

PUBLIC HEARING

AGENDA MEMO
BUSINESS OF THE CITY COUNCIL
CITY OF FULSHEAR, TEXAS

AGENDA OF:	August 15, 2017	AGENDA ITEM:	Public Hearing
DATE SUBMITTED:	August 10, 2017	DEPARTMENT:	Building Services
PREPARED BY:	Michelle Killebrew, Building Official	PRESENTER:	Michelle Killebrew, Building Official
SUBJECT:	Special Use Request – 8310 Wilson Street		
ATTACHMENTS:	Application, Site Plan, Survey, and Related Documents		
EXPENDITURE REQUIRED:			\$0
AMOUNT BUDGETED:			\$0
ACCOUNT:	Development Services		
ADDITIONAL APPROPRIATION REQUIRED:			\$0
ACCOUNT NO:			

EXECUTIVE SUMMARY

The owner of the property located at 8310 Wilson Street, is requesting a Special Use Permit for the property indicated. The property is within the Downtown District and was previously occupied for residential use. They are requesting to use the property for commercial use, specifically to allow a business/office use.

We have been provided the following documents as required by Sec. 1-283 of the City’s Zoning Ordinance (2012-1069) which include the attached items referenced:

- **Completed Special Use Application:** Completed Application from the Owner/Owner’s Representative. (See Item 1)
- **Owner Affidavit:** The owner has submitted proof of ownership and affidavit. (See Item 2)
- **Vicinity Map:** Ariel map of the surrounding property has been submitted. (See Item 3)
- **Context Map:** Map shows existing layout, pavement, and access points. Staff accepts this document as there will be no new buildings allowed without further approval via Special Use Permit(s) and/or building permit(s). (See Item 4)
- **Survey:** A survey was provided which shows the existing lot and the building that sits on it, along with metes and bounds for the property. (See Item 5)
- **Compliance with the Comprehensive plan:** After review of the request from the applicant, City Staff finds that the requested use of a restaurant/bar is **an approved** and desired use within the Downtown District (See Item 6)
- **Site Plan:** The site plan shows the building layout, and the proposed parking areas. Staff accepts these document as there will be no new buildings allowed without further approval via Special Use Permit(s) and/or building permit(s). Additional parking will be created for the business use, such parking will be of crushed granite or similar material in order to preserve the tree. (See Item 7)

- **Landscape Plan:** The applicant provided an overview of the current landscaping and indicated that no modifications were planned at this time. **(See Item 7)**
- **Grading and Drainage Plan:** The applicant provided an overview of the current drainage flows and indicated that no modifications were planned at this time that would affect the grading and/or drainage of the area. **(See Item 8)**
- **Lighting Plan:** The applicant provided a letter and it that indicates no changes will be made to the existing lighting on the property. **(See Item 1 & 9)**
- **Elevations:** The applicant provided pictures of the exterior of the building and indicated that no modifications were planned at this time. **(See Item 10)**
- **Traffic Impact Study:** This requirement is waived based on the determination of the City Engineer. However, it is staff’s recommendation that such parking will be of crushed granite or similar material to preserve the tree, with the addition of parking blocks to protect the building. **(See Item 11)**
- **Signage:** The owner will insure that any signage will meet the city sign ordinance, or the owner may request a variance. **(See Item 2 Statement of Intended Use)**
- **Notification to the Public:** This has been completed. Notice was published in an approved newspaper and a notice was also sent by the City to a verified listing of adjacent property owners within 300’ as required by ordinance. **(See Item 12)**
 - **Sign Notification on the Property:** The sign has been duly posted by the applicant. *(Verified by Staff; no attachment item included)*
- **Planning & Zoning Commission Hearing:** On August 4, 2017, the Planning and Zoning Commission conducted a public hearing and unanimously recommended approval with the conditions that 1.) The parking would be approved with crushed granite or similar material with the addition of parking blocks for the number of parking spaces as provided on the site plan. **(See Item 13)**

STAFF RECOMMENDATION

Staff recommends the Planning and Zoning Commission recommend approval to City Council for the Special Use Permit requesting the use of a business/office to be located at 8310 Wilson Street, with certain conditions applied. Staff recommends that those conditions include the following:

- 1.) The parking lot in front of the building be crushed granite or similar material in order to preserve the tree located near the proposed parking area. We suggest delegating parking spots with parking blocks, yellow indicating parking, blue indicating handicap parking.

It is Staff’s understanding that if the City Council approves of this request with conditions, that any conditions would be required, along with any code requirements for a change of use, prior to issuance of a Certificate of Occupancy.



CITY OF FULSHEAR

PO Box 279 / 30603 FM 1093
Fulshear, Texas 77441
Phone: 281-346-8860 ~ Fax: 281-346-8237
www.fulsheartexas.gov

Special Use Permit Request:
8310 Wilson Street

Item 1: SUP Application
1 of 2

ZONING SPECIAL USE APPLICATION

Date of Application: JUNE 20, 2017

Property Address: 8310 WILSON ST. FULSHEAR, TX 77441

Legal Description of the property: TWO STORY BUILDING (1,995 SF)

Property Owner Name(s): TAYAC PROPERTIES, LLC

Address: 4850 JAMES LANE FULSHEAR, TX 77441

Phone Number: 281-346-8677 Email Address: JOHN@JOHNLEBOURHIS.COM

Applicant/Agent: JOHN LEBOURHIS

Attach letter of authorization along with this application

Address: P.O. BOX 661 FULSHEAR, TX, 77441

Phone Number: 281 346 8777 Email Address: JOHN@JOHNLEBOURHIS.COM

Zoning District: DD Current use of property: HOME/OFFICE

Requested use of the property: OFFICE (ATTORNEY OR REAL ESTATE AGENT)

Land Uses of Adjoining Property:

(Agricultural, Single Family, Industrial, Business)

North	SINGLE FAMILY
South	SINGLE FAMILY
East	WILSON ST.
West	EMPTY LOTS

Is the proposed special use allowable in the current zoning designation? _____

Application Fees: \$150.00 for Residential Use
✓\$500.00 for Commercial Use



Project # [Next Project #](#) **** Notes ****

Property

Description

Issued to

General | Segments | Financial | Property Info | Information | Comments | History | Footprint | Conditions | Description

Segment	Description	Status	Fee	Payments	Balance
BLD.COM	COMMERCIAL BUILDING	Not Started	500.00	500.00CR	0.00

Special Use Permit Request:
8310 Wilson Street

Item 1: SUP Application
2 of 2
Payment Record

1 records			500.00	500.00CR	0.00
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Edit This Record

Clear

View mkirchner

ACKNOWLEDGEMENTS:

I certify that the above information is correct and complete to the best of my knowledge and ability and that I am now, or will be, fully prepared to present the above proposal before the Planning & Zoning Commission and City Council public hearings. I further certify that I have read and understand the information provided, concerning the policies and procedures regarding consideration of my request.

I understand that all recommendations of the Planning & Zoning Commission will be forwarded to the City Council for final determination, normally scheduled for the third Tuesday of the month. I further understand that any actions of the Planning & Zoning Commission are considered recommendations to the City Council and that I may be heard by the City Council at the prescribed Council hearing date where a final decision will be made.

I further understand that if I am not present nor duly represented at the Commission's public hearing, the Planning & Zoning Commission may dismiss my request, which constitutes a recommendation that the request be denied. I further understand that if I am not present, or duly represented, at the City Council public hearing, the City Council may deny my request.

I reserve the right to withdraw this proposal at any time, upon written request filed with the City Secretary. Such withdrawal shall immediately stop all proceedings thereon; provided, however, case withdrawal, shall constitute a denial by the Commission and City Council. I understand my filing fee is not refundable upon withdrawal of my case application after public notice, nor following denial by the Commission or Council of my case. I / We respectfully request approval and adoption of the proposed Special Use, land use of property, within the City of Fulshear, as identified in this application.

Signature of Owner/Agent*  Date 07/25/2017
(circle one)

Printed name JOHN LE BOURHIS Phone. No. 281-346-8677

*Note: An Agent must furnish a signed Letter of Authorization from the owner when submitting this application.



NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

WARRANTY DEED

Date: May 4th 2016

Special Use Permit Request:
8310 Wilson Street

Grantors: JOHN Y. LEBOURHIS and CATHERINE E. LEBOURHIS

Item 2: Ownership Affidavit 2 of 7
Warranty Deed Record 1

Grantors' Mailing Address:

P.O. Box 661
Fulshear, Texas 77441

Grantee: TAYAC PROPERTIES, LLC

Grantee's Mailing Address:

P.O. Box 661
Fulshear, Texas 77441

Consideration:

Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged.

Property (including any improvements):

Lots Five (5) and Eight (8), in Block Ten (10), of the Town of Fulshear, an addition in Fort Bend County, Texas, according to the map or plat thereof recorded under Volume U, Page 180 of the Deed Records of Fort Bend County, Texas.

Lots One (1) and Two (2) in Block Three (3) of Fulbrook, Section Five "C", a subdivision in Fort Bend County, Texas, according to the map or plat thereof recorded in Slide No. 201301-83 of the Plat Records of Fort Bend County, Texas.

Reservations from Conveyance:

None.

Exceptions to Conveyance and Warranty:


This conveyance is made and accepted subject to the following matters to the extent same are in effect at this time: Any and all restrictions, covenants, conditions, easements, mineral or royalty reservations and leases, if any, relating to the hereinabove described property, but only to the extent they are still in effect, shown of record in the public records of Harris County, Texas, and to all zoning laws, regulations and ordinances of municipal and/or other governmental authorities if any, but only to the extent that they are still in effect.

Grantors, for the Consideration and subject to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty, grant, sell, and convey to Grantee the Property, together with all and singular the rights and appurtenances thereto in any way belonging, to have and to hold it to Grantee and Grantee's heirs, successors and assigns forever. Grantors bind Grantors and Grantors' heirs, successors and assigns to warrant and forever defend all and singular the Property to Grantee and Grantee's heirs, successors, and assigns against every person whomsoever lawfully claiming or to claim the same or any part thereof, except as to the Reservations from Conveyance and the Exceptions to Conveyance and Warranty.

Taxes for 2016 and subsequent years, and subsequent assessments for prior years due to change in land usage or ownership are assumed by GRANTEE.

When the context requires, singular nouns and pronouns include the plural.

GRANTORS:



JOHN Y. LEBOURHIS

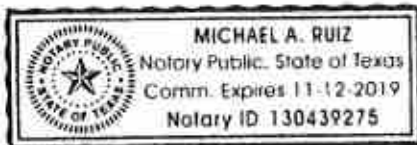



CATHERINE E. LEBOURHIS

STATE OF TEXAS)

COUNTY OF Fort Bend)

This instrument was acknowledged before me on May 4th, 2016, JOHN Y. LEBOURHIS.





Notary Public, State of Texas

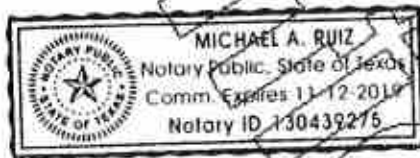
Special Use Permit Request:
8310 Wilson Street

Item 2: Ownership Affidavit 4 of 7
Warranty Deed Record 3

STATE OF TEXAS)

COUNTY OF Fort Bend)

This instrument was acknowledged before me on May 4th, 2016, CATHERINE E. LEBOURHS



M. Ruiz
Notary Public, State of Texas

PREPARED IN THE OFFICE OF:

WADLER, PERCHES, HUNDL & KERRICK
101 West Burleson Street
Wharton, Texas 77488

UNRECORDED DOCUMENT

Fm 359 Rd, Fulshear, TX 77441, Fort Bend County

Special Use Permit Request:

8310 Wilson Street

Item 2: Ownership Affidavit 5 of 7
FBCAD Property Record 1



N/A	N/A	15,000	N/A
Beds	Bldg Sq Ft	Lot Sq Ft	Sale Price
N/A	N/A	COM-NEC	N/A
Baths	Yr Built	Type	Sale Date

Owner Information

Owner Name:	Tayac Properties LLC	Tax Billing City & State:	Fulshear, TX
Carrier Route:	R002	Tax Billing Zip:	77441
Tax Billing Address:	4850 James Ln	Tax Billing Zip+4:	3016

Location Information

Subdivision:	Fulshear	Township:	Fulshear
School District Name:	Lamar Consolidated ISD	Census Tract:	6732.00
Neighborhood Code:	Fulshear Residence Commercial-F04apr	Map Facet:	A-027-N

Tax Information

Parcel ID:	3380-00-010-0060-901	Block #:	10
Parcel ID:	3380000100060901	Tax Area:	G01
Lot #:	6	Fire Dept Tax Dist:	R05
Legal Description:	FULSHEAR, BLOCK 10, LOT 6 & 7		

Assessment & Tax

Assessment Year	2016
Assessed Value - Total	\$289,800
Assessed Value - Land	\$289,800
Market Value - Total	\$289,800
Market Value - Land	\$289,800

Tax Year	Total Tax
2016	\$6,147

Jurisdiction	Tax Rate	Tax Amount
Lamar Cisd	1.39005	\$4,028.36
City Of Fulshear	.1569	\$454.70
Ft Bend Co Gen	.458	\$1,327.28
Fort Bend Drng	.016	\$46.37
Ft Bend Co Esd 4	.1	\$289.80
Total Estimated Tax Rate	2.1209	

Characteristics

Land Use - CoreLogic:	Commercial (NEC)	Lot Acres:	0.3444
Land Use - State:	Real Commercial	Lot Sq Ft:	15,000

Courtesy of Michael Roller, RE/MAX Realty West, Houston Association of REALTORS

The data within this report is compiled by CoreLogic from public and private sources. If desired, the accuracy of the data contained herein can be independently verified by the recipient of this report with the applicable county or municipality.

Property Detail

Generated on: 08/26/2017

Page 1 of 2

PH-9

Lot Acres:	0.3444	Porch Sq Ft:	145
Lot Sq Ft:	15,000	Patio Type:	Covered Patio
# of Buildings:	1	Patio/Deck 1 Area:	288
Building Sq Ft:	1,995	Patio/Deck 2 Area:	144
Gross Sq Ft:	1,995	Roof Material:	Composition Shingle
Ground Floor Sq Ft:	1,473	Roof Shape:	Gable
2nd Floor Sq Ft:	522	Interior Wall:	Drywall
Stories:	2	Floor Cover:	Carpet
Bedrooms:	4	Foundation:	Pier
Total Baths:	2	Exterior:	Brick Veneer
Full Baths:	2	Year Built:	1940
Elec Sys Type:	Electric/Gas	Effective Year Built:	1940
Cooling Type:	Central		

Features

Feature Type	Unit	Size/Qty	Year Built
Open Porch	S	145	1940
Main Area	S	1,473	1940
Main Area Second Floor	S	522	1940
Open Porch	S	144	1940
Patio Cover	S	288	2014
Wood Deck	S	144	2014

Listing Information

MLS Listing Number:	48326498	MLS Pending Date:	02/08/2011
MLS Status:	Sold	MLS Sale Date:	02/25/2011
Listing Area:	30 - FT. BEND SOUTHWEST	MLS Sale/Close Price:	\$1,895
MLS D.O.M.:	121	MLS Withdrawn Date:	02/08/2011
MLS Listing Date:	10/11/2010	Listing Agent:	Fulb-Michael Roller
MLS Current List Price:	\$1,895	Listing Brokers:	RE/MAX REALTY WEST
MLS Original List Price:	\$1,895	Selling Agent:	Ehamby-Emilie Hamby
MLS Status Change Date:	03/23/2011	Selling Broker:	STARK REALTY, LLC

MLS Listing #	85983325	58775224	31472826	47754984	60812029
MLS Status	Sold	Sold	Terminated	Sold	Terminated
MLS Listing Date	10/02/2009	09/05/2009	07/08/2009	05/04/2009	03/23/2009
MLS Listing Price	\$1,650	\$279,000	\$289,000	\$1,600	\$289,000
MLS Orig Listing Price	\$1,650	\$290,000	\$289,000	\$1,600	\$469,000
MLS Sale Date	12/31/2009	09/14/2011		05/31/2009	
MLS Sale Price	\$1,650	\$240,000		\$1,600	
MLS Wthdr Date	12/31/2009	08/30/2011	07/26/2009	05/15/2009	07/07/2009

MLS Listing #	4165692	3455769	6186170
MLS Status	Expired	Expired	Expired
MLS Listing Date	01/29/2009	12/13/2008	08/19/2008
MLS Listing Price	\$1,600	\$469,000	\$419,000
MLS Orig Listing Price	\$1,600	\$469,000	\$419,000
MLS Sale Date			
MLS Sale Price			
MLS Wthdr Date	04/29/2009	03/13/2009	11/19/2008

Special Use Permit Request:
8310 Wilson Street

Item 2: Ownership Affidavit 6 of 7
FBCAD Property Record 2

Last Market Sale & Sales History

Recording Date	05/04/2016	09/15/2011	12/23/1998	05/28/1996
Buyer Name	Tayac Properties LLC	Lebourhis John Y & Catherine E	Roberts Jeff W & Melisa M	Buckner Donald A Jr & Karen M
Buyer Name 2		Lebourhis Catherine E	Roberts Melisa M	Buckner Karen M
Seller Name	Lebourhis John Y & Catherine E	Roberts Jeff W & Melisa M	Buckner Donald A Jr & Karen M	Sullivan Jack L Jr
Document Number	46206	91610	104648	33224

Courtesy of Michael Roller, RE/MAX Realty West, Houston Association of REALTORS

This data is provided for informational purposes only. It is not intended to be used for any other purpose. The information is provided as is and is not guaranteed. The information is provided for informational purposes only. It is not intended to be used for any other purpose. The information is provided as is and is not guaranteed.

Property Detail

Generated on: 06/20/2013
Page 2 of 3

8310 WILSON STREET
Fulshear, Tx 77441

Special Use Permit Request:
8310 Wilson Street

Item 2: Ownership Affidavit 7 of 7
Statement of Intended Use

APPLICATION FOR SPECIAL USE PERMIT

The present owner purchased the house at 8310, Wilson Street in September 2011 and used the building to manage his own engineering business. The business was sold early 2017 and the owner is now requesting a Special Use Permit to lease the building commercially with the same use as a professional business office.

The house at 8310 Wilson Street is sitting within lots 5 & 8 of downtown Fulshear block 10. The building was built in 1942 and was upgraded to a two-story house in 1998. It has 2 bathrooms and the total leasing space is 1995 sq ft. requiring 6 parking spaces in front, including one with an access ramp for handicapped person. For the time being, Wilson Street is not a thoroughfare and the traffic is local.

The Application includes the following documentation:

1. Zoning Special Use Application
2. Owner's Property Affidavit
3. Context Map
4. Survey with metes and bounds from a registered land surveyor
5. Parking Site Plan
6. Drainage Plan
7. Planning and Confidentiality Request Form
8. Notice of Confidentiality Rights
9. Seven stamped envelopes with the address of the property owners located within the 300 ft. boundary of the house (as listed in the current county records)

The owner is not planning to change the existing lighting and landscaping. However, the owner intend to comply with the applicable city ordinances and will ensure that the lessee will apply for a city sign permit.



John LeBourhis
Owner
Tayac Properties LLC

Fort Bend County

Special Use Permit Request:

8310 Wilson Street

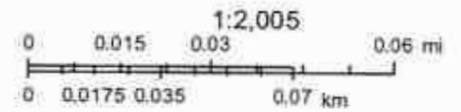
Item 3: Vicinity Map

1 of 2



Vicinity Map

June 20, 2017



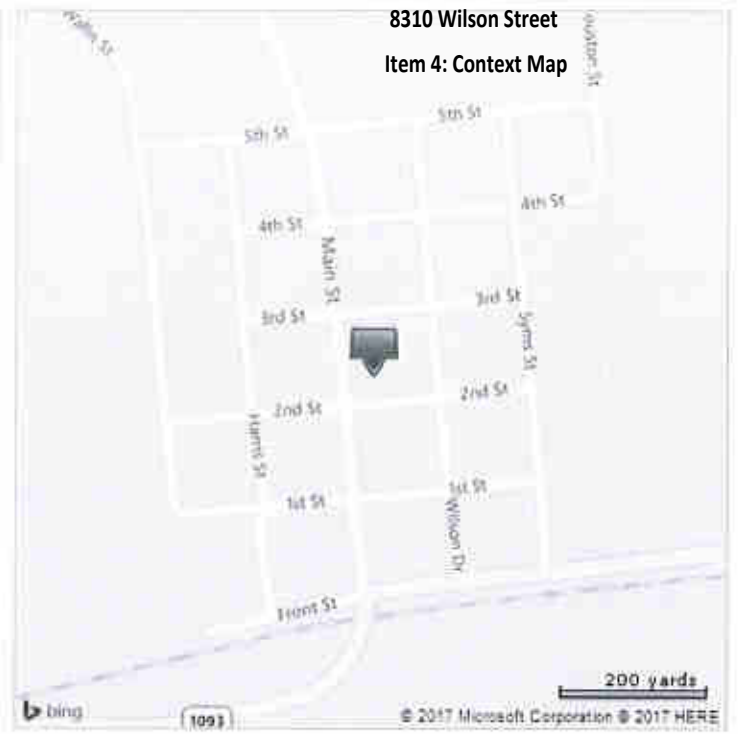
FBCAD
© Pictometry

PH-12

michael.wainright

Property Map

Special Use Permit Request:
8310 Wilson Street
Item 4: Context Map

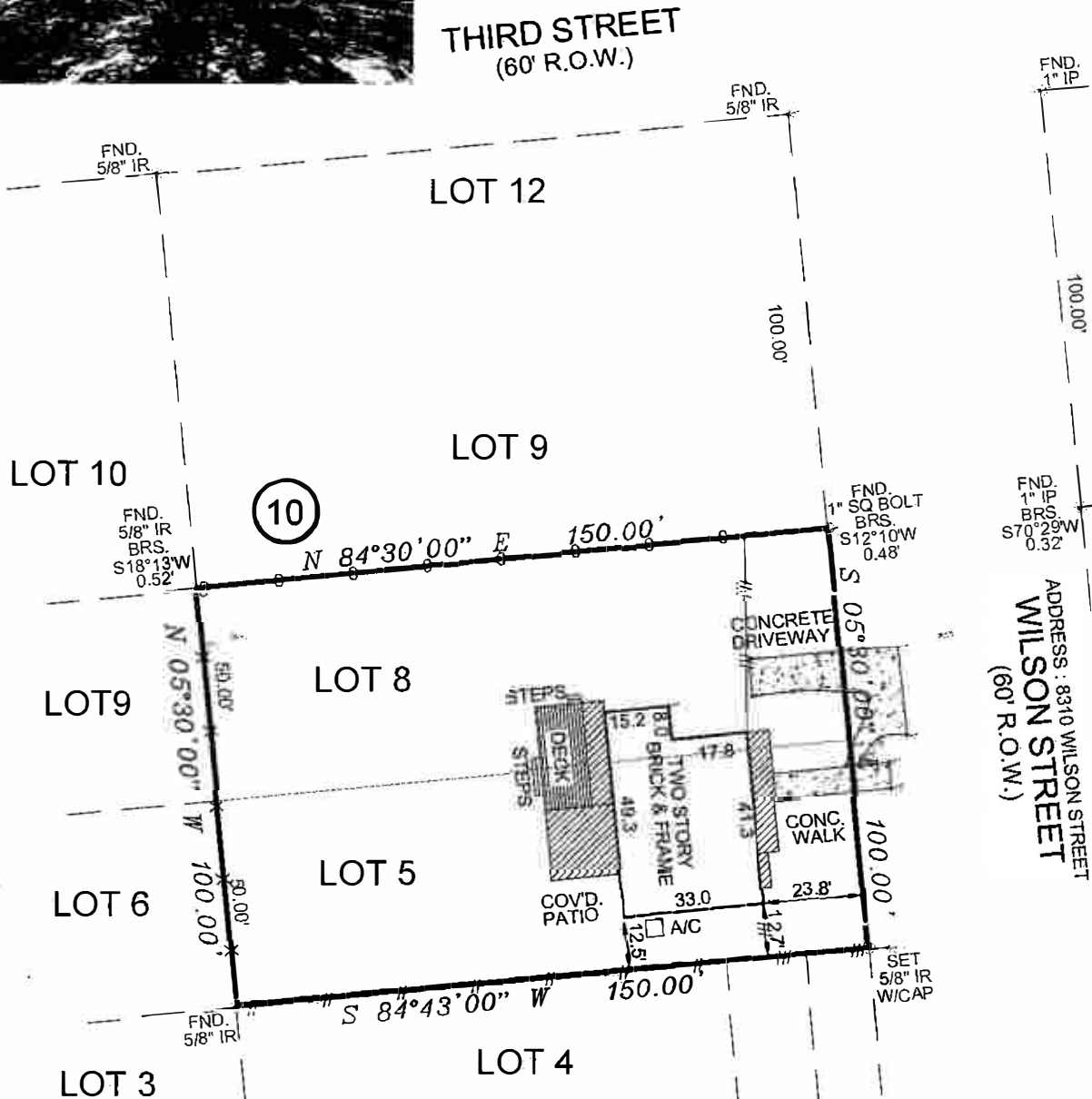
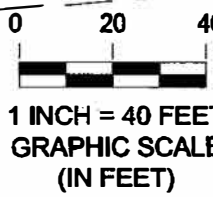


FLOOD NOTE

Located in a Federal Insurance Administration Designated Flood Hazard Area _____
* Subject Property is not located _____

As per map 4815C0085L Panel 85 OF 575 Dated 4/2/2014

* THIS INFORMATION IS BASED ON GRAPHIC PLOTTING ONLY. WE DO NOT ASSUME RESPONSIBILITY FOR EXACT DETERMINATION.



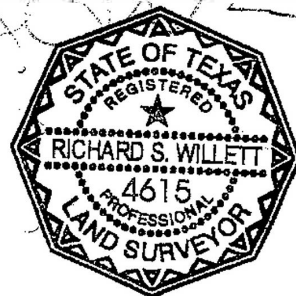
NOTES:
1.) SUBJECT TO ANY AND ALL EASEMENTS AND RESTRICTIONS OF RECORD.
2.) THIS SURVEY WAS PERFORMED WITHOUT BENEFIT OF AN ABSTRACT OF TITLE, THERE MAY BE EASEMENTS, OR OTHER MATTERS, NOT SHOWN.
3.) ALL BEARINGS SHOWN ARE REFERENCED PER THE RECORDED PLAT.
4.) THIS SURVEY PREPARED IN CONJUNCTION WITH A LEGAL DESCRIPTION OF EQUAL DATE.

LEGEND

P.T.P.	= PINCHED TOP PIPE
I.P.	= IRON PIPE
I.R.	= IRON ROD
FND	= FOUND
-X-	= WIRE FENCE
///	= IRON FENCE
W	= WOOD FENCE
CL	= CHAIN LINK FENCE
DCL	= DIRECTIONAL CONTROL LI
CM	= CONTROL MONUMENT

LOTS	BLOCK	SUBDIVISION		
5 & 8	10	TOWN OF FULSHEAR		
COUNTY	STATE	MAP REFERENCE	SURVEY:	BOUNDARY SURVEY
FORT BEND	TEXAS			SCALE: 1"=40'
PURCHASER:		ADDRESS		

RICHARD S. WILLETT
1923 PEAR CREEK CIRCLE
HOUSTON, TEXAS, 77084
OFFICE 832-721-6567
E-MAIL rsw4615@yahoo.com



RICHARD S. WILLETT, REGISTERED PROFESSIONAL
LAND SURVEYOR OF TEXAS No. 4615
FIRM NUMBER 10194294

REVISION #	
LENDER:	
TITLE CO.	
GF#	
CLIENT#	
FIELD	
DRAFTING	
KEY MAP	
JOB #	

I, RICHARD S. WILLETT, DO HEREBY CERTIFY THAT THIS PLAT CORRECTLY REPRESENTS A SURVEY MADE UNDER MY SUPERVISION ON THE GROUND IN ACCORDANCE WITH THE INFORMATION PROVIDED ME AND THAT IT CORRECTLY REPRESENTS THE FACTS AS FOUND AT THE TIME OF THE SURVEY. THERE WERE NO ENCROACHMENTS APPARENT ON THE GROUND EXCEPT AS SHOWN HEREON. THIS SURVEY IS CERTIFIED FOR THIS TRANSACTION ONLY.

WITNESS MY HAND AND SEAL THIS THE 4 DAY OF JULY, 2017.

Legal Description

Description of a 15,000 square feet (0.3443 acre) tract of land, being all of Lots 5 and 8, Block 10 of the Town of Fulshear recorded under Volume 1, Page 180 of the Fort Bend County Deed Records, said 15,000 square feet tract being more particularly described by metes and bounds as follows (with bearings based on said subdivision of Fulshear;

COMMENCING at a 5/8-inch iron rod found marking the intersection of the southerly right-of-way line of Third Street (60' wide) and the westerly right-of-way line of Wilson Street (60' wide);

THENCE South 05°30'00" East, along said westerly right-of-way line, a distance of 100.00 feet to the POINT OF BEGINNING being the southeasterly corner of Lot 9 and the northeasterly corner of said Lot 8, from which a square bolt bears South 12°10' West, 0.48 feet;

THENCE South 05°30'00" East, along said westerly right-of-way line, a distance of 100.00 feet to a capped 5/8-inch iron rod stamped "RPLS 4615" set marking the southeasterly corner of Lot 4 and the southeasterly corner of Lot 5;

THENCE South 84°43'00" West, along the northerly line of said Lot 4, a distance of 150.00 feet to a 5/8-inch iron rod found marking the southwesterly corner of Lot 5 and the southeasterly corner of Lot 6;

THENCE North 05°30'00" West, along the easterly line of Lots 6 and 9, a distance of 100.00 feet to the northwesterly corner of Lot 8 and the southwesterly corner of Lot 9, a 5/8-inch iron rod bears South 18°13' West, 0.52 feet;

THENCE North 84°30'00" East, along the southerly line of said Lot 9, a distance of 150.00 feet to the POINT OF BEGINNING and containing all of Lots 5 and 8.

Richard S. Willett, Registered Professional Land Surveyor #4615





CITY OF FULSHEAR

PO Box 279 / 30603 FM 1093

Fulshear, Texas 77441

Phone: 281-346-1796 ~ Fax: 281-346-2556

www.fulsheartexas.gov

Special Use Permit Request:
8310 Wilson Street

Item 6: Compliance with
Comprehensive Plan

Re: Special Use Permit Request/ Conformance with the Comprehensive Plan:

Property Address: 8310 Wilson
Lots 5 & 8 Block 10 of Town of Fulshear

The owner of the property located at 8310 Wilson Street has requested a Special Use Permit for the property indicated above. The property is within the Downtown District and was previously occupied as residential use. They are requesting to use the property for commercial use, specifically for business/office.

As it concerns the requested use of this property in the Downtown District, the City of Fulshear Comprehensive Plan addresses this possibility. We find that the section cited below provides specific relevance to this request:

City of Fulshear Comprehensive Plan Page 5.7

Office and professional uses should be compatible with nearby residential areas and other uses through appropriate building height limitations and adequate buffering and landscaping. Low intensity office and professional uses should provide a transition between more intense uses and residential areas.

Based on a review of the documentation and of the Comprehensive Plan, City Staff has reason to believe that the property will accommodate a business/office use as requested by the applicant and will not increase the danger of fire; will not adversely affect the public health, safety and well-being; nor will it substantially diminish or impair the property values within the neighborhood. Thus, we find that the request for the property located at 8525 FM 359 is in line with the Comprehensive Plan.

Sincerely,

Michelle Killebrew

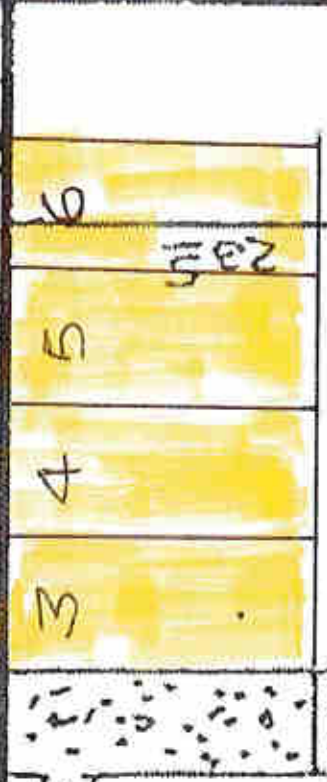
Michelle Killebrew
Chief Building Official

WILSON STREET

100.00'

S05°30'00"E

FND 5 7/8" IR



HANDICAP &

DRIVEWAY

GATE

RAMP

GATE

413

130

172

TWO STORY
BRICK & FRAME

329

152'
80'

495

129

OK

DECK

OVERHEAD
LINES

150.00'

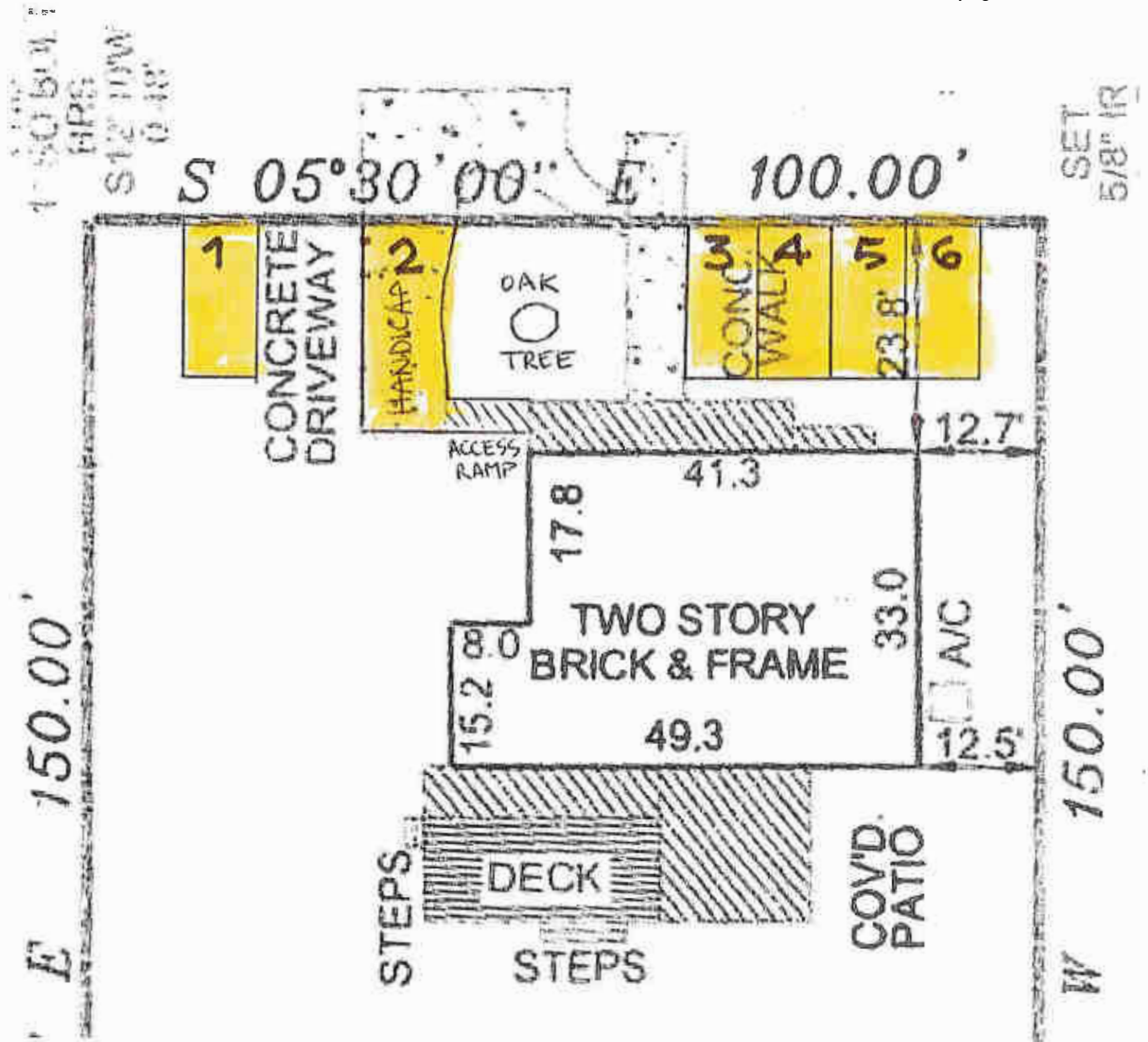
58'

Special Use Permit Request:
8310 Wilson Street
Item 7: Site Plan
1 of 2 Parking Layout

FINU
1" IP
MPS
S/O 200W
0.52

ADDRESS : 8310 WILSON STREET
WILSON STREET
(60' R.O.W.)

Special Use Permit Request:
8310 Wilson Street
Item 7: Site Plan
2 of 2 Landscaping



PARKING PLAN

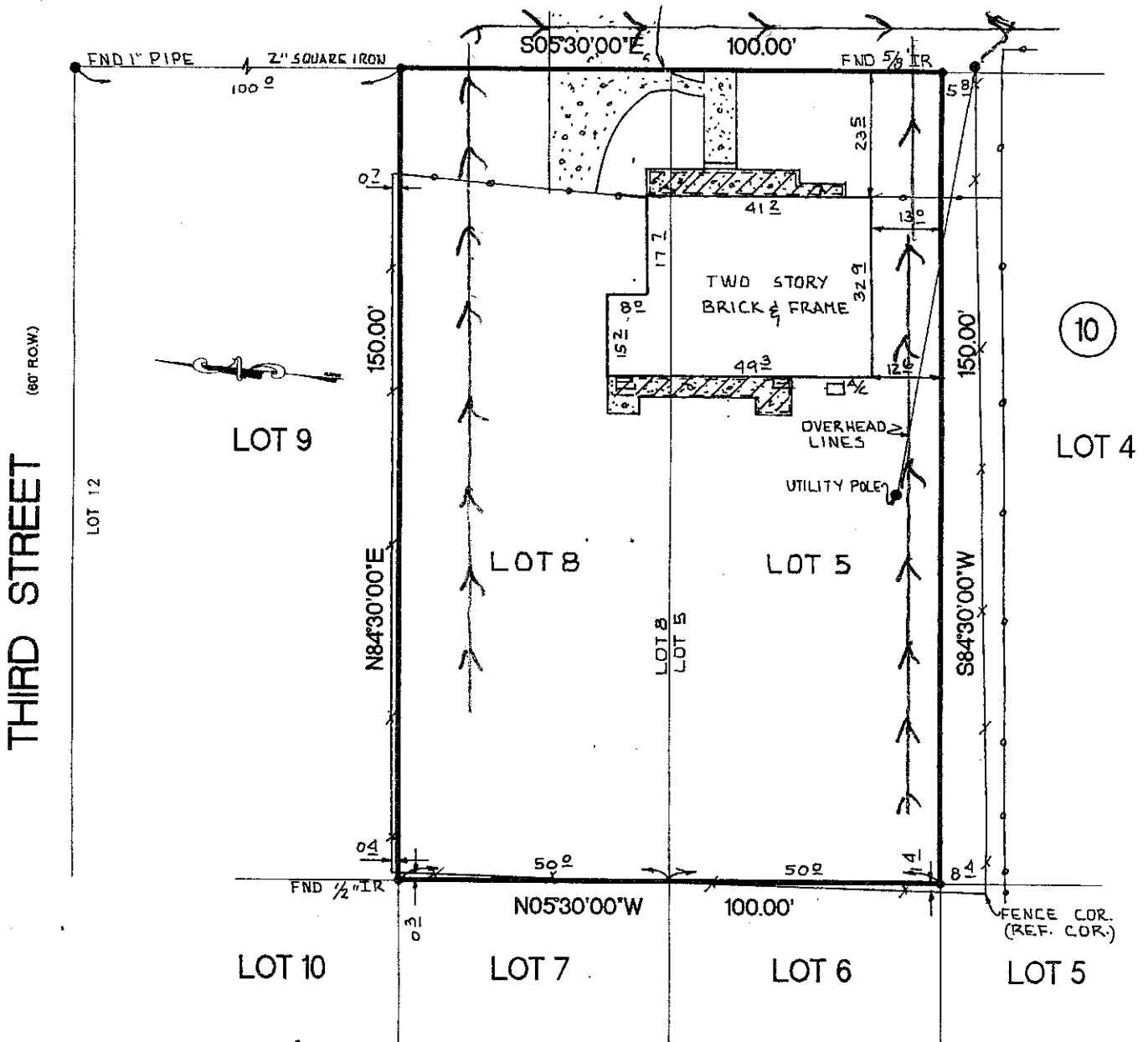
DRAINAGE

Special Use Permit Request:
8310 Wilson Street

WILSON STREET

Item 8: Drainage Plan

(60' R.O.W.)



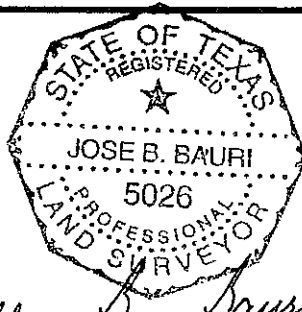
THE SURVEYOR HAS NOT ABSTRACTED THE SUBJECT PROPERTY.
SUBJECT PROPERTY IS BASED ON TITLE COMMITMENT LISTED BELOW.
ALL BEARINGS SHOWN ARE REFERENCED PER RECORDED PLAT OF SAID SUBDIVISION.

LOTS : 5 AND 8		BLOCK : 10	SUBDIVISION : TOWN OF FULSHEAR		SECTION : -
COUNTY : FT. BEND	STATE : TEXAS	RECORDATION : VOL. 1, PG. 180 F.B.C.D.R.	SURVEY: FIELD WORK: 11-25-98/PD FINAL CHECK: 11-30-98/SE		SCALE: 1"=3'
PURCHASER: JEFF W. ROBERTS AND MELISA M. ROBERTS			DRAFTING: 11-30-98/.F.V.		KEY MAP: 522 M
ADDRESS: 8310 WILSON STREET, FULSHEAR, TEXAS					



ALLTEX
REALTY SERVICES

REAL ESTATE SURVEY DIVISION
9525 KATY FREEWAY, SUITE 420
HOUSTON, TEXAS 77024
TEL: (713) 468-7707
FAX: (713) 468-8815



Jose B. Bauri

I DO HEREBY CERTIFY THAT THIS SURVEY WAS THIS DAY MADE ON THE GROUND OF THE PROPERTY LEGALLY DESCRIBED HEREON IS CORRECT AND THERE ARE NO ENCROACHMENTS EXCEPT AS SHOWN HEREON.

• Subject Property IS NOT Located in
• Federal Insurance Administration Designated Flood Hazard Area. ZONE "X"
As per map 481488
Panel 0075 J Dated JAN. 03, 1988

• THIS INFORMATION IS BASED ON GRAPHIC PLOTTING ONLY. WE DO NOT ASSUME RESPONSIBILITY FOR EXACT DETERMINATION.

MORT. CO.	FORT BEND FEDERA
TITLE CO.	FORT BEND TITLE
G.F. NO.	9820100
JOB NO.	98 - 12477
REV. DATE	-

ADDRESS : 8310 WILSON STREET

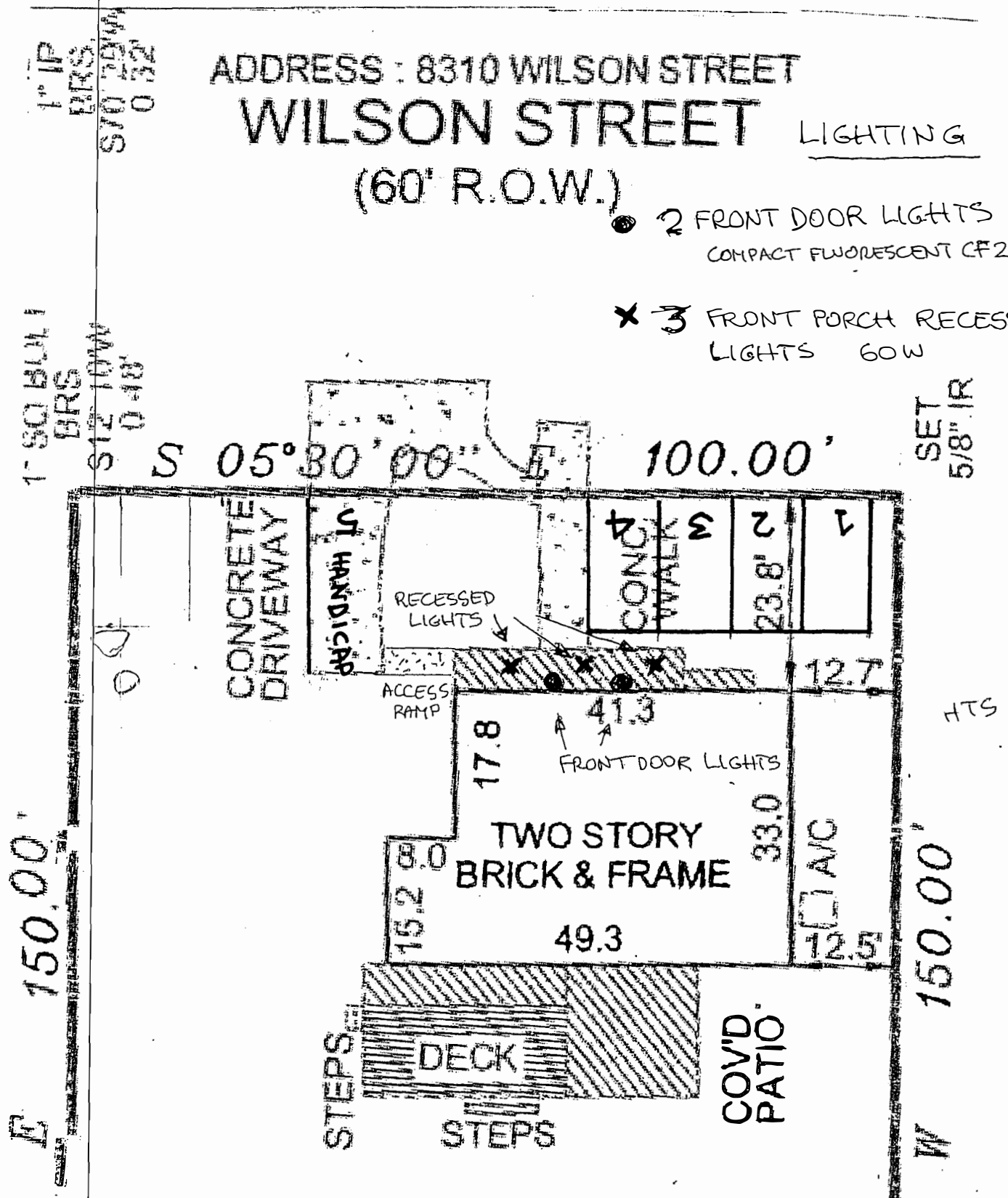
WILSON STREET

LIGHTING

(60' R.O.W.)

● 2 FRONT DOOR LIGHTS
 COMPACT FLUORESCENT CF28 EL

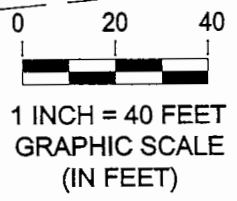
✱ 3 FRONT PORCH RECESSED
 LIGHTS 60W



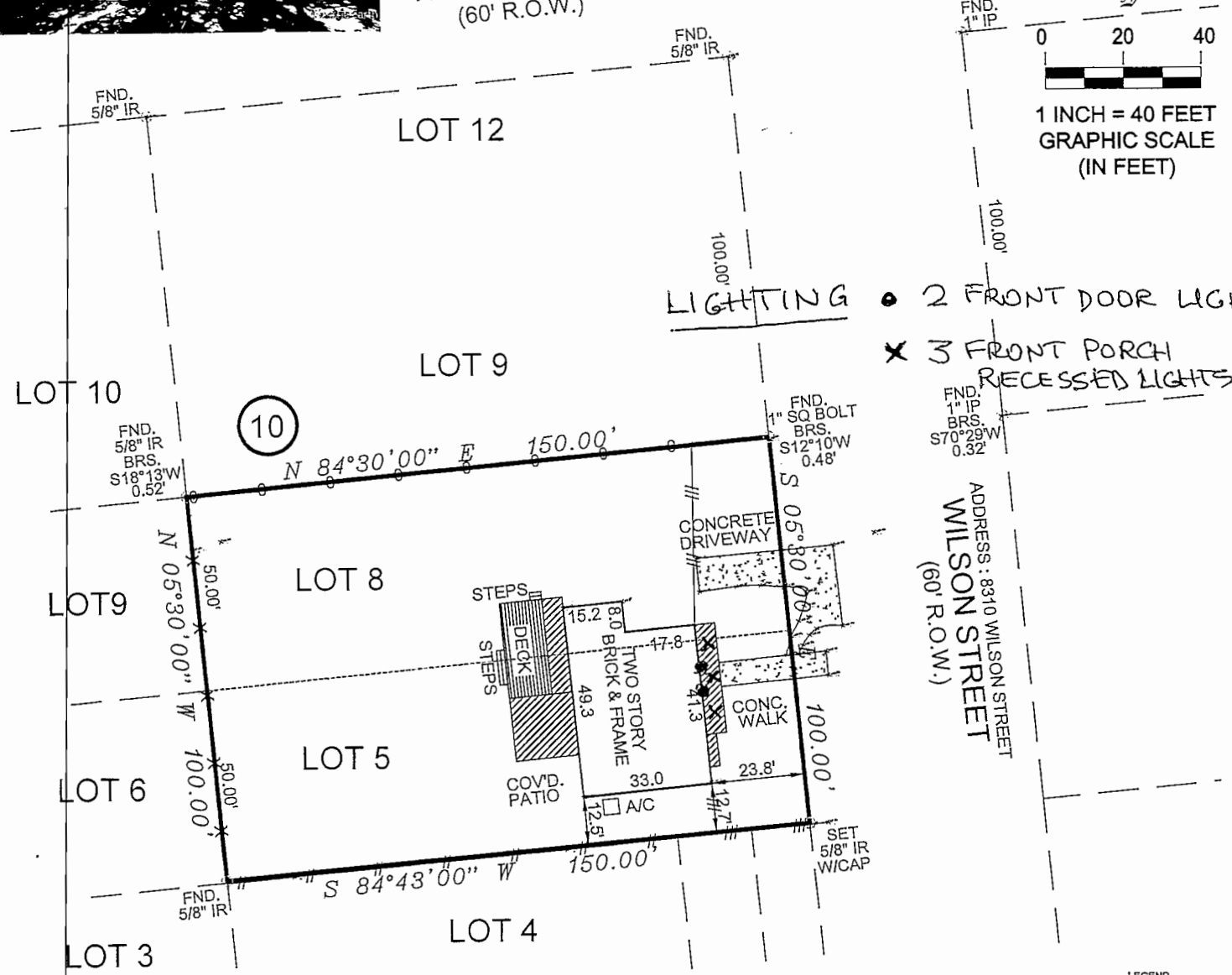
FLOOD NOTE

* Subject Property is not located Located in a Federal Insurance Administration Designated Flood Hazard Area _____
As per map 4815C0085L Panel 85 OF 575 Dated 4/2/2014

* THIS INFORMATION IS BASED ON GRAPHIC PLOTTING ONLY. WE DO NOT ASSUME RESPONSIBILITY FOR EXACT DETERMINATION.



THIRD STREET
(60' R.O.W.)



LIGHTING • 2 FRONT DOOR LIGHTS
X 3 FRONT PORCH RECESSED LIGHTS

ADDRESS: 8310 WILSON STREET
WILSON STREET
(60' R.O.W.)

NOTES:
1.) SUBJECT TO ANY AND ALL EASEMENTS AND RESTRICTIONS OF RECORD.
2.) THIS SURVEY WAS PERFORMED WITHOUT BENEFIT OF AN ABSTRACT OF TITLE, THERE MAY BE EASEMENTS, OR OTHER MATTERS, NOT SHOWN.
3.) ALL BEARINGS SHOWN ARE REFERENCED PER THE RECORDED PLAT.
4.) THIS SURVEY PREPARED IN CONJUNCTION WITH A LEGAL DESCRIPTION OF EQUAL DATE.

LEGEND

P.T.P.	= PINCHED TOP PIPE
I.P.	= IRON PIPE
IR	= IRON ROD
LR	= IRON ROD
FND	= FOUND
-X-	= WIRE FENCE
-//-	= IRON FENCE
-Z-	= WOOD FENCE
-G-	= CHAIN LINK FENCE
DCL	= DIRECTIONAL CONTROL LINE
⊙	= CONTROL MONUMENT

LOTS	BLOCK	SUBDIVISION			
5 & 8	10	TOWN OF FULSHEAR			
COUNTY	STATE	MAP REFERENCE	SURVEY:	BOUNDARY SURVEY	SCALE: 1"=40'
FORT BEND	TEXAS			ADDRESS	PH-21
PURCHASER:					



**Special Use Permit Request:
8310 Wilson Street**

Item 10: Elevation

July 31, 2017

Special Use Permit Request:
8310 Wilson Street
Item 11: Traffic Impact Analysis

Michelle Killebrew, Building Official
City of Fulshear
P.O. Box 279
Fulshear, TX 77441

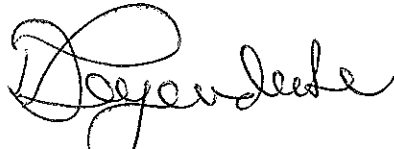
Re: Proposed Office Building
8310 Wilson Street
Fulshear, Texas

Dear Michelle:

I have reviewed the submittal for conversion of an existing single family home at 8310 Wilson Street to a small office building. The proposed office building will be 1995 square foot in size and will have six (6) head-in parking spaces that will front Wilson Street.

The proposed office building at 8310 Wilson Street will not generate sufficient traffic to warrant a Traffic Study. If you need additional information or if you have any questions please feel free to contact me.

Very truly yours,



David Leyendecker, P.E., R.P.L.S.
Engineer for the City of Fulshear

DL/pe



CITY OF FULSHEAR

PO Box 279 / 30603 FM 1093

Fulshear, Texas 77441

Phone: 281-346-1796 ~ Fax: 281-346-2556

www.fulsheartexas.gov

Special Use Permit Request:
8310 Wilson Street

Item 12: Notification to the
public 1 of 6

Notice of Special Use Request

7/21/2017

TO WHOM IT MAY CONCERN;

In compliance with the City of Fulshear Zoning Ordinance Number 2010-1028, the City will hold two Public Hearings; the first Public Hearing will be held by the Planning and Zoning Commission on August 4, 2017 at 8:30 a.m., the hearing will be held at city hall located at 30603 FM 1093. The second hearing will be held by the City Council on August 15, 2017 at 7:00 p.m. the hearing will be held at the Irene Stern Center located at 6920 Katy Fulshear Road. Both hearing will allow all interested persons will be given an opportunity to be heard.

The location of the premises in question is in the Downtown District, Lots 5 & 8 Block 10 of the Town of Fulshear, specifically the address is 8310 Wilson Street, Fulshear, Texas 77441.

The applicant is seeking a Special Use Request pursuant to the Zoning Ordinance to permit the use of a structure to be an Business/Office.

Specific relief is requested from Section 1-193 (c) (2) (g) which states that the use of Office; within the Downtown District is permitted if they are approved in the process outlined in section 1-283.

The applicant reserves the right to supplement this application and/or seek at the time of the hearing, such other approvals, interpretations, and/or waivers as may be requested or required by the applicant or the Board/Council.

A copy of said application and documents is on file at the City of Fulshear City Hall located at 30603 FM 1093 Fulshear, Texas 77441 on Monday through Thursdays from 8:00 a.m. to 5 p.m. and Fridays from 8:00 a.m. to 3 p.m. in the City Secretary's office for all interested parties prior to said hearing.

If you have any questions regarding this request please call the City Secretary's office at 281-346-1796.

Sincerely,

Michelle Killebrew
Building Official

This letter was mailed to the following property owners:

Huggins Ranch Ltd
C050
3823 Elfland Circle
Dallas, TX 75229

Betty Louise Roberts
PO Box 658
Fulshear, TX 77441

James Davenport
31202 Lower Oxbow Trace
Fulshear, TX 77441

Krista Ann Schroeder
8903 Wilson Street
Fulshear, TX 77441

Laura A Kocian
PO Box 597
Fulshear, TX 77441

Terence H Murphree
6002 Rogerdale Road # 200
Houston, TX 77072

Hanna Elias
4631 Chestnut Meadow Drive
Sugarland, TX 77479

Special Use Permit Request:
8310 Wilson Street

Item 12: Notification to the
public 2 of 6



CITY OF FULSHEAR

PO Box 279 / 30603 FM 1093

Fulshear, Texas 77441

Phone: 281-346-1796 ~ Fax: 281-346-2556

www.fulsheartexas.gov

Special Use Permit Request:
8310 Wilson Street

Item 12: Notification to the
public 3 of 6

FIRST PUBLIC HEARING- SPECIAL USE PERMIT PLANNING AND ZONING COMMISSION

In compliance with the City of Fulshear Zoning Ordinance Number 2010-1028, the City will hold two Public Hearings; the **first Public Hearing will be held by the Planning and Zoning Commission on August 4, 2017 at 8:30 a.m.**; the second hearing will be held by the City Council. First hearing will be in the City Council Chambers of the City of Fulshear, located at 30603 FM 1093 at which time and place all interested persons will be given an opportunity to be heard. (The second hearing will be held by the City Council on August 15, 2017 at 7:00 p.m., Irene Stern Community Center, located at 6920 Katy Fulshear Road, Fulshear, Texas).

The location of the premises in question is located in the Downtown District, Lots 5&8 Block 10 of the City of Fulshear, specifically the address is **8310 Wilson Street, Fulshear, Texas 77441.**

The applicant is seeking a Special Use Request pursuant to the Zoning Ordinance to permit the use of a structure from Residential to Commercial (Specifically Business/Office use).

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If you have any questions regarding this request please call the City Secretary's office at 281-346-1796 X204.

Posted on the bulletin board: July 21, 2017

PUBLISHER'S AFFIDAVIT

2010-1028

THE STATE OF TEXAS §
COUNTY OF FORT BEND §

Special Use Permit Request:
8310 Wilson Street
Item 12: Notification to the public
4 of 6

Before me, the undersigned authority, on this day personally appeared Lee Hartman who being by me duly sworn, deposes and says that he is the Publisher of *Fort Bend Herald* and that said newspaper meets the requirements of Section 2051.044 of the Texas Government Code, to wit:

1. it devotes not less than twenty-five percent (25%) of its total column lineage to general interest items;
2. it is published at least once each week;
3. it is entered as second-class postal matter in the county where it is published; and
4. it has been published regularly and continuously since 1959.
5. it is generally circulated within Fort Bend County.

(CLIPPING) (S)

The applicant is seeking a Special Use Request pursuant to the Zoning Ordinance to permit the use of a structure from Residential to Commercial (Specifically Business/Office use). Specific relief is requested from Section 1-193 (c) (2) (g) which states that the use of Office; within the Downtown District is permitted if they are approved in the process outlined in section 1-283.

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**FIRST PUBLIC HEARING -
SPECIAL USE PERMIT
PLANNING AND ZONING
COMMISSION**

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Publisher further deposes and says that the attached notice was published in said newspaper on the following date(s) to wit:

7-25

_____, A.D. 2017



Lee Hartman
Publisher

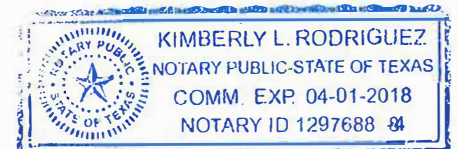
SUBSCRIBED AND SWORN BEFORE ME by Lee Hartman, who

X a) is personally known to me, or

_____ b) provided the following evidence to establish his/her identity, _____

on this the 26 day of July, A.D. 2017
to certify which witness my hand and seal of office.


Notary Public, State of Texas





CITY OF FULSHEAR

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

Special Use Permit Request:
8310 Wilson Street
Item 12: Notification to the public
5 of 6

SECOND PUBLIC HEARING- SPECIAL USE PERMIT CITY COUNCIL

In compliance with the City of Fulshear Zoning Ordinance Number 2010-1028, the City will hold two Public Hearings; (the first Public Hearing was held by the Planning and Zoning Commission). **The second public hearing will be held by the City Council on August 15, 2017 at 7:00 p.m., Irene Stern Community Center, located at 6920 Katy Fulshear Road, Fulshear, Texas at which time and place all interested persons will be given an opportunity to be heard.** The first public hearing was held by the Planning and Zoning Commission on August 4, 2017 in the City Council Chambers of the City of Fulshear located at 30603 FM 1093.

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If you have any questions regarding this request please call the City Secretary's office at 281-346-1796 X204.

Posted on the bulletin board: July 21, 2017

PUBLISHER'S AFFIDAVIT

copy of newspaper

2010-1028

THE STATE OF TEXAS §
COUNTY OF FORT BEND §

Special Use Permit Request:
8310 Wilson Street

Item 12: Notification to the public
6 of 6

Before me, the undersigned authority, on this day personally appeared Lee Hartman who being by me duly sworn, deposes and says that he is the Publisher of Fort Bend Herald and that said newspaper meets the requirements of Section 2051.044 of the Texas Government Code, to wit:

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2. it is published at least once each week;
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5. it is generally circulated within Fort Bend County.

(CLIPPING) (S)

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The applicant reserves the right to supplement this application and/or seek at the time of the hearing, such other approvals, interpretations, and/or waivers as may be requested or re-

Publisher further deposes and says that the attached notice was published in said newspaper on the following date(s) to wit:

7-31

[Signature]

Lee Hartman
Publisher

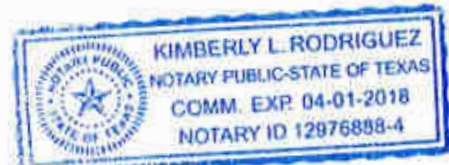
SUBSCRIBED AND SWORN BEFORE ME by Lee Hartman, who

X a) is personally known to me, or

b) provided the following evidence to establish his/her identity,

on this the 31 day of July, A.D. 2017 to certify which witness my hand and seal of office.

[Signature]
Notary Public, State of Texas





Special Use Permit Request:
8310 Wilson Street
Item 13: P&Z Recommendation
1 of 1

Special Use Permit

APPLICANT/OWNER: John LeBouchis / Toyac Properties, LLC

ADDRESS OF PREMISES: 8310 Wilson St. Fulshear, Tx 77441

REQUESTING: use of property as Office (Attorney or Real Estate Agent)

HEARING DATE: August 4, 2017

PLANNING AND ZONING COMMISSION REVIEW

GRANTED

DENIED

RETURNED FOR ADDITIONAL DATA

COMMENTS/CONDITIONS: RECOMMEND APPROVAL PER STAFF
RECOMMENDATION.

CHAIRMAN SIGNATURE: *Judy Prew* DATE: 4 Aug 2017

"The Planning and Zoning Commission finds that granting the Special Use Permit will not be materially detrimental or injurious to other property or improvements in the neighborhood in which the subject property is located, nor impair adequate supply of light or air to adjacent property, substantially increase the congestion in the public streets, increase the danger of fire, endanger the public health, safety and well-being, or substantially diminish or impair property values within the neighborhood."

CITY COUNCIL REVIEW

GRANTED

DENIED

SIGNATURE: _____ DATE: _____