



CITY OF FULSHEAR

"FIND YOUR FUTURE IN FULSHEAR"

29255 FM 1093 ROAD #12B/ PO Box 279 ~ FULSHEAR, TEXAS 77441

PHONE: 281-346-1796 ~ FAX: 281-346-2556

WWW.FULSHEARTEXAS.GOV

CHAIR- BRYAN THOMAS
MEMBER- GREG SHAW

ZONING BOARD OF ADJUSTMENT:

CO-CHAIR- GENE MORGAN
MEMBER- PAT MOLLERE

MEMBER- DAWN MCREA

STAFF:

CITY MANAGER: Jack Harper

CITY SECRETARY: Kimberly Kopecky

CITY ATTORNEY: J. Grady Randle

ZONING BOARD OF ADJUSTMENT MEETING AGENDA December 16, 2021

1. CALL TO ORDER

This meeting of the Zoning Board of Adjustment was called to order by Chairman Thomas at 10:00 a.m. on Thursday, December 16, 2021, at the Irene stern Community Center, 6920 Katy Fulshear Road, Fulshear, Texas 77441.

2. QUORUM

A quorum was present.

Members Present:

Bryan Thomas

Gene Morgan

Greg Shaw

Dawn Mcrea

Members Absent:

Pat Mollere

City Staff:

Kimberly Kopecky
Rodrigo Rodriguez
Byron Brown
Zach Goodlander

Others Present:

John Samuel
Kaye Kahlich
And approximately 4 others that did not sign in.

3. CITIZEN COMMENTS

There were no citizen comments.

4. CONSIDERATION AND POSSIBLE ACTION TO APPROVE MINUTES FROM MEETING HELD ON AUGUST 20, 2021

A motion was made by ZBA member Shaw to approve minutes from the meeting held on August 20, 2021. It was seconded by ZBA member McRea. The motion was carried by the following vote:

*Ayes: Bryan Thomas
Gene Morgan
Greg Shaw
Dawn Mcrea*

Nays: None

Absent: Pat Mollere

5. VARIANCE REQUEST BY MARTINEZ ARCHITECTS/8825 WEST CROSS CREEK BEND LANE

A. Call Hearing to Order

Chairman Thomas called the hearing to order at 10:04 a.m.

B. The City of Fulshear Zoning Board of Adjustment will hold one public hearings on December 16, 2021;

PUBLIC HEARING

The City of Fulshear Zoning Board of Adjustment will hold a public hearing on December 16, 2021; The public hearing will take place at 10 a.m. at the Irene Stern Community Center, 6920 Katy Fulshear Road, Fulshear, Texas 77441 to hear the application of Martinez Architects, requesting a variance to Article II: Zoning Districts and Land Uses, Division II-2: Zoning Districts, Section 28-2-8 Semi-Urban Residential, Table 28-2-8-3 of the Fulshear Coordinated Development Ordinance. The 2.766 -acre property is located on Creek Trace at Cross Creek Ranch Sec 6, ACRES 2.766, Reserve "C", and more precisely located at 8825 West Cross Creek Bend Lane. 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. For more information regarding this request contact Rodrigo Rodriguez, City of Fulshear, 281-346-8860.

C. Applicant Presentation

John Smead, representative of Martinez Architects spoke regarding the request. The required parking is 29 spaces. The applicant is requesting 14. He explained both construction and labor is at a scarcity now and asked the members to consider the variance.

D. Staff Report

Zach Goodlander gave the staff report and explained that City staff supports this variance request. Most of the building will be storage, not bodies taking up space.

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

No one from the public commented on the variance request.

F. Staff / Board / Applicant discussion

ZBA members asked questions regarding parking and the intent of the CDO. Zach Goodlander and Byron Brown answered questions. Byron reminded the members of the criteria to make an affirmative finding.

***For full discussion, request audio.*

G. Adjournment of Hearing

Chairman Thomas closed the hearing at 10:13 a.m.

6. CONSIDERATION AND POSSIBLE ACTION ON VARIANCE REQUEST BY MARTINEZ ARCHITECTS/8825 WEST CROSS CREEK BEND LANE

A motion was made by ZBA member Morgan to approve the request for a variance. It was seconded by ZBA member Shaw. The motion was carried by the following vote:

Ayes: Gene Morgan

*Greg Shaw
Dawn Mcree
Bryan Thomas*

Nays:

Absent: Pat Mollere

Motion passes.

7. VARIANCE REQUEST BY KEVIN NGUYEN/4830 FM 1463 ROAD

A. Call Hearing to Order

Chairman Thomas called the hearing to order at 10:16 a.m.

B. The City of Fulshear Zoning Board of Adjustment will hold one public hearings on December 16, 2021;

PUBLIC HEARING

The City of Fulshear Zoning Board of Adjustment will hold a public hearing on December 16, 2021;The public hearing will take place at 10 a.m. at the Irene Stern Community Center, 6920 Katy Fulshear Road, Fulshear, Texas 77441 to hear the application of Kevin Nguyen, requesting a variance to Article II: Zoning Districts and Land Uses, Division II-2: Zoning Districts, Section 28-2-14 General Commercial District, Table 28-2-14-2 and Article III: Site Development, Division III-4: Signs, Table 28-3-33-2 of the Fulshear Coordinated Development Ordinance. The 1.393-acre property is located on the Tract of Land Situated in the J.W. Scott Survey, Abstract No 321, and more precisely located at 4830 FM 1463 Road. 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. For more information regarding this request contact Rodrigo Rodriguez, City of Fulshear, 281-346-8860.

C. Applicant Presentation

Aldo Alvarez, Project Architect, spoke regarding this request. The applicant is requesting 31 spaces to accommodate the number of staff and customers.

The applicant's second request is regarding allowing for 3 wall signs instead of 1.

D. Staff Report

Per Zach Goodlander, staff has no objection to the parking request.

Staff does not support the request for additional wall signs and request denial of the sign variance request.

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

Kaye Kahlich agreed with Zach's recommendations and asked the members to deny the sign variance request.

F. Staff / Board / Applicant discussion

The ZBA members asked questions regarding signs and parking. They were answered by staff and Mr. Alvarez.

***For full discussion, please request audio.*

G. Adjournment of Hearing

Chairman Thomas closed the hearing at 10:31 a.m.

8. CONSIDERATION AND POSSIBLE ACTION ON VARIANCE REQUEST BY KEVIN NGUYEN/4830 FM 1463 ROAD

A motion was made by ZBA member Shaw to approve the parking request. It was seconded by ZBA member Morgan. The motion was carried by the following vote:

*Ayes: Bryan Thomas
Gene Morgan
Dawn Mcrea
Greg Shaw*

Nays:

Absent: Pat Mollere

Motion passed (parking variance).

A motion was made by ZBA member Morgan to decline the request for sign variance. It was seconded by ZBA member McRea. The motion was carried by the following vote:

*Ayes: Bryan Thomas
Gene Morgan
Dawn Mcrea*

Greg Shaw

Nays:

Absent: Pat Mollere

Motion passed to deny (sign variance).

Chairman Thomas adjourned the meeting at 10:38 a.m.

9. ADJOURNMENT

A motion was made by ZBA member McRea to adjourn. It was seconded by ZBA member Shaw. The motion was carried by the following vote:

*Ayes: Bryan Thomas
Gene Morgan
Dawn Mcrea
Greg Shaw*

Nays:

Absent: Pat Mollere

Chairman Thomas adjourned the meeting at 10:36 a.m.