

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
PUBLIC HEARING
OCTOBER 17, 2016
(Commencing at 10:03 a.m.)

Reported by:

Patsy A. Hertweck, C. R.

Midwest Litigation Services

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E X H I B I T S

IDENTIFICATION	DESCRIPTION	PAGE
COUNTY:		
File No. 160187 - Planning and Zoning Department:		
EXHIBIT A	Franklin County Unified Land Use Regulations	5
EXHIBIT B	Official Zoning Map	5
EXHIBIT C	Official Master Plan	5
EXHIBIT D	Case Files -- all Cases Heard	5

(All exhibits, if any, were retained by the Commission, and will not be attached hereto.)

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A P P E A R A N C E S

COMMISSIONERS:

John Griesheimer, Chairman
Timothy Brinker, Commissioner
Jeff Maune, Commissioner

LEGAL COUNSEL AND STAFF:

Mark Vincent, Attorney
Ms. Scottie Eagan, Planning Director

MIDWEST LITIGATION SERVICES:

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

2 [OCTOBER 17, 2016]

3 CHAIRMAN GRIESHEIMER: All right. I
4 guess we will go ahead and call this public hearing to
5 order.

6 We're on file Number 160187, which are
7 amendments to Article 8 in the Subdivision Code.

8 Scottie.

9 MS. EAGAN: Okay. I'll start with
10 reading the hearing procedures.

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

17 [Thereupon, evidence was marked for
18 identification and presented for the
19 record as Exhibits A, B, C, and D.]

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

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

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

5 Generally, the applicant is allowed to speak
6 first, followed by those in support and then those opposed.

7 The applicant may speak again after comments
8 from the general public to address any questions or issues
9 brought up during the hearing.

10 At the conclusion of all questions, comments,
11 and discussion concerning each case, the public hearing for
12 each case will conclude. The decision will generally be
13 made by Commission Order at a later date during the County
14 Commission's regular meeting time.

15 And again, this is File 160187. The Planning
16 and Zoning Department is seeking to amend the 2001 Unified
17 Land Use Regulations. The proposal includes amendments to
18 Article 8.

19 What I'm going to do -- I realize it's not real
20 easy for you guys to see where these changes are. So I'll
21 just go through them page by page.

22 CHAIRMAN GRIESHEIMER: If you would,
23 I'd appreciate that.

24 MS. EAGAN: Yeah.

25 CHAIRMAN GRIESHEIMER: Yeah.

1 MS. EAGAN: So the first change is on
2 page 8.2, under Section 165(c). So what the Code used to
3 say -- it just said that an owner shall obtain an access
4 permit from MoDOT or the County Highway Department,
5 depending on what road they were accessing.

6 So the Highway Department doesn't automatically
7 require a permit anymore. So we changed it to say that the
8 owner shall obtain an access review from MoDOT if accessing
9 a state road, or from the Franklin County Highway Department
10 if accessing a county road. Planning and Zoning shall
11 receive a copy of the review prior to signing off on the
12 survey.

13 If either agency requires an access permit,
14 Planning and Zoning shall receive a copy of the permit prior
15 to signing off on the survey.

16 So that's for our partial exemption of
17 combining non-platted parcels.

18 The next change is on page 8.3(2). This is a
19 new addition that we're proposing to add under Partial
20 Exemptions.

21 And this is Lot Line Adjustment or Lot
22 Combinations, and this is something we kind of talked about
23 a little bit before where we were having problems where
24 people are redoing these lots and combining them. And we're
25 requiring them to do additional right-of-way, then making

1 their lot fall below the minimum for that district.

2 So basically what this partial exemption says
3 is that if the dedication on the public or private road is
4 the only thing that drops them below the minimum for that
5 district, we're going to allow them to go ahead with the
6 subdivision.

7 The next change, it will be on page 8.4 under
8 Large Lot Exemption, lower case 'd', number 3. I need to
9 change that again to reflect what I read from the previous
10 page about getting the access review, and then if a permit's
11 needed, they need to turn in the permit.

12 Next is page 8.6. This again, both if the
13 review permit, review versus permits, on number 4, little
14 four, and then lower case 'g'.

15 COMMISSIONER BRINKER: Baby Roman
16 numeral?

17 MS. EAGAN: Yeah, exactly.

18 COMMISSIONER BRINKER: I felt the
19 same way. On little Roman numeral 3, shouldn't "Plan" be
20 at the end of that?

21 MS. EAGAN: Oh, yeah.

22 COMMISSIONER BRINKER: I didn't know
23 if it did or not. I mean, it was just the classification.

24 CHAIRMAN GRIESHEIMER: Good catch.

25 COMMISSIONER BRINKER: I was reading

1 last night. Nothing to do.

2 MS. EAGAN: And then at the very
3 bottom of the page, we are deleting the part on under lower
4 case 'h' about if the IT Department requires the road to be
5 named, the applicant shall provide Planning and Zoning with
6 dedication document.

7 The reason we're getting rid of this is because
8 a charter entry requires a subdivision plat so that
9 right-of-way will actually be dedicated and recorded on that
10 subdivision flat.

11 So having another document is just something
12 that's not needed.

13 On page 8.7(B), we used to say no more than one
14 minor subdivision is allowed within ten years. We realized
15 that doesn't work. So we're saying no more than six lots
16 are able -- being able to be developed as a minor
17 subdivision in ten years period.

18 Once that ten years has past, then those lots
19 become their own parcel.

20 Next on page 8.9, is the whole MoDOT and County
21 review versus permit, on letter 'M'.

22 8.10, at the very bottom, letter 'N', I
23 realized I need to also add "plan" there.

24 COMMISSIONER BRINKER: Yeah, just
25 carried the line too far.

1 MS. EAGAN: Yeah.

2 And then the next changes are going to be on
3 page 8.12. It's going to be letter 'D', number 9. We've
4 had a lot of surveyors ask that we add the signature blocks
5 back in so they can see what we're looking for in terms of
6 certification by owners, by surveyors, and by the Plan
7 director.

8 So these are things that we used to have in our
9 Code that we got rid of that we're now just putting back on
10 things required for minor subdivision plats.

11 Page 8.16, letter 'O'. It's again, the
12 access -- or access versus permit. And there we have on
13 page 8.27 major subdivision plats, Letter E(9)(a) is again
14 just the signature blocks that the surveyors would like to
15 see.

16 And then the last change -- you guys should
17 have it -- I think is on page 8.29 under Zero Lot Line
18 Development, letter 'C', number 2. It used to say that
19 each -- each duplex had to have common walls attached a
20 minimum of 60 percent of the length of the entire building
21 wall. I honestly don't know what it means. What it means
22 to me is different than what it means to Mark, it's
23 different than what it means to Nichole.

24 COMMISSIONER BRINKER: Leaves
25 interpretation.

1 MS. EAGAN: Correct.

2 So what we wanted to do have it match our
3 definition of duplex in Article 2. So now we just say each
4 unit shall be totally separated from the other by an
5 unpierced wall extending from ground to roof, and then with
6 each unit has the separate ground floor entrance.

7 And that's exactly what our definition reads at
8 this time.

9 CHAIRMAN GRIESHEIMER: Okay, Scottie.

10 MS. EAGAN: Yes.

11 CHAIRMAN GRIESHEIMER: On page 8.2 on
12 the certification. Okay. It says in here land use
13 administrator's signature and date. Who is that?

14 MS. EAGAN: That's me.

15 CHAIRMAN GRIESHEIMER: And is that
16 defined somewhere, land use of administrator?

17 MS. EAGAN: I think we might have
18 taken that out, but I need -- probably need to change it
19 back to Planning director.

20 Yeah, we don't have a definition of it. The
21 only time we refer to it is in Article 5 where the and use
22 administrator could be either Tori or me, depending on what
23 the situation is. But I'll change it to say Planning
24 director.

25 CHAIRMAN GRIESHEIMER: Okay.

1 MS. EAGAN: And then I'll also make
2 the change in the minor subdivision plat as well.

3 CHAIRMAN GRIESHEIMER: Is that it?

4 MS. EAGAN: Yeah. The last -- the
5 very last change is going to be under page 8.31, letter 'H',
6 number 1. Again, it's the MoDOT and County access review
7 versus permit. That is the last change there.

8 CHAIRMAN GRIESHEIMER: Okay.

9 COMMISSIONER MAUNE: What was taken
10 out on 18 -- or 8.6(S)?

11 MS. EAGAN: Nothing.

12 CHAIRMAN GRIESHEIMER: We don't have
13 anything.

14 COMMISSIONER BRINKER: I don't see
15 anything.

16 COMMISSIONER MAUNE: It's marked that
17 that was changed. So I'm trying to figure out what is
18 changed to.

19 MS. EAGAN: Are you talking about the
20 line underneath it?

21 COMMISSIONER MAUNE: Yeah.

22 MS. EAGAN: It's just my paging.

23 COMMISSIONER MAUNE: Oh.

24 MS. EAGAN: I hit Enter to get the
25 next one on the next page altogether.

1 COMMISSIONER MAUNE: Ah, okay.

2 MS. EAGAN: Yeah.

3 COMMISSIONER BRINKER: Yeah, because
4 'T' is such a big one?

5 MS. EAGAN: Yeah.

6 CHAIRMAN GRIESHEIMER: All right. Is
7 that it?

8 Any other questions for Scottie? [None]

9 Let me go through the drill here. Anyone in
10 the audience that wishes to testify in favor of the
11 amendments -- even though nobody's here?

12 Anyone in the audience wish to testify in
13 opposition to the proposed amendments to Section 8?

14 Seeing none, that will conclude the hearing on
15 the amendments to Section 8.

16 MS. EAGAN: Do you want me to do a
17 Commission Order?

18 CHAIRMAN GRIESHEIMER: Yes. Yes, if
19 you would. And then that will conclude the hearing.

20 We are adjourned. The public hearing is
21 adjourned.

22 [Thereupon, the proceedings concluded
23 at 10:15 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.

IN WITNESS WHEREOF, I have hereunto set my hand.

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

My Commission Expires:
August 26, 2018

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