

RZ-2024-682

ATTACHMENT 1: PROPERTY DESCRIPTION

Description:

That part of the Northwest Quarter of the Southwest Quarter of Section 7, Township 49, Range 30, Jackson County, Missouri, described as follows: Commencing at the Northeast Corner of said Northwest Quarter Southwest Quarter; thence North 86 degrees 25 minutes 47 seconds West, 579.62 feet to the Point of Beginning; thence S 01 degrees 44 minutes 57 seconds West 561.14 feet; thence South 88 degrees 15 minutes 03 seconds West, 447.21 feet; thence North 01 degrees 05 minutes 47 seconds West, 281.78 feet; thence North 26 degrees 49 minutes 12 seconds West, 310 feet more or less to the North line of said Northwest Quarter Southwest Quarter; thence North 86 degrees 25 minutes 47 seconds West, along said North line of said Northwest Quarter Southwest Quarter, 300 feet more or less, to the Point of Beginning.
Except part in road.

RZ-2024-682

ATTACHMENT 2: ZONING SUPPORT DOCUMENTATION

Attachments

Plan Commission Public Hearing Summary from July 18, 2024

Staff Report

Zoning map of surrounding area

Names and addresses of surrounding property owners

Letter to surrounding property owners

Application

Aerial of location

Copy of plat

Randy Diehl gave the staff report:

RE: RZ-2024-682

Applicant: Samantha & Levi Irwin

Location: 26109 E. Flynn Road

Area: 5.00 ± acres

Request: Change of zoning from District AG (Agricultural) to District RE (Residential Estates)

Purpose: The purpose is to create a single-family residential lot.

Current Land Use and Zoning in the Area:

The zoning in the area is Agricultural and Residential.

Land use is single family residences.

Property sizes range from 3.00 acres to larger tracts.

The applicant wishes to place the existing dwelling on a 5.00-acre lot. The remaining 12.48 acres will remain within District AG, since it is over 10.00 acres in size.

County Plan:

The County Plan Development Diagram illustrates this area within the Urban Development Tier (UDT).

Recommendation:

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

Staff recommends APPROVAL of RZ-2024-682.

Respectfully submitted,

Jackson County Public Works
Development Division
Randy Diehl, Administrator

Mr. Antey: Are there any questions for Randy?

Mr. Monaco: So, there's nothing on the lot today?

Mr. Diehl: The 5.00 acres will contain the existing house. The 12.00 acres tract will become buildable.

Discussion ensued regarding the location of the any future improvements on the 12.00 tract.

Mr. Lake: How wide is the back tract's access?

Mr. Diehl: At the road it's over 200 feet.

Mr. Antey: Is the applicant here?

Samantha Irwin: 26109 E. Flynn Road.

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

Ms. Irwin: No, I don't.

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.

Mr. Crawford moved to take under advisement. Mr. Lake seconded.

Discussion under advisement

Mr. Crawford moved to approve. Mr. Lake seconded.

Mr. Lake	Approve
Mr. Farrar	Approve
Me. Smead	Approve
Mr. Monaco	Approve
Mr. Horn	Approve
Mr. Crawford	Approve
Ms. Ryerkerk	Approve
Chairman Antey	Approve

Motion Carried 8 – 0

STAFF REPORT

PLAN COMMISSION

July 18, 2024

RE: RZ-2024-682

Applicant: Samantha & Levi Irwin

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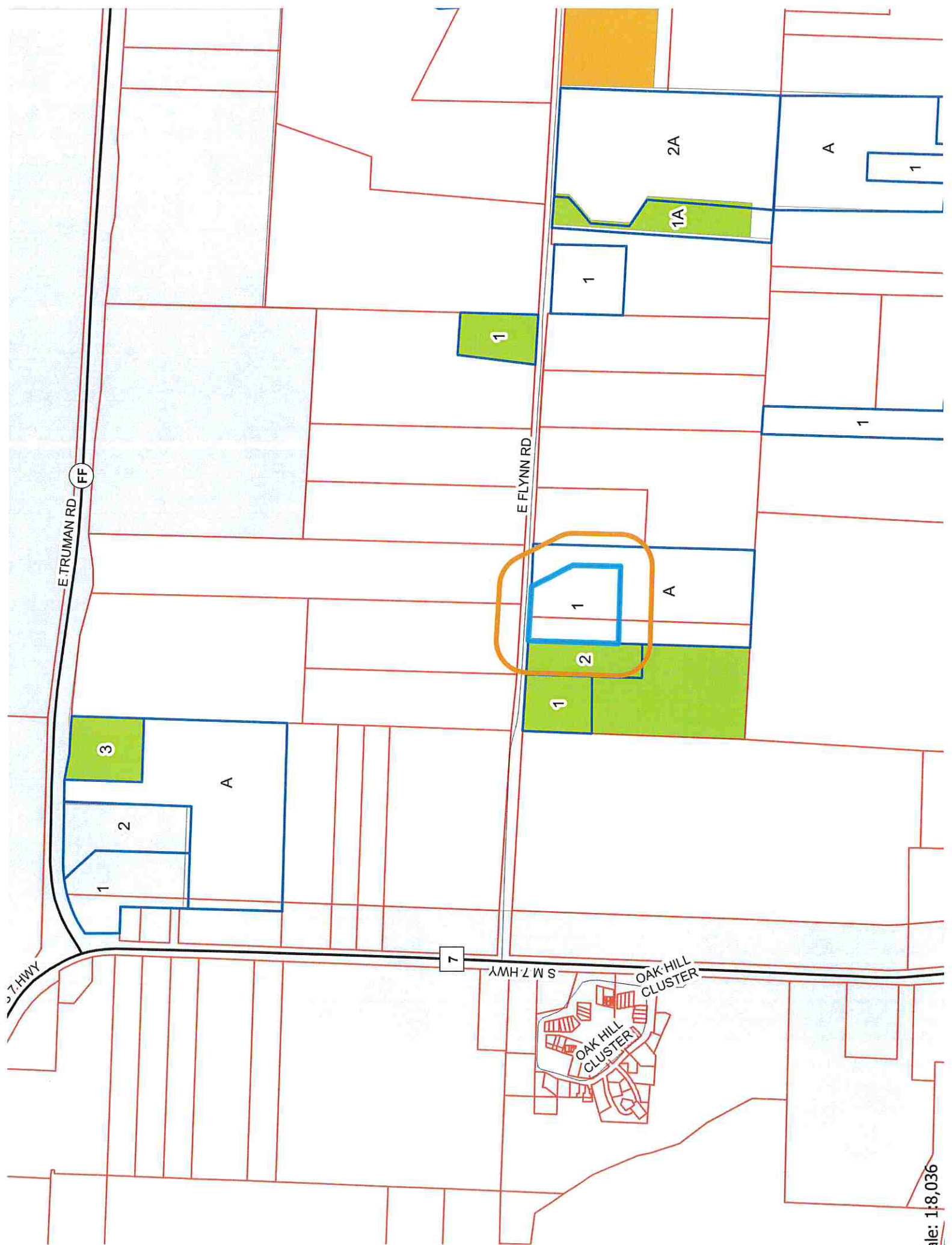
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Jackson County Public Works
Development Division
Randy Diehl, Administrator



RZ-2024-682

Property Owners Within 185 feet

parcel	owner	address	city	state	zip
23-400-02-10-00-0-00-000	RIECHMANN DONALD E & JOY L	26006 E FLYNN RD	INDEPENDENCE	MO	64057
23-400-03-09-01-0-00-000	PORTER BRENDA ELAINE-TRUSTEE	11262 GARNETT ST	OVERLAND PARK	KS	66210
23-400-03-02-02-0-00-000	BROGGI WILLIAM E JR & VICKIE L	26403 E FLYNN RD	INDEPENDENCE	MO	64057
23-400-02-12-00-0-00-000	RIECHMANN DONALD E & JOY L	26006 E FLYNN RD	INDEPENDENCE	MO	64057
23-400-03-14-00-0-00-000	GIESEKE LINDA J	26103 E FLYNN R	INDEPENDENCE	MO	64057
23-400-03-03-01-0-00-000	IRWIN SAMANTHA KAYE & LEVI ERIC	26109 E FLYNN RD	INDEPENDENCE	MO	64057
23-400-03-02-01-0-00-000	IRWIN SAMANTHA KAYE & LEVI ERIC	26109 E FLYNN RD	INDEPENDENCE	MO	64057



JACKSON COUNTY Public Works Department

Jackson County Technology Center
303 West Walnut Street
Independence, Missouri 64050
jacksongov.org

(816) 881-4530
Fax: (816) 881-4448

July 3, 2024

RE: Public Hearing: RZ-2024-682
Samantha & Levi Irwin

Dear Property Owner:

You are hereby invited to participate in a public hearing to be held by the Jackson County Plan Commission on a request by Samantha & Levi Irwin for a change of zoning from District AG (Agricultural) on 5.00 ± acres to District RE (Residential Estates). The purpose is to create a single-family residential lot at 26109 E. Flynn Road.

Please note that this request for a change of zoning affects only the property mentioned above. Adjacent properties will not be affected by the change of zoning. Taxes are based on the land use of a property not the zoning.

You are being notified pursuant to 24003.5 Chapter 240 (Unified Development Code) of the Jackson County Code, as being an adjacent property within 185' of the subject property.

The public hearing on this matter will be held by the Plan Commission on Thursday, July 18, 2024, at 8:30 a.m. in the Large Conference Room, 2nd Floor, Historic Truman Courthouse, 112 W. Lexington, Independence, MO.

If you know of any interested party who may not have received a copy of this letter, it would be appreciated if you would inform them of the time and place of the hearing.

If you have any questions concerning this matter, please contact the Development Division at 881-4577.

Sincerely,

A handwritten signature in blue ink, appearing to read "Randy Diehl".

Jackson County Public Works
Development Division
Randy Diehl, Administrator

**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- 2024-682

Date filed _____ Date of hearing _____

Date advertised _____ Date property owners notified _____

Date signs posted _____

Hearings: Heard by _____ Date _____ Decision _____

 Heard by _____ Date _____ Decision _____

 Heard by _____ Date _____ Decision _____

BEGIN APPLICATION HERE:

1. **Data on Applicant(s) and Owner(s):**
 - a. Applicant(s) Name: Samantha and Levi Irwin
Address: 26109 E Flynn Rd
Independence Mo 64057
Phone: 816-585-6107
 - b. Owner(s) Name: Samantha and Levi Irwin
Address: 26109 E Flynn Rd, Indep. Mo 64057
Phone: 816-585-6107
 - c. Agent(s) Name: _____

SKINES87 @ GMAIL. COM

Address: _____

Phone: _____

d. Applicant's interest in Property: _____

2. General location (Road Name) 26109 E. FLYNN RD.

3. Present Zoning AG Requested Zoning ~~RE~~ RE

4. AREA (sq. ft. / acres) ~~16.7 ACRES~~ 5.00

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

SEE ATTACHED

6. Present Use of Property: RESIDENTIAL

7. Proposed Use of Property: RESIDENTIAL

8. Proposed Time Schedule for Development: LAND DIVISION - 2 TO 3 MONTHS

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

ADDITION OF ONE RESIDENTIAL LOT

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 Public water district unchanged

b. Sewage disposal Septic unchanged

c. Electricity Evergy unchanged

d. Fire and Police protection Jackson county unchange

12. Describe existing road width and condition: ~~as~~ Blacktop 24ft wide

13. What effect will proposed development have on existing road and traffic conditions? ADDITION OF ONE RESIDENTIAL LOT

14. Are any state, federal, or other public agencies approvals or permits required for the proposed development? NO, ONLY JACKSON COUNTY

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

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

Property Owner(s)

Justin
Steele

6-7-24
6-7-24

Applicant(s):

Justin
Steele

6-7-24
6-7-24

Contract Purchaser(s):

NA

NA

STATE OF

Missouri

COUNTY OF

Jackson

On this 07th day of June, in the year of 2024, before me the undersigned notary public, personally appeared Bamatha Swain and Kevi Swain only

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.

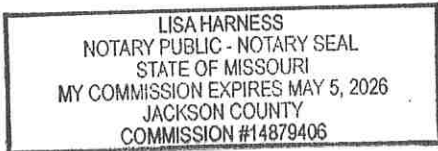
In witness whereof, I hereunto set my hand and official seal.

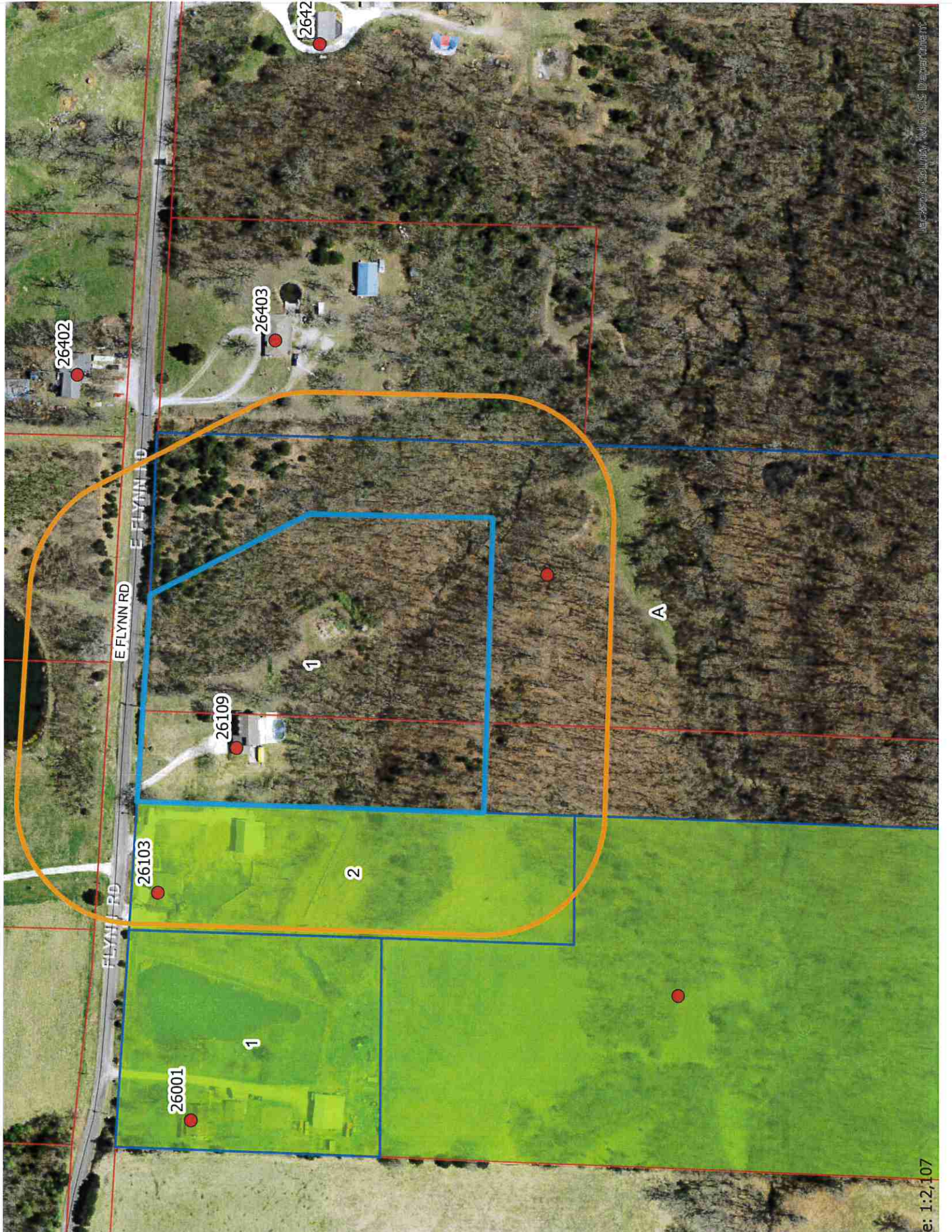
Notary Public

Lisa Harness

Commission Expires

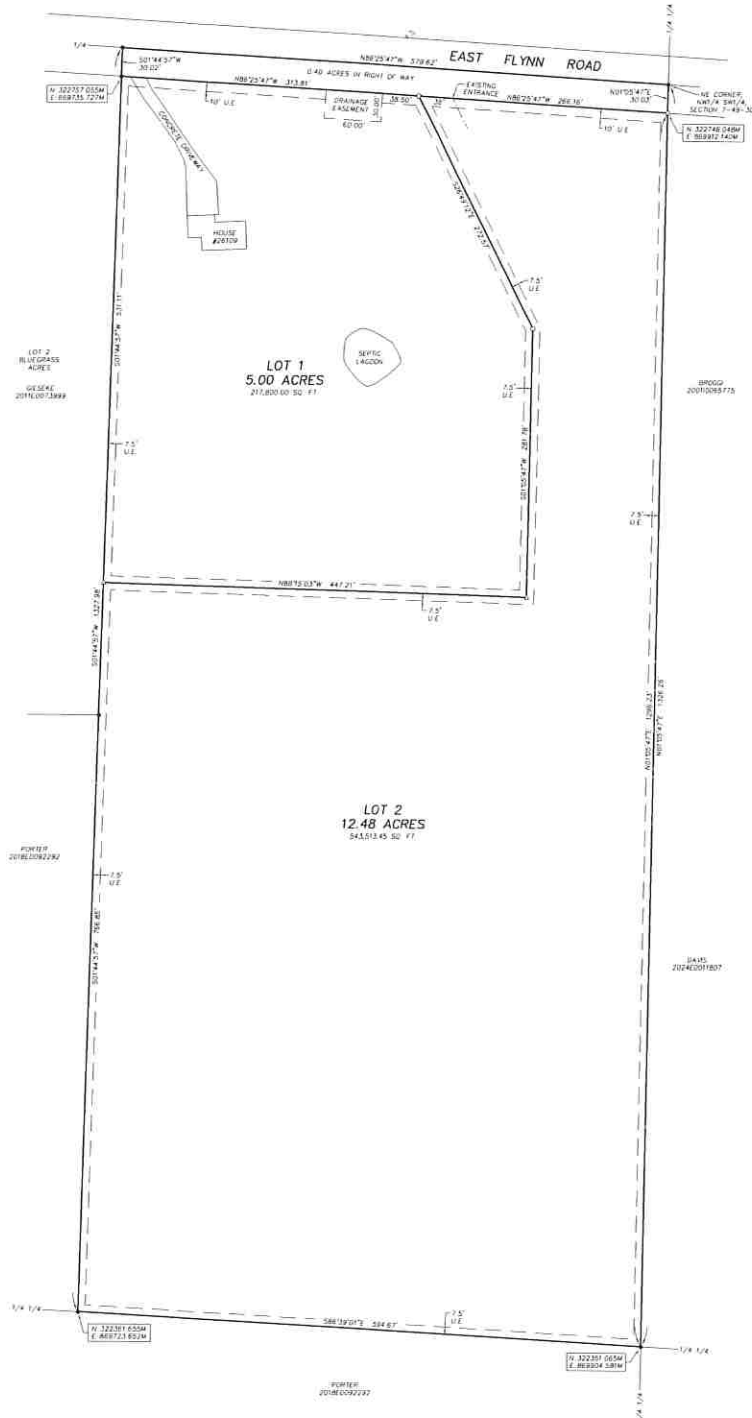
05-05-2026





IRWIN ACRES

PRELIMINARY PLAT
IN THE NW1/4 SW1/4 SECTION 7, T49N, R30W,
JACKSON COUNTY, MISSOURI



DESCRIPTION

THAT PART OF THE NW1/4 OF THE SW1/4 OF SECTION 7, TOWNSHIP 49 NORTH OF THE BASE LINE RANGE 30 WEST OF THE FIFTH PRINCIPAL MERIDIAN, JACKSON COUNTY, MISSOURI, BEING DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF SAID NW1/4 SW1/4, THENCE N60°24'47\"

EASEMENTS

AN EASEMENT OF LICENSE IS HEREBY GRANTED TO JACKSON COUNTY, MISSOURI, TO LOCATE, CONSTRUCT AND MAINTAIN OR AUTHORIZE LOCATION, CONSTRUCTION, MAINTENANCE AND USE OF POLES, WIRES, CABLES AND/OR STRUCTURES FOR WATER, GAS, SANITARY SEWER, TELEPHONE, ELECTRICITY, TELEVISION, CABLE TV, OR ANY OTHER PUBLIC SERVICE OR UTILITY, ANY OF ALL OF THEM UPON, OVER OR UNDER THOSE AREAS OUTLINED AND DESIGNATED UPON THIS PLAT AS UTILITY EASEMENT (U.E.).

STREETS AND ROWS

STREETS, ROWS AND THROUGHWAYS SHOWN ON THIS PLAT AND NOT HERETOFORE DEDICATED FOR PUBLIC USE ARE HEREBY SO DEDICATED.

DECLARATION

THE UNDERSIGNED PROPRIETORS OF THE ABOVE DESCRIBED TRACT HAVE CAUSED THE SAME TO BE SUBDIVIDED IN THE MANNER SHOWN HEREON, WHICH SUBDIVISION SHALL BE KNOWN AS IRWIN ACRES.

IN TESTIMONY WHEREOF, SAMANTHA KATE IRWIN AND LEVI ERIC IRWIN HAVE SUBSCRIBED THEIR NAMES
THIS _____ DAY OF _____, 2024.

SAMANTHA KATE IRWIN LEVI ERIC IRWIN
STATE OF MISSOURI)
COUNTY OF JACKSON)

BE IT REMEMBERED THAT ON THIS _____ DAY OF _____, 2024
BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED SAMANTHA KATE IRWIN AND LEVI ERIC IRWIN, KNOWN TO ME TO BE THE PERSONS WHO EXECUTED THE FOREGOING INSTRUMENT AND SO ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME FOR THE PURPOSES HEREIN STATED IN TESTIMONY WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY NOTARIAL SEAL, THE DAY AND YEAR ABOVE WRITTEN.

MY COMMISSION EXPIRES _____ NOTARY PUBLIC

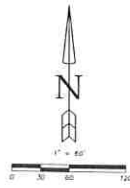
BY: PUBLIC WORKS DEPARTMENT DATE _____

BY: JACKSON COUNTY ASSESSOR DATE _____

LOCATION MAP



T49N, R30W



- = FOUND 1/2\"
- = SET 1/2\"
- ▲ = FOUND 3/8\"
- △ = SET 3/8\"

1. BEARINGS SHOWN HEREON ARE TRUE BEARINGS BASED ON THE MISSOURI COORDINATE SYSTEM OF 1983, WEST ZONE, AS DEVELOPED FROM GPS OBSERVATIONS.
2. ALL CORNER DEED INFORMATION FOR THE SURVEYED TRACT CAN BE FOUND IN INSTRUMENT NUMBER 2007008377.
3. ALL CURVED BOUNDARIES OR ANCHOR POINT SEARCH HAS BEEN MADE BY THIS SURVEYOR FOR EASEMENTS OF RECORD, ENCUMBRANCES, RESTRICTIVE COVENANTS, UNLAWFUL USE, EVIDENCE, OR ANY OTHER FACTS THAT MAY ACCURATELY AND CORRECTLY REFLECT WHICH MAY OCCUR.
4. THIS SURVEY MEETS OR EXCEEDS THE ACCURACY STANDARDS OF A RURAL CLASS SURVEY AS SET FORTH BY THE MISSOURI STANDARDS FOR PROPERTY BOUNDARY SURVEYS (2013 CSR 200.0-10.040).
5. THE LOCATION AND/OR EXISTENCE OF UTILITY SERVICE LINES TO THE SUBJECT PROPERTY, ANY UNKNOWN AGE, ARE NOT SHOWN.
6. THE WORDS "EXISTING" OR "SURVIVING" AS SHOWN AND USED HEREON MEANS AN EXPRESSION OF PROFESSIONAL OPINION REGARDING THE FACTS OF THE SURVEY AND DOES NOT CONSTITUTE A WARRANTY OR GUARANTEE, EXPRESS OR IMPLIED.
7. THIS INSTRUMENT IS MADE TO THE PARTIES NAMED HEREON AND IS NOT TRANSFERABLE TO PERSONS NOT MENTIONED OR SUBSEQUENT OWNERS.

I HEREBY CERTIFY THAT THIS SURVEY WAS PREPARED BY ME OR UNDER MY DIRECT PERSONAL SUPERVISION, AND THAT I AM A DULY REGISTERED PROFESSIONAL LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MISSOURI, AND THAT THIS SURVEY WAS PERFORMED IN ACCORDANCE WITH THE REQUIREMENTS OF THE CURRENT MISSOURI STANDARDS FOR PROPERTY BOUNDARY SURVEYS (2013 CSR 200.0-10.040) AS ADOPTED BY THE MISSOURI BOARD FOR ARCHITECTS, PROFESSIONAL ENGINEERS, PROFESSIONAL LAND SURVEYORS AND PROFESSIONAL LANDSCAPE ARCHITECTS IF THIS DOCUMENT DOES NOT HAVE AN EMBOSSED SEAL AND A STAMP IN RED INK, IT SHOULD BE ASSUMED TO CONTAIN UNAUTHORIZED ALTERATIONS.

Sisco Land Surveying, LLC
PO BOX 84
LEXINGTON, MO 64027
PHONE: (800) 759-2800
sisco@mlsurying.com
MISSOURI STATE CERTIFICATE
OF AUTHORITY #2013000033

THOMAS G SISCO
MO P.L.S. 2003013180

SURVEY FOR: SAMANTHA & LEVI IRWIN
26109 E FLYNN ROAD
INDEPENDENCE, MO 64027
DATE: MAY 14, 2024

PROD. #. SLS-24-65