

## IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

**AN ORDINANCE** granting a conditional use permit in the HI (Heavy Industrial) district for a period of fifteen years to perform earthwork and mining reclamation, subject to specified conditions, as to an 89.44± acre tract.

**ORDINANCE NO. 5647**, August 15, 2022

BE IT ORDAINED by the County Legislature of Jackson County, Missouri as follows:

Section 1. A conditional use permit (CUP) is hereby granted for a period of fifteen years to perform earthwork and mining reclamation, as to an approximate 89.44 ± acre tract of land commonly known as 8400 E. Truman Road in Jackson County, Missouri, legally described as follows:

**Description:** That part of the Northeast Quarter of Section 06, Township 49, Range 32, Jackson County, Missouri, described as follows: Beginning 246.97 feet West of the Southeast Corner of said Northeast Quarter, said point being on the Westerly right of way of Blue Ridge Boulevard; thence North 03 Degrees 7 Minutes 16 Seconds West, along said Westerly right of way line, 82.71 feet, to the true Point of Beginning; Thence continuing along westerly right of way line, North 03 Degrees 7 Minutes 16 Seconds West, 89.17 feet, thence Northeasterly along said right of way and along a curve to the right, 355.33 feet; thence North 23 degrees 46 Minutes 51 Seconds along said right of way, 552 feet, more or less, to the Kansas City corporate limit line; thence West 2450 feet, more or less, to the Easterly line of I-435; thence Southwesterly along said right of way, 130 feet, more or less, thence South 582 feet, more or less; thence South 88 Degrees 16 Minutes 49 Seconds East, 222.33 feet; thence South 01 Degrees 43 minutes 11 Seconds West, 329.57 feet; thence South 72 degrees 43 Minutes 55 Seconds West, 160 feet; thence West 71.03 feet; thence South 01 degree 43 Minutes 11 Seconds West, 329.57 feet; thence South 72 degrees 43 Minutes 55 Seconds West 160 feet; Thence West 160 feet; thence West 71.03 feet; thence South 78.28 feet to the South line of said Northeast Quarter; thence East along said South line, 1135 feet, more or less; thence North 82.37 feet; thence East 1085.38 feet to the true Point of Beginning.

And including the following:

That part of the Northeast Quarter of Section 06, Township 49, Range 32, Jackson County, Missouri, described as follows: Beginning at a point on the South line of the Northeast Quarter, 1870 feet East of the Southwest Corner of said Northeast Quarter; thence North 01 Degrees 37 Minutes 10 Seconds East, 78.28 feet to the true Point of Beginning; Thence South 88 Degrees 16 Minutes 49 Seconds East, 71.03 feet; thence North 72 Degrees 43 Minutes 55 Seconds East, 160 feet; thence North 01 Degrees 37 Minutes 10 Seconds, 329.57 feet; thence North 88 Degrees 16 Minutes 49 Seconds West, 222.33 feet to the Kansas City corporate limit line; thence South along said corporate lines line, 381.63 feet to the true Point of Beginning.

And including the following:

That Part of the West Half or the Southeast Quarter of Section 06, Township 49, Range 32, Jackson County, Missouri, described as follows: Beginning at the Northeast corner of said West Half or Southeast Quarter, thence South along the East line of said West half, 872.45, thence South 86 degrees 04 minutes 54 seconds West, 316.90 feet; thence North 01 degrees 42 minutes 53 seconds East, 547.89 feet; thence South 61 degrees 06 minutes 07 seconds West, 665.43 feet; thence South 72 degrees 34 minutes 49 seconds West, 110.88 feet; thence South 39 degrees 05 minutes 32 seconds West, 93.81 feet; thence South 05 degrees 45 minutes 45 seconds East, 108.60 feet; thence South 34 degrees 46 minutes 44 seconds East, 198.51 feet; thence South 45 degrees 38 minutes 43 seconds East, 157.64 feet; thence South 70 degrees 11 minutes 08 seconds East, 73.36 feet; thence North 80 degrees 40 minutes 30 seconds East, 131.45 feet; thence North 08 degrees 48 minutes 41 seconds West, 61.67 feet; thence north 74 degrees 34 minutes 43 seconds East, 139.67 feet; thence North 70 degrees 29 minutes 18 seconds East, 202.61 feet; thence North 87 degrees 00 minutes 31 seconds East 278.94 feet; thence along a curve to the left, 273 feet more or less; thence South 56 degrees 02 minutes 47 seconds West, along the northerly right of way line, 189.54 feet; thence westerly along a curve to the right and along northerly right of way line, 422.83 to East right of way line of I-435; thence North along East right of way 119.18 feet; thence North 35 degrees 16 minutes 35 seconds West, along said Easterly Line, 210.20 feet; thence North 40 degrees 54 minutes 27 seconds East, along said East right of way line, 131.02 feet; thence North 36 degrees 21 minutes 30 seconds West, along said right of way, 19 feet to Kansas City Corporate limit line; thence North along said corporate limit line to North line said Southeast Quarter line; thence East along said North said Southeast Quarter, 1135 feet to Point of Beginning.

And including the following:

Lot 1, Newco, a subdivision in Jackson County, Missouri.

Being all that part of Section 06, Township 49, Range 31, Jackson County, Missouri, as described in Document 2021E0069682, except any part within Kansas City or Independence corporate boundaries.

Section 2. The CUP granted by this Ordinance is subject to the following conditions:

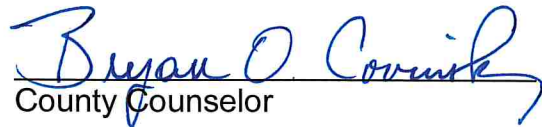
- 1) Blasting operations shall be governed by the Missouri Blasting Safety Act, Sections 319.300 -.345, RSMo.;
- 2) Blasting shall be restricted to the hours between 7:00 a.m. and 6:00 p.m.;
- 3) Fixed equipment and machinery shall be located at least one hundred (100) feet from any lot line and five hundred feet from any residential zoning district.

Section 3. The Legislature, pursuant to the application of Kevin Ash (CU-2022-238), requesting the approval embodied in this Ordinance and with notice that the Jackson County Plan Commission voted 9 to 0 to recommend APPROVAL of this application in a public hearing on July 21, 2022, does adopt this Ordinance pursuant to the Jackson County Charter authorizing the Legislature to exercise legislative power pertaining to planning and zoning.

Effective Date: This Ordinance shall be effective immediately upon its signature by the County Executive.

APPROVED AS TO FORM:

  
Chief Deputy County Counselor

  
County Counselor

I hereby certify that the attached ordinance, Ordinance No. 5647 introduced on August 15, 2022, was duly passed on August 22, 2022 by the Jackson County Legislature. The votes thereon were as follows:

Yeas 8

Nays 0

Abstaining 0

Absent 1

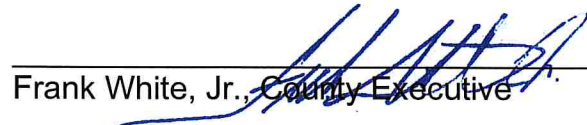
This Ordinance is hereby transmitted to the County Executive for his signature.

8.22.2022  
Date

  
Mary Jo Spino, Clerk of Legislature

I hereby approve the attached Ordinance No. 5647.

8/22/2022  
Date

  
Frank White, Jr., County Executive