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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
JULY 18, 2023
(COMMENCING AT 7:00 P.M.)

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

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(636)221-0418

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A P P E A R A N C E

PLANNING AND ZONING COMMISSION:

DAN HAIRE, CHAIRMAN

STANLEY VOSS, COMMISSIONER

MIKE KLENKE, COMMISSIONER

KARL MITTLER, COMMISSIONER

DAVE LARAMORE, COMMISSIONER

DENNIS HARTMANN, COMMISSIONER

PLANNING AND ZONING STAFF:

SCOTTIE EAGAN, DIRECTOR PLANNING AND ZONING

LEGAL COUNSEL:

MARK PIONTEK, COUNTY ATTORNEY

COMPLETE REPORTING SERVICES:

PATSY A. MAYBERRY, C. R.

19 BROOKMOORE DRIVE

UNION, MISSOURI 63084

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

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

2 (JULY 18, 2023)

3 CHAIRMAN HAIRE: At this time,
4 I'd like to call to order the July 18th meeting of
5 the Franklin County Planning and Zoning.

6 Scottie, will you please take roll call.

7 MS. EAGAN: Bill Evans?

8 COMMISSIONER EVANS: (Not
9 present.)

10 MS. EAGAN: Jim Grutsch?

11 COMMISSIONER GRUTSCH: (Not
12 present.)

13 MS. EAGAN: Dan Haire?

14 CHAIRMAN HAIRE: Here.

15 MS. EAGAN: Dennis Hartmann?

16 COMMISSIONER HARTMANN: Here.

17 MS. EAGAN: Mike Klenke?

18 COMMISSIONER KLENKE: Here.

19 MS. EAGAN: Dave Laramore?

20 COMMISSIONER LARAMORE: Here.

21 MS. EAGAN: Bill McLaren?

22 COMMISSIONER McLAREN: (Not
23 present.)

24 MS. EAGAN: Karl Mittler?

25 COMMISSIONER MITTLER: Here.

1 MS. EAGAN: Tim Reinhold?

2 COMMISSIONER REINHOLD: (Not
3 present.)

4 MS. EAGAN: Stan Voss?

5 COMMISSIONER VOSS: Here.

6 MS. EAGAN: And, Debbie
7 Willette?

8 COMMISSIONER WILLETTE: Here.

9 MS. EAGAN: Okay. We have a
10 quorum.

11 CHAIRMAN HAIRE: Thank you,
12 Scottie.

13 At this time, I'll give any Planning and
14 Zoning Commissioner the opportunity to declare a
15 conflict of interest or if they've had any
16 communication that might influence their ability to
17 consider the issue of today with impartiality.

18 (NONE)

19 If there's no declaration, Scottie, will
20 you give us the presentation of the meeting
21 proceedings and exhibits.

22 MS. EAGAN: Tonight's Planning
23 Commission meeting is governed by the Franklin County
24 Unified Land Use Regulations.

25 Some matters on the agenda may be for

1 action by the Planning and Zoning Commission. These
2 matters do not involve public hearings.

3 Other matters on the agenda require
4 public hearings under Missouri law. If a matter
5 involves a public hearing, all individuals who desire
6 to testify will be given an opportunity to do so.

7 At this time, I would like to place into
8 the record these regulations as Exhibit A, the
9 official Zoning Map as Exhibit B, the official Master
10 Plan as Exhibit C, and the case file for each case as
11 Exhibit D for all the cases to be heard during the
12 meeting.

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

17 All Unfinished Business items on the
18 agenda will be dealt with first. Once the Unfinished
19 Business issues have been taken care of, each item of
20 New Business will be opened.

21 As each case is opened, a staff report
22 will first be read to the Commission, followed by any
23 questions for the staff.

24 Then if anyone in the audience would
25 like to speak or comment on a file that is part of

1 the public hearing, they must first print their name
2 on the sign-in sheet provided, and then be sworn in.

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

7 It is possible for the Planning
8 Commission to decide to move a New Business issue to
9 Unfinished Business and vote on it the same night.

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

16 Applications for such an appeal may be
17 acquired from the Department offices during normal
18 business hours.

19 CHAIRMAN HAIRE: Thank you.

20 All Commissioners should have received a
21 copy of the June 27th minutes. If there are no
22 corrections or additions, the Chair would entertain a
23 motion.

24 (NONE)

25 COMMISSIONER WILLETTE: Mr.

1 Chairman, I would like to make a motion to approve
2 the minutes of June 27, 2023.

3 CHAIRMAN HAIRE: Is there a
4 second?

5 COMMISSIONER KLENKE: Second.

6 CHAIRMAN HAIRE: All those in
7 favor.

8 COMMISSIONER VOSS: Aye.

9 COMMISSIONER WILLETTE: Aye.

10 COMMISSIONER MITTLER: Aye.

11 COMMISSIONER LARAMORE: Aye.

12 CHAIRMAN HAIRE: Opposed?

13 (NONE)

14 The minutes are duly noted and approved.

15 For the next section for Communication
16 and Visitor Comments, is there anyone wishing to
17 address the Commission at this time?

18 (NONE)

19 If not, we'll go to Unfinished Business.
20 There is none.

21 Then we'll go to New Business. Is the
22 applicant for File 230179 here?

23 Will you please come forward. Yes, come
24 forward and give us your name.

25 MR. CHRIS WOLF: Yes, my name is

1 Chris Wolf with Wunderlich Survey and Engineering on
2 behalf of Maritz.

3 Also the owner, Justin Schmitz, is here.

4 CHAIRMAN HAIRE: Okay. We'll
5 have one at a time. You'll have time to come up and
6 speak afterwards.

7 May he be sworn in, please.

8 (THEREUPON, THE WITNESS WAS
9 SWORN.)

10 MR. WOLF: So as far as the
11 preliminary plat goes, basically you guys have a copy
12 of that in front of you.

13 What this is is a future development
14 tract that was left over on Lake Labadie Plat 1. On
15 Lake Labadie Plat 1, there was a piece of ground that
16 was left for future development. That's what this
17 piece is.

18 The utilities are already in. The
19 street's already in. Basically we're taking the
20 ground that was left as future development and
21 splitting it up over three lots.

22 It's something that's a pretty small
23 kind of compared to what we've done in the past for
24 this development. But I'm here just to answer any
25 questions that you might have about the lot split.

1 And if you've got any questions for the
2 developer, he's here also.

3 Thank you.

4 CHAIRMAN HAIRE: Scottie, did
5 I miss having you read your stuff?

6 MS. EAGAN: Yes.

7 CHAIRMAN HAIRE: I did. As
8 soon as I did that, yeah, I went a little out of
9 order. Can you go ahead and do that for us, and
10 then...

11 MS. EAGAN: This is File
12 230179, Preliminary Plat.

13 The applicant is Maritz Development in
14 care of Cameron Lueken.

15 The applicant requests to create a
16 three-lot subdivision in the T Zoning District.

17 The property is located off Lake Labadie
18 Drive about 300 feet northwest of the intersection of
19 Highway T and Lake Labadie Drive, in Boles Township.

20 THE FACTS: The subdivision includes one
21 parcel approximately 1.2 acres in size.

22 The zoning of this property is T. The
23 minimum lot size in the T Zoning District is 10,000
24 square feet with central water and sewer.

25 The maximum density in the T Zoning

1 District is one dwelling unit per 5,000 square feet.

2 The average lot size in the proposed
3 development is approximately 18,000 square feet.

4 The type of development being proposed
5 in this development is approximately 18,000 square
6 feet.

7 The type of development being proposed
8 in this development are single-family homes.

9 This subdivision is an extension of Lake
10 Labadie, which has one entrance off of Highway T.

11 Water will be provided by Water District
12 Number 3, and the sewer will be treated by Labadie
13 Sewer District.

14 The applicant shows a 15-foot utility
15 easement along the road, a 10-foot utility easement
16 on the rear, and a 5-foot utility easement along the
17 side. All are done in accordance with our Franklin
18 County Regulations.

19 Roads must have a 50-foot right-of-way
20 and 30-foot surface width.

21 A land disturbance permit from DNR is
22 required to disturb more than one acre of land, as
23 well as erosion controls during development.

24 All utilities shall be located
25 underground.

1 Because of the size of the development,
2 the applicant shall provide fire protection in
3 accordance with Article 8, Section 175. Because this
4 development is located in Boles Fire Protection
5 District, they will be required to meet their
6 regulations.

7 STAFF COMMENTS: Complete engineered
8 drawings/improvement plans, to be reviewed by
9 Franklin County, should be submitted before final
10 approval.

11 It appears this development is providing
12 for stormwater detention. Calculations will need to
13 be reviewed by our contracted company to ensure what
14 is being proposed is adequate for this development.

15 And we did e-mail you as well as pass
16 around some additional testimony from residents in
17 opposition to this preliminary plat.

18 CHAIRMAN HAIRE: Can you come
19 back up, please.

20 Any Commissioners have any questions?

21 COMMISSIONER WILLETTE: It was
22 pretty straightforward.

23 CHAIRMAN HAIRE: Has Jim
24 looked at this for any additional water retention
25 requirements?

1 MS. EAGAN: No, Jim does not
2 review it anymore. It goes out to Cochran
3 Engineering, and that gets done when they approve the
4 plan.

5 CHAIRMAN HAIRE: Okay.

6 Any other Commissioners have any
7 questions?

8 (NONE)

9 Thank you.

10 Did you want to say something?

11 MR. JUSTIN SCHMITZ: No, I'm
12 good.

13 CHAIRMAN HAIRE: At this time,
14 the Chair would entertain a motion to move this to
15 Unfinished Business.

16 COMMISSIONER KLENKE: I motion
17 that we move File 230179 to Unfinished Business.

18 CHAIRMAN HAIRE: Do we have a
19 second?

20 COMMISSIONER WILLETTE: I'll
21 second.

22 CHAIRMAN HAIRE: Okay. All
23 those in favor.

24 COMMISSIONER VOSS: Aye.

25 COMMISSIONER WILLETTE: Aye.

1 COMMISSIONER MITTLER: Aye.

2 COMMISSIONER LARAMORE: Aye.

3 CHAIRMAN HAIRE: Any opposed?

4 (NONE)

5 Move to Unfinished Business.

6 File 230179, is there any further

7 discussion?

8 (NONE)

9 None. The Chair would entertain a
10 motion?

11 COMMISSIONER KLENKE: I'll
12 move that we approve File 230179.

13 CHAIRMAN HAIRE: Do I have a
14 second?

15 COMMISSIONER VOSS: I'll
16 second it.

17 CHAIRMAN HAIRE: All those in
18 favor say aye.

19 COMMISSIONER VOSS: Aye.

20 COMMISSIONER WILLETTE: Aye.

21 COMMISSIONER MITTLER: Aye.

22 COMMISSIONER LARAMORE: Aye.

23 CHAIRMAN HAIRE: Any opposed?

24 (NONE)

25 Okay. File 230179 has been approved.

1 Scottie, do you have anything for the
2 Planning and Zoning Commissioner Forum to report?

3 MS. EAGAN: No. The only
4 thing I can think of is we are working on the
5 potential regulations for shipping containers,
6 potentially allowing them in certain areas and
7 certain requirements. We are working on that.

8 Out of seven regulations that I've
9 written, I'm going to meet with the County Commission
10 and see if that's kind of the direction want to go.

11 Then as soon as I meet with them, I'll
12 put it before you guys, and we'll have our public
13 hearings to discuss that.

14 CHAIRMAN HAIRE: Have you
15 talked with any other counties and what they're doing
16 in this area?

17 MS. EAGAN: I've looked at all
18 the surrounding counties and what they're doing, and
19 then I also did the whole state to try to get a good
20 sense of it. It's really all over the place.

21 CHAIRMAN HAIRE: Okay.

22 MS. EAGAN: So, yeah. And this
23 is just for storage, not for homes. We're going to
24 leave that to the Building Department and what they
25 want to consider with that. So this will just be for

1 storage.

2 CHAIRMAN HAIRE: Anything else,
3 Scottie?

4 MS. EAGAN: Oh, yeah, and next
5 month we will have Top Gun coming back before us to
6 amend their Conditional Use Permit from 2000 -- I
7 believe it's '14. They want to increase their
8 memberships. So we'll have that next month.

9 That's all I got.

10 CHAIRMAN HAIRE: Okay.

11 Any Commissioners have anything else to
12 run by the Commission at this time?

13 (NONE)

14 If not, the Chair will entertain a
15 motion.

16 COMMISSIONER KLENKE: I motion
17 to adjourn.

18 COMMISSIONER WILLETTE: Second.

19 CHAIRMAN HAIRE: Motion and
20 second. All those in favor.

21 COMMISSIONER VOSS: Aye.

22 COMMISSIONER WILLETTE: Aye.

23 COMMISSIONER MITTLER: Aye.

24 COMMISSIONER LARAMORE: Aye.

25 CHAIRMAN HAIRE: Okay.

1 Opposed?

2 (NONE)

3 We are adjourned.

4 (THEREUPON, THE PROCEEDINGS

5 CONCLUDED AT 7:15 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