


REQUEST FOR LEGISLATIVE ACTION

Completed by County Counselor's Office:

Res/Ord No.: 5084

Sponsor(s): None

Date: March 5, 2018

SUBJECT	Action Requested <input type="checkbox"/> Resolution <input checked="" type="checkbox"/> Ordinance Project/Title: <u>Leslie A Porter - RZ-2017-559</u>											
BUDGET INFORMATION <i>To be completed By Requesting Department and Finance</i>	<table border="1" data-bbox="324 472 1209 787"> <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
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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 a change of zoning from District AG (Agricultural) on 11.68 ± acres to District RE (Residential Estates). The purpose is for three single family residential lots. The 11.68 ± acres are located In Section 09, Township 47, Range 30, Jackson County, Missouri, at 29901 E. Easley Road, and specifically described on Attachment to RLA-1. The Jackson County Plan Commission on February 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 5 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	Department Director: Brian D. Gaddie, P.E. Director of Public Works  Finance (Budget Approval): <i>If applicable</i> Division Manager: County Counselor's Office:	Date: <u>2.27.18</u> 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-2:

Attachments

Plan Commission Public Hearing Summary from January 18, 2018

Location Map

Staff Report

Affidavit of Publication in Independence Examiner

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

Preliminary Plat

STAFF REPORT

PLAN COMMISSION

January 18, 2018

RE: RZ-2018-559

Applicant: Leslie Porter

Location: 29901 E. Easley Road

Area: 11.68 ± acres in Section 09, Township 47, Range 30

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

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

Current Land Use and Zoning in the Area:

The zoning in the immediate area is Agricultural and RE (Residential Estates). The majority of the land use is single family residences. There are six residential zonings with subdivision plats, created after the implementation of the Unified Development Code.

The applicant owns approximately 11.68 ± acres and is wanting to plat them into a three lot subdivision for single family homes.

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-2018-559.

Respectfully submitted,

Jackson County Public Works
Development Division
Randy Diehl, Administrator

Mr. Antey: Are there any questions for Randy?

There were none

Mr. Antey: Is the applicant here?

Leslie Porter, 1606 W Short, Independence, MO 64050

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

Ms. Porter: Not really. We are going to sell off the two smaller lots and keep the larger one for ourselves to eventually build a new home for ourselves.

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?

Motion to take under advisement.

Discussion under advisement

Mr. Tarpley	Approve
Mr. Gibler	Approve
Mr. Crawford	Approve
Ms. Querry	Approve
Chairman Antey	Approve

Motion Carried 5 – 0.

STAFF REPORT

PLAN COMMISSION

January 18, 2018

RE: RZ-2018-559

Applicant: Leslie Porter

Location: 29901 E. Easley Road

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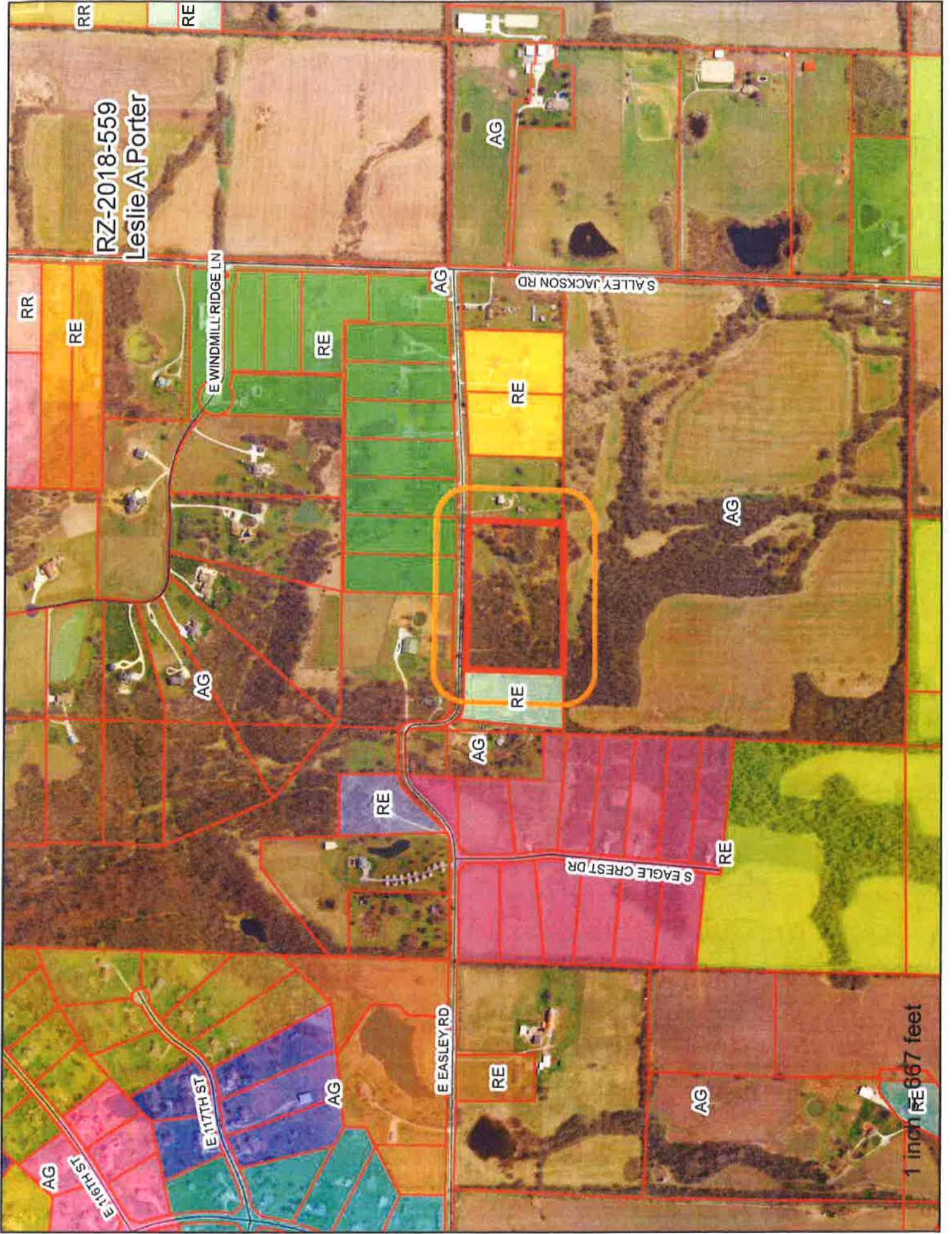
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Staff recommends APPROVAL of RZ-2018-559.

Respectfully submitted,

Jackson County Public Works
Development Division
Randy Diehl, Administrator



RZ-2018-559
Leslie A Porter

1 inch = 667 feet



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

January 3, 2018

RE: Public Hearing: RZ-2018-559
Leslie A Porter

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 Leslie A Porter for a change of zoning from District AG (Agricultural) on 11.68 ± acres to District RE (Residential Estates). The purpose is for three single family residential lots. The 11.68 ± acres are located in Section 09, Township 47, Range 30, Jackson County, Missouri, at the 29901 E. Easley 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, January 18, 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 January 17, 2018

RZ-2017-559

Property Owners Within 185 feet

parcel_number	owner *	owneraddress	ownercity	ownerstate	ownerzipcode
59-600-04-11-00-0-00-000	CAMPBELL CHARLES E-TRUSTEE	11400 S BUCKNER TARSNEY RD	GRAIN VALLEY	MO	64029
59-600-02-26-00-0-00-000	DUGAN ALAN L & LINDA L	27800 E WYATT RD	BLUE SPRINGS	MO	64014
59-600-03-36-00-0-00-000	HATFIELD MEGAN & JEFFREY	29601 E EASLEY RD	LEES SUMMIT	MO	64086-9113
59-600-02-10-00-0-00-000	SLAUGHTER FRANK JR & BRENDA J	29604 E EASLEY RD	LEES SUMMIT	MO	64086
59-600-02-25-00-0-00-000	TERRELL TASHA & RYAN	501 NE GREEN ST	LEES SUMMIT	MO	64063
59-600-01-22-00-0-00-000	THE WINDMILL GROUP INC	29604 E EASLEY RD	LEES SUMMIT	MO	64086
59-600-04-07-02-0-00-000	WHENHAM ROBERT D-TR	30003 E EASLEY RD	LEES SUMMIT	MO	64086
59-600-03-13-01-0-00-000	PORTER LESLIE A	1606 W SHORT AVE	INDEPENDENCE	MO	64050

**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- 2018-559
Date filed 12-18-17 Date of hearing 1-18-18
Date advertised 1-3-18 Date property owners notified 1-3-18
Date signs posted 1-3-18

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: LESLIE A. PORTER
Address: 1606 W. SHORT AVENUE
INDEPENDENCE, MO. 64050
Phone: 816-803-2546
- b. Owner(s) Name: SAME
Address: _____
Phone: _____
- c. Agent(s) Name: _____

Address: _____

Phone: _____

d. Applicant's interest in Property: OWNER

2. General location (Road Name) 29901 E. EASLEY ROAD

3. Present Zoning AG Requested Zoning RE

4. AREA (sq. ft. / acres) 11.68 ACRES +/-

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

ATTACHED

6. Present Use of Property: RESIDENTIAL

7. Proposed Use of Property: RESIDENTIAL

8. Proposed Time Schedule for Development: NOW

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

NONE IS THE SAME IN THE SURROUNDING PROPERTIES

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 DIST. 15

b. Sewage disposal SEPTIC

c. Electricity KCP&L

d. Fire and Police protection JACKSON COUNTY

12. Describe existing road width and condition: STANDARD ASPHALT SURFACE ROAD

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 12-15-2017
Property Owner(s) Heslie A Porter

Applicant(s): _____

Contract Purchaser(s): _____

STATE OF MO
COUNTY OF Jackson

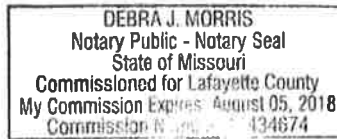
On this 15 day of Dec, in the year of 2017, before me the undersigned notary public, personally appeared Heslie A Porter

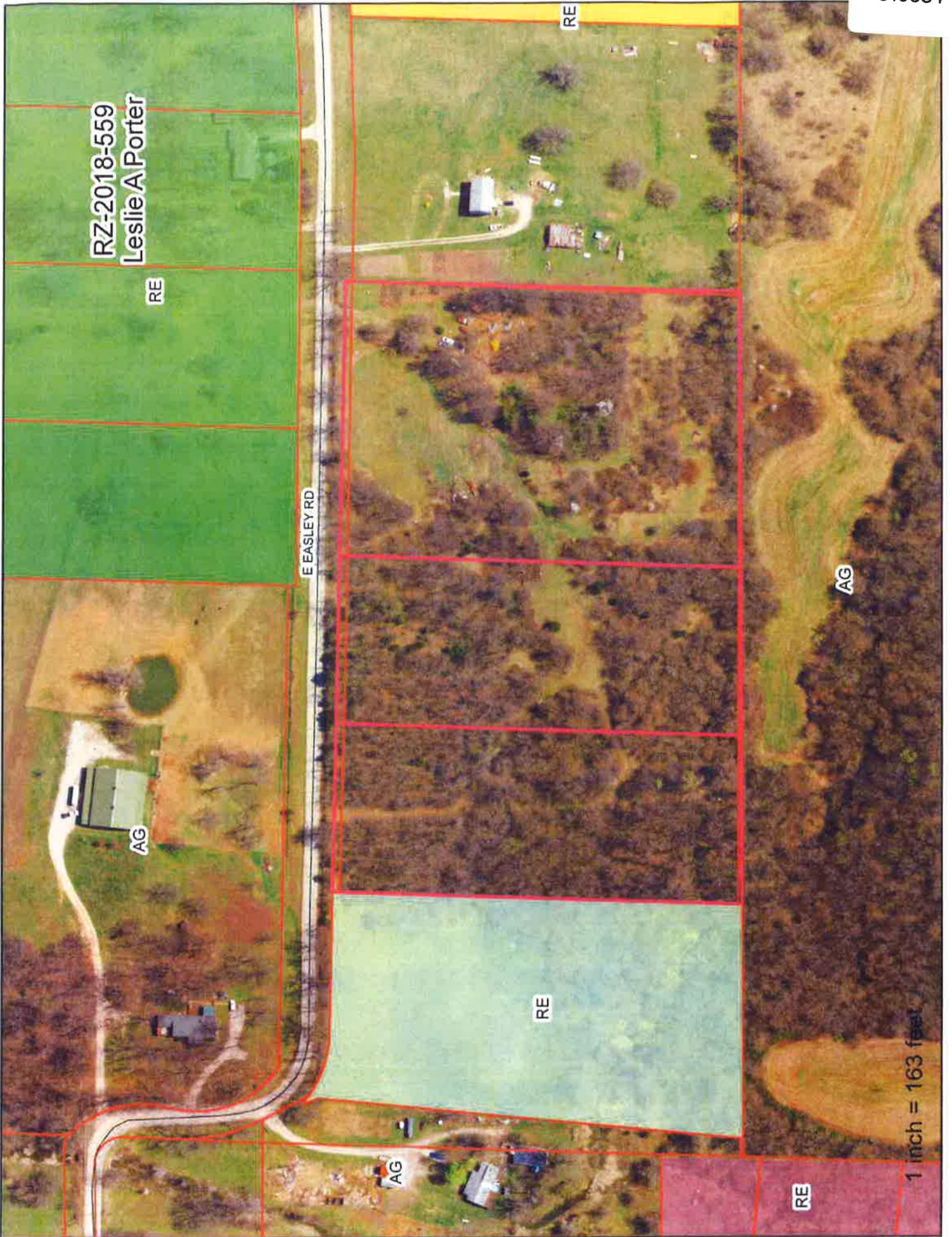
known to me to be the person(s) whose names(s) is/are subscribed to the within instrument and acknowledged that he/she/they executed the same for the purposes therein contained.

In witness whereof, I hereunto set my hand and official seal.

Notary Public [Signature]

Commission Expires 08-05-2018





RZ-2018-559
Leslie A Porter

RE

E EASLEY RD

AG

RE

AG

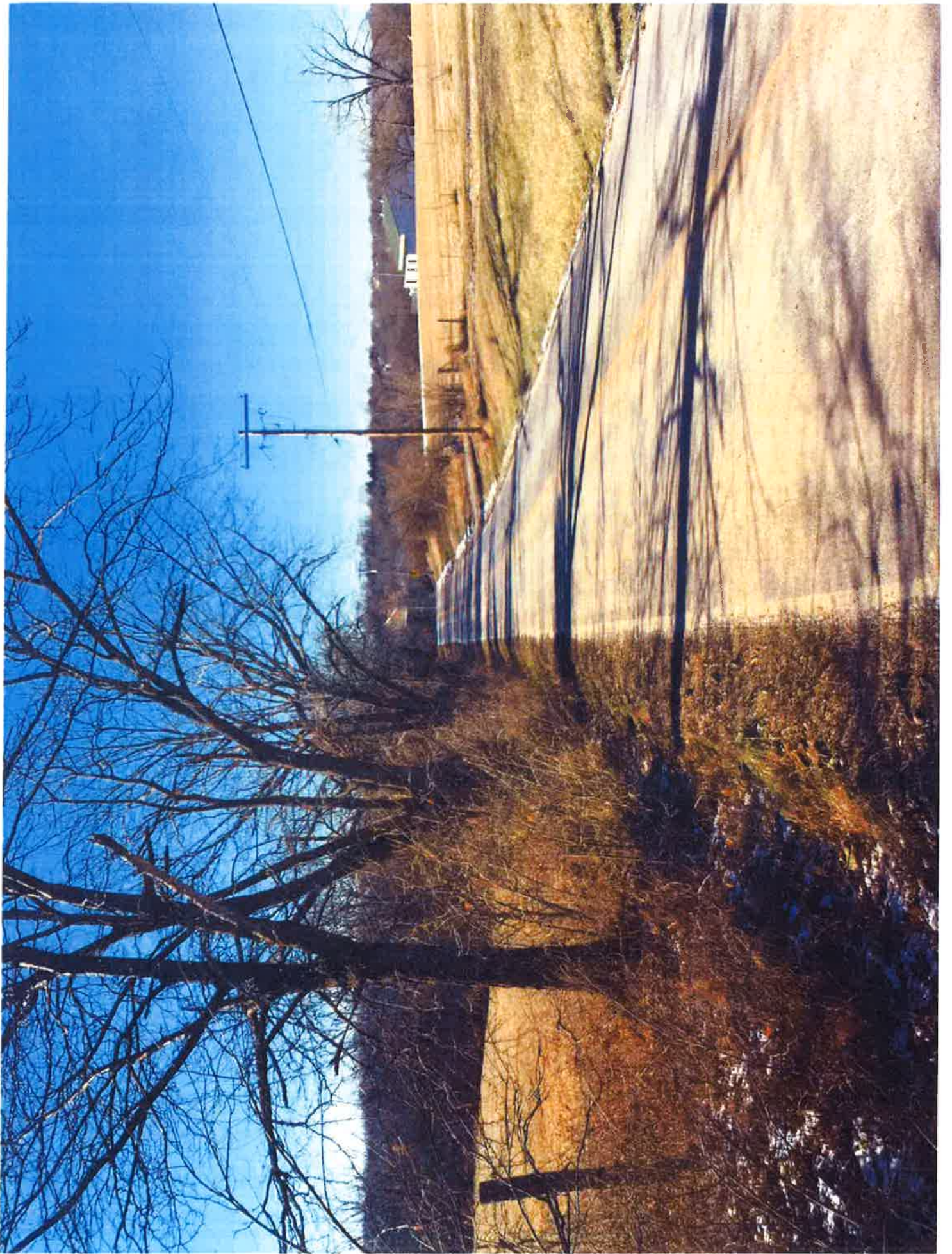
RE

AG

RE

1 inch = 163 feet

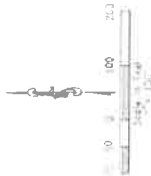




FINAL PLAT

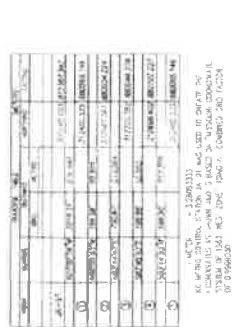
RILEY ESTATES

LOTS 1 THRU 3
 A PART OF THE N 1/2 NE 1/4, SW 1/4 SEC 09, TWP 47 RC 30
 JACKSON COUNTY, MISSOURI, CLASS OF PROPERTY - RURAL



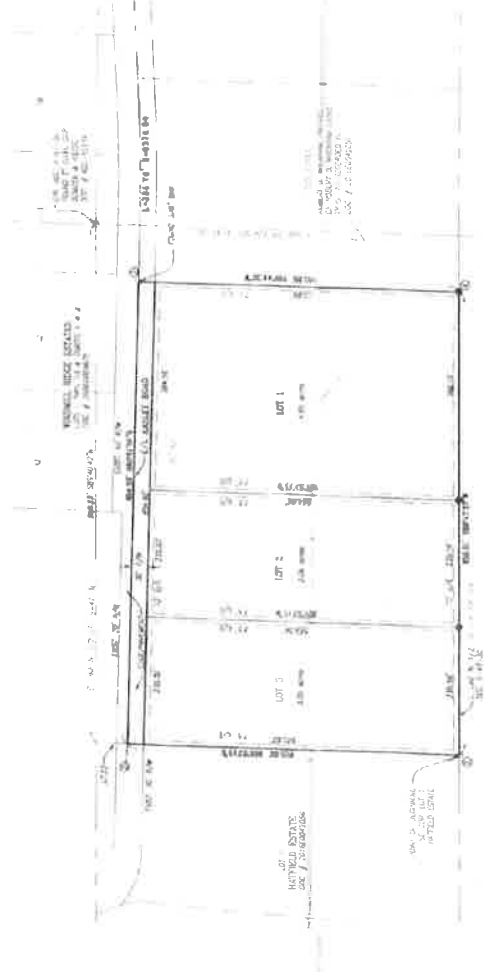
GENERAL NOTES:
 1. THE SURVEY WAS MADE FROM THE CORNER OF THE SECTION 09, TWP 47 RC 30, JACKSON COUNTY, MISSOURI.
 2. THE SURVEY WAS MADE BY THE METHOD OF TRIANGULATION.
 3. THE SURVEY WAS MADE BY THE METHOD OF TRANSIT AND LEVELING.
 4. THE SURVEY WAS MADE BY THE METHOD OF MEASUREMENT OF ANGLES AND DISTANCES.
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Lot No.	Area (Acres)	Dimensions (Feet)
1	1.23	120 x 102
2	1.23	120 x 102
3	1.23	120 x 102



UNLIMITEED
 MARY E. DANIEL, PLATTEE
 BY: J. DANIEL, REGISTERED SURVEYOR

SECTION 09 TOWNSHIP 47 RANGE 30
 SCALE: 1" = 200'
 DATE: 10/15/2011



UNLIMITEED
 MARY E. DANIEL, PLATTEE
 BY: J. DANIEL, REGISTERED SURVEYOR

UNLIMITEED
 MARY E. DANIEL, PLATTEE
 BY: J. DANIEL, REGISTERED SURVEYOR

SECTION 09 TOWNSHIP 47 RANGE 30
 SCALE: 1" = 200'
 DATE: 10/15/2011

DEFINITIONS:
 A. THE DISTANCE FROM THE CENTER OF THE EARTH TO THE SURFACE OF THE EARTH IS DEFINED AS THE RADIUS OF THE EARTH.
 B. THE DISTANCE FROM THE CENTER OF THE EARTH TO THE CENTER OF GRAVITY IS DEFINED AS THE GRAVITATIONAL RADIUS OF THE EARTH.
 C. THE DISTANCE FROM THE CENTER OF GRAVITY TO THE SURFACE OF THE EARTH IS DEFINED AS THE FLAT-EARTH RADIUS OF THE EARTH.
 D. THE DISTANCE FROM THE CENTER OF GRAVITY TO THE CENTER OF GRAVITY IS DEFINED AS THE GRAVITATIONAL RADIUS OF THE EARTH.
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UNLIMITEED
 MARY E. DANIEL, PLATTEE
 BY: J. DANIEL, REGISTERED SURVEYOR

FINAL PLAT OF
RILEY ESTATES, LOTS 1 THRU 3
A SUBDIVISION IN JACKSON COUNTY, MISSOURI
BOUNDARY & CONSTRUCTION
SURVEYING, INC.
 101 N. UNIVERSITY BLVD., SUITE 200, JACKSON, MISSOURI 64501
 TEL: 816.481.1234 FAX: 816.481.1234
 LICENSE NO. 25598
 SHEET 1 OF 1