

# Bois D' Arc Lake Zoning Commission

## 03/05/2020 Meeting Minutes

THE STATE OF TEXAS  
COUNTY OF FANNIN

On Thursday, March 5, 2020, the Bois D' Arc Lake Zoning Commission (BDA-LZC) held a public meeting after public notice was posted on February 27, 2020 at 12:45 p.m. with the following members being present:

**Kevin Darwin**  
**Gary Fernandes**  
**Bob McCraw**  
**Randy Moore**  
**Gilbert Welch**

**I. Call to Order / Establish Quorum;**

Judge Moore called the meeting to order at 8:30 a.m. and stated all members were present. Quorum established.

**II. Introductions;**

No introductions were made

**III. Public Forum;**

No one spoke in Public Forum.

**IV. Approve Meeting Minutes from 01/30/2020;**

Mr. Welch asked to correct and change "Mr. Welch also stated that in the future NTMWD will be going public for marina interest when it is time." To "Mr. Welch also stated that in the future NTMWD will be going public for marina interest when NTMWD has developed the marina criteria."

*Mr. Welch made a motion to approve the 01/30/2020 minutes with change. Seconded by Mr. Fernandes. Motion passes.*

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

**A. Request for Change in Zoning from Agriculture to Residential in Bonham on FM 273**

Mr. Clint Hemby has turned in an application requesting a change in zoning from agriculture to residential for 50.8 acres out of a 63.465-acre lot. The 50.8 acres are located in the 5,000 foot buffer of the Bois d' Arc Lake.

His plan is to build a manufactured home park, consisting mainly of brand new double-wide homes. The majority of these homes will be developed, with only a few to be put up for sale. He said the average home cost would be between \$145k - \$150k, all tongues and tires would be removed, there would be underpinning (metal), car port would most likely have concrete

driveways, the roads would be whatever the County requires, all would have septic systems and utilities would be through Whiteshed.

He plans are starting with 5 or 6 homes and building up from there and is also willing to sell lots if people want to custom build.

The Commission members expressed a concern that mobile home parks tend to get run down very quickly and asked if Mr. Hemby would be willing to submit additional deed restrictions outside what is in the Lake Zoning Handbook for Bois d' Arc Lake. Mr. Hemby agreed he would.

Mr. Welch said they could recommend for approval to the Commissioners Court dependent on quality of deed restrictions to be presented. Mr. Welch made a motion to approve moving forward with appropriate steps and request owner to submit a complete list of deed restrictions.

Mr. Welch then withdrew his motion and asked owner to present deed restrictions prior to bringing it to the public.

Commissioner Lackey, also in attendance, asked if the Lake Zoning Commission is allowed to go beyond what the County rules say (in the Handbook) and wondered what deed restrictions have to do with legally changing zoning. Mr. Welch and Mr. Fernandes both felt that it is the Commission's prerogative to ask.

Judge Moore felt that the deed restrictions should follow the Lake Zoning Regulations Handbook.

Mr. Fernandes felt that deed restrictions help the Commission make a good recommendation. He then asked if the Commission could speak with council to see if the Commission can actually enforce the deed restrictions. Mr. Hemby said he would.

*Mr. McCraw made a motion to table. Seconded by Mr. Fernandes. Motion to table passes.*

Judge Moore thanked Mr. Hemby for his patience.

## **VI. Discussion, consideration and action regarding Bois d' Arc Lake and boat ramps, marinas and Corps of Engineers Permits**

Judge Moore said that after a meeting a couple of weeks ago, he learned that the NTMWD boat ramps at Bois d' Arc Lake are at the 521 level and the lake is at the 534 level. There is a concern that if the water goes down even 8', the boat ramp will not be usable as a minimum of 5' at the end of the ramp is needed to launch a boat. Recreational use for the citizens of Fannin County is basically the only thing we get from this Lake.

Mr. Welch stated that perhaps NTMWD could do at least one low water ramp out of all the ramps to allow for year-round usage.

*No action was taken on this item.*

## **VII. Set next BDA-LZC Regular Meeting date**

*Mr. Welch made a motion to set the next BDA-LZC meeting for April 2, 2020 at 8:30 a.m. Seconded by Mr. Fernandes. Motion passes.*

**VIII. Adjourn**

*Mr. McCraw motioned to adjourn. Seconded by Mr. Welch. Motion passes.*

**Meeting adjourned at 9:23 a.m.**

**The above and foregoing represents true and correct minutes of the Bois d' Arc Lake Zoning Commission meeting that was held the 5th day of March, 2020 at 8:30 a.m.**

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**ATTEST:**

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