



CITY OF JACKSON
ZONING BOARD OF ADJUSTMENT MEETING AGENDA

Thursday, August 01, 2024 at 5:30 PM

City Hall, 101 Court Street, Jackson, Missouri

Regular Members

Jason Liley
Kenneth White
Wade Bartels
Brent Wills

Kevin Schaper, Chairman

Larry Miller, Staff Liaison

Alternate Members

Lynette Moore
Vacant Position
Vacant Position

CALL TO ORDER

ROLL CALL

APPROVAL OF MINUTES

1. Approval of the May 23, 2024 minutes.

PUBLIC HEARINGS AND ACTION ITEMS

2. Request for a variance from the restriction prohibiting privacy fences in side yards adjacent to streets in an R-2 Single Family Residential District to construct a 6' wooden privacy fence 8' from the property line in the side yard (front) at 1502 Jackson Ridge Drive as submitted by Curtis Ackman and Britney (Schott) Ackman.

ADMINISTRATIVE CASES

OTHER ITEMS

ADJOURNMENT

This agenda was posted at City Hall on July 26, 2024, at 12:00 PM.

JOURNAL OF THE BOARD OF ADJUSTMENT
CITY OF JACKSON
MAY 23, 2024, 5:30 PM
JACKSON CITY HALL

Chairman Kevin Schaper called the meeting to order, explained the board's procedure, and called roll.

Jason Liley, Kevin Schaper, Wade Bartels, Lynette Moore, and Brent Wills were members present. City staff member Ginger Earnest, Building and Planning Inspector, was Present. Emily Henderson was the citizen present.

ROLL CALL

Election of Chairman for the 2024-25 year)

Commissioner Brent Wills motioned to nominate Kevin Schaper as the Chairman for the year 2024-2025. Commissioner Lynette Moore seconded the motion, which was unanimously approved.

APPROVAL OF MINUTES

Approval of the minutes from the)
December 28, 2023, regular meeting)

The minutes of the previous meeting were unanimously approved on a motion by Commissioner Brent Wills, seconded by Commissioner Jason Liley.

VARIANCE HEARINGS & NEW ACTION ITEMS

A request for a variance to allow the)
existing tree line at 2478 S Hope St)
to separate the adjacent residential district)
from the C-2 general commercial district)
instead of installing a privacy fence as)
submitted by Tilsit Road Animal)
Clinic Property LLC.)

Mrs. Earnest reported the dates of application and notifications for this hearing.

Chairman Schaper asked the applicant of the variance to come forward.

Emily Henderson came forward and explained she would like the tree line that currently exists to be used as privacy instead of building a private fence, which is required by code. She said she feels there is more privacy

with the treeline than there would be with a privacy fence. Emily said placing the privacy fence would do no good because the treeline creates better privacy than the fence would. She feels it would be a waste of money.

Chairman Schaper closed the hearing. Commissioner Wade Bartels motioned to approve the request, which Commissioner Lynette Moore seconded.

A vote was called, and the variance was approved.

Vote: 5 aye, 0 nays, 0 abstentions, 0 absent

ADMINISTRATIVE ITEMS

None

OTHER ITEMS

None

ADJOURNMENT

Motion to adjourn)

Finding no further business, the meeting adjourned on a motion by Commissioner Lynette Moore, seconded by Commissioner Brent Wills, and unanimously approved.

Respectfully submitted,

Kevin Schaper
Chairman

Attested by:

Ginger Earnest
Building & Planning Inspector

Staff Report

ACTION ITEM: Request for a variance from the restriction prohibiting privacy fences in side yards adjacent to streets in an R-2 Single Family Residential District to construct a 6' wooden privacy fence 8' from the property line in the side yard (front) at 1502 Jackson Ridge Drive as submitted by Curtis Ackman and Britney (Schott) Ackman.

APPLICANT: Curtis Ackman and Britney (Schott) Ackman

APPLICANT STATUS: Property Owners

PURPOSE: To provide safety for their kids from the traffic on S Farmington Road and to keep people walking through their yard.

SIZE: .219 acres

PRESENT USES: Single-Family Residential

PROPOSED USE: Same

PROPERTY ZONING: R-2 Single Family Residential

SURROUNDING ZONING: R-2 Single Family Residential in all directions

HISTORY: n/a

TRANSPORTATION AND PARKING: All required parking and street frontage currently exist.

CODE SECTION REQUESTED TO BE VARIED: Zoning Code (Chapter 65)

Sec. 65-20. - Accessory building, use, and structure regulations.

(6) *Fences.*

b. Fences located in residential and mobile home districts.

2. On corner lots where fences are to be located in the required front yards abutting both streets, said fences shall not exceed four (4) feet in height. Additionally, on corner lots, no fences over four (4) feet in height shall project beyond the main structure face, exclusive of unenclosed porches which project into the required front yard.

3. Fences may be constructed to the property lines, except, however, that no fence or walled enclosure greater than four (4) feet in height nor any fence or enclosure which causes sight obstruction to traffic shall be constructed within the sight triangle formed from the corner of a right-of-way intersection in each direction for a distance of thirty (30) feet from intersecting edges of pavement as projected to a

point of meeting. No fence shall be constructed upon or over the public right-of-way or alleyway.

5. Residential fences or walled enclosures located within a required front yard shall not exceed four (4) feet in height. Front yard fences must be a typical decorative split rail, wrought iron, or picket fence. At least fifty (50) percent of the surface of the fence shall be open. No front yard fence shall be constructed in whole or in part of chain link, woven wire, barbed wire, wire fabric, snow, concrete, tin, cloth, canvas, chicken coop wire, bamboo, or other similar fencing material.

2009 COMPREHENSIVE PLAN: Public/ Semi-Public

MAJOR STREET PLAN: Does not interfere with the major street plan.

FLOODPLAIN INFORMATION: This property is not in the floodplain per FEMA panel 29031C0231E, dated 9/29/11.

PHYSICAL CHARACTERISTICS: This is a corner lot, and the house sits on the North side of the road facing Jackson Ridge Drive. The side (front) yard runs parallel to S. Farmington Road.

COMMENTS: It doesn't appear to block the site picture when stopped at the Jackson Ridge Drive and S Farmington Road stop sign. See the attached site plan for the 1502 Jackson Ridge Road fence layout.

ACTION REQUIRED: The Board shall approve or deny this request based on the criteria for granting variances.



VARIANCE REQUEST APPLICATION

City of Jackson, Missouri

APPLICATION DATE:

June 10, 2024

PROPERTY ADDRESS (Other description of location if not addressed):

1502 Jackson Ridge Dr.
Jackson, MO 63755

CURRENT PROPERTY OWNERS (all legal property owners as listed on current deed, including trusts, LLCs, etc):

Property Owner Name(s):

Curtis Ackman and Britney Schott Ackman

Mailing Address:

1502 Jackson Ridge Dr.

City, State ZIP:

Jackson, MO 63755

PROPOSED PROPERTY OWNERS (if property is to be transferred, name(s) in which property will be deeded):

Proposed Property Owner(s):

Mailing Address:

City, State, ZIP

CONTACT PERSON HANDLING APPLICATION:

Contact Name:

Britney Ackman

Mailing Address:

1502 Jackson Ridge Dr.

City, State ZIP

Jackson, MO 63755

Contact's Phone:

(573) 837-0629

Email Address (if used):

britneyackman@gmail.com

CURRENT ZONING: (check all that apply)

☒

R-1

(Single-Family Residential)

☐

R-2

(Single-Family Residential)

☐

R-3

(One- And Two-Family Residential)

☐

R-4

(General Residential)

☐

MH-1

(Mobile Home Park)

☐

O-1

(Professional Office)

☐

CO-1

(Enhanced Commercial Overlay)

☐

C-1

(Local Commercial)

☐

C-2

(General Commercial)

☐

C-3

(Central Business)

☐

C-4

(Planned Commercial)

☐

I-1

(Light Industrial)

☐

I-2

(Heavy Industrial)

☐

I-3

(Planned Industrial Park)

CURRENT USE OF PROPERTY:

Residential Property

Item 2.

PROPOSED USE OF PROPERTY:

Residential Property

LEGAL DESCRIPTION OF TRACT (attach a copy of the most current property deed):

Lot 140 Jackson Ridge Estate Phase 8 2016-05179

REASON FOR REQUEST: State the reason(s) why you believe the requested variance is necessary and compliance with the zoning code creates an undue hardship that denies all beneficial use of the property. Undue hardship must be related to condition of the property, not a condition of the owner or to a financial consideration. Attach additional page(s) as needed.

We live on a corner lot and would like to install a wood fence in the backyard & side yard by the road. Our main priority is to provide safety for our two sons that play outside - ages 5 & 2. Route KP has become alot busier since we moved in 2016, and a wooden fence would provide privacy & safety. We also hope this limits the amount of people that walk across our yard as a shortcut to enter our subdivision.

DRAWINGS: Attach a scaled plat of the tract(s) showing the entire lot, the location and size of all buildings / structures on the lot. If any buildings are to be less than the standard minimum setbacks, include these distances on the drawing. Any approved special use permit will be based on this building layout. Changes to the layout will require a new special use permit.

SURROUNDING PROPERTY OWNERS: A map of the property location and a map and list of all owners of property within 185' of the property in question will be incorporated as part of this application by the City. The 185' distance is exclusive of rights-of-way. The City will prepare this map based on the most current tax information published by the Cape Girardeau County Assessor.

PRIOR VARIANCE HISTORY:

Have there been any prior applications for Board of Adjustment action for this property? If so, please include the date of

previous application.

YES ☐

NO ☒

Date: _____

Prior Variance Approved?

YES ☐

NO ☐

Description of prior variance request: _____

SITE PLAN:

Item 2.

Attach a site plan of the property in question. The site plan does not need to be prepared by a surveyor, but must be adequate to clearly show the following information. This site plan must include the proposed construction, all existing structures on the property, all streets, alleys, easements, property lines, etc. Please include dimensions (measurements) of all structures and measurements from the structure in question to other structures and to all property lines. For a height variance, also include the proposed height from the lowest adjacent grade and highest adjacent grade. Show the location of all unusual physical features of the property that pertain to the problem. Measurements for the distance, setback, height, or size to be varied must be accurate. Construction cannot exceed the varied distance, size, or height approved by the Board of Adjustment.

PHOTOS:

Include photos of the property if they help explain the problem and/or reason for the need for a variance.

PERMISSION TO VISIT PROPERTY:

The owner hereby gives permission for members of the Board of Adjustment and/or city staff to enter within the boundaries of the real estate listed herein to examine the location(s) and property conditions involved in the proposed variance.

Yes ☒No ☐**OWNER SIGNATURES:**

I state upon my oath that all of the information contained in this application is true. *(Signatures of all persons listed on the current property deed and the authorized signer(s) for any owning corporation or trust.)*

Gustav R. Ackman
Britney Schott Ackman

Please submit this application along with \$50.00 non-refundable application fee to:

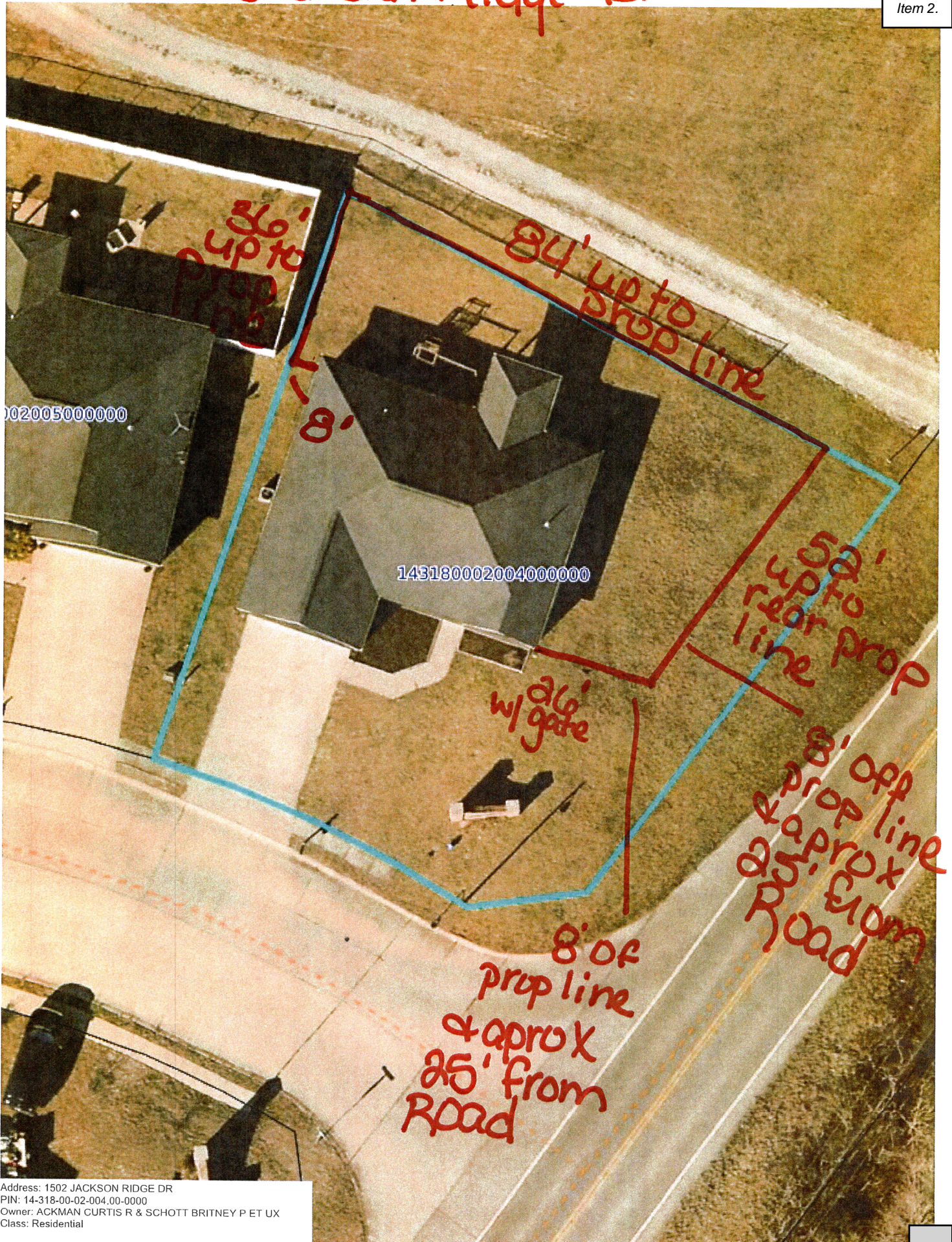
Building & Planning Manager
City of Jackson
101 Court Street
Jackson, MO 63755
573-243-2300 ext.29 (ph)
573-243-3322 (fax)
[permits @jacksonmo.org](mailto:permits@jacksonmo.org)





1502 JKN Ridge Dr

Item 2.



Address: 1502 JACKSON RIDGE DR
PIN: 14-318-00-02-004.00-0000
Owner: ACKMAN CURTIS R & SCHOTT BRITNEY P ET UX
Class: Residential

Incoming Lead Information

Item 2.

Fence Estimate Information

	Chain Link	Wood	Vinyl	Aluminum
Feet				
Color				
Height				
Gauge				
Barbwire				
Tension Wire				
Drive Gates				
Walk Gate				

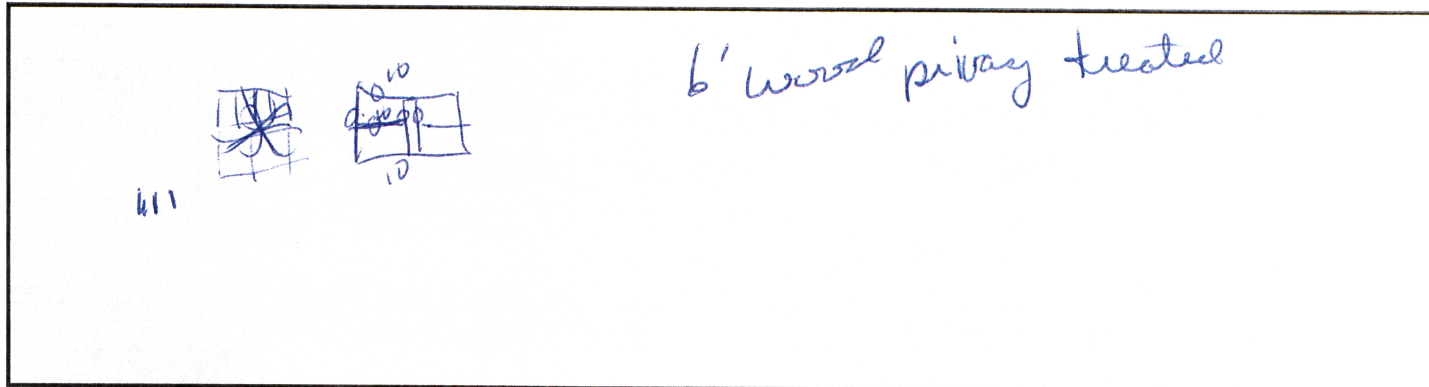
Salesperson Matt

Date & Time estimated

City Limits? ☐ Yes

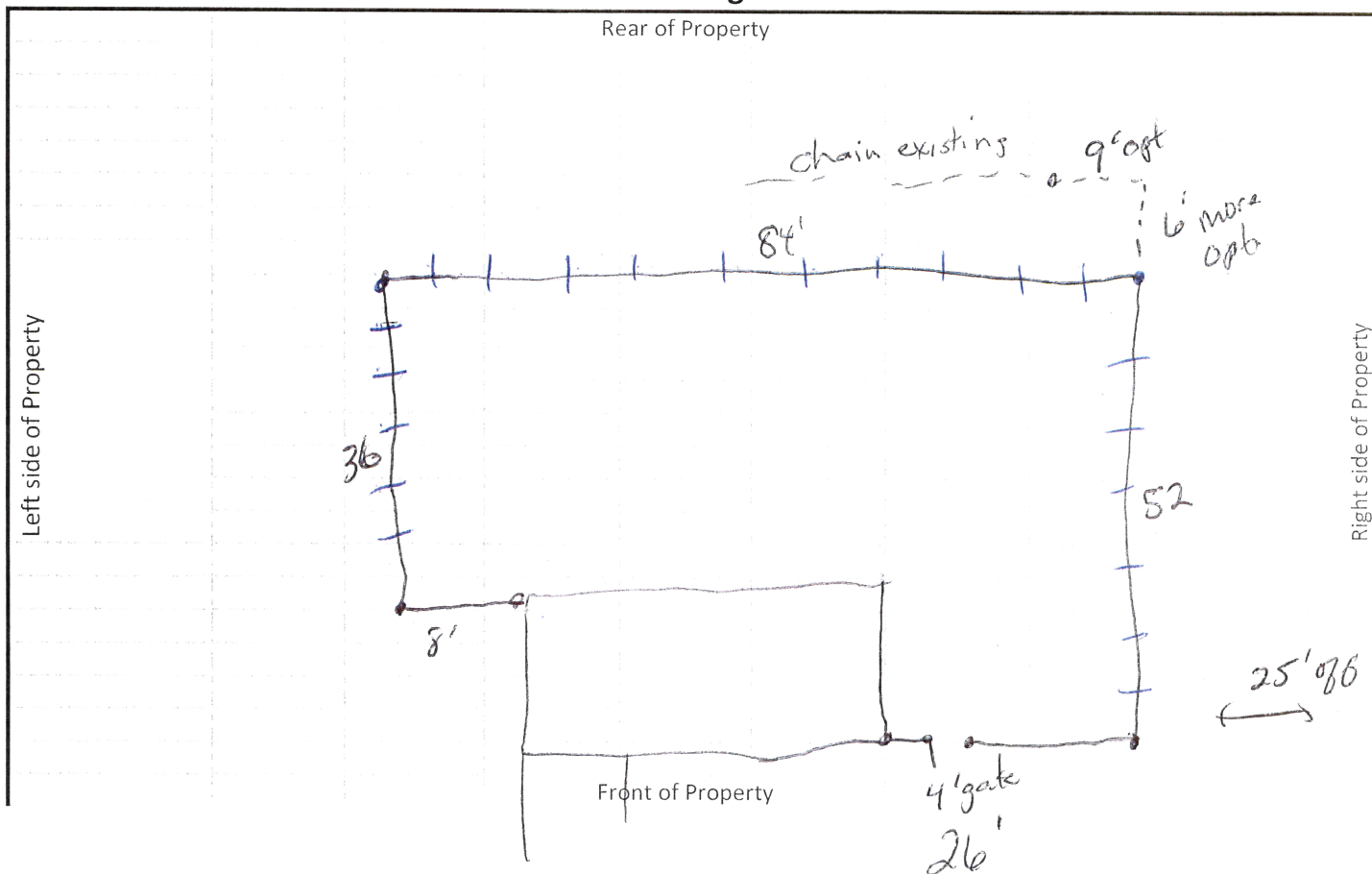
☐ No

Notes:



Drawings-

Rear of Property



eRecorded
DOCUMENT #
2016-14517

ANDREW DAVID BLATTNER
RECORDER OF DEEDS
CAPE GIRARDEAU COUNTY, MO
eRECORDED ON
12/23/2016 8:30:20 AM
REC FEE: 27.00
PAGES: 2

WARRANTY DEED

This Warranty Deed made and entered into this 21 day of December, 2016, by and between Wren Homes, LLC, a Missouri Limited Liability Company, hereinafter referred to as GRANTOR, and Curtis R. Ackman and Britney P. Schott, husband and wife, of the County of Cape Girardeau, State of Missouri, hereinafter referred to as GRANTEES. The mailing address of the Grantees is:

1502 Jackson Ridge Drive, Jackson, MO 63755

WITNESSETH: The Grantor, for and in consideration of the sum of TEN DOLLARS (\$10.00) and other valuable consideration paid to the Grantor, the receipt of which is hereby acknowledged, does by these presents Grant, Bargain, and Sell, Convey and Confirm unto the Grantees the following described lots, tracts or parcels of land lying, being and situated in the County of Cape Girardeau and State of Missouri, to-wit:

All of Lot One Hundred Forty (140) of Jackson Ridge Estates Phase 8, a subdivision in the City of Jackson, County of Cape Girardeau, Missouri, as shown by plat filed for record in Document No. 2016-05179 in the land records of Cape Girardeau County, Missouri.

TO HAVE AND TO HOLD the premises aforesaid, with all and singular the rights, privileges, appurtenances and immunities thereto belonging or in anywise appertaining, unto the said Grantees and unto their heirs and assigns FOREVER, the said Grantor hereby covenanting that it is lawfully seized of an indefeasible estate in fee in the premises herein conveyed; that it has good right to convey the same; that the said premises are free and clear of any encumbrances done or suffered by it or those under whom it claimed title; and that it will warrant and defend the title to said premises unto the said Grantees, and unto their heirs and assigns forever, against the lawful claims and demands of all persons.

WARRANTY DEED

This Warranty Deed made and entered into this 21 day of December, 2016, by and between **Wren Homes, LLC, a Missouri Limited Liability Company**, hereinafter referred to as **GRANTOR**, and **Curtis R. Ackman and Britney P. Schott, husband and wife**, of the County of Cape Girardeau, State of Missouri, hereinafter referred to as **GRANTEES**. The mailing address of the Grantees is:

1502 Jackson Ridge Drive, Jackson, MO 63755


WITNESSETH: The Grantor, for and in consideration of the sum of TEN DOLLARS (\$10.00) and other valuable consideration paid to the Grantor, the receipt of which is hereby acknowledged, does by these presents Grant, Bargain, and Sell, Convey and Confirm unto the Grantees the following described lots, tracts or parcels of land lying, being and situated in the County of Cape Girardeau and State of Missouri, to-wit:

All of Lot One Hundred Forty (140) of Jackson Ridge Estates Phase 8, a subdivision in the City of Jackson, County of Cape Girardeau, Missouri, as shown by plat filed for record in Document No. 2016-05179 in the land records of Cape Girardeau County, Missouri.

TO HAVE AND TO HOLD the premises aforesaid, with all and singular the rights, privileges, appurtenances and immunities thereto belonging or in anywise appertaining, unto the said Grantees and unto their heirs and assigns FOREVER, the said Grantor hereby covenanting that it is lawfully seized of an indefeasible estate in fee in the premises herein conveyed; that it has good right to convey the same; that the said premises are free and clear of any encumbrances done or suffered by it or those under whom it claimed title; and that it will warrant and defend the title to said premises unto the said Grantees, and unto their heirs and assigns forever, against the lawful claims and demands of all persons.

IN WITNESS WHEREOF, the said Grantor has hereunto set its hand the day and year first above written.

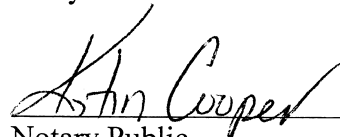
GRANTOR:
Wren Homes, LLC, a Missouri
Limited Liability Company


 By: Steven Shawn Wren, Member

STATE OF MISSOURI)
) ss.
 COUNTY OF CAPE GIRARDEAU)

On this 21 day of December, 2016, before me personally appeared **Steven Shawn Wren, the Member of Wren Homes, LLC, a Missouri Limited Liability Company**, to me known to be the person described in and who executed the within Warranty Deed in behalf of said limited liability company and acknowledged to me that he executed the same for the purposes therein stated.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year first above written.


 Notary Public
 My commission expires:



1611136