

Request for Legislative Action

Ordinance No.: 5775

Date: August 14, 2023

Completed by County Counselor's Office

Action Requested:	Ordinance	Res.Ord No.:	5775
Sponsor(s):		Legislature Meeting Date:	8/14/2023

Introduction

Action Items: ['Authorize']

Project/Title:

RZ-2023-651 – Zachary & Brooke Schorr

Request Summary

Requesting a change of zoning from District AG (Agricultural) on 10.00 ± acres to District RR (Residential Ranchette). The purpose is to create two residential lots at 12924 S. Al Gossett Road.

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 20, 2023, and accepted testimony pertaining to the rezoning request. There was no opposition to the request.

The Plan Commission voted 6 to 0 to recommend APPROVAL to the County Legislature.

Contact Information

Department:	Public Works	Submitted Date:	7/25/2023
Name:	Randy D. Diehl	Email:	RDiehl@jacksongov.org
Title:	Development Administrator	Phone:	816-881-4577

Budget Information

Amount authorized by this legislation this fiscal year:			\$ 0
Amount previously authorized this fiscal year:			\$ 0
Total amount authorized after this legislative action:			\$
Is it transferring fund?			No
Single Source Funding:			
Fund:	Department:	Line Item Account:	Amount:
			!Unexpected End of Formula

Request for Legislative Action

Prior Legislation	
Prior Ordinances	
Ordinance:	Ordinance date:
Prior Resolution	
Resolution:	Resolution date:

Purchasing	
Does this RLA include the purchase or lease of supplies, materials, equipment or services?	No
Chapter 10 Justification:	
Core 4 Tax Clearance Completed:	
Certificate of Foreign Corporation Received:	
Have all required attachments been included in this RLA?	

Compliance	
Certificate of Compliance	
Not Applicable	
Minority, Women and Veteran Owned Business Program	
Goals Not Applicable for following reason: Zoning change	
MBE: .00%	
WBE: .00%	
VBE: .00%	
Prevailing Wage	
Not Applicable	

Fiscal Information	
<ul style="list-style-type: none">This legislative action does not impact the County financially and does not require Finance/Budget approval.	

Request for Legislative Action

History

Submitted by Public Works requestor: Randy D. Diehl on 7/25/2023. Comments:

Approved by Department Approver Brian Gaddie on 7/25/2023 2:23:18 PM. Comments:

Not applicable by Purchasing Office Approver Barbara J. Casamento on 7/25/2023 3:24:56 PM. Comments:

Approved by Compliance Office Approver Jaime Guillen on 7/25/2023 4:26:05 PM. Comments:

Approved by Budget Office Approver David B. Moyer on 7/26/2023 9:17:05 AM. Comments:

Approved by Executive Office Approver Troy Schulte on 7/26/2023 10:56:56 AM. Comments:

Approved by Counselor's Office Approver Jamesia Manning on 8/10/2023 12:27:56 PM. Comments:

RZ-2023-651

ATTACHMENT 1: PROPERTY DESCRIPTION

Description:

A tract of land described in Document number 2016E0085200, Jackson County Missouri, being part of the Southwest Quarter of the Southeast Quarter of Section 16, Township 47, Range 29, in Jackson County, Missouri, more particularly described as follows: Commencing at the Southeast corner of the Southeast Quarter of said Section 16; thence North 88 degrees 30 minutes 45 seconds West, along the South line of the Southeast quarter of the Southeast quarter, a distance of 1351.42 feet, to the Southeast corner of the Southwest quarter of the Southeast Quarter; thence North 02 degrees 15 minutes 42 seconds East, along the East line of said Quarter Quarter, a distance of 508.86 feet (509.86 feet deed), to the point of beginning; thence North 87 degrees 42 minutes 19 seconds West (South 89 degrees 43 minutes 47 seconds West deed), being parallel with the south line of said Quarter Quarter, a distance of 1349.93 feet, to a point on the West line of said Quarter Quarter; thence North 02 degrees 20 minutes 01 seconds East (North 00 degrees 08 minutes 28 seconds West deed), along said West line, a distance of 330.52 feet; thence south 87 degrees 42 minutes 19 seconds east (North 89 degrees 43 minutes 47 seconds East deed), being parallel with said south line of said Quarter Quarter, a distance of 1349.51 feet, to a point on said East line of said Quarter Quarter; thence South 02 degrees 15 minutes 42 seconds West (South 00 degrees 18 minutes 15 seconds East deed), along said east line, a distance of 330.52 feet, to the point of beginning.

RZ-2023-651

ATTACHMENT 2: ZONING SUPPORT DOCUMENTATION

Attachments

Plan Commission Public Hearing Summary from July 20, 2023

Staff Report

Zoning map of surrounding area

Names and addresses of surrounding property owners

Letter to surrounding property owners

Application

Aerial of location

Preliminary Plat – Schorr Acres

Randy Diehl gave the staff report:

RE: RZ-2023-651

Applicant: Zachary & Brooke Schorr

Location: 12924 S. Al Gossett Road

Area: 10.00 ± acres

Request: Change of zoning from District AG (Agricultural) to District RR (Residential Ranchette)

Purpose: The purpose is to create two single family residential lots.

Current Land Use and Zoning in the Area:

The zoning in the area is Agricultural. There are similar zonings in the area. Smaller lots were established prior to the adoption of the Unified Development Code in 1995.

The land use is single family residences on similar size or larger tracts.

The applicant is wishing to divide the acreage into two lots. One lot will contain the existing residence.

County Plan:

The County Plan Development Diagram illustrates this area within the Rural Development Tier (RDT).

Recommendation:

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

Staff recommends APPROVAL of RZ-2023-651.

Respectfully submitted,

Jackson County Public Works
Development Division
Randy Diehl, Administrator

Mr. Antey: What is the size of both lots?

Mr. Diehl: They are both about 5 acres.

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

Mr. Crawford: What is this? (indicating on map)

Mr. Diehl: That is a RV that's parked on the property. To the north is the existing residence.

Mr. Antey: *Is the applicant here?*

Zach Schorr, 12924 S. Al Gossett Road

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

Mr. Schorr: No.

Mr. Farrar: The one lot has someone living on it?

Mr. Schorr: Yes. I have a contract for the whole 10 acres. We are buying the back 5 acres first so we can build our new house. The house on the other 5 acres will be tore down later.

Mr. Lake: So, the entire 10 acres will be yours?

Mr. Schorr: Yes. We are just purchasing 5 acres at a time.

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?*

Cheryl Heltzel: 12919 S. Al Gossett Road. There is an existing house with someone living on it. There is a couple of RVs and another building under construction. I'm questioning septic and water. How is it being divided.

Mr. Diehl: Here is the proposed layout and the existing house (indicating on map).

Mr. Tarpley: That home will be torn down eventually.

Ms. Heltzel: I'm concerned about the lady living there if something is going to happen to her. I know she is being taken care of by one of the applicants. I wonder about perc tests.

Mr. Antey: Perc test or soil tests are required to be performed before a building permit for a dwelling can be issued.

Ms.Heltzel: I'm just trying to understand it all. There is a building under construction.

Mr. Antey: We'll talk to the applicant about that.

Applicant recalled:

Mr. Schorr: We are buying the back 5 acres first because of the arrangement with the occupant of the house. She gets to live there until she passes, moved or whatever. The building under construction is on the front 5 acres.

Mr. Diehl: That structure is permitted.

Mr. Antey: 10 acres tracts allow two dwellings.

Mr. Diehl: Yes, a main dwelling and a secondary dwelling are allowed. The existing home meets the criteria as the accessory. When it is razed, that leaves the building under construction as the main home.

Motion to take under advisement.

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

Discussion under advisement

Mr. Lake moved to approve. Mr. Tarpley seconded.

Mr. Tarpley	Approve
Mr. Lake	Approve
Mr. Farrar	Approve
Mr. Crawford	Approve
Ms. Ryerkerk	Approve
Chairman Antey	Approve

Motion Carried 6 – 0

STAFF REPORT

PLAN COMMISSION

July 20, 2023

RE: RZ-2023-651

Applicant: Zachary & Brooke Schorr

Location: 12924 S. Al Gossett Road

Area: 10.00 ± acres

Request: Change of zoning from District AG (Agricultural) to District RR (Residential Ranchette)

Purpose: The purpose is to create two single family residential lots.

Current Land Use and Zoning in the Area:

The zoning in the area is Agricultural. There are similar zonings in the area. Smaller lots were established prior to the adoption of the Unified Development Code in 1995.

The land use is single family residences on similar size or larger tracts.

The applicant is wishing to divide the acreage into two lots. One lot will contain the existing residence.

County Plan:

The County Plan Development Diagram illustrates this area within the Rural Development Tier (RDT).

Recommendation:

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

Staff recommends APPROVAL of RZ-2023-651.

Respectfully submitted,

Jackson County Public Works
Development Division
Randy Diehl, Administrator

AL GOSSETT
FARMS RR

COUNTRY
ESTATES
NO. 2

WHEEL-MOORE
LOTS RR

WALNUT TREE RIDGE

~~LONE JENNY
FARMS RR
LOTS 1-4~~

DOUBLE K
RANCHES RES
OF LOTS 1-5

DOUBLE K
RANCHES

**GOSSETT
MEADOWS**

GOSSET
MEADOWS

AG

AG

RR

RR
GOSSETT VIEW

RR

Plan Commission July 20, 2023

RZ-2023-651

Property Owners Within 1000 feet

Parcel	owner	address	city	state	zip
74-100-01-05-00-0-00-000	PULVERMACHER SARAH & BAUGHER ERIC	13118 S AL GOSSETT RD	LONE JACK	MO	64070
57-700-03-09-01-0-00-000	BATMAN GERALD L - TRUSTEE	PO BOX 47	LONE JACK	MO	64070
57-700-04-17-00-0-00-000	RICHARDS GORDON	9900 METCALF AVE	OVERLAND PARK	KS	66212
57-700-04-20-00-0-00-000	MARTIN JESSE A & TRACY M	13026 AL GOSSETT RD,	LONE JACK	MO	64070
57-700-04-21-03-2-00-000	BRUNSON DAVID G & JO MARIE	PO BOX 225	LONE JACK	MO	64070
74-100-02-10-00-0-00-000	HOUSH DAVID & DAWN	39314 E US 50 HWY	LONE JACK	MO	64070
57-700-04-35-00-0-00-000	BRUNSON TERRY	12903 S AL GOSSETT RD	LONE JACK	MO	64070
57-700-04-34-00-0-00-000	HOFFMAN DOUG	12817 S AL GOSSETT RD	LONE JACK	MO	64070
57-700-04-12-00-0-00-000	PARMALEE DONALD R & PAMELA M	12920 S AL GOSSETT RD	LONE JACK	MO	64070
57-700-04-24-01-0-00-000	DADY CHRISTOPHER G & MELISSA C	PO BOX 181	OAK GROVE	MO	64075
57-700-04-31-00-0-00-000	GREENWOOD BUILDERS LLC	12807 S AL GOSSETT RD	LONE JACK	MO	64070
57-700-04-24-02-0-00-000	LAVOI CHAD T & FRY SHAWNA	709 OLD PAINT RD	RAYMORE	MO	64083-8249
57-700-04-22-01-0-00-000	POTTER JACKIE G & SONJA	12804 AL GOSSETT RD	LONE JACK	MO	64070
57-700-04-22-02-0-00-000	BUTLER ARTHUR	206 HIGHWAY 402	SHELBY	AL	35143
57-700-04-11-00-0-00-000	BROWN JOSEPH DOUGLAS	12916 S AL GOSSETT RD	LONE JACK	MO	64070
57-700-04-21-02-2-00-000	HELTZEL J E & CHERYL L	12919 S AL GOSSETT RD	LONE JACK	MO	64070
74-100-01-01-00-0-00-000	CHAMNESS ROBERT M TRUSTEE	1993 NW US 50 WEST	LONE JACK	MO	64070
74-100-01-04-00-0-00-000	CASE TERRY W & KAREN L	495 NW AA HWY	KINGSVILLE	MO	64061
74-100-02-11-00-0-00-000	LOGSDON KIMBERLY J	39416 E US 50 HIGHWAY	LONE JACK	MO	64061
57-700-04-06-00-0-00-000	CHAMNESS ROBERT M TRUSTEE	1993 NW US 50 WEST	LONE JACK	MO	64070
57-700-04-16-00-0-00-000	ERICKSON JAMES F & TONI L	12911 S AL GOSSETT 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 5, 2023

RE: Public Hearing: RZ-2023-650
Zachary & Brooke Schorr & Toni Erickson

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 Zachary & Brooke Schorr & Toni Erickson for a change of zoning from District AG (Agricultural) on 10.00 ± acres to District RR (Residential Ranchette). The purpose is to create two residential lots 12924 S. Al Gossett Road

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 1000' of the subject property.

The public hearing on this matter will be held by the Plan Commission on Thursday, July 20, 2023, 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 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- 2023- 651

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: Zachary Schorr, Brooke Schorr

Address: 12924 S Al Gossett Rd, Lone Jack,
MO 64070

Phone: 816-226-3515

b. Owner(s) Name: Toni Erickson

Address: 12911 S Al Gossett Rd, Lone Jack, MO 64070

Phone: 816-838-5469

c. Agent(s) Name: _____

Address: _____

Phone: _____

- d. Applicant's interest in Property: Buying to build house
2. General location (Road Name) Al Gossett
3. Present Zoning Residential Requested Zoning Residential Ranchette
4. AREA (sq. ft. / acres) 5 ACRES 10 ACRES
5. Legal Description of Property: (Write Below or Attached 9)
Attached survey
6. Present Use of Property: Residential
7. Proposed Use of Property: Residential Ranchette
8. Proposed Time Schedule for Development: 12 months
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? 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 PSWD 15
 - b. Sewage disposal Septic system
 - c. Electricity West Central Electric Co op
 - d. Fire and Police protection Jackson County
12. Describe existing road width and condition: Paved

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

Property Owner(s)

Toni L. Erickson

Date

5-31-23

Applicant(s):

Zach Schorr
B. Schorr

5-31-2023

5-31-2023

Contract Purchaser(s):

Zach Schorr

5-31-2023

STATE OF

Missouri

COUNTY OF

Jackson

On this 31st day of May, in the year of 2023, before me the undersigned notary public, personally appeared Toni Erickson

Zach Schorr

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

Kathy Foster

Commission Expires

1/28/25





