

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, August 19, 2021

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

II. Roll Call:

a. Members Present:

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|-----------------------------------|-----------------------|
| Eric Kurzejeski, Vice Chairperson | Missouri Township |
| Michael Poehlman, Secretary | Rock Bridge Township |
| Gregory Martin | Katy Township |
| Bill Lloyd | Three Creeks Township |
| Rhonda Proctor | Perche Township |
| Steve Koirtyohann | Rocky Fork Township |
| Fred Furlong | Bourbon Township |
| Jeff McCann | County Engineer |

b. Members Absent

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|--------------------------|--------------------|
| Boyd Harris, Chairperson | Centralia Township |
| Daniel Mings | Columbia Township |
| Randal Trecha | Cedar Township |

c. Staff Present:

| | |
|-----------------------|----------------------------|
| Bill Florea, Director | Thad Yonke, Senior Planner |
| Cece Riley, Planner | |
| Paula Evans, Staff | |

III. Approval of Minutes:

Minutes from the July 15, 2021 meeting were approved as presented by acclamation.

IV. Chairperson Statement

Vice-Chairperson Kurzejeski entered the following statement into the record:

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 with review plan and one plat.

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 County Commission order 307-2021 which requires that all persons 10-years or older, regardless of vaccination status, wear a face mask while in public areas of the Government Center.

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

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 when you testify. Also, we ask that you turn off, or silence 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, August 31st. 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, August 31st will begin at 9:30 A.M. and will convene in this same room.

V. Rezoning Requests

1. Request by Jon Adam Sapp to rezone from A-1 (Agriculture) to A-1P (Planned Agriculture) and to approve a review plan for Harvest Acres on 10.0 acres located at 12200 S Hwy DD, Ashland.

Planner, Thad Yonke gave the following staff report:

The subject property is located on the west side of State Highway DD approximately 1200 feet north of the intersection of Biggs Road and State Highway DD, approximately $\frac{3}{4}$ of a mile west of the nearest Ashland city limits. The parent property is 73.5-acres in size and zoned A-1(Agriculture). This proposal seeks to rezone 10-acres of the parent parcel to A-1P to facilitate a land division creating a 5.59-acre buildable lot and to define the remaining portion of the 10-acres as a non-developable portion of the parent parcel. The property is surrounded by A-1 zoning, except for an A-1P development to the southwest that adjoins the parent parcel across Highway DD. The adjoining A-1P was rezoned in 1995 and the remaining A-1 is original 1973 zoning. The property scored 60 points on the point rating system.

The Boone County Master Plan has designated this area as being suitable for agriculture and rural residential land uses. The Boone County Master Plan designates a sufficiency of resources test for the evaluation of zoning changes where each proposal is evaluated to see if sufficient utility, transportation, and public safety infrastructure is in place to support the change in zoning. Failure to pass the test should result in denial of a request. Success in passing the test should result in further analysis.

Utilities: The subject property is located at the in Consolidated Public Water Service District #1 and the district has a waterline on the west side of Highway DD. Boone Electric Cooperative can provide electrical service to this site, but additional easements may be required. The property is in the Southern Boone County Fire Protection District.

Transportation: The proposed 5.59-acre lot is proposed to share a drive with the parent parcel that already exists. State Highway DD is a hard surface public roadway.

Public Safety: The subject property is just over 3.6 miles from the Southern Boone County Fire Protection District station in Ashland on Henry Clay Blvd.

Zoning Analysis: This proposal does not increase the density over what is allowed currently. The single home that is proposed is the same as could be placed there now, the only difference is that it will be allowed to be conveyed on a 5.59-acre lot rather than a 10-acre lot. However, it should be recognized that the remainder of the defined 10-acres will be a not-developable portion of the parent tract. Therefore, this proposal can meet the needs of the sufficiency of resources test.

Staff recommends approval of the rezoning request and the associated review plan.

Present representing the request:

Adam Sapp, 12200 S Hwy DD, Ashland

Adam Sapp: The reason for the split of the property is so we can buy a section of it from my parents. The property is 17 years away from being a century farm and we want to keep it that way. We have decided the best way to do that is to go ahead and build a house and be on site.

Vice-Chairperson Kurzejeski: You understand that the other portion of the ten acres is will not be able to be built on?

Adam Sapp: That is the way we want it.

Open to public hearing.

No one spoke in favor or opposition to the request.

Closed to public hearing.

Commissioner Lloyd made and Commissioner Proctor seconded a motion to approve the request by Jon Adam Sapp to rezone from A-1 (Agriculture) to A-1P (Planned Agriculture) and to approve a review plan for Harvest Acres on 10.0 acres located at 12200 S Hwy DD, Ashland:

Eric Kurzejeski – Yes

Greg Martin – Yes

Rhonda Proctor – Yes

Fred Furlong – Yes

Michael Poehlman – Yes

Bill Lloyd – Yes

Steve Koirtyohann – Yes

Jeff McCann – Yes

Vice-Chairperson Kurzejeski stated that this request would go to the County Commission on Tuesday, August 31, 2021 at 9:30 AM.

VI. Plats

1. Riggs Church Subdivision. S35-T51N-R13W. A-2. Con-Agg of MO LLC, owner. Kevin Schweikert, surveyor.

The following staff report was entered into the record:

The subject property located at the southwest corner of the intersection of W Williams Road and N Old Number 7, approximately 7 miles to the southwest of Sturgeon. The proposal divides off a 3 Acre lot from the 77.75 Acre parent parcel. There is currently a shelter-house in the front setback marked “to be removed” on the subject property. This property is zoned A-2 (Agriculture) and is surrounded by A-2 original 1973 zoning.

The subject property has direct access on W Williams Road and N Old Number 7, both publicly maintained roadways. The applicant has submitted a request to waive the traffic study requirement.

The property is located in Public Water Service District #10, the Boone Electric Cooperative service area, and the Boone County Fire Protection District.

Any residential development on this site will require the installation of an on-site wastewater treatment system under permit with the Columbia/Boone County Health Department. The applicant has submitted a request to waive the wastewater cost-benefit analysis.

Applicant is aware that once shelter house is removed, it cannot be rebuilt behind the setback without a primary structure. Per the Subdivision Regulations, Section 7.A.5 “No accessory building shall be constructed upon a lot until the construction of the main building has actually commenced, and no accessory building shall be used unless the main building on the lot is also being used.”

The property scored 25 points on the rating system.

Staff recommends approval of the plat and granting the requested waivers subject to the following condition

1. The Shelter House must be removed before the plat will be placed on an agenda for the County Commission to receive and accept the plat.

Commissioner Martin made, and Commissioner Koirtyohann seconded a motion to approve Riggs Church Subdivision with the following condition:

1. The Shelter House must be removed before the plat will be placed on an agenda for the County Commission to receive and accept the plat.

All members voted in favor.

VII. Old Business

Update on Commission action.

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

The plat for Goen Acres was approved as recommended.

The plat for Crescent Ridge Subdivision was approved as recommended and it has been recorded.

VIII. New Business

The final County Commission meeting on Wind Farm Regulations will be held on Tuesday, August 24, 2021 at the Harrisburg High School Gymnasium at 6:30 PM.

IX. Adjourn

Being no further business, the meeting was adjourned at 7:11 p.m.

Respectfully submitted,

Secretary
Michael Poehlman, Secretary

Minutes approved on this 16th day of September, 2021