


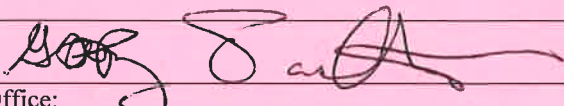

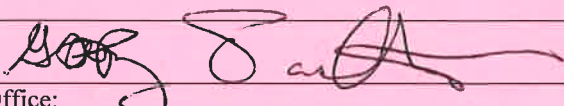

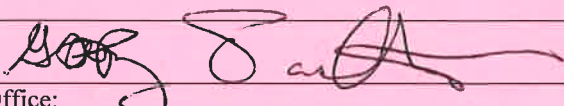
REQUEST FOR LEGISLATIVE ACTION

Completed by County Counselor's Office:

~~Res~~/Ord No.: 5182

Sponsor(s):

Date: November 26, 2018

SUBJECT	Action Requested <input type="checkbox"/> Resolution <input checked="" type="checkbox"/> Ordinance Project/Title: <u>Mary Jo Falco - RZ-2018-565</u>																			
BUDGET INFORMATION <i>To be completed By Requesting Department and Finance</i>	<table border="1" data-bbox="313 506 1195 821"> <tr> <td>Amount authorized by this legislation this fiscal year:</td> <td></td> <td>\$</td> </tr> <tr> <td>Amount previously authorized this fiscal year:</td> <td></td> <td>\$</td> </tr> <tr> <td>Total amount authorized after this legislative action:</td> <td></td> <td>\$</td> </tr> <tr> <td>Amount budgeted for this item * (including transfers):</td> <td></td> <td>\$</td> </tr> <tr> <td>Source of funding (name of fund) and account code number; FROM / TO</td> <td>FROM ACCT</td> <td></td> </tr> <tr> <td></td> <td>TO ACCT</td> <td></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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	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 5.40 ± acres to District RE (Residential Estates). The purpose is to create a two single family residential lots. The location is 3275 NW Duncan Road, and specifically described on Attachment to RLA-1. The Jackson County Plan Commission on November 15, 2018 held a public hearing and accepted testimony pertaining to the request. This request for a 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 7 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="297 1713 1534 1955"> <tr> <td>Department Director: Brian D. Gaddie, P.E. Director of Public Works</td> <td></td> <td>Date: 11.16.18</td> </tr> <tr> <td>Finance (Budget Approval): <i>If applicable</i></td> <td></td> <td>Date:</td> </tr> <tr> <td>Division Manager:</td> <td></td> <td>Date: 11.19.18</td> </tr> <tr> <td>County Counselor's Office:</td> <td></td> <td>Date:</td> </tr> </table>		Department Director: Brian D. Gaddie, P.E. Director of Public Works		Date: 11.16.18	Finance (Budget Approval): <i>If applicable</i>		Date:	Division Manager:		Date: 11.19.18	County Counselor's Office:		Date:						
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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.

PLAN COMMISSION – November 15, 2018

Randy Diehl gave the Staff Report

RE: RZ-2018-565

Applicant: Mary Jo Falco

Location: 3275 NW Duncan Road

Area: 5.40 acres

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

Purpose: Applicant is requesting the change in zoning for two single family residential lots.

Current Land Use and Zoning in the Area:

This area is an unincorporated island surrounded primarily by the City of Blue Springs.

The land use is single family residential on tracts ranging from 0.50 to 10 acres in size. The Conversation Commission of Missouri owns several large tracts that comprise part of Burr Oak Woods Conservation Area.

Zoning is Agricultural.

The applicant wishes to subdivide the tract into 2 lots in order to replace the older home with a newer residence on the west lot. This home, recently razed, was constructed sometime in the early 1950's. The applicant's existing home will be on the lot the east lot.

The tract has existed as legal non-conforming for at least 60 years, both in size and supporting two separate residences. Without the benefit of subdividing, the only option was to build within the footprint of the one it replaced.

The applicant was granted a variance of 33 feet to the required 360 feet needed for a two lot subdivision, and a non-use a variance of 0.60 acres to the required minimum of 6.00 acres for a two lot subdivision.

The west lot will be meet the 180 foot lot frontage minimum, with the difference of 33 +/- feet applied to the east lot. Both lots will be as close to the same size in acreage.

Plan:

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

Residential Estates is appropriate for the UDT.

Recommendation:

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

Staff recommends APPROVAL of RZ-2018-565.

Respectfully submitted,

Jackson County Public Works
Development Division
Randy Diehl, Administrator

Mr. Antey: Are there any questions for Randy?

Mr. Antey: Is the applicant here?

Stuart Foster: 9700 Keystone Drive, Lee's Summit, MO. I'm representing Ms. Falco

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

Mr. Stuart: No

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. Tarpley seconded.

Discussion under advisement

Mr. Tarpley moved to approve. Mr. Haley seconded.

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

Motion Carried 7 – 0

STAFF REPORT

PLAN COMMISSION

November 15, 2018

RE: RZ-2018-565

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Respectfully submitted,

Jackson County Public Works
Development Division
Randy Diehl, Administrator



RZ-2018-565 FW
Mary Jo Falco

Blue Springs

Blue Springs

Independence

NW DUNCAN RD

NW WESTBROOKE CIR

NW WESTBROOKE DR

NW WESTBROOKE PL

NW JORDAN CT

NW GATEWAY DR

NW GARRETT DR

NW JEFFERSON ST

NW WOODS CHAPEL RD

NW WOODS CHAPEL RD

E 70 FRONTAGE RD

NW ANCHOR CT

NW HARBOR PL

Blue Springs

NW HARBOR CT

NW RD MIZE RD



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

October 31, 2018

RE: Public Hearing: RZ-2018-565
Mary Jo Falco

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 Mary Jo Falco a change of zoning from District AG (Agricultural) on 5.40 ± acres to District RE (Residential Estates). The purpose is to create a two single family residential lots. The location is 3275 NW Duncan 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, November 15, 2018 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 881-4649.

Sincerely,

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

Jackson County Public Works
Development Division
Randy Diehl, Administrator

Plan Commission November 15, 2018
 RZ-2018-565

Property Owners Within 185 feet

35-510-03-06-00-0-00-000	COMCAST OF MISSOURI INC	ONE COMCAST CENTER	PHILADELPHIA	PA	19103
35-510-03-04-00-0-00-000	CONSERVATION COMMISSION OF MO	PO BOX 180	JEFFERSON CITY	MO	65102
35-510-03-05-00-0-00-000	CONSERVATION COMMISSION OF MO	PO BOX 180	JEFFERSON CITY	MO	65102-0180
35-510-02-15-00-0-00-000	HUTCHENS JUANITA	3265 NW DUNCAN RD	BLUE SPRINGS	MO	64015
35-200-04-11-00-0-00-000	JACKSON TODD E & SALLY A	2011 NE 2ND ST	BLUE SPRINGS	MO	64014
35-510-02-19-00-0-00-000	MOORE PATRICIA A	3235 NW DUNCAN RD	BLUE SPRINGS	MO	64015
35-510-02-20-00-0-00-000	RIBASTE JOHN A & RIBASTE FRANCES M	3225 NW DUNCAN RD	BLUE SPRINGS	MO	64015
35-510-02-13-00-0-00-000	SPEER & TEBBE ENTERPRISES INC	1600 NE CORONADO DR STE 242	BLUE SPRINGS	MO	64014
35-200-04-10-00-0-00-000	SURBER ALLAN D & LOIDA U	517 NE GOLFVIEW DR	BLUE SPRINGS	MO	64014
35-510-03-43-00-0-00-000	WENZEL ZACH	3245 NW DUNCAN RD	BLUE SPRINGS	MO	64015
35-510-03-02-00-0-00-000	WENZEL ZACH	3245 NW DUNCAN RD	BLUE SPRINGS	MO	64015
35-510-02-18-00-0-00-000	WOODS CHAPEL & I-70 PROPERTIES	1212 KANSAS AVE	KANSAS CITY	MO	64127
35-510-02-12-00-0-00-000	ZOZISEK CLAUDIA	28505 S INDEX ROAD	GARDEN CITY	MO	64747
35-510-03-01-02-0-00-000					
35-510-03-03-00-0-00-000					

**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-

Date filed _____ Date of hearing 11-15-2018

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: Mary Jo Falco
- Address: 3275 n.w. Duncan Rd
B.S. Mo 64015
- Phone: 816 224 4902 - 816 277 8364
- b. Owner(s) Name: Mary Jo Falco
- Address: 3275 n.w. Duncan Rd B.S. Mo 64015
- Phone: 816 224 4902 - 816 277 8364
- c. Agent(s) Name: Stuart Foster

Address: 9700 Keystone Dr. T.S. mo. 64086

Phone: 816 5785746 - 816 7218001

d. Applicant's interest in Property: owner

2. General location (Road Name) Duncan Rd.
1/4 East of Woods Chapel

3. Present Zoning AG Requested Zoning RE

4. AREA (sq. ft. / acres) 5.4 acres

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

DEED ATTACHED

6. Present Use of Property: SINGLE FAMILY RESIDENCE

7. Proposed Use of Property: SINGLE FAMILY RESIDENCE

8. Proposed Time Schedule for Development: as soon as approved

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

No

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 Blue Springs city

b. Sewage disposal septic

c. Electricity KCP&L

d. Fire and Police protection Central Jackson county fire - sheriff

12. Describe existing road width and condition: 20' asphalt good condition

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

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):

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 10-12-2018
Property Owner(s) Mary Jo Falco

Applicant(s): Mary Jo Falco 10-12-2018

Contract Purchaser(s): N/A

STATE OF Missouri
COUNTY OF Lafayette

On this 12th day of October, in the year of 2018, before me the undersigned notary public, personally appeared Mary Jo Falco

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 [Signature] Commission Expires February 28, 2020



RZ-2018-565
Mary Jo Falco

Blue Springs

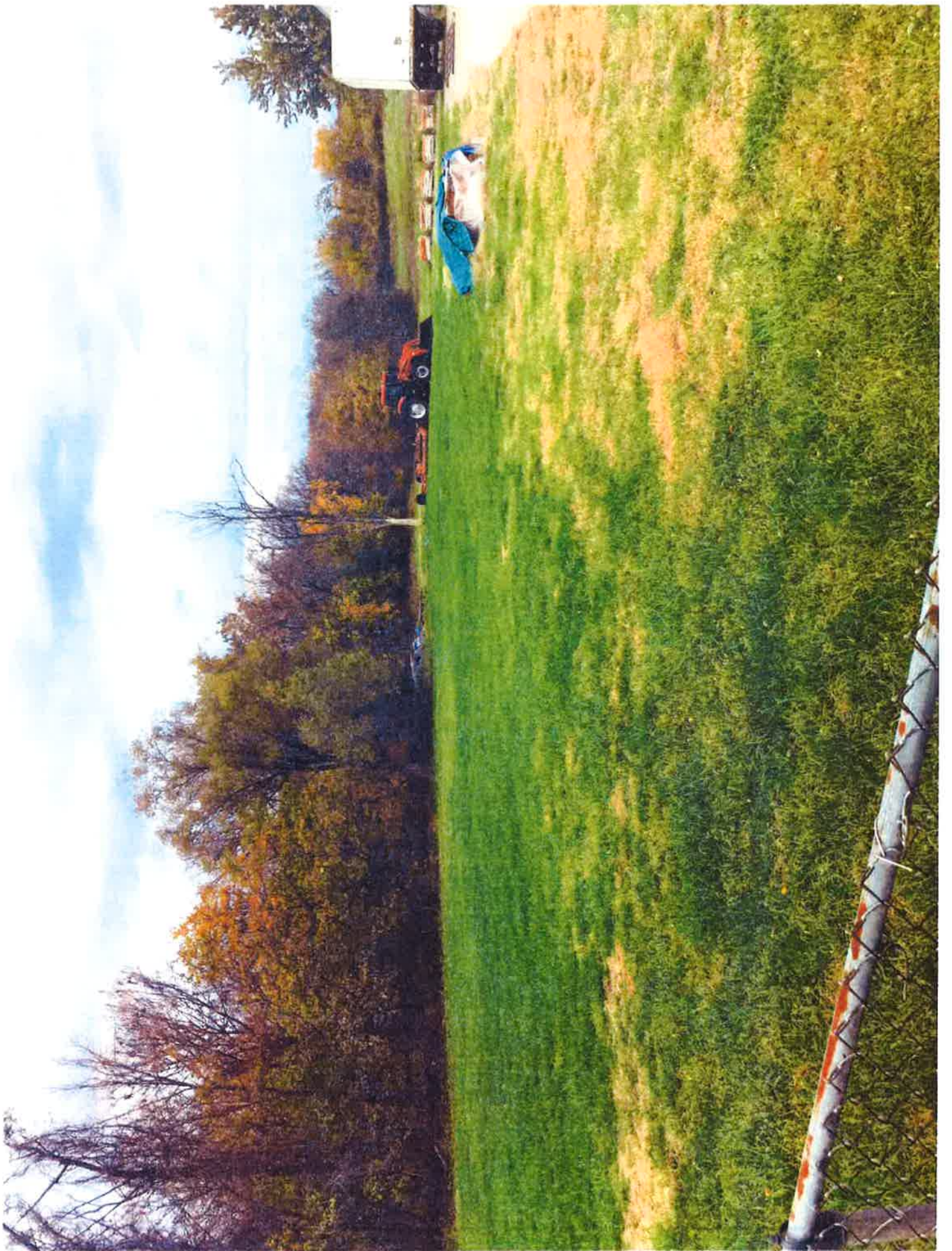
NW DUNCAN RD

Blue Springs

Blue Springs







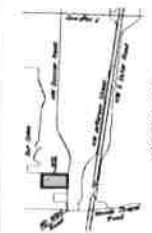
PRELIMINARY PLAT FALCO ESTATES

in the Northeast Quarter of Sec. 26, Twp. 49, Rng. 31
in Unincorporated, Jackson County, Missouri

MEISKIRCH & PARKS ENGINEERS, Inc.
 MISSOURI REGISTERED PROFESSIONAL ENGINEERS
 111 NORTH MAIN, SUITE 210
 ST. LOUIS, MISSOURI 63102
 PHONE (314) 435-5772
 FACSIMILE (314) 435-5772

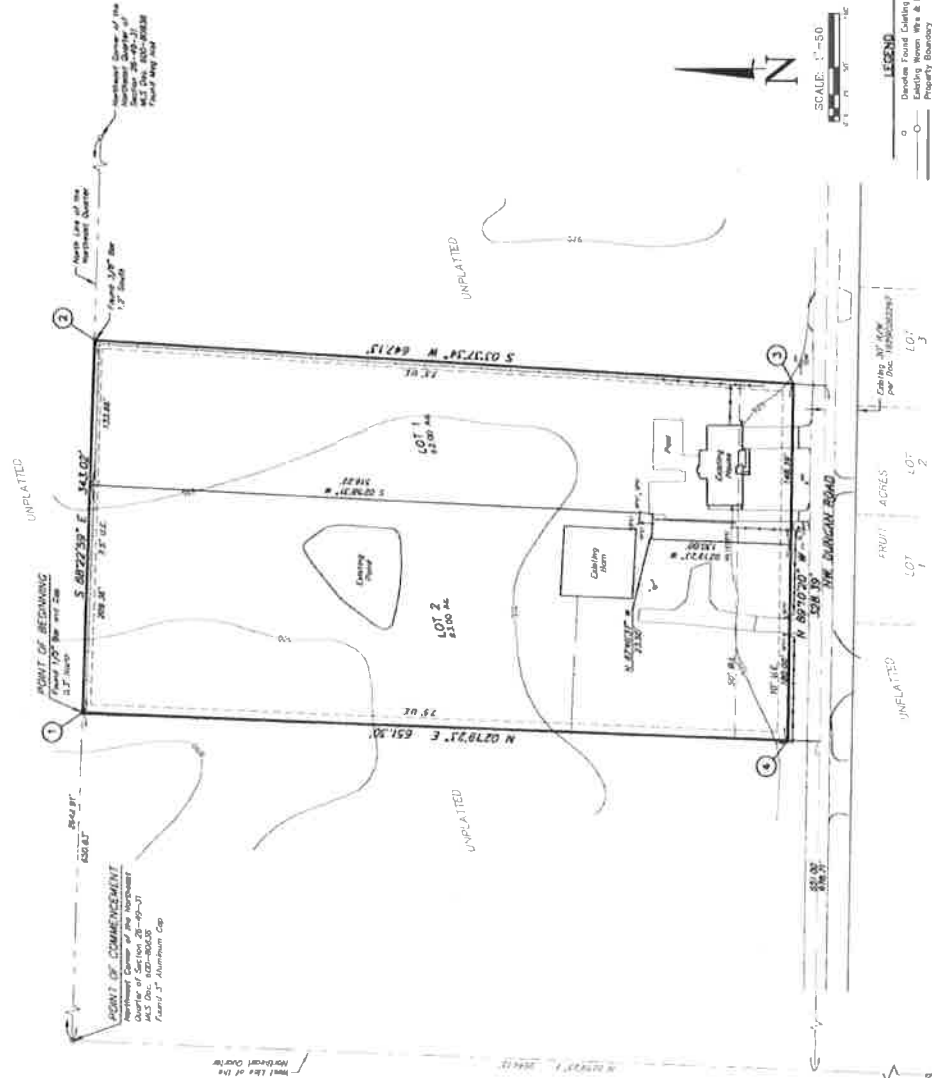
PRELIMINARY PLAT FALCO ESTATES IN THE NORTHEAST QUARTER OF SECTION 26-49-31 JACKSON COUNTY, MISSOURI

DATE	10/26/78
SCALE	AS NOTED
PROJECT NO.	4268
DATE	10/26/78
BY	J.P.C.
CHECKED BY	J.P.C.
DATE	11/1/78



LOCALITY MAP
Not to Scale

SECTION LOCATION
Section 26, Twp. 49, Rng. 31
(Not to Scale)



COMMENTS/DESCRIPTION:

1. This plat is in the Northeast Quarter of Section 26, Township 49 North, Range 31 East, Jackson County, Missouri. It is a preliminary plat for the subdivision of the Northeast Quarter of Section 26, Township 49 North, Range 31 East, Jackson County, Missouri, into two lots, Lot 1 and Lot 2, each containing 2.00 acres. The plat is subject to the provisions of the Missouri Plat Act, Chapter 145, R.S.Mo., and the provisions of the Missouri Subdivision Act, Chapter 145, R.S.Mo., and the provisions of the Missouri Plat Act, Chapter 145, R.S.Mo., and the provisions of the Missouri Subdivision Act, Chapter 145, R.S.Mo.

NOTES:

1. The plat is subject to the provisions of the Missouri Plat Act, Chapter 145, R.S.Mo., and the provisions of the Missouri Subdivision Act, Chapter 145, R.S.Mo., and the provisions of the Missouri Plat Act, Chapter 145, R.S.Mo., and the provisions of the Missouri Subdivision Act, Chapter 145, R.S.Mo.
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STAT. PLATE COORDINATES

POINT	NORTHING	EASTING
1	318810.000	897485.500
2	318810.000	897485.500
3	318810.000	897485.500
4	318810.000	897485.500

The bearings and coordinates shown herein are based on the USGS STATE DEPARTMENT STATION (1100 and 1010 meters), WEST 200C by GPS. The coordinates are listed in meters.

ADDITIONAL NOTES:

1. The plat is subject to the provisions of the Missouri Plat Act, Chapter 145, R.S.Mo., and the provisions of the Missouri Subdivision Act, Chapter 145, R.S.Mo., and the provisions of the Missouri Plat Act, Chapter 145, R.S.Mo., and the provisions of the Missouri Subdivision Act, Chapter 145, R.S.Mo.
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LEGEND:

- Decade Found Caching Monument
- Existing Iron Nails & Barbed Wire Fence
- Property Boundary
- Section Line
- Easement
- Dry Well
- Telephone Pole
- Electric Pole
- Electric Wire

SCALE: 1" = 50'
0' 10' 20' 30' 40' 50'

Southeast Corner of the
Northeast Quarter of
Section 26, Twp. 49, Rng. 31
M.L.S. Doc. 600-6523
Found 1/2" Bar

1 of 1