


**REQUEST FOR LEGISLATIVE ACTION**

Completed by County Counselor's Office:

~~Res~~Ord No.: 4548

Sponsor(s): N/A

Date: August 5, 2013

SUBJECT	Action Requested <input type="checkbox"/> Resolution <input checked="" type="checkbox"/> Ordinance  Project/Title: <u>Deer Brook Plaza Case No. RZ-2013-498</u>											
BUDGET INFORMATION <i>To be completed By Requesting Department and Finance</i>	<table border="1" data-bbox="326 499 1203 814"> <tr> <td>Amount authorized by this legislation this fiscal year:</td> <td>\$</td> </tr> <tr> <td>Amount previously authorized this fiscal year:</td> <td>\$</td> </tr> <tr> <td>Total amount authorized after this legislative action:</td> <td>\$</td> </tr> <tr> <td>Amount budgeted for this item * (including transfers):</td> <td>\$</td> </tr> <tr> <td>Source of funding (name of fund) and account code number; FROM / TO</td> <td>FROM ACCT  TO ACCT</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 AG (Agricultural) on a 6.22 ± acre tract to District RR (Residential Ranchette). The 6.22 ± acres are located in Section 13, Township 48, Range 30, Jackson County, Missouri aka 7506 S. Hardsaw 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 <u>APPROVAL</u> 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	Deputy Director: Earl Newill  	Date: 07/30/2013  Date: Date: Date:										

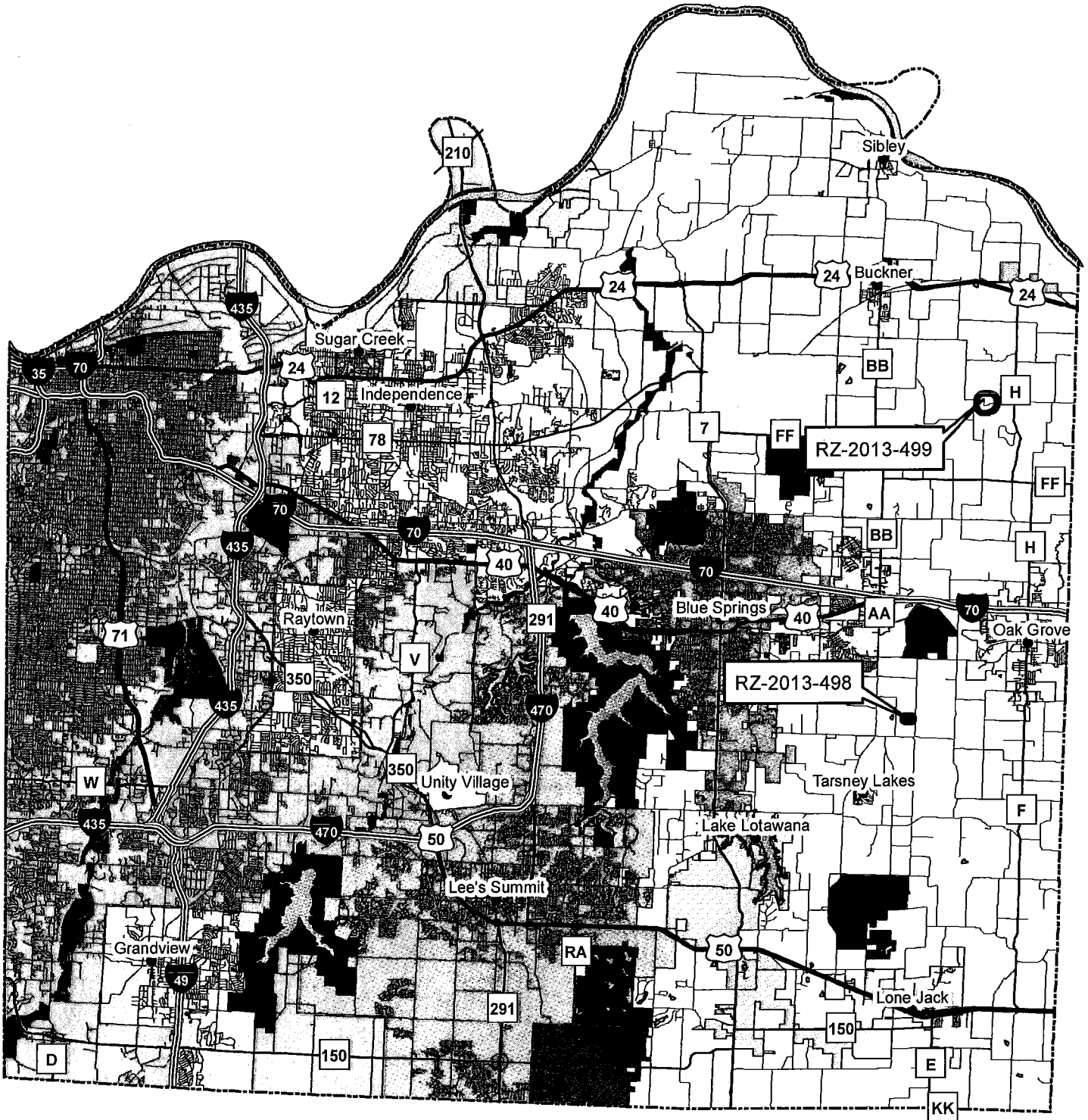
Fiscal Information (to be verified by Budget Office in Finance Department)

- 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  
July 18, 2013  
Agenda Location Map



**RZ-2013-498**

**ATTACHMENT TO RLA 1:**

**Description:** All that part of the West half of the Northwest quarter of Section 13, Township 48, Range 30, in Jackson County Missouri, more particularly described as; Beginning at the Northwest corner of said quarter section; thence South 87 degrees 48 minutes 31 seconds East, along the North line of said quarter section, a distance of 853.11 feet, thence South 02 degrees 04 minutes 47 seconds West, a distance of 303.29 feet, thence North 87 degrees 55 minutes 13 seconds West, a distance of 853.65 feet, to a point on the West line of said quarter section; thence North 02 degrees 10 minutes 55 seconds East, along the West line of said quarter section, a distance of 304.95 feet, to the Point of Beginning.

**ATTACHMENT TO RLA-2:**

Attachments

Plan Commission Public Hearing Summary from May 16, 2013

Staff report

Names/Addresses of surrounding property owners

Map showing current zoning districts in area

Application

Certificate of Survey

Ordinance #4071, 1-14-2009

Copy of Country Oaks

Picture of area to be rezoned

## Jackson County Plan Commission Summary of Public Hearing

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**Date:** July 18, 2013

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

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

**Staff:** Scott George  
Randy Diehl  
Jay Haden  
Kristen Geary

### 1. RE: RZ-2013-498

**Applicant:** Deer Brook Plaza agent for Daniel H & Heather Roach

Scott George: 7506 S. Hardsaw Road, lying in Section 13, Township 48, Range 30, Jackson County, Missouri. 6.22 ± acres

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

Zoning in the area is primarily agricultural. Property sizes range from 5 acres to 80 acre tracts, containing single family residences. To the East is Sheril-Beck Estates, platted in 1971, and Richard's Estates, platted in 1982.

A little bit of history on this request, in 2005, the previous owners filed an application to rezone 78 acres from District AG to District RE (Residential Estates). The proposed land use was a 22 lot residential subdivision called "Leisure Acres". The average size lot was three acres. Surround property owners appeared in opposition to the proposed development, stating that 3 acre lots were incompatible with the surrounding land use. The record states that 5 acre lots were more favorable to the surrounding owners. On June 16, 2005 the Plan Commission voted to

## Jackson County Plan Commission Summary of Public Hearing

recommend disapproval on the zoning and the plat. The County Legislature agreed with the Plan Commission and disapproved Ordinance 3646 on August 8, 2005.

In 2008, application was made by Mid-AM Financial Leasing, LLC to rezone 46.5 ± acres from District AG to District RR (Residential Ranchette). The proposed land use was an eight lot subdivision called "Country Oaks". The lots were to be all 5 ± acres in size. The remaining acreage was to remain within District AG and contain three 10 ± acre tracts.

The preliminary subdivision plat of County Oaks was approved however a final plat was never submitted to the County for approval. Earlier this year, on March 28, 2013 a Certificate of Survey was filed with the Recorder of Deeds dividing the 78 acres into eight 10 acre tracts. Tract H is illustrated on the Certificate of Survey as being 9.2 acres in size.

The boundaries of District RR, as approved by Ordinance #4071, followed the proposed lot alignment of Country Oaks. With the reconfiguration of property lines with the filing of the Certificate of Survey, portions of the tracts fall within both District AG and District RR. This was the boundaries of the second application on the rezoning and what they actually submitted on the Certificate of Survey was for all that to be one tract. This application brings the entire 9.2 ± acres (Tract H) entirely into District RR and with it to be platted into a one lot subdivision, brings it into compliance with the UDC. It can be also noted that the developer has expressed a desire to rezone a portion of District RR back to District AG sometime in the future. This would eliminate the dual zoning on some of the tracts.

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.

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

Staff recommends APPROVAL of RZ-2012-498

Chairman Antey: Are there any questions for staff.

Mr. Pointer: How do you get to these back lots if they are ever rezoned?

Mr. George: They way that the Certificate of Survey has been presented that these are all single tracts.

Mr. Diehl: They are all 10 acre tracts. The red lines (on the map) represent the new property lines.

Mr. Pointer: The light gray part, behind the green part, on the short ones, that goes with the front?

Chairman Antey: So it is one lot with 2 zonings?

## **Jackson County Plan Commission Summary of Public Hearing**

Mr. George: Exactly. They didn't match Certificate of Survey with the zoning boundaries that were established.

Mr. Pointer: I see

Chairman Antey: So we are trying to bring this one into compliance with one zoning and the rest of them eventually might come up to do the same?

Mr. Diehl: The other 10 acre tracts in this area can either rezone the entire 10 acre tracts to RR or back zone the 10 acre lots to AG. This one falls .8 short of the 10 acres and that is why we want to bring it into compliance.

Mr. Pointer: And if they did decide to split it up the other way, they'd have to have an easement through the front? Say someone decided to do less than the 10 acres there.

Mr. Diehl: Yes, but now have a minimum of 10 acres rule now.

Mr. George: Well, that's in suburban. So they can do 5 acres.

Mr. Diehl: They would have to replat those.

Mr Pointer: and have an easement back there...

Mr. Diehl: Well, not an easement, they would actually have to have frontage on that. Depending on if Hardsaw is a collector road you would not be able to have flags.

Mr. Akins: So this is slightly narrower than the rest, is that why its not...

Mr. Diehl: I think that because it was a 78 acre tract originally, the difference came out in the top one.

Mr. Gibler: So, the lots below it, there are 4 of them, actually 5 that have dual zoning. Those lots could be improved or developed as far as dual zoning.

Mr. Diehl: We are using the actual setbacks, we are using the RR zoning even though it's in AG. The developer who owns the rest of these lots is probably leaning toward back zoning those lots to AG. That way, if they do develop anything else, like Mr. Pointer was saying, they would have to come back and do the zoning all over again, but I don't think they are going to do that.

Mr. Pointer: If I bought a lot there, I'd probably want to make sure I built in the AG side, if I could. Because of the savings, is that correct?

Mr. Diehl: No, taxes are based on land use, not the zoning. If it was zoned LI and a 20 acre tract, you built a house on it; you would still be taxed as residential.



## Jackson County Plan Commission Summary of Public Hearing

Mr. George: The way the assessment department has explained it to me is, they will take the house and maybe an acre around the house and consider that residential, and then look at the remaining zoning and use for the rest of it.

Chairman Antey: Are there any other questions for staff. (There were none)

Chairman Antey requested the applicant to state name & address.

Daniel Roach  
846 Lingen Drive  
Grain Valley, MO

Chairman Antey: Do you have anything to add to the staffs report?

Mr. Roach: I do not.

Chairman Antey: Are there any questions for the applicant? (There were no questions)

Chairman Antey: Is there was anyone present who would like to speak in favor of the application. (there were no questions)

Chairman Antey: Is there is anyone present who is opposed to or has questions concerning this application. (there were no questions)

Mr. Akin made a motion to take RZ-2013-498 under advisement. Mr. Haley seconded.  
Approved 8-0

RZ-2013-498 was taken under advisement.

Mr. Gibler: Made a motion to approve RZ-2013-498, Mrs. Mershon seconded the motion, Roll Call Vote taken.

Mr. Akins	Approve	Mr. Haley	Approve
Mrs. Querry	Approve	Mr. Crawford	Approve
Mr. Gibler	Approve	Mrs. Mershon	Approve
Mr. Pointer	Approve	Mr. Antey	Approve

**RZ-2013-498 APPROVED (8-0)**

**STAFF REPORT**

**PLAN COMMISSION**  
**July 18, 2013**

**RE: RZ-2013-498**

**Applicant:** Deer Brook Plaza agent for  
Daniel H & Heather Roach

**Location:** 7506 S. Hardsaw Road, lying in Section 13, Township 48, Range 30,  
Jackson County, Missouri.

**Area:** 6.22 ± acres

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

**Purpose:** Rezone additional portion of a 9.2 ± acre tract to bring entire tract into  
District RR and subsequently plat into a one lot subdivision.

**Current Land Use and Zoning in the Area:**

Zoning in the area is primarily agricultural. Property sizes range from 5 acres to 80 acre tracts, containing single family residences. To the East is Sheril-Beck Estates, platted in 1971, and Richard's Estates, platted in 1982.

**Comments:**

In 2005, the previous owners filed an application to rezone 78 acres from District AG to District RE (Residential Estates). The proposed land use was a 22 lot residential subdivision called "Leisure Acres". The average size lot was three acres. Surround property owners appeared in opposition to the proposed development, stating that 3 acre lots were incompatible with the surrounding land use. The record states that 5 acre lots were more favorable to the surrounding owners. On June 16, 2005 the Plan Commission voted to recommend disapproval on the zoning and the plat. The County Legislature agreed with the Plan Commission and disapproved Ordinance 3646 on August 8, 2005.

In 2008, application was made by Mid-AM Financial Leasing, LLC to rezone 46.5 ± acres from District AG to District RR (Residential Ranchette). The proposed land use was an eight lot subdivision called "Country Oaks". The lots were to be all 5 ± acres in size. The remaining acreage was to remain within District AG and contain three 10 ± acre tracts.

As stated, the preliminary subdivision plat of County Oaks was approved however a final plat was never submitted to the County for approval. On

EX. 1

March 28, 2013 a Certificate of Survey was filed with the Recorder of Deeds dividing the 78 acres into eight 10 ± acre tracts. Tract H is illustrated on the Certificate of Survey as being 9.2 ± acres in size.

The boundaries of District RR, as approved by Ordinance #4071, followed the proposed lot alignment of County Oaks. With the reconfiguration of property lines with the filing of the Certificate of Survey, portions of the tracts fall within both District AG and District RR.

This application brings the entire 9.2 ± acres (Tract H) entirely into District RR and with it to be platted into a one lot subdivision, brings it into compliance with the UDC.

It can be also noted that the developer has expressed a desire to rezone a portion of District RR back to District AG sometime in the future. This would eliminate the dual zoning on some of the tracts.

**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-2012-498

Respectfully submitted,  
Planning and Environmental Health Division

Randy Diehl  
Planning and Zoning Coordinator

Plan Commission  
July 18 2013  
RZ-2013-498

Applicants / Property Owners:

Daniel H & Heather L Roach  
846 LeeAnn Dr  
Grain Valley, MO 64029

Parcel No: 40-700-02-18

Certified Mail – Return Receipt  
Property Owners within 300 feet

40-700-02-19-00-00-000  
Deer Brook Plaza/Clayton Ward  
620 W. Jefferson  
Grain Valley, MO 64029

40-600-03-13-00-0-00-000  
Brian & Pam Brookbank  
7424 S. Hardsaw Rd  
Oak Grove MO 64075

40-500-04-26-00-0-00-000  
Armstead M Nelson III & Glenda J-Tr  
7415 S. Oak Hill School Rd  
Oak Grove, MO 64075

40-800-01-13-00-0-0-00-000  
Edith R Kerr-Tr  
7515 S. Oak Hill School Rd  
Oak Grove, MO 64075

40-800-01-18-00-0-00-000  
James A Tyrer  
6703 S Arnett Rd  
Grain Valley MO 64029

40-800-01-19-02-0-00-000  
Pamela R Bellemere  
33804 E Nebgen Road  
Oak Grove, MO 64075

40-800-01-12-02-1-00-000  
Charles A & Courtney Bellemere  
33912 E Nebgen Rd  
Oak Grove, MO 64075

40-700-02-20-00-00-000  
Deer Brook Plaza

40-700-02-21-00-00-000  
Deer Brook Plaza

40-700-02-22-00-00-000  
Deer Brook Plaza

40-700-02-23-00-00-000  
Deer Brook Plaza

**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-

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: Daniel H Roach
  - Address: 846 Lee Ann Dr  
Crain Valley MO 64029
  - Phone: 816-213-5829
  - b. Owner(s) Name: Daniel H & Heather L Roach
  - Address: 846 Lee Ann Dr Crain Valley MO 64029
  - Phone: 816-213-5829
  - c. Agent(s) Name: \_\_\_\_\_

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

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

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

2. General location (Road Name) Hardsaw

7506 Hardsaw Rd

3. Present Zoning AG Requested Zoning RR

4. AREA (sq. ft. / acres) 9.25

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

See attach

6. Present Use of Property: AG

7. Proposed Use of Property: RR

8. Proposed Time Schedule for Development: 12 months

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

Nothing

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 0

b. Sewage disposal 0

c. Electricity 0

d. Fire and Police protection 0

12. Describe existing road width and condition: Hardsaw normal

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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):

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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 \_\_\_\_\_ Date 7/9/13  
Property Owner(s) Daniel H Roach

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

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

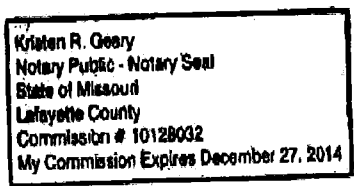
STATE OF Missouri  
COUNTY OF Jackson

On this 9<sup>th</sup> day of July, in the year of 2013, before me the undersigned notary public, personally appeared Daniel H Roach

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 Kristen R. Geary Commission Expires Dec. 27, 2014





and/or plans submitted herewith are true to the best of my (our) knowledge and belief.

Signature

Date

Property Owner(s)

[Handwritten Signature]

5-22-13

Applicant(s):

\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Contract Purchaser(s):

\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

STATE OF Missouri

COUNTY OF Jackson

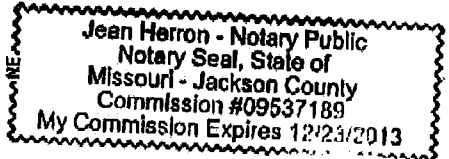
On this 22nd day of May, in the year of 2013, before me the undersigned notary public, personally appeared Clayton Ward

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 Jean Herron  
Jean Herron

Commission Expires Dec 23, 2013





Land Use Committee  
Substitute  
January 8, 2009

**IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI**

**AN ORDINANCE** amending the zoning districts established pursuant to the Unified Development Code by changing from District A (Agricultural) to District RR (Residential Ranchette) a certain 46.5± acre tract, and approving the preliminary plat "Country Oaks," creating an eight-lot residential subdivision.

**ORDINANCE #4071**, December 8, 2008

**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 Rancheffe) District, so that there will be transferred from District A to District RR, a tract of land described as follows:

**Description:**

The 46.5± acres are located at the northwest corner of Nebgen and Hardsaw Roads and specifically described as a tract of land located in the west one-half of the northwest quarter of Section 13, Township 48, Range 30 in Jackson County, Missouri, more particularly described as:

**Description:** Commencing at the southwest corner of the northwest quarter of Section 13, Township 48, Range 30 in Jackson County, Missouri; thence north 00°08'22" west, 939.86 feet along the west line of said northwest quarter; thence south 89°35'56" east, 833.15 feet; thence north 00°02'44" east, 1670.00 feet to a point on the north line of the west one-half of the northwest quarter of said Section 13; thence south 89°35'56" east, 480.00 feet to the northwest quarter of the northwest quarter of said Section 13; thence south 00°02'44" west, 2460.55 feet along the east line of the west one-half of the northwest quarter of said Section 13; thence south 54°41'36" west, 261.69 feet to a point on the south line of the west one-half of said northwest quarter; thence north 89°24'21" west, 1096.70 feet along the south line of the west one-half of the northwest quarter of said Section 13 to the southwest corner of the northwest quarter of said Section 13, said point being the point of beginning of this description. The above described tract of land contains 46.576 acres and is subject to road right of ways, easements and restrictions of record, if any.

Section 2. The preliminary plat "Country Oaks," creating an eight-lot residential

subdivision, is hereby approved, subject to the following conditions:

1. On the plat, illustrate and label as a "No Build Zone" 75 feet on each side of the creek that flows through Lot 6 and Tract C.
2. On the plat, Water District 17 has requested a dedicated 15 foot easement inside the proposed lots. The 15 foot easement will be adjacent and within the lot line. A 10 foot utility easement will be adjacent to the water district 15 foot easement.
3. Because of the severely rated soil and bisecting drainage routes, the wastewater system for lots 6, 7 and Tract C will need to be designed by a professional registered engineer and illustrated on the final plat.
4. On the plat, remove the 25 foot access to Tract A north of Lot 8 and relocate to the south of Lot 7 making it adjacent to the access locations for Tracts B and C.
5. The developer must coordinate with Kansas City Power and Light the release of a blanket electrical easement that was assigned to Missouri Public Service in 1949. A new easement will need to be illustrated on the plat to incorporate the overhead power lines.
6. The Public Works Department has restricted driveway locations for lots and tracts to meet sight distance requirements. These locations must be illustrated on the plat.
7. Prior to final plat approval, the developer shall submit to the Public Works Department construction engineering plans prepared by a Missouri Registered Professional Engineer to improve the line of sight issue on the north side of Nebgen Road between the Hardsaw Road intersections. The Public Works Department will review and issue a permit for construction. The developer shall construct all improvements that will be inspected and accepted by Public Works. The developer shall guarantee the improvements for three years in accordance with Unified Development Code Section 24003.15.

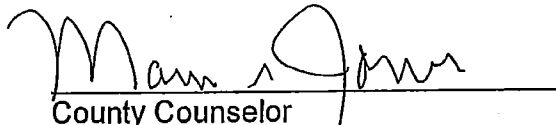
Section 3. The Legislature, pursuant to the application of Mid-AM Financial Leasing, LLC (RZ-2008-459), requesting the amendment embodied in this Ordinance and with notice that the Jackson County Plan Commission unanimously recommended approval of this application in a public hearing on November 20, 2008, 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:

  
Chief/Deputy County Counselor

  
County Counselor

I hereby certify that the attached Ordinance, Ordinance #4071 introduced on December 8, 2008, was duly passed on January 13, 200~~8~~<sup>9</sup> by the Jackson County Legislature. The votes thereon were as follows: 2009

Yeas 7

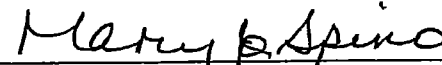
Nays 0

Abstaining 0

Absent 2

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

1-14-09  
Date

  
Mary Jo Spino, Clerk of Legislature

I hereby approve the attached Ordinance #4071.

1/14/09  
Date

  
Michael D. Sanders, County Executive





Ex 12