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

TRANSCRIPT OF PROCEEDINGS  
PLANNING AND ZONING COMMISSION  
PUBLIC HEARINGS  
APRIL 16, 2024  
(COMMENCING AT 7:00 P.M.)

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

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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:

BILL EVANS, CHAIRMAN

TIM REINHOLD, COMMISSIONER

STAN VOSS, COMMISSIONER

BILL McLAREN, COMMISSIONER

DEBBIE WILLETTE, COMMISSIONER

JIM GRUTSCH, COMMISSIONER

DAN HAIRE, COMMISSIONER

MIKE KLENKE, COMMISSIONER

PLANNING AND ZONING STAFF:

SCOTTIE EAGAN, DIRECTOR PLANNING AND ZONING

CRYSTAL HOLDMEIER, ADMINISTRATIVE ASSISTANT

LEGAL COUNSEL:

MARK PIONTEK, COUNTY ATTORNEY

COMPLETE REPORTING SERVICES:

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

2 (APRIL 16, 2024)

3 CHAIRMAN EVANS: I'd like to  
4 call to order the April 16th meeting of the Franklin  
5 County Planning and Zoning Commissioner.

6 Scottie, if you'd please take roll.

7 MS. EAGAN: Bill Evans?

8 CHAIRMAN EVANS: Here.

9 MS. EAGAN: Jim Grutsch?

10 COMMISSIONER GRUTSCH: Here.

11 MS. EAGAN: Dan Haire?

12 COMMISSIONER HAIRE: Here.

13 MS. EAGAN: Mike Klenke?

14 COMMISSIONER KLENKE: Here.

15 MS. EAGAN: Dave Laramore?

16 COMMISSIONER LARAMORE: Here.

17 MS. EAGAN: Bill McLaren?

18 COMMISSIONER McLAREN: (Not  
19 present.)

20 MS. EAGAN: Karl Mittler?

21 COMMISSIONER MITTLER: (Not  
22 present.)

23 MS. EAGAN: Tim Reinhold?

24 COMMISSIONER REINHOLD: Here.

25 MS. EAGAN: Stan Voss?

1 COMMISSIONER VOSS: Here.

2 MS. EAGAN: And, Debbie  
3 Willette?

4 COMMISSIONER WILLETTE: Here.

5 MS. EAGAN: Okay. We have a  
6 quorum.

7 CHAIRMAN EVANS: Thank you.

8 At this time, I will give the Planning  
9 and Zoning Commissioners the opportunity to declare  
10 any conflict, communication or relationship they may  
11 have had that might influence their ability to  
12 consider today's issues impartially.

13 (NONE)

14 If there are no declarations, Scottie,  
15 if you please, give us a presentation of the meeting  
16 procedures and exhibits.

17 MS. EAGAN: Tonight's  
18 Planning Commission meeting is governed by the  
19 Franklin County Unified Land Use Regulations.

20 Some matters on the agenda may be for  
21 action by the Planning and Zoning Commission. These  
22 matters do not involve public hearings.

23 Other matters on the agenda require  
24 public hearings under Missouri law. If a matter  
25 involves a public hearing, all individuals who

1 desire to testify will be given an opportunity to do  
2 so.

3 At this time, I would like to place  
4 into the record these regulations as Exhibit A, the  
5 official Zoning Map as Exhibit B, the official  
6 Master Plan as Exhibit C, and the case file for each  
7 case as Exhibit D for all the cases to be heard at  
8 the meeting.

9 (THEREUPON, EVIDENCE WAS  
10 MARKED FOR IDENTIFICATION AND  
11 SUBMITTED FOR THE RECORD AS  
12 EXHIBITS A, B, C, AND D.)

13 All Unfinished Business items on the  
14 agenda will be dealt with first. Once the  
15 Unfinished Business issues have been taken care of,  
16 each item of New Business will be opened.

17 As each case is opened, a staff report  
18 will first be read to the Commission, followed by  
19 any questions for the staff.

20 Then if anyone in the audience would  
21 like to speak or comment on a file that is part of  
22 the public hearing, they must first print their name  
23 on the sign-in sheet provided, and then be sworn in.

24 When it is your turn to speak, you will  
25 come to the front of the room to address the



1 Commission and only the Commission, not anyone in  
2 the audience, with your comments.

3 It is possible for the Planning  
4 Commission to decide to move a New Business issue to  
5 Unfinished Business and vote on it the same night.

6 At the conclusion of all questions,  
7 comments, and discussion concerning each case, the  
8 Planning Commission will proceed. Any final  
9 decision by the Planning and Zoning Commission  
10 concerning Conditional Use Permits may be appealed  
11 to the Board of Zoning Adjustment any time within 90  
12 days.

13 Applications for such an appeal may be  
14 acquired from the Department offices during normal  
15 business hours.

16 CHAIRMAN EVANS: Thank you.

17 We do not have available the minutes  
18 from the March 19th meeting. So we'll pass that.

19 Communication and Visitors Comments.  
20 Anyone present wishing to address the Commission?

21 Unfinished Business. We have none.

22 New Business. File 250051, Triple 3  
23 Vineyard Winery and Events, L. L. C. The file was  
24 tabled last meeting.

25 In order to discuss it, if anyone would

1 like to make a motion to take that file off the  
2 table.

3 COMMISSIONER HAIRE: I so  
4 move.

5 COMMISSIONER KLENKE: Second.

6 CHAIRMAN EVANS: Motion and  
7 second to take File 240041 off the table. All in  
8 favor signify by saying aye.

9 COMMISSIONER REINHOLD: Aye.

10 COMMISSIONER McLAREN: Aye.

11 COMMISSIONER WILLETTE: Aye.

12 COMMISSIONER GRUTSCH: Aye.

13 CHAIRMAN EVANS: Aye.

14 COMMISSIONER KLENKE: Aye.

15 COMMISSIONER HAIRE: Aye.

16 COMMISSIONER LARAMORE: Aye.

17 CHAIRMAN EVANS: Opposed?

18 (NONE)

19 The motion is carried.

20 We had concluded the public hearing  
21 last meeting, and we were involved in Commissioner  
22 discussion how to proceed with this file. So the  
23 floor is open, and, Scottie, did you have any idea  
24 or possible solution?

25 MS. EAGAN: I mean, well, so

1 some of the things that were talked about last month  
2 were for hours of operation doing it similar to  
3 Trinity Hall and doing those hours of operation,  
4 which would be: Tuesday through Thursday 7:00 a.m.  
5 to 10:00 p.m.; Friday 7:00 a.m. to 12:00 a. m.;  
6 Saturday 9:00 a.m. to 12:00 a.m.; Sunday 10:00 a.m.  
7 to 10:00 p.m., with the exception of New Year's Even  
8 letting them run till 1:00 a.m.

9           And then the other issues that were  
10 brought up were possibly limiting the number of  
11 events, as well as the buffers. So one thing we  
12 talked about in the office is for the Special  
13 Occasion Permit on Covenant Hall, which is the new  
14 one being built on the -- I guess that'd be, the  
15 southwest corner of the property. We do require a  
16 buffer type B which is semi-opaque.

17           So one thing we can do at least on the  
18 Briggs' property, if not, you know, the whole  
19 southern portion, because there's, it looks like,  
20 another home down there, requiring on the  
21 Conditional Use Permit a semi-opaque type B, which  
22 would be a screen that is opaque from the ground to  
23 a height of three feet with intermittent visual  
24 obstruction from above the opaque portion to a  
25 height of at least 20 feet.

1           The semi-opaque screen is intended to  
2 partially block visual contact between uses and to  
3 create a strong impression of the separation of  
4 spaces.

5           So this could be anything from a  
6 three-foot high wall, a three-foot high shrubbery,  
7 you know, boxwoods or something or berm. And then  
8 the trees planted that at mature height are at least  
9 20 feet, and with a completely unobstructed opening  
10 no more than 10 feet wide.

11           So that is what we require on the  
12 Special Occasion Permit because of the use that is  
13 happening. So if we wanted to tie that also to the  
14 Conditional Use Permit, that way, if that buffer is  
15 not built, then there's two permits that are in  
16 jeopardy rather than just the one. Then they'll  
17 maybe for sure do a buffer at least on the Briggs'  
18 property if not wherever else you guys want that  
19 buffer to go.

20                           CHAIRMAN EVANS: So what  
21 you're saying is that buffer was required on his two  
22 existing?

23                           MS. EAGAN: So Trinity Hall,  
24 that's over and done with, but the new one, Covenant  
25 Hall, yes, they are required to do a buffer type B.

1 COMMISSIONER HAIRE: So how  
2 far across are we looking across the back section?

3 MS. EAGAN: So with the  
4 Special Occasion Permit, we just do it between uses.  
5 So it would just be along any portion of the  
6 property that's being used for the special occasion.

7 COMMISSIONER HAIRE: Okay.

8 I'm a little confused because, if I  
9 remember, the building plans, they're going to have  
10 anything would be outside like a patio would be  
11 facing toward the other existing buildings and not  
12 on the back side.

13 MS. EAGAN: So that's the  
14 other issue we have, is there was testimony to  
15 outdoor activity at Covenant Hall, which is  
16 prohibited --

17 COMMISSIONER HAIRE: Okay.

18 MS. EAGANL -- under the  
19 Special Occasion Permit. So we have issues with  
20 that that's going to be addressed next week at BOZA,  
21 because if they're doing any outdoor activity, they  
22 were required to get a Conditional Use Permit, but  
23 they told me on the permit they were only going to  
24 do indoor.

25 COMMISSIONER HAIRE: Okay.

1 So if they're only doing indoor, why do we need a  
2 buffer then, if you hold them to that?

3 MS. EAGAN: Because according  
4 to Article 13, any commercial use, which is what we  
5 consider this, conducted totally indoors next to a  
6 low-density or medium-density property, it's  
7 required to do that type B buffer.

8 COMMISSIONER HAIRE: Okay.  
9 The only thing is interpretation is the distance  
10 that it would be, right?

11 MS. EAGAN: Uh-huh, yeah.

12 COMMISSIONER HAIRE: That  
13 hasn't been determined yet?

14 MS. EAGAN: Correct. So  
15 whatever you guys want to determine with the  
16 Conditional Use Permit because of the testimony that  
17 the neighbor would like a buffer, if you wanted to  
18 go the whole property, we could extend it. If you  
19 wanted to do it just around the use, we can do that.  
20 That's up to you guys.

21 COMMISSIONER REINHOLD: How  
22 close if the building to the property line?

23 MS. EAGAN: According to  
24 testimony last month, I think --

25 CHAIRMAN EVANS: Is it around

1 200 feet?

2 MS. EAGAN: It's 200 feet  
3 from the personal residence, which that is further  
4 south on the property than the property line. So  
5 you're looking at potentially -- our buffer is 50  
6 feet, so they're supposed to be at least that off  
7 the property line.

8 Are they closer or not? I don't know.  
9 I haven't gone out there and measured.

10 COMMISSIONER HAIRE: Well,  
11 I've thought about this quite a bit and went out and  
12 looked and walked around there again, and you know,  
13 I think if we do a buffer based on what you just  
14 spoke to us, it would only be on the facility that  
15 we're looking at now for the Conditional Use Permit.

16 The property is attractive and well  
17 maintained. So we already had a bite at that apple.  
18 So it's gone. So we're looking really at this, you  
19 know, Conditional Use Permit, and --

20 MS. EAGAN: Well, the issue  
21 we're going to have is if you tie it to adjust  
22 what's being used for the Conditional Use Permit,  
23 the whole property can be used for the Conditional  
24 Use Permit.

25 So we're going to need to be very

1 specific on where you want the buffer and how long  
2 you want it to be, because if you just tie it to  
3 anything that can be used for a Conditional Use  
4 Permit is going to be around the entire property.

5 COMMISSIONER HAIRE: Okay.

6 Well, define it. I agree that we need to define it.

7 MS. EAGAN: Yes.

8 COMMISSIONER VOSS: Can I ask  
9 Dan a question. Hey, Dan, --

10 COMMISSIONER HAIRE: Uh-huh.

11 COMMISSIONER VOSS: -- when  
12 you were there, did you see an avenue that somebody  
13 could actually think it's a road?

14 I haven't been there, but about the  
15 heart, the middle of that asphalt spot, I don't know  
16 if that looks like an old road that went up into  
17 that field, or if that's --

18 COMMISSIONER GRUTSCH: That's  
19 a drain.

20 COMMISSIONER HAIRE: It's a  
21 drainage ditch under that road.

22 COMMISSIONER VOSS: It went  
23 under that road?

24 COMMISSIONER HAIRE: Yeah.  
25 No, it's a drainage ditch. That's not asphalt.



1 It's what do you call that?

2 COMMISSIONER GRUTSCH: Ditch.

3 COMMISSIONER HAIRE: Yeah.

4 COMMISSIONER VOSS: Also is  
5 there also a culvert pipe underneath there?

6 COMMISSIONER HAIRE: No, it  
7 just kind of goes there. It stops, you see it, it  
8 stops at the pavement area.

9 COMMISSIONER VOSS: So it's  
10 not a culvert going underneath there?

11 COMMISSIONER HAIRE: No.

12 COMMISSIONER GRUTSCH: No.

13 COMMISSIONER VOSS: I'm just  
14 trying to remember. One of the neighbors asked,  
15 they were worried that people were going to drive  
16 off of the asphalt. I was thinking that might be an  
17 easy mistake that you had too much to drink and you  
18 drove straight up instead of went right.

19 But it looks like it may -- if it's a  
20 drainage ditch, they may know better.

21 COMMISSIONER GRUTSCH: They  
22 really should know better.

23 COMMISSIONER VOSS: Okay.

24 COMMISSIONER GRUTSCH: After  
25 they went through there --

1 COMMISSIONER VOSS: I'm just  
2 trying to make sure that --

3 COMMISSIONER HAIRE: I think  
4 somebody would be cited.

5 COMMISSIONER VOSS: I'd like  
6 something to block that, but it doesn't sound like  
7 we need to.

8 COMMISSIONER GRUTSCH: I  
9 don't think so.

10 COMMISSIONER VOSS: Okay.  
11 Thank you.

12 CHAIRMAN EVANS: So are we  
13 leaning towards a buffer in front of those  
14 properties then?

15 COMMISSIONER HAIRE: Well,  
16 what I hear is that we have to have the buffer based  
17 on its use.

18 CHAIRMAN EVANS: Correct, and  
19 just we have to define where --

20 COMMISSIONER HAIRE: What --

21 CHAIRMAN EVANS: -- where we  
22 want it, how long. Obviously, in front of the  
23 Briggs' residence. And, Scottie, you said there's  
24 another residence close?

25 MS. EAGAN: Yeah. Just to

1 the east of Mr. Briggs' property.

2 COMMISSIONER WILLETTE:

3 Scottie, could you let us know again what permits  
4 are in place right now?

5 MS. EAGAN: So they currently  
6 have Trinity Hall, which is that big building right  
7 by the road. That's a Special Occasion Permit.

8 Then where they have their winery,  
9 that's permitted. And then they recently this year  
10 got another Special Occasion Permit for Covenant  
11 Hall, which is the one being built in that back  
12 corner.

13 COMMISSIONER WILLETTE: And  
14 that does not require a buffer?

15 MS. EAGAN: It does.

16 COMMISSIONER WILLETTE: It  
17 does?

18 MS. EAGAN: Yes.

19 COMMISSIONER WILLETTE: Okay.

20 MS. EAGAN: Yeah.

21 COMMISSIONER WILLETTE: Thank  
22 you.

23 MS. EAGAN: Yeah, Trinity  
24 Hall also did, but that's -- that one is over and  
25 done with. That was done back in like 2020 or '21.

1 COMMISSIONER WILLETTE: Okay.

2 COMMISSIONER HAIRE: Uh-huh.

3 COMMISSIONER WILLETTE: Okay.

4 CHAIRMAN EVANS: Any further  
5 discussion?

6 COMMISSIONER VOSS: Well, I  
7 guess, you guys heard about Bill. He's pretty  
8 adamant about them trees. Now is anybody else  
9 adamant about the trees, think that's a good buffer?

10 COMMISSIONER KLENKE: Bill  
11 wanted it around the whole property.

12 COMMISSIONER VOSS: I know.  
13 Well, that might be a little -- but I haven't been  
14 out there enough ever. So I don't know if it's  
15 feasible, something they do or maybe a tree here or  
16 -- I don't know.

17 COMMISSIONER GRUTSCH: With  
18 the Type B buffer, you are going to get trees that  
19 at majority 20 feet.

20 COMMISSIONER HAIRE: Uh-huh.

21 COMMISSIONER VOSS: Oh, I  
22 thought that was a choice.

23 MS. EAGAN: No, it's the  
24 three foot high plus the trees.

25 COMMISSIONER VOSS: Oh.

1 CHAIRMAN EVANS: Right.

2 COMMISSIONER VOSS: Got you.

3 Thank you for that, Jim.

4 CHAIRMAN EVANS: Yeah, the  
5 issue I think with going around the entire is when  
6 we tried to do a really large, I guess, or required  
7 a large planting, it just didn't work because of the  
8 trees dying. It was a significant investment, and  
9 in a perfect world, that would be what we'd want to  
10 do. But in the past it has not worked.

11 COMMISSIONER VOSS: Okay. I  
12 didn't realize that that was part of it. It sounded  
13 like it was a choice when I heard it earlier.

14 COMMISSIONER REINHOLD: I've  
15 been out there before. The dam is probably -- he  
16 can probably recommend or tell us, but the dam is  
17 about 20 foot on the back side.

18 CHAIRMAN EVANS: Well, we  
19 can't ask any questions.

20 COMMISSIONER REINHOLD: Oh,  
21 you can't. I'm sorry, okay.

22 MS. EAGAN: So at last  
23 meeting, it was discussed potentially doing a buffer  
24 along the Briggs, leaving the dam alone because you  
25 don't want to hurt the structure of the dam.

1 CHAIRMAN EVANS: Right.

2 MS. EAGAN: And then going on  
3 just that north portion of -- I don't even know who  
4 owns that property, that other property. But where  
5 it juts up --

6 MS. HOLDMEIER: This one goes  
7 back?

8 MS. EAGAN: No.

9 MS. HOLDMEIER: This one?

10 MS. EAGAN: Yeah, that one.

11 The Lucas property? So you basically leave that  
12 whole portion right by the dam untouched, because I  
13 think there is even existing vegetation there.

14 COMMISSIONER HAIRE: There is  
15 a few trees in there.

16 CHAIRMAN EVANS: So I think  
17 we have a consensus that the buffer there would be a  
18 good idea and that the buffer B would be an adequate  
19 solution.

20 So any discussion on exactly where we  
21 want this buffer to be?

22 COMMISSIONER GRUTSCH: I --  
23 if I may, I would suggest that we require the buffer  
24 on the entire south property line, with the  
25 exception of the area of the dam and the lake.

1                   So if I might just stand up and just  
2 like. So I'd suggest we do it here and then here.

3                   COMMISSIONER HAIRE: Why  
4 would we need it on that second portion you said?

5                   COMMISSIONER GRUTSCH:  
6 Because this is low-density residential here.

7                   COMMISSIONER HAIRE: Then why  
8 didn't take a bite of the apple when we had it the  
9 first time then? I'm confused.

10                  COMMISSIONER GRUTSCH: But we  
11 can't go back now and do it.

12                  COMMISSIONER KLENKE: Does it  
13 have to be the same?

14                  MS. EAGAN: When Trinity Hall  
15 was built, they were required to do a buffer.  
16 Because of where Trinity Hall is, they did the  
17 buffer just around the building, which is fine.  
18 They didn't need to do it on the property.

19                  So but now that they're doing a  
20 Conditional Use Permit that could do more outdoor  
21 events, the buffers don't necessarily have to follow  
22 the code as written. You guys can do more or less,  
23 depending on what you want to do.

24                  But Trinity Hall did do their buffer  
25 for that building, but now you're looking at a

1 Conditional Use Permit.

2 My only suggestion with tying it to the  
3 Special Occasion Permit because that was already  
4 required along the Briggs' property for that  
5 portion.

6 But whatever you guys want to do,  
7 that's up to you.

8 COMMISSIONER HAIRE: Yeah,  
9 but we're not doing outdoor -- they said they are  
10 not doing outdoor activity, correct. Then this  
11 Conditional Use Permit -- I'm getting confused as to  
12 which way --

13 MS. EAGAN: So the  
14 Conditional Use Permit is open for anything at this  
15 point.

16 COMMISSIONER HAIRE: Okay.  
17 So they could do outside?

18 MS. EAGAN: for Covenant Hall,  
19 they said no outdoor activities. That's a different  
20 permit altogether.

21 COMMISSIONER HAIRE: Okay,  
22 but the one -- okay.

23 MS. EAGAN: The Conditional  
24 Use Permit could be any ticketed event --

25 COMMISSIONER HAIRE: Okay.



1 MS. EAGAN: -- because you  
2 have guys didn't want to put any limits on it.

3 COMMISSIONER HAIRE: Okay.

4 COMMISSIONER GRUTSCH: And if  
5 I might further, on the west side and the north  
6 side, there was discussion last week about possibly  
7 requiring a buffer there. But those two property  
8 lines abut 100 percent agricultural with no  
9 residential at all.

10 If there is ever a time when those get  
11 developed into residential, whether it be large or  
12 small, that would be a responsibility of those  
13 developers.

14 COMMISSIONER HAIRE: Yeah,  
15 and I agree with that. Uh-huh.

16 COMMISSIONER GRUTSCH: So if  
17 we just address the concerns of the residents now on  
18 the south side, I think that would satisfy it, and  
19 at least or a good portion of half of them is going  
20 to be required anyway with the permit that they're  
21 looking for for Trinity?

22 MS. EAGAN: Covenant.

23 COMMISSIONER GRUTSCH:  
24 Covenant. Yes.

25 So we're asking them, Dan, a little bit

1 more.

2 COMMISSIONER KLENKE: I  
3 agree, we have properties to the west and to the  
4 north. If they put anything in there now, they may  
5 have to tear them out to do their build.

6 COMMISSIONER GRUTSCH: Yeah.

7 COMMISSIONER KLENKE: Like  
8 strike over something, and he's going to want a  
9 berm.

10 CHAIRMAN EVANS: Now,  
11 Trinity, you said it does have a buffer around the  
12 building?

13 MS. EAGAN: Yeah, Trinity was  
14 approved per our regulations.

15 CHAIRMAN EVANS: Per the  
16 regulations with the buffer. So we would be putting  
17 a second buffer?

18 MS. EAGAN: You would just be  
19 putting it further on the property line in case  
20 there's any outdoor event that happens.

21 CHAIRMAN EVANS: Okay. And  
22 again, are they restricted from outdoor events?

23 MS. EAGAN: Not for the  
24 Conditional Use Permit.

25 CHAIRMAN EVANS: That's

1 why --

2 MS. EAGAN: Only the Special  
3 Occasion Permit for Covenant.

4 COMMISSIONER KLENKE: But you  
5 said earlier they're doing that?

6 MS. EAGAN: That's what was  
7 testified to last month. So that's the issue that  
8 will be taken up next week.

9 COMMISSIONER KLENKE: Okay.

10 MS. EAGAN: It's all very  
11 confusing, and I chose horrible names for these  
12 permits, and I apologize.

13 COMMISSIONER HAIRE: Yeah.

14 COMMISSIONER KLENKE: I mean,  
15 I'm okay with that.

16 COMMISSIONER HAIRE: So all  
17 we have to do it define type B onto the -- that's  
18 the southern border, right?

19 CHAIRMAN EVANS: Correct.

20 COMMISSIONER HAIRE: The  
21 southern border is how we would define it.

22 MS. EAGAN: Yeah, I wrote  
23 what Jim said, the buffer type B on the entire south  
24 property line with the exception of the lake and the  
25 dam.

1 COMMISSIONER REINHOLD: But  
2 why would they have to do buffer when they already  
3 have it behind Trinity Hall?

4 COMMISSIONER KLENKE: Because  
5 at that point we believed they weren't doing  
6 outside.

7 MS. EAGAN: Well, you're  
8 looking at now --

9 COMMISSIONER REINHOLD: But  
10 there is a buffer there. I was there.

11 MS. EAGAN: I know, but now  
12 you're looking at a Conditional Use Permit that can  
13 use any part of the property not just --

14 COMMISSIONER REINHOLD: Not  
15 just the hall.

16 MS. EAGAN: -- Covenant or  
17 Trinity.

18 CHAIRMAN EVANS: Okay. We  
19 have the ability to restrict that, but right now  
20 it's the entire property. So we have that.

21 I think there's some agreement on that,  
22 and it would be the type B buffer.

23 I think the next thing would be at  
24 least to look at to get some consensus on what would  
25 be the conditions, which I think since there are

1 special events, special events occasional, and they  
2 already have two permits, that we try and keep the  
3 conditions as close as possible to the same because  
4 you're talking -- if no one is ticketed, you're  
5 talking the same number of people, same hours, same  
6 everything with the only difference being whether  
7 it's basically a private or public event, that it  
8 would seem to me that keeping those conditions that  
9 they already have would be the simplest way for  
10 everybody involved, including the applicant.

11 And again, Scottie went over what the  
12 hours of operation Monday through Sunday with adding  
13 New Year's would be the only difference to any  
14 guests, lighting, everything else would remain the  
15 same.

16 Any discussion on that?

17 (NONE)

18 If not, then it was also mentioned the  
19 Conditional Use Permit is on the entire property.  
20 Did we want to put any limitations on it like per  
21 the different venues?

22 COMMISSIONER HAIRE: Have we  
23 had any complaints to-date? I'm assuming that we  
24 did have none.

25 MS. EAGAN: We have received

1 complaints.

2 COMMISSIONER HAIRE: We have.  
3 Do you know how many?

4 MS. EAGAN: Officially we've  
5 had two.

6 COMMISSIONER HAIRE: Okay.

7 MS. EAGAN: A lot of them  
8 public.

9 CHAIRMAN EVANS: Basically  
10 Covenant Hall or...

11 MS. EAGAN: So one of them  
12 was about winery a few years ago, and we just got  
13 one Friday about Covenant Hall and the winery.

14 CHAIRMAN EVANS: Again, any  
15 discussion on the venues, any limitations?

16 (NONE) {FLUSH}

17 Because it is a Conditional Use Permit  
18 and I don't feel comfortable just saying it's good  
19 for all 24 acres that we got to have some limiting  
20 language in there as to which venues that this  
21 Conditional Use Permit applies to.

22 COMMISSIONER REINHOLD: Do we  
23 have plot plan that shows how far the new hall is  
24 from the property line?

25 CHAIRMAN EVANS: I think it

1 has to be what, 100 feet?

2 MS. EAGAN: I believe it's  
3 supposed to be 50 feet from the property line, 100  
4 feet from any neighboring residence.

5 I don't have an official plot plan.  
6 It's just like a rectangle drawn on an aerial, but  
7 it doesn't give me any distance.

8 COMMISSIONER KLENKE: I mean,  
9 I personally struggle with that gentleman's picture  
10 standing in his garage taking a picture of that  
11 building. You know, given the Conditional Use  
12 Permit to hold the number of people they want there  
13 to their numbers. I mean, within reason, to have 10  
14 o'clock at night and 200 people be there any night.

15 That's just my personal opinion.

16 COMMISSIONER WILLETTE: Could  
17 we limit the events just to Trinity?

18 CHAIRMAN EVANS: We could put  
19 whatever that we choose to on the Conditional Use  
20 Permit, and currently that building Mike's talking  
21 about, they can't have -- they have a permit so they  
22 can use that.

23 COMMISSIONER WILLETTE: But I  
24 mean the ticketed events that --

25 CHAIRMAN EVANS: Correct.

1 COMMISSIONER WILLETTE: --  
2 the Conditional Use permits.

3 CHAIRMAN EVANS: We can limit  
4 it to which venue. We can say you have a permit so  
5 you can use this hall for those two, Trinity and  
6 Covenant. But under the Conditional Use Permit, we  
7 can put whatever conditions. We could say one or  
8 the other or both.

9 Is that correct, Scottie?

10 MS. EAGAN: Uh-huh.

11 COMMISSIONER KLENKE: But  
12 with the Conditional Use Permit, he can have outside  
13 events?

14 MS. EAGAN: Correct.

15 COMMISSIONER KLENKE: If we  
16 have a condition that he can have outside events in  
17 this building, then...

18 CHAIRMAN EVANS: Yeah, I  
19 think we can put whatever conditions we want on it.

20 MS. EAGAN: Yeah.

21 COMMISSIONER KLENKE: But we  
22 were looking for some sort of restrictions.

23 CHAIRMAN EVANS: Right,  
24 right.

25 MS. EAGAN: The theory he's



1 not supposed to have any outdoor events in there  
2 currently with a Special Occasion Permit. I'm fine  
3 with that. The only hard time we're going to have  
4 is enforcing it.

5 COMMISSIONER KLENKE: Sure.

6 MS. EAGAN: So if we get a  
7 call that hey, they're having this such-and-such  
8 event on Monday and they had it on a Saturday, I  
9 don't have any way to prove that they had the  
10 outdoor event.

11 CHAIRMAN EVANS: Those events  
12 have occurred already, right?

13 MS. EAGAN: There have been  
14 multiple ticketed events.

15 CHAIRMAN EVANS: Multiple  
16 ticketed events?

17 MS. EAGAN: Not at Covenant,  
18 but on the property, because obviously --

19 COMMISSIONER REINHOLD: So  
20 what's the difference if he has a wedding and it's  
21 200 people when he has a ticketed event that's 200  
22 people? What's the difference?

23 CHAIRMAN EVANS: Well, there  
24 is no difference as far as the capacity and  
25 everything right now. He can have 200 people for a

1 wedding. That's a permitted use.

2 But with a Conditional Use Permit, we  
3 can say we don't want you to have 200 people, or we  
4 don't want you to have outdoor events at that venue.

5 So that's the thing with the Special --  
6 with the permits he has now, that's one of the  
7 permitted ones that we can't put any conditions as  
8 such on that Conditional Use Permit.

9 We have a lot more leeway in what we  
10 might want to look ahead as far as activity.

11 COMMISSIONER HAIRE: My one  
12 concern in how we limit it is we could do the  
13 property where the wine tasting is and the  
14 restaurant, there's an outside, large outside, area  
15 with tables. And if they're going to have an  
16 outdoor event, I would imagine it would be in that  
17 area because it could accommodate it very easily.

18 CHAIRMAN EVANS: But I think  
19 the thing is right now, he could have with the wine  
20 tasting and everything, that's his business, and  
21 with the Special Occasion Permit that he has now, he  
22 can also do that.

23 So he has two options right now. Do we  
24 want to give him a third option or just like that's  
25 too close there. Let's limit this.

1 COMMISSIONER HAIRE: Yeah.

2 CHAIRMAN EVANS: So he has  
3 multiple uses right now that he can use. We're just  
4 adding basically a third option for him.

5 COMMISSIONER KLENKE: And  
6 those other venues are a lot further away from any  
7 residences. I mean, this one is right there. I  
8 don't know if you saw the picture, Tim, --

9 COMMISSIONER REINHOLD: Yeah.

10 COMMISSIONER KLENKE: -- from  
11 the guy's garage.

12 COMMISSIONER VOSS: How many  
13 people could he have right now under roof? Like I  
14 said, there's no outdoor activities. In my brain,  
15 I'm thinking, well, let's just say he has outdoor  
16 activities and a thunderstorm shows up. Everybody  
17 is going to run to the buildings.

18 Are we saying we're going to give them  
19 the okay to have more people that could fit in them  
20 buildings?

21 CHAIRMAN EVANS: Well, the  
22 Special Occasion Permit right now has a maximum  
23 number of guest of 300.

24 COMMISSIONER VOSS: Oh, okay.

25 CHAIRMAN EVANS: Yeah.

1 MS. EAGAN: Yeah, Trinity  
2 Hall I think was 300. Covenant is at 99. I'm not  
3 sure how winery is. He testified last month, but I  
4 don't remember what he said.

5 He can fit a lot of people on the  
6 property.

7 COMMISSIONER VOSS: I  
8 understand that.

9 COMMISSIONER KLENKE: Bill,  
10 did we answer your concern and your question about  
11 on trying to restrict it so that it's just around  
12 buildings and not the entire property at some point,  
13 or --

14 CHAIRMAN EVANS: Right.  
15 Because if we just use the Conditional Use Permit  
16 for the winery, it'll be ultimately four acres.

17 COMMISSIONER KLENKE: Right.

18 CHAIRMAN EVANS: So we can  
19 limit that to the venues to put both venues, one  
20 venue, whatever. I just think it would be a good  
21 idea to have some limits on that, and again, both  
22 these venues, he already has two options. He has  
23 the winery and he has a venue for special occasion.  
24 So he's looking for a third option just  
25 to fill --

1 COMMISSIONER KLENKE: Sure.

2 CHAIRMAN EVANS: -- fill in.

3 I think he stated that this would be in addition to  
4 what he has, extra time, weekends or whatever, to  
5 plug it in. This is his primary source of income.

6 But I think I'm also hearing that  
7 there's some concern over the venue that is on the  
8 property line, or close to it. What --

9 COMMISSIONER KLENKE: That's  
10 just my concern for me.

11 COMMISSIONER REINHOLD: Bill,  
12 what I'm looking at is what if we give them the  
13 Conditional Use the same as the other ones, tell him  
14 he has to have a 50-foot barrier from the property  
15 line on the new building, and put a screen of B on  
16 there? That means he could have nobody within 500  
17 foot of the people's property line on that building.

18 COMMISSIONER WILLETTE: You  
19 talking about in -- around the Trinity building?

20 COMMISSIONER REINHOLD: On  
21 the side that's --

22 COMMISSIONER WILLETTE: Which  
23 is on the south side?

24 COMMISSIONER REINHOLD: On  
25 the south side.

1 CHAIRMAN EVANS: I'm sorry.

2 Are talking a screen or --

3 COMMISSIONER REINHOLD: A  
4 screen, plus he can't have no events no closer than  
5 50 foot of the property line.

6 CHAIRMAN EVANS: Okay, but it  
7 would allow outside events?

8 COMMISSIONER REINHOLD: Yeah.

9 CHAIRMAN EVANS: As I say, we  
10 can do whatever we think is appropriate.

11 COMMISSIONER REINHOLD: You  
12 guys got a -- (inaudible).

13 COMMISSIONER VOSS: I know.

14 CHAIRMAN EVANS: I think to  
15 go back -- why don't you just stop for a minute --  
16 that we're looking at pretty much have, I think, a  
17 consensus on where the numbers should be and the  
18 type of buffer, and the conditions we should do the  
19 same as the ones that are currently used for the  
20 Special Occasion, except for the New Year's.

21 So we're really, I think, discussion  
22 now on the Conditional Use Permit what we would --  
23 what venues we would allow to be included in the  
24 Special under the CUP.

25 COMMISSIONER WILLETTE: I'd

1 like to suggest omitting Covenant from the CUP.

2 CHAIRMAN EVANS: And that  
3 would be limiting it basically to Trinity Hall for  
4 the -- as the venue for the CUP?

5 COMMISSIONER WILLETTE: Yes.

6 CHAIRMAN EVANS: And  
7 excluding the rest of the property.

8 MS. EAGAN: So it would  
9 exclude the winery as well?

10 COMMISSIONER WILLETTE: Well,  
11 I don't mean to exclude the winery. I'm just  
12 suggesting excluding the new building. There is a  
13 permitted place that allows -- as I understand it,  
14 that allows events inside that new building, just  
15 not ticketed events, and nothing outside.

16 CHAIRMAN EVANS: Correct.

17 COMMISSIONER WILLETTE: So I  
18 would like to suggest omitting the new building from  
19 the CUP.

20 COMMISSIONER REINHOLD: Can I  
21 ask a question. I'm lost on this ticketed events.

22 Explain what the difference is.

23 CHAIRMAN EVANS: On the  
24 Special Occasion Permits that he has right now are  
25 for occasional events, which is -- I will say not

1 ticketed, but is weddings, corporate events, things  
2 like that that are private.

3 Ticketed events would be public events.

4 MS. EAGAN: It's like anybody  
5 in the public.

6 CHAIRMAN EVANS: Anybody in  
7 the public, if you wanted to have a New Year's Eve  
8 party.

9 COMMISSIONER REINHOLD: If  
10 you wanted to have a gun show there?

11 CHAIRMAN EVANS: If you  
12 wanted to have a gun show. If you wanted to have a  
13 fair.

14 COMMISSIONER REINHOLD: If  
15 you wanted to have a home and garden show there?

16 CHAIRMAN EVANS: Right. So  
17 especially private versus public.

18 COMMISSIONER REINHOLD: I  
19 see.

20 CHAIRMAN EVANS: Even right  
21 now this Special Occasion Permit allows him to have  
22 basically private events. So he could have  
23 corporate events. He could have weddings. Bit  
24 enough family, he could have a family reunion.

25 But it's a group of people that have



1 something in common, and there's no tickets  
2 involved. That would be the main differences.

3 And I say right now he has the winery.  
4 He has his business there. The Special Occasion  
5 Permits he has allows him to have any of those  
6 private events, corporate, weddings, whatever,  
7 that's not ticketed. So those are allowed.

8 It's the CUP that's required to have  
9 the ticketed events.

10 So he's got his winery, he has a  
11 Special Use, Special Occasion Permits. So he has  
12 those two options.

13 So he's looking to fill in basically  
14 with the CUP on possible open dates during the year.

15 COMMISSIONER WILLETTE: And  
16 as I understand it again, the CUP has outdoor access  
17 in those?

18 MS. EAGAN: Well, in Trinity  
19 Hall, in theory, can have people outside. So when  
20 they got that permit, it was indoor and outdoor.

21 COMMISSIONER WILLETTE: Okay.

22 MS. EAGAN: Our rules changed  
23 since then to now anything outdoor requires a  
24 Conditional Use Permit, which is why I think  
25 Covenant Hall is strictly indoors.

1 COMMISSIONER WILLETTE: Okay.

2 MS. EAGAN: I mean, the other  
3 option you can look at if you guys don't feel  
4 comfortable restricting locations or sizes or number  
5 of people is restricting the number of events per  
6 year. Then if they exceed that or want more, they  
7 can always come back in the future. We can see how  
8 the events are going, if the neighbors are  
9 complaining, stuff like that.

10 So there are other options rather than  
11 just state they can only use Trinity Hall.

12 COMMISSIONER HAIRE: My only  
13 concern is if they want to do a ticketed -- just  
14 take like we do in Washington -- Foodstock, where  
15 they have bands all day, and it would be an outdoor  
16 event in that area they have, you know, and that  
17 could be considered a ticketed even, you know, to  
18 have access to it.

19 So you know, I would assume that's one  
20 of the type things. They want to use that outdoor  
21 area by the lake in the winery, the wine tasting.

22 MS. EAGAN: Right.

23 COMMISSIONER HAIRE: So I  
24 guess limiting the number of events may be an option  
25 to control.

1 MS. EAGAN: Right, especially  
2 if this is just a filler. You know, do they need an  
3 event every week?

4 COMMISSIONER HAIRE: No.

5 MS. EAGAN: Probably not.

6 But...

7 COMMISSIONER HAIRE: Yeah.

8 COMMISSIONER VOSS: I'm  
9 against trying to stop them from having as many  
10 events as they want. I'm more opposed to the size  
11 because he's telling me they can do anything  
12 outdoors. I'm thinking there could be, you know, a  
13 thousand people on that property. That's my  
14 concern.

15 COMMISSIONER KLENKE: I think  
16 we were --

17 CHAIRMAN EVANS: Yeah, if we  
18 keep the conditions the same, they are limited to  
19 300 people size-wise.

20 MS. EAGAN: Not with a  
21 Conditional Use Permit.

22 CHAIRMAN EVANS: Except with  
23 a Conditional Use Permit.

24 MS. EAGAN: So they could  
25 have an outdoor event and put up, you know, two

1 tents on the property and have events all over it.

2 It's a twenty --

3 CHAIRMAN EVANS: Twenty-four  
4 acres.

5 MS. EAGAN: -- 24-acre  
6 property that, as it stands, they can use every inch  
7 of it for an event.

8 CHAIRMAN EVANS: Which, as I  
9 mentioned before, I personally think it's a good  
10 idea to try and keep the conditions as close as  
11 possible to the existing Special Occasion Permit.  
12 And as Scottie mentioned, once we issue this  
13 Conditional Use Permit, we can't go back and say,  
14 oh, you got too many events.

15 COMMISSIONER VOSS: Yeah, I  
16 don't think the amount of the events we should try  
17 to control. I mean, he's trying to operate a  
18 business. He needs -- we shouldn't not try to  
19 control that.

20 It's when it gets out of too many  
21 people that don't -- the facilities can't handle.  
22 that's my concern.

23 MS. EAGAN: The issue we're  
24 going to get into if we start trying to restrict the  
25 number of people, there's two issues I see.

1           One, enforcement, and we don't work on  
2 Saturdays or Sundays. No one is going to be able to  
3 go out there at the drop of a hat on a Saturday to  
4 go count the number of people.

5           Second, are when they have events  
6 typical to like they had a Christmas Market. So one  
7 person comes in, but then they leave and another  
8 person comes in, you know. It's like a rotating  
9 door.

10           There's going to be over 300 people  
11 potentially in a day, but not at once.

12           So restricting the number of people I  
13 think would be difficult to enforce on our  
14 standpoint, where the number of events is a little  
15 easier, especially if they advertise. Like hey,  
16 here's this event, buy tickets, that's something we  
17 need to approve. Yeah, they have these number of  
18 events.

19           Or I don't know if you were here.  
20 There was one. I think it was the shooting club  
21 down south. We like require them every year to  
22 submit the number of members they have.

23                           CHAIRMAN EVANS: On 47?

24                           MS. EAGAN: Yeah.

25                           CHAIRMAN EVANS: Top Gun.

1 MS. EAGAN: We do require  
2 them to give us your year of events to make sure  
3 these are what, you know, we want to do, you know,  
4 up to 10, 15, whatever.

5 And then each year they give us those  
6 events.

7 That's one way to do it. Or just  
8 keeping an eye out on, you know, advertisements or  
9 -- I just hesitate limiting the number of people  
10 because I know we won't be out there to count them.

11 COMMISSIONER VOSS: Yeah,  
12 when they start the parking lot --

13 CHAIRMAN EVANS: Again, we  
14 don't want to restrict businesses, because I  
15 mentioned before, he's running this business now.  
16 He's got his winery, and he's got his Special  
17 Occasion Permits.

18 This is like the third option, and if  
19 there would be a time when we would want to restrict  
20 something, I would think it would be now because we  
21 can't go back. We can say 10 events here, and if  
22 you want to say 15, he could come back and ask for  
23 15.

24 MS. EAGAN: Right.

25 CHAIRMAN EVANS: If we say 25

1 events per year and then we decide that's too many,  
2 we can't go back and say oh, we changed our mind.  
3 You can only have ten.

4 So he always has the option to come  
5 back. If we open the door too far, we can't close  
6 it.

7 MS. EAGAN: Yeah, we had  
8 another event center. I don't know if you were on,  
9 Stan. Walktil (ph.) Lakes down in St. Clair. They  
10 started with just a weeding facility, and then in  
11 the off season, they wanted to do, you know, more  
12 events like pumpkin stuff and fall stuff.

13 So then you guys put conditions on it  
14 of, you know, Special Events, Occasional from April  
15 through, I think, October so they could do the  
16 October events.

17 But then they wanted to do a Christmas  
18 event. So they came back a third time to add in the  
19 month of December they could do these events.

20 So permits can only be amended to add  
21 more. We can't amend them to take off.

22 CHAIRMAN EVANS: And I think  
23 in most occasions with businesses and everything  
24 that most of the time we grant those amendments.  
25 That is like, if your business there's no

1 complaints, that we're more than happy to increase  
2 the number of events and give them more in the way  
3 of latitude.

4 But as Scottie said, you open the door  
5 too far, you can't go back and shut it then.

6 COMMISSIONER VOSS: Well,  
7 help me out so I understand this.

8 If we give them this CUP, he could have  
9 actually a rock concert on that property.

10 MS. EAGAN: So --

11 COMMISSIONER VOSS: And  
12 they'd be parking down the road because you --

13 MS. EAGAN: Concerts actually  
14 fall under a different category. It is but there is  
15 a separate like concert thing regulation.

16 COMMISSIONER VOSS: You see  
17 what I'm getting at?

18 MS. EAGAN: I do.

19 COMMISSIONER VOSS: They're  
20 going to be parking down the road --

21 MS. EAGAN: I do.

22 COMMISSIONER VOSS: -- just  
23 to get on the property.

24 MS. EAGAN: Right.

25 COMMISSIONER VOSS: And if we



1 gave the green light, and all we try to do is say --  
2 I'm almost to a point where I'll say you're okay as  
3 long as you fit everybody on that parking lot.

4                   When you start parking down the road,  
5 I'm going to say --

6                   MS. EAGAN: Then that's a Jim  
7 problem.

8                   COMMISSIONER VOSS: Well --

9                   CHAIRMAN EVANS: Jim does get  
10 paid working on a Saturday.

11                   COMMISSIONER REINHOLD: I've  
12 been there for two different weddings, and it's a  
13 nice place. It's run -- it seems to me, it's run  
14 very nice.

15                   From what I see, I don't think it's  
16 going to be a rock concert thing. I don't think  
17 that is -- I think the guy deserves to have the same  
18 CUP he's got on the rest of it. Put a barrier to  
19 try to make the neighbor happy, and keep a 50-foot  
20 buffer from the south property line.

21                   I mean, I don't know how much more we  
22 can ask. The guy's in business already.

23                   MS. EAGAN: Right. But he's  
24 wanting to do more than what he's already in  
25 business for.

1 COMMISSIONER REINHOLD: Yeah.

2 MS. EAGAN: That's why we --  
3 you can step in and amend.

4 COMMISSIONER REINHOLD:  
5 Right.

6 MS. EAGAN: And I don't think  
7 it's all -- in the grand scheme of things, I don't  
8 think you're going to have an issue with a huge  
9 event or Trinity Hall and the winery being open and  
10 there being no parking.

11 They've provided more than ample  
12 parking for Trinity Hall.

13 Covenant Hall, their building permit  
14 shows more than adequate parking for what's  
15 required.

16 I don't think they're going to have the  
17 type of events at the same time, but I also do think  
18 you need to take into account the testimony of the  
19 neighbors.

20 CHAIRMAN EVANS: Any further  
21 discussion?

22 So I think we've thrown out there a  
23 restricting or prior determining a specific number  
24 of events for him to start with, and then whether we  
25 want to limit the CUP to certain venues rather than

1 allowing it to on all 24 acres.

2           You were having it Covenant and Trinity  
3 or picking one, and limiting it to that at this  
4 point in time; otherwise, it would be open to the 24  
5 acres, and he could do, again, anything he wants to  
6 anywhere on that tract of land.

7                           COMMISSIONER KLENKE: I like  
8 Dan's idea.

9                           CHAIRMAN EVANS: And that  
10 would be limiting it to Covenant and restricting it  
11 from Trinity?

12                           MS. EAGAN: Everything -- no,  
13 restricting --

14                           COMMISSIONER WILLETTE:  
15 Everything part of the property would be included in  
16 the CUP except for Covenant. I think the best way  
17 to put it.

18                           COMMISSIONER KLENKE: I'm  
19 back to give them all 24 acres.

20                           COMMISSIONER WILLETTE: Well  
21 --

22                           COMMISSIONER KLENKE: Because  
23 I think you said business is doing well, they come  
24 back and, like I said, historically we've had no  
25 problem being a business partner in the county.

1 We're going to go with it.

2 COMMISSIONER WILLETTE: Well,  
3 what I was going by is if the CUP is allowing  
4 outside events, how do you -- you know, what are you  
5 restricting?

6 COMMISSIONER KLENKE: Like  
7 Jim said, we keep it in the building.

8 COMMISSIONER REINHOLD: I  
9 would say give them the same CUP for the property  
10 except for the south boundary line where the  
11 residents are, and do a 50-foot boundary, plus you  
12 want a screen.

13 That makes more sense to me than trying  
14 to restrict anything else on the rest of the  
15 property. I think the south property line is where  
16 we're coming up at right now, and I think that's  
17 what we got to address.

18 COMMISSIONER KLENKE: Right  
19 now.

20 COMMISSIONER REINHOLD: And  
21 if that's going to be the screening, which we just  
22 talked about, and we do a 50-foot setback off of the  
23 south property line, I think I don't know where else  
24 we can really determine.

25 COMMISSIONER WILLETTE:

1 That's right.

2 COMMISSIONER REINHOLD: Yeah.  
3 If everybody else is -- and that's what I say.

4 CHAIRMAN EVANS: I'm kind of  
5 agreeing with Debbie almost in limiting the venue at  
6 this point in time, because they always have an  
7 option to come back. As I say, there's other lines  
8 of business. This is not his primary business.

9 He's trying to supplement what he  
10 already has, and we are trying not to restrict his  
11 business, but also consider the property owners that  
12 are there, who have I think some legitimate concerns  
13 considering the location of that particular  
14 building.

15 Any other discussion?

16 (NONE)

17 Okay. I'm going to have to look at the  
18 different alternatives. One, I think Debbie is,  
19 again, restricting Covenant Hall as her allowing  
20 Trinity as the only location.

21 MS. EAGAN: And the winery.

22 CHAIRMAN EVANS: And the  
23 winery --

24 COMMISSIONER WILLETTE: And  
25 the winery as well.

1                   CHAIRMAN EVANS:  -- and the  
2 winery as part of the CUP, and restricting the one  
3 venue.

4                   COMMISSIONER KLENKE:  We  
5 don't have to do anything with that, right, because  
6 it's already covered under the other --

7                   MS. EAGAN:  Well, I think if  
8 I'm understanding all of you and confusing me.

9                   I think what, if we went with Debbie's  
10 way, it would be a CUP for ticketed events would be  
11 there for the entire property, excluding Covenant  
12 Hall.  They can't have any ticketed events at  
13 Covenant Hall.

14                   So they could have them anywhere else  
15 on the property?

16                   COMMISSIONER KLENKE:  That's  
17 what you're saying?

18                   COMMISSIONER WILLETTE:  Yes.

19                   MS. EAGAN:  Tim is saying  
20 have it everywhere, but have a 50-foot buffer that  
21 no event can be in there plus the screening.

22                   But he's saying indoor/outdoor events  
23 on the entire 24 acres, with a section of the  
24 50-feet along the southern property line and then do  
25 the B screening, is how I'm understanding Tim.

1 COMMISSIONER REINHOLD: I  
2 mean, I understand we're putting a stipulation on  
3 that hall, but you know, if you ever went to -- I've  
4 went to several of these little things that they  
5 have for ticketed events at churches and things like  
6 that.

7 They go there, say for toy tractors.  
8 They have little event. You might have 30 or 40  
9 people in there and you got little booths set up  
10 around there, and people walk around in there. But  
11 that's it. I don't see how that could hurt  
12 anything.

13 COMMISSIONER KLENKE: But  
14 it's inside.

15 COMMISSIONER REINHOLD: It's  
16 inside, right.

17 And that's what I'm thinking. Why  
18 would you say you could have --

19 COMMISSIONER KLENKE: You  
20 have an outside.

21 COMMISSIONER REINHOLD: I'm  
22 saying you could have a ticketed event inside that  
23 new hall.

24 MS. EAGAN: Would you be okay  
25 with outside events as a CUP at that point?

1 COMMISSIONER KLENKE: No, I  
2 agree with the inside on the new hall. I just don't  
3 agree with the outside.

4 COMMISSIONER REINHOLD:  
5 Without the outside?

6 COMMISSIONER KLENKE: Yeah,  
7 just because of the proximity of the building to the  
8 property line.

9 COMMISSIONER WILLETTE: How  
10 about this. Restrict Covenant from outdoor ticketed  
11 events rather than restricting it to --

12 COMMISSIONER REINHOLD:  
13 Ticketed outdoor events. I can see that.

14 MS. EAGAN: Well, in theory,  
15 they shouldn't have outdoor special occasion.

16 COMMISSIONER KLENKE: I was  
17 surprised Jim -- don't quote me on this. But you  
18 said -- so what we decide tonight there's another  
19 area because there's already been --

20 MS. EAGAN: So there has been  
21 an appeal of my decision to issue the Special  
22 Occasion Permit for Covenant Hall because of the  
23 testimony of outdoor activity, which requires a  
24 Conditional Use Permit.

25 COMMISSIONER KLENKE: Okay.



1                   So if we pass the Conditional Use  
2 Permit, then the hearing is over. It doesn't even  
3 take place?

4                   MS. EAGAN: No, we're still  
5 having it.

6                   COMMISSIONER HAIRE: Because  
7 it was in violation before we changed it.

8                   COMMISSIONER REINHOLD: And I  
9 guess that's why they're here. Is that right?

10                  COMMISSIONER HAIRE: Yeah. I  
11 would imagine.

12                  MS. EAGAN: They're here  
13 because of the ticketed events and not the weddings.

14                   It's very confusing.

15                  CHAIRMAN EVANS: Right. He  
16 has two Special Occasion Permits. He has for  
17 Covenant Hall and for Trinity Hall, and that  
18 includes, again, the ticketed events (sic), which  
19 would be weddings, corporate things, anything  
20 permitted, he's permitted to have on that property.

21                  MS. EAGAN: Correct.

22                  CHAIRMAN EVANS: And he also  
23 grows the winery, which is public. So he has that  
24 business. Again, this is his, if you want to call  
25 it, third line of business which he wants to use to

1 fill in when he doesn't have weddings or corporate  
2 events and the winery going. So he wants to fill in  
3 with the CUP that will allow him to have ticketed  
4 events.

5 So he's in business. He's got two  
6 lines of business. He also is in violation with  
7 those, at least one of those, lines of business.

8 So we are again looking at this third  
9 line of business and saying, okay, it does require a  
10 CUP. The Special Occasion Permits that he currently  
11 has do not. They were a permitted use.

12 We didn't look at those. CUPs come to  
13 us. So we're coming in on this third line of  
14 business, the third part of this.

15 COMMISSIONER WILLETTE: So,  
16 Scottie, at this hearing, it's possible for these  
17 Occasional Use Permits to be taken away?

18 MS. EAGAN: No.

19 COMMISSIONER WILLETTE: No.

20 MS. EAGAN: So are you  
21 talking about the CUP?

22 COMMISSIONER WILLETTE: No.  
23 I'm talking about the other hearing. Not this  
24 hearing.

25 MS. EAGAN: If BOZA reverses

1 my decision to issue it, yes. It would be taken  
2 away, and they'd have to either reapply or apply for  
3 a Conditional Use Permit.

4 COMMISSIONER WILLETTE: But  
5 if we do agree to a CUP tonight, he would at least  
6 have that even if the hearing next week does not go  
7 his way?

8 MS. EAGAN: Correct.

9 COMMISSIONER WILLETTE: Okay.

10 CHAIRMAN EVANS: And if he  
11 doesn't like what we decide on the CUP, he'll take  
12 that to BOZA also.

13 MS. EAGAN: He can appeal.

14 CHAIRMAN EVANS: Appeal that  
15 to BOZA.

16 So what do we want to do with the  
17 property?

18 COMMISSIONER REINHOLD: What  
19 if I make, I guess, approval for the CUP except for  
20 Covenant outdoor, and I think there should be a  
21 50-foot barrier from the south property line and  
22 have the screening B put up on the south boundary  
23 line, if what's not done yet.

24 The dam we're not -- we wouldn't have  
25 to put it on the dam and what's already done.

1 COMMISSIONER KLENKE: What do  
2 you mean what's already done?

3 COMMISSIONER REINHOLD: So  
4 Trinity Hall has a barrier behind it.

5 COMMISSIONER VOSS: So we're  
6 holding --

7 COMMISSIONER REINHOLD: We're  
8 going to hold it back 50 foot anyway. So I don't  
9 know what's the difference, because right now the  
10 barrier is probably 75 feet off the back of Trinity  
11 Hall, the trees.

12 COMMISSIONER WILLETTE: So  
13 you're saying on the south and you don't need a  
14 barrier on the south border because?

15 COMMISSIONER REINHOLD:  
16 Behind Trinity Hall --

17 COMMISSIONER WILLETTE: Oh,  
18 behind Trinity.

19 COMMISSIONER REINHOLD: --  
20 because it already has one because we're coming up  
21 with a stipulation --

22 COMMISSIONER WILLETTE: I  
23 see, okay.

24 COMMISSIONER REINHOLD: --  
25 that the events can't be no closer than 50 foot to

1 the property line.

2 COMMISSIONER GRUTSCH: But  
3 you're not -- you're saying you don't want to  
4 recommend a barrier on the south side of the  
5 property between the low-density residential and  
6 Trinity?

7 COMMISSIONER REINHOLD: There  
8 is already a barrier there between Trinity and the  
9 south property line.

10 COMMISSIONER KLENKE: I don't  
11 want to be the devil's advocate here, but let's say  
12 he decides to go to Linville between Trinity and the  
13 property line. Then we can't go back and make him  
14 put that barrier up.

15 COMMISSIONER WILLETTE:  
16 Doesn't he have to come back because of new  
17 construction or no?

18 COMMISSIONER KLENKE: I don't  
19 think so.

20 COMMISSIONER HAIRE: No,  
21 because he's following the Building Code.

22 COMMISSIONER KLENKE: That's  
23 why Bill was saying something about we consider how  
24 much of this we're opening up.

25 COMMISSIONER REINHOLD: Then

1 leave the barrier on the south and have them put a  
2 barrier and screen of the whole south area property  
3 line except for the back of the dam.

4           You're still limited there. You can't  
5 do anything on the 50-foot on the property line.

6                   COMMISSIONER WILLETTE: And  
7 you still want to make Covenant just indoor only; --

8                   COMMISSIONER REINHOLD: Yeah.

9                   COMMISSIONER WILLETTE: -- is  
10 that correct? Okay.

11                   MS. EAGAN; When you talk  
12 about the 50-foot buffer, that's just on the south  
13 or the whole property?

14                   COMMISSIONER REINHOLD: The  
15 south property line.

16                   MS. EAGAN: Okay.

17                   COMMISSIONER REINHOLD: I  
18 think that covers everybody's...

19                   COMMISSIONER KLENKE: So that  
20 for the guy that was here last week speaking on  
21 behalf of the property owner to the north.

22                   COMMISSIONER WILLETTE: Yeah.

23                   COMMISSIONER REINHOLD: We  
24 don't know what side they're going to be. That  
25 could be -- and I don't know how you can put

1 stipulation on something that's not there.

2 COMMISSIONER HAIRE: Should  
3 we go ahead and just summarize the final for the  
4 motion?

5 MS. EAGAN: So I have the  
6 four conditions that were part of the staff  
7 comments, which are just the generals, you know, any  
8 buildings built or used, you need the commercial  
9 building permit. Any new or existing entrances on  
10 the Sunny Road will need to be examined by the  
11 Highway Department for a commercial entrance. All  
12 conditions shall be completed within one year of  
13 approval unless otherwise stated. Parking shall be  
14 provided in accordance with the regulations.

15 And then add hours of operation shall  
16 be similar to Trinity Hall, and I'll list those with  
17 the exception of new Year's Eve up to 1:00 a.m. A  
18 buffer of type B shall be required along the entire  
19 south property line with the exception of the lake  
20 and the dam. No events shall be within 50 feet of  
21 the south property lines, and no outdoor ticketed  
22 events shall be at Covenant Hall.

23 COMMISSIONER REINHOLD:  
24 That's it.

25 CHAIRMAN EVANS: All right.

1 The only thing that we will leave open is that the  
2 rest of the property would still be available for  
3 any -- the CUP for any ticketed events.

4 So I didn't know if we wanted to limit  
5 that.

6 MS. EAGAN: I think Dave has a  
7 question.

8 COMMISSIONER LARAMORE: I  
9 think the way she said that was along the entire  
10 front property line with the exception of the dam?

11 COMMISSIONER HAIRE: Yeah.

12 COMMISSIONER LARAMORE: So do  
13 you want a buffer on the other side here too, which  
14 is already a buffer?

15 COMMISSIONER HAIRE: Yes.

16 MS. EAGAN: Yes.

17 COMMISSIONER LARAMORE: Okay.

18 COMMISSIONER HAIRE: Well,  
19 you're doing the whole property.

20 COMMISSIONER LARAMORE: Okay.  
21 Just wanted to clear it up.

22 CHAIRMAN EVANS: So that  
23 would be I think the only other thing is like her  
24 being comfortable with saying our only restriction  
25 leaves no outdoor in Coventry Hall, but the rest of



1 the property is open to the CUP.

2 COMMISSIONER HAIRE: I don't  
3 think that would be a problem because if you are  
4 having an event to where you make money and serving,  
5 they're going to stay close to those buildings.  
6 They're not going to go way out. I think it would  
7 be difficult and not as good a money maker as if  
8 they kept it close to the existing building except  
9 for Covenant.

10 CHAIRMAN EVANS: Any other  
11 discussion?

12 (NONE)

13 Scottie has summarized that pretty  
14 well. Again, if someone would like to make a  
15 motion, we need it to the Unfinished Business.

16 COMMISSIONER HAIRE: I move  
17 we move File 240041 to Old Business.

18 COMMISSIONER WILLETTE:  
19 Second.

20 CHAIRMAN EVANS: We have a  
21 motion and second to move File 240041 to Unfinished  
22 Business. All in favor signify by saying aye.

23 COMMISSIONER REINHOLD: Aye.

24 COMMISSIONER McLAREN: Aye.

25 COMMISSIONER WILLETTE: Aye.

1 COMMISSIONER GRUTSCH: Aye.

2 CHAIRMAN EVANS: Aye.

3 COMMISSIONER KLENKE: Aye.

4 COMMISSIONER HAIRE: Aye.

5 COMMISSIONER LARAMORE: Aye.

6 CHAIRMAN EVANS: Opposed?

7 (NONE)

8 The motion is carried.

9 Moving back to Unfinished Business.

10 File 240041. Any further discussion?

11 COMMISSIONER KLENKE: I got  
12 one more thing. You said one time when you tried to  
13 do these barriers, at least with trees, bushes or  
14 whatever, they die. You don't have a way to enforce  
15 it.

16 So are we just doing this for the  
17 motion of it or to make everybody feel better, or  
18 is there any way --

19 CHAIRMAN EVANS: Yeah, I  
20 think the ones that we tried to do were larger and  
21 different over the small piece of property. The way  
22 it was located was just difficult to do.

23 Where these buffers have been used  
24 before successfully and putting bigger trees in and  
25 berms.

1 MS. EAGAN: Yeah, any  
2 commercial development that comes through, we look  
3 at buffers. So far we haven't, with the exception  
4 of one down in Sullivan, we haven't had many issues.  
5 With a Commercial Use Permit, if it is a condition,  
6 Jason goes -- our code enforcement officer goes out  
7 yearly. If he sees that the buffer is not being  
8 met, he can issue a violation.

9 And then we can always bring it back to  
10 you guys to remove the permit if necessary.

11 COMMISSIONER KLENKE: Okay.

12 CHAIRMAN EVANS: And I think  
13 even with these buffers, I know that some of the  
14 applicants will go to DNR and sit down with them and  
15 say okay, what can I -- what should I plant here.  
16 What size and whatever, and you can have access to  
17 their stock or get direction.

18 So it's not like we just say put some  
19 trees up. They do have resources available too.  
20 They're really good.

21 MS. EAGAN: You just have to  
22 remember is at majority is 20 foot height, not when  
23 it's planted. We get a lot of complaints.

24 COMMISSIONER KLENKE: So  
25 there's nothing in the code that requires like a

1 tree or minium.

2 MS. EAGAN: No, we just don't  
3 have the enforcement to go out and measure them.

4 So typically what happens with  
5 commercial permits is they will submit to us, well,  
6 we require them to submit to us, what they're going  
7 to plant. And then we look at, on the DNR website,  
8 or call them. Is this good? Will this -- what  
9 height does it reach and they'll let us know.

10 CHAIRMAN EVANS: Yeah, how  
11 big it is at maturity and everything. So we've got  
12 that part is covered pretty well.

13 Okay. Then we are looking at the,  
14 again, the four conditions Scottie had with the  
15 conditions of the Special Occasion Permit being used  
16 also from the CUP with the only change being of New  
17 Year's Eve open till 1:00 a.m.

18 And the only other condition would be  
19 then Covenant Hall indoor activities only.

20 MS. EAGAN: And that 50-foot  
21 buffer of no activity.

22 CHAIRMAN EVANS: Of 50-foot  
23 buffer with no activity. And then we're comfortable  
24 with that being the only limitation and the rest of  
25 the property being available for everything else in

1 the CUP.

2 Any further discussion?

3 (NONE)

4 If not, the Chair would entertain a  
5 motion to approve.

6 COMMISSIONER REINHOLD: I'll  
7 make a motion to approve the way it was read and  
8 the add-ons that we added on.

9 CHAIRMAN EVANS: Tim, I want  
10 you to repeat all the conditions.

11 COMMISSIONER REINHOLD: We'll  
12 do it with a 50-foot buffer, we'll do a screening of  
13 B on the south property line, and Covenant Hall will  
14 not have outdoor ticket sales. Is that it?

15 CHAIRMAN EVANS: Good, and  
16 conditions as per the Special Occasion Permit with  
17 the condition of the New Year's Eve open till 1:00  
18 a.m.

19 COMMISSIONER WILLETTE:  
20 Second.

21 CHAIRMAN EVANS: We have a  
22 motion and second to approve File 240041 with the  
23 conditions that Tim stated. All in favor signify by  
24 saying aye.

25 COMMISSIONER REINHOLD: Aye.

1 COMMISSIONER McLAREN: Aye.

2 COMMISSIONER WILLETTE: Aye.

3 COMMISSIONER GRUTSCH: Aye.

4 CHAIRMAN EVANS: Aye.

5 COMMISSIONER KLENKE: Aye.

6 COMMISSIONER HAIRE: Aye.

7 COMMISSIONER LARAMORE: Aye.

8 CHAIRMAN EVANS: Opposed?

9 (NONE)

10 The motion is carried. File 240041 is  
11 approved.

12 Preliminary Plats. We have none.

13 Planning and Zoning Commissioner Forum.  
14 Anything the Commission wishes to discuss?

15 (NONE)

16 All right. Planning Director's Report.

17 MS. EAGAN: I still don't  
18 have a decision on shipping containers. I'm going  
19 to try to meet with the Commission next week,  
20 Thursday, to kind of sit them down and get their  
21 feel on it. They keep going back and forth on what  
22 they'd like to see.

23 We will have a meeting next month. We  
24 have a Conditional Use Permit, I think, for Everwood  
25 on one of the properties we just rezoned on Highway

1 47.

2 I will not be here. So Curtis will be  
3 running that meeting for me.

4 Other than that, I don't think we have  
5 anything else for next month. So that's it.

6 CHAIRMAN EVANS: All right.  
7 If there's nothing else, the Chair would entertain a  
8 motion to adjourn.

9 COMMISSIONER KLENKE: Motion  
10 to adjourn.

11 COMMISSIONER HAIRE: Second.

12 CHAIRMAN EVANS: Motion and  
13 second to adjourn. All in favor signify by saying  
14 aye.

15 COMMISSIONER REINHOLD: Aye.

16 COMMISSIONER McLAREN: Aye.

17 COMMISSIONER WILLETTE: Aye.

18 COMMISSIONER GRUTSCH: Aye.

19 CHAIRMAN EVANS: Aye.

20 COMMISSIONER KLENKE: Aye.

21 COMMISSIONER HAIRE: Aye.

22 COMMISSIONER LARAMORE: Aye.

23 CHAIRMAN EVANS: Opposed?

24 (NONE)

25 We are adjourned.

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(THEREUPON, THE PROCEEDINGS  
CONCLUDED AT 8:10 P.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