


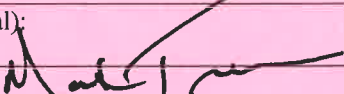
REQUEST FOR LEGISLATIVE ACTION

Completed by County Counselor's Office:

~~Res~~ Ord No.: 4998

Sponsor(s): xxxx

Date: August 7, 2017

SUBJECT	Action Requested <input type="checkbox"/> Resolution <input checked="" type="checkbox"/> Ordinance Project/Title: <u>Joshua C & Amanda M Smith - RZ-2017-553</u>											
BUDGET INFORMATION <i>To be completed By Requesting Department and Finance</i>	<table border="1" data-bbox="326 485 1206 793"> <tr> <td>Amount authorized by this legislation this fiscal year:</td> <td>\$</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>\$</td> </tr> <tr> <td>Amount budgeted for this item * (including transfers):</td> <td>\$</td> </tr> <tr> <td>Source of funding (name of fund) and account code number; FROM / TO</td> <td>FROM ACCT TO ACCT</td> </tr> </table> <p>* If account includes additional funds for other expenses, total budgeted in the account is: \$</p> <p>OTHER FINANCIAL INFORMATION:</p> <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
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											
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 4.42 ± acres to District RE (Residential Estates). The proposed land use is a one lot subdivision. The 4.42 ± acres are located in Section 10, Township 49, Range 30, in Jackson County, Missouri, aka 32100 E. Truman 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 7 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 	Date: 7/25/2017 Date: Date: 8/1/17										
	Finance (Budget Approval): If applicable Division Manager: 	Date: Date: 8/1/17										

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 July 20, 2017

Location Map

Staff Report

Affidavit of Publication in Independence Examiner

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

Preliminary plat

RZ-2017-553

ATTACHMENT TO RLA 1:

Description: Pat of the Northeast Quarter of Section 10, Township, Range 30, Jackson County, Missouri described as follows: Commencing at the Center of said Section 10, Township, Range 30, Jackson County, Missouri; thence with the South line of Northeast Quarter South 88 Degrees, 08 minutes, 32 seconds East, 1384.77 feet; thence leaving said South line, North 02 degrees, 37 minutes, 28 seconds East, 38.87 feet to a point of the North right-of-way line of Truman Road (Missouri Route FF); thence east along said North right-of-way, 100 feet to point of beginning; thence North 02 degrees, 37 minutes, 28 seconds East, 701.72 feet; thence South 88 degrees, 09 minutes, 52 seconds East, 269.44 feet; thence s 01 degrees, 01 minutes, 58 seconds West, 702.35 feet, to a point on said North right-of-way line, thence East along said North right-of-way line, 278.74 feet to point of beginning.

RE: RZ-2017-553

Randy Diehl gave the staff report:

Applicant: Joshua C & Amanda M Smith

Location: 32100 E. Truman Road

Area: 4.42 ± acres in Section 10, Township 49, Range 30

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 single family residences and some agricultural uses.

There are quite a few platted developments within the proximity of the subject property. Lot sizes range from approximately 2 acres to 8 acres in size. Some of these were developed after 1995, with the implementation of the Unified Development Code (UDC) and therefore are within District RE and well as a couple within District RR.

The applicant owns approximately 15.3 acres and is wanting to plat 4.42 which contain a single family residence. The remaining 10.88 acres will remain in District AG. It should be noted that the tract will not be able to be subdivided in the future. Staff contacted MoDOT regarding access onto the 10 acre tract since Truman Road in a State maintained Highway. Sight distance would allow a driveway centered with the 100 foot area fronting Truman Road.

County Plan:

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

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

Recommendation:

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

Staff recommends APPROVAL of RZ-2017-553.

Respectfully submitted,

Jackson County Public Works
Development Division
Randy Diehl, Administrator

Mr. Antey: Are there any questions for Randy?

Mr. Akins: How is the sight distance?

Mr. Diehl: That's why we reached out to MoDOT for their consideration for driveway.

Mr. Antey: Is the applicant here?

Amanda Smith: 608 NE Leann Dr,

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

We own the property directly to the west. The 10 acres will be just extra land for us. It's fairly wooded. The 4.42 acres will be sold off to a family member. At this point we have no plans to build anything on the 10 acres.

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

There were none

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.

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

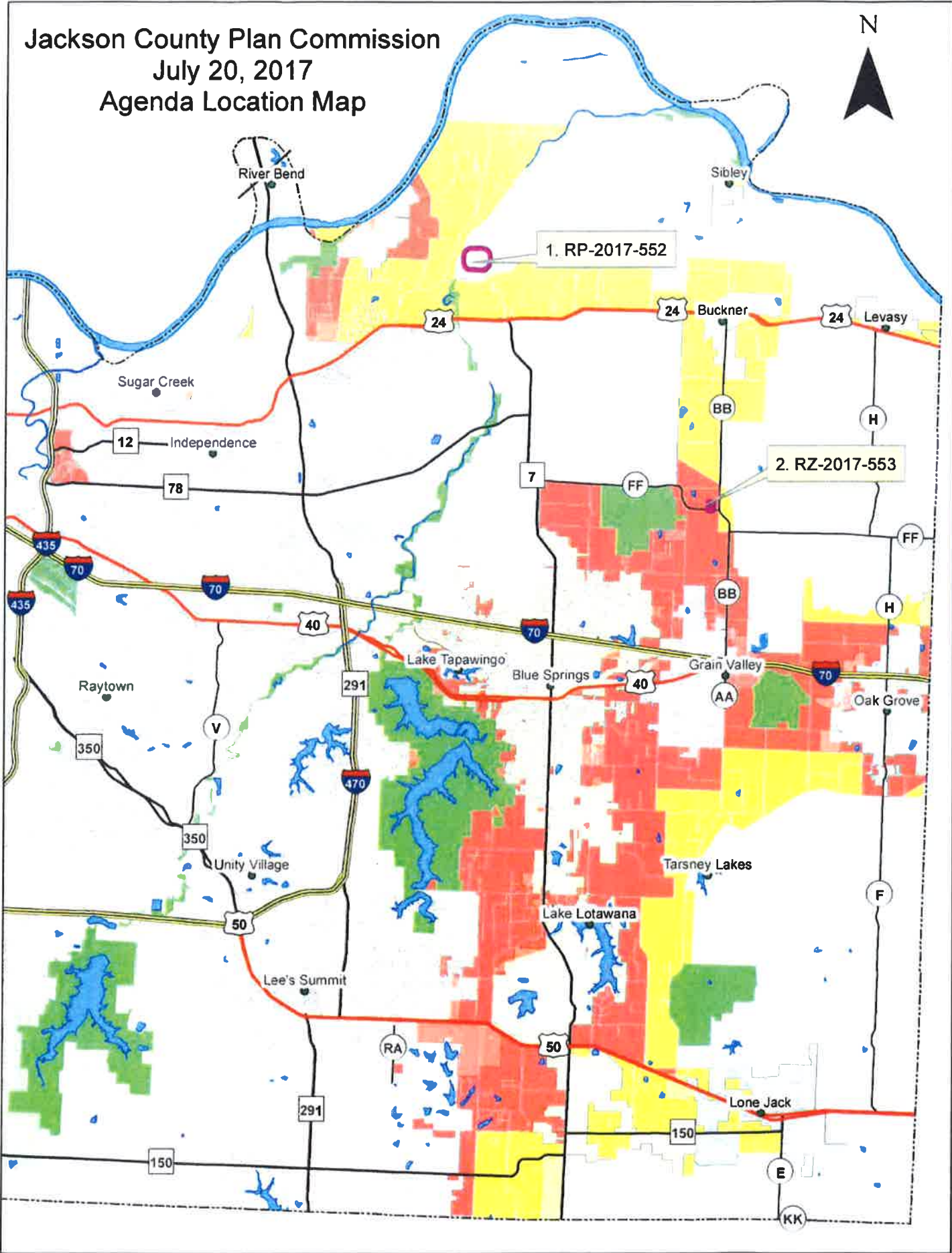
Discussion under advisement

Mrs. Akins moved to approve. Mr. Haley seconded.

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

Motion Carried 7 – 0.

Jackson County Plan Commission July 20, 2017 Agenda Location Map



1. RP-2017-552

2. RZ-2017-553

STAFF REPORT

**PLAN COMMISSION
July 20, 2017**

RE: RZ-2017-553

Applicant: Joshua C & Amanda M Smith

Location: 32100 E. Truman Road

Area: 4.42 ± acres in Section 10, Township 49, Range 30

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Respectfully submitted,

Jackson County Public Works
Development Division
Randy Diehl, Administrator



Legend

- 185' Notification Area
- Pending Rezoning

1 inch = 417 feet

RZ-2017-553
Joshua & Amanda Smith

Plan Commission July 20, 2017

RZ-2017-553

Property Owners Within 185 feet

parcel	owner	address	city	state	code
22-400-01-05-00-0-00-000	ELROD PATRICIA D -TR	8639 CRAIG	OVERLAND PARK	KS	66212
22-400-01-06-00-0-00-000	KNAPP STEPHEN ROBERT-TRUSTEE	32100 E TRUMAN RD	BUCKNER	MO	64016
22-400-04-02-00-0-00-000	MCBEE JOHN & SHARON LORANE	32105 E TRUMAN RD	BUCKNER	MO	64016
22-400-01-04-00-0-00-000	YOUNG CHARLES M & JEANNE L	32102 E TRUMAN RD	BUCKNER	MO	64016
22-400-01-01-00-0-00-000	CARVER TERRENCE W JR & DOROTHY L	2018 S BUCKNER TARSNEY RD	BUCKNER	MO	64016
22-400-01-13-00-0-00-000	SMITH JOSHUA C & AMANDA M	PO BOX 145	BLUE SPRINGS	MO	64013

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-2017-~~552~~553
 Date filed 6-12-17 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: Joshua & Amanda Smith
 Address: 6008 NE Leann Rd
Blue Sp. MO 64014
 Phone: 816-694-9204, 816-256-0858
 - b. Owner(s) Name: Joshua Amanda Smith
 Address: 6008 NE Leann Rd
 Phone: 816-694-9204
 - c. Agent(s) Name: _____

Address: _____

Phone: _____

d. Applicant's interest in Property: 100%

2. General location (Road Name) 32100 E Truman Rd

BUCKNER, MO 64016

3. Present Zoning ~~AG~~ AG Requested Zoning RE

4. AREA (sq. ft. / acres) _____

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

6. Present Use of Property: single family

7. Proposed Use of Property: single family

8. Proposed Time Schedule for Development: August

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? NA

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 Independence Water Dept - same use

b. Sewage disposal Septic system - same use

c. Electricity KCP&L - same use

d. Fire and Police protection Fert Usage Fire Protection District

12. Describe existing road width and condition: good ; Jackson Co Sheriff

13. What effect will proposed development have on existing road and traffic conditions? None, no changes being made to existing entrance and exit.

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)

Amanda M. Smith

6/12/17

6/12/17

Applicant(s):

Amanda M. Smith

6/12/17

6/12/17

Contract Purchaser(s):

N/A

N/A

N/A

N/A

STATE OF Missouri
COUNTY OF JACKSON

On this 12 day of June, in the year of 2017, before me the undersigned notary public, personally appeared Amanda & Joshua Smith

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.

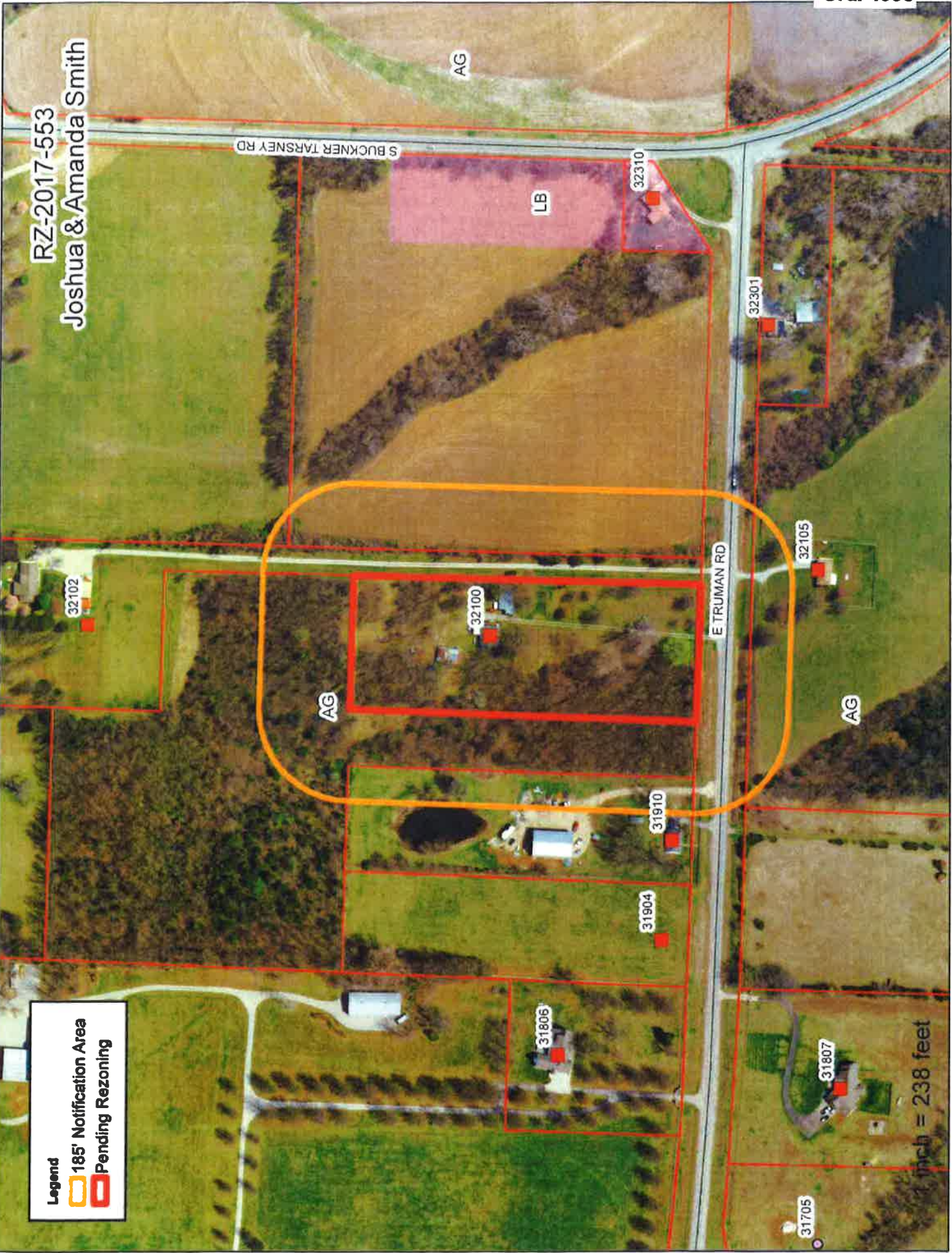
Notary Public

Ashley Barnett

Commission Expires 27 Aug. 2019



RZ-2017-553
Joshua & Amanda Smith



Legend

- 185' Notification Area
- Pending Rezoning

1 inch = 238 feet

EAGLE POINTE SURVEYING, LLC
 1216 NE Applewood St.
 Lee's Summit, Missouri, 64086
 (816) 456-0156

DATE OF SURVEY: June, 2017
 CLASS OF PROPERTY: RURAL
 SURVEY CREW: MBH
 DRAWING NAME: 201705-1163

Section 10, Township 49N, Range 30W
 Jackson County, Missouri

SMITH ACRES

NO	DATE	REVISIONS

The Survey was prepared for:
 Joshua and Amanda Smith
 East Main Road
 Jackson, Missouri

