

**Town of Clear Lake Plan Commission
Meeting Minutes – February 4, 2025**

Plan Commission President Jim Hauguel called the meeting to order at 7:00pm.

There were 4 residents in attendance and 7 via Zoom.

Members introduced themselves:

Cecil Fleeman, 240 Penner Drive
Jim Hauguel, 154 West Clear Lake Drive
Bert Elliott, 1058 South Clear Lake Drive
Mike Hawk, Attorney to the Plan Commission
Bill Hanna, 208 West Clear Lake Drive (online)
John Schenkel, 472 East Clear Lake Drive (online)
Tyler Weldon, Zoning Administrator
Jennifer Smith-Sattison, Billing Clerk

J. Hauguel entertained a motion to approve the agenda.

Motion by: B. Elliott

To approve the agenda.

2nd by: B. Hanna

All in favor, say aye. J. Schenkel abstained. Motion carried; agenda approved.

J. Hauguel entertained a motion to approve minutes with correction, from November 4, 2024, Plan Commission meeting.

Motion by: B. Elliott

To approve minutes with correction, from November 4, 2024, Plan Commission meeting.

2nd by: B. Hanna

All in favor, say aye. Motion carried; minutes from November 4, 2024, Plan Commission meeting approved.

No Budget Items.

No Applications, Petitions or Hearings.

Old Business.

Rezoning Application 2024-01, Clinrud Corporation, 190 West Clear Lake Drive: To rezone the Neighborhood Commercial District (NC) property to Lake Residential District (LR).

Zoning Administrator T. Weldon updated where they are currently at on Rezoning Application 2024-01.

Plan Commission members discussed and asked questions regarding Rezoning Application 2024-01.

UDO Change 2024-04

- UDO Article Description: Definitions
- UDO Article #: 11.02
- UDO Page #: 11-25, 11-03, 11-10, 11-11, 11-12, 11-15
- Description of Change: Modify the definitions for primary and accessory structures for clarity. Modify the definitions for envelope, front yard, envelope, lake yard, envelope, rear yard, envelope, side yard and envelope, street yard, and garage for consistency with the new structure definitions.
- Basis for Change: These changes remove inconsistency and ambiguity in UDO definitions for primary and accessory structures to make it clear under what conditions the current standards as written apply to a structure. The modified definitions allow for the application of the current UDO provisions without changing the plain meaning and intent of the UDO remaining consistent with current practice and historical interpretation of the UDO.

Zoning Administrator T. Weldon discussed that feedback forms are available for UDO Change 2024-04 and will proceed with public comment at the next Plan Commission meeting.

UDO 2023-02

- UDO Article Description: The footprint of primary structure
- UDO Article #: 5.13.A & 5.13.C
- UDO Page #: 5-12
- Description of Change: Change UDO 5.13: Add 5.13.A and modify 5.13.C and add 5.13.C.1
- Basis for Change: 5.13.C as it applies to LA structures are overly restrictive. The proposed revision will create a standard that will reduce the likelihood of residents requesting a variance and achieve desired architectural features
5.13.A.1 offers an exception to structures that qualify with this section, and structures that fall into this category have a low impact or effect to the surrounding properties in which they are established

B. Hanna discussed UDO 2023-02 that was tabled.

Plan Commission members discussed and asked questions regarding UDO Change 2023-02 and forming an ad-hoc committee.

UDO Change 2024-01

- UDO Article Description: The footprint of primary structure
- UDO Article #: 5.13 AR-01
- UDO Page #: 5-12
- Description of Change: Remove the Lake Accessory District (LA) from Architectural Standards in Section 5.13
- Basis for Change: The intended use of this section is to create a standard for primary structures such as residences and businesses, and since neither can be established in the Lake Accessory District, Section 5.13 creates unnecessary regulations on accessory buildings/structures in the Lake Accessory District.

J. Hauguel entertained a motion to take over sponsorship for UDO 2024-01.

Motion by: B. Hanna

For J. Hauguel to take over sponsorship for UDO 2024-01

2nd by: C. Fleeman

All in favor, say aye. Motion carried; J. Hauguel takes over sponsorship for UDO 2024-01.

UDO Change 2023-03

- UDO Article Description: Nonconforming structure standard
- UDO Article #: 8.04.C.2
- UDO Page #: 8-03
- Description of Change: Modify verbiage of 8.04.C.2. Removal of permanent structures
- Basis for Change: To clarify what qualifies as removed or razed structure

Attorney M. Hawk went through his legal changes for UDO 2023-03.

J. Hauguel entertained a motion to send UDO Change 2023-03 to the Town Council for final approval.

Motion by: B. Hanna

To send UDO Change 2023-03 to the Town Council for final approval.

2nd by: J. Schenkel

All in favor, say aye. Motion carried; send UDO Change 2023-03 to the Town Council for final approval.

UDO Change 2024-02

- UDO Article Description: Improvement Location Permit (ILP)
- UDO Article #: 9.05.E.2
- UDO Page #: 9.06 & 9.07
- Description of Change: Modify verbiage of 9.05.E.2 and the ILP application to require a site plan provided by a registered land surveyor
- Basis for Change: Requiring a professional land survey as part of ILP's removes ambiguity and reduces the chance of errors in site plans while protecting landowners and the town

B. Elliott went through the legal changes that Attorney M. Hawk had for UDO Change 2024-02.

Plan Commission members discussed and asked questions regarding UDO Change 2024-02.

J. Hauguel entertained a motion to send UDO Change 2024-02 to the Town Council for final approval.

Motion by: B. Elliott

To send UDO Change 2024-02 to the Town Council for final approval.

2nd by: B. Hanna

All in favor, say aye. Motion carried; send UDO Change 2024-02 to the Town Council for final approval.

UDO Change 2024-03

- UDO Article Description: Architectural Standards
- UDO Article #: 5.13
- UDO Page #: 5-12
- Description of Change: Modify section 5.13.B, Delete 5.13.C and 5.13.D

- Basis for Change: Section 5.13 is vague and overly restrictive. There is no objective rationale for the provisions added in 2017. The proposal returns section 5.13 to the original UDO language reducing the likelihood of residents requesting a variance while still restricting undesirable building types and preserving the Town's residential lake setting

B. Elliott went through the legal changes that Attorney M. Hawk had for UDO Change 2024-03 and discussed his reasonings for sponsoring and why he would like to rescind UDO Change 2024-03 until the next meeting.

B. Elliott entertained a motion to rescind UDO Change 2024-03 from consideration to comeback with a new proposal.

Motion by: J. Hauguel

To rescind UDO Change 2024-03 from consideration to comeback with a new proposal.

2nd by: B. Hanna

All in favor, say aye. Motion carried; rescinded UDO Change 2024-03 from consideration to comeback with a new proposal.

Plan Commission members discussed and asked questions regarding the ad-hoc committee.

B. Hanna entertained a motion to commission an ad-hoc committee to study and define architectural standards Section 5.13 and make a proposal.

Plan Commission members discussed and asked questions regarding the ad-hoc committee.

J Hauguel entertained a motion to develop an ad-hoc committee, members to be determined, to review, discuss and propose appropriate changes to Section 5.13.

Motion by: B. Hanna

To develop an ad-hoc committee, members to be determined, to review, discuss and propose appropriate changes to Section 5.13.

2nd by: J. Hauguel

All in favor, say aye. B. Elliott nay. Motion carried (4-1); an ad-hoc committee is developed, members to be determined, to review, discuss and propose appropriate changes to Section 5.13.

J. Hauguel proposed that he, B. Elliott and B. Hanna get together for an initial discussion of the ad-hoc committee and see who they would like to bring in for the ad-hoc committee.

New Business.

President:

B. Elliott nominated J. Hauguel.

All in favor, say aye. Motion carried; J. Hauguel is the Plan Commission President.

Vice President:

J. Hauguel nominated D. Rippe.

All in favor, say aye. Motion carried; D. Rippe is the Plan Commission Vice President.

Secretary:

J. Hauguel nominated T. Weldon.

All in favor, say aye. Motion carried; T. Weldon is the Plan Commission Secretary

Executive Committee:

B. Hanna nominated himself.

All in favor, say aye. Motion carried; B. Hanna is the Executive Committee.

Board of Zoning Representative from the Plan Commission:

B. Elliott nominated B. Hanna.

C. Fleeman nominated himself.

B. Hanna received 4 votes and C. Fleeman received 1 vote.

B. Hanna is the Board of Zoning Representative from the Plan Commission.

J. Hauguel entertained a motion to adjourn the meeting.

Motion by: J. Hauguel

To adjourn the meeting.

2nd by: B. Hanna

All in favor, say aye. Three opposed. Motion carried; meeting adjourned.

President J. Hauguel adjourned meeting at 8:24pm.



Jim Hauguel, Plan Commission President

Attest: Jennifer Smith-Sattison, Billing Clerk