

- () 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 _____ are available from the source indicated below.
- () 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.

ACCOUNT NUMBER: _____ - _____ - _____ - _____

ACCOUNT TITLE: _____

NOT TO EXCEED: \$ _____

Fiscal Information Prepared By: _____

() CRO

Date: _____

Mary Helen Thompson

Mary Helen Thompson

ATTACHMENT TO RLA

RZ-2004-349 (Gordon Braun)

Description:

The 73 ± acres are generally located at the northwest corner of Campbell Road and Corn Road and specifically described as:

That part of the Southeast quarter of Section 23, Township 48 North, Range 30 West of the 5th Principal Meridian, and that part of the Northeast quarter of Section 26, Township 48 North, Range 30 West of the 5th Principal Meridian, all in Jackson County, Missouri described as follows: Beginning at the Southwest corner of said Southeast quarter: THENCE North 02 degrees 17 minutes 27 seconds East on the West line of said Southeast Quarter, 95.40 feet; THENCE North 02 degrees 38 minutes 38 seconds East, 1172.87 feet; THENCE South 88 degrees 11 minutes 02 seconds East, 1311.77 feet; THENCE South 02 degrees 20 minutes 08 seconds West, 1260.73 feet to the South line of said Southeast quarter; THENCE South 01 degrees 50 minutes 45 seconds West, 1318.07 feet; THENCE North 88 degrees 20 minutes 05 seconds West, 1024.72 feet; THENCE North 01 degrees 39 minutes 21 seconds East, 770.00 feet; THENCE North 88 degrees 20 minutes 05 seconds West, 290.40 feet to the West line of said Northeast Quarter; THENCE North 01 degrees 48 minutes 12 seconds East on the said West line, 544.07 feet to the Point of Beginning, subject tract containing 72.83 acres.

PUBLIC HEARINGS:

1. RZ-2004-349 - Gordon Braun

Requesting a change of zoning from District A (Agricultural) to RE (Residential Estates) District on 73± acres. The proposed land use is a twenty-two (22) lot residential subdivision to be known as "Saddle Brook Estates". The 73 ± acres are generally located at the northwest corner of Campbell Road and Corn Road lying in the southeast quarter of Section 26, Township 48, Range 30 in Jackson County, Missouri.

Mr. Trosen introduced RZ-2004-347 and entered 11 exhibits into the record. Mr. Trosen gave the staff report with comments and recommendation as follows: This request for rezoning is consistent with the intent and purpose of the Master Plan. Staff recommends approval of RZ-2004-349.

Mr. Krahenbuhl gave the subdivision report for the preliminary plat of Saddle Brook Estates. He said this plat was submitted for the following reviews. Planning and Zoning: Plat as presented is in compliance with Section 24004.4 Residential Estates District of the Unified Development Code. Environmental Division: Approvals have been received from the Mo Department of Natural Resources. Preliminary testing may be required on Lots 3, 8 13 and 17 for the on-site disposal systems. This request is due to the utility easement that rung through each of these lots. Central Jackson County Fire District: Requesting fire hydrants be installed capable of producing 1000 gpm. Public Water District #17: Advised that water lines along Corn Road will need to be upgraded to either a 6 or 8 inch line. Comments: This plat as presented meets the minimum requirements of the Unified Development Code and Master Plan of Jackson County.

Mr. Gordon Braun, 1313 Hidden Creek Ct., Blue Springs Mo., was sworn in and appeared to give testimony. The property in question is under contract for purchase subject to rezoning and platting. One of the first things I did was contact Water District 17. I have a letter saying they can serve up to 29 homes with the existing line and supply. It is actually a piece of ground that sits high and it drains to the west and to the east. It is all being tilled at this present time on the first portion that we are subdividing. There is an additional 20 acres to the north and west that is also included in the sale. We intend to sell those two tracts off hopefully with lots 6 and 5. I have had a soil scientist out and we have done all our exploration. It looks very good for environmental for on-site septic systems. I'll be more than happy to answer any questions.

Mr. VanScoy said I have one. You say they are going to run a 6 inch line down there Gordon? Or do they think that the line that is in there will handle those?

Mr. Braun said what the water district told me is that they have enough supply to support 29 single family homes with the existing. The fire protection district, and this is the first I've heard of it, wants fire protection hydrants. It is my understanding that the water district has run a line from their tower up on Nebgen. That construction is either pending but whatever they need for fire protection we will do. The water district hired a consultant to do their study and come up with a letter telling us that they can meet our demands. I'm sure we'll have to do the same thing with the water.

Mr. Tarpley asked have any traffic studies been done on road that these lots are going to be developed?

Mr. Braun said Corn Road in the master plan is shown to be a collector. So I didn't face any of the lots

onto that Corn Road. This is a mile north of Colbern Road.

There were no others to speak in favor of the application.

Mr. David Sperry, Attorney, was sworn in and appeared to give testimony in opposition. Mr. Sperry said basically I don't have testimony as much as I have information things I would like to provide. I have been retained to represent some of the adjoining landowners. There are a number of landowners here today. There are landowners who received notice and there are those folks up and down Corn Road, Campbell Road and Russell Road. There are residents in the immediate area who do have concerns. Would all the residents in the area stand up at this time? I would like to try to make a few points and then there are a number of residents who would like to speak to you about some of their concerns. Specifically in this zoning change we are concerned about the change of zoning under the code from Agricultural zoning which this has been zoned under for quite some time under the Unified Development Code. The change of zoning to RE is something that I will address in a couple of minutes. Primarily there are a number of concerns in this area. Some of them are best depicted by some of the photographs that some of the residents have taken. (Exhibit 12). Specifically one of the main concerns are just the general infrastructure of the roads, the bridges and the culverts and the circumstances there. The roadways while they are all county roadways, Corn I believe is designated as a collector road. There are some concerns in regard to these roadways ability to be able to handle increased traffic. School buses that would be coming for ingress and egress to 22 potential families and circumstances there. These photographs were taken on Corn Road which is the collector which is the major roadway to serve this development. Campbell Road is immediately on the south side of the tract to be developed. This is a photo of vehicle traffic on Corn Road at the present time. These are current photos that have been taken in the last few days. I'll also pass these. In addition to the roadway circumstances in the plat itself there is a large gas utility easement for an underground pipeline that runs right through the center of this 72 acre tract. I believe, although it's not depicted on the plat, there is a 100 foot set back requirement to potentially buy that in construction of homes and circumstances. Our current concern as residents of the area is that this is a pipeline maintained by a pipeline company. Some of the residents know much more about it than I do. They will speak to that. This a large high pressure gas utility line. These have been know to be a problem in other certain areas in regards to maintenance and circumstances. As a currently zoned agricultural tract being used in tillage and circumstances as it is, it probably has a much less impact on that tract of land than it would under a proposed zoning change and development into 22 lots for residential use.

Specifically I would like to address a couple of comments to the actual zoning circumstance that we are encountering. Currently this tract is zoned agricultural as are I believe.. The only tracts that are zoned something different appear here on the southwest corner as what is designated on this plat as lot 1, lot 2 and lot 3. These may have another zoning. Light industrial or some other zoning than the agricultural designation. All the rest of the surrounding properties on Corn Road and Campbell Road that completely surround this tract are agricultural. In driving up and down the roadway and seeing it is primarily used as agricultural tracts by the folks who live there and use these parcels. Specifically under the code the agricultural zoning designates that the purpose of the agricultural district is to maintain large tracts of open land, 10 acres or more devoted to active agricultural and or open space uses and related to farming uses and circumstances. While all areas do face change and development, we believe there are some areas that are much better suited or appropriate to a change of zoning to allow residential development. Under the residential development zoning definition and plan we are talking about low density residential use with lots of 2 or more acres. Property zoned RE should provide a transition between rural and higher

density suburban development. In current time there is no suburban development here. This has all been developed in agricultural uses. Yes there may be some tract there historically out of use and divided by homeowners that have less than 10 acres. I believe that the majority, and the residents can better speak to this, are tracts of 10 acres or greater under the agricultural zoning circumstance. The balance of the definition under the RE development is the district would be appropriate for selected locations where low density single family residential development is desired where terrain or the public service utilities and circumstances would be capable of being handled in that area. Our concern as I spoke earlier is that Corn Road is not a very wide roadway as maintained. There is a serious geographic situation in regards to a large hill basically at the corner of Corn and Russell. This large steep hill is something school busses presently have to negotiate. The school bus companies have developed a plan where the residents when it is snowy or icy, the bus does not go up and down that hill. They invite the residents to make other arrangements to either meet the bus at the bottom of the hill or at the top of the hill where the bus doesn't go up there. There are presently no guard rails on either side of this hill. There is a long distance up and down this hill probably 300 to 400 yards long. We are talking about a circumstance where it is a very steep drop off to a pond on the west side to an open culvert drainage along the east side. For these reasons we do question whether or not this particular site is an appropriate site to be a zoning change to a RE development. Under the current A zoning this property is could be divided into 7 ten acre tracts which is a use that potentially much more comprehensive in regard to the remaining zoning and uses that are present at this time. For that reason we are asking that there be some serious consideration given to the future development of this tract as to whether it would be appropriate for 7 ten acre tracts versus 22 three acre tracts. Thank you. Is there any questions?

Mr. Pointer said I have one question. Are school busses traveling these roads now?

Mr. Sperry said yes sir. School busses do travel Corn Road and there are students there. Some of the other residents can speak to you as to what the arrangements the bus company has made into bad weather conditions. There is also at the bottom of this hill north there is the Sni -A -Bar Creek crossing which does have a newer constructed bridge that still does encompass highwater flooding. It is something that the county comes out and marks to not cross in high water. This is the circumstance that residents can speak to. I believe in 93 and 95 floods this total area was under water for quite some time.

Mr. Haley said most developments begin in an agricultural setting. What is your argument or concern again about development?

Mr. Sperry said one it is currently surrounded by all other agricultural uses. Two. Most of the tracts that are there are 10 acre or greater and are currently being used as agricultural. The folks that are in agricultural are obviously moving their tractors and their farm equipment up and down these roadways on a daily basis during the seasons and the times. That coupled with the fact that the existing roadway structure there plus the other such as school bus services. We have questions as to whether or not current circumstances along Corn Road can adequately serve an increase of potentially All tracts are going to be developed. This is potentially a tract that will develop into seven different families of 7 different ownerships on a ten acre development as opposed to the influx of 22 potential families who will all have their different and diverse uses up and down that road. We don't believe the current circumstances as depicted in the photographs have infrastructure that can adequately handle that.

Chairman Antey said in your opinion would you say they are adequately handling it now?

Mr. Sperry said I think the residents had better speak to that. I know they are have concerns about the road condition now. There are virtually unmarked culvert circumstances as I have viewed. In driving down the roadway the roadway ends right here and there is a deep culvert 2 to 3 feet deep there. Yes there is a yellow marking sign off to the side that tells someone that the roadway is narrow. The roadway in a few instances narrows on Corn Road where it comes to this. These are unguarded. There are no guard rails anywhere up and down Corn Road.

Mr. Pointer said well if it is that unsafe, I have a problem that the school bus is still using it.

Chairman Antey said or that it took this hearing to bring that to everybody's attention.

Mr. Sperry said I believe there will be evidence from some of these folks. I don't mean this disrespectful to county services, but I think the response time from Jackson County Sheriff's patrol runs between one and two days. I think there will be some direct testimony to that as well as other complaints that have been made from time to time in regards to things that need to be done to the roadways that don't seem to be done. A lot of the homeowners themselves have maintained sections of the roadway that are appropriate to their use for ingress and egress. There are no drainage ditches maintained there. The road has been widened by chip and seal over the years to where it actually runs up to the edge of where a drop off occurs. That drop off at the edge of the roadway does serve as a water collector culvert. Of course in bad storm circumstances we get the debris and rock and smaller rock that washout on the roadway. The residents themselves have maintained these roadways in these circumstances for the years they have owned and maintained their properties. Many of you know rural people who use their property will maintain their entrance ways and their roadways to do whatever is necessary. Whether it is storm damage with trees coming down after the ice storm or whatever. These are the folks that go out and do what they have to do to get ingress and egress for their families in these circumstances.

Mr. Tarpley said you mentioned a 300 to 400 yard hill. Where is that in relationship to this?

Mr. Sperry said Corn Road comes off of Nebgen and runs south and all the way south to Colbern. As you would come south off of Nebgen on Corn you come straight a way to the Sni-A-Bar Creek where the bridge is. Just past the bridge is the hill. The residents can speak much more accurately to that than I can. Our concern is that obviously that is something that the school bus company has actually spoken to the residents about what is the procedure to use when that road becomes impassible because of flooding.

Mr. Tarpley said is it your understanding the county is not maintaining the roads and ditches by cutting out?

Mr. Sperry said that is right. I believe the testimony to that here and the photographs will give evidence. I don't have any further comments. I will answer any additional questions. There are a number of residents who would like to speak to you and we will try to hold our issues so that we are not trying to duplicate things other than to give you a little bit more de tail about some of these circumstances.

Mr. Wyane Womak, 8925 S. Corn Road, Oak Grove, appeared to give testimony in opposition. He said my property is directly across from this development. My driveway would be almost across from where this area is here. Currently this whole area here from the highest point of this property there is a ridge that kind of slopes this way. I get drainage currently off of all of this are here all the way down to a little bit the other side of the Koger Cemetery. That is the highest point down. It all comes down to the ditch

along the road here. It comes through a single culvert right in here by my driveway. This is kind of a valley in there. I have been here since 1966. When I moved there this used to be a valley. Now it is a raised plateau. All this water washes down and channels down through into that one small road ditch. A couple of years ago when we were having problems Jackson County come out. That culvert is hardly big enough now to channel all of them. The main problem is that this whole area anytime you get those real heavy rains it becomes a sea of mud. The entire asphalt is covered in mud. All of that mud comes through channels onto my property. It is a mess already.

Chairman Antey said actually the development and the addition of turf grasses will not only slow down the runoff but it will actually hold it.

Mr. Womak said it may to some degree but it has all been farmed. Now I am going to have yards and I'm going to have roofs.

Chairman Antey said it is a scientific fact that turf grass and the development will reduce the runoff.

Mr. Tarpley said what is the current use of the property? What is on it now?

Mr. Womak said right now I have 20 1/2 acres there that is basically open farmland. I do not farm it. I keep it. The whole idea of when I move there is so that I would have some peace and quiet. If I wanted to live in town I would move in town. We bought the property in the agricultural area with the idea it would not become a crowded dense area. Now it has become a major concern. I'm concerned with a lot of runoff. You've got people spraying with yard sprays, bug sprays. You've got waste of trash. Already we have got an immense amount of trash coming through off the road. Extra stuff is going to be coming over there. The noise. We have had a serious increase in vandalism over the years as the properties develop. At the same time there is a concern of the narrow roads. I used to walk down the road but you are in fear of your life now because they have become so narrow. You can just barely get a standard size... With SUV's today you can barely pass. Then you'll get a school bus. The hill the attorney was speaking of, you can go but I would say it is not safe going up and down the road you have to stop and go to get them a little extra room. You can just barely pass two cars. There isn't any where to get off. Currently now it is unsafe if you even dare to go out and walk the road. This is a major concern is all the extra stuff going out there. We've got an invasion of privacy for my and folks like myself who live around there. The idea of coming out there was to have some land around us and have room and not to have to reach out and touch the neighbors house next door to you. That is my biggest concern. I notice here they show culverts coming down and open right on the road ditch. This is going to add a whole lot of headaches to a peaceful setting.

Mrs. Mershon said the piece property they are developing, does it have crops on it now or is it in pasture?

Mr. Womak said has soy bean on it. Every year it has soy bean and milo and occasionally corn. It has been planted every year since I've lived there. The original owner passed away. The original owner farmed it. As he got older he leased it out. It has been farmed to my knowledge since I moved there in 1966.

Mr. John Scafe, 8312 S. Russell Road Oak Grove, MO., appeared to give testimony in opposition. He said obviously you have heard about the condition of the road so I don't need to repeat all that. I do have 30 photographs (exhibit #13) showing the present conditions of the road. These are just photographs of

some of the locations with ill repair on the road. I'm going to skip the part about the road. I had kind of a speech put together but a lot of this has been covered. The part mentioned about the school bus. I know a couple of people had some questions. Our boys have been asked by the school bus driver when it gets bad weather if he can meet them either at the top of this hill or at the bottom of this hill. I talked to the assistant superintendent about this. He said yes I am aware of the hill in winter time. They have made arrangements to detour around this location to run their bus route in bad weather. It hasn't been a problem for us particularly because we either take out boy down there to meet the bus. Or he actually turned 16 and started driving to school. Still the bus has to detour in this area in the bad weather. One other this I thought was kind of interesting. I started to calculate the amount of extra traffic that would be on this road if 22 houses did exist. I put some information together.

Mr. Tarpley said are these photos all on Campbell or Corn?

Mr. Scafe said they are mostly on Corn Road. There are some you see where they cannot pass and those are on Campbell. There are probably 2 or 3 that have red circles where the road has sunk in. Those are also on Campbell. In the photographs it is hard to see the depth and the deterioration. That is why I circled them. The average residence has 3 cars per family. By changing the property to 22 residential lots you are adding 66 cars to the road. This means if people left and returned to their home only once a day 123 more cars would travel these roads each day. If they left and returned twice a day 264 cars would travel roads. Not including anyone who would be visiting or making deliveries. This one zoning change could easily cause over 300 additional automobile trips across and inadequate used road each and every day. In my opinion this condition is not safe for the people who already and would not be safe for the people who would be living in that development. This area is a little community and has a unique character. Because of the Blue and Grey Park many residents have moved out on small farms within horse riding distance of the horse park. A lot of the area is built with people who moved out there because of the horse park. I am one of them who moved out there because of the horse park. This influence of small farms with horse owners has blended well with the already existing farm business and community by providing additional markets for the hay production being sold to their horses. These horse owners generally have an understanding of farm equipment on roads and are courteous to fellow horse riders along these roads. A lot of people do ride horses on these roads because they are a direct route to the Blue Grey Horse Park. Even when I was getting petitions they were having a reenactment of the civil war. There were horses all up and down the road. Many of these small farms are used in hay production in cooperation with the farmers that do have agricultural. They have 10 acres and they live on part but 5 or 8 acres of it may be put up in hay. Some of the larger farmers put up several people's hay. If you drive along this or even Buckner Tarsney Road you'll look at a piece of land that has a residence on them and there are round bales all over the place right now. I don't know if you know this but Missouri is the seconds largest hay producing st ate in the United States. These small rural interior roads need to remain lightly traveled. (Tape change) Needs to be considered in the overall picture. This is definitely an agricultural producing community and area. Even the small tracts of land in this area, there are some three and five acre pieces. Almost everyone of those that have been divided off are extensions of the families that have the bigger tracts. There will be 3 or 4 family members that live all in a general area. Even a lot of the small tracts are involved in farming operations. When you look at the layout of the tracts it is kind of deceiving when you see 3 and 5 acre lots. A lot of these people actually are family members of the original people that owned the property. That is basically all I have to say if you have any questions. I do have one other thing. We put together a petition of people who are opposed to this zoning (exhibit 14). I have over 150 signatures from people in the surrounding area and on the roads. Also I have a list of people who would liked to have been here but could not make it here for health

reasons or conflict with work (exhibit 15).

Mr. Leonard Barker, 8415 Corn Road, appeared to give testimony in opposition. I am also the property owner on the east side of this hill we have been discussing. I have been on both sides of this because I was involved in a development in Clay County. So I can understand where the developer is coming from. I understand the Boards standpoint that every time you have a development going in there is going to be people who say not in my back yard. My only point to that would be your comprehensive development plan. I would think you would prefer to see these size of developments start nearer the dense area of the development and move out slowly rather than jumping well into the residential or agricultural area which this is doing because there are no major developments that I am aware of other than 2 or 3 three acre lots that this gentleman said are often broken up by family. As far as I know the nearest ones are back near Ryan Road. They are quite away from where we are at. So these kinds of development should be starting in that general area and moving out. That is really my major complaint with the development itself. The other major concern I have is that I have lived there for 14 years. I wouldn't want to say that Jackson County Public Works has been non-responsive. When I have called them with problems about drives or drainage they have always been responsive to me. The problem I think with the road unless they want to take out a lot of the adjoining property. They really can't widen it. So they have chipped and sealed it over the years but it has never really gotten wider. The places they have widened they basically just tarred over the edge of the road which of course breaks off as the ground gives out under neath it. They are correct in driving the length of the road it is pretty narrow. Tree lines are close. When you come up on a truck coming from the opposite direction you really want to go into the ditch to let it go by. Especially that you are saying it is a collector road surprises me. As far as traffic. They can do a traffic study. I'm sure they would say the road is capable of handling it. If you are standing out there, there is not a car running by every minute. It is pretty heavy for a county road. You wouldn't have always wondered why there are so many cars. A lot of reason is that if you want to take Colbern to get over to BB you have got to wind through the little windy road past the church. If you are going to Lee's Summit you are going to go south on Corn. Many of the people who are buying these homes are buying because of the Grain Valley School District. Therefore they are going to tend to drive in this direction. Anyone who drives in that direction, Spencer or any of those areas, all come down Corn Road. The real problem with the road where we speak of coming down the hill that we speak of, that is basically 8/10 of a mile north of the development. I own the property from Spencer Road down about half way to the bridge crossing. That bridge by the way did flood this year about six weeks ago with the rain. It was unpassable for about 6 to 8 hours. You get flooding over every year. The reasons the county hasn't done anything on this road, on my side of the property it is almost sheer rock. I don't think they want to go to the expense of ripping all that rock out to widen the road. On the opposite side is the Martin property. It is on this peak, where you have probably seen the photos, where the road drops almost a sheer drop into a small pond. That particular road is very dangerous. The other problem because they tried to widen the edge of where the existing drainage ditches are is you have large chunks of the road wash out. The year before last we had a young lady from high school come down that road and a chunk of the area was washed out of the ditch that big around and this deep. She sheered a wheel off of her car and she almost lost control of here car. She was just a little south of our property. She was not injured but that is the type of condition that road is in. Without major improvements to that road, there are four school busses that pass there every period of the day. In the morning we have four busses go by. At noon there is three because of kindergarten. There are four busses at night. So there is very heavy bus traffic on that road. They do have alternates but they are not real great. Hardsaw Road as you probably know is very steep and dangerous also. It is probably worse than Corn Road. Russell Road has got a steep hill. So there aren't really any true alternatives. My concern would be that the roads to this area and that this may be

legally appropriate area for this development, unless this developer is willing to help front improvements to this road, this is a poor location. The other thing that concerns me on his development plan there. Looking at these intersections this area through here being narrow and a hill all the way through flattens out here, is that I would think with that many vehicles coming in and out there should be some kind of an entry that would allow the vehicle to pull off and then enter into the road. With that many cars coming in an out you are going to have an accident there sooner or later. Unlike the other two or three roads that enter into there, those are light traffic with an occasional car that comes out. Here with 24 home in there as the gentleman said you are going to have cars coming out every few minutes. Sooner or later somebody is going to pull out and run into a bus or a car. There is no way for them to avoid it because there is no way for them to enter onto the roadway without blocking traffic. The point would be that if you improve this you should require that there is some type of entry in there to make it safe. We just had construction in Grain Valley off of AA and that is what they did there. They required those businesses to provide an entry lane and those roads are wide. That is basically my concerns for the development. As far as the water is concerned. You were discussing the hydrants. My home burned down three months ago. It wouldn't have went to the ground but the fire department could not get water into my property . They only hydrant is up on the corner of Nebgen and BB Highway. The water line is up there. The water district told my shortly after my fire that they were looking at extending an 8 inch line down Corn Road. The last I heard they are only planning on bringing it just a little south of the Sni Bar Bridge and stopping there. I don't know if something has changed since this development, but if not you are not going to have fire hydrants on this development. That is going to be a major problem with 24 houses in an area where the fire department has no ability to supply water other than tankers. I can tell you from having lost a home, the tankers did not cut it. All they did was put out the embers after it was gone. It took them almost an hour to get the pumper trucks in and get their tanks set up to empty into. It took so long by then the house was gone. That would be my other point. I would think that would be a requirement for any development that they would cover the cost of extending this line. I know and I'm sure the water districts is not going to do because they have already talked about that. To extend the line to provide at least a couple of fire hydrants in this development. Thank you.

Mr. Tarpley said if Corn Road was improved would you be against this development?

Mr. Barker said I like anyone else don't particularly like the extra traffic on the road and the development. I think it is inappropriate from the standpoint that it is going to be way out. Having been on the other side of the table, I know what you folks face and nobody ever wants development. My biggest concern is the safety of the road. Having been through a fire knowing the worry of putting 24 other houses in a situation where they are not going to have protection for their homes either. I guess I just have to qualify it that way. Those are my major concerns.

Mr. Keith Chastain, 8903 Corn Road, appeared to give testimony in opposition. We talked about the road and one thing I would like to add about that is that the resurfacing of Corn Road has been very infrequent. We have been surprised when Hardsaw Road, the road behind us that does not receive as much traffic as Corn Road has been resurfaced twice before they got around to resurfacing Corn Road. Corn Road is a road used much more as a thoroughfare than Hardsaw. Somehow due to timing things it doesn't seem to get resurfaced as early. It requires frequent call from the residents to repair potholes. We had one at the bottom of the famous hill that we had to deal with all last winter. The other concern I have that has been brought up is Grain Valley Schools. They are currently very full. This middle school was just completed where my son goes. A year after it was completed they were adding to it. There is an average of 29 students per class. There is a terrific amount of development in Grain Valley proper itself

going on. The school district is growing by leaps and bounds and they can't keep up with the school population. This would be adding 22 families with kids at 2.5 kids per family. That would be 55 more kids in the school district. While Grain Valley is bound to grow, I agree with Mr. Barker here that the development should be that the development should be spread out slowly. In my opinion this is dropping a subdivision in the middle of a country acreage. It should move out slower than just putting it out there. The other thing is just our general style of life. We have traffic up and down the roads. Horses, tractors and the like. Corn Road has become so busy that it is hard to handle already. This would increase that. People who live here would have more of a residential life style. I keep horses. I'm sure I'll get a complaint that we don't like the smell coming across here. We don't like the flies that come on our property. I moved out there in order to be able to do that. I want to maintain that. Also there is plentiful wildlife where we are. There are opossums, racoons, skunks, fox. They are preying on the rodents and the likes that live in the corn fields and various farm lands. If the suburban community pops in where we are, I'm sure they will not like that either. We will have complaints about that. It is going to be a fact of life for them because all around them is farm land. Those are my main points. We know the roads are a problem. I'm concerned about adding more people to the school district with it growing so rapidly already. This threatens the lifestyle we all have that we all chose when we bought our property in this area.

Mrs. Vicki Scafe, 8312 S. Russell Road, appeared to give testimony in opposition. My husband spoke earlier. I wouldn't be standing here but he kind of got his speech messed up since you didn't want anybody to overlap. As far as addressing whether or not these complaints have been ever made to the county before, they had. It is not that we sit and call and complain all the time because we are probably up at one o'clock in the morning bailing hay. When we still earn a living because you can't do it real well all the time unless you are a really big farm. So that is one of the things. There is a washing machine or dryer. I called them the first time over two years ago before the ice storm. It is still there. There are actual reports to the Jackson County Sheriff's Department because we have found a methamphetamine lab that was dumped. The guy was dumb enough to leave his know address with some paper work with it. He was already in trouble. My husband and I and a lot of the other neighbors get together pretty often. We use our own equipment. We will pay people. A lot of the little teen age boys get some extra spending money. We clean it up ourselves. That is very traditional of farm people. We take care of our own. That is the reason it is a tight community. If people would comprehend the amount of work that these people did. Anytime you guys want to talk to us come on down to Del Richards farm at 1 o'clock in the morning. He is milking cows. Most of us are there. To say that we haven't called. We have called. We do realize that we live in a rural agricultural area. We realize that we are on what is considered rural services. We are aware of that. We try not to bother people. We try to take care of our own. My husband has been up more time than I can tell you at five in the morning. He has taken his own equipment. I can have plenty of affidavits signed by our neighbors. He has done all of the removal of snow, ice. We hauled sand in and payed for it ourselves. I haven't asked for anything very much, but I do ask that you all try to remember the type of people that live there. Give them a chance to maintain their life. Some of these farms have been in these peoples families for over 100 years. We are not saying that we are not accepting growth. We are accepting growth. If we weren't we would already been here. Because believe me we are tight. We would have complained on subdivisions that have gone in on major roadways. Colbern, Buckner Tarsney and there is another road out of Oak Grove I can't think of the name. We have accepted this. We are willing to work with any kind of suggestions. Just please try to bear in mind. If you don't believe me talk to the US Department of Agriculture. It is a weekly problem still in Jackson County of people calling in complaining on flies. I have been complaining....

Mr. Pointer said Mam there are people that sit on this board that are farmers. I being one of them.

Mr. Scafe said thank you. Then you understand.

Mr. Pointer said so I don't think you need to go into great detail explaining how a farmer feels.

Mrs. Scafe said I just want to make sure you understand. We have been accused of causing a guy to have less now because we have horses. We had to explain its mosquitos not horses that pass it on.

Mr. Tarpley asked where are you in relation to this property?

Mrs. Scafe said we are on Russell Road. We have 50 acres. Our boy is the one that was and there have been some other kids that the school bus drivers just can't make it up. I don't asked them to. I let him walk down there. Also I will say that when we said that about the police they respond only if it is a non emergency that they take a long time. If it is an emergency those guys will be there.

Mr. Louie Saffell, 33307 Campbell Road, appeared to give testimony in opposition. He said I live there on the south side of Campbell Road. Lot 1. I have got a small horse operation out there. Originally when I bought the property it was 10 acres. My niece and bought it and she subdivided it at that time. There is a gas line that runs through that property. It was owned by Williams Gas Company. I guess it has been taken over by Southern Star. This is a 20 inch diameter gas main. Rules and regulations set forth on these at that time was an 88 foot easement on both sides of that pipe line. You have only got 50 foot on it now. Since that time the gas pressure has doubled on it. A fire on that thing will take that whole housing development out. Probably including me. I'm sitting on a time bomb and half the neighborhood is too. If that bomb goes off anything within an 1/8 mile radius of that thing is going to burn. Realizing that now after I bought the property. It is too late and there is nothing I can do but live with it. I'm know I live with it and I know what is going to happen. You are asking to put 88 people in there with 22 home sites. Those people aren't aware of what they are going to buy unless somebody tells them. This is one of the issues that has to be addressed. I don't know what the current pressures are on that pipeline. It is pretty unreal. It is a main supply line that runs from Texas to wherever it goes. The other part of it is that I sit on a horse operation there. The other gentleman said you are farmers. I face the same problem. When the wind blows out of the south there it blows right across the road onto that property. I run trucks, trailers and everything else. I also cut hay. We do have a problem with the roads. It is dangerous for any us people to be out there on a tractor. There is nothing to hold onto but a steering wheel. There is nothing to protect me. Not a thing at all. Pretty soon I'm going to get killed on that tractor and I know it. The roadways, if it goes in a ditch I'm going to get knocked off that tractor and killed. It is a major concern for me and about three or four others around that neighborhood that cut hay. Plus other heavy farm equipment. There are combines and stuff go down there. One of my pieces of equipment if four foot wide that I drag up and down that road. I'd be glad to answer any questions.

Mrs. Donna Barr, 9408 Corn Road, appeared to give testimony in opposition. She said just a couple of points on the school crowding. We graduated last year out at Grain Valley. Back in 1982 the alumni graduated 60 some kids. This year we graduated 101 kids. My daughter was in the freshman class year and they are at 175. They have added 40 to 60 kids at that class. So the overcrowding and being able to allow to set up is a concern for the school and also the residents. We just had to pass a 75 cent tax levy increase that these homeowners are also going to have to take part of. One of the other things besides the overcrowding in the schools is the fire department. A moment earlier he talked about the Central Jackson

County Fire Department. That is incorrect. When you come up Corn Road you come up to the top of that hill, the first house if Martins. That is exactly where the Central Jackson County Fire Department ends. Everything south of there starting at my house, 8801 S. Corn Road. Everything south of there is Lone Jack volunteer fire department. Also on the water lines. When I moved out there I owned 5 acres south of Colbern. I moved to 9 1/2 and the reason I don't have the 10 acres is that when Mr. Waddell separated it all, he took every bit of the right of way for the gas pipe line. That pipe line has to be maintained so that can fly over. They come down. When I had to pipe line running through my acres on 5. They cam through and cleared a path so that they can maintain their pipeline. They fly by helicopter. They fly by airplane over my property at least twice a year. I can tell the difference between anything that is coming out of Whiteman over my house and the one that is coming for the gas company. They do fly over. My back yard neighbor went to put in a fence. The very same day the gas company knocked on the door and told him we will help you put it in so you don't accidently hit the pipeline. So they do maintain that and they want it completely uncovered so they can fly over it. When I went to buy this 9 acres and I went to hook up to the water, currently in this particular area, depending on which side of Corn Road you are on, it is either a 2 inch water or a 4 inch water. It is not consistent because when they came in we had the cisterns years ago in the 70's. Some people wouldn't let the water company come in so it zig zags back and forth across Corn Road. Some side it is 2 inches and some side it is 4 inches. I asked the gal when I was hooking up when are we going to get fire hydrants. She laughed at me and said honey not in your life time because the people won't pay for it. Believe me I would pay for a fire hydrants. Unfortunately I happen to be two lots south of this so if they happen to put in fire hydrants I'm going to be left out of that part of it. I just wanted to clear up some of those things.

Mrs. Kathy Richardson, 9317 S. Campbell, appeared to give testimony in opposition. I walk everyday with a friend of mine. We go all the way to the side when we walk. One car cannot hardly get down beside us. Plus when you were talking about having big trucks in there building these house, these chip and oil roads will not handle it. We had a fire about six years ago on Campbell and the fire trucks messed up the road. Plus my husband helps the people that are farming this right now. They farm it because they lease it. He said it is very scary to be in a combine coming over that hill on Corn and another car coming down because there is no way for him to go and it is very scary. You are taking about at least 66 more cars involved. That is a very dangerous situation if they are going to add houses out there.

Mr. Will Bowen, 33204 Campbell, appeared to give testimony opposition. He said I live on Lot 1 of Cherokee Meadows, zoned light industrial. It is kind of residential. I do live there but I also have a horse as many people have mentioned. Since I moved I built two buildings. One is for the horse. One of where I do my light industrial. I really don't think there are that many people who totally object to the fact that they are going to have to have some kind of development at some time or another. I have no objections to that either. I happen to own five acres. I would love to own 20. Alberta is the lady who lives on this particular property. When I found out it was for sale, I went and asked Alberta what are you going to do with it? I wanted 15 acres. She said what I'm selling is one big plot. What are you going to do with it after it is sold. It wasn't her problem. That was fine. I still would like to have 15 acres. What I would really like though is in the record is I may be light industrial and I do occasionally build things in my shop and make a lot of noise at hours of the night that don't bother the people that I live around because there is nobody around me with the exception of Louie who is far enough around he doesn't care. When you start sectioning it off into three acre lots then you get a lot people living next door. I lived in a small town. I had a neighbor next door that when you walked out you yelled hi. If you needed help you yelled hey come on over. But at 10 o'clock when they wanted to go to bed you stopped what

you were doing whether you were finished or not because you were being neighborly. That is fine. I understand that. With me being zoned light industrial I work on things a lot of times that it has to be finished and the people who own it want it back when they want it back. So there is that. There is also the fact that I own five acres. I don't know whether anybody has done a perk test on the property that is adjacent to mine. But I went out to get some dirt to level out the site for my horse barn. The first layer of dirt was clay. Two feet deep was rock. Below that was grey clay. Anybody who has farmed knows that grey clay doesn't far worth a dammed. There was slate. So I don't know if you can get a perk test to go on three acres of clay. I haven't a clue. I just know what I have and I'm the little section right here.

Chairman Antey said they will have to get a perk test before any building permits are issued.

Mr. Bowen said I don't know what is there. I just know what is on mine. When I went to level up my building spots I dug out a hill on the back side of mine I had a heck of a time getting it. When I found it I found out later that clay is a great thing for a horse because it is kind of hard for them to fall through. I just wanted. I know am zoned light industrial and I know it was spoken earlier that it is residential. I live there but I also do other things to.

Mr. Pointer asked what type of light industrial work do you do there?

Mr. Bowen said I build things for the backs of tractors. Attachments and things like that. Hay forks, sprayers. It is not my main job. I have a job but I do that after I get home at 5:30 or 6 and then work until I get tired or get done.

Mrs. Claudia Franklin, 9611 Corn, appeared to give testimony in opposition. I was just wondering you mentioned the drainage is better with housing and roads. How can that be?

Chairman Antey said turf grass holds the water.

Mrs. Franklin said it can only soak up so much. If there are houses and roads everywhere else then how is that going to soak up?

Chairman Antey said the amount that it soaks up greatly reduces not only the amount that actually runs off but it actually reduces the speed at which that residual runs off. That is pretty scientific.

Mr. Tarpley said it is the same as pasture and row crops. The pasture will retain twice as much water as the row crops.

Mr. Pointer said if that had houses on it versus the row crops that are on it, is what they are telling you, the water would run off slower and it would absorb more.

Chairman Antey said and there wouldn't be as much runoff with housing even taking into consideration the driveways and the roofs.

Mrs. Franklin said our property is just east of the property we are talking about. There is a big old drain ditch on the north and the south side where when it rains hard everything goes down into our pond. I'm worried is it going to wash our pond out and cause damage to our property because of that. It sounds like that should not be a problem now or in the future if they build houses over there. Is that correct?

Mr. Pointer said it won't be any worse than it is now.

Mrs. Franklin said on the fire protection it is obvious there isn't adequate water line for fire protection. If the property is rezoned is it a requirement they put that in before any building goes on? How does that work? I'd hate to see a bunch of houses go in with the idea there is going to be fire protection within a year and then it never happens.

Chairman Antey said that would be a questions for Tom. As far as the preliminary plat the fire district wants to see the hydrants in there with at least a 6 inch line going to them to pump the 1000 gallons per minute.

Mr. Krahenbuhl said the utilities and everything have to be done before the houses are done.

Mr. Tarpley said is that within the subdivision or are you talking about the road also?

Mr. Krahenbuhl said as far as the subdivision.

Mr. Allen Brandmeyer, 8819 S. Corn Road, appeared to give testimony in opposition. I have a couple of questions on the tract. They have tract A and tract B. What is the reason for that? Is there going to be a road?

Mr. Trosen said I think the applicant indicated he owns 20 acres back here. More than likely it will be 2 tens. His intentions are hopefully to sell one ten to the owner of lot 5 and one ten to the owner of lot 6. However if he is unable to sell that he wanted to at least provide access to a public street in order that this 20 acres is not land locked. That is why you have tract A and tract B.

Mr. Brandmeyer said you have Campbell Road and Russell Road. Were they going to try to connect them? Is there a request for that? Did the county request the builder to look at that?

Mr. Trosen said we as well asked the applicant to look at it. We as the county looked at it. Tom would you like to address that?

Mr. Krahenbuhl said it was looked at. We on site visited the thing. With all the terrain problems there wi wouldn't be feasible.

Mr. David Sperry said I have one additional piece of evidence. I was handed a letter from Mr. Chad Martin who lives at 3312 Russell Road. He listed his concerns and I just ask that Mark make it a part of the record. (Exhibit 1 6).

Chairman Antey asked if there was anyone else to speak or who has questions about this application. Come forward again and I would like to reiterate hopefully the points that have been made.

Mr. Scafe said I have one question. No house can be built until the utilities are in. That is in the subdivision. Does the 6 inch water line for the fire department have to be in before that happens.

Chairman Antey said yes.

Mr. Trosen said he wanted to address a couple of comments that were made. Mr. Scafe and I had a conversation less than one week ago. A couple of concerns he brought up and restated during the hearing which many of the citizens had concerns with was Corn Road as well as with the schools. I contacted earlier this week our acting superintendent of our Road and Bridge Maintenance Division. His name is Sam Davis. I asked if there were any improvements to be made to Corn Road. He indicated to me that Corn Road will be resurfaced next year.

Mr. Pointer asked will it be widened any?

Mr. Trosen said typically depending upon how much right of way the county has, they go in and they do as much widening as they can. They also do corrections to any kind of ditch work. A good example of this is on Tyer Road north of Duncan Road is a street that was resurfaced. If you recall it was a very narrow two lane road. The road and bridge maintenance division went in and redid the base as well as where there was enough right of way to widen the roadway and correct the ditching problems and that road was resurfaced. The other item was schools. On July 12th I talked to the superintendent of schools, Dr. Chris Small. I explained to Dr. Small what the proposal was as far as the number of lots being proposed and asked what concerns or any objections he would have regarding this proposed development. He said as long as this development stayed at the 22 lots he had no objections to the proposed subdivision. I also want to point out as regards to this gentleman in the back, his comment regarding the gas line. As we all know the gas line is indicated on not only this preliminary plat but it will be indicated on the final plat as part of public record. So if anyone is interested in purchasing property within this proposed subdivision that would be a part of the public record.

Mr. Pointer said is the gas line used today?

Mr. Trosen said the gas line is in use today. That is why we have indicated it on the plat and it would be a part of the public record as the final plat is recorded.

Mr. Tarpley said since you brought up the gas line, if somebody bought a piece of property how close could they build a house to that pipe line?

Mr. Trosen said they could not build it within that 100 foot easement. It is fifty foot from the centerline of the gas line. So fifty feet on both sides. There is a 50 foot setback. This is the recorded easement by the gas company. The last item I wanted to point out. There was a question regarding on-site systems. Mr. Chairman you pointed out each lot would need to have a perk test done for a building permit. The applicant indicated briefly and I want to point out as well when we are proposing more than 7 lots and those lots sizes are less than 5 acres in size, we require the applicant to go through the department of natural resources. They submit a soil scientist examination of the ground. DNR files a report back. You have as exhibit #10 from the Missouri Department of Natural Resources a geological survey and resource assessment. You can look at the bottom of that based on their analysis they would recommend lot sizes to be less than 1 acre in size. However as you know our minimum lot requirement out in this area is three acres. So that is what is being proposed as far as this development.

Chairman Antey asked are there any new points that have not been made before? I don't want to berate any points that have already been made. We have heard concerns some more than once.

Mr. Gary Rowe, 9224 S. Campbell, appeared to give testimony. He said this property right here is what I

maintain now. When they start developing and come in here with dozers and you can walk the property. You understand when you place a fence in there you will have to do core drilling. I'm wondering when they get in there and start cleaning things out how much of this work are they going to lay on me?

Mr. Pointer said is it a fence line?

Mr. Rowe said yes. I have horses in the pasture now.

Mr. Tarpley said when you say you use a core drill are you talking about a concrete core drill?

Mr. Rowe said it is just bedrock all through that gully.

Chairman Antey said it shouldn't effect him if it is not on his property. Would it?

Mr. Row said it's going to. It is in line with it. That's my fence line up here.

Mr. Pointer said if they tore up your fence and it is your fence that you put there they would have to replace it I'm sure.

Mr. Rowe said I've got stakes on my property now where they come through to survey. Nobody came to the house and said we are coming through here for whatever reason. Is this like a future road planning thing that is in here? Why are they the stakes 15 to 20 feet (tape change)

Mr. Pointer said so they can find a point to start to survey from.

Mr. Leonard Barker said I have a question of Mark. He indicated he talked to Public Works and they are going to be redoing Corn Road. With that indication of resurfacing are we talking about chip and seal? Did they say?

Mr. Trosen said he did not indicate the type of material he was going to use when talked about resurfacing. I'm sorry I can't make that kind of commitment to you.

Mr. Barker said my only point would be that in the 14 years that I've been there I believe the road has been resurfaced twice. Once shortly after I moved in and once four or five years ago. When they have done it in the past the widening involved dumping some fill dirt and packing it a little and putting the asphalt on. If anyone of public works questions that is what they do, they can drive 200 feet north of my driveway and you will see where huge areas this wide have collapsed in the asphalt because that is where the drainage is and this washed off and fell off from under it. The same goes with the hill we have been talking about which the letter from Chad Martin. He is my neighbor to the opposite side of this hill. It is the same situation. They have cut the ditch and put the chip and seal down. As you well know, if you don't have a good base under the chip and seal asphalt as soon as it rains it simply crumbles off. It leaves the a large hole and this is the type of thing that you get into.

Mr. Pointer said the county over the last year or so has adopted a new practice on fixing their roads. When they go in an fix it and they have schedules to fix certain roads like Mark pointed out. The work that they are doing now compared to the types of work they did two years ago and I agree with you 100% in the past that is what's been done. The road work I have seen them do in the last year or so is done

right.

Mr. Barker said that would help.

Mr. Pointer said I can't say like Mark what it is going to be but I can just say what they are not trying to resurface as much road but what they are redoing they are doing very well.

Mr. Wayne Womak, 8925 Corn appeared to give testimony. The gentleman I believe is Mark, said you were speaking they had made a survey of sewage and percolation abilities and so on. Have each of the lots been tested individually because we all know one spot to another radically changes? It is a concern for me from the standpoint of drainage. If there is not proper absorption and so on. I'm thinking in terms of how much sewage am I going to get across my ground.

Chairman Antey said each lot will have to have its own percolation test. Each one will have to be tested before a building permit can be obtained.

Mr. Trosen said no runoff can leave the property line.

Mr. Womak said how would you stop that if it is going underground?

Mr. Trosen said it really depends on how the ground percolates. The percolation done by a registered professional engineer will then determine what type of system is going to be appropriate for that type of ground.

Mr. Tarpley said for a three acre lot does the county require a septic tank or what is an alternative?

Mr. Trosen said for individual on sites? We require a septic tank for all types of systems. It then depends on then when it leaves that tank after it is aerated and chlorinated where does it go then. That depends then on how the ground can absorb water. That is when you get into like Mr. Womak pointed out, lateral type fields, drip type systems or polishing ponds. My point is if you have that type of system, polishing pond, they are required that there is no discharge from the property lines as far as your concern with water leaving that pond.

Mr. Tarpley said so the effluent from the septic tank if it can't be handled with laterals it has to be chlorinated?

Mr. Trosen said it is chlorinated as a part of that tank. It is chlorinated and aerated. Now I wouldn't drink the water coming out of it. But a lot of these sales people say they can. In other words it is not considered part of a lagoon where you have a direct discharge out of and into the pond area. It goes through the tank where it is chlorinated and aerated before to that polishing pond. Those are out rules and regulations.

Mr. Womak said if it is filled what happens if we get some of these torrential rains? Can water be washed out of that lagoon?

Mr. Trosen said most of the time they are designed to handle those type of large rains. I can't say all of the time. Depending on what type of rain we are talking about. They are designed so then if you do have

a large rain and we do have a lot of sun, it evaporates then and that level decreases.

Mr. Ron Donsch, 8716 Russell, appeared to give testimony. He said you mentioned the superintendent of schools is satisfied with the addition. My daughters fifth grade class has been split in half in Grain Valley. The south half of I-70 has to go to middle school, 6 7 and 8. So I'm no too satisfied.

There were no others to give comments.

Mr. Pointer moved to take RZ-2004-349 under advisement. Mr. VanScoy seconded the motion. Voice vote. Under Advisement.

Mr. Tarpley said there are a couple of things I would like to point out. The acreage could be divided into 10 acre lots then you wouldn't have to come before the commission with the approval of that division. So we are actually, in my understanding he is trying to sell two lots. We are talking about 22 houses if this goes forward or seven under the other format. So we are actually talking about 13 additional residences. The approval of this will add 13 additional families to this community. Under the 10 acre there would be 7 versus 20. So I wanted to point that out. The other thing with the addition of this housing development there would be improvements to the water pressure in the area. A six inch or eight inch main run down the road would benefit everyone in that area. I don't know what the water pressure is now but when it was first brought up some people shook their head and said 22 lots would starve that need. They acted like they didn't have any water pressure right now. So that is one of the positive things. With the addition of people the road is more likely to be maintained. I just wanted to point those two things out. I do understand how people to keep their community but if I understood staff, just north of there is a housing development with 3 acres lots. So residential developments are not unique to the area.

Mr. Pointer said I would like to point out that is listening to all of this everybody in one way or another has talked about the road. It seems to be the big concern. It has been my experience in watching different developments when more property comes in you do get better road improvements. They are going to improve those roads if they have more people in there traveling it. I have sat on several road commissions in my lifetime. We actually spend money where the people travel it instead of where the people don't travel it. When a road is not kept being improved very well it is because it is not being traveled much. You see that in the bottoms along the Missouri River and so on an so forth. Where there is not people living the roads become notoriously bad. The other thing that comes to my opinion is that if this road is as bad as everybody says it is today, there shouldn't be any school busses traveling this road. Somebody says there are 8 traveling it a day. If it is that bad we are putting children in danger every day so somebody ought to be talking to them about that. I think from my standpoint that the improvement of this new addition here will lend to improve to roads in your community. It doesn't solve you other problems that you have. Mark has already taken it as they do every time very good and found out what was going to happen. I don't know whether you have a month or what but it is next year that they are going to.....

Mr. Trosen said yes.

Mr. Pointer said that is the only comments I have.

Mr. VanScoy said one other thing. If they put in a 6 inch to 8 inch water line like they was talking about in improvements, their insurance premium in that whole area is going to drop tremendously. It will

probably drop several hundred dollars a year.

Mr. Tarpley said someone had mentioned a turn lane with the addition of these two entry ways. I don't think we need to do a traffic study. It would be pretty tough to put a turn lane in there. I don't think it merits. I don't think all 20 families would be leaving at the same time and coming back at the same time.

Chairman Antey said you have two separate entrances so you are dealing with half as many out of each one. Another thing when it comes to the county and the road and stuff we have said the squeaky wheel gets the grease. I understand that some of the people out there are pretty busy and they don't have time to be squeaking all the time. This will allow another group of people that if that road is as bad as they say it is they will be squeaking just as much. I understand everybodys concerns about moving out there and the way of life. The growth is happening. It is happening all over the Grain Valley School District as it was stated. It has got to grow somewhere. As far as the master plan for Jackson County it fits in with it. A lot of these developments take place this way. Three acres is the minimum lot size for a reason. So that we can retain some of the sanctity of these areas.

Mr. VanScoy said my main concern is the gas line.

Mr. Tarpley said mine too if you are going to build houses.

Mr. VanScoy said 50 foot isn't very large.

Mr. Pointer said I'm sure the gas company because of the liability must believe if they are not going to get exposure more than 50 foot to the line. I'm sure they are not wanting the liability of it.

Mr. Tarpley said I have one other question. We talked about right of way of the county roads. What is our current county right of way on that particular road? Do we have any idea how wide it is?

Mr. Trosen said Corn Road? Currently?

Mr. Tarpley said what it is going to be?

Mr. Trosen said ideally what it is going to be? As you can tell by this we are taking an additional 30 feet along this side of the development. For a collector road we typically want about 80 feet. So it is usually 40 feet from the center line to where the property lines would start. How we usually accomplish that is through this platting process. That is what is being accomplished as far as this additional 30 feet that is being taken as part of this preliminary plat for additional road right of way. I'm sure the right of way varies out there as far as what has been platted in the past. So you may have varying right of way out there. As far as a goal this is the goal we are trying to accomplish to insure that down the road if we need adequate right of way to widen it further we can accomplish that by making it a part of the platting process.

Mr. Pointer moved to approve RZ-2004-349. Mrs. Mershon seconded the motion.

VOTE:

| | |
|--------------|---------|
| Mr. Haley | Approve |
| Mrs. Mershon | Deny |

| | |
|----------------|---------|
| Mr. Pointer | Approve |
| Mr. Tarpley | Deny |
| Mr. VanScoy | Approve |
| Chairman Antey | Approve |

RZ-2004-349 APPROVED (4-2).

Preliminary Plat : Saddle Brook Estates

Mr. VanScoy moved to approve. Mr. Pointer seconded the motion. Voice vote.
Approved.

STAFF REPORT

PLAN COMMISSION

July 15, 2004

RE: RZ-2004-349

Applicant/Property Owner: Gordon Braun

Location: Northeast corner of Campbell Road and Corn Road

Area: 73 ± acres

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

Purpose: Twenty-two (22) lot residential subdivision "Saddle Brook Estates".

Current Land Use and Zoning in Area:

The surrounding land use is predominately residential tracts and is zoned District A (Agricultural).

The property generally south and west of the rezoning area, Lot 1 of Cherokee Meadows is zoned District LI (Light Industrial), although the property is used for residential purposes. In 1987, the County Legislature rezoned the property to Light Industrial at the request of a previous property owner, Larry Wisemore. Mr. Wisemore requested the zoning change in order to package and distribute "nuts". The business no longer exists since the property has changed ownership.

Master Plan:


The Master Plan Development Diagram illustrates this area within the Suburban Development Tier (SDT). The RE District is appropriate in the Suburban Development Tier.

Comment/Recommendation:

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

Staff recommends APPROVAL of RZ-2004-349.

Respectfully submitted,
Planning and Development Division


Mark Trosen
Administrator

PC'

PLAN COMMISSION
July 15, 2004

RZ-2004-349

Applicant/Property Owner: **Gordon Braun**
1313 Hidden Creek Ct.
Blue Springs, Mo 64015

Parcel Nos: 55-500-01-11 and pt. of 55-200-04-06

Certified Mail - Return Receipt
Property Owners within 300 feet

55-500-01-12
William Bowen
33204 E Campbell Rd.
Oak Grove, MO 64075

55-500-01-13
William Bowen

55-500-01-18
William Grubb
9307 S. Campbell Rd.
Oak Grove, MO 64075

55-500-01-19
James Richardson
9317 S. Campbell Rd.
Oak Grove, MO 64075

55-500-01-17
Louis Saffell
33307 Campbell Rd.
Oak Grove, MO 64075

55-500-01-04
Jonathan Burri/Jessica Gard
9502 Corn Rd.
Oak Grove, MO 64075

55-500-01-15
Dora Mae Hawk
12012 E 55th Terr
Kansas City MO 64133

55-500-01-07
Mary Gattenby
9111 S. Corn Rd.
Oak Grove, MO 64075

55-520-01-07
Deborah Lascuola
116 NW Teakwood
Lees Summit, MO 64064

55-520-01-12
Steve May
3003 E Truman Rd
Grain Valley, MO 64029

55-200-04-06
Alberta Noble
8818 S Corn Rd.
Oak Grove, MO 64075

55-200-04-11
Koger Cemetery
Rt 2 Box 113-2
Oak Grove, MO 64075

55-200-04-22
Lyle Womack
8925 S Corn Rd
Oak Grove, MO 64075

55-200-04-14
Keith Chastain

55-200-04-15
Keith Chastain
8903 S Corn Rd
Oak Grove, MO 64075

55-200-04-08
Allan Brandmeyer
8819 S Corn Rd
Oak Grove, MO 64075

55-230-09-01
Edgar Patterson
18704 E 30th Sq. S
Indep. Mo 64057

55-230-09-02
Ronald Domsch
8716 S Russel Rd
Oak Grove, MO 64075

PC³



**JACKSON COUNTY
PUBLIC WORKS DEPARTMENT**

ADMINISTRATIVE OFFICES: 103 N. Main, Independence, MO 64050-2803

(816) 881-4530 Fax (816) 881-1448

ROAD MAINTENANCE: 34900 E. Old U.S. 40 Hwy., P.O. Box 160
Grain Valley, MO 64029-0160

(816) 847-7050 Fax (816) 847-7051

June 30, 2004

RE: Public Hearing: RZ-2004-349
Gordon Braun

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 Gordon Braun for a change of zoning from District A (Agricultural) to RE (Residential Estates) District on 73 ± acres. The proposed land use is a twenty-two (22) lot residential subdivision to be known as "Saddle Brook Estates". The 73 ± acres are generally located at the northwest corner of Campbell Road and Corn Road lying in the southeast quarter of Section 23 and northeast quarter of Section 26, Township 48, Range 30 in Jackson County, Missouri.

The public hearing on the rezoning will be held by the Plan Commission on Thursday, July 15, 2004 at 8:30 a.m. in Conference Room D, Ground Floor, Independence City Hall, 111 East Maple, 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 881-4530.

Sincerely,

Planning and Development Division

A handwritten signature in black ink, appearing to read "Mark Trosen", is written over a horizontal line.

Mark Trosen
Administrator

MAT:smi

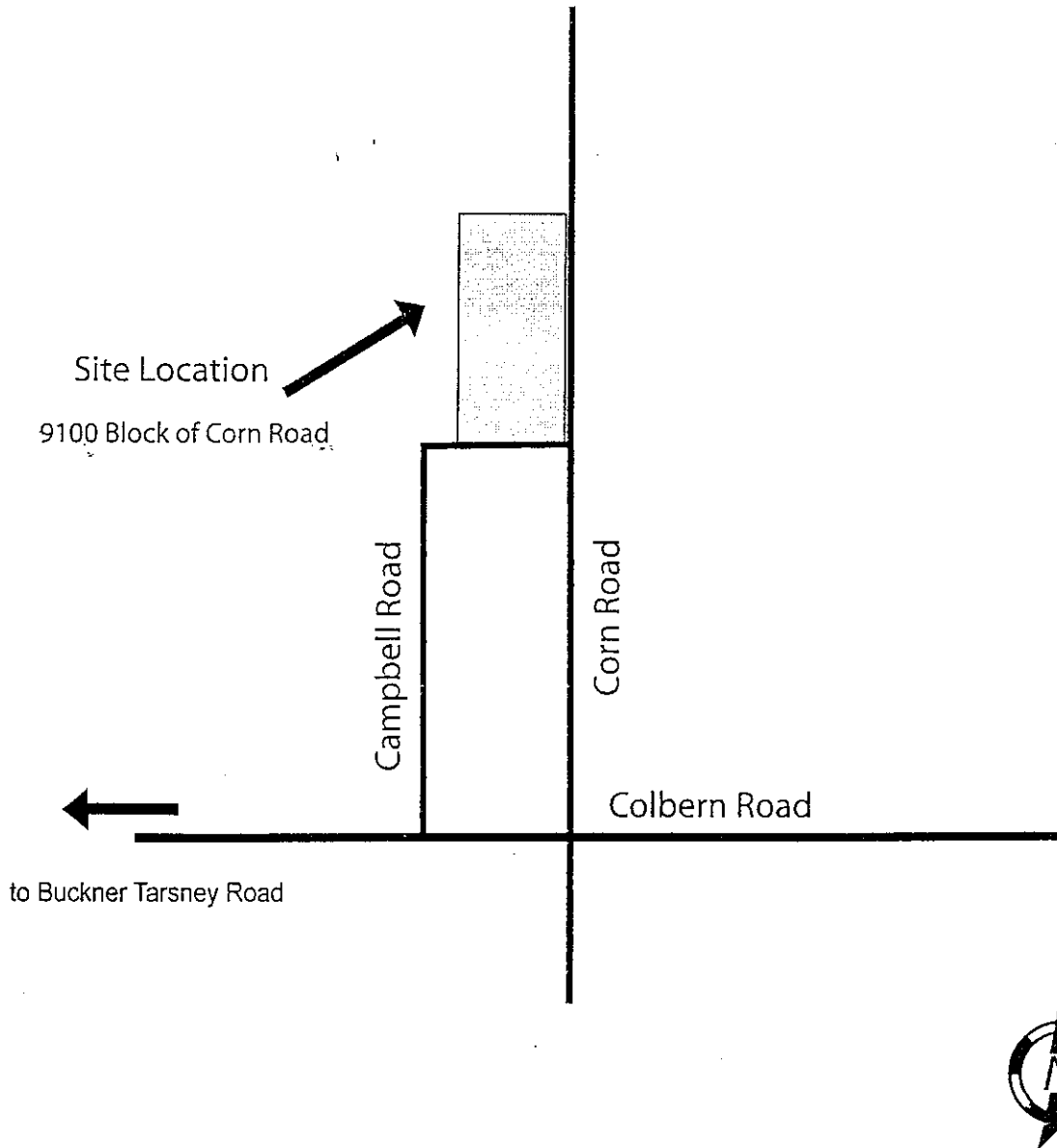
PC 4

Jackson County Plan Commission RZ-2004-349



RZ-2004-349 – Gordon Braun

Requesting a change of zoning from District A (Agricultural) to RE (Residential Estates) District on 73 ± acres. The proposed land use is a twenty-two (22) lot residential subdivision to be known as "Saddle Brook Estates". The 73 ± acres are generally located at the northwest corner of Campbell Road and Corn Road lying in the southeast quarter of Section 23 and northeast quarter of Section 26, Township 48, Range 30 in Jackson County, Missouri.



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

APPLICANT INFORMATION:

1. Application must be filed with the Jackson County Public Works Department, Development Division, 103 North Main, 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)
\$150.00 - Change of Zoning to Residential
\$300.00 - Change of Zoning to Commercial or Industrial

TO BE COMPLETED BY OFFICE PERSONNEL ONLY:

Rezoning Case Number RZ- 2004- 349
Date Filed 6/15/04 Date of hearing 7-15-04
Date advertised 6/30/04 Date property owners notified 6/30/04
Date signs posted 6/30/04
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: Gordon BRAUN
Address: 1313 Hidden Creek Ct
Blue Springs MO
Phone # 816-228-4561
 - b. Owner(s) Name: _____
Address: SAME

Phone # _____

PC 9

c. Agent(s) Name: _____
Address: _____
Phone# _____

d. Applicant's interest in Property: _____

2. General location (Road Name) CORN Rd @ Campbell

3. Present Zoning Agriculture Requested Zoning RE

4. AREA (sq. ft. / acres) 72.83 acres

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

6. Present Use of Property: Crop / Farming

7. Proposed Use of Property: Single Family dev

8. Proposed Time Schedule for Development: 2 years

9. What effect will your proposed development have on the surrounding properties? None

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 Drill
- b. Sewage disposal on site
- c. Electricity Aguila
- d. Fire and Police protection LONG JACK

12. Describe existing road width and condition: Good 18-20

13. What effect will proposed development have on existing road and traffic conditions?

Very little

14. Are any state, federal, or other public agencies approvals or permits required for the proposed development? Yes if so, describe giving dates of application and status (include permit numbers and copies of same, if issued): DNR attached

Verification: I (We) hereby certify that all of the foregoing statements contained in any papers and/or plans submitted herewith are true to the:

| | | |
|------------------------|--|----------------------------------|
| | Signature | Date |
| Property Owner(s) | x <u>Edgar I. Patterson</u> x <u>Albert Rolle</u> | <u>6/15/04</u> <u>6/15/04</u> |
| Applicant(s): | _____ | _____ |
| Contract Purchaser(s): | <u>[Signature]</u> | <u>6/15/04</u> |

STATE OF MISSOURI
COUNTY OF JACKSON

On this 17 day of June, in the year of 2004, before me the undersigned notary public, personally appeared GORDON L. BRAUN 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.

SHIRLEY A. YOUNG
Notary Public-Notary Seal
STATE OF MISSOURI
Commissioned in Jackson County
My Commission Expires September 15, 2006

In witness whereof, I hereunto set my hand and official seal.
Notary Public [Signature] Commission Expires 9/15/2006



Missouri Department of Natural Resources
 Geological Survey and Resource Assessment Division
 P.O. Box 250
 Rolla, MO 65402
 Phone - 573.368.2161 Fax - 573.368.2111
 E-mail - gspeg@dnr.mo.gov

Project Exempt Yes No
 Project ID Number 96604-ERH
 County JACKSON

Residential Housing Development Geohydrologic Groundwater Evaluation Rating

Development Name **BST Development** Quadrangle **TARSNEY LAKES**
 Location **NE1/4, SE1/4** Section **26** Township **48 N** Range **30 W** Total acres **70+**

Latitude **38 deg 56 min 55 sec North** Longitude **94 deg 11 min 41 sec West**
 DEVELOPER **BST, LLC**

(816) 365-9400

1313 Hidden Creek Ct. Blue Springs, MO 64015

REQUESTER Same as Above

Geohydrologic Groundwater Evaluation Rating

Upper Bedrock

- 0.0 Surficial materials > 20 feet thick (bedrock is not karst) or bedrock generally displays low permeability
- 0.1 Bedrock has moderate to high near-surface permeability and relatively low permeability at depth
- 0.4 Bedrock has persistent open fractures and/or moderate to high permeability
- 1.2 Bedrock displays well developed karst features

Surficial Materials Type

- 0.0 Clay: glacial drift or residuum with low permeability
- 0.1 Silt/sand: loess, silty and sandy alluvium, moderate permeability residuum
- 0.4 Gravel: gravelly alluvium and residuum, fragipan over permeable residuum
- 1.2 Macropore permeability: relict bedrock structure residuum

Surficial Material Thickness

- 0.0 Greater than 20 feet
- 0.1 Greater than 10 feet but less than or equal to 20 feet
- 0.4 Greater than 5 feet but less than or equal to 10 feet
- 1.2 Less than 5 feet

Water Supply

- 0.0 Public water supply or community well
- 0.1 Noncommunity wells
- 0.4 Multi-family wells or domestic wells with full length grout
- 1.2 Individual wells

Approximate Groundwater Velocity

- 0.0 Low to moderate
- 1.2 High

Watershed Hydrology

- 0.0 Limited recharge
- 0.4 Local recharge
- 1.2 Regional recharge

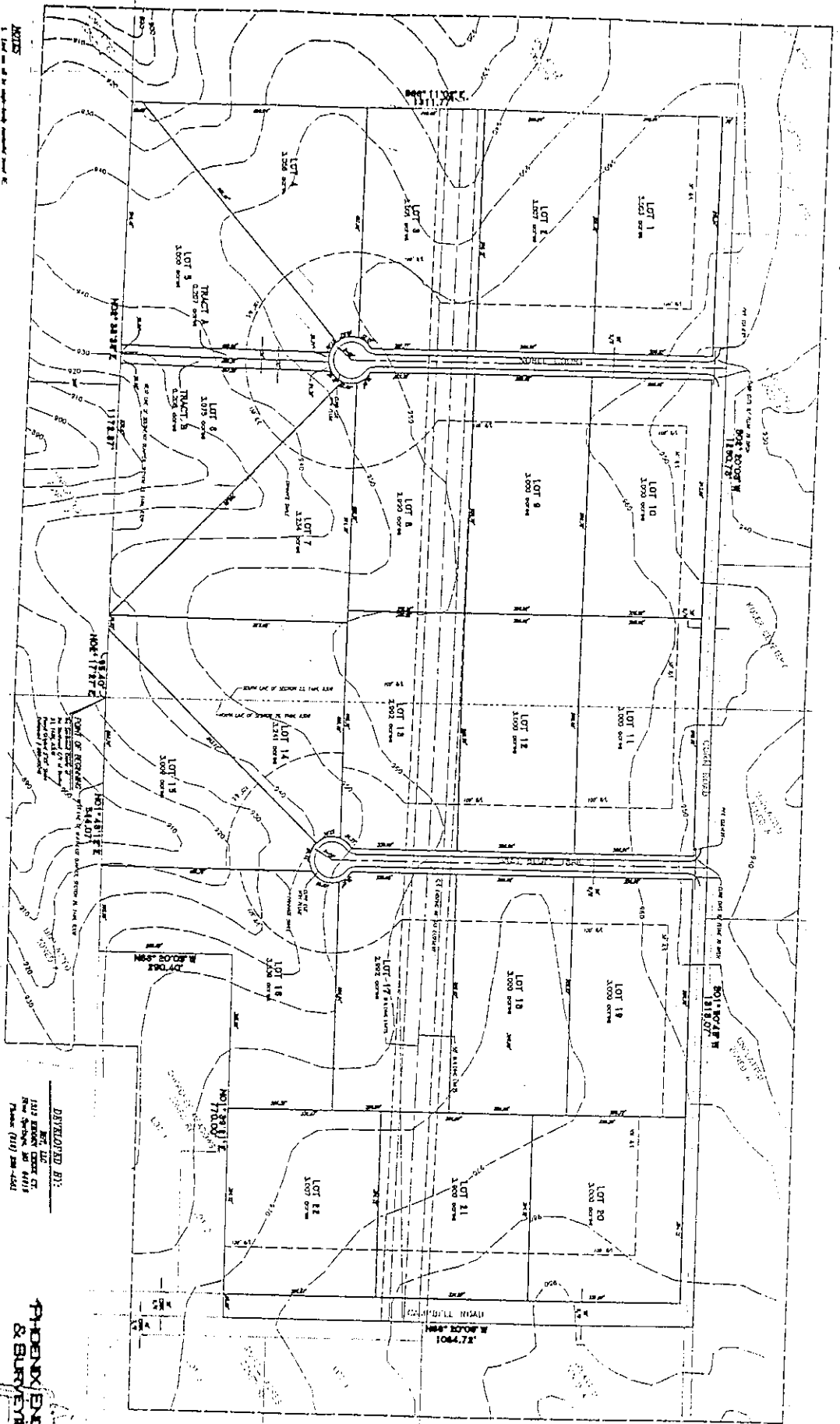
Minimum Lot Size based on Groundwater Contamination Potential Only *

0.92 Acres Total of rating numbers for all categories equals minimum lot size in acres (lot size may never be less than 0.92 acres).

PC 10

PRELIMINARY PLAT
SADDLE BROOK ESTATES
 PART OF THE SE 1/4 OF SEC 23, TOWNSHIP 48N, RANGE 30W, AND OF THE NE 1/4
 OF SEC 26, TOWNSHIP 48N, RANGE 30W, ALL IN JACKSON COUNTY, MISSOURI

PROBABLE DESCRIPTION
 This plat shows the subdivision of a certain tract of land, to-wit: Part of the SE 1/4 of Section 23, Township 48N, Range 30W, and of the NE 1/4 of Section 26, Township 48N, Range 30W, all in Jackson County, Missouri, into 21 lots, each of 2.000 acres, more or less, as shown on the accompanying map. The lots are numbered 1 through 21, and are situated in a rectangular block bounded on the north by the Missouri River, on the east by the Missouri River, on the south by the Missouri River, and on the west by the Missouri River. The lots are situated in a rectangular block bounded on the north by the Missouri River, on the east by the Missouri River, on the south by the Missouri River, and on the west by the Missouri River.



- NOTES**
1. Lot area is by original survey only.
 2. Contour lines were taken from the USGS topographic map.
 3. Proposed road and utility lines are shown in dashed lines.
 4. Proposed road and utility lines are shown in solid lines.
 5. Proposed road and utility lines are shown in solid lines.
 6. Proposed road and utility lines are shown in solid lines.

SIX 1/2 INCH
 1:50,000
 1:50,000
 1:50,000
 1:50,000
 1:50,000
 1:50,000

DEVELOPED BY:
 THE CITY OF JACKSON
 1415 E. MAIN ST.
 JACKSON, MISSOURI 64401
 Phone: (316) 284-4444

PHOENIX ENGINEERING & SURVEYING, L.L.C.
 1415 E. MAIN ST.
 JACKSON, MISSOURI 64401
 Phone: (316) 284-4444

PC

Petition

The following undersigned people wish it to be known to the Jackson County Plan Commission and Jackson County Public Works Department, Planning and Development Division/Public Hearing RZ-2004-349

That we disagree and are against the request for a change of zoning from District A (Agricultural) to RE (Residential Estates) District on 73+ acres. The proposed land use is a twenty-two (22) lot residential subdivision to be known as " Saddle Brook Estates" The 73+ acres are generally located at the northwest corner of Campbell Road and and Corn Road lying in the southeast quarter of Section 23 and northeast quarter of Section 26 Township 48, Range 30 in Jackson County, Missouri

| Name | Address | Phone # |
|---------------------|----------------------|--------------------------------|
| John C. Scafe | 8312 S Russell Rd | |
| Oak Grove Mo. 64075 | | 816-847-1893 |
| Dale Richard | 83611 N. Lgo. Rd | Oak Grove 229-1884 |
| Karen Richard | 33706 E. Spenser Rd | Oak Grove 847-5988 |
| Dennis Bajkowski | 8701 Hardsaw Rd | oak Grove 229-1395 |
| RICHARD RUSH | 33306 E. RUSSELL RD. | OAK GROVE, Mo. 229-0831 |
| Ginger Sloan | 8811 S CORN | Oak Grove, Mo 697-2532 |
| Jean Chastain | 8203 S Corn | Oak Grove, Mo 697-3120 |
| Viola Womack | 8925 South Corn Road | Oak Grove Mo 697-2875 |
| Sharon Womack | 8925 South Corn Road | Oak Grove Mo 697-2875 |
| Maize Thomas | 8925 South Corn Rd | OAK GROVE, mo 697-2875 |
| Mary Gatterby | 9115 Corn Rd | Oak Grove, Mo 64075 697-2257 |
| Sue Dredger | 9323 S. Corn | Oak Grove, Mo 64075 |
| Lori Weddle | 9323 S. Corn | OAK GROVE, mo 64075 } 697-2065 |
| Jacob Weddle | 9323 S Corn | Oak Grove, MO 64075 |
| Bessie Y Wilson | 9409 S Corn | Oak Grove MO 64075 |
| Esther Wilson | 9409 S Corn | Oak Grove Mo 64075 |
| Donna Kae Barr | 9408 S. Corn Rd | Oak Grove, MO 64075 697-2337 |
| Thomas F Barr | 9408 S Corn Rd | Oak Grove Mo 64075 697-2337 |
| Yam Goff | 9415 S CORN RD | OAK GROVE MO. 64075 697-3215 |
| Jim Goff | 9415 S CORN RD | OAK GROVE Mo 64075 697-3215 |
| Paul Darrell | 9517 S corn Rd | Lone Jack MO 64070 |
| Sandy Darnell | 9517 S Corn Rd | Lone Jack Mo 64070 697-3215 |
| Tom Brookend | 9611 S. Corn Rd | Lone Jack MO 64070 |
| Bill Lee | 9616 S. Corn Rd | LONE JACK MO 64070 |
| William R Lee | 9616 S. Corn Rd | Lone Jack Mo 64070 |

Petition

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| Name | Address | Phone # |
|---------------------|----------------------|--------------|
| J Head | 2100 E 99th | 816-695-6271 |
| Jonathan Burri | 9302 S Corn Rd | 816-566-3699 |
| Will Bowen | 33204 E CAMPBELL RD. | 816-898-6677 |
| Deborah A. Jancuola | 9224 So. Campbell | 816-697-6690 |
| Ann R | 9224 S. Campbell - | 697-6690 |
| Gardett Richardson | 9377 S. Campbell-Rd. | 697-4159 |
| J M R | 9421 S. Campbell Rd | 697-1987 |
| Dulie Blaine | 9421 S. Campbell Rd | 697-1987 |
| Bonnie Tametha | 34110 E Colbern Rd | 816-697-3284 |
| David Harmon | 9704 S. Milam Rd | 816-697-2338 |
| Kim D | 34308 E. Colbern Rd | 816-697-2096 |
| Yvonne Jettison | 34308 E Colbern Rd | 816-697-2096 |
| Rose M. Jerrill | 9401 S. Hardaway Rd | 816-697-3434 |
| Elizabeth Jerrill | 9401 S Hardaway Rd | 816-697-3434 |
| Kay Haler | 9119 S. Hardaway | 816-697-3107 |
| Robert Hillman | 9023 S. Hardaway | 816-697-2467 |
| John Hill | 9023 S. Hardaway Rd | 816-697-2467 |
| Alayla Hensch | 8716 S. Russell Rd | 816-847-4001 |
| Ronald | 18504 Concord Cir | 816-796-7889 |
| Alexandra | 18504 Concord Cir | 816-796-7889 |
| James | 4731 Holke Ave | 816-935-4856 |
| Rene Jansich | 8716 So. Russell | 816-2107400 |
| Mike | 6610 Meloy Lane | 816-584-9797 |
| Mike Solyst | 10N W 145th PL | 816-734-1043 |
| Edna | 11542 S. Sunset | 816-471-0688 |
| Carol | 19014 S. Sunset | 816-796-3688 |

Petition

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| Name | Address | Phone # |
|---------------------|--|--------------|
| Keith Chastain | 8903 S. Corn Road Oak Grove, Mo | 816-697-3120 |
| Al Weaver | 13110 E. 57th Terr. K.C., MO. | 816-737-2422 |
| Hebe Zimmerman | 1209 SW Arawak St. Blue Springs MO | 816-224-3471 |
| Karen Walker | 12107 E. 57 Terr. K.C. MO | 816-729-4982 |
| Dorothy Wood | 9415 E 69th St. Raytown, MO | 816-350-1395 |
| Paul Hanning | 200 W 5th Apt 611 Kansas City MO | 816 832-4328 |
| John Jamison | 1300 Sid 22nd Blue Springs, MO. | 816 228-2961 |
| Sharon Harris | 8020 Jefferson K.C. MO | 816 333-9647 |
| Kenda Caskey | 4000 SW Boulder Dr. Lee's Summit, MO | 816-537-5453 |
| Geoff Stephenson | 2221 SE Meeting St. Lee's Summit MO | 816-822-3283 |
| Mya Morris | 472 NW Westchester Ct. Blue Springs, MO | 816-229-9054 |
| Monnie Harper | 2809 Sweet Briar Indep. Mo. | 816 795 0740 |
| Walter Williams | 70e Burningtrees Cr. Indep. MO | 816 478-3048 |
| Paul Munn | 1029 NE Trailwood Lee's Summit MO | 816 246 5875 |
| [Signature] | 12301 E. 57th St KANSAS CITY, MO | 816-822-3094 |
| Richard L. Bennett | 1423 Hanover Ave. Independence, Mo. | 816-796-8517 |
| Larry Mullins | 107 NE TIMBERCREEK L.S. MO | 816-525-1681 |
| Allen L. Barnes | 6018 Elm Raytown, MO | 816-356-5019 |
| Amy H. Bush | 625 NE Reed Crossing, Lee's Summit, Mo 64086 | 816-246-4883 |
| Bruce Barnette | 16504 E. 32nd Ct, Independence, Mo 64055 | 816-373-7957 |
| William A. Sziglitz | 5501 NW Moonlight Meadow Lee's Summit Mo 64064 | 816 478 1981 |
| Valerie Schroer | 610 E. 64th Terr KCMO 64131 | 816 363-4156 |
| Craig Koenig | 19100 E. 30th Street Independence, MO 64057 | 816 373-7928 |
| James Reekart | 3904 SW Brian Lane Lee's Summit Mo 64082 | 816 537 4025 |
| Russell L. Lister | 18600 E. 27th Terr. Indep, MO 64057 | 816-795-8960 |
| Melody Lister | 18600 E. 27th Terr S Indep MO 64057 | 816-795-8960 |
| Donna D. Moxley | 1505 SE 12th St LEE'S Summit 64081 | 816-246-7983 |

Petition

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| Name | Address | Phone # |
|--------------------|-------------------------------|----------|
| Bessie J. Martin | 8709 S. Corn Rd O.G. Mo. | 229-9663 |
| BETTY J. HOLCOMBE | 33604 E. SPENCER RD. O.G. MO. | 229-6672 |
| DEBBIE L. HOLCOMBE | 33604 E. SPENCER RD O.G. MO. | 229-6672 |
| Louise Smith | 33210 E Russell Rd O.G. Mo. | 229-8033 |
| Toni Yates | 1300 Golfview G.V. Mo 64029 | 847-7702 |
| Kenneth Yates | 1300 Golfview G.V. Mo 64029 | 847-7702 |

Petition

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| Name | Address | Phone # |
|-----------------|------------------------------------|----------------|
| Joan Chastain | 8903 S Corn OGMO | 697-3120 |
| Dorothy Arnett | 34310 E. Corn Spur Lone Jack MO | 6973605 |
| Larry Arnett | 34310 E. CORN SPUR RD Lone Jack MO | 6973605 |
| Louis A Laffell | 33307 CAMPBELL RD OAK GROVE | 64075 |
| Bert Dyerstrop | 2408 Parkway Terrace GrandDaddy MO | 64029 |
| John Dyerstrop | 2408 BB GRANDDADDY MO | 64028 |
| Billi Cobb | 10613 Gibson Rd L.J. | 64020 |
| Honey Bradman | 8819 S. Corn Rd Oak Grove MO | 697-8892 |
| Allen Bradman | 8819 S. Corn Rd Oak Grove, MO | 697-8892 |
| Mike Morris | 8903 S Hardwood OAK GROVE MO | 6973678 |
| Joan Morris | 8903 S Hardwood Rd | 6973678 |
| Bill B-Russell | 1105 N. 2. hwy 64, Mo. Linn MO | 7950901 |
| Gene Pihly | 1105 NE Hwy 64, Rd Linn MO | 64064 795-0901 |
| Jim Basch | 505 NE LOCUST DR BLUE SPRING, MO | 2284107 |
| Dick Hill | 1005 WATERFALL CT BS MO | 2289017 |
| Gary Hill | 1005 Waterfall Ct BS, MO | 228-9017 |
| Ralph Buchanan | 4900 S. Kendall Dr Joplin, MO | 64055 |
| Gim Kennedy | 34601 E Colley Lone Jack MO | 64075 |

Petition

The following undersigned people wish it to be known to the Jackson County Plan Commission and Jackson County Public Works Department, Planning and Development Division/Public Hearing RZ-2004-349

That we disagree and are against the request for a change of zoning from District A (Agricultural) to RE (Residential Estates) District on 73+ acres. The proposed land use is a twenty-two (22) lot residential subdivision to be known as " Saddle Brook Estates" The 73+ acres are generally located at the northwest corner of Campbell Road and and Corn Road lying in the southeast quarter of Section 23 and northeast quarter of Section 26 Township 48, Range 30 in Jackson County, Missouri

| Name | Address | Phone # |
|-----------------------|---|------------|
| NEVA O'Dell | 9287 S. CORN Rd. | 697-2303 |
| SHIRLEY ROCKETT | 303 CONCORD Circle | 224-0324 |
| Iris Underwood | 1609 Summit Dr. Oak Grove | 578-4948 |
| Régina Smith | 3700 S. Stony Pt School Rd G.V | 229-7019 |
| Opelie Dixon | 7203 So Arnett Green Valley | 229-7019 |
| Sandra Green | 7203 So Arnett Green Valley | 229-7019 |
| Linda Strong | 32409 E Colburn Rd O.G.MO | 697-2141 |
| Bob Beckner | 9122 Litchford Rd | 578-5618 |
| Honore Beckner | 9122 Litchford Rd | 578-5618 |
| Thomas M. Cybill | 9207 So. Corn Rd. O.G., MO. | 697-2303 |
| Maryline Branton | 201 E Main St. | 697-3680 |
| Edna Stephens | 34915 E. Drenkwater | 697-2691 |
| Roy K. McWhorter | 79245 Enoch Mills Rd G.V | 224-2771 |
| Kathy Richardson | 9317 S. Campbell Rd | 697-4159 |
| Carl Hwang | 32409 E. Colburn Rd | 697-2141 |
| P.S. & Shelly Beatty | 31804 E Major Jr | 229-1889 |
| Pauline Benson | 1829 NW 600 R | 697-2454 |
| Barbara Meyer | 35204 E Spawhear Lane Jack Mo | 697-2459 |
| Carol K. Kubiak | 9317 S. Campbell Rd Oak Grove Mo | 697-4159 |
| Michelle M. Underwood | 608 N.E. Howard Ave Summit Mo | 551-6442 # |
| Aaren J Chapman | 8218 Corn Rd ^{JACK GROVE} MO 64075 | 224-9945 |

unlisted

Petition

The following undersigned people wish it to be known to the Jackson County Plan Commission and Jackson County Public Works Department, Planning and Development Division/Public Hearing RZ-2004-349

That we disagree and are against the request for a change of zoning from District A (Agricultural) to RE (Residential Estates) District on 73+ acres. The proposed land use is a twenty-two (22) lot residential subdivision to be known as " Saddle Brook Estates" The 73+ acres are generally located at the northwest corner of Campbell Road and and Corn Road lying in the southeast quarter of Section 23 and northeast quarter of Section 26 Township 48, Range 30 in Jackson County, Missouri

| Name | Address | Phone # |
|--------------------------------|---|---------------------|
| Maryllyn J. Hulsall | 8314 S. Corn Rd Oak Grove MO | 847-0172 |
| Maryllyn J. Hulsall | 8314 S. Corn Rd Oak Grove MO | 847-0172 |
| Glenn Burdick | 2420 NW M. Ford Pl Blue Springs MO 64015 | 228-8320 |
| Leanne L. Baker | 8415 S. Corn Oak Grove Mo | 224-4069 |
| James W. Barber | " " " | " " |
| Kathleen R. Baker | " " " | " " |
| Richard A. Hack | 1004 Rainbow Dr Blue Springs | 2296281 |
| Reynolds White | 2147 Sunset Dr Oak Grove | 64075 |
| Anthony Rensick | 9219 S. Rainbow Rd Lone Jack MO | 64670 |
| Chad Monte | 33408 E Russell Rd Oak Grove MO | 64075 |
| Sarah Brinkowski | 8701 S. Hardsaw Oak Grove mo | 64075 |
| Robert B. Bick | 3318 S Beckner Tarnegy Rd Ed. MO | 64029 |
| Anthony B. Bick | 420 Oakwood Ln Grain Valley | |
| Jeffery N. Dine | 501 SW MAPLE LN OAK GROVE | 64075 |
| J. Linda Dine | " " " | " " |
| Brandi Wheeler | 8316 Corn Rd. Oak Grove Mo. | 2299865 |
| Lillian E. Whistler | 8316 So Corn Rd, Oak Grove, Mo. | |
| Karon Faegan | 856 S. RUSSELL oak Grove | |
| James Faegan | 8505 S Russell oak Grove Mo | |
| Lynn L. Elliott | 8417 S Russell Rd Oak Grove, MO | 64075 |
| Betty G. Elliott | 8417 S Russell Rd, Oak Grove, MO | 64075 |
| Vickie Seate | 8312 S. Russell Rd, Oak Grove, MO. | 64075 |

Please let us know if you are unable to attend hearing on July 15th 8:30 a.m. Room D Ground Floor, Independence City Hall, 111 East Maple Indep. MO. Due to work or health reasons Please attend if you can! Large turnout numbers are important to block the zoning change.

| Name | Address | Phone # |
|--------------------|-------------------------------------|----------|
| DALE R. RICHARD | 33611 N. Hwy Rd O.G. | 229-1886 |
| RICHARD RUSH | | |
| Ginger Sloan | | |
| John D. Weddle | 9323 S. Corn Rd. O.G. | 697-2065 |
| Lori Weddle | 9323 S. Corn Rd O.G. | 697-2065 |
| Jacob Weddle | 9323 S. Corn Rd O.G. | 697-2065 |
| Dorella H. Wilcox | 9409 S Corn Rd O.G. | 697-2425 |
| Robert W. Wilcox | 9409 S. Corn Rd. O.G. | 697-2425 |
| Thomas F. Bann | 9408 S Corn Rd O.G. | 697-2337 |
| Phyllis Bann | 9415 S CORN Rd O.G. | 697-3215 |
| Jim Goff | 9415 S. CORN RD O.GROVE | 697-3215 |
| FLA BOG | 9616 S CORN Rd, LOVE JACK MO | 697-2823 |
| William F. Rose | 9616 S. Corn Rd Love Jack Mo | |
| Dean Helms | 8314 S Corn Rd Oak Grove, MO. | |
| Glenn St. Burk | 2900 NW Millford Pl Blue Springs MO | |
| Maryann Helms | 8314 S. Corn Rd Oak Grove, MO | |
| Lillian E. Whisler | 8316 So Carwell " " " | |
| Oran E. Whisler | 8316 corn Rd O.G. Mo | |
| Karen Sagan | | |
| Jane Sagan | | |
| Ray F. Elliott | 8417 Russell Rd S. Oak Grove, MO. | 64075 |
| Betty J. Elliott | " " " " " " | " " |

PC 14

PUBLIC HEARING RZ-2004-349
"SADDLE BROOK ESTATES"

I Chad Martin of 33408 E Russell Rd. Oak Grove, MO. Have the following issues on the request for a change of zoning from agricultural to residential estates.

- Roads in rural Jackson County are getting over worked by the amount of traffic as it stands today. Our roads were not designed to handle the pressure of today.

-The safety of my family and my occupation as a farmer is at risk by adding more daily traffic to home and work area. Today cars/trucks, travel the roads at a high rate of speed, transporting a slow moving vehicles is a dangerous job already.

-My property has been damage at least six times due to vehicles. My fences have been ran over, putting my livestock in harms way.

-The roadways are too narrow for farm equipment alone.

-Water drainage. The rain run off will affect the agricultural land down stream.

_ Rural water will be affected.

_ Property taxes.

_ Privacy.

_ Sewage.

_ Local habitat.

_ Life style.

-This will affect the lives of several households that have been in this community for over seventy years. Including one, that in two years will become a Missouri century farm of one hundred years.

Thank you.
Chad Martin



7-14-04



**JACKSON COUNTY
PUBLIC WORKS DEPARTMENT**

ADMINISTRATIVE OFFICES: 103 N. Main, Independence, MO 64050-2803
ROAD MAINTENANCE: 34900 E. Old U.S. 40 Hwy., P.O. Box 160
Grain Valley, MO 64029-0160

(816) 881-4530 Fax (816) 881-4448
(816) 847-7050 Fax (816) 847-7051

Inter-Office Memorandum

To: Mary Jo Spino, Clerk of the County Legislature
From: Mark Trosen, Development Division Administrator
Date: August 25, 2004
Re: Ordinance 3519 - Gordon Braun
Written Protest Against Change of Zoning

In reply to the written protest filed in your office pertaining to Ordinance 3519. I have reviewed the protest in accordance to Chapter 240, Unified Development Code, Section 24003.19(h). I have verified that the property owners signing the protest represent forty-nine (49%) percent of the land area determined by lines drawn parallel to and in accordance with the notification distance (300 feet) from the boundaries of the legal description in Ordinance 3519. This determination was based on the following:

| <u>Property Owner</u> | <u>Property Area (Acres) owned within 300 feet</u> |
|------------------------------|--|
| William Bowen* | 4.77 Ac. |
| William Grubb* | 1.90 Ac. |
| James Richardson* | 0.00 Ac. |
| Louis Saffell* | 1.88 Ac. |
| Jonathan Burri/Jessica Gard* | 3.40 Ac. |
| Dora Mae Hawk | 5.75 Ac. |
| Mary Gattenby | 2.68 Ac. |
| Deborah Lascuola* | 5.85 Ac. |
| Steve May | 0.00 Ac. |
| Alberta Noble | 8.95 Ac. |
| Koger Cemetery | 1.42 Ac. |
| Lyle Womack* | 4.39 Ac. |
| Keith Chastain* | 2.03 Ac. |
| Allan Brandmeyer* | 1.31 Ac. |
| Edgar Patterson | 9.09 Ac. |
| Ronald Domsch* | 1.65 Ac. |
| Total | 55.07 Ac. |

FILED
AUG 25 2004
MARY JO SPINO
COUNTY CLERK

30% of 55.07 acres = 16.52 acres (The Unified Development Code requires owners of 30% or more of land area to sign written protest).

Property Owners Signing Protest (*); Total Area Owned - 27.18 acres or 49%.

Owners of forty-nine (49%) percent of the land area have signed the written protest, therefore, Ordinance 3519 may be adopted only by the favorable vote of two-thirds (2/3) of all members of the County Legislature.

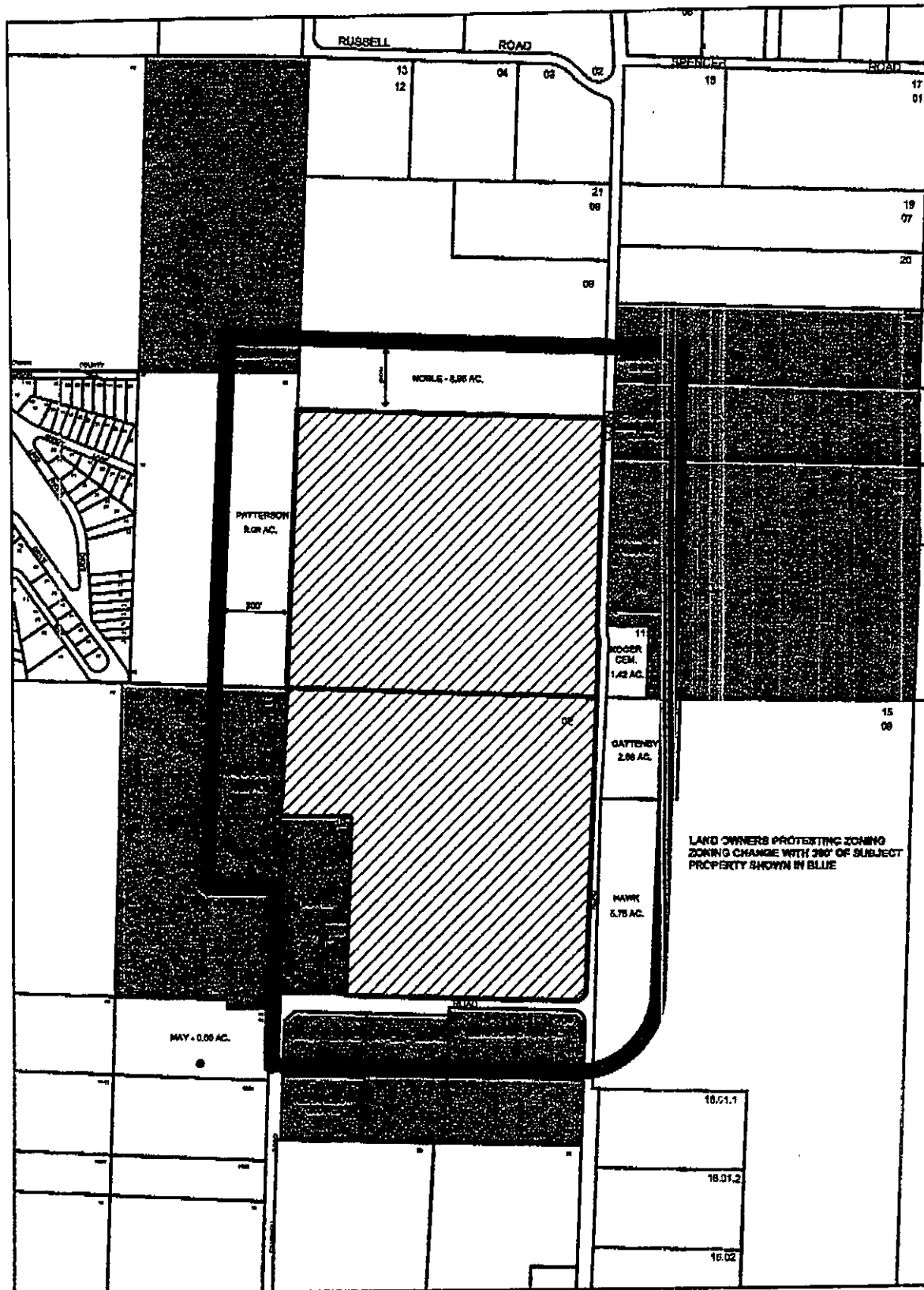
Attached please find a map, which illustrates our determination.

If you have any questions, please contact me at extension 4645.

Cc: Honorable Scott Burnett, Chairman-County Legislature
Honorable Fred Arbanas, Chairman-Land Use Committee
Mary Helen Murphy, Chief Operating Officer
J.D. Stokes, Public Works Director
Ed Rucker, County Counselor

LO 18

ORDINANCE 3519



204 West Kansas, Suite 204
Independence, Missouri 64050
(816) 461-4242 Telephone
(816) 461-7346 Fax

.....
David G. Sperry

August 24, 2004

Mary Jo Spino
Clerk of the Jackson County Legislature
Jackson County Courthouse
415 E. 12th Street
Kansas City, Missouri 64106

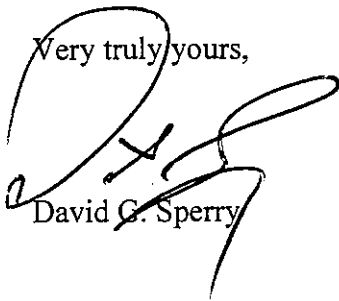
Re: Protest of Change of Zoning Application of Gordon Braum
Application Number RZ-2004-349

Dear Ms. Spino:

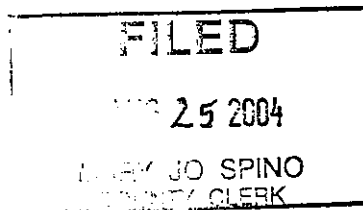
Enclosed please find an original and one copy of the Protest Petition and signature pages attached.

Please return a file stamped copy in the self addressed stamped envelope provided.

Very truly yours,



David G. Sperry



204 West Kansas, Suite 204
Independence, Missouri 64050
(816) 461-4242 Telephone
(816) 461-7346 Fax

.....
David G. Sperry

August 24, 2004

Mary Jo Spino
Clerk of the Jackson County Legislature
Jackson County Courthouse
415 E. 12th Street
Kansas City, Missouri 64106

Re: Protest of Change of Zoning Application of Gordon Braun
Application Number RZ-2004-349
Date of Hearing before the Plan Commission: July 15, 2004

Dear Ms. Spino:

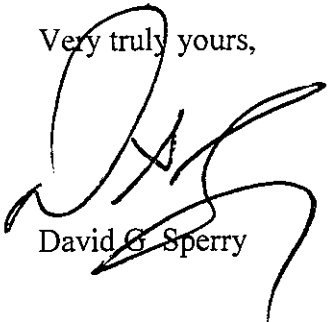
The signatures attached to this Protest Petition consist of those adjoining landowners within 300 feet of the proposed Zoning Change, which is on real property owned by the applicant, generally described as follows:

73 acres located at the northwest corner of Campbell Road and Corn Road lying in the southeast quarter of Section 23 and northeast quarter of Section 26, Township 48, Range 30 in Jackson County, Missouri.

This Protest is file in accordance with Chapter 240, Unified Development Code, Section 24003.19(h).

The following signatures are the landowners in opposition and protest against the granting of the Zoning Change described above and listed as follows by signature, address and telephone number:

Very truly yours,



David G. Sperry

