


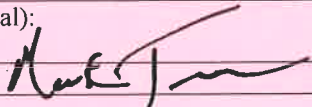
REQUEST FOR LEGISLATIVE ACTION

Completed by County Counselor's Office:

Res/Ord No.: 5057

Sponsor(s): None

Date: November 28, 2017

SUBJECT	Action Requested <input type="checkbox"/> Resolution <input checked="" type="checkbox"/> Ordinance Project/Title: <u>Conditional Use Permit – Jeanette Lamb & Terry Lamb CU-2017-224</u>													
BUDGET INFORMATION <i>To be completed By Requesting Department and Finance</i>	<table border="1" data-bbox="313 499 1193 810"> <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</td> </tr> <tr> <td></td> <td>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:	\$													
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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, Administrator, Development Division, 881-4577													
REQUEST SUMMARY	Requesting the renewal of a Conditional Use Permit for a period of 20 years to operate a private aviation field in District AG (Agricultural) on a 53 ± acre tract. The 53 ± acres are located in Sections 17 & 20, Township 47, Range 29, Jackson County, Missouri, aka 13301 S. Ragsdale Road, in Jackson County, Missouri, and specifically described on Attachment to RLA-1. The Jackson County Plan Commission on November 16, 2017 held a public hearing and accepted testimony pertaining to the Conditional Use Permit. There was no opposition to the request for the Conditional Use Permit. This request conforms to the general intent and purpose of the Unified Development Code. Therefore, the Plan Commission voted 8 to 0 to recommend <u>APPROVAL</u> for a 20 year period provided the following conditions are met (see attachment RLA-2)													
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-3													
REVIEW	Department Director: Brian D. Gaddie, P.E. Director of Public Works 	Date: _____ Finance (Budget Approval): <i>If applicable</i> Division Manager: 												

	County Counselor's Office:	Date:
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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-3:

Attachments

Plan Commission Public Hearing Summary from November 16, 2017

Location Map

Staff Report

Names/Addresses of Surrounding Property Owners

Copy of letter to said property owners

Map showing current zoning district in area

County Code Chapter 240 – Unified Development Code

County Master Plan – “Strategy for the Future”

Application

Pictures of Property

Ordinance 3925

ATTACHMENT TO RLA-2

Conditional Use Permit for a period of 20 (twenty) years with the following Conditions:

1. That the aviation field (airstrip) be used for private use and not as a commercial operation.
2. That the aviation field (airstrip) and its support facilities be limited to the owner/operators two (2) prop airplanes and owner/operators two (2) ultralights.
3. That the owner/operator may have up to 2 ultralight fly-in events within a calendar year. At such fly-in event, up to twenty (20) transient ultralights may utilize the field at any time. A fly-in event is considered a one day occurrence.
4. That the owner/operator shall notify in writing adjacent property owners and the County Development Division fifteen (15) days prior to a scheduled fly-in event. The notification shall indicate the date and anticipated time the fly-in will start and end.
5. Unless there is an emergency situation or during a scheduled ultralight fly-in event, no other transient aircraft including ultralights shall utilize the private airstrip.
6. That the aviation field shall include all approach and departure paths as necessary to assure a safe and adequate landing and take off area and shall be supplemented by written confirmation from the local airport district of the Federal Aviation Agency.
7. That adequate safety provisions be provided which control or restrict access by the general public to the landing and take off areas.
8. That landing and take off area be surfaced in such a manner as to avoid the blowing of dust or dirt onto neighboring property.

RE: CU-2017-224

Randy Diehl gave the staff report:

Applicant / Property Owner: Jeanette M. Lamb & Terry Lamb

Request: A conditional use permit for a period of 20 years to continue operation of a private aviation field

Area: Approximately 53 ± acres

Location: Approximately ¼ ± of a mile north of U.S. Highway 50 on the east side of Ragsdale Road

Present Zoning: District AG (Agricultural)

Background:

The Board of Zoning Adjustment granted a special use permit (S-871) in April, 1995 for operation of a private aviation field for a period of two (2) years subject to 8 conditions. The applicant complied with the conditions and there were no complaints received during that time period.

On July 21, 1997 the County Legislature approved Ordinance 2684 for a conditional use permit that allowed the private aviation field to continue operating for another 10 years subject to the same 8 conditions. The applicant has complied with the conditions and there have been no complaints received during the last 10 years.

On September 24, 2007 the County Legislature approved Ordinance 3925 for the renewal of the conditional use permit to continue operating for another 10 years subject to the same 8 conditions. The applicant has complied with the conditions and there have been no complaints received during the last 10 years.

Current Land Use and Zoning in the Area:

To the west, an 82 acre tract was rezoned to District RR (Residential Ranchette) in 2000 by the County Legislature. The land use is a fifteen lot subdivision known as Lone Ridge.

To the north, east and south the land use is residential tracts and is zoned Agricultural.

Master Plan:

The Master Plan Development Diagram illustrates this area within the Rural Development Tier (RDT). This tier is intended for residents who enjoy a rural lifestyle, open spaces and few neighbors.

Comments:

A private air strip is allowed as a conditional use in an Agricultural district provided that the following conditions are met:

- a. FAA review to ensure approach and departure part is safe and landing and take-off area is adequate.
- b. Adequate provisions which control or restrict access to landing and take-off areas by general public.

- c. Landing and take-off areas are surfaced to avoid blowing of dust or dirt onto neighboring property.

The applicant complied with the FAA conditions during previous permit time periods. The applicant has adequate distance from a public right-of-way which controls access to the airstrip by the general public. The airstrip is a grass turf surface which is dust free.

In addition to owning prop airplanes, the applicant also owns ultralight aircraft. An ultralight is generally described as a one passenger, open cockpit, which weighs less than 290 lbs. An ultralight is powered by a converted snowmobile engine.

In the previous conditional use permit, there was a condition which allowed the owner/operator to have six ultralights. The owner/operator currently owns two ultralights and, therefore, the condition will be revised to allow only two ultralights.

The two previous permits allowed the owner/operator to have up to 2 ultralight fly-in events within a calendar year and require notification when an event was to occur.

Recommendation:

Staff recommends APPROVAL of CU-2017-224 for a period of ten (20) years subject to:

1. That the aviation field (airstrip) be used for private use and not as a commercial operation.
2. That the aviation field (airstrip) and its support facilities be limited to the owner/operators two (2) prop airplanes and owner/operators two (2) ultralights.
3. That the owner/operator may have up to 2 ultralight fly-in events within a calendar year. At such fly-in event, up to twenty (20) transient ultralights may utilize the field at any time. A fly-in event is considered a one day occurrence.
4. That the owner/operator shall notify in writing adjacent property owners and the County Development Division fifteen (15) days prior to a scheduled fly-in event. The notification shall indicate the date and anticipated time the fly-in will start and end.
5. Unless there is an emergency situation or during a scheduled ultralight fly-in event, no other transient aircraft including ultralights shall utilize the private airstrip.
6. That the aviation field shall include all approach and departure paths as necessary to assure a safe and adequate landing and take-off area and shall be supplemented by written confirmation from the local airport district of the Federal Aviation Agency.
7. That adequate safety provisions be provided which control or restrict access by the general public to the landing and take-off areas.

8. That landing and take-off area be surfaced in such a manner as to avoid the blowing of dust or dirt onto neighboring property.

Mr. Antey: Are there any questions for Randy?

Mr. Tarpley: This is a private airstrip, no one else get use it?

Mr. Diehl: Yes, that is correct. It's for the benefit of the owner.

Mr. Haley: Why the request from 10 to 20 years?

Mr. Diehl: It is the request of the owner. Staff doesn't have any problem with that.

Mr. Antey: They have a 22 year track report.

Mr. Antey: Is the applicant here?

Terry Lamb: 13301 S. Ragsdale Road

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

Mr. Lamb: I got rid of the ultralights. It's just basically the (prop) airplanes. As for the fly-ins, we haven't had one for about 4 years, since my father passed away.

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

Mr. Akins: I would suggest that we don't modify his conditions in regards to the ultralights.

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

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

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

Mr. Tarpley: With a 22 year track report, I see no reason not to approve this.

Motion to take under advisement.

Discussion under advisement

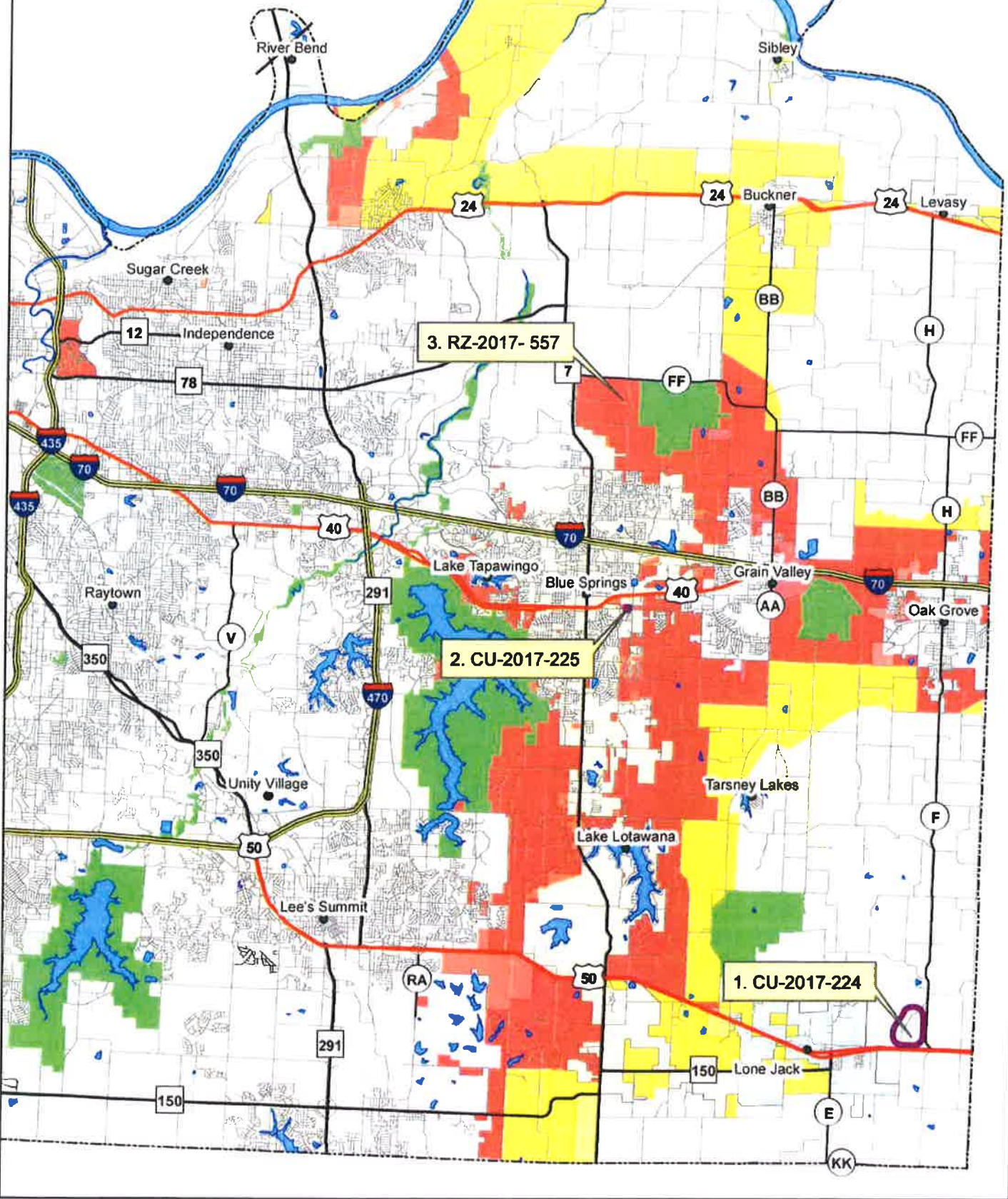
Mr. Akins moved to approve. Mr. Haley seconded.

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

Motion Carried 8 – 0.

Jackson County Plan Commission
November 16, 2017
Agenda Location Map

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STAFF REPORT

PLAN COMMISSION
November 16, 2017

RE: CU-2017-224

Applicant / Property Owner: Jeanette M. Lamb & Terry Lamb

Request: A conditional use permit for a period of 20 years to continue operation of a private aviation field

Area: Approximately 53 ± acres

Location: Approximately ¼ ± of a mile north of U.S. Highway 50 on the east side of Ragsdale Road

Present Zoning: District AG (Agricultural)

Background:

The Board of Zoning Adjustment granted a special use permit (S-871) in April, 1995 for operation of a private aviation field for a period of two (2) years subject to 8 conditions. The applicant complied with the conditions and there were no complaints received during that time period.

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Current Land Use and Zoning in the Area:

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The Master Plan Development Diagram illustrates this area within the Rural Development Tier (RDT). This tier is intended for residents who enjoy a rural lifestyle, open spaces and few neighbors.

Comments:

A private air strip is allowed as a conditional use in an Agricultural district provided that the following conditions are met:

- a. FAA review to ensure approach and departure part is safe and landing and take off area is adequate.
- b. Adequate provisions which control or restrict access to landing and take off areas by general public.
- c. Landing and take off areas are surfaced to avoid blowing of dust or dirt onto neighboring property.

The applicant complied with the FAA conditions during previous permit time periods. The applicant has adequate distance from a public right-of-way which controls access to the airstrip by the general public. The airstrip is a grass turf surface which is dust free.

In addition to owning prop airplanes, the applicant also owns ultralight aircraft. An ultralight is generally described as a one passenger, open cockpit, which weighs less than 290 lbs. An ultralight is powered by a converted snowmobile engine.

In the previous conditional use permit, there was a condition which allowed the owner/operator to have six ultralights. The owner/operator currently owns two ultralights and, therefore, the condition will be revised to allow only two ultralights.

The two previous permits allowed the owner/operator to have up to 2 ultralight fly-in events within a calendar year and require notification when an event was to occur.

Recommendation:

Staff recommends APPROVAL of CU-2017-224 for a period of ten (20) years subject to:

1. That the aviation field (airstrip) be used for private use and not as a commercial operation.
2. That the aviation field (airstrip) and its support facilities be limited to the owner/operator's two (2) prop airplanes and owner/operator's two (2) ultralights.
3. That the owner/operator may have up to 2 ultralight fly-in events within a calendar year. At such fly-in event, up to twenty (20) transient ultralights may utilize the field at any time. A fly-in event is considered a one day occurrence.
4. That the owner/operator shall notify in writing adjacent property owners and the County Development Division fifteen (15) days

prior to a scheduled fly-in event. The notification shall indicate the date and anticipated time the fly-in will start and end.

5. Unless there is an emergency situation or during a scheduled ultralight fly-in event, no other transient aircraft including ultralights shall utilize the private airstrip.
6. That the aviation field shall include all approach and departure paths as necessary to assure a safe and adequate landing and take off area and shall be supplemented by written confirmation from the local airport district of the Federal Aviation Agency.
7. That adequate safety provisions be provided which control or restrict access by the general public to the landing and take off areas.
8. That landing and take off area be surfaced in such a manner as to avoid the blowing of dust or dirt onto neighboring property.

Respectfully submitted,

Jackson County Public Works
Development Division
Randy Diehl, Administrator

CU-2017-224
Jeanette M. Lamb
Terry Lamb



CU-2017-224
Jeanette M. Lamb
Terry Lamb

S OUTER BELT RD

S RAGSDALE RD



Plan Commission November 19, 2017
 CU-2017-224

Property Owners Within 1000 feet

parcel_number	owner *	address	city	state	zip
57-800-04-14-00-0-00-000	BAKER GERALD H & SUSAN E	12820 S RAGSDALE RD	LONE JACK	MO	64070
74-200-02-16-00-0-00-000	BREEDING DANIEL CARL & SUSAN JEANETTE	13204 S RAGSDALE ROAD	LONE JACK	MO	64070
74-200-02-08-00-0-00-000	BURKE DENNIS L	13402 S RAGSDALE RD	LONE JACK	MO	64070-8592
74-200-01-01-03-0-00-000	BURKS JOEY H	13304 S OUTER BELT RD	LONE JACK	MO	64070
74-200-02-09-00-0-00-000	CURTIS JUDITH A	13408 S RAGSDALE RD	LONE JACK	MO	64070
57-800-04-05-05-1-00-000	DEEN TYLER & KRYSTAL	12901 S RAGSDALE RD	LONE JACK	MO	64070
57-800-04-03-00-0-00-000	DRUMMOND DAVID L & BARBARA M	12905 RAGSDALE RD	LONE JACK	MO	64070
57-800-04-04-00-0-00-000	DRUMMOND DAVID L & BARBARA M	12905 S RAGSDALE RD	LONE JACK	MO	64070
74-200-01-01-04-0-00-000	FANNING SCOTT T & LAURENE S	13208 S OUTER BELT RD	LONE JACK	MO	64070
74-200-01-01-05-0-00-000	FANNING SCOTT T & LAURENE S	13208 S OUTERBELT RD	LONE JACK	MO	64070
74-200-02-13-00-0-00-000	HAINES KATHERINE LOUISE TRUSTEE	13306 S RAGSDALE DR	LONE JACK	MO	64070
57-800-04-05-03-0-00-000	HANCOX RICHARD L & SHARON K	13020 S OUTERBELT RD	LONE JACK	MO	64070
57-800-04-11-01-2-00-000	HARTMAN WILLIAM LEE &	5726 HARRISON	KANSAS CITY	MO	64110
57-800-03-04-00-0-00-000	HARTWIG DAVID L & ANITA A	622 NW AA HWY	KINGSVILLE	MO	64061
57-800-04-06-00-0-00-000	HARTWIG DAVID L & ANITA A	622 NW AA HWY	KINGSVILLE	MO	64061
74-200-02-17-00-0-00-000	HEIMAN DAVID C & LISA G TRUSTEES	13208 S RAGSDALE RD	LONE JACK	MO	64070
57-800-04-15-00-0-00-000	JACKSON LEON C & TINA M TRUSTEE	12922 S OUTER BELT RD	LONE JACK	MO	64070
74-200-01-01-01-0-00-000	KIRK BRIAN L & SHELBY	13106 S OUTER BELT RD	LONE JACK	MO	64070
74-200-01-01-02-2-00-000	LAMB ERIC S & JENNIFER C	849 NW 1911TH RD	LONE JACK	MO	64070
74-200-01-01-02-1-00-000	LAMB JEANETTE M	12208 S FAULKENBERRY RD	LONE JACK	MO	64070
57-800-04-05-06-0-00-000	LAMB JEANETTE M	12208 S FAULKENBERRY RD	LONE JACK	MO	64070
74-200-02-10-00-0-00-000	MATNEY JAMES & KELLY	13316 S RAGSDALE RD	LONE JACK	MO	64070
57-800-04-16-00-0-00-000	METCALF DANIAL L & SUSAN K	PO BOX 183	LONE JACK	MO	64070
74-200-02-20-00-0-00-000	MOONEY DONALD L & LAURA L	13106 S RAGSDALE DR	LONE JACK	MO	64070
74-200-02-18-00-0-00-000	NELSON DERICK A & JENNIFER R	13116 S RAGSDALE RD	LONE JACK	MO	64070
74-200-02-19-00-0-00-000	NITCHER BRYAN S & LEIGH R	13112 S RAGSDALE RD	LONE JACK	MO	64070
57-800-04-17-00-0-00-000	OCONNOR JANICE J & LOHE STEPHEN C	12808 S OUTER BELT RD	LONE JACK	MO	64070
74-200-01-01-06-0-00-000	PATRICK DAVID M & JOANNE C	13116 S OUTERBELT RD	LONE JACK	MO	64070
74-200-02-14-00-0-00-000	SOULIS DIRK T & SUSAL I	PO BOX 17	LONE JACK	MO	64070

74-200-02-12-00-0-00-000	SOULIS DIRK T & SUSAL L	PO BOX 17	LONE JACK	MO	64070
74-200-02-15-00-0-00-000	SOULIS DIRK T & SUSAN L	13214 RAGSDALE RD	LONE JACK	MO	64070
74-200-01-06-00-0-00-000	STANDIFORD BERNIE P & NORMA JEAN	13317 S RAGSDALE RD	LONE JACK	MO	64070
74-200-01-03-01-0-00-000	STANDIFORD BERNIE P & NORMA JEAN	13317 S RAGSDALE RD	LONE JACK	MO	64070
57-800-04-05-04-0-00-000	STATHAS NICHOLAS F & MARY ANN	13008 S OUTERBELT RD	LONE JACK	MO	64070
74-200-01-01-02-5-00-000	SWEENEY LARRY W.	13320 S OUTER BELT RD	LONE JACK	MO	64070
74-200-02-21-00-0-00-000	TRUMP COURTNEY VAN & LAWSON RICHARD K	13102 S RAGSDALE RD	LONE JACK	MO	64070
57-800-04-11-01-1-00-000	WAGNER NICK & D LOUISE	12900 S RAGSDALE RD	LONE JACK	MO	64070
57-800-04-13-00-0-00-000	WALTON STEVEN B	RT 1 S RAGSDALE RD	LONE JACK	MO	64070
74-200-02-11-00-0-00-000	WATERMAN CLIFFORD & MARILYN	13312 S RAGSDALE RD	LONE JACK	MO	64070

JACKSON COUNTY, MISSOURI
CONDITIONAL USE PERMIT APPLICATION

APPLICANT INFORMATION:

1. Application must be filed with the Jackson County Development Division, 303 W. Walnut, Independence, MO 64050 by the deadline on the Plan Commission Calendar.
2. Application must be typed or printed in a legible manner.
3. A scaled map of the property, correlating with the legal description, and clearly showing the property's location must accompany application. Refer to Section 24003.22, pertaining to Site Plan Review within the Unified Development Code.
4. 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.
5. The filing fee \$350.00 (non-refundable) must accompany application.
(Check payable to: Manager of Finance)

TO BE COMPLETED BY OFFICE PERSONNEL ONLY:

Conditional Use Permit Number CU- 2017- 224

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: Jeanette + Terry D. Lamb
 Address: 13301 S. Ragsdale Rd. Lone Jack Mo 64070
 Phone: 913-207-1904
 - b. Owner(s) Name: Jeanette Lamb
 Address: 12208 S. Faulkenberry Rd Lone Jack, MO 64080
 Phone: 816-697-2566
 - c. Agent(s) Name: Terry D. Lamb

Address: 13301 S. Ragsdale RD. Lone Jack MO 64070

Phone: 913-207-1904

d. Applicant's interest in Property: To keep small private Airport.

2. A CONDITIONAL USE PERMIT IS HEREBY REQUESTED for the following described

use: Small Private Airport

a period of 20 years; property described as follows: a tract of land 68 square feet/^{for}53 acres

in size located at 13301 S. Ragsdale RD. Road.

Present Zoning District A Agricultural

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

Northwest quarter of section 20, Township 42
Range 29 in Jackson County, Missouri

4. Present Use of Property: Agriculture + small private airstrip.

5. Proposed Use of Property: Same Agriculture + airport

6. Estimated Time Schedule for Development: no new development.

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

None

8. 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? no

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

a. Water none

b. Sewage disposal none

c. Electricity none

d. Heating none

e. Fire and Police protection none

10. Describe existing road width and condition: Ragsdale RD. Black top 2 lanes

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

12. Are any state, federal, or other public agencies approvals or permits required for the proposed development? Just to list it with the FAA airports

If so, describe giving dates of application and status (include permit numbers and copies of same, if issued): every 4 years update for maps services.

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)

Jeanette M Lamb
Terry Lamb

8-31-2017
8/31/2017

Applicant(s):

Jeanette M Lamb
Terry Lamb

8-31-17
8/31/2017

Contract Purchaser(s): _____

STATE OF Missouri
COUNTY OF Jackson

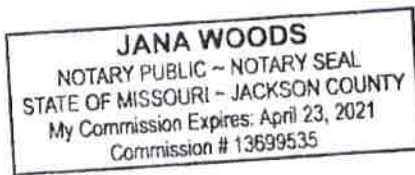
On this 31 day of August, in the year of 2017, before me
the undersigned notary public, personally appeared Jeanette Lamb
Terry Lamb

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 Jana Woods

Commission Expires April 23, 2021



IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

AN ORDINANCE granting a conditional use permit (CUP) in District A (Agricultural) for a period of ten (10) years to continue operation of a private aviation field as to a certain 53± acre tract, subject to specified conditions.

ORDINANCE # 3925, September 4, 2007

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

Section 1. A conditional use permit (CUP) is hereby approved for a period of ten (10) years, to continue operation of a private aviation field as to a certain tract of land described as follows:

Description:

The 53 ± acres are approximately ¼ ± of a mile north of U.S. Highway 50 on the east side of Ragsdale Road and specifically described as:

Tract 1

That part of the South half of the Southeast Quarter of Section 17 and that part of the Northwest quarter of the Northeast Quarter of Section 20 all in Township 47, Range 29 in Jackson County, Missouri described as follows: Commencing at the Southeast corner of the South half of the Southeast Quarter of Section 17; thence North 89 degrees 36 minutes 20 seconds West along the South line of said South half a distance of 1368.00 feet to the Southwest corner of the Southeast Quarter of the Southeast Quarter of Section 17, said point being the true point of beginning; thence North 0 degrees 08 minutes 41 seconds East along the West line of the Southeast Quarter of the Southeast Quarter of Section 17, a distance of 656.00 feet; thence North 6 degrees 52 minutes 49 seconds West a distance of 461.11 feet; thence North 89 degrees 26 minutes 47 seconds West, a distance of 250.00 feet to a point in Ragsdale Road; thence South 27 degrees 15 minutes 09 seconds West along said road a distance of 586.80 feet; thence South 28 degrees 00 minutes 22 seconds West along said road a distance of 478.95 feet; thence South 30 degrees 30 minutes 51 seconds West along said road a distance of 1118.11 feet to the West line of the Northwest Quarter of the Northeast Quarter of said Section 20; thence South 0 degrees 07 minutes 06 seconds East along said West line a distance of 186.29 feet; thence South 89 degrees 36 minutes 20 seconds East a distance of 1367.42 feet to the East line of the Northwest Quarter of the Northeast Quarter of Section 20; thence North 0 degrees 10 minutes 01 seconds West along

said East line a distance of 987.29 feet to the point of beginning, except part in road.

Tract 2

That part of the West half of the Northeast Quarter of Section 20, Township 47, Range 29, Jackson County, Missouri, described as follows: Commencing at the southwest corner of the West half of the Northeast Quarter; thence North 0 degrees 07 minutes 06 seconds West along the West line of said West half of the Northeast Quarter of Section 20, a distance of 1388.55 feet to the true point of beginning; thence North 0 degrees 07 minutes 06 seconds West along said West line a distance 326.00 feet; thence South 89 degrees 36 minutes 20 seconds East a distance of 1367.42 feet to the East line of said West half of the Northeast Quarter; thence South 0 degrees 02 minutes 18 seconds East along said East line a distance of 326.00 feet; thence North 89 degrees 36 minutes 19 seconds West a distance of 1366.97 feet to the point of beginning. Except part in roads.

Section 2. The permit granted by this Ordinance is subject to the following conditions:

1. That the aviation field (airstrip) be used for private use and not as a commercial operation.
2. That the aviation field (airstrip) and its support facilities be limited to the owner/operator's two (2) prop airplanes and owner/operator's two (2) ultralights.
3. That the owner/operator may have up to 2 ultralight fly-in events within a calendar year. At such fly-in event, up to twenty (20) transient ultralights may utilize the field at any time. A fly-in event is considered a one day occurrence.
4. That the owner/operator shall notify in writing adjacent property owners and the County Development Division fifteen (15) days prior to a scheduled fly-in event. The notification shall indicate the date and anticipated time the fly-in will start and end.
5. Unless there is an emergency situation or during a scheduled ultralight fly-in event, no other transient aircraft including ultralights shall utilize the private airstrip.

6. That the aviation field shall include all approach and departure paths as necessary to assure a safe and adequate landing and take off area and shall be supplemented by written confirmation from the local airport district of the Federal Aviation Agency.
7. That adequate safety provisions be provided which control or restrict access by the general public to the landing and take off areas.
8. That landing and take off area be surfaced in such a manner as to avoid the blowing of dust or dirt onto neighboring property.

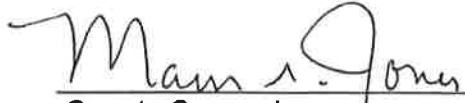
Section 3. The Legislature, pursuant to the application of Jeanette Lamb, requesting the amendment embodied in this Ordinance and with notice that the Jackson County Plan Commission unanimously recommended approval of this application at a public hearing on August 16, 2007, does adopt this Ordinance 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 # 3925 introduced on September 4, 2007, was duly passed on September 24, 2007 by the Jackson County Legislature. The votes thereon were as follows:

Yeas 8

Nays 0


Abstaining 0

Absent 1

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

9.25.07

Date



Mary Jo Spino, Clerk of Legislature

I hereby approve the attached Ordinance # 3925.

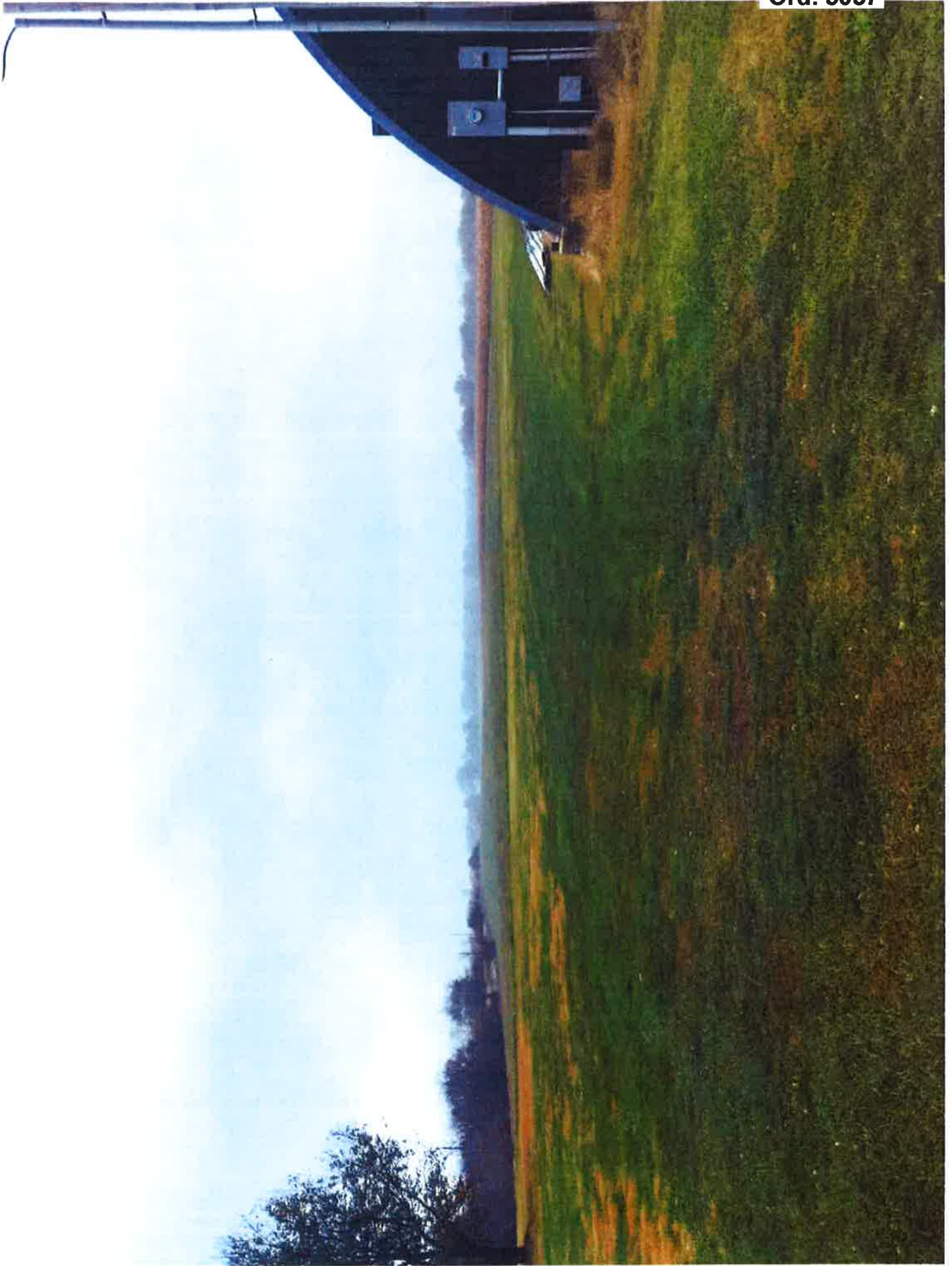
9/27/2007

Date



Michael D. Sanders, County Executive





CU-2017-224

ATTACHMENT TO RLA 1:

Description:

Tract 1

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Tract 2

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