

BOONE COUNTY PLANNING & ZONING COMMISSION
BOONE COUNTY GOVERNMENT CENTER, COMMISSION CHAMBERS
801 E. WALNUT, COLUMBIA, MISSOURI
(573) 886-4330

Minutes

7:00 P.M.

Thursday, August 16, 2012

I. Chairperson Harris called the meeting to order at 7:00 p.m., with a quorum present.

II. Roll Call:

a. Members Present:

Boyd Harris, Chairperson	Centralia Township
Carl Freiling, Vice-Chairperson	Cedar Township
Mike Morrison, Secretary	Columbia Township
Gregory Martin	Katy Township
Kevin Murphy	Perche Township
Michael Poehlman	Rock Bridge Township
Paul Prevo	Rocky Fork Township

b. Members Absent:

Larry Oetting	Three Creeks Township
Eric Kurzejeski	Missouri Township
Brian Dollar	Bourbon Township
Derin Campbell	County Engineer

c. Staff Present:

Stan Shawver, Director	Uriah Mach, Planner
Thad Yonke, Senior Planner	Bill Florea, Senior Planner
Paula Evans, Staff	

III. Approval of Minutes:

Minutes from the July 19, 2012 meeting were approved by acclamation.

IV. Chairperson Statement

Chairperson Harris read the following procedural statement:

The Boone County Planning and Zoning Commission is an advisory commission to the County Commission. The commission is made up of individuals representing each township of the county and the county engineer.

The Planning and Zoning Commission makes recommendations to the County Commission on matters dealing with land use. Tonight's agenda includes one conditional use permit, one rezoning request, two final development plans and two subdivision plats.

In general, the Planning and Zoning Commission tries to follow Robert's Rules of Order, however, it is authorized by the Missouri state statutes to follow its own by-laws. The by-laws provide that all members

of the commission, including the chairperson, enjoy full privileges of the floor. The chairperson may debate, vote upon or even make any motion.

The following procedure will be followed:

The agenda item will be announced, followed by a report from the planning department staff. At that time, the applicant or the applicant's representative may make a presentation to the commission. The commission may request additional information at that time, or later following the public hearing. After the applicant's presentation, the floor will be opened for a public hearing to allow anyone wishing to speak in support of the request. We ask that any presentation made to the commission be to the point.

Next, the floor will be given over to those who may be opposed to the request. Direct all comments or questions to the commission and please restrict your comments to the matter under discussion. Please be considerate of everyone here. We ask that you please not be repetitious with your remarks. We also recognize that some issues can be quite emotional. In that regard we ask that you refrain from applause, cheers, or other signs of support or displeasure. Please afford those with a different point of view than yours the same respect and consideration you would like yourself.

There may be individuals that neither support nor oppose a particular request. Those individuals are welcome to address the commission at any time during the public hearing portion of the request.

Please give your name and mailing address when you address the commission. We also request that you sign the sheet on the table after you testify. Also, we ask that you please turn off your cell phones.

Any materials that are presented to the commission, such as photographs, written statements or other materials will become a part of the record for these proceedings. In that regard, if you would like to recover original material, please see the staff during regular business hours after they have had an opportunity to make a copy of your submission.

After those opposed to the request have had a chance to speak, the applicant will have an opportunity to respond to the concerns of those opposed to the request. Next the staff will be given an opportunity for any additional comments, as appropriate. The public hearing will then be closed and no further comments will be permitted from the audience or the applicant unless requested by the commission. The commission will then discuss the matter and may ask questions of anyone present during the discussion. Finally, a motion will be made to either recommend the approval or denial of the request to the County Commission. Please note that the Boone County zoning regulations and subdivision regulations are considered to be a part of the record of these proceedings.

All recommendations for approval are forwarded to the County Commission. They will conduct another public hearing on Tuesday, August 28th. Interested parties will again have the opportunity to comment on the requests at that time. The County Commission generally follows the recommendations of the Planning and Zoning Commission; however, they are not obligated to uphold any recommendation. Requests that are denied will not proceed to the County Commission unless the applicant files an appeal form within 3 working days. Please contact the planning office to see if a request that has been denied has filed an appeal, as there will be no further public notification due to the short time between the hearing tonight and the County Commission hearing. The County Commission hearing scheduled for Tuesday, August 28th, will begin at 7:00 p.m. and will convene in this same room.

V. Conditional Use Permits

1. Request by Missouri Soybean Association to revise a permit for an Agri-business oriented to the agricultural community on 98.36 acres located at 5601 S Rangeline Rd., Columbia).

Commissioner Murphy stated he would recuse himself from discussion and voting on this request. Commissioner Murphy left the Commission Chambers.

Planner, Uriah Mach gave the following staff report:

The subject property is located on Rangeline Road, approximately 3 ½ miles east of the city limits of Columbia. The subject property is approximately 98 acres in size and is zoned A-1(Agriculture) and is surrounded by A-1 zoning. In addition to the subject tract, the applicants own an adjacent 92 acres to the northwest. This is all original 1973 zoning. The Boone County Master Plan identifies this area as being suitable for rural residential and agricultural land uses.

The applicant is requesting a revision to their conditional use permit to operate an agribusiness oriented to and exclusively serving the agricultural community. In August of 2011, materials submitted to Boone County Resource Management – Planning indicate that the applicant desired to construct a building for use as an office and lab on their agricultural property. The applicants have done so and are now seeking to expand their operation with the construction of an additional building. As a facility and use which is exclusively serving the agricultural community, the activities described by the applicant allow them to apply for this conditional use permit.

The following criteria are the standards for approval of a conditional use permit, followed by staff analysis of how this application may meet those standards. Staff analysis of the request is based upon the application and public comments received following notification of the surrounding property owners.

(a) The establishment, maintenance or operation of a conditional use permit will not be detrimental to or endanger the public health, safety, comfort or general welfare.

If operated in conformance with existing local regulations, this use should not be detrimental to or endanger the public health, safety, comfort, or general welfare.

(b) The conditional use permit will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted by these regulations.

The application materials describe the structure desired, a 6250 square foot building. The remainder of the subject property is being used for agricultural purposes on the majority of its acreage. That is consistent with the activity on the surrounding properties, which are being used for agricultural and rural residential land uses, with agriculture being most common. The neighborhood notification brought forward a complaint that exterior lighting on this property was not being properly focused inward and downward so as not to leave the site. This situation needs resolution in order for this criterion to be met. The applicant's testimony, along with that of the public, may be indicative as to whether this criterion is met beyond the complaint voiced.

(c) The conditional use permit will not substantially diminish or impair property values of existing properties in the neighborhood.

If operated in conformance with existing county regulations, the use should comply with this criterion. Public testimony may be indicative as to whether this criterion is met.

(d) All necessary facilities will be available, including, but not limited to, utilities, roads, road access, and drainage.

Water service will need to be expanded by the extension of a water main from existing Public Water Service District #9 infrastructure. Road access is off of Rangeline Road, an asphalt-surfaced, county-maintained, public right of way. Wastewater treatment is through a compliant on-site submerged flow wetland system.

(e) The establishment of a conditional use permit will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the zoning district.

The establishment of this conditional use permit will not impede the normal and orderly development and improvement of surrounding properties. The limitations of the existing road and utility infrastructure will restrict development far more than approval of this conditional use permit.

(f) The establishment of a conditional use permit will not hinder the flow of traffic or result in traffic congestion on the public streets. This will include the provision of points of access to the subject property.

Access to this site is off of Rangeline Road, a publicly dedicated, county-maintained road. The use is not expected to be a major traffic generator, and any increased traffic should not overload existing public streets. The applicant's testimony, along with that of the public, may be indicative as to whether this criterion is met.

(g) The conditional use permit shall in all other respects conform to the applicable regulations of the zoning district in which it is located. The County Commission shall find that there is a public necessity for the conditional use permit.

The proposal conforms to other applicable regulations of the A-1 zoning district.

Zoning analysis: The use requested in the previous application has been reviewed and considered appropriate for an agribusiness. The return of this request to the Planning & Zoning Commission in exactly twelve months indicates the limitations of this use were set properly. This conditional use permit meets a technical analysis of the criteria identified in the Boone County Zoning Ordinance for approval.

Staff recommends approval of the request with the following conditions:

1. Farm implement sales & service will not be conducted on this property.
2. Construction will be limited to the structures shown on the application and further development of the property related to the agribusiness lab/office use will require revision of the conditional use permit.
3. The construction of the proposed structure will be done in full compliance with the requirements of Boone County Resource Management, the Boone County Fire Protection District, & the Columbia/Boone County Health Department.

Present representing the request:

Chris Sander, A Civil Group, 3401 Broadway Business Park Ct., Columbia

Chris Sander: The proposed building is for farm machinery storage; it is a three sided building, one side will be open, it will be used to shelter equipment. About 1/3 of the building will have a concrete floor and be closed in. We don't anticipate any heating or water to be installed. In speaking with the owner and contractor earlier this week about the lighting complaint as soon as this was brought to their attention they ordered some shielding screens to put over the exterior lights to direct them downward. They expect to have those in and installed within a couple of weeks. As we consider the condition of not hindering traffic flow the building location will actually help to alleviate the need to transport farm equipment on the road.

Commissioner Freiling: The only thing that is an issue is the lighting. Is it the client's intention to do whatever is necessary to keep the light inward and downward and not shining off the property?

Chris Sander: That is correct; they had an immediate reaction to fix it. They intend to correct it within a couple of weeks.

Commissioner Freiling asked staff if there was any way to make sure the applicants followed through.

Stan Shawver: This is a revision to a conditional use permit so the Commission can add a condition.

Commissioner Prevo: The applicants were approved for a conditional use permit for a 15,000 square foot building, why do they need a second building when the original plan was to be one big one?

Chris Sander: This is to add an additional 6500 square feet. The 15,000 square feet is still part of what would be allowed. The expansion of that building may be out there in the future; that building is used for cold storage of seed, processing, and office space. This additional building that is being proposed is just to store agricultural equipment.

Chairperson Harris: I see the applicant's point; from what I understand the applicants need a machine shed. Given what goes on in the existing building I can see the applicants not wanting to use the other approved space; save that and use it for lab and inside technical work, it is probably too good of a building to use as a machine shed. The lighting that is on the building now, the shields that the applicants ordered - how restrictive are they? Will they work?

Chris Sander: I don't know the details of the existing lighting or of the shields that have been ordered. The intention of the shielding was to prevent the lighting from being directed off the site and to fall in line that it would be directed inward and downward.

Chairperson Harris: The lights that are on there are wall mounted and the shields would be a hood that goes over them to contain the light?

Chris Sander: Correct.

Chairperson Harris: Are they fairly restrictive?

Chris Sander: Yes.

Chairperson Harris: I assume the new building will be in the vicinity of the existing grain bin and would be open to the east?

Chris Sander: Yes.

Chairperson Harris: Will the building be on top of the sewer line as it is shown on the site plan?

Chris Sander: Yes.

Open to public hearing.

No one spoke in favor.

Present, speaking in opposition:

John Sweet, 5900 S. Rangeline Road, Columbia

John Sweet: I object to changing the original permit. I didn't show up for the last meeting because I had found out what they were planning to do and it was going to be one building and it was adequate size to do what they were requesting. I wanted to be a good neighbor and didn't think that one building would impact our area; now I find out that before the building is even occupied they are asking for a second building which I'm sure they knew they were going to need but I think they didn't want to bring that up in the first meeting so I think we are getting a bait and switch. They didn't build the building as large as they said they needed; my feeling is let them add on to the existing building if they need additional room. If you have an additional building they are probably going to have lights on it too. My second concern with the first meeting because my big concern was lighting, I rue the day that I didn't come because of what they have now and I really don't believe that a shield is going to suffice. We can't sit on our front porch and enjoy the night sky because the lighting is so obnoxious. If it was a dusk to dawn light, I wouldn't object to something like that. I don't understand why they need to keep the lights on all night. I can't buy that it's for security because the other two sides of the building don't have any lights for security purposes. If they had something that the lights would only come on for when needed, like a motion light, I could see that but not all night every night. Since they weren't straight with me the first time I'm not willing to be a good neighbor the second time.

John Glascock, 5800 S. Rangeline Rd., Columbia.

John Glascock: I am not really here in opposition to the request but I am here to speak about the lighting. I live approximately 500 feet south of the building and those two wall pack lights are very offensive. I can read a book from my front porch. I called the Soybean Association in Jefferson City over a month ago and asked for them to do something about it and they haven't done a thing. I think the opacity on those shields need to be zero; they need to restrict it down to within 30 feet of the building otherwise you are fighting a losing battle. I am not opposed to a machine building but South Farms is right up the road and they have nothing like those lights; I think they have one wall pack and the rest are dusk to dawn. I have no problem with dusk to dawn lights. The problem is how white the light is.

Commissioner Freiling: The currently lighting isn't security lighting.

John Glascock: It is just like security lighting.

Commissioner Freiling: But its only on one side of the building; they are trying to illuminate their building.

Chairperson Harris: The wall packs are obvious; but what I was unable to determine clearly on the northeast corner there are a set of motion lights.

John Glascock: It looks to be but I have never seen those on and they have can lights underneath the porch and those are on and those aren't offensive; it is the two wall packs on the side. That is what I use in alley lighting in the city; they are very bright.

Chairperson Harris: They are a pure white light.

John Glascock: Yes, they are pure white; not dusk to dawn.

Chairperson Harris: If it is dark and you are standing in your driveway and the lights are on how far south does the building light up?

John Glascock: I can read a letter in my driveway. The corn that is growing there is not seeing any night time.

John Sweet: If the neighbors knew then what they know now there would have been more objections at the first meeting.

Closed to public hearing.

Chris Sander: It is hard to say what was in someone's mind when the first application was made but the process to get a conditional use permit takes a considerable amount of time and requires involvement from my firm and various parties. It is from my conversations with Missouri Soybean Association that had they had the plan to build the building a year ago they would have included it to save the process of going through this again. There was no intent to hide that from anyone, they just didn't have that plan at the time. If the Commission would like to make a condition for approval to require the lighting to be directed inward and downward the applicants would be fine with that. We feel that the shields would accomplish that but if they don't the applicants will take the next step to modify the lighting to replace the fixtures or whatever it takes to make it happen. The applicants understand that it is not neighborly.

Chairperson Harris: From a personal perspective you can have the best laid plans in the world when you start building barns and machine sheds and it's never going to be big enough or enough room no matter how much thought you give to it. We are dealing with 98 acres out of a 200 acre parcel. Were it all owned by a farmer for their own use they could come in and build a new shop and put a machine shed behind it and put another machine shed on the property and two or three grain bins. The Soybean Association is not that different. I was a little shocked at the type of lights that were there. Does staff know anything about the shields and how effective they are? My concern is we require the shields but it doesn't mitigate the problem.

Commissioner Prevo: It is essentially a window cover looking thing that will be put over the light.

Chris Sander: They are sheet metal so the light can't penetrate; they are bent over the lighting to block it from shining out across the field.

Chairperson Harris: Does the applicant anticipate electricity or lights on the new building?

Chris Sander: Yes.

Commissioner Freiling: Constant?

Chris Sander: Yes; it will probably be dusk to dawn

Chairperson Harris: I guess what I was envisioning is a couple poles across the front with directional type parking lot lights.

Commissioner Poehlman: Why have the applicants not already made the change? Why would you make it contingent or a condition with the other building the applicants want to do. The neighbors have already complained about it.

Chris Sander: The contractor that is building the building, the first that he knew of the complaint was when I passed it along to him in the last week; he took immediate steps to make the change. I cannot answer to the call that Mr. Glascock made to the Soybean Association; I don't know the answer to that.

Chairperson Harris: When was the existing building completed and put in to service?

Chris Sander: The temporary occupancy was granted within the last couple of weeks.

Chairperson Harris: So the lights being on is something that has just happened within the last six to eight weeks.

John Glascock: It's been a couple of months at least.

Commissioner Poehlman: Is there a violation or avenue that people can take currently to quell that kind of lighting?

Stan Shawver: We don't have any lighting restrictions in the zoning regulations. We have had conditional use permits and planned developments in the past where we have placed restrictions on lighting.

Uriah Mach: The standard language would be to add a condition indicating all exterior lighting will be focused inward and downward and no light will leave the site.

Commissioner Freiling: We also have an issue that it is still an agricultural type of building. They are talking about a dusk to dawn light, are we going to exempt that? How do you word that?

Uriah Mach: If the commission chooses to expand it with the proposed conditions and possibly add a condition requiring that all exterior lighting be focused inward and downward they will proceed through this process as a commercial building permit in which point plans will be submitted and reviewed by the building inspection department.

Commissioner Freiling: So Resource Management could decide to allow dusk to dawn lights.

Stan Shawver: Standard dusk to dawn lights are typically accepted.

Chairperson Harris: With the shields in place how far will the light rays be?

Chris Sander: Probably 30 to 40 feet away from the building.

Commissioner Poehlman: If the applicants wanted to use this building for something other than farm machinery storage, if they decide to enclose it or use it for something else would they have to come back before the commission?

Stan Shawver: No. To use the building for something other than farm implements would be a change of use of the building design. If they want to convert it to office use, that is a building code issue. The conditional use permit that has been approved is for an agriculture related business. For example, they couldn't put in offices and rent them out to realtors. If they converted it to office space for their own use or lab use or anything related to the Soybean Association activity it is just a building code issue.

Commissioner Freiling: (to Mr. Sweet) One of the things that was discussed at the first meeting was the fact that 24 hour per day, seven day a week impact of this facility on the neighbors was arguably less than nine houses would have been, which could have been built on the land. We try to accommodate an important aspect of our community but we try to do it in a way that is not at the expense of the neighbors so if we can get this lighting issue addressed....

John Sweet: Could the applicants turn the equipment barn to face west and have the light shining that way?

Chris Sander: The applicants want to orient the building to block the weather; that would be more effective if it faced toward the east. The lighting on the new building could be directed in and down as well.

Chairperson Harris: Is the Soybean Association willing to do their best to mitigate the neighbors concerns?

Chris Sander: Yes.

Stan Shawver: The commission could add a condition that no building permit may be issued for the second building until the existing lighting is directed inward and downward.

Chairperson Harris: If those shields work as described and it stops the light even fifty feet from the building wall it will accomplish as much for security as what shining 1000 feet does.

Chris Sander: Correct.

Commissioner Poehlman made a motion to revise the conditional use permit with the condition that the applicants fix the lighting to the satisfaction of Resource Management before a building permit is issued for the proposed building.

Chairperson Harris amended the motion that any and all lighting developed in the future be oriented inward and downward so that no light leaves the property.

Commissioner Poehlman accepted the amendment to his motion and added the approval is subject to staff conditions.

Commissioner Poehlman made and Commissioner Martin seconded a motion to approve the request by Missouri Soybean Association to revise a permit for an Agri-business oriented to the agricultural community on 98.36 acres located at 5601 S Rangeline Rd., Columbia subject to the following conditions:

1. Farm implement sales & service will not be conducted on this property.

2. Construction will be limited to the structures shown on the application and further development of the property related to the agribusiness lab/office use will require revision of the conditional use permit.
3. The construction of the proposed structure will be done in full compliance with the requirements of Boone County Resource Management, the Boone County Fire Protection District, & the Columbia/Boone County Health Department.
4. Any exterior lighting on the project be oriented inward and downward so that no light leaves the property.
5. The existing wall pack lights be shielded so that no light leaves the property.
6. The issuance of a building permit be contingent upon the installation of the shields over the existing wall pack lights reducing the light emission to a level acceptable to staff.

Boyd Harris – Yes

Carl Freiling – Yes

Gregory Martin – Yes

Michael Morrison – Yes

Paul Prevo – Yes

Michael Poehlman – Yes

Motion to approve the request passes unanimously.

Chairperson Harris informed the applicant that this request would go before the County Commission on August 28, 2012 and the applicant needs to be present at the hearing.

Commissioner Murphy returned to the Commission Chambers.

VI. Rezoning

1. Request by Paul Devert Morefield and Barbara Ruth Morefield Trust to rezone from A-1 (Agriculture) to A-2 (Agriculture) on 4.26 acres, more or less, located at 4715 E Clellie Harmon Rd., Ashland.

Planner Uriah Mach gave the following staff report:

The subject property is approximately 1/3 of a mile to the north of Ashland, on Clellie Harmon Road and Pearman Road. The subject tract is approximately 4.26 acres of a 45.43 acre tract, separated by Clellie Harmon Road. The subject tract is zoned A-1(Agriculture), and has A-1 zoning to the east and north, and A-2(Agriculture) zoning to the south and west. The applicant is seeking the rezoning for purposes of executing a family transfer. The property has been used for agricultural purposes in the past. The subject tract has been separated from the bulk of the parent tract by Clellie Harmon Road, which also serves as the dividing line between A-1 & A-2 zoning.

The Boone County Master Plan designates this area as being suitable for agricultural and rural residential land uses. The Master Plan also identifies a “sufficiency of resources test” to be used in determining whether there are sufficient resources available to support the proposed uses.

The sufficiency of resources test can be broken up into three categories: utilities, transportation, and public safety.

Utilities: The subject property is located in Consolidated Public Water Service District #1, Boone Electric Cooperative service area, and the Southern Boone County Fire Protection District. Residential land uses can be served by available utilities.

Transportation: The subject tract has direct access on to Clellie Harmon Road & Pearman Road, county-maintained public rights-of-way.

Public Safety: The subject tract is located in the Southern Boone County Fire Protection District, whose nearest station is located in the city of Ashland, approximately 1/3 of a mile to the south.

Zoning Analysis: This rezoning would allow for the proper development of the 45 acre tract. With Clellie Harmon Road dividing the subject tract from the parent tract, rezoning to allow for legal subdivision of the property is appropriate.

The property scored 63 points on the rating system.

Staff recommends approval of the request.

Present representing the request:

Sarah Eagon, 207 N Henry Clay Blvd., Ashland

Sarah Eagon: This will be the location for a new house. This is my parents' property, technically my grandparents' property, they are both deceased so my mother inherited it; we are currently finishing up with the probate estate. From what I understand the line to the east is the section line and normally the zoning follows section lines but it happened to follow the road at this point. It is a perfect tract of land for a house and my parents would like to family transfer the property to me and my husband to build on. There is currently no buildings on there except for a small corn bin; there used to be a one room house but it has been torn down. There is electricity and water via a well already on the property, across from my parent's driveway is where the electric pole is currently so there won't be a lot of new stuff that will be needed. We will have to build a lagoon on the property for the wastewater.

Open to public hearing.

No one spoke in favor or opposition.

Closed to public hearing.

Chairperson Harris: (to staff) With the triangle shape can the applicants fit a house and lagoon on the property?

Uriah Mach: It is a 4.25 acre tract, it will be somewhat restrictive but it is workable.

Commissioner Freiling made and Commissioner Harris seconded a motion to **approve** a request by Paul Devert Morefield and Barbara Ruth Morefield Trust to rezone from A-1 to A-2 on 4.26 acres, more or less, located at 4715 E Clellie Harmon Rd., Ashland.

Boyd Harris – Yes

Gregory Martin – Yes

Paul Prevo – Yes

Kevin Murphy – Yes

Carl Freiling – Yes

Michael Morrison – Yes

Michael Poehlman – Yes

Motion to approve the request passes unanimously

Chairperson Harris informed the applicant that this request would go before the County Commission on August 28, 2012 and the applicant needs to be present at the hearing.

VII. Planned Developments

1. Request by David and Christine Casey to approve a Final Development Plan for Casey Estates on 15.0 acres, more or less, located at 9420 E Clatterbuck Rd., Ashland.

A final plan was not turned in. No action taken.

2. Request by Karen Kay Furlong Heritage Trust to approve a Final Development Plan for Furlong Acres on 22.7 acres, more or less, located at 20635 and 20803 N Tucker School Rd., Sturgeon.

Chairperson Harris and Secretary Morrison signed the final plan.

VIII. Plats

1. Pace. S3-T50N-R13W. A-2. Teresa Larkin, owner. Steven R. Proctor, surveyor.
2. Furlong Acres. S17-T51N-R12W. A-1P. Karen Kay Furlong Heritage Trust, owner. Brian David Dollar, Surveyor

Commissioner Prevo made and Commissioner Murphy Martin seconded a motion to approve the plats with staff recommendations and place the staff reports in to the record.

All members voted in favor, none opposed.

Staff reports

Pace

The subject property is located on Oak Grove School Road, south of Blakemore Road, approximately 5 miles to the southeast of Sturgeon and 5 miles east of Harrisburg. The subject property is approximately 26 acres in size. The applicant has submitted a plat to split off one 3.45 acre lot and leave the remainder. There is currently an existing house and lagoon on the proposed lot. The property is zoned A-2(Agriculture), and is surrounded by A-2 zoning. This is all original 1973 zoning.

The subject property has direct access on to Oak Grove School Road, a county-maintained public road. The applicant has submitted a request to waive the traffic study requirement.

The subject property has existing service provided by Public Water Service District #10.

An existing on-site system provides wastewater treatment for this lot. The applicant has submitted a request to waive the wastewater cost-benefit analysis.

The property scored 8 points on the rating system.

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

Furlong Acres

The subject tract is located approximately 3 miles south of the city of Sturgeon on Tucker School Road, north of Monroe Drive. The property is 21.61 acres in size, zoned A-1P(Planned Agriculture), and is surrounded by A-1 zoning. The A-1P zoning was approved by the County Commission under Commission order 373-2012. The surrounding property is all original 1973 zoning. There are currently two houses and a few barns on the property. The applicant has submitted a final plat consistent with the previously approved A-1P Review Plan, dividing the property into three lots. Two lots, sized at approximately 5 acres each, will contain the two houses, and the third, at approximately 10.58 acres, will be solely for agricultural purposes. Under the A-1P, this land division is made possible by using the density on the entire 21 acres to create two residential lots smaller than 10 acres while restricting the remainder's development potential.

The subject property is located in Public Water Service District #10. Any new development on this property requiring water will require consultation with the District for setting a new meter. Boone Electric will provide electrical service to the property, and the property is located in the Boone County Fire Protection District.

Existing on-site wastewater systems are providing wastewater treatment. The applicant has submitted a request to waive the wastewater cost-benefit analysis.

The subject tract has direct access on to Tucker School Road, a county-maintained public right-of-way. The applicant has submitted a request to waive the traffic study requirement.

The subject tract is located in the Boone County Fire Protection District, whose nearest station is located in the city of Sturgeon, approximately 3 miles to the north.

The property scored 24 points on the rating system.

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

IX. Old Business

1. Update on County Commission Action.

Stan Shawver updated the Commission as follows:

The Commission had two rezoning requests last month. The Casey rezoning was approved as recommended. The Furlong rezoning was also approved as recommended.

X. New Business

None

XI. Adjourn

Being no further business the meeting was adjourned at 8:05 p.m.

Respectfully submitted,

Secretary
Michael Morrison

Minutes approved on this 20th day of September 2012