

BOONE COUNTY BOARD OF ADJUSTMENT

BOONE COUNTY GOVERNMENT CENTER

801 E. WALNUT ST., COLUMBIA, MO.

Thursday, April 22, 2021

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

Roll call was taken:

Present: Frank Thomas
Michael Leopard
Jesse Stephens
Paul Zullo
Jason Russell

Absent: None

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

Chairperson Thomas read the following statement:

The Boone County Board of Adjustment is now in session.

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.

This meeting is being conducted in compliance with the current Public Health Order regarding the Covid-19 pandemic. Occupancy of the Commission Chambers is limited provided all persons wear a face mask and maintain 6-feet of physical distance from each other. We will follow a partial virtual format. There are Members present in the Chambers. Other Members may be attending the meeting through an audio link. The audio link is open to members of the public who wish to follow the proceedings.

The following procedure will be followed: The agenda item will be announced, followed by a report from the Resource Management Department staff. The applicant or the applicant's representative may make a presentation to the Board. The Board may request additional information at any time.

After the applicant's presentation, the floor will be opened for a public hearing to allow anyone wishing to speak in support of the request. Next, the floor will be given over to those who may be opposed to the request. Direct all comments or questions to the Board and please restrict your comments to the matter under discussion. The public hearing will then be closed, and no further comments will be permitted unless requested by the Board. The Board will then discuss the matter and may ask questions of anyone present during the discussion.

Please sign in and give your name and mailing address when you address the Board. Please speak directly into the microphone so your remarks are properly recorded. We ask that you turn off your cell phones. All testimony from the applicants and the public should be given from the speaker table, do not approach the Board unless requested. Any evidence submitted should first be given to the Secretary of the Board to properly identify for the record. During testimony, any references regarding submitted evidence should be referred to by its exhibit number.

Any materials that are presented to the Board, such as photographs, written statements or other materials will become a part of the record for these proceedings. If you would like to recover original material, please see the staff during regular business hours.

Minutes of the January 7, 2021 meeting were approved as written.

OLD BUSINESS

1. Case 2014-002

Review permit issued to Bernie & Lisa Kile for a mobile home as a second dwelling on 10.02 acres located at 9151 E Rte H, Ashland (first granted 7/2014).

Senior Planner, Thad Yonke gave the following staff report:

The current zoning of the site is A-1 (agriculture) as is the surrounding property. This site is located on State Highway H, approximately 2.5 miles east of Highway 63, there is a single-family dwelling, a singlewide and several accessory structures on the property. The applicants wish to renew their permit for the placement of a singlewide as a temporary dwelling. The original zoning for this property is A-1. The original variance was granted in 2014 and has been renewed every two years since that time. The last review was done administratively in September 2018 at which time the applicants indicated the singlewide is a 1995 Fuqua model. The Board of Adjustment requested that all future renewals of temporary mobile home permits be reviewed before the Board. The requested variance is from Zoning Regulations Section 15.C.4.d, to permit, in case of practical difficulty or unnecessary hardship, for a period of two years, the location of a mobile home on a lot. Staff notified 6 property owners.

Present representing the request:

Bernie Kile, 9151 E Rte H, Ashland

Lisa Kile, 9151 E Rte H, Ashland

Lisa Kile: We request to renew the variance for the mobile home; my parents still live there and they are elderly. Our situation is still the same.

Open to public hearing.

No one spoke in favor or in opposition to the request.

Closed to public hearing.

Thad Yonke: I see there is a lagoon that looks like it serves the trailer, does the house have a septic?

Bernie Kile: Yes.

Thad Yonke: So they aren't both tied in to the lagoon.

Bernie Kile: No. Everything was done to code, it was inspected.

Thad Yonke: I assumed so but we wanted that information for the record.

Chairperson Thomas: Do your parents still have the same issue, the same reasons as before?

Lisa Kile: Yes; they are in their mid 80's. My father just got out of the hospital about a week ago, he had a stint put in.

Member Leipard made, and Chairperson Thomas seconded a motion to approve the request by Bernie & Lisa Kile to renew, for a period of two years, a mobile home as a second dwelling on 10.02 acres located at 9151 E Rte H, Ashland:

- Permit to be reviewed before the Board in two years

Member Thomas	Yes	Member Leipard	Yes
Member Zullo	Yes	Member Stephens	Yes
Member Russell	Yes		

Motion to approve the request carries unanimously

2. Certificates of Decision

- 2020-008 Sonia Reeder
- 2020-010 MBK Investments LLC

NEW BUSINESS

None

ADJOURN

Being no further business the meeting was adjourned at 7:12 p.m.

Respectfully Submitted,

Paula L Evans
Secretary

Minutes approved this 26th day of August, 2021