

346 -2022

# CERTIFIED COPY OF ORDER



STATE OF MISSOURI

} ea.

July Session of the July Adjourned

Term. 20

County of Boone

In the County Commission of said county, on the 28th day of July 20 22

the following, among other proceedings, were had, viz:

Now on this day, the County Commission of the County of Boone does hereby adopt the Findings of Fact and Conclusions of Law relative to a conditional use permit for Bridget Early for a Private Family Cemetery at 21 E. Audubon and 31 E. Audubon, Columbia.

It is further ordered the Presiding Commissioner is hereby authorized to sign the attached Order of Denial.

Done this 28<sup>th</sup> day of July 2022.

ATTEST:

Brianna L. Lennon  
Clerk of the County Commission

Daniel K. Atwill  
Presiding Commissioner

Justin Aldred  
District I Commissioner

Janet M. Thompson  
District II Commissioner

**DENIAL OF  
CONDITIONAL USE PERMIT  
BOONE COUNTY, MISSOURI**

**PROPERTY OWNER:** Bridget P. Early

**ADDRESS:** 21 E. Audubon and 31 E. Audubon Road, Columbia

**LEGAL DESCRIPTION:** A tract as described on the deed in Book 1372, Page 471 and a tract as described in Book 1371, Page 171 both in the Records of Boone County, Missouri.

**TAX PARCEL:** 20-900-25-00-006.01 and 20-900-25-00-005.00

**ZONING:** Agriculture A-2

**DATE DENIED:** June 28, 2022

**CONDITIONAL USE:** Private Family Cemetery

**CONDITIONS OF APPROVAL:** Not Applicable

**VOID DATE:** Not Applicable


**EXPIRATION DATE:** Not Applicable

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**ORDER OF DENIAL**

The Boone County Commission through its presiding officer hereby denies issuance of the above conditional use permit as prescribed above. The Commission finds in denial of this permit that all requirements for issuance are not satisfied and that the Commission further makes its findings of fact and conclusions of law in accordance with the provisions, shown below, validating denial of this permit.

ATTEST:

  
\_\_\_\_\_  
County Clerk

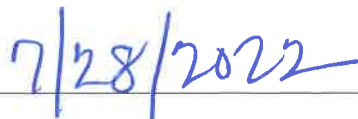
BOONE COUNTY, MISSOURI  
BOONE COUNTY COMMISSION

by   
\_\_\_\_\_  
Presiding Commissioner

APPROVED:

  
\_\_\_\_\_  
Director, Boone County Resource Management Department

Dated:

  
\_\_\_\_\_  
7/28/2022

## **FINDINGS OF FACT AND CONCLUSIONS OF LAW**

The Boone County Commission finds and concludes in denial of this permit that:

1. The establishment, maintenance, operation and use of the conditional use permit denied hereunder will be detrimental to or endanger the public health, safety, comfort or general welfare, and
2. All necessary public facilities for use of the land subject to this permit are not available, and
3. The issuance of a permit will impede the normal or orderly development or improvement of surrounding property for the uses permitted within the zoning district, and
4. There is no public necessity for the issuance of the conditional use permit hereunder.

The Commission, by denying issuance of the conditional use permit hereunder, further concludes as a matter of law that issuance of the permit is not proper under the zoning regulations of Boone County in effect at the time of denial and the general statutes and laws of this state.

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### **Additional Findings:**

The County Commission further finds as fact in support of denial of this conditional use permit the following to be true:

The denial of this permit is supported by the record of the public hearing held by the Boone County Planning and Zoning Commission on March 17, 2022 and the record of the public hearing conducted by the County Commission of the County of Boone June 28, 2022.