

**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 June 8, 2023, 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 May 11, 2023 Board of Zoning Adjustment Meeting

V. SWEARING IN OF WITNESSES

VI. INTRODUCTION OF EVIDENCE

VII. OLD BUSINESS

VIII. NEW BUSINESS

- A. BOA23007: 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 Single Family Residential (R-40) Zone District, 18-6.0-13.0-0-005-006, located at 11720 State Road CC, Festus MO 63027 in River View Township and County Council District #5.

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: June 8, 2023

General Information:

Petition Number: BOA23007

Applicant Name: Rachel Pippen
Street Address: 11720 State Rt CC
City, State, ZIP: Festus, MO 63025

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

Location of Site: Site is located at 11720 State Rt CC in Festus, 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 “R40” zone district for a deck from 60 feet to 30 feet.

Size of Tract: 1.5 acres (Assessor’s records)
Parcel Number: 18-6.0-13.0-0-005-006
Existing Zone District: R40
Council District: #5
Township: Riverview

Prepared By: Josh Jump, Planner II
Date: May 30, 2023
Recommendation: Denial

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

Subject Property

The subject property is located at 11720 State Rt CC in Festus, MO. The property is developed with a single-family detached home. The parcel is 1.5 acres in size and 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>	Developed 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>	City of Festus
	<u>Land Use:</u>	N/A

Petitioner's Request

The petitioner is requesting relief from the required 60-foot front yard setback for a residential addition. The proposed building line is shown being located at 30 feet, requiring a 30-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, structures, including additions are to be located 60 feet from a front yard property line in the "R40" zone district. The home is currently located at 30 feet from the property line. This addition would be inline with that. While there is ample space on the property to build, the home is already located in such a manner that it doesn't currently meet 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.

Neither the lot shape nor topography create exceptional difficulties for the property owner. Denial of the variance would not deprive the owner of the residential use of the property. The house has existed for quite sometime in its current configuration

- 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 will not likely cause detriment to the public health, safety, morals, or general welfare of the community. The house currently is located at 30 feet from the property line. This addition would not encroach any further into the setback than the already existing house that was built in 1956.

- 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.

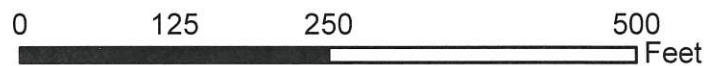
Staff Recommendation

Based on the analysis, staff recommends **Denial** of the requested variance for relief from the required 60-foot rear yard setback to be reduced to 30 feet for an addition along the western property boundary line in the "R40" zone district.

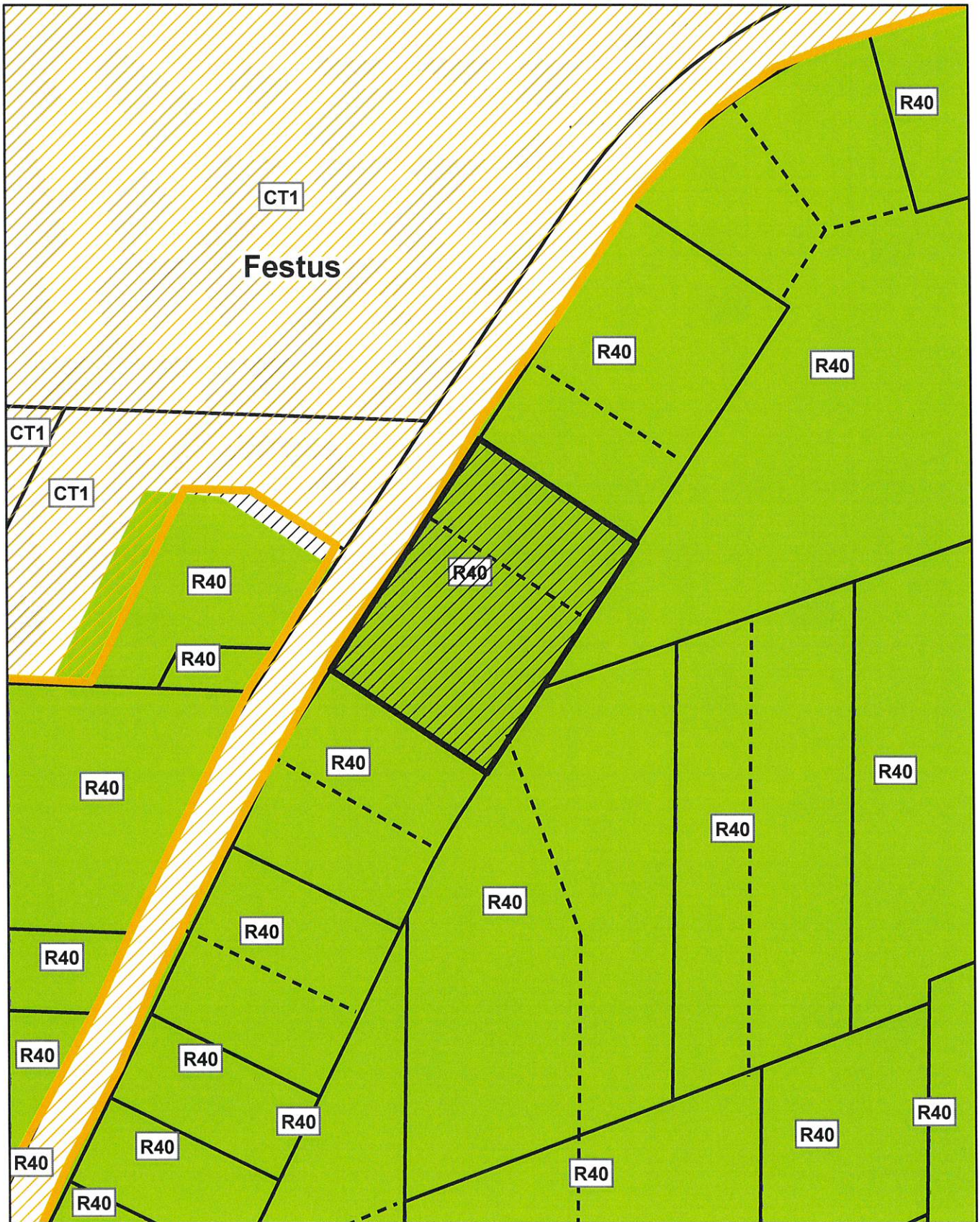
BOA23007 - Pippin



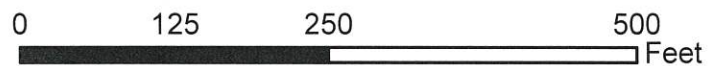
Subject Property



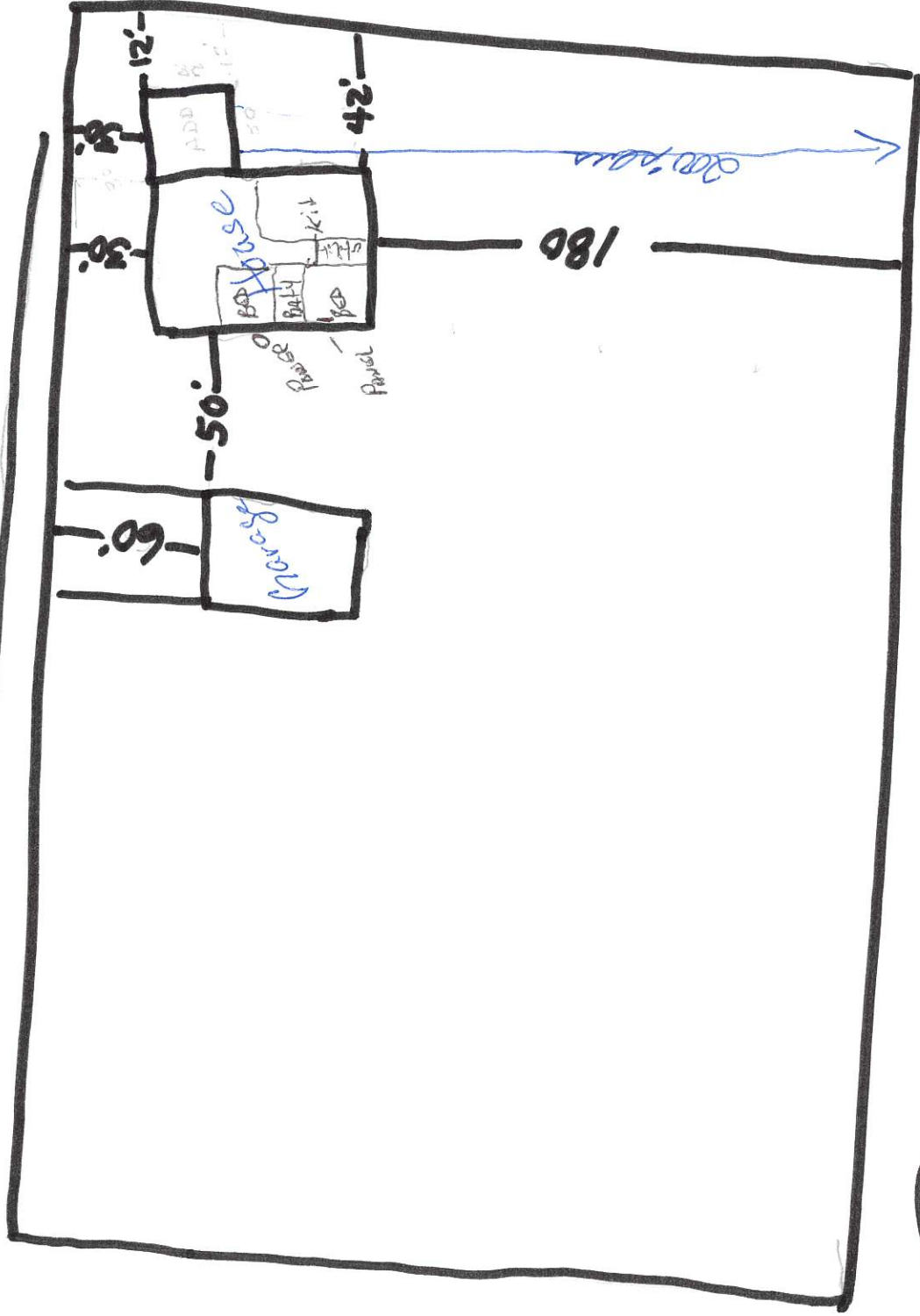
BOA23007 - Pippin



Subject Property



County Rd CC



1/2" = 30'

RACHEL PIPPIN

11720 County Rd CC
Festus MO 63028

Rachel Pippin
11720 County Rd CC
Festus MO 63028