

Town of Clear Lake - Plan Commission Meeting Minutes - November 3, 2010

Plan Commission President Chris Folland called the meeting to order at 6:00 PM. Folland introduced the Plan Commission Members, Zoning Administrator Amy Schweitzer, and Plan Commission Attorney Neal Blythe.

Roll was taken and the following Plan Commissioners were present:

Bill Geiger
Mike Long
Chris Folland
George Schenkel

It was determined that a quorum was present.

Four (4) people signed the sign-in sheet for the meeting.

President Folland asked for any corrections or additions to the minutes from the August 2, 2010 Plan Commission meeting. Hearing none, Folland entertained a motion to accept the minutes as presented. Mr. Long made a motion to accept the minutes of the August 2, 2010 Plan Commission meeting as presented. Mr. Schenkel seconded the motion. Motion carried with four (4) votes in favor and zero (0) votes against.

President Folland stated that a public hearing had been held at the August meeting to consider 2010 Amendments to the Town's Unified Development Ordinance (UDO). Since that time, the definition of "Playset" was modified and the section entitled "Fence and Wall Standards" has been renamed to "Fence Standards." Folland explained that with a section on Retaining Wall Standards, the "Fence and Wall" title has been a source of confusion. Folland stated that the definition of fence does include masonry-type fences, which was the intent of including the term "Wall" in the title. Mr. Folland first asked for a motion to accept these changes. Mr. Geiger made a motion to accept the aforementioned changes; Mr. Schenkel seconded the motion. Motion carried with four (4) votes in favor and zero (0) votes against.

Next, Mr. Folland entertained a motion to recommend the 2010 amendments to the Town's UDO, shown in "red line/red text" in the printed copy of the UDO, to the Town Council. Mr. Geiger made a motion to forward the 2010 amendments to the UDO to the Town Council targeting an effective date of January 1, 2011. Mr. Long seconded the motion. Motion carried with Mr. Geiger, Mr. Long, President Folland, and Mr. Schenkel all voting in favor of the motion. Folland stated he would have a certified, redline copy of the UDO forwarded to the Town Council for consideration at its December meeting.

President Folland informed the Commission about the passing of Secretary Sue Williams' husband. There was discussion about appointing someone in the interim to sign the minutes of the Plan Commission meeting. Folland made a motion to appoint Amy Schweitzer, Zoning Administrator, as acting Plan Commission Secretary until Mrs. Williams return. Mr. Geiger seconded the motion; motion carried with four (4) votes in favor of the motion.

President Folland updated the Plan Commission on the activity of the PCF Committee. He stated the committee has been working diligently on the 2010 amendments and updating the Town's forms through the year. In 2011 the PCF will begin working on a Plan Commission rules package and the formation of a citizen committee to address "special development issues" such as locating elevated decks in the lake yard. The citizen committee will research ways to better regulate these special development issues and

then report to the PCF. President Folland believes the committee will be most active from May through July.

Under new business, Folland reported that three (3) administrative subdivisions were approved since the last Plan Commission meeting. Those were for Culler; Brooks; and Spangler.

President Folland introduced three (3) forms:

1. Subdivision of Land Secondary Plat Application
2. Subdivision of Land Primary Plat Application
3. Minor Subdivision of Land Application

The Plan Commission reviewed the forms, and Mr. Long asked about missing language on the last page of the *Subdivision of Land Primary Plat Application* and about missing language on the last page of the *Subdivision of Land Secondary Plat Application*. After some discussion, it was determined that “application for primary plat.” needed to be added to the *Subdivision of Land Primary Plat Application* and a period needed to be added to the last sentence on *Subdivision of Land Secondary Plat Application*. Mr. Schenkel made a motion to approve the forms as modified. Mr. Long seconded the motion. Motion carried with four (4) votes in favor of the motion and zero (0) votes against.

Mr. Blythe reported that in September, Mr. and Mrs. Hoagland agreed to dismiss a case involving a dispute concerning a fence (PL 679) if the Town agreed to dismiss it. It involves the Town Council, Board of Zoning Appeals, and Plan Commission all “ratifying” the dismissal of the case. Mr. Blythe reported that the Town Council and BZA have already ratified the dismissal of the case. Mr. Blythe confirmed that the Plan Commission, specifically, was not named in the lawsuit. Mr. Long made a motion that the Plan Commission ratify the dismissal of the aforementioned case between the Town of Clear Lake and the Hoagland’s. Mr. Schenkel seconded the motion. Motion carried with four (4) votes in favor and zero (0) votes against.

There being on other business, Mr. Schenkel made a motion to adjourn. Mr. Geiger seconded the motion. Motion carried with all voting in favor; meeting adjourned at 6:20 PM.

Amy Schweitzer, Acting Secretary