

IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

AN ORDINANCE amending the zoning districts established pursuant to the Unified Development Code by changing a certain 7.2 ± acre tract from District AG (Agricultural) to District RR (Residential Ranchette).

ORDINANCE NO. 4518, April 15, 2013

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 "AG" (Agricultural) District and the "RR" (Residential Ranchette) District, so that there will be transferred from District AG to District RR, a tract of land known as 32204 E. Outer Belt Road and specifically described as follows:

Description: A tract of land in the East Half of the Southeast Quarter of Section 22, Township 47 North, Range 30 West in Jackson County, Missouri, described as follows: Beginning at the Southeast Corner of said Southeast Quarter; thence North 89° 38' 01" West, along the South line of said Quarter Section, a distance of 648.33 feet; thence North 02° 10' 13" East a distance of 254.77 feet; thence North 69° 36' 14" East a distance of 321.35 feet; thence North 03° 28' 01" West a distance of 259.32 feet; thence South 87° 42' 42" East a distance 378.00 feet to a point on the east line of said Southeast Quarter; thence South 02° 17' 18" West, along said East line, a distance of 614.98 feet to the Point of Beginning. (except part in Missouri Route 150).

Section 2. The Legislature, pursuant to the application of William and Shawna Corum (RZ-2013-496), requesting the amendment embodied in this Ordinance and with notice that the Jackson County Plan Commission voted 8 to 0 to recommend APPROVAL of this application after a public hearing on March 21, 2013, 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 No. 4518 introduced on April 15, 2013, was duly passed on May 6, 2013 by the Jackson County Legislature. The votes thereon were as follows:

Yeas 9

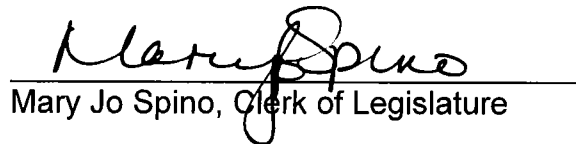
Nays 0

Abstaining 0

Absent 0

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

5-6-13
Date


Mary Jo Spino, Clerk of Legislature

I hereby approve the attached Ordinance No. 4518.

5-6-13
Date


Michael D. Sanders, County Executive

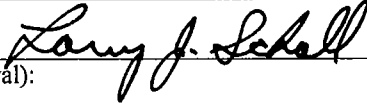
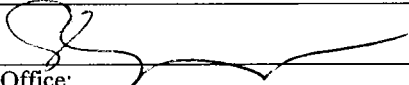

REQUEST FOR LEGISLATIVE ACTION

Completed by County Counselor's Office:

~~Res~~/Ord No.: 4518

Sponsor(s): _____

Date: April 15, 2013

SUBJECT	Action Requested <input type="checkbox"/> Resolution <input checked="" type="checkbox"/> Ordinance Project/Title: <u>William E and Shawna Corum Case No. RZ-2013-496</u>											
BUDGET INFORMATION <i>To be completed By Requesting Department and Finance</i>	<table border="1" data-bbox="347 520 1182 821"> <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 7.2 ± acre tract to District RR (Residential Ranchette). The 7.2 ± acres are located in Section 22, Township 47, Range 30, Jackson County, Missouri aka 32204 E. Outer Belt Road (State Route 150) 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: Larry J. Schall, P.E.  Finance (Budget Approval): If applicable Division Manager:  County Counselor's Office: 	Date: <u>April 2, 2013</u> Date: Date: <u>4/4/13</u> 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.

RZ-2013-496

ATTACHMENT TO RLA 1:

Description: A tract of land in the East Half of the Southeast Quarter of Section 22, Township 47 North, Range 30 West in Jackson County, Missouri, described as follows: Beginning at the Southeast Corner of said Southeast Quarter; thence North 89° 38' 01" West, along the South line of said Quarter Section, a distance of 648.33 feet; thence North 02° 10' 13" East a distance of 254.77 feet; thence North 69° 36' 14" East a distance of 321.35 feet; thence North 03° 28' 01" West a distance of 259.32 feet; thence South 87° 42' 42" East a distance 378.00 feet to a point on the east line of said Southeast Quarter; thence South 02° 17' 18" West, along said East line, a distance of 614.98 feet to the Point of Beginning. (except part in Missouri Route 150)

ATTACHMENT TO RLA-2:

Attachments

Plan Commission Public Hearing Summary from March 21, 2013
Staff report
Names/Addresses of surrounding property owners
Map showing current zoning districts in area
Application
Plat – Corum Manor

Jackson County Plan Commission Summary of Public Hearing

Date: March 21, 2013
Place: Independence City Hall
111 E. Maple, Independence, MO

Attendance: Larry Antey
Sandra Querry
Jack Crawford
Denny Gibler
Tom Haley
Janet Mershon
W.L. Pointer
Bill Tarpley

Staff: Larry Schall
Randy Diehl
Scott George
Jay Haden
Chris Jenkins
June Van Loo
Joan Dickey

Call to Order/Roll Call

Chairman Antey called to order the March 31, 2013 meeting of the Plan Commission and asked that the roll call be taken. Commissioner Akins was absent.

Approval of Record

Chairman Antey asked for a motion to approve the record of January 17, 2013. Ms. Mershon made a motion to approve. Mr. Haley seconded the motion. Voice vote.

Minutes of January 17, 2013, Approved.

Public Hearings

Chairman Antey swore in all persons present to give testimony at the public hearings.

4. RZ-2013-496 – William E and Shawna Corum

Requesting a change of zoning from District AG (Agricultural) on a 7.2 ± acre tract to District RR (Residential Ranchette). The 7.2 ± acres are located in Section 22, Township 47, Range 30, Jackson County, Missouri aka 32204 E. Outer Belt Road (State Route 150).

Mr. George introduced RZ-2013-496 and entered 8 exhibits into record.

Location: 32204 E. Outer Belt Road (Missouri Route 150 Highway), lying in Section 22, Township 47, Range 30, Jackson County, Missouri.

Area: 7.2 ± acres

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

Purpose: The 7.2 ± acres to be platted into proposed subdivision plat, Corum Manor

Current Land Use and Zoning in the Area:

Zoning in the area is agricultural. Property sizes range from 7 acres to 40 acre tracts, containing single family residences.

The City of Lone Jack and the City of Lake Lotawana surrounds this area on all four sides.

Comments:

As stated, the applicant is purchasing 7.2 acres from the 40 acres at 32204 E. Outer Belt Road (150 Highway) and is planning on building a single family residence. The remaining acreage will remain within the District AG (Agricultural) being that it is over the 10 acre minimum. Highway is controlled by the Missouri Department of Transportation (MoDOT). The applicant has met with MoDOT and received approval for a driveway location.

The proposed subdivision and lot size are compatible with adjacent uses.

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-2013-496

Mr. Tarpley asked if this was for one house.

Mr. George said yes.

Mr. Antey so it is taking 8 plus acres off a 40 acre plat.

Mr. George stated exactly.

Mr. Antey and then the remaining 40 acres will remain AG.

Ms. Antey asked if the applicant was present.

Mark Epstein I am an attorney with the law firm Roe & Epstein I represent Billy and Shanna Corum. The folks want to move from Lee's Summit out to the country.

No questions for the applicant's representative.

Mr. Antey made a motion to take RZ-2013-496 under advisement. Mr. Pointer made the motion and Ms. Mershon seconded. RZ-2013-496 is under advisement.

Ms. Mershon moved to approve RZ-2013-496, Mr. Haley seconded.

Mr. Crawford	APPROVE
Mr. Haley	APPROVE
Mr. Gibler	APPROVE
Ms. Mershon	APPROVE
Mr. Pointer	APPROVE
Ms. Querry	APPROVE
Mr. Tarpley	APPROVE
Mr. Antey	APPROVE

RZ-2013-496 – APPROVED (8-0)

Motion was made to end the meeting by Mr. Haley and seconded by Mr. Tarpley.

Meeting Adjourned 9:33 am.

STAFF REPORT

PLAN COMMISSION

March 21, 2013

RE: RZ-2013-496

Applicant: William E and Shawna Corum

Location: 32204 E. Outer Belt Road (Missouri Route 150 Highway), lying in Section 22, Township 47, Range 30, Jackson County, Missouri.

Area: 7.2 ± acres

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

Purpose: The 7.2 ± acres to be platted into proposed subdivision plat, Corum Manor

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Comments:

As stated, the applicant is purchasing 7.2 acres from the 40 acres at 32204 E. Outer Belt Road (150 Highway) and is planning on building a single family residence. The remaining acreage will remain within the District AG (Agricultural) being that it is over the 10 acre minimum. Highway is controlled by the Missouri Department of Transportation (MoDOT). The applicant has met with MoDOT and received approval for a driveway location.

The proposed subdivision and lot size are compatible with adjacent uses.

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-2012-496

Respectfully submitted,
Planning and Environmental Health Division

Randy Diehl
Planning and Zoning Coordinator

**Plan Commission
March 21, 2013
RZ-2013-496**

Applicants / Property Owners:

**William E and Shawna Corum
1804 SW Fountain Drive
Lee's Summit, MO 64081**

Parcel No: 73-300-04-07-00-0-00-000

**Certified Mail – Return Receipt
Property Owners within 300 feet**

**73-300-04-07-00-0-00-000
John & Marsha Beckwith
32204 Outer Belt Road
Lee's Summit, MO 64086**

**73-200-03-01-00-0-00-000
Gibson Family LTD Partnership
28708 E. Lone Jack Lee's Summit Rd
Lee's Summit, MO 64086**

**73-200-03-02-00-0-00-000
Gibson Family LTD Partnership
28708 E. Lone Jack Lee's Summit Rd
Lee's Summit, MO 64086**

**73-300-01-05-03-0-00-000
Todd Gibson Trust
13311 E. Noel
Lee's Summit, MO 64086**

**73-200-02-13-00-0-00-000
Gerald & Judy Haines
712 SE Claremont
Lee's Summit, MO 64063**

**73-200-03-05-00-0-00-000
Anthony & Dawn Halfmann
226 Lakota Lane
Lone Jack, MO 64086**

**73-500-01-04-01-2-00-000
LOJAMO LLC
PO Box 418679
Kansas City, MO 64141-9679**

**73-200-03-03-00-0-00-000
Mark Smith –TRUSTEE
PO Box 345
Lone Jack, MO 64070**

**73-200-03-04-00-0-00-000
Mark Smith –TRUSTEE
PO Box 345
Lone Jack, MO 64070**

**73-400-01-01-00-0-00-000
The Brain Farm LLC
2413 SW Lilly Drive
Lee's Summit, MO 64081**

**73-300-04-06-01-0-00-000
Dennis & Jana Weaver – TRUSTEES
31806 E. Outer Belt Road
Lee's Summit, MO 64086**

**73-200-02-14-00-0-00-000
Chris & Melia Worthington
222 Lakota Lane
Lone Jack, MO 64086**



Jackson County
Zoning Map

Legend

- 300' Notification
- Addresses**
- < all other values >**
- PRIMARY ADD**
- Future No.
- Park
- Multiple
- Primary
- Secondary Rcs
- Utility
- Legislative Action
- Streets
- < all other values >**
- parcels
- < all other values >**
- Pending
- Rezoning**
- Pending
- Zoning**
- RR-Residential Ranchette
- Residential Ranchette-Planned
- RE-Residential Estates
- RS-Residential Suburban
- RU-Residential Urban
- A1/Single-Family
- R1/Two-Family
- C1/Multi-Family
- A1-Mobile Homes District
- ROP-Residential Office-Planned
- LB-Local Business
- LBP-Local Business-Planned
- GB-General Business
- GBP-General Business-Planned
- LI-Light Industrial
- LIP-Light Industrial-Planned
- HI-Heavy Industrial



EX. 5

RZ-2013-496

Ord

1 inch = 200 feet

**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- 2013 - 496

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: William E. Corum + Shawna Y. Corum
- Address: 1804 SW FOUNTAIN DRIVE
LEE'S SUMMIT, MO 64081
- Phone: 816-225-6060
- b. Owner(s) Name: SAME
- Address: _____
- Phone: _____
- c. Agent(s) Name: MARK EPSTEIN (ATTORNEY)

Address: 920 MAIN STREET, STE. 270, KANSAS CITY, MO 64105

Phone: 913-963-1025

d. Applicant's interest in Property: OWNER

2. General location (Road Name) 32204 EAST OUTER BELT ROAD
LEE'S SUMMIT, MO 64086

3. Present Zoning AGRICULTURAL Requested Zoning RR

4. AREA (sq. ft. / acres) 66 ACRES

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

SEE ATTACHED

6. Present Use of Property: VACANT

7. Proposed Use of Property: SINGLE FAMILY RESIDENCE

8. Proposed Time Schedule for Development: 12-18 MONTHS

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

NONE. LARGE LOT SINGLE FAMILY RESIDENCE IS CONSISTENT WITH AREA

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 DISTRICT 15

b. Sewage disposal SEPTIC

c. Electricity KCP&L

d. Fire and Police protection CLOSEST FIRE = LONE JACK / POLICE = JACKSON COUNTY

12. Describe existing road width and condition: FRONTAGE ON MO-150, IMPROVED TWO-LANE HWY.

13. What effect will proposed development have on existing road and traffic conditions? NONE - ONE HOUSE WITH ONE DRIVEWAY

14. Are any state, federal, or other public agencies approvals or permits required for the proposed development? YES - MO-DOT DRIVEWAY PERMIT

If so, describe giving dates of application and status (include permit numbers and copies of same, if issued): PER CONVERSATION WITH MIKE HOLLOWAY @ MO-DOT, DRIVEWAY ENTRANCE WILL BE APPROVED AT LOCATION INDICATED ON SURVEY.

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)

William E. Corum
Shawna Corum

2-17-13

2-17-13

Applicant(s):

Contract Purchaser(s):

STATE OF Missouri
COUNTY OF Jackson

On this 17th day of Feb., in the year of 2013, before me the undersigned notary public, personally appeared William Corum and Shawna Corum

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 Mary K. McQueen

Commission Expires 04-03-16

Mary K. McQueen

