

**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 July 14, 2022, 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 12, 2022 Board of Zoning Adjustment Meeting

V. SWEARING IN OF WITNESSES

VI. INTRODUCTION OF EVIDENCE

VII. OLD BUSINESS

VIII. NEW BUSINESS

- A. BOA22006: 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 residence in a Single Family Residential (R-07) Zone District, 08-7.0-36.0-0-000-024.72, located at 102 Steamboat Park, Barnhart, MO in Imperial Township and County Council District #4.

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: July 14, 2022

**General Information:**

Petition Number: BOA22006

Applicant Name: E&M Development Company  
Street Address: 11600 Manchester Rd, Ste. 200  
City, State, ZIP: Des Peres, MO 63131

Owner Name: Springbrook Farm Properties LLC  
Street Address: 11600 Manchester Rd, Ste 200  
City, State, ZIP: Des Peres, MO 63131

Location of Site: Site is located at the end of Lincoln Dr, and along Steamboat Park in Barnhart

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 "PUD" zone district from 25 feet to 6 feet along Lincoln Dr.

Size of Tract: .28 acres (Assessor's records)  
Parcel Number: 08-7.0-36.0-0-000-024.72  
Existing Zone District: R7  
Council District: #4  
Township: Imperial

Prepared By: Rachel Krispin, Planner I  
Date: June 27, 2022  
Recommendation: Denial

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

**Subject Property**

The subject property is located off Steamboat Park and Lincoln Dr in Barnhart. The property is currently undeveloped. The petitioner is seeking a variance in the front yard setback (property line that adjoins Lincoln Dr) with the intention of building a single-family residence.

According to FEMA's Flood Rate Insurance Map, no portion of the 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>	R7
	<u>Land Use:</u>	Undeveloped Residential
To the East:	<u>Zoning:</u>	R7
	<u>Land Use:</u>	Developed Residential
To the South:	<u>Zoning:</u>	R7
	<u>Land Use:</u>	Developed and Undeveloped Residential
To the West:	<u>Zoning:</u>	R7
	<u>Land Use:</u>	Developed Residential

**Petitioner's Request**

The petitioner is requesting relief from the required 25-foot front yard setback to a 6-foot setback (essentially be viewed as a side yard setback) and construct a single-family residence on the property.

**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 in the Single Family Residential (R7) zone district shall be located a minimum of 25 ft from the front property line on Lincoln Dr. The request arises from the petitioner's desire to build a residence that encroaches in the setback. While the shape of the property is somewhat unique, it was the petitioner that created this shape.**

- 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 orientation of the lot could present difficulties with the development of the property given the fact that Lincoln Dr adjoins the southeastern corner of the property. However, this parcel was created in this orientation and configuration by the Petitioner when the subdivision was platted. The request arises from the petitioner's wish to construct a single-family residence at 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 will not likely cause detriment to the public health, safety, morals, or general welfare of the community. If the end of Lincoln Dr did not adjoin the southeastern corner of the subject property, the southern line would be viewed as a side property boundary line, therefore having a 6-foot setback. Other lots in the area surrounding have a 6-foot side property line on standard lots (only having frontage along one street).

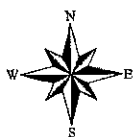
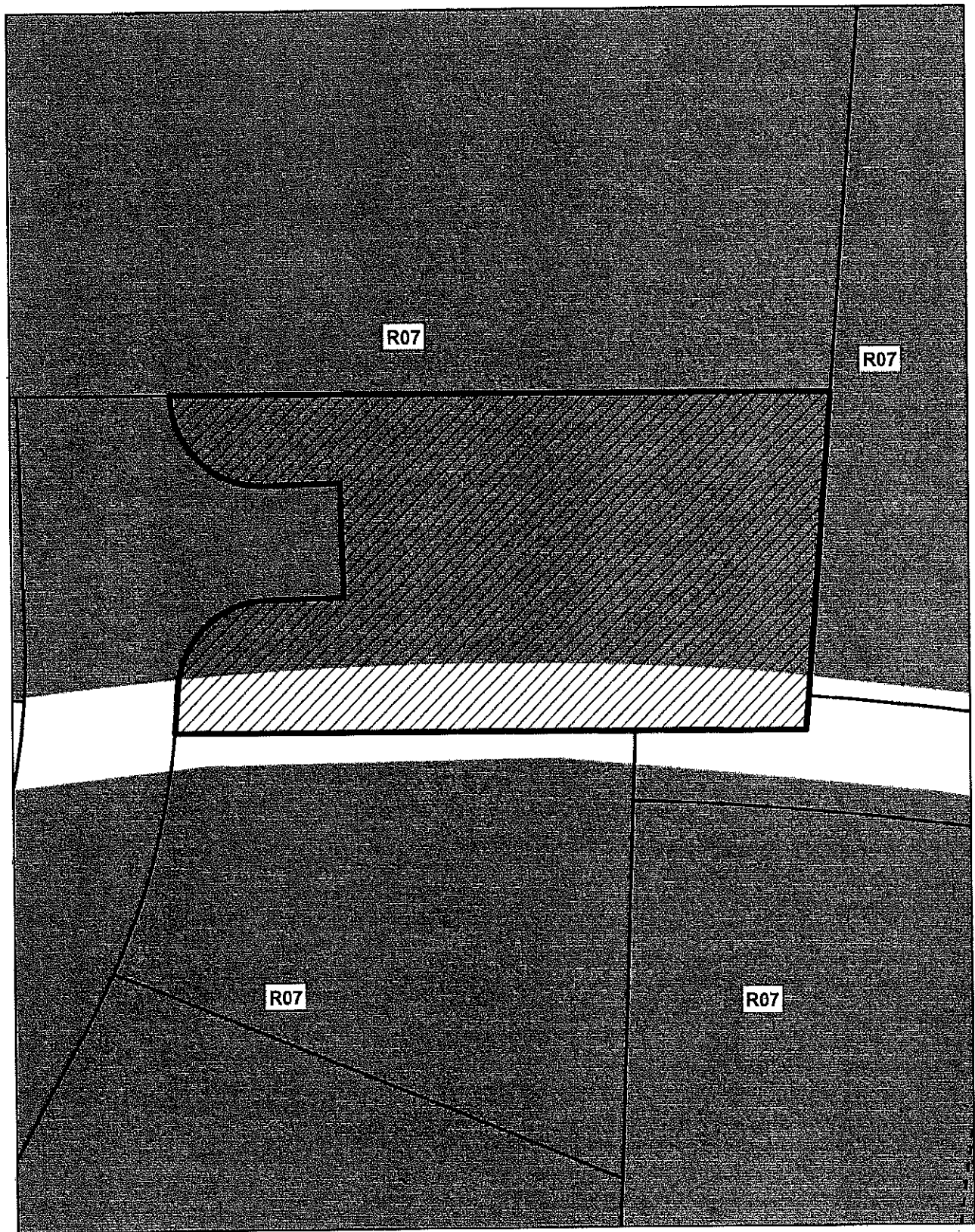
- The granting of the variance will not substantially impair the intent, purpose, and integrity of the zone plan as embodied in the UDO.

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. Granting variances to lots based on irregular or unique shape when it was the developer that created the shape in the first place encourages developers who do not want to meet standard setbacks to self-create bizarre lots for the sole purpose of reducing setbacks.

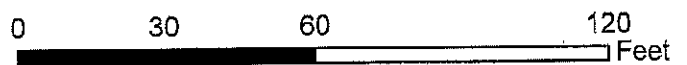
#### **Staff Recommendation**

Based on the analysis, staff recommends Denial of the requested variance for relief from the required 25-foot front yard setback to be reduced to 6-feet along Lincoln Dr.

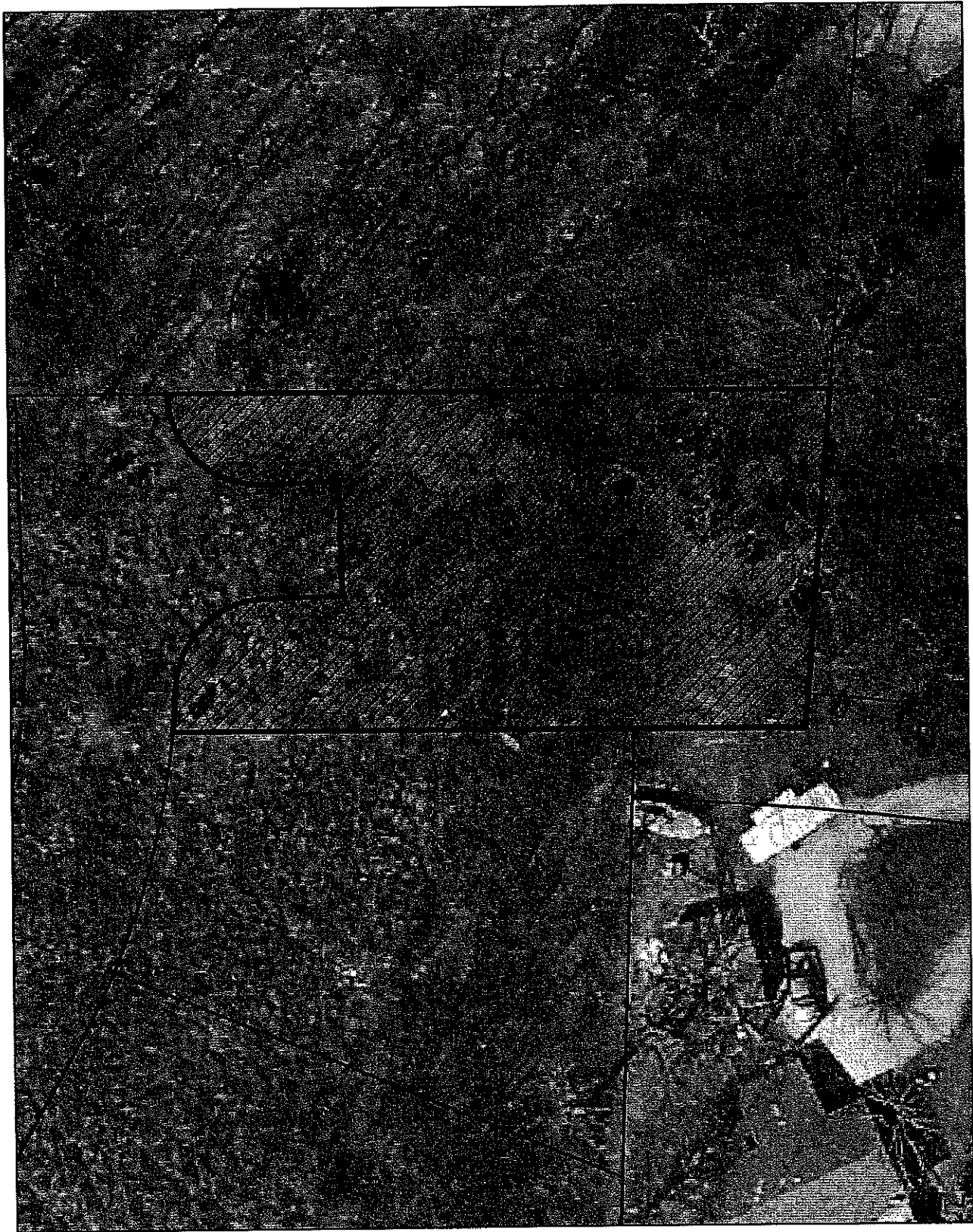
# BOA22006 - E & M Development Company



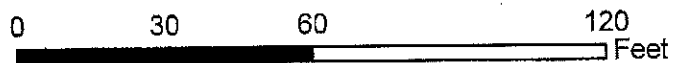
**Subject Property**



# BOA22006 - E & M Development Company



Subject Property

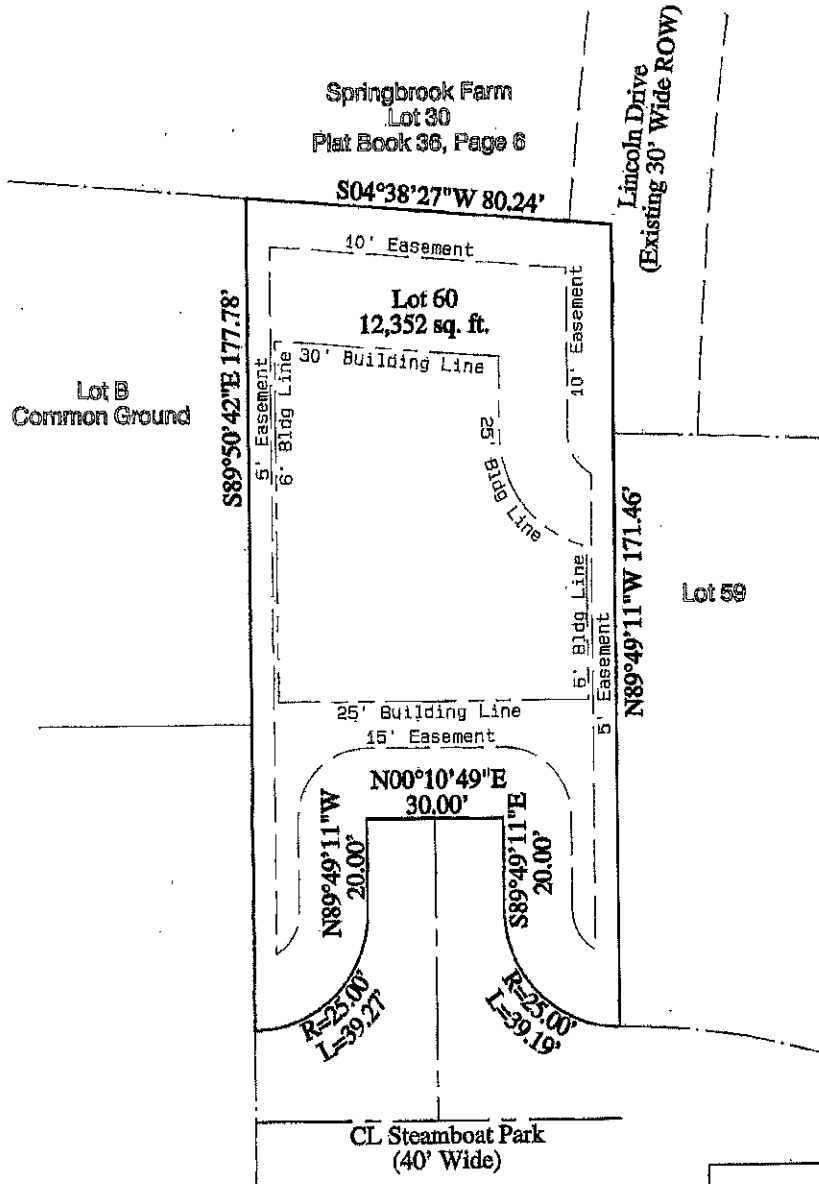


# Springbrook Farm

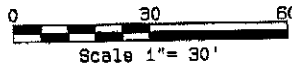
## Plat Five

### Plat Document #2020P-000189

#### EXISTING SETBACK



Note:  
Basis of Bearing  
per Doc 2020P-000189



**GOVERO**  
LAND SERVICES, INC.  
SURVEYING \* ENGINEERING  
(CERTIFICATE OF AUTHORITY #: L.S. 242-0)

5929 OLD STATE ROAD  
IMPERIAL, MO. 63052

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FAX:(636)464-9626  
gisland@goverolandservices.net

NAME:	D. Govero
DISCIPLINE:	PLS
LICENSE #:	177B
SITE ADDRESS:	102 Steamboat Park
CITY/CO., STATE:	Barnhart, MO
DATE PREPARED:	05/18/2022
FIELD WORK BY:	
DRAWN BY:	JLS
JOB #:	04020-L60