

**REQUEST FOR LEGISLATIVE ACTION**

**Version 6/10/19**


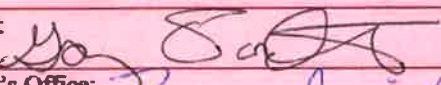


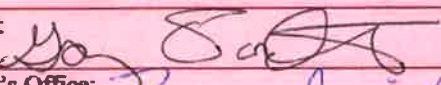


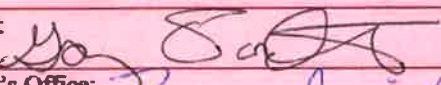

Completed by County Counselor's Office:

~~Res~~ Ord No.: 5243

Sponsor(s): xxxxxxxx

Date: July 29, 2019

**EXECUTIVE OFFICE**

SUBJECT	Action Requested <input type="checkbox"/> Resolution <input type="checkbox"/> Ordinance JUL 22 2019  Project/Title: <u>GA Investing LP - RZ-2019-570</u>										
BUDGET INFORMATION <i>To be completed By Requesting Department and Finance</i>	<table border="1" style="width: 100%;"> <tr> <td>Amount authorized by this legislation this fiscal year:</td> <td style="text-align: right;">\$</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 style="text-align: right;">\$</td> </tr> <tr> <td>Amount budgeted for this item * (including transfers):</td> <td style="text-align: right;">\$</td> </tr> <tr> <td>Source of funding (name of fund) and account code number:</td> <td style="text-align: right;">\$</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:	\$
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:	\$										
PRIOR LEGISLATION	Prior ordinances and (date): _____ Prior resolutions and (date): _____										
CONTACT INFORMATION	RLA drafted by: RLA drafted by Randy Diehl, Administrator, Development Division, 881-4577										
REQUEST SUMMARY	Requesting a change of zoning from District AG (Agricultural) on 7.74 ± acres to District RE (Residential Estates). The purpose is to create two residential lots for single family homes. The 7.74 ± acres are located in Section 05, Township 48, Range 30, Jackson County, Missouri, at 28612 E. Ryan Road., and specifically described on Attachment to RLA-1. The Jackson County Plan Commission on July 18, 2019 held a public hearing and accepted testimony pertaining to the request. This request for a 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 6 to 0 to recommend <b>APPROVAL</b> 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)										
COMPLIANCE	<input type="checkbox"/> MBE Goals <input type="checkbox"/> WBE Goals <input type="checkbox"/> VBE Goals										
ATTACHMENTS	See Attachment to RLA-2										
REVIEW	<table border="1" style="width: 100%;"> <tr> <td>Department Director: Brian D. Gaddie, P.E. Director of Public Works </td> <td>Date: 7-22-19</td> </tr> <tr> <td>Finance (Budget Approval): <i>If applicable</i></td> <td>Date:</td> </tr> <tr> <td>Division Manager: </td> <td>Date: 7-23-19</td> </tr> <tr> <td>County Counselor's Office: </td> <td>Date: 7/25/19</td> </tr> </table>	Department Director: Brian D. Gaddie, P.E. Director of Public Works 	Date: 7-22-19	Finance (Budget Approval): <i>If applicable</i>	Date:	Division Manager: 	Date: 7-23-19	County Counselor's Office: 	Date: 7/25/19		
Department Director: Brian D. Gaddie, P.E. Director of Public Works 	Date: 7-22-19										
Finance (Budget Approval): <i>If applicable</i>	Date:										
Division Manager: 	Date: 7-23-19										
County Counselor's Office: 	Date: 7/25/19										

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.

**Randy Diehl gave the staff report:**

**RE: RZ-2019-570**

**Applicant:** GA Investing LP

**Location:** 28612 E. Ryan Road

**Area:** 7.37 ± acres in Section 05, Township 48, Range 30

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

**Purpose:** Applicant is requesting the change in zoning to create two residential lots for single family homes. (Ex. 1)

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

The zoning to the North and South is Agricultural. To the East, Ryan's Ridge is a six lot subdivision, zoned Residential Estates. To the West across Taylor Road is the City of Blue Springs, and the City is also to the Northeast of the subject property. (Ex. 2)

Land use in the surrounding area are single family residences. Blue Springs South High School is to the West.

Lot 1 is 3.02 acres and Lot 2 is 4.35 acres. The southeast 2 acres of Lot 2 is impacted by floodplain. (Ex. 3)

Both lots are sufficient in size to support onsite waste-water systems.

There is a sewer easement owned by the City of Blue Springs that's runs through Lot 2. (Ex 4). Connection to this would be at the discretion of the City.

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-2019-570.

Respectfully submitted,

Jackson County Public Works  
Development Division  
Randy Diehl, Administrator

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

There were none

**Mr. Tarpley: Is the applicant here?**

Aaron 14266 Bates City

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

Mr. The City has verbally agreed to us to grant the connection if needed for the east property. The lots are for single family residences. 2000 square foot and up, perhaps.

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

There were none

**Mr. Tarpley: 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. Haley seconded.

*Discussion under advisement*

Mr. Crawford moved to approve. Ms. Mershon seconded.

Ms. Mershon	Approve
Mr. Crawford	Approve
Mr. Haley	Approve
Mr. Gibler	Approve
Ms. Querry	Approve
Chairman Tarpley	Approve

**Motion Carried 6 – 0**

## STAFF REPORT

PLAN COMMISSION  
July 18, 2019

RE: RZ-2019-570

**Applicant:** GA Investing LP  
**Location:** 28612 E. Ryan Road  
**Area:** 7.37 ± acres in Section 05, Township 48, Range 30  
**Request:** Change of zoning from District AG (Agricultural) to District RE (Residential Estates)  
**Purpose:** Applicant is requesting the change in zoning to create two residential lots for single family homes. (Ex. 1)

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

The zoning to the North and South is Agricultural. To the East, Ryan's Ridge is a six lot subdivision, zoned Residential Estates. To the West across Taylor Road is the City of Blue Springs, and the City is also to the Northeast of the subject property. (Ex. 2)

Land use in the surrounding area are single family residences. Blue Springs South High School is to the West.

Lot 1 is 3.02 acres and Lot 2 is 4.35 acres. The southeast 2 acres of Lot 2 is impacted by floodplain. (Ex. 3)

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There is a sewer easement owned by the City of Blue Springs that's runs through Lot 2. (Ex 4). Connection to this would be at the discretion of the City.

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-2019-570.

Respectfully submitted,

Jackson County Public Works  
Development Division  
Randy Diehl, Administrator

Plan Commission July 18, 2019  
 RZ-2019-570

Property Owners Within 185 feet

Parcel Number	owner	address	city	state	code
41-210-13-29-00-0-00-000	ANDERSON DANIEL M & WINONA M	1311 SE EASTRIDGE CIR	BLUE SPRINGS	MO	64014
41-210-08-11-00-0-00-000	BLUE SPRINGS R-4 SCHOOL DISTRICT	1801 NW VESPER	BLUE SPRINGS	MO	64015
41-210-13-32-00-0-00-000	EASTRIDGE MEADOWS HOMEOWNERS ASSOC	PO BOX 596	BLUE SPRINGS	MO	64013
41-200-04-16-00-0-00-000	FERNANDEZ JOSE L	28806 SE RYAN RD	BLUE SPRINGS	MO	64014
41-200-04-03-02-0-00-000	FORKNER SCOTTY & PATIENCE	28611 E RYAN RD	BLUE SPRINGS	MO	64014
41-200-04-04-00-0-00-000	GASSEN TIMOTHY D & CYNTHIA D	28807 E RYAN RD	BLUE SPRINGS	MO	64014
41-200-04-22-00-0-00-000	HALER ROBERT	6206 S INDERWEISSEN RD	BLUE SPRINGS	MO	64014
41-210-13-28-00-0-00-000	MOORE STEPHANIE A	1319 SE EASTRIDGE CIR	BLUE SPRINGS	MO	64014
41-210-08-12-00-0-00-000	REORGANIZED SCHOOL DISTRICT NO IV	704 VESPER	BLUE SPRINGS	MO	64015
41-200-04-21-00-0-00-000	SAGEBIN LEONARDO & JAMIE	144 PINK CAMELLIA LN	LEXINGTON	SC	29072
41-200-04-03-01-0-00-000	VANCE JAMES D	6313 S TAYLOR RD	BLUE SPRINGS	MO	64014
41-200-04-02-00-0-00-000	GA INVESTING LP	1426 HWY TT	BATES CITY	MO	64011



## 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 3, 2019

RE: Public Hearing: RZ-2019-570  
GA Investing LP

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 GA Investing LP for a change of zoning from District AG (Agricultural) on 7.74 ± acres to District RE (Residential Estates). The purpose is to create two residential lots for single family homes. The 7.74 ± acres are located in Section 05, Township 48, Range 30, Jackson County, Missouri, at 28612 E. Ryan 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 18, 2019 at 8:30 a.m. in the Large Conference Room, 2<sup>nd</sup> 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 881-4649.

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*



RZ-2019-570  
GA Investing LP

SE SCENIC DR

Blue Springs

SE EASTRIDGE CIR

Exhibit 1

E RYAN RD

Blue Springs

SE TAYLOR RD

SE HENLEY CT







Exhibit 2

RZ-2019-570  
GA Investing LP

Blue Springs

SE SCENIC DR

SE EASTRIDGE CIR

RYAN RD

Blue Springs

SE HENLEY CT

SE TAYLOR RD

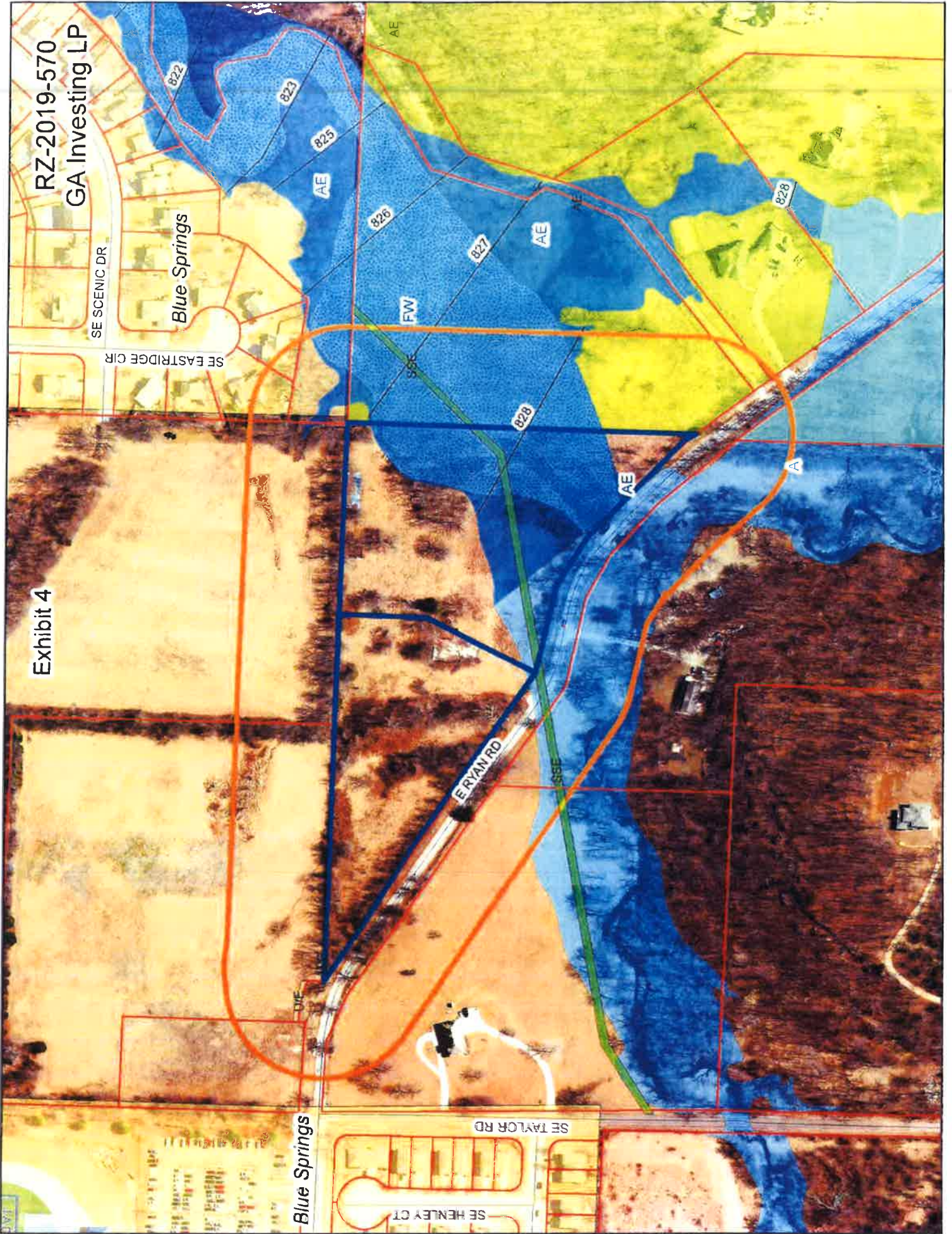






RZ-2019-570  
GA Investing LP

Exhibit 4





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- 2019- 570

Date filed 5-7-19 Date of hearing 7-18-19

Date advertised 7-3-19 Date property owners notified 7-3-19

Date signs posted 7-3-19

Hearings: Heard by PC Date 7-18-19 Decision \_\_\_\_\_  
 Heard by LJ Date \_\_\_\_\_ Decision \_\_\_\_\_  
 Heard by LQ Date \_\_\_\_\_ Decision \_\_\_\_\_

BEGIN APPLICATION HERE:

1. Data on Applicant(s) and Owner(s):
  - a. Applicant(s) Name: Aaron Ford  
 Current Mailing Address: 1426 Hwy TT Bates City Mo 64011  
 Phone: 816-500-9021 email: aford77037703@gmail.com
  - b. Legal Owner of Property: GA Investing LP  
 Current Mailing Address: 1426 Hwy TT Bates City Mo 64011  
 Phone: 816-500-9021 email: aford77037703@gmail.com
  - c. Agent(s) Name: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 Phone: \_\_\_\_\_ email: \_\_\_\_\_



- d. Applicant's interest in Property: 50% owner GP
2. General location (Road Name) SE Ryan Rd Blue Springs.  
SE of Blue Springs South School
3. Present Zoning Ag Requested Zoning Residential Estates
4. AREA (sq. ft. / acres) 7.74 Acres
5. Legal Description of Property: (Write Below or provide copy of deed and survey) 2019 E0010321  
All that part of the NW quarter of the SE 1/4 of section 5  
Township 48, Range 30, in Jackson Cty, MO lying N of Ryan Rd as now established
6. Present Use of Property: Agriculture / Residential
7. Proposed Use of Property: Residential
8. Proposed Time Schedule for Development: Before Aug. 2020 completion
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? Yes  
If so, will any improvements be made to the property which will increase or decrease the elevation? Increase if any
11. Describe the source/method which provides the following services, and what effect the development will have on same:
- a. Water Provider Grain Valley water District
- b. Sewage disposal: Onsite Waste Water  Public Sewer
- c. Electricity KCP&L
- d. Fire and Police protection Blue Springs
12. Describe existing road width and condition: Normal 2 car wide with normal condition
13. What effect will proposed development have on existing road and traffic

conditions? Not much as we are proposing an increase of one family to existing

14. Are any state, federal, or other public agencies approvals or permits required for the proposed development? Unknown

If so, describe giving dates of application and status (include permit numbers and copies of same, if issued): \_\_\_\_\_

The LEGAL OWNER(s) of the property must be signatory to this application. If the owner is also the applicant then only the Property Owner portion needs to be filled out. Applications will not be accepted to move forward without the proper signatories. Verification of ownership will be made using the Tax Rolls and the Recorder of Deeds database.

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 5-7-19  
Property Owner(s) [Signature] \_\_\_\_\_

STATE OF Missouri  
COUNTY OF Jackson

On this 7th day of May, in the year of 2019, before me the undersigned notary public, personally appeared Aaron Michael Ford

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 Bonnie Hammer Commission Expires 12/29/2019



BONNIE K. HAMMER  
My Commission Expires  
December 29, 2019  
Jackson County  
Commission #15116814

Applicant(s):

[Signature]

5-7-19

STATE OF

Missouri

COUNTY OF

Jackson

On this

7th

day of

May

in the year of

2019

before me

the undersigned notary public, personally appeared

Aaron Michael Ford

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

Bonnie Hammer

Commission Expires

12/29/2019



BONNIE HAMMER  
My Commission Expires  
December 29, 2019  
Jackson County  
Commission #15118814

Contract Purchaser(s):

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

STATE OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_

On this \_\_\_\_\_ day of \_\_\_\_\_, in the year of \_\_\_\_\_, before me

the undersigned notary public, personally appeared \_\_\_\_\_

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 \_\_\_\_\_

Commission Expires \_\_\_\_\_





















**RZ-2019-570**

**ATTACHMENT TO RLA 1:**

**Description:**

All that part of the Northwest Quarter of the Southeast Quarter of Section 5, Township 48, Range 30, in Jackson County, Missouri, lying North of Ryan Road, as now established, except part in road, if any.

## **ATTACHMENT TO RLA-2:**

### **Attachments**

Plan Commission Public Hearing Summary from July 18, 2019

Location Map

Staff Report

Affidavit of Publication in Independence Examiner

Names/Addresses of Surrounding Property Owners

Copy of letter to said property owners

Map showing current zoning district in area

County Code Chapter 240 – Unified Development Code

County Master Plan – “Strategy for the Future”

Application

Pictures of Property

Preliminary Plat