

TERM OF COMMISSION: October Session of the October Adjourned Term

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

PRESENT WERE: Presiding Commissioner Daniel K. Atwill  
District I Commissioner Karen Miller  
District II Commissioner Skip Elkin  
Director, Resource Management Stan Shawver  
Deputy County Clerk Diane Buchmann

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

**1. Request by Edward E. Bartel to rezone from A-1 (Agriculture) to A-2P (Planned Agriculture) and approve a Review Plan for Hayes Road on 15 acres, more or less, located at 5480 E Hayes Rd., Columbia -Rezone -Review Plan**

Stan Shawver spoke on this item. The tract is located 3 miles north of Ashland, ½ mile west of Hwy 63 and ½ mile south of Log Providence Road. Current zoning was reviewed along with the zoning on the adjacent properties.

Boone County Master Plan identifies the site as suitable for agricultural and residential rural land uses. The Bonne Femme Watershed Plan identifies the site as a recharge area for Hunters Cave known as a recreational and scientific resource for on-going water quality and aquatic monitoring. Rezoning of two the parcels which the owners will divide by family transfer. Master Plan calls for Sufficiency of Resource Test, reviewing effects on Utilities, Transportation and Public Safety Services. Mr. Shawver further stated what can be done on the property, uses and non-uses of the land.

Final approval states: 1) single family dwelling per tract, 2) agricultural activity, 3) home occupation. At the Planning and Zoning Commission Public hearing on October 18, 2012, plan received unanimous approval. There were no further questions.

Commissioner Miller moved on this day the County Commission of the County of Boone does

hereby approve the request of Edward E Bartel to rezone from A-1 (Agriculture) to A-2P (Planned Agriculture) on 15 acres, more or less, located at 5480 E Hayes Rd., Columbia.

Now on this day the Boone County Commission does **approve** the request of Edward E. Bartel for Hayes Road Planned Development on 15 acres, more or less, located at 5480 E Hayes Rd., Columbia **with the following conditions:**

1. The Waste Water Treatment note shall be modified to include reconstruction of the existing systems if/when that system fails. This condition is not intended to prevent continuous normal maintenance of the existing lagoon.

2. The list of Allowed Uses on the final plan shall only include the following:

One Single Family Dwelling per Tract

Agricultural Activity

Home Occupation

It is further ordered the Presiding Commissioner is hereby authorized to sign said contract.

Commissioner Elkin seconded the motion.

The motion carried 3 to 0. **Order #524-2012**

**2. Request by Ehren and Lisa Earleywine to rezone from A-2 (Agriculture) to A-2P (Planned Agriculture) and approve a Review Plan for Brookfield Estates Plat 4-A on 10.34 acres, more or less, located at 9050 S Blake Dr, Columbia. -Rezone -Review Plan**

Stan Shawver stated land tract located 2 miles south of Columbia on Northeast corner of Silverbrook Road and Blake Dr. Noted original 1973 zoning. An attempt to re-zone in 2000 was denied and later developed at A2 density. The Boone County Master Plan identifies the tract as suitable for agricultural and residential land uses.

Mr. Shawver reviewed the Sufficiency of Resource Test noting the specific details of the tract in relation to the test. The zoning analysis allowed for construction of two houses on the larger lot

1A and a single house on 1B. The plan was consistent with the overall character of the area. At the Planning and Zoning Commission meeting held on October 18, 2012, with all 11 members present, the vote on this plan was 9-yes, 2-no. Plan approved.

The meeting was opened for public comment and Mr. Kelly addressed the Commission. He stated he owns 20 acres to the east of the tract of land and has no problems with the development or intent. A representative of Allstate Consultants also addressed the Commission stating that the company has worked on the tract and says it is a good way of utilizing the land. There were no further comments or questions.

Commissioner Miller moved on this day the County Commission of the County of Boone does hereby approve the request of Ehren and Lisa Earleywine to rezone from A-2 (Agriculture) to A-2P (Planned Agriculture) on 10.34 acres, more or less, located at 9050 S Blake Dr, Columbia.

**with the following condition:**

That a maintenance agreement for the private drive be prepared for recording prior to recording the final plat.

It is further ordered the Presiding Commissioner is hereby authorized to sign said contract.

Commissioner Elkin seconded the motion.

The motion carried 3 to 0. **Order #525-2012**

**3. Request by Phoenix Property Development LLC to rezone from C-G (General Commercial) to M-L (Light Industrial) on 4.13 acres, more or less, located at 8400 E I-70 Drive SE, Columbia.**

Property located 1 mile east of Columbia on I70 Drive SE. The CG area is the subject of this rezoning request. Boone County Master Plan identifies tract as suitable for commercial land uses. Mr. Shawver reviewed the Sufficiency of Resource Test noting the specific details of the tract in relation to the test. The zoning analysis meets test for re-zoning but the Guidance provided by the

Boone County Master Plan and East Area Plan do not support such action.

Mr. Shawver stated that while the re-zoning request from CG to ML is reasonable, the inverse, re-zoning from ML to CG is also reasonable which would make it compatible with the tracts to the north and east. Mr. Shawver stated without knowing the owners intentions on the property, staff has no basis for sound recommendation on the application. Staff recommended denial of the request.

The application was presented to the Planning and Zoning Commission at the Public Hearing on October 18, 2012. All 11 members were present and the application passed 11-0.

Commissioner Miller wanted confirmation that it was not a re-plat, just a re-zone and that was confirmed. There were no further comments or questions.

Commissioner Elkin moved on this day the County Commission of the County of Boone does hereby approve the request of Phoenix Property Development LLC to rezone from C-G (General Commercial) to M-L (Light Industrial) on 4.13 acres, more or less, located at 8400 E I 70 Drive SE., Columbia.

Commissioner Miller seconded the motion.

The motion carried 3 to 0. **Order #526-2012**

**4. Planning & Zoning Commission recommendation on proposed revisions to the Boone County Subdivision Regulations.**

Stan Shawver stated they had an opportunity to review the Subdivision Regulations. They received comments from Planning and Zoning as well the Public community. A Public Hearing was held on the Subdivision Regulations. A copy of all the comments with a matrix on these comments has been provided. No analysis has been done. After the Public Hearing, Planning and Zoning made a motion to recommend to the County Commission that the review process for the

proposed changes to the land use regulations be expanded to the Boone County community, stakeholders and those with professional expertise in the various fields with the elected officials as the final arbiter.

Commissioner Miller stated that there is a good understanding of the issues and we should focus on the comments and not start over. Commissioner Miller also stated that the Commission should meet with the Planning and Zoning Chair and Vice Chair. There were no further comments or questions.

Commissioner Atwill stated this is a first reading and requested the Deputy County Clerk to schedule this item for a second reading at the next available Commission meeting with an appropriate order for approval.

**5. Replat Waters Edge Estates Block IV Lot 99. S3-T48N-R12W. Edgewater/Water's Edge Recreational Association, owner. Steven R. Proctor, surveyor.**

Stan Shawver stated that this is a re-plat of the Dam area – vacate easements on the Dam.

Commissioner Elkin moved on this day the County Commission of the County of Boone does hereby receive and accept the following subdivision plat and authorize the presiding commissioner to sign it:

Replat Waters Edge Estates Block IV Lot 99. S3-T48N-R12W. Edgewater / Water's Edge Recreational Association, owner. Steven R. Proctor, surveyor.

Commissioner Miller seconded the motion.

The motion carried 3 to 0. **Order #527-2012**

**6. Approval of Proposal for Consultant Services with Bartlett & West, Inc. (1<sup>st</sup> reading)**

Stan Shawver spoke on this item and said the consulting services are for the Rustic Road Bridge. Commissioner Atwill asked if the amount listed is the cost for the whole program. Mr. Shawver said it was for design only. Commissioner Atwill then asked if the amount listed was for the whole cost of the design and Mr. Shawver stated yes. Commissioner Atwill asked if the City of Columbia was putting anything towards the cost and Mr. Shawver stated there will be a 50/50 split on the construction cost. There were no further questions or comments.

Commissioner Atwill stated this is a first reading and requested the Deputy County Clerk to schedule this item for a second reading at the next available Commission meeting with an appropriate order for approval.

**7. Purchase Requisition for Engineering Design Services on Rustic Road Bridge #3310004 (1<sup>st</sup> reading)**

Refer to #6. Commissioner Miller stated that this was covered in the prior item.

**Commission**

**8. Missouri Association of Counties Designation of Delegates to MAC'S annual conference (1<sup>st</sup> & 2<sup>nd</sup> reading)**

Commissioner Milled moved on this day the County Commission of the County of Boone does hereby authorize the following voting delegates to the Mo Association of Counties.

<b>Name</b>	<b>Board</b>	<b>Period</b>
Dan Atwill	Missouri Association of	
Karen Miller	Counties Designation of	
Bettie Johnson	Delegates	
Patricia S. Lensmeyer		
Christy Blakemore		

Commissioner Elkin seconded the motion.

The motion carried 3 to 0. **Order #528-2012**

**9. Public Comment**

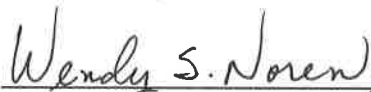
None

**10. Commissioner Reports**

None

The meeting adjourned at 7:35 p.m.

Attest:

  
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Wendy S. Noren  
Clerk of the County Commission

  
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Daniel K. Atwill  
Presiding Commissioner

  
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Karen M. Miller  
District I Commissioner

  
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Skip Elkin  
District II Commissioner

