

"FIND YOUR FUTURE IN FULSHEAR"
30603 FM 1093 WEST/ PO BOX 279 ~ FULSHEAR, TEXAS 77441
PHONE: 281-346-1796 ~ FAX: 281-346-2556

WWW.FULSHEARTEXAS.GOV

MEMBER- GREG SHAW MEMBER- BRYAN THOMAS ZONING BOARD OF ADJUSTMENT: MEMBER- PAT MOLLERE MEMBER- GENE MORGAN

MEMBER- DAWN MCREA

STAFF:

CITY MANAGER: Jack Harper

CITY SECRETARY: Kimberly Kopecky

CITY ATTORNEY: J. Grady Randle

ZONING BOARD OF ADJUSTMENT MEETING AGENDA January 8, 2021

NOTICE IS HEREBY GIVEN OF A MEETING OF THE ZONING BOARD OF ADJUSTMENT OF THE CITY OF FULSHEAR TO BE HELD BY VIDEOCONFERENCE ON FRIDAY, JANUARY 8, 2021 AT 11:00 A.M. FOR THE PURPOSE OF CONSIDERING THE FOLLOWING ITEMS. AUDIO, AND TO THE EXTENT FEASIBLE, VIDEO OF THE MEETING WILL BE AVAILABLE TO THE PUBLIC VIA THE FOLLOWING FREE-OF-CHARGE VIDEOCONFERENCE LINK:

(https://global.gotomeeting.com/join/573579909)

"Incidental Meeting Notice: A quorum of the City of Fulshear City Council, Planning & Zoning Commission, City of Fulshear Development Corporation (Type A), Fulshear Development Corporation (Type B), Parks & Recreation Commission, Historic Preservation & Museum Commission, Zoning Board of Adjustment, or any or all of these, may be in attendance at the meeting specified in the foregoing notice, which attendance may constitute a meeting of such governmental body or bodies as defined by the Texas Open Meetings Act, Chapter 551, Texas Government Code. Therefore, in addition to the foregoing notice, notice is hereby given of a meeting of each of the above-named governmental bodies, the date, hour, place, and subject of which is the same as specified in the foregoing notice."

1. CALL TO ORDER

- 2. QUORUM
- 3. CITIZEN COMMENTS
- 4. CONSIDERATION AND POSSIBLE ACTION TO SELECT A CHAIR AND CO-CHAIR OF THE ZONING BOARD OF ADJUSTMENT
- 5. CONSIDERATION AND POSSIBLE ACTION TO APPROVE MINUTES FROM MEETING HELD ON SEPTEMBER 18, 2020
- 6. VARIANCE REQUEST BY CAMMILE ADAMS/SAFE SPLASH SWIM SCHOOL
 - **A.** Call Hearing to Order
 - **B.** The City of Fulshear Zoning Board of Adjustment will hold a public hearing by videoconference on January 8, 2021 at 11 a.m. to hear the application of Cammile Adams, of Safe Splash Swim School, requesting a variance to the Code of Ordinances, City of Fulshear, Chapter 28 -Signs, Section 28-4 Design, construction and maintenance of signs by district, (b) Façade and Wall Signs or former sign ordinance in effect when the controlling development agreement was executed, Ordinance 06-939A. The business property known as, "Safe Splash Swim School", is a leased space or suite located in the Commercial Reserves at FM 1463, Unrestricted Reserve "C", and the property is generally located Southwest of the intersection of FM 1463 and Corbitt Road, the street address is: 4030 FM 1463 Rd, Suite 107, Fulshear, Texas, 77494. The application requesting a variance may be inspected at the Development Services Department located at 29255 FM 1093, #12C, Fulshear, Texas 77441 during regular business hours. Interested parties may appear at the public hearing and be heard with respect to the application.
 - C. Applicant Presentation
 - **D.** Staff Report
 - **E.** Persons wishing to speak for or against the proposed request
 - **F.** Staff / Board / Applicant discussion
 - **G.** Adjournment of Hearing

7. CONSIDERATION AND POSSIBLE ACTION ON VARIANCE REQUEST BY CAMMILE ADAMS/SAFE SPLASH SWIM SCHOOL

- 8. VARIANCE REQUEST BY AMIR HAGHIGHI/JEREMIAH'S ITALIAN ICE
 - A. Call Hearing to Order
 - **B.** The City of Fulshear Zoning Board of Adjustment will hold a public hearing by videoconference on January 8, 2021 at 11 a.m. to hear the application of Amir Haghighi, of Jeremiah's Italian Ice, requesting a variance to the Code of Ordinances, City of Fulshear, Chapter 28 -Signs, Section 28-4 Design, construction and maintenance of signs by district, (b) Façade and

Wall Signs or former sign ordinance in effect when the controlling development agreement was executed, Ordinance 06-939A. The business property known as, "Jeremiah's Italian Ice", is a leased space or suite located in the Commercial Reserves at FM 1463, Unrestricted Reserve "C", and the property is generally located Southwest of the intersection of FM 1463 and Corbitt Road, the street address is: 4030 FM 1463 Rd, Suite 101, Fulshear, Texas, 77494. The application requesting a variance may be inspected at the Development Services Department located at 29255 FM 1093, #12C, Fulshear, Texas 77441 during regular business hours. Interested parties may appear at the public hearing and be heard with respect to the application.

- C. Applicant Presentation
- **D.** Staff Report
- **E.** Persons wishing to speak for or against the proposed request
- **F.** Staff / Board / Applicant discussion
- **G.** Adjournment of Hearing

9. CONSIDERATION AND POSSIBLE ACTION ON VARIANCE REQUEST BY AMIR HAGHIGHI/ JEREMIAH'S ITALIAN ICE

10. VARIANCE REQUEST BY SEREEN KHALIFEH/COUNTRY MART

- **A.** Call Hearing to Order
- **B.** The City of Fulshear Zoning Board of Adjustment will hold a public hearing by videoconference on January 8, 2021 at 11 a.m. to hear the application of Sereen Khalifeh, of Country Mart, requesting a variance to the Coordinated Development Ordinance, City of Fulshear, Section/Table 28-2-13-1 Building Standards, and Section 28-3-8 Downtown District and 28-3-8 (E)(2) Downtown, Parking, Off-Street, Section 28-3-33 and Table 28-3-33-1 Signs Requiring a Permit. The property is a gas station known as "Country Mart", located at Fulshear Block 3, Lot 1, 2 & 3 is generally located northwest of the intersection of FM 359 and FM 1093, the street address is: 8526 FM 359, Fulshear Texas 77441. The application requesting a variance may be inspected at the Development Services Department located at 29255 FM 1093, #12C, Fulshear, Texas 77441 during regular business hours. Interested parties may appear at the public hearing and be heard with respect to the application.
- **C.** Applicant Presentation
- **D.** Staff Report
- **E.** Persons wishing to speak for or against the proposed request
- **F.** Staff / Board / Applicant discussion

G. Adjournment of Hearing

11. CONSIDERATION AND POSSIBLE ACTION ON VARIANCE REQUEST BY SEREEN KHALIFEH/COUNTRY MART

12. ADJOURNMENT

Note: In compliance with the American Disabilities Act, this facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive service must be made at least 48 business hours prior to this meeting. Please contact the City Secretary's office at 281-346-1796 for further information.

I, Kimberly Kopecky, City Secretary of the City, do hereby certify that the above Notice of Meeting and Agenda for the Zoning Board of Adjustment of the City of Fulshear, Texas was posted on Monday, January 4, 2021 by 5:00 p.m., in a place convenient and readily accessible at all times to the general public, in compliance with Chapter 551, TEXAS GOVERNMENT CODE.

Kimberly Kopecky		
Kimberly Kopecky	City Secreta	ary



"FIND YOUR FUTURE IN FULSHEAR" 30603 FM 1093 West/ PO Box 279 $^{\circ}$ Fulshear, Texas 77441

PHONE: 281-346-1796 ~ FAX: 281-346-2556 <u>www.FulshearTexas.gov</u>

ZONING BOARD OF AJUSTMENT:

MEMBER- AMY PEARCE MEMBER- BILL ARCHER
MEMBER- BRYAN THOMAS MEMBER- GENE MORGAN

MEMBER- CAROL RIGGS

STAFF:

CITY MANAGER: Jack Harper CITY SECRETARY: Kimberly Kopecky

CITY ATTORNEY: J. Grady Randle

ZONING BOARD OF ADJUSTMENT MEETING AGENDA September 18, 2020

(https://global.gotomeeting.com/join/822381253)

1. CALL TO ORDER

This meeting of the Zoning Board of Adjustment was called to order by Chairman Amy Pearce at 10:00 a.m. on Friday, September 18, 2020 via videoconference.

2. QUORUM

A quorum was present.

Members Present:

Amy Pearce Bryan Thomas

Carol Riggs

Gene Morgan

Members Absent:

Bill Archer

City Staff:

Kimberly Kopecky
Zach Goodlander
Byron Brown
Kerry Sigler
Rodrigo Rodriguez
Development Services
Inspections
Mariela Rodriguez

Others Present:

Joel Patterson Kaye Kahlich

3. CITIZEN COMMENTS

There were no citizen comments.

4. CONSIDERATION AND POSSIBLE ACTION TO APPROVE MINUTES FROM MEETING HELD ON MAY 12, 2020

A motion was made by ZBA member Thomas to approve minutes from the meeting held on May 12, 2020. It was seconded by ZBA member Riggs. The motion was carried by the following (roll call) vote:

Ayes: Amy Pearce

Bryan Thomas Gene Morgan Carol Riggs

Nays: None

Absent: Bill Archer

5. VARIANCE REQUEST BY NOEL COMPEAN/FORT BEND COUNTY

A. Call Hearing to Order

Chairman Pearce called the public hearing to order at 10:02 a.m.

B. The City of Fulshear Zoning Board of Adjustment will hold a public hearing by videoconference on September 18, 2020 at 10 a.m. to hear the application of Noel Compean, of RDLR Architects, on behalf of Fort Bend County, requesting a variance to Chapter 32, Article II – Streets, Division 4. Section 32-135 of the Fulshear Code. The 2.85 acre property is located within the T. W. Southerland and J.C. McDonald Surveys, generally located between Avalon Spur Ln. and FM 1093, and more precisely located at 5651 Flewellen Way. The application may be inspected at the Development Services Department during regular business hours. Interested parties may appear at the public hearing and be heard with respect to the application.

C. Applicant Presentation

The applicant was not present to answer questions.

D. Staff Report

Zach Goodlander gave the staff report. This request is regarding the Public Safety Annex for the Fire Marshall and Sheriff's office on Flewellen Way. There are 2 driveways on this property that are too close. Staff recommends granting the variance.

E. Persons wishing to speak for or against the proposed request

There were no comments.

F. Staff / Board / Applicant discussion

Per Byron Brown, the applicant should explain and prove the hardship, but the application explains the hardship that the applicant is facing which is sufficient for the requirements. Zach Goodlander will follow up with Public Works regarding the speed limit signs. Zach answered questions of the ZBA members. (For full discussion, request audio)

G. Adjournment of Hearing

A motion was made by ZBA member Thomas to adjourn the hearing. It was seconded by ZBA member Morgan. The motion was carried by the following (roll call) vote:

Ayes: Amy Pearce Bryan Thomas Gene Morgan Carol Riggs

Nays: None

Absent: Bill Archer

Chairman Pearce closed the public hearing at 10:11 a.m.

6. CONSIDERATION AND POSSIBLE ACTION ON VARIANCE REQUEST BY NOEL COMPEAN/FORT BEND COUNTY

A motion was made by ZBA member Thomas to approve the request for variance. It was seconded by ZBA member Riggs. The motion was carried by the following (roll call) vote:

Ayes: Amy Pearce

Bryan Thomas Gene Morgan Carol Riggs

Nays: None

Absent: Bill Archer

7. ADJOURNMENT

A motion was made by ZBA member Thomas to adjourn. It was seconded by ZBA member Morgan. The motion was carried by the following (roll call) vote:

Ayes: Amy Pearce

Bryan Thomas Gene Morgan Carol Riggs

Nays: None

Absent: Bill Archer

Chairman Pearce adjourned the meeting at 10:14 a.m.

AGENDA MEMO BUSINESS OF THE ZONING BOARD OF ADJUSTMENTS CITY OF FULSHEAR, TEXAS

AGENDA OF: January 8, 2021

DATE SUBMITTED: November 16, 2020 **DEPARTMENT:** Planning and

Development

Rodrigo Rodriguez,

Plans Examiner & Zach Goodlander,

Zach Goodlander,

PREPARED BY: Director of Development

Services

PRESENTER: Director of Development

Services

SUBJECT: CONSIDERATION AND POSSIBLE ACTION ON VARIANCE

REQUEST BY CAMMILE ADAMS/SAFE SPLASH SWIM SCHOOL

ATTACHMENTS: 1. Zoning Variance Application

2. Public Hearing Notice

3. Site plan of the subject property

4. Plans for the proposed sign

EXECUTIVE SUMMARY

Cammile Adams of Safe Splash Swim School is seeking a variance to the Code of Ordinances, City of Fulshear, Chapter 28 – Signs, Section 28-4 Design, construction and maintenance of signs by district, (b) Façade or Wall Signs. This proposed variance, for the purposes of having a larger façade sign, is in the Churchill Farms Commercial Center and therefore vested by development agreement in the former code of ordinances. The ordinance applicable in Churchill Farms states that the total sign area for a facade or wall sign shall be limited to 10 percent of the facade or wall area. The applicant is proposing a façade sign that is 16.5 percent of the façade area.

A sign permit has already been approved at the allowed 10 percent of façade area size. However, the applicant is now by variance seeking the larger sign

RECOMMENDATION

Staff has no objection to the requested sign variance.

The City of Fulshear Zoning Board of Adjustment will hold two public hearings on January 8, 2021; the first will be at 11:00 a.m. by video conference (https://global.gotomeeting.com/join/573579909). The second public hearing will take place at 12 p.m. at Fulshear City Hall, 30603 FM 1093, Fulshear, Texas 77441 to hear an application for variance pursuant to Section 1-280 of the Code of Ordinances, City of Fulshear.

Applicant: Cammile Adams

Substance of Application: Applicant is requesting a variance to the Code of Ordinances, City of Fulshear, Chapter 28 – Signs, Section 28-4 Design, construction and maintenance of signs by district, (b) Façade or Wall Signs or former sign ordinance in effect when the controlling development agreement was executed, Ordinance 06-939A. Applicant is seeking a variance from the size requirement that states the total sign area for a facade or wall sign shall be limited to ten percent of the facade or wall area.

Location & Address: The business property known as, "Safe Splash Swim School", is a leased space or suite located in the Commercial Reserves at FM 1463, Unrestricted Reserve "C", and the property is generally located Southwest of the intersection of FM 1463 and Corbitt Road, the street address is: 4030 FM 1463 Rd, Suite 107, Fulshear, Texas, 77494.

Interested parties may appear at the public hearing and be heard with respect to the application. For more information regarding this application and variance request please contact Rodrigo Rodriguez, City of Fulshear, 281-346-8860. The application requesting a variance may be inspected at the Development Services Department located at 29255 FM 1093, #12C, Fulshear, Texas 77441 during regular business hours 7:00 a.m. to 4:00 p.m.

Potential cancellation disclaimer: At the time of publication of this notice, certain provisions of the Texas Open Meetings Act, Texas Government Code Chapter 551 have been suspended by the Texas Governor in response to COVID-19, which provisions may become effective again prior to one or more of the foregoing public hearings being held. Therefore, one or more of such public hearings may be cancelled. Please refer to the City's website, http://www.fulsheartexas.gov/, for the most current information regarding the status of these hearings.



CITY OF FULSHEAR DEVELOPMENT SERVICES

PO Box 279 / 29255 FM 1093 #12C Fulshear, Texas 77441 Phone: 281-346-8860 ~ Fax: 281-346-8237 www.fulsheartexas.gov

SIGN VARIANCE APPLICATION

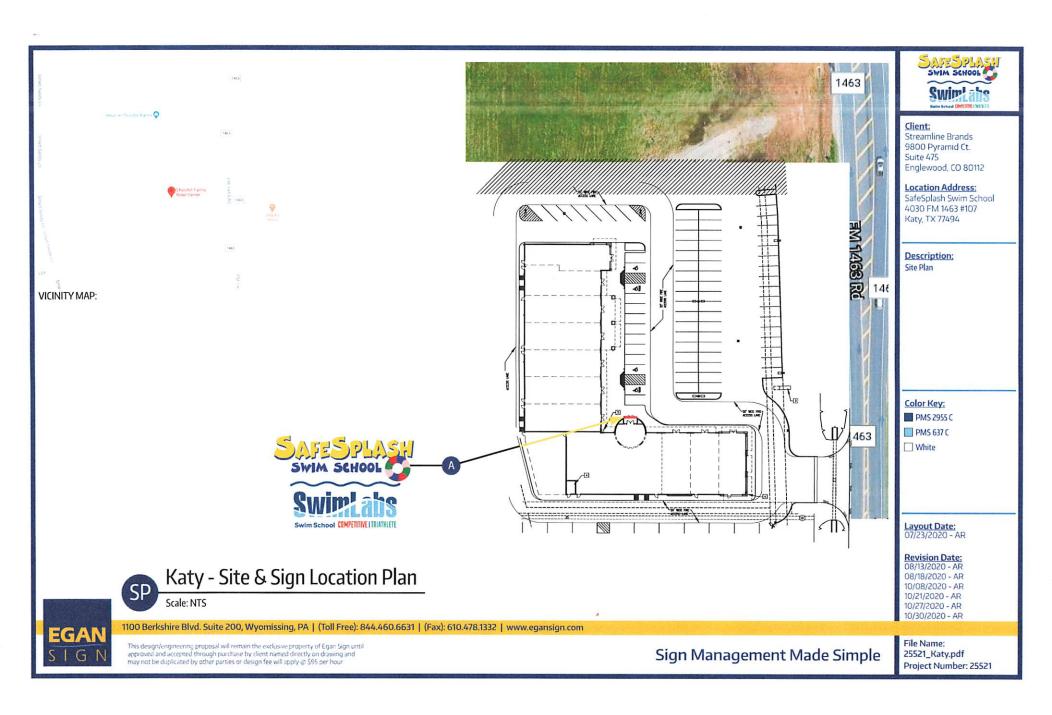
20-3118

APPLICATION FEE: \$75.00 NON-REFUNDABLE
APPLICATION DATE:
ADDRESS OF PREMISES AFFECTED: 4030 FM 1463 #107 Katy, TX 77433
LEGAL DESCRIPTION: Channel Letter Variance Request
OWNERS INFORMATION: NAMECammile Adams
ADDRESS 10403 Crestwood Cove Ct. CITY,STATE,ZIP Cypress, TX 77433
EMAILcadams@safesplash.comPHONE NUMBER281-705-5439
APPLICANTS NAME (if different than owner) ADDRESS CITY STATE ZIP CODE EMAIL PHONE NUMBER
CITY STATE
ZIP CODE EMAIL PHONE NUMBER
EXPLAIN REQUEST: (fully explain the existing conditions that make this request necessary Code states that a wall sign may not be more than 10 % of the facade area on which it is mounted. We
would like to install a sign that exceeds the 10% restriction, as the sign will look disproportionate to the
rotunda on which it is attached. We believe a larger sign will look more appropriate in terms of scale.
A larger sign will not adversely effect the other tenants or neighboring properties.
Status of the Project: O Existing O Proposed
Have there been previous variance requests for this property? No
Are there similar situations in the area? No Addresses:
Have you informed your Home Owners Association? N/A or Neighbors? No RECEIVED
DEVELOPMENT SERVICES DEP

NOV 16 2020

CITY OF FULSHEAR FULSHEAR, TX 77441

Request Proposal and Description: Provide	de a description of	the existing and or proposed				
physical property improvements relative to this case (ie: materials, structure type and height,						
dimensions, etc.) Please also supply and in The property will receive an internally illumin	* *	• • • • • • • •				
The overall dimensions of the proposed sign	n are 165" wide by 10	08.4" high. The individual letters range				
in height from 31" high to 7.8" high. The faca	ide that the sign will b	pe mounted on is constructed from				
stacked stone and cement. The structure is 3	319" high by 340" wid	le.				
Acknowledgement: I certify that the info	ormation herein pro	ovided is true and correct to the				
best of my knowledge and belief, and tha						
case to be presented in public hearing be	efore the Planning C	Commission, unless I withdraw				
same prior to the City's posting of public						
is posted, I understand that the Board act						
fee will be non- refundable. I understand						
from all other required departments with	•	l must obtain required permits				
within 180 days from the date of the Boar	rd approval.					
Signed by the Applicant/Owner Agent:	1 Cannydans	Date:				



Monument signs.

Monument signs shall be constructed of masonry material or shall be constructed of a material complimentary of the structure to which the sign is attributed. The bottom portion of the sign shall rest flush against the ground, allowing no space between the ground and the bottom of the sign structure. The portion of the sign containing the message shall not exceed 72 total square feet of area. The total height of the sign, including the sign structure and the portion containing the message of the sign, shall not exceed ten feet. The total width of the sign, including the sign structure and the portion containing the message of the sign, shall not exceed 12 feet. If one commercial property contains more than ten different businesses and has more than 350 feet of road frontage, the property shall be allowed two monument signs at that location, both of which must comply in all respects with this chapter.

Facade or wall signs.

Facade or wall signs shall be allowed only on a wall or facade that is parallel to a public street, and only so long as the total sign area does not exceed ten percent of the area of the facade or wall on which it is mounted or painted, provided that for buildings with two or more tenants, the total sign area for a facade or wall sign shall be limited to ten percent of the facade or wall area on which it is mounted or painted that is attributable to the applicable tenant's lease. Facade or wall signs may be mounted or painted upon the wall, and must be maintained in good condition at all times. The sign shall contain only information identifying the business located on the site. A mounted wall sign shall not project more than 12 inches from the building wall to which it is attached.

Ancillary signs.

A business or other entity shall be allowed up to three ancillary signs placed on the door or exterior wall or window of the premises. No permit will be required under this chapter for such ancillary signs. All ancillary signs shall be no larger than four square feet in total sign area.



1100 Berkshire Blvd. Suite 200, Wyomissing, PA | (Toll Free): 844.460.6631 | (Fax): 610.478.1332 | www.egansign.com

approved and accepted through purchase by client named directly on drawing and may not be duplicated by other parties or design fee will apply @ \$95 per hour



Streamline Brands 9800 Pyramid Ct. Suite 475 Englewood, CO 80112

Location Address:

SafeSplash Swim School 4030 FM 1463 #107 Katy, TX 77494

Description:

Sign Code Information

Color Key:

Layout Date:

Revision Date:

08/13/2020 - AR 08/18/2020 - AR 10/08/2020 - AR 10/21/2020 - AR 10/27/2020 - AR

10/30/2020 - AR

Sign Management Made Simple

Square Footage Calculation:

Code: Total sign area of 10% of the area of the facade or wall on which is attached. Only on a wall parallel to a public street Calculation: 319" * 340"/144= 753.2 753.2 * 10%= 75.3 sf

Allowed: 75.3 sf Used: 124.2 sf



Note: Facade is curved



Exterior Elevation

Scale: 1/8"=1'-0"

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Sign Management Made Simple

SWIM SCHOOL Swim! abs

Streamline Brands 9800 Pyramid Ct. Suite 475 Englewood, CO 80112

Location Address:

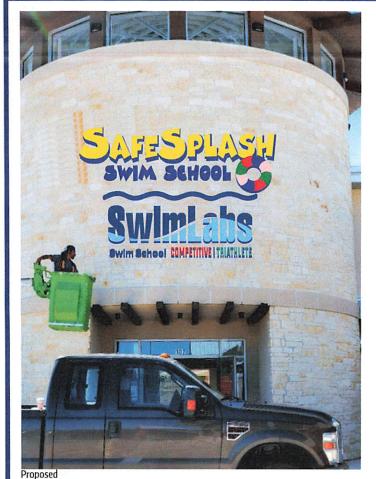
SafeSplash Swim School 4030 FM 1463 #107 Katy, TX 77494

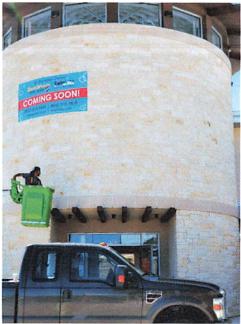
Description: **Exterior Elevation**

Color Key:

<u>Layout Date:</u> 07/23/2020 - AR

Revision Date: 08/13/2020 - AR 08/18/2020 - AR 10/08/2020 - AR 10/21/2020 - AR 10/27/2020 - AR 10/30/2020 - AR





Existing



Client:

Streamline Brands 9800 Pyramid Ct. Suite 475 Englewood, CO 80112

Location Address:

SafeSplash Swim School 4030 FM 1463 #107 Katy, TX 77494

Description:

SSSL-FML-CUSTOM

Illuminated Channel Letters - Stud (124.2 sq ft)

Facade is curved, will require standoffs

PMS 2955 C

Color Key:

3M 3630-36 PMS 339 C PMS 355 C

PMS 185 C PMS 182 C

3M 3630-227

PMS 485 C

PMS Yellow 012 C PMS Reflex Blue C

Layout Date: 07/23/2020 - AR

Revision Date:

08/13/2020 - AR 08/18/2020 - AR

10/08/2020 - AR

10/21/2020 - AR 10/27/2020 - AR

10/30/2020 - AR



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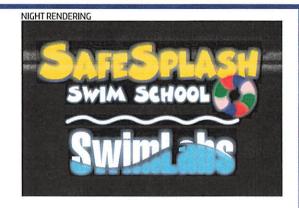
Illuminated Channel Letters - Stud Mount

EGAN

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Sign Management Made Simple









DAY/NIGHT VINYL:

Dual color perforated vinyl w/ digital print color to match existing



Client:

Streamline Brands 9800 Pyramid Ct. Suite 475 Englewood, CO 80112

Location Address:

SafeSplash Swim School 4030 FM 1463 #107 Katy, TX 77494

Description:

SSSL-FML-CUSTOM

Illuminated Channel Letters - Stud Mount (124.2 sq ft)

Qty: 1

Provide 5" deep, LED illuminated channel letters w/ digitally printed day/night vinyl to illuminate as shown; mounted flush to facade per layout.

Color Key:

■ 3M 3630-36 ■ PMS 339 C ■ PMS 355 C ■ PMS 2955 C

PMS 185 C

PMS 182 C

M 3630-227
PMS 485 C

PMS Yellow 012 C
PMS Reflex Blue C

Layout Date: 07/23/2020 - AR

Revision Date: 08/13/2020 - AR 08/18/2020 - AR

10/08/2020 - AR

10/21/2020 - AR 10/27/2020 - AR

10/27/2020 - AR 10/30/2020 - AR

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Illuminated Channel Letters - Stud Mount



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Scale: 1/2"=1'-0"

Sign Management Made Simple

"SAFESPLASH & PINWHEEL"

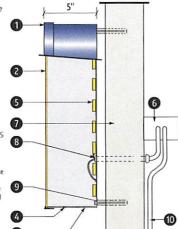
Cross Section of UL Listed Channel Letters w/LEDs

- (1) 1" Plastic Trim Cap painted PMS Reflex Blue (2) 3/16" Polycarbonate faces w/ digitally printed graphics on translucent vinyl (3) .040" Aluminum Returns painted PMS Reflex Blue C (.063" Back)
- (4) 1/4" Drain Holes (Min. 2 per letter)
- (5) LED Illumination
- (6) LED Power Supply & Toggle Disconnect Switch
- (7) Facade: To Be Determined
- (8) Low Voltage Class 2 Power Line
- (9) Mounting Hardware TBD W/ PVC SPACERS
- (10) Existing 120 Volt Service

This sign is intended to be installed in accordance with the requirements of Article 600 of the National Electrical Code and/or other applicable local codes. This includes proper grounding and bonding of the sign.

*Caulk required

* UL Listed Product, no visible labels



"SWIM SCHOOL, DIVIDER BAR, SWIMLABS"

Cross Section of UL Listed Channel Letters w/LEDs

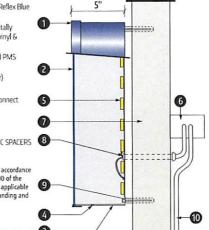


- day/night vinyl (3) .040" Aluminum Returns painted PMS Reflex Blue C (.063" Back)
- (4) 1/4" Drain Holes (Min 2 per letter)
- (5) LED Illumination
- (6) LED Power Supply & Toggle Disconnect
- (7) Facade: To Be Determined
- (8) Low Voltage Class 2 Power Line
- (9) Mounting Hardware TBD W/ PVC SPACERS 8
- (10) Existing 120 Volt Service

This sign is intended to be installed in accordance with the requirements of Article 600 of the National Electrical Code and/or other applicable local codes. This includes proper grounding and bonding of the sign.

*Caulk required

* UL Listed Product, no visible labels





Client:

Streamline Brands 9800 Pyramid Ct. Suite 475 Englewood, CO 80112

Location Address:

SafeSplash Swim School 4030 FM 1463 #107 Katy, TX 77494

Description:

SSSL-FML-CUSTOM

Illuminated Channel Letters - Flush Mount (124.2 sq ft)

Channel letter section details

Color Key:

■ 3M 3630-36 ■ PMS 339 C PMS 355 C PMS 2955 C

PMS 185 C MS 182 C

3M 3630-227

PMS 485 C

PMS Yellow 012 C PMS Reflex Blue C

Layout Date:

Revision Date:

08/13/2020 - AR 08/18/2020 - AR

10/08/2020 - AR 10/21/2020 - AR

10/27/2020 - AR

10/30/2020 - AR

File Name: 25521_Katy.pdf Project Number: 25521

Illuminated Channel Letters - Details

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Sign Management Made Simple

AGENDA MEMO BUSINESS OF THE ZONING BOARD OF ADJUSTMENTS CITY OF FULSHEAR, TEXAS

AGENDA OF: January 8, 2021

DATE SUBMITTED: December 18, 2020 **DEPARTMENT:** Planning and

Development

Rodrigo Rodriguez,

Plans Examiner & Zach Goodlander,

Zach Goodlander,

PREPARED BY: Director of Development

Services

Director of Development

Services

SUBJECT: CONSIDERATION AND POSSIBLE ACTION ON VARIANCE

REQUEST BY AMIR HAGHIGHI/JEREMIAH'S ITALIAN ICE

PRESENTER:

ATTACHMENTS: 1. Zoning Variance Application

2. Public Hearing Notice

3. Site plan of the subject property

4. Plans of the proposed signs

EXECUTIVE SUMMARY

Amir Haghighi of Jeremiah's Italian Ice is seeking a variance to the Code of Ordinances, City of Fulshear, Chapter 28 – Signs, Section 28-4 Design, construction and maintenance of signs by district, (b) Façade or Wall Signs. This proposed variance is for the purposes of having a second wall sign (referred to as a "blade" sign) and for a free-standing menu sign in front of the building. This is in the Churchill Farms Commercial Center and therefore vested by development agreement in the former code of ordinances. The ordinance applicable in Churchill Farms does not specifically speak to "menu signs". It does however allow for ancillary signs that are exempt from permit and must be placed on the business's window or wall and be no larger than 4 sq. ft. in total area. The proposed menu board (24sqft in size) for Jeremiah's though is not on a window or wall, and exceeds 4 sq. ft. The blade sign, referred to in the former code as a "projecting sign" is allowed in the Downtown District, but not spoken to in other districts, including the ETJ.

RECOMMENDATION

Staff has no objection to the blade sign as the new CDO allows for such signage. Staff recommends approval with conditions of the menu board, specifically that the sign must be placed on the side wall or shrunk in size so as not to appear gaudy and be more in line with the aesthetic goals of the City.

The City of Fulshear Zoning Board of Adjustment will hold two public hearings on January 8, 2021; the first will be at 11:00 a.m. by video conference (https://global.gotomeeting.com/join/573579909). The second public hearing will take place at 12:00 p.m. at Fulshear City Hall, 30603 FM 1093, Fulshear, Texas 77441 to hear an application for variance pursuant to Section 1-280 of the Code of Ordinances, City of Fulshear.

Applicant: Amir Haghighi

Substance of Application: Applicant is requesting a variance to the Code of Ordinances, City of Fulshear, Chapter 28 – Signs, Section 28-4 Design, construction, and maintenance of signs by district, (b) Façade or Wall Signs or former sign ordinance in effect when the controlling development agreement was executed, Ordinance # 6-939A. Applicant is seeking a variance for a free-standing sign that holds the menu installed in the ground in front of the business and is also seeking a variance for a second wall sign (referred to as a "blade" sign) that projects from the end of the building.

Location & Address: The business property known as, "Jeremiah's Italian Ice", is a leased space or suite located in the Commercial Reserves at FM 1463, Unrestricted Reserve "C", and the property is generally located Southwest of the intersection of FM 1463 and Corbitt Road, the street address is: 4030 FM 1463 Rd, Suite 101, Fulshear, Texas, 77494.

Interested parties may appear at the public hearing and be heard with respect to the application. For more information regarding this application and variance request please contact Rodrigo Rodriguez, City of Fulshear, 281-346-8860. The application requesting a variance may be inspected at the Development Services Department located at 29255 FM 1093, #12C, Fulshear, Texas 77441 during regular business hours 7:00 a.m. to 4:00 p.m.

Potential cancellation disclaimer: At the time of publication of this notice, certain provisions of the Texas Open Meetings Act, Texas Government Code Chapter 551 have been suspended by the Texas Governor in response to COVID-19, which provisions may become effective again prior to one or more of the foregoing public hearings being held. Therefore, one or more of such public hearings may be cancelled. Please refer to the City's website, http://www.fulsheartexas.gov/, for the most current information regarding the status of these hearings.



CITY OF FULSHEAR DEVELOPMENT SERVICES

PO Box 279 / 29255 FM 1093 #12C Fulshear, Texas 77441 Phone: 281-346-8860 ~ Fax: 281-346-8237 www.fulsheartexas.gov

SIGN VARIANCE APPLICATION

20 25105

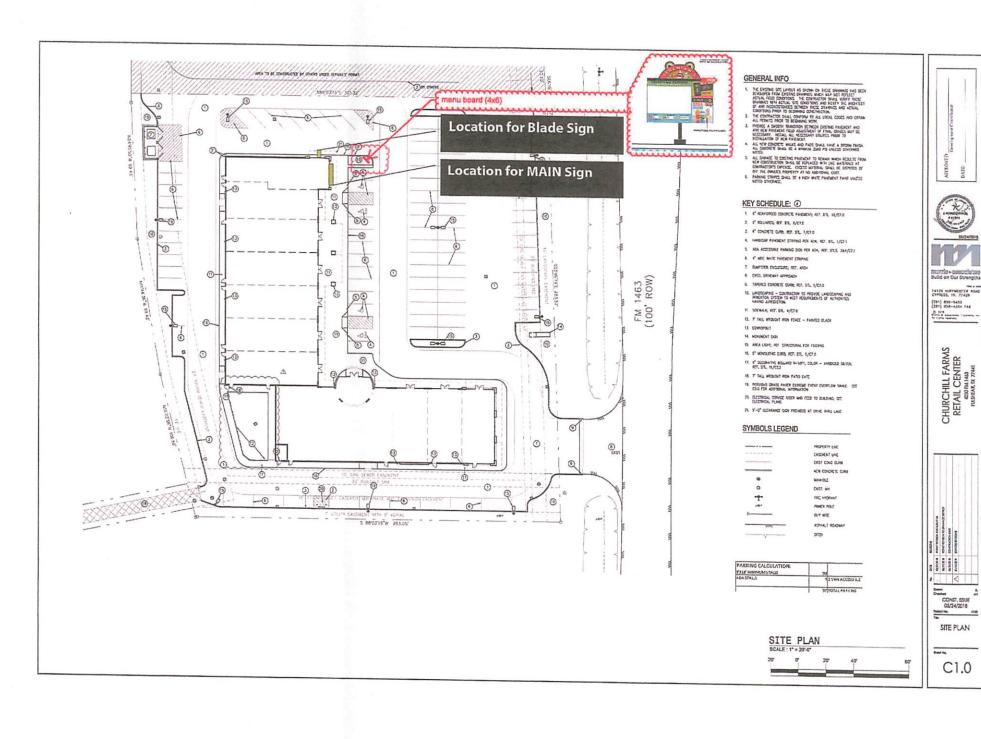
APPLICATION FEE: \$75.00 NON-REFUNDABLE	20,230,3				
APPLICATION DATE: 12/10/2020					
ADDRESS OF PREMISES AFFECTED: 4030 FI	/ 1463 Suite 101, Katy TX 77494				
LEGAL DESCRIPTION: 0300 A Phillips, Block 1, ac	res 2.0497, 1463 ,unrestricted reserve "c"				
OWNERS INFORMATION:					
NAME Amir Haghighi					
NAME Amir Haghighi ADDRESS 190 Independence LNCI	ry,STATE,ZIP Maitland, FL, 32751				
EMAIL Jeremiahkaty2021@gmail.com PHO					
APPLICANTS NAME (if different than owner)	Luis Esqueda				
ADDRESS8110 Bob White dr					
CITY Houston STATE					
ZIP CODE EMAIL Jeremiahkaty2021@					
EXPLAIN REQUEST: (fully explain the existing con 1- The application of the old ordinance would result in practical difficulties well as represent a hardship and difficulties to the functionality of the Drive	ditions that make this request necessary or unnecessary hardship inconsistent with the new ordinance as -through.				
2-We are requesting a variance for the installation of the Blade Sign and the would create a hardship to our ability to safely care for the customer and the safely care for the safely care for the safely care for the customer and the customer a	ne community we are serving. The blade sign serves as a				
directional sign of the drive trough and the product offered. The menus and the location of the drive through menu will allow us to maintain the flow of traffic in order to timely and safely serve the customers. Both signs are an essential part of the functionality of the drive through.					
In the current climate during the ongoing pandemic the drive through is a would cause confusion on the traffic flow of the drive-through while increase	main asset for safe food distribution. The lack of this two signs				
traffic. 3-The granting of the Variance sought will not be a substantial detriment to	the public interest.				
Status of the Project: O Existing O U	nder Construction 8 Proposed				
Have there been previous variance requests for t	his property?No				
Are there similar situations in the area?Addresses:	No				
Have you informed your Home Owners Associati	on? N/A _ or Neighbors?				

RECEIVED
DEVELOPMENT SERVICES DEPT

DEC 18 2020

CITY OF FULSHEAR FULSHEAR, TX 77441

Request Proposal and Description: Provide a	· · · · · · · · · · · · · · · · · · ·
• • • •	his case (ie: materials, structure type and heigh
	ntify photos where applicable, to support your
	nprovement are installation of a directional
	Drive-tru menu. Exhibits are attached with
descriptions.	
Acknowledgement: I certify that the informa	ation herein provided is true and correct to the
•	•
best of my knowledge and belief, and that I, o	or my authorized representative, will cause this
best of my knowledge and belief, and that I, case to be presented in public hearing before	or my authorized representative, will cause thine the Planning Commission, unless I withdraw
best of my knowledge and belief, and that I, or case to be presented in public hearing before same prior to the City's posting of public not	or my authorized representative, will cause thine the Planning Commission, unless I withdraw tice. Should I initiate withdrawal after public no
best of my knowledge and belief, and that I, or case to be presented in public hearing before same prior to the City's posting of public not	or my authorized representative, will cause thine the Planning Commission, unless I withdraw tice. Should I initiate withdrawal after public no
best of my knowledge and belief, and that I, of case to be presented in public hearing before same prior to the City's posting of public not is posted, I understand that the Board action	or my authorized representative, will cause thine the Planning Commission, unless I withdraw tice. Should I initiate withdrawal after public not shall constitute denial of the case, and the filing
best of my knowledge and belief, and that I, or case to be presented in public hearing before same prior to the City's posting of public not is posted, I understand that the Board action fee will be non-refundable. I understand that	or my authorized representative, will cause thing the the Planning Commission, unless I withdraw tice. Should I initiate withdrawal after public not shall constitute denial of the case, and the filing the traceive approval, I must still obtain approval.
best of my knowledge and belief, and that I, of case to be presented in public hearing before same prior to the City's posting of public not is posted, I understand that the Board action fee will be non-refundable. I understand that from all other required departments within the same same are supported.	or my authorized representative, will cause this te the Planning Commission, unless I withdraw tice. Should I initiate withdrawal after public no shall constitute denial of the case, and the filin tif I receive approval, I must still obtain approvances the City and that I must obtain required permits
best of my knowledge and belief, and that I, or case to be presented in public hearing before same prior to the City's posting of public not is posted, I understand that the Board action fee will be non-refundable. I understand that	tice. Should I initiate withdrawal after public no shall constitute denial of the case, and the filin It if I receive approval, I must still obtain approv the City and that I must obtain required permits





Facia is 24 ft wide x 20ft tall = 480 sq ft @ 10% 48 sq ft Sign Proposed for East Wall is 3ft x 16ft = 48sqft







Witness 9 Old Aleminon Letter Returns Un" Acrylic Face Figure Former Visite Primary Cro Pri

Main Sign

Specifications:

Internally illuminated channel letters and licht cabineton a backplate with wireway Illumination:

LED

Installation:

Install to EAST elevation.

Blade Sign

Specifications:

Internally illuminated blade Sign

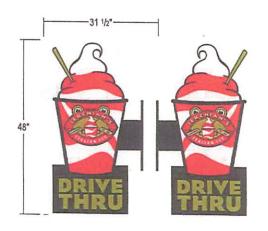
Illumination:

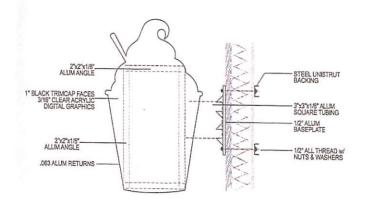
LED

Installation:

Install to NORTH elevation.

Projecting Wall Mount

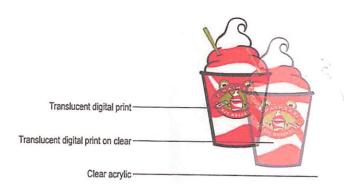




Specifications: Internally illuminated double sided projecting wall mounted sign.

Illumination: LED

Installation: Install onto front building elevations.





PMS 460

PMS 382

PMS 7417

PMS 7406

BLACK





AGENDA MEMO BUSINESS OF THE ZONING BOARD OF ADJUSTMENTS CITY OF FULSHEAR, TEXAS

AGENDA OF: January 8, 2021

DATE SUBMITTED: December 17, 2020 **DEPARTMENT:** Planning and

Development

Rodrigo Rodriguez,

Plans Examiner &

Zach Goodlander,

Zach Goodlander,
Director of Development

Director of Development **PRESENTER:** Services

Director of Development

Services

SUBJECT: CONSIDERATION AND POSSIBLE ACTION ON VARIANCE

REQUEST BY SEREEN KHALIFEH/COUNTRY MART

ATTACHMENTS: 1. Zoning Variance Application

2. Public Hearing Notice

3. Survey of the subject property

4. Proposed site plan of the subject property

EXECUTIVE SUMMARY

Sereen Khalifeh of Country Mart is seeking a variance to the Coordinated Development Ordinance, City of Fulshear, Section/Table 28-2-13-1 Building Standards, and Section 28-3-8 Downtown District and 28-3-8 (E)(2) Downtown, Parking, Off-Street, Section 28-3-33 and Table 28-3-33-1 Signs Requiring a Permit.

Table 28-2-13-1 of the CDO states that the minimum front setback for a Mixed-Use/Retail building in the Downtown District must be 0-5' or up to 10' if parking is in the rear of the building. Section 28-3-8 states that the ZBA may allow the setback to increase up to 15' if the site is designed for outdoor dining or a recessed plaza. The applicant is proposing an 18' front setback, with the stated goal of allowing more room for angled on-street parking.

Section 28-3-8 (E)(2) of the CDO states that off-street parking in the Downtown District may not front on any arterial street or highway. The applicant has proposed having parking along FM 1093.

The applicant is also requesting a variance to the CDO provision which states that monument signs are prohibited in Downtown (Table 28-3-33-1). The applicant has stated a desire to rebuild a new monument sign in the same location and of the same size as the current sign.

RECOMMENDATION

Staff has no objection to the parking along the an arterial street or highway given that the requested use is as a gas station, and that the Livable Center's Study contemplated the tracts along FM 1093 as more of a highway-oriented use, or buffer, relative to the rest of Downtown. Staff no objection also to the increased setback along FM 359 so long as the applicant continues the same sidewalk and outdoor dining as is in the front of the adjacent building housing Essence House Café, and others. Staff has no objection to the monument sign given the signs use (gas prices), location (along FM 1093), and the prohibition of electronic message signage (which precludes them from putting princes on the canopy).

The City of Fulshear Zoning Board of Adjustment will hold two public hearings on January 8, 2021; the first will be at 11:00 a.m. by video conference (https://global.gotomeeting.com/join/573579909). The second public hearing will take place at 12:00 p.m. at Fulshear City Hall, 30603 FM 1093, Fulshear, Texas 77441 to hear an application for variance pursuant to the City of Fulshear Coordinated Development Ordinance Section 28-7-33.

Applicant: Sereen Khalifeh

Substance of Application: Applicant is requesting a variance to the Coordinated Development Ordinance, City of Fulshear, Section/Table 28-2-13-1 Building Standards, and Section 28-3-8 Downtown District and 28-3-8 (E)(2) Downtown, Parking, Off-Street, Section 28-3-33 and Table 28-3-33-1 Signs Requiring a Permit. Applicant is seeking a variance regarding new parking and constructing a monument sign.

Location & Address: The property is a gas station known as "Country Mart", located at Fulshear Block 3, Lot 1, 2 & 3 is generally located northwest of the intersection of FM 359 and FM 1093, the street address is: 8526 FM 359, Fulshear Texas 77441.

Interested parties may appear at the public hearing and be heard with respect to the application. For more information regarding this application and variance request please contact Rodrigo Rodriguez, City of Fulshear, 281-346-8860. The application requesting a variance may be inspected at the Development Services Department located at 29255 FM 1093, #12C, Fulshear, Texas 77441 during regular business hours 7:00 a.m. to 4:00 p.m.

Potential cancellation disclaimer: At the time of publication of this notice, certain provisions of the Texas Open Meetings Act, Texas Government Code Chapter 551 have been suspended by the Texas Governor in response to COVID-19, which provisions may become effective again prior to one or more of the foregoing public hearings being held. Therefore, one or more of such public hearings may be cancelled. Please refer to the City's website, http://www.fulsheartexas.gov/, for the most current information regarding the status of these hearings.



CITY OF FULSHEAR

PO Box 279 / 30603 FM 1093 Fulshear, Texas 77441 Phone: 281-346-1796 ~ Fax: 281-346-2556 www.fulsheartx.com

VARIANCE/APPEAL APPLICATION

20-3551

APPLICATION DATE: 12-17-2020					
ADDRESS OF PREMISES AFFECTED: 8526 FARM TO MARKET 359 FULSHEAR, TEXAS 77441					
LEGAL DESCRIPTION: 0.5694 ACRES (24,804 SQUARE FEET) OF LAND, BEING ALL OF LOTS 1, 2, 3, IN BLOCK 3 OUT OF THE TOWN OF FULSHEAR, RECORDED UNDER THE MAP OR PLAT RECORDS OF FORT BEND COUNTY (F.B.C.M.R.), TEXAS, VOLUME U, PAGE 180, IN THE CHURCHILL FULSHEAR LEAGUE, ABSTRACT NO. 25 (SEE ATTACHED SURVEY)					
OWNERS INFORMATION: NAME ZULFIQAR ALI, PRESIDENT AT ZMKR, INC.					
ADDRESS P.O. BOX 1046 CITY FULSHEAR STATE TX					
ZIP CODE 77066 EMAIL RAZEEB@MOMIN-MOMIN.COM PHONE NUMBER 832-768-8521					
APPLICANTS NAME (if different than owner) Sereen Khalifeh					
ADDRESS 12812 Willow Centre Dr CITY Houston STATE TX					
ZIP CODE 77066 EMAIL rskengineering@gmail.com PHONE NUMBER 281-580-4585					
EXPLAIN REQUEST: (fully explain the existing conditions that make this request necessary)					
Site partially developed we propose to develop entire site by removing existion building and replace with new store with future lease space.					
Requesting building to be 18'-0" from P.L along FM 359 to accompdate new 8'-0" side walk and provide additional parking at side of					
building to minimize vehicles parking along the road. Also, will replace existing monument sign without changing size or location					
Status of the Project: O Existing O Under Construction & Proposed Have there been previous variance requests for this property? NO					
Are there similar situations in the area? N/AAddresses:					
Have you informed your Home Owners Association? NO or Neighbors? NO					
Request Proposal and Description: Provide a description of the existing and or proposed physical property improvements relative to this case (ie: materials, structure type and height, dimensions, etc.) Please also supply and identify photos where applicable, to support your case:					
Exisiting 3023 SF retail to be demolished and replaced with 7533 SF building which includes 4897 SF retail store and					
2636 SF future lease space. Also replace existing 3 fuel pumps and canopy with 4 new pumps and new fuel canopy.					
Also, will replace existing monument sign without changing size or location					

Continued Request Proposal)		
Acknowledgement: I certify that the information herein provided is true an of my knowledge and belief, and that I, or my authorized representative, wi be presented in public hearing before the Planning Commission, unless I wi the City's posting of public notice. Should I initiate withdrawal after public understand that the Board action shall constitute denial of the case, and the refundable. I understand that if I receive approval, I must still obtain approve required departments within the City and that I must obtain required permits from the date of the Board approval.	Il cause to thdraw so notice is filing feet al from	this case to came prior to s posted, I e will be non- all other
Signed by the Applicant/Owner Agent: Sersenkhalifeh	Date:	12-17-2020

8526 FARM TO MARKET 359 PROPERTY DESCRIPTION: A TRACT OF LAND CONTAINING 0.5694 ACRES (24,804 SQUARE FEET) OF LAND, BEING ALL OF LOTS 1, 2, 3, IN BLOCK 3 OUT OF THE TOWN OF FULSHEAR, RECORDED UNDER THE MAP OR Lot 8 Lot 7 PLAT RECORDS OF FORT BEND COUNTY (F.B.C.M.R.), TEXAS, VOLUME U, PAGE 180, IN THE CHURCHILL FULSHEAR LEAGUE, ABSTRACT NO. 29, BEING THE SAME TRACT OF LAND DEEDED 20, TO ROBERT TJ. ADAMS, RECORDED UNDER THE FORT BEND COUNTY CLERK'S FILE (F.B.C.C.F.) NO. 2004111783, SAID 0.5694 ACRES OF LAND BEING MORE PARTICULARLY DESCRIBED BY N90°00'00"E 150.00' Concrete METES AND BOUNDS AS FOLLOWS; SEE EXHIBIT "A" Fnd. 20' Alley R.O.W. -5/8" I.R. (Called N84°30'00"E) (C.M.) T.C A.G. / Drafter/Field Crew. 50.00' 50.00' 50.00' A/C(6) Bol(2) Fnd. 09/09/19 Date: Water CO_______EM 4" P.T.P Vault 6037BI ASC No. SCALE 1/2" I.R. 1'' = 30'(C.M.) Buyer: Lots 1, 2 & 3, COUNTRY MART Client Block 3. Town of Fulshear, G.F. No. Volume U, Page 180, F.B.C.M.R. 0.5694 ACRES 24,804 SQUARE FEET Existing Building 176.26' 359 **COUNTRY MART** FULSHEAR KU, LTD., A TEXAS LIMITED PARTNERSHIP 8526 FARM TO MARKET 359 STREET/F.M. 38 PER C.F. NO. 2004111783, F.B.C.C.F.) P.O. BOX 1046 (Called N5°30'00"W) FULSHEAR, TEXAS 77441 FULSHEAR, TEXAS 77441 C.F. NO. 2003000166, F.B.C.C.F. LEGEND - C.M. = Controlling Monument: Fnd. = Found: L.R.= Iron Rod: L.P.= Iron Pine N0°00'00"E OHE = Overhead Electric; I.R.S. = Set Iron Rods 1/2" diameter with yellow cap stamped (Called S5°30'00"E) "Arthur Surveying Company". All found iron rods are 1/2" diameter unless otherwise noted. centerline Q (overhead electric) — OHE — OHE FLOOD NOTE: IT IS MY OPINION THAT THE PROPERTY DESCRIBED HEREIN DOES NOT LIE WITHIN THE 100-YEAR FLOOD ZONE AREA ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP COMMUNITY-PANEL NO. 481488 0085 L PRESENT EFFECTIVE DATE OF MAP APRIL 2, 2014, HEREIN PROPERTY IS SITUATED WITHIN ZONE 'X' 198.05 Lot 2 Lot 6 Lot 5 Lot 4 The undersigned have/has received and reviewed a copy of this AIN (80' ROW, survev. HARRIS STREET ROW, PER C.F. NO. 2004111783, F.B.C.C.F.) Covered Gas DATE: SURVEYORS CERTIFICATION: Vault 09/09/19 The undersigned does hereby certify that this survey was this day made on the ground of the POB-151.57 (C)S81°44'05"W property legally described hereon and is correct "X" CUT SET, INTERSECTION OF THE NORTH and to the best of my knowledge there are no Fnd. (Called S76°14'00"W) 4" P.T.P visible discrepancies, conflicts, shortages in area, LINE OF FRONT STREET & THE boundary line conflicts, encroachments, OF FRONT STREET WEST LINE OF MAIN overlapping of improvements, easements or rights 50.52 (60' ROW, PER C.F. NO. 2004111783, F.B.C.C.F.) STREET/F.M. 359 of way that I have been advised of except as -Broken (60' Fnd. shown hereon. The bearings shown hereon are **Asphalt** 1/2" I.R. 50.52 based on the above referenced recorded man or (C.M.) plat unless otherwise noted. LISA DOBROWSKI 50.52 6544 Notes: NO: • This survey was prepared without the benefit of a title report. LAND SURVEYING SURY • Plat is illegible. Survey was prepared using physical and recorded 11111 Richmond Ave, Suite 150 | Houston, TX 77082 information available at time of survey. 281-937-2731 Branch no. 10194357

arthursurveving.com

• (C) Calculated Bearing

