

TERM OF COMMISSION: August Session of the August Adjourned Term

PLACE OF MEETING: Courtroom One West, Boone County Courthouse

PRESENT WERE: Presiding Commissioner Don Stamper
District II Commissioner Linda Vogt
Deputy County Clerk Michelle Malaby

The regular meeting of the County Commission was called to order at 7:05 p.m.

SUBJECT: Award Bid Number 62-26JUL94, Portable Computers

Data Processing Director Scott Monnig recommended award to the low bidder, with three exceptions. One of the three computers is \$3.30 higher than the low bid. They would like to award the bid to the company because they are the current personal computer maintenance provider and they provide a three year warranty. The other companies offer a one year warranty. The second exception, an Apex modem from Computerland, is \$9.28 higher than the low bid. The Department tested the Apex modem, but is unfamiliar with the lower priced modem. IBM suggests using the Apex modem. The third exception, a carrying case, is \$22.75 higher than a generic carrying case bid by Milkyway Computer Products. The Department tested the carrying case. It is made specifically for IBM computers.

In response to a question from Commissioner Stamper, Mr. Monnig stated the difference between the three computer models are the monitors. The IBM Thinkpad 360 has a black and white monitor. The IBM Thinkpad 360CS has a low end color monitor. The IBM Thinkpad 360C has a high end color monitor.

In response to a question from Commissioner Vogt, Mr. Monnig replied they recommend award of all three portable computer models because they have not determined which machines should be ordered. If a department identifies a need for a high definition monitor, they have the option of ordering that machine.

Commissioner Vogt moved that the County Commission of the County of Boone award bid number 62-26JUL94, Portable Computers, as recommended and outlined by the Data Processing Department on the attached document.

Commissioner Stamper seconded the motion. Motion passed unanimously. Commission Order 305-94.

SUBJECT: Planning and Zoning Public Hearing

Director of Planning and Building Inspection Stan Shawver reported **Earl and Mary Lou Smith, for Dan and Jo Smith, request a permit to attach two single wide mobile homes together for one living unit on property located at 9257 E. Highway OO.** The property is located approximately 1.5 miles southeast of Hallsville. The property is zoned A-2, Agriculture, as is all surrounding land. A 1973 mobile home on the property is occupied by Earl and Mary Lou Smith. In February, 1989, a conditional use permit was issued for a second mobile home to be occupied by their son Dan. That mobile home was later removed. In August, 1993, the Smiths reapplied for a conditional use permit for a pre-1976 mobile home. The Commission denied the request and referred the applicants to the Board of Adjustment. On September 23, 1993, the Board of Adjustment approved the request for a two year period. The applicants replaced that mobile home with a 1977 unit and 1972 unit which have been attached for use as a single unit. Zoning regulations state, "manufactured homes and mobile homes designed as a single wide unit may not be attached to other single wide units, thus creating a double wide unit, without first obtaining a conditional use permit." Staff notified 13 property owners concerning the request. At the Planning and Zoning Commission meeting people spoke in opposition to the request and submitted written concerns. The Planning and Zoning Commission voted unanimously to recommend denial, with six members present. The appeal submitted is in order.

Jo Chapman Smith, 9257 E. Highway OO, Hallsville, stated they attached the trailers together temporarily. Ms. Smith submitted photographs and renderings of the property. A suggestion was made that a roof be placed over the two homes to make the unit fit into the neighborhood. She prepared a drawing of that scenario.

Commissioner Stamper opened the public hearing.

Maynard E. Anderson, 9300 Highway OO, Hallsville, summarized his written statement of opposition which was submitted for the record. Mr. Anderson asked those in the audience living within 1,000 feet of the property, and who are opposed, to stand. Five people stood. Mr. Anderson asked others who are opposed to stand. Fifteen people stood.

In rebuttal, Ms. Smith stated they did not intentionally violate any County code. There was a misunderstanding. They need additional living space. They sold the original trailer and it will be removed on August 9. The remaining two trailers represent one unit--their home.

In response to a question from Commissioner Stamper, Ms. Smith replied they moved the trailers to the property on June 13, 1994. She picked up a permit application on June 14th. She did not turn it in until later in the month because she was ill. She painted the trailers because they needed work, regardless of the outcome of the permit request. Ms. Smith stated Mr. Anderson commented on the enjoyment of his property. Her mother-in-law is very ill. This situation is making her father-in-law ill. What about their rights? Ms. Smith admitted they made mistakes in following rules and regulations.

In response to a question from Commissioner Stamper, Director Shawver replied a double-wide trailer could be placed on the property by obtaining a variance from the Board of Adjustment to allow a second trailer or by splitting the tract into two 2.5 acre tracts, with one tract being transferred to the son and daughter-in-law. They still could not place two attached single wide units on the property without a permit.

Commissioner Vogt stated one problem with this request is the second mobile home is on the property through a variance granted by the Board of Adjustment.

Commissioner Stamper stated while the Smiths may have the best of intentions by removing the trailer on the property due to the variance, the Smiths have the right to leave it there until the variance is reviewed in 1995. Therefore, approval is requested for three structures on one site. He cannot support the appeal.

Commissioner Stamper moved that the County Commission of the County of Boone deny a request by Earl and Mary Lou Smith, for Dan and Jo Smith, to attach two single wide mobile homes together as one living unit on property located at 9257 E. Highway OO.

Director Shawver suggested a time limit be given for removal of the two additional mobile homes.

Commissioner Stamper asked the Smiths how much time is needed.

Ms. Smith stated they will need to find a place to live.

Mr. Earl Smith stated it will take three months to get someone to move the trailer.

Commissioner Stamper amended to allow the applicants sixty days to remove the trailers.

Commissioner Vogt asked if Commissioner Stamper would amend the motion to allow ninety days?

Commissioner Stamper replied no.

Commissioner Vogt seconded the motion.

Addressing Ms. Smith, Commissioner Stamper stated the Commission did not create this problem. Her rights are protected by the same rules they violated. Sixty days is ample time to correct the situation. He believes the situation was created in about sixty days. They may not inhabit the trailer beyond the sixty day period without being in violation of regulations.

Motion passed unanimously. Commission Order 306-94.

Director Shawver reported **Rangeline Properties, L.L.C. requests rezoning from R-S (Single Family Residential) and C-G (General Commercial) to M-L (Light Industrial) of 200 acres, more or less,**

located at 7600 N. Highway 763. The property is located north of Columbia city limits. The Planning and Zoning Commission recommended denial of the request. The applicants submitted an appeal which is in order. They request the County Commission table consideration of the request at this time.

Don Hammond stated he is part owner, with Curtis Basinger, of Rangeline Properties. They discussed denial of the request with their attorney, Dan Simon, and decided they need time to research and plan the best use for the land.

Commissioner Vogt moved that the County Commission of the County of Boone table a request by Rangeline Properties, L.L.C., to rezone from R-S (Single Family Residential) and C-G (General Commercial) to M-L (Light Industrial) 200 acres, more or less, located at 7600 N. Highway 763.

Commissioner Stamper seconded the motion. Motion passed unanimously.

Director Shawver reported **Gary R. Evans requests rezoning from REC (Recreation) to C-GP (Planned Commercial) of 6.62 acres, more or less, located at 5800 St. Charles Road.** The property is located east of Columbia at the Lake of the Woods interchange. Access is off St. Charles Road, an asphalt, County maintained road. The property is zoned REC, as is land to the east. Land to the south and west is zoned C-G. Land to the north is zoned R-S. The review plan indicates proposed uses are boat storage, self storage units, and office buildings. In 1986, Mr. Evans requested rezoning of a three acre tract south of this site from REC to C-G. The request was approved and it is now the site of Putnam Boat Sales. The comprehensive plan designates this site as suitable for low density residential land use. Staff notified 91 property owners concerning the request. At the Planning and Zoning Commission hearing, two people expressed concern with the condition of St. Charles Road. Public Works Director Stan Elmore addressed their concerns. The plan has been prepared by Brian Connell, of Connell Architects. The Planning and Zoning Commission voted unanimously to recommend approval with the following conditions:

- 1) wastewater treatment be provided by the Boone County Regional Sewer District
- 2) landscaping plan be in place at the time the self storage units are built in order to shield St. Charles Road from the self storage units
- 3) a minimum of a chip and seal surface be provided for the entry and for the parking surface for the offices
- 4) any lighting for the self storage facility be directed inward to the property
- 5) one half of the 33 foot right of way be dedicated to the County for the entire width of the property.

Skip Walther, attorney with offices at 700 Cherry, stated he represents Gary Evans, who is present. Director Shawver succinctly stated their case. In addition to the review plan, a final plan has been submitted which incorporates the conditions placed on the request. He understands the final plan must be approved by the Planning and Zoning Commission. The asphalt parking lot exceeds the minimum requirement. This property is surrounded by commercial property. The request is in keeping with other uses in the area. The northern section to be used for offices will serve as a buffer between St. Charles Road and residential property to the north. They hope to tie into the sewer at a manhole at the northeast corner of the property. They do not intend to develop the offices immediately. Mr. Elmore indicated St. Charles Road is scheduled for upgrade in the next year. They intend to develop the boat storage area immediately. Property will be leased to the Putnams for that purpose.

Commissioner Stamper opened the public hearing. No one spoke.

In response to a question from Commissioner Stamper, Director Shawver replied regulations provide that if the County Commission does not change conditions placed on a request by the Planning and Zoning Commission, the final plan can be submitted to the Chair and Secretary of the Planning and Zoning Commission for signature.

Commissioner Vogt moved that the County Commission of the County of Boone approve the review plan submitted by Gary R. Evans for 6.62 acres, more or less, located at 5800 St. Charles Road, with the following conditions:

- 1) wastewater treatment be provided by the Boone County Regional Sewer District
- 2) landscaping plan be in place at the time the self storage units are built in order to shield St. Charles Road from the self storage units

- 3) a minimum of a chip and seal surface be provided for the entry and for the parking surface for the offices
- 4) any lighting for the self storage facility be directed inward to the property
- 5) one half of the 33 foot right of way be dedicated to the County for the entire width of the property.

Commissioner Stamper seconded the motion. Motion passed unanimously. Commission Order 307-94.

North High Point Acres, final plat. S13-T47N-R13W Zoned A2. Donald and Jayne Stephens, owners. Don Borman, surveyor.

Director Shawver stated the property is located on High Point Lane. There are two lots. One has an existing house. The Planning and Zoning Commission approved the plat.

Commissioner Vogt moved that the County Commission of the County of Boone receive, accept and authorize the Presiding Commissioner to sign the final plat of North High Point Acres located in S13-T47N-R13W. Zoned A2. Donald and Jayne Stephens, owners. Don Borman, surveyor

Commissioner Stamper seconded the motion. Motion passed unanimously. Commission Order 308-94.

Georgetown West Plat, No. 4, final plat. S20-T48N-R13W Zoned RS. Jack and Doris Overton, owners. Ron Shy, surveyor.

Director Shawver stated the area is served by the City of Columbia. Streets must meet City standards. The Planning and Zoning Commission approved the final plat.

Commissioner Vogt moved that the County Commission of the County of Boone receive, accept and authorize the Presiding Commissioner to sign the final plat of Georgetown West Plat, No. 4, located in S20-T48N-R13W. Zoned RS. Jack and Doris Overton, owners. Ron Shy, surveyor.

Commissioner Stamper seconded the motion. Motion passed unanimously. Commission Order 309-94.

Valley Creek Subdivision, Plat 1, final plat. S3-T48N-R12W Zoned RM. Godas Development, Inc., owner. Jim Patchett, surveyor.

Director Shawver stated this subdivision is located in the Lake of the Woods area. They are not asking for County maintenance of the roads. Mr. Elmore was comfortable with the roads as they exist.

Commissioner Vogt moved that the County Commission of the County of Boone receive, accept and authorize the Presiding Commissioner to sign the final plat of Valley Creek Subdivision, Plat 1, located in S3-T48N-R12W Zoned RM. Godas Development, Inc., owner. Jim Patchett, surveyor.

Commissioner Stamper seconded the motion. Motion passed unanimously. Commission Order 310-94.

Idle Acres, final plat, P.R.D. Zoned A2. S5-T48N-R11W Alan Idle and Pat Carl, owners. Jim Patchett, surveyor.

Director Shawver presented the final development plan and plat. The original developers planned to build rental houses on the property. There is an existing house at the south end. They have decided to sell one of the houses. They have an offer on the existing farm house. When they decided to split the lots for sale, it had to be replatted, with a new development plan filed. The Planning and Zoning Commission approved the final development plan and plat.

Commissioner Vogt moved that the County Commission of the County of Boone approve the final development plan and receive, accept and authorize the Presiding Commissioner to sign the final plat of Idle Acres, P.R.D., located in S5-T48N-R11W. Zoned A2. Alan Idle and Pat Carl, owners. Jim Patchett, surveyor.

Commissioner Stamper seconded the motion. Motion passed unanimously. Commission Order 311-94.

Englewood Planned Residential Development, review plan, preliminary plat. S30-T47N-R12W Al Douglas White and Evelyn S. White, owners. Steve Heying, surveyor.

Mr. White was present. Director Shawver stated the land is located near Columbia Regional Airport. Prior to final plat approval of any lot besides lot 1, being lots 2-6, the following conditions must be satisfied:

- 1) adequate water flows be available to the site for required fire hydrants
- 2) central collector sewer system be approved for operation by the Missouri Department of Natural Resources
- 3) required road improvements for a public road be installed and accepted by the Boone County Public Works Director and guaranteed with a performance bond
- 4) lot 1 sewer connected to a new system without any other lot developed
- 5) public road installed when any other lot develops.

Commissioner Vogt moved that the County Commission of the County of Boone approve the review plan and receive, accept and authorize the Presiding Commissioner to sign the preliminary plat of Englewood Planned Residential Development, located in S30-T47N-R12W Al Douglas White and Evelyn S. White, owners. Steve Heying, surveyor. Prior to final plat approval of any lot except lot 1, being lots 2-6, the following conditions must be satisfied:

- 1) adequate water flows be available to the site for required fire hydrants
- 2) central collector sewer system be approved for operation by the Missouri Department of Natural Resources
- 3) required road improvements for a public road be installed and accepted by the Boone County Public Works Director and guaranteed with a performance bond
- 4) lot 1 sewer connected to a new system without any other lot developed
- 5) public road installed when any other lot develops.

Commissioner Stamper seconded the motion. Motion passed unanimously. Commission Order 312-94.

SUBJECT: Reports from Commissioners

No reports were given.

SUBJECT: Public Comment

No comments were received.

The meeting adjourned at 7:58 p.m.

Attest:

Don Stamper
Presiding Commissioner

Wendy S. Noren
Clerk of the County Commission

Karen M. Miller
District I Commissioner

Linda Vogt
District II Commissioner