

**Request for Legislative Action**

Ordinance No.: 5828  
Date: February 19, 2024

<b>Completed by County Counselor's Office</b>			
Action Requested:	Ordinance	Res.Ord No.:	5828
Sponsor(s):		Legislature Meeting Date:	2/19/2024

<b>Introduction</b>
<b>Action Items:</b> ['Authorize']
<b>Project/Title:</b>
RZ-2024-662 – Phillip & Serina Maring

<b>Request Summary</b>
<p>Requesting a change of zoning from District AG (Agricultural) on 10.7 ± acres to District RR (Residential Ranchette). The purpose is to create two residential lots at 12103 S. Bynum Road.</p> <p>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 January 18, 2024, and accepted testimony pertaining to the rezoning request. There was no opposition to the request. The Plan Commission voted 5 to 0 to recommend <u>APPROVAL</u> to the County Legislature.</p>

<b>Contact Information</b>			
<b>Department:</b>	Public Works	<b>Submitted Date:</b>	1/31/2024
<b>Name:</b>	Randy D. Diehl	<b>Email:</b>	RDiehl@jacksongov.org
<b>Title:</b>	Development Administrator	<b>Phone:</b>	816-881-4577

<b>Budget Information</b>			
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
<b>Single Source Funding:</b>			
Fund:	Department:	Line Item Account:	Amount:
			<b>!Unexpected End of Formula</b>

## Request for Legislative Action

<b>Prior Legislation</b>	
<b>Prior Ordinances</b>	
Ordinance:	Ordinance date:
<b>Prior Resolution</b>	
Resolution:	Resolution date:

<b>Purchasing</b>	
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?	

<b>Compliance</b>	
<b>Certificate of Compliance</b>	
Not Applicable	
<b>Minority, Women and Veteran Owned Business Program</b>	
Goals Not Applicable for following reason: not spending money	
MBE:	.00%
WBE:	.00%
VBE:	.00%
<b>Prevailing Wage</b>	
Not Applicable	

<b>Fiscal Information</b>
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## Request for Legislative Action

### History

Submitted by Public Works requestor: Randy D. Diehl on 1/31/2024. Comments:

Approved by Department Approver Lisa Honn on 2/2/2024 12:02:12 PM. Comments: Approving for B Gaddie due to a technical issue. lh

Not applicable by Purchasing Office Approver Lisa Honn on 2/2/2024 12:11:50 PM. Comments: Approving for C Reich due to technical issue. lh

Approved by Compliance Office Approver Ikeela Alford on 2/2/2024 12:21:19 PM. Comments:

Approved by Budget Office Approver David B. Moyer on 2/2/2024 12:27:05 PM. Comments:

Approved by Executive Office Approver Sylvya Stevenson on 2/2/2024 1:06:37 PM. Comments:

Approved by Counselor's Office Approver Jamesia Manning on 2/15/2024 12:33:20 PM. Comments:

**RZ-2024-662**

**ATTACHMENT 1: PROPERTY DESCRIPTION**

**Description:**

All that part of Tract B, Certificate of Survey recorded as Document number 1995 I 1320735 being situated in the Southwest Quarter of Section 7 Township 47 Range 29, Jackson County, Missouri, described as Follows:  
Commencing at the Southeast corner of the Southwest Quarter of said Section 7; thence North 87 degrees 47 minutes 09 seconds West, along the South line of Southwest Quarter, 484.70 feet (survey = 484.46 feet) to the Southeast corner of said Tract B; thence North 01 degree 43 minutes 02 seconds East, along the East line of said Tract B, 826.89 feet to the Northeast corner of Maring & Bloom Estates, a subdivision in said Jackson County, said corner being the Point of Beginning of the tract to be described herein; thence North 87 degrees 48 minutes 07 seconds West, parallel with the North line of the Southeast Quarter of said Southwest Quarter, 1036.22 feet to the centerline of Bynum Road as now existing; thence North 28 degrees 55 minutes 40 seconds East, along said centerline and along the West line of said Tract B, 575.23 feet to the Northwest corner, Southeast Quarter of said Southwest Quarter, said corner also being the Northwest corner of said Tract B and the Southwest corner of Bynum-Berry Acres, a subdivision in said Jackson County; thence South 87 degrees 48 minutes 07 seconds East, along the North line of said Southeast Quarter, Southwest Quarter, and along the North line of said Tract B, 773.18 feet to the Northeast corner of said Tract B; thence South 01 degrees 43 minutes 02 seconds West, along the East line of said Tract B, 513.78 feet to the point of beginning, subject to that part on the west now being used for Bynum Road right-of-way.

RZ-2024-662

ATTACHMENT 2: ZONING SUPPORT DOCUMENTATION

Attachments

Plan Commission Public Hearing Summary from January 18, 2024

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 – Maring & Vogel Estates

**Randy Diehl gave the staff report: January 18, 2024**

**RE: RZ-2024-662**

**Applicant:** Phillip & Serina Maring

**Location:** 12103 S. Bynum Road

**Area:** 10.7 ± 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 and Residential.

The land use is single family residences on similar size or larger tracts. Several developments of similar size or smaller were created prior to the Unified Development Code adopted in 1995. The land directly to the south was rezoned for similar use.

They are wishing to divide this into two buildable lots.

**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-2024-662.

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?**

The applicant was not present.

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

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.

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

*Discussion under advisement*

Mr. Lake moved to approve. Mr. Crawford seconded.

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

Motion Carried 5 – 0

**STAFF REPORT**

**PLAN COMMISSION**

January 18, 2024

**RE: RZ-2024-662**

**Applicant:** Phillip & Serina Maring

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Respectfully submitted,

Jackson County Public Works  
Development Division  
Randy Diehl, Administrator





E SNOW RD

E FAULKENBERRY RD

S BYNUM RD

E BYNUM SPUR

E BYNUM SPUR

B

A

A

AG

AG

AG

RR

AG

RR

AG

RR

RR

3

2

RR

RR

AG

20.00

25.324

3

1

1

10.00

2

RZ-2024-662

Property Owners Within 1000 feet

Parcel	owner	address	city	state	zip
57-900-01-04-01-0-00-000	ALBERT LISA M	300 W LOCUST ST	HOLDEN	MO	64040
57-400-04-04-02-0-00-000	ANDERSON RANDY A & LUANN M-TR	36901 E FAULKENBERRY RD	LONEJACK	MO	64070
57-900-02-16-00-0-00-000	BEACHNER DANNY & SHERRY L	36213 E FAULKENBERRY RD	LONEJACK	MO	64070
57-400-03-23-00-0-00-000	BLOOM JAMES LEE & ST JOHN-BLOOM WHITNEY	PO BOX 344	OAK GROVE	MO	64075
57-400-03-15-00-0-00-000	BOEHMER RICHARD N & MARJORIE A	36203 FAULKENBERRY RD	LONEJACK	MO	64070
57-400-03-14-00-0-00-000	CAVINESS REBECCA A	12011 S BYNUM RD	LONEJACK	MO	64070
57-400-04-05-00-0-00-000	CHESNUT DENNIS S & CAROLYN S	36503 E FAULKENBERRY RD	LONEJACK	MO	64070
57-400-03-16-00-0-00-000	CORCORAN JAMES P & LESLIE E	36309 E BYNUM SPUR RD	LONEJACK	MO	64070
57-400-03-07-00-0-00-000	DEAN JOSH	P O BOX 24	LONEJACK	MO	64070
57-400-03-02-01-3-00-000	DEAN JOSHUA ROBERT	35707 E FAULKENBERRY RD	LONEJACK	MO	64070
57-900-02-33-00-0-00-000	DOMER ALAN & JULIE	36003 E BYNUM SPUR RD	LONEJACK	MO	64070
57-400-03-06-00-0-00-000	EDMONDS ALICE CARROLL	12110 S BYNUM RD	LONEJACK	MO	64070
57-400-03-22-00-0-00-000	GRIFFIN RANDALL B & CARLA A	12811 S SMART RD	LEES SUMMIT	MO	64086
57-400-03-11-00-0-00-000	HARRIS JAMES A	36300 E BYNUM SPUR RD	LONEJACK	MO	64070
57-400-03-18-00-0-00-000	HOELSCHER CLEM & CARRIE	201 E WHISPERING HILLS BLVD	LONEJACK	MO	64070
57-900-02-09-02-0-00-000	JOHNSTON DAVID K & ANDREA D	12314 S BYNUM RD	LONEJACK	MO	64070
57-400-03-19-00-0-00-000	LIVINGSTON CYNTHIA A	12204 S BYNUM RD	LONEJACK	MO	64070
57-400-03-02-01-2-00-000	MEYER ALISSA	12022 S BYNUM RD	LONEJACK	MO	64070
57-400-03-02-02-0-00-000	NIERMAN RYAN & ANNA	200 PEACH TREE AVE	LONEJACK	MO	64070
57-400-04-06-00-0-00-000	PAV BRONN & KATELYNN	36401 E FAULKENBERRY RD	LONEJACK	MO	64070
57-900-02-21-00-0-00-000	PECKHAM CRAIG ALAN & LAURA D	36203 E BYNUM SPUR RD	LONEJACK	MO	64070
57-400-04-07-01-4-00-000	PHILLIPS DIANA D	36204 E BYNUM SPUR	LONEJACK	MO	64070
57-900-02-29-00-0-00-000	SCHRADER BRIAN A & MELANIEL	36105 E BYNUM SPUR RD	LONEJACK	MO	64070
57-900-02-02-01-0-00-000	THOMPSON DAVID	12311 S BYNUM RD	LONEJACK	MO	64070
57-400-03-13-00-0-00-000	VAN LUE DANIEL L & KLARA M	12003 S BYNUM RD	UNINCORPORATED	MO	64070
57-900-02-30-00-0-00-000	VITALE STEVE L JR & MICHELLE L	P O BOX 36	LONEJACK	MO	64070
57-400-03-02-01-1-00-000	WALLACE RACHEL & WESLEY	35801 E FAULKENBERRY RD	LONEJACK	MO	64070
57-400-04-07-01-3-00-000	WEBSTER PAUL R	36408 E BYNUM SPUR RD	LONEJACK	MO	64070
57-400-04-07-01-1-00-000	WEBSTER PAUL R	36400 E BYNUM SPUR RD	LONEJACK	MO	64070
57-400-03-12-00-0-00-000	WILSON JEFFREY D & PAMELA L	11915 S BYNUM RD	LONEJACK	MO	64070
57-400-03-20-00-0-00-000	MARING PHILLIP MICHAEL & SERINA NICOLE	PO BOX 91	LONEJACK	MO	64070
57-400-03-24-00-0-00-000	MARING PHILLIP MICHAEL & SERINA NICOLE	36108 E BYNUM SPUR RD	LONEJACK	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

January 3, 2024

RE: Public Hearing: RZ-2024-662  
Phillip & Serina Maring

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 Phillip & Serina Maring for a change of zoning from District AG (Agricultural) on 10.7 ± acres to District RR (Residential Ranchette). The purpose is to create two residential lots at 12103 S. Bynum 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, January 18, 2024 at 8:30 a.m. in the Large Conference Room, 2<sup>nd</sup> 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,

A handwritten signature in blue ink, appearing to read "Randy Diehl".

Jackson County Public Works  
Development Division  
Randy Diehl, Administrator

**JACKSON COUNTY, MISSOURI  
APPLICATION FOR CHANGE OF ZONING**

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**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-2024-662

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 \_\_\_\_\_

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**BEGIN APPLICATION HERE:**

**1. Data on Applicant(s) and Owner(s):**

a. Applicant(s) Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

b. Owner(s) Name: Terri & Phillip Manning

Address: 3608 E. Bynum Sp. R. Rd. Lone Jack, MO 64070

Phone: 816-168-2824

c. Agent(s) Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

d. Applicant's interest in Property: \_\_\_\_\_

2. General location (Road Name) South Bynum Road

RR

3. Present Zoning Agricultural Requested Zoning 1/2 Residential & 1/2

to remain  
Agricultural  
Residential  
zoning

4. AREA (sq. ft. / acres) 10.7

5. Legal Description of Property: (Write Below or Attached)  
Section 7, Township 47, Range 29---PT SW 1/4 DAF: BEG SE COR SW 1/4 SD SEC TH N 87 DEG 47 MIN 09 SEC W 484.46' TH N 01 DEG 43 MIN 02 SEC E 826.89' TO POB TH N 87 DEG 48 MIN 07 SEC W 1036.22' TH N 28 DEG 55 MIN 40 SEC E 575.23' TH S 87 DEG 48 MIN 07 SEC E 773.18' TH S 01 DEG 43 MIN 02 SEC W 513.78' TO POB (EX PT IN ROW) (ALSO KNOWN AS TRACT 1 CERT SURV BK T51 PG 20)

6. Present Use of Property: Agriculture

7. Proposed Use of Property: 1/2 Residential & 1/2 Agricultural

8. Proposed Time Schedule for Development: Building will start to be developed in 2004

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? NA

11. Describe the source/method which provides the following services, and what effect the development will have on same:

- a. Water District #15 - Public Water Supply - NO effect.
- b. Sewage disposal Triple AAA Trash Service, Sewage will be by lateral
- c. Electricity West Central Electric - Higginsville, MO - New service to be requested.
- d. Fire and Police protection Jack Lone District Fire, MO Highway Patrol, Sheriff Dept (No effect)

NO Effect.

12. Describe existing road width and condition: paved.

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13. What effect will proposed development have on existing road and traffic conditions? NONE.

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14. Are any state, federal, or other public agencies approvals or permits required for the proposed development? NO

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

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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  
Property Owner(s) Serina Maring  
Phillip Maring

Date 12-4-2023  
12-4-2023

Applicant(s): \_\_\_\_\_  
\_\_\_\_\_

Contract Purchaser(s): \_\_\_\_\_  
\_\_\_\_\_

STATE OF Missouri  
COUNTY OF JACKSON



On this 4<sup>th</sup> day of December, in the year of 2023, before me  
the undersigned notary public, personally appeared Serina AND Phillip Maring

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 Harry O Fenwick

Commission Expires 10/01/2024

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.

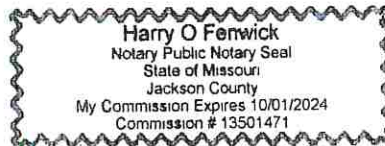
Signature  
Property Owner(s) Serina Maring  
Phillip Maring

Date  
12-4-2023  
12-4-2023

Applicant(s): \_\_\_\_\_  
\_\_\_\_\_

Contract Purchaser(s): \_\_\_\_\_  
\_\_\_\_\_

STATE OF Missouri  
COUNTY OF JACKSON



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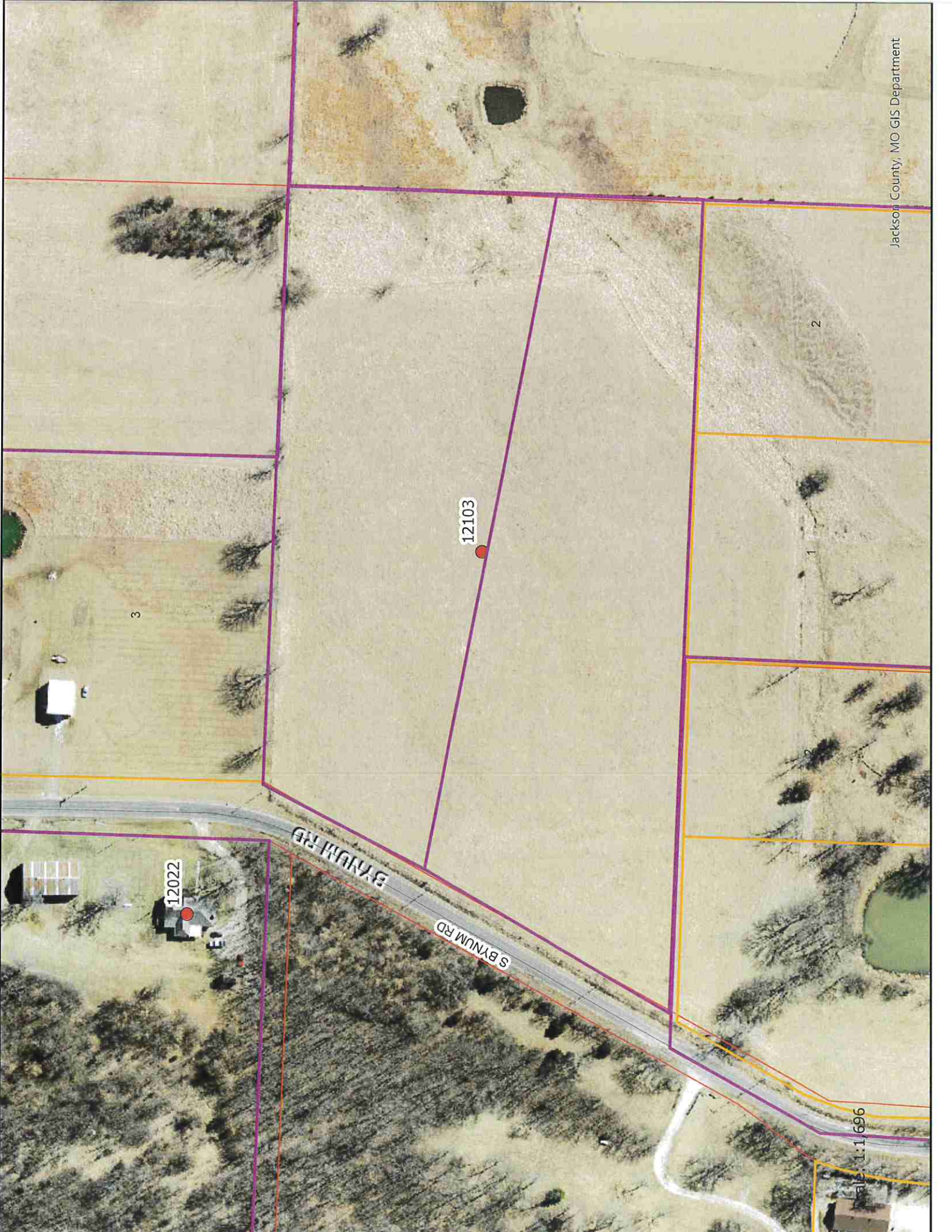
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In witness whereof, I hereunto set my hand and official seal.

Notary Public Harry O Ferwick

Commission Expires 10/01/2024





3

2

12103

12022

BYNUM RD

S BYNUM RD

Scale 1:1696

