

40 -2023

# CERTIFIED COPY OF ORDER

STATE OF MISSOURI }  
County of Boone } ea.

January Session of the January Adjourned

Term. 2023

In the County Commission of said county, on the 26th day of January 20 23

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

Now on this day, the County Commission of the County of Boone does hereby adopt the Findings of Fact and Conclusions of Law relative to a conditional use permit for Faye Nowell Trust for a Kennel on 3.65 acres at 5550 W. Gillespie Bridge Road, Columbia, MO.

It is further ordered the Presiding Commissioner is hereby authorized to sign the attached Order of Approval.

Done this 26th day of January 2023.

ATTEST:

*Brianna L. Lennon*  
Brianna L. Lennon  
Clerk of the County Commission

*Kip Kendrick*  
Kip Kendrick  
Presiding Commissioner

*Justin Aldred*  
Justin Aldred  
District I Commissioner

*Janet M. Thompson*  
Janet M. Thompson  
District II Commissioner

**CONDITIONAL USE PERMIT  
BOONE COUNTY, MISSOURI**

**PROPERTY OWNER:** Faye Nowell Trust

**ADDRESS:** 5550 W. Gillespie Bridge Road, Columbia, MO

**LEGAL DESCRIPTION:** A tract of land in Section 20, Township 48 North, Range 13 West, as described in Exhibit A of the Warranty Deed recorded in Book 4100, Page 74, of the Records of Boone County, MO.

**TAX PARCEL:** 16-419-20-00-004.00 01

**ZONING:** Agriculture, A-2

**DATE APPROVED:** December 27, 2022

**CONDITIONAL USE:** Kennel

**CONDITIONS OF APPROVAL:**

- 1) There be no more than fifteen (15) dogs at any one time on the property.
- 2) The permit is issued to Faye Nowell and shall be transferrable only to Robin Diebold after a real estate transaction.
- 3) Business hours be by appointment only seven days a week.
- 4) No breeding or selling of animals would ever occur.

**VOID DATE:** Void if not used for 12-month period.

**EXPIRATION DATE:** N/A

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## FINDINGS OF FACT AND CONCLUSIONS OF LAW

Subject to the conditions of approval, the Boone County Commission finds and concludes in issuance of this permit that:

1. With the limitation on the number of animals, the establishment, maintenance, operation and use of the conditional use permit issued hereunder will not be detrimental to or endanger the public health, safety, comfort or general welfare, and
2. The kennel has operated for over 20 years at this location due to operation within the conditions established by the previous Conditional Use Permit. Limiting change of ownership to a current employee will ensure continued compliance with operating conditions. Therefore, the conditional use permit issued hereunder will not be injurious to the use and enjoyment of other property in the immediate vicinity of the property which is the subject matter of this permit with respect to the purposes already permitted by these regulations, and
3. The conditional use permit and authorized uses thereunder will not substantially diminish or impair property values of existing properties in the neighborhood surrounding the property which is the subject matter of this permit, and
4. All necessary public facilities for use of the land subject to this permit are or will be available if the conditions for issuance are satisfied, and
5. The conditional use permit issued hereunder and the authorized uses under such permit will not impede the normal or orderly development or improvement of surrounding property for the uses permitted within the zoning district, and
6. The grant of this conditional use permit will not hinder the flow of traffic or result in traffic congestion on the public roads and that adequate access points to the subject property from public streets are available, and
7. With the conditions placed on this permit, the uses authorized by this conditional use permit are otherwise in conformity with the regulations pertaining to the zoning districts in which the uses are located and that there is a public necessity for the issuance of the conditional use permit hereunder.

The Commission, by authorizing issuance of the conditional use permit hereunder, further concludes as a matter of law that issuance of the permit is proper under the zoning regulations of Boone County in effect at the time of issuance and the general statutes and laws of this state.

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### **Additional Findings:**

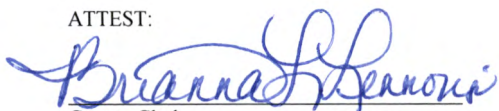
The County Commission further finds as fact in support of issuance of this conditional use permit the following to be true:

This facility can be operated such that it will have no impact on the neighborhood, existing utilities, property values or road access.

**ORDER OF APPROVAL**

The Boone County Commission through its presiding officer hereby approves issuance of the above conditional use permit as prescribed above, subject to the conditions of approval specified above. Subject to the conditions for issuance and use of this permit, the Commission finds in issuance of this permit that all requirements for issuance are satisfied and that the Commission further makes its findings of fact and conclusions of law in accordance with the provisions, shown below, validating issuance of this permit. This permit shall not be valid unless countersigned by the Director of the Boone County Department of Resource Management and shall expire unless the use authorized hereunder is exercised within one year after the approval date shown above or is discontinued for a continuous period of 12-months. This permit shall also be revocable for violation of any term or condition contained in this permit upon the complaint of the director and a showing of good cause upon order of the Boone County Commission in accordance with the regulations applicable hereto.

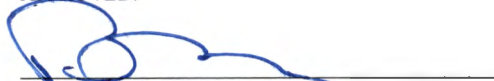
ATTEST:

  
County Clerk

BOONE COUNTY, MISSOURI  
BOONE COUNTY COMMISSION

by   
Presiding Commissioner

APPROVED:

  
Director, Boone County Resource Management Department

Dated: 1/19/2023