

**BOONE COUNTY PLANNING & ZONING COMMISSION**  
BOONE COUNTY GOVERNMENT CENTER, COMMISSION CHAMBERS  
801 E. WALNUT ST., COLUMBIA, MO.  
(573) 886-4330

**Minutes**

**7:00 P.M.**

**Thursday, July 19, 2007**

I. Chairperson Smith called the meeting to order at 7:00 p.m., with a quorum present.

II. Roll Call:

a. Members Present:

Pat Smith, Chairperson	Perche Township
Boyd Harris, Secretary	Centralia Township
Mike Morgan	Bourbon Township
Patricia Fowler	Missouri Township
Michael Morrison	Columbia Township
Larry Oetting	Three Creeks Township
Gregory Martin	Katy Township
Paul Zullo	Rock Bridge Township

b. Members Absent:

Carl Freiling	Cedar Township
John Schloot	Rocky Fork Township
David Mink	Public Works

c. Staff Present:

Stan Shawver, Director	Uriah Mach, Planner
Bill Florea, Senior Planner	Paula Evans
Terry Frueh	

III. Approval of Minutes:

Minutes from the June 21, 2007 meeting were approved by acclamation.

IV. Chairperson Statement:

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 one rezoning request, one revised review plan for a planned development and four 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 statutes 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 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 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. We ask that you please 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, July 31<sup>st</sup>. 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 have been denied will not proceed to the County Commission unless the applicant files and appeal form within three 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, July 31<sup>st</sup> 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.

## V. Rezoning Requests

1. Request submitted by Forrest Cunningham to rezone from A-1 (Agriculture) to C-GP (Planned Commercial) and to approve a Review Plan for Cunningham Performance Planned Development on .90 acres located at 13555 N. Frink Rd., Hallsville.

Planner, Uriah Mach gave the staff report stating that the property is located approximately 200 feet to the southwest of the city limits of Hallsville, on the west side of Frink Road. The subject tract is approximately 42 acres, of which .90 acres is described by this rezoning. The current zoning of this property is A-1 (Agriculture). The property has A-R (Agriculture-Residential) zoning to the east, A-2 (Agriculture) zoning to the north, and A-1 zoning to the south and west. This is original 1973 zoning.

This site is located in the Boone Electric Cooperative service area and is in the Public Water Service District #4 service area. It is located in the Hallsville school district. Staff notified 9 property owners about this request. This proposal scored 57 points on the point rating system.

The review plan describes the existing structures on the property to the west of the home, approximately 115 feet to the south of the northern property line. The .90 acres being rezoned to C-GP (Planned General Commercial) is to resolve a zoning violation regarding the operation of an automobile repair shop. Under this rezoning, automobile repair, farm implement repair, and agricultural uses are the only approved uses in this area covered by the plan. The applicants designated only one of the structures in the area being rezoned as being used for the actual repair work, and the other structures are for agricultural use only. At this time, there are no identified areas for expansion, new structures, or signage in the area being rezoned. The City of Hallsville, in an effort to keep Frink Road's width consistent as they annex properties along it, has requested that a 33 foot half-width be dedicated by separate document as part of this process.

The Master Plan designates this property as suitable for agricultural and rural residential land uses. The Master Plan also identifies a "sufficiency of resources" test for determining whether there are sufficient resources available for the needs of the proposal.

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

Utilities: Public water is provided by Public Water Service District #4. The existing infrastructure is capable of providing domestic flows and fire protection can be provided by a main extension onto the property for a single fire hydrant. Boone Electric can provide sufficient electric service to the site. The City/County Health Department has approved the design of an engineered system for the disposal of wastewater on site, and there is a plan on file describing the disposal of vehicular waste products such as oil and coolant.

Transportation: Access to the site is provided by Frink Road. Frink is a paved road and is capable of providing access to the property. As there is no subdivision involved in this proposal, the existing transportation infrastructure can support this proposal.

Public Safety: The nearest fire station is in Hallsville, approximately 1.75 miles away. The existing road network provides access for emergency service providers.

Based on the nature of this request for a spot zoning, staff recommends denial of this request.

If approved, staff requests the following: that a 33' strip from the parent parcel along Frink Road is dedicated by separate document to the county for use as right-of-way.

Present: Dan Brush, Brush & Associates, 506 Nichols St., Columbia.  
Forrest Cunningham, 13555 Frink Rd., Hallsville.

Mr. Brush stated the basic question is whether or not this site is compatible to be used as a vehicle repair facility. In the development of a plan for a planned district the applicants have gone through some lengths to ensure that this development would be compatible with the agricultural use in the area. The applicants have limited the number of employees; they've limited the development to the existing buildings, they will not construct any new buildings; they have landscaped the site so that it will not be visible from the adjoining owners. This site shouldn't change; it will look the same as any other farm stead in the area.

The applicants have a petition signed by the neighbors in the area supporting this request and letters of support from various businesses.

Mr. Brush presented copies of the signed petitions and the letters to the Commission.

Mr. Cunningham stated he has been doing services for the local school districts for the last two and a half years. He does work for Hallsville, Harrisburg, and Sturgeon. Mr. Cunningham stated he believes he does quality work for the districts and hasn't had any problems and nothing but support from his neighbors. The applicant approached all of his neighbors and all but one has signed a petition in favor of this request.

Mr. Cunningham stated he moved to that location in 1989 and helped all the neighbors, families, and friends in the area doing automotive and diesel work. Mr. Cunningham stated he has been providing quality work in the evenings and in January 2005 the applicant decided to operate the business for everyone. The applicants don't plan on the operation getting any larger. Mr. Cunningham wants to support his family and take care of the neighbors and schools in the area. One thing Mr. Brush stated is that he has a quote from the water district stating they have a main they believe to be suitable to carry a fire hydrant. Mr. Cunningham also has the cost for installing a fire hydrant within 300 feet of the business.

Mr. Cunningham stated he lives on the same property, not on the same property to be rezoned but on the 40 acres. Mr. Cunningham stated he has good support from his neighborhood who are present tonight.

Chairperson Smith stated the issue tonight is not Mr. Cunningham's abilities but whether this is an appropriate use for the land. Once we open this kind of an agricultural tract up to spot zoning the domino keeps falling.

Mr. Cunningham stated most people who hear the name Forrest Cunningham associate "diesel" with it somewhere. Mr. Cunningham stated he has tried to be a good neighbor and a good citizen of Boone County.

Open to public hearing.

Present speaking in support of the request.

Andrew Cox, 13901 N. Frink Rd., Hallsville.

Mr. Cox stated the applicants summed up a lot of things about himself. Mr. Cox has been at the property since 1996 and there has never been any disturbance of any kind to do with not just living there but the busses as of the last few years have never blocked the roads and never caused any traffic problem of any kind. Mr. Cunningham is genuine in what he says he is going to do; if he promises you something he does it. Mr. Cunningham is an excellent neighbor and the property is kind of secluded. That may or may not make a difference in the kind of business he is doing. It has no affect on the neighbors visually at all; it doesn't hinder the looks of the property in any way.

Chairperson Smith asked Mr. Cox how he would feel if in a few years all the land around him wanted to be zoned commercial. If this property is rezoned it will set a precedent.

Mr. Cox stated it depends on what kind of commercial business it was. This is why Mr. Cox mentioned the landscaping. When you have a place full of trees it kind of looks nice. Mr. Cunningham has nice property, he has road frontage. This is way off the road. It is not a hindrance, it doesn't visually affect anything. It doesn't matter if there is one bus sitting there or twelve busses. Mr. Cox can drive in to Hallsville and look over at the bus barn and see twenty busses out in the open. The applicant's property is

kept immaculate. Mr. Cox has been at his property for 10 years and the operation is not going to get any bigger if Mr. Cunningham says it isn't.

Commissioner Oetting asked what if in 2 or 3 years down the road Mr. Cunningham sells the property and all of a sudden the new owner has more cars and school busses.

Mr. Cox asked why a new owner would do that.

Chairperson Smith stated the zoning stays with the land, not the owner.

Commissioner Harris stated that is where the problem is; that the zoning stays with the land rather than the operation.

Mr. Cox stated if a new owner took it over and it became a bigger operation and there were 500 vehicles brought in and put all over the property as a salvage yard he would have to file a complaint. If it is an automotive shop it can't be a salvage yard. That is a different business isn't it?

Mr. Florea stated yes, salvage is different than automotive repair.

Chairperson Smith stated there are other uses allowed.

Mr. Florea stated if they were doing salvage they would need a different zoning.

Mr. Cox stated it is far enough off the road. If someone else did buy the property it is far enough off the road if it is just the .9 acres. If whoever buys it and tries to get the entire 40 acres zoned to do a car business Mr. Cox would have to come to the meeting and disapprove no matter who it was.

Also speaking in support of the request:

Larry Douglas, 6200 E. Highway 124, Hallsville.

Mr. Douglas stated if it is a commercial issue there is 143 acres zoned commercial there already so there is going to be some commercial going on in the area. Mr. Cunningham is a good neighbor and he works on equipment, his business is an asset to the community.

Chairperson Smith asked where the commercial land located that Mr. Douglas mentioned.

Mr. Douglas stated it is in the city limits of Hallsville.

Also speaking in support of the request:

Shirley Quisenberry, Hallsville.

Mr. Quisenberry stated he has known Mr. Cunningham since 1989 and even knew his parents for 40 years. The Cunninghams have been good neighbors. Some of the things they have going for them is that there is very little traffic and very little noise. Another thing to consider is compassion. Here is a young couple that has asked the government for no help and went out and got on their own and got on good footing. The amount of money they have spent to put these buildings together if this rezoning was denied it would be a disaster for their family. Mr. Quisenberry asked the Commission to allow the applicants to keep their business going as it is.

JP Day, 5650 Kemper Rd., Hallsville.

Mr. Day stated he farms with his father-in-law Frank Martin and they farm the adjoining land west and south of the applicant's property. Mr. Day stated he has never had any problems with the applicant's business in its current function. It sits well off the road; it is private and there is no hindrance to Mr. Day's farm.

Mr. Day stated his father-in-law asked him to come down here and the Commissioners should have a letter from him in their packets; he asked Mr. Day to come to the meeting and show that he supported this petition and has no problem with the request.

David Schultz, 15800 Davenport Rd., Hallsville.

Mr. Schultz stated Mr. Cunningham does work for him and Mr. Schultz works for the Hallsville School, Mr. Cunningham does a great job on the busses and they run better now since Mr. Cunningham has been working on them. Mr. Schultz stated his son is the Principal of Sturgeon School and he says the same thing. Mr. Cunningham is a great asset to the community.

No one spoke in opposition to the request.

Closed to public hearing.

Chairperson Smith asked how many busses are there at any one time.

Mr. Brush stated the applicants have limited themselves; there can only be four vehicles on the site for repair outside of the building at a time; that would include busses. The additional parking that is shown is required by the zoning ordinances. The applicants would not be able to store inoperable vehicles or vehicles for repair in those parking spaces.

Mr. Brush stated as far as the snowball affect that was mentioned with regard to the zoning. Everyone here would agree that if someone else in the area wanted to take 40 acres and make a small percentage of that and use existing buildings and also be compatible with area uses the neighbors would probably also be in support of the zoning change. If you were going to do something like this with straight zoning it would not be compatible. By limiting the uses it has made it compatible with the adjoining uses, therefore when you look at a map and see a CG-P in the middle of an A-1 district it looks like spot zoning but the use of that plan makes it a compatible use because it is limited as to what you can do.

Commissioner Martin asked why the applicants are just rezoning 9/10 of an acre.

Mr. Brush stated to keep it as small as possible. The use that the applicants picked out is the only use that will be allowed on that piece of ground. By limiting it to 9/10 of an acre that means that the applicants aren't rezoning the entire 40 acres to C-G, it stays agricultural.

Commissioner Martin stated that property can be sold in the future that 9/10 is still going to be zoned commercial.

Commissioner Zullo asked what would happen if the applicant wasn't able to run the business.

Mr. Brush stated if someone else wanted to come in and run the business under the conditions on the plan that are designated they can go ahead and do that.

Commissioner Martin stated it is zoned for auto repair.

Mr. Brush stated it is zoned for auto repair, farm implement repair, and agricultural uses.

Commissioner Martin stated if that is put on there and it is sold it can become a hot rod shop; that is still auto repair. You can have noise and it is still in line with the use of the zoning with no buffer.

Mr. Brush stated he didn't know how comparable the noise of a hot rod shop is with the noise of a diesel engine. If someone wanted to come in and run a hot rod shop that would need a repair facility and wants to keep only four inoperable vehicles and meet the requirements then it is a good thing. The applicants are not creating a separate parcel it is still 40 acres. If anyone is going to buy it they are going to buy the whole piece and at that point in time if they want to come in and use the repair facility then that is a positive thing; that is a good example of why it is not spot zoning. While the applicants have tailored the plan they have already tailored the facility as compatible with the adjoining agricultural uses.

Mr. Cox stated when you are talking about the noise of a hot rod shop; aren't there only certain hours they can operate?

Chairperson Smith stated not in the county; the Commission can not put conditions on land use. The four vehicles is the applicant's decision, not the County's.

Mr. Florea stated hours of operation are noted on the plan so the applicants would have to abide by that.

Chairperson Smith stated the next owner won't have to do that.

Mr. Florea stated it is a condition on the plan so any future owner would have to comply with the plan.

Commissioner Morgan asked staff to list the other businesses that could be located in C-GP.

Mr. Mach stated as requested by this particular plan it only allows for automobile repair, farm implement repair, and agricultural uses. It is limited to the existing structures. The applicants have identified that there are no future building plans; they've identified the spaces as described; four spaces for repair vehicles, 17 parking spaces as required by the parking requirements of the zoning ordinances. The applicants have placed the following additional conditions; no freestanding signage shall be allowed, hours of operation for the repair shop shall be limited to 7:30 a.m. to 5:30 p.m., a maximum of 4 vehicles for repair are allowed outside the shop and a maximum of four employees including office staff are allowed.

Commissioner Morgan stated 40 years down the road the applicants are limited to automotive repair, farm implement repair, and agricultural uses.

Mr. Mach stated that is correct. The plan does establish the precedent for this to be C-GP; they could revise their plan in the future and go through the process. If they ever want to make changes they must come through with a revised review plan and follow the public hearing process. While it does not leave the door wide open it does open it considerably and it is pretty hard to close it once it is opened.

Commissioner Oetting stated the parking spaces are going to limit the number of vehicles that the applicant can use for parking.

Mr. Mach stated the applicants have specifically identified four exterior vehicle parking spaces. Parking spaces are required by the zoning ordinance. The applicants could conceivably park vehicles in the 17

parking spaces whether they are for repair or not, they are limited on their plan to only 4 vehicles. The enforcement of this would be extremely difficult but they have made an effort to limit themselves by virtue of what they put on the plan.

Mr. Quisenberry stated if a bus comes in at 4:00 or 5:00 the next afternoon and they need their bus the next morning. The applicant wouldn't be able to repair the bus if he has to close at 5:30 p.m.

Mr. Florea stated the applicants proposed the hours of operation. The Commission didn't propose it.

Commissioner Martin stated he is not questioning how good of a neighbor Mr. Cunningham is but Commissioner Martin is trying to look at the big picture for when the next owner comes along. The Commission needs to look at the future and the future owner that wants to do something that is different and more visual to everyone around it.

Mr. Brush stated that it comes back to the compatibility of what is being proposed and what is being done on the plan to go ahead and make it compatible with the adjoining zoning. If the applicants had come in with the whole thing zoned C-GP looking for 40 acres of farm implement sales it wouldn't be compatible. If the applicants were looking to add buildings that wouldn't be compatible with agricultural use. The use of the existing buildings, the fact that the applicants are taking a farmstead and are still using it for that, it is being landscaped so you can't even see school busses or repair vehicles that are back there. When you drive down Frink Road what you should see is a farm house and outbuildings that are landscaped very well. In there will be a repair facility for vehicles. There is no advertising, if you don't know where it is you aren't going to get there so the applicants aren't drawing traffic in; it is by word of mouth only.

Commissioner Oetting asked how far away the commercial property Mr. Douglas mentioned was.

Mr. Cunningham stated he could throw a softball and hit it. If we could write something in this plan that if he ever sold the property or shut the business down that it would automatically go back to agricultural land the applicants would do that. But the zoning regulations doesn't allow for that. The applicants have lived there since 1989 and have no intention of moving but he also needs a place to do his work. The applicants are trying to make this work for everybody.

Mr. Cox stated the service Mr. Cunningham is doing is not like an automotive shop; not everyone can do the service that Mr. Cunningham provides. This is a service that the school districts needs. Mr. Cox likes the idea of the property reverting back to agricultural if Mr. Cunningham sells.

Commissioner Zullo asked if there was anything in the regulations that would allow for the property to revert back to agricultural.

Chairperson Smith stated no; the Commission can not do that.

Commissioner Oetting made and Commissioner Morrison seconded a motion to **approve** a request by Forrest Cunningham to rezone from A-1 (Agriculture) to C-GP (Planned Commercial) for Cunningham Performance Planned Development on .90 acres located at 13555 N. Frink Rd., Hallsville

Pat Smith - Yes  
Mike Morgan - Yes

Boyd Harris - Yes  
Michael Morrison - Yes



Larry Oetting – Yes  
Gregory Martin – Yes

Paul Zullo – NO  
Patricia Fowler – NO

Motion to approve the rezoning request carries 6 YES 2 NO

Commissioner comments on the vote:

Commissioner Harris stated he has great reservations about this request - if he didn't know the applicant and what he is capable of all of that makes it very difficult. Commissioner Harris stated he detests spot zoning and as far as he is concerned this is nothing but spot zoning and he greatly fears this will come back and bite him before the year is out. But this is a planned request and any change would be subject to review so there is some control. While Commissioner Harris has great reservations he will vote yes.

Commissioner Martin stated the spot zoning is something new for him but he sees great support from the applicant's neighbors. Commissioner Martin stated he knows some of the neighbors and based on that he will vote yes.

Commissioner Oetting made and Commissioner Morrison seconded a motion to **approve** a request by Forrest Cunningham to approve a Review Plan for Cunningham Performance Planned Development on .90 acres located at 13555 N. Frink Rd., Hallsville **with the following recommendation:**

1. A 33' strip from the parent parcel along Frink road is dedicated by separate document to the county for use as right-of-way.

Pat Smith - Yes  
Mike Morgan – Yes  
Larry Oetting – Yes  
Gregory Martin – Yes

Boyd Harris – Yes  
Michael Morrison – Yes  
Paul Zullo – Yes  
Patricia Fowler – Yes

Motion to approve the review plan carries unanimously.

Chairperson Smith informed the applicants that this request would go before the County Commission on July 31, 2007 at 7:00 p.m. The applicants and any interested parties should attend that meeting.



## VI. Planned Developments

1. Request by Anthony Holmes and Sharon Hageman to revise an approved Review Plan for Maximum Media Planned Development located at 4700 W. Gibbs Rd., Columbia.

Planner Bill Florea gave the staff report stating the property is located on Gibbs Road approximately 500-foot north of the intersection with I-70 Drive NW. It is currently occupied by a structure that was built as a single family dwelling. In 2006 the property was rezoned to CG-P and a Review Plan and Final Development was approved. The basement of the structure is being converted to office space for operation

of a graphic design company. The upper floor will remain residential. The applicant is seeking a modification to the approved development plan that will change the location of the parking area.

The proposed changes will have no measurable impact to the site or to surrounding properties. All conditions placed on the previous approvals remain in effect and are printed on the Revised Review Plan.

Staff recommends approval of the Revised Review Plan.

Present: Dan Brush, Brush and Associates, 506 Nichols St., Columbia.  
Anthony Holmes, 4700 W. Gibbs Rd., Columbia.

Mr. Brush stated other than just realigning the parking and moving it further from the building to allow for a grass strip it is a situation in which the applicants thought it would look great there and once they began construction they realized there should be some buffer between the building and the parking. It looked okay on the plan but once construction started the applicants realized it needed to be changed.

Open to public hearing.

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

Closed to public hearing.

Commissioner Martin made and Commissioner Morgan seconded a motion to **approve** a request by Anthony Holmes and Sharon Hageman to revise an approved Review Plan for Maximum Media Planned Development located at 4700 W. Gibbs Rd., Columbia:

Pat Smith - Yes	Boyd Harris – Yes
Mike Morgan – Yes	Michael Morrison – Yes
Larry Oetting – Yes	Paul Zullo – Yes
Gregory Martin – Yes	Patricia Fowler – Yes

Motion to approve the revised plan carries unanimously.



## VII. Plats

1. Gustofson Acres. S34-T46N-R12W. A-R. Gus and Wendy Gustofson, owners. Curtis E. Basinger, surveyor.

The following staff report was entered in to the record:

The property is approximately 3 ½ miles south of the city limits of Ashland, south of the intersection of Old Highway 63 and State Route A. This plat creates two lots, at 4.30 & 2.50 acres respectively. The property is zoned A-R (Agriculture-Residential). It is surrounded by A-R zoning. This is original 1973 zoning.

Access to this property is via Old Highway 63. The applicant has submitted a request to waive the requirement to provide a traffic analysis.

Consolidated Public Water Service District #1 will be providing domestic water service to these lots. Boone Electric Cooperative will be providing electrical service. Fire protection will be provided by the Southern 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 25 points on the rating system.

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

Commissioner Mink made and Commissioner Morrison seconded a motion to **approve** Gustofson Acres with waiver requests:

Pat Smith - Yes  
Mike Morgan – Yes  
Larry Oetting – Yes  
Gregory Martin – Yes

Boyd Harris – Yes  
Michael Morrison – Yes  
Paul Zullo – Yes  
Patricia Fowler – Yes

Motion to approve the plat carries unanimously.



2. Grandview Estates Plat 1A. S19-T50N-R11W. James D and Nancy A Brush, owners. J. Daniel Brush, surveyor.

The following staff report was entered in to the record:

The property is located approximately one mile to the southeast of Hallsville, on Highway OO, west of Doris Boulevard. This plat creates one lot of 4 acres. The property is zoned A-2 (Agriculture) and has A-2 zoning to the north, west, and south, with A-1 (Agriculture) zoning to the east. This is original 1973 zoning.

This lot has direct access onto Highway OO to the west. The applicant has submitted a request to waive the requirement to provide a traffic analysis.

Water service to this lot will be provided by Public Water Supply District #4. Fire protection will be provided by Boone County Fire Protection District. Electrical service is provided to the existing house by Boone Electric.

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.

This plat is a replat/reconfiguration of Grand View Estates Plat 1.

The property scored 53 points on the rating system.

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

Commissioner Mink made and Commissioner Morrison seconded a motion to **approve** Grandview Estates Plat 1A **with waiver requests**:

Pat Smith - Yes	Boyd Harris – Yes
Mike Morgan – Yes	Michael Morrison – Yes
Larry Oetting – Yes	Paul Zullo – Yes
Gregory Martin – Yes	Patricia Fowler – Yes

Motion to approve the plat carries unanimously.



3. Longhorn Acres. S29-T51N-R12W. A-2. Teresa Robinson and Diane Painter, owners. Brian David Dollar, surveyor.

The following staff report was entered in to the record:

The property is approximately 4 miles south of the city limits of Sturgeon, at the intersection of Tucker School and Thomas Hill Roads. This plat creates one lot at 6.73 acres, and an accompanying administrative survey creates a 12.79 acre tract. The property is zoned A-2 (Agriculture). It is surrounded by A-2 zoning. This is original 1973 zoning.

Access to this property is via Tucker School or Thomas Hill roads. The applicant has submitted a request to waive the requirement to provide a traffic analysis.

Public Water Service District #10 will be providing domestic water service to these lots. Boone Electric Cooperative will be providing electrical service. Fire protection will be provided by the Boone County Fire Protection District.

An on-site system 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 13 points on the rating system.

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

Commissioner Mink made and Commissioner Morrison seconded a motion to **approve** Longhorn Acres **with waiver requests**:

Pat Smith - Yes	Boyd Harris – Yes
Mike Morgan – Yes	Michael Morrison – Yes

Larry Oetting – Yes  
Gregory Martin – Yes

Paul Zullo – Yes  
Patricia Fowler – Yes

Motion to approve the plat carries unanimously.



4. Shadowridge Block 3. S8-T46N-R12W. A-2. Miller Properties LLC, owner. Michael L. Klassing, surveyor.

The following staff report was entered in to the record:

The property is approximately 2 miles west of the city limits of Ashland, at the intersection of State Routes M & MM. This plat creates three lots of 10.50, 12.04, and 10.46 acres, respectively. The property is zoned A-2 (Agriculture). It is surrounded by A-2 zoning. This is original 1973 zoning. There is a concurrent administrative survey that further divides the property to the north of these lots.

Access to this property is via State Route M. The applicant has submitted a request to waive the requirement to provide a traffic analysis.

Consolidated Public Water Service District #1 will be providing domestic water service to these lots. Boone Electric Cooperative will be providing electrical service. Fire protection will be provided by the Southern 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 46 points on the rating system.

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

Commissioner Mink made and Commissioner Morrison seconded a motion to **approve** Shadowridge Block 3 **with waiver requests**:

Pat Smith - Yes  
Mike Morgan – Yes  
Larry Oetting – Yes  
Gregory Martin – Yes

Boyd Harris – Yes  
Michael Morrison – Yes  
Paul Zullo – Yes  
Patricia Fowler – Yes

Motion to approve the plat carries unanimously.



1. Update on County Commission Decisions

Director, Stan Shawver stated the request for Tiger Ice was approved as recommended as were all the plats that went forward.

2. Recommendation on Bonne Femme Watershed Plan

Director, Stan Shawver stated that the Planning and Zoning Commission had a public hearing for the Bonne Femme Watershed Plan last month. Staff sent out 3000 notices and 4 people showed up for the hearing. At the Planning and Zoning Commission work session the Commissioners brought up whether or not the Commission should have additional hearings. It was suggested at that time that the Planning and Zoning Commission that with all the notices sent and the time involved there is really no reason to discuss this further.

Chairperson Smith asked if we had any idea what City officials and Ashland are thinking about this.

Mr. Shawver stated that Mr. Florea and Terry Frueh met with the city officials.

Chairperson Smith wondered if there was any public relations value by having a public hearing in Ashland.

Mr. Frueh stated that Ashland's Planning and Zoning Commission approved the plan several weeks ago. The Board of Alderman have had their first reading. Mr. Frueh has a call in to Ken Eftink, Ashland City Administrator to see how the first reading went. The Ashland Mayor, Mike Asmus was on the policy committee and he voiced support for it in general. One of the public hearings took place in April in Ashland; there were about 15 people that showed up.

Chairperson Smith stated there will probably not be any more valuable input. Chairperson Smith stated she supports moving it forward to the County Commission.

Mr. Shawver stated Mr. Florea and Mr. Frueh met with the Columbia City Council on Monday night in a work session.

Mr. Florea stated it was a pretty positive discussion. There were some good questions; they were interested in knowing how we intended to implement the plan and how we were adopting it. It is a component of our Master Plan, sort of a sub-area plan that the County will adopt. Tim Teddy, City of Columbia Planning Director stated that is probably how they would consider it to be that as well. Mr. Teddy had said that one of the Council members might make a motion to refer it back to staff but Mr. Florea hasn't heard back yet if that actually happened.

Commissioner Oetting made and Commissioner Morgan seconded a motion to forward the Bonne Femme Watershed Plan on to the County Commission for consideration and recommend adoption.

Pat Smith - Yes  
Mike Morgan – Yes  
Larry Oetting – Yes  
Gregory Martin – Yes

Boyd Harris – Yes  
Michael Morrison – Yes  
Paul Zullo – Yes  
Patricia Fowler – Yes

Motion to forward the Bonne Femme Watershed Plan carries unanimously.

VI. New Business

1. Election of officers

The floor was opened for nominations for Chairperson.

Commissioner Morgan nominated all current officers to serve another term.

Commissioner Morrison seconded the nominations.

All Commissioners voted in favor of the current officers to serve another term.

Officers are as follows:

Pat Smith will serve as Chairperson.

Carl Freiling will serve as Vice-Chairperson.

Boyd Harris will serve as Secretary.



VII. Adjourn

Being no further business the meeting was adjourned at 7:57 p.m.

Respectfully submitted,

Boyd Harris  
Secretary

Minutes approved on this 16<sup>th</sup> day of August, 2007