

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 7.9 ± acres tract from District A (Agricultural) to District RR (Residential Ranchette).

ORDINANCE #4445, September 10, 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, a tract of land described as follows:

Description: All that part of the Northwest Quarter of the Northwest Quarter of Section 10, Township 47, Range 30, in Jackson County, Missouri, described as follows: Beginning at the Northwest Corner of said Section 10; thence South 02 degrees 03' 19" West, 985.00 feet, along the West line of said Northwest Quarter of Section 10; thence North 89 degrees 52' 20" East 389.24 feet; thence North 02 degrees 02' 04" East, 896.45 feet, to the North line of said Northwest Quarter of Section 10; thence along said North line South 89 degrees 39' 27" West, 388.98 feet to the Point of Beginning, except that part in Adams Cemetery Road.

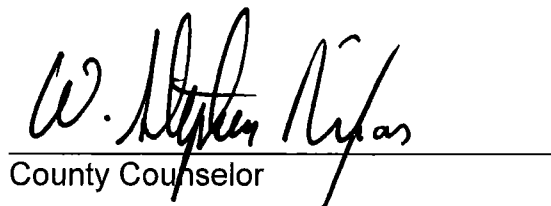
Section 2. The Legislature, pursuant to the application of Steven D. and Patricia D. Waisner (RZ-2012-486), requesting the amendment embodied in this Ordinance and with notice that the Jackson County Plan Commission voted 7 to 0 to recommend APPROVAL of this application after a public hearing on August 16, 2012, 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 #4445 introduced on September 10, 2012, was duly passed on October 8, 2012 by the Jackson County Legislature. The votes thereon were as follows:

Yeas 9

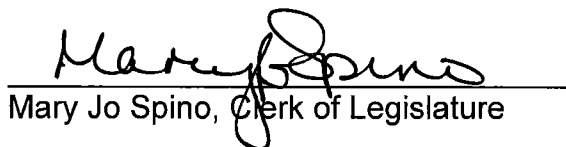
Nays 0

Abstaining 0

Absent 0

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

10-8-12
Date


Mary Jo Spino, Clerk of Legislature

I hereby approve the attached Ordinance #4445.

10-9-2012
Date


Michael D. Sanders, County Executive

REQUEST FOR LEGISLATIVE ACTION

Completed by County Counselor's Office:

~~Res~~/Ord No.: 4445

Sponsor(s): xxxxxxxxxxxxxxxxxxxxxx

Date: Sept. 10, 2012

SUBJECT	Action Requested <input type="checkbox"/> Resolution <input checked="" type="checkbox"/> Ordinance Project/Title: <u>Steven D. and Patricia D. Waisner Case No. RZ-2012-486</u>											
BUDGET INFORMATION <i>To be completed By Requesting Department and Finance</i>	<table border="1" data-bbox="331 499 1203 814"> <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 a change of zoning from District A (Agricultural) on a 7.9 ± acre tract to District RR (Residential Ranchette). The 7.9 ± acres are on the south side of Adams Cemetery Road a quarter mile east of Alley & Jackson Road, lying in Section 10, Township 47, Range 30, Jackson County, Missouri, aka 30901 E. Adams Cemetery 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 6 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	R. Scott George, Administrator Finance (Budget Approval): <i>If applicable</i> Division Manager: County Counselor's Office:	Date: 08/22/2012 Date: Date: 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:

Description: All that part of the Northwest Quarter of the Northwest Quarter of Section 10, Township 47, Range 30, in Jackson County, Missouri, described as follows: Beginning at the Northwest Corner of said Section 10; thence South 02 degrees 03' 19" West, 985.00 feet, along the West line of said Northwest Quarter of Section 10; thence North 89 degrees 52' 20" East 389.24 feet; thence North 02 degrees 02' 04" East, 896.45 feet, to the North line of said Northwest Quarter of Section 10; thence along said North line South 89 degrees 39' 27" West, 388.98 feet to the Point of Beginning, except that part in Adams Cemetery Road.

ATTACHMENT TO RLA-2:

Attachments

Plan Commission Public Hearing Summary from August 16, 2012

Staff report

Names/Addresses of surrounding property owners

Map showing current zoning districts in area

Application

Plat – Waisner Estates

3. RZ-2012-486 – Steven D and Patricia D. Waisner

Requesting a change of zoning from District A (Agricultural) on a 7.9 ± acre tract to District RR (Residential Ranchette). The 7.9 ± acres are on the south side of Adams Cemetery Road a quarter mile east of Alley & Jackson Road, lying in Section 10, Township 47, Range 30, Jackson County, Missouri, aka 30901 E. Adams Cemetery Road.

Mr. Scott introduced RZ-2012-486 and entered 9 exhibits into record.

Location: South side of Adams Cemetery Road a quarter mile east of Alley & Jackson Road, lying in Section 10, Township 47, Range 30, Jackson County, Missouri, aka 30901 E. Adams Cemetery Road..

Area: 7.9 ± acres

Request: Change of zoning from District A (Agricultural) to District RR (Residential Ranchette)

Purpose: Applicant wishes to separate the existing accessory residence from their 23 ± acre tract into its own separate lot.

Current Land Use and Zoning in the Area:

Zoning in the area is primarily agricultural. Property sizes range from 3 acres to 10 acres and larger tracts, containing single family residences. To the northwest is a four lot subdivision, Loveland Acres, rezoned to RE (Residential Estates) and platted in 1999. To the south is a three lot subdivision Noah's Pond, rezoned to RE (Residential Estates) and platted in 2005. To the east is County park ground, Blue and Gray Park. To the north and west are large agricultural tracts.

Comments: As stated the proposed lot will be approximately 7.9 ± acres in size. The existing residence was permitted in 2002 as an accessory residence. The primary residence is the applicants at 11602 S. Buckner Tarsney Road. The proposed subdivision and lot size are compatible with adjacent uses.

County Plan:

The County Plan Development Diagram illustrates this area within the Suburban Development Tier (SDT). The RR (Residential Ranchette) District is appropriate in the Suburban Development Tier.

Recommendation:

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

Staff recommends APPROVAL of RZ-2012-486

Commissioner had no questions for Mr. George.

Carolyn Wilkinson introduced herself as the representative for the applicant.

There were no questions from the Commission for Carolyn Wilkinson.

Motion was made to take RZ-2012-486 under advisement by Commissioner Haley, seconded by Commissioner Akins.

Motion was made to approve RZ-2012-486 by Commissioner Mershon, seconded by Commissioner Akins, vote was taken.

Mr. Akins	Approve
Mr. Crawford	Approve
Mr. Gibler	Approve
Mr. Haley	Approve
Mrs. Mershon	Approve
Mrs. Query	Approve
Mr. Antey	Approve

RZ-2012-486 APPROVED (7-0)

STAFF REPORT

**PLAN COMMISSION
August 16, 2012**

RE: RZ-2012-486

Applicant: Steven D & Patricia D Waisner

Location: South side of Adams Cemetery Road a quarter mile east of Alley & Jackson Road, lying in Section 10, Township 47, Range 30, Jackson County, Missouri, aka 30901 E. Adams Cemetery Road..

Area: 7.9 ± acres

Request: Change of zoning from District A (Agricultural) to District RR (Residential Ranchette)

Purpose: Applicant wishes to separate the existing accessory residence from their 23 ± acre tract into its own separate lot.

Current Land Use and Zoning in the Area:

Zoning in the area is primarily agricultural. Property sizes range from 3 acres to 10 acres and larger tracts, containing single family residences.

To the northwest is a four lot subdivision, Loveland Acres, rezoned to RE (Residential Estates) and platted in 1999. To the south is a three lot subdivision Noah's Pond, rezoned to RE (Residential Estates) and platted in 2005. To the east is County park ground, Blue and Gray Park. To the north and west are large agricultural tracts.

Comments: As stated the proposed lot will be approximately 7.9 ± acres in size. The existing residence was permitted in 2002 as an accessory residence. The primary residence is the applicants at 11602 S. Buckner Tarsney Road.

The proposed subdivision and lot size are compatible with adjacent uses.

County Plan:

The County Plan Development Diagram illustrates this area within the Suburban Development Tier (SDT). The RR (Residential Ranchette) District is appropriate in the Suburban Development Tier.

**Plan Commission
August 16, 2012
RZ-2012-486**

Applicants / Property Owners: Steven D & Patricia D Waisner
11602 S. Buckner Tarsney Rd.
Oak Grove, MO 64075

Parcel No: 58-400-02-06-01
58-400-02-06-02-2

Certified Mail – Return Receipt
Property Owners within 1000 feet

58-300-03-03-01
Charles & Nancy Campbell-Trustee
11400 S. Buckner Tarsney Road
Grain Valley, MO 64029

58-300-03-03-02
Charles & Nancy Campbell-Trustee

58-400-02-04
Charles & Nancy Campbell-Trustee

59-100-04-09
Marjorie & Martin Holyfield
4306 E. 204th
Belton, MO 64012

59-100-04-10
Gene & Marsha Loveland
11303 S. Alley Jackson Road
Grain Valley, MO 64029

59-100-04-07-01-2
Gene & Marsha Loveland

59-100-04-08
David & Cathy Loveland
11411 S. Allen Jackson Road
Grain Valley, MO 64029

59-100-04-11
Donald & Laura Hadley
30704 E. Adams Cemetery Road
Grain Valley, MO 64029

58-400-02-07
Dale & Linda Pratt
11622 S. Buckner Tarsney Road
Grain Valley, MO 64029

58-400-02-08
Dale & Linda Pratt

58-400-02-09
Dale & Linda Pratt

58-400-02-02
Adams Cemetery
C/O % Calvin Ray Dealy
706 W. 15th Street
Oak Grove, MO 64075

58-400-01-05
Jackson County, Missouri
415 E. 12th Street
Kansas City, MO 64106

58-300-03-06
Jackson County, Missouri



Jackson County
Zoning Map

	1000' Notification Ring
Addresses	
	Call other values
PRIMARY ADD	
	Future No.
	Park
	Multiple
	Primary
	Secondary Rts
	Utility
	Legislative Action
	Streets
	Call other values
	Pending
Zoning	
	RR-Residential Ranchette
	Residential Ranchette-Planned
	RE-Residential Estates
	RS-Residential Suburban
	RL-Residential Urban
	A1-Single-Family
	B1-Two-Family
	C1-Multi-Family
	A-Mobile Homes District
	ROP-Residential Office-Planned
	L-Local Business
	LB-Local Business-Planned
	GB-General Business
	GBP-General Business-Planned
	LI-Light Industrial
	LH-Heavy Industrial-Planned
	HI-Heavy Industrial



EX. 5

RZ-2012-486

1 inch equals 200 feet

**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
-

TO BE COMPLETED BY OFFICE PERSONNEL ONLY:

Rezoning Case Number RZ-2012- 486
Date filed 7-17-12 Date of hearing 8-16-12
Date advertised 8-1-12 Date property owners notified 8-1-12
Date signs posted 8-1-12
Hearings: Heard by PC Date 8-16-12 Decision _____
Heard by _____ Date _____ Decision _____
Heard by _____ Date _____ Decision _____

BEGIN APPLICATION HERE:

1. Data on Applicant(s) and Owner(s):
 - a. Applicant(s) Name: Steven D. + Patricia D. Waisner
Address: 11602 S. Buckner-Tarsney Road
Grain Valley, Mo. 64029
Phone: 816-697-2402
 - b. Owner(s) Name: Steven D. + Patricia D. Waisner
Address: 11602 S. Buckner-Tarsney Road
Phone: Grain Valley, Mo. 64029
 - c. Agent(s) Name: Carolyn Wilkinson
Address: 31605 E. U.S. Hwy 50
Lone Jack, Mo. 64070

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 th at all of the foregoing statements contained in any paper s

