

1 FRANKLIN COUNTY PLANNING AND ZONING  
2 FRANKLIN COUNTY COMMISSION  
3 FRANKLIN COUNTY GOVERNMENT CENTER  
4 SECOND FLOOR COMMISSION CHAMBERS  
5 400 EAST LOCUST STREET  
6 UNION, MISSOURI 63084

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9 TRANSCRIPT OF PROCEEDINGS  
10 PUBLIC MEETING  
11 MARCH 27, 2017  
12 [Commencing at 1:30 p.m.]

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23 Reported by:  
24 Patsy A. Hertweck, C. R.  
25 Midwest Litigation Services

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| [All exhibits, if any, were retained by the Commission, and will not be attached hereto.] |  |      |

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A P P E A R A N C E S

COMMISSION MEMBERS:

John Griesheimer, Chairman

Timothy Brinker, Commissioner

Dave Hinson, Commissioner

LEGAL COUNSEL AND STAFF:

Mark Vincent, Attorney

Ms. Scottie Eagan, Planning Director

MIDWEST LITIGATION SERVICES:

By: Patsy A. Hertweck, C. R.

711 North Eleventh Street

St. Louis, Missouri 63101

(314) 644-2191

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

2 [MARCH 27, 2017]

3 CHAIRMAN GRIESHEIMER: We'll go ahead  
4 and start the hearing today.

5 Today first of all, File No. 100 -- excuse me  
6 -- 170011, Amendments to Article 8 on subdivisions.

7 MS. EAGAN: Okay. I'll start with  
8 the hearing procedures.

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

15 [Thereupon, evidence was marked  
16 for identification and submitted for the  
17 record as Exhibits A, B, C and D.]

18 As each case is opened, the staff report will  
19 first be read by the Planning and Zoning Department,  
20 followed by the Commissioners' questions for the staff.

21 Then if anyone in the audience would like to  
22 speak or comment during this public hearing, they must first  
23 print their name on the sign-in sheet provided and then be  
24 sworn in.

25 When it is your turn to speak, you will come to

1 the front of the room to address the Commission and only the  
2 Commission, not anyone in the audience, with any questions  
3 or comments.

4 Generally, the Applicant is allowed to speak  
5 first, followed by those in support and then those opposed.  
6 The Applicant may speak again after comments from the  
7 general public to address any questions or issues brought up  
8 during the hearing.

9 At the conclusion of all questions, comments,  
10 and discussion concerning each case, the public hearing for  
11 each case will conclude. The decision will generally be  
12 made by Commission Order at a later date during the County  
13 Commission's regular meeting time.

14 This is File 170011. We are asking for  
15 amendments to Article 8. What I'll do is I'll probably just  
16 go through Article 8 real quick and address each of the  
17 changes.

18 The first one is on page 8.2, under Section  
19 164, we're adding the letter 'G' for a remnant parcel  
20 defined in Article 2, because that is an exemption, and it  
21 was just never listed. It was only in Article 2. So we  
22 thought we should also put it in Article 8.

23 On page 8.13 -- or 8.3, sorry, I don't know why  
24 your guys' pages aren't showing this, but it's little letter  
25 'c' under Number 2. It's the second sentence is what we're

1 adding. It says, "If this property is only on one side of  
2 the road, that portion of the road shall be widened to 25  
3 feet from the center line."

4 This is something we have throughout our  
5 regulations because we obviously can't make them dedicate on  
6 the opposite side of the road. So it's only fair we do 25  
7 on their side, 25 on the other side of the road.

8 On page 8.4, letter -- little letter 'j'. I  
9 actually realized after the Planning and Zoning meeting but  
10 before your meeting we don't need to add this into the  
11 regulations because it is already in the little letter 'g'.  
12 So --

13 COMMISSIONER BRINKER: It's  
14 redundant.

15 MS. EAGAN: Yes. So I'm going to  
16 take it out. So...

17 CHAIRMAN GRIESHEIMER: Strike that?

18 MS. EAGAN: Yep.

19 CHAIRMAN GRIESHEIMER: Okay.

20 MS. EAGAN: The next --

21 COMMISSIONER HINSON: Is that 'J'?

22 CHAIRMAN GRIESHEIMER: Yeah, 'J'.

23 MS. EAGAN: The next change is on  
24 page 8.7, Section 166(A), Number 3, we're getting rid of  
25 because that's now not considered a minor subdivision but a

1 partial exempt subdivision. So it's in a different part of  
2 the Code. We should have deleted it when we changed the  
3 Code, but we just missed it.

4 On page 8.8, letter E, and John talked to me  
5 about this earlier. So I'm going to read what it will say  
6 since John pointed something out to me. It will say:

7 "A 15-foot utility easement  
8 shall be required along private  
9 roads and rights-of-way and a 20-foot  
10 utility easement along all State  
11 maintained highways or existing  
12 publicly maintained rights-of-way."

13 So I forgot "shall be required", but this --  
14 this has been something that's been in our Code since I  
15 started in 2007. We're just kind of making it easier to  
16 understand for people.

17 The next change is on 8.11, Section 170 under  
18 Minor Subdivision Plats.

19 CHAIRMAN GRIESHEIMER: What about  
20 8.9?

21 COMMISSIONER BRINKER: Yeah, 8.9.

22 CHAIRMAN GRIESHEIMER: 8.9 middle.

23 COMMISSIONER BRINKER: Yeah,  
24 something about stream buffers.

25 CHAIRMAN GRIESHEIMER: Something

1 about stream buffers.

2 MS. EAGAN: Oh, yeah, I didn't  
3 highlight that one. I had the wrong section on there. So  
4 it's Section 242, not 342.

5 COMMISSIONER BRINKER: I thought that  
6 was wrong.

7 MS. EAGAN: Thank you.

8 CHAIRMAN GRIESHEIMER: Yeah, good  
9 catch.

10 MS. EAGAN: Next is page 8.11,  
11 Section 170. Now we only require one original and two  
12 copies of the plat. It used to be one mylar copy, but the  
13 Recorder changed their rules, so we're changing our rules to  
14 where you can turn in a paper copy if you wish.

15 And then 8.12 and 8.13 are the next changes, --

16 CHAIRMAN GRIESHEIMER: Okay.

17 MS. EAGAN: -- Section D(9). We're  
18 saying "Recommended signature block..."

19 And then we're adding on page 1.13 [sic] the  
20 Certification of Approval to be signed by the Planning  
21 Director. We're going to have the Certificate of Approval  
22 for non-exempt subdivisions with the creation of new roads,  
23 and then also for non-exempt subdivisions with no new roads.

24 We used to just have one Certificate of  
25 Approval there, but didn't address any roads whatsoever. So

1 we realized after a few were coming in that we needed  
2 example of, if a new road is going to be built, what that  
3 certificate should look like.

4 COMMISSIONER BRINKER: So those  
5 certificates will be the same, or will they be different  
6 specifying new and without new roads?

7 MS. EAGAN: It's two different ones.

8 COMMISSIONER BRINKER: Okay.

9 MS. EAGAN: Yeah.

10 COMMISSIONER BRINKER: Making sure.

11 MS. EAGAN: And then 8.18 is again  
12 the wrong section for stream buffers. So we changed it to  
13 the correct one of 242.

14 And then 8.25, again, deleting mylar copy. The  
15 same, one original and two copies.

16 And then the last changes for Article 8 is on  
17 8.27 and 8.28, which is again the signature blocks with the  
18 two different road requirements.

19 CHAIRMAN GRIESHEIMER: When you add  
20 -- when you add for orig- -- when you add language, is there  
21 a way you can underline that?

22 MS. EAGAN: Yeah, it's underlined but  
23 -- on mine. So I don't know why it's not underlining when  
24 we print it. So I got to figure that out.

25 CHAIRMAN GRIESHEIMER: Okay. It

1 would help a lot. I mean, at least you -- at least you  
2 identify on the left where the change is, the paragraph  
3 where the changes are -- can be made.

4 MS. EAGAN: Yeah, that's why I always  
5 have to go through before and highlight all the changes so I  
6 can remember what they are when we come up here.

7 So those are the changes in Article 8.

8 CHAIRMAN GRIESHEIMER: Then we'll go  
9 through the motions.

10 Is anybody -- anybody in the audience or  
11 anybody wish to testify in support of the changes to Article  
12 8? [None]

13 Anybody wish to testify in opposition to the  
14 changes in Article 8 or for informational purposes only to  
15 the changes on Article 8? [None]

16 Tim?

17 COMMISSIONER BRINKER: [Negative  
18 shake of the head.]

19 CHAIRMAN GRIESHEIMER: Dave, got  
20 anything?

21 COMMISSIONER HINTON: No.

22 CHAIRMAN GRIESHEIMER: Okay. Seeing  
23 none, that will conclude the hearing on the amendments to  
24 Article 8.

25 Now we have Article 11, which is File No.

1 170012. Again, this is Article 11. Scottie?

2 MS. EAGAN: Okay. I'll start with  
3 the hearing procedures.

4 At this time, I would like to place into the  
5 record the Franklin County Unified Land Use Regulations as  
6 Exhibit A, the official Zoning Map as Exhibit B, the  
7 official Master Plan as Exhibit C, and the case file for  
8 each case as Exhibit D for all the cases to be heard at this  
9 hearing.

10 [Thereupon, evidence was marked  
11 for identification and submitted for the  
12 record as Exhibits A, B, C and D.]

13 As each case is opened, the staff report will  
14 first be read by the Planning and Zoning Department,  
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21 the front of the room to address the Commission and only the  
22 Commission, not anyone in the audience, with any questions  
23 or comments.

24 Generally, the Applicant is allowed to speak  
25 first, followed by those in support and then those opposed.

1 The Applicant may speak again after comments from the  
2 general public to address any questions or issues brought up  
3 during the hearing.

4 At the conclusion of all questions, comments,  
5 and discussion concerning each case, the public hearing for  
6 each case will conclude. The decision will generally be  
7 made by Commission Order at a later date during the County  
8 Commission's regular meeting time.

9 And this is File 170012, Amendment to Article  
10 11, Floodplain Management.

11 The only change we are proposing on this one is  
12 page 11.4. It has to do with our stream buffer setback  
13 requirement.

14 We are recommending to get rid of little letter  
15 'c'. What we realized after talking with Curtis in IT  
16 Department that apparently a long time ago when they used to  
17 hand draw the maps, they'd go out and drive the county, and  
18 if they saw any water on the property, they'd consider it a  
19 stream. So then they would draw it on the map.

20 So we were getting a lot of subdivisions come  
21 through where we had just these little lines in the middle  
22 of their properties that really weren't anything to have a  
23 setback on. So rather than keep it in there, we felt like  
24 we -- something we should just get rid of.

25 CHAIRMAN GRIESHEIMER: And that's the

1 only change?

2 MS. EAGAN: Uh-huh.

3 CHAIRMAN GRIESHEIMER: That's the  
4 only change. All right.

5 Anyone in the audience wish to testify in  
6 support of the change to Article 11, Floodplain Management?

7 [None]

8 Anyone in the audience wish to testify in  
9 opposition to the amendments to Article 11, or for  
10 informational purposes only to the changes in Article 11?

11 [None]

12 Seeing none, Tim, Dave, got anything?

13 COMMISSION HINSON: Nope.

14 COMMISSIONER BRINKER: [Negative  
15 shake of the head.]

16 CHAIRMAN GRIESHEIMER: Okay. Seeing  
17 none, that will conclude the hearing on File No. 170012,  
18 Article 11, Floodplain Management.

19 That will conclude the hearing.

20 [Thereupon, the proceedings were  
21 concluded at 1:40 p.m.]

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CERTIFICATE OF REPORTER

I, PATSY A. HERTWECK, 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.

IN WITNESS WHEREOF, I have hereunto set my hand.

\_\_\_\_\_  
Patsy A. Hertweck, Court Reporter  
Notary Public, State of Missouri

My Commission Expires:  
August 26, 2018

**PUBLIC HEARINGS 3/27/2017**

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|---|--|--|---|---|
| <p align="center"><b>A</b></p> <p><b>add</b> 7:10 10:19<br/>10:20,20</p> <p><b>adding</b> 6:19 7:1<br/>9:19</p> <p><b>address</b> 6:1,7,16<br/>9:25 12:21<br/>13:2</p> <p><b>Adjournment</b><br/>2:16</p> <p><b>aforementioned</b><br/>15:6</p> <p><b>ago</b> 13:16</p> <p><b>ahead</b> 5:3</p> <p><b>allowed</b> 6:4<br/>12:24</p> <p><b>Amendment</b><br/>13:9</p> <p><b>amendments</b> 5:6<br/>6:15 11:23<br/>14:9</p> <p><b>anybody</b> 11:10<br/>11:10,11,13</p> <p><b>apparently</b><br/>13:16</p> <p><b>Applicant</b> 6:4,6<br/>12:24 13:1</p> <p><b>Approval</b> 9:20<br/>9:21,25</p> <p><b>Article</b> 2:7,11<br/>3:3,10 5:6 6:15<br/>6:16,20,21,22<br/>10:16 11:7,11<br/>11:14,15,24,25<br/>12:1 13:9 14:6<br/>14:9,10,18</p> <p><b>asking</b> 6:14</p> <p><b>attached</b> 3:21</p> <p><b>Attorney</b> 4:7</p> <p><b>audience</b> 5:21<br/>6:2 11:10<br/>12:16,22 14:5<br/>14:8</p> <p><b>August</b> 15:15</p> <hr/> <p align="center"><b>B</b></p> | <p><b>B</b> 3:1,7,14 5:11<br/>5:17 12:6,12</p> <p><b>block</b> 9:18</p> <p><b>blocks</b> 10:17</p> <p><b>Brinker</b> 4:4 7:13<br/>8:21,23 9:5<br/>10:4,8,10<br/>11:17 14:14</p> <p><b>brought</b> 6:7<br/>13:2</p> <p><b>buffer</b> 13:12</p> <p><b>buffers</b> 8:24 9:1<br/>10:12</p> <p><b>built</b> 10:2</p> <hr/> <p align="center"><b>C</b></p> <p><b>C</b> 1:24 3:8,15<br/>4:1,11 5:1,12<br/>5:17 12:7,12</p> <p><b>c'</b> 6:25 13:15</p> <p><b>Call</b> 2:3</p> <p><b>case</b> 3:9,16 5:12<br/>5:13,18 6:10<br/>6:11 12:7,8,13<br/>13:5,6</p> <p><b>cases</b> 3:9,16 5:13<br/>12:8</p> <p><b>catch</b> 9:9</p> <p><b>center</b> 1:3 7:3</p> <p><b>certificate</b> 2:17<br/>9:21,24 10:3<br/>15:1</p> <p><b>certificates</b> 10:5</p> <p><b>Certification</b><br/>9:20</p> <p><b>Chairman</b> 4:3<br/>5:3 7:17,19,22<br/>8:19,22,25 9:8<br/>9:16 10:19,25<br/>11:8,19,22<br/>13:25 14:3,16</p> <p><b>CHAMBERS</b><br/>1:4</p> <p><b>change</b> 7:23<br/>8:17 11:2<br/>13:11 14:1,4,6</p> | <p><b>changed</b> 8:2<br/>9:13 10:12</p> <p><b>changes</b> 6:17<br/>9:15 10:16<br/>11:3,5,7,11,14<br/>11:15 14:10</p> <p><b>changing</b> 9:13</p> <p><b>Code</b> 8:2,3,14</p> <p><b>come</b> 5:25 11:6<br/>12:20 13:20</p> <p><b>coming</b> 10:1</p> <p><b>Commencing</b><br/>1:12</p> <p><b>comment</b> 5:22<br/>12:17</p> <p><b>comments</b> 6:3,6<br/>6:9 12:23 13:1<br/>13:4</p> <p><b>Commission</b> 1:2<br/>1:4 3:20 4:2<br/>6:1,2,12 12:21<br/>12:22 13:7<br/>14:13 15:14</p> <p><b>Commission's</b><br/>6:13 13:8</p> <p><b>Commissioner</b><br/>4:4,5 7:13,21<br/>8:21,23 9:5<br/>10:4,8,10<br/>11:17,21 14:14</p> <p><b>Commissioners'</b><br/>5:20 12:15</p> <p><b>concerning</b> 6:10<br/>13:5</p> <p><b>conclude</b> 6:11<br/>11:23 13:6<br/>14:17,19</p> <p><b>concluded</b> 14:21</p> <p><b>conclusion</b> 2:10<br/>2:14 6:9 13:4</p> <p><b>consider</b> 13:18</p> <p><b>considered</b> 7:25</p> <p><b>copies</b> 9:12<br/>10:15</p> <p><b>copy</b> 9:12,14<br/>10:14</p> | <p><b>correct</b> 10:13</p> <p><b>COUNSEL</b> 4:6</p> <p><b>county</b> 1:1,2,3<br/>3:4,5,11,12<br/>5:10 6:12 12:5<br/>13:7,17</p> <p><b>Court</b> 15:3,11</p> <p><b>creation</b> 9:22</p> <p><b>Curtis</b> 13:15</p> <hr/> <p align="center"><b>D</b></p> <p><b>D</b> 2:1 3:9,16 5:1<br/>5:13,17 12:8<br/>12:12</p> <p><b>D(9)</b> 9:17</p> <p><b>date</b> 6:12 13:7</p> <p><b>Dave</b> 4:5 11:19<br/>14:12</p> <p><b>decision</b> 6:11<br/>13:6</p> <p><b>dedicate</b> 7:5</p> <p><b>defined</b> 6:20</p> <p><b>deleted</b> 8:2</p> <p><b>deleting</b> 10:14</p> <p><b>Department</b><br/>5:19 12:14<br/>13:16</p> <p><b>described</b> 15:7</p> <p><b>DESCRIPTION</b><br/>3:2</p> <p><b>different</b> 8:1<br/>10:5,7,18</p> <p><b>Director</b> 4:8<br/>9:21</p> <p><b>discussion</b> 6:10<br/>13:5</p> <p><b>draw</b> 13:17,19</p> <p><b>drive</b> 13:17</p> <hr/> <p align="center"><b>E</b></p> <p><b>E</b> 2:1,5 3:1 4:1,1<br/>5:1,1 8:4</p> <p><b>Eagan</b> 2:8,9,12<br/>2:13 4:8 5:7<br/>7:15,18,20,23<br/>9:2,7,10,17<br/>10:7,9,11,22</p> | <p>11:4 12:2 14:2</p> <p><b>earlier</b> 8:5</p> <p><b>easement</b> 8:7,10</p> <p><b>easier</b> 8:15</p> <p><b>EAST</b> 1:5</p> <p><b>Eleventh</b> 4:12</p> <p><b>evidence</b> 5:15<br/>12:10</p> <p><b>example</b> 10:2</p> <p><b>excuse</b> 5:5</p> <p><b>exempt</b> 8:1</p> <p><b>exemption</b> 6:20</p> <p><b>Exhibit</b> 3:5,7,8,9<br/>3:12,14,15,16<br/>5:11,11,12,13<br/>12:6,6,7,8</p> <p><b>exhibits</b> 3:20<br/>5:17 12:12</p> <p><b>existing</b> 8:11</p> <p><b>Expires</b> 15:14</p> <hr/> <p align="center"><b>F</b></p> <p><b>fair</b> 7:6</p> <p><b>feet</b> 7:3</p> <p><b>felt</b> 13:23</p> <p><b>figure</b> 10:24</p> <p><b>file</b> 2:7,11 3:3,10<br/>5:5,12 6:14<br/>11:25 12:7<br/>13:9 14:17</p> <p><b>Files</b> 3:9,16</p> <p><b>first</b> 5:5,19,22<br/>6:5,18 12:14<br/>12:17,25</p> <p><b>Floodplain</b><br/>13:10 14:6,18</p> <p><b>FLOOR</b> 1:4</p> <p><b>followed</b> 5:20<br/>6:5 12:15,25</p> <p><b>foregoing</b> 15:5</p> <p><b>forgot</b> 8:13</p> <p><b>Franklin</b> 1:1,2,3<br/>3:5,12 5:10<br/>12:5</p> <p><b>front</b> 6:1 12:21</p> <hr/> <p align="center"><b>G</b></p> |
|---|--|--|---|---|

**MIDWEST LITIGATION SERVICES**

PUBLIC HEARINGS 3/27/2017

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