

BOONE COUNTY PLANNING & ZONING COMMISSION

BOONE COUNTY GOVERNMENT CENTER

ROOM 214, 801 E. WALNUT ST, COLUMBIA, MISSOURI

(573) 886-4330

Minutes

7:00 P.M.

Thursday, April 17, 2025

I. CALL TO ORDER

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

II. ROLL CALL:

- a. Members Present:
 - Boyd Harris, Chairperson Centralia Township
 - Eric Kurzejeski, Vice Chairperson Missouri Township
 - Gregory Martin, Secretary Katy Township
 - Robert Schrieber Three Creeks Township
 - Jeffrey Ehimuh Columbia Township
 - Jeff McCann County Engineer
- b. Attending by Phone:
 - Steve Koirtyohann Rocky Fork Township
 - Randall Trecha Cedar Township
- c. Absent:
 - Kevin Harvey Rock Bridge Township
 - Christy Schnarre Bourbon Township
 - Ken Butler Perche Township
- d. 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 20, 2025, meeting were approved as presented by acclamation.

IV. CHAIRPERSON STATEMENT

Chairperson Harris entered the following statement into the record:

The April 17, 2025, meeting of the Planning and Zoning Commission is now called to order.

Notice of this meeting has been posted in accordance with State and local laws.

The Boone County Planning and Zoning Commission is an advisory commission to the County Commission and makes recommendations on matters dealing with land use. The commission is made up of individuals representing each township of the county and the county engineer.

The Planning and Zoning Commission may follow Robert's Rules of Order or its own by-laws. The by-laws provide that all members of the commission, including the chairperson, enjoy full privileges of the floor and may debate, vote upon, or make any motion.

The following procedure will be followed:

Announcement of each agenda item will be followed by a report from the planning department staff. After the staff report, the applicant or their representative may make a presentation to the Commission. Then, 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. Individuals that neither support nor oppose a request may address the commission at any time during the public hearing. Members of the public attending by phone will be muted until the public comment portion of the meeting is opened.

Please direct all comments or questions to the commission. Be concise and restrict your comments to the matter under discussion. We ask that you please not be repetitious with your remarks. Some issues can be quite emotional but please be considerate of everyone and refrain from applause, cheers, or other signs of support or displeasure.

Please give your name and mailing address when you address the commission and sign the sheet on the table after you testify. 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 the public hearing is closed no further comments will be permitted from the audience unless requested by the Commission. The applicant will 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 a motion will be made for a recommendation to the County Commission.

All recommendations for approval are forwarded to the County Commission. They will conduct another public hearing on Tuesday, April 29, 2025 at 7:00 PM. Interested parties will be able to comment on the requests at that time. The vote on discretionary items, such as rezonings and conditional use permits will take place at a second reading; the date and location of the second reading will be announced at the meeting on the 29th. The County Commission generally follows the recommendations of the Planning and Zoning Commission; however, they are not obligated to do so.

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 Resource Management office to see if a request that has been denied has filed an appeal. There will be no further public notification due to the short time between the hearing tonight and the County Commission hearing.

V. REZONING REQUESTS

1. Request by West Creek Properties LLC to rezone to Planned Two-Family Residential (R-DP) and to approve a Revised Review Plan and Preliminary Plat for Lot C-1 Newtown Subdivision on 1.51 acres located at 6850 S Coneflower Ave, Columbia. (open public hearing)

Senior Planner, Thad Yonke gave the following staff report:

The property is located at 6855 S. Coneflower Avenue, Columbia. The zoning is Planned Two-Family Residential (R-DP) which was rezoned in 2019 from Planned General Commercial (C-GP) which had a limit to the Neighborhood Commercial (C-N) uses, this in turn was rezoned from its original Agriculture 2 (A-2) zoning in 1998. The most recent revision to the plan was approved in 2019. Adjacent property is zoned as follows:

- North – Planned Single-Family Residential (R-SP)
- South – A-2
- East – R-SP
- West – Planned Agriculture Residential (A-RP) then City Zoning across High Pointe Lane

The request is to rezone the approximately 1.51-acres which corresponds to Lot C-1 of Newtown Subdivision Final Plat Block 5 to enable replatting this lot into 12 zero-lot-line residential lots: eight will have frontage on and direct access to Coneflower Avenue, while four lots have no public road frontage and are proposed to use common lot C100 for access to Coneflower. The existing approved R-DP plan shows the same 12 units in three buildings but without the provision to subdivide into individual lots. The area sought to be rezoned is currently vacant.

The Master Plan identifies a “sufficiency of resources” test for determining whether there are sufficient resources available for the needs of the proposal. 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 allow the request to be considered and evaluated based on accepted planning principles.

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

Utilities:

The area proposed for rezoning will be served by the Boone County Regional Sewer District (BCRSD) sewer facility. The BCRSD has earmarked capacity for twelve 2-bedroom unit dwellings.

Consolidated Water provides water in the area and there are some upgrades or relocations shown on the plan that will need to be coordinated and will be at the developer’s expense.

Boone Electric provides power and has facilities that will need to be re-worked and/or relocated at the developer’s expense, some of which is noted on the plan graphic.

Stormwater: Development of the site will be required to comply with the Boone County Stormwater Regulations. There is some designated Floodplain on the property, but the proposed development is not proposed to encroach on the 100-year Floodplain.

Transportation:

The property has frontage on both State Route K and Coneflower Avenue but only has access to Coneflower. Both roads are hard surface publicly maintained roadways. Lots 5-12 are proposed to have direct frontage on and access to Coneflower Avenue. Lots 1-4 front onto common lot C100 which will contain the hard-surface dust-free private driving lane serving as access to these four lots. There should be no additional traffic impact since the unit type and number is the same as is currently approved.

Public Safety Services: The site is within 2.1 road miles of the Boone County Fire Protection District Station 8 on Route. K station near Rock Bridge Elementary.

Zoning Analysis:

The Master Plan designates this property for residential use. The proposed use is consistent with that designation.

Lots 5-12 meet the sufficiency of resources test for service availability or potential availability. However, it has not been fully shown how lots 1-4 and the common lots meet the test. A note on page 2 of the plan indicates a generalized strategy for maintenance of the common lots and access drive for proposed lots 1-4.

The subdivision regulations require the draft covenants be provided with a preliminary plat. The covenants have not been provided. Rather than reject the submittal entirely, staff will propose conditions that will need to be fully resolved prior to any Final Plan submission being accepted for a future agenda.

The central sewer provision has not been changed since the 2019 rezoning and the BCRSD has reserved capacity for twelve 2-bedroom units. This capacity has been acquired from the BCRSD.

The most significant change in this proposal is that small lots are being proposed without frontage on and direct access to public roads. The subdivision regulations are generally structured to limit the use of private access easements or private roadways to large-lot land divisions and to prohibit small lot creation in general that doesn't have direct frontage on and access to public roads.

The subdivision regulations do provide a mechanism to propose the use of private roadways as an exception. The Commission does have authority to approve the use of private drives to access lots less than 5-acres in size, when the development is proposed as a preliminary plat of a major plat within a planned development. However, this makes the development approval discretionary unlike approval for a standard subdivision.

As stated previously, the general concept of land division envisioned in the adopted subdivision regulations starts with a presumption that land divisions will be conducted using public roadways to access platted lots. There are only a few exceptions to the requirement of use of public roads in subdivisions and those exceptions diminish as the proposed lot sizes become smaller with the only mechanism being the planned development & major plat.

The requirements to use public roadways exist to ensure that the most basic need of access to the lots is guaranteed by a public entity to avoid potential civil conflict. Structuring land use regulation to require public road access is one of the features that levels the socioeconomic playing field of land ownership.

When proposing use of private access as part of a planned development and major plat there is a burden on the applicant to show two things. First, that the proposal guarantees proper and normal maintenance in perpetuity. That includes covering eventual replacement of the feature, such as the private driving surface at the end of the material's lifespan. Conversely, with public roadways there is no need to show this because it is a public function and not the responsibility of the lot owners.

This maintenance guarantee is normally done through a trust agreement and or covenants and must provide adequate funding to cover these costs even under non-ideal conditions. This is why draft covenants are required as part of the submission and review. Approval should be withheld until the costs and methods, that would otherwise be a public obligation, are shown to be completely covered by the trust agreement and or covenants.

Second, there is the question of whether the proposed use of private access drives is appropriate as sound development. In this instance, it does appear that the development would lose two proposed units if the development style used for proposed lots 5-12 was simply extended further north to Route K where all lots

would have both public road frontage and access. The potential loss of density has an impact on affordability since there would be fewer lots upon which to distribute the development costs.

It might have been possible to create some form of “eyebrow or bump-out” design on Coneflower Avenue to get to the same 12 lots without the private drive. But it is also likely that such an alternate design would have pushed more of the development area further to the west into the more sensitive portions of the lot. In this case the design proposed does seem to be sympathetic to the geographic features of the lot, especially when coupled with the specific limitations on access.

The following primary concerns remain:

- Neither the proposed trust agreement/covenants have been submitted and so there is no way to evaluate whether the maintenance mechanisms proposed are adequate, nor is there any numerical cost information to evaluate whether the proposal fully accounts for all the costs.

Despite this hesitation, staff supports the proposal with conditions. This is because most of the proposed development uses fully public infrastructure, specifically lots 5-12 and the private roadway proposed for lots 1-4 seems to be a design decision based predominately on specific features of the site.

The proposed conditions relate to ensuring long-term management and maintenance of the private access drive specific to this proposal.

Staff notified 84 property owners about this request. The property scored 66 points on the rating system.

Staff recommends approval of the rezoning subject to the following three conditions:

1. Draft covenants/trust agreement must be finalized to the satisfaction of the Director of Resource Management prior to any acceptance of a Final Plan for this development for any future P&Z Commission agenda.
2. The note on sheet 2 “Common Area Maintenance” shall be altered to replace the words “concurrently with” with “prior to” in order to make the review plan consistent with condition 1 above.
3. The covenants/trust agreement must contain at a minimum but not limited to:
 - a. Provisions for the proper and continuous maintenance and supervision of said common land by a trustee and payment for such maintenance and supervision by means of annual or more frequent assessments against lots and provision for assessment secured by assessment liens enforceable by foreclosure. The finalized version is to be concurrently recorded with the associated Final Plat. (Subdivision Regulations Appendix B 1.4 Common Land)
 - b. Provisions for snow removal from the Private Drive on Lot C100.
 - c. Provide specifications and cross section proposed for construction of the Private Drive.
 - d. Provisions for generalized maintenance of the Private Drive and the Development Sign on Lot C100 including funding and frequency.
 - e. Provision for major maintenance/replacement/reconstruction of the Private Drive including funding and frequency.
 - f. Provisions to guarantee repair of damage due to utility work.
 - g. Dispute resolution for when owners disagree about issues related to the maintenance or funding related to the common Lots C100 and C101.

Present representing the request:

Jay Gebhardt, A Civil Group, 3401 Broadway Business Park Ct, Suite 105

Jay Gebhardt: This plan is almost identical to the plan that was approved in 2019 except for the postage-stamp lots. We are doing this because we looked at doing these lots as condominiums and originally, they

were going to be rentals. But we looked at doing them as condominiums and due to the cost of construction, renting these is not a viable option. Lending institutions add a pretty high barrier to condominiums for people.

We are trying to create a housing product that is homeownership similar to a Freddie Mac and Fannie Mae loan that you would get on any single-family home. Under the code, these are single-family homes that are attached. It has required us to put in a public sanitary sewer so each lot is served by a public sewer and we have addressed the private access for lots 1-4. The applicants don't have any problems with the conditions and it is helpful to the applicants to have a clear understanding of what needs to be addressed before we can bring a Final Plan forward.

Chairperson Harris: The private driveway would be asphalt or concrete?

Jay Gebhardt: One or the other, we have to provide a cross section. Typically what we do is use a residential street standard that the county uses for public streets and they have an option for asphalt or concrete and we would probably allow either one of those.

Chairperson Harris: Will the property be raised to get out of the stream buffer?

Jay Gebhardt: We will have to remove some trees, the floodplain is along the edge of the property.

Commissioner Koirtyohann: How long has this project been going on? It seems like it has been a while.

Jay Gebhardt: It started in 2019 for me when we rezoned it from commercial to the R-DP. It was approved in 2019 but it may have started in 2018. Covid happened and prices went up, when the owner looked at it again they would have been \$2,500 per month rentals so they are looking at homeownership now.

Commissioner Trecha: Did the applicants agree to all of the staff conditions?

Jay Gebhardt: Yes.

Commissioner Kurzejeski: Does this covenant/trust agreement go through our legal staff for review? Is there a standard template? It seems pretty open-ended.

Bill Florea: We can take it to legal staff for review.

Thad Yonke: That is one of the reasons it is phrased the way it is so it gets fully worked out before it comes back. Not trying to negotiate something during this meeting that really needs to have already been vetted and agreed to by both parties.

Chairperson Harris: Will that agreement only apply to those four or eight homes?

Jay Gebhardt: No, that whole area of C-100 is where the driveway is but C-101 is where all the trees and creek are; it also includes all the stormwater detention and water quality measures.

Chairperson Harris: By the time you get that done you are going to have ended up setting up an HOA with a maintenance agreement.

Jay Gebhardt: Yes. Everything that is not one of those little lots is a common area and those areas have to be addressed as to who mows it.

Chairperson Harris: The fees will be spread out over 24 homeowners rather than eight.

Jay Gebhardt: The way it will be set up is lot C-100 is its own common area lot so those four owners would be responsible for the maintenance of that driveway and the other eight will not. There will be a variable HOA fee based on which home they own.

Commissioner Ehimuh: How many trees will be removed?

Jay Gebhardt: The back area of lots 9-12 is where the trees will be removed.

Commissioner Ehimuh: I wondered about the long-term effects with land disturbance since there is an established root system.

Jay Gebhardt: I don't think there will be problem.

Open to public hearing.

Present with a question:

Dee Dokken, 804 Again St, Columbia

Dee Dokken: What sewer will be used for this development?

Jay Gebhardt: The Route K facility; there was capacity with the original development. That capacity has been purchased by the current owner to secure it; there is capacity for the 12 units.

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

Closed to public hearing.

Commissioner Schreiber: What is the square footage of the proposed homes?

Jay Gebhardt: 1,100 square foot of living area with a single-car garage; each home will have two parking spaces in addition to the garage.

Chairperson Schreiber made, and Chairperson Harris seconded a motion to approve the request by West Creek Properties LLC to rezone to Planned Two-Family Residential (R-DP) on 1.51 acres located at 6850 S Coneflower Ave, Columbia:

Boyd Harris – Yes	Eric Kurzejeski – Yes
Greg Martin – Yes	Steve Koirtyohann – Yes
Randal Trecha – Yes	Robert Schreiber – Yes
Jeffrey Ehimuh – Yes	Jeff McCann – Yes

Motion to approve the rezoning request passes unanimously.

Commissioner Kurzejeski made, and Commissioner Trecha seconded a motion to approve the request by West Creek Properties for a Revised Review Plan and Preliminary Plat for Lot C-1 Newtown Subdivision on 1.51 acres located at 6850 S Coneflower Ave, Columbia with the following conditions:

1. Draft covenants/trust agreement must be finalized to the satisfaction of the Director of Resource Management prior to any acceptance of a Final Plan for this development for any future P&Z Commission agenda.
2. The note on sheet 2 “Common Area Maintenance” shall be altered to replace the words “concurrently with” with “prior to” in order to make the review plan consistent with condition 1 above.
3. The covenants/trust agreement must contain at a minimum but not limited to:
 - a. Provisions for the proper and continuous maintenance and supervision of said common land by a trustee and payment for such maintenance and supervision by means of annual or more frequent assessments against lots and provision for assessment secured by assessment liens enforceable by foreclosure. The finalized version is to be concurrently recorded with the associated Final Plat. (Subdivision Regulations Appendix B 1.4 Common Land)
 - b. Provisions for snow removal from the Private Drive on Lot C100.
 - c. Provide specifications and cross section proposed for construction of the Private Drive.
 - d. Provisions for generalized maintenance of the Private Drive and the Development Sign on Lot C100 including funding and frequency.
 - e. Provision for major maintenance/replacement/reconstruction of the Private Drive including funding and frequency.
 - f. Provisions to guarantee repair of damage due to utility work.
 - g. Dispute resolution for when owners disagree about issues related to the maintenance or funding related to the common Lots C100 and C101.

Boyd Harris – Yes
Greg Martin – Yes
Randal Trecha – Yes
Jeffrey Ehimuh – Yes

Eric Kurzejeski – Yes
Steve Koirtyohann – Yes
Robert Schreiber – Yes
Jeff McCann – Yes

Motion to approve the Revised Review Plan and Preliminary Plat passes unanimously.

Chairperson Harris informed the applicants that these requests will move forward to the County Commission on Tuesday, April 29, 2025 at 7:00 PM and the applicants need to be present for the hearing.

VI. PLANNED DEVELOPMENTS

1. Request by Fred Overton Development Inc to approve a Final Development Plan for Ravenwood on 57.3 acres located at 1948 N Booker Dr, Columbia.

The following staff report was entered into the record:

The property is located on the east side of Rollingwood Boulevard, at the intersection of Rollingwood & US Highway 40. It is approximately 57.3 acres in size and split-zoned under a Planned Residential Single-Family (R-SP) and Planned General Commercial (C-GP) Final Plan. The property is currently vacant. The surrounding zoning is as follows:

- North – Planned Light Industrial (M-LP) and General Commercial (C-G)
- South – R-SP and Agriculture-Residential (A-R)
- East – A-R and C-GP
- West - Neighborhood Commercial (C-N), Moderate Density Residential (R-M), Single-Family Residential (R-S) and R-SP

The Boone County Master Plan identifies this area as suitable for residential land uses.

The most recent review plan and preliminary plat of this property were approved on the March 2025 agenda under Commission Order 197-2025. This Final Development Plan confirms the design and rezoning of that proposal.

The property scored 71 points on the rating system.

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

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

Order 197-2025 placed the following conditions on the Final Plan:

1. The applicant shall submit a design for the fire/emergency access including both location and level of improvement for review and approval by the director of Resource Management and the Boone County Fire Protection District with the Final Plan submittal.
2. The Final Plan of Phase 2B shall show a temporary gated fire/emergency access to the subject property that is acceptable to the Boone County Fire District and The Director of Resource Management.

The property scored 73 points on the rating system.

Staff review of the submitted final plan has, after resubmittal, shown that the final plan meets the conditions established by the approval order and can be approved.

Staff recommends approval of the final plan.

Chairperson Harris made, and Commissioner McCann seconded a motion to approve a request by Fred Overton Development Inc to approve a Final Development Plan for Ravenwood on 57.3 acres located at 1948 N Booker Dr, Columbia:

Boyd Harris – Yes	Eric Kurzejeski – Yes
Greg Martin – Yes	Steve Koirtyohann – Yes
Randal Trecha – Yes	Robert Schreiber – Yes
Jeffrey Ehimuh – Yes	Jeff McCann – Yes

Motion to approve the Final Development Plan passes unanimously.

Chairperson Harris stated this request will move forward to the County Commission on Tuesday, April 29, 2025 at 7:00 PM.

VII. PLATS

Plats 1 – 6 were placed on consent agenda

1. Brandywine Creek Subdivision Plat 2 Preliminary Plat. A-2. S15-T47N-R12W. Gregory Szarnecki Living Trust, owner. Jay Gebhardt, surveyor.

The following staff report was entered into the record:

The subject property is on the north side of Brandywine Creek Road, approximately 2 miles south of the city limits of Columbia. It is approximately 40 acres in size and zoned Agriculture-2 (A-2). The surrounding property is zoned as follows:

- North – Agriculture 1 (A-1)
- South – A-2
- East – A-1 and A-2
- West – A-2

The A-2 zoning was rezoned from A-1 in 1976. The A-1 zoning is original 1973 zoning. This preliminary plat shows nine buildable lots and one common lot. 8 of the lots front on to Brandywine Creek Road, with the final lot in the northeastern portion of the property on Tom Bass Road.

Lots 2 through 9 will have frontage on and direct access to Brandywine Creek Road. Lot 1 has frontage on and direct access to Tom Bass Road. The common lot has access across Lot 1 to Tom Bass Road. The applicant has submitted a request to waive the traffic study requirement.

The subject property is in Consolidated Public Water Service District #1, the Boone Electric Cooperative service area, and the Southern Boone County Fire Protection District. There is a 4" water main along Brandywine Creek. It is insufficient to meet fire flows, although fire flows can be improved by upgrading the 4" line to a 6" line. The waterline upgrade must be completed prior to receipt and acceptance of the final plat.

The proposal intends to use soil absorption systems for on-site wastewater. The applicant has enclosed documentation showing two workable sites on each lot that can support such systems. The applicant has submitted a wastewater cost-benefit analysis.

The property scored 62 points on the rating system.

Staff recommends approval of the preliminary plat and waiver requests.

2. Abell Acres Subdivision Plat 2. A-R. S23-T50N-R12W. Ronald & Tammy Simms, owners. James Patchett, surveyor.

The following staff report was entered into the record:

The subject property is located on State Route B, approximately 1 mile south of Hallsville. It is two lots platted as part of Abell Acres Subdivision. This proposal consolidates those two lots into a single lot of 6.44 acres. The subject property has a house and shop present and is zoned Agriculture-Residential (A-R). The surrounding zoning is as follows:

- North – Residential Single-Family (R-S)
- South – A-R
- East – Agriculture-2 (A-2)
- West – A-R

These are all original 1973 zonings.

The lot will have frontage on and direct access to State Route B, a publicly dedicated, publicly maintained roadway. The applicant has submitted a request to waive the traffic study requirement.

The subject property is in Public Water District #4, the Boone Electric Cooperative service area, and the Boone County Fire Protection District.

The lot has existing access and a connection to a Boone County Regional Sewer District wastewater treatment facility.

The property scored 76 points on the rating system.

3. West Acres. A-R. S15-T50N-R12W. Christopher & Theresa & Luke West, owners. Michael Klasing, surveyor.

The property is located off E Highway 124, approximately ¼ of a mile west of the intersection of N Frink Road and E Highway 124. The proposal is to subdivide a 5.33-acre lot from the 17.50-acre parent tract. A corresponding administrative survey for the remainder of the parent parcel was submitted concurrent to the plat. The proposed 5.33-acre lot contains a single-family dwelling and an onsite wastewater lagoon. The property is zoned agriculture-residential (A-R), and the surrounding zoning is as follows:

- North – A-R
- West – A-R
- South, across E HWY 124 – Agriculture 2 (A-2)
- East – A-R

The lot has frontage on and direct access to E Highway 124, a publicly maintained roadway. An existing driveway provides access to the home to E Highway 124. The applicants have not submitted a request for a waiver for the traffic study requirement. The approval of the plat and corresponding administrative survey will result in one new traffic source. Impacts on existing transportation infrastructure are minimal. Granting a waiver to the traffic study requirement is appropriate in this case.

Public Water Supply District #4 provides water service in this area. Boone Electric provides power service. Boone County Fire Protection District provides fire protection. The nearest station, Station 3, is approximately 1.6 miles away.

An existing onsite wastewater lagoon serves the home on the proposed lot. The applicants have not submitted a request for a waiver from the sewer cost benefit analysis. Approval of the plat and corresponding administrative survey will result in one new dwelling unit. No public sanitary sewer service is available nearby. Granting a waiver to the sewer cost benefit analysis is appropriate in this case.

The property scored 53 points on the rating system

Staff recommends approval of the plat and granting of waivers with the following condition:

1. The plat will not be received and accepted by the County Commission until the corresponding administrative survey is approved by the Director of Resource Management.

4. Herigon Subdivision. A-2. S29-T51N-R13W. Ryan & Kelly Herigon, owners. Kevin Schweikert, surveyor.

The following staff report was entered into the record:

The property is located along N Highway NN, approximately ½ mile south of the intersection of N Barnett School Road and N Highway NN. The proposal is to subdivide a five-acre lot from a 100 plus acre parent parcel. The proposed lot is undeveloped. The property is zoned Agriculture 2 (A-2) and is surrounded by A-2 zoning on all sides.

The proposed lot will have direct road frontage and access to N Highway NN, a publicly maintained roadway. The applicants have submitted a request for a waiver from the traffic study requirement. The approval of the plat will create a single additional traffic source onto N Highway NN. Approval of this plat will have a minimal impact on existing transportation infrastructure. Granting a waiver is appropriate in this case.

The property is within Public Water Supply District #10 service area. Boone Electric provides power service. The Boone County Fire Protection District provides fire protection in the area. The nearest station, Station 4, is approximately 6.3 miles away.

The applicants have submitted an onsite wastewater plan showing a compliant lagoon location for a future single-family dwelling, and a request for a waiver from the sewer cost benefit analysis requirement. There is no public sanitary sewer facility near the subject property. Granting a waiver to the sewer cost benefit analysis is appropriate in this case.

Staff research indicates that creation of this lot will be the third platted lot from the 1995 parent parcel. The other two lots are lots 7A-1 and 7A-2 of Amsdel Acres located off W Rock Hollow Rd and recorded in plat book 57 page 15. Future platting of the parent parcel will require water line upgrades and fire hydrants to be installed at all platted lots from the 1995 parent parcel.

The property scored 25 points on the rating system

Staff recommend approval of the plat and granting of waivers.

5. Riley Subdivision Plat 1. A-2. S6-T49N-R12W. Kale & Paige Spry, owners. Timothy Devaney, surveyor.

The following staff report was entered into the record:

The property is located on the north side of Calvert Hill Road, approximately ½ to the east of the intersection of Wagon Trail Road and Calvert Hill Road. It is 15.43 acres in size and zoned Agriculture-2 (A-2). The surrounding zoning is all A-2. This is original 1973 zoning. The property has a residence, accessory building, and an on-site wastewater system present. The proposed plat divides the property into two lots, one at 10.43 acres in size with the residence, the other at 3.88 acres.

Both lots have frontage on and direct access to Calvert Hill Road, a publicly dedicated, publicly maintained right-of-way. The applicant has submitted a request to waive the traffic study requirement.

The property is in Public Water Service District #4, the Boone Electric Cooperative service area, and the Boone County Fire Protection District.

The subject property has an on-site wastewater system serving the residence on the 10-acre lot. Development on the 3.88 acre lot will use an on-site wastewater system as well.

The property scored 56 points on the rating system.

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

6. Douce Division, Plat 1A. A-R. S22-T49N-R13W. Philip & Debbie Douce, owners. David Borden, surveyor.

The property is located off N O’Neal Rd, approximately 350’ north of the intersection of N O’Neal Road and W Fenton Road. The subject property is zoned Agriculture-Residential (A-R). The surrounding zoning is as follows:

- North – A-R
- West – A-R
- South – A-R
- East – A-R, Agriculture 2 (A-2), and Recreation (REC)

The proposal is to replat existing Lot 1 of Douce Division to enlarge the property to 18.17 acres and to create another platted lot of five acres. Both lots contain a single-family dwelling, accessory buildings, and onsite wastewater lagoons.

The property has frontage on and direct access onto N O’Neal Rd, a publicly maintained roadway. Both platted lots have existing driveway access onto N O’Neal Rd. The applicants have not submitted a request for a waiver for the traffic study requirement. Both platted lots already are developed with a dwelling. No additional sources of traffic will be created by this plat. Granting a waiver to the traffic study requirement is appropriate.

The subject property is in Consolidated Water service area. Boone Electric Cooperative provides power service. Boone County Fire Protection District provides fire protection. The nearest station, Station 13, is approximately 3.8 miles away.

Onsite wastewater lagoons are present on both proposed lots to serve the existing homes. The applicants have not submitted a waiver from the sewer cost benefit analysis. Both lots have been developed with single family dwellings and onsite wastewater systems. No public sanitary sewer service is available nearby. Granting a waiver to the sewer cost benefit analysis is appropriate in this case.

Lot 1 of Douce Division recorded in plat book 56 page 86 was tentatively vacated by County Commission order 553-2023 on the condition that the property was replatted. Approval and recording of this plat will satisfy the condition imposed by the County Commission.

The property scored 34 points on the rating system

Staff recommend approval of the plat and granting of waivers.

Commissioner Ehimuh made, and Commissioner Schreiber seconded a motion to approve the plats on consent agenda as recommended:

Boyd Harris – Yes	Eric Kurzejeski – Yes
Greg Martin – Yes	Steve Koirtyohann – Yes
Randal Trecha – Yes	Robert Schreiber – Yes
Jeffrey Ehimuh – Yes	Jeff McCann – Yes

Motion to approve the plats passes unanimously

Chairperson Harris stated that plats eligible to go before the County Commission will do so on Tuesday, April 29, 2025 at 7:00 PM.

VIII. OLD BUSINESS

1. Update on Commission Action

Director, Bill Florea updated the Commission on the actions of the County Commission:

The Conditional Use Permit by Bechtold Properties for a package delivery service was approved as recommended.

The rezoning request by Mary Williams on behalf of Sinclair & Heather Lester was approved.

The rezoning request, review plan and preliminary plat by Fred Overton Development for Ranvenwood were approved as recommended.

The following plats were accepted:

- Barthel Subdivision Plat 2
- Hinton Lake Estates (Was Walnut Lake Estates – From December 2024)
- Enterprise Subdivision Plat 1 (from December 2024)

IX. NEW BUSINESS

1. Boone County Master Plan

Bill Florea pointed out that the recommended amendments by the Planning and Zoning Commission at the Worksession on April 10, 2025 have been made. The Commission reviewed and agreed to the amendments.

Commissioner Schreiber made, and Commissioner Koirtyohann seconded a motion to recommend adoption of the Boone County Master Plan:

Boyd Harris – Yes	Eric Kurzejeski – Yes
Greg Martin – Yes	Steve Koirtyohann – Yes
Randal Trecha – Yes	Robert Schreiber – Yes
Jeffrey Ehimuh – Yes	Jeff McCann – Yes

All members voted in favor of recommending adoption.

X. ADJOURN

Being no further business, the meeting was adjourned at 7:38 p.m.

Respectfully submitted,

Secretary
Greg Martin, Secretary

Minutes approved on this 15th day of May, 2025