


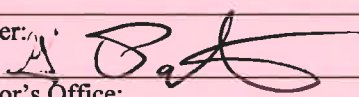
# REQUEST FOR LEGISLATIVE ACTION

Completed by County Counselor's Office:

~~Res~~ Ord No.: 4964

Sponsor(s): None

Date: April 3, 2017

SUBJECT	Action Requested <input type="checkbox"/> Resolution <input checked="" type="checkbox"/> Ordinance  Project/Title: <u>Stanton &amp; Robyn Gragg - RZ-2017-546</u>											
BUDGET INFORMATION <i>To be completed By Requesting Department and Finance</i>	<table border="1" data-bbox="316 483 1201 798"> <tr> <td>Amount authorized by this legislation this fiscal year:</td> <td style="text-align: right;">\$</td> </tr> <tr> <td>Amount previously authorized this fiscal year:</td> <td style="text-align: right;">\$</td> </tr> <tr> <td>Total amount authorized after this legislative action:</td> <td style="text-align: right;">\$</td> </tr> <tr> <td>Amount budgeted for this item * (including transfers):</td> <td style="text-align: right;">\$</td> </tr> <tr> <td>Source of funding (name of fund) and account code number; FROM / TO</td> <td>FROM ACCT  TO ACCT</td> </tr> </table> <p>* If account includes additional funds for other expenses, total budgeted in the account is: \$</p> OTHER FINANCIAL INFORMATION:  <input checked="" type="checkbox"/> No budget impact (no fiscal note required) <input type="checkbox"/> Term and Supply Contract (funds approved in the annual budget); estimated value and use of contract: Department: _____ Estimated Use: \$ _____  Prior Year Budget (if applicable): _____ Prior Year Actual Amount Spent (if applicable): _____		Amount authorized by this legislation this fiscal year:	\$	Amount previously authorized this fiscal year:	\$	Total amount authorized after this legislative action:	\$	Amount budgeted for this item * (including transfers):	\$	Source of funding (name of fund) and account code number; FROM / TO	FROM ACCT  TO ACCT
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Amount budgeted for this item * (including transfers):	\$											
Source of funding (name of fund) and account code number; FROM / TO	FROM ACCT  TO ACCT											
PRIOR LEGISLATION	Prior ordinances and (date): _____ Prior resolutions and (date): _____											
CONTACT INFORMATION	RLA drafted by Randy Diehl, Administrator, Development Division, 881-4577											
REQUEST SUMMARY	Requesting a change of zoning from District AG (Agricultural) on 1.1 ± acres to District RS (Residential Suburban). The 1.1 acres are legally described as Lot 1, Shenandoah Glen, aka 11905 S. Brown Road, and specifically described on Attachment to RLA-1. Staff recommends approval because the change in zoning is consistent with the intent and purpose of the County Plan and complies with the Unified Development Code requirements. The Jackson County Plan Commission voted 8 to 0 to recommend <u>APPROVAL</u> to the County Legislature.											
CLEARANCE	<input type="checkbox"/> Tax Clearance Completed (Purchasing & Department) <input type="checkbox"/> Business License Verified (Purchasing & Department) <input type="checkbox"/> Chapter 6 Compliance - Affirmative Action/Prevailing Wage (County Auditor's Office)											
ATTACHMENTS	See Attachment to RLA-2											
REVIEW	Department Director: Brian D. Gaddie, P.E. Director of Public Works  Finance (Budget Approval): <i>If applicable</i> Division Manager:  County Counselor's Office:	Date: 3.21.17  Date:  Date: 3.24.17  Date:										

Fiscal Information (to be verified by Budget Office in Finance Department)

- This expenditure was included in the annual budget.
- Funds for this were encumbered from the \_\_\_\_\_ Fund in \_\_\_\_.
- There is a balance otherwise unencumbered to the credit of the appropriation to which the expenditure is chargeable and there is a cash balance otherwise unencumbered in the treasury to the credit of the fund from which payment is to be made each sufficient to provide for the obligation herein authorized.
- Funds sufficient for this expenditure will be/were appropriated by Ordinance #
- Funds sufficient for this appropriation are available from the source indicated below.

Account Number:	Account Title:	Amount Not to Exceed:

- This award is made on a need basis and does not obligate Jackson County to pay any specific amount. The availability of funds for specific purchases will, of necessity, be determined as each using agency places its order.
- This legislative action does not impact the County financially and does not require Finance/Budget approval.

**ATTACHMENT TO RLA-2:**

Attachments

Plan Commission Public Hearing Summary from March 16, 2017

Location Map

Staff Report

Affidavit of Publication in Independence Examiner

Names/Addresses of Surrounding Property Owners

Copy of letter to said property owners

Map showing current zoning district in area

County Code Chapter 240 – Unified Development Code

County Master Plan – “Strategy for the Future”

Application

Pictures of Property

Preliminary plat

**RZ-2017-546**

**ATTACHMENT TO RLA 1:**

**Description:** Lot 1, Shenandoah Glen, a subdivision in Jackson County, Missouri

**RE: RZ-2017-546**

**Randy Diehl gave the staff report:**

**Applicant:** Stanton & Robyn Gragg

**Location:** Lot 1, Shenandoah Glenn, Jackson County, Missouri  
aka 11905 S. Brown Road

**Area:** 1.01 ± acres

**Request:** Change of zoning from District AG (Agricultural) to District RS  
(Residential Suburban)

**Purpose:** Applicant is requesting the change in zoning in order to decrease the building setback requirements for future construction.

**Current Land Use and Zoning in the Area:**

The zoning in the area is Agricultural. The land use within the platted subdivision are single family residences. Shenandoah Glenn was platted in 1978 with a total of 30 lots. Lots 9 through 30 per acquired by the Missouri Conservation Commission and are now part of the Lone Jack Lake Conservation Area. Across Brown Road is Blue & Grey Park, maintained by Jackson County.

The Zoning Order (adopted in 1960) in place at the time did not requirement a change in zoning for platted lots. Therefore the zoning for Shenandoah Glenn is Agricultural. This lot is considered a legal nonconforming lot because the minimum lot size does not meet the requirements of the UDC. By rezoning the lot, the property will now conform to the appropriate zoning district under the UDC.

In 2003, Lot 5 of Shenandoah Glenn, was rezoned to District RS for the same purpose as this application.

The side yard setbacks will be reduced from 30 feet to 15 feet.  
The rear yard setback will be reduced from 50 to 20 feet.  
The front yard setback will remain 60 feet since this setback was established on the recorded plat.

**County Plan:**

The County Plan Development Diagram illustrates this area within the Rural Development Tier (RDT).

**Recommendation:**

This request for rezoning is consistent with the intent and purpose of the County Plan.

Staff recommends APPROVAL of RZ-2017-546

Respectfully submitted,

Jackson County Public Works  
Development Division  
Randy Diehl, Administrator

Mr. Antey: This is bringing a legal non-conforming lot into compliance with the standards.

Mr. Antey: *Are there any questions for Randy?*

Mr. Tarpley: What is the established front yard setback?

Mr. Diehl: 60 feet. The Agricultural Zoning District minimum front yard is 50 feet. Since this is a platted lot and the front yard setback was established at 60 feet, that setback remains at 60 feet.

Mr. Tarpley: Are they planning on building something?

Mr. Diehl: A future out building.

*Is the applicant here?*

Stanton Gragg, 11905 S. Brown Road

Mr. Antey: *Do you have anything to add to the report?*

Mr. Gragg: I plan on building a small workshop or barn. The existing setbacks were limiting space. My laterals and ground source heat pump occupy part of the back yard.

Mr. Tarpley: What size of a building?

Mr. Gragg: 24 by 32. The size of a double car garage.

Mr. Tarpley: Do any of your neighbors have a similar size building?

Mr. Gragg: The neighbor to the south and the one that was rezoned previously.

Mr. Tarpley: Where is the location of the building going to be?

Mr. Gragg: The Northeast corner of the property.

Mr. Antey: *Are there any other questions for the applicant?*

*There were none*

Mr. Antey: *Is there anyone else who is in favor of this application?*

*There were none*

Mr. Antey: *Is there anyone who is opposed or has questions regarding this application?*

*There were none*

Motion to take under advisement.

Mrs. Mershon moved to take under advisement. Mr. Haley seconded.

*Discussion under advisement*

Mr. Akins moved to approve. Mr. Tarpley seconded.

Mr. Tarpley	Approve
Mr. Gibler	Approve
Mr. Haley	Approve
Mr. Crawford	Approve
Mrs. Mershon	Approve
Mrs. Query	Approve
Mr. Akins	Approve
Chairman Antey	Approve

Motion Carried 8 – 0.

**STAFF REPORT****PLAN COMMISSION  
March 16, 2017****RE: RZ-2017-546****Applicant:** Stanton & Robyn Gragg**Location:** Lot 1, Shenandoah Glenn, Jackson County, Missouri  
aka 11905 S. Brown Road**Area:** 1.01 ± acres**Request:** Change of zoning from District AG (Agricultural) to District RS  
(Residential Suburban)**Purpose:** Applicant is requesting the change in zoning in order to decrease the  
building setback requirements for future construction.**Current Land Use and Zoning in the Area:**

The zoning in the area is Agricultural. The land use within the platted subdivision are single family residences. Shenandoah Glenn was platted in 1978 with a total of 30 lots. Lots 9 through 30 per acquired by the Missouri Conservation Commission and are now part of the Lone Jack Lake Conservation Area. Across Brown Road is Blue & Grey Park, maintained by Jackson County.

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**Recommendation:**

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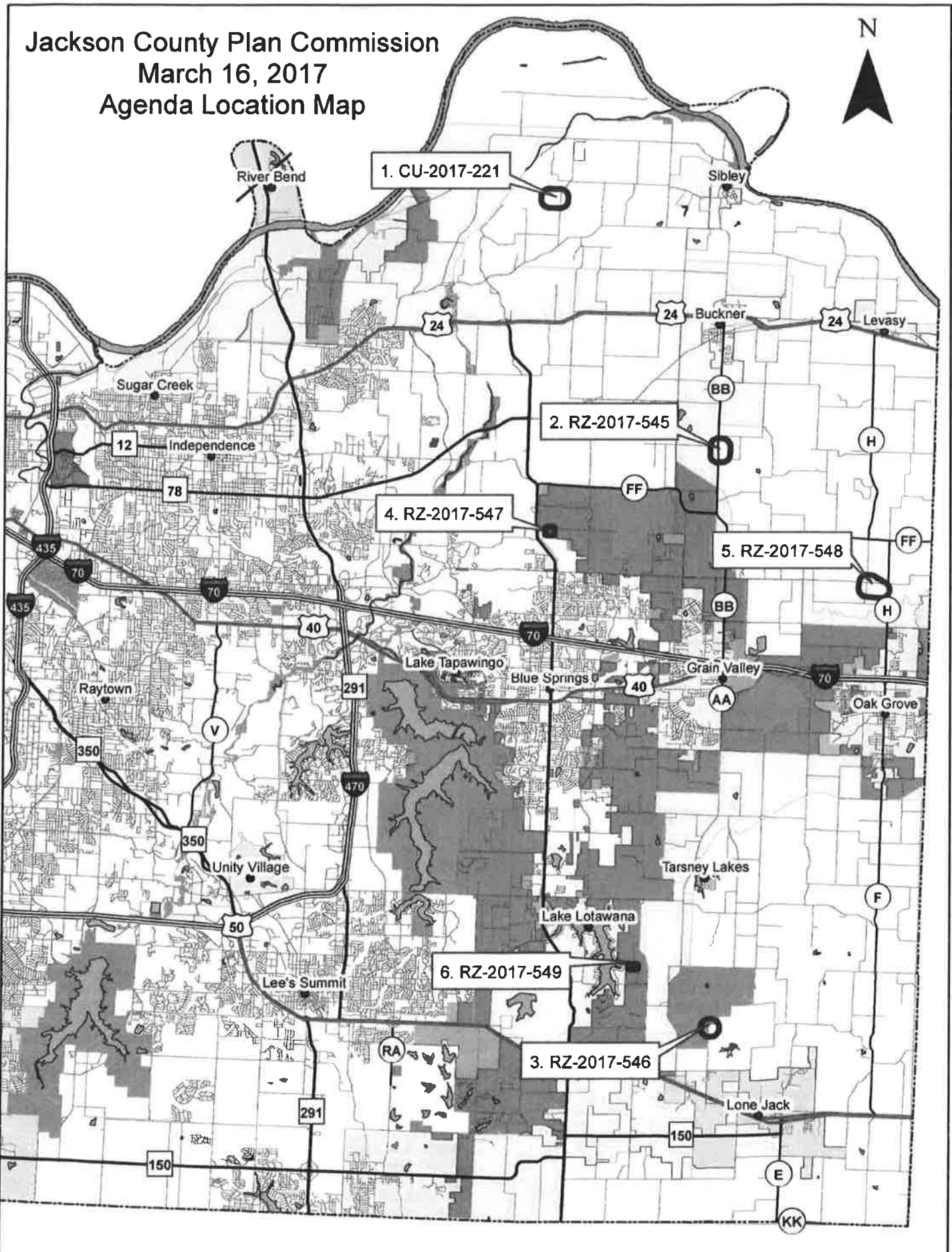


Staff recommends APPROVAL of RZ-2017-546

Respectfully submitted,

Jackson County Public Works  
Development Division  
Randy Diehl, Administrator

# Jackson County Plan Commission March 16, 2017 Agenda Location Map



1. CU-2017-221

2. RZ-2017-545

4. RZ-2017-547

5. RZ-2017-548

6. RZ-2017-549

3. RZ-2017-546

River Bend

Sibley

Sugar Creek

Independence

Buckner

Levasy

Raytown

Lake Tapawingo

Blue Springs

Grain Valley

Oak Grove

Unity Village

Tarsney Lakes

Lake Lotawana

Lee's Summit

Lone Jack

Plan Commission  
March 16, 2017  
RZ-2017-546

Applicants / Property Owners:

Stanton & Robyn Gragg  
11905 S Brown Road  
Lone Jack MO 64070

58-500-13-03

**Certified Mail – Return Receipt**  
**Property Owners within 1000 feet**

58-500-02-07  
BRICKEY WALTER  
11723 S BROWN RD  
LONE JACK MO 64070

58-500-02-17  
BROWN STEVEN T JR & JODY C  
11819 S BROWN RD  
LONE JACK MO 64070

58-500-13-08  
DOERHOFF DANIEL L & GLENDA C  
1520 BRIDLEWOOD LN  
LONE JACK MO 64070

58-500-13-06  
GRISWOLD DANNY G & VICKI K  
11915 S BROWN RD  
LONE JACK MO 64070

58-500-13-06  
GRISWOLD DANNY G & VICKI K  
11915 S BROWN RD  
LONE JACK MO 64070

58-500-13-16  
HARTWIG DONALD L & CAROL A  
12007 S BROWN RD  
LONE JACK MO 64070

58-500-13-04  
MARTIN JAMES S & OWENS SUSAN J  
11911 BROWN RD  
LONE JACK MO 64070

58-500-13-10  
MUELLER CRAIG A & ELIZABETH H  
12001 S BROWN RD  
LONE JACK MO 64070

58-500-01-05  
SITTER JOHN M & PAMELA J  
33201 E DRINKWATER RD  
LONE JACK MO 64070

CONSERVATION COMMISSION OF MO  
BOX 180  
JEFFERSON CITY MO 65102

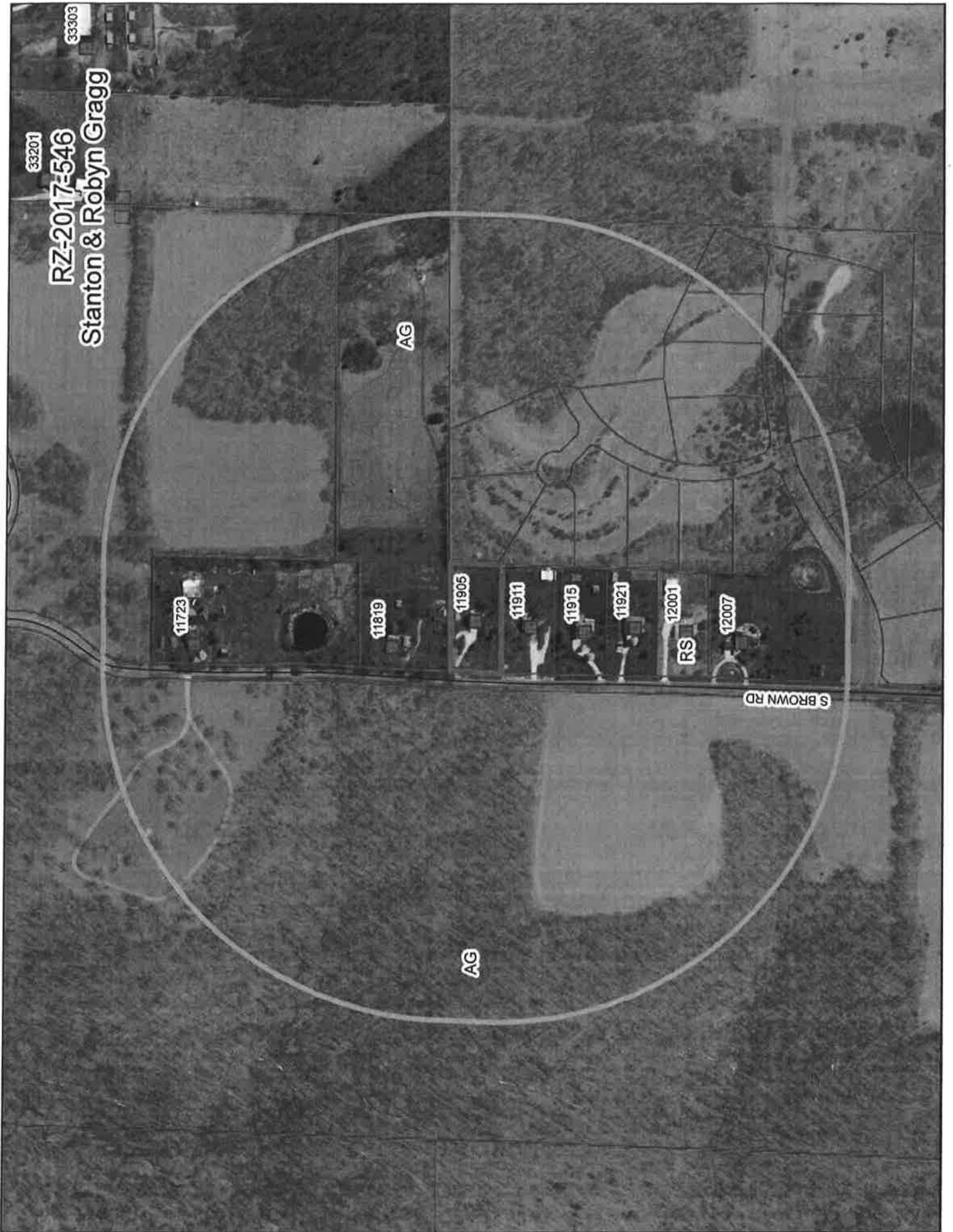
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58-500-23-03-00-0-00-000  
58-500-23-02-00-0-00-000  
58-500-13-13-00-0-00-000  
58-500-03-14-00-0-00-000

58-500-13-11-00-0-00-000  
58-500-03-11-00-0-00-000  
58-500-03-13-00-0-00-000  
58-500-03-12-00-0-00-000

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58-500-13-02-00-0-00-000  
58-500-13-01-00-0-00-000

58-500-03-09-01-0-00-000  
58-500-04-03-00-0-00-000



JACKSON COUNTY, MISSOURI  
APPLICATION FOR CHANGE OF ZONING

APPLICANT INFORMATION:

1. Application must be filed with the Jackson County Planning and Development Division, 303 W. Walnut, Independence, Missouri 64050 by the date on the Plan Commission Calendar.
2. Application must be typed or printed in a legible manner.
3. All applicable sections must be completed. If you need more space to provide information, please use separate 8 1/2"x11" paper, reference the application number and attach it to the application. Incomplete applications will not be accepted and will be returned to the applicant.
4. Attach application for subdivision approval, consistent with the requirements of UDC Section 24003.10, as may be required.
5. The filing fee (non-refundable) must accompany application.  
(Check payable to: Manager of Finance)  
\$350.00 – Change of Zoning to Residential  
\$500.00 – Change of Zoning to Commercial or Industrial

TO BE COMPLETED BY OFFICE PERSONNEL ONLY:

Rezoning Case Number RZ- 2017- 546  
 Date filed 1-20-17 Date of hearing 3-16-17  
 Date advertised 3-1-17 Date property owners notified 3-1-17  
 Date signs posted 3-1-17  
 Hearings: Heard by PC Date 3-16-17 Decision \_\_\_\_\_  
 Heard by LU Date \_\_\_\_\_ Decision \_\_\_\_\_  
 Heard by \_\_\_\_\_ Date \_\_\_\_\_ Decision \_\_\_\_\_

BEGIN APPLICATION HERE:

1. Data on Applicant(s) and Owner(s):
  - a. Applicant(s) Name: Stanton N. Gragg  
 Address: 11905 South Brown Road  
Lone Jack, MO 64070  
 Phone: (816) 697-4134
  - b. Owner(s) Name: same  
 Address: same  
 Phone: same
  - c. Agent(s) Name: n/a

Address: n/a

Phone: n/a

d. Applicant's interest in Property: owner

2. General location (Road Name) S. Brown Road, between  
Hammon and Lone Jack / Lee's Summit Road

3. Present Zoning AG Requested Zoning RS

4. AREA (sq. ft. / acres) 46,500 sq. ft. / 1.1 acres

5. Legal Description of Property: (Write Below or Attached 9 )

\_\_\_\_\_

6. Present Use of Property: Residential

7. Proposed Use of Property: Residential

8. Proposed Time Schedule for Development: 2017 - 2018

\_\_\_\_\_

9. What effect will your proposed development have on the surrounding properties?

none

10. Is any portion of the property within the established flood plain as shown on the FEMA Flood Boundary Map? no

If so, will any improvements be made to the property which will increase or decrease the elevation? \_\_\_\_\_

11. Describe the source/method which provides the following services, and what effect the development will have on same:

a. Water Jackson Co P.W.S.D. #15; existing on site

b. Sewage disposal private septic; existing on site

c. Electricity West Central Electric Coop; existing on site

d. Fire and Police protection Lone Jack Fire Dist. / Lone Jack Police / Jackson County Sheriff

12. Describe existing road width and condition: 18' asphalt

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13. What effect will proposed development have on existing road and traffic conditions? none

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14. Are any state, federal, or other public agencies approvals or permits required for the proposed development? No

---

If so, describe giving dates of application and status (include permit numbers and copies of same, if issued):

---

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Verification: I (We) hereby certify that all of the foregoing statements contained in any papers and/or plans submitted herewith are true to the best of my (our) knowledge and belief.

Signature \_\_\_\_\_ Date \_\_\_\_\_  
X Property Owner(s) Stanton N Gragg X 2/24/17  
Stanton N Gragg

Applicant(s): \_\_\_\_\_

Contract Purchaser(s): \_\_\_\_\_

STATE OF Missouri  
COUNTY OF Jackson

On this 24<sup>th</sup> day of February in the year of 2017, before me the undersigned notary public, personally appeared \_\_\_\_\_

known to me to be the person(s) whose names(s) is/are subscribed to the within instrument and acknowledged that he/she/they executed the same for the purposes therein contained.

In witness whereof, I hereunto set my hand and official seal.

Notary Public Amy Keister

Commission Expires 4/19/19



AMY KEISTER  
My Commission Expires  
April 15, 2019  
Jackson County  
Commission #15634850



RZ-2017-546  
Stanton & Robyn Gragg

AG

11905

11911

S BROWN RD

AG



# SHENANDOAH GLEN

## FIRST PLAT

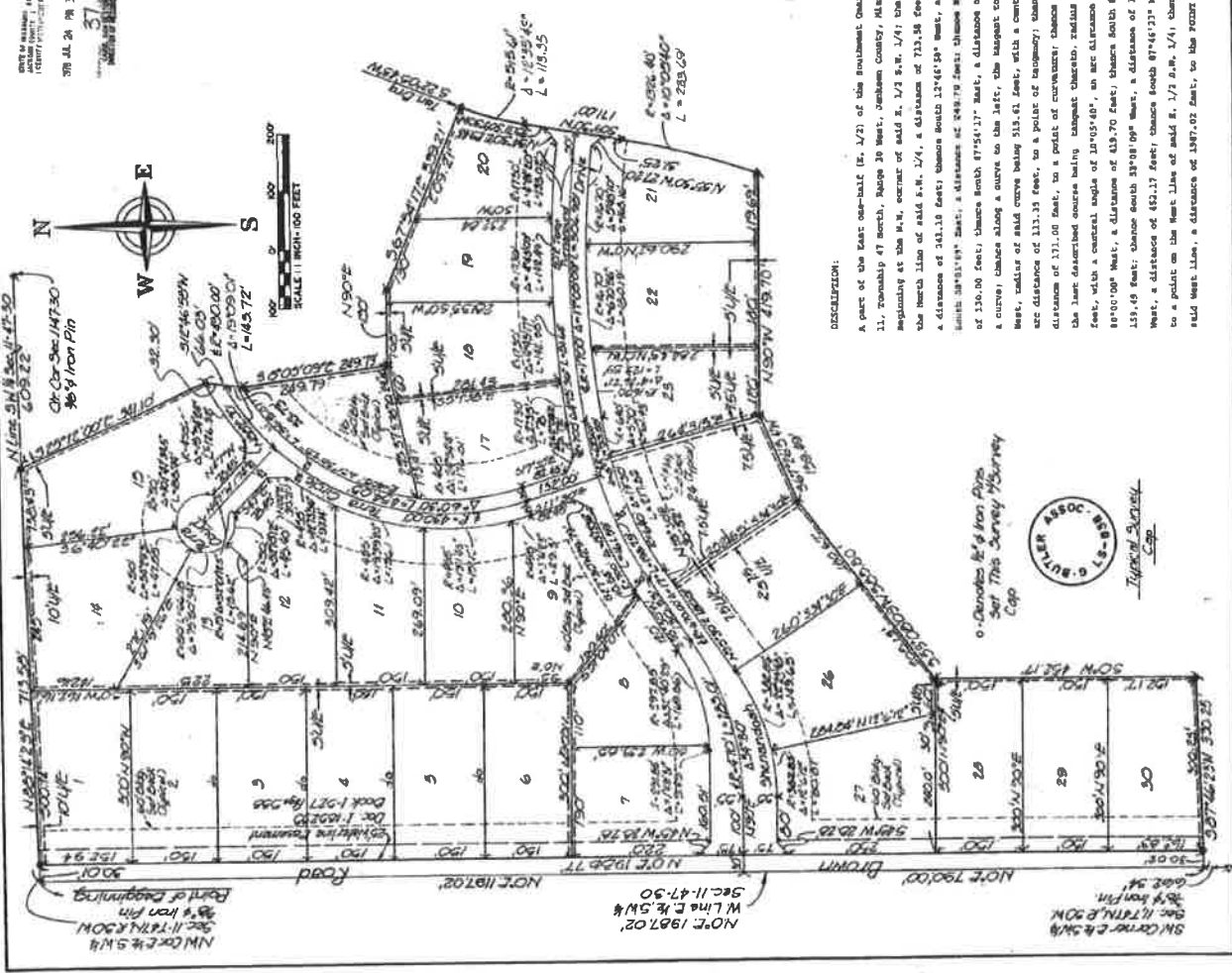
### JACKSON COUNTY, MISSOURI

51-27

305 40 28 658

DATE OF RECORD: 11  
JACKSON COUNTY, MISSOURI  
(CERTIFICATE RECORD)  
30 JUL 24 AM 3 08 3

1515-10  
50.00  
37.12



**DESCRIPTION:**  
 A part of the East one-half (E. 1/2) of the southeast quarter (S.W. 1/4) of Section 11, Township 10 North, Range 10 West, Jackson County, Missouri described as follows:  
 Beginning at the N.W. corner of said S. 1/2 S.W. 1/4; thence North 81°41'21" East, along the North line of said S.W. 1/4, a distance of 713.58 feet; thence South 25°12'07" East, a distance of 243.10 feet; thence South 12°46'24" West, a distance of 66.03 feet; thence South 10°02'19" East, a distance of 208.70 feet; thence North 81°09'39" East, a distance of 130.00 feet; thence South 87°05'17" West, a distance of 319.21 feet to a point on a curve along a curve to the left, the tangent to which bears South 27°05'43" West, radius of said curve being 513.61 feet, with a central angle of 12°15'43", an arc distance of 111.33 feet, to a point of tangency; thence South 09°30'09" West, a distance of 131.00 feet, to a point of curvature; thence along a curve to the right, the last described curve being tangent thereto, radius of said curve being 1316.40 feet, with a central angle of 18°05'46", an arc distance of 232.69 feet; thence North 10°00'00" East, a distance of 418.70 feet; thence South 87°41'54" West, a distance of 151.49 feet; thence South 10°00'00" West, a distance of 205.80 feet; thence South 09°00'00" West, a distance of 492.17 feet; thence South 87°46'31" West, a distance of 310.25 feet, to a point on the West line of said S. 1/2 S.W. 1/4; thence North 00°00'00" East, along said West line, a distance of 1387.02 feet, to the POINT OF BEGINNING.

The undersigned hereinafter of the above described tract have caused the same to be subdivided so that the same shall hereafter be known as

**"SHENANDOAH GLEN, FIRST PLAT"**

All other persons shown on this plat are heretofore admitted to public use and hereby so declared, an easement in license is hereby granted to Jackson County, Missouri, for location, construction and maintenance of conduits, water, gas, electric, telephone and other utility lines, and for the use of such lines, upon the lands shown on this plat and distinguished by the words "Utilities Easement", or "Utilities Easement", or "Utilities Easement".

In testimony whereof, George A. Sublette, Jr., Clerk of Jackson County, Missouri, has hereunto set his hand and the seal of said County at Jackson, Missouri, this 17th day of July, 1978.

*George A. Sublette, Jr.*  
 Clerk of Jackson County, Missouri

In testimony whereof, I have hereunto set my hand and seal of said County at Jackson, Missouri, this 17th day of July, 1978.

*James P. ...*  
 Clerk of Jackson County, Missouri

My Commission expires 28 JUL 28 1981

Approved by the Board of Supervisors and Justices of Jackson County, Missouri

*James P. ...*  
 Clerk of Jackson County, Missouri

Approved to Survey and Platting by the Missouri State Surveying Board, Jackson County, Missouri

*James P. ...*  
 Clerk of Jackson County, Missouri

Approved and Platting by the Missouri State Surveying Board, Jackson County, Missouri

*James P. ...*  
 Clerk of Jackson County, Missouri