



**CITY OF JACKSON**  
**PLANNING & ZONING COMMISSION MEETING AGENDA**

**Wednesday, November 09, 2022 at 6:00 PM**

**City Hall, 101 Court Street, Jackson, Missouri**

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Bill Fadler  
Tony Koeller  
Michelle Weber  
Tina Weber

**Harry Dryer, Chairman**  
Joe Baker, Alderman Assigned  
Mike Seabaugh, Alderman Assigned  
Janet Sanders, Staff Liaison

Angelia Thomas  
Heather Harrison  
Beth Emmendorfer  
Eric Fraley

**CALL TO ORDER**

**ROLL CALL**

**APPROVAL OF MINUTES**

1. Approval of minutes of October 12, 2022 meeting

**NEW BUSINESS**

2. Request for rezoning 2033 West Jackson Boulevard from I-1 Light Industrial District to C-2 General Commercial District submitted by Gerald R. Sewing, Tommy H. Sewing, Brenda J. Hester, Daphne R. Sewing, and Andy R Sewing as heirs of Walter M. & Norman Sewing.

**CONSIDER A MOTION TO ADD ITEMS TO THE AGENDA**

**ADJOURNMENT**

his agenda was posted at City Hall on November 4, 2022 at 11:30 AM.

PLEASE OBSERVE SOCIAL DISTANCING WHEN ATTENDING THIS MEETING.

JOURNAL OF THE PLANNING & ZONING COMMISSION  
CITY OF JACKSON, MISSOURI  
WEDNESDAY, OCTOBER 12, 2022, 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. Also present were Commissioners Heather Harrison, Angelia Thomas, Tina Weber, Tony Koeller, Michelle Weber, and Eric Fraley. Commissioners Beth Emmendorfer and Bill Fadler were absent. Building & Planning Manager Janet Sanders was present as staff liaison. Assigned Aldermen Mike Seabaugh and Joe Bob Baker were also present. Citizen present was Megan Andrews.

Chairman Dryer called the meeting to order, and Commissioner Koeller called roll.

APPROVAL OF MINUTES )

Minutes of the September 14, 2022, meeting were unanimously approved on a motion by Commissioner Michelle Weber, seconded by Commissioner Thomas.

OLD BUSINESS

Request for approval of a preliminary plat )  
of Savers Farm Subdivision Phase 9 )  
submitted by Cape Land & Development, )  
LLC )

Chairman Dryer asked for a staff report. Mrs. Sanders reported this item has been tabled multiple times waiting for agreement between the developer and the Board of Aldermen on a Memorandum of Understanding. That MOU has now been approved and a copy is included in the agenda packet. At the last minute, the developer chose to switch from private streets to public streets.

Commissioner Koeller made a motion to bring this item from the table. The motion was seconded by Tina Weber and was unanimously approved.

Ms. Megan Andrews, representing the developer, came forward and said the Commission previously approved Phase 8. The streets for both phases will now be public streets, 28' wide with parking on one side and with sidewalks. They will meet the city's street standards. She said the sidewalks will end at the county. The electric supplier will be Ameren. City water will be installed through an easement obtained from an adjacent property owner. City sewer for both phases will connect to an existing sewer at the corner of Phase 8. The new phases will still participate in the homeowners' association to help pay for maintenance of the streets they cross to access their subdivision and for the private street lights. The HOA fees are very low, at about \$200/year per lot. Sewer in the existing Savers Farm Subdivision phases in the county is owned by Liberty Utilities.

Commissioner Koeller made a motion to approve the plat. The motion was seconded by Commissioner Fraley and was unanimously approved.

Vote: 7 ayes, 0 nays, 0 abstentions, 2 absent

## NEW BUSINESS

Request for approval of a minor subdivision )  
plat of Jackson Civic Center Subdivision )  
submitted by the City of Jackson )

Mrs. Sanders reported this subdivision combines into a single lot the various lots owned by the city at the Civic Center site with a recently purchased lot fronting on North High Street.

Commissioner Harrison made a motion to approve the plat. The motion was seconded by Commissioner Michelle Weber and was unanimously approved.

Vote: 7 ayes, 0 nays, 0 abstentions, 2 absent

Zoning Text Amendment – defining and )  
limiting tiny houses )

Mrs. Sanders reported this item initially started as a citizen request to put a tiny home on a vacant lot. She explained the building code issues related to tiny homes and that a recent appendix to the building code [not adopted] defines tiny homes as less than 400 sq. ft. She said although the Board of Aldermen were not interested in allowing tiny homes to be on lots, the discussion about building codes generated the need to define tiny homes in the zoning code and to determine whether they should be allowed anywhere in town. One possibility is a Community Unit Plan with a Special Use Permit where additional conditions could be added. She said the only current home size restriction in Jackson is in the building code which requires only 120 square feet per person. She confirmed that currently someone could build a 120 sq. ft. home for one person on a traditional lot if the home had proper egress, ceiling heights, and stairs. She said she had checked with several other towns and most have the same lack of regulations. The City of Perryville has defined tiny homes as anything under 850 square feet. Mrs. Sanders said there are currently traditional homes in Jackson that are under 850 square feet, and she did not recommend defining a size that would accidentally make those non-conforming.

The Commission discussed several locations outside of Jackson where there are clusters of very small homes, including west of town on Highway 72, and near Marble Hill. These are believed to be rentals. At Ste. Genevieve there are several scattered on a 100-acre tract used for AirB&B rentals. They are each approximately 18' x 10' and are constructed on stilts.

Mrs. Sanders was asked if this code change would allow shipping container homes. She said shipping containers are separately prohibited for occupancy in the code.

Commissioner Koeller volunteered to research lender and appraisal sources for sizes defined as tiny homes. He will report back at the next meeting. Commissioner Michelle Weber said she would expect the required square footage to include only above-grade sizes, not basements.

Mrs. Sanders said this item will be placed on the next meeting agenda for further discussion. After that meeting, she and the city attorney can create the code language needed to meet the Commission's intent.

Consider a motion to add items to the )  
agenda )

No items were added to the agenda.

Adjournment )

Commissioner Koeller made a motion to adjourn, seconded by Commissioner Michelle Weber and unanimously approved.

Respectfully submitted,

Tony Koeller  
Planning and Zoning Commission Secretary

Attest:

Janet Sanders  
Building & 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:** Request for rezoning of 2033 West Jackson Boulevard from I-1 Light Industrial to C-2 General Commercial

**APPLICANT:** Gerald R. Sewing, Tommy H. Sewing, Brenda J. Hester, Daphne R. Sewing, and Andy R Sewing (heirs of Watler M. & Norma Sewing)

**APPLICANT STATUS:** Property owners

**PURPOSE:** To rezone existing house to alleviate non-conforming zoning status.

**SIZE:** Approx. 10,200 sq. ft.

**PRESENT USES:** Single family residence.

**PROPOSED USE:** Same

**ZONING:** I-1 Light Industrial

**SURROUNDING LAND USE:** North – C-2 General Commercial District; South – I-1 Light Industrial District; East – I-1 Light Industrial District; West – C-2 General Commercial

**HISTORY:** No previous rezoning history known.

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

**APPLICABLE REGULATIONS:** Zoning Code (Chapter 65)

**2009 COMPREHENSIVE PLAN:** General Commercial

**FLOODPLAIN INFORMATION:** This property is not located in a floodplain per FEMA panel 29031C0139E dated 9/29/11

**PHYSICAL CHARACTERISTICS:** This property is located next to Straightway Service.

**COMMENTS:** This property has been a home as long as the current property owners can remember. It was purchased by their parents in 1949. It is not known how it initially became industrially zoned, but the current zoning code does not allow residential uses as allowable uses, making it a non-conforming zoning use. This non-conforming status is preventing the house from being sold.

**ACTION REQUIRED:** The Commission shall vote to recommend approval or denial of this request. A public hearing at this level is optional. A public hearing is required at the Board of Aldermen level.



## REZONING / SPECIAL USE PERMIT APPLICATION

City of Jackson, Missouri

APPLICATION DATE: 10-31-22

TYPE OF APPLICATION:



Rezoning



Special Use Permit

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

2033 W. Jackson Blvd

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

Property Owner Name(s): Gerald Sewing, Tom Sewing

Mailing Address: 2033 W. Jackson Blvd.

City, State ZIP: Jackson, mo 63255

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

Proposed Property Owner(s): Benjamin Chapman

Mailing Address: 2033 W. Jackson Blvd

City, State, ZIP: Jackson mo 63255

**CONTACT PERSON HANDLING APPLICATION:**

Contact Name: Benjamin Chapman

Mailing Address: 2033 W. Jackson Blvd

City, State ZIP: Jackson, mo 63255

Contact's Phone: 573-413-3656

Email Address (if used): Bechappy@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: Residence

**PROPOSED ZONING:** (check all that apply)

- |  |  |
|--|--|
| <input type="checkbox"/> R-1 (Single-Family Residential)       | <input type="checkbox"/> C-1 (Local Commercial)              |
| <input type="checkbox"/> R-2 (Single-Family Residential)       | <input checked="" 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"/> I-1 (Light Industrial)              |
| <input type="checkbox"/> O-1 (Professional Office)             | <input type="checkbox"/> I-2 (Heavy Industrial)              |
| <input type="checkbox"/> CO-1 (Enhanced Commercial Overlay)    | <input type="checkbox"/> I-3 (Planned Industrial Park)       |

PROPOSED USE OF PROPERTY: Residence

**LEGAL DESCRIPTION OF TRACT** (attach a copy of the deed or other legal description):

attached

**REASON FOR REQUEST:** State the reason(s) why you believe the requested use will be beneficial to the neighborhood and the City of Jackson. Attach additional page(s) as needed.

House was zoned industrial which has caused a difficulty in  
completing a sale to new owners. House is only house in the area  
zoned industrial. Request is for house to be zoned commercial  
C-2 so that it can be used and insured as a residence.

**DRAWINGS (FOR SPECIAL USE PERMITS ONLY):** If one or more buildings or other structures are to be added to the property for a special use permit, attach a scaled plat of the tract(s) showing the location of all buildings. 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 by the City as part of this application. The 185' distance is exclusive of right-of-ways. The City will prepare this map based on the most current tax information published by the Cape Girardeau County Assessor.

**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.*)

*Donald Sewing*  
*Tom Sewing* *10-31-22*

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Please submit this application along with appropriate non-refundable application fee to:

Janet Sanders  
Building & Planning Manager  
City of Jackson  
101 Court Street  
Jackson, MO 63755

573-243-2300 ext.29 (ph)  
573-243-3322 (fax)  
[jsanders@jacksonmo.org](mailto:jsanders@jacksonmo.org)

**APPLICATION FEE: \$200.00**

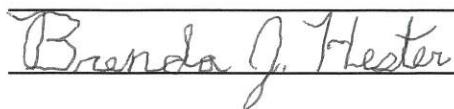
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Cindy Sewing 11/7/22

Daphne R. Sewing 11/11/22

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573-243-2300 ext.29 (ph)  
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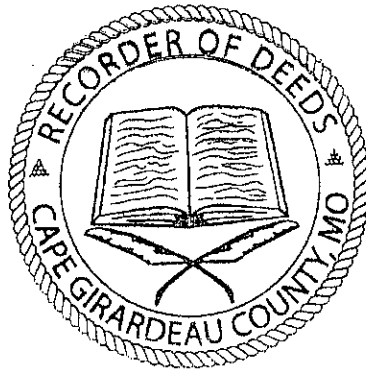
**APPLICATION FEE: \$200.00**





8 0 4 0 7 7 2  
Tx: 4027057

\$30 pd.  
Layton



**DOCUMENT #**  
**2012-02238**

**SCOTT R CLARK**  
**RECORDER OF DEEDS**  
**CAPE GIRARDEAU COUNTY, MO**  
**RECORDED ON**  
**02/29/2012 10:17 AM**  
**REC FEE: 30.00**  
**PAGES: 3**

## Beneficiary Deed

THIS BENEFICIARY DEED, made this 28<sup>th</sup> day of February, 2012, wherein GRANTORS: **Walter M. Sewing and Norma E. Sewing**, husband and wife, of the County of Cape Girardeau, State of Missouri, as a gift and without consideration DO by these presents GRANT AND ASSIGN, CONVEY AND CONFIRM UNTO GRANTEE BENEFICIARIES: **Gerald R. Sewing, Brenda J. Hester, Tommy H. Sewing, Daphne R. Sewing and Andy R. Sewing**, as tenants in common, the following described real estate, situated in the County of Cape Girardeau, State of Missouri, to-wit:

All that part of grantors land in USPS 2205, T31N, R12E of the Fifth Principal Meridian, Cape Girardeau County, State of Missouri, lying within widths as designated by right angles from the hereinafter-described centerline, containing 0.04 acres, more or less, lying outside of and abutting the existing south boundary of State Rte. 34, described as follows:

The centerline of State Rte. 34 is described as commencing at the NE Corner of USPS 221, being also the NW Corner of USPS 527, T31N, R12E of the Fifth Principal Meridian, Cape Girardeau County, State of Missouri; being a 5/8 in iron pin certified by Gene Budde, LS 1797; thence N81°27'38" W a distance of 5186.54 ft. to Centerline Sta. 600+00.00; thence said centerline extends N84°29'29.8"W a distance of 112.64 ft. to PT Sta. 598+87.36; thence along the arc of 0°45' reverse curves with radius measurements of 7639.44 ft., the first being concave to the north at a length of 436.40 ft. and a deflection angle of 3°16'22.9" to PRC St. 594+50.96; the second being concave to the south at a length of 418.33 ft. and a deflection angle of 3°08'14.9" to PC Sta. 590+32.63; thence N84°21'21.8"W a distance of 24.19.49 ft. to PT Sta. 566+13.14; thence along the arc of a 0°30' curve to the left a distance of 164.50 ft., said curve having a deflection angle of 0°49'20.9", and a radius measurement of 11459.16 ft. to PC Sta. 564+48.64; thence N85°1042.8"W a distance of 1048.64 ft. to Centerline Sta. 554+00.00. Note: Sta. 556+61.22 on the above-described centerline is 2298.32 ft., S79°23'53.31" E of an axle marking the SW Corner of USPS 247 and the NW Corner of Fractional Section 4, T31N, R12E of the Fifth Principal Meridian, certified by Gene Budde, LS 1797.

Widths of controlled access land, measured at right angles from the south side of the above-described centerline, containing 0.04 acres, more or less, are as follows: All grantors land lying within a tract having a constant and uniform width of 70.00 ft. extending easterly from Sta. 587+00.00, to Sta. 588+50.00.

