



REQUEST FOR LEGISLATIVE ACTION

Completed by County Counselor's Office:

~~Res~~/Ord No.: 4965

Sponsor(s): None

Date: April 3, 2017

SUBJECT	Action Requested <input type="checkbox"/> Resolution <input checked="" type="checkbox"/> Ordinance Project/Title: <u>Mark & Beth Carrick - RZ-2017-547</u>											
BUDGET INFORMATION <i>To be completed By Requesting Department and Finance</i>	<table border="1" data-bbox="316 472 1201 798"> <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> <p>OTHER FINANCIAL INFORMATION:</p> <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, Administrator, Development Division, 881-4577											
REQUEST SUMMARY	Requesting a change of zoning from District AG (Agricultural) on 13.00 ± acres to District RR (Residential Ranchette). The proposed land use is a two lot subdivision. The 13.00 ± acres are located in Section 18, Township 49, Range 30, in Jackson County, Missouri, aka 26005 E. Argo 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	Department Director: Brian D. Gaddie, P.E. Director of Public Works 	Date: _____ Finance (Budget Approval): <i>If applicable</i> Date: _____ Division Manager:  Date: <u>3.24.17</u>										

County Counselor's Office:

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.

ATTACHMENT TO RLA-2:

Attachments

Plan Commission Public Hearing Summary from March 16, 2017

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

RZ-2017-547

ATTACHMENT TO RLA 1:

Description: All that part of the North 20 acres of the Northwest Quarter of the Northwest Quarter of Section 18, Township, 49, Range 30, Jackson County, Missouri, described as follows: Beginning at the Northwest corner of said Section 18, thence due East along the North line of said Section 18, 753.54 feet, thence South 01 degrees, 02 minutes, 46 seconds East, 757.00 feet to the South line of said North 20 acres; thence South 89 degrees, 59 minutes, 39 seconds West along said South line, 753.54 feet, to the West line of said Section 18; thence North 01 degrees, 02 minutes, 49 seconds West along said West line 757.54 feet, to the point of beginning, except part in roads

RE: RZ-2017-547

Randy Diehl gave the staff report:

Applicant: Mark & Beth Carrick

Location: 26005 E. Argo Road

Area: 13.07 ± acres in Section 18, Township 49, Range 30

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

Purpose: Applicant is requesting the change in zoning for a two lot subdivision.

Current Land Use and Zoning in the Area:

The zoning in the immediate area is Agricultural with the majority of the land use being single family residences.

Along Argo Road and Flynn Road there are a few subdivisions with lot sizes ranging from 2 to 5 acres in size. These were developed prior to the Unified Development Code (UDC) and therefore remain within district AG (Agricultural). There are two subdivisions created after 1995 and are within District RE (Residential Estates). The rest of the properties are anywhere from a couple of acres to larger than 10 acres in size.

The City of Independence corporate boundaries are adjacent to the East right of way of State Route 7. The City of Blue Springs corporate boundaries are South and adjacent to the subject property.

County Plan:

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

District RR (Residential Ranchette) is appropriate for the Urban Development Tier.

Recommendation:

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

Staff recommends APPROVAL of RZ-2017-547

Respectfully submitted,

Jackson County Public Works
Development Division
Randy Diehl, Administrator

Mr. Antey: Each of the lots are 6 acres?

Mr. Diehl: Yes

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

Is the applicant here?

Mark Carrick, 18912 E 33rd Terr Ct S, Independence

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

The home will be torn down. Our intent is to rebuild in the same area. The east portion will be for our son. The pipeline that traverses the property was replaced within the last 5 years. I've talked to them (the pipeline company) and they said the line is 5 feet underground. They have requested that anything we run, utility wise, go under the pipeline.

Mr. Tarpley: Can I ask where does this originate?

Mr. Carrick: South Dakota, it's liquid petroleum.

Mr. Antey: *Are there any other questions for the applicant?*

Mr. Tarpley: How wide is the easement?

Mr. Carrick: I believe it's 50 feet wide.

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. Haley seconded.

Discussion under advisement

Mr. Tarpley: As long as staff is going to show an indicator for the pipeline, I have no problem.

Mr. Diehl: We have had a few plats that are along that pipeline and we did show an easement 50 feet wide and labeled as a No Build Zone on each side.

Mrs. Mershon: Is there water connected to the building? (question was directed as the applicant)

Mr. Antey: If we are going to ask the applicant questions, we need to reopen the public hearing.

Mr. Tarpley made a motion to reopen the public hearing. Seconded by Mr. Crawford.

Mr. Tarpley: What about the utilities (water) out there?

Mr. Diehl: Public Water Supply District No. 16 serves that area.

Mr. Crawford: Since there is a common driveway for both lots, is there a need to establish an easement?

Mr. Diehl: Yes, there will be an easement illustrated on the plat for the benefit of the East lot. That access is will be preserved for that use.

Mr. Crawford moved to go back under advisement. Mr. Haley seconded.

Mr. Akins moved to approve. Mr. Gibler seconded.

Mr. Tarpley	Approve
Mr. Gibler	Approve
Mr. Haley	Approve
Mr. Crawford	Approve
Mrs. Mershon	Approve
Mrs. Querry	Approve
Mr. Akins	Approve
Chairman Antey	Approve

Motion Carried 8 – 0.

STAFF REPORT

PLAN COMMISSION

March 16, 2017

RE: RZ-2017-547

Applicant: Mark & Beth Carrick

Location: 26005 E. Argo Road

Area: 13.07 ± acres in Section 18, Township 49, Range 30

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

Purpose: Applicant is requesting the change in zoning for a two lot subdivision.

Current Land Use and Zoning in the Area:

The zoning in the immediate area is Agricultural with the majority of the land use being single family residences.

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County Plan:

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District RR (Residential Ranchette) is appropriate for the Urban Development Tier.

Recommendation:

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

Staff recommends APPROVAL of RZ-2017-547

Respectfully submitted,

Jackson County Public Works
Development Division
Randy Diehl, Administrator

**Plan Commission
March 16, 2017
RZ-2017-547**

Applicants / Property Owners:

**Mark & Beth Carrick
18912 E 33rd Terr Ct S
Independence MO 64057**

23-920-10-06

**Certified Mail – Return Receipt
Property Owners within 185 feet**

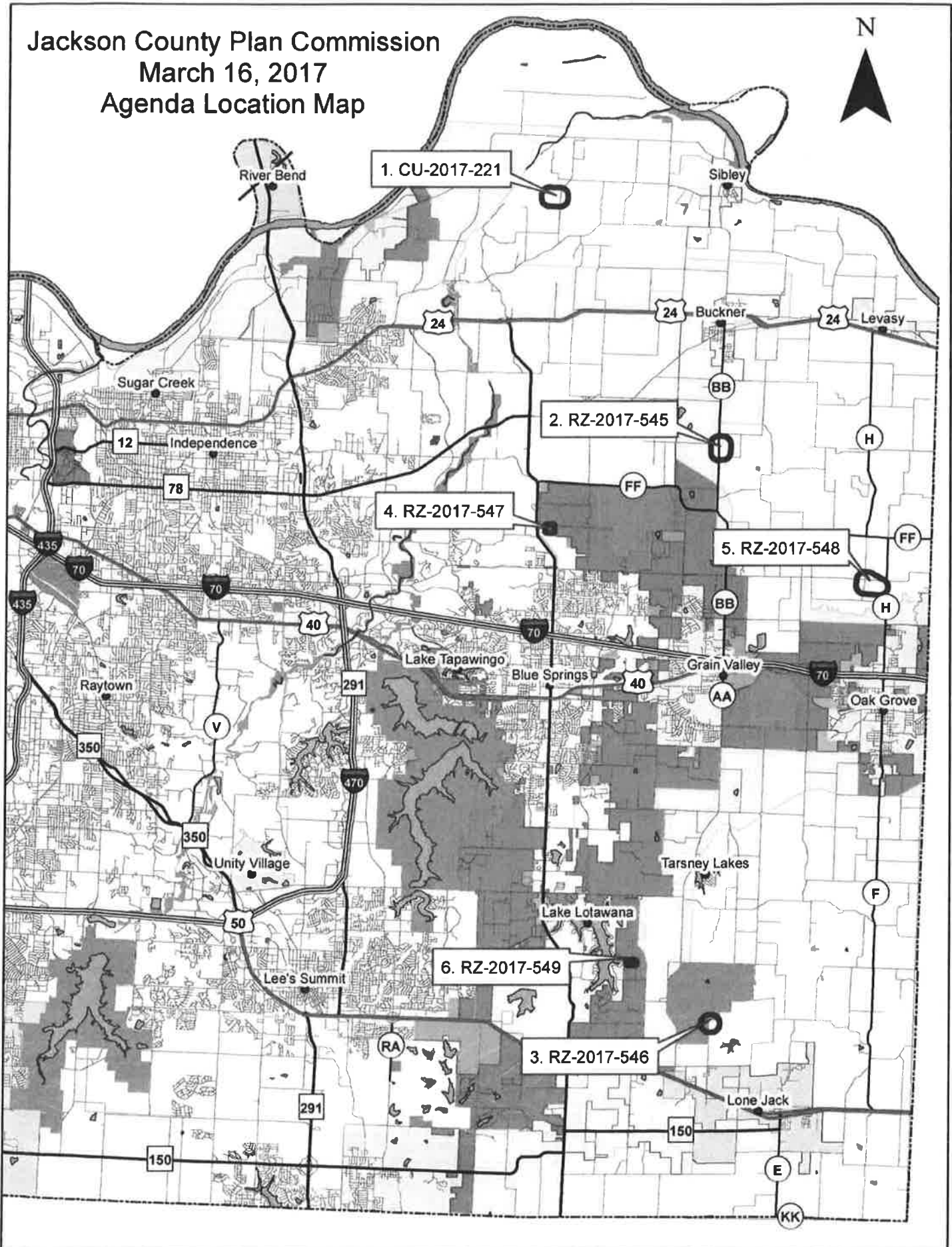
24-700-01-07-03
FIKE CORPORATION
PO BOX 610
BLUE SPRINGS MO 64013

23-400-03-05-02
PORTER BRENDA E
11262 GARNETT ST
OVERLAND PARK KS 66210

24-700-01-01
SALYER DALE W & KRISTA A
25904 E ARGO RD
INDEPENDENCE Mo 64057

23-920-01-08
STETZLER CHAD J & AMY M
26311 E ARGO RD
INDEPENDENCE MO 64057

Jackson County Plan Commission
March 16, 2017
Agenda Location Map



RZ-2017-547
Mark & Beth Carrick



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-2017-547

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: Mark & Beth Carrick
 - Address: 26005 E. Argo Rd
Independence, MO 64057
 - Phone: 816-416-5877
 - b. Owner(s) Name: SAME
 - Address: MAILING ADDRESS: 18912 E. 33rd Terr. Ct. S.
Indep. MO 64057
 - Phone: _____
 - c. Agent(s) Name: SAME

Address: _____

Phone: _____

- d. Applicant's interest in Property: FEE SIMPLE
2. General location (Road Name) 26005 E. Argo Rd,
1/4 mile East of 7-Highway
3. Present Zoning AG Requested Zoning ~~RE~~ RR
4. AREA (sq. ft. / acres) 13.07 AC.
5. Legal Description of Property: (Write Below or Attached 9)
Attached
6. Present Use of Property: Residential
7. Proposed Use of Property: Residential
8. Proposed Time Schedule for Development: 1-year
9. What effect will your proposed development have on the surrounding properties?
Adding one residence
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 Dist 16
 - b. Sewage disposal ON SITE
 - c. Electricity KCP&L
 - d. Fire and Police protection CJCFPD Jackson County Sheriff
12. Describe existing road width and condition: +/- 24' wide asphalt

13. What effect will proposed development have on existing road and traffic conditions? Adding one single-family residence

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): _____

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)	<u>Beth Carrick</u> <u>Mark Carrick</u>	<u>1/30/2017</u> <u>1/30/2017</u>	
Applicant(s):	<u>Beth Carrick</u> <u>Mark Carrick</u>	<u>1/30/2017</u> <u>1/30/2017</u>	
Contract Purchaser(s):	<u>N/A</u>		

STATE OF Missouri
COUNTY OF Jackson

On this 30th day of January, in the year of 2017, before me the undersigned notary public, personally appeared Beth Carrick and Mark Carrick

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 Heather M. Tucker Commission Expires Jan. 13, 2019

HEATHER M. TUCKER
Notary Public - Notary Seal
STATE OF MISSOURI
Jackson County
My Commission Expires Jan. 13, 2019
Commission # 15959859

RZ-2017-547
Mark & Beth Carrick



**CARRICK ACRES MINOR SUBDIVISION
PRELIMINARY PLAN**

LOCATED IN THE NW1/4 NW1/4 SECTION 10,
TOWNSHIP 49 NORTH, RANGE 30 WEST,
JACKSON COUNTY, MISSOURI

LOCATION OF SURVEY TRACT FROM REC.

As shown on the plat, the 20 acres of the northeast quarter of the northeast quarter of Section 10, Township 49 North, Range 30 West, Jackson County, Missouri, are being subdivided into two lots, each of 10 acres. The northeast corner of the northeast quarter of the northeast quarter of Section 10, Township 49 North, Range 30 West, Jackson County, Missouri, is located at the intersection of the northeast corner of the northeast quarter of the northeast quarter of Section 10, Township 49 North, Range 30 West, Jackson County, Missouri, and the northeast corner of the northeast quarter of the northeast quarter of Section 10, Township 49 North, Range 30 West, Jackson County, Missouri.

STATE LEGAL DESCRIPTION OF ADJACENT TRACT

This part of the north 20 acres of the north 1/4 of the north 1/4 of Section 10, Township 49 North, Range 30 West, Jackson County, Missouri, is being subdivided into two lots, each of 10 acres. The northeast corner of the northeast quarter of the northeast quarter of Section 10, Township 49 North, Range 30 West, Jackson County, Missouri, is located at the intersection of the northeast corner of the northeast quarter of the northeast quarter of Section 10, Township 49 North, Range 30 West, Jackson County, Missouri, and the northeast corner of the northeast quarter of the northeast quarter of Section 10, Township 49 North, Range 30 West, Jackson County, Missouri.

CASEWORK

An application for a plat was filed with the Jackson County Clerk, Jackson, Missouri, on the 15th day of May, 2017. The application was accompanied by a plat showing the subdivision of the northeast quarter of the northeast quarter of Section 10, Township 49 North, Range 30 West, Jackson County, Missouri, into two lots, each of 10 acres. The application was approved by the Jackson County Clerk on the 15th day of May, 2017. The plat was recorded in the Jackson County Clerk's office on the 15th day of May, 2017.

SURVEY AND RECORD

The plat was prepared and the survey was conducted by the undersigned, a duly qualified and licensed surveyor in the State of Missouri.

RECORDATION

The undersigned recorder of the above described tract has caused the same to be subdivided as shown on the plat, which shall be known as Carrick Acres, and will consist of 2 (two) lots.

In testimony whereof, I, Mark E. Carrick and Beth A. Carrick

have subscribed their names on this _____ day of _____ 2017

State of Missouri _____

County of Jackson _____

Mark E. Carrick _____ Beth A. Carrick _____

My Commission Expires _____ My Commission Expires _____

This plat was submitted to and approved by the Jackson County Public Health Department on the _____ day of _____ 2017.

By _____ Date _____

This plat was approved by the Jackson County Assessor on the _____ day of _____ 2017.

By _____ Date _____

This plat was approved by the Jackson County Auditor on the _____ day of _____ 2017.

By _____ Date _____

This plat was approved by the Jackson County Treasurer on the _____ day of _____ 2017.

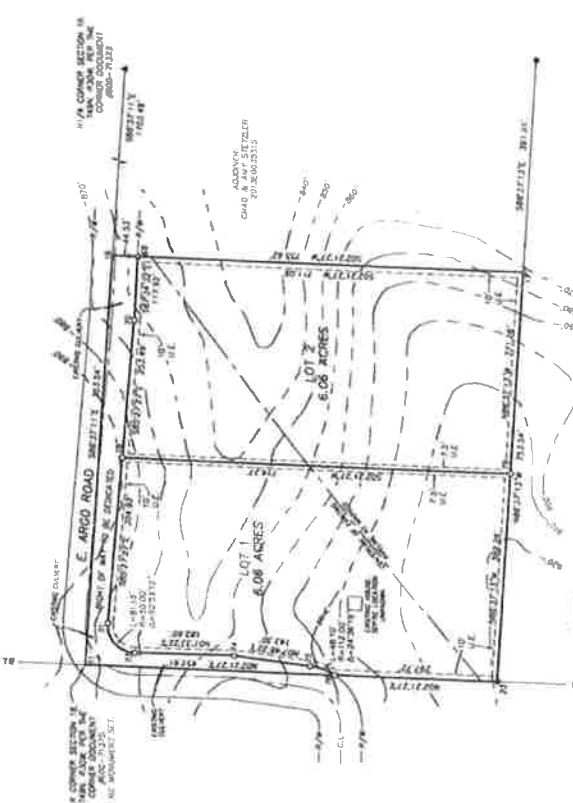
By _____ Date _____

This plat was approved by the Jackson County Clerk on the _____ day of _____ 2017.

By _____ Date _____

This plat was approved by the Jackson County Recorder on the _____ day of _____ 2017.

By _____ Date _____



- C = 2 1/2" IRON CAP
- B = 2" O.D. 1/8" IRON BAR
- = 2 1/2" IRON PIN
- = 2 1/2" IRON PIN
- ▲ = CALCULATED CORNER

STATE PLANE COORDINATES IN METERS

POINT	NORTHING	EASTING
1	4147111.12	614711.12
2	4147111.12	614711.12
3	4147111.12	614711.12
4	4147111.12	614711.12
5	4147111.12	614711.12
6	4147111.12	614711.12
7	4147111.12	614711.12
8	4147111.12	614711.12
9	4147111.12	614711.12
10	4147111.12	614711.12
11	4147111.12	614711.12
12	4147111.12	614711.12
13	4147111.12	614711.12
14	4147111.12	614711.12
15	4147111.12	614711.12
16	4147111.12	614711.12
17	4147111.12	614711.12
18	4147111.12	614711.12
19	4147111.12	614711.12
20	4147111.12	614711.12

LOCATION MAP



NOTES

1. This plat was prepared by Mark E. Carrick and Beth A. Carrick, Surveyors, on the 15th day of May, 2017.
2. Recorded deed information for the adjacent tract can be found in the Jackson County Clerk's office.
3. The subject property is currently zoned Agricultural.
4. This plat was prepared in accordance with the Missouri Surveying and Mapping Act (Chapter 200).
5. Jackson County Community Number 280482, Effective 12/15/2017.
6. Boundary System of Missouri's State Plane North Zone.

I hereby certify that this plat was prepared by me or under my direct supervision and that I am a duly qualified Professional Land Surveyor under the laws of the State of Missouri. I am duly licensed by the Board of Professional Land Surveyors of the State of Missouri. My commission expires on the 15th day of May, 2017. I am the author of this plat and I have caused the same to be recorded in the Jackson County Clerk's office.

SISCO LAND SURVEYING, LLC
PO Box 84
Potosi, MO 65067
MissouriProfessional.com

Project # 15-001-001
Date 05/15/2017

Surveyor
MARK CARRICK
MISSOURI
LICENSE NUMBER MO 04037

Project # 15-001-001