

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

THURSDAY, JULY 23, 2009



5:30 P.M.

1.0 Call to Order at 5:32 p.m.

The meeting was called to order by Chairman Ford. Other members present were:

Board Member Ross
Board Member Tomlinson
Board Member Tynes
Board Member Shannon

Alternate Board Member Lynch
Alternate Board Member Tague

Others present:

City Planner / Community Development Coordinator – Kelly Violette
Director of Engineering & Planning – Mark McClure, P.E.
Engineering & Planning Administrative Assistant – Brandy Pate
Assistant City Planner – Rodney Schmidt
Building Official – David Allen
Fire Marshal – Doug Sanguedolce
City Attorney – Scott Bounds

2.0 No Public Comments were received.

3.0 Reports & Announcements

Kelly Violette announced upcoming Comprehensive Plan meeting dates:

- 3.1 August 11, 2009 at 6:00 p.m. – Elected & Appointed Officials / CPAC Meeting #6 – Community Center
- 3.2 August 12, 2009 at 6:00 p.m. – Comprehensive Plan Preferred Alternatives Public Workshop – Community Center

4.0 Motion was made by Board Member Tynes to Approve the Minutes of the Special Board of Adjustments Meeting of April 16, 2009; second by Board Member Tomlinson.

Motion carried unanimously.

5.0 New Business

5.1 Consideration and Possible Action Regarding **BOA Case P09-127**: Request by Curtis and Patsy Morris D/B/A South Texas Coffee House for three variances from Section 34.5.B.3 (size of yards) of the City of Tomball Zoning Ordinance seeking a reduction in the side yard setback (1) to permit the construction of a walk-in cooler attached to the main structure, (2) to permit the placement of an accessory structure, and (3) to allow the construction of an addition to the existing building two feet (2') from the side property line. The project site is an approximately .2043 acre tract located at 425 West Main Street, Tomball, Texas 77375.

The Public Hearing regarding **BOA Case P09-127** was opened at 5:36 p.m.

Kelly Violette, City Planner provided staff report.

Applicant, Curtis & Patsy Morris of South Texas Coffee House spoke on behalf of the request.

The Public Hearing was closed at 5:58 p.m.

Board Member Tynes made a motion to Approve **BOA Case P09-127**; second by Board Member Shannon.

Board Member Tomlinson amended the motion to include the following conditions:

1. Property owner must apply for a permit for the construction of a four hour rated firewall around the walk-in cooler within 30 days from the date the BOA decision is filed with the Board Secretary; and
2. Construction of the four hour rated firewall must commence within 90 days from the date the BOA decision is filed with the Board Secretary;

Second by Board Member Tynes.

Vote was as follows:

BOARD MEMBER ROSS	<u>AYE</u>
BOARD MEMBER TOMLINSON	<u>AYE</u>
BOARD MEMBER SHANNON	<u>AYE</u>
BOARD MEMBER TYNES	<u>AYE</u>
BOARD MEMBER FORD	<u>AYE</u>

Motion carried 5-0.

6.0 Workshop Session:

6.1 The Board of Adjustments entered into a Training Session

- Introduction to the Zoning Board of Adjustment

7.0 Motion was made by Board Member Shannon to adjourn; second by Board Member Tomlinson.

Motion carried unanimously.

Meeting adjourned at 7:48 p.m.

PASSED AND APPROVED this 20 day of August 2009.

Kelly Violette
Kelly Violette
City Planner /
Community Development Coordinator

John Ford
John Ford
Chairman