

TERM OF COMMISSION: May Session of the April Adjourned Term

PLACE OF MEETING: Roger B. Wilson Boone County Government Center
Commission Chambers

PRESENT WERE: Presiding Commissioner Ken Pearson
District I Commissioner Karen Miller
District II Commissioner Skip Elkin
Director of Planning and Zoning Stan Shawver
Boone County Attorney John Patton
Deputy County Clerk Kerry Patton

The meeting was called to order at 7:00 p.m.

1. Commendation for Andy Anderson from the American Legion

Mr. Dale Roberts, Judge Advocate American Legion Herbert Williams Post 202

Andy Anderson, of the Boone County Sheriff's Department, has been awarded the American Legion's "Law Enforcement Certificate of Commendation." This is, in essence, our award for law enforcement officer of the year.

Detective Anderson was selected by the men and women of American Legion, Herbert Williams Post 202 of Columbia, Missouri, and the award was presented to him at our annual dinner on March 21st. I regret that the County Commissioners were not invited. That was an oversight on my part, please accept my personal apology.

Nevertheless, as the Judge Advocate of the local American Legion Post, I wanted to ensure that the Boone County Commissioners were fully aware of the great respect, admiration and appreciation the community has for Detective Anderson and his many accomplishments.

Detective Anderson was, it would appear, investigating internet threats years before any other law enforcement agency even knew those threats existed. His ability to anticipate that new threat and to find the means to protect the citizens, and especially the youth, of our community has been remarkable.

Please join the American Legion in recognizing Detective Andy Anderson for his "Outstanding Public Service Protecting Our Community, Our Youth, Our State and Our Nation."

2. Request by Edward and Sharyn Holt to approve a revised development plan for Airport Area Storage on 3.59 acres zoned M-LP (Planned Industrial), located at 10601 S. Hardwick Lane, Columbia.

Ed and Sharon Holt 10601 Hardwick Lane, Columbia

Mr. Stan Shawver, Director of Planning and Zoning was present on behalf of these items.

Mr. Shawver reported the property is located approximately 1/2 mile south of the intersection of Route H and Hardwick Lane. The original zoning was A-1, which was changed to CG-P in 1991. The property was rezoned from CG-P to the current zoning of ML-P in 2001 for the purpose of building self storage units... All surrounding zoning is A-1 with the exception of the property immediately north which is also zoned M-LP. This northern property was rezoned from A-1 in 2003. This site is within the Southern Boone County School District and the Southern Boone County Fire Protection District. The site is located in Boone Electric Cooperative and Consolidated Public Water Service District #1 service areas.

The property is currently the site of a house and several storage structures that were built after the 2001 rezoning. The purpose of this request is to approve a Revised Review Plan that will decrease the total number of storage buildings but slightly increase the area of storage space under roof. Water service and fire hydrants are required for this land use. Comments regarding fire protection have been received from the Fire District and the Developer is in the process of working with the District to resolve those comments.

There is an existing septic tank and lagoon providing wastewater treatment to the home.

The site does drain to Bass Creek. There is a storm water control plan in place that was approved with the 2001 rezoning. That plan is still in effect and should provide adequate stormwater control

The developer has installed landscape screening as required by the 2001 Development Plan, which stipulates two alternating rows of evergreen trees. This should provide adequate buffering to offsite land uses.

The master plan designates this area as being suitable for agricultural and rural residential uses. The proposed use is not consistent with the master plan. However, the previous C-GP zoning and existing M-LP zoning are also not consistent and the master plan does indicate that where commercial and industrial development is to occur it should be planned. The request scores 66 points on the point rating scale. Staff notified 10 property owners.

Staff recommends approval of the Revised Review Plan with the following conditions:

1. The developer shall work out fire protection requirements to the satisfaction of the South Boone County Fire District prior to approval of the Revised Final Development Plan.
2. The only uncovered gravel surfaces allowed in the development is the outside storage area.

Commissioner Elkin moved now on this day the County Commission of the County of Boone does hereby **approve** the request by Edward and Sharyn Holt for a revised Review Plan for Airport Area Storage on 3.59 acres zoned M-LP (Planned Industrial), located at 10601 S. Hardwick Lane, Columbia **with the following three conditions:**

- The developer shall work out fire protection requirements to the satisfaction of the South Boone County Fire District prior to approval of the Revised Final Development Plan.
- The only uncovered gravel surfaces allowed in the development is the outside storage area.
- The applicant has the option of relocating the building(s) to meet the current setback standard or apply for a variance from the Board of Adjustment.

Commissioner Miller seconded the motion

There was no discussion and no public comment.

The motion passed 3-0 **Order 183-2007**

3. Petition submitted by Douglass and Louise Lawson to vacate and replat Lots 2 and 3 of McManama Subdivision.

Mr. Douglas Lawson, P.O. Box 61 Centralia, Mo.

Mr. Lawson stated there is a fence on his property that he would like to move 100'. This will allow him to reconfigure the size of lots 2 & 3.

Commissioner Elkin moved now on this day the County Commission of the County of Boone does hereby **approve** the petition by Douglass and Louise Lawson to vacate and replat Lots 2 and 3 of McManama Subdivision. Said vacation is not to take place until the re-plat is approved.

Commissioner Miller seconded the motion

There was no discussion and no public comment.

The motion passed 3-0 **Order 184-2007**

4. Petition submitted by Greg and Dana Cunningham to vacate and replat Lot 1 of Cunningham Quality Estates Subdivision.

Mr. Shawver explained the owners of Lot 1 are petitioning the County Commissioners to replat their five acres. The conditions for consideration are in accordance with section 1.82 of the subdivisions regulations.

Greg Cunningham, 4760 Old Mill Creek Rd, Columbia

Steve Heying, 1202 Madison, Columbia

Mr. Heying stated the initial intention was to annex this property after they had the original plat approved so that they could utilize the city sewer.

The original intention was to use the private road and utility easement to reach Old Mill Creek Road sewer. There was a private easement available; however the City of Columbia will not allow the use of the easement unless it is changed from a private to a public one. The Cunningham's are in a temporary situation. Their intent is to hook into the City of Columbia sewer as soon as it is within a reasonable distance. In the mean time they have put in an on site drip system.

Commissioner Miller wanted to clarify the term "reasonable distance"

Mr. Heying responded 250'.

Commissioner Pearson asked if anyone was in opposition to this matter, to please come forward.

Charles Geiss, 808 Valley Ct. Columbia

Mr. Geiss explained he wanted to make three points.

Mr. Cunningham created this subdivision, therefore created his own problem. His sewer could be hooked up within a week using the main on Old Mill Creek Road, and an on site sewer system will be harmful to his families health.

Commissioner Elkin asked how far it was to the trunk at Old Creek Road.

Mr. Shawver replied approximately 900'.

After additional discussion it was determined to table this topic until the Commissioner met with the City for clarification later this week. This will be addressed at the May 10th meeting.

5. Dumas. S18-T49N-R12W. A-R. Justin A. Dumas, owner. J. Daniel Brush, surveyor and Cedar Haven Plat 1. S4-T49N-R12W. A-2. Ronald G. Lueck, surveyor.

Commissioner Miller moved now on this day the County Commission of the County of Boone does receive and accept the following subdivision plats and authorize the presiding commissioner to sign them:

- Dumas. S18-T49N-R12W. A-R. Justin A. Dumas, owner. J. Daniel Brush, surveyor.
- Cedar Haven Plat 1. S4-T49N-R12W. A-2. Ronald G. Lueck, surveyor.

Commissioner Elkin seconded the motion.

There was no discussion and no public comment.

The motion passed 3-0 **Order 185-2007**

6. Planning Services Consultant – 11-03APR07

Commissioner Miller moved now on this day the County Commission of the County of Boone does hereby award bid 11-03APR07 Planning Services Consultant to Shafer, Kline & Warren Inc. It is further ordered the Presiding Commission sign said contract.

Commissioner Elkin seconded the motion.

There was no discussion and no public comment.

The motion passed 3-0 **Order 186-2007**

7. Commissioner Reports

There were no commissioner reports

8. Public Comment

There was no public comment.

The meeting adjourned at 8:01 p.m.

Attest:

Ken Pearson
Presiding Commissioner

Wendy S. Noren
Clerk of the County Commission

Karen M. Miller
District I Commissioner

Skip Elkin
District II Commissioner