

TERM OF COMMISSION: July Session of the July Adjourned Term

PLACE OF MEETING: Boone County Conference Room 301

PRESENT WERE: Presiding Commissioner Kip Kendrick
District I Commissioner Justin Aldred
District II Commissioner Janet Thompson
Director of Resource Management Bill Florea
Planner Uriah Mach
Boone County Deputy Clerk III Jodi Vanskike

Conference Call Information:

Number: 425-585-6224 Access Code: 802-162-168

The meeting was called to order at 7:00 p.m. and roll call was taken.

P&Z

1. Consent Agenda

- A. Request by Carl and Marlene Dunn to approve a Final Development Plan for Dunn Property on 9.62 acres located at 4880 E. Hwy CC, Sturgeon. Bourbon Township
- B. M.S. Wilcoxson Subdivision. A-2. S30-T50N-R13W. Michael and Susan Wilcoxson, owners. Kevin Schweikert, surveyor.
- C. Higher Ground Subdivision Plat 2. A-2. S24-T50N-R14W. Stephen and Carolyn Nagel, owners. Kevin Schweikert, surveyor.
- D. Hartsburg Hideaway Plat 1. A-2. S30-T46N-R12W. KeriAnn Roth and Justin Farrar, owners. James Patchett, surveyor.

Director of Resource Management Bill Florea read the following staff report:

Regarding the Consent Agenda: Item A, the final plan, was approved by consent and is presented for Commission approval. Items B, C, and D, the plats, were approved by consent and are presented for Commission receipt and acceptance. Resource Management requests that Commission waive the reading of the staff report and authorize the Clerk to insert it into the minutes of this meeting as if read verbatim.

- A. Request by Carl and Marlene Dunn to approve a Final Development Plan for Dunn Property on 9.62 acres located at 4880 E. Hwy CC, Sturgeon. Bourbon Township.

The subject property is located at the intersection of East Highway CC and North Sydow Road. The applicant is seeking to finalize the rezoning of 10 acres from Agriculture 1 (A-1) to Planned Agriculture 2 (A-2P) to transfer 7.62 acres of the property to an eligible family member via the family transfer process. A single-family home, onsite wastewater lagoon, and future detached accessory structure will remain on the two-acre remainder. The plan specifies that the portion being transferred is limited to agricultural uses only, so no additional density is proposed by this plan. The corresponding review plan was approved by County Commission order #338-2025. The following condition was placed on the Review Plan:

1. The Final Plan demonstrates a 50-foot perimeter setback adjacent to perimeter of the entire planned development.

The Boone County Zoning Ordinance, Section 6.2.14, Standards for Approval of the Final Development Plan identify three criteria for approval and state that the Commission shall approve a Final Development Plan when it is satisfied that:

- All required information is accurately portrayed on the Final Plan.
- The Final Plan conforms to the approved Review Plan.
- The Final Plan demonstrates compliance with all conditions which the County Commission may have imposed on the Review Plan.

Staff have reviewed the submitted Final Plan. All required information is accurately portrayed, and the plan conforms to the corresponding Review Plan and conditions.

A 50-foot perimeter setback is clearly shown around the entire area of the planned development.

Staff recommended approval of the Final Plan.

- B. M.S. Wilcoxson Subdivision. A-2. S30-T50N-R13W. Michael and Susan Wilcoxson, owners. Kevin Schweikert, surveyor.

The subject property is located on State Route E, approximately 4 miles south of Harrisburg, near Benedict Road. The property is currently 3.60 acres in size and zoned Agriculture 2 (A-2). There

is an existing house and wastewater system on the property. The property is surrounded by A-2 zoning. This is all original 1973 zoning. The property is in Perche Township.

The property owner is seeking to construct an accessory structure on the property. The location was presented to staff, who informed the property owner that a building permit could not be issued as the location was closer to the front property line than the primary structure. The property owner then proceeded with construction regardless of the zoning violation. This plat is an effort to resolve the problem, as the new lot will be five acres in size. At that size, the issue with the location of the accessory structure will be resolved and a building permit can be issued to bring the site into compliance.

The subject property has existing access to State Route E, a publicly dedicated, publicly maintained right-of-way. The applicant has requested a waiver to the traffic study requirement.

The subject property is located in Consolidated Public Water Service District #1, the Boone Electric Cooperative service area, and the Boone County Fire Protection District.

There is an existing onsite wastewater treatment system present in the western part of the lot.

The original 3.60-acre lot was created by family transfer and has an element that is not permitted in conventional lot design, specifically the western 'tail' extending south of the pond on the parent parcel. As an existing condition of the original lot, this area is identified as not for further development.

The property scored 39 points on the rating system.

Staff recommended approval of the plat and granting the requested waiver.

C. Higher Ground Subdivision Plat 2. A-2. S24-T50N-R14W. Stephen and Carolyn Nagel, owners. Kevin Schweikert, surveyor.

The subject property is located at the intersection of West Gray Road and North Bethlehem Road. The proposal is to replat Lots 1 and 2 of Higher Ground Subdivision Plat 1 into a single 10.09-acre lot numbered as Lot 1A, and to plat a new 5.26-acre lot north of the lot numbered as Lot 4. The property is currently undeveloped. The property is zoned Agriculture 2 (A-2) and is surrounded by A-2 zoning on all sides.

Lot 1A has direct access to West Gray Road and North Bethlehem Road, both publicly maintained roadways. Lot 4 will be served by a 30-foot private access easement across Lot 1A to provide access to North Bethlehem Road. The applicant has submitted a written request for a waiver from the traffic impact study requirement. Approval of this plat will not result in a net

increase in traffic sources. Granting a waiver to the traffic study requirement is appropriate in this case.

Consolidated Water provides water service. Boone Electric provides power service. The Boone County Fire Protection District provides fire protection. The nearest station, Station 4, is approximately 2 miles away.

An onsite wastewater exhibit showing potential lagoon locations was submitted concurrent to the plat. The applicant has submitted a written request for a waiver from the sewer cost benefit analysis. There is no publicly maintained central sewer available in this area. Approval of a two-lot plat is unlikely to be economically viable for a central wastewater system. Granting a waiver to the sewer cost benefit analysis is appropriate in this case.

The property scored 37 points on the rating system

Staff recommended approval of the plat and granting of waivers.

D. Hartsburg Hideaway Plat 1. A-2. S30-T46N-R12W. KeriAnn Roth and Justin Farrar, owners. James Patchett, surveyor.

The subject property is 19 acres in size with frontage along both East Cedar Tree Lane and South Jemerson Creek Road. The zoning for the property is Agriculture 2 (A-2). It is surrounded by A-2 zoning on all sides. The property is currently undeveloped. The proposal is to subdivide the property into two lots. The 5.01-acre lot will have frontage along East Cedar Tree Lane. The 13.61-acre lot will have frontage along South Jemerson Creek Road.

Both lots will have access either to East Cedar Tree Lane or South Jemerson Creek Road, both publicly maintained roadways. The applicant has not submitted a waiver from the traffic study requirement. Approval of a two-lot plat is unlikely to impact existing transportation resources. Granting a waiver to the traffic study requirement is appropriate in this case.

Consolidated Water provides water service in the area. Boone Electric provides power service. The Southern Boone County Fire Protection District provides fire protection. The nearest station, Station 17, is approximately 5.4 miles away.

The applicant proposes the use of engineered subsurface onsite wastewater systems. Soils morphology data from two locations on each lot was provided at the time of submission of the plat. Note 10 states that future wastewater systems for residential development will be required to be subsurface. The applicant has not submitted a waiver from the sewer cost benefit analysis requirement. No publicly operated sanitary sewer is available in this area. Approval of a two-lot plat is unlikely to be economically feasible for a public sanitary sewer system. Granting a waiver from the sewer cost benefit analysis is appropriate in this case.

The Boone County Board of Adjustment granted variances under case numbers 2025-008; 2025-009; and 2025-010 for relief from the 3-1 width to depth ratio, minimum lot depth, and minimum lot width requirements of Table A of Appendix B, Boone County Subdivision Regulations. The statement of facts of those Board of Adjustment case numbers included the use of engineered onsite wastewater systems to serve future residential development.

The property scored 19 points on the rating system

Staff recommended approval of the plat and granting of waivers.

Commissioner Aldred moved now on this day, the County Commission of the County of Boone does hereby approve the final plan, item A, and does receive and accept the plats, items B, C, and D, as listed in the attached consent agenda (Attachment A), and authorizes the Deputy County Clerk to insert the associated staff reports into the minutes of this meeting as if read verbatim.

Attachment A:

- A. Final Development Plan for Dunn Property on 9.62 acres located at 4880 E. Hwy CC, Sturgeon.
- B. M.S. Wilcoxson Subdivision. A-2. S30-T50N-R13W. Michael and Susan Wilcoxson, owners. Kevin Schweikert, surveyor.
- C. Higher Ground Subdivision Plat 2. A-2. S24-T50N-R14W. Stephen and Carolyn Nagel, owners. Kevin Schweikert, surveyor.
- D. Hartsburg Hideaway Plat 1. A-2. S30-T46N-R12W. KeriAnn Roth and Justin Farrar, owners. James Patchett, surveyor.

Commissioner Thompson seconded the motion.
The motion carried 3 to 0. **Order #368-2025**

- 2. First Reading: Request by Alta Vista Properties to vacate Lots 4 – 8 and 10 of Nature Trails Ranchettes 1st Plat recorded in Book 11, Page 281 of the records of Boone County, Lots 11 – 48 of Nature Trail Ranchettes 2nd Plat recorded in Book 11 Page, 306 of the records of Boone County, and Lots 1 – 45 of Delmar Estates, unrecorded, along with certain designated rights-of-way within said plats. **(open public hearing)**

Planner Uriah Mach read the following staff report:

A petition has been submitted by Alta Vista Properties to vacate the Delmar Estates Final Plat, approved on November 17, 2016 (unrecorded), as well as Lots 4–8 and 10 of Nature Trail Ranchettes 1st Plat (recorded in Plat Book 11, Page 281), and Lots 11–48 of Nature Trail Ranchettes 2nd Plat (recorded in Plat Book 11, Page 306), as recorded in the records of the Boone County, Missouri, Recorder of Deeds.

On May 3, 2022, a similar request to vacate the same portions of Nature Trail Ranchettes was denied by the County Commission under Commission Order No. 190-2022. Notably, that request failed to include the vacation of Delmar Estates, which, while unrecorded, remains the currently approved plat for the subject property. Acceptance and recording of Delmar Estates is pending completion of required infrastructure.

The previously approved vacation of the Nature Trail Ranchettes components will only become effective upon the recording of Delmar Estates. That vacation was originally approved on December 29, 2015, in conjunction with approval of the replat concept that would become Delmar Estates. Following that vacation approval, a Preliminary Plat for Delmar Estates was approved in February 2016, and a 45-lot Final Plat was approved by the Planning and Zoning Commission in November 2016. Though not recorded, Delmar Estates remains the officially approved replacement for Nature Trail Ranchettes.

Nature Trail Ranchettes 1st Plat was recorded on June 24, 1977, and consists of ten lots and right-of-way for Hatton Chapel Road and Nature Trail Drive. It is located approximately 3,000 feet east of the intersection of Locust Grove Church Road and Hatton Chapel Road. Lots 1–3 and 9 were sold and developed. Nature Trail Ranchettes 2nd Plat was recorded on September 1, 1977, and includes 37 lots and multiple road rights-of-way.

Vacation approval for Nature Trail Ranchettes 1st Plat—excluding Lots 1–3 and 9 and the right-of-way and easements for Hatton Chapel Road—was granted in December 2015. However, this vacation does not go into effect until a replacement plat (Delmar Estates) is recorded.

The current request seeks to vacate the 45 lots of Delmar Estates along with the underlying portions of Nature Trail Ranchettes. The intent is to replat the approximately 227-acre property into two lots of over 100 acres each and to rededicate the right-of-way and public utility easements associated with Colt Drive. Colt Drive is the new approved name for the former Nature Trail Drive. The two large lots will lie on either side of this mostly north–south oriented right-of-way, with each lot having frontage on Hatton Chapel Road.

Review Criteria

Pursuant to Boone County Subdivision Regulations Section 1.8, the County Commission must conduct a public hearing before granting permission to vacate and replat a subdivision. The Commission must find that the proposed action:

- Will not adversely affect the character of the neighborhood.
- Will not negatively impact traffic conditions, circulation, or street alignments.
- Will not affect property values.
- Will not impact public utility services.
- Will not adversely affect the public health, safety, or welfare.

Character: Although the original and previously approved plats are suburban in nature, the current proposal does not reflect a rural development. Instead, it creates two large potential redevelopment tracts anchored by an important future roadway. Any future subdivision of these tracts will be required to follow major plat procedures, regardless of lot size, due to the original major plat status. Thus, any future development will likely necessitate the construction of Colt Drive as a public road, effectively preserving the area's rural residential character.

Traffic: The proposed vacation will not adversely affect current or future traffic circulation. The replat retains the Colt Drive right-of-way, preserving a potential future connection between Hatton Chapel Road and O.B. Brown Road. This supports long-term transportation planning and provides options for traffic dispersal and emergency access as the area develops.

Utilities and Property Values: Utility easements will be rededicated with the replat, and no negative impact on existing utilities or property values is expected.

Public Health, Safety, and Welfare: This proposal supports orderly development. The vacation will only take effect once the replacement plat is recorded and complies with all current subdivision regulations, ensuring there is no adverse impact on public health, safety, or welfare.

The proposed replat is not detrimental to the character of the neighborhood. Any future redevelopment of the two large lots will be subject to major plat requirements and therefore will not negatively affect traffic circulation, street alignments, or property values. There is no evidence suggesting adverse effects on public health or safety. Therefore, Staff recommends approval of this request subject to the following condition:

1. Said vacation is not effective until the lots and right-of-way proposed to be vacated have been incorporated into a subdivision plat in accordance with Boone County Subdivision Regulations and said plat is recorded in the Records of Boone County, Missouri.

Commissioner Kendrick opened and closed the public hearing.

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

3. First Reading: Request by Heather Sears for a conditional use permit for a kennel and pet boutique in the Agriculture 2 (A-2) zoning district on 10 acres located at 8875 S. Smith Hatchery Rd., Columbia. Rock Bridge Township. (**open public hearing**)

Director of Resource Management Bill Florea read the following staff report:

The Planning and Zoning Commission conducted a public hearing on this request at its July 17, 2025, meeting and issued a recommendation for approval with conditions on a unanimous vote (8-0).

Location and Proposal Summary:

The subject property is located on the west side of South Smith Hatchery Road, approximately a half mile north of its intersection with West Woodie Proctor Road. A single-family dwelling and onsite subsurface wastewater system are currently under construction. The property is zoned Agriculture 1 (A-1), as are all surrounding properties.

The applicant is requesting a Conditional Use Permit (CUP) for a dog boarding facility—classified as a kennel—within the A-1 zoning district. The proposal involves utilizing a portion of the home's basement to board dogs. This basement area will be heated, cooled, and equipped with floor drains. A fenced section of the rear yard will serve as an outdoor exercise area for boarded dogs. Additional landscaping is proposed to visually screen the outdoor space. No outdoor kennels or dog runs are included in this request.

The application indicates that one to three dogs will be boarded at any one time; however, separate communication with the applicant notes a desire to board up to 10 dogs. The applicant has described the facility as a "boutique" kennel, meaning it will cater to a small number of dogs with personalized care, including adherence to specific diets or routines. Only immediate family members residing on the property will be involved in operations. No animal breeding or training is proposed.

The property lies within the Rural Preservation area designated by the Boone County Master Plan.

Conditional Use Permit Criteria & Staff Analysis

The following summarizes how the proposal aligns with the seven approval criteria for conditional use permits, based on the application and public comments:

(a) Public Health, Safety, and Welfare

If developed in accordance with application materials, county regulations, and appropriate conditions, the proposal should not endanger public health, safety, comfort, or welfare.

(b) Impact on Adjacent Properties

Potential impacts include noise, waste, and traffic. Limiting the number of animals and implementing a waste management plan will mitigate these concerns. Restricting external employees will further reduce traffic.

(c) Property Values

Operating a small-scale dog boarding facility in a residential setting is consistent with common household pet ownership. Limiting the scope of the operation should help preserve neighborhood property values. Public feedback may provide additional insight on this criterion.

(d) Availability of Facilities

The property fronts a publicly maintained road (South Smith Hatchery Road). The applicant intends to use a shuttle service for dog transport, which may reduce client traffic. However, hours of operation for pick-ups/drop-offs are not specified or enforceable.

A subsurface wastewater system is being installed for the residence; modifications may be necessary to accommodate the kennel's water usage (e.g., drains, dog wash). A Missouri-licensed design professional may be required to ensure compliance with commercial building codes for the kennel area.

The driveway must meet county requirements for a dust-free surface (chip seal or better), regardless of traffic volume.

(e) Development of Surrounding Property

Neighboring parcels are undeveloped or consist of large-lot residential uses. With limitations on scale, the proposed kennel should not hinder future development.

(f) Traffic Flow and Congestion

Access will be via the existing driveway on South Smith Hatchery Road. The operation's limited scale and family-only staffing should prevent traffic congestion. Parking and driveways must meet County dust-free surface requirements.

(g) Compliance with Zoning Regulations and Public Necessity

The proposal can comply with all applicable A-1 zoning regulations. Public necessity can be demonstrated through the service provided and limitations imposed.

Zoning Analysis

The kennel will be located in the basement of a single-family home, with an adjacent fenced outdoor area for exercise. No outdoor kennels, dog runs, training, or breeding are proposed. Landscaping will be installed to screen the exercise area, though specific planting details were not provided.

While dog boarding facilities can pose potential nuisances, the proposed scale and conditions can address these concerns. Staff recommended limiting the total number of dogs to five, with a temporary increase of up to two additional dogs during major U.S. holidays. This accommodates both boarding and resident family dogs. During its hearing, P&Z discussed

allowing up to seven dogs and up to nine dogs under certain conditions. The motion to recommend approval was amended accordingly.

Recommendation

The proposal received 45 points on the point rating system. Eleven surrounding property owners were notified. Based on the application and proposed conditions, staff believes the request can meet the required criteria.

Staff recommends approval of the CUP for a kennel with the following conditions:

1. No dog breeding or training is allowed on the property.
2. No outdoor dog runs or kennel structures. Outdoor use is limited to supervised exercise.
3. A Landscaping Plan must be submitted to and approved by the Director of Resource Management. Landscaping shall screen the exercise area from adjacent properties.
4. A maximum of seven dogs are permitted on the property at any one time. Up to nine dogs are allowed on the following days:
 - A. The two days before and after the major holidays of New Years Day, Memorial Day, Independence Day, Labor Day, Veteran's Day and Christmas Day.
 - B. Thanksgiving to the Sunday after Thanksgiving.
 - C. The week of the University of Missouri's Spring Break.
5. An animal waste management plan, aligned with industry best practices, must be submitted to and approved by the Director of Resource Management before operations begin.
6. A Missouri-licensed design professional must coordinate with staff to determine any required modifications to the residence for code compliance. All work must be permitted.
7. A subsurface onsite wastewater system is required for the property while the kennel operates. Installation is subject to the Director of Resource Management's approval.
8. Only immediate family members residing on the property may be employed in the dog boarding operation. No outside employees are permitted.

Commissioner Kendrick opened and closed the public hearing.

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

4. First Reading: Request by Mid MO Rentals for a conditional use permit for a structure taller than 100 feet for a wind turbine in the Agriculture 1 (A-1) zoning district on 164.6 acres located at 3301 E. Kemper Rd., Hallsville, Rocky Fork Township. (open public hearing)

Planner Uriah Mach read the following staff report:

The Planning and Zoning Commission conducted a public hearing on this request at its July 17, 2025, meeting and issued a recommendation for approval with conditions on a unanimous vote (8-0).

Location and Property Description:

The subject property is located at the northeast corner of Robinson Road and Kemper Road, approximately 3 miles east of U.S. Highway 63. The property comprises approximately 164.60 acres and is zoned Agriculture 1 (A-1). Existing structures on the property include two grain bins and a pump house.

Adjacent Zoning:

- North – Agriculture 2 (A-2) and A-1
- South – A-2
- East – A-1
- West – A-1

With the exception of the A-2 zoning to the north—rezoned from A-1 in 2002—all zoning is original from 1973.

Request Summary:

The applicant seeks a Conditional Use Permit (CUP) to allow the construction of a structure exceeding 100 feet in height—a lattice-type tower supporting a Small Wind Energy Conversion System (WECS-S) or wind turbine. While the turbine itself is a permitted accessory use, its height requires a CUP under current zoning regulations.

Staff's analysis is based on the application and any public comments received after notifying neighboring property owners. Approval of a CUP must meet the following criteria from the zoning ordinance:

Conditional Use Permit Criteria & Analysis

(a) Public Health, Safety, and Welfare

Compliance with building permit and inspection requirements will ensure the proposal does not endanger public health, safety, comfort, or welfare.

(b) Use and Enjoyment of Nearby Properties

The building inspection process will verify structural safety. The proposed tower is not expected to interfere with permitted uses of neighboring properties.

(c) Property Values

While wind turbines are not common accessory structures, they are not unusual in agricultural areas. Approval through the inspection process should ensure no adverse impact on neighboring property values.

(d) Availability of Facilities

The turbine requires minimal utility infrastructure. The site has adequate access and facilities to support the proposed use.

(e) Orderly Development of Surrounding Property

The area is zoned A-1, where residential development is limited to parcels of 10 acres or more. The proposed structure will not interfere with the normal development of nearby properties.

(f) Traffic Flow and Congestion

Once constructed, the wind turbine will generate no ongoing traffic and will not contribute to congestion on public roads.

(g) Compliance with Zoning and Public Necessity

The proposal meets all applicable A-1 zoning regulations. No land division is proposed. The height-related CUP addresses the public necessity requirement.

Zoning Analysis:

The proposed structure is typical of rural settings, with height being the only regulatory issue. If the required building permit and inspections are completed, the project will comply with the intent of the Boone County Zoning Ordinance.

Staff Recommendation:

Approval of the Conditional Use Permit is recommended, with the following condition:

1. The building permit application and inspection process must be completed, and a certificate of completion must be issued for the wind turbine.

Commissioner Kendrick opened and closed the public hearing.

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

5. First Reading: Request by Frank Martin for a conditional use permit for a structure taller than 100 feet for a wind turbine in the Agriculture 1 (A-1) zoning district on 138.88 acres located at 5155 E. Kemper Rd., Hallsville, Rocky Fork Township. **(open public hearing)**

Director of Resource Management Bill Florea read the following staff report:

The Planning and Zoning Commission conducted a public hearing on this request at its July 17, 2025, meeting and issued a recommendation for approval with conditions on a unanimous vote (8-0).

Location and Property Description

The subject property is located approximately 1 mile west of State Route B and 1 mile south of Hallsville. The parcel is 138.88 acres and zoned Agriculture 1 (A-1). Existing structures include eight grain bins, four hog houses, two barns, one machine shed, and three dwellings.

Adjacent Zoning:

- North: Agriculture 2 (A-2)
- South, East, and West: A-1

All surrounding zoning is original from 1973.

Request Summary

The applicant is requesting a Conditional Use Permit (CUP) for a structure exceeding 100 feet in height—a lattice-type tower supporting a Small Wind Energy Conversion System (WECS-S) or wind turbine, intended to supply power to onsite structures. While the turbine is permitted as an accessory use, its height requires CUP approval.

Staff analysis is based on the application and public comments received following notification of surrounding property owners. The following zoning ordinance criteria must be met for approval:

Conditional Use Permit Criteria & Staff Analysis

(a) Public Health, Safety, and Welfare

Compliance with the building permit and inspection process will confirm the turbine's safety and its alignment with this criterion.

(b) Use and Enjoyment of Nearby Properties

Building inspections will verify structural integrity. The tower is not expected to interfere with the use and enjoyment of nearby properties.

(c) Property Values

While wind turbines are not common accessory structures, they are not out of place in agricultural areas. If inspected and approved, the structure should not negatively affect nearby property values.

(d) Availability of Facilities

The turbine's infrastructure needs are minimal, and the site has adequate road access, utilities, and drainage to support the proposal.

(e) Orderly Development

The surrounding area is zoned A-1, with residential uses generally requiring parcels of 10 acres or more. The proposed tower should not impede the development potential of neighboring properties.

(f) Traffic Flow and Congestion

The turbine will not generate ongoing traffic after construction and is not expected to cause traffic congestion or hinder public roadways.

(g) Zoning Compliance and Public Necessity

The proposal complies with applicable A-1 zoning regulations, and no land division is involved. The required CUP for the structure's height satisfies the public necessity requirement.

Zoning Analysis

The proposed structure is typical in rural agricultural settings; the only regulatory concern is its height. Approval of the CUP, contingent upon completing the building permit and inspection process, would align with the intent of the Boone County Zoning Ordinance.

Staff Recommendation

Staff recommended approval of the Conditional Use Permit with the following condition:

1. The building permit application and inspection process must be completed, and a certificate of completion issued for the wind turbine.

Commissioner Kendrick opened and closed the public hearing.

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

6. First Reading: Request by Dwight Douglas Wheeler to rezone from Moderate-Density Residential (R-M) to Planned Single-Family Residential (R-SP) and to approve a Review Plan and Preliminary Plat for Spencer Hills Plat 4 on seven acres located at 599 E. Clearview Dr., Columbia. Missouri Township. **(open public hearing)**

Director of Resource Management Bill Florea read the following staff report:

The Planning and Zoning Commission conducted a public hearing on this request at its July 17, 2025, meeting and issued a recommendation for approval of the rezoning and review plan/preliminary plat, with conditions, on a unanimous vote (8-0).

Location and Property Description

The subject property is located at the northern end of Clearview Drive, approximately 100 feet north of its intersection with Sackets Road. The parcel is 6.98 acres and zoned Residential Moderate Density (R-M). This is original 1973 zoning. The property is currently vacant.

Surrounding Zoning:

- North: Single-Family Residential (R-S)
- East: R-S
- South: R-M
- West: R-M

Request Summary

The applicant requests rezoning of the 6.98-acre property from R-M to Planned Single-Family Residential (R-SP) for the development of a residential subdivision consisting of 34 home lots and 2 common lots for stormwater management and open space.

Proposed Housing Types:

- 4 Standard Single-Family Lots
- 16 Cottage Lots (smaller single-family homes)
- 14 Lots (labeled “A” or “B”): These may be developed as single-family attached pairs or combined into a single standard lot via replat (e.g., Lots 9A and 9B may be replatted as Lot 9).

Comprehensive Plan and Sufficiency of Resources Test

The Boone County Master Plan designates this area as a Local Community Planning District. The sufficiency of resources test was used to evaluate this request.

Utilities:

- Water: City of Columbia (domestic and fire protection)
- Sewer: Boone County Regional Sewer District (BCRSD)
- Electric: Boone Electric Cooperative
- A transmission line easement impacts the buildable area of the eastern bank of lots (shown on the development graphic).

Transportation:

- The development includes two public roads: an extension of Clearview Drive and a stub street labeled “Reagan Drive.”
- Note: “Reagan Drive” has not been reviewed or approved by Joint Communications.

Public Safety:

- Located within the Boone County Fire Protection District, with Station 5 approximately 3.8 miles away by road.

Zoning and Development Analysis

While the current R-M zoning allows for multiple housing types, it does not permit the smaller cottage lots or single-family attached lots proposed. These can only be developed through a planned district. Due to the small size and tight layout of most lots, accurate, detailed plot plans will be required for each building permit to ensure compliance with setbacks and coverage limits.

The subdivision integrates three housing types to create a mixed, cohesive neighborhood:

1. Cottage Lots

- Less than 7,000 sq. ft.
- Intended for smaller single-family homes than typical lots.

2. Single-Family Attached Lots

- Narrow (28 ft.) lots designed for two attached dwellings (one on each lot).
- Concern exists that the design may encourage a “garage-dominant” street presence, similar to student duplexes, which may disrupt the neighborhood aesthetic.
- Design controls will be required to reduce garage dominance and promote visual integration.

3. Standard Single-Family Lots

- At least 7,000 sq. ft., comprising a smaller portion of the development.

Covenants and Maintenance:

Draft covenants and a preliminary trust agreement for common area maintenance have been submitted and are under review.

Score and Recommendation

The proposal scored 86 points on the point rating system.

Staff recommended approval of the rezoning request, review plan, and preliminary plat, subject to the following conditions:

1. Plot Plan Requirement: All building permit applications must include a detailed, accurate plot plan showing proposed construction for each lot.

2. Design Plan for Attached Units: A design plan must be submitted prior to the Final Plan for the single-family attached lots, defining the physical features of the proposed buildings. This plan is subject to approval by the Director of Resource Management.
3. Plan Note Addition: Add the following to Note #2 on the plans:
“Public sewer shall be provided by Boone County Regional Sewer District.”
4. Final Trust Agreement: The finalized trust agreement for common area maintenance must be approved by the Director of Resource Management prior to Final Plan submission.
5. Street Naming: The use of “Reagan Drive” must be approved by both the Director of Resource Management and Joint Communications. If not approved, an alternative name must be selected prior to Final Plan submission.

Commissioner Kendrick opened and closed the public hearing.

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

Resource Management

7. Second Reading: Approval of extension of Stormwater Security Agreement and Erosion and Sediment Control Performance Bond for WW Commercial – First Read 07.24.25

Commissioner Thompson moved now on this day, the County Commission of the County of Boone does hereby approve the Stormwater Security Agreement and Erosion and Sediment Control Performance Bond between the County of Boone and Old Hawthorne Development, by and through its Contractor, Emery Sapp & Sons, Inc. The terms of the agreement are set out in the attached contract and the Presiding Commissioner is authorized to sign the same.

Commissioner Aldred seconded the motion.

The motion carried 3 to 0. **Order #369-2025**

Emergency Management

8. Second Reading: Outdoor Warning Siren Placement Agreement – Finger Lakes State Park #2 – First Read 07.24.25

Commissioner Aldred moved now on this day, the County Commission of the County of Boone does hereby approve the attached Outdoor Warning Siren Placement Agreement between the

County of Boone and the Missouri Department of Natural Resources for Finger Lakes State Park #2.

Commissioner Thompson seconded the motion.
The motion carried 3 to 0. **Order #370-2025**

Purchasing

9. Second Reading: Award of Contract C001007 from Cooperative Contract 22015 for Technology Solutions Products and Services with Rave Wireless dba Rave Mobile Safety for the Boone County IT Department – First Read 07.24.25

Commissioner Thompson moved now on this day, the County Commission of the County of Boone does hereby approve the award of County Contract C001007 from Cooperative Contract 220105 for Technology Solutions, Products and Services for the Rave Software Suite from Rave Wireless Inc., dba Rave Mobile Safety of Chicago, Illinois, for the Boone County IT Department. The contract is set out in the attached and the Presiding Commissioner is authorized to sign the same.

Commissioner Aldred seconded the motion.
The motion carried 3 to 0. **Order #371-2025**

10. Second Reading: Award Amendment #3 to C000789 from Cooperative Contract CC240449008 for Ammunition from the Qualified Vendors List with Sunset Law Enforcement LLC for the Boone County Sheriff's Office – First Read 07.24.25

Commissioner Aldred moved now on this day, the County Commission of the County of Boone does hereby approve the award of Amendment #3 to County Contract C000789 awarded from Cooperative Contract CC240449008, the Ammunition Qualified Vendors List, to Sunset Law Enforcement LLC of Ackley, Iowa, for the Boone County Sheriff's Office. The amendment is set out in the attached, and the Presiding Commissioner is authorized to sign the same.

Commissioner Thompson seconded the motion.
The motion carried 3 to 0. **Order #372-2025**

11. Second Reading: Reading: Award of Amendment #5 to Contract C000719 awarded from Cooperative Contract 109 for Storm Warning Sirens with Blue Valley Public Safety, Inc. for the Boone County Emergency Management Department – First Read 07.24.25

Commissioner Thompson moved now on this day, the County Commission of the County of Boone does hereby approve the award of Amendment #5 to County Contract C000719 awarded from Cooperative Contract 109 for Storm Warning Signals with Blue Valley Public Safety, Inc. of Grain Valley, Missouri, for the Boone County Emergency Management Department. The

contract amendment is set out in the attached and the Presiding Commissioner is authorized to sign the same.

Commissioner Aldred seconded the motion.
The motion carried 3 to 0. **Order #373-2025**

Commission

12. Public Comment

None

13. Commissioner Reports

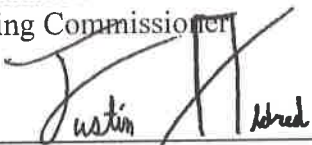
None

Attest:



Brianna L. Lennon
Clerk of the County Commission



Kip Kendrick
Presiding Commissioner

Justin Aldred
District I Commissioner

Janet M. Thompson
District II Commissioner