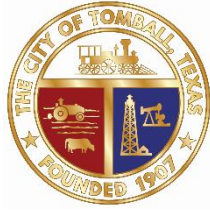


**NOTICE OF PLANNING AND ZONING COMMISSION REGULAR
MEETING
CITY OF TOMBALL, TEXAS**



**Monday, July 11, 2022
6:00 PM**

Notice is hereby given of a meeting of the Planning & Zoning Commission, to be held on Monday, July 11, 2022 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 Planning & 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.

- 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
 - [D.1](#) Consideration to Approve the Minutes of the Regular Planning and Zoning Commission Meeting of June 13, 2022.
- E. New Business
 - [E.1](#) Consideration to Approve Final Plat of **SEVEN OAKS HOLDERRIETH**: A Subdivision of 19.34 acres (842,341 Square Feet) of land located in the C. Pillot Survey, A-632, City of Tomball, Harris County, Texas.
 - [E.2](#) Conduct a public hearing and consideration to approve **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.

F. Discussion Item

F.1 Text Amendment Discussion Items: Discuss potential upcoming text amendments:

- Increase notification area for public hearings.
- Add/revise right-of-way dimensions to match street design standards.
- Remove/revise “submittal date and time” for plat reviews.
- Add driveway separation and access management standards.
- Revise minimum lot width requirements for key or flag-shaped lots.
- Revise OT & MU land-use regulations.

G. Adjournment

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

I hereby certify that the above notice of meeting was posted on the bulletin board of City Hall, City of Tomball, Texas, a place readily accessible to the general public at all times, on the 8th day of July 2022 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 PLANNING & ZONING COMMISSION MEETING
CITY OF TOMBALL, TEXAS**

MONDAY, JUNE 13, 2022



6:00 P.M.

A. The meeting was Called to Order by Chair Tague at 6:08 p.m. Other members present were:

Commissioner Richard Anderson
Commissioner Tana Ross

Commissioner Susan Harris – Excused Absence

Others present:

Nathan Dietrich – Community Development Director
Jared Smith – City Planner
Justin Pruitt – City Attorney
Kim Chandler – Community Development Coordinator
Drew Huffman – Public Works Director

draft

B. No Public Comments were received.

C. Reports and Announcements:

- Nathan Dietrich, Community Development Director, announced the following:
 - City of Tomball Long Range Strategic Planning Updates are available on-line for viewing.
 - Tomball Event Season kicks off with the following events scheduled:
 - 4th of July Celebration
 - Saturday at the Depot
 - 50th Tomball Night
 - Shared details of the “State of our Protections within the City of Tomball” presentation by the City of Tomball IT Department.
 - TEDC Updates for their Annual Report and Strategic Work Plan Updates are available on-line for viewing.

- D. Motion was made by Commissioner Ross, second by Commissioner Anderson, to approve the Minutes of the Regular Planning and Zoning Commission Meeting of May 9, 2022.

Roll call vote was called by Community Development Coordinator, Kim Chandler.

Motion carried unanimously.

E. New Business Non Action Items

- E.1 Minor Plat of **INTERCHANGE 249 BUSINESS PARK - PARTIAL REPLAT NO. 1:** A Subdivision of 87.688 acres (3,819,689 Square Feet), being a replat of Lots 3 and 4, Block 1, Interchange 249 Business Park, Film Code No. 698475, H.C.M.R. situated in the Auguste Senechal Survey, Abstract No. 722, City of Tomball, Harris County, Texas.

Jared Smith, City Planner, presented the plat with contingencies.

- E.2 Minor Plat of **INTERCHANGE 249 BUSINESS PARK - PARTIAL REPLAT NO. 2:** A Subdivision of 27.1967 acres (1,184,690 Square Feet), being a replat of Lot 5, Block 2, Interchange 249 Business Park, Film Code No. 698475, H.C.M.R. situated in the Auguste Senechal Survey, Abstract No. 722, City of Tomball, Harris County, Texas.

Jared Smith, City Planner, presented the plat with contingencies.

- E.3 Minor Plat of **INTERCHANGE 249 BUSINESS PARK - PARTIAL REPLAT NO. 3:** A Subdivision of 22.07 acres (961,380 Square Feet), being a replat of Lot 2, Block 1, Interchange 249 Business Park, Film Code No. 698475, H.C.M.R. situated in the Auguste Senechal Survey, Abstract No. 722, City of Tomball, Harris County, Texas.

Jared Smith, City Planner, presented the plat with contingencies.

- E.4 Minor Plat of **TOMBALL MEDICAL COMPLEX:** Being a 2.0974 acre tract and being a replat of a portion of Lot 5, of Tomball Medical Park, a subdivision situated in the Jesse Pruitt Survey, Abstract Number 629, of Harris County, Texas, according to the map or plat thereof recorded in Film Code Number 571288, of the Map Records of Harris County, Texas.

Jared Smith, City Planner, presented the plat with contingencies.

- E.5 Minor Plat of **WILLOW CREEK:** A Subdivision of 12.9051 acre tract, (562,147.34 Square Feet), in the Wilhelm Usener Survey A-820 and being out of Share No. 4 Mary Jane and Custave Kuehn as recorded in Volume 13, Page 27 Map Record, Harris County, Texas.

Jared Smith, City Planner, presented the plat with contingencies.

F. New Business

- F.1 Consideration to Approve Replat of **SHOPS ON TOMBALL PARKWAY:** Being a 1.8556 acre tract situated in the Joseph House Survey, Abstract Number 34, of Harris County, Texas, and being a replat of a portion of Unrestricted Reserve "A" of BRTR-ONE, Subdivision, as recorded in Film Code Number 696409, of the Map Records of Harris County, Texas.

Jared Smith, City Planner, presented a recommendation of approval with contingencies.

Motion was made by Commissioner Anderson, second by Commissioner Ross, to approve with contingencies.

Roll call vote was called by Community Development Coordinator, Kim Chandler.

Motion carried unanimously.

- F.2 Consideration to Approve Final Plat of **TOMBALL CLEAN CARWASH:** A Subdivision of 5.360 acres of land, located in the Sam Lewis Survey, A-1704, City of Tomball, Harris County, Texas.

Jared Smith, City Planner, presented a recommendation of a Final Plat approval with contingencies.

Motion was made by Commissioner Anderson, second by Commissioner Ross, to approve with contingencies.

Roll call vote was called by Community Development Coordinator, Kim Chandler.

Motion carried unanimously.

- F.3 Consideration to Approve Final Plat of **WOOD LEAF RESERVE, SECTION 2:** A Subdivision of 58.66 acres of land being a part of the Claude N. Pillot Survey, A-632, Harris County, Texas.

Jared Smith, City Planner, presented a recommendation of approval with contingencies.

Motion was made by Commissioner Ross, second by Commissioner Anderson, to approve with contingencies.

Roll call vote was called by Community Development Coordinator, Kim Chandler.

Motion carried unanimously.

- F.4 Conduct a Public Hearing and Consideration to Approve **Zoning Case P22-111**: Request from Shahnaz Shahzad represented by Atif Shahzad to amend Chapter 50 (Zoning) of the Tomball Code of Ordinance by rezoning approximately 2.10 acres of land legally described as being a portion of Lot 5 in Tomball Medical Park from Agricultural (AG) to the General Retail (GR) District. The property is generally located within the 13100 block of Medical Complex Drive (north side), approximately 250-feet east from the intersection of School Street and Medical Complex Drive, within the City of Tomball, Harris County, Texas.

Jared Smith, City Planner, presented the case and recommendation of approval.

Atif Shahzad, Applicant (110 Deer Crossing Court, Conroe, TX 77384) spoke on behalf of the request.

The Public Hearing was opened by Chair Tague at 6:38 p.m.

Jacquelyn Marshall (16007 Stablepoint Lane, Cypress, TX 77429) mailed in a Public Comment Response in favor of the request.

Hearing no additional comments, the Public Hearing was closed at 6:39.

Motion was made by Commissioner Ross, second by Commissioner Anderson, to approve **Zoning Case P22-111**.

Roll call vote was called by Community Development Coordinator, Kim Chandler.

Vote was as follows:

Chair Tague	<u>Aye</u>
Commissioner Ross	<u>Aye</u>
Commissioner Anderson	<u>Aye</u>

Motion CARRIED unanimously (3-0)

- F.5 Conduct a Public Hearing and Consideration to Approve **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.

Jared Smith, City Planner, presented the case and recommendation of approval.

Ryan Wasaff, Welcome Group Land Development, LLC, (5858 Westheimer, Suite #800, Houston, TX 77057) spoke on behalf of the request.

The Public Hearing was opened by Chair Tague at 6:50 p.m.

Jacquelyn Marshall (16007 Stablepoint Lane, Cypress, TX 77429) mailed in a Public Comment Response in favor of the request.

Claire Sebesta (16007 Stablepoint Lane, Cypress, TX 77429) mailed in a Public Comment Response in favor of the request.

Hearing no additional comments, the Public Hearing was closed at 6:52.

Motion was made by Commissioner Anderson, second by Commissioner Ross, to approve **Zoning Case P22-115**.

Roll call vote was called by Community Development Coordinator, Kim Chandler.

Vote was as follows:

Chair Tague	<u>Aye</u>
Commissioner Ross	<u>Aye</u>
Commissioner Anderson	<u>Aye</u>

Motion CARRIED unanimously (3-0)

- F.6 Conduct a Public Hearing and Consideration to Approve **Case P22-184**: Request to amend the City of Tomball's Comprehensive Plan to update the Major Thoroughfare Plan Map. Reclassifying the proposed east-west extension of Medical Complex Drive from a major arterial to a minor arterial. Specifically being a segment that is planned to extend approximately 0.9 miles from the eastern right-of-way boundary of Hufsmith-Kohrville Road to the southern right-of-way boundary of Mahaffey Road.

Jared Smith, City Planner, presented the case and request for Commission's recommendation.

Kyle Bertrand, Gunda Corporation, representing Harrisburg Homes, (11750 Katy Fwy., Suite 300, Houston, TX 77079), spoke on behalf of the request.

The Public Hearing was opened by Chair Tague at 7:17 p.m.

Hearing no comments, the Public Hearing was closed at 7:18.

Motion was made by Commissioner Anderson, second by Commissioner Ross, to approve **Zoning Case P22-184**.

Roll call vote was called by Community Development Coordinator, Kim Chandler.

Vote was as follows:

Chair Tague	<u>Nay</u>
Commissioner Ross	<u>Aye</u>
Commissioner Anderson	<u>Nay</u>

Motion FAILED (1 Aye – 2 Nay)

- F.7
- Resolution 2022-23: A Resolution of the City Council of the City of Tomball, Texas, adopting changes made to the current “City of Tomball Approved Tree, Shrub, Groundcover Plant and Vine List.”

Barbara Tague requested to Table Resolution 2022-23 until the Regular Planning & Zoning Meeting on July 11, 2022 when the full commission is present.

Motion was made by Commissioner Anderson, second by Commissioner Ross, to Table Resolution 2022-23 until the Regular Planning & Zoning Meeting on July 11, 2022.

Roll call vote was called by Community Development Coordinator, Kim Chandler.

Vote was as follows:

Chair Tague	<u>Aye</u>
Commissioner Ross	<u>Aye</u>
Commissioner Anderson	<u>Aye</u>

Motion CARRIED unanimously (3-0)

- G.
- Motion was made by Commissioner Anderson, second by Commissioner Ross, to adjourn.

Roll call vote was called by Community Development Coordinator, Kim Chandler.

Motion carried unanimously.

The meeting adjourned at 7:36 p.m.

PASSED AND APPROVED this _____ day of _____ 2022.

Kim Chandler
Community Development Coordinator /
Commission Secretary

Barbara Tague
Commission Chair

CITY OF TOMBALL

Plat Name: Seven Oaks Holderrieth Plat Type: Final

Construction Drawings for Public Facilities required? Yes ☐ No ☐ N/A ☒

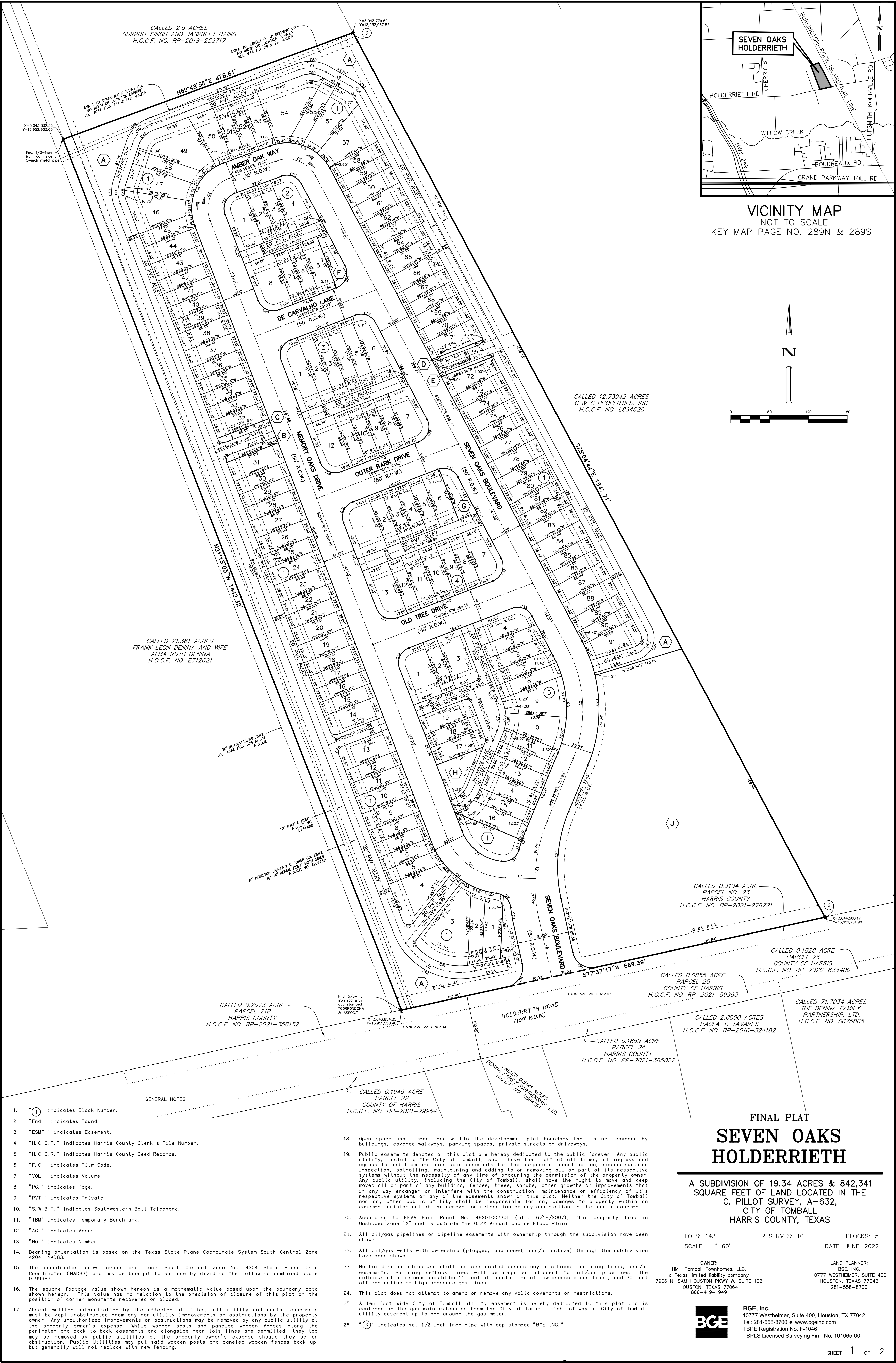
Plat within City Limits ☒ Within Extraterritorial Jurisdiction ☐

Planning and Zoning Commission Meeting Date: July 11, 2022

The above Subdivision Plat has been reviewed for compliance with existing Ordinances of the City of Tomball, Texas. Based on this review, the following comments are presented to the Planning & Zoning Commission for consideration in the Platting Process:

Community Development recommends approval of this plat with no contingencies.

- Total acreage must be delineated by four digits to the right of the decimal point.
- Square feet must be delineated by two digits to the right of the decimal point.
- Construction Plans submitted for review/approval illustrate landscaped medians within this segment of Seven Oaks Boulevard. Please illustrate reserves that coincide with these planned medians.
- Prior to final approval and recording, construction plans must be approved by the City Engineer detailing all required public improvements and all required public improvements must be installed in accordance with the approved construction plans.
- Remove "Final Plat" from the title of this plat.
- Illustrate or identify within the marginal notes, the planned permanent monuments and markers that will be provided within this subdivision. Said monuments and markers must be placed in accordance with Section 40-80 in COT code of ordinance.
- Remove all references to building lines "B.L.".
- Remove "Darrell Roquemore, Vice Chair" Signature Block from this plat.



STATE OF TEXAS
COUNTY OF HARRIS

We, HHM Tomball Townhomes, LLC, a Texas limited liability company, acting by and through Mickey Pizzitola, Division President, being officers of HHM Tomball Townhomes, LLC, a Texas limited liability company, owner in this section after referred to as owners of the 19.34 acre tract described in the above and foregoing plat of SEVEN OAKS HOLDERRIETH, 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 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 unobstructed aerial easements. The aerial easements shall extend horizontally an additional eleven feet, six inches (11'6") for ten feet (10'0") perimeter ground easements or seven feet, six inches (7'6") for fourteen feet (14'0") perimeter ground easements or five feet, six inches (5'6") for sixteen feet (16'0") perimeter ground easements, from a plane sixteen feet (16'0") above the ground level upward, located adjacent to and adjoining said public utility easements that are designated with aerial easements (U.E. and A.E.) as indicated and depicted, hereon, whereby the aerial easement totals twenty one feet, six inches (21'6") in width.

FURTHER, Owners do hereby covenant and agree that all of the property within the boundaries of this plat is hereby 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 the private driveways or walkways crossing such drainage facilities.

FURTHER, owners do hereby dedicate to the public a strip of land 15 feet wide on each side of the centerline of any and all bayous, creeks, gullies, ravines, draws, sloughs, or other natural drainage courses located and depicted upon 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 drainageway shall hereby be restricted to keep such drainageways 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.

WITNESS my hand in the city of Tomball, Texas, this _____ day of _____, 2022.

By: _____
HHM Tomball Townhomes, LLC,
a Texas limited liability company

IN TESTIMONY WHEREOF, the HHM Tomball Townhomes, LLC, a Texas limited liability company has caused these presents to be signed by Mickey Pizzitola, its Division President, thereunto authorized, and its common seal hereunto affixed

this _____ day of _____, 2022.

By: _____
Mickey Pizzitola
Division President

STATE OF TEXAS
COUNTY OF HARRIS

BEFORE ME, the undersigned authority, on this day personally appeared Mickey Pizzitola, Division President, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that they executed the same for the purposes and considerations therein expressed and in the capacity therein and herein stated, and as the act and deed of said corporation.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this _____ day of _____, 2022.

Printed Name: _____
Notary Public In and for the State of Texas
Commission Expires: _____

I, Chris Jordan, am authorized 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 and a length of not less than three feet; and that the plat boundary corners have been tied to the nearest survey corner.

Chris Jordan, R.P.L.S.
Texas Registration No. 6750

This is to certify that the planning and zoning commission of the city has approved this plat subdivision of SEVEN OAKS HOLDERRIETH in conformance with the laws of the state and the ordinances of the city as shown hereon and authorized the recording of this plat this ____ day of _____, 2022.

By: _____
Barbara Tague, Chair

By: _____
Darrell Roquemore, Vice Chair

I, Teneshia Hudspeth, 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 _____, 2022, at _____ o'clock _____ M., and duly recorded on _____, 2022, 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.

Teneshia Hudspeth
County Clerk
of Harris County, Texas

By: _____
Deputy

LOT AREA TABLE

TOTAL NUMBER OF LOTS: 143

BLOCK NUMBER	LOT NUMBER	LOT AREA	BLOCK NUMBER	LOT NUMBER	LOT AREA
1	1	2918.45 S.F.	2	1	3359.68 S.F.
1	2	2565.09 S.F.	2	2	1912.05 S.F.
1	3	6852.43 S.F.	2	3	1905.12 S.F.
1	4	4585.69 S.F.	2	4	3818.52 S.F.
1	5	1934.05 S.F.	2	5	2379.87 S.F.
1	6	1874.53 S.F.	2	6	1870.00 S.F.
1	7	1870.00 S.F.	2	7	1870.00 S.F.
1	8	1870.00 S.F.	3	8	3945.87 S.F.
1	9	2380.00 S.F.	3	1	3847.81 S.F.
1	10	2380.00 S.F.	3	2	2446.04 S.F.
1	11	1870.00 S.F.	3	3	2446.04 S.F.
1	12	1870.00 S.F.	3	4	2446.04 S.F.
1	13	3069.82 S.F.	3	5	4024.18 S.F.
1	14	2826.04 S.F.	3	6	3514.49 S.F.
1	15	1870.00 S.F.	3	7	1903.00 S.F.
1	16	1870.00 S.F.	3	8	1903.00 S.F.
1	17	1870.00 S.F.	3	9	1903.00 S.F.
1	18	1870.00 S.F.	3	10	1903.00 S.F.
1	19	2380.00 S.F.	3	11	1903.00 S.F.
1	20	2380.00 S.F.	3	12	3753.22 S.F.
1	21	1870.00 S.F.	4	1	4073.37 S.F.
1	22	1870.00 S.F.	4	2	1870.00 S.F.
1	23	2380.00 S.F.	4	3	1870.00 S.F.
1	24	2380.00 S.F.	4	4	1870.00 S.F.
1	25	1870.00 S.F.	4	5	1870.00 S.F.
1	26	2380.00 S.F.	4	6	2528.22 S.F.
1	27	2380.00 S.F.	4	7	3410.37 S.F.
1	28	1870.00 S.F.	4	8	1903.00 S.F.
1	29	1870.00 S.F.	4	9	1903.00 S.F.
1	30	1870.00 S.F.	4	10	2422.00 S.F.
1	31	2677.50 S.F.	4	11	2422.00 S.F.
1	32	2380.00 S.F.	4	12	1903.00 S.F.
1	33	1870.00 S.F.	5	1	3503.49 S.F.
1	34	1870.00 S.F.	5	2	3945.87 S.F.
1	35	1870.00 S.F.	5	3	1870.00 S.F.
1	36	1870.00 S.F.	5	4	3388.19 S.F.
1	37	2380.00 S.F.	5	5	3196.48 S.F.
1	38	2380.00 S.F.	5	6	2043.94 S.F.
1	39	1870.00 S.F.	5	7	2103.89 S.F.
1	40	1870.00 S.F.	5	8	2162.41 S.F.
1	41	1870.00 S.F.	5	9	2189.46 S.F.
1	42	1870.00 S.F.	5	10	4176.14 S.F.
1	43	2380.00 S.F.	5	11	3444.89 S.F.
1	44	2380.00 S.F.	5	12	1981.54 S.F.
1	45	1874.90 S.F.	5	13	1980.00 S.F.
1	46	4224.49 S.F.	5	14	2520.00 S.F.
1	47	3686.29 S.F.	5	15	2520.00 S.F.
1	48	2387.18 S.F.	5	16	1996.25 S.F.
1	49	5588.04 S.F.	5	17	2806.98 S.F.
1	50	2857.17 S.F.	5	18	2344.78 S.F.
1	51	1870.00 S.F.	5	19	1870.00 S.F.
1	52	1870.00 S.F.	5		2443.64 S.F.
1	53	2381.66 S.F.			
1	54	5971.21 S.F.			
1	55	2400.11 S.F.			
1	56	3656.98 S.F.			
1	57	4100.78 S.F.			
1	58	1870.04 S.F.			
1	59	1870.00 S.F.			
1	60	2380.00 S.F.			
1	61	2380.00 S.F.			
1	62	1870.00 S.F.			
1	63	1870.00 S.F.			
1	64	1870.00 S.F.			
1	65	2380.00 S.F.			
1	66	2380.00 S.F.			
1	67	1870.00 S.F.			
1	68	1870.00 S.F.			
1	69	1870.00 S.F.			
1	70	1870.00 S.F.			
1	71	2718.00 S.F.			
1	72	2639.09 S.F.			
1	73	1870.00 S.F.			
1	74	1870.00 S.F.			
1	75	1870.00 S.F.			
1	76	1870.00 S.F.			
1	77	2380.00 S.F.			
1	78	2380.00 S.F.			
1	79	1870.00 S.F.			
1	80	1870.00 S.F.			
1	81	1870.00 S.F.			
1	82	1870.00 S.F.			
1	83	2380.00 S.F.			
1	84	2380.00 S.F.			
1	85	1870.00 S.F.			
1	86	1870.00 S.F.			
1	87	2380.00 S.F.			
1	88	2380.00 S.F.			
1	89	1870.00 S.F.			
1	90	1870.19 S.F.			
1	91	2967.11 S.F.			

RESERVE TABLE		
RESERVE	ACREAGE/ SQUARE FOOTAGE	RESTRICTION
A	2.212 AC. / 96,374 S. F.	LANDSCAPE / OPEN SPACE
B	0.0190 AC. / 829 S. F.	LANDSCAPE / OPEN SPACE
C	0.0190 AC. / 829 S. F.	LANDSCAPE / OPEN SPACE
D	0.0093 AC. / 404 S. F.	LANDSCAPE / OPEN SPACE
E	0.0095 AC. / 413 S. F.	LANDSCAPE / OPEN SPACE
F	0.0400 AC. / 1,743 S. F.	LANDSCAPE / OPEN SPACE
G	0.0469 AC. / 2,042 S. F.	LANDSCAPE / OPEN SPACE
H	0.0654 AC. / 2,848 S. F.	LANDSCAPE / OPEN SPACE / DRAINAGE
I	0.0888 AC. / 3,867 S. F.	LANDSCAPE / OPEN SPACE / DRAINAGE
J	2.878 AC. / 125,371 S. F.	DRAINAGE / DETENTION

CURVE DATA				
NUMBER	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD DISTANCE
C1	250.00'	34°52'48"	S 5°03'36" W	149.85'
C2	200.00'	50°34'12"	N 2°47'06" W	170.85'
C3	50.00'	82°07'12"	N 69°07'48" W	65.68'
C4	50.00'	90°49'12"	S 24°24'00" W	71.21'
C5	100.00'	67°27'00"	S 54°44'06" E	111.04'
C6	50.00'	46°29'24"	N 45°44'42" E	39.47'
C7	50.00'	43°30'36"	N 0°44'42" E	37.06'
C8	100.00'	81°22'12"	S 61°41'42" E	130.38'
C9	50.00'	39°33'00"	S 11°14'06" E	33.83'
C10	50.00'	51°16'12"	S 44°10'30" W	43.26'
C11	50.00'	49°52'48"	N 85°15'00" W	42.17'
C12	50.00'	32°14'24"	N 44°11'24" W	27.77'
C13	25.00'	101°00'36"	N 22°26'06" E	38.58'
C14	30.00'	90°00'05"	N 32°37'15" E	42.43'
C15	30.00'	89°59'55"	N 32°37'15" E	42.43'
C16	25.00'	75°42'36"	N 44°46'27" W	30.68'
C17	125.00'	61°37'09"	S 51°49'10" E	128.05'
C18	75.00'	90°49'12"	S 24°24'00" W	106.82'
C19	75.00'	82°07'12"	N 69°07'48" W	98.53'
C20	225.00'	50°34'12"	N 24°7'06" W	192.20'
C21	225.00'	34°52'48"	S 5°03'36" W	134.87'
C22	25.00'	90°49'12"	S 24°24'00" W	35.61'
C23	25.00'	82°07'12"	N 69°07'48" W	32.84'
C24	25.00'	90°00'00"	S 66°00'36" E	35.36'
C25	25.00'	97°03'36"	N 20°27'36" E	37.47'
C26	25.00'	90°00'00"	S 23°59'24" W	35.36'
C27	25.00'	82°56'24"	N 69°32'24" W	33.11'
C28	25.00'	90°00'00"	S 66°00'36" E	35.36'
C29	25.00'	97°03'36"	N 20°27'36" E	37.47'
C30	25.00'	90°00'00"	S 23°59'24" W	35.36'
C31	25.00'	82°56'24"	N 69°32'24" W	33.11'
C32	25.00'	90°00'00"	S 66°00'36" E	35.36'
C33	25.00'	97°03'36"	N 20°27'36" E	37.47'
C34	25.00'	90°00'00"	S 23°59'24" W	35.36'
C35	25.00'	82°56'24"	N 69°32'24" W	33.11'

CURVE DATA				
NUMBER	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD DISTANCE
C36	175.00'	50°34'12"	N 24°7'06" W	149.49'
C37	275.00'	6°32'47"	S 19°13'36" W	31.40'
C38	25.00'	80°27'50"	N 56°11'08" E	32.29'
C39	75.00'	62°34'22"	S 52°17'47" E	77.90'
C40	10.00'	80°57'27"	N 14°13' S 2°32'56" E	12.98'
C41	90.00'	59°21'09"	S 72°42'14" E	89.12'
C42	110.00'	81°22'12"	S 61°41'42" E	143.42'
C43	10.00'	121°03'36"	N 14°13' S 2°32'24" E	17.41'
C44	10.00'	90°00'00"	S 15°71' S 23°59'24" W	14.14'
C45	10.00'	90°00'00"	S 15°71' S 66°00'36" E	14.14'
C46	10.00'	90°00'00"	S 15°71' S 23°59'24" W	14.14'
C47	10.00'	90°00'00"	S 15°71' S 66°00'36" E	14.14'
C48	40.00'	39°33'00"	S 27°61' S 11°14'06" E	27.07'
C49	40.00'	51°15'48"	S 35°79' S 44°10'42" W	34.61'
C50	40.00'	49°52'48"	N 34°82' N 85°15'00" W	33.73'
C51	40.00'	32°14'24"	N 22°51' N 44°11'24" W	22.21'
C52	10.00'	97°03'36"	N 16°94' N 20°27'36" E	14.99'
C53	10.00'	82°56'24"	N 14°48' N 69°32'24" W	13.24'
C54	10.00'	11°19'15"	N 0°23' S 68°19'47" W	0.23'
C55	15.00'	101°00'36"	N 26°44' N 22°26'06" E	23.15'
C56	35.00'	101°00'36"	N 61°70' N 22°26'06" E	54.02'
C57	60.00'	32°14'24"	N 33°76' N 44°11'24" W	33.32'
C58	60.00'	49°52'48"	N 52°23' N 85°15'00" W	50.60'
C59	60.00'	51°16'12"	N 53°69' S 44°10'30" W	51.92'
C60	60.00'	39°33'00"	N 41°42' S 11°14'06" E	40.60'
C61	10.00'	11°19'15"	N 0°23' S 68°19'47" E	0.23'
C62	10.00'	11°19'15"	N 0°23' S 68°19'47" E	0.23'
C63	10.00'	90°00'00"	S 15°71' S 23°59'24" E	14.14'
C64	10.00'	90°00'00"	S 15°71' N 66°00'36" W	14.14'
C65	60.00'	43°30'36"	N 45°56' N 0°44'42" E	44.48'
C66	10.00'	43°30'36"	N 7°59' N 0°44'42" E	7.41'
C67	40.00'	46°29'24"	N 32°46' N 45°44'42" E	31.57'
C68	60.00'	46°29'24"	N 48°68' N 45°44'42" E	47.36'
C69	10.00'	11°19'15"	N 0°23' S 68°19'47" E	0.23'
C70	275.00'	5°27'38"	S 26°21' S 9°38'59" E	26.20'

LINE DATA		
NUMBER	BEARING	DISTANCE
L1	S62°07'59"E	10.00'
L2	S46°34'09"E	10.00'
L3	S3°51'44"W	10.00'
L4	S19°30'14"W	10.00'
L5	N82°16'36"E	10.00'
L6	S12°22'48"E	93.86'
L7	N88°27'36"W	45.69'
L8	S68°59'24"W	4.21'
L9	N60°18'36"W	42.39'

P&Z Meeting Agenda Item Data Sheet

Meeting Date: JULY 11, 2022

Topic:

Conduct a public hearing and consideration to approve **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.

Background:

City Staff recommends approval. Planning & Zoning Commission recommends (0-0)

Origination: Michael Seitz

Recommendation:

Approval

Party(ies) responsible for placing this item on agenda: Jared Smith, City Planner

FUNDING (IF APPLICABLE)

Are funds specifically designated in the current budget for the full amount required for this purpose?

Yes: _____ No: _____ If yes, specify Account Number: # _____

If no, funds will be transferred from account # _____ To account # _____

Signed	<u>Jared Smith</u>	Approved by	_____
	Staff Member		City Manager
	Date		Date

**NOTICE OF PUBLIC HEARING
CITY OF TOMBALL
PLANNING & ZONING COMMISSION (P&Z)
JULY 11, 2022
&
CITY COUNCIL
JULY 18, 2022**



Notice is Hereby Given that a Public Hearing will be held by the P&Z of the City of Tomball on **Monday, July 11, 2022 at 6:00 P.M.**, and by the City Council of the City of Tomball on **Monday, July 18, 2022 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 P22-205: Request by Michael Seitz for a Conditional Use Permit to allow residential use 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.

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 City Planner, Jared Smith, at (281) 290-1491 or at jasmith@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 **8th** day of **July 2022** by 5:00 p.m., and remained posted for at least 72 continuous hours preceding the scheduled time of said meeting.

Jared Smith
Jared Smith
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

Conditional Use Permit (CUP) Staff Report

Planning & Zoning Commission Public Hearing Date: July 11, 2022
City Council Public Hearing Date: July 18, 2022

Rezoning Case: P22-205

Property Owner(s): Michael Seitz

Applicant(s): Michael Seitz

Legal Description: 0.78 acres out of the Jesse Pruitt Survey, Abstract Number 629

Location: 817 E. Main Street (Exhibit "A")

Area: 0.78 acres

Comp Plan Designation: Neighborhood Commercial (Exhibit "B")

Present Zoning and Use: General Retail (GR) / legally nonconforming residence, and tool/machinery rental facility (Exhibit "D")

Proposed Use(s): *Single Family Residential* (Exhibit "D")

Request: Conditional Use Permit (CUP) to bring the existing residence into legal conformity.

Adjacent Zoning & Land Uses:

- North:** Single-Family 6 / Single-family residences
- South:** Planned Development (PD#7) / School
- West:** General Retail / Private Drive & Office
- East:** General Retail / Vacant Building

BACKGROUND

The subject property has been located within the city limits since at least 1978 and the existing warehouse located on the property appears in aerial imagery as early as 1978. Prior to the current occupant, this warehouse was most recently occupied by a manufacturing use (Strackbein Machine Company). Sometime between 1995 and 2006 a log cabin was built in the rear of the subject property and occupied as a residence. These manufacturing and residential land uses became legally non-conforming when the City of Tomball adopted zoning in 2008. In 2021, the current owner purchased the property to operate a tool & machinery rental company with the intention of occupying the existing log cabin as a residence.

Per Section 50-31(a.2) in the City of Tomball Code of Ordinances, "a nonconforming use of a building may be changed to another nonconforming use of the same or more restrictive zoning classification, provided no structural alterations are made. In the event that a nonconforming use of a building is changed to a nonconforming use of a higher or more restrictive zoning

classification, it shall not later be reverted to use in the former or less restrictive zoning classification.” City staff believes that the changing of the existing warehouse building use from manufacturing to tool & machinery rental meets the intent and criteria of Section 50-31 by changing one legally nonconforming use to a nonconforming use of less intensity. However, the applicant is only seeking a Conditional Use Permit to bring the residential log cabin into legal conformity to lawfully allow additions/alterations to the existing cabin, as well as to be allowed the ability to construct residential accessory structure(s) (i.e. carport, storage building, and patio covers).

In 2022, the owner of the property constructed a carport, patio cover, and placed a freight container as accessory structures to this residence without obtaining building permits. These new accessory structures do not meet the required building setback standards, and will ultimately require variance approvals by the Board of Adjustments in order to remain. The Board of Adjustments is not authorized to grant variances to expand legal non-conforming uses, and thus the applicant is seeking to obtain legally conforming status for the residence with the requested CUP in order to apply for variance approvals for these structures. The information pertaining to these variances is to provide background to the request and should not have any bearing on the requested CUP.

ANALYSIS

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

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

The property is designated as Neighborhood Commercial by the Comprehensive Plan Future Land Use Map. This category is intended for “commercial uses that are developed with the appropriate context, scale and design to compliment residential development.” Appropriate land uses include “restaurants, retail, professional services, clinics, and offices” and compatible zoning districts include Office, General Retail, and Planned Developments. The request is to bring the legally nonconforming residential use into legal conformity, although this land use is not specifically defined in the intent of the Neighborhood Residential land use category it is an existing use that has occupied the property since the 1990s. Further, the City staff believes that allowing this use to lawfully occupy the site would not be detrimental to surrounding properties.

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

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

The property has been zoned General Retail, since the adoption of zoning in 2008. Surrounding properties are zoned Single-Family 6 to the north, General Retail to the east and west, and Planned Development (PD#4) located on the south side of East Main Street. According to Section 50-76 (General Retail District), the “General Retail District is established to provide areas for local neighborhood shopping and service facilities.” This would suggest that such zoning districts should be located in close proximity to neighborhoods and residential land uses. Therefore, the allowance of accessory residential land use in this zoning classification would appear consistent with this intent.

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

Because this cabin predates current zoning standards it does not appear to meet the minimum 60-foot rear building setback ordinarily applicable where General Retail backs up to residential zoning districts. Furthermore, as previously stated within the “Background” section of this report, new residential accessory structures have been erected on the site which do not meet the required building setback standards. These structures will ultimately require variance approvals by the Board of Adjustments in order to remain.

Should the CUP application be approved by City Council, and necessary variances granted by the Board of Adjustments the applicant will be required to submit site and building plan applications and supporting documents to the City of Tomball for review and approval illustrating any additions/alterations to the existing cabin and/or construction/placement of accessory structures.

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

The residential use of the existing log cabin on this subject site predates current zoning ordinances, and is a legally non-conforming use at this time. City staff believes that the continued use of this log cabin for residential purposes would not adversely impact the character and integrity of adjacent developments. The use of the northern portion of this site for residential purposes may serve as an effective transitional land use buffer between the commercial aspect of the property and the single family residential homes immediately north of the property.

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

Staff does not anticipate any adverse effects on surrounding properties.

PUBLIC COMMENT

Property owners within 200 feet of the project site were mailed notification of this proposal and a Notice of Public Hearing was published in the paper on June 29, 2022. 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 P22-205 with the following condition(s):

- All outdoor storage of equipment and material must be screened from residential zoning districts and street right-of-ways by an opaque fence and/or wall with a minimum height of six feet. The screening may be made of wood, metal, vegetation or combination thereof.
- Accessory residence must remain subordinate to the principal land use and shall be no greater than 25% of the square footage for the existing principal building.
- Accessory residence shall be limited to no more than one (1) story in height.

EXHIBITS

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

Exhibit "A" Aerial Map



Exhibit "B" Zoning Map

Item E.2

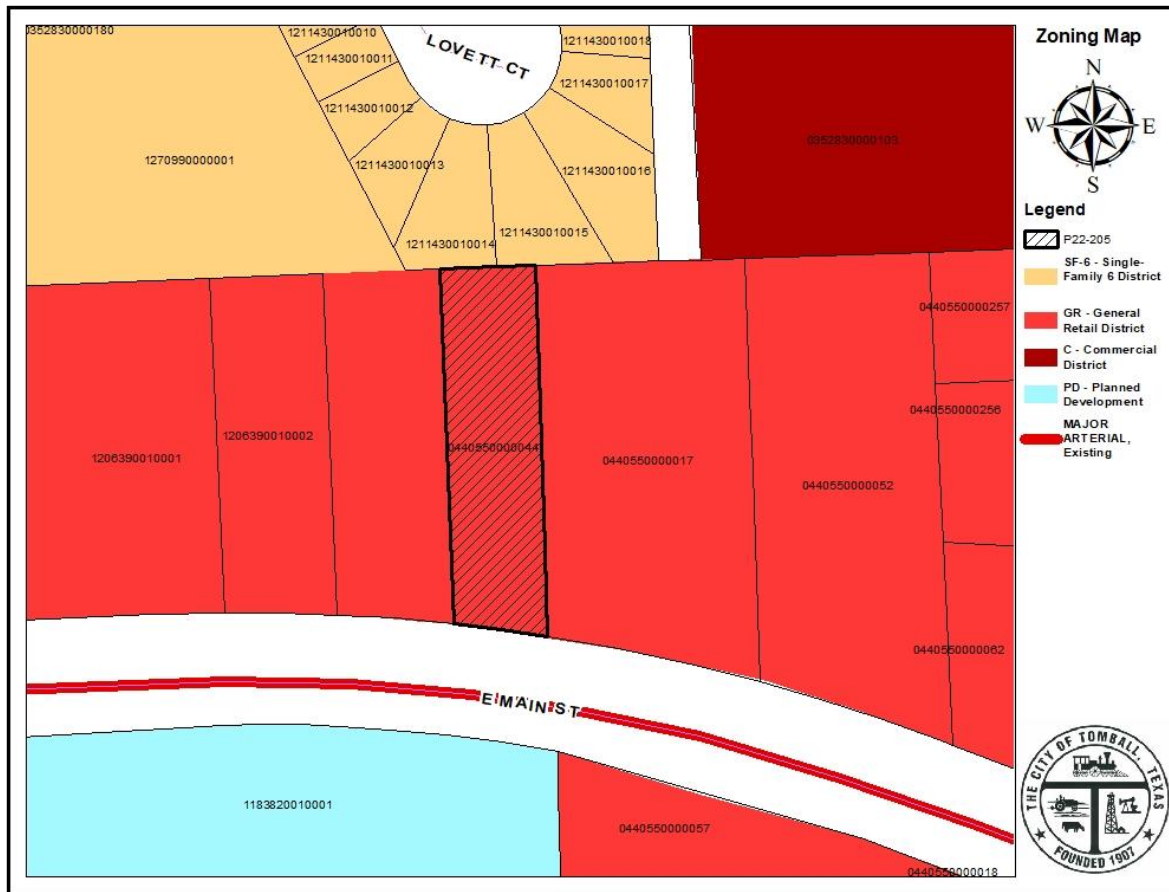
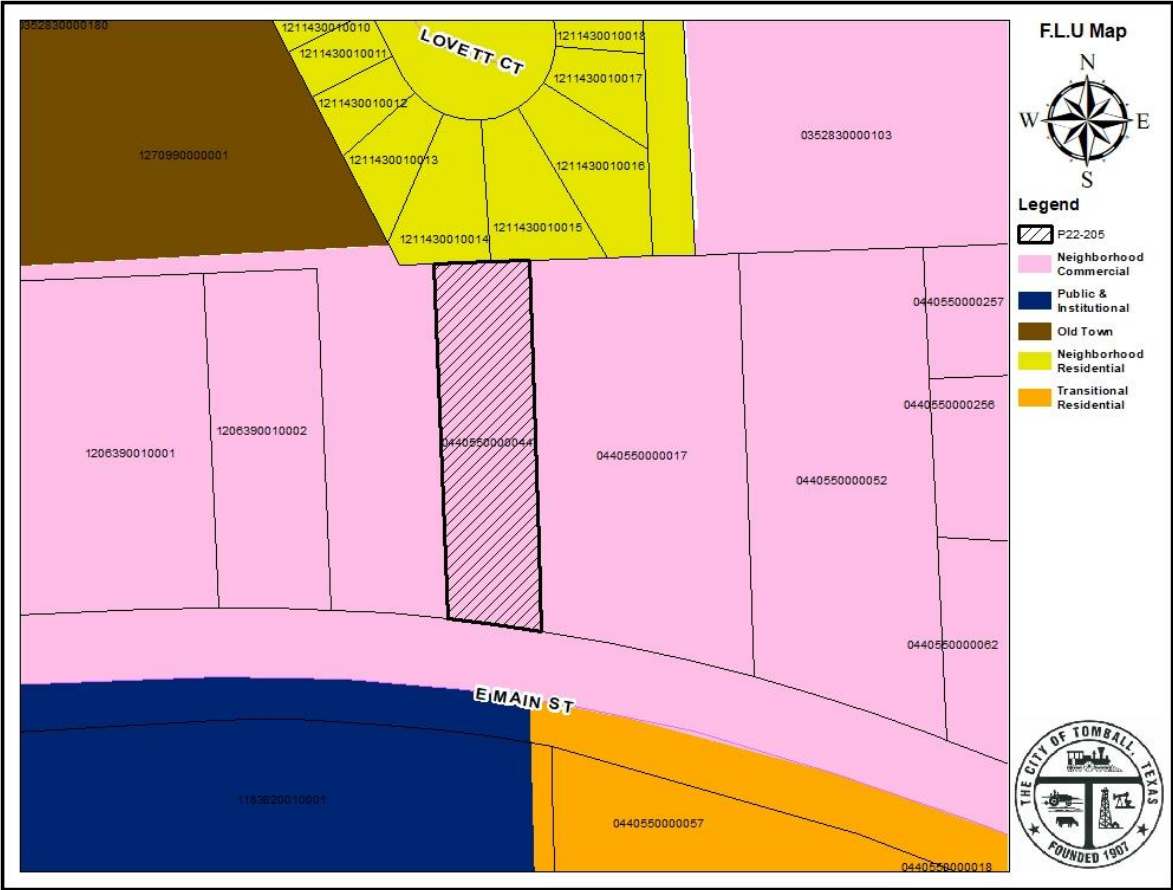


Exhibit “C”
Future Land Use Map



**Exhibit “D”
Site Photo**





Exhibit "E"
CUP Application

Item E.2



RECEIVED (KC)
06/13/2022

Revised 5/19/15
ZONING CASE P22-205
\$600 PD

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

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

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

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

Applicant

Name: Michael W. Seitz Title: _____
Mailing Address: 817 E Main St City: Tomball State: TX
Zip: 77375
Phone: (832) 212 0963 Fax: (____) _____ Email: Dr.michael.seitz@bluesky-global.com

Owner

Name: BlueSky Global LLC Title: _____
Mailing Address: AS ABOVE City: _____ State: _____
Zip: _____
Phone: (____) AS ABOVE Fax: (____) _____ Email: AS ABOVE

Engineer/Surveyor (if applicable)

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

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

www.tomballtx.gov

Description of Proposed Project: Request for continued use a personal residence

Physical Location of Property: East Main St & Tom Keating Dr
[General Location – approximate distance to nearest existing street corner]

Legal Description of Property: J. Pruitt, A-629
[Survey/Abstract No. and Tracts, or platted Subdivision Name with Lots/Block]

HCAD Identification Number: 1118610000071 Acreage: 7,800SF

Current Use of Property: Residential

Proposed Use of Property: Residential

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.

X  May 27, 2022
 Signature of Applicant Date

X _____
 Signature of Owner Date

From: noreply@tomballtx.gov
To: [Kimberly Chandler](#)
Subject: Receipt #R01319741
Date: Monday, June 13, 2022 1:27:12 PM

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

DATE : 6/8/2022 4:16 PM
OPER : JC
TKBY : Juanita Cherety
TERM : 5
REC# : R01319741
130.0000 PLANNING AND ZONING
MICHAEL ASITC-BLUE SKY GLOBAL 600.00

Paid By:MICHAEL ASITC-BLUE SKY GLOBAL
2-CK 600.00 REF:W 100



City of Tomball
510 James Street
Tomball, TX
77375
281-290-1405

31 May, 2022

To whom it may concern,

Application for conditional use permit

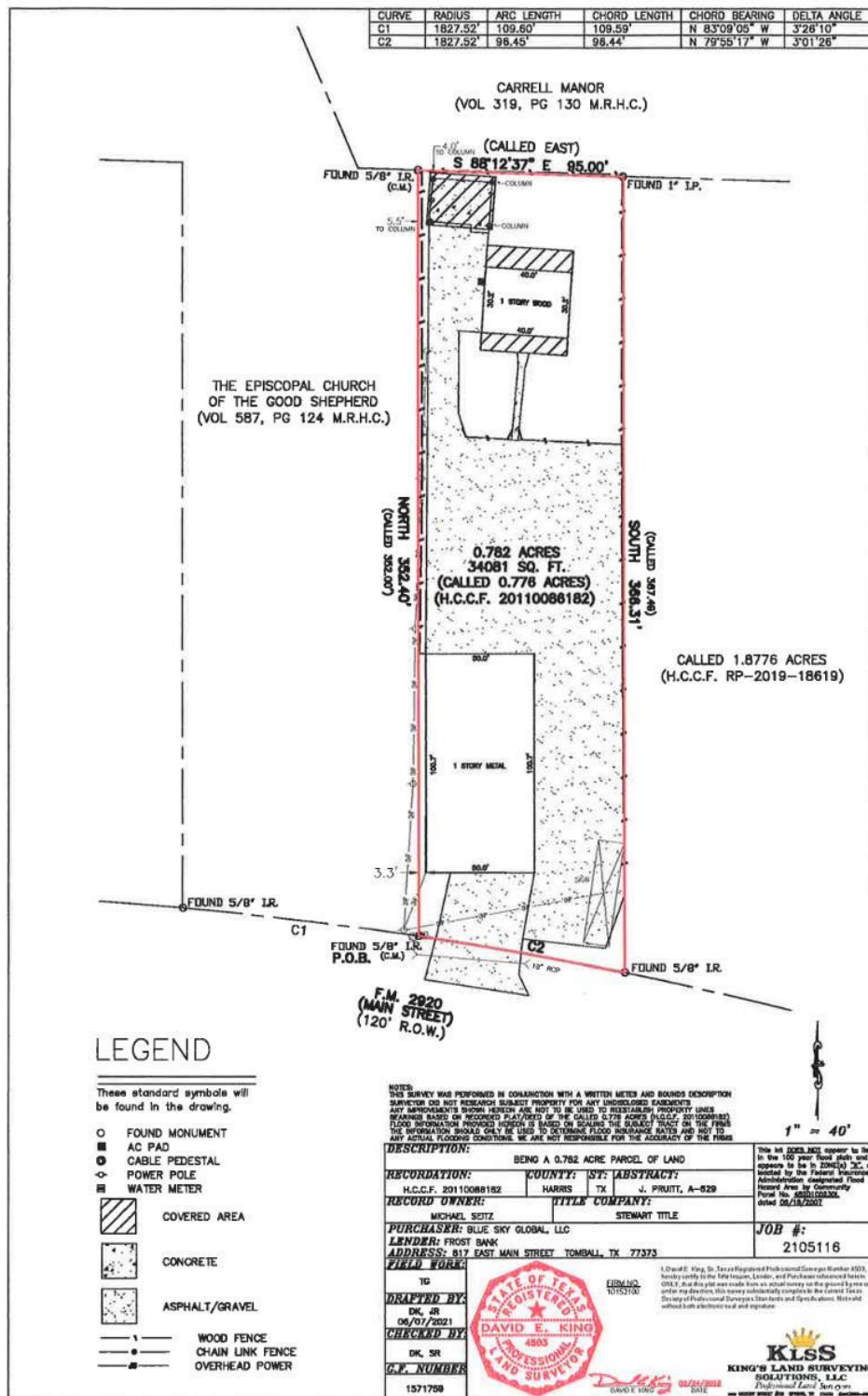
I am writing with a request for a permit for the continued use of the rear half of the property, zoned for General Retail Use for residential purposes (Conditional Use Permit). This request is based on my current use of the existing property as my personal home. The log cabin, which was built in 1999, was initially determined habitable during an informal visit by a city official prior to my purchase of the property. Subsequent to the purchase, I remodeled the interior of the cabin, and repaired the leaking roof with a metal roof. The cabin is now my primary residence, with my operating company located in the street-front portion of the property.

I hereby request that the zoning be amended for Residential Conditional Use.

Sincerely yours,

A handwritten signature in black ink, appearing to be "Michael Seitz". The signature is fluid and cursive, with the first letter "M" being particularly large and stylized.

Michael Seitz
Business owner
BlueSky Global
Dr.michael.seitz@bluesky-global.com
832.212.0963



HARRIS COUNTY APPRAISAL DISTRICT
REAL PROPERTY ACCOUNT INFORMATION
1118610000071

Tax Year: 2022

 [Print](#)

Owner and Property Information								
Owner Name & Mailing Address: BLUESKY GLOBAL LLC 1200 BLALOCK RD STE 210 HOUSTON TX 77055-6441				Legal Description: LT 71 BLK 19 BEAR CREEK VILLAGE SEC 10 R/P Property Address: 4727 HIDDEN SPRINGS DR HOUSTON TX 77084				
State Class Code	Land Use Code	Land Area	Total Living Area	Neighborhood	Neighborhood Group	Market Area	Map Facet	Key Map ^{1/2}
A1 -- Real, Residential, Single-Family	1001 -- Residential Improved	7,800 SF	1,837 SF	2906	19036	340 -- ISD 19 - North of I-10 Katy Freeway	4760B	448B

Value Status Information

Value Status	Notice Date	Hearing Status	Shared CAD
Noticed	3/31/2022	Protest Received	Yes

Exemptions and Jurisdictions

Exemption Type	Districts	Jurisdictions	Exemption Value	ARB Status	2021 Rate	2022 Rate
None	019	KATY ISD		Not Certified	1.351700	
	040	HARRIS COUNTY		Not Certified	0.376930	
	041	HARRIS CO FLOOD CNTRL		Not Certified	0.033490	
	042	PORT OF HOUSTON AUTHY		Not Certified	0.008720	
	043	HARRIS CO HOSP DIST		Not Certified	0.162210	
	044	HARRIS CO EDUC DEPT		Not Certified	0.004990	
	556	HC UD 6		Not Certified	0.177900	
	633	HC EMERG SRV DIST 9		Not Certified	0.057628	

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, 2021			Value as of January 1, 2022		
	Market	Appraised		Market	Appraised
Land	52,710		Land	52,710	
Improvement	114,190		Improvement	224,484	
Total	166,900	166,900	Total	277,194	277,194

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	SF1	SF	7,500	1.00	1.00	1.00	--	1.00	7.00	7.00	52,500.00

<https://public.hcad.org/records/jPrint.asp?crypt=%94%AD%A9...80XzU%90%7D%86%C0%AB%A8%AD%86%5EY%98%4%90ul>

5/27/22, 11:08
Page 1 of 2

	Value											
2	1001 -- Res Improved Table Value	SF3	SF	300	1.00	0.10	1.00	--	0.10	7.00	0.70	210.00

Building

Building	Year Built	Remodeled	Type	Style	Quality	Impr Sq Ft	Building Details
1	1981	2018	Residential Single Family	Residential 1 Family	Average	1,837 *	Displayed

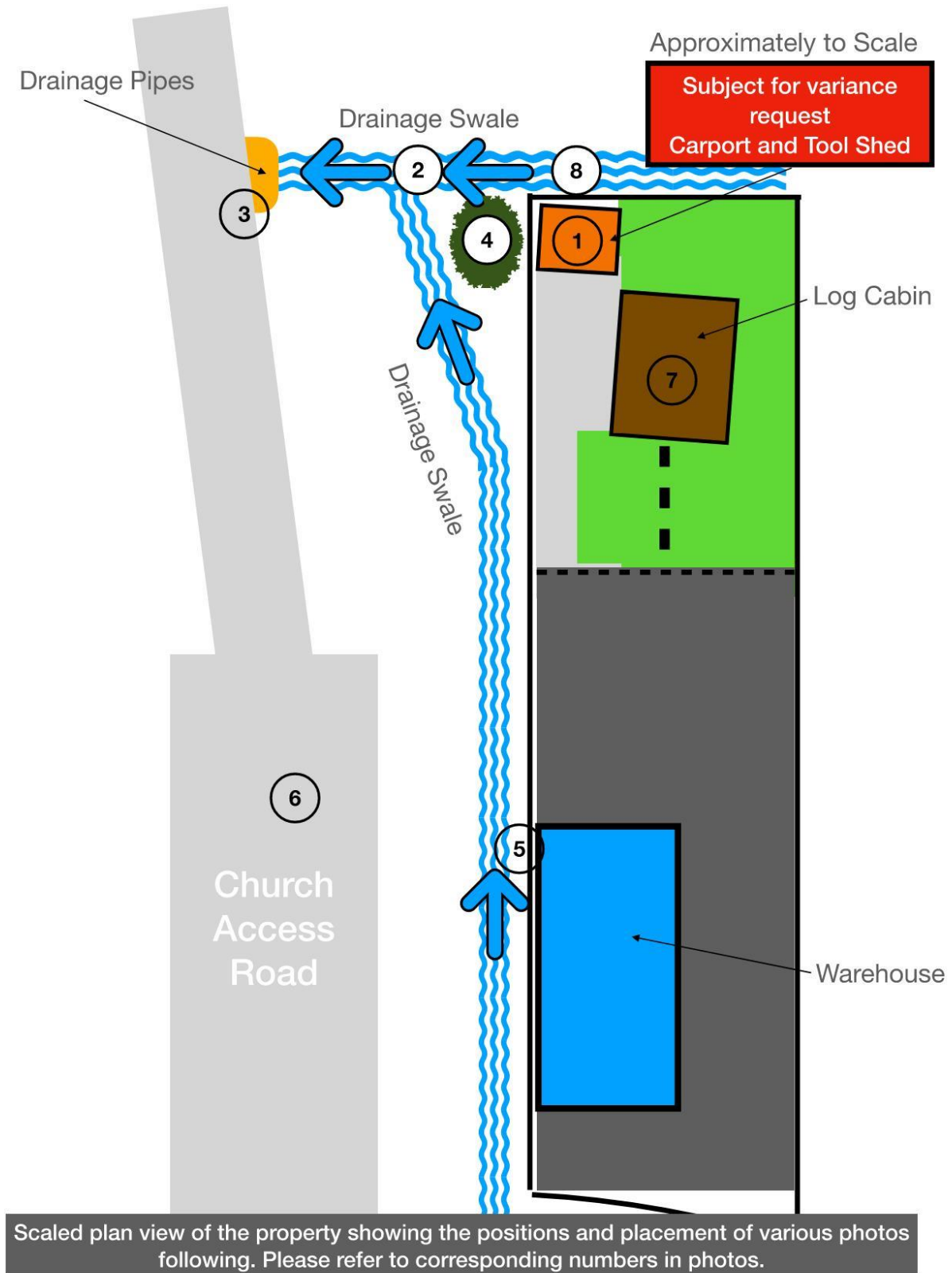
* All HCAD residential building measurements are done from the exterior, with individual measurements rounded to the closest foot. This measurement includes all closet space, hallways, and interior staircases. Attached garages are not included in the square footage of living area, but valued separately. 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.

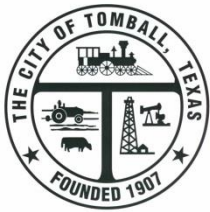
Building Details (1)

Building Data	
Element	Detail
Cond / Desir / Util	Very Good
Foundation Type	Slab
Grade Adjustment	C+
Heating / AC	Central Heat/AC
Physical Condition	Very Good
Exterior Wall	Brick / Veneer
Cost and Design	Extensive
Element	Units
Room: Total	5
Room: Full Bath	2
Room: Bedroom	3
Fireplace: Masonry Firebrick	1

Building Areas	
Description	Area
BASE AREA PRI	1,837
OPEN FRAME PORCH PRI	91
MAS/BRK GARAGE PRI	529
OPEN FRAME PORCH PRI	48

**Figure “F”
Concept Plan**





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: P22-205

APPLICANT/OWNER: Michael Seitz

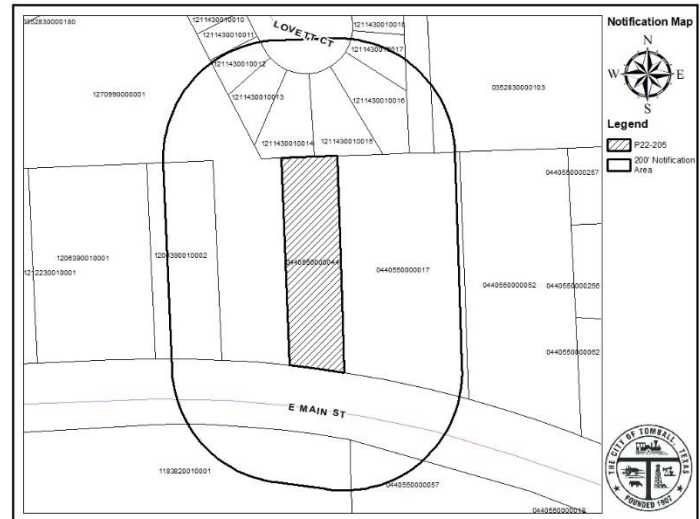
LOCATION: Located at 817 E. Main Street, within the City of Tomball, Harris County, Texas.

PROPOSAL: A Conditional Use Permit to allow residential use 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.

CONTACT: Jared Smith, City Planner

PHONE: (281) 290-1491

E-MAIL: jasmith@tomballtx.gov



**Planning & Zoning Commission
Public Hearing:
Monday, July 11, 2022 6:00 PM**

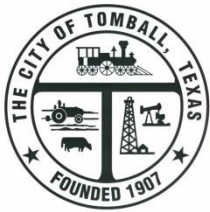
**City Council Public Hearing:
*Monday, July 18, 2022 6:00 PM**

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

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.

*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: Jared Smith
501 James Street
Tomball, TX 77375

Name: _____

(please print)

Address: _____

Signature: _____

Date: _____

_____ I am **FOR** the requested Conditional Use Permit as explained on the attached public notice for **Zoning Case P22-205. (Please state reasons below)**

_____ I am **AGAINST** the requested Conditional Use Permit as explained on the attached public notice for **Zoning Case P22-205. (Please state reasons below)**

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

Monday, July 11, 2022 @ 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, July 18, 2022 @ 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 jasmith@tomballtx.gov.

Please reference the case number in the subject line.

For questions regarding this request please call Jared Smith @ 281-290-1491.



City of Tomball

Item F.1

Lori Klein Quinn
Mayor

David Esquivel
City Manager

TO: Planning & Zoning Commission
From: Community Development
Date: July 11, 2022
Subject: Discussion Item F.1

Discussion Item: Potential Text Amendments

1. Increase Notification Area for Public Hearing:
 - a. Sections 50-33 (i.3) and 50-34 (c.1.c) stipulate for public hearings pertaining to board of adjustment cases and zone change cases all owners of properties within 200 feet of the subject property must be notified.
 - b. Potential amendment to Increase the notification area to 300 feet.
2. Add/Revise right-of-way dimensions to match street design standards:
 - a. Section 40-65 (b) outlines desired right-of-way dimensions for Local, Collector, and Arterial Streets.
 - b. Potential amendment to revise the right-of-way dimensions to coincide with those standards outlined within the City's design criteria as well as add the standard for minor arterials.
3. Remove/Revise "submittal date and time" for plat reviews.
 - a. Section 40-28 (1) defines the application deadline for plat reviews as 12:00 noon, seven days prior to the next regularly scheduled commission meeting.
 - b. Potential amendment to revise this to state something to the effect of: "All completed plat applications must be submitted by the application deadline specified on the plat review calendar kept by the Community Development Department. Any completed application submitted by the application deadline will be placed on the next regularly scheduled meeting for the Planning & Zoning Commission."
4. Add driveway separation and access management standards:
 - a. City of Tomball's Code of Ordinance does not currently specify driveway separation requirements, nor does it call out cross-access easement requirements/recommendations.
 - b. Potential amendment to add text that specifies minimum driveway separation distances from other driveways and street intersections based on roadway classifications (i.e. local, collector, arterial). Also, discuss the potential for adding text to require/encourage shared access easements and agreements.
5. Revise Old Town & Mixed Use (OT & MU) Land Use Regulations:
 - a. Section 50-82 "Land Use Chart" identifies a range of land use categories that could be viewed as incompatible with nearby residential land uses.
 - b. Potential amendment to prohibit or require conditional use permits for uses that may be viewed as incompatible with residential land uses.