

BOONE COUNTY PLANNING & ZONING COMMISSION

BOONE COUNTY GOVERNMENT CENTER

801 E. WALNUT ST., COLUMBIA, MO.

Thursday, August 18, 2005

Vice-Chairperson Sloan called the meeting to order at 7:00 p.m., with a quorum present. Roll Call was taken by Commissioner Heitkamp.

Present:	Mary Sloan, Vice-Chairperson	Rocky Fork Township
	Kristen Heitkamp, Secretary	Katy Township
	Russell Duker	Missouri Township
	Mike Morgan	Bourbon Township
	Carl Freiling	Cedar Township
	David Mink	Public Works

Absent:	Pat Smith, Chairperson	Perche Township
	Rob Brown	Rock Bridge Township
	Larry Oetting	Three Creeks Township
	Boyd Harris	Centralia Township
	Michael Morrison	Columbia Township

Also present:	Stan Shawver	Uriah Mach, Staff
	Thad Yonke, Staff	Paula Evans, Staff

The minutes of the July 21, 2005 meeting were approved with no corrections. Approved by acclamation.

Vice-Chairperson Sloan read the procedural statement which stated that the Boone County Planning and Zoning Commission is an advisory commission to the County Commission. The Commission is made up of individuals representing each township of the county and the county engineer.

The Planning and Zoning Commission makes recommendations to the County Commission on matters dealing with land use. Tonight's agenda includes one rezoning request and two plat reviews.

In general, the Planning and Zoning Commission tries to follow Robert's Rules of Order, however, they are authorized by the Missouri State Statutes to follow their own by-laws. The by-laws provide that all members of the Commission, including the Chairperson, enjoy full privileges of the floor. The Chairperson may debate, vote upon or even make any motion.

The following procedure will be followed:

The agenda item will be announced, followed by a report from the Planning Department Staff. At that time, the applicant or their representative may make a presentation to the commission. The Commission may request additional information at that time, or later following the hearing. After the applicant's presentation, the floor will be opened for anyone wishing to speak in support of the request. We ask that any presentation made to the Commission be to the point.

Please give your name and mailing address when you address the commission. We also request that you sign the sheet on the staff table after you testify.

Next, the floor will be given over to those who may be opposed to the request. Direct all comments or questions to the Commission and please restrict your comments to the matter under discussion. Please be considerate of everyone here. The agenda tonight may not be lengthy and while we wish to extend an opportunity to everyone that wishes to speak, we ask that you not be repetitious with your remarks. We also recognize that many issues can be quite emotional. In that regard we ask that you refrain from any signs of support or displeasure. Please afford those with a different point of view than yours the same respect and consideration you would like yourself.

After those opposed to the request have had a chance to speak, the applicant will have an opportunity to respond to the concerns of those opposed to the request. Next the staff will be given an opportunity for any additional comments, as appropriate. The public hearing will then be closed and no further comments will be permitted from the audience or the applicant unless requested by the Commission. The Commission will then discuss the matter and may ask questions of anyone present during discussion. Finally, a motion will be made to either recommend the approval or denial of the request to the County Commission. Please note that the Boone County zoning regulations and subdivision regulations are considered to be a part of the record of these proceedings.

All recommendations for approval are forwarded to the County Commission. They will conduct another public hearing on Tuesday, August 30, 2005. Interested parties will again have the opportunity to comment on the requests at that time. The County Commission generally follows the recommendations of the Planning and Zoning Commission; however, they are not obligated to uphold any recommendation. Requests that are denied will not proceed to the County Commission unless the applicant files an appeal form within 3 working days. Please contact the Planning Office to see if a request that has been denied has filed an appeal as there will be no further public notification due to the short time between this meeting and the County Commission hearing. The County Commission hearing scheduled for Tuesday, August 30, 2005 will begin at 7:00 p.m. and will convene in this same room.

CONDITIONAL USE PERMITS

None.

REZONING REQUESTS

1. Request by Terri L. Johnston to rezone from A-R (Agriculture Residential) to A-2 (Agriculture) on 10.22 acres, more or less, located at 1003 W. Worstell Ln., Columbia.

Planner, Thad Yonke gave the staff report stating that this site is located on the north side of Worstell Lane approximately ½ mile west of the intersection of State Highway VV and Worstell Lane. The site is approximately 3½ miles north of the municipal limits of the City of Columbia. The property proposed for rezoning is approximately 10.22 acres in area. The property is zoned A-R (agriculture-residential) as is all the surrounding property. All surrounding zonings are the original 1973 zonings. There have been no previous requests for this property. There currently is a single family dwelling and garage on the property. The rezoning is being pursued to allow a family transfer to divide the property to create a separate tract for a family member. Under the existing zoning the maximum theoretical density is 20 units while under the A-2 it would be 4 units. The existing zoning would allow for the same size tract to

be created but not by family transfer. Sewage treatment will be provided by on-site wastewater systems and any on-site wastewater system must meet all County Health Department requirements. The site is in Consolidated Public Water District #1. The site is in the Columbia School District. The site is in the Boone County Fire Protection District and Boone Electric Service areas. The master plan designates this area as being suitable for agriculture and rural residential land uses. The request is consistent with the master plan.

The Master Plan calls for the use of a “Sufficiency of Resources Test” when considering the rezoning of land. The purpose of the test is to determine whether there are sufficient resources available to support the proposed zoning, or whether services could be made available in an efficient manner.

The resources necessary to serve the proposed development can be broken down into 3 general categories, utilities, transportation, and public safety services.

Splitting this tract will not result in a decrease of available utility services in the area.

Access to the site is by Worstell Lane which is county maintained. The addition of up to three additional dwellings will have little impact on the roads especially when compared to the potential of 19 additional units under the existing zoning.

The nearest fire station is located on Dripping Springs Road, which is between 3 and 3½ road miles away. The addition of up to three dwelling units should not result in increased demand on other public safety services. Staff notified 18 property owners about this request. This proposal has 39 points on the point rating scale.

Staff recommends approval.

Present: Terri Johnston, 1003 W. Worstell Ln., Columbia.

Ms. Johnston stated she wanted to do a family transfer and it was not allowed under the A-R zoning. The applicant would like to transfer property to her daughter.

Open to public hearing.

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

Closed to public hearing.

Commissioner Freiling made and Commissioner Morgan seconded a motion to **approve** the request by Terri L. Johnston to rezone from A-R (Agriculture Residential) to A-2 (Agriculture) on 10.22 acres, more or less, located at 1003 W. Worstell Ln., Columbia:

Mary Sloan – Yes

Mike Morgan – Yes

David Mink – Yes

Kristen Heitkamp – Yes

Russ Duker – Yes

Carl Freiling – Yes

Motion to approve request carries unanimously.

Vice-Chairperson Sloan informed the applicant that this request would go before the County Commission on Tuesday, August 30, 2005 and applicants need to be present.

PLANNED DEVELOPMENTS

None.

PLAT REVIEWS

1. Brittany Acres Plat 1. S29-T50N-R11W. A-2. James W. Sr. and Virginia Baskett, owners. Curtis E. Basinger, owner.

The following staff report was entered in to the record:

The property is located on State Route OO, approximately 3 miles southeast of Hallsville. This property was originally platted into a five acre plat and had a 13.58 acre tract created by administrative survey. Since that time, the property has been vacated and this is a replat of that property. The initial submission of this plat was dependent upon the granting of a variance from the board of adjustment. No variance was granted, and the current design of the plat meets the regulations and requirements of lot design under the subdivision regulations. The property currently consists of two lots of 6.67 acres and 11.90 acres. The property is zoned A-2 and is surrounded by A-2 zoning.

Both lots of the property have direct access to State Route OO. No additional right-of-way is being dedicated with this plat. Sufficient right-of-way was dedicated with the original plat of Brittany Acres Plat 1. The applicant has submitted a request to waive the requirement to provide a traffic analysis.

Water service to the property is provided by Public Water Service District #4.

On-site systems will provide wastewater disposal. The applicant has submitted a request to waive the requirement to provide a wastewater cost-benefit analysis.

The property scored 31 points on the rating system.

Staff recommends approval of the plat.

No one present to represent the plat.

Commissioner Mink made and Commissioner Heitkamp seconded a motion to **approve** Brittany Acres Plat 1. S29-T50N-R11W. A-2. James W. Sr. and Virginia Baskett, owners. Curtis E. Basinger, owner:

Mary Sloan – Yes
Mike Morgan – Yes
David Mink – Yes

Kristen Heitkamp – Yes
Russ Duker – Yes
Carl Freiling – Yes

Motion to approve request carries unanimously.

* * * * *

- 2. Memar Road. S1-T49N-R14W. Eugene A and Sandra Arens, and Noel J. and Margie Arens, owners. Curtis E. Basinger, surveyor.

The following staff report was entered in to the record:

The property is located at the intersection of Memar and Everet School Roads, approximately 5 miles south of Harrisburg. It consists of one lot with an area of 6.44 acres. The property is zoned A-2, and has A-2 zoning to the north, south, and east, with A-1 zoning to the west.

The lot has access on both Memar Road and Everet School Road. The plat is dedicating half-width right-of-way to both Memar and Everet School roads. The applicant has submitted a request to waive the requirement to provide a traffic analysis.

Water service to this tract is provided by Consolidated Public Water District #1.

On-site systems will provide wastewater disposal. The applicant has submitted a request to waive the requirement to provide a wastewater cost-benefit analysis.

An administrative survey of 16.91 acres to the east of this tract has been submitted for review. The survey is intended to be concurrently recorded with the plat.

The property scored 2 points on the rating system.

Staff recommends approval of the plat.

No one present to represent the plat.

Commissioner Mink made and Commissioner Heitkamp seconded a motion to **approve** Memar Road. S1-T49N-R14W. Eugene A and Sandra Arens, and Noel J. and Margie Arens, owners. Curtis E. Basinger, surveyor:

Mary Sloan – Yes	Kristen Heitkamp – Yes
Mike Morgan – Yes	Russ Duker – Yes
David Mink – Yes	Carl Freiling – Yes

Motion to approve request carries unanimously.

OLD BUSINESS

Mr. Shawver informed the Planning and Zoning Commission of the decisions of the County Commission stating that all recommendations forwarded to the County Commission were approved as recommended.

NEW BUSINESS

1. Final recommendation concerning revision to Section 10. A. of the Zoning Regulations.

Mr. Shawver informed the Commission that the public hearings have been completed and no comments were made in opposition to the revision during these meetings.

Commissioner Freiling made a motion for a resolution to recommend approval to the County Commission concerning revision to Section 10. A. of the Zoning Regulations. Commissioner Mink seconded the motion.

Motion passes by acclamation.

ADJOURN

Being no further business, the meeting was adjourned at 7:14 p.m.

Respectfully submitted,

Kristen Heitkamp,
Secretary

Minutes approved on this 15th day of September, 2005.