



REQUEST FOR LEGISLATIVE ACTION

Completed by County Counselor's Office:

~~Res~~/Ord No.: 4848

Sponsor(s): xxxxxxxxxx

Date: June 6, 2016

SUBJECT	Action Requested <input type="checkbox"/> Resolution <input checked="" type="checkbox"/> Ordinance Project/Title: Aammon E Essig & Thelma Hughes Case No. RZ-2016-532																			
BUDGET INFORMATION <i>To be completed By Requesting Department and Finance</i>	<table border="1" data-bbox="310 485 1192 800"> <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> 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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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 3.15 ± acres to District RE (Residential Estates). The 3.15 ± acres are located in Section 35, Township 51, Range 31, Jackson County, Missouri, aka 23112 E. Meyers 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 9 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: 	Date: 5/23/2016 Date: Date: 6/2/16																		

County Counselor's Office:

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 May 19, 2016

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

RZ-2016-532

ATTACHMENT TO RLA 1:

Description:

A tract of land in the Northwest Quarter of Section 35, Township 51, Range 31 in Jackson County, Missouri described as follows: Commencing at the Southwest corner of said Northwest Quarter-Section; Thence South $87^{\circ}10'21''$ East, along the South line of said Quarter-Section, a distance of 974.55 feet to the Point of Beginning; Thence North $3^{\circ}22'58''$ East, a distance of 648.00 feet; Thence South $87^{\circ}10'21''$ East, a distance of 212.00 feet to the Northwest corner of LOT 2, HUGHES FAMILY FARMSTEAD, a subdivision of land in said County and State; Thence South $3^{\circ}22'58''$ West, along the West boundary of said plat, a distance of 648.00 feet to a point on the South line of said Northwest Quarter-Section; Thence North $87^{\circ}10'21''$ West, along said South line, a distance of 212.00 feet to the Point of Beginning. Except that part in E. Meyers Road, if any.

RE: RZ-2016-532

Randy Diehl gave the staff report:

Applicant: Ammon E Essig

Owner: Thelma Hughes

Location: 23112 E. Meyers Road

Area: 3.5 ± acres

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

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 agricultural on large acreage tracts. There are a few residential tracts throughout the area. To the South is Atherton, which is a mix of residential, commercial and industrial zoning.

The proposed development is a one lot addition to Hughes Family Farmstead, a two lot subdivision created in 1997. These lots are 3.5 acres in size and are within District RE.

County Plan:

The Residential Estates (RE) is appropriate for 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-2016-532

Respectfully submitted,

Jackson County Public Works
Development Division
Randy Diehl, Administrator

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

Mr. Tarpley: The minimum is 3 acres, correct?

Mr. Diehl: Yes

Mr. Pointer: It is the floodplain, too.

Mr. Diehl: It is the 500 year flood zone and is protected by a levee.

Is the applicant here?

Ammon Essig, 32202 E. Duncan Road, Grain Valley, MO

Mr. Antey: *Do you have anything to add to Randy's report?*

Mr. Essig: No, not really, it's been in the family for 99 years, and we've never seen any water on that ground. During the '51 flood, I helped get cattle gathered up.

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

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?*

There were none.

Motion to take under advisement.

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

Discussion under advisement

Mr. Pointer: Looks pretty straightforward.

Motion to approve.

Mrs. Mershon moved to approve RZ-2016-532. Mr. Crawford seconded.

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

Motion Carried 9 – 0.

STAFF REPORT

PLAN COMMISSION

May 19, 2016

RE: RZ-2016-532

Applicant: Ammon E Essig

Owner: Thelma Hughes

Location: 23112 E. Meyers Road

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County Plan:

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Recommendation:

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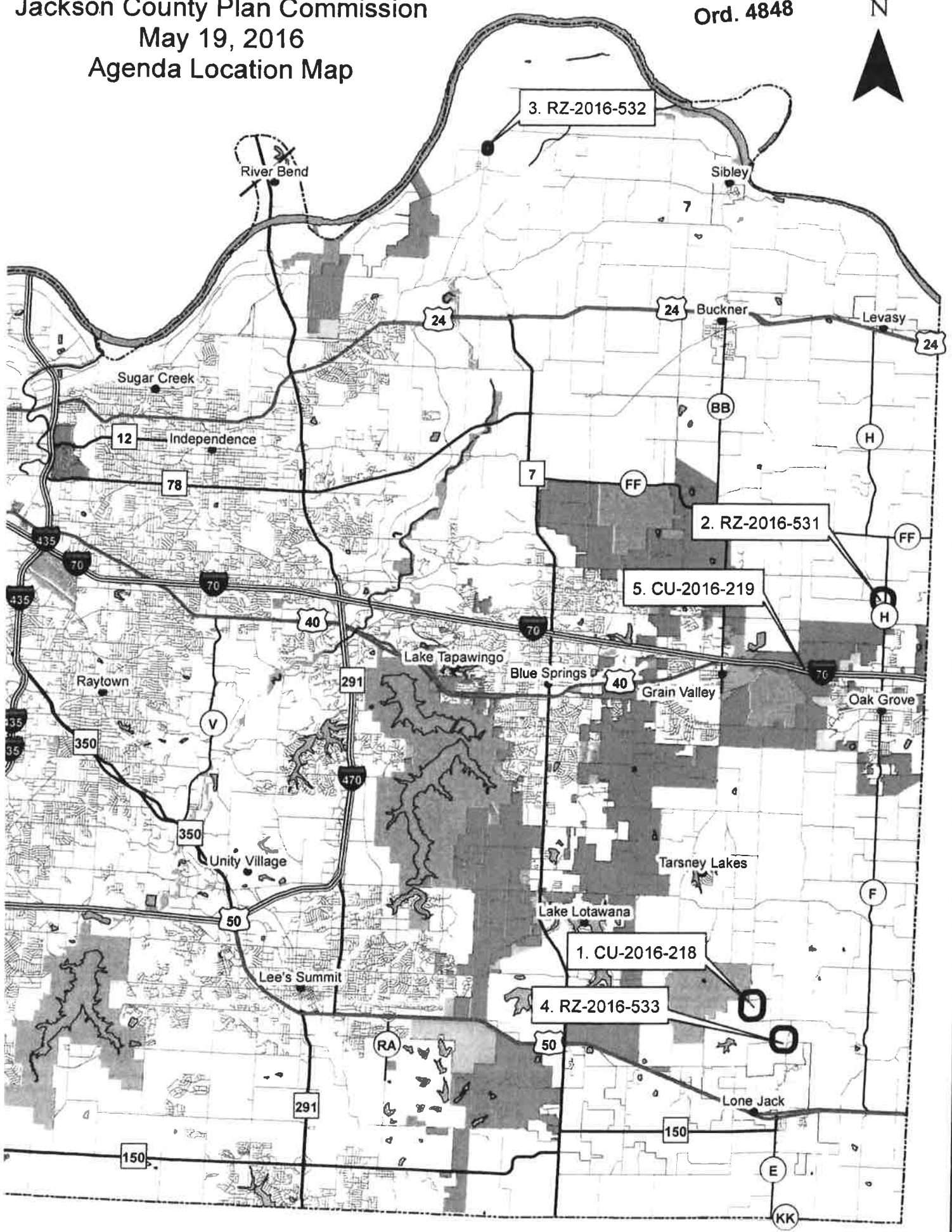
Respectfully submitted,

Jackson County Public Works
Development Division
Randy Diehl, Administrator

Jackson County Plan Commission
May 19, 2016
Agenda Location Map

Ord. 4848

N



3. RZ-2016-532

Sibley

Buckner

Levasy

Sugar Creek

12 Independence

78

7

FF

2. RZ-2016-531

5. CU-2016-219

FF

H

H

Raytown

Lake Tapawingo

Blue Springs

Grain Valley

Oak Grove

435

435

35

35

40

470

40

70

V

350

350

50

291

Lee's Summit

Lake Lotawana

1. CU-2016-218

4. RZ-2016-533

50

150

Lone Jack

150

RA

291

E

KK

**Plan Commission
May 21, 2016
RZ-2016-532**

Ord. 4848

Applicants / Property Owners:

**Ammon E Essig
32302 E Duncan Road
Grain Valley MO 64029**

**Thelma M Hughes
1109 Queens Place
Kansas City MO 64131**

**Certified Mail – Return Receipt
Property Owners within 300 feet**

03-800-03-01-00-0-00-000
FRANK ADAMS TRUST
23303 E ADAMS ROAD
INDEPENDENCE MO 64058

03-800-3-50-00-0-00-000
CITY OF KANSAS CITY
4800 E 63RD STREET
KANSAS CITY MO 64130

03-80003-02-00-0-00-000
CORP OF PRES BISHOP OF LDS
P O BOX 511196
SALT LAKE CITY UT 84151-1196

03-800-02-10-00-0-00-000
SHERMAN JERRY A & CYNTHIA D
23210 E ATHERTON SIBLEY RD
INDEPENDENCE MO 64058

03-800-02-11-00-0-00-000
NEIDELL LARRY E & KATHY L
23200 E ATHERTON SIBLEY RD
INDEPENDENCE MO 64058

**JACKSON COUNTY, MISSOURI
APPLICATION FOR CHANGE OF ZONING**

Ord. 4848

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-2016-532
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: Ammon E. (Ed) Essig
Address: 32302 Duncan Rd.
Grain Valley Mo 64029
Phone: 816 806 8849
- b. Owner(s) Name: Thelma M. Hughes
Address: 1109 Queens Place R.C. Mo. 64131
Phone: 816-942-3907
- c. Agent(s) Name: Ammon E. (Ed) Essig

Address: 32302 Duncan Rd Grain Valley Mo 64629

Phone: 816 806 8843

d. Applicant's interest in Property: Buyer

2. General location (Road Name) Atherton Sibley

3. Present Zoning Agriculture Requested Zoning Residential

4. AREA (sq. ft. / acres) 2 1/2 +/-

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

6. Present Use of Property: farming

7. Proposed Use of Property: Residential

8. Proposed Time Schedule for Development: fall 2016

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? no

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

a. Water Inclap

b. Sewage disposal own

c. Electricity KCP&L

d. Fire and Police protection Fort Osage + sheriff

12. Describe existing road width and condition: 20' county Road Good View
2 Both ways

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)

Helma M. Hughes

4/8/16

Applicant(s):

Contract Purchaser(s):

Armon E. Essig

4-8-16

STATE OF Missouri
COUNTY OF Jackson

On this 8th day of April, in the year of 2016, before me the undersigned notary public, personally appeared Armon E. Essig

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.

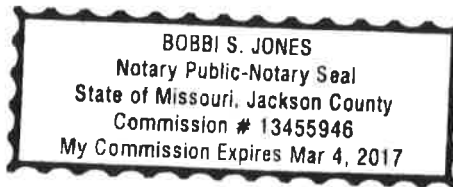
In witness whereof, I hereunto set my hand and official seal.

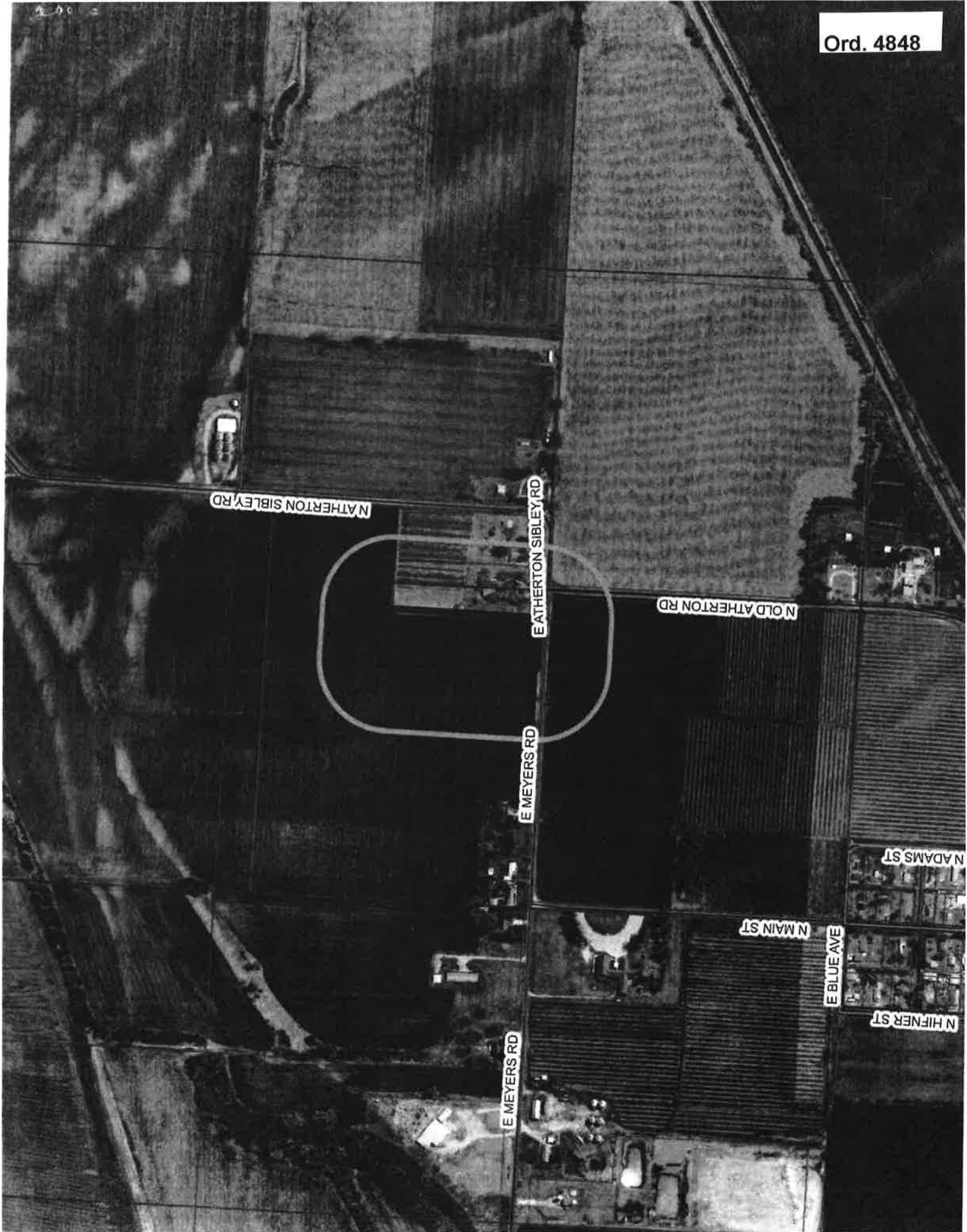
Notary Public

Bobbi S. Jones

Commission Expires

Mar. 4 2017





NATHERTON SIBLEY RD

EATHERTON SIBLEY RD

N OLDATHERTON RD

E MEYERS RD

N ADAMS ST

N MAIN ST

E BLUE AVE

N HIFNER ST

E MEYERS RD

Ord. 4848

NATHERTON SIBLEY RD

EATHERTON SIBLEY RD

N OLDATHERTON RD

E MEYERS RD





