

**Request for Legislative Action**

Ord. #5753

Date: June 15, 2023

**Completed by County Counselor's Office**

Action Requested:	Ordinance	Res.Ord No.:	5753
Sponsor(s):		Legislature Meeting Date:	6/15/2023

**Introduction****Action Items:** ['Authorize']**Project/Title:**

RZ-2023-645 – Scott &amp; Angelina Tidd

**Request Summary**

Requesting a change of zoning from District AG (Agricultural) on 1.00 ± acres to District RS (Residential Suburban). The purpose is to decrease the side and rear yard setbacks for future construction at 25403 E 130th Terrace.

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 June 1, 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**

<b>Department:</b>	Public Works	<b>Submitted Date:</b>	6/2/2023
<b>Name:</b>	Randy D. Diehl	<b>Email:</b>	RDiehl@jacksongov.org
<b>Title:</b>	Development Administrator	<b>Phone:</b>	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
<b>Single Source Funding:</b>			
Fund:	Department:	Line Item Account:	Amount:
			<b>!Unexpected End of Formula</b>

## Request for Legislative Action

<b>Prior Legislation</b>	
<b>Prior Ordinances</b>	
Ordinance:	Ordinance date:
<b>Prior Resolution</b>	
Resolution:	Resolution date:

<b>Purchasing</b>	
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?	

<b>Compliance</b>	
<b>Certificate of Compliance</b>	
Not Applicable	
<b>Minority, Women and Veteran Owned Business Program</b>	
Goals Not Applicable for following reason: Zoning Change	
MBE:	.00%
WBE:	.00%
VBE:	.00%
<b>Prevailing Wage</b>	
Not Applicable	

<b>Fiscal Information</b>
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## Request for Legislative Action

### History

Submitted by Public Works requestor: Randy D. Diehl on 6/2/2023. Comments:

Approved by Department Approver Kristina J. Miller on 6/5/2023 3:46:20 PM. Comments:

Not applicable by Purchasing Office Approver Barbara J. Casamento on 6/5/2023 4:26:19 PM. Comments:

Approved by Compliance Office Approver Jaime Guillen on 6/5/2023 4:34:20 PM. Comments:

Approved by Budget Office Approver David B. Moyer on 6/6/2023 8:31:36 AM. Comments:

Approved by Executive Office Approver Sylvy Stevenson on 6/6/2023 1:46:53 PM. Comments:

Approved by Counselor's Office Approver Jamesia Manning on 6/14/2023 10:37:12 AM. Comments:

**RZ-2023-645**

**ATTACHMENT 1: PROPERTY DESCRIPTION**

**Description:**

Lot 50, Trophy Estates, a subdivision in Jackson County, Missouri

**RZ-2023-645**

**ATTACHMENT 2: ZONING SUPPORT DOCUMENTATION**

Attachments

Plan Commission Public Hearing Summary from June 1, 2023

Staff Report

Zoning map of surrounding area

Names/Addresses of Surrounding Property Owners

Copy of letter to said property owners

Application

Aerial of location

Site Plan

**Randy Diehl gave the staff report:**

**RE: RZ-2023-645**

**Applicant:** Scott & Angelina Tidd

**Location:** Lot 50, Trophy Estates, 25403 E 130<sup>th</sup> Terrace

**Area:** 1.00 ± acres

**Request:** Change of zoning from District AG (Agricultural) to District RS (Residential Suburban)

**Purpose:** Applicant is requesting a change in zoning in order to decrease the side and rear yard building setback requirements for future construction.

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

The zoning in the area is predominately Agricultural. The land use within the platted subdivision is single family residences. Trophy Estates was platted in 1977 and 1979. The Zoning Order (adopted in 1960) in place at the time did not require a change in zoning for platted lots. Therefore, Trophy Estates is within District AG (Agricultural).

Thirteen lots have been rezoned in this development for the same purpose as this application.

The side yard setbacks will be reduced from 30 to 15 feet. The rear yard setbacks will be reduced from 50 to 20 feet. The North side yard (lot front) will remain at 75 feet as that setback was established on the recorded plat.

**County Plan:**

The County Plan Development Diagram illustrates this area within the Urban Development Tier (UDT).

**Recommendation:**

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

Staff recommends APPROVAL of RZ-2023-645.

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 Tidd, 25403 E. 130<sup>th</sup> Terrace

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

Mr. Tidd: No, just building a shed.

Mr. Johnson: What is the existing structure?

Mr. Tidd: It's just a little portable shed.

Mr. Tarpley: How big will the new building be?

Mr. Tidd: 30 x 40.

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

*Discussion under advisement*

Mr. Antey: I like to see these legal non-conforming lots come into compliance.

Mr. Tarpley moved to approve. Mr. Crawford seconded.

Mr. Tarpley	Approve
Mr. Johnson	Approve
Mr. Crawford	Approve
Ms. Ryerkerk	Approve
Chairman Antey	Approve

Motion Carried 5 – 0

## STAFF REPORT

### PLAN COMMISSION

May 18, 2023

RE: RZ-2023-645

**Applicant:** Scott & Angelina Tidd

**Location:** Lot 50, Trophy Estates, 25403 E 130<sup>th</sup> Terrace

**Area:** 1.00 ± acres

**Request:** Change of zoning from District AG (Agricultural) to District RS (Residential Suburban)

**Purpose:** Applicant is requesting a change in zoning in order to decrease the side and rear yard building setback requirements for future construction.

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

The zoning in the area is predominately Agricultural. The land use within the platted subdivision is single family residences. Trophy Estates was platted in 1977 and 1979. The Zoning Order (adopted in 1960) in place at the did not require a change in zoning for platted lots. Therefore, Trophy Estates is within District AG (Agricultural).

Thirteen lots have been rezoned in this development for the same purpose as this application.

The side yard setbacks will be reduced from 30 to 15 feet. The rear yard setbacks will be reduced from 50 to 20 feet. The North side yard (lot front) will remain at 75 feet as that setback was established on the recorded plat.

#### County Plan:

The County Plan Development Diagram illustrates this area within the Urban Development Tier (UDT).

#### Recommendation:

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

Staff recommends APPROVAL of RZ-2023-645.

Respectfully submitted,

Jackson County Public Works  
Development Division  
Randy Diehl, Administrator



Plan Commission May 18, 2023

RZ-2023-645

Property Owners Within 185 feet

Parcel	owner	address	city	state	zip
71-100-01-13-00-0-00-000	HEI CONSULTING LLC	4241 S STONE CANYON DR	INDEPENDENCE	MO	64015
60-700-04-57-00-0-00-000	VAN LANT TYLER J	13013 SE HOWARD RD	GREENWOOD	MO	64034
60-700-04-55-00-0-00-000	BOOTH BRANDON D & LOCKE TEADORA I	25409 E 130TH TER	GREENWOOD	MO	64034
60-700-04-61-00-0-00-000	GARVER RONALD L & JULIE M	13023 SE HOWARD RD	GREENWOOD	MO	64034
60-700-04-54-00-0-00-000	POND DAWN	25501 E 130TH TER	GREENWOOD	MO	64034
60-700-04-46-00-0-00-000	LATTNER DAVID C & DEBRA J-TR	25308 E 130TH TER	GREENWOOD	MO	64034
60-700-04-48-00-0-00-000	SIMS JEFFREY L & KAREN L	25410 E 130TH TER	GREENWOOD	MO	64034
60-700-04-47-00-0-00-000	JACOBSON KEN	25404 E 130TH TE	GREENWOOD	MO	64034
60-700-04-56-00-0-00-000	TIDD SCOTT P & ANGELINA R	25403 E 130TH TER	GREENWOOD	MO	64034



## 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 3, 2023

RE: Public Hearing: RZ-2023-645  
Scott & Angelina Tidd

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 & Angelina Tidd for a change of zoning from District AG (Agricultural) on 1.00 ± acres to District RS (Residential Suburban). The 1.00 ± acre is described as Lot 50, Trophy Estates, 25403 E 130<sup>th</sup> Street.

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 185' of the subject property.

The public hearing on this matter will be held by the Plan Commission on Thursday, May 18, 2023, at 8:30 a.m. in the Large Conference Room, 2<sup>nd</sup> 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**

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**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

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**TO BE COMPLETED BY OFFICE PERSONNEL ONLY:**

Rezoning Case Number RZ- 2023- 645

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 \_\_\_\_\_

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**BEGIN APPLICATION HERE:**

**1. Data on Applicant(s) and Owner(s):**

- a. Applicant(s) Name: Scott P. Tidd & Angelina R. Tidd
- Address: 25403 E 130th Terrace
- Greenwood, MO 64034
- Phone: 816-289-2855
- b. Owner(s) Name: Scott P. Tidd & Angelina R. Tidd
- Address: 25403 E 130th Terrace, Greenwood, MO 64034
- Phone: 816-289-2855
- c. Agent(s) Name: NA

Address: NA

Phone: NA

d. Applicant's interest in Property: Owners/ Primary Residence

2. General location (Road Name) Lot 50, Trophy Estates, Jackson County MO, 130th Terrace

3. Present Zoning Agriculture Requested Zoning Residential / Suburban

4. AREA (sq. ft. / acres) 46,492 sq ft 1.07 Acres

5. Legal Description of Property: (Write Below or Attached 9 )

Jackson County Parcel # 60-700-04-56-00-0-00-000; Trophy Estates Lot 50

6. Present Use of Property: Primary Residence (Single Family Home)

7. Proposed Use of Property: Primary Residence (Single Family Home) Add a Garage

8. Proposed Time Schedule for Development: Begin June 2023 Complete June 2023

9. What effect will your proposed development have on the surrounding properties?

No effect other than view

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 Lee's Summit Water / No effect

b. Sewage disposal Trophy Estates Sewer District / No effect

c. Electricity Evergy / Will add 100A service to Garage for lights

d. Fire and Police protection Southern JC, JC County Sheriff / No effect

12. Describe existing road width and condition: Standard Sub-division roadway, paved with gutter

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

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

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

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

Signature

Date

Property Owner(s)

Scott P. Todd  
Angeline Todd

3/22/2023  
3/22/2023

Applicant(s):

SAME  
SAME

\_\_\_\_\_  
\_\_\_\_\_

Contract Purchaser(s):

\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

STATE OF Missouri

COUNTY OF Jackson

On this 22 day of March, in the year of 2023, before me the undersigned notary public, personally appeared Scott P. Todd and Angeline Todd

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.

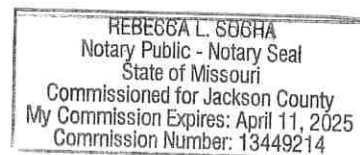
In witness whereof, I hereunto set my hand and official seal.

Notary Public

Rebecca L. Socha  
Rebecca L. Socha

Commission Expires

April 11, 2025





Trophy Estates  
East 130th Terrace

75' Setback

Tidd  
25403 E 130th Terrace

15'  
Setback

Buried  
Electrical

15'  
Setback

LP  
Tank

Jackson County Parcel  
#60-700-04-56-00-0-00-000  
Trophy Estates Lot #50  
25403 E 130th Terrace

309'

Tent Shed  
(Existing)

30' x 40'  
Proposed  
Pole Barn

15'  
Setback

Proposed  
Building  
50' Setback

Setback  
15'

Setback  
20'

150'

E130TH TER

13013

25403

25409



