

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

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

TRANSCRIPT OF PROCEEDINGS
FRANKLIN COUNTY COMMISSION
PUBLIC HEARINGS
AUGUST 17, 2023
(COMMENCING AT 9:30 A.M.)

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

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

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

TRANSCRIPT OF PROCEEDINGS
FRANKLIN COUNTY COMMISSION
PUBLIC HEARINGS
AUGUST 17, 2023
(COMMENCING AT 9:30 A.M.)

REPORTED BY:
PATSY A. MAYBERRY, C. R.
COMPLETE REPORTING SERVICES
19 BROOKMOORE DRIVE
UNION, MISSOURI 63084
(636)221-0418

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

I N D E X

| PROCEEDING | PAGE |
|---------------------------------|------|
| CALL TO ORDER | 6 |
| MEETING PROCEDURES AND EXHIBITS | 6 |

P U B L I C H E A R I N G S

| | |
|-----------------------------|----|
| FILE 230139 - ROBERT BUNGE: | |
| PRESENTATION BY MS. EAGAN | 8 |
| PRESENTATION BY APPLICANT | 12 |
| PUBLIC COMMENTS | 13 |
| REBUTTAL BY APPLICANT | 21 |
| ADJOURNMENT | 22 |
| CERTIFICATE OF REPORTER | 23 |

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

E X H I B I T S

| IDENTIFICATION | DESCRIPTION | PAGE |
|----------------|---------------------------------|------|
| COUNTY: | | |
| EXHIBIT A | PLANNING AND ZONING REGULATIONS | 6 |
| EXHIBIT B | FRANKLIN COUNTY ZONING MAP | 6 |
| EXHIBIT C | FRANKLIN COUNTY MASTER PLAN | 6 |
| EXHIBIT D | FILES FOR ALL CASES HEARD | 6 |

(NOTE: ALL EXHIBITS, IF ANY, WERE RETAINED BY THE PARTIES AND ARE NOT ATTACHED HERETO.)

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

A P P E A R A N C E

PLANNING AND ZONING COMMISSION:

TODD BOLAND, CHAIRMAN

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 (AUGUST 17, 2023)

3 CHAIRMAN BOLAND: I'll call
4 this public hearing of the Franklin County
5 Commission here at 9:30 on Thursday, August 17th.
6 Public Hearing File 230139.

7 Request: Applicant is requesting to
8 rezone a five-acre lot from the W Zoning District to
9 the B Zoning District.

10 Anyone here wishing to speak in favor
11 of this?

12 MS. EAGAN: Todd, would you
13 like me to start with the hearing procedures?

14 CHAIRMAN BOLAND: Sure, and
15 then he can go. Thank you.

16 MS. EAGAN: At this time, I
17 would like to place into the record the Franklin
18 County Unified Land Use Regulations as Exhibit A,
19 the official Zoning Map as Exhibit B, the official
20 Master Plan as Exhibit C, and the case file for each
21 case as Exhibit D for all the cases to be heard at
22 this hearing.

23 (THEREUPON, EVIDENCE WAS
24 MARKED FOR IDENTIFICATION AND
25 SUBMITTED FOR THE RECORD AS

1 EXHIBITS A, B, C, and D.)

2 As each case is opened, a staff report
3 will first be read by the Planning and Zoning
4 Department, followed by Commissioners' questions for
5 the staff.

6 Then if anyone in the audience would
7 like to speak or comment during the hearing, they
8 must first print their name on the sign-in sheet
9 provided, and then be sworn in.

10 When it is your turn to speak, you will
11 come to the front of the room to address the
12 Commission and only the Commission, not anyone in
13 the audience, with any questions or comments.

14 Generally the applicant for the
15 rezoning is allowed to speak first, followed by
16 those in support and then those opposed. The
17 applicant may speak again after comments from the
18 general public to address any questions or issues
19 brought up during the hearing.

20 At the conclusion of all questions,
21 comments, and discussion concerning each case, the
22 public hearing for each case will conclude.

23 The decision will generally be made by
24 Commission Order at a later date during the County
25 Commission's regular meeting time.

1 This is File 230139, Robert Bunge,
2 Richard Bunge, and Becky Inman.

3 The applicant requests to rezone one
4 parcel from the W Zoning District to the B Zoning
5 District.

6 The property is located at 4271 Highway
7 KK, just south of the intersection of Bucklick
8 School Road and Highway KK in Lyon Township.

9 THE FACTS: The total area for the
10 rezoning is approximately 5.4 acres.

11 The zoning of this property as of
12 January 14, 2020 is W. The applicant would like to
13 rezone to the B District.

14 The purpose of the B District is to
15 bring shopping and the workplace and home closer
16 together by allowing a mixed use of all types of
17 residential density and most forms of commercial
18 development.

19 The properties around the proposed site
20 are Zoned W.

21 The properties around the proposed site
22 are primarily low-density residential properties and
23 agricultural properties.

24 This property is a part of a one-lot
25 subdivision. Oakbrink Subdivision Plat 18.

1 This property does have access to
2 Highway KK. This is a State-maintained road.

3 STAFF COMMENTS: At the June 27, 2023
4 Planning and Zoning Commission meeting, the Planning
5 and Zoning Commission voted unanimously to recommend
6 denial of the rezoning.

7 Rezoning are allowed in our
8 regulations due to the ever-changing conditions that
9 exist in the county and elsewhere. According to
10 Article 14, Section 321, any such change must
11 promote the health, safety, morals, comfort and
12 general welfare of Franklin County by conserving and
13 protecting property and building values, by securing
14 the most economical use of land and facilitating the
15 adequate provision of public improvements in
16 accordance with the Master Plan adopted by Franklin
17 County.

18 CHAIRMAN BOLAND: So now
19 we're back to anybody wishing to speak in favor come
20 up and sign that. You get three minutes to speak in
21 regards to this.

22 (THEREUPON, THE WITNESS WAS
23 SWORN.)

24 MR. ROBERT BUNGE: I'm Robert
25 Bunge. I live at 4071 Highway KK, Union, Missouri.

1 And the first thing that I'd like to
2 talk about or address is we would be -- thought that
3 a storage lot would bring down property values.
4 Based on research from the National Association of
5 Realtors, the rise and lowering of residential
6 properties is multi-factional real estate. It's not
7 a commodity, and what a property is worth depends on
8 what someone will pay for it.

9 They compiled a list of things that the
10 data shows reduced values. Self-storage is not
11 among the things that raise or lower property
12 values.

13 With that being said, one thing that
14 can be done is on a Zone W that do have an impact on
15 the property value would be a hog farm or a confined
16 animal feeding operation. Based off the research of
17 the University of Missouri, the closer a house is to
18 a confined animal feeding operation the more it is
19 expected to decrease in value.

20 The study indicates that it would
21 decrease house values an average of 17 percent
22 within two miles.

23 The next thing I'd like to bring up
24 would be the light pollution. We'll have sensored
25 run lights on timers so that they are off most of

1 the time unless somebody is there.

2 I'd also like to state that we won't be
3 open 24 hours. We will have business hours there
4 will be a -- we will be open, otherwise the gate
5 will be locked to everyone.

6 Also to address the increase of
7 traffic, it won't be a permanent increase. People
8 will come and drop off their boat, RV or trailer or
9 whatever needs to be parked and stored. And they
10 might not be back for months.

11 Whereas, a trailer park with six lots
12 per subdivision will permanently increase traffic,
13 noise, light pollution, people and everything else
14 that comes with a single-family trailer.

15 The next thing I'd like to voice would
16 be if someone would have problems with being an
17 eyesore, there will be plants and flowers and as
18 well as grass cut. We were also thinking about
19 having a natural fence made of brush and hedges
20 along the outside of the chain-link fence.

21 There will also be security cameras
22 overlooking the area for security.

23 Finally, I would like to point out that
24 under the zoning W, I could put a convenience store
25 there with or without the sale of fuel which would

1 bring in more traffic, people and light pollution.

2 Again --

3 CHAIRMAN BOLAND: Your time
4 is up here.

5 MR. BUNGE: Huh?

6 CHAIRMAN BOLAND: Your time
7 is done. So try to wrap it up.

8 MR. BUNGE: Okay.

9 I was just about done, which would --
10 you know, the store would bring in more people and
11 light pollution. I'm adding a storage lot as a
12 better alternative to the -- for the whole community
13 than other operations I have talked about.

14 All right. Thank you.

15 CHAIRMAN BOLAND: Thank you
16 very much.

17 Anyone else wish to speak in favor of
18 this?

19 (NONE)

20 Okay.

21 Anybody wishing to speak to oppose
22 this?

23 You get three minutes. Come up, get
24 sworn in, and sign your name, please.

25 (THEREUPON, THE WITNESS WAS

1 SWORN.)

2 Go ahead.

3 MS. MONIQUE GUIGNON: Monique
4 Guignon. I think our concern is by changing the
5 zoning that it opens up to all kinds of commercial
6 properties. The zoning goes with the property.
7 It's not about a storage unit. It's about the area
8 overall.

9 It allows things like in the future,
10 car lots, bars, restaurants, industrial waste to be
11 dumped on that property. Not with the Bunges, but
12 any future owner.

13 It's a residential/agriculture area,
14 and I think everyone wants it to stay that way. So
15 it's not about the storage unit. It's about the
16 zone changing.

17 It's -- my understanding is that's
18 called spot zoning, and I don't think that's good
19 for any environment, and I think that's our concern
20 with the zoning change of the area.

21 So I don't know what else to say. It
22 travels with the property. It's not a personal
23 thing. It's just what's going to happen to the area
24 overall and what could potentially happen in the
25 future.

1 CHAIRMAN BOLAND: Sure.

2 MS. GUIGNON: So -- because
3 once that's given, it does not get revoked.

4 CHAIRMAN BOLAND: Got it.

5 MS. GUIGNON: So -- and we're
6 right across the street. So -- but that is our
7 concern.

8 CHAIRMAN BOLAND: Okay.

9 MS. GUIGNON: Anything
10 further?

11 CHAIRMAN BOLAND: Thank you.

12 Anybody else wishing to...

13 (THEREUPON, THE WITNESS WAS
14 SWORN.)

15 MR. MARK NEAL: My name's
16 Mark Neal. I have property at 4396 Highway KK,
17 right down the road there, and the 306 Red Cypress
18 Lane.

19 I kind of looked at the situation. I
20 believe this will -- I believe it's a spot zoning
21 situation that we already previously addressed. But
22 it's certainly not the use of the property as a
23 storage facility is incongruent with all the rest of
24 the properties in the immediate vicinity along with,
25 I think, it would definitely devalue my property

1 which is close by. I'm not looking to have
2 commercial activities in the immediate vicinity of
3 this nature.

4 There is no shoulders on the road. So
5 if anybody's got to turn around, they're going to be
6 turning around in our driveways and stuff down in
7 there and everything else.

8 Not to mention the light pollution.
9 That's something that's going to occur one way or
10 the other, and if you try to minimize it, it's going
11 to disturb all of the people and the animals that
12 are in the immediate vicinity. So I am opposed to
13 this.

14 I want to go on record as such. That's
15 all I have to say.

16 CHAIRMAN BOLAND: Thank you.

17 MR. NEAL: One last time,
18 sire. I didn't notice that any mention was made as
19 far as the Master Plan in any of the benefits of
20 that storage facility would fulfill the requirements
21 of the Master Plan. So I'm hoping that's taken into
22 account when you all make that decision.

23 CHAIRMAN BOLAND: Thank you.

24 Anyone else opposed?

25 (THEREUPON, THE WITNESS WAS

1 SWORN.)

2 MR. JAMES GUIGNON: James
3 Guignon. The biggest concern my wife has stated,
4 and I'm just restating, is everybody is worried
5 about what will happen.

6 You know, we bought to stay. We've
7 been there 20 years. We plan on staying, and
8 everybody else has moved out there who has come and
9 talked to us because we live across the street says
10 the same thing.

11 The issue how they build it, how they
12 design it, we know things can be done right and
13 discrete, but the issue is that it goes on forever.

14 So if they decide this doesn't -- this
15 venture doesn't work or if they decide they don't
16 want to do it, whoever gets the property afterwards,
17 what's going to happen after that. That I think is
18 the biggest issue of everything, just a complete
19 rezoning of the property.

20 Thank you.

21 CHAIRMAN BOLAND: Anybody
22 else wish to speak in opposition?

23 (THEREUPON, THE WITNESS WAS

24 SWORN.)

25 MR. DAVID EDWARDS: My name

1 is David Edwards. My wife and I recently spent most
2 of our savings to buy a place on Highway KK. We
3 moved here from Colorado, where we lived for 36
4 years in a place that we bought across a dirt road
5 from a 15-acre farm.

6 Then one day the farm sold, and they
7 wanted to change a little piece of zoning for a
8 veterinarian's office. And so that seemed like it
9 wasn't too bad. Then they wanted to put in a
10 4,000-square-foot church, and that wasn't too bad.

11 And then the church went to about a
12 40,000-square-foot church, and since that was
13 already there, they decided to build another one up
14 the road a little bit. And since that was already
15 there, they decided to build another one up the road
16 a little bit.

17 Then came gas stations and doctors
18 offices and restaurants and everything else. Then
19 came a six-lane highway behind our house, and there
20 was more cars going past the highway and more in the
21 hour in rush hour every morning than along Highway
22 KK in a week probably.

23 And so for that reason, we're opposed
24 and also just because of, you know, what can happen
25 in the future if the property sells when it's zoned

1 B, it can be almost anything after that.

2 So anyway, we're opposed. Thank you.

3 CHAIRMAN BOLAND: Thank you.

4 Anybody else?

5 (THEREUPON, THE WITNESS WAS

6 SWORN.)

7 MR. GREGG BIGOGNO: My name

8 is Gregg Bigogno, B-I-G-O-G-N-O.

9 The last article you read I don't
10 remember the number on it, but there was a listing
11 of things on there that I feel with what they're
12 wanting to do is direct conflict with a lot of those
13 issues in that and so far.

14 And you would have to read it again. I
15 don't know what. I think it was the last thing you
16 read. And for those reasons alone, you know, that's
17 why I'm opposed.

18 I feel too that, you know, I moved out
19 there three years ago because of it being rural,
20 because of it being country and stuff like that.

21 I don't want to see a storage unit
22 there, and I think a lot of the people, you know,
23 unfortunately this is at 9:30 of a morning, and not
24 a lot of people on the last meeting that were here
25 -- we had over 25 people here that were opposed to

1 it. And I think if it was a later date or a later
2 time, you know, you would see those numbers again.

3 And so like I said, for those reasons
4 alone, and I don't have anything against the people,
5 but I moved out there for the tranquility and the
6 wilderness and that.

7 I don't know where you live or you're
8 living at, but you know, I think you probably live
9 in maybe those areas too. And this spot zoning I
10 just don't think is helpful to us at all.

11 CHAIRMAN BOLAND: Thank you.

12 Anyone else wish to come on up?

13 (THEREUPON, THE WITNESS WAS
14 SWORN.)

15 MR. GREGORY KRONE: I live
16 just down the road, just one lot down. I've been
17 there for 25 plus years. I have a business, and I'm
18 a violin maker. I have a violin shop at my house.
19 So there's a business, but this is a violin shop.

20 The only thing you see is a car now and
21 them comes in as if it was a visitor. There's no
22 heavy traffic. There's no anything that's unsightly
23 or obtrusive or anything. It's a beautiful area.

24 I know the area really well, and I go
25 all over the place in that are, and I get a lot of

1 customers say what a beautiful place this is, this
2 area. And I just have nothing against the business.
3 I just don't think it's an appropriate spot for it.

4 It's just not. Put it somewhere in
5 town or somewhere where there's a big lot already
6 and it doesn't intrude in the pasture and the barns
7 and the -- I know my neighbor, Eckelkamp. He's got
8 a 200-acre place that's like a nature preserve, and
9 I bought that house, restored it, on 1 3/4 acres.
10 And then five acres became available next to it, and
11 we bought that as a buffer to keep it nice.

12 And then there was another seven that
13 came up, and we bought it just for that reason, to
14 keep it a really beautiful, natural area. So it's
15 woods and pasture, farms, but there's not an
16 industrial park.

17 I can think of places in town out where
18 the industrial park is in Washington that would be
19 more appropriate for a thing like this.

20 So I've nothing against the business.
21 I know the Bunges. They're great people, but it's
22 not the location for it. I think it's an eyesore
23 and kind of scary that what it might open up to
24 other such development.

25 CHAIRMAN BOLAND: Thank you.

1 Anybody else wishing to speak in
2 opposition?

3 (NONE)

4 All right. Anybody have any different
5 issue purposes?

6 (NONE)

7 Mr. Bunge, do you want a rebuttal at
8 all?

9 (THEREUPON, THE WITNESS WAS
10 SWORN.)

11 MR. ROBERT BUNGE II: Hello.
12 I am also Robert Bunge. I am Robert Bunge II.

13 I would like to say that a lot of the
14 things that people have concerns for can already be
15 done on a W. I can already start up and mechanics
16 shop and have cars out there, subdivisions, trailer
17 parks, convenience stores with signs with gas prices
18 and fuel, and these all can be done on a W anyways.

19 Not much changes from a B to a W. You
20 can have fraternity clubs on a W, and I just -- it
21 would, in my opinion, be better to not go and build
22 such things like a hog farm or a convenience store,
23 a gas station and stuff like that that would bring
24 in more people.

25 This is something that people will come

1 by once in a while, you know. It's not going to be
2 constant people who come in here and there, and I
3 would like to say that based on people's concerns,
4 it's just -- you can do a lot of that already still
5 on a W.

6 CHAIRMAN BOLAND: Thank you.

7 MR. ROBERT BUNGE II: Thank
8 you.

9 CHAIRMAN BOLAND: Well, that
10 closes our public hearing for today. I thank
11 everybody for their participation, and, Scottie, as
12 you said, in a few weeks or so when there will be a
13 decision made.

14 Thank you very much.

15 (THEREUPON, THE PROCEEDINGS

16 CONCLUDED AT 9:58 A.M.)

17 o8o

18

19

20

21

22

23

24

25

1 CERTIFICATE OF REPORTER

2 STATE OF MISSOURI)
) SS
 3 COUNTY OF FRANKLIN)

4
 5 I, PATSY A. MAYBERRY, Professional
 6 Court Reporter and Notary Public within and for the
 State
 7 of Missouri, before whom the foregoing proceeding
 was taken, do hereby swear that: the aforementioned
 8 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
 9 proceedings were taken down in stenographic notes by
 me and transcribed by me, or under my supervision,
 10 to the best of my ability; that I am neither counsel
 for, related to, nor employed by any of the parties
 11 to the action in which this testimony was taken;
 further that I am not a relative or employee of any
 12 attorney or counsel employed by the parties thereto,
 nor financially or otherwise interested in the
 13 outcome of the action; and that the aforementioned
 represents a true and accurate transcript of said
 14 proceedings.

15 IN WITNESS WHEREOF, I have hereunto
 set my hand.

16
 17 _____
 18 Patsy A. Mayberry, Court Reporter
 Notary Public, State of Missouri
 19 My Commission Expires: September 14, 2026