

TERM OF COMMISSION: May Session of the April Adjourned Term

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

PRESENT WERE: Presiding Commissioner Daniel Atwill
District I Commissioner Karen Miller
District II Commissioner Janet Thompson
Director, Resource Management Stan Shawver
County Counselor C. J. Dykhouse
Deputy County Clerk Mike Yaquinto

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

Resource Management

1. Public Hearing and Request by Heinz Leigh to rezone from C-G (General Commercial) to R-S (Single-Family Residential) on .87 acres, more or less, located at 11125 E Hwy CC, Centralia.

Stan Shawver read the following staff report:

This request was considered by the Planning & Zoning Commission during their May 15, 2014 meeting.

The minutes for the Planning and Zoning Commission meeting of May 15, 2014, along with the Boone County Zoning Regulations and Subdivision Regulations are entered into the record of this meeting.

The subject property is located approximately ¼ mile to the west of the City of Centralia on State Highway CC. It is approximately .87 acres in size and has a single-family dwelling unit present on the property. It is currently zoned C-G (General Commercial),

with C-G zoning to the north, east, and west, with R-S (Single-Family Residential) zoning to the south. This is all original 1973 zoning.

The applicant is seeking to rezone the property from C-G (General Commercial) to R-S (Single Family Residential). He is currently seeking to re-finance this property, and the zoning is inconsistent with the current land use.

The Boone County Master Plan has indicated that this property is suitable for commercial land uses. The master plan also designates a sufficiency of resources test for the approval 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.

Utilities: The subject property is located in Public Water Service District #10, which has domestic flows available to the property. Ameren can provide electrical service and an on-site system inspected by the Columbia/Boone County Health Department provides wastewater treatment.

Transportation: The property is located on State Highway CC, a publicly-dedicated and maintained right-of-way.

Public Safety: The property is located approximately 1,000 feet west of a Boone County Fire Protection District station.

Zoning Analysis: This request would bring the property's current zoning into compliance with the current land use. In the property's current condition, loss of the residence would end the residential land-use and only allow new development per the general commercial zoning district. Action to resolve inconsistencies between zoning and current land use are appropriate when existing resources can support the proposed change of zoning per the sufficiency of resources test.

The property scored 58 points on the rating system.

Staff recommended approval of the request.

The Planning & Zoning Commission conducted a public hearing on this request during their May 15, 2014 regular meeting. There were eight members of the commission present during the meeting.

Following the public hearing, a motion was made to recommend approval of the request. The motion passed with a unanimous vote in favor of the motion, so it comes forward with a recommendation for approval.

The Commissioners had no questions for Mr. Shawver.

Commissioner Atwill opened the Public Hearing and asked if there is anyone present that would like to speak on this request.

Heinz Leigh said he is the applicant and is in agreement with the staff report and has nothing further to add.

Commissioner Atwill asked if there is anyone else that would like to speak on this issue. There were no speakers and Commissioner Atwill closed the Public Hearing.

Commissioner Thompson moved on this day the County Commission of the County of Boone does hereby approve the request by Heinz Leigh to rezone from C-G (General Commercial) to R-S (Single-Family Residential) on .87 acres, more or less, located at 11125 E Hwy CC, Centralia.

Commissioner Miller seconded the motion.

The motion carried 3 to 0. **Order #255-2014**

2. Receive and accept the following plats:

- **Wild Bill Fenton. S12-T50N-R14W. A-R. William L. and Dorothy J. Fenton, owners. Donald E. Bormann, surveyor.**

- **Melanie. S34-T50N-R14W. A-2. Larry Welch Jr., Melanie Welch, Larry Welch Sr., owners. Kevin M. Schweikert, surveyor.**

Stan Shawver said that the Wild Bill Fenton request is a one lot subdivision plat, 3.368 acres zoned R. It is on the north side of Harrisburg off of Rt. F. The P & Z Committee approved this at the May meeting.

Melanie is a two lot subdivision plat on Rt. J at Conrad and Sweringen Road. It is zoned A-2. One lot is 2 ½ acres and the other is 6.51 acres. The P & Z Committee approved this at the April meeting.

There were no comments or questions.

Commissioner Miller moved on this day the County Commission of the County of Boone does hereby receive and accept the following subdivision plats and authorize the Presiding Commissioner to sign them:

- Wild Bill Fenton. S12-T50N-R14W. A-R. William L. and Dorothy J. Fenton, owners. Donald E. Bormann, surveyor.

- Melanie. S34-T50N-R14W. A-2. Larry Welch Jr., Melanie Welch, Larry Welch Sr., owners. Kevin M. Schweikert, surveyor.

Commissioner Thompson seconded the motion.

The motion carried 3 to 0. **Order #256-2014**

3. 1st & 2nd reading reading; Cost Apportionment Agreement – Route 63 Outer Road

Commissioner Miller said this is with MODOT for work on bridges.

Commissioner Thompson moved on this day the County Commission of the County of Boone does hereby approve the attached Missouri Highways and Transportation Commission Cost Apportionment Agreement relating to Route 63 Outer Road.

The terms of the agreement are stipulated in the attached Agreement. It is further ordered the Presiding Commissioner is hereby authorized to sign said Agreement.

Commissioner Miller seconded the motion.

The motion carried 3 to 0. **Order #257-2014**

4. Second reading; Approval of Security Agreement and letter of Credit for the Baker Farm (1st read 5-22-14)

Commissioner Miller moved on this day the County Commission of the County of Boone does hereby approve the attached Stormwater Security Agreement between the County of Boone and JES Investment Co. The terms of the agreement are stipulated in the attached Agreement. It is further ordered the Presiding Commissioner is hereby authorized to sign said Agreement.

Commissioner Thompson seconded the motion.

The motion carried 3 to 0. **Order #258-2014**

5. Second reading; Revision to Subdivision Regulations, Appendix B. 1.8.2 Specifications (1st read 5-13-14)

Commissioner Thompson moved on this day the County Commission of the County of Boone does hereby amend the Boone County Subdivision Regulations, Appendix B. Section 1.8.2, a copy of which is attached along with the following attachments:

1. Notice of County Commission hearing scheduled for 5/13/14, affidavit of publication from Columbia Daily Tribune newspaper.
2. Affidavit of posting employee of posting in the Roger B. Wilson Government Center.
3. Affidavit of posting employee of posting in the Boone County Courthouse.
4. Minutes from the April 17, 2014 meeting of the Boone County Planning and Zoning Commission which reflect their endorsement of the amendment to the Boone County Subdivision Regulations.
5. Minutes from the May 13, 2014 meeting of the Boone County Commission showing the public hearing was opened for the amendment of the Boone County Subdivision Regulations, Appendix B. Section 1.8.2 as indicated above.

Commissioner Miller seconded the motion.

The motion carried 3 to 0. **Order #259-2014**

Commission

6. Public Comment

None

7. Commissioner Reports

None

The meeting adjourned at 7:10 p.m.

Attest:



Wendy S. Noren
Clerk of the County Commission



Daniel K. Atwill
Presiding Commissioner



Karen M. Miller
District I Commissioner



Janet M. Thompson
District II Commissioner

