


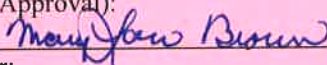
# REQUEST FOR LEGISLATIVE ACTION

Completed by County Counselor's Office:

Res/Ord No.: 4901

Sponsor(s): None

Date: October 3, 2016

SUBJECT	Action Requested <input type="checkbox"/> Resolution <input checked="" type="checkbox"/> Ordinance  Project/Title: <u>Crazy Horse Development - Case No. RZ-2016-540</u>											
BUDGET INFORMATION <i>To be completed By Requesting Department and Finance</i>	<table border="1" data-bbox="300 493 1182 804"> <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> 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; FROM / TO	FROM ACCT  TO ACCT
Amount authorized by this legislation this fiscal year:	\$											
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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 13.65 ± acres to District RE (Residential Estates). The proposed land use is a three lot subdivision. The 13.65 ± acres are located in Section 16, Township 50, Range 31, in Jackson County, Missouri, along Blue Mills 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 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)											
ATTACHMENTS	See Attachment to RLA-2											
REVIEW	Department Director: Brian D. Gaddie, P.E. Director of Public Works  	Date:  Finance (Budget Approval): If applicable  Division Manager:										
		Date: 9/25/16 Date:										

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 September 15, 2016

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

**Randy Diehl gave the staff report:**

- Applicant:** Crazy Horse Development Co
- Location:** Blue Mills Road, Section 16, Township 50, Range 31
- Area:** 13.65 ± acres
- Request:** Change of zoning from District AG (Agricultural) to District RE (Residential Estates)
- Purpose:** Applicant is requesting the change in zoning in order to subdivide the property into a three lot subdivision, Ouray Estates, 2<sup>nd</sup> Plat.

**Current Land Use and Zoning in the Area:**

The zoning in the area is predominantly Agricultural with the majority of the land use being single family residences. In the immediate area there are six subdivisions within District RE created after the adaptation of the Unified Development Code (UDC). Sunny Oaks, is a development consisting of four lots, each approximately .50 acre in size. These were platted in 1978 and 1980. These lots were created prior to the Unified Development Code's adoption in 1995, and therefore are in District AG. There are two 10 acre + developments, one northwest of the property, and one adjacent to this request.

**County Plan:**

The County Plan Development Diagram illustrates this area within the Suburban Development Tier (SDT).

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

**Recommendation:**

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

Staff recommends APPROVAL of RZ-2016-540

Mr. Antey: *Are there any questions for Randy?*

Mr. Tarpley: Is the minimum lot size three acres?

Mr. Diehl: Yes

Aaron Yeager, 801 S. Van Dyke Road, Buckner

Mr. Antey: *Do you have anything to add to Randy's report?*

Mr. Yeager: I believe he covered it just fine.

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 about this application?*

There were none.

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

Mr. Tarpley: This is just an extension of what we passed last year.

Mr. Diehl: Yes.

Mr. Antey: It's pretty consistent with what else is out there.

Mr. Akins moved to approve RZ-2016-540. Mr. Tarpley seconded.

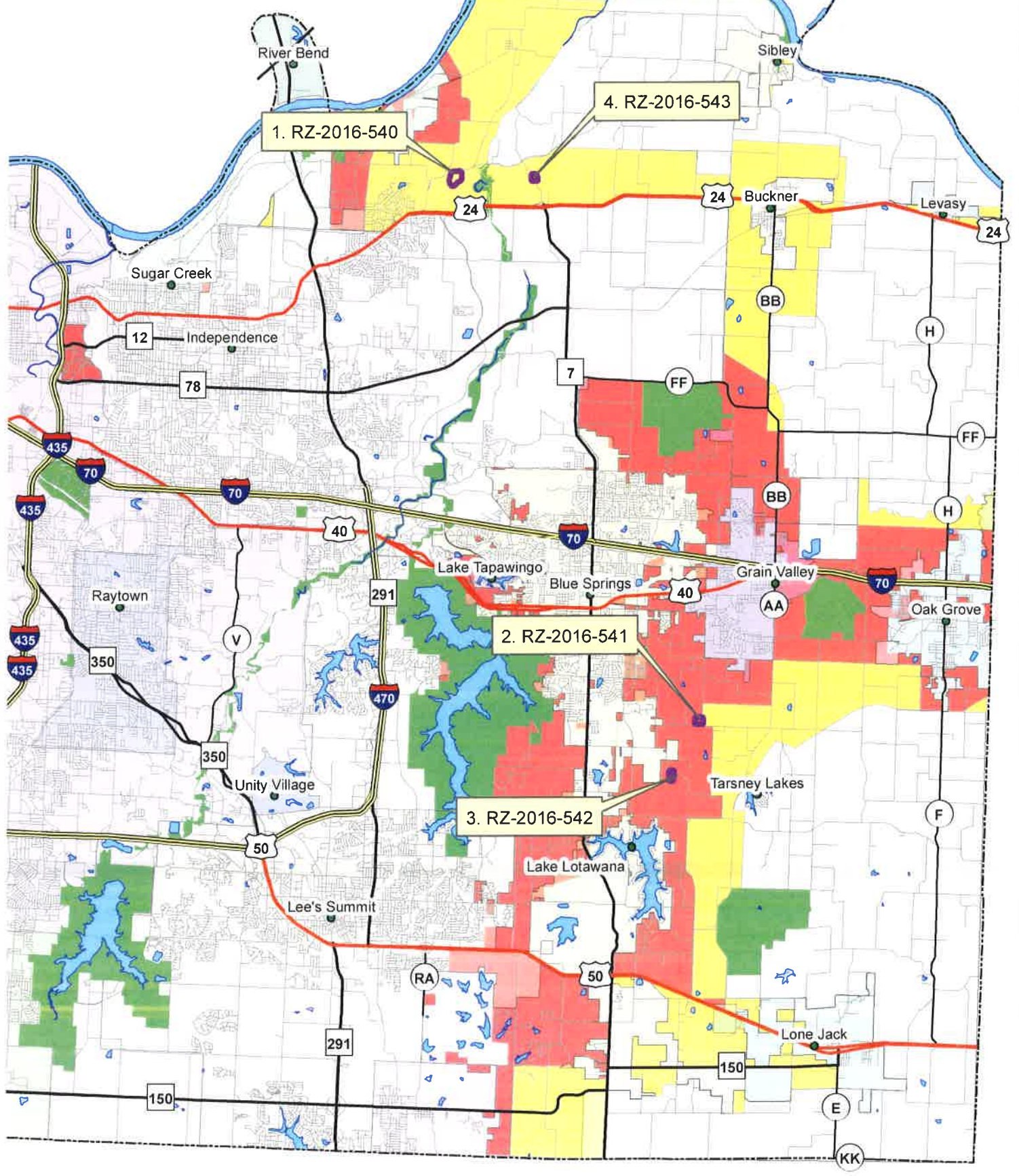
Mr. Tarpley	Approve
Mr. Gibler	Approve
Mr. Haley	Approve
Mrs. Mershon	Approve
Mr. Akins	Approve
Chairman Antey	Approve

Motion Carried 6 – 0.



Jackson County Plan Commission  
September 15, 2016  
Agenda Location Map

N



**STAFF REPORT**

**PLAN COMMISSION**  
**September 15, 2016**

**RE: RZ-2016-540**

**Applicant:** Crazy Horse Development Co  
**Location:** Blue Mills Road, Section 16, Township 50, Range 31  
**Area:** 13.65 ± acres  
**Request:** Change of zoning from District AG (Agricultural) to District RE (Residential Estates)  
**Purpose:** Applicant is requesting the change in zoning in order to subdivide the property into a three lot subdivision, Ouray Estates, 2<sup>nd</sup> Plat.

**Current Land Use and Zoning in the Area:**

The zoning in the area is predominantly Agricultural with the majority of the land use being single family residences. In the immediate area there are six subdivisions within District RE created after the adaptation of the Unified Development Code (UDC). Sunny Oaks, is a development consisting of four lots, each approximately .50 acre in size. These were platted in 1978 and 1980. These lots were created prior to the Unified Development Code's adoption in 1995, and therefore are in District AG. There are two 10 acre + developments, one northwest of the property, and one adjacent to this request.

**County Plan:**

The County Plan Development Diagram illustrates this area within the Suburban Development Tier (SDT).

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

**Recommendation:**

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

Staff recommends APPROVAL of RZ-2016-540

Respectfully submitted,

Jackson County Public Works  
Development Division  
Randy Diehl, Administrator

**Plan Commission  
September 15, 2016  
RZ-2015-540**

**Applicants / Property Owners:**

**10-700-04-57  
Aaron Yeager  
801 S. Van Dyke Road  
Buckner MO 64016**

**10-700-04-22,  
52,53,54,55,56,62,63**

**Crazy Horse Dev Co  
923 NE Woods Chapel Road #460  
Lee's Summit MO 64064**

**Certified Mail – Return Receipt  
Property Owners within 300 feet**

10-700-04-58-00-0-00-000  
ASHLAR HOMES LLC  
PO BOX 399  
BLUE SPRINGS MO 64014

09-900-03-08-01-0-00-000  
RUSSELL MARY F - TR  
4373 MONTALVO CRT  
NAPLES FL 34109

09-900-03-07-00-0-00-000  
RUSSELL MARY F - TR

10-700-04-01-00-0-00-000  
SMITH MORRIS J & FREDDYE MAE  
21204 E BLUE MILLS RD  
INDEPENENCE MO 64058

10-700-04-22-01-3-00-000  
STEWART BETTY & FRED-TR  
2517 N OLD ATHERTON  
INDEPENENCE MO 64058

10-700-04-22-01-2-00-000  
SCHUMACHER ROBERT & KAREN  
2419 N OLD ATHERTON ROAD  
INDEPENENCE MO 64058







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-
Date filed 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: Aaron Yeager
Address: 801 S Van Dyke Road
Buckner, MO 64016
Phone: 816-898-6751
b. Owner(s) Name: Crazy Horse Development Company
Address: 923 NE Woods Chapel Rd, Suite 460 Lee's Summit, MO 64064
Phone: 816-478-8182
c. Agent(s) Name: Powell and Associates LLC

Address: 901 NW Vesper St. Blue Springs, MO 64015

Phone: 816-228-7070

- d. Applicant's interest in Property: purchasing property and building new homes
2. General location (Road Name) Blue Mills and Old Atherton Rd
3. Present Zoning AG Requested Zoning RE
4. AREA (sq. ft. / acres) 13.65 acres +/-
5. Legal Description of Property: (Write Below or Attached 9 )  
Attached
6. Present Use of Property: crop ground
7. Proposed Use of Property: building of 3 new homes
8. Proposed Time Schedule for Development: 2016 / 2017
9. What effect will your proposed development have on the surrounding properties?  
NONE that we are aware of
10. Is any portion of the property within the established flood plain as shown on the FEMA Flood Boundary Map? unknown  
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 Independence
  - b. Sewage disposal Private on site system
  - c. Electricity KCP&L
  - d. Fire and Police protection Fort Osage / Jackson County Sheriff's Dept.
12. Describe existing road width and condition: 2 lane blacktop very good condition

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13. What effect will proposed development have on existing road and traffic conditions? none that we are aware of

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14. Are any state, federal, or other public agencies approvals or permits required for the proposed development? none that we are aware of

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If so, describe giving dates of application and status (include permit numbers and copies of same, if issued): \_\_\_\_\_

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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)

Crazy Horse Dev Co

7-27-16



Applicant(s):

Aaron Yeager

7-27-16



Contract Purchaser(s):

Aaron Yeager

7-27-16



STATE OF Missouri

COUNTY OF Jackson

On this 27<sup>th</sup> day of July, in the year of 2016, before me the undersigned notary public, personally appeared Aaron Yeager

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

Katie Hill

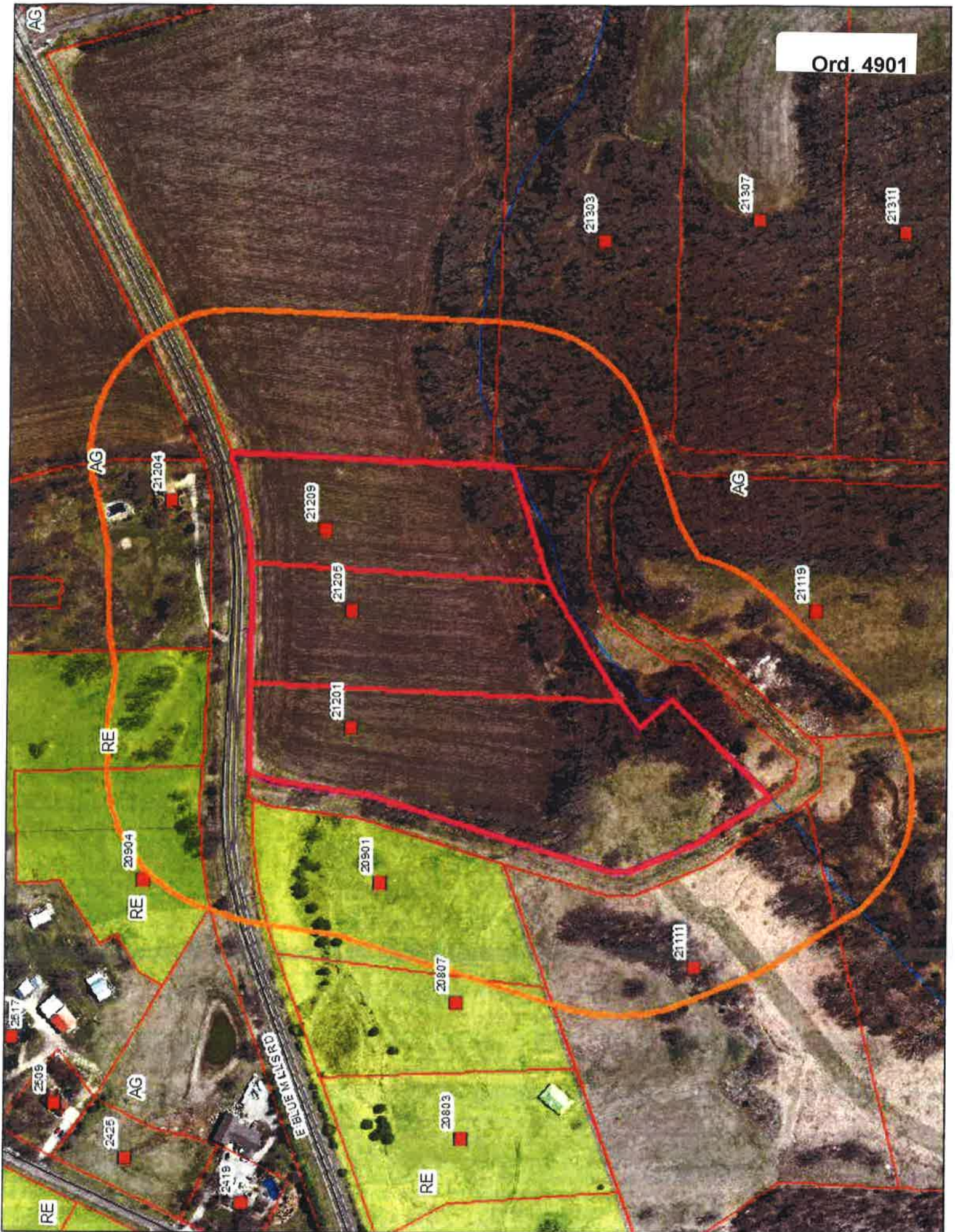
Commission Expires

2-8-18





Ord. 4901





Ord. 4901





Ord. 4901



