

Ordinance No.: 5643
Date: August 15, 2022

Request for Legislative Action

Completed by County Counselor's Office			
Action Requested:	Ordinance	Res.Ord No.:	5643
Sponsor(s):		Legislature Meeting Date:	8/15/2022

Introduction
Action Items: ['Authorize']
Project/Title:
Mary T. Vargas - RZ-2022-632

Request Summary
<p>Requesting a change of zoning from District AG (Agricultural) on 1.00 ± acres to District RS (Residential Suburban). The purpose is to decrease the building setback lines for future construction at 13010 SE Howard Road.</p> <p>Staff recommends approval because the change in zoning is consistent with the intent and purpose of the County Plan and complies with the Unified Development Code requirements. The Jackson County Plan Commission held a public hearing on July 21, 2022, and accepted testimony pertaining to the rezoning request.</p> <p>The Plan Commission voted 9 to 0 to recommend <u>APPROVAL</u> to the County Legislature.</p>

Contact Information			
Department:	Public Works	Submitted Date:	7/29/2022
Name:	Randy D. Diehl	Email:	RDiehl@jacksongov.org
Title:	Development Division 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	
<ul style="list-style-type: none"> This legislative action does not impact the County financially and does not require Finance/Budget approval. 	

Request for Legislative Action

History

Submitted by Public Works requestor: Randy D. Diehl on 7/29/2022. Comments: Scheduled for Land Use on August 22.

Approved by Department Approver Brian Gaddie on 8/1/2022 4:14:43 PM. Comments:

Not applicable by Purchasing Office Approver Barbara J. Casamento on 8/1/2022 4:41:09 PM. Comments:

Approved by Compliance Office Approver Katie M. Bartle on 8/2/2022 4:16:39 PM. Comments:

Not applicable by Budget Office Approver Mark Lang on 8/3/2022 9:18:52 AM. Comments:

Approved by Executive Office Approver Sylvya Stevenson on 8/3/2022 9:40:33 AM. Comments:

Approved by Counselor's Office Approver Elizabeth Freeland on 8/4/2022 2:55:02 PM. Comments:

RZ-2022-632

ATTACHMENT 1: PROPERTY DESCRIPTION

Description:

Lot 45, Trophy Estates, a subdivision in Jackson County, Missouri

RZ-2022-632

ATTACHMENT 2: ZONING SUPPORT DOCUMENTATION

Attachments

Plan Commission Public Hearing Summary from July 21, 2022

Staff Report

Zoning map of surrounding area

Names/Addresses of Surrounding Property Owners

Copy of letter to said property owners

Application

Aerial of location

Site Plan

Randy Diehl gave the staff report:

RE: RZ-2022-632

Applicant: Mary T Vargas

Location: Lot 45, Trophy Estates, 13010 SE Howard Road

Area: 1.00 ± acres

Request: Change of zoning from District AG (Agricultural) to District RS (Residential Suburban)

Purpose: Applicant is requesting the change in zoning in order to decrease the building setback lines requirements for future construction.

Current Land Use and Zoning in the Area:

The zoning in the area is predominately Agricultural. The land use within the platted subdivision is single family residences. Trophy Estates was platted in 1977 and 1979. The Zoning Order (adopted in 1960) in place at the did not require a change in zoning for platted lots. Therefore, Trophy Estates is within District AG (Agricultural).

Twelve lots have been rezoned in this development for the same purpose as this application.

The West side yard setback will be reduced from 50 to 20 feet. The side yard setbacks will be reduced from 30 to 15 feet. The East side yard will remain at 75 feet as that setback was established on the recorded plat.

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-2022-632.

Respectfully submitted,

Jackson County Public Works
Development Division
Randy Diehl, Administrator

Mr. Antey: Are there any questions for Randy?

There were none.

Mr. Antey: Is the applicant here?

Mary Vargas, 13013 SE Howard Road

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

Ms. Vargas: No

Mr. Tarpley: What type of building are you planning?

Ms. Vargas: A garage.

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

Discussion under advisement

Mr. Hilliard moved to approve. Mr. Farrar seconded.

Mr. Akins	Approve
Mr. Tarpley	Approve
Mr. Johnson	Approve
Mr. Crawford	Approve
Mr. Hilliard	Approve
Ms. Ryerkerk	Approve
Mr. Farrar	Approve
Mr. Lake	Approve
Chairman Antey	Approve

Motion Carried 9 – 0

STAFF REPORT

PLAN COMMISSION July 21, 2022

RE: RZ-2022-632

Applicant: Mary T Vargas

Location: Lot 45, Trophy Estates 13010 SE Howard Road

Area: 1.00 ± acres

Request: Change of zoning from District AG (Agricultural) to District RS (Residential Suburban)

Purpose: Applicant is requesting the change in zoning in order to decrease the building setback lines requirements for future construction.

Current Land Use and Zoning in the Area:

The zoning in the area is predominately Agricultural. The land use within the platted subdivision is single family residences. Trophy Estates was platted in 1977 and 1979. The Zoning Order (adopted in 1960) in place at the did not require a change in zoning for platted lots. Therefore, Trophy Estates is within District AG (Agricultural).

Twelve lots have been rezoned in this development for the same purpose as this application.

The West side yard setback will be reduced from 50 to 20 feet. The side yard setbacks will be reduced from 30 to 15 feet. The East side yard will remain at 75 feet as that setback was established on the recorded plat.

County Plan:

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

Recommendation:

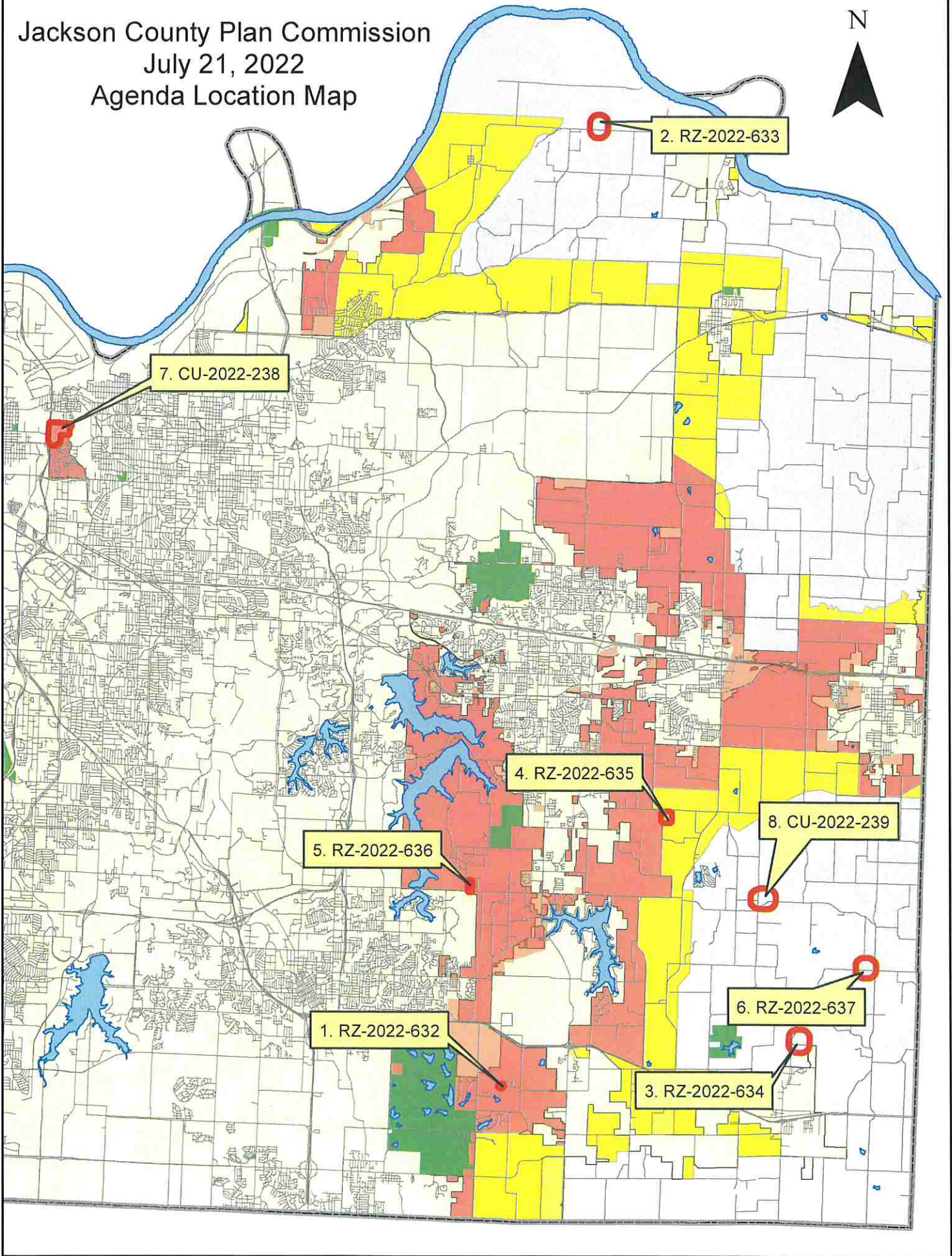
This request for rezoning is consistent with the intent and purpose of the County Plan.

Staff recommends APPROVAL of RZ-2022-632.

Respectfully submitted,

Jackson County Public Works
Development Division
Randy Diehl, Administrator

Jackson County Plan Commission
July 21, 2022
Agenda Location Map



2. RZ-2022-633

7. CU-2022-238

4. RZ-2022-635

5. RZ-2022-636

8. CU-2022-239

1. RZ-2022-632

6. RZ-2022-637

3. RZ-2022-634

Plan Commission July 21, 2022
 RZ-2022-632

Property Owners Within 185 feet

Parcel	owner	address	city	state	zip
60-700-03-02-01-0-00-000	GRIFFIN RANDALL BERNARD-TR	12811 SMART RD	LEES SUMMIT	MO	64086
60-700-04-44-00-0-00-000	WILLIAMS JOHN S & ANNE MARIE	25301 E 130TH TER	GREENWOOD	MO	64034
60-700-04-41-00-0-00-000	HOLSTROM AARON & MELISSA	25303 E 130TH ST	GREENWOOD	MO	64034
60-700-04-43-00-0-00-000	STEELE WILLIAM M & CYNTHIA L	25213 E 130TH TER	GREENWOOD	MO	64034
60-700-04-45-00-0-00-000	COOK JAMES N & TRACEY L	25304 E 130TH TER	GREENWOOD	MO	64034
60-700-04-46-00-0-00-000	LATTNER DAVID C & DEBRA J-TR	25308 E 130TH TER	GREENWOOD	MO	64034
60-700-04-59-00-0-00-000	MCLEWAIN DANNY T & REBECCA S	13016 HOWARD RD	GREENWOOD	MO	64034
60-700-04-61-00-0-00-000	GARVER RONALD L & JULIE M	13023 SE HOWARD RD	GREENWOOD	MO	64034
60-700-04-60-00-0-00-000	GRAY DEBORA SUE - TR	13022 SE HOWARD RD	GREENWOOD	MO	64034
60-700-04-57-00-0-00-000	HUTTSEL KENDRA ANN	13013 SE HOWARD RD	GREENWOOD	MO	64034
60-700-04-58-00-0-00-000	VARGAS MARY T	13010 SE HOWARD ST	GREENWOOD	MO	64034



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

July 6, 2022

RE: Public Hearing: RZ-2022-632
Mary T Vargas

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 Mary T Vargas for a change of zoning from District AG (Agricultural) on 1.00 ± acres to District RS (Residential Suburban). The 1.00 ± acre is described as Lot 35, Trophy Estates, 13010 SE Howard 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, July 21, 2022, 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,

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

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- 2022- 632

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: MARY T. VARGAS

Address: 13010 SE HOWARD RD

GREENWOOD, MO 64034

Phone: 913-522-8003

b. Owner(s) Name: MARY T. VARGAS

Address: 13010 SE HOWARD RD - GREENWOOD, MO 64034

Phone: 913-522-8003

c. Agent(s) Name: _____

Address: _____

Phone: _____ ^{24' x 30'}

- d. Applicant's interest in Property: TO BUILD A GARAGE ON PROPERTY
2. General location (Road Name) SE HOWARD RD
3. Present Zoning AGRICULTURE Requested Zoning RESIDENTIAL
4. AREA (sq. ft. / acres) 1 ACRE
5. Legal Description of Property: (Write Below or Attached 9)
PARCEL # 60-700-04-58-00-0-00-000 LOT 45 TROPHY ESTATES
LOT SIZE - 43,577 sq. ft. - BLDG AREA - 2,261 sq. ft. - BUILT IN 1993
6. Present Use of Property: RESIDENCE
7. Proposed Use of Property: ADD DETACHED GARAGE TO RESIDENCE (24' x 30')
8. Proposed Time Schedule for Development: WITHIN NEXT 4-6 MONTHS
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? _____
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 LEE'S SUMMIT WATER DEPT - NO CHANGES
 - b. Sewage disposal THRU JACKSON COUNTY NO CHANGES
 - c. Electricity EVERGY - WILL NEED ELECTRICITY TO BUILDING
 - d. Fire and Police protection SO. JACKSON COUNTY FIRE DISTRICT
12. Describe existing road width and condition: 2-LANE RESIDENTIAL ROAD

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 4.28.22
Property Owner(s) Mary J Vargas

Applicant(s): Mary J Vargas 4.28.22

Contract Purchaser(s): _____

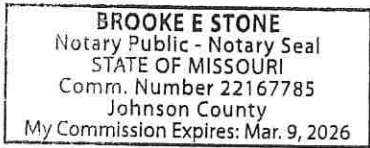
STATE OF MO
COUNTY OF JACKSON

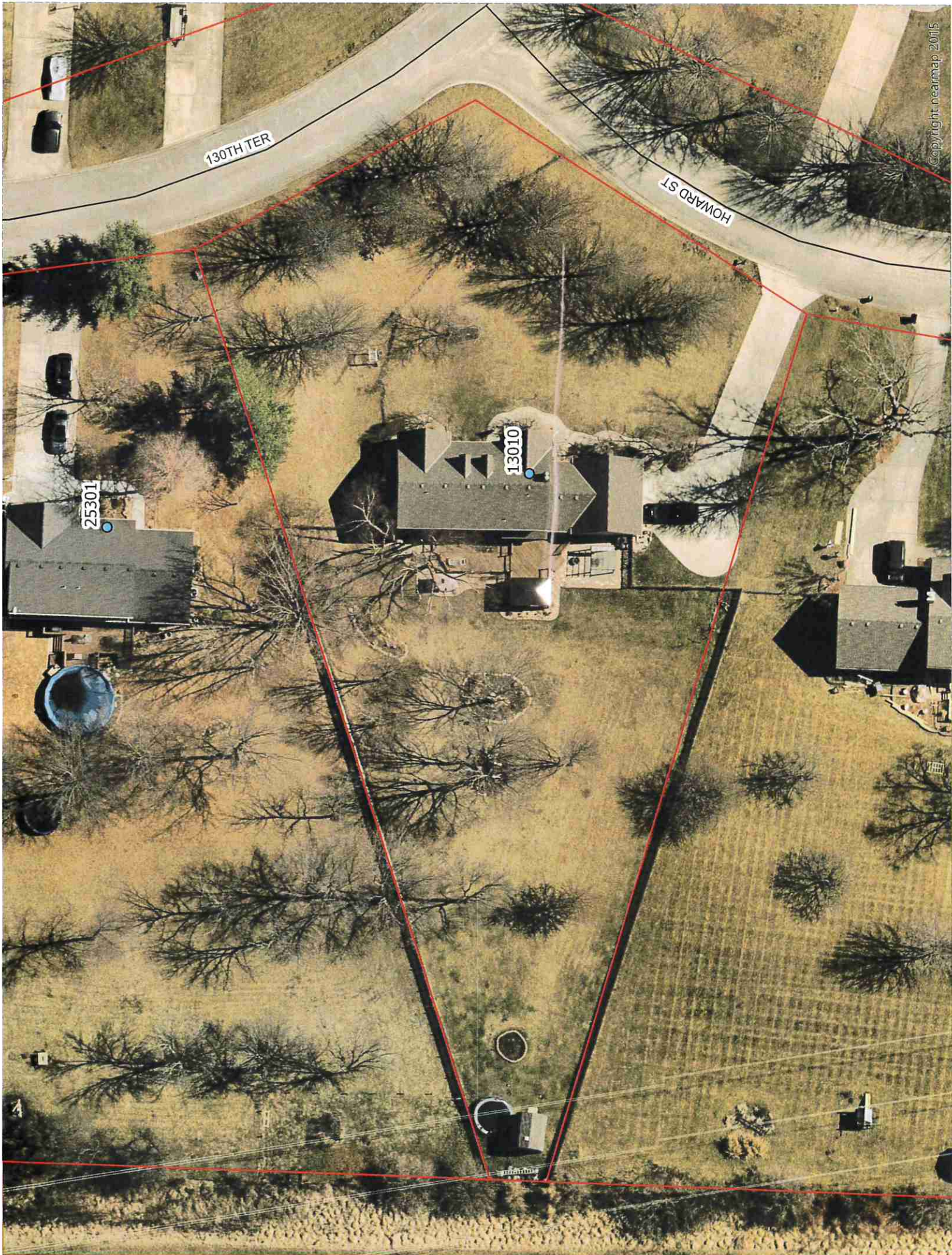
On this 28 day of April, in the year of 2022, before me
the undersigned notary public, personally appeared Mary J. Vargas

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 Brooke Stone Commission Expires March 9, 2026





130TH TER

HOWARD ST

25301

13010

Copyright nearmap 2015

