

Request for Legislative Action

Completed by County Counselor's Office			
Action Requested:	Ordinance	Res.Ord No.:	5519
Sponsor(s):	Tony Miller	Legislature Meeting Date:	6/14/2021

Introduction
Action Items: ['Authorize']
Project/Title:
Dennis H Vanarsdall & Donna J Bree - RZ-2021-604

Request Summary
<p>Requesting a change of zoning from District AG (Agricultural) on 11.2 ± acres to District RE (Residential Estates). The purpose is to create three residential lots at Buckner Tarsney and Hanna Roads. 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 May 20, 2021 and accepted testimony pertaining to the rezoning request. The Plan Commission voted 6 to 0 to recommend <u>APPROVAL</u> to the County Legislature.</p>

Contact Information			
Department:	Public Works	Submitted Date:	5/24/2021
Name:	Randy Diehl	Email:	rdiehl@jacksongov.org
Title:	Development Division	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: Zoning - 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

Randy Diehl at 5/24/2021 1:18:20 PM - [Submitted |]
Department Director: Brian Gaddie at 5/25/2021 3:16:35 PM - [Returned for more information | Adjust attachments, as discussed.]
Submitter: Randy D. Diehl at 5/26/2021 7:53:57 AM - [Submitted | Revised support documentation provided]
Department Director: Brian Gaddie at 6/1/2021 10:25:31 AM - [Approved |]
Finance (Purchasing): Barbara J. Casamento at 6/1/2021 11:24:40 AM - [Not applicable |]
Audit: Katie M. Bartle at 6/1/2021 1:07:38 PM - [Approved | eRLA 107]
Finance (Budget): Mark Lang at 6/2/2021 10:35:33 AM - [Not applicable |]
Executive: Troy Schulte at 6/2/2021 11:16:52 AM - [Approved |]
Legal: Elizabeth Freeland at 6/4/2021 1:05:14 PM - [Approved |]

RZ-2021-604

ATTACHMENT 1: PROPERTY DESCRIPTION

Description:

A tract of land being part of Lot 2, Vanarsdall Ridge, Lots 1 & 2, a subdivision located in part of the Southeast Quarter of the Northeast Quarter of Section 27, Section 50 North, Range 30 West, Jackson County, Missouri, and being more particularly described as follows:

Commencing at the East Quarter Corner of said Section 27; thence along the East line of said Section 27, North 02 degrees, 53 minutes, 00 seconds East, 259.34 feet; thence leaving said East line, North 87 degrees 07 minutes, 00 seconds West, 40.00 feet, to a point of the East line of said Lot 2 and being a point of the West right-of-way line of Buckner Tarsney Road, as now established, the point of beginning;

Thence from the point of beginning along said West right-of-way and said East line, South 02 degrees 53 minutes 00 seconds West, 169.17 feet, thence continuing along said West right-of-way line and said East line, South 48 degrees 03 minutes 56 seconds West, 71.56 feet, to a point on the North right-of-way line of Hanna Road, as now established and being a point on the South line of said Lot 2; thence along said North right-of-way line and said South line, North 87 degrees 16 minutes 59 seconds West, 1240.47 feet to the Southwest corner of said Lot 2; thence leaving said North right-of-way line and along the West line of said Lot 2, North 02 degrees 44 minutes 15 seconds East, 949.31 feet, to the Northwest corner of said Lot 2; thence along the North line of said Lot 2, South 89 degrees 11 minutes 36 seconds East, 194.04 feet; thence leaving said North line, South 01 25 minutes 16 seconds East, 700.04 feet; thence North 89 degrees 11 minutes 36 seconds East 612.84 feet; thence South 78 degrees 14 minutes 03 seconds East 440.78 feet to the point of beginning.

RZ-2021-604

ATTACHMENT 2: ZONING SUPPORT DOCUMENTATION

Attachments

Public Hearing Summary from May 20, 2021 Plan Commission

Staff Report

Location Map

Map showing current zoning district in area

Names/Addresses of Surrounding Property Owners

Copy of letter to said property owners

Application

Lot Layout

Pictures

Randy Diehl gave the staff report:

PLAN COMMISSION

May 20, 2021

RE: RZ-2021-604

Applicant: Dennis H Vanarsdall & Donna J Bree

Location: Northwest corner of Buckner Tarsney and Hanna Roads

Area: 11.2 ± acres

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

Purpose: The purpose is to create three residential lots, one lot of 5.22 acres and two lots of 3.00 acres

Current Land Use and Zoning in the Area:

The surrounding land use is agricultural and residential lots. To the South across Hanna Road is Sundown Valley and Snead's Valley View, both developments prior to the Unified Development Code in 1995. Shadow Ridge Estates was platted in 1998 within District RR (Residential Ranchette). There are some smaller lots and tracts at the southeast corner that contain single family homes. To the East is the City of Buckner.

There is a 195 foot monopole within a 100 x 100 foot leased area on the 5.22 proposed lot. This CUP was approved in 2007 for a period of 15 years.

County Plan:

The County Plan Development Diagram illustrates this area within the Suburban Development Tier (SDT).

The Residential Estates is appropriate for the Suburban Development Tier.

Recommendation:

Staff recommends APPROVAL of RZ-2021-604

Respectfully submitted,

Jackson County Public Works
Development Division
Randy Diehl, Administrator

Mr. Antey: Are there any questions for Randy?

(Mr. Antey) So the monopole stays within Lot 1?

Mr. Diehl: Yes.

Me. Hilliard: Will they use the same driveway?

Mr. Diehl: Not Necessarily. An additional driveway could be put it separate from the tower driveway.

Mr. Hilliard: Will the other lots be accessed off of Hanna Road as well.

Mr. Diehl: More than likely, yes. There is sufficient site distance along Hanna Road for driveway access. The Missouri Department of Transportation would have jurisdiction on whether or not the corner lot would be able to access from Buckner Tarsney Road.

Mr. Antey: Is the applicant here?

Dennis Vanarsdall: 34501 E Pink Hill Road

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

Mr. Vanarsdall: No, I don't.

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?

Connie Roman: 1604 NW Stonecrest Ct, Blue Springs. I would the farmland to the South. As more city people move out and build houses, they often did not understand they need to build a fence if they are going to have animals. Is there any way it could be voted they should build a fence? They may not realize this is an agricultural area and they may be dust. There will be dirt, chemicals, load noises. There will be lights from the young man who farms my land also has a full-time job. He will at times work after dark.

I support Dennis on why he wants to sell his land.

Mr. Antey: We can't mandate that somebody has to have a fence. However, there is an ordinance relating to keeping your animals on your own property.

Motion to take under advisement.

Mr. Tarpley moved to take under advisement. Ms. Mershon seconded.

Discussion under advisement

Mr. Tarpley moved to approve RZ-2021-604. Ms. Mershon seconded.

Mr. Tarpley	Approve
Mr. Haley	Approve
Mr. Crawford	Approve
Mr. Hilliard	Approve
Ms. Mershon	Approve
Chairman Antey	Approve

Motion Carried 7 – 0

STAFF REPORT

PLAN COMMISSION

May 20, 2021

RE: RZ-2021-604

Applicant: Dennis H Vanarsdall & Donna J Bree

Location: Northwest corner of Buckner Tarsney and Hanna Roads

Area: 11.2 ± acres

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

Purpose: The purpose is to create three residential lots, one lot of 5.22 acres and two lots of 3.00 acres

Current Land Use and Zoning in the Area:

The surrounding land use is agricultural and residential lots. To the South across Hanna Road is Sundown Valley and Snead's Valley View, both developments prior to the Unified Development Code in 1995. Shadow Ridge Estates was platted in 1998 within District RR (Residential Ranchette). There are some smaller lots and tracts at the southeast corner that contain single family homes. To the East is the City of Buckner.

There is a 195 foot monopole within a 100 x 100 foot leased area on the 5.22 proposed lot. This CUP was approved in 2007 for a period of 15 years.

County Plan:

The County Plan Development Diagram illustrates this area within the Suburban Development Tier (SDT).

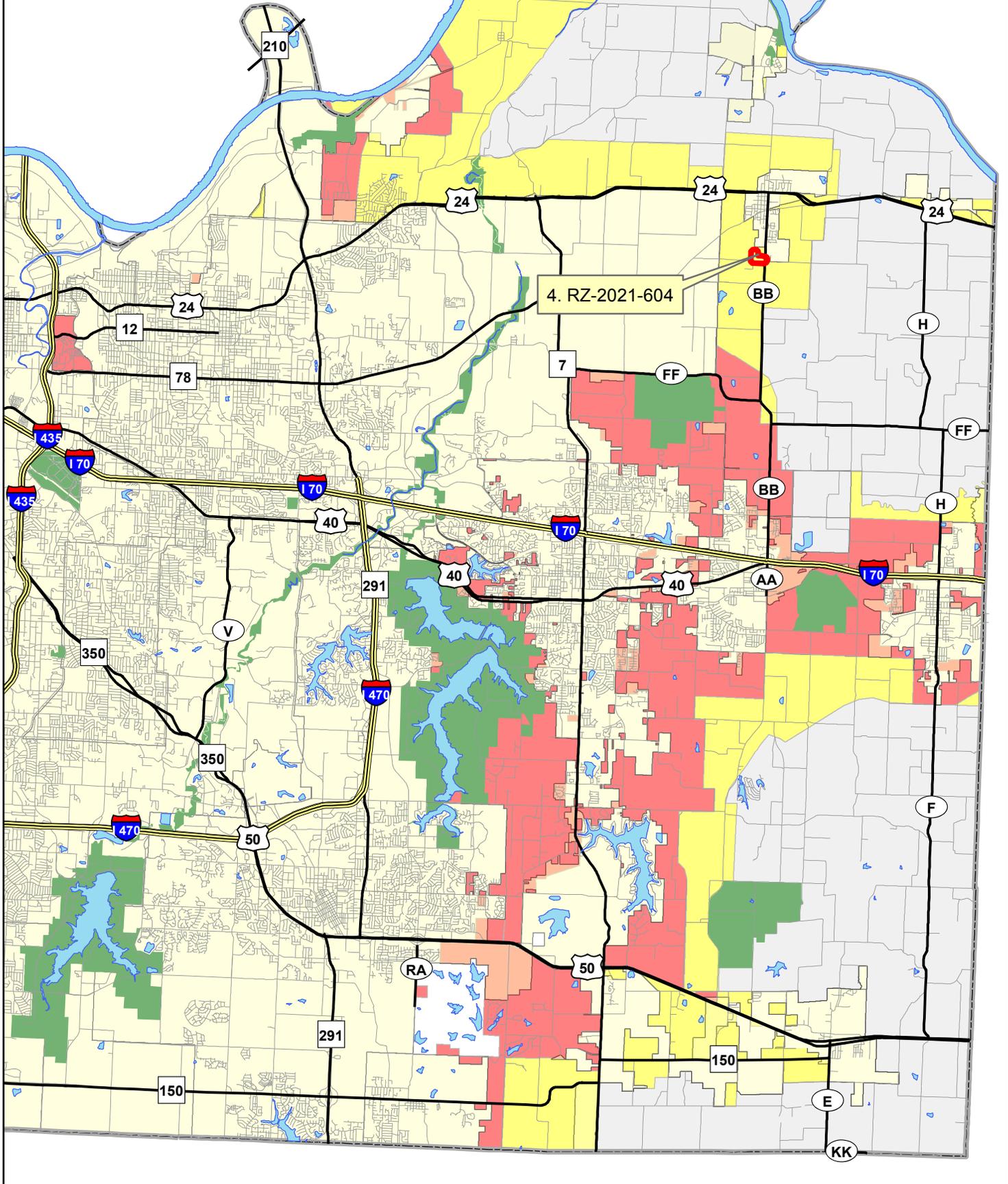
The Residential Estates is appropriate for the Suburban Development Tier.

Recommendation:

Respectfully submitted,

Jackson County Public Works
Development Division
Randy Diehl, Administrator

Jackson County Plan Commission
May 20, 2021
Agenda Location Map



RZ-2021-604

N BUCKNER TARSNEY RD

N BUCKNER TARSNEY RD

MEADOW RIDGE

NEIL CHILES RD

E HANNA RD

E SUNDOWN VALLEY RD

Buckner

AG

1

RE

3

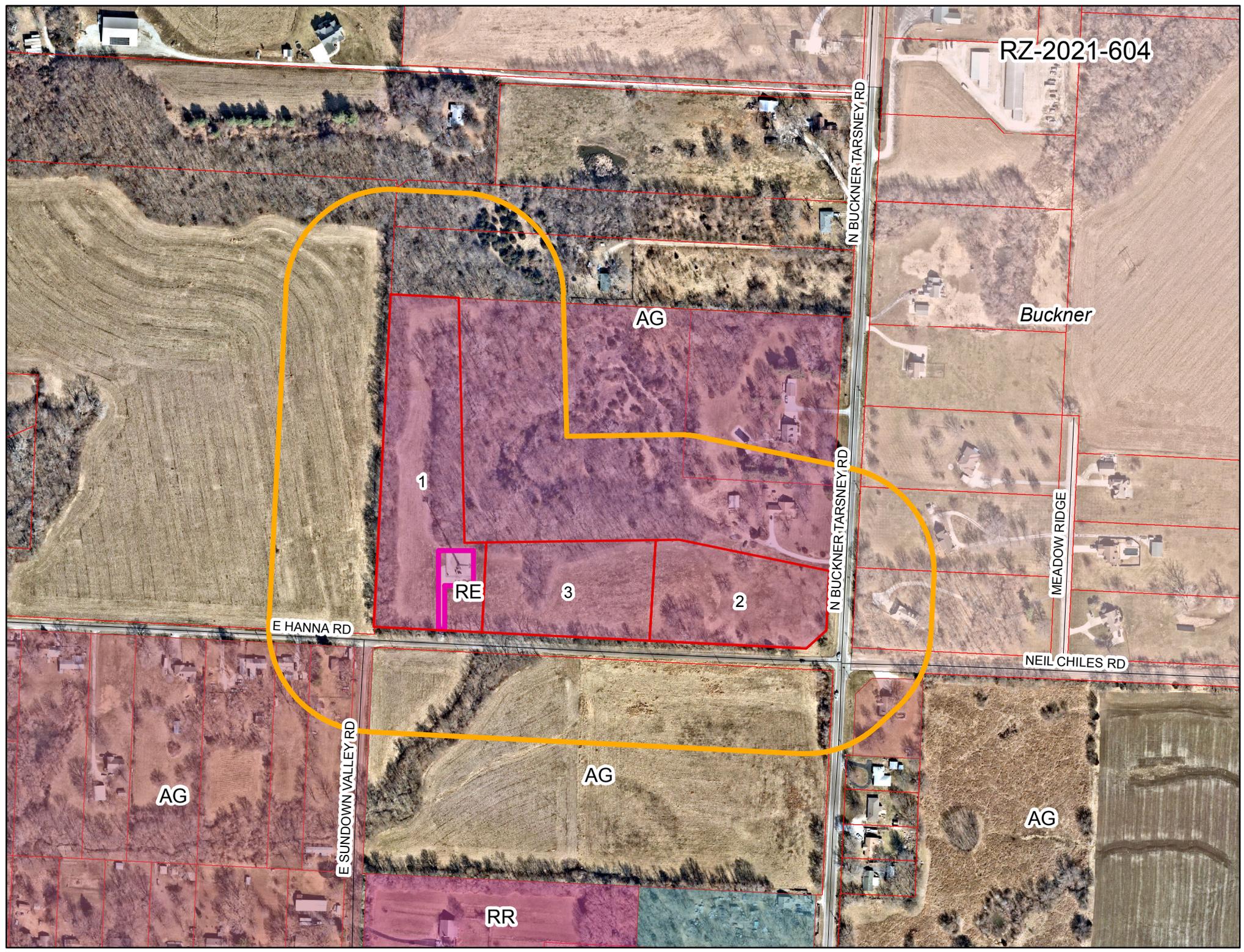
2

AG

AG

RR

AG



Plan Commission May 20, 2021

RZ-2021-604

Property Owners Within 300 feet

Parcel	Name	Address	City	State	Zip
19-400-01-15-00-0-00-000	BUSHART TIMOTHY PAUL JAMES & SHANA DIANE	1024 N BUCKNER TARSNEY RD	BUCKNER	MO	64016
19-400-04-02-00-0-00-000	MOSLEY HAROLD D & SANDRA R	31909 E HANNA RD	BUCKNER	MO	64016
19-500-03-09-00-0-00-000	KELLOUGH KIRK & RENE	PO BOX 596	BUCKNER	MO	64016
19-400-01-10-00-0-00-000	CAMPFIELD EVERETTE C	1124 N BUCKNER TARSNEY RD	BUCKNER	MO	64016
19-500-02-03-00-0-00-000	TIMOTHY BYERS & ARACELI RIVERA	1810 MEADOW RIDGE	BUCKNER	MO	64016
19-400-04-01-00-0-00-000	ROMAN CONNIE ELAINE SHROUT-TRUSTEE	1604 NW STONECCREST CT	BLUE SPRINGS	MO	64015
19-400-04-03-00-0-00-000	WHITE REID A	31903 E HANNA RD	BUCKNER	MO	64016
19-500-02-05-00-0-00-000	ROUSH JOHN E & STEPHANIE L	1830 MEADOW RIDGE	BUCKNER	MO	64016
19-400-01-06-00-0-00-000	ROMAN CONNIE ELAINE SHROUT-TRUSTEE	1604 NW STONECCREST CT	BLUE SPRINGS	MO	64015
19-500-02-04-00-0-00-000	REXFORD WILLIAM D & DENA M	1820 MEADOW RIDGE	BUCKNER	MO	64016
19-400-01-09-00-0-00-000	RICHARDSON DAVID N & TONIA R	1104 BUCKNER TARSNEY RD	BUCKNER	MO	64016
19-400-01-16-00-0-00-000	VANARSDALL DENNIS H & DONNA BREE	1018 N BUCKNER TARSNEY RD	BUCKNER	MO	64016



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

May 5, 2021

RE: Public Hearing: RZ-2021-604
Dennis H Vanarsdall & Donna J Bree

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 Dennis H Vanarsdall & Donna J Bree for a change of zoning from District AG (Agricultural) on 11.2 ± acres to District RE (Residential Estates). The purpose is to create three residential lots at Buckner Tarsney and Hanna Roads.

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 300' of the subject property.

The public hearing on this matter will be held by the Plan Commission on Thursday, May 20, 2021 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 881-4649.

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

**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- 2021-604
Date filed 4-7-21 Date of hearing 5-20-21
Date advertised 5-5-21 Date property owners notified 5-5-21
Date signs posted 5-5-21
Hearings: Heard by PC Date 5-20-21 Decision _____
Heard by W Date _____ Decision _____
Heard by LG Date _____ Decision _____

BEGIN APPLICATION HERE:

1. Data on Applicant(s) and Owner(s):

- a. Applicant(s) Name: Dennis Vanarsdall
Current Mailing Address: 34501 E. Pink Hill Rd. GRAIN Valley MD 64029
Phone: 816-679-5225 email: _____
- b. Legal Owner of Property: Dennis Vanarsdall
Current Mailing Address: 34501 E Pink Hill Rd GRAIN Valley MD 64029
Phone: 816-679-5225 email: _____
- b. Legal Owner of Property: Donna Bree
Current Mailing Address: 2421 NW Ashurst Dr L.S. MD 64081
Phone: 816-697-3373 email: _____

2. General location (Road Name) N.W. corner of Buckner - TARSNEY Rd + HANNA Rd.
3. Present Zoning Agriculture Requested Zoning Residential
4. AREA (sq. ft. / acres) 11.2 Acres
5. Legal Description of Property: (Write Below or provide copy of deed and survey)
TRACT 2 of Lot 2 of Vanarsdall Ridge
-
6. Present Use of Property: Agriculture
7. Proposed Use of Property: Ag + Res
8. Proposed Time Schedule for Development: Just selling 6 acres of LAND
9. What effect will your proposed development have on the surrounding properties?
Add one or two houses
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 Provider Dist. 16
 - b. Sewage disposal: Onsite Waste Water Public Sewer
 - c. Electricity E Vergy
 - d. Fire and Police protection FORT OSAGE
12. Describe existing road width and condition: Blacktop Normal width
-
13. What effect will proposed development have on existing road and traffic conditions? Very Little - one or two driveways

14. Are any state, federal, or other public agencies approvals or permits required for the proposed development? No

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 _____
Property Owner(s) Dennis H. Vanarsdall 3-11-21
Donna J Bree 3-11-21

STATE OF Missouri
COUNTY OF JACKSON

On this 11 day of MARCH, in the year of 2021, before me the undersigned notary public, personally appeared Dennis H. Vanarsdall
and Donna J Bree

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 TE Commission Expires FEB 12, 2023



THERESA BELLAND
My Commission Expires
February 12, 2023
Jackson County
Commission #00414027

RZ-2021-604

N BUCKNER TARSNEY RD

Buckner

N BUCKNER TARSNEY RD

NEIL CHILES RD

E HANNA RD

1

3

2

6

6







