

TERM OF COMMISSION: June Session of the April Adjourned Term

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

PRESENT WERE: Presiding Commissioner Dan Atwill
District I Commissioner Fred Parry
District II Commissioner Janet Thompson
County Counselor CJ Dykhouse
Director Resource Management Bill Florea
Planner Uriah Mach
Deputy Clerk Michelle Thompson

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

Conference Call Information:
Number: 425-585-6224 Access Code: 802-162-168

Resource Management

- 1. Public hearing on a Petition submitted by David and Veronica Marian to vacate Lots 30, 31, and part of 32 of Champetra Lake North Shore Section Two (2) as recorded in Plat Book 10, Page 168 of Boone County Records.**

Bill Florea read the following staff report:

David and Veronica Marian have submitted a petition requesting permission to vacate and replat Lots 30, 31, and part of 32 of Champetra Lake North Shore Section Two. Champetra Lake North Shore is approximately one mile north of the intersection of Westbrook Drive and US 63 S. The site is currently occupied by a single-family residence. The petitioner would like permission to vacate the lots so that they can be consolidated into one lot for the purpose of constructing

an accessory building near their home.

In accordance with Boone County Subdivision Regulations Section 1.8, the County Commission is required to conduct a public hearing prior to granting permission to vacate and replat a subdivision. Before granting permission, the Commission must find that the action will not adversely affect the character of the neighborhood; traffic conditions; circulation; the proper location, alignment and improvement of streets and roads within and adjacent to the subdivision; property values within the subdivision; public utility facilities and services will not generally adversely affect the health, welfare, or safety of persons owning or possessing real estate within the subdivision.

Commissioner Thompson asked if there would be any adverse effects to the health and welfare of the area or other property owners.

Florea said no.

There were no more comments or questions from the Commission.

David and Veronica Marian, the property owners, were present to speak on this item.

David Marian explained they were wanting to build a garage on their property next to their house. The dimensions of the garage will be 28 feet wide by 30 feet deep. They have filed the papers with Boone County to have the lots vacated and to have them rejoined. The Marians have retained Surveyor Keith Brickey from Central Missouri Professional Services.

Commissioner Parry asked how big, roughly, were the three lots.

Uriah Mach said the three combined are .96 acres.

There were no more comments or questions from the Commission.

Commissioner Atwill opened the public hearing.

There was no one present from the public to speak on this item.

Commissioner Atwill closed the public hearing.

Commissioner Parry moved now on this day, the County Commission of the County of Boone does hereby approve a petition submitted by David and Veronica Marian to vacate Lots 30, 31, and part of 32 of Champetra Lake North Shore Section Two (2) as recorded in Plat Book 10, Page 168 of Boone County Records.

Said vacation is not to take place until the lots proposed to be vacated have been incorporated into an administrative survey or subdivision plat in accordance with Boone County Subdivision Regulations.

Commissioner Thompson seconded the motion.

The motion carried 3 to 0. **Order #239-2020**

2. **Public hearing on petitions submitted by Kerry Seaman and Jessica M. Swartz to vacate Lot 9 of County Downes Subdivision Block VI as recorded in Plat Book 30 Page 9 of Boone County Records, Bryan E. Peterson and Amber K. Peterson to vacate Lot 11 of County Downes Subdivision Block VI as recorded in Plat Book 30, Page 9 of Boone County Records, Kyle L. Gielow and Ashley M. Gielow to vacate Lot 12 of County Downes Subdivision Block VI as recorded in Plat Book 30, Page 9 of Boone County Records, and James R. and Alice M. Carrico to vacate Lot 13 of County Downes Subdivision Block VI as recorded in Plat Book 30 Page 9 of Boone County Records.**

Bill Florea read the following staff report:

Petitions have been submitted by Kerry Seaman and Jessica M. Swartz to vacate Lot 9, Bryan E. Peterson and Amber K. Peterson to vacate Lot 11, Kyle L. Gielow and Ashley M. Gielow to vacate Lot 12, and James R. and Alice M. Carrico to vacate Lot 13. All lots are within the plat of County Downes Subdivision Block VI as recorded in Plat Book 30, Page 9 of Boone County Records.

County Downes Block VI was platted in February of 1996. The 1996 plat omitted a remnant tract of approximately 1.5 acres. Petitioner Gielow has recently obtained the title to the remnant tract. It is the intent of the petitioners to divide the remnant tract amongst themselves and incorporate those portions into each of the lots being requested for vacation.

In accordance with Boone County Subdivision Regulations Section 1.8, the County Commission is required to conduct a public hearing prior to granting permission to vacate and replat a subdivision. Before granting permission, the Commission must find that the action will not adversely affect the character of the neighborhood; traffic conditions; circulation; the proper location, alignment and improvement of streets and roads within and adjacent to the subdivision; property values within the subdivision; public utility facilities and services will not generally adversely affect the health, welfare, or safety of persons owning or possessing real estate within the subdivision.

James Carrico, one of the applicants, was present to speak on this item.

Carrico said he was present to answer any questions from the Commission.

Commissioner Parry asked what the circumstances were that lead to these lots being this way.

Carrico explained that previously, the lots were owned by the Flynns, who have both passed away. The property was passed on to their descendants, who the applicants have contacted about the expanding of the other lots to basically fill up that dead spot of land.

Commissioner Thompson asked Staff if there would be any adverse effects if this were approved.

Bill Florea said no, in fact, it would likely have a positive impact.

There were no more comments or questions from the Commission.

Commissioner Atwill opened the public hearing.

There was no one present from the public to speak on this item.

Commissioner Atwill closed the public hearing.

Commissioner Thompson moved on this day, the County Commission of the County of Boone does hereby approve petitions submitted by Kerry Seaman and Jessica M. Swartz to vacate Lot 9 of County Downes Subdivision Block VI as recorded in Plat Book 30 Page 9 of Boone County Records, Bryan E. Peterson and Amber K. Peterson to vacate Lot 11 of County Downes Subdivision Block VI as recorded in Plat Book 30, Page 9 of Boone County Records, Kyle L. Gielow and Ashley M. Gielow to vacate Lot 12 of County Downes Subdivision Block VI as recorded in Plat Book 30, Page 9 of Boone County Records, and James R. and Alice M. Carrico to vacate Lot 13 of County Downes Subdivision Block VI as recorded in Plat Book 30, Page 9 of Boone County Records.

Said vacation is not to take place until the lots proposed to be vacated have been incorporated into an administrative survey or subdivision plat in accordance with Boone County Subdivision Regulations.

Commissioner Parry seconded the motion.

The motion carried 3 to 0. **Order #240-2020**

3. **Public hearing on a request by Shannon Kasmann and Amir Ziv to rezone from R-S (Single-Family Residential) to A-2 (Agriculture) on 3.99 acres, located at 8101 W Hwy 40, Columbia.**

Bill Florea read the following staff report:

This request was considered by the Planning & Zoning Commission during its May 21, 2020 meeting.

The minutes for the Planning & Zoning Commission meeting of May 21, 2020, along with the Boone County Zoning Regulations and Subdivision Regulations are entered into the record of this meeting.

The property is located west of Columbia on the north side of U.S. Hwy 40, approximately 1.8 miles west of the 40/I-70 interchange. The address is 8101 W Highway 40. The zoning is Single-Family Residential (R-S), which is the original zoning. All of the adjacent zoning is R-S. There is A-2 zoning approximately 200 feet north of the property. The Master Plan designates this property as suitable for low density residential land use.

The lot is occupied by a single-family residence, two outbuildings, and a lagoon. The lot was originally platted as part of Midway Meadows subdivision in 1973.

In December 2019, the County Commission approved a request to vacate and replat Midway Meadows Lot A, Lot 1A, and the south part of Lot 2. The replat, Kasmann Plat, was recorded in March 2020.

The Master Plan identifies a sufficiency of resources test for determining whether there are sufficient resources available for the needs of the proposal. The sufficiency of resources test provides a gate-keeping function. Failure to pass the test should result in denial of a request. Success in passing the test should allow the request to be considered and evaluated based on accepted planning principles.

The resources used for this analysis can generally be broken down into three categories: Utilities, Transportation, and Public Safety.

Utilities: Consolidated Water provides water service to the property. There is a one-inch service line and a six-inch water main on the property. There is a twelve-inch main on the property adjacent to the north.

There is a Boone County Regional Sewer District main on the south side of Hwy 40. The existing building is not connected to the sewer line. However, the Sewer District reports that there is available sewage capacity for this property.

Boone Electric provides power.

Transportation: The subject tract has frontage on and direct access to U.S. Hwy 40.

Public Safety Services: The property is approximately one mile west of Boone County Fire Protection District Station 9 at 6951 Henderson Road.

Stormwater: The site is already developed; however, new development or

redevelopment on the site will be required to comply with the Boone County Stormwater Regulations.

Zoning Analysis: The sufficiency of resources test supports maintaining the current zoning. Services are available to support the current R-S zoning and an increase in density on the property. Downzoning areas such as this creates inefficiencies in utilization of infrastructure and ultimately contribute to decentralization of higher density zoning.

Staff notified 11 property owners about his request. The property scored 98 points on the rating system.

Staff recommended denial of the rezoning because the sufficiency of resources test supports the current zoning.

After conducting a public hearing, the Planning & Zoning Commission voted to recommend approval of the request on a 4 to 3 vote.

Shannon Kasmann and Amir Ziv, the applicants, were present to speak on this item.

Kasmann explained she was wanting to create a boarding facility for felines. Amir Ziv owns Angel Paws pet crematory. Kasmann has worked with Second Chance as a volunteer for almost 25 years. Both applicants have been very involved with Second Chance and have helped design and build their last three adoption facilities. Kasmann is very familiar with these types of projects.

Commissioner Parry asked Staff for more information on its recommendation to deny this request.

Bill Florea said when a property gets downzoned to a lesser density, it is basically displacing that density to some other place where there may not be the same kinds of utility services available. That is really the basis of Staff's recommendation.

Commissioner Parry said he has only seen one piece of correspondence related to this request that came late today and asked Staff if there has been any other correspondence from neighbors.

Florea said no. They did not receive any calls.

Commissioner Thompson asked if Florea received the letter from Mr. Potterfield that was sent to Commissioners this afternoon.

Florea said they did not receive that.

Commissioner Thompson read this letter aloud. That letter is included at the end of these minutes.

Amir Ziv said it is very interesting to hear Mr. Potterfield complain about that. No one will have any idea what will be going on in the house with the cat boarding facility.

Kasmann said it is very important to her to maintain the look of the colonial house. She has no plans to tear it down and it will remain exactly the same. They are not even sure if signs will be in the yard at this time. Unless someone is going to be a client, they will not know what is going on there.

Ziv said they will not be changing the landscaping, the driveway, the house, etc. Everything will be the same. It will probably be used less with the project they are wanting to do than if they rented the house out as it is a four-bedroom house.

Commissioner Parry asked Uriah Mach to zoom out on the slide to get a better view of how close this property actually was to the Potterfield property and Midway Elementary.

Uriah Mach showed the locations on the slide.

Kasmann said there will not be any dogs at the facility so there will not be an issue with barking. The facility will hold up to 25 cats, but it will likely be less than that. There is a need for felines to be cared for while their parents are on vacations where they won't be put in a cage on the other side of the wall from the dogs.

Commissioner Atwill asked Florea what other things could be done here once it is downzoned.

Florea said residential use would be really the only thing for a lot that size.

There were no more comments or questions from the Commission.

Commissioner Atwill opened the public hearing.

There was no one present from the public to speak on this item.

Commissioner Atwill closed the public hearing.

Commissioner Parry moved on this day, the County Commission of the County of Boone does hereby approve the request by Shannon Kasmann and Amir Ziv to rezone from R-S (Single-Family Residential) to A-2 (Agriculture) on 3.99 acres, located at 8101 W Hwy 40, Columbia, Missouri.

Commissioner Thompson seconded the motion.

The motion carried 3 to 0. **Order #241-2020**

4. **Public hearing on a request by William and Rebecca Ambrose to rezone from A-R (Agriculture Residential) to A-2 (Agriculture) on 5.49 acres, located at 7700 E North Shore Dr., Hartsburg.**

Bill Florea read the following staff report:

This request was considered by the Planning & Zoning Commission during its May 21, 2020 meeting.

The minutes for the Planning & Zoning Commission meeting of May 21, 2020, along with the Boone County Zoning Regulations and Subdivision Regulations are entered into the record of this meeting.

The property is located at 7700 E Northshore Drive, approximately 1.5 miles from the intersection with S Westbrook Drive. Northshore Drive is privately maintained. The property is zoned A-R (Agriculture Residential), which is the original zoning. All the neighboring property is also zoned A-R. The stated purpose of this rezoning is to facilitate the division of the lot by family transfer. There have been no previous requests on behalf of this property.

The Master Plan designates this property as suitable for rural residential land use. The Master Plan identifies a sufficiency of resources test for determining whether there are sufficient resources available for the needs of the proposal. The sufficiency of resources test provides a gate-keeping function. Failure to pass the test should result in denial of a request. Success in passing the test should allow the request to be considered and evaluated based on accepted planning principles.

The resources typically used for this analysis can generally be broken down into

three categories: Utilities, Transportation, and Public Safety.

Utilities: The property is in the Consolidated Water service area; however, there is no water service available to this property.

There is no public sewer service available.

Transportation: Access to a publicly maintained road is by Northshore Drive, which is maintained by the Lake Champetra Homeowners Association.

Public Safety Services: The property is approximately three miles from the Southern Boone County Fire Station.

Stormwater: Development on the site will be required to comply with the Boone County Stormwater Regulations.

Zoning Analysis: The Master Plan designates this property as suitable for rural residential land use. The current zoning is A-R (Agriculture Residential). The level of service available to this property is compatible with the requested A-2 zoning. However, under the current A-R zoning, the property cannot be subdivided due to lack of direct access to a publicly maintained road; all lots less than five acres in size must have frontage on and direct access to a publicly maintained road.

Granting this rezoning will allow division by family transfer, which will result in one additional dwelling unit using the already substandard private road for access. There are nine parcels in the vicinity, in addition to the Ambrose property, that have frontage on S. Champetra, E. North Shore Drive, or E. South Shore Drive. Each of those parcels is greater than five acres in size and therefore, has the same potential to request downzoning. Approval of this rezoning could lead to additional requests to downzone for the purpose of subdividing by family transfer. Staff notified 20

property owners about this request. The property scored 22 points on the rating system.

Staff recommended denial of the rezoning.

After conducting a public hearing, the Planning & Zoning Commission voted to recommend approval of the rezoning on a 5 to 2 vote.

David Butcher was present to speak on this item.

Butcher thanked the Commission for making this meeting work tonight in light of current events. Butcher presented exhibit photos to the Commission for the subject property and area. Those photos are included at the end of these minutes.

Commissioner Parry asked what the width of the road in question was.

Butcher said it is 18 feet in one spot and 22 in another. He did not measure the entirety of the road.

Commissioner Parry asked if there were shoulders.

Butcher said no but explained that, while it is a privately maintained road, there are street signs and the road is maintained just as it would be if it were a publicly maintained road. There are places for vehicles to turn around. The safety and quality of the road is intact, and in his opinion, it is not a valid argument to say it is a substandard road. There are pumps in the lake for fire protection. So, there should not be any concern that the waterline was substandard or unable to serve the area. There are some neighbors present at the meeting tonight that will say they don't want this change in their backyard, but this area is wooded; the neighbor's views are blocked by all the trees. The majority of people on this lake will

not see anything that goes on at this property. If this were starting from a clean slate, it is unlikely that anyone would give this an A-R zoning. It would get an A-2 or A-1 zoning. All that is being asked is to go back to the A-2 zoning that should be there.

There were no comments or questions from the Commission.

Commissioner Atwill opened the public hearing.

Kerry Bramon was present to speak on this item.

Bramon explained he thought there was more than enough room to accommodate the request to rezone and put another house there.

Richard Murray was present to speak on this item.

Murray said the proposal to subdivide the property is improper. The subdivision has had a covenant that is many years old and was restated in 2011. That covenant requires that anyone who wishes to subdivide in the neighborhood has to put that proposal before the neighborhood for a vote. That process has not been followed in this case. Additionally, affective in May of this year, the neighborhood met again and under the new covenants that have been filed and are in effect for this neighborhood, there can be no subdivision of property at all. There is no possibility that the board can allow it and there is no possibility that a vote can allow it. That means the Commission will decide what happens in this process. The reasons that this process is important to the neighborhood are multifaceted. Lake Champetra is an old and established neighborhood. To make an exception to the request here tonight is roughly comparable to making a spot zoning request to a neighborhood in town. In 2018, another neighbor tried to make the exact same change and that request came into issues with Staff recommendation to deny due to insufficiency of the infrastructure and that request ended up being withdrawn.

Murray explained that the neighborhood felt the P & Z Commission was not really able to hear the neighborhood concerns due to the COVID-19 process set up for meetings. Only two people spoke that night and they were not really able to convey to the P & Z Commission the depth of their concern. There was quite a long rebuttal process that took place after the neighbors finished speaking and they felt that during that process there were quite a lot of things said that were not accurate. Mr. Ambrose says he needs to split his property so he can build a home for his grandchildren. However, Ambrose is not a full-time resident in the subdivision and that was not pointed out to the P & Z Commission. He is a Cole County resident with a home in Jefferson City and a 300-acre farm south of Boone County. He should put his family on his own property or own neighborhood rather than try to make those changes in this neighborhood.

There was some additional misinformation given at that meeting. Ambrose implied that he was very critical to the neighborhood in terms of repairing infrastructure, saying he repaired water drainage and the dam. It is true that he repaired those things, but what he did not tell the P & Z Commission was that he was paid \$40,000 to do those repairs. The repairs were not done for free as a favor. There are already 49 sewers around the 90-acre lake. The neighborhood board tries the best it can to support the updating that takes place there. There are problems with the lake and that includes septic and they have worked to try and reduce that by their own runoff process. Ambrose claimed the water there is pristine, yet he is a driving member of the water quality committee at the lake and has been the main person telling us there is an algae problem that may be blue algae. He has mentioned the over-fertilization going on and the fact that there are needs to do dredging in the lake because of over-sedimentation coming in. Dividing that property means more septic which creates more issues for the lake. Regarding the road that Ambrose claims is better than any County road, the County refused to accept the roads out there because they call them substandard. There isn't even enough width on that road to stripe it down the middle to make it two lanes. The road that crosses the dam is so narrow that they have to stop the garbage trucks before they get to the dam. The people who live on the other side of the dam load their garbage in their car and take it to the other pickup point because the road is not sufficient to support the

trucks going on them. If this is approved, there are other properties that will also come forward and try to get this rezoning for the same purpose.

There is an issue of a letter that allows this particular property to go in a different direction than where it currently is. However, the neighborhood is asking the Commission to look at this request as simply a zoning matter. Anything that involves a letter of agreement in terms of inner association matters should be held separately.

Commissioner Atwill asked how old the lake was.

Murray said it was around 50 years old.

Commissioner Atwill asked if that was part of the rock quarry.

Murray said the rock quarry sits above and around the dam and that is another issue that will be coming toward the Commission.

Randal Trecha was present to speak on this item.

Trecha said an A-2 zoning would allow for a lot of things that would be inappropriate for residential use. This is essentially spot zoning and it would lead to other lots being subdivided and it will get out of control. The infrastructure can't handle it. Ambrose himself proposed an ambitious plan of cutting down trees and over seeding with prairie grass for filtering the water. He was adamant the quality of the lake water be addressed. The roads out there are indeed substandard. There are spots where the road doesn't even measure a full 16-foot wide. To say that the roads are standard roads is inaccurate. The neighborhood wants to keep the integrity and character of the neighborhood.

Richard Graham was present to speak on this item.

Graham wanted to reiterate that the neighborhood feels this request is spot zoning and it is not in the best interest of the lake. This getting approved could set nine more people up for rezoning requests and the lake definitely cannot handle that. It is maxed out as far as infrastructure at this point already.

Tim Sigmund was present to speak on this item.

Sigmund said he was present on behalf of the Board of the Lake Champetra Homeowners Association and wanted to clarify the issue of the alleged agreement between a prior board and Ambrose regarding a possible subdivision of the property. He was only present to clarify that from the perspective of the board, and because of the issues with that particular document that may or may not be valid, the issue is strictly the rezoning and whether what is being requested complies with the requirements of Boone County. At this point, the board has not taken a position, but does believe that what is being presented to the Commission is only applicable to the zoning, not any prior agreement.

There was no one else present from the public to speak on this item.

Commissioner Atwill explained that the burden of proof is on the applicant and because of that, the applicant is entitled to rebuttal. That may have not been clear at the last meeting, but that is the process that must be followed.

David Butcher said it sounds as though Ambrose has been a good neighbor and has done a great job educating the neighborhood on how to live on the lake and how to take care of it. Yes, Ambrose has a residence in Cole County, but he is ready to retire and do so at the property on the lake. He wants to be afforded the opportunity to raise his grandchildren on the lake as he did with his children. Ambrose has intended to have this land subdivided ever since 1996. The board came to him and asked that he be part of the association and he agreed and he has known since that date that he wanted to spend his retirement years here and he intends to have his family live right next to him. As far as the covenant and

restrictions go, everyone knows the pitfalls associated with going down that road. If in fact they have an agreement that is sound stating that one cannot subdivide any further on this property, the neighborhood shouldn't have to worry about the other tracts they claim can be subdivided. According to his own count, there are four other properties that could possibly be eligible to be subdivided, not the nine stated before. Those properties topographically likely are not qualified so they would not be approved anyway. As far as spot zoning goes, Butcher doesn't think the zoning matters out there. Currently, it is zoned so that it could be subdivided into ½-acre lots, provided the infrastructure was there. Downzoning isn't going to hurt it or help it in any way, other than allowing Ambrose to do the family transfer survey so that he can give his family an opportunity to be with him.

It is clear that the HOA did not want to get involved in this because they have given Ambrose an agreement. Butcher isn't clear why they have an attorney present or why the HOA's covenants were brought up because the fact of the matter is Ambrose has an agreement to do what he wants to do. They are asking the Commission to do its part and let the downzoning to A-2 happen and if the HOA still has a conflict with it, then they have a contract with him and can work that out among themselves. The infrastructure is always a concern, especially when you pay for it yourself. Whether they paid him to do it or he volunteered to do it, he did it. He has helped take care of the place and he knows what is involved in the place and how much it means to the neighborhood. He has been a good neighbor and wants to continue to be a good neighbor. The Planning & Zoning Commission overturned a denial recommendation from Staff because it was compelling enough that Ambrose is doing the right thing for the right reasons. It is clear from how he has taken care of the place thus far that Ambrose will not let the place get run down. It is going to be a high-quality place for his family. The people Ambrose wants to move out there have already lived and grown up there. They already know these people. They will be family members and friends with these people. This is a 5-acre tract. It can only be subdivided this one time. There will only be one house added, forever.

Steven Ambrose, the applicant was present to speak on this item.

Ambrose said in 1993, they were approached by the President of the HOA because the property they bought was not actually part of the Lake Champetra HOA. Through negotiation, they agreed to dedicate their 900 lakefront feet to the HOA's constitution and bylaws. In exchange for that, they were given a contract stating that at any future time they may subdivide the property one time. The lakefront homes on the north shore are 100-foot lake fronts. Ambrose potentially could have had 9 lakefront lots if he wanted, but that wasn't their intention. The intention was to be good neighbors and they were. The agreement giving him the right to divide his property predates the property belonging to the HOA. They have been solid citizens to that HOA and paid over \$30,000 in dues over the last 30 years, along with \$60,000 or more of property taxes in Boone County. He never led people to believe he did any of the work on the lake as a favor. Using his engineering training and his son's equipment, they were able to make a lot of infrastructure improvements, especially on the back of the dam. This inland man-made lake is sedimenting in from the watershed. The water off of his dock is clear. The efforts he has put forth at sediment control benefits them all. The lake will not be a fit place to live soon if someone doesn't get serious about it as he has tried.

David Butcher said regarding his neighbor who came with a similar request a few years back, the reason it was withdrawn was because the HOA was not going to allow him to subdivide. So, the HOA does have control over what they do, so why not let them figure out what they want to do in their community and let Ambrose have the rezone.

There were no more comments or questions from the Commission.

Commissioner Atwill closed the public hearing.

Commissioner Atwill wanted to point out that this was not a court of law and it appears they potentially have a legal dispute that would be handled in a court of law. The Commission, in his opinion, is not obligated to consider the issues that are related to problems of being in or out of the HOA. The rezoning request is what the Commission is responsible for. The issues

regarding the rezoning requirements are laid out in the Staff report. Staff did a good job and he is a big supporter of the decisions of the Planning & Zoning Commission, but it appears to him the Planning & Zoning Commission has made a mistake with this recommendation.

Commissioner Thompson said she too believes that the Staff report is accurate, and she concurs with Commissioner Atwill on the forum issue. Dr. Ambrose chose his forum. This is not the court of law where the HOA's questions could be dealt with. So, everyone is present tonight on a zoning question. The zoning question goes to what is on the Staff report about the resources and the potential for nine other parcels to be subdivided. That kind of stress on this lake is something that would adversely affect both the lake and the residents living on it. The Staff report is accurate, and she is inclined to deny Ambrose's request.

Commissioner Parry asked Staff if more information could be given on the sufficiency of infrastructure such as what stood out to Staff other than the private roadway.

Florea said the water systems out there have problems; however, this particular property is not served by the water system so it might not be affected by it.

Commissioner Parry asked what the issues were.

Florea said fire flow would be an issue. Butcher testified that there are dry hydrants but Florea did not speak to the Fire District about the dry hydrant system. However, Florea does know that in Northern Boone County Fire District they do not accept the dry hydrant system any more. The dry hydrants have likely been there for quite a while and while, yes, they might be able to provide some water, they have to be pumped. They do not have a source of pressure on their own, so they do not meet current modern standards.

Commissioner Parry asked what the dynamics were associated with family transfer.

Florea said family transfer is allowed on A-1 or A-2. It is essentially an exception to the

subdivision regulations. Initially, its purpose was to make it so a farming family could provide a piece of the farmstead to the family to keep them there and could be found in many jurisdictions across the country. It has sort of grown out of that, though, because there isn't that case so much anymore, yet there still are those provisions and it is a means that allows families to keep someone near them. A lot of families do this to keep family members close to them.

Commissioner Parry asked Staff to speak to the concern about spot zoning.

Florea explained there is always a presumption in favor of the existing zoning. It has to be assumed that the original zoning was done that way for a reason and that reason should be respected. To change the zoning at this point in time, one would have to look at changes in the neighborhood to lead to a different zoning. Florea believes the subdivision plat predates the zoning as there was testimony that the lake was built in the 1960s and zoning first came about in 1973. That is probably why there is an A-R because there was already a pattern of land use there that looked like A-R zoning. To take a piece of property that is in a coherent zoning district and give it a special zoning designation without any real material fact is what leads it to be spot zoning. There has been no change out there that would indicate that this particular property is different than the rest of the properties out there.

Commissioner Parry wanted clarification on the issue of a piece of property having to touch a public road.

Florea explained that is what is preventing the Ambrose tract from being divided now. The subdivision regulations state that to create any lot less than 5 acres, that lot has to have frontage on a publicly maintained road. North Shore Drive and South Shore Drive may be publicly dedicated, but they are not publicly maintained. If these were publicly maintained roads, then this property would qualify to be subdivided.

There were no more comments or questions from the Commission.

Commissioner Thompson moved on this day, the County Commission of the County of Boone does hereby deny the request by William and Rebecca Ambrose to rezone from A-R (Agriculture Residential) to A-2 (Agriculture) on 5.49 acres, located at 7700 E Northshore Drive, Hartsburg, Missouri.

Commissioner Parry seconded the motion.

The motion carried 3 to 0. **Order #242-2020**

5. **Public hearing on a request by Darin and Holly File to rezone from A-2 (Agriculture) to A-R (Agriculture Residential) on 1.3 acres located at 6801 S Hill Creek Rd., Columbia.**

Bill Florea read the following staff report:

This request was considered by the Planning & Zoning Commission during its May 21, 2020 meeting.

The minutes for the Planning & Zoning Commission meeting of May 21, 2020, along with the Boone County Zoning Regulations and Subdivision Regulations are entered into the record of this meeting.

The Planning & Zoning Commission voted to recommend approval of this request on a unanimous vote. No one appeared to testify at the public hearing.

The subject property is located at the northwestern corner of Hill Creek Road and Buffalo Creek Road. The property is 8.93 acres in size and is zoned A-2 (Agriculture). There is a lake present on the property. The property is undeveloped with no structures present. There is A-2 zoning to the south, west, north, and northeast. A-R (Agriculture-Residential) zoned property is to the east

and southeast. R-S (Residential-Single Family) zoned property is to the northwest, and the City of Columbia is to the north.

The applicant is seeking to rezone 1.30 acres of this property to A-R (Agriculture-Residential) for purposes of subdivision and development. The 1.30 acres rezoned will be platted into two lots to aid in covering the cost of a public sewer extension to serve the two proposed A-R zoned lots. The remainder of the lake will also be platted.

The property scored 68 points on the rating system.

The Boone County Master Plan identifies this area as being suitable for residential land uses. The Boone County 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: The subject property is in Consolidated Water Service Area, the Boone Electric Cooperative service area, and the Boone County Fire Protection District. In order to serve this property with sewer service, a connection to a centralized public sewer facility will be required.

Transportation: The property has direct access onto Hill Creek Road and Buffalo Ridge Road, both publicly dedicated, publicly maintained rights-of-way.

Public Safety: The property is in the Boone County Fire Protection District, with the station on Route K being closest for service.

Zoning Analysis: This proposal can meet the standards of the sufficiency of resources test with the sewer extension. Installation of the public sewer will be required in order to subdivide the property.

Staff recommended approval of the rezoning request.

After conduction a public hearing, the Planning & Zoning Commission voted to approve the request on a unanimous vote.

There were no comments or questions from the Commission.

David Butcher was present to speak on this item on behalf of the applicant.

Butcher presented a sewer map for the County. Butcher explained this request would provide benefit to the County with the changes made to the sewer. That map is included at the end of these minutes.

There were no comments and questions from the Commission.

Commissioner Atwill opened the public hearing.

There was no one present from the public to speak on this item.

Commissioner Atwill closed the public hearing.

Commissioner Parry moved on this day, the County Commission of the County of Boone does hereby approve the request by Darin and Holly File to rezone from A-2 (Agriculture) to A-R (Agriculture) on 1.3 acres, located at 6801 S Hillcreek Road, Columbia, Missouri.

Commissioner Thompson seconded the motion.

The motion carried 3 to 0. **Order #243-2020**

- 6. Public hearing on a request by Adam and Crystal Kendrick to rezone from A-1 (Agriculture) to A-2 (Agriculture) on 12.88 acres, located at 7901 S Tom Bass Rd., Columbia.**

Bill Florea read the following Staff report:

This request was considered by the Planning & Zoning Commission during its May 21, 2020 meeting.

The minutes from the Planning & Zoning Commission meeting of May 21, 2020, along with the Boone County Zoning Regulations and Subdivision Regulations are entered into the record of this meeting.

The property is located off a private drive on the west side of Tom Bass Road, approximately 1,400 feet south of the intersection of Deer Park Road and Tom Bass Road. The zoning for this property is A-1(Agriculture), as is all the surrounding property and they are all original 1973 zoning. The predominant zoning of the area in which the request is found is A-1. The nearest A-2 zoning is approximately 200 feet south of the request.

The request is to rezone the irregularly shaped 12.88-acre tract. The tract was divided from the surrounding larger tract in December of 2019. The survey creating the tract indicated an existing home and two other existing buildings on the property. The northern-most of these other existing buildings is a barn-type building. The building in the center of the property appears to be a cabin or other type of living space with an attached garage and deck. The lot contains a lake

that is approximately 5-acres in area. The applicant has indicated that, should the rezoning be approved, their intent is to divide the property by plat or family-transfer so an additional slab home and wastewater system could be built.

The Master Plan identifies a sufficiency of resources test for determining whether there are sufficient resources available for the needs of the proposal. The test provides a gate-keeping function. Failure to pass the test should result in denial of a request. Success in passing the test should allow the request to be considered and evaluated based on accepted planning principles.

The resources typically used for this analysis can generally be broken down into three categories: Utilities, Transportation, and Public Safety Services.

Utilities: The existing wastewater facility for the home is assumed to be an on-site sub-surface system but it is unclear as to what it is comprised of or where it is located. It is unclear if the cabin-style building has or ever had any wastewater system. There is no public central sewer available to this property.

Consolidated Public Water District # 1 provides water in the area. There is a 4-inch waterline that provides domestic service to the property.

Boone Electric provides power.

Stormwater: Development on the site will be required to comply with the Boone County Stormwater Regulations. There is no designated Floodplain on the property, but there may be a small portion of regulated stream buffer.

Transportation: The property does not have public road frontage but rather is served by a private driveway that also serves the surrounding property.

Public Safety Services: The site is 3.2 road miles from the Southern Boone County Fire Protection District Station at the Airport and 6.7 road miles from the station in Ashland.

Zoning Analysis: The Master Plan designates this property for agriculture and rural residential use. The proposed use is consistent with that designation; however, the existing zoning also is consistent.

In any rezoning the presumption should be in favor of the existing zoning and it is incumbent upon an applicant to show that the proposed rezoning is more appropriate than the existing zoning.

While the request does meet some of the sufficiency of resources tests for service availability, the purpose of rezoning this property would be to enable division of the property. The configuration of the property is irregular. The lot does not appear to be suitable for further division. There are three buildings on the property. Approximately half of the property is covered by a lake, which occupies the bulk of the center of the property.

The property was created within the last six months and purchased by the applicant in February. The tract was created as a lot for a single home and is surrounded by A-1 zoning. The suitability of the rezoning is not supported because of the surrounding A-1 zoning, lack of public road frontage, irregularity of shape, presence of the five-acre lake, and difficulty in finding a suitable and compliant location for a home and wastewater system.

Staff notified 7 property owners about this request. The property scored 53 points on the rating system.

Staff recommended denial of the rezoning.

The Planning and Zoning Commission conducted a public hearing. A motion was made to recommend approval of the request. The vote on that motion failed on a four to three vote.

In accordance with Section 15. F. of the Boone County Zoning Regulations, the applicant filed an appeal of the recommendation for denial to the County Commission in a timely fashion. This request comes to the County Commission on appeal.

Commissioner Parry asked the applicant if the house sits on the lake.

Adam Kendrick, the applicant, was present to speak on this item.

Kendrick said it is off the lake.

Commissioner Parry asked if they access the property off Tom Bass Road.

Kendrick said, right now, yes. There is other access off of Deer Park Road as well.

Commissioner Parry asked about the setbacks the Kendricks measured.

Kendrick explained that the 3 acres are surveyed off. That existing barn-type structure on the property could be a shed or a shop. They have 3 acres zoned off. He is very familiar with all the setbacks there and a lagoon would work there.

Commissioner Parry wanted clarification that the biggest challenge with this was the irregular shape of the tract.

Bill Florea said, yes, that is a challenge. He has not seen a site plan for this so he cannot

speak to any of that.

Commissioner Thompson said it appears that, at the Planning & Zoning Commission, the question of spot zoning came up because the property is surrounded by A-1 zoning.

Commissioner Parry said that is not what he recalls seeing and said this is across from the Oetting property.

Florea showed on the slide what areas were zoned A-1 or otherwise.

Commissioner Thompson said the Commission recently approved a very similar request with the Oetting property.

Commissioner Parry wanted clarification that this was family transfer.

Florea said yes.

Commissioner Atwill asked if there were still two houses there.

Kendrick said there is one house and what basically is a dog kennel, but it was turned into a hunting cabin. There is another house on another tract. Kendrick presented a map to the Commission to show locations. That map is included at the end of these minutes.

Commissioner Thompson wanted clarification that Kendrick was buying the other property and asked if the house currently there is something that his father-in-law can live in so that this whole process wouldn't have to be done.

Kendrick said the whole purpose of this was for the shop and so that he could have a house he wanted.

Scott Kennison was present to speak on this item.

Kennison said the plan is to build a 50' by 45' slab home there, 20 feet from that building. That way he is living with his family but not living with them in their house.

Commissioner Parry said this is very similar to the Oetting request where it doesn't quite meet the exact standard but the spirit of it is being met.

Commissioner Thompson said the barn door has been opened with the Oetting case.

There were no more comments or questions from the Commission.

Commissioner Atwill opened the public hearing.

There was no one present from the public to speak on this item.

Commissioner Atwill closed the public hearing.

Commissioner Parry moved now on this day, the County Commission of the County of Boone does hereby approve the request by Adam and Crystal Kendrick to rezone from A-1 (Agriculture) to A-2 (Agriculture) on 12.88 acres, located at 7901 S Tom Bass Road, Columbia, Missouri.

Commissioner Thompson seconded the motion.

The motion carried 3 to 0. **Order #244-2020**

- 7. Request by Old Hawthorne Development LLC to approve a Final Development Plan for WW Commercial Planned Development on 7.04 acres, more or less, located at 4172 E Hwy WW, Columbia.**

Bill Florea read the following Staff report:

This request was considered by the Planning & Zoning Commission during their May 21, 2020 meeting.

The minutes for the Planning and Zoning Commission meeting of May 21, 2020 along with the Boone County Zoning Regulations and Subdivision Regulations are entered into the record of this meeting.

The property is located on the south side of Highway WW approximately 450 feet west of the intersection of Highway WW and El Chaparral Avenue. In November 2019, the Planning and Zoning Commission recommended approval of a rezoning and an M-LP PID Review Plan. The County Commission approved the rezoning and Review Plan, Commission Order 510-2019. The Review Plan was approved with the following conditions:

- A Westbound Left Turn Lane on Highway WW is required to be installed at the entrance of the development prior to occupancy of any structure.
- Lighting shall be shielded and oriented inward and downward as to minimize glare and light trespass.

The Zoning Regulations 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 has reviewed the plan. All required information is accurately portrayed, and the plan conforms to the review plan.

The conditions imposed by the County Commission have been complied with.

Staff recommended approval.

After reviewing the request, the Planning and Zoning Commission voted to approve the final plan by acclamation.

There were no comments or questions from the Commission.

Commissioner Thompson moved now on this day, the County Commission of the County of Boone does hereby approve the request by Old Hawthorne Development LLC to approve a Final Development Plan for WW Commercial Planned Development on 7.04 acres, more or less, located at 4172 E Hwy WW, Columbia, Missouri.

Commissioner Parry seconded the motion.

The motion carried 3 to 0. **Order #245-2020**

- 8. Request by 40-J Farms LLC and 40 & J Development LLC to approve a Final Development Plan for 40 & J Development on 192.67 acres, located at 10150 W Hwy 40, Rocheport.**

Bill Florea read the following Staff report:

This request was considered by the Planning & Zoning Commission during their May 21, 2020 meeting.

The minutes for the Planning and Zoning Commission meeting of May 21, 2020 along with the Boone County Zoning Regulations and Subdivision Regulations

are entered into the record of this meeting.

The property is located immediately southeast of the intersection of US Highway 40 and State Route J. In November 2019 the Planning and Zoning Commission recommended denial of a rezoning and an M-LP PID Review Plan. The County Commission approved the rezoning and Review Plan on appeal, Commission Order 512-2019. The Review Plan was approved with the following conditions:

1) Prior to Final Plan

- 1) Preliminary grading/landscaping plan to include buffering submitted prior to submission of the Final Plan that will include:
 - i) Mixed evergreens with a minimum of three rows at triangulated 20-foot centers.
 - ii) 5-feet tall at time of planting.
 - iii) Disease-Resistant Long-Living species list/schedule appropriate to the site prepared by an Arborist/Landscape Architect.
 - iv) Planting schedule proposal to mix the species in a manner to promote the health of the proposed buffer.
 - v) Replacement schedule for Diseased/Dead/Dying planting replacement.
 - vi) Buffers in the three identified areas on the LANDSCAPE AND BUFFER EXHIBIT.
 - vii) The plan must be worked out to the satisfaction of the Director of Resource Management.
- 2) An alternate Landscaping/Buffering Plan may be proposed that provides an appropriate level of buffering that meets or exceeds the standards above subject to the approval of the Director of Resource Management. The Director of Resource Management is the sole arbiter of whether or not any alternate plan meets or exceeds the standards.
- 3) The intent of the Landscaping/Buffering Plan is to break up sight lines

and mitigate impacts to the existing residential structures and not to screen the entire project from view off-site.

2) Phase 1

- 1) Construct improved structural shoulder/improved radii at I-70 & Route J off-ramps as part of Phase 1 prior to an Occupancy Permit for the building.
- 2) Lighting shall be shielded and oriented inward and downward as to minimize glare and light trespass.

3) Phase 2

- 1) Improvements to the US Highway 40 – Route J intersection must be constructed prior to any building permits for any structures for Phase 2 building being issued. The improvements to this intersection are to include:
 - i) Eastbound Right-Turn Lane on Highway 40 at Route J.
 - ii) Westbound Right-Turn Lane on Highway 40 at Route J.
 - iii) Separate Westbound Left-Turn Lane on Highway 40 at Route J.
- 2) The following improvements are required to be constructed when the corresponding access is created:
 - i) Separate Westbound Left-Turn Lane on Highway 40 at the Midway USA drive. (This is already shown on the plan).
 - ii) Separate Eastbound Right-Turn Lane on Highway 40 at the Midway USA drive. (This is already shown on the plan).
 - iii) Separate Northbound Right-Turn Lane on Route J at the Midway USA north drive. (This is already shown on the plan)
- 3) If not already provided, the access connections of Phase 2 must be provided when more than 600,000 square feet of building area for the entire property has been issued permits.
- 4) Lighting shall be shielded and oriented inward and downward as to minimize glare and light trespass.

The Zoning Regulations 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 has reviewed the plan. All required information is accurately portrayed, and the plan conforms to the review plan.

The conditions for approval of the Final Development Plan, imposed by the County Commission, have been complied with. Conditions for approval associated with Phase 1 and Phase 2 will be enforced at the appropriate time.

Staff recommended approval.

After reviewing the request, the Planning & Zoning Commission voted to approve the final plan by acclamation.

Commissioner Parry moved now on this day, the County Commission of the County of Boone does hereby approve the request by 40-J Farms, LLC and 40 & J Development LLC to approve a Final Development Plan for 40 & J Development on 192.75 acres, more or less, located at 10150 W Hwy 40, Rocheport, Missouri.

Commissioner Thompson seconded the motion.

The motion carried 3 to 0. **Order #246-2020**

9. **Moore Estates. S2-T48N-R14W. A-2. Charles Robert Moore Trust, owner. Kevin M. Schweikert, surveyor.**

Bill Florea read the following Staff report:

This request was considered by the Planning & Zoning Commission during their May 21, 2020 meeting.

The minutes for the Planning and Zoning Commission meeting of May 21, 2020 along with the Boone County Zoning Regulations and Subdivision Regulations are entered into the record of this meeting.

The Planning and Zoning Commission voted to approve this plat by acclamation.

The subject property is located on Boothe Lane, just north of Boothe's intersection with Shady Oak Lane, in between US Highway 40 and Interstate 70, approximately 4 ¾ miles to the west of the City of Columbia. The property is approximately 24 acres in size, and zoned A-2(Agriculture). The property is surrounded by A-2 zoning. The property to the east applied to be rezoned to A-R in 1994 but was denied by the Planning & Zoning Commission. There is a home and several accessory structures on this property.

This proposal divides the existing structures from the parent parcel and creates an administrative survey tract of the remainder for future development.

This lot has direct access onto Boothe Lane, a publicly dedicated, publicly maintained right of way. The applicant has submitted a request to waive the traffic study requirement.

The subject property is located in Consolidated Public Water Service District

#1(CWPSD#1) and the Boone County Fire Protection District. CPWSD#1 can provide domestic water service to this property.

An existing on-site wastewater system serves this property, as permitted by the Columbia/Boone County Health Department. The applicant has submitted a request to waive the wastewater cost-benefit analysis.

The property scored 26 points on the rating system.

Staff recommended approval of the plat and granting of the requested waivers.

Commissioner Thompson moved now on this day, the County Commission of the County of Boone does hereby receive and accept the following subdivision plat and authorizes the Presiding Commissioner to sign it:

- Moore Estates. S2-T48N-R14W. A-2. Charles Robert Moore Trust, owner. Kevin M. Schweikert, surveyor.

Commissioner Parry seconded the motion.

The motion carried 3 to 0. Order #247-2020

Commission

10. Public Comment

None

11. Commission Reports

None

The meeting adjourned at 8:48 p.m.

Attest:



Brianna L. Lennon
Clerk of the County Commission



Daniel K. Atwill
Presiding Commissioner



Fred J. Parry
District I Commissioner



Janet M. Thompson
District II Commissioner

3 June 2020

Dear Janet,

Last time we met, I asked the Commission to support the "Staff" recommendation to rezone our Hwy 40 and J property. Sorry that we didn't get your support. Site grading is going well, and we've turned in a building permit request. We believe this will be a role model facility and campus that the entire community will be proud of.

Tonight the Commission will consider another rezoning request (Kasman and Ziv); this time the "Staff" recommends against it. Brenda and I again ask that you support the "staff's" recommendation and vote against this rezoning request.

Our front yard borders the subject rezoning request on the north and west sides, so we have a close, personal interest in what goes on there.

The historic old Parman house, that Michael Koonse restored several years ago, will likely never be occupied by humans again, if it is allowed to become a cat boarding facility.

Thank you,

Larry and Brenda Potterfield

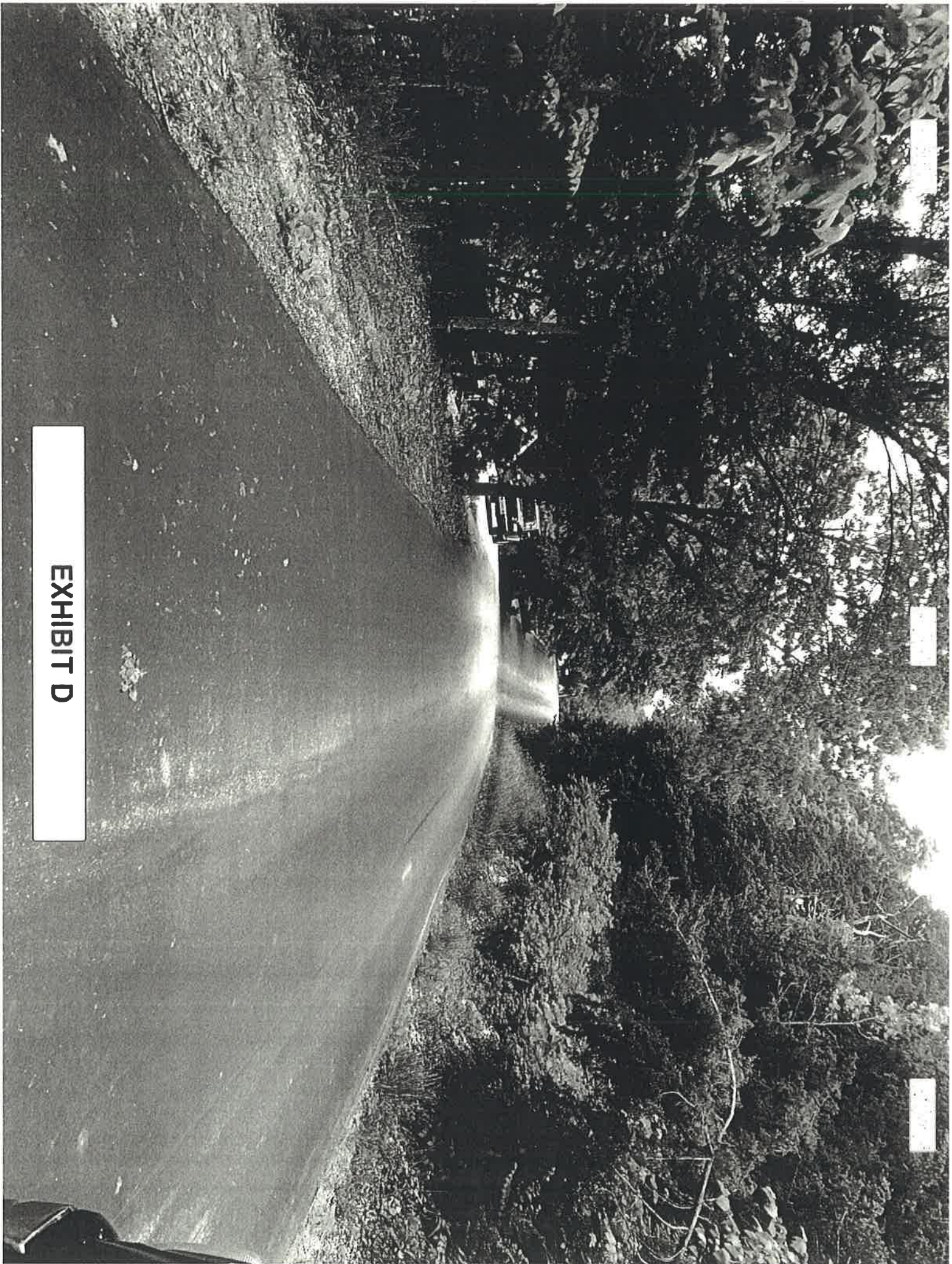


EXHIBIT D

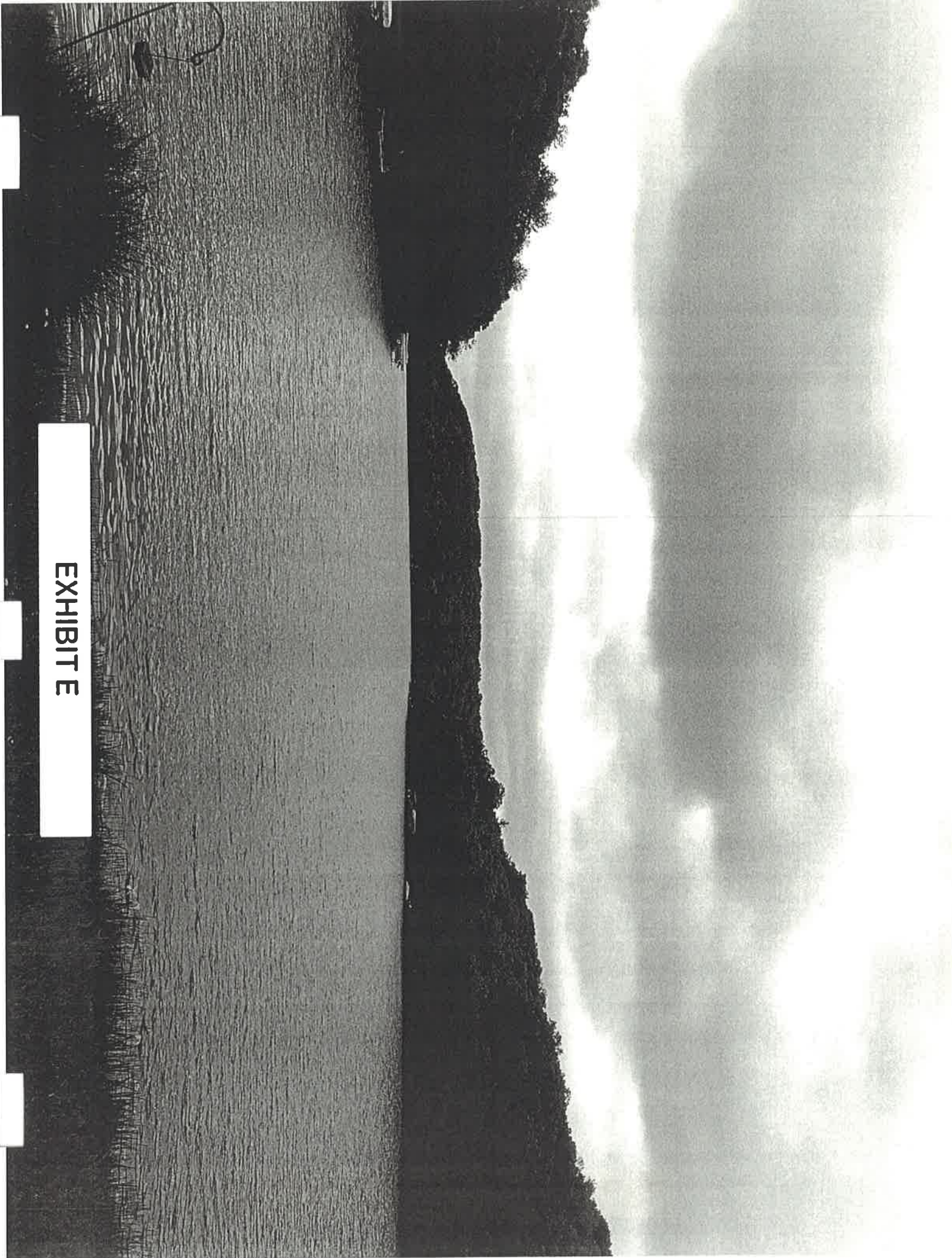


EXHIBIT E



EXHIBIT G

Janet Thompson

From: Ann Vellek <avellek@centurylink.net>
Sent: Wednesday, June 3, 2020 10:32 AM
To: Janet Thompson; Fred Parry; Dan Atwill
Subject: Rezoning request of William Ambrose

Dear Boone County Commissioners,

This letter is in opposition to the recent Property and Zoning Commission recommendation to allow Mr. William Ambrose and family to rezone from AR to A2. We ask the Commission to deny the Ambrose's request for any rezoning or subdivision now or at any future date.

Lake Champetra is a small private lake that is currently environmentally taxed. It would be detrimental to the lake's ecosystem to allow any rezoning or subdivision. Although Ann had to take a step back from her involvement due to cancer, she is still a member of the Lake Champetra Water Quality Committee with Mr. Ambrose. Mr. Ambrose has suggested some very radical procedures to help solve the intermittent algae blooms on the lake. For him to assert at this time that Lake Champetra has pristine water quality is a gross misstatement and seems to be self-serving. For years we have had our family and guests shower immediately after exiting the lake due to the high content of microorganisms, especially in the late summer. Showering was recommended by our dermatologist after our daughter developed a recurrent rash after swimming and playing in the water at Champetra. Permitting any rezoning or subdivision could be detrimental to the health of the lake and the people using the lake. Therefore, rezoning the Ambrose property from AR to A2 could cause an even greater strain on the fragile ecological balance of the water quality in Lake Champetra and we recommend that their request for rezoning be denied.

Maintaining the private roadway around Lake Champetra is costly for all association homeowners. Allowing the Ambrose property to be rezoned (to allow subdivision) could cause further wear and tear, resulting in greater expense for every homeowner.

When we built our home on Lake Champetra in 2005 to 2006, there were several objections by property owners around the lake due to environmental concerns of adding another home in the community. Due to our backgrounds in science and microbiology, we took every precaution to keep the lake as clean as possible. Instead of a septic system with a septic tank, we installed a four stage purification system. We currently live primarily at our home in Columbia, but we cherish our time at Lake Champetra and would like to preserve it's unique beauty for our daughter and future generations.

Thank you for your time and consideration.

Sincerely,

Ann and Mark Vellek

Janet Thompson

From: Lisa Dresner <ladresner@hotmail.com>
Sent: Wednesday, June 3, 2020 12:29 PM
To: jthompson@boonecounty.org; Janet Thompson; Fred Parry; Dan Atwill
Subject: Rezoning Request by William Ambrose

Dear County Commissioners-

This letter is to bring your attention to our concerns regarding the rezoning request by William Ambrose and the most recent Property and Zoning Commission which resulted in a recommendation to allow a change in zoning for Mr. Ambrose. As a property owner at Lake Champetra for twenty four years, I am very concerned this would forever alter the neighborhood. These requests have never been granted in the past and would open rezoning requests by more homeowners.

Concerns-

The Ambroses wish to divide their residential property at Lake Champetra into two lots contrary to existing Subdivision covenants.

1. Permission to subdivide lots have been subject to a majority vote of the homeowners since the 2011 restatement of Covenants which was signed by the Ambroses. This process has not been completed,
2. Effective in May of this year that Covenant was changed to no subdivisions.
3. The Ambroses have a letter from 1993 granting subdivision rights. The validity of this letter remains a private matter between the Board and the Ambroses. We seek only a proper decision on the issue of proper Zoning

Discussion points

1. We argue that a rezoning of a single property in a mature established subdivision from AR to A2 to be both illogical and unfair. It amounts to spot zoning which is not normally permitted. The Neighborhood has contested such actions each time it has been presented to the Zoning Commission.
2. Ambrose is not a full time resident in our subdivision. He is in fact a Cole County resident with a home in Jefferson City and a 300 acre farm in the county. He has other options to build a home for his son.
3. Staff recommended that this request be denied
4. Staff recommended that a similar request made in 2018 by Mark Ludwig on property that adjoins this property be denied. Both recommendations were based on similar issues.
5. Misinformation from previous hearing, due to current Covid 19 procedures, did not allow for rebuttals or at least those of us who attended did not understand how to request this time are listed below:
 - a. Ambrose allowed over 30 more minutes to speak plus he had a representative to assist him
 - b. Ambrose implied that he need space to be close to his grandchildren as a prime reason for his request. He is not even a full time resident here
 - c. Ambrose stated that water quality here was pristine and there are no sewer or run off issues yet he is a key member and advocate on our water quality committee. While serving on this Committee, he has been advocating that major concerns exist with blue algae, over fertilization issues affecting water quality exist, and pushing for consideration of dredging operations to assist water quality. He is also pushing for grass land reseeding to control sediment. All of these items involve major costs. These actions clearly do not demonstrate a pristine water quality or a lake with no issues as he advised the Commission.
 - d. The Lake Board has supported Boone County in requiring the latest in sewer systems as we now have 49 septic systems around our 90 acre lake due to concerns for water quality.

e. Ambrose states that our private roads are better than most county roads. We do maintain these roads however the county has deemed them as substandard. We do not have enough road width to allow us to stripe the roads for a center line. We currently cannot allow the garbage trucks to cross the dam because they can not turn around with out damaging the road surface. These are but two examples of road concerns that will be impacted by the final decision in this matter.

f. Ambrose related how he and his son were so vital to our neighborhood by repairing road drainage, drain pipe repair, and dam repairs. He neglected to tell Zoning Board members that the Lake Champetra Board contracted these repairs at a cost of over 39,000 dollars since February 2018 paid to the Ambroses as compensation for needed projects.

Final considerations:

1. We have within our Association the following properties that could seek similar rezoning and create severe upheaval in our subdivision by using this provision since approval here is separate issue from Lake Covenants:

1 property of 30 acres

1 property of 40 acres

1 property of 10 acres

multiple properties of 5 acres

Our last points concern the two individuals who appeared on behalf of this proposal.

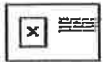
Mr Shiery's spouse is a realtor who has represented clients in our neighborhood and will continue to do so as more property comes available.

Mr Jacober has been involved in a contentious law suit with our Association.

Thank you very much for your time and attention.

Sincerely,

Lisa Dresner



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Janet Thompson

From: Veronica Marian <ronniemarian@hotmail.com>
Sent: Tuesday, May 19, 2020 1:04 PM
To: Janet Thompson; Fred Parry; Dan Atwill
Cc: davemarian47@gmail.com
Subject: Bill and Rebecca Ambrose proposal to rezone property

Good day,

We are writing you to express our opposition to the request from Bill and Rebecca Ambrose to rezone their property located in Lake Champetra from A-R to A-2. The current covenants require a member of the Lake association to bring their requests to subdivide property to the board and members of the association. The members have in 2018 voted down such a request from their neighbor Mark and Vicki Ludwig and have voted to change the covenants and bylaws to prevent any future request to subdivide property. The covenant and bylaw changes have been submitted to Boone County. In June 21, 2018 the exact same request was denied by the Boone County (see attached draft).

There are not any utilities or sewer on this property. Additionally the road going over the dam to the property is only 16 feet wide. We believe that additional residents would overload the existing lake, road, water, and septic infrastructure.

It is our position that this is an attempt to bypass the existing covenants of Lake Champetra which the Ambrose are members of and are subject to the rules. We also believe this change would set a precedent to allow other owners to attempt to subdivide, in opposition to the majority of the LCHOA.

We are asking for your support in opposing this change.

David and Veronica Marian

Sent from [Mail](#) for Windows 10

Janet Thompson

From: GARY AND KAY STROM <kstrom@embarqmail.com>
Sent: Monday, May 18, 2020 10:29 AM
To: Bill Lloyd; Rhonda Proctor; Steve Koirtyohann; Freddy K Furlong; Daniel Mings; Boyd Harris; Carl Freiling; Eric Kurzejeski; Gregory Martin; Michael Poehlman; Janet Thompson; Fred Parry; Dan Atwill
Subject: Ambrose request for rezoning from A-1 to A-2

We've recently been informed that Dr. William Ambrose has requested rezoning of his property at Lake Champetra from A-1 to A-2. Dr. Ambrose is basing his request on a letter that was written 27 years ago and has never been acted on. Certainly zoning regulations have been updated during the last 27 years to maintain, improve, and protect the residents of Boone County.

We oppose this rezoning. Lake Champetra Home Owners Association (LCHOA) members have voted three times in recent years to prohibit further subdivision. Recently the LCHOA voted on a Covenant Amendment and have submitted to the lawyer for filing with the County notarized signatures from 64.7% of the home owners (66.7% of the Lots) to amend the Covenants to totally prohibit any subdivision of property. We believe that additional residents on the Lake would overload the existing lake, road, water, and septic infrastructure. This change would also set a precedent to allow other owners to attempt to subdivide, in opposition to the majority of the LCHOA.

We are asking for your support in opposing this change. Thank you for your consideration.

Gary R. Strom
Kathryn L. Strom

Janet Thompson

From: elkhaven@aol.com
Sent: Monday, May 18, 2020 10:49 AM
To: Janet Thompson; fparry@boonecountymmo.org; Dan Atwill
Subject: Ambrose's Agricultural Rezoning Request

May 18, 2020

Dear County Commissioners:

In regard to the agricultural rezoning request of William and Rebecca Ambrose slated to come before the Commission on May 21, it is our desire to ask that the Commission deny their request. According to our Association Covenants, members must come before the entire membership for subdivision request, which the Ambrose's have not done as of May 18, 2020. Our current Amendments to the Covenants state there will be no more subdivision at Lake Champetra, thus the Ambrose's would be in violation of our Covenants. There are several reasons why the Board and members of our community decided against more subdivision. Some of the reasons are the quality of our water and lake, additional homes will put more stress on the already delicate infrastructure (both our roads and Lake), additional homes would put more boats and people on the Lake which is currently at a maximum capacity, as well as more homes will continue to adversely effect the already stressed electric, sewage, water and Internet issues. It is our hope that the Boone County Planning and Zoning Commission will take these serious issues into consideration when voting on the rezoning request which will allow the Ambrose's to subdivide their land and deny their application. Thank you for your consideration in this important matter. Please feel free to contact us if you have any questions regarding our concern.

Sincerely,
Dr. Richard and Sally Graham
7268 E. North Shore Drive
Hartsburg, MO 65039
573-291-2206
elkhaven@aol.com

May 20, 2020

Dear Boone County Commissioner,

This letter is in regard to Dr. Bill and Mrs. Becky Ambrose request to rezone their lot at Lake Champetra from A-1 to A-2.

They are claiming they have a letter dating 1993 from a past president who independently gave permission for a subdivision of their lot in exchange for signing community covenants.

At present, Lake Champetra is a small 90 acre lake with 55 homes. My husband and I have a home at the lake and ask that this request for rezoning be denied for several reasons.

First and foremost, our current zoning is adequate and appropriate for this area. Rezoning will "open the door " for potentially at least 5 other homeowners requesting similar rezoning in hopes for financial gain.

Most current homeowners feel that due to the size of the lake, allowing an increase in recreational boating would become hazardous.

Septic system overload is a concern and hazard to the well being of the lake and community.

Our current HOA requires a community vote to allow subdivision and this has not been presented therefore has not passed.

Our current narrow asphalt road is at maximum use with vehicle traffic, speed control and upkeep.

Over the years, our community has grown, flourished and ultimately changed drastically since 1993. As a community, we try to establish covenants to benefit the majority and maintain the health and safety of our lake.

We appreciate your time and value your opinion/expertise on this matter.

Sincerely,
Randal and Doreen Trecha
Lake Champetra
7325 E. Southshore Dr.
Hartsburg MO
573-424-3932

Janet Thompson

From: bbromjue@aol.com
Sent: Friday, May 22, 2020 10:43 AM
To: blloyd652@gmail.com; rstone0115@gmail.com; koirty55@gmail.com; fredexcel01@gmail.com; inthebarntoday@aol.com; boyd@agrilandappraisals.com; carlfreiling@gmail.com; kurzees@centurytel.net; gkmartin52@yahoo.com; cliffbrook23@gmail.com; Janet Thompson; Fred Parry; Dan Atwill
Subject: Ambrose Rezoning

To members of Planning and Zoning board and the Boone County Commissioners:

We are advised that Bill Ambrose has requested that the Boone County Planning and Zoning Commission give him permission to rezone his lot in Lake Champetra to allow him to split his current lot into two lots using the Agricultural rezone method that has been attempted once before to split a lot that is too small to go through a normal rezone request process. The matter is set for a hearing on May 21 by teleconference and a small audience.

Lake Champetra is a wonderful place to live with great fishing and recreational boating activities, but we have to maintain a delicate ecological balance as all homes are on septic systems. In addition, Lake Champetra's roads are paid for and maintained by the members of the association and are quite vulnerable to the additional truck traffic that new construction would necessitate. Granting an exception to Dr. Ambrose risks setting a risky precedent. In future years that may lead to other larger acreage property owners in the area with access to our roads requesting similar or more extensive rezoning. Should that happen it could lead to more pressure on Boone County to take over the cost of maintaining the roads and perhaps building sewer systems in the area.

Sincerely,

Bill Romjue
573-353-0840
Homeowners
7200 E North Shore Drive (Lake Champetra)
Hartsburg, MO 65039

Annie Hays
573-230-8771

Bill Romjue
573-353-0840

Janet Thompson

From: Jacqueline Bledsoe <jacqueline.e.bledsoe@gmail.com>
Sent: Thursday, May 28, 2020 3:26 PM
To: Janet Thompson
Subject: RE: Ambrose rezoning request

Janet Thompson – District II Commissioner of Boone County:

I am the current Chairwoman of the Lake Champetra Water Quality Committee. It has come to my attention that the current Lake Champetra Homeowners Association Board of Directors intends to deny Bill and Becky Ambrose the opportunity to exercise a 1993 agreement between the Ambroses and the Board.

My husband and I have lived just down the cove from Becky and Bill Ambrose for 7 years. As Chairwoman of the Water Quality Committee, I have often taken advantage of Bill's degree in chemical engineering and to help us better understand the root cause of algae blooms here at our lake. Between us, we have determined that our over 50-year-old lake has been collecting sediment within its coves from the upland watersheds, and that sediment carries with it the phosphorous that is naturally occurring in our Missouri soils. It follows that our infrequent algae blooms are directly related to the soil washing into our lake, NOT to any nutrient load from the limited number of households around the lake. Bill has taken the technical lead here at Lake Champetra looking into how we can continue to have good water quality. He has worked with Missouri Department of Conservation, Department of Natural Resources, and the Corp of Engineers with water quality improvements on his Miller County farm, receiving several state-wide awards for his efforts. He is now working with a professional engineering firm to design a watershed management plan for Lake Champetra. I trust that he would never put us in a position that would threaten our water quality.

I know that one more home here at the lake will not cause water quality issues, especially if Bill has something to say about it. He simply wants to have the ability to have his son and family living next to him through a family transfer of some of his acreage. I support his request for rezoning his land.

Sincerely,

Jacque Bledsoe

Janet Thompson

From: Socket Email <toddj@socket.net>
Sent: Monday, June 1, 2020 5:30 AM
To: Janet Thompson
Subject: Re: Thank you for reading.

Thank you

Please excuse any spelling errors as this was sent from a mobile device
Thanks
Todd Jacober ,573-489-1203

On Jun 1, 2020, at 4:46 AM, Janet Thompson <JThompson@boonecountymo.org> wrote:

Thank you for reaching out. Your comments are appreciated

Sent from my iPhone

On May 31, 2020, at 8:32 PM, Todd Jacober <toddj@socket.net> wrote:

Hello Janet Thompson,

My Name is Todd Jacober and our land adjoins the Ambrose's land at Lake Champetra.

They have been great neighbors of ours for 14 years.

Both of our properties border portions of the lake's dam. Bill has worked with his son's excavating business installing over 900 feet of French drain on the back of the dam to allow it to be mowed preventing the destructive effects of trees growing there. This year Bill and Elliott filled a deep eroded ditch on the south margin of the dam's backside along with removing trees and planting grass so that now the entire dam can now be maintained by mowing. Keeping the dam well maintained is essential for dam safety. DNR has given our dam improved ratings since the Ambrose's have been working on it. The Lake Champetra HOA would benefit from having Elliott living here at the lake. The road, lake, and dam have already benefited from his efforts!

Please follow your Planning and Zoning Board's decision

*and approve the Ambrose's application for rezoning to A-2, allowing Elliott to have land to build a house on.
Thank you for your consideration of this request.*

Todd, Susan, Isaac and Nathan Jacober

Janet Thompson

From: elkhaven@aol.com
Sent: Monday, June 1, 2020 11:05 AM
To: Janet Thompson; Fred Parry; Dan Atwill
Subject: Ambrose Rezoning

Dear County Commissioners:

We are writing in regard to the rezoning efforts of Dr. and Mrs. William Ambrose. At the Planning and Zoning Committee meeting on May 19, 2020, the Ambroses presented their case to rezone their property at 7700 North Shore Drive. We were in attendance at the May 19 meeting and listened to the entire hearing via phone, so we are totally aware of what was said and not relying on hearsay. At the onset of the hearing, Planning and Zoning staff stated they had received an outpouring of calls and emails requesting denial of the rezoning efforts of the Ambroses. This rezoning request is a "backdoor" attempt to subdivide. As you well know subdivision would be near impossible under A-R zoning, even if the subdivision were approved by our membership. The Ambroses had a representative, as well as one homeowner and one abutting neighbor from Lake Champetra, testifying for them. Several members appeared at the meeting in protest of the rezoning. Due to the COVID situation there was no rebuttal allowed after Ambroses stated their case. During the Ambrose's hearing many misrepresentations were stated. Some of the misrepresentations were:

- Ambrose neglected to state that the Lake Champetra Bylaws from 2004 and Covenants from 2011 state that a majority of homeowners must approve any subdivision. In 2018, 80% plus of the membership voted against subdivision of the Ludwig property. There are currently Amendments to the 2011 Lake Champetra Covenants, approved by over 60% of the homeowners, stating there will be no more subdivision. These Amendments have been filed and are awaiting Boone County recording.
- The letter from 1993, signed by Mark Ludwig, allowed Ambroses to subdivide their land. Ambrose neglected to send along his denial to accept the 1993 Lake Champetra Bylaws and Restrictions unless he was given the right to subdivide in the future. Let it be noted that Ambroses had 27 years to record subdivision of their property through Boone County Planning and Zoning but failed to do so. Lake Champetra Home Owners Association (LCHOA) changed their Bylaw in 2004 stating that the majority of homeowners must approve subdivision, not the Board of Directors. In 2011 a new set of Covenants were proposed and signed by the membership, including the Ambrose's signature, using the same guidelines as in 2004. It is our understanding, that once the Covenants were signed, all homeowners must abide by the new guidelines, even with a letter from 1993.
- Ambrose implied they are full time residents at Lake Champetra. That is not the case. Their permanent residence is at 1001 Fairmount Blvd., Jefferson City, Cole County, MO. They also own over 300 acres in southern Cole County where they could allow their son to build a home. Ambrose's argument was that they wanted their son and his family to live by them. The subdivision of their land at Lake Champetra could only be accomplished by rezoning from A-R to A-2. Ambrose's representative pleaded with the Committee, even to the point of saying "how this situation would pull at their heartstrings". Ambrose's situation is not a tear jerker and personal issues should not enter into a decision on whether rezoning is granted or not. Rezoning should be granted according to the guidelines in the Ordinances set forth by Boone County, not because of a personal, emotional situation.
- Planning and Zoning staff recommended that the request be denied due to poor infrastructure in our community. The staff also reminded the Committee that on June 21, 2018 Mark Ludwig attempted to rezone his property but Mr. Ludwig dropped his request a few days prior to the hearing after the staff report recommended denial.
- William Ambrose stated that he and his son are vital to our community by repairing the roads, drainage issues and the dam. He neglected to say that Elliott, Ambrose's son, received over \$39,000 for his time and materials. Nothing they did to the road, drainage issues or dam was voluntary.

William Ambrose stated that our roads are in better shape than most county roads. Our road is private, too narrow in many places, and has some infrastructure issues. In fact, in the past, Boone County refused to accept it as a County road on two separate occasions, because it was deemed substandard.

The Ambrose's stated that our Lake is pristine and there are no nutrient issues. This is not exactly the case. William Ambrose, who is on the Water Quality Committee, told a number of members at a meeting in January 2020 that we would all "rue the day if we didn't listen to him and have the coves dredged and silt ponds put in". He believed that the blue green algae and other algae would continue to increase thus having to have the entire lake drained in the near future. He

proposed a over \$550,000 project to improve the water quality of our Lake. In the hearing he stated the Lake was pristine...it can't be both.

In conclusion, our biggest concern, if spot zoning of one lot at Lake Champetra is permitted, then five other lots of 5 acres or more, one lot of 30 acres, one lot of 40 acres and one lot of 10 acres, could petition for rezoning from A-R to A-2. If the Ambrose's rezoning request is allowed it could potentially open "Pandora's Box" for spot zoning in our Community. Our Lake, as well as our infrastructure, would not handle that additional burden. We are already at a maximum for sewage systems, electrical service, internet capability, water quality and road usage.

As residents of Lake Champetra since 1974, we have seen much change, many neighbors come and go, building of new homes, issues of conflict, neighborhood gatherings, as well as other attempts to rezone. None of the other rezoning requests were granted. We appreciate your objective and unimpassioned consideration in dealing with this matter. Thank you for your time and attention. If you have any questions, please feel free to email us or call us at 573-291-2207.

Sincerely,
Dr. and Mrs. Richard F. Graham
7268 E North Shore Drive
Hartsburg, MO 65039

Janet Thompson

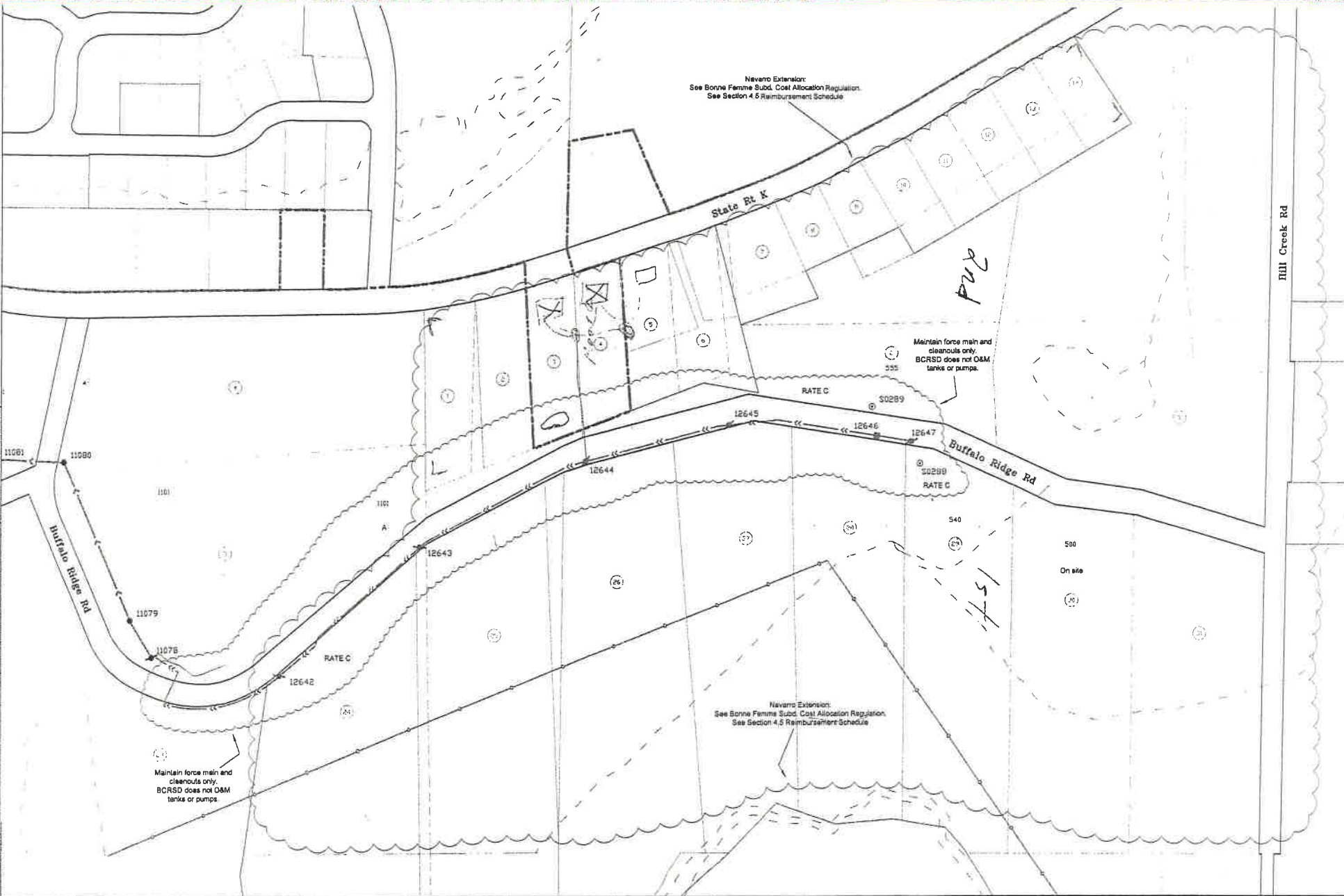
From: GARY AND KAY STROM <kstrom@embarqmail.com>
Sent: Monday, June 1, 2020 3:31 PM
To: Janet Thompson; Fred Parry; Dan Atwill
Subject: Ambrose Request for Rezoning

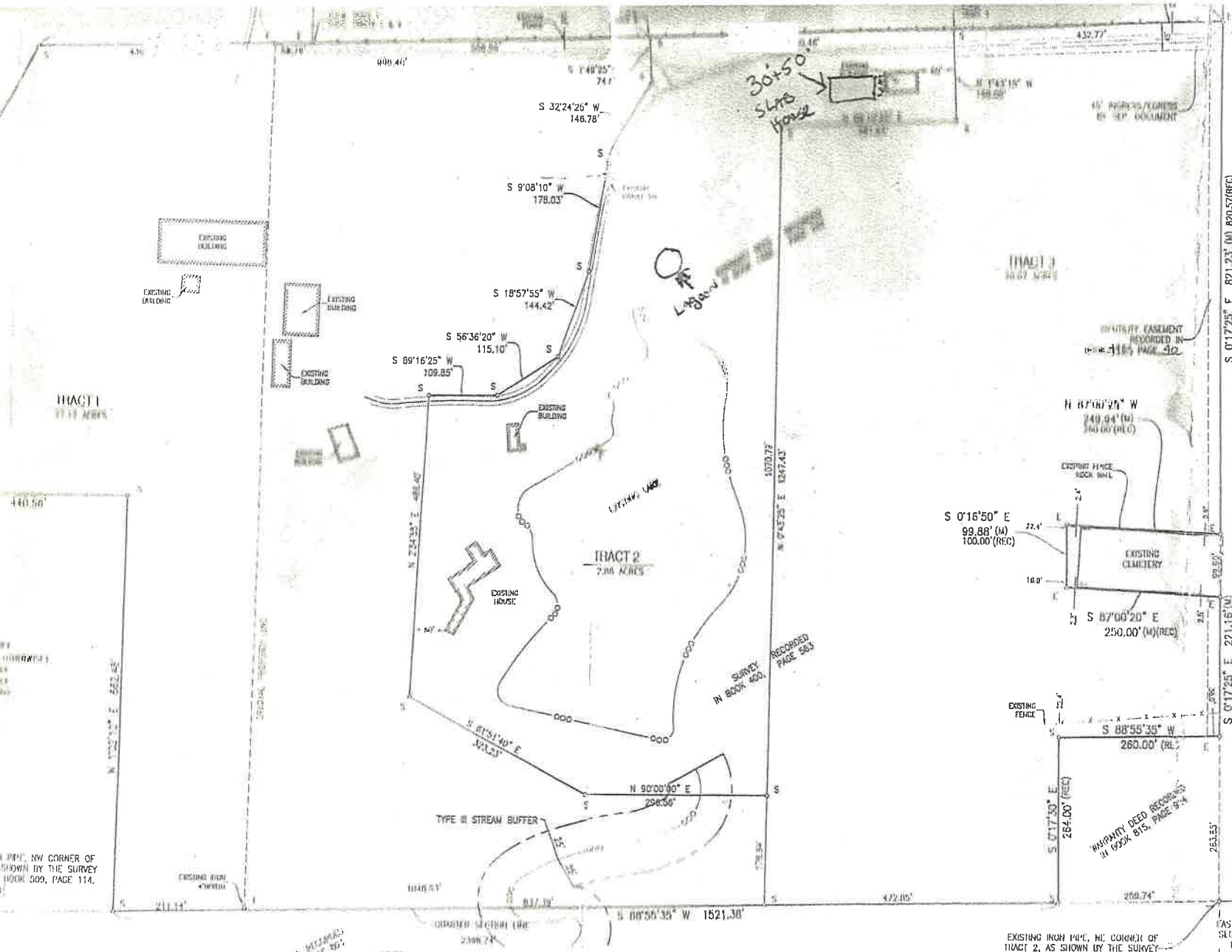
We are writing in regard to the rezoning efforts of Dr. and Mrs. William Ambrose. They and their representative presented their case to rezone their property at 7700 North Shore Drive to the Planning and Zoning Commission on May 19, 2020. We were in attendance at that meeting, but by speaker phone, as only those who testified were allowed in and then were immediately ushered out. We did hear the entirety of the meeting and have several concerns.

- After evaluation of the proposal, Planning and Zoning Staff recommended that the request be denied, citing no access to the property through a public road, issues with the existing infrastructure of utilities, including internet services, being at capacity, and the large number of septic systems that are already in the subdivision.
 - Dr. Ambrose was allowed to speak for nearly 30 minutes, creating an emotional story. The opposition was not allowed to respond after that, when in fact some of his points were misleading or false. The community has already spoken by approving an amendment to the Lake Champetra Home Owners Association Covenants that totally prohibits further subdivisions. This has been filed with Boone County and had the approval of 64.7% of homeowners (66.7% of lots). This was primarily due to the concern of residents to maintain the quality of life at the Lake.
 - The change in zoning, from A-R to A-2, results in spot zoning that is not good for the community. Currently, the entire Lake Champetra area is zoned A-R. Approval of the change in zoning for Dr. Ambrose opens the door for others to potentially want their property rezoned to try the same process. If spot zoning of one lot at Lake Champetra is permitted, then five other lots of 5 acres or more, one lot of 30 acres, one lot of 40 acres and one lot of 10 acres, could petition for rezoning from A-R to A-2. Our Lake, as well as our infrastructure, would not handle that additional burden. We are already at a maximum for water supply, sewage systems, electrical service, internet capability, water quality and road usage.
 - The addition of more homes will take away green space and the construction process will undoubtedly add more silt to the lake from erosion, adding concern for the balance of the lake. The construction process also puts a huge strain on the current road from trucks carrying rock, dirt, and supplies.
- A-2 zoning was designed to allow farmers to give a small plot of their land to their heirs. This subdivision is not a farm, deeming the change to A-2 inappropriate. We have been residents of Lake Champetra since 2003. It is a wonderful place to live and play on the lake. Please deny the request to rezone because of the points listed above. Thank you for your time and consideration. If you have any questions, please feel free to email us or call us at 573-881-0605.

Sincerely,
Gary R. Strom and Kathryn L. Strom
7051 South Shore Drive
Hartsburg, MO 65039

DISCLAIMER: READ CAREFULLY. The existence, dimension, and location of facilities, as well as other information, on this map may be based upon unverified historic information and should not be relied upon for any purpose without actual field verification. No responsibility is assumed by the engineer for the accuracy of any information shown on this map without first obtaining field location information concerning underground utilities as required by law. The Boone County Regional Sewer District makes no warranty of any kind, expressed or implied, for the use or reuse of this map by persons not affiliated with the District. Use of this map by any person not affiliated with the District constitutes agreement by that user to assume full liability and responsibility for the verification of the accuracy of information shown on this map.





TRACT 2
COMMENCING AT THE SOUTHWEST CORNER OF BOOK 2097, PAGE 272 AND WITH THE SOUTH LINE 1047.01 FEET TO THE POINT OF BEGINNING.

THENCE FROM THE POINT OF BEGINNING AND TO N 88°10'35"E, 490.46 FEET THENCE N115.00°E, 150.00 FEET; THENCE S 08°10'33"W, 201.04 FEET; THENCE S 90°00'00"W, 290.06 FEET; THENCE N 25°45'55"E, 488.40 FEET; THENCE N 56°36'20"E, 115.10 FEET; THENCE N 48°42'00"E, 90.88 FEET; THENCE S 07°00'20"E, 200.00 FEET; THENCE S 07°00'20"E, 200.00 FEET TO THE SOUTH LINE OF SECTION 15; LEAVING SAID SOUTH LINE N 0°43'25"E, 124.74 FEET; THENCE N 1°43'15"W, 150.00 FEET AND CONTAINING 20.07 ACRES.

TRACT 3
COMMENCING AT THE SOUTHWEST CORNER OF BOOK 2097, PAGE 272 AND WITH THE SOUTH LINE 1047.01 FEET TO THE POINT OF BEGINNING.

THENCE FROM THE POINT OF BEGINNING AND TO N 88°10'35"E, 432.77 FEET TO THE SOUTHWEST CORNER BEING THE NORTHEAST CORNER OF THE SURVEY, 583 AND LEAVING SAID SOUTH LINE AND WITH THE WESTERLY HIGH-OF-WAY LINE, N 0°00'00"W, 90.88 FEET; THENCE S 07°00'20"E, 200.00 FEET; THENCE S 07°00'20"E, 200.00 FEET TO THE SOUTH LINE OF SECTION 15; LEAVING SAID SOUTH LINE N 0°43'25"E, 124.74 FEET; THENCE N 1°43'15"W, 150.00 FEET AND CONTAINING 20.07 ACRES.

I FURTHER CERTIFY THAT I SUBDIVIDED THE SURVEY AND PLAT OF CROCKETT ENGINEERING CONSULTANTS, INC. 1000 W. 48TH ST. BUILDING 1 COLUMBIA, MO 65203 CORPORATE NUMBER 2000151304

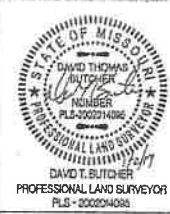
STATE OF MISSOURI }
COUNTY OF BOONE }
Subscribed and Affirmed before me this 14th day of February, 2019.
Kenneth Farris
Notary Public
KENNETH FARRIS
Notary Public
My Commission Expires 04-22-2022

APPROVED FOR RECORDING THIS 23rd DAY OF FEBRUARY 2019
Stan Shawver, Director of Recorder's Office

WARRANTY DEED RECORDED IN BOOK 637, PAGE 807

NOTES:
1. THESE TRACTS ARE NOT LOCATED IN THE 100-YEAR FLOOD PLAIN AS SHOWN BY BOONE COUNTY FLOOD PLAIN MAPS, PARK BLVD. 3001N033RD, DATED MARCH 17, 2011.
2. THIS SURVEY CONFORMS TO THE ACCURACY STANDARDS FOR RURAL PROPERTY AS DEFINED BY MISSOURI BOARD RULE 2 CSR 100-10.040(2).
3. THESE TRACTS ARE SUBJECT TO THE BOONE COUNTY STORMWATER ORDINANCE.
4. TRACTS 1 AND 3 OF THIS SURVEY ARE INCLUDED FOR INVENTORY PURPOSES ONLY. THEY ARE SHOWN TO COMPLY WITH MISSOURI CODE OF STATE REGULATIONS BUT ARE NOT SUBJECT TO SECTION 1.6.1 OF THE COUNTY SUBDIVISION REGULATIONS, AS THEIR AREAS ARE GREATER THAN 20 ACRES.
5. THE TYPE III STREAM BUFFER SHOWN ON THIS SURVEY IS INTENDED TO COMPLY WITH THE REQUIREMENTS OF CHAPTER 28 OF THE ZONING REGULATIONS OF BOONE COUNTY, MISSOURI. THE MINIMUM BUFFER WIDTH IS 25' ON EACH SIDE OF THE STREAMS ORDINARY HIGH WATER MARK. THERE SHALL BE NO CLEARING, GRADING, CONSTRUCTION OR DISTURBANCE OF VEGETATION EXCEPT AS SPECIFICALLY APPROVED BY THE DIRECTOR.

BOONE



ADMINISTRATIVE SURVEY FOR
TOWNSHIP 47 NORTH, RANGE 12 WEST
BOONE COUNTY, MISSOURI
CORPORATE NUMBER 2000151304
DATE: 2/2/2018
SCALE: 1" = 100'
PROJECT: 10220
DRAWN BY: EMD

Administrative
Date and Time: 6:17
Instrument #: 20100
Recording Fee: \$74.00
No. of Pages: 1

CROCKETT
ENGINEERING CONSULTANTS
1000 W. 48th Blvd., Building 1
Columbia, Missouri 65203
(573) 447-0292
www.crockettengineering.com

Nora Dietzel, Recorder of Deeds

Navarro Extension:
See Bonne Femme Subd. Cost Allocation Regulation.
See Section 4.5 Reimbursement Schedule

State Rt K

pub

Maintain force main and
cleanouts only.
BCRSD does not O&M
tanks or pumps.

RATE C

12645

12646

12647

Buffalo Ridge Rd

S0288
RATE C

S0289

555

540

500

On site

Navarro Extension:
See Bonne Femme Subd. Cost Allocation Regulation.
See Section 4.5 Reimbursement Schedule

Hill Creek Rd