



Jackson County Health Department

Aug. 3 -10, 2022

COVID-19 Data

More in depth data can be found on the [JACOHD dashboard](#).

JACOHD

- Total Cases – 75,524
- Total Deaths – 807

Totals by Week:

- Cases – 583
- Deaths – 1

****Note:** Cases from Independence, MO have been removed from the Jackson County Health Department data dashboard. There has been a delay in data reporting from the state level. Therefore, these data are provisional and are subject to change.

Current Outbreaks

Addington Place of Lee's Summit – 22
Cross Creek at Lee's Summit – 29
Hidden Lake Care Center – 21
Ignite Medical Resort Blue Springs – 25
Ignite Medical Resort St. Mary's – 7
Jackson County Detention Center – 28

John Knox Village Care Center – 45
John Knox Village Valley View – 22
Lee's Summit Pointe – 21
Life Care Center of Grandview – 24
Silverado Lee's Summit Memory Care – 5

****Outbreaks** are considered concluded after two incubation periods (28 days) since the onset date of the last case of COVID-19, and are thus removed from the list.

JACOHD/Jackson County Vaccine Data

Jackson County vaccine data can be found [here](#).

JACOHD

- Total doses administered – 89,667

Jackson County

- 71.9% of Jackson County residents have initiated vaccination; 58.4% have completed vaccination
 - Jackson County Population: 703,011
- 505,438 people have received at least one dose; 410,880 people are fully vaccinated

****** On April 1, 2022, Missouri updated its data dashboard and removed COVID-19 vaccine data. The COVID-19 vaccine data reflected is from the [CDC's website](#), which encompasses all of Jackson County, including Kansas City and Independence.

JACOHD/UH Sponsored Testing

Thursday, Aug. 11, 2022	9 a.m. – 3 p.m. – 313 S Liberty St, Independence
Friday, Aug. 12, 2022	9 a.m. – 3 p.m. – 313 S Liberty St, Independence
Monday, Aug. 15, 2022	9 a.m. – 3 p.m. – 313 S Liberty St, Independence
Tuesday, Aug. 16, 2022	9 a.m. – 3 p.m. – 313 S Liberty St, Independence

Symptomatic Testing: Call 816-404-2273

JACOHD Vaccine Clinics

Thursday, Aug. 11, 2022	9 a.m. – 6 p.m. – 313 S Liberty St, Independence
Friday, Aug. 12, 2022	9 a.m. – 4 p.m. – 313 S Liberty St, Independence
Monday, Aug. 15, 2022	9 a.m. – 6 p.m. – 313 S Liberty St, Independence
Tuesday, Aug. 16, 2022	9 a.m. – 6 p.m. – 313 S Liberty St, Independence

Residents can visit [jacohd.org/events](#) to find clinic registration and walk-in hours.

PPE Supply

The supply rate meets the demand rate.

JCDC Testing

JACOHD is continually working with JCDC on reporting and investigation.

Regional Coordination Meetings

Health Care Coalition Steering Committee Meeting, Public Health Risk Communication Coordination Meeting, Hospitals & Public Health Meeting, Communicable Disease COVID-19 Update Meeting, Missouri Center for Public Health Excellence Meeting, Public Health Coordination Meeting, Public Health Directors Meeting, Multi Agency Coordination Resource Section Support Meeting, Community Organizations Active in Disaster Meeting



COUNTY LEGISLATURE JACKSON COUNTY, MISSOURI

MARY JO SPINO

CLERK OF THE COUNTY LEGISLATURE
415 East 12th Street
Kansas City, MO 64106

201 West Lexington, 2nd Floor
Independence, MO 64050

August 12 – August 18, 2022

8-12-2022 Friday

NO MEETINGS –

8-15-2022 Monday

NO ANTI-CRIME, FINANCE & AUDIT, HEALTH & ENVIRONMENT, INTER-GOVERNMENTAL AFFAIRS, JUSTICE & LAW ENFORCEMENT, LAND USE, RULES OR 911 OVERSIGHT COMMITTEE

9:50 A.M. Budget Committee Meeting –
Jackson County Courthouse, 415 East 12th Street,
2nd Floor, Kansas City Legislative Assembly Area

9:55 A.M. Public Works Committee Meeting –
Jackson County Courthouse, 415 East 12th Street,
2nd Floor, Kansas City Legislative Assembly Area

10:00 A.M. **LEGISLATIVE MEETING -**
Jackson County Courthouse, 415 East 12th Street,
2nd Floor, Kansas City Legislative Assembly Area

8-16-2022 Tuesday

NO MEETINGS –

8-17-2022 Wednesday

NO MEETINGS –

8-18-2022 Thursday

10:00 A.M. Pension Plan Board of Trustees Meeting –
Meeting will be held via Zoom. For more information contact,
Maria Leathers at mleathers@jacksongov.org

5:15 P.M. Ethics, Human Relations & Citizen Complaints
Commission Meeting – Meeting will be held via Zoom. For
more information contact, Anita Mackrel at
amackrel@jacksongov.org.

Persons with disabilities wishing to participate in the above meetings and who require a reasonable accommodation may call the County Clerk's Office at 881-3242 or 1-800-735-2466 (Missouri Relay). Forty-eight (48) hour notice is required. To put information on Activity Calendar, please contact the County Clerk's Office by NOON Wednesday of each week.

IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

AN ORDINANCE amending the zoning districts established pursuant to the Unified Development Code by rezoning a certain 12.58± acre tract from District AG (Agricultural) to District RE (Residential Estates) and approving the preliminary plat “Old Major Estates,” creating a four-lot residential subdivision.

ORDINANCE NO. 5640, August 15, 2022

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

Section 1. The Zoning Order of Jackson County, Missouri, and the official maps which are a part thereof, are amended by changing the boundaries of the "AG" (Agricultural) and “RE” (Residential Estates) Districts, so that there will be transferred from District AG to District RE a tract of land legally described as follows:

Part of the South 25 acres of the Northwest Quarter of the Southwest Quarter and the Northeast quarter of the Southwest Quarter of Section 15, Township 48 North, Range 30 West, Jackson County, Missouri, being further described as follows: commencing at the southwest corner of the southwest quarter of said section 15; thence North 01 degrees 54 minutes 36 seconds East, along the West line of said Southwest Quarter, a distance of 722.84 feet to the Southwest corner of the Northwest Quarter of said Southwest Quarter; thence South 87 degrees 50 minutes 11 seconds East, along the South line of the Northwest Quarter of said Southwest Quarter, a distance of 30.00 feet to the to the East right of way line of Enochs Mills Road, said point also being the Point of Beginning of the tract of land to be herein described; thence North 01 degrees 54 minutes 36 seconds East, a distance of 779.18 feet to a point on the North line of the South 25 acres of the Northwest Quarter of said Southwest Quarter; thence South 87 degrees 50 minutes 11 seconds East, along said line, a distance of 703.14 feet; thence South 01 degrees 54 minutes 36 seconds West, a distance of 779.18 feet to a point on the South line of the Northwest Quarter of said Southwest Quarter; thence North 87 degrees 50 minutes 11 seconds West, along said line, a distance of 703.14 feet to the Point of Beginning. Containing 547,861 square feet or 12.58 acres.

Section 2. The Preliminary Plat “Old Major Estates,” creating a four-lot residential subdivision, is hereby approved.


Section 3. The Legislature, pursuant to the application of Harold Herman (RZ-2022-635), requesting the amendment embodied in this Ordinance and with notice that the Jackson County Plan Commission voted 9 to 0 to recommend APPROVAL of this application after a public hearing on July 21, 2022, does hereby 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. 5640 introduced on August 15, 2022, was duly passed on _____, 2022 by the Jackson County Legislature. The votes thereon were as follows:

Yeas _____

Nays _____

Abstaining _____

Absent _____

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

Date

Mary Jo Spino, Clerk of Legislature

I hereby approve the attached Ordinance No. 5640.

Date

Frank White, County Executive

Request for Legislative Action

Ordinance No.: 5640

Date: August 15, 2022

Completed by County Counselor's Office

Action Requested:	Ordinance	Res.Ord No.:	5640
Sponsor(s):		Legislature Meeting Date:	8/15/2022

Introduction

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

Harold Herman - RZ-2022-635

Request Summary

Requesting a change of zoning from District AG (Agricultural) on 12.58 ± acres to District RE (Residential Estates). The purpose is to create four single-family residential lots at Old Major and Enochs Mills Roads and requesting approval of the preliminary plat of "Old Major Estates" creating four (4) lot residential subdivision.

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 July 21, 2022, and accepted testimony pertaining to the rezoning request.

The Plan Commission voted 9 to 0 to recommend APPROVAL to the County Legislature.

Contact Information

Department:	Public Works	Submitted Date:	7/29/2022
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 7/29/2022. Comments: Land Use scheduled for August 22.

Approved by Department Approver Brian Gaddie on 8/1/2022 4:13:24 PM. Comments:

Not applicable by Purchasing Office Approver Barbara J. Casamento on 8/1/2022 4:42:41 PM. Comments:

Approved by Compliance Office Approver Katie M. Bartle on 8/2/2022 4:14:05 PM. Comments:

Not applicable by Budget Office Approver Mark Lang on 8/3/2022 9:17:32 AM. Comments:

Approved by Executive Office Approver Sylva Stevenson on 8/3/2022 9:42:54 AM. Comments:

Approved by Counselor's Office Approver Elizabeth Freeland on 8/4/2022 3:20:01 PM. Comments:

RZ-2022-635

ATTACHMENT 1: PROPERTY DESCRIPTION

Description:

Part of the South 25 acres of the Northwest Quarter of the Southwest Quarter and the Northeast quarter of the Southwest Quarter of Section 15, Township 48 North, Range 30 West, Jackson County, Missouri, being further described as follows: commencing at the southwest corner of the southwest quarter of said section 15; thence North 01 degrees 54 minutes 36 seconds East, along the West line of said Southwest Quarter, a distance of 722.84 feet to the Southwest corner of the Northwest Quarter of said Southwest Quarter; thence South 87 degrees 50 minutes 11 seconds East, along the South line of the Northwest Quarter of said Southwest Quarter, a distance of 30.00 feet to the East right of way line of Enochs Mills Road, said point also being the Point of Beginning of the tract of land to be herein described; thence North 01 degrees 54 minutes 36 seconds East, a distance of 779.18 feet to a point on the North line of the South 25 acres of the Northwest Quarter of said Southwest Quarter; thence South 87 degrees 50 minutes 11 seconds East, along said line, a distance of 703.14 feet; thence South 01 degrees 54 minutes 36 seconds West, a distance of 779.18 feet to a point on the South line of the Northwest Quarter of said Southwest Quarter; thence North 87 degrees 50 minutes 11 seconds West, along said line, a distance of 703.14 feet to the Point of Beginning. Containing 547,861 square feet or 12.58 acres.

RZ-2022-635

ATTACHMENT 2: ZONING SUPPORT DOCUMENTATION

Attachments

Plan Commission Public Hearing Summary from July 21, 2022

Staff Report

Zoning map of surrounding area

Names/Addresses of Surrounding Property Owners

Copy of letter to said property owners

Application

Aerial of location

Preliminary Plat

Randy Diehl gave the staff report:

RE: RZ-2022-635

Applicant:

Location: Old Major and Enochs Mills Roads

Area: 12.58 ± acres

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

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

Current Land Use and Zoning in the Area:

The zoning in the area is predominately Agricultural. The land use is single family residences. There are developments of similar lots sizes in the surrounding area, the majority were created prior to the adaptation of the Unified Development Code (UDC) in 1995.

The applicant owns approximately 34 acres. The rezoning request is for 12.58 acres which will become the four lots. The remaining acreage will be shown on the plat as two 10-acre tracts and will remain with District AG (Agricultural). Tract A contains an existing residence and an accessory dwelling.

Each lot will be served by an on-site wastewater system. There are no concerns with driveway locations for each lot.

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-2022-635.

Respectfully submitted,

Jackson County Public Works
Development Division
Randy Diehl, Administrator

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

Mr. Akins: Those to the East are the 10-acre tracts?

Mr. Diehl: Yes.

Mr. Crawford: Are there any line of site issues?

Mr. Diehl: No. It appears that each lot will have full access along the roads they front.

Mr. Tarpley: Is the back 10-acre land locked?

Mr. Diehl: No. There is a 30-foot strip for access.

Mr. Akins: What are the restrictions on lot sizes?

Mr. Diehl: The minimum lot width is 180 feet for Residential Estates. These four lots meet the minimum requirements. The 10 acre tracts are not subject to the subdivision regulations.

Mr. Antey: *Is the applicant here?*

Steve Wargner: 6127 NW Pine Ridge Circle, Parkville, MO
I'm the Civil Engineer for Mr., Herman. We are in agreement with the staff report.

Mr. Tarpley: Will these all be on septic?

Mr. Wargner: Yes.

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

Mr. Wargner: We agree with the staff report.

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?*

Donna Burrows: 8122 Enochs Mills Road, Grain Valley. Regarding the drainage, I own property on this (west) side of the road where the culvert is located. What type of septic systems will these be?

Mr. Antey: Those will be determined by testing the soil prior to building permits being issued. It will take an engineer to design the individual systems. There shouldn't be any runoff from a septic system.

Mr. Tarpley: Once these lots start growing tuff grass, that will slow runoff as well.

Tracy Harris: 8115 Enochs Mills Road, Grain Valley. We own an adjacent property. Will these properties be sold as is or will they be built on and then sold?

Mr. Antey: We can't answer that question. I believe the intent is to sell them to be built on.

Mr. Wargner: We are selling the lots. We are not building spec homes.

Mr. Crawford: Are you going to have restrictions for these lots?

Mr. Wargner: Yes.

Harold Herman: 31105 E. Old Major Road, Grain Valley. We are going to record restrictions that state that no pre-manufactured homes will be allowed. Home sizes will be a minimum of 1400 square feet.

Mr. Johnson: Will you allow shop houses or barnominiums?

Mr. Herman: We are considering that.

John Britt: 31100 E. Old Major Road, Grain Valley. Our concern is what is going to happen with these 10-acre tracts?

Mr. Antey: They will remain zoned Agricultural since they are 10 acres or larger in size.

Mr. Diehl: The front tract has an existing home. The one in the back will be able to have a single-family home built on it.

Catherin Britt: 31100 E. Old Major Road, Grain Valley. The former owners brother said that it would not be sold to a developer, and it wouldn't be developed.

Mr. Antey: We can't control what a person wants to do with their land. He is before us to divide off a portion of what he owns. You can have a private conversation with the owner about their intentions regarding the other property outside this hearing. We cannot regulate something like grass mowing outside of what is before us today.

Motion to take under advisement.

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

Discussion under advisement

Mr. Tarpley moved to approve. Mr. Hilliard seconded.

Mr. Akins	Approve
Mr. Tarpley	Approve
Mr. Johnson	Approve
Mr. Crawford	Approve
Mr. Hilliard	Approve
Ms. Ryerkerk	Approve
Mr. Farrar	Approve
Mr. Lake	Approve
Chairman Antey	Approve

Motion Carried 9 – 0

Approval of Preliminary Plat of Old Major Estates

Motion to take under advisement.

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

Mr. Akins	Approve
Mr. Tarpley	Approve
Mr. Johnson	Approve
Mr. Crawford	Approve
Mr. Hilliard	Approve
Ms. Ryerkerk	Approve
Mr. Farrar	Approve
Mr. Lake	Approve
Chairman Antey	Approve

Motion Carried 9 – 0

STAFF REPORT

PLAN COMMISSION

July 21, 2022

RE: RZ-2022-635

Applicant:

Location: Old Major and Enochs Mills Roads

Area: 12.58 ± acres

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

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

Current Land Use and Zoning in the Area:

The zoning in the area is predominately Agricultural. The land use is single family residences. There are developments of similar lots sizes in the surrounding area, the majority were created prior to the adaptation of the Unified Development Code (UDC) in 1995.

The applicant owns approximately 34 acres. The rezoning request is for 12.58 acres which will become the four lots. The remaining acreage will be shown on the plat as two 10-acre tracts and will remain with District AG (Agricultural). Tract A contains an existing residence and an accessory dwelling.

Each lot will be served by an on-site wastewater system. There are no concerns with driveway locations for each lot.

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.

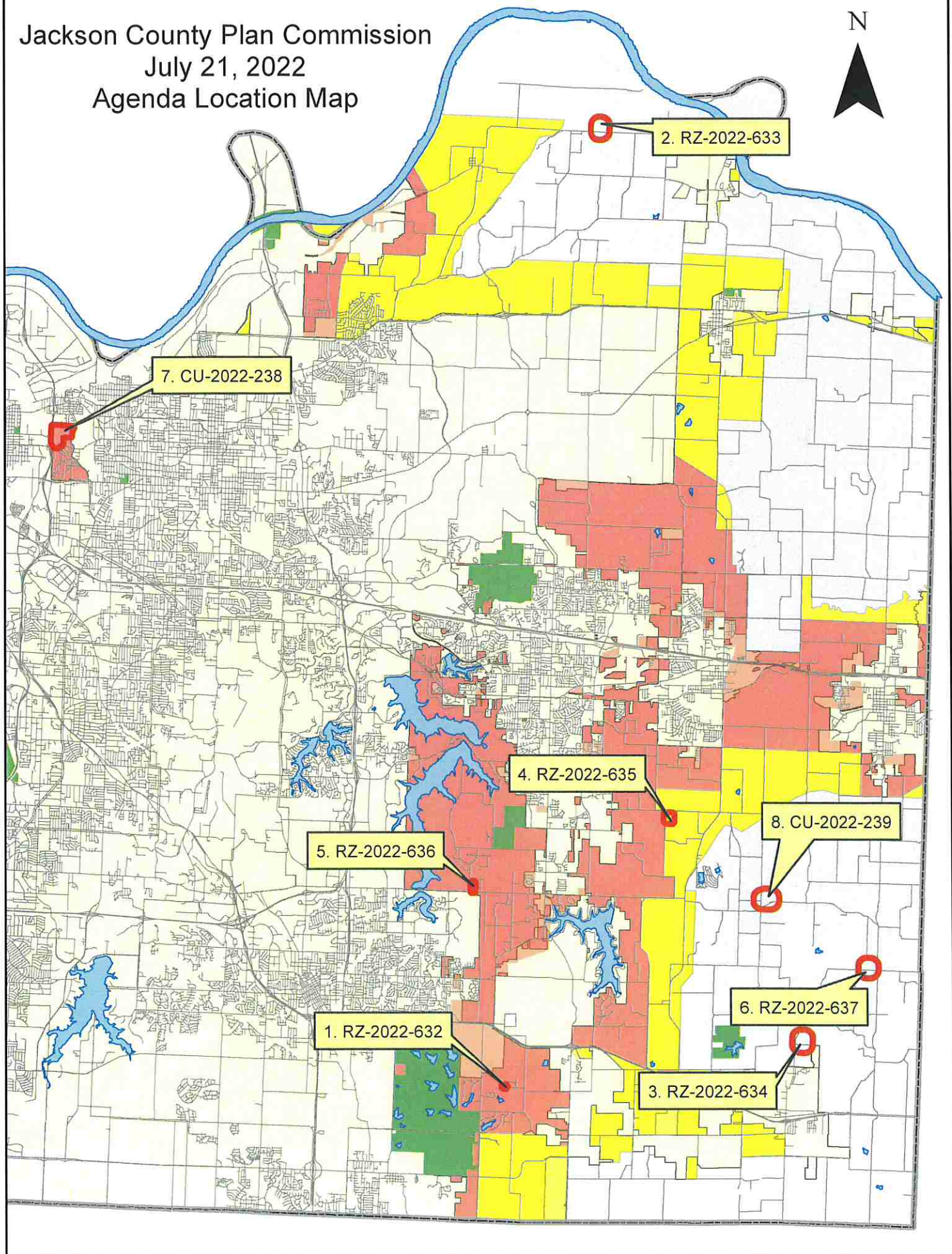
Staff recommends APPROVAL of RZ-2022-635.

Respectfully submitted,

Jackson County Public Works
Development Division
Randy Diehl, Administrator

Jackson County Plan Commission
July 21, 2022
Agenda Location Map

N



Plan Commission July 21, 2022

RZ-2022-635

Property Owners Within 300 feet

Parcel	owner	address	city	state	zip
40-900-03-17-00-0-00-000	HINTON JAMES	30808 E OLD MAJOR RD	GRAIN VALLEY	MO	64029
41-700-04-19-00-0-00-000	MUNZURIS ROSEMARY	8004 S ENOCHS MILLS RD	GRAIN VALLEY	MO	64029
40-900-03-14-00-0-00-000	BAHAN KENNETH J & ROSALIE A	31006 OLD MAJOR RD	GRAIN VALLEY	MO	64029
41-700-04-11-00-0-00-000	BURROWS GERALD W & DONNA M-TR	8122 S ENOCH MILL RD	GRAIN VALLEY	MO	64029
41-700-04-16-00-0-00-000	MCDOWELL ROBERT ALAN	8018 ENOCHS MILLS RD	GRAIN VALLEY	MO	64029
41-700-04-18-00-0-00-000	MCALLISTER ROY JR & JOE ANNE	7924 S ENOCHS MILL RD	GRAIN VALLEY	MO	64029
40-900-03-05-00-0-00-000	HARRIS TRACY L & CHAD W	8115 S ENOCHS MILLS 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
41-700-04-01-00-0-00-000	LAUER FRANK PHILLIP & CHELSEY E	30705 E MAJOR RD	GRAIN VALLEY	MO	64029
40-900-03-15-00-0-00-000	QUINN KEVIN D & THERESA R	30910 E OLD MAJOR RD	GRAIN VALLEY	MO	64029
40-900-03-06-00-0-00-000	HERMAN HAROLD ROBERT	31105 E OLD MAJOR RD	GRAIN VALLEY	MO	64029
40-900-03-04-00-0-00-000	HERMAN HAROLD ROBERT	31105 E OLD MAJOR 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

July 6, 2022

RE: Public Hearing: RZ-2022-635
Harold R Herman

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 Harold R Herman for a change of zoning from District AG (Agricultural) on 12.58 ± acres to District RE (Residential Estates). The 12.58 ± acres are at Old Major and Enochs Mills Roads. The purpose is to create four single-family residential lots.

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, July 21, 2022, at 8:30 a.m. in the Large Conference Room, 2nd Floor, Historic Truman Courthouse, 112 W. Lexington, Independence, MO.

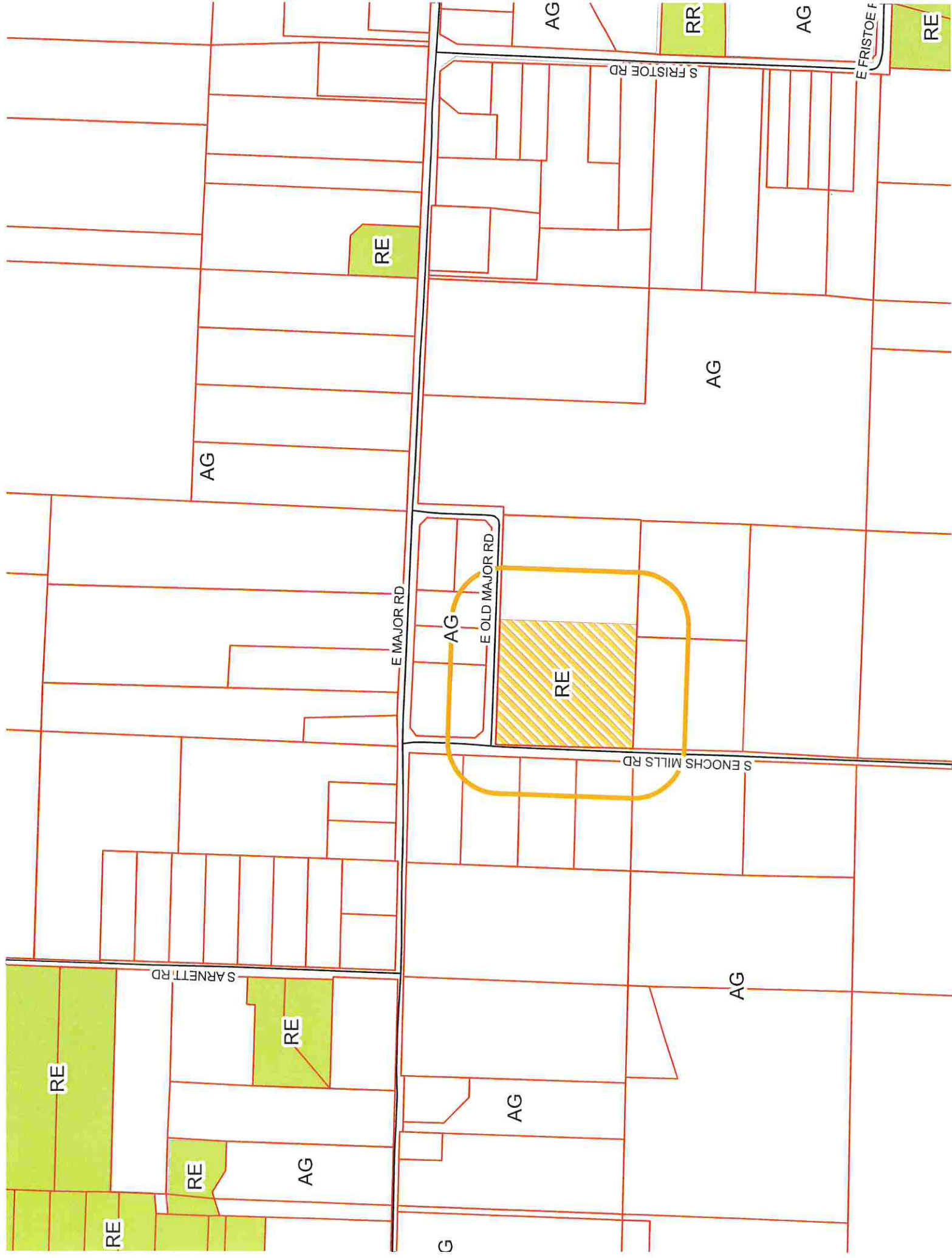
If you know of any interested party who may not have received a copy of this letter, it would be appreciated if you would inform them of the time and place of the hearing.

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- 2022-635

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: STEVEN M WARGRE
Address: 6127 NW Pine Ridge Circle
Parkville MO 64152
Phone: 816-769 4132
- b. Owner(s) Name: HAROLD R HERMAN
Address: 3603 S BUCKNER TRL SURGED GRAND VILAGE
Phone: 816-918-1585
- c. Agent(s) Name: SAME AS APPLICANT

Address: _____

Phone: _____

d. Applicant's interest in Property: PROJECT ENGINEER

2. General location (Road Name) Old Major Road

3. Present Zoning Ag Requested Zoning Ag & R-Estate

4. AREA (sq. ft. / acres) 12.58 (Lot 1-4)

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

SEE ATTACHED

6. Present Use of Property: Ag

7. Proposed Use of Property: Single Family lots

8. Proposed Time Schedule for Development: NO IMPROVEMENTS NECESSARY

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

NONE Large Acre Tracts

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 EXISTING WATER Hydrant at NW corner of property

b. Sewage disposal SEPTIC

c. Electricity ENERGY

d. Fire and Police protection JACKSON COUNTY

12. Describe existing road width and condition: 16 foot wide with ditches

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

14. Are any state, federal, or other public agencies approvals or permits required for the proposed development? NONE THAT WE ARE AWARE OF

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

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)

Harold Herman

Date

6-6-22

Applicant(s):

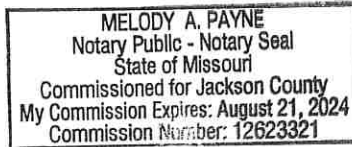
Contract Purchaser(s):

STATE OF

Missouri

COUNTY OF

Jackson



On this 6 day of June, in the year of 2022, before me the undersigned notary public, personally appeared Harold Herman

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.

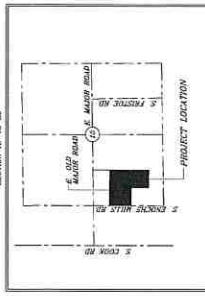
Notary Public

Melody A. Payne

Commission Expires

8/21/24

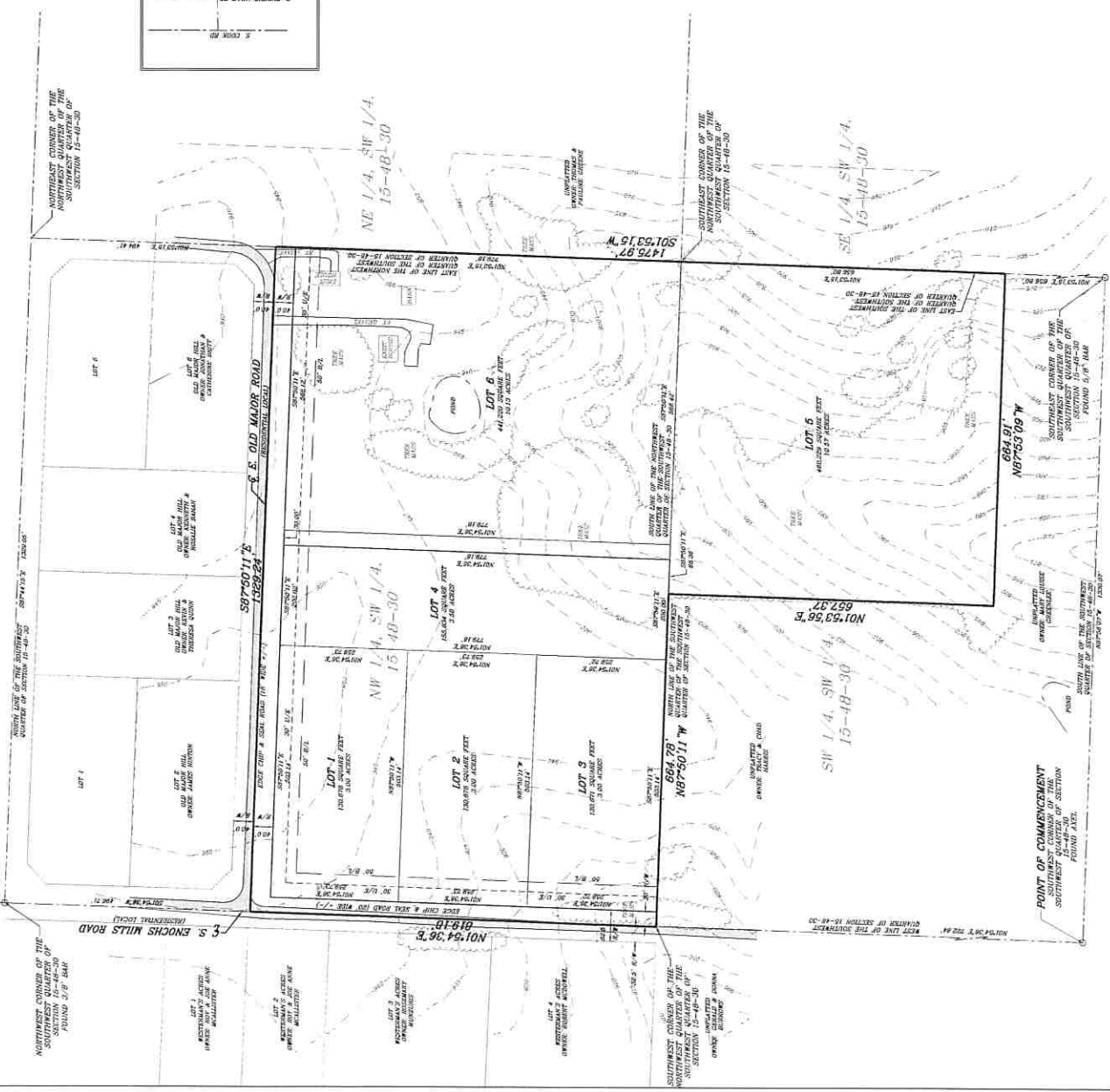




NOTES:

1. EXISTING ZONING = AG
PROPOSED ZONING = AG

2. PROPOSED USE: 60' LOT = SINGLE FAMILY RESIDENTIAL

[illegible]

IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

AN ORDINANCE amending the zoning districts established pursuant to the Unified Development Code by rezoning a certain 5.00± acre tract from District AG (Agricultural) to District RR (Residential Ranchette).

ORDINANCE NO. 5641, August 15, 2022

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

Section 1. The Zoning Order of Jackson County, Missouri, and the official maps which are a part thereof, are amended by changing the boundaries of the "AG" (Agricultural) and "RR" (Residential Ranchette) Districts, so that there will be transferred from District AG to District RR a tract of land legally described as follows:

All that part of the East Half of the Southeast Quarter of Section 30, Township 51 North, Range 30 West, in Jackson County, Missouri, more fully described as follows: Commencing at the Southeast corner of the said Southeast Quarter of Section 30; thence North 87 degrees 38 minutes 54 seconds West along the South line of the Southeast Quarter of said Section 30, a distance of 276.08 feet to the Point of Beginning; thence North 87 degrees 38 minutes 54 seconds West, along said South line, 258.90 feet; thence North 03 degrees 19 minutes 56 seconds East, 828.89 feet; thence South 87 degrees 38 minutes 54 seconds East, 260.30 feet to the Northwest corner of Lot 1, Cathy Acres Subdivision, a subdivision in Jackson County, Missouri; thence South 03 degrees 25 minutes 45 seconds West along the West line of said Lot 1 and the prolongation thereof, 828.92 feet to the Point of Beginning, except that part in roads.

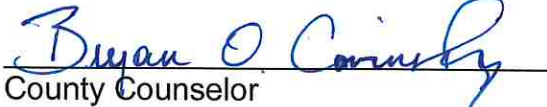
Section 2. The Legislature, pursuant to the application of Matthew B. Gillpatrick (RZ-2022-633), requesting the amendment embodied in this Ordinance and with notice that the Jackson County Plan Commission voted 9 to 0 to recommend APPROVAL of this application after a public hearing on July 21, 2022, does hereby 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. 5641 introduced on August 15, 2022, was duly passed on _____, 2022 by the Jackson County Legislature. The votes thereon were as follows:

Yeas _____

Nays _____

Abstaining _____

Absent _____

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

Date

Mary Jo Spino, Clerk of Legislature

I hereby approve the attached Ordinance No. 5641.

Date

Frank White Jr., County Executive

Request for Legislative Action

Ordinance No.: 5641

Date: August 15, 2022

Completed by County Counselor's Office

Action Requested:	Ordinance	Res.Ord No.:	5641
Sponsor(s):		Legislature Meeting Date:	8/15/2022

Introduction

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

Matthew B Gillpatrick – RZ-2022-633

Request Summary

Requesting a change of zoning from District AG (Agricultural) on 5.00 ± acres to District RR (Residential Ranchette). The purpose is to create a single-family residential lot at 27412 E. Atherton Sibley 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 July 21, 2022, and accepted testimony pertaining to the rezoning request.

The Plan Commission voted 9 to 0 to recommend APPROVAL to the County Legislature.

Contact Information

Department:	Public Works	Submitted Date:	7/29/2022
Name:	Randy D. Diehl	Email:	RDiehl@jacksongov.org
Title:	Development Division Administrotor	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 7/29/2022. Comments: Scheduled for Land Use on August 22.

Approved by Department Approver Brian Gaddie on 8/1/2022 4:14:18 PM. Comments:

Not applicable by Purchasing Office Approver Barbara J. Casamento on 8/1/2022 4:42:11 PM. Comments:

Approved by Compliance Office Approver Katie M. Bartle on 8/2/2022 4:14:57 PM. Comments:

Not applicable by Budget Office Approver Mark Lang on 8/3/2022 9:17:56 AM. Comments:

Approved by Executive Office Approver Sylva Stevenson on 8/3/2022 9:41:41 AM. Comments:

Approved by Counselor's Office Approver Elizabeth Freeland on 8/4/2022 3:13:45 PM. Comments:

RZ-2022-633

ATTACHMENT 1: PROPERTY DESCRIPTION

Description:

All that part of the East Half of the Southeast Quarter of Section 30, Township 51 North, Range 30 West, in Jackson County, Missouri, more fully described as follows: Commencing at the Southeast corner of the said Southeast Quarter of Section 30; thence North 87 degrees 38 minutes 54 seconds West along the South line of the Southeast Quarter of said Section 30, a distance of 276.08 feet to the Point of Beginning; thence North 87 degrees 38 minutes 54 seconds West, along said South line, 258.90 feet; thence North 03 degrees 19 minutes 56 seconds East, 828.89 feet; thence South 87 degrees 38 minutes 54 seconds East, 260.30 feet to the Northwest corner of Lot 1, Cathy Acres Subdivision, a subdivision in Jackson County, Missouri; thence South 03 degrees 25 minutes 45 seconds West along the West line of said Lot 1 and the prolongation thereof, 828.92 feet to the Point of Beginning, except that part in road.

RZ-2022-633

ATTACHMENT 2: ZONING SUPPORT DOCUMENTATION

Attachments

Plan Commission Public Hearing Summary from July 21, 2022

Staff Report

Zoning map of surrounding area

Names/Addresses of Surrounding Property Owners

Copy of letter to said property owners

Application

Aerial of location

Certificate of Survey 2009

Randy Diehl gave the staff report:

RE: RZ-2022-633

Applicant: Matthew B Gillpatrick

Location: 27412 E Atherton Sibley Road

Area: 5.00 ± acres

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

Purpose: Applicant is requesting the change in zoning to create a single-family residential lot.

Current Land Use and Zoning in the Area:

The zoning in the area is predominately Agricultural. Cathy Acres, directly to the east, was rezoned to District RR and platted in 2000.

Land Use is primarily single-family residences on various sized tracts.

This tract was created by a Certificate of Survey filed in 2009. The applicant is wishing to construct a single-family residence and needs to bring to property into compliance with the Unified Development Code. Tracts less than 10 acres in size for residential purposes must be rezoned and platted to allow for development permits to be issued.

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-2022-633.

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?*

Mat Gillpatrick, 310 Prairie St, Buckner.

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

Mr. Gillpatrick: No.

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. Lake seconded.

Discussion under advisement

Mr. Tarpley moved to approve. Mr. Lake seconded.

Mr. Akins	Approve
Mr. Tarpley	Approve
Mr. Johnson	Approve
Mr. Crawford	Approve
Mr. Hilliard	Approve
Ms. Ryerkerk	Approve
Mr. Farrar	Approve
Mr. Lake	Approve
Chairman Antey	Approve

Motion Carried 9 – 0

STAFF REPORT

PLAN COMMISSION

July 21, 2022

RE: RZ-2022-633

Applicant: Matthew B Gillpatrick

Location: 27412 E Atherton Sibley Road

Area: 5.00 ± acres

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

Purpose: Applicant is requesting the change in zoning to create a single-family residential lot.

Current Land Use and Zoning in the Area:

The zoning in the area is predominately Agricultural. Cathy Acres, directly to the east, was rezoned to District RR and platted in 2000.

Land Use is primarily single-family residences on various sized tracts.

This tract was created by a Certificate of Survey filed in 2009. The applicant is wishing to construct a single-family residence and needs to bring to property into compliance with the Unified Development Code. Tracts less than 10 acres in size for residential purposes must be rezoned and platted to allow for development permits to be issued.

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.

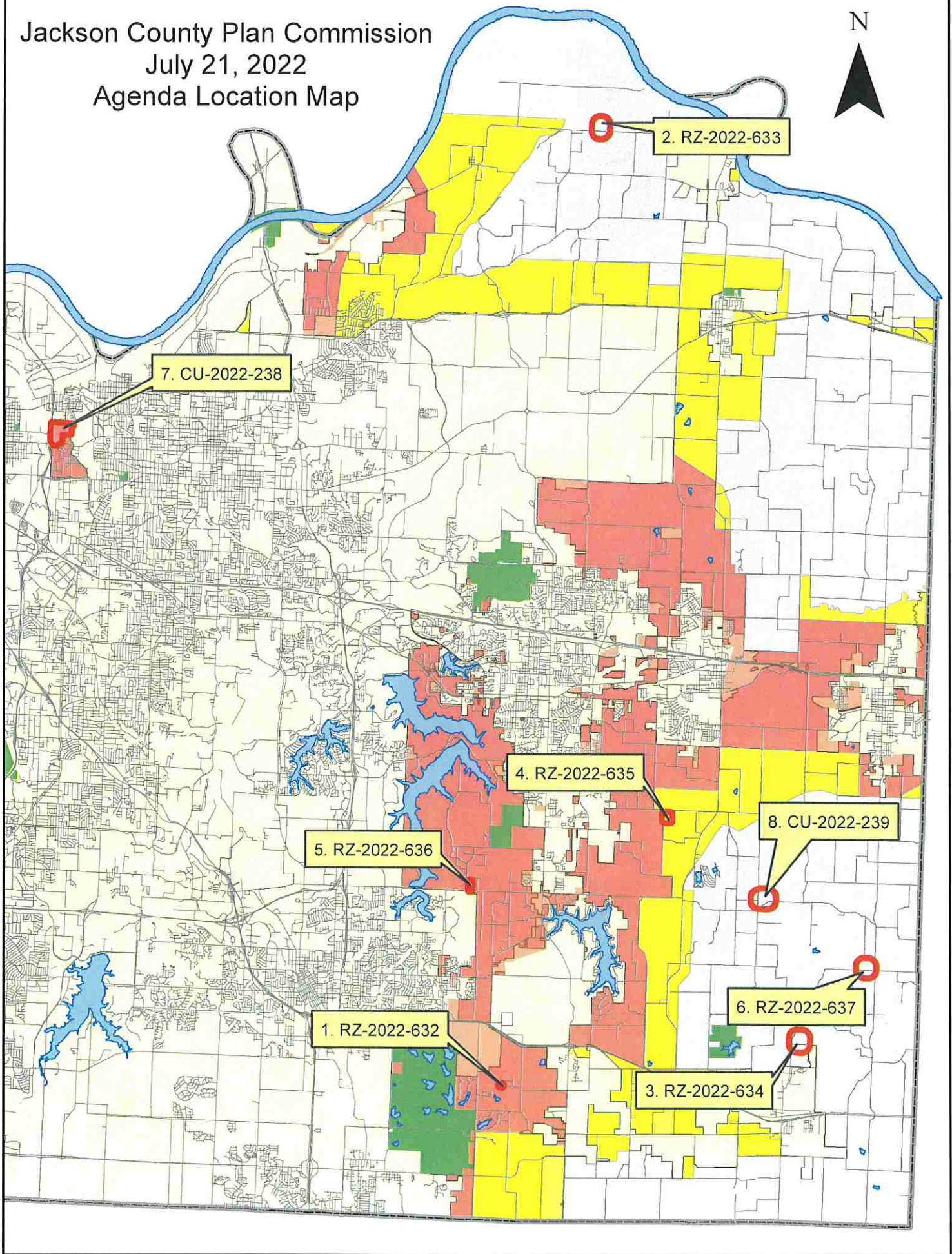
Staff recommends APPROVAL of RZ-2022-633.

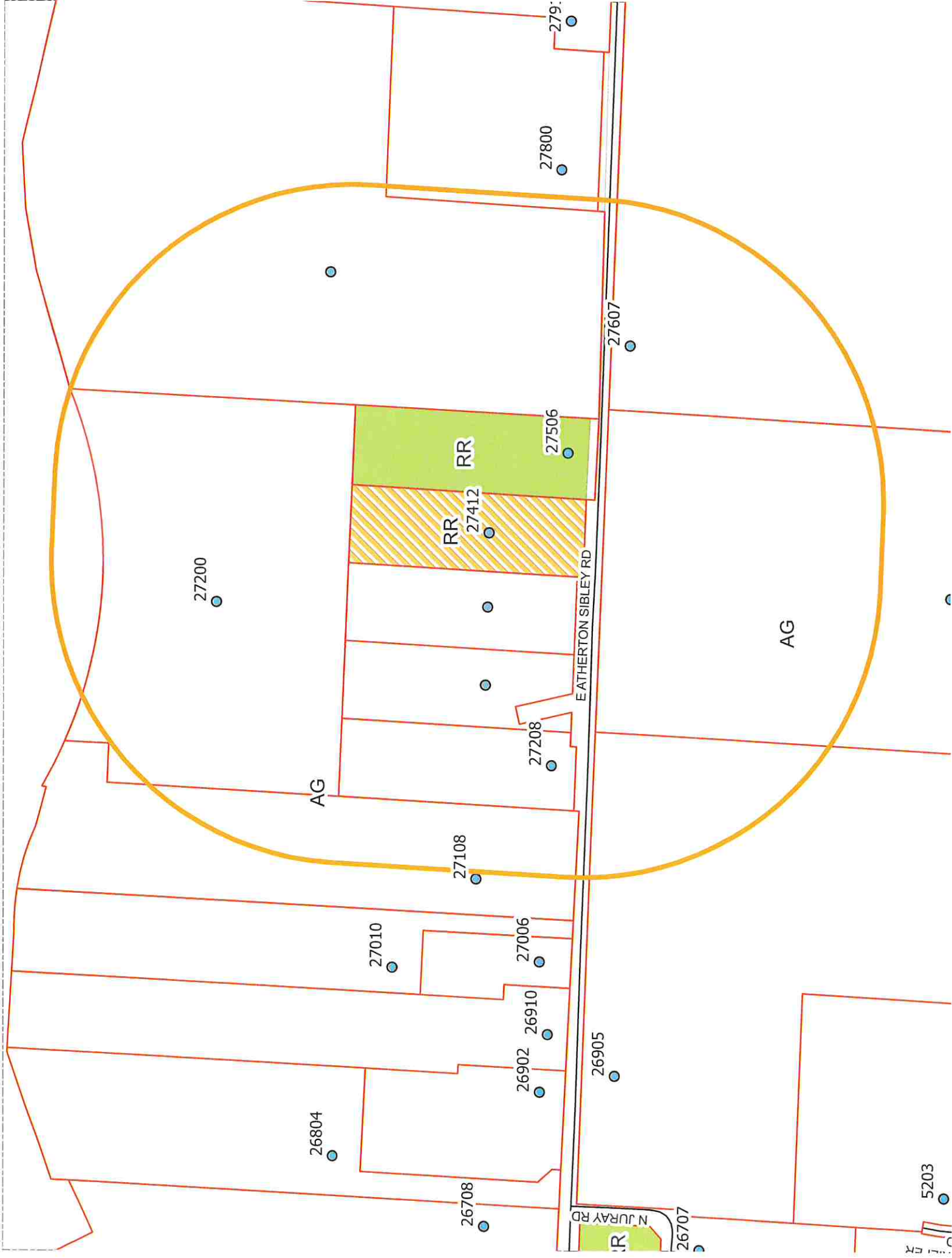
Respectfully submitted,

Jackson County Public Works
Development Division
Randy Diehl, Administrator

Jackson County Plan Commission
July 21, 2022
Agenda Location Map

N





Plan Commission July 21, 2022

RZ-2022-633

Property Owners Within 1000 feet

Parcel	owner	address	city	state	zip
04-800-02-04-00-0-00-000	SISK CHARLES E & BEVERLY JO-TR	27607 E ATHERTON SIBLEY RD	SIBLEY	MO	64088
04-400-04-03-00-0-00-000	SISK CHARLES E & BEVERLY JO-TR	27607 E ATHERTON SIBLEY RD	SIBLEY	MO	64088
04-900-01-09-00-0-00-000	WALDO & EMMA SISK-TR	9938 S HWY D	NAPOLEON	MO	64074
04-900-01-07-00-0-00-000	SISK CHARLES E & BEVERLY JO-TR	27607 E ATHERTON SIBLEY RD	SIBLEY	MO	64088
04-500-03-16-00-0-00-000	STRICKLIN WILLIAM	27800 E ATHERTON R	SIBLEY	MO	64088
04-400-04-11-00-0-00-000	JENKINS CANDY	5526 BLUE VALLEY DR	WELLINGTON	MO	64097
04-400-04-07-00-0-00-000	KING CATHY J	27506 E ATHERTON SIBLEY RD	SIBLEY	MO	64088
04-500-03-03-01-0-00-000	BITTIKER FREDRICK R JR	27610 ATHERTON SIBLEY R	SIBLEY	MO	64088
04-400-04-12-00-0-00-000	MULLIS CHERYL J & JENKINS CANDY JO	20200 E 14TH ST N	INDEPENDENCE	MO	64056
04-400-04-02-01-0-00-000	ALUMBAUGH MARK W	27108 E ATHERTON SIBLEY RD	SIBLEY	MO	64088
04-400-04-10-00-0-00-000	POWELL CINDY S & MULLIS CHERYL J	16713 E LARKSPUR LN APT 1	INDEPENDENCE	MO	64055
04-400-04-09-00-0-00-000	GILLPATRICK MATTHEW BRYAN	310 PRAIRIE ST	BUCKNER	MO	64016



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

July 6, 2022

RE: Public Hearing: RZ-2022-633
Matthew B Gillpatrick

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 Matthew B Gillpatrick for a change of zoning from District AG (Agricultural) on 5.00 ± acres to District RR (Residential Ranchette). The purpose is to create a single-family residential lot at 27412 E. Atherton Sibley 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, July 21, 2022, 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- 2022-433

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: Matthew Bryan Gullpatrick
- Current Mailing Address: 310 Prairie St Buckner mo 64016
- Phone: 816-456-8440 email : _____
- b. Legal Owner of Property: _____
- Current Mailing Address: _____
- Phone: _____ email : _____
- b. Legal Owner of Property: _____
- Current Mailing Address: _____
- Phone: _____ email : _____

2. General location (Road Name) 27412 Atherton Sibley RD
3. Present Zoning Agricultural Requested Zoning Residential
4. AREA (sq. ft. / acres) Approx 5 acres 4.832
5. Legal Description of Property: (Write Below or provide copy of deed and survey)
unincorporated A/V principal-Agricultural
TR-4 cert sur T.33 PG-88
6. Present Use of Property: Agricultural
7. Proposed Use of Property: Residential
8. Proposed Time Schedule for Development: Sept
9. What effect will your proposed development have on the surrounding properties?
Increase value
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 Provider 16 District
 - b. Sewage disposal: Onsite Waste Water ☒ Public Sewer ☐
 - c. Electricity Energy
 - d. Fire and Police protection Fort Osage
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): _____

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

Property Owner(s)

Matthew Gillpatrick

Date

6-6-22

STATE OF

Missouri

COUNTY OF

Jackson

On this

10

day of

JUNE

, in the year of

2022

, before me

the undersigned notary public, personally appeared

Matthew Gillpatrick

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.

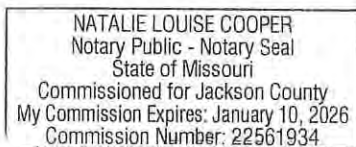
In witness whereof, I hereunto set my hand and official seal.

Notary Public

Natalie Louise Cooper

Commission Expires

1/10/26



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.



AG

RR

RR

27412

27506

EATHERTON SIBLEY RD

AG

27607

Copyright neamap 2015

ALL THAT PART OF THE EAST HALF OF THE SE 1/4 OF SECTION 30, TOWNSHIP 51 NORTH, RANGE 30 WEST, ALL IN JACKSON COUNTY, MISSOURI.

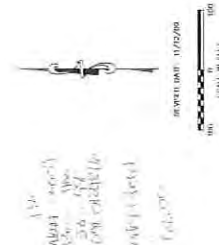
[illegible][illegible][illegible]

All four parts of this, 1 and 2 are of the Southeastern Quarter of Section 10, Township 31 North, Range 30 West, all in Jackson County, Mississippi. The other two parts are of the Southeastern Quarter of Section 10, Township 31 North, Range 30 West, all in Jackson County, Mississippi. The other two parts are of the Southeastern Quarter of Section 10, Township 31 North, Range 30 West, all in Jackson County, Mississippi.

[illegible]

NOTES:

1. NO TITLE COMMITMENT OR ENCUMBRANCE INFORMATION WAS SUPPLIED TO THIS COMPANY.
2. SUPPLY ADDRESS: URBAN PROPERTY.
3. HEIGHT: 12'.
4. LOT: 1722. AREA: 10,000 SQ. FT.
5. DISTRICT: 10. ZONING: 10-1.
6. THIS BUILDING STATION 3-33, ALIGNED IN 2003 AND HAVING A FUEL TANK (15' DIAMETER) ON THE PROPERTY.

[illegible]

William M. Huston, Jr.

FOR: CATHY KING
2720 E. Atherton-Sibley Road
Olathe, MO 64040

Geologies and Surveying Services, LLC
P.O. Box 6026
11640 U.S. Highway, Alameda, CA 94501
360 (916) 934-1242 Fax: (916) 934-1243
info@geosurveyservices.com

IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

AN ORDINANCE amending the zoning districts established pursuant to the Unified Development Code by rezoning a certain 10.00± acre tract from District AG (Agricultural) to District RR (Residential Ranchette).

ORDINANCE NO. 5642, August 15, 2022

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

Section 1. The Zoning Order of Jackson County, Missouri, and the official maps which are a part thereof, are amended by changing the boundaries of the "AG" (Agricultural) and "RR" (Residential Ranchette) Districts, so that there will be transferred from District AG to District RR a tract of land legally described as follows:

All that part of Tract B, Certificate of Survey recorded as document number 199511320735, being situated in the Southwest Quarter of Section 7, Township 47, Range 29, Jackson County, Missouri, described as follows: Commencing at the Southeast corner of the Southwest Quarter of said Section 7; thence North 87 degrees 47 minutes 09 Seconds West, along the South line of said Southwest Quarter, 484.46 feet to the Southeast corner of said Tract B, said corner being the Point of Beginning of the tract to be described herein: Thence North 87 degrees 47 minutes 09 Seconds West, along the South the South line of said Southwest Quarter and along the South line of said Tract B, 566.20 feet; thence North 02 degrees 11 minutes 53 seconds West, 826.70 feet; thence South 87 degrees 48 minutes 07 seconds East, parallel with the North line of the Southeast Quarter, 559.22 feet to the East line of said tracts; thence; South 01 degrees 43 minutes 02 seconds West, along the East line of said Tract B, 826.89 feet to the Point of Beginning, except that part in roads.

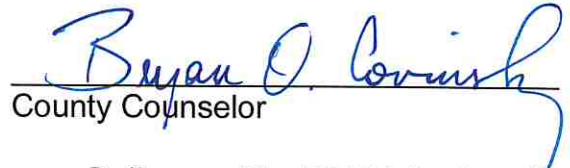
Section 2. The Legislature, pursuant to the application of Serina & Phillip Maring (RZ-2022-634), requesting the amendment embodied in this Ordinance and with notice that the Jackson County Plan Commission voted 9 to 0 to recommend APPROVAL of this application after a public hearing on July 21, 2022, does hereby 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. 5642 introduced on August 15, 2022, was duly passed on _____, 2022 by the Jackson County Legislature. The votes thereon were as follows:

Yeas _____

Nays _____

Abstaining _____

Absent _____

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

Date

Mary Jo Spino, Clerk of Legislature

I hereby approve the attached Ordinance No. 5642.

Date

Frank White Jr., County Executive

Request for Legislative Action

Ordinance No.: 5642
Date: August 15, 2022

Completed by County Counselor's Office

Action Requested:	Ordinance	Res.Ord No.:	5642
Sponsor(s):		Legislature Meeting Date:	8/15/2022

Introduction

Action Items: ['Authorize']

Project/Title:

Serina & Phillip Maring – RZ-2022-634

Request Summary

Requesting a change of zoning from District AG (Agricultural) on 10.00 ± acres to District RR (Residential Ranchette). The purpose is to create two single-family residential lots at the 36100 block of E. Bynum Spur.

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 July 21, 2022, and accepted testimony pertaining to the rezoning request.

The Plan Commission voted 9 to 0 to recommend APPROVAL to the County Legislature.

Contact Information

Department:	Public Works	Submitted Date:	7/29/2022
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 7/29/2022. Comments: Land Use scheduled for August 22.

Approved by Department Approver Brian Gaddie on 8/1/2022 4:13:48 PM. Comments:

Not applicable by Purchasing Office Approver Barbara J. Casamento on 8/1/2022 4:41:43 PM. Comments:

Approved by Compliance Office Approver Katie M. Bartle on 8/2/2022 4:15:38 PM. Comments:

Not applicable by Budget Office Approver Mark Lang on 8/3/2022 9:18:22 AM. Comments:

Approved by Executive Office Approver Sylva Stevenson on 8/3/2022 9:41:06 AM. Comments:

Approved by Counselor's Office Approver Elizabeth Freeland on 8/4/2022 3:18:04 PM. Comments:

RZ-2022-634

ATTACHMENT 1: PROPERTY DESCRIPTION

Description:

All that part of Tract B, Certificate of Survey recorded as document number 1995I1320735, being situated in the Southwest Quarter of Section 7, Township 47, Range 29, Jackson County, Missouri described as follows: Commencing at the Southeast corner of the Southwest Quarter of said Section 7; thence North 87 degrees 47 minutes 09 Seconds West, along the South line of said Southwest Quarter, 484.46 feet (survey = 484.46 feet) to the Southeast corner of said Tract B, said corner being the Point of Beginning of the tract to be described herein: Thence North 87 degrees 47 minutes 09 Seconds West, along the South the South line of said Southwest Quarter and along the South line of said Tract B, 566.20 feet; thence North 02 degrees 11 minutes 53 seconds West, 826.70 feet; thence South 87 degrees 48 minutes 07 seconds East, parallel with the North line of the Southeast Quarter, 559.22 feet to the East line of said tracts; thence ; South 01 degrees 43 minutes 02 seconds West, along the East line of said Tract B, 826.89 feet to the Point of Beginning. Except part in road.

RZ-2022-634

ATTACHMENT 2: ZONING SUPPORT DOCUMENTATION

Attachments

Plan Commission Public Hearing Summary from July 21, 2022

Staff Report

Zoning map of surrounding area

Names/Addresses of Surrounding Property Owners

Copy of letter to said property owners

Application

Aerial of location

Preliminary Plat

Randy Diehl gave the staff report:

RE: RZ-2022-634

Applicant: Phillips M & Serina N Maring

Location: 36100 Block of Bynum Spur

Area: 10.00 ± acres

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

Purpose: Two single family residential lots

Current Land Use and Zoning in the Area:

Zoning in the area is both agricultural and residential. There are five developments established after the adoption of the UDC that are all in District RR.

Land Use are family residences.

The applicants have purchased a 10-acre tract (Tract 2) from a recently divided 30-acre tract. They are wanting to divide the 10 acres into two lots of 5 acres apiece.

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-2022-634.

Respectfully submitted,

Jackson County Public Works
Development Division
Randy Diehl, Administrator

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

Mr. Tarpley: Where will the access be?

Mr. Diehl: The access limits have already been approved by our Engineering Division. The allowed access will be at a point at the common corner at the lots.

Mr. Tarpley: Will they share a driveway?

Mr. Diehl: The choice is up to them to share or have separate driveways.

Mr. Antey: *Is the applicant here?*

Serina Maring, 1300 SW Morningside Drive, Blue Springs.

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

Ms. Maring: We have applied for the driveway permit and installed.

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

Discussion under advisement

Mr. Hilliard moved to approve. Mr. Lake seconded.

Mr. Akins	Approve
Mr. Tarpley	Approve
Mr. Johnson	Approve
Mr. Crawford	Approve
Mr. Hilliard	Approve
Ms. Ryerkerk	Approve
Mr. Farrar	Approve
Mr. Lake	Approve
Chairman Antey	Approve

Motion Carried 9 – 0

STAFF REPORT

PLAN COMMISSION

July 21, 2022

RE: RZ-2022-634

Applicant: Phillips M & Serina N Maring

Location: 36100 Block of Bynum Spur

Area: 10.00 ± acres

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

Purpose: Two single family residential lots

Current Land Use and Zoning in the Area:

Zoning in the area is both agricultural and residential. There are five developments established after the adoption of the UDC that are all in District RR.

Land Use are family residences.

The applicants have purchased a 10-acre tract (Tract 2) from a recently divided 30-acre tract. They are wanting to divide the 10 acres into two lots of 5 acres apiece.

County Plan:

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

Recommendation:

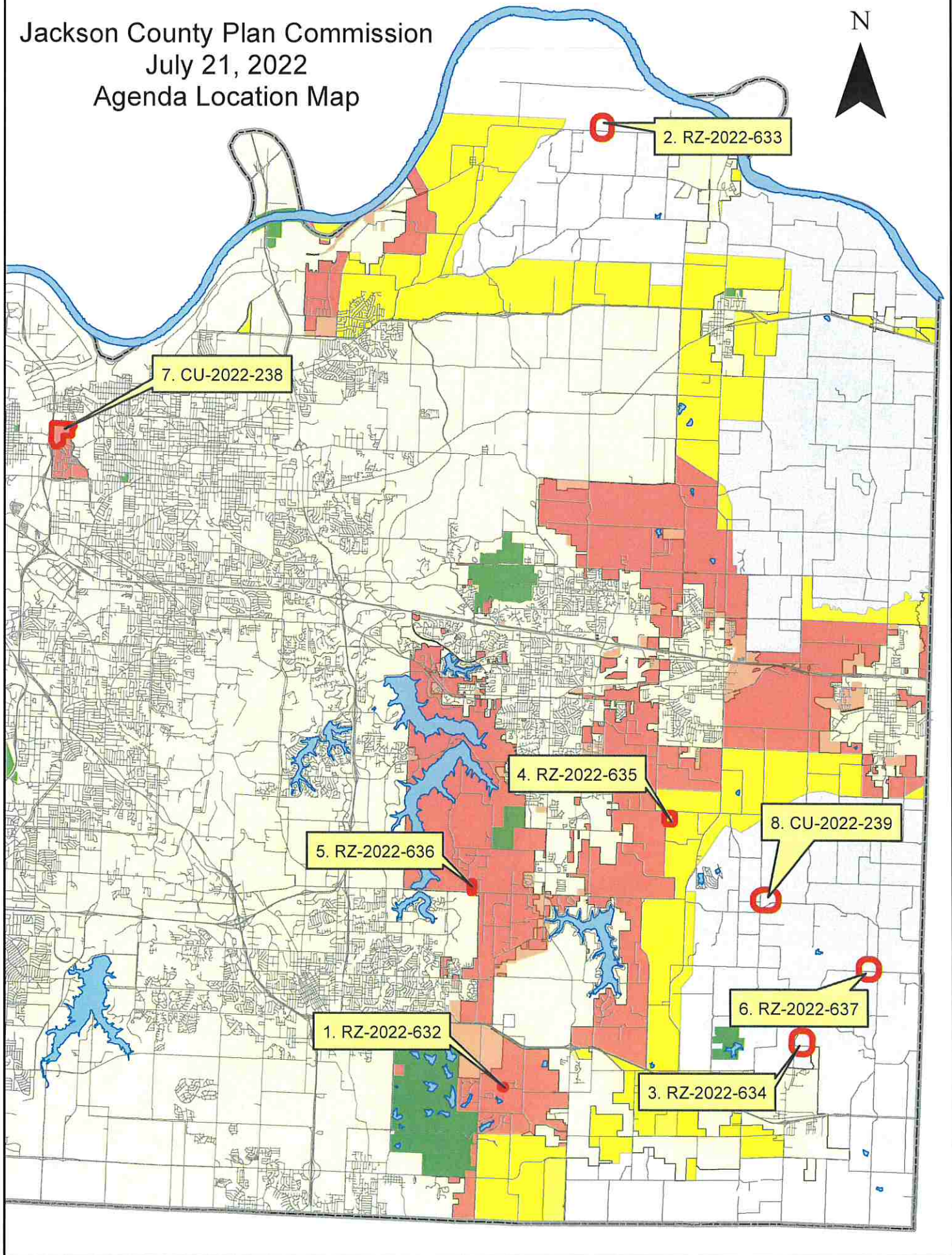
This request for rezoning is consistent with the intent and purpose of the County Plan.

Staff recommends APPROVAL of RZ-2022-634.

Respectfully submitted,

Jackson County Public Works
Development Division
Randy Diehl, Administrator

Jackson County Plan Commission
July 21, 2022
Agenda Location Map





AG

AG

AG

RR

E BYNUM SPUR

RR

AG

RR

RR

RR

S BYNUM RD

RR

AG

AG

Plan Commission July 21, 2022

RZ-2022-634

Property Owners Within 1000 feet

Parcel	owner	address	city	state	zip
57-900-01-03-00-0-00-000	CAMPBELL CHARLES E & NANCY E TR	11400 S BUCKNER TARSNEY RD	GRAIN VALLEY	MO	64029
57-400-03-18-00-0-00-000	HOELSCHER CLEM & CARRIE	201 E WHISPERING HILLS BLVD	LONE JACK	MO	64070
57-900-01-04-01-0-00-000	LONG PHILLIP J	300 W LOCUST ST	HOLDEN	MO	64040
57-900-01-07-00-0-00-000	SCOTT JAMES M & JAMIE A	36407 E BYNUM SPUR RD	LONE JACK	MO	64070
57-900-02-30-00-0-00-000	VITALE STEVE L JR & MICHELLE L	36101 E BYNUM SPUR RD	LONE JACK	MO	64070
57-900-02-02-01-0-00-000	G8KIDS LLC	102 SUNSET DR	LONE JACK	MO	64070
57-400-03-19-00-0-00-000	LIVINGSTON CYNTHIA A	12204 S BYNUM RD	LONE JACK	MO	64070
57-400-04-05-00-0-00-000	EDMONDS ALICE CARROLL	12110 S BYNUM RD	LONE JACK	MO	64070
57-400-03-06-00-0-00-000	EDMONDS ALICE CARROLL	12110 S BYNUM RD	LONE JACK	MO	64070
57-900-02-16-00-0-00-000	CORCORAN JAMES P & LESLIE E	36309 E BYNUM SPUR RD	LONE JACK	MO	64070
57-900-02-10-00-0-00-000	ADKINS STANLEY E & BEVERLY A	12404 S BYNUM RD	LONE JACK	MO	64070
57-400-03-15-00-0-00-000	BOEHMER RICHARD N & MARJORIE A	36203 FAULKENBERRY RD	LONE JACK	MO	64070
57-900-02-28-00-0-00-000	EZELL STEVE M & MERIBETH	12417 S BYNUM RD	LONE JACK	MO	64070
57-900-02-29-00-0-00-000	SCHRADER BRIAN A & MELANIE L	36105 E BYNUM SPUR R	LONE JACK	MO	64070
57-900-02-33-00-0-00-000	DOMER ALAN & JULIE	36003 E BYNUM SPUR RD	LONE JACK	MO	64070
57-900-02-21-00-0-00-000	ECKHAM CRAIG ALAN & LAURA D	36203 E BYNUM SPUR RD	LONE JACK	MO	64070
57-400-03-16-00-0-00-000	BEACHNER DANNY & SHERRY L	36213 E FAULKENBERRY RD	LONE JACK	MO	64070
57-400-03-07-00-0-00-000	DEAN JOSH	3800 SW BRIARWOOD DR	LEES SUMMIT	MO	64082
57-400-04-06-00-0-00-000	PAV BRONN & KATELYNN	36401 E FAULKENBERRY RD	LONE JACK	MO	64070
57-900-02-09-02-0-00-000	JOHNSTON DAVID K & ANDREA D	12314 S BYNUM RD	LONE JACK	MO	64070
57-400-03-02-01-2-00-000	MEYER ALISSA	12022 S BYNUM RD	LONE JACK	MO	64070
57-900-02-27-00-0-00-000	STEELE CHRISTOPHER & MELYNDA	12411 S BYNUM RD	LONE JACK	MO	64070
57-400-03-22-00-0-00-000	GRIFFIN RANDALL B & CARLA A	12811 SMART RD	LEES SUMMIT	MO	64086
57-400-03-20-00-0-00-000	MEADE MATTHEW D & COURTNI L	204 NE BLACKWOOD DR	LEES SUMMIT	MO	64086
57-400-03-11-00-0-00-000	HARRIS JAMES A	36300 E BYNUM SPUR RD	LONE JACK	MO	64070
57-400-04-07-01-1-00-000	WEBSTER PAUL R	36408 E BYNUM SPUR RD	LONE JACK	MO	64070
57-400-04-07-02-0-00-000	CONNELL ROLAND F & SHERYL	36720 BYNUM SPUR RD	LONE JACK	MO	64070
57-400-04-07-01-4-00-000	PHILLIPS DIANA D	36204 E BYNUM SPUR	LONE JACK	MO	64070
57-400-04-07-01-3-00-000	WEBSTER PAUL R	36408 E BYNUM SPUR RD	LONE JACK	MO	64070



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

July 6, 2022

RE: Public Hearing: RZ-2022-634
Phillip M & Serina N Maring

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 Phillip M & Serina N Maring for a change of zoning from District AG (Agricultural) on 10.00 ± acres to District RR (Residential Ranchette). The purpose is to create two single-family residential lots in the 36100 Block of Bynum Spur.

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, July 21, 2022, 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- 2022 -634

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:

Address:

Phone:

b. Owner(s) Name:

Address:

Phone:

c. Agent(s) Name: _____

Address: _____

Phone: _____

d. Applicant's interest in Property: _____

2. General location (Road Name): 32108 E. Bynum Spur Road
Lone Jack, MO

3. Present Zoning ~~10-63~~ AG Requested Zoning ~~5.147(x2)~~ RR

4. AREA (sq. ft. / acres) 5.147 acres per plat 10 +/- AC

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

6. Present Use of Property: Agriculture

7. Proposed Use of Property: Residential

8. Proposed Time Schedule for Development: 6 months - 1 year

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 Public water on road DISTRICT 15

b. Sewage disposal - Septic

c. Electricity Transformer across the street from well property

d. Fire and Police protection Lone Jack Fire & Municipal

12. Describe existing road width and condition: Bynum Spur - Chip & Seal Black top.

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)

Date

Applicant(s):

Contract Purchaser(s):

STATE OF

COUNTY OF

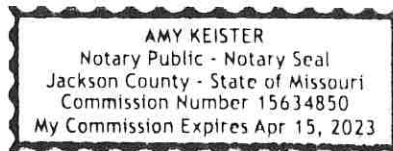
On this 6th day of June, in the year of 2022, before me the undersigned notary public, personally appeared _____

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

Commission Expires



AG

RR

E BYNUM SPUR

RR

AG

DD

Copyright nearmap 2015



Z:\CAD drawing from home comp\GARD\Drawings\SECTION Line\2024\T47-R29\Sec 7-47-R29 MASTER.dwg, 6/3/2022 2:28:44 PM, Version 1.1, PLOT Design 12500 Mod\plot.dwg

FINAL PLAT

MARING & BLOOM ESTATES

THIS IS A SUBDIVISION IN THE SW 1/4 OF
SECTION 7 - TOWNSHIP 47 - RANGE 29
JACKSON COUNTY, MISSOURI

PROPERTY DESCRIPTION:

CONTAINING 465,251 SQUARE FEET OR 10.6807 ACRES.

A TRACT OF LAND SITUATED IN THE SW 1/4 OF SECTION 7-T.47-R.29, JACKSON COUNTY, MISSOURI, BEING ALL OF TRACT 2, CERTIFICATE OF SURVEY RECORDED AS DOCUMENT NUMBER 2021 E 0040703 AND ALSO BEING PART OF TRACT B, CERTIFICATE OF SURVEY RECORDED AS DOCUMENT NUMBER 1995 I 1320735, BOTH BEING RECORDED AT THE JACKSON COUNTY RECORDER'S OFFICE, SAID TRACT BEING DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE SOUTH LINE OF SAID SW 1/4, SAID POINT BEING N 87°-47'-09" W, ALONG SAID SOUTH LINE, 484.70 FEET FROM THE SE CORNER OF SAID SW 1/4; THENCE N 87°-47'-09" W, CONTINUING ALONG SAID SOUTH LINE, 566.20 FEET THE SE CORNER OF BYNUM SPUR, A SUBDIVISION IN SAID JACKSON COUNTY; THENCE N 02°-11'-53" E, ALONG THE EAST LINE OF SAID BYNUM SPUR AND ALONG THE WEST LINE OF SAID TRACT 2, 826.70 FEET TO THE NE CORNER OF SAID BYNUM SPUR SAID CORNER ALSO BEING THE NW CORNER OF SAID TRACT 2; S 87°-48'-07" E, ALONG THE NORTH LINE OF SAID TRACT 2, 559.26 FEET TO THE NE CORNER OF SAID TRACT 2; THENCE S 01°-43'-02" W, ALONG THE EAST LINE OF SAID TRACT 2, 826.89 FEET TO THE POINT OF BEGINNING, SUBJECT TO THAT PART ON THE SOUTH NOW BEING USED FOR BYNUM SPUR RIGHT-OF-WAY AS ESTABLISHED IN ROAD RECORD BOOK 2 AT PAGE 256.

SURVEY NOTES:

- SEMI-PERMANENT MONUMENTATION:
SET 1/2" BAR WITH CAP STAMPED "E. W. GARD PLS-1449" AT CORNERS MARKED "●".
- THE BEARINGS AND COORDINATES SHOWN HEREON ARE BASED ON THE MISSOURI COORDINATE SYSTEM OF 1983, WEST ZONE, FROM GPS OBSERVATIONS USING THE MoDOT RTK GPS NETWORK DURING APRIL 2021. GRID FACTOR EQUALS 0.9999077.
- THE SOURCE OF THE DESCRIPTION USED FOR THIS PLAT WAS DERIVED FROM A WARRANTY DEED RECORDED AS DOCUMENT NO 2022 E 0052940, A SURVEY RECORDED AS DOC NO 2021 E 0040703, A SURVEY RECORDED AS DOCUMENT NO 1995 I 1320735, AND AN UNRECORDED SURVEY BY SITE LINE SURVEYING DATED 06/19/00.
- A TITLE REPORT WAS NOT PROVIDED BY THE CLIENT TO DISCLOSE EASEMENTS THAT MIGHT AFFECT THE SUBJECT PROPERTY AND NO EASEMENT RESEARCH HAS BEEN PERFORMED BY THIS SURVEYOR; THEREFORE, THIS SURVEYOR ACCEPTS NO LIABILITY SHOULD THERE BE ANY EXISTING EASEMENTS THAT AFFECT THE SUBJECT PROPERTY.
- THIS SURVEY MEETS OR EXCEEDS THE STANDARDS FOR URBAN CLASS PROPERTY AS DEFINED BY THE CURRENT "MISSOURI STANDARDS FOR PROPERTY BOUNDARY SURVEYS".
- THE SUBJECT PROPERTY IS LOCATED IN ZONE "X" AS SHOWN ON FLOOD INSURANCE RATE MAP NUMBER 29095 C 0488 G HAVING AN EFFECTIVE DATE OF JANUARY 20, 2017. LANDS LOCATED IN ZONE "X" ARE THOSE AREAS DETERMINED TO BE SUBJECT TO MINIMAL FLOOD HAZARD.
- THE SURVEYOR'S "CERTIFICATION" STATEMENT USED HEREON IS MADE TO THE PARTIES NAMED HEREIN AND IS NOT TRANSFERABLE TO ADDITIONAL PARTIES, INSTITUTIONS, OR SUCCESSOR OWNERS AND MEANS AN EXPRESSION OF PROFESSIONAL BELIEF REGARDING THE DATA SHOWN ON THIS PLAT AND DOES NOT REPRESENT A WARRANTY OR GUARANTEE, EXPRESSED OR IMPLIED.

DEDICATION:

THE UNDERSIGNED PROPRIETORS OF THE TRACT OF LAND DESCRIBED IN THIS PLAT HAVE CAUSED THE SAME TO BE SUBDIVIDED IN THE MANNER SHOWN HEREON WHICH SHALL HEREAFTER BE KNOWN AS:

MARING & BLOOM ESTATES

STREETS: ALL THOROUGHFARES SHOWN ON THIS PLAT AND NOT HERETOFORE DEDICATED TO PUBLIC USE ARE HEREBY SO DEDICATED.
EASEMENTS: AN EASEMENT OR LICENSE IS HEREBY GRANTED TO JACKSON COUNTY, MISSOURI TO LOCATE, CONSTRUCT AND MAINTAIN OR TO AUTHORIZE THE LOCATION, CONSTRUCTION OR MAINTENANCE OF POLES, WIRES, CONDUITS AND/OR STRUCTURES FOR WATER, GAS, SANITARY SEWER, STORM SEWER, ELECTRICITY, TELEPHONE, CABLE T.V. OR ANY OTHER PUBLIC SERVICE OR UTILITY, ANY OR ALL OF THEM UPON, OVER OR UNDER THOSE AREAS OUTLINED AND DESIGNATED UPON THIS PLAT AS "UTILITY EASEMENT" (U.E.), "DRAINAGE EASEMENT" (D.E.), "WATER EASEMENT" (W.E.), OR "SEWER EASEMENT" (S.E.) AND WITHIN ANY STREET OR THOROUGHFARE DEDICATED TO PUBLIC USE ON THIS PLAT. WHERE AN EASEMENT IS DEDICATED TO A SPECIFIC USE, THE USE THEREOF SHALL BE RESTRICTED TO SAID USE. ALL EASEMENTS SHALL BE KEPT FREE AND CLEAR OF ALL BUILDINGS, STRUCTURES OR OTHER OBSTRUCTIONS (EXCEPT DRIVEWAYS, PAVED AREAS, GRASS, SHRUBS, AND FENCES) WHICH WOULD INTERFERE WITH: A) THE PROPER, SAFE, AND CONTINUOUS USE AND MAINTENANCE OR RECONSTRUCTION OF THE FACILITIES LOCATED WITHIN SAID EASEMENT; AND, B) THE AGENTS AND EMPLOYEES OF JACKSON COUNTY, MISSOURI AND ITS FRANCHISED UTILITIES FROM GOING UPON SAID EASEMENT IN THE EXERCISING OF THE RIGHTS GRANTED BY SAID EASEMENT.
BUILDING SET BACK LINE: BUILDING LINE(S) OR SET BACK LINE(S) ARE HEREBY ESTABLISHED AS SHOWN AND DESIGNATED ON THIS PLAT AS "B/L". NO BUILDING OR PORTION THEREOF SHALL BE CONSTRUCTED BETWEEN THIS LINE AND THE STREET RIGHT-OF-WAY LINE.

IN TESTIMONY WHEREOF: PHILLIP MICHAEL MARING AND SERINA NICOLE MARING, HUSBAND AND WIFE, HAS CAUSED THESE PRESENTS TO BE SIGNED THIS _____ DAY OF _____, 20____.

PHILLIP MICHAEL MARING

SERINA NICOLE MARING

NOTARY CERTIFICATION:

STATE OF MISSOURI)
COUNTY OF JACKSON)
ON THIS _____ DAY OF _____, 20____, BEFORE ME THE UNDERSIGNED NOTARY PUBLIC PERSONALLY APPEARED PHILLIP MICHAEL MARING AND SERINA NICOLE MARING, HUSBAND AND WIFE, KNOWN BY ME TO BE THE PERSONS DESCRIBED HEREIN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND BEING DULY SWORN BY ME DID ACKNOWLEDGE THAT THEY EXECUTED THIS INSTRUMENT AS THEIR FREE ACT AND DEED.

IN TESTIMONY THEREOF:

I HAVE HEREUNTO SET MY HAND AND AFFIXED MY SEAL THE DAY AND YEAR LAST WRITTEN ABOVE.

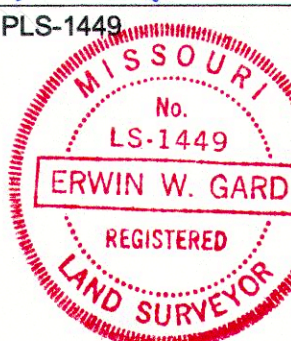
MY COMMISSION EXPIRES _____

_____, NOTARY PUBLIC

SURVEYORS CERTIFICATION:

I HEREBY CERTIFY THAT, TO THE BEST OF MY PROFESSIONAL KNOWLEDGE AND BELIEF, WE PERFORMED A SURVEY OF THE PROPERTY DESCRIBED HEREIN AND PREPARED THIS DRAWING IN ACCORDANCE WITH THE CURRENT "MISSOURI STANDARDS FOR PROPERTY BOUNDARY SURVEYS" AS JOINTLY ADOPTED BY THE MISSOURI BOARD FOR ARCHITECTS, PROFESSIONAL ENGINEERS, PROFESSIONAL LAND SURVEYORS AND LANDSCAPE ARCHITECTS AND THE MISSOURI DEPARTMENT OF AGRICULTURE, LAND SURVEY PROGRAM.

ERWIN W. GARD, PLS-1449



DATE

6/3/22

JACKSON COUNTY APPROVALS:

PUBLIC WORKS DEPARTMENT

DATE

ASSESSMENT DEPARTMENT

DATE



LAND SURVEYING : BUILDING PERMIT & HOUSE PLAN SERVICES
REAL ESTATE : LARGE FORMAT SCANS & PRINTS

1040 SW Luttrell, Suite E2
Blue Springs, Missouri 64015
Phone: 816-295-5951
Web: gardhorizon.com

Erwin W. Gard, Owner
Professional Surveyor ~ Realtor
Cell: 816-853-4559
Email: erwin@gardhorizon.com

MINOR SUBDIVISION

PART OF THE SW 1/4, SECTION 7-T.47-R.29
JACKSON COUNTY, MISSOURI

PHILLIP & SERINA MARING

1300 SW Morningside Drive
Blue Springs, Missouri 64015

JOB NO.:	1197-2201
MASTER FOLDER:	CAD Drawings\Sec
SUB FOLDER:	R29 T47 S07
FILE NAME:	Sec 7-47-29 MASTER
FIELD BOOK -- PAGE	GPS
DRAWN BY:	E. GARD
SHEET	1
OF	1

IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

AN ORDINANCE amending the zoning districts established pursuant to the Unified Development Code by rezoning a certain 1.00± acre tract from District AG (Agricultural) to District RS (Residential Suburban).

ORDINANCE NO. 5643, August 15, 2022

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

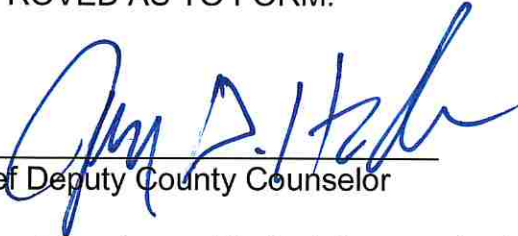
Section 1. The Zoning Order of Jackson County, Missouri, and the official maps which are a part thereof, are amended by changing the boundaries of the "AG" (Agricultural) and "RS" (Residential Suburban) Districts, so that there will be transferred from District AG to District RS a tract of land with a street address of 13010 SE Howard Road, legally described as follows:

Lot 45, Trophy Estates, a subdivision in Jackson County, Missouri

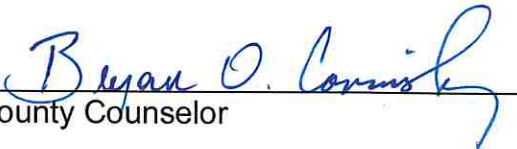
Section 2. The Legislature, pursuant to the application of Mary T. Vargas (RZ-2022-632), requesting the amendment embodied in this Ordinance and with notice that the Jackson County Plan Commission voted 9 to 0 to recommend APPROVAL of this application after a public hearing on July 21, 2022, does hereby 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. 5643 introduced on August 15, 2022, was duly passed on _____, 2022 by the Jackson County Legislature. The votes thereon were as follows:

Yeas _____

Nays _____

Abstaining _____

Absent _____

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

Date

Mary Jo Spino, Clerk of Legislature

I hereby approve the attached Ordinance No. 5643.

Date

Frank White Jr., County Executive

Ordinance No.: 5643
Date: August 15, 2022

Request for Legislative Action

Completed by County Counselor's Office

Action Requested:	Ordinance	Res.Ord No.:	5643
Sponsor(s):		Legislature Meeting Date:	8/15/2022

Introduction

Action Items: ['Authorize']

Project/Title:

Mary T. Vargas - RZ-2022-632

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 building setback lines for future construction at 13010 SE Howard 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 July 21, 2022, and accepted testimony pertaining to the rezoning request.

The Plan Commission voted 9 to 0 to recommend APPROVAL to the County Legislature.

Contact Information

Department:	Public Works	Submitted Date:	7/29/2022
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 7/29/2022. Comments: Scheduled for Land Use on August 22.

Approved by Department Approver Brian Gaddie on 8/1/2022 4:14:43 PM. Comments:

Not applicable by Purchasing Office Approver Barbara J. Casamento on 8/1/2022 4:41:09 PM. Comments:

Approved by Compliance Office Approver Katie M. Bartle on 8/2/2022 4:16:39 PM. Comments:

Not applicable by Budget Office Approver Mark Lang on 8/3/2022 9:18:52 AM. Comments:

Approved by Executive Office Approver Sylvia Stevenson on 8/3/2022 9:40:33 AM. Comments:

Approved by Counselor's Office Approver Elizabeth Freeland on 8/4/2022 2:55:02 PM. Comments:

RZ-2022-632

ATTACHMENT 1: PROPERTY DESCRIPTION

Description:

Lot 45, Trophy Estates, a subdivision in Jackson County, Missouri

RZ-2022-632

ATTACHMENT 2: ZONING SUPPORT DOCUMENTATION

Attachments

Plan Commission Public Hearing Summary from July 21, 2022

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-2022-632

Applicant: Mary T Vargas

Location: Lot 45, Trophy Estates, 13010 SE Howard Road

Area: 1.00 ± acres

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

Purpose: Applicant is requesting the change in zoning in order to decrease the building setback lines 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).

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

The West side yard setback will be reduced from 50 to 20 feet. The side yard setbacks will be reduced from 30 to 15 feet. The East side yard 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-2022-632.

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?*

Mary Vargas, 13013 SE Howard Road

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

Ms. Vargas: No

Mr. Tarpley: What type of building are you planning?

Ms. Vargas: A garage.

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. Lake seconded.

Discussion under advisement

Mr. Hilliard moved to approve. Mr. Farrar seconded.

Mr. Akins	Approve
Mr. Tarpley	Approve
Mr. Johnson	Approve
Mr. Crawford	Approve
Mr. Hilliard	Approve
Ms. Ryerkerk	Approve
Mr. Farrar	Approve
Mr. Lake	Approve
Chairman Antey	Approve

Motion Carried 9 – 0

STAFF REPORT

PLAN COMMISSION

July 21, 2022

RE: RZ-2022-632

Applicant: Mary T Vargas

Location: Lot 45, Trophy Estates 13010 SE Howard Road

Area: 1.00 ± acres

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

Purpose: Applicant is requesting the change in zoning in order to decrease the building setback lines 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).

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

The West side yard setback will be reduced from 50 to 20 feet. The side yard setbacks will be reduced from 30 to 15 feet. The East side yard 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:

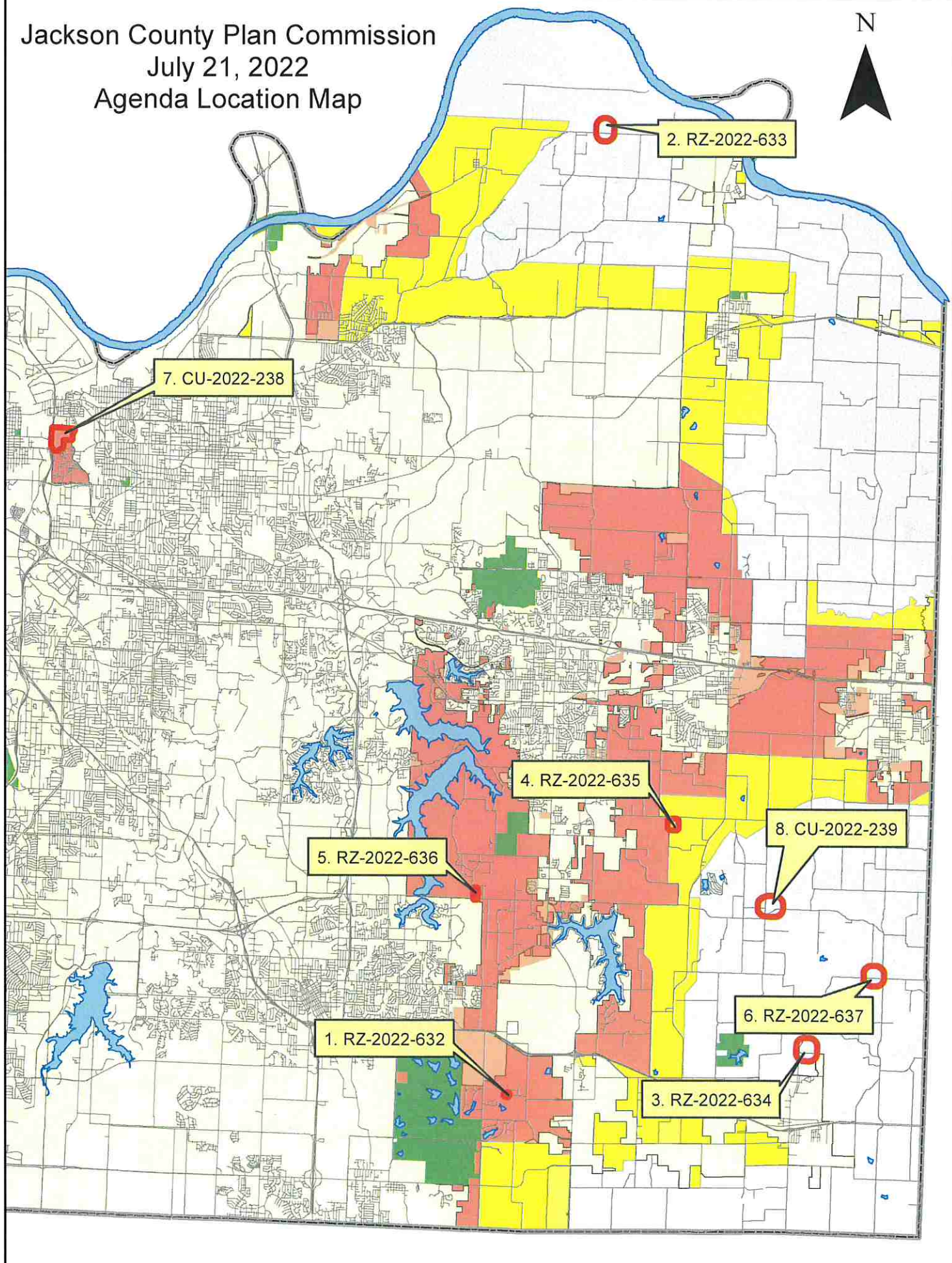
This request for rezoning is consistent with the intent and purpose of the County Plan.

Staff recommends APPROVAL of RZ-2022-632.

Respectfully submitted,

Jackson County Public Works
Development Division
Randy Diehl, Administrator

Jackson County Plan Commission
July 21, 2022
Agenda Location Map





12/12

12903

12902

12909

12910

12915

25612

25702

25706

25705

25707

25711

25805

13108

S HOWARD ST

E 130TH ST

130TH TER

E 130TH TER

HOWARD ST

25204

25208

25302

25308

25400

25406

25412

25506

25510

25207

25303

25311

25403

25409

25501

25507

25601

25213

25301

25304

13010

25308

25404

25410

25502

25508

25600

25703

13016

13013

25403

25409

25501

25507

25513

25603

13023

13022

Plan Commission July 21, 2022
RZ-2022-632

Property Owners Within 185 feet

Parcel	owner	address	city	state	zip
60-700-03-02-01-0-00-000	GRIFFIN RANDALL BERNARD-TR	12811 SMART RD	LEES SUMMIT	MO	64086
60-700-04-44-00-0-00-000	WILLIAMS JOHN S & ANNE MARIE	25301 E 130TH TER	GREENWOOD	MO	64034
60-700-04-41-00-0-00-000	HOLSTROM AARON & MELISSA	25303 E 130TH ST	GREENWOOD	MO	64034
60-700-04-43-00-0-00-000	STEELE WILLIAM M & CYNTHIA L	25213 E 130TH TER	GREENWOOD	MO	64034
60-700-04-45-00-0-00-000	COOK JAMES N & TRACEY L	25304 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
60-700-04-59-00-0-00-000	MCCELWAIN DANNY T & REBECCA S	13016 HOWARD RD	GREENWOOD	MO	64034
60-700-04-61-00-0-00-000	GARVER RONALD L & JULIE M	13023 SE HOWARD RD	GREENWOOD	MO	64034
60-700-04-60-00-0-00-000	GRAY DEBORA SUE - TR	13022 SE HOWARD RD	GREENWOOD	MO	64034
60-700-04-57-00-0-00-000	HUTTSEL KENDRA ANN	13013 SE HOWARD RD	GREENWOOD	MO	64034
60-700-04-58-00-0-00-000	VARGAS MARY T	13010 SE HOWARD ST	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

July 6, 2022

RE: Public Hearing: RZ-2022-632
Mary T Vargas

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 Mary T Vargas 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 35, Trophy Estates, 13010 SE Howard 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 185' of the subject property.

The public hearing on this matter will be held by the Plan Commission on Thursday, July 21, 2022, 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- 2022- 632

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: MARY T. VARGAS

Address: 13010 SE HOWARD RD

GREENWOOD, MO 64034

Phone: 913-522-8003

b. Owner(s) Name: MARY T. VARGAS

Address: 13010 SE HOWARD RD - GREENWOOD, MO 64034

Phone: 913-522-8003

c. Agent(s) Name: _____

Address: _____

Phone: _____ 24' x 30'

d. Applicant's interest in Property: TO BUILD A GARAGE ON PROPERTY

2. General location (Road Name) SE HOWARD RD

3. Present Zoning AGRICULTURE Requested Zoning RESIDENTIAL

4. AREA (sq. ft. / acres) 1 ACRE

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

PARCEL # 60-700-04-58-00-0-00-000 LOT 45 TROPHY ESTATES
LOT SIZE - 43,571 sq. ft. - BLDG AREA - 2,261 sq. ft. - BUILT IN 1993

6. Present Use of Property: RESIDENCE

7. Proposed Use of Property: ADD DETACHED GARAGE TO RESIDENCE (24' x 30')

8. Proposed Time Schedule for Development: WITHIN NEXT 4-6 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? _____

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 LEE'S SUMMIT WATER DEPT - NO CHANGES

b. Sewage disposal THRU JACKSON COUNTY NO CHANGES

c. Electricity EVERGY - WILL NEED ELECTRICITY TO BUILDING

d. Fire and Police protection SO. JACKSON COUNTY FIRE DISTRICT

12. Describe existing road width and condition: 2-LANE RESIDENTIAL ROAD

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)

Mary J Vargas

Date

4.28.22

Applicant(s):

Mary J Vargas

4.28.22

Contract Purchaser(s):

STATE OF

MO

COUNTY OF

JACKSON

On this 28 day of April, in the year of 2022, before me the undersigned notary public, personally appeared Mary J. Vargas

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.

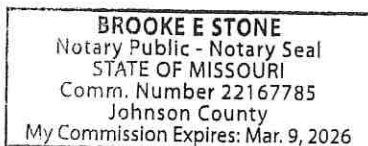
In witness whereof, I hereunto set my hand and official seal.

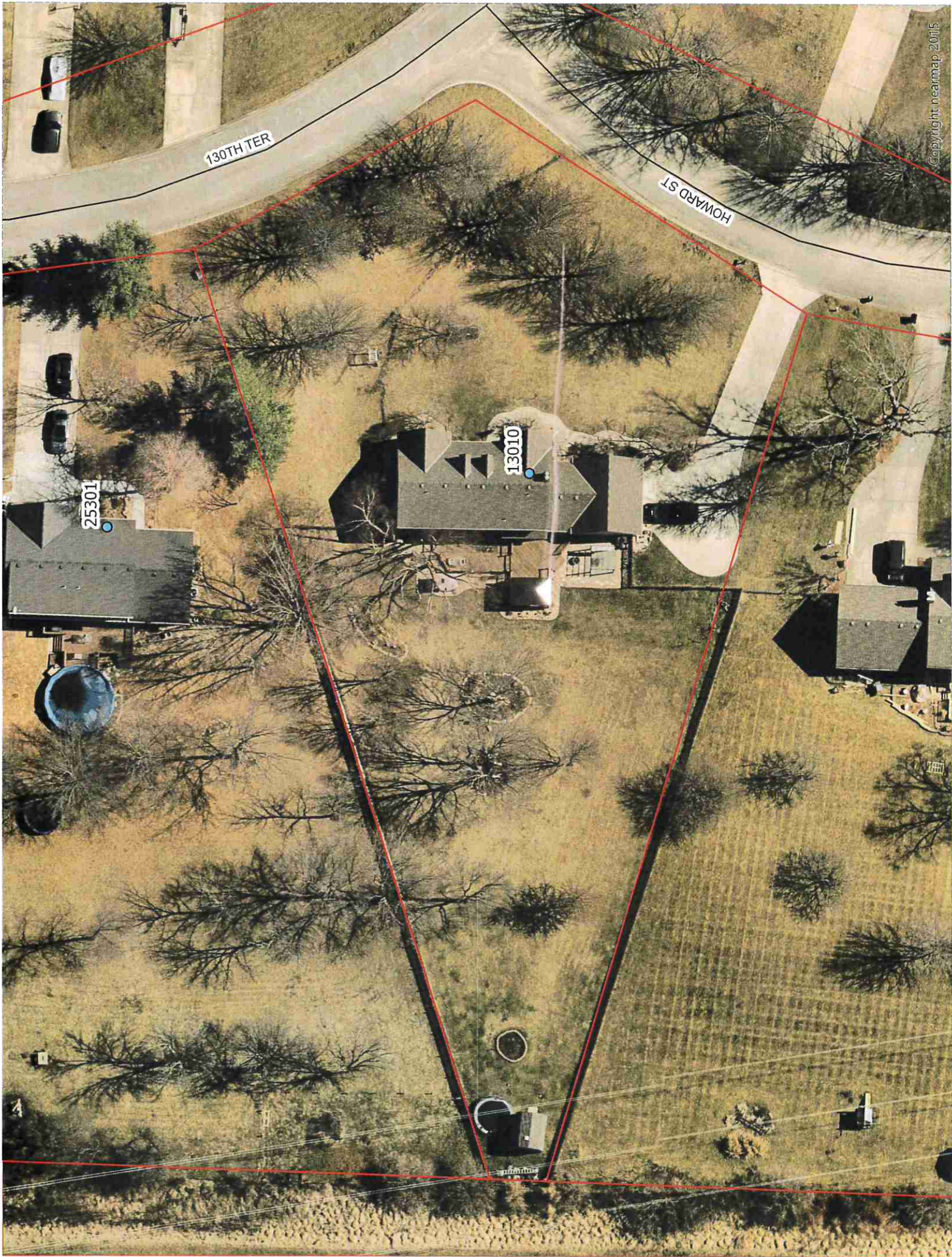
Notary Public

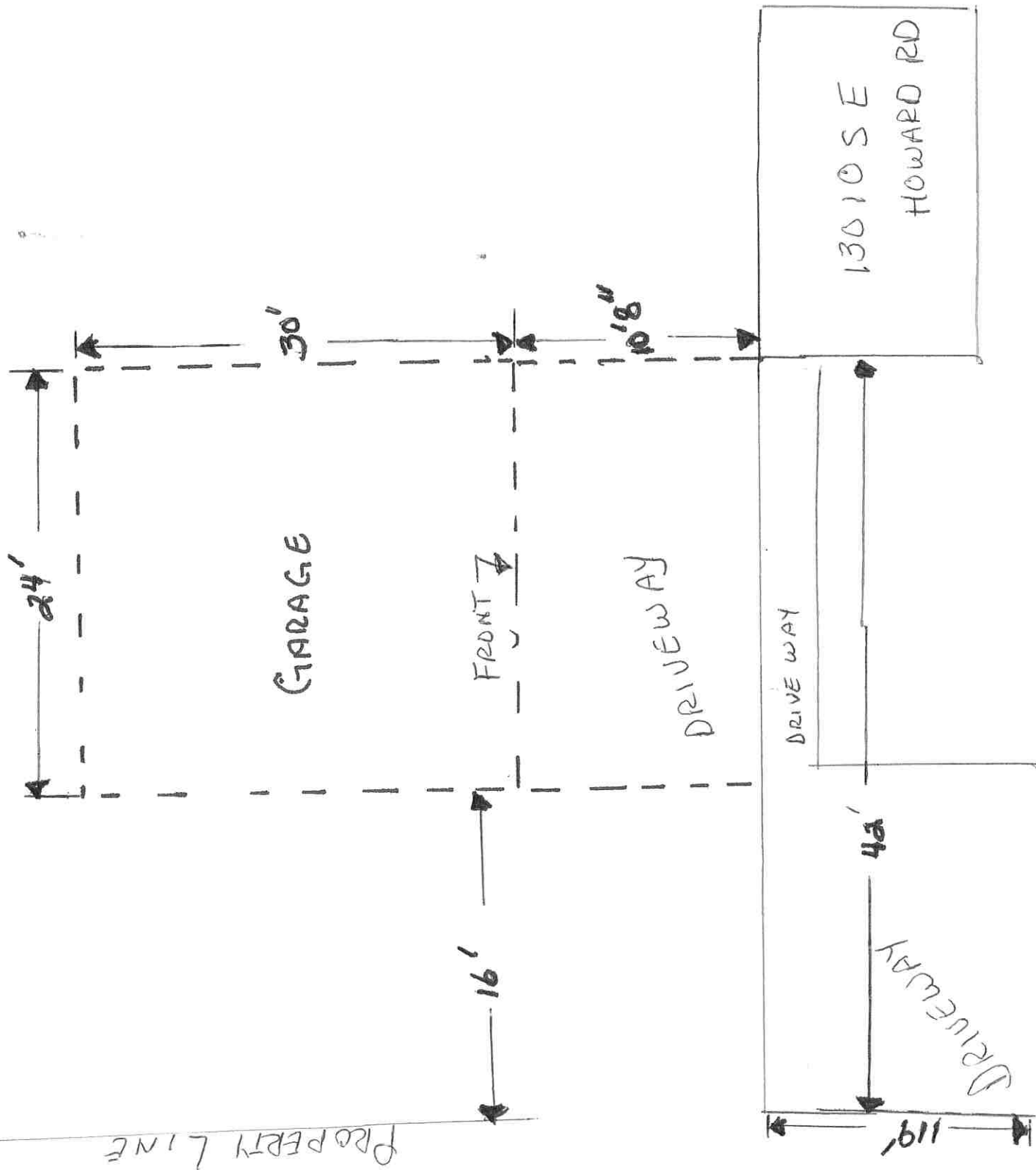
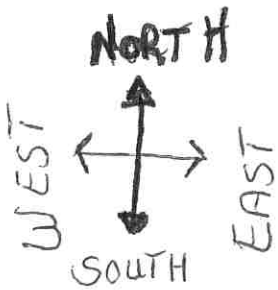
Brooke Stone

Commission Expires

March 9, 2026







IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

AN ORDINANCE amending the zoning districts established pursuant to the Unified Development Code by rezoning a certain 4.00± acre tract from District AG (Agricultural) to District RE (Residential Estates).

ORDINANCE NO. 5644, August 15, 2022

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

Section 1. The Zoning Order of Jackson County, Missouri, and the official maps which are a part thereof, are amended by changing the boundaries of the "AG" (Agricultural) and "RE" (Residential Estates) Districts, so that there will be transferred from District AG to District RE a tract of land, located at 23700 NE Colbern Road, in Jackson County, MO, legally described as follows:


All that part of the Southwest quarter of the Northeast quarter of Section 26, Township 48 north, Range 31 west. In Jackson County, Missouri, and being more fully described as follows:

Beginning at a point on the north right of way line of Colbern Road, said point being 40.00 feet north and South 87 degrees 44 minutes 46 seconds East (this bearing and all following bearings being state plane grid north as established using r. T.k. g.p.s. equipment, and referenced to Kansas City metro control station ja-149), 334.80 feet from the Southwest corner of the Northeast Quarter of Section 26, Township 48 North, Range 31 West; thence along a line parallel with the west line of the Northeast Quarter of said Section 26, North 02 degrees 08 minutes 16 seconds East said line also being the east line of Colborn & Cyclone Road Estates a subdivision in Jackson County, Missouri, for a distance of 1242.27 feet to the south line of J. Morgan Meadows, a subdivision in Jackson County, Missouri; thence along the south line of said subdivision; South 87 degrees 47 minutes 10 seconds East, 660.00 feet to a point on the west line of lot 10 of Colborn & Cyclone Road Estates 2nd plat, a subdivision in Jackson County, Missouri; thence along the west line of said subdivision South 02 degrees 08 minutes 16 seconds West 1242. 73 feet to a point on the north right of way line of Colbern Road (40. 00 feet north of the south line of the northeast quarter of said section 26); thence along the north line of said Colbern Road north 87 degrees 44 minutes 46 seconds west, 660.00 feet to the point of beginning.

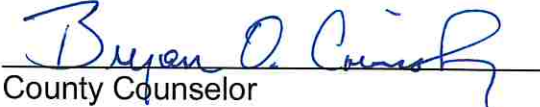
Section 2. The Legislature, pursuant to the application of James and Gina Suelke (RZ-2022-636), requesting the amendment embodied in this Ordinance and with notice that the Jackson County Plan Commission voted 9 to 0 to recommend APPROVAL of this application after a public hearing on July 21, 2022, does hereby 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. 5644 introduced on August 15, 2022, was duly passed on _____, 2022 by the Jackson County Legislature. The votes thereon were as follows:

Yeas _____

Nays _____

Abstaining _____

Absent _____

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

Date

Mary Jo Spino, Clerk of Legislature

I hereby approve the attached Ordinance No. 5644.

Date

Frank White, Jr., County Executive

Request for Legislative Action

Ord. #5644

Date: August 15, 2022

Completed by County Counselor's Office

Action Requested:	Ordinance	Res.Ord No.:	5644
Sponsor(s):		Legislature Meeting Date:	8/15/2022

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

James & Gina Stuelke - RZ-2022-636

Request Summary

Requesting a change of zoning from District AG (Agricultural) on 4.00 ± acres to District RE (Residential Estates). The purpose is to create a single-family residential lot at 23700 NE Colbern 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 July 21, 2022, and accepted testimony pertaining to the rezoning request.

The Plan Commission voted 9 to 0 to recommend APPROVAL to the County Legislature.

Contact Information

Department:	Public Works	Submitted Date:	7/29/2022
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 7/29/2022. Comments: Land Use scheduled for August 22.

Approved by Department Approver Brian Gaddie on 8/1/2022 4:13:04 PM. Comments:

Not applicable by Purchasing Office Approver Barbara J. Casamento on 8/1/2022 4:43:15 PM. Comments:

Approved by Compliance Office Approver Katie M. Bartle on 8/2/2022 4:13:14 PM. Comments:

Not applicable by Budget Office Approver Mark Lang on 8/3/2022 9:17:03 AM. Comments:

Approved by Executive Office Approver Sylva Stevenson on 8/3/2022 11:18:38 AM. Comments:

Returned for more information by Counselor's Office Approver Elizabeth Freeland on 8/4/2022 1:18:49 PM. Comments: Public hearing date.

Submitted by Requestor Randy D. Diehl on 8/4/2022 1:24:28 PM. Comments: Corrected Plan Commission Vote from 7-0 to 9-0

Approved by Department Approver Brian Gaddie on 8/4/2022 2:47:04 PM. Comments:

Not applicable by Purchasing Office Approver Barbara J. Casamento on 8/4/2022 3:21:36 PM. Comments:

Approved by Compliance Office Approver Katie M. Bartle on 8/5/2022 12:34:00 PM. Comments:

Not applicable by Budget Office Approver Mark Lang on 8/5/2022 4:28:49 PM. Comments:

Approved by Executive Office Approver Sylva Stevenson on 8/8/2022 9:41:49 AM. Comments:

Approved by Counselor's Office Approver Elizabeth Freeland on 8/10/2022 10:07:56 AM. Comments:

RZ-2022-636

ATTACHMENT 1: PROPERTY DESCRIPTION

Description:

All that part of the Southwest quarter of the Northeast quarter of Section 26, Township 48 north, Range 31 west. In Jackson County, Missouri, and being more fully described as follows:

Beginning at a point on the north right of way line of Colbern Road, said point being 40.00 feet north and South 87 degrees 44 minutes 46 seconds East (this bearing and all following bearings being state plane grid north as established using r. T.k. g.p.s. equipment, and referenced to Kansas City metro control station ja-149), 334.80 feet from the Southwest corner of the Northeast Quarter of Section 26, Township 48 North, Range 31 West; thence along a line parallel with the west line of the Northeast Quarter of said Section 26, North 02 degrees 08 minutes 16 seconds East said line also being the east line of Colborn & Cyclone Road Estates a subdivision in Jackson county, Missouri, for a distance of 1242.27 feet to the south line of J. Morgan Meadows a subdivision in Jackson County, Missouri; thence along the south line of said subdivision; South 87 degrees 47 minutes 10 seconds East, 660.00 feet to a point on the west line of lot 10 of Colborn & Cyclone Road Estates 2nd plat, a subdivision in Jackson County, Missouri; thence along the west line of said subdivision South 02 degrees 08 minutes 16 seconds West 1242.73 feet to a point on the north right of way line of Colbern Road (40.00 feet north of the south line of the northeast quarter of said section 26); thence along the north line of said Colbern Road north 87 degrees 44 minutes 46 seconds west, 660.00 feet to the point of beginning.

RZ-2022-636

ATTACHMENT 2: ZONING SUPPORT DOCUMENTATION

Attachments

Plan Commission Public Hearing Summary from July 21, 2022

Staff Report

Zoning map of surrounding area

Names/Addresses of Surrounding Property Owners

Copy of letter to said property owners

Application

Aerial of location

Preliminary Plat

Randy Diehl gave the staff report:

RE: RZ-2022-636

Applicant: James & Gina Stuelke

Location: 23700 E Colbern Road

Area: 4.00 ± acres

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

Purpose: Creating a single-family residential lot

Current Land Use and Zoning in the Area:

The zoning in the area is predominately Agricultural. Development around the subject property was developed prior to the adoption of the Unified Development Code in 1995.

Land use is single family residences. Across Colbern Road is the City of Lee's Summit Legacy Park.

The applicant is wishing to separate the existing residence within the 4.00-acre lot. The remaining acreage will become a separate tract that would allow construction of a dwelling.

The subdivision plat "Flamingo Acres" is under review. An additional driveway would more than likely be allowed. Sharing the existing entryway would be an option to reduce any additional driveways onto Colbern Road.

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-2022-636.

Respectfully submitted,

Jackson County Public Works

Development Division
Randy Diehl, Administrator

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

Mr. Tarpley: What's the total acreage?

Mr. Diehl: 18.83 acres. Four acres is the request with 14.83 acres remaining within District AG – Agricultural.

Discussion regarding the current parcel lines and the new proposed lines.

Mr. Johnson: Are those ponds affluent ponds?

Mr. Diehl: No.

Mr. Antey: *Is the applicant here?*

Don Roberts: 15905 E 78th Street, Kansas City. I represent the Stuelkes.

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

Mr. Roberts: We do hope to have a second driveway instead of sharing the one that serves the existing residence.

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?*

Sandra Cutler, 23803 E 92nd Terr, Lee's Summit. What is the smaller piece zoned now?

Mr. Antey: Agricultural. All new development under 10 acres is subject to this process. There are other properties created prior to the code that are grandfathered in under Ag zoning.

Mr. Crawford: The ordinance we are under was adopted in 1995.

Motion to take under advisement.

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

Discussion under advisement

Mr. Lake moved to approve. Mr. Hilliard seconded.

Mr. Akins	Approve
Mr. Tarpley	Approve
Mr. Johnson	Approve
Mr. Crawford	Approve
Mr. Hilliard	Approve
Ms. Ryerkerk	Approve
Mr. Farrar	Approve
Mr. Lake	Approve
Chairman Antey	Approve

Motion Carried 9 – 0

STAFF REPORT

PLAN COMMISSION

July 21, 2022

RE: RZ-2022-636

Applicant: James & Gina Stuelke

Location: 23700 E Colbern Road

Area: 4.00 ± acres

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

Purpose: Creating a single-family residential lot

Current Land Use and Zoning in the Area:

The zoning in the area is predominately Agricultural. Development around the subject property was developed prior to the adoption of the Unified Development Code in 1995.

Land use is single family residences. Across Colbern Road is the City of Lee's Summit Legacy Park.

The applicant is wishing to separate the existing residence within the 4.00-acre lot. The remaining acreage will become a separate tract that would allow construction of a dwelling.

The subdivision plat "Flamingo Acres" is under review. An additional driveway would more than likely be allowed. Sharing the existing entryway would an option to reduce any additional driveways onto Colbern Road.

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.

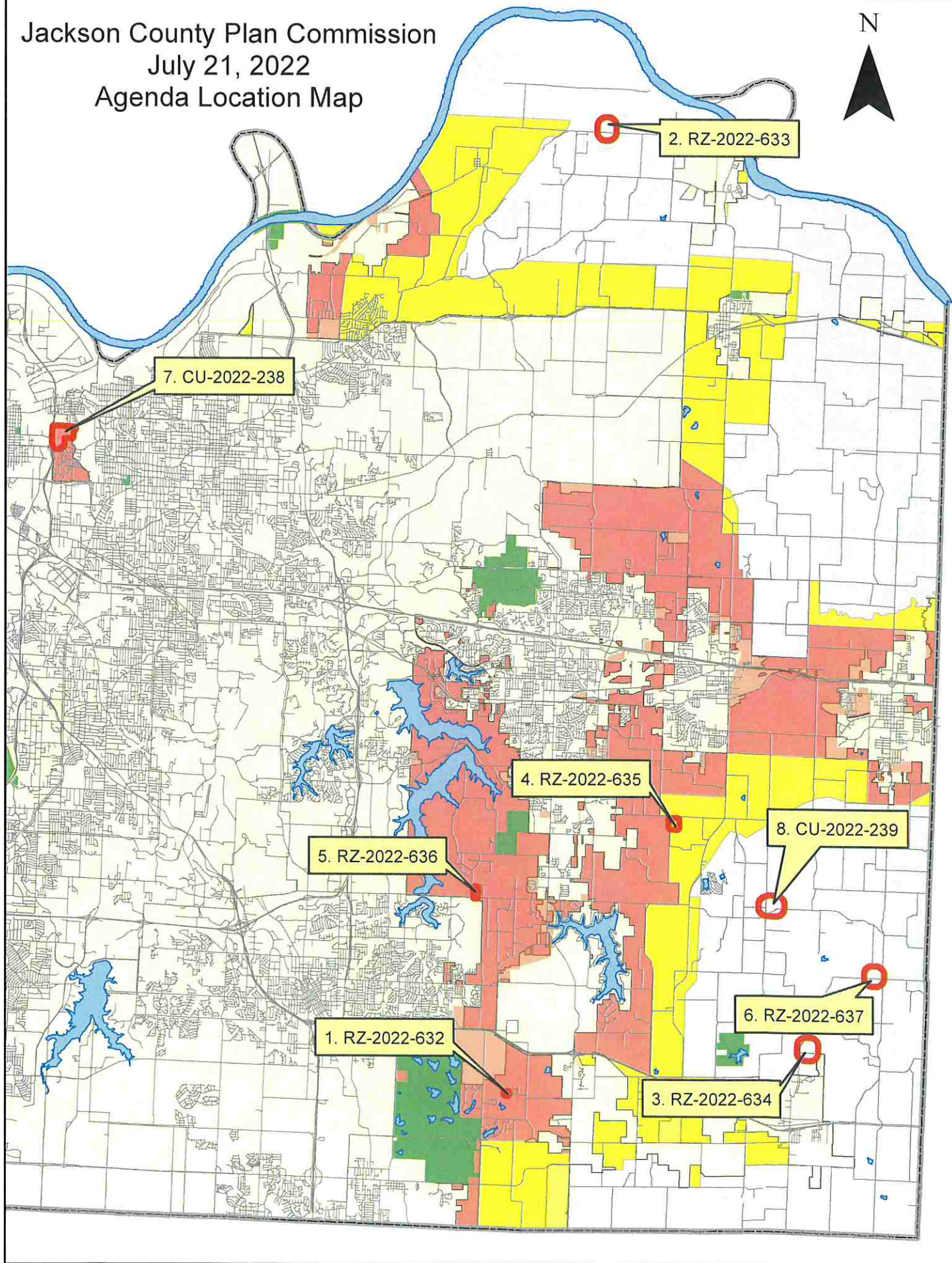
Staff recommends APPROVAL of RZ-2022-636.

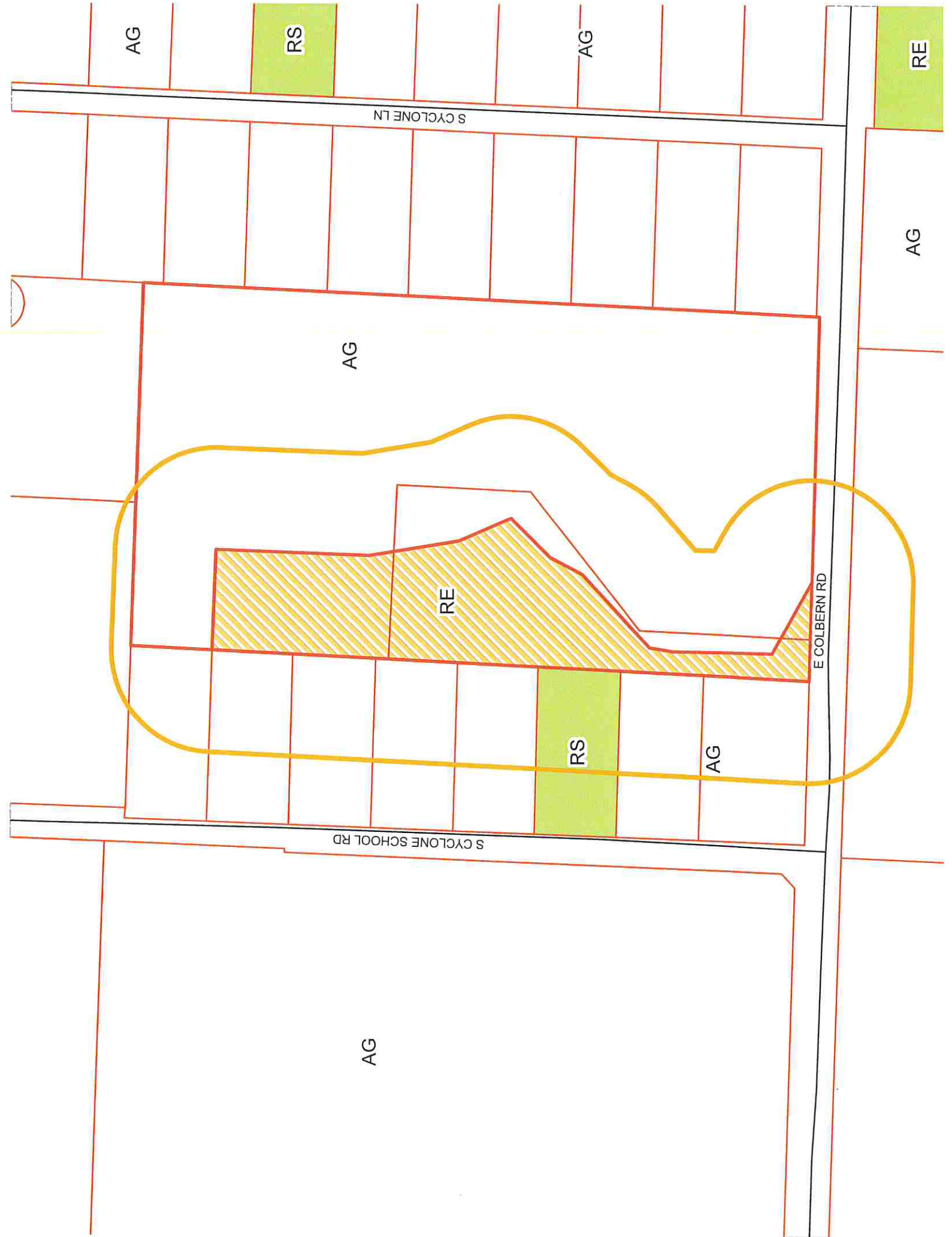
Respectfully submitted,

Jackson County Public Works
Development Division
Randy Diehl, Administrator

Jackson County Plan Commission
July 21, 2022
Agenda Location Map

N





Plan Commission July 21, 2022

RZ-2022-636

Property Owners Within 185 feet

Parcel	owner	address	city	state	zip
53-500-01-14-00-0-00-000	O BRIEN SCOTT J & TONYA K	9401 S CYCLONE SCHOOL RD	LEES SUMMIT	MO	64064
53-500-01-63-00-0-00-000	CUTLER SANDRA LEE-TRUSTEE	23803 E 92ND TE	LEES SUMMIT	MO	64064
53-500-01-10-00-0-00-000	MARTIN DEBRA KAY	9301 S CYCLONE SCHOOL RD	LEES SUMMIT	MO	64064
53-500-01-11-00-0-00-000	HATFIELD JOHN W & DEBORAH J	9307 S CYCLONE SCHOOL RD	LEES SUMMIT	MO	64064
53-500-01-12-00-0-00-000	PALMER RONALD G & KAREN L-TR	9313 CYCLONE SCHOOL RD	LEES SUMMIT	MO	64064
53-500-01-17-00-0-00-000	CONRAD JOEL C & KERRY M	9419 S CYCLONE SCHOOL RD	LEES SUMMIT	MO	64064
53-500-01-16-00-0-00-000	WESTCOTT ROBERT L & MARY ANN	9413 S CYCLONE SCHOOL RD	LEES SUMMIT	MO	64064
53-500-01-13-00-0-00-000	CUSTER GARY E & SUSAN L	9319 S CYCLONE SCHOOL RD	LEES SUMMIT	MO	64064
53-500-01-62-00-0-00-000	CHAPMAN MICHAEL & DEBORAH-TR	9223 S CYCLONE SCHOOL RD	LEES SUMMIT	MO	64064
53-500-01-15-00-0-00-000	DAVENPORT CARRIE & ROGER	9407 S CYCLONE SCHOOL RD	LEES SUMMIT	MO	64064
53-500-04-02-01-0-00-000	CITY OF LEES SUMMIT	PO BOX 1600	LEES SUMMIT	MO	64063
53-500-01-03-01-0-00-000	STUELKE JAMES B JR & GINA L	23700 E COLBERN RD	LEES SUMMIT	MO	64086
53-500-01-03-02-0-00-000	STUELKE JAMES B JR & GINA L-TR	23700 E COLBERN RD	LEES SUMMIT	MO	64086



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

July 6, 2022

RE: Public Hearing: RZ-2022-636
James B & Gina Stuelke

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 James B & Gina Stuelke for a change of zoning from District AG (Agricultural) on 4.00 ± acres to District RE (Residential Estates). The 4.00 ± acres located at 23700 E. Colbern 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 185' of the subject property.

The public hearing on this matter will be held by the Plan Commission on Thursday, July 21, 2022, 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,

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- 2022-636

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: The Stuelke Living Trust (James B., Jr. & Gina L. Stuelke, Trustees)
Address: 23700 NE Colbern Rd.
Lee's Summit, Mo. 64086
Phone: _____
- b. Owner(s) Name: The Stuelke Living Trust (James B., Jr. & Gina L. Stuelke, Trustees)
Address: 23700 NE Colbern Rd., Lee's Summit, Mo. 64086
Phone: 816-381-9901 Email: jim@extremecoatingsolutions.com
- c. Agent(s) Name: Roger A. Backues

Address: 821 NE Columbus St., Suite 100, Lee's Summit, Mo. 64063

Phone: Office # 816-554-9798 Email: roger@boundarysurvey.net

d. Applicant's interest in Property: Owner

2. General location (Road Name) Cyclone School Road & NE Colbern Road

3. Present Zoning AG (Agriculture) Requested Zoning RE (Residential Suburban District) RE ESTATES

4. AREA (sq. ft. / acres) 18.8 acres +/- 4.00 +/- - REZONE

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

See attached

6. Present Use of Property: Residential

7. Proposed Use of Property: Residential

8. Proposed Time Schedule for Development: As Soon As Possible

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 PWSD # 13

b. Sewage disposal On-Site Septic System

c. Electricity Evergy

d. Fire and Police protection Fire: CJCFPD Police: Jackson County Sheriff Department

12. Describe existing road width and condition: standard asphalt surface road/ good condition

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):

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)

[Signature]
[Signature]

Date

6/6/22
6/6/22

Applicant(s):

Contract Purchaser(s):

STATE OF Missouri
COUNTY OF Jackson

On this 8th day of June, in the year of 2022, before me
the undersigned notary public, personally appeared James Stuckey &
Gina Stuckey

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.

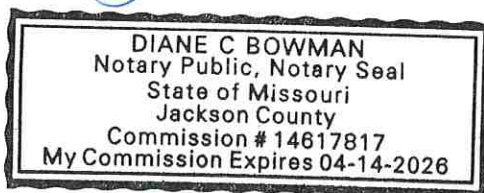
In witness whereof, I hereunto set my hand and official seal.

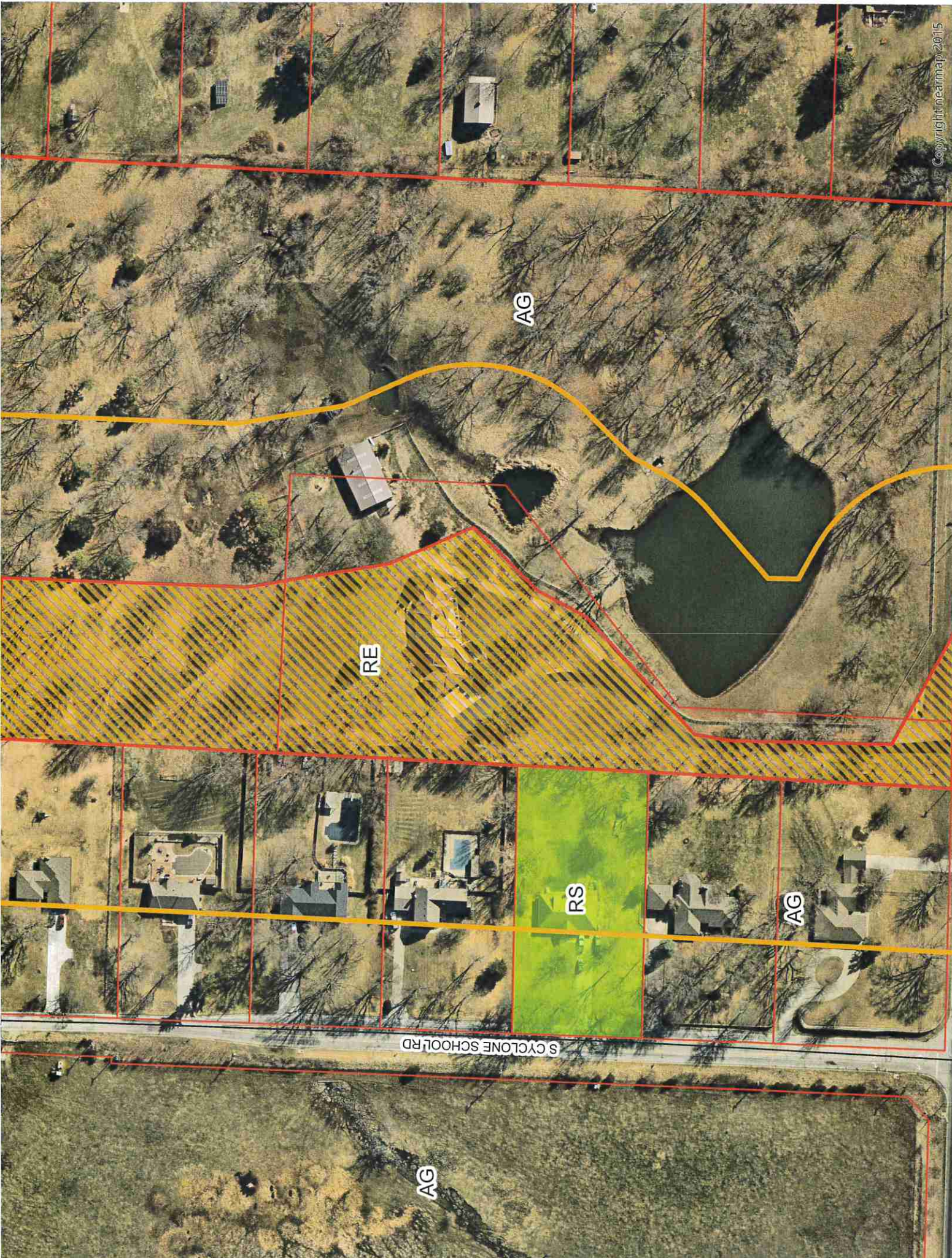
Notary Public

[Signature]

Commission Expires

April 14, 2022





IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

AN ORDINANCE amending the zoning districts established pursuant to the Unified Development Code by rezoning a certain 5.00± acre tract from District AG (Agricultural) to District RR (Residential Ranchette).

ORDINANCE NO. 5645, August 15, 2022

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

Section 1. The Zoning Order of Jackson County, Missouri, and the official maps which are a part thereof, are amended by changing the boundaries of the "AG" (Agricultural) and "RR" (Residential Ranchette) Districts, so that there will be transferred from District AG to District RR a tract of land legally described as follows:

A tract of land in the Southeast 1/4 of the Southeast 1/4 of Section 32, Township 48 North, Range 29 West in Jackson County, Missouri, described as follows: Commencing at the Southeast corner of said 1/4 1/4 section; thence North 88 degrees 00 minutes 17 seconds West along the South line of said 1/4 1/4 section, a distance of 689.50 feet; thence North 1°-51'-19" East, a distance of 25.00 feet to the north right of way line of Cline Road, as now established; thence North 88 degrees 00 minutes 17 seconds West along said north right of way line, a distance of 150.56 feet to the Point of Beginning of the tract of land to be herein described; thence continuing North 88 degrees 00 minutes 17 seconds West along said north right of way line, a distance of 478.71 feet to the east line of lot 3 of Clemens Addition, a subdivision in said County and state; thence North 01 degrees 52 minutes 21 seconds East along said east line of lot 3 and the East line of lot 4 of said subdivision, a distance of 455.00 feet; thence South 88 degrees 00 minutes 17 seconds East, a distance of 478.71 feet; thence South 01 degrees 52 minutes 21 seconds West, a distance of 455.00 feet to the Point of Beginning.

Section 2. The Legislature, pursuant to the application of Christine L. Smith (RZ-2022-637), requesting the amendment embodied in this Ordinance and with notice that the Jackson County Plan Commission voted 9 to 0 to recommend APPROVAL of this application after a public hearing on July 21, 2022, does hereby adopt this Ordinance

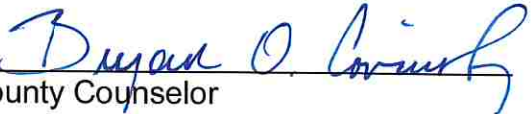
pursuant to the Jackson County Charter authorizing the Legislature to exercise legislative power pertaining to planning and zoning.

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. 5645 introduced on August 15, 2022, was duly passed on _____, 2022 by the Jackson County Legislature. The votes thereon were as follows:

Yeas _____

Nays _____

Abstaining _____

Absent _____

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

Date

Mary Jo Spino, Clerk of Legislature

I hereby approve the attached Ordinance No. 5645.

Date

Frank White Jr., County Executive

Request for Legislative Action

Ordinance No.: 5645

Date: August 9, 2022

Completed by County Counselor's Office

Action Requested:	Ordinance	Res.Ord No.:	5645
Sponsor(s):		Legislature Meeting Date:	8/15/2022

Introduction

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

Christine L Smith – RZ-2022- 637

Request Summary

Requesting a change of zoning from District AG (Agricultural) on 5.00 ± acres to District RR (Residential Ranchette). The purpose is to create a single-family residential lot at 38410 E. Cline 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 July 21, 2022, and accepted testimony pertaining to the rezoning request.

The Plan Commission voted 9 to 0 to recommend APPROVAL to the County Legislature.

Contact Information

Department:	Public Works	Submitted Date:	7/29/2022
Name:	Randy D. Diehl	Email:	RDiehl@jacksongov.org
Title:	Development Division Administator	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 7/29/2022. Comments: Land Use scheduled for August 22.

Approved by Department Approver Brian Gaddie on 8/1/2022 4:11:59 PM. Comments:

Not applicable by Purchasing Office Approver Barbara J. Casamento on 8/1/2022 4:43:42 PM. Comments:

Approved by Compliance Office Approver Katie M. Bartle on 8/2/2022 4:12:29 PM. Comments:

Not applicable by Budget Office Approver Mark Lang on 8/3/2022 9:16:39 AM. Comments:

Approved by Executive Office Approver Sylva Stevenson on 8/3/2022 11:21:02 AM. Comments:

Approved by Counselor's Office Approver Elizabeth Freeland on 8/4/2022 3:20:41 PM. Comments:

RZ-2022-637

ATTACHMENT 1: PROPERTY DESCRIPTION

Description:

A tract of land in the Southeast 1/4 of the Southeast 1/4 of Section 32, Township 48 North, Range 29 West in Jackson County, Missouri, described as follows: Commencing at the Southeast corner of said 1/4 1/4 section; thence North 88 degrees 00 minutes 17 seconds West along the South line of said 1/4 1/4 section, a distance of 689.50 feet; thence North 1°-51'-19" East, a distance of 25.00 feet to the north right of way line of Cline Road, as now established; thence North 88 degrees 00 minutes 17 seconds West along said north right of way line, a distance of 150.56 feet to the Point of Beginning of the tract of land to be herein described; thence continuing North 88 degrees 00 minutes 17 seconds West along said north right of way line, a distance of 478.71 feet to the east line of lot 3 of Clemens Addition, a subdivision in said County and state; thence North 01 degrees 52 minutes 21 seconds East along said east line of lot 3 and the East line of lot 4 of said subdivision, a distance of 455.00 feet; thence South 88 degrees 00 minutes 17 seconds East, a distance of 478.71 feet; thence South 01 degrees 52 minutes 21 seconds West, a distance of 455.00 feet to the Point of Beginning.

RZ-2022-637

ATTACHMENT 2: ZONING SUPPORT DOCUMENTATION

Attachments

Plan Commission Public Hearing Summary from July 21, 2022

Staff Report

Zoning map of surrounding area

Names/Addresses of Surrounding Property Owners

Copy of letter to said property owners

Application

Aerial of location

Preliminary Plat

Randy Diehl gave the staff report:

RE: RZ-2022-637

Applicant: Christine L Smith

Location: 38410 E Cline Road

Area: 5.00 ± acres

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

Purpose: Applicant is requesting the change in zoning to create a single-family residential lot.

Current Land Use and Zoning in the Area:

The zoning in the area is predominately Agricultural. Development around the subject property was developed prior to the adoption of the Unified Development Code in 1995.

Land use is single family residences.

The applicant is wishing to separate the existing residence within the 5.00-acre lot. The remaining acreage will become a separate tract that would allow construction of a dwelling.

The subdivision plat "McLennan's Addition" is under review.

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-2022-637.

Respectfully submitted,

Jackson County Public Works
Development Division
Randy Diehl, Administrator

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

Mr. Tarpley: The surrounding properties are all divided into lots?

Mr. Diehl: Yes.

Mr. Hilliard: What is the difference between lots and tracts?

Mr. Diehl: Subdivision lots will usually have the lots numbered and tracts over 10 acres are referenced as letter designations.

Mr. Antey: *Is the applicant here?*

Christine Smith, 38410 E. Cline Road.

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

Ms. Smith: No.

Mr. Johnson: Do you own the rest of the property?

Ms. Smith: Yes, I do. We are splitting this for my kids.

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

Discussion under advisement

Mr. Tarpley moved to approve. Mr. Hilliard seconded.

Mr. Akins	Approve
Mr. Tarpley	Approve
Mr. Johnson	Approve
Mr. Crawford	Approve
Mr. Hilliard	Approve
Ms. Ryerkerk	Approve
Mr. Farrar	Approve
Mr. Lake	Approve
Chairman Antey	Approve

Motion Carried 9 – 0

STAFF REPORT

PLAN COMMISSION

July 21, 2022

RE: RZ-2022-637

Applicant: Christine L Smith

Location: 38410 E Cline Road

Area: 5.00 ± acres

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

Purpose: Applicant is requesting the change in zoning to create a single-family residential lot.

Current Land Use and Zoning in the Area:

The zoning in the area is predominately Agricultural. Development around the subject property was developed prior to the adoption of the Unified Development Code in 1995.

Land use is single family residences.

The applicant is wishing to separate the existing residence within the 5.00-acre lot. The remaining acreage will become a separate tract that would allow construction of a dwelling.

The subdivision plat "McLennan's Addition" is under review.

County Plan:

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

Recommendation:

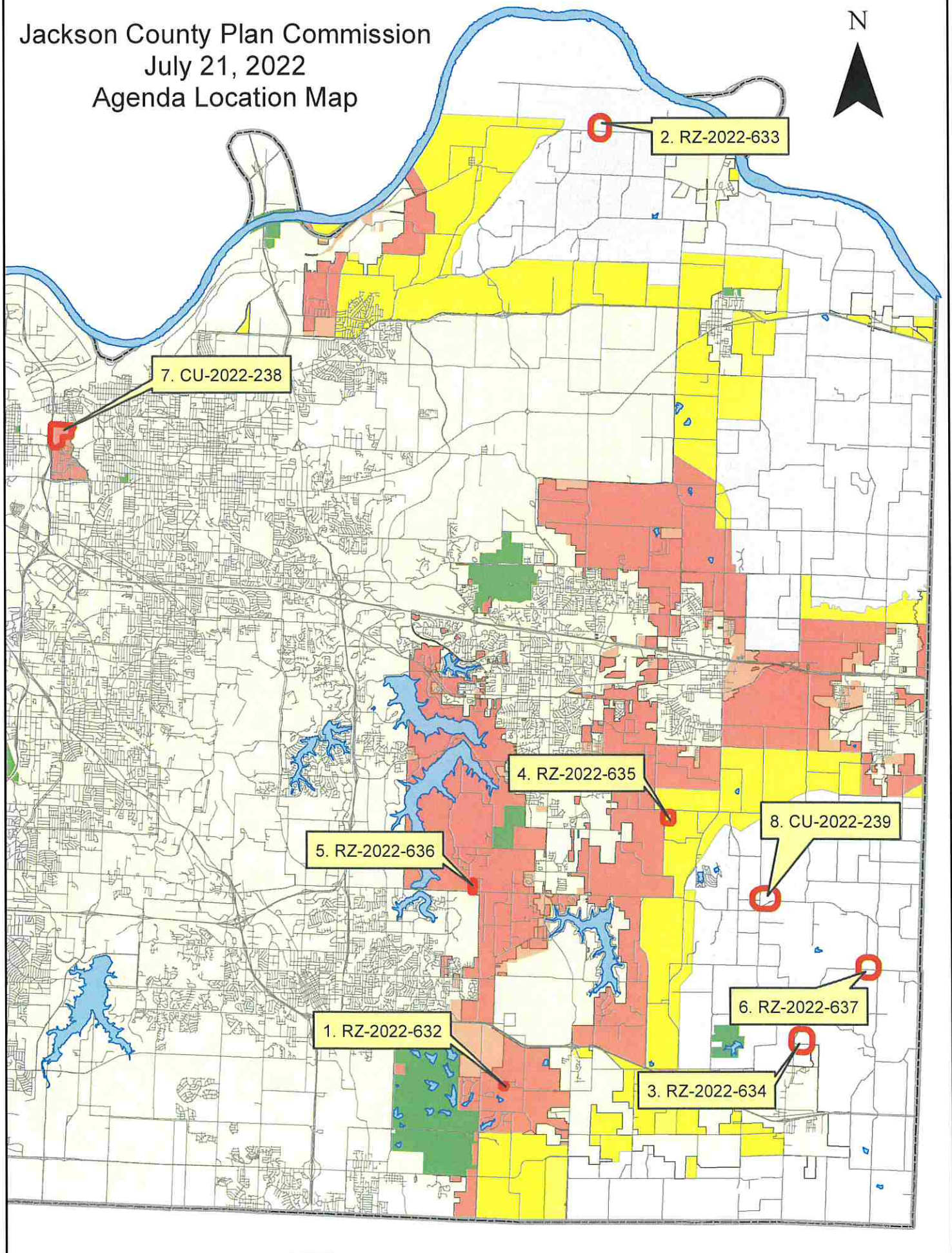
This request for rezoning is consistent with the intent and purpose of the County Plan.

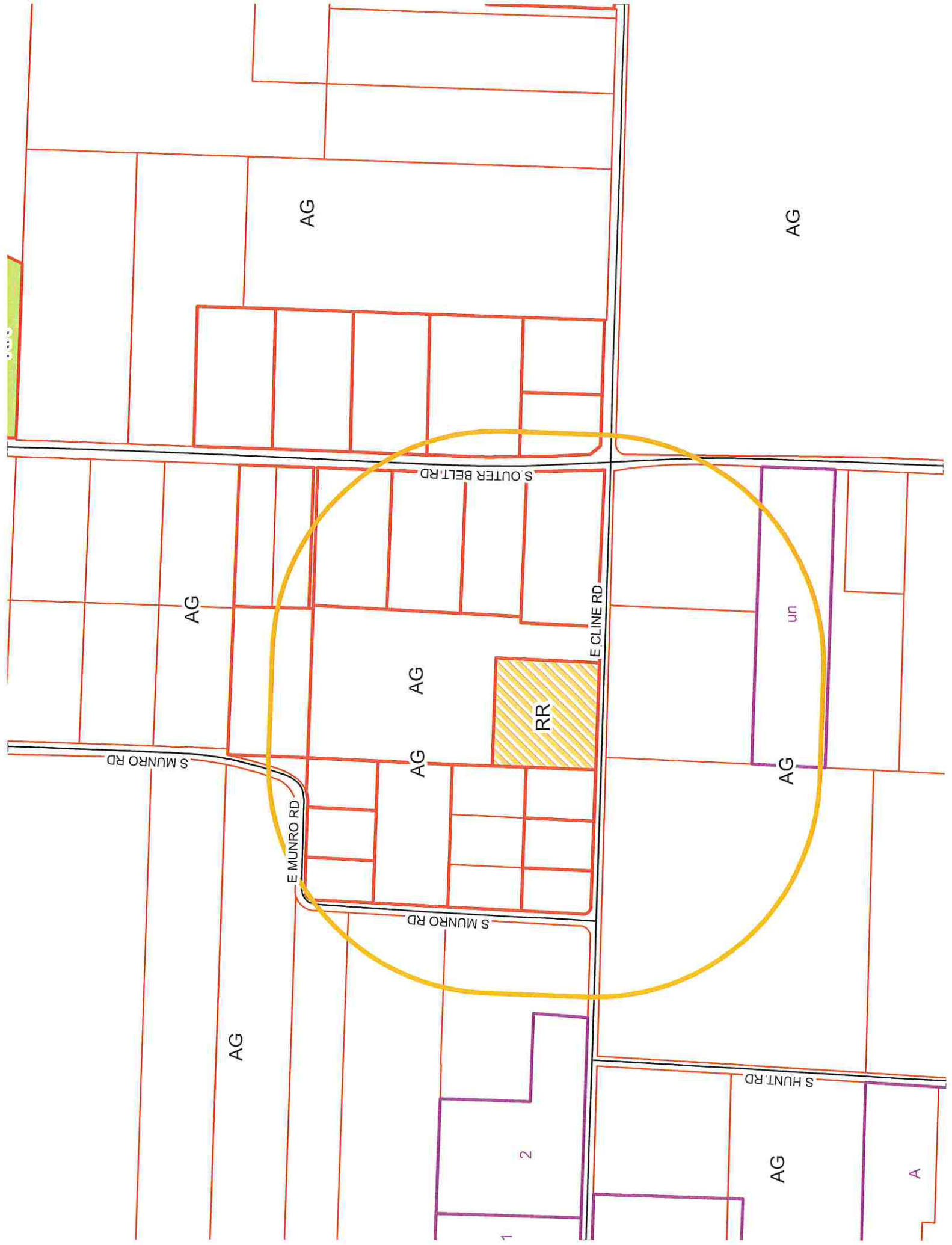
Staff recommends APPROVAL of RZ-2022-637.

Respectfully submitted,

Jackson County Public Works
Development Division
Randy Diehl, Administrator

Jackson County Plan Commission
July 21, 2022
Agenda Location Map





AG

AG

S OUTER BELT RD

AG

AG

RR

E CLINE RD

un

S MUNRO RD

AG

AG

E MUNRO RD

S MUNRO RD

AG

2

1

S HUNT RD

AG

A

Plan Commission July 21, 2022

RZ-2022-637

Property Owners Within 1000 feet

Parcel	owner	address	city	state	zip
56-800-04-39-00-0-00-000	HOPKINS CRAIG R & SHERRY L	38604 E CLINE RD	LONE JACK	MO	64070
56-800-04-31-04-0-00-000	ROMANCHUK JOHN GARY		LONE JACK	MO	64070
56-800-04-49-00-0-00-000	GREENSTREET MATTHEW R	38108 E CLINE RD	LONE JACK	MO	64070
56-800-04-26-00-0-00-000	BOTTEMULLER MICAH & CHLOE	38308 E CLINE RD	LONE JACK	MO	64070
56-800-04-31-05-0-00-000	ROMANCHUK STEVE & JUDY A	10308 S MUNRO RD	LONE JACK	MO	64070
56-800-04-35-00-0-00-000	SCHLOTZHAUER KATHRYN L-TR	10502 S OUTER BELT RD	LONE JACK	MO	64070
56-800-04-28-00-0-00-000	CLARK PATRICIA A	38204 E CLINE RD	LONE JACK	MO	64070
56-800-04-29-00-0-00-000	OLIVER DAVID MICHAEL & MARCELLA ANN	38300 E CLINE R	LONE JACK	MO	64070
56-700-03-19-00-0-00-000	LEONARD DAVID N & SANDRA	10615 S OUTERBELT RD	OAK GROVE	MO	64075
56-800-04-25-00-0-00-000	ROUSH MARK P & HELEN A	10609 S MUNRO R	LONE JACK	MO	64070
56-700-03-21-00-0-00-000	LAPLANTE DENNIS D & OPAL M TR	10515 S F HWY	OAK GROVE	MO	64075
56-800-04-20-00-0-00-000	GOODMAN SHEILA D-TR	38301 E MUNRO RD	LONE JACK	MO	64070
57-200-01-10-00-0-00-000	HULL DAVID A & JANIS L	10802 S F HIGHWAY	LONE JACK	MO	64070
56-800-04-21-00-0-00-000	GOODMAN SHEILA D-TR	38301 E MUNRO RD	LONE JACK	MO	64070
56-800-04-22-00-0-00-000	EGNER ALEX M	10505 S MUNRO RD	LONE JACK	MO	64070
56-800-04-48-00-0-00-000	STREET LARRY E & SHARON L	10602 S OUTER BELT RD	OAK GROVE	MO	64075
56-800-04-18-00-0-00-000	MOBLEY LYNN E	10422 S OUTER BELT RD	OAK GROVE	MO	64075
57-100-02-02-00-0-00-000	DEBLASE FAMILY LLC	2131 W 116TH ST	LEAWOOD	KS	66211
56-700-03-18-00-0-00-000	TUTTLE JOSEPH E-TR	101601 S OUTER BELT	OAK GROVE	MO	64075
56-800-04-27-00-0-00-000	OLIVER DAVID MICHAEL & MARCELLA AN	38300 E CLINE RD	LONE JACK	MO	64070
56-800-04-30-00-0-00-000	BOTTEMULLER MICAH & CHLOE	38308 E CLINE R	LONE JACK	MO	64070
57-200-01-11-00-0-00-000	CHASTAIN DONALD K & MICHELLE J	38405 E CLINE RD	LONE JACK	MO	64070
56-800-04-40-01-3-00-000	ROMANCHUK STEVE & JUDY A	10308 MUNRO RD	LONE JACK	MO	64070
56-800-04-19-00-0-00-000	BADAMI BLAKE M	10418 S OUTER BELT RD	OAK GROVE	MO	64075
57-200-01-02-00-0-00-000	KACEE LAMB TRUST	11716 S OUTER BELT R	LONE JACK	MO	64070
56-800-04-47-00-0-00-000	CREED ROBERT K & LAURA DIANE	10518 S OUTER BELT RD	OAK GROVE	MO	64075
56-800-04-23-00-0-00-000	TITUS CALEB A	10521 S MUNRO RD	LONE JACK	MO	64070
56-800-04-31-03-0-00-000	SQUIRES ROBERT G & AMBER NICOLE	10504 S MUNRO R	LONE JACK	MO	64070
57-200-01-04-00-0-00-000	DRECKTRAH BRAD R & SHELLEY	1602 OAKRIDGE DR	OAK GROVE	MO	64075
56-800-04-36-00-0-00-000	SMITH CHRISTINE L	38410 E CLINE RD	LONE JACK	MO	64070



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

July 6, 2022

RE: Public Hearing: RZ-2022-632
Christine L Smith

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 Christine L Smith for a change of zoning from District AG (Agricultural) on 4.00 ± acres to District RR (Residential Ranchette). The 4.00 ± acres are located at 38410 E Cline 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, July 21, 2022, 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- 2022- 637

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: ANDERSON SURVEY COMPANY - ROBERT ANDERSON
Address: 1270 NE DELTA SCHOOL ROAD
LEE'S SUMMIT, MISSOURI 64064
Phone: (816) 246-5050
 - b. Owner(s) Name: CHRISTINE SMITH
Address: 38410 E CLINE ROAD, LONE JACK, MO 64070
Phone: (816) 405-2025
 - c. Agent(s) Name: _____

Address: _____

Phone: _____

d. Applicant's interest in Property: NONE

2. General location (Road Name) 38410 EAST CLINE ROAD

3. Present Zoning AG Requested Zoning RR

4. AREA (sq. ft. / acres) ~~19.2 ACRES~~ 5.00 +/-

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

SEE ATTACHED

6. Present Use of Property: Home owner / agriculture

7. Proposed Use of Property: Same - potential to sell house and 5 to my son

8. Proposed Time Schedule for Development: + build on the land
We don't have a set timeline to make any changes yet

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

No

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 Odessa

b. Sewage disposal Septic

c. Electricity West Central Electric

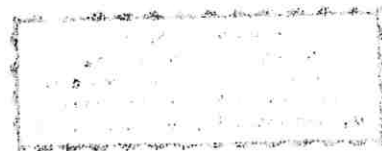
d. Fire and Police protection Sm Valley

12. Describe existing road width and condition: Asphalt/Chip n seal

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):



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)

Christine L. Smith

Date

6.22.22

Applicant(s):

Contract Purchaser(s):

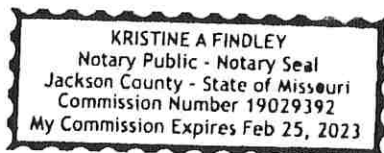
STATE OF Missouri
COUNTY OF Jackson

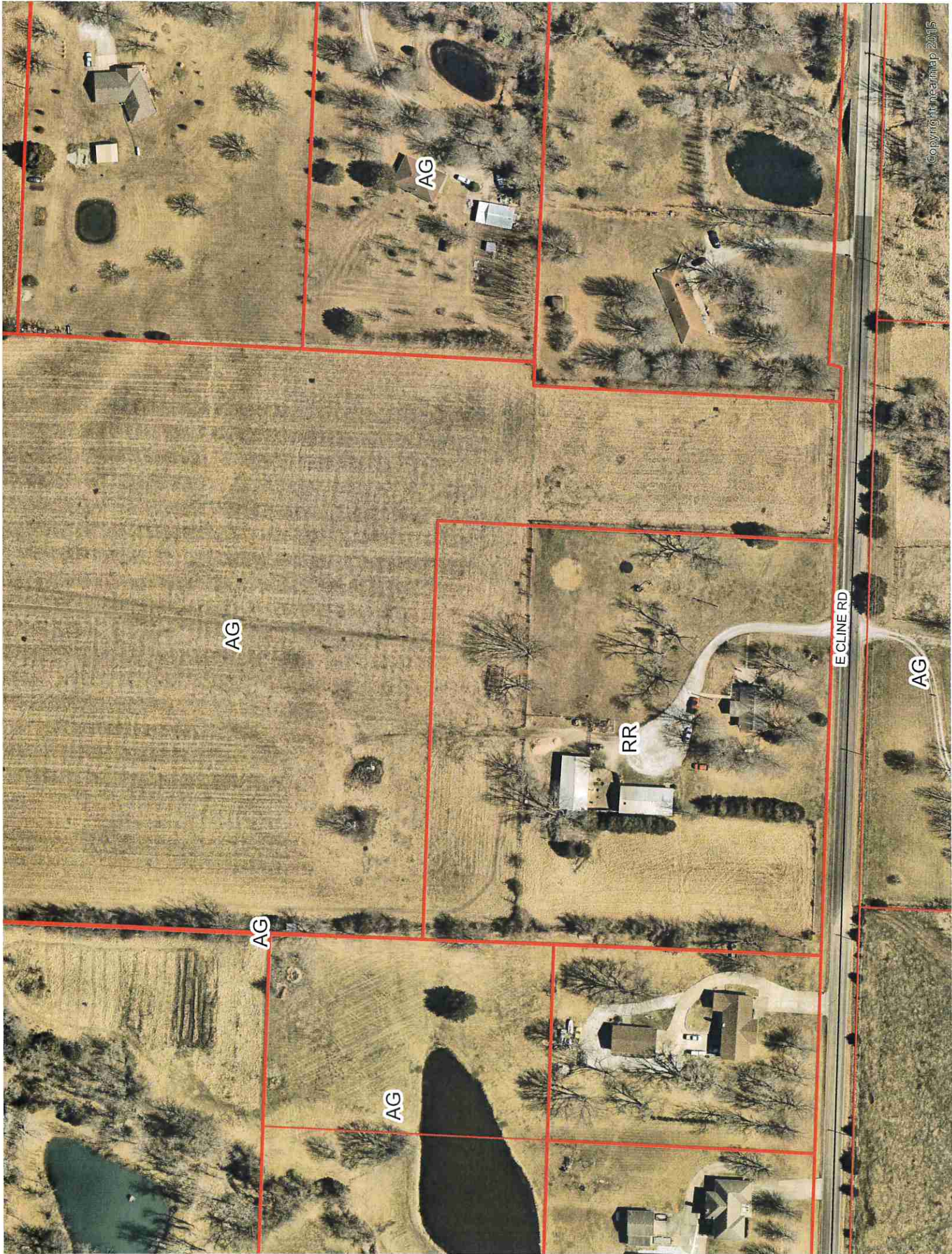
On this 23rd day of June, in the year of 2022, before me
the undersigned notary public, personally appeared Christine L. Smith

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 Kristine A. Findley Commission Expires Feb. 25, 2023





IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

AN ORDINANCE granting a conditional use permit in the AG (Agricultural) district for a period of five years to operate a wedding and event facility, subject to specified conditions, as to a 20.00± acre tract.

ORDINANCE NO. 5646, 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 five years to operate a wedding and event facility, as to an approximate 20.00± acre tract of land in the AG (Agricultural District), commonly known as 9401 S. Hardsaw Road, Jackson County, MO, legally described as follows:

The South 20 acres of the following described tract, to wit:

The South 53 acres of the West 70.80 acres of the East half of the Northwest Quarter of Section 25, Township 48, Range 30, Except a roadway of the east side, being more particularly described as follows, to wit: Beginning 2.32 chains west of the center of Section 25, Township 48, Range 30, and running thence West 17.67 chains; thence North 30 chains; thence East 17.67 chains; thence South 30 chains to the Place of Beginning, all in Jackson County, Missouri, except part in roads, if any.

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

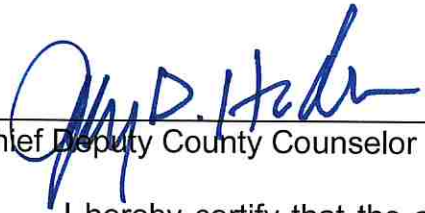
- 1) Hours of operation will be 10:00 am to 11:00 pm.
- 2) The number of guests is limited to 350 or number based on occupancy as determined by the building official.
- 3) Activities are restricted to the barn. Ceremonies may be conducted outdoors.
- 4) No overnight stay for travel trailers or recreational vehicles will be allowed.

Section 3. The Legislature, pursuant to the application of Joshua & Adriana Predmore

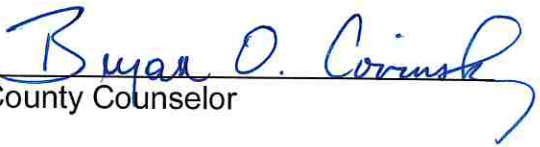
(CU-2022-239), requesting the approval embodied in this Ordinance and with notice that the Jackson County Plan Commission voted 7 to 2 to recommend DISAPPROVAL of this application in a public hearing on July 21, 2022, does adopt this Ordinance pursuant to the Jackson County Charter authorizing the Legislature 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. 5646 introduced on August 15, 2022, was duly passed on _____, 2022 by the Jackson County Legislature. The votes thereon were as follows:

Yeas _____

Nays _____

Abstaining _____

Absent _____

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

Date

Mary Jo Spino, Clerk of Legislature

I hereby approve the attached Ordinance No. 5646.

Date

Frank White, Jr., County Executive

Request for Legislative Action

Ordinance No.: 5646
Date: August 15, 2022

Completed by County Counselor's Office

Action Requested:	Ordinance	Res.Ord No.:	5646
Sponsor(s):		Legislature Meeting Date:	8/15/2022

Introduction

Action Items: ['Authorize']

Project/Title:

Joshua & Adriana Predmore - CU-2022-239

Request Summary

Requesting a Conditional Use Permit for a period of 5 years for an event facility on 20.00 ± acres within District AG (Agricultural) at 9401 S. Hardsaw Road.

Staff recommends approval with condistions 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 July 21, 2022, and accepted testimony pertaining to the rezoning request.

The Plan Commission voted 2 to 7 to recommend DISAPPROVAL to the County Legislature.

Contact Information

Department:	Public Works	Submitted Date:	8/2/2022
Name:	Randy D. Diehl	Email:	RDiehl@jacksongov.org
Title:	Development Division Administrator	Phone:	816-881-4457

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 8/2/2022. Comments: Land Use Scheuelded for August 22.

Approved by Department Approver Brian Gaddie on 8/4/2022 1:05:21 PM. Comments:

Not applicable by Purchasing Office Approver Barbara J. Casamento on 8/4/2022 2:12:18 PM. Comments:

Approved by Compliance Office Approver Katie M. Bartle on 8/5/2022 12:37:13 PM. Comments:

Not applicable by Budget Office Approver Mark Lang on 8/5/2022 4:26:36 PM. Comments:

Approved by Executive Office Approver Sylva Stevenson on 8/8/2022 9:31:49 AM. Comments:

Approved by Counselor's Office Approver Elizabeth Freeland on 8/10/2022 1:47:06 PM. Comments:

CU-2022-239

ATTACHMENT 1: PROPERTY DESCRIPTION

Description:

The South 20 acres of the following described tract, to wit:

The South 53 acres of the West 70.80 acres of the East half of the Northwest Quarter of Section 25, Township 48, Range 30, Except a roadway of the east side, being more particularly described as follows, to wit: Beginning 2.32 chains west of the center of Section 25, Township 48, Range 30, and running thence West 17.67 chains; thence North 30 chains; thence East 17.67 chains; thence South 30 chains to the Place of Beginning, all in Jackson County, Missouri, except part in roads, if any.

CU-2022-239

ATTACHMENT 2: ZONING SUPPORT DOCUMENTATION

Attachments

Plan Commission Public Hearing Summary from July 21, 2022

Staff Report

Zoning map of surrounding area

Names/Addresses of Surrounding Property Owners

Copy of letter to said property owners

Application

Site Plan

Aerial of Property

Proposed Plan for Events

Letter from Richard Vincent

Letter from Gary Jones II

CU-2022-239

ATTACHMENT 3: LIST OF CONDITIONS

Condition Use Permit for a period of 5 (five) years with the following Conditions:

1. Hours of operation will be 10:00 am to 11:00 pm.
2. The number of guests is limited to 350 or number based on occupancy as determined by the building official.
3. Activities are restricted to the building. Ceremonies may be conducted outdoors.
4. No overnight stay for travel trailers or recreational vehicles will be allowed.

Randy Diehl gave the staff report:

RE: CU-2022-239

Applicant: Joshua & Adriana Predmore

Location: 9401 S. Hardsaw Road

Area: 20.00 ± acres

Request: Conditional Use Permit for Event Venue

Current Land Use and Zoning in the Area:

The applicant is wishing to construct an event venue for weddings over weekends. One proposed plan would be to host wedding celebrations including rehearsals and cleanup that would run from Friday morning to Sunday morning.

They would cap events at 50 per year.

A second plan would be to host weddings on Saturdays as well as host weddings and corporate events throughout the week.

There would be a cap of 80 events per year.

Staff feels these types of uses (events center) should meet certain criteria:

Area for the facility should be a tract of land at least 10 acres in size.
The applicant has 20 acres.

The facility must be on a road classified no less than a Collector as to functionality.
Hardsaw Road is classified as a Collector.

Hard surface parking shall be provided for normal everyday business activity including the appropriate number of required ADA parking spaces.

No outside activities permitted other than wedding ceremonies.

Doors to remain closed during events.

No overnight stay for travel trailers or recreational vehicles.

A food handlers permit is not required as each client is responsible for their own catering needs.

Recommendation:

Staff recommends APPROVAL of CU-2022-239 for a period of 5 (five) years, provided the following conditions are met:

1. Hours of operation will be 10:00 am to 11:00 pm.
2. The number of guests is limited to 350 or number based on occupancy as determined by the building official.
3. Activities are restricted to the building. Ceremonies may be conducted outdoors.
4. No overnight stay for travel trailers or recreational vehicles will be allowed.

We basically mirrored the same conditions of the event center that was approved April 11, 2022.

Respectfully submitted,

Jackson County Public Works
Development Division
Randy Diehl, Administrator

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

Mr. Crawford: The hard surface for everyday business activity. Explain.

Mr. Diehl: It's not for the entire parking area. Ag zoning is exempt from certain paving requirements. They can use gravel or similar material. Around the building for staff and to meet ADA requirements. The appropriate number of spaces would be determined at construction plan review. The size of the building and occupancy will determine the number.

Mr. Antey: *Is the applicant here?*

Josh Predmore, 9401 S. Hardsaw Road, Lone Jack

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

Mr. Predmore: The current plan is 20 acres. We would install a separate driveway from the house to access the building. We would like to do Friday through Sunday. Friday for rehearsals, Saturday for the wedding and Sunday for cleanup. Staff is me, my wife and maybe one other person.

Ceremonies will be on the north side of the building. Stillhouse Farms is about 2 miles from here. Lone Summit Ranch is on 50 Highway just east of 7 Highway. We're not wanting to interfere with their market. We are trying to keep it more boutique type venue.

Mr. Tarpley: What will be the size of the new building?

Mr. Predmore: Around 5,000 square feet for about 200 to 250 people.

Mr. Lake: Would you have other events other than weddings?

Mr. Predmore: We are not exclusive to weddings.

Mr. Akins: On the drawing there's labeled "property line".

Mr. Diehl: The applicant was originally going to place the facility on 10 acres, but decided to go with the full 20 acres. That shows the division between the two 10 acres pieces.

Mr. Hilliard: With the gravel parking will there be a problem with dust?

Mr. Predmore: We don't foresee there being a problem. Traffic will be pretty slow.

Mr. Hilliard: How will alcohol be handled?

Mr. Predmore: We haven't applied for a liquor license yet. We would have our own bartender.

Mr. Johnson: Looks like you could make your own.

Mr. Predmore: In the future we may have a vineyard to help offset costs.

Mr. Hilliard: So, what if they want to bring their own alcohol?

Mr. Predmore: That would be okay, but it would still fall under our guidelines.

Mr. Crawford: The Conditional Use Permit runs with the land, correct?

Mr. Diehl: Yes. If the property sells, it transfers to the new owner.

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?*

Richard Vincent, 9507 S. Hardsaw Road, Lone Jack.

(Mr. Vincent's Testimony is attached)

Mr. Antey: Can you show us on the map where you live.

Mr. Vincent: Here to the south. My master bedroom is on the north side of the house.

Mr. Tarpley: How far is the other place (Stillhouse Farms) from you?

Mr. Diehl: As a crow flies, about a mile and a half. Driving it's about 2 a half miles.

Mr. Lake: How long have you lived out there?

Mr. Vincent: My grandparents built the home in the early 1970's. I purchased from them in 2016.

Gary Jones, 34308 E. Colbern Road.

(Mr. Jones's Testimony is attached is attached)

Mr. Lake: How long have you lived out there?

Mr. Jones: A little over 5 years.

Mr. Lake: I live out there. Hardsaw Road is narrow.

Mr. Predmore recalled.

Mr. Lake: I get what these people are saying.

Motion to take under advisement.

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

Discussion under advisement

Mr. Akins moved to approve. Mr. Crawford seconded.

Mr. Akins	Disapprove
Mr. Tarpley	Approve
Mr. Johnson	Disapprove
Mr. Crawford	Disapprove
Mr. Hilliard	Disapprove
Ms. Ryerkerk	Disapprove
Mr. Farrar	Disapprove
Mr. Lake	Disapprove
Chairman Antey	Approve

Disapproved - Motion Carried 2 – 7

STAFF REPORT

PLAN COMMISSION

July 21, 2022

RE: CU-2022-239

Applicant: Joshua & Adriana Predmore

Location: 9401 S. Hardsaw Road

Area: 20.00 ± acres

Request: Conditional Use Permit for Event Venue

Current Land Use and Zoning in the Area:

The applicant is wishing to construct an event venue for weddings over weekends. One proposed plan would be to host wedding celebrations including rehearsals and cleanup that would run from Friday morning to Sunday morning.

They would cap events at 50 per year.

A second plan would be to host weddings on Saturdays as well as host weddings and corporate events throughout the week.

There would be a cap of 80 events per year.

Staff feels these types of uses (events center) should meet certain criteria:

Area for the facility should be a tract of land at least 10 acres in size.
The applicant has 20 acres.

The facility must be on a road classified no less than a Collector as to functionality.
Hardsaw Road is classified as a Collector.

Hard surface parking shall be provided for normal everyday business activity including the appropriate number of required ADA parking spaces.

No outside activities permitted other than wedding ceremonies.

Doors to remain closed during events.

No overnight stay for travel trailers or recreational vehicles.

A food handlers permit is not required as each client is responsible for their own catering needs.

Recommendation:

Staff recommends APPROVAL of CU-2022-239 for a period of 5 (five) years, provided the following conditions are met:

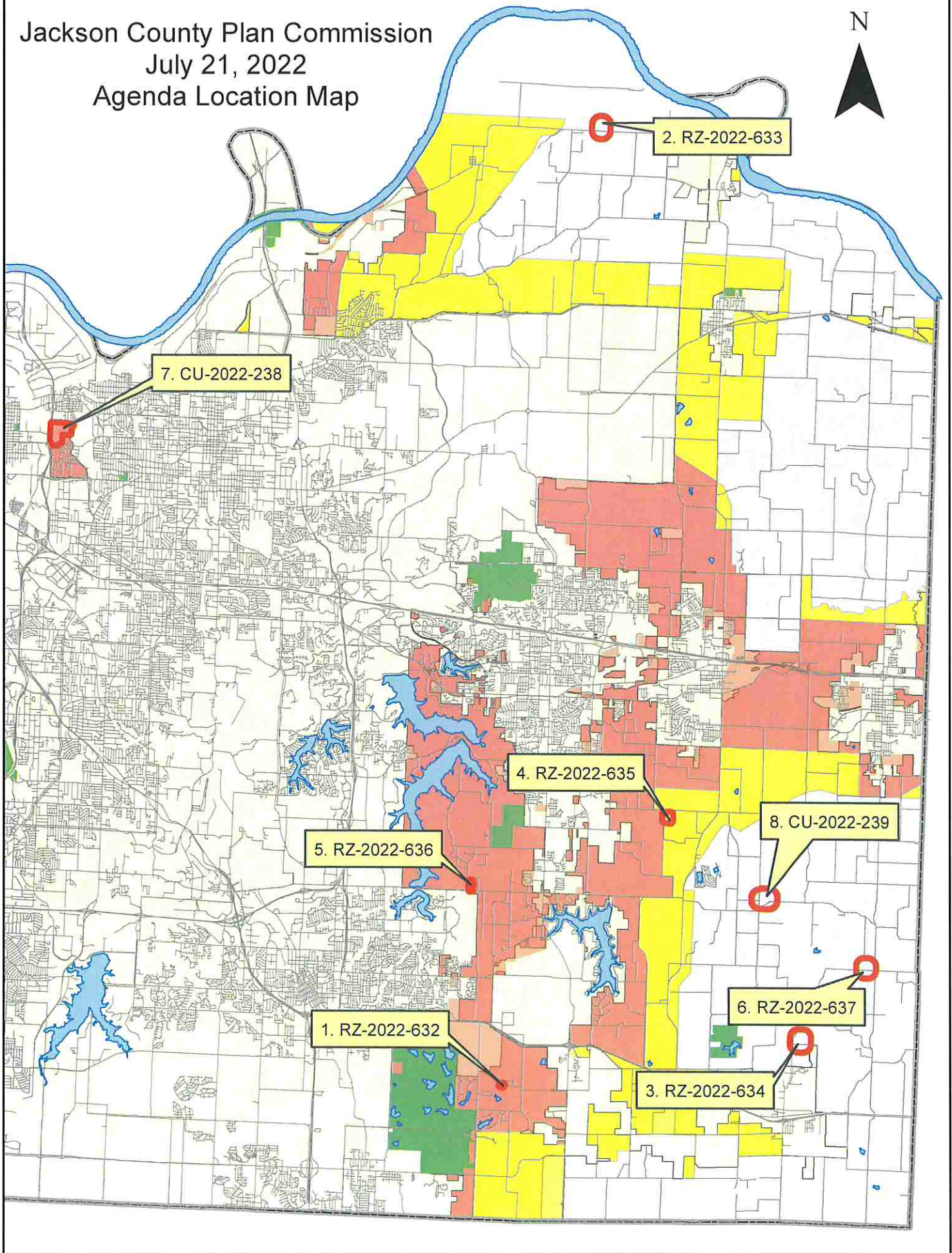
1. Hours of operation will be 10:00 am to 11:00 pm.
2. The number of guests is limited to 350 or number based on occupancy as determined by the building official.
3. Activities are restricted to the building. Ceremonies may be conducted outdoors.
4. No overnight stay for travel trailers or recreational vehicles will be allowed.

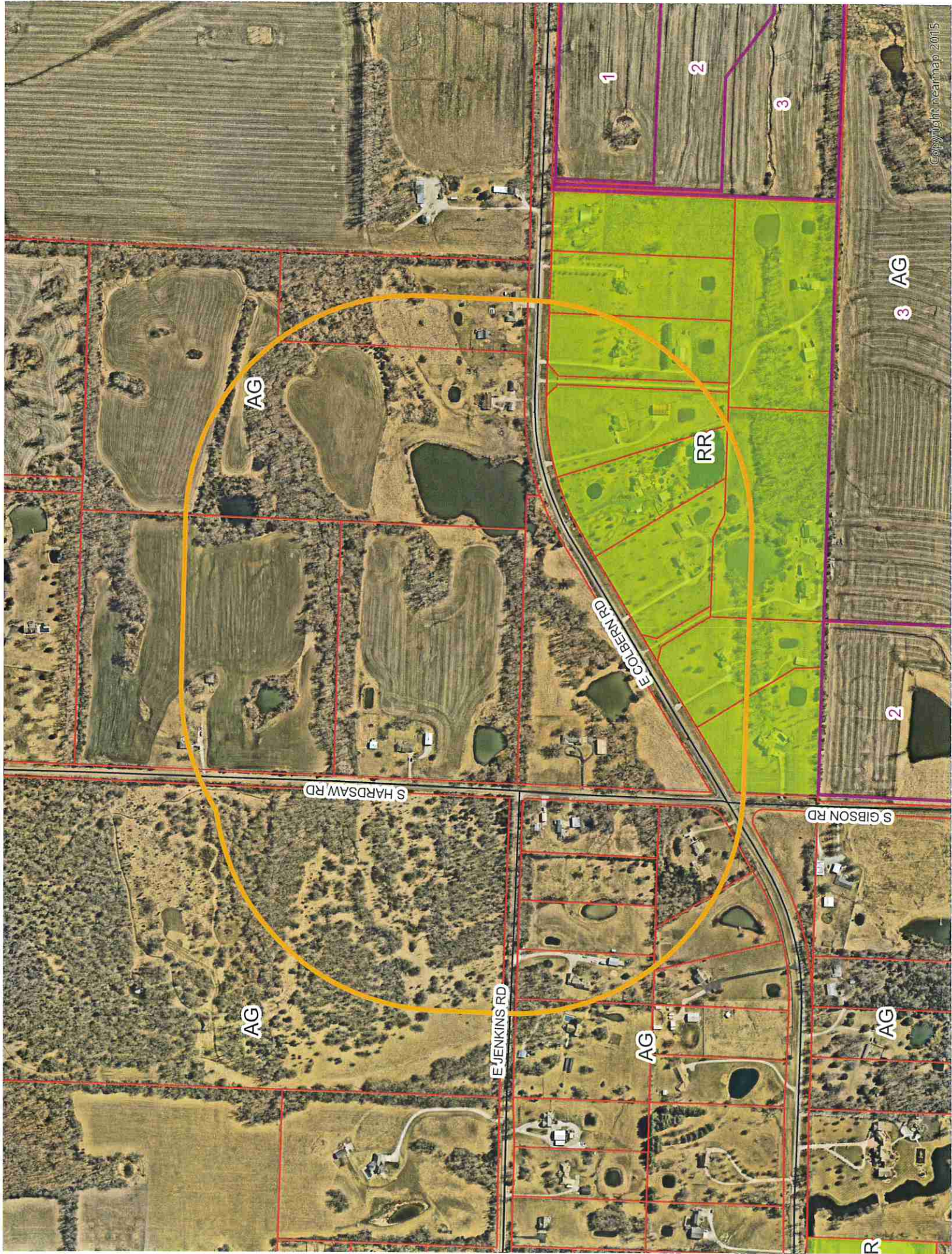
Respectfully submitted,

Jackson County Public Works
Development Division
Randy Diehl, Administrator

Jackson County Plan Commission
July 21, 2022
Agenda Location Map

N





Plan Commission July 21, 2022

CU-2022-239

Property Owners Within 1000 feet

Parcel	owner	address	city	state	zip
55-600-02-02-00-0-00-000	DEVANEY MICHAEL J & SUSAN A TR	7535 E SPIVA CROSSING RD	HALLSVILLE	MO	65255
55-600-03-11-00-0-00-000	WILCOX JIMMIE D & MARY F	O BOX 224	GRAIN VALLEY	MO	64029
55-600-01-03-00-0-00-000	RENDE JACQUELINE TRUST	320 E RANCHO DR	HENDERSON	NV	89015
55-600-03-19-00-0-00-000	HAMILTON ROGER N & BONNIE S	34110 E COLBERN RD	LONE JACK	MO	64070
55-600-03-20-00-0-00-000	JONES GARY & GWENDOLYNN	34308 E COLBERN RD	LONE JACK	MO	64070
55-600-03-13-00-0-00-000	WILCOX JIMMIE D & MARY F	O BOX 224	GRAIN VALLEY	MO	64029
55-600-03-01-00-0-00-000	VINCENT RICHARD ALLEN III	9507 S HARDSAW RD	LONE JACK	MO	64070
55-600-03-10-00-0-00-000	SKINNER BRADLEY O & KELLY K	9504 S HARDSAW RD	LONE JACK	MO	64070
55-600-02-03-00-0-00-000	RENDE TONY	PO BOX 1771	LEES SUMMIT	MO	64063
55-600-03-12-00-0-00-000	LUCHTEL REX & MARY ANN-TR	10320 S PERDUE RD	GRAIN VALLEY	MO	64029
55-600-03-26-00-0-00-000	WHITE PAUL F & LISA L	34101 E JENKINS RD	LONE JACK	MO	64070
55-600-01-04-00-0-00-000	QUEEN LAGENA	35004 E COLBERN RD	LONE JACK	MO	64070
55-600-03-25-00-0-00-000	CHILDERS BRADLEY W & KENDA A	9611 S GIBSON RD	LONE JACK	MO	64070
55-600-03-24-00-0-00-000	GRAVES THOMAS M & CHERYL R	34601 E COLBERN RD	LONE JACK	MO	64070
55-600-03-23-00-0-00-000	SWEENEY BENJAMIN J	34607 E COLBERN Rd	LONE JACK	MO	64070
55-600-03-22-00-0-00-000	CAMPBELL RONALD L & DEBORAH D	34703 E COLBERN RD	LONE JACK	MO	64070
55-600-04-05-01-2-00-000	SWEENEY BENJAMIN J	34607 E COLBERN Rd	LONE JACK	MO	64070
55-600-04-09-00-0-00-000	CARTER KARL D & DARALENE G	34915 E COLBERN RD	LONE JACK	MO	64070
55-600-04-08-00-0-00-000	CARTER KEITH DOUGLAS & DANA	34915 E COLBERN RD	LONE JACK	MO	64070
55-600-04-11-00-0-00-000	MCKENZIE ROBERT C	34805 E COLBERN RD	LONE JACK	MO	64070
55-600-04-10-00-0-00-000	STAHL MICHAEL A & TERRI K-TR	34909 E COLBERN RD	LONE JACK	MO	64070
55-600-02-04-00-0-00-000	PREDMORE ADRIANA & JOSH	9401 S HARDSAW RD	LONE JACK	MO	64070



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

July 6, 2022

RE: Public Hearing: RZ-2022-239
Adriana & Josh Predmore

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 Adriana & Josh Predmore for a Conditional Use Permit for a period of 5 years for an event facility on 20.00 ± acres at 9401 S. Hardsaw 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, July 21, 2022, 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,

A handwritten signature in blue ink, appearing to read "Randy Diehl", is written over a horizontal line.

Jackson County Public Works
Development Division
Randy Diehl, Administrator

Frank White, Jr., County Executive

JACKSON COUNTY, MISSOURI
CONDITIONAL USE PERMIT APPLICATION

APPLICANT INFORMATION:

1. Application must be filed with the Jackson County Planning and Development Division, 303 W. Walnut, Independence, MO 64050 by the deadline on the Plan Commission Calendar.
 2. Application must be typed or printed in a legible manner.
 3. A scaled map of the property, correlating with the legal description, and clearly showing the property's location must accompany application. Refer to Section 24003.22, pertaining to Site Plan Review within the Unified Development Code.
 4. 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.
 5. The filing fee \$350.00 (non-refundable) must accompany application.
(Check payable to: Manager of Finance)
-

TO BE COMPLETED BY OFFICE PERSONNEL ONLY:

Conditional Use Permit Number CU- 2022 239

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: Adriana & Joshua Predmore
Address: 9401 S. Hardsaw Rd.
Lone Jack, MO 64070
Phone: 303-909-6023
 - b. Owner(s) Name: Adriana & Joshua Predmore
Address: 9401 S. Hardsaw Rd., Lone Jack, MO 64070
Phone: 303-909-6023
 - c. Agent(s) Name: Adriana & Joshua Predmore

Address: 9401 S. Hardsaw Rd.

Lone Jack, MO 64070

Phone: 303-909-6023

d. Applicant's interest in Property: Build an event venue

2. A CONDITIONAL USE PERMIT IS HEREBY REQUESTED for the following described use: event venue for

a period of 10+ years; property described as follows: a tract of land 30 ACRES square feet/acres
in size located at 9401 S. Hardsaw Rd., Lone Jack, MO 64070 ~~Road.~~

Present Zoning District Agricultural District

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

SEC 25 TWNSHP 48 RNG 30; TH S 20 AC OF FOL DESC TR,

TH S 53 AC OF W 70.80 AC; OFTH E1/2 OF NW 1/4 SEC 25

(EX RDWY ON TH W SIDE) (Parcel #55-600-02-04-00-0-00-000)

4. Present Use of Property: Agricultural Homesite

5. Proposed Use of Property: Event space and associated improvements (parking lot).

6. Estimated Time Schedule for Development: 10-14 months

7. What effect will your proposed development have on the surrounding properties?
None.
8. 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? N/A
9. Describe the source/method which provides the following services, and what effect the development will have on same:
- a. Water PWSD #17
 - b. Sewage disposal Option #1: Septic (Pending soil testing) / Option #2: Lagoon
 - c. Electricity Evergy
 - d. Heating Electric system: Evergy
 - e. Fire and Police protection Same as currently provided
10. Describe existing road width and condition: Hardsaw Rd is currently a two lane asphalt paved road located roughly 1.9 miles east of Buckner Tarsney Rd coming off of E. Colbern Rd. Existing width is 20'.
11. What effect will proposed development have on existing road and traffic conditions? Hardsaw Rd is currently exposed to seasonal agricultural traffic and heavy loads. With the construction of an event space, traffic will only increase personal vehicles minimally and it would during isolated timeframes.
12. 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): N/A

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)

Joshua C. Predmore
Adriana Predmore

5/3/22

5/3/22

Applicant(s):

Joshua C. Predmore
Adriana Predmore

5/3/22

5/3/22

Contract Purchaser(s):

STATE OF Missouri

COUNTY OF Jackson

On this 8th day of July, in the year of 2022, before me
the undersigned notary public, personally appeared Joshua Predmore

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.

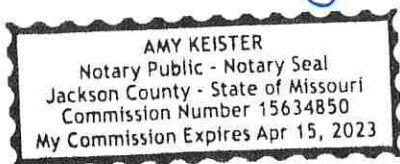
In witness whereof, I hereunto set my hand and official seal.

Notary Public

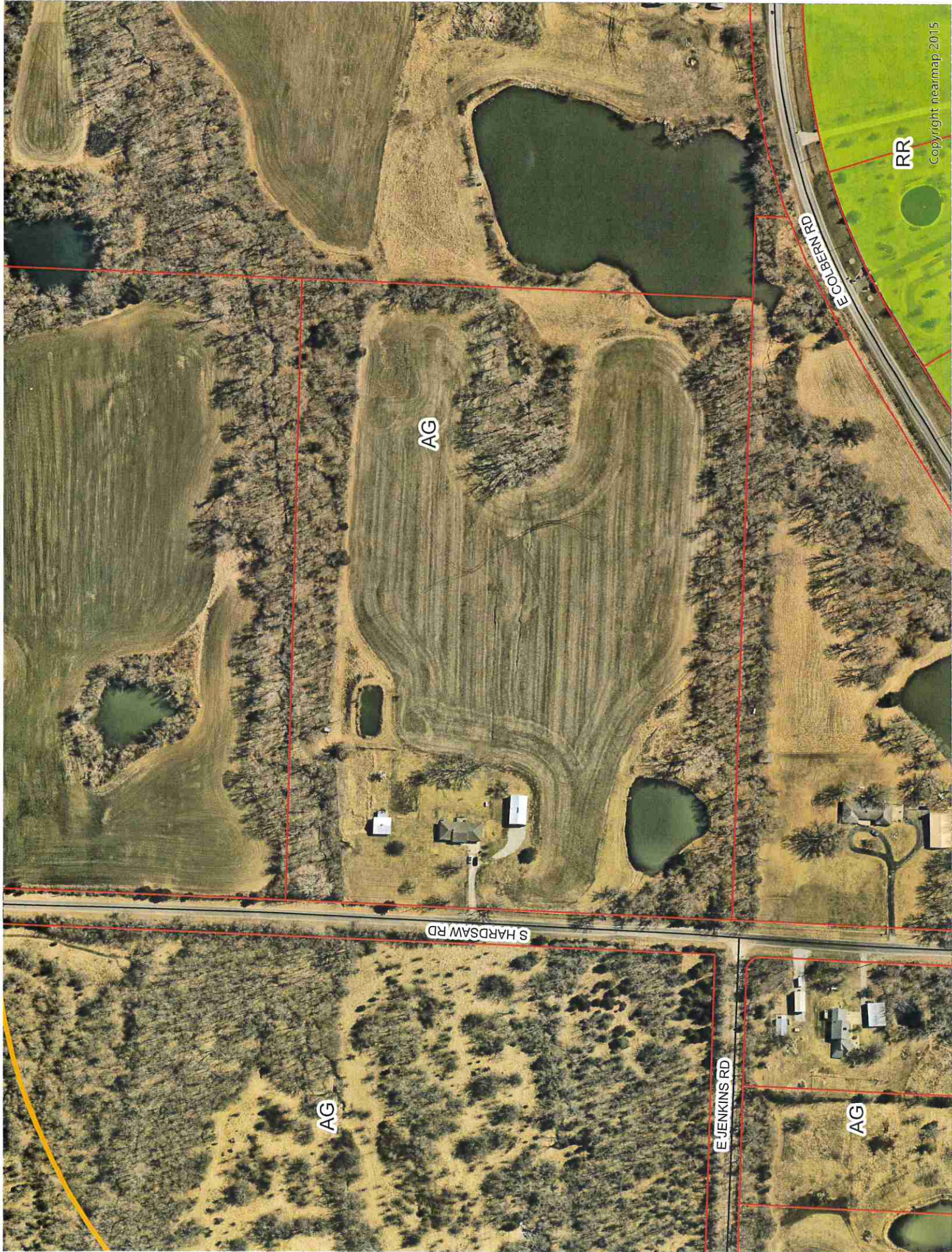
Amy Keister

Commission Expires

April 15, 2023







From: Joshua.Predmore
Sent: Thursday, June 23, 2022 8:30 AM
To: Randy D. Diehl
Subject: EXTERNAL Predmore - Conditional Use Permit

WARNING: This email originated outside of Jackson County.
DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Randy,

Sorry I'm just now getting this to you, but I think it should be pretty straight forward. Below you'll see a basic plan of what we anticipate to operate under, but we are also open to some suggestions if the committee has opinions.

Plan 1:

The primary events will be wedding celebrations hosted on Saturdays only. Clients will receive exclusive access to the venue at 9 am on Friday and ending at 10 am on Sunday allowing an area for rehearsal dinners (Friday night), decorating (Saturday morning), and clean-up (Sunday morning). This feels like the perfect balance of property utilization and minimizing excessive amounts of traffic. It also helps provide a more stress-free event and allow showings and maintenance to be accomplished throughout the week. We anticipate hosting 30 events in the first year which is roughly 50% utilization, and we feel as though this is extremely conservative. At full operating expense for a 12 months period, we would only need 11 scheduled events to break even. For year two we plan to increase our number of events to 40 which is a 30% increase. Years three and four would see an additional five events per year and we would cap at 50 events per year assuming holidays or cancellations will take the remaining two weekends.

Year	1	2	3	4	5
#of Events	30	40	45	50	50
Utilization	58%	77%	87%	96%	96%

Utilization is based on 52 weekends available per year.

Plan 2:

The primary events will be wedding celebrations hosted on Saturdays; however we would also host weddings and corporate events throughout the week. Clients will receive exclusive access to the venue at 9 am on the day of the event and ending at 11 pm that same day (14 hour rental). Events would be much more affordable; however, it would obviously increase the number of events at the facility. With this plan, again we anticipate hosting 30 events (all Saturdays) in the first year and increasing to 50 events the second year. Year three would see an additional fifteen events (65 total) and we would hold that number for year four. At year five we would look to again increase our number of events by fifteen to a total of 80 and we would look to hold that number moving forward. Again, we feel this is an extremely conservative outlook.

Year	1	2	3	4	5
#of Events	30	50	65	65	80
Utilization	19%	32%	42%	42%	51%

Utilization is based on 52 each Fridays, Saturdays and Sundays available per year.

I hope this helps answer some questions or address any concerns you might have. Please feel free to give me a call to discuss further if needed.

Stay safe,



Josh Predmore

EPC Sponsor

KIEWIT POWER DELIVERY

8900 Renner Boulevard, Lenexa, KS 66219

303-909-6023 Cell

kiewit.com

Good Morning!

My name is Richard Vincent and I live at 9507 S. Hardsaw Rd. in Lone Jack, Missouri.

When I first heard of the possibility of an event space next door, admittedly I was hesitant. While I undoubtedly have personal ties to the area, today I want to focus on some facts instead of emotions. After reviewing the *Jackson County Unified Development Code* and the permit application in detail, I have some legitimate concerns I would like to bring to your attention. In the interest of time, I am only going to touch on the most important concerns today.

Prompt number two on the application identifies the described use of the proposed development as an "event venue." Section 24004.2 part C of the UDC lists 23 recognized conditional uses, none of which are consistent with an "event venue."

- While each application is subject to individual review, they must meet the appropriateness of the use at a particular location within a given zoning district per Section 24003.21 part A of the UDC. I will expand upon some of these use cases and specifically why I don't think they are appropriate today.

Prompt number nine asks the applicants to describe the source and/or method which provides certain services and what effect the development will have on same. Subsection "E" specifically inquires about fire and police protection. The applicant's response was "Same as currently provided."

- Section 24006.2 of the UDC states the All proposed development shall be connected to a public water system providing adequate supplies for normal usage and **emergency** needs. Exhibit 240.19 requires a 4 inch diameter line providing at least 500 gallons per minute flow with a minimum distance of 2400 feet from the approved emergency water supply to structure. The suggested venue does not comply with this requirement.

Question 11 asks "What effect will proposed development have on existing road and traffic conditions?" Mr. and Mrs. Predmore fail to acknowledge the complete impact traffic will have on Hardsaw Road.

- Section 24003.21 of the UDC notes that as a result of this hearing, the conditional use permit may be granted **IF** the proposed use meets a variety of conditions, including: *The proposed use does not generate pedestrian and vehicular traffic which will be hazardous to the existing and anticipated traffic in the neighborhood (section E).*
- The epitome of this business venture is generating traffic to an otherwise secluded area multiple times per week.
- For a bit of background, there are approximately 32 houses in the nearly 2.2 mile stretch of South Hardsaw Road that runs between Nebgen Road and Colbern Road. Based on 2020 Census data, the average persons per household in Lone Jack, MO is 3.2. Taking both of those numbers into consideration, we can

estimate that approximately 102 people live on South Hardsaw Road. The application does not make reference to capacity of the venue, however the recommendation proposes the number of guests limited to 350 or a different number based on occupancy as determined by the building official. This is well over three times the entire population of the road that encompasses the proposed venue, and Mr. and Mrs. Predmore anticipate congregating this many people on a single 20 acre plot of land up to 80 times per year.

Last but not least, I would like to draw your attention back a bit to question number 7 on the application. Question seven asks "What effect will your proposed development have on the surrounding properties?" The answer given by Mr. and Mrs. Predmore is simply, "None."

- Every single action has a reaction, and to assume that the impact of building a commercial venue is simply "None" is, frankly, extremely worrisome.
- Not only do the applicants fail to identify and take responsibility for any impacts whatsoever, they also do not attempt to mitigate any impacts in good faith
- Besides concerns of traffic and safety as mentioned previously, some additional impacts that will come along with this proposal are:
 - Increased noise levels
 - Decreased property value
 - Loss of privacy
- Mr. and Mrs. Predmore have only lived in their residence for a little over a year, so it is not surprising that they may not be familiar with the values of the area
- People move to areas like the very one in discussion today to escape from the hustle and bustle, and to enjoy life in a quiet rural setting
- Taking away key benefits like the ones discussed today leave little to no incentive for people to stay and nurture the land they call home
- This application demonstrates a complete lack of thought, lack of awareness, and lack of respect for the community
- To disrupt the lives of people in the unincorporated area of Jackson County for the sole purpose of personal financial gain is disappointing and wrong
- I will again reference Section 24003.21 of the UDC which says that as a result of this hearing, the conditional use permit may be granted IF the proposal meets a variety of conditions including the following from Section D:
 - *The proposed use is compatible with and preserves the character and integrity of adjacent development and neighborhoods and includes improvements or modifications either on-site or within the public rights-of-way to mitigate development related adverse impacts, such as traffic, noise, odors, visual nuisances, or other similar adverse effects to adjacent development and neighborhoods.*

I know I had a lot to say today, so I appreciate you bearing with me. I wanted to close with an abbreviated version of the purpose of the UDC as it is stated in Section 24001.3. as it is why we are all here today.

*The land development regulations herein established have been made ... for the purpose of promoting the **health, safety, comfort, convenience, morals and general welfare of the unincorporated area of Jackson County**. They have been designed to **lessen congestion in the streets; to secure safety from fire, panic and other dangers...to prevent the overcrowding of land; to avoid undue concentration of population...**They have been made with reasonable considerations...of the character of the district and its peculiar suitability for the particular uses and with a view of **conserving and stabilizing the value of property** and encouraging the most appropriate use of land throughout the community.*

While the proposed venue is certainly convenient for Mr. and Mrs. Predmore, it comes at the expense of the rest of the community.

Also, because Stillhouse Farms was brought up in the discussion today I wanted to briefly touch on that for a moment. If you aren't familiar, Stillhouse Farms is an event space in Oak Grove, MO. Based on my speech today, you may think I am anti-event venue, but my wife and I actually got married at Stillhouse Farms about three years ago, and I still help out from time to time. However, I am not affiliated with Stillhouse Farms and I believe that each application should be reviewed and handled independently based on its own merits and impacts on the area in which it wishes to operate. In the spirit of transparency, I wanted to explain one of the reasons why Stillhouse Farms, and other venues of interest, differ from this proposed venue.

- Stillhouse Farms sits on over 150 acres, which is 7.5 times more land than the proposed event space being voted on today. Stillhouse Farms also has 8 different outdoor ceremony sites, which helps disperse guests across a larger area and away from surrounding properties. This helps lessen any impacts such as noise and overcrowding of land.
- Similarly, the diagram of the proposed venue submitted by the applicants includes a direct aerial screenshot of a venue in Aubrey, TX called Bella Cavalli Events copied and pasted onto Mr. and Mrs. Predmore's land. The actual Bella Cavalli Events is situated on 130 acres, which is 6.5 times more land than the proposed event space.

With that, I ask you to please strongly consider voting against approving this permit. Thank you all for your time and consideration.

7-21-22

To: Jackson County Plan Commission

From: Gary Jones II

Resident at 34308 E. Colbern Rd., Lone Jack, MO 64070 (NW Corner of Colbern & Hardsaw Rd.)

To: Jackson County Plan Commission

In regard to a Conditional Use Permit for an event facility at 9401 S. Hardsaw Road, I respectfully request that the Plan Commission deny this permit for the following reasons:

1. **Safety Concerns:** If alcohol sales and/or drinking is permitted for events for up to 350 people, I have serious concerns about the behavior of the attendees at the event. Especially as it relates to driving after the event. If drinking is allowed, it becomes equivalent to living near a large Bar with its associated risks. This may also increase home owners insurance for all nearby residents.
2. **Maintenance Concerns:** Hardsaw Road is one of the worst maintained roads in the County already. The added traffic will no doubt add to the pot holes, the need for repairs and trash cleanup in the ditches of surrounding properties that comes with increased traffic.
3. **Excessive Noise Concerns:** Events with loud speeches or music disrupts the peace for all the neighbors and wildlife nearby.

I moved my family to an area with a few acres in order to enjoy the safety and peace and quiet that comes from a less densely populated area. We enjoy watching deer in our back yard. If we have an event venue nearby with the increased traffic and noise, the safety and tranquility we enjoy now will be greatly diminished as will the abundance of wildlife.

Thank you for your consideration of my family's concerns.

Sincerely,

Gary Jones II

A handwritten signature in black ink, appearing to read "Gary Jones II", written over a horizontal line.

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 _____, 2022 by the Jackson County Legislature. The votes thereon were as follows:

Yeas _____

Nays _____

Abstaining _____

Absent _____

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

Date

Mary Jo Spino, Clerk of Legislature

I hereby approve the attached Ordinance No. 5647.

Date

Frank White, Jr., County Executive

Request for Legislative Action

Ord. #5647

Date: August 15, 2022

Completed by County Counselor's Office

Action Requested:	Ordinance	Res.Ord No.:	5647
Sponsor(s):		Legislature Meeting Date:	8/15/2022

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

Kevin Ash - CU-2022-238

Request Summary

Requesting a Conditional Use Permit for a period of 15 years in District HI (Heavy Industrial) for earthwork and mining reclamation on 89.44 ± acres at 8400 E. Truman 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 July 21, 2022, and accepted testimony pertaining to the rezoning request.

The Plan Commission voted 9 to 0 to recommend APPROVAL to the County Legislature.

Contact Information

Department:	Public Works	Submitted Date:	8/2/2022
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 8/2/2022. Comments: Land Use Scheduled for August 22.

Approved by Department Approver Brian Gaddie on 8/3/2022 4:18:00 PM. Comments:

Not applicable by Purchasing Office Approver Barbara J. Casamento on 8/3/2022 4:26:37 PM. Comments:

Approved by Compliance Office Approver Katie M. Bartle on 8/3/2022 4:46:12 PM. Comments:

Not applicable by Budget Office Approver Mark Lang on 8/4/2022 2:00:55 PM. Comments:

Approved by Executive Office Approver Sylva Stevenson on 8/4/2022 4:33:50 PM. Comments:

Approved by Counselor's Office Approver Elizabeth Freeland on 8/10/2022 1:45:59 PM. Comments:

ATTACHMENT 1: PROPERTY DESCRIPTION

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.

CU-2022-238

ATTACHMENT 2: ZONING SUPPORT DOCUMENTATION

Attachments

Plan Commission Public Hearing Summary from July 21, 2022
Staff Report
Zoning map of surrounding area
Names/Addresses of Surrounding Property Owners
Copy of letter to said property owners
Application
Letter from Austin Powder
Opinion from County Counselor's Office
Aerial of Property
Mining Permit form State of Missouri
Generalized Phasing Plan
Illustrations showing concept plan and subsurface pillars

CU-2022-238

ATTACHMENT 3: LIST OF CONDITIONS

Condition Use Permit for a period of 15 (fifteen) years with the following Conditions:

1. Blasting operations shall be governed by the
 Missouri 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.

Randy Diehl gave the staff report:

RE: CU-2022-238

Applicant: Kevin Ash

Location: 8400 E. Truman Road

Area: 89.44 ± acres

Request: Conditional Use Permit for earthwork and mining reclamation

Comments:

The applicant is wishing to develop the land. To prepare the land for development the existing undermined area will need to be collapsed and the material removed. The land is undevelopable due to the unsafe conditions within the mined-out areas.

Plans are to remove the layer dirt, then remove the upper layer of rock to bring it down to the level of the highway. There are no plans for any additional subsurface mining. The rock will be crushed before moving it offsite.

There will be some blasting required, at least once a day and every 2 to 3 days as required. The County's blasting regulations are subject to the State of Missouri's Blasting Safety Act. The State's 2007 Safety Act as adopted states that no city or county may exceed or conflict with the provisions in the Act.

The reclamation will take 15 years and will be conducted in three phases. Each phase will reclaim around 30 acres at a time and take approximately 5 years. The applicant has a permit issued from the Missouri Mining Commission for first 33 acres subject to 444.760 Rsmo, Land Reclamation Act.

Dust will be handled by watering.

Recommendation:

Staff recommends APPROVAL of CU-2022-238 for a period of 15 (fifteen) years, provided the following conditions are met:

1. Blasting operations shall be governed by the Missouri 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.

Respectfully submitted,

Jackson County Public Works
Development Division
Randy Diehl, Administrator

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

Mr. Tarpley: Where is this exactly?

Mr. Diehl: This is in Blue Summit, an unincorporated pocket between Kansas City and Independence.

Mr. Tarpley: Do we know how long ago this was in operation?

Mr. Diehl: We could not find anything relating to the former operation in our archived files. The subsurface was mined out and the applicant wants to develop this, however, do to the unsafe conditions of the surface, this is the only way to be able to develop the property.

Mr. Tarpley: What was the mine used for?

Mr. Crawford: More than likely for the limestone. My concern is the watering. Will the crusher be enclosed?

Mr. Diehl: The applicant touched on that at the meeting regarding the rezoning.

Mr. Lake: In the packet there is a diagram with an L-shaped illustration. What is that showing.

Mr. Diehl: That shows the blasting limits as set forth in the County Code. The State regulations differ from the County's. That was an illustration showing the setbacks and the area that could be reclaimed under the County Codes. It has been determined that the setbacks are determined by the State.

Mr., Tarpley: how long has it been shut down?

Mr. Diehl: In the 30 years I've been here, it has been closed.

Mr. Hilliard: Can you show where this will be?

Mr. Diehl: The picture with the blue rings basically is showing roughly what the 30 acres would be. This isn't necessarily their actual plan, it's just for illustration purposes.

Mr. Lake: There is a lot of vegetation on the north side. Will the setbacks be 100 feet from there?

Mr. Diehl: The shaded area on the map is the City of Kansas City. There is still a fair amount of buffer from the property line. I was wondering the vegetation should help with the dust.

Mr. Crawford: Can they harvest the rock without a Use Permit?

Mr. Diehl: They will need the Conditional Use Permit from the County. They already have the permit from the State. The Heavy Industrial Zoning is pending.

Mr. Akins: What about damage to adjacent homes from the blasting?

Mr. Diehl: I believe the applicant will address that.

Mr. Antey: There will be monitoring There is a lot a blasting around Laker Lotawana with no concerns.

Ms. Ryerkirk: What is the distance of the tree line on the north side?

Mr. Diehl: It's about 200 feet wide.

Ms. Ryerkirk: what does exhibit 3 represent?

Mr. Diehl: That is a layout of the pillars in the subsurface area.

Mr. Hilliard: The Development to the north is in which city?

Mr. Diehl: That is in Kansas City.

Mr. Antey: *Is the applicant here?*

Kevin Ash: 1101 Seymour Road, Grain Valley.

David Halpin: 300 S Liberty, Independence, MO. I'm the attorney for Mr. Ash.

Mr. Ash: Randy's right. We would start here (indicating on map) which is Phase 1. We are bonded with the State for this phase, which we have a permit for. We would then carry on through Phases 2 and 3. The reason we are starting here is we need to gain access to the (Truman) Road. On the north side there is about 200 feet from the property line. There difference in elevation is about 100 feet. We'll be a lot lower than the houses plus the trees will provide a buffer. We are going to remove the over burden first and then work to the reclamation.

Mr. Johnson: Will you demo the building?

Mr. Ash: No, it will stay for now.

Mr. Hilliard: The traffic will exit Truman Road?

Mr. Ash: Yes, there is an existing entrance.

Mr. Crawford: I asked previously about the dust. You are going to water the haul road?

Mr. Ash: We are monitored by Missouri Department of Natural Resources and a clean air permit.

Mr. Antey: Are you regulated by MSHA (Mining Safety and Health Administration)?

Mr. Ash: Yes.

Mr. Crawford: Is that the dust control?

Mr. Antey: Yes. They can be more stringent than OHSA. In the last 5 years they have implemented a lot of controls for dust and silica.

Mr. Ash: We also crush concrete. We have a couple of different locations. Our Grain Valley location is right along I-70. We basically run a garden hose for the plant's sprinklers. In downtown Kansas City we don't have any issues with dust.

Mr. Crawford: Where is that one at?

Mr. Ash: Over by the downtown airport. We recycle concrete. We use the same type of crusher that we are proposing for this site.

Mr. Tarpley: Will there ever be a concrete plant there?

Mr. Ash: We have no plans for one.

Mr. Hilliard: Will there be any noise from the blasting?

Mr. Ash: Keep it mind that we are blasting pillars that are underground. It doesn't take as much to remove a pillar. Noise is also covered under the State permit.

Mr. Crawford: The Bethany Ledge. Is that being mined.

Mr. Ash: The Winterset is there.

Mr. Lake: On your phasing, is there going to be any intrusive activity at the cemetery?

Mr. Ash: We plan on staying away from the cemetery.

Ms. Ryerkirk: what sort of transition will there be between phases?

Mr. Ash: The State requires a 3 to 1 slope.

Mr. Farrar: I curious about insurance. In working for MoDOT on the Bruce Watkins project, when the dust cleared there were many lawsuits for ceiling cracks and the sort.

Mr. Ash: We are insured. If there are any concerns, we can do pre-blast surveys on houses and foundations. We would document the pre blast conditions. We would use an outside company for that. We would also hire a seismograph company to monitor that outside of us. If there was an issue they would address accordingly.

Mr. Lake: Are you part of Solar Business?

Mr. Ash: No. That was the Dean family. Those illustrations were included to show what type of development we would like to do. This was the plan of a previous owner. We plan on doing something similar in nature.

Mr. Lake: Are you going to be the developer of the business park?

Mr. Ash: That is what we are hoping to be.

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

Gregory Short: I am former President of Blue Valley Industrial Association, along the Blue River Corridor. I am the previous owner of this property. I decided that this type of project was too much for me at this point in my life. I ended picking Kevin for this property. He's in concrete recycling. He's a commercial crusher with several sites. He was the idea candidate for this. Kevin the guy this this job. I'm very much in support of this project.

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

Dan Wilkenson: 8806 E 9th Street. Is anybody going to do anything about the trees on the south side of 9th Street?

Mr. Diehl: That would actually be something you would need to bring to the attention of the City of Kansas City, since that area is inside their jurisdiction.

Mr. Wilkenson: Is that part of their (applicants) property?

Mr. Diehl: Yes, but the County does not have jurisdiction inside city limits on a matter such as this.

Julie Armato: 8806 E 9th Street. I was curious about the company that would come in and due the survey for blasting.

Mr. Ash: You would need to contact that company and they would do the survey.

Mr. Crawford: Would this a house to house survey?

Mr. Ash: I not sure. It could be as needed or requested.

Mr. Crawford: Would that be after the fact?

Mr. Ash: I'm sure there would be some sort of a initial survey prior to any type of blasting. The guys from the blasting company are here to answer any questions.

Representatives from Austin Powder. Sauls Seismic is the name of the company. Is this instance with us being on the other side of the property so far away from these homes, it would be better to have those assessments done once the phasing was in the area of the homes. The ways it's done, is that there is a scale distance. As long as we stay under that scale distance there isn't one that required under the statutes. It isn't necessarily a door to door thing unless we can't stay under that number.

The national blasting regulations, which the State uses, which is a distance of 55. As long as that number is 55 or over, there shouldn't be an issue. I we get to 55 we would notify everybody. The is how close we are working from the closest protected structure. We take that distance and divided by the pounds of powder for 8 milliseconds of detonation. That determines what we do and how we do it. We may need to change our mix. If we get down to a distance of 35, we would conduct a door to door survey. Where we are starting, we'll greatly exceed that distance until Phase 3.

Ms. Ryerkirk: Is there any additional vulnerability to the cemetery since it is already undermined?

Representative form Austin Powder: I don't see problem with that. We are staying out of that area like it is. We don't want to take any unnecessary chances.

Mr. Johnson: I know this is down the road, how are these residents going to know when you get to that point?

Representative from Austin Powder: We have to notify them. We don't jeopardize this project and get in trouble with the State.

Mr. Tarpley: What is the size of the cemetery?

Mr. Diehl: Approximately 24 acres.

Mr. Lake: If we are just blasting pillars, that doesn't take as much charge?

Representative from Austin Powder: It depends on the pillar. We currently have different projects around town and sometimes gravity helps as well after detonation. We may use a little more on the Winterset. In Lee's Summit we are shooting 9 to 10 pillars 300 feet from a house.

Mr. Crawford: What will be the process?

Mr. Ash: The reason we are starting where we are is that there isn't a lot a Winterset at that location. There's not a lot of overburden there.

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

Mr. Tarpley: I think it's long overdue and would be an improvement to the area.

Mr. Antey: I think they have a good overall plan.

Mr. Crawford: I agree. They seem to have a handle on the dust and blasting.

Mr. Farrar: It pleases me that there will be some improvement here.

Mr. Hilliard: Randy, the State will be controlling this?

Mr. Diehl: Yes, the County's regulations cannot exceed the States. There was one point in the County Code that had to do with vibrations.

Mr. Crawford: Who's going to monitor the dust?

Mr. Antey: That falls under State regulations and MSHA.

Mr. Tarpley Moved to Approve Mr. Lake seconded

Mr. Akins	Approve	Mr. Crawford	Approve
Mr. Hilliard	Approve	Ms. Ryerkker	Approve
Mr. Farrar	Approve	Mr. Lake	Approve
Mr. Tarpley	Approve	Mr. Johnson	Approve
Chairman Antey	Approve		

Motion Carried 9 – 0

STAFF REPORT

PLAN COMMISSION

July 21, 2022

RE: CU-2022-238

Applicant: Kevin Ash

Location: 8400 E. Truman Road

Area: 89.44 ± acres

Request: Conditional Use Permit for earthwork and mining reclamation

Comments:

The applicant is wishing to develop the land. To prepare the land for development the existing undermined area will need to be collapsed and the material removed. The land is undevelopable due to the unsafe conditions within the mined-out areas.

Plans are to remove the layer dirt, then remove the upper layer of rock to bring it down to the level of the highway. There are no plans for any additional subsurface mining. The rock will be crushed before moving it offsite.

There will be some blasting required, at least once a day and every 2 to 3 days as required. The County's blasting regulations are subject to the State of Missouri's Blasting Safety Act. The State's 2007 Safety Act as adopted states that no city or county may exceed or conflict with the provisions in the Act.

The reclamation will take 15 years and will be conducted in three phases. Each phase will reclaim around 30 acres at a time and take approximately 5 years. The applicant has a permit issued from the Missouri Mining Commission for first 33 acres subject to 444.760 RsMO, Land Reclamation Act.

Dust will be handled by watering.

Recommendation:

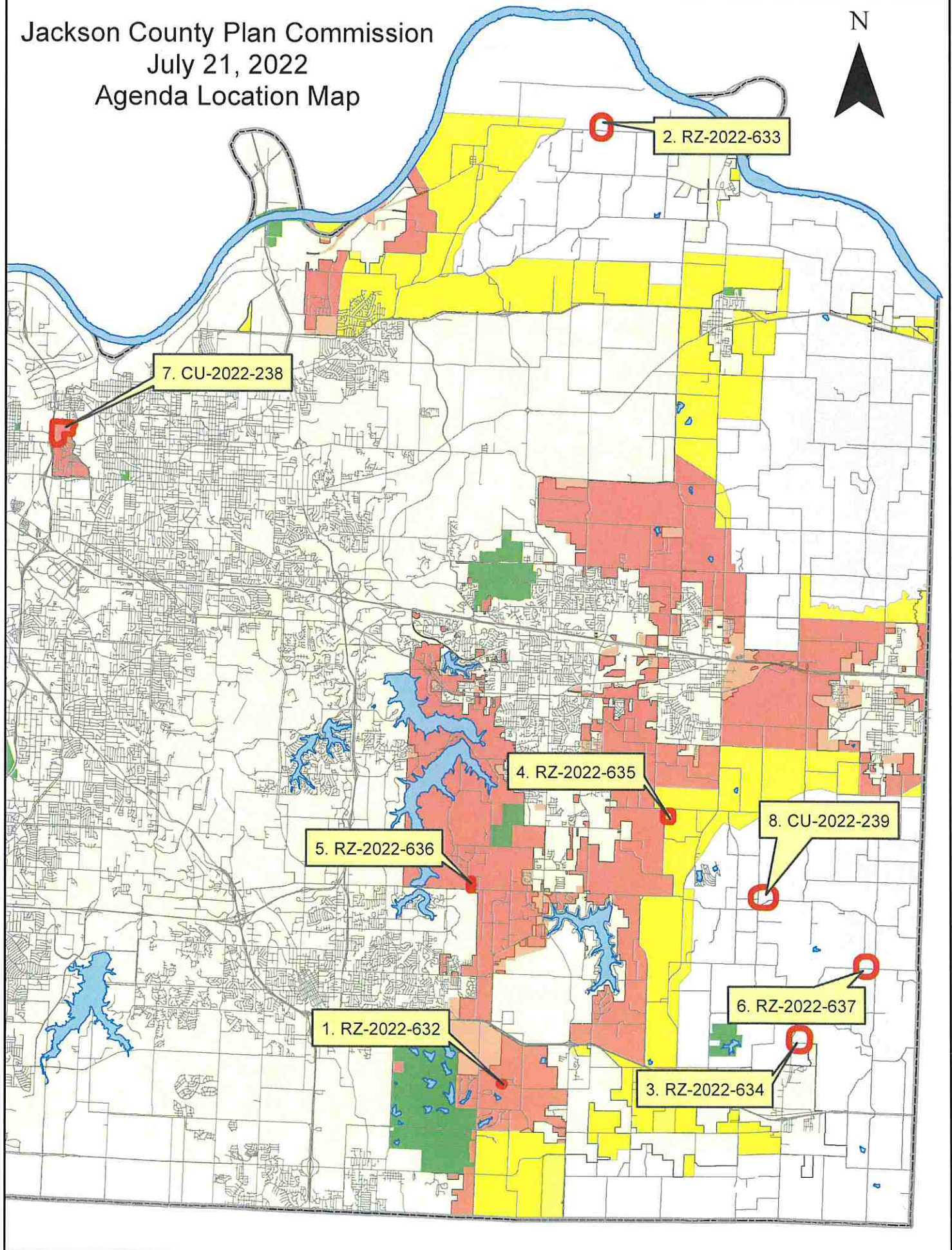
Staff recommends APPROVAL of CU-2022-238 for a period of 15 (fifteen) years, provided the following conditions are met:

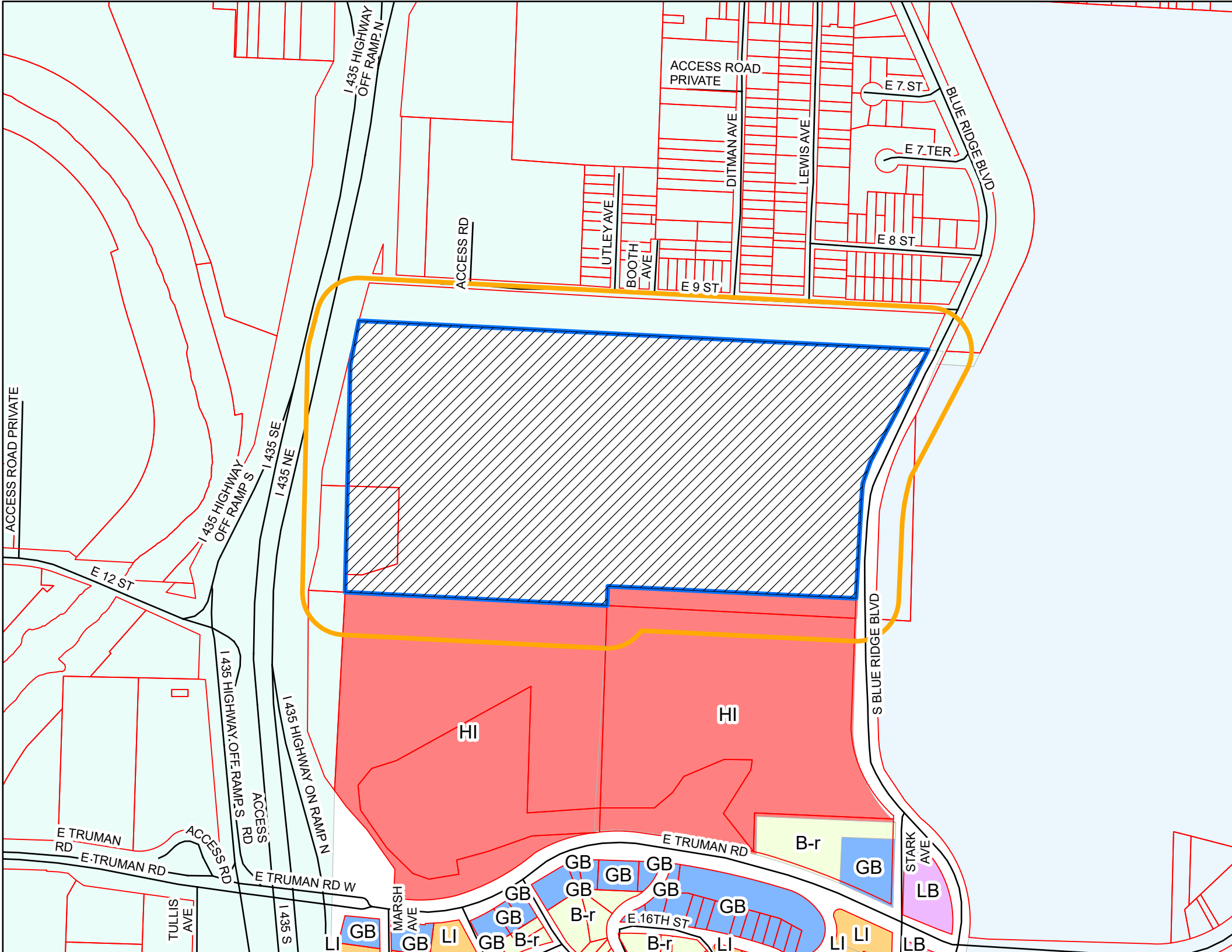
1. Blasting operations shall be governed by the Missouri Safety Act, Sections 319.300 -.345, RSMo.
2. Blasting shall be restricted to the hours between 7:00 a.m. and 6:00 p.m.
3. Fixed equipment and machinery shall be located at least one hundred (100) feet from any lot line and five hundred feet from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

Respectfully submitted,

Jackson County Public Works
Development Division
Randy Diehl, Administrator

Jackson County Plan Commission
July 21, 2022
Agenda Location Map





Plan Commission May 19, 2022 - Tabled July 21, 2022

CU-2022-238

Property Owners Within 185 feet

Parcel	owner	address	city	state	zip
27-220-05-01-00-0-00-000	MOUNT WASHINGTON FOREVER LLC	614 BROOKSIDE AVE	INDEPENDENC	MO	64053
27-230-01-14-01-0-00-000	MOUNT WASHINGTON FOREVER LLC	614 BROOKSIDE AVE	INDEPENDENC	MO	64053
27-310-09-03-00-0-00-000	MOUNT WASHINGTON FOREVER LLC	614 BROOKSIDE AVE	INDEPENDENC	MO	64053
27-310-08-06-00-0-00-000	LINCOLN INVESTMENT CO	1734 WASHINGTON BLVD	KANSAS CITY	KS	66102
27-340-02-06-01-0-00-000	DOUGLAS INVESTMENT CO	2632 W PASEO BLVD	KANSAS CITY	MO	64108
27-340-03-16-00-0-00-000	8231 LLC	4225 W 107TH ST # 7354	OVERLAND PARK	KS	66207
27-340-04-02-00-0-00-000	K & L PETROLEUM LLC	8301 E TRUMAN RD	KANSAS CITY	MO	64126
27-340-04-11-00-0-00-000	M & JK INVESTMENTS LLC	8301 E TRUMAN RD	KANSAS CITY	MO	64126
27-340-05-11-00-0-00-000	M & JK INVESTMENTS LLC	8301 E TRUMAN RD	KANSAS CITY	MO	64126
27-340-05-03-00-0-00-000	M & JK INVESTMENTS LLC	8301 E TRUMAN RD	KANSAS CITY	MO	64126
27-340-05-10-00-0-00-000	M & JK INVESTMENTS LLC	8301 E TRUMAN RD	KANSAS CITY	MO	64126
27-340-06-17-00-0-00-000	GLEASONS LIQUORS LLC	900 NE 2ND	BLUE SPRINGS	MO	64104
27-340-06-04-00-0-00-000	CITY OF INDEPENDENCE	111 E MAPLE ST	INDEPENDENCE	MO	64050
27-340-06-03-00-0-00-000	BOONE RON	1511 MARSH AVE	KANSAS CITY	MO	64126
27-340-06-02-00-0-00-000	TR8615 LLC	1500 NE 50TH TER	KANSAS CITY	MO	64118
27-310-08-10-00-0-00-000	SBKA LLC	1101 S SEYMOUR RD	GRAIN VALLEY	MO	64029
27-340-02-17-00-0-00-000	SBKA LLC	1101 S SEYMOUR RD	GRAIN VALLEY	MO	64029
27-310-08-11-01-0-00-000	SBKA LLC	1101 S SEYMOUR RD	GRAIN VALLEY	MO	64029
27-310-08-11-02-0-00-000	SBKA LLC	1101 S SEYMOUR RD	GRAIN VALLEY	MO	64029
27-310-08-09-02-0-00-000	SBKA LLC	1101 S SEYMOUR RD	GRAIN VALLEY	MO	64029
27-340-02-04-00-0-00-000	SBKA LLC	1101 S SEYMOUR RD	GRAIN VALLEY	MO	64029
27-340-02-06-02-0-00-000	SBKA LLC	1101 S SEYMOUR RD	GRAIN VALLEY	MO	64029
27-310-08-09-01-0-00-000	SBKA LLC	1101 S SEYMOUR RD	GRAIN VALLEY	MO	64029
27-340-02-18-00-0-00-000	SBKA LLC	1101 S SEYMOUR 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

May 4, 2022

RE: Public Hearing: RZ-2022-625 & CU-2022-236
SBKA, 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 SBKA, LLC for a change of zoning from District B-r (Two Family) on 60.00 ± acres to District HI (Heavy Industrial) and for a Conditional Use Permit for a period of 15 years in District HI (Heavy Industrial) for earthwork and mining reclamation on 89.44 acres at 8400 E. Truman 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 185' of the subject property.

The public hearing on this matter will be held by the Plan Commission on Thursday, May 19, 2022, 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
CONDITIONAL USE PERMIT APPLICATION

APPLICANT INFORMATION:

1. Application must be filed with the Jackson County Planning and Development Division, 303 W. Walnut, Independence, MO 64050 by the deadline on the Plan Commission Calendar.
 2. Application must be typed or printed in a legible manner.
 3. A scaled map of the property, correlating with the legal description, and clearly showing the property's location must accompany application. Refer to Section 24003.22, pertaining to Site Plan Review within the Unified Development Code.
 4. 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.
 5. The filing fee \$350.00 (non-refundable) must accompany application.
(Check payable to: Manager of Finance)
-

TO BE COMPLETED BY OFFICE PERSONNEL ONLY:

Conditional Use Permit Number CU- 2022- 238

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: Kevin Ash
Address: 1101 Seymour Rd.,
Grain Valley, Missouri 64029
Phone: 816-590-9865
 - b. Owner(s) Name: SBKA, LLC
Address: 1101 S. Seymour Rd., Grain Valley, Missouri 64029
Phone: 816-590-9865
 - c. Agent(s) Name: Same as Applicant

Address: _____

Phone: _____

d. Applicant's interest in Property: Earthwork/Mining Reclamation

2. A CONDITIONAL USE PERMIT IS HEREBY REQUESTED for the following described use: Earthwork/Mining for

a period of 15 years; property described as follows: a tract of land 89.44 square feet/acres in size located at NE of I-435 and Truman Rd. Road.

Present Zoning District Application to County for HI

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

Please see attached. 4 Parcels Total.

4. Present Use of Property: Unimproved Commercial Land

5. Proposed Use of Property: Earthwork/Mining

6. Estimated Time Schedule for Development: Begin Earthwork Activities October 2021

7. What effect will your proposed development have on the surrounding properties?
No effect. Occasional Blasting.
8. 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? N/A
9. Describe the source/method which provides the following services, and what effect the development will have on same:
- a. Water KCMO WSD-No Impact
 - b. Sewage disposal KCMO WSD-No Impact
 - c. Electricity Evergy-No Impact
 - d. Heating Spire-No Impact
 - e. Fire and Police protection Intercity F1 and Sherriff Office-No Impact
10. Describe existing road width and condition: E. Truman Rd.-65' (4 lanes (45') and 2 shoulders(20'))
Blue Ridge Blvd.-42' (2 lanes(32') and 2 shoulders (10'))
11. What effect will proposed development have on existing road and traffic conditions? Increase in over the road truck hauling.
12. 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): See 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 best of my (our) knowledge and belief.

Signature

Date

Property Owner(s)

K. R. M.
A. K. R.

8-10-21
8-10-21

Applicant(s):

K. R. M.
A. K. R.

8-10-21
8-10-21

Contract Purchaser(s): _____

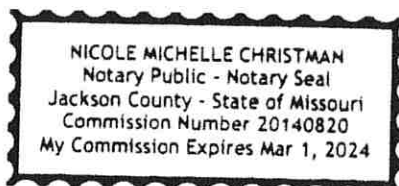
STATE OF Missouri
COUNTY OF Jackson

On this 10th day of August, in the year of 2021, before me
the undersigned notary public, personally appeared Kevin E. Ash

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 Nich Michelle Christ Commission Expires 3-01-2024





To whom it may concern

Austin Powder Company has been in contact with Solar Utilities regarding the development project they plan to start in Jackson County. The project is located on the north side of E Truman Rd between 435 and Blue Ridge Blvd directly adjacent to Lincoln Cemetery. Austin Powder Company would be the blasting contractor for the project.

Upon review of the blasting limitations as set forth by Jackson County, four areas of concern arose that together would preclude the efficient and economic practicality of the project as a whole. The Jackson County Unified Development Code establishes requirements for Quarries, mines, and sand and gravel pits to be authorized as conditional use in section 24005.17. Within that section most of the terms are not problematic. However, sub sections F,I, and K do present limitations that exceed the state regulations and would be prohibitive.

Sub section F states that "There shall be no blasting within 500' of the boundary line." Due to the size and shape of the Property in question, this rule would eliminate the possibility for blasting on the overwhelming majority of the project. Figure 1 to the right illustrates the approximate location where blasting could occur under this rule. The state does not establish any such distance requirement.

Sub section I states that "Blasting shall be conducted so that vibration does not exceed 0.25 inches per second as measured by seismographic tests at adjacent, abutting and opposite property boundary lines;" Blast induced vibrations are typically monitored at the nearest uncontrolled structure as recommended by the International Society of Explosive Engineers. Regulatory limitation on those vibration levels are also typically significantly less restrictive. Monitoring at the property line will often require that the seismograph is placed a great distance closer to the blast than the structures it is there to monitor. In accordance with the finding of the U.S. Bureau of Mines Report of Investigations 8507, Appendix B, Missouri has adopted the limitations as set forth in that Appendix as seen in figure 1.2. State regulations require monitoring at the nearest uncontrolled structure.

Sub section K states that "No blasting shall be conducted when the atmospheric conditions are such that sound or shock waves are easily conducted or transmitted, such as occur when there is a condition commonly known as a temperature inversion." These type of weather event are exceedingly common and would be difficult to plan around. With that said most temperature inversions occur overnight and



Figure 2

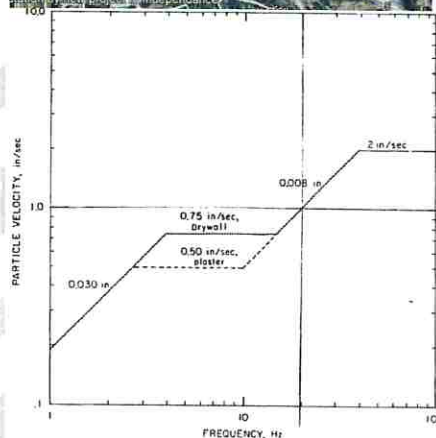


Figure 1.2



AUSTIN POWDER

dissipate by the time a typical blast would occur. Other such weather events could also have an impact on how easily sound waves are conducted, but scheduling blast days around those events is problematic. Missouri state regulations do not require this type of avoidance.

By defaulting to the Missouri state regulatory standards regarding blasting all of these issues would be addressed. The 500' rule would not be applicable, however the spirit of the rule is covered by the state regulations regarding vibration and air overpressure limitations. The location of the seismographs would default to the nearest uncontrolled structure, or a representative structure at a similar distance and direction. The vibration limitations would be those as set forth by the USBM 8705 appendix B which has been widely accepted as a sufficient limitation to ensure no possibility of producing damage or even expansion of existing cracks. Lastly the avoidance of weather events that may increase the conductivity of sound waves is an unnecessary requirement as the air overpressure limits set forth by the state are such that blasting must be conducted in such a way that readings do not exceed the safe threshold for the structure regardless of the weather conditions.

Best regards,

Lance Jones

Technical Manager

AUSTIN POWDER CENTRAL STATES LLC
103 Wulfert Drive
Fredericktown, MO 63645

PH: (573) 880-2427
www.austinpowder.com

Lance.Jones@austinpowder.com

MEMORANDUM

Re: Missouri Blasting Safety Act v. Jackson County Code

1. Distance Requirement

Jackson County Code §24005.17 (f):

There shall be no blasting within 500 feet of the boundary line.

Missouri Blasting Safety Act §319.309

This requirement exceeds the requirements imposed by the Missouri Blasting Safety Act as set forth in §§319.300 to 319.345. The Missouri Blasting Safety Act does not set forth a distance requirement from any boundary line. *See* §319.309, which requires calculating the scaled distance from the nearest uncontrolled structure, as defined in §319.303 (21).

2. Vibration Requirement

Jackson County Code §24005.17 (i):

Blasting shall be conducted so that vibration does not exceed 0.25 inches per second as measured by seismographic tests at adjacent, abutting and opposite property boundary lines . . .

Missouri Blasting Safety Act §319.312 (1)

Any person using explosives in the State of Missouri in which monitoring with a seismograph is required, as provided in §319.309, shall comply with ground vibration limits based on the US Bureau of Mines Report of Investigations 8507, Appendix B. (See Attached Appendix B).

Jackson County Code §24005.17 (i) exceeds the requirements of Missouri Blasting Safety §319.309 in that the calculations are not to be measured at the opposite property boundary lines, but are to be measured from the nearest uncontrolled structure as defined in §319.303 (21).

The Jackson County Code §24005.17 (i) exceeds the requirements of Missouri Blasting Safety Act §319.309 in that not only are the vibration calculations to be measured at the nearest uncontrolled structure, but the ground vibration shall be based upon the ground vibration limits as set forth on the US Bureau of Mines Report of Investigations 8507, Appendix B.

3. Temperature Inversion

Jackson County Code §24005.17 (k):

No blasting shall be conducted when the atmospheric conditions are such that sound or shock waves are easily conducted or transmitted, such as occur when there is a condition commonly known as temperature inversion.

Missouri Blasting Safety Act §§319.300-319.345

The Missouri Blasting Safety Act §§319.300-319.345 does not require or limit blasting when atmospheric conditions allow sound and shock waves to be easily conducted or transmitted.



OFFICE OF THE COUNTY COUNSELOR

JACKSON COUNTY COURTHOUSE

415 EAST 12TH STREET
KANSAS CITY, MISSOURI 64106

816-881-3355
Fax: 816-881-3398

MEMORANDUM

TO: BRIAN GADDIE, DIRECTOR
PUBLIC WORKS DEPARTMENT

FROM: JAY D. HADEN
CHIEF DEPUTY COUNTY COUNSELOR

DATE: FEBRUARY 23, 2022

RE: BLASTING ISSUES ASSOCIATED WITH THE REZONING AND CONDITIONAL USE PERMIT
APPLICATIONS OF KEVIN ASH/BLUE SUMMIT AREA

You have asked for guidance from this office regarding certain issues raised by the above-referenced application. Kevin Ash has applied for the rezoning of a certain tract in the Blue Summit area of unincorporated Jackson County. In addition, he has applied for a conditional use permit (CUP) to conduct a limestone mining operation on that tract. The application raises legal issues regarding the manner of blasting that would be permissible in such an operation. This memorandum will attempt to address these issues.

Under the Unified Development Code of Jackson County, chapter 240, Jackson County Code 1984 (UDC), effective June 1, 1995, "quarries, mines, and sand and gravel pits" may be operated in the unincorporated county only with the issuance of a CUP. See UDC section 24005.17. That section contains restrictions on the manner in which explosive blasting may be conducted in such an operation. The applicant, Mr. Ash, contends that several of this section's provisions are unenforceable due to the 2007 enactment by the General Assembly of the Missouri Blasting Safety Act, sections 319.300 - .345, RSMo (the Act). Section 319.342.6 of the Act provides in part that: "no provision of a municipal ordinance or county ordinance or order in effect on August 28, 2007, or which may be adopted at a future date by a city or county **may preempt, amend, exceed, or conflict with the provisions of sections 319.300 to 319.342....**" Emphasis added. This is a clear example of "state preemption" that renders unenforceable any county ordinance provisions to the contrary.

Mr. Ash, through legal counsel, contends that the following UDC provisions exceed or conflict with the Missouri Blasting Safety Act: a.) section 24005.17.a, relating to proximity of blasting to the boundary line of the tract on which the blasting is permitted; b.) section 24005.17.i, relating to vibration standards; and section 24005.17.h, relating to temperature inversion. I have reviewed both the UDC and the Act and agree with the applicant that the Act does not contain any of the above-listed restrictions on blasting operations. Thus, it's my recommendation that the pending CUP application should be processed with the understanding that the three listed subsections of section 24005.17 are inapplicable to the application, although I do note that the Act contains a different vibration restriction (see section

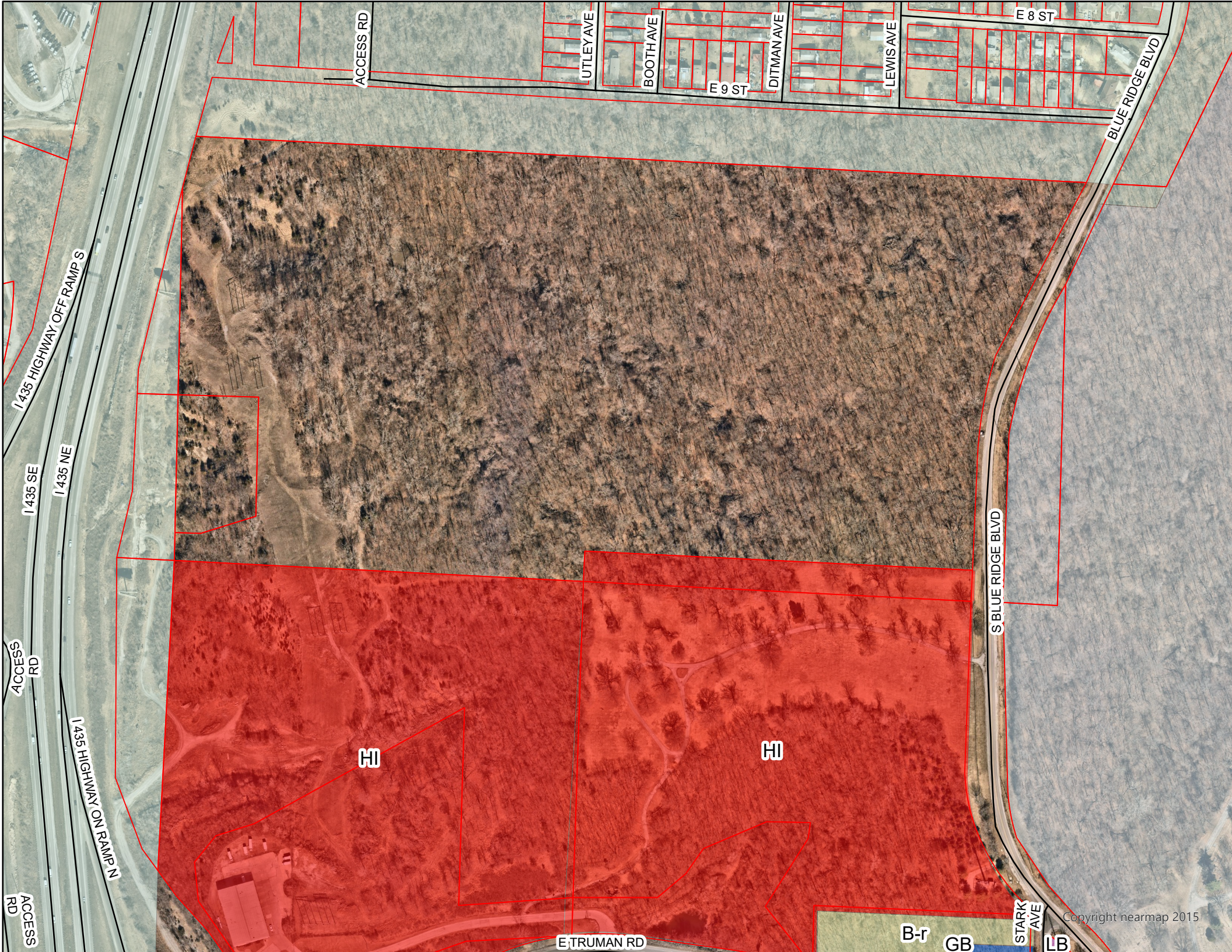
BLASTING ISSUES ASSOCIATED WITH THE REZONING AND CONDITIONAL USE PERMIT APPLICATIONS
OF KEVIN ASH/BLUE SUMMIT AREA

February 23, 2022

Page 2

319.312, RSMo) that must be observed. Please let me know if you need anything further from me on this or have any questions.

cc Randy Diehl



MISSOURI MINING COMMISSION

STATE OF MISSOURI
P.O. BOX 176
JEFFERSON CITY, MISSOURI 65102
573-751-4041

Permit To Engage in Surface Mining

MISSOURI MINING COMMISSION

ISSUES TO

Metropolitan Concrete Recycle, LLC

Pursuant to 444.760 RSMo, "The Land Reclamation Act," and on conformity with the statements in the application, a permit is hereby granted to engage in surface mining of Limestone in the state of Missouri.

The extent of the proposed mining operation(s) will be on 33 acres, more or less.

The locations of the operation(s) under this Renewal action is/are as follows:

Site Number	Site/Stream Name	County	Legal Description	Current Acres	Acres New	Acres Released	Total Acres
2800	MCR Quarry	Jackson	S6/T49N/R32W	33			33

This permit may be suspended or revoked upon violation of any or all of the conditions set forth in 444.760 RSMo, "The Land Reclamation Act," or in such rules and regulations as are promulgated pursuant thereto by the Missouri Mining Commission.

I approve this permit action on April 25, 2022

Permit No.: 1194
Effective Date: 6/23/2022
Expiration Date: 6/22/2023

Larry Lehman
DIRECTOR OF STAFF
Missouri Mining Commission



Solar Business Park Aerial

I-435 & Truman Road ■ Kansas City, MO



EXHIBIT

tabbles

1

Solar Business Park Zoning

I-435 & Truman Road ■ Kansas City, MO



LEGEND

PARCEL	(APPROX.) ACRES	JACKSON COUNTY	ZONING CITY OF KCMO
	11.46		M1-5
	97.01	HI & 2 FAMILY	R-2.5
	1.96	HI	
	4.61	HI	
	2.55	HI	
TOTALS	117.61		

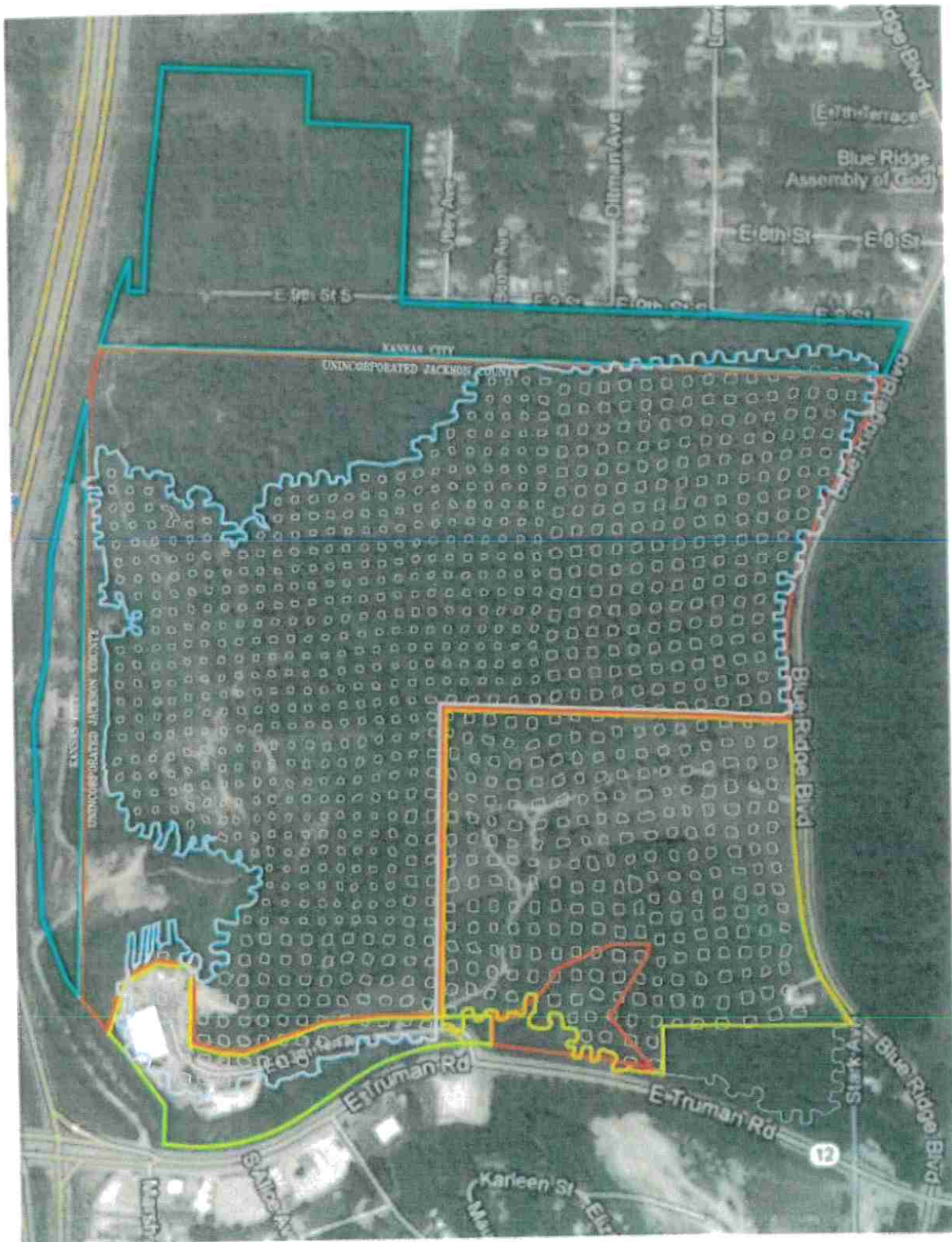
0 250 500
SCALE: 1"=500'



Dean REALTY CO. Developers 10211 W 31st Street, Suite 2 KCMO, MO 64130 816.531.0000 Fax 816.753.4811		SOLAR PROPERTY KANSAS CITY, MO	
SURFACE PROPERTY EXHIBIT			
PREP. BY: KCM DATE: 10-17-12 SHEET 1 OF 1		SCALE: 1"=500' SCALE FILED DATE: 10/26/12 03:15:15 AM	

EXHIBIT

2



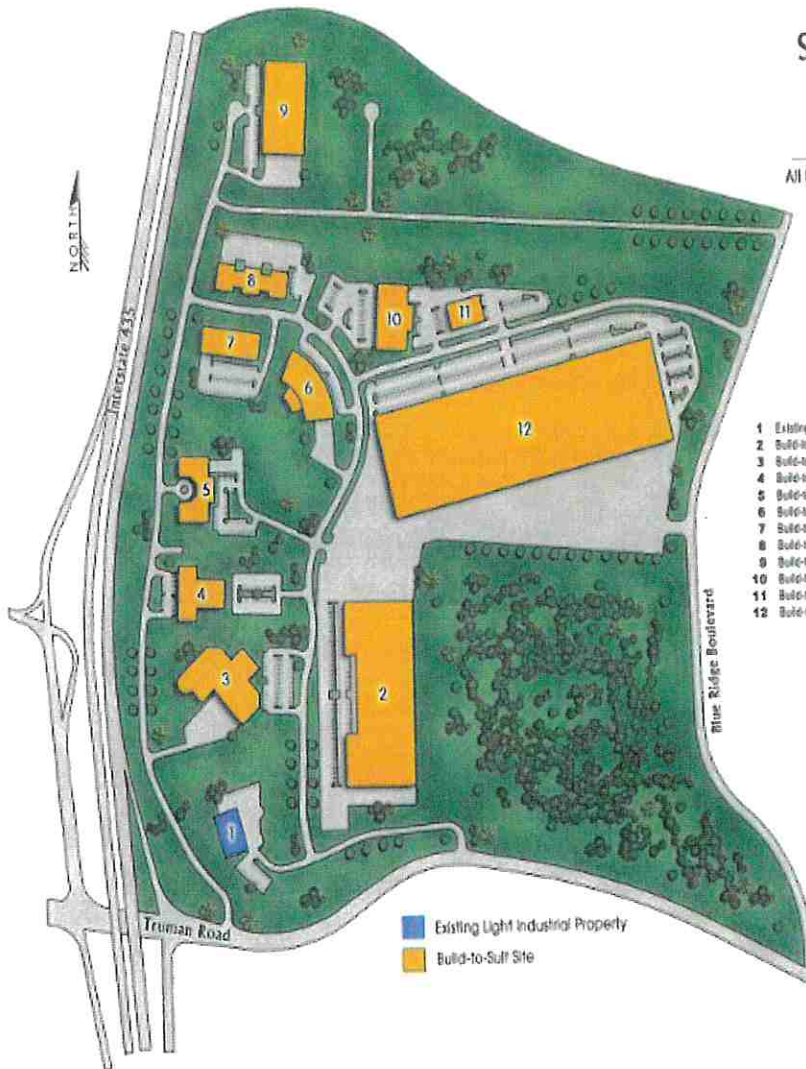
Solar Business Park

Solar Woods

1-435 & Truman Road, Kansas City, MO

Conceptual Plan

All build-to-suit sites are conceptual in nature with flexibility in size and use.



1	Existing One-Story Industrial Building	18,400 SF - 4.6 Acres
2	Build-to-Suit Site Proposed Industrial	156,000 SF - 13.2 Acres
3	Build-to-Suit Site Proposed Office	60,000 SF - 7.0 Acres
4	Build-to-Suit Site Proposed Office	30,000 SF - 4.8 Acres
5	Build-to-Suit Site Proposed Office	28,000 SF - 6.5 Acres
6	Build-to-Suit Site Proposed Office	37,500 SF - 3.7 Acres
7	Build-to-Suit Site Proposed Office	25,000 SF - 3.8 Acres
8	Build-to-Suit Site Proposed Office	27,000 SF - 3.8 Acres
9	Build-to-Suit Site Proposed Office	60,000 SF - 5.8 Acres
10	Build-to-Suit Site Proposed Office	35,000 SF - 4.3 Acres
11	Build-to-Suit Site Proposed Office	15,000 SF - 1.9 Acres
12	Build-to-Suit Site Proposed Industrial	500,000 SF - 29.1 Acres

- Existing Light Industrial Property
- Build-to-Suit Site

EXHIBIT

tabbies

4

IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

AN ORDINANCE amending the zoning districts established pursuant to the Unified Development Code by rezoning a certain 60.00± acre tract from District B-r (Two-Family) to District HI (Heavy Industrial).

ORDINANCE NO. 5648, August 15, 2022

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

Section 1. The Zoning Order of Jackson County, Missouri, and the official maps which are a part thereof, are amended by changing the boundaries of the "B-r" (Two-Family) and "HI" (Heavy Industrial) Districts, so that there will be transferred from District B-r to District HI a tract of land, with a street address of 8400 E. Truman Road, in Jackson County 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.

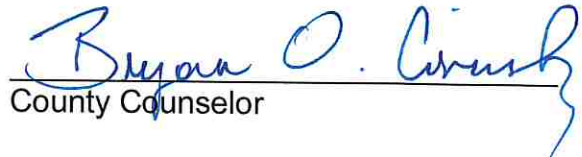
Section 2. The Legislature, pursuant to the application of Kevin Ash (RZ-2022-625), requesting the amendment embodied in this Ordinance and with notice that the Jackson County Plan Commission voted 7 to 0 to recommend APPROVAL of this application after a public hearing on May 19, 2022, does hereby adopt 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. 5648 introduced on August 15, 2022, was duly passed on _____, 2022 by the Jackson County Legislature. The votes thereon were as follows:

Yeas _____

Nays _____

Abstaining _____

Absent _____

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

Date

Mary Jo Spino, Clerk of Legislature

I hereby approve the attached Ordinance No. 5648.

Date

Frank White, County Executive

Request for Legislative Action

Ord. 5648
Date: August 15, 2022

Completed by County Counselor's Office

Action Requested:	Ordinance	Res.Ord No.:	5648
Sponsor(s):		Legislature Meeting Date:	8/15/2022

Introduction

Action Items: ['Authorize']

Project/Title:

Kevin Ash - RZ-2022-625

Request Summary

Requesting a change of zoning from District B-r (Two Family), on 60.00 ± acres to District HI (Heavy Industrial). The purpose is to for earthwork and mining reclamation at 8400 E. Truman 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 19, 2022, and accepted testimony pertaining to the rezoning request.

The Plan Commission voted 7 to 0 to recommend APPROVAL to the County Legislature.

Contact Information

Department:	Public Works	Submitted Date:	6/2/2022
Name:	Randy D. Diehl	Email:	RDiehl@jacksongov.org
Title:	Development 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

Submitted by Public Works requestor: Randy D. Diehl on 6/2/2022. Comments: Land Use scheduled for June 27, 2022

Approved by Department Approver Brian Gaddie on 6/2/2022 9:45:24 AM. Comments:

Not applicable by Purchasing Office Approver Barbara J. Casamento on 6/2/2022 10:19:57 AM. Comments:

Returned for more information by Compliance Office Approver Katie M. Bartle on 6/14/2022 9:43:36 AM. Comments: Returned per request from Counselor's Office & IT. KMB

Submitted by Requestor Randy D. Diehl on 8/4/2022 1:44:39 PM. Comments:

Approved by Department Approver Brian Gaddie on 8/4/2022 2:48:30 PM. Comments:

Not applicable by Purchasing Office Approver Barbara J. Casamento on 8/4/2022 3:22:18 PM. Comments:

Approved by Compliance Office Approver Katie M. Bartle on 8/5/2022 12:33:24 PM. Comments:

Not applicable by Budget Office Approver Mark Lang on 8/5/2022 4:29:30 PM. Comments:

Approved by Executive Office Approver Sylvia Stevenson on 8/8/2022 9:36:37 AM. Comments:

Returned for more information by Counselor's Office Approver Elizabeth Freeland on 8/9/2022 9:26:18 AM. Comments: Adjust district name per our email conversation. Thanks!

Submitted by Requestor Randy D. Diehl on 8/9/2022 9:43:28 AM. Comments: Corrected to B-r (Two Family)

Approved by Department Approver Kristina J. Miller on 8/10/2022 11:03:39 AM. Comments: .

Not applicable by Purchasing Office Approver Barbara J. Casamento on 8/10/2022 11:49:07 AM. Comments:

Approved by Compliance Office Approver Katie M. Bartle on 8/10/2022 1:54:16 PM. Comments: **Page 3 of 3**

Not applicable by Budget Office Approver Mark Lang on 8/11/2022 10:06:18 AM. Comments:

RZ-2022-625

ATTACHMENT 1: PROPERTY DESCRIPTION

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.

RZ-2022-625

ATTACHMENT 2: ZONING SUPPORT DOCUMENTATION

Attachments

Plan Commission Public Hearing Summary from May 19, 2022

Staff Report

Zoning map of surrounding area

Names/Addresses of Surrounding Property Owners

Copy of letter to said property owners

Application

Aerial of location

Randy Diehl gave the staff report:

RE: RZ-2022-625

Applicant: Kevin Ash

Location: 8400 E Truman Road

Area: 60.00 ± acres

Request: Change of zoning from District B-r (Two Family) to District HI (Heavy Industrial)

Purpose: Earthwork and Mining Reclamation

Current Land Use and Zoning in the Area:

The applicant owns approximately 120 acres of which 30 acres are inside Kansas City. The 60 acres are currently which District B-r (Two-Family).

In 1943 County Court adopted a Zoning Order for the unincorporated areas of the County. The area north of Truman Road was designated as District B.

A change of zoning from District B to District HI was granted by the County Court in 1959 for 30.00 acres. (Amendment 62.3) for use as a rock quarry.

In 1982 a change of zoning was granted on the 26 acres at Truman Road and Blue Ridge Boulevard from District B to District HI (Ordinance No. 993). This change was made to allow subsurface development.

The applicant is requesting the change in zoning to in order conduct earthwork and mining reclamation which requires a Conditional Use Permit (pending).

Development of this area will require the removal of the material on the surface and the removal of the existing mined area.

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-2022-625.

Respectfully submitted,

Jackson County Public Works
Development Division
Randy Diehl, Administrator

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

Mr. Lake: What area is being rezoned?

Mr. Diehl: The map which shows the cross-hatched area with the blue outline is the area requested to be rezoned.

Mr. Lake: That's not the cemetery?

Mr. Diehl: No. The Lincoln Cemetery is the property to the Southeast of the applicant's tract.

Mr. Lake: I noticed there was something going on East of Blue Ridge.

Mr. Diehl: That development is within the City of Independence.

Mr. Lake: This is basically undeveloped property then.

Mr. Diehl: Yes, the subsurface is undermined. The applicant can shed more light as to the extent of that.

Mr. Hilliard: Is this where the landfill was?

Mr. Diehl: No. The old landfill was South of Truman Road.

Mr. Tarpley: *Is the applicant here?*

Kevin Ash: 1101 S Seymour, Grain Valley

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

Mr. Ash: Basically, we are doing this for the Heavy Industrial zoning. Getting it cleaned up for development.

Mr. Tarpley: Is this an active quarry?

Mr. Ash: No. it was undermined years ago. There are some places where the pillars have collapsed. It would tough to develop it that way. The cemetery is undermined. We have the mineral rights.

Mr. Lake: Can you explain what you are wanting to do for development?

Mr. Ash: Our plan is to start in this area. (indicating on map area just North of the existing building) and work our way around this way. We take a layer of dirt off, then the upper layer of rock. That would bring it down to the level of the highway.

Mr. Lake: Years ago, there was a plan to fill this in. You are wanting to take it down.

Mr. Ash: Yes. We'll bring it down.

Mr. Lake: Are we talking industrial development?

Mr. Ash: Yes, that is the plan.

Mr. Farrar: Is any of this under the highway.

Mr. Ash: No. It stops at the highway and runs east to Blue Ridge.

Mr. Farrar: Has any of that been used for storage?

Mr. Ash: No, it has not been developed at all.

Mr. Lake: Are residents in those woods?

Mr. Ash: From time-to-time we've seen folks back there, but we haven't found anyone living in there. We've had people break into the cave. We have the entrance pretty secured now. It would be hard to develop this without taking it down.

Mr. Farrar: I think it's a good idea. It'll make it better.

Mr. Crawford: Are you going to quarry the rock?

Mr. Ash: Yes, we are.

Mr. Crawford: It is Winterset and Bethany?

Mr. Ash: Yes. It's thin in some areas and there are some places it's 20 feet thick.

Mr. Lake: Are you going to have a crusher on site?3

Mr. Ash: We plan on having a crusher.

Mr. Farrar: Will there be any blasting?

Mr. Ash: Yes, to take the rock out.

Mr. Crawford: How long do you this project being?

Mr. Ash: Around 15 years. In dealing with layers of rock, you can't get in a hurry. You must take pieces out at a time. The Winterset wasn't mined, just the Bethany.

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

There were none.

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

Julie Armato: 8806 E. 9th Street. How does this affect my property? Blasting, trucks and redevelopment?

Mr. Ash: The area to the south of 9th Street is inside Kansas City. We would not be working in that area.

Ms. Amato: How far is that.

Mr. Diehl: It's about 200 feet from 9th Street.

Mr. Lake: Will there be blasting to take the cave down?

Mr. Ash: There will be some blasting to accomplish that.

Mr. Lake: You blast at certain times?

Mr. Ash: Once every day or every 2 to 3 days. We have to work around the weather.

Mr. Crawford: How will extract the rock?

Mr. Ash: We will drill, blast, and crush it. We will be in the middle of the property to help reduce noise.

Mr. Lake: You're not going to strip it all of trees right away?

Mr. Ash: No. We will clean land as we go.

Dave Halphin: 300 S Liberty, Independence, MO. Kevin, don't you have a mining permit from the State?

Mr. Ash: Yes, the State has issued us a permit for the first 35 acres. Then we would move to the next section.

Mr. Tarpley: What is the total acreage?

Mr. Ash: We have about 120 acres, however we are only working on about 90 acres.

Ms. Amato: How long will be in the first section?

Mr. Ash: Each section will take roughly 5 years. So about 15 years.

Mr. Hilliard: How will you handle dust?

Mr. Ash: We will use water.

Ms. Amato: What about trucks in our neighborhood?

Mr. Ash: We will not be using 9th Street. Our plan is to use the existing Truman Road entrance.

Mr. Hilliard: We had a lot of problems with the Barber quarry.

Mr. Ash: That operation is much bigger than we will be. He was doing 400 tons an hour. We will be probably half of that. We will do pre-blast surveys and have a monitoring company for the blasting. They are an outside source.

Mr. Halphin: Most of that will be addressed in the Conditional Use Permit.

Mr. Diehl: They have applied for the Conditional Use Permit. We are still waiting on some additional information. That will be heard at the July 21 meeting. The specifics for the reclamation will be addressed then, Today they are only seeking the rezoning of the property to get the Conditional Use Permit.

Jennifer Sparks: 720 Lewis Avenue. I'm concerned about noise and dust. I want to understand why we're doing this. It's for future development?

Mr. Halphin: Yes, it's to develop the property. It's undevelopable at this time until we get the mine taken care of.

Mr. Ash: It's unsafe to develop on top of it.

Ms. Sparks: What will be built on it? Warehouses like we see going on.

Mr. Ash: It's possible. We don't know what will be going on in 15 years. Something along those lines, though. There's room at the front, and then areas in the back.

Ms. Sparks: How will you contain it? The trees are a nice buffer.

Mr. Tarpley: Is there an amount of blasting per day?

Mr. Ash: There are some stipulations we must adhere to under the State permit.

Mr. Farrar: Randy, if I understand right, if we pass the rezoning, the property owners will still have another opportunity to make sure they are protected. This today is just for the rezoning.

Mr. Diehl: That is correct. The Conditional Use Permit will be heard in July. The County permit will work with the State Permit. We cannot be more restrictive than the State's permit. There were some issues with the County regulations being more restrictive and those items had to be dealt with prior to moving forward.

Ms. Amato: How will we be notified of the next meeting?

Mr. Diehl: The next meeting will be July 21st. Same time or place as this meeting.

Mr. Ash: We sent letters out when we applied for the State permit.

Motion to take under advisement.

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

Discussion under advisement

Mr. Lake moved to approve. Mr. Farrar seconded.

Mr. Johnson	Approve
Mr. Crawford	Approve
Mr. Hilliard	Approve
Ms. Ryerkerk	Approve
Mr. Farrar	Approve
Mr. Lake	Approve
Chairman Tarpley	Approve

Motion Carried 7 – 0

STAFF REPORT

PLAN COMMISSION

May 19, 2022

RE: RZ-2022-625

Applicant: Kevin Ash

Location: 8400 E Truman Road

Area: 60.00 ± acres

Request: Change of zoning from District B-r (Two Family) to District HI (Heavy Industrial)

Purpose: Earthwork and Mining Reclamation

Current Land Use and Zoning in the Area:

The applicant owns approximately 120 acres of which 30 acres are inside Kansas City. The 60 acres are currently which District B-r (Two-Family).

In 1943 County Court adopted a Zoning Order for the unincorporated areas of the County. The area north of Truman Road was designated as District B.

A change of zoning from District B to District HI was granted by the County Court in 1959 for 30.00 acres. (Amendment 62.3) for use as a rock quarry.

In 1982 a change of zoning was granted on the 26 acres at Truman Road and Blue Ridge Boulevard from District B to District HI (Ordinance No. 993). This change was made to allow subsurface development.

The applicant is requesting the change in zoning to in order conduct earthwork and mining reclamation which requires a Conditional Use Permit (pending).

Development of this area will require the removal of the material on the surface and the removal of the existing mined area.

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-2022-625.

Respectfully submitted,

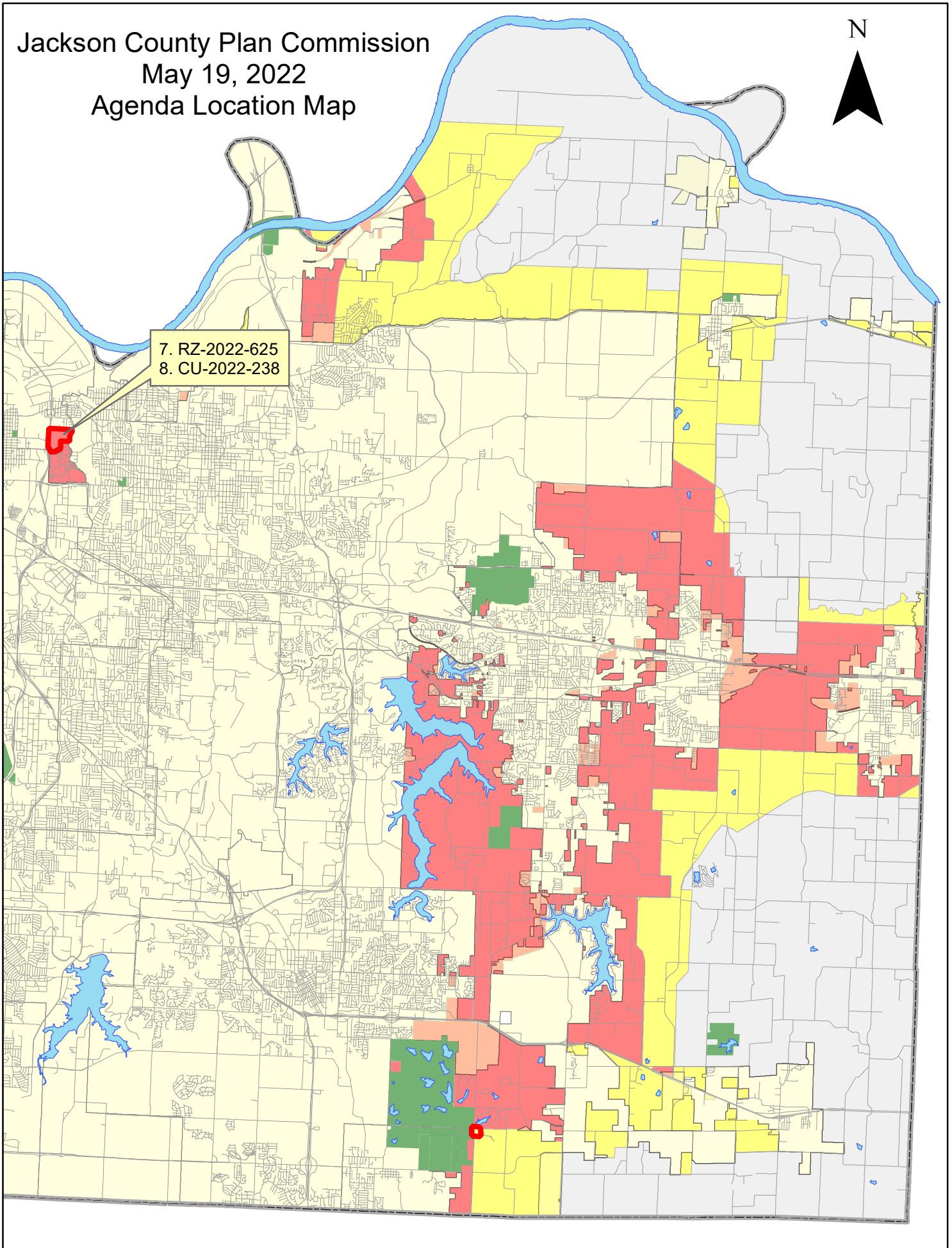
Jackson County Public Works
Development Division
Randy Diehl, Administrator

Jackson County Plan Commission
May 19, 2022
Agenda Location Map

N



7. RZ-2022-625
8. CU-2022-238



Plan Commission May 19, 2022
 RZ-2022-625
 Property Owners Within 185 feet

Parcel	owner	address	city	state	zip
27-220-05-01-00-0-00-000	MOUNT WASHINGTON FOREVER LLC	614 BROOKSIDE AVE	INDEPENDENC	MO	64053
27-230-01-14-01-0-00-000	MOUNT WASHINGTON FOREVER LLC	614 BROOKSIDE AVE	INDEPENDENC	MO	64053
27-310-09-03-00-0-00-000	MOUNT WASHINGTON FOREVER LLC	614 BROOKSIDE AVE	INDEPENDENC	MO	64053
27-310-08-06-00-0-00-000	LINCOLN INVESTMENT CO	1734 WASHINGTON BLVD	KANSAS CITY	KS	66102
27-340-02-06-01-0-00-000	DOUGLAS INVESTMENT CO	2632 W PASEO BLVD	KANSAS CITY	MO	64108
27-340-03-16-00-0-00-000	8231 LLC	4225 W 107TH ST # 7354	OVERLAND PARK	KS	66207
27-340-04-02-00-0-00-000	K & L PETROLEUM LLC	8301 E TRUMAN RD	KANSAS CITY	MO	64126
27-340-04-11-00-0-00-000	M & JK INVESTMENTS LLC	8301 E TRUMAN RD	KANSAS CITY	MO	64126
27-340-05-11-00-0-00-000	M & JK INVESTMENTS LLC	8301 E TRUMAN RD	KANSAS CITY	MO	64126
27-340-05-03-00-0-00-000	M & JK INVESTMENTS LLC	8301 E TRUMAN RD	KANSAS CITY	MO	64126
27-340-05-10-00-0-00-000	M & JK INVESTMENTS LLC	8301 E TRUMAN RD	KANSAS CITY	MO	64126
27-340-06-17-00-0-00-000	GLEASONS LIQUORS LLC	900 NE 2ND	BLUE SPRINGS	MO	64104
27-340-06-04-00-0-00-000	CITY OF INDEPENDENCE	111 E MAPLE ST	INDEPENDENCE	MO	64050
27-340-06-03-00-0-00-000	BOONE RON	1511 MARSH AVE	KANSAS CITY	MO	64126
27-340-06-02-00-0-00-000	TR8615 LLC	1500 NE 50TH TER	KANSAS CITY	MO	64118
27-310-08-10-00-0-00-000	SBKA LLC	1101 S SEYMOUR RD	GRAIN VALLEY	MO	64029
27-340-02-17-00-0-00-000	SBKA LLC	1101 S SEYMOUR RD	GRAIN VALLEY	MO	64029
27-310-08-11-01-0-00-000	SBKA LLC	1101 S SEYMOUR RD	GRAIN VALLEY	MO	64029
27-310-08-11-02-0-00-000	SBKA LLC	1101 S SEYMOUR RD	GRAIN VALLEY	MO	64029
27-310-08-09-02-0-00-000	SBKA LLC	1101 S SEYMOUR RD	GRAIN VALLEY	MO	64029
27-340-02-04-00-0-00-000	SBKA LLC	1101 S SEYMOUR RD	GRAIN VALLEY	MO	64029
27-340-02-06-02-0-00-000	SBKA LLC	1101 S SEYMOUR RD	GRAIN VALLEY	MO	64029
27-310-08-09-01-0-00-000	SBKA LLC	1101 S SEYMOUR RD	GRAIN VALLEY	MO	64029
27-340-02-18-00-0-00-000	SBKA LLC	1101 S SEYMOUR 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

May 4, 2022

RE: Public Hearing: RZ-2022-625
SBKA, 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 SBKA, LLC for a change of zoning from District B-r (Two Family) on 60.00 ± acres to District HI (Heavy Industrial) and for a Conditional Use Permit for a period of 15 years in District HI (Heavy Industrial) for earthwork and mining reclamation on 89.44 acres at 8400 E. Truman 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 185' of the subject property.

The public hearing on this matter will be held by the Plan Commission on Thursday, May 19, 2022, 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.

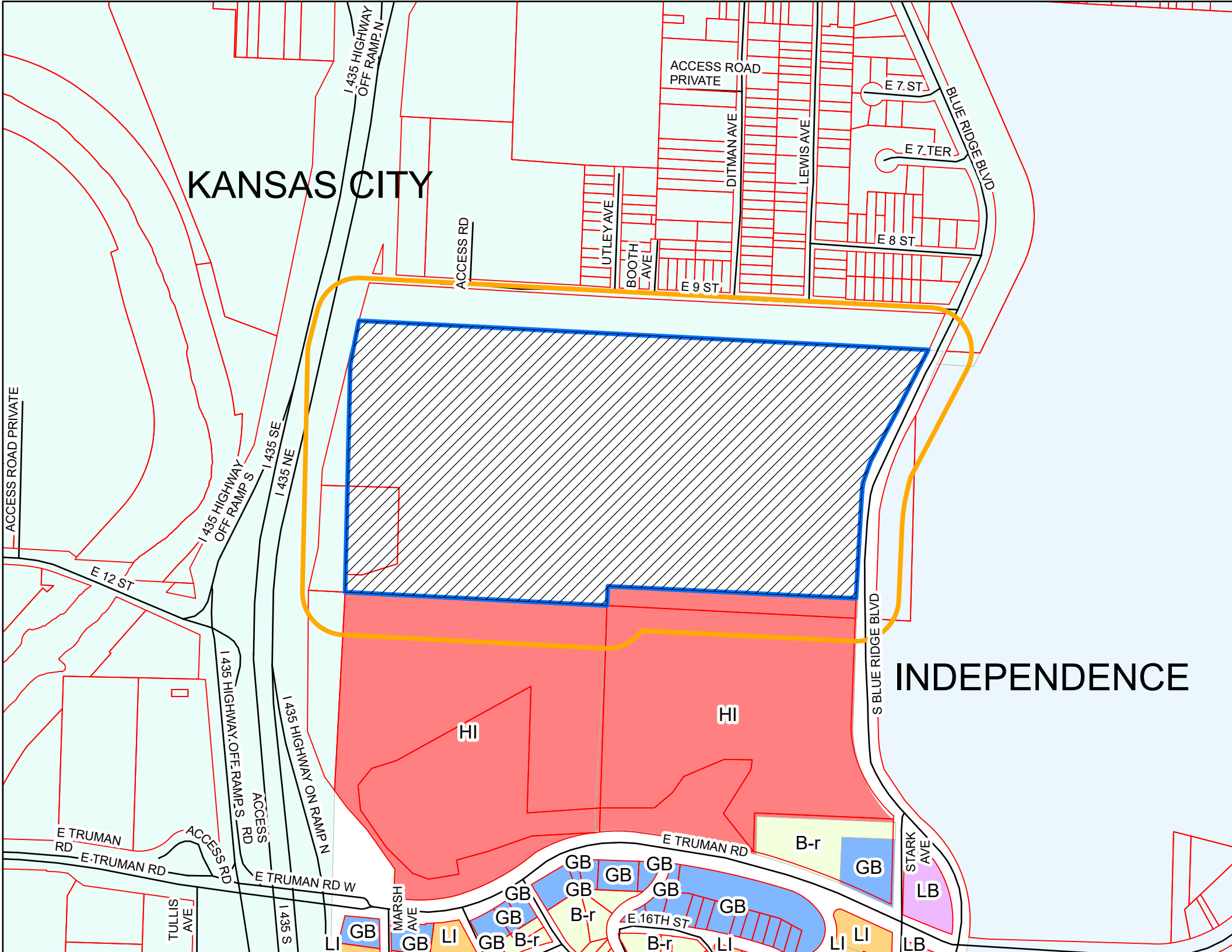
Sincerely,

Jackson County Public Works
Development Division
Randy Diehl, Administrator

Frank White, Jr., County Executive

KANSAS CITY

INDEPENDENCE



**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- 2022- 625

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: Kevin Ash
Address: 1101 Seymour Rd.,
Grain Valley, Missouri 64029
Phone: 816-590-9865
- b. Owner(s) Name: SBKA, LLC
Address: 1101 S. Seymour Rd., Grain Valley, Missouri 64029
Phone: 816-590-9865
- c. Agent(s) Name: Same as Applicant

Address: _____

Phone: _____

- d. Applicant's interest in Property: Earthwork/Mining Reclamation
2. General location (Road Name) NE of I-435 and E. Truman Rd.
3. Present Zoning B-R Requested Zoning HI 60'
4. AREA (sq. ft. / acres) ~~89.44 Acres~~ 60 +/-
5. Legal Description of Property: (Write Below or Attached 9)
See Attached.
6. Present Use of Property: Unimproved Commercial Land
7. Proposed Use of Property: Earthwork/Mining
8. Proposed Time Schedule for Development: Begin Earthwork Activities October 2021
9. What effect will your proposed development have on the surrounding properties?
No effect. Occasional Blasting.
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 KCMO WSD-No Impact
 - b. Sewage disposal KCMO WSD-No Impact
 - c. Electricity Evergy-No Impact
 - d. Fire and Police protection Intercity F1 and Sherriff Office-No Impact
12. Describe existing road width and condition: E. Truman Rd.-65' (4 lanes (45') and 2 shoulders(20'))
Blue Ridge Blvd.-42' (2 lanes(32') and 2 shoulders (10'))

13. What effect will proposed development have on existing road and traffic conditions? Increase in over the road truck hauling.

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): Please see 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 best of my (our) knowledge and belief.

Signature

Date

Property Owner(s)

ICRAM
AK Bay

8-10-21
8-10-21

Applicant(s):

ICRAM
AK Bay

8-10-21
8-10-21

Contract Purchaser(s):

STATE OF Missouri

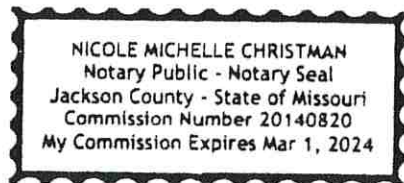
COUNTY OF Jackson

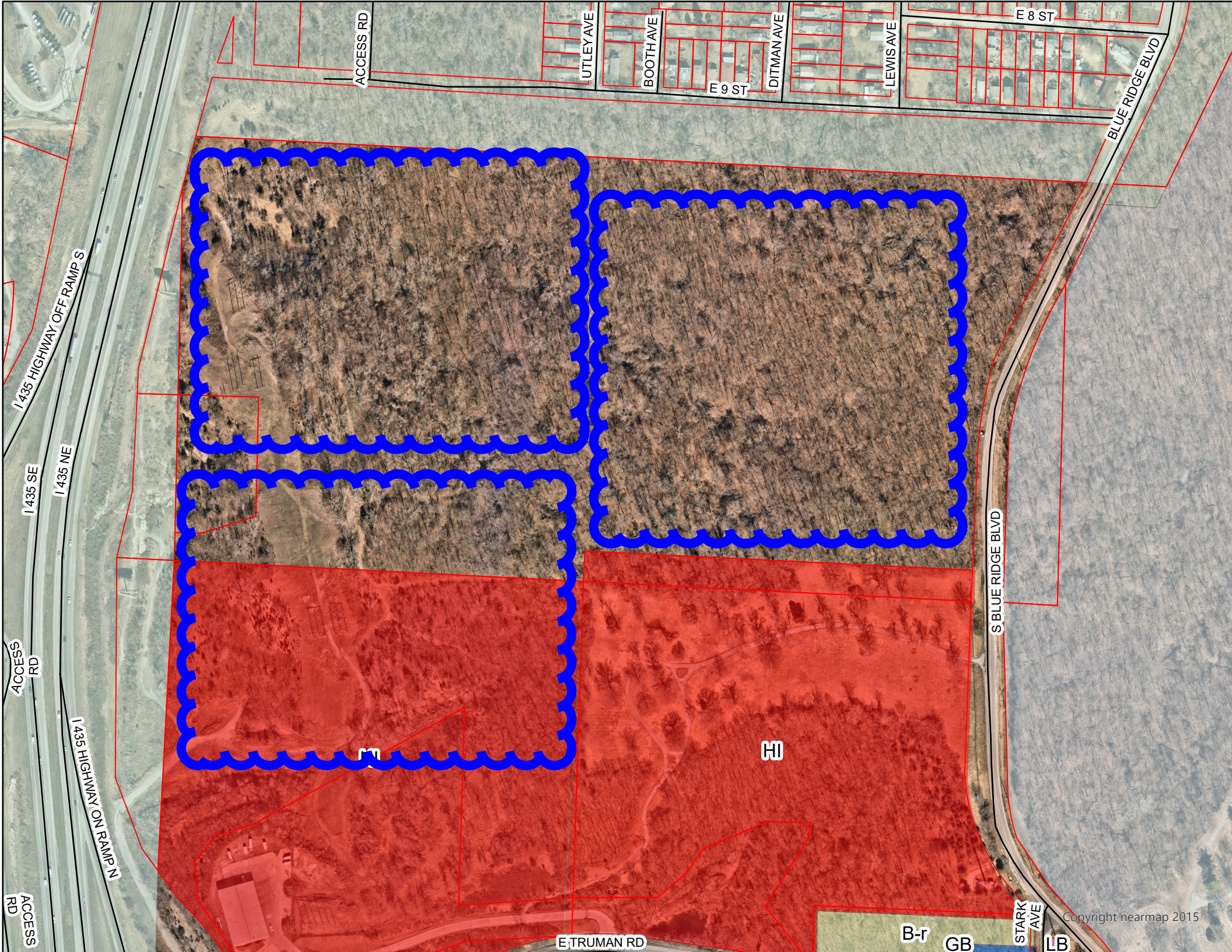
On this 10th day of August, in the year of 2021, before me
the undersigned notary public, personally appeared Kevin R Ash

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 Nicole Michelle Christman Commission Expires 03-01-2024





ACCESS RD

UTLEY AVE

BOOTH AVE

E 9 ST

DITMAN AVE

LEWIS AVE

E 8 ST

BLUE RIDGE BLVD

I 435 HIGHWAY OFF RAMP S

I 435 SE

I 435 NE

ACCESS RD

I 435 HIGHWAY ON RAMP N

ACCESS RD

E TRUMAN RD

S BLUE RIDGE BLVD

STARK AVE

B-r

GB

LB

Copyright nearmap 2015

IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

AN ORDINANCE appropriating \$15,900.00 from the undesignated fund balance of the 2022 Health Fund to cover the increased cost of gasoline for use by the Environmental Health, Medical Examiner's, and Public Administrator's Offices.

ORDINANCE NO. 5649, August 15, 2022

INTRODUCED BY Theresa Cass Galvin, County Legislator

WHEREAS, the Environmental Health, Medical Examiner's, and Public Administrator's Offices anticipate a need for additional funds for fuel for the remainder of 2022, due to the increased cost of gasoline; and,

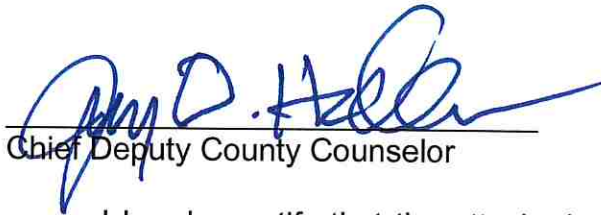
WHEREAS, an appropriation is needed to place the funds necessary for the purchase of gasoline in the proper spending accounts; now therefore,

BE IT ORDAINED by the Legislature of Jackson County, Missouri, that the following appropriation from the 2022 Health Fund be and hereby is made:

<u>DEPARTMENT/DIVISION</u>	<u>CHARACTER/DESCRIPTION</u>	<u>FROM</u>	<u>TO</u>
Health Fund 002-9999	32810- Undesignated Fund Balance	\$15,900	
Environmental Health 002-1503	57110- Gasoline		\$8,900
Public Administrator 002-3501	57110- Gasoline		\$3,000
Medical Examiner 002-2001	57110- Gasoline		\$4,000

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. 5649 introduced on August 15, 2022, was duly passed on _____, 2022 by the Jackson County Legislature. The votes thereon were as follows:

Yeas _____

Nays _____

Abstaining _____

Absent _____

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

Date

Mary Jo Spino, Clerk of Legislature

I hereby approve the attached Ordinance No. 5649.

Date

Frank White, Jr., County Executive

Funds sufficient for this appropriation are available from the source indicated below.

ACCOUNT NUMBER: 002 9999 32810
ACCOUNT TITLE: Health Fund
Undesignated Fund Balance
NOT TO EXCEED: \$15,900.00



Date



Chief Administrative Officer

Request for Legislative Action Ord. #5649
 Sponsor: Theresa Cass Galvin
 Date: August 15, 2022

Completed by County Counselor's Office

Action Requested:	Ordinance	Res.Ord No.:	5649
Sponsor(s):	Theresa Galvin	Legislature Meeting Date:	8/15/2022

Introduction

Action Items: ['Appropriate']

Project/Title:

Appropriating the sum of \$15,900 from the Undesignated Fund Balance of the Health Fund (No. 002) for the purpose of supplementing the unleaded gasoline needs of the Departments of Environmental Health, Medical Examiner, and Public Administrator for the remainder of the 2022 fiscal year.

Request Summary

This ordinance requests the appropriation of a total of \$15,900 from the Undesignated Fund Balance of the Health Fund to supplement the adopted budget amounts for unleaded gasoline usage at substantially higher amounts than were included in the adopted budget. Supplementing the money eliminates the need for budget transfers or making other programmatic reductions to meet this need. Funding for the departments that are supported by Health Fund are included in this supplemental budget request and includes Environmental Health (\$8,900), Medical Examiner (\$4,000), and Public Administrator (\$3,000)

Contact Information

Department:	County Executive Office	Submitted Date:	7/27/2022
Name:	Troy Schulte	Email:	TSchulte@jacksongov.org
Title:	County Administrator	Phone:	816-881-1079

Budget Information

Amount authorized by this legislation this fiscal year:			\$15,900
Amount previously authorized this fiscal year:			\$ 0
Total amount authorized after this legislative action:			\$15,900
Is it transferring fund?			Yes
Transferring Fund From:			
Fund:	Department:	Line Item Account:	Amount:
002 (Health Fund)	9999 (*)	32810 (Undesignated Fund Balance)	\$15,900

Request for Legislative Action

Transferring Fund To:			
Fund:	Department:	Line Item Account:	Amount:
002 (Health Fund)	1503 (Environmental Health)	57110 (Gasoline)	\$8,900
002 (Health Fund)	3501 (Public Administrator)	57110 (Gasoline)	\$3,000
002 (Health Fund)	2001 (Medical Examiner)	57110 (Gasoline)	\$4,000

Prior Legislation	
Prior Ordinances	
Ordinance:	Ordinance date:
5636	July 18, 2022
Prior Resolution	
Resolution:	Resolution date:
21015	July 25, 2022
21004	July 11, 2022

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

Request for Legislative Action

- Funds sufficient for this appropriation and/or transfer are available from the source indicated on the budget information tab.

Request for Legislative Action

History

Submitted by County Executive Office requestor: Troy Schulte on 7/27/2022. Comments:

Approved by Department Approver Sylva Stevenson on 7/27/2022 4:28:37 PM. Comments:

Not applicable by Purchasing Office Approver Barbara J. Casamento on 7/27/2022 4:54:55 PM. Comments:

Approved by Compliance Office Approver Katie M. Bartle on 7/28/2022 9:46:11 AM. Comments:

Approved by Budget Office Approver Mark Lang on 7/29/2022 3:05:28 PM. Comments: The fiscal note is attached.

Approved by Executive Office Approver Sylva Stevenson on 7/30/2022 5:05:37 PM. Comments:

Returned for more information by Counselor's Office Approver Elizabeth Freeland on 8/3/2022 11:26:56 AM. Comments: Action item is only appropriate.

Submitted by Requestor Troy Schulte on 8/3/2022 4:48:10 PM. Comments: Correction made.

Approved by Department Approver Sylva Stevenson on 8/4/2022 11:29:33 AM. Comments:

Not applicable by Purchasing Office Approver Barbara J. Casamento on 8/4/2022 11:51:08 AM. Comments:

Approved by Compliance Office Approver Katie M. Bartle on 8/4/2022 12:03:30 PM. Comments:

Approved by Budget Office Approver Mark Lang on 8/4/2022 2:02:03 PM. Comments:

Approved by Executive Office Approver Sylva Stevenson on 8/4/2022 3:39:30 PM. Comments:

Approved by Counselor's Office Approver Elizabeth Freeland on 8/11/2022 9:51:05 AM. Comments:

Supplemental Appropriation Request Jackson County, Missouri

Funds sufficient for this appropriation are available from the source indicated below.

Date: July 29, 2022

Ord # 5649
eRLA ID #: 593

Org Code/Description	Object Code/Description	From	To
002 Health Fund			
9999 -	32810 Undesignated Fund Balance	\$ 15,900	\$ -
1503 Environmental Health	57110 Gasoline	-	8,900
3501 Public Administrator	57110 Gasoline	-	3,000
2001 Medical Examiner	57110 Gasoline	-	4,000
		\$ 15,900	\$ 15,900

APPROVED
By Mark Lang at 3:04 pm, Jul 29, 2022

Budget Office

IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

AN ORDINANCE appropriating \$4,000.00 from the undesignated fund balance of the 2022 Grant Fund, in acceptance of a grant received from the State of Missouri Office of State Courts Administrator, Administrative Services Division, for use by the Jackson County Family Court Division.

ORDINANCE NO. 5650, August 15, 2022

INTRODUCED BY Theresa Cass Galvin, County Legislator

WHEREAS, the Jackson County Family Court Division has been awarded a grant by the State of Missouri Office of State Courts Administrator, Administrative Services Division in the amount of \$4,000.00, to provide funding for the Rapid Response Visitation Project, to partially fund parent aides, mileage reimbursement, and administrative fees; and,

WHEREAS, the grant is awarded for the period of July 19, 2022, through September 30, 2022; and,

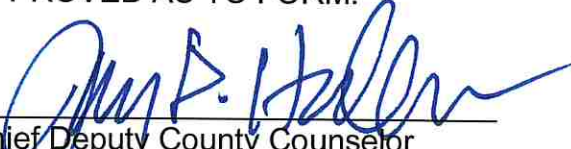
WHEREAS, an appropriation is necessary to place these grant funds in the appropriate spending accounts; now therefore,

BE IT ORDAINED by the County Legislature of Jackson County, Missouri, that the following appropriation be and hereby is made from the undesignated fund balance of the 2022 Grant Fund:

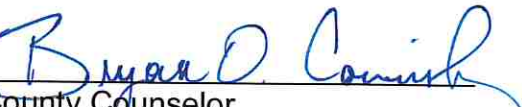
<u>DEPARTMENT/DIVISION</u>	<u>CHARACTER/DESCRIPTION</u>	<u>FROM</u>	<u>TO</u>
Grant Fund			
Rapid Response Visitation			
010-2157	45618- Increase Revenues	\$4,000	
010-9999	32810 -		
	Undesignated Fund Balance		\$4,000
010-9999	32810 -		
	Undesignated Fund Balance	\$4,000	
Rapid Response Visitation			
010-2157	56790-		
	Other Contractual Services		\$4,000

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. 5650 introduced on August 15, 2022, was duly passed on _____, 2022 by the Jackson County Legislature. The votes thereon were as follows:

Yeas _____

Nays _____

Abstaining _____

Absent _____

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

Date

Mary Jo Spino, Clerk of Legislature

I hereby approve the attached Ordinance No. 5650.

Date


Frank White, Jr., County Executive

Funds sufficient for this appropriation are available from the source indicated below.

ACCOUNT NUMBER: 010 9999 32810
ACCOUNT TITLE: Grant Fund
Undesignated Fund Balance
NOT TO EXCEED: \$4,000.00



Date



Chief Administrative Officer

Request for Legislative Action

Ordinance No.: 5650

Sponsor: Theresa Cass Galvin

Date: August 15, 2022

Completed by County Counselor's Office

Action Requested:	Ordinance	Res.Ord No.:	5650
Sponsor(s):	Theresa Galvin	Legislature Meeting Date:	8/15/2022

Introduction

Action Items: ['Appropriate']

Project/Title:

Rapid Response Visitation Project

Request Summary

The total amount of this grant is \$4,000 and there is no local match required. The funding is allocated for visitation services to families child abuse and neglect cases including parent aide hours, mileage reimbursement, and administrative fees.

Contact Information

Department:	Circuit Court	Submitted Date:	7/20/2022
Name:	carl.bayless@courts.mo.gov	Email:	carl.bayless@courts.mo.gov
Title:		Phone:	816-435-4775

Budget Information

Amount authorized by this legislation this fiscal year:			\$4,000
Amount previously authorized this fiscal year:			\$ 0
Total amount authorized after this legislative action:			\$4,000
Is it transferring fund?			Yes
Transferring Fund From:			
Fund:	Department:	Line Item Account:	Amount:
010 (Grant Fund)	9999 (*)	32810 (Undesignated Fund Balance)	\$4,000
Transferring Fund To:			
Fund:	Department:	Line Item Account:	Amount:
010 (Grant Fund)	2157 (Rapid Response Visitation Project)	56790 (Other Contractual Services)	\$4,000

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">Funds sufficient for this appropriation and/or transfer are available from the source indicated on the budget information tab.	

Request for Legislative Action

History

Submitted by Circuit Court requestor: carl.bayless@courts.mo.gov on 7/20/2022. Comments:

Approved by Department Approver Theresa Byrd on 7/20/2022 3:54:25 PM. Comments:

Not applicable by Purchasing Office Approver Barbara J. Casamento on 7/21/2022 12:00:55 PM. Comments:

Approved by Compliance Office Approver Katie M. Bartle on 7/22/2022 9:12:04 AM. Comments:

Approved by Budget Office Approver Sarah L. Matthes on 8/8/2022 8:21:29 AM. Comments: Fiscal Note Attached

Approved by Executive Office Approver Sylvia Stevenson on 8/8/2022 9:43:08 AM. Comments:

Approved by Counselor's Office Approver Elizabeth Freeland on 8/11/2022 9:53:55 AM. Comments:

Budgeting

JACKSON COUNTY FAMILY COURT GRANT PROGRAM INFORMATION



"An organization of people delivering effective and culturally-diverse services emphasizing the strengths of children, youth, families, staff and the community, in order to assist them to act out of respect for themselves and others."



Ordinance Number: 4883
Program Name: Rapid Response Visitation Project
Funding Agency: OSCA CIP Award
Funding Arrangements and Use of Funds: The total amount of this grant is \$4,000 and there is no local match required. The funding is allocated for visitation services to families child abuse and neglect cases including parent aide hours, mileage reimbursement, and administrative fees.
Funding Period for Grant: 7/19/2022 – 9/30/2022
New or Existing Program/Continued Funding Opportunity: This is a new funding source.
Program Description: <p>The Sixteenth Judicial Circuit of Missouri, Family Court Division staff have observed a significant increase in delays in parent-child visitation in child welfare cases since the onset of the global pandemic in 2020. In response to inquiries to the Children's Division staff, anecdotally visitation was not occurring due to the shortage of parent aides and restrictions put in place for social distancing. Parent-child visitation is a crucial component of progress towards reunification. The inability to consistently provide this service to children and families is a disservice and places them at a significant disadvantage in their quest for reunification.</p> <p>The Family Court will utilize these funds to remove barriers to parent-child visitation. The funds will be utilized to contract with the local parent aide organization, Family Transformations. The funds would be used to pay for parent aide services and transportation. The funds would allow for Jackson County Family Court to utilize a parent aide from Family Transformations in response to gaps in services. For example, should the primary parent aide be unable to provide family visits due to potential exposure to COVID-19, unrelated illness, leave, etc., we will contact Family Transformations allowing parent/child visits to continue without disruption.</p>
Theoretical or Practical Basis: Utilizing these funds to purchase contracted services allowing for parent-child visitation to continue with minimal disruption. It is anticipated that this intervention will aide in timely reunification.
Expected Impact: Reduce the incidence of delayed or missed parent-child visitation that occurs as a result of a shortage of Parent Aides.
Evaluation Plan and/or Demonstrated Efficacy: The Child Protection and Permanency Unit (CPPU) Program Manager will track, on a monthly basis, the number of families served, the number of visits that occurred, and the reason the primary parent aide was unable to conduct the visit.
For more information, contact the Family Court Deputy Court Administrator Theresa Byrd at 816-435-4850



State of Missouri
Office of State Courts Administrator
Administrative Services Division

Issue Date

Award
Amount

Contract Period

May 17, 2022 through
September 30, 2022

Missouri CIP - Local Court Enhancements

Court Improvement Program Supplemental funding for Missouri is available for local circuits to address child abuse and neglect case needs stemming from COVID-19 public health emergency to ensure the safety, permanence and well-being needs of children are met in a timely and complete manner.

Contract Number	<input type="checkbox"/> Original Contract
OSCA	<input type="checkbox"/> Contract Amendment

Court/Recipient Information:	Project Director:	OSCA Program Contact
		Kim Abbott 573-522-6768
		OSCA Fiscal Contact
		Shelly Peters 573-522-2751



Special Conditions of this award are attached.



There are no special conditions of this award. Original RFP requirements only.

Please Sign, Date and Return by e-mail or mail to:

Office of State Courts Administrator
Attn: Contracts Unit
P.O. Box 104480
Jefferson City, MO 65110 - 4480
osca.contracts@courts.mo.gov

In witness thereof, the parties below hereby execute this agreement.

Appointing Authority Signature	<i>Theresa L. Byrd</i>	OSCA Signature	<i>Earl Kraus</i>
Printed Name	Theresa L. Byrd	Date	07-19-2022
Presiding Judge Signature	<i>J. Dale Youngs</i>	Printed Name	Earl Kraus
Printed Name	J. DALE YOUNGS	Title	Deputy State Courts Administrator
Date	19-Jul-2022	Date	07/19/2022

IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

AN ORDINANCE transferring \$46,155.00 within the 2022 Anti-Crime Sales Tax Fund and \$138,689.00 within the 2022 General Fund and appropriating \$138,689.00 from the undesignated fund balance of the 2022 Anti-Crime Sales Tax Fund, in acceptance of the Victims of Crime Act Grant for use by the Prosecuting Attorney's Office's Victim Services Program.

ORDINANCE NO. 5651, August 15, 2022

INTRODUCED BY Theresa Cass Galvin, County Legislator

WHEREAS, the Prosecuting Attorney's Office has been awarded a Victims of Crime Act (VOCA) grant in the amount of \$138,689.00 by the Missouri Department of Social Services office's Victim Services Program, for the period April 1, 2022, through September 30, 2022; and,

WHEREAS, the grant will cover partial funding for the salaries of six victim advocates; and,

WHEREAS, a local match of \$46,155.00 is required for this grant; and,

WHEREAS, a transfer and appropriation are necessary in order to place the grant and matching funds in the proper spending accounts; now therefore,

BE IT RESOLVED by the County Legislature of Jackson County, Missouri, that the following transfers within the 2022 Anti-Crime Sales Tax Fund and 2022 General Fund and appropriation from the undesignated fund balance of the 2022 Anti-Crime Sales Tax Fund be and hereby are made:

<u>DEPARTMENT/DIVISION</u>	<u>CHARACTER/DESCRIPTION</u>	<u>FROM</u>	<u>TO</u>
General Fund			
Prosecuting Attorney			
001-4101	45941- VOCA	\$138,689	
Operating Transfers			
001-9100	56105- Operating Transfers Out		\$138,689
Anti-Crime Sales Tax Fund			
VOCA			
008-4139	47070- Inter Fund Transfers	\$138,689	
008-9999	32810- Undesignated Fund Balance		\$138,689
008-9999	32810- Undesignated Fund Balance	\$138,689	
Deferred Prosecution			
008-4154	56092- Drug Treatment Services	\$46,155	
VOCA			
008-4139	55010- Regular Salaries		\$138,747
008-4139	55040- FICA Taxes		\$10,613
008-4139	55050- Pension Contributions		\$15,984
008-4139	55060- Insurance Benefits		\$19,500

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. 5651 introduced on August 15, 2022, was duly passed on _____, 2022 by the Jackson County Legislature. The votes thereon were as follows:

Yeas _____

Nays _____

Abstaining _____

Absent _____

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

Date

Mary Jo Spino, Clerk of Legislature

I hereby approve the attached Ordinance No. 5651.

Date

Frank White, Jr., County Executive

Funds sufficient for this transfer and appropriation are available from the sources indicated below.

ACCOUNT NUMBER: 008 4154 56092
ACCOUNT TITLE: Anti-Crime Sales Tax Fund
Deferred Prosecution
Drug Treatment Services
NOT TO EXCEED: \$46,155.00

ACCOUNT NUMBER: 008 9999 32810
ACCOUNT TITLE: Anti-Crime Sales Tax Fund
Undesignated Fund Balance
NOT TO EXCEED: \$138,689.00

8/11/2022
Date


Chief Administrative Officer

Request for Legislative Action

Ord. #5651

Sponsor: Theresa Cass Galvin

Date: August 15, 2022

Completed by County Counselor's Office

Action Requested:	Ordinance	Res.Ord No.:	5651
Sponsor(s):	Theresa Galvin	Legislature Meeting Date:	8/15/2022

Introduction

Action Items: ['Appropriate', 'Transfer']

Project/Title:

Ordinance transferring and appropriating funds for the acceptance of the VOCA Grant awarded to the Jackson County Prosecutor's Office by the Missouri Department of Social Services.

Request Summary

Requesting an ordinance accepting the VOCA Grant awarded to Jackson County by the Missouri Department of Social Services for the partial funding of six victim advocates. The total award amount is \$138,689.00. To complete this project, the Prosecutor's Office will provide an additional \$46,155.00 to pay for the unfunded portions of the encumbants. Term of the grant is 4/1/22 - 9/30/22.

Please transfer \$46,155.00 from 008-4154-56092 and appropriate \$138,689.00 in the following accounts:

008-4139-55010	Regular Salaries	\$138,747.00
008-4139-55040	FICA Taxes	\$ 10,613.00
008-4139-55050	Pension Contribution	\$ 15,984.00
008-4139-55060	Insurance Benefits	\$ 19,500.00

Contact Information

Department:	Prosecuting Attorney	Submitted Date:	7/8/2022
Name:	Gina Robinson	Email:	grobinson@jacksongov.org
Title:	Chief of Operations	Phone:	816-881-3369

Budget Information

Amount authorized by this legislation this fiscal year:	\$184,844
Amount previously authorized this fiscal year:	!Unexpected End of Formula
Total amount authorized after this legislative action:	\$184,844
Is it transferring fund?	Yes
Transferring Fund From:	

Request for Legislative Action

Fund:	Department:	Line Item Account:	Amount:
008 (Anti-Crime Sales Tax Fund)	9999 (*)	32810 (Undesignated Fund Balance)	\$138,689
008 (Anti-Crime Sales Tax Fund)	4154 (Deferred Prosecution)	56092 (Drug Treatment Services)	\$46,155
Transferring Fund To:			
Fund:	Department:	Line Item Account:	Amount:
008 (Anti-Crime Sales Tax Fund)	4139 (VOCA)	55010 (Regular Salaries)	\$138,747
008 (Anti-Crime Sales Tax Fund)	4139 (VOCA)	55040 (FICA Taxes)	\$10,613
008 (Anti-Crime Sales Tax Fund)	4139 (VOCA)	55050 (Pension Contribution)	\$15,984
008 (Anti-Crime Sales Tax Fund)	4139 (VOCA)	55060 (Insurance Benefits)	\$19,500

Prior Legislation	
Prior Ordinances	
Ordinance:	Ordinance date:
5586	December 13, 2021
5299	December 2, 2019
5624	May 16, 2022
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	

Request for Legislative Action

MBE: .00%	
WBE: .00%	
VBE: .00%	
Prevailing Wage	
Not Applicable	

Fiscal Information	
<ul style="list-style-type: none">Funds sufficient for this appropriation and/or transfer are available from the source indicated on the budget information tab.	

Request for Legislative Action

Submitted by Prosecuting Attorney requestor: Gina Robinson on 7/8/2022. Comments:

Approved by Department Approver Jean Peters Baker on 7/8/2022 1:15:59 PM. Comments:

Not applicable by Purchasing Office Approver Barbara J. Casamento on 7/8/2022 2:47:04 PM. Comments:

Approved by Compliance Office Approver Jaime Guillen on 7/8/2022 4:25:18 PM. Comments:

Approved by Budget Office Approver Sarah L. Matthes on 7/11/2022 7:24:36 AM. Comments: Fiscal Note Attached

Approved by Executive Office Approver Sylva Stevenson on 7/11/2022 12:36:55 PM. Comments:

Returned for more information by Counselor's Office Approver Elizabeth Freeland on 7/19/2022 2:22:01 PM. Comments: Please see Crissy's email for needed corrections. Thanks!

Submitted by Requestor Tina M. Wise on 7/29/2022 12:08:37 PM. Comments:

Approved by Department Approver Jean Peters Baker on 8/1/2022 10:15:52 AM. Comments:

Returned for more information by Purchasing Office Approver Barbara J. Casamento on 8/1/2022 1:59:34 PM. Comments: Per department request

Submitted by Requestor Tina M. Wise on 8/1/2022 8:02:37 PM. Comments:

Approved by Department Approver Jean Peters Baker on 8/2/2022 9:28:12 AM. Comments:

Not applicable by Purchasing Office Approver Barbara J. Casamento on 8/2/2022 9:46:24 AM. Comments:

Approved by Compliance Office Approver Katie M. Bartle on 8/2/2022 4:11:27 PM. Comments:

Approved by Budget Office Approver Mark Lang on 8/3/2022 10:29:38 AM. Comments: A revised fiscal note has been attached.

August 11, 2022

eRLA #580

Page 4 of 4

Approved by Executive Office Approver Sylva Stevenson on 8/3/2022 11:18:01 AM. Comments:

Supplemental Appropriation Request

Jackson County, Missouri

Funds sufficient for this appropriation are available from the source indicated below.

Date: July 21, 2022

Ord # 5651
eRLA ID #: 580

Org Code/Description	Object Code/Description	From	To
001 General Fund			
4101 Prosecuting Attorney	45941 VOCA	\$ 138,689	\$ -
9100 Operating Transfers	56105 Operating Transfers Out	-	138,689

008 Anti-Crime Sales Tax Fund

4139 VOCA	47070 Inter Fund Transfers	\$ 138,689	\$ -
9999 -	32810 Undesignated Fund Balance		138,689

9999 -	32810 Undesignated Fund Balance	138,689	-
4154 Deferred Prosecution	56092 Drug Treatment Services	46,155	-
4139 VOCA	55010 Regular Salaries	-	138,747
4139 VOCA	55040 FICA Taxes	-	10,613
4139 VOCA	55050 Pension Contribution	-	15,984
4139 VOCA	55060 Insurance Benefits	-	19,500

\$ 184,844 \$ 184,844

APPROVED


By Mark Lang at 10:27 am, Aug 03, 2022

Budget Office



NOTICE OF AWARD

Missouri Department of Social Services
Division of Finance & Administrative Services
Procurement Unit
P.O. Box 1643
Jefferson City, MO 65102

CONTRACT NUMBER ER130220084	CONTRACT TITLE Victims of Crime Act (VOCA)
AMENDMENT NUMBER	CONTRACT PERIOD April 1, 2022 through September 30, 2022
AGENCY NAME AND ADDRESS Jackson County, Prosecutor's Office 415 East 12th Street, Floor 11 Kansas City, MO 64106	CONTACT PERSON NAME AND E-MAIL ADDRESS Gina Robinson grobinson@jacksongov.org
ACCEPTED BY THE STATE OF MISSOURI AS FOLLOWS: The proposal submitted by Jackson County, Prosecutor's Office in response to the VOCA Notice of Funding (NFO) No. DSS22NFO002 is accepted for Kansas City Region in the amount of \$138,689. The match requirements in section 3.1.1 d. 3) are hereby waved through September 30, 2022.	
PROCUREMENT OFFICER Ann Perkins	PROCUREMENT OFFICER CONTACT INFORMATION Email: ann.perkins@dss.mo.gov Phone: (573) 522-1571 Fax: (573) 526-4678
AUTHORIZED SIGNATURE FOR THE DEPARTMENT OF SOCIAL SERVICES  AP	DATE March 18, 2022



Missouri Department of Social Services
Division of Finance & Administrative Services
P.O. Box 1643, Jefferson City, Mo 65102-2320
FSD.VOCAUnit@dss.mo.gov
VOCA Budget Form

Agency: Jackson County, Prosecutor's Office | Region: Kansas City | Contract Number: ER130220084
Program Period: April 1, 2022 to September 30, 2022

Organization Information	
Organization Type (Place an "X" next to all that apply)	
Domestic Violence/Sexual Assault Services and/or Shelters	<input type="checkbox"/>
Child Advocacy Center	<input type="checkbox"/>
Court Appointed Special Advocates (CASA)	<input type="checkbox"/>
Missouri Courts	<input type="checkbox"/>
Prosecuting Attorney Victim Advocates	<input checked="" type="checkbox"/>
All Other Victims of Crime Act (VOCA) Programs	<input type="checkbox"/>

Budget	
Allocation Base for FFY 19 Fund:	\$ -
Allocation Base for FFY 20 Fund:	\$ 138,689.00
Allocation Base for FFY 21 Fund:	\$ -
Allocation Base for ARPA:	\$ -
Total Allocation:	\$ 138,689.00

Program Costs							
Funding Granted	Funding Source	% Per Period	Total Funding Granted Per Period				Period Total
			FFY-'19	FFY-'20	FFY-'21	ARPA	
	Personal	0.0%	\$ -	\$ 138,689.00	\$ -	\$ -	\$ 138,689.00
	Benefits	0.0%	\$ -	\$ -	\$ -	\$ -	\$ -
	Travel Training	0.0%	\$ -	\$ -	\$ -	\$ -	\$ -
	Equipment	0.0%	\$ -	\$ -	\$ -	\$ -	\$ -
	Supplies & Operations	0.0%	\$ -	\$ -	\$ -	\$ -	\$ -
	Contractual	0.0%	\$ -	\$ -	\$ -	\$ -	\$ -
	Indirect Cost	0.0%	\$ -	\$ -	\$ -	\$ -	\$ -
	Total	0.0%	\$ -	\$ 138,689.00	\$ -	\$ -	\$ 138,689.00

MATCH - THE AMOUNT YOUR ORGANIZATION AGREES TO CONTRIBUTE							Match Amount
This amount may be reduced if: 28 C.F.R. § 94.118 requires subrecipients to contribute (i.e., match) not less than 20 percent (cash or in-kind) of the total cost of each project." Matching requirements are automatically waived for subrecipients "that are federally recognized American Indian or Alaska Native tribes, or projects that operate on tribal lands." Matching requirements are also automatically waived for subrecipients "that are territories or possessions of the United States (except for the Commonwealth of Puerto Rico), or projects that operate therein. Upon request of the state administering agency (SAA), the OVC Director may, at their discretion, waive in part or in full the matching requirements, pursuant to 28 C.F.R. § 94.118(b)(3).							\$

Types of Victims Served							
Funding Granted	Funding Source	% Per Period	Total Funding Granted Per Period				Period Total
			FFY-'19	FFY-'20	FFY-'21	ARPA	
	Domestic Abuse	10.0%	\$ -	\$ 13,869.00	\$ -	\$ -	\$ 13,869.00
	Child Abuse	3.5%	\$ -	\$ 4,854.00	\$ -	\$ -	\$ 4,854.00
	Sexual Abuse	3.5%	\$ -	\$ 4,854.00	\$ -	\$ -	\$ 4,854.00
	Underserved	83.0%	\$ -	\$ 115,112.00	\$ -	\$ -	\$ 115,112.00
	Grant Year	0.0%	\$ -	\$ -	\$ -	\$ -	\$ -
Total		100.0%	\$ -	\$ 138,689.00	\$ -	\$ -	\$ 138,689.00

I hereby certify that the budget is taken from original Books of Account and that budget amounts are valid and consistent with the terms of the contract.

<i>Jean Peters Baker</i>	4/11/2022
Signature of Authorized Representative	Date

VOCA Grant

010-4139

4/22 - 9/22

	Salary	FICA	Pension (11.52)	Insurance	Total
Brown 19.81	20,602.40	1,576.09	2,373.63	3,382.17	27,934.29
Cannon 23.19	25,324.00	1,937.00	2,917.32	3,115.09	33,293.41
Evans 21.76	22,630.40	1,731.23	2,607.03	6,505.40	33,474.06
Layton 24.05	26,260.00	2,008.89	3,025.15	3,115.09	34,409.13
Rose 20.02	21,652.80	1,656.44	2,494.40	0.00	25,803.64
Thompson 21.42	22,276.80	1,704.18	2,566.29	3,382.17	29,929.44
	138,746.40	10,613.83	15,983.82	19,499.92	184,843.97
					-138,689.00
					46,154.97
					Award
					Match

IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

A RESOLUTION congratulating Marilu Herrick, the Co-Founder and Executive Director of the Rainbow Center for Communicative Disorders, on the occasion of her retirement on June 30, 2022.

RESOLUTION NO. 21026, August 15, 2022

INTRODUCED BY Jeanie Lauer, County Legislator

WHEREAS, Marilu Herrick, the Co-Founder and Executive Director of the Rainbow Center for Communicative Disorders, retired on June 30, 2022; and,

WHEREAS, Marilu is a pioneer in the field of intellectual and developmental disorder services, having founded Rainbow Center in 1977 after seeing a need for intensive therapeutic intervention within an academic setting; and,

WHEREAS, since then, the Rainbow Center has provided a positive, self-esteem building day school for students with severe communication deficits and behaviors, including, all aspects of autism spectrum disorders and Down syndrome; and,

WHEREAS, the Rainbow Center moved into its first independent facility in 1990 and, in 1996, opened Rainbow Options, an adult day habilitation program which now serves fifty adults with severe disabilities; and,

WHEREAS, Marilu is a master at creating partnerships in the community, and using her skills, she developed a gentle, welcoming culture that empowers its ninety employees

and a thriving volunteer environment; and,

WHEREAS, Rainbow Center Day School serves seventy-five students this year and has partnerships with approximately twenty school districts across the five-county area that, because of Marilu's reputation and achievements, foster hope for parents and brings success for their children; and,

WHEREAS, Marilu believes that "there is always a way to teach someone, it's just up to us to figure out how"; and,

WHEREAS, Marilu's co-workers will miss her knowledge and expertise and her impact will be felt for generations; and,

WHEREAS, her family and friends join in congratulating her on this momentous occasion; now therefore,

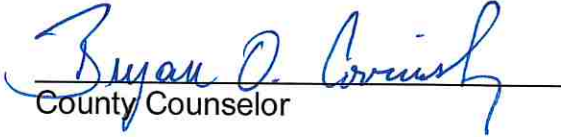
BE IT RESOLVED by the County Legislature of Jackson County, Missouri, that the Legislature hereby congratulates Marilu Herrick on the occasion of her retirement from the Rainbow Center for Communicative Disorders, and extends its best wishes in all of her future endeavors.

Effective Date: This Resolution shall be effective immediately upon its passage by a majority of the Legislature.

APPROVED AS TO FORM:



Chief Deputy County Counselor



County Counselor

Certificate of Passage

I hereby certify that the attached resolution, Resolution No. 21026 of August 15, 2022, was duly passed on _____, 2022 by the Jackson County Legislature. The votes thereon were as follows:

Yeas _____

Nays _____

Abstaining _____

Absent _____

Date

Mary Jo Spino, Clerk of Legislature