

Bois d'Arc Lake Zoning Commission

Minutes of Public Meeting January 4, 2024

The Public Meeting, held at the Fannin County Courthouse, was called to order by Chairman Newt Cunningham at 8:31 am. Present were Chairman Cunningham and members Matt Tittsworth, Gilbert Welch and Kevin Darwin. A quorum was present.

No one spoke in Public Forum.

Item 3. A motion to approve the minutes of the public hearing and regular meeting of 11/30/2023 was made by Mr. Welch with a second by Mr. Darwin. Motion passed unanimously.

Item 4. Discussion regarding Recreational Vehicle Condominium Resort, Property ID# 75376.

Earl Sullivan of Lakewood Capital, developer, addressed the Commission. He is seeking feedback from the Commission about the project. He said that because the project is a "condominium-type" project with covenants/restrictions/declarations, there would be protections regarding the quality of the project. The management company could lease out spaces and/or units which would provide opportunities for the local community. Regarding tax revenue compared with single-family development, he provided information comparing single-family development of 50 lots with the condominium project with 400 lots. Chairman Cunningham asked for information on other similar projects. Chairman Cunningham is also concerned about traffic impacts and the ability of the County to enforce the condominium rules going forward.

Mr. Sullivan will conduct research on various issues and report back. Chairman Cunningham is interested in information on the hotel/motel tax.

Coms. Welch is also concerned about public use and how locals can rent the spaces. He prefers pull-through units. He is concerned about permanent residents. He also wants "real teeth" in the regulations.

Coms. Darwin had questions about the taxation issues and is concerned about law enforcement issues. Also, could LLCs and groups of people purchase the lots? Mr. Sullivan said "yes." Chairman Cunningham discussed the idea of planned development-type controls.

Coms. Darwin is also concerned about public access.

Coms. Tittsworth asked if this company would sell the project once it is permitted. Mr. Sullivan said "no."

Coms. Welch again spoke against a development with permanent residents.

Chairman Cunningham would like to see contracts from similar developments.

Mr. Sullivan said he wants to partner with the County and wants feedback from the Zoning Commission.

Chairman Cunningham said that the major issue for him is the enforceability of the owner requirements.

Mr. Darwin asked about beach access from the property. Is there a possibility for public beach access?
Mr. Sullivan said they would look at this issue.

Item 5. Discussion, consideration and action regarding any additional changes, modifications or requests that relate to Bois d'Arc Lake Zoning.

Mr. Welch asked that Freese & Nichols be consulted regarding the advantages/disadvantages of a planned development vs a special use permit. Chairman Cunningham suggested that developers might help defray the cost of working with Freese & Nichols. Ms. Hopkins suggested that conditions could be filed with deeds. She also mentioned consideration of engineering fees. Ms. Hopkins reported that she is regularly in communication with the North Texas Municipal Water District.

A motion to pass on any action of Item 5 was made by Mr. Welch, second by Mr. Titsworth. Motion passed unanimously.

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 date as February 1, 2024 at 8:30 am. Second by Mr. Titsworth. Motion passed unanimously.

Item 7. Adjourn.

A motion to adjourn was made by Mr. Darwin, second by Mr. Titsworth. Motion passed unanimously. The meeting was adjourned at 9:53.

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 January, 2024 at 8:30 a.m.

ATTEST:

Malinda Allison, Commission Secretary