

TERM OF COMMISSION: August Session of the July Adjourned Term

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

PRESENT WERE: Presiding Commissioner Keith Schnarre
District I Commissioner Karen M. Miller
District II Commissioner Skip Elkin
Planning and Zoning Director Stan Shawver
County Counselor John Patton
Deputy County Clerk Helen Sheehan

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

Subject: Planning and Zoning

Commissioner Schnarre noted that during Planning and Zoning sessions, the Commission will receive a report from staff and then the Commission will have the opportunity to ask staff any questions. The Commission will then move to a presentation from the applicant or agent of the applicant on behalf of their request. After that, the Commission will convene a public hearing where any testimony in favor of or in opposition to will be welcome. Following the public hearing, the Commission will discuss the issue and then vote on the issue.

Stan Shawver, Director of the Planning and Building Inspection Department, stated that the Boone County Zoning Regulations and the Subdivision Regulations are entered into the record. (note - the file copy is retained in the Planning and Building Inspection Department)

A. Request by Terri L. Johnston to rezone from A-R (Agriculture Residential) to A-2 (Agriculture) on 10.22 acres, more or less, located at 1003 W Worstell Lane, Columbia.

Stan Shawver stated this site is located on the north side of Worstell Lane approximately ½ mile west of the intersection of State Highway VV and Worstell Lane. The site is approximately 3&1/2 miles north of the municipal limits of the City of Columbia.

The property proposed for rezoning is approximately 10.22 acres in area. The property is zoned A-R (Agriculture-Residential) as is all the surrounding property. All surrounding zonings are the original 1973 zonings. There have been no previous requests for this property.

There currently is a single family dwelling and garage on the property. The rezoning is being pursued to allow a family transfer to divide the property to create a separate tract for

a family member. Under the existing zoning the maximum theoretical density is 20 units while under the A-2 it would be 4 units. The existing zoning would allow for the same size tract to be created but not by family transfer.

Sewage treatment will be provided by on-site wastewater systems and any on-site wastewater system must meet all County Health Department requirements. The site is in Consolidated Public Water District #1. The site is in the Columbia School District. The site is in the Boone County Fire Protection District and Boone Electric Service areas.

The master plan designates this area as being suitable for agriculture and rural residential land uses. The request is consistent with the master plan.

The Master Plan calls for the use of a “Sufficiency of Resources Test” when considering the rezoning of land. The purpose of the test is to determine whether there are sufficient resources available to support the proposed zoning, or whether services could be made available in an efficient manner.

The resources necessary to serve the proposed development can be broken down into 3 general categories, utilities, transportation, and public safety services.

Splitting this tract will not result in a decrease of available utility services in the area.

Access to the site is by Worstell Lane which is county maintained. The addition of up to three additional dwellings will have little impact on the roads especially when compared to the potential of 19 additional units under the existing zoning.

The nearest fire station is located on Dripping Springs Road, which is between 3 and 3½ road miles away. The addition of up to three dwelling units should not result in increased demand on other public safety services. Staff notified 18 property owners about this request. This proposal has 39 points on the point rating scale.

Staff recommends approval.

The Planning and Zoning Commission conducted a public hearing on this request at their August 18, 2005 meeting. Six members were present. A motion was made to approve this request and this motion received unanimous support.

Terri L Johnston, 1003 Worstell Lane, Columbia, was present on behalf of this request.

Terri Johnston stated this request is to create a tract for a family member.

Commissioner Schnarre opened the floor for a public hearing on this request.

There was no one wishing to speak on this request.

Commissioner Schnarre closed the public hearing.

Commissioner Elkin moved to approve the request by Terri L. Johnston to rezone from A-R (Agriculture Residential) to A-2 (Agriculture) on 10.22 acres, more or less, located at 1003 W Worstell Lane, Columbia.

Commissioner Miller seconded the motion.

There was no discussion and no public comment.

The motion passed 3-0. **Order 349-2005**

B. Receive and Accept the following plats:

- **Prairie Farms Dairy. S13-T49N-R13W. Robert and Joan Marshall, owners.**
- **Lone Oak Country Estates. S12-T51N-R13W. Mark and Stephanie Perkins, owners.**

Commissioner Miller moved to receive and accept the following plats and authorize the Presiding Commissioner to sign said plats:

- Prairie Farms Dairy
- Lone Oak Country Estates

Commissioner Elkin seconded the motion.

There was no discussion and no public comment.

The motion passed 3-0. **Order 350-2005**

C. Proposed revision to Section 10. A. of the Zoning Regulations.

Mr. Shawver stated this is a revision to Section 10 A of the Zoning Regulations, set back regulations. This revision would remove the cumulative total of side set backs. The current regulations state, for example, the side set back in R-S district is six feet but there has to be a cumulative total of 20 feet.

The Planning and Zoning Commission suggested the removal of the cumulative total. Three public hearings were conducted on this suggestion. All comments were positive about this change.

The Planning and Zoning Commission approved this revision.

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

**Subject: Public Hearing – Boone County Roadway Regulations Chapter I:
Vehicular Traffic Regulations**

Commissioner Schnarre stated this is a public hearing to change the speed limit on Olivet Road from Richland Road to Highway WW, Highway WW to New Haven Road from 35 mph to 45 mph and to have the speed limits on roads in the Lake of the Woods Subdivision remain at 30 mph.

Commissioner Schnarre opened the floor for public hearing on this recommendation.

There was no one wishing to speak.

Commissioner Schnarre closed the public hearing.

Commissioner Schnarre stated this is the second public hearing and there will be one more public hearing regarding this issue during the next Commission meeting. The proposal will be approved after the third public hearing, which is scheduled for September 1, 2005.

Public Comment

There was no public comment.

The meeting was adjourned at 7:09 p.m.

Attest:

Wendy S. Noren
Clerk of the County Commission

Keith Schnarre
Presiding Commissioner

Karen M. Miller
District I Commissioner

Skip Elkin

District II Commissioner