY DEED RECORDS
- R.O.W. RIGHT OF WAY
- F.C. FILM CODE
- I.R. IRON ROD
- I.P. IRON PIPE

### GENERAL NOTES:

- All oil/gas pipelines or pipeline easements with ownership through the subdivision have been shown.
- All oil/gas wells with ownership (plugged, abandoned, and/or active) through the subdivision have been shown.
- No building or structure shall be constructed across any pipelines, building lines, and/or easements. Building setback lines will be required adjacent to oil/gas pipelines. The setbacks at a minimum should be 15 feet off centerline of low pressure gas lines, and 30 feet off centerline of high pressure gas lines.
- This plat does not attempt to amend or remove any valid covenants or restrictions.
- Public easements denoted on this plat are hereby dedicated to the public forever. Any public utility, including the City of Tomball, shall have the right at all times, of ingress and egress to and from and upon said easements for the purpose of construction, reconstruction, inspection, patrolling, maintaining and adding to or removing all or part of its respective systems without the necessity of any time of procuring the permission of the property owner. Any public utility, including the City of Tomball, shall have the right to move and keep moved all or part of any building, fences, trees, shrubs other growths or improvements that in any way endanger or interfere with the construction, maintenance or efficiency of its respective systems on any of the easements shown on this plat. Neither the City of Tomball nor any other public utility shall be responsible for any damages to property within an easement arising out of the removal or relocation of any obstruction in the public easement.
- This Plat was performed with the benefit of a City Planning Letter from Fidelity National Title, G.F. No. 5225002473.
- Subject to the certain Affidavit to the Public for on-site wastewater treatment recorded under H.C.C.F. RP-2017-86280.
- This plat requires compliance with landscaping requirements prior to occupancy of structures as mandated in Regulations of Harris County, Texas for the Approval and Acceptance of Infrastructure.
- A private pressure cemented Water well cannot be constructed within 50ft of the property line.
- A private Non-pressure cemented Water well cannot be constructed within 100ft of the property line.
- Detention is not required if the developed area is limited to the first 150 feet or the total impervious developed area does not exceed the area calculated by multiplying the 150-foot lot depth by the lot width adjacent to the public road.

I, JOHN R. BLOUNT, County Engineer of Harris County, hereby certify that the plat of this subdivision complies with all the existing rules and regulations of this office as adopted by the Harris County Commissioners' Court and that it complies or will comply with all applicable provisions of the Harris County Road Law as amended and all other Court adopted drainage requirements.

JOHN R. BLOUNT P.E., LEED AP  
County Engineer

This is to certify that the Planning and Zoning Commission of the City of Tomball, Texas, has approved this plat of R SPINKS SUBDIVISION in conformance with the laws of the State of Texas and the ordinances of the City of Tomball as shown hereon and authorized the recording of this plat this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

Barbara Tague, Chairman

Darrell Roquemore, Vice Chairman

I, Stan Stanart, County Clerk of Harris County, do hereby certify that the within instrument with its certificate of authentication was filed for registration in my office on \_\_\_\_\_, 2017, at \_\_\_\_\_ o'clock \_\_\_\_\_M. and duly recorded on \_\_\_\_\_, 2017 at \_\_\_\_\_ o'clock \_\_\_\_\_M., and at Film Code Number \_\_\_\_\_ of the Map Records of Harris County for said county.

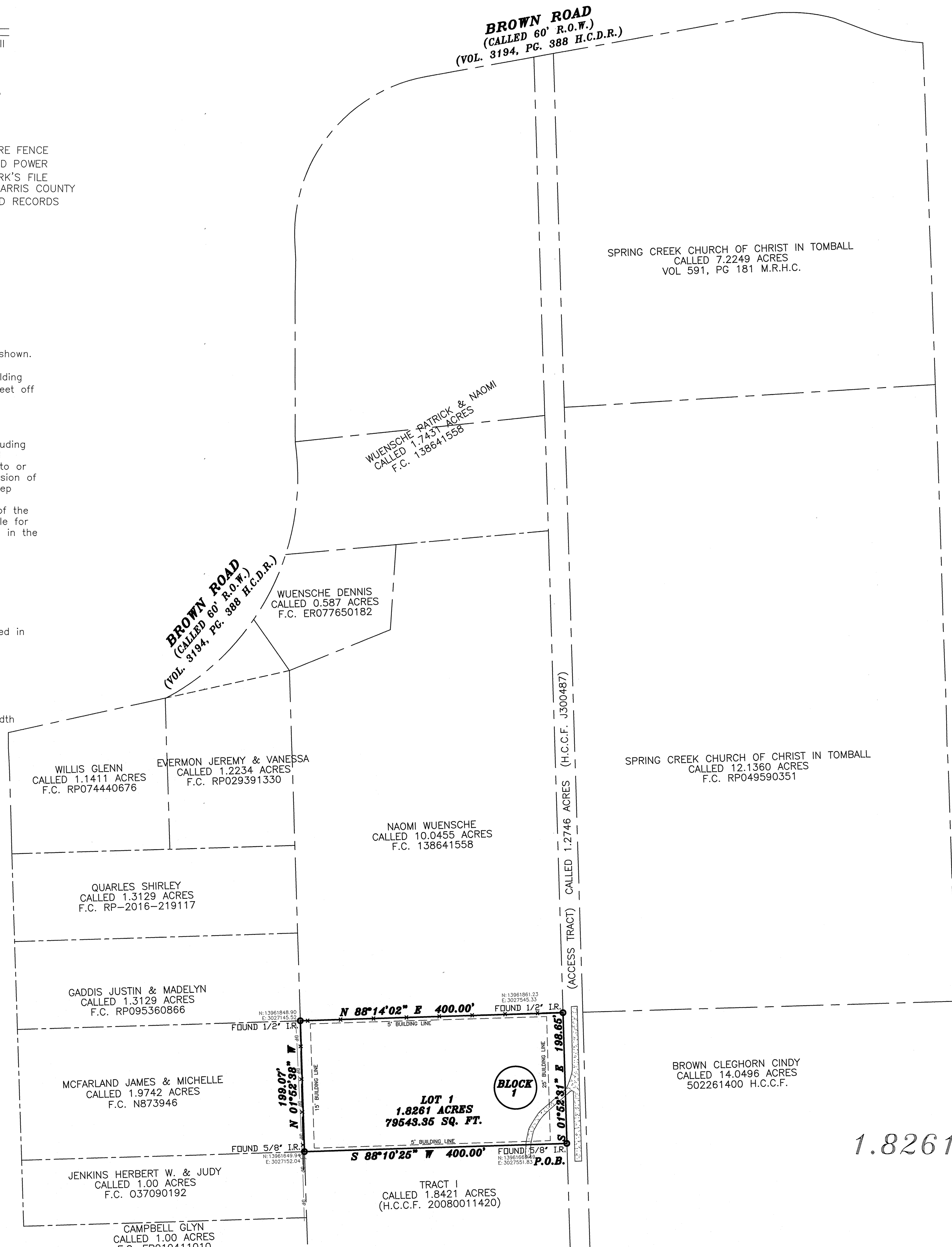
Witness my hand and seal of office, at Houston, the day and date last above written.

BY: Stan Stanart  
County Clerk  
of Harris County, Texas

BY: \_\_\_\_\_  
Deputy

I, David E. King, Sr., am registered under the laws of the State of Texas to practice the profession of surveying and hereby certify that the above subdivision is true and accurate; was prepared from an actual survey of the property made under my supervision on the ground; that, except as shown all boundary corners, angle points, points of curvature and other points of reference have been marked with iron (or other objects of a permanent nature) pipes or rods having an outside diameter of not less than five eighths (5/8) inch and a length of not less than three (3) feet; and that the plat boundary corners have been tied to the Texas Coordinate System of 1983, South Central Zone.

David E. King, Sr.  
Registered Professional Land Surveyor  
Texas Registration No. 4503



STATE OF TEXAS  
COUNTY OF HARRIS

We, RICHARD SPINKS and KAITLYN SPINKS, owners, hereinafter referred to as Owner of the 1.8261 acre tract described in the above and foregoing plat of R SPINKS SUBDIVISION, do hereby make and establish said subdivision and development plat of said property according to all liens, dedications, restrictions and notations on said plat and hereby dedicate to the use of the public forever, all streets, alleys, parks, water courses, drains, easements and public places shown thereon for the purposes and considerations therein expressed; and do hereby bind ourselves, our heirs, successors and assigns to warrant and forever defend the title on the land so dedicated.

FURTHER, Owner has dedicated and by these presents does dedicate to the use of the public for public utility purposes forever unobstructed aerial easements. The aerial easements shall extend horizontally an additional eleven feet, six inches (11'6") for ten feet (10'0") perimeter ground easements or seven feet, six inches (7'6") for fourteen feet (14'0") perimeter ground easements or five feet, six inches (5'6") for sixteen feet (16'0") perimeter ground easements, from a plane sixteen feet(16'0") above ground level upward, located adjacent to and adjoining said public utility easements that are designated with aerial easements (U.E. and A.E.) as indicated and depicted hereon, whereby the aerial easement totals twenty-one feet, six inches (21'6") in width.

FURTHER, Owner has dedicated and by these presents does dedicate to the use of the public for public utility purposes forever unobstructed aerial easements. The aerial easements shall extend horizontally an additional ten feet (10'0") for ten feet (10'0") back-to-back ground easements, or eight feet (8'0") for fourteen feet (14'0") back-to-back ground easements or seven feet (7'0") for sixteen feet (16'0") back-to-back ground easements, from a plane sixteen feet(16'0") above ground level upward, located adjacent to both sides and adjoining all public utility easements that are designated with aerial easements (U.E. and A.E.) as indicated and depicted hereon, whereby the aerial easement totals thirty feet (30'0") in width.

FURTHER, Owner does hereby dedicate to the public a strip of land fifteen (15) feet wide on each side of the center line of any and all bayous, creeks, gullies, ravines, draws, sloughs or other natural drainage courses located in said plat, as easements for drainage purposes, giving the City of Tomball, Harris County, or any other governmental agency, the right to enter upon said easement at and all times for the purpose of construction and maintenance of drainage facilities and structures.

FURTHER, Owner does hereby covenant and agree that all of the property within the boundaries of this plat and adjacent to any drainage easement, ditch, gully, creek or natural drainage way shall hereby restricted to keep such drainage ways and easements clear of fences, buildings, planting and other obstructions to the operations and maintenance of the drainage facility and that such abutting property shall not be permitted to drain directly into this easement except by means of an approved drainage structure.

FURTHER, Owner certifies and covenants that he has complied with or will comply with existing Harris County Road Law, Section 31-C as amended by Chapter 614, Acts of 1973, 63rd Legislature and all other regulations heretofore on file with the Harris County Engineer and adopted by the Commissioners' Court of Harris County.

WITNESS my hand in the City of Tomball, this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

By: \_\_\_\_\_  
RICHARD SPINKS

By: \_\_\_\_\_  
KAITLYN SPINKS

STATE OF TEXAS  
COUNTY OF HARRIS

BEFORE ME, the undersigned authority, on this day personally appeared RICHARD SPINKS and KAITLYN SPINKS known to me to be the persons whose name is subscribed to the foregoing instrument and acknowledgment to me that they executed the same for the purposes and considerations therein expressed and in the capacity therein and herein stated, and as the act and deed of said corporation.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

Notary Public in and for the State of Texas

Print name: \_\_\_\_\_

My Commission expires: \_\_\_\_\_

**R SPINK**  
**1.8261 ACRES (79,543.35 SQUARE FEET)**  
**LOCATED IN THE**  
**J HOUSE SURVEY, A-34**  
**HARRIS COUNTY, TEXAS**  
**CONTAINING**  
**1 BLOCK, 1 LOT**  
**DECEMBER, 2017**

**SURVEYOR:**  
**KING'S LAND SURVEYING**  
**SOLUTIONS, LLC**  
**DAVID KING, R.P.L.S. 4503**  
**PHONE: 281-350-8003**  
**FAX: 281-350-0118**  
**EMAIL:**  
**info@kingslandsurveying.com**  
**FIRM NUMBER 10152100**

**OWNER:**  
**RICHARD SPINKS**  
**14909 BROWN ROAD**  
**TOMBALL TX 77377**

# Regular Planning and Zoning Commission

## Agenda Item

### Data Sheet

Meeting Date: January 8, 2018

#### Topic:

Consideration to Approve **Zoning Case P17-0137**: Request by Lance Langenhoven to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 5.8588 acres of land legally described as Lot 61 Block 1 Abandoned Animal Rescue Replat within the City of Tomball, Harris County, Texas, generally located on the north side of East Hufsmith at Hospital Road, from the Agricultural District to the Commercial District.

- Conduct Public Hearing on **Zoning Case P17-0137**

#### Background:

#### Origination:

#### Recommendation:

#### Party(ies) responsible for placing this item on agenda:

| ACTION TAKEN                                                         |                                                                                                      |       |
|----------------------------------------------------------------------|------------------------------------------------------------------------------------------------------|-------|
| Approval<br><input type="checkbox"/> Yes <input type="checkbox"/> No | Readings Passed<br><input type="checkbox"/> 1 <sup>st</sup> <input type="checkbox"/> 2 <sup>nd</sup> | Other |

#### ATTACHMENTS:

P17-0137 NOPH

Property Owner Notification

P17-0137 Staff Report

**NOTICE OF PUBLIC HEARING  
CITY OF TOMBALL  
PLANNING & ZONING COMMISSION (P&Z)  
JANUARY 8, 2018  
&  
CITY COUNCIL  
JANUARY 15, 2018**



Notice is Hereby Given that a Public Hearing will be held by the P&Z of the City of Tomball on **Monday, January 8, 2018, at 6:00 P.M.**, and by the City Council of the City of Tomball on **Monday, January 15, 2018, at 6:00 P.M.** at City Hall, 401 Market Street, Tomball Texas. On such dates, the P&Z and City Council will consider the following:

**Zoning Case P17-0137:** Request by Lance Langenhoven to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 5.8588 acres of land legally described as Lot 61 Block 1 Abandoned Animal Rescue Replat within the City of Tomball, Harris County, Texas, generally located on the north side of East Hufsmith at Hospital Road, from the Agricultural District to the General Retail District.

**Zoning Case P17-0166:** Request by Lance Langenhoven for a Conditional Use Permit to operate a *mini-warehouse / self-storage* facility at 419 E. Hufsmith Road. The property is approximately 5.8588 acres, legally described as Lot 61 Block 1 Abandoned Animal Rescue Replat within the City of Tomball, Harris County, Texas, generally located on the north side of East Hufsmith at Hospital Road, and is zoned Agricultural District.

At the public hearings, parties of interest and citizens will have the opportunity to be heard. All citizens of the City of Tomball, and any other interested parties, are invited to attend. Applications are available for public inspection Monday through Friday, except holidays, at the Public Works Building, located at 501 James Street, Tomball, TX 77375. Further information may be obtained by contacting the Planner, Amelia Lindley, at (281) 290-1410 or at [alindley@tomballtx.gov](mailto:alindley@tomballtx.gov).

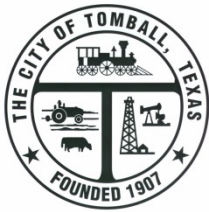
**C E R T I F I C A T I O N**

I hereby certify that the above notice of meeting was posted on the bulletin board of City Hall; City of Tomball, Texas, a place readily accessible to the general public at all times, on the **4<sup>th</sup>** day of **January 2018** by 5:00 p.m., and remained posted for at least 72 continuous hours preceding the scheduled time of said meeting.

Elizabeth Jones

Elizabeth Jones  
Administrative Assistant

This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please feel free to contact the City Secretary's office at (281) 290-1002 or FAX (281) 351-6256 for further information. AGENDAS MAY ALSO BE VIEWED ONLINE AT [www.tomballtx.gov](http://www.tomballtx.gov).



## Notice of Public Hearing

**YOU ARE INVITED TO ATTEND** the Public Hearing before the **PLANNING & ZONING COMMISSION** and **CITY COUNCIL** of the City of Tomball regarding the following item:

**CASE NUMBER:** P17-0137

**APPLICANT/OWNER:** Lance Langenhoven

**LOCATION:** Generally located on the north side of East Hufsmith at Hospital Road

**PROPOSAL:** To amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 5.8588 acres of land legally described as Lot 61 Block 1 Abandoned Animal Rescue Replat within the City of Tomball, Harris County, Texas, from the Agricultural District to the General Retail District.

**CONTACT:** Amelia Lindley, Planner

**PHONE:** (281) 290-1410

**E-MAIL:** [alindley@tomballtx.gov](mailto:alindley@tomballtx.gov)

Interested parties may contact the City of Tomball between 8:00 a.m. and 5:00 p.m. Monday through Friday for further information. The application is available for public review Monday through Friday, except holidays, between the hours of 8:00 a.m. and 5:00 p.m. in the Community Development Department office, located at 501 James Street, Tomball, TX 77375. The staff report will be available no later than 4:00 p.m. on the Friday preceding the meeting.

**This notice is being mailed to all owners of real property within 200 feet of the request as such ownership appears on the last approved Harris County Appraisal District tax roll.**

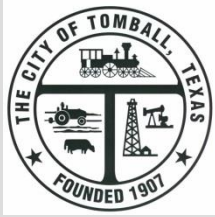


**Planning & Zoning Commission  
Public Hearing:  
Monday, January 8, 2018, 6:00 PM**

**City Council Public Hearing:  
\*Monday, January 15, 2018, 6:00 PM**

**The Public Hearings will be held in the  
City Council Chambers, City Hall  
401 Market Street, Tomball, Texas**

\*Should the Planning & Zoning Commission vote to table the recommendation on the case, the date and time of a future meeting will be specified and the City Council will not review the subject case until such a recommendation is forwarded to the City Council by the Planning & Zoning Commission.



## Rezoning Staff Report

Planning & Zoning Commission Public Hearing Date: January 8, 2018

City Council Public Hearing Date: January 15, 2018

**Rezoning Case:** P17-0137

**Property Owner(s):** Abandoned Animal Rescue

**Applicant(s):** Lance Langenhoven

**Legal Description:** Lot 61 Block 1 Abandoned Animal Rescue R/P

**Location:** 419 East Hufsmith Road, north side of East Hufsmith Road at Hospital Road (Exhibit "A")

**Area:** 5.8588 acres

**Comp Plan Designation:** Rural Residential (Exhibit "B")

**Present Zoning and Use:** Agricultural (Exhibit "C") / Abandoned Animal Rescue (Exhibit "D")

**Request:** Rezone from the Agricultural District to the General Retail District

**Adjacent Zoning & Land Uses:**

- North:** Single-Family 20 Estate / Undeveloped land
- South:** Agricultural District and Single-Family 9 / Undeveloped land and single-family residence
- West:** Single-Family 20 Estate / Single-family residence
- East:** Single-Family 20 Estate / Single-family residence

### **BACKGROUND**

City Staff met with the applicant in October to discuss options for the property. The applicant expressed his desire to use the property for offices and boat and recreational vehicle storage. City Staff explained that a rezoning would be required for the proposed development. The applicant submitted a Rezoning Application on October 30, 2017 for the Commercial District.

At the December 18, 2017 City Council Meeting, the applicant requested the Council consider a rezoning to General Retail, with an associated Conditional Use Permit request, instead of the Commercial rezoning. No action was taken on the Commercial rezoning request.

### **ANALYSIS**

The property is currently zoned Agricultural. Abandoned Animal Rescue (*animal kennel, outdoor pens*) currently operates on the front portion of the property while the majority of the property is undeveloped. Surrounding zoning districts include Agricultural to the west and south, Single-Family 20 Estate to the north and east and Single-Family 9 across East Hufsmith Road.

There are single-family residences in the area. Other land uses along East Hufsmith Road include True Expressions Photography, Texas Prospects Baseball, Tomball Nursing Home, Abandoned Animal Rescue (as it exists), Maple Creek Bed and Breakfast, Cornerstone Electric, new wedding venue which is in the plan review process, and new storage facility. There is a wide variety of land uses, both residential and non-residential, along East Hufsmith Road.

The Comprehensive Plan Future Land Use Map designates the property as Rural Residential which is meant for minimum one acre single-family lots. The intent of the Rural Residential designation is to provide for a rural lifestyle with no commercial or industrial development. The proposed rezoning is not in conformance with the Future Land Use Map. The Comprehensive Plan also outlines goals to protect the existing residential areas from encroachment of uses that are incompatible to the area and to preserve the rural land.

According to Chapter 9 of the City of Tomball's Comprehensive Plan, when rezoning requests are not consistent with the Future Land Use Plan, the Planning and Zoning Commission and City Council should review the proposed development with certain considerations. The applicant has provided the following answers:

**1. Will the proposed development enhance the City economically?**

A boat & rv storage will definitely enhance the City economically. The improvements will add value to a 5 Acre tract of land that is land-locked right now. The additional property value will generate additional property tax for the City. At the moment the property is owned by a charity which pays zero property tax. So, the new project will significantly improve tax collections for the City.

**2. Will the proposed development enhance the City aesthetically?**

The existing building used by Abandoned Animal Rescue is in dire need of an upgrade of the interior and exterior. The very first phase of our project is to upgrade the existing building by replacing old sheetrock and re-painting the whole building. Also, a new more integrated canopy will be added as an entrance to the office part of the building. The proposed 285 feet driveway to the land-locked 5 Acres where the boat & rv storage is proposed will be landscaped with trees and plants lining the entrance as well as the driveway. So, the overall effect will definitely enhance the City aesthetically.

**3. Is the proposed development consistent with the City's goals, objectives, and actions?**

The City wants to maintain a "residential / rural" feel for this neighborhood. Due to the land-locked location of the 5 Acres and the 285 foot distance from Hufsmith road, that neighborhood feeling will not be disturbed in any way thus maintaining the City's vision. All the neighbors have already confirmed their support for this project as well.

**4. Is the proposed development a better use of land/property, for both the owner/developer and the City, than that recommended by the Plan?**

The City's recommendations for "residential rural" land are for one of the following:

- Church
- Bed & Breakfast
- 1 House per acre

- A community home
- Post Office
- Riding Academy
- Stables
- Private Swimming Pool
- Vet Clinic
- Park / Playground
- Municipal Facility
- Household care / Family Home

Due to the land-locked nature of the land, I don't believe any of the above options are feasible. There is no frontage to Hufsmith that will allow any of the above uses to flourish. So, I believe the boat & rv storage use is one that is one of the highest and best uses for this tract.

**5. Will the proposed development impact adjacent residential areas in a positive or negative manner?**

The proposed development will definitely not have a negative impact. The boat & rv storage business is a very quiet business. People simply park their RV's and then leave. They are not manufacturing, banging, drilling or anything like that. Someone mentioned light pollution. This will not be an issue either due to our full-cut-off lighting. Even so, from our lighting plan it looks like possibly only one light could affect a neighbor and we have committed to put an 8-foot picket fence between the boat & rv storage and any residential neighbors. The only impact will be a positive one as the current occupant of the property runs a dog rescue operation which is extremely noisy. So, the neighbors have been very enthusiastic about our project as they see us as a much more desirable neighbor.

**6. Will the proposed development have adequate access; have considerations been made for roadway capacity, ingress and egress, traffic impact?**

We are proposing a driveway on the western side of the property. There is a 30-foot wide area in which we propose to create a driveway to the back landlocked 5 Acres where the boat and rv storage will be located. This is more than adequate for access as our other boat and rv storage property in Conroe has a very similar access that has the same width and that works just fine. The traffic on East Hufsmith is already fairly heavy. The City has already designated East Hufsmith as a Major Arterial. I doubt very much that our project will make a significant difference to the traffic count.

**7. Are uses adjacent to the proposed development similar in nature in terms of appearance, house of operation, and other general aspects of compatibility?**

On the West side of the property there's the Texas Prospects baseball park. Immediately to the East of them there's a proposed Tennis Club. To the East of that is a residential home. To the immediate East of the property there are a further two residential homes. A bit further East there is a bed and breakfast, an electric company (Cornerstone Electric) another boat & rv storage business being built and an auto-repair shop (Johnny's Bang & Bump Shop). So, a bit of a mixture of uses.

**8. Does the proposed development present a significant benefit to the public health, safety and welfare of the community?**

The boat & rv storage project proposed for this landlocked 5 Acres of land provides a definite safety factor to the contiguous neighbors to the South of the 5 Acres as the 5 Acres will have a security fence around it and thus their back gardens will be secured from unauthorized access and entry. One of the neighbors to the East of the property feel that the current occupant has affected their mental health due to the barking of the dogs so they are very supportive of our proposed project as the barking dogs issue will go away and be replaced by a well-run and quiet operation.

### **ZONING CONSIDERATIONS**

In making its recommendation regarding a proposed zoning change, the Planning and Zoning Commission and City Council shall consider the following factors:

**A. Whether the uses permitted by the proposed change will be appropriate in the immediate area concerned, and their relationship to the general area and to the City as a whole.**

While many of the uses permitted in the General Retail District (Exhibit “F”) do not appear to be appropriate for the immediate area, the General Retail District is intended to be a transitional district. The established land uses in the area are single-family residences, undeveloped land and baseball fields. An adjacent property has an approved Conditional Use Permit to operate private tennis courts. To the east of the property, there is a public right-of-way for Neal Street. To the north of the property, there is a landlocked strip of land, a Harris County Flood Control ditch and a landfill. It is likely that these properties will not develop. This appears to be an appropriate dividing line between residential and non-residential uses.

**B. Whether the proposed change is in accordance with any existing or proposed plans for providing public schools, streets, water supply, sanitary sewers, and other utilities to the area.**

Utilities are available to serve this property, however they may need to be upsized to accommodate a non-residential facility. The existing arterial street adjacent to the property can accommodate traffic generated by a General Retail District development.

**C. The amount of vacant land currently classified for similar development in the vicinity and elsewhere in the City, and any special circumstances which may make a substantial part of such vacant land unavailable for development.**

There is vacant land in the City zoned General Retail. There does not appear to be any special circumstances which may make a substantial part of any vacant land unavailable for development.

**D. The recent rate at which land is being developed in the same zoning classification as the request, particularly in the vicinity of the proposed change.**

There has been steady development in the General Retail District in the City.

**E. How other areas designated for similar development will be, or are likely to be, affected if the proposed amendment is approved.**

City Staff does not anticipate any adverse impacts on other areas designated for similar development.

**F. Any other factors that will substantially affect the public health, safety, morals, or general welfare.**

If a non-residential development is constructed on the subject site, Chapter 50 (Zoning) has regulations in place to protect the adjacent residential development. These regulations include fencing and landscape buffer requirements, greater setbacks and lighting restrictions.

**G. Whether the request is consistent with the Comprehensive Plan.**

The Future Land Use Map designates the property as Rural Residential. The request does not appear to be consistent with the Future Land Use Map.

**PUBLIC COMMENT**

Property owners within 200 feet of the project site were mailed notification of this proposal on December 22, 2017. The Notice of Public Hearing was published in the paper on December 27, 2017. Any public comment forms will be provided in the Planning & Zoning Commission and City Council packets or during the public hearing.

**RECOMMENDATION**

Based on the findings outlined in the analysis section of this staff report, City staff recommends approval of Zoning Case P17-0137.

**EXHIBITS**

- A. Aerial Photo
- B. Comprehensive Plan
- C. Zoning Map
- D. Site Photo
- E. Application
- F. General Retail District Allowable Uses

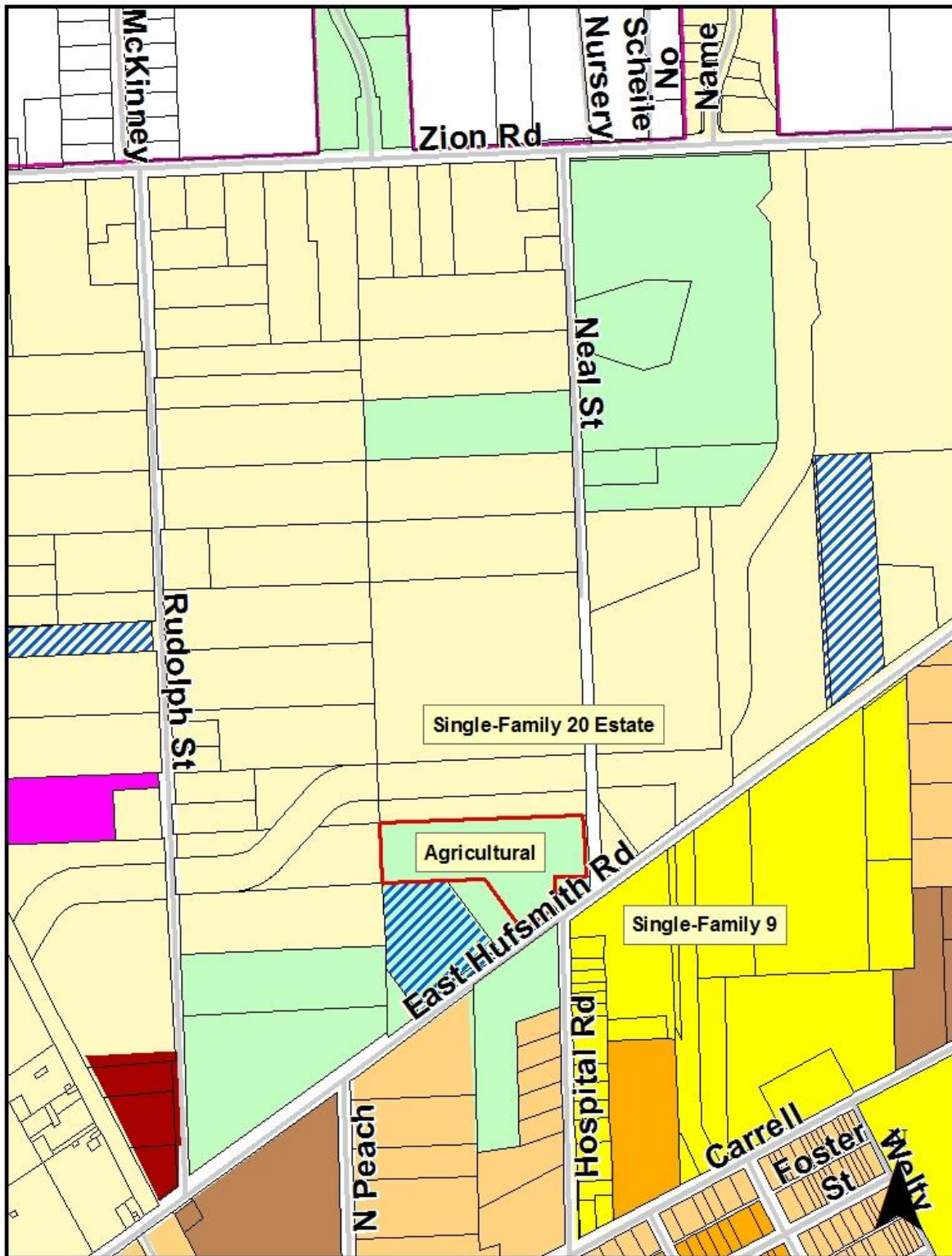
Exhibit "A"  
Aerial Photo



Exhibit "B"  
Comprehensive Plan



Exhibit "C"  
Zoning Map



**Exhibit “D”  
Site Photo**



## Exhibit "E" Application

DocuSign Envelope ID: 23C8AA10-20BE-4FBE-A7B0-92ED5879078E

Revised 5/19/15



### APPLICATION FOR REZONING

Community Development Department  
Planning Division

**APPLICATION SUBMITTAL:** Applications will be *conditionally* accepted on the presumption that the information, materials and signatures are complete and accurate. If the application is incomplete or inaccurate, your project may be delayed until corrections or additions are received.

#### **Applicant**

Name: Lance Langenhoven Title: \_\_\_\_\_

Mailing Address: 8505 Technology Forest Pl. # 501 City: The Woodlands State: TX

Zip: 77381

Phone: (832) 483 8655 Fax: (\_\_\_\_) \_\_\_\_\_ Email: Lance.Glynis@gmail.com

#### **Owner**

Name: Abandoned Animal Rescue Title: Owner of 419 E. Hufsmith

Mailing Address: 419 E. Hufsmith City: Tomball State: TX

Zip: 77355

Phone: (281) 802 8540 Fax: (\_\_\_\_) \_\_\_\_\_ Email: shelter@aatexas.org

#### **Engineer/Surveyor (if applicable)**

Name: \_\_\_\_\_ Title: \_\_\_\_\_

Mailing Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_

Zip: \_\_\_\_\_

Phone: (\_\_\_\_) \_\_\_\_\_ Fax: (\_\_\_\_) \_\_\_\_\_ Email: \_\_\_\_\_

**Description of Proposed Project:** Boat and RV Storage on the back 5 Acres of the property

Physical Location of Property: 419 E. Hufsmith, Tomball, TX, 77355

[General Location – approximate distance to nearest existing street corner]

Legal Description of Property: LT 61 BLK 1 ABANDONED ANIMAL RESCUE R/P

[Survey/Abstract No. and Tracts, or platted Subdivision Name with Lots/Block]

Current Zoning District: Residential Rural

Current Use of Property: Approx. 1 Acres is being used by AAR. Remainder is vacant land.

Proposed Zoning District: General Retail with a CUP for Boat & RV Storage.

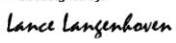
Proposed Use of Property: 1 Acre in front remains light commercials as it is now. Vacant Land - Boat & RV Storage

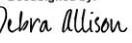
HCAD Identification Number: 1269440020001 Acreage: 5.8588 Acres

City of Tomball, Texas 501 James Street, Tomball, Texas 77375 Phone: 281-290-1405 [www.tomballtx.gov](http://www.tomballtx.gov)

Please note: A courtesy notification sign will be placed on the subject property during the public hearing process and will be removed when the case has been processed.

This is to certify that the information on this form is **COMPLETE, TRUE, and CORRECT** and the under signed is authorized to make this application. I understand that submitting this application does not constitute approval, and incomplete applications will result in delays and possible denial.

DocuSigned by:  
  
8A7AB70E550E148  
X \_\_\_\_\_  
Signature of Applicant Date

DocuSigned by:  
  
810457D45887418  
X \_\_\_\_\_  
Signature of Owner Date

Request for re-zoning of 419 E. Hufsmith

Date: 30<sup>th</sup> October 2017

Applicant: Lance Langenhoven; Owner: Abandoned Animal Shelter (AAR)

I am purchasing the 5.858 Acres property currently owned by AAR and would like to request a rezoning for the property to be in line with the zoning / use of the AAR buildings.

**1. AAR buildings.**

I plan on leaving the existing AAR offices where they are and plan to lease them out to a small commercial company. Something like a plumber, electrician, painting company, lawn-care maintenance or equivalent. Nothing automotive repair or related type of business.

Prior to any leasing we plan a major remodel of the entire building but no expansion. It will retain the existing footprint.

We plan on putting an 8-foot picket fence around the AAR area to leave it with approx.. 0.93 Acres of land. This will provide a small commercial business with enough space for parking their service vehicles and the offices and small warehouse will be perfect for a business like that.

The shed to the East of the building will be removed to provide vehicular access to the area to the North of the building for the future tenant. See image below.



The two layouts below show the proposed new floor plan on the top and the old floor plan below it.

The new floor plan is MUCH more efficient and secure and will be just perfect for a small but fast-growing neighborhood services company.

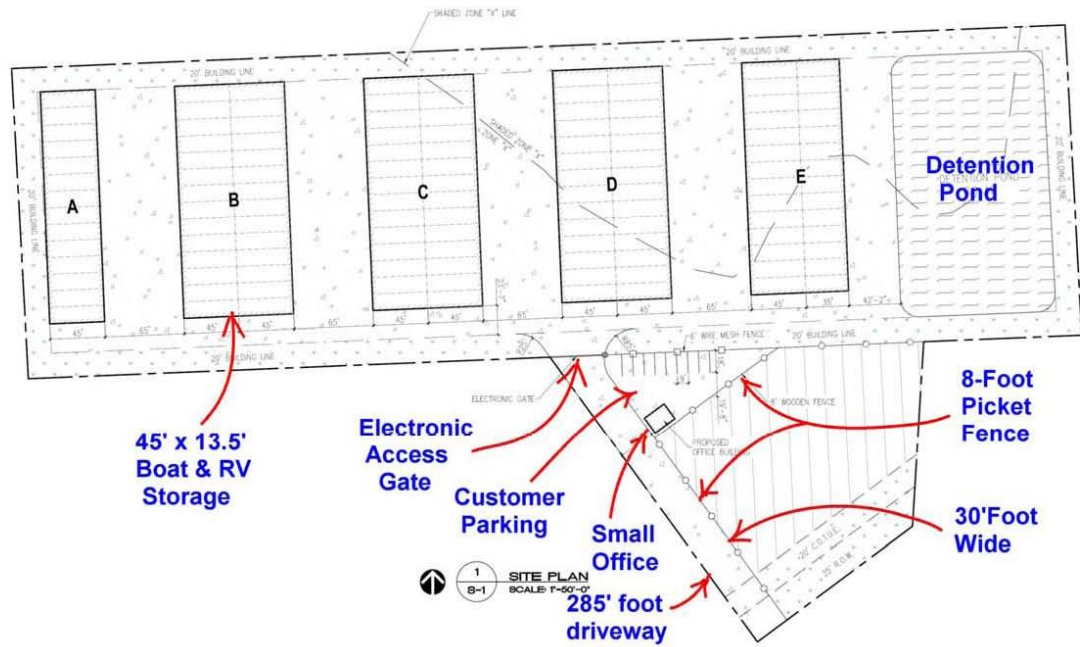


## **2. Approx. 5 Acres of land at the back**

I plan on putting an 8-foot picket fence on the West side of the AAR office which would provide an approx. 30-foot wide driveway to the back +- 5 Acres of land.

The plan is to create a very low-key access driveway from E. Hufsmith with flowers & shrubs at the entrance to ensure the rural neighborhood ambience is not disturbed.

A small office will be located behind the current AAR building (approx. 400 to 500 SF) and will not be visible from the E. Hufsmith. A small client parking area will be next to the small office and this also will not be visible from E. Hufsmith. An electronic access gate will be at the end of the approx.. 285 feet driveway and it's unlikely that it would be very visible due to the distance and the trees along the driveway.



The above image shows the access driveway to our current Boat & RV Storage facility at 14912 Capitol Hill Road, Montgomery, TX, 77316. This driveway is about 235 feet long so it's

about 50 feet shorter than what the driveway at E. Hufsmith will be. As you can see the entrance is beautiful and green with trees on either side and a well-maintained look. This is what we plan to re-create at 419 E. Hufsmith except you will not be able to see a small building. Just a leafy driveway.

### 3. Possible Objections

#### - Noise?

The sound of barking of dogs from the AAR property will be eliminated by our intended use for their building. Also, the Boat & RV Storage usage creates almost no noise as people are simply parking vehicles. So, our project will be much nicer for the neighbors and our property appearance would be professionally maintained bringing value to the neighbors.

#### - What if I sold the Boat & RV Storage business? What would happen to the land?

Firstly, once I've established the Boat & RV Storage business I don't plan on selling it any time soon. However, if I did happen to sell it, a future buyer would buy it for the income stream and would keep the use the same. It would make no sense for a buyer to spend that amount of money to buy a business like this and to then remove it to develop something else... it would be much cheaper to buy vacant land and start from scratch. In fact, I don't know of a single boat & rv storage business in the region that has been sold and then scrapped.

#### - Competence?

This is not our first business of this type. We own Capitol Hill Boat & RV Storage in Montgomery County and since we purchased it we improved the property and business significantly. The address is 14912 Capitol Hill Road, Montgomery, TX, 77316.

We will be a good neighbor for our new neighbors and also the area in general.

I look forward to working to joining the Tomball community.

B. Regards,



Lance Langenhoven

30<sup>th</sup> October 2017







**Exhibit “F”**  
**General Retail District Allowable Uses**

| TYPES OF<br>LAND USES                                                                                                           | Residential<br>Zoning Districts |         |      |      |   |    |     | Nonresidential<br>Zoning Districts |    |   |    | OT&MU | Parking Ratio                                                                   |
|---------------------------------------------------------------------------------------------------------------------------------|---------------------------------|---------|------|------|---|----|-----|------------------------------------|----|---|----|-------|---------------------------------------------------------------------------------|
|                                                                                                                                 | AG                              | SF-20-E | SF-9 | SF-6 | D | MF | MHP | O                                  | GR | C | LI |       |                                                                                 |
| Accessory building/structure<br>(business or industry) ‡                                                                        |                                 |         |      |      |   |    |     | P                                  | P  | P | P  | P     | None                                                                            |
| All-terrain vehicle (go-carts)<br>dealer/sales (w/no outdoor sales,<br>storage, and display)                                    |                                 |         |      |      |   |    |     |                                    | P  | P | P  | C     | 1 space per<br>300 square feet                                                  |
| All-terrain vehicle (go-carts)<br>dealer/sales (w/outdoor sales,<br>storage, and display)                                       |                                 |         |      |      |   |    |     |                                    | P  | P | P  |       | 1 space per<br>300 square feet                                                  |
| Antique shop (no outside sales or<br>storage) ‡                                                                                 |                                 |         |      |      |   |    |     |                                    | P  | P | P  | P     | 1 space per<br>500 square feet                                                  |
| Apparel shop                                                                                                                    |                                 |         |      |      |   |    |     |                                    | P  | P | P  | P     | 1 space per<br>200 square feet                                                  |
| Appliance repair                                                                                                                |                                 |         |      |      |   |    |     |                                    | P  | P | P  | P     | 1 space per<br>500 square feet                                                  |
| Armed services recruiting center                                                                                                |                                 |         |      |      |   |    |     | P                                  | P  | P | P  | P     | 1 space per<br>300 square feet                                                  |
| Art gallery/museum/dealer ‡                                                                                                     |                                 |         |      |      |   |    |     | C                                  | P  | P | P  | P     | 1 space per<br>500 square feet                                                  |
| Artist or photography studio                                                                                                    |                                 |         |      |      |   |    |     | C                                  | P  | P | P  | P     | 1 space per<br>500 square feet                                                  |
| Assisted living facility (continuing<br>care retirement community) ‡                                                            |                                 |         |      |      |   | P  |     | C                                  | P  | P |    | P     | 1.5 spaces per dwelling unit<br>plus any additional space for<br>accessory uses |
| Auto accessories (retail sales only)                                                                                            |                                 |         |      |      |   |    |     |                                    | P  | P | P  | P     | 1 space per<br>200 square feet                                                  |
| Auto dealer (new, auto servicing<br>and used auto sales as accessory<br>uses only, w/no outdoor sales,<br>storage, and display) |                                 |         |      |      |   |    |     |                                    | P  | P | P  | C     | See Section 50-112                                                              |
| Auto dealer (new, auto servicing<br>and used auto sales as accessory<br>uses only, w/outdoor sales, storage,<br>and display) ‡  |                                 |         |      |      |   |    |     |                                    | P  | P | P  |       | See Section 50-112                                                              |
| Auto glass repair/tinting                                                                                                       |                                 |         |      |      |   |    |     |                                    | P  | P | P  | P     | 1 space per<br>200 square feet                                                  |
| Auto parts sale (new or rebuilt; no<br>outside storage, no outside display,<br>no repair)                                       |                                 |         |      |      |   |    |     |                                    | P  | P | P  | P     | 1 space per<br>200 square feet                                                  |
| Auto rental                                                                                                                     |                                 |         |      |      |   |    |     |                                    | P  | P | P  | C     | 1 space per<br>200 square feet                                                  |
| Auto repair (minor) ‡                                                                                                           |                                 |         |      |      |   |    |     |                                    | P  | P | P  | P     | 1 space per<br>200 square feet                                                  |
| Auto tire sales (indoor)                                                                                                        |                                 |         |      |      |   |    |     |                                    | P  | P | P  | P     | 1 space per<br>200 square feet                                                  |

| TYPES OF<br>LAND USES                                                 | Residential<br>Zoning Districts |         |      |      |   |    |     | Nonresidential<br>Zoning Districts |    |   |    | OT&MU | Parking Ratio                                                                                                                                                      |
|-----------------------------------------------------------------------|---------------------------------|---------|------|------|---|----|-----|------------------------------------|----|---|----|-------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                                       | AG                              | SF-20-E | SF-9 | SF-6 | D | MF | MHP | O                                  | GR | C | L1 |       |                                                                                                                                                                    |
| Automobile driving school<br>(including defensive driving)            |                                 |         |      |      |   |    |     | C                                  | P  | P | P  | P     | 1 space per<br>classroom seat                                                                                                                                      |
| Automobile wash (full<br>service/detail shop) ‡                       |                                 |         |      |      |   |    |     |                                    | P  | P | P  | P     | 3 spaces per washing capacity<br>of module                                                                                                                         |
| Bakery, retail (eating establishment,<br>no drive-through) ‡          |                                 |         |      |      |   |    |     | C                                  | P  | P | P  | P     | 1 space per<br>200 square feet                                                                                                                                     |
| Bakery, retail (with drive-through)                                   |                                 |         |      |      |   |    |     |                                    | P  | P | P  | P     | 1 space per<br>200 square feet                                                                                                                                     |
| Bank, savings and loan, or credit<br>union (no motor bank services)   |                                 |         |      |      |   |    |     | P                                  | P  | P | P  | P     | 1 space per<br>300 square feet                                                                                                                                     |
| Bank, savings and loan, or credit<br>union (with motor bank services) |                                 |         |      |      |   |    |     | C                                  | P  | P | P  | P     | 1 space per<br>300 square feet                                                                                                                                     |
| Barber/beauty shop (no related<br>school/college)                     |                                 |         |      |      |   |    |     | C                                  | P  | P | P  | P     | 1 space per<br>200 square feet                                                                                                                                     |
| Bed and breakfast inn ‡                                               | P                               | C       | C    | C    | C | C  |     | C                                  | P  | P |    | P     | 2 spaces plus one per<br>guest room                                                                                                                                |
| Bike sales and/or repair                                              |                                 |         |      |      |   |    |     |                                    | P  | C | P  | P     | 1 space per<br>500 square feet                                                                                                                                     |
| Bird and pet shops (retail only)                                      |                                 |         |      |      |   |    |     |                                    | P  | P | P  | P     | 1 space per<br>200 square feet                                                                                                                                     |
| Book/stationery shop (retail only) ‡                                  |                                 |         |      |      |   |    |     |                                    | P  | P | P  | P     | 1 space per<br>200 square feet                                                                                                                                     |
| Bowling alley (air conditioned and<br>soundproofed)                   |                                 |         |      |      |   |    |     |                                    | P  | P | P  | C     | 4 spaces per lane                                                                                                                                                  |
| Brewpub                                                               |                                 |         |      |      |   |    |     | C                                  | P  | P | P  | P     | 1 space per 1,000 square feet<br>for the brewing of beer, ale,<br>etc. plus 1 space per 100<br>square feet for associated<br>eating or drinking<br>establishments. |
| Caretaker's, guard's residence ‡                                      | P                               | C       |      |      |   | P  |     | P                                  | P  | P | P  | P     | 1 space per<br>caretaker/guard                                                                                                                                     |
| Child day care center (business) ‡                                    |                                 |         |      |      |   | C  |     | C                                  | P  | P |    | P     | 1 space per three children                                                                                                                                         |
| Church/temple/place of worship ‡                                      | P                               | P       | P    | P    | P | P  | P   | P                                  | P  | P | P  | P     | 1 space per four seats in<br>sanctuary                                                                                                                             |
| Civic center (municipal) ‡                                            | P                               | P       | P    | P    | P | P  | P   | P                                  | P  | P | P  | P     | 10 spaces plus 1 per 300<br>square feet above 2,000<br>square feet                                                                                                 |
| Civic club                                                            |                                 |         |      |      |   |    |     | P                                  | P  | P | P  | P     | See Section 50-112                                                                                                                                                 |
| Clinic, emergency care                                                |                                 |         |      |      |   |    |     |                                    | P  | P | P  | C     | 1 space per<br>150 square feet                                                                                                                                     |
| Clinic, medical and/or dental                                         |                                 |         |      |      |   |    |     | P                                  | P  | P | P  | P     | 1 space per<br>300 square feet                                                                                                                                     |

| TYPES OF<br>LAND USES                                                                                              | Residential<br>Zoning Districts |         |      |      |   |    |     | Nonresidential<br>Zoning Districts |    |   |    | OT&MU | Parking Ratio                                                |
|--------------------------------------------------------------------------------------------------------------------|---------------------------------|---------|------|------|---|----|-----|------------------------------------|----|---|----|-------|--------------------------------------------------------------|
|                                                                                                                    | AG                              | SF-20-E | SF-9 | SF-6 | D | MF | MHP | O                                  | GR | C | LI |       |                                                              |
| Communication equipment sales/service (installation and/or repair, no outdoor sales or storage or towers/antennae) |                                 |         |      |      |   |    |     |                                    | P  | P | P  | P     | 1 space per 1,000 square feet                                |
| Community center (public)                                                                                          | C                               | C       | C    | C    | C | C  | C   | P                                  | P  | P | P  | P     | See Section 50-112                                           |
| Community or social buildings ‡                                                                                    | C                               | C       | C    | C    | C | C  | C   | P                                  | P  | P | P  | P     | 1 space per 300 square feet                                  |
| Contractor's office/sales, no outside storage including vehicles                                                   |                                 |         |      |      |   |    |     |                                    | P  | P | P  | P     | 1 space per 1,000 square feet of land                        |
| Contractor's temporary on-site construction office (only with permit from building official.)                      | P                               | P       | P    | P    | P | P  | P   | P                                  | P  | P | P  | P     | None                                                         |
| Convenience store (with or without gasoline sales) ‡                                                               |                                 |         |      |      |   |    |     | C                                  | P  | P | P  | C     | See Section 50-112                                           |
| Copy shop ‡                                                                                                        |                                 |         |      |      |   |    |     | C                                  | P  | P | P  | P     | 1 space per 200 square feet                                  |
| Credit agency                                                                                                      |                                 |         |      |      |   |    |     | P                                  | P  | P | P  | P     | 1 space per 300 square feet                                  |
| Dance/drama/music schools (performing arts, martial arts)                                                          | C                               | C       | C    | C    | C | C  | C   | C                                  | P  | P | P  | P     | 1 space per 100 square feet                                  |
| Dinner theatre                                                                                                     |                                 |         |      |      |   |    |     |                                    | P  | P | P  | P     | 1 space per three seats or bench seating space               |
| Drinking establishment                                                                                             |                                 |         |      |      |   |    |     | C                                  | P  | P | P  | P     |                                                              |
| Drug store (retail only)                                                                                           |                                 |         |      |      |   |    |     |                                    | P  | P | P  | P     | 1 space per 200 square feet                                  |
| Eating establishment (with no drive through service) ‡                                                             |                                 |         |      |      |   |    |     | C                                  | P  | P | P  | P     |                                                              |
| Electric repair, (domestic equipment and autos)                                                                    |                                 |         |      |      |   |    |     | C                                  | P  | P | P  | P     | 1 space per 1,000 square feet                                |
| Electronic goods (retail only)                                                                                     |                                 |         |      |      |   |    |     |                                    | P  | P | P  | P     | 1 space per 200 square feet                                  |
| Exterminator service/company (no outdoor sales or storage)                                                         |                                 |         |      |      |   |    |     |                                    | P  | P | P  | P     | 1 space per 300 square feet                                  |
| Family home (child care in place of residence) ‡                                                                   | P                               | P       | P    | P    | P | P  | P   | P                                  | P  | P | P  | P     | 1 space per 10 children plus 1 space per teacher             |
| Farm (ranch, garden, crops, livestock, or orchard) ‡                                                               | P                               | P       | P    | P    | P | P  | P   | P                                  | P  | P | P  | P     | None                                                         |
| Florist shop (retail only) ‡                                                                                       |                                 |         |      |      |   |    |     | C                                  | P  | P | P  | P     | 1 space per 200 square feet                                  |
| Food or grocery store                                                                                              |                                 |         |      |      |   |    |     |                                    | P  | P | P  | P     | 1 space per 500 square feet                                  |
| Fraternal organization ‡                                                                                           |                                 |         |      |      |   |    |     | C                                  | P  | P | P  | P     | 10 spaces plus 1 per 300 square feet above 2,000 square feet |

| TYPES OF<br>LAND USES                                            | Residential<br>Zoning Districts |         |      |      |   |    |     | Nonresidential<br>Zoning Districts |    |   |    | OT&MU | Parking Ratio                                                                      |
|------------------------------------------------------------------|---------------------------------|---------|------|------|---|----|-----|------------------------------------|----|---|----|-------|------------------------------------------------------------------------------------|
|                                                                  | AG                              | SF-20-E | SF-9 | SF-6 | D | MF | MHP | O                                  | GR | C | LI |       |                                                                                    |
| Furniture and appliance store<br>(retail only) ‡                 |                                 |         |      |      |   |    |     |                                    | P  | P | P  | P     | 1 space per<br>500 square feet                                                     |
| Furniture store (new and used) ‡                                 |                                 |         |      |      |   |    |     |                                    | P  | P | P  | P     | 1 space per<br>200 square feet                                                     |
| Garden shop ‡                                                    |                                 |         |      |      |   |    |     |                                    | P  | P | P  | P     | 1 space per<br>200 square feet                                                     |
| Gasoline station                                                 |                                 |         |      |      |   |    |     |                                    | P  | P | P  |       | See Section 50-112                                                                 |
| General retail stores (no outside<br>storage)                    |                                 |         |      |      |   |    |     |                                    | P  | P | P  | P     | 1 space per<br>200 square feet                                                     |
| Gift or card shop (retail only)                                  |                                 |         |      |      |   |    |     | C                                  | P  | P | P  | P     | 1 space per<br>200 square feet                                                     |
| Golf course (publicly owned) ‡                                   | P                               | P       | P    | P    | P | P  | P   | P                                  | P  | P | P  | P     | 6 spaces per hole                                                                  |
| Governmental building or use<br>(county, state or federal) ‡     | C                               | C       | C    | C    | C | C  | C   | P                                  | P  | P | P  | P     | 1 space per<br>300 square feet                                                     |
| Hardware store                                                   |                                 |         |      |      |   |    |     |                                    | P  | P | P  | P     | 1 space per<br>400 square feet                                                     |
| Health club (indoor)                                             |                                 |         |      |      |   |    |     | C                                  | P  | P | P  | P     | 1 space per<br>300 square feet                                                     |
| Health club (outdoor)                                            |                                 |         |      |      |   |    |     |                                    | P  | P | P  | P     | 1 space per<br>300 square feet                                                     |
| Hobby and crafts store (retail only)                             |                                 |         |      |      |   |    |     | C                                  | P  | P | P  | P     | 1 space per<br>200 square feet                                                     |
| Home improvement center                                          |                                 |         |      |      |   |    |     |                                    | P  | P | P  | P     | 1 space per 400 square feet<br>plus one per 1,000 square<br>feet of warehouse area |
| Home occupation ‡                                                | P                               | P       | P    | P    | P | P  |     |                                    | P  | P | P  | P     | None                                                                               |
| Hospital ‡                                                       |                                 |         |      |      |   |    |     | C                                  | P  | P | P  | P     | 1 space per bed                                                                    |
| Hotel ‡                                                          |                                 |         |      |      |   |    |     |                                    | P  | P |    | C     | See Section 50-112                                                                 |
| Household care institution                                       |                                 |         |      |      |   |    |     |                                    | P  | P | P  |       | 1 space per 6 clients                                                              |
| Institution of religious, educational<br>or philanthropic nature | C                               | C       | C    | C    | C | C  | C   | C                                  | P  | P | P  | P     | 1 space per<br>200 square feet                                                     |
| Jewelry store                                                    |                                 |         |      |      |   |    |     |                                    | P  | P | P  | P     | 1 space per<br>200 square feet                                                     |
| Laundromat/washateria/self-<br>service ‡                         |                                 |         |      |      |   |    |     |                                    | P  | P | P  | P     | 1 space per<br>200 square feet                                                     |
| Laundry/dry cleaning (retail only,<br>drop off/pick up) ‡        |                                 |         |      |      |   |    |     | C                                  | P  | P | P  | P     | 1 space per<br>200 square feet                                                     |
| Locksmith                                                        |                                 |         |      |      |   |    |     |                                    | P  | P | P  | C     | 1 space per<br>500 square feet                                                     |
| Mailing service (private)                                        |                                 |         |      |      |   |    |     |                                    | P  | P | P  | P     | 1 space per<br>200 square feet                                                     |
| Meat and fish market (retail only)                               |                                 |         |      |      |   |    |     |                                    | P  | P | P  | P     | 1 space per<br>200 square feet                                                     |
| Model home (including sales<br>office)                           | P                               | P       | P    | P    | P | P  | P   | P                                  | P  | C | C  | P     | 2 spaces per<br>model                                                              |

| TYPES OF<br>LAND USES                                                               | Residential<br>Zoning Districts |         |      |      |   |    |     | Nonresidential<br>Zoning Districts |    |   |    | OT&MU | Parking Ratio                               |
|-------------------------------------------------------------------------------------|---------------------------------|---------|------|------|---|----|-----|------------------------------------|----|---|----|-------|---------------------------------------------|
|                                                                                     | AG                              | SF-20-E | SF-9 | SF-6 | D | MF | MHP | O                                  | GR | C | LI |       |                                             |
| Motion picture theater (indoors)                                                    |                                 |         |      |      |   |    |     |                                    | P  | P | P  | P     | See Section 50-112                          |
| Motorcycle sales/dealer w/no outdoor sales, storage, and display                    |                                 |         |      |      |   |    |     |                                    | P  | P | P  | C     | See Section 50-112                          |
| Motorcycle sales/dealer w/outdoor sales, storage, and display ‡                     |                                 |         |      |      |   |    |     |                                    | P  | P | P  |       | See Section 50-112                          |
| Municipal facility or use ‡                                                         | P                               | P       | P    | P    | P | P  | P   | P                                  | P  | P | P  | P     | 1 space per 300 square feet                 |
| Museum                                                                              | C                               | C       | C    | C    | C | C  | C   | C                                  | P  | P | P  | P     | See Section 50-112                          |
| Non-city public assembly (auditorium, gymnasium, stadiums, meeting halls, etc.)     |                                 |         |      |      |   |    |     |                                    | P  | P | P  | C     | 1 space per 4 seats                         |
| Nursery ‡                                                                           |                                 |         |      |      |   |    |     |                                    | P  | P | P  | P     | 1 space per 1,000 square feet of sales area |
| Office, parole-probation                                                            |                                 |         |      |      |   |    |     |                                    | P  | P | P  | C     | 1 space per 300 square feet                 |
| Office, professional and general business ‡                                         |                                 |         |      |      |   |    |     | P                                  | P  | P | P  | P     | 1 space per 300 square feet                 |
| Park and/or playground (private) ‡                                                  | P                               | P       | P    | P    | P | P  | P   | P                                  | P  | P | P  | P     |                                             |
| Park and/or playground (public, municipal) ‡                                        | P                               | P       | P    | P    | P | P  | P   | P                                  | P  | P | P  | P     |                                             |
| Parking lot or garage for passenger cars and trucks of less than one-ton capacity ‡ | C                               |         | C    | C    | C | C  |     | C                                  | P  | P | P  | C     | None                                        |
| Personal watercraft sales (new/repair) w/no outdoor sales, storage, and display     |                                 |         |      |      |   |    |     |                                    | P  | P | P  | C     | See Section 50-112                          |
| Personal watercraft sales (new/repair) w/outdoor sales, storage, and display        |                                 |         |      |      |   |    |     |                                    | P  | P | P  |       | See Section 50-112                          |
| Pet and animal grooming shop (no outside kennels) ‡                                 |                                 |         |      |      |   |    |     |                                    | P  | P | P  | P     | 1 space per 200 square feet                 |
| Pharmacy (retail only)                                                              |                                 |         |      |      |   |    |     | C                                  | P  | P | P  | P     | 1 space per 200 square feet                 |
| Piano and musical instruments (retail only)                                         |                                 |         |      |      |   |    |     |                                    | P  | P | P  | P     | 1 space per 200 square feet                 |
| Post office (governmental)                                                          | P                               | P       | P    | P    | P | P  | P   | P                                  | P  | P | P  | P     | 10 plus 1 per 200 square feet               |
| Quick lube/oil change/minor inspection                                              |                                 |         |      |      |   |    |     |                                    | P  | P | P  | P     | 1 space per 200 square feet                 |
| Reception venue                                                                     | C                               | C       |      |      |   |    |     | C                                  | P  | P | P  | P     | 1 space: 4 seats                            |
| Rectory/parsonage                                                                   | P                               | P       | P    | P    | P | P  | P   | P                                  | P  | P | P  | P     | 5 spaces, plus 1 per bedroom                |

| TYPES OF<br>LAND USES                                                                                                   | Residential<br>Zoning Districts |         |      |      |   |    |     | Nonresidential<br>Zoning Districts |    |   |    | OT&MU | Parking Ratio                                                         |
|-------------------------------------------------------------------------------------------------------------------------|---------------------------------|---------|------|------|---|----|-----|------------------------------------|----|---|----|-------|-----------------------------------------------------------------------|
|                                                                                                                         | AG                              | SF-20-E | SF-9 | SF-6 | D | MF | MHP | O                                  | GR | C | L1 |       |                                                                       |
| Rehabilitation care facility (halfway house) ‡                                                                          | C                               | C       | C    | C    | C | C  | C   | C                                  | P  | P | P  | C     | Greater of 1 per three beds or 1.5 spaces per dwelling                |
| Rehabilitation care institution (business) ‡                                                                            | C                               | C       | C    | C    | C | C  |     | C                                  | P  | P | P  | P     | Greater of 1 per three beds or 1.5 spaces per dwelling                |
| School, business (e.g., barber/beauty/cosmetology)                                                                      |                                 |         |      |      |   |    |     |                                    | P  | P | P  | P     | 1 space per three students, based on design                           |
| School, college or university                                                                                           | C                               | C       | C    | C    | C | C  | C   | C                                  | P  | P | P  | P     | 10 per classroom plus 2 per office                                    |
| School, commercial trade (vocational) ‡                                                                                 |                                 |         |      |      |   |    |     | C                                  | P  | P | P  | P     | 1 space per student                                                   |
| School, other than public or denominational ‡                                                                           |                                 |         |      |      |   |    |     | C                                  | P  | P | P  | P     |                                                                       |
| School, public or denominational ‡                                                                                      | P                               | P       | P    | P    | P | P  | P   | P                                  | P  | P | P  | P     | See Section 50-112                                                    |
| Seamstress, dressmaker or tailor (retail only)                                                                          |                                 |         |      |      |   |    |     | C                                  | P  | P | P  | P     | 1 space per 200 square feet                                           |
| Security monitoring company (no outside storage)                                                                        |                                 |         |      |      |   |    |     | P                                  | P  | P | P  | P     | 1 space per 300 square feet                                           |
| Shoe repair shop (retail only)                                                                                          |                                 |         |      |      |   |    |     |                                    | P  | P | P  | P     | 1 space per 200 square feet                                           |
| Sign shop (small scale, such as a storefront; includes sign and banner making for retail sale only; no outside storage) |                                 |         |      |      |   |    |     |                                    | P  | P | P  | P     | 1 space per 300 square feet                                           |
| Skating rink                                                                                                            |                                 |         |      |      |   |    |     |                                    | P  | P | P  | P     | 1 space per 200 square feet, plus 1 per 3 seats based on max capacity |
| Studio for radio and/or television (no towers) ‡                                                                        |                                 |         |      |      |   |    |     | P                                  | P  | P | P  | P     | 1 space per 200 square feet                                           |
| Swimming pool, commercial ‡                                                                                             |                                 |         |      |      |   |    |     | C                                  | P  | P | P  | P     | 1 space per 100 square feet of gross water surface and deck area      |
| Swimming pool, private (use by membership) ‡                                                                            | P                               | P       | P    | P    | P | P  | P   | P                                  | P  | P | P  | P     | 1 space for each 100 square feet of gross water surface and deck area |
| Telephone exchange/switching station ‡                                                                                  | C                               |         |      |      |   |    |     | P                                  | P  | P | P  | C     | 1 space per 500 square feet                                           |
| Temporary real estate field office                                                                                      | P                               | P       | P    | P    | P | P  | P   | P                                  | P  | P | P  | P     | 4 spaces                                                              |
| Tennis court (private/not lighted)                                                                                      | P                               | P       | P    | P    | P | P  | P   | P                                  | P  | P | P  | P     | 2 spaces per court                                                    |
| Tool and machinery rental (indoor storage only) ‡                                                                       |                                 |         |      |      |   |    |     |                                    | P  | P | P  | P     | 1 space per 200 square feet                                           |
| Trophy engraving                                                                                                        |                                 |         |      |      |   |    |     |                                    | P  | P |    | P     | 1 space per 300 square feet                                           |
| Upholstery shop (nonauto)                                                                                               |                                 |         |      |      |   |    |     |                                    | P  | P | P  | P     | 1 space per 200 square feet                                           |

| TYPES OF<br>LAND USES                     | Residential<br>Zoning Districts |         |      |      |   |    |     | Nonresidential<br>Zoning Districts |    |   |    | OT&MU | Parking Ratio                  |
|-------------------------------------------|---------------------------------|---------|------|------|---|----|-----|------------------------------------|----|---|----|-------|--------------------------------|
|                                           | AG                              | SF-20-E | SF-9 | SF-6 | D | MF | MHP | O                                  | GR | C | L1 |       |                                |
| Used merchandise                          |                                 |         |      |      |   |    |     |                                    | P  | P | P  | P     | 1 space per<br>200 square feet |
| Vacuum cleaner sales and repair ‡         |                                 |         |      |      |   |    |     |                                    | P  | P | P  | P     | 1 space per<br>200 square feet |
| Veterinarian clinic (indoor kennels)<br>‡ | P                               |         |      |      |   |    |     |                                    | P  | P | P  | P     | 1 space per<br>500 square feet |
| Video rental/sales                        |                                 |         |      |      |   |    |     |                                    | P  | P | P  | P     | 1 space per<br>200 square feet |
| Wedding chapel                            |                                 |         |      |      |   |    |     |                                    | P  | P | P  | P     | 1 space per<br>four seats      |

# Regular Planning and Zoning Commission

## Agenda Item

### Data Sheet

Meeting Date: January 8, 2018

#### Topic:

Consideration to Approve **Zoning Case P17-0166**: Request by Lance Langenhoven for a Conditional Use Permit to operate a *mini-warehouse / self-storage* facility at 419 E. Hufsmith Road. The property is approximately 5.8588 acres, legally described as Lot 61 Block 1 Abandoned Animal Rescue Replat within the City of Tomball, Harris County, Texas, generally located on the north side of East Hufsmith at Hospital Road, and is zoned Agricultural District.

- Conduct Public Hearing on **Zoning Case P17-0166**

#### Background:

#### Origination:

#### Recommendation:

#### Party(ies) responsible for placing this item on agenda:

| ACTION TAKEN                                                         |                                                                                                      |       |
|----------------------------------------------------------------------|------------------------------------------------------------------------------------------------------|-------|
| Approval<br><input type="checkbox"/> Yes <input type="checkbox"/> No | Readings Passed<br><input type="checkbox"/> 1 <sup>st</sup> <input type="checkbox"/> 2 <sup>nd</sup> | Other |

#### ATTACHMENTS:

P17-0166 NOPH

Property Owner Notification

P17-0166 Staff Report

**NOTICE OF PUBLIC HEARING  
CITY OF TOMBALL  
PLANNING & ZONING COMMISSION (P&Z)  
JANUARY 8, 2018  
&  
CITY COUNCIL  
JANUARY 15, 2018**



Notice is Hereby Given that a Public Hearing will be held by the P&Z of the City of Tomball on **Monday, January 8, 2018, at 6:00 P.M.**, and by the City Council of the City of Tomball on **Monday, January 15, 2018, at 6:00 P.M.** at City Hall, 401 Market Street, Tomball Texas. On such dates, the P&Z and City Council will consider the following:

**Zoning Case P17-0137:** Request by Lance Langenhoven to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 5.8588 acres of land legally described as Lot 61 Block 1 Abandoned Animal Rescue Replat within the City of Tomball, Harris County, Texas, generally located on the north side of East Hufsmith at Hospital Road, from the Agricultural District to the General Retail District.

**Zoning Case P17-0166:** Request by Lance Langenhoven for a Conditional Use Permit to operate a *mini-warehouse / self-storage* facility at 419 E. Hufsmith Road. The property is approximately 5.8588 acres, legally described as Lot 61 Block 1 Abandoned Animal Rescue Replat within the City of Tomball, Harris County, Texas, generally located on the north side of East Hufsmith at Hospital Road, and is zoned Agricultural District.

At the public hearings, parties of interest and citizens will have the opportunity to be heard. All citizens of the City of Tomball, and any other interested parties, are invited to attend. Applications are available for public inspection Monday through Friday, except holidays, at the Public Works Building, located at 501 James Street, Tomball, TX 77375. Further information may be obtained by contacting the Planner, Amelia Lindley, at (281) 290-1410 or at [alindley@tomballtx.gov](mailto:alindley@tomballtx.gov).

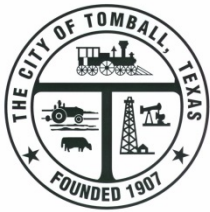
**C E R T I F I C A T I O N**

I hereby certify that the above notice of meeting was posted on the bulletin board of City Hall; City of Tomball, Texas, a place readily accessible to the general public at all times, on the **4<sup>th</sup>** day of **January 2018** by 5:00 p.m., and remained posted for at least 72 continuous hours preceding the scheduled time of said meeting.

Elizabeth Jones

Elizabeth Jones  
Administrative Assistant

This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please feel free to contact the City Secretary's office at (281) 290-1002 or FAX (281) 351-6256 for further information. AGENDAS MAY ALSO BE VIEWED ONLINE AT [www.tomballtx.gov](http://www.tomballtx.gov).



## Notice of Public Hearing

**YOU ARE INVITED TO ATTEND** the Public Hearing before the **PLANNING & ZONING COMMISSION** and **CITY COUNCIL** of the City of Tomball regarding the following item:

**CASE NUMBER:** P17-0166

**APPLICANT/OWNER:** Lance Langenhoven

**LOCATION:** Generally located on the north side of East Hufsmith at Hospital Road

**PROPOSAL:** A Conditional Use Permit to operate a *mini-warehouse / self-storage* facility at 419 E. Hufsmith Road. The property is approximately 5.8588 acres, legally described as Lot 61 Block 1 Abandoned Animal Rescue Replat within the City of Tomball, Harris County, Texas, and is zoned Agricultural District.

**CONTACT:** Amelia Lindley, Planner

**PHONE:** (281) 290-1410

**E-MAIL:** [alindley@tomballtx.gov](mailto:alindley@tomballtx.gov)

Interested parties may contact the City of Tomball between 8:00 a.m. and 5:00 p.m. Monday through Friday for further information. The application is available for public review Monday through Friday, except holidays, between the hours of 8:00 a.m. and 5:00 p.m. in the Community Development Department office, located at 501 James Street, Tomball, TX 77375. The staff report will be available no later than 4:00 p.m. on the Friday preceding the meeting.

**This notice is being mailed to all owners of real property within 200 feet of the request as such ownership appears on the last approved Harris County Appraisal District tax roll.**

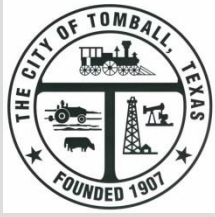


**Planning & Zoning Commission  
Public Hearing:  
Monday, January 8 2018, 6:00 PM**

**City Council Public Hearing:  
\*Monday, January 15, 2018, 6:00 PM**

**The Public Hearings will be held in the  
City Council Chambers, City Hall  
401 Market Street, Tomball, Texas**

\*Should the Planning & Zoning Commission vote to table the recommendation on the case, the date and time of a future meeting will be specified and the City Council will not review the subject case until such a recommendation is forwarded to the City Council by the Planning & Zoning Commission.



## Conditional Use Permit (CUP) Staff Report

Planning & Zoning Commission Public Hearing Date: January 8, 2018

City Council Public Hearing Date: January 15, 2018

**Rezoning Case:** P17-0166

**Property Owner(s):** Abandoned Animal Rescue

**Applicant(s):** Lance Langenhoven

**Legal Description:** Lot 61 Block 1 Abandoned Animal Rescue Replat

**Location:** 419 East Hufsmith Road - North side of East Hufsmith at Hospital Road (Exhibit "A")

**Area:** 5.8588 acres

**Comp Plan Designation:** Rural Residential (Exhibit "B")

**Present Zoning and Use:** Agricultural District (Currently in the process of being rezoned to General Retail District) (Exhibit "C") / Abandoned Animal Rescue (Exhibit "D")

**Proposed Use(s):** Boat and RV Storage

**Request:** Conditional Use Permit (CUP) to allow the operation of a *mini warehouse/self-storage* facility

**Adjacent Zoning & Land Uses:**

- North:** Single-Family 20 Estate / Undeveloped land
- South:** Agricultural and Single-Family 9 / Undeveloped land and single-family residence
- West:** Single-Family 20 Estate / Single-family residence
- East:** Single-Family 20 Estate / Single-family residence

### **BACKGROUND**

City Staff met with the applicant in October to discuss options for the property. The applicant expressed his desire to use the property for offices and boat and recreational vehicle storage. City Staff explained that a rezoning would be required for the proposed development. The applicant submitted a Rezoning Application on October 30, 2017 for the Commercial District.

At the December 18, 2017 City Council Meeting, the applicant requested the Councilmembers consider a rezoning to General Retail, with an associated Conditional Use Permit request, instead of the Commercial rezoning. No action was taken on the rezoning request.

## **ANALYSIS**

According to Section 50-81 (f) of the Chapter 50 (Zoning), when considering applications for a CUP, the City shall, on the basis of the concept plan and other information submitted, evaluate the impact of the conditional use on and the compatibility of the use with surrounding properties and neighborhoods to ensure the appropriateness of the use at a particular location. Specific considerations shall include the extent to which:

- 1. The proposed use at the specified location is consistent with the goals, objectives, and policies contained in the adopted Comprehensive Plan;**

The Comprehensive Plan identifies the subject site as Rural Residential. It does not appear that the request is consistent with the goals of the Future Land Use Map of the Comprehensive Plan.

- 2. The proposed use is consistent with the general purpose and intent of the applicable zoning district regulations;**

According to the Zoning Ordinance, “a conditional use is a land use which, because of its unique nature, is compatible with the permitted land uses in a given zoning district only upon a determination that the external effects of the use in relation to the existing and planned uses of adjoining property and the neighborhood can be mitigated through imposition of certain standards and conditions.”

According to Section 50-76, the purpose of the General Retail District is “to provide areas for local neighborhood shopping and service facilities for the retail sales of goods and services. The General Retail District should be located along or at the intersection of major collects or thoroughfares to accommodate higher traffic volumes.” The proposed use would provide a service to the area. East Hufsmith is considered a major arterial by the City’s Major Thoroughfare Plan and could accommodate the traffic generated by the proposed use. The request appears to be consistent with the intent of the General Retail District.

- 3. The proposed use meets all supplemental standards specifically applicable to the use as set forth in the Zoning Ordinance;**

Should the CUP application be approved by City Council, the applicant will be required to submit site and building plan applications and supporting documents to the City for review and approval. Specific details of site modifications will be shown at the time of plan review.

- 4. The proposed use is compatible with and preserves the character and integrity of adjacent development and neighborhoods and, as required by the particular circumstances, includes improvements or modifications either on-site or within the public rights-of-way to mitigate development-related adverse impacts;**

The proposed use appears to be compatible with the adjacent developments. There are a few single-family residences in the area. The other land uses in the area include baseball fields, a Harris County Flood Control ditch and undeveloped land. The proposed land use should not generate substantial traffic or noise.

5. **The proposed use is not materially detrimental to the public health, safety, convenience and welfare, or results in material damage or prejudice to other property in the vicinity.**

Staff does not anticipate any adverse effects on surrounding properties. The property does abut single-family residential district, and will therefore be subject to additional screening requirements to protect the adjacent residences.

### **PUBLIC COMMENT**

Property owners within 200 feet of the project site were mailed notification of this proposal on December 22, 2017. A Notice of Public Hearing was published in the paper on December 27, 2017. Any public comment forms will be provided in the Planning & Zoning Commission and City Council packets or during the public hearing.

### **RECOMMENDATION**

Based on the findings outlined in the analysis section of this staff report, City staff recommends approval of Zoning Case P17-0166.

### **EXHIBITS**

- A. Aerial Photo
- B. Comprehensive Plan
- C. Zoning Map
- D. Site Photo
- E. CUP Application
- F. Concept Plan

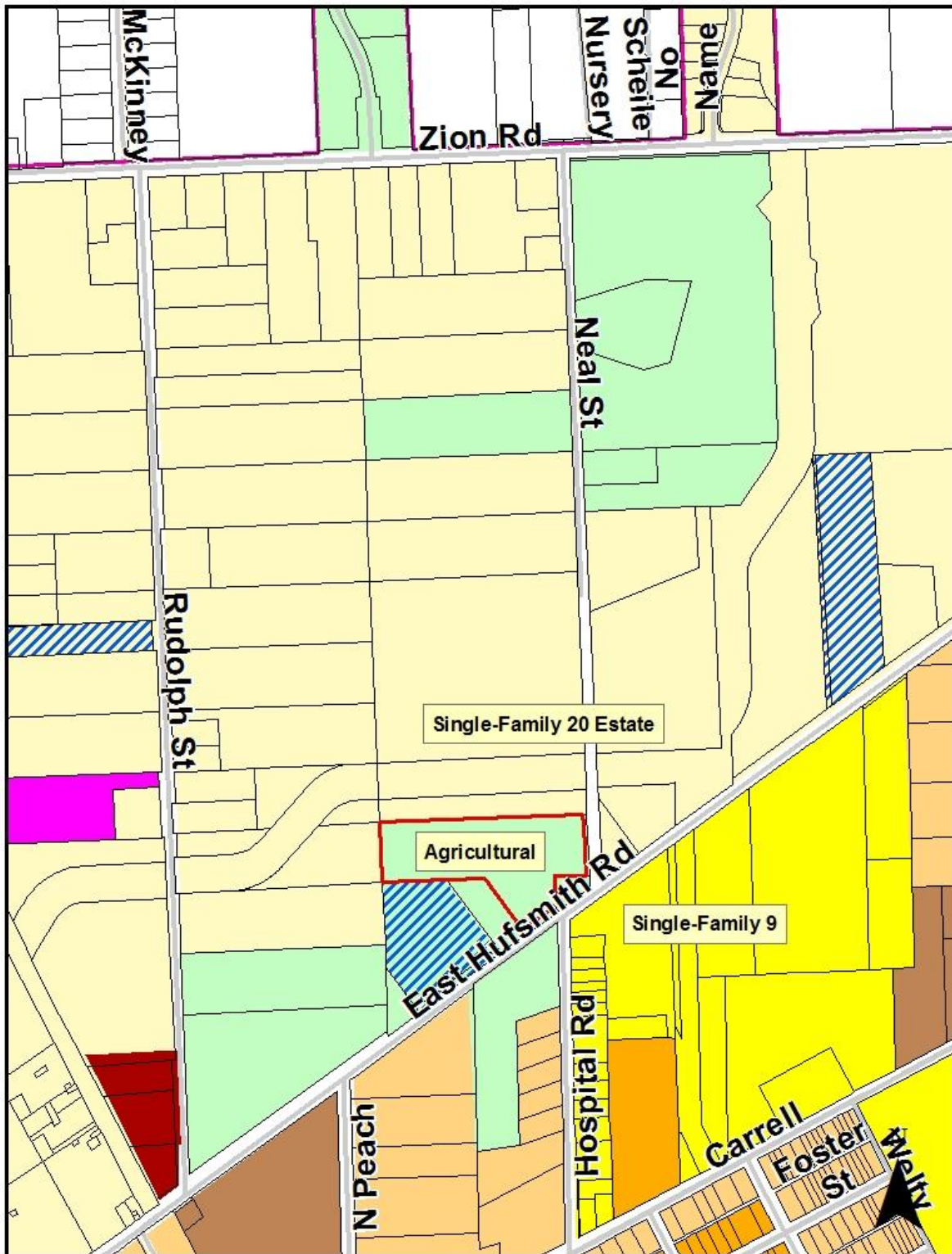
Exhibit "A"  
Aerial Photo



Exhibit "B"  
Comprehensive Plan



Exhibit "C"  
Zoning Map



**Exhibit “D”  
Site Photo**



**Exhibit "E"**  
**CUP Application**

666

Revised 5/19/15



P17-0166

**APPLICATION FOR**  
**CONDITIONAL USE PERMIT**  
Community Development Department  
Planning Division



A conditional use is a land use which, because of its unique nature, is compatible with the permitted land uses in a given zoning district only upon a determination that the external effects of the use in relation to the existing and planned uses of adjoining property and the neighborhood can be mitigated through imposition of certain standards and conditions.

No conditional use shall be established and no building permit shall be issued for any use designated as a conditional use within any zoning district until a conditional use permit (CUP) is approved and issued in accordance with the provisions of Section 50-34 of the Code of Ordinances.

**APPLICATION SUBMITTAL:** Applications will be *conditionally* accepted on the presumption that the information, materials and signatures are complete and accurate. If the application is incomplete or inaccurate, your project may be delayed until corrections or additions are received.

**Applicant**

Name: Lance Langenhoven Title: Buyer of 419 E. Hufsmith  
Mailing Address: 8505 Technology Forest Pl. # 501 City: The Woodlands State: TX  
Zip: 77381  
Phone: (832) 483 8655 Fax: (1.866) 438 7611 Email: Lance.Glynis@Gmail.com

**Owner**

Name: Abandoned Animal Shelter Title: Owner of 419 E. Hufsmith  
Mailing Address: 32632 Wright Road (future address) City: Magnolia State: TX  
Zip: 77355 please use: 419 E. Hufsmith, Tomball, tx, 77375 for now  
Phone: (281) 802 8540 Fax: ( ) Email: shelter@aatexas.org

**Engineer/Surveyor (if applicable)**

Name: Briana Winger - Texas Professional Surveying, LLC Title: Marketing Director  
Mailing Address: 3032 N. Frazier City: Conroe State: TX  
Zip: 77303  
Phone: (936) 756 7447 Fax: (936) 756 7448 Email: briana@surveyingtexas.com

City of Tomball, Texas 501 James Street, Tomball, Texas 77375 Phone: 281-290-1405 [www.tomballtx.gov](http://www.tomballtx.gov)

Description of Proposed Project: Boat & RV Storage on the back 5 Acres of the property.

Physical Location of Property: 419 E. Hufsmith, Tomball, TX, 77355

[General Location – approximate distance to nearest existing street corner]

Legal Description of Property: LT 61 BLK 1 ABANDONED ANIMAL RESCUE R/P

[Survey/Abstract No. and Tracts; or platted Subdivision Name with Lots/Block]

HCAD Identification Number: 1269440020001 Acreage: 5.8588 Acres

Current Use of Property: Approx. 1 Acre is being used commercially by AAR. Remainder if vacant land.

Proposed Use of Property: 1 Acre in front remains light commercial use, no change. Vacant land = Boat & RV Storage

Please note: A courtesy notification sign will be placed on the subject property during the public hearing process and will be removed when the case has been processed.

This is to certify that the information on this form is COMPLETE, TRUE, and CORRECT and the under signed is authorized to make this application. I understand that submitting this application does not constitute approval, and incomplete applications will result in delays and possible denial.

DocuSigned by:  
Lance Langenhoven  
X 6A7AB78F64DE448

10/29/2017

Signature of Applicant

Date

X Debbie Allison

10/29/17

Signature of Owner

Debbie Allison, AAR

CITY OF TOMBALL  
281-351-5484

REC#: 01003212 10/30/2017 11:58 AM  
OPER: RP TERM: 005  
REF#: W 1074

TRAN: 130.0000 PLANNING AND ZONING  
419 E HUFSMITH  
LANCE LANGEHOVEN  
100-5442

City of Tomball, Texas 5 CONDITIONAL USE PER 600.00CR

[www.tomballtx.gov](http://www.tomballtx.gov)

TENDERED: 600.00 CHECK  
APPLIED: 600.00-

CHAIR

### Figure “F” Concept Plan

