

Bois D' Arc Lake Zoning Commission

10/03/2019 Meeting Minutes

THE STATE OF TEXAS
COUNTY OF FANNIN

On Thursday, October 3, 2019, the Bois D' Arc Lake Zoning Commission (BDA-LZC) held a public meeting after public notice was posted on September 27, 2019 at 12:48 p.m. with the following members being present:

Kevin Darwin
Gary Fernandes
Bob McCraw
Randy Moore
Gilbert Welch

Also in attendance: Lita Huffman, Newt Cunningham, Lisa Loiselle, Jerry Magness

I. Call to Order / Establish Quorum;

Judge Moore called the meeting to order at 8:30 a.m. and stated all members are present. Quorum established.

II. Introductions;

Judge Moore thanked Commissioner Magness for being here.

III. Public Forum;

No one came forward to speak.

IV. Approve Meeting Minutes from 08/29/2019;

Mr. Welch made a motion to approve the 08/29/2019 minutes. Seconded by Mr. Fernandes. Motion passes.

V. Discussion, consideration and action to approve the BDA Lake Special/Variance Application Form;

Mr. Cunningham came forward to stress his opinion that a Special/Variance should not be considered very often as it would eventually make the rule in the Regulations irrelevant. There would be no adhering to the rule if too many are approved and the people who were not approved would be very upset.

He referenced (a) page 68: Types of Applications, (b) page 85: Relief Procedures and (c) Universal Application Contents

There was a group consensus that the word Variance be removed from the Application as it does not appear anywhere in the manual. It will be called a Special Exception as it is stated in the Regulations. This was previously confirmed by Daniel Harrison at Freese and Nichols.

Judge Moore felt there needed to be more examples of what a Special Exception would entail.

Mr. Cunningham felt the Commission needs to look at the Application once more time before approving.

Mr. Fernandes feels Section 9.01A1 is very broad and basically anyone who wanted to apply under Special Exception could. The Commission should consider amending this Section.

Mr. Fernandes made a motion to move forward with three amendments regarding the Special Exception Application:

- a. Delete any reference to the word Variance
- b. Add 'For additional information see Sec 9.01 of the Lake Zoning Regulations'
- c. Have Council review the Form in comparison to the Regulations Manual.

Seconded by Mr. Darwin. Motion passes.

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

B. Possible Change in Zoning Application in Honey Grove (this item was taken out of order)

This item was for Discussion Only, no action.

Mr. Bruce Graf came forward. He is interested in building a boat/storage facility and possibly a restaurant in the future off of FM 100. It is now zoned Residential (with a small portion Ag) and he is looking at wanting to change it to Retail/Commercial. Basically he is here today to feel out the Commission and get their opinions. He doesn't want to go through the whole process if they don't think it's a possibility.

Judge Moore stated the Commission is unable to give him a probably or a probably not without the application to look over and compare with the Regulations.

Mr. Welch said he feels the Comprehensive Plan, which was originally made for this exact reason, should be considered.

The Commission expressed several opinions for Mr. Graf to consider: Wondered if Mr. Graf has felt out his neighbors - perhaps that isn't the best location for boat storage being the ramps are on the other side of the Lake – maybe he can trade someone for commercial property which is closer to Lake access.

A. Future Variance Application in Dodd City:

There were no details or anyone present to have a discussion regarding this item.

Mr. Welch made a motion to Table the item until the Application is submitted. Seconded by Mr. Fernandes. Motion passes.

VII. Set next BDA-LZC Regular Meeting date for November 7, 2019 at 8:30 a.m.

Mr. McCraw moved to set the next Regular Meeting date on November 7, 2019 at 8:30 a.m. Seconded by Mr. Welch. Motion passes.

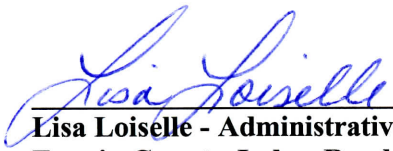
IX. Adjourn

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

Meeting adjourned at 9:23 a.m.

The above and foregoing represents true and correct minutes of the Bois d' Arc Lake Zoning Commission meeting that was held the 3rd day of October, 2019 at 8:30 a.m.

ATTEST:



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