

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



MONDAY, DECEMBER 11, 2017

6:00 P.M.

Notice is hereby given of a meeting of the Planning and Zoning Commission, to be held on Monday, December 11, 2017 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 November 13, 2017.
- 5.0 New Business:
 - 5.1 Consideration to Approve Final Plat of **ON THE GO:** A Subdivision of 3.6255 Acres (157,925.03 SQ FT.) of land situated in the Chauncey Goodrich Survey,

Abstract No. 311, City of Tomball, Harris County, Texas.

- 5.2 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.
- 5.3 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.
- 5.4 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.
- 5.5 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**
- 5.6 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**
- 5.7 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

CERTIFICATION

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 7th 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.

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.

Regular Planning and Zoning Commission
Agenda Item
Data Sheet

Meeting Date: December 11, 2017

Topic:

Background:

Origination:

Recommendation:

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

ACTION TAKEN		
Approval ☐ Yes ☐ No	Readings Passed ☐ 1 st ☐ 2 nd	Other

Regular Planning and Zoning Commission
Agenda Item
Data Sheet

Meeting Date: December 11, 2017

Topic:

Background:

Origination:

Recommendation:

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

ACTION TAKEN		
Approval ☐ Yes ☐ No	Readings Passed ☐ 1 st ☐ 2 nd	Other

Regular Planning and Zoning Commission
Agenda Item
Data Sheet

Meeting Date: December 11, 2017

Topic:
Consideration to Approve the Minutes of the Regular Planning and Zoning Commission Meeting of November 13, 2017.

Background:

Origination:

Recommendation:

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

ACTION TAKEN		
Approval ☐ Yes ☐ No	Readings Passed ☐ 1 st ☐ 2 nd	Other

Regular Planning and Zoning Commission

Agenda Item

Data Sheet

Meeting Date: December 11, 2017

Topic:

Consideration to Approve Final Plat of **ON THE GO:** A Subdivision of 3.6255 Acres (157,925.03 SQ FT.) of land situated in the Chauncey Goodrich Survey, Abstract No. 311, City of Tomball, Harris County, Texas.

Background:

Origination:

Community Development Department

Recommendation:

Approval

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

Engineering Division

ACTION TAKEN

Approval ☐ Yes ☐ No	Readings Passed ☐ 1 st ☐ 2 nd	Other
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ATTACHMENTS:

On the go plat

STATE OF TEXAS

COUNTY OF HARRIS

We, Majed, Inc., a Texas corporation, acting by and through Siham M. Khalil, President, being an officer of Majed, Inc., a Texas corporation, Owners, hereinafter referred to as Owners of the 3.6255 acre tract described in the above and foregoing plat of ON THE GO, do hereby make and establish said subdivision 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, watercourses, 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, Owners do 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 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.

FURTHER, Owners certify and covenant that they have 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.

IN TESTIMONY WHEREOF, the Majed, Inc., a Texas corporation, has caused these presents to be signed by Siham M. Khalil, its President, thereunto authorized, this ____ day of _____, 2017.

Majed, Inc., a Texas corporation

By: _____
Siham M. Khalil, President

STATE OF TEXAS

COUNTY OF HARRIS

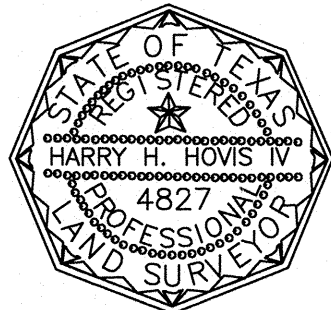
BEFORE ME, the undersigned authority, on this day personally appeared, Siham M. Khalil, President of Majed, Inc., a Texas corporation, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that they executed the same for the purposes and considerations therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this ____ day of _____, 2017

Notary Public in and for the State of Texas

My Commission expires:

I, Harry H. Hovis, IV, 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 correct; was prepared from an actual survey of the property made under my supervision on the ground; that all boundary corners, angle points, points of curvature and other points of reference have been marked with iron (or other suitable permanent metal) pipes or rods having an outside diameter of not less than three-quarter inch (3/4") and a length of not less than three feet (3'), except where corners were found; and that the plat boundary corners have been tied to the Texas Coordinate System of 1983, South Central Zone.



Harry H. Hovis, IV
Texas Registration No. 4827

This is to certify that the Planning & Zoning Commission of the City of Tomball, Texas, has approved this plat and subdivision of ON THE GO 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.

By: _____
Barbara Tague
Chairman

By: _____
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.

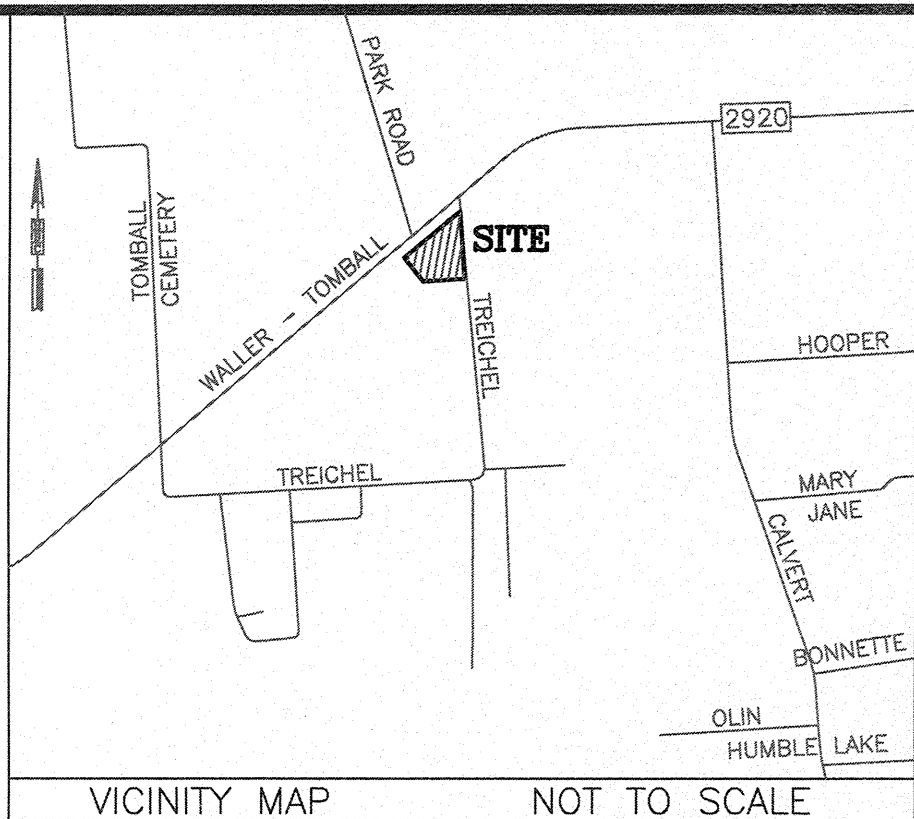
Witness my hand and seal of office, at Harris County, the day and date last above written.

Stan Stanart
County Clerk
of Harris County, Texas

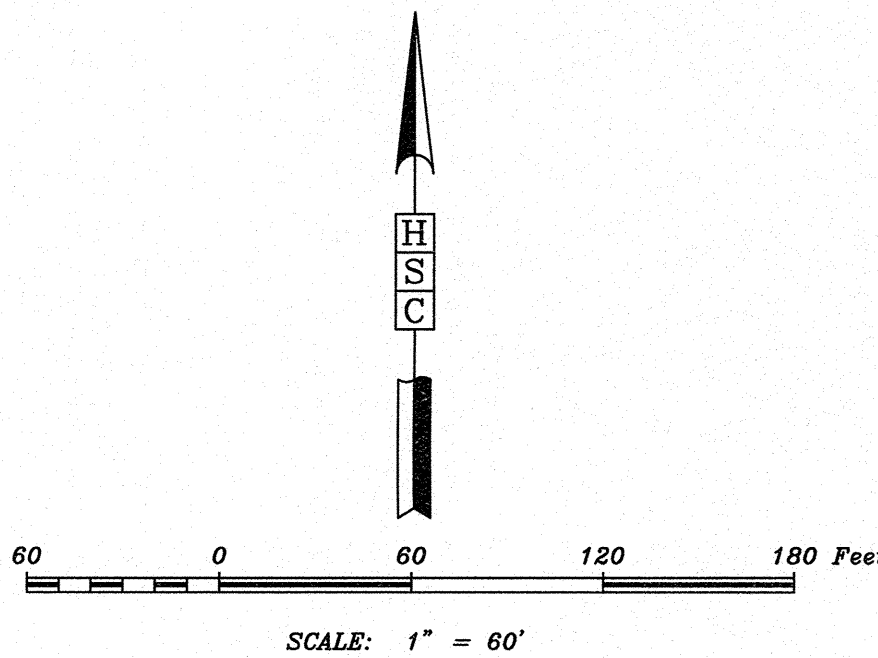
By: _____
Deputy

NOTES.

- All oil/gas pipelines or pipeline easements with ownership through the subdivision have been shown or noted hereon.
- All oil/gas wells 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.
- According to FEMA Firm Map Number 48201C0210L, Panel Number 480287 0210 L, (Effective Date June 18, 2007), this property is in Shaded Zone "X" and is in the 0.2% Annual Chance Flood Plain.
- Bearing orientation based on Texas State Plane Coordinate Grid System of 1983 (South Central Zone No. 4204).
- The coordinates shown hereon are Texas South Central Zone No. 4204 State Plane Grid Coordinates (NAD83) and may be brought to surface by applying the following combined scale factor: 0.99994526.
- B.L. indicates Building Line, D.R.H.C. indicates Deed Records Harris County, ETJ indicates Extra Territorial Jurisdiction, F.C. indicates Film Code, FND. indicates Found, H.C.C.M. indicates Harris County Commission Court Minutes, H.C.C.F. indicates Harris County Clerk's File, M.R.H.C. indicates Map Records Harris County, l.o. indicates Number, PG. indicates Page, STM.S.E. indicates Storm Sewer Easement, S.S.E. indicates Sanitary Sewer Easement, U.E. indicates Utility Easement, VOL. indicates Volume, W/CAP indicates with cap, W.L.E. indicates Water Line Easement.
- The square footage shown hereon is based on a mathematically closed figure and does not indicate the accuracy of the survey.
- Subject to Humble Oil and Refining Company Pipeline Easement recorded under Vol. 932, Pg. 361 and Vol. 1053, Pg. 260 D.R.H.C. (blanket easement).
- Subject to The Texas Company Pipeline Easement recorded under Vol. 936, Pg. 359, D.R.H.C. (blanket easement).
- Subject to The Tennessee Gas Transmission Company Pipeline Easement recorded under Vol. 1977, Pg. 3C), D.R.H.C. (blanket easement).



KeyMap Page: 288J



ON THE GO

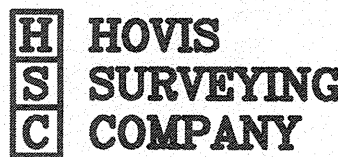
A SUBDIVISION OF 3.6255 ACRES
(157,925.03 SQ.FT.) OF LAND
SITUATED IN THE CHAUNCEY
GOODRICH SURVEY, ABSTRACT NO.
311, CITY OF TOMBALL, HARRIS
COUNTY, TEXAS

1 LOT 1 BLOCK

OWNERS:

MAJED, INC., a Texas Corporation
SIHAM M. KHALIL
3100 S GESSNER RD, STE. 115
HOUSTON, TEXAS 77063
713-468-7557

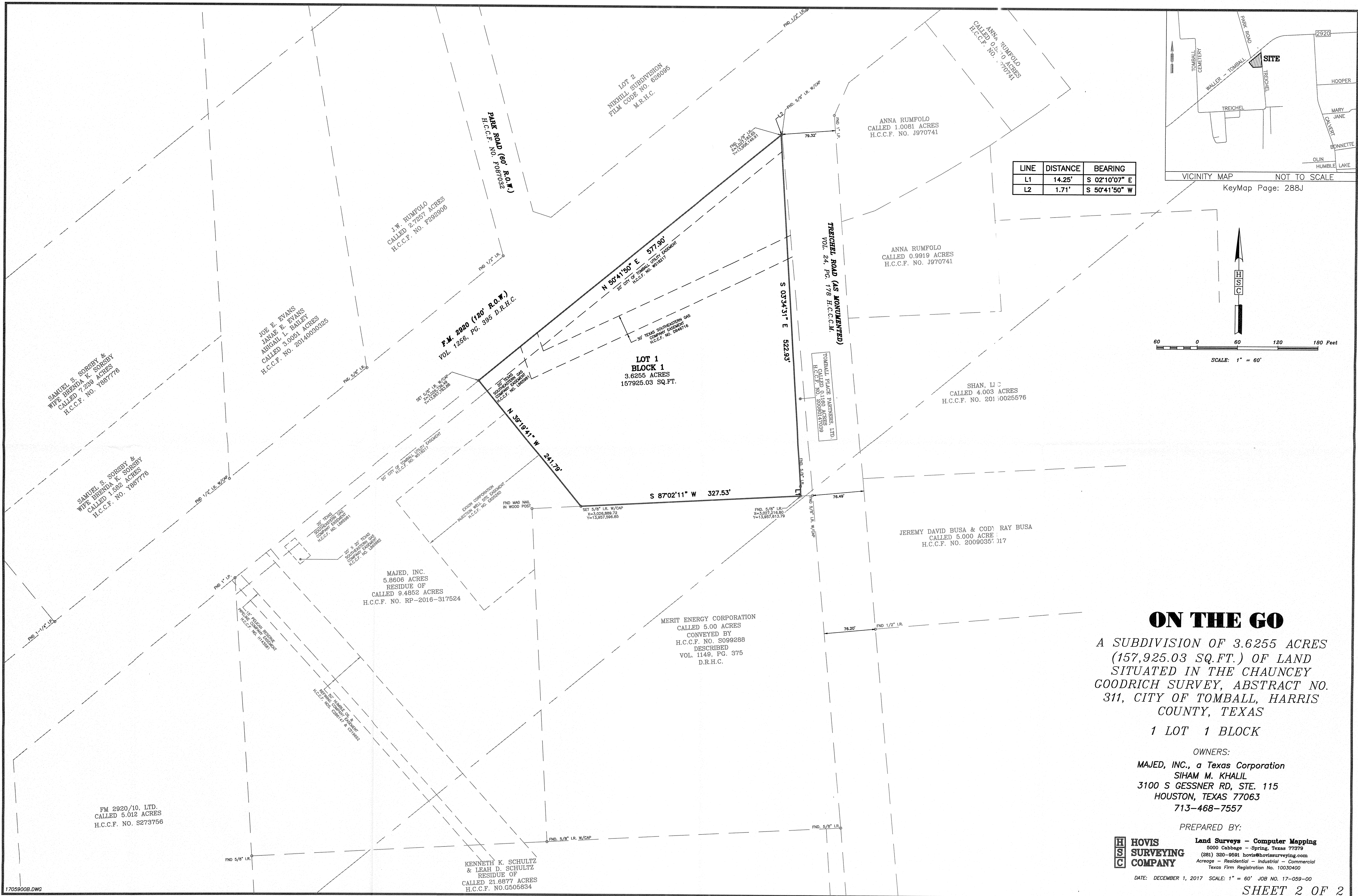
PREPARED BY:



Land Surveys - Computer Mapping
5000 Cabbage - Spring, Texas 77379
(281) 320-9591 hovis@hovissurveying.com
Acreage - Residential - Industrial - Commercial
Texas Firm Registration No. 10030400

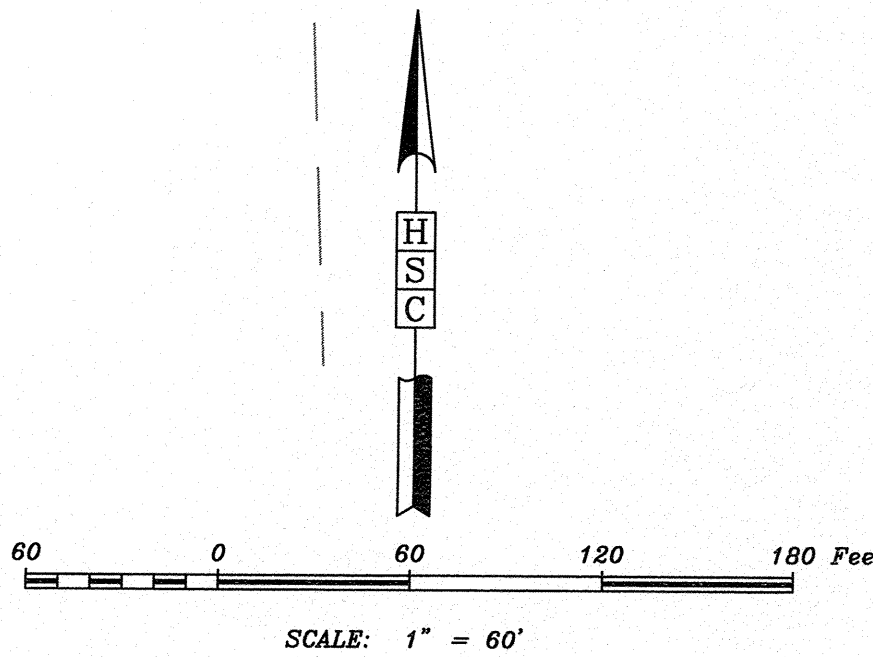
DATE: DECEMBER 1, 2017 SCALE: 1" = 60' JOB NO. 17-059-00

SHEET 1 OF 2



LINE	DISTANCE	BEARING
L1	14.25'	S 02°10'07" E
L2	1.71'	S 50°41'50" W

VICINITY MAP NOT TO SCALE
KeyMap Page: 288J



ON THE GO

A SUBDIVISION OF 3.6255 ACRES
(157,925.03 SQ.FT.) OF LAND
SITUATED IN THE CHAUNCEY
GOODRICH SURVEY, ABSTRACT NO.
311, CITY OF TOMBALL, HARRIS
COUNTY, TEXAS

1 LOT 1 BLOCK

OWNERS:
MAJED, INC., a Texas Corporation
SIHAM M. KHALIL
3100 S GESSNER RD, STE. 115
HOUSTON, TEXAS 77063
713-468-7557

PREPARED BY:

H
S
C
HOVIS
SURVEYING
COMPANY

Land Surveys - Computer Mapping
5000 Cabbage - Spring, Texas 77378
(281) 320-9591 hovis@hovisurveying.com
Acreage - Residential - Industrial - Commercial
Texas Firm Registration No. 10030400

DATE: DECEMBER 1, 2017 SCALE: 1" = 60' JOB NO. 17-059-00

SHEET 2 OF 2

HSC 03011-E-4

Regular Planning and Zoning Commission

Agenda Item

Data Sheet

Meeting Date: December 11, 2017

Topic:

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.

Background:

Origination:

Community Development Department

Recommendation:

Approval with contingencies

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

Engineering Division

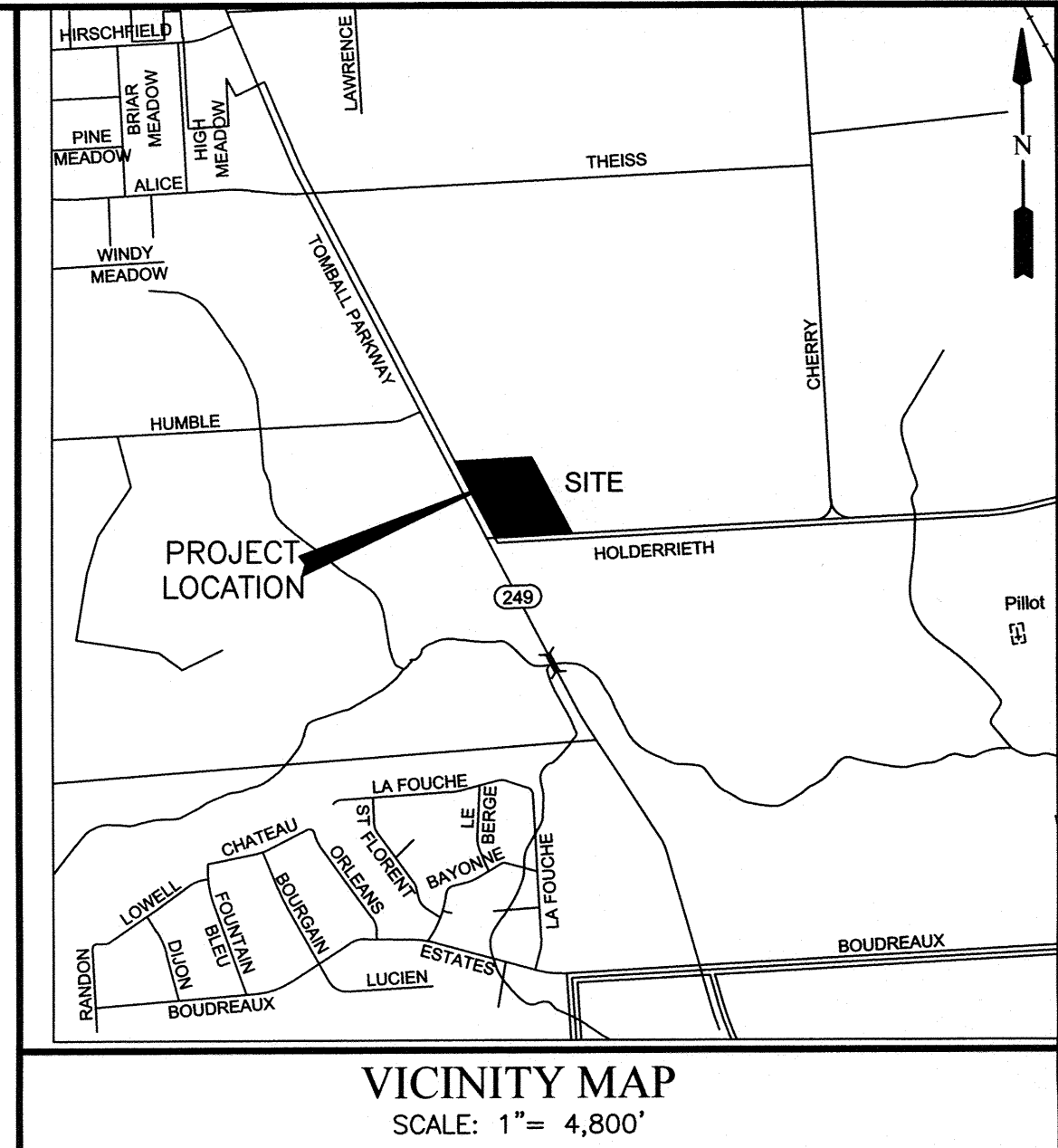
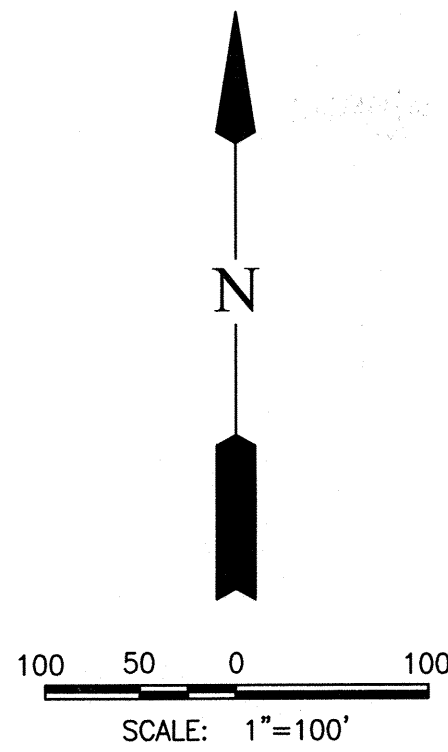
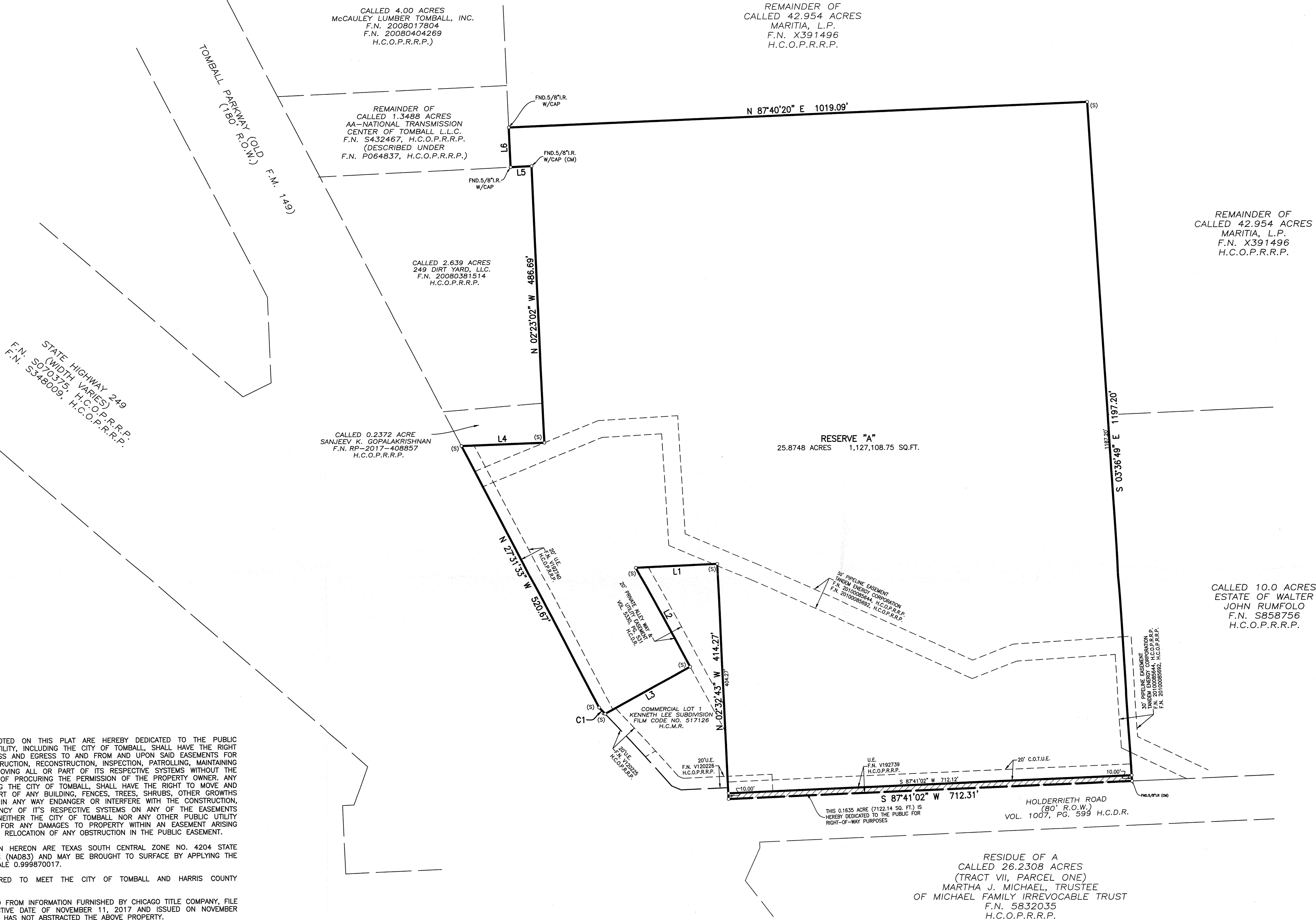
ACTION TAKEN

Approval ☐ Yes ☐ No	Readings Passed ☐ 1 st ☐ 2 nd	Other
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ATTACHMENTS:

Maple Group Plat

SHEET 1 OF 2



NOTES:

- 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.
- THE COORDINATES SHOWN HEREON ARE TEXAS SOUTH CENTRAL ZONE NO. 4204 STATE PLANE GRID COORDINATES (NAD83) AND MAY BE BROUGHT TO SURFACE BY APPLYING THE FOLLOWING COMBINED SCALE 0.999870017.
- THIS PLAT WAS PREPARED TO MEET THE CITY OF TOMBALL AND HARRIS COUNTY REQUIREMENTS.
- THIS PLAT WAS PREPARED FROM INFORMATION FURNISHED BY CHICAGO TITLE COMPANY, FILE NO. CTT15660873, EFFECTIVE DATE OF NOVEMBER 11, 2017 AND ISSUED ON NOVEMBER 15, 2017. THE SURVEYOR HAS NOT ABSTRACTED THE ABOVE PROPERTY.
- A PORTION OF THIS TRACT LIES IN ZONE "X" (UN-SHADED), DEFINED AS AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN, AND A PORTION OF THIS TRACT LIES IN ZONE "X" (SHADED), DEFINED AS AREAS OF 0.2% ANNUAL CHANCE FLOOD; AREAS OF 1% ANNUAL CHANCE FLOOD WITH AVERAGE DEPTHS OF LESS THAN 1-FOOT OR WITH DRAINAGE AREAS LESS THAN 1 SQUARE MILE; AND AREAS PROTECTED BY LEVEES FROM 1% ANNUAL CHANCE FLOOD, ACCORDING TO THE NATIONAL FLOOD INSURANCE PROGRAM FIRM MAP NUMBER 48201C0260, COMMUNITY PLAN NUMBER 480287 0260-L, LATEST AVAILABLE PUBLISHED REVISION DATED JUNE 18, 2007.
- 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) THOUGH THE SUBDIVISION HAVE BEEN SHOWN.
- NO BUILDING OR STRUCTURE SHALL BE CONSTRUCTED ACROSS ANY PIPELINES, BUILDING LINES, AND/OR EASEMENTS. BUILDING SETBACKS 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 OFF CENTERLINE OF HIGH PRESSURE GAS LINE.
- THIS PLAT DOES NOT ATTEMPT TO AMEND OR REMOVE ANY VALID COVENANTS OR RESTRICTIONS.
- THIS TRACT IS SUBJECT TO THAT CERTAIN EASEMENT AGREEMENT AS RECORDED UNDER H.C.C.F. NUMBER W325844. THE CHARACTER OF SAID EASEMENT BEING AN UNLOCATED EASEMENT THIRTY FEET WIDE FOR DRAINAGE PURPOSES AND LONG ENOUGH TO CONNECT WITH THE CONTEMPLATED FUTURE DRAINAGE DITCH.
- THIS TRACT IS SUBJECT TO THE TERMS, CONDITIONS AND STIPULATIONS OF THAT CERTAIN SURFACE USE AGREEMENT AS RECORDED UNDER H.C.C.F. NUMBER U523760.
- ACCORDING TO THE TANDEM ENERGY CORPORATION FIELD REPRESENTATIVE THIS TRACT AND THE ADJACENT TRACTS HAVE UNIDENTIFIED AND ABANDONED PIPELINES THAT RUN THROUGH THEM, THEREFORE THERE MAY BE UNMARKED AND ABANDONED PIPELINES THAT ARE NOT SHOWN HEREON.

LINE TABLE		
LINE	BEARING	DISTANCE
L1	S 87°29'08" W	143.49'
L2	S 28°26'22" E	199.84'
L3	S 61°25'09" W	170.94'
L4	N 88°01'05" E	146.05'
L5	S 87°20'57" W	36.83'
L6	N 02°27'47" W	69.93'

CURVE TABLE					
CURVE	RADIUS	DELTA	ARC	CHORD	CHORD BEARING
C1	4002.72'	0°13'04"	15.22'	15.22'	N 44°03'00" W

TERRA
SURVEYING CO., INC.

SURVEYORS:
3000 WILCREST DR. - SUITE 210
HOUSTON, TEXAS 77042
(713) 993-0327 - FAX (713) 993-9231

MAPLE GROUP

A SUBDIVISION OF 26.0384 ACRES OF LAND SITUATED IN
THE C.N. PILOT SURVEY, ABSTRACT 632,
CITY OF TOMBALL, HARRIS COUNTY, TEXAS

1 RESERVE (25.8748 ACRES)

NOVEMBER 13, 2017

JOB NO. 2524-0000-310

OWNERS:
MAPLE GROUP, LTD
A TEXAS LIMITED PARTNERSHIP
JEFFERY C. STALLONES, GENERAL PARTNER
917 FRANKLIN STREET, HOUSTON, TEXAS 77002
PH. (713) 236-1805

ENGINEER:
LJA Engineering, Inc.
2929 Briarpark Drive
Suite 600
Houston, Texas 77042
Phone 713.953.5200
Fax 713.953.5026
FRN - F-1386
T.B.P.L.S. Firm No. 10110501

Regular Planning and Zoning Commission

Agenda Item

Data Sheet

Meeting Date: December 11, 2017

Topic:

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.

Background:**Origination:**

Community Development Department

Recommendation:

Approval with contingencies

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

Engineering Division

ACTION TAKEN

Approval ☐ Yes ☐ No	Readings Passed ☐ 1 st ☐ 2 nd	Other
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ATTACHMENTS:

Suburov Lots Plat

We, Michael Saburov and Anna Dovger, hereinafter referred to as owners of the 0.2410 acre tract described in the above and foregoing plat of "SABUROV LOTS", 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 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 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 into this easement except by means of an approved drainage structure.

Michael Saburov
Anna Dovgenko

BEFORE ME, the undersigned authority, on this day personally appeared Michael Saburov and Anna Dowger, known to me to be the persons whose names are 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.

Notary Public in and for the State of Texas

I, Tony P. Swonke, an registrer under the laws of the State of Texas to practice the profession of surveying and hereby certify that the above subdivision is true and correct; was prepared from an actual survey of the property made under my supervision on the ground; that the elevation benchmark reflected on the face of the plat was established as required by regulation; that all corners and angle points of the boundaries of the original tract to be subdivided of reference have been marked with iron rods having a diameter of not less than five-eighths of an inch (5/8") and a length of not less than three feet (3') and that the plat boundary corners have been tied to the nearest survey corner.

[illegible]

SCALE: 1" = 20 Ft.

Note #1 All oil/gas pipelines or pipeline easements with ownership through the subdivision have been shown.

Note #2 All oil/gas wells with ownership (plugged, abandoned, and/or active) through the subdivision have been shown.

Note #3 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.

NOTE #4: This plot does not attempt to amend or remove any valid restrictions or covenants.

NOTE #5: Reference here made to DECISION OF BOARD OF ADJUSTMENTS dated October 12, 2017 and filed with the City Secretary under BOA Case P17-0114 regarding a variance to allow a lot to be 75 feet in depth where a minimum of 100 feet in depth is required, and to allow a lot to be 4500 square feet where a minimum of 6000 feet is required, and to allow a 10 foot front yard setback where a minimum of 20 feet is required.

I, Stan Stanart, Clerk of the County Court of Harris County, Texas, do hereby certify that the within instrument with its certificate of authentication was filed for registration in my office on the _____ day of _____, 20____ at _____ o'clock ____ M., and was duly recorded on the _____ day of _____, 20____, at _____ o'clock, ____ M. and filed under Film Code No. _____ of the Map Records of Harris County, Texas.

Deputy

PUBLIC EASEMENT:
Public easements denoted on this plat are hereby dedicated to the use of 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 parts of its respective systems without the necessity at 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.

OWNERS:
Michail Saburov & Anna Dovger
38 N. Wyckham Circle
The Woodlands, TX 77382

Regular Planning and Zoning Commission

Agenda Item

Data Sheet

Meeting Date: December 11, 2017

Topic:

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.

Background:**Origination:**

Community Development Department

Recommendation:

Approval with contingencies

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

Engineering Division

ACTION TAKEN

Approval ☐ Yes ☐ No	Readings Passed ☐ 1 st ☐ 2 nd	Other
--	--	-------

ATTACHMENTS:

Theis Road Warehouses Plat

THE STATE OF TEXAS
COUNTY OF HARRIS

WE, K.EQUITIES, LTD., A TEXAS LIMITED PARTNERSHIP, ACTING BY AND THROUGH MICHAEL W.KOSSOW, PRESIDENT, AND TAMMY TROVATO, TREASURER, BEING OFFICERS OF K.EQUITIES, LTD., A TEXAS LIMITED PARTNERSHIP, OWNER IN THIS SECTION AFTER REFERRED TO AS OWNERS (WHETHER ONE OR MORE) OF THE 3.0046 ACRE TRACT DESCRIBED IN THE ABOVE AND FOREGOING PLAT OF THEIS ROAD WAREHOUSES, DO HEREBY MAKE AND ESTABLISH SAID SUBDIVISION OF SAID PROPERTY ACCORDING TO ALL LINES, DEDICATIONS, RESTRICTIONS AND NOTATIONS ON SAID PLAT AND HEREBY DEDICATE TO THE USE OF THE PUBLIC FOREVER, ALL STREETS, ALLEYS, PARKS, WATERCOURSES, 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 FOEVER 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 PURPOSES FOREVER AND UNOBSTRUCTED AERIAL EASEMENT FIVE FEET IN WIDTH FROM A PLANE TWENTY FEET (20') ABOVE THE GROUND LEVEL 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 OF WATER WITHOUT BACKWATER AND IN NO INSTANCE HAVE A DRAINAGE OPENING OF LESS THAN ONE AND THREE QUARTERS SQUARE FEET (18-DIAMETER) WITH CULVERT OR BRIDGES TO BE PROVIDED FOR ALL PRIVATE OR WALKWAYS SUCH DRAINAGE FACILITIES.

FURTHER, OWNERS DO HEREBY COVENANTS AND AGREE THAT ALL OF THE PROPERTY WITH 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 OPERATION 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.

K.EQUITIES LTD., A TEXAS LIMITED PARTNERSHIP

IN TESTIMONY WHEREOF, THE K.EQUITIES LTD., A TEXAS LIMITED PARTNERSHIP, HAS CAUSED THESE PRESENTS TO BE SIGNED BY MICHAEL W.KOSSOW, ITS PRESIDENT, THEREUNTO AUTHORIZED, ATTESTED BY ITS TREASURER, TAMMY TROVATO, AND ITS COMMON SEAL HEREUNTO AFFIXED THIS _____ DAY OF _____ 2017.

BY: _____
MICHAEL W.KOSSOW, PRESIDENT

ATTEST : _____
TAMMY TROVATO, TREASURER

THE STATE OF TEXAS
COUNTY OF HARRIS

BEFORE ME THE UNDERSIGNED AUTHORITIES, ON THIS DAY PERSONALLY APPEARED, MICHAEL W.KOSSOW AND TAMMY TROVATO, KNOWN TO ME TO BE THE PERSONS WHOSE NAMES ARE SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGE TO ME THAT THEY EXCUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED AND IN THE CAPACITY THEREIN AND HEREIN, AND AS THE ACT AND DEED OF SAID CORPORATION.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS _____ DATE OF _____, 2017.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS
MY COMMISSION EXPIRES : _____

THIS IS TO CERTIFY THAT THE PLANNING AND ZONING COMMISSION OF THE CITY OF TOMBALL, TEXAS HAS APPROVED THIS PLAT AND SUBDIVISION OF THEIS ROAD WAREHOUSES IN CONFORMANCE WITH THE LAWS OF THE STATE OF TEXAS AND THE ORDINANCE OF THE CITY OF TOMBALL AS SHOWN AUTHORIZED THE RECORDING OF THIS PLAT THIS _____ DAY OF _____, 2017.

BY: _____
BARBARA TAGUE, CHAIRMAN

BY: _____
DARRELL ROQUEMORE, VICE CHAIRMAN

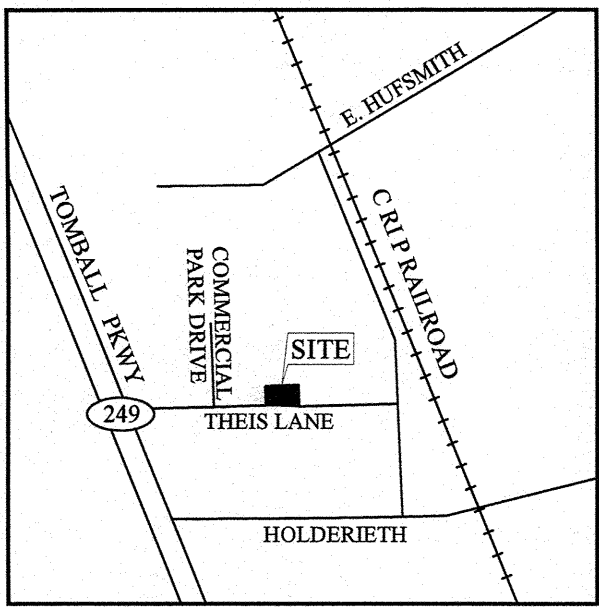
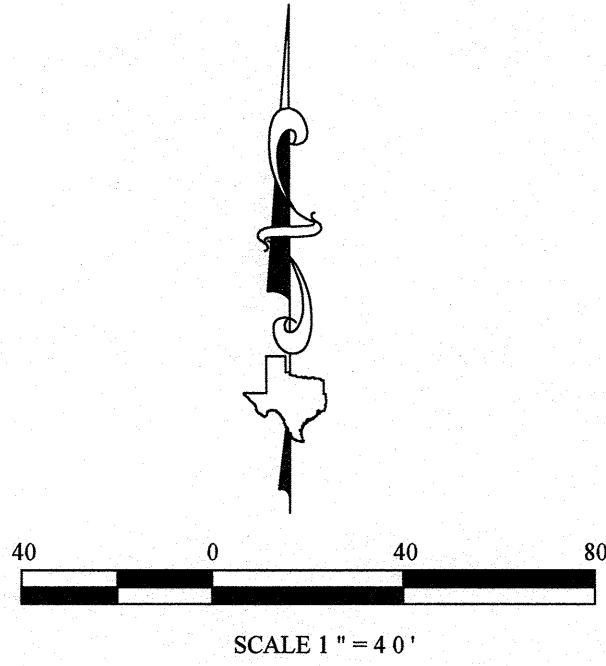
I, CRAIG A.LANEY, AM REGISTERED UNDER THE LAWS OF THE STATE OF TEXAS TO PRACTICE THE PROFESSION OF SURVEYING AND HEREBY CERTIFY THAT THE ABOVE SUBDIVISION IS TRUE AND CORRECT; WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION ON THE GROUND; THAT ALL BOUNDARY CORNERS, ANGLE POINTS, POINTS OF CURVATURE, AND OTHER POINTS OF REFERENCE HAVE BEEN MARKED WITH IRON (OR SUITABLE PERMANENT METAL) PIPES OR RODS HAVING AN OUTSIDE DIAMETER OF NOT LESS THAN THREE-QUARTERS INCH (3/4") AND A LENGTH OF NOT LESS THAN THREE FEET (3'), AND THAT THE PLAT BOUNDARY CORNERS HAVE BEEN TIED TO THE NEAREST SURVEY CORNER.

CRAIG A.LANEY, R.P.L.S.
TEXAS REGISTRATION NO. 4507

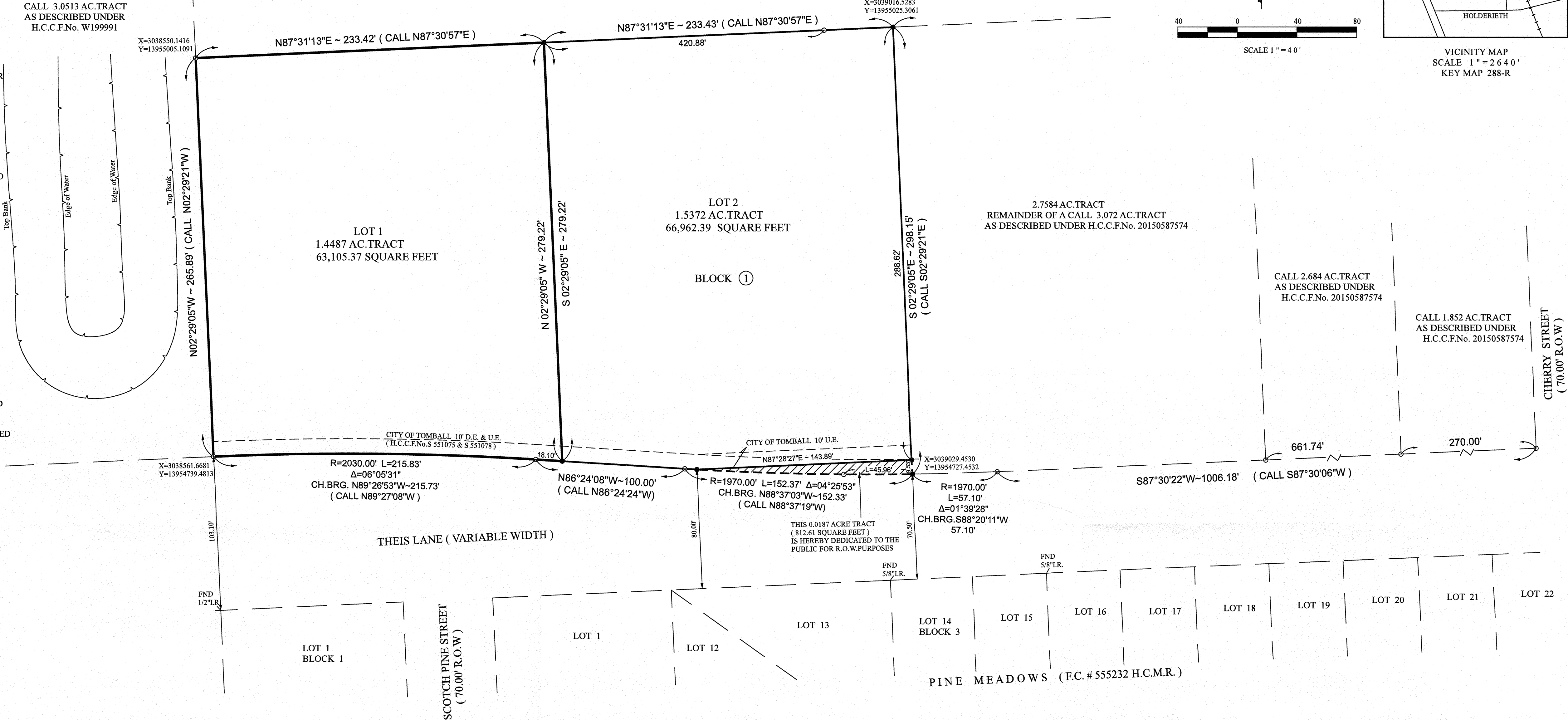


CALL 3.0513 AC.TRACT
AS DESCRIBED UNDER
H.C.C.F.No. W199991

CALL 8.1984 AC.TRACT
AS DESCRIBED UNDER
H.C.C.F.No. S016666



VICINITY MAP
SCALE 1" = 2 6 4 0'
KEY MAP 288-R



GENERAL NOTES

- B.L. INDICATES " BUILDING LINE "
- U.E. INDICATES " UTILITY EASEMENT "
- R.O.W. INDICATES " RIGHT-OF-WAY "
- AC.TRACT INDICATES " ACRE TRACT "
- VOL. INDICATES " VOLUME "
- PG. INDICATES " PAGE "
- I.R. INDICATES " IRON ROD "
- D.E. INDICATES " DRAINAGE EASEMENT "
- S.S.E. INDICATES " SANITARY SEWER EASEMENT "
- H.C.M.R. INDICATES " HARRIS COUNTY MAP RECORDS "
- INDICATES " FOUND 5/8" IRON ROD WITH CAP STAMPED E.I.C. SURVEYING CO. "
- INDICATES " FOUND 5/8" IRON ROD WITH CAP STAMPED GRULLER RPLS No.5476"
- 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 it's 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.
- According to the FEMA Firm Panel No. 4803150230L (Effective Date June 18, 2007), this property is in Zone "X" and is not in the 0.2% Annual Chance Flood Plain.
- 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 setback at a minimum should be 15 feet off centerline of low pressure gas lines, and 30 feet off centerline of high pressure gas line.
- This plat does not attempt to amend or remove any valid covenants or restrictions.
- The building lines shown in this plat shall be in addition to, and shall not limit or replace, any building lines required by the City of Tomball Code of Ordinances at the time of the development of the property.

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 NO. _____ 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.

STAN STANART
COUNTY CLERK
OF HARRIS COUNTY, TEXAS

BY: _____
DEPUTY

THEIS ROAD WAREHOUSES

A SUBDIVISION OF 3.0046 ACRE TRACT, 130,880.37 SQUARE FEET
BEING A REPLAT OF OUTLOT 195 OF TOMBALL TOWNSITE
AS RECORDED IN VOLUME 2, PAGE 65, HARRIS COUNTY MAP RECORDS ,
SITUATED IN THE PRUITT SURVEY , ABSTRACT 629 ,
CITY OF TOMBALL
HARRIS COUNTY , TEXAS

CONTAINING

2 LOTS 1 BLOCK

NOVEMBER 2017

OWNER

K. EQUITIES LTD., A TEXAS LIMITED PARTNERSHIP

11322 NEESHAW DRIVE
HOUSTON , TEXAS 77065
(281) 469 - 3328

SURVEYOR

E.I.C. SURVEYING COMPANY
FIRM NO. 10033400

12345 JONES ROAD#270
HOUSTON , TEXAS 77070
(281) 955 - 2772

Regular Planning and Zoning Commission

Agenda Item

Data Sheet

Meeting Date: December 11, 2017

Topic:

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**

Background:

Origination:

Recommendation:

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

ACTION TAKEN

Approval ☐ Yes ☐ No	Readings Passed ☐ 1 st ☐ 2 nd	Other
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ATTACHMENTS:

Notice of Public Hearing
Property Owner Notification
P17-0131 Staff Report
Response Forms

**NOTICE OF PUBLIC HEARING
CITY OF TOMBALL
PLANNING & ZONING COMMISSION (P&Z)
DECEMBER 11, 2017
&
CITY COUNCIL
DECEMBER 18, 2017**



Notice is Hereby Given that a Public Hearing will be held by the P&Z of the City of Tomball on **Monday, December 11, 2017, at 6:00 P.M.**, and by the City Council of the City of Tomball on **Monday, December 18, 2017, 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 P17-0131: 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.

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 Road at Hospital Road, from the Agricultural District to the Commercial District.

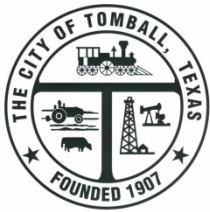
Zoning Case P17-0145: Request by the City of Tomball to amend Sections 50-115 of the Tomball Code of Ordinances in regards to refuse areas.

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.

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 **7th** day of **December 2017** by 5:00 p.m., and remained posted for at least 72 continuous hours preceding the scheduled time of said meeting.

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.



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: P17-0131

APPLICANT/OWNER: Marie Reynolds

LOCATION: Generally located south of Hirschfield Road between SH 249 and High Meadow Road, from the Agricultural District to the Commercial District.

PROPOSAL: 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,

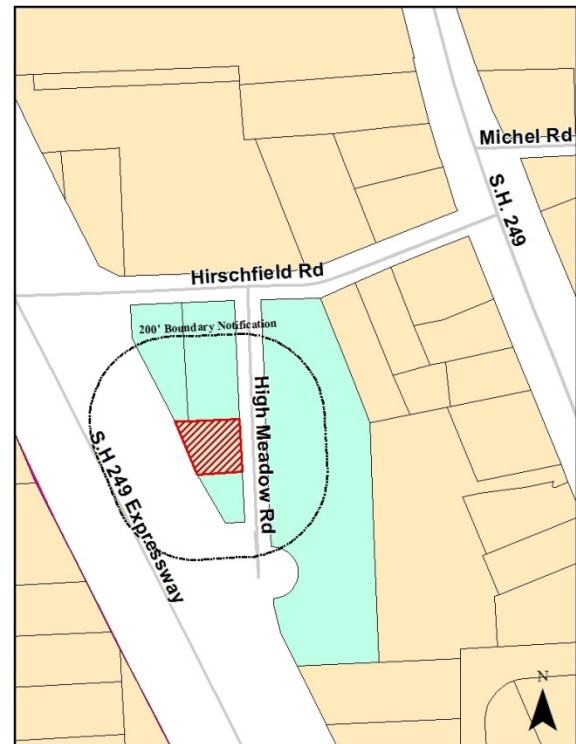
CONTACT: Amelia Lindley, Planner

PHONE: (281) 290-1410

E-MAIL: 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.

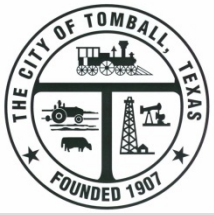


**Planning & Zoning Commission
Public Hearing:
Monday, December 11, 2017, 6:00 PM**

**City Council Public Hearing:
*Monday, December 18, 2017, 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.



Public Comment Form

(Please type or use black ink)

All submitted forms will become a part of the public record.

Please return to:

City of Tomball
Attn: Amelia Lindley
501 James Street
Tomball, TX 77375

Name:

(please print)

Address:

Signature:

Date:

_____ I am **FOR** the requested Rezoning as explained on the attached public notice for **Zoning Case P17-0131. (Please state reasons below)**

_____ I am **AGAINST** the requested Rezoning as explained on the attached public notice for **Zoning Case P17-0131. (Please state reasons below)**

Date, Location & Time of **Planning & Zoning Commission** meeting:

Monday, December 11, 2017 6:00 PM

City Council Chambers of the City of Tomball, City Hall
401 Market Street, Tomball, Texas

Date, Location & Time of **City Council** meeting:

Monday, December 18, 2017, 6:00 PM

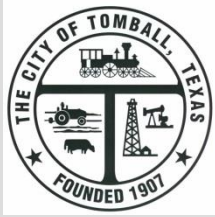
City Council Chambers of the City of Tomball, City Hall
401 Market Street, Tomball, Texas

COMMENTS:

You may also comment via email to ALindley@tomballtx.gov.

Please reference the case number in the subject line.

For questions regarding this request please call Amelia Lindley @ 281-290-1410.



Rezoning Staff Report

Planning & Zoning Commission Public Hearing Date: December 11, 2017
City Council Public Hearing Date: December 18, 2017

Rezoning Case: P17-0131
Property Owner(s): Marie Reynolds
Applicant(s): Marie Reynolds
Legal Description: Tract 6 Block 2 Hirschfield Farms Section 1 U/R
Location: South side of Hirschfield Road between SH 249 and High Meadow Road (Exhibit "A")
Area: 0.35 acres
Comp Plan Designation: Commercial (Exhibit "B")
Present Zoning and Use: Agricultural (Exhibit "C") / Single-family residence (Exhibit "D")
Request: Rezone from the Agricultural District to the Commercial District
Adjacent Zoning & Land Uses:
 North: General Retail District / Supply Company
 South: Agricultural District / Undeveloped land
 West: SH 249 / SH 249
 East: Planned Development District 5 / Breaux Machine Works

BACKGROUND

City Staff discussed options for the property with a representative of the property owner. After multiple discussions, the applicant submitted a Rezoning Application.

ANALYSIS

The subject site is approximately 15,205 square feet with frontage on SH 249 feeder and High Meadow Road. According to Section 50-77 (Commercial District), convenient access to thoroughfares is a primary consideration of the Commercial District. The land uses in the area include Breaux Machine Works and a mobile home supply company. The subject site is currently used as a single-family residence; however, there are no other residences in the area.

The Comprehensive Plan Future Land Use Map designates the property, as well as all surrounding properties, as Commercial which is "where retail sales and service activities should occur". It is expected that land uses in the Commercial designation will have a steady traffic flow throughout the day and in some cases, the evening. The proposed rezoning will be in conformance with the Future Land Use Map.

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.**

The uses permitted in the Commercial District appear to be appropriate for the immediate area. The established land uses in the area are mostly commercial businesses including Breaux Machine Works and a supply company. This area of the City appears to be appropriate for commercial development.

- 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.**

Adequate utilities are just to the north, along Hirschfield Road, and are adequately sized to serve a future commercial development. The existing roadways adjacent to the property can accommodate traffic generated by a Commercial 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 Commercial. 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 Commercial 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.**

Generally, the proposed rezoning does not appear to negatively affect the public health, safety, morals, or general welfare.

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

The Future Land Use Map designates the property as Commercial. The request appears to be consistent with the Future Land Use Map. The Comprehensive Plan also discusses the

need to ensure commercial development compatibility with surrounding land uses. There are commercial businesses in the area; therefore, it would be appropriate for Commercial zoning.

PUBLIC COMMENT

Property owners within 200 feet of the project site were mailed notification of this proposal on November 22, 2017. The Notice of Public Hearing was published in the paper on November 29, 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 P17-0131 for the following reasons:

1. The request will meet the goals of City's Comprehensive Plan;
2. The request is generally in conformance with the Future Land Use Map;
3. The request is generally appropriate with the surrounding land uses in the area;
4. The request is generally appropriate with the surrounding zoning districts.

EXHIBITS

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

Exhibit "A"
Aerial Photo

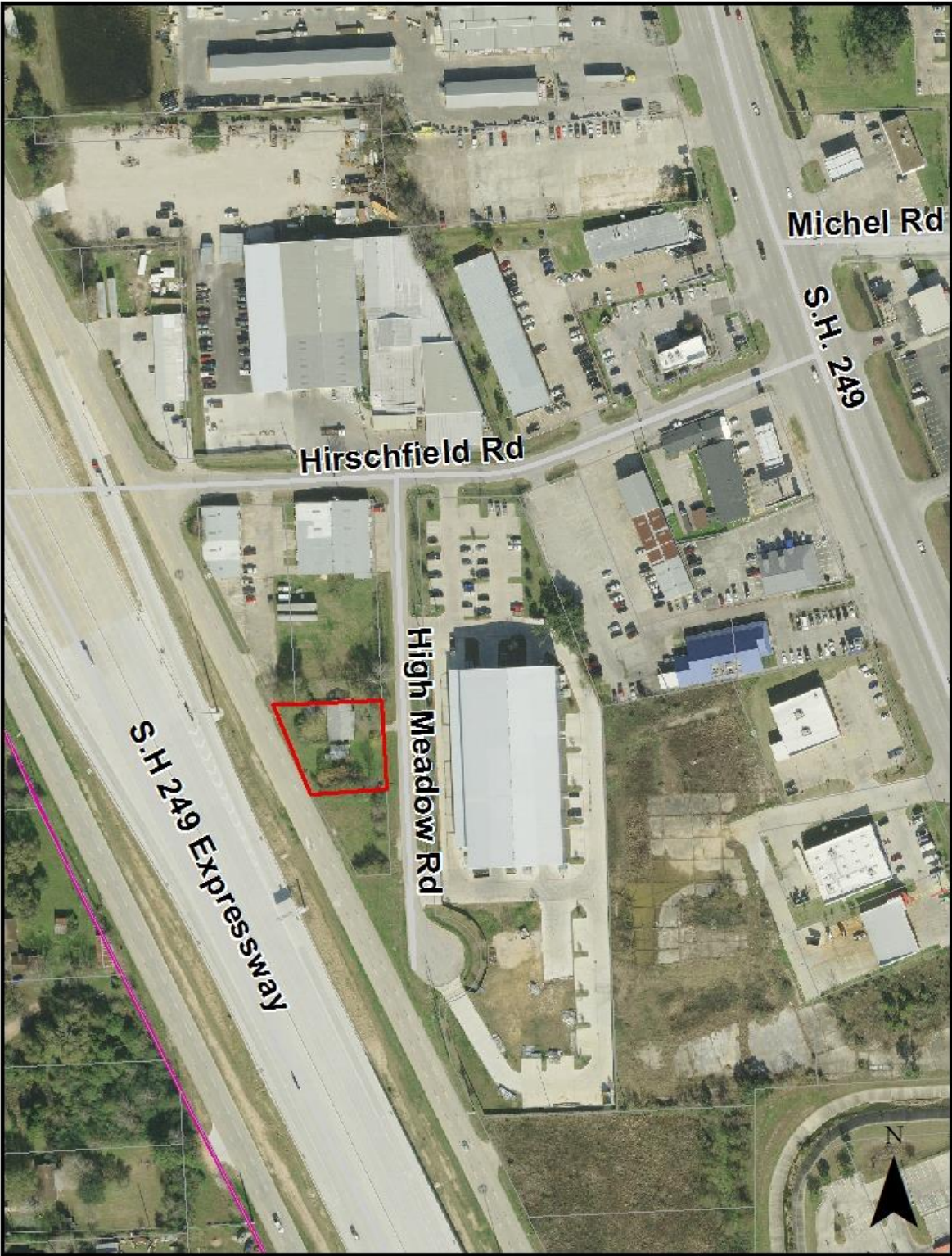
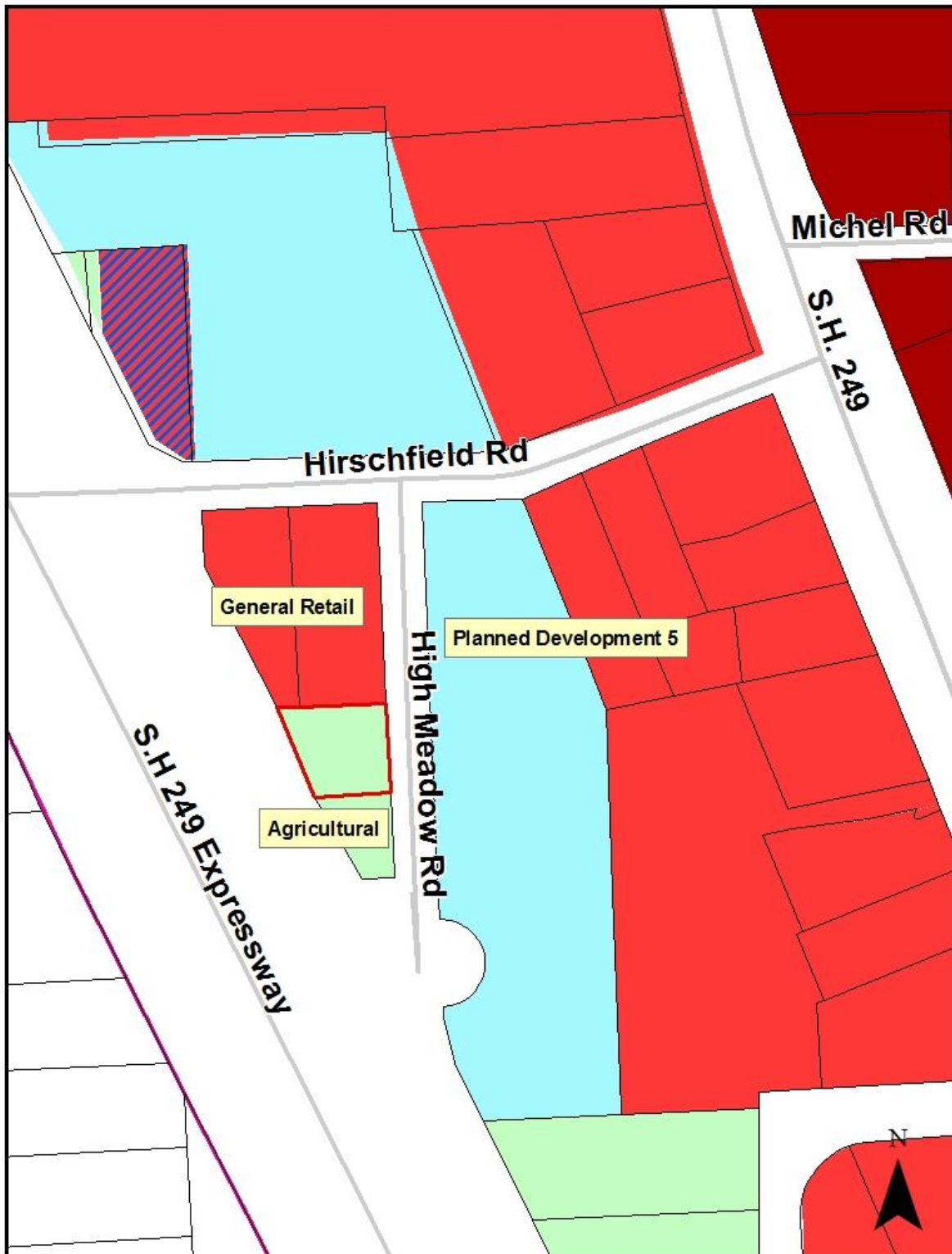


Exhibit "B"
Comprehensive Plan



Exhibit "C"
Zoning Map



**Exhibit “D”
Site Photo**



Exhibit "E"
Application

Revised 5/19/15



P17-0131

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: MARIE REYNOLDS Title: _____
Mailing Address: 28011 HIGH MEADOW ROAD City: TOMBALL State: TX
Zip: 77377
Phone: (214) 244-7598 Fax: (____) _____ Email: Larrymock@sbcglobal.net
(SON - LARRY MOCK)

Owner

Name: _____ Title: _____
Mailing Address: _____ City: _____ State: _____
Zip: _____
Phone: (____) _____ Fax: (____) _____ Email: _____

Engineer/Surveyor (if applicable)

Name: _____ Title: _____
Mailing Address: _____ City: _____ State: _____
Zip: _____
Phone: (____) _____ Fax: (____) _____ Email: _____

Description of Proposed Project: _____

Physical Location of Property: SOUTHEAST OF 249 FEENER AND HIRSCHFIELD RD
[General Location – approximate distance to nearest existing street corner]

Legal Description of Property: TR 6 BLK 2 HIRSCHFIELD FARMS SEC 1 4/R
[Survey/Abstract No. and Tracts; or platted Subdivision Name with Lots/Block]

Current Zoning District: AGRICULTURAL (AG)

Current Use of Property: RESIDENTIAL

Proposed Zoning District: COMMERCIAL DISTRICT (C)

Proposed Use of Property: TO BE DETERMINED

HCAD Identification Number: 1047720000006 Acreage: 15,205 SQ FT LOT

City of Tomball, Texas 501 James Street, Tomball, Texas 77375 Phone: 281-290-1405 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.

<u>X Marie Reynolds</u>	<u>10/23/17</u>
Signature of Applicant	Date
<u>X Marie Reynolds</u>	<u>10/23/17</u>
Signature of Owner	Date

CITY OF TOMBALL
281-351-5484

REC#: 01001888 10/23/2017 12:29 PM
OPER: RS TERM: 002
REF#: W2387

TRAN: 130.0000 PLANNING AND ZONING
28011 HIGH MEADOW RD
MARIE REYNOLDS
100-5441
REZONING APPLICATIO 410.00CR

TENDERED: 410.00 CHECK
APPLIED: 410.00-

HARRIS COUNTY APPRAISAL DISTRICT
REAL PROPERTY ACCOUNT INFORMATION
1047720000006

Tax Year: 2017



Owner and Property Information							
Owner Name & Mailing Address: REYNOLDS MARIE 28011 HIGH MEADOW RD TOMBALL TX 77377-2410			Legal Description: TR 6 BLK 2 HIRSCHFIELD FARMS SEC 1 U/R 28011 HIGH MEADOW RD TOMBALL TX 77377				
State Class Code	Land Use Code	Land Area	Total Living Area	Neighborhood	Neighborhood Group	Map Facet	Key Map®
A1 -- Real, Residential, Single-Family	1001 -- Residential Improved	15,205 SF	1,612 SF	2580.03	26001	4770A	288P

Value Status Information

Value Status	Notice Date	Shared CAD
Noticed	03/31/2017	No

Exemptions and Jurisdictions

Exemption Type	Districts	Jurisdictions	Exemption Value	ARB Status	2016 Rate	2017 Rate
Residential Homestead (Multiple)	026	TOMBALL ISD	57,000	Certified: 08/11/2017	1.340000	
	040	HARRIS COUNTY	88,831	Certified: 08/11/2017	0.416560	
	041	HARRIS CO FLOOD CNTRL	88,831	Certified: 08/11/2017	0.028290	
	042	PORT OF HOUSTON AUTHY	88,831	Certified: 08/11/2017	0.013340	
	043	HARRIS CO HOSP DIST	88,831	Certified: 08/11/2017	0.171790	
	044	HARRIS CO EDUC DEPT	88,831	Certified: 08/11/2017	0.005200	
	045	LONE STAR COLLEGE SYS	80,000	Certified: 08/11/2017	0.107800	
	083	CITY OF TOMBALL	88,831	Certified: 08/11/2017	0.341455	
	679	HC EMERG SERV DIST 8	50,000	Certified: 08/11/2017	0.095470	

Texas law prohibits us from displaying residential photographs, sketches, floor plans, or information indicating the age of a property owner on our website. You can inspect this information or get a copy at [HCAD's information center at 13013 NW Freeway.](#)

Valuations

Value as of January 1, 2016			Value as of January 1, 2017		
	Market	Appraised		Market	Appraised
Land	33,938		Land	45,250	
Improvement	93,730		Improvement	82,418	
Total	127,668	80,756	Total	127,668	88,831

Land

Market Value Land											
Line	Description	Site Code	Unit Type	Units	Size Factor	Site Factor	Appr O/R Factor	Appr O/R Reason	Total Adj	Unit Price	Adj Unit Price
											Value

1	1001 -- Res Improved Table Value	SF1	SF	15,205	1.24	1.00	1.00	--	1.24	2.40	2.98	45,250.00
---	----------------------------------	-----	----	--------	------	------	------	----	------	------	------	-----------

Building

Building	Year Built	Type	Style	Quality	Impr Sq Ft	Building Details
1	1965	Residential Single Family	Residential 1 Family	Average	1,612 *	Displayed

* All HCAD residential building measurements are done from the exterior, with individual measurements rounded to the closest foot. This measurement includes all closet space, hallways, and interior staircases. Attached garages are not included in the square footage of living area, but valued separately. Living area above *attached* garages is included in the square footage living area of the dwelling. Living area above *detached* garages is not included in the square footage living area of the dwelling but is valued separately. This method is used on all residential properties in Harris County to ensure the uniformity of square footage of living area measurements district-wide. There can be a reasonable variance between the HCAD square footage and your square footage measurement, especially if your square footage measurement was an interior measurement or an exterior measurement to the inch.

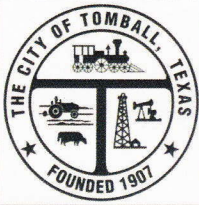
Building Details (1)

Building Data	
Element	Detail
Cond / Desir / Util	Fair
Foundation Type	Slab
Grade Adjustment	C-
Heating / AC	Central Heat/AC
Physical Condition	Average
Exterior Wall	Brick / Veneer
Element	Units
Room: Total	5
Room: Full Bath	2
Room: Bedroom	3

Building Areas	
Description	Area
BASE AREA PRI	1,612
OPEN FRAME PORCH PRI	100

Extra Features

Line	Description	Quality	Condition	Units	Year Built
1	Canopy - Residential	Poor	Fair	480.00	1972
2	Frame Utility Shed	Fair	Fair	225.00	1971



Public Comment Form

(Please type or use black ink)

All submitted forms will become a part of the public record.

Please return to:

City of Tomball
Attn: Amelia Lindley
501 James Street
Tomball, TX 77375

Name:

MARIE REYNOLDS

(please print)

Address:

28011 HIGH MEADOW

TOMBALL, TX 77377

Signature:

Marie Reynolds

Date:

11-29-2017



I am **FOR** the requested Rezoning as explained on the attached public notice for Zoning Case P17-0131. (Please state reasons below)



I am **AGAINST** the requested Rezoning as explained on the attached public notice for Zoning Case P17-0131. (Please state reasons below)

Date, Location & Time of **Planning & Zoning Commission** meeting:

Monday, December 11, 2017 6:00 PM

City Council Chambers of the City of Tomball, City Hall
401 Market Street, Tomball, Texas

Date, Location & Time of **City Council** meeting:

Monday, December 18, 2017, 6:00 PM

City Council Chambers of the City of Tomball, City Hall
401 Market Street, Tomball, Texas

COMMENTS:

The property is surrounded by commercial
zoned property.

You may also comment via email to ALindley@tomballtx.gov.

Please reference the case number in the subject line.

For questions regarding this request please call Amelia Lindley @ 281-290-1410.

Regular Planning and Zoning Commission

Agenda Item

Data Sheet

Meeting Date: December 11, 2017

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:

Community Development

Recommendation:

Denial

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

Planning Division

ACTION TAKEN

Approval ☐ Yes ☐ No	Readings Passed ☐ 1 st ☐ 2 nd	Other
--	--	-------

ATTACHMENTS:

Notice of Public Hearing
Property Owner Notification
P17-0137 Staff Report
Response Forms

**NOTICE OF PUBLIC HEARING
CITY OF TOMBALL
PLANNING & ZONING COMMISSION (P&Z)
DECEMBER 11, 2017
&
CITY COUNCIL
DECEMBER 18, 2017**



Notice is Hereby Given that a Public Hearing will be held by the P&Z of the City of Tomball on **Monday, December 11, 2017, at 6:00 P.M.**, and by the City Council of the City of Tomball on **Monday, December 18, 2017, 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 P17-0131: 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.

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 Road at Hospital Road, from the Agricultural District to the Commercial District.

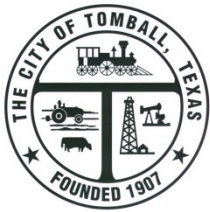
Zoning Case P17-0145: Request by the City of Tomball to amend Sections 50-115 of the Tomball Code of Ordinances in regards to refuse areas.

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.

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 **7th** day of **December 2017** by 5:00 p.m., and remained posted for at least 72 continuous hours preceding the scheduled time of said meeting.

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.



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 Commercial District.

CONTACT: Amelia Lindley, Planner

PHONE: (281) 290-1410

E-MAIL: 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.

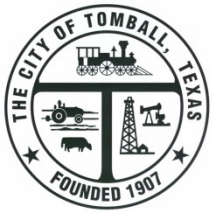


**Planning & Zoning Commission
Public Hearing:
Monday, December 11, 2017, 6:00 PM**

**City Council Public Hearing:
*Monday, December 18, 2017, 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.



Public Comment Form

(Please type or use black ink)

All submitted forms will become a part of the public record.

Please return to:

City of Tomball
Attn: Amelia Lindley
501 James Street
Tomball, TX 77375

Name:

(please print)

Address:

Signature:

Date:

_____ I am **FOR** the requested Rezoning as explained on the attached public notice for **Zoning Case P17-0137. (Please state reasons below)**

_____ I am **AGAINST** the requested Rezoning as explained on the attached public notice for **Zoning Case P17-0137. (Please state reasons below)**

Date, Location & Time of **Planning & Zoning Commission** meeting:

Monday, December 11, 2017 6:00 PM

City Council Chambers of the City of Tomball, City Hall
401 Market Street, Tomball, Texas

Date, Location & Time of **City Council** meeting:

Monday, December 18, 2017, 6:00 PM

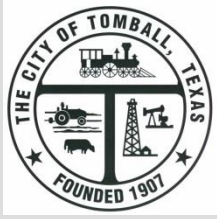
City Council Chambers of the City of Tomball, City Hall
401 Market Street, Tomball, Texas

COMMENTS:

You may also comment via email to ALindley@tomballtx.gov.

Please reference the case number in the subject line.

For questions regarding this request please call Amelia Lindley @ 281-290-1410.



Rezoning Staff Report

Planning & Zoning Commission Public Hearing Date: December 11, 2017
City Council Public Hearing Date: December 18, 2017

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 Commercial 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.

ANALYSIS

The property is currently zoned Agricultural. Abandoned Animal Rescue 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. There are mostly single-family residences in the area.

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.

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.**

The uses permitted in the Commercial District do not appear to be appropriate for the immediate area. The established land uses in the area are mostly single-family residences.

- 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 commercial facility. The existing arterial street adjacent to the property can accommodate traffic generated by a Commercial 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 Commercial. 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 Commercial 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 commercial development is constructed on the subject site, Chapter 50 (Zoning) has regulations in place to protect the adjacent residential development.

- 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. As mentioned, the Comprehensive Plan outlines goals for protecting and preserving rural residential areas in the City.

PUBLIC COMMENT

Property owners within 200 feet of the project site were mailed notification of this proposal on November 22, 2017. The Notice of Public Hearing was published in the paper on November 29, 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 is unable to recommend approval of Zoning Case P17-0137 for the following reasons:

1. The request does not meet the goals of City's Comprehensive Plan;
2. The request is not in conformance with the Future Land Use Map;
3. The request is not appropriate with the surrounding land uses in the area;
4. The request is not appropriate with the surrounding zoning districts.

EXHIBITS

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

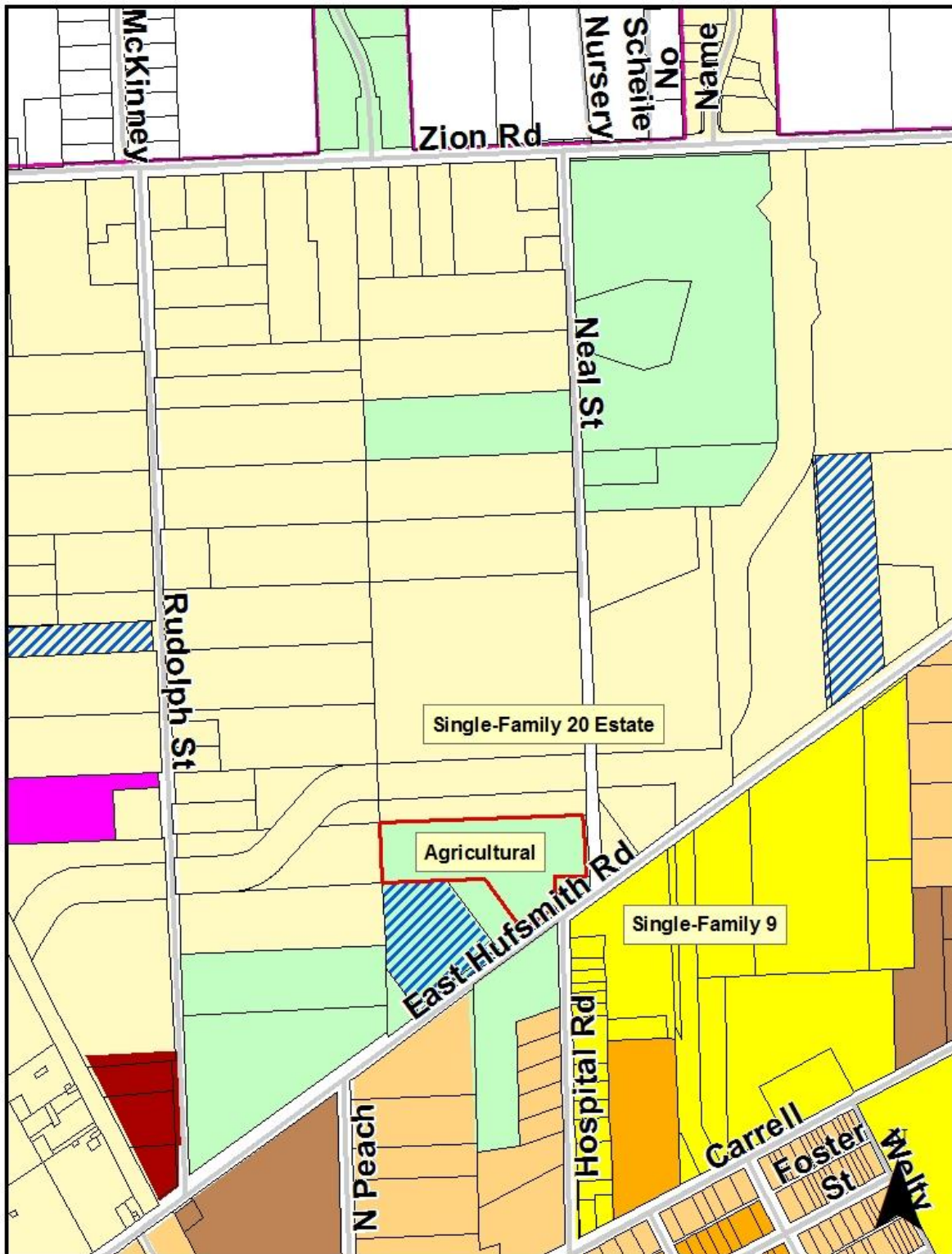
Exhibit "A"
Aerial Photo



Exhibit "B"
Comprehensive Plan



Exhibit "C"
Zoning Map



**Exhibit “D”
Site Photo**



Exhibit "E"

Application

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: 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 Rescue 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 Winget - 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

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]

Current Zoning District: AG - Agricultural District

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

Proposed Zoning District: C - Commercial District.

Proposed Use of Property: 1 Acre in front remains light commercial use, no change. 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

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:	
<i>Lance Langenhoven</i>	
X	6A7AB78E85DE448...
Signature of Applicant	Date
X	<i>Debbie Allison</i>
Signature of Owner	Date
<i>10/29/17</i>	
Debbie Allison, AAR representative.	

Request for re-zoning of 419 E. Hufsmith

Date: 30th 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.

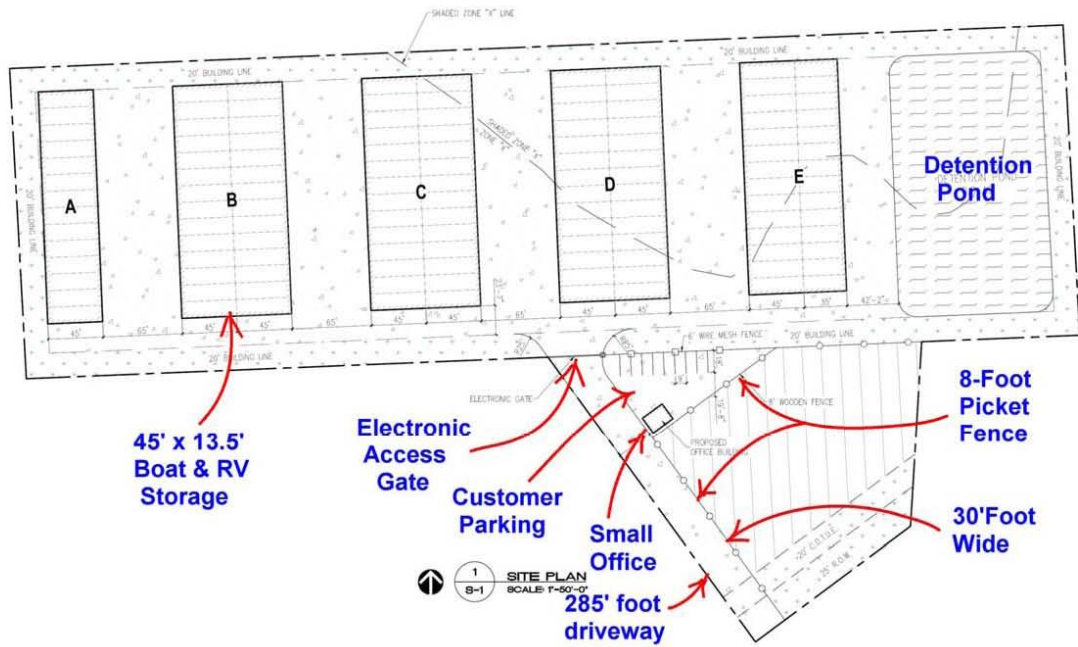


2. Approx. 5 Acres of land at the back

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

30th October 2017



Regarding proposed development for 419 E. Hufsmith, Tomball, TX, 77375

I have been informed of the proposed projects for this property by the buyer of the property, Lance Langenhoven, a member of SATX Assets LLC, Series 419 E. Hufsmith the legal buyer.

His plan is to renovate and upgrade the building currently used by Abandoned Animal Rescue and he intends to lease the building out to a services contracting company like a plumber, electrician, painter, yard maintenance or similar type of company that needs some office space, some warehouse space and some space for parking trucks, trailers or other types of service equipment. He does not intend leasing to any automotive or alcohol related business. The noises from barking dogs will no longer be heard.

In addition he would like to create a Boat & RV Storage facility on the back +- 5 Acres of the property. This business will have a +- 380 feet driveway leading in from East Hufsmith. The access at E. Hufsmith will be landscaped and maintained so that the driveway will fit in well with the neighborhood look & feel. Due to the distance of the driveway, the electronic gate at the end of the driveway where it connects to the parking area will be barely visible to a driver passing by at the average speed limit of about 45 miles per hour.

The Boat & RV Storage business will be quiet and will provide the local community a safe and secure place in which to store boats, RV's and trailers.

I am a neighbor within 200 feet of this property and I welcome and look forward to this change of use and fully support it.

Signed: 11829461924C470...

Name: David Lentes, Member, Presario Properties LLC

Date: 12/4/2017

Address: APN: 0352820000056
APN: 0352820000060
APN: 0352820000063
APN: 0352820000067

Regarding proposed development for 419 E. Hufsmith, Tomball, TX, 77375

I have been informed of the proposed projects for this property by the buyer of the property, Lance Langenhoven, a member of SATX Assets LLC, Series 419 E. Hufsmith the legal buyer.

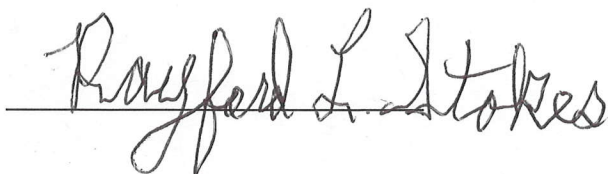
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The Boat & RV Storage business will be quiet and will provide the local community a safe and secure place in which to store boats, RV's and trailers.

I am a neighbor within 200 feet of this property and I welcome and look forward to this change of use and fully support it.

Signed:



Name:

RAYFORD STOKES.

Date:

15 NOV. 2017.

Address:

343 E. HUFSMITH.

Regarding proposed development for 419 E. Hufsmith, Tomball, TX, 77375

I have been informed of the proposed projects for this property by the buyer of the property, Lance Langenhoven, a member of SATX Assets LLC, Series 419 E. Hufsmith the legal buyer.

His plan is to renovate and upgrade the building currently used by Abandoned Animal Rescue and he intends to lease the building out to a services contracting company like a plumber, electrician, painter, yard maintenance or similar type of company that needs some office space, some warehouse space and some space for parking trucks, trailers or other types of service equipment. He does not intend leasing to any automotive or alcohol related business. The noises from barking dogs will no longer be heard.

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The Boat & RV Storage business will be quiet and will provide the local community a safe and secure place in which to store boats, RV's and trailers.

I am a neighbor within 200 feet of this property and I welcome and look forward to this change of use and fully support it.

Signed: Dana Wade

Name: Dana Wade

Date: 11/20/17

Address: 413 E. Hufsmith Rd. Tomball, TX

Regarding proposed development for 419 E. Hufsmith, Tomball, TX, 77375

I have been informed of the proposed projects for this property by the buyer of the property, Lance Langenhoven, a member of SATX Assets LLC, Series 419 E. Hufsmith the legal buyer.

His plan is to renovate and upgrade the building currently used by Abandoned Animal Rescue and he intends to lease the building out to a services contracting company like a plumber, electrician, painter, yard maintenance or similar type of company that needs some office space, some warehouse space and some space for parking trucks, trailers or other types of service equipment. He does not intend leasing to any automotive or alcohol related business. The noises from barking dogs will no longer be heard.

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The Boat & RV Storage business will be quiet and will provide the local community a safe and secure place in which to store boats, RV's and trailers.

I am a neighbor within 200 feet of this property and I welcome and look forward to this change of use and fully support it.

Signed:

Joel Wade

Name:

Joel Wade

Date:

11/17/17

Address:

413 E. Hufsmith

Regarding proposed development for 419 E. Hufsmith, Tomball, TX, 77375

I have been informed of the proposed projects for this property by the buyer of the property, Lance Langenhoven, a member of SATX Assets LLC, Series 419 E. Hufsmith the legal buyer.

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The Boat & RV Storage business will be quiet and will provide the local community a safe and secure place in which to store boats, RV's and trailers.

I am a neighbor within 200 feet of this property and I welcome and look forward to this change of use and fully support it.

Signed: 

Name: Louise Owens

Date: 11/21/17

Address: 503 E Hufsmith Rd Tomball, Tx 77375

Regarding proposed development for 419 E. Hufsmith, Tomball, TX, 77375

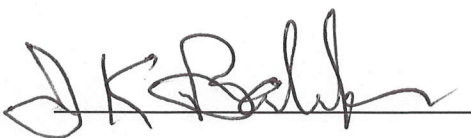
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I am a neighbor within 200 feet of this property and I welcome and look forward to this change of use and fully support it.

Signed: 

Name: KEVIN BARB

Date: 28 Nov. 2017.

Address: 507 E Hufsmith

Regarding proposed development for 419 E. Hufsmith, Tomball, TX, 77375

I have been informed of the proposed projects for this property by the buyer of the property, Lance Langenhoven, a member of SATX Assets LLC, Series 419 E. Hufsmith the legal buyer.

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I am a neighbor within 200 feet of this property and I welcome and look forward to this change of use and fully support it.

Signed:



Name:

Amadeo Valadez Sr.

Date:

10-13-2017

Address:

510 E. Hufsmith, Tomball, Tx. 77375

Regarding proposed development for 419 E. Hufsmith, Tomball, TX, 77375

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I am a neighbor within 200 feet of this property and I welcome and look forward to this change of use and fully support it.

Signed: Rhonda Damon

Name: Rhonda Damon

Date: 11-20-17

Address: 644 Hospital St. Tomball, TX 77375

Regarding proposed development for 419 E. Hufsmith, Tomball, TX, 77375

I have been informed of the proposed projects for this property by the buyer of the property, Lance Langenhoven, a member of SATX Assets LLC, Series 419 E. Hufsmith the legal buyer.

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I am a neighbor within 200 feet of this property and I welcome and look forward to this change of use and fully support it.

Signed:



Name:

JOSH BURNS

Date:

12.1.17

Address:

719, 721, 3648 Hospital St.
Tomball, TX 77375

Regarding proposed development for 419 E. Hufsmith, Tomball, TX, 77375

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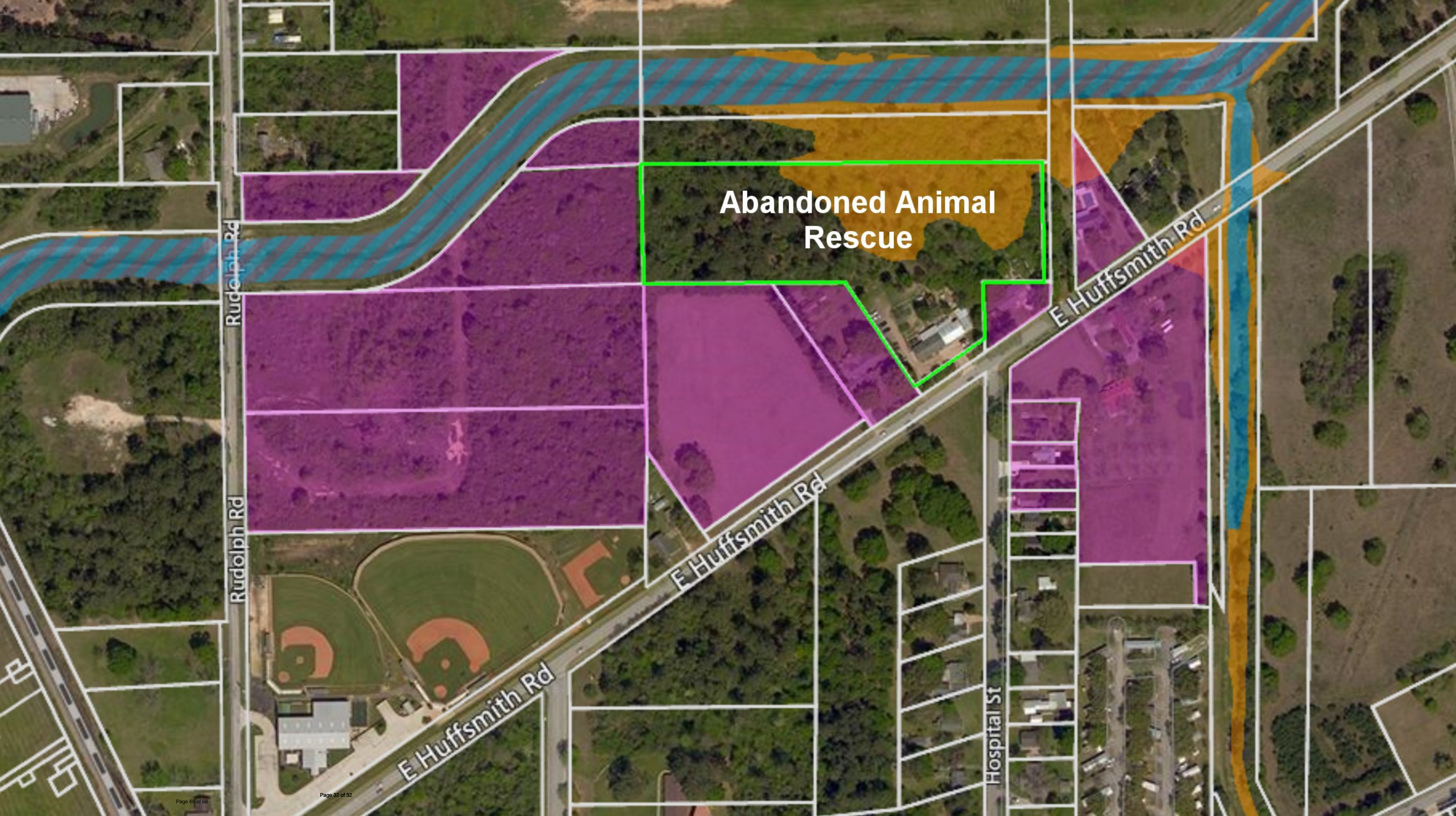
I am a neighbor within 200 feet of this property and I welcome and look forward to this change of use and fully support it.

Signed: Joelle Fisher - Owner

Name: Joelle Fisher

Date: 11-13-17

Address: 723 Hospital Street



**Abandoned Animal
Rescue**

Rudolph Rd

Rudolph Rd

E Huffsmith Rd

E Huffsmith Rd

E Huffsmith Rd

Hospital St

Regular Planning and Zoning Commission

Agenda Item

Data Sheet

Meeting Date: December 11, 2017

Topic:

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**

Background:**Origination:**

Community Development Department

Recommendation:

Approval

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

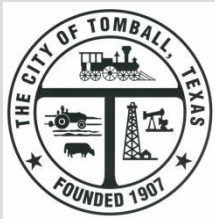
Planning Division

ACTION TAKEN

Approval ☐ Yes ☐ No	Readings Passed ☐ 1 st ☐ 2 nd	Other
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ATTACHMENTS:

P17-0145 Staff Report



Text Amendment Staff Report

Planning and Zoning Commission Hearing Date: December 11, 2017

City Council Public Hearing Date: December 18, 2017

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.

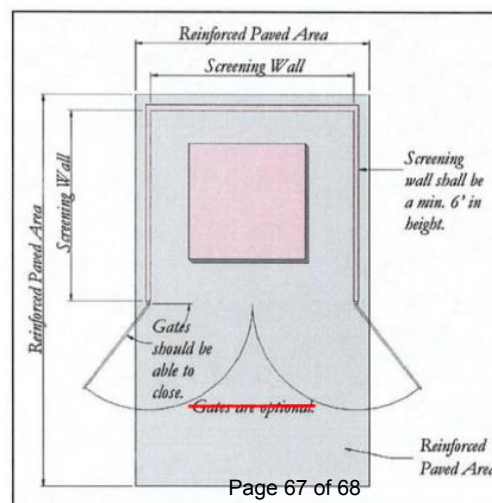
BACKGROUND

At the October 9, 2017 Planning and Zoning Commission Meeting, the Commission recommended approval a text amendment requiring all new dumpster enclosures be masonry with the recommendation that gates on all enclosures be mandatory, rather than optional.

At the October 16, 2017 City Council Meeting, City Council postponed the First Reading and directed City Staff to add language to the ordinance specifying thresholds for when expanding sites need to provide masonry trash enclosures. At the November 6, 2017 City Council Meeting, City Council approved the amended First Reading of the text amendment and directed City Staff to bring another text amendment requiring all new enclosures have gates that remain closed except when in use and add non-conforming language.

PROPOSED AMENDMENTS

Refuse areas which are not within a rear service area and which are visible from a public right-of-way for all nonresidential, multifamily and manufactured/mobile home park uses shall be visually screened by a minimum six-foot solid masonry wall or fence on at least three sides (see Illustration 50-115-1 for refuse container enclosure diagrams). The fourth side, which is to be used for garbage pickup service, ~~may must~~ provide ~~an optional~~ gate to secure the refuse storage area ~~which shall remain closed at all times except when in use~~. Alternate equivalent screening methods may be approved by the city. Each refuse facility shall be located so as to facilitate pickup by refuse collection agencies. Adequate reinforced paved areas shall be provided for refuse facilities and their approaches for loading and unloading, as per Illustration 50-115-1. The standards within this section shall apply to ~~all new enclosures added to a site~~, a waste/recycle dumpster or permanent roll-off added to a site and in the case of an addition to a structure or site that alters such structure or site by greater than 25 percent in area. ~~Any site that is deemed abandoned by Section 50-31 (c) shall comply with the provisions of this section.~~



PUBLIC COMMENT

A public hearing notice was published in the Potpourri on November 29, 2017. Any public comment forms will be provided in the Planning & Zoning Commission and City Council packets or during the public hearing.