

# Bois D' Arc Lake Zoning Commission Meeting Minutes

THE STATE OF TEXAS  
COUNTY OF FANNIN

On Thursday, July 11, 2019, the Bois D' Arc Lake Zoning Commission (BDA-LZC) held a public meeting after public notice was posted on July 3, 2019 at 1:25 p.m. with the following members being present:

**Kevin Darwin**  
**Gary Fernandes**  
**Bob McCraw**  
**Randy Moore**  
**Gilbert Welch**

## Call to Order / Establish Quorum

Judge Moore called the meeting to order at 8:31 a.m. and stated all members are present. Quorum established.

### I. Introductions

Judge Moore welcomed Commissioner Magness.

### II. Public Forum

No one came forward to speak.

### III. Approve Meeting Minutes from 06/06/2019

Mr. Darwin stated that regarding the quorum, the names at the top did not correlate with the statement under Item I. of the minutes. It was recommended that in the future the word 'absent' be right next to the member's name who isn't present and not listed under Item I.

Mr. Welch made a motion to approve the 06/06/2019 Minutes. Seconded by Mr. McCraw. Motion passes.

### IV. Discussion, Consideration and Action to recommend to the Commissioners Court to approve the addition of a new subsection to the Lake Zoning Regulations for Bois d' Arc Lake - 8.01.G Resubmittal of Rezoning Applications; an applicant shall not submit a rezoning request if the same or similar rezoning request has been denied by the Commissioners Court within the previous six months

Numerous calls have come in wanting to rezone private property surrounding the lake to retail / commercial without any strategies for development. The Commission feels this could negatively impact the individual and/or the surrounding neighbors without a plan. A statement was made to the effect of "Who would want a commercial business built right next to their home?"

Mr. Welch feels the best option for rezoning is to use the Comprehensive Plan for Bois d' Arc Lake as the guideline for rezoning.

Judge Moore feels that a one year waiting period to resubmit a rezoning request would be better than six months. This would allow for an individual to give serious thought before submitting a change in zoning application.

Mr. Fernandes recommend the motion be made to read: an applicant shall not submit a rezoning request if the same or similar rezoning request has been considered and adjudicated by the Commissioners Court within the previous six months.

Mr. Fernandes made a motion to approve the subsection addition with the words considered and adjudicated to replace the word denied. Seconded by Mr. Welch. Motion passes.

**V. Discussion, consideration and action regarding building permits and utility companies' interaction with the permitting process**

It was brought to the attention of the Commission that buildings are being erected within the 5,000' buffer of Bois d' Arc Lake without permits.

The Commission feels that it is in the best interest of the citizens to get the permits prior to building or they run the possibility of completing the structure and then not being able to have electricity or water.

Mr. Kinnaird of the City of Bonham stated their process is to have the Utility Company call the City before setting up a temporary utility pole and if a permit has not been issued, the pole doesn't get put in.

Mr. McCraw said the permitting process is listed under Sections 8.04 and 8.05 in the Lake Zoning Regulations manual. Judge Moore stated that the Commissioners Court should reach out to the utility companies and that when a permit is applied for that Mrs. Huffman go to the property to confirm the structure is matching the application.

Mr. Welch recommended that we reach out to the individuals who are not currently in compliance.

Mr. Fernandes made the motion that Bois d' Arc Lake Zoning Commission recommend to the Commissioners Court that they reach out to the appropriate utility companies to notify them of Sections 8.04 and 8.05 of the Zoning Regulations for Bois d' Arc Lake and the process to be followed in the event of non-compliance. Seconded by Mr. Welch. Motion passes.

**VI. Discussion, consideration and action on changes and/or modifications requested by landowners**

There were not any current applications to be discussed. Item passed on.

**VII. Set next BDA-LZC Regular Meeting date and time.**

Mr. Welch moved to set the next Regular Meeting date to August 1, 2019 at 8:30 a.m. Seconded by Mr. Fernandes. Motion passes.

**IX. Adjourn**

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

**Meeting adjourned at 9:21 a.m.**

**The above and foregoing represents true and correct minutes of the Bois d' Arc Lake Zoning Commission meeting that was held the 11th day of July, 2019 at 8:30 a.m.**

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**ATTEST:**



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