

Bois D' Arc Lake Zoning Commission

08/13 /2020 Meeting Minutes

THE STATE OF TEXAS
COUNTY OF FANNIN

On Thursday, August 13, 2020, the Bois D' Arc Lake Zoning Commission (BDA-LZC) held a public meeting at Bonham City Hall and via teleconference after public notice was posted on August 6, 2020 at 2:49 p.m. with the following members being present:

Kevin Darwin
Gary Fernandes
Randy Moore
Gilbert Welch

I. Call to Order / Establish Quorum;

Judge Moore called the meeting to order at 9:05 a.m. and stated all members were present except Mr. McCraw. Quorum established.

II. Public Forum; (Comments will be received via chat format only);

No comments were made. No comments in chat on the teleconference.

III. Approve Meeting Minutes from 06/18/2020;

Mr. Fernandes made a motion to approve the 06/18/2020 Public Hearing and 06/18/2020 Regular Meeting minutes. Seconded by Mr. Welch. Motion passes.

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

A. Change in Zoning Application for the Bois d'Arc General Store from Agriculture to Retail and Commercial District in Telephone

Mr. Welch requested that the statements he made at the public hearing right before this meeting be moved to the minutes as to not waste anyone's time by repeating everything he said earlier: "My only concern is that it is not already zoned commercial. If this application is granted, the BDA LZC will have to be considering this type of establishment (commercial) in the future when it is not zoned for commercial."

Mr. Welch then mentioned the possibility of leaving the property zoned as Agriculture and submitting a letter to the TABC from the Commissioners Court that the building was already existing and could be grandfathered in so Ms. Tionloc could get her license to sell tobacco. If the owner does wish to add on to her existing structure, then she would need to follow the Regulations. Even if we propose the new grandfather option, the Commissioners Court could still vote to make it Retail and Commercial.

Mr. Fernandes supports Mr. Welch's proposal.

Mr. Darwin felt the Commission should make a motion to move forward with the recommendation to Commissioners Court as that is why Ms. Tionloc came today.

Mr. Darwin made a motion to recommend change in zoning from agriculture to Retail and Commercial to Commissioners Court. Seconded by Mr. Fernandes with request to add amendment: and to ask Commissioners to also look at exempting this property from regulations as it was pre-existing (grandfathered in).

Mr. Welch is still unsure whether or not to recommend a change in zoning to Retail and Commercial as it will set a precedent. He feels it should be grandfathered in and a letter sent by the Commissioners to specifically allow the operation of this store.

Mr. Fernandes felt the motion was rendered to give the option for either scenario. Judge Moore agrees it would give the option of either.

Connie Estes of the Fannin County Leader mentioned that she runs legal ads all the time and that the TABC is very specific of what they want.

All Commission members voted aye. Motion passes.

V. Set next BDA-LZC Regular Meeting date;

Mr. Welch made a motion to set the next BDA-LZC meeting for September 3, 2020 at 9:00 a.m. Seconded by Mr. Fernandes. Judge Moore stated that if there wasn't anything on the agenda, we could reschedule the meeting for the next regular date. Motion passes.

VI. Adjourn

Mr. Welch motioned to adjourn. Seconded by Mr. Darwin. Mr. Fernandes stated he felt this was a good healthy discussion, and it shows we are doing our job. Motion passes.

Meeting adjourned at 9:33 a.m.

The above and foregoing represents true and correct minutes of the Bois d' Arc Lake Zoning Commission meeting that was held on the 13th day of August, 2020 at 9:00 a.m.

ATTEST:

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