



Jackson County, Missouri

Request for Legislative Action

REQUESTED MEETING DATE: _____ **SPONSOR:** Charlie Franklin

To be completed by the County Counselor's Office:

NUMBER: 5854 **ASSIGNED MEETING DATE:** 06/10/2024

STAFF CONTACT: Randy Diehl **PHONE:** 816-881-4577

EMAIL: rdiehl@jacksongov.org

DEPARTMENT: Public Works

TITLE: RZ-2024-676 – Scott & Tammy Lightner

SUMMARY:

Requesting a change of zoning from District AG (Agricultural) on 5.5 ± acres to District RR (Residential Ranchette). The purpose is to create a single-family residential lots at 8504 S. Hillside School Road.

Staff recommends approval because the change in zoning is consistent with the intent and purpose of the County Plan and complies with the Unified Development Code requirements.

The Jackson County Plan Commission held a public hearing on May 16, 2024, and accepted testimony pertaining to the rezoning request. There was no opposition to the request.

The Plan Commission voted 6 to 0 to recommend APPROVAL to the County Legislature.

FINANCIAL IMPACT: NO

YES

Amount

Fund

Department

Line-Item Detail

ACTION NEEDED: ZONING (UDC)

ATTACHMENT(S):

RZ-2024-676

ATTACHMENT 1: PROPERTY DESCRIPTION

Description:

A tract of land in the Southeast Quarter of the Northeast Quarter, Section 19, Township 48 North of the Base line, Range 29 West of the 5th Principal Meridian, Jackson County, Missouri and being more particularly described as follows: Commencing at the East Quarter corner of said Section 19; thence with the East line of the Northeast Quarter, said Section 19, North 02 degrees 04 minutes 01 seconds East, 820.46 feet to the Southeast corner of the North 495 feet of the Southeast Quarter of the Northeast 14, said Section 19; thence continuing North 02 degrees 04 minutes 01 seconds East, 20.00 feet to the Point of Beginning; thence leaving said Point of Beginning North 87 degrees 57 minutes 05 seconds West, 479.12 feet; thence North 02 degrees 04 minutes 01 seconds East, 455.00 feet; thence South 87 degrees 57 minutes 05 seconds East, 479.12 feet to a point on the East line of the Northeast Quarter, said Section 19; thence with said East line South 02 degrees 04 minutes 01 seconds West, 455.00 feet back to the Point of Beginning.

RZ-2024-676

ATTACHMENT 2: ZONING SUPPORT DOCUMENTATION

Attachments

Plan Commission Public Hearing Summary from May 18, 2023

Staff Report

Zoning map of surrounding area

Names and addresses of surrounding property owners

Letter to surrounding property owners

Application

Aerial of location

Copy of plat

Randy Diehl gave the staff report:

RE: RZ-2024-676

Applicant: Scott & Tammy Lightner

Location: 8504 S. Hillside School Road

Area: 5.5 ± acres

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

Purpose: The purpose is to create a single-family residential lot.

Current Land Use and Zoning in the Area:

The zoning in the area is Agricultural. Land use is single-family residences.

There are a few same size lots in the area. To the North are platted lots created prior to the adoption of the Unified Development Code in 1995. Along Cummins Road there are a couple of lots that are within District RR.

The remaining acreage will be divided into larger tracts both of which will be over 10 acres in size. These tracts will remain within District AG.

County Plan:

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

Recommendation:

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

Staff recommends APPROVAL of RZ-2024-676.

Respectfully submitted,

Jackson County Public Works
Development Division
Randy Diehl, Administrator

Mr. Antey: Are there any questions for Randy?

There were none.

Mr. Antey: Is the applicant here?

Scott Lightner: 8504 S. Hillside School Road.

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

Mr. Lightner: No, I don't.

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

There were none.

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

There were none.

Motion to take under advisement.

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

Discussion under advisement

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

Discussion under advisement

Mr. Crawford moved to approve. Mr. Monaco seconded.

Mr. Monaco	Approve
Mr. Farrar	Approve
Mr. Crawford	Approve
Ms. Ryerkerk	Approve
Mr. Horn	Approve
Chairman Antey	Approve

Motion Carried 6 – 0

STAFF REPORT

PLAN COMMISSION

May 16, 2024

RE: RZ-2024-676

Applicant: Scott & Tammy Lightner

Location: 8504 S. Hillside School Road

Area: 5.5 ± acres

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

Purpose: The purpose is to create a single-family residential lot.

Current Land Use and Zoning in the Area:

The zoning in the area is Agricultural. Land use is single-family residences.

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The remaining acreage will be divided into larger tracts both of which will be over 10 acres in size. These tracts will remain within District AG.

County Plan:

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

Recommendation:

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

Staff recommends APPROVAL of RZ-2024-676.

Respectfully submitted,

Jackson County Public Works
Development Division
Randy Diehl, Administrator



S HILLSIDE SCHOOL RD

3B

3A

4

Scale: 1:6,003

RZ-2024-676

Property Owners Within 1000 feet

parcel	owner	address	city	state	zip
56-200-03-07-00-0-00-000	THOMPSON PAUL E	PO BOX 791	OAK GROVE	MO	64075
56-300-01-07-01-0-00-000	GRIFFIN MARK R & TAMARA L	PO BOX 481	OAK GROVE	MO	64075
56-200-02-08-00-0-00-000	MIRANDA MICHAEL A & KIM R-TRUSTEES	601 SE 3RD ST	LEES SUMMI	MO	64063
56-300-01-08-00-0-00-000	WITTIG OSCAR R & DORIS L	8404 S HILLSIDE SCHOOL R	OAK GROVE	MO	64075
56-200-02-06-00-0-00-000	GRIFFIN MARK R & TAMARA L	PO BOX 481	OAK GROVE	MO	64075
56-300-01-09-00-0-00-000	RIDE IT OUT PROPERTY LLC	8611 S STILLHOUSE RD	OAK GROVE	MO	64075
56-200-02-09-01-0-00-000	TAYLOR JAMES & LYNDA	8409 S HILLSIDE SCHOOL R	OAK GROVE	MO	64075
56-200-02-05-00-0-00-000	MILLS AIMEE L	8507 S HILLSIDE SCHOOL RD	OAK GROVE	MO	64075
56-200-02-09-02-0-00-000	BARNARD BRODIE & MATSON CODY	8419 S HILLSIDE SCHOOL RD	OAK GROVE	MO	64075
56-300-01-05-00-0-00-000	LIGHTNER SCOTT A & TAMMY S	8504 S HILLSIDE SCHOOL RD	OAK GROVE	MO	64075
56-300-01-02-00-0-00-000	LIGHTNER SCOTT A & TAMMY S	8504 S HILLSIDE SCHOOL RD	OAK GROVE	MO	64075



JACKSON COUNTY Public Works Department

Jackson County Technology Center
303 West Walnut Street
Independence, Missouri 64050
jacksongov.org

(816) 881-4530
Fax: (816) 881-4448

May 1, 2024

RE: Public Hearing: RZ-2024-676
Scott & Tammy Lightner

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 Scott & Tammy Lightner for a change of zoning from District AG (Agricultural) on 5.5 ± acres to District RR (Residential Ranchette). The purpose is to create a single-family residential lots at 8504 S. Hillside School Road.

Please note that this request for a change of zoning affects only the property mentioned above. Adjacent properties will not be affected by the change of zoning. Taxes are based on the land use of a property not the zoning.

You are being notified pursuant to 24003.5 Chapter 240 (Unified Development Code) of the Jackson County Code, as being an adjacent property within 1000' of the subject property.

The public hearing on this matter will be held by the Plan Commission on Thursday, May 16, 2024, at 8:30 a.m. in the Brady Courtroom, 2nd Floor, Historic Truman Courthouse, 112 W. Lexington, Independence, MO.

If you know of any interested party who may not have received a copy of this letter, it would be appreciated if you would inform them of the time and place of the hearing.

If you have any questions concerning this matter, please contact the Development Division at 881-4577.

Sincerely,

A handwritten signature in blue ink, appearing to read "Randy Diehl".

Jackson County Public Works
Development Division
Randy Diehl, Administrator

Frank White, Jr., County Executive

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

APPLICANT INFORMATION:

1. Application must be filed with the Jackson County Planning and Development Division, 303 W. Walnut, Independence, Missouri 64050 by the date on the Plan Commission Calendar.
2. Application must be typed or printed in a legible manner.
3. All applicable sections must be completed. If you need more space to provide information, please use separate 8 1/2"x11" paper, reference the application number and attach it to the application. Incomplete applications will not be accepted and will be returned to the applicant.
4. Attach application for subdivision approval, consistent with the requirements of UDC Section 24003.10, as may be required.
5. The filing fee (non-refundable) must accompany application.
(Check payable to: Manager of Finance)
\$350.00 – Change of Zoning to Residential
\$500.00 – Change of Zoning to Commercial or Industrial

TO BE COMPLETED BY OFFICE PERSONNEL ONLY:

Rezoning Case Number RZ-

Date filed _____ Date of hearing _____

Date advertised _____ Date property owners notified _____

Date signs posted _____

Hearings: Heard by _____ Date _____ Decision _____

 Heard by _____ Date _____ Decision _____

 Heard by _____ Date _____ Decision _____

BEGIN APPLICATION HERE:

1. **Data on Applicant(s) and Owner(s):**
 - a. Applicant(s) Name: Scott & Tammy Lightner
Address: 8504 S Hillside School Rd
 Oak Grove, MO 64075
Phone: 816 678 6939
 - b. Owner(s) Name: Scott & Tammy Lightner
Address: 8504 S Hillside School Rd, Oak Grove, MO 64075
Phone: 816 678 6939 Scottlightner27@gmail.com
 - c. Agent(s) Name: _____

Address: _____

Phone: _____

- d. Applicant's interest in Property: Owner
2. General location (Road Name) S. Hillside School Rd
3. Present Zoning AG Requested Zoning RR
4. AREA (sq. ft. / acres) 5
5. Legal Description of Property: (Write Below or Attached 9)

6. Present Use of Property: Residential / Ag
7. Proposed Use of Property: Residential / Ag
8. Proposed Time Schedule for Development: 3-12 months
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? NA
11. Describe the source/method which provides the following services, and what effect the development will have on same:
- a. Water Rural Water District - Same
 - b. Sewage disposal Septic - Same
 - c. Electricity West Central Electric Coop - Same
 - d. Fire and Police protection Jackson Cnty Sheriff + CJC
12. Describe existing road width and condition: Asphalt

13. What effect will proposed development have on existing road and traffic conditions? None

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

If so, describe giving dates of application and status (include permit numbers and copies of same, if issued): NA

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

Signature

Property Owner(s)

Scott Lightner
Tammy Lightner

Date

4/16/24
4/16/24

Applicant(s):

Scott Lightner
Tammy Lightner

4/16/24
4/16/24

Contract Purchaser(s):

STATE OF

Missouri

COUNTY OF

Jackson

On this 16 day of April, in the year of 2024, before me the undersigned notary public, personally appeared Scott Lightner + Tammy Lightner

known to me to be the person(s) whose names(s) is/are subscribed to the within instrument and acknowledged that he/she/they executed the same for the purposes therein contained.

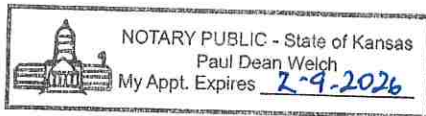
In witness whereof, I hereunto set my hand and official seal.

Notary Public

Paul Dean Welch

Commission Expires

2-9-2026





PRELIMINARY PLAT

LIGHTNER HILL (SUBJECT TO CHANGE)
LOT 1 and TRACTS A and B
Part of the East 1/2 of the Northeast 1/4
Section 19, Township 48, Range 29 West
Jackson County, Missouri
Legal Description

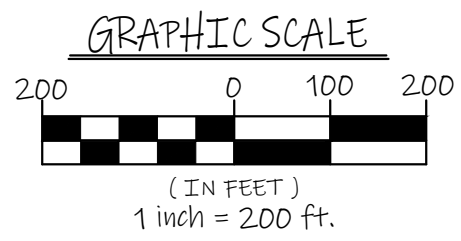
A tract of land in the East 1/2 of the Northeast 1/4 of Section 19, Township 48 North of the Base line, Range 29 West of the 5th Principal Meridian, Jackson County, Missouri and being more particularly described as follows:
Commencing at the East 1/2 corner of said Section 19-48-29; thence with the East line of the Northeast 1/4 of Section 19-48-29 N02°04'01"E, 820.46' to the Southeast corner of the North 495' of the Southeast 1/4 of the Northeast 1/4 of Section 19-48-29 and the Point of Beginning; thence leaving said Point of Beginning with the South line of the aforesaid North 495' of the Southeast 1/4 of the Northeast 1/4 N87°57'05"W, 1308.34' to the Southwest corner of the North 495' of the Southeast 1/4 of the Northeast 1/4 of Section 19-48-29; thence with the West line of the East 1/2 of the East 1/2 of Section 19-48-29 N02°10'10"E, 1810.77' to the Northwest corner of the Northeast 1/4 of the Northeast 1/4 of Section 19-48-29; thence with the North line of said 1/4 section S07°56'17"E, 652.57' to the Northeast corner of the West 1/2 of the Northeast 1/4 of the Northeast 1/4 of Section 19-48-29; thence with the East line of said West 1/2 of the Northeast 1/4 of the Northeast 1/4 of Section 19-48-29 S02°07'05"W, 1315.61' to the Southeast corner of the West 1/2 of the Northeast 1/4 of the Northeast 1/4 of Section 19-48-29; thence with the North line of the Southeast 1/4 of the Northeast 1/4 of Section 19-48-29 S87°57'05"E, 653.74' to the Northeast corner of the Southeast 1/4 of the Northeast 1/4 of Section 19-48-29; thence with the East line of said 1/4 section S02°04'01"W, 495.00' back to the Point of Beginning and containing 34.6 acres.

Legal Description (Tract to be re-zoned)

A tract of land in the Southeast 1/4 of the Northeast 1/4 of Section 19, Township 48 North of the Base line, Range 29 West of the 5th Principal Meridian, Jackson County, Missouri and being more particularly described as follows:
Commencing at the East 1/2 corner of said Section 19-48-29; thence with the East line of the Northeast 1/4 of Section 19-48-29 N02°04'01"E, 820.46' to the Southeast corner of the North 495' of the Southeast 1/4 of the Northeast 1/4 of Section 19-48-29 thence continuing N02°04'01"E, 20.00' to the Point of Beginning; thence leaving said Point of Beginning N87°57'05"W, 479.12'; thence N02°04'01"E, 455.00'; thence S87°57'05"E, 479.12' to a point on the East line of the Northeast 1/4 of Section 19-48-29; thence with said East line S02°04'01"W, 455.00' back to the Point of Beginning and containing 5.0 acres.

Legend

- = Found Iron Bar (I.B.) as noted
• = Set 1/2" Iron Bar w/cap
R = Record Distance
M = Measured Distance
C = Calculated



SURVEYOR'S GENERAL NOTES

- 1. This Survey is based on record documents, legal descriptions, and other information furnished by the client, and other information known to this surveyor. This surveyor has no knowledge of any other record documents which affects this property.
2. NO Title Report was provided by the CLIENT at the time of this survey.
3. This survey meets or exceeds the accuracy standards of a (RURAL) Property Boundary Survey as defined by the Missouri Standards for Property Boundary Surveys.
4. This surveyor did NOT search the record for Easements, Encumbrances or any other items that may affect the surveyed property that a complete and accurate title report would have provided.
5. The Coordinated shown hereon are based upon the Missouri Coordinated System of 1983, Western Zone, using a grid factor of 0.9999939 and were taken using RTK-GPS

DEDICATION:

THE UNDERSIGNED OWNER OF THE HEREIN DESCRIBED TRACT OF LAND HAS CAUSED THE SAME TO BE SUBDIVIDED IN THE MANNER AS SHOWN ON THE ACCOMPANYING PLAT, WHICH SUBDIVISION AND PLAT SHALL HEREAFTER BE KNOWN AS: SMITH ACRES

EASEMENTS:

AN EASEMENT IS HEREBY GRANTED TO JACKSON COUNTY, MISSOURI, FOR THE PURPOSE OF LOCATING, CONSTRUCTING, OPERATING, AND MAINTAINING FACILITIES FOR WATER, GAS, ELECTRICITY, SEWAGE, TELEPHONE, CABLE TV, AND SURFACE DRAINAGE, INCLUDING, BUT NOT LIMITED TO, UNDERGROUND PIPES AND CONDUITS, PAD MOUNTED TRANSFORMERS, SERVICE PEDESTALS, ANY OR ALL OF THEM UPON, OVER, UNDER AND ALONG THE STRIPS OF LAND DESIGNATED UTILITY EASEMENT (I.E.), WHERE OTHER EASEMENTS ARE DESIGNATED FOR A PARTICULAR PURPOSE, (SANITARY SEWER (S.E.) OR STORM DRAINAGE (D.E.)), THE USE THEREOF SHALL BE LIMITED TO THAT PURPOSE ONLY. ALL OF THE ABOVE EASEMENTS SHALL BE KEPT FREE FROM ANY AND ALL OBSTRUCTIONS WHICH WOULD INTERFERE WITH THE CONSTRUCTION OR RECONSTRUCTION AND PROPER, SAFE, AND CONTINUOUS MAINTENANCE OF THE AFORESAID USES, AND SPECIFICALLY THERE SHALL NOT BE BUILT THEREON OR THEREOVER ANY STRUCTURE (EXCEPT DRIVEWAYS, PAVED AREAS, GRASS, SHRUBS, AND FENCES), NOR SHALL THERE BE ANY OBSTRUCTION TO INTERFERE WITH THE AGENTS AND EMPLOYEES OF JACKSON COUNTY, MISSOURI, AND ITS FRANCHISED UTILITIES FROM GOING UPON SAID EASEMENT AND AS MUCH OF THE ADJOINING LANDS AS MAY BE REASONABLY NECESSARY IN EXERCISING THE RIGHTS GRANTED BY THE EASEMENT.

BUILDING LINES:

BUILDING LINES OR SETBACK LINES ARE HEREBY ESTABLISHED AS SHOWN ON THE ACCOMPANYING PLAT, AND NO BUILDING OR PORTION THEREOF SHALL BE BUILT BETWEEN THIS LINE AND THE STREET LINE.

IN TESTIMONY WHEREOF:

SCOTT AND TAMMY, HAVE CAUSED THESE PRESENTS TO BE EXECUTED THIS ___ DAY OF _____, 2024.

SCOTT LIGHTNER TAMMY LIGHTNER

NOTARY CERTIFICATION:

STATE OF MISSOURI)
) SS:
COUNTY OF _____)

BE IT REMEMBERED THAT ON THIS ___ DAY OF _____, 2024 BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR THE COUNTY AND STATE AFORESAID, CAME SCOTT LIGHTNER AND TAMMY LIGHTNER, TO ME KNOWN TO BE THE PERSON DESCRIBED HEREIN AND WHO BEING DULY SWORN BY ME, DID ACKNOWLEDGE THAT THEY EXECUTED THE FOREGOING INSTRUMENT AS THEIR FREE ACT AND DEED.

IN WITNESS WHEREOF:
I HAVE HEREUNTO SET MY HAND AND AFFIXED MY NOTARIAL SEAL AT MY OFFICE ON THE DATE HEREIN LAST ABOVE WRITTEN.

MY COMMISSION EXPIRES NOTARY PUBLIC

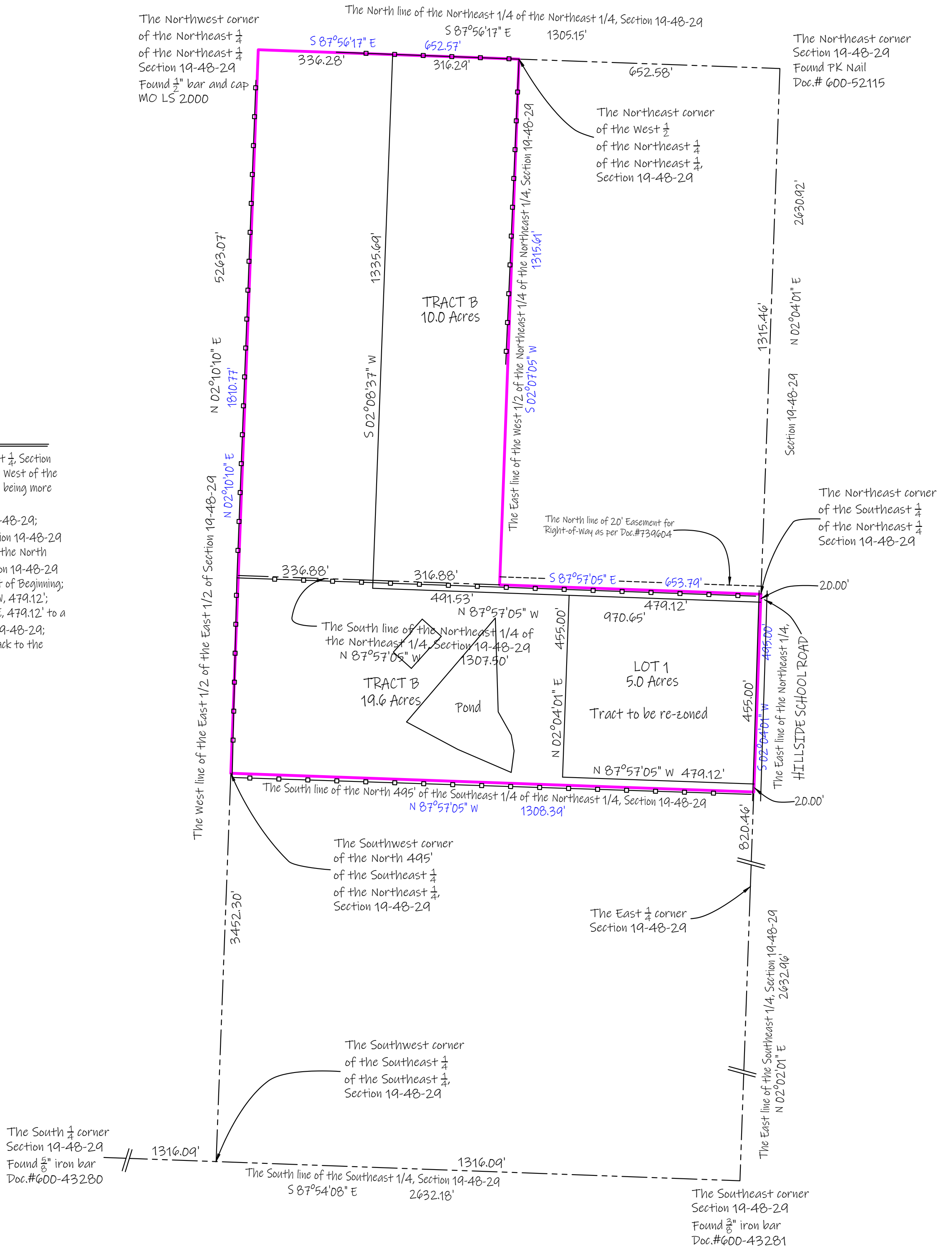
COUNTY SIGNATURES OF APPROVAL:

DATE: _____
JACKSON COUNTY ASSESSOR
DATE: _____
Public Works Department

SURVEYORS CERTIFICATION

I HEREBY CERTIFY that this Plat of Survey is based on an actual Survey made by me or under my direct supervision and that said survey meets or exceeds the current Minimum Standards for Property Boundary Surveys as established by the Department of Agriculture, Land Survey Division of the State of Missouri, and Missouri Standards for Property Boundary Surveys, established by the Missouri Board for Architects, Professional Engineers, and Land Surveyors.

Date: 4/10/2024
Mark B. Holt - PLS. No. 2001015251
Eagle Point Surveying, LLC. No. 2009006604



EAGLE POINTE SURVEYING
1216 NE APPLEWOOD ST.
LEE'S SUMMIT, MO 64086
(816) 456-0156

DATE OF SURVEY: Oct, 2006
CLASS OF PROPERTY: RURAL
SURVEY CREW: MBH
DRAWING NAME: 202403-1865

PRELIMINARY PLAT
LIGHTNER HILL
Section 19, Township 48N, Range 29W
Jackson County, Missouri

Table with 3 columns: NO., DATE, DESCRIPTION, BY

This Survey was prepared for:
SCOTT AND TAMMY LIGHTNER
8504 S. Hillside School Rd.
Oak Grove, Missouri