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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

DECEMBER 20, 2022

(COMMENCING AT 7:00 P.M.)

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

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

2 (DECEMBER 20, 2022)

3 CHAIRMAN EVANS: I'd like to  
4 call to order the December 20th meeting of the  
5 Franklin County Planning and Zoning Commission.

6 Scottie, if you would 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: Here.

15 MS. EAGAN: Mike Klenke?

16 COMMISSIONER KLENKE: Here.

17 MS. EAGAN: Dave Laramore?

18 COMMISSIONER LARAMORE: Here.

19 MS. EAGAN: Bill McLaren?

20 COMMISSIONER McLAREN: Here.

21 MS. EAGAN: Karl Mittler?

22 COMMISSIONER MITTLER: (Not  
23 present.)

24 MS. EAGAN: Tim Reinhold?

25 COMMISSIONER REINHOLD: (Not

1 present.)

2 MS. EAGAN: Stan Voss?

3 COMMISSIONER VOSS: Here.

4 MS. EAGAN: And, Debbie

5 Willette?

6 COMMISSIONER WILLETTE: Here.

7 MS. EAGAN: Okay. We have a

8 quorum.

9 CHAIRMAN EVANS: Thank you.

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

15 (NONE)

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

19 MS. EAGAN: Tonight's Planning  
20 Commission meeting is governed by the Franklin County  
21 Unified Land Use Regulations.

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

25 Other matters on the agenda require

1 public hearings under Missouri law. If a matter  
2 involves a public hearing, all individuals who desire  
3 to testify will be given an opportunity to do so.

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

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

14 All Unfinished Business items on the  
15 agenda will be dealt with first. Once the Unfinished  
16 Business issues have been taken care of, each item of  
17 New Business will be opened.

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

21 Then if anyone in the audience would  
22 like to speak or comment on a file that is part of  
23 the public hearing, they must first print their name  
24 on the sign-in sheet provided, and then be sworn in.

25 When it is your turn to speak, you will



1 come to the front of the room to address the  
2 Commission and only the Commission, not anyone in the  
3 audience, with your comments.

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

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

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

16 CHAIRMAN EVANS: Thank you.

17 All the Commissioners should have  
18 received a copy of the November 15th minutes.

19 If there are no additions or corrections,  
20 the Chair would entertain a motion to approve.

21 (NONE)

22 COMMISSIONER McLAREN: Motion  
23 to approve as presented.

24 COMMISSIONER WILLETTE: I'll  
25 second that.

1 CHAIRMAN EVANS: We have a  
2 motion and a second to approve the November 15th  
3 minutes.

4 All in favor signify by saying aye.

5 COMMISSIONER VOSS: Aye.

6 COMMISSIONER McLAREN: Aye.

7 COMMISSIONER WILLETTE: Aye.

8 COMMISSIONER GRUTSCH: Aye.

9 CHAIRMAN EVANS: Aye.

10 COMMISSIONER HAIRE: Aye.

11 COMMISSIONER KLENKE: Aye.

12 COMMISSIONER LARAMORE: Aye.

13 COMMISSIONER HARTMANN: Aye.

14 CHAIRMAN EVANS: Opposed?

15 (NONE)

16 Minutes are approved.

17 Communications and Visitors Comments.

18 Anyone present wishing to address the Commission?

19 (NONE)

20 If not, we'll go to Unfinished  
21 Business. We have none.

22 New Business. We have File 200256, and  
23 that should be shown as tabled. Since we did vote  
24 to table it last meeting, and Scottie is working with  
25 the applicants. So we'll just leave it tabled for

1 this meeting unless anyone sees a reason to take it  
2 off.

3 If not, we'll move on to File 220267,  
4 Dwight Vandaveer.

5 Scottie, will you please give us the  
6 details.

7 MS. EAGAN: This is File  
8 220267, Dwight Vandaveer.

9 The applicant requests to operate an  
10 Office: Independent Contractor/Construction  
11 Business in the W Zoning District.

12 The property is located at 2497 Bosna  
13 Road, approximately .3 miles southeast of the  
14 intersection of Zagreb Avenue and Highway N in Calvey  
15 Township.

16 THE FACTS: The total area for the  
17 Conditional Use Permit is approximately five acres.

18 The zoning of this property is W. In  
19 the W Zoning District, Office: Independent Contractor/  
20 Construction Business requires a Conditional Use  
21 Permit.

22 The properties surrounding the proposed  
23 site are in the W Zoning District.

24 This property is surrounding primarily  
25 by low-density residential land.

1           This property has access to Bosna Road.  
2 this is a private road with an easement width of 40  
3 feet.

4           This property is a part of a subdivision,  
5 Alice's Woods, that was platted in 2003. This is a  
6 one-lot subdivision.

7           A portion of this property is located  
8 in the floodplain. According to the sketch, it  
9 appears the office trailer will not be located in  
10 the floodplain.

11           The applicant currently has a building  
12 permit for an office trailer at this location.

13           The applicant is currently in the  
14 process of subdividing the property. It is unclear  
15 which new lot the office trailer will be located.

16           STAFF COMMENTS: Any buildings used or  
17 built in connection with this CUP will need to be  
18 approved by the Franklin County Building Department  
19 for a commercial building. The applicant will need  
20 to upgrade the current building permit to a  
21 commercial building permit.

22           All conditions shall be completed within  
23 one year of approval, unless otherwise stated.  
24 Failure to meet all conditions may result in the  
25 application expiring.

1                   Parking and parking surface shall be  
2 provided in accordance with the Franklin County Land  
3 Use Regulations.

4                   No hours of operation have been  
5 submitted.

6                   According to the applicant, this  
7 location will be for two office personnel for  
8 accounting work.

9                   CHAIRMAN EVANS: Thank you.

10                  Is the applicant present? If you'll  
11 please come forward. I you will state your name  
12 and address and sign in, please.

13                  MR. DWIGHT VANDAVEER:  
14 Dwight Vandaveer, 2497 Bosna Avenue, Pacific,  
15 Missouri.

16                  (THEREUPON, THE WITNESS WAS  
17 SWORN.)

18                  CHAIRMAN EVANS: If you would,  
19 please give us the detail on the exactly what you  
20 are proposing.

21                  MR. VANDAVEER: The -- we  
22 have a trailer, that office trailer, and we had  
23 built basketball court for our daughter and put this  
24 trailer on the basketball court.

25                  And then the same two people that work

1 in our home now would work in that trailer.

2 My wife is retiring next year, so I'd  
3 like to get the office -- her office out of the  
4 bedroom. Then I'm retiring, it should be, three  
5 years, and it will hopefully move to the trailer at  
6 that time. For right now, I'd like to get the  
7 office out of the house.

8 Some of my neighbors sent letters in  
9 objecting to this before they knew what was going on  
10 with it. When they have said they've mailed letters.  
11 I don't know whether it's been since then. We have  
12 copies of them if you don't, showing that they have  
13 no objections to that.

14 So I didn't know if you needed a copy  
15 of those.

16 CHAIRMAN EVANS: I think we  
17 have. We should have received the same copies were  
18 e-mailed. There were some initial letters with some  
19 opposition, but then the follow-up letters rescinded  
20 the opposition.

21 MR. VANDAVEER: Okay. And  
22 as far as with the subdivision we're looking at  
23 maybe in the future, the kids may want to have a lot  
24 and to build a house on that. The trailer would be  
25 on the lot that our home is on. So it wouldn't

1 change any of that, and as far as the floodplain,  
2 it's a river lot. It's 80 feet below where our  
3 house is. We have a road to go down to the river,  
4 and that probably is the only part in the flood zone.

5 CHAIRMAN EVANS: So basically  
6 you have two people working in the house, and you're  
7 going to move them out to the trailer?

8 MR. VANDAVEER: Yeah.

9 CHAIRMAN EVANS: Any  
10 Commissioners have any questions?

11 COMMISSIONER McLAREN: I have  
12 a question. It's more for Scottie than for you to  
13 start off with.

14 Can you subdivide a 5.45 acre lot? Is  
15 that something that can be done?

16 MS. EAGAN: He's adding an  
17 acre from another piece to do this.

18 MR. VANDAVEER: Our lot is  
19 three acres is what we own, and we'll split it up  
20 however it needs to be to meet the rule.

21 COMMISSIONER McLAREN: Okay.  
22 I just didn't understand.

23 MR. VANDAVEER: And the  
24 people that are working our home is our son and  
25 daughter, and they'll also be who are going to be

1 working in the trailer.

2 COMMISSIONER McLAREN: So as I  
3 read the report, I read it that you're -- you were  
4 winding your business down?

5 MR. VANDAVEER: No, I think  
6 they're going to to make it over, and once we  
7 retire, I don't know where they're going to put the  
8 office.

9 So that was why we got a trailer rather  
10 than build a structure to put it in. So that can be  
11 pulled away once they decide what they want to do.  
12 So...

13 COMMISSIONER McLAREN: Okay.  
14 So you have a total of 30 acres there, or you have a  
15 total --

16 MR. VANDAVEER: Thirty-three  
17 and change, yeah.

18 COMMISSIONER McLAREN: Okay.  
19 So you have a total of 33 acres. You're operating  
20 a home business.

21 MR. VANDAVEER: Yeah.

22 COMMISSIONER McLAREN: And I  
23 read that you were transitioning to retirement.

24 MR. VANDAVEER: Yeah.

25 COMMISSIONER McLAREN: So I



1 guess I misunder- -- mis-assumed and assumed that you  
2 would be shutting your business down, but your son  
3 and daughter are going to take the business.

4 MR. VANDAVEER: Yeah.

5 COMMISSIONER McLAREN: So it's  
6 not necessarily a sunset to when this modular office  
7 trailer may or may not be used?

8 MR. VANDAVEER: That's  
9 correct.

10 COMMISSIONER McLAREN: Okay.

11 CHAIRMAN EVANS: I think  
12 several of us here looked at it that this was for  
13 four years. So this business might -- could  
14 continue for some length of time?

15 MR. VANDAVEER: Yeah, I'll  
16 retire in three years when I'm 67, and you know, what  
17 they're going to do with the office at that time,  
18 I'm not sure yet. So -- but I would imagine that  
19 they're not going to want to keep it there.

20 My one son lives on the road, so he  
21 may want it there, but my other daughter lives in the  
22 city. We have a warehouse with an office in the  
23 city on Bates. That's a tough neighborhood. I  
24 wouldn't want my daughter working there, but that's  
25 where all our trucks and tools and that stuff are

1 right now. So I don't know what's going to happen  
2 in three years.

3 CHAIRMAN EVANS: Okay. And I  
4 guess that's maybe I'm confused here. That will no  
5 longer be your home office.

6 MS. EAGAN: I mean, once  
7 they move out of the home, it's not longer a home  
8 office.

9 CHAIRMAN EVANS: Right.

10 MS. EAGAN: It would be a  
11 trailer on there.

12 CHAIRMAN EVANS: But the  
13 trailer if the two people stayed there, it would be  
14 an office. It wouldn't be a home office because it  
15 belongs to the people who live in the home.

16 MS. EAGAN: Right, which is --  
17 I mean, that's why he's getting the conditional use  
18 permit, for just independent contractor.

19 MR. VANDAVEER: Yeah, but we  
20 won't have -- there'll be none of our trucks and none  
21 of our tools. We are a service and installation  
22 company. The people don't start off at the office in  
23 the morning. They go directly to the job. They take  
24 their trucks home. The tools are stored in the city,  
25 so literally it's just an accounting space. That's

1 all it is.

2 CHAIRMAN EVANS: Okay. I was  
3 just wanting to clarify that once you didn't own the  
4 business representing a home business, and living in  
5 the home, but --

6 MR. VANDAVEER: Yeah, my  
7 office will stay in the home until I retire, and if  
8 I don't retire at 67, then it would stay in the home  
9 then. You know, what I mean, switch from my home to  
10 where my office would still be.

11 CHAIRMAN EVANS: But that  
12 would be all right under the CUP, then, Scottie,  
13 once he would sell the business?

14 MS. EAGAN: Correct.

15 CHAIRMAN EVANS: I just wanted  
16 to clarify that.

17 COMMISSIONER HAIRE: And that  
18 may be one of my questions. I noticed there were a  
19 couple of vehicles there when I went out and looked  
20 at it.

21 Those are not going to be there?

22 MR. VANDAVEER: We have a  
23 spare truck there that we store on-site, and then we  
24 have a pickup truck. But other than that, that's the  
25 only vehicles -- company vehicles that are there.

1 COMMISSIONER HAIRE: Okay.

2 Now, I assume that is a private road?

3 MR. VANDAVEER: Yes.

4 COMMISSIONER HAIRE: Is there  
5 a homeowners association there?

6 MR. VANDAVEER: No.

7 COMMISSIONER HAIRE: Okay.  
8 Who's responsible for maintaining the road?

9 MR. VANDAVEER: The Gerbage  
10 (ph.) family, and then we contribute to that. We  
11 have in the past. We'll probably do it more  
12 regularly here in fact moving forward, so...

13 But we maintain over 500 foot of our  
14 road, you know, passed our fence line now, and have  
15 for years.

16 CHAIRMAN EVANS: So basically  
17 we're looking that you were involve in a business as  
18 usual. It's just your son and daughter are preparing  
19 for the future?

20 MR. VANDAVEER: Yeah.

21 CHAIRMAN EVANS: And  
22 basically that's --

23 MR. VANDAVEER: That's what my  
24 neighbors were confused about. Once I explained it to  
25 them, they don't have a problem.

1                                   COMMISSIONER KLENKE:  So  
2  currently do your son and daughter commute to your  
3  house to do this job?

4                                   MR. VANDAVEER:  My son lives  
5  up at the corner of the road, on the same road.  His  
6  driveway faces on Highway N, but it's right at the  
7  corner.

8                                   COMMISSIONER KLENKE:  Okay.

9                                   MR. VANDAVEER:  So my  
10 daughter does commute though.

11                                  COMMISSIONER KLENKE:  But  
12 they have been?

13                                  MR. VANDAVEER:  He's a  
14 quarter mile away.  So yeah.

15                                  COMMISSIONER KLENKE:  So  
16 there wouldn't be any additional people coming?

17                                  MR. VANDAVEER:  No.  No,  
18 there's no cars, and there's also the neighbors  
19 the road is the issue that they were having a  
20 problem with, and since he lives on the corner, I've  
21 arranged to have deliveries from UPS and FedEx to  
22 stop at his house, and then he'll just bring the  
23 stuff down in the morning.  So you know, that and  
24 then shipment on the road, they seemed to take --  
25 that was their big issue, was traffic on the road.

1 So I sure don't want to increase that, but we can  
2 increase it by having deliveries. So...

3 CHAIRMAN EVANS: Just to  
4 clarify, and, Scottie, it's a private road, so we  
5 have no jurisdiction or say what that road is used  
6 for. So we would not address a private road to begin  
7 with.

8 MR. VANDAVEER: The trailer  
9 cannot be seen when the foliage is in the summertime.  
10 I mean, it's really hidden by the, you know, the  
11 trees and stuff. So it's not like it's an eyesore  
12 for anybody. There's no additional traffic.  
13 Literally it's just to get the office out of the  
14 bedroom. So...

15 CHAIRMAN EVANS: And you have  
16 two employees?

17 MR. VANDAVEER: Yeah.

18 CHAIRMAN EVANS: And that's  
19 all you would have in there?

20 MR. VANDAVEER: Yeah.

21 CHAIRMAN EVANS: That's all  
22 you would expect to have in there?

23 MR. VANDAVEER: That's correct,  
24 yeah.

25 COMMISSIONER KLENKE: Normal

1 business hours operation?

2 MR. VANDAVEER: Yeah. 7:00  
3 to 3:30. I don't anticipate that changing.

4 CHAIRMAN EVANS: It's Monday  
5 through Friday, I assume?

6 MR. VANDAVEER: Yeah.

7 COMMISSIONER HAIRE: I did  
8 notice on your plans, you have a bathroom that's  
9 going to be put into that later?

10 MR. VANDAVEER: I don't think  
11 so. The elevation stuff doesn't work out for us to  
12 do that without putting a pump in. So I mean, if we  
13 do that in the future, we'll apply for a permit and  
14 do it. But right now they'll walk down to use in the  
15 house. So I guess technically, you know, the  
16 bathroom in our house will be the bathroom for our  
17 office. So...

18 CHAIRMAN EVANS: And I think  
19 Scottie had talked with them before that they would  
20 have to go back and upgrade their building permit.

21 MS. EAGAN: It was mentioned  
22 in the staff report.

23 CHAIRMAN EVANS: And  
24 mentioned in the staff report, right. So that's  
25 typically a condition.

1 COMMISSIONER McLAREN: So  
2 that there's a building permit right now --

3 MR. VANDAVEER: Yeah.

4 COMMISSIONER McLAREN: -- that  
5 you've got.

6 MR. VANDAVEER: I excluded the  
7 bathroom because I wasn't planning on building that.

8 COMMISSIONER McLAREN: But  
9 it's a building permit for -- how did the Building  
10 Department issue a building permit?

11 MS. EAGAN: They haven't  
12 issued it. We're holding it. That's why he's here.

13 COMMISSIONER McLAREN: Okay.

14 MS. EAGAN: Yeah.

15 COMMISSIONER McLAREN: Okay.  
16 But the trailer is on the site?

17 MR. VANDAVEER: Yes. Well,  
18 I ordered it before I had any idea that I was going  
19 to, you know, have this issue. So it was that why  
20 we're here, and you know, so now if I can't hook it  
21 up, then I guess I'll have to try to sell it. So  
22 I couldn't -- I couldn't stop it once I paid for it.

23 CHAIRMAN EVANS: Any other  
24 questions?

25 (NONE)



1                   Okay. Thank you.

2                   MR. VANDAVEER: Thank you.

3                   CHAIRMAN EVANS: Anyone else  
4 wishing to speak in favor of the Conditional Use  
5 Permit?

6                   State your name and address and sign in,  
7 please.

8                   MS. MARY VANDAVEER: Mary  
9 Vandaveer, 2497 Bosna, Pacific, Missouri 63069.

10                   (THEREUPON, THE WITNESS WAS  
11 SWORN.)

12                   Yeah, I just would very much like to  
13 have it there. I would like to have the offices out  
14 of the bedroom. We've been in business for 27 years,  
15 and we've been very blessed. So I would like to  
16 add that our son and daughter will do a great job.

17                   CHAIRMAN EVANS: Any  
18 questions?

19                   (NONE)

20                   Thank you. Scottie --

21                   COMMISSIONER KLENKE: I have  
22 a question. We got the packet, and then we got the  
23 e-mails. Did everybody that signed or sent the  
24 letters about being against it, then did they rescind  
25 those, or was there still a couple of people that

1 were against it or...

2 MS. EAGAN: I'd have to defer  
3 to Crystal because she's the one that talked to, I  
4 think, the most outspoken one. From my understanding,  
5 she said they all were rescinded.

6 MS. HOLDMEIER: I mean,  
7 everything they submitted I forwarded. So who was  
8 in favor and who was in opposition, you guys  
9 received exactly what we have. So I didn't -- I  
10 didn't match up --

11 COMMISSIONER KLENKE: I'm  
12 just saying if we got it.

13 MS. HOLDMEIER: Yeah, I didn't  
14 match up.

15 (CROSSTALK)

16 COMMISSIONER HAIRE: It  
17 looked like there was at least one person that still  
18 might still be objecting to it.

19 MS. HOLDMEIER: And it's  
20 possible we did go through an e-mail change.

21 COMMISSIONER KLENKE: Uh-huh,  
22 right, right.

23 MS. HOLDMEIER: Did they go to  
24 somewhere else? And I was responding to every e-mail  
25 I received and so they knew, and told them over the

1 phone as well we just switched e-mails. So some,  
2 you know, somewhere -- I told her, I said, I'm  
3 responding to everybody. So if someone doesn't get a  
4 response to me, please tell them to resend. So I  
5 never got anything else.

6 CHAIRMAN EVANS: According to  
7 this, this is their option to be here tonight.

8 COMMISSIONER KLENKE: Uh-huh.

9 CHAIRMAN EVANS: Which now  
10 is anyone present wishing to speak in opposition  
11 to this file?

12 (NONE)

13 Further discussion?

14 COMMISSIONER HAIRE: I do have  
15 just one comment. Since the biggest objection was  
16 the road and traffic going up and down, and this is  
17 a transition that may or may not occur, that I think  
18 the only thing the CUP we ought to stand by is there  
19 is no equipment in there now according to Mr.  
20 Vandaveer. So I would say that should be a condition  
21 that if something changes in that ownership going  
22 forward with the son and daughter, that vehicles  
23 would not be on the property, storage of vehicles.

24 MR. VANDAVEER: We have a  
25 Bobcat and the dump truck that pulled it there.

1 That's the only thing.

2 MS. EAGAN: Well, by  
3 definition, they are allowed two.

4 COMMISSIONER HAIRE: Yeah,  
5 two vehicles for the workers. I get that, but I'm  
6 looking for the larger vehicles because that will be  
7 the ones that tear up the roads most, would  
8 interfere the sight. For some people, it might be  
9 a side issue in looking.

10 So if they're not doing it now, going  
11 forward, and that was one of the conditions in the  
12 letters that the people were concerned about even  
13 though we worked -- eventually worked that out by way  
14 of doing the deliveries, I would say that would be  
15 the only condition going forward. We need to make  
16 sure it takes place when there's a change of  
17 ownership in the property.

18 CHAIRMAN EVANS: And we could  
19 list it as a condition it would be two employees  
20 working in the trailer, and that would be the  
21 extent. That would be the uses that we permit  
22 in the CUP. So it probably would also business  
23 hours, and was it 7:00 to 3:30?

24 You may want to to include like two  
25 employees only. I know sometimes we like to use big

1 numbers, but in this case --

2 COMMISSIONER McLAREN: I can  
3 very easily defend what I will say because he's  
4 already staying in the business. So there's really  
5 already three employees that very potentially is  
6 going to use this.

7 And when he retires, you know,  
8 handcuffing his children to two employees doesn't  
9 make a lot of sense to me.

10 So on that end, I think that we should  
11 be a little bit more lenient and think a little bit  
12 further ahead, and say two employees is, you know --  
13 it's kind of like when we get our body shop or our  
14 auto shop comes in and says well, we're going to have  
15 two employees, but it doesn't count me.

16 So I think it should be able to count,  
17 you know, himself as an employee right now. So I  
18 usually see three, but my bigger question is, when  
19 we're giving this CUP and we're asking it to meet  
20 now commercial building standards, can we do that  
21 and have an office building without a bathroom in it?

22 I can't see how that can fly personally  
23 that we're saying to him, and I don't think it's  
24 good policy to start off with in case ownership would  
25 change that -- I mean, I guess it shouldn't be any of

1 our business, it seems to me like we're -- that's a  
2 road I don't really like going down.

3 CHAIRMAN EVANS: Well, I think  
4 this part of the issue is all we can do is look at  
5 land use and we can't look at building codes, you  
6 know, or anything else they have.

7 COMMISSIONER McLAREN: Then  
8 I don't think that it's -- I don't think it's under  
9 our purview that to ask the question to start out  
10 with that says well, we're going to use the bathroom  
11 in the house.

12 If we're asking that question, we're  
13 bringing it to ourselves.

14 CHAIRMAN EVANS: Okay. And  
15 I agree that it's nice to know they're going to use  
16 it, but it has no affect on our decision at all.  
17 So it's -- again, it's the land use. Can they use  
18 it for this purpose, and then it goes to the Building  
19 Department. Whatever permits they may or may not  
20 require is beyond us. As is anything on the private  
21 road, like can they use this piece of land for this.

22 It's permitted use with conditions, and  
23 beyond that, that's all we can look at.

24 COMMISSIONER McLAREN: I guess  
25 I'm just in an argumentative mood as usual. Usually

1 I have to worry about parking spaces, but I'll be  
2 worried about bathrooms also.

3 CHAIRMAN EVANS: Any other  
4 discussion?

5 I mean, I have to agree with Bill. We  
6 can do three. I mean, we could even do four to  
7 include both of them since they live in the house.

8 So we could do four employees, plus  
9 business hours.

10 COMMISSIONER HAIRE: I mean,  
11 that trailer, by looking at the size of it, could  
12 even hold five people, and I wouldn't have a  
13 problem with that. I mean, it's large enough to  
14 put in, you know, a couple more desks in there even  
15 though it's set up for three offices now.

16 So I don't think we -- I'm more  
17 concerned about just having the neighborhood -- what  
18 the neighbors had concerns were, addressing those.

19 COMMISSIONER KLENKE: Not  
20 anyone here. So apparently it's not a concern.

21 CHAIRMAN EVANS: Yeah, and  
22 we have the fact that the road.

23 COMMISSIONER KLENKE: They're  
24 close.

25 CHAIRMAN EVANS: And then may

1 or may not want to keep the business there.

2 Anyone else think of any conditions that  
3 might be appropriate?

4 (NONE)

5 So right now I'll leave it at three  
6 employees.

7 COMMISSIONER KLENKE: I said  
8 five.

9 CHAIRMAN EVANS: Do five?

10 COMMISSIONER KLENKE: Yeah,  
11 because they have those two, plus the two, and then  
12 give them one more. Is that what you were going,  
13 Bill?

14 COMMISSIONER McLAREN: Oh, I  
15 think four or five is appropriate.

16 COMMISSIONER KLENKE: Yeah. I  
17 think five.

18 COMMISSIONER GRUTSCH: Yeah.

19 COMMISSIONER HAIRE: He's  
20 thinking about Thursday.

21 COMMISSIONER KLENKE: Is that  
22 a workable number?

23 MR. VANDAVEER: Great. Thank  
24 you.

25 CHAIRMAN EVANS: So you can



1 have five employees, and then hours of operation,  
2 7:00 to 3:30.

3 Anything else we need to incorporate?

4 MS. EAGAN: Okay. Dan wanted  
5 the commercial vehicles, right. No more than two  
6 commercial vehicles shall be stored on site?

7 CHAIRMAN EVANS: Okay.

8 No more than two.

9 COMMISSIONER HAIRE: That's  
10 the current.

11 CHAIRMAN EVANS: That's the  
12 current. It's an automatic condition that they have  
13 in the permit. So those things, but the things we  
14 would add would be hours of operation and number of  
15 employees.

16 COMMISSIONER McLAREN: Is  
17 there any emergency work involved in your business?

18 MR. VANDAVEER: It would be  
19 off-site if it was.

20 COMMISSIONER McLAREN: I  
21 understand that, but --

22 MR. VANDAVEER: I mean,  
23 somebody might call and say they don't have power  
24 or they don't have heat. But one of the people that  
25 took their truck home would be the one that would be

1 going to that emergency.

2 But I mean, yeah, I might have to get up  
3 and answer the phone, but you know, it's in the house.

4 COMMISSIONER KLENKE: So, Bill,  
5 you're looking at is somebody going to go to the  
6 office at 11 o'clock and come -- you know, is that  
7 where you're going?

8 COMMISSIONER McLAREN: Right.

9 MR. VANDAVEER: Yeah, I  
10 don't -- it hasn't happened in the 20 something  
11 years we've been doing this.

12 COMMISSIONER McLAREN: Fair  
13 enough.

14 CHAIRMAN EVANS: Any other  
15 discussions or questions?

16 (NONE)

17 We've just gotten over the conditions.  
18 So unless there is anything else, the Chair would  
19 entertain a motion to move this to Unfinished  
20 Business.

21 COMMISSIONER GRUTSCH: Mr.  
22 Chairman, I'd like to make a motion to move File  
23 220267 to Unfinished Business.

24 COMMISSIONER KLENKE: Second.

25 CHAIRMAN EVANS: We have a

1 motion and a second to move File 220267 to Unfinished  
2 Business. Everyone in favor signify by saying aye.

3 COMMISSIONER VOSS: Aye.

4 COMMISSIONER McLAREN: Aye.

5 COMMISSIONER WILLETTE: Aye.

6 COMMISSIONER GRUTSCH: Aye.

7 CHAIRMAN EVANS: Aye.

8 COMMISSIONER HAIRE: Aye.

9 COMMISSIONER KLENKE: Aye.

10 COMMISSIONER LARAMORE: Aye.

11 COMMISSIONER HARTMANN: Aye.

12 CHAIRMAN EVANS: Opposed?

13 (NONE)

14 The motion is carried.

15 Moving back to Unfinished Business. We  
16 have File 220267, Dwight Vandaveer.

17 Is there any further discussion?

18 COMMISSIONER McLAREN: I would  
19 just like Scottie to read back what we've agreed to  
20 before we make a motion.

21 CHAIRMAN EVANS: All right.  
22 So we have -- Scottie, you just want to go over those

23 MS. EAGAN: Hours of operation  
24 shall be 7:00 a.m. to 3:30 p.m. Monday through  
25 Friday.

1                   No more than five office personnel  
2 allowed on site, and no more than two commercial  
3 vehicles shall be stored on site. Plus the other  
4 one.

5                   COMMISSIONER McLAREN: And our  
6 additional staff comments.

7                   MS. EAGAN: Uh-huh.

8                   CHAIRMAN EVANS: All right.  
9 Those are the conditions.

10                  COMMISSIONER McLAREN: I would  
11 make a motion to approve File 220267 with those  
12 conditions.

13                  COMMISSIONER KLENKE: Second.

14                  CHAIRMAN EVANS: We have a  
15 motion and second to approve File 220267.

16                  All in favor signify by saying aye.

17                  COMMISSIONER VOSS: Aye.

18                  COMMISSIONER McLAREN: Aye.

19                  COMMISSIONER WILLETTE: Aye.

20                  COMMISSIONER GRUTSCH: Aye.

21                  CHAIRMAN EVANS: Aye.

22                  COMMISSIONER HAIRE: Aye.

23                  COMMISSIONER KLENKE: Aye.

24                  COMMISSIONER LARAMORE: Aye.

25                  COMMISSIONER HARTMANN: Aye.

1 CHAIRMAN EVANS: Opposed?

2 (NONE)

3 The motion is carried. The file is  
4 approved.

5 MR. VANDAVEER: Thank you.

6 CHAIRMAN EVANS: Preliminary  
7 Plots. We have none.

8 Planning and Zoning Commission Forum.  
9 Anything the Commissioners would care to discuss?

10 COMMISSIONER HAIRE: I just  
11 have one thing for Scottie. I know she wants  
12 something.

13 One thing we don't have in our county is  
14 mixed use guidelines in the zoning districts, and I  
15 think that's something -- we don't have to do it  
16 immediately, but I do think it's something we need to  
17 look at.

18 MS. EAGAN: We're doing it.

19 COMMISSIONER HAIRE: Huh?

20 MS. EAGAN: We're doing it.

21 COMMISSIONER HAIRE: We're  
22 doing it, okay.

23 MS. EAGAN: Uh-huh.

24 CHAIRMAN EVANS: Anything else  
25 anyone would like to discuss?

1 (NONE)

2 Planning Director's Report.

3 MS. EAGAN: So I've been and  
4 talked with Mark and Ed Asher. We are amending our  
5 Code. We're going to amend Article 2, 7, and then  
6 we're going to also amend our telecommunications code  
7 next month. And then we have a conditional use  
8 permit and a preliminary plat.

9 So we'll move forward with those.

10 CHAIRMAN EVANS: Anything  
11 else?

12 COMMISSIONER GRUTSCH: I have  
13 a question. In our telecommunication code, we state  
14 that if a cell tower is inactive for one year, that  
15 it's decommissioned and it has to be removed?

16 MS. EAGAN: Uh-huh.

17 COMMISSIONER GRUTSCH: How do  
18 we monitor that?

19 MS. EAGAN: If it's a  
20 conditional use permit, we're supposed to go out and  
21 check it, contact the owners. We haven't because  
22 we only had the one code enforcement officer. So  
23 I'm making a list to for Jason right now.

24 COMMISSIONER GRUTSCH: I asked  
25 the question because I understand there's one near

1 where I live that is going to it is.

2 MS. EAGAN: Okay. Yeah, if  
3 you ever let us know, we can always look into it.

4 COMMISSIONER GRUTSCH: Okay.

5 MS. EAGAN: Okay.

6 CHAIRMAN EVANS: Send Jason  
7 out to climb it.

8 (OFF-THE-RECORD COMMENTS)

9 Anything else?

10 (NONE)

11 If not, the Chair would entertain a  
12 motion to adjourn.

13 COMMISSIONER McLAREN: Mr.  
14 Chairman, motion to adjourn.

15 COMMISSIONER KLENKE: Second.

16 CHAIRMAN EVANS: We have a  
17 motion and a second to adjourn. All in favor signify  
18 by saying aye.

19 COMMISSIONER VOSS: Aye.

20 COMMISSIONER McLAREN: Aye.

21 COMMISSIONER WILLETTE: Aye.

22 COMMISSIONER GRUTSCH: Aye.

23 CHAIRMAN EVANS: Aye.

24 COMMISSIONER HAIRE: Aye.

25 COMMISSIONER KLENKE: Aye.

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COMMISSIONER LARAMORE: Aye.

COMMISSIONER HARTMANN: Aye.

CHAIRMAN EVANS: Opposed?

(NONE)

We're adjourned.

(THEREUPON, THE PROCEEDINGS

CONCLUDED AT 7:40 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