

**NOTICE OF PUBLIC HEARING
DO NOT REMOVE**

**BOARD OF ZONING ADJUSTMENT OF JEFFERSON COUNTY, MISSOURI,
NOTICE OF MEETING**

Notice is hereby given that the Board of Zoning Adjustment of Jefferson County, Missouri, will conduct a meeting at 4:00 p.m., Thursday, January 14, 2021. Due to the Countywide State of Emergency, the issues surrounding COVID-19 and at-risk populations, the meeting will be conducted via **ZOOM** where Board members will participate remotely via video conference and the public is invited to watch and listen to the meeting through this link: <https://zoom.us/j/95495797331>. Public Comments and documentary evidence will be limited due to the logistics of this video conference meeting, however Public Comments or documents can be e-mailed to Kesley Fortner at kfortner@jeffcmo.org and they will be made a part of the record. All comments and other documentary evidence submitted via e-mail must be submitted prior to 5:00p.m., January 8, 2021.

The tentative agenda of this meeting includes:

I. CALL TO ORDER

II. ROLL CALL

III. APPROVAL OF AGENDA

IV. APPROVAL OF MINUTES

Minutes of the December 10th, 2020 Board of Zoning Adjustment Meeting

V. SWEARING IN OF WITNESSES

VI. INTRODUCTION OF EVIDENCE

VII. OLD BUSINESS

- A. BOA20025: Application for a variance to Chapter 400: Unified Development Order, Article V, Section 400.1670 and Article VIII, Section 400.2770, of the Code of Ordinances of Jefferson County, for rear yard setback requirements for a sunroom and reduction for a rear yard setback for a pool, in a Single Family Residential (R-40) Zone District, 08-8.0-28.0-0-000-041 located at 3645 Wedde Road, Barnhart, MO in Imperial Township and County Council District #4.

VIII. NEW BUSINESS

- A. BOA20028: Application for a variance to Chapter 400: Unified Development Order, Article V, Section 400.1670, of the Code of Ordinances of Jefferson County, for front yard setback requirements for a home addition in a Large Lot Residential (LR-2) Zone District, 11-2.0-09.0-0-000-003.01. located at 8989 Hensley Road, Hillsboro MO in Joachim Township and County Council District #4.
- B. BOA20029: Application for a variance to Chapter 400: Unified Development Order, Article V, Section 400.1670, of the Code of Ordinances of Jefferson County, for front yard setback requirements for a home addition and a garage in a Large Lot Residential (LR-2) Zone District, 08-6.0-13.0-0-000-015.03. located at 2072 Honeysuckle Lane, Imperial MO in Imperial Township and County Council District #4.

IX. REPORTS TO THE BOARD

X. ELECTION OF OFFICERS

XI. EXECUTION OF BOARD OF ZONING ADJUSTMENT ORDERS

XII. CITIZENS TO BE HEARD

XIII. ADJOURNMENT

Representative of the media may obtain copies of this notice by contacting the Planning Division at 636-797-5580, Jefferson County Planning Division, PO Box 100, Hillsboro, Missouri, 63050.

Any person requiring special accommodation under the Americans with Disabilities Act should contact Human Resources, at 636-797-5071.

Please be Advised: Members of the County Council May Be in Attendance at this Meeting

Jefferson County, Missouri

PLANNING DIVISION

PO Box 100
HILLSBORO, MO 63050
(636) 797-5580

Staff Report to the Board of Zoning Adjustment
Meeting Date: December 10, 2020

General Information:

Petition Number: BOA20025

Applicant Name: Charles Blanton
Street Address: 3645 Wedde Road
City, State, ZIP: Barnhart MO 63012

Owner Name: Same as above.
Street Address:
City, State, ZIP:

Location of Site: Site is located at 3645 Wedde Road in Barnhart.

Requested Action: Relief from Chapter 400, Article V, Section 400.1670 – Minimum Building Setbacks – for a reduction in the required rear yard setback in the "R40" zone district for a sunroom from 50 feet to 24 feet.
Relief from Chapter 400, Article VIII, Section 400.2770 – Accessory Structure Setbacks – for a reduction in the required rear yard setback in the "R40" zone district for an existing pool from 15 feet to 7 feet.

Size of Tract: .96 acres (Assessor's records)
Parcel Number: 08-8.0-28.0-0-000-041
Existing Zone District: R40
Council District: #4
Township: Imperial

Prepared By: Rachel Krispin, Planner I
Date: October 28, 2020
Recommendation: Denial

Attachments: 1. Aerial Map
2. Zoning Map
3. Site Plan

Subject Property

The subject property is located at 3645 Wedde Road in Barnhart. The property is developed with a single-family home. The parcel is .96 acres in size and is zoned Single Family Residential "R40".

According to FEMA's Flood Rate Insurance Map, no portion of the property lies within the floodway or floodplain, and no stream orders traverse the property.

Surrounding Areas

The zone districts and land uses surrounding the subject property include:

To the North:	<u>Zoning:</u>	R40
	<u>Land Use:</u>	Undeveloped Residential
To the East:	<u>Zoning:</u>	R40
	<u>Land Use:</u>	Developed Residential
To the South:	<u>Zoning:</u>	R40
	<u>Land Use:</u>	Developed Residential
To the West:	<u>Zoning:</u>	R40
	<u>Land Use:</u>	Developed Residential

Petitioner's Request

The petitioner is requesting relief from the required 50-foot rear yard setback for a sunroom. The proposed structure is shown being located 24 feet from the property line, requiring a 6-foot reduction in the setback requirement. During review of the site plan and the site visit, it was discovered that the petitioner also has a pool that appears to be encroaching on the rear yard setback. A review of aerial photographs from 2012, 2014 and 2015 indicate that no pool was located on the property. Staff has included the pool in this request in an effort to bring the property into compliance.

Analysis

Article 17, Section 400.5770, of the Code of Ordinances of Jefferson County, asserts the powers of the Board of Zoning Adjustment. The Revised Statutes of the State of Missouri and the Jefferson County Unified Development Order deem the following conditions necessary for granting a variance. Staff's comments (**in bold**) follow each condition.

- The variance requested arises from a condition that is unique and peculiar to the property in question and is not created by an action or actions of the property owner or applicant.

As required by the Jefferson County UDO, structures are required to be located 50 feet from a rear yard property line in the "R40" zone district. Likewise, pools are required to be located 15 feet from a rear yard property line in the "R40" zone district. The request arises from the petitioner's desire to build a sunroom and bring the existing pool into compliance on the northern part of the property and is not created from a condition unique or peculiar to the property.

- Where, by reason of exceptional narrowness, shallowness, shape or topography or other extraordinary or exceptional situation or condition of a specific piece of property the strict

application of the provisions of the regulations complained of will constitute peculiar and exceptional difficulties to or exceptional and demonstrable undue hardship upon the owner of the property, as an unreasonable deprivation of use as distinguished from the mere grant of a privilege.

Neither the lot shape nor topography creates exceptional difficulties for the property owner. The request arises from the petitioner's wish to build a sunroom and bring the existing pool into compliance at the desired size and in the desired location. Denial of the variance would not deprive the owner of the residential use of the property.

- The variance requested will not cause substantial detriment to the public health, safety, morals and general welfare of the community.

The granting of the variances will not likely cause detriment to the public health, safety, morals, or general welfare of the community. The petitioner owns the parcel to the North, which is undeveloped. The petitioner's ownership of the parcel to the North limits the impact to surrounding property owners.

- The granting of the variance will not substantially impair the intent, purpose, and integrity of the zone plan as embodied in the UDO.

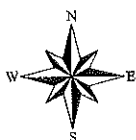
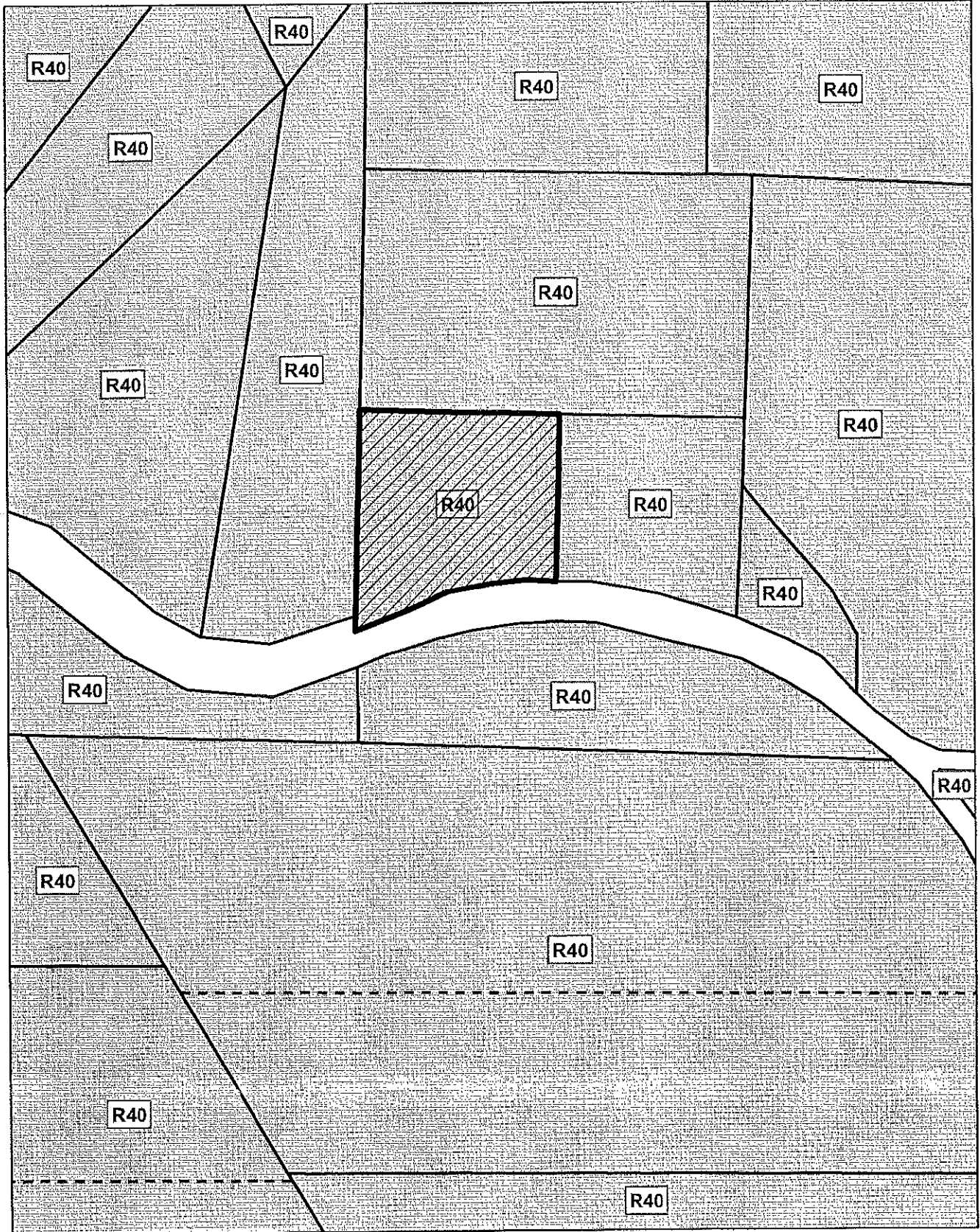
The requested variance is not consistent with the intent, purpose, and integrity of the zone plan as embodied in the Jefferson County Unified Development Order.

Staff Recommendation

Based on the analysis, staff recommends **Denial** of the requested variance for relief from the required 50-foot rear yard setback to be reduced to 24-foot along the northern property boundary line in the "R40" zone district.

Staff also recommends **Denial** of the requested variance for relief from the required 15-foot rear yard setback for the existing pool to be reduced to 7 feet along the northern property boundary line in the "R40" zone district. Should the Board of Zoning Adjustment consider approving the variance, staff would recommend that the approval be conditioned upon the petitioner obtaining a building permit for the pool.

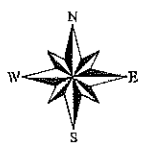
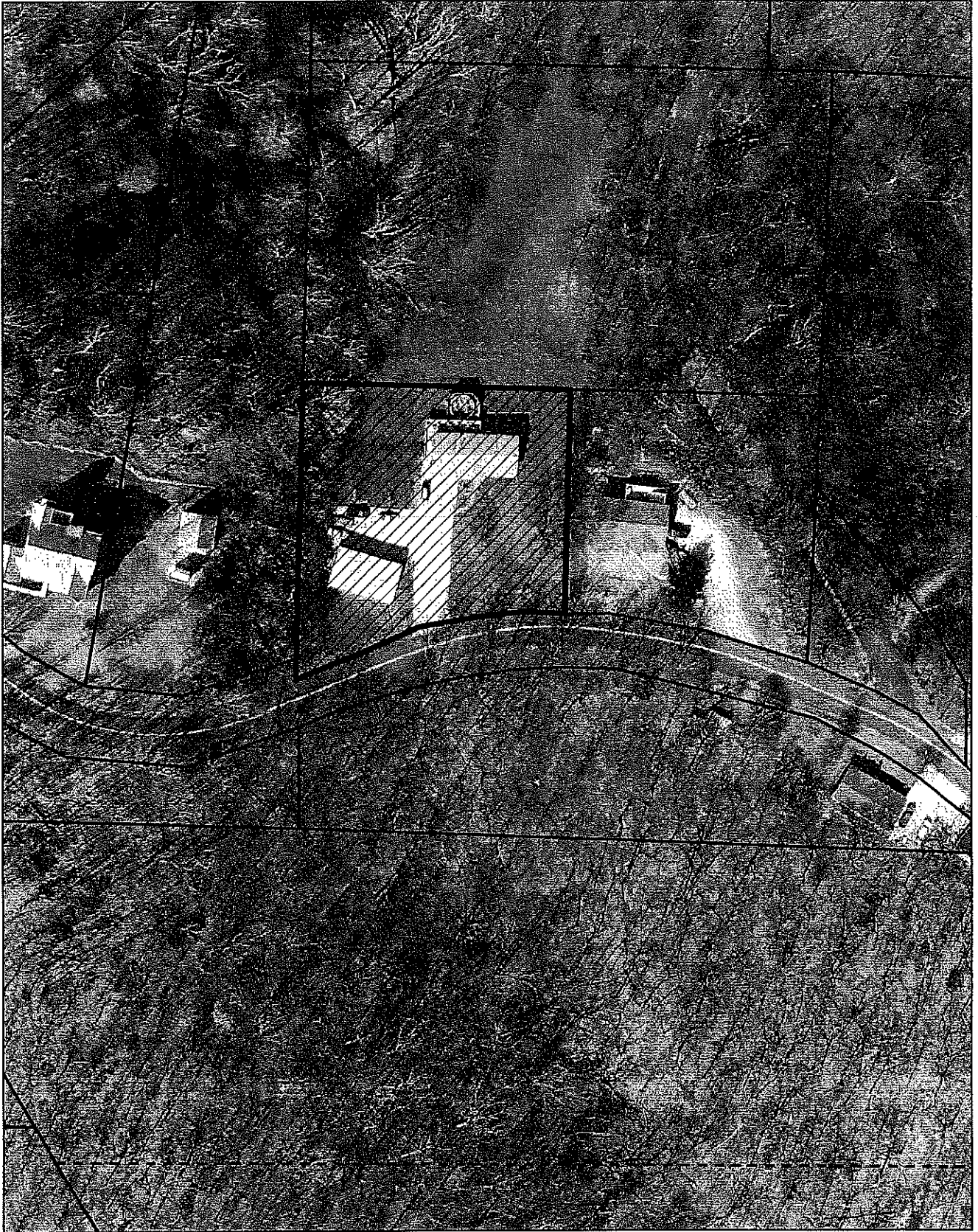
BOA20025 - Blanton



Subject Property

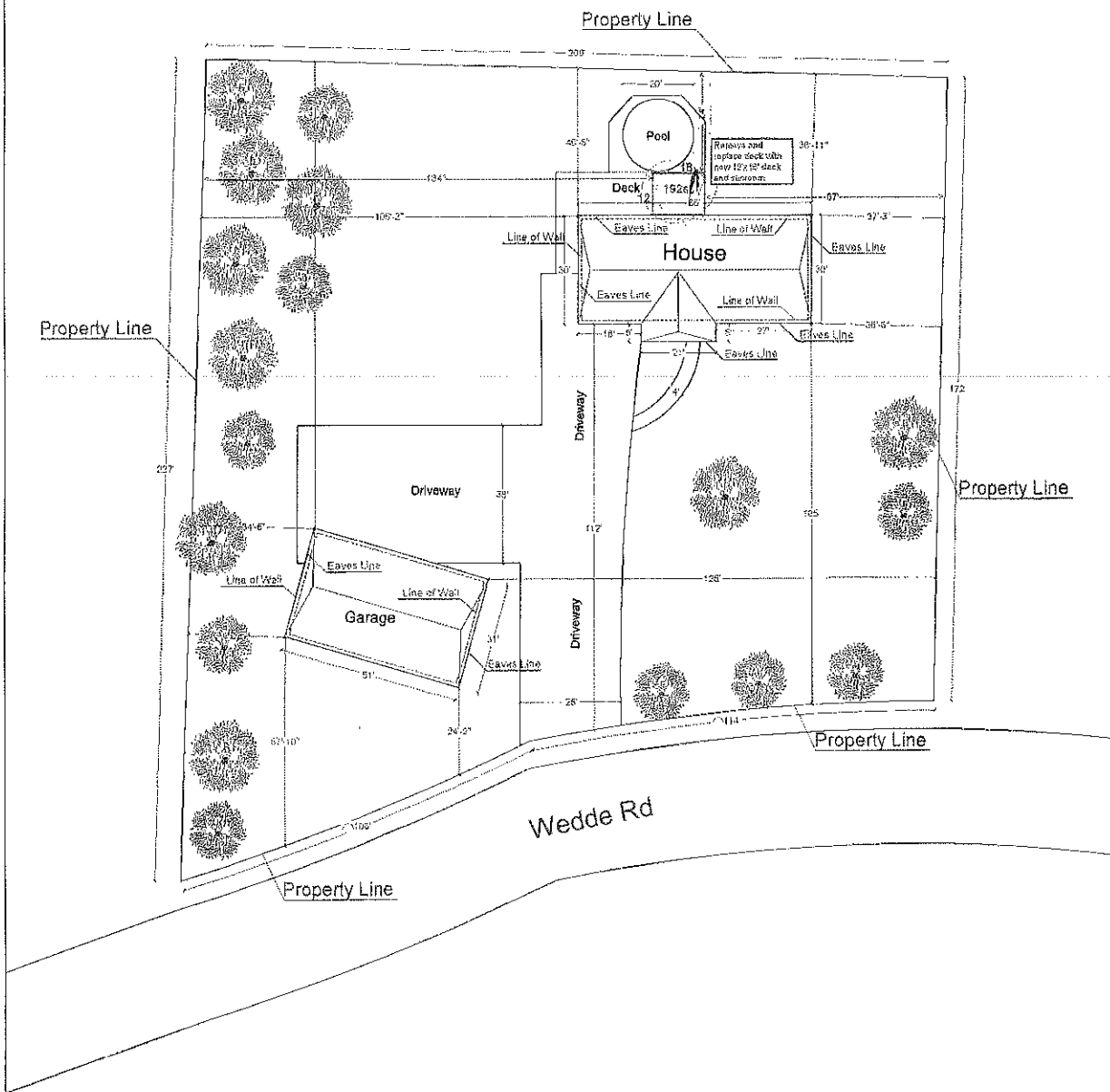
0 120 240 480 Feet

BOA20025 - Blanton



Subject Property

0 87.5 175 350 Feet



Plot Plan for:	Owner: Blanton Charles D	Lot: Scale: 1"=30'
	Address: 3645 Wedde Rd	
Submitted by:	Subdivision: PT S1/2 SE1/4	Additional Info.: Blanton 23721 - AX: 7550001565
	Parcel/Locator: 08-8.0-28.0-0-000-041	

Jefferson County, Missouri

PLANNING DIVISION

PO Box 100
HILLSBORO, MO 63050
(636) 797-5580

Staff Report to the Board of Zoning Adjustment
Meeting Date: January 14, 2021

General Information:

Petition Number: BOA20028

Applicant Name: Caleb Hendrix
Street Address: 8989 Hensley Rd
City, State, ZIP: Hillsboro MO 63050

Owner Name: Same as above.
Street Address:
City, State, ZIP:

Location of Site: Site is located at 8989 Hensley Rd in Hillsboro MO.

Requested Action: Relief from Chapter 400, Article V, Section 400.1670 – Minimum Building Setbacks – for a reduction in the required front yard setback in the “LR2” zone district for a proposed house addition on both sides of the existing home from 65 feet to 49 feet.

Size of Tract: 2.05 acres (Assessor's records)
Parcel Number: 11-2.0-09.0-0-000-003.01
Existing Zone District: LR2
Council District: #4
Township: Joachim

Prepared By: Rachel Krispin, Planner I
Date: December 16, 2020
Recommendation: Denial

Attachments: 1. Aerial Map
2. Zoning Map
3. Site Plan

Subject Property

The subject property is located at 8989 Hensley Road in Hillsboro. The property is developed with a single-family home. The parcel is 2.05 acres in size and is zoned Large Lot Residential "LR2".

According to FEMA's Flood Rate Insurance Map, no portion of the property lies within the floodway or floodplain, and no stream orders traverse the property.

Surrounding Areas

The zone districts and land uses surrounding the subject property include:

To the North:	<u>Zoning:</u>	LR2
	<u>Land Use:</u>	Undeveloped Residential
To the East:	<u>Zoning:</u>	LR2
	<u>Land Use:</u>	Developed Residential
To the South:	<u>Zoning:</u>	LR2
	<u>Land Use:</u>	Undeveloped Residential
To the West:	<u>Zoning:</u>	LR2
	<u>Land Use:</u>	Undeveloped Residential

Petitioner's Request

The petitioner is requesting relief from the required 65-foot front yard setback for an addition on both sides of the existing home. The proposed structures are shown being located 49 feet from the front property line, which requires a 16-foot reduction.

Analysis

Article 17, Section 400.5770, of the Code of Ordinances of Jefferson County, asserts the powers of the Board of Zoning Adjustment. The Revised Statutes of the State of Missouri and the Jefferson County Unified Development Order deem the following conditions necessary for granting a variance. Staff's comments (**in bold**) follow each condition.

- The variance requested arises from a condition that is unique and peculiar to the property in question and is not created by an action or actions of the property owner or applicant.

As required by the Jefferson County UDO, structures are to be located 65 feet from a front yard property line in the "LR2" zone district. Even though the existing home was constructed before current zoning standards were in place, the request arises from the petitioner's desire to build additions to the existing home in the northern and southern portions of the property and are not created from conditions unique or peculiar to the property.

- Where, by reason of exceptional narrowness, shallowness, shape or topography or other extraordinary or exceptional situation or condition of a specific piece of property the strict application of the provisions of the regulations complained of will constitute peculiar and exceptional difficulties to or exceptional and demonstrable undue hardship upon the owner of the property, as an unreasonable deprivation of use as distinguished from the mere grant of a privilege.

Neither the lot shape nor topography creates exceptional difficulties for the property owner. The request arises from the petitioner's wish to build additional structures to the existing home at the desired sizes and in the desired locations. Denial of the variance would not deprive the owner of residential use of the property.

- The variance requested will not cause substantial detriment to the public health, safety, morals and general welfare of the community.

The granting of the variances will not likely cause detriment to the public health, safety, morals, or general welfare of the community. There will likely be no impact to surrounding property owners. The petitioner owns property to the North and West, which limits impact to surrounding property owners.

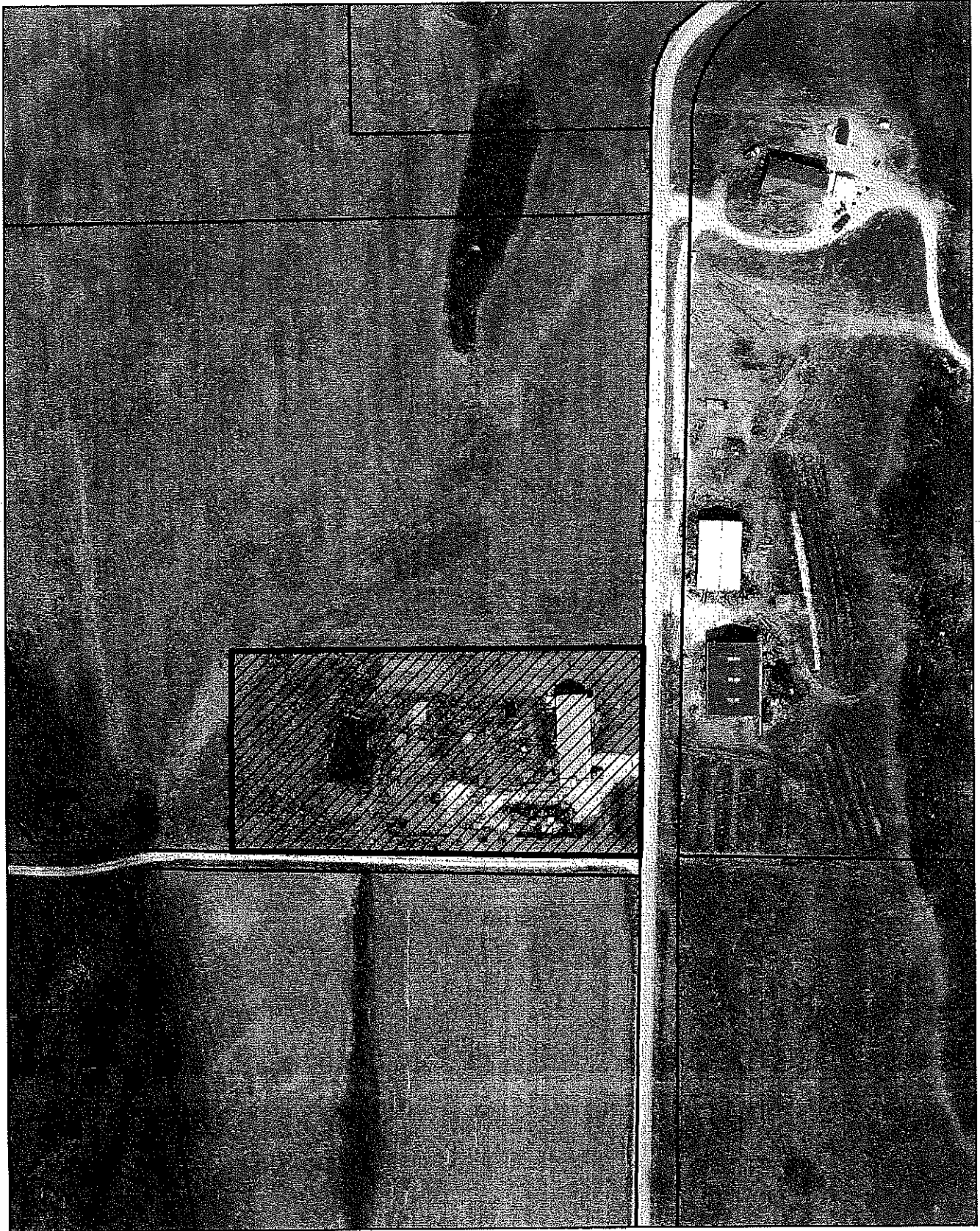
- The granting of the variance will not substantially impair the intent, purpose, and integrity of the zone plan as embodied in the UDO.

The requested variance is not consistent with the intent, purpose, and integrity of the zone plan as embodied in the Jefferson County Unified Development Order.

Staff Recommendation

Based on the analysis, staff recommends **Denial** of the requested variance for relief from the required 65-foot front yard setback to be reduced to 49 feet along the eastern property line in the "LR2" zone district.

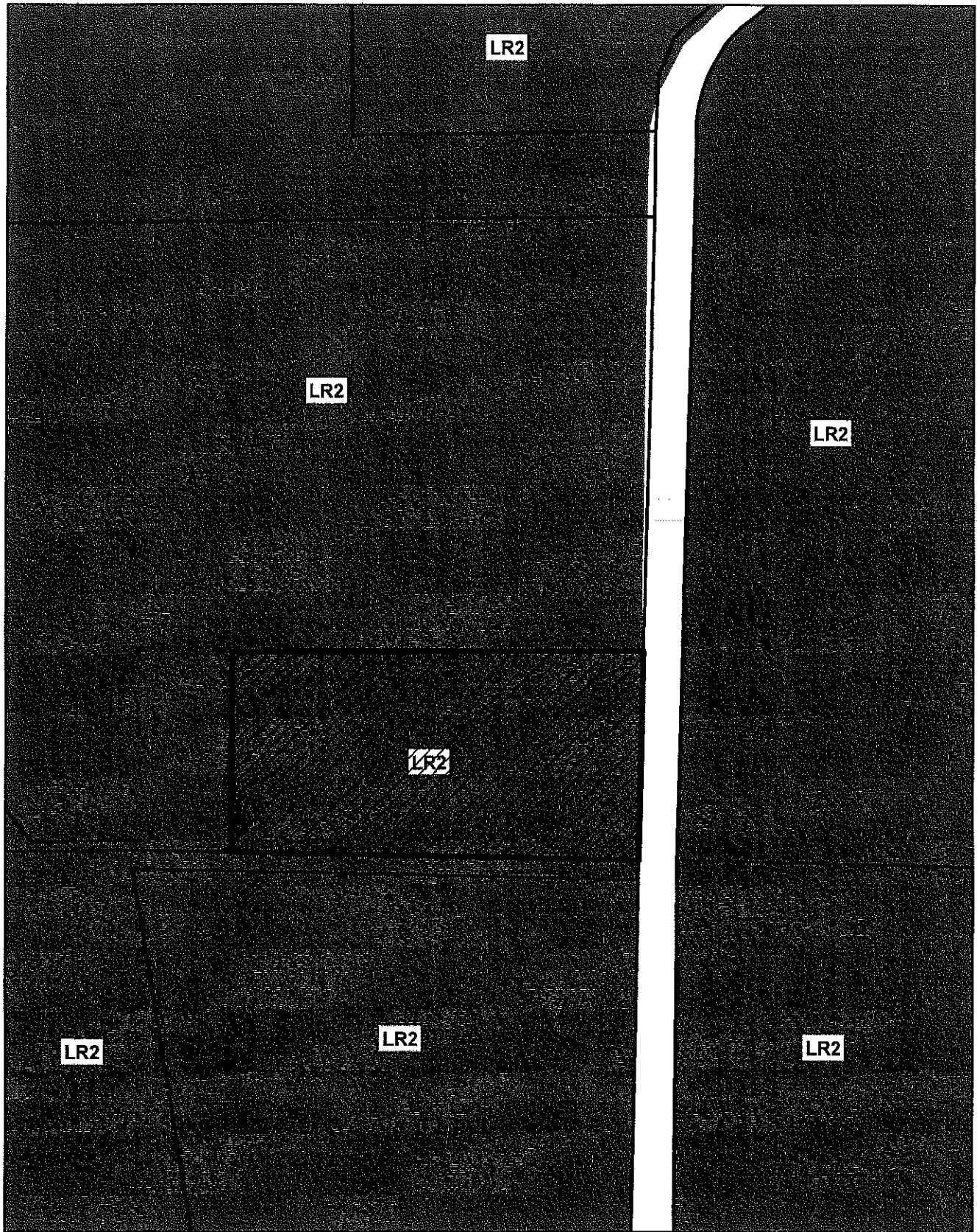
BOA20028 - Hendrix



Subject Property

0 120 240 480 Feet

BOA20028 - Hendrix



Subject Property

0 120 240 480 Feet

REDBUD ACRES
LOCATED IN FRACTIONAL SECTION 9 - T. 41 N. - R. 5 E
JEFFERSON COUNTY, MISSOURI

SCALE: ONE INCH = 60 FEET

101
05 ACRES

2.05 ACRES

The map depicts a rectangular plot of land, identified as Lot 1, which contains a one-story frame house. The lot is bounded by a north-south line, which is part of the U.S. Survey No. 1860. To the east of the lot is a road or boundary line associated with the Hensley County Road. Various survey points are marked with letters (A, B, C, D, E, F, G, H, I, J, K, L, M, N, O, P, Q, R, S, T, U, V, W, X, Y, Z) and numbers (1 through 10). Dimensions and bearings are provided for several segments: a horizontal segment of 443.20 feet, a vertical segment of 15-0-00 feet, and another horizontal segment of 15-0-00 feet. A drive is shown leading from the bottom right towards the house. The map also indicates the presence of a 'NORTH LINE OF U.S. SURVEY NO. 1860' and a 'STAMP OF LAND BLDG. CO. TO COUNTY OF HENSLBY'. The lot is surrounded by other land parcels, some of which are labeled with 'FOUND' and 'IRON PIN'.

STRIP OF LAND BY WIDE DEDICATED
 D:114: TO COUNTY OF ILLERSON FOR
 15-033 FUTURE ROAD PURPOSES
 CHENSLEY Ordinance No.
 15-033
 COUNTY ROAD

ASSURED NORTH
BASED ON BEARING
OF RECORD

SURVEYORS' CERTIFICATE

[illegible]

Chagres Pocket
P333 Kennedy Rd
Kilbuck, MO 63050

OWNERSHIP CERTIFICATE

KNOW ALL PERSONS BY THESE PRESENTS: We, the undersigned, Lloyd E. Pooker and Ann E. Pooker, Trustees of the Pooker Family Trust, hereby certify that we are the owners of the lands comprising the subdivision as shown upon this plat and mentioned in the Surveyor's Certificate herein and that we have no other claims or interests in said lands except such as may hereafter result from all assessments and conditions of record pertaining to the same. We do hereby agree to execute and sign such documents as may be required by the Jefferson County Unified Development Order.

A strip of land twenty feet wide along Hervey Road, as shown on the map of Hervey section, is hereby dedicated to the County of Jefferson for road purposes. IN TESTIMONY WHEREOF, We have hereunto set our hands this _____ day of March, 2016.

THE JEFFERSON COUNTY DISTILLING COMPANY
(A Missouri Corporation - LC 167)

WILLIAM T. HURGEN IS 214 374115
Registered Land Surveyor - State of Missouri
P.O. Box 238 Hillsboro, MO 65050
(636) 787-2200 (Phone)
JDB #0001A CP
POONER

JOB #03051A CP
P00K0R

STATE OF MISSOURI
COUNTY OF JEFFERSON
} ss:
}

On this 6 day of March 2016, before me personally appeared Lloyd E. Packer and an X. Packer, as not known to be the persons described in and who were duly sworn and acknowledged that they have executed the same as their free and voluntary act and deed, and IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal at my office in Elk County, and State aforesaid, the day and year first above written.

My term as Notary Public will expire 1-27-16

PLANNING AND ZONING CERTIFICATE

Approved by the Allegheny County Planning and Zoning Department this 22nd day of June, 2011.

[Signature]
 Director of County Services
 & Code Enforcement

MSIS-4

CLIENT TAX STATUS

and from the Collector of Revenues records that there are no delinquent taxes on parcel number 112090 0 003 last assigned in the name(s) of W. J. Brock, Esquire, ITAS

Healthcare
Planning Technician
Date: 3.13.2015

Jefferson County, Missouri

PLANNING DIVISION

PO Box 100
HILLSBORO, MO 63050
(636) 797-5580

Staff Report to the Board of Zoning Adjustment
Meeting Date: January 14, 2021

General Information:

Petition Number: BOA20029

Applicant Name: Daniel and Maggie Schlarman
Street Address: 2072 Honeysuckle Ln.
City, State, ZIP: Imperial, MO 63052

Owner Name: Same as above.
Street Address:
City, State, ZIP:

Location of Site: Site is located at 2072 Honeysuckle in Imperial.

Requested Action: Relief from Chapter 400, Article V, Section 400.1670 – Minimum Building Setbacks – for a reduction in the required front yard setback in the "LR2" zone district for a garage addition from 25 feet to 16' feet.

Size of Tract: 1.59 acres (Assessor's records)
Parcel Number: 08-6.0-13.0-0-000-015.03
Existing Zone District: LR2
Council District: #4
Township: Imperial

Prepared By: Josh Jump, Planner II
Date: December 21, 2020
Recommendation: Denial

Attachments: 1. Aerial Map
2. Zoning Map
3. Site Plan

Subject Property

The subject property is located at 2072 Honeysuckle in Imperial. The property is developed with a single-family home that appears to be vacant currently. The parcel is 1.59 acres in size and is zoned Large Lot Residential "LR2".

According to FEMA's Flood Rate Insurance Map, no portion of the property lies within the floodway or floodplain, and no stream orders traverse the property.

Surrounding Areas

The zone districts and land uses surrounding the subject property include:

To the North:	<u>Zoning:</u>	LR2
	<u>Land Use:</u>	Developed Residential
To the East:	<u>Zoning:</u>	LR2
	<u>Land Use:</u>	Developed Residential
To the South:	<u>Zoning:</u>	LR2
	<u>Land Use:</u>	Developed Residential
To the West:	<u>Zoning:</u>	LR2
	<u>Land Use:</u>	Developed Residential

Petitioner's Request

The petitioner is requesting relief from the required 25-foot front yard setback for a garage addition on a corner lot. The proposed structure is shown being located 16 feet from the edge of ROW, requiring a 9-foot reduction in the setback requirement. The current home, due to the angle of positioning appears to be close if not meet the standard. The current home was built before zoning was adopted and the addition must meet the current standards of the UDO

Analysis

Article 17, Section 400.5770, of the Code of Ordinances of Jefferson County, asserts the powers of the Board of Zoning Adjustment. The Revised Statutes of the State of Missouri and the Jefferson County Unified Development Order deem the following conditions necessary for granting a variance. Staff's comments (**in bold**) follow each condition.

- The variance requested arises from a condition that is unique and peculiar to the property in question and is not created by an action or actions of the property owner or applicant.

As required by the Jefferson County UDO, structures are required to be located 25 feet from the edge of ROW in the "LR2" zone district. The request arises from the petitioner's desire to build an addition to the existing home that encroaches on the front building setback.

- Where, by reason of exceptional narrowness, shallowness, shape or topography or other extraordinary or exceptional situation or condition of a specific piece of property the strict application of the provisions of the regulations complained of will constitute peculiar and exceptional difficulties to or exceptional and demonstrable undue hardship upon the owner of the property, as an unreasonable deprivation of use as distinguished from the mere grant of a privilege.

Neither the lot shape nor topography creates exceptional difficulties for the property owner. The request arises from the petitioner's wish to build an addition at the desired size and in the desired location. Denial of the variance would not deprive the owner of the residential use of the property.

- The variance requested will not cause substantial detriment to the public health, safety, morals and general welfare of the community.

The granting of the variances will not likely cause detriment to the public health, safety, morals, or general welfare of the community. The building addition, while it is encroaching, is located on a gravel, low speed, low traveled road.

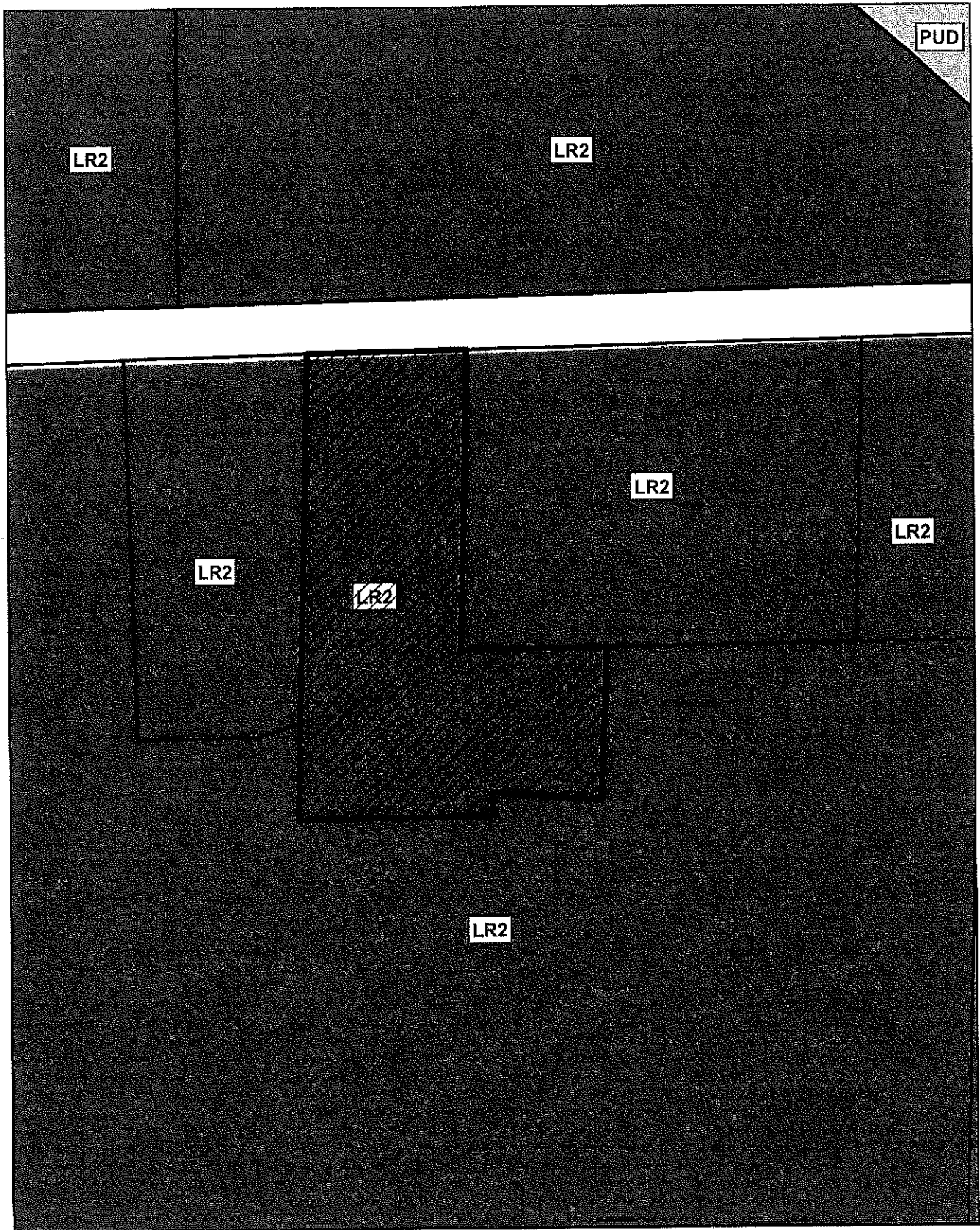
- The granting of the variance will not substantially impair the intent, purpose, and integrity of the zone plan as embodied in the UDO.

The requested variance is not consistent with the intent, purpose, and integrity of the zone plan as embodied in the Jefferson County Unified Development Order.

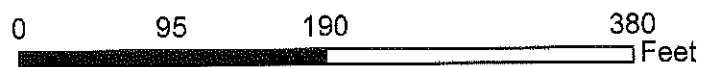
Staff Recommendation

Based on the analysis, staff recommends **Denial** of the requested variance for relief from the required 25-foot front yard setback to be reduced to 16-foot along the western property boundary line in the "LR2" zone district.

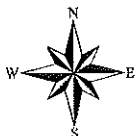
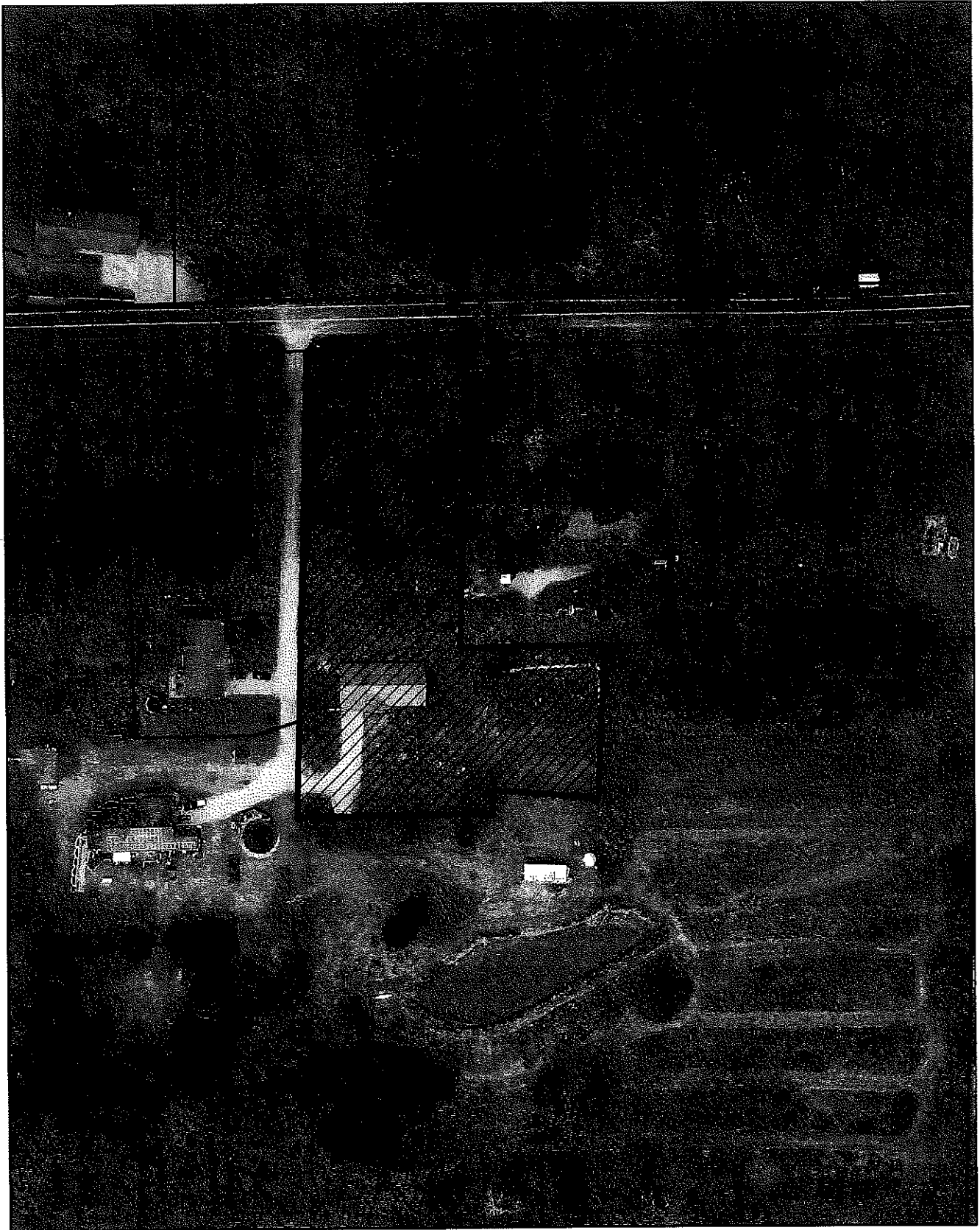
BOA20029 - Schlarman



Subject Property



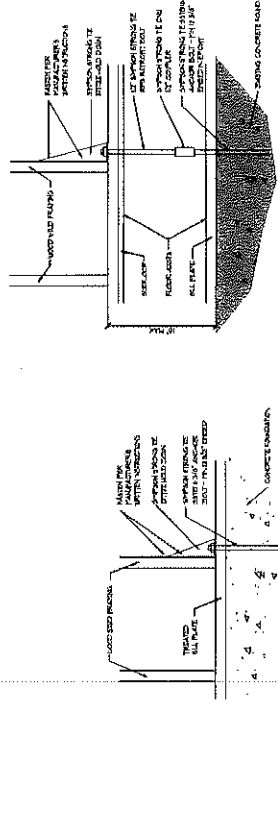
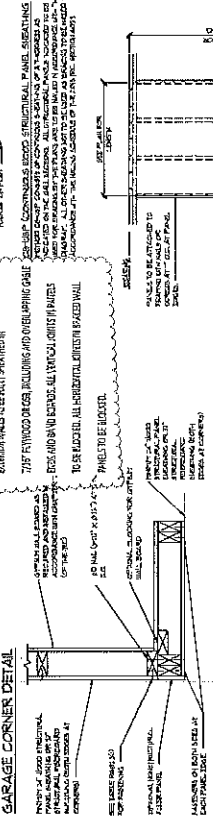
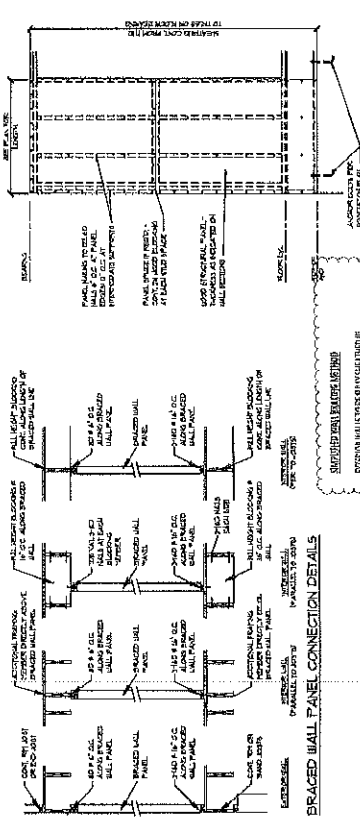
BOA20029 - Schlarmann



Subject Property

0 95 190 380 Feet

JOB NUMBER	10000
ISSUE DATE	11/15/2003
REVISIONS	

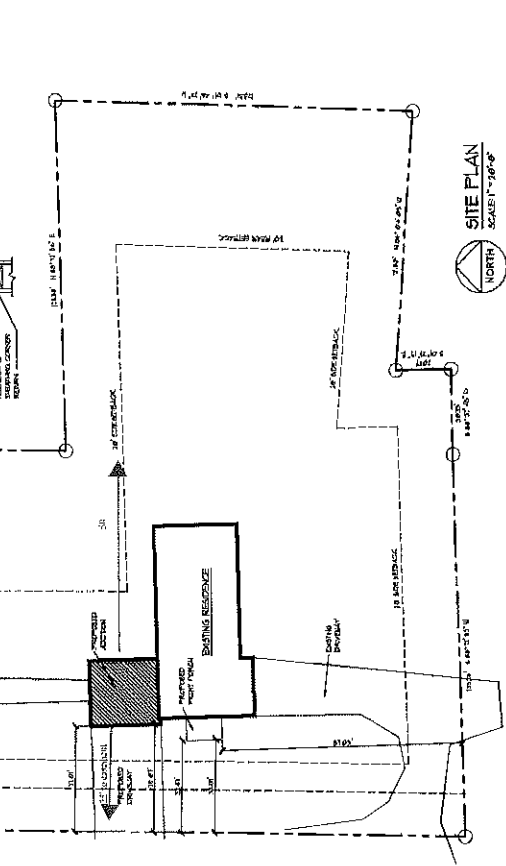
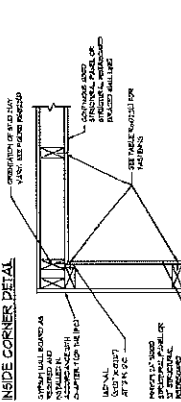


Bracing Analysis for Main Level

Member	Length (ft)	Area (sq in)	Modulus of Elasticity (ksi)	Moment of Inertia (in ⁴)	Effective Length Factor (K)	Effective Length (ft)	Slenderness Ratio (KL/r)	Allowable Stress (ksi)	Allowable Load (kips)
1	10.0	14.7	29,000	1.1	1.0	10.0	10.0	1.0	14.7
2	10.0	14.7	29,000	1.1	1.0	10.0	10.0	1.0	14.7
3	10.0	14.7	29,000	1.1	1.0	10.0	10.0	1.0	14.7
4	10.0	14.7	29,000	1.1	1.0	10.0	10.0	1.0	14.7
5	10.0	14.7	29,000	1.1	1.0	10.0	10.0	1.0	14.7
6	10.0	14.7	29,000	1.1	1.0	10.0	10.0	1.0	14.7
7	10.0	14.7	29,000	1.1	1.0	10.0	10.0	1.0	14.7
8	10.0	14.7	29,000	1.1	1.0	10.0	10.0	1.0	14.7
9	10.0	14.7	29,000	1.1	1.0	10.0	10.0	1.0	14.7
10	10.0	14.7	29,000	1.1	1.0	10.0	10.0	1.0	14.7

GENERAL REMARKS:

- 1. ALL DIMENSIONS ARE IN FEET AND INCHES.
- 2. ALL MATERIALS ARE TO BE SPECIFIED AS FOLLOWS:
- 3. ALL CONNECTIONS ARE TO BE MADE AS FOLLOWS:
- 4. ALL BRACING IS TO BE PROVIDED AS FOLLOWS:
- 5. ALL BRACING IS TO BE PROVIDED AS FOLLOWS:
- 6. ALL BRACING IS TO BE PROVIDED AS FOLLOWS:
- 7. ALL BRACING IS TO BE PROVIDED AS FOLLOWS:
- 8. ALL BRACING IS TO BE PROVIDED AS FOLLOWS:
- 9. ALL BRACING IS TO BE PROVIDED AS FOLLOWS:
- 10. ALL BRACING IS TO BE PROVIDED AS FOLLOWS:



APPROVED:
Jefferson County
Engineering
Professional Seal
1/2

APPROVED:
Jefferson County
Engineering
Professional Seal
1/2