

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

**THURSDAY, NOVEMBER 18, 2010**



**6:30 P.M.**

1.0 Call to Order at 6:36 p.m.

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

Board Member Ross  
Board Member Tomlinson  
Board Member Lynch  
Alternate Board Member Chervenak

Excused Absence:

Board Member Ford  
Alternate Board Member Hemby

Others present:

Director of Engineering & Planning – Mark McClure, PE, CFM  
City Planner / Community Development Coordinator – Kelly Violette  
Assistant City Planner – Rodney Schmidt  
Engineering & Planning Senior Administrative Assistant – Brandy Pate

2.0 No Public Comments were received.

3.0 Reports or Announcements:

- Kelly Violette announced the Upcoming Board of Adjustments Meeting, Thursday, December 16, 2010.

4.0 Motion was made by Board Member Lynch to Approve the Minutes of the Special Board of Adjustments Meeting of October 21, 2010; second by Board Member Tomlinson.

Motion carried unanimously.

5.0 New Business

5.1 Consideration and Possible Action Regarding **BOA Case P10-280**: Request by David Ward, on behalf of Ward-Brown Partners, LLC., for a variance from Sections

42.4 (A & B) "Fences in Residential Areas," of the City of Tomball Comprehensive Zoning Ordinance, to allow a side and rear yard fence/wall to be 12 feet in height, where the maximum height permitted is 8 feet; and to allow a fence to be constructed along the rear property line where a 15 foot setback is required for all fences adjacent to a public right-of-way. The project site is an approximately 0.4863 acre lot located at 28103 Linda Lane, Tomball, TX, 77375.

The Public Hearing regarding **BOA Case P10-280** was opened at 6:38 p.m.

Rodney Schmidt, Assistant City Planner provided staff report.

Applicant, David Ward of Ward-Brown Partners, LLC, spoke on behalf of the request.

Sylvia Hildreth, resident of 11126 N. Country Club Green spoke in opposition to the request.

Dan Stewart of 26814 Elm Street in Magnolia spoke in opposition to the request.

The Public Hearing was closed at 7:07 p.m.

Board Member Tomlinson made a motion to Approve **BOA Case P10-280**; second by Board Member Lynch.

The vote was as follows:

BOARD MEMBER ROSS	<u>AYE</u>
BOARD MEMBER TOMLINSON	<u>AYE</u>
BOARD MEMBER TYNES	<u>AYE</u>
BOARD MEMBER LYNCH	<u>AYE</u>
ALT. BOARD MEMBER CHERVENAK	<u>AYE</u>

Motion to Approve carried 5-0

- 6.0 Motion was made by Board Member Lynch to adjourn; second by Board Member Tomlinson.

Motion carried unanimously.

Meeting adjourned at 7:09 p.m.

PASSED AND APPROVED this 16th day of December 2010.

Kelly Violette  
Kelly Violette  
City Planner /  
Community Development Coordinator

John Ford  
John Ford  
Chairman