

PLANNING & ZONING COMMISSION

The Planning & Zoning meeting was called to order at 5:30 p.m., by Chairman Fitzgerald.

Present: Bruns, Prohaska, Angle, Fitzgerald

Absent: Wicker, Duea, Penfold

Motion by Prohaska to approve the agenda, second by Bruns. All ayes.

Motion by Bruns, second by Prohaska, to approve the minutes of the 9/16/09 meeting. All ayes.

Fitzgerald stated this was the time and place for the citizen's forum. No citizen comment.

Communications: None

Unfinished Business: None.

New Business:

Commission members had been asked to review residential zoning ordinances prior to the meeting, and to make recommendations for any changes/updates that may be necessary to the Code of Ordinances of the City of Clear Lake, 2003. John Marino, Zoning Official, said that one major issue plaguing the Board of Adjustment has been the size of detached garages in RS zones. Currently, Section 165.32 – E restricts the size of accessory buildings to a maximum of 750 sq. ft. and not more than 35% of the rear yard area. Homes in newer subdivisions are being constructed with 3-stall garages, and residents with large lots in older sections of the city now desire to upsize their garage structures. A majority of variances considered by the Board of Adjustment deal with requests for accessory buildings in the area of 1,000 sq. ft. Marino suggested that the Code be changed to raise the maximum to 1,000 sq. ft., while maintaining the current setbacks and percent of rear yard coverage.

Prohaska questioned if an increase in the maximum size of accessory buildings could ever result in that building exceeding the size of the dwelling on a lot. Marino stated that per Section 165.03 – 4(b), accessory buildings are to be subordinate in area, extent or purpose to the principal building served; therefore, an accessory building could be no larger than the dwelling it serves. Maximum height of an accessory building cannot exceed 18' per Section 165.32 – G.

Fitzgerald suggested if the Code is changed to increase the maximum size allowed for an accessory building, that the wording from Sections 165.32 and 165.03 – 4(b) be combined to form the new ordinance.

Motion by Prohaska, second by Angle, to recommend that the City Council modify sections 165.32 – E & F, Code of Ordinances of the City of Clear Lake, 2003 to read as follows: "...accessory buildings shall not exceed the aggregate of 1,000 square feet in area and shall not occupy more than thirty five percent (35%) of the rear yard area, and shall be subordinate in area, extent or purpose to the principal building or use served." All ayes.

Reports/Recommendations of Zoning Official:

Marino stated that the next meeting will be held on November 24, 2009, at which time a site plan for a businesses which is proposing to locate in the Industrial Park will be presented.

Prior to the next meeting, he asked that Commissioners review the City's sign ordinances (Section 165.35), particularly the definition of "animated" signs. In the past, he has allowed lighted message boards and electronic signs such as those showing pricing at gas stations. Gary Lozano, of RDG, the consulting firm that had updated the City's Comprehensive Plan, was of the opinion that a strict interpretation of "animated" signs would include all electronic signs and message boards and, as such, they are prohibited per Section 165.35 – 5(A). In order to put together a more definitive definition of "animated" signs, Mario will gather codes from several other cities for Commission members to consider.

When asked about the outcome of the drainage concerns on the Titan Pro SCI project, Marino replied that site plan changes were made to the satisfaction of the City's consulting firm, Public Works Director Joe Weigel, and himself, and site development was proceeding.

Fitzgerald asked if this Commission should be making a formal recommendation to the City Council regarding adoption of the Highway 18 Overlay Zoning District designed by RDG. Marino said he would get copies of the recommended district components to Commission members before the 11/24/09 meeting. The proposed standards would apply to new construction only along the City's Highway 18 corridor, which has historically been a slow area for development and change.

Reports/Recommendations of Engineering Department: None

Fitzgerald declared the meeting adjourned at 6:15 p.m.

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Dennis Fitzgerald, Chairman

ATTEST:

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Sharon Springer, Secretary