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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
SEPTEMBER 19, 2023
(COMMENCING AT 7:00 P.M.)

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

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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

STANLEY VOSS, COMMISSIONER

BILL McLAREN, COMMISSIONER

JIM GRUTSCH, COMMISSIONER

DEBBIE WILLETTE, COMMISSIONER

DAN HAIRE, COMMISSIONER

PLANNING AND ZONING STAFF:

SCOTTIE EAGAN, DIRECTOR PLANNING AND ZONING

CRYSTAL HOLDMEIER, PLANNING ASSISTANT

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 (SEPTEMBER 19, 2023)

3 CHAIRMAN EVANS: I'd like to
4 call to order the September 19th meeting of the
5 Franklin County Planning and Zoning Commission.

6 Scottie, will you 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: Dennis Hartmann?

14 COMMISSIONER HARTMANN: (Not
15 present.)

16 MS. EAGAN: Mike Klenke?

17 COMMISSIONER KLENKE: (Not
18 present.)

19 MS. EAGAN: Dave Laramore?

20 COMMISSIONER LARAMORE: (Not
21 present.)

22 MS. EAGAN: Bill McLaren?

23 COMMISSIONER McLAREN: Here.

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 EVANS: Thank you.

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

17 (NONE)

18 If there are no declarations. Scottie,
19 will you give us the presentation of the meeting
20 procedures and exhibits.

21 MS. EAGAN:

22 MS. EAGAN: Tonight's
23 Planning Commission meeting is governed by the
24 Franklin County 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
6 desire to testify will be given an opportunity to do
7 so.

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

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

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

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

25 Then if anyone in the audience would

1 like to speak or comment on a file that is part of
2 the public hearing, they must first print their name
3 on the sign-in sheet provided, and then be sworn in.

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

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

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

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

21 CHAIRMAN EVANS: Thank you.

22 All the Commissioners should have
23 received a copy of the August 15th minutes. If
24 there are no corrections or additions or changes,
25 the Chair would entertain a motion to approve.

1 (NONE)

2 COMMISSIONER WILLETTE: I'll
3 make that motion.

4 COMMISSIONER McLAREN:
5 Second.

6 CHAIRMAN EVANS: We have a
7 motion and second to approve the August 15th
8 minutes. All in favor signify by saying aye.

9 COMMISSIONER VOSS: Aye.

10 COMMISSIONER McLAREN: Aye.

11 COMMISSIONER WILLETTE: Aye.

12 COMMISSIONER GRUTSCH: Aye.

13 CHAIRMAN EVANS: Aye.

14 COMMISSIONER HAIRE: Aye.

15 COMMISSIONER MITTLER: Aye.

16 CHAIRMAN EVANS: Opposed?

17 (NONE)

18 The minutes are approved.

19 Election of officers. We need to elect
20 a chairman and vice chairman for the coming year.

21 So the floor is open for nominations for chairman.

22 COMMISSIONER McLAREN: I
23 would like to nominate Bill Evans for chairman.

24 You do a wonderful job, and I hope you
25 continue.

1 COMMISSIONER HAIRE: I'll
2 second that.

3 CHAIRMAN EVANS: Any other
4 nominations?

5 COMMISSIONER GRUTSCH: I make
6 a motion to close the nominations.

7 COMMISSIONER WILLETTE:
8 Second.

9 COMMISSIONER McLAREN:
10 Second.

11 CHAIRMAN EVANS: We have a
12 motion and a second to close the nominations. All
13 in favor signify by saying aye.

14 COMMISSIONER VOSS: Aye.

15 COMMISSIONER McLAREN: Aye.

16 COMMISSIONER WILLETTE: Aye.

17 COMMISSIONER GRUTSCH: Aye.

18 CHAIRMAN EVANS: Aye.

19 COMMISSIONER HAIRE: Aye.

20 COMMISSIONER MITTLER: Aye.

21 CHAIRMAN EVANS: The nominee
22 is Bill Evans.

23 All in favor of electing him chairman
24 for the coming year please say aye.

25 COMMISSIONER VOSS: Aye.

1 COMMISSIONER McLAREN: Aye.

2 COMMISSIONER WILLETTE: Aye.

3 COMMISSIONER GRUTSCH: Aye.

4 COMMISSIONER HAIRE: Aye.

5 COMMISSIONER MITTLER: Aye.

6 CHAIRMAN EVANS: Opposed?

7 (NONE)

8 Thank you for your confidence.

9 We also need a vice-chairman. The
10 floor is open for nominations.

11 COMMISSIONER WILLETTE: I'd
12 like to nominate Dan Haire.

13 COMMISSIONER McLAREN:
14 Second.

15 CHAIRMAN EVANS: Any other
16 nominations?

17 (NONE)

18 If not --

19 COMMISSIONER GRUTSCH: Move
20 to close nominations.

21 COMMISSIONER WILLETTE:
22 Second.

23 CHAIRMAN EVANS: A motion and
24 second to close nominations for vice-chair. All in
25 favor signify by saying aye.

1 COMMISSIONER VOSS: Aye.
2 COMMISSIONER McLAREN: Aye.
3 COMMISSIONER WILLETTE: Aye.
4 COMMISSIONER GRUTSCH: Aye.
5 CHAIRMAN EVANS: Aye.
6 COMMISSIONER MITTLER: Aye.
7 CHAIRMAN EVANS: A vote for
8 all in favor or Dan Haire being elected as
9 vice-chairman please say aye.
10 COMMISSIONER VOSS: Aye.
11 COMMISSIONER McLAREN: Aye.
12 COMMISSIONER WILLETTE: Aye.
13 COMMISSIONER GRUTSCH: Aye.
14 CHAIRMAN EVANS: Aye.
15 COMMISSIONER MITTLER: Aye.
16 CHAIRMAN EVANS: Opposed?
17 (NONE)
18 Congratulations.
19 Communications and Visitors Comments.
20 Anyone present wishing to address the Commission?
21 (NONE)
22 If not, we'll move on to Unfinished
23 Business. We have none.
24 New Business. File 230209, Kevin
25 Miller.

1 Scottie, will you please give us the
2 details.

3 MS. EAGAN: This is File
4 230209 for Kevin Miller.

5 The applicant is requesting to operate
6 a motor vehicle service to include installation of
7 parts, repair, and maintenance in the W Zoning
8 District.

9 The property is located at 3932 Project
10 Road, approximately 500 feet west of the
11 intersection of Project Road and Friend Road, in
12 Prairie Township.

13 THE FACTS: The request for the
14 Conditional Use Permit consists of one parcel
15 approximately two and a half acres in size.

16 The zoning of this property is W. In
17 this district, "Motor vehicle service to include the
18 installation of parts, repair, and maintenance
19 (anything stored outside shall be behind a
20 sight-proof, stockade type fence)" requires a
21 Conditional Use Permit.

22 The properties around the proposed site
23 are zoned W.

24 This property is surrounded by
25 low-density residential land and undeveloped land.

1 This property does have access to
2 Project Road. Project Road is a County-maintained
3 road with an easement width of 40 feet.

4 According to the provided sketch, it
5 appears the applicant will be using an existing
6 building on the property and a new entrance.

7 STAFF COMMENTS: Any buildings used or
8 built in connection with this CUP will need to be
9 approved by the Franklin County Building Department
10 for a commercial building.

11 All conditions shall be completed
12 within one year of approval, unless otherwise
13 stated. Failure to meet all conditions may result
14 in the application expiring.

15 All new and/or existing entrances on to
16 Project Road will need to be examined by the
17 Franklin County Highway Department for a commercial
18 entrance. Planning and Zoning shall receive a copy
19 of the permit prior to the applicant commencing any
20 activities on the property.

21 Parking and parking surface shall be
22 provided in accordance with the Franklin County Land
23 Use Regulations.

24 In this area, Project Road has a
25 right-of-way of 40 feet. According to the East West

1 Gateway Functional Classification of Roadways, this
2 road is a local road and it is designed to have a
3 50-foot right-of-way width. Because this road is
4 designed to have a 50-foot right-of-way width, the
5 applicant should dedicate an additional 5 feet of
6 right-of-way for a total of 25 feet from the
7 centerline.

8 Anything stored outside shall be behind
9 a sight-proof, stockade type fence.

10 And the applicant has not proposed any
11 hours of operation.

12 CHAIRMAN EVANS: Thank you.

13 Is the applicant present?

14 If you'd come forward, please. State
15 your name and address and sign in, please.

16 MR. KEVIN MILLER: My name is
17 Kevin Miller. My address is 3932 Project Road.

18 (THEREUPON, THE WITNESS WAS
19 SWORN.)

20 CHAIRMAN EVANS: And if
21 you'll please tell us what you're proposing.

22 MR. MILLER: I own an
23 automotive repair shop in downtown Lonedale. I'd
24 like to move it from where its current location to
25 my home because the building that's at my home is

1 800 square foot bigger than what I have. I've
2 outgrown the building I'm in, and there's no room
3 for expansion. So I need more space.

4 CHAIRMAN EVANS: Any
5 questions for the applicant?

6 COMMISSIONER GRUTSCH: Are
7 you the only employee that's working, or --

8 MR. MILLER: No, sir.

9 COMMISSIONER GRUTSCH: -- do
10 you have other workers there?

11 MR. MILLER: Yes, I have one
12 mechanic and a secretary and office manager. So
13 there's the three of us.

14 COMMISSIONER GRUTSCH: Okay.
15 And that's the typical workforce there?

16 MR. MILLER: Yes. Once in a
17 while if we get real busy, we'll hire on another
18 mechanic, but for the most part, it's just the three
19 of us.

20 COMMISSIONER GRUTSCH: All
21 right. And what would your hours, typical hours,
22 be?

23 MR. MILLER: Eight till five,
24 Monday through Friday.

25 COMMISSIONER GRUTSCH: All

1 right. That's all I have right now.

2 CHAIRMAN EVANS: I'm sorry.
3 Monday through Friday. Did you give hours?

4 MR. MILLER: Yes. Monday
5 through Friday 8:00 to 5:00.

6 CHAIRMAN EVANS: Eight to
7 five. I'm sorry. I didn't hear that.

8 COMMISSIONER HAIRE:
9 Approximately how many cars do you see outgrowing
10 work on during the week, a typical week?

11 MR. MILLER: When we're real
12 busy, we'll push 30, 40 cars out in a week. Like
13 right now we're down to 15, 20.

14 COMMISSIONER HAIRE: Okay.
15 Where do you plan or how long are they going to be
16 at -- you've got three bays there it looks like.
17 You have a little area in front of there.

18 Is that where you would stage them, and
19 for how long usually do you have them out there in
20 front of your shop before it's picked up?

21 MR. MILLER: Typically,
22 whenever we're finished with them. They don't sit
23 too long before people pick them up.

24 Now, the way things are now after
25 COVID, some cars have to sit a while because it's

1 hard to get parts for them. So that's out of my
2 control.

3 COMMISSIONER HAIRE: So it's
4 potentially you'll have some cars staged there for a
5 while when they're brought in?

6 MR. MILLER: Correct, but we
7 don't like them sitting around too long.

8 COMMISSIONER HAIRE: Oh, I
9 understand that.

10 MR. MILLER: Yes.

11 CHAIRMAN EVANS: Do you
12 currently have a driveway going to your business? I
13 think it noted on here that you're going to put in a
14 new entrance.

15 MR. MILLER: Well, that's
16 kind of a hard question. No, there's not a direct
17 driveway to the building.

18 The driveway, if you can see the
19 picture behind you, you pull in the driveway there
20 off of Project Road. Then you go to the left and
21 you can kind of see where the blacktop is. There's
22 kind of an overgrown gravel driveway that goes from
23 there down to the building.

24 Can you see it, or would you like me to
25 come point it out?

1 COMMISSIONER GRUTSCH: No, I
2 can see it.

3 MR. MILLER: And what I'd
4 like to do is where the cursor is at, if you go over
5 to about the middle of where you see that kind of --
6 that low line area, I'd like to come in right
7 through there and come up around to the front of the
8 building.

9 MS. EAGAN: So similar to
10 what you turned in for your --

11 MR. MILLER: Yeah. Yes.

12 MS. EAGAN: Okay.

13 MR. MILLER: Yeah, exactly.

14 COMMISSIONER WILLETTE: So do
15 you work primarily on like cars and pickups, or do
16 you do anything larger?

17 MR. MILLER: The only thing
18 that we do to larger vehicles is inspections. We
19 don't leave them sitting. We'll inspect 18-wheelers
20 and dump trucks and things like that.

21 COMMISSIONER WILLETTE:
22 Uh-huh.

23 MR. MILLER: But we do not
24 work on them, no.

25 CHAIRMAN EVANS: It looks

1 like too there's no problem with the entrance?

2 COMMISSIONER GRUTSCH: I did
3 go by your residence and property earlier this --
4 actually yesterday. The sight distances look okay
5 for a new entrance, but you would have to make
6 application for a new entrance with the Highway
7 Department.

8 MR. MILLER: Correct, and we
9 have all that paperwork to do that.

10 COMMISSIONER GRUTSCH: Okay.

11 MR. MILLER: But I haven't
12 filed it until I was done with this meeting to move
13 on and do it.

14 COMMISSIONER GRUTSCH: Right,
15 and that is probably the key. Yes.

16 MR. MILLER: And we do have
17 -- I don't know if you saw yesterday when you drove
18 through, but we are upgrading the electrical systems
19 of the place so we can meet all the requirements
20 that we need to get this done properly.

21 COMMISSIONER GRUTSCH: Okay.

22 CHAIRMAN EVANS: And I guess
23 that would also include granting the additional
24 right-of-way?

25 MS. EAGAN: If Jim wants the

1 additional right-of-way, we can do that as a
2 condition. If he doesn't want it, we can always
3 remove it.

4 COMMISSIONER GRUTSCH: And
5 looking at the property the way it sits now on
6 Project Road, I do not see the need for an
7 additional right-of-way.

8 The water flow off of the property
9 seems -- off of the roadway seems fine and it's
10 handled in the existing ditches.

11 So to have a 50-foot or 5-foot
12 additional on your property by itself probably is
13 not justified. So...

14 MR. MILLER: Okay. I don't
15 understand exactly what you're saying.

16 MS. EAGAN: You won't have to
17 change anything to your property.

18 MR. MILLER: Okay. All
19 right.

20 CHAIRMAN EVANS: I guess
21 another question would be the sight-proof fence.
22 That would have to be -- all the vehicles would have
23 to be stored behind a sight-proof, stockade type
24 fence.

25 MR. MILLER: Okay. So a

1 six-foot tall privacy fence, is that what you're
2 looking for?

3 CHAIRMAN EVANS: Yeah.

4 MR. MILLER: So I have a
5 question with that. With the slight slope that the
6 property lays on, with a six-foot fence, you're
7 going to be able to see over it because of how the
8 property lays.

9 I mean, you saw yesterday. You
10 understand what I'm saying?

11 COMMISSIONER GRUTSCH: Yes.

12 MR. MILLER: So how would we
13 get around that so I can appease everybody?

14 CHAIRMAN EVANS: Scottie?

15 COMMISSIONER HAIRE: Where
16 would you put the fence at? Where are you thinking
17 of?

18 MR. MILLER: I mean, I'm --
19 if I had to do it, I would put it across right
20 before that runoff area there through the center of
21 the yard. I would put it before that so people
22 can't get in there.

23 I'd hate to put it too far up and then
24 people have access to the property to do whatever
25 they want.

1 MS. EAGAN: Typically what we
2 require is the fence around your storage area. So
3 we don't require you to go around your whole
4 property. Just where you're going to store stuff is
5 where we would require that fence.

6 So as far up as you want or as far back
7 as you want, that's up to you.

8 MR. MILLER: Okay. So my
9 question again is do I have to do it on four sides
10 or just the side of the highway?

11 How does that work? Because the only
12 thing behind me is, as you can see, is farm fields
13 as far as you can see.

14 CHAIRMAN EVANS: Commissioner
15 McLaren, do you have a question?

16 COMMISSIONER McLAREN:
17 Scottie, what's the definition of storage in this
18 application?

19 MS. EAGAN: Anything that's
20 left overnight. You said storage, right?

21 COMMISSIONER McLAREN:
22 (Nodding.)

23 MS. EAGAN: Right.

24 COMMISSIONER McLAREN: So if
25 a car is there that you worked on overnight, it has

1 to be behind the sight-proof fence?

2 MS. EAGAN: Correct. Now, if
3 somebody is coming to pick it up that night,
4 obviously we wouldn't make them be behind that fence
5 because they need to get their vehicle. So yes, if
6 it's going to be stored overnight and he's going to
7 work on it, it needs to be behind a sight-proof
8 fence.

9 CHAIRMAN EVANS: I guess,
10 Jim, you were out there. Scottie, how we do this
11 because obviously it's nonnegotiable because it's
12 part of the regulations. We're talking about
13 sight-proof, six-foot would make it
14 semi-sight-proof?

15 COMMISSIONER GRUTSCH: Yes,
16 six I think.

17 MR. MILLER: Everything I've
18 that seen around is six-foot tall fence.

19 COMMISSIONER GRUTSCH: And in
20 my opinion, six foot would be adequate to screen the
21 majority of what you would have. If you have an
22 18-wheeler in there overnight, you can't have a
23 20-foot high fence.

24 MR. MILLER: Right.

25 COMMISSIONER GRUTSCH: I

1 understand that.

2 MR. MILLER: I have an RV as
3 well. So that's -- of course, that's going to stick
4 way above the kind of fencing that you have.

5 COMMISSIONER WILLETTE: But
6 that's your personal RV?

7 MR. MILLER: That's my
8 personal, yes.

9 COMMISSIONER WILLETTE: Well,
10 that --

11 MS. EAGAN: That could be
12 outside the fence. We don't have an issue with
13 that.

14 MR. MILLER: Right. No, and
15 I understand. But I was just saying, you know, we
16 do work on RVs and stuff as well, but it is motor
17 vehicle.

18 COMMISSIONER GRUTSCH: The
19 six-foot high fence is what we have always expected
20 in the past.

21 MS. EAGAN: Right.

22 MR. MILLER: Okay.

23 COMMISSIONER McLAREN: Mr.
24 Chairman, years ago I read some of the minutes, and
25 trees were allowed to be around for sight-proof. Is

1 that based on where he's located? Would that be a
2 possibility?

3 CHAIRMAN EVANS: I believe
4 the regulations now stipulate six-foot sight-proof
5 fence, stockade sight-proof fence. So I think
6 you're right. Years ago you could have it, and I
7 think we may have had some issues with that.

8 COMMISSIONER McLAREN: Okay.

9 CHAIRMAN EVANS: Because then
10 trees would die. It was changed to a stockade
11 fence.

12 COMMISSIONER HAIRE: I
13 remember that one.

14 MS. EAGAN: Yeah.

15 MR. MILLER: Okay. So then
16 we're all clear, is that just across the front
17 facing the blacktop road, or does that got to go all
18 the way around?

19 CHAIRMAN EVANS: It just says
20 behind a sight-proof fence. So basically I think
21 we're talking about the road.

22 MR. MILLER: So I need to
23 block it off from the road for the looks?

24 CHAIRMAN EVANS: Yes.

25 MR. MILLER: Just screen it

1 from the passer-bys?

2 CHAIRMAN EVANS: Yes.

3 MS. EAGAN: From the public
4 way.

5 MR. MILLER: Correct, okay.

6 COMMISSIONER McLAREN: I
7 think there's a little confusion here from what I'm
8 listening to him and what we're all saying.

9 It doesn't have to be around his
10 property. It has to be around the parking lot.

11 CHAIRMAN EVANS: It doesn't
12 even have to be around the parking lot. It just --

13 COMMISSIONER WILLETTE: Just
14 be one --

15 MR. MILLER: Facing Project
16 Road.

17 CHAIRMAN EVANS: Project
18 road.

19 COMMISSIONER McLAREN: Okay.

20 COMMISSIONER HAIRE: The only
21 thing I would do in looking at your property, when
22 you're coming back west going toward FF. You can
23 see. It's a better view of your place where your
24 shop is at, so you may want to just have a little
25 bit of an L-shape depending on where you park the

1 cars at.

2 MR. MILLER: Right.

3 COMMISSIONER HAIRE: You see
4 -- kind of see where I'm at?

5 MR. MILLER: Yeah, I
6 understand.

7 COMMISSIONER HAIRE: Yeah,
8 because actually the visual you're seeing more going
9 west, and you got a good side of your shop where
10 it's at --

11 MR. MILLER: Correct.

12 COMMISSIONER HAIRE: --
13 versus going east.

14 MR. MILLER: Correct.

15 CHAIRMAN EVANS: Now,
16 Scottie, since we're talking roadway, not to be
17 picky, what do you have to do prior to that side to
18 make it sight-proof from that roadway?

19 MS. EAGAN: On what side?

20 CHAIRMAN EVANS: The side Dan
21 was talking about?

22 MS. EAGAN: As long as
23 anything that's stored outside you can't see when
24 you're driving down Project Road, well, you can't
25 see or is obstructed. Then yes.

1 CHAIRMAN EVANS: Okay.

2 MS. EAGAN: So that will
3 probably work. More than likely, you're shop will
4 cover it coming from the other side.

5 COMMISSIONER HAIRE: The
6 other way, uh-huh.

7 MS. EAGAN: So it's all going
8 to depend on where you're parking the vehicles on
9 how big of a privacy fence you're going to need.

10 MR. MILLER: Okay.

11 COMMISSIONER HAIRE: And how
12 many cars you predict you would need to be parking
13 there because that parking you have now where it
14 kind of, you know, looks like looks petty large
15 really.

16 MR. MILLER: Here?

17 COMMISSIONER HAIRE: Yeah, on
18 your existing.

19 MR. MILLER: It's deceiving.
20 It's not very big.

21 COMMISSIONER HAIRE: It's not
22 very big?

23 MR. MILLER: No.

24 COMMISSIONER HAIRE: From the
25 street, it looked like it was a pretty descent size.

1 MR. MILLER: Right, it does.
2 It's very deceiving, but when you drive back there,
3 it's -- if you can see right there at the corner
4 just in front of the building there to the right, --

5 COMMISSIONER HAIRE: Uh-huh.

6 MR. MILLER: -- there were
7 two great big trees, and it looks like the parking
8 is real open. But that's only the width of one car
9 right through there.

10 COMMISSIONER HAIRE: Okay.

11 MR. MILLER: And then it
12 opens up and you can park three cars right there in
13 front of the doors, and it's not very big.

14 COMMISSIONER HAIRE: Okay.

15 CHAIRMAN EVANS: Okay. So
16 just so we understand, it's like we're not trying to
17 be picky. It's things stored behind a sight-proof
18 fence, and you know where you're going to park
19 everything?

20 MR. MILLER: Yes.

21 CHAIRMAN EVANS: So it's up
22 to you to make sure that they can't be seen from
23 Project Road.

24 MR. MILLER: Correct. I
25 understand.

1 CHAIRMAN EVANS: Any other
2 questions for the applicant?

3 (NONE)

4 All right, thank you.

5 MR. MILLER: I have one more
6 question.

7 CHAIRMAN EVANS: Okay.

8 MR. MILLER: Would it be
9 possible to use the existing driveway until I get
10 the means to put a new driveway in, or does it all
11 need to be done at once?

12 COMMISSIONER GRUTSCH: As
13 Highway administrator, I do not have a problem with
14 you using that existing entrance. It looked
15 adequate enough, but I think in the near future, you
16 probably want to improve it --

17 MR. MILLER: Correct.

18 COMMISSIONER GRUTSCH: -- or
19 put in your new one.

20 MR. MILLER: Right. I just
21 -- it's all about the means at this point.

22 COMMISSIONER GRUTSCH: Sure,
23 I understand.

24 MR. MILLER: I got to get the
25 means together to get all this done. So if that's

1 something I have to short myself on at this point, I
2 would rather short myself no that part and get
3 everything else finished.

4 COMMISSIONER GRUTSCH: Okay.

5 MS. EAGAN: My only question
6 with that is if our conditions states it needs to be
7 a commercial entrance, will it meet commercial
8 entrance or will we give a temporary approval
9 contingent upon --

10 COMMISSIONER GRUTSCH: I
11 would -- as administrator, I would give him a
12 temporary approval on the existing entrance for a
13 specific time because it's not far off of being a
14 commercial entrance.

15 MS. EAGAN: Okay.

16 COMMISSIONER GRUTSCH:
17 Because you're not --

18 MR. MILLER: I think it's six
19 foot, six foot narrow from being commercial.

20 COMMISSIONER GRUTSCH: It's
21 you don't have customers coming in like a Dollar
22 General Store.

23 MR. MILLER: Oh, no. No,
24 sir.

25 COMMISSIONER GRUTSCH: You

1 handle a couple of cars a day.

2 MR. MILLER: Correct.

3 COMMISSIONER GRUTSCH: So
4 it's not high-traffic or anything.

5 MR. MILLER: No.

6 COMMISSIONER GRUTSCH: So I
7 would be okay with that, but you would need to
8 eventually in your future go ahead and put a
9 separate entrance for your parking lot.

10 CHAIRMAN EVANS: What
11 timeframe would you be looking at that you could
12 address the driveway?

13 MR. MILLER: I don't know.
14 It just depends on what it takes to get everything
15 done. But I haven't done anything because I needed
16 to know where I stood here first. So I didn't want
17 to spend a bunch of money on stuff that's not going
18 to work.

19 So I'm-- I'm pretty much at you guys'
20 mercy right now.

21 COMMISSIONER McLAREN:
22 Theoretically, he should have a year to do that in,
23 correct?

24 COMMISSIONER HAIRE: Correct.

25 COMMISSIONER McLAREN:

1 Because --

2 CHAIRMAN EVANS: I was going
3 to say up to a year we can stipulate any time
4 shorter than that. So...

5 COMMISSIONER GRUTSCH: Well,
6 I was going to state that we're just about getting
7 into the fall and winter, and there's six months
8 where you're not going to build an entrance anyway.

9 MR. MILLER: Right. In six
10 months, I can't do much of anything because of the
11 weather.

12 COMMISSIONER GRUTSCH: So I
13 would be okay with the fall months period before you
14 have to have a new entrance.

15 MR. MILLER: And can that be
16 extended if needed?

17 MS. EAGAN: As long as you're
18 working towards the conditions, we work with people.

19 MR. MILLER: Okay. All
20 right.

21 CHAIRMAN EVANS: Because the
22 condition is permitted is that any conditions we put
23 on there have to be completed within 12 months
24 unless you're making major progress toward
25 completing them.

1 So basically it's 12 months.

2 MR. MILLER: Right.

3 CHAIRMAN EVANS: And then
4 it's the discretion -- our discretion after that.

5 MR. MILLER: Okay.

6 CHAIRMAN EVANS: Any other
7 questions for the applicant?

8 (NONE)

9 Thank you.

10 MR. MILLER: Thank you.

11 CHAIRMAN EVANS: Anyone else
12 present wishing to speak in favor of this file?

13 (NONE)

14 Anyone -- if you'd please state your
15 name and address and sign in, please.

16 MR. JAMES BARON: My name is
17 James Baron. My address is 3964 Project Road.

18 (THEREUPON, THE WITNESS WAS
19 SWORN.)

20 I am the neighbor. I live that way. I
21 live right on the corner of Project and Fern Road,
22 and I have no issues with this whatsoever. We're
23 all family all down through here. I don't believe
24 anybody would have an issue. We've all known each
25 other since grade school. So I don't see why we

1 couldn't go forward with it without any problems.

2 CHAIRMAN EVANS: Okay. Thank
3 you.

4 Anyone else wishing to speak in favor
5 of this file?

6 (NONE)

7 Anyone present wishing to speak in
8 opposition?

9 (NONE)

10 Mr. Miller, I do have one question.
11 Exactly where is your current business in Lonedale?

12 MR. MILLER: Are you familiar
13 with Lonedale?

14 CHAIRMAN EVANS: Yes, I live
15 three miles from Lonedale.

16 MR. MILLER: Do you know
17 where Finish Line Cafe is at?

18 CHAIRMAN EVANS: Yes.

19 MR. MILLER: Right next door.

20 CHAIRMAN EVANS: Okay. So --

21 MR. MILLER: Same parking
22 lot.

23 CHAIRMAN EVANS: Okay. I
24 should disclose that I bought a tire from him.
25 So...

1 COMMISSIONER WILLETTE: Do
2 you get to vote?

3 MR. MILLER: Did I give you a
4 discount?

5 CHAIRMAN EVANS: No. That'll
6 be taken into consideration too.

7 (LAUGHTER)

8 Okay. I'll have to drive a lot farther
9 for my tire, though, if we approve this.

10 All right. Is there any discussion.

11 I think the conditions we've come up
12 with he's volunteered is Monday through Friday 8:00
13 to 5:00 and 12-month extension of the commercial
14 drive.

15 COMMISSIONER GRUTSCH:
16 Commercial entrance, yes.

17 CHAIRMAN EVANS: Commercial
18 entrance.

19 MS. EAGAN: And removing
20 Condition 5 about the right-of-way.

21 COMMISSIONER HAIRE: Uh-huh.

22 CHAIRMAN EVANS: Okay.

23 COMMISSIONER McLAREN: I make
24 a motion we move this to Old Business and handle it.

25 COMMISSIONER WILLETTE: I

1 second that.

2 CHAIRMAN EVANS: We have a
3 motion and second to move this file 230209 to
4 Unfinished Business.

5 All in favor signify by saying aye.

6 COMMISSIONER VOSS: Aye.

7 COMMISSIONER McLAREN: Aye.

8 COMMISSIONER WILLETTE: Aye.

9 COMMISSIONER GRUTSCH: Aye.

10 CHAIRMAN EVANS: Aye.

11 COMMISSIONER HAIRE: Aye.

12 COMMISSIONER MITTLER: Aye.

13 CHAIRMAN EVANS: Opposed?

14 (NONE)

15 All right. Moving to Unfinished
16 Business, we have File 230209. And I guess I should
17 mention that we approve that with the modified
18 conditions.

19 COMMISSIONER HAIRE: Did we
20 add the sight-proof fence into them? I didn't hear
21 that.

22 MS. EAGAN: That was listed
23 as Condition 6.

24 COMMISSIONER HAIRE:

25 Condition 6, okay.

1 CHAIRMAN EVANS: Right.
2 That's part of the regulations, so we don't have to
3 include it as a condition.

4 MS. EAGAN: I just wanted to
5 reiterate it.

6 CHAIRMAN EVANS: Any further
7 discussion?

8 (NONE)

9 If not, the Chair would entertain a
10 motion to approve.

11 COMMISSIONER McLAREN: I make
12 a motion we approve File 230209 as presented with
13 conditions modified.

14 COMMISSIONER HAIRE: I'll
15 second it.

16 CHAIRMAN EVANS: We have a
17 motion and second to approve File 230209 with the
18 modified conditions.

19 All in favor signify by saying aye.

20 COMMISSIONER VOSS: Aye.

21 COMMISSIONER McLAREN: Aye.

22 COMMISSIONER WILLETTE: Aye.

23 COMMISSIONER GRUTSCH: Aye.

24 CHAIRMAN EVANS: Aye.

25 COMMISSIONER HAIRE: Aye.

1 COMMISSIONER MITTLER: Aye.

2 CHAIRMAN EVANS: Opposed?

3 (NONE)

4 The file is approved.

5 Preliminary Plats. We have none.

6 Planning and Zoning Commission Forum.

7 Anything the Commissioners would care to discuss?

8 (NONE)

9 If not, Planning Director's Report.

10 MS. EAGAN: Next month we
11 will have a Preliminary Plat hopefully right there
12 at Graystone and 100 and 44.

13 And then we will have the regulations
14 for shipping containers as storage buildings.

15 MS. HOLDMEIER: And we have a
16 rezoning.

17 MS. EAGAN: And apparently a
18 rezoning. So we'll have a full agenda next month.

19 CHAIRMAN EVANS: All right.

20 If there's nothing else, the Chair
21 would entertain a motion to adjourn.

22 COMMISSIONER WILLETTE: I'll
23 make the motion to adjourn.

24 COMMISSIONER McLAREN:

25 Second.

1 CHAIRMAN EVANS: We have a
2 motion and a second to adjourn.

3 All in favor signify by saying aye.

4 COMMISSIONER VOSS: Aye.

5 COMMISSIONER McLAREN: Aye.

6 COMMISSIONER WILLETTE: Aye.

7 COMMISSIONER GRUTSCH: Aye.

8 CHAIRMAN EVANS: Aye.

9 COMMISSIONER HAIRE: Aye.

10 COMMISSIONER MITTLER: Aye.

11 CHAIRMAN EVANS: Opposed?

12 (NONE)

13 We are adjourned.

14 (THEREUPON, THE PROCEEDINGS

15 CONCLUDED AT 7:36 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