

Jefferson City Board of Adjustment

November 8, 2016

**Case No. B16006
2527 E McCarty Street**

- A. Conditional Use Permit**
- B. Driveway Width Variance**
- C. Bufferyard Variances**

STAFF REPORT
BOARD OF ADJUSTMENT – CITY OF JEFFERSON, MISSOURI
November 8, 2016

Case No. B16006 – 2527 E. McCarty Street; Conditional Use Permit for Mini-Warehouse/Storage Sheds and Driveway Width and Bufferyard Variances. Application filed by Don Renkemeyer, property owner, for the following:

1. A conditional use permit to construct mini-warehouses in a C-2 zoning district.
2. A variance of 6 feet from the standard 30 feet drive lane width between storage buildings to permit a drive lane width of 24 feet and a variance of 6 feet from the standard 24 feet drive lane width for a storage building on one side to permit a drive lane width of 18 feet (Section 35-41.B.15.b.(2).(a)).
3. A variance from the requirement to install a screening fence on the southern side of the property adjacent to Hideaway Court (Section 35-41.B.15.b.(1)).
4. A variance from the bufferyard standards to permit a zero foot bufferyard on the west and south property lines (Section 35-59).

The purpose of the request is to permit the expansion of the neighboring storage shed business on to the property. The property is located toward the rear of the property addressed as 2527 E. McCarty Street and is accessible via Hideaway Court. The property is described as part of Reserved Tract #1 of Mount Hope Heights Subdivision, Jefferson City, Missouri.

PUBLIC NOTICE

By publication in the newspaper, letter to adjacent and affected property owners within 185 feet, and by property sign posting.

NATURE OF REQUEST

The owner recently acquired the subject property, which was split from the adjacent property to the west and rezoned from RA-2 to C-2. The owner also owns the property to the east of the subject site, which is developed as a mini-warehouse/self-storage facility. The owner wishes to develop the subject property as an expansion of the adjacent self-storage facility. Mini-warehouses/self-storage facilities are a conditional use of the C-2 zoning district.

The development of the site is complicated due to the presence of a private road named Hideaway Court. The road is a gravel road that serves two single family residential homes. The road is located on the applicants property, and no known easement exists to define the boundaries, maintenance, etc. of the road (although an easement by use presumably exists for the two single family properties, which have used the road for many years as the sole access to their property).

In addition to seeking a conditional use permit for a mini-warehouse/self-storage facility, the owner is seeking several variances from zoning code requirements, as follows:

- A variance from the driveway width requirements for mini-warehouses/self-storage facilities. The specific use standards of the Zoning Code require a 30 feet wide driveway between storage shed buildings. In an effort to fit the driveways with minimal impact to a private road serving houses at the southern side of the site, the owner is requesting a 24 feet wide drive lane.
- A variance from the requirement to install a screening fence on the southern side of the property adjacent to Hideaway Court. Placement of a fence could be problematic given the competing needs for vehicle circulation, stormwater drainage, and maintaining access in the vicinity of the private road. The applicant has been in contact with one of the single family home property owners, who has expressed (in writing to the applicant) that they have no preference one way or another regarding the presence of a screening fence. A fence is shown along the western property line (currently shown as a chain link fence but would be required to be a solid screening fence).
- A variance from the bufferyard requirements for the southern and western property lines. The Zoning Code calls for a bufferyard where commercial zones abut residential zones. In this case, the requirement would be for a minimum 10 feet wide area along the western property line with a row of trees planted at 20 feet intervals and a 25 feet wide area along the

boundary with the single family residential properties with a 6 feet tall fence and trees planted at 25 feet intervals. Placement of the bufferyard along the boundary with the single family lots would be problematic due to the presence of the private road and placement of the bufferyard along the western property line would confine the site design with little benefit to screening from the currently undeveloped adjacent property. A 35 feet wide natural bufferyard is shown along the northern property line in accordance with zoning code requirements.

Stormwater Drainage – although the stormwater drainage plan is not clearly indicated on the site plan submitted with the conditional use permit application, consultation between city staff the applicant reveals that the stormwater drainage plan is to construct the driveways with swales in the middle that would collect the stormwater and send it east to the applicants other property, where it would drain through an existing grass ditch and then down to the public system along McCarty Street. Submittal and approval of a professional site plan, prepared by a registered engineer, would be necessary prior to issuance of a building permit. This site plan would be required to document compliance with all applicable city codes, including stormwater drainage requirements, prior to administrative approval by city staff.

ZONING AND SURROUNDING LAND USE

The subject property is zoned C-2 General Commercial

	Surrounding Zoning	Surrounding Uses
North	RS-2	Single Family Neighborhood
South	RS-2/C-2	Two Single Family Houses/Commercial
East	C-2	Storage Shed Business
West	RA-2	Undeveloped

STAFF ANALYSIS OF FINDINGS

Findings for Conditional Use Permit

The following findings are associated with conditional use permits. (Section 35-73.A.4)

Finding	Yes	No	Comments
The proposed use is consistent with the goals, objectives, and policies of the Comprehensive Plan.	X		The property is zoned commercial and designated as intended for commercial use on the development plan map of the comprehensive plan. Use of the property as storage sheds is an appropriate commercial use.
The proposed use complies with all applicable provisions of the zoning district regulations and conforms to the general intent and purpose of the Zoning Ordinance	X		The proposal includes several variances from zoning code requirements. With the exception of the variance requests, the site development would meet the zoning district regulations.
The proposed use complies with all fire, health, building, plumbing, electrical and stormwater drainage regulations of the City and regulations of County, state and federal agencies.	X		The proposal would meet all applicable regulations. A final site plan detailing compliance with all applicable regulations would be required prior to issuance of a building permit for the development.
The proposed conditional use is not materially detrimental to the public health, safety, convenience and welfare, or results in material damage or prejudice to other property in the vicinity.	X		While there are two single family residential properties that border the property, the development of the property as a mini-storage business would have a similar impact to these adjacent property as development of a permitted commercial use on the property. (a use not requiring a conditional use permit)

The proposed use is compatible with and preserves the character and integrity of adjacent development and includes improvements to mitigate adverse development-related impacts, such as traffic, noise, odors, visual nuisances, or other similar adverse effects to adjacent development and neighborhoods.	X		The proposed development would be an expansion of the adjacent mini-storage business.
The proposed use does not generate pedestrian and vehicular traffic which will be hazardous to the existing and anticipated traffic in the neighborhood.	X		The proposed use would not generate a dangerous level of vehicular traffic.
Adequate utilities exist to serve the proposed conditional use.	X		Adequate utilities exist in the area to serve the development.

Findings for Variance requests

The following findings are associated with variance requests. (Section 35-73.B.4)

Finding	Yes	No	Comments
Not eliminate an adequate supply of light or air to adjacent property.	X		The variance requests would have little effect on the supply of light or air to the adjacent properties.
Not substantially increase congestion in the public street.	X		The requested variances would have no effect on street congestion.
Not increase the danger of fire or endanger the safety of the public.	X		The requested variances would not result in fire or public safety issues.
Not be unduly injurious to the use and enjoyment of adjacent property.	X		The variances are largely in response to the presence of the private road, which would continue to serve as access to the adjacent homes.
Not substantially diminish property values in the neighborhood.	X		The variances would allow for the development of the property while retaining access to the adjacent single family homes. While these homes would be impacted by the presence of the commercial development, the homes are already bordered by commercial development on two sides.
Be in keeping with the general spirit and intent of the zoning code.	X		The requested variances address the difficulty of developing the property while retaining access to the existing homes.

STAFF RECOMMENDATION

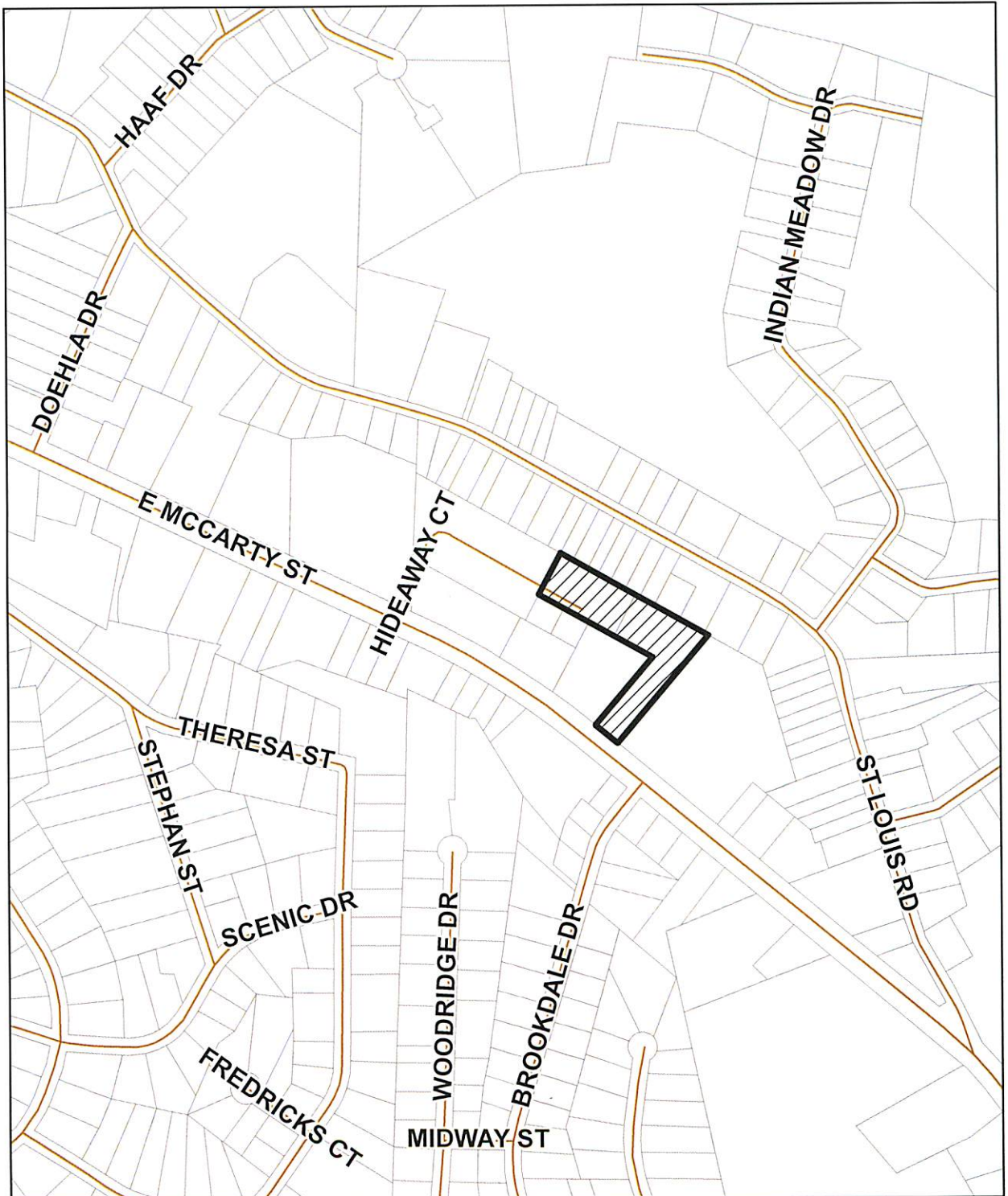
The required findings appear to be met. The proposed mini-warehouse/self-storage development would be an expansion of an existing business, does not create a dangerous situation with respect to fire or traffic, and is similar in nature to existing businesses in the area. The requested variances are largely in response to incorporation of the existing private gravel road into the site design. Separation between the storage sheds and the existing houses would still exist, but would largely be in the form of the private road serving the two homes.

FORM OF MOTION

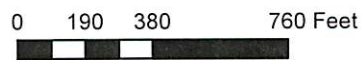
1. Motion for approval of the requested drive lane width, bufferyard, and screening fence variances.
2. Motion for approval of the requested conditional use permit to construct a mini-warehouse/self-storage facility in a C-2 zoning district.

City of Jefferson Board of Adjustment

VICINITY

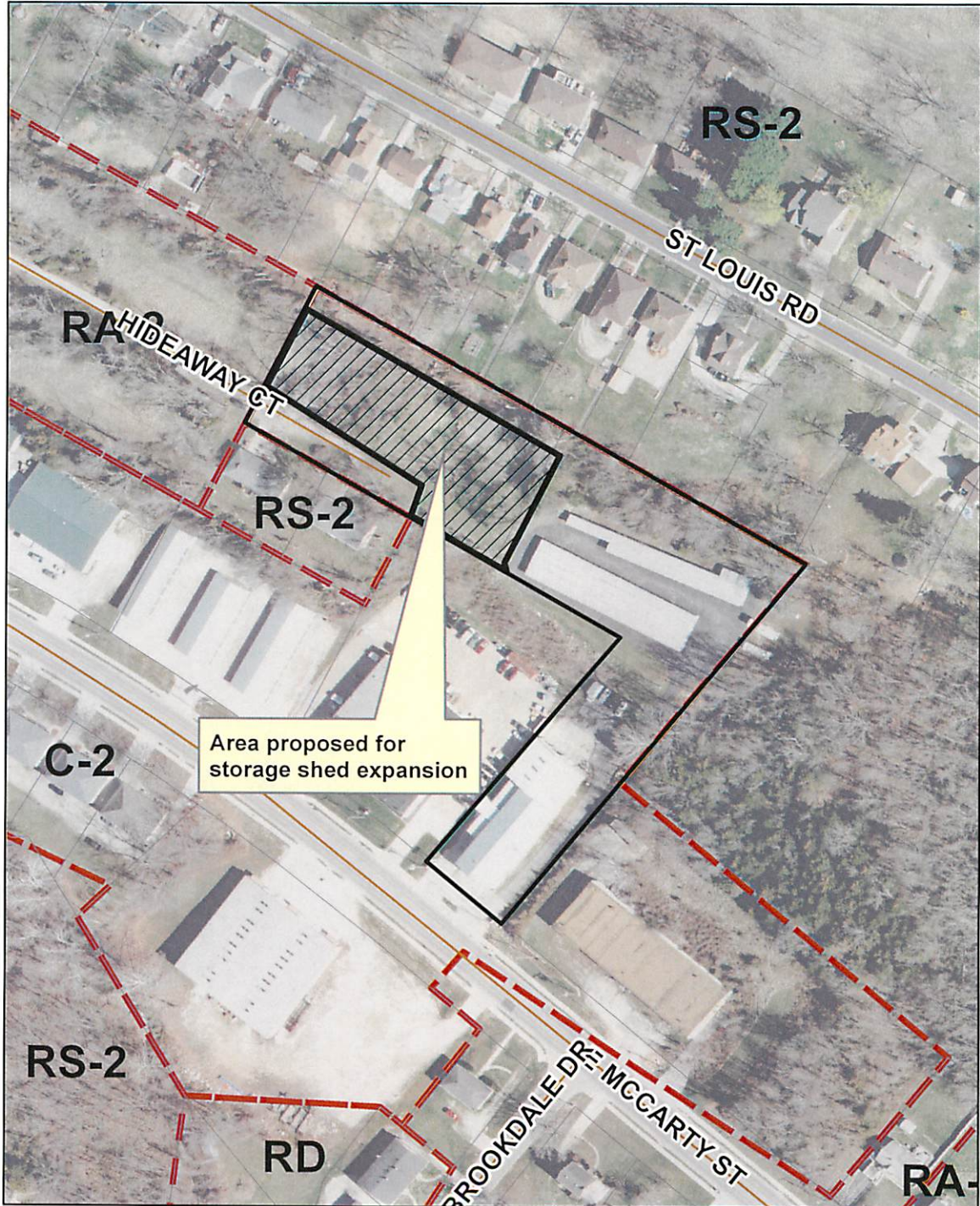


Case No. B16006
2527 E. McCarty St.
Conditional Use Permit
and Variances



City of Jefferson Board of Adjustment

LOCATION MAP



Case No. B16006
2527 E. McCarty St.
Conditional Use Permit
and Variances





City of Jefferson
 Department of Planning & Protective Services
 320 E. McCarty Street
 Jefferson City, MO 65101
 Phone: 573-634-6410
jcplanning@jeffcitymo.org
www.jeffersoncitymo.gov

Date filed:



APPLICATION TO THE BOARD OF ADJUSTMENT

1. The undersigned hereby request(s) the following:
 - Conditional Use Permit (Section 35-73A; Section 35-71, Site Plan)
 - Variance (Section 35-73B; Section 35-71, Site Plan)
 - Appeal of Administrative Decision (Section 35-73C)
 - Chapter 3, Advertising and Signs: Signage Variance or Conditional Use Sign Permit
 - Chapter 8, Article V, Flood Hazard Regulations; Variance to Flood Hazard Regulations
 - Other (including Interpretations; please describe in #2 below)

2. Describe exactly the type of project proposed or what is being requested and the purpose of the request. Cite affected Section numbers if known (or attach separate sheet).

Build Storage Bldgs
C-2 Zoning Dist

3. The application is filed for the following described real estate: (the correct legal description of the property must be printed below or attached to this application).

A. Street Address: 2527 Rear E. McCarty JEFF CITY MO 65101
 B. Property Description: see Attached

4. A site plan in accordance with Section 35-71 is required for conditional use permits and variance applications. A "sketch" site plan may be required for other applications such as conditional use sign applications.

5. Filing fee: A check payable to the "City of Jefferson" for the application filing fee must be attached to this application. The applicable filing fee is identified in Appendix Y.

6. Response to Required Findings: Applicant responses to required findings must be attached. The required findings vary based on type of application as follows:
 - a. Setback, lot area or dimension variance – Addendum A (Density and Dimensional)
 - b. Height variance – Addendum B
 - c. Fence height variance – Addendum C
 - d. Number of parking spaces variance – Addendum D
 - e. Location of off street parking variance – Addendum E
 - f. General Variance (variances not associated with other addendums) – Addendum F
 - g. Conditional use permit – Addendum G
 - h. Telecommunication facility conditional use permit – Addendum H
 - i. Signage:
 1. Signage variance – Addendum I
 2. Conditional use sign permit – Addendum J
 - j. Appeals of administrative decision – Addendum K

7. The undersigned certify to be all of the owner(s) of the above described property and that the submitted information (including all attachments to this application) is true and correct. (All owners of this property must sign and the signatures must be notarized).

[Handwritten Signature]
Property Owner Signature

Don Renkemeyer
Printed Name/Title (type or print)

Property Owner Signature

Printed Name/Title (type or print)

Subscribed and sworn before me this 12th day of October, 2006.

ANNE M. STRATMAN
Notary Public - Notary Seal
State of Missouri
Commissioned for Osage County
My Commission Expires: August 27, 2019
Commission Number: 15386130

Anne M Stratman
Notary Public

Applicant (if different from property owner):

Name	
Mailing Address	
Phone Number	

Specific information may be required depending upon type of application. Please refer to the appropriate Chapter. Other permits, including building permits and sign permits may be required in addition to Board actions. Please seek advice of City staff or your consultant, if applicable.

Individuals should contact the ADA Coordinator at (573) 634-6570 to request accommodations or alternative formats as required under the Americans with Disabilities Act. Please allow three business days to process the request.

7. The undersigned certify to be all of the owner(s) of the above described property and that the submitted information (including all attachments to this application) is true and correct. (All owners of this property must sign and the signatures must be notarized)

Don Reukemeyer
Property Owner Signature

Don Reukemeyer
Printed Name/Title (type or print)

Property Owner Signature

Printed Name/Title (type or print)

Subscribed and sworn before me this 12th day of October, 2006.

ANNE M. STRATMAN
Notary Public - Notary Seal
State of Missouri
Commissioned for Osage County
My Commission Expires: August 27, 2019
Commission Number: 15386130

Anne M Stratman
Notary Public

Applicant (if different from property owner):

Name	
Mailing Address	
Phone Number	

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Jefferson City Board of Adjustment Application

Addendum G – Conditional Use Permit

To be used for conditional use permit requests.

(Section 35-73.A.4)

Property Address 2527 Rear E. McCarty JC, MO 65101

Applicant Name DON RENKEMEYER

Provide responses to the following required findings. State all reasons for your answer and use additional pages to complete your answer if necessary.

Findings of Fact:

1. Is the proposed use consistent with the goals, objectives and policies of the Comprehensive Plan?

yes = ~~not~~ propose Comp Plan Amendment would change property to Commercial Designation

2. Does the proposed use comply with all applicable provisions of the zoning district regulations and conform to the general intent and purpose of the Zoning Code?

yes = propose site would meet all zoning code requirements

3. Does the proposed use comply with all applicable fire, health, building, plumbing, electrical and stormwater drainage regulations?

yes

4. Is the proposed conditional use materially detrimental to the public health, safety, convenience and welfare or does it result in material damage or prejudice to other property in the vicinity?

NO = Storage Bldg use exist on adjacent property

5. Is the proposed use compatible with and does it preserve the character and integrity of adjacent development and include improvements to mitigate adverse development related impacts such as traffic, noise, odors, visual nuisances, or other similar adverse effects to adjacent development and neighborhoods?

Yes = Purpose use would MATCH
ADJACENT STORAGE Bldgs

6. Does the proposed use generate pedestrian and/or vehicular traffic which will be hazardous to the existing and anticipated traffic in the neighborhood?

NO

7. Do adequate utilities exist to serve the proposed conditional use?

Yes

5. Is the proposed use compatible with and does it preserve the character and integrity of adjacent development and include improvements to mitigate adverse development related impacts such as traffic, noise, odors, visual nuisances, or other similar adverse effects to adjacent development and neighborhoods?

Yes = Purpose use would MATCH
ADJACENT STORAGE Bldgs

6. Does the proposed use generate pedestrian and/or vehicular traffic which will be hazardous to the existing and anticipated traffic in the neighborhood?

NO

7. Do adequate utilities exist to serve the proposed conditional use?

Yes

CITY OF JEFFERSON 9-29-16

I Richard Alberis

Agree NOT TO HAVE A FENCE OF

IF DON RENTEMEYER AT SELF STORAGE LLC

WANTS A FENCE THAT IS ALSO OK.

IF WE DO A FENCE IT WOULD

BE APPROX 34 FT FROM PROPERTY
LINE AND STEEL PIN.

LINE EITHER WAY IS OK

WITH ME

Rick Albert

9/29/16

Hideway CT

JC, MD 65101

City of Jefferson

Department of Planning & Protective Services
320 E. McCarty St.
Jefferson City, MO 65101



Carrie Tergin, Mayor

Janice McMillan, AICP, Director
Phone: 573-634-6410
Fax: 573-634-6562

October 25, 2016

Dear Property Owner:

This letter is to notify you that the Jefferson City Board of Adjustment will meet at 7:30 a.m. on the morning of Tuesday, November 8, 2016 in the Council Chambers of the John G. Christy Municipal Building, 320 E. McCarty Street, to consider the following item of business:

Case No. B16006 – 2527 E. McCarty Street; Conditional Use Permit for Mini-Warehouse/Storage Sheds and Driveway Width and Bufferyard Variances. Application filed by Don Renkemeyer, property owner, for the following:

1. A conditional use permit to construct mini-warehouses in a C-2 zoning district.
2. A variance of 6 feet from the standard 30 feet drive lane width between storage buildings to permit a drive lane width of 24 feet and a variance of 6 feet from the standard 24 feet drive lane width for a storage building on one side to permit a drive lane width of 18 feet (Section 35-41.B.15.b.(2).(a)).
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The purpose of the request is to permit the expansion of the neighboring storage shed business on to the property. The property is located toward the rear of the property addressed as 2527 E. McCarty Street and is accessible via Hideaway Court. The property is described as part of Reserved Tract #1 of Mount Hope Heights Subdivision, Jefferson City, Missouri.

As an adjoining landowner and/or neighbor, you have the privilege of attending this hearing. Unfortunately, we are unable to record comments received by telephone, but written comments will be made part of the official record. Written comments may be directed to the Board of Adjustment in one of the following ways:

e-mail: jcplanning@jeffcitymo.org
fax: Department of Planning & Protective Services, Planning Division, 573-634-6457
mail: Department of Planning & Protective Services / Planning Division
John G. Christy Municipal Building, 320 E. McCarty Street, Jefferson City, MO 65101

Written comments must be received before 5:00 p.m. Monday, November 7, 2016 and will be copied and distributed to Board members at the meeting. Correspondence and other items received at the time of the meeting will be included in the official record, but may be delivered to the Chairman only; there is no guarantee that copies will be made for distribution to all Board members. Interested parties who are unable to provide written comment in advance are invited to deliver their comments to the Board Chairman at the time of the meeting.

Information regarding this case may be viewed on the Board of Adjustment webpage at:
<http://www.jeffersoncitymo.gov/pps/planning/boardofadjustment.html>

If you have any questions concerning this matter, please feel free to contact me at 573-634-6475.

Sincerely,

A handwritten signature in blue ink that reads "Eric Barron".

Eric Barron, AICP
Senior Planner

Individuals should contact the ADA Coordinator at (573) 634-6570 to request accommodations or alternative formats as required under the Americans with Disabilities Act. Please allow three business days to process the request.

GRANICH, CLINTON & TAUSHA
2532 ST LOUIS RD
JEFFERSON CITY, MO 65101
2532 ST LOUIS RD

QUTAMI, MICHAEL M & CONNIE S
2975 COUNTY RD 491
NEW BLOOMFIELD, MO 65063
2506 ST LOUIS RD

NEWTON, STEPHANIE
2528 ST LOUIS RD
JEFFERSON CITY, MO 65101
2528 ST LOUIS RD

BIRK MISSOURIA PROPERTIES L L C
5415 WALNUT ACRES RD
LOHMAN, MO 65053
2504 ST LOUIS RD

MOTTE, EVELYN V
2520 ST LOUIS RD
JEFFERSON CITY, MO 65101
2520 ST LOUIS RD
ST LOUIS RD

SCRIVNER, ARLENE J
2502 ST LOUIS RD
JEFFERSON CITY, MO 65101
2502 ST LOUIS RD

KOHL, DEBORAH SUE
2518 ST LOUIS RD
JEFFERSON CITY, MO 65101
2518 ST LOUIS RD

REEVES, RICHARD B & SHIRLEY A
2440 ST LOUIS RD
JEFFERSON CITY, MO 65101
2440 ST LOUIS RD

SALING, KENNETH G & PAMELA M
2514 ST LOUIS RD
JEFFERSON CITY, MO 65101
2514 ST LOUIS RD

HAGNER, LWANA R & HAROLD F
2436 ST LOUIS RD
JEFFERSON CITY, MO 65101
2436 ST LOUIS RD

BUSCHJOST, VICTOR H & MARY W
2512 ST LOUIS RD
JEFFERSON CITY, MO 65101
2512 ST LOUIS RD

SUTTY PROPERTIES L L C
2902 WAKODA DR
JEFFERSON CITY, MO 65101
E MCCARTY ST

TRIPPENSEE, FREDERICK E & SHIRLEY,
TRUSTEES
2510 ST LOUIS RD
JEFFERSON CITY, MO 65101
2510 ST LOUIS RD

KEVERS COMMERCIAL L L C
188 BROKEN STONE TRL
ST THOMAS, MO 65076
2503 E MCCARTY ST

TRIPPENSEE, FREDERICK E &
RANDALL, BEVERLY SUE & JON D
SHIRLEY J TRUSTEES
2510 ST LOUIS RD
JEFFERSON CITY, MO 65101
2508 ST LOUIS RD

EAST END STORAGE L L C
11968 COUNTY RD 4040
HOLTS SUMMIT, MO 65043-1798
2511 E MCCARTY ST

RACKERS, NICHOLAS J, TRUSTEE
5509 BRADFORD CT
JEFFERSON CITY, MO 65101
2521 E MCCARTY ST

CAPITOL PROJECTS INC
2001 E MCCARTY ST
JEFFERSON CITY, MO 65101
2601 E MCCARTY ST

A PLUS SELF STORAGE L L C
C/O DONALD RENKEMEYER
426 E HIGH ST
JEFFERSON CITY, MO 65101
2527 E MCCARTY ST (*Subject Property*)

BUTLER, MARTHA JANE
2534 HIDEAWAY CT
JEFFERSON CITY, MO 65101
2534 HIDEAWAY CT

ALBERTS, RICHARD C JR
202 ARDEN DR
JEFFERSON CITY, MO 65109
2530 HIDEAWAY CT

KEVERS COMMERCIAL L L C
188 BROKEN STONE TRL
ST THOMAS, MO 65076
2522 E MCCARTY ST

OHARA, KIMBERLY S
2606 E MCCARTY ST
JEFFERSON CITY, MO 65101
2606 E MCCARTY ST

LAUX, PAUL & FRANCES
2711 TANNER BRIDGE RD
JEFFERSON CITY, MO 65101
2600 E MCCARTY ST

FISCHER MANAGEMENT L L C
6610 RT W
WARDSVILLE, MO 65101
108 BROOKDALE DR

Case No. B16006
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185 ft. Notification Buffer

