

## MINUTES OF REGULAR MEETING

### ST. CHARLES COUNTY PLANNING AND ZONING COMMISSION

**DATE:** April 19, 2023

**TIME:** 7:00 PM

**PLACE:** COUNTY EXECUTIVE BUILDING  
300 N. THIRD ST.  
THIRD FLOOR COUNCIL CHAMBERS  
ST CHARLES, MO 63301

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**MEMBERS PRESENT:** Jennifer Bahr, Tracy Boehmer, Chad Cornwell, Craig Frahm, Roger Ellis, Jeanette Koechner and Kyle Shell

**MEMBERS ABSENT:** Tim Baker and Kevin Cleary

**STAFF PRESENT:** Robert Myers, Director of Planning & Zoning; Bryan Wise, Associate County Counselor; and Mariza Almstedt, Recording Secretary

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### CALL TO ORDER

Chairman 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.

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.

Chairman Ellis noted that a quorum was present and entertained a motion to open the meeting. Commissioner Hollander made such motion, and Commissioner Cleary seconded the motion. The motion passed by unanimous voice vote.

Chairman Ellis provided instructions for those wishing to speak at the meeting.

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### CHANGES TO THE AGENDA

**NONE**

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**PUBLIC HEARINGS****I. VARIANCE REQUEST FOR THE GROVE AT RIVERDALE - DYER ROAD**

Application No:	PRE22-09
Property Owners:	Riverdale Grove Partners, LLC
Developer:	Charlestowne Crossing, LLC
Engineer:	Cole & Associates
Request:	Variations from Section 410.110.C.2.b and Section 410.210.F of the Unified Development Ordinance to allow protection of a natural watercourse vegetative buffer within an easement rather than within common ground for Lots 19-22.
Property Zoning:	R1A, Single-Family Residential District (1-acre minimum lot size); and R1E, Single-Family Residential District (10,000 square foot minimum lot size)
Lots:	101
Parcel Size:	59.90 acres
Location:	On the west side of Dyer Road, approximately 750 feet north of Riverdale Park Drive, adjacent to the City of St. Paul
County Council District:	1
Account No.:	284760A000

Robert Myers, Director of Planning and Zoning, provided a verbal report for Application No. PRE22-09.

Chairman Ellis asked if the easement would be held by the homeowners association and not to the County.

Robert Myers stated that he understands that it would be in the name of the County and the homeowners association.

Craig Frahm asked if future homeowners for Lots 19-22 would have to grant access for the homeowner association to access the easement.

Robert Myers responded that the easement could be accessed through the common ground for Basin A, next to Lot 19.

Commissioner Boehmer asked the width of the vegetative buffer along the rear property line.

Robert Myers said it varies between 5 to 20 feet.

With no further questions for County staff, Chairman Ellis asked the applicant to come forward.

Shawn Luesse, applicant's representative with TR Hughes (239 Fox Hill Rd, St. Charles, MO) was sworn in. Mr. Luesse explained his request to have variances from Section 410.110.C.2.b and Section 410.201.F of the Unified Development Ordinance to allow protection of the natural watercourse vegetative buffer with an easement instead of a common ground for Lots 19 – 22.

Mr. Luesse noted in the initial approval to the County Council there had to be a minimum of one acre lots along the creek but if the vegetative buffer would have to be placed within common ground it would reduce those lots less than one acre and violate the existing R1A zoning. He added this is the reason for the request.

Mr. Luesse also added that the developer has committed to protect the vegetative buffer by not removing any trees along the creek. The tree line that is behind the buffer cannot be touched under any circumstance. Mr. Luesse stated an easement provides protection of the watercourse vegetative buffer just like the common ground would and meets the purpose of the Ordinance.

Commissioner Boehmer asked if the protected wooded area could be accessed so kids can play there.

Mr. Luesse said yes.

With no further questions by Commissioners, Chairman Ellis opened asked if anyone from the audience wished to comment on Application No. PRE22-09.

There being no speakers, Chairman Ellis closed the hearing and called for discussion from the Commission.

Chairman Ellis asked Assistant Counselor Bryan Wise if the easement needs to be put in the name of both the County and the Homeowner's Association.

Robert Myers and Assistant Counselor Bryan Wise were not certain. Robert Myers said he will be relying on the County's Development Review Division staff to determine that detail at the final plat stage.

Chairman Ellis asked if the application is approved does the entity that gets the easement need to be named or will this variance be granted.

Assistant Counselor Bryan Wise said that the variances can be granted without having to name the easement holders.

Chairman Ellis asked if two votes would need to be taken, one for each code section.

Assistant Counselor Bryan Wise answered in the negative.

There being no further discussion, Chairman Ellis entertained a motion to recommend approval of Application No. PRE22-09. Commissioner Cornwell made such motion and Commissioner Koechner seconded the motion.

The vote on the motion was as follows:

Roger Ellis	Yes	Craig Frahm	Yes	Jennifer Bahr	Yes
Kyle Shell	Yes	Tracy Boehmer	Yes	Jeanette Koechner	Yes
Chad Cornwell	Yes				

Application No. PRE22-09 was recommended for **Approval**.

**TABLED AND/OR CONTINUED ITEMS**

**I. ZONING MAP AMENDMENT REQUEST – 24 MAIN STREET**

Application No: RZ23-05  
Property Owner: David A. Wilke Trust  
Applicants: Boschert Brothers Storage LLC  
Current Zoning District: R1E, Single Family Residential District  
Proposed Zoning District: I1, Light Industrial  
2030 Master Plan: recommends Agricultural land uses  
Rezoning Area: 4.32 acres of a 11.87-acre parcel  
Location: Western terminus of Main Street in Orchard Farm  
County Council District: 6  
Parcel Account No.: 876180A000

**II. CONDITIONAL USE PERMIT AMENDMENT – 24 MAIN STREET**

Application No: CUP23-04  
Property Owners: Boschert Brothers Storage, LLC, and David A Wilke Trust  
  
Applicant: Boschert Brothers Storage, LLC  
Current Zoning: I1, Light Industrial and R1E, Single Family Residential District  
Proposed Zoning: I1, Light Industrial District  
Conditional Use Request: Amend the conditions of Ordinance 21-060 to expand a storage lot for boats, trailers, autos, trucks, and recreational vehicles  
  
Location: Western terminus of Main Street in Orchard Farm  
County Council District: 6  
Parcel Account Nos.: 876180A000, T010500083, T020500006, T150500003, A965000451, 876600A000, 876480B000

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**APPROVAL OF THE MINUTES FROM THE MARCH 15, 2023 REGULAR MEETING**

Chairman Ellis asked for a motion to approve the minutes from the March 15, 2023, regular meeting. Commissioner Frahm made such motion, and the motion was seconded by Commissioner Shell. The minutes were approved by unanimous voice acclamation.

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**OTHER BUSINESS**

**I. PLANNING & ZONING DIVISION UPDATES**

- Robert Myers informed the Commission that at an upcoming meeting there will be a large project involving three applications requiring letters mailed to approximately 600 property owners. He noted that the County has different notification requirements depending on the type of application: 2,000 feet for rezoning applications (in Agricultural Districts), 500 feet for conditional use permits, and simply adjacent property owners for preliminary plats. Mr. Myers is informing the Commission as those receiving notice may question why their neighbor received a letter for one of the applications but they did not.

- Robert Myers said sometime this year, the County's Master Plan will be reevaluated and reviewed, and a Master Plan Steering Committee will be tasked to make recommendations. As with the 2030 Master Plan, the primary role of the Planning and Zoning Commission will pertain to future land use recommendations.
- Interviews for Planner II positions are underway and hopefully the Planning & Zoning Division will be fully staffed in a couple of months.
- Assistant Counselor Bryan Wise reminded Planning & Zoning Commissioners to file their Missouri Ethics Commission Personal Disclosure Form.

#### **ADJOURNMENT OF MEETING**

Commissioner Shell made a motion to adjourn the meeting. The motion was seconded by Commissioner Boehmer and was approved by unanimous voice acclamation. The meeting adjourned at 7:20 p.m.

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Respectfully submitted by:

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Roger Ellis, Chairman

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Jennifer Bahr, Secretary