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REVIEW OF PROPOSED SUBDIVISION REGULATIONS:

Section 1.4.12 the Definition of Development would include the construction of private wells on large agricultural tracts or residential parcels.

Section 1.4.18 Lots Illegally Created: By taking parcels that have been created previous to these regulations (that have been approved by previous County Staff and or Commissions) but may not have met the letter of the regulations and declaring these illegal may/would create hardships on the Citizens of Boone County and may be a taking of rights previously granted.

Section 1.5.17
Regulating subdivisions (see definition section 1.4.44) will regulate areas downstream of dams built on tracts larger then 40 acres. Rather then allow my upstream neighbor the ability to take away my property rights or add to the cost of my subdivision by the construction of an agricultural irrigation lake. Shouldn't the County put the cost on to the people creating the problem and require this information be provided prior to constructing lakes of this size ?

Not sure what is meant by certifying a dam is "... safe for the the Occupants ... ". In my experience, The Professional Liability Insurance Companies will not allow for a certification that is this ambiguous. Certifications should be to certain standards and or defined regulations. "... Safe for the Occupants could include items outside of an engineers perspective; drowning, pollution etc.

Section 1.5.20
Regarding local and non local Title Insurance Companies providing certification for the ownership of property. Not sure how a Title Insurance Company can certify that a property wont be sold in 30 days. I can see where some assurance might be necessary for divisions (ie Minor and Final Subdivisions) that require the dedication of easements on the face of the plat and acceptance by the County Commission. However, to require a 30 day moratorium on the sale of property for such subdivisions as 40 + larger tracts and even 10 -40 acre tract seems a little excessive. Most of those subdivisions (10+ acre tracts) are prepared for closings that occur within 1-2 weeks of recording and any new easements required by the County (road easements and utility easements) are recorded at the time of approval and show up in the prospective buyers title insurance policy.

Section 1.6.1.1 Exception Survey
The titling of a survey as "Exception " has different meanings to different people. A more appropriate title (if one is needed) would be to label them as Survey. Since they may be a survey of a existing parcel or a new 40 acre + parcel. I would prefer to see a mandated title left off these type of surveys.

1.7.3.2.4.1

Family Transfer Survey

I feel that 5 years is an extreme length of time to restrict the sell of a parcel especially the

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remainder tract. I see this as limiting a farmers ability to respond to difficult financial times simply because he was helping a family member. So that instead of being able to sell a parcel to resolve a dept issue the transaction will occur only by foreclosure, the ability to resolve this item by subdivision plat is assuming that the parcel was created in conformance to the regulations while there is no requirement that they be done so.

Appendix A

section 1.1 concept review.

Stating that the concept review document shall “ show all easements of record “ would require a title search be preformed prior to discovering the viability of a project. While this would logically be a prerequisite for a 200 lot subdivision, requiring this sort of detail for a 39 acre tract or even 4 10 acre lots seems a little bit premature.

Section 1.3.1

requiring a engineer report containing:

a traffic analysis cost is an unknown as it is provided by the county but paid for by the owner. Since there is no method for waiving the requirement (except to request the Commission for a waiver) so that the person creating a 39 acre lot will need to pay for and wait for some unnamed private entity to preform the necessary report.

A waste water cost benefit analysis much the same as stated above there is no provision for a waiver and is a unnecessary study for a single family home site on 39 acres or for that matter 10 tracts of 10 acres or more.

The rest of the items are the same. In addition since these are Administrative Surveys it is assumed that staff is making the decision regarding what is acceptable for the different items required in a Engineers report. Since there isn't a criteria listed in these regulations for staff to base their decision on, they will be put in the situation of deciding policy and criteria rather than an elected body.

Appendix B

Sections 1.7 and 1.8 would apply to all tracts created from the 7000 sq ft lot to a 1000 acre survey tract. There are no provisions to exempt agricultural activities or irrigation lakes (see definition of a subdivision section 1.4.44)

section 2.2.4 There is no provision for a wavier from the traffic analysis for subdivisions approved through the administrative review process.

Section 3.2.2

“ The CBA shall: ... compare systems that discharge a similar quality of effluent with the minimum standard set as discharge limits established for that location by Missouri Department of natural Resources.... “ Not sure how a engineer can “compare systems that discharge a similar quality of effluent” since by regulation the on site system are non discharge systems and DNR doesn't set discharge limits for non discharging systems.

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Section 3.2.5

The chart located on page 87 should probably refer to its originating/ regulating document in case the setbacks change in the future.

In closing, the changes in the administrative survey process alone will have a significant effect on the division of land in Boone County. By requiring the information outlined in the Engineering Report Section the cost to create these tracts will increase significantly to the point of restricting who can afford to own land in Boone County. I personally have had just a little over 30 days to review and comment on the changes. When talking with other people in the real estate and housing construction field I still come across people who haven't heard of the new regulations. Due to the Major Changes involved in these regulations it would seem worth while to include a more diverse public perspective then just Staff.

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