

CERTIFIED COPY OF ORDER

STATE OF MISSOURI

} ea.

August Session of the July Adjourned

Term. 20 21

County of Boone

In the County Commission of said county, on the

31st

day of August

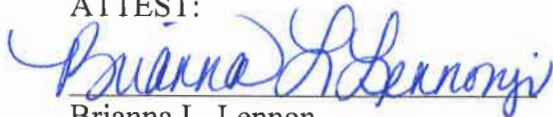
20 21

the following, among other proceedings, were had, viz:

Now on this day the County Commission of the County of Boone does approve the request by Jon Adam Sapp to rezone from A-1 (Agriculture) to A-1P (Planned Agriculture) on 10.0 acres located at 12200 S Hwy DD, Ashland.

Done this 31st day of August 2021.

ATTEST:

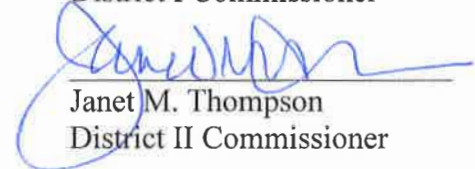

Brianna L. Lennon
Clerk of the County Commission



Daniel K. Atwill
Presiding Commissioner



Justin Aldred
District I Commissioner



Janet M. Thompson
District II Commissioner

360-2021

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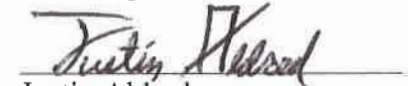
Now on this day the County Commission of the County of Boone does approve the request by Jon Adam Sapp to approve a review plan for Harvest Acres on 10.0 acres located at 12200 S Hwy DD, Ashland.

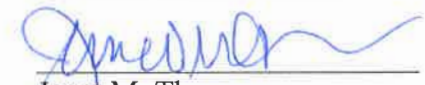
Done this 31st day of August 2021.

ATTEST:


Brianna L. Lennon
Clerk of the County Commission


Daniel K. Atwill
Presiding Commissioner


Justin Aldred
District I Commissioner


Janet M. Thompson
District II Commissioner

Staff Report for County Commission
RE: P&Z Agenda Items
August 31, 2021

Sapp Rezoning A-1 to A-1P with Review Plan

The subject property is located on the west side of State Highway DD approximately 1200 feet north of the intersection of Biggs Road and State Highway DD. The parent property is 73.5-acres in size and zoned A-1(Agriculture). This proposal seeks to rezone 10-acres of the parent parcel to A-1P to facilitate a land division creating a 5.59-acre buildable lot and to define the remaining portion of the 10-acres as a non-developable portion of the parent parcel. The property is surrounded by A-1 zoning, except for an A-1P development to the southwest that adjoins the parent. The adjoining A-1P was rezoned in 1995 and the remaining A-1 is original 1973 zoning. The property scored 60 points on the point rating system.

The sufficiency of resources test, identified in the Boone County Master Plan, was used to analyze this request.

Utilities: The subject property is located at the in Consolidated Public Water Service District #1. The district has a waterline on the west side of Highway DD. Boone Electric Cooperative can provide electrical service to this site, but additional easements may be required. The property is in the Southern Boone County Fire Protection District.

Transportation: The proposed 5.59-acre lot is proposed to share a drive with the parent parcel that already exists. State Highway DD is a hard surface public roadway.

Public Safety: The subject property is just over 3.6 miles from the Southern Boone County Fire Protection District station in Ashland on Henry Clay Blvd.

Zoning Analysis: This proposal does not increase the density over what is allowed currently. The single home that is proposed is the same as could be placed there now, the only difference is that it will be allowed to be conveyed on a 5.59-acre lot rather than a 10-acre lot. However, it should be recognized that the remainder of the defined 10-acres will be a not-

developable portion of the parent tract. Therefore, this proposal can meet the needs of the sufficiency of resources test.

Staff recommends approval of the rezoning request and the associated review plan.

361-2021

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In the County Commission of said county, on the

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the following, among other proceedings, were had, viz:

Now on this day, the County Commission of the County of Boone does approve the attached Extension Agreement for the \$70,512.00 Irrevocable Letter of Credit between Boone County and Fred Overton Development, Inc. for Perche Ridge Plat 1.

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

Done this 31st day of August 2021.

ATTEST:



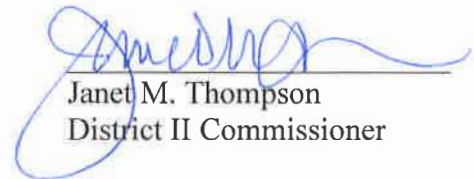
Brianna L. Lennon
Clerk of the County Commission



Daniel K. Atwill
Presiding Commissioner



Justin Aldred
District I Commissioner



Janet M. Thompson
District II Commissioner

EXTENSION AGREEMENT
\$70,512.00 IRREVOCABLE LETTER OF CREDIT – PERCHE RIDGE PLAT NO. 1

THIS AGREEMENT, effective **October 22, 2021**, is entered into by and between Boone County, Missouri, through its County Commission, a political subdivision of the State of Missouri, herein “County;” and **Fred Overton Development, Inc.**, herein “Developer.”

WHEREAS, Developer is constructing a **residential subdivision, Perche Ridge Plat No. 1**, herein “Project”; and

WHEREAS, **Central Bank of Boone County**, herein “Bank”, has issued an Irrevocable Letter of Credit to the County on behalf of Developer, dated **October 22, 2020**, in the amount of **\$70,512.00**, to secure stormwater improvements associated with the development; and

WHEREAS, said Permanent Stormwater Management BMP Security Agreement contemplates that the parties may agree to extend the expiration date of the Letter of Credit, which currently expires on **October 22, 2021**; and

WHEREAS, the parties intend through this Extension Agreement to extend the expiration date of said Letter of Credit to **October 22, 2022**.

NOW, THEREFORE, in consideration of the mutual covenants, promises and representations in this agreement the parties agree as follows:

1. Commission Order **#500-2020** and the Permanent Stormwater Management BMP Security Agreement dated **October 29, 2020**, approving infrastructure security in the form of a letter of credit in the amount of **\$70,512.00**, with an expiration date of **October 22, 2021**, is attached hereto and incorporated herein by reference.
2. The parties mutually agree to extend the **October 22, 2020** Letter of Credit such that the new expiration date will be **October 22, 2022**.
3. All other terms of the Stormwater Erosion and Sediment Control Security Agreement dated **October 29, 2020**, and attachments thereto shall remain unchanged and in full effect.
4. This Extension Agreement may be entered into in one or more counterparts which, when taken together, shall constitute the full Agreement of the parties.

SO, AGREED.

BANK:

Central Bank of Boone County

By: 

Printed Name: Jaime Palmer

Title: AVP, Commercial Banking

DEVELOPER/OWNER:

Fred Overton Development, Inc.

By: 

Printed Name: Fred Overton

Title: Owner / Pres.

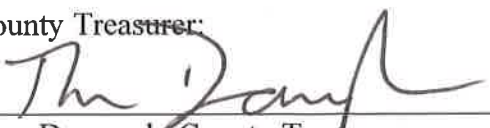
BOONE COUNTY:

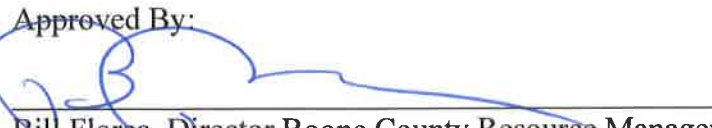
Commission Order: #500-2020

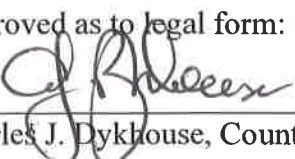
By: 
Daniel K. Atwill, Presiding Commissioner

Attest:

Brianna L. Lennon, County Clerk

County Treasurer:

Tom Darrough, County Treasurer

Approved By:

Bill Florea, Director Boone County Resource Management

Approved as to legal form:

Charles J. Dykhouse, County Counselor