

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

THURSDAY, SEPTEMBER 8, 2022



6:00 P.M.

A. The meeting was called to order by Chairman Billy Hemby at 6:02 p.m. Other members present were:

Board Member Christine Roquemore
Board Member April Gray
Board Member Jarmon Wolfe
Alternate Board Member Ellen Warren

Others present:

Nathan Dietrich - Community Development Director
Jared Smith – City Planner
Kim Chandler – Community Development Coordinator
Loren Smith – City Attorney

B. No Public Comments were received

C. Nathan Dietrich, Community Development Director, announced the following:

- Upcoming Events in the City of Tomball:
 - GroovFest 2022 – September 17, 2022
 - 9-11 Remembrance – September 11, 2022
 - 2nd Saturday at the Depot – September 10, 2022
 - National Night Out – October 4, 2022
 - The Big Show – October 15, 2022
 - Spooktacular – October 8, 2022
 - Blue Grass Festival – October 22, 2022
- Free 12th Annual Economic Outlook for the region in this area at the Beckendorf on October 4, 2022, presented by the Tomball Economic Development Corporation.
- City Council approved **Zoning Case P22-205**: Request by Michael Seitz for a Conditional Use Permit to allow an accessory residence within General Retail (GR) zoning. The property is legally described as approximately 0.78 acres, being a portion of the Jesse Pruitt Survey, Abstract Number 629. The property is located at 817 E. Main Street, within the City of Tomball, Harris County, Texas.
 - Scheduled for a BOA Variance on October 13, 2022.

- City Council approved **Case P22-265:** Request from Habitat for Humanity – Northwest Harris County INC. represented by Erik Armstrong to abandon a segment of the 30-foot-wide public right-of-way presently dedicated to Welty Street. Being that segment which extends approximately 295 linear feet northwest from the northernmost right-of-way boundary for Foster Street to the southernmost right-of-way boundary for Carrel Street, wedged between Block 90 in Tomball and the western property line of Restricted Reserve “A” in the Final Plat of The Episcopal Church of The Good Shepherd, within the City of Tomball, Harris County, Texas.
- City Council denied **Zoning Case P22-222:** Request from DeLisa Kik to amend Chapter 50 (Zoning) of the Tomball Code of Ordinance by rezoning approximately 0.40 acres of land legally described as being all of Lots 11, 12 and the north ½ of Lot 10 in Block 2 of Main Street Addition from Single Family Residential (SF-6) to Old Town & Mixed Use (OT&MU). The property is located at 201 Holderrieth Boulevard, within the City of Tomball, Harris County, Texas.
- City Council Denied **Zoning Case P22-115:** Request from Welcome Land Development, LLC and Jacquelyn Marshall represented by Bryan Harrison to amend Chapter 50 (Zoning) of the Tomball Code of Ordinance by rezoning approximately 13.21 acres of land legally described as being a portion of Tomball Outlots 163, 167, 171, 172, 175, and 176 from Agricultural (AG) to the Commercial (C) District. The property is generally located within the 13000 block of Medical Complex Drive (south side), at the southwest corner of the intersection of South Cherry Street and Medical Complex Drive, within the City of Tomball, Harris County, Texas.
- City Council Approved **Zoning Case P22-226:** Request from Maple Group, LTD represented by Cross Engineering to amend Chapter 50 (Zoning) of the Tomball Code of Ordinance by rezoning approximately 25.87 acres of land legally described as Reserve “A” in Maple Group Subdivision, from Planned Development District 8 (PD-8) to Commercial (C). The property is generally located at the northeast corner of the intersection of Holderrieth Road and State Highway 249 frontage road, within the City of Tomball, Harris County, Texas.
- City Council Approved **Zoning Case P22-226:** Request from Maple Group, LTD represented by Cross Engineering to amend Chapter 50 (Zoning) of the Tomball Code of Ordinance by rezoning approximately 25.87 acres of land legally described as Reserve “A” in Maple Group Subdivision, from Planned Development District 8 (PD-8) to Commercial (C). The property is generally located at the northeast corner of the intersection of Holderrieth Road and State Highway 249 frontage road, within the City of Tomball, Harris County, Texas.
- City Council Approved **Case P22-266:** Request by the City of Tomball to amend Section(s) 50-33 (Board of adjustments) and 50-34 (Amendments to zoning chapter and districts, administrative procedures, and enforcement) of the Tomball Code of Ordinances by increasing the required notification area for public hearings from 200 Ft. to 300 Ft.

- City Council Approved **Case P22-269**: Request by the City of Tomball to amend Chapter 40, Article III (Subdivision Design Standards) of the Tomball Code of Ordinances by adding sections to address driveway approaches and related requirements to include separation requirements and access management standards.
- City Council Approved **Case P22-268**: Request by the City of Tomball to amend Section(s) 40-28 (Application for Preliminary Plat Approval) and 40-30 (Application for Final Plat Approval) of the Tomball Code of Ordinances by revising the plat review application submission deadline(s).
- There has been a change to the Boards and Commissions Handbook and Councilman Townsend is going to be attending all future BOA Meetings as a Liaison.

D. Motion was made by Board Member Roquemore, second by Board Member Gray, to approve the Minutes of Regular Board of Adjustments Meeting of July 14, 2022.

Motion carried unanimously.

E. New Business:

E.1 Conduct a public hearing and consideration to approve **BOA Case P22-286**: Request by D.G. & I Property Management, Inc., represented by Rodolfo Barrera Jr. for a variance from Section 50-71 Single-Family Residential - 6 (SF-6) of the Tomball Code of Ordinances to allow for encroachment into the required building setback(s). The property is legally described as being Lot 56, in Block 68 of the Revised Map of Tomball. Located at the southeast corner of the intersection of Chestnut Street and Holiday Street, within the City of Tomball, Harris County, Texas.

The Public Hearing was opened by Chair Hemby at 6:10 p.m.

Jared Smith, City Planner, presented the case with Staff Recommendation.

Rodolfo Barrera Jr., applicant (23910 Saxon Way, Hockley, TX 77447) spoke on behalf of the case.

George Larue (330 Mechanic, Tomball, TX 77375) spoke in opposition of the request.

Roger & Nancy Nafziger (4517 Country Road 245, Navasota, TX 77868) submitted a public comment form in favor of the request.

Jerrid Griggs (320 Holiday Street, Tomball, TX 77375) submitted a public comment form in opposition of the request.

Hearing no additional comments, the Public Hearing was closed at 6:23 p.m.

Motion was made by Board Member Roquemore, second by Board Member Gray, to approve the Variance request of **BOA Case P22-286**.

Motion was amended by Board Member Roquemore, second by Board Member Gray, to approve the Variance request of **BOA Case P22-286** with the following condition:

- An effective drainage plan must be approved by the City Engineer prior to approval of plans or building of any structure.

Vote was as follows:

Chairman Hemby	<u>Aye</u>
Board Member Roquemore	<u>Aye</u>
Board Member Gray	<u>Aye</u>
Board Member Wolfe	<u>Aye</u>
Alternate Board Member Warren	<u>Aye</u>

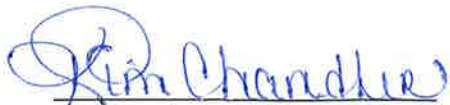
Motion carried unanimously.

6.0 Motion was made by Board Member Roquemore, second by Board Member Gray, to adjourn.

Motion carried unanimously.

The meeting adjourned at 6:43 p.m.

PASSED AND APPROVED this 8th day of December 2022.



Kim Chandler
Community Development Coordinator/
Board Secretary



Billy Hemby
Chairman