

## Request for Legislative Action

Ordinance No.: 5817  
Date: November 27, 2023

### Completed by County Counselor's Office

Action Requested:	Ordinance	Res.Ord No.:	5817
Sponsor(s):		Legislature Meeting Date:	11/27/2023

### Introduction

**Action Items:** ['Authorize']

**Project/Title:**

RZ-2023-660 – Brett Clark

### Request Summary

Requesting a change of zoning within District AG (Agricultural) and District RR (Residential Ranchette). The purpose is to reconfigure the zoning districts to match the new lot layout at 27002 & 27108 E. Hunter Road.

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 November 16, 2023, and accepted testimony pertaining to the rezoning request. There was no opposition to the request.

The Plan Commission voted 5 to 0 to recommend APPROVAL to the County Legislature.

### Contact Information

<b>Department:</b>	Public Works	<b>Submitted Date:</b>	11/16/2023
<b>Name:</b>	Randy D. Diehl	<b>Email:</b>	RDiehl@jacksongov.org
<b>Title:</b>	Development Administrator	<b>Phone:</b>	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

<b>Prior Legislation</b>	
<b>Prior Ordinances</b>	
Ordinance:	Ordinance date:
<b>Prior Resolution</b>	
Resolution:	Resolution date:

<b>Purchasing</b>	
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?	

<b>Compliance</b>	
<b>Certificate of Compliance</b>	
Not Applicable	
<b>Minority, Women and Veteran Owned Business Program</b>	
Goals Not Applicable for following reason: not spending money	
MBE:	.00%
WBE:	.00%
VBE:	.00%
<b>Prevailing Wage</b>	
Not Applicable	

<b>Fiscal Information</b>	
<ul style="list-style-type: none"><li>This legislative action does not impact the County financially and does not require Finance/Budget approval.</li></ul>	

## Request for Legislative Action

### History

Submitted by Public Works requestor: Randy D. Diehl on 11/16/2023. Comments:

Approved by Department Approver Brian Gaddie on 11/16/2023 10:36:10 AM. Comments:

Not applicable by Purchasing Office Approver Barbara J. Casamento on 11/16/2023 10:50:57 AM. Comments:

Approved by Compliance Office Approver Ikeela Alford on 11/16/2023 10:56:19 AM. Comments:

Approved by Budget Office Approver David B. Moyer on 11/16/2023 11:14:15 AM. Comments:

Approved by Executive Office Approver Sylvya Stevenson on 11/17/2023 8:56:37 AM. Comments:

Approved by Counselor's Office Approver Jamesia Manning on 11/21/2023 10:52:50 AM. Comments:

**RZ-2023-660**

**ATTACHMENT 1: PROPERTY DESCRIPTION**

**Description:**

Lot 1A, Sunrise Valley Replat, a subdivision in Jackson County, Missouri.

Tract A, Sunrise Valley Replat, a subdivision in Jackson County, Missouri.

RZ-2023-660

ATTACHMENT 2: ZONING SUPPORT DOCUMENTATION

Attachments

Plan Commission Public Hearing Summary from November 16, 2023

Staff Report

Zoning map of surrounding area

Names and addresses of surrounding property owners

Letter to surrounding property owners

Application

Aerial of location

Preliminary Plat – Sunrise Valley Replat

**Randy Diehl gave the staff report:**

**RE: RZ-2023-660**

**Applicant:** Brett Clark

**Location:** 27108 & 27002 E. Hunter Road

**Area:** 19.00 ± acres

**Request:** The purpose is to reconfigure the zoning districts to match the new lot layout

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

The zoning in the area is predominately Agricultural. Development around the subject property was developed prior to the adoption of the Unified Development Code in 1995.

The original plat layout was created in 1998 and was rezoned accordingly.

The applicant wishes to reconfigure the line between Tract I and the 13.5 acres to the north to reflect the current use of the properties.

The zoning needs to be configured to match the new lot layout.

**County Plan:**

The County Plan Development Diagram illustrates this area within the Rural Development Tier (RDT).

**Recommendation:**

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

Staff recommends APPROVAL of RZ-2023-660.

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?***

Brett Clark: 27002 E. Hunter Road, Sibley

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

Mr. Clark: No, I think it was covered completely.

**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. Lake moved to take under advisement. Mr. Monaco seconded.

*Discussion under advisement*

Mr. Lake moved to approve. Ms. Ryerkerk seconded.

Mr. Monaco	Approve
Mr. Lake	Approve
Ms. Ryerkerk	Approve
Mr. Crawford	Approve
Chairman Antey	Approve

Motion Carried 5 – 0

## **STAFF REPORT**

### **PLAN COMMISSION**

**November 16, 2023**

**RE: RZ-2023-660**

**Applicant:** Brett Clark

**Location:** 27108 & 27002 E. Hunter Road

**Area:** 19.00 ± acres

**Request:** The purpose is to reconfigure the zoning districts to match the new lot layout

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

The zoning in the area is predominately Agricultural. Development around the subject property was developed prior to the adoption of the Unified Development Code in 1995.

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The zoning needs to be configured to match the new lot layout.

#### **County Plan:**

The County Plan Development Diagram illustrates this area within the Rural Development Tier (RDT).

#### **Recommendation:**

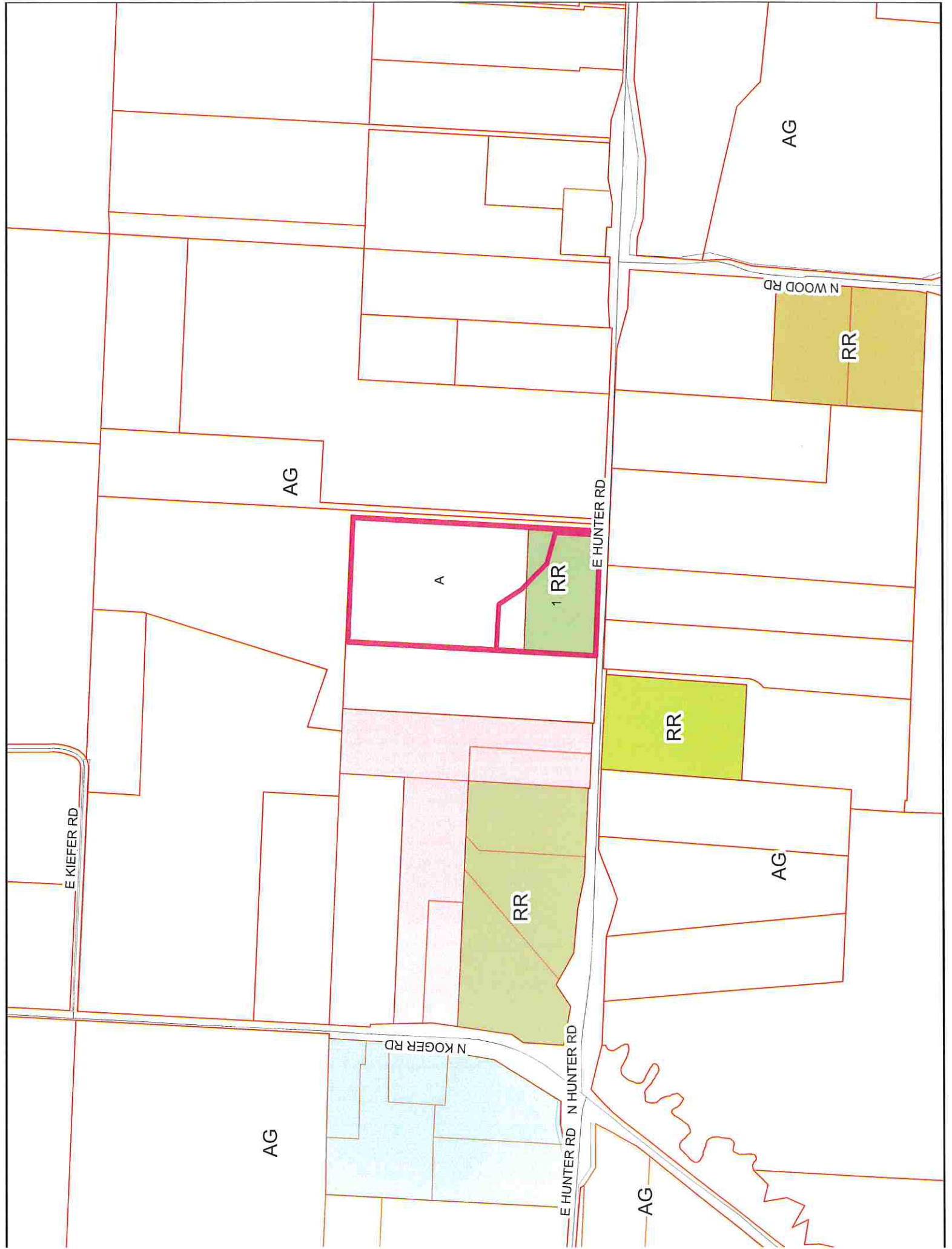
This request for rezoning is consistent with the intent and purpose of the County Plan.

Staff recommends APPROVAL of RZ-2023-660.

Respectfully submitted,

Jackson County Public Works  
Development Division  
Randy Diehl, Administrator





Plan Commission September 21, 2023

RZ-2023-660

Property Owners Within 1000 feet

Parcel	owner	address	city	state	zip
04-900-04-08-01-3-00-000	ALCORN JACOB CHARLES & JESSICA	27202 E HUNTER RD	SIBLEY	MO	64088
08-310-01-08-00-0-00-000	PRICE MARK & DEBORAH	26919 E HUNTER RD	SIBLEY	MO	64088
04-900-03-09-01-0-00-000	MUNDY ALLEN	26701 KEIFER RD	SIBLEY	MO	64088
08-310-01-09-00-0-00-000	HENSON EVERETT P	27001 E HUNTER RD	SIBLEY	MO	64088
08-320-01-02-00-0-00-000	MARTIN JONATHAN D	323 W MILWAUKEE ST	TOMAR	WI	54660
08-310-01-02-00-0-00-000	MORRISON WALTER E & BILLIE J	27203 E HUNTER RD	SIBLEY	MO	64088
04-900-04-08-01-7-00-000	TIMOTHY M MCKENZIE TRUST	2800 COCHISE DR	INDEPENDENCE	MO	64057
08-310-01-01-00-0-00-000	MATA RICARDO D & MELISSA K	4520 N WOODS RD	SIBLEY	MO	64088
04-900-04-08-01-6-00-000	POSTLETHWAIT RAYMOND S	27110 E HUNTER RD	SIBLEY	MO	64088
04-900-04-08-01-9-00-000	ORMSBEE WILLIAM J & KATHRYN P	27300 E HUNTER RD	SIBLEY	MO	64088
04-900-04-09-00-0-00-000	HAHN LAURENCE E & ROBIN D	26802 E HUNTER RD	SIBLEY	MO	64088
04-900-04-08-02-4-00-000	FELTON ROBERT W & AUDRA L	PO BOX 598	BUCKNER	MO	64016
04-900-03-27-00-0-00-000	PERUSICH MICHAEL B & ROBIN D	26706 E HUNTER RD	SIBLEY	MO	64088
04-900-04-10-00-0-00-000	SEYMOUR G DENNIS & JUDITH D	26808 E HUNTER RD	SIBLEY	MO	64088
08-320-01-01-00-0-00-000	GATES JEROD D & DEUSER DEA S	26707 E HUNTER RD	SIBLEY	MO	64088
04-900-04-08-02-3-00-000	ORMSBEE WILLIAM J	27300 E HUNTER RD	SIBLEY	MO	64088
08-310-01-04-00-0-00-000	SISK FAMILY WEALTH TRUST	27101 E HUNTER RD	SIBLEY	MO	64088
04-900-03-13-00-0-00-000	HARWOOD COREY N & MEREDITH A	4719 N KOGER RD	SIBLEY	MO	64088
04-900-04-11-00-0-00-000	CLARK BRETT D & SARAH A	27108 E HUNTER RD	SIBLEY	MO	64088
04-900-04-12-00-0-00-000	CLARK BRETT D	27002 E HUNTER RD	SIBLEY	MO	64088



## 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

November 1, 2023

RE: Public Hearing: RZ-2023-660  
Brett Clark

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 Brett Clark for a change of zoning within District AG (Agricultural) and District RR (Residential Ranchette). The purpose is to reconfigure the zoning districts to match the new lot layout at 27002 & 27108 E. Hunter 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 1000' of the subject property.

The public hearing on this matter will be held by the Plan Commission on Thursday, November 16, 2023, 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 881-4577.

Sincerely,

Jackson County Public Works  
Development Division  
Randy Diehl, Administrator

**JACKSON COUNTY, MISSOURI**  
**APPLICATION FOR CHANGE OF ZONING**

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**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

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**TO BE COMPLETED BY OFFICE PERSONNEL ONLY:**

Rezoning Case Number RZ- 2023- 659

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 _____

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**BEGIN APPLICATION HERE:**

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

- ☒ a. Applicant(s) Name: Brett D Clark
- Current Mailing Address: 27108 Hunter Rd Sibley MO 64088
- Phone: 816 223 6016 email: clarkscontracting@gmail.com
- b. Legal Owner of Property: Brett D Clark
- Current Mailing Address: 27108 Hunter Rd Sibley MO 64088
- Phone: 816 223 6016 email: clarkscontracting@gmail.com
- b. Legal Owner of Property: Sarah A Clark
- Current Mailing Address: 27108 Hunter Rd Sibley MO 64088
- Phone: 816 289 7873 email: ISDschools@sarahclark.net



2. General location (Road Name) Hunter Rd
3. Present Zoning \_\_\_\_\_ Requested Zoning \_\_\_\_\_
4. AREA (sq. ft. / acres) 19.3 Acres Total
5. Legal Description of Property: (Write Below or provide copy of deed and survey)  
Sunrise Valley
6. Present Use of Property: Home & Aged
7. Proposed Use of Property: same
8. Proposed Time Schedule for Development: \_\_\_\_\_
9. What effect will your proposed development have on the surrounding properties?  
0 - Redrawing Boundary
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 well
  - b. Sewage disposal: Onsite Waste Water ☒ Public Sewer \_\_\_\_\_
  - c. Electricity Aquila & Solar Panels
  - d. Fire and Police protection FOA 2598
12. Describe existing road width and condition: Chippewas - Poor/Comp. H.B.N
13. What effect will proposed development have on existing road and traffic conditions? 0

14. Are any state, federal, or other public agencies approvals or permits required for the proposed development? 0

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)

Brett Clark  
Sarah Clark

OCT 4 23  
OCT 4 23

STATE OF MISSOURI

COUNTY OF JACKSON

On this 13 day of OCT, in the year of 2023, before me  
the undersigned notary public, personally appeared BRETT + SARAH CLARK

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.

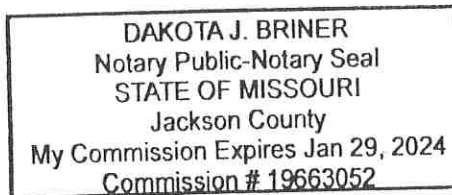
In witness whereof, I hereunto set my hand and official seal.

Notary Public

Dakota J. Briner

Commission Expires

1-29-2024









E HUNTER RD





