

1 FRANKLIN COUNTY PLANNING AND ZONING
2 FRANKLIN COUNTY GOVERNMENT CENTER
3 400 EAST LOCUST STREET
4 UNION, MISSOURI 63084
5
6
7 TRANSCRIPT OF PROCEEDINGS
8 FRANKLIN COUNTY COMMISSION
9 NOVEMBER 21, 2019
10 (COMMENCING AT 1:30 P.M.)
11
12
13
14
15
16

17 Reported by:
18 Patsy A. Mayberry, C. R.
19 Alaris Litigation Services
20
21
22
23
24
25

1	I N D E X	
2	PROCEEDING	PAGE
3	CALL TO ORDER	5
4	P U B L I C H E A R I N G	
5	FILE 190194 - PLANNING AND ZONING ARTICLE 10:	
6	HEARING PROCEDURES AND EXHIBITS	5
7	PRESENTATION BY MS. EAGAN	5
8	PUBLIC COMMENTS - NONE	8
9	DISCUSSION	8
10	HEARING CLOSED	8
11	ADJOURNMENT	9
12	CERTIFICATE OF REPORTER	10
13		
14		
15		
16		
17		
18		
19		
20		
21		
22		
23		
24		
25		

1	E X H I B I T S		
2	IDENTIFICATION	DESCRIPTION	PAGE
3	FILE 190194 - ARTICLE 10 AMENDMENT:		
4	COUNTY:		
5	EXHIBIT A	PLANNING AND ZONING REGULATIONS	5
6	EXHIBIT B	FRANKLIN COUNTY ZONING MAP	5
7	EXHIBIT C	FRANKLIN COUNTY MASTER PLAN	5
8	EXHIBIT D	ALL FILES FOR CASES HEARD	5
9			
10			
11			
12	(NOTE: ALL EXHIBITS, IF ANY, WERE RETAINED BY THE		
13	PARTIES AND ARE NOT ATTACHED HERETO.)		
14			
15			
16			
17			
18			
19			
20			
21			
22			
23			
24			
25			

1 A P P E A R A N C E
2 COUNTY COMMISSION MEMBERS:
3 TIM BRINKER, CHAIRMAN
4 DAVE HINSON, COMMISSIONER
5 TODD BOLAND, COMMISSIONER
6 PLANNING AND ZONING STAFF:
7 SCOTTIE EAGAN, DIRECTOR PLANNING AND ZONING
8 COUNTY LEGAL COUNSEL:
9 MARK PIONTEK, COUNTY ATTORNEY
10 ALARIS LITIGATION SERVICES:
11 PATSY A. MAYBERRY, C. R.
12 711 NORTH 11TH STREET
13 ST. LOUIS, MISSOURI 63101
14 (314) 644-2191
15
16
17
18
19
20
21
22
23
24
25

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

2 (NOVEMBER 21, 2019)

3 CHAIRMAN BRINKER: Good
4 afternoon and welcome to this public hearing at 1:30
5 p.m. on Thursday, November 21st of 2019. The
6 Commission is present. The hearing agenda we'll call
7 it to order. That's what I'm doing currently.

8 We will present the hearing procedures,
9 then the File 190194 regarding Article 10, and then we
10 will adjourn.

11 But right now we will allow Scottie to
12 present the procedures and exhibits accordingly.

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

20 (THEREUPON, EVIDENCE WAS
21 MARKED FOR IDENTIFICATION AND
22 SUBMITTED FOR THE RECORD AS
23 EXHIBITS A, B, C, and D.)

24 As each case is opened, a staff report
25 will first be read by the Planning and Zoning

1 Department, followed by Commissioners' questions for
2 the staff.

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

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

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

16 At the conclusion of all questions,
17 comments, and discussion concerning each case, the
18 public hearing for each case will conclude.

19 The decision will generally be made by
20 Commission Order at a later date during the County
21 Commission's regular meeting time.

22 This is File 190194. The applicant is
23 Planning and Zoning.

24 The applicant is seeking to amend the
25 Unified Land Use Regulations of Franklin County. The

1 proposal includes amendments to Article 10,
2 Supplementary Use Regulations.

3 So the proposed changes we are requesting
4 today is in Article 10 under Section 238, Lots divided
5 by district lines. It starts on page 10.20. We added
6 a sentence that says, "An un-subdivided property the
7 district boundary lines on the map shall be determined
8 by use of the scale appearing on the map."

9 So what we are having issues with on both
10 our current zoning map and the proposed future zoning
11 map any properties that were split zoning, there's no
12 way for us to actually give a measurement of where
13 each zoning starts and which one stops.

14 So Mark did some research for me, and
15 this is the best way to use it based on the scale of
16 the maps that measure how far that zoning goes up, and
17 then we determine where the use is taking place.

18 CHAIRMAN BRINKER: Thank you,
19 Scottie.

20 So this hearing is pertaining to Section
21 238, Lots Divided by District Lines. And the item
22 being considered is the one-line addition to Section A
23 of Section 238, reading, "In un-subdivided property,
24 the district boundary lines on the map shall be
25 determined by use of the scale appearing on the map."

1 That is what's being considered today,
2 and only what's being considered today.

3 Is there anybody in the audience that
4 wishes to speak in favor of said change?

5 (NONE)

6 Is there anybody in the audience that
7 wishes to speak in opposition of said change?

8 (NONE)

9 Any Commissioners have any discussion
10 with which to put forth?

11 COMMISSIONER BOLAND: I have
12 none.

13 COMMISSIONER HINSON: I have
14 none.

15 CHAIRMAN BRINKER: Thank you.

16 In that case, Counselor, unless there's
17 any additional input or directive, we will consider
18 this public hearing complete if that's correct.

19 COUNTY ATTORNEY PIONTEK: Yes,
20 sir, that's correct. That's the only item that's on
21 the agenda today, is the addition of that one sentence
22 regarding, as Scottie mentioned, un-subdivided lots
23 that are where the zoning lines splits one lot.
24 That's the only change that's on the agenda, that's
25 the only context appropriate today.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

CHAIRMAN BRINKER: Okay.

With that, I thank you, and this public hearing is concluded.

Thank you.

(THEREUPON, THE PROCEEDINGS
CONCLUDED AT 1:36 P.M.)

o8o

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

CERTIFICATE OF REPORTER

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 proceedings were taken down in stenographic notes by me and transcribed by me, or under my supervision, to the best of my ability; 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

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



PUBLIC HEARING 11/21/2019

<p>A</p> <p>ability 10:9 accurate 10:10 added 7:5 addition 7:22 8:21 additional 8:17 address 6:8,14 adjourn 5:10 ADJOURNME... 2:11 aforemention... 10:5,10 afternoon 5:4 agenda 5:6 8:21,24 Alaris 1:19 4:10 allow 5:11 allowed 6:11 amend 6:24 AMENDMENT 3:3 amendments 7:1 anybody 8:3,6 appearing 7:8 7:25 applicant 6:11,13 6:22,24 appropriate 8:25 Article 2:5 3:3 5:9 7:1,4 ATTACHED 3:13 ATTORNEY 4:9 8:19 audience 6:3,10 8:3,6</p> <hr/> <p>B</p> <p>B 2:4 3:1,6 5:16 5:23 based 7:15 best 7:15 10:9 BOLAND 4:5 8:11</p>	<p>boundary 7:7 7:24 BRINKER 4:3 5:3 7:18 8:15 9:1 brought 6:15</p> <hr/> <p>C</p> <p>C 1:18 2:4 3:7 4:1,11 5:1,17,23 call 2:3 5:6 case 5:17,17,24 6:17,18 8:16 cases 3:8 5:18 CENTER 1:2 CERTIFICATE 2:12 10:1 CHAIRMAN 4:3 5:3 7:18 8:15 9:1 change 8:4,7 8:24 changes 7:3 CLOSED 2:10 come 6:8 COMMENCING 1:10 comment 6:4 comments 2:8 6:10,14,17 Commission 1:8 4:2 5:6 6:9,9 6:20 Commission's 6:21 COMMISSIO... 4:4,5 8:11,13 Commissioners 8:9 Commissione... 6:1 complete 8:18 concerning 6:17 conclude 6:18 concluded 9:3 9:6 conclusion 6:16</p>	<p>consider 8:17 considered 7:22 8:1,2 context 8:25 correct 8:18,20 COUNSEL 4:8 Counselor 8:16 County 1:1,2,8 3:4,6,7 4:2,8 4:9 5:15 6:20 6:25 8:19 Court 10:2,15 current 7:10 currently 5:7</p> <hr/> <p>D</p> <p>D 2:1 3:8 5:1,18 5:23 date 6:20 DAVE 4:4 decision 6:19 Department 6:1 described 10:7 DESCRIPTION 3:2 determine 7:17 determined 7:7 7:25 directive 8:17 DIRECTOR 4:7 discussion 2:9 6:17 8:9 district 7:5,7,21 7:24 divided 7:4,21 doing 5:7</p> <hr/> <p>E</p> <p>E 2:1,4 3:1 4:1,1 5:1,1 EAGAN 2:7 4:7 5:13 EAST 1:3 EVIDENCE 5:20 Exhibit 3:5,6,7,8 5:15,16,17,18</p>	<p>exhibits 2:6 3:12 5:12,23</p> <hr/> <p>F</p> <p>far 7:16 favor 8:4 file 2:5 3:3 5:9 5:17 6:22 FILES 3:8 first 5:25 6:5,12 followed 6:1,12 foregoing 10:4 forth 8:10 Franklin 1:1,2,8 3:6,7 5:14 6:25 front 6:8 future 7:10</p> <hr/> <p>G</p> <p>G 2:4 5:1 general 6:14 generally 6:11 6:19 give 7:12 goes 7:16 Good 5:3 GOVERNMENT 1:2</p> <hr/> <p>H</p> <p>H 2:4 3:1 hand 10:13 heard 3:8 5:18 hearing 2:6,10 5:4,6,8,19 6:4 6:15,18 7:20 8:18 9:3 held 10:6 HERETO 3:13 hereunto 10:12 HINSON 4:4 8:13</p> <hr/> <p>I</p> <p>IDENTIFICATI... 3:2 5:21</p>	<p>includes 7:1 input 8:17 issues 6:15 7:9 item 7:21 8:20</p> <hr/> <p>J</p> <hr/> <p>K</p> <hr/> <p>L</p> <p>L 2:4 Land 5:15 6:25 LEGAL 4:8 lines 7:5,7,21,24 8:23 Litigation 1:19 4:10 LOCUST 1:3 lot 8:23 lots 7:4,21 8:22 LOUIS 4:13</p> <hr/> <p>M</p> <p>map 3:6 5:16 7:7,8,10,11,24 7:25 maps 7:16 Mark 4:9 7:14 MARKED 5:21 Master 3:7 5:16 Mayberry 1:18 4:11 10:2,15 measure 7:16 measurement 7:12 meeting 6:21 MEMBERS 4:2 mentioned 8:22 Missouri 1:4 4:13 10:4,16</p> <hr/> <p>N</p> <p>N 2:1,4 4:1 5:1 name 6:5 NORTH 4:12 Notary 10:3,16 NOTE 3:12</p>
--	---	---	---	--

