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FRANKLIN COUNTY PLANNING AND ZONING
FRANKLIN COUNTY COMMISSION
FRANKLIN COUNTY GOVERNMENT CENTER
SECOND FLOOR COMMISSION CHAMBERS
400 EAST LOCUST STREET
UNION, MISSOURI 63084

TRANSCRIPT OF PROCEEDINGS
FRANKLIN COUNTY COMMISSION
PUBLIC HEARINGS
JANUARY 11, 2024
(COMMENCING AT 10:30 A.M.)

REPORTED BY:
PATSY A. MAYBERRY, C. R.
COMPLETE REPORTING SERVICES

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PATSY A. MAYBERRY, C. R.
COMPLETE REPORTING SERVICES
19 BROOKMOORE DRIVE
UNION, MISSOURI 63084
(636)221-0418

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A P P E A R A N C E

PLANNING AND ZONING COMMISSION:

TIM BRINKER, CHAIRMAN

TODD BOLAND, COMMISSIONER

DAVE HINSON, COMMISSIONER

PLANNING AND ZONING STAFF:

CURTIS ELLIS, PLANNING AND ZONING

CRYSTAL HOLDMEIER, PLANNING AND ZONING ASSISTANT

LEGAL COUNSEL:

MARK PIONTEK, COUNTY ATTORNEY

COMPLETE REPORTING SERVICES:

PATSY A. MAYBERRY, C. R.

19 BROOKMOORE DRIVE

UNION, MISSOURI 63084

(636)221-0418/pamayberrygm1@gmail.com

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

2 (JANUARY 11, 2024)

3 CHAIRMAN BRINKER: I'll call
4 this public hearing to order.

5 The first item on the agenda, or the
6 only item on the agenda is a presentation of hearing
7 procedures and exhibits by the Planning and Zoning
8 Department.

9 Curtis.

10 MR. CURTIS: All right.

11 At this time, I would like to place into
12 the record the Franklin County Unified Land Use
13 Regulations as Exhibit A, the official Zoning Map as
14 Exhibit B, the official Master Plan as Exhibit C,
15 and the case file for each case as Exhibit D for all
16 the cases to be heard at this hearing.

17 (THEREUPON, EVIDENCE WAS

18 MARKED FOR IDENTIFICATION AND

19 PLACED INTO THE RECORD AS

20 COUNTY EXHIBITS A, B, C, AND D.)

21 As each case is opened, a staff report
22 will first be read by the Planning and Zoning
23 Department, followed by Commissioners' questions for
24 the staff.

25 Then if anyone in the audience would

1 like to speak or comment during the hearing, they
2 must first print their name on the sign-in sheet
3 provided, and then be sworn in.

4 When it's your turn to speak, you will
5 come to the front of the room to address the
6 Commission and only the Commission, not anyone in
7 the audience, with any questions or comments.

8 Generally the applicant for the rezoning
9 is allowed to speak first, followed by those in
10 support of the rezoning and then those opposed to
11 the rezoning.

12 The applicant may speak again after
13 comments from the general public to address any
14 questions or issues brought up during the hearing.

15 At the conclusion of all questions,
16 comments, and discussion concerning each case, the
17 public hearing for each case will conclude.

18 The decision will generally be made by
19 Commission Order at a later date during the County
20 Commission's regular meeting time.

21 All right. File 230268, Rezoning.

22 The applicant is Franklin County Baptist
23 Association of Missouri.

24 The applicant is requesting to rezone
25 one parcel from the Y Zoning District to the R

1 Zoning District.

2 The property is located on Copperfield
3 Drive, approximately 850 feet east of the
4 intersection of Copperfield and Highway 47, in the
5 Central Township.

6 The total area for the rezoning is
7 approximately 3.9 acres.

8 The zoning of this property, as of
9 January 14, 2020, is Y. The applicant would like to
10 rezone to the R District.

11 The properties to the north, south and
12 east of the proposed site are zoned Y. The
13 properties directly west on Copperfield Drive are
14 zoned R.

15 The properties to the west of the
16 proposed site appear to be commercial properties.
17 The properties to the east appear to be low-density
18 residential properties. The properties to the north
19 and south appear to be vacant.

20 This property is a part of a larger
21 subdivision, Copperfield Acres, that has been
22 re-subdivided multiple times.

23 this property has access to Copperfield
24 Drive, which is a private road with a 50-foot wide
25 road easement.

1 STAFF COMMENTS: At the November 21,
 2 2023 Planning and Zoning meeting, the Planning and
 3 Zoning Commission voted unanimously to recommend
 4 approval.

5 The property directly east, owned by the
 6 Romanian Pentecostal Church, has applied to rezone
 7 their property to the W District. This was just
 8 heard by the County Commission on November 16th, and
 9 a decision has yet to be made.

10 Rezoning are allowed in our regulations
 11 due to the ever-changing conditions that exist in
 12 the county and elsewhere. According to Article 14,
 13 Section 321, any such change must promote the
 14 health, safety, morals, comfort, and general welfare
 15 of Franklin County by conserving and protecting
 16 property and building values, by securing the most
 17 economical use of land and facilitating the adequate
 18 provision of public improvements in accordance with
 19 the Master Plan adopted by Franklin County.

20 CHAIRMAN BRINKER: Thank you,
 21 Curtis.

22 All right. After the entry of the
 23 Planning and Zoning Department that the applicant
 24 wishes to change the zoning of said property, we ask
 25 that if there's anybody who wishes to speak in favor

1 of the proposed change, please come sign in and give
2 testimony after being sworn.

3 MR. JAMES PLYMALE: I'm here
4 and I do not necessarily need to speak unless you
5 all need more information. I'll just say I'm in
6 favor of the requested change.

7 CHAIRMAN BRINKER:
8 Understood.

9 MR. PLYMALE: Jim Plymale
10 with the Franklin Baptist Association.

11 CHAIRMAN BRINKER: Thank you.
12 No need then.

13 MR. PLYMALE: I'll be
14 available if you need me.

15 CHAIRMAN BRINKER: Sir, do
16 you wish to testify on behalf of -- in favor or in
17 opposition of the proposed change?

18 AUDIENCE MEMBER: Well, I'm
19 not so sure what we're at.

20 CHAIRMAN BRINKER: Are you
21 just here and appearing witness?

22 AUDIENCE MEMBER: I'm the
23 property owner to the east, and I have no --

24 CHAIRMAN BRINKER: You got to
25 come up and get --

1 AUDIENCE MEMBER: I'm sorry.

2 CHAIRMAN BRINKER: You got to
3 come up, sir, if there's questions about the zoning
4 itself. This is a hearing to hear testimony either
5 in favor or in opposition of the proposed zoning
6 change to the property.

7 AUDIENCE MEMBER: Okay.

8 CHAIRMAN BRINKER: What
9 happens after that or before that zoning change
10 occurs, is the property's business.

11 This is strictly relative to the zoning
12 of the existing property, the 3.92 acres.

13 AUDIENCE MEMBER: But won't
14 that rezoning affect my property? I'm right below
15 -- right to the east of this property.

16 CHAIRMAN BRINKER: That would
17 be a question for the Department itself outside of
18 this hearing.

19 AUDIENCE MEMBER: Okay.

20 CHAIRMAN BRINKER: So that's
21 kind of where we are.

22 AUDIENCE MEMBER: So could I
23 get a copy of what was read about what the property
24 is going to be?

25 CHAIRMAN BRINKER:

1 Transcripts will be made available as stated two
2 weeks probably after this hearing.

3 AUDIENCE MEMBER: Okay. So I
4 know what's happening there?

5 CHAIRMAN BRINKER: Yes, sir.

6 AUDIENCE MEMBER: Okay.

7 CHAIRMAN BRINKER:

8 Commissioners, questions or discussion?

9 COMMISSIONER BOLAND: I have
10 none.

11 COMMISSIONER HINSON: I have
12 none.

13 CHAIRMAN BRINKER: Nor do I.

14 That will be all. The hearing has
15 concluded. Thank you all very much.

16 (THEREUPON, THE PROCEEDINGS

17 CONCLUDED AT 10:43 A.M.)

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CERTIFICATE OF REPORTER

STATE OF MISSOURI)
) SS
COUNTY OF FRANKLIN)

I, PATSY A. MAYBERRY, Professional Court Reporter and Notary Public within and for the State of Missouri, before whom the foregoing proceeding was taken, do hereby swear that: the aforementioned was held at the time and in the place previously described; the witness whose testimony appears in the foregoing transcript was duly sworn by me; the proceedings were taken down in stenographic notes by me and transcribed by me, or under my supervision, to the best of my ability; that I am neither counsel for, related to, nor employed by any of the parties to the action in which this testimony was taken; further that I am not a relative or employee of any attorney or counsel employed by the parties thereto, nor financially or otherwise interested in the outcome of the action; and that the aforementioned represents a true and accurate transcript of said proceedings.

IN WITNESS WHEREOF, I have hereunto set my hand.

Patsy A. Mayberry, Court Reporter
Notary Public, State of Missouri
My Commission Expires: September 14, 2026