

BOONE COUNTY PLANNING & ZONING COMMISSION

ASHLAND CITY HALL
109 E. BROADWAY, ASHLAND, MO.
(573) 886-4330

Minutes

7:00 P.M.

Thursday, July 17, 2008

- 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
Carl Freiling, Vice-Chairperson	Cedar Township
Larry Oetting	Three Creeks Township
John Schloot	Rocky Fork Township
Gregory Martin	Katy Township
Paul Zullo	Rock Bridge Township
Patricia Fowler	Missouri Township
David Mink	Public Works
 - b. Members Absent:

Vacant Seat	Centralia Township
Mike Morgan	Bourbon Township
Michael Morrison	Columbia Township
 - c. Staff Present:

Stan Shawver, Director	Uriah Mach, Planner
Bill Florea, Senior Planner	
- III. Approval of Minutes:

Minutes from the June 19, 2008 meeting were approved with corrections by acclamation.
- IV. Conditional Use Permits
None.
- V. Rezoning Requests
None.
- VI. Planned Developments
None.
- VII. Plats

1. Squirrel Ridge Estates. S10-T50N-R13W. A-2. H-Town Properties LLC, owner. Steven R. Proctor, surveyor.

The following staff report was entered in to the record:

The property is located along Old Number 7, just north of the intersection of Highway 124 and Old Number 7. This plat creates three lots at 3.06 acres, 3.05 acres, and 3.02 acres, respectively, and leaves a remainder parcel of approximately 50 acres. The property is zoned A-2 (Agriculture) and has A-2 zoning to the north, west, and south, with the A-R (Agriculture-Residential) zoning to the west. The A-2 is original 1973 zoning, but the A-R zoning was rezoned from A-2 to A-R in 1976.

These lots have direct access on to Old Number 7. 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 Service District #10. Fire protection will be provided by the Boone County Fire Protection District. Electrical service is provided by Boone Electric.

On-site systems will be providing wastewater service to these lots. The Columbia/Boone County Health Department will approve all designs for on-site systems. The applicant has submitted a request to waive the requirement to provide a cost-benefit analysis.

The property scored 28 points on the rating system.

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

No one present to represent the plat.

Commissioner Freiling made and Commissioner Mink seconded a motion to **approve** Squirrel Ridge Estates

Pat Smith – Yes

Larry Oetting – Yes

John Schloot – Yes

Patricia Fowler – Yes

Carl Freiling – Yes

Paul Zullo – Yes

Gregory Martin – Yes

David Mink – Yes

Motion to approve the plat carries unanimously.



2. Tumlin Hills Plat 2. S20-T47N-R12W. A-2. Justin G. Powell, owner. James V. Patchett, surveyor.

The following staff report was entered in to the record:

The property is located south of the end of Tomlin Hill Road, approximately 1 ½ miles south of Pierpont, north of New Haven Road. This plat modifies one existing 2.52 acre lot to a 2.70 acre lot. The property is zoned A-2 (Agriculture) and is surrounded by A-2 zoning. This is original 1973 zoning. This plat has been submitted to revise the setbacks for purposes of constructing a dwelling on the property.

This lot has direct access on to Tomlin Hill Road via an existing 50' roadway easement leading north. The applicant has submitted a request to waive the requirement to provide a traffic analysis.

Water service to this lot will be provided by Consolidated Public Water Supply District #1. Fire protection will be provided by the Boone County Fire Protection District. Electrical service is provided by Boone Electric.

An on-site system will be providing wastewater service to this lot. Due to the extreme topographic conditions on site, a lagoon will not be acceptable. The property owner will be required to use an engineered wastewater system approved by the City/County Health Department.

The property scored 10 points on the rating system.

Staff recommends approval of this plat.

No one present to represent the plat.

Commissioner Freiling made and Commissioner Mink seconded a motion to **approve** Tumlin Hills Plat 2:

Pat Smith – Yes	Carl Freiling – Yes
Larry Oetting – Yes	Paul Zullo – Yes
John Schloot – Yes	Gregory Martin – Yes
Patricia Fowler – Yes	David Mink – Yes

Motion to approve the plat carries unanimously.

3. Waters Edge Estates Plat 9. S3-T48N-R12W. R-M. Dan Hagan, owner. J. Daniel Brush, surveyor.

The following staff report was entered in to the record:

The property is located at the end of Waterfront Drive South, and is directly adjacent to the City of Columbia to the west. This plat slightly modifies one existing .83 acre lot to include a small additional strip of ground to the south. The property is zoned R-M (Moderate Density - Residential) and has R-M zoning to the north, east, and south, with the City of Columbia to the west. This is original 1973 zoning.

This lot has direct access on to Waterfront Drive South. The applicant has submitted a request to waive the requirement to provide a traffic analysis.

Water service to this lot will be provided by the City of Columbia's water utility. Fire protection will be provided by the Boone County Fire Protection District. Electrical service is provided by Boone Electric.

Wastewater services will be provided by a centralized system operated by the City of Columbia.

The property scored 78 points on the rating system.

Staff recommends approval of this plat.

No one present to represent the plat.

Commissioner Freiling made and Commissioner Mink seconded a motion to **approve** Waters Edge Estates Plat 9:

Pat Smith – Yes

Carl Freiling – Yes

Larry Oetting – Yes

Paul Zullo – Yes

John Schloot – Yes

Gregory Martin – Yes

Patricia Fowler – Yes

David Mink – Yes

Motion to approve the plat carries unanimously.

V. Old Business

1. Update on County Commission Decisions

The conditional use permit by Nancy Bass was approved by the County Commission as recommended.

The conditional use permit request by Mark Farrell was appealed to the County Commission who tabled the request.

The rezoning request by David Sallee was appealed to the County Commission who supported the recommended denial. Mr. Sallee withdrew his request. Mr. Sallee is working on resubmitting an application for a planned district.

The rezoning request by Ms. Sapp was appealed to the County Commission who upheld the recommendation for denial.

2. Joint P & Z Meetings

Chairperson Smith stated the Joint Commission is continuing work on the sub-area plan. We are right now in the process of drawing some conclusions from the studies that we've been working on. Chairperson Smith encouraged everyone to give input. The next work session is July 31, 2008 at 6:00 p.m. to 9:00 p.m. at the Daniel Boone Library.

VI. New Business

1. Public hearing for proposed Stream Buffer Ordinance.

Chairperson Smith stated the Planning and Zoning Commission and the County Commission have had a number of work sessions on this proposal. This is the second of three required public hearings.

Mr. Florea stated the draft has been in circulation since March 2008 and has been on the County's website.

Open to public hearing.

Jim Yonley, 12471 Englewood Rd., Ashland

Mr. Yonley asked what kind of restrictions are there on where the house is located and what you have to do when you are on a bluff adjacent to a creek..

Commissioner Freiling clarified that Mr. Yonley's house is probably 150 feet elevation above the creek.

Mr. Florea stated the ordinance does not factor elevation into the stream buffer, it is still a lateral distance from the stream that the buffer is required. Cedar Creek would probably be a type 1 stream which would have a 100-foot buffer.

Mr. Yonley stated one of the corners of his foundation is on the bluff above Cedar Creek.

Mr. Florea stated the house or a portion of it may be in the buffer.

Mr. Yonley asked if it could be grandfathered in.

Mr. Florea stated yes; and it would be. However, if it burned down or a tornado destroyed it then it would have to be rebuilt outside of the buffer.

Mr. Yonley asked if he wanted to build a lean-to would it have to be outside the buffer.

Mr. Florea stated that is correct. The size of the house could not be increased unless it conforms to the ordinance.

Bill Shansey, 12451 E. Englewood Road, Ashland.

Mr. Shansey stated in looking at the regulation it seems that the buffer scale increases depending upon the degree of inclination.

Mr. Florea stated there is an additive based on adjacent slopes.

Mr. Shansey stated if there is property that sits on the bluff. The bluff would have to exceed 150-feet in height.

Mr. Florea stated no. Height doesn't factor in, it is a horizontal distance.

Mr. Shansey asked if there was an incline, would it increase.

Mr. Florea stated if it is adjacent to a steep slope then the buffer width does increase. It depends on the steepness of the slope.

Mr. Shansey asked about the reference to native plants.

Mr. Florea stated the idea was that plants should be encouraged that existed here before modern civilization moved in and started altering the environment.

Mr. Shansey stated he was going to take a guess that as a standard, setting the year of 1735 it is going to be hard to identify plants that were here before that time, as a lack of documentation exists.

Mr. Florea stated he didn't know that to be true; that is the definition from the native plant website.

Mr. Shansey stated that 1820 was approximately when records exist of the plants in Missouri.

Mr. Florea stated that is true, the idea is to try and eliminate plants or species that were of European origin.

Mr. Shansey stated his concern is in a situation where you are told you have to eradicate certain plants not native to the environment.

Mr. Florea stated it is a target vegetation where we would require restoration if someone damaged the stream buffer and had to restore it then we would probably be picky about the types of vegetation it is reestablished with. We aren't going to police stream buffers to make sure native growth is there. There are restrictions on maintenance. Brush is going to come up and you will want to maintain it.

Mr. Shansey asked if this applied to agricultural land.

Mr. Florea stated no.

Paul Beuselinck asked if Ashland has adopted these regulations.

Mr. Florea stated he didn't know. It has not been presented to the City of Ashland. The city of Columbia already has a stream buffer regulation in place; it is similar to the one the County is proposing.

Barbara Bishop, 302 Salinda Dr., Ashland (Ashland City Council member) stated that Ashland has not adopted stream buffer regulations, but has adopted storm water regulations.

Closed to public hearing.

VII. Annual Election of Officers

Chairperson Smith turned the meeting over to Director Shawver to conduct the election of officers.

Mr. Shawver explained that July is the month in which annual elections are held and asked for nominations for Chairperson.

Commissioner Freiling nominated and Commissioner Fowler seconded Pat Smith for Chairperson.

No further nominations were made.

All voted in favor by acclamation.

Chairperson Smith conducted the election for other officers.

Commissioner Schloot nominated and Commissioner Mink seconded Carl Freiling for Vice Chairperson

No further nominations were made.

All voted in favor by acclamation.

Commissioner Greg Martin nominated and Commissioner Mink seconded Pat Fowler for Secretary.

No further nominations were made.

All voted in favor by acclamation.

VIII. Adjourn

Being no further business the meeting was adjourned at 7:45 p.m.

Respectfully submitted,

Secretary
Patricia Fowler

Minutes approved on this 21st day of August, 2008