

Town of Clear Lake - Plan Commission Meeting Minutes – May 1, 2017

Plan Commission President Mike Long called the meeting to order at 7:00 PM. Members introduced themselves, and the following members of the Plan Commission were present.

Roger Dammeier
Chris Folland
Jaclyn Howarth
Mike Long
Don Luepke
Jill Powers

Zoning Administrator Kenneth J. Hughes was present for the meeting. Mr. Michael Hawk, attorney for the Plan Commission was also present. President Long announced that a quorum was present.

Mr. Luepke moved to approve the meeting minutes from the February 6, 2017 Regular Meeting. Mr. Dammeier seconded the motion. The motion carried 6-0.

Public Hearings

President Long read the legal notice for the waiver and subdivision for Johnston Place. Mr. Folland moved to deny the waiver request based on basis that it did not meet criteria for being consistent with the Town of Clear Lake Comprehensive Plan and that the waiver did not include an unnecessary hardship. Mr. Dammeier seconded the motion. President Long called for discussion. Mr. Luepke asked Mr. Folland to explain the motion. Mr. Folland explained that the ordinance required a hardship and that the hardship standard is a high bar to meet by state law and that the site does not present an unnecessary hardship in that there is a way to construct conforming lots. Ms. Powers asked if the ability to have conforming lots would require the demolition of any of the structures. Mr. Folland responded that that did not matter. Mr. Hughes stated that he disagreed. There was discussion of whether or not a hardship exists. Mr. Luepke stated that he was against access to lot one being off of South Clear Lake Drive. It was clarified that if the waiver does not go through, the subdivision application would need to be denied. The motion carried 4-2 with Mr. Luepke and President Long voting against the motion.

Mr. Dammeier moved to deny the subdivision, Ms. Powers seconded the motion. The motion carried 6-0 and the subdivision was denied.

Old Business

Executive Committee Report

President Long discussed that the Executive Committee met and discussed proposed changes to the Unified Development Ordinance.

Mr. Hughes gave his Zoning Administrator report, indicating that there were four Improvement Location Permits issued since the last meeting.

New Business

Extraterritorial Jurisdiction (ETJ) Discussion

Mr. Hughes introduced the process for the ETJ and the necessary findings for the Town to make. He also discussed the use of ETJs in the region and the adjustments that would be made to the Unified Development Ordinance. Ms. Powers asked if the ETJ limited authority to zoning. Mr. Hughes confirmed that that is correct.

Mr. Dammeier read the resolution (PC-2017-01) into the record.

Mr. Luepke spoke as to the public involvement process, indicating that this process is merely beginning.

Mr. Luepke moved to pass Resolution PC-2107-01. Ms. Powers seconded the motion. The motion carried 6-0 with none opposed.

Mr. Hughes gave an update on the 2017 UDO Amendments.

President Long asked for any other new business. Hearing none, Mr. Luepke made a motion to adjourn. Mr. Folland seconded the motion. Motion carried with all voting in favor. Meeting adjourned at approximately 7:30 PM.

Kenneth J. Hughes, Secretary