

FANNIN COUNTY SUBDIVISION COMMITTEE

05/05/2021 Meeting Minutes

THE STATE OF TEXAS
COUNTY OF FANNIN

On Wednesday, May, 5th, 2021, the Fannin County Subdivision Committee held a public meeting after public notice was posted on April 30, 2021 at 12.25 pm. with the following board members being present:

Board members present:

A.J. Self	Cody Jones
Jarret Tucker	Kristie Tatar
Jim Simpson	
Matt Simpson	
Dean Lackey	

Guests & others present: Di Hopkins, Maureen Henderson, Laura Robinson, Sanjeen Luthra, Slater Jackson, Matt Sipes & Dan Cooper

- 1. Call to Order / Establish Quorum;**
Commissioner A.J. Self, Chair, called the meeting to order at 9:05 a.m. Quorum established.
- 2. Introductions;**
Dan Cooper Introduced Himself, Matt Sipes, Sanjeen Luthra & Slater Jackson, from a group that has purchased land to Develop in the 5000ft Buffer zone.
- 3. Public Forum;**
Dan Coopers group spoke explaining about the 300 acre 250 house gated subdivision they plan to bring to Fannin County, the group had questions regarding the Subdivision requirements wondering if there could be any waivers or variances to regulations:
 - A. 1 acre lots sizes that require Septic systems, TCEQ regulations state ½ acre.
 - B. Road frontage requirements, Lake Zoning requires 100ft, Subdivision regulations require 30ft.
 - C. Set back requirements Lake zoning requires 80ft front and back and 25ft. on the sides, could there be any variances.
 - D. Road size and widths, inside and outside of a subdivision.
- 11. Discussion, consideration and action regarding new Subdivision related topics in the County;**
Commissioner Self moved agenda item 11 forward so that items mentioned in public forum could be discussed.

Di Hopkins - In the past there have been no variances approved for the three. Fannin county Ordinance requires 1 acre lot minimum for Septic.

The Zoning Board previously did not give any variance for less than 100ft road frontage on lots.

Commissioner Lackey - Most of the items could be covered by filing a special exemption, they would be reviewed by the Bois d'Arc Lake Zoning board and then approval would be decided by Commissioners Court.

Dan Cooper- Discussed Special District ("Special District") financing involves the issuance of tax-exempt bonds to finance public improvements within a specified geographical area, or district. The bonds are repaid from the special taxes, assessments, and/or an ad valorem property tax imposed on the land within the district.

4. **Approve Meeting Minutes from 3/24/2021;**
Jim Simpson made a motion to approve the minutes from 3/24/2021.
Jarret Tucker Second, Motion passed 7-0.

5. **Discussion consideration and action regarding: Double name of Gateway Estate addition Lot 1 & Lake Trails Estates, 63.465 acres, 415 PR 206 - Matt Simpson**
Matt Simpson - The previous owner of the Gateway lots had sold Lot 1 to Clint Hemby in Sept 2017 but did not file the plat until Oct 2021, the other two lots would still be considered to be Gateway, suggestion Clint Hemby have an affidavit approved through Commissioners and filed with the County Clerk, Matt will work on the correct wording. Cody Jones made a motion to table Jim Simpson second. Motion passed 7-0.

6. **Discussion, consideration and action regarding Flag shaped lots requiring a 60ft easements Instead of a 30ft easement- Di Hopkins**
Di Hopkins - lot width of 30ft on page 22, section 4.3.3 could be amended to 60ft.
Discussion: If people gave only a 30ft easement to larger lots it would not even come through Commissioners Court, if further subdivision was made on a large flag shaped lot the easement would have to be made into a private road with a HOA. It was decided it would be best to leave the requirement at 30ft.
No action taken

7. **Discussion, Consideration and action regarding Construction Plans for all roads, Gravel, Asphalt, Concrete etc. -Commissioner Self.**
Commissioner Self -submitted DOT road plans and Documents.
Discussion –Plans extremely extensive, it would be too much information to include in the regulations.
Conclusion - leave things as they are.
No action taken

8. **Discussion, Consideration and action regarding Floodplains. - Commissioner Self / Di Hopkins**
Di Hopkins - Subdivision regulations required floodplains to be shown on plats, any lot with a floodplain is required to have a permit before it can be developed. A plat can either show a no build line or each lot in the floodplain must show a BFE (Base Flood Elevation) and the required elevation stated for the lowest floor.
Jim Simpson - Asked why this was necessary if people could just buy Floodplain Insurance? He noted that he had sold land to a customer who had built in a floodplain but did not know that he required a floodplain permit until he had applied for a septic permit; he found this to be unfair.
Commissioner Lackey - Has consulted a legal friend who said he would fight the county if they tried to enforce.
Di Hopkins -In 2005 Fannin County entered the FEMA NFIP (National Floodplain Insurance Program) a program where FEMA backs insurance companies so that they can offer lower cost floodplain insurance to communities in the program, FEMA requires certain standards to be met and that Counties implement an ordinance and permitting, that if Fannin County did not stay in compliance then FEMA could pull the NFIP backing, individuals would have to find their own insurance that would not be backed by FEMA, this would be difficult and very costly to Fannin county citizens.
Commissioner Lackey - State and County regulations would overrule FEMA. The county could not enforce FEMA regulations because not BFE's had been established by FEMA.
Di Hopkins - Fannin County passed a floodplain Ordinance in 2011 requiring Floodplain permits for any development in a floodplain that is stricter than FEMA.
FEMA has also made a provision to get elevation certificates using an approximate method that professionals can use it to issue an elevation certificate. FEMA is scheduled to publish BLE's (Base Level Engineering) in Sept 2021, these values should make elevation certificates much

easier to obtain. Suggestion the county could require a low cost permit for all development in Fannin County, then people could be made aware ahead of time of any necessary requirements for the Bois d'Arc Lake 5000ft buffer Zone and any necessity to permit for floodplains.
Commissioner Lackey - The County cannot require permits while the population was under 50,000.

Matt Simpson – The way the County Floodplain Ordinance reads, does not think it is enforceable.
Commissioner Lackey -A call to TAC might be in order.

No action taken

9. **Discussion, Consideration and action regarding: Drainage Studies on short plats - Di Hopkins**
Di Hopkins -The check list on page 2 of the Subdivision regulations states that plats require either a drainage plan from a licensed professional or that a commissioner could sign an approval.
Commissioner Lane is not confident in just signing an approval on all plats as she feels that the county could then be liable for future drainage issues.
Cody Jones- Having different requirements from different precincts will cause an inconsistency.
Commissioner Self - If the lay of the land is questionable then this would require a drainage study and drainage plan, each individual plat should be considered separately.
No action taken

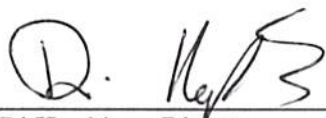
10. **Discussion, consideration and action regarding Private road Construction- Cody Jones**
Cody Jones -Do private roads have to be built to county standards?
Commissioner Lackey - Only roads that developers wished to have a future adoption by the county were held to those standards. Private roads have no regulations, but they will not be adopted by the county.
No action taken

12. **Set next subdivision committee regular meeting;**
Next meeting, May 26, 2021, 9:00 am. Matt Simpson made a motion to approve, Seconded by Jim Simpson. Motion passed 7-0.

13. **Adjourn;**
Jarred Tucker made a motion to adjourn, Seconded by Matt Simpson. Motion passed 7-0.
Adjourned 11:44am

The above and foregoing represents true and correct minutes of the Fannin County Subdivision Committee meeting that was held the 5th day of May, 2021 at 9:00 a.m.

ATTEST:



Di Hopkins - Director
Fannin County Development Services