



"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

CHAIR- BRYAN THOMAS
CO-CHAIR-KAYE KAHLICH

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

MEMBER- ANGELA PETERS

ACTING CITY MANAGER: Zach Goodlander

STAFF:
CITY SECRETARY: Mariela Rodriguez CITY ATTORNEY: Byron Brown

ZONING BOARD OF ADJUSTMENT MEETING AGENDA JULY 18, 2024

NOTICE IS HEREBY GIVEN OF A MEETING OF THE ZONING BOARD OF ADJUSTMENT OF THE CITY OF FULSHEAR ON THURSDAY, JULY 18, 2024, AT 10:00 A.M. AT THE CITY OF FULSHEAR MUNICIPAL COMPLEX, 6611 WEST CROSS CREEK BEND LANE, FULSHEAR, TEXAS, FOR THE PURPOSE OF CONSIDERING THE FOLLOWING ITEMS.

"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, Charter Review Commission, 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**

Citizens who desire to address the Zoning Board of Adjustment with regard to matters on the agenda will be received at this time. Each speaker is limited to three (3) minutes. Comments or discussion by the Zoning Board of Adjustment will only be made at the time the subject is scheduled for Consideration.

4. CONSIDERATION AND POSSIBLE ACTION TO APPROVE MINUTES FROM THE MEETING HELD ON FEBRUARY 15, 2024

5. VARIANCE REQUEST BY TEXAS PETROLEUM GROUP, LLC/29030 FM 1093 RD

A. Call Hearing to Order

B. The City of Fulshear Zoning Board of Adjustment will hold a public hearing on July 18, 2024; The public hearing will take place at 10 a.m. at the City of Fulshear Municipal Complex, 6611 W. Cross Creek Bend Lane, Fulshear, Texas 77441 to hear the application of Texas Petroleum Group, LLC, requesting a variance to Article III: Site Development, Division III-3: Buffering, Landscaping, and Screening, Sec 28-3-25(D) Street Trees Required of the Fulshear Coordinated Development Ordinance. The subject 3.1233-acre tract is located within the 0050 E Latham, ACRES 3.1233, Radio Tower Site and more precisely located at 29030 FM 1093 Road, Richmond, Texas 77406. 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

D. Staff Report

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

F. Staff / Board / Applicant discussion

G. Adjournment of Hearing

6. CONSIDERATION AND POSSIBLE ACTION ON VARIANCE REQUEST BY TEXAS PETROLEUM GROUP, LLC/29030 FM 1093 RD

7. VARIANCE REQUEST BY WHATABURGER RESTAURANTS LLC/29639 FM 1093 RD

A. Call Hearing to Order

B. The City of Fulshear Zoning Board of Adjustment will hold a public hearing on July 18, 2024; The public hearing will take place at 10 a.m. at the City of Fulshear Municipal Complex, 6611 W. Cross Creek Bend Lane, Fulshear, Texas 77441 to hear the application of Whataburger Restaurants LLC, requesting a variance to Article II: Zoning

Districts and Land Uses, Division II-2 Zoning Districts, Sec 28-2-14 General Commercial District, Table 28-2-14-1 Dimensional Standards of the Fulshear Coordinated Development Ordinance. The subject 3.1736-acre tract is located within 0050 E Latham, Tract 18 (Pt), ACRES 3.1736 and more precisely located at 29639 FM 1093 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

D. Staff Report

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

F. Staff / Board / Applicant discussion

G. Adjournment of Hearing

8. CONSIDERATION AND POSSIBLE ACTION ON VARIANCE REQUEST BY WHATABURGER RESTAURANTS LLC/29639 FM 1093 RD

9. VARIANCE REQUEST BY WHATABURGER RESTAURANTS LLC/29639 FM 1093 RD

A. Call Hearing to Order

B. The City of Fulshear Zoning Board of Adjustment will hold a public hearing on July 18, 2024; The public hearing will take place at 10 a.m. at the City of Fulshear Municipal Complex, 6611 W. Cross Creek Bend Lane, Fulshear, Texas 77441 to hear the application of Whataburger Restaurants LLC, requesting a variance to Article II: Zoning Districts and Land Uses, Division II-2 Zoning Districts, Sec 28-2-14 General Commercial District, Table 28-2-14-2 Permitted Uses and Minimum Off-Street Parking Spaces of the Fulshear Coordinated Development Ordinance. The subject 3.1736-acre tract is located within 0050 E Latham, Tract 18 (Pt), ACRES 3.1736 and more precisely located at 29639 FM 1093 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

D. Staff Report

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

F. Staff / Board / Applicant discussion

G. Adjournment of Hearing

10. CONSIDERATION AND POSSIBLE ACTION ON VARIANCE REQUEST BY WHATABURGER RESTAURANTS LLC/29639 FM 1093 RD

11. VARIANCE REQUEST BY FLITE SIGNS/27250 FM 1093 RD

A. Call Hearing to Order

B. The City of Fulshear Zoning Board of Adjustment will hold a public hearing on July 18, 2024; The public hearing will take place at 10 a.m. at the City of Fulshear Municipal Complex, 6611 W. Cross Creek Bend Lane, Fulshear, Texas 77441 to hear the application of Flite Signs, requesting a variance to Article III: Site Development, Division III-4: Signs, Sec 28-3-33 Signs Requiring a Permit, Table 28-3-33-1 of the Fulshear Coordinated Development Ordinance. The subject 1.355-acre tract is located within the 0274 R H KUYKENDALL, BLOCK 1, ACRES 1.355, Landmark Sales Tract, Unrestricted Reserve "A", Part in Abstract 0421 and more precisely located at 27250 FM 1093 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

D. Staff Report

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

F. Staff / Board / Applicant discussion

G. Adjournment of Hearing

12. CONSIDERATION AND POSSIBLE ACTION ON VARIANCE REQUEST BY FLITE SIGNS/27250 FM 1093 RD

13. VARIANCE REQUEST BY OWENS MANAGEMENT SYSTEMS LLC/6830 BOIS D' ARC LANE

A. Call Hearing to Order

B. The City of Fulshear Zoning Board of Adjustment will hold a public hearing on July 18, 2024; The public hearing will take place at 10 a.m. at the City of Fulshear Municipal Complex, 6611 W. Cross Creek Bend Lane, Fulshear, Texas 77441 to hear the application of Owens Management Systems LLC, requesting a variance to Article II: Zoning Districts and Land Uses, Division II-2: Zoning Districts, Sec 28-2-5: Estate Residential, Table 28-2-5-1 Dimensional Standards of the Fulshear Coordinated Development Ordinance. The subject 2.66-acre tract is located within the 0075 RAND AND PENN, ACRES 2.66, Tract 21.6 and more precisely located at 6830 Bois D' Arc

Lane, Richmond, Texas 77406. 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

D. Staff Report

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

F. Staff / Board / Applicant discussion

G. Adjournment of Hearing

14. CONSIDERATION AND POSSIBLE ACTION ON VARIANCE REQUEST BY OWENS MANAGEMENT SYSTEMS LLC/6830 BOIS D' ARC LANE

15. 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, Katie Lewis, Assistant 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 Friday, July 12, 2024, 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.

Katie Lewis – Assistant City Secretary



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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 FEBRUARY 15, 2024

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, February 15, 2024, 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

Christopher Luberoff

City Staff:

Katie Lewis

Mariela Rodriguez

Rodrigo Rodriguez

*Byron Brown
Josh Brothers
Kim Kopecky*

Others Present:
3 Others present 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 SEPTEMBER 21, 2023

A motion was made by ZBA member Kahlich to approve minutes from the meeting held on September 21, 2023. It was seconded by ZBA member Moellere. The motion was carried by the following vote:

Ayes: Thomas, Mollere, Kahlich, Peters, Luberoff

Nays:

Abstain:

Absent:

Motion Passed

5. VARIANCE REQUEST BY 4D SIGNWORX/3210 FM 1463 RD STE 100

A. Call Hearing to Order

Chairman Thomas opened the hearing at 10:04 A.M.

B. The City of Fulshear Zoning Board of Adjustment will hold a public hearing on February 15, 2024; The public hearing will take place at 10 a.m. at the City of Fulshear Municipal Complex, 6611 W. Cross Creek Bend Lane, Fulshear, Texas 77441 to hear the application of 4D Signworx, requesting a variance to Article III: Site Development, Division III-4: Signs, Sec 28-3-33 Signs Requiring a Permit, Table 28-3-33-2 of the Fulshear Coordinated Development Ordinance. The subject 3.087-acre tract is located within the Tamarron FM 1463 Commercial Reserve Sec 1, Restricted Reserve "A" and more precisely located at 3210 FM 1463 Road Ste 100, Katy, Texas 77494. 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

Jason Gates with 4D Signworx spoke on behalf of the owners of Brusters. He mentioned the owner is requesting two (2) building signs on the building just like Starbucks down the road.

D. Staff Report

Josh Brothers stated the city recommends approval of the two (2) building signs.

According to the Consolidated Development Ordinance (CDO), since the road on the side of the building is considered a private and not public road the sign would not be allowed.

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

No persons wished to speak on this request.

F. Staff / Board / Applicant discussion

The board spoke amongst themselves regarding the sign rules of the CDO.

G. Adjournment of Hearing

Chairman Thomas closed the hearing at 10:10 A.M.

5. CONSIDERATION AND POSSIBLE ACTION ON VARIANCE REQUEST BY 4D SIGNWORX/3210 FM 1463 RD STE 100

A motion was made by ZBA member Moellere to approve the variance request. It was seconded by ZBA member Luberoff. The motion was carried by the following vote:

Ayes: Thomas, Mollere, Kahlich, Peters, Luberoff

Nays:

Abstain:

Absent:

Motion Passed

Chairman Thomas stated the board is unable to proceed with the next two (2) public hearings.

He then proceeded to mention, the ordinance requires the posting of signs notifying the public of a public hearing. The applicant did not post the required signs.

Byron Brown answered questions from the board.

Go to Item 8 for the motion

6. VARIANCE REQUEST BY FLITE SIGNS/28830 FM 1093 ROAD

A. Call Hearing to Order

B. The City of Fulshear Zoning Board of Adjustment will hold a public hearing on February 15, 2024; The public hearing will take place at 10 a.m. at the City of Fulshear Municipal Complex, 6611 W. Cross Creek Bend Lane, Fulshear, Texas 77441 to hear the application on Flite Signs, requesting a variance to Article III: Site Development, Division III-4:Signs, Sec 28-3-33 Signs Requiring a Permits, Table 28-3-33-1 of the Fulshear Consolidated Development Ordinance. The subject 1.6-acre tract is located withing the 1.6Acre/69.696 SQ.FT. Tract of Land Enoch Latham Jr. Survey, A-50 City of Fulshear Fort Bend County, Texas and more precisely located at 28830 FM 1093 Road, Fulshear, Texas 77441. 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

D. Staff Report

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

F. Staff/Board/Applicant discussion

G. Adjournment of Hearing

8. CONSIDERATION AND POSSIBLE ACTION ON VARIANCE REQUEST BY FLITE SIGNS/28830 FM 1093 ROAD

A motion was made by ZBA member Kahlich to postpone items 7, 8, 9, and 10 indefinitely. It was seconded by ZBA member Luberoff. The motion was carried by the following vote:

Ayes: Thomas, Mollere, Kahlich, Peters, Luberoff

Nays:

Abstain:

Absent:

Motion Passed

9. VARIANCE REQUEST BY FLITE SIGNS/28840 FM 1093 ROAD

A. Call Hearing to Order

B. The City of Fulshear Zoning Board of Adjustment will hold a public hearing on February 15, 2024; The public hearing will take place at 10 a.m. at the City of Fulshear Municipal Complex, 6611 W. Cross Creek Bend Lane, Fulshear, Texas 77441 to hear the application of Flite Signs, requesting a variance to Article III: Site Development,

Division III-4: Signs, Sec 28-3-33 Signs Requiring a Permit, Table 28-3-33-1 of the Fulshear Coordinated Development Ordinance. The subject 1.880-acre tract is located within the Enoch Latham Jr. Survey, A-50 City of Fulshear Fort Bend County, Texas and more precisely located at 28840 FM 1093 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

D. Staff Report

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

F. Staff / Board / Applicant discussion

G. Adjournment of Hearing

10. CONSIDERATION AND POSSIBLE ACTION ON VARIANCE REQUEST BY FLITE SIGNS/28840 FM 1093 ROAD

11. ADJOURNMENT

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

Ayes: Thomas, Mollere, Kahlich, Peters, Luberoff

Nays:

Abstain:

Absent:

Motion Passed

Chairman Thomas adjourned the meeting at 10:14 A.M.

PUBLIC HEARING

The City of Fulshear Zoning Board of Adjustment will hold a public hearing on July 18, 2024;

The public hearing will take place at 10 a.m. at the City of Fulshear Municipal Complex, 6611 W. Cross Creek Bend Lane, Fulshear, Texas 77441 to hear the application of Texas Petroleum Group, LLC, requesting a variance to Article III: Site Development, Division III-3: Buffering, Landscaping, and Screening, Sec 28-3-25(D) Street Trees Required of the Fulshear Coordinated Development Ordinance.

The subject 3.1233-acre tract is located within the 0050 E Latham, ACRES 3.1233, Radio Tower Site and more precisely located at 29030 FM 1093 Road, Richmond, Texas 77406. 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.

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

AGENDA OF:	July 18, 2024		
DATE SUBMITTED:	March 18, 2024	DEPARTMENT:	Planning and Development
PREPARED BY:	Rodrigo Rodriguez, Development Coordinator	PRESENTER:	Joshua Brothers, Planning Director
SUBJECT:	CONSIDERATION AND POSSIBLE ACTION ON VARIANCE REQUEST BY TEXAS PETROLEUM GROUP, LLC/29030 FM 1093 RD		
ATTACHMENTS:	<ol style="list-style-type: none">1. Public Hearing Notice2. Zoning Variance Application3. Landscape Plan		

EXECUTIVE SUMMARY

Texas Petroleum Group, LLC is requesting a variance to Article III: Site Development, Division III-3: Buffering, Landscaping, and Screening, Sec 28-3-25(D) Parking Lot Screening of the Fulshear Coordinated Development Ordinance. The purpose of the proposed variance is to waive the requirement for street trees along FM 1093 due to an existing utility easement. There have been other properties along FM 1093 that have requested the same variance in the past and were granted approval.

STAFF RECOMMENDATION

Staff recommends approval of the variance.



CITY OF FULSHEAR

PO Box 279 /6611 W. Cross Creek Bend Ln
Fulshear, Texas 77441
Phone: 281-346-8860 ~ Fax: 281-346-2556
www.fulsheartexas.gov

VARIANCE/APPEAL APPLICATION

APPLICATION DATE: 03-14-2024

ADDRESS OF PREMISES AFFECTED: 29030 FM 1093 ROAD RICHMOND, TEXAS 77406

LEGAL DESCRIPTION: 0050 E LATHAM, ACRES 3.1229, RADIO TOWER SITE

TENANT: Texas Petroleum Group, LLC
OWNERS INFORMATION: NAME FULSHEAR PARKWAY, LLC /LANDLORD: WAYNE SCHRAMME
ADDRESS 11111 WILCREST GREEN DR. CITY HOUSTON STATE TX.
ZIP CODE 77042 EMAIL J.TWOMEY@TEXAS PETROLEUM PHONE NUMBER 713-243-3452
.COM

APPLICANTS NAME (if different than owner) INTERPLAN ARCHITECTS, INC
ADDRESS 19855 GREENWIND CHASE DR. CITY HOUSTON STATE TX.
ZIP CODE 77094 EMAIL studio@interplantexas.com PHONE NUMBER 281 398-2020

EXPLAIN REQUEST: (fully explain the existing conditions that make this request necessary) _____
Texas Petroluem Group is requesting Variance for no trees along FM 1093 frontage due to
a proposed 20'-0" wide waterline easement inside private property along frontage of FM1093.
The 20'-0" wide waterline easement will be the construction area for a proposed 16" major water line
owned by City of Fulshear, therefore, no trees should be planted along this FM 1093 frontage.

Status of the Project: Existing Under Construction Proposed

Have there been previous variance requests for this property? No

Are there similar situations in the area? YES

Addresses: Neighbors east of property have no trees along FM 1093 within existing 20' sanitary sewer easement.

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:

Currently green grass along the proposed 20' wide waterline easement inside this property. Waterline construction coming soon by FBC MUD 169.

(Continued... Request Proposal)

Acknowledgement: I certify that the information herein provided is true and correct to the best of my knowledge and belief, and that I, or my authorized representative, will cause this case to be presented in public hearing before the Planning Commission, unless I withdraw same prior to the City's posting of public notice. Should I initiate withdrawal after public notice is posted, I understand that the Board action shall constitute denial of the case, and the filing fee will be non-refundable. I understand that if I receive approval, I must still obtain approval from all other required departments within the City and that I must obtain required permits within 180 days from the date of the Board approval.

Signed by the Applicant/Owner Agent:

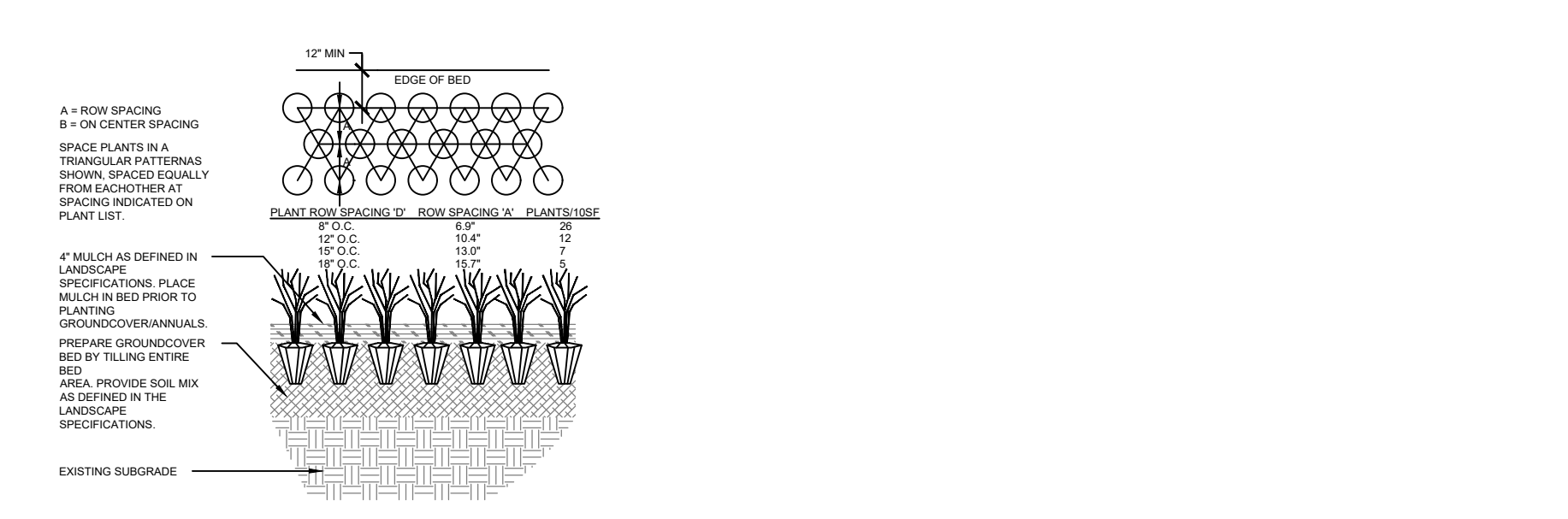
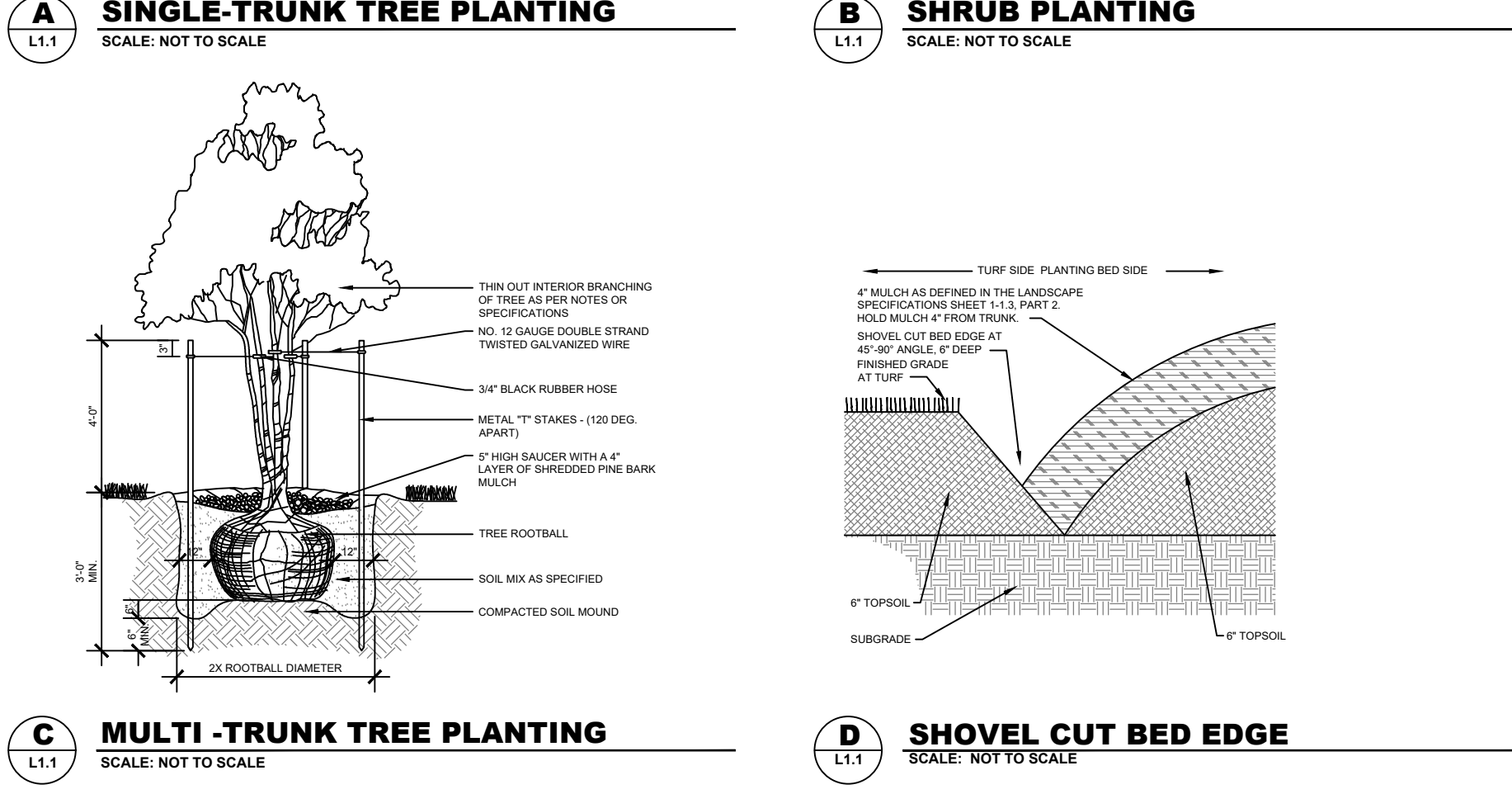
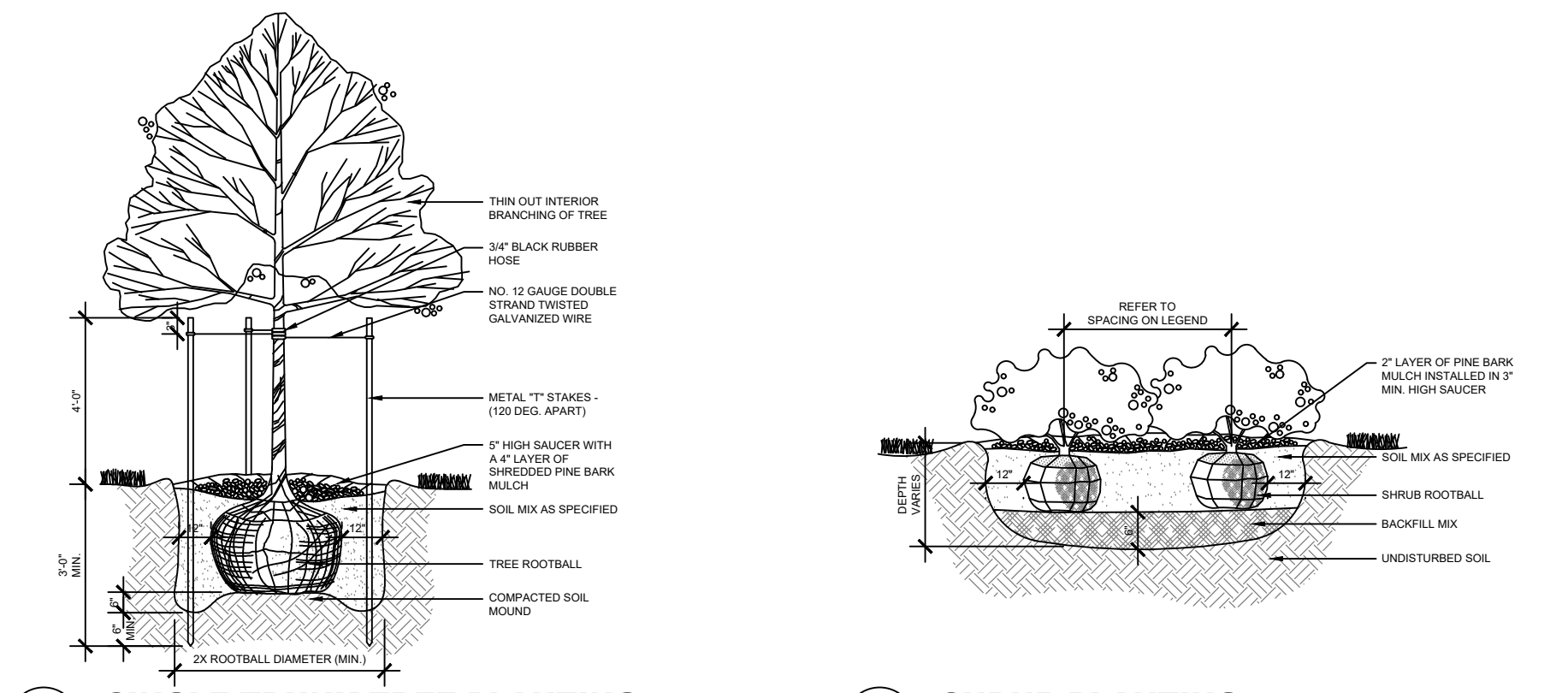


Date:

03.14.2024

Landscape Requirements:

- Perform all work in accordance with all applicable laws, codes, and regulations required by authorities having jurisdiction over such work and provide all inspections and permits required by Federal, State, and local authorities in supply, transportation, and installation of materials.
- The contractor shall be responsible for the verification of all underground utility lines (telephone, gas, water, electrical, cable, TV, etc.) and all overhead utility easements prior to start of any planting works.
- All plant materials shall possess the following minimum qualities:
 - Plants shall be nursery grown in accordance with good horticultural practices under climatic conditions similar to those of the project for at least twelve months.
 - All plants shall be heavy, symmetrical, tightly knit, so trained or favored for development and appearance as to be superior in form, number of branches, compactness, and symmetry.
 - Plants shall be sound, healthy and vigorous, well branched, and densely foliated when in leaf. They shall be free of disease, insects, pests, eggs, or larvae.
 - All plants shall be true of species and variety and shall conform to measurements (caliper size, trunk heights, spread) as specified on the drawings.
 - Container grown stock when specified shall have grown in the container in which delivered for at least six months, but not over two years. Samples must prove no rootbound conditions exist.
 - Caliper measurements shall be taken at a point on the trunk six inches (6") above natural ground line for trees up to four inches (4") in caliper.
 - All trees shall be staked by a minimum of two metal "T" stakes for single trunk trees and three stakes for all multi-trunk trees.
- Planting mix shall be thoroughly mixed in the following proportions:
 - Prepared soil as backfill for shade and ornamental trees shall be: 5 part clay loam topsoil + 2 part compost + 1 part sharp sand + 4 Lbs. Commercial fertilizer per CY Or 10 Lbs. Organic fertilizer.
 - Prepared soil as backfill for shrubs and groundcovers and seasonal colors shall be: 1 part enriched mulch + 1 part compost bark mulch + 1 part enriched topsoil + 1 part No. 1 Bank Sand + 3 Lbs. Time-released fertilizer, 14-14-14 per CY or 8 Lbs. Organic fertilizer.
- Excavation work and Surface drainage works shall conform to the following requirements:
 - Test drainage of plant beds and plant pits by filling with water twice in succession. Conditions permitting the retention of water for more than 24 hours shall be brought to the attention of the Owner.
 - Work shall include the final responsibility for proper surface drainage of planted areas. Any obstructions on the site, or prior work done by another part, which precludes establishing proper drainage shall be brought to the attention of the Owner in writing.
 - Excavate each tree hole 18" deep plus the depth of the tree container size (15 gal. Or 30 gal. Or 65 gal. Or 100 gal.).
 - Excavate entire shrub bed to a depth of 8" plus the depth of the shrub container size (5 gal.) unless noted as being pit planted on landscape legend.
 - Excavate entire groundcover bed to a depth of 6" plus the depth of the groundcover container size (4" pot or 1 gal.).
- Additional work requirements on landscape areas:
 - Prior to installation of any planting works (trees, shrubs, groundcover and grass works), apply "Round Up" in all planting areas to eradicate all weed growths on site.
 - ADD ALTERNATE:** Install weed control barriers in all trees, shrub and groundcover planting areas. Weed barrier fabric shall be back polypropylene sheet 27 mils thick, 4 ozs/y. grab tensile strength per ASTM D-4632, 90 lbs. (machine direction) 50 lbs. (cross machine direction). Provide DeWitt "Weed Barrier" or approved substitute.
 - Use "Shovel Edge" to separate all plant beds from grass areas.
 - Spread a minimum two inch layer of pine bark mulch overall shrub and groundcover bed areas.
- Landscape maintenance work by the Landscape Contractor after final acceptance shall include the following:
 - The maintenance period shall commence upon inspection and approval at Final Acceptance and shall be for a period of Sixty Days (60).
 - The landscape contractor shall coordinate the watering program for all the landscape work with the Owner.
 - Maintenance of new plantings shall consist of watering, cultivating, weeding, mulching, restaking, tightening and repair of guys, resetting plants for proper grades or upright position, and furnishing and application of pesticides/herbicides, sprays, and invigants as are necessary to keep plantings free of insects and disease and in a thriving condition.
- Warranty Periods, Plant Guarantees, and Replacements:
 - Planting supplied shall be warranted to remain alive and healthy for a period of twelve months (12) after the date of Final Acceptance by Owner. Plants in an initial, dead, or dying condition after initial acceptance or within 12 months shall be removed and replaced immediately to the satisfaction of the Owner.

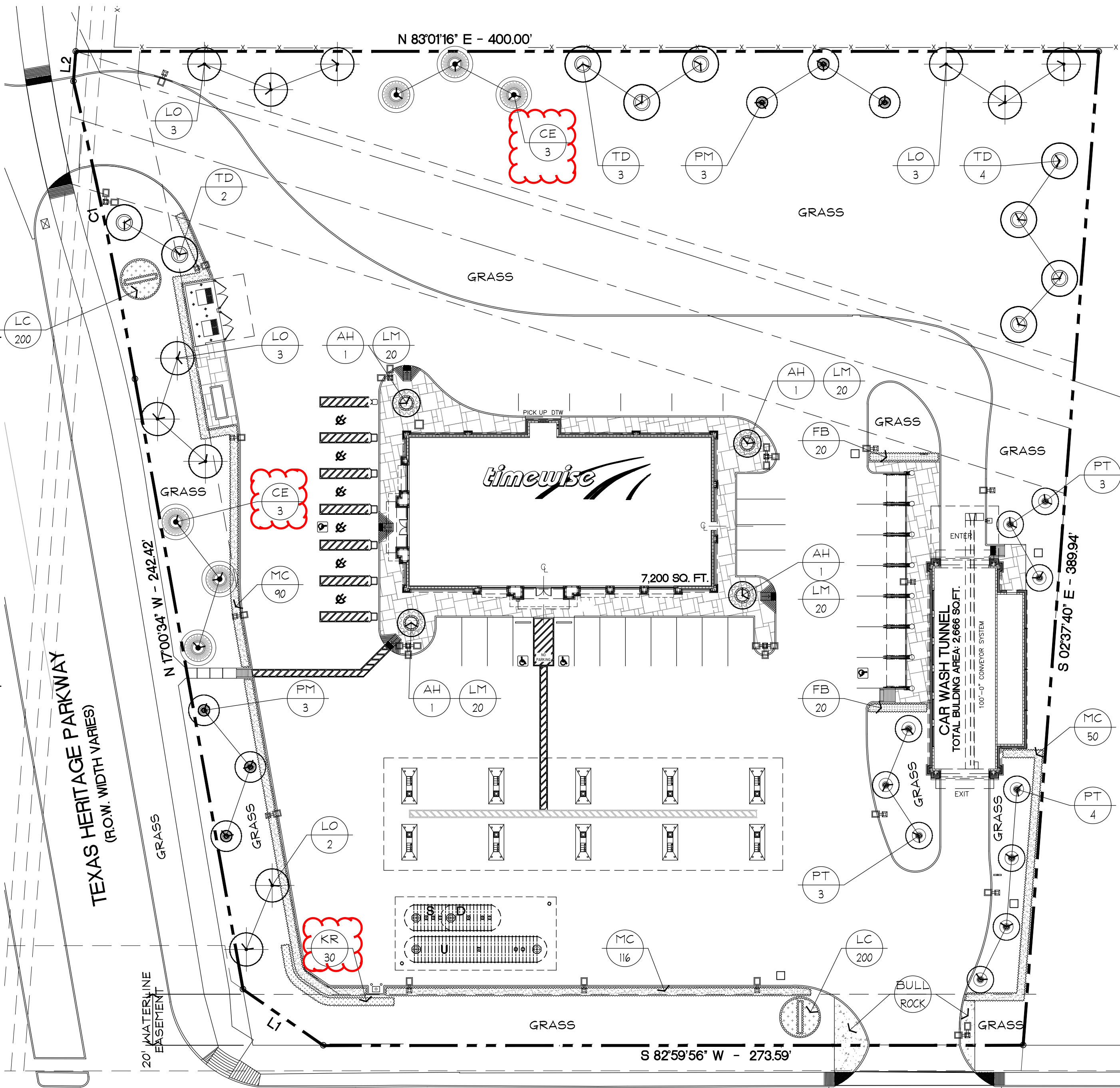


Landscape Legend:

Symbolic Name	Quantities (Verify)	Botanical Name	Common Name	Size and Plant Requirements
CE	6	Ulmus Crassifolia	Cedar Elm	3" cal. 65 gal. container; 12' to 14' ht.
LO	11	Quercus Virginiana	Live Oak	3" cal. 65 gal. container; 12' to 14' ht.
TD	9	Taxodium Distichum	Bald Cypress	3" cal. 65 gal. container; 12' to 14' ht.
PM	6	Platanus Mexicana	Mexican Sycamore	3" cal. 65 gal. container; 12' to 14' ht.
AH	4	Ilex Opaca	East Palatka American Holly	3" cal. 65 gal. container; 12' to 14' ht. Tree form/ single trunk.
PT	10	Pinus Taeda	Loblolly Pine	3" cal. 65 gal. container; 12' to 14' ht.
MC	256	Myrica Cerifera	Dwarf Waxmyrtle	5 gal. planted at 36" o.c. single row.
KR	30	Rosa Radrazz	Knockout Roses	5 gal. planted at 36" o.c. triangularly spaced.
FB	40	Hamelia Patens	Dwarf Firebush	5 gal. planted at 30" o.c. triangularly spaced.
LC	400	Lantana Camara	Gold Lantana	1 gal. planted at 12" o.c. triangularly spaced.
LM	80	Liriope Muscari	Big Blue Liriope	1 gal. planted at 12" o.c around proposed tree.
Berm	Verify			Proposed earth berm with top of elevation @ 30" HT. with slope of 4:1 H:V. Coordinate berm construction with civil engineer as it relates to locations of all proposed drain inlets and drainage swales etc. Landscape company shall provide earth fill required to construct and all labor associated with the construction of proposed berms.
Grass	Verify SF.	Cynodon Dactylon	Common Bermuda	Hydromulch for all areas within limits of the project including detention pond and right of way areas. All areas to be grassed shall be cleaned up of all construction debris and foreign matters prior to fine grading works. All areas to be fine graded shall adhere to civil grading/ drainage plans.

Grass Hydromulching Work Requirements:

- Grass works:
 - Seed which has become wet, moldy and otherwise damaged in transit or in storage will not be acceptable.
 - All grass seed shall be fresh, re-cleaned grass seed of the latest crop, mixed in the following proportions by weight and meeting the accepted standards of pure live seed content, purity and germination.
 - Grass seed shall have the following minimum ratio:
 - Summer Mix:** Cynodon Dactylon (Hulled Common Bermuda Grass) 85% pure live seed at 75 Lbs. Pure live seed per acre.
 - Winter Mix:** Cynodon Dactylon (Unhulled - Common Bermuda Grass) 85% pure live seed at 75 Lbs. Pure live seed per acre. Annual Rye Grass or equal, 85% pure live seed at 175 Lbs. Pure live seed per acre.
 - Slurry Mix Component per Acre shall be Wood cellulose fiber mulch = 2,000 pounds + Grass Seed as specified + fertilizer (13-13-13) 800 pounds.
- Hydromulched seeding on Prepared finished grades:
 - Install and spread out a minimum of one inch layer of topsoil over all areas to be hydromulched.
 - Bed preparation: Immediately after the finished grade has been approved, begin hydros seeding operation to reduce excessive weed growth and erosion.
 - Apply seed, fertilizer and mulch by spraying them on the previously prepared seedbeds in the form of an aqueous mixture and by using the methods and equipment described herein.
 - Particular care shall be exercised by the contractor to insure that the application is made uniformly and at the prescribed rate and to guard against miss and overseeded areas.
 - Where slope of areas to be grassed exceed a 3:1 H:V, an erosion control fabric shall be installed prior to hydromulching process.
- Maintenance:
 - Maintenance shall consist of weeding, fertilizing, insect control, watering, replanting, mowing, maintaining of existing grades and repair of any erosion damages.
 - Guarantee growth and coverage of hydromulch planting shall be a minimum on ninety five percent 95% of the area planted will be covered with specified planting after sixty days with no bare spots visible.
 - Watering: Coordinate with the Owner to properly operate irrigation system to assure a regular, deep watering program.
- Inspection and Final Acceptance:
 - Final acceptance of lawn establishment shall mean that hydrosed areas are Ninety Five percent 95% uniform coverage of grass in excess of one inch height. No bare spots will be acceptable.

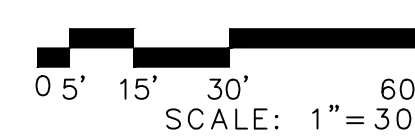


F.M. 359 AND F.M. 1093
VOL. 243, PG. 171 AND VOL. 243, PG. 197 F.B.C.D.R.

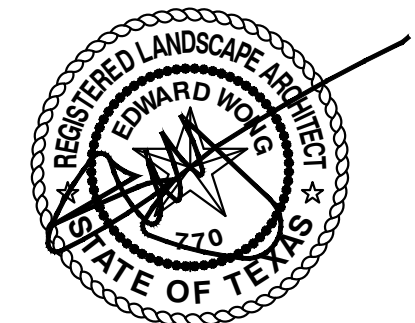
Owner's Responsibility for Maintenance
Client acknowledges and agrees that proper Project maintenance is required after the Project is complete. A lack of or improper maintenance in areas such as, but not limited to, operation and maintenance of automatic irrigation system, all site drainage and all planting materials maintenance may result in damage to property or persons. Client further acknowledges that he is solely responsible for the results of any lack of or improper maintenance.

Landscape Contractor's Responsibilities:
All drainage (surface and subsurface) of all landscape areas within the project limits shall be the responsibility of the installing landscape contractor and landscape maintenance company. All grading of areas along all building areas must absolutely have positive slope away from building. In no case shall any plant bed be constructed along edge of building that will impede water flow away from building. If planting beds are located at edges of building, landscape contractor shall make sure that these areas drain properly (surface and subsurface-wise). Contractor shall install moisture barrier along building as necessary to keep water from penetrating underneath building slab.

REFER TO FINISHED GRADES SHOWN ON PROJECT CIVIL GRADING PLAN. IT WILL REPRESENT FINAL ELEVATIONS. CARE SHOULD BE TAKEN BY THE LANDSCAPE CONTRACTOR NOT TO INCREASE THESE FINISHED GRADES WITH LANDSCAPING OR OTHER ALTERATIONS. THE THICKNESS OF SOIL, GRASS AND LANDSCAPING MATERIALS SHOULD BE DEDUCTED FROM THE FINISHED GRADE ELEVATIONS IN THESE CIVIL GRADING PLANS IN ORDER TO DETERMINE THE GROUND ELEVATIONS DURING CONSTRUCTION.



1 LANDSCAPE PLAN
L1.1 SCALE: 1" = 30'-0"



Wong & Associates, Inc.
P.O. Box 2028 Bellairre, Texas 77402-2028
Tel: 713-777-9198 Cell: 713-557-9298
Member: American Society of Landscape Architects

DATE	ISSUE FOR
08.14.2023	ISSUE FOR PERMIT
11.27.2023	SITE REVISION
12.29.2023	ARC COMMENTS

DEVELOPER/ CLIENT

PROJECT NAME

SHEET DESCRIPTION

LANDSCAPE PLAN

DATE:
PROJECT NO.:
DRAWN BY: EW/SR
CHECKED BY: EW

L1.1

PUBLIC HEARING

The City of Fulshear Zoning Board of Adjustment will hold a public hearing on July 18, 2024;

The public hearing will take place at 10 a.m. at the City of Fulshear Municipal Complex, 6611 W. Cross Creek Bend Lane, Fulshear, Texas 77441 to hear the application of Whataburger Restaurants LLC, requesting a variance to Article II: Zoning Districts and Land Uses, Division II-2 Zoning Districts, Sec 28-2-14 General Commercial District, Table 28-2-14-1 Dimensional Standards of the Fulshear Coordinated Development Ordinance. The subject 3.1736-acre tract is located within 0050 E Latham, Tract 18 (Pt), ACRES 3.1736 and more precisely located at 29639 FM 1093 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.

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

AGENDA OF:	July 18, 2024		
DATE SUBMITTED:	May 8, 2024	DEPARTMENT:	Planning and Development
PREPARED BY:	Rodrigo Rodriguez, Development Coordinator	PRESENTER:	Joshua Brothers, Planning Director
SUBJECT:	CONSIDERATION AND POSSIBLE ACTION ON VARIANCE REQUEST BY WHATABURGER RESTAURANTS LLC/29639 FM 1093 RD		
ATTACHMENTS:	<ol style="list-style-type: none">1. Public Hearing Notice2. Zoning Variance Application3. Proposed Site Plan4. Proposed Landscaping Plan		

EXECUTIVE SUMMARY

Whataburger Restaurants LLC is requesting a variance to Article II: Zoning Districts and Land Uses, Division II-2 Zoning Districts, Sec 28-2-14 General Commercial District, Table 28-2-14-1 Dimensional Standards of the Fulshear Coordinated Development Ordinance. The proposed variance would allow for a smaller parking setback than what is required by the ordinance. The ordinance requires a minimum 25ft parking setback. The applicant is proposing a 10ft parking setback and will provide extra landscaping to help with screening.

STAFF RECOMMENDATION

Staff recommends approval of the variance.



CITY OF FULSHEAR

PO Box 279 /6611 W. Cross Creek Bend Ln
Fulshear, Texas 77441
Phone: 281-346-8860 ~ Fax: 281-346-2556
www.fulsheartexas.gov

VARIANCE/APPEAL APPLICATION

APPLICATION DATE: 4/24/2024

ADDRESS OF PREMISES AFFECTED: 29639 FM 1093 RD FULSHEAR, TX 77441

LEGAL DESCRIPTION: Block 1 Restricted Reserve 'A' - Fulshear Mini

OWNERS INFORMATION: NAME MS Fulshear Mini Storage LLC
ADDRESS 520 Post Oak Blvd #380 CITY Houston STATE Texas
ZIP CODE 77027 EMAIL asmith@mainstep.com PHONE NUMBER 713.283.4478

APPLICANTS NAME (if different than owner) Whataburger Restaurants LLC
ADDRESS 300 Concord Plaza Drive CITY San Antonio STATE Texas
ZIP CODE 78216 EMAIL _____ PHONE NUMBER 210.476.6000

EXPLAIN REQUEST: (fully explain the existing conditions that make this request necessary) _____
Variance to Table 28-2-14-1 - Dimensional Standards
Parking Setback 25' along FM 1093 (Property abuts a highway or arterial street)

Status of the Project: Existing Under Construction Proposed

Have there been previous variance requests for this property? No

Are there similar situations in the area? Yes
Addresses: Fulshear Professional Center (7609 Tiki Drive Fulshear, TX 77441) (Parking Setback along FM 1093)

Have you informed your Home Owners Association? _____ or Neighbors? _____

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:

Requesting a variance to the parking setback required along FM 1093 of 25' down to 10'.
In an effort to help alleviate the requested variance, we are proposing plenty of landscaping in between the parks and the roadway to help with screening. We are currently proposing a total of 54 Texas Sage shrubs

(Continued... Request Proposal)

along with 4 Texas Red Bud trees, refer to the attached landscape plan.

Acknowledgement: I certify that the information herein provided is true and correct to the best of my knowledge and belief, and that I, or my authorized representative, will cause this case to be presented in public hearing before the Planning Commission, unless I withdraw same prior to the City's posting of public notice. Should I initiate withdrawal after public notice is posted, I understand that the Board action shall constitute denial of the case, and the filing fee will be non-refundable. I understand that if I receive approval, I must still obtain approval from all other required departments within the City and that I must obtain required permits within 180 days from the date of the Board approval.

Signed by the Applicant/Owner Agent: Andy Beaupre Date: 4/24/2024

PLANT SCHEDULE

SYMBOL	QTY	COMMON NAME	BOTANICAL NAME
TREES			
	3	Live Oak	Quercus virginiana
	8	Southern Magnolia 'Little Gem'	Magnolia grandiflora 'Little Gem'
	5	Texas Red Oak	Quercus buckleyi
	7	Texas Redbud	Cercis canadensis texensis
SHRUBS			
	13	Coral Drift Rose	Rosa x 'Meidriflora' TM
	25	Dwarf Burford Holly	Ilex cornuta 'Burfordii Nana'
	30	Gulf Muhly Grass	Muhlenbergia capillaris 'Gulf Coast'
	80	Maiden Grass	Miscanthus sinensis 'Gracillimus'
	18	Parsoni Juniper	Juniperus chinensis 'Parsonii'
	54	Texas Sage	Leucophyllum frutescens 'Silverado'
GROUND COVERS			
	8,128 sf	Common Bermuda Sod	Cynodon dactylon

GENERAL LANDSCAPE NOTES:

- Landscape contractor shall be responsible for maintaining landscape until final acceptance of all work on job site. Contractor shall maintain conditions of lawn, beds and plant material throughout construction until 90 days after substantial completion.
- Work scheduling: contractor shall schedule a preconstruction meeting with landscape architect before proceeding with any landscaping or irrigation work. In the event this notification is not performed, the contractor shall assume full responsibility for any revisions necessary.
- Contractor shall apply for and procure all required permits prior to commencing work.
- Contractor shall locate all underground utilities prior to commencing work, contact all utility companies minimum 48 hours prior to any work. Contractor shall be responsible for becoming familiar with all underground utilities, pipes, structures, etc. contractor shall take sole responsibility for any cost incurred due to damage of these utilities.
- Contractor shall not willfully proceed with construction as designed when it is obvious that unknown obstructions and/or grade differences exist that may not have been foreseen in the design. Such conditions shall be brought up to the owner's representative. The contractor shall assume full responsibility for any necessary changes due to failure to give such notification.
- Contractor shall coordinate all work with other subcontractors on the jobsite as required to complete construction.
- Contractor to provide samples of each shrub and groundcover species or nursery source for approval by landscape architect prior to installation. All plants are to be specimen quality, full pot and head, symmetrical foliage and branching structure. Shrubs shall be full to ground, plant material of the same species shall be obtained from the same source. Material shall be shipped directly from nursery and not from contractor's holding yard after an extended period, there shall be no substitutions without written consent. Landscape architect reserves the right to reject any and all plant material that does not meet satisfactory expectations of Landscape Architect.
- All landscape deviations, including species substitution, not approved on this plan must be approved by the governing agency through plan submittal.
- Contractor shall perform own take-offs per symbols and areas on plans. any discrepancies shall be brought up during the bidding process. Contractor will be held responsible for quantities of symbols and areas on plans.

TREE PRESERVATION

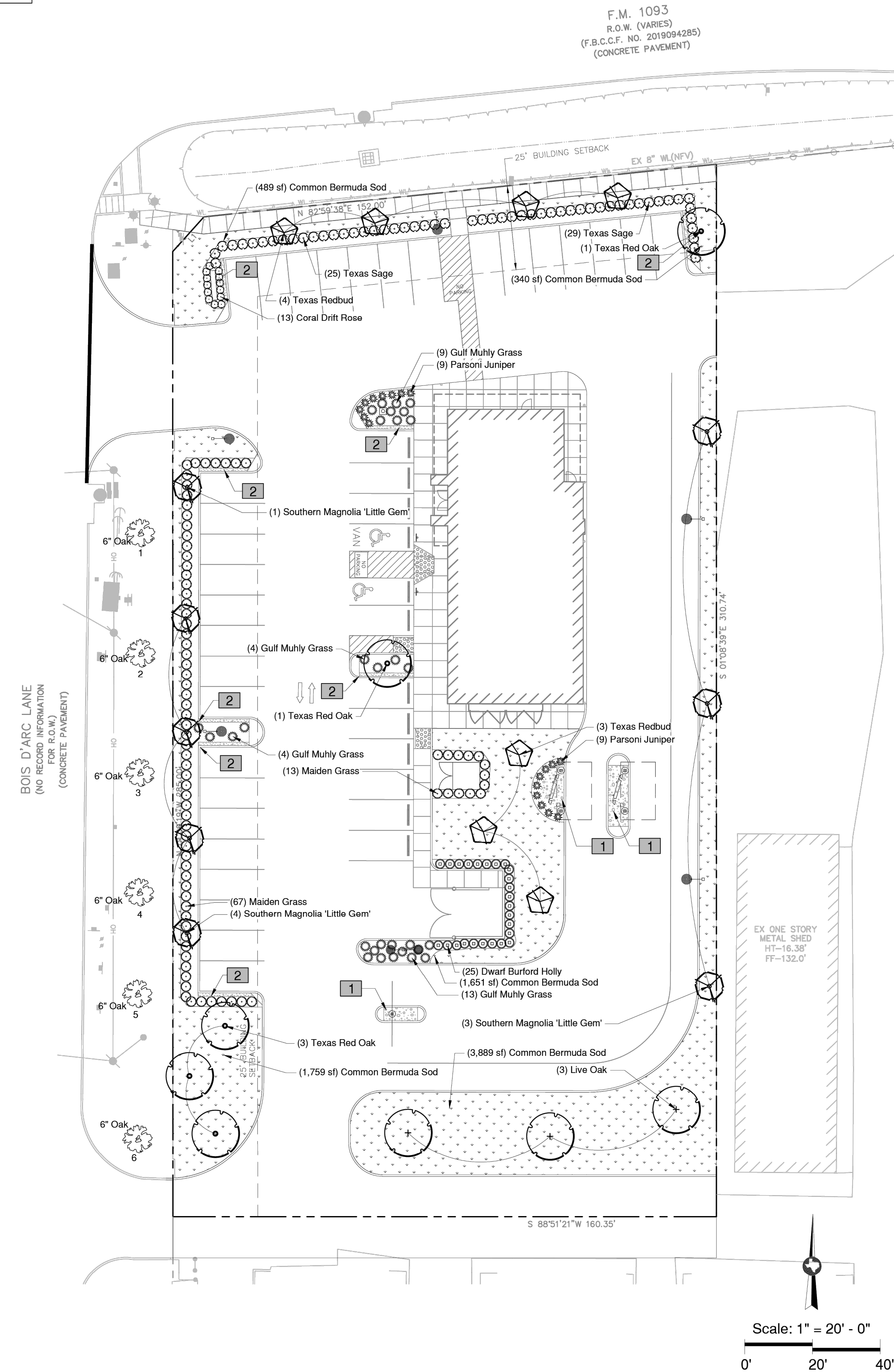
TREE NO.	TREE DESCRIPTION	TREATMENT	REMARK
1	6" OAK	SAVE & GET CREDIT	3 TREE CREDIT
2	6" OAK	SAVE & GET CREDIT	3 TREE CREDIT
3	6" OAK	SAVE & GET CREDIT	3 TREE CREDIT
4	6" OAK	SAVE & GET CREDIT	3 TREE CREDIT
5	6" OAK	SAVE & GET CREDIT	3 TREE CREDIT
6	6" OAK	SAVE & GET CREDIT	3 TREE CREDIT
			18 TREE CREDIT

CITY TABULATION

FM 1093	= 158LF	= 3 CANOPY/6 SMALL TREE
BOIS D'ARC LANE	= 285LF	= 6 CANOPY/12 SMALL TREE
TOTAL = 9 Canopy/ 18Small		18 TREE CREDIT
REQUIRED = 9 Small trees		

REFERENCE NOTES SCHEDULE

SYMBOL	DESCRIPTION	QTY
	BULLROCK COVER 3"-6" River Wash Aggregate	226 sf
	CRUSHED GRANITE 4" Compacted, filter fabric, edging, typ.	118 sf



4-8-23

WHATABURGER - FULSHEAR
FM 1093 & Bois D'Arc Lane
Fulshear, TX
Landscape Improvements

Job No.:	181-23-055
Scale:	1" = 20' - 0"
Date:	Dec. 22, 2023
Revised:	Comments Apr. 8, 2024

Landscape
Plan

L1.1

PUBLIC HEARING

The City of Fulshear Zoning Board of Adjustment will hold a public hearing on July 18, 2024;

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

AGENDA OF:	July 18, 2024		
DATE SUBMITTED:	May 8, 2024	DEPARTMENT:	Planning and Development
PREPARED BY:	Rodrigo Rodriguez, Development Coordinator	PRESENTER:	Joshua Brothers, Planning Director
SUBJECT:	CONSIDERATION AND POSSIBLE ACTION ON VARIANCE REQUEST BY WHATABURGER RESTAURANTS LLC/29639 FM 1093 RD		
ATTACHMENTS:	<ol style="list-style-type: none">1. Public Hearing Notice2. Zoning Variance Application3. Proposed Site Plan4. Proposed Landscaping Plan		

EXECUTIVE SUMMARY

Whataburger Restaurants LLC is requesting a variance to Article II: Zoning Districts and Land Uses, Division II-2 Zoning Districts, Sec 28-2-14 General Commercial District, Table 28-2-14-2 Permitted Uses and Minimum Off-Street Parking Spaces of the Fulshear Coordinated Development Ordinance. The proposed variance would allow for an increase in the maximum allowable parking spaces set by the ordinance. Currently, the ordinance allows a maximum of 22 parking spaces for this project. The applicant is proposing 42 total parking spaces and has offered to provide pervious pavers in 8 of the spaces to help alleviate the additional paving.

STAFF RECOMMENDATION

Staff recommends denial of the variance.



CITY OF FULSHEAR

PO Box 279 /6611 W. Cross Creek Bend Ln
Fulshear, Texas 77441
Phone: 281-346-8860 ~ Fax: 281-346-2556
www.fulsheartexas.gov

VARIANCE/APPEAL APPLICATION

APPLICATION DATE: 4/24/2024

ADDRESS OF PREMISES AFFECTED: 29639 FM 1093 RD FULSHEAR, TX 77441

LEGAL DESCRIPTION: Block 1 Restricted Reserve 'A' - Fulshear Mini

OWNERS INFORMATION: NAME MS Fulshear Mini Storage LLC
ADDRESS 520 Post Oak Blvd #380 CITY Houston STATE Texas
ZIP CODE 77027 EMAIL asmith@mainstep.com PHONE NUMBER 713.283.4478

APPLICANTS NAME (if different than owner) Whataburger Restaurants LLC
ADDRESS 300 Concord Plaza Drive CITY San Antonio STATE Texas
ZIP CODE 78216 EMAIL _____ PHONE NUMBER 210.476.6000

EXPLAIN REQUEST: (fully explain the existing conditions that make this request necessary) _____
Variance to Table 28-2-14-2 - Permitted uses and minimum off street parking spaces
Restaurant, Drive Through - Maximum 1 per space 150 SF GFA (Sec. 28-2-16)

Status of the Project: Existing Under Construction Proposed

Have there been previous variance requests for this property? No

Are there similar situations in the area? Yes
Addresses: Culvers (6677 Flewellen Way Fulshear, TX 77441 (Parking Maximum)

Have you informed your Home Owners Association? _____ or Neighbors? _____

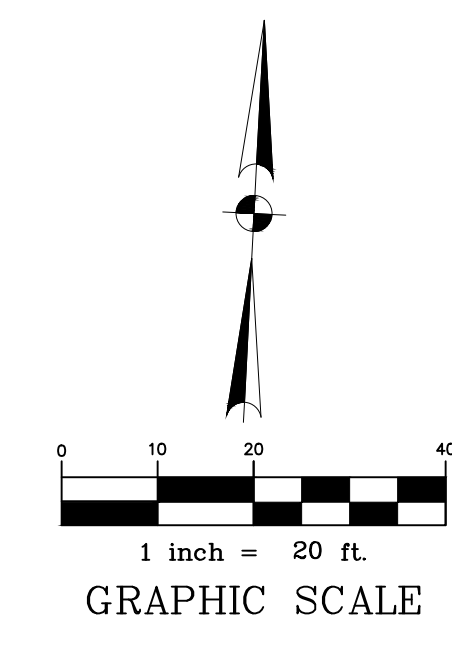
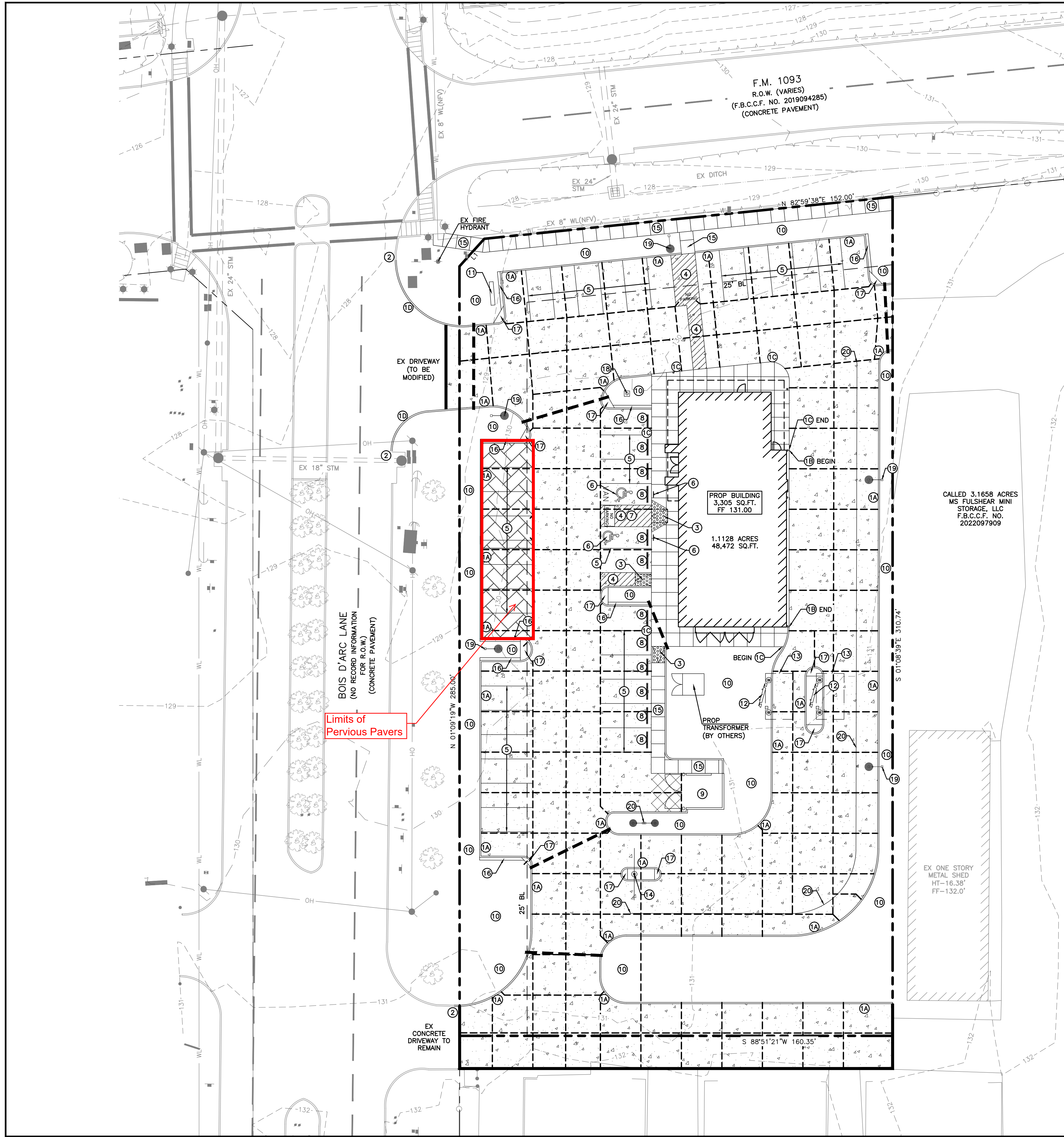
Request Proposal and Description: Provide a description of the existing and or proposed physical property improvements relative to this case (ie: materials, structure type and height, dimensions, etc.) Please also supply and identify photos where applicable, to support your case:

Requesting a variance to the parking maximum allowed. Based upon the proposed building square footage of 3,305 Sq Ft
The maximum allowable parks would be 22, in which we are proposing 42 to meet Whataburger standards. In an effort
to help alleviate the additional paving, we are proposing to provide pervious pavers for 20% of the parking (8 Parks)
Please refer to the attached paving plan showing the limits in red, along with the product specs.

(Continued... Request Proposal)

Acknowledgement: I certify that the information herein provided is true and correct to the best of my knowledge and belief, and that I, or my authorized representative, will cause this case to be presented in public hearing before the Planning Commission, unless I withdraw same prior to the City's posting of public notice. Should I initiate withdrawal after public notice is posted, I understand that the Board action shall constitute denial of the case, and the filing fee will be non-refundable. I understand that if I receive approval, I must still obtain approval from all other required departments within the City and that I must obtain required permits within 180 days from the date of the Board approval.

Signed by the Applicant/Owner Agent: Andy Beaupre Date: 4/24/2024



BENCHMARK:
ELEVATIONS HEREON ARE BASED UPON A NGS OPUS SOLUTION DERIVED FROM ON-SITE STATIC GPS OBSERVATIONS CONDUCTED AT THE TIME OF SURVEY. ACCORDING TO THE NGS OPUS REPORT, THE FOLLOWING CORRS STATIONS WERE USED: PID DG5394 DESIGNATION TX1Y, PID D08865 DESIGNATION TXCK, AND PID DH3610 DESIGNATION TXLF; THE NEAREST NGS PUBLISHED CONTROL POINT IS PID BY1273 DESIGNATION P 252. (NAVD88, COMPUTED USING GEOID18)

TEMPORARY BENCHMARK "A":
CUT BOX ON A HEADWALL OF A BOXED CULVERT, LOCATED APPROXIMATELY 75' NORTHEAST OF INTERSECTION OF FM 1093 AND BOIS D'ARC LN. (SHOWN HERON) ELEVATION = 126.44 FEET

TEMPORARY BENCHMARK "B":
CUT BOX ON A TYPE "C" INLET, LOCATED ON THE WEST SIDE OF BOIS D'ARC LN. AND APPROXIMATELY 131' SOUTHWEST FROM THE INTERSECTION OF FM. 1093 AND BOIS D'ARC LN. (SHOWN HERON) ELEVATION = 128.40 FEET

- GENERAL NOTES**
- REFER TO SITE ELECTRICAL PLAN FOR PROPOSED SITE LIGHTING LAYOUT.
 - PAVEMENT AND SUBGRADE THICKNESS INCLUDED ON THIS SHEET FOR REFERENCE ONLY. REFER TO GEOTECHNICAL REPORT PREPARED BY QC LABORATORIES, DATED JANUARY 22, 2024 (PROJECT NO. 23G20394).
 - REFER TO IRRIGATION PLAN FOR EXACT LOCATION, SIZE, AND QUANTITY OF IRRIGATION SLEEVES.
 - MAXIMUM CONTROL JOINT SPACING TO BE 15-FT AND EXPANSION JOINT SPACING TO BE 60-FT. EXPANSION JOINTS TO BE PROVIDED ONLY IF REQUIRED BY THE GEOTECHNICAL REPORT.
 - CONCRETE SHALL HAVE A MINIMUM COMPRESSIVE STRENGTH OF 4,000 PSI AT 28 DAYS AND ALL STEEL TO BE GRADE 60, UNLESS OTHERWISE SPECIFIED IN GEOTECHNICAL REPORT.
 - PAVING CONTRACTOR TO CONFIRM AND/OR ADJUST ALL EXISTING AND PROPOSED UTILITIES AND APPURTENANCES TO FINISHED GRADE PRIOR TO PLACEMENT OF ANY PAVING.

PAVEMENT MARKING NOTE

"NO PARKING" SHALL BE PAINTED ON THE ACCESS AISLE IN CAPITAL LETTERS WITH HEIGHT OF AT LEAST 12" AND A STROKE OF AT LEAST 2" CENTERED WITHIN THE AISLE

- KEYED NOTES**
- (1A) PROPOSED 6" MONOLITHIC CONCRETE CURB (SEE DETAIL, SHEET C7.0)
 - (1B) PROPOSED 6" x 12" WIDE MONOLITHIC CONCRETE CURB W/ BOLLARDS (SEE DETAIL, SHEET C7.0 FOR CONCRETE CURB & REFER TO STRUCTURAL PLANS FOR BOLLARD DETAIL)
 - (1C) PROPOSED TURNDOWN SIDEWALK (SEE DETAIL, SHEET C7.0)
 - (2) TIE PROPOSED CURB INTO EXISTING CURB
 - (3) CONSTRUCT CURB RAMP (SEE DETAIL, SHEET C7.0)
 - (4) 4" PAINTED WHITE STRIPING @ 2' O.C. @ 45°
 - (5) 90° WHITE PARKING LOT STRIPING
 - (6) HANDICAP ACCESSIBLE SYMBOL W/ SIGNAGE (SEE DETAIL, SHEET C7.0)
 - (7) HANDICAP PARKING STALL STRIPING
 - (8) WHEEL STOP (SEE DETAIL, SHEET C7.1)
 - (9) DUMPSTER ENCLOSURE (REF. ARCH. PLANS)
 - (10) LANDSCAPED AREA (REF. LANDSCAPE PLANS)
 - (11) MONUMENT SIGN
 - (12) MENU BOARD (REF. ARCH. PLANS)
 - (13) MENU BOARD CANOPY (REF. ARCH. PLANS)
 - (14) OVERHEAD CLEARANCE BAR (REF. ARCH. PLANS)
 - (15) CONCRETE SIDEWALK (SEE DETAIL, SHEET C7.0)
 - (16) 1" WIDE CRUSHED GRANITE STRIP (SEE DETAIL, SHEET L1.2)
 - (17) CONCRETE ISLAND NOSE
 - (18) FLAG POLE (SEE DETAIL, SHEET C7.1)
 - (19) LIGHT POLE
 - (20) PROP 4" WIDE PAVEMENT STRIPING FOR BY-PASS LAN (SEE DETAIL, SHEET C7.1)
- PROPOSED PERMEABLE PAVEMENT (SEE DETAIL, SHEET C7.3)
 - PROPOSED MEDIUM DUTY CONCRETE PAVEMENT WITH STABILIZED SUBGRADE (SEE NOTE 2 BELOW)
 - PROPOSED HEAVY DUTY CONCRETE PAVEMENT WITH STABILIZED SUBGRADE (SEE NOTE 2 BELOW)
 - PROPOSED IRRIGATION SLEEVE (SEE NOTE 3)
 - CONCRETE TO CONCRETE PAVEMENT CONNECTION (INCLUDING 2" SAWCUT, EXISTING PAVEMENT REMOVAL, EXISTING CURB REMOVAL, DOWEL INTO EXISTING PAVEMENT, CONCRETE PAVEMENT HEADER AND SEALED JOINTS)
 - PROPOSED CONTROL JOINT
 - EX. MAJOR CONTOUR
 - EX. MINOR CONTOUR

PARKING PERVIOUS PAVER ANALYSIS:

TOTAL PARKS PROVIDED	= 42 PARKS
20% OF PARKS:	= (42)*(0.20) = 8.4 PARKS
PERVIOUS PARKING PROVIDED:	= 8 PARKS

MULTIPLE EXISTING PUBLIC AND PRIVATE UTILITY LINES EXIST ON THIS SITE. THE UTILITY LINES SHOWN ON THESE DRAWINGS REFLECT INFORMATION OBTAINED FROM RECORD DRAWINGS AND MAY NOT INCLUDE ALL EXISTING UTILITIES. CONTRACTOR IS TO USE EXTREME CAUTION DURING ALL CONSTRUCTION ACTIVITIES AND IS SOLELY RESPONSIBLE FOR DAMAGE TO EXISTING FACILITIES.

CALL BEFORE YOU DIG
TEXAS ONE CALL PARTICIPANTS REQUEST
72 HOURS NOTICE BEFORE YOU DIG, DRILL OR BLAST - STOP CALL
OR BLAST - STOP CALL
TEXAS ONE CALL SYSTEM
1-800-344-8377
IN HOUSTON
(713)-223-4567

<p>ALJ Lindsey Civil Engineers 1886 N. Loop West, Suite 200 Houston, TX 77017 281.301.9595 FRN F-11526</p>	<p>DATE: APRIL 2024 SCALE: 1"=20' DRAWN BY: AA CHECKED BY: KAD</p>
<p>12 APRIL 2024</p>	
<p>PAVING PLAN</p>	
<p>WHATABURGER 29639 FM 1093 RD CITY OF FULSHEAR, TEXAS</p>	
<p>SHEET C5.0</p>	

POWERBLOCK PERMEABLE PAVEMENT

STORMWATER MANAGEMENT

HIGH-PERFORMANCE PERMEABLE PAVEMENT

PowerBLOCK is a quality permeable paver option on the permeable paving market with infiltration rates exceeding 1,000 inches/hr. Even when 90% clogged, PowerBLOCK flows at rates of around 100 inches/hr.

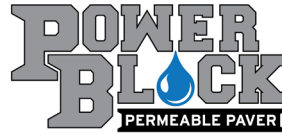
These durable pavers provide a unique option to clients who desire a low maintenance solution for permeable paving and stormwater storage. The 4.5" tall blocks interlock and have open joints to ensure ease of installation and upkeep. Compared to traditional pavers, PowerBLOCK's joints do not need to be filled in with stone after installations and vacuuming.



ADVANTAGES:

- Gets water off the pavement quickly
- Offers load support
- Reduces maintenance & life-cycle costs
- Available in several colors

10.19

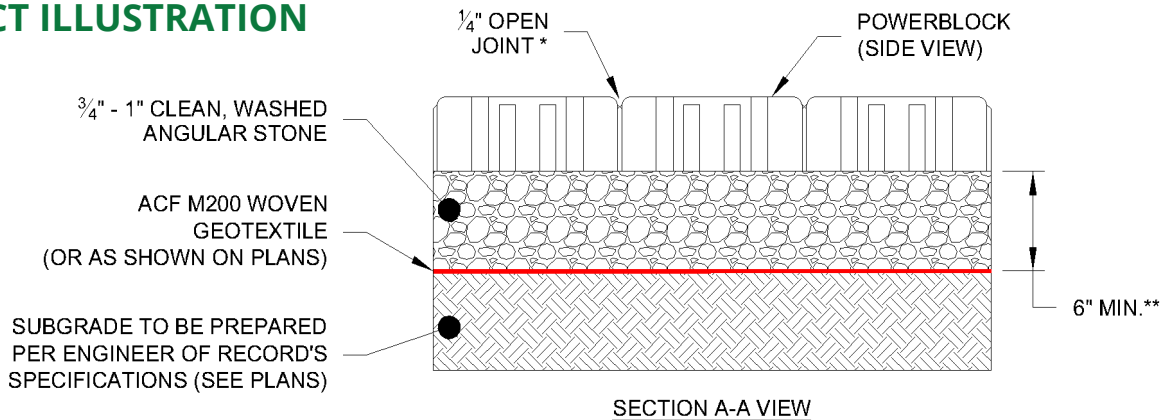


SPECIFICATIONS

PROPERTY	DESCRIPTION	VALUE
Dimensions	Length x Width x Height	11.75" x 13.70" x 4.5" (+/- 1/8")
Block Weight	Pounds	44 Pounds Minimum
Loading Capability	Traffic Rating	HS-20 / HS-25
Open Joint Width	Inches	0.25" (+/-0.02")
Joint Filler Between Blocks	Material Used	None Allowed
Post Installation, Field Verified Surface Infiltration Rate ³	ASTM C-1701 / C-1701-M09 / ASTM C-1781 / C-140	1,000 Inches/Hr Average (Minimum 3 Tests)
Compressive Rate	ASTM D-6684 / C-140	4,000 PSI (Average) 3,500 PSI (Minimum)
Freeze / Thaw Resistance ²	ASTM C-67 / C-1645 / C-936	Compliant
Abrasion Resistance ²	C-418 ²	Compliant

Visit our website (acfenvironmental.com) to view this product and additional specs.

PRODUCT ILLUSTRATION



MAINTENANCE

Maintenance should be performed when:

- a) The surface infiltration rates of more than 75% of the surface area fall below 10% of the rate required
- b) Ponding of water on a surface of 10 sq/ft remains for a period longer than 24 hrs
- c) Other desired maintenance at the owners discretion to optimize performance

Important:

Maintenance shall be performed with a vacuum device, not a mechanical sweeper, to remove accumulated debris from joints. This may be accomplished by smaller hand-held devices or with vacuum trucks such as Elgin Whirlwind. Adjust device settings to avoid movement/lifting of block and removal of stone underneath.

PUBLIC HEARING

The City of Fulshear Zoning Board of Adjustment will hold a public hearing on July 18, 2024;

The public hearing will take place at 10 a.m. at the City of Fulshear Municipal Complex, 6611 W. Cross Creek Bend Lane, Fulshear, Texas 77441 to hear the application of Flite Signs, requesting a variance to Article III: Site Development, Division III-4: Signs, Sec 28-3-33 Signs Requiring a Permit, Table 28-3-33-1 of the Fulshear Coordinated Development Ordinance. The subject 1.355-acre tract is located within the 0274 R H KUYKENDALL, BLOCK 1, ACRES 1.355, Landmark Sales Tract, Unrestricted Reserve "A", Part in Abstract 0421 and more precisely located at 27250 FM 1093 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.

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

AGENDA OF:	July 18, 2024		
DATE SUBMITTED:	May 23, 2024	DEPARTMENT:	Planning and Development
PREPARED BY:	Rodrigo Rodriguez, Development Coordinator	PRESENTER:	Joshua Brothers, Planning Director
SUBJECT:	CONSIDERATION AND POSSIBLE ACTION ON VARIANCE REQUEST BY FLITE SIGNS/27250 FM 1093 RD		
ATTACHMENTS:	<ol style="list-style-type: none">1. Public Hearing Notice2. Zoning Variance Application3. Sign Plan4. Site Plan with Proposed Sign Location		

EXECUTIVE SUMMARY

Flite Signs is requesting a variance to Article III: Site Development, Division III-4: Signs, Sec 28-3-33 Signs Requiring a Permit, Table 28-3-33-1 of the Fulshear Coordinated Development Ordinance. The proposed variance would allow for a larger setback than what is required by the ordinance. The sign ordinance requires a minimum and a maximum setback of 10ft. The variance would allow the setback to be roughly 20ft from the property line due to the pipeline easement. There have been other properties along FM 1093 that have requested the same variance in the past and were granted approval.

STAFF RECOMMENDATION

Staff recommends approval of the variance.



CITY OF FULSHEAR

PO Box 279 / 6611 W. Cross Creek Bend Ln
Fulshear, Texas 77441
Phone: 281-346-8860 ~ Fax: 281-346-2556
www.fulsheartexas.gov

VARIANCE/APPEAL APPLICATION

APPLICATION DATE: 5/20/24

ADDRESS OF PREMISES AFFECTED: 27250 Fm 1093, FULSHEAR 77441

LEGAL DESCRIPTION: 0274 R. H. KUYKENDALL, BLK 1, UNRESTRICTED RES A

OWNERS INFORMATION: NAME REALTY INCOME PROPERTIES 19, LLC
ADDRESS 11995 EL CAMINO REAL CITY SAN DIEGO STATE CA
ZIP CODE 92130 EMAIL SCORBIN@CLEANCW.COM PHONE NUMBER 214-422-8748

APPLICANTS NAME (if different than owner) FLITE SIGNS - John SHEPHERD
ADDRESS 6015 SKYLINE DR CITY HOUSTON STATE TX
ZIP CODE 77057 EMAIL OLDDOGPERMITS@GMAIL.COM PHONE NUMBER 832-518-7750

EXPLAIN REQUEST: (fully explain the existing conditions that make this request necessary) _____

THERE IS AN ENTERPRISE PIPELINE EASEMENT THAT STARTS AT THE PROPERTY LINE AND EXTENDS 20' NORTHWARD. BUSINESSES ON EITHER SIDE OF OUR CLIENTS HAVE THEIR SIGNS SET BACK 20' DUE TO THE SAME EASEMENT

Status of the Project: Existing Under Construction Proposed

Have there been previous variance requests for this property? NO

Are there similar situations in the area? YES
Addresses: 27200 Fm 1093, CULVERS - 6677 FLEWELLEN

Have you informed your Home Owners Association? _____ or Neighbors? N


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:

INSTALL ONE D/F ILLUMINATED MONUMENT SIGN
MATERIALS ALUMINUM, STONE, ACRYLIC, 4" STEEL
POLE SET IN CONCRETE PIER.

(Continued... Request Proposal)

Acknowledgement: I certify that the information herein provided is true and correct to the best of my knowledge and belief, and that I, or my authorized representative, will cause this case to be presented in public hearing before the Planning Commission, unless I withdraw same prior to the City's posting of public notice. Should I initiate withdrawal after public notice is posted, I understand that the Board action shall constitute denial of the case, and the filing fee will be non-refundable. I understand that if I receive approval, I must still obtain approval from all other required departments within the City and that I must obtain required permits within 180 days from the date of the Board approval.

Signed by the Applicant/Owner Agent:

 Date: 5/20/24

SIGN A

QTY: 01

MANUFACTURE & INSTALL (1) NEW D/F ILLUMINATED MONUMENT SIGN

MAIN ID

- **CABINET:** 2" ALUM ANGLE FRAME CLAD WITH DURA-ROCK BOARD & NATURAL STONE VENEER - S1,S2
- **FACES:** .125" ALUMINUM PANEL WITH ROUTED COPY FINISH: PAINT TO MATCH - P1
- **PUSH THRU GRAPHICS:** 3/4 ACRYLIC with 3/8" PUSH THRU TRANS VINYL OVERLAY APPLIED TO FACES
- **LIGHTING:** WHITE LEDS
- **POWER SUPPLY:** 12V, 60W INSIDE CABINET

ELECTRICAL LOAD:

4.0 Amps @120V

ELECTRIC REQUIREMENT:

ONE (1) 20 Amp Circuit @120V

ALL ELECTRIC CONNECTIONS AND CONDUIT TO USE UL CERTIFIED COMPONENTS



Sign A - 72 sq. ft.



6015 SKYLINE DR.
HOUSTON TX 77057

713 780 1151

www.FLITESIGNCO.com



SOME RESTRICTIONS MAY APPLY. PLEASE REFER TO CONTRACT.

PROJECT INFORMATION

Job Name:	CLEAN CAR WASH FULSHEAR
Location:	27250 FM 1093 RD FULSHEAR, TX 77441
Date:	12.15.2023
Sales Rep:	Nathan Niemeyer
Drawn By:	Jacob Sawyer
Dwg #:	FS23-2116 CCW
Dwg Path:	S/C/CLEAN CAR WASH FULSHEAR

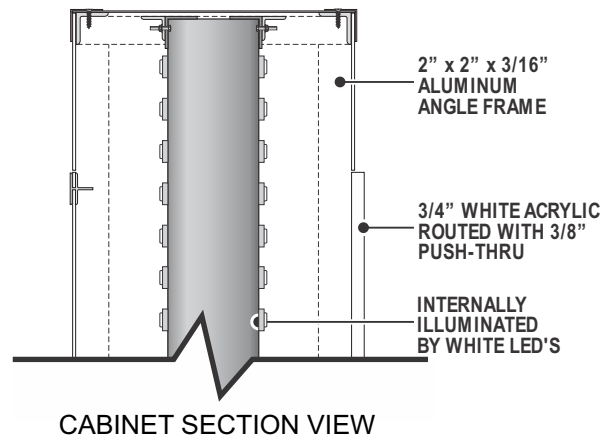
REVISIONS

1	UPDATED ARTWORK FOR PAN SIGNS JS 2.7.24
2	RESIZED CHNL LTRS - 3.25.24 - KJ
3	
4	
5	
6	
7	
8	
P	PERMIT PKG - 4.24.24 - KJ

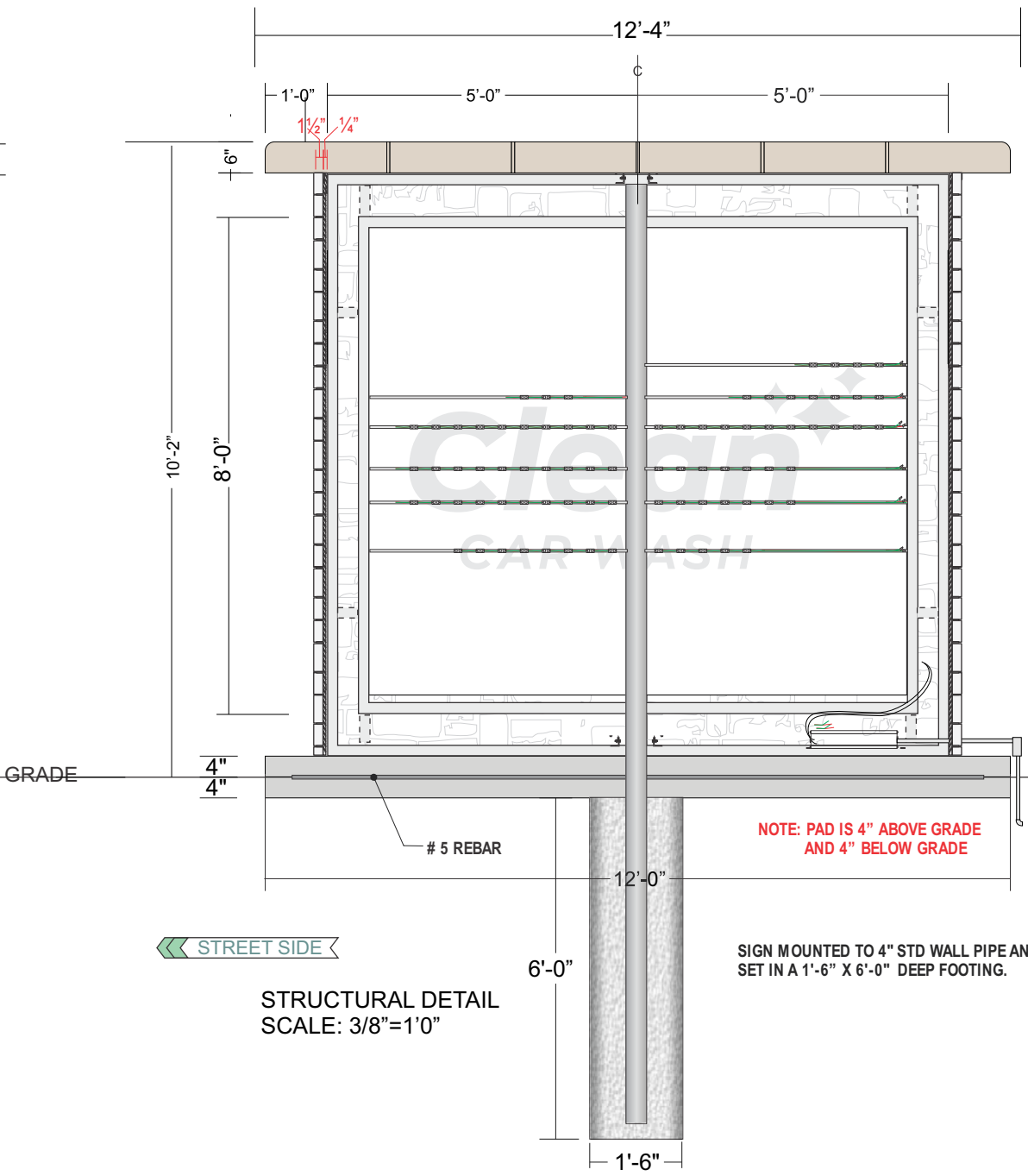
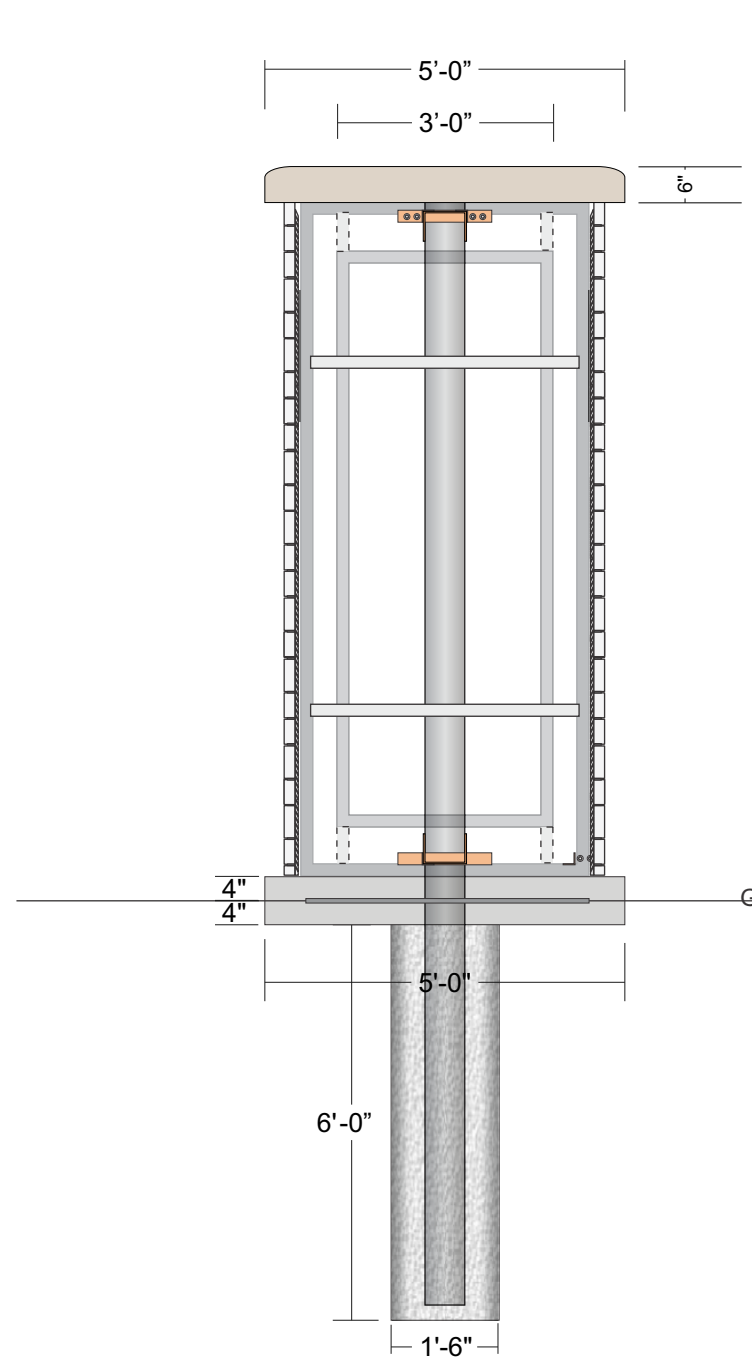
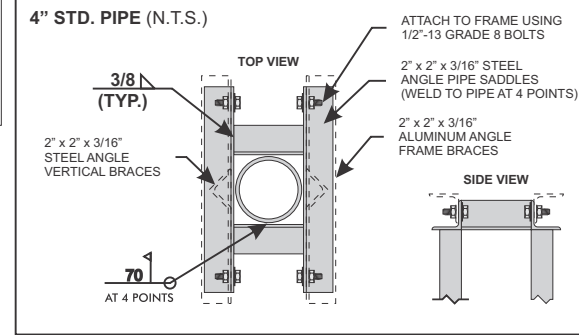
PRODUCTION DRAWING APPROVAL

APPROVED BY	DATE
➤	
APPROVED BY	DATE
➤	
WORK ORDER NUMBER	

NOTE: DIMENSIONS ARE ONLY ACCURATE WHEN PRINTED ON 11"x17" PAPER AT FULLSCALE CLIENT APPROVAL: _____ DATE: _____ LANDLORD APPROVAL: _____ DATE: _____
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ALL ALUMINUM WELDS TO BE PERFORMED USING MIG METHOD WITH 4043 ALLOY ALUMINUM SPOOL WIRE @ .035" DIAMETER AND ARGON SHIELDING GAS



2" X 2" X 3/16" STRUCT. ALUM ANGLE FRAMEWORK
LIT FACES SECURED IN PLACE WITH #8 FLAT HEAD TEK SCREWS AND BLIND WELD STUDS

2" SQ TUBE FRAME W/ STONE VENEER BONDED TO DURA-ROCK -
TYP. DURA-ROCK OVER STACKED STONE VENEER INSTALLATION BY OTHERS

12V, 60W POWER SUPPLY
1/8" ALUMINUM PIN-MOUNTED F.C.O.



6015 SKYLINE DR.
HOUSTON TX 77057
713 780 1151

www.FLITESIGNCO.com



PROJECT INFORMATION

Job Name:	CLEAN CAR WASH FULSHEAR
Location:	27250 FM 1093 RD FULSHEAR, TX 77441
Date:	12.15.2023
Sales Rep:	Nathan Niemeyer
Drawn By:	Jacob Sawyer
Dwg #:	FS23-2116 CCW
Dwg Path:	S/C/CLEAN CAR WASH FULSHEAR

REVISIONS

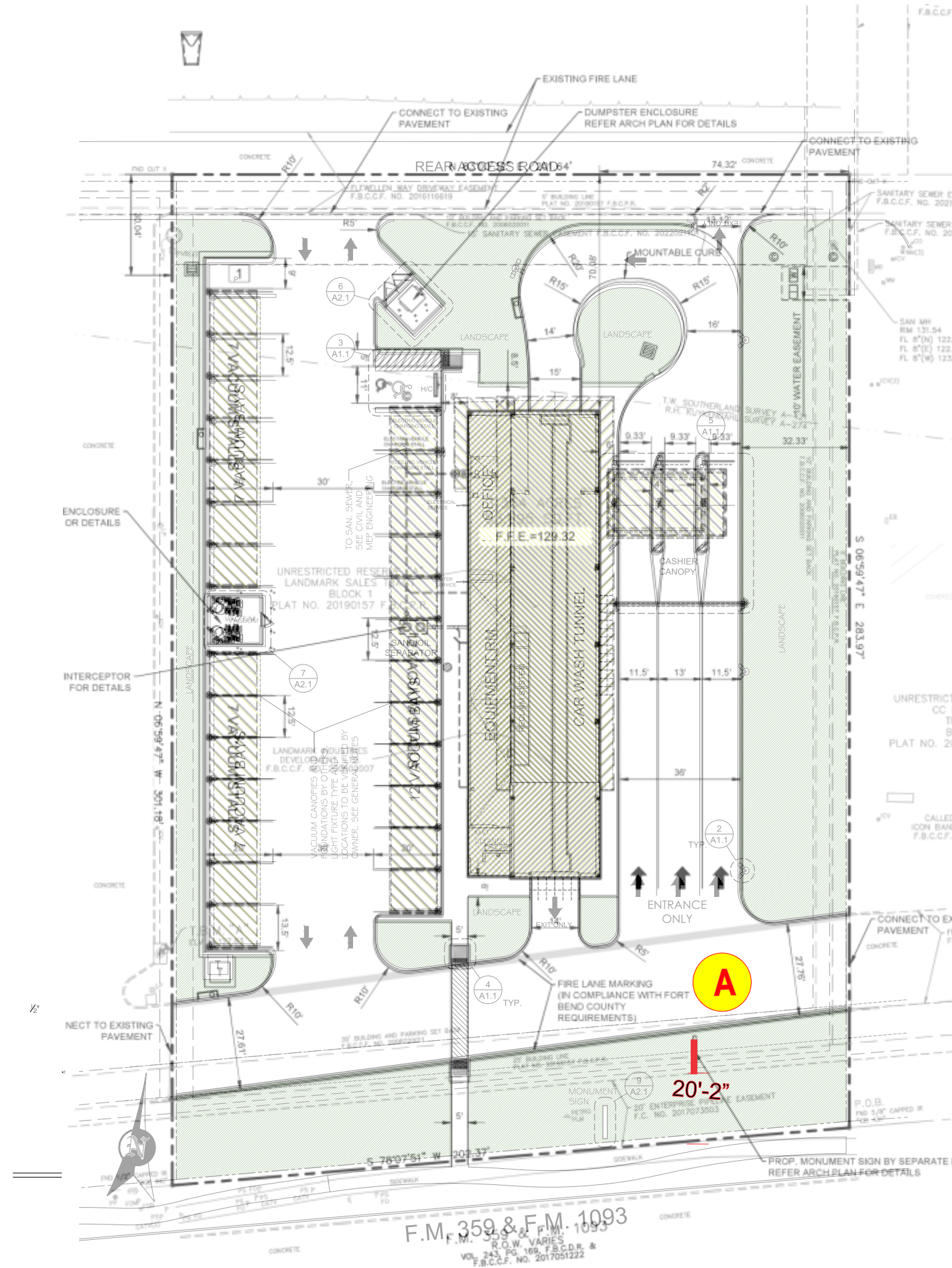
1	UPDATED ARTWORK FOR PAN SIGNS JS 2.7.24
2	RESIZED CHNL LTRS - 3.25.24 - KJ
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P	PERMIT PKG - 4.24.24 - KJ

PRODUCTION DRAWING APPROVAL

APPROVED BY	DATE
APPROVED BY	DATE
WORK ORDER NUMBER	

SITE MAP

Setback of 20' 2" to place sign outside of Enterprise Pipeline easement.



20'-2" LEOS TO FRONT PROP LINE



6015 SKYLINE DR.
HOUSTON TX 77057

713 780 1151

www.FLITESIGNCO.com



SOME RESTRICTIONS MAY APPLY. PLEASE REFER TO CONTRACT.

PROJECT INFORMATION

Job Name:	CLEAN CAR WASH FULSHEAR
Location:	27250 FM 1093 RD FULSHEAR, TX 77441
Date:	12.15.2023
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Dwg Path:	S/C/CLEAN CAR WASH FULSHEAR

REVISIONS

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APPROVED BY	DATE
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WORK ORDER NUMBER	

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 ©2023 FLITE SIGNS, LLC. THIS RENDERING IS THE PROPERTY OF FLITE SIGNS, LLC. ANY REPRODUCTION OR EXHIBITION OF RENDERING IS STRICTLY PROHIBITED AND MAY NOT BE USED TO MANUFACTURE WHAT IS DEPICTED HEREIN WITHOUT THE EXPRESSED WRITTEN CONSENT OF FLITE SIGNS, LLC.

CALLED 41.78 ACRES
LANDMARK INDUSTRIES DEVELOPMENT, LTD.
F.B.C.C.F. NO. 2013073162

CALLED 0.0223 OF AN ACRE
WATER LINE EASEMENT
F.B.C.C.F. NO. 2021020189

CALLLED 1.702 ACRES
ICON BANK OF TEXAS, N.A.
F.B.C.C.F. NO. 2018049551

F.M. 359 & F.M. 1093
R.O.W. VARIES
VOL. 243, PG. 169, F.B.C.C.F. &
F.B.C.C.F. NO. 2017051222

APPROXIMATE
LOCATION OF EXISTING
FIRE HYDRANT

APPROXIMATE LOCATION
OF EXISTING FIRE
HYDRANT

APPROXIMATE
LOCATION OF EXISTING
FIRE HYDRANT

VACUUM ENCLOSURE
REFER ARCH PLAN FOR DETAILS

S/O INTERCEPTOR
REFER ARCH PLAN FOR DETAILS

CONNECT TO EXISTING
PAVEMENT

EXISTING FIRE LANE

CONNECT TO EXISTING
PAVEMENT

DUMPSTER ENCLOSURE
REFER ARCH PLAN FOR DETAILS

CONNECT TO EXISTING
PAVEMENT

UNRESTRICTED RESERVE
LANDMARK SALES
BLOCK 1
PLAT NO. 20190157 F.B.C.C.F.

LANDMARK INDUSTRIES
DEVELOPMENT, LTD.
F.B.C.C.F. NO. 200602007

UNRESTRICTED RESERVE "A"
CC F.M. 1093
TRACT 3
BLOCK 1
PLAT NO. 20180116 F.B.C.C.F.

CONNECT TO EXISTING
PAVEMENT
F.M. 1093 DRIVEWAY EASEMENT
F.B.C.C.F. NO. 2018049350

FIRE LANE MARKING
(IN COMPLIANCE WITH FORT
BEND COUNTY
REQUIREMENTS)

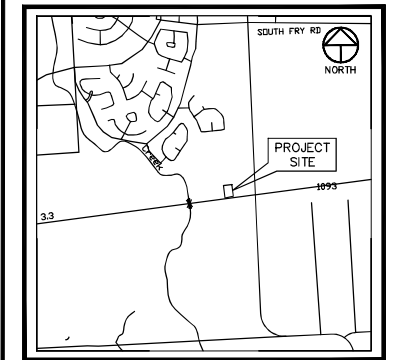
PROP. MONUMENT SIGN BY SEPARATE PERMIT
REFER ARCH PLAN FOR DETAILS

EXISTING LEGEND

BO	- BOLLARD	PLM	- PIPELINE MARKER
CH	- HANDICAP	PLCS	- UNDERGROUND CABLE SIGN
GM	- GAS METER	CTL	- CATHODIC TEST LEAD
GV	- GAS VALVE	MW	- MONITORING WELL
WH	- FIRE HYDRANT	I	- PIN FLAG/PAINT MARK
WM	- WATER METER	TC	- TOP OF CURB
WV	- WATER VALVE	G	- GUTTER
ICV	- IRRIGATION CONTROL VALVE	TG	- TOP OF GRATE
GI	- GRATE INLET	FL	- FLOW LINE
GI	- GRATE INLET	HB	- HIGHBANK
CO	- CLEANOUT	SAN	- SANITARY SEWER
TP	- TELEPHONE PEDESTAL	STM	- STORM SEWER
EB	- ELECTRIC BOX	CMP	- CORRUGATED METAL PIPE
TSB	- TRAFFIC SIGNAL BOX	CPP	- CORRUGATED PLASTIC PIPE
LP	- LIGHT POLE	RCP	- REINFORCED CONCRETE PIPE
TLP	- TRAFFIC LIGHT POLE	TEL	- TELEPHONE
GLP	- GROUND/SPOT LIGHT	SWBT	- SOUTHWESTERN BELL TELEPHONE CO.
PP	- POWER POLE	WTR	- WATER
PP/T	- POWER POLE W/TRANSFORMER	UG	- UNDERGROUND
PP/WT	- POWER POLE W/LIGHT	UG	- FOUND
PP/CT	- POWER POLE W/CONDUIT	F.B.C.C.F.	- FORT BEND COUNTY CLERK FILE
MP	- METER POLE	F.B.C.C.R.	- FORT BEND COUNTY DEED RECORDS
SP	- SERVICE POLE	F.B.C.C.P.R.	- FORT BEND COUNTY PLAT RECORDS
GAC	- GUY ANCHOR	IP	- IRON PIPE
P	- OVERHEAD POWER LINE	IR	- IRON ROD
BWF	- BARBED WIRE FENCE	NO.	- NUMBER
WIF	- WROUGHT IRON FENCE	PG.	- PAGE
WF	- WOOD FENCE	R.O.W.	- RIGHT-OF-WAY
CF	- CHAINLINK FENCE	SQ. FT.	- SQUARE FEET
GP	- GATE POST	VOL.	- VOLUME
PP	- PER PLANS	F.C.	- FILM CODE
APPROX.	- APPROXIMATE	B.L.	- BUILDING LINE
H	- HIGHBANK	U.E.	- UTILITY EASEMENT
S	- SIGN	T/S	- TREE/SHRUB
MB	- MAIL BOX	PCV	- PUMP CONTROL VAULT
FOB	- FIBER OPTIC BOX	POB	- PUMP VAULT BOX
		FOM	- FIBER OPTIC MARK
		CTV	- PAINT STRIPE CABLE TV



Scale: 1" = 20' Feet



VICINITY MAP
N.T.S.

SITE GENERAL NOTES

- ALL CONSTRUCTION SHALL BE IN STRICT ACCORDANCE WITH THE CITY OR LOCAL JURISDICTION STANDARDS.
- THE LOCATION OF UNDERGROUND UTILITIES INDICATED ON THE PLANS IS TAKEN FROM AS-BUILTS, UTILITY PLANS OR SURVEY. IT IS THE CONTRACTOR'S RESPONSIBILITY TO MAKE ARRANGEMENTS WITH THE OWNERS OF SUCH UNDERGROUND UTILITIES PRIOR TO WORKING IN THE AREA TO CONFIRM THEIR EXACT LOCATION AND TO DETERMINE WHETHER ANY ADDITIONAL UTILITIES OTHER THAN THOSE SHOWN ON THE PLANS MAY BE PRESENT. THE CONTRACTOR SHALL PRESERVE AND PROTECT ALL UNDERGROUND UTILITIES. IF EXISTING UNDERGROUND UTILITIES ARE DAMAGED, THE CONTRACTOR WILL BE RESPONSIBLE FOR THE COST OF REPAIRING THE UTILITY.
- WHERE EXISTING UTILITIES OR SERVICE LINES ARE CUT, BROKEN OR DAMAGED, THE CONTRACTOR SHALL REPLACE OR REPAIR THE UTILITIES OR SERVICE LINES WITH THE SAME TYPE OF ORIGINAL MATERIAL AND CONSTRUCTION, OR BETTER, UNLESS OTHERWISE SHOWN OR NOTED ON THE PLANS. AT HIS OWN COST AND EXPENSE, THE CONTRACTOR SHALL IMMEDIATELY NOTIFY THE ENGINEER AT ONCE OF ANY CONFLICTS WITH UTILITIES.
- ALL EXCAVATIONS, TRENCHING AND SHORING OPERATIONS SHALL COMPLY WITH THE REQUIREMENTS OF THE U. S. DEPARTMENT OF LABOR, OSHA, CONSTRUCTION SAFETY AND HEALTH REGULATIONS AND ANY AMENDMENTS THERETO. THE CONTRACTOR SHALL RESTORE ALL AREAS DISTURBED BY CONSTRUCTION TO ORIGINAL CONDITION OR BETTER. RESTORED AREAS INCLUDE, BUT ARE NOT LIMITED TO TRENCH BACKFILL, SIDE SLOPES, FENCES, DRAINAGE DITCHES, DRIVEWAYS, PRIVATE YARDS AND ROADWAYS.
- ANY CHANGES NEEDED AFTER CONSTRUCTION PLANS HAVE BEEN RELEASED, SHALL BE APPROVED BY THE CITY ENGINEER. THESE CHANGES MUST BE RECEIVED IN WRITING.
- THE CONTRACTOR SHALL PROVIDE "RED LINED" MARKED PRINTS TO THE ENGINEER PRIOR TO FINAL INSPECTION INDICATING ALL CONSTRUCTION WHICH DEVIATED FROM THE PLANS OR WAS CONSTRUCTED IN ADDITION TO THAT INDICATED ON THE PLANS.
- ALL CURB RADIUS TO BE 10' OR 2' UNLESS OTHERWISE NOTED ON THE SITE PLAN.

SITE DATA SUMMARY TABLE

SITE ACREAGE:	1,354 ACRES (58,995 S.F.)
ZONING:	COMMERCIAL
PROPOSED USE:	CAR WASH
BUILDING AREA:	4,798 S.F.
NUMBER OF STORIES:	1
BUILDING HEIGHT:	27'-9 1/2"
BUILDING COVERAGE:	8.0%
FLOOR AREA RATIO:	0.08
IMPERVIOUS AREA:	40,691 S.F. (69.0%)
PERVIOUS/LANDSCAPE AREA:	18,304 S.F. (31.0%)
REGULAR PARKING REQUIRED:	24 SPACES
1 SP PER 200 S.F.:	26 VACUUM PARKING SPACES + 1 REGULAR PARKING
HANDICAP PARKING REQUIRED:	1 SPACES (1 VAN ACCESSIBLE)
HANDICAP PARKING PROVIDED:	1 SPACES (1 VAN ACCESSIBLE)
TOTAL PARKING PROVIDED:	28 SPACES

SITE LEGEND

CONCRETE CURB	
SAW-CUT LINE	
STRIPING	
PARKING SPACES	
MONUMENT/PYLON SIGN	
WHEEL STOPS	
HANDICAP LOGO	
HANDICAP SIGN	
RAMP	
TRAFFIC ARROW	
DUMPSTER	
SANITARY SEWER MANHOLE	
SANITARY SEWER CLEANOUT	
SANITARY SEWER DOUBLE CLEANOUT	
STORM CLEANOUT	
GREASE TRAP	
DOMESTIC WATER METER	
IRRIGATION METER	
GAS METER	
TRANSFORMER	
FIRE LANE	



SITE PLAN

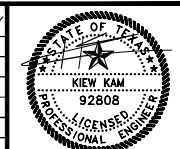
CLEAN CAR WASH
27250 FM 1093 RD
CITY OF FULSHEAR
FORT BEND COUNTY, TX 77441
R.H. KUKENDAHL SURVEY ABSTRACT NO.274



T: 409.331.8566 | F: 409.213.7145 | E: info@triangle-engr.com
W: triangle-engr.com | O: 1782 W. McDermott Drive, Allen, TX 75013

Planning | Civil Engineering | Construction Management

P.E.	DES.	DATE	SCALE	PROJECT NO.	SHEET NO.
KK	X	02-28-23	SEE SCALE BAR	095-22	C-3.0



02/28/2023



Know what's below.
Call before you dig.

NO.	DATE	DESCRIPTION	BY
1	10-28-22	1st MUD SUBMITTAL	X
2	11-28-22	1st COUNTY SUBMITTAL	X
3	01-09-23	2nd COUNTY SUBMITTAL	X
4	02-28-23	FOR BUILDING PERMIT	X

PUBLIC HEARING

The City of Fulshear Zoning Board of Adjustment will hold a public hearing on July 18, 2024;

The public hearing will take place at 10 a.m. at the City of Fulshear Municipal Complex, 6611 W. Cross Creek Bend Lane, Fulshear, Texas 77441 to hear the application of Owens Management Systems LLC, requesting a variance to Article II: Zoning Districts and Land Uses, Division II-2: Zoning Districts, Sec 28-2-5: Estate Residential, Table 28-2-5-1 Dimensional Standards of the Fulshear Coordinated Development Ordinance. The subject 2.66-acre tract is located within the 0075 RAND AND PENN, ACRES 2.66, Tract 21.6 and more precisely located at 6830 Bois D' Arc Lane, Richmond, Texas 77406. 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.

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

AGENDA OF:	July 18, 2024		
DATE SUBMITTED:	April 16, 2024	DEPARTMENT:	Planning and Development
PREPARED BY:	Rodrigo Rodriguez, Development Coordinator	PRESENTER:	Joshua Brothers, Planning Director
SUBJECT:	CONSIDERATION AND POSSIBLE ACTION ON VARIANCE REQUEST BY OWENS MANAGEMENT SYSTEMS LLC/6830 BOIS D' ARC LANE		
ATTACHMENTS:	<ol style="list-style-type: none">1. Public Hearing Notice2. Zoning Variance Application3. Map With Similar Properties4. Survey of Property5. Proposed Survey		

EXECUTIVE SUMMARY

Owens Management Systems LLC is requesting a variance to Article II: Zoning Districts and Land Uses, Division II-2: Zoning Districts, Sec 28-2-5: Estate Residential, Table 28-2-5-1 Dimensional Standards of the Fulshear Coordinated Development Ordinance. The proposed variance would allow for a smaller lot size and width. The ordinance requires a 2-acre minimum lot size and a minimum lot width of 150ft. The applicant is proposing to subdivide the property into two lots. One lot would have a frontage width of roughly 81ft and a lot size of 1.1082 acres and the second lot would have a frontage width of 152.27ft and a lot size of 1.5513 acres.

STAFF RECOMMENDATION

Staff recommends denial of the variance request.



CITY OF FULSHEAR

PO Box 279 /6611 W. Cross Creek Bend Ln
Fulshear, Texas 77441
Phone: 281-346-8860 ~ Fax: 281-346-2556
www.fulsheartexas.gov

24-1839

VARIANCE/APPEAL APPLICATION

APPLICATION DATE: 4/16/2024

ADDRESS OF PREMISES AFFECTED: 6830 Bois D'Arc Ln, Richmond, TX 77406

LEGAL DESCRIPTION: Tract 21.6 0075 RAND AND PENN, ACRES 2.66

OWNERS INFORMATION: NAME Tera Management Group, LLC
ADDRESS 27120 Fulshear Bend Dr., Ste 900-52 CITY Fulshear
STATE TX ZIP CODE 77441 EMAIL
ietukz@gmail.com PHONE NUMBER 786-333-3017

APPLICANTS NAME (if different than owner) Owens Management Systems, LLC
ADDRESS 12401 S Post Oak Rd, Ste H CITY Houston STATE TX
ZIP CODE 77045 EMAIL courtney@omsbuild.com PHONE NUMBER 713-643-6333

EXPLAIN REQUEST: (fully explain the existing conditions that make this request necessary) This property is zoned as Estate Residential. The owner is proposing to subdivide the property into 2 lots for single-family homes. We are requesting a variance to allow a smaller lot size and frontage in the Estate Residential zone.

Status of the Project: Existing Under Construction Proposed

Have there been previous variance requests for this property? No

Are there similar situations in the area? Yes

Addresses: 6935 Bois D Arc LN, Richmond, TX 77406, 4614 Penn LN, Richmond, TX 77406, 7022 Bois D Arc LN Richmond, TX 77406

Have you informed your Homeowners Association? N/A or
Neighbors? Yes

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:

This property currently has 1 single family home on it. The Owner wants to keep the existing home and build another single-family home on the North half of the property. The proposed subdivision would create 2 lots having a frontage width of 81.33 feet and an area of 1.1082 acres for lot 1 and a frontage width of 152.27 feet and an area of 1.5513 acres for lot 2. A 35 feet roadway easement will be provided along Bois D'Arc Lane to meet the right of way requirement of 70 feet. Attached for your review are the variance request, site plan, existing conditions survey, and proposed plat for your review.

VARIANCE REQUEST:

criteria:

1. Will literal enforcement of the ordinance result in a hardship or practical difficulty?

The site is located in the Estate Residential (ER) zoning district. This area is a low-density zone with lot sizes ranging from 1 to 2+ acres. The site has vehicular access to Bois D'Arc Lane, a 70 feet wide street. The site is providing a 35 feet Roadway easement to meet the required right of way width for Bois D'Arc Lane.

The subject site will be subdivided into 2 lots keeping the existing home on one lot and building a new home on the second lot. The ER zoning district classification will not change in order to preserve the character of the neighborhood. This will allow the proposed development to maintain lot sizes that range from 1 acre to 2+ acres in this area. The ER zoning district discourages lots that are smaller than the existing ones in the area that could affect the character and value of the neighborhood. The 2 lots will meet the setback, height and type of dwelling (detached) requirements for the ER zoning district ordinance to maintain the same type of development throughout this area.

Literal enforcement of the ordinance requires a minimum lot size of 2 acres for the ER zoning district and a minimum lot width of 150 feet. This will result in a practical difficulty by not being able to create a second lot for a new dwelling unit. Allowing 2 lots to have less than 2 acres in size and for lot 1 to have less than 150 feet in width will maintain and preserve the intent and general purpose of the ordinance since the existing lot sizes in this area range from 1 to 2+ acres and the subdivision total width is of 233.60 feet. The proposed lot 1 will have 1.1082 acres and the proposed lot 2 will have 1.5513 acres. Lot 1 will have a frontage along Bois D'arc of 81.33 feet and lot 2 will have a frontage of 152.27 feet. The granting of this variance will not be injurious to the public health, safety, morals and general welfare of the community since the size of the lots and dwelling units will be similar to the existing ones in the area and the 2 lots will have a total combined width of 233.60 feet. The setbacks, height and parking requirements will be met to maintain the character and safety of the neighborhood.

2. Is the hardship self-imposed?

The ER zoning district classification will be maintained with the proposed subdivision to avoid having smaller lots like the ones allowed on a Suburban Residential (SR) zoning district of half an acre. The proposed subdivision will preserve the low-density type of development that exists in this neighborhood with lot sizes that range between 1 to 2 acres. Lot 1 will be approximately 1.1082 acres and lot 2 will be approximately 1.5513 acres. The 2 lots will have a total width of 233.60 feet with lot 1 under 150 feet wide and lot 2 over 150 feet wide. The 2 lots will have a dwelling unit of a similar size meeting the setbacks, height and parking requirements. The hardship for this variance is not self-imposed since this request doesn't represent a unique situation in this area. Lots under 2 acres and with less than 150 feet in width already exist in this neighborhood. As a result, granting the requested variance will maintain the intent of the ordinance by allowing a subdivision with lot sizes that are similar to the existing ones in this neighborhood. Also, the minimum separation between homes and between the public street and homes required by the ordinance will be met.

3. **Is the condition unique to the property, or is it common to other properties within the area?**

Along Bois D'Arc Lane, Penn Lane and Lea Lane are existing properties with lot sizes that ranges from 1 to 2 acres. Along Bois D'Arc there are existing properties with lot widths of less than 150 feet. Allowing the subject site to have 2 lots smaller than 2 acres but larger than 1 acre and allowing lot 1 to have a lot width of less than 150 feet will not create a unique condition for this area that could set a precedent since similar lot sizes already exists on the neighborhood.

4. **Will the requested Variance injure the adjacent property?**

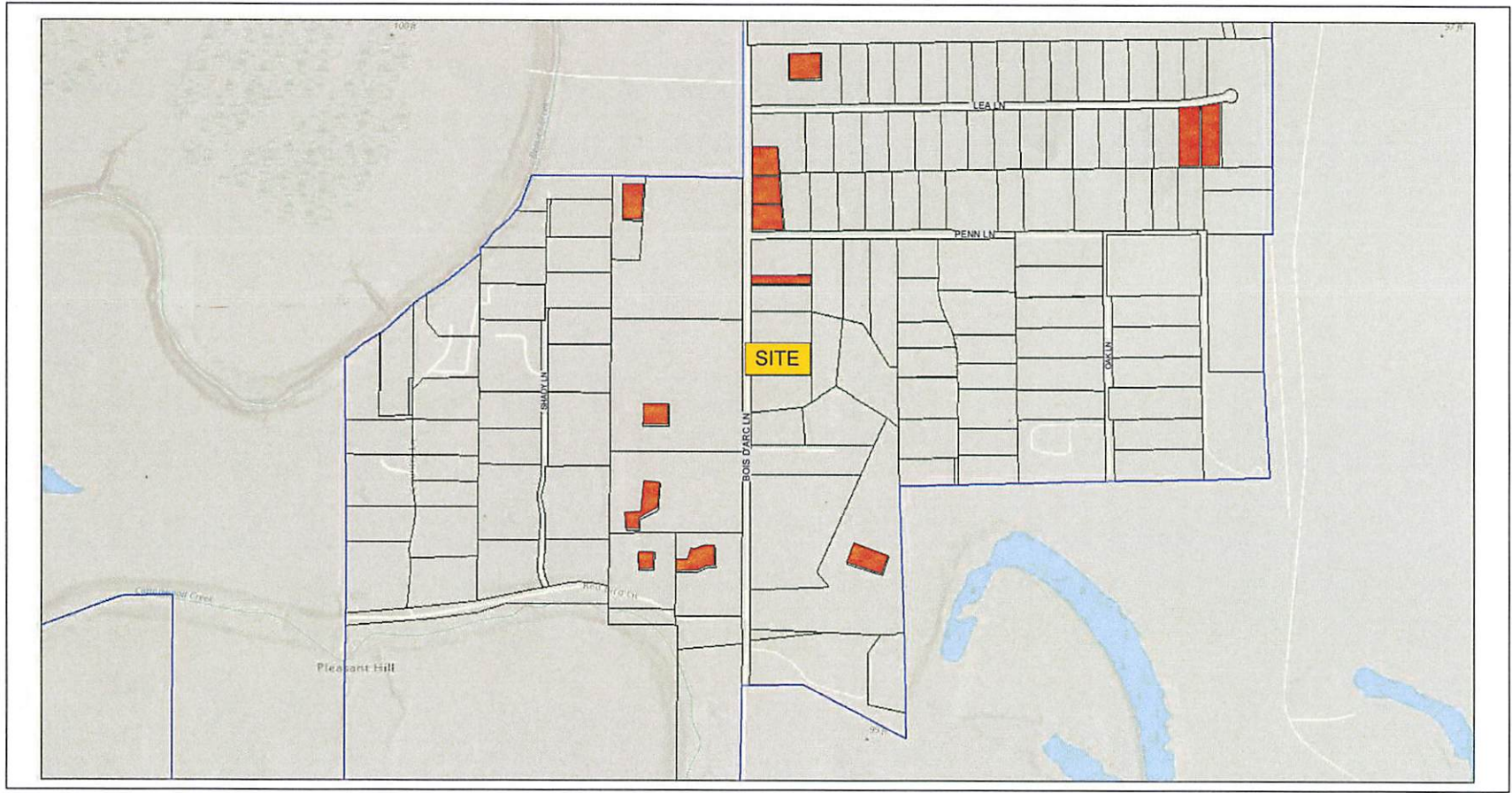
The proposed site will have 2 lots under 2 acres. Lot 1 will be approximately 1.1082 acres and lot 2 will be approximately 1.5513 acres. These proposed sizes are similar to other lots in the area. The setbacks from the adjacent properties will be maintained as required by the ordinance. The height and size of the dwelling unit on each lot will be similar to the existing ones in this neighborhood and in conformance with the ordinance. The subdivision will have a combined width of 233.60 feet for the 2 lots that will preserve the character of a low-density neighborhood. The granting of this variance will not affect the use and value of the adjacent properties since the low-density type of development that exists on the area, is being maintain with this new subdivision.

5. **Will the requested Variance be contrary to orderly development in the area?**

The proposed subdivision will follow the ordinance requirements for setbacks, height of the proposed dwelling units and type of dwelling units (Detached). The proposed size of the lots is over an acre and less than 2 acres similar to the existing developments on this area. The proposed width of lot 1 is under 150 feet and the proposed width of lot 2 is over 150 feet. The 2 lots combined have a total width of 233.60 feet. This maintains the intent of the ER zoning district ordinance to create a low-density development with enough separation between neighbors to maintain a rural feeling and not a suburban feeling. The granting of this variance will not be contrary to the orderly development in the area.

Acknowledgement: I certify that the information herein provided is true and correct to the best of my knowledge and belief, and that I, or my authorized representative, will cause this case to be presented in public hearing before the Planning Commission, unless I withdraw same prior to the City's posting of public notice. Should I initiate withdrawal after public notice is posted, I understand that the Board action shall constitute denial of the case, and the filing fee will be non- refundable. I understand that if I receive approval, I must still obtain approval from all other required departments within the City and that I must obtain required permits within 180 days from the date of the Board approval.

Signed by the Applicant/Owner Agent: _____ **Date:** _____



 PROPERTIES WITH LESS THAN 2 ACRES

TERA ESTATES

LOT SIZE EXHIBIT
DATE: MAY, 2024 SCALE: 1" = 40'
OWENS MANAGEMENT SYSTEMS, LLC
12401 SOUTH POST OAK ROAD, SUITE H
HOUSTON, TEXAS 77045
713-643-6333



 PROPERTIES WITH LESS THAN 2 ACRES

TERA ESTATES

AERIAL EXHIBIT

DATE: MAY, 2024 SCALE: 1" = 40'
OWENS MANAGEMENT SYSTEMS, LLC
12401 SOUTH POST OAK ROAD, SUITE H
HOUSTON, TEXAS 77045
713-643-6333

