

Bois D' Arc Lake Zoning Commission
06/03/2021 Meeting Minutes

On Thursday, June 3, 2021 the Bois D' Arc Lake Zoning Commission (BDA-LZC) held a public meeting at Bonham City Hall after public notice was posted on May 28, 2021 at 8:35 a.m. with the following members being present:

Kevin Darwin (KD)
Gary Fernandes (GF) **On Phone**
Randy Moore (RM)
Matt Titsworth (MT) **Absent**
Gilbert Welch (GW)

1. Call to Order / Establish Quorum;

Judge Moore called the meeting to order at 8:34 a.m. Mr. Fernandes is present via telephone and Matt Titsworth is absent. Quorum established.

2. Public Forum;

No public comments

3. Approve meeting minutes from 05/06/2021 Public Hearing and 05/06/2021 Regular Meeting;

RM: Public Hearing minutes, last line under Comments should say NOT be in the regulations.

GW: Regular mtg minutes, Item #8, Di Hopkins, Change 100' setback to 100' frontage.

RM: Just to let the Board know, items 5&6 from the last meeting were passed by Commissioners Court.

Mr. Welch motioned to approve minutes with corrections. Seconded by Mr. Darwin. Motion passes.

4. Discussion regarding notifying the Fannin County Historical Commission of zoning change requests on properties where cemeteries are located;

Malinda Allison (MA) and Larry Standlee (LS) spoke.

MA: Mr. Standlee submitted the list of cemeteries to Ms. Hopkins with parcel #s. The FCHC is just requesting that notice be given so they are aware of what is happening if a cemetery is present on property being considered for zoning changes.

LS: The Historical Commission could make contact with the owner so they are aware of what their responsibilities may be. For example, the law states access must be allowed to these cemeteries.

RM: Di submitted the list of cemeteries to the CAD and they are working on a layer for the interactive map.

A landowner with a cemetery was present at the meeting and will speak with the Historical Commission about this.

5. Discussion, consideration and action regarding dual zoned property within the 5,000' buffer of Bois d'Arc Lake and the recommendation to Commissioners Court;

Di Hopkins (DH), Mark Kinnaird (MK), Newt Cunningham (NC)

DH: After a lot of discussion and several meetings, the conclusion is that the regulations already cover what is needed. No MOU is necessary. The strictest regulations prevail as far as who is in charge of zoning. She already has a spreadsheet detailing the zoning and it is ready to send to Freese and Nichols to have them redo the zoning map. This map will show which jurisdictions are which. There will need to be a public hearing for both the Lake Zoning Commission and Commissioners Court before everything can be finalized.

GW: Stated he still has a concern regarding the Extraterritorial Jurisdictions (ETJs).

RM: In the future as the City expands its ETJ, it automatically becomes the City's. Asked that Di to send the notice for review before publishing.

GW: His fear is there will not be zoning in the ETJs.

KD: As other cities come in, does this cover them or do we revisit each time?

RM: Same rules apply. The county will pull out of the zoning unless the entity does not have any regulations.

GW to MK: Can TCOG help with this?

MK: Would be happy to see if they will. He believes they have experts, also thinks a couple of the smaller towns don't have any zoning.

RM: They may just say let the County handle it.

Mr. Darwin motioned to move forward with a public hearing to hear comments regarding this subject. Seconded by Mr. Welch. Motion passes.

6. Discussion, consideration and action regarding masonry requirements in the Lake Zoning Regulations;

DH: We cannot enforce masonry requirements.

RM: Does not want to take any action until after the Legislative Session is complete. There may be changes.

NC: Can't enforce ordinances outside of the International Code.

GW: Is there a need to take this to Commissioners Court for action to not enforce?

NC: The law states that we cannot enforce, so action is not necessary.

GW: Still feels the board should take official action.

GF, KD, RM: Feel we should wait until the Legislative Session is over.

Mr. Welch motioned to table until the next meeting. Seconded by Mr. Darwin. Motion passes.

7. Discussion, consideration and action regarding changes and/or modifications by landowners;

Dan Cooper (DC) has purchased 300 acres around the Lake and wants to be respectful of the Lake and County. He will be seeking variances regarding the width of subdivision internal roads and setbacks.

Judge Moore stated this had to come before the commission before and the developer just redrew the lots and everything worked out great for him before.

Mr. Welch said in order for the commission to consider variances, they will need to be specific and not general.

No action taken.

8. Set next BDA LZC meeting and/or hearing date(s);

Mr. Darwin motioned to set a public hearing at 8:20 am and the regular meeting at 8:30 am on July 1, 2021. Seconded by Mr. Welch. Motion passes.

9. Adjourn.

Mr. Welch motioned to adjourn. Seconded by Mr. Darwin. Motion passes.

Meeting adjourned at 9:19 am.

The above and foregoing represents true and correct minutes of the Bois d' Arc Lake Zoning Commission special meeting that was held on the 3rd day of June, 2021 at 8:30 a.m.

ATTEST:

**Lisa Loiselle - Administrative Assistant to
Fannin County Judge, Randy Moore**