

1 FRANKLIN COUNTY PLANNING AND ZONING  
2 FRANKLIN COUNTY GOVERNMENT CENTER  
3 400 EAST LOCUST STREET  
4 UNION, MISSOURI 63084

5  
6  
7  
8 TRANSCRIPT OF PROCEEDINGS  
9 FRANKLIN COUNTY COMMISSION  
10 MAY 14, 2020  
11 (COMMENCING AT 1:30 P.M.)

12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

Reported by:  
Patsy A. Mayberry, C. R.  
Alaris Litigation Services

1	I N D E X	
2	PROCEEDING	PAGE
3	CALL TO ORDER	5
4	P U B L I C H E A R I N G S	
5	FILE 200018 - PLANNING AND ZONING DEPARTMENT:	
6	HEARING PROCEDURES AND EXHIBITS	5
7	PRESENTATION BY MS. EAGAN	6
8	PUBLIC COMMENTS - NONE	7
9	DISCUSSION	7
10	HEARING CLOSED	7
11	ADJOURNMENT	8
12	CERTIFICATE OF REPORTER	9
13		
14		
15		
16		
17		
18		
19		
20		
21		
22		
23		
24		
25		

1	E X H I B I T S		
2	IDENTIFICATION	DESCRIPTION	PAGE
3	FILE 200018 - PLANNING AND ZONING DEPARTMENT:		
4	COUNTY:		
5	EXHIBIT A	PLANNING AND ZONING REGULATIONS	5
6	EXHIBIT B	FRANKLIN COUNTY ZONING MAP	5
7	EXHIBIT C	FRANKLIN COUNTY MASTER PLAN	5
8	EXHIBIT D	ALL FILES FOR CASES HEARD	5
9			
10			
11			
12			
13	(NOTE: ALL EXHIBITS, IF ANY, WERE RETAINED BY THE		
14	PARTIES AND ARE NOT ATTACHED HERETO.)		
15			
16			
17			
18			
19			
20			
21			
22			
23			
24			
25			

1                                   A P P E A R A N C E  
2   COUNTY COMMISSION MEMBERS:  
3   TIM BRINKER, CHAIRMAN  
4   DAVE HINSON, COMMISSIONER  
5   TODD BOLAND, COMMISSIONER  
6   PLANNING AND ZONING STAFF:  
7   SCOTTIE EAGAN, DIRECTOR PLANNING AND ZONING  
8   NICHOLE ZIELKE, PLANNER  
9   LEGAL COUNSEL:  
10  MARK PIONTEK, COUNTY ATTORNEY  
11  ALARIS LITIGATION SERVICES:  
12  PATSY A. MAYBERRY, C. R.  
13  711 NORTH 11TH STREET  
14  ST. LOUIS, MISSOURI 63101  
15  (314) 644-2191  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

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

2 (MAY 14, 2020)

3 CHAIRMAN BRINKER: We'll start the  
4 public hearing and call this public hearing to order.  
5 The first thing is presentation of the hearing  
6 procedures and exhibits by the Planning and Zoning  
7 Department.

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

15 (THEREUPON, EVIDENCE WAS  
16 MARKED FOR IDENTIFICATION AND  
17 SUBMITTED FOR THE RECORD AS  
18 EXHIBITS A, B, C, and D.)

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

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

1           When it is your turn to speak, you will come  
2 to the front of the room to address the Commission  
3 and only the Commission, not anyone in the audience,  
4 with any questions or comments.

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

11           At the conclusion of all questions, comments,  
12 and discussion concerning each case, the public  
13 hearing for each case will conclude.

14           The decision will generally be made by  
15 Commission Order at a later date during the County  
16 Commission's regular meeting time.

17           This is File 200018 for Planning and Zoning.

18           The applicant is seeking to amend the Unified  
19 Land Use Regulations of Franklin County. The  
20 proposal includes a revised Article 11, Flood  
21 Planning Management.

22           The only change we are proposing in  
23 Article 11 is coming directives of FEMA. It's on  
24 page 11.10. We are changing the date from September  
25 14, 2018 to June 5, 2020 for the final date.

1 CHAIRMAN BRINKER: Scottie, there's  
2 two locations on there, correct?

3 MS. EAGAN: I thought there was  
4 just one.

5 COMMISSIONER HINTON: 11.7.

6 MS. EAGAN: Oh, yeah, 11.7 and  
7 11.2.

8 COMMISSIONER HINTON: Right.

9 CHAIRMAN BOLAND: Okay. Anybody in  
10 the audience wish to speak in favor of the proposal?

11 (NONE)

12 Anybody wish to speak in opposition of  
13 the proposal?

14 (NONE)

15 Anybody for informational purposes only?

16 (NONE)

17 Commissioner discussion. Any discussion  
18 among the Commissioners?

19 COMMISSIONER HINTON: I have none.

20 COMMISSIONER BOLAND: No.

21 CHAIRMAN BRINKER: There being no  
22 further discussion or requests, we have heard from  
23 the Planning and Zoning Department, and we will  
24 conclude this public hearing as held.

25 Thank you.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

This hearing is closed.

(THEREUPON, THE PROCEEDINGS  
CONCLUDED AT 1:36 P.M.)

o8o

1 CERTIFICATE OF REPORTER  
2 I, PATSY A. MAYBERRY, Professional Court  
3 Reporter and Notary Public within and for the State  
4 of Missouri, before whom the foregoing proceeding was  
5 taken, do hereby swear that: the aforementioned was  
6 held at the time and in the place previously  
7 described; the proceedings were taken down in  
8 stenographic notes by me and transcribed by me, or  
9 under my supervision, to the best of my ability; and  
10 that the aforementioned represents a true and  
11 accurate transcript of said proceedings.

12 IN WITNESS WHEREOF, I have hereunto set m  
13 hand.

*Patsy A. Mayberry*



14 \_\_\_\_\_  
15 Patsy A. Mayberry, Court Reporter  
16 Notary Public, State of Missouri

17 My Commission Expires:  
18 August 26, 2022

19  
20  
21  
22  
23  
24  
25

TRANSCRIPT OF PROCEEDINGS 5/14/2020

<p><b>A</b></p> <p>ability 9:9 accurate 9:11 address 6:2,9 ADJOURNME... 2:11 aforemention... 9:5,10 Alaris 1:20 4:11 allowed 6:6 amend 6:18 Anybody 7:9,12 7:15 applicant 6:5,7 6:18 Article 6:20,23 ATTACHED 3:14 ATTORNEY 4:10 audience 5:22 6:3 7:10 August 9:18</p> <hr/> <p><b>B</b></p> <p>B 2:4 3:1,6 5:11 5:18 best 9:9 BOLAND 4:5 7:9,20 BRINKER 4:3 5:3 7:1,21 brought 6:9</p> <hr/> <p><b>C</b></p> <p>C 1:19 2:4 3:7 4:1,12 5:1,12,18 call 2:3 5:4 case 5:12,12,19 6:12,13 cases 3:8 5:13 CENTER 1:2 CERTIFICATE 2:12 9:1 CHAIRMAN 4:3 5:3 7:1,9,21 change 6:22</p>	<p>changing 6:24 closed 2:10 8:1 come 6:1 coming 6:23 COMMENCING 1:11 comment 5:23 comments 2:8 6:4,8,11 Commission 1:9 4:2 6:2,3,15 9:17 Commission's 6:16 Commissioner 4:4,5 7:5,8,17 7:19,20 Commissioners 7:18 Commissione... 5:21 concerning 6:12 conclude 6:13 7:24 CONCLUDED 8:3 conclusion 6:11 correct 7:2 COUNSEL 4:9 County 1:1,2,9 3:4,6,7 4:2,10 5:9 6:15,19 Court 9:2,15</p> <hr/> <p><b>D</b></p> <p>D 2:1 3:8 5:1,13 5:18 date 6:15,24,25 DAVE 4:4 decision 6:14 Department 2:5 3:3 5:7,20 7:23 described 9:7 DESCRIPTION 3:2</p>	<p>directives 6:23 DIRECTOR 4:7 discussion 2:9 6:12 7:17,17,22</p> <hr/> <p><b>E</b></p> <p>E 2:1,4 3:1 4:1,1 5:1,1 EAGAN 2:7 4:7 5:8 7:3,6 EAST 1:3 EVIDENCE 5:15 Exhibit 3:5,6,7 3:8 5:10,11,12 5:13 exhibits 2:6 3:13 5:6,18 Expires 9:17</p> <hr/> <p><b>F</b></p> <p>favor 7:10 FEMA 6:23 file 2:5 3:3 5:12 6:17 FILES 3:8 final 6:25 first 5:5,20,23 6:6 Flood 6:20 followed 5:21 6:6 foregoing 9:4 Franklin 1:1,2,9 3:6,7 5:9 6:19 front 6:2 further 7:22</p> <hr/> <p><b>G</b></p> <p>G 2:4 5:1 general 6:8 generally 6:5,14 GOVERNMENT 1:2</p> <hr/> <p><b>H</b></p> <p>H 2:4 3:1 hand 9:13</p>	<p>heard 3:8 5:13 7:22 hearing 2:6,10 5:4,4,5,14,23 6:10,13 7:24 8:1 held 7:24 9:6 HERETO 3:14 hereunto 9:12 HINSON 4:4 HINTON 7:5,8 7:19</p> <hr/> <p><b>I</b></p> <p>IDENTIFICATI... 3:2 5:16 includes 6:20 informational 7:15 issues 6:9</p> <hr/> <p><b>J</b></p> <p>June 6:25</p> <hr/> <p><b>K</b></p> <hr/> <p><b>L</b></p> <p>L 2:4 Land 5:10 6:19 LEGAL 4:9 Litigation 1:20 4:11 locations 7:2 LOCUST 1:3 LOUIS 4:14</p> <hr/> <p><b>M</b></p> <p>Management 6:21 Map 3:6 5:11 MARK 4:10 MARKED 5:16 Master 3:7 5:11 Mayberry 1:19 4:12 9:2,15 meeting 6:16 MEMBERS 4:2 Missouri 1:4</p>	<p>4:14 9:4,16</p> <hr/> <p><b>N</b></p> <p>N 2:1,4 4:1 5:1 name 5:24 NICHOLE 4:8 NORTH 4:13 Notary 9:3,16 NOTE 3:13 notes 9:8</p> <hr/> <p><b>O</b></p> <p>O 5:1 o8o 8:4 official 5:11,11 Oh 7:6 Okay 7:9 opened 5:19 opposed 6:7 opposition 7:12 order 2:3 5:4 6:15</p> <hr/> <p><b>P</b></p> <p>P 2:4 4:1,1 5:1 P.M 1:11 8:3 page 2:2 3:2 6:24 PARTIES 3:14 Patsy 1:19 4:12 9:2,15 PIONTEK 4:10 place 5:9 9:6 Plan 3:7 5:12 PLANNER 4:8 Planning 1:1 2:5 3:3,5 4:6,7 5:6,20 6:17,21 7:23 presentation 2:7 5:5 previously 9:6 print 5:24 procedures 2:6 5:6 proceeding 2:2 9:4</p>
---	---	--	---	--

TRANSCRIPT OF PROCEEDINGS 5/14/2020

<p>proceedings 1:8 8:2 9:7,11 Professional 9:2 proposal 6:20 7:10,13 proposing 6:22 provided 5:24 public 2:8 5:4,4 6:8,12 7:24 9:3,16 purposes 7:15</p> <hr/> <p><b>Q</b></p> <p>questions 5:21 6:4,9,11</p> <hr/> <p><b>R</b></p> <p>R 1:19 2:4 4:1,12 5:1 read 5:20 record 5:9,17 regular 6:16 Regulations 3:5 5:10 6:19 report 5:19 Reported 1:18 Reporter 2:12 9:1,3,15 represents 9:10 requests 7:22 RETAINED 3:13 revised 6:20 rezoning 6:5 Right 7:8 room 6:2</p> <hr/> <p><b>S</b></p> <p>S 2:4 3:1 5:1 Scottie 4:7 7:1 seeking 6:18 September 6:24 Services 1:20 4:11 set 9:12 sheet 5:24</p>	<p>sign-in 5:24 speak 5:23 6:1 6:6,7 7:10,12 ST 4:14 staff 4:6 5:19,21 start 5:3 State 9:3,16 stenographic 9:8 STREET 1:3 4:13 SUBMITTED 5:17 supervision 9:9 support 6:6 swear 9:5 sworn 5:25</p> <hr/> <p><b>T</b></p> <p>T 3:1 taken 9:5,7 Thank 7:25 thing 5:5 thought 7:3 TIM 4:3 time 5:8 6:16 9:6 TODD 4:5 transcribed 9:8 transcript 1:8 9:11 true 9:10 turn 6:1 two 7:2</p> <hr/> <p><b>U</b></p> <p>U 2:4 Unified 5:10 6:18 UNION 1:4 Use 5:10 6:19</p> <hr/> <p><b>V</b></p> <hr/> <p><b>W</b></p> <p>We'll 5:3 WHEREOF 9:12 wish 7:10,12</p>	<p>WITNESS 9:12</p> <hr/> <p><b>X</b></p> <p>X 2:1 3:1</p> <hr/> <p><b>Y</b></p> <p>yeah 7:6</p> <hr/> <p><b>Z</b></p> <p>ZIELKE 4:8 Zoning 1:1 2:5 3:3,5,6 4:6,7 5:6,11,20 6:17 7:23</p> <hr/> <p><b>0</b></p> <hr/> <p><b>1</b></p> <p>1:30 1:11 1:36 8:3 11 6:20,23 11.10 6:24 11.2 7:7 11.7 7:5,6 11TH 4:13 14 1:10 5:2 6:25</p> <hr/> <p><b>2</b></p> <p>200018 2:5 3:3 6:17 2018 6:25 2020 1:10 5:2 6:25 2022 9:18 26 9:18</p> <hr/> <p><b>3</b></p> <p>314 4:15</p> <hr/> <p><b>4</b></p> <p>400 1:3</p> <hr/> <p><b>5</b></p> <p>5 2:3,6 3:5,6,7 3:8 6:25</p> <hr/> <p><b>6</b></p> <p>6 2:7</p>	<p>63084 1:4 63101 4:14 644-2191 4:15</p> <hr/> <p><b>7</b></p> <p>7 2:8,9,10 711 4:13</p> <hr/> <p><b>8</b></p> <p>8 2:11</p> <hr/> <p><b>9</b></p> <p>9 2:12</p>
--	--	--	--