

RZ-2025-702

ATTACHMENT 1: PROPERTY DESCRIPTION

Description:

The East half of the West half of the Northeast Quarter or the Southwest Quarter of Section 36, Township 48, Range 30, in Jackson County, Missouri

RZ-2025-702

ATTACHMENT 2: ZONING SUPPORT DOCUMENTATION

Attachments

Plan Commission Public Hearing Summary of September 18, 2025

Staff Report

Zoning map of surrounding area

Names and addresses of surrounding property owners

Letter to surrounding property owners

Application

Aerial of location

Copy of plat

Randy Diehl gave the staff report:

RE: RZ-2025-702

Applicant: Austin Gibbs

Location: 34507 E. Benson Road

Area: 10.00 ± acres

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

Purpose: The purpose is to create two single-family lots.

Current Land Use and Zoning in the Area:

The zoning in the area is Agricultural and Residential. The applicants are wishing to create 2 five acre lots. Lot 2 will be a flag lot. Flag lots are only allowed in the Rural Development Tier and along a road classified as a local road. Benson Road is a local road.

A similar rezoning was approved in 2004 for a property to the East.

County Plan:

The County Plan Development Diagram illustrates this area within the Rural Development Tier (RDT).

Recommendation:

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

Staff recommends APPROVAL of RZ-2025-702.

Respectfully submitted,

Jackson County Public Works
Development Division
Randy Diehl, Administrator

Mr. Antey: Are there any questions for staff?

There were none

Mr. Antey: Is the applicant present?

Kathy Linkler: 10505 S. Spainhour Road, Lone Jack.

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

Ms. Linkler: No.

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

Mr. Lake: Are you the owner of the 10 acres?

Ms. Linkler: Our business is.

Mr. Lake: And you're splitting it off that. I see they're in their house zone.

Ms. Linkler: Yes. There's a house on the front, and our son wants to build a house on the back.

Mr. Antey: Any other questions for the applicant?

Is there anyone else present today that would like to speak in favor of this application?

There were none.

Is there anyone present that would like to speak that is opposed to or has questions concerning this application?

Timothy J. Klote: 10415 S. Gibson Road. I live to the west of the property. My backyard backed up to that land. We bought that house for me and my wife over 15 years ago. We like the land. We like the backyard. We enjoyed it very much. We, it's just destroying the land and putting a house right in my backyard is not really what I'm after. So, I'll be looking right at a house. We've lived there for many years, and we really appreciate just not doing that. They rent out the other property that's on there. A company owns it. The company owns multiple lots around there. I mean, there are plenty of other places that they can build a house. They don't need to do it right there in my backyard.

I got signatures from 16 people surrounding the property that are opposed to doing this. There are enough houses out there in that area right now. Breaking it up into smaller lots is not really what the community would like to have.

Mr. Antey: What size is your lawn?

Mr. Klote: Five acres. five acres the house is already built on there when I bought it many years ago, so I had nothing to do with breaking the land up

Mr. Antey: I can see that that's a legal nonconforming on there because it's not rezoned and it's under 10 acres.

Mr. Crawford: So you have a 5 acre lots, and you're opposed to him having a 5 acre lot?

Mr. Klote: He'll probably cut all the trees down. We'll probably put a house back there. We'll probably put a barn back there.

Mr. Crawford: They own the property. What would you have to do with it?

Mr. Klote: The people that lived there before they hunted it. I talked to the previous owner, and I tried to buy that back section behind me. She didn't want to split it up. She let me hunt on it whenever I wanted to.

Mr. Horn: Mr. Chairman, I'm just confused with the issue. Is it being developed at all?

Mr. Antey: Yes, he likes the view as it is.

Mr. Horn: So, it's not the type of development.

Mr. Klote: Well, we don't know what type of development it's going to be. We know that it's going to be turned into residential ranch, which means they can do pretty much whatever they want back there.

Mr. Antey: They can build a house.

Mr. Klote: They can rent the house out because the company owns the property.

Mr. Antey: Well, you could rent your house out too.

Mr. Klote: I'm not bringing it up.

Mr. Antey: Well, then they may not, but you've got that option to do that is what I'm saying. You've got the option to put a barn out on your property, correct?

Mr. Klote: I have done it.

Mr. Horn: I think the only thing we're just juggling is, you know, I get it. You know, I moved out of the city too. You know, I grew up in Grain Valley. We live in Blue Springs now next to the Conservation Center. But this is their property. So, you know, they're going to do what they want in their property.

Mr. Klote: I understand. You know, I can't control that. It's just there's enough houses out there in that area. The roads are in disrepair. So, you're destroying the trees that are on the property. You're going to have to take down a whole fence line of trees to build a road in to get to the back property. That landowner on the east side of that property is against it because he doesn't want all his trees to take it down. I mean, it's what they have to do to build in there.

Mr. Farrar: You said that at one time you tried to buy the property?

Mr. Klote: I tried to buy it, yes, to keep it as the land.

Mr. Farrar: Okay, just the single lot that would have been next to the contact with your property?

Mr. Klote: Yes. But she did not want to sell. She didn't want to split it up. And when I bought that, my place, I knew that area was landlocked. Nobody would be building back there because she didn't want to divide it up. I thought that would be a nice area to be.

Mr. Farrar: I only mention that because I've got a piece of property where I should have bought the buffer next to me and I missed out. I didn't pressure enough. So I've had to live with it.

Mr. Antey: Is there anyone else that would like to speak on this application?

David Hackett: 10416 S. Gibson Road in Lone Jack, across the road of property. But my big thing, Benson Road is not a road. But that is a cow path road. And for you to approve building houses where there is no infrastructure is not wise on your part. It's just going to, those roads out there are country roads, and the county does their best they can. But I think they've missed Benson Road probably for two or three decades. And I just can't understand why you'd want to approve houses in places where you don't have roads to serve. And that's my issue. Thank you for your consideration. Thank you.

Mr. Antey: Is there anyone else that would like to speak on this application?

Seeing none, I would entertain a motion to go under advisement.

Mr. Horn moved to take under advisement. Mr. Lake seconded.

Discussion under advisement

Mr. Lake: So, I agree with the applicants. roads are not good out there. A lot of those roads go back to the days of the model T and Model A. And they're not well maintained by the County, especially in the city. Personally, I'm not a big fan of flag lots. But I understand what the applicant wants to do. Their intentions, everybody has good intentions. So that's basically all I have to say.

Mr. Horn: I would just say, you know, I hear people's concerns, but, you know, everyone wants to be the last person.

Mr. Antey: That's been my thing. They always want to be the last person. close the gate, but don't close it before I get out there.

Mr. Horn: If folks want to be, to live in Long Jack area, I just, you know, what about the applicant? You know, they would like to live out there. They brought this forward. You know, we don't create this agenda. These are all applicant-driven. So, and I like when the applicants are from people in the community, especially if they're trying to keep their family together. So that's all I have.

Mr. Lake: Did he submit the petition of 16 neighbors? If he advised him? They can come to me.

Mr. Diehl: If there's an actual protest petition, it needs to go to the county clerk to be recognized, that gets forwarded on to us to verify.

Mr. Antey: Any other comments from the commission?

Mr. Crawford: Nobody likes to see property developed right around them. But the concerns are over the roads and development in this area. As far as the road improvements, it's a reactive thing, it's not planned and so when each of you residents are here today have questions about that when you moved in, you know what the road was it's not the best road. It's not a I've been up and down that road, I've got friends who live on that road. Access is not really on Gibson Road anyway. It's down at the bottom of on Benson Road. Flag lots are not my best choice and use of land, but they're legal. And so, I really can't deny it. There's other property around it that's about the same size. I just really can't deny it.

Mr. Horn: I would echo your sentiments about the roads you know we're not approving a development of 250 units. This is one more house.

Mr. Crawford: They have always been reactive, they're not proactive. They were reactive as far as when the problem arises, that's when it gets fixed. If you're going to be proactive fifty years ago, they would have put in a big road. But they didn't, it wasn't needed at the time.

Mr. Smead: In general, on infrastructure as opposed to these, and consideration of these things, directly speaking, existing infrastructure is not a consideration for us, right?

Mr. Antey: It can be, yes. Because, like you say, you've got to look at the scale of development. If they had a 100-acre farm that they're, you know, putting 30 houses on or something like that, then obviously the roads are going to be, there's water lines, there's, you know, all sorts of things like that. How big the water lines are, if they can support fire hydrants, that sort of thing is going to be a consideration. but the fact that the road is in disrepair is, you know, like Jack said, the county is reactive, so if you want to get grease on your wheel, you've got to squeak a little bit.

Mr. Lake moved to approve. Mr. Horn seconded.

Mr. Lake	Disapprove
Mr. Monaco	Approve
Mr. Farrar	Approve
Mr. Smead	Approve
Mr. Horn	Approve
Mr. Crawford	Approve
Ms. Ryerkerk	Approve
Chairman Antey	Approve

Motion Carried 7 – 1

STAFF REPORT

PLAN COMMISSION
July 17, 2025

RE: RZ-2025-702

Applicant: Austins Gibbs

Location: 33804 E. Pink Hill Road

Area: 10.00 ± acres

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

Purpose: The purpose is to create two single-family lots.

Current Land Use and Zoning in the Area:

The zoning in the area is Agricultural and Residential. The applicants are wishing to create 2 five acre lots. Lot 2 will be a flag lot. Flag lots are only allowed in the Rural Development Tier and along a road classified as a local road. Benson Road is a local road.

A similar rezoning was approved in 2004 for a property to the East.

County Plan:

The County Plan Development Diagram illustrates this area within the Rural Development Tier (RDT).

Recommendation:

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

Staff recommends APPROVAL of RZ-2025-702.

Respectfully submitted,

Jackson County Public Works
Development Division
Randy Diehl, Administrator



Scale: 1:8,720

RZ-2025-702

Property Owners Within 1000 feet

parcel	owner	address	city	state	zip
55-700-03-02-00-0-00-000	STRONG ROY P	34609 E BENSON RD	LONE JACK	MO	64070
55-700-02-04-00-0-00-000	MONTGOMERY ROBERT DEAN	10215 S GIBSON RD	LONE JACK	MO	64070
55-700-03-12-00-0-00-000	PAXTON BILLY E & PAMELA M	10604 S GIBSON RD	LONE JACK	MO	64070
55-700-04-02-01-0-00-000	BENSON PERRY ALLEN	280 W 146TH ST	CARMEL	IN	46032
55-700-01-03-02-2-00-000	BACHMAN ERIC D & PAULA	103 SW PINNELL CIR	LEES SUMMIT	MO	64081
55-700-03-05-01-0-00-000	RAYMOND L SCHEIER & LOLA R TRUST	923 NE WOODS CHAPEL RD #123	LEES SUMMIT	MO	64064
55-700-03-24-00-0-00-000	JORDAN ROSS LINDSEY TRUST	10400 S GIBSON RD	LONE JACK	MO	64070
55-700-03-07-00-0-00-000	HATTEY BYRON D	10503 S GIBSON RD	LONE JACK	MO	64070
55-700-03-27-00-0-00-000	FEIGHTER NIKOLAS S & TONI M	10424 S GIBSON RD	LONE JACK	MO	64070
55-700-04-03-00-0-00-000	SWINGIN E LLC	10500 S SPAINHOUR RD	LONE JACK	MO	64070
55-700-03-22-00-0-00-000	STANLEY CHARLES K & SHIRLENE L	34506 E HAMMOND RD	LONE JACK	MO	64070
55-700-03-21-00-0-00-000	STANLEY CHARLES K & SHIRLENE L	34506 E HAMMOND RD	LONE JACK	MO	64070
55-700-03-18-00-0-00-000	CORR LESLIE	10613 GIBSON DR	LONE JACK	MO	64070
55-700-03-26-00-0-00-000	HACKETT DAVID A & PATTY C	10416 S GIBSON RD	LONE JACK	MO	64070
55-700-03-01-00-0-00-000	WILLOUGHBY THOMAS D & VIRGINIA	34707 E BENSON RD	LONE JACK	MO	64070
55-700-03-08-00-0-00-000	HATTEY BYRON D	10503 S GIBSON RD	LONE JACK	MO	64070
55-700-03-14-00-0-00-000	KLOTE TIMOTHY & KATHERINE	10415 S GIBSON RD	LONE JACK	MO	64070
55-700-03-15-00-0-00-000	MARSHALL SHARON D	10307 S GIBSON RD	LONE JACK	MO	64070
55-700-03-06-01-0-00-000	STEELE THOMAS L & SANDRA	10502 S GIBSON RD	LONE JACK	MO	64070
55-700-04-02-02-0-00-000	HITE MARK ALLEN & KARLA K	34901 E BENSON RD	LONE JACK	MO	64070
55-700-03-20-00-0-00-000	HINTON ROBERT E	34604 E HAMMOND RD	LONE JACK	MO	64070
55-700-03-25-00-0-00-000	BEACHNER JEREMY	10408 S GIBSON RD	LONE JACK	MO	64070
55-700-03-06-02-0-00-000	STEELE BRYAN	10518 S GIBSON RD	LONE JACK	MO	64070
55-700-03-09-00-0-00-000	HURN ASHLEY K & HALEY LUCY L	10519 S GIBSON RD	LONE JACK	MO	64070
55-700-02-03-01-0-00-000	RAYMOND L SCHEIER & LOLA R TRUST	923 NE WOODS CHAPEL RD #123	LEES SUMMIT	MO	64064
55-700-03-23-00-0-00-000	RAYMOND L SCHEIER & LOLA R TRUST	923 NE WOODS CHAPEL RD #123	LEES SUMMIT	MO	64064
55-700-03-03-00-0-00-000	CROSSROADS DRILLING INC	10505 S SPAINHOUR RD	LONE JACK	MO	64070



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

September 3, 2025

RE: Public Hearing: RZ-2025-702
Gibbs Austin & Crossroads Drilling Inc

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 Gibbs Austin & Crossroads Drilling Inc on a change of zoning from District AG (Agricultural) on 10.00 ± acres to District RR (Residential Ranchette). The purpose is to create two single-family lots at 34507 E. Benson 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 1000' of the subject property.

The public hearing on this matter will be held by the Plan Commission on Thursday, September 18, 2025, 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 881-4577.

Sincerely,

Jackson County Public Works
Development Division
Randy Diehl, Administrator

Frank White, Jr., County Executive

**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-

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: AUSTIN GIBBS

Address: 10505 SOUTH SPAINHOUR RD

 LONE JACK, MO 64070

Phone: (816) 392-5360 - Austingibbs0830@gmail.com

b. Owner(s) Name: CROSSROADS DRILLING INC - brien@crossroadsdrilling.com

Address: 10505 SOUTH SPAINHOUR RD, LONE JACK MO

Phone: ~~XXXXXXXXXX~~ (816) 215-3287 -

c. Agent(s) Name: _____

Address: _____

Phone: _____

- d. Applicant's interest in Property: BUILD HOME
2. General location (Road Name) BENSON RD LONE JACK
3. Present Zoning AG Requested Zoning RR
4. AREA (sq. ft. / acres) 216,012 ± SQ.FT 4.96 ± ACRES - LOT 2
209,081 ± SQ.FT 4.80 ± ACRES - LOT 1 10th AC
5. Legal Description of Property: (Write Below or Attached 9)
EAST 1/2, WEST 1/2, NE 1/4 OF THE SW 1/4,
SEC 36 TOWNSHIP 48 RANGE 30 JACKSON COUNTY, MO
6. Present Use of Property: VACANT / HUNTING
7. Proposed Use of Property: BUILD HOME
8. Proposed Time Schedule for Development: JAN 2026
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 IS
 - b. Sewage disposal ON SITE SEPTIC W/ LAGOON
 - c. Electricity EVERGY
 - d. Fire and Police protection LONE JACK FD / PD
12. Describe existing road width and condition: 20 FT - ROUGH CHIP & SEAL

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) Brian Winkler 8-7-25
Brian Winkler _____
Applicant(s): _____ 8-7-25
Austin Gibbs _____
Contract Purchaser(s): _____

STATE OF MISSOURI
COUNTY OF JACKSON

On this 7th day of August, in the year of 2025, before me the undersigned notary public, personally appeared BRIAN WINKLER AND AUSTIN GIBBS

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 Krista Weston Commission Expires 5/16/2026





