

BOONE COUNTY PLANNING & ZONING COMMISSION WORK SESSION
BOONE COUNTY GOVERNMENT CENTER, CONFERENCE ROOM 301
801 E. WALNUT, COLUMBIA, MISSOURI
(573) 886-4330

Minutes

7:00 P.M.

Monday, January 29, 2018

Present: Erik Kurzejeski, Carl Freiling, Jeff McCann

Also Present: David Butcher, Mike Tompkins, Dan Brush, Stakeholder Committee

Staff: Bill Florea, Thad Yonke, Uriah Mach, Paula Evans

Staff Note: For those not attending the work session please reference the comment matrix emailed to you as a guide to the minutes. Only responses to questions proposed for change, questions with lengthy discussion, and responses with further clarification are addressed in these minutes.

Mr. Florea informed the Commissioners that staff would like to finish with the comments tonight and begin discussion on the big issues at the next work session.

We will begin where we left off with the public comments starting with B.1.11.

B.1.12.3 “Can I build a pole barn on my property by the house..”

Discussion: David Butcher asked for clarification. Bill Florea asked Commissioner Kurzejeski to clarify since it was his question. Mr. Butcher stated he didn't understand the response. Mr. Florea stated if you are utilizing a PAE then the terms that we agreed to in the regulations are if you don't want to build the PAE then you do the NNOP. Mr. Butcher asked why he couldn't add on to his house or barn or add a barn without having to bring the road up. Thad Yonke stated part of the purpose of that is for emergency services, the whole point of the emergency services would have in there when the houses were going in so in this case you already have the house there before hand by definition. Mr. Florea stated the house should already be built. Commissioner Kurzejeski stated his question was I have my home and a long driveway, not a PAE, and I am going to family transfer a piece off to my child but I don't want to build the PAE until the child gets ready to build his house which may be four years from now but I decide I want to build a pole barn on my property. If I read the regulation correctly I won't be able to do that. Mr. Florea stated that is correct. Mike Tompkins stated that was his question too about when we have to build a driveway, isn't it okay to build a barn, they don't necessarily have a driveway like a house does. Mr. Yonke stated the purpose of it is to make sure there is access to the property so you and emergency services can get to the property when there is going to be a building on it; there is really no other way to do it. Mr. Tompkins stated it is very common to drive across the grass. Mr. Butcher stated he understands when you are improving it for other people but I wasn't sure about adding on to your own house. Mr. Yonke stated it is because of the land division. The reason this was answered this way was because there are multiple pieces to it, we can look in to that to see if there is some way to do something different if you are concerned. Mr. Butcher stated that level of detail was covered with the Stakeholders. Mr. Brush asked if that is something you could cover in the NNOP that will be recorded. Mr. Yonke stated there might be a way to address that in the form. Mr. Brush asked about building a pole barn on a vacant 20 acres to put my tractor in so I can brush hog off my property, then I would have to build a PAE? Mr. Florea stated yes. Mr. Tompkins stated you couldn't get a building permit without the surface of the road being done. Commissioner Freiling asked what happens if you can't meet the 10% grade. Mr. Yonke stated you shouldn't have been able to divide the property in the first place. Commissioner Freiling stated this is only for new division. Mr. Florea stated this isn't retroactive unless there is additional subdivision. Mr. Yonke stated if you can't meet the 10% then you can't divide the property. Mr. Butcher stated it would be good to have language to allow someone to build a barn for a tractor. Mr. Florea agreed but stated it will be necessary to develop a threshold. Mr. Yonke stated that gets in to a slippery slope because then you have people building barns with living area. Mr. Florea stated the reason we need a threshold is what if someone builds a barn and starts boarding horses? The PAE

should be built for that use. Mr. Butcher stated we all agree that it promotes a healthier environment when people can mow their grass and they have a five-acre parcel of land and they aren't ready to build on it. I don't want to haul my lawnmower out there every time I want to mow it. Mr. Florea stated that was reasonable.

Conclusion: Staff will look in to adjusting language to allow for some non-residential uses. Also need to think about rebuilding existing residential structures in cases of fire or other loss.

Section B.1.12.7 "PAE no closer than 200 feet to another PAE"

Discussion: Mr. Butcher asked what if his neighbor had a PAE along the property line and I need a PAE? Did we intend this to be 200 feet from any PAE? Mr. Yonke stated yes; it is essentially a private road and private roads are part of the road network and the block length between roadways were set at the same standard. Mr. Butcher stated some people don't have a lot of road frontage and if your neighbor had one at the edge of the property it could potentially restrict yours. Mr. Yonke stated that is a possibility. Mr. Butcher stated the minimum lot width is 150 feet so it would seem reasonable that 200 feet may be pushing the envelope for some of those. Mr. Yonke stated there are always going to be circumstances where previous land decisions are not going to allow for things to be divided under the regulations, that is true now. Mr. Butcher stated this may be better for consideration of 150 feet instead of 200. Mr. Florea stated it was set at 200 because we already had the standard of the block length between roadways. Mr. Tompkins asked if there was any allowance for terrain or site distance. Mr. Florea stated you could ask for a variance from the Board of Adjustment. Mr. Tompkins stated this regulation doesn't exist now; that is a pretty big change. Mr. Florea stated this could be enforced now, we already have a minimum block length but we are putting this in writing to make it clear. Mr. Butcher stated some people only have 150 feet of frontage and I just want to protect those people from losing their ability to subdivide because of this. Mr. Yonke stated if you already whittled it down to 150 feet of frontage and you are trying to survey and serve a bunch of lots in the back that you are dividing..Mr. Brush stated it may not be a bunch of lots, it could only be one or two, but it comes back down to the block length is something more thought of in a dense subdivision than it is in a large acreage. Mr. Yonke stated there isn't going to be much difference between the two lots or six or eight. We have to look at it from the six or eight. Mr. Brush stated the minimum width of a lot might be a better number to look at. Commissioner Freiling stated he is always reluctant to add more burden to private landowners. Mr. Butcher stated we are not trying to make this a dragon that people have to fight in the future, I have recently realized that some people only have 150 feet of frontage. Mr. Yonke stated there are always going to be limitations which will restrict people from the ability to divide land; that is what the regulations are for, if you don't meet the standards then you don't meet the standards. Mr. Butcher stated the regulations are meant to take your control away. Mr. Florea asked for guidance from the Commissioners. Mr. Yonke stated we could defer this to the rest of the PAE discussion. Commissioner Freiling stated it is the changes that further restrict someone's ability to utilize the zoning that gives me pause. Mr. Yonke stated it allows them to have more than they currently have. Commissioner Freiling stated unless they can't do anything. Mr. Yonke stated you are going to have winners and losers in all of these so it is not like it is only going more restrictive, it is allowing for more access on these private accesses that are being created but there are going to be times where someone is going to be losing out.

This comment was held over for the PAE discussion.

B.1.12.7 "Centerline horizontal curves"

Response changed to: County Engineer believes "Centerline horizontal curve radii shall not exceed 100-feet" should have read "minimum curve radii".

B.2.2 "Who qualifies the engineer and how are they qualified?"

Staff will describe the application process in the response.

B.2.2 "Is a traffic analysis really needed for an administrative survey and minor plat"

Delete the last sentence of response.

B.2.2.1 "Is the County going to come up with a list of surveyors and realtors"

Delete last sentence of response.

The meeting ended having reviewed comments. The comments that weren't discussed pertain to the big issue items, staff will pull them together for future discussion.

Commissioner McCann asked if the Commission will be making decisions on the big issue items during the future work sessions with only three Commissioners present. Mr. Florea stated he didn't think three Commissioners were enough to make decisions on the big items, however, if we don't get more attendance we can treat it as a sub-committee, the sub-committee can then make a recommendation to the rest of the Commission.

The next work session is scheduled for Thursday, February 1, 2018 at 7:00 pm.

The work session adjourned at 8:07 pm

Minutes taken by Paula Evans, Administrative Coordinator, Boone County Resource Management