



VARIANCE REQUEST APPLICATION

City of Jackson, Missouri

APPLICATION DATE: 07/12/2023

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

3151 Oak Ridge Dr., Jackson, MO 63755

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

Property Owner Name(s): Matthew Kearney & Monica Kearney

Mailing Address: 3151 Oak Ridge Dr.

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: Matthew Kearney

Mailing Address: 3151 Oak Ridge Dr.

City, State ZIP: Jackson, MO 63755

Contact's Phone: (618) 559-2535

Email Address (if used): mkearney@semo.edu

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: Primary Residence

PROPOSED USE OF PROPERTY: _____
Continued Primary Residence

LEGAL DESCRIPTION OF TRACT (attach a copy of the most current property deed):
Tract 1 (3151 Oak Ridge Drive): Lots Seven (7) and Eight (8) of Ridge Subdivision Unit III in the City of Jackson, Cape Girardeau County, Missouri, as shown by plat recorded in Plat Book 18 at Page 47.

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.
See Attachment 1

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:

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:

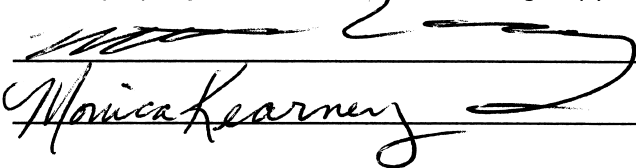
The owner hereby gives permission for members of the Board of Adjustment and/or city staff to enter within the boundaries of the real estate listed herein to examine the location(s) and property conditions involved in the proposed variance.

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.)*



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

Attachment 1

Reason For Request:

Our house is on a corner lot and having a fence that would not go out from the side of the house toward Vail and along Vail would drastically reduce the amount of yard space we would be able to use safely. We also have a basketball court on the side of the house and three young children who like to play on that and with no fence there, balls are more likely to go into the road creating dangerous situations for our children as well as drivers as they would possibly swerve to avoid hitting any balls rolling into the road.

We would also like to point out that with the landscaping along the side of the property, the fence would actually be lower than most bushes, so we would not create an issue with visibility and would also be far enough away from the intersection of Vail and Oak Ridge that visibility at the stop sign would not be impeded in any way. In addition, vehicles coming down Vail toward Oak Ridge would be coming down a hill that would allow them to see any oncoming traffic on Oak Ridge without the fence creating traffic issues. As far as the aesthetics, because of the shrubs along Vail, most of the fence would not be seen and may actually look less appealing if we have a different type of fence such as aluminum for part of the fencing and then switching to the chain link fencing. In addition, the cost of having to use a different kind of fencing will make this not possible, which in turn means we will not be able to have a fence, making our backyard less safe for our children.

View from coming down Vail Dr. toward Oak Ridge Dr. (Most bushes are above 4 feet which is the height of the proposed fence)



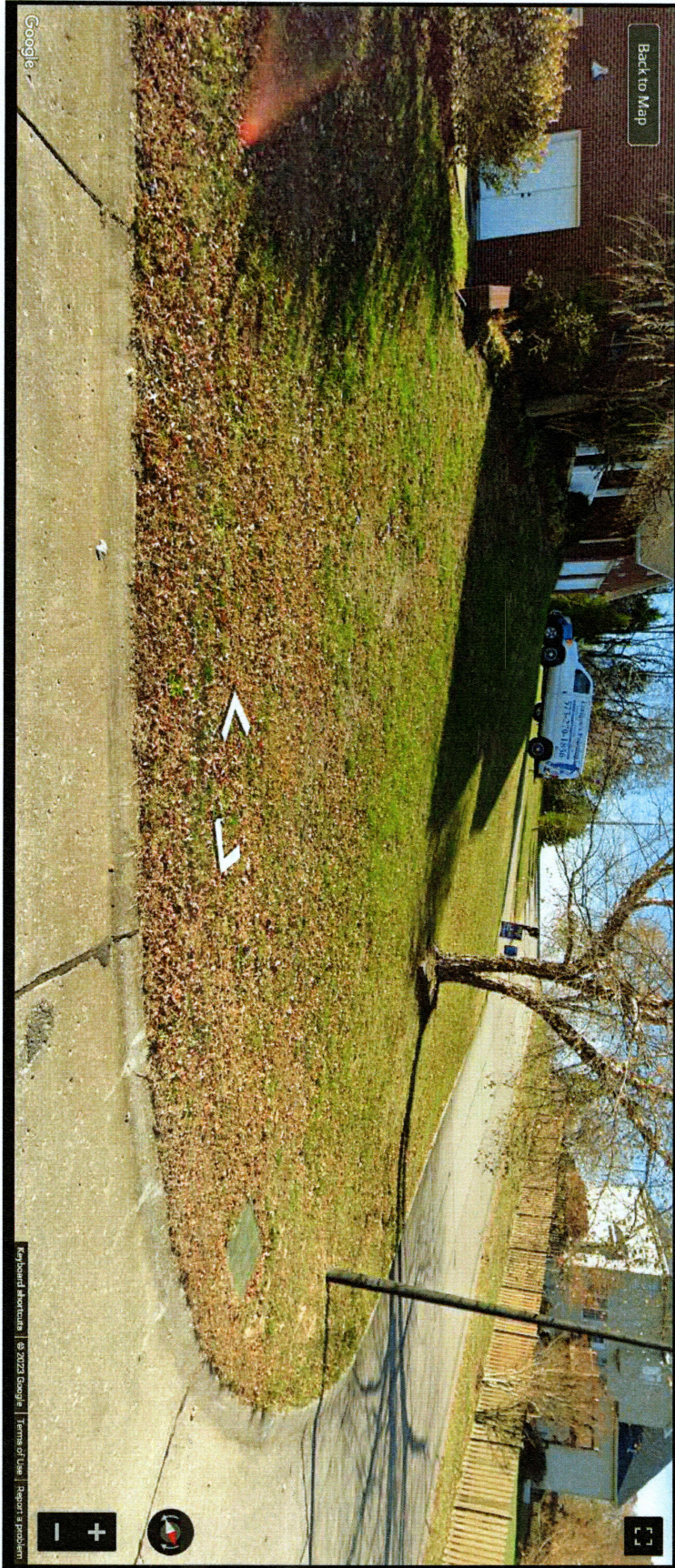
View coming from Oak Ridge Dr and turning onto Vail



View from Oak Ridge toward Vail from further away



View from stop sign at intersection of Vail and Oak Ridge Dr. (Fence would run parallel to Oak Ridge along the bushes on the left to the side of the house)



Red Lines indicate approximately where the proposed fence would be

