

TERM OF COMMISSION: February Session of the January Adjourned Term

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

PRESENT WERE: Presiding Commissioner Kip Kendrick
District I Commissioner Justin Aldred
District II Commissioner Janet Thompson
Director of Resource Management Bill Florea

Public: Kevin Schweikert Brush & Associates

Conference Call Information:

Number: 425-585-6224 Access Code: 802-162-168

The meeting was called to order at 7:00pm.

P&Z

- 1. Request by GHP Construction Services, LLC to vacate Lot 30 of Sun Valley Estates Block 2, as recorded in Plat Book 10, Page 184 of the Boone County Records. (Open Public Hearing)**

Boone County Director of Resource Management Bill Florea read the following staff report: The Boone County Subdivision Regulations and Zoning Regulations are entered into the record of this meeting.

A Petition has been submitted by GHP Construction Services to vacate Lot 30 of Sun Valley Estates Blk 2 as recorded in Plat Book 10 Page 184 of Boone County Records. If the vacation request is granted, the property will be replatted together with a portion of an unplatted property that is currently owned by the Boone County Regional Sewer District (BCRSD). The resulting platted lot will be approximately 1.45-acres. BCRSD will retain approximately 0.8-acres as a utility lot.

Sun Valley Estates was platted in June of 1972. The zoning of the platted lot is Moderate Density Residential (R-M) and the zoning of the currently unplatted property is Agriculture (A-2). Lot 30 is occupied by a single-family residence that is currently under construction.

The proposed 1.45-acre lot does not meet the minimum size requirement of the A-2 district, which is 2.5 acres. Therefore, the buyer will be requesting rezoning of that property, to Residential Single-Family (R-S). That rezoning request has been submitted for the March Planning and Zoning Commission agenda.

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 or portion thereof. 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 and will not generally adversely affect the health, welfare or safety of persons owning or possessing real estate within the subdivision.

The character of the area is residential with a mixture of housing types that range from multi-family units to single-family homes. In the context of the existing R-M & R-S zoning within Sun Valley Estates, the proposed vacation and replat will have no impact on the character of the area. The adjoining property that is not part of the subdivision development is zoned A-2 and is mostly open space.

Granting the vacation request will not adversely affect current or future traffic conditions, circulation, location and alignment of streets within and adjacent to the subdivision. The lot has frontage on Backwoods Cove at the west end of the cul-de-sac bulb. There is a permit for a driveway associated with the current building permit.

The current circulation pattern is adequate for the needs of the area. No roads or right of way are affected by the vacation. Since there are no new proposed access points to the property, any new development will be required to comply with current access management standards.

The requested vacation will have no effect on public utility facilities and services. Replatting will reestablish existing utility and drainage easements.

The proposed vacation will not generally adversely affect the health, welfare or safety of persons owning or possessing real estate within the subdivision.

Staff recommends approval of the vacation requests subject to the following conditions:

1. Said vacation is not effective until the lot proposed to be vacated has been incorporated into a subdivision plat in accordance with Boone County Subdivision Regulations.
2. Lot 30 and the additional property being obtained from the BCRSD must be successfully rezoned to R-S prior to replatting.

Commissioner Kendrick opened the public hearing. Kevin Schweikert of Brush & Associates stated he is available to answer any of the Commission’s questions. The Commissioners stated there are no questions at this time. Commissioner Kendrick closed the public hearing.

Commissioner Kendrick stated this is a first reading and requested the Deputy County Clerk schedule this item for a second reading at the next available commission meeting with appropriate order for approval.

- 2. **Request by Christopher Hardin, Tina M. Roberts, Jacob T. Westhoff, Jolyn M. Westhoff, and Cheryl Susan Rosenfeld to vacate the right of way for Velda Lane as shown on and dedicated to the public use by Roemer Lake Subdivision Plat 2, recorded in Plat Book 11 Page 282. (Open Public Hearing)**

Commissioner Kendrick stated this item will be tabled until the March 7, 2023 meeting.

- 3. **Request by Christopher Hardin, Tina M. Roberts to vacate Lot 176 of Roemer Lake Subdivision Plat 2, Jacob T. Westhoff and Jolyn M. Westhoff to vacate Lot 181 of Roemer Lake Subdivision Plat 4, and Dianne E. Ruetsch and Raymond L. Ruetsch to vacate Lots 4 and 5 of Roemer Lake Subdivision Plat 5. (Open Public Hearing)**

Commissioner Kendrick stated this item will be tabled until the March 7, 2023 meeting.

Commission

- 4. Public Comments

None

- 5. Commissioner Reports

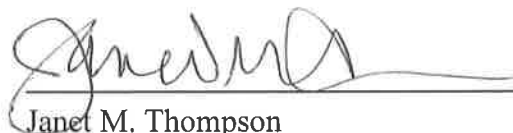
None

Attest:

Brianna L. Lennon
Clerk of the County Commission

Kip Kendrick
Presiding Commissioner

Justin Aldred
District I Commissioner

A handwritten signature in black ink, appearing to read "Janet M. Thompson", written over a horizontal line.

Janet M. Thompson

District II Commissioner