

## Town of Clear Lake-Plan Commission Meeting Minutes-August 2, 2021

President Bonnie Brown called the meeting to order at 7:00 PM. Members introduced themselves, all members were present:

Bill Hanna  
John Wilhelm  
Bonnie Brown  
Tyson Johnston  
Jim McClain  
Dan Rippe  
Scott Lazur via teleconference.

Also in attendance were Brenda Eby, Clerk and 20 residents that signed in (see attached).

President B. Brown asked the members if they'd had an opportunity to review the minutes from the June 21, 2021 PC meeting. With no questions or changes, President Brown entertained a motion to approve the minutes.

**Motion by:**

D. Rippe to approve the minutes of the June 21, 2021 meeting.

**2<sup>nd</sup> by:**

J. Wilhelm

All in favor, motion carried.

The focus of tonight's meeting is to go over the twenty changes that the Plan Commission members have worked hard for several months to update. The proposed changes have been posted on the website since May for public review. President B. Brown explained that the public's input is important and encouraged. PC member, D. Rippe added that there has been no changes or updates to the UDO since 2018 and these proposed changes were brought to light by residents, contractors and lessons learned through the Zoning Administrator's office over the years.

President B. Brown explained the process for making any of the proposed changes. There will be no voting tonight, tonight's meeting is for public input/suggestions. These suggestions will be considered/implemented and at the November 1, 2021, PC meeting, they will be voted on to be sent to the December 20, 2021 Town Council meeting for final approval. All approved changes will go into effect on January 1, 2022. The Town's attorney has checked the legality of the proposed changes.

Mr. Ken Walter stood at the podium and expressed his approval of the changes to **2018-23, Lake Accessory Accessory Structure Standards** and agrees with the addition of water/sewer in **2018-24** and the height change for **2018-25, Lake Accessory District Development Standards**. He likes the idea of bedrooms and bathrooms in a Lake Accessory Structure but NO kitchens.

President B. Brown stated that you would no longer have to go before the Town Council for a sewer hookup to your Accessory structure. Bedrooms and bathrooms will be allowed but no kitchens, this is meant for family sleeping quarters, not to be used as an apartment.

Mr. Don Luepke stood at the podium and expressed his disapproval of **2018-25, Lake Accessory District Development Standards**, which would allow larger accessory structures on LA lots. His disapproval is due to the possible obstructed view for those whose homes are on SR lots. He urged the PC to withdraw this change until more thought could be put into the affect it would have on those SR lot homes. He submitted his written speech.

Mr. Joe Moore stood at the podium and expressed his concern with **2018-6, Home Business Standards**. His home is zoned as Rural Residential and he does not feel that the same rules/regulations should apply to a rural home as to a LR, lake residential. He feels that the Town should not have a say as to what hours he can be open for business. PC member, Tyson Johnston, explained the reasons for having set hours and stated that a change had already been made to the hours, due to public input. Closing time was changed from 7:00 pm, to 7:00 pm or dusk, whichever comes first. It was determined that Rural Residential should not be subject to the same rules and warrants further discussion.

Mr. John (Trey) McArdle stood at the podium and stated that he was generally in favor and overall, the changes look good. Larger storage structures are needed because everything is bigger now.

PC member T. Johnston explained to D. Luepke the reason for going with larger garages, based on the fact that everything is bigger and better all the time and a resident spoke at a prior meeting about having trouble getting his pontoon into his garage.

Ms. Lisa Baker stood at the podium and stated that she and her husband, Chris, feel that the changes to the Home Businesses in the UDO are aimed at their home business, Baker Acres, farm fresh produce wagon. She feels that a certain PC member, no name mentioned but she knows who she is, is targeting them personally.

PC member, J. McClain, addressed the garage height again which brought up more discussion of the view for those on SR lots.

There was also discussion of home business being held in the primary structure only. This may need to be changed. If the business does not fall under the "Nuisance" category, what difference does it make where on your property you are performing your business? Who is going to police the home businesses to determine that they are following the rules? Garage sales, temporary vegetable stands, etc. which are less than three consecutive days, do not fall under the rules of a home business. It was suggested that these new rules are too strict for anyone to have a home business or even a "pop up" vegetable stand. P.C. member, J. McClain, explained that we are talking about a "home business", not a temporary sale or roadside stand. The biggest issue or nuisance is traffic congestion.

Mrs. Devon McArdle stood at the podium with concerns about the number of petty complaints in the community, suggesting that neighbors solve their problems amongst themselves and stop making everything an issue for the Town to solve. She also shared concerns over threatening text messages from a community member with close ties to Plan Commission President Bonnie Brown. Mrs. McArdle requested a public commitment from B. Brown that she will not unfairly target John (Trey) McArdle's home business. B. Brown stated that she would not address the request. Mrs. McArdle stated that she will raise her concerns at the next Town council meeting. John (Trey) McArdle explained how his business is run and that it should not fall under the "nuisance" description. After more Home Business discussion amongst the Board, member D. Rippe thanked Mrs. McArdle for her comments and assured her that she was heard, however, some comments were not appropriate for this meeting. He went on to explain that during the pandemic, the Town Council recognized that the Home Business section was too restrictive and needed some updates to make them more conducive to home business needs. The proposed changes were not directed at anyone in particular.

Brent Schlosser stood at the podium with questions about minimum garage door height. Member T. Johnston explained that the size and pitch of the garage would determine what size door the garage could accommodate. More discussion followed. It was suggested from an audience member that the garage size standards should be the same for SR and LA lots. PC member, D. Rippe, stated that he had made a note of that change.

Plan Commission President B. Brown thanked everyone for coming. The Board discussed putting together a group to work on proposed changes to the Home Business standards. PC member, T. Johnston, who wrote the original section for Home Business standards, will head up this group. They will meet to discuss proposed changes to Home Business standards only. Discussion followed as to how to get the word out to get people involved in this group. T. Johnston told the crowd to text him if they are interested in being a part of this group.

With no further discussion, President B. Brown entertained a motion to adjourn.

**Motion by:**

T. Johnston to adjourn the meeting

**2<sup>nd</sup> by:**

D. Rippe

All in favor, motion carried.

Meeting adjourned at 8:10 PM.

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Bonnie Brown, Plan Commission President

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Attest: Brenda Eby, Town Clerk