




REQUEST FOR LEGISLATIVE ACTION

Completed by County Counselor's Office:

~~Res~~ Ord No.: 4967

Sponsor(s): None

Date: April 3, 2017

SUBJECT	<p>Action Requested</p> <input type="checkbox"/> Resolution <input checked="" type="checkbox"/> Ordinance																			
Project/Title: <u>Joseph & Leslie Pollard - RZ-2017-549</u>																				
<p>BUDGET INFORMATION</p> <p><i>To be completed By Requesting Department and Finance</i></p>	<table border="1" data-bbox="316 485 1201 798"> <tr> <td>Amount authorized by this legislation this fiscal year:</td> <td></td> <td>\$</td> </tr> <tr> <td>Amount previously authorized this fiscal year:</td> <td></td> <td>\$</td> </tr> <tr> <td>Total amount authorized after this legislative action:</td> <td></td> <td>\$</td> </tr> <tr> <td>Amount budgeted for this item * (including transfers):</td> <td></td> <td>\$</td> </tr> <tr> <td>Source of funding (name of fund) and account code number; FROM / TO</td> <td>FROM ACCT</td> <td></td> </tr> <tr> <td></td> <td>TO ACCT</td> <td></td> </tr> </table> <p>* If account includes additional funds for other expenses, total budgeted in the account is: \$</p> <p>OTHER FINANCIAL INFORMATION:</p> <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: \$ _____ <p>Prior Year Budget (if applicable): _____ Prior Year Actual Amount Spent (if applicable): _____</p>		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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PRIOR LEGISLATION	Prior ordinances and (date): _____ Prior resolutions and (date): _____																			
CONTACT INFORMATION	RLA drafted by Randy Diehl, Administrator, Development Division, 881-4577																			
REQUEST SUMMARY	<p>Requesting a change of zoning from District AG (Agricultural) on 6.00 ± acres to District RR (Residential Ranchette). The proposed land use is a one lot subdivision. The 6.00 ± acres are located in Section 04, Township 47, Range 30, in Jackson County, Missouri, aka 10708 S. Perdue Road, and specifically described on Attachment to RLA-1.</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. The Jackson County Plan Commission voted 8 to 0 to recommend <u>APPROVAL</u> to the County Legislature.</p>																			
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: 3.24.17 Date: Date: 3.24.17 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 March 16, 2017

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

RZ-2017-549

ATTACHMENT TO RLA 1:

Description: All that part of the Northwest Quarter of Section 4, Township 47, Range 30, Jackson County, Missouri, described as follows: Commencing at the Northeast corner of the Northwest Quarter of said Section 4; thence South 89 degrees, 00 minutes, 48 seconds West, 445.99 feet; thence South 00 degrees, 03 minutes, 46 seconds West, 150 feet; thence South 89 degrees, 00 minutes, 48 seconds West, parallel to the North line of said Northwest Quarter, 290.99 feet; thence North 00 degrees, 03 minutes, 46 seconds East, 150 feet, to a point of the North line of said Northwest Quarter; thence South 89 degrees, 00 minutes, 48 seconds West, along North line of said Northwest Quarter, 171.01 feet; thence South 00 degrees, 02 minutes, 15 seconds West 341.72 feet; thence North 89 degrees, 00 minutes, 48 seconds East, parallel to the North line of said Northwest Quarter, 907.84 feet, to the west right of way line of Perdue Road, 341.72 feet to the point of beginning

RE: RZ-2017-549

Randy Diehl gave the staff report:

Applicant: Joseph & Leslie Pollard

Location: 10708 S. Perdue Road

Area: 6.0 ± acres in Section 04, Township 47, Range 30

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

Purpose: Applicant is requesting the change in zoning for a one lot subdivision.

Current Land Use and Zoning in the Area:

The zoning in the immediate area is Agricultural with the majority of the land use being single family residences and some agricultural uses. Lake Lotawana is to the West.

Along Perdue Road there are 7 subdivisions with lot sizes ranging from 1 to 5 acres in size. These were all developed prior to the Unified Development Code (UDC) and therefore remain within district AG (Agricultural). The rest of the surrounding properties are in District AG are range from 1.5 acres to 10 acres and larger.

The applicant owns approximately 18.81 acres and is wanting to plat 6.00 for a one lot subdivision for a future residence. The remaining 12.81 acres will remain in District AG and contain the existing house.

County Plan:

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

District RE (Residential Ranchette) is appropriate for the Urban Development Tier.

Recommendation:

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

Staff recommends APPROVAL of RZ-2017-549

Respectfully submitted,

Jackson County Public Works
Development Division
Randy Diehl, Administrator

Mr. Antey: *Are there any questions for Randy?*

Mr. Akins: Where will the access be?

Mr. Diehl: They have full access along Perdue Road for the location of a driveway.

Mr. Tarpley: I'm curious about the size of the property at 10702.

Mr. Diehl: That is a legal non-conforming piece about 2 acres in size. It was created prior to 1978. Before then a tract could be created by a metes and bounds description as opposed to having to be platted.

Is the applicant here?

Joseph Pollard, 10708 S. Perdue Road

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

Mr. Pollard: No, just that we are selling this piece to my wife's sister.

Mr. Tarpley: You live in the existing house?

Mr. Pollard: Yes. In the future, we plan to build a new home.

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

There were none

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.

Mrs. Mershon moved to take under advisement. Mr. Crawford seconded.

Discussion under advisement

Mr. Tarpley moved to approve. Mr. Crawford seconded.

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

Motion Carried 8 – 0.

STAFF REPORT

PLAN COMMISSION

March 16, 2017

RE: RZ-2017-549

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Recommendation:

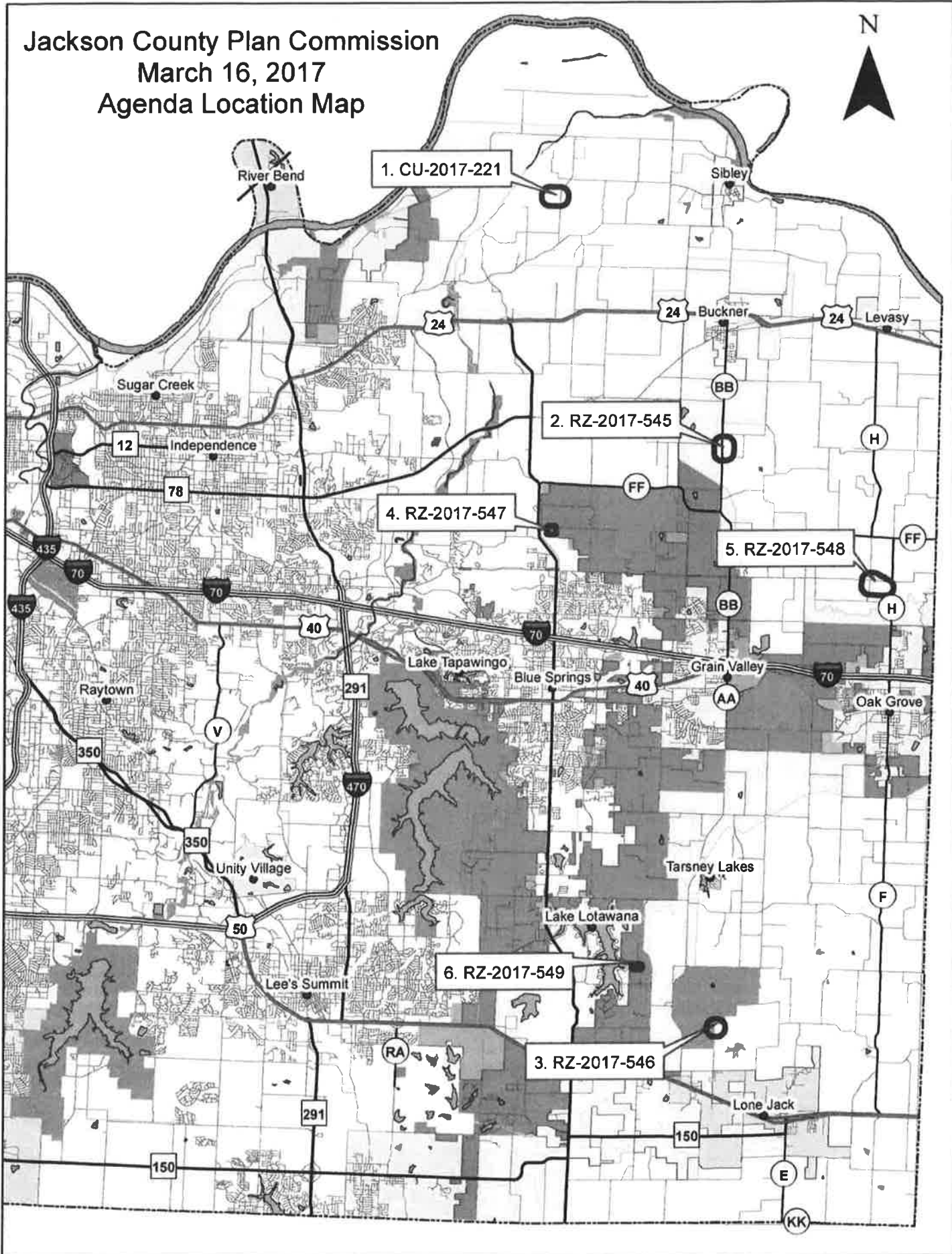
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Respectfully submitted,

Jackson County Public Works
Development Division
Randy Diehl, Administrator

Jackson County Plan Commission March 16, 2017 Agenda Location Map



**Plan Commission
March 16, 2017
RZ-2017-549**

Applicants / Property Owners: **59-120-01-05-01**
Joseph & Leslie Pollard
10804 S Perdue Road
Grain Valley MO 64029

59-120-01-01-01

Certified Mail – Return Receipt
Property Owners within 185 feet

59-100-01-22
BOWLIN ROBERT D & ANGELA M
10707 S PERDUE RD
GRAIN VALLEY MO 64029

59-100-01-04
BROWN ALYN & JULIE
10523 S PERDUE RD
GRAIN VALLEY MO 64029

59-120-01-01-02
CRAGG RANDALL D & KAREN M
10702 S PERDUE RD
GRAIN VALLEY MO 64029

59-120-01-05-02
DEAN RANDALL &
CRAGG KAREN MARIE

59-100-01-35
DIMARTINO ANTHONY C & SUE E-TR
10813 S PERDUE RD
GRAIN VALLEY MO 64029

54-700-03-08-02
GARRETT DONNA M
PO BOX 2903
GRAIN VALLEY MO 64029

59-120-01-06-02
HOUCHEM MARIE C
29600 E ALLEY RD
LEES SUMMIT MO 64086

54-700-03-32
L M J J TRUST
10612 S PERDUE RD
GRAIN VALLEY MO 64029

59-100-01-34
MANION DEAN L & CAROL D
10811 S PERDUE RD
GRAIN VALLEY MO 64029



RZ-2017-549
Joseph & Leslie Pollard

SALEY/JACKSON RD

S PERDUE RD

AG

AG

AG

W ST

V ST

10504

10508

10506

10510

10511

10523

29906

10612

10621

10702

10707

10708

10805

10810

10811

10813

10804

10821

10822

10819

10905

10907

10906

10914

10915

10922

10913

10923

11003

11001

11002

10922

10900

11000

X ST

W ST

V ST

**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- 2017 -

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: Engineering Solutions

Address: 50 SE 30th Street
Lee's Summit, MO 64082

Phone: (816) 623-9888

b. Owner(s) Name: Joseph + Leslie Pollard

Address: 10804 S. Perdue Rd

Phone: (816) 678-1006

c. Agent(s) Name: Engineering Solutions

Address: 50 SE 30th Street

Phone: (816) 623-9888

- d. Applicant's interest in Property: Owner
- 2. General location (Road Name) 10804 S. Perdue Rd
- 3. Present Zoning Agriculture Requested Zoning Residential Ranchette (RR)
- 4. AREA (sq. ft. / acres) 261,557.04 6 acres
- 5. Legal Description of Property: (Write Below or Attached 9)
See Attached Legal Description
- 6. Present Use of Property: Agricultural Homesite
- 7. Proposed Use of Property: Residential Ranchette (RR)
- 8. Proposed Time Schedule for Development: 1 year
- 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 PWSD #15
 - b. Sewage disposal Septic
 - c. Electricity KCP&L
 - d. Fire and Police protection Lone Jack
- 12. Describe existing road width and condition: 20' Asphalt Roadway

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

Property Owner(s)

J. Pollard
J. Pollard

2-13-17

2-13-17

Applicant(s):

Leslie J. Pollard

2-13-17

Contract Purchaser(s):

STATE OF Missouri

COUNTY OF Lafayette

On this 13 day of February, in the year of 2017, before me the undersigned notary public, personally appeared Joseph Pollard and Leslie Pollard

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.

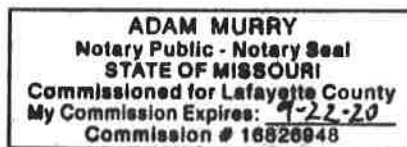
In witness whereof, I hereunto set my hand and official seal.

Notary Public

Adam Murry

Commission Expires

9-22-20



RZ-2017-549
Joseph & Leslie Pollard

10702

S PERDUE RD

10804

10813



