

**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 March 14, 2024, in the Assembly Room of the Jefferson County Administration Center, 729 Maple Street, Hillsboro, Missouri.

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 February 8, 2024 Board of Zoning Adjustment Meeting

V. SWEARING IN OF WITNESSES

VI. INTRODUCTION OF EVIDENCE

VII. OLD BUSINESS

- A. BOA24002: Application for a variance to Chapter 400: Unified Development Order, Article V, Section 400.1670, of the Code of Ordinances of Jefferson County, for rear yard setback requirements for pool in a Single Family Residential (R-10) Zone District, 08-6.0-13.0-0-000-028. located at 6472 Buckingham Palace Dr., Imperial MO in Imperial Township and County Council District #4.

VIII. NEW BUSINESS

- A. BOA24003: Application for a variance to Chapter 400: Unified Development Order, Article V, Section 400.1670, of the Code of Ordinances of Jefferson County, for rear yard setback requirements for residence in a Single Family Residential (R-7) Zone District, 12-9.0-29.0-4-007-001.07. located at 10108 Lake Ridge Ct., Hillsboro MO in Central Township and County Council District #6.

IX. REPORTS TO THE BOARD

X. EXECUTION OF BOARD OF ZONING ADJUSTMENT ORDERS

XI. CITIZENS TO BE HEARD

XII. 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: February 8, 2024

General Information:

Petition Number: BOA24002

Applicant Name: Alisha & Ryan Dibley
Street Address: 6472 Buckingham Palace Dr.
City, State, ZIP: Imperial, MO 63052

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

Location of Site: The subject property is located at 6472 Buckingham Palace in Imperial.

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 "R10" zone district for an in-ground pool from 15 feet to 4.2 feet as well as the required 6' side setback to 4.2'

Size of Tract: Roughly .15 acres
Parcel Number: 08-6.0-13.0-0-000-028
Existing Zone District: R10
Council District: #3
Township: Imperial

Prepared By: Josh Jump/Planner II
Date: January 29, 2024
Recommendation: Denial

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

Subject Property

The property is located at 6472 Buckingham Palace. The property is roughly .15 acres in size and is developed with a single-family home. The property is zoned Single-Family Residential "R10".

According to FEMA's Flood Rate Insurance Map, no portion of the property lies within the floodplain or floodway, 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>	R10
	<u>Land Use:</u>	Developed Residential
To the East:	<u>Zoning:</u>	R10
	<u>Land Use:</u>	Developed Residential (Common Ground)
To the South:	<u>Zoning:</u>	R10
	<u>Land Use:</u>	Undeveloped Residential (common ground)
To the West:	<u>Zoning:</u>	R10
	<u>Land Use:</u>	Developed Residential

Petitioner's Request

The petitioner is requesting relief from the required 15-foot rear yard setback for an in-ground pool. (In this zone district, the rear yard setback is 30 feet. For pools and uncovered decks, there is a 15-foot setback allowance per the UDO.) The proposed pool is shown being located 4.2 feet from the rear property line requiring a 10.8-foot reduction in the setback requirement as well as a reduction to the side setback to 4.2'.

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, pools such as the one proposed are required to be located 15 feet from the rear property line and 6' from the side property line in the "R10" zone district. The request arises from the petitioner's desire to construct an in-ground pool that encroaches on the rear and side building setbacks.

- 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.

The lot is normal in shape and size and is similar in shape and size to neighboring properties. It should be noted that the rear and eastern side of the property does adjoin common ground. The petitioner is also seeking relief from the western property line to be reduced to 4.2' from 6'. This property line does adjoin a private property owner. The request arises from the petitioner's wish to construct an in-ground pool of 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 variance could potentially cause detriment to the public health, safety, morals, or general welfare of the community. The proposed in-ground pool, while it is encroaching, is on a lot that backs up directly to common ground- on the southern line. The request to be reduced to the 4.2' on the western property line does adjoin a private property owner.

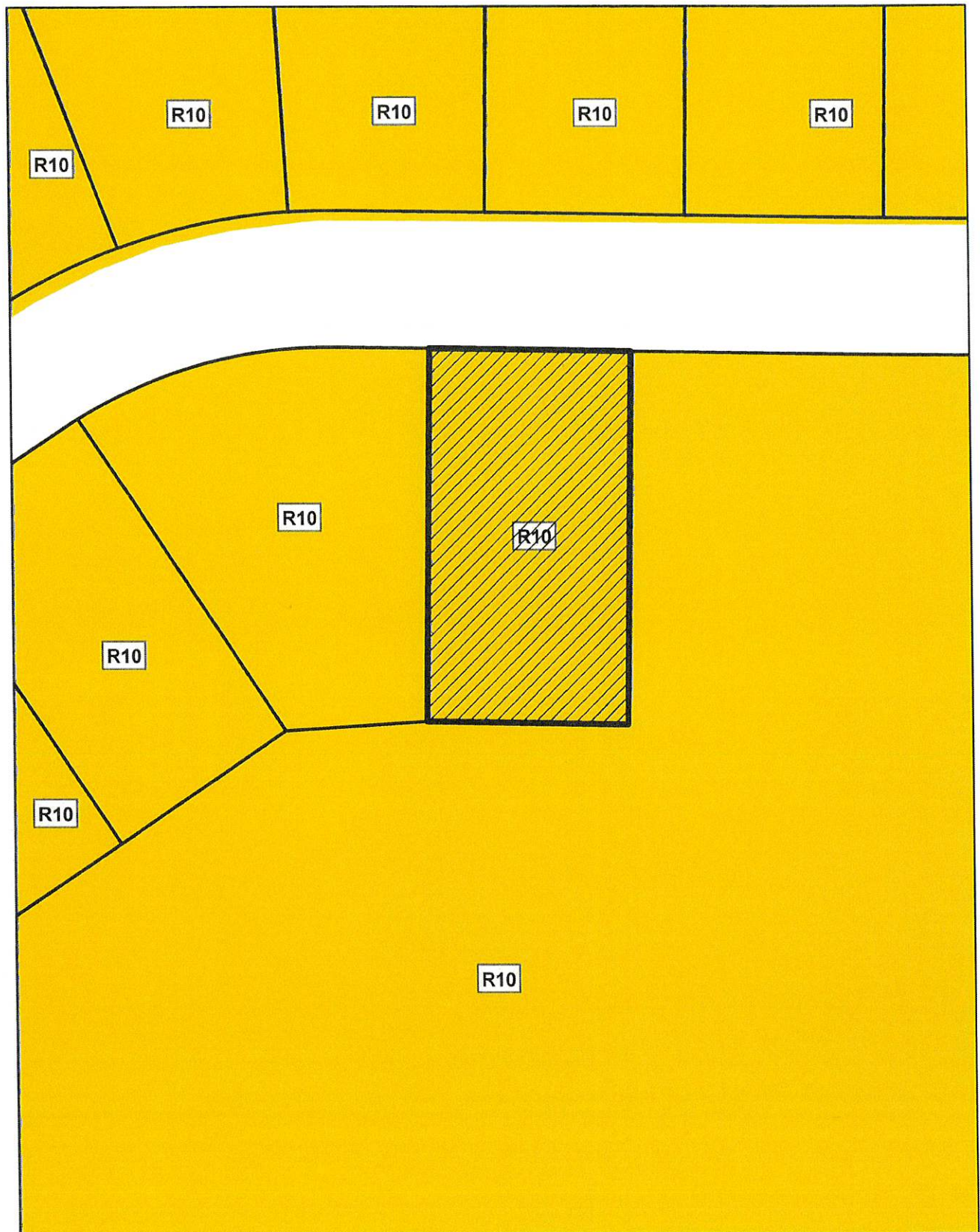
- The granting of the variance will not substantially impair the intent, purpose, and integrity of the zone plan as embodied in the UDO.

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 15-foot rear yard setback to be reduced to 4.2 feet along the rear property line as well as the request for relief from the required 6' side setback to be reduced to 4.2' in the "R10" zone district.

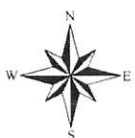
BOA24002 - Dibley



Subject Property

0 30 60 120 Feet

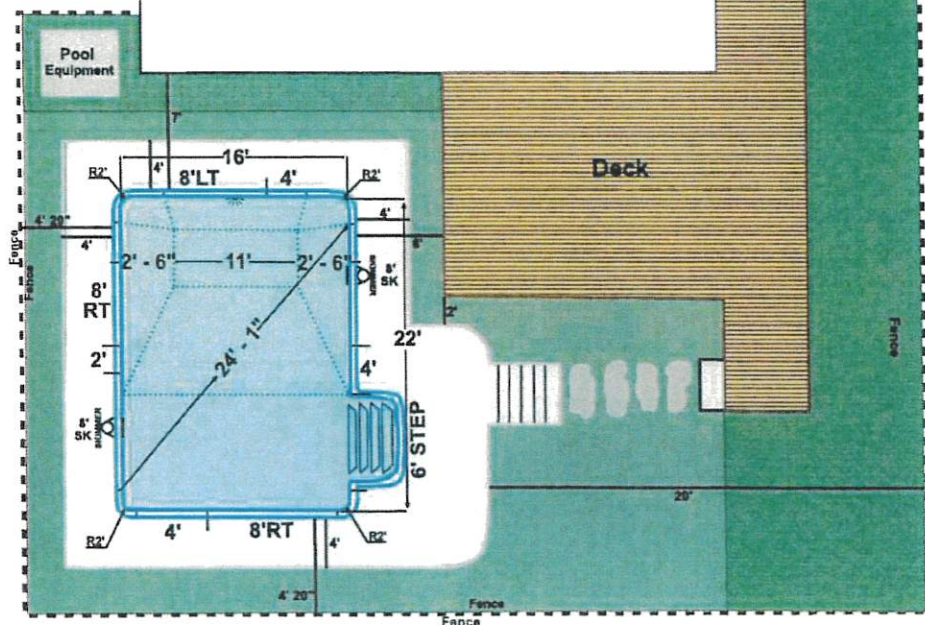
BOA24002 - Dibley



Subject Property

0 30 60 120 Feet

636-724-8191 / gdsproperties@yahoo.com



Jefferson County, Missouri

PLANNING DIVISION

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

Staff Report to the Board of Zoning Adjustment

Meeting Date: March 14, 2024

General Information:

Petition Number: BOA24003

Applicant Name: Kevin and Debby Parks
Street Address: 10108 Lake Ridge Ct
City, State, ZIP: Hillsboro, MO 63050

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

Location of Site: The subject property is located at 10108 Lake Ridge Ct in Hillsboro.

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 "R7" zone district for a covered deck from 30 feet to 28.5 feet.

Size of Tract: Roughly .22 acres
Parcel Number: 12-9.0-29.0-4-007-001.07
Existing Zone District: R7
Council District: #6
Township: Central

Prepared By: Rachel Krispin
Date: March 4, 2024
Recommendation: Denial

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

Subject Property

The property is located at 10108 Lake Ridge Ct in Hillsboro. The property is roughly .22 acres in size and is undeveloped. The property is zoned Single-Family Residential "R7".

According to FEMA's Flood Rate Insurance Map, no portion of the property lies within the floodplain or floodway, 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>	R7
	<u>Land Use:</u>	Developed Residential (across the lake)
To the East:	<u>Zoning:</u>	R7
	<u>Land Use:</u>	Undeveloped Residential
To the South:	<u>Zoning:</u>	R7
	<u>Land Use:</u>	Developed Residential
To the West:	<u>Zoning:</u>	R7
	<u>Land Use:</u>	Developed and Undeveloped Residential

Petitioner's Request

The petitioner is requesting relief from the required 30-foot rear yard setback for a covered patio. The proposed covered patio is shown being located 28.5 feet from the rear property line requiring a 1.5-foot reduction in the setback requirement.

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, covered decks such as the one proposed are required to be located 30 feet from the rear property line in the "R7" zone district. The request arises from the petitioner's desire to construct a covered patio that encroaches on the rear 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.

The lot is completely normal in shape and size. The property does, however, exhibit steep topography as the lot slopes downward towards the

lake. The request arises from the petitioner's wish to construct a covered patio of 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 variance would not likely cause detriment to the public health, safety, morals, or general welfare of the community as the rear of the property backs up directly to the lake.

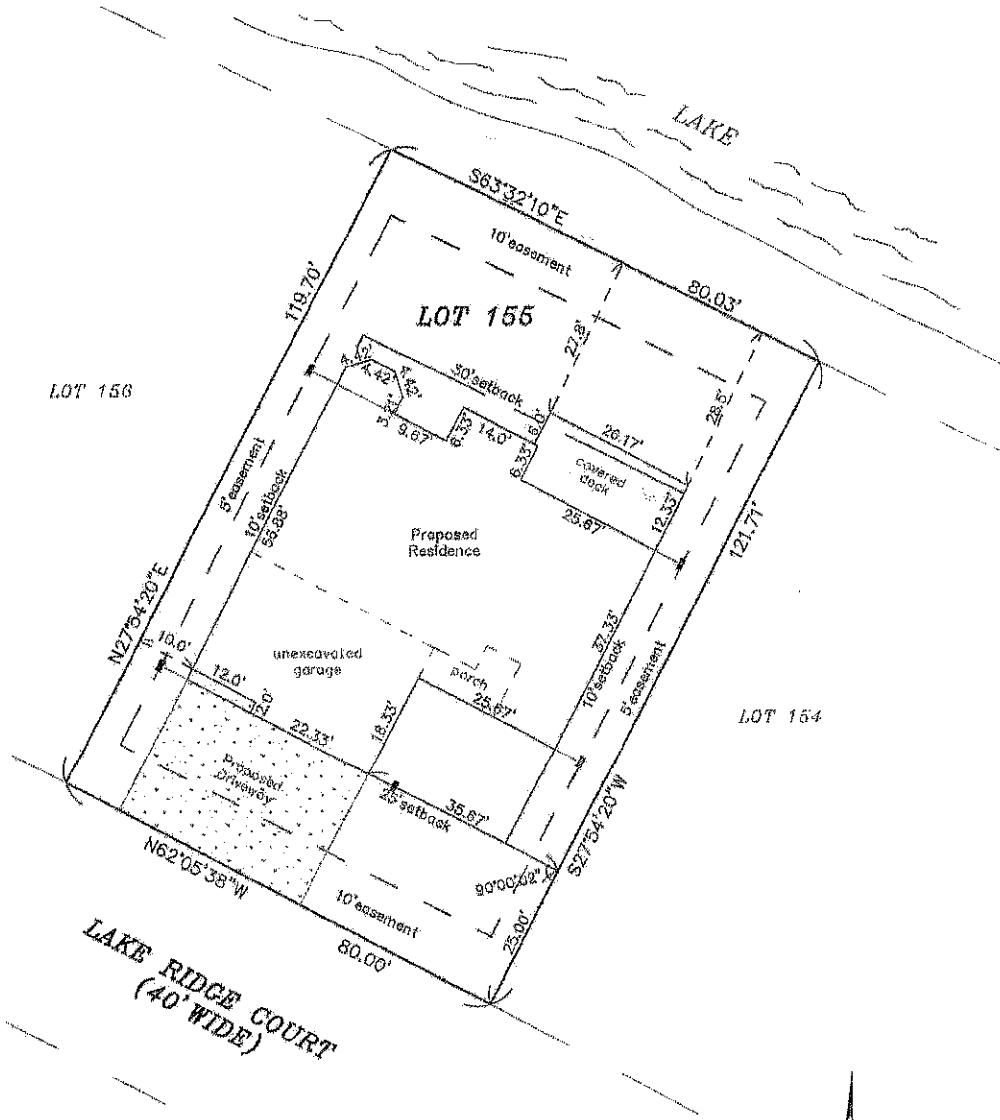
- The granting of the variance will not substantially impair the intent, purpose, and integrity of the zone plan as embodied in the UDO.

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

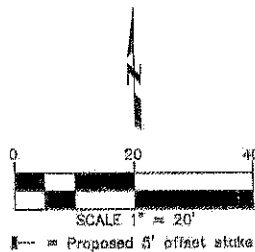
Based on the analysis, staff recommends Denial of the requested variance for relief from the required 30-foot rear yard setback to be reduced to 28.5 feet along the rear property line in the "R7" zone district.

PROPOSED RESIDENCE
LOT 155
RAINTREE PLANTATION SECTION TWENTY-ONE
 Jefferson County, Missouri
 Current Zoning: R-07



NOTE: This is a No-Tolerance lot.

NOTE: Building setbacks derived from Jefferson County Zoning Ordinances and subdivision restrictions.



ASSOCIATED LAND SURVEYOR'S INFO (Certificate of Authority No. 000260)

David Wiley
 DAVID WILEY
 P.O. BOX 137
 HILLSBORO, MISSOURI 63050
 (636) 797-2283



PROPOSED RESIDENCE

Lake Ridge Court
 Hillsboro, Missouri 63050

David Wiley
 Professional Land Surveyor #2612

Date: November 30th, 2023

Scale 1" = 20'

P.O. BOX 137
 10550 HIGHWAY 21
 HILLSBORO, MISSOURI 63050
 PHONE (636) 797-2283
 DAVIDW@ALSINC-MO.COM

Associated Land
Surveyor's, Inc.
 Certificate of Authority No. 000260
 David Wiley P.L.S. 2612

Drawn By: M.C.

Checked By: D.W.

Job No.

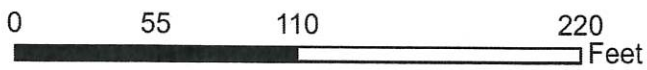
35014

\\Server\Company\Survey Projects\5th-pp\35014 Lot 155 Raintree Sec 21.dwg

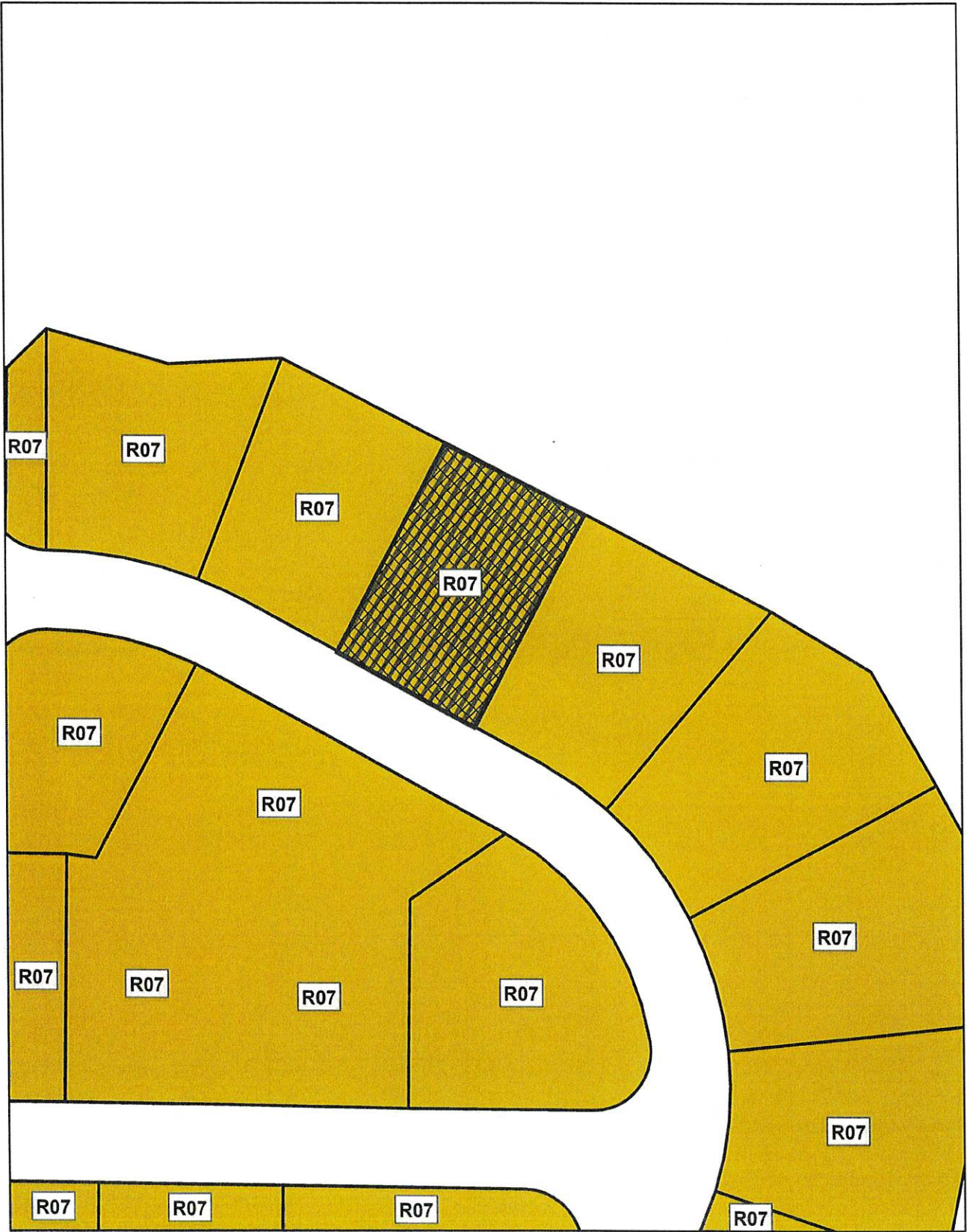
BOA24003 - Parks



Subject Property



BOA24003 - Parks



Subject Property

