

Request for Legislative Action

Ord. #5802

Date: October 16, 2023

Completed by County Counselor's Office

Action Requested:	Ordinance	Res.Ord No.:	5802
Sponsor(s):		Legislature Meeting Date:	10/16/2023

Introduction

Action Items: ['Authorize']

Project/Title:

RZ-2023-656 – Woodland Ranch, LLC

Request Summary

Requesting a change of zoning from District AG (Agricultural) on 9.91 ± acres to District RE (Residential Estates). The purpose is to create three residential lots at 7911 E. Old Major 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 September 21, 2023, and accepted testimony pertaining to the rezoning request. There was no opposition to the request.

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

Contact Information

Department:	Public Works	Submitted Date:	10/2/2023
Name:	Randy D. Diehl	Email:	RDiehl@jacksongov.org
Title:	Development Division Administrator	Phone:	816-881-4577

Budget Information

Amount authorized by this legislation this fiscal year:			\$ 0
Amount previously authorized this fiscal year:			\$ 0
Total amount authorized after this legislative action:			\$
Is it transferring fund?			No
Single Source Funding:			
Fund:	Department:	Line Item Account:	Amount:
			!Unexpected End of Formula

Request for Legislative Action

Prior Legislation	
Prior Ordinances	
Ordinance:	Ordinance date:
Prior Resolution	
Resolution:	Resolution date:

Purchasing	
Does this RLA include the purchase or lease of supplies, materials, equipment or services?	No
Chapter 10 Justification:	
Core 4 Tax Clearance Completed:	
Certificate of Foreign Corporation Received:	
Have all required attachments been included in this RLA?	

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

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

Request for Legislative Action

History

Submitted by Public Works requestor: Randy D. Diehl on 10/2/2023. Comments: This is a resubmittal of 1105

Approved by Department Approver Kristina J. Miller on 10/2/2023 12:34:00 PM. Comments:

Not applicable by Purchasing Office Approver Barbara J. Casamento on 10/2/2023 3:56:06 PM. Comments:

Approved by Compliance Office Approver Ikeela Alford on 10/2/2023 4:01:14 PM. Comments:

Approved by Budget Office Approver David B. Moyer on 10/3/2023 8:18:13 AM. Comments:

Approved by Executive Office Approver Troy Schulte on 10/3/2023 8:23:09 AM. Comments:

Approved by Counselor's Office Approver Jamesia Manning on 10/12/2023 11:54:07 AM. Comments:

RZ-2023-656

ATTACHMENT 1: PROPERTY DESCRIPTION

Description:

All that part of the East Half of the Southwest Quarter of Section 15, Township 48 North, Range 30 West, Jackson County, Missouri, being further described as follows: Commencing at the Northeast Corner of the Southwest Quarter of said Section 15; thence North 87 degrees 44 minutes 15 seconds West, along the North line of the Southwest Quarter of said Section 15, a distance of 664.53 feet to the Point of Beginning of the tract of land herein to be described; thence South 01 degrees 52 minutes 34 seconds West, a distance of 619.31 feet; thence North 88 degrees 07 minutes 26 seconds West, a distance of 225.00 feet; thence South 01 degrees 52 minutes 34 seconds West, a distance of 101.28 feet; thence North 88 degrees 23 minutes 19 seconds West, a distance of 339.66 feet; thence North 01 degrees 53 minutes 15 seconds East, a distance of 260.77 feet; thence North 88 degrees 23 minutes 19 seconds West, a distance of 100 feet to a point to the West line of the East One Half of the Southwest Quarter of said Section 15; thence North 01 degrees 53 minutes 15 seconds East, along the West line of the East One Half of the Southwest Quarter of said Section 15, a distance of 464.70 feet to the Northwest Corner of the Northeast Quarter of the Southwest Quarter of said Section 15; thence South 87 degrees 44 minutes 15 seconds East, along the North line of the Southwest Quarter of said Section 15, a distance of 664.43 feet to the Point of Beginning.

RZ-2023-656

ATTACHMENT 2: ZONING SUPPORT DOCUMENTATION

Attachments

Plan Commission Public Hearing Summary from September 21, 2023

Staff Report

Zoning map of surrounding area

Names and addresses of surrounding property owners

Letter to surrounding property owners

Application

Aerial maps

Preliminary Plat – Woodland Ridge

Randy Diehl gave the staff report:

RE: RZ-2023-656

Applicant: Woodland Ranch LLC

Location: 7911 S. Old Major Road

Area: 9.91 ± acres

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

Purpose: The purpose is to create three single-family residential lots.

Current Land Use and Zoning in the Area:

The zoning in the area is Agricultural and Residential.

The land use is single family residences on similar size or larger tracts.

The applicant recently purchased a 60-acre tract of land. There is a main dwelling and an outbuilding with an accessory dwelling within it. Both structures will be placed within their own separate lots. This will create one additional lot. All three lots will be at least 3 acres in size.

The remaining 50 acres will be divided into five tracts all being 10 acres or larger. Each tract will be connected to a public road by a 20-foot strip. There will be only one access point onto the public road. Since the tract is larger than 10 acres in size, they are not subject to rezoning and will remain within District AG, Agricultural.

County Plan:

The County Plan Development Diagram illustrates this area within the Suburban Development Tier (SDT).

Recommendation:

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

Staff recommends APPROVAL of RZ-2023-656.

Respectfully submitted,

Jackson County Public Works
Development Division
Randy Diehl, Administrator

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

Mr. Lake: Each of the Tracts has its own access?

Mr. Diehl: Yes, they are required to have frontage to a public road. This is accomplished by each having a 20 foot strip of ground touching Old Major Road. There will then be one physical driveway that is shared among those tracts.

Mr. Antey: *Is the applicant here?*

Steve Warger: 6127 NW Pine Ridge Circle, Parkville, MO. I am the engineer for this project.

Joe Pollard: 10804 S Perdue Road, Grain Valley, MO

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

Mr. Warger: We are in agreement with the recommendation.

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?*

Sheryl England: 31306 E. Major Road. I'm happy the 50 acres are being split up into 10 acre tracts. I don't understand why they are making 3 acres lots. It's wide open out there. We live on 10 acres. If this is approved, what's going to stop it from spreading out? That's my concern. We all live on 10 tracts and we want it to stay that way.

Mr. Antey: There are properties in the area that are smaller than 10 acres.

Motion to take under advisement.

Mr. Lake moved to take under advisement. Mr. Johnson seconded.

Discussion under advisement

Mr. Lake asked to see the overall map with the tracts.

Mr. Monaco asked if the current configuration required 10 or 3 acres?

Mr. Diehl explained that any divisions of land that resulted in property less than 10 acres in size, those properties are subject to rezoning and platting. If they were proposing six tracts of land each 10 acres or larger, there would be no need

for rezoning. The zoning remains within the Agricultural Zoning District. Since they are creating three lots under 10 acres, those lots need to be rezoned to a residential zoning.

Mr. Monaco	Approve
Mr. Lake	Approve
Mr. Farrar	Approve
Mr. Johnson	Approve
Chairman Antey	Approve

Motion Carried 5 – 0

STAFF REPORT

PLAN COMMISSION

September 21, 2023

RE: RZ-2023-655

Applicant: Woodland Ranch LLC

Location: 7911 S. Old Major Road

Area: 9.91 ± acres

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

Purpose: The purpose is to create three single-family residential lots.

Current Land Use and Zoning in the Area:

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County Plan:

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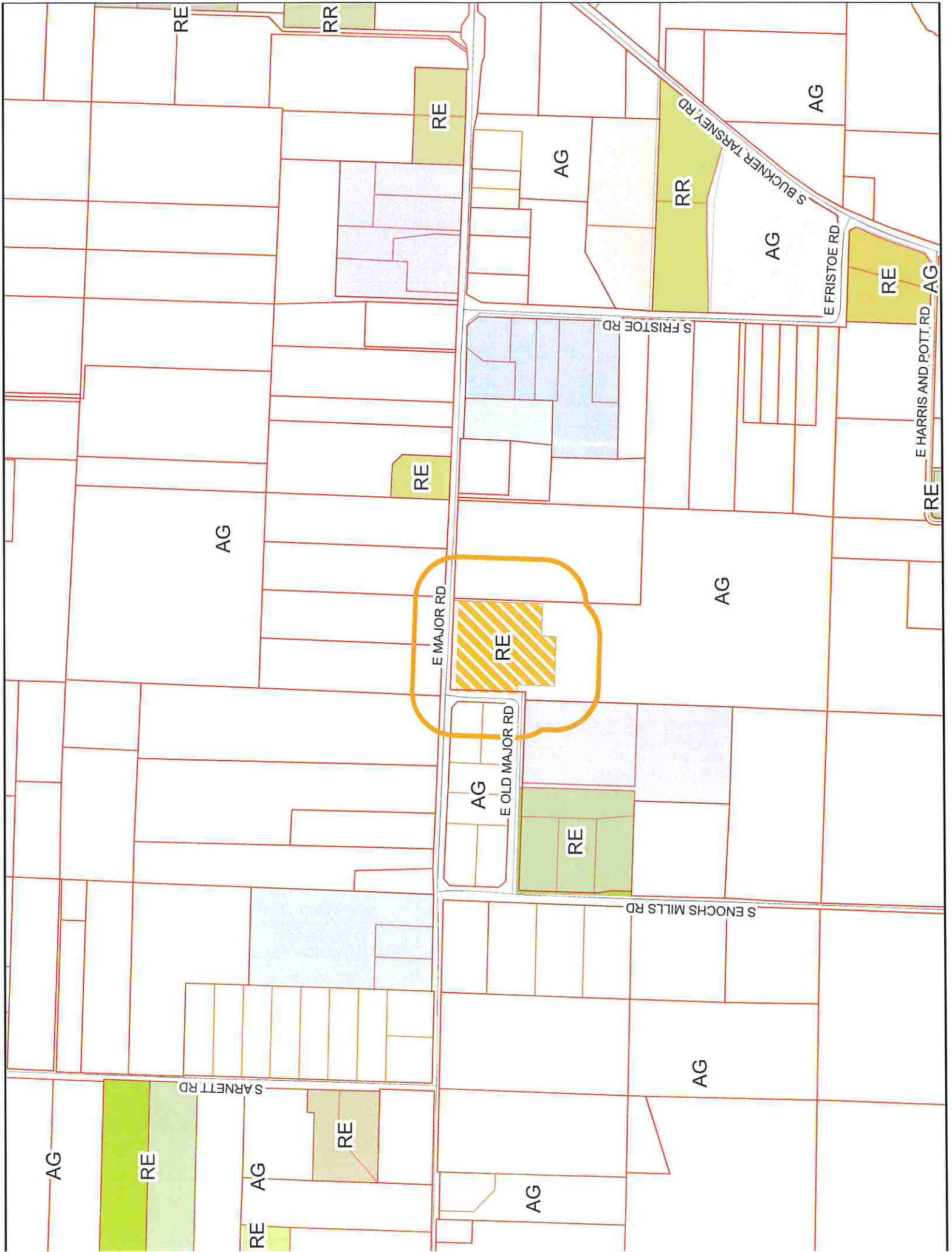
Recommendation:

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

Staff recommends APPROVAL of RZ-2023-656.

Respectfully submitted,

Jackson County Public Works
Development Division
Randy Diehl, Administrator



Plan Commission September 21, 2023
 RZ-2023-656

Property Owners Within 300 feet

Parcel	owner	address	city	state	zip
40-900-03-01-00-0-00-000	ALLINIZIO EPIC TRUST	PO BOX 55	GRAIN VALLEY	MO	64029
40-900-02-13-00-0-00-000	TROTTER JEREMY & DARCI S	2205 NW 9TH ST	BLUE SPRINGS	MO	64015
40-900-02-07-00-0-00-000	WOOLUM EVERETT J II	31206 E MAJOR RD	GRAIN VALLEY	MO	64029
40-900-02-09-00-0-00-000	ENGLAND SHELDON R & SHERYL L	31306 E MAJOR RD	GRAIN VALLEY	MO	64029
40-900-03-12-00-0-00-000	BRITT JONATHAN E & CATHERINE D	31100 OLD MAJOR RD	GRAIN VALLEY	MO	64029
40-900-02-05-02-0-00-000	BAKER MATTHEW D & LARRY & BARBARA A	6806 SW CEMETERY RD	OAK GROVE	MO	64075
40-900-03-19-00-0-00-000	HERMAN HAROLD ROBERT	31105 E OLD MAJOR RD	GRAIN VALLEY	MO	64029
40-900-03-13-00-0-00-000	SEYMOUR DENNIS J & LYDIA M	31105 E MAJOR RD	GRAIN VALLEY	MO	64029
40-900-03-10-00-0-00-000	WOODLAND RANCH LLC	10804 S PERDUE RD	GRAIN VALLEY	MO	64029



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

September 6, 2023

RE: Public Hearing: RZ-2023-656
Woodland Ranch LLC

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 Woodland Ranch LLC for a change of zoning from District AG (Agricultural) on 9.91 ± acres to District RE (Residential Estates). The purpose is to create three residential lots at 7911 S. Old Major 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 300' of the subject property.

The public hearing on this matter will be held by the Plan Commission on Thursday, September 21, 2023, at 8:30 a.m. in the Large Conference Room, 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,

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- 2023- 656

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: STEVE WARGER
- Current Mailing Address: 4227 NW Pine Ridge Circle Baxterville MO 64012
- Phone: 816-769-6132 email: STEVEWARGER@GMAIL.COM
- b. Legal Owner of Property: Woodland Ranch, LLC
- Current Mailing Address: 10804 S. Perdue Rd. Grain Valley, MO 64029
- Phone: (816) 678-1006 email: joe.pollard@bankofodessa.us.com
- b. Legal Owner of Property: _____
- Current Mailing Address: _____
- Phone: _____ email: _____

2. General location (Road Name) EAST MAJOR Rd & OLD MAJOR
3. Present Zoning AG Requested Zoning RE
4. AREA (sq. ft. / acres) 100 ACRES +/-
5. Legal Description of Property: (Write Below or provide copy of deed and survey)
SEE ATTACHED
6. Present Use of Property: UNDEVELOPED ONE HOUSES 62 AC
7. Proposed Use of Property: DEVELOP 3 LOTS 3 ACRES 5 LOTS 10 ACRES
8. Proposed Time Schedule for Development: END OF 2023
9. What effect will your proposed development have on the surrounding properties?
MINIMAL
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? NO
11. Describe the source/method which provides the following services, and what effect the development will have on same:
- a. Water Provider PUBLIC PWSD 13
 - b. Sewage disposal: Onsite Waste Water ☒ Public Sewer ☐
 - c. Electricity EVERGY
 - d. Fire and Police protection LDLZ1 CJC JCSO
12. Describe existing road width and condition: 20' + and fair
13. What effect will proposed development have on existing road and traffic conditions? MINIMAL LESS THAN 10 TRIPS TO PEAK HOUR

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

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

The LEGAL OWNER(s) of the property must be signatory to this application. If the owner is also the applicant then only the Property Owner portion needs to be filled out. Applications will not be accepted to move forward without the proper signatories.

Verification of ownership will be made using the Tax Rolls and the Recorder of Deeds database.

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

Signature Woodland Ranch LLC by Date 6-28-23
Property Owner(s) [Signature]

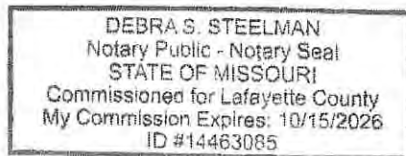
STATE OF Mo
COUNTY OF Laf

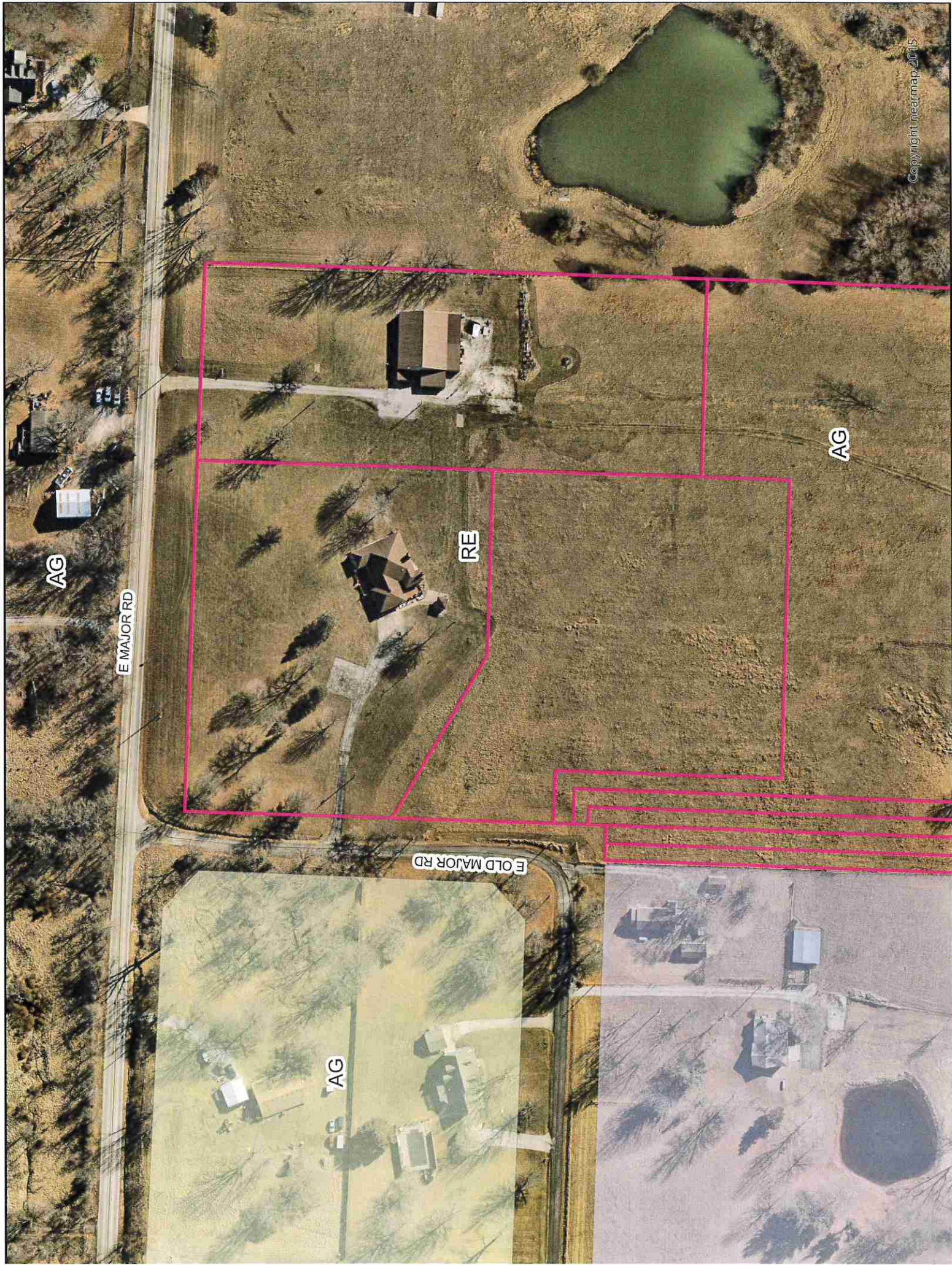
On this 28 day of June, in the year of 2023, before me
the undersigned notary public, personally appeared Joseph L Pollard

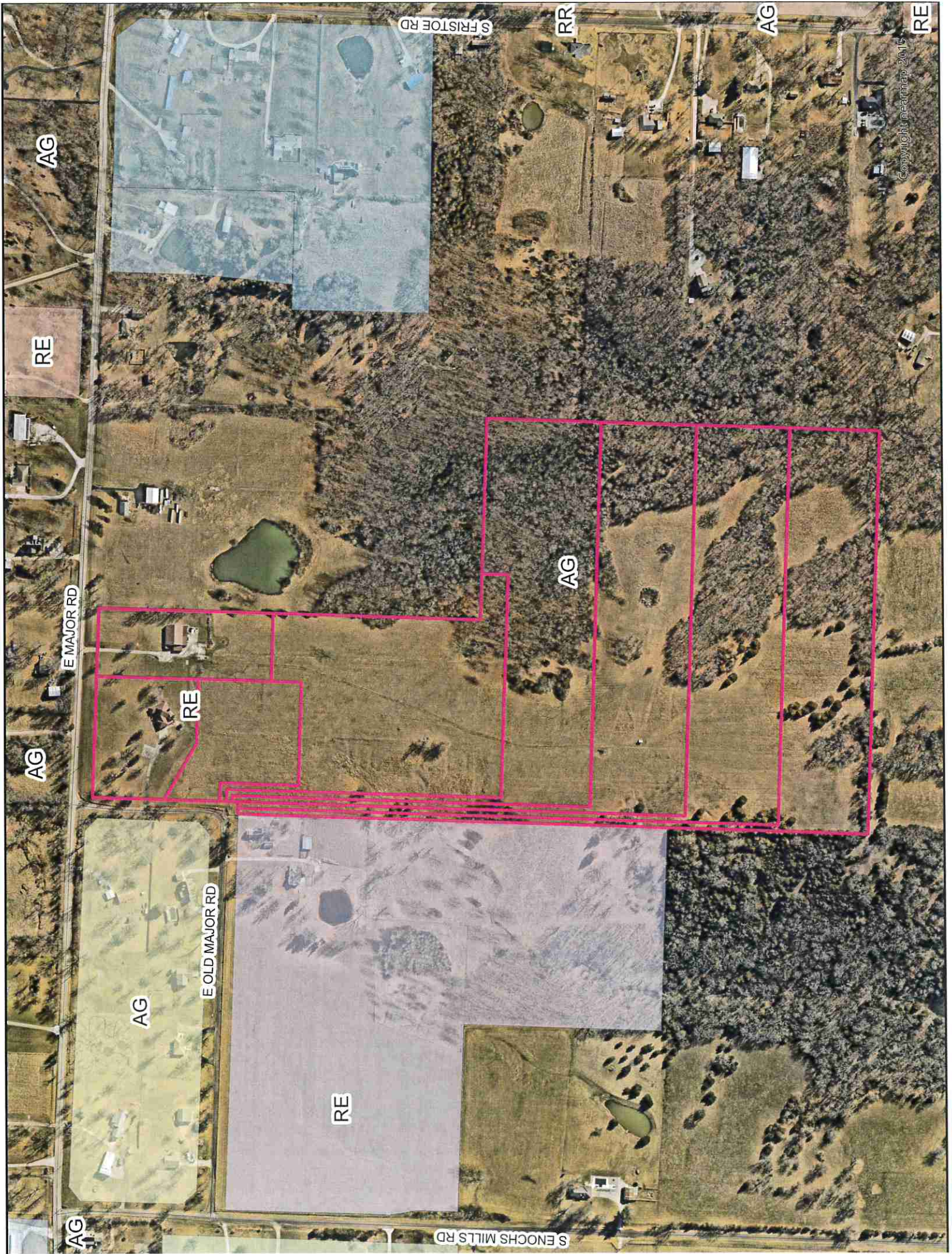
known to me to be the person(s) whose names(s) is/are subscribed to the within instrument and
acknowledged that he/she/they executed the same for the purposes therein contained.

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

Notary Public [Signature] Commission Expires 10/15/26







PLAT BOUNDARY
CONTAINING 2,617,991 SQUARE FEET OR 60.10 ACRES

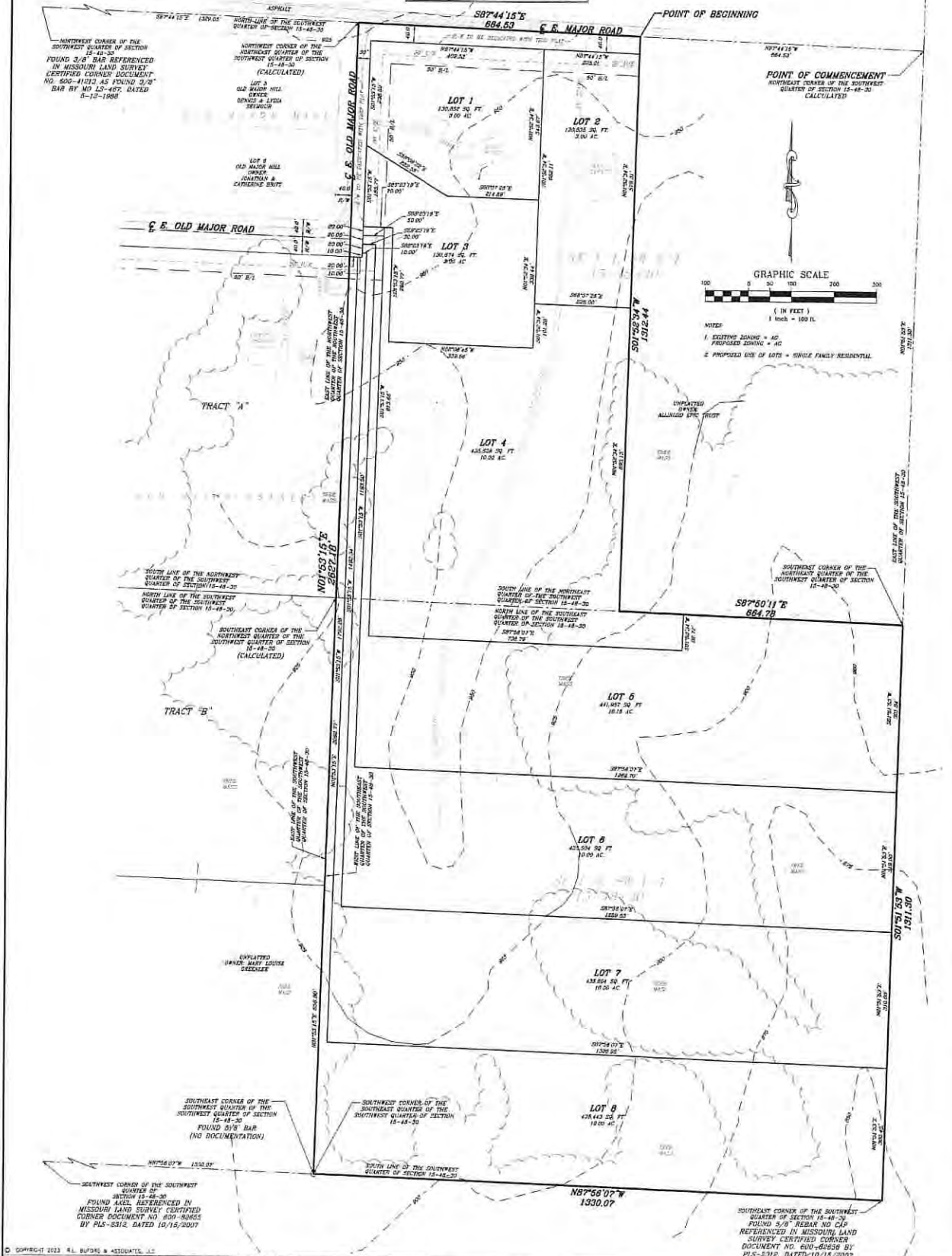
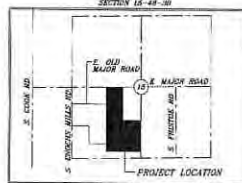
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NOT TO SCALE
SECTION 16-48-200

PRELIMINARY PLAT
WOODLAND RIDGE

PART OF THE SOUTHWEST QUARTER OF
SECTION 15, TOWNSHIP 48 NORTH, RANGE 30 WEST, JACKSON COUNTY, MISSOURI
TOTAL ACREAGE: 2,817.981 SQUARE FEET 80.10 ACRES
RIGHT OF WAY: 41.413 SQUARE FEET 0.95 ACRES

SHEET 1 OF 1



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R.L. Buford & Associates, LLC
LAND SURVEYING - DEVELOPMENT CONSULTANTS
R.L. BUFORD & ASSOCIATES, LLC - NO CERT. OF
AUTHORITY LICENSE NO. 18-0031677
rlb@rlbuford.com

P.O. BOX 14059, PARKVILLE, MO, 64152 (816) 741-8152

FOR	SEC. - TWP. - RGE.	COUNTY	100
JOE POLLARD &	15 - 48 - 30	JACKSON	J-2301
	DATE	FIELD BOOK	

DEREK ROHER	06/20/2013	1:52 PM
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PRELIMINARY PLAT - MAJOR SUBDIVISION

SURVEYOR'S CERTIFICATION

I HEREBY CERTIFY THAT I HAVE MADE A SURVEY OF THE PREMISES HEREIN DESCRIBED WHICH MEET OR EXCEED THE CURRENT MISSOURI MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS AS JOINTLY ESTABLISHED BY THE MISSOURI DEPARTMENT OF NATURAL RESOURCES, DIVISION OF GEOLOGY AND LAND SURVEY AND THE MISSOURI BOARD FOR ARCHITECTS, PROFESSIONAL ENGINEERS, PROFESSIONAL LAND SURVEYORS AND LANDSCAPE ARCHITECTS, AND THAT THE RESULTS OF SAID SURVEY ARE REPRESENTED ON THIS DRAWING TO THE BEST OF MY PROFESSIONAL KNOWLEDGE AND BELIEF.

Pl. K. 1.

Pshet-fung

ROBERT W. JONES, FBI-2297000



OWNES/SUBDIVIDER
JOE POLLARD & DEREK RORER
7911 S OLD MAJOR RD
GRAIN VALLEY, MO 64023