

IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

AN ORDINANCE amending the zoning districts established pursuant to the Unified Development Code by changing a certain 12.47 ± acres tract from District A (Agricultural) to District RR (Residential Ranchette).

ORDINANCE #4397, March 5, 2012

BE IT ORDAINED by the County Legislature of Jackson County, Missouri as follows:

Section 1. The Zoning Order of Jackson County, Missouri, and the official maps which are a part thereof, are amended by changing the boundaries of the "A" (Agricultural) District and the "RR" (Residential Ranchette) District, so that there will be transferred from District A to District RR, a tract of land described as follows:

Description: That part of the northeast quarter of Section 22, Township 48, Range 30, described as follows: Beginning at a point easterly 680 feet more or less and northerly 1148 feet more or less from the center of said Section 22; thence easterly 881.50 feet more or less to a point along the West right-of-way line of Buckner Tarsney Road, as now established; thence northeasterly 635 feet more or less along said right-of-way line to a point; thence westerly 1042 feet more or less to a point; thence southerly 655 feet more or less to point of beginning, in Jackson County, Missouri. Except part in road right-of-way and except part as described in Document 2006E0144572.

Section 2. The Legislature, pursuant to the application of Betty R. Hale and Donald R. Hale (RZ-2011-482), requesting the amendment embodied in this Ordinance and with notice that the Jackson County Plan Commission voted 8 to 0 to recommend APPROVAL of this application after a public hearing on February 16, 2012, does adopt this Ordinance pursuant to the Jackson County Charter authorizing the Legislature to

exercise legislative power pertaining to planning and zoning.

Effective Date: This Ordinance shall be effective immediately upon its signature by the County Executive.

APPROVED AS TO FORM:

Jay D. Haden
Chief Deputy County Counselor

W. Stephen Nejan
County Counselor

I hereby certify that the attached Ordinance, Ordinance #4397 introduced on March 5, 2012, was duly passed on March 26, 2012 by the Jackson County Legislature. The votes thereon were as follows:

Yeas 8

Nays 0

Abstaining 0

Absent 1

This Ordinance is hereby transmitted to the County Executive for his signature.

3/26/12
Date

Mary Jo Spino
Mary Jo Spino, Clerk of Legislature

I hereby approve the attached Ordinance #4397.

3/27/2012
Date

Michael D. Sanders
Michael D. Sanders, County Executive

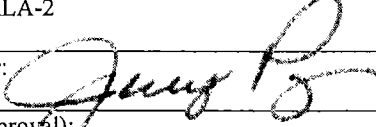
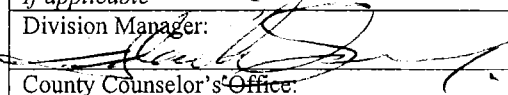
REQUEST FOR LEGISLATIVE ACTION

Completed by County Counselor's Office:

~~File~~ Ord No.: 4397

Sponsor(s): xxxx

Date: March 5, 2012

SUBJECT	Action Requested <input type="checkbox"/> Resolution <input checked="" type="checkbox"/> Ordinance Project/Title: <u>Betty R Hale and Donald R Hale Case No. RZ-2011-482</u>																			
BUDGET INFORMATION <i>To be completed By Requesting Department and Finance</i>	<table border="1" data-bbox="344 533 1166 827"> <tr> <td>Amount authorized by this legislation this fiscal year:</td> <td></td> <td>\$</td> </tr> <tr> <td>Amount previously authorized this fiscal year:</td> <td></td> <td>\$</td> </tr> <tr> <td>Total amount authorized after this legislative action:</td> <td></td> <td>\$</td> </tr> <tr> <td>Amount budgeted for this item * (including transfers):</td> <td></td> <td>\$</td> </tr> <tr> <td>Source of funding (name of fund) and account code number; FROM / TO</td> <td>FROM ACCT</td> <td></td> </tr> <tr> <td></td> <td>TO ACCT</td> <td></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:		\$																		
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, Planning and Zoning Coordinator, 881-4577																			
REQUEST SUMMARY	Requesting a change of zoning from District A (Agricultural) on a 12.47 ± acres to District RR (Residential Ranchette). The 12.47 ± acres are on the west side of Buckner Tarsney Road one quarter mile south of Harris Potts Road, lying in Section 22, Township 48, Range 30, Jackson County, Missouri aka 8502 S. Buckner Tarsney 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 8 to 0 to recommend APPROVAL 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: Jerry A. Page, P.E.  Finance (Budget Approval): <i>If applicable</i> Division Manager:  County Counselor's Office:	Date: 02/28/2012 Date: Date: 2/29/2012 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.

Jackson County Plan Commission Summary of Public Hearing

Date: February 16, 2012

Place: Independence City Hall
111 E. Maple, Independence, MO

Attendance: Terry Akins
Larry Antey
Jack Crawford
Denny Gibler
Tom Haley
Janet Mershon
W.L. Pointer
Sandra Querry

Absent: Bill Tarpley

Staff: Scott George
Bill Snyder
Chris Jenkins
Randy Diehl
Kerri Moore

Call to Order/Roll Call

Chairman Antey called to order the February 16, 2012 meeting of the Plan Commission and asked that the roll call be taken.

Approval of Record

Chairman Antey asked for a motion to approve the record of November 17, 2011. Mr. Haley moved to approve. Mr. Pointer seconded the motion. Voice vote. Approved.

Public Hearings

Chairman Antey swore in all persons present to give testimony at the public hearings.

1. RZ-2012-481 – Gary W. Pipes

Requesting a change of zoning from District A (Agricultural) on a 8.66 ± acres to District GB (General Business). The 8.66 ± acres are on the east side of State Route 7 and on the south side of US 50 Highway lying in Section 17, Township 47, Range 30, Jackson County, Missouri aka 27603 E. Lone Jack Lee's Summit Road.

Mr. George introduced RZ-2012-481 and entered 8 exhibits into the record. Mr. George gave the staff report with comments and recommendation as follows: the request is to change the zoning from District A (Agricultural) on a 8.66 ± acres to District GB (General Business). The applicant is planning a landscape supply business at 27603 E. Lone Jack Lee's Summit Road located at the intersection of 50 Highway and 7 Highway. Mr. George spoke about the current zoning and land use of surrounding properties and businesses.

The applicant submitted a site plan that staff reviewed and made the following comments. The property will need to be platted into a one lot subdivision. The structure used as an office will have to be a permanent structure of no less than 300 sq. feet and have an on-site wastewater system serving it. The structure will have to meet the District GB (General Business) zoning setbacks of 25 ft from the property/right of way line. The right of way for Lone Jack Lee's Summit Road will be platted at 30 ft from the center of the road.

There is a natural drainage area bisecting the proposed lot. This area is subject to a 50 ft. no build zone which is referenced in Chapter 241 in the UDC. On each side of the drainage area is a 50 ft. no build zone. A detention basin will be required on the north westerly portion of the proposed lot to collect run off from the property.

Upon approval of the preliminary plat construction plans will be required as part of the review process. The plans shall include but not be limited to site plan, grading plan, erosion control, detention basin plan, as well as other criteria set forth by the UDC.

In addition, due to the District GB (General Business) zoning all hard surface areas, parking and product loading areas will have to be paved. Exhibit 8 details additional requirements that must be met.

Staff is recommending approval of RZ-2012-00481 but emphasizes that a robust timeline need be kept with the owner to rectify the current operations of his business and construction thereof without approved plans or permit. Failure to comply with UDC on these requirements may result in legal actions.

Mr. Pointer asked if the problems with the owner of the boat company behind the applicant's property had been straightened out.

Mr. George stated that the property in question had been annexed by Lake Lotawana.

Mr. Pointer asked if the applicant's property was in Lake Lotawana in any way.

Mr. George said the property is in Unincorporated Jackson County.

Chairman Antey asked if the main purpose was to bring the applicant up to code.

Mr. George said yes, it's not so much as grandfathering, but to move in the right direction. The property needs to be rezoned and platted correctly.

There were no further questions for staff.

The applicant, Gary Pipes, appeared to give testimony. Mr. Pipes said he purchased the land in 1982 and has been working on since then. He has made improvements but it is a work in progress. During the improvements people would stop by and want to purchase the dirt on the property being used for improvements so he has ended trying to make a living selling dirt and landscape supplies, which is not allowed on the Agricultural zoned land.

All the surrounding properties have voluntarily been annexed by Lake Lotawana. Mr. Pipes would like to keep his property in Unincorporated Jackson County if he is able to get into compliance, so he is asking to rezone to be able to conduct his business there.

The building plan submitted by the architect would need to be scaled back to something he could afford. Mr. Pipe's major concern is the requirement for the driveway on the plan to be made of concrete or asphalt. The continuous movement of dirt by tractors and dozers would tear up the surface. He wants to find a plan that is acceptable by all involved that he can actually afford. He wants to everything he can to keep his business open and be in compliance, but can't afford to spend \$200,000 - \$300,000 on a driveway that may be torn out within a year's time to put something permanent there. His intention is to sell the property to someone that can put the land to a better use than selling dirt. Mr. Pipes said this is a temporary use of the land until the economy is better and hopes that someone will want to buy it then.

Chairman Antey wanted to know what Mr. Pipes thought of the plans that had been submitted, and if he still wanted to move forward because the hard surface paving would be required in GB(General Business) zoning.

Mr. Pipes said the estimate to do everything in the plan with the hard surface was \$150,000 to \$200,000 and he couldn't put that type of money into it and possibly have to tear it put in a few years. He is looking to scale down the plan.

Mr. Pointer said that basically the applicant was doing this while waiting for something else to come through. He stated that this was desirable property and that when the economy picks up Mr. Pipes would be able to sell to someone who could put it to better use. He agreed that Mr. Pipes would not be able to run the type of equipment he has over a hard surface whether it was cement or blacktop. He also stated that he was familiar with the person that ran Mr. Pipes' business and that he the tendency to be junky.

Mr. Pipes said that the gentleman was not affiliated with his business, He said he tells everybody if they see something they don't like on his property to please let him know so he can correct it. He also stated that there were no neighbors complaining at this time.

Mr. Pointer said that Mr. Pipes had definitely improved the property.

Mrs. Mershon said that there must not be any complaining neighbors because no one came to the hearing.

Chairman Antey asked Mr. Pipes what his intentions were, if he wanted to move on with the plan as presented or if he would be asking the board for more time to come back with a scaled down plan.

Mr. Pipes said he thought he would have to because he couldn't invest that much in the project with the chance of it possibly being ripped out in a year or two. He realizes what the codes for building a permanent structure are and that really wouldn't be a problem if he were building a permanent structure, he is really only trying to utilize the property until it can be used for something more productive.

Chairman Antey asked Mr. Pipes if he was requesting that this be tabled until next month.

Mrs. Mershon asked the chairman if the board could vote to rezone without any plan.

Mr. Snyder explained that Mrs. Mershon was stating that the only thing before the board was the rezoning. The issue of whether he was compliant with what Public Works required would go before another body.

Chairman Antey said he was trying to avoid rezoning the piece of property because if the applicant could not reach an agreement and become compliant with what the county is requesting of him he is left with a GB(General Business) zoned property when he would have more options if he had stayed zoned A(Agricultural). So he was asking if Mr. Pipes wanted to take another month to see if he could work out the issues.

Mr. Pointer said the operation was more Agricultural then General Business.

Mr. Pipes agreed. He is asking for rezoning because that is what he was told he would need to do. He said he understands all the rules and regulations but that he was asking for the boards blessing but not to change it until he can work out a deal with details he can live with.

Chairman Antey said the board could not rezone to General Business on a contingency plan. That is why he was asking if Mr. Pipes wanted to table the case and take another month to find out its viable, if not he may not want to rezone to General Business.

Mr. Pipes said he certainly hoped he'd be able to come up with a viable plan.

Chairman Antey said if he did he would not have to reapply because his case had been tabled.

Mr. Pointer asked if Mr. Pipes had any problems with the plan other than the hard surface.

Mr. Pipes said he thought the rest of the plan was doable. The hard surface is the major obstacle.

Mr. Crawford asked if the building in the plan would be an objection.

Mr. Pipes said no, he wanted to put the building up.

Mr. Pointer said the City of Lee's Summit really doesn't have a good nursery.

Mr. Pipes said he has demand and traffic where the property is located. He said due the economy he had to change with the times to stay alive.

Chairman Antey said as counsel had stated before the boards charge was not to fix or negotiate the actual structures, it was only the zoning. He asked Mr. Pipes again if he was requesting to table his case.

Mr. Pipes said he thought tabling it may be the best thing to do. He didn't want to start all over and did want to make the project work.

Mr. Haley told Mr. Pipes that he did appreciate the work he had done on the property getting the drainage taken care of was good for the community.

Mr. Pipes said that they wanted to do a little bit more work on the drainage.

Chairman Antey asked if Mr. Pipes had anything else he would like to add.

There was no one else to speak in favor of or in opposition to the application.

Mr. Pointer moved to table the case until March 15, 2012.

Mr. Crawford asked if there could be a discussion on this. He said this was a complex issue and he wasn't sure if it would be able to have it at the next meeting.

Mr. George said that because of the operation of the business and not being properly permitted we would like to see an aggressive timeline on it to be able to rectify. In the past a GOS was issued on the property because of failure to obtain a permit before building. The GOS was set aside by the courts when Mr. Pipes decided to be annexed into Lake Lotawana. Upon finding out he did not want to go into Lake Lotawana we are brought back to this point. Staff would like to see this rectified as soon as possible.

Chairman Antey said in today's market with construction turn around is pretty quick. He doesn't see this being a major obstacle.

Mrs. Mershon asked if there was a meeting in March.

Chairman Antey said yes.

Mr. Pointer said what the applicant has done and is doing is better than what was there before. And is probably the best use of the property until something better comes along.

Chairman Antey said but he also has to be in compliance.

Mr. Pointer said we are asking something that is impossible of the applicant. He is being asked to put in a hard surface that is going to be torn up.

Mr. Crawford said most industrial yards have a paved parking lot in front of the building but the rest of the yard is crushed rock. In the plans presented there is paving all the way to the stock pile. That is not usually the case.

Mr. Pipes said that what was envisioned before the engineer wrote up the plans was for the circular driveway to have crushed asphalt over a heavy gravel base. There would be a pile of crushed asphalt to scatter over the driveway at any time. He said with this being a temporary use of the land its cost prohibitive to throw \$100,000 worth of concrete on it.

Mr. Snyder said not to undercut Public Works position on the compliance issue but if you went to and April or May meeting it would allow Public Works time to review the revised plans from the applicant and work with the counselor's office to make sure that the revised plans are compliant with code. The counselor's office would make the final decision on prosecution for non-compliance.

Mr. Pointer withdrew his motion to table the case until the March meeting.

Mr. Pointer motioned that the case be tabled until the April meeting or the first meeting that we have other business. Mr. Crawford seconded the motion.

Mrs. Mershon asked if this would keep the applicant from doing business at this time.

Mr. George said no that he would be able to continue doing business.

Mr. Snyder said that if the counselor's office files each day is a separate GOS and a \$1,000 a day fine could possibly be assessed. This could happen if the situation worsens or complaints are made, it is not a usual practice.

Mr. Pipes said that he wants to continue to move forward with the project. He thought that he was compliant when he started his building project and opened his business. He plans to move as fast as he can and hopes to become compliant as soon as possible but realistically can do it in 30 days.

Mr. Crawford asked staff if there was room for negotiation in this matter.

Mr. George stated that the code says that parking and loading facilities for all uses except single family dwellings in A, RR, and RE districts and agricultural uses shall be surfaced and maintained with asphaltic concrete or other surfacing material approved by the Director. Paved surfaces shall be designed to withstand anticipated traffic loads. The Director may authorize the use of pervious materials, provided that the applicant documents that the proposed design and construction will be durable under anticipated traffic demands. All parking areas shall meet the following minimum paving standards. In GB within the right-of-way the minimum is 8 inches of concrete and outside the right-of-way the minimum is 4 inches of concrete or an asphalt substitute.

Mr. Gibler asked if this was inclusive of parking and loading areas.

Mr. George said yes that is our understanding of the code.

Mr. Pointer said when we license a ready mix company, there loading area isn't cemented the load off of gravel.

Mr. George stated again that the code says the surfaces shall be designed to withstand anticipated traffic loads.

Mr. Pointer asked if the recycled material would be acceptable.

Mr. George said that would have to be approved by the Director, and deferred the question to Chris Jenkins.

Mr. Jenkins said that in a meeting with Mr. Pipes he recommended he consider geo-textile fabric underneath his pavement in substitute of some of the thickness of pavement. Recycled surface is an option since it's not a continuous flow like a road it could work well as a surface. Public Works generally uses it as a base. Mr. Pipes would need to get his engineer involved to give Public Works the pavement thickness and information as to what they plan to do.

Mr. Pointer asked if could be a raw crushed asphalt.

Mr. Jenkins said yes.

Mr. Pointer said he thought Mr. Pipes was speaking of is crushed asphalt not recycled asphalt.

Chairman Antey said we have a motion on the floor to table the case.

Mr. Crawford called for a vote.

Voice Vote - Approved

Chairman Antey swore in the applicants for the next case.

2. RZ-2012-482 Betty R. Hale

Requesting a change of zoning from District A (Agricultural) on a 12.47 ± acres to District RR (Residential Ranchette). The 2.89 ± acres are on the west side of Buckner Tarsney Road one quarter mile south of Harris Potts Road, lying in Section 22, Township 48, Range 30, Jackson County, Missouri aka 8502 S. Buckner Tarsney Road.

Mr. George introduced RZ-2012-482 and entered 6 exhibits into the record. Mr. George gave the staff report with comments and recommendation as follows: The request is to change zoning from District A (Agricultural) on a 12.47 ± acres to District RR (Residential Ranchette). The applicant wishes to divide the property in to two tracts to allow a resident to be built on the northern portion in the future. The property is located at 8502 S Buckner Tarsney Rd it is approximately one quarter mile south of Harris Potts Road. There is an existing home on the southern portion of the lot. Zoning in the area is A (Agricultural). Property size ranges from 3 - 10± acres or larger tracts and contain single family residences. To the north is the two lot subdivision Cedar Ledge, rezoned to District RE (Residential Estates) and platted in 2011

To the east across the road is a two lot subdivision Conrad Estates, platted in 1987. Both lots will be approximately 6 acres in size. Tract A will be 5.92 acres and Tract B will be 6.54 acres. Each lot exceeds the 250 ft minimum frontage requirement for District RR (Residential Ranchette). The proposed two lot subdivision lot size will be compatible with the case variance. County plan development diagram illustrates this are is with in the Suburban Development Tier. District RR (Residential Ranchette) is appropriate in the Suburban Development Tier. Staff recommends approval of RZ-2012-482.

There were no questions for staff.

Applicant Donald R Hale and Betty Hale appeared to give testimony. Mr. Hale stated that they want to divide the property and try to sell the northern part of it.

Mrs. Hale stated that she and her husband had planned to divide the property between their children before his death.

Mr. Aikens asked what the current septic system was on the existing house.

Mr. Hale said later field.

There were no further questions for the applicant and no one else to appear in favor of or against the application.

Mr. Gibler moved to take RZ-2012-482 under advisement. Mr. Aikens seconded the motion.

Mr. Gibler moved to approve RZ-2012-482. Mr. Haley seconded the motion.

VOTE:

Mr. Aikins	Approve
Mr. Crawford	Approve
Mr. Gibler	Approve
Mr. Haley	Approve
Mrs. Mershon	Approve
Mr. Pointer	Approve
Mrs. Querry	Approve
Chairman Antey	Approve

RZ-2012-482 APPROVED (8 – 0)

Election of Officers

Mr. Crawford moved to retain the current officers, Larry Antey – Chairman and Bill Tarpley, Vice-Chairman. Mr. Pointer seconded the motion. Voice vote. Approved.

MEETING ADJOURNED.

STAFF REPORT

PLAN COMMISSION

February 16, 2012

RE: RZ-2012-482

Applicant: Betty R. Hale, Donald R. Hale, & Sharon K. Rueff

Location: West side of Buckner Tarsney Road one quarter mile south of Harris Potts Road, lying in Section 22, Township 48, Range 30, Jackson County, Missouri aka 8502 S. Buckner Tarsney Road.

Area: 12.47 ± acres

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

Purpose: Applicant wishes to divide the property into two tracts to allow a residence to be built on the northerly portion in the future.

Current Land Use and Zoning in the Area:

There is an existing home on the proposed southerly lot. (Tract A on Exhibit 6).

Zoning in the area is agricultural. Property sizes range from 3 acres to 10 acres and larger tracts, containing single family residences.

To the north is a two lot subdivision, Cedar Ledge, rezoned to RE (Residential Estates) and platted in 2001. To the east across Buckner Tarsney Road is a two lot subdivision, Conrad Estates, platted in 1987.

Comments: The proposed lots will be approximately 6 ± acres in size. (Tract A is 5.92 ± acres and Tract B is 6.54 ± acres). Each lot also exceeds the 250 foot minimum frontage requirement for the RR District.

The proposed two lot subdivision and lot sizes will be compatible with adjacent uses.

County Plan:

The County Plan Development Diagram illustrates this area within the Suburban Development Tier (SDT). The RR (Residential Ranchette) District is appropriate in 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-2011-482

Respectfully submitted,
Planning and Environmental Health Division

Randy Diehl
Planning and Zoning Coordinator

**Plan Commission
February 16, 2012
RZ-2012-482**

Applicants / Property Owners: **Betty R. Hale, Donald R. Hale
8502 S. Buckner Tarsney Rd.
Oak Grove, MO 64075**

Parcel No: 55-300-01-16

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

55-300-01-06
Gregory & Donna Lunnon
31707 E Harris Potts Rd
Oak Grove, MO 64075

55-300-01-07
Bradley & Pauline Rice
32011 Harris Potts Rd
Oak Grove, MO 64075

55-300-01-14-02-5
George & Cynthia Wolf
8421 S Buckner
Grain Valley, MO 64029

55-300-01-17
Roger & Debra Cole
31806 E Harris Potts Rd
Oak Grove, MO 64075

55-300-01-18-01
Clara Meyer & Elizabeth Heaton
31606 E Harris Potts Rd
Oak Grove, MO 64075

55-300-01-19
Willis & Sue Mullins
8514 S Buckner Tarsney Rd
Oak Grove, MO 64075

55-300-01-22
Steven & Thomasa Chapman Trustee
10021 S Buckner Tarsney Rd
Grain Valley, MO 64029

55-300-01-23
John & Mildred Marcus
8509 S Buckner Tarsney Rd
Oak Grove, MO 64075

55-300-01-24
James G Willig
8511 Buckner Tarsney Rd
Oak Grove, MO 64075

55-300-01-25
John & Barbara Riggins
8517 S Buckner Tarsney Rd
Oak Grove, MO 64075

55-300-01-27
Charles W & Clarica Colston, III
32003 E Fristoe Rd
Grain Valley, MO 64029

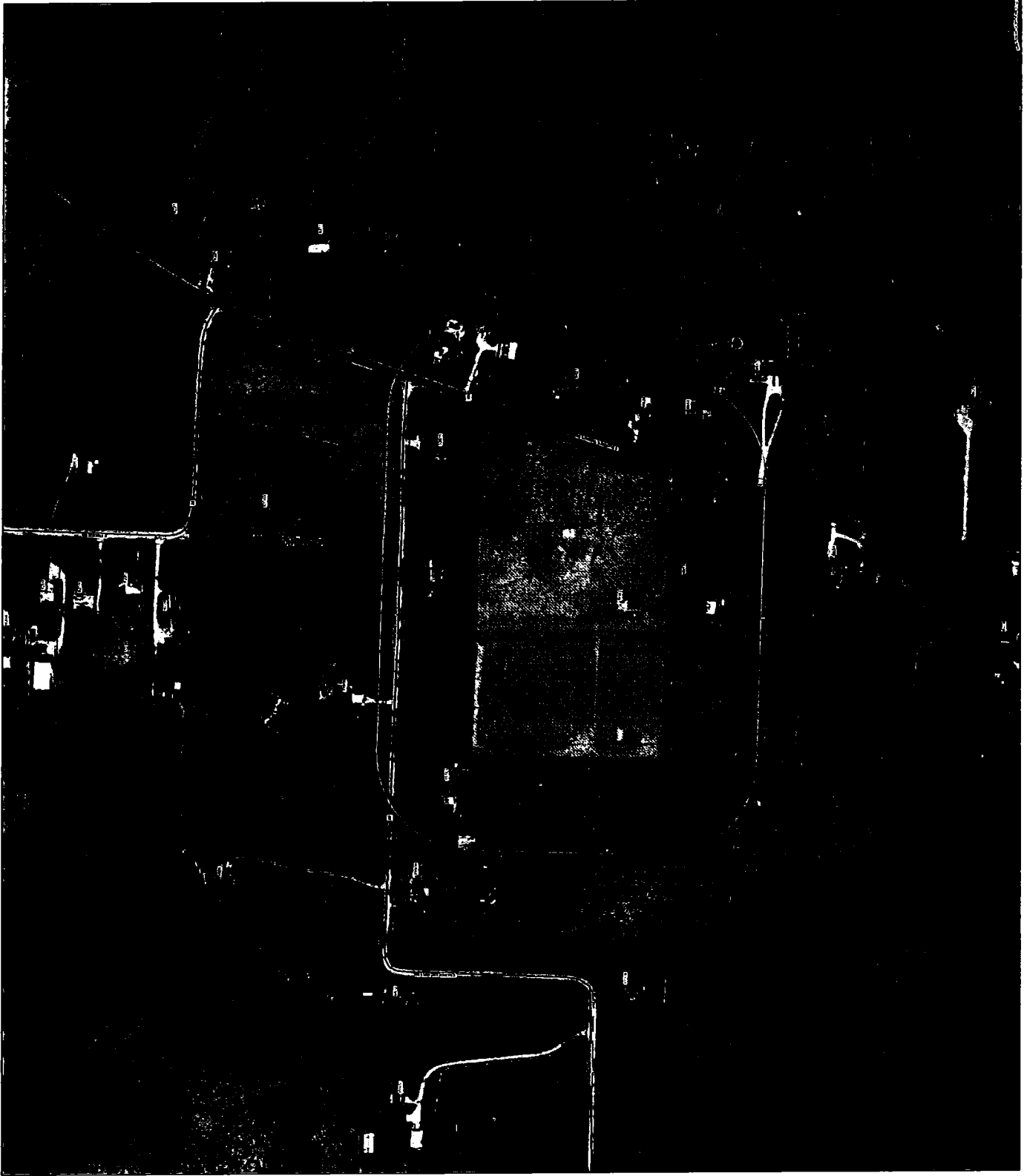
55-300-01-28
Charles W & Clarica Colston, III
32003 E Fristoe Rd
Grain Valley, MO 64029

55-300-01-29
Reinhart E May
8405 Buckner Tarsney
Oak Grove, MO 64075



Jackson County Zoning Map

Legend	300' Notification Ring
Speed Limit	
Classification	
Class_	
Local	
Collector	
Major Arterial	
Minor Arterial	
Plan	
parcels	
-all other vehesp>	
Resizing section	
Zoning	
RR-Residential Ranchette	
RP-Residential Ranchette-Planned	
RE-Residential Estates	
RS-Residential Suburban	
RU-Residential Urban	
AU-Single-Family	
B(1)-Two-Family	
CU-Mult-Family	
A1-Mobile Homes District	
RD-Residential Office-Planned	
LD-Local Business	
LB-Local Business-Planned	
GB-General Business	
GS-General Business-Planned	
LI-Light Industrial	
LI-Light Industrial-Planned	
HI-Heavy Industrial	
Interdiction Area	



RZ-2012-482
1 inch equals 100 feet

JACKSON COUNTY, MISSOURI
APPLICATION FOR CHANGE OF ZONING

APPLICANT INFORMATION:

1. Application must be filed with the Jackson County Planning and Development Division, 303 West 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-2012- 482

Date filed 1-11-12 Date of hearing 2-16-12

Date advertised _____ Date property owners notified _____

Date signs posted _____

Hearings: Heard by PC Date 2-16-12 Decision 8-0 Approval Approved

Heard by _____ Date _____ Decision _____

Heard by _____ Date _____ Decision _____

BEGIN APPLICATION HERE:

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

a. Applicant(s) Name: Betty Rae Hane

Address: 1747 NW 800
Bates City, MO 64011

Phone: 816 697-2267

x b. Owner(s) Name: Betty Rae Hane

Address: 1747 NW 800 Bates City Mo 64011

Phone: 816 697-2267

c. Agent(s) Name: Donald R. Hobe

Address: 2502 S. Buckner Tarsimpy, RD
OAK Grove, MO 64075

- c. Agent(s) Name: SHARON Kay Rueff
 Address: 1745 NW 800 Bates City MO 64011
 Phone: 816 699-2781
- d. Applicant's interest in Property: Family
2. General location (Road Name) 8502 S. Buckner Tansney RD.
OAK Grove MO 64075
3. Present Zoning Ag. Requested Zoning Residential
4. AREA (sq. ft. / acres) _____
5. Legal Description of Property: (Write Below or Attached)

6. Present Use of Property: Single family home
7. Proposed Use of Property: Single family home
8. Proposed Time Schedule for Development: _____

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 District #13
- b. Sewage disposal On Site
- c. Electricity RC P+h
- d. Fire and Police protection Sni Valley

12. Describe existing road width and condition: Black top

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

BRS

Property Owner(s)

Mrs. Betty R. Hale

1-10-12

Applicant(s):

Donald R. Hale
Sharon K. Ruff

1-11-12

1-11-12

Contract Purchaser(s):

STATE OF MISSOURI

COUNTY OF JACKSON

On this 11th day of JANUARY, in the year of 2012, before me the undersigned notary public, personally appeared BETTY R. HALE, DONALD R. HALE, SHARON K. RUFF

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

D. J. Hawley

Commission Expires

D.F. HAWLEY
Notary Public-Notary Seal
STATE OF MISSOURI
Jackson County
My Commission Expires: May 3, 2014
Commission #10880292

Certificate of Survey

LOT SPLIT NE 1/4 SECTION 22, TOWNSHIP 48, RANGE 30
JACKSON COUNTY, MISSOURI.

LOCATION MAP
8502 Buckner Tarsney Road
Grain Valley, Missouri

Ordered By: DON/BETTY HALE Title Company: NOT PROVIDED
Client Name: DON/BETTY HALE Bearing Basis: ASSUMED

PROPERTY DESCRIPTIONS:

Description of Parent Tract (from Beneficiary Deed Doc. #2008E0112778):

That part of the northeast quarter of Section 22, Township 48, Range 30, described as follows: Beginning at a point easterly 860 feet more or less and northerly 1148 feet more or less from center of said Section 22; thence easterly 881.50 feet more or less to a point along the West right-of-way line of Tarsney Buckner Road, as now established; thence northeasterly 535 feet more or less along said West right-of-way line to a point; thence westerly 1042 feet more or less to a point; thence southerly 655 feet more or less to point of beginning, in Jackson County, Missouri. Except that part in road right-of-way.

Contains 543303.00 square feet or 12.473 Acres more or less.

Legal Description: "Lot Legal "Tract A"

A tract of ground being a part of the NE 1/4 of Section 22, Township 48, Range 30, all lying in Jackson County, Missouri, being more particularly described as follows: Commencing at the Center of said Section 22; Thence N2°09'22"E along the West line of said NE 1/4 a distance of 1159.53'; Thence S87°08'48"E a distance of 686.61' to the TRUE POINT OF BEGINNING; Thence continuing S87°08'48"E a distance of 856.94' to a point on the Westerly right-of-way of Buckner Tarsney road, as now established; Thence N18°22'05"E along said Westerly right-of-way a distance of 298.27'; Thence N87°08'47"W a distance of 937.17'; Thence S3°09'45"W a distance of 287.41' to the POINT OF BEGINNING.

Said area contains 258102.37 square feet or 5.925 Acres more or less.

Legal Description: "Lot Legal "Tract B"

A tract of ground being a part of the NE 1/4 of Section 22, Township 48, Range 30, all lying in Jackson County, Missouri, being more particularly described as follows: Commencing at the Center of said Section 22; Thence N2°09'22"E along the West line of said NE 1/4 a distance of 1159.53'; Thence S87°08'48"E a distance of 686.61'; Thence N3°09'45"E a distance of 287.41' to the POINT OF BEGINNING; Thence S87°08'48"E a distance of 937.17' to a point on the Westerly right-of-way of Buckner-Tarsney Road, as now established; Thence N18°22'05"E along said Westerly right-of-way a distance of 307.56'; Thence N87°38'33"W a distance of 1017.93'; Thence S3°09'45"W a distance of 287.54' to the POINT OF BEGINNING.

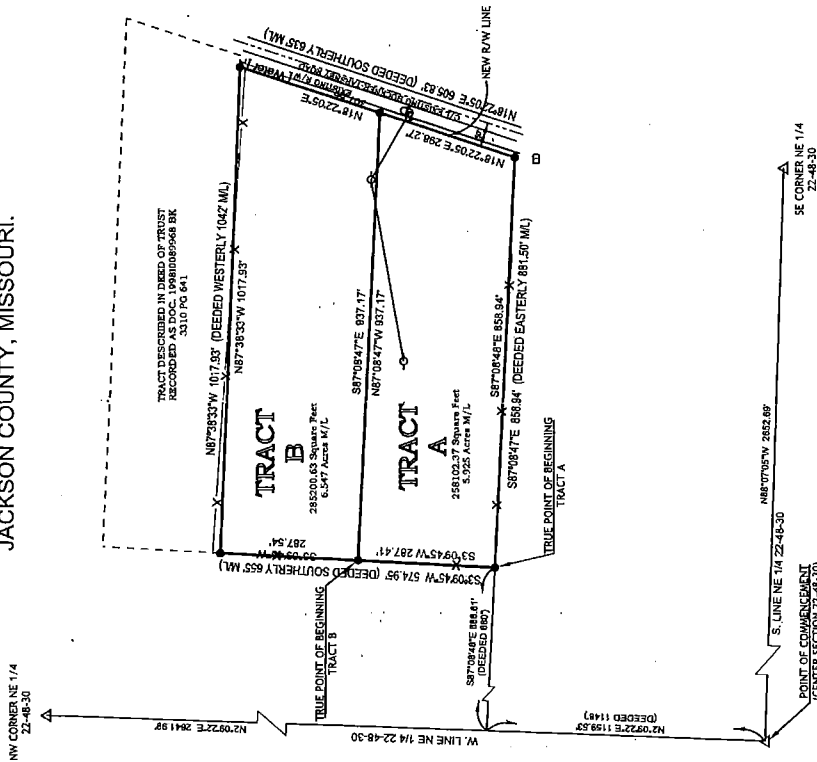
Said area contains 285200.63 square feet or 6.547 Acres more or less.

DEDICATION:

The undersigned proprietor of the above described tract of land has caused the same to be subdivided in the manner shown on the accompanying LOT SPLIT.

All thoroughfares shown on this LOT SPLIT and not heretofore dedicated to public use are hereby so dedicated. An easement or license is hereby granted to Jackson County, Missouri, to locate, construct and maintain or to authorize the location, construction and maintenance of conduits, water, gas and sewer pipes, poles, wires and anchors and all or any of them upon areas outlined on this LOT SPLIT and designated by the words "Utilities Easement", or abbreviated "U.E.",

Victor R. Jodis MO (PLS. 2519)
I hereby certify that this Certificate of Survey is based on an actual survey performed on September 29, 2011. This survey was done by me or under my direct supervision and meets or exceeds the current Missouri Minimum Standards for Property Boundary Surveys, to the best of my professional knowledge, information and belief.



Region Land Survey Company
202 NW 12th Street
Blue Springs, MO. 64015
816.966.1191 (office)
816.966.1441 (fax)
Date: 09/29/2011
Job #2011-257

JACKSON COUNTY ASSESSOR'S OFFICE APPROVAL:
Jackson County Assessor's Office

OWNERS CERTIFICATE:
As Owner, I hereby certify that I have caused the land described on this plat to be surveyed, divided and mapped. Dedication and Access rights reserved as represented on this plat.

In witness where of the undersigned proprietors have herunto set their hands this _____ day of _____, 2011

NOTARY CERTIFICATE:
State of Missouri)
County of _____)
SS)

Be it remembered that on this _____ day of _____, 2011 before me, the undersigned, a Notary Public in and for the county and state aforesaid, came _____, to me personally known, who being duly sworn by me did say that he is the owner, and that said instrument was signed and sealed in behalf of said individual and that said owner acknowledged said instrument to be the free act and deed of said individual.

In witness whereof I have herunto set my and affixed my notary seal on the date herein last above written.

Commission Expiration _____ Notary Public