

Bois d'Arc Lake Zoning Commission

Minutes of Public Meeting May 2, 2024

The Public Meeting, held at the Fannin County Courthouse, was called to order by Chairman Newt Cunningham at 8:30 am. Present were Chairman Cunningham and members Matt Tittsworth, Gilbert Welch and Kevin Darwin. Gary Fernandes participated via zoom. A quorum was present.

No one spoke in Public Forum.

Item 3. A motion to approve the minutes of the public meeting of 1-4-2024 was made by Mr. Welch with a second by Mr. Darwin. Motion passed unanimously.

Item 4. Discussion, consideration and action regarding non-compliance issues, Property ID# 76487.

Di Hopkins of Development Services discussed various compliance issues with the property owner who has placed three recreational vehicles on the property without proper permitting. The property is currently zoned Ag. Multiple regular letters were sent, and additional certified letters which she has sent to him have been not accepted and returned. Multiple county ordinances are being violated, including the recreational vehicle ordinance, the junk yard ordinance and the sewer ordinance. Chairman Cunningham stated that the regulations must be enforced. Mr. Welch noted that the Commission tries to work with property owners, but with rights come responsibility. The enforcement protocols require that this matter be brought to the Zoning Commission before moving forward to the District Court. Mr. Darwin has observed that at least 2 of the vehicles have people living in them, and he observed that because there was no onsite sewage treatment facility on the site that it was possible that sewage was running into the creek on the property. Chairman Cunningham said that a constable would serve the owner with a letter in light of his not accepting certified mail. A motion to enforce the ordinance was made by Mr. Welch, second by Mr. Fernandes. Motion passed unanimously.

Item 5. Discussion, consideration and action to set a public hearing to hear comments regarding adding Lake Commercial District to the Bois d'Arc Lake Zoning Regulations, Comprehensive Plan and Future Land Use Map.

Chairman Cunningham discussed that this change would adopt the Lake Commercial District regulation that is a part of the Lake Ralph Hall regulations into the Bois d'Arc regulations. Motion by Mr. Welch; second by Mr. Tittsworth. Motion passed unanimously.

Item 6. Discussion, consideration and action to set a public hearing to hear comments regarding a change in zoning request from RE, Rural Single Family District to R&C, Retail and Commercial District or Lake Commercial District; 5 acres on FM 897, Property ID# 131451.

This property is currently owned by Fannin County, which wants to put the property up for sale as it is no longer needed for gravel storage. Its current value may be as much as \$400,000 and may be higher with a change in zoning. Motion by Mr. Darwin; second by Mr. Fernandes. Motion passed unanimously.

Item 7. Discussion, consideration and action regarding any additional changes, modifications or requests that relate to Bois d'Arc Lake Zoning.

Ms. Hopkins reported that a new request for a special exception for road frontage was received for a development to be called Bois d'Arc Pointe off 897 to the east. She asked for a motion for a public hearing.

Mr. Gilbert mentioned that accommodations need to be made for trails and public use. Mr. Darwin agreed. Chairman Cunningham noted that the North Texas Municipal Water District has previously discussed making land available for a public park. Mr. Titsworth agreed with the need for public recreation at the Lake. Chairman Cunningham will talk with the North Texas Municipal Water District about the park issue. A motion to hold a public hearing for the request for a special exemption for Bois d'Arc Pointe was made by Mr. Gilbert, second by Mr. Titsworth. Motion passed unanimously.

Item 8. Discussion, consideration and action to set next BDALZC meeting and/or hearing date(s).

A motion was made by Mr. Darwin to set the date as June 6, 2024 for the public hearings at 8:15 am and the regular meeting at 8:30 am. Second by Mr. Titsworth. Motion passed unanimously.

Item 9. Adjourn.

A motion to adjourn was made by Mr. Welch, second by Mr. Titsworth. Motion passed unanimously. The meeting was adjourned at 9:10 am.

The above and foregoing represents true and correct minutes of the Bois d' Arc Lake Zoning Commission meeting that was held on the 2nd day of May, 2024 at 8:30 a.m.

ATTEST:

Malinda Allison, Secretary