APPLICATION PRE20-01

PRELIMINARY PLAT FOR RESUBDIVISION OF CALLAWAY VALLEY PLAT ONE TRACT A – 2977 HIGHWAY F

Application No: PRE20-01
Property Owners: Robbie L. Johnson Revocable Living Trust
Surveyor: Landmark Surveying Company
Property Zoning: A, Agricultural District (5-acre minimum lot size)
Proposed lots: 3
Parcel Size: 40.05 acres
Location: On the northeast terminus of Highway F and Callaway Ridge Drive
Council District: 2
Account No.: 616500A001

CONTENTS:

- Staff Recommendation
- Site Photos
- Aerial Photo
- Surrounding Zoning Map
- Topography Map
- Preliminary Plat
- Letters received
  - Comments - Fred Weber Incorporated
  - Comments - Arnie Dienoff
STAFF RECOMMENDATION

To: County Planning & Zoning Commission  
Prepared by: Mark Price Jr, AICP, CFM

Application No.: PRE20-01  
Date: March 10, 2020

BACKGROUND INFORMATION

Owner: Robbie L Johnson Revocable Trust

Applicant: Landmark Surveying Company, Inc.

Requested Action: Approval of the re-subdivision of Callaway Valley Plat One Tract A (3 lots)

Location: 2977 Highway F, Located on the north side of Callaway Ridge Drive at the intersection of Callaway Ridge Drive and Highway F, Near New Melle.

Current Zoning: A, Agricultural District (5-acre minimum lot size)

Current Land Use: Vacant

Adjacent Land Use and Zoning:

<table>
<thead>
<tr>
<th>Direction</th>
<th>Zoning</th>
<th>Land Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>A, Agricultural District</td>
<td>Vacant</td>
</tr>
<tr>
<td>South</td>
<td>A, Agricultural District</td>
<td>Vacant and Single Family Homes</td>
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<td>East</td>
<td>A, Agricultural District</td>
<td>Vacant and Single Family Homes</td>
</tr>
<tr>
<td>West</td>
<td>A, Agricultural District</td>
<td>Vacant and Single Family Homes</td>
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2030 Master Plan: Recommends Agricultural (minimum lot size 5 acres) land use

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

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

The property owner had made a lot division on this property without the appropriate County approvals. As such, there are currently three parcels that make up this subdivision. They are account numbers T201300025, T201300013, and 616500A001. These three parcels made up Tract A of Callaway Valley Plat 1.

The applicant requests approval of the previous division of the property into three parcels. The large parcel to the north will take access from Highway F using an existing driveway. There is currently a home under construction on this lot. The two remaining parcels will front on Callaway Ridge Drive and take access from Callaway Ridge Drive, meaning that no public improvements will be necessary or proposed.

Currently the submitted plat does not meet the technical standards of the subdivision ordinance, however, prior to recording, the plat would be required to meet all requirements. The resulting lots will meet the required five-acre minimum lot size for the agricultural zoning district.
PRE20-01 – Land Use Plan, 2030
PRELIMINARY PLAT
RESUBDIVISION OF TRACT "A"
OF CALLAWAY VALLEY PLAT ONE
IN SECTION 2, T. 45 N., R. 1 E.

NOTES:
1. OWNER ROBBIE L. JOHNSON R.E.X. LIVING TRUST
   4312 NAVA WY LN.
   ST. CHARLES, MO. 63304
2. TOTAL ACREAGE OF THIS PLAN IS 5,309 ACRES.
   AVERAGE LOT SIZE IS 1.5 AC.
3. UTILITIES SERVING THIS SITE:
   ELECTRIC - AMERICAN SEAL OR COUVER RICH ELEC. COOP.
   TELEPHONE - CENTURY LINK
   GAS - LEEDS GAS CO.
   SANITARY SEWER: INDIVIDUAL SEWER TREATMENT
   WATER - PWSJ, NO. 2
4. THE CURRENT ZONING IS: A - AGRICULTURAL.
5. BUILDING-LAND USE PERMIT APPLICATIONS MUST BE SUBMITTED BY THE
   DEVELOPMENT REVIEW DIV. FOR THE SURFACE ROUGHNESS. A LAND
   DISTURBANCE PERMIT MUST BE OBTAINED FROM THE D.O.E. FOR LAND
   DISTURBANCES EXCEEDING 5,000 SF.
6. THERE SHALL BE NO CLEARING, GRADING, CONSTRUCTION OR
   DISTURBANCE OF VEGETATION IN THE VEGETATIVE COVER ZONE
   EXCEPT AS PERMITTED BY SECTION 20406 OF THE ZONING
   DEVELOPMENT ORDINANCE OF ST. CHARLES COUNTY, MO.
7. ALL OCCUPANCY PROPERTIES ARE ZONED A - AGRICULTURAL.

THIS PLAT IS APPROVED BY ST. CHARLES COUNTY:

P & Z Commission:
☐ With conditions

County:
☐ Ordinance No.

St. Charles County Planning Director

LANDMARK SURVEYING CO.
802 E. MAIN ST., WALTON, IN 47396
317-338-1000 317-569-8152 FAX: 317-569-8152
STATEWIDE.LANDMARKSURVEYING.COM

PRELIMINARY PLAT

DATE: 04/06/18
DATE: REV.3-24-20
March 11, 2020

VIA UNITED STATES MAIL
AND ELECTRONIC MAIL (Planning@seccmo.org)

Planning and Zoning Division
St. Charles County
201 N. Second St.
Suite 420
St. Charles, MO 63301
Attention: Ellie Marr and Thomas Kuhn

Re: Application No. PRE20-01
for Preliminary Plat for Resubdivision of
Callaway Valley Plat One Tract A – 2977 Highway F

Ladies and Gentlemen:

We are in receipt of a letter from the Commission dated March 2, 2020 regarding an application to approve a preliminary plat for subdivision for approximately 40 acres on the northeast terminus of Highway F and Callaway Ridge Drive, referenced as Resubdivision of Callaway Valley Plat One Tract A – 2977 Highway F.

As you may know, Fred Weber, Inc. ("FWI") owns and/or controls property along Highway F located to the northwest, west and south of such proposed subdivision as shown on the hand-marked county map attached. FWI controls the property labeled Pow Dun II under a mining lease agreement.

We are writing this letter to advise the Commission that since 1992, FWI has conducted surface and/or underground mining and surface crushing, screening and stockpiling operations on the property shown on the attached map, and that such operations include blasting 6 days a week. Prior to FWI operating the property, it had been operated as a quarry since 1954. FWI intends to continue such operations indefinitely and the underground mining operations are currently progressing northward.

We ask that the Commission consider such operations in reviewing and responding to the above referenced application and in issuing any conditions in connection with its recommendation. Without limiting the discretion of the Commission in requiring any conditions, we ask that it consider whether imposing reasonable conditions on the developer and the development (e.g., special notices to new residents of adjacent mining operations, larger building setbacks, creation of common areas closer to Highway F, etc.), is warranted.

2320 Creve Coeur Mill Road · P.O. Box 2501 · Maryland Heights, Missouri 63043-8501
314.344.0070 · 314.344.0970 Fax
www.fredweberinc.com
FWI values its relationship with St. Charles County and strives to be a good neighbor in the community. If you have any questions regarding FWI's operations, please do not hesitate to call me at (314) 344-0070.

Sincerely,

[Signature]

Print Name: Douglas K. Weible
Title: Chairman & CEO
Wednesday, April 15th, 2020

County Planning and Zoning Commissioners and County Planning Director
County of Saint Charles
County Executive Office Building
County Council Chambers 3rd Floor
100 North Third (3rd) Street
Saint Charles, Missouri 63301-2854

Reference: Wednesday, April 15th, 2020 at 7:00 p.m. Regular County Planning and Zoning Commission Meeting. My Letter is to be included in the Official Journal and Public Record of the Saint Charles County Planning and Zoning Commission

Dear County Planning and Zoning Members & County Planning Director (Ellis, Saale, Kuhn, Frahm, Boehmer, Hollander, McDonald, Leonhard, Cleary and Director Myers:

I am highly opposed to the conduct and illegal violations of the Saint Charles County Planning and Zoning Commission, my Home-County in how it proposes to hold Public Meetings in Violations of Chapter 610 in its entirety of the Revised State Statutes of Missouri. The reason to exclude me and my fellow citizens is NOT one of 18 reasons as allowed by 610.021 of the Revised State Statue. The County Planning and Zoning Commission have any right to violate ANY State Law.
I am very opposed to your Illegal and Poor Decision of Governmental Policies in the County Planning and Zoning Meeting for Wednesday, April 15th, 2020 at 7:00 p.m. This Meeting in not allowing Members of the Public, by arbitrary decisions without a vote of the Commission, in Violation of Missouri State Law and Revised State Statues to deny access of Citizens to be in an important Governmental Meeting of the County Commission. You are denying the right of all citizens to Publicly Testify; make Public Comments to the Commission and to bring information, facts and grievances to the attention of Our Appointed Officials. This proposed behavior is flat out wrong and bad behavior! I disagree with the Course of Action and Legal Advice given by the County Counselor John Watson. This is selfish and keeping the Public At Bay from Participating in our Public Governmental Process. This Violates the Missouri State Constitution, the Saint Charles County Home-Rule Charter and each of your Oath’s of Public Office that you took!

Remember you are no different than I or any other of Our 433,000 County Residents!

We are NOT in ANY Military Zone and you have NO rights to Declare and Call for “Marshall-Law.” Our County will NOT turn into a Communist-County and Our County Government will abide by ALL Federal, State and County Home-Rule Charter, Laws, Ordinances, Rules, Promulgated Regulations and other. The Home-Rule County Charter, the Constitution of the State of Missouri and No Revised State Statue give you any Authority or Powers to deviate and create your own rules and regulations. This proposed way of governance will in NO way be tolerated by us the Citizens of Saint Charles County.

If the County Planning and Zoning Commission goes through with these illegal County Business and County Land Changes, then I will take extraordinary measures in the State Circuit Courts to deem these actions and Laws illegal, unenforceable and Unconstitutional. In addition, if I do not win the Office of Missouri Lieutenant Governor in this Election Cycle, I will run for the Office of County Executive to restore integrity, honesty, common-sense responsibility and transparency back to all of 433,000 Great County Residents!
I will be at the County Planning and Zoning Meeting this evening, ready to fully participate, take part in and Testify before the County Planning and Zoning during Public and Citizen Comments. If I am denied access, I will Protest and take action in the State Circuit Court of Saint Charles County, Missouri.

If I am met with interference or violations of the Missouri Revised State Statues by Law Enforcement or by any one of Authority, I will oppose with resistance loudly and vocally in a peaceful protest of not being allowed or admitted access to the County Council Chambers on the Third Floor of the County Executive Office Building.

Very Truly Yours,

//S//: Arnie C. AC Dienoff

Arnie C. AC Dienoff
Saint Charles County/State Civic &
Public Advocate
On behalf of OUR and my fellow
433,000 County Residents
Wednesday, April 15th, 2020

County Planning and Zoning Members and County Planning Director
County of Saint Charles
County Executive Office Building
County Council Chambers 3rd Floor
100 North Third (3rd) Street
Saint Charles, Missouri 63301-2854

Reference: Public Written Testimony for the Wednesday, April 15th, 2020 at 7:00 p.m. County Planning and Zoning Commission Meeting to be included in the Official Journal and Public Record of the Saint Charles County Planning and Zoning Commission

RZ 20-30, PRE 20-01, PRE 20-05

Dear County Planning and Zoning Commissioners & County Planning Director:

I am highly opposed to the proposed conduct and proposed illegal violations of the Saint Charles County Council, my Home-County in how it proposes to hold Public Meetings in Violations of Chapter 610 in its entirety of the Revised State Statutes of Missouri. No Authority is granted to the Council in Section 610.021 of the Statue.

1. RZ-20-03: 55-Acres Marina Community
1. 

**Recommendation:** Approve of New Zoning District.

2. **PRE-20-01:**

   1. Condition - that the Applicant meet all standards of the County Subdivision Ordinance
   2. Condition - Deeper Set Back of Home from the Roadway

   **My Recommendation:** To make all Amendments to this Approval

3. **PRE-20-05**

   1. Flood Control
   2. Retention/Detention
   3. Cul-De-Sac Turning Radius for Emergency Vehicles
   4. Traffic Study

   **My Recommendation:** Approval with Conditions

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Very Truly Yours,

//S//: Arnie C. AC Dienoff

Arnie C. AC Dienoff  
Saint Charles County/State Civic & Public Advocate  
On behalf of OUR and my fellow  
433,000 County Residents