

REQUEST FOR LEGISLATIVE ACTION

Version 6/10/19

Completed by County Counselor's Office:

Res/Ord No.: 5383

Sponsor(s): N/A

Date: August 3, 2020

SUBJECT	Action Requested <input type="checkbox"/> Resolution <input checked="" type="checkbox"/> Ordinance Project/Title: <u>Michael K & Laurie A Walker - RZ-2020-585</u>																
BUDGET INFORMATION <i>To be completed By Requesting Department and Finance</i>	<table border="1" data-bbox="375 527 1463 716"> <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:</td> <td></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:		\$
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Source of funding (name of fund) and account code number:		\$															
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 a 3.81 ± acre platted lot to District RE (Residential Estates). The purpose is to join the 3.81 ± acres into Lot 1 Walker Estates and create a single contiguous lot at 13228 S. Harris Road, Jackson County, Missouri. 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 held a public hearing on July 16, 2020 and accepted testimony pertaining to the rezoning request. The Plan Commission voted 6 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)																
COMPLIANCE	<input type="checkbox"/> MBE Goals <input type="checkbox"/> WBE Goals <input type="checkbox"/> VBE Goals																
ATTACHMENTS	Attachment 1: Property Description. Attachment 2: Zoning Support Documents																
REVIEW	<table border="1" data-bbox="358 1644 1547 1890"> <tr> <td>Department Director: Brian D. Gaddie, P.E. Director of Public Works <i>[Signature]</i></td> <td>Date: 7.24.20</td> </tr> <tr> <td>Finance (Budget Approval): <i>If applicable</i></td> <td>Date:</td> </tr> <tr> <td>Division Manager: <i>[Signature]</i> N/A</td> <td>Date: 7/29/20</td> </tr> <tr> <td>County Counselor's Office: <i>[Signature]</i></td> <td>Date: 7/29/20</td> </tr> </table>		Department Director: Brian D. Gaddie, P.E. Director of Public Works <i>[Signature]</i>	Date: 7.24.20	Finance (Budget Approval): <i>If applicable</i>	Date:	Division Manager: <i>[Signature]</i> N/A	Date: 7/29/20	County Counselor's Office: <i>[Signature]</i>	Date: 7/29/20							
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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.

RZ-2020-585

ATTACHMENT 1: PROPERTY DESCRIPTION

Description:

That portion of the Fractional Northwest Quarter of Section 19, Township 47 North, Range 30 West of the 5th Principal Meridian, all in Jackson County Missouri and being described as follows: Commencing at the Northwest corner of the Northwest Quarter of said Section 19; Thence South 89 degrees 43 minutes 46 seconds East along the North line of said Fractional Northwest Quarter, a distance of 992.09 feet; Thence South 02 degrees 38 minutes 41 seconds West, a distance of 330.28 feet; Thence North 89 degrees 43 minutes 46 seconds West, a distance of 35.56 feet; Thence South 2 degrees 39 minutes 20 seconds West, a distance of 747.14 feet, said point being the Point of Beginning also being the Northeast corner of Lot 1, Walker Estates, a plat as recorded in the Office of the Recorder, Jackson County, Missouri, as Document No. 2010E0040556; Thence South 02 degrees 39 minutes 20 seconds West, along the East Line of said Lot 1, a distance of 238.50 feet, to a point on the North line of the South half of Fractional Northwest Quarter of said Section 19; Thence South 89 degrees 51 minutes 48 seconds East, along said North line, a distance of 696.39 feet; Thence North 02 degrees 38 minutes 41 seconds East, a distance of 238.50 feet; Thence North 89 degrees 51 minutes 48 seconds West, a distance of 696.34 feet, to the Point of Beginning.

RZ-2020-585

ATTACHMENT 2: ZONING SUPPORT DOCUMENTATION

Attachments

Public Hearing Summary from July 16, 2020 Plan Commission

Staff Report

Location Map

Map showing current zoning district in area

Names/Addresses of Surrounding Property Owners

Copy of letter to said property owners

Application

Pictures of subject property

Certificate of Survey

Randy Diehl gave the staff report:

RE: RZ-2020-585

Applicant: Michael K & Laurie A Walker

Location: 13228 S. Harris Road

Area: 3.81 ± acres

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

Purpose: To join the 3.81 ± acres into Lot 1, Walker Estates and create a single contiguous lot.

Current Land Use and Zoning in the Area:

Surrounding land use is agricultural or residential tracts.

The zoning in the immediate area is Agricultural, except for the applicants existing lot, which is in District RE, and Rhodus Acres directly south of this request, which is in District RR (Residential Ranchette).

The applicant has purchased an additional 3.81 acres east of and adjacent their lot and is wishing to join it into the existing 5 acres lot. By rezoning and platting, this brings the 3.81 into compliance with the Unified Development Code (UDC) and creates a single 8.81 acre tract.

County Plan:

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

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

Recommendation:

Staff recommends APPROVAL of RZ-2020-585

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?

Michael Walker, 13328 S. Harris Road

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

Mr. Walker: No, Is pretty much covered everything.

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.

Mr. Akins moved to take under advisement. Mr. Haley seconded.

Discussion under advisement

Mr. Akins moved to approve. Mr. Tarpley seconded.

Mr. Akins	Approve
Mr. Tarpley	Approve
Mr. Crawford	Approve
Mr. Haley	Approve
Mr. Hilliard	Approve
Chairman Antey	Approve

Motion Carried 6 – 0

STAFF REPORT

PLAN COMMISSION

July 16, 2020

RE: RZ-2020-585

Applicant: Michael K & Laurie A Walker
Location: 13228 S. Harris Road
Area: 3.81 ± acres
Request: Change of zoning from District AG (Agricultural) to District RE (Residential Estates)
Purpose: To join the 3.81 ± acres into Lot 1, Walker Estates and create a single contiguous lot.

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County Plan:

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

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

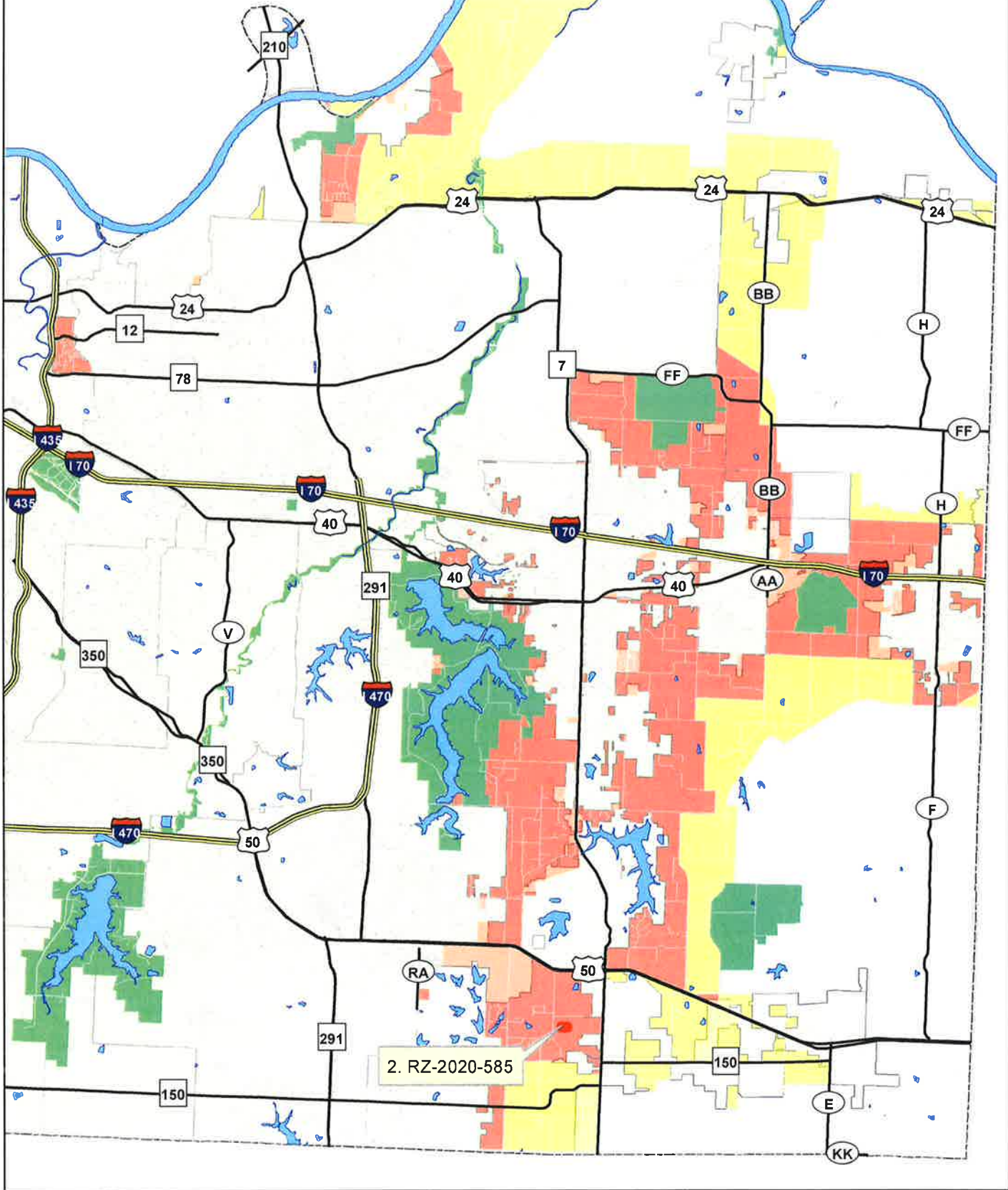
Recommendation:

Staff recommends APPROVAL of RZ-2020-585

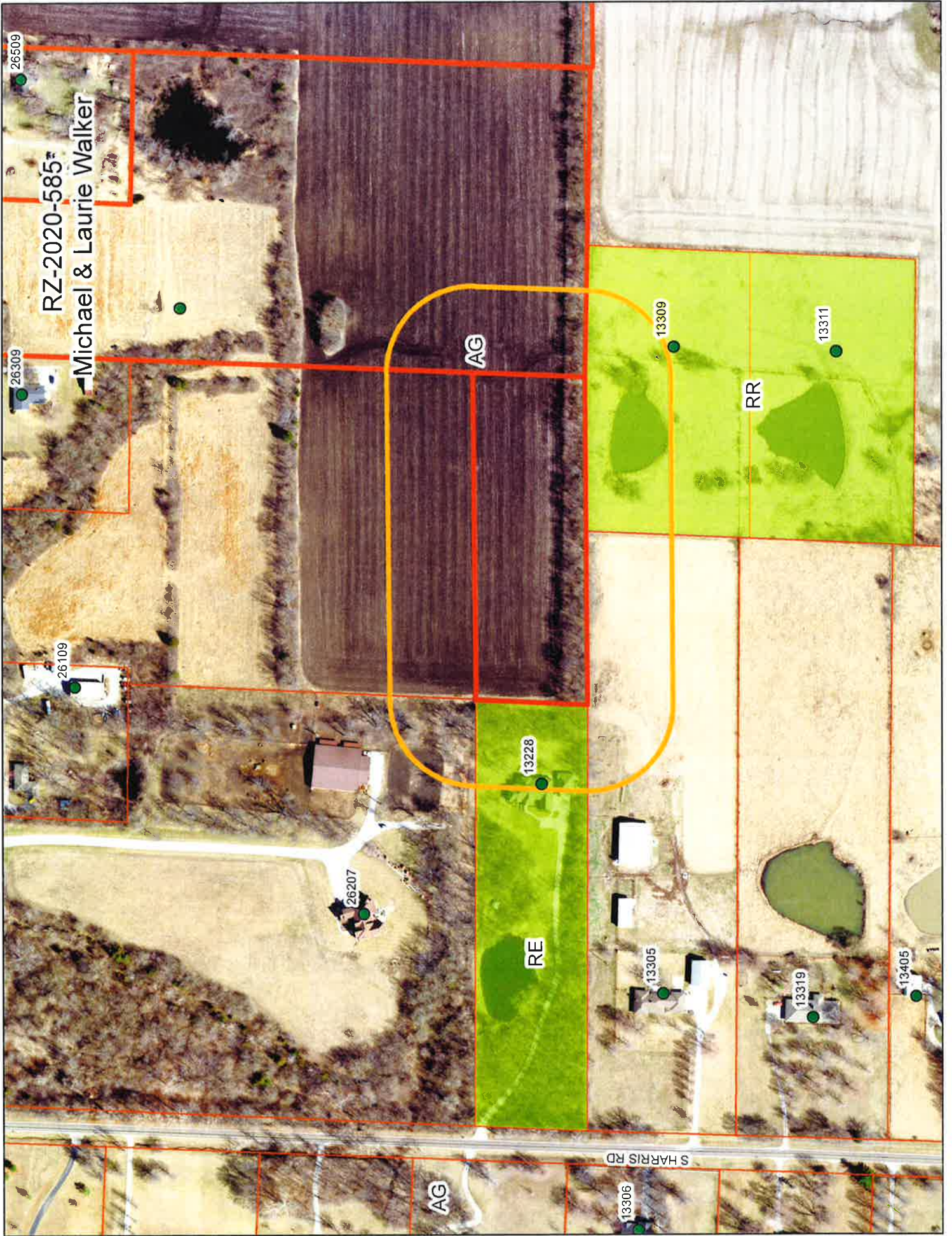
Respectfully submitted,

Jackson County Public Works
Development Division
Randy Diehl, Administrator

Jackson County Plan Commission
July 16, 2020
Agenda Location Map



2. RZ-2020-585



26509

RZ-2020-585

Michael & Laurie Walker

26309

26109

26207

AG

AG

RE

13228

13306

13305

13309

RR

13319

13311

13405

S HARRIS RD

Plan Commission July 16, 2020

RZ-2020-584

Property Owners Within 185 feet

Name	Name	Address	City	State	Zip
72-300-02-11-00-0-00-000	HILL PHILLIP E & NANCY J	26207 HERRING RD	GREENWOOD	MO	64034
72-300-02-03-02-7-00-000	FREED JOSEPH E & AUSTIN-TRUSTEES	13305 S HARRIS RD	GREENWOOD	MO	64034
72-300-02-09-00-0-00-000	BRAMMER ROBERTA LEE TRUST	13405 S HARRIS RD	GREENWOOD	MO	64034
72-300-02-01-01-1-00-000	EAGLEBURGER BILL B & JANIS G	28010 E LONE JACK LEES SUMMIT RD	LEE'S SUMMIT	MO	64086
72-300-02-08-00-0-00-000	WALKER MICHAEL K & LAURIE A-TRUSTEES	13228 S HARRIS RD	GREENWOOD	MO	64034



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

July 1, 2020

RE: Public Hearing: RZ-2020-585
Michael K & Laurie A Walker

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 Michael K & Laurie A Walker for a change of zoning from District AG (Agricultural) on a 3.81 ± acre tract to District RE (Residential Estates). The purpose is to join the 3.81 ± acres into Lot 1, Walker Estates and create a single contiguous lot at 13228 S. Harris Road, Jackson County, Missouri. Missouri.

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, July 16, 2020 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,

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 2020-585
Date filed 6-9-20 Date of hearing 7-16-20
Date advertised 7-1-20 Date property owners notified 7-1-20
Date signs posted 7-1-20
Hearings: Heard by PC Date 7-16 Decision _____
 Heard by LU Date _____ Decision _____
 Heard by _____ Date _____ Decision _____

BEGIN APPLICATION HERE:

1. **Data on Applicant(s) and Owner(s):**
 - a. Applicant(s) Name: Matthew J. Schlicht
Address: 50 SE 30th Street
 Lee's Summit MO 64082
Phone: 816-623-9888
 - b. Owner(s) Name: Michael K & Laurie A Walker
Address: 13228 S Harris Rd
Phone: 816-591-5040
 - c. Agent(s) Name: _____

Address: _____

Phone: _____

d. Applicant's interest in Property: SURVEYOR

2. General location (Road Name) 13228 S. HARRIS RD

3. Present Zoning AG Requested Zoning RE

4. AREA (sq. ft. / acres) 794,055.67 SQ. FT./18.23 ACRES

*3.81±
ACRES*

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

ATTACHED

6. Present Use of Property: AGRICULTURE

7. Proposed Use of Property: SINGLE FAMILY RESIDENTIAL

8. Proposed Time Schedule for Development: _____

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

N/A

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 PUBLIC

b. Sewage disposal SEPTIC

c. Electricity

d. Fire and Police protection PRAIRIE

12. Describe existing road width and condition: HERRING ROAD- 60;R/W-GOOD

13. What effect will proposed development have on existing road and traffic conditions? N/A

14. Are any state, federal, or other public agencies approvals or permits required for the proposed development? N/A

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)

Michael Walker
Laurie A Walker

6-15-20

6-15-20

Applicant(s):

Contract Purchaser(s):

STATE OF

Missouri

COUNTY OF

Jackson

On this 15th day of June, in the year of 2020, before me the undersigned notary public, personally appeared Michael Walker, Laurie Walker

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

Colton Fisher

Commission Expires

June 3rd 2023

