

**Town of Clear Lake Special Plan Commission
Meeting Minutes – June 7, 2022**

Plan Commission President Dan Rippe called the meeting to order at 7:04pm.

There were 53 residents in attendance (see attached sign in sheet) and 10 via phone conference (see attached sheet).

Members introduce themselves:

Jennifer Sattison, Town Clerk
Larry Lillmars, Zoning Administrator
Jessica Swander, 7382 East State Road 120
Dan Rippe, 126 Lakeside Court
Bill Hanna, 208 West Clear Lake Drive
George Schenkel, 144 West Clear Lake Drive
Jim McClain, 1226 Quiet Harbor
Jim Hauguel, 154 West Clear Lake Drive
Mike Hawk, Attorney to the Plan Commission

Resident Brent Schlosser – Noted that according to Article 2.5, Rules and Procedures, minutes cannot be approved during special meetings.

Old Business

L. Lillmars read and discussed the changes to UDO 2018-25.

Plan Commission members discussed the increased height (25 feet) and if that is considered a one and a half story or a two-story garage.

D. Rippe entertained a motion to open for public comment.

Motion by: J. Hauguel

To open for public comment.

2nd by: J. Swander

All in favor, say I. Vote was unanimous. Motion carried; open for public comment.

Resident Don Luepke – Talked about 2 major concerns, one the quality of water and two, the view of the lake. The increase will take away the view horizontally and vertically of the lake especially for the SR residents.

Resident Denny Keiser – In favor of all 11 UDO changes. (Had photos of various pitches). If you are willing to do the 1400 feet, then you need to increase the roof pitch, otherwise if gets flat and you will have a crawl space. (Did not count by public launch. 145 were within compliance. 58 were homes. 17 buildings larger than proposals. 70 open LA lots)

D. Rippe entertained a motion to close public comment.

Motion by: G. Schenkel

To close public comment.

2nd by: J. Swander

All in favor, say I. Vote was unanimous. Motion carried; closed for public comment.

Plan Commission members discussed the garage that some of the Plan Commission members went and walked through. It was not livable, it was convenient, great for a weekend or a play area.

D. Rippe entertained a motion to send UDO change 2018-25 to council for passage.

Motion by: B. Hanna

To send UDO change 2018-25 to council with an unfavorable recommendation.

2nd by: G. Schenkel

All in favor, say I. 5 ya's and 1 nay oppose denying UDO change 2018-25. Motion carried; to send UDO change 2018-25 to council with an unfavorable recommendation.

L. Lillmars read and discussed the changes to UDO 2018-28.

Plan Commission members discussed

D. Rippe entertained a motion to open for public comment.

Motion by: G. Schenkel

To open for public comment.

2nd by: B. Hanna

All in favor, say I. Vote was unanimous. Motion carried; open for public comment.

No public comments.

D. Rippe entertained a motion to close public comment.

Motion by: J. Swander

To close public comment.

2nd by: B. Hanna

All in favor, say I. Vote was unanimous. Motion carried; closed for public comment.

D. Rippe entertained a motion to send UDO change 2018-28 to council for passage.

Motion by: B. Hanna

To send UDO change 2018-28 to council with an unfavorable recommendation.

2nd by: J. Hauguel

All in favor, say I. 4 ya's and 2 nay's oppose denying UDO change 2018-28. Motion carried; to send UDO change 2018-28 to council with an unfavorable recommendation.

L. Lillmars read and discussed the changes to UDO 2018-36.

D. Rippe entertained a motion to open for public comment.

Motion by: G. Schenkel

To open for public comment.

2nd by: J. Swander

All in favor, say I. Vote was unanimous. Motion carried; open for public comment.

No public comments.

D. Rippe entertained a motion to close public comment.

Motion by: J. Hauguel

To close public comment.

2nd by: J. Swander

All in favor, say I. Vote was unanimous. Motion carried; closed for public comment.

D. Rippe entertained a motion to send UDO change 2018-36 to council for passage.

Motion by: B. Hanna

To send UDO change 2018-36 to council with an unfavorable recommendation.

2nd by: G. Schenkel

All in favor, say I. 4 ya's and 2 nay's oppose denying UDO change 2018-36. Motion carried; to send UDO change 2018-36 to council with an unfavorable recommendation.

L. Lillmars read and discussed the changes to UDO 2018-23.

Plan Commission members discussed increasing one building to 1344 square feet, rather than two buildings, but no need for a 1400 square foot building.

D. Rippe entertained a motion to open for public comment.

Motion by: J. Swander

To open for public comment.

2nd by: J. McClain

All in favor, say I. Vote was unanimous. Motion carried; open for public comment.

Resident Brent Schlosser – Can they still build two buildings?

D. Rippe – Yes.

D. Rippe entertained a motion to close public comment.

Motion by: J. McClain

To close public comment.

2nd by: J. Hauguel

All in favor, say I. Vote was unanimous. Motion carried; closed for public comment.

D. Rippe entertained a motion to send UDO change 2018-23 to council for passage.

Motion by: J. McClain

To send UDO change 2018-23 to council with a favorable recommendation to have one structure at 1344 square feet or two structures, one at 1200 and 144 square feet.

J. McClain rescinds the motion.

D. Rippe entertained a motion to send UDO change 2018-23 to council for passage.

Motion by: J. McClain

To send UDO change 2018-23 to council with a favorable recommendation to modify 2A from 1400 to 1344 and 2B from 1400 to 1344, 1250 to 1200 and 150 to 144.

2nd by: B. Hanna

All in favor, say I. 5 ya's and 1 nay in favor of UDO change 2018-23. Motion carried; to send UDO change 2018-23 to council with a favorable recommendation with modifications.

L. Lillmars read and discussed the changes to UDO 2018-24.

Plan Commission member J. Hauguel finds it hard to make decisions without having a way to enforce violators.

D. Rippe entertained a motion to open for public comment.

Motion by: J. McClain

To open for public comment.

2nd by: G. Schenkel

All in favor, say I. Vote was unanimous. Motion carried; open for public comment.

Resident Todd Swander – Is this to eliminate a variance?

D. Rippe – Yes.

D. Rippe entertained a motion to close public comment.

Motion by: J. Hauguel

To close public comment.

2nd by: J. Swander

All in favor, say I. Vote was unanimous. Motion carried; closed for public comment.

J. Swander discussed if a bathroom was added to the garage that the Plan Commission members visited, would cause rental issues?

D. Rippe added that the bathroom doesn't have to service the second floor, it can service the first floor that can be heated and air conditioned. Once it's hooked up to sewer and water it can become a living space.

D. Rippe entertained a motion to send UDO change 2018-24 to council for passage.

Motion by: B. Hanna

To send UDO change 2018-24 to council with an unfavorable recommendation.

2nd by: J. Hauguel

All in favor, say I. 5 ya's and 1 abstain oppose denying UDO change 2018-24. Motion carried; to send UDO change 2018-24 to council with an unfavorable recommendation.

L. Lillmars read and discussed the changes to UDO 2018-2.

Plan Commission members discuss that no new lots are being created, they are consolidating lots and moving property lines.

D. Rippe entertained a motion to open for public comment.

Motion by: G. Schenkel

To open for public comment.

2nd by: J. Swander

All in favor, say I. Vote was unanimous. Motion carried; open for public comment.

Resident Don Helton discussed a lot across the road with two tax ID numbers, this committee of two could combine them into one?

D. Rippe answered no because they are in two different districts. The current UDO allows two of the same lots to be combined.

D. Rippe entertained a motion to close public comment.

Motion by: J. Swander

To close public comment.

2nd by: J. Hauguel

All in favor, say I. Vote was unanimous. Motion carried; closed for public comment.

D. Rippe entertained a motion to send UDO change 2018-2 to council for passage.

Motion by: J. McClain

To send UDO change 2018-2 to council with a favorable recommendation.

2nd by: J. Swander

All in favor, say I. 2 ya's and 4 nay's in favor of UDO change 2018-2. Motion denied.

D. Rippe entertained a motion to send UDO change 2018-2 to council for passage.

Motion by: G. Schenkel

To send UDO change 2018-2 to council with an unfavorable recommendation.

2nd by: B. Hanna

All in favor, say I. 4 ya's and 2 nay's oppose denying UDO change 2018-2. Motion carried; to send UDO change 2018-2 to council with an unfavorable recommendation.

L. Lillmars read and discussed the changes to UDO 2018-5.

D. Rippe entertained a motion to open for public comment.

Motion by: J. Swander

To open for public comment.

2nd by: J. Hauguel

All in favor, say I. Vote was unanimous. Motion carried; open for public comment.

No public comments.

D. Rippe entertained a motion to close public comment.

Motion by: B. Hanna

To close public comment.

2nd by: J. Swander

All in favor, say I. Vote was unanimous. Motion carried; closed for public comment.

D. Rippe entertained a motion to send UDO change 2018-5 to council for passage.

Motion by: B. Hanna

To send UDO change 2018-5 to council with a favorable recommendation.

2nd by: J. Hauguel

All in favor, say I. 6 ya's in favor of UDO change 2018-5. Motion carried; to send UDO change 2018-5 to council with a favorable recommendation.

L. Lillmars read and discussed the changes to UDO 2018-6.

Plan Commission members discussed the wear and tear on the roads from the delivery trucks and all the inbound and outbound deliveries and shipments, which has led to more traffic around the lake.

D. Rippe if something became a nuisance there are no consequences if there is a problem with the home business according to the current UDO. Enforcement is difficult around the town.

D. Rippe entertained a motion to open for public comment.

Motion by: J. McClain

To open for public comment.

2nd by: J. Swander

All in favor, say I. Vote was unanimous. Motion carried; open for public comment.

Resident Brent Schlosser asked Attorney M. Hawk for clarification on the police department enforcing or would that fall under the zoning administrator?

Attorney M. Hawk answered for the UDO the zoning administrator is the one to enforce if there is a problem.

D. Rippe entertained a motion to close public comment.

Motion by: J. McClain

To close public comment.

2nd by: J. Swander

All in favor, say I. Vote was unanimous. Motion carried; closed for public comment.

D. Rippe entertained a motion to send UDO change 2018-6 to council for passage.

Motion by: G. Schenkel

To send UDO change 2018-6 to council with a favorable recommendation.

2nd by: J. Swander

All in favor, say I. 6 ya's in favor of UDO change 2018-6. Motion carried; to send UDO change 2018-6 to council with a favorable recommendation.

L. Lillmars read and discussed the changes to UDO 2018-7.

D. Rippe entertained a motion to open for public comment.

Motion by: J. Swander

To open for public comment.

2nd by: G. Schenkel

All in favor, say I. Vote was unanimous. Motion carried; open for public comment.

D. Rippe entertained a motion to close public comment.

Motion by: G. Schenkel

To close public comment.

2nd by: J. Swander

All in favor, say I. Vote was unanimous. Motion carried; closed for public comment.

D. Rippe entertained a motion to send UDO change 2018-7 to council for passage.

Motion by: J. Swander

To send UDO change 2018-7 to council with a favorable recommendation.

2nd by: J. Hauguel

All in favor, say I. 6 ya's in favor of UDO change 2018-7. Motion carried; to send UDO change 2018-7 to council with a favorable recommendation.

L. Lillmars read and discussed the changes and unintended consequences to UDO 2018-14.

D. Rippe entertained a motion to open for public comment.

Motion by: J. McClain

To open for public comment.

2nd by: J. Swander

All in favor, say I. Vote was unanimous. Motion carried; open for public comment.

Resident Brent Schlosser

D. Rippe entertained a motion to close public comment.

Motion by: J. Hauguel

To close public comment.

2nd by: G. Schenkel

All in favor, say I. Vote was unanimous. Motion carried; closed for public comment.

D. Rippe entertained a motion to send UDO change 2018-14 to council for passage.

Motion by: G. Schenkel

To send UDO change 2018-14 to council with a favorable recommendation.

2nd by:

All in favor, say I. 6 ya's in favor of UDO change 2018-14. Motion carried; to send UDO change 2018-14 to council with a favorable recommendation.

L. Lillmars read and discussed the changes and unintended consequences to UDO 2018-15.

Plan Commission discussed the various issues with the contractors, blocking the road when loading and unloading.

D. Rippe entertained a motion to open for public comment.

Motion by: G. Schenkel

To open for public comment.

2nd by: J. Swander

All in favor, say I. Vote was unanimous. Motion carried; open for public comment.

Resident Brent Schlosser three major concerns from builders that he talked to, unloading in under an hour, installation, concrete and delivery of items such as drywall.

D. Rippe the permit is already required in the ILP packet that they fill out, this is so they have to post it on site.

D. Rippe entertained a motion to close public comment.

Motion by: J. McClain

To close public comment.

2nd by: G. Schenkel

All in favor, say I. Vote was unanimous. Motion carried; closed for public comment.

D. Rippe entertained a motion to send UDO change 2018-15 to council for passage.

Motion by: G. Schenkel

To send UDO change 2018-15 to council with a favorable recommendation.

2nd by: J. Hauguel

All in favor, say I. 6 ya's in favor of UDO change 2018-15. Motion carried; to send UDO change 2018-15 to council with a favorable recommendation.

D. Rippe entertained a motion to adjourn meeting.

Motion by: B. Hanna

To adjourn meeting.

2nd by: G. Schenkel

All in favor, say I. Vote was unanimous. Motion carried to adjourn meeting.

Meeting adjourned at 9:45pm.

Dan Rippe, Plan Commission President

Attest: Jennifer Smith-Sattison, Clerk