

BOONE COUNTY PLANNING & ZONING COMMISSION

BOONE COUNTY GOVERNMENT CENTER

801 E. WALNUT ST., COLUMBIA, MO.

Thursday, March 16, 2006

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

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| Present: | Pat Smith, Chairperson | Perche Township |
| | Kristen Heitkamp, Secretary | Katy Township |
| | Carl Freiling | Cedar Township |
| | Mike Morgan | Bourbon Township |
| | Russell Duker | Missouri Township |
| | Boyd Harris | Centralia Township |
| | Paul Zullo | Rock Bridge Township |
| | John Schloot | Rocky Fork Township |
| | David Mink | Public Works |
| Absent: | Larry Oetting | Three Creeks Township |
| | Michael Morrison | Columbia Township |
| Also present: | Thad Yonke, Staff | Uriah Mach, Staff |
| | Bill Florea, Staff | Paula Evans, Staff |
| | Stan Shawver, Director | |

The minutes of the February 16, 2005 meeting were approved with no corrections. Approved by acclamation.

Chairperson Smith 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 two conditional use permit requests, and five subdivision plats.

In general, the Planning and Zoning Commission tries to follow Robert's Rules of Order, however, it is authorized by the Missouri State Statues to follow its 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 the applicant's 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 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 who wishes to speak, we ask that you not be repetitious with your remarks. We also recognize that some issues can be quite emotional. In that regard we ask that you refrain from applause, cheers, or other 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, March 28th. 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 the hearing tonight and the County Commission Hearing. The County Commission hearing scheduled for Tuesday, March 28th, will begin at 7:00 p.m. and will convene in this same room.

Chairperson Smith asked if there were any questions about how the meeting will be conducted.

CONDITIONAL USE PERMITS

1. Request by Dale and Pam Wehmeyer for a Bed and Breakfast facility on 240 acres located at 9161 W. Wehmeyer Rd., Rocheport.

Planner, Thad Yonke gave the staff report stating that this property is located at the southwest corner of where Wehmeyer Road makes a ninety degree turn to the north and becomes Dometorch Road. The property is 4&1/2 miles west of the municipal limits of the city of Columbia. The property is zoned A-2 (agriculture) as is all the surrounding property and these are all original 1973. This portion of the property consists of 240-acres. There are currently two existing home structures on the site; the older of the two homes is proposed to become a bed and breakfast. There is some regulated 100-year floodplain on the property but not in the area of the proposed Bed & Breakfast. This site lies within the Columbia Public School District. The site is in Consolidated Public Water District #1. The site is in the Boone County Fire Protection District and fire requirements will be up to the fire district. Electric service will be provided by Boone Electric Cooperative. There is an existing septic tank serving as the wastewater

system for the building. The master plan designates this area as being suitable for agriculture and rural residential land uses and at this scale the proposal is in compliance with the master plan. Staff notified 16 property owners about this request.

As a CUP the proposal must meet the following criteria from the zoning ordinance to be eligible for approval.

- (a) The establishment, maintenance or operation of a conditional use permit will not be detrimental to or endanger the public health, safety, comfort or general welfare.

Staff has no reason to believe that the proposed use will be detrimental to the public health, safety, comfort or general welfare if operated in conformance with existing county regulations.

- (b) The conditional use permit will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted by these regulations.

The house that will become the Bed & Breakfast is located deep into the large property and should not have any more impact than a normal single family dwelling and therefore should not be injurious.

- (c) The conditional use permit will not substantially diminish or impair property values of existing properties in the neighborhood.

There is no indication that the proposed use will have a negative effect on property values if proper facilities are provided.

- (d) All necessary facilities will be available, including, but not limited to, utilities, roads, road access and drainage.

The facility needs for this request should be similar to those for any single family dwelling with the exception of the fire safety requirements; these requirements will need to be worked out with the Boone County Fire Protection District.

- (e) The establishment of a conditional use permit will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the zoning district.

The proposed use will not impede the development of the surrounding area as it is virtually the same as the existing use in terms of impact.

- (f) The establishment of a conditional use permit will not hinder the flow of traffic or result in traffic congestion on the public streets. This will include the provision of points of access to the subject property.

The proposed use has an existing driveway off a county maintained road and traffic volume generated by the site will be similar to its current single family use.

- (g) The conditional use permit shall in all other respects conform to the applicable regulations of the zoning district in which it is located. The County Commission shall find that there is a public necessity for the conditional use permit.

The proposal for the conditional use conforms to other applicable regulations of the A-2 zoning district.

Staff supports this request and recommends approval subject to the following 4 conditions:

1. That the approval is limited to one bed and breakfast structure and does not allow multiple bed & breakfast facilities to be constructed or operated on the 240 acre property to which the CUP will apply.
2. That it is recognized that any signage must comply with the sign ordinance.
3. Comply with all site requirements of the Boone County Fire Protection District.
4. Comply with all requirements of the building code.

Present: Pam Wehmeyer, 9171 Wehmeyer Road, Rocheport.

Ms. Wehmeyer stated she has lived in that area, on that road for 30 years. This will be like a house you would rent along the beach, it is furnished, the applicants are not planning on doing any cooking there. The person that stays there will do their own cooking if they desire. The applicants are working with Boone County Fire Protection District (BCFPD) to make the fire codes there up to standards. They wanted exit signs. Those are there the applicants just have to call them back to have them come and look at them. The applicants have already had the building inspector out to the site and he made his recommendation and they just have to come out for their final inspection.

Ms. Wehmeyer stated as far as it being injurious or impeding traffic; the applicants don't think it will be anything more than the traffic flow would be if you rented it out, probably less than that. The applicants are hoping to serve people that might go to the Katy Trail and they want a little more privacy than what they get in a regular bed and breakfast.

Chairperson Smith asked the applicant if she had any problem with the first condition that it was limited to one bed and breakfast.

Ms. Wehmeyer stated no.

Commissioner Heitkamp asked if this was the applicant's primary residence.

Ms. Wehmeyer stated no.

Mr. Yonke stated there are two residences on the property; the primary residence and then there is going to be an operator of the bed and breakfast to live in the other one in order for it to qualify as a bed and breakfast.

Commissioner Heitkamp stated she is in favor of it. She lived in Rocheport for many years and there is a great need for bed and breakfasts in the area. It looks like a beautiful home and it qualifies for a bed and breakfast.

Ms. Wehmeyer stated for seven months she redid the woodwork; a lot of floor work.

Commissioner Heitkamp stated the definition of bed and breakfast limits it to five guest rooms.

Ms. Wehmeyer stated that is not a problem.

Commissioner Heitkamp asked how many guest rooms there would be.

Ms. Wehmeyer stated two.

Open to public hearing.

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

Closed to public hearing.

Commissioner Harris made and Commissioner Mink seconded a motion to **approve** the request by Dale and Pam Wehmeyer for a Bed and Breakfast facility on 240 acres located at 9161 W. Wehmeyer Rd., Rocheport **with the following conditions:**

1. That the approval is limited to one bed and breakfast structure and does not allow multiple bed & breakfast facilities to be constructed or operated on the 240 acre property to which the CUP will apply.
2. That it is recognized that any signage must comply with the sign ordinance.
3. Comply with all site requirements of the Boone County Fire Protection District.
4. Comply with all requirements of the building code.

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|-------------------|------------------------|
| Pat Smith - Yes | Kristen Heitkamp – Yes |
| Mike Morgan – Yes | Carl Freiling – Yes |
| Russ Duker – Yes | Paul Zullo – Yes |
| Boyd Harris – Yes | John Schloot – Yes |
| David Mink – Yes | |

Motion to approve request carries unanimously.

Chairperson Smith informed the applicant that this request would be heard before the County Commission on March 28, 2006 and the applicant needs to be present for the hearing.

* * * * *

2. Request by LuAnne Gaines for a Day Care facility located at 62 E. Hackberry, Columbia.

Planner, Thad Yonke gave the staff report stating that this property is located on the south side of Hackberry Blvd. 200 ft east of the intersection of Clearview Road and Hackberry Blvd/Havens Dr. The property is approximate 1/2 mile north of the municipal limits of the city of Columbia. The property is zoned R-S (residential single family) and was rezoned from the original R-M (residential moderate density) in 1992 along with a large portion of the lots in the subdivision. The adjoining lots to the south are zoned R-S while lots to the north across Hackberry are zoned R-M. There currently is an existing home structure used as a Group Day Care Home under the regulations; the CUP is required for the desired increase in the number of children that can be accommodated under our regulations. This site lies within the Columbia Public School District. The site is in the City water service area. The site is in the Boone County Fire Protection District and fire requirements will be up to the fire district. Electric service will be provided by Boone Electric Cooperative. Sewer service is from a central sewer system operated

by the BCRSD serving the subdivision. The master plan designates this area as being suitable for residential land uses and at this scale the proposal is in compliance with the master plan as a supporting neighborhood function. Staff notified 101 property owners about this request.

As a CUP the proposal must meet the following criteria from the zoning ordinance to be eligible for approval.

- (a) The establishment, maintenance or operation of a conditional use permit will not be detrimental to or endanger the public health, safety, comfort or general welfare.

Staff has no reason to believe that the proposed use will be detrimental to the public health, safety, comfort or general welfare if operated in conformance with existing county regulations.

- (b) The conditional use permit will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted by these regulations.

The house currently is serving as a residence and day care and the site should be able to accommodate the increase in children served by the facility and the use should not be injurious.

- (c) The conditional use permit will not substantially diminish or impair property values of existing properties in the neighborhood.

There is no indication that the proposed use will have a negative effect on property values if proper facilities are provided.

- (d) All necessary facilities will be available, including, but not limited to, utilities, roads, road access and drainage.

The facility needs for this request should be similar to those of a single family dwelling or the multi-family dwellings in the area with the exception of the fire and safety requirements; these requirements will need to be worked out with the Boone County Fire Protection District and Building Inspection Department.

- (e) The establishment of a conditional use permit will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the zoning district.

The proposed use will not impede the development of the surrounding area as it is virtually the same as the existing use in terms of impact.

- (f) The establishment of a conditional use permit will not hinder the flow of traffic or result in traffic congestion on the public streets. This will include the provision of points of access to the subject property.

The proposed use has an existing driveway off a county maintained road and traffic volume generated by the site will be similar to its current use provided the increased number of children is limited to the 7 additional that is requested.

(g) The conditional use permit shall in all other respects conform to the applicable regulations of the zoning district in which it is located. The County Commission shall find that there is a public necessity for the conditional use permit.

The proposal for the conditional use conforms to other applicable regulations of the R-S zoning district.

Staff supports this request and recommends approval subject to the following 5 conditions:

1. That it is recognized that the request is limited to the additional 7 requested.
2. That all drive, loading, and parking spaces be dust free to a minimum of chip & seal.
3. That it is recognized that any signage must comply with the sign ordinance.
4. Comply with all site requirements of the Boone County Fire Protection District.
5. Comply with all requirements of the building code.

Present: LuAnne Gaines, 62 E. Hackberry Blvd., Columbia.

Ms. Gaines stated she currently runs a family home daycare at the site and has since August 2001. The reason the applicant is requesting to change her status from family home to group home mainly is because a lot of the children have gotten older, the parents have had more children and in the summer time and off school days they want a place for the older siblings to go and they don't want to split their children up. Applicant's way of accommodating that would be to add more spots and have a place for them to go. Regarding the fire safety codes; applicant has worked with Cheryl Anderson who is the State Fire Marshall Inspector. Ms. Anderson gave the applicants the codes. Tiger Security will be installing the fire safety requirements and a security system on Wednesday. Applicants have no plans to put a sign in the yard. There is a notice on the fence that says she is a Nationally Accredited facility. Other than that Ms. Gaines has never really advertised. Word of mouth has been really good. As far as the driveway and the crack seal at this time the drive is done with a ¾ inch clean gravel and the applicants will make adjustments as necessary if they need to make changes.

Mr. Yonke stated staff will work with the applicants on a time frame.

Chairperson Smith asked if the applicants only have plans for an additional seven children.

Ms. Gaines stated yes; licensing allows for an overlap up to three or four extra children that want to get on the school bus before and after school. Most of the time what happens is not everyone is there when those children are there in the morning and not everyone is there in the afternoon after school.

Commissioner Duker asked if there were any plans to put a sign up.

Ms. Gaines stated she hadn't planned to put a sign in the yard. The applicants could if they are required to.

Commissioner Duker stated they are not required.

Ms. Gaines stated she has had a waiting list of children for a long time. Word of mouth is the best advertisement you can get.

Commissioner Harris stated the condition was that if a sign were proposed it would meet the sign regulations.

Mr. Yonke stated staff has begun putting that condition in their recommendations because the sign regulations are still relatively new.

Commissioner Harris stated the 10 plus overlap would be the maximum that the state would allow for in home facilities.

Ms. Gaines stated a family home daycare, which is what she runs now, is 10 plus with an overlap of three. If the facility went to group home, because of the square footage, it would be no more than 17 plus an overlap which is usually 3 or 4 extra children. It may be that her square footage ends up being only enough for 16 but the applicants have asked for 17 just to be on the safe side.

Open to public hearing.

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

Closed to public hearing.

Commissioner Duker stated he has been in the applicant's home and it is a nice, clean home.

Commissioner Duker made and Commissioner Schloot seconded a motion to **approve** the request by LuAnne Gaines for a Day Care facility located at 62 E. Hackberry, Columbia **with the following conditions:**

1. That it is recognized that the request is limited to the additional 7 requested.
2. That all drive, loading, and parking spaces be dust free to a minimum of chip & seal.
3. That it is recognized that any signage must comply with the sign ordinance.
4. Comply with all site requirements of the Boone County Fire Protection District.
5. Comply with all requirements of the building code.

Pat Smith - Yes

Kristen Heitkamp – Yes

Mike Morgan – Yes

Carl Freiling – Yes

Russ Duker – Yes

Paul Zullo – Yes

Boyd Harris – Yes

John Schloot – Yes

David Mink – Yes

Motion to approve request carries unanimously.

Chairperson Smith informed the applicant that this request would be heard before the County Commission on March 28, 2006 and the applicant needs to be present for the hearing.

REZONING REQUESTS

None.

PLANNED DEVELOPMENTS

None.

PLAT REVIEWS

1. Bar Elle. S22-T46N-R12W. A-2. Linda Stone and Laura Elsbury, owners. C. Stephen Heying, surveyor.

The following staff report was entered in to the record:

The property is located approximately ¼ mile south of the City of Ashland on Dee Woods Road, west of Old Highway 63. The 28.27 acre parent parcel is having a single 2.5 acre tract divided out of it. The property is zoned A-2 (Agriculture), and is surrounded by A-2 zoning.

The property has direct access to Dee Woods Road. The applicant has submitted a request to waive the requirement to provide a traffic analysis.

Consolidated Public Water Service District #1 will be providing water service to the property. Fire protection is provided by the Southern Boone Fire Protection District, and electrical service is provided by Boone Electric Cooperative.

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 50 points on the rating system.

Staff recommends approval of the plat and the requested waivers.

No one present to represent the plat.

Commissioner Heitkamp made and Commissioner Mink seconded a motion to **approve** Bar Elle, S22-T46N-R12W. A-2. Linda Stone and Laura Elsbury, owners. C. Stephen Heying, surveyor **with waiver requests**:

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|-------------------|------------------------|
| Pat Smith - Yes | Kristen Heitkamp – Yes |
| Mike Morgan – Yes | Carl Freiling – Yes |
| Russ Duker – Yes | Paul Zullo – Yes |
| Boyd Harris – Yes | John Schloot – Yes |
| David Mink – Yes | |

Motion to approve request carries unanimously.

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2. Wildwood Lake Estates. S3-T50N-R13W. A-2. Frank and Pok Nok Davis, owners. Timothy J. Reed, surveyor.

The following staff report was entered in to the record:

The property is located approximately six miles to the southwest of Sturgeon, along Old Number 7, one mile north of Highway 124. The property is being divided into two lots of 2.5 acres and 3.3 acres, respectively, leaving approximately 138 acres in the parent parcel. The property is zoned A-2 (Agriculture), and is surrounded by A-2 zoning.

Both lots have direct access onto Old Number 7. The applicant has submitted a request to waive the requirement to provide a traffic analysis.

Water service is being provided by Public Water Service District #10, electrical service by Boone Electric Cooperative, and fire protection will be provided by Boone County Fire Protection District.

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

The property scored 27 points on the rating system.

Staff recommends approval of the plat and granting the requested waivers.

No one present to represent the plat.

Commissioner Heitkamp made and Commissioner Mink seconded a motion to **approve** Wildwood Lake Estates. S3-T50N-R13W. A-2. Frank and Pok Nok Davis, owners. Timothy J. Reed, surveyor **with waiver requests**:

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|-------------------|------------------------|
| Pat Smith - Yes | Kristen Heitkamp – Yes |
| Mike Morgan – Yes | Carl Freiling – Yes |
| Russ Duker – Yes | Paul Zullo – Yes |
| Boyd Harris – Yes | John Schloot – Yes |
| David Mink – Yes | |

Motion to approve request carries unanimously.

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3. Olivet Christian Church. S23-T48N-R12W. A-2P. Michael and Rita Morrison and Olivet Christian Church, owners. Jay Gebhardt, surveyor.

The following staff report was entered in to the record:

The property is located at the intersection of Highway WW and Olivet Road, approximately ½ mile to the east of the city limits of Columbia. It is being divided into two lots of 6.00 acres and 10.80 acres. The property is zoned A-2P (Planned Agriculture) and is surrounded by A-1 zoning.

Both lots have direct access onto Olivet Road. Lot 2 also has access onto WW. The applicant has submitted a request to waive the requirement to provide a traffic analysis.

Water service is provided by Public Water Service District #9. Fire protection will be provided by the Boone County Fire Protection District.

An on-site lagoon provides wastewater service to both lots at this time. If any additional buildings on Lot 2 are constructed or existing buildings are expanded, the use of the lagoon will not be continued in its current state, and a new wastewater solution will need to be found. The applicant has submitted a request to waive the requirement to provide a wastewater cost-benefit analysis.

The property scored 56 points on the rating system.

Staff recommends approval of the plat and granting the requested waivers.

No one present to represent the plat.

Commissioner Heitkamp made and Commissioner Mink seconded a motion to **approve Olivet Christian Church, S23-T48N-R12W, A-2P. Michael and Rita Morrison and Olivet Christian Church, owners. Jay Gebhardt, surveyor with waiver requests:**

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| Pat Smith - Yes | Kristen Heitkamp – Yes |
| Mike Morgan – Yes | Carl Freiling – Yes |
| Russ Duker – Yes | Paul Zullo – Yes |
| Boyd Harris – Yes | John Schloot – Yes |
| David Mink – Yes | |

Motion to approve request carries unanimously.

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4. Barnes Acres. S22-T51N-R12W. A-2. Nona Woolfolk, owner. Brian David Dollar, surveyor.

The following staff report was entered in to the record:

The property is located approximately 3 miles southeast of Sturgeon, along Barnes Road. It is being divided into 1 platted lot of 2.50 acres, and one 13.46 acre administrative survey tract. The property is zoned A-2 (Agriculture), and is surrounded by A-2 zoning.

The property has direct access onto Barnes Road. The applicant has submitted a request to waive the requirement to provide a traffic analysis.

Water service is provided to the property by Public Water Service District #10. Fire protection is provided by the Boone County Fire Protection District.

On-site systems will be providing wastewater disposal. The City-County Health Department has requested a soil report as the property is not suited for a lagoon. The applicant has submitted a request to waive the requirement to provide a wastewater cost-benefit analysis.

The owner of this property, along with the owner of the property to the south and east are working to resolve issues surrounding the ownership of the remainder of the parent tracts making up this subdivision. Positive action to remedy this situation has been begun and only after its resolution will this plat and any related documents be finalized.

The property scored 23 points on the rating system.

Staff recommends approval of the plat and granting the requested waivers with the condition that the land transfer issues surrounding this property be resolved to the satisfaction of the Boone County Planning staff before recording.

No one present to represent the plat.

Commissioner Heitkamp made and Commissioner Mink seconded a motion to **approve Barnes Acres, S22-T51N-R12W, A-2, Nona Woolfolk, owner. Brian David Dollar, surveyor with waiver requests and the following condition:**

- **Land transfer issues surrounding this property must be resolved to the satisfaction of the Boone County planning staff before recording.**

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| Pat Smith - Yes | Kristen Heitkamp – Yes |
| Mike Morgan – Yes | Carl Freiling – Yes |
| Russ Duker – Yes | Paul Zullo – Yes |
| Boyd Harris – Yes | John Schloot – Yes |
| David Mink – Yes | |

Motion to approve request carries unanimously.

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5. Weil, S5-T50N-R13W, A-2. Kimberly Woods, Michael Weil, Michael and Melissa Barnhart, owners. Steven R. Proctor, owner.

The following staff report was entered in to the record:

The property is located three miles east of Harrisburg, slightly south of the intersection of State Route NN and Stidham Road. It consists of three lots, one of 5.19 acres, one of 2.57 acres, and one of 4.45 acres. The property is zoned A-2 and surrounded by A-2 zoning

All three lots have direct access to State Route NN. MoDOT will need to review the proposed access points for each of the lots in order to approve them.

Water service is provided to the property by Public Water Service District #10. Electrical service is provided by the Boone Electric Cooperative.

All three lots have sufficient area for on-site wastewater systems. The lagoon on lot 2 did not meet with health department approval and will need to be brought into compliance with appropriate health department regulations.

The property scored 28 points on the rating system.

Staff recommends approval of the plat.

No one present to represent the plat.

Commissioner Heitkamp made and Commissioner Mink seconded a motion to **approve** Weil, S5-T50N-R13W, A-2. Kimberly Woods, Michael Weil, Michael and Melissa Barnhart, owners. Steven R. Proctor, owner:

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|-------------------|------------------------|
| Pat Smith - Yes | Kristen Heitkamp – Yes |
| Mike Morgan – Yes | Carl Freiling – Yes |
| Russ Duker – Yes | Paul Zullo – Yes |
| Boyd Harris – Yes | John Schloot – Yes |
| David Mink – Yes | |

Motion to approve request carries unanimously.

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OLD BUSINESS

Mr. Shawver updated the Planning and Zoning Commission of the decisions made by the County Commission as follows:

The rezoning request by Morrison was approved as recommended.

The review plan for Coastal Electric was approved as recommended.

NEW BUSINESS

1. Discuss Master Plan recommendations.

Commissioner Heitkamp stated the sub-committee met and noted possible changes and updates to the Boone County Master Plan. Copies of the report were sent to the Commissioners in their packets. Commissioner Morgan had suggested an amendment to 2.7 to strike “Amish Country” since Amish country is mostly to the north of Boone County.

Chairperson Smith stated the natural step would be to forward the recommendations to the County Commission.

Mr. Shawver stated yes. The Planning and Zoning Commission could endorse the report and forward it to the County Commission. The County Commission may accept it or they may want to have a work session to review it with the Committee.

Commissioner Freiling made and Commissioner Morgan seconded a motion to forward the master plan report to the County Commission and request that they discuss it at the next work session.

All members voted in favor of the motion. Motion passed by acclamation.

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2. Discuss proposed sale of Forest Service land

Commissioner Freiling stated this proposal exists on three levels, local, State and National. The rationale from the executive branch of the federal government for this proposal is to continue a five year old program that expires at the end of this year. It was an effort to placate areas of the northwest where stricter controls on logging practices on federal lands have had an adverse impact on local economies, particularly in parts of Oregon and northern California.

Commissioner Freiling stated as a land use policy in Boone County it is a bad idea to divest ourselves of public lands in an area that is growing this fast. As a Planning and Zoning body it is appropriate for us to say so and recommends that the Planning and Zoning Commission make a resolution in support of the County Commission in opposition of the sale of public lands.

Commissioner Schloot stated he was concerned whether this was the appropriate forum for this kind of discussion.

Commissioner Heitkamp stated it was land use.

Commissioner Schloot stated he believed it had more to do with the sale of land.

Commissioner Harris made the following resolution: The Boone County Planning and Zoning Commission does hereby endorse the action of the County Commission by opposing the sale of any of the Mark Twain National Forest located in Missouri. Commissioner Morgan seconded the resolution.

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| Pat Smith - Yes | Kristen Heitkamp – Yes |
| Mike Morgan – Yes | Carl Freiling – Yes |
| Russ Duker – Yes | Paul Zullo – Yes |
| Boyd Harris – Yes | John Schloot – NO |
| David Mink – Yes | |

Resolution passes. 8 YES 1 NO

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ADJOURN

Being no further business, the meeting was adjourned at 7:59 p.m.

Respectfully submitted,

Kristen Heitkamp,
Secretary

Minutes approved on this 20th day of April, 2006.