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MINUTES OF THE BUCHANAN COUNTY  
PLANNING & ZONING BOARD  
PUBLIC HEARING  
SEPTEMBER 18, 2024

The meeting was called to order by Chairman Alfred Purcell at 7:00 p.m. in the Thomas J. Mann III Room, #223. This room is located on the 2nd floor of the Buchanan County Courthouse, 411 Jules Street, St. Joseph, Missouri 64501.

Board members Fred Corkins, Glen Frakes, Mike Korte, Rodney Fry, Cody Cornelius, Shirley Day, Wayne Barnett and Al Purcell were present for roll call and a quorum was present.

Also present were Presiding Commissioner Scott Nelson, County Commissioner Ron Hook, County Attorney Joshua Bachman, and Planning & Zoning Specialist, Kristy Theas.

**AGENDA**

**ITEM #1:** A request by Jerry Chappell, 5821 SE Pigeon Hill Road, Agency, MO 64401, to obtain a Conditional Use Permit to split off 5 acres, sell and build a single-family dwelling, on a 71.15, more or less, parcel, all located in Section 19, Township 56, Range 34.

1 P R O C E E D I N G S

2 (The hearing was called to order at 7:00 p.m.)

3 CHAIRMAN PURCELL: With your permission, we'll  
4 call the meeting to order, and if you will call the  
5 roll.

6 MS. THEAS: Shirley Day?

7 MS. DAY: Here.

8 MS. THEAS: Fred Corkins?

9 MR. CORKINS: Here.

10 MS. THEAS: One second. My pen is not  
11 working.

12 MS. DAY: Oh, here. Trade with you. Screech  
13 with it. Since I gave it to her. I feel bad.

14 MS. THEAS: Scotty Sharp?

15 (No response.)

16 MS. THEAS: Glen Frakes?

17 MR. FRAKES: Here.

18 MS. THEAS: Mike Korte?

19 MR. KORTE: Here.

20 MS. THEAS: Rodney Fry?

21 MR. FRY: Here.

22 MS. THEAS: Pat McLear?

23 (No response.)

24 MS. THEAS: Cody Cornelius?

25 MR. CORNELIUS: Here.

MS. THEAS: Wayne Barnett?

MR. BARNETT: Here.

MS. THEAS: And Al Purcell?

CHAIRMAN PURCELL: Here. The minutes have  
been sent out. Is there a motion to approve the  
minutes from our August 14th meeting?

MR. KORTE: So moved.

MR. CORKINS: Second.

CHAIRMAN PURCELL: It's been moved. Second?  
Thank you. All that approve the minutes, say aye.

(Unanimous aye.)

CHAIRMAN PURCELL: Those opposed?

THE REPORTER: Who seconded that?

MS. THEAS: Fred.

(No response.)

CHAIRMAN PURCELL: Those opposed? Hearing  
none, the minutes from our August 14th meeting will  
stand approved.

(Ron Hook now present.)

CHAIRMAN PURCELL: Would you please -- Kristy,  
would you please identify what we have on the agenda  
this evening?

MS. THEAS: Yes. Item No. 1 is a request by  
Jerry Chappell --

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UNIDENTIFIED SPEAKER: Chappell.

MS. THEAS: Chappell, I'm sorry, 5821 Southeast Pigeon Hill Road in Agency 64401, to obtain a conditional use permit to split off five acres, sell and build a single-family dwelling on a 71.15, more or less, acre parcel, all located in Section 19, Township 56 and Range 34.

CHAIRMAN PURCELL: Thank you. Would you please identify yourself and give your address?

MR. CHAPPELL: Good evening. My name is Jerry Chappell. I reside at 5821 Pigeon Hill Road in Agency, Missouri. I've lived at that residence over 35 years. What I'm wanting to do, I've roughly got 75 acres now. It's just too much to take care of, so I'm going to section off five acres now. I've got a young couple that wants to build a stick home on it, just a single home. I'm asking to be able to separate off that five acres.

CHAIRMAN PURCELL: Questions?

MS. DAY: So what you're talking about here, you've got two five -- you're wanting to sell more than one five-acre plot? Are you planning on, what, subdividing that or something? I mean, what -- what's your plan?

MR. CHAPPELL: Good question. So what I did, I originally purchased the 16 acres, and two years later I purchased the 55 beside it. That's what you see. I separated it. So what I did, when I had to have them come in and survey, I wanted to separate that five acres, it just made sense to go ahead and section it off how the land lays out. The 35 acres in the back, that's kind of landlocked, and it's got a creek on both sides. Across the front I separated two five-acre lots. And then a ten-acre lot next to my property. I've got some grandkids talking interest into building there someday. They're still young.

So while I'm doing it all at once, I want to go ahead and get those drawings made up, so that's why you see the different lots. My intention to selling, the back acreage and the other five acres along the road I probably would sell in a few years for probably just a single home and hunting in the back, because there's not a whole lot you can do with that. The terrain is not so you can subdivide it and put in a bunch of houses.

CHAIRMAN PURCELL: But you're only requesting to split off five acres right now?

MR. CHAPPELL: To sell at this time.

CHAIRMAN PURCELL: You're not asking for another five acres?

1 MR. CHAPPELL: Correct.  
2 CHAIRMAN PURCELL: And you understand that if  
3 that's the case, you would have to come before the  
4 Board?  
5 MR. CHAPPELL: Yeah. My understanding was  
6 this permit's only good for one year, so if I did ask  
7 for a separation of another five acres, I'd have to do  
8 something with it within a year, and I don't plan to do  
9 that in a year.  
10 MR. KORTE: Which five-acre plot is it, tract  
11 2 or tract 3, if I'm looking at that right?  
12 MR. CHAPPELL: I want to make sure I don't say  
13 something out of line. Tract 3.  
14 MR. KORTE: Okay.  
15 MS. DAY: And that's your west property line?  
16 MR. CHAPPELL: Yes.  
17 MS. DAY: West side of tract 3?  
18 MR. CHAPPELL: Yes.  
19 MR. FRAKES: Is this all big timber?  
20 MR. CHAPPELL: Yes. It's not large timber.  
21 Before I purchased it 35 years ago, it was logged for  
22 posts, so it's not really large wood. It's just small  
23 timber.  
24 MR. FRAKES: It's pretty much all timber  
25 ground?  
26 MR. CHAPPELL: Yeah, it's all been timber  
27 ground. That back ground at one time was a hay field,  
28 but you couldn't access it. I think the guy that used  
29 to bale it used to come in through the neighbor's,  
30 which it's all different neighbors now.  
31 MR. FRAKES: If you sell this five-acre tract,  
32 then somebody's going to have to come in and do a bunch  
33 of dozing for it; am I right?  
34 MR. CHAPPELL: It's the best lot for building.  
35 The way it's laid out now, you could put a house on it  
36 without dozing. All you would have to do is just dig  
37 the footing for foundation work. That's why I'm  
38 selling it first; it's easier.  
39 MR. FRAKES: You talking about the west, this  
40 farthest west one?  
41 MR. CHAPPELL: Yes, sir. The center tract is  
42 kind of ditched out below the road. It wouldn't be  
43 ideal conditions.  
44 MR. FRAKES: Would you not run into -- If you  
45 sell any more of these tracts and you have to go in  
46 there with a dozer, you going to impact the neighbors  
47 with runoff water or anything?  
48 MR. CHAPPELL: No.  
49 MR. FRAKES: Where's that water going to go?  
50 MR. CHAPPELL: Okay, it will go to the creek

1 that's in the back. There's a creek that runs, splits  
2 the property all the way across the back. If you see,  
there's a fence line there? There's a creek that runs  
right beside it all the way through.

3 MS. DAY: Kristy, is the minimum 10 or 20  
4 acres?  
MS. THEAS: It's 20. They have to have 20 so  
that --

5 MS. DAY: Without a special use.  
6 MS. THEAS: Without having a conditional use  
permit, yeah.

7 MS. DAY: All right.  
8 MS. THEAS: And we've talked about this and  
I've explained that if, you know, he sold another lot,  
you know, to build a single-family dwelling, he would  
9 have to do this again, so he's -- he's aware of that.

10 MR. BARNETT: So you're just selling that five  
11 acres now?  
MR. CHAPPELL: Correct.  
12 MR. BARNETT: Not the other five easement?  
MR. CHAPPELL: Correct.  
13 MR. BARNETT: So have you got an easement in  
14 between 'em?  
MR. CHAPPELL: What you see here on the  
15 drawing, there is a 12-foot easement in there for a  
16 road, and I just had it drawn up. I just had that  
17 entered in there in case for some reason somebody  
18 wanted to hunt in the back, they'd have access to it.

19 MR. BARNETT: So how are you going to get to  
20 it if you sell all this?  
MR. CHAPPELL: I can't, just by foot.  
21 MR. BARNETT: Okay. There's a little corner  
22 down there next to the ten acres on the east side.  
MR. CHAPPELL: Yes.  
23 MR. BARNETT: What is -- is that yours?  
MR. CHAPPELL: Yes, it is. It was just an  
24 offset in the boundary lines. I can't explain why it's  
there.

25 MR. BARNETT: So you got a way to get to that  
back 50 acres?  
MR. CHAPPELL: Yes, I do.  
MR. BARNETT: Okay.  
CHAIRMAN PURCELL: Any other questions?  
(No response.)  
CHAIRMAN PURCELL: Is anyone here in  
opposition?  
(No response.)  
CHAIRMAN PURCELL: Hearing none, we will close  
the meeting, and would you call the roll?  
MS. THEAS: Sure. Shirley Day.

1 MS. DAY: Yes, best use.  
MS. THEAS: Fred Corkins?  
2 MR. CORKINS: Yes, best use.  
MS. THEAS: Glen Frakes?  
3 MR. FRAKES: Yes, best use.  
MS. THEAS: Mike Korte?  
4 MR. KORTE: Yes, best use.  
MS. THEAS: Pat -- I'm sorry. Rodney Fry?  
5 MR. FRY: Yes, best use.  
MS. THEAS: Cody Cornelius?  
6 MR. CORNELIUS: Yes, best use.  
MS. THEAS: Wayne Barnett?  
7 MR. BARNETT: Yes, best use.  
MS. THEAS: And Al Purcell?  
8 CHAIRMAN PURCELL: Yes, best use. Thank you.  
MR. BARNETT: Can I ask you one question?  
9 What kind of house are you going to build there,  
roughly?  
10 MR. CHAPPELL: It's going to be a stick house.  
I don't have any details at this time.  
11 MR. BARNETT: Okay. Curious.  
MR. CHAPPELL: There's a young couple that's  
12 buying it. His dad is a contractor, builds houses.  
MR. BARNETT: Okay.  
13 MR. CHAPPELL: So I think it's going to be  
rather nice.  
14 MR. BARNETT: Okay. Good deal.  
MS. DAY: So they haven't done any of the  
15 testing yet as far as the septic system or -- Is it  
on --  
16 MR. CHAPPELL: It's a septic tank at this  
time.  
17 MS. DAY: There's already one there?  
MR. CHAPPELL: No, there's not at this time.  
18 MS. DAY: Oh, okay.  
MR. CHAPPELL: There's electrical and water  
19 but there's no septic.  
20 The Board had an open discussion regarding a  
resident addressing the Board.  
21  
CHAIRMAN PURCELL: Motion to adjourn the  
22 meeting?  
MR. CORNELIUS: So moved.  
23 CHAIRMAN PURCELL: Second?  
MR. KORTE: Second.  
24 CHAIRMAN PURCELL: Meeting adjourned.  
(Meeting adjourned.)  
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REPORTER'S CERTIFICATE

STATE OF MISSOURI            )  
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COUNTY OF BUCHANAN        )

I, Karen J. Lyman, Certified Court Reporter of the State of Missouri, do hereby certify that I appeared at the time and place first hereinbefore set forth, that said proceedings were taken before me and thereafter transcribed into typewriting under my direction and supervision; and I hereby certify that the foregoing transcript of proceedings is a true and correct transcript of my shorthand notes.

I further certify that I am neither counsel, nor related to any party to said action, nor otherwise interested in the outcome thereof.

IN WITNESS WHEREOF, I have hereto set my hand and affixed my seal this 30th day of September, 2024.



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Karen J. Lyman, CCR #395