

Ord. #5758
Date: June 15, 2023

Request for Legislative Action

Completed by County Counselor's Office

Action Requested:	Ordinance	Res.Ord No.:	5758
Sponsor(s):		Legislature Meeting Date:	6/15/2023

Introduction

Action Items: ['Authorize']

Project/Title:

CU-2023-243 – John Washburn

Request Summary

Requesting the renewal of a Conditional Use Permit for a period of 10 years to continue to operate a private airport and landing strip on 80.00 ± acres in District AG (Agricultural) at 2908 S. Buckner Tarsney 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 June 1, 2023, and accepted testimony pertaining to the rezoning request. There was no opposition to the request.

The Plan Commission voted 5 to 0 to recommend APPROVAL to the County Legislature.

Contact Information

Department:	Public Works	Submitted Date:	6/6/2023
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: not spending money	
MBE:	.00%
WBE:	.00%
VBE:	.00%
Prevailing Wage	
Not Applicable	

Fiscal Information
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Request for Legislative Action

History

Submitted by Public Works requestor: Randy D. Diehl on 6/6/2023. Comments:

Approved by Department Approver Kristina J. Miller on 6/7/2023 1:27:46 PM. Comments:

Not applicable by Purchasing Office Approver Barbara J. Casamento on 6/7/2023 2:13:21 PM. Comments:

Approved by Compliance Office Approver Ikeela Alford on 6/7/2023 2:23:57 PM. Comments:

Approved by Budget Office Approver David B. Moyer on 6/7/2023 2:30:52 PM. Comments:

Approved by Executive Office Approver Sylvya Stevenson on 6/7/2023 4:19:47 PM. Comments:

Approved by Counselor's Office Approver Jamesia Manning on 6/14/2023 10:40:53 AM. Comments:

Randy Diehl gave the staff report:

RE: CU-2023-243

Applicant: John Washburn

Location: 2908 S. Buckner Tarsney Road

Area: 80.00 ± acres

Request: Renewal of a Conditional Use Permit for a period of 10 years for the continued use of a private airport and landing strip on a certain 80 ± acre tract of land.

Zoning Classification: District AG (Agricultural)

Current Land Use and Zoning in Area:

The land use in the surrounding area is large residential tracts and agriculture. The zoning is primarily agricultural; there are few smaller acreage lots in the vicinity.

Comments:

This request is a renewal of CU-2013-213 approved by Ordinance #4532, which was granted for a period of 10 years.

The applicant was assigned Location Identifier 62MO activated in 1993. The landing strip is a 2600' x 100' turf runway. It should be noted that the applicant owns additional property west (2000' ±) of and adjacent to the strip.

FAA Information, effective January 10, 2013, lists this as a Private Use Airport. Permission required prior to landing.

Recommendation:

Staff recommends APPROVAL of CU-2023-243 for a ten (10) year period provided the following conditions are met:

- 1) The airport landing strip shall be used for the applicant's private use and not as a commercial operation.
- 2) The private airport and its support facilities shall be limited to no more than two (2) airplanes at one time.
- 3) The private airport shall include all approach and departure paths as necessary to assure a safe and adequate landing and take off area.

- 4) Adequate safety provisions shall be provided which control or restrict access to the landing and take off areas to the general public.
- 5) Landing and take off areas shall be surfaced in such a manner as to avoid blowing dust or dirt into neighboring property

Respectfully submitted,

Jackson County Public Works
Development Division
Randy Diehl, Administrator

Mr. Antey: Are there any questions for Randy?

Mr. Tarpley: Is this a turf runway?

Mr. Diehl: Yes.

Mr. Antey: Is the applicant here?

John Washburn: 2908 S. Buckner Tarsney Road

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

Mr. Washburn: It's always been farm ground and we own additional property that extends to Dillingham Road. I wanted to renew this permit one more time.

Mr. Tarpley: What size airplane do you have?

Mr. Washburn: I just sold a Cessna 140.

Mr. Crawford: I remember when you were 10 years ago, you said that would be the last time you renewed. I'm glad to see you here again.

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

Discussion under advisement

Mr. Johnson moved to approve. Mr. Tarpley seconded.

Mr. Tarpley	Approve
Mr. Crawford	Approve
Ms. Ryerkerk	Approve
Mr. Johnson	Approve
Chairman Antey	Approve

Motion Carried 5 – 0

STAFF REPORT

PLAN COMMISSION

May 18, 2023

RE: CU-2023-243

Applicant: John Washburn

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Area: 80.00 ± acres

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Recommendation:

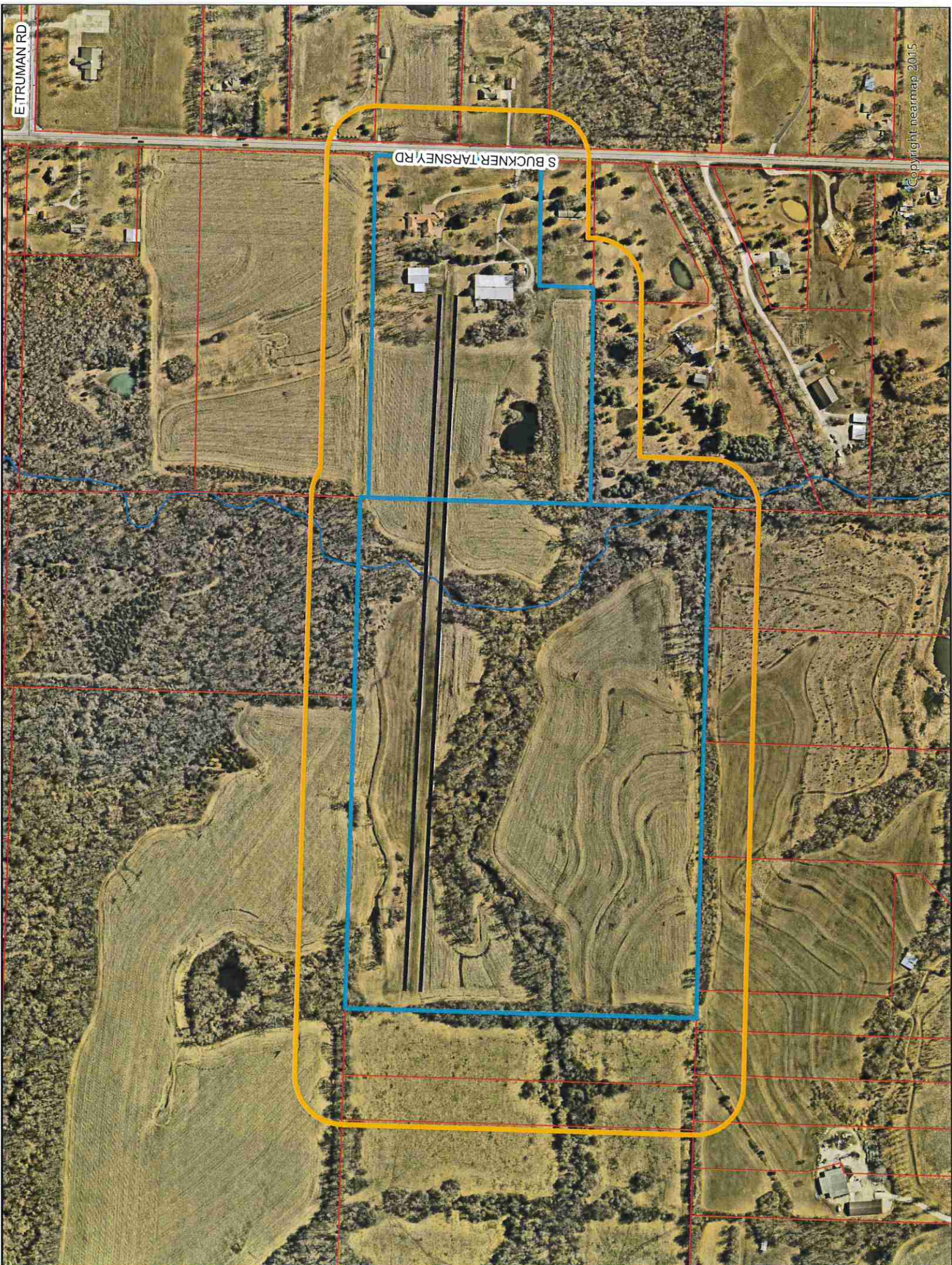
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Respectfully submitted,

Jackson County Public Works
Development Division
Randy Diehl, Administrator



Plan Commission March 16, 2023
CU-2023-242

Property Owners Within 1000 feet

Parcel	owner	address	city	state	zip
22-900-02-12-01-3-00-000	BARBARA R WASHBURN TRUST	2908 BB HWY	GRAIN VALLEY	MO	64029
22-800-02-14-00-0-00-000	SMITH LARRY L & FRANCES J-TRUSTEE	2803 BUCKNER TARSNEY RD	GRAIN VALLEY	MO	64029
22-800-02-07-00-0-00-000	DAVID PAUL LOGEMAN & TERRY KAY TR	600 SW 16TH ST	BLUE SPRINGS	Mmo	64015
22-800-02-15-00-0-00-000	RODRIGUEZ SANDRA K & RAPHAEL A SR TR	2821 S BUCKNER TARSNEY RD	GRAIN VALLEY	MO	64029
22-900-02-12-02-1-00-000	WASHBURN JOHN R TRUST	2908 BB HWY	GRAIN VALLEY	MO	64029
22-900-04-25-00-0-00-000	GRAIN VALLEY R-5 SCHOOL DISTRICT	PO BOX 304	GRAIN VALLEY	MO	64029
22-900-04-19-00-0-00-000	GRAIN VALLEY R-5 SCHOOL DISTRICT	PO BOX 304	GRAIN VALLEY	MO	64029
22-900-01-01-00-0-00-000	WASHBURN JOHN R TRUST	2908 BB HWY	GRAIN VALLEY	MO	64029
22-900-01-04-00-0-00-000	BARBARA R WASHBURN TRUST	2908 BB HWY	GRAIN VALLEY	MO	64029
22-900-01-06-00-0-00-000	WASHBURN JOHN R TRUST	2908 BB HWY	GRAIN VALLEY	MO	64029
22-900-04-20-00-0-00-000	GRAIN VALLEY R-5 SCHOOL DISTRICT	PO BOX 304	GRAIN VALLEY	MO	64029
22-900-04-27-00-0-00-000	GRAIN VALLEY R-5 SCHOOL DISTRICT	PO BOX 304	GRAIN VALLEY	MO	64029
22-800-02-08-00-0-00-000	MILNE JAMES A JR AND PATRICIA ANN	2915 S BUCKNER TARSNEY RD	GRAIN VALLEY	MO	64029
22-800-02-11-00-0-00-000	TWENTE RONALD K & SUSAN G TR	1159 COLBY DR	ST PETERS	MO	64015
22-900-01-05-00-0-00-000	WASHBURN JOHN R TRUST	2908 BB HWY	GRAIN VALLEY	MO	64029
22-900-04-26-00-0-00-000	GRAIN VALLEY R-5 SCHOOL DISTRICT	PO BOX 304	GRAIN VALLEY	MO	64029
22-900-04-21-00-0-00-000	GRAIN VALLEY R-5 SCHOOL DISTRICT	PO BOX 304	GRAIN VALLEY	MO	64029
22-900-04-18-00-0-00-000	GRAIN VALLEY R-5 SCHOOL DISTRICT	PO BOX 304	GRAIN VALLEY	MO	64029
22-900-04-24-00-0-00-000	GRAIN VALLEY R-5 SCHOOL DISTRICT	PO BOX 304	GRAIN VALLEY	MO	64029
22-800-02-12-01-0-00-000	HECKERT SUSAN D	3022 S BUCKNER TARSNEY RD	GRAIN VALLEY	MO	64029
22-800-02-10-00-0-00-000	HECKERT SUSAN D	3022 S BUCKNER TARSNEY RD	GRAIN VALLEY	MO	64029
22-800-02-12-02-0-00-000	BARBARA R WASHBURN TRUST	2908 BB HWY	GRAIN VALLEY	MO	64029
22-800-02-13-00-0-00-000	WASHBURN JOHN R TRUST	2908 BB HWY	GRAIN VALLEY	MO	64029
22-800-02-05-00-0-00-000	BARBARA R WASHBURN TRUST	2908 BB HWY	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

May 3, 2023

RE: Public Hearing: CU-2023-243
John Washburn

Dear Property Owner:

You are hereby invited to participate in a public hearing to be held by the Jackson County Plan Commission the renewal of a Conditional Use Permit for a period of 10 years to continue to operate a private airport and landing strip on 80.00 ± acres in District AG (Agricultural) at 2908 S. Buckner Tarsney Road.

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, May 18, 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
CONDITIONAL USE PERMIT APPLICATION

APPLICANT INFORMATION:

1. Application must be filed with the Jackson County Development Division, 303 W. Walnut, Independence, MO 64050 by the deadline on the Plan Commission Calendar.
 2. Application must be typed or printed in a legible manner.
 3. A scaled map of the property, correlating with the legal description, and clearly showing the property's location must accompany application. Refer to Section 24003.22, pertaining to Site Plan Review within the Unified Development Code.
 4. 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.
 5. The filing fee \$350.00 (non-refundable) must accompany application.
(Check payable to: Manager of Finance)
-

TO BE COMPLETED BY OFFICE PERSONNEL ONLY:

Conditional Use Permit Number CU- 2023- 243

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: John Washburn
Address: 2908 EVERETT TARSNEY
GRAIN VALLEY, MO. 6409
Phone: 816-916-7720
 - b. Owner(s) Name: SAME AS APPLICANT
Address: _____
Phone: _____
 - c. Agent(s) Name: OWNER

Address: _____

Phone: _____

d. Applicant's interest in Property: OWNER - RESIDENCE

2. A CONDITIONAL USE PERMIT IS HEREBY REQUESTED for the following described use: PRIVATE AIRPORT CONTINUED USE for a period of 10 years; property described as follows: a tract of land 80 square feet/acres in size located at 2908 BUCKNER Road.

Present Zoning District SPECIAL USE PERMIT - S-827
CW-2013-213

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

4. Present Use of Property: FARM + PRIVATE AIRPORT

5. Proposed Use of Property: SAME AS PAST 10 YEARS

6. Estimated Time Schedule for Development: IN-USE NOW

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

NONE

8. 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? NONE

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

- a. Water _____
 - b. Sewage disposal _____
 - c. Electricity _____
 - d. Heating _____
 - e. Fire and Police protection _____
- NONE

10. Describe existing road width and condition: NONE

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

12. Are any state, federal, or other public agencies approvals or permits required for the proposed development? FAA APPROVED AIRPORT # 62MO

If so, describe giving dates of application and status (include permit numbers and copies of same, if issued): 92-119-NRA FAA APPROVAL

WASHBURN FARM # 62MO
SEE ATTACHMENTS³

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)

John Washburn Date

Applicant(s):

Contract Purchaser(s):

STATE OF Missouri
COUNTY OF Jackson

On this 27th day of March, in the year of 2023, before me
the undersigned notary public, personally appeared John Washburn

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

4-15-23

