

REQUEST FOR LEGISLATIVE ACTION

Version 6/10/19

Completed by County Counselor's Office:

~~Res~~ Ord No.: 5431

Sponsor(s):

Date: October 19, 2020

SUBJECT	Action Requested <input type="checkbox"/> Resolution <input checked="" type="checkbox"/> Ordinance Project/Title: <u>Kiel & Whitney Sickman - RZ-2020-589</u>											
BUDGET INFORMATION <i>To be completed By Requesting Department and Finance</i>	<table border="1" data-bbox="358 512 1438 699"> <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 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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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 1.83 ± acre tract to District RS (Residential Suburban). The purpose is to decrease the building setback requirements for future construction at 9120 S. Shroul, 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 September 24, 2020 and accepted testimony pertaining to the rezoning request. The 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)											
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="342 1640 1524 1879"> <tr> <td>Department Director: Brian D. Gaddie, P.E. Director of Public Works</td> <td>Date: 9-30-20</td> </tr> <tr> <td>Finance (Budget Approval): <i>If applicable</i></td> <td>Date:</td> </tr> <tr> <td>Division Manager: <i>Way M. Schultz</i></td> <td>Date: 10-12-2020</td> </tr> <tr> <td>County Counselor's Office: <i>Bryan Cousin</i></td> <td>Date: 10/14/20</td> </tr> </table>		Department Director: Brian D. Gaddie, P.E. Director of Public Works	Date: 9-30-20	Finance (Budget Approval): <i>If applicable</i>	Date:	Division Manager: <i>Way M. Schultz</i>	Date: 10-12-2020	County Counselor's Office: <i>Bryan Cousin</i>	Date: 10/14/20		
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County Counselor's Office: <i>Bryan Cousin</i>	Date: 10/14/20											

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-2020-589

ATTACHMENT 1: PROPERTY DESCRIPTION

Description:

Lot 12, Hill Crest Estates, 2nd Plat, a subdivision in Jackson County, Missouri

RZ-2020-589

ATTACHMENT 2: ZONING SUPPORT DOCUMENTATION

Attachments

Public Hearing Summary from September 24, 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

Randy Diehl gave the staff report:

RE: RZ-2020-589

Applicant: Kiel & Whitney Sickman

Location: 9120 S. Shroust Road

Area: 1.83 ± acres

Request: Change of zoning from District AG (Agricultural) to District RS (Residential Suburban)

Purpose: Decrease the building setback requirements for future construction

Current Land Use and Zoning in the Area:

Hill Crest Estates 2nd Plat was platted in 1984. Subdivisions platted prior to the adaption of the Unified Development Code in 1995 were not required to be rezoned, therefore these lots are within District AG, Agricultural.

The applicant is wishing to construct a 40' by 12' extension to their existing out building and is needing a reduction of the side setback.

The setbacks for AG are: 50' front and rear, and 30' side yards.

RS setbacks are: 50' front (platted), 20' rear yard, and 15' side.

County Plan:

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

The Residential Suburban is appropriate for the Urban Development Tier.

Recommendation:

Staff recommends APPROVAL of RZ-2020-589

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?

Kiel Sickman, 9120 S Shroud Road

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

Mr. Akins: Will this be a lean-to type of structure?

Mr. Sickman: It will be enclosed. It's going to but right up to the existing building, but will not be attached to it.

Mr. Tarpley: What's the size?

Mr. Sickman: 40 by 12. It will be used for the storage of a pontoon boat.

Mr. Crawford: Is there a reason you aren't building this to the north?

Mr. Sickman: That location would be more in the middle of the property, as the septic system is in that area as well.

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. Mershon 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
Ms. Mershon	Approve
Chairman Antey	Approve

Motion Carried 7 – 0

STAFF REPORT

PLAN COMMISSION
September 17, 2020

RE: RZ-2020-589

Applicant: Kiel & Whitney Sickman

Location: 9120 S. Shrout Road

Area: 1.83 ± acres

Request: Change of zoning from District AG (Agricultural) to District RS (Residential Suburban)

Purpose: Decrease the building setback requirements for future construction

Current Land Use and Zoning in the Area:

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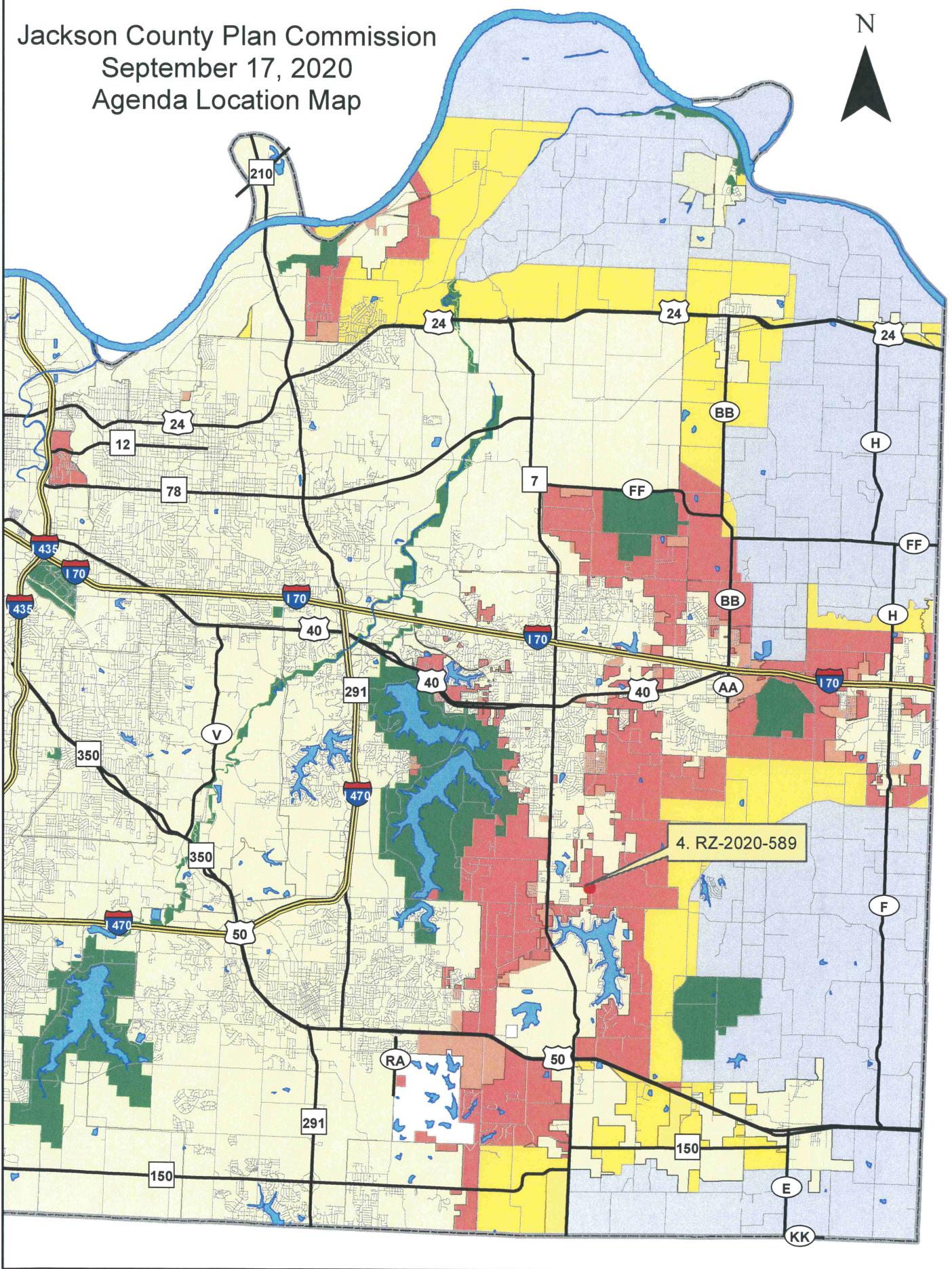
Recommendation:

Staff recommends APPROVAL of RZ-2020-589

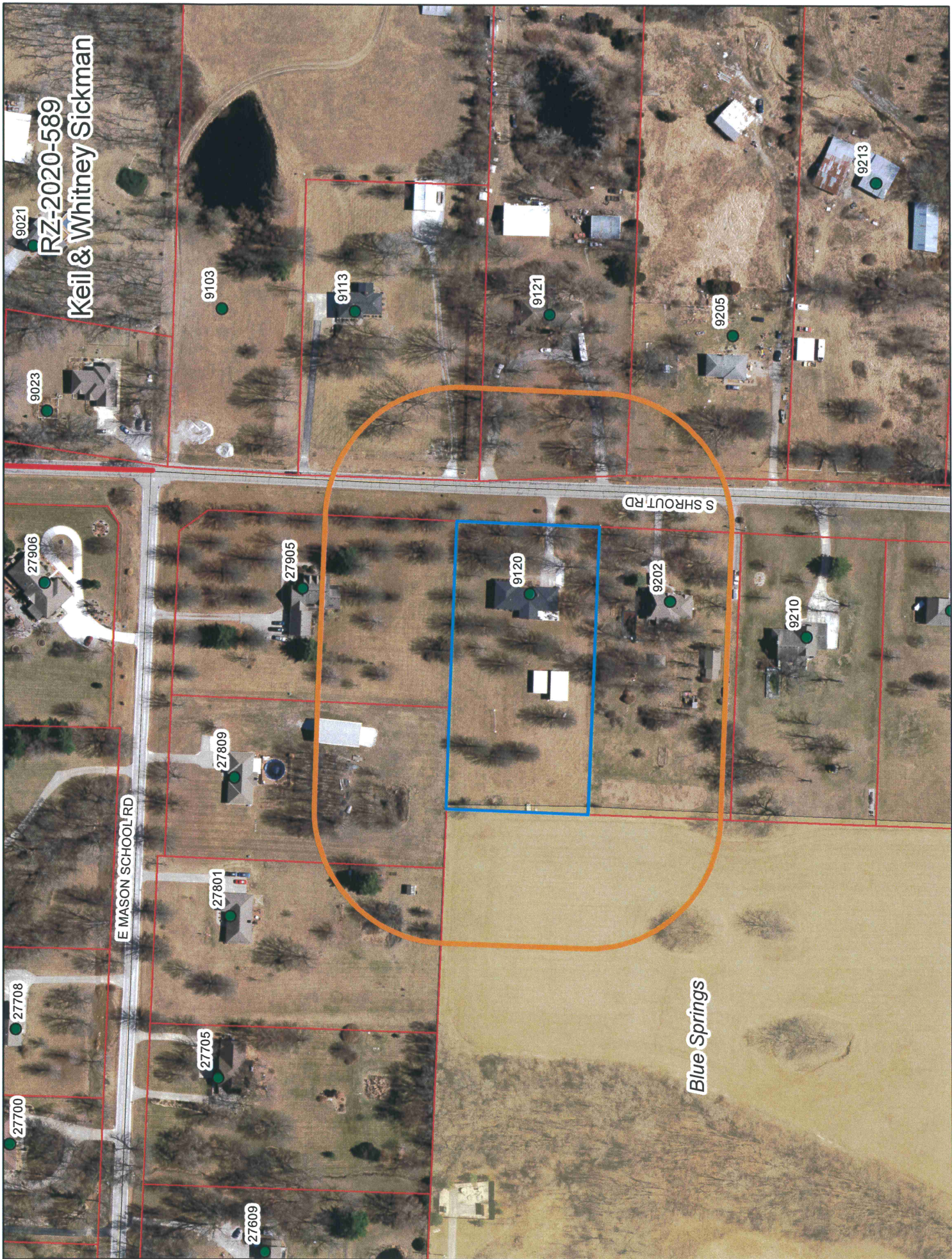
Respectfully submitted,

Jackson County Public Works
Development Division
Randy Diehl, Administrator

Jackson County Plan Commission
September 17, 2020
Agenda Location Map



4. RZ-2020-589



RZ-2020-589
Keil & Whitney Sickman

S SHROUT RD

E MASON SCHOOL RD

Blue Springs

9021

9023

27708

27700

9103

9113

9121

9213

9205

27906

27905

9120

9202

9210

27809

27801

27705

27609

Plan Commission September 17, 2020

RZ-2020-589

Property Owners Within 185 feet

	Name	Address	City	State	Zip
54-500-01-08-00-0-00-000	BANKS EDGAR N & GEORGIANNA L	9121 S SHROUT RD	GRAIN VALLEY	MO	64029
54-500-02-40-00-0-00-000	HERRMAN CHARLES T & TIFFANY L	9205 S SHROUT RD	GRAIN VALLEY	MO	64029
54-500-02-39-00-0-00-000	THE CITY OF BLUE SPRINGS	903 MAIN ST	BLUE SPRINGS	MO	64015
54-500-02-24-00-0-00-000	JONES CLYDE E & GAIL M	27801 MASON SCHOOL RD	LEE'S SUMMIT	MO	64064
54-500-02-14-02-0-00-000	RUHL RAYMOND MARK & MONTGOMERY PAMELA L	9113 S SHROUT RD	GRAIN VALLEY	MO	64029
54-500-02-31-00-0-00-000	REILLY THOMAS A & JULIE R	9202 S SHROUT RD	GRAIN VALLEY	MO	64029
54-500-02-29-00-0-00-000	MCINTOSH BEN C JR & REGINA Y	27905 E MASON SCHOOL RD	LEE'S SUMMIT	MO	64064
54-500-02-28-00-0-00-000	GREGORY CURTIS J	27809 E MASON SCHOOL RD	LEE'S SUMMIT	MO	64064
54-500-02-30-00-0-00-000	SICKMAN KIEL & WHITNEY	9120 S SHROUT RD	GRAIN VALLEY	MO	64029



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 2, 2020

RE: Public Hearing: RZ-2020-589
Kiel & Whitney Sickman

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 Kiel & Whitney Sickman for a change of zoning from District AG (Agricultural) on a 1.83 ± acre tract to District RS (Residential Suburban). The purpose is to decrease the building setbacks requirements for future construction at 9120 S. Shroust Road, 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, September 17, 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- 589
Date filed 8-7-2020 Date of hearing 9-17-2020
Date advertised 9-2-20 Date property owners notified 9-2-20
Date signs posted 9-20-20
Hearings: Heard by PC Date 9-17-20 Decision _____
Heard by W Date _____ Decision _____
Heard by _____ Date _____ Decision _____

BEGIN APPLICATION HERE:

1. **Data on Applicant(s) and Owner(s):**
 - a. Applicant(s) Name: Kiel Sickman /
Address: 9120 S Shroat RD
Grain Valley MO 64029
Phone: (816) 507-0868
 - b. Owner(s) Name: Whitney Sickman
Address: 9120 S Shroat Rd Grain Valley, Mo 64029
Phone: 816-509-5711
 - c. Agent(s) Name: _____

Address: _____

Phone: _____

d. Applicant's interest in Property: Owner

2. General location (Road Name) Shrout RD - 9120

3. Present Zoning Agricultural Requested Zoning Residential suburban

4. AREA (sq. ft. / acres) 1.8 acres

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

HillCrest Estates 2nd lot 12

6. Present Use of Property: Residential living

7. Proposed Use of Property: Residential living

8. Proposed Time Schedule for Development: Fall of 2020

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

none at all

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 city of lotawana / none

b. Sewage disposal septic / none

c. Electricity evergy / none

d. Fire and Police protection none

12. Describe existing road width and condition: building has no effect on road

road in front is Shrout RD

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)

[Signature]
[Signature]

7-27-2020
7/27/20

Applicant(s):

[Signature]
[Signature]

7-27-2020
7/27/20

Contract Purchaser(s):

STATE OF

Missouri

COUNTY OF

Jackson

On this 27th day of July, in the year of 2020, before me the undersigned notary public, personally appeared Kiel Sickman & Whitney Sickman

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

[Signature]

Commission Expires

03.03.2024

