

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

Minutes

7:00 P.M.

Thursday, July 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
Randall Trecha	Cedar Township
Kevin Harvey	Rock Bridge Township
Robert Schrieger	Three Creeks Township
Jeffrey Ehimuh (arrived 7:06 PM)	Columbia Township
Jeff McCann	County Engineer

b. Absent:

Christy Schnarre	Bourbon Township
Ken Butler	Perche Township
Vacant Seat	Rocky Fork Township

c. Staff Present:

Thad Yonke, Senior Planner	Uriah Mach, Planner
Andrew Devereux, Planner	Paula Evans, Staff

III. APPROVAL OF MINUTES

Minutes from the June 12, 2025, meeting were approved as presented by acclamation.

IV. CHAIRPERSON STATEMENT

Chairperson Harris gave the following statement:

The July 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.

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, July 29, 2025, at 7:00 PM in Room 301. 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 not be taken at that hearing; those items will be scheduled for a second reading at a future date; 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 planning 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.

The Boone County Zoning and Subdivision Regulations are hereby made a part of the record of these proceedings.

V. CONDITIONAL USE PERMITS

1. Request by Heather Sears for a conditional use permit for a kennel and pet boutique in the Agriculture 2 (A-2) zoning district on 10 acres located at 8875 S Smith Hatchery Rd, Columbia. Rock Bridge Township. (open public hearing).

Planner, Andrew Devereux gave the following staff report:

The subject property is located on the west side of S Smith Hatchery Road, approximately $\frac{1}{2}$ mile north of the intersection of S Smith Hatchery Road and W Woodie Proctor Road. A single-family dwelling and onsite subsurface wastewater system are under construction on the property. The property is zoned Agriculture 1 (A-1) and is surrounded by A-1 zoning on all sides.

The proposal is for a dog boarding facility within the A-1 zoning district, being applied for under a conditional use permit for a kennel. The applicant proposes utilizing a portion of the basement of the home to board dogs. The basement area containing the dog boarding facility will be heated and cooled and contain floor drains. A fenced portion of the rear yard of the property will be utilized to allow boarded dogs time to roam outside. Additional landscape screening is proposed to visually shield the outside area. Outdoor dog runs or kennel spaces are not proposed with this request. The application indicates that 1 to 3 dogs will be boarded at any one time. Separate email communication with the applicant indicates that up to 10 dogs are desired on the property at any one time. The applicant has clarified the use of "boutique" dog kennel listed on the application as a specialty dog boarding providing care to a small number of dogs that respects a specific pet diet or routine. The application indicates that the purpose of the request is to allow the applicant and their immediate family to care for boarded dogs. The only employees are immediate family members; there is no proposal for outside or external employees not living on the site. No animal training or breeding was proposed for this application.

The Boone County Master Plan designates this area for Rural Preservation. The property is located within Rock Bridge Township.

The following criteria are the standards for approval of a conditional use permit, followed by staff analysis of how this application may meet those standards. Staff analysis of the request is based upon the application and public comments received following notification of the surrounding property owners.

(a) Establishment, maintenance or operation of a conditional use permit will not be detrimental to or endanger the public health, safety, comfort or general welfare.

If developed in accordance with the specific aspects of the proposal documented in the application materials provided, current county regulations, and with appropriate conditions, this proposal can meet this criterion for approval.

(b) The conditional use permit will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted by these regulations.

Animal boarding facilities can have negative impacts on surrounding property owners as it relates to dog barking, waste, and impacts on traffic. Limiting the number of animals on the property at any one time should curtail negative impacts from client traffic and that of potential employee traffic needed to operate the business. Utilization of an animal waste plan in keeping with a limited set number of dogs will minimize any obnoxious side effects of a dog boarding facility.

(c) The conditional use permit will not sustainably diminish or impair property values of existing property in the neighborhood.

Keeping a small number of dogs in a domestic setting is a common occurrence in the operation of a dwelling. Approval of this conditional use permit with appropriate conditions limiting the scale of dog boarding should not result in loss of property values to surrounding property owners. The narrowly defined scale is kept in check by limiting the number of animals involved and the number of external employees. Additional testimony from the public may indicate if this criterion would be met.

(d) All necessary facilities will be available, including, but not limited to, utilities, roads, road access, and drainage.

The property has direct frontage along S Smith Hatchery Road, a publicly maintained roadway. The applicant has indicated to staff that they plan on utilizing a shuttle service to transport animals between the boarding operation and their homes. This shuttle service is intended to limit client traffic travel to and from the intended location. This could provide some traffic mitigation. No information was provided on the hours of operation when potential pickups and drop offs would occur, nor is this really an enforceable stipulation. The only limitation on this request is the number of animals and an assumption that owners must be assumed to come to the site for drop-off and pick-up. A subsurface onsite wastewater system is under construction to serve the single-family dwelling. Modification to the system may be required to account for increased water capacity from the floor drains and Dog Wash shown on the plans in the kennel area. Use of a design professional licensed to practice in the state of Missouri may be required to meet commercial building code requirements for the portion of the home being utilized as a kennel. The driveway surface if currently gravel will need to be changed to a dust-free surface equivalent to chip-seal or greater as part of the business being added to the property, this is a requirement regardless of traffic volume.

(e) The establishment of a conditional use permit will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the zoning district.

Surrounding properties are either undeveloped or utilized for larger lot residential. Permitting the operation of a dog boarding kennel with appropriate conditions to limit the size of the boarding operation is unlikely to impact future development of surrounding properties.

(f) The establishment of a conditional use permit will not hinder the flow of traffic or result in traffic congestion on the public streets. This will include the provision of points of access to the subject property.

A driveway to S Smith Hatchery Road will provide access to the public road. Any drive or parking spaces must meet the dust free, minimum chip seal requirement listed within the zoning code. Minimizing the scale of the operation by limiting the number of animals and external employees should not impede the flow or result in traffic congestion on the public streets.

(g) The conditional use permit shall in all other respects conform to the applicable regulations of the zoning district in which it is located. The County Commission shall find that there is a public necessity for the conditional use permit.

This proposal can conform to the applicable regulations of the zoning district that it is located in.

Zoning analysis: This proposal is for a dog kennel operation within the A-1 zoning district. Dogs will be sheltered within an enclosed space of the basement of a single-family home. A small section outside of the home will be utilized for an outside exercise area. There are no specifics provided regarding landscaping the outside exercise area, the application states that landscaping will be used to screen the outdoor areas.

No outdoor dog runs or kennels spaces are proposed. There is no dog breeding or animal training proposed as part of this application.

Dog boarding facilities can have negative impacts on surrounding property owners. Approval of the conditional use permit for a dog boarding facility can meet the seven tests listed above should the Commission choose to place appropriate conditions that would limit the scale of the operation along with the inherent limitations of the details proposed by the applicant as contained in the application. These conditions would limit the number of dogs on the property to a scale similar to what may be found in a single-family home, ensure proper disposal of the animal waste, and ensure all applicable county regulations are met. A limit of five total dogs, with a caveat of allowing two additional dogs to be boarded around major U.S. holidays to account for any surge in demand, would allow the applicant to board the intended 1 to 3 animals on site while also accommodating two personal or family dogs being kept within the dwelling but not part of the boarding operation.

If appropriate conditions are applied to approval of this request, then staff believe that this application can meet the criteria previously mentioned.

The proposal scored 45 points on the point rating system. Staff notified 11 property owners about this request.

Staff recommends approval of the conditional use permit for a kennel operation with the following conditions:

1. No dog breeding or training shall occur on the property.
2. There shall be no outdoor dog runs or kennel spaces. The dog boarding operation will be conducted within the home with outdoor use limited to animal exercise only.
3. A Landscaping Plan suitable to the Director of Resource Management be provided. Landscaping shall be installed around the portion of the rear or side yard intended for the exercise of the boarded dogs. Landscaping should be of a type capable of screening the dogs from view from neighboring property lines.
4. A maximum of five dogs are permitted on the property at any one time. Up to two additional dogs may be boarded on the property in addition to the five permitted on the two days before and after the major holidays of New Years Day, Memorial Day, Independence Day, Labor Day, Veterans' Day, Thanksgiving, and Christmas Day.
5. An animal waste plan specific to the dog kennel operation is prepared according to the industry's best management practices. The animal waste plan is subject to approval of the Director of Resource Management and must be approved before dog boarding operations begin.
6. A design professional licensed to practice in the state of Missouri shall work with Resource Management staff to determine if modifications to the home are needed to meet building code requirements. Any modifications to the home will be made under a building permit issued by the Director of Resource Management.
7. A subsurface onsite wastewater system is the only approved system for this property while the dog kennel is operational. The installation of the system will be subject to the satisfaction of the Director of Resource Management.
8. Employees shall be limited to immediate family members residing on the property. There shall be no employees outside of the immediate family that do not reside on the premises.

Present representing the request:

Ryan Sears, 2012 Limerick Ln, Columbia
Heather Sears, 2012 Limerick Ln, Columbia

Ryan Sears: We would like to ask for an amendment to the proposed conditions to include spring break to the list of holidays listed. We would also ask that you don't include personal dogs to the maximum limit of dogs in the facility. We have already increased the size of the septic tank and added filters for all of that as requested to help remedy any issues with the wastewater system. We have a client and neighbor present to speak.

Heather Sears: We have also provided several letters of support from the neighbors.

Chairperson Harris asked for clarification on which spring break the applicants were referring to as not all schools have the same spring break.

Thad Yonke: Are the applicants thinking the University of Missouri spring break that most public schools try to match?

Ryan Sears: Yes.

Chairperson Harris: I don't have a problem with it but there needs to be some specificity.

Thad Yonke: In that particular instance, are the applicants asking for the week of spring break and then the two days before and two days after a holiday? While it is a longer time frame, that would fit in with the style of the rest of them.

Commissioner Kurzejeski: The way I am reading the condition, Thanksgiving is one day, it is not MUs Thanksgiving break; the same with Christmas. Is that the same assumption the applicants are working under?

Heather Sears: Correct.

Commissioner Kurzejeski: So, spring break is the only anomaly.

Ryan Sears: Yes.

Commissioner Trecha asked for more information regarding the waste management plan.

Ryan Sears: Mostly it is going to involve picking it up and disposing of it in the correct way. There will be minimal waste inside; any rinse water would enter the septic system which is oversized and filtered per the recommendations.

Commissioner Trecha: The washdown and urine would be pumped into the home's wastewater system?

Ryan Sears: Correct.

Heather Sears: Excluding solid waste.

Commissioner Harvey: The solid waste will be thrown in the trash?

Ryan Sears: Yes.

Commissioner Martin: The kennel would be under the garage so it is concrete all the way around so noise will be minimal.

Ryan Sears: Correct.

Heather Sears: It is almost 860 square feet.

Chairperson Harris: The staff report mentioned chip and seal.

Andrew Devereux: It is a commercial operation and under the zoning regulations any commercial use has to have a minimum dust-free surface.

Chairperson Harris: We are just talking about their driveway?

Andrew Devereux: Correct.

Thad Yonke: No off-site improvements are required.

Commissioner Kurzejeski: The applicant is asking the Commission to consider removing the personal dogs from total number allowed?

Heather Sears: Yes.

Ryan Sears: We discussed that with staff, but I don't think we ever came to a conclusion.

Commissioner Trecha: How many personal dogs do you have?

Heather Sears: A couple.

Commissioner Trecha: Two?

Heather Sears: Yes.

Commissioner Trecha: Are they in the house?

Heather Sears: Yes, they would be away from the other dogs.

Thad Yonke: The issue becomes if you don't have a definition on it, it makes it impossible for staff to have a meaningful ability to say yes or no when it comes to the conditions being met. That is why we work with a defined number.

Commissioner Kurzejeski: The applicants are talking about seven dogs total? Five plus the owner's two.

Ryan Sears: Yes. It is due to the fact that we have the space.

Open to public hearing.

Present speaking in support:

Tom Burkett, 9290 S Old Plank Rd, Columbia

Tom Burkett: From my house, my deck faces the applicant's property. I have known Ms. Sears for four or five years and she has taken care of my dog and I love the fact that she is coming to this area. When I

mention her name to my dog she starts whining. The applicants will run a good operation. When you take dogs to typical kennels they want to run away; Ms. Sears has the opposite effect with my dog. I am not opposed to having an operation like that behind me.

Chairperson Harris stated three letters were received in support of the request, one being from Mr. Burkett.

No one spoke in opposition.

Closed to public hearing.

Chairperson Harris: Staff had suggested the condition that a sub-surface onsite wastewater system would be the required system; are the applicants saying they already have that put in?

Ryan Sears: That is planned to go in.

Thad Yonke: That is with the building permit for the house that they are currently building. The main thing we are looking at is it is going to have to have a couple of additional things looked at like a hair filter or drain that you wouldn't find in a normal system but they have already discussed that with our Onsite Wastewater Coordinator.

Ryan Sears: We are upsizing the back tank to an extra 500-gallons and the filter goes in that.

Thad Yonke: It should be noted that a conditional use permit runs with the property, that is one of the reasons that when staff does the analysis we have to look at it from the overall point of view because it is limited by what is stated on the application as to how they will run the business. The property can transfer so it is not necessarily the exact same people who will always be involved so we have to look at it from that point of view which is why the conditions are generalized so they can be enforced.

Chairperson Harris: This request triggers because there is a commercial aspect to it. We have a 10-acre site in A-1 zoning; any property owner can put a chain link fence around the entire property and put 10 or 15 dogs in there and never ask anyone, correct?

Thad Yonke: Yes.

Commissioner Harvey made a motion to approve the request with the eight conditions, with number four amended to have a maximum of seven dogs and at the end of the list a holiday to include the University of Missouri spring break.

Commissioner Kurzejeski: Are the weekends included?

Thad Yonke: Does that include the two days before and after just like the rest of the holidays.

Commissioner Harvey: Yes.

Chairperson Harris: It is saying Thanksgiving but it is saying two days before and two days after so there is a pretty broad gap there.

Commissioner Trecha: But they will want to house them Sunday and Monday.

Thad Yonke: They indicated that it wouldn't be a problem, correct?

Chairperson Harris: Can we amend that to go the week of Thanksgiving?

Commissioner Kurzejeski: Thanksgiving four days after.

Commissioner Harvey: The week of Thanksgiving which is the fourth Thursday of November.

Chairperson Harris: The two days before are already provided with regard to Thanksgiving to the Sunday following.

Commissioner Harvey: Yes.

Commissioner Kurzejeski seconded the motion.

Thad Yonke: Thanksgiving and spring break are essentially handled differently but the rest of them are the one day holidays with the two days before and after?

Chairperson Harris: Correct.

Commissioner Trecha: What about accounting for the applicants privately owned dogs?

Commissioner Harvey: That takes the five dogs total to seven dogs total.

Thad Yonke: So it would end up being nine dogs on the property during the holidays.

Commissioner Kurzejeski: If they had no privately owned dogs they could have seven boarded dogs.

Thad Yonke: Correct. We envisioned that which is why we structured the condition the way we did with a total number of dogs so we could count them.

Chairperson Harris: The motion on the floor is to approve the request with the conditions as stipulated but with the amendment on number four to be a maximum of seven dogs permitted on the property and that the holiday schedule be amended to have the Thanksgiving to the Sunday after Thanksgiving and to include the University of Missouri spring break week.

Commissioner Harvey made, and Commissioner Kurzejeski seconded a motion to approve the request by Heather Sears for a conditional use permit for a kennel and pet boutique in the Agriculture 2 (A-2) zoning district on 10 acres located at 8875 S Smith Hatchery Rd, Columbia with the following conditions as amended:

1. No dog breeding or training shall occur on the property.
2. There shall be no outdoor dog runs or kennel spaces. The dog boarding operation will be conducted within the home with outdoor use limited to animal exercise only.
3. A Landscaping Plan suitable to the Director of Resource Management be provided. Landscaping shall be installed around the portion of the rear or side yard intended for the exercise of the boarded dogs. Landscaping should be of a type capable of screening the dogs from view from neighboring property lines.

4. ~~A maximum of five dogs are permitted on the property at any one time. Up to two additional dogs may be boarded on the property in addition to the five permitted on the two days before and after the major holidays of New Years Day, Memorial Day, Independence Day, Labor Day, Veterans' Day, Thanksgiving Day, and Christmas Day.~~ Amended by the Commission to: A maximum of seven dogs are permitted on the property at any one time. Up to two additional dogs may be boarded on the property in addition to the seven permitted on the two days before and after the major holidays of New Years Day, Memorial Day, Independence Day, Labor Day, Veteran's Day and Christmas Day; and, up to two additional dogs may be boarded on the property in addition to the seven permitted on Thanksgiving to the Sunday after Thanksgiving and the week of the University of Missouri's Spring Break.
5. An animal waste plan specific to the dog kennel operation is prepared according to the industry's best management practices. The animal waste plan is subject to approval of the Director of Resource Management and must be approved before dog boarding operations begin.
6. A design professional licensed to practice in the state of Missouri shall work with Resource Management staff to determine if modifications to the home are needed to meet building code requirements. Any modifications to the home will be made under a building permit issued by the Director of Resource Management.
7. A subsurface onsite wastewater system is the only approved system for this property while the dog kennel is operational. The installation of the system will be subject to the satisfaction of the Director of Resource Management.
8. Employees shall be limited to immediate family members residing on the property. There shall be no employees outside of the immediate family that do not reside on the premises.

Boyd Harris – Yes
Greg Martin – Yes
Kevin Harvey – Yes
Jeffrey Ehimuh – Yes

Eric Kurzejeski – Yes
Randal Trecha – Yes
Robert Schreiber – Yes
Jeff McCann – Yes

Motion to approve the conditional use permit passes unanimously.

Chairperson Harris informed the applicants that this request would go before the County Commission on Tuesday, July 29, 2025 at 7:00 PM and the applicants need to be present for the hearing.

2. **Request by Mid MO Rentals for a conditional use permit for a structure taller than 100-feet for a wind turbine in the Agriculture 1 (A-1) zoning district on 164.6 acres located at 3301 E Kemper Rd, Hallsville. Rocky Fork Township. (open public hearing).**

Planner, Uriah Mach gave the following staff report:

The subject property is located at the northeastern corner of the intersection of Robinson Road and Kemper Road, 3 miles east of US Highway 63. The property is approximately 164.60 acres in size and zoned Agriculture 1(A-1). There are two grain bins and a pump house present on the property. The surrounding property is as follows:

North – Agriculture-2 (A-2) and A-1

South – A-2

East – A-1

West – A-1

With the exception of the A-2 to the north, which was rezoned from A-1 in 2002, this is all original 1973 zoning. The property is located in Rocky Fork Township.

The applicant is seeking a conditional use permit for a structure over 100' in height. This structure is a lattice-type tower supporting a Wind Energy Conversion System, Small (WECS-S) or wind turbine, providing power to the structures on the property. The wind turbine itself is a permitted accessory structure; the height of the structure requires a conditional use permit.

Staff analysis of the request is based upon the application and public comments received following notification of the surrounding property owners. As a conditional use permit, the proposal must meet the following criteria from the zoning ordinance to be eligible for approval:

(a) The establishment, maintenance or operation of a conditional use permit will not be detrimental to or endanger the public health, safety, comfort or general welfare.

The completion of the building permit/inspection process for the wind turbine will confirm the compliance of this proposal with its ability to meet this criterion.

(b) The conditional use permit will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted by these regulations.

The building inspection process will confirm the safety of this structure allowing it to meet this criterion. It should not otherwise be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted by these regulations.

(c) The conditional use permit will not substantially diminish or impair property values of existing properties in the neighborhood.

Wind turbines are not a particularly common accessory structure, but their presence in an agricultural area is not extraordinary. If inspected and approved through the building inspection process, this criterion should be met.

(d) All necessary facilities will be available, including, but not limited to, utilities, roads, road access and drainage.

The use has limited needs with respect to utility infrastructure and so the site has adequate facilities to support the proposal.

(e) The establishment of a conditional use permit will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the zoning district.

This area is zoned A-1, with residential uses limited to 10-acre tracts or larger. The placement of this facility should not impede the normal and orderly development of the surrounding property.

(f) The establishment of a conditional use permit will not hinder the flow of traffic or result in traffic congestion on the public streets. This will include the provision of points of access to the subject property.

The proposed use does not generate traffic after construction and should not hinder traffic or cause congestion on public streets.

(g) The conditional use permit shall in all other respects conform to the applicable regulations of the zoning district in which it is located. The County Commission shall find that there is a public necessity for the conditional use permit.

The proposal conforms to other applicable regulations of the A-1 zoning district, particularly since no land division is proposed.

Zoning Analysis: This conditional use permit is approvable with a condition to complete the building permit process. Structures of this type and height are not particularly unusual in a rural setting, with the height being the only issue to resolve. This conditional use permit, if approved with a condition to require a building permit and inspections on the new wind turbine, should be consistent with the intent of the Boone County Zoning Ordinance.

Staff recommends approval of the conditional use permit with the following condition:

1. That the building permit application and inspection process is completed to get a certificate of completion for the turbine.

Present representing the request:

Ben Voeller, 3250 E Kemper Rd, Hallsville
Teresa Voeller, 3250 E Kemper Rd, Hallsville

Ben Voeller: The wind turbine is primarily to provide power to the grain bins, it will be hooked to the grid just like a solar panel would be so we will go through Boone Electric for net metering. We have solar panels on our house that we put in 10-years ago and it will be a similar process to that. There is also a well there that we use to water our cattle; it is used exclusively for our agricultural operation.

Commissioner Ehimuh: Were any environmental studies done?

Ben Voeller: I was not aware. This company has been putting them up all over the country and they didn't indicate that there was any issue with that. I don't believe it is tall enough to be an issue with birds like you see with the big wind turbines and the blades don't spin fast enough where they would have trouble avoiding them.

Chairperson Harris: You live across from the property in question?

Ben Voeller: Right, our home is on the south side of Kemper Road and the wind turbine is on the farm on the north side of Kemper.

Teresa Voeller: We own property on both sides of Kemper.

Ben Voeller: Before we decided to move forward we visited a wind turbine like this a couple of hours away because we were concerned with noise and I believe the decibel rating is like 28 at 100-feet so it is very low noise.

Chairperson Harris: The blades are how long?

Ben Voeller: 15-feet.

Chairperson Harris: This has not been constructed yet, correct?

Ben Voeller: It has been partially constructed; we were in the process when we found out that we needed a conditional use permit and that is when we stopped and started the process.

Chairperson Harris: Is there a building permit?

Ben Voeller: Being a farm project, like putting up grain bins, we were told one wasn't required. It was only the fact that it is over 100-feet that brought in the requirement for a permit.

Thad Yonke: That is not completely accurate. It is required to have a conditional use permit because it is 100-feet tall, any electrical use, even agricultural requires a building permit, but it would be an ag electric permit.

Ben Voeller: We obtained a permit when we put the pump house in and the meter pedestal and when we got to the point of doing electrical on this Boone Electric probably would have told us we needed a permit.

Chairperson Harris asked to hear the Martin Conditional Use Permit Request now and the public hearing can be combined.

The Martin CUP request was presented. See information under Conditional Use Permit, Item 3, Frank Martin.

Open to public hearing.

No one spoke in favor or opposition to the request.

Closed to public hearing.

Commissioner Kurzejeski made, and Commissioner Trecha seconded a motion to approve the request by Mid MO Rentals for a conditional use permit for a structure taller than 100-feet for a wind turbine in the Agriculture 1 (A-1) zoning district on 164.6 acres located at 3301 E Kemper Rd, Hallsville with the following condition:

1. That the building permit application and inspection process is completed to get a certificate of completion for the turbine.

Boyd Harris – Yes
Greg Martin – Yes
Kevin Harvey – Yes
Jeffrey Ehimuh – Yes

Eric Kurzejeski – Yes
Randal Trecha – Yes
Robert Schreiber – Yes
Jeff McCann – Yes

Motion to approve the conditional use permit passes unanimously.

Chairperson Harris informed the applicants that this request would go before the County Commission on Tuesday, July 29, 2025 at 7:00 PM and the applicants need to be present for the hearing.

3. Request by Frank Martin for a conditional use permit for a structure taller than 100-feet for a wind turbine in the Agriculture 1 (A-1) zoning district on 138.88 acres located at 5155 E Kemper Rd, Hallsville. Rocky Fork Township. (open public hearing).

Planner, Uriah Mach gave the following staff report:

The subject property is located approximately 1 mile west of State Route B, 1 mile south of Hallsville. The property is approximately 138.88 acres in size and zoned Agriculture 1(A-1). There are eight grain bins, 4 hog houses, 2 barns, 1 machine shed, and 3 dwellings on the property.

The surrounding property is zoned as follows:

North – Agriculture-2 (A-2)

South – A-1

East – A-1

West – A-1

This is all original 1973 zoning. The property is located in Rocky Fork Township.

The applicant is seeking a conditional use permit for a structure over 100' in height. This structure is a lattice-type tower supporting a Wind Energy Conversion System, Small (WECS-S) or wind turbine, providing power to the structures on the property. The wind turbine itself is a permitted accessory structure; the height of the structure requires a conditional use permit.

Staff analysis of the request is based upon the application and public comments received following notification of the surrounding property owners. As a conditional use permit, the proposal must meet the following criteria from the zoning ordinance to be eligible for approval:

(a) The establishment, maintenance or operation of a conditional use permit will not be detrimental to or endanger the public health, safety, comfort or general welfare.

The completion of the building permit/inspection process for the wind turbine will confirm the compliance of this proposal with its ability to meet this criterion.

(b) The conditional use permit will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted by these regulations.

The building inspection process will confirm the safety of this structure allowing it to meet this criterion. It should not otherwise be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted by these regulations.

(c) The conditional use permit will not substantially diminish or impair property values of existing properties in the neighborhood.

Wind turbines are not a particularly common accessory structure, but their presence in an agricultural area is not extraordinary. If inspected and approved through the building inspection process, this criterion should be met.

(d) All necessary facilities will be available, including, but not limited to, utilities, roads, road access and drainage.

The use has limited needs with respect to utility infrastructure and so the site has adequate facilities to support the proposal.

(e) The establishment of a conditional use permit will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the zoning district.

This area is zoned A-1, with residential uses limited to 10-acre tracts or larger. The placement of this facility should not impede the normal and orderly development of the surrounding property.

(f) The establishment of a conditional use permit will not hinder the flow of traffic or result in traffic congestion on the public streets. This will include the provision of points of access to the subject property.

The proposed use does not generate traffic after construction and should not hinder traffic or cause congestion on public streets.

(g) The conditional use permit shall in all other respects conform to the applicable regulations of the zoning district in which it is located. The County Commission shall find that there is a public necessity for the conditional use permit.

The proposal conforms to other applicable regulations of the A-1 zoning district, particularly since no land division is proposed.

Zoning Analysis: This conditional use permit is approvable with a condition to complete the building permit process. Structures of this type and height are not particularly unusual in a rural setting, with the height being the only issue to resolve. This conditional use permit, if approved with a condition to require a building permit and inspections on the new wind turbine, should be consistent with the intent of the Boone County Zoning Ordinance.

Staff recommends approval of the conditional use permit with the following condition:

- 1) That the building permit application and inspection process is completed to get a certificate of completion for the turbine.

Present representing the request:

Ben Voeller, 3250 E Kemper Rd, Hallsville
Teresa Voeller, 3250 E Kemper Rd, Hallsville

Ben Voeller: The applicants have asked me to speak on their behalf as they are out of town.

Chairperson Harris: This location is how far from the Voeller's property?

Ben Voeller: About three miles.

Chairperson Harris: This turbine hit the radar as a violation as already being built without a permit.

Thad Yonke: The way we solve problems like that is to tell them to go through the process so the applicants are trying to remedy it.

Ben Voeller: We are trying to make it right and this is all we can do.

Commissioner Ehimuh: Will this one be built the same as the Voeller's?

Ben Voeller: There will be some difference in the base because we have different soil but otherwise they are the exact same structure.

Open to public hearing.

No one spoke in favor or opposition to the request.

Closed to public hearing.

Commissioner Kurzejeski made, and Commissioner Schreiber seconded a motion to approve the request by Frank Martin for a conditional use permit for a structure taller than 100-feet for a wind turbine in the Agriculture 1 (A-1) zoning district on 138.88 acres located at 5155 E Kemper Rd, Hallsville with the following condition:

1. That the building permit application and inspection process is completed to get a certificate of completion for the turbine.

Boyd Harris – Yes
Greg Martin – Yes
Kevin Harvey – Yes
Jeffrey Ehimuh – Yes

Eric Kurzejeski – Yes
Randal Trecha – Yes
Robert Schreiber – Yes
Jeff McCann – Yes

Motion to approve the conditional use permit passes unanimously.

Chairperson Harris informed the applicants that this request would go before the County Commission on Tuesday, July 29, 2025 at 7:00 PM and the applicants need to be present for the hearing.

VI. REZONING REQUESTS

1. **Request by Dwight Douglas Wheeler to rezone from Moderate-Density Residential (R-M) to Planned Single-Family Residential and to approve a Review Plan for Spencer Hills Plat 4 on 7 acres located at 599 E Clearview Dr, Columbia, Missouri Township. (open public hearing).**

Planner, Thad Yonke gave the following staff report:

The subject property is located at the current northern end of Clearview Drive approximately 100 feet north of the intersection of Sackets Road and Clearview Drive. The overall property is 6.98-acres in size and is zoned Residential Moderate Density (R-M). This is an original 1973 zoning. Surrounding zoning is as follows:

- North – Single-Family Residential (R-S)
- East – R-S

- South – R-M
- West – R-M

The property is in Missouri Township. The property is vacant. The request is to rezone the 6.98-acres to Planned Single-Family Residential (R-SP). The proposed use is for a residential subdivision development of 34 home lots and two common lots used for stormwater and open space. The dwelling units are comprised of four standard lots for single-family homes, 16 smaller lots for cottage homes, & 14 lots with designations of “A” or “B” that have the option to be two-family homes built as single-family attached pairs or that can be combined by eliminating the lettered pair by replat into a single numbered lot. For example, 9A and 9B can be combined by replat into a new single lot 9.

The Boone County Master Plan identifies this area as a Local Community Planning District. The 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: City of Columbia Water Service provides water to the area for both domestic service and fire protection. The Boone County Regional Sewer District (BCRSD) will serve this development with public central sewer. Boone Electric serves the area with power. There is an electric transmission line easement that impacts the buildable area of all the eastern bank of lots. This easement is shown on the graphic.

Transportation: The property will contain two public roadways, an extension of Clearview Drive and a Stub Street to the eastern property that is labelled “Reagan Drive” on the graphic. “Reagan Drive” has not undergone approval by Joint Communication.

Public Safety: The property is in the Boone County Fire Protection District with the closest station being Station 5, 3.8 miles away by roadway.

Zoning Analysis: The existing zoning of R-M would allow for a variety of housing types to be proposed for this development. However, the existing zoning would not allow for the cottage size, and the single-family attached sized lots to be created; These sized lots can only be proposed within a planned development. Almost all the lots in the development are smaller sized with little margin for error when undergoing construction. Due to the smaller size of these lots, lot encumbrances, and the amount of lot coverage expected, an accurate detailed plot plan will be required along with each building permit application for all lots in the development due to the tight tolerances on these small lots.

The residential subdivision has three types of housing proposed in order to make an integrated and cohesive neighborhood with a mixture of housing types.

- The first non-standard residential type is a “Cottage Lot”. These lots are less than 7000 square feet but are intended to contain a somewhat smaller single-family dwelling than would be typical of larger lots.
- The second dwelling unit type is labelled on the graphic as “Single-Family Attached”. In this instance it refers to a pair of lots containing a single structure consisting of two dwelling units sharing a common wall on their shared lot line. These lots are extremely narrow at 28 feet; there is concern regarding the type of dwelling unit the lot design seems to encourage. This is a pair of single-family dwellings where the street facing façade is dominated by a pair of garage doors. This is generally considered disruptive to orderly development of an integrated neighborhood and is typically found in a duplex student housing development. Use of design controls to help promote a less garage-centric feel for the neighborhood will be required to minimize the potential disruption.

- The third dwelling unit comprising only a few lots is the standard single-family dwelling upon a lot of 7000 square feet or more.

A set of draft covenants as well as a preliminary trust agreement outline for common area maintenance have been submitted and are under review.

The property scored 86 points on the rating system.

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

1. All building permit applications for this development are required to provide an accurate detailed plot plan graphically showing the proposed construction.
2. A design plan be proposed prior to submission of the Final Plan for the attached single-family lots. This design plan shall define the physical features of what is proposed on these lots. This plan is subject to being approved by the Director of Resource Management.
3. Under note #2 please add “Public Sewer shall be provided by Boone County Regional Sewer District.” To the end of the note.
4. The Finalized Trust agreement must be worked out to the satisfaction of the Director of Resource Management prior to Final Plan submission.
5. The use of “Reagan Drive” as the name for the proposed sub street must be approved by the Director of Resource Management and Joint Communications. Should Reagan Drive be rejected by either, an alternative name must be approved before the submittal of the Final Plan.

Present representing the request:

Tim Crockett, Crockett Engineering, 1000 W Nifong, Bldg 1, Columbia

Mr. Crockett gave a power point presentation which is attached at the end of minutes.

Tim Crockett: With the way the property is currently zoned, the applicants could put a little over 100-units on the property. The applicants are not looking for that kind of density. The applicants are trying to mix the use rather than put in the same type of houses. This piece of property had a Preliminary Plat approved with a similar layout but it has expired. It has been slated for development and approved before; the applicants are coming back with a new Preliminary Plat since the old one expired and with a different context. Property to the north and east is undeveloped and there are some major roadways planned in the area but not through this piece of property. The previous plan had a dead-end cul-de-sac that could stub to the north, but staff asked us to have a stub street to the east and the applicants accommodated that. The applicants will be selling all of the units, they are not being built for rental purposes. The applicants are trying to get more affordable housing in the area; a housing study completed in October 2024 identified the need for workforce housing. The applicants have taken that to heart; a lot of our developments are starting to incorporate this type of items into our planning. When we look at that housing study it is not something that the County and City does for themselves, but the private development community looks at it as well and looks into how they can achieve goals and that is what the applicants are trying to do with this development and get prices down. We are proposing to mix in denser units throughout the development and not one location so there aren't pockets of the same type. There are no standards in the county for a cottage lot; it is pretty much the same as a single-family residential, it has the same setbacks but the lot is more narrow. Cottage lots are not new to Boone County, there are several developments that have been approved, one in the county just last month. The attached single-family are not duplexes, they are two units that are attached with zero lot lines; these will be sold individually and are not intended to be rentals. The utilities are available and there is a sewer line that crosses the property. The applicants agree to all of the

recommended conditions. Before the county sent out their advertisement for this project the applicants took the list of property owners within 1000-feet and reached out to the neighbors by post card ahead of submission to the county. A couple of those members went out door-to-door within the neighborhood to try to get some additional feedback and input and they spoke with several residents out there.

Chairperson Harris: The property to the east is owned by Kanco, if Reagan Drive were to ever be extended it would come out to Highway 763 but if it came straight out it would come out to..

Tim Crockett: No, we don't have the CATSO map in front of us but if I am not mistaken, Providence Road goes in a northerly direction through here so Kanco's property would have the extension eventually of Providence Road and then it would veer over and tie into Highway 763 at some point in that location. Consequently, Reagan Drive would tie into Providence Road at some point so there would be additional connectivity and ways in and out of this development.

Thad Yonke: There has been further clarification; on Highway 763 there is a wider intersection that has been set up for a four-way intersection at Hackberry, that is where Providence would come in and turn and come over and that would go all the way over and connect to the interchange on 63 that you currently have by the fire station by Crescent Meadows. There is another road which would just be a collector that would continue going north and that is what Reagan would probably stub into. One of the reasons we asked for them to put Reagan Drive there is because when the development to the south that created Sackets the engineer that designed that one put Sackets toward a ravine so that road may not be practical to build; if you go further south, the Hackberry extension has a high voltage power pole right in the middle of the right-of-way. Staff asked that the applicants put another road stub so the property to the east can be developed and allow for some relief to the Clearview area to have roads that filter traffic back toward Highway 763 without everyone having to go back over to the west in order to get out.

Chairperson Harris: Looking at the subject property and where it lays in relation to the rest of the developed property and we have the road that comes in off of Sackets, how did the cul-de-sac to the west not get stubbed over to this property?

Thad Yonke: It was done prior to 1973.

Tim Crockett: I don't believe we had any involvement with that design but there is a larger draw that runs through there so that is the natural separation between the existing development and ours.

Thad Yonke: It was at a time when rules were minimum, if not non-existent. That is part of the problem with the entire Clearview area; the development was done in such a way that it didn't have safeguards that we require now for extra ways in and out of subdivisions. We have been trying to figure out how to get extra road connections as developments come in. Fortunately, some of the city developments that are immediately south of this we ask that they connect into the road stubs to the south and that has provided a little relief but we are still trying to get the eastward expansion of the road network.

Open to public hearing.

No one spoke in favor of the request.

Present speaking in opposition:

Mary Jo Shaw, 6301 N Hwy VV, Columbia

Mary Jo Shaw: The land north of the proposed site is my farm and I am a little confused about the amount of humanity you want to cram in on seven acres. I have lived on that family farm for over 50-years. Originally when Clearview came in my father-in-law didn't oppose it because of a neighbor that was putting the development in and had some nice reassurances of how things would be conducted. Since Clearview went in, our family farm has been a war zone. Obviously the land is there and you are going to approve it, we need the housing so they are going to put that in but I would say the least amount of people that you can cram into seven acres would be appreciated because over the years we have had nothing but hardship from Clearview. We know it is Clearview because we are protected on both sides. You have to understand that when you have encroachment in agricultural areas, we suffer the results of you putting more people into an area. We have had cattle shot, hay burned, and a log cabin burned down; there have been more things like trespassing and illegal hunting. I think the final straw was a little over ten years ago we had a part of our farm condemned for a sewage treatment plant to support Clearview Subdivision. I understand progress but I hope you can consider the other side of the fence; I want my property line respected and if anything happens to the old fence line I expect a call to work out how they will replace it. I am frustrated because of the conditions of things and sometimes it is easy to say we need housing but I am tired of having to be the police force for the area and I think we suffered quite a bit over the last 50 plus years. I am not saying I am opposed to it but I think there needs to be some consideration to keep the population down.

In opposition, by phone:

Alicia Mitchem, 5680 Tyler Dr, Columbia

Alicia Mitchem: I was one of the first people that purchased in Spencer Hills and I was promised a road that went out to Highway 763. We did studies 20 plus years ago, I have lived in my house since 2001 and the studies showed you had to get through from Clearview all the way back here, if I had a heart attack today, I may or may not make it because it takes so long. I am not opposed to housing, I work in a job that is ideal for that I just need the road punched out to Highway 763 where I am not winding through three neighborhoods, including my own and then on to Providence.

Present in opposition:

Cody Garcia, 5700 N Hilary Ct, Columbia

Cody Garcia: I don't want to say I am against this request but I have lived there since 2016 and we were sold the house under the premise that a road was coming in. It is definitely a choke-point going through three neighborhoods to get anywhere. Our kids are riding three to a bus now, with 30 more homes going in how is that going to affect how are students going to get to school when we are already three to a bus? It takes four or five minutes to get out of the neighborhood. I live at the top of the hill so I will be looking down at everything. I am not opposed to it, I just have questions about how it is going to affect traffic, we have a lot of kids that live in the neighborhood and there are a lot more cars going through. The transportation system for the students is pretty rough because it is hard to get in and out of.

Chairperson Harris: What does three to a bus mean?

Cody Garcia: Three kids in a seat. I don't know what the plans are to get that stuff ironed out.

Closed to public hearing.

Chairperson Harris (addressing Ms. Mitchem and Mr. Garcia): You understand that when you purchased your house and were promised a road, that was on that developer and that was his promise; that was not a

promise the city or county would have made and is not a promise that the current applicants bear any burden on. We would all strongly be in favor of getting Providence Road in there and coming out, I understand the frustration but that is beyond the applicants project at this point.

Alicia Mitchem: I can appreciate that point of view. We are talking 2001 to 2016 different developers obviously have heard the concern and if I can't have a developer that is going to understand that I don't mind you want to put houses out there but there has got to be some kind of road that is allowable for us to not have to go through three different neighborhoods. We had a Legislator out here in 2004 to show that it was not conducive to public safety. While I can appreciate the build I just think that the people that have lived here and the people that will live here need an outlet to Highway 763.

Chairperson Harris: The other point brought up is the density. In the grand scheme of things this plan is going to cut that density to about 30% of what the current zoning allows.

Tim Crockett: That is correct.

Mary Jo Shaw: I was just confused when he was going through all of the types of housing. Cottages sound lovely but how many people are going to be crammed into seven acres? That is more people I am going to have to deal with.

Chairperson Harris: The request that the applicants brought forward would allow 34 dwelling units. The current zoning of the property allows them to build 100 units without coming forward with a plan.

Mary Jo Shaw: I understand, I just want the least amount of people and I want my property line respected.

Tim Crockett: We will absolutely respect Ms. Shaw's property line; we will mark it clearly and make sure the construction doesn't go across that line, no one wants encroachment across their property line, we understand that and we want to work with the neighbors. We can't keep people from trespassing long term but we can make sure our construction activities don't encroach.

Thad Yonke: Mr. Crockett misspoke, on the plan, rather than the side-yard setback being six feet, it is actually five feet that the applicants proposed on the plan. It doesn't really make a difference but I wanted the record to be accurate; between two houses on side-yard setbacks it would be a minimum of ten feet which ties into the building code and there are some issues but it is not the six feet.

Chairperson Harris: Workforce Housing is kind of the buzz word in housing right now to reach those price points for these to be owned properties rather than what could conceivably be a giant rental community.

Tim Crockett: Correct. The idea is to get people in a home that they own; not a rental community.

Commissioner Kurzejeski: Is the Anderson Foundation going to build all of these homes or will the lots be individually sold?

Tim Crockett: Anderson Homes will build the units out here; I don't believe any of the lots will be sold.

Chairperson Harris made, and Commissioner Kurzejeski seconded a motion to approve the request by Dwight Douglas Wheeler to rezone from Moderate-Density Residential (R-M) to Planned Single-Family Residential on 7 acres located at 599 E Clearview Dr, Columbia:

Boyd Harris – Yes
Greg Martin – Yes

Eric Kurzejeski – Yes
Randal Trecha – Yes

Kevin Harvey – Yes
Jeffrey Ehimuh – Yes

Robert Schreiber – 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 Dwight Douglas Wheeler to approve a Review Plan for Spencer Hills Plat 4 on 7 acres located at 599 E Clearview Dr, Columbia with the following conditions:

1. All building permit applications for this development are required to provide an accurate detailed plot plan graphically showing the proposed construction.
2. A design plan be proposed prior to submission of the Final Plan for the attached single-family lots. This design plan shall define the physical features of what is proposed on these lots. This plan is subject to being approved by the Director of Resource Management.
3. Under note #2 please add “Public Sewer shall be provided by Boone County Regional Sewer District.” To the end of the note.
4. The Finalized Trust agreement must be worked out to the satisfaction of the Director of Resource Management prior to Final Plan submission.
5. The use of “Reagan Drive” as the name for the proposed sub street must be approved by the Director of Resource Management and Joint Communications. Should Reagan Drive be rejected by either, an alternative name must be approved before the submittal of the Final Plan.

Boyd Harris – Yes
Greg Martin – Yes
Kevin Harvey – Yes
Jeffrey Ehimuh – Yes

Eric Kurzejeski – Yes
Randal Trecha – Yes
Robert Schreiber – Yes
Jeff McCann – Yes

Motion to approve the Review Plan passes unanimously.

Chairperson Harris informed the applicant that these requests would go before the County Commission on Tuesday, July 29, 2025 at 7:00 PM and the applicants need to be present for the hearing.

VII. PLANNED DEVELOPMENTS

1. **Request by Carl & Marlene Dunn to approve a Final Development Plan for Dunn Property on 9.62 acres located at 4880 E Hwy CC, Sturgeon. Bourbon Township.**

The following staff report was entered into the record:

The subject property is located at the intersection of E Highway CC and N Sydow Road. The applicant is seeking to finalize the rezoning of ten acres from Agriculture 1 (A-1) to Planned Agriculture 2 (A-2P) to transfer 7.62 acres of the property to an eligible family member via the family transfer process. A single-family home, onsite wastewater lagoon, and future detached accessory structure will remain on the two acre remainder. The plan specifies that the portion being transferred is limited to agricultural uses only, no additional density is proposed by this plan. The corresponding review plan was approved by County Commission order #338-2025. The following condition was placed on the Review Plan:

1. The Final Plan demonstrates a 50' perimeter setback adjacent to perimeter of the entire planned development.

The Boone County Zoning Ordinance, Section 6.2.14, Standards for Approval of the Final Development Plan identify 3 criteria for approval and 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 have reviewed the submitted Final Plan. All required information is accurately portrayed, and the plan conforms to the corresponding Review Plan and conditions.

A 50' perimeter setback is clearly shown around the entire area of the planned development.

Staff recommend approval of the Final Plan.

Commissioner Kurzejeski made, and Commissioner Harvey seconded a motion to approve the Final Development Plan for Carl & Marlene Dunn on 9.62 acres located at 4880 E Hwy CC, Sturgeon:

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

Motion to approve the Final Plan passes unanimously

Chairperson Harris stated that this item will go before the County Commission on Tuesday, July 29, 2025 at 7:00 PM.

VIII. PLATS

Items 1-4 were placed on consent agenda:

1. **Spencer Hills, Plat 4 PRD Preliminary Plat. R-M. S24-T49N-R13W. Dwight Douglas Wheeler, owner. David Borden, surveyor.**

See Staff Report under Rezoning Item 1.

2. **M.S. Wilcoxson Subdivision. A-2. S30-T50N-R13W. Michael & Susan Wilcoxson, owners. Kevin Schweikert, surveyor.**

The subject property is located on State Route E, approximately 4 miles south of Harrisburg, near Benedict Road. The property is currently 3.60 acres in size and zoned Agriculture 2 (A-2). There is an existing

house and wastewater system on the property. The property is surrounded by A-2 zoning. This is all original 1973 zoning, and the property is in Perche Township.

The property owner is seeking to construct an accessory structure on the property. The location was presented to staff, who informed the property owner that a building permit could not be issued as the location was closer to the front property line than the primary structure. The property owner then proceeded forward with construction regardless of the zoning violation. This plat is an effort to resolve the problem, as the new lot will be 5 acres in size. At that size, the issue with the location of the accessory structure will be resolved and a building permit can be issued to bring the site into compliance.

The subject property has existing access to State Route E, a publicly dedicated, publicly maintained right-of-way. The applicant has requested a waiver to the traffic study requirement.

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

There is an existing on-site wastewater treatment system present in the western part of the lot.

The original 3.60 acre lot was created by family transfer and has an element that is not permitted in conventional lot design, specifically the western ‘tail’ extending south of the pond on the parent parcel. As an existing condition of the original lot, this area is identified as not for further development.

The property scored 39 points on the rating system.

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

**3. Higher Ground Subdivision Plat 2. A-2. S24-T50N-R14W. Stephen & Carolyn Nagel, owners.
Kevin Schweikert, surveyor.**

The subject property is located at the intersection of W Gray Road and N Bethlehem Road. The proposal is to replat lots 1 and 2 of Higher Ground Subdivision Plat 1 into a single 10.09 acre lot numbered as lot 1A, and a new 5.26 acre lot will be platted north of the 10.09 acre lot numbered as lot 4. The property is currently undeveloped. The property is zoned Agriculture 2 (A-2), and is surrounded by A-2 zoning on all sides.

Lot 1A has direct access to W Gray Road and N Bethlehem Road, both publicly maintained roadways. Lot 4 will be served by a 30' private access easement across lot 1A to provide access to N Bethlehem Road. The applicant has submitted a written request for a waiver from the traffic impact study requirement. Approval of this plat will not result in a net increase in traffic sources. Granting a waiver to the traffic study requirement is appropriate in this case.

Consolidated Water provides water service. Boone Electric provides power service. The Boone County Fire Protection District provides fire protection. The nearest station, Station 4, is approximately 2 miles away.

An onsite wastewater exhibit showing potential lagoon locations was submitted concurrent to the plat. The applicant has submitted a written request for a waiver from the sewer cost benefit analysis. There is no publicly maintained central sewer available in this area. Approval of a two lot plat is unlikely to be economically viable for a central wastewater system. Granting a waiver to the sewer cost benefit analysis is appropriate in this case.

The property scored 37 points on the rating system

Staff recommend approval of the plat and granting of waivers.

**4. Hartsburg Hideaway Plat 1. A-2. S30-T46N-R12W. KeriAnn Roth & Justin Farrar, owners.
James Patchett, surveyor.**

The subject property is 19 acres in size with frontage along both E Cedar Tree Lane and S Jemerson Creek Rd. The zoning for the property is Agriculture 2 (A-2) and is surrounded by A-2 zoning on all sides. The property is currently undeveloped. The proposal is to subdivide the property into two lots. The 5.01-acre lot will have frontage along E Cedar Tree Lane. The 13.61-acre lot will have frontage along S Jemerson Creek Road.

Both lots will have access either to E Cedar Tree Lane or S Jemerson Creek Road, both publicly maintained roadways. The applicant has not submitted a waiver from the traffic study requirement. Approval of a two-lot plat is unlikely to impact existing transportation resources. Granting a waiver to the traffic study requirement is appropriate in this case.

Consolidated Water provides water service in the area. Boone Electric provides power service. The Southern Boone County Fire Protection District provides fire protection. The nearest station, Station 17, is approximately 5.4 miles away.

The applicant proposes the use of engineered subsurface onsite wastewater systems. Soils morphology data from two locations on each lot was provided at the submission of the plat. Note 10 states that future wastewater systems for residential development will be required to be subsurface. The applicant has not submitted a waiver from the sewer cost benefit analysis requirement. No publicly operated sanitary sewer is available in this area. Approval of a two-lot plat is unlikely to be economically feasible for a public sanitary sewer system. Granting a waiver from the sewer cost benefit analysis is appropriate in this case.

The Boone County Board of Adjustment granted variances under case numbers 2025-008; 2025-009; and 2025-010 for relief from the 3 to 1 width to depth ratio, minimum lot depth, and minimum lot width requirements of Table A of Appendix B, *Boone County Subdivision Regulations*. The statement of facts of those Board of Adjustment case numbers included the use of engineered onsite wastewater systems to serve future residential development.

The property scored 19 points on the rating system

Staff recommends approval of the plat and granting of waivers.

Commissioner Harvey made, and Commissioner Trecha seconded a motion to approve the items on consent agenda with staff recommendations:

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

Motion to approve the items on consent agenda passes unanimously

Chairperson Harris stated that plats that are eligible will go before the County Commission on Tuesday, July 29, 2025 at 7:00 PM.

IX. OLD BUSINESS

1. Update on Commission Action

Update on County Commission Action

The conditional use permit by Mertens (Riggs Quarry scale and scale house) was approved as recommended.

The following rezoning requests were approved as recommended:

- Brunstrom Family Trust to rezone from R-M to A-2
- Carl & Marlene Dunn to rezone from A-1 to A-2P and review plan
- D & D Investments of Columbia to rezone from A-1 to R-SP & C-GP, and to rezone to R-SP and the review plan for Willow Creek East

The following plat was accepted:

- Rocheport Reserve Plat 1

X. NEW BUSINESS

1. Request by Alta Vista Properties LLC to vacate lots 4-8 & 10 of Nature Trail Ranchettes 1st Plat; All of Nature Trail Ranchettes 2nd Plat and Lots 1-45 of Delmar Estates – REPORT ONLY

Thad Yonke: Staff will begin providing a report on proposed Vacation Requests. Vacation Requests go straight to the County Commission, but the replat eventually goes before the Planning & Zoning Commission. A request was received to vacate lots in the subject plats. The applicant plans to replat the property into two tracts and re-dedicate the road right-of-way going from north to south which will allow for a future connection to O.B Brown Road.

2. Annual Election of Officers

The floor was open for nominations.

Commissioner Harvey made, and Commissioner Schreiber seconded a motion to keep the same Officers:

- Commissioner Harris as Chairperson
- Commissioner Kurzejeski as Vice-Chairperson
- Commissioner Martin as Secretary

No other nominations.

All members voted in favor of the Officers to remain the same. None opposed.

3. Cottage Lots - this item was brought up by the Planning & Zoning Commission during the meeting.

Commissioner Kurzejeski: I have been struggling with understanding the cottage idea so when I hear lots less than 7,000 square feet, how much less? Then to build smaller houses, how much smaller? If Staff could give Commission members an update of what is envisioned, how small can they go?

Thad Yonke: They can go as small as they want to go. You can take a 7,000 square foot lot and build a house that isn't very big on it, it just doesn't happen that way.

Commissioner Kurzejeski: If you build on a 2,000 square foot lot, how small can you go?

Thad Yonke: That is why, in this particular instance, we added an extra condition that they have to have actual plot plans for every lot because in Willow Creek, the smallest lot sizes were 4,000-5,000 square feet according to the way they designed the development. This request has lot sizes as small as 3,000 square feet and when you get that small and a 28-foot wide lot that has a five-foot side yard setback you are down to 23-feet of potential buildable area to that wall in between. That wall in between can't be zero thickness, it will have to be about a foot thick by the time you put in the wall itself and the trim that goes along that. We also put a condition that they needed to have some kind of plan to show us what types of buildings they are going to do and that it had to be approved by the Director. Staff doesn't control, all we can do is look at and say the biggest you can put on this site is X amount and make them show some of the buildable areas, some of those get pretty small.

XI. ADJOURN

Being no further business, the meeting was adjourned at 8:50 p.m.

Respectfully submitted,

Secretary
Greg Martin, Secretary

Minutes approved on this 21st day of August, 2025

Spencer Hills

PRD Review Plan and Preliminary Plat

Planning and Zoning Commission

July 17, 2025

Spencer Hills

Representation

Tim Crockett - Crockett Engineering Consultants

Mark Briley – Anderson Homes Foundation

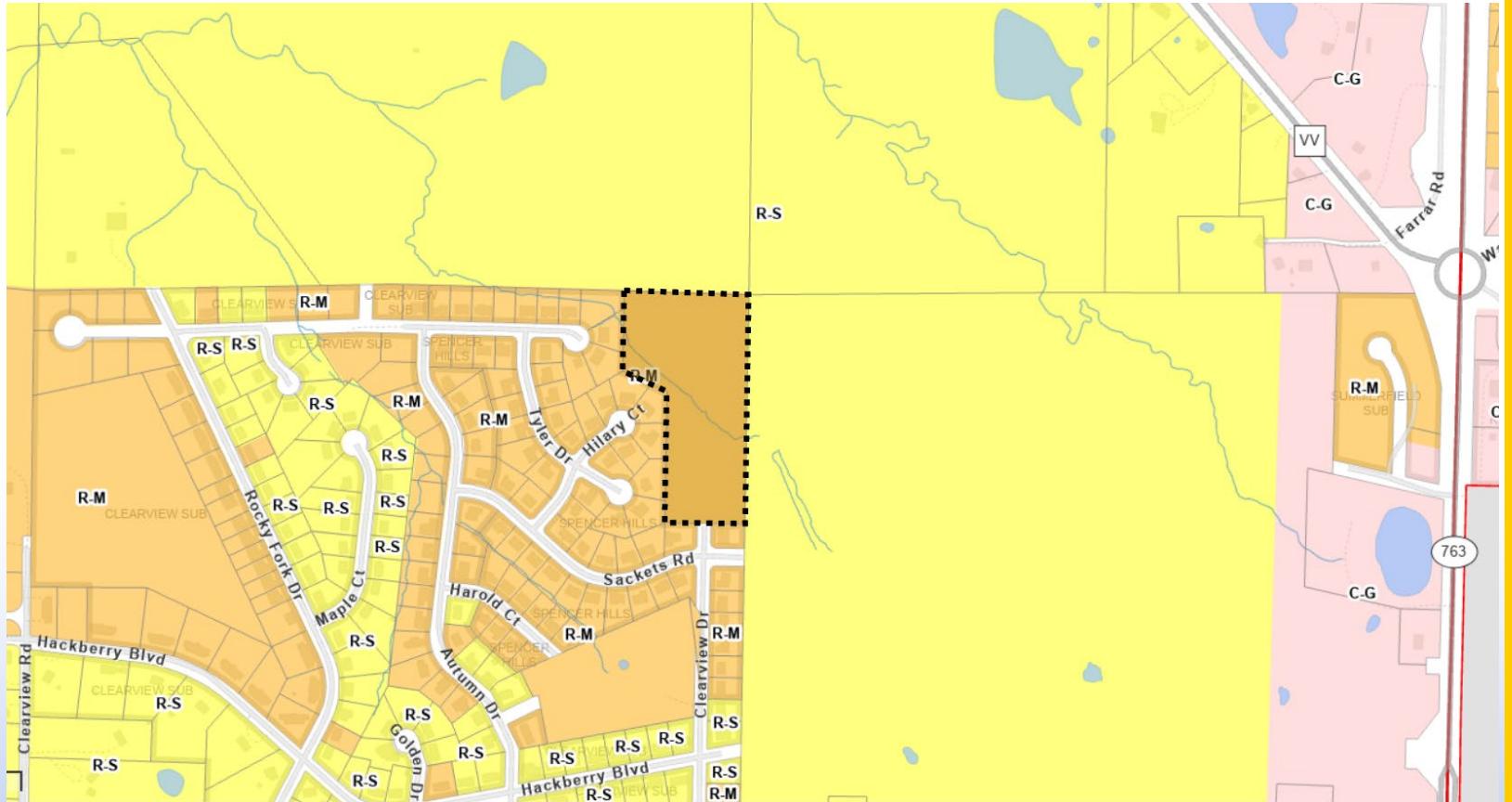
Spencer Hills

- Site contains 7.0 acres.
- Currently zoned R-M (Residential Multi-Family)
- Request to rezone to an R-SP (Planned Single-Family Residential) district along with the PRD Review Plan and Preliminary Plat.
- Proposing a mixed use of single-family attached and single-family detached units.
- Tract had a preliminary plat approved with similar layout. Now expired.

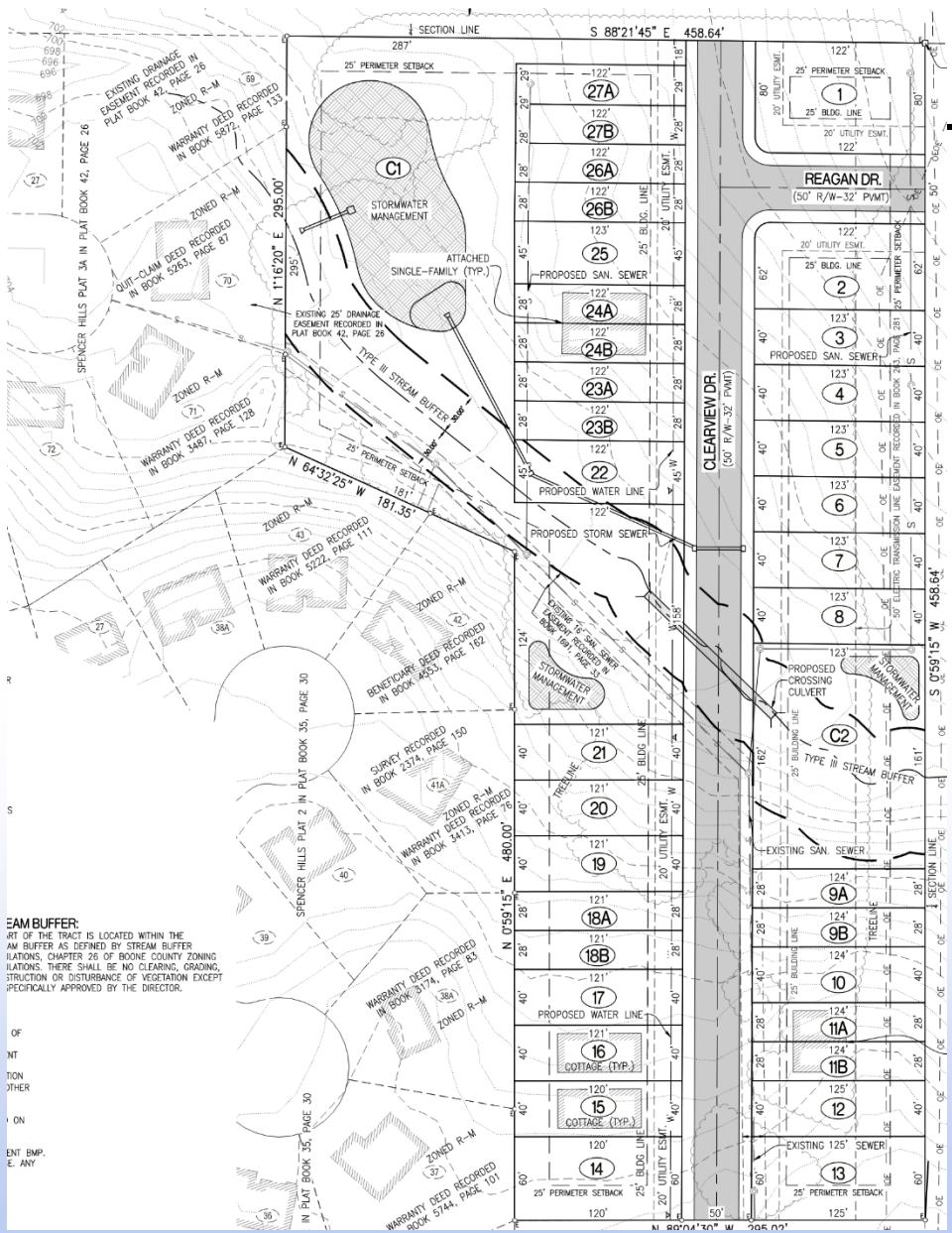
Spencer Hills



Spencer Hills

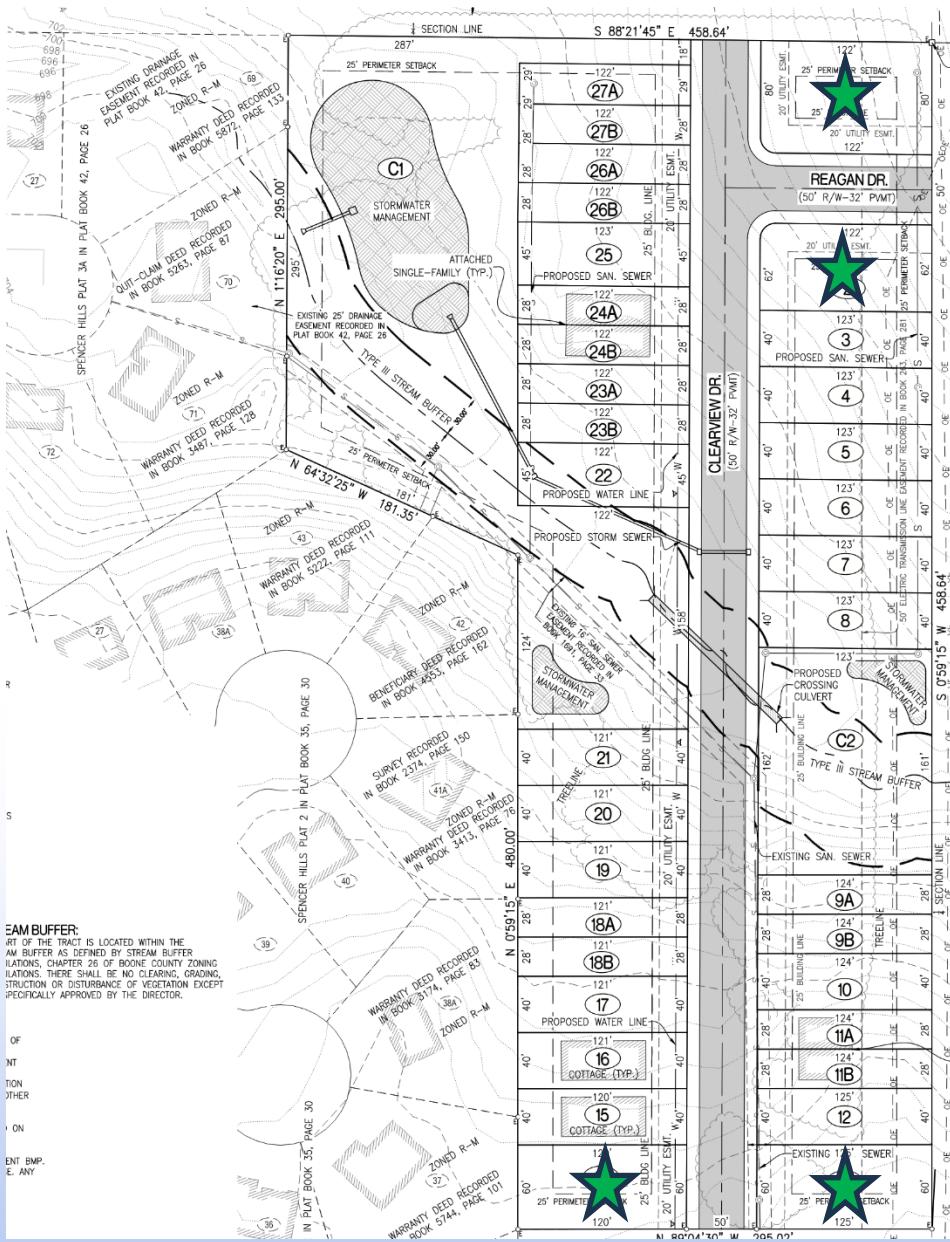


Spencer Hills



Spencer Hills

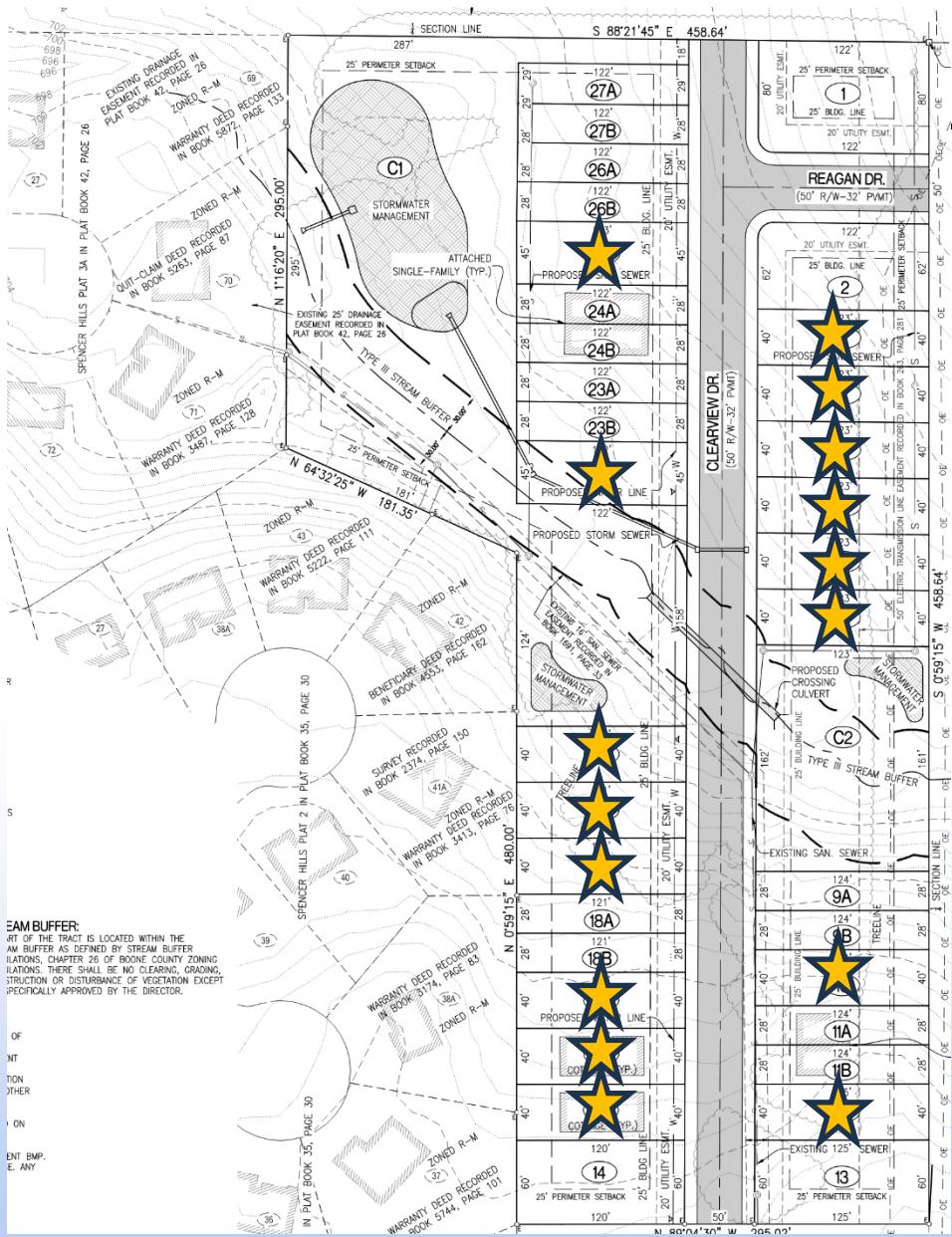
4 Standard R-S Lots



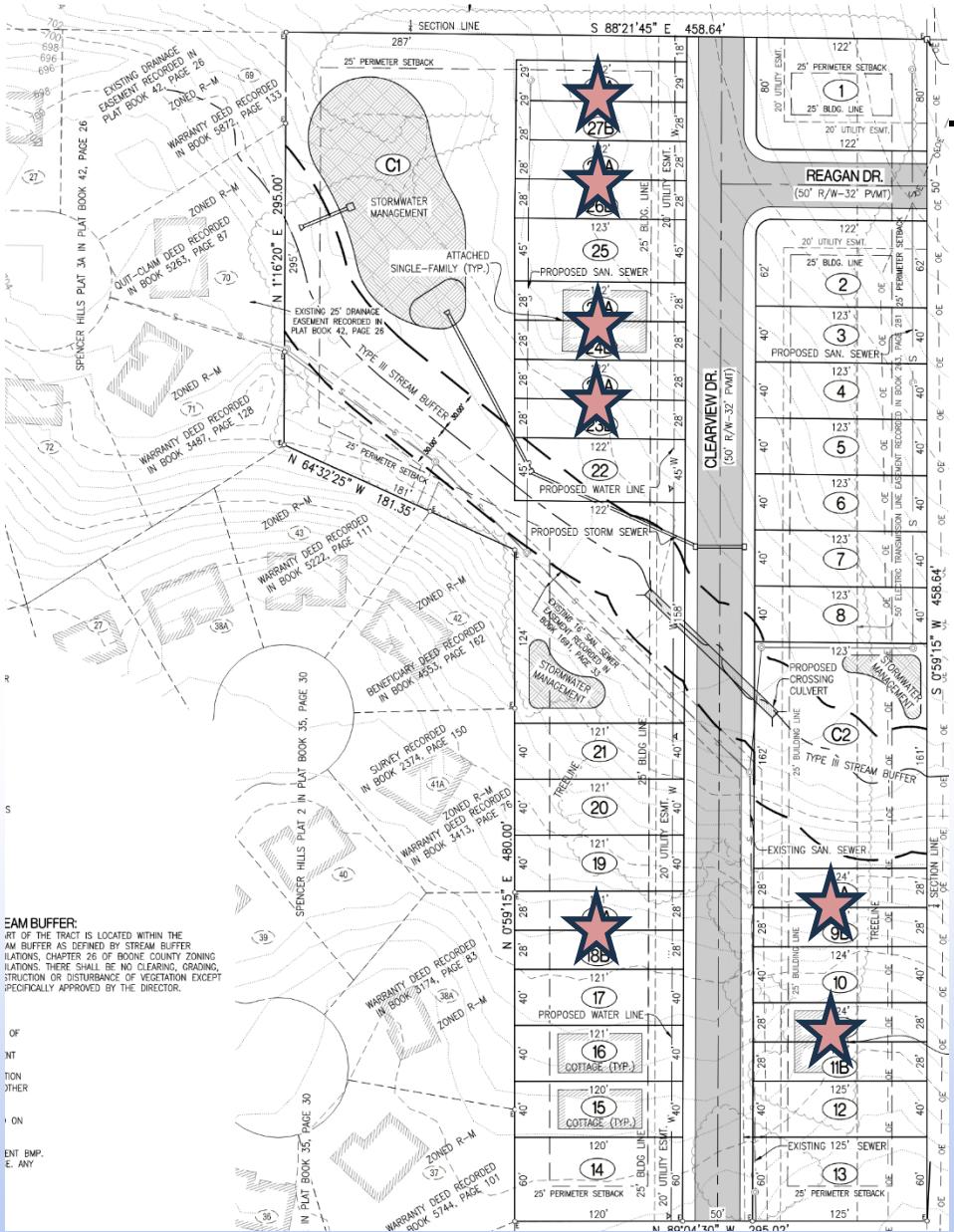
Spencer Hills

4 Standard R-S Lots

16 Cottage Lots



Spencer Hills



4 Standard R-S Lots

16 Cottage Lots

14 Attached Single-Family Lots (7 buildings)

Boone County and the City of Columbia

Housing Study, October 2024

- Study identifies housing needs:
 - Workforce housing
 - Lack of workforce housing options.
 - Need for gentle density
 - Housing types between single-family and multi-family (townhomes, duplexes, condos, etc.) to be placed in the desired context as a transitional use between low and high dense areas, be incorporated into diverse developments.
- Variety of Housing Types
 - Desire for a variety of housing options, mix of types to serve different income levels.

Boone County and the City of Columbia

Housing Study, October 2024

- This development helps solve these housing needs by:
 - Workforce housing options
 - Increasing the supply of appropriately priced homes.
 - Need for gentle density
 - Mixing in denser units throughout development, not only in one single location on the development.
 - Variety of Housing Types
 - Smaller cottage homes and single-family attached homes included.

Cottage Lots

- What are “Cottage” Lots?
 - Same setbacks as typical single-family lot
 - 25-foot front yard setback
 - 6-foot side yard setback
 - 25-foot rear yard setback
 - Narrower 40-foot minimum lot width
 - A way to create a smaller home on a smaller lot.
 - Lower price point - < \$300k
 - Desire to downsize.
 - Less property to maintain.

Examples of Cottages



Successful Developments

with Cottage Lots

- Corriente Cottages
- The Cottages at Northridge
- Amberton Place
- The Cottages at Evergreen Place
- Cotswold Villas at Bluff Creek
- The Cottages Bristol Lake
- Willow Creek East

Attached Single-Family

- Attached single-family lots mixed into development.
 - Zero internal lot line setback to accommodate two units side by side (attached).
 - Placed throughout the development to blend into the rest of the site.
 - Plan is setup so these units can be sold individually. Not intended to be rentals.

Examples of Attached Single-Family



Utilities

- All are available at the property for the development
- Sewer – BCRSD customer
- Stormwater – Boone County
- Water - City of Columbia
- Electric – Boone Electric Cooperative

Conclusion

- Diverse development with multiple housing options.
- Within area planned for growth.
- Adds residential stock to the housing market.
- Adjacent to roads and utilities that support the development.
- Applicant agrees to all conditions presented in the staff report.
- Project is supported by County staff.