

Bois d’Arc Lake Zoning Commission
Minutes of Public Hearing and Regular Meeting October 18, 2023

The Public Hearing, held at the Fannin County Courthouse, was called to order by Chairman Newt Cunningham at 8:21 am. Present were Chairman Cunningham and members Gilbert Welch and Kevin Darwin. Gary Fernandes participated by phone. A quorum was present.

The purpose of the Public Hearing was to hear comments regarding a Change in Zoning application to change the zoning of a portion of Property ID# 80149 (currently zoned A&R, Agriculture and Ranching District) and a portion of ID# 132714 (currently zoned RE, Rural Estate Single-Family District) on FM 897 in Dodd City to R&C, Retail and Commercial District, 5.5 acres total; to be used as boat and RV storage.

Di Hopkins, Director of Development Services, discussed the proposal to change the zoning to Retail and Commercial to allow a RV and boat storage business. She said that TxDot had already conditionally granted an additional driveway cut. She said that one protest letter had been received from the Knights, a property owner that was not an adjacent property owner. She noted that the zoning for part of this property had recently been changed from Agriculture and Ranching District to Rural Estate Single-Family. She also noted that it was likely that FM 897 would end up being a commercial corridor. Other commercial zoning has been allowed on FM 897.

Chairman Cunningham noted that the Future Land Use map had the property as Agricultural and that the property is on a state-maintained road. He asked if the commercial uses on the property could be limited, or if a Planned Development should be used to accomplish that. Ms. Hopkins proposed changing the zoning on just 1.5 acres of the 5.5 acres.

Mr. Welch noted that there are homes all around the property. Mr. Fernandes asked if the property was on the waterfront, and was told that it is not.

Brandon Trimble, who is proposing to build the RV storage facility, spoke. The unit would be fully enclosed and fenced. He has no intention of any other commercial use. Chairman Cunningham said that having boat storage near the boat ramps makes sense.

Audrey Spiller, the current owner of the property, spoke. She owns about 40 acres, and will place deed restrictions on the 5.5 acres. Chairman Cunningham noted that deed restrictions can be released.

There being no more comments, Mr. Darwin moved to adjourn the meeting. Second by Mr. Welch. Motion passed unanimously. The Public Hearing was adjourned at 8:37.

The Regular Meeting followed and was called to order by Chairman Newt Cunningham at 8:39. Present were Chairman Cunningham and members Gilbert Welch and Kevin Darwin. Gary Fernandes participated by phone. A quorum was present.

No one spoke in Public Forum.

Item 3. A motion to approve the minutes of regular and special meetings on 7-6-2023 was made by Mr. Welch. Second by Mr. Fernandes. Motion passed unanimously.

Item 4. Discussion, consideration and action regarding a Change in Zoning application to change the zoning of a portion of Property ID# 80149 (currently zoned A&R, Agriculture and Ranching District) and a portion of ID# 132714 (currently zoned RE, Rural Estate Single-Family District) on FM 897 in Dodd City to R&C, Retail and Commercial District, 5.5 acres total; to be used as boat and RV storage.

Mr. Welch noted the comment by the protester that this was intended to be zoned agricultural, but he said that it was always understood that this could be changed. He does not have a problem with RV and boat storage near a residential area. He does have a problem with zoning it retail and commercial, because the owner could sell it and change the use. This may or may not be a commercial corridor. He also does not want the Zoning Commission to recommend multiple changes to a particular property.

Chairman Cunningham noted that there are very limited areas for commercial development in the Comprehensive Plan. He is concerned about the broad designation of this property as Commercial.

Mr. Darwin is also concerned about the broad designation of this property as Commercial in an area with so many houses.

Mr. Welch said that he could not support the change in zoning for this property to Commercial. He could support a planned development strictly for storage.

Chairman Cunningham asked Ms. Hopkins about the change to Planned Development, which would involve re-noticing and a new public hearing. Chairman Cunningham also recommended another look at the Comprehensive Plan. Ms. Hopkins also endorsed a new look at the Comprehensive Plan to say where commercial should be.

Mr. Fernandes asked about the difference between the 5.5 acres and the 1.5 acres.

Mr. Welch recommended that there be restrictions by the owner on what could be stored.

Mr. Welch made a motion to deny this request in lieu of a request for a planned development. Mr. Darwin seconded. Motion passed unanimously.

Item 5. Discussion, consideration and action regarding changes, modifications or requests by landowners;

No requests ready to be discussed.

Item 6. Discussion, consideration and action to set next BDALZC meeting and/or hearing date(s);

A motion was made by Mr. Welch to set the next regular meeting for November 2 at 8:30. Second by Mr. Darwin. Motion passed unanimously.

Item 7. Adjourn.

A motion to adjourn was made by Mr. Welch. Second by Mr. Darwin. Motion passed unanimously. The meeting was adjourned at 9:01 am.

The above and foregoing represents true and correct minutes of the Bois d' Arc Lake Zoning Commission meetings that were held on the 18th day of October, 2023 at 8:20am and 8:30 am.

ATTEST:

Malinda Allison