

**IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI**

**AN ORDINANCE** amending the zoning districts established pursuant to the Unified Development Code by changing from District A (Agricultural) to District RR-p (Residential Ranchette - Planned Development) a certain 197 ± acre tract, and approving the preliminary plat "Bountiful," creating a forty-three (43) lot residential subdivision subject to conditions.

**ORDINANCE #4232**, August 30, 2010

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-p" (Residential Ranchettes - Planned Development) District, so that there will be transferred from District A to District RR-p, a tract of land described as follows:

Description:

The 197 ± acres are generally located one mile north of FF Highway (Truman Road) on the west side of H Highway (Outer Belt Road) and more specifically described as commencing at the southwest corner of the southwest quarter of Section 5, Township 49 north, Range 29 west, Jackson County, Missouri; thence S87°15'23" E along the north line of said southwest quarter, a distance of 245.59'; to the point of beginning; thence S01°56'07"W a distance of 2661.33', thence S87°03'10"E a distance of 1090.91', thence S01°20'42"W a distance of 978.70', thence S87°03'10"E a distance of 1335.33', thence S86°49'27"E a distance of 591.71' to the westerly right of way (R/W) line of H Highway, thence along said R/W N08°30'13"E a distance of 51.48', thence along said R/W in a curve to the right having a radius of 2904.79' and an arc length of 401.33', thence along said R/W N16°25'11"E a distance of 812.39', thence along said R/W in a curve to the left having a radius of 676.78' and an arc length of 502.79', thence along said R/W N26°08'45"W a distance of 816.90', thence N87°15'38"W a distance of 1026.86', thence N02°44'22"E a distance of 914.70', thence N87°15'38"W a distance of 884.48', thence N02°44'22"E a distance of 300.00', thence S87°15'38"W a distance of 973.17' to the point of beginning encompassing an area of 197.12 ac.

Section 2. The preliminary plat "Bountiful," creating a forty-three (43) lot subdivision, is hereby approved, subject to the following conditions:

1. The developer agrees that private streets are constructed in conformance with standards and specifications prescribed for public roads in the Unified Development Code and will provide evidence that an association or entity is responsible for maintenance of the private streets.
2. Prior to final plat submittal, the Developer has obtained a permit from Missouri Department of Transportation to access Missouri Highway H and construct the right hand and left hand turning lanes on H Highway.
3. Prior to final plat submittal, the Developer has obtained a permit from Missouri Department of Natural Resources for disposal of wastewater in residential housing development in accordance to state regulations.
4. The Developer agrees to revise the plat to include a pedestrian access easement from the internal private street to each tract which is designated as common open space.
5. The Developer agrees to revise the plat to illustrate necessary utility easements as required by West Central Electrical Co-Operative.
6. The Developer agrees to revise the plat to illustrate and label a 75 foot area on each side of the creek as a "No Build Zone" that flows through lots 26 and 28 and Tract E.

Section 3. The Legislature, pursuant to the application of Bountiful Development Corporation (RZ-2010-471), requesting the amendment embodied in this Ordinance and with notice that the Jackson County Plan Commission unanimously recommended DISAPPROVAL on the application at a public hearing on August 19, 2010, 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

  
\_\_\_\_\_  
Acting County Counselor

I hereby certify that the attached Ordinance, Ordinance#4232 introduced on August 30, 2010, was duly ~~passed~~ on WITHDRAWN SEP 20 2010, 2010 by the Jackson County Legislature. The votes thereon were as follows:

Yeas \_\_\_\_\_

Nays \_\_\_\_\_

Abstaining \_\_\_\_\_

Absent \_\_\_\_\_

WITHDRAWN SEP 20 2010

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

\_\_\_\_\_  
Date

\_\_\_\_\_  
Mary Jo Spino, Clerk of Legislature

I hereby approve the attached Ordinance #4232.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Michael D. Sanders, County Executive