

REQUEST FOR LEGISLATIVE ACTION


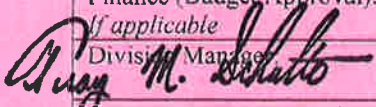
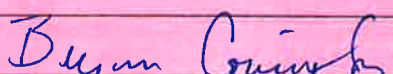

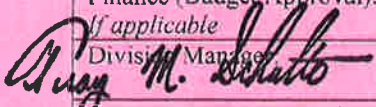
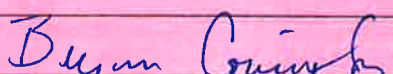

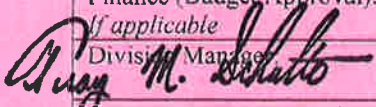
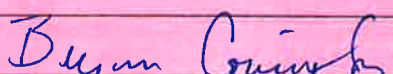
Version 6/10/19

Completed by County Counselor's Office:

Res/Ord No.: 5382

Sponsor(s): N/A

Date: August 3, 2020

SUBJECT	Action Requested <input type="checkbox"/> Resolution <input checked="" type="checkbox"/> Ordinance Project/Title: <u>Hunter, Tim & Stacie & Rios, Zachary & Sara - RZ-2020-584</u>													
BUDGET INFORMATION <i>To be completed By Requesting Department and Finance</i>	<table border="1" data-bbox="370 520 1458 703"> <tr> <td>Amount authorized by this legislation this fiscal year:</td> <td style="text-align: right;">\$</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 style="text-align: right;">\$</td> </tr> <tr> <td>Amount budgeted for this item * (including transfers):</td> <td style="text-align: right;">\$</td> </tr> <tr> <td>Source of funding (name of fund) and account code number:</td> <td></td> </tr> <tr> <td></td> <td style="text-align: right;">\$</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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Amount budgeted for this item * (including transfers):	\$													
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 9.80 ± acre tract to District RE (Residential Estates). The purpose is to create two single family residential lots in Section 6, Township 48, Range 29 at 35705 E. RD Mize 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="349 1640 1537 1879"> <tr> <td>Department Director: Brian D. Gaddie, P.E. Director of Public Works </td> <td>Date: 7-24-20</td> </tr> <tr> <td>Finance (Budget Approval): <i>If applicable</i></td> <td>Date: N/A</td> </tr> <tr> <td>Division Manager: </td> <td>Date: 7/29/20</td> </tr> <tr> <td>County Counselor's Office: </td> <td>Date: 7/29/20</td> </tr> </table>		Department Director: Brian D. Gaddie, P.E. Director of Public Works 	Date: 7-24-20	Finance (Budget Approval): <i>If applicable</i>	Date: N/A	Division Manager: 	Date: 7/29/20	County Counselor's Office: 	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-2020-584

ATTACHMENT 1: PROPERTY DESCRIPTION

Description:

The North Half of the West Half of the Northwest Quarter of the Southwest Quarter of Section 06, Township 48, Range 29, Jackson County, Missouri. Except part in Road.

RZ-2020-584

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

Preliminary Plat

Randy Diehl gave the staff report:

RE: RZ-2019-564

Applicant: Tim & Stacie Hunter and Zachary & Sara Rios

Location: 35705 E. R D Mize Road

Area: 09.08 acres

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

Purpose: Two lot subdivision "Hunter Meadows". Lot 2 contains an existing residence. Lot 1 is for future construction of a single family dwelling.

Current Land Use and Zoning in the Area:

The zoning in the surrounding area is agricultural. The property directly to the east was rezoned to District RE and platted into two lots in 2003.

Land use in the area is both agricultural and residential.

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-2020-584

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?

Tim Hunter, 35705 E R D Mize Road

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

Mr. Hunter: No I do not.

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. Tarpley moved to take under advisement. Mr. Crawford seconded.

Discussion under advisement

Mr. Crawford 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-2020-584

Applicant: Tim & Stacie Hunter and Zachary & Sara Rios

Location: 35705 E. R D Mize Road

Area: 09.08 acres

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

Purpose: Two lot subdivision "Hunter Meadows". Lot 2 contains an existing residence. Lot 1 is for future construction of a single family dwelling.

Current Land Use and Zoning in the Area:

The zoning in the surrounding area is agricultural. The property directly to the east was rezoned to District RE and platted into two lots in 2003. Tract and lots sizes range from 2 acres to larger acreage tracts.

Land use in the area is both agricultural and residential.

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.

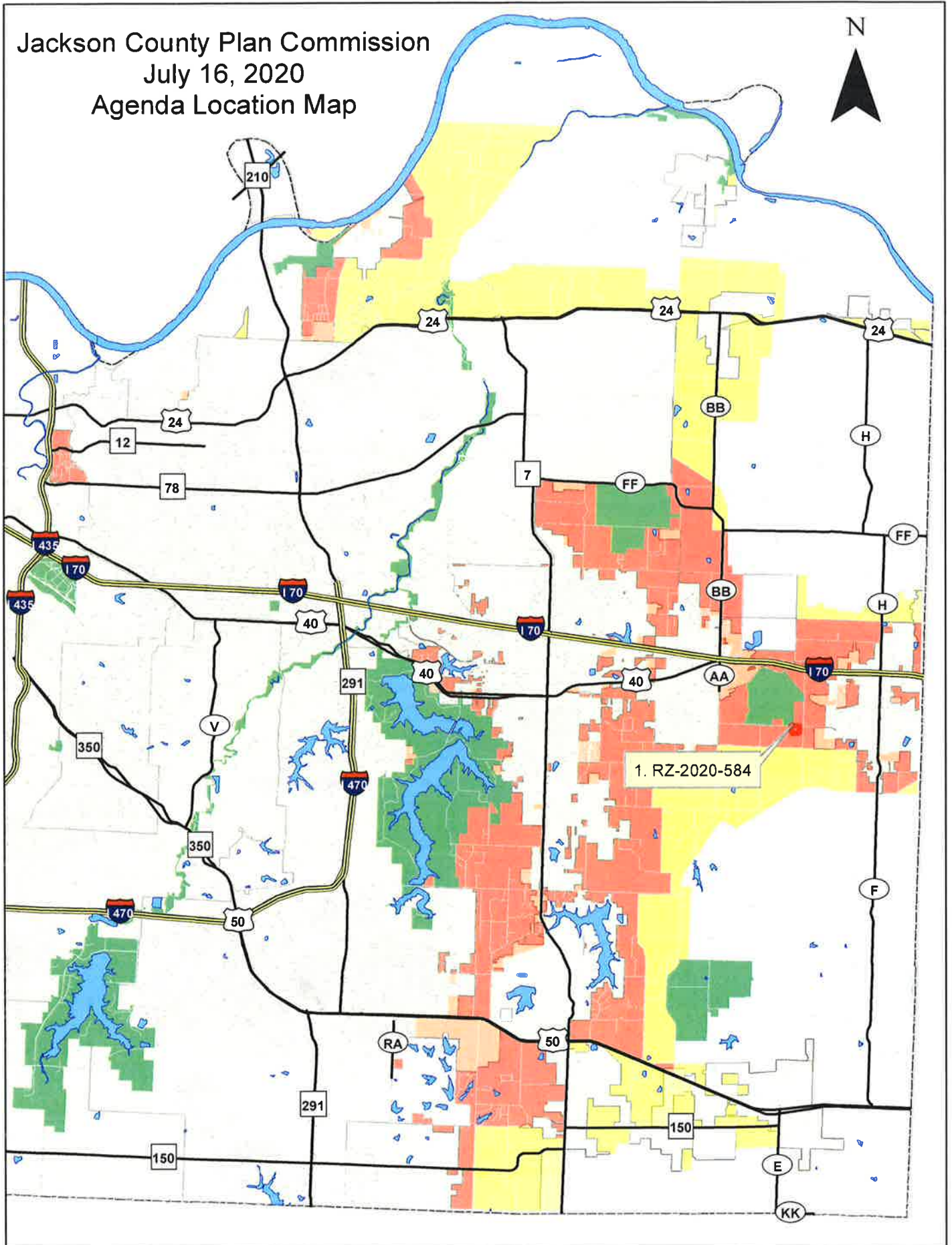
Recommendation:

Staff recommends APPROVAL of RZ-2020-584

Respectfully submitted,

Jackson County Public Works
Development Division
Randy Diehl, Administrator

Jackson County Plan Commission
July 16, 2020
Agenda Location Map



RZ-2020-584
Tim & Stacie Hunter
Zachary & Sara Rios



Plan Commission July 16, 2020
RZ-2020-584

Property Owners Within 185 feet

Parcel	Name	Address
39-300-02-10-00-0-00-000	CREEKMORE JOHN K & CREEKMORE CHARLES W	35606 E R D MIZE RD, OAK GROVE, MO 64075
39-300-02-03-02-0-00-000	BTC FARMS LLC	35800 E R D MIZE RD, OAK GROVE, MO 64075
39-300-03-32-00-0-00-000	CONNOR JOHN W & KRISTINA L -TRUSTEES	35811 E R D MIZE RD, OAK GROVE, MO 64075
39-300-03-22-00-0-00-000	BURLESON KIMBERLY	6416 S STILLHOUSE RD, OAK GROVE, MO 64075
39-300-03-20-02-0-00-000	CHAFFEE JACK H & BARBARA D-TR	6500 S STILLHOUSE RD, OAK GROVE, MO 64075
40-100-04-01-00-0-00-000	KEEPORTS KYLE L & MEGAN E	35507 E R D MIZE RD, OAK GROVE, MO 64075
40-100-02-02-00-0-00-000	JACKSON COUNTY	415 E 12TH ST, KANSAS CITY, MO 64106
39-300-03-20-01-0-00-000	HUNTER TIMMY E & STACIE L	35705 E R D MIZE RD, OAK GROVE, MO 64075



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-2020-584
Tim & Stacie Hunter and Zachary & Sara Rios

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 Tim & Stacie Hunter and Zachary & Sara Rios for a change of zoning from District AG (Agricultural) on a 9.80 ± acre tract in District RE (Residential Estates). The purpose is to create two single family residential lots in Section 6, Township 48, Range 29 at 35705 E. R D Mize Road, Jackson County, 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,

A handwritten signature in blue ink, appearing to read "Randy Diehl".

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-2020-584
Date filed 5-11-2020 Date of hearing 7-16-2020
Date advertised 7-1-2020 Date property owners notified 7-1-2020
Date signs posted 7-1-2020
Hearings: Heard by PC Date 7-16-20 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: Zachary & Sara Rios
Address: 35705 E.R.D Mize Rd Oak Grove MO
64075
Phone: (816) 786-4299 or (816) 665-0086
 - b. Owner(s) Name: Timmy J. Stacie Hunter
Address: 35705 E.R.D Mize Rd Oak Grove MO 64075
Phone: (816) 935-6023
 - c. Agent(s) Name: _____

Address: _____

Phone: _____

d. Applicant's interest in Property: _____

2. General location (Road Name) E R.D Mize Rd

3. Present Zoning Ag Requested Zoning RE

4. AREA (sq. ft. / acres) 3 acres or as close to as possible

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

6. Present Use of Property: Empty field

7. Proposed Use of Property: Single Family home

8. Proposed Time Schedule for Development: Aug 2020

9. What effect will your proposed development have on the surrounding properties?
little to 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 Public Water Supply District 17

b. Sewage disposal _____

c. Electricity West Central

d. Fire and Police protection Sm. Valley

12. Describe existing road width and condition: 2 lane, good

13. What effect will proposed development have on existing road and traffic conditions? None current amount of traffic will remain

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)

[Signature]
Steve Hunter

5-5-20
5/5/2020

Applicant(s):

12/15/16
[Signature] [Signature]

5/5/2020
5/5/2020

Contract Purchaser(s):

STATE OF

Missouri

COUNTY OF

Lafayette

On this 5 day of May, in the year of 2020, before me

the undersigned notary public, personally appeared Timmy Hunter, Steve Hunter,
Zachary Ross, Sara Ross

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

Candace Lena Marie Hall

Commission Expires

9/29/2023

Candace Lena Marie Hall
Notary Public-Notary Seal
STATE OF MISSOURI-LAFAYETTE COUNTY
My Commission Expires September 29, 2023
Commission # 15999901

