

Bois D' Arc Lake Zoning Commission
05/04/2023 Meeting Minutes

On Thursday, May 4, 2023 the Bois D' Arc Lake Zoning Commission (BDA-LZC) held a public meeting after public notice was posted at 12:29pm on April 27, 2023 with the following members being present:

Newt Cunningham (NC)
~~**Gilbert Welch (GW) - Absent**~~
Gary Fernandes (GF) via phone
Kevin Darwin (KD)
Matt Titsworth (MT)

Judge Cunningham called the meeting to order at 8:35 am.

1. Establish Quorum;

Gary Fernandes present via telephone, Gilbert Welch is absent.

2. Public Forum;

Matt Logue, representing The Peninsula and The Shores at the Peninsula, feels setbacks in the Lake Regulations are a limiting factor to allowing the taxpayer to build what they want to build. Would like to see the adjustments made for Lake Ralph Hall Regulations to be considered for Bois d'Arc Lake. Mr. Logue will be seeking a Special Exception regarding setbacks.

3. Approve minutes from 04/06/2023 Regular meeting;

Mr. Darwin moved to approve the minutes from 04/06/2023 meeting. Seconded by Mr. Titsworth. Motion passes 4-0.

4. Discussion, consideration and action regarding the Special Use Permit application from 903 Broadband to install a 180' Tower on FM 1396 and the recommendation to Commissioners Court; Property ID#s 81951, 70969;

NC – How many acres is this property? Ms. Hopkins states 21.3 acres, but the tower will not be taking up very much room.

GF – Is there any accountability for the owner of this tower if/when the tower is no longer in use? Ms. Hopkins stated she did not know.

Mr. Darwin moved to approve the application and recommend to Commissioners Court to approve. Seconded by Mr. Titsworth. Motion passes 4-0.

5. Discussion, consideration and action regarding the Special Exception application from Bois d'Arc Shores in Dodd City to reduce setbacks from 80' to 50', reduce frontage on cul-de-sacs and curved roads and the recommendation to Commissioners Court; Property ID#s 100348 and 81148;

GF – Are these Special Exceptions consistent with other developments? Ms. Hopkins – Yes. The Commission has granted several.

GF – Will they be digging their own wells? Ms. Hopkins – Water will be piped in to the development. They have been working with Bois d’Arc MUD.

NC – Mr. Welch’s concern would be will there be adequate parking on the streets outside of the homes? Mr. Craig Malan (**CM**) – has not seen any issues with this, 50’ setback allows a lot of parking off of the road.

NC – Wants to treat everyone the same.

CM – The documents they sent to Di shows about 20% of the lots needing the exception.

NC – What is the minimum frontage? **CM** – 40’ in our application.

KD – Would you give any consideration to the protest form from CR 2900? – No clarification was given.

NC – You may find people don’t like driving on a county road to get to their nice subdivision. This may need to be looked at in the future.

KD – Some of the lots will be waterfront? **CM** – Yes

GF – Is the property under Ag exemption? **CM** – Yes, but once the plat is filed it will come out of Ag.

Mr. Fernandes moved to recommend approval to the Commissioners Court. Seconded by Mr. Darwin. Mr. Titsworth voted Nay. Judge Cunningham abstained. Motion passes 2-1.

6. Discussion, consideration and action regarding changes, modifications or requests by landowners;

Ms. Hopkins asked for public hearings to be set on the following items:

- An application requesting a change in zoning from Ag to Commercial. The individual would like to put around 10 cabins.
- Specific Use Permit from AT&T to build a tower off FM 1396.
- Special Exception for The Peninsula to reduce setbacks from 80’ to 50’.
- Special Exception for The Shores at the Peninsula to reduce setbacks from 80’ to 50’.

Mr. Darwin moved to set public hearings on June 1, 2023. Comment was then made to look at modifying the Bois d’Arc Lake Zoning Regulations to come into likeness with the Lake Ralph Hall Regulations. The motion was modified. Seconded by Mr. Fernandes. Motion passes 4-0.

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

Mr. Darwin moved to set the next regular meeting on June 1, 2023 at 8:30am following the four public hearings. Seconded by Mr. Titsworth. Motion passes 4-0.

8. Adjourn.

Mr. Titsworth moved to adjourn. Seconded by Mr. Fernandes. Motion passes 4-0.

Meeting adjourned at 9:17 am.

The above and foregoing represents true and correct minutes of the Bois d' Arc Lake Zoning Commission meeting that was held on the 4th day of May, 2023 at 8:30 a.m.

ATTEST:

**Lisa Loiselle - Administrative Assistant to
Newt Cunningham, County Judge**