

NOTICE OF PUBLIC HEARING

PLANNING AND ZONING COMMISSION OF JEFFERSON COUNTY, MISSOURI
NOTICE OF MEETING

Notice is hereby given that the Planning and Zoning Commission of Jefferson County, Missouri, will conduct a meeting at 6:30 p.m., Thursday, March 23, 2023 in the Assembly Room of the Jefferson County Administration Center, located at 729 Maple Street, Hillsboro, Missouri. The public will be given an opportunity to be heard.

The tentative agenda of this meeting includes:

I. CALL TO ORDER

II. ROLL CALL

III. APPROVAL OF AGENDA

IV. APPROVAL OF MINUTES
March 9, 2023

V. SWEARING IN OF WITNESSES

VI. INTRODUCTION OF EVIDENCE

VII. NEW BUSINESS

1. Consideration

A. CU232006

A Request for a Conditional Use Permit for parcel 06-1.0-01.0-0-000-011., located at 4242 McKeever Trail, House Springs, in Meramec Township and Council District #7, for an Overseas Shipping Container in a Large Lot Residential (LR-2) Zone District.

VIII. REPORTS TO THE COMMISSION

IX. CITIZENS TO BE HEARD

X. ADJOURNMENT

Representatives of the media may obtain copies of this notice by contacting Elaine Roesch, Planning Clerk 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 Jefferson County Human Resources at 636-797-5071.

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

Petition Number: CU23006

Meeting Date: March 23, 2023

Prepared By: Rachel Krispin

Applicant Information

APPLICANT NAME: Michael Kreminiski

APPLICANT ADDRESS: 4242 McKeever Trl, House Springs 63051

SITE ADDRESS: Same as above

PARCEL NUMBER: 06-1.0-01.0-0-000-011

NATURE OF REQUEST: Conditional Use Permit for two (2) overseas containers.

Parcel and Site Information

CURRENT ZONE DISTRICT: LR2

COUNCIL DISTRICT: 7

MASTER PLAN DESIGNATION: Reserve Area

DEVELOPMENT PATTERN: Suburban Development Pattern

PARCEL SIZE: 5.45 acres

FEET OF ROAD FRONTAGE: McKeever Trl – approximately 880 feet (the entire length of the subject parcel)

AVAILABLE SERVICES: N/A

DESCRIPTION OF CURRENT DEVELOPMENT ON PARCEL: Currently developed with a single-family home, detached garage, manufactured home, and two (2) overseas containers.

Parcel Conditions

TOPOGRAPHY: The parcel does exhibit steep topography with the existing single-family dwelling being located at a higher elevation than the driveway entrance and front portion of the subject property.

FLOODPLAIN ISSUES/STREAM ORDERS: N/A

VEGETATIVE COVER/SCREENING: The site exhibits some vegetation; however, there are unvegetated areas of the property where new construction (i.e. single family residence and detached garage) has been constructed.

ADDITIONAL COMMENTS: The two (2) overseas containers exist on the property today in violation of the UDO.

SURROUNDING ZONING: The surrounding zoning is a mixture of residential zone districts.

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

Submitted Plans

The submitted plan shows the following:

- 30' X 75' existing structure (single-family residence) towards the rear of the property
- 40' X 40' existing structure (detached garage) near the eastern property line
- Two (2) overseas containers located near the northeast corner of the subject property

UDO Requirements

Relation to Unified Development Order

In considering any application for a Conditional Use Permit, the Planning & Zoning Commission and may consider the following minimum criteria to the extent they are pertinent:

1. Character of the neighborhood;
2. Compatibility with adjacent property uses and zoning;
3. Suitability of the property for which the conditional use is being requested;
4. Extent to which the proposed use will negatively impact the aesthetics of the property and adjoining properties;
5. Extent to which the proposed use will injure the appropriate use of, or detrimentally affect, neighboring property;
6. Impact on the street system to handle traffic and/or parking;
7. Impact of additional storm water runoff to the existing system or to the watershed area if no storm sewer is available;
8. Impact of noise pollution or other environmental harm;
9. Potential negative impact on neighborhood property values;
10. Extent to which there is need for the proposed use in the community;
11. Economic impact upon the community;
12. Extent to which public facilities and services are available and adequate to satisfy the demand generated by the proposed use;
13. Comparison of the benefit gained to the public health, safety and welfare of the community if approved versus the hardship imposed upon the landowner if the requested application is denied;

14. Conformance to the Official Master Plan, current County policies and ordinances;
15. Analysis by professional staff; and,
16. Consistent with permitted uses in the area in which the conditional use is sought.

The Jefferson County Unified Development Order dictates the following conditions for an overseas container in the RA5 and LR2 zone districts:

1. There must be a principal structure established on the lot and the lot shall be at least five (5) acres in size; and
2. The overseas container shall not be located in front of the principal structure; and
3. The overseas container shall be placed on a hard surface; and
4. The overseas container shall be subject to all State, local, and Federal permits including a Jefferson County Building permit; and
5. The overseas container shall be screened on all sides with the exception of the entry or access door.

Analysis

The subject property is currently zoned Large-Lot Residential "LR2", which allows for overseas containers to be used as accessory storage buildings with the issuance of a Conditional Use Permit. The petitioner lives on the property, and it appears the containers are for personal use.

Since both containers are currently situated unlawfully on the property, the petitioner has submitted this conditional use application seeking permission to allow them to remain. As the containers exist today, the petitioner only meets (3) out of the five (5) conditions associated with overseas containers (the property is at least 5 acres in size, there is a principal structure on the property, and they are on a hard surface, although not in an approved location). The two (2) conditions currently not met include the containers not being located behind the principal structure (residence) on the property, as well as screening on all sides of said containers. Both containers are visible from McKeever Trl, which is a low-traveled, privately maintained street.

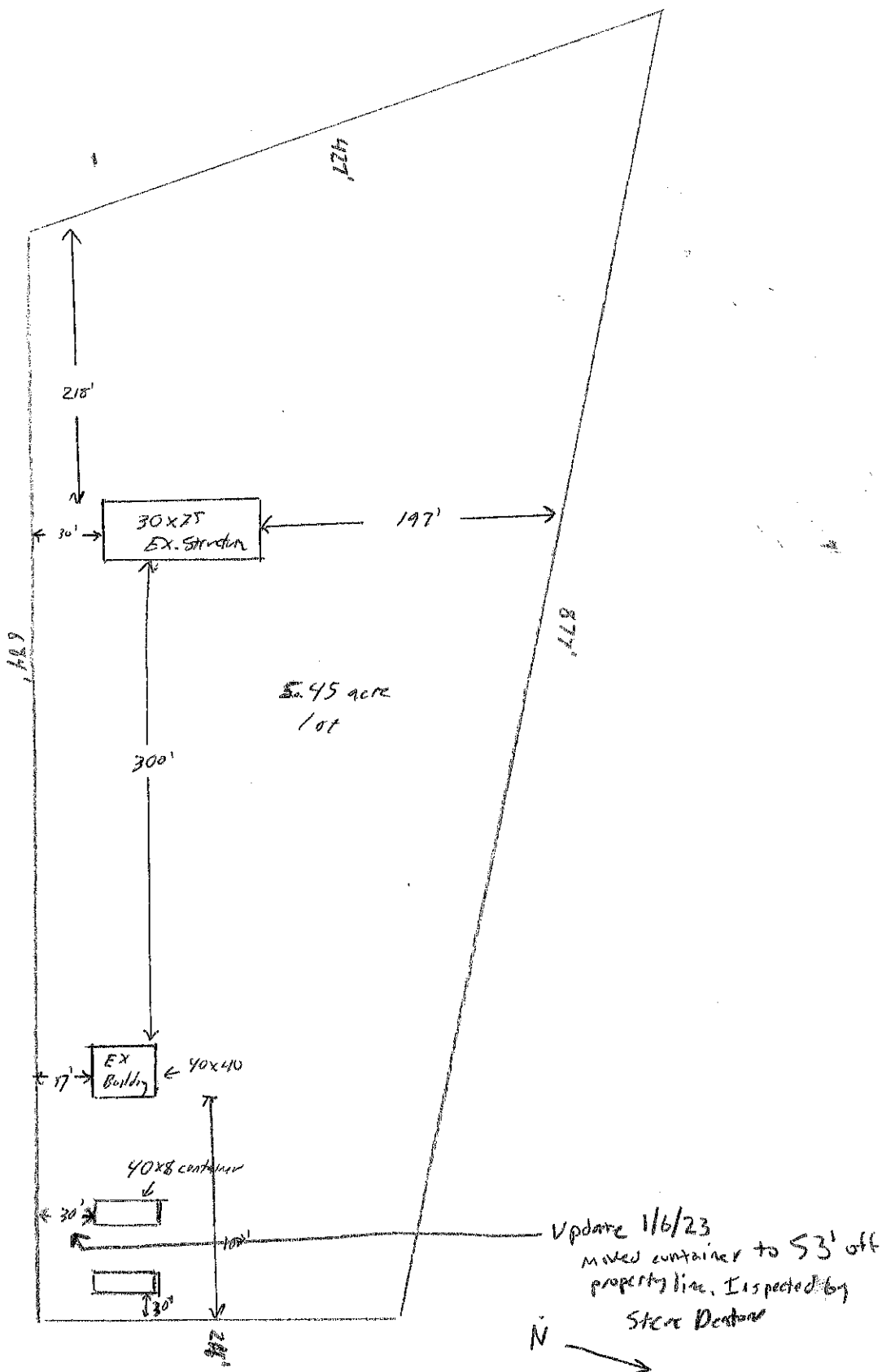
Due to the intense topographical changes from where the containers are currently situated to the residence, relocating the containers behind the principal structure of the property could be difficult. From the site plan submitted by the petitioner, each container appears to be thirty (30) feet from the northern and eastern property lines. (It should be noted that on the site plan the petitioner has stated that at least one container has been moved 53 feet from the property line. It appears to be referencing the eastern property line.) It is unclear how far the containers are setback from McKeever Trl as it was not provided on the site plan; however, based on aerial maps the containers appear to be at least one hundred (100) feet from McKeever Trl.

While staff recognizes the steep topographical changes may cause difficulty in relocating the containers behind the home, it was the petitioner who illegally placed them in the current location purely out of convenience. Had proper permits been applied for and a CUP applied for and approved prior to placement of the containers, the petitioner would have been required to locate them according to the UDO. According

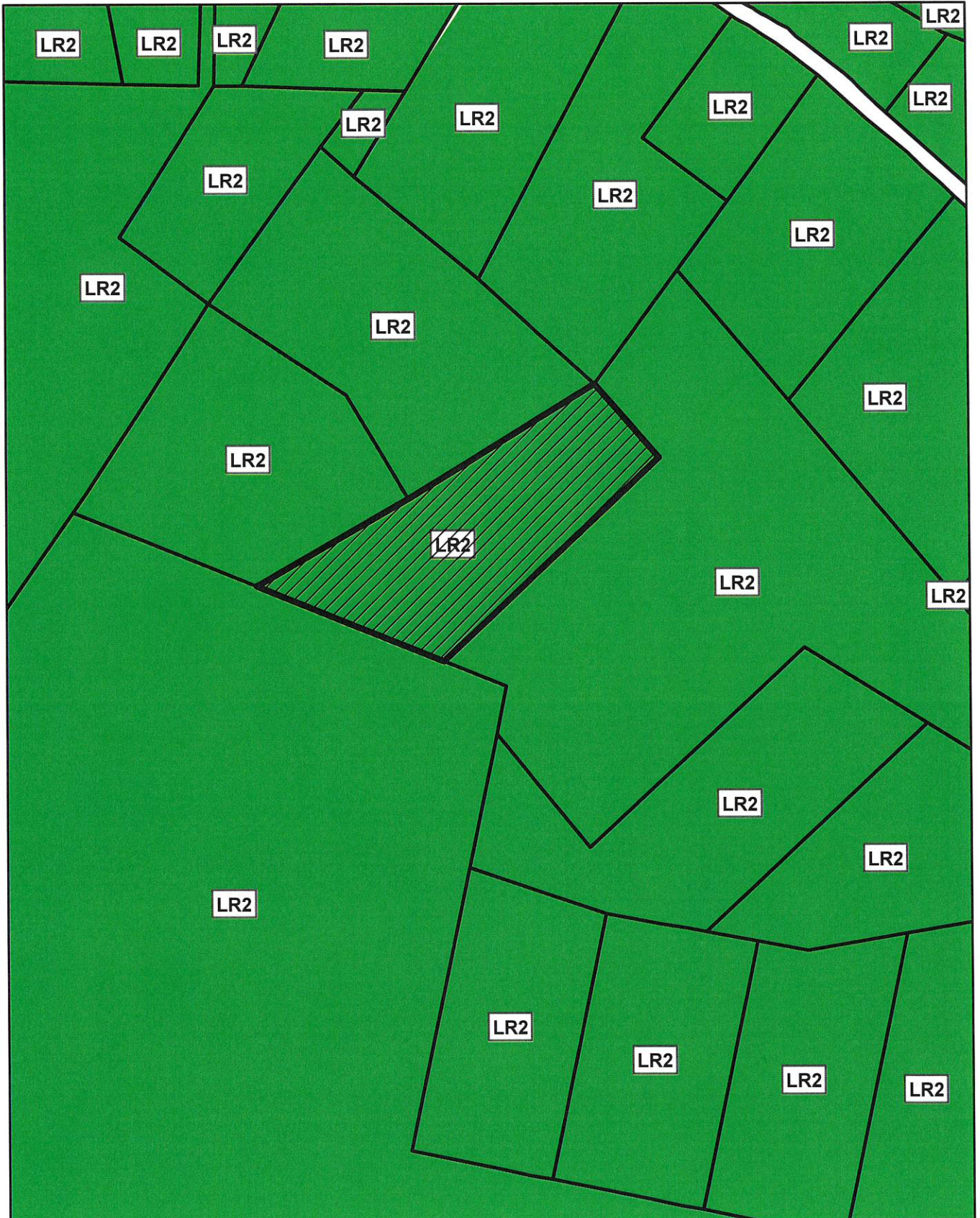
to the site plan, there is roughly two hundred and eighteen (218) feet behind the primary structure- providing ample room to place the containers in the rear of the residence. In their current location and lack of screening, neither container satisfies the conditions outlined in the UDO.

Recommended Conditions/Comments if Approved

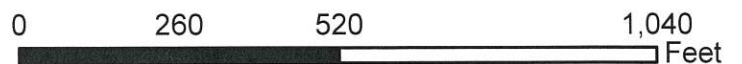
1. There must be a principal structure established on the lot and the lot shall be at least five (5) acres in size; and
2. The overseas containers shall not be located in front of the principal structure; and
3. The overseas containers shall be placed on a hard surface; and
4. The overseas containers shall be subject to all State, local, and Federal permits including a Jefferson County Building permit; and
5. The overseas containers shall be screened on all sides with the exception of the entry or access door.
6. The primary structure (residence) has been completed and finalized with the Jefferson County Code Enforcement Division. As a condition of completion, the property owner was to remove the manufactured home from the property. The manufactured home has yet to be removed from the property. Therefore, if the Planning and Zoning Commission votes to approve this application, the manufactured home must be removed as a condition of the issuance of this Conditional Use Permit.



CU23006 - Kreminski



Subject Property



CU23006 - Kreminski



Subject Property

0 260 520 1,040 Feet