

IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

AN ORDINANCE amending the zoning districts established pursuant to the Unified Development Code by changing a certain 21 ± acres tract from District A (Agricultural) to District RR (Residential Ranchette).

ORDINANCE #4380, January 3, 2012

BE IT ORDAINED by the County Legislature of Jackson County, Missouri as follows:

Section 1. The Zoning Order of Jackson County, Missouri, and the official maps which are a part thereof, are amended by changing the boundaries of the "A" (Agricultural) District and the "RR" (Residential Ranchette) District, so that there will be transferred from District A to District RR, two tracts of land described as follows:

Description:

Tract I - A part of the Southwest Quarter of the Southwest Quarter of Section 29, Township 48, Range 29, in Jackson County, Missouri being herein described as beginning at the point 979.18 feet East of the Southwest corner of said Quarter Quarter; said point being on the South line of said Quarter Quarter; thence North 89 degrees 43 minutes 29 seconds East a distance of 343.00 feet to the Southeast corner of said Quarter Quarter; thence North 0 degrees 26 minutes 54 seconds West a distance of 1325.72 feet (measured) to the Northeast corner of said Quarter Quarter; thence South 89 degrees 39 minutes 43 seconds West along the North line of said Quarter Quarter a distance of 580.00 feet; thence South 0 degrees 26 minutes 54 seconds East a distance of 136.00 feet; thence North 88 degrees 22 minutes 34 seconds East a distance of 237.05 feet; thence South 0 degrees 26 minutes 54 seconds East a distance of 1194.66 feet to the point of beginning, subject to that part in road.

Tract II – A part of the Southwest Quarter of the Southwest Quarter of Section 29, Township 48, Range 29, in Jackson County, Missouri being herein described as beginning at the point 602.28 feet (deed) 609.18 feet (measured) East of the Southwest corner of said Quarter Quarter; said point being on the South line of said Quarter Quarter; thence (North 0 degrees 22 minutes 40 seconds West – deed) North 0 degrees 26 minutes 54 seconds West (measured) for a distance of

(1324.15 – deed) 1324.94 (measured) to the North line of said Quarter Quarter; thence North 89 degrees 39 minutes 43 seconds East a distance of 133.00 feet; thence South 0 degrees 26 minutes 54 seconds East a distance of 136.00; thence North 88 degrees 22 minutes 34 seconds East 237.05 feet; thence South 0 degrees 26 minutes 54 seconds East a distance of 1194.66 feet to the South line of said Quarter Quarter; thence South 89 degrees 43 minutes 29 seconds West a distance of 370.00 feet to the point of beginning.

Section 2. The Legislature, pursuant to the application of Dreamridge Partners, LLC (RZ-2011-479), requesting the amendment embodied in this Ordinance and with notice that the Jackson County Plan Commission voted 9 to 0 to recommend APPROVAL of this application after a public hearing on November 17, 2011, does adopt this Ordinance pursuant to the Jackson County Charter authorizing the Legislature to exercise legislative power pertaining to planning and zoning.

Effective Date: This Ordinance shall be effective immediately upon its signature by the County Executive.

APPROVED AS TO FORM:


Chief Deputy County Counselor


County Counselor

I hereby certify that the attached Ordinance, Ordinance #4380 introduced on January 3, 2012, was duly passed on January 30, 2012 by the Jackson County Legislature. The votes thereon were as follows:

Yeas 9

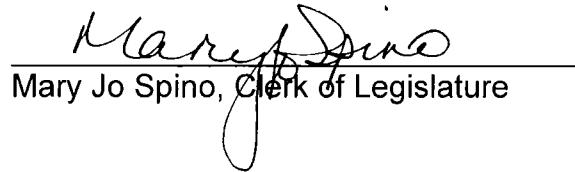
Nays 0

Abstaining 0

Absent 0

This Ordinance is hereby transmitted to the County Executive for his signature.

1/30/12
Date


Mary Jo Spino, Clerk of Legislature

I hereby approve the attached Ordinance #4380.

1/31/2012
Date


Michael D. Sanders, County Executive

REQUEST FOR LEGISLATIVE ACTION

Completed by County Counselor's Office:

~~Res~~/Ord No.: 4380

Sponsor(s): None

Date: January 3, 2012

SUBJECT	Action Requested <input type="checkbox"/> Resolution <input checked="" type="checkbox"/> Ordinance Project/Title: <u>Rezoning (Dreamridge Partners, LLC, Case No. RZ-2011-479)</u>											
BUDGET INFORMATION <i>To be completed By Requesting Department and Finance</i>	<table border="1" data-bbox="324 493 1201 808"> <tr> <td>Amount authorized by this legislation this fiscal year:</td> <td>\$</td> </tr> <tr> <td>Amount previously authorized this fiscal year:</td> <td>\$</td> </tr> <tr> <td>Total amount authorized after this legislative action:</td> <td>\$</td> </tr> <tr> <td>Amount budgeted for this item * (including transfers):</td> <td>\$</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
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											
PRIOR LEGISLATION	Prior ordinances and (date): _____ Prior resolutions and (date): _____											
CONTACT INFORMATION	RLA drafted by Randy Diehl, Planning and Zoning Coordinator, 881-4577											
REQUEST SUMMARY	Requesting an ordinance amending the zoning districts established by the Unified Development Code rezoning a certain 21 ± acres from District A (Agricultural) to District RR (Residential Ranchette). The proposed change is to subdivide the 21 acres into a three lot subdivision. Description: The 21 ± acres are located on the south side of Standfast Road, south of Colbern 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 9 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	<table border="1" data-bbox="316 1692 1518 1934"> <tr> <td>Department Director: Jerry A. Page, P.E.</td> <td>Date: 12/01/2011</td> </tr> <tr> <td>Finance (Budget Approval): <i>If applicable</i></td> <td>Date:</td> </tr> <tr> <td>Division Manager:</td> <td>Date: 12/29/11</td> </tr> <tr> <td>County Counselor's Office:</td> <td>Date:</td> </tr> </table>		Department Director: Jerry A. Page, P.E.	Date: 12/01/2011	Finance (Budget Approval): <i>If applicable</i>	Date:	Division Manager:	Date: 12/29/11	County Counselor's Office:	Date:		
Department Director: Jerry A. Page, P.E.	Date: 12/01/2011											
Finance (Budget Approval): <i>If applicable</i>	Date:											
Division Manager:	Date: 12/29/11											
County Counselor's Office:	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 1:

RZ-2011-479

LEGAL DESCRIPTION:

Tract I

A part of the Southwest Quarter of the Southwest Quarter of Section 29, Township 48, Range 29, in Jackson County, Missouri being herein described as beginning at the point 979.18 feet East of the Southwest corner of said Quarter Quarter; said point being on the South line of said Quarter Quarter; thence North 89 degrees 43 minutes 29 seconds East a distance of 343.00 feet to the Southeast corner of said Quarter Quarter; thence North 0 degrees 26 minutes 54 seconds West a distance of 1325.72 feet (measured) to the Northeast corner of said Quarter Quarter; thence South 89 degrees 39 minutes 43 seconds West along the North line of said Quarter Quarter a distance of 580.00 feet; thence South 0 degrees 26 minutes 54 seconds East a distance of 136.00 feet; thence North 88 degrees 22 minutes 34 seconds East a distance of 237.05 feet; thence South 0 degrees 26 minutes 54 seconds East a distance of 1194.66 feet to the point of beginning, subject to that part in road.

Tract II

A part of the Southwest Quarter of the Southwest Quarter of Section 29, Township 48, Range 29, in Jackson County, Missouri being herein described as beginning at the point 602.28 feet (deed) 609.18 feet (measured) East of the Southwest corner of said Quarter Quarter; said point being on the South line of said Quarter Quarter; thence (North 0 degrees 22 minutes 40 seconds West – deed) North 0 degrees 26 minutes 54 seconds West (measured) for a distance of (1324.15 – deed) 1324.94 (measured) to the North line of said Quarter Quarter; thence North 89 degrees 39 minutes 43 seconds East a distance of 133.00 feet; thence South 0 degrees 26 minutes 54 seconds East a distance of 136.00; thence North 88 degrees 22 minutes 34 seconds East 237.05 feet; thence South 0 degrees 26 minutes 54 seconds East a distance of 1194.66 feet to the South line of said Quarter Quarter; thence South 89 degrees 43 minutes 29 seconds West a distance of 370.00 feet to the point of beginning.

ATTACHMENT TO RLA-2:

Attachments

Plan Commission Public Hearing Summary from November 17, 2011

Staff report

Names/Addresses of surrounding property owners

Map showing current zoning districts in area

Application

Warranty Deed dated December 7, 2001

Preliminary Plat of "DreamRidge"

BZA order for VS-2011-094

6. RZ-2011-479– Dreamridge Partners, LLP

Requesting a change of zoning from District A (Agricultural) on 21 ± acres to District RR (Residential Ranchette) The 21 ± acres are located south of Colbern Road on the south side of Standfast Road in Section 29, Township 48, Range 29, Jackson County, Missouri aka 37405 E. Standfast Road.

Mr. George introduced RZ-2011-479 and entered 11 exhibits into the record. Mr. George gave the staff report with comments and recommendation as follows: the property is located south of Colbern Road on the south side of Standfast Road and is 21 ± acres in size. The request is for a change of zoning from District A (Agricultural) to District RR (Residential Ranchette and the purpose is to divide the 21 ± acres into a three lot subdivision and construct three houses for family members.

To the north, zoning is Agricultural, large acreage tracts containing single family homes. To the south, zoning is Agricultural, large acreage tracts. To the west, zoning is Agricultural, large tracts containing single family homes. To the east, zoning is Agricultural, large acreage tracts, also a Residential Ranchette Zoning District. Along Munro Road there are smaller acreage tracts with single family homes.

The property owners met with staff in early September on dividing the 21 acres into a three lot subdivision. Their concern was that this area was within the Rural Development Tier as designated by the Comprehensive Plan of Jackson County. The minimum lot size required by the Unified Development Code in the RDT is 5 acres, with a minimum frontage of 250' per lot. The proposed subdivision plat of Dreamridge shows that both Lots 1 and 2 meet the requirements for frontage and lot size. Lot 3 meets the 5 acres minimum lot size, however falls short of the required 250' minimum for frontage. One of the concerns staff had with the diminished lot width was the ability to locate an on-site waste water system within the proposed lot. A preliminary review performed by staff of the plat prior to the formal application showed that the lot will not be able to support a polishing pond system due to slow to unacceptable permeability as well as the possibility of shallow bedrock. Prior to preliminary approval, soil testing would need to be necessary. The applicant did provide staff with these test results at the time of application. As part of the platting process, a 15,000 square foot dedicated disposal area will be shown on the plat for the waste-water system.

On September 6, 2011, the applicant applied for a variance to the minimum lot width requirement. A public hearing was held on October 5, 2011. The Jackson County Board of Zoning Adjustment granted a variance of up to 85' (VS-2011-094). The County Plan Development Diagram illustrates this area within the Rural Development Tier. The Residential Ranchette Zoning District is appropriate in the Rural Development Tier. This request for rezoning is consistent with the intent and purpose of the County Plan. Staff recommends approval of RZ-2011-479.

Mr. Tarpley wanted to know if perc tests had been done on the adjacent lots.

Mr. George said he would need to check with staff but because of the usual thoroughness of staff, he would assume tests had been done.

Mr. Tarpley wanted to know why the property wasn't divided into three 7-acre lots.

Mr. George said that was a question for the applicant.

Mrs. Mershon wanted to know if there were any other smaller lots in the area.

Mr. George said all three lots met the acreage requirement for the area, just one lot did not meet frontage requirements.

Mr. Tarpley asked what minimum frontage was.

Mr. George said 250 feet was the required frontage and lot 3 had only 165 feet of road frontage. He said a variance of 85 feet had been granted by the Board of Zoning Adjustment.

Mrs. Mershon wanted to know if there were homes on the lots now.

Mr. George said there was only one house on the property now.

Mr. Jenkins said the current house was only 30 feet from the section line so if any right-of-way was required in the future, it would all be taken from the north of the section line instead of from both sides of the line.

There were no further questions for staff.

The applicant, Rick Bedwell, appeared to give testimony. Mr. Bedwell said that DreamRidge was made up of 3 family members who wanted to be able to take care of themselves. He said that perc tests had been done on each of the lots and there were no problems. He said the small house that was currently on the property would be razed and three nice houses built on the lots. Mr. Bedwell said the smaller 1600 sq. ft. house would be on the smaller lot where his disabled brother-in-law would be living. He said the smaller lot was created specifically for his brother-in-law so he would have less taxes and expense.

Mr. Tarpley wanted to know how far the houses would be from the road.

Mr. Bedwell pointed out the locations of the proposed houses on the map. He said none of the homes would be along the road.

Mr. Tarpley said the property looked like a wooded area.

Mr. Bedwell said it was and after purchasing the property, they had cleared it out and found a beautiful location. He said the property was for the family to use; this was not being done with the plan to sell to someone else.

There were no further questions for the applicant and no one else to appear in favor of or in opposition to the application.

Mr. Haley moved to take RZ-2011-479 under advisement. Mr. Gibler seconded the motion.

It was agreed that all questions anyone had had been answered.

Mr. Aikins moved to approve RZ-2011-479. Mr. Gibler seconded the motion.

VOTE:

Mr. Aikins	Approve
Mr. Crawford	Approve
Mr. Gibler	Approve
Mr. Haley	Approve
Mrs. Mershon	Approve
Mr. Pointer	Approve
Mrs. Querry	Approve
Mr. Tarpley	Approve
Chairman Antey	Approve

RZ-2011-479 APPROVED (9 – 0)

STAFF REPORT

PLAN COMMISSION
November 17, 2011

RE: RZ-2011-479

- Applicant:** DreamRidge Partners, LLP
- Location:** 37405 E. Standfast Road, south of Colbern Road the south side of Standfast Road and being part of Section 29, Township 48, Range 29, Jackson County, Missouri.
- Area:** 21 ± acres
- Request:** Change of zoning from District A (Agricultural) to District RR (Residential Ranchette)
- Purpose:** To divide the 21 ± acres into a three lot subdivision and construct three homes for family members.

Current Land Use and Zoning in the Area:

To the north, zoning is Agricultural, large acreage tracts containing single family homes.

To the south, zoning is Agricultural, large acreage tracts.

To the west, zoning is Agricultural, large tracts containing single family homes.

To the east, zoning is Agricultural, large acreage tracts, also a Residential Ranchette Zoning District. Along Munro Road there area smaller acreage tracts with single family homes.

- Comments:** The property owners met with staff in early September on dividing the 21 acres into a three lot subdivision. Their concern was that this area was within the Rural Development Tier (RDT) as designated by the Comprehensive Plan of Jackson County. The minimum lot size required by the Unified Development Code (UDC) in the RDT is 5 acres, with a minimum frontage of 250' per lot. The proposed subdivision plat of Dreamridge (**EX.10**) shows that both Lots 1 and 2 meet the requirements for frontage and lot size. Lot 3 meets the 5 acres minimum lot size, however falls short of the required 250' minimum. One of the concerns staff had with the diminished lot width was the ability to locate an on-site waste water system within the proposed lot. A preliminary review performed by staff of the plat prior to the formal application showed that the lot will not be able to support a polishing pond system due to slow to unacceptable permeability as well as the possibility of shallow bedrock. Prior to preliminary approval, soil testing would need to be necessary. The applicant did provide staff with these test results at the time of application. As part of the platting process, a 15,000 square foot

dedicated disposal area will be shown on the plat for the waste-water system.

On September 6, 2011, the applicant applied for a variance to the minimum lot width requirement. A public hearing was held on October 5, 2011. The Jackson County Board of Zoning Adjustment granted a variance of up to 85' (VS-2011-094) (EX 11).

County Plan:

The County Plan Development Diagram illustrates this area within the Rural Development Tier (RDT). The Residential Ranchette Zoning District is appropriate in the Rural Development Tier.

Recommendation:

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

Staff recommends APPROVAL of RZ-2011-479.

Respectfully submitted,
Planning and Environmental Health Division

A handwritten signature in black ink, appearing to read 'Randy Diehl', with a long horizontal line extending to the right.

Randy Diehl
Planning and Zoning Coordinator

JACKSON COUNTY, MISSOURI APPLICATION FOR CHANGE OF ZONING

APPLICANT INFORMATION:

1. Application must be filed with the Jackson County Planning and Development Division, 303 West 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

PLAT 2011-008

TO BE COMPLETED BY OFFICE PERSONNEL ONLY:

Rezoning Case Number RZ-2011- 479

Date filed 10-17-11 Date of hearing 11-17-11

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.1. Applicant(s) Name: Jerry W. and Linda J. Harris

Address: 11811 E. 55th Street, KCMO 64131

Phone: 816-358-9543

a.2. Applicant(s) Name: Henry R. and Janet E. Bedwell

Address: 3701 S. Vermont, Independence, MO 64052

Phone: 816-833-3364

a.3. Applicant(s) Name: Randy C. Bly

Address: 3705 S. Vermont, Independence, MO 64052

Phone: 816-833-3478

(Ex. 8)

b. Owner(s) Name: SAME AS ABOVE (1a.1, 1a.2, 1a.3)

Address:

Phone:

c. Agent(s) Name: NONE

Address:

Phone:

d. Applicant's interest in Property: To build three homes

2. General location (Road Name) 37405 E. Standfast Road, Unincorporated, MO 64070-9582

3. Present Zoning Agricultural/Residential Requested Zoning Agricultural/Residential

4. AREA (sq. ft. / acres) 21.8 acres

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

SEC-29 TWP-48 RNG-29 PT SW 1/4 SW 1/4 DAF: BEG SE COR SD 1/4 1/4 TH N ALG E LI SD 1/4 1/4 1325' MOL TO N LI SD 1/4 1/4 TH W ALG SD N LI 580' TH S 136' TH N 88 DEG E 237.05' TH S 1194.66' TO S LI SD 1/4 1/4 TH E ALG SD S LI 343' TO POB(EX PT IN RDS)

6. Present Use of Property: Agricultural/Residential

7. Proposed Use of Property: Agricultural/Residential

8. Proposed Time Schedule for Development: Less than one year

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

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? Not Applicable

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

a. Water Lafayette Water District #1 – small effect, if any

b. Sewage disposal Septic – no effect

c. Electricity West Central Electric COOP – small effect, if any

d. Fire and Police protection Sni-Valley Fire Dept and Jackson County Sheriff – no effect

12. Describe existing road width and condition: Existing Road – two lane, asphalt gravel

**Plan Commission
November 17, 2011
RZ-2011-479**

Applicant / Property Owner:

**DreamRidge Partners, LLP
11811 E. 55th St.
Kansas City, MO 64133**

**Parcel Nos: 56-500-03-09.01.1
56-500-03-09.01.2**

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

56-400-04-10
Geneva Adams
37501 E. Colbern Rd.
Lone Jack, MO 64070

56-400-04-11
Donald Fritsche
9722 Standfast Rd.
Lone Jack, MO 64070

56-400-04-12
Donald Fritsche

56-400-04-13
Scott Fleming
P.O. Box 457
Oak Grove, MO 64075

56-500-03-06
Rainbow Hightower
37711 E. Colbern Rd.
Lone Jack, MO 64070

56-500-03-08
Rainbow Hightower

56-500-03-10
James Meyerring
37908 E. Colbern Rd.
Lone Jack, MO 64070

56-500-03-11
Larmon Sing
37808 E. Colbern Rd.
Lone Jack, MO 64070

56-500-03-12
Gary Wages
3908 Sherman Dr.
Independence, MO 64055

56-500-03-13
Geneva Brown
37501 E. Colbern Rd.
Lone Jack, MO 64070

56-500-03-14
Ronica Stramel
37803 E. Colbern Rd.
Lone Jack, MO 64070

56-500-03-15
Donald Griffin
37903 E. Colbern Rd.
Lone Jack, MO 64070

56-500-03-16
Donald Fritsche

56-500-03-17
Donald Fritsche

56-500-03-18
Scott Fleming

56-800-01-27
Ginny Staats
10004 Munro
Lone Jack, MO 64070

56-800-02-02
E.L. Robinson, Jr.
37004 E. Cline Rd.
Lone Jack, MO 64070

56-800-02-05
Steven Steed
1712 SE 11th St.
Lee's Summit, MO 64081

56-800-02-06
Steven Steed

56-900-01-01.01
E.L. Robinson, Jr.



Jackson County Zoning Map

	100' Notification Ring
Classification	
Class	
	Local
	Collector
	Major Arterial
	Minor Arterial
	Intersect
	All other vehicles
	Plats
	Pending Rezoning
Reasoning selection	
Zoning	
	RR-Residential Ranchette
	Residential Ranchette-Planned
	RE-Residential Estates
	RS-Residential Suburban
	RU-Residential Urban
	A/F-Single-Family
	B/F-Two-Family
	C/F-Multi-Family
	A1-Mobile Homes District
	ROP-Residential Office-Planned
	LB-Local Business
	LBP-Local Business-Planned
	GB-General Business
	GBP-General Business-Planned
	LI-Light Industrial
	LIP-Light Industrial-Planned
	HI-Heavy Industrial
	Intersect Area

RZ-2011-479

1 inch equals 200 feet



(EX. 5)

13. What effect will proposed development have on existing road and traffic conditions? Very minimal

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): Not Applicable

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 14 OCT 2011

Property Owner(s) _____

Applicant(s): Linda J. Harris Jerry W Harris
Henry Richard Bedwell Janet Elaine Bedwell
Randy C. Blx

Contract Purchaser(s): R

STATE OF MISSOURI

COUNTY OF Jackson

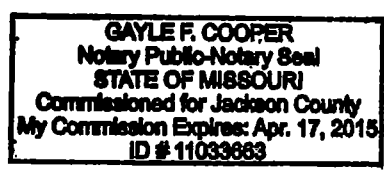
On this 14 day of Oct, in the year of 2011, before me

the undersigned notary public, personally appeared JERRY W HARRIS, LINDA JEAN HARRIS
HENRY RICHARD BEDWELL, JANET ELAINE BEDWELL AND RANDY C BLX

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 Gayle F. Cooper Commission Expires APR 17, 2015



RECORDER'S CERTIFICATION
JACKSON COUNTY, MISSOURI
12/11/2007 02:42:40 PM

INSTRUMENT TYPE: UD FEE: \$30.00 4 Pages



INSTRUMENT NUMBER/BOOK & PAGE:

2007E0156742



ROBERT T. KELLY, DIRECTOR, RECORDER OF DEEDS

MISSOURI WARRANTY DEED

THIS INDENTURE, made on the 7th day of December, 2007
by and between Henry R. Bedwell and Janet E. Bedwell, husband and wife, Jerry W. Harris
and Linda J. Harris, husband and wife, and Randy C. Bly, a single person, all of the County
of Jackson, State of Missouri, ("Grantors"), and Dreamridge Partners, LLP of the County of
Jackson, State of Missouri, ("Grantee").

(Mailing address of said first named grantee is: 11811 E. 55th Street, Kansas City MO 64133)

WITNESSETH, THAT THE SAID GRANTORS, in consideration of the sum of TEN
DOLLARS AND OTHER VALUABLE CONSIDERATION, to them paid by said Grantee,
(the receipt of which is hereby acknowledged) do by these presents Grant, Bargain and Sell,
Convey and Confirm unto the said Grantee and the Grantee's successors and assigns, the
following described lots, tracts or parcels of land, lying, being and situate in the County of
Jackson and State of Missouri, to-wit:

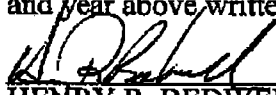
PLEASE SEE ATTACHED LEGAL DESCRIPTION ON
PAGE FOUR, MARKED EXHIBIT "A"


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


TO HAVE AND TO HOLD THE SAME the premises aforesaid with all and singular,
the rights, privileges, appurtenances and immunities thereto belonging or in any wise
appertaining, unto the said Grantee, and unto the Grantee's successors and assigns forever;
the said Grantors hereby covenanting that they are lawfully seized of an indefeasible estate
in fee of the premises herein conveyed; that they have good right to convey the same; that the
said premises are free and clear from 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 Grantee and unto the Grantee's successors and assigns forever, against the
lawful claims and demands of all persons whomsoever.

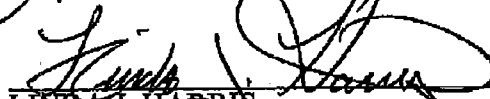
(Ex. 9)

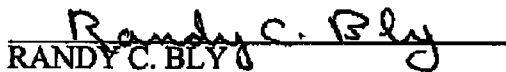
IN WITNESS WHEREOF, The said Grantors have hereunto set their hands the day and year above written.


HENRY R. BEDWELL


JANET E. BEDWELL


JERRY W. HARRIS


LINDA J. HARRIS


RANDY C. BLY

ACKNOWLEDGMENT

STATE OF MISSOURI)
) SS
COUNTY OF JACKSON)

On this 7th day of December, 2007, before me, a Notary Public, personally appeared Henry R. Bedwell and Janet E. Bedwell to me known to be the persons described in and who executed the foregoing instrument, and acknowledged that they executed the same as their free act and deed, and the said Henry R. Bedwell and Janet E. Bedwell further declare themselves to be married to each other.

In Witness Whereof, I have hereunto set my hand and affixed my official seal at my office the day and year last above written.


Notary Public

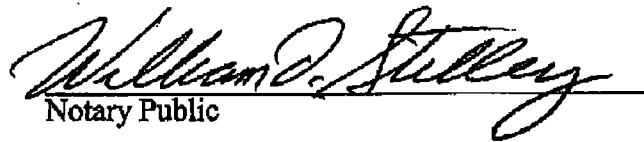
My Term Expires:

WILLIAM D. STILLEY
Notary Public - Notary Seal
STATE OF MISSOURI
Jackson County
My Commission Expires: June 6, 2009
Commission: #05451761

STATE OF MISSOURI)
) SS
COUNTY OF JACKSON)

On this 7th day of December, 2007, before me, a Notary Public, personally appeared Jerry W. Harris and Linda J. Harris to me known to be the persons described in and who executed the foregoing instrument, and acknowledged that they executed the same as their free act and deed, and the said Jerry W. Harris and Linda J. Harris further declare themselves to be married to each other.

In Witness Whereof, I have hereunto set my hand and affixed my official seal at my office the day and year last above written.


Notary Public

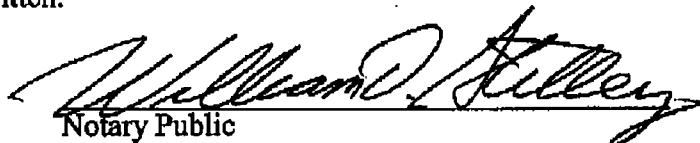
My Term Expires:

WILLIAM D. STILLEY
Notary Public - Notary Seal
STATE OF MISSOURI
Jackson County
My Commission Expires: June 6, 2009
Commission #05451761

STATE OF MISSOURI)
) SS
COUNTY OF JACKSON)

On this 7th day of December, 2007, before me, a Notary Public, personally appeared Randy C. Bly, a single person, to me known to be the person described in and who executed the foregoing instrument, and acknowledged that he executed the same as his free act and deed, and that Randy C. Bly further declares himself to be unmarried.

In Witness Whereof, I have hereunto set my hand and affixed my official seal at my office the day and year last above written.


Notary Public

My Term Expires:

WILLIAM D. STILLEY
Notary Public - Notary Seal
STATE OF MISSOURI
Jackson County
My Commission Expires: June 6, 2009
Commission #05451761

WILLIAM D. STILLEY
Notary Public - Notary Seal
STATE OF MISSOURI
Jackson County
My Commission Expires: June 6, 2009
Commission #05451761

MWD-4.691

EXHIBIT 'A'

TRACT I:

A part of the Southwest Quarter of the Southwest Quarter of Section 29, Township 48, Range 29, in Jackson County, Missouri being herein described as beginning at the point 979.18 feet East of the Southwest corner of said Quarter Quarter; said point being on the South line of said Quarter Quarter; thence North 89 degrees 43 minutes 29 seconds East a distance of 343.00 feet to the Southeast corner of said Quarter Quarter; thence North 0 degrees 26 minutes 54 seconds West a distance of 1325.72 feet (measured) to the Northeast corner of said Quarter Quarter; thence South 89 degrees 39 minutes 43 seconds West along the North line of said Quarter Quarter a distance of 580.00 feet; thence South 0 degrees 26 minutes 54 seconds East a distance of 136.00 feet; thence North 88 degrees 22 minutes 34 seconds East a distance of 237.05 feet; thence South 0 degrees 26 minutes 54 seconds East a distance of 1194.66 feet to the point of beginning, subject to that part in road.

TRACT II:

A part of the Southwest Quarter of the Southwest Quarter of Section 29, Township 48, Range 29, in Jackson County, Missouri being herein described as beginning at the point 602.28 feet (deed) 609.18 feet (measured) East of the Southwest corner of said Quarter Quarter; said point being on the South line of said Quarter Quarter; thence (North 0 degrees 22 minutes 40 seconds West - deed) North 0 degrees 26 minutes 54 seconds West (measured) for a distance of (1324.15 feet - deed) 1324.94 feet (measured) to the North line of said Quarter Quarter; thence North 89 degrees 39 minutes 43 seconds East a distance of 133.00 feet; thence South 0 degrees 26 minutes 54 seconds East a distance of 136.00 feet; thence North 88 degrees 22 minutes 34 seconds East a distance of 237.05 feet; thence South 0 degrees 26 minutes 54 seconds East a distance of 1194.66 feet to the South line of said Quarter Quarter; thence South 89 degrees 43 minutes 29 seconds West a distance of 370.00 feet to the point of beginning, subject to that part in road.

**BEFORE THE BOARD OF ZONING ADJUSTMENT OF
JACKSON COUNTY, MISSOURI AT BLUE SPRINGS, MISSOURI**

IN THE MATTER OF THE REQUEST for an 85 foot variance to the required 250 foot minimum Lot Width (Section 24004.3.f.1) on one proposed residential lot in a proposed RR (Residential Ranchette) Zoning District three lot subdivision on 21 +/- acres. Said 21 acres are located on at 37405 E. Standfast Road in Section, 29, Township 48, Range 29 in Jackson County, Missouri.

Application No. VS-2011-094
Dreamridge Partners, LLC
3701 S. Vermont Ave
Independence, MO 64052

ORDER

NOW ON THIS DAY, evidence having been presented to and heard by the Jackson County Board of Zoning Adjustment in the above matter, the Board makes the following Order, Decision and Findings and Conclusions of Law.

FINDINGS OF FACT

1. We find that Application VS-2011-094 was filed by the applicant on September 6, 2011 requesting a variance of 85 feet to the required 250 foot minimum Lot Width (Section 24004.3.f.1) in District RR (Residential Ranchette) to allow a 21 acre tract to be subdivided. Said 21 acres are located on the south side of Standfast Road, south of Colbern Road in Section 29, Township 48, Range 29 in Jackson County, Missouri aka 37405 E. Standfast Road.
2. We find that a public hearing was held on October 5, 2011 by this Board and that the property owners that lived or owned property within 1000 feet of subject property were notified of the hearing.
3. We find that the public hearing was held in the manner and form provided by law and that all interested parties were given full opportunity to be heard and were heard under oath.
4. We find that opportunity for opposition was held at the public hearing and

that no one appeared in opposition to the variance.

AND THE BOARD HAVING HEARD AND CONSIDERED THE TESTIMONY BY THE APPLICANT AND THE STAFF MAKES THE FURTHER SPECIFIC FINDINGS OF FACT.

- a) The applicant is requesting an 85 foot variance to the required to the required 250 foot minimum Lot Width on one lot within a proposed three lot subdivision.
- b) The applicant purchased the property in 2007.
- c) Applicant is seeking to subdivide the property into three lots. The Unified Development Code (UDC) shows this area to be within the Rural Development Tier. Section 24004.3.f.1 of the UDC requires a 250 foot minimum lot width for Residential Ranchette Zoning District and a minimum of 5 acres per lot.
- d) The applicant owns 21 +/- acres with approximately 719 feet of frontage adjacent to Standfast Road. Two of the proposed lots meet or exceed the frontage requirements of the UDC. The remaining lot meets the 5 acre minimum, however does not meet the 250 foot lot width requirement.
- e) A non-use variance is granted when practical difficulties exist that would make it impossible to carry out the strict letter of the Unified Development Code. The applicant must prove that they face practical difficulties.
The granting of the variance will not adversely affect the rights of adjacent property owners nor will it be opposed to the general spirit and intent of the Unified Development Code. The property currently contains a single family home. Two more homes will be added for family members. There is no substantial change in the character of the neighborhood of substantial detriment to adjoining properties.
- f) The variance desired will not adversely affect the public health, safety or general welfare.
- g) The granting of the variance will not alter the character of the surrounding area. The existing home will be replaced with a new modern home.

CONCLUSIONS OF LAW

1. The Board concludes that under the provisions of Jackson County Ordinance 2363, Enacted June 1, 1995, (Unified Development Code) and ordinance 4203 adopted on

April 19, 2010, it is empowered to hear appeals from any persons aggrieved by a public officer in administering County Zoning Regulations. Further the Board may vary or modify the application of any of the regulations or provisions so the intended regulations shall be strictly observed, public safety and welfare secured and substantial justice done. In exercising its powers, the Board may in conformity with the provisions of the Jackson County Unified Development Code, reverse or affirm wholly or partly, or may make such order, requirement, decision or determination as ought to be made, and to that end shall have all the powers of the officer from whom the appeal is taken.

2. The Board concludes that Section 24003.23, Chapter 240 of the Jackson County Code empowers the Board to grant a variance provided that such variance will not seriously injure the appropriate use of neighboring property and will conform to the general intent and purpose of Chapter 240 of the Jackson County Code.

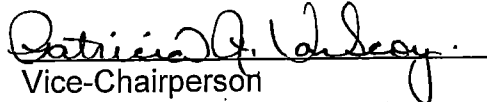
3. The Board concludes that public notice of the hearing before the Board was given in the Independence Examiner on September 20, 2011 that thereafter such hearing was held on October 5, 2011 in the manner and form provided by law.

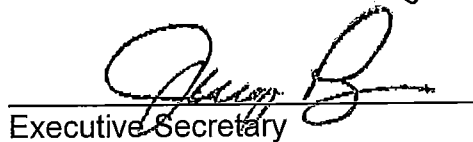
AND THE BOARD CONCLUDES THAT AFTER CAREFULLY WEIGHING THE EVIDENCE presented by the applicant and the staff that the granting of the variance is reasonable and proper, will not seriously injure the appropriate use of neighboring property and the granting of the variance will be in keeping with the scope, general intent and purpose of Chapter 240 of the Jackson County Code.

IT IS THEREFORE ORDERED ADJUDGED AND DECREED BY THE BOARD that the request for an 85 foot variance to the required 250 foot minimum Lot Width (Section 24004.3.f.1) is Granted on one proposed residential lot in a proposed RR (Residential

Ranchette) Zoning District three lot subdivision on 21 +/- acres. Said 21 acres are located at 37405 E. Standfast Road in Section, 29, Township 48, Range 29 in Jackson County, Missouri, by a vote of 4 to 0 in favor of the Board Members.

IT IS THEREFORE FURTHER ORDERED that an attested copy of the Findings, Decisions and Order be mailed to the applicant and interested parties.


Vice-Chairperson


Executive Secretary

Order made this 11th day of October, 2011.

This Order approved as to form by


Legal Counsel

STATE OF MISSOURI)
) ss
COUNTY OF JACKSON)

I, Mary Jo Spino, Clerk of the County Legislature within and for the County aforesaid, hereby certify that the foregoing is a true copy of the Order of record in my office.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the Seal of said County in my office in Kansas City, Missouri on this 11th day of October, 2011.


Clerk of the County Legislature