

# REQUEST FOR LEGISLATIVE ACTION

Completed by County Counselor's Office:

~~Res~~/Ord No.: 4616  
 Sponsor(s): None  
 Date: April 7, 2014

SUBJECT	Action Requested <input type="checkbox"/> Resolution <input checked="" type="checkbox"/> Ordinance  Project/Title: <u>Conditional Use Permit (Sherri James) Case No. CU-2014-214</u>											
BUDGET INFORMATION <i>To be completed By Requesting Department and Finance</i>	<table border="1" data-bbox="326 520 1206 835"> <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
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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 Conditional Use Permit in District AG (Agricultural) for a period of 3 years for a Bed and Breakfast on a 12.00 ± acre tract of land. Four bedrooms, all with private baths, will be available for guests. Said tract is legally described as Lot 5A, Replat of Countryside Meadows, Lots 5 & 6, a subdivision in Jackson County, Missouri 24704 E. Haines Road and specifically described on Attachment to RLA-1. The Jackson County Plan Commission March 20, 2014 held a public hearing and accepted testimony pertaining to the Conditional Use Permit. There was no opposition to the request for the Conditional Use Permit. This request conforms to the general intent and purpose of the Unified Development Code. Therefore, the Plan Commission voted 7 to 0 to recommend <u>APPROVAL</u> for a 3 year period provided the following conditions are met (see attachment RLA-2)											
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-3											
REVIEW	Department Director:  Earl Newill, Acting Director <i>Earl Newill</i>	Date: 03/31/2014  Date:										
	Finance (Budget Approval): <i>If applicable</i>	Date:										

Division Manager: <i>D. Lee Thomas</i> <i>SLW</i>	Date: <i>4/2/14</i>
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-3:**

Attachments

Plan Commission Public Hearing Summary from March 20, 2014  
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  
Photos of property

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**Date:** March 20, 2014

**Place:** Independence City Hall  
111 E. Maple, Independence, MO

**Attendance:** Chairman Antey  
Mrs. Querry  
Mr. Gibler  
Mr. Pointer  
Mr. Haley  
Mr. Crawford  
Mrs. Mershon

**Staff:** Scott George  
Randy Diehl  
Jay Haden  
Joan Dickey  
Kristen Geary

**Call to Order/Roll Call**

At 8:30 am Chairman Antey called to order the March 20, 2014 meeting of the Plan Commission and asked that the roll call be taken. Mr. Tarpley & Mr. Akins were absent.

**Approval of Record**

Chairman Antey asked for a motion to approve the record of January 16, 2014. Mr. Pointer made a motion to approve. Mr. Haley seconded the motion. Voice vote.

Minutes of the January 16, 2014 Plan Commission meeting approved, 7-0.

**Public Hearings**

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

**RE: CU-2014-214**

Requesting a Conditional Use Permit in District AG (Agricultural) for a period of 3 years for a Bed and Breakfast on a 12.00 ± acre tract. Said 12.00 ± acres are legally described as Lot 5A, Replat of Countryaire Meadows, Lots 5 & 6, 24704 E. Haines Road.

**Applicant/Property Owners:** Sherri James

**Location:** 24704 E. Haines Road, legally described as Lot 5A, Replat of Countryaire Meadows, Lots 5 & 6

**Area:** 12.00 ± acres

**Zoning District:** District AG (Agricultural)

**Request:** A Conditional Use Permit for a period of 3 years for a bed and breakfast on a 12.00 ± acre tract of land.

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

The zoning is primarily agricultural. However the land use is predominately residential. On the South side of Haines Road is Timberlake Estates. On the North is Countryside Meadows. Lot sizes are on the average around 3.00 acres.

**Comments:** Within the Unified Development Code (UDC), a bed and breakfast inn is allowed as a conditional use within District AG.

A bed and breakfast inn means the use of an owner-occupied or manager-occupied residential structure providing rooms for temporary lodging or transient guests on a paying basis.

There are a total of six bedrooms in the residence. The applicant has stated that only four of the bedrooms will be available for guests. Since the number of bedrooms is less than five, this would not be subject to licensure and inspection by the Missouri Department of Health and Senior Services (DHSS) and would not require a lodging permit to be issued by Jackson County Environmental Health. There is a common dining area for the guests. A food permit would need to be obtained from Jackson County Environmental Health.

They also state that there are six paved spaces for parking and plans for an additional six.

**Recommendation:**

Staff recommends APPROVAL of CU-2014-214 for a three (3) year period provided the following conditions are met:

Condition Use Permit for a period of 3 (three) years with the following Conditions:

1. The bed and breakfast inn is limited to no more than 4 bedrooms for temporary lodging for transient guest on a paying basis.
2. Cooking facilities shall not be permitted in individual guest rooms.
3. In addition to required residential parking, one off-street parking space shall be provided for each guest room.
4. One identification/directional sign, not to exceed eight (8) square feet in area, shall be permitted at the entrance to the bed and breakfast inn.

Chairman Antey: Any questions for staff?

Mrs. Mershon: How do you regulate whether they use 4 or 5 bedrooms?

Scott George: The establishment, if they get into the 5 bedroom, then there are other permitting requirements. Because they will have a food establishment permit, we will have staff at the location. Those same staff do our lodging inspections. It could quite possibly become evident that they have exceeded that, but it's the same thing with anyones house as to whether

- they have a lodging business there. We will hold them to the requirements of the UDC.
- Mr. Crawford: They going to have a permit for a restaurant and are going to use 4 bedroom, but they have 6 parking spaces right now. Whose idea, the counties or theirs, to add 6 more spaces?
- Scott George: It was theirs. It leaves them personal spaces plus also for the 4 rooms.
- Mrs. Mershon: So everyone out there has off street parking then?
- Mr. Crawford: So if they do this.... If we approve this today, would the outcome also be able to have a restaurant there?
- Scott George: It will be limited to the bed & breakfast occupants. Chapter 40 of the code goes into the food establishment requirements. I haven't been to the property yet, to see what type of kitchen set up they have, but I would suspect that it will not be a situation where they could have a full blown restaurant out there. Nor would it meet the zoning requirements to do such. That type of permit, when an applicant applies for a restaurant, we have to look at zoning as well.
- Mr. Crawford: The food service would be restricted to strictly to the bed & breakfast. The people who actually had reservations there.
- Scott George: Yes, correct.
- Chairman Antey: Any other questions for staff?
- Mr. Crawford: Yes, I want to pursue this just a little bit further with some what ifs, if you'll let me entertain this for a second. So we assume that everyone who comes out to have a meal also got a free complementary room while they were there having a meal, that would meet the requirements. Even if they were only there for an hour and a half.
- Scott George: Without getting into the actual site, kitchen plan, which I don't have at this time, I couldn't tell you exactly how many people they could accommodate, but that permit will reflect that it is for the bed & breakfast use only.
- Chairman Antey: I realize you're playing the devils advocate in the what if's, but if their intent was to operate a restaurant and give a free room, they are only going be able to serve 4 tables because they can only give away 4 rooms.
- Mr. Crawford: You know, I'm not very naïve, but I know that some rooms rent by the hour. With that being said, I'm not saying the applicants are doing this, but if the bed & breakfast doesn't work out and all of the sudden they'll just have a restaurant off it and someone is being served a meal they also

receive a free complementary room. Maybe they could only serve up to 8 people at a time.

Mr. Pointer: If they have a party there, it wouldn't be any different than if you had a party at your house or my house.

Mr. Crawford: Except that it would be for a profit.

Chairman Antey: Any other questions for staff? Is the applicant present? Please come forward, state your name and address.

Randy James: I'm the representative of the applicant. 24704 Haines Rd, Greenwood, MO 64034. We appreciate the commission taking time and allowing us to address this and consider our application. If I might start out by answering some of the questions that I think Mr. Crawford and Mrs. Mershon raised earlier, maybe I can answer those to your satisfaction. First of all Mr. Crawford, it is not our intention to rent this establishment by the hour. I'm hoping that it's a little more upscale than that, but that being said, I think the thing that you have to consider is that when you have a 4 bedroom establishment you are really talking about a capacity of 8 people at any one time. If you were to run it as just a restaurant where you are giving a complementary meal with an hour rental or whatever, with the way restaurants are manage, the financial margins are so tight in a situation like that, if you try to run it as a restaurant with that limited capacity, there would be no way that you could ever make any money at it. The flip side is that the intention of this is pure and simple, and that is to run it as a bed & breakfast. Anyone who has stayed in a bed & breakfast knows that along with the room rental generally comes morning breakfast, sometime lunch service, it depends on what the guest wants, and generally some sort of happy hour with hors d'oeuvres or something like that in the evening. So that is really the only intent, but if you were to run it the opposite way there would simply be no profit in it.

Mr. Crawford: Mr. James, at no time did I intend to make any type of derogatory statement about the purpose or your intent.

Randy James: In all seriousness, the point is if we couldn't make it as a bed & breakfast, we wouldn't be doing anything. There would be no incentive to just flip into a restaurant because the capacity and the profit margins wouldn't be enough. I think that hopefully answers your questions.

Mr. Crawford: The question I did have is the fact that you want to end up with 12 parking spaces, but you basically... Most of the time when people take lodging for a night they show up in one vehicle.

Randy James: Normally that would be expected, yes.

Mr. Crawford: With that being said, are you counting parking spaces as far as your garages, inside your garages?

Randy James: No, not really. If you look at the upper right hand corner, it's a 3 car garage with a concrete pad and then an asphalt apron off of that. What you see coming to you is the driveway. The plan would be to add extend the parking down a little bit. There are 2 reasons for that. Not that there would be additional capacity in terms of guests that will need it, but you have to have capacity for the guests. You have to take into account that some of the guests might not drive together, and staff and owner parking, and logistics. One thing we've learned over the years is, even though you've got an abundance of parking there, if someone that is closer to the garage doors wants to leave and there is someone behind them then you will have to jockey cars. By expanding this we would limit the need to have to jockey cars around if someone wants to leave. That is the objective.

Mr. Crawford: That answers my question. In the back of my mind I was trying to figure out why you would need more parking.

Randy James: Just trying to spread it out to accommodate what we think is the outside foreseeable capacity and then not have everybody tripping over each other to get in and out.

Mr. Crawford: It's just a measure to alleviate any problems.

Mr. Pointer: Have you ever run a bed & breakfast before?

Randy James: I have not, but I've stayed in a few though. These ladies here are the ones who have the expertise. I'm going to be a passive investor.

Mrs. Query: Do you live on the property?

Randy James: Yes.

Mr. Haley: There is going to be special traffic flow. Do the neighbors understand this, are they happy with this? Do they think it's ok?

Randy James: One of the issues I wanted to address, any time you consider an application like this, one thing the commission is considering is whether, what kind of change in the use, in terms of the potential neighborhood issues and things like that. The use in the area is primarily residential. We raised 2 kids in this house and having two teenagers generated a lot of traffic between friends & parties. We believe that the bed & breakfast will create far less traffic than those teenagers created during those junior high and high school years. The other thing I want to mention to the commission is the application relates to this 12 acre tract which is platted as part of Countryaire Meadows. The property that we own includes 2 additional tracts, a 7 ½ acre pasture and a 4.3 acre pasture, which



creates a buffer zone that no one can build on. The effect is that the nearest residences are hundreds, if not over a thousand feet away. The other thing that the house is fairly isolated by some woods and a tree line, except for a view from Haines Rd which is about 1000 feet from where the house sits. I think that we've been there for almost 20 years. It would be very important to us to be sure that there is not any disruption or material change from their standpoint in the way they see the property is being used. Mrs. Mershon, you had a question and it's escaping me.

Mrs. Mershon: I just wondered what would stop you from using 5 bedrooms instead of the 4 allowed before needing extra lodging permits.

Randy James: Let me tell you why we applied for 4, aside from just the under 5 thing. The house is constructed of 2 stories. The main floor has one bedroom which is the master suite. Down in the finished basement is another bedroom. There are 4 bedrooms upstairs, 3 of which have their own bathrooms. The plan is to use the master suite and the 3 bedrooms upstairs with their own bathrooms only for the bed & breakfast. The lower level bedroom will be the owners bedroom now. That does leave the one bedroom upstairs, but it doesn't have it's own bathroom. One of our marketing ideas is that all bedrooms have their own bathroom. You are right, technically you might be able to do that but we would not intend to rent out that one other bedroom because it doesn't have its own bathroom.

Chairman Antey: Are there any other questions for the applicant? Is there anyone that is present that would like to speak in favor of this application. Is there anyone that is present that is opposed to or has questions concerning this application. Please come forward, state your name and address.

Gary Embry: I live next door. 24606 Haines Rd.

Chairman Antey: Can you show us where on the map?

Gary Embry: We are adjacent to his driveway right here, and this is Haines Rd. We are all segregated in that respect. He is isolated, somewhat. My concerns are not along those lines, but what lies on the issues it might bring to me. When you have children involved and their going to be down there around the lake, and his house sits behind me, and my concern is this road runs right adjacent to my property line. I'm concerned about those people who come out to stay there wandering over on my side. Children being what they are, they will, whether you tell them not to or not. I'm concerned about my liability issues. We've been neighbors for about 16 years or so, we are good friends, this is not adversary in any way, I want to protect me. He's a lawyer, he knows what I'm talking about. What liability issues do I assume, next door, with people coming and going, fishing in the lake? Because they are going to be fishing in that lake, I'm sure. I want to be assured, find out on my level what the issues are if they wander over

into my yard. What can we do to keep that from happening? I have a swing set over there which would be very easy to slip under the fence.

Mr. Gibler: Do you have a problem with that now?

Gary Embry: No, but he doesn't have a bed & breakfast there now.

Mr. Gibler: Do people have access or come in and use the lake? Is it free and open to be used?

Gary Embry: Yes, friends of theirs, I'm not concerned about them. His children are older and college age.

Mr. Crawford: You say it is fenced?

Gary Embry: There is a rail fence there. You can climb over it or go under it.

Mr. Pointer: Counselor, doesn't the liability refer to whoever's property somebody would get hurt on?

Jay Haden: All I can suggest is the witness talk to a lawyer about that. I can't give him private legal advice. In general I would see that the James's may have issues because guests on their property would be business invitees and they have a high standard of care to deal with them. Anybody coming on to the witness's property would be a trespasser, so unless he established something like an attractive nuisance that lured people over, he wouldn't have any duty to them and people are on their own. It doesn't seem to me to be an issue that would create serious liability. If you have questions like that you ought to speak to your own lawyer, or your own insurance company about that.

Mr. Crawford: But there is a fence there?

Gary Embry: On two sides.

Jay Haden: There may be a benefit to posting no trespassing signs also.

Chairman Antey: This commission can't determine your liability.

Gary Embry: I understand. It's just you're the county and you guys have all the answers. I'm just asking.

Mrs. Mershon: Well, we want to work with you.

Mr. Crawford: Usually when there is a fence present it signifies a division of land or ownership a lot of times. The fact that the fence is there, it's created something that should say hey, maybe we shouldn't cross this thing.

Mrs. Mershon: I don't think you're going to have very many kids at a bed & breakfast. I could be totally wrong, but usually it's a couple or grandma taking their

kids someplace. I could walk on your property today and trip and fall. I understand your concern and I don't blame you, but I just don't see many children.

Mr. Haley: You don't have water on your land, a body of water?

Gary Embry: No. Just a swing set and the yard just under 3 acres, but he surrounds me on 2 different sides.

Mrs. Query: I'd be more concerned about children with the pond there.

Chairman Antey: But the pond is on the applicants side.

Mrs. Query: Will you do anything to keep them from going to the water? I'm kind of like Mrs. Mershon, I don't think you're going to have many kids.

Roger Haines: I think that is true. Again, we raised 2 children from two years and three years old there. Their friends have been there in mass for the last 15 years or more. That has never been a problem. I'm not aware of any of them ever wandering onto the Embry's property. We've got our own swing sets like that. Those kids have played down around the pond. What we do is preach and teach responsibility with respect to being around water and that sort of thing. I would tell you that it has never been a problem before. The number of children that are likely to be on the property from this point going forward is far less than it has been in the last decade and a half.

Mr. Crawford: Mr. James, didn't you also say that there is a tree line as a buffer on that side?

Roger Haines: There is a tree line but it is not like a thicket. You can easily walk between the trees. It's an old hedge row that we cleaned up.

Chairman Antey: Do you have any other concerns or comments?

Gary Embry: Just liability issues.

Chairman Antey: Thank you. Is there anyone else present today that has questions concerning or is opposed to this application?

Mr. Pointer motioned to take this under advisement. Mrs. Mershon seconded.  
Voice vote. Motion carried. 7 – 0

Mr. Pointer: I think this is pretty straight forward. I don't see any problems with it. As far as the pond is concerned, if we had to fence every pond in the state we'd have a real big problem.

Chairman Antey: Any other comments.

Mr. Haley: I think if the neighbors are ok with it, it's ok.

Mr. Pointer motioned to approve CU-2014-214, Mr. Haley seconded.

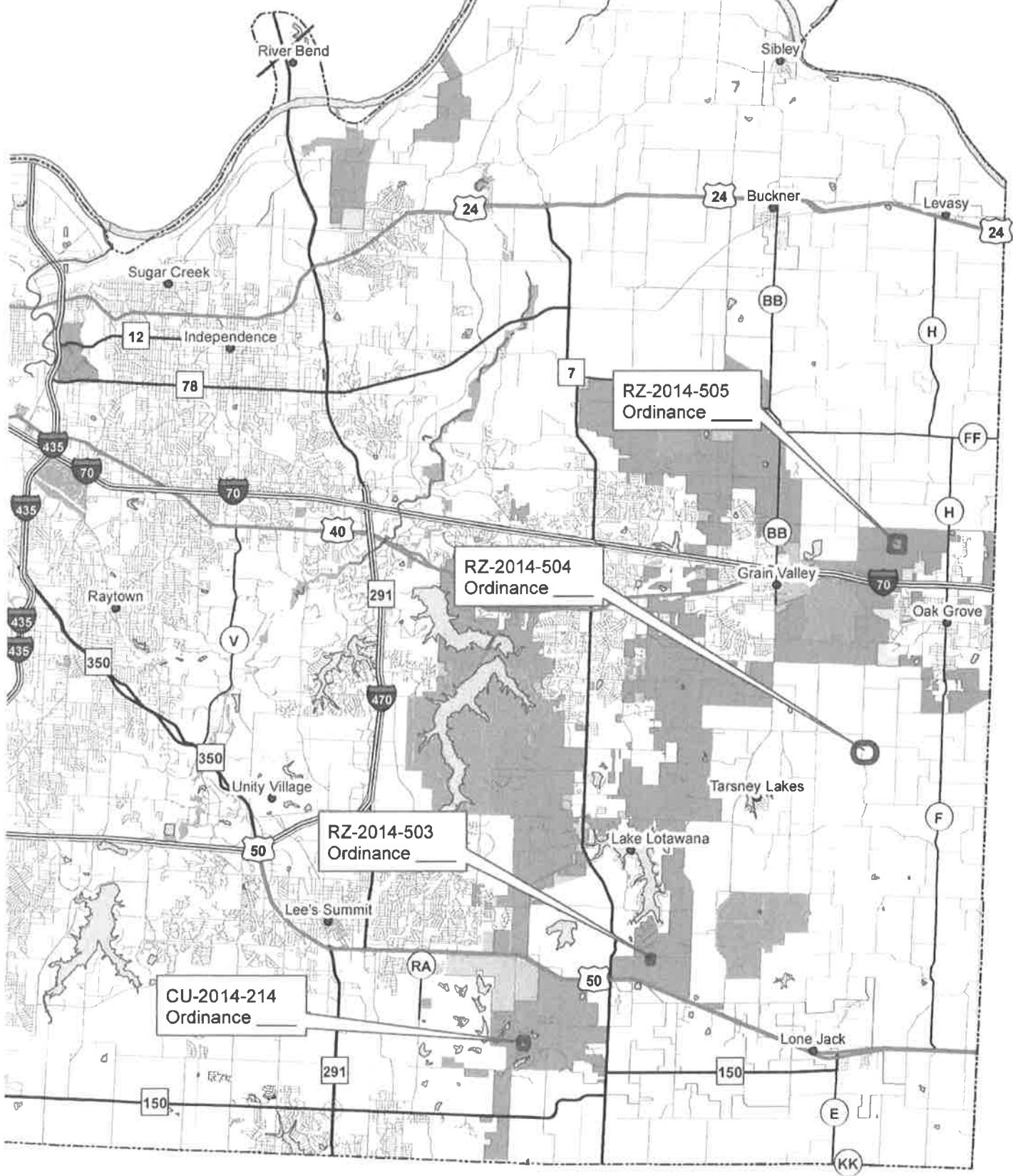
Roll call vote taken.

Mrs. Querry Approve  
Mr. Gibler Approve  
Mr. Pointer Approve  
Mr. Haley Approve

Mr. Crawford Approve  
Mrs. Mershon Approve  
Chairman. Antey Approve

**CU-2014-214 APPROVED**

Jackson County Plan Commission  
March 20, 2014  
Agenda Location Map



**STAFF REPORT**

**PLAN COMMISSION**  
**March 20, 2014**

**RE: CU-2014-214**

**Applicant/Property Owners: Sherri James**

**Location:** 24704 E. Haines Road, legally described as Lot 5A, Replat of Countryaire Meadows, Lots 5 & 6

**Area:** 12.00 ± acres

**Zoning District:** District AG (Agricultural)

**Request:** A Conditional Use Permit for a period of 3 years for a bed and breakfast on a 12.00 ± acre tract of land.

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

The zoning is primarily agricultural. However the land use is predominately residential. On the South side of Haines Road is Timberlake Estates. On the North is Countryaire Meadows. Lot sizes are on the average around 3.00 acres.

**Comments:**

Within the Unified Development Code (UDC), a bed and breakfast inn is allowed as a conditional use within District AG.

A bed and breakfast inn means the use of an owner-occupied or manager-occupied residential structure providing rooms for temporary lodging or transient guests on a paying basis.

There are a total of six bedrooms in the residence. The applicant has stated that only four of the bedrooms will be available for guests. Since the number of bedrooms is less than five, this would not be subject to licensure and inspection by the Missouri Department of Health and Senior Services (DHSS) and would not require a lodging permit to be issued by Jackson County Environmental Health. There is a common dining area for the guests. A food permit would need to be obtained from Jackson County Environmental Health.

They also state that there are six paved spaces for parking and plans for an additional six.

**Recommendation:**

Staff recommends APPROVAL of CU-2014-214 for a three (3) year period provided the following conditions are met:

Condition Use Permit for a period of 3 (three) years with the following Conditions:

1. The bed and breakfast inn is limited to no more than 4 bedrooms for temporary lodging for transient guest on a paying basis.
2. Cooking facilities shall not be permitted in individual guest rooms.
3. In addition to required residential parking, one off-street parking space shall be provided for each guest room.
4. One identification/directional sign, not to exceed eight (8) square feet in area, shall be permitted at the entrance to the bed and breakfast inn.

Respectfully submitted,

Planning and Environmental Health Division  
Randy Diehl  
Subdivision and Zoning Coordinator

**Plan Commission  
March 20, 2014  
CU-2014-214**

**Applicants / Property Owners:** **Randy W & Sherri R James  
24704 E. Haines Road  
Greenwood, MO 64034**

71-100-02-36  
71-100-02-18  
71-100-02-16-03

Certified Mail – Return Receipt  
Property Owners within 185 feet

71-100-03-08  
Craig W & Jodeane L Brown  
24606 E Haines Road  
Greenwood, MO 64034

71-100-02-09  
Gary K & Marcella K Embry  
24606 E Haines Road  
Greenwood, MO 64034

71-100-03-07  
John W & Nancy L Hans  
24709 E Haines Road  
Greenwood, MO 64034

71-100-02-37  
Daniel J & Kimberly Rechtertig  
11895 W 343<sup>rd</sup> Street  
Paola, KS 66071

71-100-03-06  
Ryan & Abby Snyder  
24908 Timberlake Drive  
Greenwood, MO 64034

71-100-02-14-01-2  
David B & Linda D Vaughan  
24810 E Haines Road  
Greenwood, MO 64034



JACKSON COUNTY, MISSOURI  
CONDITIONAL USE PERMIT APPLICATION

APPLICANT INFORMATION:

1. Application must be filed with the Jackson County Planning and Development Division, 303 W. Walnut, Independence, MO 64050 by the deadline on the Plan Commission Calendar.
2. Application must be typed or printed in a legible manner.
3. A scaled map of the property, correlating with the legal description, and clearly showing the property's location must accompany application. Refer to Section 24003.22, pertaining to Site Plan Review within the Unified Development Code.
4. 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.
5. The filing fee \$350.00 (non-refundable) must accompany application.  
(Check payable to: Manager of Finance)

TO BE COMPLETED BY OFFICE PERSONNEL ONLY:

Conditional Use Permit Number CU-2014-214  
 Date filed 2-18-14 Date of hearing 3-20-14  
 Date advertised 3-5-14 Date property owners notified 3-5-14  
 Date signs posted 3-5-14  
 Hearings: Heard by ~~3-20-14~~ pc Date 3-20-14 Decision 7-0  
 Heard by \_\_\_\_\_ Date \_\_\_\_\_ Decision \_\_\_\_\_  
 Heard by \_\_\_\_\_ Date \_\_\_\_\_ Decision \_\_\_\_\_

BEGIN APPLICATION HERE:

1. Data on Applicant(s) and Owner(s):
  - a. Applicant(s) Name: Sherri' R. James  
 Address: 24704 Haines Road  
Greenwood, MO 64034  
 Phone: 816.916.5454 Cell 816.537.6873 Home
  - b. Owner(s) Name: Randy and Sherri' James  
 Address: 24704 Haines Road, Greenwood, MO 64034  
 Phone: 816.537.6873
  - c. Agent(s) Name: N/A

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

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

d. Applicant's interest in Property: Owners

2. A CONDITIONAL USE PERMIT IS HEREBY REQUESTED for the following described use: Bed and Breakfast for a period of 3 years; property described as follows: a tract of land 12 acres in size located at 24704 Haines Road. Present Zoning District Unincorporated Jackson County, Missouri

3. Legal Description of Property: (Write Below or Attached 9 )  
Lot A, Replat of Counryaire Meadows Lot 5 & 6 a subdivision in Jackson County, Missouri.

4. Present Use of Property: Private Residence

5. Proposed Use of Property: Bed and breakfast

6. Estimated Time Schedule for Development: No developing required. Existing property to be offered for bed and breakfast lodging by mid-March, 2014.

7. What effect will your proposed development have on the surrounding properties?  
Minimal if any

8. 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? \_\_\_\_\_
9. Describe the source/method which provides the following services, and what effect the development will have on same:
- a. Water City of Lee's Summit, MO
  - b. Sewage disposal Septic
  - c. Electricity Kansas City Power and Light
  - d. Heating Electric heat pump
  - e. Fire and Police protection Prairie Township and Jackson County Sherriff
10. Describe existing road width and condition: Main driveway to the house is located off Haines Road which is a 2 lane paved and striped road with no shoulder. Gravel ingress/ egress road for the house is located off Smart Road which is also a 2 lane paved and striped road but has a shoulder.
11. What effect will proposed development have on existing road and traffic conditions? Minimal if any
12. Are any state, federal, or other public agencies approvals or permits required for the proposed development? No, property is located in unincorporated Jackson County, Missouri
- 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) Randy James 2/18/14  
Sherri James 2/18/14

Applicant(s): \_\_\_\_\_  
\_\_\_\_\_

Contract Purchaser(s): \_\_\_\_\_  
\_\_\_\_\_

STATE OF Missouri  
COUNTY OF Jackson

On this 18th day of February, in the year of 2014, before me  
the undersigned notary public, personally appeared Randy W. James and  
Sherri R. James

known to me to be the person(s) whose name(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 Carin R. Saverino Commission Expires 2-27-2015

CARIN R. SAVERINO  
Notary Public-Notary Seal  
STATE OF MISSOURI  
Jackson County  
My Commission Expires Feb. 27, 2015  
Commission # 11391686

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) _____ _____	_____
Applicant(s): _____ _____	_____
Contract Purchaser(s): _____ _____	_____

STATE OF \_\_\_\_\_  
COUNTY OF \_\_\_\_\_

On this \_\_\_\_\_ day of \_\_\_\_\_, in the year of \_\_\_\_\_, before me  
the undersigned notary public, personally appeared \_\_\_\_\_

\_\_\_\_\_

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 \_\_\_\_\_ Commission Expires \_\_\_\_\_



# Jackson County Zoning Map

## Legend

185' Notification Area

**Pending Rezoning**

**Zoning**

Residential Estates

Streets

**Rezoning**

**Zoning**

- RR-Residential Ranchette
- RRp-Residential Ranchette-Planned
- RE-Residential Estates
- RS-Residential Suburban
- RU-Residential Urban
- A(r)-Single-Family
- B(r)-Two-Family
- C(r)-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

CU-2014-214  
Ord

1 inch = 400 feet









