

Bois d'Arc Lake Zoning Commission

Minutes of Public Hearing and Public Meeting June 6, 2024

The Public Hearing, held at the Fannin County Courthouse, was called to order by Chairman Newt Cunningham at 8:18 am. Present were Chairman Cunningham and members Gilbert Welch and Kevin Darwin. Gary Fernandes participated via zoom

Item 1. A quorum was established.

Item 2. Hear comments regarding adding LC, Lake Commercial, to the zoning districts in the Bois d'Arc Lake Zoning Regulations. There were no comments.

Item 3. Hear comments regarding a change in zoning application for two lots on County Road 2670 in Telephone, Property ID# 82622; from A&R, Agriculture and Ranching District to RE, Rural Estate Single-Family District.

William Underhill spoke in support of the application.

Item 4. Hear comments regarding a change in zoning application on FM 897 in Dodd City, Property ID# 131451; from RE, Rural Estate Single-Family District to LC, Lake Commercial.

There were no comments.

Item 5. Hear comments regarding Special Exception application on County Road 2900 in Dodd City, Property ID#s 110544 and 126177; reduce road frontage from 100' to a minimum of 40' on cul-de-sacs and curved roads.

Craig Malan of Kimley Horn spoke on behalf of Bois d'Arc Point LLC. He stated that the ordinance did not take into account lots on cul-de-sacs.

Jena Adamo owns the property adjacent to the development and she is opposed to the exception and she is also concerned about the lack of a second exit from the development.

Item 6. Mr. Welch made the motion to adjourn, seconded by Mr. Darwin. Motion passed unanimously.

The Public Meeting, held at the Fannin County Courthouse, was called to order by Chairman Newt Cunningham at 8:18 am. Present were Chairman Cunningham and members Gilbert Welch and Kevin Darwin. Gary Fernandes participated via zoom

Item 1. A quorum was established.

Item 2. Public Forum. No one spoke in public forum.

Item 3. Approve minutes from 05/02/2024 Regular meeting.

Mr. Darwin corrected Item 4 in the draft minutes to read that he had observed that there was no onsite sewage treatment facility and thus it was possible that sewage was running into the creek on the property. A motion was made to approve the minutes as corrected by Mr. Darwin, seconded by Mr. Fernandes. Motion passed unanimously.

Item 4. Discussion, consideration and action regarding adding LC, Lake Commercial, to the zoning districts in the Bois d'Arc Lake Zoning Regulations.

Di Hopkins, Director of Development Services, explained the proposal which would require changes to the zoning manual and possibly the future land use map. Chairman Cunningham noted that this change would duplicate the Lake Ralph Hall zoning regulations. The Lake Commercial category is more restrictive than the current retail and commercial category. Mr. Welch does not have a problem with the change but is concerned that not enough information was provided to fully understand the changes. Ms. Hopkins said that the Future Land Use Chart showing the changes needs to be provided. Mr. Welch also mentioned that since a number of changes have been made the zoning manual needs to be revised. Ms. Hopkins said that the zoning manual has been changed online. Mr. Darwin said that he agreed with the proposed changes. Mr. Welch moved that the Zoning Commission recommend to Commissioners Court that the Lake Commercial District be established which would be more restrictive than the current Retail and Commercial District and which would be consistent with the Lake Ralph Hall regulations. Seconded by Mr. Darwin. Motion passed unanimously. The motion was amended by Mr. Fernandes to state that specific implementing changes need to be made in the manual. A vote on the amended language was taken. Passed unanimously.

Item 5. Discussion, consideration and action regarding a change in zoning application for two lots on County Road 2670 in Telephone, Property ID# 82622; from A&R, Agriculture and Ranching District to RE, Rural Estate Single-Family District.

Mr. Darwin made a motion to approve, seconded by Mr. Welch. Passed unanimously.

Item 6. Discussion, consideration and action regarding a change in zoning application on FM 897 in Dodd City, Property ID# 131451; from RE, Rural Estate Single-Family District to LC, Lake Commercial.

This is property that is owned by Fannin County. Motion by Mr. Welch, seconded by Mr. Fernandes. Passed unanimously.

Item 7. Discussion, consideration and action regarding Special Exception application on County Road 2900 in Dodd City, Property ID#s 110544 and 126177; reduce road frontage from 100' to a minimum of 40' on cul-de-sacs and curved roads.

This is for the development known as Bois d'Arc Point. One protest was received from a neighbor. The neighbor is concerned about the houses being built near their property, the damage to their view, and the need for two ways to enter and exit. Ms. Hopkins said that the ingress/egress issue will be addressed under the subdivision regulations. She reviewed other exemptions that the Zoning Commission had previously granted for cul-de-sacs. Chairman Cunningham noted that there were no protests in the previous exemptions. Mr. Welch is opposed to reducing the frontage to less than 60 feet. He also is concerned about the lack of lot numbers in the request. Mr. Darwin noted that in the previous instances the lots backed up to the water or flood plain. Chairman Cunningham encouraged Bois d'Arc Point to try to work something out with the neighbor. Mr. Fernandes noted that cul-de-sacs were not considered in the initial development of the regulations. Jena Adamo, the neighbor, discussed her concern with houses being built near her property. Chairman Cunningham suggested an agreement with the neighbor, perhaps with a restrictive covenant. Mr. Welch moved that the developer return with a redesign with no less than 60 foot road frontage and identify specifically those lots for which they want exceptions. Seconded by Mr. Darwin. Ayes by Mr. Welch, Mr. Darwin and Chairman Cunningham. Mr. Fernandes abstained. Motion passed.

Item 8. Discussion regarding NTMWD/County Community Park.

Chairman Cunningham discussed the possibility of a community park with NTMWD. The NTMWD sent an email to Chairman Cunningham stating it was willing to engage with the County regarding this issue.

Mr. Fernandes discussed potential public access to the Riverby Mitigation Area required by the 404 permit.

Item 9. Discussion, consideration and action regarding any additional changes, modifications or requests that relate to Bois d'Arc Lake Zoning.

Nothing discussed or considered.

Item 10. Discussion, consideration and action to set next BDALZC meeting and/or hearing date(s).

A motion was made by Mr. Darwin to hold the next meeting on July 11 at 8:30 am, seconded by Mr. Welch. Passed unanimously.

Item. 11. Adjourn.

A motion to adjourn was made by Mr. Welch, with a second by Mr. Fernandes. Passed unanimously. Adjourned by 9:59.

The above and foregoing represents true and correct minutes of the Bois d' Arc Lake Zoning Commission meetings that was held on the 6th day of June, 2024 at 8:15 and 8:30 a.m.

ATTEST:

Malinda Allison, Secretary