

**NOTICE OF BOARD OF ADJUSTMENTS MEETING
CITY OF TOMBALL, TEXAS**



**Thursday, January 14, 2021
6:00 PM**

Notice is hereby given of a meeting of the Board of Adjustments, to be held on Thursday, January 14, 2021 at 6:00 PM, City Hall, 401 Market Street, Tomball, Texas 77375, for the purpose of considering the following agenda items. All agenda items are subject to action. The Board of Adjustments 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.

- A. Call to Order
- B. 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 - GC, 551.042.]*
- C. Reports and Announcements
- D. Approval of Minutes
 - 1. Consideration to Approve the Minutes of the Regular Board of Adjustments Meeting of September 10, 2020.
- E. New Business
 - 2. Consideration to approve **BOA Case P20-346**: Request by Shannon & Denise Lauve, for a variance from Section 50-69 (*Single-Family Estate Residential District*) to allow for a 960 square foot dwelling unit where a minimum 1,600 square foot dwelling unit is required. The site is approximately 0.50 acres (21,723 square feet), generally located at the northeast corner of Zion Road and Quinn Road, is zoned Single-Family 20 Estate District and legally described as Tract 14G-1 Abstract 34 J House.

Conduct a Public Hearing on **BOA Case P20-346**
- F. 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 11th day of January 2021 by 5:00 PM, and remained posted for at least 72 continuous hours preceding the scheduled time of said meeting.

Kimberly Chandler
Community Development Coordinator

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 contact the City Secretary's office at (281) 290-1002 or FAX (281) 351-6256 for further information.

AGENDAS MAY BE VIEWED ONLINE AT www.ci.tomball.tx.us.

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

THURSDAY, SEPTEMBER 10, 2020



6:00 P.M.

- 1.0 The meeting was called to order by Chairman Billy Hemby at 6:00 p.m. Other members present were:

Board Member Jarmon Wolfe
Board Member Christine Roquemore
Alternate Board Member Cindy Phillips
Board Member Susan Harris

Others present:

Craig Meyers - Community Development Director
Amelia Lindley - City Planner
Loren Smith – City Attorney

Draft

- 2.0 No Public Comments were received

- 3.0 Craig Meyers, Community Development Director, announced the following:

- There will not be a Board of Adjustments meeting in October, 2020.

- 4.0 Motion was made by Board Member Roquemore, second by Board Member Harris, to approve the Minutes of Regular Board of Adjustments Meeting of July 9, 2020.

Motion carried unanimously.

- 5.0 New Business:

- 5.1 Consideration to approve **BOA Case P20-171**: Request by Identity Architects for a special exception from Section 50-112 (*Off-street parking and loading requirements*) to allow for the use of gravel where concrete is required and for no curbs where curbs are required, and for a variance from Section 50-78 (*Light Industrial District*) to allow for a 10' side yard setback where a 25' setback is required. The project site is approximately 9.809 acres of land, generally located on the west side of Hufsmith-Kohrville Road, across from Country Club Greens subdivision, is zoned Light Industrial District and legally described as Lot 1 Block 1 Tomball South Commercial No. 2.

The Public Hearing was opened by Chair Hemby at 6:02 p.m.

Amelia Lindley, City Planner, presented the case and recommendation.

William Kalkman, Identity Architects, Inc. (111 Travis St., Houston, TX 77002) spoke on behalf of the case.

Anderson Smith, Proposed Property Owner (6015 Wister Ct., Houston, TX 77008) spoke in support of the case.

Hearing no additional comments, the Public Hearing was closed at 6:10 p.m.

Motion was made by Board Member Harris, second by Board Member Phillips, to approve the Special Exception request of **BOA Case P20-171**, with the following recommended condition by City Staff:

- As indicated in the concept plan, the proposed driveway shall be concrete for the length of the property up to the proposed security gate.

Vote was as follows:

Chairman Hemby	<u>Aye</u>
Board Member Wolfe	<u>Aye</u>
Board Member Roquemore	<u>Aye</u>
Board Member Phillips	<u>Aye</u>
Board Member Harris	<u>Aye</u>

Motion carried unanimously.

Motion was made by Board Member Wolfe, second by Board Member Phillips, to approve the Variance request of **BOA Case P20-171**:

- Section 50-78 (*Light Industrial District*) to allow for a 10’ side yard setback where a 25’ setback is required.

Vote was as follows:

Chairman Hemby	<u>Aye</u>
Board Member Wolfe	<u>Aye</u>
Board Member Roquemore	<u>Nay</u>
Board Member Phillips	<u>Aye</u>
Board Member Harris	<u>Aye</u>

Motion Carried; 4 votes Aye, 1 vote Nay.

6.0 Motion was made by Board Member Harris, second by Board Member Phillips, to adjourn.

Motion carried unanimously.

The meeting adjourned at 6:27 p.m.

PASSED AND APPROVED this _____ day of _____ 2021.

Amelia Lindley
City Planner/Board Secretary

Billy Hemby
Chairman

**NOTICE OF PUBLIC HEARING
CITY OF TOMBALL
BOARD OF ADJUSTMENTS (BOA)**



JANUARY 14, 2021

Notice is Hereby Given that a Public Hearing will be held by the BOA of the City of Tomball on **Thursday, January 14, 2021, at 6:00 P.M.** at a Regular Meeting, in the City Council Chambers of the City of Tomball at City Hall, 401 Market Street, Tomball, Texas. On such date, the BOA will consider the following:

BOA Case P20-346: Request by Shannon & Denise Lauve, for a variance from Section 50-69 (*Single-Family Estate Residential District*) to allow for a 960 square foot dwelling unit where a minimum 1,600 square foot dwelling unit is required. The site is approximately 0.50 acres (21,723 square feet), generally located at the northeast corner of Zion Road and Quinn Road, is zoned Single-Family 20 Estate District and legally described as Tract 14G-1 Abstract 34 J House.

At the public hearing, 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 review 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 City Planner, Amelia Lindley, at (281) 290-1410, alindley@tomballtx.gov.

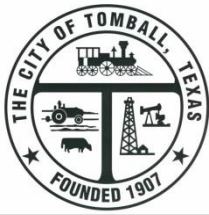
C E R T I F I C A T I O N

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 **11th** day of **January 2021** by 5:00 p.m., and remained posted for at least 72 continuous hours preceding the scheduled time of said meeting.

Amelia Lindley

Amelia Lindley
City Planner

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.



Community Development Department

Notice of Public Hearing

YOU ARE INVITED TO ATTEND a Public Hearing before the **BOARD OF ADJUSTMENTS** of the City of Tomball regarding the following item:

CASE NUMBER: P20-346

APPLICANT/OWNER: Shannon & Denise Lauve

LOCATION: Generally located at the northeast corner of Zion Road and Quinn Road.

PROPOSAL: Variance from Section 50-69 (Single-Family Estate Residential District) to allow for a 960 square foot dwelling unit where a minimum 1,600 square foot dwelling unit is required. The site is approximately 0.50 acres (21,723 square feet), is zoned Single-Family 20 Estate District and legally described as Tract 14G-1 Abstract 34 J House.

CONTACT: Amelia Lindley

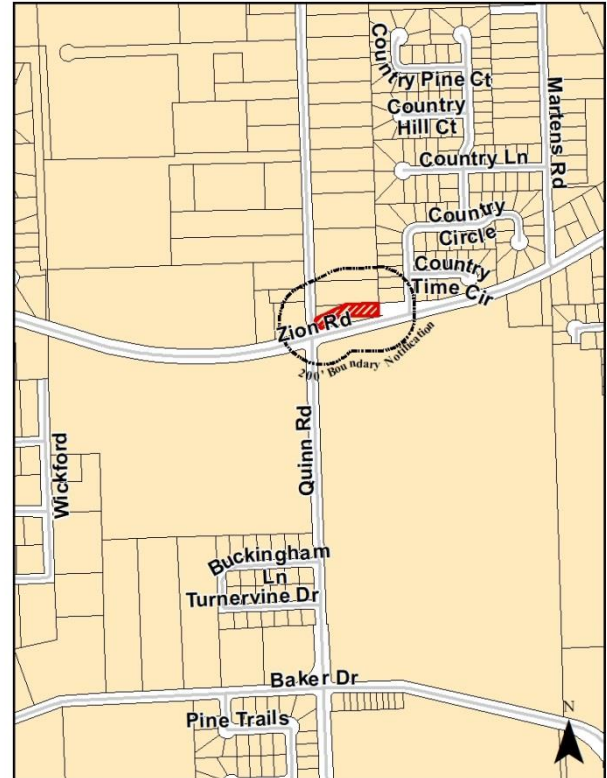
PHONE: (281) 290-1410

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. Interested parties may appear and speak on the project or the staff recommendation at the meeting. Written comments may also be submitted for consideration.

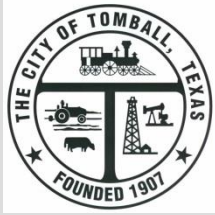


BOARD OF ADJUSTMENTS HEARING

City Hall
401 Market Street
Tomball, Texas

MEETING DATE: Thursday, January 14, 2021

MEETING TIME: 6:00 p.m.



Board of Adjustments (BOA) Staff Report

Board of Adjustments Hearing Date: January 14, 2021

BOA Case P20-346: Request by Shannon & Denise Lauve, for a variance from Section 50-69 (*Single-Family Estate Residential District*) to allow for a 960 square foot dwelling unit where a minimum 1,600 square foot dwelling unit is required. The site is approximately 0.50 acres (21,723 square feet), generally located at the northeast corner of Zion Road and Quinn Road, is zoned Single-Family 20 Estate District and legally described as Tract 14G-1 Abstract 34 J House.

Property Owner(s): Denise Lauve
Applicant(s): Shannon & Denise Lauve
Location: Northeast corner of Zion Road and Quinn Road (Exhibit “A”)
Lot Area: Approximately 0.50 acres (21, 723 square feet)
Present Zoning & Use: Single-Family 20 Estate District (Exhibit “B”) / (Exhibit “C”)
Comp Plan Designation: Ranch Rural & Estate (Exhibit “D”)
Adjacent Zoning & Land Uses:
 North: Single-Family 20 Estate District / Single-family residence
 South: Single-Family 9 District / Tomball High School
 West: Office District / Cannon Insurance office building
 East: Single-Family 9 District / Single-family residences

BACKGROUND

City Staff has met with the applicant to discuss the potential development of a single-family residence on the subject site.

ANALYSIS

According to Section 50-69 (*Single-Family Estate Residential District SF-20-E*) of the Tomball Code of Ordinances, the minimum floor area per dwelling unit in the Single-Family 20 Estate District is 1,600 square feet of heated and/or air-conditioned floor area. The applicant is requesting to utilize an existing 960 square foot structure located on the site as a dwelling unit.

According to the applicant, the structure will be renovated and will enhance the property. The renovations will need to meet all International Residential Building Code requirements and any proposed additions will meet all current zoning requirements. It appears the existing structure on the site meets the zoning district’s building setbacks.

RECOMMENDATION

City Staff has reviewed the request and recommends approval of **BOA Case P20-346**.

- The location and unique shape of the property may create difficulty in development;
- The existing structure meets the zoning district building setback requirements;
- The request does not appear to have a negative effect on the public health, safety, convenience and welfare of the community.

The Zoning Ordinance grants the Board of Adjustments the authority to impose conditions on a special exception to ensure the public health, safety, and general welfare.

If the Board votes to approve the requested special exceptions and variance, City Staff recommends conditions be imposed on the development such as an increased street tree requirement, shrub requirements in landscaped areas, greater fence height in the rear of the property, etc. to encourage an aesthetically pleasing site.

PUBLIC COMMENTS

Property owners within 200 feet of the project site were mailed notification of this proposal on December 30, 2020. Notice was published in the Potpourri and a sign was placed on the property on December 30, 2020. Public responses will be provided in the Board packets or at the meeting.

EXHIBITS

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

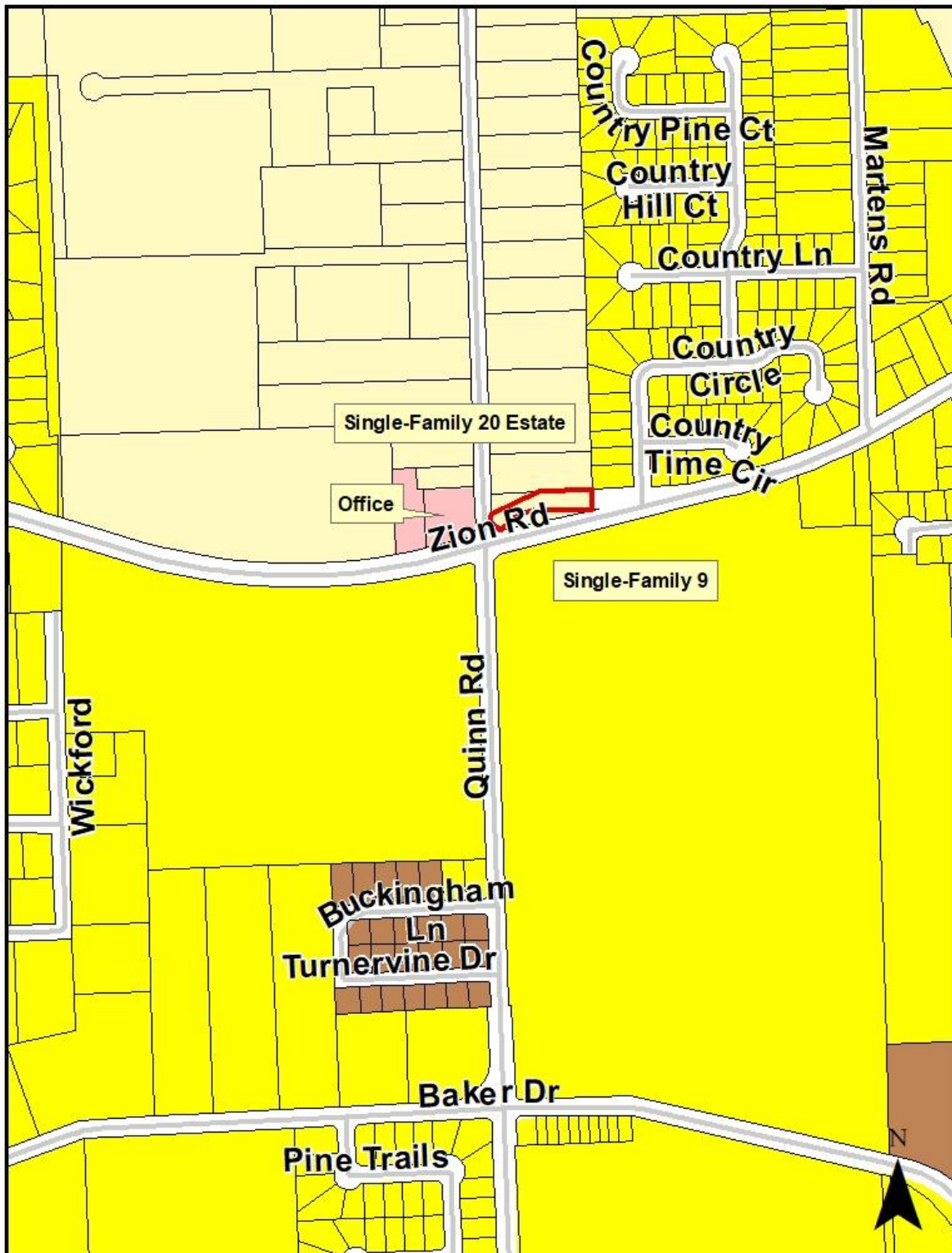
Exhibit "A"
Aerial Photo

Item 2.



Exhibit "B"
Zoning Map

Item 2.



**Exhibit “C”
Site Photo**



Exhibit "D"
Comprehensive Plan

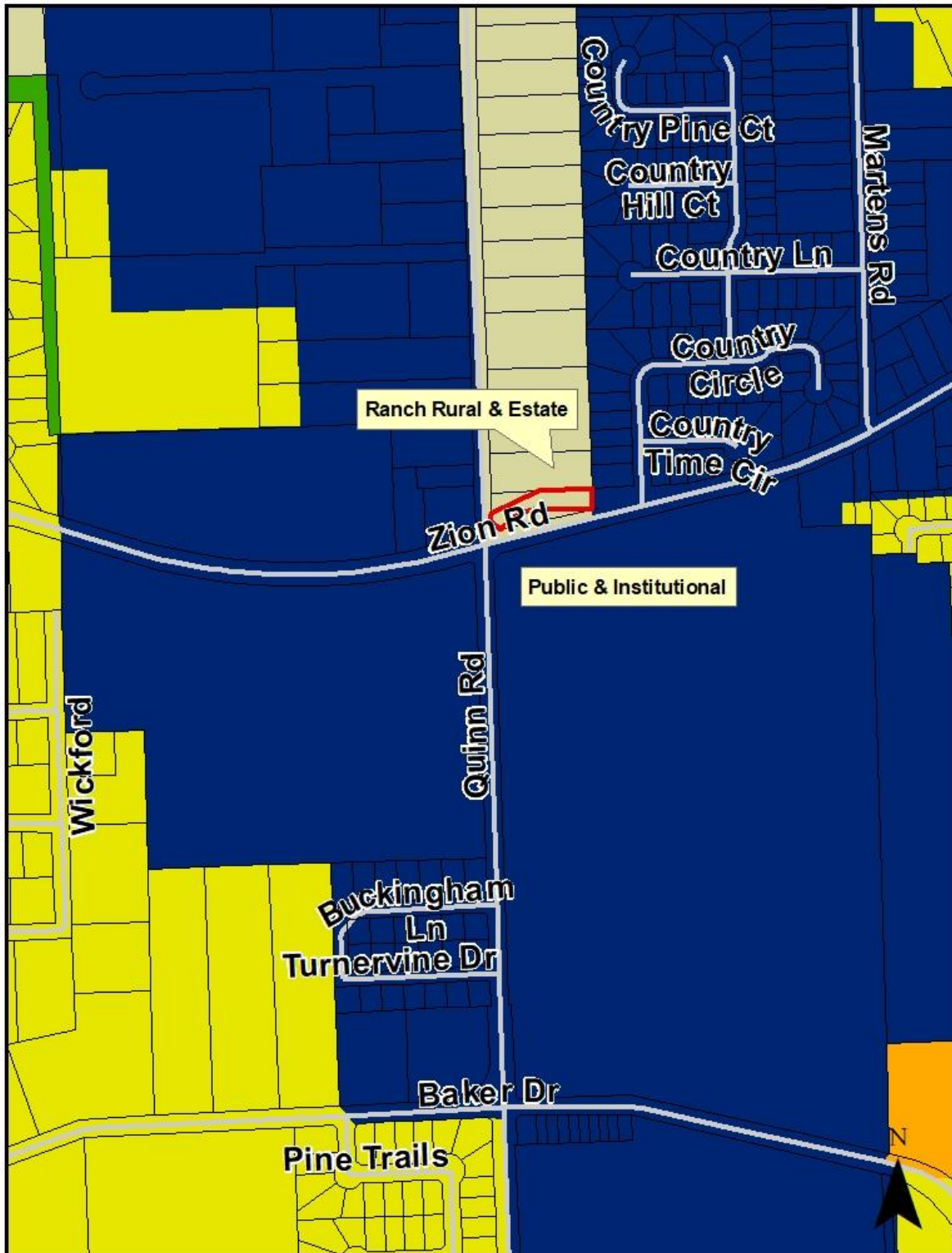


Exhibit "E"
Application

Item 2.



RECEIVED (KC)
11/16/2020 3:18:21 PM

Revised 5/19/15

P&Z 20-346

\$100.00 PD

ZONING BOARD OF ADJUSTMENTS (BOA)
VARIANCE APPLICATION

Community Development Department
Planning Division

Variance(s) Defined: A variance is the authority to depart from the application of areas, side yards, setback, height, and similar regulations to prevent unnecessary hardships. Refer to Section 50-33(f) of the Code of Ordinances for additional information. No variance shall be granted for any requirement outside Chapter 50 of the Code of Ordinances.

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

Applicant

Name: Shannon & Denise Lauve Title: owner
Mailing Address: 13519 Zion Rd City: Tomball State: Tx
Zip: 773375
Phone: (281) 705-4758 Fax: () Email: deniselauve@yahoo.com

Owner

Name: Shannon & Denise Lauve Title: owner
Mailing Address: 13519 Zion Rd City: Tomball State: Tx
Zip: 773375
Phone: (281) 705-4758 Fax: () Email: deniselauve@yahoo.com

Description of Proposed Project: Improving existing 960 ft building into our residence

Physical Location of Property: The corner of Quinn Rd and Zion Rd
[General Location – approximate distance to nearest existing street corner]

Legal Description of Property: TR 14G-1 ABST 34 J HOUSE SURVEY
[Survey/Abstract No. and Tracts; or platted Subdivision Name with Lots/Block]

HCAD Identification Number: 0402700019116 **Acreage:** 21,723 SQ FT

Current Use of Property: PROPERTY IS NOT BEING UTILIZED-WE MOW IT AND PAY TAXES ON IT

VARIANCE(S) REQUESTED

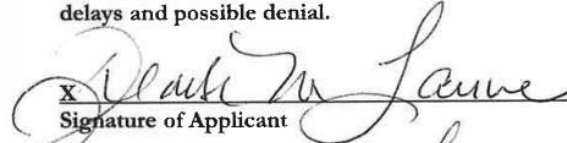
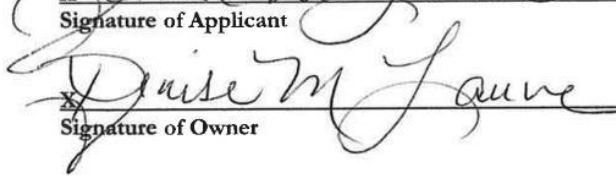
Applicable Zoning Ordinance Requirements and Sections:
PRESENT ZONING IS MINIMUM 1600 SQ FT FOR RESIDENCE

Variance Requested:

WE ARE ASKING TO ALLOW THE PRESENT STRUCTURE WHICH IS 960 SQ FT TO BE USED
AS OUR RESIDENCE--IT WOULD BE BUILT OUT TO CURRENT BUILDING CODES AND WOULD GREATLY
ENHANCE THE CORNER LOT. WE HAVE HAD THE PROPERTY ON THE MARKET BUT DUE TO ITS
IRREGULAR SHAPE AND PROXIMITY TO THE HIGH SCHOOL WE HAVE HAD NO INTEREST,

A description of hardship letter *must* be submitted in conjunction with this application. The criteria for a hardship are outlined in the attached document titled "Description of Hardship." In the letter, state variance(s) requested specifically and in detail (identify section and requirement). Please attach separate sheets(s) as necessary.

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.

☒  Signature of Applicant	11/11/2020 Date
☒  Signature of Owner	11/11/2020 Date

TO: ZOING BOARD OF ADJUSTMENTS

VARIANCE REQUEST: ASKING TO REDUCE THE REQUIRED MINIMUM LIVING AREA SQUARE FOOTAGE FOR THIS PIECE OF PROPERTY.

LOCATION: CORNER OF QUINN RD & ZION RD

HCAD: **0402700019116**

WE WISH TO UTILIZE THE EXISTING 960 SQ FT STRUCTURE (IT IS ON A SLAB-HAS EXISTING ELECTRICITY AND IS AIR CONDITIONED AND HEATED) WHICH IS PRESENTLY LOCATED ON THE PROPERTY-WE WILL BE RETIRING IN 2021 AND WOULD LIKE TO STAY CLOSE TO GRANDKIDS AND FAMILY (WHICH LIVE NEXTDOOR)-WE ALSO HAVE PARENTS WHO LIVE WITHIN A ½ MILE OF THE PROPERTY, THAT WE PROVIDE ASSISTANCE TO.

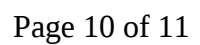
WE WOULD RENOVATE THE STRUCTURE—(NEW WINDOWS, ROOF, PAINT, INTERIOR, FENCING, LANDSCAPE, REPAVING DRIVEWAY, ETC) AS TO ENHANCE THE PROPERTIES PRESENCE.

WE WOULD GREATLY APPRECIATE YOUR APPROVAL.

SINCERELY

SHANNON AND DENISE LAUVE

281 705-4758



401 Market Street
401 Market Street
Tomball, TX 77375
(281) 351-5484

DATE : 11/11/2020 1:45 PM
OPER : RP
TKBY : rp
TERM : 2
REC# : R01241661

130.0000 PLANNING AND ZONING 100.00
quinn and zion 100.00

Paid By:quinn and zion
4-CC 100.00AUTH:876071 REF:w visa

APPLIED 100.00
TENDERED 100.00

CHANGE 0.00

Cardmember acknowledges receipt of goods
and/or services in the amount of the
total shown hereon and agrees to perform
the obligations set forth by the
cardmember's agreement with the user.



XXXXXXXXXXXX7011
Entry Mode: CHIP READ
CVM:

EMV Details:
AC: 8E73ED4A69AFAE6A
ATC: 0410
AID: A000000025010801