

AGENDA OF THE BOARD OF ADJUSTMENT

City Council Chambers (830 Boonville)

DATE: November 3, 2015

TIME: 1:30 p.m.

MEMBERS: Matt Cologna, (Chair); Robert Sweere (Vice-Chair); Ed Alden, King Coltrin and Bryan Fisher.

ROLL CALL:

INTRODUCTION OF ZONING ORDINANCE AS EVIDENCE:

APPROVAL OF MINUTES: July 21, 2015

COMMUNICATIONS:

UNFINISHED BUSINESS: None

SPECIAL EXCEPTION:

1. Special Exception 1300
(1411 East Meadowmere Street)

Chris Reynolds

OTHER BUSINESS: None.

ADJORNMENT

You are welcome to speak to any item on this agenda. The Board of Adjustment Chairperson will invite anyone who wishes to speak to an item after staff makes its presentation. When you address the Board of Adjustment, please step to the microphone at the podium and state your name and address. All meetings are tape recorded. Please limit your remarks to five minutes unless the Board of Adjustment allows a longer time. In accordance with ADA guidelines, if you need special accommodations when attending any City meeting, please notify the City Clerk's Office at 864-1443 at least three days prior to the scheduled meeting.

MINUTES OF THE BOARD OF ADJUSTMENT

DATE: July 21, 2015

TIME: 1:30 p.m.

The regular meeting and public hearing of the Board of Adjustment was held on the above date and time in City Council Chambers, third floor of Historic City Hall, 830 Boonville, with the following members and personnel in attendance: Matt Cologna (Chair), Robert Sweere (Vice-chair), Ed Alden, Katy Baker and King Coltrin. Staff: Alana Owen, Senior Planner, Sarah Kerner, Assistant City Attorney; Sandy Goddard, Administrative Assistant. Absent: None.

Roll Call:

INTRODUCTION OF ZONING ORDINANCE AS EVIDENCE:

The Zoning Ordinance dated March 7, 1995, and last amended January 2015, was introduced into evidence.

APPROVAL OF MINUTES: The minutes of May 5, 2015, were approved unanimously with a correction.

COMMUNICATIONS: None.

UNFINISHED BUSINESS: None.

Zoning Variance

1. Zoning Variance 569
(south side 3000 block East Chestnut Expressway)

MHTC

Ms. Owen stated this is a request to allow an off-premise detached sign to be moved and located closer to the right-of-way than as permitted and increase the height as a result of a MoDOT and City joint public improvement project within a GM, General Manufacturing District located on the south side of the 3000 block East Chestnut Expressway. A joint public improvement project between the City and the Missouri Department of Transportation (MoDOT) will require an existing sign to be moved. As part of the improvement project, Chestnut Expressway will be raised to go over the BNSF railroad and an outer access road will be constructed to provide access to the Sutherland's property. The off-premise sign would no longer be visible from Chestnut Expressway if a setback from the new right-of-way line and left at the current height based on the elevation of the new outer access road. The change in condition of the off-premise sign is based solely on the highway improvement project and the resulting bridge over the railroad and outer road construction.

Mr. Cologna opened the public hearing.

Ms. Linda Bass, MDOT, 3025 E. Kearney, stated she was available for questions.

Mr. Cologna closed the public hearing, calling for a vote.

Mr. Sweere **motioned** to approve Variance Request 569. Ms. Baker **seconded** the motion. The motion **carried** as follows: Ayes: Cologna, Sweere, Alden, Baker, and Coltrin. Nays: None. Abstain: None. Absent: None.

2. Zoning Variance 570
(2700 North Farm Road 199)

Meek Lumber Company

Ms. Owen explained the applicant is requesting a variance to Subsection 6-1211 of the Zoning Ordinance that sets out the bufferyard requirements. The applicant is requesting a variance from the required bufferyard along the east property line of the subject property within an HM, Heavy Manufacturing District adjacent to a County A-1, Agricultural District. The City's policy is to buffer property that is outside the city limits by applying the bufferyard that is required for the most closely related city zoning district. The City does not have an agricultural district, therefore the bufferyard between the HM and R-SF, Single Family Residential District, which is the least intense zoning district in the city, is required. The A-1 zoned property to the west is owned by City Utilities and is proposed to be developed with a public regional detention basin which would partially extend onto the subject property. The applicant indicates the placement of the bufferyard is impeded by the location of the proposed detention basin because plantings required within the bufferyard would be located within the ponding limits of the regional detention basin. The applicant also indicates the A-1 zoned property to the east is proposed to be used solely as a regional detention basin made entirely of green space. At its narrowest point, the detention area will extend 100 feet east of the subject property and at its widest point will extend 600 feet east of the subject property. Future development of the detention area will be prevented through the dedication of a public drainage easement given to the City of Springfield. The subject property was recently annexed and rezoned from a County A-1 district to a city HM district. As part of the rezoning, the applicant requested a Conditional Overlay District to impose a bufferyard along the south property line to protect the existing residential properties on the south side of Farm Road 112. A bufferyard would normally not be required along FR 112 in this case because the right-of-way of Farm Road 112 will be more than seventy (70) feet in width after the applicant dedicates the additional right-of-way required.

Mr. Cologna opened the public hearing.

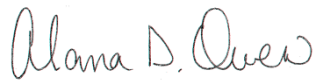
Mr. Jared Rasmussen, Olsson Associates, 550 E. St. Louis Street, reviewed the need for the variance and stated he was available for questions.

Mr. Cologna closed the public hearing.

Mr. Sweere **motioned** to approve Variance Request 570. Ms. Baker **seconded** the motion. The motion **carried** as follows: Ayes: Cologna, Sweere, Alden, Baker, and Coltrin. Nays: None. Abstain: None. Absent: None.

Ms. Owen communicated to the Board that this was Ms. Baker's last meeting as she has resigned from the Board, thanking her for her willingness to serve on the Board of Adjustment and wishing her well.

There being no further business, the meeting was adjourned at approximately 1:50 p.m.



Alana Owen
For Executive Secretary

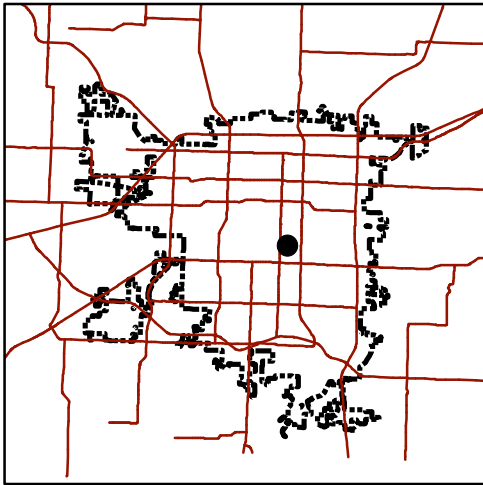
Development Review Staff Report

Department of Planning & Development - 417-864-1031
840 Boonville - Springfield, Missouri 65802

Special Exception No. 1300

LOCATION: 1411 East Meadowmere Street

CURRENT ZONING: R-SF, Single Family Residential



LOCATION SKETCH

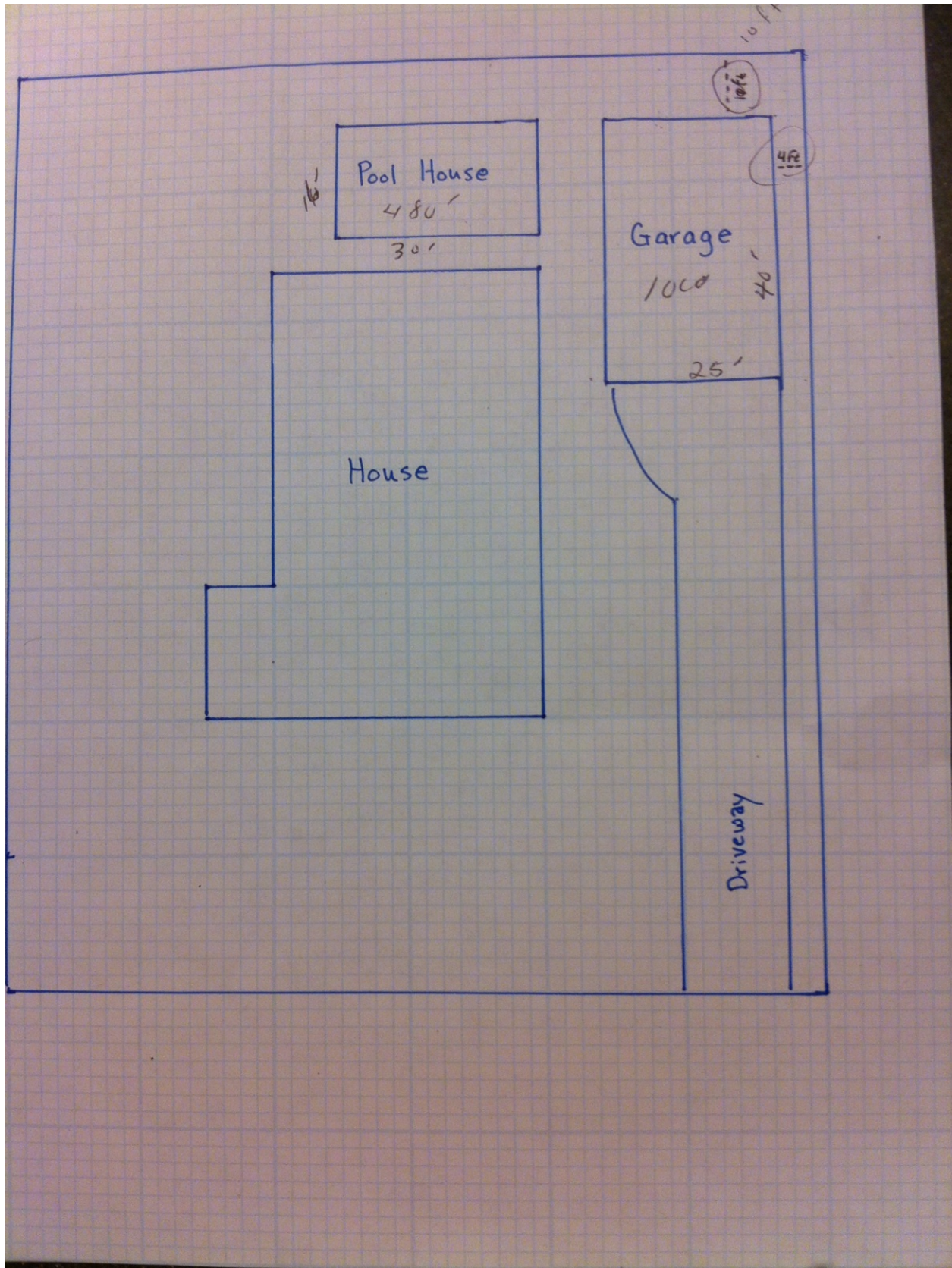


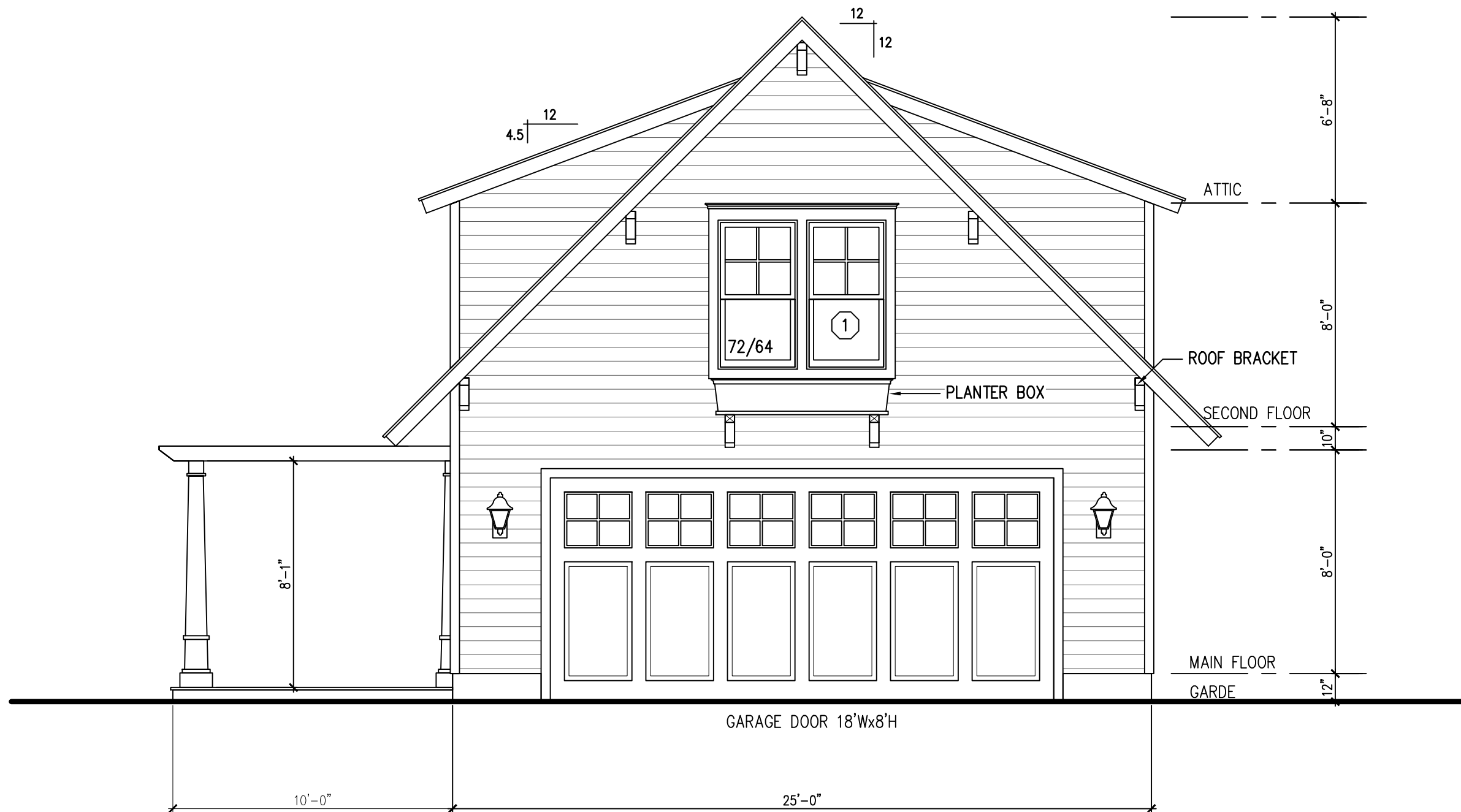
- Area of Proposal



1 inch = 200 feet

EXHIBIT B

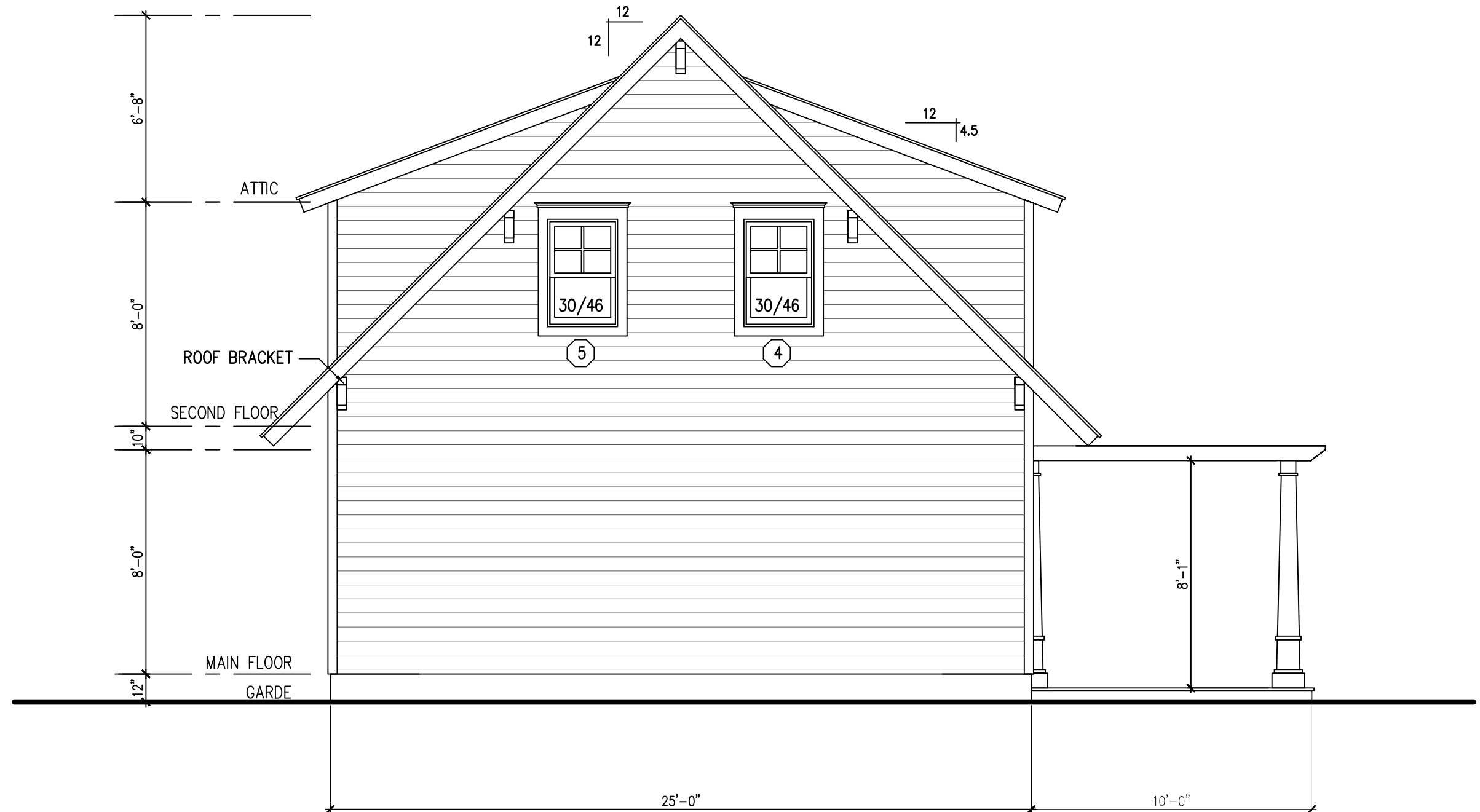




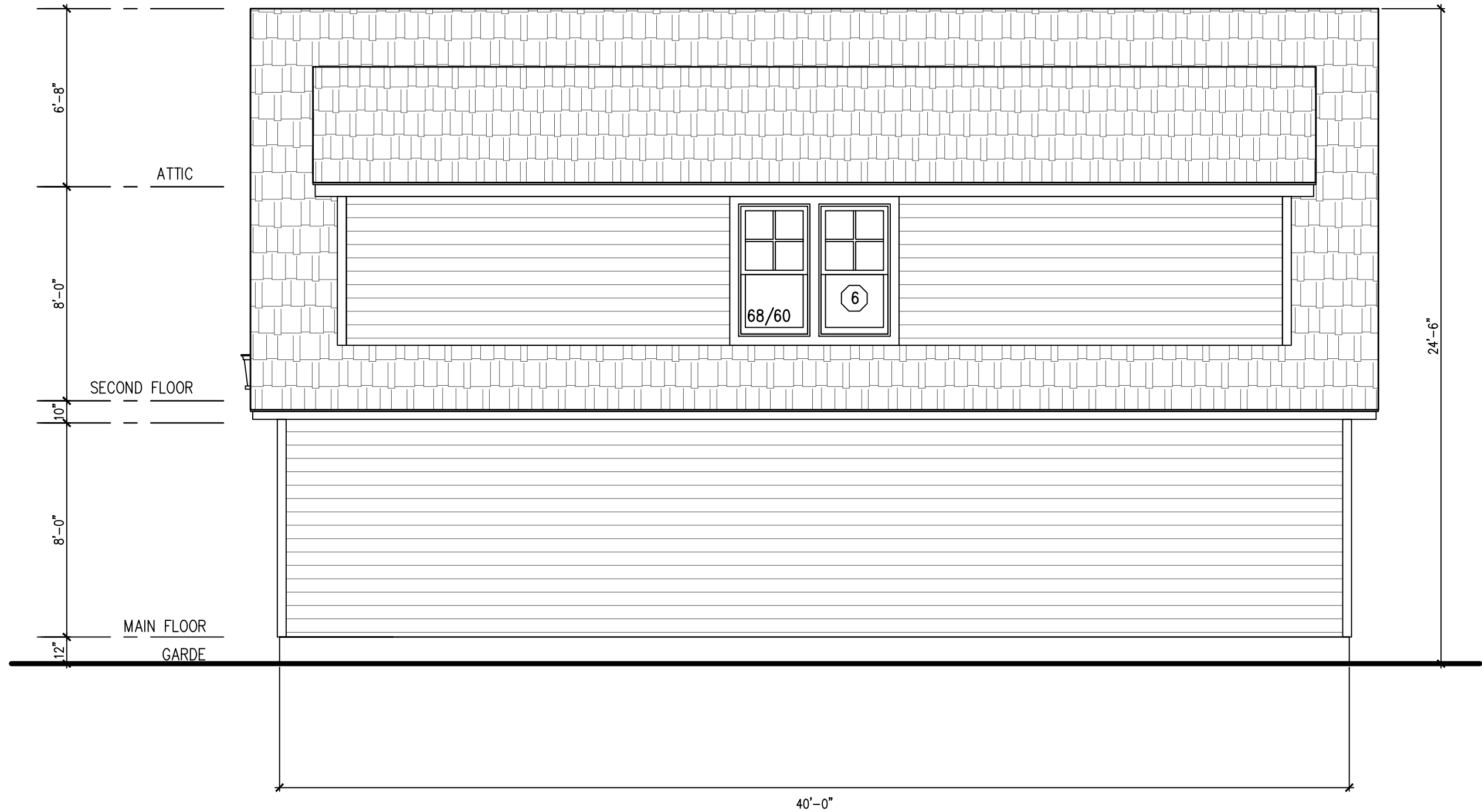
A3 FRONT ELEVATION
SCALE: 1/4" = 1'-0"



A4 LEFT ELEVATION
SCALE: 1/4" = 1'-0"



(A5) REAR ELEVATION
SCALE: 1/4" = 1'-0"



A6 RIGHT ELEVATION
SCALE: 1/4" = 1'-0"



Zoning & Subdivision Report
Planning & Development Department ~ 417/864-1611
840 Boonville Avenue ~ Springfield, Missouri 65801

SPECIAL EXCEPTION NO. E-1300

DATE: October 21, 2015

PURPOSE: To permit an accessory structure to exceed the maximum height permitted within an R-SF, Single Family Residential District.

BACKGROUND:

LOCATION: 1411 East Meadowmere Street

APPLICANT: Chris Reynolds

BOARD'S AUTHORITY: Subsection 3-3600

FINDINGS:

1. Approval will allow the construction of an accessory structure that is consistent with and complementary to the principal structure on the lot and other structures in the area.
2. The application meets all criteria for approval.

STAFF CONTACT PERSON:

Alana D. Owen, AICP
Senior Planner
(417) 864-1831

SPECIAL EXCEPTION NO. E-1300
EXHIBIT D

ORDINANCE AUTHORIZATION:

The following excerpt from the Zoning Ordinance lists the limits of the Board of Adjustment's authorization in this instance:

3-3601. Jurisdiction and Authority. The Board of Adjustment shall have jurisdiction and authority to grant special exceptions from the terms of this Article in the following instances.

E. Height of Accessory Structures. The Board of Adjustment may grant a special exception to allow an accessory structure in any district to exceed the height requirements for accessory structures provided all of the following conditions are met.

1. The proposed accessory structure shall not be within the front yard.
2. The proposed accessory structure shall be setback as required by *Section 5-1005*, unless a greater setback is required by *Section 6-1211*. The Board of Adjustment may establish a greater setback to reduce any potential impacts on adjoining properties.
3. The height and design of the proposed accessory structure shall be consistent with the height and design of the primary structure on the lot.
4. The height and design of the proposed accessory structure shall be consistent with the character of the neighborhood.
5. The proposed accessory structure otherwise conforms to all other applicable requirements of this article including *Section 5-1000, Accessory Uses and Structures*.

The Board of Adjustment may place conditions upon the granting of a special exception, and may require that a bufferyard be provided adjacent to any adjoining properties zoned residential.

EXHIBIT E
BACKGROUND REPORT
SPECIAL EXCEPTION NO. E-1300

APPLICANTS' PROPOSAL:

The applicant is proposing an accessory structure that exceeds the maximum height permitted for accessory structures within an R-SF, Single Family Residential District. The height limit for hip or gable roofs on an accessory structure is sixteen (16) feet. The applicant's proposed accessory structure will be approximately twenty-three (23) feet tall.

ORDINANCE AUTHORIZATION:

The Board of Adjustment has the authority to approve Special Exceptions from the terms of the Zoning Ordinance in accordance with Section 3-3600.

ZONING ORDINANCE:

Section 5-1000. Accessory Structures and Uses.

Section 5-1005. Bulk, Setback, and Spacing Regulations.

A. Residential Districts

2. Maximum structure height, except as permitted by *Section 3-3601.E.*:
 - a. The height limit for hip or gable roofs shall be sixteen (16) feet.
 - b. The height limit for flat, single slope or mansard roofs shall be twelve (12) feet.

ADJACENT PROPERTY OWNER COMMENTS:

Fifteen (15) property owners are within 185 feet of this site and have been notified of this action. One nearby property owner requested additional information about the request.

STAFF COMMENTS:

1. City Council passed a Zoning Text Amendment on November 9, 2009 to revise the requirements for a Special Exception from the Board of Adjustment to allow an accessory structure to exceed the maximum height requirements within each district under certain conditions. The applicant is planning to construct a new accessory structure on his property and has applied for this Special Exception to increase the height of the proposed structure from a maximum height of sixteen (16) feet to approximately twenty-three (23) feet.
2. This application meets the criteria for approval of the Special Exception. The proposed accessory structure is not located in the front yard and meets all the required setbacks for accessory structures within the R-SF, Single Family Residential District. The proposed accessory structure is consistent with the height and design of the primary structure on the lot by utilizing the same architectural style, color and materials. The proposed

accessory structure is also consistent and complementary to other accessory structures in the area.

3. The proposed accessory structure otherwise conforms to all other applicable requirements of the *Zoning Ordinance* including *Section 5-1000, Accessory Uses and Structures*.



EXHIBIT F

Case Number: _____
Date Filed: _____
Received By: _____
Application Fee: _____ *
Recording Fee: _____

APPLICATION FOR BOARD OF ADJUSTMENT SPECIAL EXCEPTION

The signers of this application request that the Board of Adjustment of the City of Springfield, Missouri, approve a special exception as allowed by the *Springfield Zoning Ordinance* on the following described property:

LAND DESCRIPTION (an attached sheet may be used):

This property is located at 1411 E. Meadowmere.

This Special Exception is requested under the provisions of Section 3-3600 of the *Springfield Zoning Ordinance*. The applicant requests the Special Exception in order to (check one):

- ☐ A. Reduce the minimum off-street parking requirements.
- ☐ B. Allow the use of property for off-street parking of passenger cars for a church.
- ☐ C. Permit a fence, wall or hedge in a required front yard in excess of the allowed height.
- ☐ D. Allow a nonconforming use to be changed to another nonconforming use.
- ☒ E. Allow an accessory building to exceed the height requirements.

We, the undersigned, do attest to the truth and correctness of all facts and information presented with this application.

CURRENT PROPERTY OWNER'S NAME(S):

Name of current property owner(s): Chris Reynolds
(please print)

If corporation: Corporate official: _____
(please print)

Mailing Address: 1411 E. Meadowmere Zip Code 65804
Telephone Number: 417-425-9863 Fax: _____
E-mail: chris@britecare.com

PROPERTY OWNER'S SIGNATURE:

Chris Reynolds

APPLICANT'S NAME (If different than owner):

Name of Applicant: _____
(please print)

If corporation: Corporate Official: _____
(please print name and title)

Mailing address: _____ Zip Code _____
Telephone number: _____ Fax: _____
E-mail: _____
(Corporate Seal)

APPLICANT'S SIGNATURE:

(if corporation, need signature of one official)

*Fees are non-refundable



1411







SPECIAL EXCEPTION NO. E-1300
EXHIBIT G

PROPERTY DESCRIPTION:

All of the East 113 feet of Lots 37, 38 and 39 in Meadowmere Addition, A subdivision in the city of Springfield, Greene County, Missouri.