



CITY OF JACKSON
ZONING BOARD OF ADJUSTMENT MEETING AGENDA

Thursday, November 21, 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

1. Approval of the October 24, 2024 minutes.

APPROVAL OF MINUTES

PUBLIC HEARINGS AND ACTION ITEMS

2. Request for a variance to reduce the required 30-foot setback on a double-frontage lot by 30 feet, allowing an accessory structure (fence) to be placed directly adjacent to the rear street right-of-way at 533 Morgan Street, as submitted by Travis and Trisha Sikes.

ADMINISTRATIVE CASES

OTHER ITEMS

ADJOURNMENT

This agenda was posted at City Hall on November 15, 2024, at 12:00 PM.

JOURNAL OF THE BOARD OF ADJUSTMENT
CITY OF JACKSON
OCTOBER 10, 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, Ken White, Wade Bartels, and Brent Wills were members present. City staff member Larry Miller, Building and Planning Manager, was Present. Josh Barrett and Terry Young were the citizens present.

ROLL CALL

APPROVAL OF MINUTES

Approval of the minutes from the)
August 1, 2024, regular meeting)

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

VARIANCE HEARINGS & NEW ACTION ITEMS

Request for a 5-foot variance from the)
required 5-foot setback for an accessory)
building, as it relates to both side and rear)
lot lines at 1100 Trail Ridge Drive)
as submitted by Terry W. Young.)

Mr. Miller reported the dates of application and notifications for this hearing and briefly described the variance Mr. Terry Young requested.

Chairman Schaper asked the variance applicant to come forward and be sworn in.

Terry Young from 1100 Trail Ridge Dr. came forward and handed out some extra materials to the Board. He explained why he had asked for the variance and described the pictures passed out. He said he mainly wanted the storage shed to stay where it is because his yard is not level anywhere else.

Chairman Schaper asked if any board members had questions for Mr. Young. Seeing none, he asked if anyone else was there to speak in favor of the request.

Josh Barrett from 2403 Smith Trail came forward and had a few questions. He asked if the easement was abandoned, what responsibilities he has to maintain the rip rap that is currently there, and if the property line was correct because he thought it was over the property line a little bit.

Mr. Miller said his (Mr. Barrett's) property was surveyed, and the inspectors verified that the shed was on Mr. Young's property.

Mr. Barrett said he was asking because he had looked at it briefly before closing on his house and thought it was over by a little bit. But he said he wasn't looking at the two pins, so that is why he asked. He said it didn't matter to him. He just wanted to make sure there were no property line issues down the road.

Chairman Schaper asked if the board had any questions, and Commissioner Ken White asked if the backyard was covered more than 30 percent with accessory buildings. Mr. Miller said the calculations were figured, and Mr. Young is below the 30 percent.

Chairman Schaper asked if anyone was present to speak in opposition to the request and if the Board had any other questions; seeing none, he closed the hearing.

Commissioner Wade Bartels motioned to approve the request, which Commissioner Brent Wills 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 Jason Liley, seconded by Commissioner Brent Wills, and unanimously approved.

Respectfully submitted,



Kevin Schaper
Chairman

Attested by:



Larry Miller
Building & Planning Inspector

Staff Report

ACTION ITEM: Request for a variance to reduce the required 30-foot setback on a double-frontage lot by 30 feet, allowing an accessory structure (fence) to be placed directly adjacent to the rear street right-of-way at 533 Morgan Street, as submitted by Travis and Trisha Sikes.

APPLICANT: Travis and Trisha Sikes

APPLICANT STATUS: Property Owners

PURPOSE: To provide a bigger fenced-in yard area

SIZE: .36 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: Single Family-Family Residential

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

FLOODPLAIN INFORMATION: This property is not in the floodplain per FEMA panel 29031C0143E, dated 9/29/11.

PHYSICAL CHARACTERISTICS: This property has two street frontages: Morgan Street in the front and Harrison Drive in the rear.

COMMENTS: It doesn't appear to block the site picture when stopped at the Harrison Drive and Donna Lane stop sign. See the attached site plan for the 533 Morgan Street 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:** October 22, 2024**PROPERTY ADDRESS** (Other description of location if not addressed):533 Morgan St.
Jackson, MO. 63755**CURRENT PROPERTY OWNERS** (all legal property owners as listed on current deed, including trusts, LLCs, etc):Property Owner Name(s): Travis & Trisha SikesMailing Address: 533 Morgan St.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: Travis SikesMailing Address: 533 Morgan St.City, State ZIP: Jackson MO. 63755Contact's Phone: 573-270-9951Email Address (if used): de+sikes@yahoo.com**CURRENT ZONING:** (check all that apply)

- | | |
|---|--|
| <input checked="" type="checkbox"/> R-1 (Single-Family Residential) | <input type="checkbox"/> C-1 (Local Commercial) |
| <input type="checkbox"/> R-2 (Single-Family Residential) | <input type="checkbox"/> C-2 (General Commercial) |
| <input type="checkbox"/> R-3 (One- And Two-Family Residential) | <input type="checkbox"/> C-3 (Central Business) |
| <input type="checkbox"/> R-4 (General Residential) | <input type="checkbox"/> C-4 (Planned Commercial) |
| <input type="checkbox"/> MH-1 (Mobile Home Park) | |
| <input type="checkbox"/> O-1 (Professional Office) | <input type="checkbox"/> I-1 (Light Industrial) |
| <input type="checkbox"/> CO-1 (Enhanced Commercial Overlay) | <input type="checkbox"/> I-2 (Heavy Industrial) |
| | <input type="checkbox"/> I-3 (Planned Industrial Park) |

CURRENT USE OF PROPERTY: Current residence

Item 2.

PROPOSED USE OF PROPERTY: SAA

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

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.

Requesting to move my 6' privacy fence back to
the property line off Harrison Drive, which is located
to my west.

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:

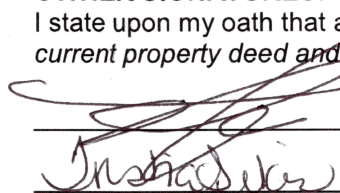
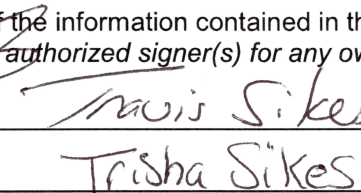
Include photos of the property if they help explain the problem and/or reason for the need for a variance.

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.)*

 Travis Sikes
 Trisha Sikes

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

Item 2.



Buffer - 533 Morgan St.









my privacy
30' off Property
line

Neighbors on prop
line



City of Jackson, Utility Comprehensive

Jackson City

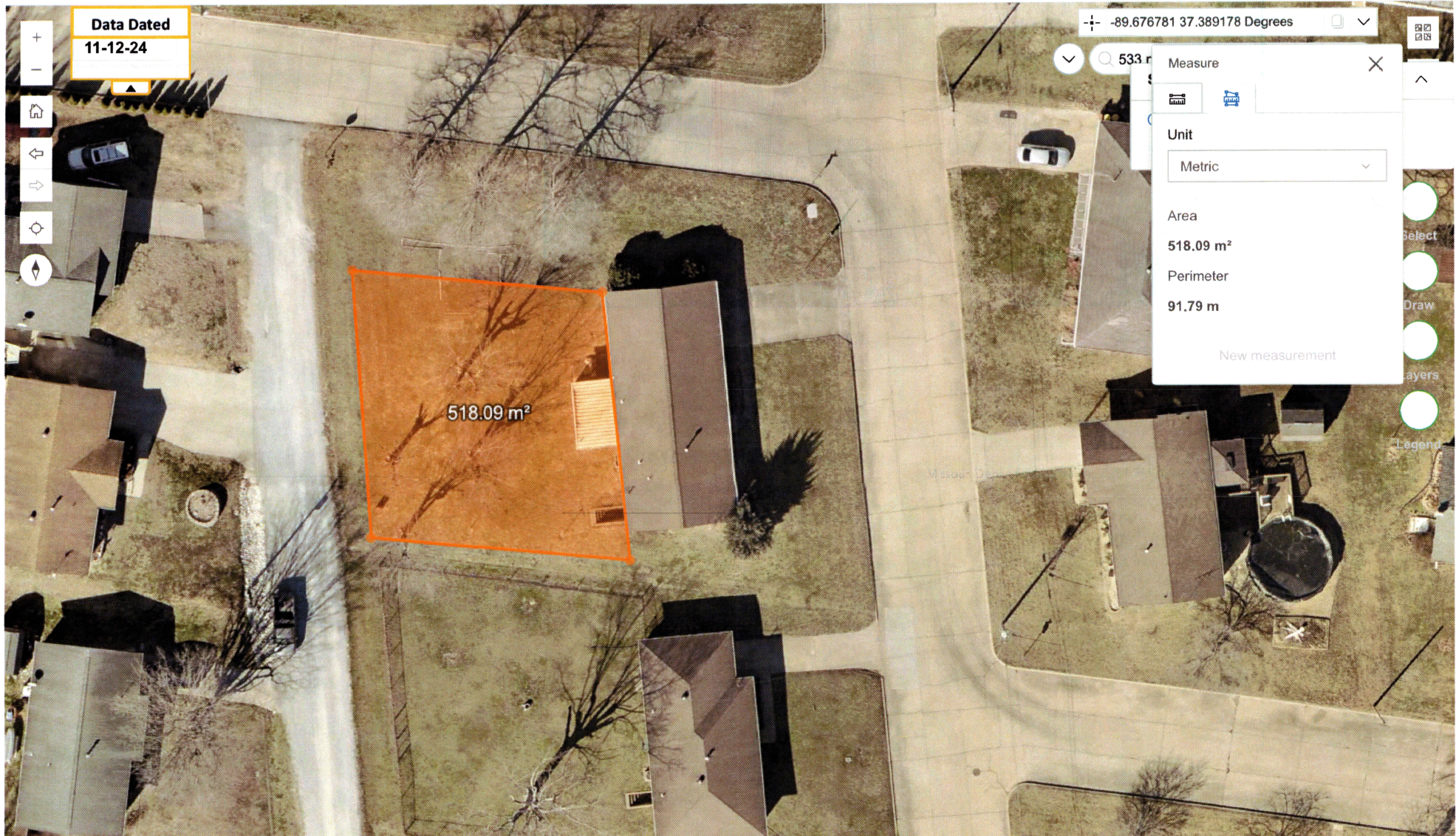
SEMOGIS

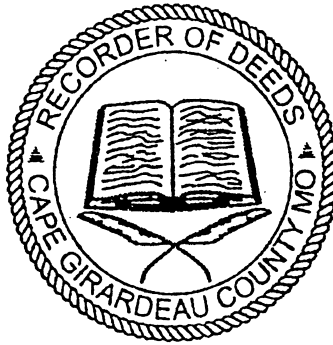
SEMORPC

Bookmarks

Print

Item 2.





ANDREW DAVID BLATTNER
RECORDER OF DEEDS
CAPE GIRARDEAU COUNTY, MO
eRECORDED ON
10/11/2024 08:31:03 AM
REC FEE: 30.00
PAGES: 3

GENERAL WARRANTY DEED

THIS INDENTURE, made on the 10th day of October, 2024, by and between Yellow Weavers, L.L.C. a/k/a Yellow Weavers, LLC, a Missouri Limited Liability Company, of the County of Cape Girardeau, in the State of Missouri, and PJ's Investment Properties LLC, a Missouri Limited Liability Company, of the County of Cape Girardeau, in the State of Missouri, Grantors, and Travis J. Sikes and Trisha Sikes, husband and wife, of the County of Cape Girardeau, in the State of Missouri, Grantees (mailing address of said first named grantee is: 533 Morgan St., Jackson, MO 63755):

WITNESSETH, That the said Grantors, in consideration of the sum of One Dollar (\$1.00) and other valuable consideration to them paid by the said Grantees, the receipt of which is hereby acknowledged, does by these presents, Grant, Bargain and Sell, Convey and Confirm unto the said Grantees, their heirs and assigns, the following described Lots, Tracts or Parcels of Land, lying, being and situate in the County of Cape Girardeau and State of Missouri, to-wit:

All of Lots Seven (7) and Eight (8) and the North 10 feet of Lots Five (5) and Six (6), all in Block Two (2) of Malone Sunny Slope, a subdivision in the City of Jackson, Missouri, as shown by plat recorded in Plat Book 6 at Page 11.

SUBJECT to any and all restrictions, reservations, easements, zoning restrictions and rights-of-way of record or now in effect.

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 Grantors hereby covenanting that they are lawfully seized of an indefeasible Estate in Fee in the premises herein conveyed; that they have good right to convey the same; and that the said premises are free and clear of any encumbrance done or suffered by them or those under whom they claim, and that they will WARRANT AND DEFEND the title to the said premises unto the said Grantees, and their heirs and assigns, FOREVER, against the lawful claims and demands of all persons whomsoever.

IN WITNESS WHEREOF, the said Grantors have caused these presents to be signed by its authorized members the day and year first above written.

Yellow Weavers, L.L.C. a/k/a Yellow Weavers, LLC, a Missouri Limited Liability Company

BY: _____

McKelvey Steger
McKelvey Steger, Member

PJ's Investment Properties LLC, a Missouri Limited Liability Company

BY: _____

Presley Pittman Angle
Presley Pittman Angle, Member

STATE OF MISSOURI)

) SS.

COUNTY OF CAPE GIRARDEAU)

On this 10th day of October, 2024, before me appeared McKelvey Steger, to me known, who, being by me duly sworn, did say that she is the Member of Yellow Weavers, L.L.C. a/k/a Yellow Weavers, LLC, a Missouri Limited Liability Company, and that she is authorized by the Operating Agreement of said limited liability company to execute this General Warranty deed on behalf of such limited liability company and acknowledged to me that she executed the same as the free act and deed of said limited liability company for the purposes therein stated.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal at my office in said County and State the day and year first above written.

Shannon Hoehn
Shannon Hoehn, Notary Public

My Term Expires: 1/20/2027

SHANNON HOEHN
NOTARY PUBLIC - NOTARY SEAL
STATE OF MISSOURI
MY COMMISSION EXPIRES JANUARY 20, 2027
PERRY COUNTY
COMMISSION #14136189

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

On this 10th day of October, 2024, before me appeared Presley Pittman Angle, to me known, who, being by me duly sworn, did say that she is the Member of PJ's Investment Properties, a Missouri Limited Liability Company, and that she is authorized by the Operating Agreement of said limited liability company to execute this General Warranty deed on behalf of such limited liability company and acknowledged to me that she executed the same as the free act and deed of said limited liability company for the purposes therein stated.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal at my office in said County and State the day and year first above written.


Shannon Hoehn, Notary Public

My Term Expires: 1/20/2027

