

Town of Clear Lake - Plan Commission Special Meeting Minutes – June 20, 2011

Plan Commission President Chris Folland called the meeting to order at 7:00 PM. Folland stated the special meeting was advertised and published on June 10th. President Folland requested each person introduce themselves.

Roll was taken and the following Plan Commissioners were present:

- Emma Brown
- Chris Folland
- Bill Geiger
- Bob Lewis
- Mike Long
- K. Sue Williams

It was determined that a quorum was present.

Three (3) members of the public were in the audience. The Plan Commission Attorney, Neal Blythe, and Zoning Administrator, Amy Schweitzer, were also present.

President Folland stated the purpose of the meeting was to discuss an amendment to the subdivision of land procedure contained in the Unified Development Ordinance. Folland stated the amendment was a waiver provision which allowed the Plan Commission to waive the “number of lots requirement” for the Minor Subdivision of Land procedure. The proposed waiver will also allow the Plan Commission to waive certain design standards contained in Article 7 of the Unified Development Ordinance. Folland stated that the following issue arose during the discussion stages of a subdivision of land initiated by Mr. Joe Moore. President Folland stated that two (2) pages of the proposed amendment fix a Scribner’s error regarding the number of stories permitted for accessory structures in LR (Lake Residential) and SR (Single-family Residential) Districts.

Mr. Geiger made a motion to suspend the meeting so the public hearing could be opened. Mrs. Brown seconded the motion. President Folland declared the public hearing opened.

Mr. Jerry McArdle asked exactly what Mr. Moore was not permitted to do. Folland explained that in order to use the Minor Subdivision of Land procedure, no more than three (3) lots could result. Folland stated that there was potential to create six (6) or seven (7) lots in Mr. Moore’s situation, and although the number of lots created exceeds three (3), it was still a simple subdivision without new infrastructure.

Mr. McArdle asked if Lake Drive had adequate right-of-way in the area of Moore’s subdivision. Folland replied that this was not a hearing on the subdivision of land; it was a hearing on the proposed amendment to the Unified Development Ordinance. Mr. Moore’s Subdivision of Land application, if filed properly, would be heard at the August 1, 2011 meeting of the Plan Commission.

Mr. McArdle asked about accessory structures only being allowed to be one (1) story. Folland stated that it was always the Town’s intent for accessory structures to be single story. McArdle asked about using the attic for storage. There was discussion about allowing attic spaces to be floored over and used for storage, and that being considered a second story. The Plan Commission agrees it is not the intent to disallow storage in attics of accessory structures.

Mrs. Williams made a motion to close the public hearing portion of the meeting. Mr. Geiger seconded the motion. All voted in favor.

Folland re-convened the regular meeting. Plan Commissioner Mike Long asked a question about the proposed change on page 6-2. Mr. Lewis stated that the whole intent of this waiver provision was to make the process easier to allow more subdivisions – those that are simple in nature – to use the Minor Subdivision procedure, as opposed to the Major Subdivision procedure. Plan Commission Staff, Amy Schweitzer, briefly explained the characteristics of subdivisions that should be required to use the Major Subdivision procedure as opposed to those that should be allowed to use the Minor Subdivision of Land procedure.

Regarding the Scribner’s error, audience member, Mr. McArdle, requested that the Plan Commission look carefully at the definitions for “story,” “half story,” and “habitable space” when future amendments are made.

Folland entertained a motion to accept the amendments to the Unified Development Ordinance as presented. Mr. Geiger made a motion to accept the amendments to the Unified Development Ordinance as presented. Mr. Lewis seconded the motion. Motion carried with all voting in favor. President Folland asked for a motion to forward the proposed amendment to the Town Council with a favorable recommendation. Mrs. Brown made that motion; Mrs. Williams seconded that motion, and the motion carried with all voting in favor.

There being no other business, President Folland entertained a motion to adjourn. Mrs. Williams made a motion to adjourn; Mr. Lewis seconded the motion. Motion carried; meeting adjourned at 7:30 PM.

Amy Schweitzer, Secretary