

**Bois D' Arc Lake Zoning Commission**  
**07/07/2022 Meeting Minutes**

On Thursday, July 7, 2022 the Bois D' Arc Lake Zoning Commission (BDA-LZC) held a public meeting after public notice was posted at 12:46 pm on June 20, 2022 with the following members being present:

**Kevin Darwin (KD)**  
**Randy Moore (RM)**  
**Gary Fernandes – via phone (GF)**  
**Matt Titsworth (MT)**  
**Gilbert Welch (GW)**

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

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

**1. Establish Quorum;**

All members present with Mr. Fernandes present via telephone. Quorum established.

**2. Public Forum;**

No public comments

**3. Approve meeting minutes from 06/02/2022 Public Hearing and Regular Meetings;**

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

**4. Discussion, consideration and action to approve 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 and recommend to Commissioners Court for approval;**

*Mr. Welch moved to recommend to the Commissioners Court to approve the change in zoning request from A&R to RE. Seconded by Mr. Darwin. Motion passes.*

**5. Discussion, consideration and action to set a public hearing to hear comments regarding a change in zoning request from RE, Rural Estate Single-Family District to R&C, Retail and Commercial; 2.4819 acres on Property ID# 78364 and 3.8860 acres on Property ID# 78366 in Telephone;**

*Ms. Hopkins stated this will be 166 storage units for boats and RVs.*

**GW** – There is no designation for this specific use.

**DH** – She believes where the regulations say ‘storage, mini-storage’ that those terms would cover boats and RVs.

**NC** – Stated that page 103 defines outside storage.

**DH** – Read page 108 where it defines a storage unit.

*Mr. Welch moved to set a public hearing to hear comments regarding this change in zoning request for Thursday, August 4, 2022 at 8:20 am. Seconded by Mr. Titsworth. Motion passes.*

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

There is a public hearing being requested for another change in zoning, but Judge Moore requested that the Commission first speak concerning the special exception application regarding setbacks for Belle Vie that will be presented to Commissioners Court next week.

**DH** – Francis Moran has submitted a protest form for three of the lots being considered for setback exemptions.

**KD** – Reiterated from the previous meeting that the percentage of setbacks is around 35%.

**GW** – Excellent point, but recalls the percentage of special exception lots was arbitrary.

**GF** – Doesn’t make sense to have a specific template regarding setbacks as every situation is different.

**GW** – Wants to make sure it is fair and equitable; he wouldn’t want to see one developer only get a 10% reduction in lots while another gets 80%. He does favor this development, but we owe it to the adjacent landowners to try and work together. Even though the BDA LZC does not vote on special exceptions, if they did, he would vote no to be respectful of the landowner protest.

**RM** – Agrees with Mr. Welch. He and Ms. Hopkins spoke and thought the developer and landowner could get together and work out another option.

**KD** – Agrees. The landowners were told when the project began that nothing would be forced upon them.

**RM** – Feels the Commissioners Court would feel the same way.

**Mr. Richey** – Understands, but would like clarification on what the recommendation would be since Mr. Moran only had a problem with 3 lots.

**KD** – A dialogue happened the first special exception that came to the BDALZC. The developer redid the survey to allow less special exceptions. We need to be fair.

**Mr. Richey** – Some of the lots are triangular which is driving the need for some of the setbacks.

**GW** – Is it clear that Mr. Moran is only protesting 3 lots?

**RM** – Yes

**Josh Eckel, spokesman for Belle Vie** – Called Mr. Moran to try to work it out. They are also wanting to buy his property, but are unable to do so without this change. With current setbacks, you would only be able to fit a 1,500 sq. ft. home. This developer wants to put high end homes on the property, but with all the setbacks, the deepest a house could be is 40’. They are trying to build ranch homes, not multi-story homes.

**GF** – Doesn’t feel it is the BDALZC’s position to get into *why* Mr. Moran is protesting. Seeing that Mr. Moran is only against 3 lots, perhaps you can work something out.

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**DH** – Discussed another change in zoning request that came in after the BDALZC agenda was set; Mr. Polk, Property ID# 113835, from A&R, Agriculture to RE, Rural Estate Single Family District. She is requesting that a public hearing be set so the landowner does not have to wait an additional month.

*Mr. Welch moved to set a public hearing to hear comments regarding this change in zoning on August 4, 2022 at 8:10 am. Seconded by Mr. Fernandes. Motion passes.*

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

*Mr. Welch moved to set the next regular meeting on August 4, 2022 at 8:30 am followed by the public hearings at 8:10 and 8:20 am. Seconded by Mr. Titsworth. Motion passes.*

**8. Adjourn.**

*Mr. Darwin moved to adjourn. Seconded by Mr. Titsworth. Motion passes.*

**Meeting adjourned at 9:13 am.**

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**The above and foregoing represents true and correct minutes of the Bois d' Arc Lake Zoning Commission meeting that was held on the 7th day of July, 2022 at 8:30 a.m.**

**ATTEST:**

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