

RZ-2024-684

ATTACHMENT 1: PROPERTY DESCRIPTION

Description:

That part of the Northeast Quarter of the Northwest Quarter of Section 33, Township 48, Range 30 in Jackson County, Missouri, described as follows: Commencing at the Southeast corner of the Northeast Quarter of the Northwest Quarter of Section 33, Township 48, Range 30; thence North 88 degrees 34 minutes 55 seconds West, a distance of 500 feet, along the South line of said Northeast Quarter of the Northwest Quarter; thence North 01 degrees 57 minutes 58 seconds East, a distance of 332.89 feet; thence South 88 degrees 37 minutes 17 seconds East, a distance of 500 feet; thence South 01 degrees 57 minutes 59 seconds West, a distance of 333.23 feet to the Point of Beginning, except that part in Perdue Road.

RZ-2024-684

ATTACHMENT 2: ZONING SUPPORT DOCUMENTATION

Attachments

Plan Commission Public Hearing Summary from September 19, 2024 and November 21, 2024.

Staff Report

Zoning map of surrounding area

Names and addresses of surrounding property owners

Letter to surrounding property owners

Application

Aerial of location

Copy of plat

Randy Diehl gave the staff report:

RE: RZ-2024-684

Applicant: Kinney Family Irrevocable Trust

Location: 10100 S. Perdue Road

Area: 3.50 ± acres

Request: Change of zoning from District AG (Agricultural) to District RE (Residential Estates)

Purpose: The purpose is to create a single-family residential lot.

Current Land Use and Zoning in the Area:

The zoning in the area is Agricultural.

Land use is single family residences.

Property sizes range from 5.00 acres to larger tracts.

The applicant wishes to place the existing dwelling on a 3.50-acre lot. The remaining 35.00 ± acres will remain within District AG, since it is over 10.00 acres in size.

County Plan:

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

Recommendation:

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

Staff recommends APPROVAL of RZ-2024-684.

Respectfully submitted,

Jackson County Public Works
Development Division
Randy Diehl, Administrator

Mr. Antey: They are just carving out the corner.

Mr. Diehl: Yes, the area that is highlighted in blue.

Mr. Crawford: Is any of that in the floodplain?

Mr. Diehl: On the 3 acre lot, no. There is a little bit of floodplain on the two larger tracts. However, those areas are unbuildable.

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

Mr. Farrar: Are there similar size tracts in the area?

Mr. Diehl: In the immediate area the tracts are larger. To the South and off the map, there are similar sized lots on both sides on Purdue Road.

Mr. Smead: There is an existing home and they are just carving out a 3.5 acre lot around it.

Mr. Diehl: Yes.

Mr. Smead: I see there is some activity to the North of there.

Mr. Diehl: They are installing the driveway access for each of the larger tracts. Those have been approved and permitted.

Mr. Antey: *Is the applicant here?*

Mr. Kinney or a representative was not in attendance.

Mr. Antey: We can proceed, if there aren't any more questions.

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

Discussion under advisement

Mr. Monaco opposed going under advisement.

Mr. Monaco: I don't like that someone was going to file something and decided they didn't need to be here. My preference is to table in till the next meeting.

Mr. Antey: we can vote to approve, to deny or to table it to the next meeting.

Mr. Diehl: that will be November 21st.

Mr. Monaco: Since I'm new to the Commission, I don't know if this has come up in the past and how's it's been handled.

Mr. Antey: I believe it has happened before and handled it both ways.

Mr. Farrar: With no call or text, would they have to reapply?

Mr. Diehl: We don't make them reapply. It's held until the next meeting.

Mr. Lake: I agree with Mr. Farrar and Mr. Monaco. I have questions. Most of that area is 5 acres and I question the 3.5 acres.

Mr. Diehl: That area is within the Suburban Development Tier within the Comprehensive Plan. That Tier allows lots down to 3 acres in size.

Mr. Horn: I'm in favor of tabling it.

Mr. Horn made a motion to table until November 21, 2024.

Mr. Crawford seconded.

Mr. Lake	Deny
Mr. Farrar	Approve
Me. Smead	Approve
Mr. Monaco	Approve
Mr. Horn	Approve
Mr. Crawford	Approve
Ms. Ryerkerk	Approve
Chairman Antey	Approve

Motion Carried 7 – 1

November 21, 2024

Mr. Diehl gave a recap from the September 19, 2024 meeting.

Randy Diehl gave the staff report:

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Mr. Antey: Are there any questions for Randy?

There were none.

Mr. Antey: Is the applicant here?

Douglas Kinney, 29301 E. Colbern Road.

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

Mr. Kinney: The two tracts on the North side are both 20 acres in size. We've already put in the driveways for both tracts.

Mr. Antey: Is there anyone else who is in favor of this application?

There were none.

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Mr. Crawford moved to approve. Mr. Monaco seconded.

Mr. Lake	Approve
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Mr. Monaco	Approve
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Mr. Monaco	Approve
Mr. Horn	Approve
Mr. Crawford	Approve
Ms. Ryerkerk	Approve
Chairman Antey	Approve

Motion Carried 8 – 0

STAFF REPORT

PLAN COMMISSION

September 19, 2024

RE: RZ-2024-684

- Applicant:** Kinney Family Irrevocable Trust
- Location:** 10100 S. Perdue Road
- Area:** 3.50 ± acres
- Request:** Change of zoning from District AG (Agricultural) to District RE (Residential Estates)
- Purpose:** The purpose is to create a single-family residential lot.

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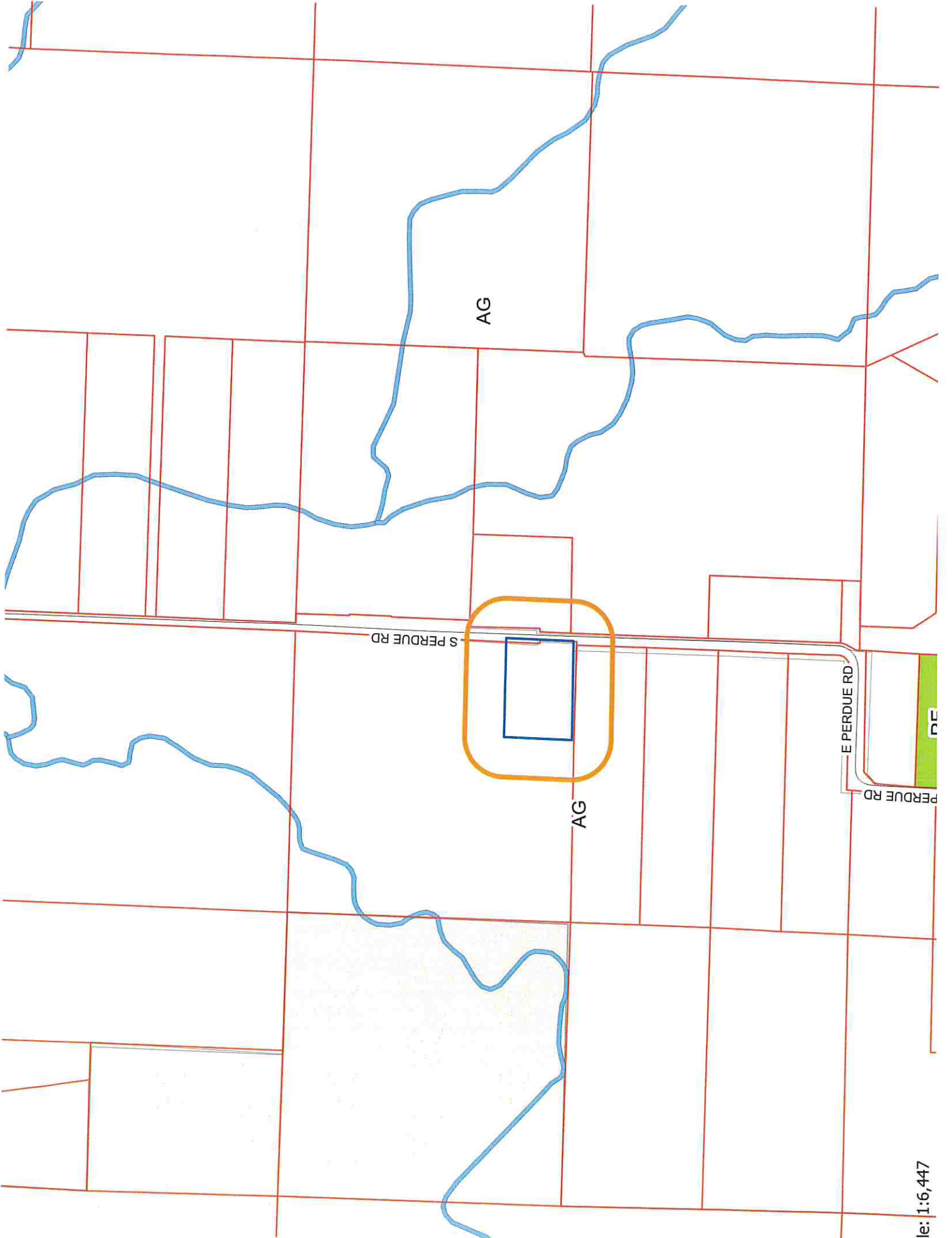
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Respectfully submitted,

Jackson County Public Works
Development Division
Randy Diehl, Administrator



AG

S PERDUE RD

AG

E PERDUE RD

PERDUE RD

RZ-2024-684

Property Owners Within 185 feet

parcel	owner	address	city	state	zip
54-700-02-07-00-0-00-000	DILL TRUST	10106 S PERDUE RD	GRAIN VALLEY	MO	64029
54-700-01-03-01-0-00-000	PETERSEN JAMES W	PO BOX 306	GRAIN VALLEY	MO	64029
54-700-01-03-02-0-00-000	BUCHANAN BRYCE L	10101 S PERDUE RD	GRAIN VALLEY	MO	64029
54-700-02-01-01-0-00-000	KINNEY FAMILY IRREVOCABLE TRUST	29203 E COLBERN 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 11, 2024

RE: Public Hearing: RZ-2024-684
Kinney Family Irrevocable Trust (Doug Kinney)

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 Kinney Family Irrevocable Trust (Doug Kinney) for a change of zoning from District AG (Agricultural) on 3.50 ± acres to District RE (Residential Estates). The purpose is to create a single-family residential lot at 10100 S. Perdue 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 185' of the subject property.

The public hearing on this matter will be held by the Plan Commission on Thursday, September 19, 2024, 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- 2024- 684

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: Doug Kinney - KINNEY FAMILY IRREVOCABLE TRUST
Address: 29203 E Colbern Rd Grain Valley, MO 64029

Phone: 816 868-8217

- b. Owner(s) Name: Doug Kinney
Address: 29203 E Colbern Rd Grain Valley, MO 64029
Phone: 916 868-8217

- c. Agent(s) Name: _____

Address: _____

Phone: _____

d. Applicant's interest in Property: _____

2. General location (Road Name) 10100 S Perdue Rd

3. Present Zoning AG Requested Zoning RE

4. AREA (sq. ft. / acres) 152460 SF = 3.5 Ac

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

See Attached

6. Present Use of Property: Residential

7. Proposed Use of Property: Residential

8. Proposed Time Schedule for Development: 2024

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

No effect as use is not changed

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 Water District

b. Sewage disposal On-site

c. Electricity Evergy

d. Fire and Police protection Fire Protection District

12. Describe existing road width and condition: Paved 22 feet wide +/-

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? _____

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]
Trustee

Applicant(s):

[Signature]
Trustee

Contract Purchaser(s):

[Signature]
Trustee

STATE OF MO

COUNTY OF JACKSON

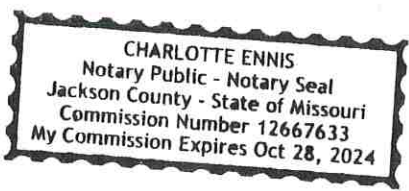
On this 9 day of Aug, in the year of 2024, before me the undersigned notary public, personally appeared Douglas Kinney

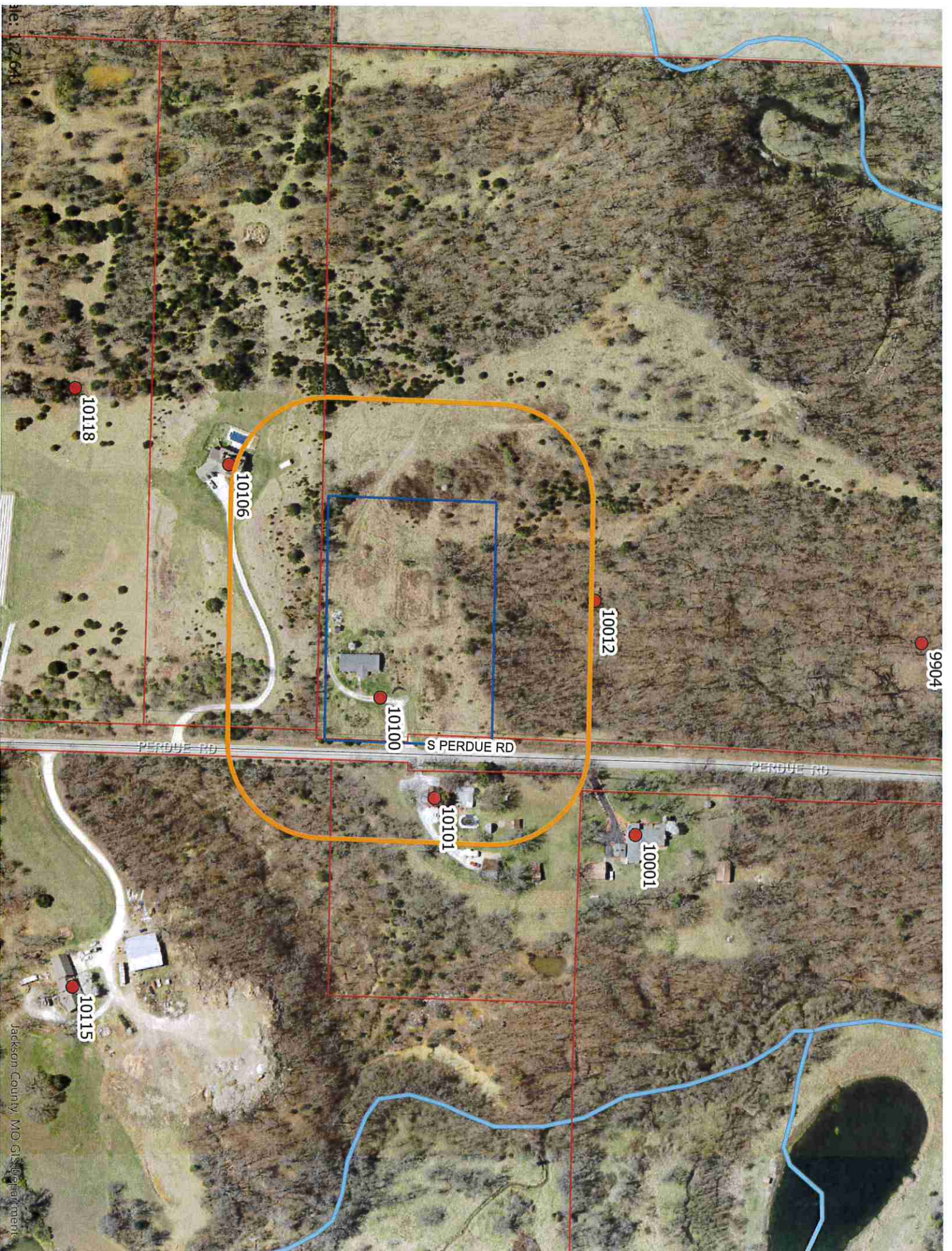
known to me to be the person(s) whose names(s) is/are subscribed to the within instrument and acknowledged that he/she/they executed the same for the purposes therein contained.

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

Notary Public [Signature]

Commission Expires 10-28-24





9904

10012

10001

10101

10100

10106

10118

10115

PERDUE RD

S PERDUE RD

PERDUE RD

File: 1764

Jackson County, MO GIS Department

