

# **BOONE COUNTY BOARD OF ADJUSTMENT**

**BOONE COUNTY GOVERNMENT CENTER**

**801 E. WALNUT ST., COLUMBIA, MO.**

**Thursday, August 23, 2012**

The meeting was called to order at 7:00 p.m. in the Boone County Commission Chambers having a quorum present.

Member Thomas read the procedural statement stating that this Board is appointed by the Boone County Commission to consider specific application of the zoning and subdivision regulations. The Board is empowered to enter rulings that may give relief to a property owner from the specific application of the Zoning and Subdivision regulations. Generally, variances can only be granted in situations where by reason of shape, topography or other extraordinary or exceptional situation or condition of a specific ordinance would result in peculiar and exceptional difficulties to or exceptional and demonstrable undue hardship upon the owner of the property as an unreasonable deprivation of use as relating to the property. A variance from the strict application of this ordinance can be granted provided the relief requested will not substantially impair the intent, purpose and integrity of the zoning regulations.

Notice of this meeting has been published in accordance with our by-laws for the proper number of days. All decisions of the Board are based on the zoning or subdivision regulations for Boone County, Missouri, and they are hereby made a part of the record of this meeting.

This Board is comprised of five members, with three members constituting a quorum. An applicant must receive at least three votes in order to receive the relief that they have requested from the Board. Any applicant appearing before this Board has the right to be heard by all five members. At times that all five members are not present, the applicant, and only the applicant, may choose to wait until such time as all five members are present to hear their request.

Roll call was taken:

Present: Frank Thomas  
Cindy Bowne  
David Butcher

Absent: Two vacant seats

Staff: Bill Florea, Senior Planner  
Thad Yonke, Senior Planner  
Uriah Mach, Planner  
Paula Evans, Secretary

Minutes of the May 24, 2012 meeting were approved by acclamation.

## **REQUEST**

1. Case Number 2012-005

- a. Request by Linda Bonebrake for a variance from the front 50-foot setback in the A-2 (agriculture) zoning district for a detached garage with loft on 1.2 acres located at 7950 W Stidham Rd., Harrisburg (**Zoning Regulations 10.A**).
- b. Request by Linda Bonebrake for a variance so that the detached garage mentioned in (a) may be built in front of the front plane of the house located at 7950 W Stidham Rd. Harrisburg (**Zoning Regulations Section 7.A.5**).

Present representing the request:

Linda Bonebrake, 7950 W Stidham Rd., Harrisburg

Chairperson Thomas asked the applicant if she wished to continue with the meeting tonight only having three members present.

Ms. Bonebrake stated she would like to table the request until at least four members are present. Ms. Bonebrake asked how long it would take to get additional members.

Staff informed Ms. Bonebrake that there are currently two vacancies on the Board; it could take as little as a few days or as much as a few months to fill the seats. Staff stated they could not predict when the vacancies would be filled.

Ms. Bonebrake asked if she would be notified when the request is back on the agenda.

Staff indicated she would be notified as well as all the neighbors that were notified for this meeting.

Chairperson Thomas accepted Ms. Bonebrake's request to table the request until more members are present.

Audience members were informed that if they received a notification for this meeting they would also receive a notification informing them when the item was back on the agenda.

## **OLD BUSINESS**

Certificates of decision

- Certificate of Decision – Case # 2012-001 Redden, Wright, Williams, Butler (From Feb 2012 - corrected)
- Certificates of Decision – Case # 2012-002 Phillip and Brice Hanberry
- Certificates of Decision – Case # 2012-003 James and Rachel Paneck
- Certificates of Decision – Case # 2012-004 David and Christie Casey

All certificates were accepted and signed by the Chairperson.

## **NEW BUSINESS**

Annual election of officers.

The floor was open for nominations for the seat of Chairperson.

Member Butcher nominated Member Thomas for Chairperson; Member Bowne seconded the nomination. No other nominations.

All voted in favor of Member Thomas to serve as Chairperson of the Board.

The floor was open for nominations for the seat of Vice-Chairperson.

Member Butcher nominated Member Bowne for Vice-Chairperson; Member Thomas seconded the nomination. No other nominations.

All voted in favor of Member Bowne to serve as Vice-Chairperson of the Board.

## **ADJOURN**

Meeting adjourned at 7:15 p.m.

Respectfully Submitted,

Paula L Evans  
Secretary

Minutes approved this 25<sup>th</sup> day of October, 2012