

Bois D' Arc Lake Zoning Commission
06/02/2022 Meeting Minutes

On Thursday, June 2, 2022 the Bois D' Arc Lake Zoning Commission (BDA-LZC) held a public meeting after public notice was posted at 12:53 pm on May 26, 2022 with the following members being present:

Kevin Darwin (KD)
Randy Moore (RM)
Gary Fernandes (GF)
Gilbert Welch (GW)

[Also in attendance: Di Hopkins (DH), Newt Cunningham (NC), Commissioners Magness, and Lisa Loiselle]

Judge Moore called the meeting to order at **8:30 am**.

1. Establish Quorum;

Judge Moore stated Mr. Titsworth is absent. Quorum established.

2. Public Forum;

No public comments

3. Approve meeting minutes from 05/05/2022 Public Hearing and Regular Meetings;

Mr. Welch: Page 1, Item 3, change 'of which' to 'on which'.

Mr. Welch: Page 2, pp 2 under # 6 – change 'pol' to 'pool'.

Mr. Darwin moved to approve minutes as amended. Seconded by Mr. Welch. Motion passes.

4. Discussion, consideration and action to approve change in zoning application for 18.00 acres out of a 59.222-acre tract located at FM 897 and CR 2655, Property ID# 78349, from RE, Rural Estate Single-Family District to R&C, Retail and Commercial and recommend to Commissioners Court for approval;

GW – Wanted to make an overview and observation that the zoning request property is in an RE area and is in close proximity to other R&C property. If you look at pages 18-19 of the lake zoning regulations, there is an allowed use for mini storage, but he is not seeing where RV and boat storage is listed as allowed. The regulations allow for RV Parks, but is not seeing RV storage.

DH – She believes that on page 19 where the chart says 'storage, mini' that it would involve all storage.

NC –Agrees with Di.

GW – The regulations should state RV/Boat storage allowed for clarification.

GF – Asked to be reminded of the process to approve a change in zoning.

RM/GW/DH – Explained the process and that all letters were sent out, landowners notified, public notices were placed in the paper, the hearing was this morning and that it will then go to Commissioners Court for another hearing and approval or denial.

Mr. Welch moved to submit the application to Commissioners Court and recommend to approve this zoning change. Seconded by Mr. Fernandes. Motion passes.

Mr. Fernandes asked if the zoning commission had approved any other land for storage units. Judge Moore and Ms. Hopkins both believed it had.

5. Discussion, consideration and action to set a public hearing to hear comments regarding a change in zoning application; 25.08 acres, Property ID# 78153 on old FM 1396 in Windom, from Agriculture & Ranching District to Rural Estate Single Family District;

Mr. Welch thanked Mr. Eckel for the gift basket, but declined to accept it as he did not want it to be seen as swaying the vote. The other members of the Commission followed suit.

It was noted where the proposed change in zoning property was located and Mr. Welch stated that the land right by this property is also zoned RE.

Mr. Welch moved to set a public hearing on July 7, 2022 at 8:20 am. Seconded by Mr. Darwin. Motion passes.

6. Discussion regarding Special Exception for setbacks application; 25.08 acres, Property ID# 78153 on old FM 1396 in Windom;

DH – This will be residential. The developer is asking for exception to setbacks because it is shoreline property. Proposed setbacks:

1. Lot 9: Reduced Front Yard Setback to 40'.
2. Lot 10: Reduced Rear Yard Setback to 40'.
3. Lot 11: Reduced Front Yard Setback to 55' Reduced Rear Yard Setback to 40' and Reduced Lot Depth, 153.83'.
4. Lot 14: Reduced Rear Yard Setback to 70'.
5. Lot 15: Reduced Rear Yard Setback to 40' and Reduced Lot Depth to 166.45'.
6. Lot 16: Reduced Front Yard Setback to 40' Reduced Rear Yard Setback to 40' and Reduced Lot Depth, 147.52'.
7. Lot 17: Reduced Front Yard Setback to 60' Reduced Rear Yard Setback to 40' and Reduced Lot Depth, 172.68'

RM - Asked if each lot is at least one acre of property. **DH** – Yes.

GW – Stated he is unable to see as the paper is too small.

RM – Requested that Di ask the developers for large printed maps for the Commission in the future.

GW – Has a problem with lots 10, 11, 14, and 15 as they are backed up to other landowners.

James Richey – Stated they are trying to purchase that land as well.

GW – Lots 16 & 17 adjoin the land to the east.

Mr. Richey – Stated they own that land.

GF – Asked if the documents were public. Mr. Richey said no.

GW – Feels the Change in Zoning and Special Exception requests should be in the public notice together.

7. Discussion, consideration and action regarding changes and/or modifications by landowners;

Mr. Welch moved to incorporate the setback request as part of the change in zoning public hearing notice. Seconded by Mr. Fernandes. Motion passes.

Mr. Darwin backed up to item #6 and stated that percentage wise, it seems the setback special exception request would be around 35%, but the Commission discussed on a previous request that they felt it shouldn't be more than 25%.

GF – He thought the percentage was more of a working guideline and not a hard fast rule.

KD – Feels it is important that everything is brought up in consideration of an application.

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

Mr. Darwin moved to set the next regular meeting on July 7, 2022 at 8:30 am following the public hearing at 8:20 am. Seconded by Mr. Welch. Motion passes.

9. Adjourn.

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

Meeting adjourned at 9:05 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 June, 2022 at 8:30 a.m.

ATTEST:

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