

**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 10, 2021, 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 April 8, 2021 Board of Zoning Adjustment Meeting
- V. SWEARING IN OF WITNESSES
- VI. INTRODUCTION OF EVIDENCE
- VII. OLD BUSINESS
- VIII. NEW BUSINESS
 - A. BOA21004: 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 an accessory building in a Single Family Residential (R-20) Zone District, 02-2.0-03.0-4-002-009, located at 17 Brethold Drive, Fenton, MO in Rock Township and County Council District #2.
- IX. REPORTS TO THE BOARD
- X. EXECUTION OF BOARD OF ZONING ADJUSTMENT ORDERS
- XI. ELECTION OF OFFICERS
- 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: June 10, 2021

General Information:

Petition Number: BOA21004

Applicant Name: Terry Stotler
Street Address: 1469 Old State Rt. 21
City, State, ZIP: Arnold, MO 63010

Owner Name: Public Water Dist. 3
Street Address: PO Box 170
City, State, ZIP: Arnold, MO 63010

Location of Site: Site is located at 17 Brethold in Fenton, MO.

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 “R20” zone district for a booster station from 30 feet to 25 feet.

Size of Tract: .56 acres (Assessor’s records)
Parcel Number: 02-2.0-03.0-4-002-009
Existing Zone District: R20
Council District: #2
Township: Rock

Prepared By: Josh Jump, Planner II
Date: June 1, 2021
Recommendation: Approval

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

Subject Property

The subject property is located at 17 Berthold Dr. in Fenton, MO. The property is developed with a water tower and utility station for the Public Water Dist. 3. The parcel is .56 acres in size and is zoned Single-Family Residential "R20".

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>	R20
	<u>Land Use:</u>	Developed Residential
To the East:	<u>Zoning:</u>	R20
	<u>Land Use:</u>	Developed Residential
To the South:	<u>Zoning:</u>	R20
	<u>Land Use:</u>	Developed Residential
To the West:	<u>Zoning:</u>	N/A
	<u>Land Use:</u>	State Highway 141 ROW

Petitioner's Request

The petitioner is requesting relief from the required 30-foot rear yard setback for a 28' x 15' booster station. The proposed building line is shown being located 25 feet, requiring a 5-foot reduction in the setback requirement. The lot is fronted on both Herman Dr. and Brethold Dr. the lot also backs up to the State ROW of Highway 141 on the western side. The lot effectively has a front (Herman Dr.), another front (Berthold), and a rear setback (State Highway 141).

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 30 feet from a rear yard property line in the "R20" zone district. The request arises from the petitioner's desire to build a booster station for the Public Water District in the northern portion of the property. The lot shape is irregular in, that it is a triangle with no clearly defined sides and rear property lines.

- 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 unique lot shape does create some issues in finding places on the property to be able to expand the services of the water district. The property is currently in use by the water district and the area has seen an influx of development.

- 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 building meets both the setbacks from the private road network (Herman Dr. and Berthold Dr.). The ROW of State Highway 141 is well screened and drops off significantly to the State Highway. The building is situated in a position to both be able to extend services, as well as minimize impacts to the surrounding homeowners.

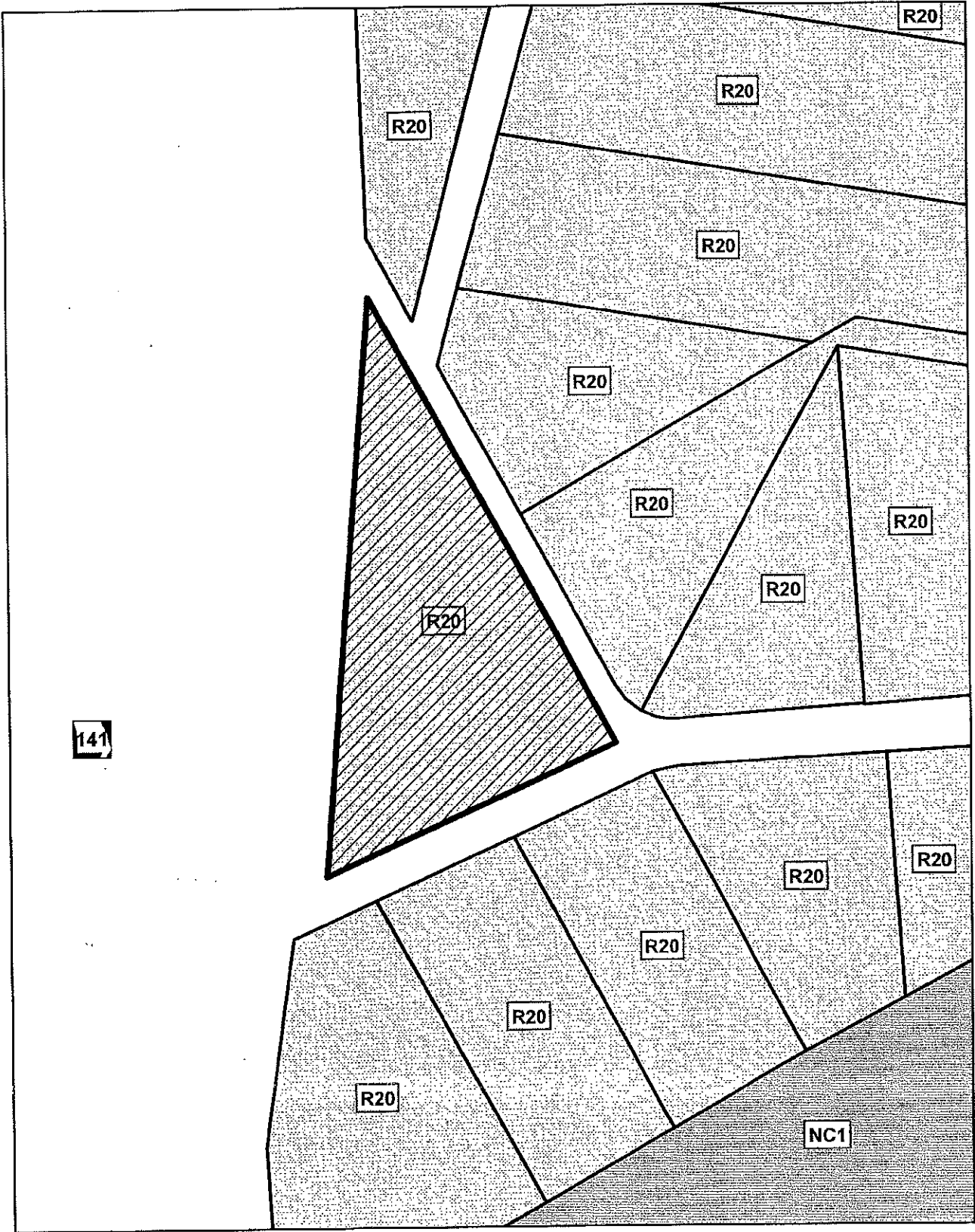
- The granting of the variance will not substantially impair the intent, purpose, and integrity of the zone plan as embodied in the UDO.

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.

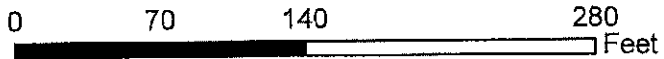
Staff Recommendation

Based on the analysis, staff recommends Approval of the requested variance for relief from the required 30-foot rear yard setback to be reduced to 25 feet along the western property boundary line in the "R20" zone district.

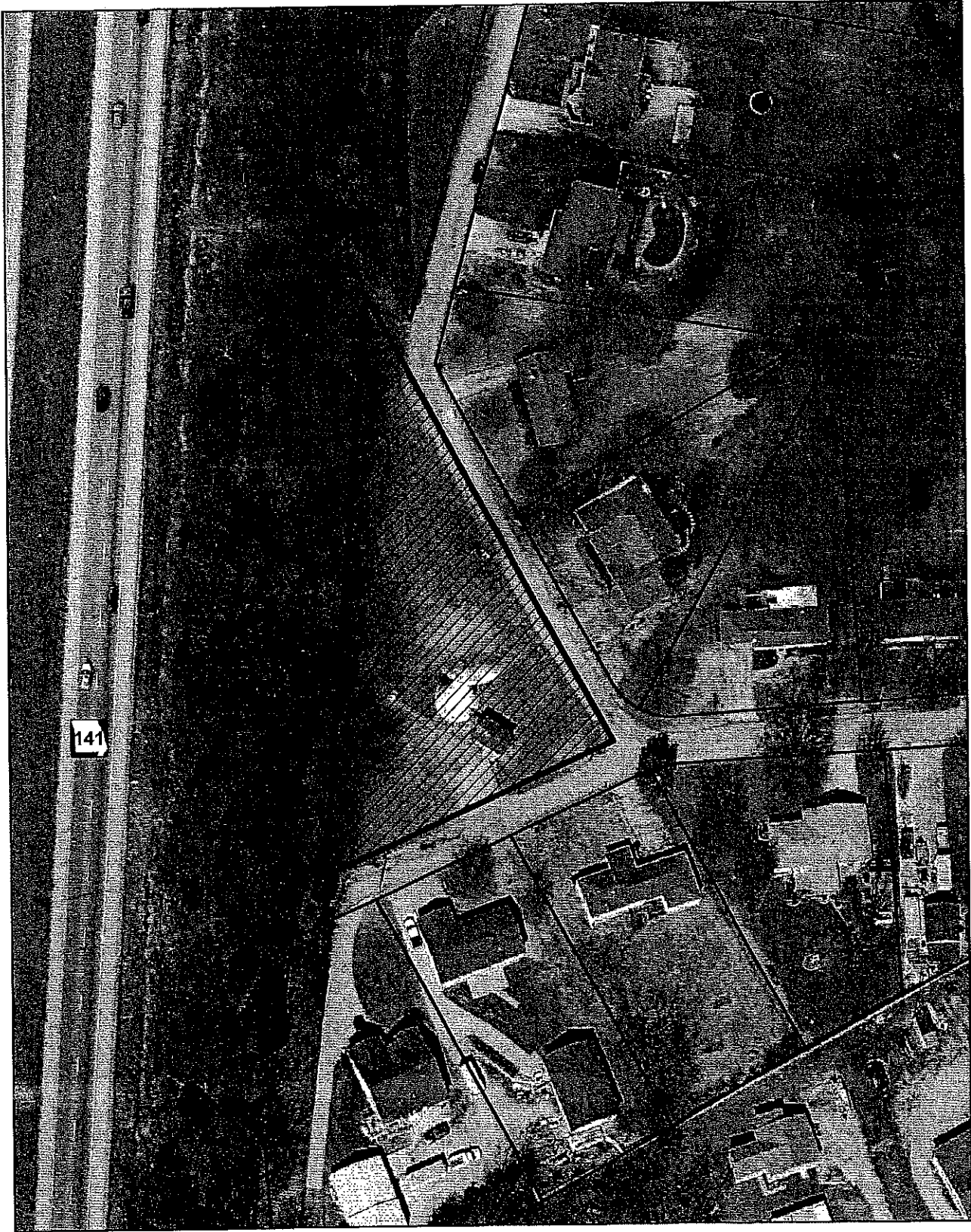
BOA-21004 - Public Water District 3



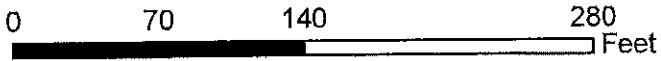
Subject Property



BOA-21004 - Public Water District 3



Subject Property



OCHARR
 1000 Main Street
 Portland, ME 04101
 Tel: 603-883-1111
 Fax: 603-883-1112
 Email: info@ocharr.com
 Website: www.ocharr.com

WATER SYSTEM IMPROVEMENTS
 BOOSTER STATION AND WATER MAIN
 P.W.S.D. NO. 3 OF JEFFERSON CO.

DATE	DESCRIPTION
MAY 2001	PRELIMINARY DESIGN
MAY 2001	FINAL DESIGN
MAY 2001	CONSTRUCTION

LEGEND

EXISTING	PROPOSED
1" DIA. WATER MAIN	1" DIA. WATER MAIN
2" DIA. WATER MAIN	2" DIA. WATER MAIN
4" DIA. WATER MAIN	4" DIA. WATER MAIN
6" DIA. WATER MAIN	6" DIA. WATER MAIN
8" DIA. WATER MAIN	8" DIA. WATER MAIN
12" DIA. WATER MAIN	12" DIA. WATER MAIN
18" DIA. WATER MAIN	18" DIA. WATER MAIN
24" DIA. WATER MAIN	24" DIA. WATER MAIN
30" DIA. WATER MAIN	30" DIA. WATER MAIN
36" DIA. WATER MAIN	36" DIA. WATER MAIN
42" DIA. WATER MAIN	42" DIA. WATER MAIN
48" DIA. WATER MAIN	48" DIA. WATER MAIN
54" DIA. WATER MAIN	54" DIA. WATER MAIN
60" DIA. WATER MAIN	60" DIA. WATER MAIN
66" DIA. WATER MAIN	66" DIA. WATER MAIN
72" DIA. WATER MAIN	72" DIA. WATER MAIN
78" DIA. WATER MAIN	78" DIA. WATER MAIN
84" DIA. WATER MAIN	84" DIA. WATER MAIN
90" DIA. WATER MAIN	90" DIA. WATER MAIN
96" DIA. WATER MAIN	96" DIA. WATER MAIN
102" DIA. WATER MAIN	102" DIA. WATER MAIN
108" DIA. WATER MAIN	108" DIA. WATER MAIN
114" DIA. WATER MAIN	114" DIA. WATER MAIN
120" DIA. WATER MAIN	120" DIA. WATER MAIN
126" DIA. WATER MAIN	126" DIA. WATER MAIN
132" DIA. WATER MAIN	132" DIA. WATER MAIN
138" DIA. WATER MAIN	138" DIA. WATER MAIN
144" DIA. WATER MAIN	144" DIA. WATER MAIN
150" DIA. WATER MAIN	150" DIA. WATER MAIN
156" DIA. WATER MAIN	156" DIA. WATER MAIN
162" DIA. WATER MAIN	162" DIA. WATER MAIN
168" DIA. WATER MAIN	168" DIA. WATER MAIN
174" DIA. WATER MAIN	174" DIA. WATER MAIN
180" DIA. WATER MAIN	180" DIA. WATER MAIN
186" DIA. WATER MAIN	186" DIA. WATER MAIN
192" DIA. WATER MAIN	192" DIA. WATER MAIN
198" DIA. WATER MAIN	198" DIA. WATER MAIN
204" DIA. WATER MAIN	204" DIA. WATER MAIN
210" DIA. WATER MAIN	210" DIA. WATER MAIN
216" DIA. WATER MAIN	216" DIA. WATER MAIN
222" DIA. WATER MAIN	222" DIA. WATER MAIN
228" DIA. WATER MAIN	228" DIA. WATER MAIN
234" DIA. WATER MAIN	234" DIA. WATER MAIN
240" DIA. WATER MAIN	240" DIA. WATER MAIN
246" DIA. WATER MAIN	246" DIA. WATER MAIN
252" DIA. WATER MAIN	252" DIA. WATER MAIN
258" DIA. WATER MAIN	258" DIA. WATER MAIN
264" DIA. WATER MAIN	264" DIA. WATER MAIN
270" DIA. WATER MAIN	270" DIA. WATER MAIN
276" DIA. WATER MAIN	276" DIA. WATER MAIN
282" DIA. WATER MAIN	282" DIA. WATER MAIN
288" DIA. WATER MAIN	288" DIA. WATER MAIN
294" DIA. WATER MAIN	294" DIA. WATER MAIN
300" DIA. WATER MAIN	300" DIA. WATER MAIN

SCALE
 1" = 100'
 MAY 2001

NEIGHBORHOOD MAP
 NOT TO SCALE

