

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, June 27, 2024 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
June 13, 2024
- V. SWEARING IN OF WITNESSES
- VI. INTRODUCTION OF EVIDENCE
- VII. NEW BUSINESS
 1. Consideration
 - A. CU24038
A Conditional Use Permit for parcel 11-6.0-23.0-0-000-029., located at 9156 Cherry Lane, Pevely, in Joachim Township and Council District #5, for an Overseas Storage Container in a Single-Family Residential (R-10) 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: CU24038

APPLICATION (PROJECT) NAME: SMUGALA

APPLICANT: ALEXANDER P SMUGALA

9156 CHERRY LANE, PEVELY MO 63070

PROPERTY OWNER NAME: SAME AS APPLICANT

DESIGN PROFESSIONAL: N/A

REQUEST: CONDITIONAL USE PERMIT FOR TWO OVERSEAS CONTAINERS IN A SINGLE-FAMILY RESIDENTIAL (R10) ZONE DISTRICT.

SITE LOCATION: 9156 CHERRY LANE, PEVELY, MO 630701

PARCEL/LOCATOR NUMBER: 11-6.0-23.0-0-000-029

EXISTING ZONING DISTRICT: R10

COUNCIL DISTRICT: 5

MASTER PLAN DESIGNATION: PRIMARY GROWTH AREA

DEVELOPMENT PATTERN: SUBURBAN DEVELOPMENT PATTERN

TOTAL SITE AREA: 5.08 ACRES (PER APPLICANT)

PUBLIC SERVICE AVAILABILITY: PWSD 07, JEFFERSON COUNTY PSD

EXISTING SITE CONDITIONS: DEVELOPED RESIDENTIAL

CASE MANAGER: RACHEL KRISPIN

MEETING DATE: JUNE 27, 2024

RECOMMENDATION: APPROVAL WITH CONDITIONS

PROJECT & SITE LOCATION & EXISTING CONDITIONS

TOPOGRAPHY: The developed portion of the property is fairly flat. The site does exhibit steep topography towards the rear (eastern portion) of the property.

FLOODPLAIN ISSUES/STREAM ORDERS: The 500-year floodplain exists on a very small portion of the subject property. No stream buffers are located on the property.

VEGETATIVE COVER/SCREENING: The site is heavily vegetated towards the rear of the property, in addition to a portion of the frontage along Cherry Ln.

FIGURE 2 - SITE TOPOGRAPHY



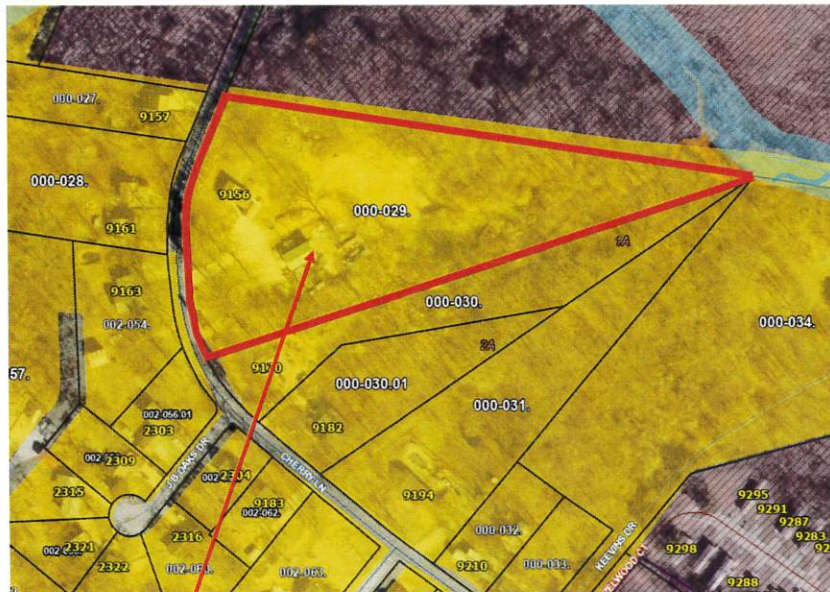
SITE

ADJOINING ZONING & LAND USES

ADJOINING ZONING & LAND USES: The subject property is located off Cherry Lane, which is close to the intersection with State Hwy Z. The immediate area has primarily residential zoning.

EXISTING CONDITIONS MATRIX			
DIRECTION	EXISTING LAND USE	ZONING DISTRICT	COMMENTS
North	Vacant	City of Pevely	Property appears to be undeveloped currently
East	Residential	R10	Single-family residential
South	Residential	R10	Single-family residential
West	Residential	R10	Single-family residence

FIGURE 3 - EXISTING ZONING



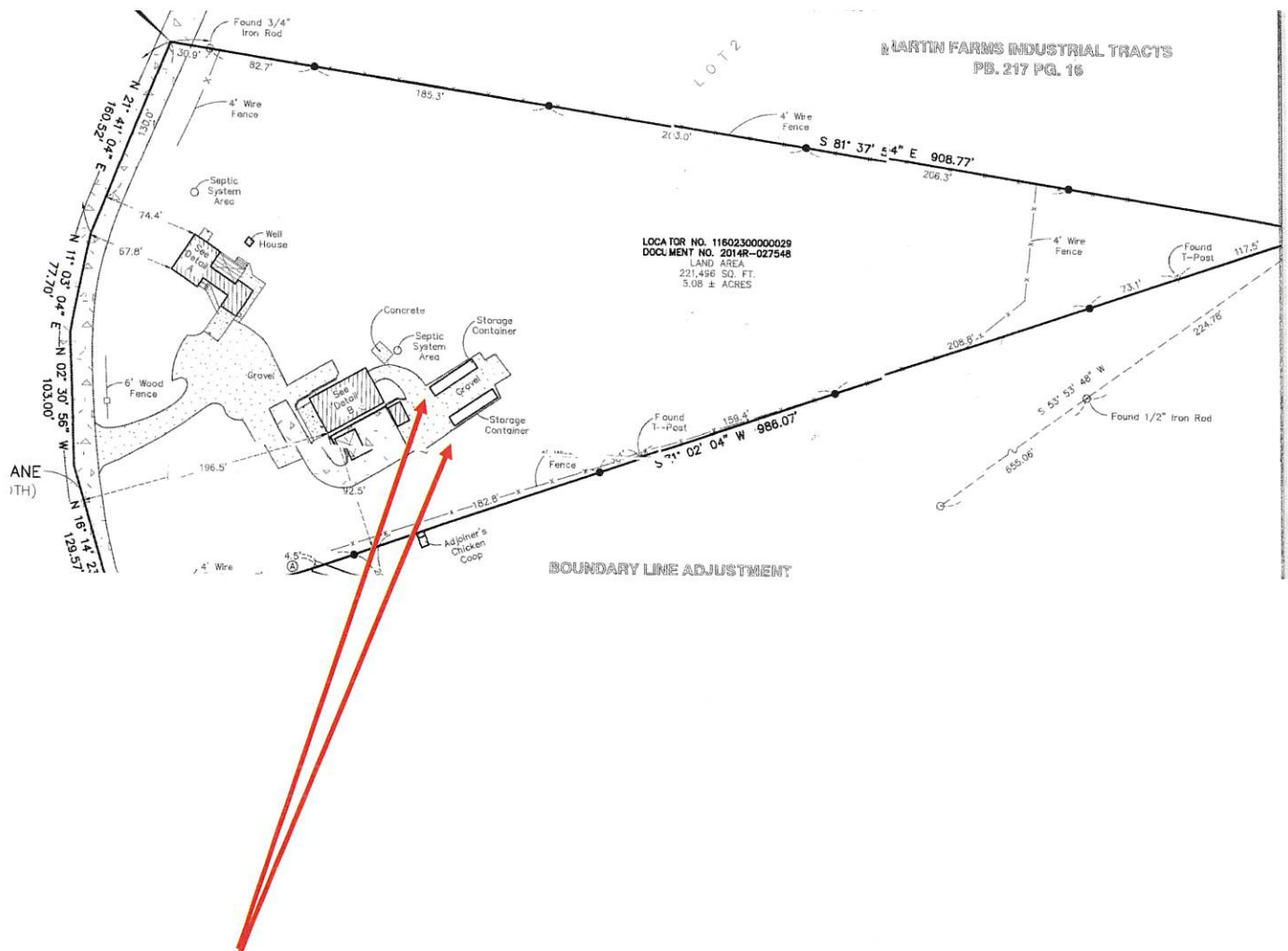
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SUBMITTED PLAN

The submitted plan shows the following:

- ⇒ Existing single-family residence
- ⇒ Existing detached garage
- ⇒ Two (2) overseas containers



LOCATION OF OVERSEAS CONTAINERS

OFFICIAL MASTER PLAN

Petitioner's Request

The petitioner is seeking approval of a Conditional Use Permit for two (2) overseas containers in a Single-family Residential "R10" zone district. Overseas containers are not a permitted use in an "R10" zone district and therefore requires a Conditional Use Permit. The containers both were located on the property illegally (absent any permitting).

Official Master Plan

The subject property is located the Primary Growth Area in the Official Master Plan. The most appropriate development pattern in this case is a Suburban Development Pattern. This development pattern will be used to determine the design criteria applied to the property.

CRITERIA FOR CONSIDERATION

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 overseas containers in residential 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 R10—Single-family residential. Because overseas containers are not an allowed use in an R10 zone district, the petitioner is required to submit for a Conditional Use Permit. The property is currently being used as a single-family residence.

The Jefferson County UDO allows for overseas containers in certain zone districts, with five (5) conditions (Section 400.2770.B). Under the UDO, overseas containers are only allowable in an RA5 or LR2 zone districts, or on lots of at least five (5) acres in size upon the issuance of a CUP—conditional use permit. The subject property, located at 9156 Cherry Ln, is zoned R10. Although the property is zoned R10, the site is slightly over 5 acres in size.

The overseas containers are both located behind the front building line of the principal structure. The overseas containers are located behind the detached garage on the property as well. In addition, the site plan indicates that the containers are located on a hard surface, which is gravel in this case. The only condition that is not met is the screening—both containers are unscreened. If approved, each container must be screened to satisfy the Jefferson County UDO. Lastly, it is unclear if all appropriate permits have been applied for and issued for the overseas containers. If approved, all necessary permits must be obtained.

RECOMMENDATION

Staff recommends approval with the following conditions:

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 with 100% opaque screening (six-foot tall sight-proof fencing or opaque landscaping) on all sides with the exception of the entry or access door.

APPENDIX

SUPPLEMENTAL EXHIBITS

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