

Completed by County Counselor's Office			
Action Requested:	Ordinance	Res.Ord No.:	5517
Sponsor(s):	Tony Miller	Legislature Meeting Date:	6/14/2021

Introduction
Action Items: ['Authorize']
Project/Title:
Donald & Lisa Parker - RZ-2021-602

Request Summary
<p>Requesting a change of zoning from District AG (Agricultural) on 3.65 ± acres to District RE (Residential Estates). The purpose is to create a single family residential lot at 25815 E. Truman Road.</p> <p>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.</p> <p>The Jackson County Plan Commission held a public hearing on May 20, 2021 and accepted testimony pertaining to the rezoning request.</p> <p>The Plan Commission voted 6 to 0 to recommend <u>APPROVAL</u> to the County Legislature.</p>

Contact Information			
Department:	Public Works	Submitted Date:	5/24/2021
Name:	Randy Diehl	Email:	rdiehl@jacksongov.org
Title:	Administrator, Development Division	Phone:	816-881-4577

Budget Information			
Amount authorized by this legislation this fiscal year:			\$ 0
Amount previously authorized this fiscal year:			\$ 0
Total amount authorized after this legislative action:			\$
Is it transferring fund?			No
Single Source Funding:			
Fund:	Department:	Line Item Account:	Amount:
			!Unexpected End of Formula

Request for Legislative Action

Prior Legislation	
Prior Ordinances	
Ordinance:	Ordinance date:
Prior Resolution	
Resolution:	Resolution date:

Purchasing	
Does this RLA include the purchase or lease of supplies, materials, equipment or services?	No
Chapter 10 Justification:	
Core 4 Tax Clearance Completed:	
Certificate of Foreign Corporation Received:	
Have all required attachments been included in this RLA?	

Compliance	
Certificate of Compliance	
Not Applicable	
Minority, Women and Veteran Owned Business Program	
Goals Not Applicable for following reason: Zoning - not spending money	
MBE:	.00%
WBE:	.00%
VBE:	.00%
Prevailing Wage	
Not Applicable	

Fiscal Information
•

Request for Legislative Action

History

Randy Diehl at 5/24/2021 1:13:03 PM - [Submitted |]
Department Director: Brian Gaddie at 5/25/2021 3:18:00 PM - [Returned for more information | Adjust attachments, as discussed.]
Submitter: Randy D. Diehl at 5/26/2021 7:50:41 AM - [Submitted | Revised support documentation provided]
Department Director: Brian Gaddie at 6/1/2021 10:26:25 AM - [Approved |]
Finance (Purchasing): Barbara J. Casamento at 6/1/2021 11:25:40 AM - [Not applicable |]
Audit: Katie M. Bartle at 6/1/2021 1:08:49 PM - [Approved | eRLA 105]
Finance (Budget): Mark Lang at 6/2/2021 10:33:37 AM - [Not applicable |]
Executive: Troy Schulte at 6/2/2021 11:16:08 AM - [Approved |]
Legal: Elizabeth Freeland at 6/4/2021 1:00:20 PM - [Approved |]

RZ-2021-602

ATTACHMENT 1: PROPERTY DESCRIPTION

Description:

A tract of land in the Northeast Quarter of Section 12, Township 49, Range 31, Jackson County, Missouri described as follows: Commencing at the Northeast corner of said Northeast Quarter-Section; Thence South 1°50'23" West, along the East line of said Quarter-Section, a distance of 55.79 feet to a point on the South right-of-way of E. Truman Road, said point also being the Point of Beginning; Thence continuing South 1°50'23" West, along said Section line, a distance of 423.02 feet; Thence North 88°09'37" West, a distance of 367.58 feet; Thence North 1°50'23" East, a distance of 453.99 feet to a point on said South right-of-way of E. Truman Road; Thence South 78°55'46" East, along said right-of-way, a distance of 153.02 feet to a point on a curve having a radius of 5629.58 feet; Thence along said right-of-way and curve to the right, with an Initial Tangent Bearing of South 87°33'56" East, an arc distance of 216.65 feet to the Point of Beginning. Containing 3.65 acres, more or less.

RZ-2021-602

ATTACHMENT 2: ZONING SUPPORT DOCUMENTATION

Attachments

Public Hearing Summary from May 20, 2021 Plan Commission

Staff Report

Location Map

Map showing current zoning district in area

Names/Addresses of Surrounding Property Owners

Copy of letter to said property owners

Application

Pictures

Preliminary Plat of Parker's Farm

Randy Diehl gave the staff report:

PLAN COMMISSION

May 20, 2021

RE: RZ-2021-602

Applicant: Donald & Lisa Parker

Location: 25815 E. Truman Road

Area: 3.65 ± acres

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

Purpose: Create a single-family residential lot.

Current Land Use and Zoning in the Area:

The applicant owns approximately 35 acres at the southeast corner of 7 Highway and Truman Road. A portion of the land is within the City of Independence (15 ± acres) and the balance within unincorporated County. The 3.65 acres will become Lot 3. The remaining 17 ± acres of the land will be shown as a tract. This tract will not be subject to rezoning since it will be over 10 acres in size. Lots 1 & 2 are being rezoned and platted through the City of Independence.

Truman Road is State Route FF, access to the lot will be determined by the Missouri Department of Transportation.

There are similar sized tracts in the area with three other Residential Estates developments on Flynn Road.

Land Use is primarily single-family residences. To the north across Truman Road and east of 7 Highway is the Lake City Ammunition Plant.

As for access, I'll defer to the applicant whether or not they will have direct access onto Truman Road, or if they will access through the established driveway already in place. As you can see in the pictures there is a large rock outcropping fronting most of the lot.

County Plan:

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

The Residential Estates is appropriate for the Urban Development Tier.

Recommendation:

Staff recommends APPROVAL of RZ-2021-602

Respectfully submitted,

Jackson County Public Works
Development Division
Randy Diehl, Administrator

Mr. Antey: Are there any questions for Randy?

Mr. Tarpley: Where is the driveway?

Mr. Diehl: The existing driveway is further to the West toward 7 Highway.

Mr. Antey: Is the applicant here?

Don Parker: 25711 E. Truman Road.

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

Mr. Parker: We have talked to the State about access. They are letting us have access on the far East side to the lot past the outcropping.

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

Discussion under advisement

Mr. Tarpley moved to approve RZ-2021-602. Mr. Haley seconded.

Mr. Tarpley	Approve
Mr. Haley	Approve
Mr. Crawford	Approve
Mr. Hilliard	Approve
Ms. Mershon	Approve
Chairman Antey	Approve

Motion Carried 6 – 0

STAFF REPORT

PLAN COMMISSION May 20, 2021

RE: RZ-2021-602

Applicant: Donald & Lisa Parker

Location: 25815 E. Truman Road

Area: 3.65 ± acres

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Purpose: Create a single family residential lot.

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County Plan:

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

The Residential Estates is appropriate for the Urban Development Tier.

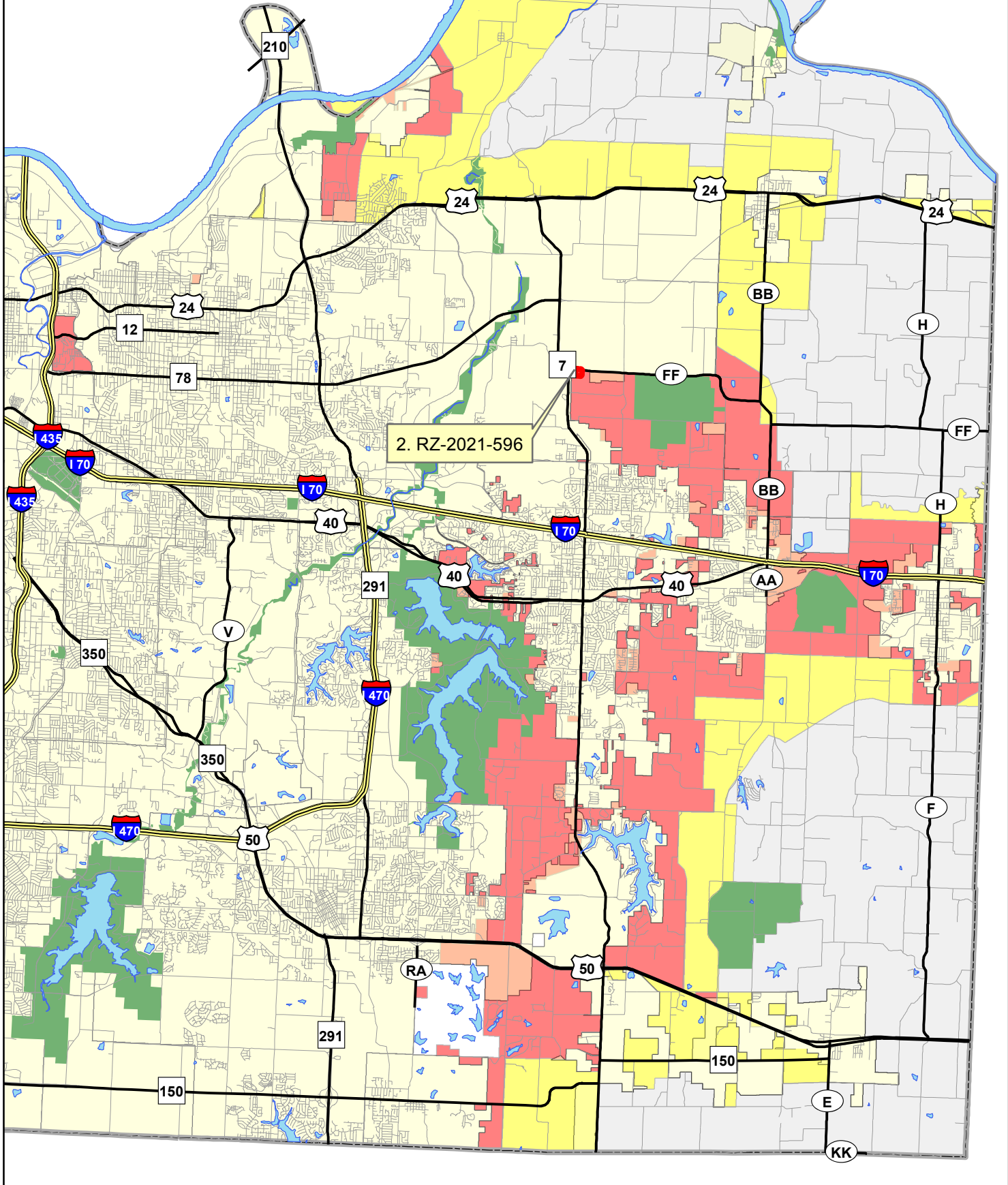
Recommendation:

Staff recommends APPROVAL of RZ-2021-602

Respectfully submitted,

Jackson County Public Works
Development Division
Randy Diehl, Administrator

Jackson County Plan Commission
May 20, 2021
Agenda Location Map



RZ-2021-602

E TRUMAN RD

S 7 HWY

S M 7 HWY

Independence

1

2

RE 3

AG

A

AG



1 inch = 816 feet

E TRUMAN RD

SM 7 HWY

S 7 HWY

E TRUMAN RD

1

2

3 RE

AG A

AG

RE

RE

OAK HILL CLUSTER

SM 7 HWY

E FLYNN RD

AG

RE

AG

AG

LI

RE

AG

AG

Plan Commission May 20, 2021

RZ-2021-602

Property Owners Within 185 feet

Name	Name	Address	City	State	Zip
23-400-02-11-00-0-00-000	RIECHMANN GRACE H-TRUSTEE	26006 E FLYNN RD	INDEPENDENCE	MO	64057
24-100-01-01-00-0-00-000	UNITED STATES OF AMERICA				
23-300-01-01-01-0-00-000	UNITED STATES OF AMERICA				
24-600-01-01-01-2-00-000	PARKER DONALD & LISA	PO BOX 4110	INDEPENDENCE	MO	64051
24-600-01-01-01-1-00-000	PARKER DONALD & LISA				



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

May 5, 2021

RE: Public Hearing: RZ-2021-602
Donald & Lisa Parker

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 Donald & Lisa Parker for a change of zoning from District AG (Agricultural) on 3.65 ± acres to District RE (Residential Estates). The purpose is to create a single family residential lot at 25815 E. Truman 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, May 20, 2021 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

Frank White, Jr., County Executive

**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- 2021-602
Date filed 3-2-21 Date of hearing 5-20-21
Date advertised 5-5-21 Date property owners notified 5-5-21
Date signs posted 5-5-21
Hearings: Heard by PC Date 5-20-21 Decision _____
Heard by LU Date _____ Decision _____
Heard by LG Date _____ Decision _____

BEGIN APPLICATION HERE:

1. Data on Applicant(s) and Owner(s):

- a. Applicant(s) Name: Don Parker + Lisa Parker
Address: 25711 E. Truman RD,
Independence mo. 64056
Phone: (8) 365-6814
- b. Owner(s) Name: Don Parker + Lisa Parker
Address: 25711 E. Truman RD
Phone: (8) 365-6814
- c. Agent(s) Name: _____

Address: _____

Phone: _____

d. Applicant's interest in Property: _____

2. General location (Road Name) E. Truman Rd @ 7 HWY

3. Present Zoning AG Requested Zoning RE

4. AREA (sq. ft. / acres) 21.23 acres

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

Attached

6. Present Use of Property: Vacant

7. Proposed Use of Property: Residential

8. Proposed Time Schedule for Development: ASAP

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 16" City of Independence main

b. Sewage disposal On-site

c. Electricity Overhead Power from North of Truman Road

d. Fire and Police protection _____

12. Describe existing road width and condition: ± 22' Good

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? Yes

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

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)

Don Parker 3/3/21
Don Parker 3/3-21

Applicant(s):

Contract Purchaser(s):

STATE OF _____

COUNTY OF _____

On this 8 day of March, in the year of 2021, 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 Karl Hernandez

Commission Expires _____

Karl Hernandez
Notary Public-Notary Seal
STATE OF MISSOURI
Jackson County
My Commission Expires June 16, 2024
Commission # 20519483





1000
1000





NO
PARKING
ANY
TIME

PRELIMINARY PLAT PARKER'S FARM

A Subdivision in the NE 1/4 of Sec. 12, Twp. 49, Rng. 31
in Independence and Unincorporated Jackson County, Missouri

WEISKIRCH & PARKS ENGINEERS, INC.
MO. CERTIFICATE OF AUTHORITY
L.S. No. 000247
111 NORTH MAIN, SUITE #10
INDEPENDENCE, MISSOURI 64050
(816)254-5000 FAX: (816)252-9712
WPKC@WPKC.COM

PARENT PARCEL DESCRIPTION: (From Owner's Policy of Title Insurance - OP1464081, issued by First American Title Insurance Company)

TRACT 1:
LOTS 1, 2, 3, 4, 7, 8, 9, 10, 11, AND 12, WINDY POINT, A SUBDIVISION IN INDEPENDENCE, JACKSON COUNTY, MISSOURI.

EXCEPT THAT PORTION CONVEYED TO THE STATE OF MISSOURI BY DOCUMENT NO. 882188 IN BOOK 1817 AT PAGE 636.

TRACT 2:
ALL OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 12, TOWNSHIP 49, RANGE 31, EXCEPT THAT PART THEREOF PLATTED AS WINDY POINT, A SUBDIVISION IN INDEPENDENCE, JACKSON COUNTY, MISSOURI AND EXCEPT THAT PORTION CONVEYED TO THE STATE OF MISSOURI BY DOCUMENT NO. 882188 IN BOOK 1817 AT PAGE 636.

PROPERTY BOUNDARY DESCRIPTION:

Part of Lots 1 thru 4, WINDY POINT, a subdivision in Independence, and the remaining unplatted portion of the Northeast Quarter of the Northeast Quarter of Section 12, Township 49, Range 31, being partly in Independence and wholly in Jackson County, Missouri more particularly described as follows: Commencing at the Northeast corner of the Northeast Quarter of said Section 12; Thence South 1°50'23" West, along the East line of said Quarter-Section, a distance of 55.79 feet to a point on the South right-of-way of E. Truman Road, said point also being the Point of Beginning; Thence continuing South 1°50'23" West, along said Section line, a distance of 1257.90 feet to the Southeast corner of the Northeast Quarter of the Northeast Quarter of said Section 12; Thence North 88°28'21" West, along the South line of said Quarter-Section, a distance of 1086.80 feet to the Southeast corner of Lot 12, WINDY POINT; Thence North 1°36'30" East, along the East line of said plot, a distance of 942.79 feet to the Southeast corner of Lot 4; Thence North 88°28'21" West, along the South line of said Lot 4, a distance of 153.13 feet to a point on the East right-of-way of 7 Highway per General Warranty Deed 2010E0003591; Thence North 0°12'18" West, along said right-of-way, a distance of 199.53 feet to a point on the Southerly right-of-way of E. Truman Road per Document No. 882188 in Book 1817 at Page 636; Thence North 25°45'03" East, a distance of 4.61 feet to a point on a curve having a radius of 688.94 feet, this and the following four courses being along said right-of-way; Thence along said curve to the right, with an initial Tangent Bearing of North 54°27'05" East, an arc distance of 438.29 feet to a point of tangency; Thence South 89°05'55" East, a distance of 474.40 feet; Thence South 78°55'46" East, a distance of 153.02 feet to a point on a curve having a radius of 5629.58 feet; Thence along said curve to the right, with an initial Tangent Bearing of South 87°33'56" East, an arc distance of 216.65 feet to the Point of Beginning.

NOTES:

1. Current Land Zoning: Agricultural District (AG).
2. PARKER'S FARM shall be platted and developed in one (1) phase.
3. All necessary utilities and improvements for PARKER'S FARM are existing.
4. E. Truman Road is an existing unimproved asphalt road in fair condition, ±22' wide.
5. According to FEMA Flood Map Number 29095C0309G, Effective Date: January 20, 2017, this property is located in Zone X, (area of Minimal Flood Hazard).
6. The contours shown on this Preliminary Plat were digitized from the USGS Contours taken from Jackson County GIS Mapping.
7. Per the Property Owner, for Lot 2 there is an existing Septic Tank and Lateral Field as shown.

STATE PLANE COORDINATES

POINT	NORTHING	EASTING	POINT	NORTHING	EASTING
1	323,569.92	869,602.44	6	323,544.86	869,220.22
2	323,186.75	869,590.13	7	323,546.12	869,220.86
3	323,195.58	869,259.02	8	323,585.23	869,346.20
4	323,482.80	869,267.09	9	323,582.95	869,490.77
5	323,484.05	869,220.43	10	323,574.00	869,536.54

NOTE:
The bearings and coordinates shown hereon are based on the MISSOURI STATE PLANE COORDINATE SYSTEM (1983 and as Amended), WEST ZONE by GPS observation.
Grid factor = 0.9999064. The coordinates are listed in meters.

DRIVEWAY ACCESS:
New driveway access for Lot 3 onto E. Truman Road shall be allowed at any point along the lot frontage.

BUILDING LIMITS:
The 30 foot building line shown hereon shall apply to new structures not currently in existence at the time of acceptance and recording of this Plat.

WATER:
This site is served by the City of Independence. There is an existing 16" Water Main along the South side of E. Truman Road.

ELECTRICITY:
Overhead power lines run along the North side of E. Truman Road.

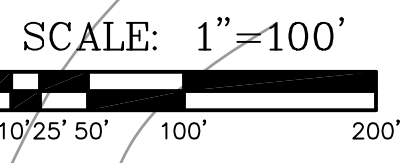
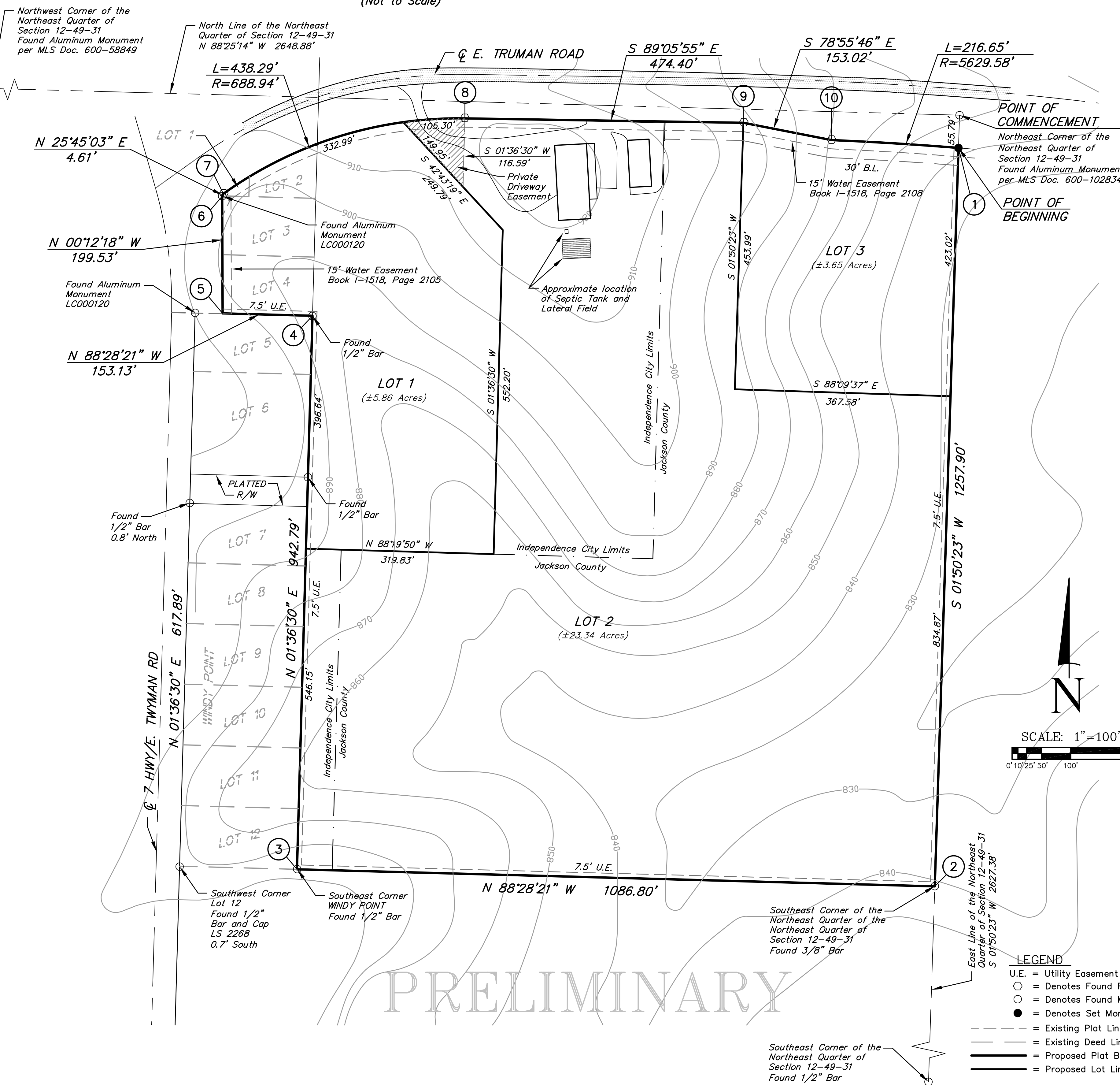
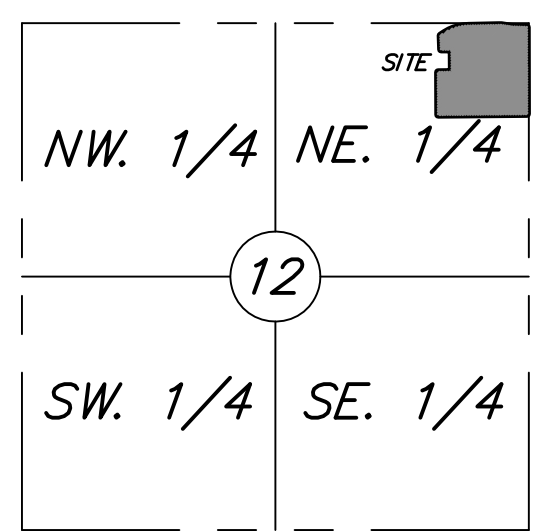
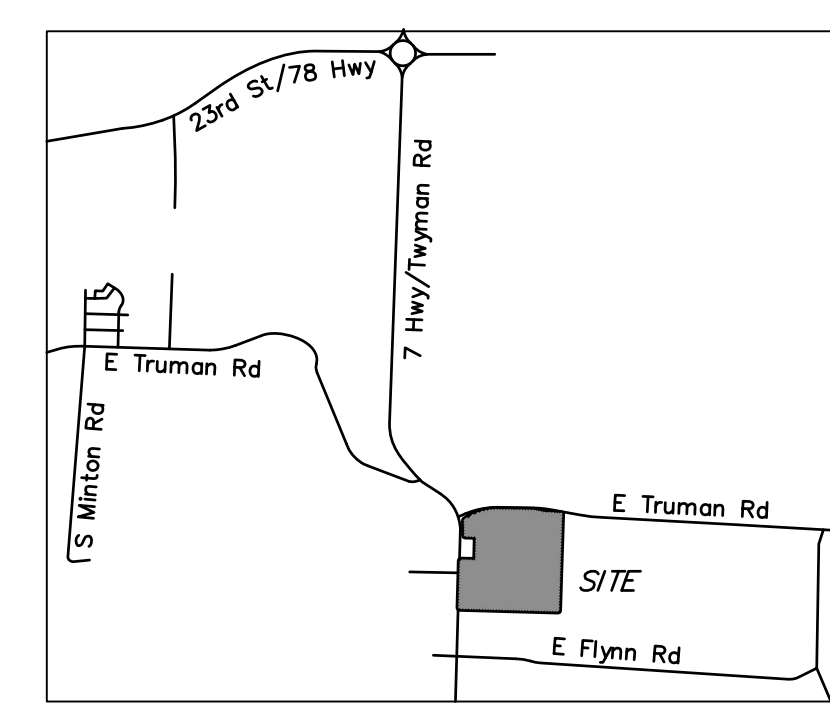
TELEPHONE and FIBER OPTIC:
Existing telephone and fiber optic lines run along the South side of E. Truman Road.

GAS:
This is no gas main to service this site.

SEWERS:
There are no existing sewers serving this property. Any new house built herein shall require an on-site septic system to be designed by a Registered Professional Engineer, and approved by Jackson County. Septic system design shall be performed for the home builder, and paid for by the home builder.

SURVEY NOTES:

1. The Owner's Policy of Title Insurance - OP1464081, issued by First American Title Insurance Company was used in the preparation of this survey. This survey does not constitute a title search by the Surveyor. This Surveyor has made no investigation or independent search for encumbrances of record, encumbrances, restrictive covenants, ownership title evidence, or any other facts that a current and accurate title search may disclose.
2. No topographic features, utilities or underground structures beyond those shown and noted on the face of this survey were located as part of this survey. We have made no investigation for or locations of possible usable subsurface areas on private lands or public ways, including but not limited to, utility vaults or structures of any kind, utility or pedestrian tunnels, under walk area ways, under alley area ways, fuel storage bins or tanks, elevator pits, ventilation shafts and any or all combination of the above.
3. Weiskirch & Parks Engineers, Inc. (WPE) retains ownership of all original survey drawings (unsealed), field notes, collected data, and documents in electronic and hard copy form. WPE retains the right to use and disseminate the data collected as part of this survey and contained in the survey documents at the surveyors discretion.



LEGEND
 U.E. = Utility Easement
 ○ = Denotes Found R/W Marker
 ● = Denotes Found Monument
 ● = Denotes Set Monument
 --- = Existing Plat Line
 --- = Existing Deed Line
 --- = Proposed Plat Boundary
 --- = Proposed Lot Line

PRELIMINARY

**PRELIMINARY PLAT
PARKER'S FARM
NE 1/4, SECTION 12, TOWNSHIP 49, RANGE 31
INDEPENDENCE and JACKSON COUNTY, MISSOURI**

REVISIONS	DATE	DESCRIPTION

JOB NO. 4360
SCALE: NOTED
DATE: 2/22/21
DRAFTER: T.K.O.
CHKD: B.P.
SHEET NO. 1 OF 1

\\wpe-mv\env\Drafting\4360 - Parker\ Preliminary Plat.dwg, 3/1/2021, 8:54:12 AM, T.K.O.