

TERM OF COMMISSION: October Session of the August Adjourned Term

PLACE OF MEETING: Boone County Government Commission Chambers

PRESENT WERE: District I Commissioner Karen M. Miller  
District II Commissioner Skip Elkin  
Deputy County Clerk Shawna Victor  
Planning and Building Inspection Director Stan Shawver  
County Counsel John Patton

The Acting Presiding Commissioner called the meeting to order at 7:00 p.m.

**Subject: Planning and Zoning**

**A. Request by Larry and Delores McCray to rezone from A-1 (Agriculture) to A-2 (Agriculture) of 38 acres, more or less, located at 11150 E. Bozarth Lane, Columbia**

Stan Shawver stated this property is located 5 miles east of Columbia and ½ mile south of Interstate 70 at the intersection of Purdy Lane and Bozarth Lane. The property is zoned A-1 (Agriculture). Property to the north is zoned A-2. To the east, south and west, the land is zoned A-1. There is a house, a modular home and two single wide mobile homes on this property. If this request is approved, the applicant would create a family transfer tract in order to deed 2 ½ acres to his son and daughter-in-law. This property lies within the Columbia School District. Public Water District 9 provides water service to the area. Electric service is provided by Boone Electric Cooperative. The original zoning for this tract is A-1. In 1984, the applicant received a conditional use permit that allowed a mobile home to be placed on the property as a fourth dwelling for a family member. At that time, zoning regulations allowed tracts larger than 10 acres to have up to 3 dwellings “by right”; a fourth dwelling could be added through the conditional use permit process. The master plan designates this area as suitable for agriculture and rural residential land uses. Staff notified 20 property owners about this request. In forming a recommendation for this request, staff notes that the land north of Bozarth Lane is zoned A-2. The requested zoning is consistent with the master plan.

Mr. Shawver stated Planning and Zoning Commission met on October 18 with seven members of the Commission present. After a public hearing, the Commission made a motion to recommend approval of the rezoning request. This motion received a unanimous vote.

Larry McCray, 303 South Purdy Lane, stated his son and daughter-in-law have had a house on this land for fifteen years. Mr. McCray is trying to give ownership of the land to them. Before making the application, all of the neighbors to this land, except for two, were contacted to let them know of the rezoning request. There was no objection.

Commissioner Miller opened a public hearing on this issue.

There was no one present to testify on this issue.

Commissioner Miller closed the public hearing.

Commissioner Miller asked Mr. McCray if he was planning for future development of this land. Mr. McCray stated he had no plans for this land. At this time, he would just like to get 2.5 acres to Ron McCray, his son. Currently, Mr. McCray raises cattle but could not say what he will be doing in ten years.

Commissioner Elkin moved to approve the request by Larry and Delores McCray to rezone from A-1 (Agriculture) to A-2 (Agriculture) of 38 acres, more or less, located at 11150 E. Bozarth Lane, Columbia.

Commissioner Miller seconded the motion.

There was no discussion or public comment.

The motion passed 2-0. **Order 494-2001**

**B. Request by Gary and Mary Lee Mayfield to vacate and re-plat lot 20, Country Farms Subdivision**

Mr. Shawver stated Country Farm Subdivision is located off Old Mill Creek Road and Vawter School Road, in southwest Columbia. This property is zoned R-S. Country Farm Subdivision was plated in the early 1970's. It primarily consists of 10 acre lots. Over the years, some of the lots have been split into smaller parcels, averaging about three acres. The Mayfields have submitted a petition asking to vacate lot 20 and requesting permission to re-plat into three lots. Each lot will have frontage on Old Mill Creek Road. Property owners within 500 feet were notified of this request.

Mary Lee Mayfield, 4501 South Old Mill Creek Road, stated the properties around this land in question are small lots, the majority of the lots across the street are two and one half acre lots. This property has been marketed for almost ten years and there does not seem to be much need for ten-acre lots. There seems to be more interest for smaller parcels.

Commissioner Miller opened public hearing on this issue.

There was no one present to testify on this issue.

Commissioner Miller closed the public hearing.

Commissioner Elkin stated he believes this is consistent with the area.

Commissioner Elkin moved to approve a request by Gary and Mary Lee Mayfield to vacate and re-plat lot 20, County Farms Subdivision. It is further ordered that the vacation is not to take place until the re-plat is approved.

Commissioner Miller seconded the motion.

There was no discussion or public comment.

The motion passed 2-0. **Order 495-2001**

**C. Receive and Accept the following plats:**

**i. Lampe Plat 2. S5-T48-R14W. A-2. James Lampe, owner. James V. Patchett, surveyor**

Mr. Shawver stated Lampe Subdivision Plat 2 is located off Highway 40 and Shady Hill Lane, Northeast of Rocheport. The zoning is A-2. Planning and Zoning Commission approved it and is ready to be received and accepted by the County Commission.

Commissioner Miller asked Mr. Shawver if this is all the land the owner has or would this be parceled into three 2.5-acre lots. Mr. Shawver stated he did not believe so because the next lot would be near a water line.

Commissioner Miller moved to receive and accept Lampe Plat 2. It is further ordered that the acting Presiding Commissioner be hereby authorized to sign said plat.

Commissioner Elkin seconded the motion.

There was no discussion or public comment.

The motion passed 2-0. **Order 496-2001**

**ii. Fisher's Field. S3-T50N-R12W. A-2. Ronald and Betty Fisher, owners. Matthew P. Thomas, surveyor.**

Mr. Shawver stated this is a two-lot subdivision plat located near Hight's Chaparral. This land is zoned A-2. There is one nine-acre lot and one 5.8-acre lot. Ronald and Betty Fisher are the owners. Planning and Zoning Commission approved it and is ready to be received and accepted by the County Commission.

Commissioner Elkin moved to receive and accept Fisher's Field Plat. It is further ordered that the acting Presiding Commissioner be hereby authorized to sign said plat.

Commissioner Miller seconded the motion.

There was no discussion or public comment.

The motion passed 2-0. **Order 497-2001**

There was no public comment.

The meeting was adjourned at 7:12 p.m.

Attest:

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Wendy S. Noren  
Clerk of the County Commission

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Don Stamper  
Presiding Commissioner

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Karen M. Miller  
District I Commissioner

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Skip Elkin  
District II Commissioner