

**GEORGETOWN-SCOTT COUNTY PLANNING COMMISSION  
REGULAR MEETING  
MINUTES  
March 14, 2024**

The regular meeting was held in the Scott County Courthouse on March 14, 2024. The meeting was called to order by Chairman Charlie Mifflin at 6:00 p.m. Present were Commissioners James Stone, Dann Smith, Harold Dean Jessie, Duwan Garrett, David Vest, Brad Green, Mary Singer and Planners Elise Ketz and Rhett Shirley, Engineer Ben Krebs, and Attorney Charlie Perkins. There was/is one vacancy. Director Joe Kane was absent.

Motion by Smith, second by Jesse, to approve the February invoices. Motion carried.

Motion by Smith, second by Stone, to approve the February 8, 2024 minutes. Motion carried.

Motion by Vest, second by Smith, to approve the March agenda. Motion carried.

Postponements/Withdrawals

Chairman Mifflin stated that the application for Cherry Blossom Village Tract 11B (PSP-2024-07) has been postponed until the next regularly scheduled meeting.

All those intending to speak before the Commission were sworn in by Mr. Perkins.

Consent Agenda

A representative of Sanderson Property (FSP-2024-01) agreed with their conditions of approval, and no comments were made by the Commission or Public. Motion by Jesse, second by Smith, to approve the application. Motion carried unanimously.

FSP-2024-08 Koval Property – Final Subdivision Plat to subdivide a 21.47-acre farm into three parcels with associated access easements located at 290 Carrick Pike.

Ms. Ketz stated the property is zoned A-1 and the parcels would range in size from 5 to 11 acres with access from Carrick Pike or Sterling Drive. She stated there are no variances requested with the application.

She stated this application was part of the Varellas property that was heard in May 2022.

She stated two of the lots are going to use a proposed easement and lot 6-A would still use the established access easement. She stated the proposed entrance for lots 6-B and 6-C would be from Sterling Drive through an existing parcel and along the property line. She stated the only special item

about the application is the use of an existing lot for access. She stated the application meets all requirements.

Yuriy & Nicole Koval, applicants, stated they understand the neighbor's concern about traffic. He stated parcel 6-A is intended for his son when he gets older. He stated the access through the Geary property will be his driveway and it will benefit both.

Chairman Mifflin questioned if the Koval's presently live on the property. They stated they do not, and it was clarified the existing residence is the Geary property on the plat.

Brian Geary, 121 Sterling Drive, stated he has lived there for 23 years, and it is his forever home. He stated he planted trees and built a pond that he lets people fish. He stated he has always wanted a road back to the pond. He stated he does not want the road against the property line.

Chairman Mifflin suspended the three-minute rule for the meeting.

Mr. Geary stated his understanding is that two fire hydrants will be added on the street if the application is approved. He stated the addition of two cars is not going to make a difference to the traffic.

Alex Martin, 117 Sterling Drive, stated he would prefer that the Carrick Pike entrance be used.

Lyndsey Martin, 117 Sterling Drive, stated she would prefer to not have a driveway right next to her property. She stated she is a realtor and is afraid of what could happen if approved to her home value. She states that could open the door for other lots to use the driveway. She presented a petition to the Commission against the access from Sterling Drive.

Tess Utterback, 106 Sterling Drive, stated she rides her horse every day with her daughter on Sterling Drive and does not want additional traffic. She stated her major concern would be construction traffic.

Rich Anderson, 100 Sterling Drive, stated this was not presented with the original plan and he considered it a material change to the existing Sterling Drive subdivision. He stated he was concerned about additional traffic and note 11 on the plat.

Kim Anderson, 100 Sterling Drive, stated approval could lead to additional families. She stated they built believing the cul-de-sac was final.

Ms. Ketz explained note 11 on the plat related to the Geary property.

Commissioner Jessie questioned the mention of new fire hydrants. Ms. Ketz stated her understanding is the Scott County Fire Department had already planned the additional fire hydrants regardless of the current application.

Commissioner Jessie questioned why the access on Carrick Pike could not be used. Ms. Ketz explained that the access easement was at the maximum number of users. She stated there were two options for access. She stated they could either bring the Carrick Pike access to county road standards or find an additional access point.

Mr. Koval stated originally, he looked at improving the access off Carrick Pike, but the estimated cost was \$240,000.00 and was more than he could afford. He stated if he cannot get access from Sterling Drive then he will not be able to build on the property. He reiterated that he is willing to do whatever it takes to assure the neighbors that he is only building one house.

Mr. Anderson questioned if another driveway could be added along the driveway on Carrick Pike for access. Ms. Ketz stated there is room for another driveway but would require approval by the county road department.

Commissioner Green questioned when the property was purchased what the plan for access to the property was. Mr. Koval stated only one road allowed on the easement. He stated to add another road would require another additional easement.

Ms. Utterback stated in her experience as a realtor she does not understand why this problem was not discovered before the property was closed on. She questioned why the back parcel could not be sold instead of the front parcel since selling the front parcel would lose access from Carrick Pike.

Mr. Koval stated originally the road was \$120,000.00 but then adding the cost of the fire hydrants and the steep slope made it more than he could afford.

Commissioner Singer questioned if it is possible to have two driveways next to each other and if that is not possible what limitations could be placed to limit the neighbor's concerns of numbers of lots.

Mr. Krebs stated if the previous plat was changed, and stated that there could be the possibility of two driveways side by side. He stated Mr. Koval only has an access easement at this time.

Attorney Perkins explained the requirements and limitations with an access.

Mr. Martin questioned the location of the driveway along his north side on property. Mr. Geary stated it will not go along the property line instead it would be the left side of the pond.

Milton Adams, 129 Sterling Drive, stated he bought the first lot of the development in 1997. He stated concern if a road is put through the Geary property of what might happen in the future. He stated Taylor Lane is an example of what could happen.

Attorney Perkins stated this would be a private easement not a public road. He stated Taylor Lane was a public road.

Mr. Geary stated he plans to have a fence on either side of the driveway with a sign stating that it is a private drive.

Commissioner Green questioned the process of allowing divisions and easements. Attorney Perkins stated the Commission cannot deny anyone access to a public road or deny easements.

Commissioner Singer asked for clarification if two access easements could be side by side on Carrick Pike. Mr. Krebs stated to make changes to an existing easement, all owners using the access easement would have to agree to the change.

Ms. Anderson stated that Mr. Koval knew the situation when he bought the property and should not use Sterling Drive as his access.

Ms. Martin stated that the Koval's poor planning was not fair to the residents of Sterling Drive.

Mr. Koval stated again they want to be a part of the community.

Mr. Anderson questioned if there is any other way of access besides Sterling Drive. Ms. Koval stated they have spent a year trying to find another solution for access.

Mr. Geary questioned if he has the right to add a driveway to the pond on his property. He stated the neighbors seem to want to limit the traffic on a public street.

**After further discussion, Motion by Jessie, second by Green to deny the application (FSP-2024-08) due to a safety concern of traffic on Sterling Drive. Motion failed 2-6.**

**After further discussion, Motion by Singer, second by Vest to approve the Final Subdivision Plat (FSP-2024-08) subject to (5) conditions of approval. Motion carried 6-2 with Jessie and Green dissenting.**

PDP-2024-09 Vuteq Expansion – Preliminary Development Plat to expand existing building by 4,200 sq. ft. across two areas located at 100 Carley Drive.

Ms. Ketz stated the current site is approximately 19.6 acres and zoned I-1. She stated it is part of the Georgetown Industrial Park. She stated the applicant has had several additions since it built first.

She stated the applicant has requested one variance to reduce the front yard setback from 50 feet to 20 feet for the two proposed additions.

She stated this expansion would require some grading and landscaping would have to be replaced.

Steve Baker, Midwest Engineering, stated the applicant has won the contract for new part numbers for Toyota and will be adding some new machinery.

The question was asked if the expansion would add jobs. Mr. Baker stated eventually it may add up to 70 additional jobs.

After further discussion, **Motion by Singer, second by Smith to approve the Preliminary Development Plan (PDP-2024-09) subject to (10) conditions of approval and (1) variance. Motion carried unanimously.**

ZMA-2024-10 944 E. Main Street – Zone change request for property currently zoned C-1, B-5, and B-2 located at NW corner of East Main and McClelland Circle.

Chairman Mifflin opened the public hearing.

Ms. Ketz stated this is a 33.74-acre parcel. She stated the property was previously rezoned to B-2 and B-5. She stated in the last 6 months a development plan was presented for the corner lot and last month a subdivision plat was presented for 7 commercial lots. She stated the applicant is trying to correct the zoning for consistency with the proposed lot lines of the lots.

She stated the area is expected for commercial use. She stated the area designated as floodplain will remain C-1, but the rezoning will get rid of the split zoning B-2/B-5 on the proposed commercial lots. She stated the Comprehensive Plan also supports internal streets on the development plan.

Commissioner Singer questioned the definition of C-1 zoning. Mr. Krebs gave a brief explanation of the conservation zone. Chairman Mifflin questioned if anything could be built in C-1 zone. It was stated it is very limited and mostly recreational.

Martha Wilson, 407 Fountain Avenue, read a prepared statement requesting the area to not be developed.

Chairman Mifflin closed the public hearing.

After further discussion, **Motion by Smith, second by Stone to recommend approval of the rezoning request (ZMA-2024-10) on the basis of staff recommendation that it complies with the comprehensive plan. Motion carried unanimously.**

#### Approval of FY 24-25 Draft Budget

Chairman Mifflin stated that Mr. Kane presented the draft budget for FY 24-25 at workshop.

Motion by Singer, second by Smith, to approve the Fiscal Year 2024-2025 proposed draft budget.  
Motion carried unanimously.

Election of Officers

Motion by Jessie, second by Stone, to approve Charlie Mifflin as Chairman and Duwan Garrett, Dann Smith, Mary Singer, Charlie Mifflin and David Vest to Executive Committee. Silent vote for Vice Chair ended in a tie between Harold Jessie and Mary Singer. Attorney Perkins suggested revoting next month when another commissioner has joined the board.

Chairman Mifflin adjourned the meeting.

Attest:  
  
Charlie Perkins, Secretary

  
Charlie Mifflin, Chairman