

LA-2025-048**ATTACHMENT 1: PROPERTY DESCRIPTION****Description:**

All of the 30 foot wide public right-of-way lying West of and adjacent to Lot 12, Breezy Meadows, a subdivision in Jackson County, Missouri, described as follows: Beginning at the Northwest corner of said lot 12; thence South 02 degrees 37 minutes 25 seconds West, along the West line of said lot, 759.25 feet to the Southwest corner of said lot; thence South 88 degrees 48 minutes 11 seconds West, along the Westerly prolongation of the South line of said lot, 30.07 feet to the West boundary line of said plat; thence North 02 degrees 37 minutes 25 seconds East, along said plat boundary line, 759.14 feet to the Northwest corner of said plat; thence North 88 degrees 36 07 seconds East, along the North boundary line of said plat, 30.07 feet the Point of beginning, and

All of the 30 foot wide public right-of-way lying West of and adjacent to Lot 13A, Breezy Meadows, a subdivision in Jackson County, Missouri, described as follows: Beginning at the northwest corner of said lot 13a; thence South 02 degrees 21 minutes 10 seconds West, along the west line of said lot, 826.30 feet to the Southwest corner of said lot; thence South 88 degrees 55 minutes 17 seconds West, along the South boundary line of said plat, 30.05 feet to the Southwest corner of said plat; thence North 02 degrees 21 minutes 10 seconds East, along the West boundary line of said plat, 826.23 feet to the intersection of said West boundary line with the westerly prolongation of the North line of said lot; thence North 88 degrees 36 minutes 07 seconds East, along said prolongation, 30.07 feet the Point of Beginning.

LA-2025-048

ATTACHMENT 2: ZONING SUPPORT DOCUMENTATION

Attachments

Plan Commission Public Hearing Summary of August 21, 2025

Staff Report

Zoning map of surrounding area

Names and addresses of surrounding property owners

Letter to surrounding property owners

Application

Copy of Breezy Meadows

Survey

Randy Diehl gave the staff report:

RE: LA-2025-048

Applicant: Kevin Roth & Lonnie Smith

Location: 34808 & 34809 E. Stringtown Road

Request: Vacation of a portion of an unnamed and unimproved right of way within Breezy Meadows

Current Land Use and Zoning in the Area:

The applicants are requesting the vacation of the unimproved road right of way west of and adjacent their respective lots.

The right of way was established by the subdivision plat, Breezy Meadows, 2nd Plat, recorded July 1998. This development reserved and dedicated a 25 foot right of way to be used for any future development to the west. The other half of the road would then be dedicated and would be subject to construction at that point.

Section 24003.24 of the Unified Development Code (UDC) establishes the purpose and process for the vacation of streets and reservations.

A public reservation is defined as a tract of public land or easement reserved for some special use, as for a road. An easement is a certain right to use the real property of another without possessing it.

If no private rights will be injured or endangered and the public will suffer no loss or inconvenience thereby, then all or a portion of any street or public reservation, including easements, may be vacated.

Applications for vacation of any street or a public reservation may be made by the County or by any owner of property on which the street or public reservation lies or adjoins.

Reversion of streets, alleys or other public reservations which have been vacated shall revert to the owners of adjoining properties.

Whole road vacations would be divided along the center line and the half would revert to each adjacent owner.

Half roads or boundary roads would fall back into the side which it was established from.

The development to the west is a 10-acre tract survey development. The west half of the road was not required for this development. The 25 foot right of way serves no purpose at this point. Therefore, the applicants are asking for this to be vacated and reverted.

The vacation would be subject to any utilities that may exist within it.

Recommendation:

Staff recommends APPROVAL of LA-2025-048.

Respectfully submitted,

Jackson County Public Works
Development Division
Randy Diehl, Administrator

Mr. Antey: Randy, what precipitated this?

Mr. Diehl: Well, they knew that that wasn't going to ever develop, and they wanted the extra land just to have it. They didn't want to build anything back there. They just wanted to, because it's public right away at this point because it's dedicated on the plat. To get rid of that, they're asking for the vacation so it's part of their real property.

Mr. Antey: Okay. It's one of the cases where some forward thinking and it just didn't materialize to the use of it. Are there any questions for Randy?

Mr. Smead: Would any property be a landlocked place? I didn't think so, but I wanted to do that.

Mr. Diehl: No. The north property line of this gentleman that goes up to here. This is the driveway that goes to this house.

Mr. Antey: Any other questions for Randy? Is the applicant present today?

Is there anyone else that would like to speak in favor of this application? Is there anyone present today that would like to speak that is opposed to or has questions concerning this application? Seeing none, I would entertain a motion to go under advisement.

Mr. Lake: So moved.

Mr. Horn: Seconded.

Mr. Antey: It's been moved and seconded. All those in favor of going under advisement?
All: Aye.

Mr. Antey: All those opposed? We are under advisement.

Mr. Lake: I'll fall back to our previous discussion. I have a hard time approving this without the applicant here.

Ms. Ryerkerk: If you have an applicant that you tell them that their case is going on a certain day and they say, "I cannot get off work, or I cannot get there", do they have the option to request it? Or does it just happen when it calls them?

Mr. Diehl: They can always have somebody represent them if they can't do it. You know, we've had other people have, we're on vacation, so we've had their neighbor come in because they knew what was going on. represent them and speak on their behalf.

Ms. Ryerkerk: But it isn't rescheduled on request?

Mr. Diehl: Not unless it comes from that side of the table.

Mr. Antey: But then once again, they're not required to be here.

Ms. Ryerkerk: Right, they're not required to be here, and I don't feel comfortable essentially penalizing people for we don't know what the circumstances are.

Mr. Antey: And it could have been that they had made arrangements for the last meeting where we didn't have a forum, which is not of their fault whatsoever. So this is kind of the makeup from that. Does anybody have any comments from the commission about the application?

Mr. Horn: My comment would be, are they just going to absorb that into their land?

Mr. Antey: Yes, but if they wanted to plat it as part of their land, they would have to go for a replat.

Mr. Diehl: This is just vacating, and it still exists, but it's real property that reverts to them. If they want to extend their lot lines, then they would replat that lot to absorb that 25-foot strip and get rid of that platted invisible line, we'll say, that's on paper.

Mr. Ryerkerk: So if it was vacated and then it went for sale immediately after, without those steps, you're still going to have that number? Right.

Mr. Diehl: If they sell their property, they would have to sell lot XYZ plus 25-foot strip. So when they replatted it and it became lot 123, then they would plat it, and it would be dedicated and absorb that 25-foot and be part of the lot.

Mr. Antey: And a replat would just be an administrative review.

Mr. Diehl: Yes.

Ms. Ryerkerk: And then any setbacks would be the absorption of the.

Mr. Diehl: So let's just say that they were wanting to build a building and they wanted to be a little closer to that line. We still recognize that line because it's platted. So, if they absorbed it, then they could move 25 feet more to that side of the property.

Mr. Antey: It would move their setback over to the new lot line. Any other comments?

Mr. Crawford: 34603 Stringtown, that would be the only other person I could see that would have been affected and they're not here today.

Mr. Diehl: They have access off of Stringtown Road that goes to the west from their property.

Mr. Crawford: Yes, they do, but they could also utilize that 12 1/2 feet for a driveway. There's nobody to the north or south of these two?

Mr. Antey: And this being a half road is the reason it reverts to one side.

Mr. Diehl: If it had been a whole road, then it would have split. The other side would have gotten it if it had been a platted dedicated road.

Mr. Antey: Any other comments from the Commission?

I would entertain a motion.

Motion to take under advisement.

Mr. Monaco moved to take under advisement. Ms. Ryerkerk seconded.

Discussion under advisement

Mr. Monaco moved to approve. Mr. Lake seconded.

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

Motion Carried 5 – 0

STAFF REPORT

PLAN COMMISSION

July 17, 2025

RE: LA-2025-048

Applicant: Kevin Roth & Lonnie Smith

Location: 34808 & 34809 E. Stringtown Road

Request: Vacation of a portion of an unnamed and unimproved right of way within Breezy Meadows

Current Land Use and Zoning in the Area:

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The right of way was established by the subdivision plat, Breezy Meadows, 2nd Plat, recorded July 1998. This development reserved and dedicated a 25 foot right of way to be used for any future development to the west. The other half of the road would then be dedicated and would be subject to construction at that point.

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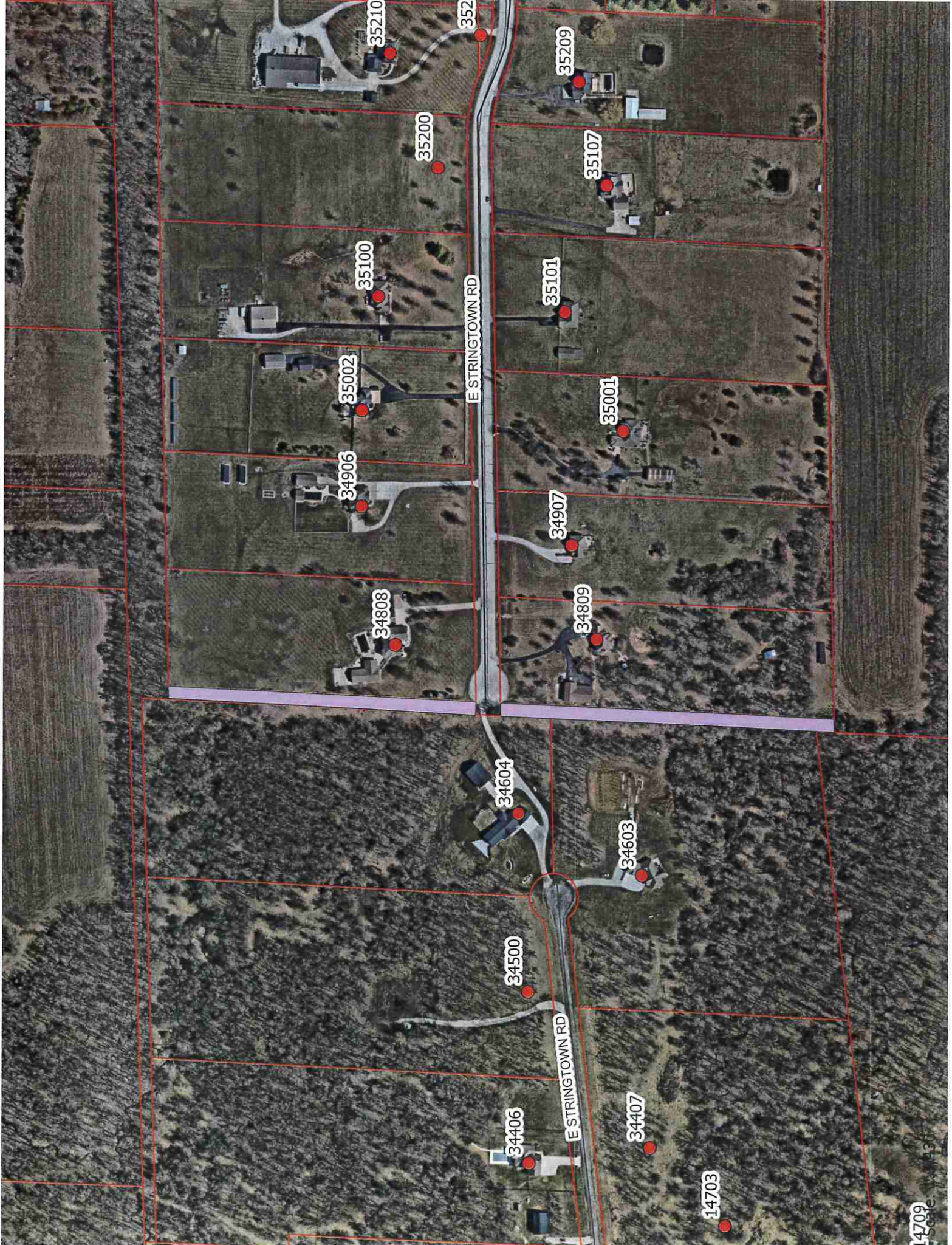
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Recommendation:

Staff recommends APPROVAL of LA-2025-048.

Respectfully submitted,

Jackson County Public Works
Development Division
Randy Diehl, Administrator



LA-2025-048

Property Owners Within 1000 feet

parcel	owner	address	city	state	zip
73-600-04-05-01-7-00-000	BARKER JERRY V	34903 E HENDRICKS RD	LONE JACK	MO	64070
73-700-01-14-00-0-00-000	SCHUMACHER GARY & SAMANTHA	34907 E STRINGTOWN RD	LONE JACK	MO	64070
73-600-04-13-00-0-00-000	THIES FRANK & SUSAN	34906 E STRINGTOWN RD	LONE JACK	MO	64070
73-600-03-06-01-0-00-000	BARKER DANNY E & STEPHANIE K	34805 E HENDRICKS RD	LONE JACK	MO	64070
73-700-01-04-01-0-00-000	BARKER DANNY E & STEPHANIE K	34805 E HENDRICKS RD	LONE JACK	MO	64070
73-700-01-15-00-0-00-000	MAGNUSSEN ROBERT J & KIMBERLI S	35001 E STRINGTOWN RD	LONE JACK	MO	64070
73-600-04-14-00-0-00-000	VAUGHN STANLEY G & SHARON A	35002 STRINGTOWN RD	LONE JACK	MO	64070
73-600-04-15-00-0-00-000	EARL V NUCKOLLS LIVING TRUST	35100 E STRINGTOWN RD	LONE JACK	MO	64070
73-700-01-16-00-0-00-000	FARMER CYNTHIA A	35101 E STRINGTOWN RD	LONE JACK	MO	64070
73-600-04-05-01-8-00-000	BRAUN RUSSELL H & DANYA L	35005 E HENDRICKS RD	LONE JACK	MO	64070
73-700-02-16-00-0-00-000	TIMBER VIEW FARMS II HOA INC	34110 E STRINGTOWN RD	LONE JACK	MO	64070
73-700-02-14-00-0-00-000	FARRELL RYAN M & SHONA L	14715 TIMBER VIEW PL	LONE JACK	MO	64070
73-700-02-15-00-0-00-000	BASILE SHAWN M & CARRI R	14709 S TIMBER VIEW PL	LONE JACK	MO	64070
73-700-02-08-00-0-00-000	TORRES LIVING TRUST	29305 SE MOORELAND SCHOOL RD	BLUE SPRINGS	MO	64014
73-700-02-07-00-0-00-000	DOERHOFF BRIAN & MATTIE	2501 NE DALE HUNTER TRL	LEES SUMMIT	MO	64086
73-600-03-14-00-0-00-000	LEES BOBBY A & CORTNEY L	34406 STRINGTOWN RD	LONE JACK	MO	64070
73-600-03-15-00-0-00-000	WOLFF MARKUS & DEBBIE L	33408 E STRINGTOWN RD	LONE JACK	MO	64070
73-600-03-01-00-0-00-000	STROPE KENNETH G & SUSAN M TRUST	1513 SW FREDERICK	LEES SUMMIT	MO	64080
73-600-04-12-00-0-00-000	ROTH KEVIN L & KELLIE R	34808 E STRINGTOWN RD	LONE JACK	MO	64070
73-700-01-20-00-0-00-000	SMITH LONNIE & SARAH	34809 E STRINGTOWN 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

July 2, 2025

RE: Public Hearing: LA-2025-048
Kevin Roth & Lonnie Smith

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 Kevin Roth & Lonnie Smith the vacation of a portion of an unnamed and undeveloped right of way within Breezy Meadow lying West of 34808 & 34809 E. Stringtown Road.

Please note that this request affects only the property mentioned above.

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, July 17, 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 RIGHT-OF-WAY AND EASEMENT VACATIONS

Type of vacation (check one):

☐ Easement

☐ Street

☐ Road right-of-way

Applicant: Kevin Roth

Address: 34808 E Stringtown Rd Lone Jack MO 64070

Phone: 816 365 3344

APPLICANT INFORMATION:

Application must be filed with the Jackson County Planning and Development Division, 303 West Walnut, Independence, Missouri 64050 by the date on the Plan Commission Calendar.

The following items need to be submitted with the application:

1. A letter to the Administrator of Planning and Development giving the reasons for the vacation request.
2. An accurate legal description of the easement, street or road right-of-way. This needs to be done by a Missouri Registered land surveyor who must sign and seal the legal description document.
3. One (1) copy, size 8 1/2 x 11, of a black and white map which shows the general location of the subject easement, street or road right-of-way.
4. Two (2) copies, (1 size 8 1/2 x 11, 1 copy size 22 x 33) of a black and white map which shows the subject easement, street or road right-of-way in detail.
5. The filing fee of \$250 (non-refundable), check payable to Manager of Finance.

Signature of individual submitting the vacation request:

Kevin Roth
(Signature)

6/13/25
(Date)

TO BE COMPLETED BY OFFICE PERSONNEL ONLY:

Vacation Case Number LA _____

Date filed _____ Date of hearing _____ Date Advertised _____

Heard by _____ Date _____ Decision _____

Heard by _____ Date _____ Decision _____

Heard by _____ Date _____ Decision _____

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

Applicant(s):

K Roll

6/13/25

Applicant(s):

STATE OF Missouri
COUNTY OF Jackson

On this 13th day of June, in the year of 2025, before me the undersigned notary public, personally appeared known to me to be the person(s) whose name(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.

Karen S Sloan Commission Expires 2-22-29
Notary Public



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

Applicant(s):

Leanne Smith

13 June 2025

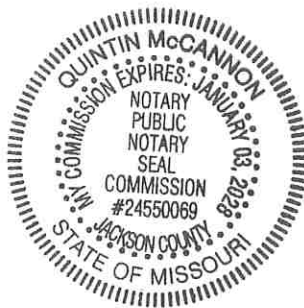
Applicant(s):

STATE OF Missouri
COUNTY OF Jackson

On this 13th day of June, in the year of 2025, before me the undersigned notary public, personally appeared known to me to be the person(s) whose name(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.

[Signature]
Notary Public

Commission Expires 1/3/28



JACKSON COUNTY, MISSOURI
APPLICATION FOR RIGHT-OF-WAY AND EASEMENT VACATIONS

Type of vacation (check one):

☐ Easement

☐ Street

☐ Road right-of-way

Applicant: Lonnie Smith

Address: 34809 E. Stringtown Rd. Lone Jack, MO 64070

Phone: 816-517-6478

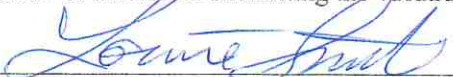
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The following items need to be submitted with the application:

1. A letter to the Administrator of Planning and Development giving the reasons for the vacation request.
2. An accurate legal description of the easement, street or road right-of-way. This needs to be done by a Missouri Registered land surveyor who must sign and seal the legal description document.
3. One (1) copy, size 8 1/2 x 11, of a black and white map which shows the general location of the subject easement, street or road right-of-way.
4. Two (2) copies, (1 size 8 1/2 x 11, 1 copy size 22 x 33) of a black and white map which shows the subject easement, street or road right-of-way in detail.
5. The filing fee of \$250 (non-refundable), check payable to Manager of Finance.

Signature of individual submitting the vacation request:


(Signature)

13 June 2025
(Date)

TO BE COMPLETED BY OFFICE PERSONNEL ONLY:

Vacation Case Number LA _____

Date filed _____ Date of hearing _____ Date Advertised _____

Heard by _____ Date _____ Decision _____

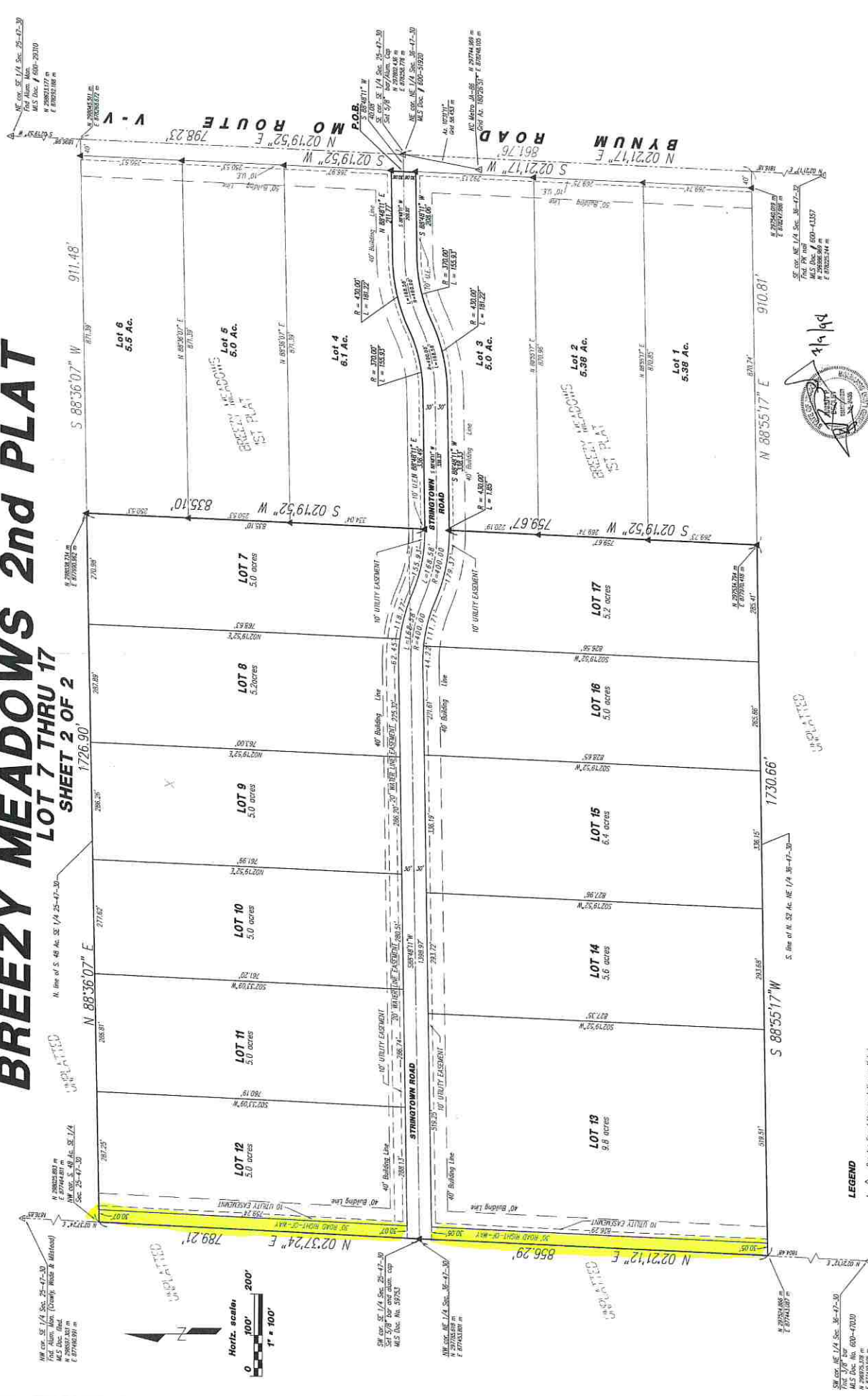
Heard by _____ Date _____ Decision _____

Heard by _____ Date _____ Decision _____

BREEZY MEADOWS 2nd PLAT

LOT 7 THRU 17

SHEET 2 OF 2



JOM NO.:	
1355-2501	
MASTER FOLDER:	
CAD Drawings\Sub	
SUB FOLDER:	
B	
FILE NAME:	
Breezy Meadows M31	
FIELD BOOK - PAGE	
GPS	
Given in:	
E. GARD	
of	of
1	1