

Town of Clear Lake-Plan Commission Meeting Minutes-June 21, 2021

President Bonnie Brown called the meeting to order at 6:00 PM. Members introduced themselves, the following members of the Plan Commission were present:

Scott Lazur
John Wilhelm
Bonnie Brown
Tyson Johnston
Burton McClain
Dan Rippe joined via telephone
Bill Hanna was absent

President Bonnie Brown determined that we have a quorum. Also in attendance: Brenda Eby, Town Clerk and twelve Clear Lake residents.

President B. Brown asked the commission if they had any changes or corrections to the May 3, 2021 meeting minutes. With no changes or corrections,

Motion by:

J. Wilhelm to approve the minutes of the May 3, 2021 meeting.

2nd by:

T. Johnston

Motion carried, all in favor.

President B. Brown opened the hearing by explaining that as a prior owner of the land, she has no interest in this land deal. She explained the definition of a “minor subdivision” and the owners’ plan to split this property.

Jessica Swander, owner with her husband Todd Swander, explained their plan to divide this parcel from the parcel where their home sits. They do plan on selling the parcel in question but they cannot say what the new owner plans to do with this parcel. This parcel is zoned as rural estate and will remain zoned rural estate. The minimum size of a minor subdivision is two acres but the Swanders are dividing off nearly a 12 acre parcel. Therefore, it could be divided into six lots with homes but that would require the new owners going before the Plan Commission, if and when that is what they decide to do with this property.

With no more discussion amongst the Plan Commission, President B. Brown entertained a motion to suspend the Hearing and open to public comment.

Motion by:

T. Johnston to suspend the Hearing and open for public comment.

2nd by:

S. Lazur

One person spoke in support, one person spoke not in opposition of this minor subdivision but had concerns for where this property will drain if it is subdivided into multiple homes in the future. One person asked where the name, Bella's Terrace came from. President B. Brown explained again that if the buyers decide to further divide this property, they will have to present those plans to the Plan Commission and the public would be informed of any meeting/meetings concerning those plans.

With no further comments or questions from the public, President B. Brown entertained a motion to close the public segment and reopen the Hearing.

Motion by:

J. Wilhelm to close the public segment and to reopen the Hearing.

2nd by:

J. McClain

Motion carried, all in favor.

President B. Brown asked for any further questions from the Plan Commission. S. Lazur suggested getting clarity on the drainage of this property since there are differing opinions from members of the audience. This subject of drainage would be discussed when and if the new owners decide to subdivide. At this point, there is no change in the drainage.

J. Wilhelm showed support for the proposition and with no other questions or concerns, we will move on to the Staff report.

The legal notice was published in the Herald Republican on June 24, 2021, nine notices were sent via certified mail to owners of adjacent properties, 24 neighbors located within 300' were mailed notices by 1st class mail and two notices were hand delivered.

President B. Brown stated that this application satisfies all of the requirements for a simple subdivision. The setbacks were shown to easily abide by the rules. We will move on to the findings checklist.

- * Finding #1: The subdivision of land is consistent with the *Town of Clear Lake Comprehensive Plan*.
- * Finding #2: The subdivision of land satisfies the standards of *Article 06: Subdivision Types*.
- * Finding #3: The subdivision of land satisfies the standards of *Article 07: Design Standards*.
- * Finding #4: The subdivision of land satisfies all other applicable provisions of the Unified Development ordinance.

President B. Brown stated that #4 does not apply to this minor subdivision. All Plan Commission members agree that this subdivision satisfies all of these categories. President Brown called for a roll call vote:

Scott Lazur-approve
John Wilhelm-approve
Bonnie Brown-approve
Tyson Johnston-approve
Jim McClain-approve
Dan Rippe-approve

President B. Brown announced the approval of the Swander subdivision. This brings the hearing to a conclusion. President Brown asked for any other questions. An audience member asked about changes to the U.D.O. President Brown explained that proposed changes are on the Town's website. There will be a public meeting on August 2, 2021. All are welcome and encouraged to attend and share opinions. The same audience member questioned the hiring of another new Zoning Administrator which President Brown confirmed is in progress. With no other discussion other than the previous night's storm, President B. Brown entertained a motion to adjourn.

Motion by:

Jim McClain to adjourn the meeting.

2nd by:

Tyson Johnston

Motion carried, all in favor.

Meeting adjourned at 6:35 pm.

Bonnie Brown, Plan Commission President

Attest: Brenda Eby, Clerk