



111 Gecowets Drive Fremont IN 46737
(260) 495-9158 / (260) 495-5902 fax
www.townofclearlake.org

Town of Clear Lake - Plan Commission Meeting

Tuesday, August 1, 2023

Conference number 1-646-931-3860

Meeting ID: 647 970 5713

Web Passcode: **Clear** / Phone Passcode: **121380**

Join Zoom Meeting <https://us06web.zoom.us/j/6479705713?pwd=bGoxRjllTXNXeWRhQlcrVzljaHUwdz09>

Agenda

- Call to Order
- Introductions and Roll Call Quorum
- Approval of Meeting Agenda
- Approve minutes – May 2, 2023
- Budget items – None
- Applications, Petitions, and/or Hearings
 - Rezoning Request 2023-01, Krill
 - ~~Rezoning Request 2023-02, Anderson~~
- Old Business
 - UDO Change 2023-01, George Schenkel
- New Business
 - UDO Change 2023-02, Bill Hanna
 - [101 Billings Update - Bill Hanna, Mike Hawk, Robert Hawley](#)
 - Comprehensive Plan Update
- Adjournment

The next regularly scheduled meeting of the Clear Lake Plan Commission will be Tuesday, November 6, 2023, at 7:00 PM. The deadline for items requiring legal notices is October 9, 2023.

**Town of Clear Lake Plan Commission
Meeting Minutes – May 2, 2023**

Plan Commission President Bill Hanna called the meeting to order at 7:00pm.

There were 15 residents in attendance and 6 via Zoom.

Members introduced themselves:

Bill Hanna, 208 West Clear Lake Drive
Guy Rodgers, Street & Sewer Superintendent
Jessica Swander, 7382 E State Road 120
Jim McClain, 1226 Quiet Harbor
Jim Hauguel, 154 West Clear Lake Drive
George Schenkel, 144 West Clear Lake Drive
Mike Hawk, Attorney to the Plan Commission
Jennifer Smith-Sattison, Town Billing Clerk
Robert Hawley, Zoning Administrator
Dan Rippe (online), 126 Lakeside Court

B. Hanna asked for a motion to approve agenda.

Motion by: J. Swander

To approve agenda

2nd by: J. Hauguel

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

D. Rippe asked for a motion to approve minutes from February 7, 2023, Plan Commission meeting.

Motion by: G. Schenkel

To approve February 7, 2023, minutes.

2nd by: J. Swander

All in favor, say aye. Motion carried; minutes from February 7, 2023, approved.

No Budget Items.

UDO Change 2022-02.

B. Hanna went through where the UDO change is currently on the flow chart.

G. Schenkel went through UDO Change 2022-02.

Zoning Administrator R. Hawley went through the results of the public feedback forms.

Plan Commission discussed UDO Change 2022-02.

B. Hanna asked for a motion to open for public comment.

Motion by: J. Hauguel

To open for public comment.

2nd by: J. Swander

All in favor, say aye. Motion carried; open for public comment.

Resident Brian Weber, 822 South Clear Lake Drive, is in favor of UDO change of 2022-02.

Resident Dennis Keiser, 934 South Clear Lake Drive, is not in favor of UDO change, but is in favor of clarifying the language to make the UDO change more understandable.

Resident Jennifer Rockhold, 430 Point Park Drive, is in favor of the UDO change and is very concerned with safety issues, especially with children running across the street.

Resident Chris Schweikert, 280-16 Lakeview Drive, is in favor of the UDO change.

B. Hanna asked for a motion to close public comment.

Motion by: G. Schenkel

To close public comment.

2nd by: J. Swander

All in favor, say aye. Motion carried; closed public comment.

Plan Commission discussed UDO Change 2022-02.

B. Hanna asked for a motion for UDO change 2022-02.

J. McClain made a motion to table UDO change 2022-02 request.

No second.

G. Schenkel made a motion to pass UDO 2022-02 to the Town Council with a favorable recommendation.

2nd by: J. Hauguel

Roll Call:

D. Rippe – Agree

J. Hauguel – Agree

J. Swander – Agree

J. McClain – Oppose

G. Schenkel – Agree

G. Rodgers – Agree

B. Hanna – Agree

Motion carried 6 to 1 to send UDO change 2022-02 with a favorable recommendation to Town Council.

No Old Business.

New Business.

UDO 2023-01.

B. Hanna went through where the UDO change is currently on the flow chart.

G. Schenkel went through UDO Change 2023-01.

Plan Commission discussed UDO Change 2023-01.

B. Hanna asked for a motion to table UDO Change 2023-01 until August 1st meeting.

Motion by: G. Schenkel

To close public comment.

2nd by: J. McClain

All in favor, say aye. Motion carried; UDO Change 2023-01 tabled until August 1st meeting.

Zoning Administrator R. Hawley went through a new proposed electronic public feedback form and proposed established requirements.

Plan Commission discussed proposed electronic public feedback form and proposed established requirements.

Zoning Administrator R. Hawley went through UDO Comprehensive Plan Update.

Plan Commission discussed UDO Comprehensive Plan Update.

B. Hanna asked for a motion to adjourn meeting.

Motion by: J. Swander

To adjourn meeting.

2nd by: G. Rodgers

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

Meeting adjourned at 9:18pm.

Bill Hanna, Plan Commission President

Attest: Jennifer Smith-Sattison, Town Billing Clerk

Town of Clear Lake Plan Commission

Staff Report

GENERAL INFORMATION

Case Number:	Rezoning 2023-01
Applicant:	Bruce Krill 19400 Cromwell APT 106 Fort Myers, FL 33912
Status of Applicant:	Owner
Owner (if different form applicant):	N/A
Location:	76-01-29-110-204.000-002 (Vacant Lot) & 76-01-29-110-203.000-002 (Vacant Lot)
Zoning:	NC – Neighborhood Commercial
Requested Zoning:	SR – Single Family Residential
Current Use:	Vacant Lots
Adjacent Area Zoning:	North: NC – Neighborhood Commercial East: NC – Neighborhood Commercial South: SR – Single Family Residential West: SR – Single Family Residential
Conditions:	Lot is relatively flat with no improvements. The two lots are triangular shaped, which establishes them as lawful non-conforming lots due to the size and shape. According to the Future land use map this area is not considered for future residential development but the requested rezoning does touch the SR Zoning district. See attached exhibits.
Hearing Date:	August 1, 2023 @ 7 PM
Required Notice:	<ul style="list-style-type: none">• Publication of legal notice was published in the Herald Republican on <i>July 18, 2023</i>.• A legal Notice was also posted by the Zoning Administrator outside the Town Hall.• Four (4) adjacent owners were sent Legal Notices with a certificate of mailing.• Twenty-six (26) interested property owners were sent “courtesy notices” by regular US mail.• Notifications were sent to adjacent property owners within 300 feet of the subject property.

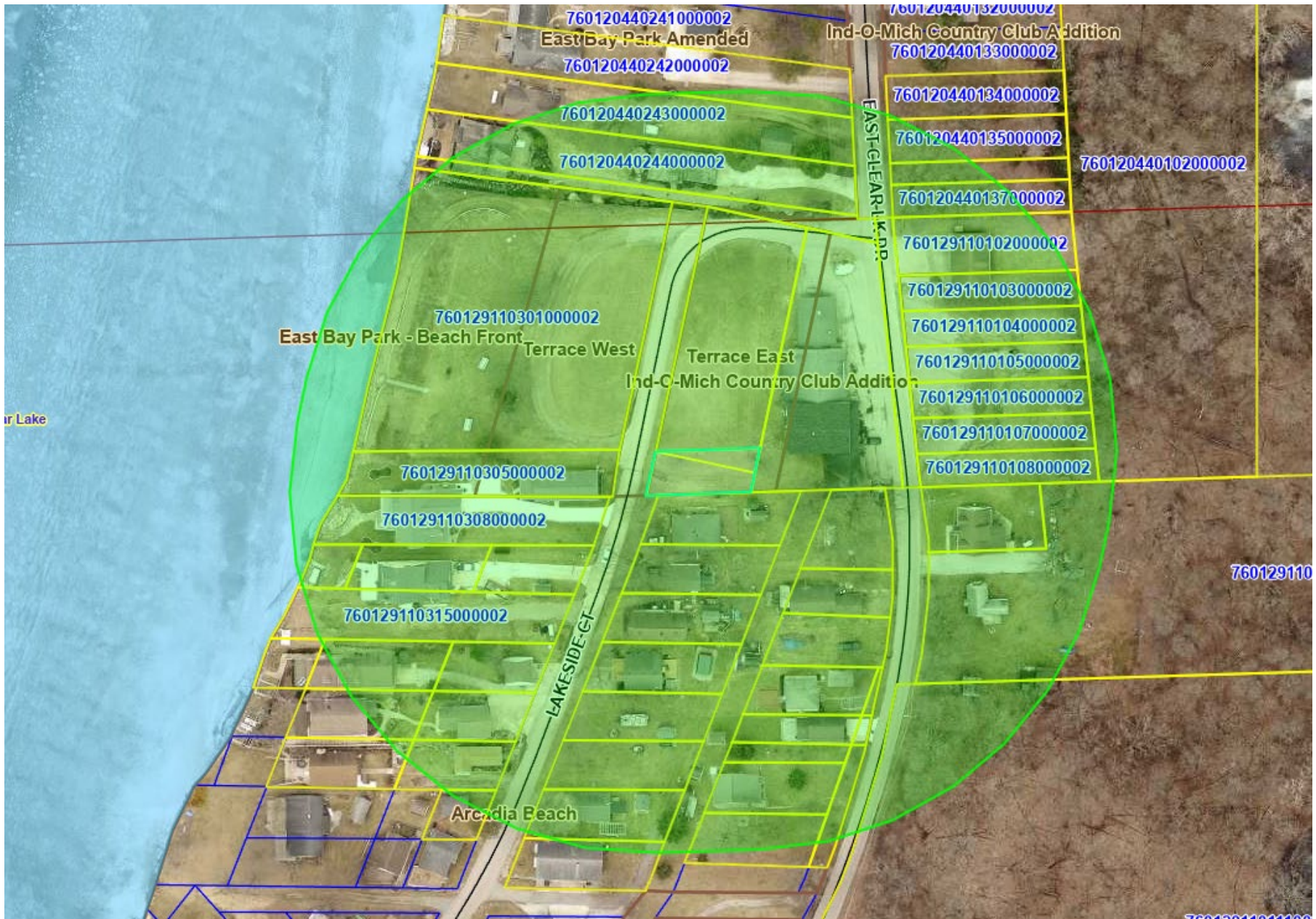
Criteria:

7. Decision:

- a. The Plan Commission shall take final action or continue the Application for a Rezoning to a defined future meeting date. The Plan Commission shall pay reasonable regard to the following factors before taking final action.
 - i. *The Town of Clear Lake Comprehensive Plan.*
 - ii. Current conditions and the character of current structures and uses in each district.
 - iii. The most desirable use for which the land in each district is adapted.
 - iv. The conservation of property values throughout the jurisdiction.
 - v. Responsible development and growth.
- b. Final Action: The Plan Commission shall certify the amendment to the Official Zoning Map and forward the petition to the Town Council with a favorable recommendation, an unfavorable recommendation, or no recommendation. The Plan Commission may also recommend commitments concerning the use and/or development of the land in connection with the Application for Rezoning. The Town Council makes the final determination

Notices

Owner Name	Owner Address	Owner City/St/Zip
Mosier Griffith M & Nicola A H/W	03439 Cemetary Rd	EDGERTON, OH 43517-9513
Culbertson William & Jo Ellen H/W	100 Lakeside Ct	FREMONT, IN 46737
Culler Benjamin	104 Lakeside Ct	FREMONT, IN 46737
Frederick Michael D & Carol A Frederick	105 Lakeside Ct	Fremont, IN 46737
Clear Lake Township Land Conservancy Inc	111 Gecowets Dr	FREMONT, IN 46737
Larson Elias	11243 Abbey Rd	MOKENA, IL 60448
Kane Kevin S & Angela R H/W	1180 E 100 N	ANGOLA, IN 46703
Clear Lake Cottage LLC	12541 Blosser Rd	SHERWOOD, OH 43556
Krill Bruce C	19400 Cromwell Apt 106	FORT MYERS, FL 33912
Larimer Michael S & Sandra K Larimer	309 Elmwood Rd	BAY VILLAGE, OH 44140
Board of Commissioners of Steuben County	317 S Wayne St, Ste 2-J	ANGOLA, IN 46703
Klopfenstein Robert V & Michelle A H/W	415 Schatzer Ct	BRYAN, OH 43506
Clear Lake Township Land Conservancy Inc	5950 Gecowets Dr Clear Lake	FREMONT, IN 46737
Dammeier Roger & Susan Elizabeth H/W	624 East Clear Lake Dr	FREMONT, IN 46737
McCue Mary E Trustee of the Mary E McCue Trust dtd 8-20-19	6246 Crittenden Dr	CINCINNATI, OH 45244
Miller M Douglas & Patricia L H/W	628 East Clear Lake Dr	FREMONT, IN 46737
Clear Lake General Store Inc	630 East Clear Lake Dr	Fremont, IN 46737
Beatty Enterprises LLC	654 E Clear Lake Dr	FREMONT, IN 46737
Parkison Andrew J Rev Trust dtd 9-2-21	6604 N Morrison Rd	MUNCIE, IN 47304
Hahn Brian N	701 W High St	DEFIANCE, OH 43512
Laskarin Nicholas	7544 Madison Ave	HAMMOND, IN 46324
Haller Michael J und 1/2 Int & Anthony Jay Raimonde Trt Anthony Jay Raimonde Tr Sept 3 1997 und 1/2 int JT/RS	8538 Hosta Ln	MONCLOVA, OH 43542
Strasser George A & Jacquelyn K H/W	924 S Clear Lake Dr	FREMONT, IN 46737
Phillips Negley George & Sherry L	P O Box 186	NEY, OH 43549
Miller Bradley A	PO Box 10270	FORT WAYNE, IN 46851
Schwab Randall L & Jeffrey S Schwab w/Contract Interest By Daniel D Hall 1/2 Int	Q 786 Co Rd 16	NAPOLEON, OH 43545
Adjacent properties are highlighted in pink		



Feed Back – Rezoning 2023-01, Krill









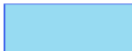
		Support	Oppose
Total	63	1	62
		<i>% of Total</i>	<i>Comments</i>
Undesirable Viewshed	15	23.8	13
8 of the comments addressed the concern of overcrowding and 2 nd tier and feel that this does not follow the comprehensive plan.			
Harmful to Natural Resources	28	44.4	14
5 of the comments expressed concerns that the increase in population and structures would affect the surrounding natural resources			
Undue Strain on infrastructure	35	55.6	15
6 of the comments addressed that approval would create more traffic, sewage, and electricity use.			
Risk to Personal Safety	26	41.3	13
5 of the comments cite that there is a concern for the public beach users related to their safety			
Undesirable Development Density	55	87.3	27
11 of the comments expressed that they did not want to see more development and would affect property values			
Undue Strain on Enforcement	18	28.6	4
Undesirable Aesthetic Appeal	30	47.6	9
3 of the comments were about wanting to see the continuation of the small-town appeal and this is unwanted density.			
Increased Population	51	81.0	21
12 of the comments feel that the community is overcrowded as it is.			

Future Land Use Map



Master Plan Use

Class

-  Agriculture
-  Conservation
-  Low Density Residential
-  Medium Density Residential
-  Lake Residential
-  Lake Accessory
-  Low Intensity Non-Residential
-  Corporate_Limits
-  Lakes

REZONING APPLICATION

2023-01

Town of Clear Lake 111 Gecowets Drive, Clear Lake, Fremont IN 46737
Office: (260)495-9158 Mobile: (260)243-6701 Email: zoning@townofclearlake.org

APPLICANT INFORMATION

Name Bruce Krill E-mail bckrill@yahoo.com

Address 101 Lakeside Court
lake permanent

Phones 419-551-1815
preferred other

PROJECT INFORMATION

Address of Property to be Rezoned Vacant (Both Lots)

Legal Description 76-01-29-110-204.000-002, 76-01-29-110-203.000-002
(attach if necessary)

Property Owner Krill, Bruce C

Current Zoning NC - Neighborhood Commercial Requested Zoning SR - Single Family Res.

Reason for Request Looking comibe the two parcels for residential use, currnty the lot is unusable in the current zoning district for a residential application.

SIGNATURE

I certify to the accuracy of all information provided within this application and supporting information. I grant the Town of Clear Lake and its agents the authority to enter the property to during the rezoning process to determine compliance.

Bruce C Krill 6/5/2023
Applicant's Signature Date

PREPARING SITE PLAN

Use this list as a guide when preparing the site plan and supporting information. Additional details about the filing requirements can be found in *Article 9 of the Town of Clear Lake Unified Development Ordinance*. Questions should be directed to the Zoning Administrator. The Zoning Administrator may require additional information necessary to determine compliance with the provisions of the *Unified Development Ordinance*.

- North arrow and scale
- Boundary lines of the site including lot dimensions of the site
- Names, centerlines, right-of-way widths, and pavement widths of all adjacent streets, alleys, and easements
- Layout, number, dimension, and area of all lots
- Location and dimensions of existing structures and proposed structures
- Use of each structure by labeling
- Proposed subdivision lines, all lot dimensions, lot area, and building setback lines of proposed lots
- Location of all floodway, floodway fringe areas, and wetlands within the boundaries of the site -N/A
- Distance of all structures from front, rear, and side lot lines
- Proposed landscaping buffers or landscaped areas -

REZONING – PLAN COMMISSION CERTIFICATION

2023-01

Town of Clear Lake 111 Gecowets Drive, Clear Lake, Fremont IN 46737
Office: (260)495-9158 Mobile: (260)243-6701 Email: zoning@townofclearlake.org

GENERAL INFORMATION

Location 76-01-29-110-204.000-002 & 76-01-29-110-203.000-002

Applicant's Name BRUCE KRILL

Date of Public Hearing AUG 1, 2023

FINAL ACTION

The Plan Commission shall pay reasonable regard to the following factors before taking final action.

- The Town of Clear Lake Comprehensive Plan.
- Current conditions and the character of current structures and uses in each district.
- The most desirable use for which the land in each district is adapted.
- The conservation of property values throughout the jurisdiction.
- Responsible growth and development.

CERTIFICATION AND RECOMMENDATION

The Plan Commission shall certify the amendment to the Official Zoning Map and forward the application to the Town Council with a favorable recommendation, an unfavorable recommendation, or no recommendation. The Plan Commission may also recommend commitments concerning the use and/or development of the land in connection with the Application for Rezoning. The Town Council makes the final determination regarding an Application for Rezoning and any recommended commitments by ordinance.

- Favorable Recommendation
- Unfavorable Recommendation
- No Recommendation

Recommended Commitments: _____

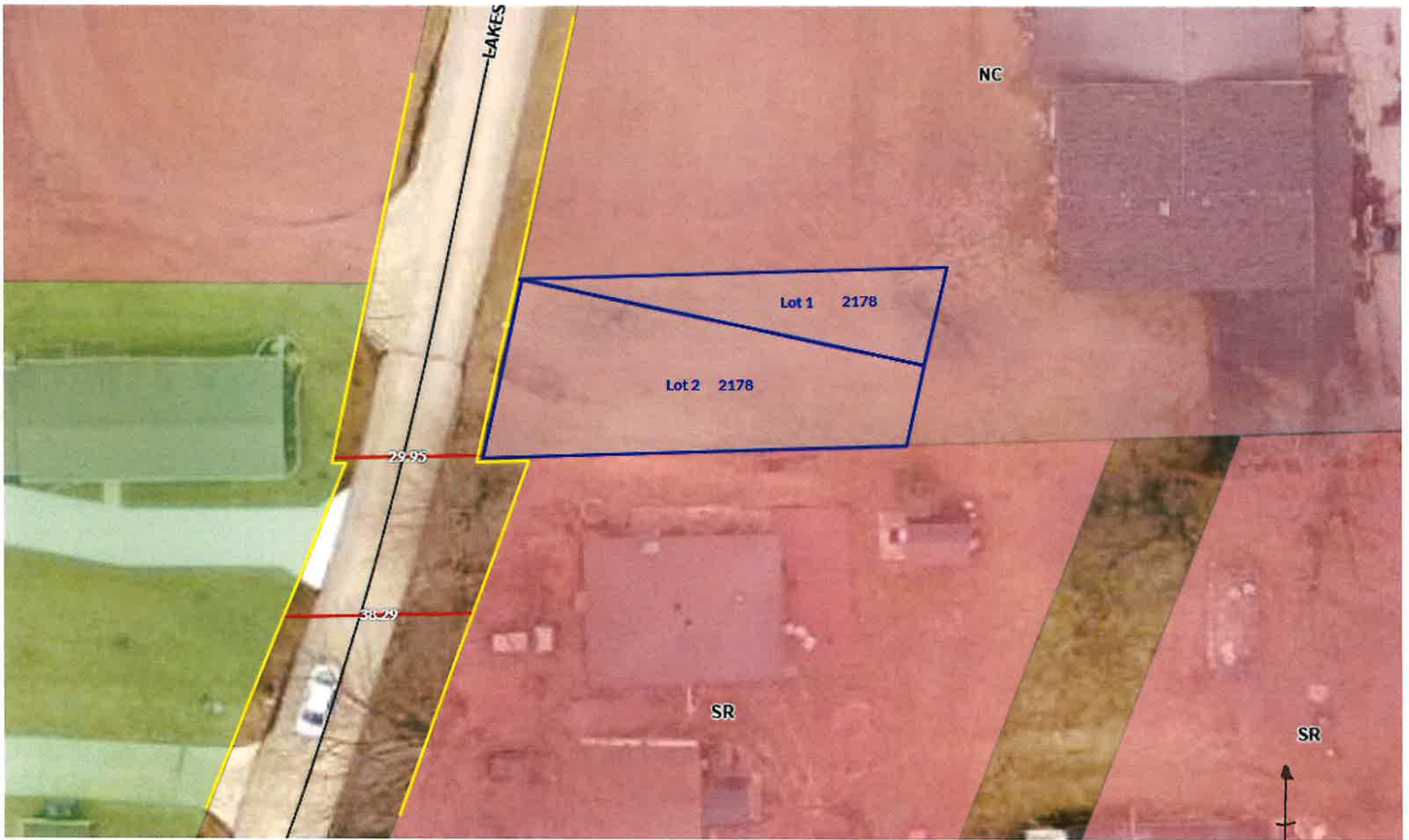
SIGNATURES

Plan Commission President

date

Zoning Administrator

date



LAKES

NC

Lot 1 2178

Lot 2 2178

29.95

33.29

SR

SR



76-01-29-110-203.000-002

KRILL BRUCE C

LAKESIDE CT CLEAR LK

500, Vacant - Platted Lot

ARCADIA BEACH/325041-0

General Information
Parcel Number
 76-01-29-110-203.000-002
Local Parcel Number
 012911020300032
Tax ID:

Routing Number
 - - -

Ownership
 KRILL BRUCE C
 11480 DOGWOOD LN
 FORT MYERS BEACH, FL 33931

Legal
 E BAY PARK TERRACE E SE PT LOT 45

Transfer of Ownership								
Date	Owner	Doc ID	Code	Book/Page	Adj Sale Price	V/I		
02/10/2016	KRILL BRUCE C	1602-0254	Wa	1602/0254	\$19,000	I		
11/20/2000	CULBERTSON WILLI		WD	0011/0413	\$0	I		
08/02/1995	ZIMMERMAN ELNOR	0	WD	950/8070	\$0	I		
11/03/1978	PETRAS ELNORA	0	WD	/	\$0	I		
01/01/1900	PETRAS NICHOLAS		WD	/	\$0	I		

Notes

Property Class 500
 Vacant - Platted Lot



Res

Valuation Records (Work In Progress values are not certified values and are subject to change)

Year: 2023
Location Information
County
 Steuben
Township
 CLEAR LAKE TOWNSHIP
District 002 (Local 32)
 CLEAR LAKE TOWN
School Corp 7605
 FREMONT COMMUNITY
Neighborhood 325041-018-5
 ARCADIA BEACH
Section/Plat
 29-110
Location Address (1)
 LAKESIDE CT CLEAR LK
 FREMONT, IN 46737

2023	Assessment Year	2023	2022	2021	2020	2019
WIP	Reason For Change	AA	AA	AA	AA	AA
04/12/2023	As Of Date	04/13/2023	04/12/2022	04/14/2021	04/13/2020	04/15/2019
Indiana Cost Mod	Valuation Method	Indiana Cost Mod	Indiana Cost Mod	Indiana Cost Mod	Indiana Cost Mod	Indiana Cost Mod
1.0000	Equalization Factor	1.0000	1.0000	1.0000	1.0000	1.0000
	Notice Required	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
\$21,700	Land	\$21,700	\$18,700	\$16,200	\$15,300	\$10,000
\$21,700	Land Res (1)	\$21,700	\$18,700	\$16,200	\$15,300	\$10,000
\$0	Land Non Res (2)	\$0	\$0	\$0	\$0	\$0
\$0	Land Non Res (3)	\$0	\$0	\$0	\$0	\$0
\$0	Improvement	\$0	\$0	\$0	\$0	\$0
\$0	Imp Res (1)	\$0	\$0	\$0	\$0	\$0
\$0	Imp Non Res (2)	\$0	\$0	\$0	\$0	\$0
\$0	Imp Non Res (3)	\$0	\$0	\$0	\$0	\$0
\$21,700	Total	\$21,700	\$18,700	\$16,200	\$15,300	\$10,000
\$21,700	Total Res (1)	\$21,700	\$18,700	\$16,200	\$15,300	\$10,000
\$0	Total Non Res (2)	\$0	\$0	\$0	\$0	\$0
\$0	Total Non Res (3)	\$0	\$0	\$0	\$0	\$0

Land Data (Standard Depth: Res 100', CI 100' Base Lot: Res 40' X 100', CI 40' X 100')

Land Type	Pricing Method	Soil ID	Act Front.	Size	Factor	Rate	Adj. Rate	Ext. Value	Infl. %	Res Elig %	Market Factor	Value
F	F		2	10x87	0.95	\$2,280	\$2,166	\$21,660	0%	100%	1.0000	\$21,660

Zoning
 JC
Subdivision

Lot

Market Model
 Clear Lake Residential

Characteristics
Topography Level
Flood Hazard
Public Utilities ERA
 Electricity
Streets or Roads TIF
 Paved
Neighborhood Life Cycle Stage
 Other
 Printed Thursday, April 13, 2023

Land Computations

Calculated Acreage	0.02
Actual Frontage	2
Developer Discount	<input type="checkbox"/>
Parcel Acreage	0.04
81 Legal Drain NV	0.00
82 Public Roads NV	0.00
83 UT Towers NV	0.00
9 Homesite	0.00
91/92 Acres	0.00
Total Acres Farmland	0.04
Farmland Value	\$0
Measured Acreage	0.00
Avg Farmland Value/Acre	0.0
Value of Farmland	\$0
Classified Total	\$0
Farm / Classified Value	\$0
Homesite(s) Value	\$0
91/92 Value	\$0
Supp. Page Land Value	
CAP 1 Value	\$21,700
CAP 2 Value	\$0
CAP 3 Value	\$0
Total Value	\$21,700

General Information

Parcel Number 76-01-29-110-204.000-002
Local Parcel Number 012911020400032
Tax ID:

Ownership

KRILL BRUCE C
11480 DOGWOOD LN
FORT MYERS BEACH, FL 33931

Transfer of Ownership

Table with columns: Date, Owner, Doc ID, Code, Book/Page, Adj Sale Price, V/I. Rows include dates from 02/10/2016 to 01/01/1900.

Notes

Routing Number

Property Class 500
Vacant - Platted Lot

Legal

E BAY PARK TERRACE E EX NW COR LOT 46

Res



Valuation Records (Work In Progress values are not certified values and are subject to change)

Table with columns: Assessment Year (2023, 2022, 2021, 2020, 2019), Reason For Change, As Of Date, Valuation Method, Equalization Factor, Notice Required, Land, Improvement, Total. Includes monetary values for various categories.

Year: 2023

Location Information

County Steuben
Township CLEAR LAKE TOWNSHIP
District 002 (Local 32) CLEAR LAKE TOWN
School Corp 7605 FREMONT COMMUNITY
Neighborhood 325041-018-5 ARCADIA BEACH
Section/Plat 29-110
Location Address (1) LAKESIDE CT CLEAR LK
FREMONT, IN 46737

Land Computations

Table with columns: Land Computations, Value. Rows include Calculated Acreage (0.05), Actual Frontage (38), Developer Discount, Parcel Acreage (0.06), 81 Legal Drain NV (0.00), 82 Public Roads NV (0.00), 83 UT Towers NV (0.00), 9 Homesite (0.00), 91/92 Acres (0.00), Total Acres Farmland (0.06), Farmland Value (\$0), Measured Acreage (0.00), Avg Farmland Value/Acre (0.0), Value of Farmland (\$0), Classified Total (\$0), Farm / Classified Value (\$0), Homesite(s) Value (\$0), 91/92 Value (\$0), Supp. Page Land Value, CAP 1 Value (\$54,200), CAP 2 Value (\$0), CAP 3 Value (\$0), Total Value (\$54,200).

Zoning

Table with columns: Land Type, Pricing Method, Soil ID, Act Front., Size, Factor, Rate, Adj. Rate, Ext. Value, Infl. %, Res Elig %, Market Factor, Value. Row shows F, F, 38, 25x87, 0.95, \$2,280, \$2,166, \$54,150, 0%, 100%, 1.0000, \$54,150.

Subdivision

Lot

Market Model

Clear Lake Residential

Characteristics

Topography Level Flood Hazard
Public Utilities ERA
Electricity
Streets or Roads TIF
Paved

Neighborhood Life Cycle Stage

Other
Printed Thursday, April 13, 2023

Review Group 2023

Data Source N/A

Collector 11/03/2022 Jessica

Appraiser

TMK

UDO Change Initiation

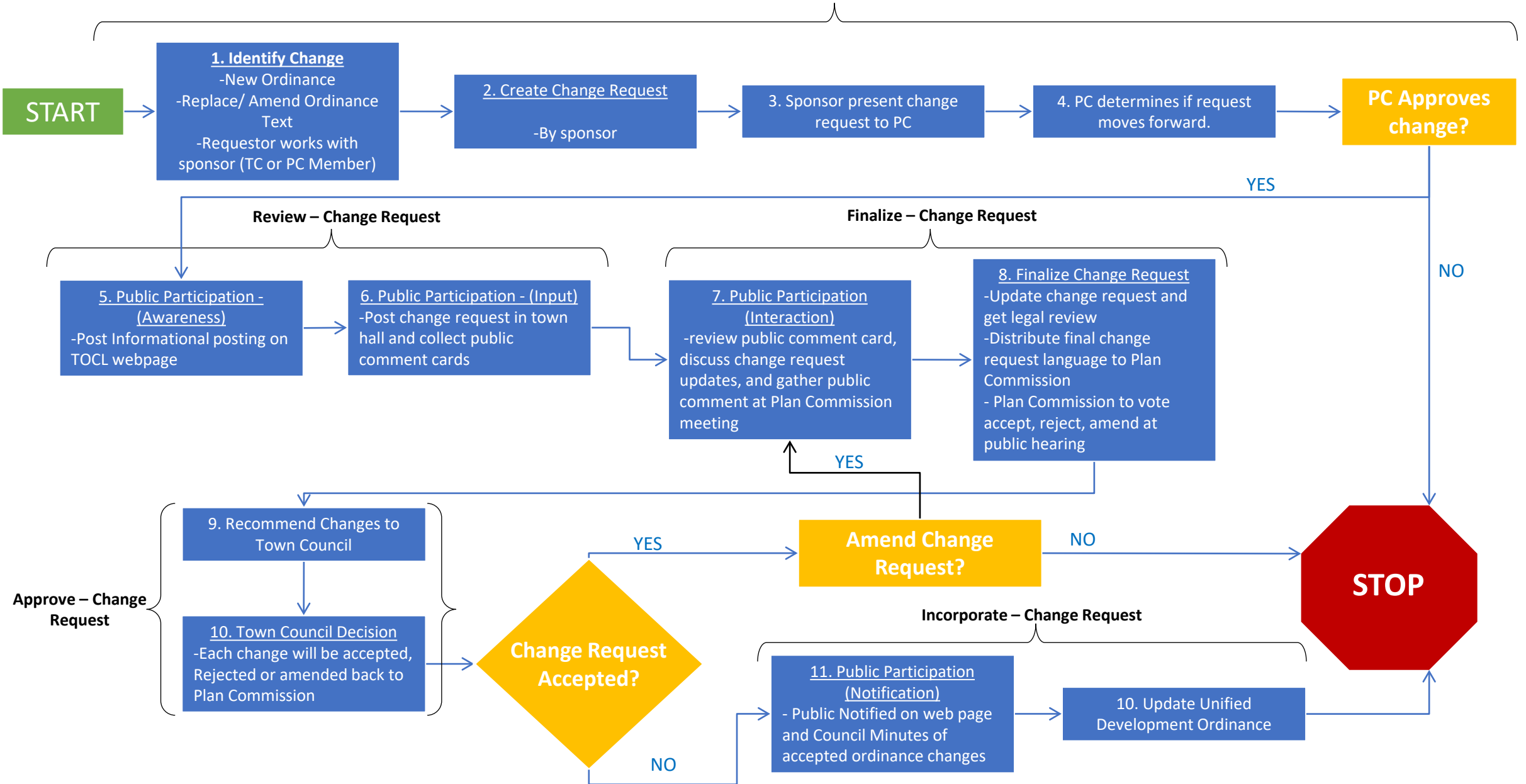
A member of the Plan Commission and/or Town Council who will partner with the Zoning Administrator in championing the proposed UDO change through the UDO change process.

Responsibilities:

1. Participate with Zoning Administrator in completing each step of the UDO change process
2. Complete the UDO change form and submit to the Zoning Administrator
3. Document/Communicate why the change is necessary (see evidence categories below)
 - a. Provide supporting evidence the deficiency is impacting the realization of the comprehensive plan
 - b. Provide supporting evidence the deficiency is repeatedly a variance request
4. Assess and communicate how the proposed change addresses the deficiencies identified in #3
5. Present the change at the Plan Commission meetings, answer any questions, and support closure of any action items

Change Process – Unified Development Ordinance *Section 9.18 UDO Text Amendment PG 9-43*

Draft – Change Request



Unified Development Ordinance (UDO) Proposed Text Amendment

Sponsor By: George Schenkel

UDO Change Log Number: 2023-01

Date: May 2, 2023

Revised May 4, 2023

UDO Revision Affected: _____

Change Status: _____

- I. UDO Article Description: Definition: Accessory Structure, Occupiable & Guest Quarters
- UDO Article #: 11.02, Defined Words
- UDO Page #: 11-03, 11-16
- Change Category: Amendment
- Comp Plan Objectives: Policy 2.2, Objective 2.2.1 and 2.2.2; Policy 7.4, Objective 7.4.1; and "Lake Accessory" classification per Comprehensive Plan (page 50)

II. Description of Change:

Remove references to Guest Quarters in Accessory Structures to clarify the permitted use of Occupiable Accessory Structure & amended and establish regulation of Guest Quarters in all districts.

III. Basis for Change:

Remove contradiction, add clarity, attain uniformity of language, and support the Comprehensive Plan consistent with UDO Change 2022-02.

IV. Change Language (From, To):

From:

Accessory Structure, Occupiable: An accessory structure used as a habitable space that is clearly complementary and incidental to a primary structure's use (e.g., recreation room, artist studio, woodworking shop or guest quarters). An occupiable accessory structure shall not include residential units, studio apartments, and businesses. An occupiable accessory structure may be combined with a storage-based accessory structure. (PG 11-03)

Guest Quarters: An accessory structure used for overnight guests (e.g., sleeping room) including a full bathroom, and climate control for cold seasons, but not including a kitchen. Guest quarters are not rental units or boarding houses. (PG 11-16)

To:

Accessory Structure, Occupiable: An accessory structure used as a **non-habitable** space that is clearly complementary and incidental to a primary structure's use (e.g., recreation room, artist studio, **or** woodworking shop **or guest quarters**). An occupiable accessory structure shall not include residential units, **guest quarters**, studio apartments, and businesses. An occupiable accessory structure may be combined with a storage-based accessory structure. (PG 11-03)

Guest Quarters: An accessory structure used for overnight guests (e.g., sleeping room) **including a full bathroom, and climate control for cold seasons, but not including a kitchen. Guest quarters are not rental units or boarding houses. Is not permitted in any district and for any length of time.** (PG 11-16)

Unified Development Ordinance (UDO) Proposed Text Amendment

V. Summary of Public Comment:

VI. Plan Commission Recommendation:

Prepared By:

Date Codified

Summary / Review

5-2-2023 Introduced to PC. Tabled for Additional Review

5-4-2023 Addition of Definition – Guest Quarters and non-habitable to Accessory Structure, Occupiable

Accessory Structures Water and Sewer Availability

- Change description:
 - Remove references to Guest Quarters in Accessory Structures to clarify the permitted use of Occupiable Accessory Structure.
- Zoning: Lake Accessory (LA) Section 5.09
- The deficiency is impacting the realization of the comprehensive plan
 1. Comprehensive Plan (Housing) Policy 2.2, Objective 2.2.1 & 2.2.2
 2. Comprehensive Plan (Land Use) Policy 7.4, Objective 7.4.1
- The deficiency is repeatedly a variance request
 1. *None, but current UDO add confusion and uncertainty to the existing Ordinance.*

Unintended Consequence Assessment

Date: 5.2.2023

Change Description: Remove references to Guest Quarters in Accessory Structures to clarify the permitted use of Occupiable Accessory Structure.

Increased Population	Natural Resource	Infrastructure	Personal Safety	Development Density	Enforcement	Aesthetic Appeal	Viewshed	Mitigation Approach
None								
Criteria Assessed								

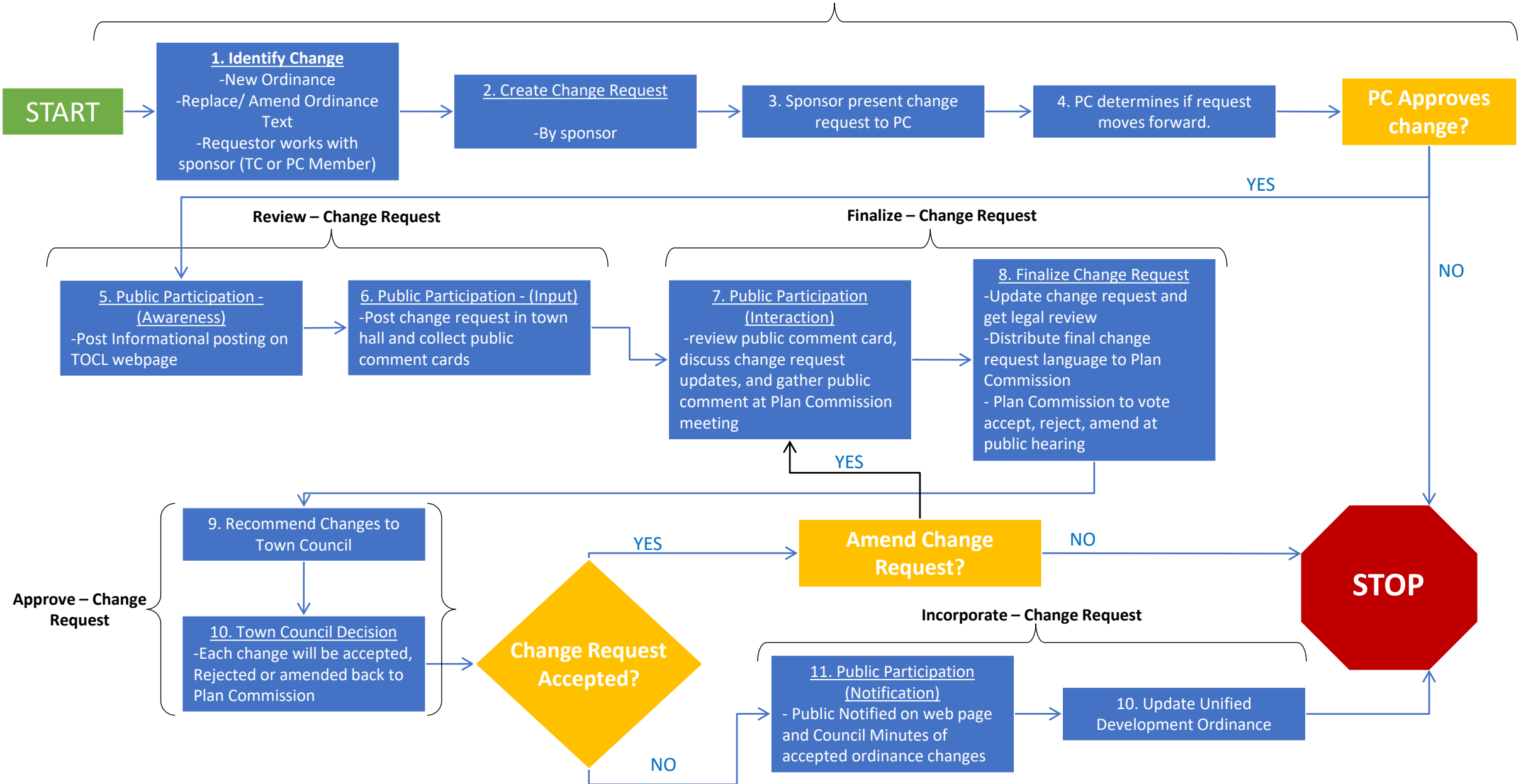
UDO Change Initiation

A member of the Plan Commission and/or Town Council who will partner with the Zoning Administrator in championing the proposed UDO change through the UDO change process.

Responsibilities:

1. Participate with Zoning Administrator in completing each step of the UDO change process
2. Complete the UDO change form and submit to the Zoning Administrator
3. Document/Communicate why the change is necessary (see evidence categories below)
 - a. Provide supporting evidence the deficiency is impacting the realization of the comprehensive plan
 - b. Provide supporting evidence the deficiency is repeatedly a variance request
4. Assess and communicate how the proposed change addresses the deficiencies identified in #3
5. Present the change at the Plan Commission meetings, answer any questions, and support closure of any action items

Draft – Change Request



Unified Development Ordinance (UDO) Proposed Text Amendment

Sponsor By: Bill Hanna

UDO Change Log Number: 2023-02

Date: August 1, 2023

Revised:

UDO Revision Affected:

Change Status:

I. UDO Article Description: The Footprint of Primary Structure

UDO Article #: 5.13.C

UDO Page #: 5-12

Change Category: Amendment

Comp Plan Objectives: Policy 7.2, Objective 7.2.1

Ensure that existing and future Clear Lake property owners can move through the permitting procedure as quickly as possible while still protecting the interests of the Town.

Policy 2.1, Objective 2.1.2

Continue to review and modify, as necessary, land use regulations so that property values are protected and enhanced.

II. Description of Change:

Change UDO 5.13.C and add 5.13. D.

III. Basis for Change:

5.13.C as it applies to LA structures is overly restrictive. The proposed revision will create a standard that will reduce the likelihood of residents requesting a variance and achieve desired architectural features.

IV. Change Language (From, To):

From:

C. Footprint of Primary Structure: The footprint of the primary structure's foundation shall not be a simple rectangle or square. An open-sided porch, screen porch, patio or stoop's foundation shall not be considered part of the home's foundation in regard to this provision. If there are six (6) foundation segments, the shortest segment shall be at least ten percent (10%) of the entire foundation's perimeter. If there are seven (6) or more foundation segments, there is not a minimum length for any foundation segment.

To:

C. Footprint of Primary Structure: The footprint of the primary structure's foundation shall not be a simple rectangle or square. An open-sided porch, screen porch, patio, or stoop's foundation shall not be considered part of the home's foundation in regard to this provision. If there are six (6) foundation segments, the shortest segment shall be at least ten percent (10%) of the entire foundation's perimeter. If there are seven (6) or more foundation segments, there is no not a minimum length for any foundation segment. LA Lots shall meet the standards of section 5.13.D.

Unified Development Ordinance (UDO) Proposed Text Amendment

D.LA Lot Footprint of Primary Structure: The structure shall have a minimum of six (6) foundation segments and the shortest segment shall be no less than 6 feet.

V. Summary of Public Comment:

VI. Plan Commission Recommendation:

Prepared By:

Date Codified

Summary / Review
