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

TRANSCRIPT OF PROCEEDING

PLANNING AND ZONING COMMISSION

NOVEMBER 15, 2022

(COMMENCING AT 7:00 P.M.)

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

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A P P E A R A N C E

PLANNING AND ZONING COMMISSION:

BILL EVANS, CHAIRMAN

TIM REINHOLD, COMMISSIONER

STANLEY VOSS, COMMISSIONER

BILL McLAREN, COMMISSIONER

DEBBIE WILLETTE, COMMISSIONER

JIM GRUTSCH, COMMISSIONER

DAN HAIRE, COMMISSIONER

MIKE KLENKE, COMMISSIONER

DAVE LARAMORE, COMMISSIONER

DENNIS HARTMANN, COMMISSIONER

PLANNING AND ZONING STAFF:

CURTIS ELLIS, PLANNING AND ZONING

CRYSTAL HOLDMEIER, ASSISTANT

LEGAL COUNSEL:

MARK PIONTEK, COUNTY ATTORNEY

COMPLETE REPORTING SERVICES:

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19 BROOKMOORE DRIVE

UNION, MISSOURI 63084

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

2 (NOVEMBER 15, 2022)

3 CHAIRMAN EVANS: I'd like to  
4 call to order the November 15th meeting of the  
5 Franklin County Planning and Zoning Commission.

6 Curtis, will you please take roll.

7 MR. ELLIS: Sure. Bill Evans?

8 CHAIRMAN EVANS: Here.

9 MR. ELLIS: Jim Grutsch?

10 COMMISSIONER GRUTSCH: Here.

11 MR. ELLIS: Dan Haire?

12 COMMISSIONER HAIRE: Here.

13 MR. ELLIS: Dennis Hartmann?

14 COMMISSIONER HARTMANN: Here.

15 MR. ELLIS: Mike Klenke?

16 COMMISSIONER KLENKE: Here.

17 MR. ELLIS: Dave Laramore?

18 COMMISSIONER LARAMORE: Here.

19 MR. ELLIS: Bill McLaren?

20 COMMISSIONER McLAREN: Here.

21 MR. ELLIS: Karl Mittler?

22 COMMISSIONER MITTLER: (Not  
23 present.)

24 MR. ELLIS: Tim Reinhold?

25 COMMISSIONER REINHOLD: Here.

1 MR. ELLIS: Stanley Voss?

2 COMMISSIONER VOSS: Here.

3 MR. ELLIS: Debbie Willette?

4 COMMISSIONER WILLETTE: Here.

5 MR. ELLIS: Okay. I guess we

6 have a quorum.

7 CHAIRMAN EVANS: Thank you.

8 At this time, I'll give the Planning and  
9 Zoning Commissioners the opportunity to declare any  
10 conflict, communication or relationship they may have  
11 had that might influence their ability to consider  
12 today's issues impartially.

13 (NONE)

14 If there are no declarations, Curtis,  
15 will you please give us a presentation of the meeting  
16 procedures and exhibits.

17 MR. ELLIS: Sure.

18 Tonight's Planning Commission hearing is  
19 governed by the Franklin County Unified Land Use  
20 Regulations.

21 Some matters on the agenda may be for  
22 action by the Planning and Zoning Commission. These  
23 matters do not involve public hearings.

24 Other matters on the agenda require  
25 public hearings under Missouri law. If a matter

1 involves a public hearing, all individuals who desire  
2 to testify will be given an opportunity to do so.

3 At this time, I would like to place into  
4 the record these regulations as Exhibit A, the  
5 official Zoning Map as Exhibit B, the official Master  
6 Plan as Exhibit C, and the case file for each case as  
7 Exhibit D for all cases to be heard at this hearing.

8 (THEREUPON, EVIDENCE WAS  
9 MARKED FOR IDENTIFICATION AND  
10 SUBMITTED FOR THE RECORD AS  
11 EXHIBITS A, B, C, AND D.)

12 All Unfinished Business items on the  
13 agenda will be dealt with first. The Planning  
14 Commission will address each case and may request  
15 additional information from anyone prior to making a  
16 decision. Once the Unfinished Business issues have  
17 been taken care of, each item of New Business will be  
18 opened for public hearing.

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

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

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

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

8                   At the conclusion of all questions,  
9 comments, and discussion concerning each case, the  
10 public hearing for that case will conclude, and the  
11 Planning Commission will proceed. Any decision by  
12 the Planning Commission may be appealed to the Board  
13 of Zoning Adjustment any time within 90 days.

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

17                                   CHAIRMAN EVANS: Thank you.

18                   All Commissioners should have received a  
19 copy of the October 18th minutes. If there are no  
20 corrections or additions, the Chair would entertain a  
21 motion to approve them.

22                                   COMMISSIONER HAIRE: I move to  
23 approve the minutes as written.

24                                   COMMISSIONER KLENKE: Second.

25                                   CHAIRMAN EVANS: We have a



1 motion and second to approve the October 18th minutes.  
2 All in favor signify by saying aye.

3 COMMISSIONER REINHOLD: Aye.

4 COMMISSIONER VOSS: Aye.

5 COMMISSIONER McLAREN: Aye.

6 COMMISSIONER WILLETTE: Aye.

7 COMMISSIONER GRUTSCH: Aye.

8 CHAIRMAN EVANS: Aye.

9 COMMISSIONER KLENKE: Aye.

10 COMMISSIONER HAIRE: Aye.

11 COMMISSIONER HARTMANN: Aye.

12 CHAIRMAN EVANS: Opposed?

13 (NONE)

14 Minutes are approved.

15 Communication and Visitor Comments.

16 Anyone present wishing to address the Commission?

17 (NONE)

18 If not, we'll move on to Unfinished  
19 Business. We have none.

20 New Business, and just as an FYI, the  
21 file that we had tabled last week -- last month has  
22 been withdrawn.

23 Moving on to File 220256, Aaron Asher.

24 Curtis, will you give us the details.

25 MR. ELLIS: Sure.

1           So the applicant is Aaron Asher. The  
2 applicant is asking to operate a professional office  
3 in the W zoning.

4           The property is located at 123  
5 Schoolhouse Road, approximately .22 miles northwest  
6 of the intersection of St. Albans Road and St.  
7 Albans Spring Road in Boles Township.

8           THE FACTS: The total area for the  
9 Conditional Use Permit is approximately 12.6 acres.

10           The zoning of this property is W. In  
11 the W Zoning District, Professional Office requires a  
12 Conditional Use Permit.

13           The properties to the east and south of  
14 the proposed site in the W Zoning District.

15           The properties to the north and west of  
16 the proposed site are in the Y Zoning District.

17           The property is surrounded primarily by  
18 undeveloped land. Boles Fire Protection District has  
19 a building directly east of the proposed site.

20           This property has access to St. Albans  
21 Spring Road.

22           Mr. Asher is not the owner of the  
23 property but does have an operating agreement with  
24 the owner.

25           A portion of this property and this

1 building is located in the floodplain. Any future  
2 additions or modifications to the site may require a  
3 floodplain development program and elevation  
4 certificate.

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

9 All conditions shall be completed within  
10 one year of approval unless otherwise stated.

11 Failure to meet all conditions may result in the  
12 application expiring.

13 Parking and parking surface shall be  
14 provided in accordance with the Franklin County Land  
15 Use Regulations.

16 At this time, no hours of operation have  
17 been submitted.

18 The applicant did not mention the number  
19 of employees at this location.

20 CHAIRMAN EVANS: Thank you.

21 Is the applicant present? Okay. If  
22 you'll come forward. If you'll state your name and  
23 address and sign in, please.

24 MR. AARON ASHER: Aaron Asher,  
25 123 Schoolhouse Road, St. Albans, Missouri 63073.

1 (THEREUPON, THE WITNESS WAS  
2 SWORN.)

3 CHAIRMAN EVANS: If you just  
4 want to go ahead give us some details on your --  
5 what you're proposing.

6 MR. ASHER: Yes, sir. I am  
7 proposing that the building be used as professional  
8 office space. I have a marketing and sales company  
9 called Arsenal Business Growth.

10 We currently operate --

11 COMMISSIONER GRUTSCH: Just a  
12 moment. He's going to trade mics with you.

13 MR. ASHER: Yes. Aaron Asher.  
14 Arsenal Business Growth is our marketing company, or  
15 my marketing company. We currently have an office in  
16 St. Charles, Missouri, and it's our desire to move  
17 our office to Franklin County.

18 And we saw this building for sale, and  
19 thought it would be a great opportunity to grow into  
20 it at this location. We currently have 45 total  
21 employees. We were founded in March of 2019, and  
22 we're -- we've bounced from a couple of office spaces  
23 in Wildwood to St. Charles, and we're looking to find  
24 a long-term home.

25 And it just seemed like a very

1 intriguing office space that checked a lot of boxes  
2 for the employees that we have. A lot of them are,  
3 you know, they're 20 to mid 30s.

4 We're looking for open office space, a  
5 place where they can go outside, you know, take a  
6 break, and run. It's got a gymnasium where we can,  
7 you know, work out. And you know, frankly, we're  
8 just for a place with more accessible housing or more  
9 affordable housing, places where we can kind of, you  
10 know, have a work environment and a closer -- that's  
11 a little more family oriented.

12 CHAIRMAN EVANS: Thank you.

13 Do the Commissioner have any questions?

14 COMMISSIONER REINHOLD. What  
15 was it used for before? There's a lot of parking  
16 already there.

17 MR. ASHER: It was a private  
18 school. It was the Fulton School, and I'm not  
19 totally clear on the reason, but I believe they  
20 merged with the Chesterfield Day School. So there  
21 was no further use for the building. So they have it  
22 for sale.

23 COMMISSIONER REINHOLD: I see.

24 COMMISSIONER McLAREN: How  
25 many square foot is this building?

1 MR. ASHER: It's approximately  
2 60,000 square feet.

3 COMMISSIONER McLAREN: Okay.  
4 And it's all on one level; it's not a multi-level  
5 building?

6 MR. ASHER: There are two  
7 levels. There's a -- as you enter from the north  
8 side, right, it's -- that would be the main floor.  
9 Then you could drive around to the east over here,  
10 and that would be the lower level or the basement.  
11 It does walk out to the parking lot. So there's  
12 two levels, but they're both accessible from parking  
13 lots on either side.

14 COMMISSIONER McLAREN: So do  
15 you think that your business is going to use the  
16 entire -- so it's how many square foot? I'm sorry,  
17 tell me again.

18 MR. ASHER: Sixty thousand  
19 square feet.

20 COMMISSIONER McLAREN: And  
21 that's both levels, that's total square footage?

22 MR. ASHER: Yes, sir. I think  
23 approximately 40 to 40 some odd thousand square foot  
24 of usable office space. And then there's an atrium  
25 and a gymnasium and places that aren't suitable for

1 office working, but --

2 COMMISSIONER McLAREN: And  
3 this would just be your offices; it would not be --  
4 nothing sublet other offices or anything like that?

5 MR. ASHER: No, I would not  
6 rent to, you know, a different business or anything.

7 I sold my house in order to come up with  
8 the funds to buy it. So I would like to remain a  
9 -- essentially a temporary resident in the lower  
10 level until, you know, we save enough money to go buy  
11 another house that we could move into.

12 And then the remainder of the space  
13 would be used as just office space for my company.

14 COMMISSIONER McLAREN: So this  
15 is part of St. Albans, correct?

16 MR. ASHER: Yes, sir.

17 COMMISSIONER McLAREN: Okay.  
18 Is there covenants that allow you to have an office  
19 in here?

20 MR. ASHER: Yes.

21 COMMISSIONER McLAREN: The  
22 covenants of St. Albans is acceptable to you doing  
23 this?

24 MR. ASHER: Yes. I  
25 communicated with the association of St. Albans prior

1 to purchasing the building, and I spoke with --

2 CHAIRMAN EVANS: I think  
3 Scottie had some -- I had asked her that question. I  
4 think Scottie said that that's in the file, that they  
5 have permission.

6 MR. ELLIS: Yeah, she noted it.  
7 I don't remember actually seeing something, but --

8 MR. ASHER: Yeah. I  
9 communicated with -- there's a lot of different  
10 entities right there. There's a country club,  
11 there's an association. I spoke with the association  
12 to see if that's an acceptable use. They agreed.  
13 They know that I am going to stay as a residence on  
14 the lower level and operate an office.

15 The association -- pay the association  
16 fee. They're very aware that we're there and going  
17 through this process.

18 COMMISSIONER McLAREN: And you  
19 have purchased or you're under contract?

20 MR. ASHER: Yes. I will try  
21 to explain this the best way that I know how.

22 We went and applied for an SBA loan  
23 through the Bank of Washington. It's the Bank of  
24 Washington, as far as they're funded, we do own the  
25 building and without knowing exactly how the process



1 works, it has to be the second part of the loan.

2 Actually it does fund it tomorrow.

3 COMMISSIONER McLAREN: Okay.

4 So ultimately how many -- you know, part of the notes  
5 say -- it doesn't say how many employees you're  
6 going to have, and I think we're kind of already to  
7 a pretty good size number for what we usually do for  
8 what's in a CUP.

9 How many employees in the most perfect  
10 world would you ever expect to have here?

11 MR. ASHER: After walking  
12 through the building, I think the most amount of  
13 personnel that could occupy this building would be  
14 about 200 to 250 people.

15 COMMISSIONER McLAREN: Thank  
16 you, Chairman. I think I'm done for right now.

17 COMMISSIONER WILLETTE: Okay.

18 CHAIRMAN EVANS: Debbie.

19 COMMISSIONER WILLETTE: So is  
20 there space on the property for these 200 people to  
21 park potentially?

22 MR. ASHER: Yes, I think so.  
23 As it stands today, I can't guarantee that there are  
24 200 some odd parking spots there, but I think on the  
25 12 acres, as you look at the rear of south-facing

1 parking lot going towards Highway T. I think there  
2 is certainly room to expand, you know, as needed if  
3 necessary.

4 COMMISSIONER WILLETTE: Now  
5 this information we have here says that you don't own  
6 the property, but since this was written up, you have  
7 purchased the property?

8 MR. ASHER: It is owned by an  
9 LLC called St. Albans School, L. L. C.

10 COMMISSIONER WILLETTE: Okay.

11 MR. ASHER: We did that to  
12 satisfy some of the requirements for the SBA loan.  
13 I'm the 100 percent equity owner of that LLC.

14 COMMISSIONER WILLETTE: Okay.  
15 So the LLC is who owns the property?

16 MR. ASHER: Yes, ma'am.

17 COMMISSIONER WILLETTE: And I  
18 guess the SBA is not going to have a problem with you  
19 using part of that property as a residence?

20 MR. ASHER: No.

21 COMMISSIONER WILLETTE: Okay.  
22 If you do move out, do you plan to use the part that  
23 you're using as a residence for expansion of the  
24 business, or will you possibly rent that out to  
25 someone else?

1 MR. ASHER: It would be to --  
2 it would be for employees.

3 COMMISSIONER WILLETTE: Okay.  
4 Okay. Thank you.

5 CHAIRMAN EVANS: And, Debbie,  
6 as speaking of the residence, and I think we have an  
7 issue with the residence in that even for the  
8 conditional use permit, there is an option to have  
9 a residence there in the permitted residential  
10 permitted uses for residences, an apartment does not  
11 fit under there.

12 So it would require probably -- and  
13 correct me if I'm wrong, Mark -- or that would have  
14 to be rezone to allow it.

15 COUNTY ATTORNEY PIONTEK:  
16 You're correct.

17 MR. ASHER: I apologize. I  
18 did not knowingly, you know, violate that. I  
19 thought that it was zoned as residence and going  
20 through this process, I thought it was permitted to  
21 have an apartment there for my personal use, but not  
22 to rent out to other renters.

23 CHAIRMAN EVANS: And there are  
24 some permitted residential uses, but none of them  
25 include the apartments. I mean, if I could go

1 through the code on it, but the apartment would not  
2 qualify under any of the permitted uses.

3 MR. ASHER: Is there -- I'm  
4 sorry, but I maybe don't know the difference between  
5 an apartment or a condo or something like that. Is  
6 that possible to have it?

7 CHAIRMAN EVANS: Well, when I  
8 looked at the permitted uses -- and, Mark, maybe you  
9 can address this.

10 COUNTY ATTORNEY PIONTEK: Yeah.  
11 Under your code, a single-family residence is allowed  
12 as a permitted use. An office requires a  
13 conditional use permit.

14 There's nothing in the W Zoning District  
15 that allows an apartment in the W Zoning District.  
16 So unless somehow you're considering this as a  
17 single-family residence, it doesn't meet your  
18 requirements. Only -- the only way to meet -- to  
19 satisfy this request would be if it were to be  
20 rezoned.

21 COMMISSIONER WILLETTE: Mark?

22 COUNTY ATTORNEY PIONTEK: Yes,  
23 ma'am.

24 COMMISSIONER WILLETTE: What  
25 designates this as an apartment rather than a --

1 CHAIRMAN EVANS: The  
2 application.

3 COMMISSIONER WILLETTE: Oh,  
4 okay. So if this process was amended, re-presented,  
5 is there a way to --

6 COUNTY ATTORNEY PIONTEK: I  
7 think that the fact that you're using one building  
8 for different uses, multiple uses, one being a  
9 residence or an apartment, whatever it is, and the  
10 other being an office, I don't think that qualifies  
11 as being a single-family residential or single-family  
12 dwelling.

13 COMMISSIONER WILLETTE: Okay.

14 COMMISSIONER REINHOLD: If a  
15 person has a business in their house -- to say they  
16 -- at their home, and they have an office in their  
17 home for the business, what's the difference in this?

18 COUNTY ATTORNEY PIONTEK: That  
19 would be considered a home occupation, but that's  
20 probably a different situation, different set of  
21 facts than what you're talking about here.

22 You're talking about an office with  
23 tens of employees, not just a home occupation.

24 This would not qualify as a home  
25 occupation.

1 COMMISSIONER REINHOLD: So  
2 what would we have to have it rezoned to?

3 COUNTY ATTORNEY PIONTEK: I  
4 didn't look at that.

5 COMMISSIONER HAIRE: Mark?

6 COUNTY ATTORNEY PIONTEK: Yes,  
7 sir.

8 COMMISSIONER HAIRE: Does that  
9 mean in the future -- because I know in a lot of  
10 areas, St. Charles specifically, in this are and now  
11 West County are doing multiple-use properties, does  
12 that mean that's something we should look at  
13 planning and zoning and amending our zoning to allow  
14 that?

15 COUNTY ATTORNEY PIONTEK:  
16 That's really a judgment call on your part. If you  
17 think that's appropriate, yeah, I'm sure that's  
18 something we can take a look at.

19 I know it's especially since the  
20 pandemic, there's an awful lot of going on.

21 COMMISSIONER HAIRE: Okay.  
22 That's for another time, but --

23 COUNTY ATTORNEY PIONTEK: Yes,  
24 sir.

25 COMMISSIONER REINHOLD: Mark,

1 can I ask you a question?

2 COUNTY ATTORNEY PIONTEK: Yes,  
3 sir.

4 COMMISSIONER REINHOLD: He  
5 bought the building already, and it sounds like he's  
6 wanting to move his office in there. Is there any  
7 way that we could vote on this to have where his  
8 office could be moved in, then he could come back so  
9 we don't hold him up?

10 COUNTY ATTORNEY PIONTEK: I  
11 mean, you could approve the conditional use permit  
12 strictly for an office use and not for an apartment.

13 COMMISSIONER REINHOLD: Okay.

14 COUNTY ATTORNEY PIONTEK: You  
15 could do that.

16 COMMISSIONER REINHOLD: And  
17 then he can come back next and --

18 COUNTY ATTORNEY PIONTEK:  
19 Reevaluate his options. If he wants to have an  
20 apartment there, they may have to go through a  
21 rezoning to get that done.

22 COMMISSIONER REINHOLD: Okay.

23 At least you could have, you know --

24 COUNTY ATTORNEY PIONTEK: If  
25 you're done.

1 COMMISSIONER REINHOLD: Thank  
2 you.

3 MR. ASHER: I think my  
4 understanding was that this piece of land is zoned  
5 as residential and/or farmland; is that correct?

6 CHAIRMAN EVANS: It's specific  
7 types of residential use.

8 MR. ASHER: So as of right  
9 now, is it zoned as a single-family residence?

10 CHAIRMAN EVANS: That's what  
11 Mark's explaining. It doesn't really qualify as a  
12 single-family residence. I mean, you're in that  
13 building, and not to bore you, but planning  
14 developments, second dwellings, single-family  
15 dwellings, would be like per lot, single-family  
16 dwellings on an un-subdivided lots subdivision would  
17 be with seven acres, two-family dwellings like  
18 duplexes. Those are the only permitted uses.

19 And the apartment in that building  
20 located doesn't qualify.

21 COMMISSIONER WILLETTE: And  
22 since this used to be a school, it never really was  
23 a single-family residence; is that correct?

24 CHAIRMAN EVANS: Correct,  
25 because schools are a permitted use in a W.



1 MR. ASHER: Okay.

2 CHAIRMAN EVANS: So it was  
3 permitted with the whole building, but as a school.

4 COMMISSIONER WILLETTE: This  
5 might be a question for Mark, but what if a person  
6 were to move some sort of an RV or trailer type  
7 situation, which would make it separate?

8 COUNTY ATTORNEY PIONTEK: We  
9 do have regulations on living in RVs and trailers.  
10 There are some. And I can't tell you what they are  
11 off the top of my head, but I know there are some  
12 regulations on whether or not you can live in an  
13 RV in particular.

14 CHAIRMAN EVANS: And I think  
15 it's like two weeks, something like that.

16 COUNTY ATTORNEY PIONTEK: It's  
17 not --

18 CHAIRMAN EVANS: Then you  
19 have to remove it.

20 MS. HOLDMEIER: Article 10,  
21 it's not permitted.

22 CHAIRMAN EVANS: Okay. So  
23 it's not even permitted then.

24 COMMISSIONER WILLETTE: Okay.

25 MR. ASHER: It looks like to

1 also violate the association.

2 COMMISSIONER HAIRE: Yeah.

3 MR. ASHER: They are aware and  
4 they are both fine. It's permitted within their  
5 association bylaws that I am able to operate a  
6 business and, you know, occupy it as a residence.

7 I know that's a separate issue, but  
8 just for clarification, I checked with their  
9 attorneys.

10 COUNTY ATTORNEY PIONTEK: Let  
11 me just add one more thing for clarification.

12 If you look at the W Zoning District,  
13 it says permitted use is a single-family dwelling.  
14 And then if you look at Article 2 in the definition  
15 of a single-family dwelling, "A building designed  
16 exclusively for an occupied exclusively by one  
17 family."

18 So this would not meet that  
19 requirement.

20 CHAIRMAN EVANS: Obviously,  
21 you can set up a kitchen and that type of thing for  
22 employees or whatever type of thing, but you cannot  
23 set up an apartment and reside there full time, and  
24 I think that was your intent.

25 MR. ASHER: Yes, yes, it was.

1                   And unfortunately, I was not aware that,  
2 you know, this issue would come up. I walked  
3 through the building with R. G. Casing, and he was  
4 agreeable. He said it has egress. This is fine.  
5 Thanks for showing me, and it's okay to live here.

6                   If it's possible whatever way, you know,  
7 I can apply or be in any sort of conditions that  
8 I can live there for a period of time would be very  
9 much appreciated.

10                   CHAIRMAN EVANS: We're all  
11 empathetic, but unfortunately, it doesn't meet the  
12 criteria, and we can't make exceptions. That's why  
13 the rules are there.

14                   The option would be I guess in rezoning,  
15 to do that.

16                   MR. ASHER: Well, what would  
17 the process be for a rezoning?

18                   CHAIRMAN EVANS: You would  
19 have to again, the rezoning process would be that  
20 you would come and tell us why it needs to be  
21 rezoned. We would make a recommendation whether  
22 we think it should be rezoned or not.

23                   That would be forwarded to the Franklin  
24 County Commission, who would have a hearing, and they  
25 would make the final decision on rezoning.

1           On conditional use permits, we issue the  
2 permits. Rezoning is done by the Franklin County  
3 Commission with our input.

4           And again, I can't tell you what to do.  
5 It's again how they would interpret that. So I can't  
6 give you an answer on that, but that -- that would  
7 be the process.

8                           MR. ASHER: Okay.

9                           COMMISSIONER WILLETTE: But  
10 you would contact the Planning and Zoning office and  
11 find out what you need to do for that. It's a whole  
12 separate process, and then you would appear again.  
13 They could lead you, you know, through the paperwork  
14 and that kind of thing.

15                           MR. ASHER: Sure.

16                           CHAIRMAN EVANS: Correct.  
17 This is all W, so to take it to a different zoning  
18 district, would -- we would look at the big picture.  
19 Are we putting a tiny little different zoning  
20 district in there. So I would call the Planning and  
21 Zoning office, and they could give you more direction  
22 or a more educated opinion on the process.

23                           MR. ASHER: Thank you. If I  
24 may ask one more question. If it is zoned for a  
25 certain type of, you know, residential or residence,

1 I guess, what type of residence is it zoned for?

2 Just I'm thinking out loud. I'm trying  
3 to, you know...

4 CHAIRMAN EVANS: It currently  
5 it's --

6 COMMISSIONER HAIRE: It's  
7 single-family.

8 CHAIRMAN EVANS: Right, a  
9 planned unit development. Let's see, are we in W.  
10 Second dwellings in there for hardships,  
11 single-family dwellings, one dwelling unit per lot  
12 to include site-built homes, single-family  
13 dwellings on an un-subdivided lot, subdivisions with  
14 seven lots or less, two-family dwellings, duplexes.

15 Those are the permitted uses, nothing  
16 additional.

17 MR. ASHER: So making it into  
18 an office space could be, you know, timetabled out  
19 later. As of today, is it permitted to be, you  
20 know, my family, just a single use residence?

21 CHAIRMAN EVANS: At that  
22 building?

23 MR. ASHER: Yes.

24 CHAIRMAN EVANS: No. No,  
25 that's what Mark was explaining. It doesn't meet

1 any of the existing criteria. The permitted us is --  
2 I just read them to you, and that's -- you don't  
3 meet any of them.

4 And again, you'll just have to call  
5 Planning and Zoning, and they'll tell you what your  
6 options are.

7 MR. ASHER: Sure.

8 COMMISSIONER McLAREN: Mr.  
9 Chairman, I want to ask a question I think he's  
10 asking.

11 He's saying if he's not asking to have  
12 a CUP, is it possible to live in the building now.

13 I don't know how you couldn't call that  
14 if he says I bought this old school house, I'm going  
15 to make it my house, I don't know how we can tell  
16 him no.

17 You know, that's like somebody buys a  
18 church and says I'm going to make this church into  
19 a house. I mean, obviously the gentlemen in the  
20 corner tell me I'm completely wrong.

21 COUNTY ATTORNEY PIONTEK: No,  
22 you're correct. If he decides the only thing he's  
23 going to use that building for is his home, he can  
24 do that, I guess, as long as it meets the building  
25 code and all of that sort of thing. He can do that,

1 but he will not be able to come back later and say  
2 I want to put 30 or 40 some employees in here because  
3 now he's got -- he's using it as a single-family  
4 residence, which it doesn't qualify for and an  
5 office.

6 So you can't back your way into to do  
7 this.

8 COMMISSIONER McLAREN: Right,  
9 you can do one or the other. You can't do both.

10 COUNTY ATTORNEY PIONTEK: You  
11 can't back your way into that solution that he's  
12 trying to achieve.

13 COMMISSIONER REINHOLD: Or  
14 he'd have to have it rezoned, right?

15 COUNTY ATTORNEY PIONTEK: Or  
16 he'd have to have it rezoned.

17 COMMISSIONER KLENKE: So as it  
18 sits now, if he wasn't planning on living there, he  
19 could just open his business and everything's good?

20 COUNTY ATTORNEY PIONTEK: With  
21 the CUP.

22 COMMISSIONER KLENKE: With the  
23 CUP?

24 COUNTY ATTORNEY PIONTEK: Yes.

25 CHAIRMAN EVANS: Right.

1 COMMISSIONER KLENKE: If he  
2 would not have said anything about living there and  
3 we would have just approved it, then there wouldn't  
4 have been an issue?

5 CHAIRMAN EVANS: Correct.

6 MS. HOLDMEIER: Unless when  
7 he applied for building permits, you know, to  
8 convert it to residential.

9 COMMISSIONER KLENKE: No, I'm  
10 just trying to -- I'm sorry.

11 MS. HOLDMEIER: Yeah.

12 CHAIRMAN EVANS: Yeah.

13 COMMISSIONER KLENKE: I  
14 definitely empathize. I mean, I'm kind of like the  
15 guy's done over here, then all of a sudden here.

16 COMMISSIONER REINHOLD: I  
17 guess the question I got for you --

18 CHAIRMAN EVANS: Yeah, the  
19 professional offices is the CUP.

20 COMMISSIONER KLENKE: Right.

21 COMMISSIONER REINHOLD: What  
22 do you want to do first until you go back to rezone  
23 it? Do you want to make it a residence, or do you  
24 want to make it your office?

25 MR. ASHER: I mean, first of



1 all, I don't want to get in trouble. So I think I'm  
2 currently living there. So if it's an office space,  
3 I'm in violation. That's why I had to ask, and I  
4 think I would prefer at this point to keep it as a  
5 residence for now. And then seek to have it  
6 rezoned for the multi-use or, you know, a temporary  
7 living space until I require enough funds to buy a  
8 permanent home somewhere else.

9 CHAIRMAN EVANS: Okay. Mark,  
10 it begs the question again then does he meet the  
11 criteria if he wants to keep that as a single-family  
12 residence.

13 COUNTY ATTORNEY PIONTEK: If  
14 that's the only things he's using it for, yes.

15 It may not look like a house like  
16 you're used to seeing, but if that's what it's  
17 exclusively used for, yes.

18 It's like Bill's example, somebody buys  
19 a church and they convert it to a home or a school  
20 and they convert it to a home, as long as that's the  
21 only use.

22 MR. ASHER: At this point,  
23 that's all it's being used for. Our employees report  
24 to work at St. Charles. We'll continue to use it as  
25 a residence.

1 CHAIRMAN EVANS: Okay. We  
2 would be upset if we would have had to document if  
3 45 of your family members showed up.

4 MR. ASHER: I'm sorry?

5 CHAIRMAN EVANS: If 45 of  
6 your family members showed up to live with it, would  
7 be an issue.

8 MR. ELLIS: Hire your family.

9 MR. ASHER: Yeah, it's very,  
10 very empty right now, but our team is really hoping  
11 to move into the place, but I understand that that's  
12 not possible at this point.

13 CHAIRMAN EVANS: And, Mark,  
14 correct me again if I'm wrong. If he wants to use it  
15 as a single-family residence, he doesn't even have  
16 to be here, and the CUP should be really probably  
17 withdrawn.

18 COUNTY ATTORNEY PIONTEK:  
19 That's correct. It's a permitted use in a W Zoning  
20 District.

21 MR. ASHER: So just to  
22 clarify, it's not permitted to get a conditional use  
23 permit approved to do office and residential; we  
24 instead need to seek to end role of what I came here  
25 to do today? Instead I would have to apply to have

1 it rezoned more or less?

2 CHAIRMAN EVANS: You would  
3 have to have a multiple use. If you want to have it  
4 as a single-family residence, you can do that right  
5 now.

6 If you want to have it as office space,  
7 then you need the conditional use permit --

8 MR. ASHER: Very good.

9 CHAIRMAN EVANS: -- for the  
10 professional office. You don't need anything to live  
11 there.

12 MR. ASHER: One or the  
13 other?

14 CHAIRMAN EVANS: Correct, at  
15 this point, it's got to be one or the other.

16 MR. ASHER: Thank you.

17 CHAIRMAN EVANS: Bill?

18 COMMISSIONER McLAREN: Mr.  
19 Chairman, I want to again what I normally do, but  
20 I want to go way down in the weeds here.

21 So if -- is all this building underneath  
22 one roof?

23 MR. ASHER: Yes.

24 COMMISSIONER McLAREN: It  
25 looks to me like as we face south, there is towards

1 Highway T, once that square -- the furthest facing  
2 south square in the building.

3 COMMISSIONER GRUTSCH: The  
4 rooflines are shared.

5 MR. ASHER: That Mr. Evans is  
6 pointing to is the gymnasium.

7 COMMISSIONER GRUTSCH: Yeah.

8 COMMISSIONER McLAREN: But  
9 that's attached to the other building? There's not  
10 anything that's detached?

11 MR. ASHER: The roofline, yeah.  
12 There's walls that separate it, but it is attached.

13 COMMISSIONER HAIRE: I drove  
14 around it. It's all connected.

15 CHAIRMAN EVANS: Yeah, one --  
16 one big complex.

17 COMMISSIONER HAIRE: I kind  
18 of know where you're going with that, Bill.

19 COMMISSIONER McLAREN: Okay.  
20 I thought if it was a separate building, then could  
21 be one a residence and the other be whatever.

22 COMMISSIONER HAIRE: Yeah.

23 COMMISSIONER REINHOLD: Bill,  
24 could I ask you a question?

25 CHAIRMAN EVANS: Yes.

1 COMMISSIONER REINHOLD: I  
2 look at that and there's 12 acres there. He could  
3 subdivide that and use the back piece, rezone the  
4 back piece and have the front piece as a residential  
5 lot, right?

6 CHAIRMAN EVANS: He would have  
7 to build a house.

8 COMMISSIONER REINHOLD: You  
9 know I'm saying, in the future or something.

10 CHAIRMAN EVANS: Yes.

11 COMMISSIONER REINHOLD: Some  
12 it's something that I've been thinking about.

13 MR. ASHER: Thank you.

14 CHAIRMAN EVANS: He could  
15 actually -- again, Mark, correct me if I'm wrong. He  
16 could actually build a separate home on that  
17 property?

18 COUNTY ATTORNEY PIONTEK: Yeah,  
19 I mean, he'd have to meet all the setback  
20 requirements and that subdivision requirements for --  
21 I don't know -- whatever they would be. But yeah,  
22 provided he met all of those, yes, he could.

23 CHAIRMAN EVANS: And again,  
24 that would be a process you'd have to go through to  
25 do what you, which I think kind of defeats your

1 purpose at this point.

2 COMMISSIONER VOSS: I got one  
3 question. Is it possible we can give him a CUP that  
4 would allow him to live there for a certain period of  
5 time, and then like whatever it might be, whatever  
6 we come up with?

7 I mean, this is on the verge of being  
8 silly on our part, I think. Like an American dream  
9 the guy's kind of living, and we're kind of pushing  
10 his back against the wall. I don't like it.

11 I mean, somebody tell me.

12 CHAIRMAN EVANS: Yeah, no,  
13 I agree we're all empathetic. And, Mark, again, I'll  
14 ask your opinion. Is there any way to include  
15 temporary residence or that we're saying it's a  
16 residence?

17 COUNTY ATTORNEY PIONTEK: No,  
18 you can't -- you don't need a CUP for the residence.  
19 So you wouldn't include that in the CUP as a  
20 temporary use, because he has the right -- as it  
21 exists with just a residence, he has the right to  
22 occupy that for as long as he wants.

23 It's only when he tries to use it for  
24 office space that it creates a problem.

25 COMMISSIONER McLAREN: Well,

1 Chairman, I think we've given this man a lot to chew  
2 on tonight, but should we actually discuss what he  
3 came here for and whether or not we think what the  
4 possibility of a CUP is, because I mean, it's -- to  
5 me, my -- I don't know that we've ever done a CUP  
6 that would be up to 250 employees. And that kind of  
7 gives -- I'm all for you.

8           You know, I'm always one to argue let's  
9 do it to where somebody can grow. You know, there's  
10 no point of helping somebody to where they can't  
11 grow.

12           But that's -- that's a larger amount of  
13 people than I think we've ever considered for any  
14 kind of CUP.

15           COMMISSIONER HAIRE: Would it  
16 be appropriate for us to table it so he has some  
17 time to talk to Planning and Zoning and evaluate it  
18 whether he wants to keep it this way or amend it or  
19 resubmit it as a different?

20           Let him have a little bit of time to  
21 think about that.

22           COMMISSIONER McLAREN: I think  
23 that would be appropriate, but unfortunately, I think  
24 if anybody decides he has heartburn that 250 people  
25 is a lot of people, I think that in order to do the

1 best that we can, it'd be nice to know from us what  
2 we're thinking. Just instead of sending him away,  
3 coming back here and saying well, that's great, but  
4 we don't like this.

5           And that may not be proper at all. I'm  
6 just putting myself in his shoes here, that he's  
7 honestly, it seems to me like, extremely sincere,  
8 wants to do everything 100 percent right. And to  
9 send him down the road and not give him direction  
10 that we may have an opinion here that that's a bigger  
11 business than what we think sets in rural Franklin  
12 County.

13           We need to say that to him right now  
14 too, instead of sending him down to a --

15                           MR. ASHER: Thank you.

16                           CHAIRMAN EVANS: Mark, one  
17 more question for you. If we would grant the CUP,  
18 we could do that, but as soon as he moved in, he  
19 would be in violation of the CUP?

20                           COUNTY ATTORNEY PIONTEK: Yes.

21                           CHAIRMAN EVANS: Okay.

22                           MR. ASHER: If I may for your  
23 consideration, 250 people is a lot of people. I do  
24 think that, you know, it is worth considering that  
25 approximately that amount, although they were



1 children occupying the space, and you know, there  
2 will be less traffic going through this building and  
3 more consistent no traffic than prior.

4 All right visiting schools with parents,  
5 as you know, I have had to chase some people off the  
6 property every now and then because it's not  
7 exactly secured at this point, you know, with the  
8 entrances or things like that.

9 I think the presence, you know, it's  
10 welcome to have a lot of people there. Or at least  
11 that's been the sentiment on the St. Albans Facebook  
12 group. I think they've made some changes too. They  
13 have lunches and things like that available, you know,  
14 more value would drive prices down.

15 Of course, I'm biased, but 250, 220, 200,  
16 that's a very hopeful thing. As it sits today, we  
17 currently have 45 employees, and it would take a lot  
18 of time to get there.

19 I believe certainly we would see it  
20 coming, and I'm very, you know, agreeable to make  
21 sure we meet the requirements for parking and things  
22 like that. So it would not be a nuisance.

23 CHAIRMAN EVANS: I think that  
24 Bill mentioned before like we always want to see  
25 businesses succeed and everything. And sometimes

1 people come in and say they would have three  
2 employees as well, they could have six. We would  
3 rather use the higher number to do that because if  
4 you say 200 and you have 205, then you've violated  
5 the CUP.

6 So we like to have a top number, but he  
7 also mentioned we've never had a business with 250.

8 MR. ASHER: It would  
9 probably be a rare occurrence, but at least -- I  
10 don't know. I'd be taking a guess not many  
11 people would come through here applying for a  
12 conditional permit on a building this size. I don't  
13 think there's a lot of 60,000 square foot facilities  
14 like that everywhere. I could be wrong.

15 Yes, sir.

16 COMMISSIONER GRUTSCH: If  
17 you would apply for a rezoning, say for B, the B  
18 Zoning District, you could have a residence and you  
19 could have office space. Those are both accepted  
20 non-conditional uses. They are both permitted.

21 So in that way you would not need a  
22 conditional use permit. It doesn't state the number  
23 of employees. That's not regulated.

24 So if you go with a zoning that with a  
25 rezone that would maybe be the right avenue to go.

1 MR. ASHER: Sure.

2 COMMISSIONER GRUTSCH: Just  
3 speculation on my part.

4 MR. ASHER: Thank you. Thank  
5 you.

6 CHAIRMAN EVANS: Curtis,  
7 don't we also have a requirement as far as the number  
8 of parking spaces per employee?

9 MR. ELLIS: We do, but I  
10 mean, it's a chart, and he's got more than enough  
11 space to meet it.

12 CHAIRMAN EVANS: Right.

13 MR. ELLIS: He's got 12 acres  
14 there to work with. So I mean, he could put in far  
15 more parking than he needs.

16 COMMISSIONER REINHOLD: So I  
17 counted them right there. There's 75 of them right  
18 there already.

19 CHAIRMAN EVANS: Bill?

20 COMMISSIONER McLAREN: You  
21 know, my kids are the age of the people that you're  
22 going to employ there, and probably of the type of  
23 people you're going to employ.

24 But -- and they really work a lot from  
25 home anymore. Are you -- the kind of people you're

1 employing, are going to be at the office, or are they  
2 -- they're not more remote people?

3 MR. ASHER: We allow  
4 flexibility if somebody has something come up, you  
5 know. We don't want to make them drive necessarily,  
6 but our culture is such that --

7 COMMISSIONER McLAREN: That's  
8 what I'm asking, about your culture.

9 MR. ASHER: Yes, sir. Yes,  
10 sir. We really want to inspire people to come  
11 together. I think that's why we've had the success  
12 during the difficult times over the past few years.

13 It is a sales and marketing position.  
14 It is very results based. So for example, making a  
15 sales call from home, you know, making sales calls,  
16 maybe 100 phone calls a day and talking to the owner  
17 of the business who's uninterested, it becomes  
18 somewhat demoralizing when you're alone.

19 When you're surrounded by other people,  
20 you can lean on each other and experience the highs  
21 and lows together. I think that's very important  
22 that we're an in-office version kind of company.  
23 We're flexible.

24 CHAIRMAN EVANS: But you  
25 mentioned making the calls and everything. Is this a

1 call center?

2 MR. ASHER: No, not a call  
3 center. They're sales reps. There's no cubicles.  
4 Everybody's got a desk, you know, a chair, you know,  
5 like their name and stuff, kind of like a professional  
6 sports locker room.

7 No, it's a salaried job. We pay for --  
8 they start at \$48,000 a year. It's moving to 50,000  
9 next year. And we pay for the medical, dental,  
10 vision, life insurance. It's a professional service.  
11 What I'm talking about it's approximately 75 to 125  
12 thousand dollars a year.

13 CHAIRMAN EVANS: All right.  
14 Thank you.

15 We're at that point where I think it's  
16 really up to you. If you want to use that as a  
17 residence, you don't have to be here tonight. We  
18 could table this so if you withdraw it, then it  
19 would -- Curtis, he'd have to start the process over,  
20 pay the fees again?

21 MR. ELLIS: Yeah, for a  
22 rezoning.

23 CHAIRMAN EVANS: Well, I mean  
24 on the CUP, if he withdraws it?

25 MR. ELLIS: Yeah, he would.

1 COMMISSIONER WILLETTE: We  
2 could table it, and give him time to decide if that's  
3 what he would like to --

4 CHAIRMAN EVANS: Like to do.

5 COMMISSIONER WILLETTE: Yeah.

6 CHAIRMAN EVANS: I'm just  
7 trying to see what the easiest route is for you.

8 MR. ASHER: I think I'd like  
9 to be respectful to everybody's time, and I think  
10 my intention, my hope, is to make it an office and,  
11 you know, temporary residence for my family, permit  
12 residence I will use, you know, for a year or two.

13 I don't know how to describe that. So  
14 I think, based on what I've heard today, it would be  
15 best to withdraw, leave it as a residence, and then  
16 apply for rezoning perhaps like Mr. Grutsch said.

17 CHAIRMAN EVANS: Well, I  
18 would say you don't want to withdraw it.

19 MR. ASHER: Oh, I don't.  
20 Okay.

21 COMMISSIONER GRUTSCH: If you  
22 table it tonight, if we table it tonight, you can  
23 withdraw it tomorrow --

24 MR. ASHER: Yeah.

25 COMMISSIONER GRUTSCH: -- after

1 you discuss it with Planning and Zoning in their  
2 office. You follow the process you want to follow.

3 MR. ASHER: Yeah.

4 CHAIRMAN EVANS: So the issue  
5 is if you withdraw it, then it's like it was never  
6 there, and you go back to the Planning and Zoning,  
7 pay the fees again and start all over.

8 If we table it, then it sits on the  
9 agenda, and we don't take any action, and it won't  
10 be issued until we vote on it and would approve it.

11 MR. ASHER: And I leave the  
12 door in case I did want to move ahead with switching  
13 to the office only?

14 CHAIRMAN EVANS: Yes.

15 COMMISSIONER HAIRE: Yeah.

16 MR. ASHER: Okay. Thank you.

17 CHAIRMAN EVANS: Correct.

18 And then if you decide to go the residence at any  
19 point in time, you can call it in and withdraw it.

20 MR. ASHER: Very good.

21 CHAIRMAN EVANS: And again,  
22 going back to your point, Bill, it's obviously it  
23 has the building and everything, parking spaces.

24 I don't see that there would be, again just  
25 personal opinion, that we would throw conditions on

1 there that would be excessive or whatever, it would  
2 beyond the ones we normally do for an office space.  
3 So --

4 COMMISSIONER McLAREN: The  
5 only excess I see is the amount of people that --

6 CHAIRMAN EVANS: Correct.

7 COMMISSIONER McLAREN: -- we  
8 may hold you down to a smaller -- I may vote, not we.  
9 I may vote to hold you to a smaller amount of people  
10 and say if you want to expand, show us how good of a  
11 job you did and then come back.

12 And I apologize for saying that, but  
13 your culture sounds good, you know. People being  
14 happy sounds good. Employment in Franklin County  
15 sounds good. There's a lot of things that sound  
16 good and we've given you a lot of advice that is  
17 either really good or really bad. It's worth what  
18 you paid for it so far.

19 But if you come back as a rezoning, some  
20 of the things I -- once again, not we -- I  
21 personally would want to hear is I'm potentially  
22 adding a hundred jobs in Franklin County this --  
23 I'm potentially going to not have more traffic, I'm  
24 going to improve those.

25 You know, you got to give me a reason



1 that I want to rezone it, and those are, you know,  
2 we're going to have better internet here because  
3 we're going to have better of this here because  
4 we're bringing these people in.

5 You know, that's the kind of stuff that  
6 we want to hear. I want to hear. There it is, I  
7 want to hear when I'm going to vote for a rezoning.

8 CHAIRMAN EVANS: Correct,  
9 because that's -- we could say obviously a hundred  
10 people, cap it at that.

11 And if you get to a hundred people and  
12 there's no issues and everything, we can raise that.  
13 But when we put that number in there as one of the  
14 conditions, you can't exceed that without coming  
15 back to us.

16 Any conditions we put on there, if you'd  
17 want to change them, would have to come back to us.

18 If you say Monday through Friday, 8:00  
19 to 5:00, and you want to do Saturday, you know,  
20 you'd have to come back. So those conditions would  
21 have to be met.

22 MR. ASHER: Sure. Sure.

23 COMMISSIONER WILLETTE: But  
24 if it's rezoned, --

25 COMMISSIONER GRUTSCH: If it's

1 rezoned, you don't have a --

2 COMMISSIONER WILLETTE: -- you  
3 don't ever have to come back.

4 COMMISSIONER GRUTSCH: -- you  
5 don't have those numbers assigned.

6 CHAIRMAN EVANS: There are no  
7 conditions if it's rezoned, whatever it says what  
8 Jim quoted in there, it's permitted and you don't  
9 have to meet any conditions.

10 COMMISSIONER KLENKE: But  
11 me not being on the Board here as long as you folks  
12 have, but there's been times when we tried to do some  
13 rezoning down in St. Albans, and that opens a whole  
14 can of worms and they could fill this room if they  
15 don't agree with what you're going to rezone it to.

16 COMMISSIONER REINHOLD: It's  
17 kind of silly though. It's a 60,000 square foot  
18 building.

19 CHAIRMAN EVANS: That's why  
20 I mentioned earlier if he wanted to take down and  
21 put a small piece, that's entirely different in the  
22 existing zoning. Then you get into real issues with  
23 St. Albans.

24 MR. ELLIS: Strangely enough,  
25 that's how it is now. It's a little island of W.

1 That little spot is the only spot that's W on that  
2 side of Highway T.

3 COMMISSIONER KLENKE: What is  
4 the rest of it?

5 MR. ELLIS: Y, except for the  
6 areas where commercial use is, like that store with  
7 the golf course. Those are B.

8 MS. HOLDMEIER: Y is very  
9 restrictive.

10 MR. ELLIS: Yes, Y is strictly  
11 residential.

12 COMMISSIONER HAIRE: Yeah,  
13 that was done for at the time for our good reasons.

14 MS. ELLIS: To please the St.  
15 Albans.

16 COMMISSIONER HAIRE: Yeah.

17 MR. ELLIS: Yeah, so B makes  
18 sense as Jim had suggested because that's what the  
19 other ones in that area are.

20 CHAIRMAN EVANS: I mean, they  
21 are not incorporated, but they are a --

22 COMMISSIONER GRUTSCH: Vocal.

23 CHAIRMAN EVANS: -- vocal  
24 community.

25 MR. ASHER: Sure, sure. But

1 it would probably be worth pursuing, and that  
2 association is agreeable to us having a business and  
3 myself living there as well.

4 COMMISSIONER HAIRE: Yeah, but  
5 just understand when you look at we have to look at  
6 it when we would change a rezoning, it's not what  
7 you're going to do with it. It's what could be in  
8 there if you left it or sold it.

9 COMMISSIONER KLENKE: Right.

10 MR. ASHER: Yes, sir.

11 COMMISSIONER HAIRE: You know,  
12 if it permitted a meat packing, then that can go in.  
13 That's going to upset a lot of people. So we have to  
14 look at the big picture.

15 MR. ASHER: And again, I  
16 apologize for taking you guys' time. I thought that  
17 doing the condition use would allow that for me to  
18 temporarily use it while I occupied and owned it and  
19 then revert back if I did ever sell it.

20 CHAIRMAN EVANS: And we're  
21 sorry we have to be the bearer of bad news, but  
22 that's -- again, we could always look at those and  
23 see if we want to change those regulations. But we  
24 have to, of course, enforce them as they are.  
25 Personal feelings are irrelevant.

1 MR. ASHER: Yeah. Do you have  
2 any more questions for me?

3 CHAIRMAN EVANS: So I guess  
4 we're going to leave it to have this tabled.

5 COMMISSIONER McLAREN: I would  
6 make a motion to table this, --

7 COMMISSIONER WILLETTE: I'll  
8 second.

9 COMMISSIONER McLAREN: --  
10 this file, --

11 CHAIRMAN EVANS: Okay.

12 COMMISSIONER McLAREN: --  
13 220256.

14 CHAIRMAN EVANS: No other  
15 questions?

16 (NONE)

17 All right. We have a motion and a  
18 second to table File 220256. All in favor signify  
19 by saying aye.

20 COMMISSIONER REINHOLD: Aye.

21 COMMISSIONER VOSS: Aye.

22 COMMISSIONER McLAREN: Aye.

23 COMMISSIONER WILLETTE: Aye.

24 COMMISSIONER GRUTSCH: Aye.

25 CHAIRMAN EVANS: Aye.

1 COMMISSIONER KLENKE: Aye.

2 COMMISSIONER HAIRE: Aye.

3 COMMISSIONER HARTMANN: Aye.

4 CHAIRMAN EVANS: Opposed?

5 (NONE)

6 The motion is carried. Thank you.

7 That takes us out to Preliminary Plats.

8 We have none.

9 Planning and Zoning Commission Forum.

10 Anything need to be discussed?

11 COMMISSIONER McLAREN: Mr.

12 Chairman, I was probably absent for a meeting, but we

13 had tabled something because the applicant didn't

14 show up, out in Robertsville.

15 Was there anything even done with that?

16 MS. HOLDMEIER: That's the

17 one they withdrew.

18 COMMISSIONER McLAREN: No,

19 this one -- the one that's withdrawn was at Highway

20 MM.

21 MS. HOLDMEIER: Do you remember

22 what one?

23 COMMISSIONER McLAREN: It was

24 we rezoned it. It was the duplexes and villas or

25 whatever in Robertsville, and they came in to change

1 -- we'd already rezoned it, and they came in to  
2 change it into single -- single-family or change  
3 the side yard setback, or I don't remember what.  
4 I apologize.

5                   It was about four months ago.

6                   MS. HOLDMEIER: Oh. Was it  
7 the --

8                   COMMISSIONER McLAREN: They  
9 didn't have their engineering drawings. It was done  
10 by an architect.

11                   MS. HOLDMEIER: Was it that  
12 Augustine Heights?

13                   COMMISSIONER McLAREN: Yes.

14                   MS. HOLDMEIER: Yes. He is  
15 -- he's not pursuing it any further. He's just going  
16 to leave it the way it is and do whatever he  
17 initially intended so.

18                   COMMISSIONER McLAREN: Okay.  
19 We still have a tabled motion on that one, don't we?

20                   MS. HOLDMEIER: I have in our  
21 notes we tabled it to September, and then we didn't  
22 have a meeting in September. Yeah, you're right.  
23 We didn't have a meeting in September, so yeah.

24                   CHAIRMAN EVANS: So that file  
25 should still be tabled then?

1 MS. HOLDMEIER: With Scottie  
2 not here, she was the one that spoke with him, and I  
3 don't know if he officially notified us in writing  
4 or over the phone, but I do know that he wasn't  
5 planning to pursue it any further.

6 So I don't know if we have an official  
7 withdrawal. She took that call.

8 CHAIRMAN EVANS: Yeah. Well,  
9 just follow up for --

10 MS. HOLDMEIER: Yeah.

11 CHAIRMAN EVANS: -- when  
12 Scottie gets back. She's out of town.

13 COMMISSIONER GRUTSCH: That's  
14 a good catch.

15 MS. HOLDMEIER: Yeah.

16 COMMISSIONER McLAREN: Well,  
17 I just thought I'd missed something.

18 COMMISSIONER REINHOLD: Hey,  
19 Bill, I've got a question.

20 On this conditional use permit, in the  
21 bottom of it, it says, "Planning to use as office  
22 space with a small apartment on the lower level as  
23 a residence."

24 I mean, somebody should have told that  
25 guy.



1 COMMISSIONER KLENKE: Yeah, I  
2 second that.

3 COMMISSIONER REINHOLD: I  
4 think he's maybe been misled a little bit.

5 MS. HOLDMEIER: Can I speak  
6 up on that because I actually helped him that day,  
7 and I went and got Scottie when he came in, and we  
8 got the Building Department involved too because we  
9 told him that that was probably going to be an issue.  
10 But he decided to move forward with it.  
11 So he was aware that it was probably going to be an  
12 issue. I don't know to what extent because at that  
13 point because it was between department heads talking  
14 to him, so I kind of back out at that point.

15 CHAIRMAN EVANS: I thought  
16 it would be an issue, and I talked to Mark before the  
17 meeting because I thought it was an issue too.

18 MS. HOLDMEIER: And he had  
19 stated when I -- that's when I went and got Scottie,  
20 is he had stated that, you know, he had already  
21 had Boles come through and everything looked good.

22 And that's when I said but I don't think  
23 that we allow for that, and so I didn't know where  
24 -- how much I could stuff in there, but he was aware.

25 COMMISSIONER REINHOLD: I mean,

1 it's a 60,000 square foot old school. It's going to  
2 be used for something, and it ain't going to be a --

3 CHAIRMAN EVANS: It's a big  
4 beautiful building that sits back in the woods on  
5 grove. I mean, it's a --

6 COMMISSIONER GRUTSCH: It's a  
7 nice house.

8 CHAIRMAN EVANS: Yeah, it's a  
9 nice house.

10 Anything else to discuss?

11 I got a -- we will have a meeting next  
12 month.

13 MS. HOLDMEIER: Yes.

14 CHAIRMAN EVANS: So I think we  
15 have one CUP scheduled for  
16 that.

17 COMMISSIONER REINHOLD: I  
18 wonder if he knows when his deadline is? When's the  
19 deadline for next month?

20 MS. HOLDMEIER: What is today.  
21 He'd have to have it in by the 20th, but I think that  
22 falls on a weekend. He'd have to have it in by next  
23 Monday. But I have a feeling he'll be calling us  
24 tomorrow. So...

25 CHAIRMAN EVANS: Director's

1 Report.

2 MR. ELLIS: Nothing.

3 CHAIRMAN EVANS: If there is  
4 nothing else, the Chair would entertain a motion to  
5 adjourn.

6 COMMISSIONER McLAREN: Mr.  
7 Chairman, I move that we adjourn.

8 COMMISSIONER KLENKE: Second.

9 CHAIRMAN EVANS: We have a  
10 motion and a second to adjourn. All in favor signify  
11 by saying aye.

12 COMMISSIONER REINHOLD: Aye.

13 COMMISSIONER VOSS: Aye.

14 COMMISSIONER McLAREN: Aye.

15 COMMISSIONER WILLETTE: Aye.

16 COMMISSIONER GRUTSCH: Aye.

17 CHAIRMAN EVANS: Aye.

18 COMMISSIONER KLENKE: Aye.

19 COMMISSIONER HAIRE: Aye.

20 COMMISSIONER HARTMANN: Aye.

21 CHAIRMAN EVANS: Opposed?

22 (NONE)

23 We are adjourned.

24 (THEREUPON, THE PROCEEDINGS

25 CONCLUDED AT 8:03 P.M.)

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CERTIFICATE OF REPORTER

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

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

20 IN WITNESS WHEREOF, I have hereunto set  
21 my hand.

22 \_\_\_\_\_  
23 Patsy A. Mayberry, Court Reporter  
24 Notary Public, State of Missouri  
25 My Commission Expires: September 14, 2026