

Scott County Planning and Zoning Commission
May 3, 2005
1st Floor Board Room, Administrative Center

Members Present: Ewoldt, Ion, Jansen, Kluever, Paustian, Ridenour, Scheibe

Members Absent: None

Staff Present: Huey and Kononovs

Others Present: Sixteen others

1. **Call to Order** Chair Ion called the meeting to order at 7:30 p.m.
2. **Minutes** Scheibe made a motion to approve the minutes from the April 19, 2005 meeting, Jansen seconded the motion.
Vote: 7-0 All ayes
3. **Final Plat**-Dexter Acres LC., Section 31, Butler Township

Ion read the public notice and asked for staff's review. Huey gave the history of Dexter Acres and Park View and showed the air photo of the property. Huey showed the plat of Dexter Acres 5th Addition stating that Dexter Acres 6th Addition would not be able to start until Dexter Acres 5th Addition was completed. Huey showed site photos of the property, explaining the sidewalk and green space areas. Huey said a DNR # 2 permit is now required and then addressed the erosion issues and concerns of the neighbors on Blackhawk Dr., regarding erosion and elevation.

Ion asked if the applicant would like to speak. Dan Schneckloth, representing Dexter Acres LC, said he is aware of the neighbors concern for erosion control and that a contractor's certificate is in place signed by the contractor taking responsibility for lots until new home is occupied.

Ion asked if anyone from the public had any questions. Dave King, President of Park View's Homeowners Association had a question for Schneckloth, he wanted to know if there if a time frame to build a house on a lot, Schneckloth said no, the time frame of one year starts when the house begins construction. Greg Hingen said he has a memo from neighbors expressing their concerns and presented a copy to the Commission. Hingen said he is especially concerned with the elevation of the proposed lots and the erosion from the grading.

Ion asked for staff's recommendation. Huey said staff recommends that the Final Plat of Dexter Acres 6th Addition be approved with the condition that the surety for the road and utility improvements be posted prior to approval by the Board of Supervisors and that no construction of grading of the area be initiated until the development of Dexter Acres 5th Addition is completed.

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Commission discussion took place. After discussion, Scheibe said she realizes that Schneckloth is aware of the erosion problem, but wants to reiterate the importance of erosion control when grading begins. Paustian said in light of the memo presented by the neighbors and the concerns brought up he is not comfortable acting on the request at this time and would like to see it tabled until those issues are addressed. Discussion took place on the density of the original Park View plan as opposed to what is now being proposed.

Paustian made a motion to table the request until the May 17, 2005 meeting to allow staff to address issues presented. Ewoldt seconded the motion

Vote: 6 Ayes-1 Abstention (Ion)

4. Public Hearing-Sketch Plan Review- Cotton's 1st Addition, Section 22,
LeClaire Township

Huey showed the air photo of the property and explained that Scott's Subdivision is not an actual plat but the division of an estate among a number of heirs back in the nineteenth century. Huey showed the proposed plat of the property, creating an additional 2.4 acre residential development lot, split from an existing 24 acre parcel zoned Single Family Residential. Huey showed the site photos of the property. This is a request for a sketch plan of a minor plat said Huey and does not require Board of Supervisors approval until the Final Plat is approved by the Commission. The Commission has a copy of the applicant's documentation said Huey.

Ion asked if the applicant would like to respond. Polly Cotton's daughter said she would only like to say the home being proposed is of equal value to the existing homes in the area and would fit in very nicely.

Ion asked if anyone from the public wished to speak. No one spoke. Commission discussion took place on allowing another home on an existing gravel access to the property.

Ion asked for staff's recommendation. Huey said staff recommends that the sketch plan for Cotton's First Addition be approved with the following conditions: 1). That no more than one additional subdivision lot be approved until such time as the road providing access to this property be improved and hard surfaces; 2). The conditions of the Health Department on the installation of a septic system and well on the property be met; 3). The

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City of LeClaire also approve the plat prior to Final Plat approval by the Board of Supervisors.

Commission discussion took place regarding the road and health department requirements.

Jansen made a motion to approve the sketch plat of Cotton's 1st Addition with the conditions recommended by staff. Ridenour seconded the motion.

Vote: 7-0 All Ayes

5. Public Hearing-Sketch Plan/Final Plat-Giese's 1st Addition, Section 31, Butler Township.

Huey showed the air photo of the property and the original Park View plan. Huey said this is a request to create an additional building site in the Commercial area of Park View. Huey explained the existing storm sewer easement on the lot and explained the shared access.

Huey said a parking surface could be placed on the easement but a building could not be built on top of the existing easement.

Ion asked if the applicant would like to respond. The applicant was not present. Ion asked if anyone from the public wished to speak. Dave King, President of the Park View Homeowners Association asked about the access in relation to the Park View gates. Huey explained the shared access and showed the site again.

Ion asked for staff's recommendation. Huey said staff recommends that the sketch plan and Final Plat of Lots 1 and 2 of Giese's 1st Addition be approved.

Commission discussion took place. Scheibe made a motion to approve the sketch plat/Final Plat of Giese's 1st Addition. Jansen seconded the motion.

Vote: 7-0 all Ayes

6. Public Hearing-Sketch Plan/Final Plat-Lightner's Subdivision, Section 12, Buffalo Township.

Huey showed the air photo of the property and explained how approval of this request would affect the next item on the agenda. Huey showed the proximity of Davenport City Limits and Buffalo City Limits. Huey showed site photos of the property and the proposed further subdivision of the property if this request is approved.

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Huey said the north 37 acres are zoned Single Family Residential and the south 13 acres are zoned Agricultural General and that will not change. Huey explained that any proposed house would have to be built in the Single Family Residential area of the property. Staff has mailed notification of this request to property owners within 500 feet said Huey and has received several calls concerning this request.

Ion asked if the applicant would like to speak. Mary Ann Wilkinson said she is concerned with the access to the property and the neighborhood feud going on for years with 115th Avenue. Lou Ogden said 115th Avenue is 21 feet wide and would not be able to withstand additional traffic. Steve Piatak said he proposes a fifty foot wide access to get to the property if this is approved. More discussion took place on access. Dave Dettman, attorney for Linwood Mining said Linwood opposes this request due to the blasting that may occur in the area and the complaints generated from blasting. Terry Lightner said he has lived there for 39 years and never been affected by the blasting. George Moeller said his property is totally surrounded by Linwood property and the blasting does not affect him at all.

Ion asked for staff's review. Huey said that staff recommends that the sketch plan and Final Plat of Lots 1 and 2 of Lightner's Subdivision be approved.

Commission discussion took place regarding precedent and the placing of a notation that mining occurs in the area either on plat or abstract, putting future buyers on notice. It was the consensus of the Commission that such a note could be placed with the future subdivision of the property.

Ewoldt made a motion to approve the sketch plan/final plat of Lightner's Subdivision. Kluever seconded the motion.

Vote: 7-0 all Ayes

7. **Public Hearing-Sketch Plan**-Piatak's 1st Addition, Section 12, Buffalo Township

Huey showed the conceptual drawing of how Mr Piatak is planning to further subdivide the 43 acres. Two lots said Huey would be five and six acres in size, both with frontage and access to 130th Street with the balance of the property being platted as one parcel 32 acres in size and that lot would have two flagpole accesses and frontage onto 130th Street.

Ion asked if the applicant would like to speak. Piatak said he thinks most things were addressed previously and he had nothing new to add. Lou Ogden said he would like to see the access take place only from the proposed access and not existing 115th Ave. Dave Dettman said he would reiterate Linwood's position on additional homes in the area.

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Ion asked for staff's recommendation. Huey said staff recommends that the sketch plan of Piatak's 1st Addition be approved.

Commission discussion took place regarding the access to the property.

Jansen made a motion to approve the sketch plan for Piatak's 1st Addition with the condition that the plat and/or abstract contain language noting mining in the area. Ewoldt seconded the motion.

Vote: 7-0 All Ayes

With no new business to come before the commission, the meeting was adjourned at 8:45 P.M.