

TERM OF COMMISSION: October Session of the October Adjourned Term

PLACE OF MEETING: Roger B. Wilson Boone County Government Center
Commission Chambers

PRESENT WERE: Presiding Commissioner Keith Schnarre
District I Commissioner Karen M. Miller
District II Commissioner Skip Elkin
Planning and Zoning Director Stan Shawver
County Counselor John Patton
Deputy County Clerk Shawna Victor

The meeting was called to order at 7:00 p.m.

Commissioner Schnarre noted that during Planning and Zoning sessions, the Commission will receive a report from staff and then the Commission will have the opportunity to ask staff any questions. The Commission will then move to a presentation from the applicant or agent of the applicant on behalf of their request. After that, the Commission will convene a public hearing where any testimony in favor of or in opposition to will be welcome. Following the public hearing, the Commission will discuss the issue and then vote on the issue.

He noted one of the items on the agenda this evening was tabled at the September 30, 2003 meeting. Since public comment was taken at that meeting there will be no public comment taken this evening.

Stan Shawver, Director of the Planning and Building Inspection Department, stated that the Boone County Zoning Regulations and the Subdivision Regulations are entered into the record. (note - the file copy is retained in the Planning and Building Inspection Department).

Subject: Planning and Zoning

A. Petition submitted by Blue Acres, Inc to vacate and re-plat Lot 2 of Liddell & Davis

Stan Shawver stated this is a petition to vacate and grant permission to re-plat lot 2 of Liddell and Davis subdivision. This is located at the southwest corner of the Lake of the Woods exit, where the Blue Acres Shell gas station is located. The Liddell and Davis subdivision was platted in the early 1970s. This is a two lot subdivision and Blue Acres Inc owns lot 2 and the property to the north. The application has submitted a petition to vacate lot 2 to make a slight change in the lot lines, incorporate the lot to the north into lot 2, creating a lot 2A, with the remained being platted and sold. The property that is going to be sold will be the future location for a Waffle House. The property is currently is

zoned C-G (General Commercial).

Section 1.8.1.3 of the subdivision regulations require the County Commission to hold a public hearing in order to consider any petition to vacate and/or re-plat, taking into consideration character of the neighborhood; traffic conditions; circulation; the proper location and improvement of streets and roads within and adjacent to the subdivision; property values in the subdivision; public utilities; facilities and services and the re-plat will not generally adversely affect the health, welfare, or safety of persons owning or possessing real estate within the subdivision to be vacated or surrounding real estate.

Brian Harrington, Engineer with Allstate Consultants, was present on behalf of the applicants.

Brian Harrington stated he had nothing further to add but would answer any questions if the Commission had any.

Commissioner Miller asked the only reason for this request is to add the additional part into the lot. Mr. Shawver stated that is correct and also to change the lot line.

Commissioner Schnarre opened the floor for a public hearing on this request.

There was no one wishing to speak on this request.

Commissioner Schnarre closed the public hearing.

Commissioner Elkin moved to approve the petition submitted by Blue Acres, Inc to vacate and re-plat Lot 2 of Liddell and Davis. The vacation is not to take place until the re-plat is approved.

Commissioner Miller seconded the motion.

There was no discussion and no public comment.

The motion passed 3-0. **Order 491-2003**

B. Petition submitted by P. A. B. Properties LLC to vacate and re-plat Lot 54 Lakeland Acres Plat 5 and Lot 2 Lakeland Acres Plat 6 (Tabled 09/30/2003)

Dan Miller requested that this petition be withdrawn. He was unaware of the fact that ownership of the properties could not change without starting the process over. This petition will be resubmitted to the Commission with the proper information.

Commissioner Elkin moved to remove from the table the petition submitted by P. A. B. Properties LLC to vacate and re-plat Lot 54 Lakeland Acres Plat 5 and Lot 2 Lakeland

Acres Plat 6.

Commissioner Miller seconded the motion.

There was no discussion and no public comment.

The motion passed 3-0. **Order 492-2003**

Commissioner Elkin moved to dismiss the petition submitted by P. A. B. Properties LLC to vacate and re-plat Lot 54 Lakeland Acres Plat 5 and Lot 2 Lakeland Acres Plat 6.

Commissioner Miller seconded the motion.

There was no discussion and no public comment.

The motion passed 3-0. **Order 493-2003**

C. Receive and Accept Dieckmann Plat

Mr. Shawver stated this is a two-lot minor plat located in the Trails West area. These lots were surveyed in the early 1970s but were never platted.

Commissioner Miller moved to receive and accept Dieckmann Plat.

Commissioner Elkin seconded the motion.

There was no discussion and no public comment.

The motion passed 3-0. **Order 494-2003**

D. Request by Klifton Altis on behalf of Prime Development Corp. to rezone *Tract A*, 15.36 acres from R-S (Single Family Residential) to C-GP (Planned Commercial); *Tract B*, 4.98 acres from R-S to C-GP; *Tract C*, 26.35 acres from R-S to R-S/PRD (Single Family Residential / Planned Residential Development); and to approve a Review Plan for Southfork of the Grindstone Planned Development, on property located at 4750 E. Hwy WW, Columbia. NOTE: APPLICANT HAS REQUESTED THAT THIS ISSUE BE TABLED UNTIL 12/2/03.

Mr. Shawver stated the Planning and Zoning Commission recommended denial of this request. The applicant filed an appeal in a timely fashion with the stipulation that this request be tabled until the December 2, 2003 meeting. The applicant would like to have more meetings with the neighbors to discuss this issue.

Commissioner Elkin moved to table the request by Klifton Altis on behalf of Prime Development Corp. to rezone *Tract A*, 15.36 acres from R-S (Single Family Residential) to C-GP (Planned Commercial); *Tract B*, 4.98 acres from R-S to C-GP; *Tract C*, 26.35 acres from R-S to R-S/PRD (Single Family Residential / Planned Residential Development); and the Review Plan for Southfork of the Grindstone Planned Development, on property located at 4750 E. Hwy WW, Columbia. until the December 2, 2003 County Commission meeting.

Commissioner Miller seconded the motion.

There was no discussion and no public comment.

The motion passed 3-0. **Order 495-2003**

Brock and Logan Nelson, 2130 Lafayette Court, Troop 7 were present at the meeting as a requirement for the Citizenship in the Community Badge.

There was no public comment.

The meeting adjourned at 7:12 p.m.

Attest:

Keith Schnarre
Presiding Commissioner

Wendy S. Noren
Clerk of the County Commission

Karen M. Miller
District I Commissioner

Skip Elkin
District II Commissioner