

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

**Minutes**

**7:00 P.M.**

**Thursday, June 18, 2020**

I. Chairperson Harris called the meeting to order at 7:00 p.m. with a quorum attending in person and by phone conference.

II. Roll Call:

a. Members Present:

Boyd Harris, Chairperson	Centralia Township
Michael Poehlman, Secretary	Rock Bridge Township
Eric Kurzejeski, Vice Chairperson	Missouri Township
Gregory Martin	Katy Township
Rhonda Proctor	Perche Township
Steve Koirtyohann	Rocky Fork Township

b. Members Present by Phone Conference:

Jeff McCann	County Engineer
Bill Lloyd	Three Creeks Township

c. Members Absent:

Fred Furlong	Bourbon Township
Daniel Mings	Columbia Township
Vacant Seat	Cedar Township

d. Staff Present:

Bill Florea, Director	Thad Yonke, Senior Planner
Uriah Mach, Planner	Paula Evans, Staff

III. Approval of Minutes:

Minutes from the May 21, 2020 meeting were approved by acclamation.

IV. Chairperson Statement

Chairperson Harris read the following statement:

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 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:

This meeting is being conducted in compliance with Public Health Order Number 2020-06C. Occupancy of the Commission Chambers cannot exceed 12-individuals. Social Distancing Requirements must be observed at all times.

We will follow a partial virtual format. Several Commissioners are present in the Chambers. A number of other Commissioners are attending the meeting through an audio link. The audio link is open to members of the public who wish to follow the proceedings.

There is a staff member in the Lobby who will be metering access to the Chambers. Members of the public, who wish to testify, will be allowed in as space allows. Individuals will be asked to exit the Chambers when their testimony is complete in order to make space for another. The public will be rotated through until all who wish to testify have had an opportunity to do so.

When the Commission has voted on any agenda item, the applicant will be asked to exit the Chambers to make room for the next applicant.

Announcement of each agenda item will be followed by a report from the planning department staff. The applicant or the applicant's representative may make a presentation to the commission after the staff report. The commission may request additional information at that time, or later following the public hearing. After the applicant's presentation, the floor will be opened for a public hearing. Those wishing to speak in support of the request will be allowed to speak, then the floor will be given over to those opposed to the request. There may be individuals that neither support nor oppose a request. Those individuals are welcome to address the commission at any time during the public hearing.

Please direct all comments or questions to the commission, be concise and 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.

Please give your name and mailing address when you address the commission. Please sign the sheet on the table after you testify. Also, we ask that you turn off your cell phones.

Any materials that are presented to the commission, such as photographs, written statements or other materials will become a part of the record for these proceedings. If you would like to recover original material, please see the staff during regular business hours.

After those opposed to the request have had a chance to speak the public hearing will be closed and no further comments will be permitted from the audience unless requested by the Commission. The applicant will then have an opportunity to respond to any concerns expressed during the public hearing. Next the staff will be given an opportunity for any additional comments. The commission will then discuss the matter and may ask questions of anyone present during the 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, June 30<sup>th</sup>. Interested parties will again be able 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, June 30<sup>th</sup> will begin at 7:00 p.m. and will convene in this same room. That meeting will also be conducted in compliance with Health Order Number 2020-06C using the same format as this meeting.

Chairperson Harris asked the Commissioners to state their name before speaking or making a motion.

## V. Rezoning Requests

1. Request by Virginia Dooley to rezone from C-GP (Planned General Commercial) to R-S (Single-Family Residential) on 5.41 acres, located at 4558 W Gibbs Rd, Columbia.

Planner, Thad Yonke gave the following staff report:

The property is located on Gibbs Road approximately 500-feet north of the intersection with I-70 Drive NW. It is currently occupied by a structure that was built as a single-family dwelling, was later used as a duplex, and then was used as an office with residence above. The owner would like to rezone the property to R-S (Residential-Single Family) and then use the entire building as a single-family home.

The original zoning of the property is R-M (Moderate Density Residential) which was rezoned to C-GP (Planned Commercial) in 2006. Adjacent zoning to the north is original 1973 R-S and a single A-R (Agriculture – Residential) lot that was rezoned from R-S in 1990. To the east, south and west the zoning is the original R-M zoning. After the rezoning to C-GP, in July of 2007 a Revised Review Plan was approved, however, no Final Plan was ever approved for this revision. A building permit to allow conversion of the basement to office space to operate a graphic design company was completed in 2008. The upper floor was to remain residential, which would require a CUP (conditional use permit) after the rezoning to C-GP was granted. No application for a CUP was ever submitted on behalf of this property.

The Master Plan designates this property as suitable for residential land use. The proposed rezoning is consistent with the plan.

### Zoning Analysis:

While this request is not to return the property to its original zoning, it is to return the land and the building to the original use. The building does not have a valid Certificate of Occupancy as it was only taken part of the way through the process of conversion to comply with the commercial rezoning. A remodeling permit will be required to convert the basement back from an office into part of the residence. Once this remodeling is completed, inspected, and approved a Certificate of Occupancy can be issued.

The property scored 73 points on the rating system. 30 property owners were notified of this request.

Staff recommends approval of the rezoning.

Present representing the request:

Virginia Dooley, 4558 W Gibbs Rd, Columbia

Virginia Dooley: We are going to be using this as a residence only. We are doing little to no remodeling of the basement, we have to change a couple of the ADA compliant features which was a glass office door that needs to be changed back to a traditional residential door. They also had conduit instead of baseboards; they removed the baseboard and ran conduit for data lines, the business was computer-heavy and we are going to change that back to baseboard. The basement is where the business was run. According to the people we talked with regarding permits, we don't need a permit for this work so that part would need to be amended. We are just going to use the building as a residence.

Chairperson Harris: Does the applicant already own the property?

Virginia Dooley: Yes. I had to get a commercial appraiser and a commercial loan. I would like to rezone so I can renegotiate for a residential loan once this process is done.

Commissioner Koirtyohann: No permitting would be required?

Thad Yonke: That is not true.

Virginia Dooley: We need a permit for the work?

Bill Florea: The applicant will need a certificate of occupancy to convert the building to a residence. It may not require much work under the permit but that gives us the ability to walk through it with the applicant and note if there are any deficiencies and give the applicant the chance to correct those and issue a certificate of occupancy for residential use.

Virginia Dooley: Okay, I will do that.

Thad Yonke: That will provide proof that it is a residence and the applicant could bring the certificate of occupancy to a bank.

Open to public hearing.

No one spoke in favor or opposition to the request.

Uriah Mach: I received two phone calls, neither caller indicated either support or opposition.

Closed to public hearing.

Commissioner Koirtyohann made and Commissioner Proctor seconded a motion to approve the request by Virginia Dooley to rezone from C-GP (Planned General Commercial) to R-S (Single-Family Residential) on 5.41 acres, located at 4558 W Gibbs Rd, Columbia:

Boyd Harris – Yes	Eric Kurzejeski – Yes
Michael Poehlman – Yes	Greg Martin – Yes
Bill Lloyd – Yes	Rhonda Proctor – Yes
Steve Koirtyohann – Yes	Jeff McCann – Yes

Motion to approve the request passes unanimously

Chairperson Harris informed the applicant that this request would move forward to the County Commission on Tuesday, June 30, 2020 at 7:00 pm and the applicants will need to be present.

## VI. Plats

1. Bellaridge Subdivision Plat 3. S34-T46N-R12W. A-R. Bryan and Leslie Crump, owners. Anthony Derboven, surveyor.

The following staff report was entered into the record:

The subject property is located at the west quadrant of the intersection of State Route A and Old 63, approximately 1.5 miles south of the Ashland City Limits. The property is zoned A-R (Agriculture-Residential) and has A-R zoning to the east, west, and south, with A-2 (Agriculture) zoning to the north. The parent lot is 5 acres in size and was platted under Bellaridge Plat 2. The property is vacant. This proposal replats the 5 acre lot into two 2.5 acre lots.

Both proposed lots have frontage on and access to a publicly maintained road. Specifically, State Route A and Old Highway 63. The applicant has requested a waiver to the traffic study requirement.

The property is in the Consolidated Water service area. All lots currently have water lines on them. Hydrants will need to be installed at maximum spacings of 500-feet in order to provide fire protection for all Lots. Fire hydrant installation is being coordinated between the developers of Bellaridge, Consolidated Water, and the Southern Boone Fire Protection District.

The lots are proposed to use on-site wastewater systems, as permitted by the Columbia/Boone County Health Department. The applicant has submitted a request to waive the wastewater cost-benefit analysis.

The property scored 58 points on the rating system.

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

2. Bellaridge Subdivision Plat 4 Preliminary Plat. S34-T46N-R12W. A-R. Bryan and Leslie Crump, owners. Anthony Derboven, surveyor.

The following staff report was entered into the record:

The subject property is located of State Route A, at A's intersection with US Highway 63, approximately 1.5 miles south of the Ashland City Limits. The property is zoned A-R (Agriculture-Residential) and has A-R zoning to the north, west, and south, with A-2 (Agriculture) zoning to the east. The parent parcel is 93.5 acres in size and has some agricultural accessory buildings present on the west side of the property along Old Highway 63. This proposal creates ten lots ranging from 5.12 acres to 2.50 acres in size and a new public road off of Old Highway 63.

Lots 15-18 have frontage on Old Highway 63. Lots 16 & 17 have frontage on the new public road. Lots 19-22 have frontage on Highway 63 and the new public road. Lots 23 & 24 have frontage on the new

public road. Lots 15 & 18 will have access on Old Highway 63, and lots 16, 17, and 19-24 will have access on the new public road. The applicant has requested a waiver to the traffic study requirement.

The property is in the Consolidated Water service area. All lots will have water lines on them. Hydrants will need to be installed at maximum spacings of 500-feet in order to provide fire protection for all Lots. Fire hydrant installation is being coordinated between the developers of Bellaridge, Consolidated Water, and the Southern Boone Fire Protection District.

The lots are proposed to use on-site wastewater systems, as permitted by the Columbia/Boone County Health Department. The applicant has submitted a request to waive the wastewater cost-benefit analysis.

The property scored 58 points on the rating system.

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

Commissioner Lloyd indicated that he would abstain from the vote on both Bellaridge Plats.

Commissioner Kurzejeski made and Commissioner Martin seconded a motion to approve, as recommended, Bellaridge Plat 3 and Bellaridge Subdivision Plat 4 Preliminary Plat and to insert the staff reports into the record:

Boyd Harris – Yes	Eric Kurzejeski – Yes
Michael Poehlman – Yes	Greg Martin – Yes
Bill Lloyd – Abstain	Rhonda Proctor – Yes
Steve Koirtyohann – Yes	Jeff McCann – Yes

Motion to approve the plats passes 7 YES 1 ABSTAIN

3. Champetra Lake North Shore Section Two Replat. S13-T45N-R12W. A-R. David and Veronica Marian, owners. Keith Brickey, surveyor.

The following staff report was entered into the record:

The subject property is located on North Shore Drive, approximately 6 ½ miles south of Ashland. The lot is zoned A-R(Agriculture-Residential) and is surrounded by A-R zoning. This is all original 1973 zoning. There is an existing dwelling on this property. This plat consolidates pieces of three separate platted lots out of Champetra Lake North Shore Section Two into a single tract of ground to allow for the construction of an accessory building in a location that would previously be across property lines.

The property has direct access on to North Shore Drive, a publicly-dedicated, privately maintained right of way. The applicant has requested a waiver to the traffic study requirement.

The property is served by an on-site well for water, Boone Electric for electrical service, and is located in the Southern Boone County Fire Protection District.

An existing on-site wastewater system serves the residence on the property. The applicant has submitted a request to waive the wastewater cost-benefit analysis.

The property scored 43 points on the rating system.

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

4. B & B. S36-T47N-R13W. A-2. Black Dog Consulting and Development LLC, owner. Curtis E. Basinger, surveyor.

The following staff report was entered into the record:

The subject property is located on Andrew Sapp Road, approximately 5 miles to the northwest of the city of Ashland. The property is approximately 38.8 acres in size and zoned A-2 (Agriculture). It is surrounded by A-2 zoning. This is all original 1973 zoning. This proposal splits a 5 acre lot from the parent parcel. This 5 acre lot is undeveloped. The remainder of the property is of a size not to require any further survey action.

The subject property has direct access on to Andrew Sapp Road. Andrew Sapp is a publicly-dedicated, publicly-maintained right of way. The applicant has submitted a request to waive the traffic study requirement.

The subject property is located in Consolidated Public Water Service District #1, the Boone Electric Cooperative service area, and the Southern Boone County Fire Protection District.

Any new development on this property requiring on-site wastewater treatment will be required to get a permit from the Columbia/Boone County Health Department. The applicant has requested a waiver to the wastewater cost/benefit analysis.

The property scored 38 points on the rating system.

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

Commissioner Kurzejeski made and Commissioner Martin seconded a motion to approve, as recommended, Champetra Lake North Shore Section Two Replat and B & B and to insert the staff reports into the record:

All members voted in favor.

## VII. Old Business

1. Update on Commission action.

Bill Florea updated the Commission of the decisions of the County Commission as follows:

Update on Commission Action

February 2020

Jerilyn Younger, CUP for a duplex in RS zoning. 6004 Kent Drive

- P & Z recommended approval. Commission upheld. CC Order 104-2020

Liberty Baptist Church CUP for a transmission facility on 7461 N North Brown Station.

- P & Z recommended approval. Commission upheld. CC Order 105-2020

Plats for O'Brian, Martha's Grove Plat 2, Bell Acres, Kasmann were approved as recommended. CC Order 106-2020

### March 2020

Regular P & Z meeting was cancelled, plats received went forward to the County Commission who approved:

B & J Acres, Spencer Stone, Owl Hollow Plat 3. CC Order 153-2020 and Oak Hill Estates Preliminary Plat CC Order 167-2020.

### April 2020

Regular P & Z meeting was cancelled, plats received went forward to the County Commission who approved:

Sycamore Hollow Plat 2., Scenic View Estates, R & C, New Providence Plat 1. CC Order 193-2020

Director Florea stated that per State Statute if a plat is not approved by the Planning and Zoning Commission within 30 days it goes forward to the County Commission.

### May 2020

Rezoning request by Kasmann to rezone RS to A2 was recommended approval and the County Commission upheld that recommendation. CC Order 241-2020

Rezoning request by Ambrose to rezone from AR to A2 was recommended approval, the County Commission overturned the recommendation and denied the request. CC Order 242-2020

Rezoning Request by File to rezone from A-2 to A-R was recommended approval and the County Commission upheld that recommendation. Cc Order 243-2020

Rezoning request by Kendrick to rezone from A-1 to A-2 for the purposes of a family transfer. The P & Z Commission recommended denial, the applicants appealed the decision to the County Commission who approved the request. CC Order 244-2020

The final development plans for 40-J and WW Commercial were approved as recommended. CC Orders 246-2020 and 245-2020 respectively

The plat for Moore Estates was also approved as recommended. CC Order 247-2020

VIII. New Business

The annual election of officers will be held at the next meeting.

IX. Adjourn

Being no further business the meeting was adjourned at 7:18 p.m.

Respectfully submitted,

Secretary  
Michael Poehlman

Minutes approved on this 16<sup>th</sup> day of July, 2020