



CITY OF JACKSON
PLANNING & ZONING COMMISSION MEETING AGENDA

Wednesday, August 14, 2024 at 6:00 PM

City Hall, 101 Court Street, Jackson, Missouri

Regular Members

Bill Fadler
Tony Koeller
Michelle Weber
Tina Weber

Harry Dryer, Chairman

Eric Fraley, Alderman Assigned
Mike Seabaugh, Alderman Assigned
Steve Stroder, Alderman Assigned
Larry Miller, Staff Liaison

Regular Members

Angelia Thomas
Heather Harrison
Russ Wiley
Travis Niswonger

CALL TO ORDER

ROLL CALL

APPROVAL OF MINUTES

1. Approval of the June 12, 2024 minutes.

PUBLIC HEARINGS

OLD BUSINESS

NEW BUSINESS

2. Consider a request to approve a Land Exchange Certification for transferring .046 Acres from 2457 Smith Trail to 2403 Smith Trail, as submitted by Jennifer Ewert.
3. Amendments to Chapter 58 (Annexation) and Chapter 65 (Zoning) of the City Code - applications for voluntary annexation + zoning

CONSIDER A MOTION TO ADD ITEMS TO THE AGENDA

ADJOURNMENT

This agenda was posted at City Hall on August 2, 2024, at 12:00 PM.

JOURNAL OF THE PLANNING & ZONING COMMISSION
CITY OF JACKSON, MISSOURI
WEDNESDAY, JUNE 12, 2024, 6:00 P.M.
REGULAR MEETING
CITY HALL COUNCIL ROOM, 101 COURT STREET, JACKSON, MISSOURI

The Planning and Zoning Commission met in regular session, with Chairman Harry Dryer presiding. Commissioners Tony Koeller, Angelia Thomas, Russ Wiley, and Travis Niswonger were present. Commissioners Bill Fadler, Michelle Weber, Tina Weber, and Heather Harrison. Building and Planning Manager Larry Miller was present as staff liaison. Alderman Mike Seabaugh, Eric Fraley, and Steve Stroder were present. Mike Haynes and Zach Mabery were the citizens in attendance.

ELECTION OF CHAIRMAN AND SECRETARY

Tony Koeller made a motion nominating Harry Dryer as chairman for 2024-25. Angelia Thomas seconded the motion, which was unanimously approved.

Harry Dryer motioned to nominate Tony Koeller as secretary for 2024-25. Russ Wiley seconded the motion, which was also unanimously approved.

Newly elected Chairman Harry Dryer chaired the remainder of the meeting.

APPROVAL OF MINUTES

Approval of the April 10, 2024)
regular meeting minutes)

The minutes of the previous meeting were unanimously approved on a motion by Commissioner Tony Koeller, seconded by Commissioner Angelia Thomas.

PUBLIC HEARINGS

None)

OLD BUSINESS

None)

NEW BUSINESS

Consider a request to approve a Land)
Exchange Certification for transferring)
.05 acres from Bainbridge Rd and .10)
acres from 1816 Bainbridge Rd to)
1812 Bainbridge Rd, as submitted by)
Angela D. Jeffers.)

Chairman Harry Dryer asked for a staff report.

Mr. Larry Miller explained that Ms. Jeffers was starting to replace her fence when she discovered the fence wasn't on her property. She talked with her neighbors, who also thought it was her property, and they agreed to a land exchange.

Commissioner Tony Koeller motioned to approve the Land Exchange as submitted.
Commissioner Russ Wiley seconded the request, which was approved.

Vote: 5 ayes, 0 nays, 0 abstentions, 4 absent

Request approval of a Final Plat for East)
Main Crossroads Commercial Subdivision)
submitted by)
Michael K and Linda J Haynes.)

Chairman Harry Dryer asked for a staff report.

Mr. Larry Miller explained to the commission where the property was located and that Mr. Haynes asked for two variances. The first variance is from the requirement to submit a preliminary plat, and the second is to defer stormwater detention and sanitary sewer plans until the building phase of design.

Chairman Harry Dryer asked for the applicant to come forward to speak on the request.

Mr. Mike Haynes from 13275 Lakewood Drive, Ste. Genevieve, MO, explained that he owns the property and would like to sell Hubbard Enterprises 1.2 acres so they can build on it. He told the Commission that Zach Mabery from Hubbard Enterprises was here to answer any questions about the building.

Commissioner Tony Koeller asked Mr. Haynes why the variances were needed before the building process. Mr. Haynes said Koehler Engineering recommended the variances to speed up the process. Commissioner Tony Koeller asked if the property sale was contingent on the requested variances. Mr. Haynes said he didn't think so; it would help streamline things.

Mr. Zach Mabery from 70 E School St. Bonne Terre, MO 63628, confirmed it would help streamline the process. He said approving the plat and variances allows them to keep moving forward.

More discussion was had about the variances and the process.

Chairman Harry Dryer requested a motion to approve the final plat of Main Crossroads Commercial Subdivision submitted by Michael K and Linda J Haynes based on the variance from the requirement to submit a preliminary plat.

Commissioner Tony Koeller moved to approve the request, which Commissioner Angelia Thomas seconded. The request was approved.

Vote: 5 ayes, 0 nays, 0 abstentions, 4 absent

Chairman Harry Dryer requested a motion to approve a variance request to defer stormwater detention and sanitary sewer plans until the building phase of design.

Commissioner Tony Koeller moved to approve the request, which Commissioner Angelia Thomas seconded. The request was approved.

Vote: 5 ayes, 0 nays, 0 abstentions, 4 absent

ADDITIONAL ITEMS

None)

ADJOURNMENT

Consider a motion to adjourn)

Commissioner Travis Niswonger motioned to adjourn, seconded by Commissioner Tony Koeller, and unanimously approved.

Vote: 5 ayes, 0 nays, 0 abstentions, 4 absent

Respectfully submitted,

Tony Koeller
Planning and Zoning Commission Secretary

Attest:

Larry Miller
Building and Planning Manager

NOTE: ACTION (IF ANY) ON LAND EXCHANGE CERTIFICATIONS, COMPREHENSIVE PLAN, AND MAJOR STREET PLAN IS FINAL APPROVAL; ALL OTHER ACTION TAKEN BY THE PLANNING AND ZONING COMMISSION SERVES AS A RECOMMENDATION TO THE BOARD OF ALDERMEN AND NOT AS FINAL APPROVAL OF THE ITEMS CONSIDERED AT THIS MEETING

Staff Report

ACTION ITEM: Consider a request to approve a Land Exchange Certification for transferring .046 Acres from 2457 Smith Trail to 2403 Smith Trail, as submitted by Jennifer Ewert.

APPLICANT: Jennifer Ewert

APPLICANT STATUS: Owner of 2403 Smith Trail

PURPOSE: Land Exchange Certification

SIZE: .046 Acres

PRESENT USES: Residential

PROPOSED USE: Residential

ZONING: R-1 Single Family

SURROUNDING LAND USE: North, South, East - R-1 Single Family and West – R-2 Single Family

HISTORY: N/A

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

APPLICABLE REGULATIONS: Land Subdivision Regulations (Chapter 57)

2009 COMPREHENSIVE PLAN: Single-Family Residential

MAJOR STREET PLAN: Does not affect the major street plan

FLOODPLAIN INFORMATION: Not in a Flood Plain 29030232E Dated 9-11-2009.

PHYSICAL CHARACTERISTICS: Various Sizes

COMMENTS: N/A

ACTION REQUIRED: The commission shall approve or deny this request based on the Land Subdivision Regulations. The Board of Alderman requires no action.

LAND EXCHANGE CERTIFICATION APPLICATION FORM

City of Jackson, Missouri



DATE OF APPLICATION: 7/19/2024

ADDRESS OF GRANTING PROPERTY: 2457 Smith Trail Road Jackson, MO 63755

ADDRESS OF RECEIVING PROPERTY: 2403 Smith Trail Road Jackson, MO 63755

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

Property Owner Name(s): Kevin & Jamie Leragar

Mailing Address: 2457 Smith Trail Road

City, State ZIP: Jackson, MO 63755

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

Property Owner Name(s): Richard Muller & Jennifer Ewert

Mailing Address: 2403 Smith Trail Road

City, State ZIP: Jackson, MO 63755

ENGINEER / SURVEYING COMPANY: Richards Land Surveying

Engineer / Surveyor Contact: Kelly Snell

Mailing Address: 1813 Greenbrier Drive

City, State ZIP: Cape Girardeau

Contact's Phone: 573-450-5361

CONTACT PERSON HANDLING APPLICATION:

Contact Name: Jennifer Ewert

Mailing Address: 2403 Smith Trail Road

City, State ZIP: Jackson, MO 63755

Contact's Phone: 417-343-6174

Contact's Email Address (if used): mimod2000@gmail.com

APPLICATION FOR (check one):

- ☐ Division of land into no more than four lots, all of which are 3 acres or greater in size
☐ Division of land for cemetery usage
☒ Lot line adjustment between adjoining lots
☐ Transfer to adjoining property to improve ingress or egress
☐ Combination or re-combination of previously platted lots. Total number of lots may not be increased and all resulting lots apply with the Land Subdivision Regulations

REASON FOR REQUEST (use additional pages if needed):

Lot line for 2403 Smith Trail is with (14) inches of roof overhang and angles behind house.

CURRENT ZONING: (circle 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-3 (Central Business) |
| <input type="checkbox"/> MH-1 (Mobile Home Park) | <input type="checkbox"/> C-4 (Planned Commercial) |
| <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) |

LEGAL DESCRIPTION OF TRACT: Submit a copy of the most current deed for the property being divided.

OWNER SIGNATURES:

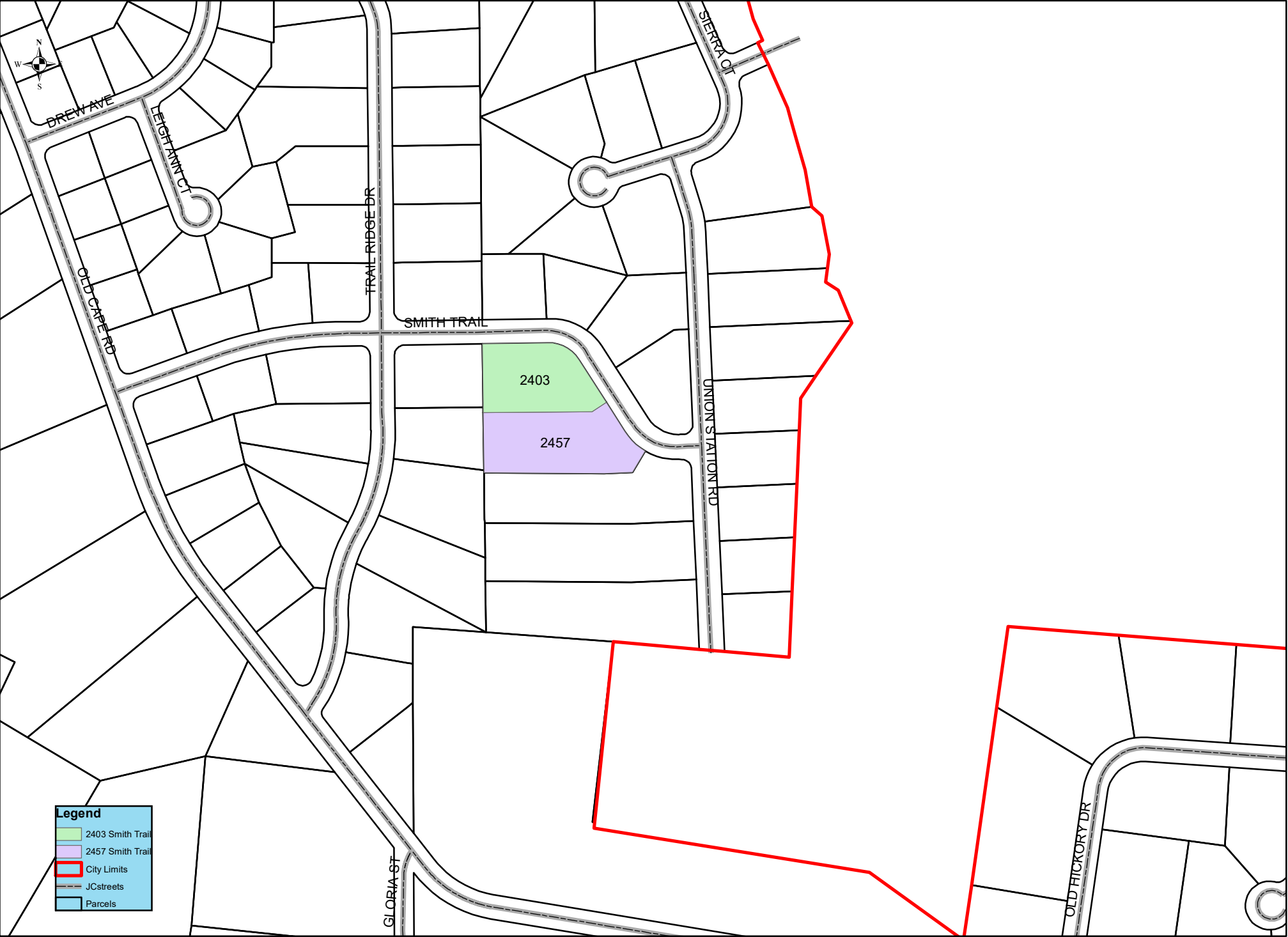
I state upon my oath that all of the information contained in this application is true. (Signatures of all persons listed on the current property deed and the authorized signer(s) for any owning corporation or trust.)

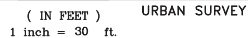
Jennifer Lynn Levert
Brendan E. Mullen
Teri B. Jania Inagau

Please submit the completed application along with the applicable application fee to:

Building & Planning Manager
City of Jackson
101 Court Street
Jackson, MO 63755
Ph: 573-243-2300 ext. 29
Fax: 573-243-3322
Email: permits@jacksonmo.org

Transferring Property of 2457 Smith Trail to 2403 Smith Trail

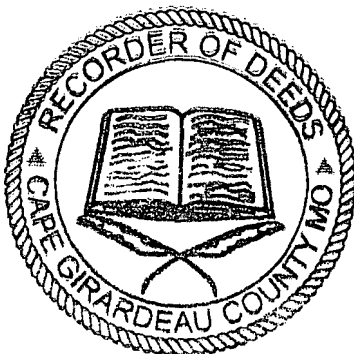




ET



8 0 7 2 0 0 2
Tx:4049255



**DOCUMENT #
2013-09403**

**SCOTT R CLARK
RECORDER OF DEEDS
CAPE GIRARDEAU COUNTY, MO
RECORDED ON
07/22/2013 08:12 AM
REC FEE: 27.00
PAGES: 2**

005863

**GENERAL WARRANTY DEED
(LIMITED LIABILITY COMPANY)**

This Indenture is made this 17th day of July, 2013, by and between Brandon O. Williams Development, LLC, a Missouri Limited Liability Company ("Grantor"), of the County of Cape Girardeau, Missouri, and Richard E. Muller and Jennifer Lyn Ewert, husband and wife ("Grantee"), of the County of Cape Girardeau, Missouri, whose address in said County is:

2403 Smith Trail, Jackson, MO 63755

WITNESSETH, that Grantor, for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable considerations paid to them by the Grantee, the receipt of which is hereby acknowledged, does by these present GRANT, BARGAIN AND SELL, CONVEY AND CONFIRM unto the Grantee and Grantee's heirs, successors and assigns, the following described Real Estate lying, being and situated in the County of Cape Girardeau, and State of Missouri, to wit:

***Lots Five (5) of East Ridge Place Subdivision in the City of Jackson,
County of Cape Girardeau as shown by plat recorded as Document #
2007-17214.***

Subject to terms, conditions, restrictions, reservations, and easements of record, if any.

TO HAVE AND TO HOLD the same, together with all and singular rights, privileges, and appurtenances thereto belonging or in anywise appertaining unto the Grantee and unto Grantee's heirs, successors and assigns forever. Grantor hereby covenants that Grantor is lawfully seized of an indefeasible Estate in Fee in the premises herein conveyed; that Grantor has good right to convey the same; that said premises are free and clear of any encumbrance done or suffered by Grantor or those under whom Grantor claims, and that Grantor will WARRANT AND DEFEND the title to the said premises unto the said Grantee and Grantee's heirs, successors and assigns forever against the lawful claims and demands of all persons whomsoever.

In WITNESS WHEREOF, the Grantor has caused these presents to be signed on its behalf by the below duly authorized agent of said Grantor on the day and year first above written.

Brandon O. Williams Development, LLC,
a Missouri Limited Liability Company

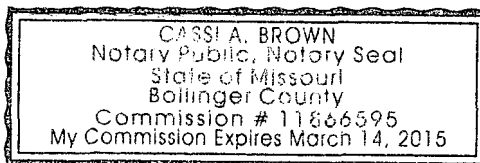
BY: [Signature]
Brandon O. Williams, Managing Member

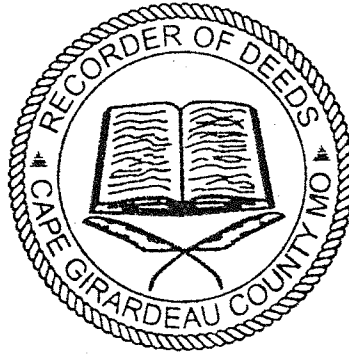
State of Missouri
County of Cape Girardeau } ss.

On this 17th day of July, 2013, before me personally appeared, Brandon O. Williams, to me personally known, who, being by me duly sworn, did say that he is the Managing Member of Brandon O. Williams Development, LLC, a Missouri Limited Liability Company, and that said instrument was signed in behalf of said limited liability company, by authority of its Articles of Organization and Operating Agreement, and acknowledged to me that he/she executed the same for the purposes therein stated and as the free act of deed of said limited liability company.

[Signature]
Notary Public

My Commission Expires: _____





ANDREW DAVID BLATTNER
RECORDER OF DEEDS
CAPE GIRARDEAU COUNTY, MO
eRECORDED ON
03/22/2024 08:34:23 AM
REC FEE: 27.00
PAGES: 2

GENERAL WARRANTY DEED

THIS INDENTURE, made on the **21st day of March, 2024** by and between **Charity Jacobs, a single person and Randy E. Jennings Jr., a single person**, of the County of Cape Girardeau, in the State of Missouri, **Grantors**, and **Jamie D. Lenagar and Kevin E. Lenagar, a married couple**, of the County of Cape Girardeau, in the State of Missouri, **Grantees** (mailing address of said first named grantee is 2457 Smith Trail, 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, do 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:

Lot Four (4) of East Ridge Place Subdivision in the City of Jackson, County of Cape Girardeau as shown by plat recorded as Document No. 2007-17214 in the land records of Cape Girardeau County, Missouri.

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 unto their heirs and assigns, FOREVER, against the

lawful claims and demands of all persons whomsoever.

IN WITNESS WHEREOF, the said Grantors have hereunto set their hands the day and year first above written.



Charity Jacobs



Randy E. Jennings Jr.

STATE OF MISSOURI

)
) SS.
)

COUNTY OF CAPE GIRAREAU

On this 21st day of March, 2024, before me appeared Charity Jacobs, a single person and Randy E. Jennings Jr., a single person, to me known to be the persons described in and who executed the foregoing General Warranty Deed and acknowledged that they executed the same as their free act and deed.

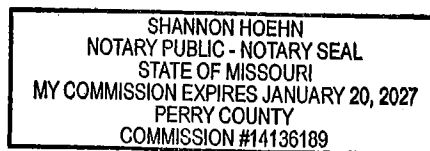
IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal at my office in said County and State the day and year first above written.



Shannon Hoehn

Notary Public

My commission expires: **01/20/27**



MEMO



TO: Members of the Planning and Zoning Commission

FROM: Larry Miller, Building & Planning Manager

DATE: July 31, 2024

SUBJECT: Amendments to Chapter 58 (Annexation) and Chapter 65 (Zoning) of the City Code - applications for voluntary annexation + zoning

- The Mayor and Board of Alderman wanted to know how the Planning and Zoning Commission felt about an annexation application that included what type of zoning they wanted. This would eliminate the process of going through Planning and Zoning for a rezoning.
- The process will be discussed and how it will benefit the applicant.