Bill No. 4815  Ordinance No. __________
Requested by: Michael Hurlbert
Sponsored by: Joe Brazil

AN ORDINANCE AMENDING THE ZONING DISTRICT MAP OF THE COUNTY OF ST. CHARLES, MISSOURI, BY REZONING LAND FROM A, AGRICULTURAL DISTRICT, TO RR, SINGLE-FAMILY RESIDENTIAL DISTRICT, AS PER APPLICATION RZ19-16

WHEREAS, the St. Charles County Charter, Article II, Section 2.529, grants to the County Council legislative power pertaining to planning and zoning in the part of the County outside incorporated cities, towns and villages; and

WHEREAS, a change in zoning of a parcel of land known as Meinershagen Road and located on the southwest corner of the intersection of Meinershagen Road and South Point Prairie Road was requested by South Meiners Land Development, L.L.C., property owner(s), through Application RZ19-16; and

WHEREAS, the tract to be rezoned is a 91.98-acre parcel currently zoned A, Agricultural District; and

WHEREAS, the zoning sought for the tract to be rezoned is RR, Single-Family Residential District; and

WHEREAS, St. Charles County’s 2030 Master Plan recommends rural residential land uses with 3-acre minimum lot sizes; and

1
WHEREAS, adjacent land to the north is zoned A, Agricultural District and is used for single family residences; adjacent land to the south is zoned A, Agricultural District and is vacant; adjacent land to the east is zoned A, Agricultural District and is used for single-family residences and a farm; and adjacent land to the west is zoned A, Agricultural District and is vacant; and

WHEREAS, the Planning and Zoning Commission of the County of St. Charles, Missouri, considered this application and on a vote of 4 ayes to 3 nays recommended the matter for approval to the County Council. A simple majority of the County Council is required for passage of this bill.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNTY COUNCIL OF ST. CHARLES COUNTY, MISSOURI, AS FOLLOWS:

Section 1. The Zoning District Map of the County of St. Charles, Missouri, is hereby amended by making the following change:

A 91.98-acre tract of land located at known as Meinershagen Road and located on the southwest corner of the intersection of Meinershagen Road and South Point Prairie Road is hereby rezoned from A, Agricultural District, to RR, Single-Family Residential District. The tract of land is identified as Parcel ID No. 754290A000 in the records of the St. Charles County Assessor and is more particularly described on EXHIBIT A, attached hereto.

Section 2. The Director of the Planning and Zoning Division is hereby authorized to acknowledge approval on Application RZ19-16 as set forth in Section 1., above.
Section 3. The Council hereby receives the following documents into the record: the St. Charles County Master Plan Year 2030; the Unified Development Ordinance of St. Charles County, Missouri; and the documents attached hereto as EXHIBIT B, which exhibit contains the plats and plans and any other documents relied on in reaching this determination of the Council.

Section 4. This ordinance will be in full force and effect from and after the date of its passage and approval.
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<tr>
<th>APPLICATION NUMBER:</th>
<th>RZ19-16</th>
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<tbody>
<tr>
<td>THE PROPERTY IS PRESENTLY ZONED:</td>
<td>A, AGRICULTURAL DISTRICT (5-ACRE MINIMUM LOT SIZE)</td>
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<tr>
<td>IT IS REQUESTED THAT THIS PROPERTY BE REZONED TO DISTRICT:</td>
<td>RR, SINGLE-FAMILY RESIDENTIAL DISTRICT (3-ACRE MINIMUM LOT SIZE)</td>
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<tr>
<td>OWNER OR OWNERS OF PROPERTY TO BE REZONED:</td>
<td>SOUTH MEINERS LAND DEVELOPMENT, LLC</td>
</tr>
<tr>
<td>Parcel ID Number:</td>
<td>4-0040-S010-00-0008.0000000</td>
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<tr>
<td>LEGAL DESCRIPTION OF PROPERTY TO BE REZONED:</td>
<td>A TRACT OF LAND BEING PART OF THE WEST 1/2 OF SECTION 10, TOWNSHIP 46 NORTH, RANGE 1 EAST OF THE FIFTH PRINCIPAL MERIDIAN, ST. CHARLES COUNTY, MISSOURI AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF THE HEREIN DESCRIBED TRACT AS LOCATED ON THE CENTERLINE OF MEINERSHAGEN ROAD (RIGHT-OF-WAY VARIES); THENCE ALONG SAID CENTERLINE, SOUTH 85 DEGREES 49 MINUTES 08 SECONDS EAST 1338.99 FEET TO A POINT; THENCE LEAVING SAID CENTERLINE THE FOLLOWING COURSES AND DISTANCES; SOUTH 01 DEGREES 12 MINUTES 38 SECONDS WEST 284.38 FEET; SOUTH 00 DEGREES 51 MINUTES 26 SECONDS WEST 2666.04 FEET; NORTH 89 DEGREES 27 MINUTES 12 SECONDS WEST 1342.31 FEET; NORTH 00 DEGREES 59 MINUTES 43 SECONDS EAST 3035.33 FEET TO THE POINT OF BEGINNING, CONTAINING 91.98 ACRES.</td>
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Application RZ19-16

**REZONING REQUEST - MEINERSHAGEN ROAD**

Application No: RZ19-16  
Property Owner: South Meiners Land Development, LLC  
Current Zoning: A, Agricultural District (5-acre minimum lot size)  
Requested Zoning: RR, Single-Family Residential District (3-acre minimum lot size)  
2030 Master Plan: Recommends Rural Residential (3-acre minimum lot size)  
Parcel Size: 91.98 acres  
Location: On the southwest corner of the intersection of Meinershagen Road and South Point Prairie Road  
Council District: 2  
Account No.: 754290A000

**CONTENTS:**

- Synopsis
- Staff Recommendation
- Photo(s) of Site
- Aerial Photo
- Surrounding Zoning Map
- Future Land Use Map
- Letters received
  - Opposition - James and Joyce Caruthers
  - Opposition - Mike and Kara Dempsey
  - Opposition - Bill and Joyce Zollmann
- Planning and Zoning Commission minutes from January 15, 2020 meeting
January 24, 2020

This communication summarizes the following bill to be introduced at the February 10, 2020 County Council meeting:

**REZONING REQUEST - MEINERSHAGEN ROAD**

Application No: RZ19-16  
Property Owner: South Meiners Land Development, LLC  
Current Zoning: A, Agricultural District (5-acre minimum lot size)  
Requested Zoning: RR, Single-Family Residential District (3-acre minimum lot size)  
2030 Master Plan: Recommends Rural Residential (3-acre minimum lot size)  
Parcel Size: 91.98 acres  
Location: On the southwest corner of the intersection of Meinershagen Road and South Point Prairie Road  
Council District: 2  
Parcel Account No.: 754290A000

The applicant requests rezoning this tract to accommodate plans to develop a 28-lot single-family residential subdivision with lot sizes of 3+ acres.

The tract is a mile south of Hwy N which the Master Plan sees as a high-growth corridor. Meinershagen Road forms the southern boundary of the City of Wentzville’s sewer service area, as well as the 2030 Master Plan’s Urban Service Area boundary. As no public sanitary sewer service is anticipated for this tract, the County’s 2030 Master Plan recommends single-family residential uses on lots of 3 acres or larger to accommodate onsite sewage disposal.

The Planning and Zoning Commission held a public hearing on this rezoning application on January 15, 2020, and received the following public input:

<table>
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<tr>
<th>Speakers</th>
<th>2 Support</th>
<th>4 Opposed</th>
<th>0 Concerns</th>
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<tr>
<td>Letters on file</td>
<td>0 Support</td>
<td>3 Opposed</td>
<td>0 Concerns</td>
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Having conducted the public hearing, the Planning & Zoning Commission voted to recommend as follows:

4 Approval 3 Denial 0 Abstentions

Additionally, the Planning and Zoning Commission approved the applicant’s preliminary plat conditioned upon zoning approval and additional measures to mitigate increased stormwater runoff.

**Recommendation:**

The Planning & Zoning Commission recommends approval of this rezoning request. The Planning and Zoning Division concurs with this recommendation as consistent with the 2030 Land Use Plan.

Sincerely,

Robert Myers, AICP  
Director of Planning & Zoning

cc: Steve Ehlmann, County Executive  
Joann Leykam, Director of Administration  
John Watson, County Counselor
STAFF RECOMMENDATION

To: County Planning & Zoning Commission                  Prepared by: Mark Price Jr, AICP, CFM
Application No.: RZ19-16                           Date: December 10, 2019

BACKGROUND INFORMATION

Owner: South Meiners Land Development LLC
Applicant: Bax Engineering Company
Requested Action: A zoning map amendment to rezone 91.98 acres from A, Agricultural District (5-acre minimum lot size) to RR, Residential District (3-acre minimum lot size)
Location: South side of Meinershagen Road, at the intersection of Meinershagen Road and South Point Prairie Road, North of New Melle.
Current Zoning: A, Agricultural District (5-acre minimum lot size)
Current Land Use: Vacant/Agricultural
Adjacent Land Use and Zoning:

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<th>Direction</th>
<th>Zoning</th>
<th>Land Use</th>
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<tr>
<td>North</td>
<td>A, Agricultural District</td>
<td>Single Family Homes (3+ acre lots)</td>
</tr>
<tr>
<td>South</td>
<td>A, Agricultural District</td>
<td>Agricultural Land</td>
</tr>
<tr>
<td>East</td>
<td>A, Agricultural District</td>
<td>Single Family Homes, Farm</td>
</tr>
<tr>
<td>West</td>
<td>A, Agricultural District</td>
<td>Agricultural Land</td>
</tr>
</tbody>
</table>

2030 Master Plan: Recommends Rural Residential (minimum lot size 3 acres) land use

Public Services: County Council District 2 – Joe Brazil
                School District – Wentzville School District
                Fire District – New Melle Fire District

Utilities: Water – Public Water District 2
           Sewer – Individual Wastewater Treatment System
REZONING ANALYSIS

The rezoning request is for a parcel of 91.98 acres in size. The applicant requesting this rezoning has also submitted a preliminary plat for a subdivision consisting of 28 lots with a minimum lot size of 3 acres (PRE19-19). The applicant will be required to provide roads in the subdivision that are improved to the standards required by the County for a private road system. The property owner will be required to have St. Charles County Highway Department approval for ingress and egress from the subdivision onto Meinershagen Road.

The surrounding area is a mix of different lot sizes ranging from approximately 1 acre in size up to and exceeding 100 acres. There are multiple 3 acre plus lots along both Meinershagen Road and South Point Prairie Road. This density of development is not out of character and would fit in with the existing development types in the area.

The 2030 Land Use Plan for this area does recommend residential land use with 3-acre minimum lot size. This minimum lot size recommendation will be able to support the required individual sewer systems proposed in the subdivision plat.

RECOMMENDATION:

The Planning and Zoning Division recommends that this zoning request from A, Agricultural District (5-acre minimum lot size), to RR, Residential District, (3-acre minimum lot size) be approved. In recommending approval to the RR zoning district, staff finds the proposed zoning to be consistent with the 2030 Land Use Plan.

![Property looking south from Meinershagen Road](image-url)
RZ19-16 – Zoning
Subject Property
St Charles Planning & Zoning Commission

We received the notification of the subject Request from you. We reside at 657 Dyer Rd, Wentzville, Mo 63385, near the back portion of the parcel in question.

We strongly oppose the proposed rezoning. Dyer Rd is a mostly rural road that is increasingly seeing 'residential' traffic using Dyer as a 'short cut' to access Hwy Z and beyond. The traffic increase originates from Foristell Rd residents bypassing New Melle and from residents from Pt Prairie and feeder roads like Meinershagen. Adults, children, pets and wildlife are increasingly at risk from these who do not respect speed and attention to the road during morning and afternoon commutes.

The growth of residents on or near Dyer have complied with 5-acre zoning (in most cases more) to minimize residential density, and so too should the growth on Meinershagen and Foristell Rds.

Thank you for calling this Request to our attention.

James and Joyce Caruthers
636 866 4747
From: Kara Dempsey <kduke8284@gmail.com>
Sent: Sunday, December 15, 2019 6:48 PM
To: Myers, Robert; Brock, Jhimae; Council; Cronin, Joe; Planning; Brazil, Joe; Elam, Mike; Hammond, David; Hollander, Terry; Schneider, Nancy; White, John
Subject: RZ19-14&PRE19-15

CAUTION: This email originated from outside of St. Charles County Government. Always use CAUTION when opening attachments or clicking links from unknown senders or when receiving unexpected emails. - IS Dept.

To whom it may concern,

I’m writing in regards to the rezoning on Foristell road to 3 acre lots. I urge you to vote against this rezoning. As a member of this community and a homeowner on Foristell road (within 1,000 feet) I do not believe this is in the best interest of the community. The infrastructure of New Melle and its surrounding areas does not support this vastly growing number of people & traffic to the area. I urge you to look at the narrow rural/farm roads, the small town school that is already bursting at the seems, the peacefulness and nature that exist here that no one in the area is wanting to lose so that a developer can create more homes on smaller lots. This is not right for our community. We ask you to please respect the communities wishes and keep the homesites to 5 acres. Thank you for your time.

Mike & Kara Dempsey

Sent from my iPhone
Bill & Joyce Zollmann
3485 South Point Prairie Road
Wentzville, Missouri 63385

January 10, 2020

Planning & Zoning Commission
201 North Second Street, Suite 410
St. Charles, Missouri 63301

Re: Application No. PRE19-16

Gentlemen:

We recently received a Notice of Preliminary Plat – Meinershagen Road, Application No. PRE19-16. Please consider this letter as our remonstrance as to the proposed development for 3 acre lots for the following reasons:

1. Most of the 91.98 acres drains on our agricultural property; that property already has substantial erosion problems and allowing this plat for 3 acre lots will only acerbate those problems.

2. Twenty-eight (28) three (3) acre lots with immediate run-off from roofs and streets would increase our already substantial erosion problem; five (5) acre lots would be bad, but tolerable.

3. Our land contains a small 6+/- acre agricultural field which is south of and adjacent to the subject property and north of the creek. It is already a challenge to prevent erosion in this small field. We fear that the additional run-off from so many roofs and roads will render this field entirely useless.

4. Five (5) acre lots would allow 3.96 acres for retention ponds, streets and amenities and even that would be far too little.

5. The soil in this area is mostly clay and does not percolate well enough for septic tanks on three (3) acre lots.

It was my understanding that this part of the county was to be viewed as agricultural property and not residential property under the Master Plan. It was also my understanding that five (5) acre lots with septic systems were to be viewed as the “minimum norm” for rural residential uses.

W. J. Zollmann, III
Joyce Zollmann
MINUTES OF REGULAR MEETING

ST. CHARLES COUNTY PLANNING AND ZONING COMMISSION

DATE: JANUARY 15, 2020
TIME: 7:00 P.M.
PLACE: COUNTY EXECUTIVE BUILDING
300 N. THIRD ST.
THIRD FLOOR COUNCIL CHAMBERS
ST. CHARLES, MO 63301

MEMBERS PRESENT: Diane Salle; Kevin Cleary; Tom Kuhn; Roger Ellis; Craig Frahm; Jim Leonhard; and Robert McDonald

MEMBERS ABSENT: None

STAFF PRESENT: Ellie Mar, Senior County Planner, Robert Myers, Director of Planning and Zoning; Megan Murray, Assistant County Counselor; and Sheila Weiss, Recording Secretary

SPEAKERS: RZ19-16: Dale Bax with Bax Engineering Company, applicant’s representative; Bill McNair, developer; Barbara Heidolph, 3055 S. Point Prairie Road; William Zollman, 3485 S. Point Prairie Road; Dale Schaper, 1711 Tabitite Drive; Chuck Koehler, builder; and Arnie C. “AC” Dienoff, P.O. Box #1535, O’Fallon, MO 63366

CALL TO ORDER
Chairman Roger Ellis called the meeting to order at 7:00 PM. Following the Pledge of Allegiance, Chairman Ellis welcomed the audience; explained the procedures for speakers; and explained the functions of the Planning and Zoning Division, the Planning and Zoning Commission and the County Council. He explained to the audience that the Planning & Zoning Commission will make a recommendation on rezoning and conditional use applications heard during the meeting, which will then be submitted to the St. Charles County Council for their final decision. He stated that public comment on conditional use permit applications will be taken only during the first reading, and will not be taken at any meeting of the County Council held thereafter. The vote on preliminary plats by the Commission is final. Only a recommendation for denial on a preliminary plat would be heard by the County Council.

Chairman Ellis introduced the following documents into the record: The Unified Development Ordinance of St. Charles County (UDO), including zoning maps; and the 2030 Master Plan for St. Charles County, which includes the 2030 Future Land Use Plan Map.
PUBLIC HEARINGS

REZONING REQUEST - MEINERSHAGEN ROAD

Application No: RZ19-16
Property Owner: South Meiners Land Development, LLC
Current Zoning: A, Agricultural District (5-acre minimum lot size)
Requested Zoning: RR, Single-Family Residential District (3-acre minimum lot size)
2030 Master Plan: Recommends Rural Residential (3-acre minimum lot size)
Parcel Size: 91.98 acres
Location: On the southwest corner of the intersection of Meinershagen Road and South Point Prairie Road
Council District: 2
Account No.: 754290A000

Robert Myers, Director of Planning & Zoning, stated that this property is approximately 92 acres in size and is located between the City of Wentzville and the City of New Melle, west of Highway Z. This area calls for future rural residential land uses in the County’s 2030 Master Plan, and low-density residential uses with 1 to 4 units per acre. Public sewer service may be available at some point in this area, but it will likely be some time before this happens. The current zoning is Agricultural, and roughly 17 lots could be developed under the current property zoning. This proposal is to develop 28 lots, so they are requesting a zoning change to Rural Residential District.

The Planning and Zoning Division recommends approval of this rezoning request, and finds the proposed zoning to be consistent with the 2030 Land Use Plan.

For the record, staff received three written communications in opposition of this rezoning request.

Chairman Ellis asked the Commission if they had any questions for County staff.

Robert McDonald asked staff if the proposed 28 homes will all be on septic systems.

Robert Myers responded in the affirmative.

Robert McDonald asked if septic systems are allowed on 3-acre lots in St. Charles County.

Robert Myers responded in the affirmative.

There being no further questions for staff, Chairman Ellis opened the public hearing and asked the applicant or their representative to come forward.

Dale Bax with Bax Engineering, the applicant’s representative, was sworn in. Mr. Bax stated that Bill McNair has owned this property since 2002 and it currently listed under the name of South Meiners Land Development, LLC. Mr. McNair is proposing to develop 28 lots with a 3-acre minimum lot size on this 91.98-acre property, with a density of 1 to 3 units per acre. The request to rezone this property from Agricultural to Rural Residential is in line with St. Charles County’s 2030 Master Plan. There will be one
entrance to the development off of Meinershagen Road. They have surveyed site distance along Meinershagen Road and have included this survey with this submittal for County staff to review. They are proposing an approved entrance with a paved surface. Three-acre lot subdivision are not required to have paved streets but they most likely will pave them because typical buyers of three acre plus lots are looking for paved streets. There are three natural watercourses on the property that easements will be provided for, and those areas will remain undisturbed. They will only be clearing 0.3 acres of trees for the entire site, and this must be done to allow for the main street. Lot 11 may also possibly require the removal of a few trees in order to be able to place a house on that lot, but they want this development to remain in as natural of a state as possible. Highway 364 is slated to continue out past Highway 40 to Highway Z, and tie back to Highway N in the future. This area will likely be a highly developed area in the future. They also have approval from the DNR for septic systems and wells for all 28 lots of the proposed development.

Roger Ellis asked Dale Bax if the interior streets of this development will be public or private streets.

Dale Bax responded that they will be private streets.

Roger Ellis asked Dale Bax if they will have a Homeowner’s Association for this subdivision.

Dale Bax responded in the affirmative.

Kevin Cleary asked Dale Bax if they have drawn up any subdivision restrictions for this development yet.

Dale Bax responded that they have not put forth any subdivision restrictions yet. They will be required to submit restrictions to County staff for review prior to recording the final plat.

Kevin Cleary asked Dale Bax if the streets in the development will be about 20-feet wide.

Dale Bax responded that the streets will be 20-feet wide, with a 42-foot wide right-of-way as required by St. Charles County.

Chairman Ellis asked the Commission if they had any questions for the applicant’s representative.

Seeing none, Chairman Ellis asked if anyone from the audience wished to make public comments on this application.

Bill McNair, the property owner/developer, was sworn in. Mr. McNair stated that he has owned this property for 18 years and takes pride in it. There is an old house on this tract of land that was built in 1902 according to the Real Estate Agent that sold the property to his parents when he was a child. His parents farmed that property for years after they purchased it, and some of the neighbors used a team of mules to farm their property at that time. His mother still lives on the same property in the same house. On the property that used to be farmed by a team of mules, there is now a three-acre subdivision with about 300 homes. He completely understands his neighbor’s concerns about taking down trees, erosion, trespassing, etcetera. Mr. and Mrs. Zollman live on the property to the east of him and they also own a wooded tract that they state in the letter they sent to the Commission gets drainage from this property. It appears to him that there are two creeks on Mr. Zollman’s property that most of their watershed likely comes from. His engineer, Dale Bax, tells him there will only be a 5% increase in watershed when this property is fully developed. Mr. McNair stated that he will promise the Zollman’s that if this development creates any issues for their property, he will do whatever it takes to make it right. This property is surrounded by three-acre developments, and all of the lots in this area are on
septic systems and have wells. Regarding about traffic flow on Buckner Road, Buckner Road is slated in the County growth plan to become part of Highway 364. If speeding becomes an issue in the area, St. Charles County will set up radar. The primary buyers of these lots will be families with kids that would like more lot space than there is in the average development.

Kevin Cleary asked Mr. McNair if he plans to sell the lots to individuals.

Mr. McNair responded that he plans to build the homes in this development. He may also contract with other builders if the lots sell quickly.

Kevin Cleary asked Mr. McNair what the price point of the homes will be.

Mr. McNair responded that the lots will be prices at approximately $100,000, and the homes will be priced at around $300,000.

Barbara Heidolph, 3055 S. Point Prairie Road, was sworn in. Mrs. Heidolph lived on a property in St. Charles when she and her husband were married, and in 1978 they started looking at larger properties. They purchased their current 40-acre property to move to an area with larger lots. There is a pond at the rear of her property that is constantly eroding, and she is concerned about adding 5% more runoff from this development to her pond. She asked what the developer's plan is to contain water runoff. She is also concerned about the deer and other wildlife in the area, people trespassing on her property and fishing in her pond. She also has traffic concerns and stated that there is a 90-degree turn and a wooded area on South Point Prairie. This development will also increase traffic on Diehr Road, and these streets are not designed to ad additional traffic. She also has concerns about septic fields and adding 28 more wells on the same aquifer. Mrs. Heidolph asked the Commission to deny this request.

William Zollman, 3485 S. Point Prairie Road, was sworn in. Mr. Zollman asked if County staff has walked this property to see the lay of the land, and spoken with the adjacent property owners. He stated that there was a sign posted on the road about this request, but it has since been removed. There are other 3-acre lots in this area because Agricultural zoning only required 3-acre lots when those lots were developed. This has since been changed to 5-acre minimum lot sizes because septic systems cannot handle 3-acre lots. Agricultural property is still a benefit to St. Charles County. Mr. Zollman stated that he has never met Mr. McNair, and he does not live on this property as he stated. He is opposed to this rezoning request and believes the property should remain Agricultural with five-acre minimum lot sizes.

Dale Schaper, 1711 Tabitite Drive, was sworn in. Mr. Schaper owns property at 2804 South Point Prairie that is 3-acres in size. St. Charles County went to 5-acre lots for a reason. He believes that reducing the minimum lot size for this property to three-acres to creates more revenue for the developer. He does not have the option to subdivide his 3-acre property and does not believe this property should be allowed to have less than 5-acre lots.

Arnie C. “AC” Dienoff, P.O. Box #1535, O’Fallon, MO 63366, was sworn in. Mr. Dienoff asked if the Cities of New Melle and Wentzville were notified of this rezoning request. He stated that County code requires that letters be sent to each property owner within 1,000 feet of this property and does not believe County staff met this requirement. He pointed out that there were two letters received regarding this rezoning request and asked the Commission to review those letters. He also asked why the letter from the DNR that Dale Bax stated approved the septic systems was not in the agenda packet and should have been provided to the Commissioners.

There being no further speakers from the audience, Chairman Roger Ellis asked if the applicant would like to come back to the podium to address any of the speaker’s concerns.
Dale Bax came back to the podium. He stated that regarding Mrs. Heidolph’s concern about increasing runoff by 5%, if the property were to be developed on 5-acre lots there would still be an increase in runoff of 2.86%. He stated that the County does not require detention for subdivisions with lots of 3-acres or greater. He has been to the property and has driven the route. The turning radiiuses in the area are all acceptable. The DNR allows septic systems on 1-acre lots in the state of Missouri. St. Charles County allows septic systems on 3-acre or larger lots. Any development with more than 6 lots is required to submit septic system plan to the Department of Natural Resources, which they have done.

There being no further questions for the applicant, Chairman Ellis closed the public hearing and called for discussion from the Commission.

There being no further discussion from the Commission, Tom Kuhn made a motion to recommend approval of Application No. RZ19-16. Kevin Cleary seconded the motion.

The vote on the motion was as follows:

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<tbody>
<tr>
<td>Diane Saale</td>
<td>- No</td>
<td>Tom Kuhn</td>
<td>- Yes</td>
<td>Roger Ellis</td>
</tr>
<tr>
<td>Kevin Cleary</td>
<td>- Yes</td>
<td>Craig Frahm</td>
<td>- Yes</td>
<td>Robert McDonald</td>
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<td>Jim Leonhard</td>
<td>- No</td>
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Application No. RZ19-16 was recommended for **APPROVAL**.

The Vote Count was 4 Yeas, 3 Nays, and 0 Abstentions.