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

PUBLIC MEETING

JULY 14, 2014

(Commencing at 11:00 a.m.)

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

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

2 (JULY 14, 2015)

3 CHAIRMAN GRIESHEIMER: We're going to go
4 ahead and call this public hearing to order.

5 We are here for File No. 150116, Woody Bogler
6 Trucking. They're wanting to rezone approximately three parcels,
7 18.5 acres -- 18.8 acres.

8 Scottie?

9 MS. EAGAN: First I'll go ahead and read
10 the hearing procedures.

11 At this time, I would like to place into the record
12 the Franklin County Unified Land Use Regulations of 2001 as
13 Exhibit A, the official Zoning Map as Exhibit B, the official
14 Master Plan as Exhibit C, and the case file for each case as
15 Exhibit D for all the cases to be heard at this hearing.

16 [Thereupon, evidence was marked
17 for identification as Exhibits A, B, C,
18 and D.]

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

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

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

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

4 Generally, the Applicant for the rezoning is allowed
5 to speak first, followed by those in support, and then those
6 opposed. 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, and
10 discussion concerning each case, the public hearing for each case
11 will conclude. The decision will generally be made by Commission
12 Order at a later date during the County Commission's regular
13 meeting time.

14 This is File 150116, Woody Bogler Trucking.

15 The Applicant wishes to rezone two parcels totaling
16 approximately 18.8 acres from Community Development to Commercial
17 Activity 3, Community Business.

18 The property is located at 6048 Highway 50 at the
19 intersection of Highway 50 and Canaan Road in Boone Township.

20 The Facts: The total are for the property is
21 approximately 18.8 acres in size.

22 The current zoning of this property is Community
23 Development.

24 The Applicant would like to rezone the parcel to
25 Commercial Activity 3, Community Business. Commercial Activity

1 3, Community Business zoning is a district that provides a
2 location for a wide range of commercial, retail, service, and
3 manufacturing activities serving a large community trade area.

4 The properties to the north, south, and east are
5 zoned Community Development. The properties directly west are in
6 the city limit of Gerald.

7 The property is surrounded by low-density
8 residential land.

9 This property has access to Highway 50.

10 The Applicant is currently running a business at
11 this location and wanting to expand.

12 According to our current regulations, a truck
13 terminal is not permitted in Community Development and is only
14 allowed in Commercial Activity 3, Community Business.

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

24 At the June 16, 2015 Planning and Zoning Commission
25 meeting, the Planning and Zoning Commission unanimously

1 recommended approval.

2 CHAIRMAN GRIESHEIMER: Thank you.

3 Anyone in the audience wish to testify in support of
4 the rezoning? That would be you, and you need to get sworn in
5 there too.

6 [Thereupon, the witness was sworn.]

7 Good afternoon -- or morning, I should say.

8 MR. WILBURN: For a little while.

9 CHAIRMAN GRIESHEIMER: You just here to
10 speak on behalf and say that you want to, obviously, rezone the
11 property and it would be of great benefit to the area and
12 Franklin County?

13 MR. WILBURN: Yes, I am.

14 CHAIRMAN GRIESHEIMER: I know you guys do
15 a tremendous job with your company, and we appreciate that.

16 MR. WILBURN: Thank you.

17 CHAIRMAN GRIESHEIMER: Any comments?

18 COMMISSIONER BRINKER: So the expansion is
19 for the maintenance facility?

20 MR. WILBURN: Yes, sir.

21 COMMISSIONER BRINKER: Just out of
22 curiosity, not so much for the record, but for personal interest
23 mainly. Are you going to like add bays, or what do you guys got
24 in mind?

25 MR. WILBURN: Yeah, we're going to add

1 bays so we can do more major repairs in-house. That'll give us
2 more flexibility. We like to do the work ourselves. Like to
3 employ the people to do the work. Save us trouble sending it
4 in to other counties where we're paying them to do the work.
5 We'd rather just do it ourselves.

6 COMMISSIONER BRINKER: So you're telling
7 me that you're expanding to keep dollars in Franklin County?

8 MR. WILBURN: Yes.

9 COMMISSIONER BRINKER: Great job.

10 COMMISSIONER MAUNE: Yes, that's in the
11 Second District. And I've been familiar with this building.
12 I've been up there and appraised that property when I worked for
13 the Assessor's office. It's been a trucking company all along.
14 This just seems to be --

15 COMMISSIONER BRINKER: [Interposing] It's
16 been 20 years since you were...

17 COMMISSIONER MAUNE: It has been. It's
18 been there that long.

19 COMMISSIONER BRINKER: Yeah.

20 COMMISSIONER MAUNE: And there have been
21 some expansion, but this appears just to be housekeeping.

22 MR. WILBURN: Yeah.

23 COMMISSIONER BRINKER: Thank you.

24 CHAIRMAN GRIESHEIMER: Thank you.

25 Anyone else in the audience wish to testify in

1 support of the rezoning? [None]

2 Anybody in the audience wish to testify in
3 opposition to the rezoning or for informational purposes only on
4 the rezoning? [None]

5 Seeing none, that will close the hearing for File
6 No. 150116, Woody Bogler Trucking.

7 Okay. Before we adjourn, would you like to make a
8 motion?

9 COMMISSIONER MAUNE: Make a motion we
10 adjourn.

11 CHAIRMAN GRIESHEIMER: Okay.

12 COMMISSIONER BRINKER: Well, before I
13 second that gesture, I'd like to second your other motion to
14 approve the proposal in front of us.

15 CHAIRMAN GRIESHEIMER: Yeah, and place it
16 on the agenda for next Tuesday.

17 COMMISSIONER MAUNE: Get her done. Yeah,
18 I'll make the motion we approve the rezoning.

19 COMMISSIONER BRINKER: I'll second the
20 Second District Commissioner's recommendation to approve the
21 Second District business expansion proposal for the greater good
22 of Franklin County and be put on the agenda next nearest
23 Commission meeting for consideration and, God willing, approval.

24 CHAIRMAN GRIESHEIMER: All right. Motion
25 made by Commissioner Brinker [sic], seconded by Commissioner

1 Maune [sic] to approve the rezoning request of Woody Bogler
2 Trucking Company, and to place it on the agenda for next Tuesday.

3 All in favor signify by saying aye.

4 COMMISSIONER BRINKER: Aye.

5 COMMISSIONER MAUNE: Aye.

6 CHAIRMAN GRIESHEIMER: All those opposed?

7 [None].

8 The ayes have it, and it will be placed on the
9 agenda for passage.

10 Now...

11 COMMISSIONER MAUNE: Make a motion we
12 adjourn.

13 COMMISSIONER BRINKER: You said the
14 hearing was over.

15 CHAIRMAN GRIESHEIMER: Yeah. We have a
16 motion made by Commissioner Maune. Okay. I'll second the motion
17 to adjourn. We have a motion and a second. All those in favor.

18 COMMISSIONER MAUNE: Aye.

19 CHAIRMAN GRIESHEIMER: Aye. All those
20 opposed?

21 COMMISSIONER BRINKER: Aye.

22 CHAIRMAN GRIESHEIMER: Okay. We're
23 adjourned.

24 (Thereupon, the proceedings were
25 concluded at 11:08 a.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.

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

M

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