

FIREWORKS CUP- FWK21-09

TEMPORARY FIREWORKS STAND CONDITIONAL USE PERMIT – 2896 HIGHWAY K

Application: FWK21-09
Applicant: Show Me Services, LLC
Property Owner: Martha A. Keeven Revocable Living Trust
Zoning: C2, General Commercial District
Location: On the east side of Highway K, approximately 520 feet south of the intersection of Fallon Parkway and Highway K, adjoining the City of O'Fallon
Council District: 3
Account No.: 410610D001

CONTENTS:

- Staff Recommendation Report
- Aerial Photo
- Surrounding Zoning Map
- 2030 Land Use Map
- Notification Area Map
- Site Plan
- Letters received
 - ◆ None

STAFF RECOMMENDATION

To: County Planning & Zoning Commission

Prepared by: Mark Price Jr. AICP, CFM

Application No.: FWK21-09

Date: March 9, 2021

BACKGROUND:

Applicant: Show Me Services, LLC – Martin Fears
Owner: Martha A Keeven Revocable Living Trust
Requested Action: A Conditional Use Permit for a temporary fireworks stand.
Location: 2896 Highway K, on the East side of Highway K approximately 520 feet south of the intersection of Highway K and Fallon Parkway, adjoining the City of O’Fallon.
Size: 3.97 Acres
Current Zoning C-2, General Commercial
Current Land Use: Residential home, Vacant building
Adjacent Land Use and Zoning:

Direction	Zoning	Land Use
North	C-2 Zoning (City of O’Fallon)	City of O’Fallon
South	C-2 Zoning (City of O’Fallon)	City of O’Fallon
East	R-3 PUD Zoning (City of O’Fallon)	City of O’Fallon
West	C-2 Zoning (City of O’Fallon)	City of O’Fallon

Zoning History: This property was rezoned from R1A, Single Family Residential to C-2, General Commercial on 07/08/1991. The property has a Conditional Use Permit to allow a single family home on the rear of the property that was granted 10/03/1991.

Public Services: County Council District 3 – Mike Elam
School District – Fort Zumwalt School District
Fire District – O’Fallon Fire Protection District

Utilities: Water – Public Water Supply District #2
Sewer – Duckett Creek Sewer District

Fireworks stands were approved on the subject property in 2017, 2018, 2019 and 2020. The Community Development Department has no record of complaints about operation of those fireworks stands.

All setbacks for C2, General Commercial District are expected to be observed.

Due to the temporary nature of this use, only minor and temporary land use impacts can be anticipated on adjacent properties.

RECOMMENDATION:

The Planning and Zoning Division recommends that the Planning and Zoning Commission approve this temporary Conditional Use Permit subject to the following conditions:

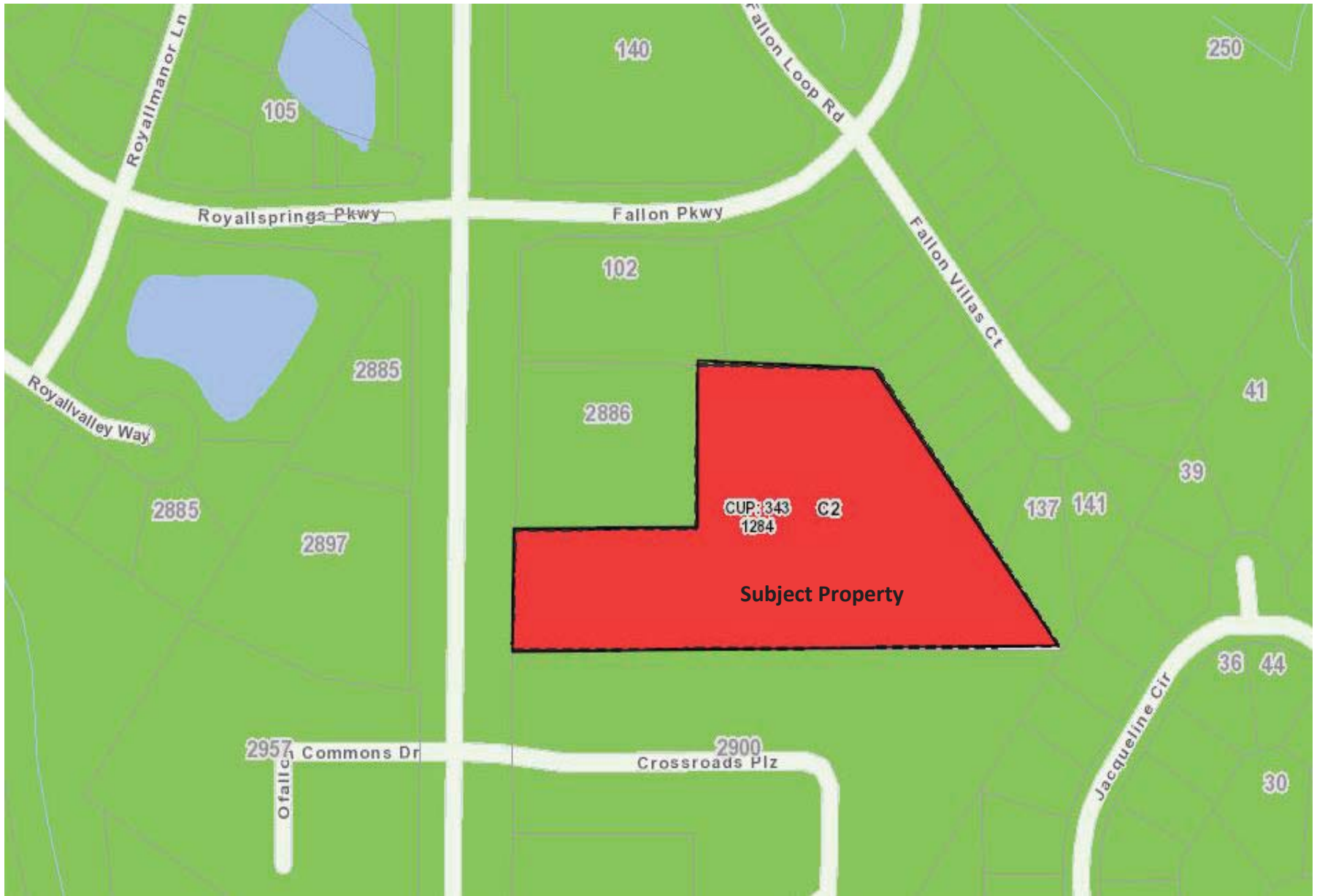
1. The proposed use shall substantially comply with the attached concept plan.
2. This temporary conditional use shall comply with all 2021 Fireworks Stand Regulations as adopted by the County Planning and Zoning Commission on March 17, 2021.
3. The Applicant Owner and/or Operator of the firework stand authorized under the CUP (Owner/Operator) is responsible for ensuring that their staff and customers are abiding by the Public Health Orders of the County and State that are currently in place, and as they may be in the future amended, revised, or supplemented for the duration of the CUP. Any violations of those orders are unlawful and could result in prosecution through the County Municipal Court. The most up to date and latest County policies are available on the St. Charles County website at sccmo.org/COVID. The County website has detailed information, including recommended strategies on how to protect the Owner/Operator staff and customers from the spread of the disease and further guidance on what burdens are placed upon the Owner/Operator during the COVID-19 pandemic.



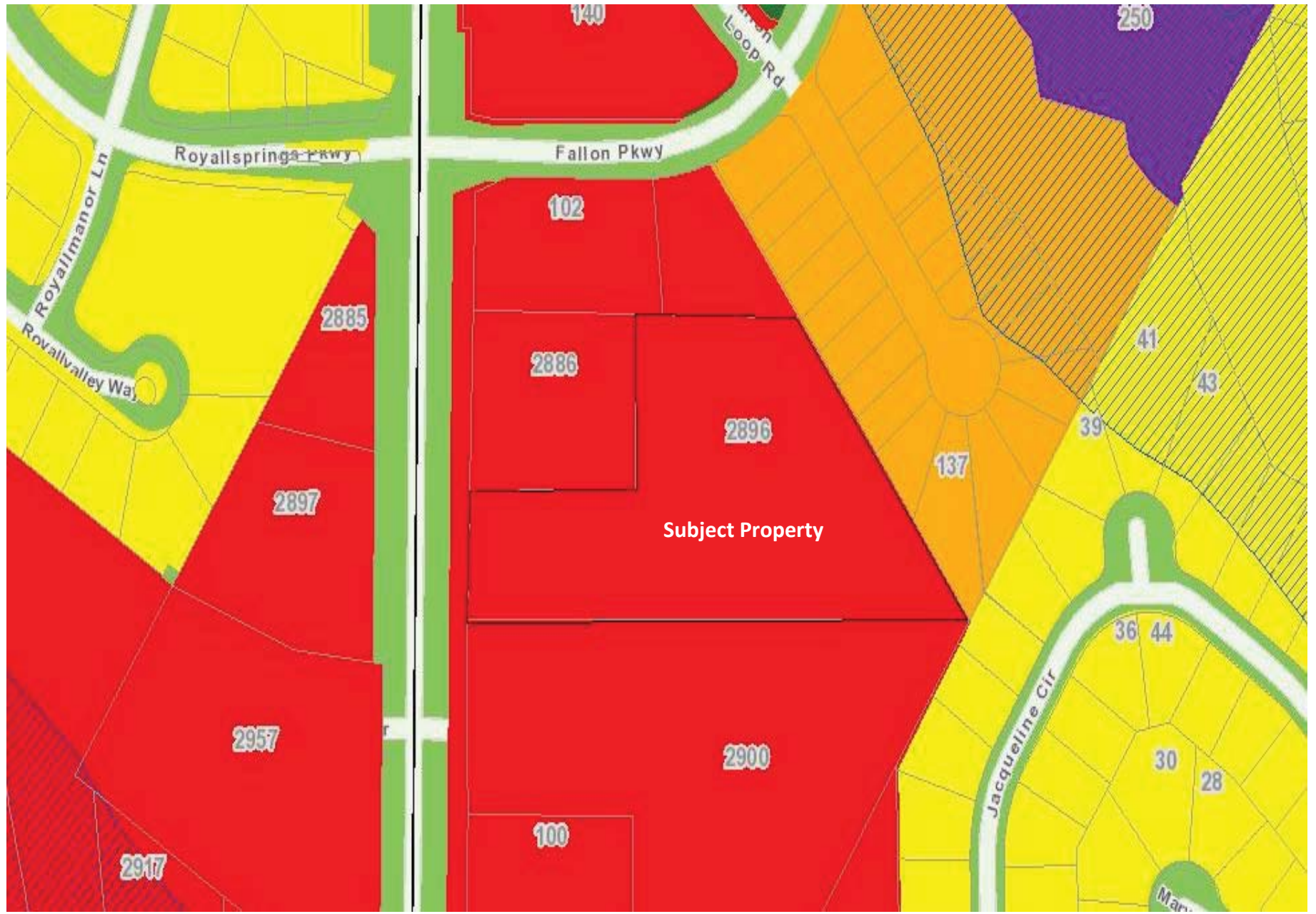
2896 Highway K Vacant Lot
(Side View Looking South)



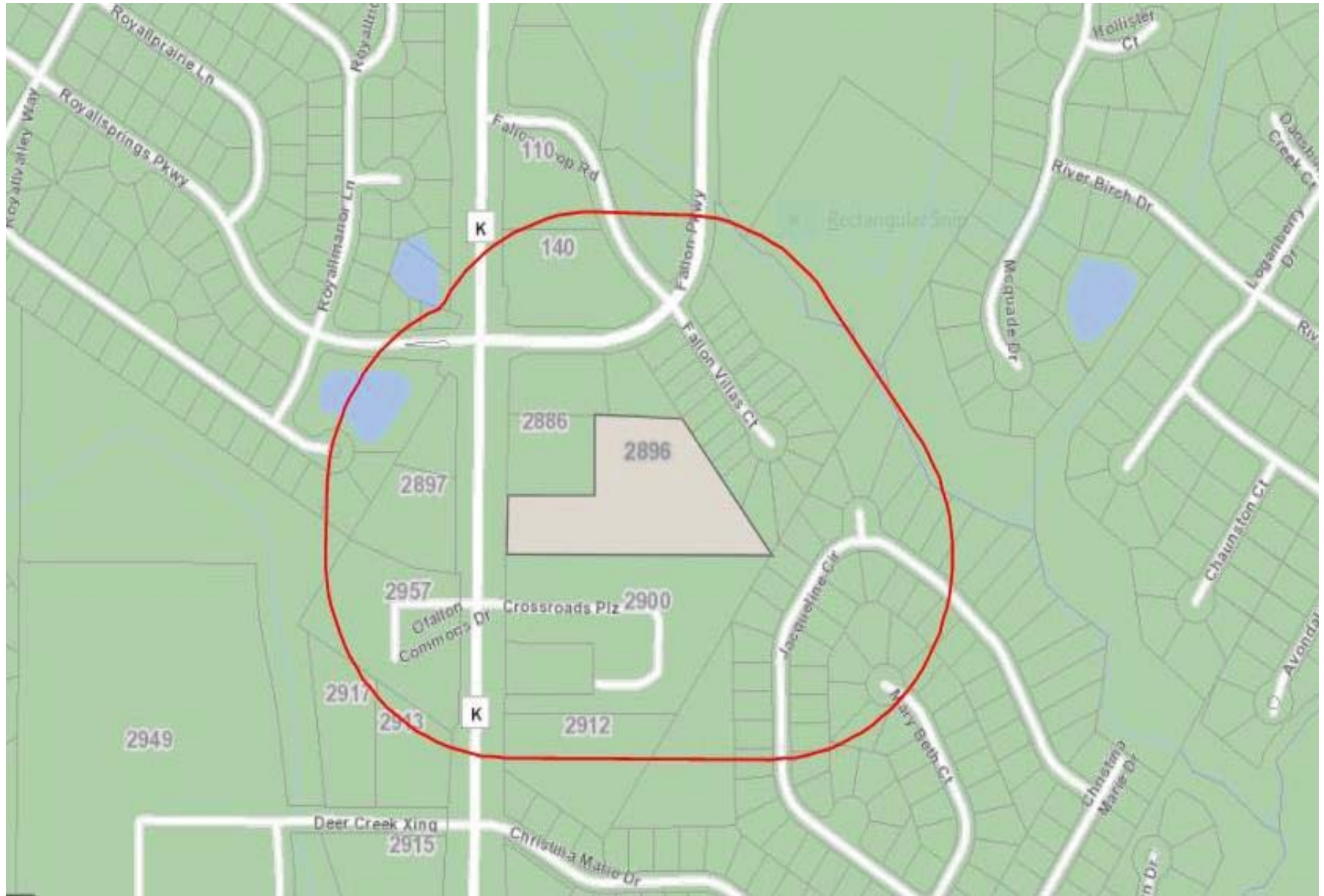
FWK21-09 - Aerial



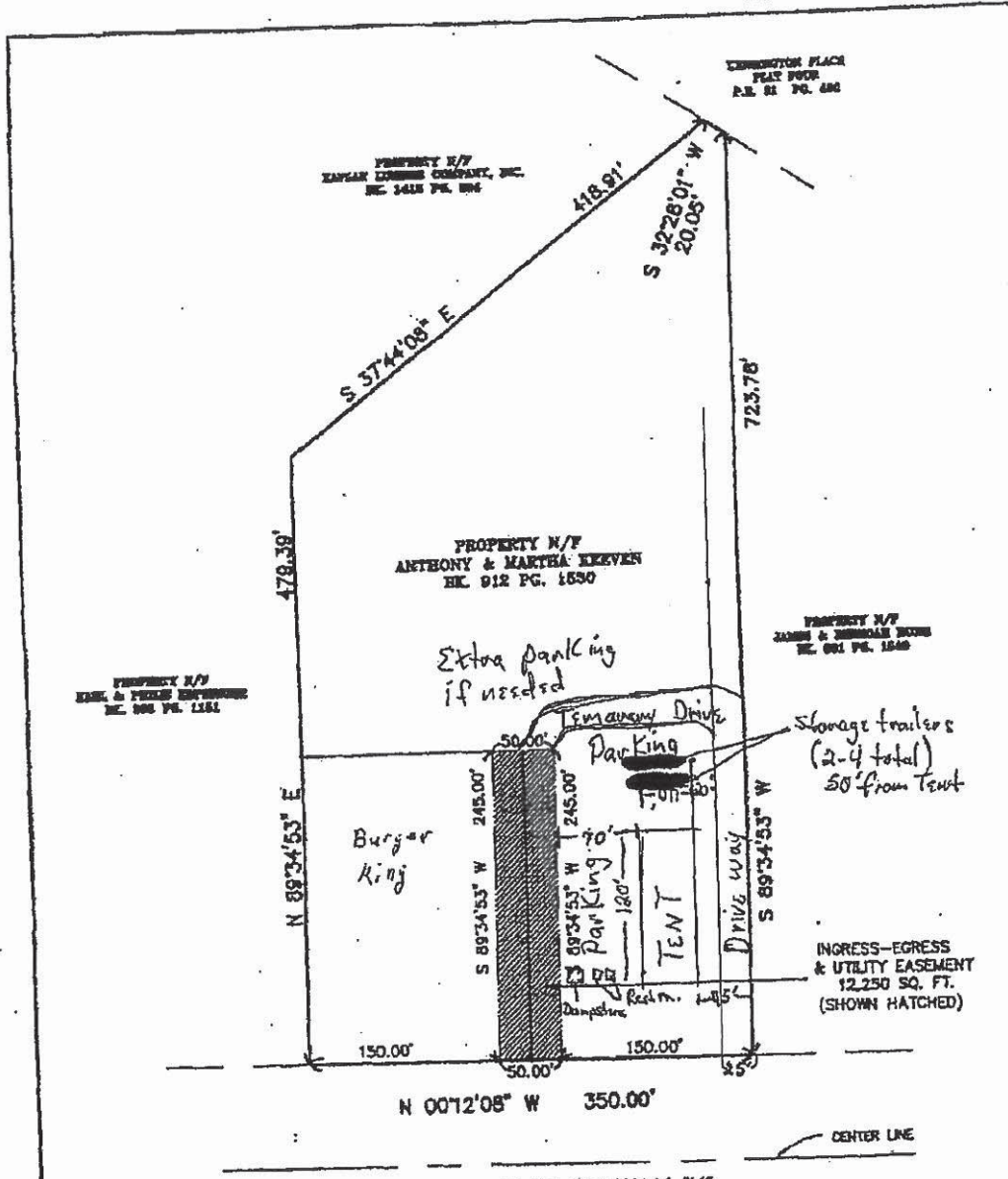
FWK21-09 - Zoning



FWK21-09 - 2030 Land Use Map



FWK21-09 - Notification Area Map



SCALE: 1"=100'

- GENERAL NOTES:
1. THE DIRECTIONS AND DISTANCES SHOWN ON THIS EXHIBIT ARE BASED ON CALCULATIONS COMBINING RECORD DEEDS FROM THE ST. CHARLES COUNTY RECORDS, OLD SURVEYS FROM THE ARCHIVES OF BAX ENGINEERING AND ACTUAL EXISTING SURVEY MONUMENTATION FOUND IN THE FIELD.
 2. THIS EXHIBIT DOES NOT CONSTITUTE AN ACTUAL BOUNDARY SURVEY.

EXHIBIT A	
REV.	9-3-97
DATE	5-5-97
DRAWN	DRK

EASEMENT EXHIBIT
INGRESS-EGRESS AND UTILITY EASEMENT

INITIALS:	
PROJECT	87-9095
FILE	9095EX2.DWG

A TRACT OF LAND BEING PART OF
 U.S. SURVEY 67
 TOWNSHIP 46 NORTH, RANGE 3 EAST
 OF THE FIFTH PRINCIPAL MERIDIAN
 ST. CHARLES COUNTY, MISSOURI