

**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, April 21, 2022**

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

II. Roll Call:

a. Members Present:

|                                   |                       |
|-----------------------------------|-----------------------|
| Boyd Harris, Chairperson          | Centralia Township    |
| Eric Kurzejeski, Vice Chairperson | Missouri Township     |
| Gregory Martin, Secretary         | Katy Township         |
| Bill Lloyd                        | Three Creeks Township |
| Steve Koirtyohann                 | Rocky Fork Township   |
| Fred Furlong                      | Bourbon Township      |
| Daniel Mings                      | Columbia Township     |
| Randal Trecha                     | Cedar Township        |
| Jeff McCann                       | County Engineer       |

b. Members Absent

|             |                      |
|-------------|----------------------|
| Vacant Seat | Rock Bridge Township |
| Vacant Seat | Perche Township      |

c. Staff Present:

|                       |                            |
|-----------------------|----------------------------|
| Bill Florea, Director | Thad Yonke, Senior Planner |
| Uriah Mach, Planner   | Andrew Devereux, Planner   |
| Paula Evans, Staff    |                            |

III. Approval of Minutes

Minutes from the March 17, 2022 meeting were approved as presented by acclamation.

IV. Chairperson Statement

The following statement was entered 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 three rezoning requests, two final development plans 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 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 443-2021 which recommends all persons who have not completed their COVID-19 vaccination process, and who are 10 years of age or older, continue to wear a face mask in any 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 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, May 3<sup>rd</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, May 3<sup>rd</sup> will begin at 7:00 p.m. and will convene in this same room.

V. Rezoning Requests

1. Request by Joseph A & Kelly Eagle to rezone from A-2 (Agriculture) to A-RP (Planned Agriculture-Residential) and to approve a review plan on 5 acres located at 6910 S High Point Ln, Columbia.

Planner, Andrew Devereux gave the following staff report:

The subject property is located at the southeastern corner of the intersection of State Route K and High Point Lane, adjacent to the City of Columbia to the west. The property is 5 acres in size, 4.7 acres after dedication of right of way. The property has substantial regulatory stream buffer to the north and west along the property boundary. FEMA floodplain runs concurrent to the stream buffer. An existing house and on-site wastewater lagoon are present on the property. The property is zoned A-2 (Agriculture) and has A-2 to the south, R-DP (Planned Two Family) New Town subdivision to the east, and R-SP (Planned Single Family) Old Plank Village subdivision to the north across State Route K. The western boundary of the property is adjacent to the City of Columbia, with R-1 zoning. The R-DP New Town subdivision is from a 2019 plan. The R-SP Old Plank Village is from a 2003 plan. The existing A-2 zoning is original 1973 zoning. The proposal scored 70 points on the point rating system.

The proposal seeks to rezone the 5 acres to Planned Agricultural Residential and utilize the density of the proposed zoning district to construct a second house on the lot. The Boone County Master Plan designates this area as being suitable for 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 within Consolidated Public Water Supply District. Boone Electric Cooperative provides power to the existing home. The existing house is served by an on-site wastewater system under the jurisdiction of the Columbia/Boone County Health Department. The applicant has written approval from the Boone County Regional Sewer District to connect both the existing house and proposed house to public sewage lines to be served by the South Route K wastewater treatment facility. The review plan states that the existing lagoon will be removed.

Transportation: The property has driveway access onto High Point Lane, a Boone County maintained road. A 33' halfwidth right-of-way will be dedicated along High Point Lane with a subsequent subdivision plat. The applicant will dedicate a 50' halfwidth right-of-way along State Route K with the previously mentioned plat.

Public Safety: The Boone County Fire Protection District provides fire protection for the property. The nearest station, Station 8, is 2 miles east along Route K.

Zoning Analysis: This request meets the sufficiency of resources test and does not change the overall character of the surrounding properties. Addition of the proposed house on the property will match the residential use of the surrounding area and will have minimal impact to traffic, utilities, and safety resources.

Staff notified 132 property owners.

Staff recommends approval of this rezoning request and review plan subject to the following conditions:

1. That a sewer connection plan is submitted to both the Boone County Regional Sewer District and the Director of Resource Management before the submission of a Final Plan.
2. The property is platted according to the requirements of the Boone County Subdivision Regulations.

Present representing the request:

Kevin Schweikert, Brush and Associates, 506 Nichols St, Columbia

Kevin Schweikert: The staff report explained everything, but I will answer any questions you have.

Commissioner Kurzejeski: Are the applicants okay with the recommended conditions?

Kevin Schweikert: Yes, and we are already working on them.

Chairperson Harris: If they are going to the A-RP zoning the two houses can be on one lot without having to split into two different lots?

Bill Florea: That is correct.

Chairperson Harris: The property surrounding this tract is a denser use but with the stream through there this is about as dense as this property will get.

Thad Yonke: It also eliminates an onsite wastewater system.

Kevin Schweikert: The county benefits from this and additional right of way will be dedicated for Route K and High Point Lane through this process.

Open to public hearing.

No one spoke in favor or opposition to the request.

Closed to public hearing.

Commissioner Lloyd made and Commissioner Trecha seconded a motion to approve the request by Joseph A & Kelly Eagle to rezone from A-2 (Agriculture) to A-RP (Planned Agriculture-Residential) on 5 acres located at 6910 S High Point Ln, Columbia:

|                         |                       |
|-------------------------|-----------------------|
| Boyd Harris – Yes       | Eric Kurzejeski – Yes |
| Greg Martin – Yes       | Bill Lloyd – Yes      |
| Steve Koirtyohann – Yes | Fred Furlong – Yes    |
| Daniel Mings – Yes      | Randal Trecha – Yes   |
| Jeff McCann – Yes       |                       |

Motion to approve the rezoning request passes unanimously

Chairperson Harris made and Commissioner Kurzejeski seconded a motion to approve the request by Joseph A & Kelly Eagle to approve a review plan on 5 acres located at 6910 S High Point Ln, Columbia with the following conditions:

1. That a sewer connection plan is submitted to both the Boone County Regional Sewer District and the Director of Resource Management before the submission of a Final Plan.
2. The property is platted according to the requirements of the Boone County Subdivision Regulations.

|                    |                     |
|--------------------|---------------------|
| Boyd Harris – Yes  | Greg Martin – Yes   |
| Bill Lloyd – Yes   | Fred Furlong – Yes  |
| Daniel Mings – Yes | Randal Trecha – Yes |
| Jeff McCann – Yes  |                     |

Motion to approve the review plan passes unanimously

Chairperson Harris stated that this request would go before the County Commission on Tuesday, May 3, 2022 at 7:00 PM and the applicants need to be present for the hearing.

2. Request by Frederick E. Schmidt to rezone from A-2 (Agriculture) and C-GP (Planned General Commercial) to C-GP and to revise an approved review plan in the C-GP zoning district on 3.47 acres located at 601 N Hwy UU, Columbia.

Planner, Uriah Mach gave the following staff report:

The subject property is located on State Route UU, less than ½ mile south of the intersection of Van Horn Tavern Road and State Route UU. The subject property is approximately 9.6 acres in size and has a house, garage, warehouse, and showroom present. The property is split-zoned A-2 (Agriculture) & C-GP (Planned General Commercial). The adjacent zoning is A-2 to the north, south, and west, with A-1(Agriculture) and M-LP (Planned Light Industrial) to the east. The A-2 is original 1973 zoning, the adjacent M-LP was rezoned in 1988, and the existing C-GP on the subject property was rezoned in 1989. This property was rezoned and had a C-GP review plan approved by the County Commission in December of 2021.

Schmidt Billiards rezoned approximately .25 acres of A-2 to C-GP in 1989. The business has reached a point where expansion is necessary, and the December request expanded the C-GP zoning on the property to support proposed buildings and expansion. This request modifies the outboundary of the C-GP zoning to better serve the desired expansion on the property.

The Boone County Master Plan identifies this area as being suitable for 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. The sufficiency of resources test provides a “gatekeeping” function. 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 in the Consolidated Public Water Service District #1 service area for water, is in the Boone Electric Cooperative service area, and the Boone County Fire Protection District. Consolidated #1 is already working with the applicant to provide fire protection to this property for the proposed buildings.

Transportation: The property has access on State Route UU, a publicly dedicated, publicly maintained right of way.

Public Safety: The property is located in the Boone County Fire Protection District, with the station on Henderson Road being closest for service.

Zoning Analysis: This use has been present for over 30 years at this location. Its presence has been very subtle and successful. Expansion after that long a period is reasonable, and the surrounding zoning, while mostly agricultural, has not suffered any ill effects for the business’s presence. The previously approved review plan was designed to be specific for this business and is in step with the subtlety of the current

business presence. This revised plan does not change the character of the request, simply changing its shape to better serve the property owner.

The property scored 45 points on the rating system.

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

Present representing the request:

Brent Elliott, Allstate Consultants, 3312 Lemone Industrial Blvd, Columbia  
Frederick Schmidt, Schmidt Billiards, 601 Hwy UU, Columbia

Brent Elliott: The warehouse needs to be a little bigger, so we reconfigured the boundary to keep the same amount of acreage as the previous plan that was approved. It allows for a bigger warehouse footprint to not impede in the building setback.

Chairperson Harris: You are just going shorter and wider so the building will fit?

Brent Elliott: We just pulled the west boundary to the east and put a little on the north side.

Chairperson Harris: They had to go back through the rezoning because they are changing the boundary?

Thad Yonke: Yes, the legal description of the commercial zoning changed.

Open to public hearing.

No one spoke in favor or opposition to the request.

Closed to public hearing.

Commissioner Martin made and Chairperson Harris seconded a motion to approve the request by Frederick E. Schmidt to rezone from A-2 (Agriculture) and C-GP (Planned General Commercial) to C-GP on 3.47 acres located at 601 N Hwy UU, Columbia:

|                         |                       |
|-------------------------|-----------------------|
| Boyd Harris – Yes       | Eric Kurzejeski – Yes |
| Greg Martin – Yes       | Bill Lloyd – Yes      |
| Steve Koirtyohann – Yes | Fred Furlong – Yes    |
| Daniel Mings – Yes      | Randal Trecha – Yes   |
| Jeff McCann – Yes       |                       |

Motion to approve the rezoning request passes unanimously

Chairperson Harris made and Commissioner Kurzejeski seconded a motion to approve the request by Frederick E. Schmidt to revise an approved review plan in the C-GP zoning district on 3.47 acres located at 601 N Hwy UU, Columbia:

|                         |                       |
|-------------------------|-----------------------|
| Boyd Harris – Yes       | Eric Kurzejeski – Yes |
| Greg Martin – Yes       | Bill Lloyd – Yes      |
| Steve Koirtyohann – Yes | Fred Furlong – Yes    |
| Daniel Mings – Yes      | Randal Trecha – Yes   |
| Jeff McCann – Yes       |                       |

Motion to approve the review plan passes unanimously

Chairperson Harris stated that these requests would go before the County Commission on Tuesday, May 3, 2022 at 7:00 PM and the applicants need to be present for the hearing.

3. Request by Bill & Pamela Vaughn to rezone 1.6 acres from A-1 (Agriculture) to A-2 (Agriculture) on 5.26 acres located at 21470 S Westbrook Dr, Hartsburg. (Tabled from March 2022)

Planner, Thad Yonke gave the following staff report:

This property is located approximately 4 miles south of the nearest portion of the Ashland municipal limits and 3 miles east of Hartsburg. The property is on the east side US Highway 63 and the east side of Westbrook Drive. The parcel is approximately 5.26-acres in area and is currently split zoned with the northwestern 1.6-acres zoned A-1 (agriculture) and the remaining 3.66-acres zoned A-2 (agriculture). The original zoning for this property was A-1, the A-2 portion of this property was included in a rezoning request in 1998. The 1.6-acres of A-1 zoning was not part of the rezoning requested at that time. Property to the north, east, south and southwest is zoned A-1 while property to the southeast is zoned A-2. Property to the west across US Highway 63 is zoned A-2 and A-R (agriculture – residential). The site currently has a residential structure on it. The proposed rezoning would make the current property uniform in zoning and compliant with the minimum lot size requirements of the ordinance. The applicants have expressed an interest to divide the property by Family Transfer once the rezoning is completed; any Family Transfer must meet the minimum lot size for the zoning district in which it is located.

The Master Plan designates this property as suitable for agriculture and rural residential land use. The Master Plan identifies a “sufficiency of resources” test for determining whether there are sufficient resources available for the needs of the proposal. Failure to pass the test should result in denial of a request. Success in passing the test should allow the request to be considered and evaluated based on accepted planning principles.

The resources used for this analysis can generally be broken down into three categories, Utilities, Transportation, and Public Safety Services.

Utilities: Public Water District #1 provides water service to the property. There is a 4-inch water main that serves the current property. There is no central wastewater near so on-site wastewater is and will be used. Ameren UE provides power.

Transportation: The subject tract has frontage on and direct access to Westbrook Drive which is a County maintained public roadway.

Public Safety Services: The property is approximately 1.8 miles from the Southern Boone County Fire station 20 on North Mt. Pleasant Road.

Stormwater: The site is developed and new development or redevelopment on the site will be required to comply with the Boone County Stormwater Regulations.

Zoning Analysis:

This is essentially a clean-up action, the entire subject property is not up to the minimum lot size for the A-1 zoning district and the portion of the property that is zoned A-1 can't stand alone and would have to be adjoined to the property to the north to function with the existing zoning. Even if no further action is

presented for this property, the property is better served with a single zoning district for which the parent parcel complies with the corresponding standards. The resources needed to support this request are the same as those that support the existing situation. Staff notified 14 owners about this request. The property scored 40 points on the rating system.

Staff recommends approval of the rezoning.

Present representing the request:

Cody Darr, Central Missouri Professional Services, 2500 E McCarty St, Jefferson City

Cody Darr: This is for a family transfer and that is what prompted this rezoning request.

Chairperson Harris: So, they will plat it for the transfer or split it?

Bill Florea: By survey, yes.

Open to public hearing.

No one spoke in favor or opposition to the request.

Closed to public hearing.

Commissioner Koirtyohann made and Commissioner Trecha seconded a motion to approve the request by Bill & Pamela Vaughn to rezone 1.6 acres from A-1 (Agriculture) to A-2 (Agriculture) on 5.26 acres located at 21470 S Westbrook Dr, Hartsburg:

|                         |                       |
|-------------------------|-----------------------|
| Boyd Harris – Yes       | Eric Kurzejeski – Yes |
| Greg Martin – Yes       | Bill Lloyd – Yes      |
| Steve Koirtyohann – Yes | Fred Furlong – Yes    |
| Daniel Mings – Yes      | Randal Trecha – Yes   |
| Jeff McCann – Yes       |                       |

Motion to approve the review plan passes unanimously

Chairperson Harris stated that this request would go before the County Commission on Tuesday, May 3, 2022 at 7:00 PM and the applicants need to be present for the hearing.

## VI. Planned Developments

1. Request by Green Acres Farm LLC to approve a Final Development Plan for Green Acres Farm on 10 acres located at 12001 S Hwy 63, Ashland.

The following staff report was entered into the record:

The subject property is located at the southwestern corner of the intersection of Minor Hill Road and US Highway 63, adjacent to the city limits of Ashland to the east. The subject property is 10 acres out of an approximately 210-acre parent property. The property has a substantial amount of flood plain and regulatory stream buffer present, as well as a house, barn, and grain bin. The property is zoned A-1

(Agriculture) and is surrounded by A-1 zoning to the north, south, southeast, and west, with the City of Ashland to the northeast and east. The A-1 is original 1973 zoning. The initial rezoning and review plan were approved by the County Commission under order 131-2022. The proposal scored 55 points on the point rating system.

The property is in the Ashland school district and the Southern Boone County Fire Protection District. The Boone County Master Plan has designated this area as being suitable for agriculture and rural residential land uses. This request is to change the current zoning of the property from A-1(Agriculture) to A-1P (Planned Agriculture) to allow division of a residence and outbuildings from the larger portion of the property that is in cultivation.

This final plan locks in the previously approved rezoning and allows the property to be divided as proposed, separating the smaller lot with the house from the rest of the property.

The Boone County Zoning Ordinance, Section 6.2.14, Standards for Approval of the Final Development Plan identify 3 criteria for approval:

- All the required information is accurately portrayed on the Plan
- The Final Plan conforms to the approved Review Plan
- The Final Plan demonstrates compliance with all conditions, which the County Commission may have imposed on the Final Plan

After review of the submitted Final Plan, staff has found that the plan meets these three criteria and is ready for approval by the Planning & Zoning Commission.

Staff recommends approval of the final plan.

Commissioner Lloyd made and Commissioner Koirtyohann seconded a motion to approve the request by Green Acres Farm LLC to approve a Final Development Plan for Green Acres Farm on 10 acres located at 12001 S Hwy 63, Ashland:

|                         |                       |
|-------------------------|-----------------------|
| Boyd Harris – Yes       | Eric Kurzejeski – Yes |
| Greg Martin – Yes       | Bill Lloyd – Yes      |
| Steve Koirtyohann – Yes | Fred Furlong – Yes    |
| Daniel Mings – Yes      | Randal Trecha – Yes   |
| Jeff McCann – Yes       |                       |

Motion to approve the final development plan passes unanimously

Chairperson Harris stated that this request would go before the County Commission on Tuesday, May 3, 2022 at 7:00 PM.

2. Request by VH Properties LLC to approve a Final Development Plan for Midway USA Campus on 14.13 acres located at 5885 and 5875 W Van Horn Tavern Rd, Columbia.

The following staff report was entered into the record:

This property is located on the north side of Van Horn Tavern Road and is bounded on the north by I-70, approximately 1900 feet west of the intersection with U.S. 40. The site is about 300 feet west of the

Columbia municipal limits. In March 2022 the Planning and Zoning Commission recommended approval of a rezoning and a Rec-P & Revised M-LP PID Review Plan. The County Commission approved the rezoning and Review Plan, Commission Order 132-2022 with the following conditions:

1. Under general notes number 4 Tract 3A add, a line labelled "d." incidental retail sales and services accessory to the main use" (Subject to the approval of a Conditional Use Permit)
2. An agreement to resolve sewer concerns acceptable to the BCRSD and the Director of Resource Management must be finalized prior to the submission of the Final Development Plan.

The Zoning Regulations state that the Commission shall approve a Final Development Plan when it is satisfied that:

- All required information is accurately portrayed on the plan
- The Final Plan conforms to the approved review plan
- The Final Plan demonstrates compliance with all conditions, which the County Commission may have imposed on the Review Plan.

Staff has reviewed the plan. All required information is accurately portrayed, and the plan conforms to the review plan.

The conditions imposed by the County Commission have been met.

Staff recommends approval.

Commissioner Lloyd made and Commissioner Koirtyohann seconded a motion to approve the request by VH Properties LLC to approve a Final Development Plan for Midway USA Campus on 14.13 acres located at 5885 and 5875 W Van Horn Tavern Rd, Columbia:

|                         |                       |
|-------------------------|-----------------------|
| Boyd Harris – Yes       | Eric Kurzejeski – Yes |
| Greg Martin – Yes       | Bill Lloyd – Yes      |
| Steve Koirtyohann – Yes | Fred Furlong – Yes    |
| Daniel Mings – Yes      | Randal Trecha – Yes   |
| Jeff McCann – Yes       |                       |

Motion to approve the final development plan passes unanimously

Chairperson Harris stated that this request would go before the County Commission on Tuesday, May 3, 2022 at 7:00 PM.

## VII. Plats

The following items were placed on consent agenda:

1. Estates at Oak Mill Plat 1 Preliminary Plat. S14-T48N-R12W. A-R. Charlotte M. Frazier & Melissa L. Ussery, owners. David Butcher, surveyor.

Planner, Thad Yonke gave the following staff report:

The subject property is located on the west side of Olivet Road approximately 1200 feet south of the intersection of Richland Road and Olivet Road. The property is 29.74 acres of a 56.22-acre parent parcel. The subject property is split-zoned A-R (Agriculture Residential) on the bulk of the property and A-1 on a small portion of the proposed common lot that comprises the south of the property. Property to the west, northwest, and north, is zoned A-R, to the northeast, east, and southeast across Olivet Road is zoned A-1 (Agriculture) as is the property to the south and southwest. These are all original 1973 zonings.

The proposal is to create a residential subdivision with 19 home lots, one common lot, and 3 public roads. Shumard Lane is proposed to run from east to west through the entire property and connect to Olivet Road. Shingle Court is a cul-de-sac serving 5 of the proposed lots and Catesby Drive serves 3 lots and stubs to the remainder of the parent property to the north.

The property is in Public Water District #9 service area which will provide water to the development. Hydrants will need to be installed at maximum spacings of 500-feet in order to provide fire protection for all lots. The development is 3.1 miles from Boone County Fire protection station #1 and 3.5 miles from station #12. The development will get central sewer service from the BCRSD/City sewer main already located on the property. The property is subject to a pre-annexation agreement with the City. The site is in Boone Electric's service area. The property scored 68 points on the rating system.

Staff recommends approval of the preliminary plat.

2. Green Acres Farm Estates. S34-T47-R12W. Pending A-1P. Green Acres Farm 1939, LLC, owner. Kevin Schweikert, surveyor.

The following staff report was entered into the record:

The subject property is located at the southwestern corner of the intersection of Minor Hill Road and US Highway 63, adjacent to the city limits of Ashland to the east. The subject property is 10 acres out of an approximately 210-acre parent property. The property has a substantial amount of flood plain and regulatory stream buffer present, as well as a house, barn, and grain bin. The property is zoned A-1 (Agriculture) and is surrounded by A-1 zoning to the north, south, southeast, and west, with the City of Ashland to the northeast and east. The A-1 is original 1973 zoning. The property was rezoned to A-1P and a review plan was approved by the County Commission under order 131-2022. This proposal creates the lot identified on the plan.

The subject property has direct access onto US Highway 63, publicly dedicated, publicly maintained right of way. The applicant has submitted a request to waive the traffic study.

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.

An existing on-site wastewater system provides wastewater treatment for the home on site. The applicant has submitted a request to waive the wastewater cost-benefit analysis.

The property scored 55 points on the rating system.

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

3. CC Country Lots Plat 1. S12-T51-R13W. A-2. Phyllis A. Powell, owner. Steven Proctor, surveyor.

The following staff report was entered into the record:

The subject property is located on Highway CC, just over 1 mile to the west of the City of Sturgeon. The parent parcel is 84 acres in size and zoned A-2 (Agriculture). There is A-2 zoning to the north, south, and west, with A-1 (Agriculture) zoning to the east. This is all original 1973 zoning. There is a residence, two barns, and a lagoon present on the property. This proposal divides the structures from the rest of the parent parcel on a 5.04-acre lot.

The proposed lot has direct access on to State Highway CC, a publicly dedicated, publicly maintained right-of-way. There appears to be a second access point across the property to the east that may serve the property as well. The applicant has submitted a request to waive the traffic study requirement.

The subject property is in Public Water Service District 10. There is a water meter on the property, but it is noted as inactive per PWSD#10. The property is located in the Boone County Fire Protection District service area and the Boone Electric Cooperative service area.

There is an existing lagoon serving the residence on the property. The applicant has submitted a request to waive the wastewater cost-benefit analysis.

The property scored 50 points on the rating system.

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

4. Noble Subdivision Plat 1. S26-T50N-R12W. A-2. Brian Noble, owner. James Patchett, surveyor.

The following staff report was entered into the record:

The property is located just over a mile and a half south of the City of Hallsville along Varnon School Road. The proposed subdivision is located within a A-2 (agriculture) zoning districts. The proposed subdivision would create three lots. Lot one is 3.18 acres in size, with lots 2 and 3 each 3.01 acres. A corresponding boundary survey for the remainder of the parent parcel was submitted to the Director of Resource Management for approval. The boundary survey is exactly 20 acres. The A-2 zoning is original 1973 zoning.

All three lots of the proposed subdivision have direct frontage along Varnon School Road. 33' half width right of way was previously dedicated before the plat. A 20' utility easement is dedicated along Varnon School Road. The surveyor submitted a written request to waive the traffic study requirement for this project.

The property is located within the service area of the Public Water Supply District #4. Boone Electric Cooperative provides power in this area. Boone County Fire Protection District provides fire protection.

The three lots of Noble Subdivision would be served by on-site wastewater lagoons. The applicant submitted a wastewater plan that outlines potential lagoon locations. The submitted plan was approved by the City of Columbia/Boone County Health Department. The surveyor submitted a written request to waive the wastewater cost benefit analysis.

The property scored 15 points on the rating system.

Staff recommends approval with requested waivers of the traffic study and wastewater study.

5. Sully's Meadow Estates Plat 1. S18-T50N-R11W. A-R. Jody Carmichael Siding & Guttering, LLC, owner. Steven Proctor, surveyor.

The following staff report was entered into the record:

The property is located three quarters of a mile east of the city of Hallsville along East Old Highway 124. The property is within a A-R (Agricultural- Residential) zoning district. The proposed subdivision plat would create three lots, a 3.15-acre lot, a 3.26-acre lot, and a 3.63-acre lot. A corresponding administrative survey was submitted to the Director of Resource Management for the remainder of the parent parcel, which is 10 acres. The administrative survey lot would be served by separate utility and access easements along the west portion of lot 3. The property is surrounded by A-R zoning to the east, south, and west. A-1 (Agriculture) zoning exists to the north across E Old Highway 124. All surrounding zoning is original 1973 zoning.

All three lots of the proposed subdivision have frontage on and direct access to E Old Highway 124. Lot 1 of the subdivision has an existing driveway to serve a single-family home and barn structures. Lots 2 and 3 will require new driveways for connection onto E Old Highway 124. The corresponding administrative survey lot will have an access easement along the western boundary of lot 3 to connect to E Old Highway 124. The applicant did not submit a request to waive the traffic study.

The platted area is within the service area of Public Water Supply District #4. Boone Electric Cooperative provides power for the area. Boone County Fire Protection District provides fire protection.

The three lots are proposed to utilize onsite wastewater lagoons. An existing lagoon on the proposed lot 2 currently serves a house that sits on lot 1. The applicant did not submit a request to waive the wastewater cost benefit-analysis. Removal of the lagoon on the proposed lot 2 would be required before the plat is accepted by the County Commission.

No written request for waivers for the traffic analysis or wastewater cost benefit was received by staff. However, the size of the proposed plat would have minimal impact to both traffic and wastewater services. Waivers of these two studies are warranted.

The property scored 63 points on the rating system.

Staff recommends approval of the plat as submitted and waivers to the traffic study and wastewater cost benefit analysis based on the following condition:

1. That the existing lagoon on the proposed lot 2 be relocated to lot 1 with the existing house it currently serves before final approval from County Commission.

Chairperson Harris made, and Commissioner Lloyd seconded a motion to approve the items on consent agenda with the recommended staff conditions:

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:

The conditional use permit request by Bridget Early was appealed to the County Commission, the applicants asked that the request be tabled until the May 3, 2022 meeting.

The conditional use permit request for Do Something Right Now was approved as recommended.

The rezoning requests for Green Acres Farm 1939 and VH Properties were approved as recommended.

The plats that moved forward to the County Commission were accepted.

## VIII. New Business

### 1. Solar Regulations

Andrew Devereux distributed drafts of Purpose Statements in regard to Utility Scale Solar Regulations. The Commission requested time to look it over and they would discuss at the next regular work session. That work session is scheduled for Thursday, May 12<sup>th</sup> at 4:30 PM.

Commissioner Kurzejeski: Does the County Commission have a proposed deadline for this to be completed?

Bill Florea: They would prefer it to be completed by early Fall 2022.

### 2. Master Plan

Commissioner Koirtyohann: Where are we with updating the master plan?

Bill Florea: We have a budget for that. We hope to start that process by having a professional on board by August or September 2022.

### 3. Subdivision Regulations

Bill Florea: There was some discussion about finishing our work on the subdivision regulations. It looks as though the solar regulations won't be as intense as we thought so we could probably spend some time on the subdivision regulations. It has been a long time since we worked on them and we have new Planning and Zoning Commissioners who were not involved in that process. We were down to two issues. Staff will email the link to the website which contains the proposed regulations, and summary of the proposed changes and the minutes from the work sessions. That should give the Commission a good refresher and bring the new Commissioners up to date. I have been contacted by some Commissioners on other ideas and things they would like to revisit; at this point, those Commissioners should lobby their fellow Commissioners and if there is a majority that want to revisit those then we can do that. If there is not a majority then we should move forward.

IX. Adjourn

Being no further business, the meeting was adjourned at 7:41 p.m.

Respectfully submitted,

Secretary  
Gregory Martin, Secretary

Minutes approved on this 19<sup>th</sup> day of May, 2022