



# REQUEST FOR LEGISLATIVE ACTION

Completed by County Counselor's Office:

Res/Ord No.: 5033

Sponsor(s):

Date: October 9, 2017

SUBJECT	Action Requested <input type="checkbox"/> Resolution <input checked="" type="checkbox"/> Ordinance  Project/Title: <u>Ronald W Hackley - RZ-2017-554</u>											
BUDGET INFORMATION <i>To be completed By Requesting Department and Finance</i>	<table border="1" data-bbox="313 499 1193 810"> <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:	\$											
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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 5.00 ± acres to District RR (Residential Ranchette). The proposed land use is a one lot subdivision. The 5.00 ± acres are located in Section 20, Township 49, Range 29, in Jackson County, Missouri, aka 37405 E. Old Pink Hill Road, and specifically described on Attachment to RLA-1.  The Jackson County Plan Commission on September 21, 2017 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 7 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:   Date:  Date: <u>9/29/17</u>										
	Finance (Budget Approval): <i>If applicable</i>	Date:										
	Division Manager: 	Date:										

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 September 21, 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-2017-554

**ATTACHMENT TO RLA 1:**

**Description:** A Tract of land in the Southwest Quarter of Section 20, Township 49, Range 29, Jackson County, Missouri and being more particularly described as follows: Commencing at the West Quarter Corner of said Section 20; thence with eh North line of the Southwest Quarter of said Section 20, South 86 degrees, 11 minutes, 29 seconds East, 590.41 feet to the Point of Beginning; thence leaving said Point of Beginning and said Quarter Section Line, South 01 degrees, 42 minutes, 25 seconds West, 644.10 feet; thence South 86 degrees, 11 minutes, 29 seconds East, 400.96 feet, thence North 01 degrees, 42 minutes, 25 seconds East, 544.10 feet to a point of the North line of the Southwest Quarter, said Section 20; thence with said North line North 86 degrees, 11 minutes, 29 seconds West, 400.96 feet to Point of Beginning. Expect part in road.

**RE: RZ-2017-554**

**Randy Diehl gave the staff report:**

**Applicant:** Ronald W Hackley

**Location:** 37405 E. Old Pink Hill Road

**Area:** 5.00 ± acres in Section 20, Township 49, Range 29

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

**Purpose:** Applicant is requesting the change in zoning for a one 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 and some agricultural uses.

There are six platted developments in the proximity of the subject property. Four of these developments were established under the guidelines of the Unified Development Code (UDC) Lot sizes range from approximately 5 acres to 8 acres in size. The remaining two were created prior to 1995 and remain with District AG. Lots sizes are 2 to 5 acres in size.

The applicant owns approximately 100 acres and is wanting to plat off 5.00 acres, which contains an existing single family residence. The remaining acreage will remain in District AG.

**County Plan:**

The County Plan Development Diagram illustrates this area within the Rural Development Tier (RDT). The Sni-a-bar creek runs through the applicant property and said creek in the dividing line between the Rural and Suburban Development Tiers.

District RR (Residential Ranchette) is appropriate for the Rural Development Tier due to the proximity to the Suburban Tier, and there is similar land use surrounding the subject property.

**Recommendation:**

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

Staff recommends APPROVAL of RZ-2017-554.

Respectfully submitted,

Jackson County Public Works  
Development Division  
Randy Diehl, Administrator

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

Mr. Tarpley: Can you show me the remaining area (100 acres)?

Mr. Diehl: (Indicates on map the boundaries of the applicants property)

Short ensued discussion regarding requirements for construction within the floodplains.

Mr. Crawford: How many more times can this property be sub-divided?

Mr. Diehl: The area along the road would be able to be sub-divided, with the frontage requirements. The minimum would be 5 acres with a minimum frontage of 250 feet.

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

Ronald W Hackley, 37405 E. Old Pink Hill Road. The reason for doing this is the sell it. I built it for my daughter, who has since passed away. I just want to sell it and not have any renters. I own about 114 acres to the west of here.

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

There were none.

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

**Mr. Antey: Is there anyone who is opposed or has questions regarding this application?**

Motion to take under advisement.

*Discussion under advisement*

Mr. Tarpley moved to take under advisement. Mr. Crawford seconded.

Mr. Tarpley: I don't see anyone here in opposition.

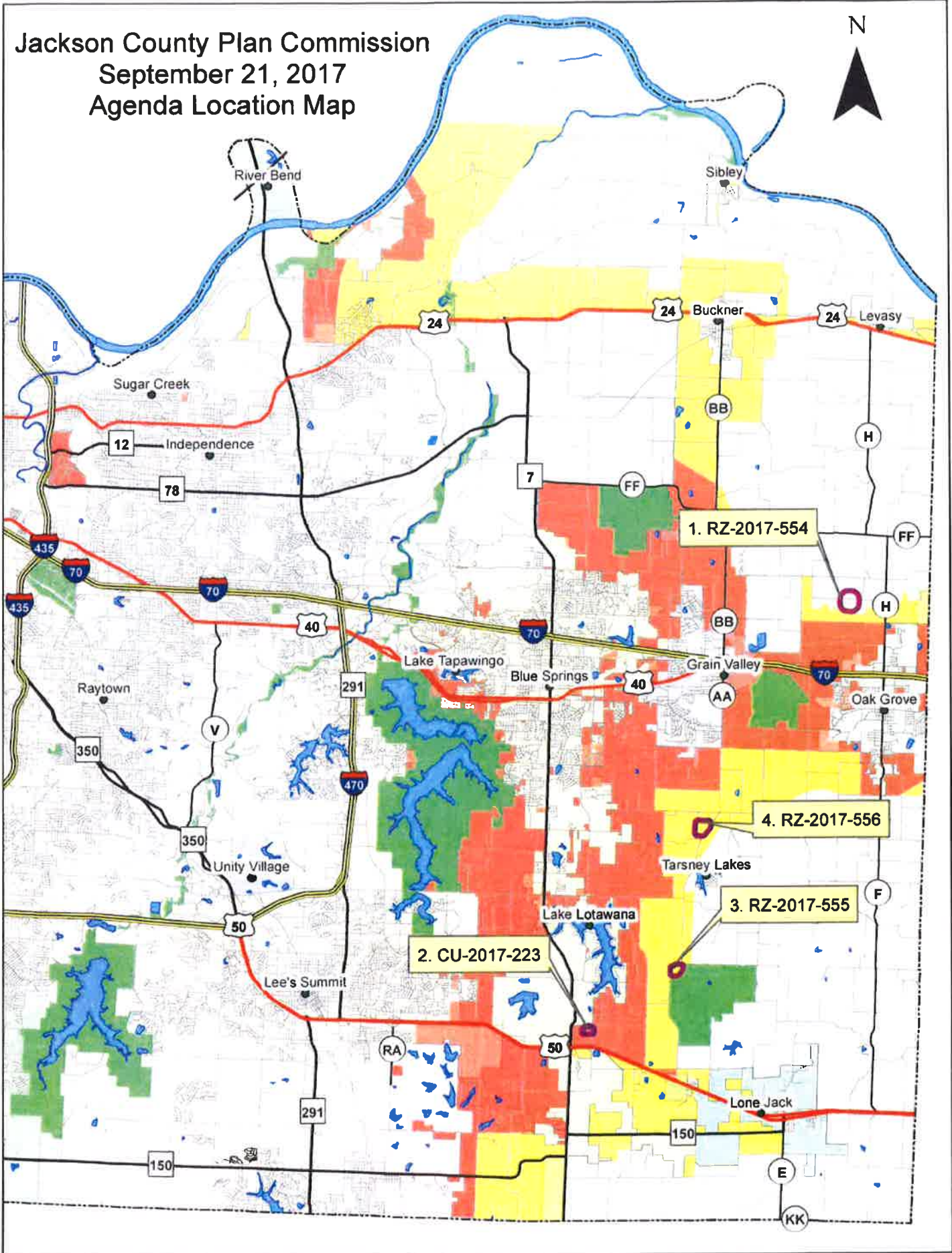
Mr. Tarpley moved to approve. Mr. Haley seconded.

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

Motion Carried 7 – 0.

# Jackson County Plan Commission September 21, 2017 Agenda Location Map

N



**STAFF REPORT**

**PLAN COMMISSION  
September 21, 2017**

**RE: RZ-2017-554**

**Applicant:** Ronald W Hackley

**Location:** 37405 E. Old Pink Hill Road

**Area:** 5.00 ± acres in Section 20, Township 49, Range 29

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

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**Recommendation:**

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

Staff recommends APPROVAL of RZ-2017-554.

Respectfully submitted,

Jackson County Public Works  
Development Division  
Randy Diehl, Administrator





Plan Commission September 21, 2017  
 RZ-2017-554

Property Owners Within 1000 feet

parcel_number	owner *	owneraddress	ownercity	state	zip
38-200-02-09-01-0-00-000	BRALEY DAVID L JR & KLEMENZ JACKIE R	3708 S KETTERMAN RD	OAK GROVE	MO	64075
38-200-02-09-02-1-00-000	BRIGHT KRISTOPHER J	3722 S KETTERMAN RD	OAK GROVE	MO	64075
38-300-01-05-02-4-00-000	BROSAM ERIC L & KIMBERLY R	37108 E OLD PINK HILL RD	OAK GROVE	MO	64075
38-200-02-07-02-0-00-000	BROSAM ERIC L & KIMBERLY R	37108 E OLD PINK HILL RD	OAK GROVE	MO	64075
38-200-02-08-01-0-00-000	CALDARELLA BRYAN R & ALANNA J	37500 E OLD PINK HILL RD	OAK GROVE	MO	64075-7344
38-300-01-12-00-0-00-000	CLARK KELLY S	37100 E OLD PINK HILL RD	OAK GROVE	MO	64075
38-300-01-13-00-0-00-000	COSTANZA JOSEPH E & SHARON K	37006 E OLD PINK HILL RD	OAK GROVE	MO	64075-7303
38-200-02-07-01-0-00-000	GREGSTON HARVEY DALE &	128 S 27TH ST	BLUE SPRINGS	MO	64015
38-200-02-08-02-0-00-000	HICKS ANTHONY N & DARLLEEN	37404 E OLD PINK HILL RD	OAK GROVE	MO	64075
38-200-03-06-00-0-00-000	HODGES JOHN R & TERESA L	37703 E OLD PINK HILL RD	OAK GROVE	MO	64075
38-200-03-05-00-0-00-000	NICHOLS CHARLES W & JEFFERY J	PO BOX 118	OAK GROVE	MO	64075
38-200-02-09-02-2-00-000	SANDERS SYLVIA M-TRUSTEE	37804 E OLD PINK HILL RD	OAK GROVE	MO	64075
38-300-04-11-00-0-00-000	HACKLEY RONALD W	37105 E OLD PINK HILL RD	OAK GROVE	MO	64075
38-200-03-03-01-0-00-000	HACKLEY RONALD WAYNE	37105 E OLD PINK HILL RD	OAK GROVE	MO	64075
38-200-03-03-02-0-00-000	HACKLEY RONALD WAYNE	37105 E OLD PINK HILL RD	OAK GROVE	MO	64075

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- P 2017-554

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: RONALD W. HACKLEY

Current Mailing Address: 37105 E OLD PINK HILL RD. OAK GROVE MO 64071

Phone: 816-529-5967 email: \_\_\_\_\_

b. Legal Owner of Property: RONALD W HACKLEY

Current Mailing Address: 37105 E. OLD PINK HILL RD OAK GROVE MO, 64071

Phone: (816) 529-5967 email: \_\_\_\_\_

c. Agent(s) Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_ email: \_\_\_\_\_

- d. Applicant's interest in Property: OWNER
2. General location (Road Name) OLD PINK HILL RD.
3. Present Zoning AG Requested Zoning RR
4. AREA (sq. ft. / acres) 5 ACRES
5. Legal Description of Property: (Write Below or provide copy of deed and survey)  
RNG 29 TWP 49 SEC 20 - BEG 300' E NW COR OF SW 1/4  
TH S 660' TH E 600' TH N 660' TH W 660' POB
6. Present Use of Property: EXISTING HOME + AGRICULTURAL
7. Proposed Use of Property: HOME + 5 ACRES
8. Proposed Time Schedule for Development: \_\_\_\_\_
9. What effect will your proposed development have on the surrounding properties?  
EXISTING HOME - SEPARATE 5 ACRES FROM EXISTING ACRES
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? NO
11. Describe the source/method which provides the following services, and what effect the development will have on same:
- a. Water Provider WATER DIST. #16
  - b. Sewage disposal: Onsite Waste Water  Public Sewer
  - c. Electricity WEST CENTRAL ELECTRICITY
  - d. Fire and Police protection SNI VALLEY FIRE JACKSON COUNTY SHERIFF
12. Describe existing road width and condition: OLD PINK HILL RD HARD SURFACE  
BLACK TOP
13. What effect will proposed development have on existing road and traffic

conditions? EXISTING HOME OF APPROXIMATE 7 YEARS  
SHOULD NOT HAVE ANY TRAFFIC CHANGE

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

Property Owner(s)

Ronald W. Hackley

Date

4-25-17

STATE OF Missouri

COUNTY OF Jackson

MELODY A. PAYNE  
Notary Public - Notary Seal  
State of Missouri - Jackson County  
Commission Expires 8-21-2020  
Commission # 12623321

On this 2 day of May, in the year of 2017, before me the undersigned notary public, personally appeared Ronald W. Hackley

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

Melody A Payne

Commission Expires

8/21/2020

RZ-2017-554  
Ronald W Hackley

AG

E OLD PINK HILL RD

AG

Legend

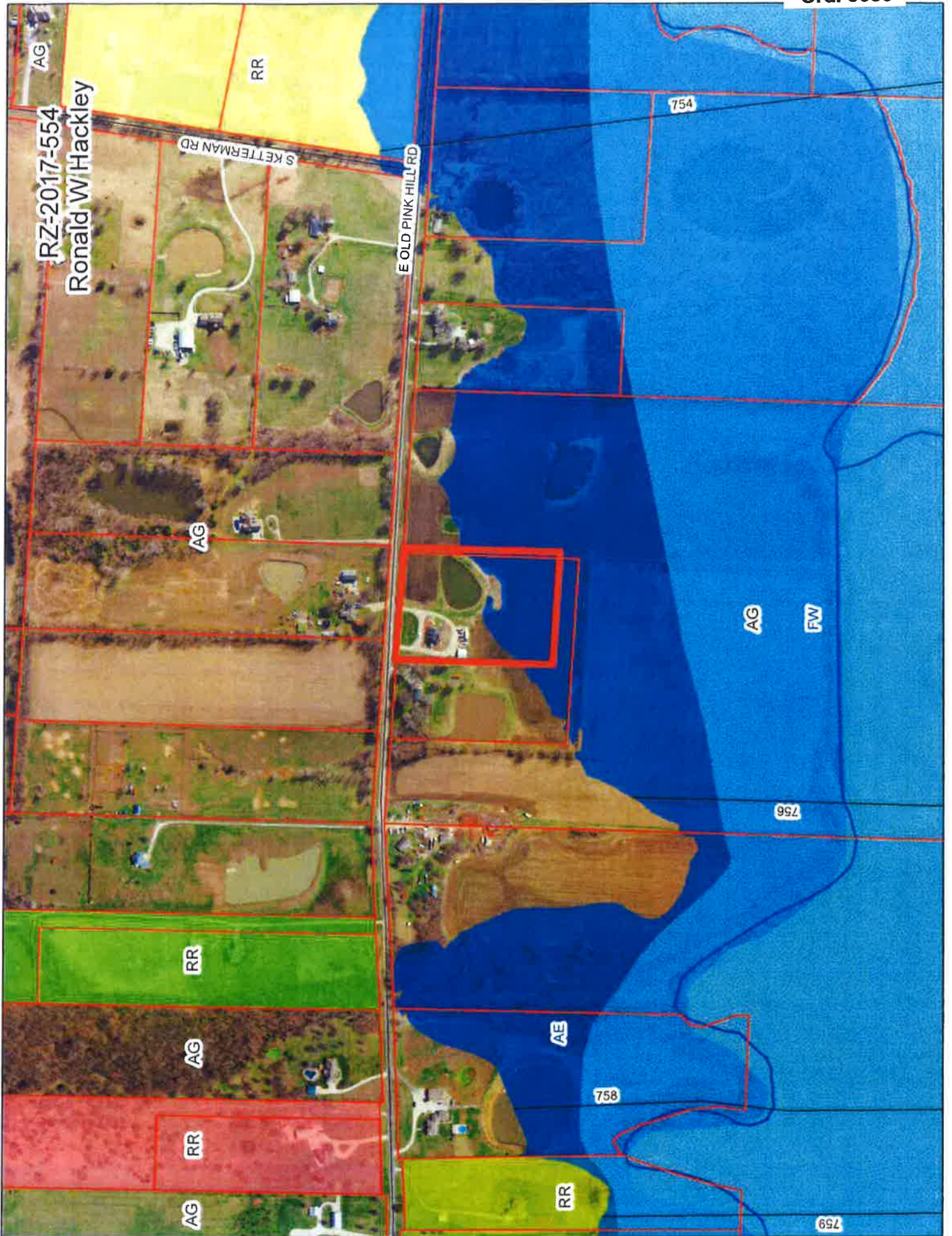


Pending Rezoning









RZ-2017-554

Ronald W Hackley

S KETTERMAN RD

E OLD PINK HILL RD

754

AG

FW

756

AE

758

759

RR

AG

RR

AG

RR

AG

RR

