



"FIND YOUR FUTURE IN FULSHEAR"

6611 W. CROSS CREEK BEND LANE ~ FULSHEAR, TEXAS 77441

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

WWW.FULSHEARTEXAS.GOV

MEMBER- BRYAN THOMAS
MEMBER-KAYE KAHLILCH

ZONING BOARD OF ADJUSTMENT:
MEMBER- CHRISTOPHER LUBEROFF
MEMBER- PAT MOLLERE

MEMBER- ANGELA PETERS

CITY MANAGER: Jack Harper

STAFF:
CITY SECRETARY: Mariela Rodriguez

CITY ATTORNEY: Byron Brown

ZONING BOARD OF ADJUSTMENT MEETING MINUTES JUNE 1, 2023

1. CALL TO ORDER

This meeting of the Zoning Board of Adjustment was called to order by Bryan Thomas at 10:00 a.m. on Thursday, June 1, 2023, at the City of Fulshear Municipal Complex, 6611 W. Cross Creek Bend Ln., Fulshear, Texas 77441.

2. QUORUM

A quorum was present.

Members Present:

Bryan Thomas

Pat Mollere

Kaye Kahlich

Angela Peters

Members Absent:

Christopher Luberoff

City Staff:

Katie Lewis

Rodrigo Rodriguez

Byron Brown

Zach Goodlander @ 10:33 a.m.

Jesus Escobar

Josh Green

Others Present:

Gemma Gullaksen

Rolf Gullaksen

H. Prasad Kolluru

Alvin Clay

Gordon Warren

Byron King

Willie Mae Newsome

Jason Smith

Rowan Smith

Mike Keavney

And 6 others that did not sign in.

3. CITIZEN COMMENTS

No Citizen Comments

4. DISCUSSION WITH CITY ATTORNEY REGARDING ROLES AND RESPONSIBILITIES OF THE ZONING BOARD OF ADJUSTMENT

Byron Brown went over the roles and responsibilities of the Zoning Board of Adjustment.

Byron answered questions from the board.

No action was taken on this item.

5. CONSIDERATION AND POSSIBLE ACTION TO SELECT A CHAIR AND CO-CHAIR OF THE ZONING BOARD OF ADJUSTMENT

A motion was made by ZBA member Kahlich to appoint Bryan Thomas as Chair of the Zoning Board of Adjustment Commission. It was seconded by ZBA member Mollere. The motion was carried by the following vote:

Ayes: Kahlich, Mollere, Thomas, Peters

Nays:

Abstain:

Absent: Luberoff

A motion was made by ZBA member Mollere to appoint Kaye Kahlich as Co-Chair of the Zoning Board of Adjustment Commission. It was seconded by ZBA member Peters. The motion was carried by the following vote:

Ayes: Kahlich, Mollere, Thomas, Peters

Nays:

Abstain:

Absent: Luberoff

6. CONSIDERATION AND POSSIBLE ACTION TO APPROVE MINUTES FROM MEETING HELD ON JANUARY 6, 2023.

A motion was made by ZBA member Kahlich to approve minutes from the meeting held on January 6, 2023. It was seconded by ZBA member Mollere. The motion was carried by the following vote:

Ayes: Kahlich, Mollere, Thomas, Peters

Nays:

Abstain:

Absent: Luberoff

7. VARIANCE REQUEST BY ROLF & GEMMA GULLAKSEN/7718 FARM-TO-MARKET 359 ROAD S.

A. Call Hearing to Order

Bryan Thomas opened the hearing at 10:10 a.m.

B. The City of Fulshear Zoning Board of Adjustment will hold a public hearing on June 1, 2023, at 10:00 a.m. at the City of Fulshear Municipal Complex, 6611 W. Cross Creek Bend Lane, Fulshear, Texas 77441 to hear the application of Rolf and Gemma Gullaksen, requesting a variance to Chapter 28, Article III: Site Development, Division III-2: Parking, Loading and Access, Sec 28-3-17 Surface and Maintenance of the Fulshear Code of Ordinances. The subject 0.3881-acre tract is located within the Churchill Fulshear League, Abstract 29, Fort Bend County, Texas, and more precisely located at 7718 FM 359 Road, Fulshear, Texas 77441. The application may be inspected at the Planning 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

Gemma Gullaksen gave handouts to the board and presented a slideshow presentation with an explanation of the hardship.

She explained she wants to use permeable material on nine (9) of the parking spaces. This will reduce the underground detention due to the small lot size.

D. Staff Report

Rodrigo Rodriguez stated staff is recommending the request for approval, as it complies with the Consolidated Development Ordinance (CDO). The CDO allows 20% of parking to be permeable. The permeable surface requested will be 90% of the parking and will be in the rear of the building and shielded by landscaping.

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

Rev. Gilmore of Greater Zachary Baptist Church explained that people have been using the church parking lot to turn around and are tearing it up. He wants to know who is responsible for the repairs.

Alvin Clay, Deacon of the Greater Zachary Baptist Church spoke of the number of parking spaces allowed for the business.

Willie Mae Newsome owns the home behind the property. She feels her property is being invaded.

F. Staff / Board / Applicant discussion

Kaye Kahlich spoke regarding this item.

Mike Keavney-Design builder for this project answered questions from the board.

Rodrigo Rodriguez and the applicant answered questions.

G. Adjournment of Hearing

Chairman Bryan Thomas closed the hearing at 10:38 a.m.

7. CONSIDERATION AND POSSIBLE ACTION ON VARIANCE REQUEST BY ROLF & GEMMA GULLAKSEN/7718 FARM-TO-MARKET 359 ROAD S.

A motion was made by ZBA member Peters to accept the variance request. It was seconded by ZBA member Mollere. The motion was carried by the following vote:

Ayes: Kahlich, Mollere, Thomas, Peters

Nays:

Abstain:

Absent: Luberoff

9. VARIANCE REQUEST BY AHV ENTERPRISES LLC/7355 FARM-TO-MARKET 359 ROAD S.

A. Call Hearing to Order

Brian Thomas opened the hearing at 10:39 am

B. The City of Fulshear Zoning Board of Adjustment will hold a public hearing on June 1, 2023 at 10:00 a.m. at the City of Fulshear Municipal Complex, 6611 W. Cross Creek Bend Lane, Fulshear, Texas 77441 to hear the application of AHV Enterprises, LLC, requesting variances to Chapter 28, Article III: Site Development, Division III-1: Building Design, Sec 28-3-8 Downtown of the Fulshear Code of Ordinances, regarding minimum building setbacks and off-street parking. The subject 6.138-acre tract is located within the 0029 C Fulshear, Tract 3, 4, 5, 6 and more precisely located at 7355 FM 359 Road S, Fulshear, Texas 77441. The application may be inspected at the Planning 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

Thomas De Froy, Identity Architects, gave the board an exhibit and presented the hardship.

He explained they are requesting one (1) row of parking in front of building A, two (2) rows of parking in front of building B, and 76 percent (%) of the parking in the rear of the buildings.

D. Staff Report

Zach Goodlander stated the City Staff approve the variance with a condition to increase the setback allowing for one (1) row of parking instead of two (2) in front of building b. Also, the storage units cannot move forward with construction until the retail construction moves forward. This is to ensure the retail buffers the storage units.

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

No citizens wished to speak on this variance.

F. Staff / Board / Applicant discussion

The ZBA members asked questions regarding handicap spaces and additional entrances to the buildings. The questions were answered by Zach Goodlander and Thomas De Foy.

G. Adjournment of Hearing

Bryan Thomas closed the hearing at 11:02 am

10. CONSIDERATION AND POSSIBLE ACTION ON VARIANCE REQUEST BY AHV ENTERPRISES LLC/7355 FARM-TO-MARKET 359 ROAD S.

A motion was made by ZBA member Mollere to accept the variance request as provided. It was seconded by ZBA member Peters. The motion was carried by the following vote:

Ayes: Kahlich, Mollere, Thomas, Peters

Nays:

Abstain:

Absent: Luberoff

11. ADJOURNMENT

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

Ayes: Kahlich, Mollere, Thomas, Peters

Nays:

Abstain:

Absent: Luberoff

Bryan Thomas adjourned the meeting at 11:03 a.m.