

IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

AN ORDINANCE submitting to the qualified voters of Jackson County, at the general election to be held on Tuesday November 3, 2020, a question authorizing Jackson County to impose a monthly fee of \$1.00 on each subscriber of any communications service that has been enabled to contact 911, for the purpose of funding 911 service in Jackson County.

ORDINANCE NO. 5338, May 18, 2020

INTRODUCED BY Jeanie Lauer, County Legislator

WHEREAS, pursuant to sections 190.300 *et seq.*, RSMo, the County has since 1983 imposed an emergency telephone tax on land telephone lines, at a rate based on a percentage of the tariff rate per line set by the Missouri Public Service Commission; and,

WHEREAS, the tax is currently set at the rate of six percent per line; and,

WHEREAS, by Senate Bill 291 (Laws 2019), now codified at section 190.455, RSMo, the Missouri General Assembly has provided a mechanism by which interested entities which impose a land line tax pursuant to sections 190.300 *et seq.*, RSMo, may submit a proposal to the voters by which that tax can be replaced by a monthly fee, not to exceed \$1.00 per line or device, on any line or other communications service that has been enabled to contact the emergency telephone number 911; and,

WHEREAS pursuant to section 190.455, only one fee may be assessed per active telephone number, or its functional equivalent or successor, used to provide a

communications service, and no fee may be imposed on more than one hundred voice-grade channels or their equivalent per person, per location; and,

WHEREAS, it is in the best interests of the health, welfare, and safety of the citizens of Jackson County that they be given the opportunity to determine whether the burden of funding emergency telephone service should continue to be borne only by subscribers of land line telephone service, or should be shared among land line subscribers, cellular telephone users, voice-operated internet protocol (VOIP) telephone users, and subscribers to other 911-capable communications services; now therefore,

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

Section 1. Subject to the approval of the voters of Jackson County, at the general election to be held on November 3, 2020, the imposition of a fee at the rate of one dollar on each subscriber of any communications service that has been enabled to contact 911, is hereby authorized within and for Jackson County, Missouri.

Section 2. Pursuant to the provisions of section 190.455, RSMo Supp. 2019, there is hereby submitted to the qualified voters of Jackson County, Missouri, at the general election to be held on November 3, 2020, a question authorizing the imposition of a fee at the rate of one dollar on each subscriber of any communications service that has been enabled to contact 911.

Section 3. The qualified voters at said election shall vote by ballot and the ballots to be used at said election shall contain the following language:

JACKSON COUNTY, MISSOURI

QUESTION NO. 1

GENERAL ELECTION

NOVEMBER 3, 2020

OFFICIAL BALLOT

Shall Jackson County, Missouri, impose a monthly fee not to exceed \$1.00 (one dollar) on a subscriber of any communications service that has been enabled to contact 911 for the purpose of funding 911 service in the County? The proceeds of this fee shall be deposited in the County's special E-911 System Fund and not comingled with the general funds of the County, to be expended solely for the purpose set for herein.

YES

NO

If you are in favor of the question, completely darken the oval beside the word "Yes." If you are opposed to the question, completely darken the oval beside the word "No."

Section 4. This Ordinance shall become effective upon approval of the question submitted by the voters of Jackson County at the general election on November 3, 2020, and the Legislature's adoption of an Ordinance setting the actual fee within the parameters set out in Section 3 hereof. If a majority of the votes cast on the question by

the qualified voters voting thereon are in favor of the question and the Legislature subsequently adopts an Ordinance setting the actual fee, the fee shall become effective on the first day of the second calendar quarter after the Missouri Director of Revenue receives notification of adoption of the fee.

Section 5. The monthly fee authorized in this Ordinance shall be one dollar and shall be assessed to the subscriber of the communications service, regardless of technology, based upon the number of active telephone numbers, or their functional equivalents or successors, assigned by the provider and capable of simultaneously contacting the public safety answering point; provided that, for multiline telephone systems and for facilities provisioned with capacity greater than a voice-capable grade channel or its equivalent, regardless of technology, the charge shall be assessed on the number of voice-capable grade channels as provisioned by the provider that allow simultaneous contact with the public safety answering point. Only one fee may be assessed per active telephone number, or its functional equivalent or successor, used to provide a communications service. No fee imposed under this Ordinance shall be imposed on more than one hundred voice-grade channels or their equivalent per person per location. The monthly fee shall not be assessed on the provision of broadband internet access service. The fee shall be imposed solely for the purpose of funding 911 service in Jackson County. The monthly fee authorized in this section shall be limited to one fee per device.

Section 6. Upon the initiation of the collection of the fee authorized by this Ordinance, the collection of any tax authorized in Jackson County pursuant to sections 190.300 *et seq.*, RSMo, shall cease.

Section 7. This Ordinance shall be published as required by law.

Section 8. The Clerk of the Legislature is hereby authorized and directed to notify the Jackson County Board of Election Commissioners and the Kansas City Board of Election Commissioners of the adoption of this Ordinance no later than August 25, 2020, by 5:00 p.m., and to include in said notification all the terms and provisions required by section 115.125, RSMo.

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. 5338 introduced on May 18, 2020, was duly passed on _____, 2020 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. 5338.

Date

Frank White, Jr., County Executive

IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

AN ORDINANCE recognizing the service and sacrifice of non-profit hospital workers, nursing home workers, and community health center workers who protect the residents of our community during the COVID-19 pandemic, and expressing our gratitude to these healthcare workers for their professional and courageous efforts during this crisis and making available previously procured personal protective equipment for the benefit of these workers.

ORDINANCE NO. 5339, May 18, 2020

INTRODUCED BY Ronald E. Finley, County Legislator

WHEREAS, as the COVID-19 virus spread throughout the United States, officials in Missouri, Kansas City, and Jackson County came together to formulate a plan to battle this disease and protect our residents; and,

WHEREAS, throughout this ordeal, our residents have stayed home to slow the spread of the disease while our non-profit hospital workers, nursing home workers, and community health center workers have remained on the front lines, putting themselves in harm's way for our benefit and protection; and,

WHEREAS, these brave non-profit hospital workers, nursing home workers, and community health center workers deserve recognition and support while they are exposed each day to the dangers of this deadly disease and in turn put their own families at risk because of their increased exposure; and,

WHEREAS, so far the County has purchased of approximately 30,000 pieces of personal protective equipment (PPE) for some emergency workers, but more is needed; and,

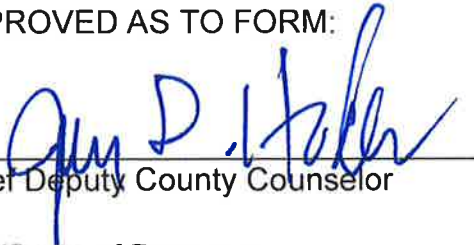
WHEREAS, by Ordinance 5335, dated May 11, 2020, the Legislature appropriated \$1,000,000.00 to be used to procure and provide PPE for front-line first responder fire fighters and police officers working in the in Kansas City, Missouri, Police and Fire Departments, as well as the first responder police and fire fighters working throughout Eastern Jackson County in the communities of Independence, Lee's Summit, Blue Springs, Raytown, Grandview, Grain Valley, Sugar Creek, Lake Lotawana, Lake Tapawingo, Levasy, Buckner, Sibley, Lone Jack, Oak Grove, Greenwood, Unity Village, River Bend, and in the unincorporated areas of Jackson County; and,

WHEREAS, the Legislature also desires to support our non-profit hospital workers, nursing home workers, and community health center workers in Kansas City and Eastern Jackson County; now therefore,

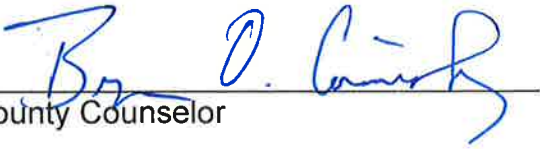
BE IT ORDAINED by the County Legislature of Jackson County, Missouri, that the Legislature hereby recognizes the courageous efforts of our non-profit community hospital workers, nursing home workers, and community health center workers and makes available PPE acquired by the County for the benefit and protection of these non-profit hospital workers, nursing home workers, and community health center workers in the cities and towns throughout Jackson County.

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

APPROVED AS TO FORM:



Chief Deputy County Counselor



County Counselor

Certificate of Passage

I hereby certify that the attached ordinance, Ordinance No. 5339 of May 18, 2020, was duly passed on _____, 2020 by the Jackson County Legislature. The votes thereon were as follows:

Yeas _____

Nays _____

Abstaining _____

Absent _____

Date

Mary Jo Spino, Clerk of Legislature

I hereby approve the attached Ordinance No. 5339.

Date

Frank White, Jr., County Executive

IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

A RESOLUTION requesting the County Administration and Communications Department to report to the Legislature on a regular basis on certain topics relating to the ongoing Coronavirus/COVID-19 pandemic

RESOLUTION NO. 20428, May 18, 2020

INTRODUCED BY Ronald E. Finley, County Legislator

WHEREAS, as part of the Legislature's key oversight role, as described in Resolution 20414, dated April 20, 2020, the Legislature believes it is critical that the County Administration and Communications Department provide updates to the Legislature on a regular basis on certain important topics relating to the ongoing Coronavirus/COVID-19 pandemic; and,

WHEREAS, the updates shall include information, as available, on the following topics:

1. The plan for future Jackson County testing sites and locations, and at what intervals;
2. The statistics on total number of people tested at each Jackson County site;
3. The statistics on total number of positive and negative Jackson County test results and any available recovery statistics;
4. The statistics on total number of COVID-19 cases in Jackson County and surrounding counties;
5. The statistics on total number of COVID-19 deaths in Jackson County and surrounding counties;

6. An ongoing identification of hot spots, if any, in Jackson County;
7. The progress on communications seeking unified testing and treatment policies between cities and Jackson County;
8. The number of test kits available and plans for procurement;
9. The statistics on hospital admissions, number of patients on ventilators, and virus levels in the general population;
10. The status of testing results in the Jackson County Detention Center and area nursing homes; and
11. Statistics on personal protective equipment (PPE), test supplies available, and plans for distribution;

now therefore,


BE IT RESOLVED by the County Legislature of Jackson County, Missouri, that the Legislature hereby requests that the County Administration and Communications Department provide updates to the Legislature on a regular basis on the topics relating to the ongoing Coronavirus/COVID-19 pandemic as set out in this Resolution.

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. 20428 of May 18, 2020, was duly passed on _____, 2020 by the Jackson County Legislature. The votes thereon were as follows:

Yeas _____

Nays _____

Abstaining _____

Absent _____

Date

Mary Jo Spino, Clerk of Legislature

IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

A RESOLUTION authorizing twelve-month extensions to the leases for the planting and harvesting of hay and crops on County park land with L.E. Montgomery of Lone Jack, MO, and Robert Hertzog of Greenwood, MO, under the terms and conditions of Invitation to Bid No. 17-12.

RESOLUTION NO. 20429, May 18, 2020

INTRODUCED BY Tony Miller, County Legislator

WHEREAS, the Director of Finance and Purchasing solicited formal written bids on Invitation to Bid No. 17-12 for the lease of County park land for the planting and harvesting of hay and crops; and,

WHEREAS, by Resolution 17860, dated April 16, 2012, the Jackson County Legislature awarded eight-year hay/crop harvesting leases to Lance Gabriel of Grain Valley, MO, L.E. Montgomery of Lone Jack, MO, Joseph Hand of Holden, MO, and Robert Hertzog of Greenwood, MO, for various lands within the Parks + Rec Department;

WHEREAS, Lance Gabriel of Grain Valley, MO, did not proceed with his lease and the Legislature re-awarded that lease to Joseph Hand by Resolution 17890, dated June 20, 2012; and,

WHEREAS, the current hay/crop leases are expiring; and,

WHEREAS, the Director of Parks + Rec recommends extending the leases with L.E.

Montgomery of Lone Jack, MO, and Robert Hertzog of Greenwood, MO, for a period of twelve months; and,

WHEREAS, hay/crop harvesting for all areas will be rebid in 2021; and,

WHEREAS, the recommended extension would result in the receipt of the following lease payments:

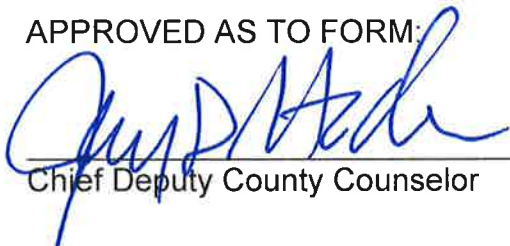
<u>LOCATION</u>	<u>LESSEE</u>	<u>ANNUAL PAYMENT</u>
Monkey Mountain Park, Crops	L.E. Montgomery Lone Jack, MO	\$7,206.00
Blue & Gray Park, Crops	Robert Hertzog Greenwood, MO	<u>\$110.00 per acre planted, up to a maximum of 261 acres or \$29,480.00</u>

now therefore,

BE IT RESOLVED by the County Legislature of Jackson County, Missouri, that the lease extensions be made as recommended by the Director of Finance and Purchasing and Director of Parks + Rec, and that the Director of Finance and Purchasing be and hereby is authorized to execute for the County any documents necessary to the accomplishment of the extensions.

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. 20429 of May 18, 2020, was duly passed on _____, 2020 by the Jackson County Legislature. The votes thereon were as follows:

Yeas _____

Nays _____

Abstaining _____

Absent _____

Date

Mary Jo Spino, Clerk of Legislature

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 9.22+ acre tract from District AG (Agricultural) to District RR (Residential Ranchette).

ORDINANCE NO. 5343, June 1, 2020

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 located in section 20, township 48, range 29, Jackson County, with a street address of 38707 E. Corn Cemetery Road, Jackson County, MO, legally described as follows:

Description: All that part of the East Half of the Southeast Quarter of Section 20, Township 48, Range 29, in Jackson County, Missouri, described as follows: Beginning at the Northeast corner of said half quarter section, thence South 660 feet; thence West 660 feet; thence North 660 to the North line of said half quarter section; thence East 660 feet to beginning, except that part in roads.

Section 2. The Legislature, pursuant to the application of Dixie L. Smith, and Timothy and Sherri Weaver (RZ-2020-583), requesting the amendment embodied in this Ordinance and with notice that the Jackson County Plan Commission voted 6 to 0 to recommend APPROVAL of this application after a public hearing on May 21, 2020, 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. 5343 introduced on June 1, 2020, was duly passed on _____, 2020 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. 5343.

Date

Frank White, County Executive

REQUEST FOR LEGISLATIVE ACTION

Version 6/10/19

Completed by County Counselor's Office:

Res/Ord No.: 5343

Sponsor(s): N/A

Date: June 1, 2020

SUBJECT	Action Requested <input type="checkbox"/> Resolution <input checked="" type="checkbox"/> Ordinance Project/Title: <u>Dixie L Smith & Timothy & Sherri Weaver - RZ-2020-583</u>																
BUDGET INFORMATION <i>To be completed By Requesting Department and Finance</i>	<table border="1" data-bbox="354 573 1438 758"> <tr> <td>Amount authorized by this legislation this fiscal year:</td> <td></td> <td>\$</td> </tr> <tr> <td>Amount previously authorized this fiscal year:</td> <td></td> <td></td> </tr> <tr> <td>Total amount authorized after this legislative action:</td> <td></td> <td>\$</td> </tr> <tr> <td>Amount budgeted for this item * (including transfers):</td> <td></td> <td>\$</td> </tr> <tr> <td>Source of funding (name of fund) and account code number:</td> <td></td> <td>\$</td> </tr> </table> <p>* If account includes additional funds for other expenses, total budgeted in the account is: \$</p> OTHER FINANCIAL INFORMATION: <input checked="" type="checkbox"/> No budget impact (no fiscal note required) <input type="checkbox"/> Term and Supply Contract (funds approved in the annual budget); estimated value and use of contract: Department: _____ Estimated Use: _____ Prior Year Budget (if applicable): _____ Prior Year Actual Amount Spent (if applicable): _____		Amount authorized by this legislation this fiscal year:		\$	Amount previously authorized this fiscal year:			Total amount authorized after this legislative action:		\$	Amount budgeted for this item * (including transfers):		\$	Source of funding (name of fund) and account code number:		\$
Amount authorized by this legislation this fiscal year:		\$															
Amount previously authorized this fiscal year:																	
Total amount authorized after this legislative action:		\$															
Amount budgeted for this item * (including transfers):		\$															
Source of funding (name of fund) and account code number:		\$															
PRIOR LEGISLATION	Prior ordinances and (date): _____ Prior resolutions and (date): _____																
CONTACT INFORMATION	RLA drafted by: Randy Diehl, Administrator, Development Division, 881-4577																
REQUEST SUMMARY	Requesting a change of zoning from District AG (Agricultural) on a 9.22 ± acre tract to District RR (Residential Ranchette). The purpose is to create two family residential lots in Section 20, Township 48, Range 29, aka 38707 E Corn Cemetery Road, Jackson County, Missouri, and specifically described on Attachment to RLA-1. 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 21, 2020 and accepted testimony pertaining to the rezoning request. The Plan Commission voted 6 to 0 to recommend <u>APPROVAL</u> to the County Legislature.																
CLEARANCE	<input type="checkbox"/> Tax Clearance Completed (Purchasing & Department) <input type="checkbox"/> Business License Verified (Purchasing & Department) <input type="checkbox"/> Chapter 6 Compliance - Affirmative Action/Prevailing Wage (County Auditor's Office)																
COMPLIANCE	<input type="checkbox"/> MBE Goals <input type="checkbox"/> WBE Goals <input type="checkbox"/> VBE Goals																
ATTACHMENTS	See Attachment to RLA-2																
REVIEW	<table border="1" data-bbox="345 1734 1240 1967"> <tr> <td>Department Director: Brian D. Gaddie, P.E. Director of Public Works</td> <td>Date: 5-22-20</td> </tr> <tr> <td>Finance (Budget Approval): <i>If applicable</i> N/A</td> <td>Date:</td> </tr> <tr> <td>Division Manager: <i>Tracy M. Schultze</i></td> <td>Date: 5-26-2020</td> </tr> <tr> <td>County Counselor's Office: <i>Bryan Covensky</i></td> <td>Date: 5/27/20</td> </tr> </table>		Department Director: Brian D. Gaddie, P.E. Director of Public Works	Date: 5-22-20	Finance (Budget Approval): <i>If applicable</i> N/A	Date:	Division Manager: <i>Tracy M. Schultze</i>	Date: 5-26-2020	County Counselor's Office: <i>Bryan Covensky</i>	Date: 5/27/20							
Department Director: Brian D. Gaddie, P.E. Director of Public Works	Date: 5-22-20																
Finance (Budget Approval): <i>If applicable</i> N/A	Date:																
Division Manager: <i>Tracy M. Schultze</i>	Date: 5-26-2020																
County Counselor's Office: <i>Bryan Covensky</i>	Date: 5/27/20																

Fiscal Information (to be verified by Budget Office in Finance Department)

- This expenditure was included in the annual budget.
- Funds for this were encumbered from the _____ Fund in _____.
- There is a balance otherwise unencumbered to the credit of the appropriation to which the expenditure is chargeable and there is a cash balance otherwise unencumbered in the treasury to the credit of the fund from which payment is to be made each sufficient to provide for the obligation herein authorized.
- Funds sufficient for this expenditure will be/were appropriated by Ordinance # _____
- Funds sufficient for this appropriation are available from the source indicated below.

Account Number:	Account Title:	Amount Not to Exceed:

- This award is made on a need basis and does not obligate Jackson County to pay any specific amount. The availability of funds for specific purchases will, of necessity, be determined as each using agency places its order.
- This legislative action does not impact the County financially and does not require Finance/Budget approval.

ATTACHMENT TO RLA-

Attachments

Plan Commission Public Hearing Summary from May 21, 2019

Location Map

Staff Report

Affidavit of Publication in Independence Examiner

Names/Addresses of Surrounding Property Owners

Copy of letter to said property owners

Map showing current zoning district in area

County Code Chapter 240 – Unified Development Code

County Master Plan – “Strategy for the Future”

Application

Pictures of Property

Preliminary Plat

STAFF REPORT

PLAN COMMISSION

May 21, 2020

RE: RZ-2020-583

Applicant: Dixie L Smith & Timothy & Sherri Weaver

Location: 38707 E Corn Cemetery Road

Area: 10.00 ± acres

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

Purpose: Applicant is requesting the change in zoning to create 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 in the area, which were established after the adoption of the UDC, that are in District RR.

Land Use are single family residences.

By deeded description the applicant owns approximately 10.00 ± acres and is wanting to create a two lot subdivision for single family homes. A preliminary plat has been submitted for review, which is in compliance with the UDC.

Typically, a 10 acre tract allows for 5.00 acre lots. At times allowances are made if a portion of the 10 acres falls into public right-of-way. The property owner isn't penalized for a lot that may short of a full 5 acres. The zoning recommendation would be for District RR (Residential Ranchette).

Lot 1 will contain the existing residence and Lot 2 will be for a future residence.

County Plan:

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

The Residential Ranchette District (RR) is appropriate for the Rural Development Tier.

Recommendation:

Staff recommends APPROVAL of RZ-2020-583

Mr. Antey: Are there any questions for Randy?

There were none

Mr. Antey: Is the applicant here?

Tim Weaver: 2233 NW Summerfield Dr, Lee's Summit

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

Mr. Weaver: My Mother in Law owns the land and we are wanting to build a home out there.

Mr. Tarpley: Will you share the same driveway?

Mr. Weaver: There is a field entrance location we plan to use.

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. Hilliard seconded.

Discussion under advisement

RZ-2019-583 Mr. Tarpley moved to approve. Mr. Hilliard seconded.

Mr. Tarpley-Approve Ms. Query-Approve
Mr. Haley-Approve Mr. Hilliard-Approve
Ms. Mershon-Approve Chairman Antey-Approve

Motion Carried 6 – 0

STAFF REPORT

PLAN COMMISSION
May 21, 2020

RE: RZ-2020-583

Applicant: Dixie L Smith & Timothy & Sherri Weaver
Location: 38707 E Corn Cemetery Road
Area: 10.00 ± acres
Request: Change of zoning from District AG (Agricultural) to District RR (Residential Ranchette)
Purpose: Applicant is requesting the change in zoning to create 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 in the area, which were established after the adoption of the UDC, that are in District RR.

Land Use are family residences.

By deeded description the applicant owns approximately 10.00 ± acres and is wanting to create a two lot subdivision for single family homes. A preliminary plat has been submitted for review, which is in compliance with the UDC.

Typically, a 10 acre tract allows for 5.00 acre lots. At times allowances are made if a portion of the 10 acres falls into public right-of-way. The property owner isn't penalized for a lot that may short of a full 5 acres. The zoning recommendation would be for District RR (Residential Ranchette).

Lot 1 will contain the existing residence and Lot 2 will be for a future residence.

County Plan:

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

The Residential Ranchette District (RR) is appropriate for the Rural Development Tier.

Recommendation:

Staff recommends APPROVAL of RZ-2020-583

Respectfully submitted,

Jackson County Public Works
Development Division
Randy Diehl, Administrator



RZ-2020-583
Dixie Smith

AG

AG

AG

RR

AG

RR

S OUTER BELT RD

E CORN CEMETERY RD

AG

AG

RR

RR

S CORN CEMETERY RD

E MASKAR RD

AG

E JW CUMMINS RD

AG

RR

S MASKAR RD

S MASKAR RD

AG

Plan Commission May 21, 2020
 RZ-2020-583

Property Owners Within 1000 feet

	Name	Address	City
56-100-02-03-00-0-00-000	BRENNECKE ADAM	8517 S OUTER BELT RD	OAK GROVE, MO 64075
56-100-02-04-00-0-00-000	LARSEN JUDY	PO BOX 553	TENSLEEP, WY 82442
56-100-03-09-00-0-00-000	BROWN KAREN	39003 E NIVENS RD	OAK GROVE, MO 64075
56-100-03-10-00-0-00-000	OLIVER JERRY W & LINDA F	38807 NEVINS RD	OAK GROVE, MO 64075
56-100-03-11-00-0-00-000	OLIVER JERRY W & LINDA F	38807 NEVINS RD	OAK GROVE, MO 64075
56-100-03-20-01-1-00-000	JONES DEREK SCOTT & HOLLY SUE	8715 S OUTER BELT RD	OAK GROVE, MO 64075
56-100-03-20-01-2-00-000	ARNETT MICHAEL & MENDY	8811 S OUTER BELT RD	OAK GROVE, MO 64075
56-100-03-20-01-3-00-000	LEAZIER PAGE & VICKIE L	8905 S OUTER BELT RD	OAK GROVE, MO 64075
56-100-03-20-02-0-00-000	LEMEN CARL W & MARJORIE A TRUSTEE	8919 S OUTER BELT RD	OAK GROVE, MO 64075
56-200-01-21-00-0-00-000	LANGEVIN FAMILY TRUST	38112 MESKER RD	OAK GROVE, MO 64075
56-200-01-26-00-0-00-000	COATS DEBORAH ANN	815 S RAPP AVE	COLUMBIA, IL 62236
56-200-01-36-00-0-00-000	LANGEVIN FAMILY TRUST	38112 MESKER RD	OAK GROVE, MO 64075
56-200-01-37-00-0-00-000	LANGEVIN FAMILY TRUST	38112 MESKER RD	OAK GROVE, MO 64075
56-200-01-39-00-0-00-000	SCHICK DARRIN & KELLY	8607 S CORN CEMETERY RD,	OAK GROVE, MO 64075
56-200-01-40-00-0-00-000	MCMANAMIN JOHN D & JUDITH O	38504 CORN CEMETARY RD	OAK GROVE, MO 64075
56-200-01-41-00-0-00-000	SMITH RICKY L & DAWN M	8521 S CORN CEMETARY RD	OAK GROVE, MO 64075
56-200-04-04-02-4-00-000	STITT CATHRYN L & STITT ROBERT SCOTT	8700 S CORN CEMETERY RD	OAK GROVE, MO 64075
56-200-04-04-02-5-00-000	ANNIN MATTHEW D & KELLI K	8803 S MESKER RD	OAK GROVE, MO 64075
56-200-04-04-02-6-00-000	MARSHALL MARC JAMES & JANE ANN	8715 S MESKER RD	OAK GROVE, MO 64075
56-200-04-05-00-0-00-000	DEISHER LINDSEY & DUSTIN	8904 S OUTER BELT RD	OAK GROVE, MO 64075
56-200-04-17-00-0-00-000	GANN DANNY G & LYL A R	38505 CORN CEMETERY RD	OAK GROVE, MO 64075
56-200-01-44-00-0-00-000	JACKSON BETH ANN	38710 E CORN CEMETERY RD	OAK GROVE, MO 64075
56-200-01-45-00-0-00-000	DIEBOLT DYLAN M & BROOK M	125 SW GRAY CIR	LEES SUMMIT, MO 64081
56-200-04-01-00-0-00-000	SMITH DIXIE L	38707 E CORN CEMETARY RD	OAK GROVE, MO 64075



JACKSON COUNTY Public Works Department

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

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

March 6, 2020

RE: Public Hearing: RZ-2020-583
Dixie 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 Dixie L Smith for a change of zoning from District AG (Agricultural) on a 9.22 ± acre tract to District RR (Residential Ranchette). The purpose is to create two family residential lots in Section 20, Township 48, Range 29, aka 38707 E Corn Cemetery Road.

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

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

The public hearing on this matter will be held by the Plan Commission on Thursday, May 21, 2020 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

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

APPLICANT INFORMATION:

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

TO BE COMPLETED BY OFFICE PERSONNEL ONLY:

Rezoning Case Number RZ-

Date filed _____ Date of hearing _____

Date advertised _____ Date property owners notified _____

Date signs posted _____

Hearings: Heard by _____ Date _____ Decision _____

 Heard by _____ Date _____ Decision _____

 Heard by _____ Date _____ Decision _____

BEGIN APPLICATION HERE:

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

a. Applicant(s) Name: DIXIE L SMITH

Address: 38707 E CORN CEMETERY RD. OAK GROVE. MO 64075

Phone: 816-690-8366

b. Owner(s) SAME _____

Address: _____

Phone: _____

c. Agent(s) Name: _____

Address: _____

Phone: _____

d. Applicant's interest in Property: _____

2. General location (Road Name) CORN CEMETERY ROAD AND MO STATE ROUTE F

3. Present Zoning AG _____ Requested Zoning RR

4. AREA (sq. ft. / acres) 9.22

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

ATTACHED

6. Present Use of Property: RESIDENTIAL

7. Proposed Use of Property: RESIDENTIAL

8. Proposed Time Schedule for Development: 1 TO 2 YEARS

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

THERE IS AN EXISTING HOUSE ON THE PROPERTY NOW. THERE WILL BE ONE ADDITIONAL HOUSE BUILT ON THE PROPERTY

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? N/A

11. Describe the source/method which provides the following services, and what effect the development will have on same:

a. Water Public Water Supply District #1 of Lafayette County, MO

b. Sewage disposal ON SITE SEPTIC

c. Electricity West Central Electric

d. Fire and Police protection SNI-VALLEY

12. Describe existing road width and condition: +/- 20' WIDE ASPHALT

13. What effect will proposed development have on existing road and traffic conditions? THERE WILL BE MINIMAL EFFECT ON EXISTING ROADS, THERE WILL BE ONE NEW HOUSE BUILT IN THE NEXT YEAR

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

Date

Property Owner(s)

Mike Jim Smith

4-9-20

Applicant(s):

Contract Purchaser(s):

STATE OF _____

COUNTY OF _____

On this _____ day of _____, in the year of _____, 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 _____





RZ-2020-583
Dixie Smith
AG

E NIVENS RD

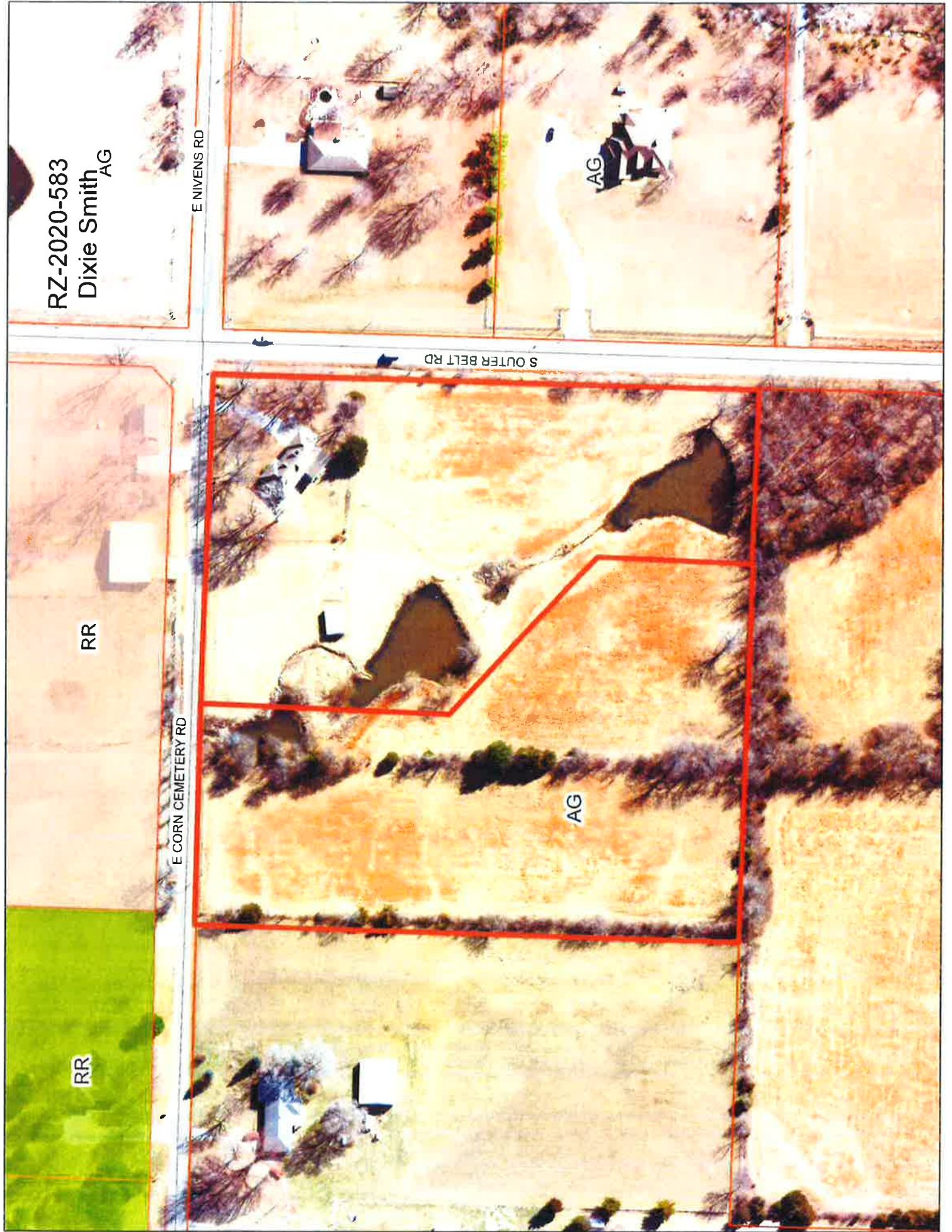
S OUTER BELT RD

RR

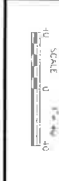
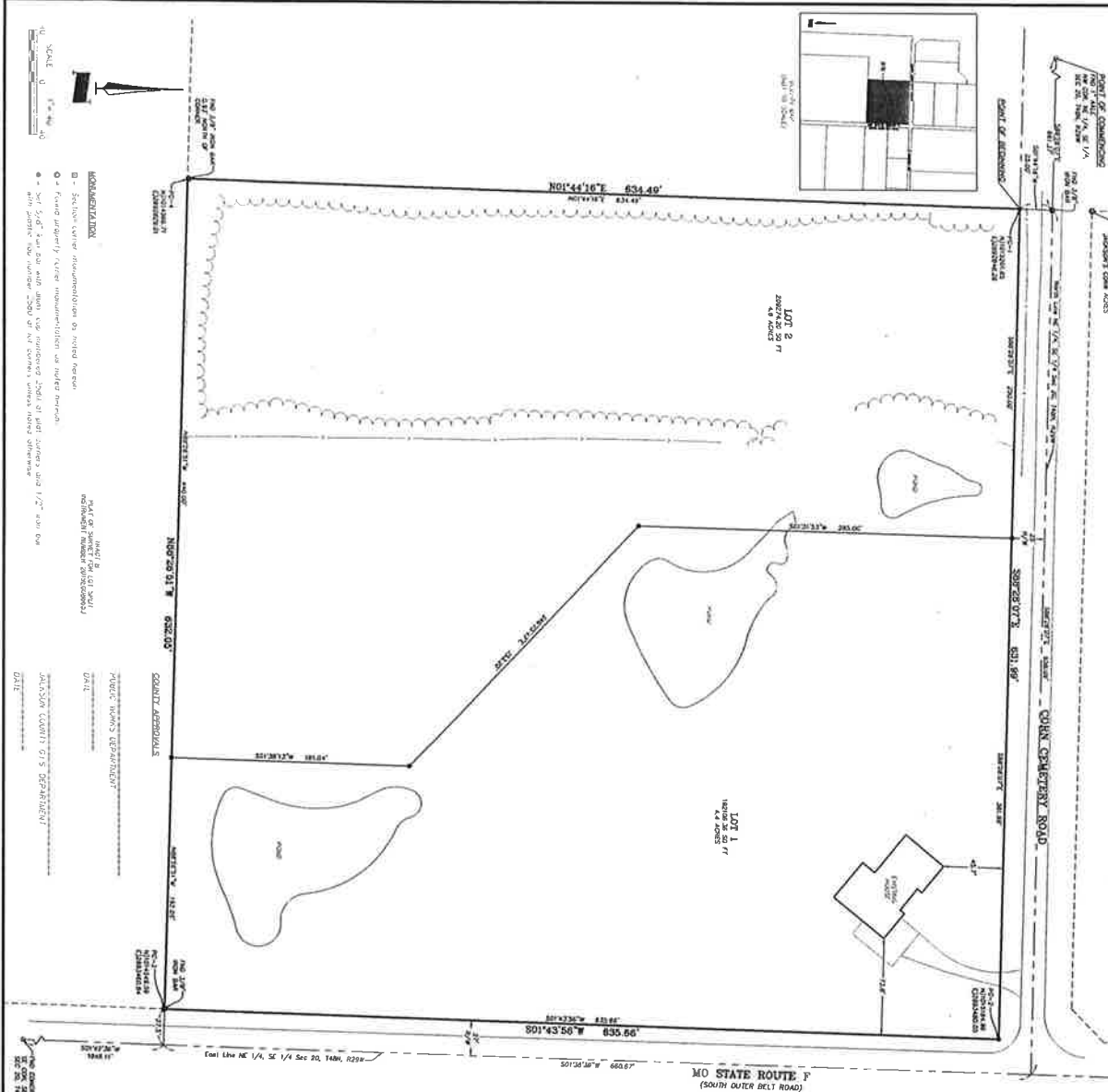
E CORN CEMETERY RD

AG

RR



**PRELIMINARY MINOR PLAT
S & W ACRES
PART OF THE EAST 1/2, SOUTHEAST QUARTER
SECTION 20, TOWNSHIP 48 NORTH, RANGE 29 WEST
JACKSON COUNTY, MISSOURI**



RECORDATION:
 B - Section written recommendation by noted person.
 C - Final majority voter recommendation as noted herein.
 D - Not valid for any other purpose than that for which it was recorded.

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LOVELACE & ASSOCIATES
 Land Surveying - Civil Engineering
 Land Planning
 429 SE 3rd Street, Law's Summit, Missouri 64484
 Phone: (816) 343-5997 Fax: (816) 343-9979

Project No: 20014
 Drawn By: BSL
 Checked By: JBL
 Date: 4/9/2010
 Scale: 1"=40'
 File Name: 201016 DWG

**PRELIMINARY MINOR PLAT
S & W ACRES
JACKSON COUNTY, MISSOURI**

PREPARED FOR:
**DINIE L SMITH
 EMMETT CEMETERY RD
 OAK GROVE, MO**

DATE	NUMBER	REVISION	BY	APPROVED

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. 5344, June 1, 2020

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 located in section 16, township 47, range 30, Jackson County, with a street address of 29908 E. Lone Jack-Lee's Summit Road (Old 50 Highway), Jackson County, MO, legally described as follows:

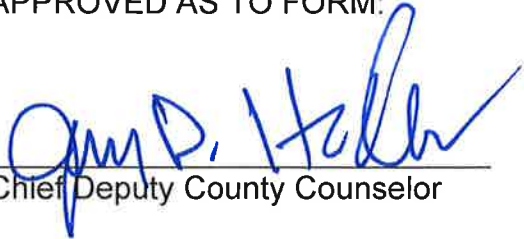
Description: A tract of land in Section 16, Township 47, Range 30, in Jackson County, Missouri, being more particularly describes as follows: Commencing at the Southeast corner of the Northwest Quarter of said Section: thence North 2 degrees 00 minutes 05 Seconds East, along the east line of said Quarter Section, a distance of 40.03 feet to a point of the existing North right of way line of Old US 50 Highway, said point being also the point of beginning for this description; thence North 89 degrees 59 minutes 31 seconds West, along said North right of way line, and parallel with the South line of said Quarter Section, a distance of 690.04 feet; thence North 2 degrees 00 minutes 05 seconds East, a distance of 774.19 feet to a point on the South right of way of 50 Highway, said point being 117.00 feet right of Station 1091+06.93; thence South 67 degrees 15 minutes 46 seconds East, along said South right of way line of US 50 Highway, a distance of 737.39 feet to a point on the East line of the Northwest Quarter of said Section 16, said point being 117.00 feet right of Highway Station 1098+44.32; thence South 2 degrees 00 minutes 05 seconds West along the East line of the Northwest quarter of said Section 16, distance of 489.11 feet to the point of Beginning.

Section 2. The Legislature, pursuant to the application of Edward and Lesa L. Seibold (RZ-2020-582), requesting the amendment embodied in this Ordinance and with notice


that the Jackson County Plan Commission voted 6 to 0 to recommend APPROVAL of this application after a public hearing on May 21, 2020, 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. 5344 introduced on June 1, 2020, was duly passed on _____, 2020 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. 5344.

Date

Frank White, County Executive

REQUEST FOR LEGISLATIVE ACTION

Version 6/10/19

Completed by County Counselor's Office:

Res/Ord No.: 5344

Sponsor(s): N/A

Date: June 1, 2020

SUBJECT	Action Requested <input type="checkbox"/> Resolution <input checked="" type="checkbox"/> Ordinance Project/Title: <u>Edward & Lesa L Seibold - RZ-2020-582</u>										
BUDGET INFORMATION <i>To be completed By Requesting Department and Finance</i>	<table border="1"> <tr> <td>Amount authorized by this legislation this fiscal year:</td> <td style="text-align: right;">\$</td> </tr> <tr> <td>Amount previously authorized this fiscal year:</td> <td></td> </tr> <tr> <td>Total amount authorized after this legislative action:</td> <td style="text-align: right;">\$</td> </tr> <tr> <td>Amount budgeted for this item * (including transfers):</td> <td style="text-align: right;">\$</td> </tr> <tr> <td>Source of funding (name of fund) and account code number:</td> <td style="text-align: right;">\$</td> </tr> </table> <p>* If account includes additional funds for other expenses, total budgeted in the account is: \$</p> OTHER FINANCIAL INFORMATION: <input checked="" type="checkbox"/> No budget impact (no fiscal note required) <input type="checkbox"/> Term and Supply Contract (funds approved in the annual budget); estimated value and use of contract: Department: _____ Estimated Use: _____ Prior Year Budget (if applicable): _____ Prior Year Actual Amount Spent (if applicable): _____	Amount authorized by this legislation this fiscal year:	\$	Amount previously authorized this fiscal year:		Total amount authorized after this legislative action:	\$	Amount budgeted for this item * (including transfers):	\$	Source of funding (name of fund) and account code number:	\$
Amount authorized by this legislation this fiscal year:	\$										
Amount previously authorized this fiscal year:											
Total amount authorized after this legislative action:	\$										
Amount budgeted for this item * (including transfers):	\$										
Source of funding (name of fund) and account code number:	\$										
PRIOR LEGISLATION	Prior ordinances and (date): _____ Prior resolutions and (date): _____										
CONTACT INFORMATION	RLA drafted by: Randy Diehl, Administrator, Development Division, 881-4577										
REQUEST SUMMARY	Requesting a change of zoning from District AG (Agricultural) on a 10.00 ± acre tract to District RR (Residential Ranchette). The purpose is to create 2 residential lots in Section 16, Township 47, Range 30, at 29908 E Lone Jack-Lee's Summit Road (Old 50 Highway), Jackson County, Missouri, and specifically described on Attachment to RLA-1. 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 21, 2020 and accepted testimony pertaining to the rezoning request. The Plan Commission voted 6 to 0 to recommend <u>APPROVAL</u> to the County Legislature.										
CLEARANCE	<input type="checkbox"/> Tax Clearance Completed (Purchasing & Department) <input type="checkbox"/> Business License Verified (Purchasing & Department) <input type="checkbox"/> Chapter 6 Compliance - Affirmative Action/Prevailing Wage (County Auditor's Office)										
COMPLIANCE	<input type="checkbox"/> MBE Goals <input type="checkbox"/> WBE Goals <input type="checkbox"/> VBE Goals										
ATTACHMENTS	See Attachment to RLA-2										
REVIEW	<table border="1"> <tr> <td>Department Director: Brian D. Gaddie, P.E. Director of Public Works</td> <td>Date: <u>5-22-20</u></td> </tr> <tr> <td>Finance (Budget Approval): <u>N/A</u></td> <td>Date:</td> </tr> <tr> <td>Division Manager: <u>Wayne M. Schutte</u></td> <td>Date: <u>5-26-2020</u></td> </tr> <tr> <td>County Counselor's Office: <u>Bryan Cummins</u></td> <td>Date: <u>5/27/20</u></td> </tr> </table>	Department Director: Brian D. Gaddie, P.E. Director of Public Works	Date: <u>5-22-20</u>	Finance (Budget Approval): <u>N/A</u>	Date:	Division Manager: <u>Wayne M. Schutte</u>	Date: <u>5-26-2020</u>	County Counselor's Office: <u>Bryan Cummins</u>	Date: <u>5/27/20</u>		
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Finance (Budget Approval): <u>N/A</u>	Date:										
Division Manager: <u>Wayne M. Schutte</u>	Date: <u>5-26-2020</u>										
County Counselor's Office: <u>Bryan Cummins</u>	Date: <u>5/27/20</u>										

Fiscal Information (to be verified by Budget Office in Finance Department)

- This expenditure was included in the annual budget.
- Funds for this were encumbered from the _____ Fund in _____.
- There is a balance otherwise unencumbered to the credit of the appropriation to which the expenditure is chargeable and there is a cash balance otherwise unencumbered in the treasury to the credit of the fund from which payment is to be made each sufficient to provide for the obligation herein authorized.
- Funds sufficient for this expenditure will be/were appropriated by Ordinance # _____
- Funds sufficient for this appropriation are available from the source indicated below.

Account Number:	Account Title:	Amount Not to Exceed:

- This award is made on a need basis and does not obligate Jackson County to pay any specific amount. The availability of funds for specific purchases will, of necessity, be determined as each using agency places its order.
- This legislative action does not impact the County financially and does not require Finance/Budget approval.

ATTACHMENT TO RLA-

Attachments

Plan Commission Public Hearing Summary from May 21, 2019

Location Map

Staff Report

Affidavit of Publication in Independence Examiner

Names/Addresses of Surrounding Property Owners

Copy of letter to said property owners

Map showing current zoning district in area

County Code Chapter 240 – Unified Development Code

County Master Plan – “Strategy for the Future”

Application

Pictures of Property

Preliminary Plat

STAFF REPORT

PLAN COMMISSION

May 21, 2020

RE: RZ-2020-582

Applicant: Edward & Lesa Seibold

Location: 29908 E Lone Jack Lee's Summit Road (Old 50 Highway)

Area: 10.00 ± acres

Request: Change of zoning from District AG (Agricultural) and District LB (Local Business) to District RR (Residential Ranchette)

Purpose: Applicant is requesting the change in zoning to create two single family residential lots.

Current Land Use and Zoning in the Area:

The zoning in the area is both agricultural and residential with single family homes. Country Summit Estates, containing 11 lots, is across the road. This development is within District RR (Residential Ranchette). To the north across 50 Highway is Eagle Crest Estates within District RE (Residential Estates). The Cockrell Mercantile Store is at the southeast corner of R F Gammon and Old 50 Highway. This is within District LB (Local Business). Then the County was zoned in 1943, the four corners at the intersection was zoned commercial. A 200 foot square of the applicant's southeast corner is within this zoning.

Lot 1 will contain the existing residence and Lot 2 will be for a future residence.

County Plan:

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

The Suburban Development Tier (SDT). RR is appropriate for the Suburban Development Tier.

Recommendation:

Staff recommends APPROVAL of RZ-2020-582

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?

Edward Siebold: 29908 E Lone Jack Road

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

Mr. Seibold: No, nothing really

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. Hilliard seconded.

Discussion under advisement

RZ-2019-582 Mr. Tarpley moved to approve. Mr. Hilliard seconded.

Mr. Tarpley-Approve Ms. Query-Approve
Mr. Haley-Approve Mr. Hilliard-Approve
Ms. Mershon-Approve Chairman Antey-Approve

Motion Carried 6 – 0

STAFF REPORT

**PLAN COMMISSION
May 21, 2020**

RE: RZ-2020-582

Applicant: Edward & Lesa Seibold
Location: 29908 E Lone Jack Lee's Summit Road (Old 50 Highway)
Area: 10.00 ± acres
Request: Change of zoning from District AG (Agricultural) and District LB (Local Business) to District RR (Residential Ranchette)
Purpose: Applicant is requesting the change in zoning to create two single family residential lots.

Current Land Use and Zoning in the Area:

The zoning in the area is both agricultural and residential with single family homes. Country Summit Estates, containing 11 lots, is across the road. This development is within District RR (Residential Ranchette). To the north across 50 Highway is Eagle Crest Estates within District RE (Residential Estates). The Cockrell Mercantile Store is at the southeast corner of R F Gammon and Old 50 Highway. This is within District LB (Local Business). Then the County was zoned in 1943, the four corners at the intersection was zoned commercial. A 200 foot square of the applicant's southeast corner is within this zoning.

Lot 1 will contain the existing residence and Lot 2 will be for a future residence.

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

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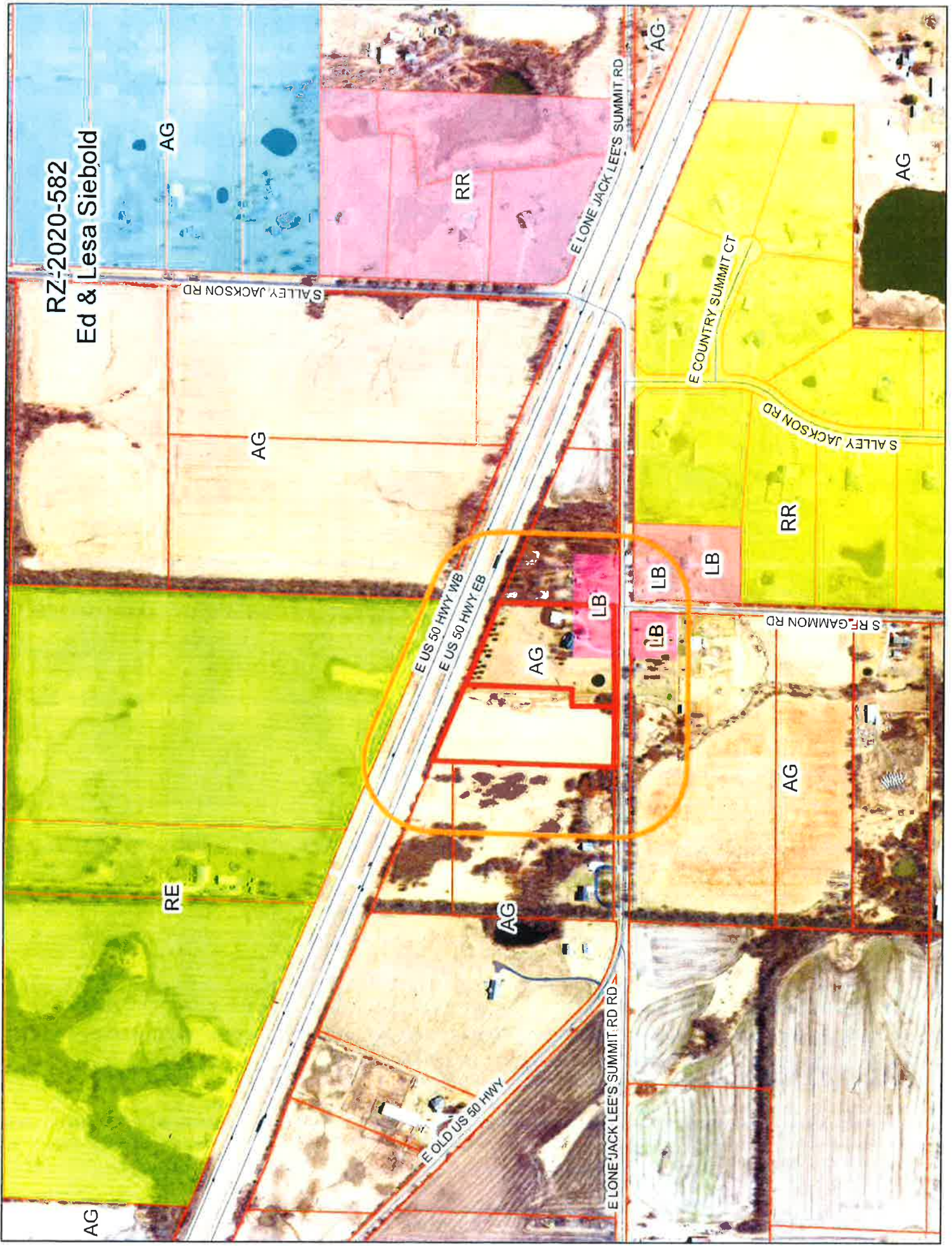
Recommendation:

Staff recommends APPROVAL of RZ-2020-582

Respectfully submitted,

Jackson County Public Works
Development Division
Randy Diehl, Administrator

RZ-2020-582
Ed & Lesa Siebold



Plan Commission May 21, 2020
 RZ-2020-582

Property Owners Within 300 feet

Name	Name	Address	City	State	Zip
59-700-01-07-00-0-00-000	CUNNINGHAM ASHLEY M & MILTON D JR	30002 E LONE JACK	LEE'S SUMMIT	MO	64086
59-700-01-16-00-0-00-000	WILMOT TAYLOR TR & MERCANTILE BANK OF KS	5901 COLLEGE BLVD STE 100	OVERLAND PARK	KS	66211
59-700-03-02-00-0-00-000	SLAVENS RICHARD L & PATRICIA A-TRUSTEES	12704 GAMMON RD	LEE'S SUMMIT	MO	64086
59-700-02-04-02-1-00-000	PEERY DARIN LYNN	29606 OLD 50 HWY	LEE'S SUMMIT	MO	64086
59-700-02-04-02-2-00-000	PEERY DARIN L	29606 OLD 50 HWY	LEE'S SUMMIT	MO	64086
59-700-02-01-01-0-00-000	LASCUOLA SALVATORE	430 NE LANDINGS DR	LEE'S SUMMIT	MO	64064
59-700-04-12-00-0-00-000	CB GLAZE ENTERPRISES LLC	29606 OLD 50 HWY	LEE'S SUMMIT	MO	64086
59-700-02-04-01-0-00-000	SEIBOLD EDWARD II & LESA LOUISE	29908 E OLD HIGHWAY 50	LEE'S 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

May 6, 2020

RE: Public Hearing: RZ-2020-582
Edward & Lesa L Siebold

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 Edward & Lesa L Siebold for a change of zoning from District AG (Agricultural) on a 10.00 ± acre tract to District RR (Residential Ranchette). The purpose is to create 2 residential lots in Section 16, Township 47, Range 30, at 29908 E Old 50 Highway, Jackson County, Missouri.

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, May 21, 2020 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-

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: Ed and Lesa Seibold
Address: 29908 E. Lone Jack Road
 Lees Summit, MO 64086
Phone: (816) 524-1055
 - b. Owner(s) Name: _____
Address: _____
Phone: _____
 - c. Agent(s) Name: _____

Address: _____

Phone: _____

d. Applicant's interest in Property: _____

2. General location (Road Name) 29908 E. Lone Jack Road, Lees Summit, MO

3. Present Zoning Ag Homesite Requested Zoning RR

4. AREA (sq. ft. / acres) 435595 / 10

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

6. Present Use of Property: Residential

7. Proposed Use of Property: Residential

8. Proposed Time Schedule for Development: ASAP

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

Adding 1 home on a 5 acre Lot

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 A new meter will be added for Lot 2

b. Sewage disposal Lot 1 will be served by existing pond, Lot 2 will comply with new system

c. Electricity Lot 1 has existing service, Lot 2 will add service.

d. Fire and Police protection Hydrant in front of existing house on Lot 1

12. Describe existing road width and condition: Existing pavement is asphalt/chip seal, +/- 24' wide

13. What effect will proposed development have on existing road and traffic conditions? 1 entrance drive will be added for Lot 2, Lot 1 has an existing entrance drive

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.

Edward F. Seibold II

4/11/2020

Signature

Date

Property Owner(s)

Grace M. Ewing
Jean Seibold

4-11-20
4-11-20

Applicant(s):

Contract Purchaser(s):

STATE OF Missouri
COUNTY OF Jackson

On this 11 day of April, in the year of 2020, before me the undersigned notary public, personally appeared Edward Seibold II, Grace Ewing, Lesa Seibold

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 Megan KA

Commission Expires 04/17/2022

MEB-11-20-2020
NOTARY PUBLIC, MISSOURI
STATE OF MISSOURI
NOTARY PUBLIC
MY COMMISSION EXPIRES 04/17/2022





RZ-2020-582
Ed & Lesa Siebold

E US 50 HWY WB

E US 50 HWY EB

E OLD US 50 HWY

S RF GAMMON RD



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 16.16± acre tract from District AG (Agricultural) to District RE (Residential Estates).

ORDINANCE NO. 5345, June 1, 2020

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 in section 7, township 49, range 30, Jackson County, with a street address of 2016 S. Owens School Road, Jackson County, MO, legally described as follows:

Description: Commencing at the Southeast corner of the Northeast quarter of section 7, township 49, range 30, in Jackson County, Missouri; thence North 86 degrees 34 minutes 15 seconds West (record=due West) along the South line of said quarter section, 695.00 feet; thence Northerly along the approximate center of a creek the following described twenty-one (21) courses: North 11 degrees 41 minutes 11 seconds East (plat=North 12 degrees 14 minutes 58 seconds East) (record=North 08 degrees 00 minutes East), 195.0 feet; thence North 06 degrees 41 minutes 11 seconds East (plat=North 01 degrees 13 minutes 58 seconds East) (record=North 03 degrees 01 minute West), 109.30 feet to the point of beginning; thence continue North 06 degrees 41 minutes 11 seconds East (plat=North 01 degrees 13 minutes 58 seconds East) (record=North 03 degrees 01 minute West), 25.82 feet; thence North 62 degrees 09 minutes 49 seconds West (record=North 65 degrees 51 minutes West), 112.2 feet; thence North 14 degrees 38 minutes 11 seconds East (record=North 10 degrees 57 minutes East), 242.0 feet; thence North 64 degrees 03 minutes 49 seconds West (record=North 67 degrees 45 minutes West), 72.0 feet; thence South 71 degrees 35 minutes 11 seconds West (record=South 67 degrees 54 minutes West), 107.0 feet; thence North 03 degrees 56 minutes 19 seconds West (record=North 07 degrees 37 minutes 30 seconds West), 117.64 feet; thence North 20 degrees 35 minutes 11 seconds East (record=North 16 degrees 54 minutes East), 132.8 feet; thence North 84 degrees 56 minutes 11 seconds East (record=North 81 degrees 15 minutes East), 113.0

feet; thence North 70 degrees 49 minutes 11 seconds East (record=North 67 degrees 08 minutes East), 49.0 feet; thence North 22 degrees 41 minutes 11 seconds East (record=North 19 degrees 00 minutes East), 46.0 feet; thence North 09 degrees 56 minutes 49 seconds West (record=North 13 degrees 38 minutes West), 117.7 feet; thence North 74 degrees 44 minutes 11 seconds East (record=North 71 degrees 03 minutes East), 77.4 feet; thence South 81 degrees 25 minutes 49 seconds East (record=South 85 degrees 07 minutes East), 280.8 feet; thence North 51 degrees 31 minutes 11 seconds East (record=North 47 degrees 50 minutes East), 55.9 feet; thence North 08 degrees 00 minutes 11 seconds East (record=North 04 degrees 19 minutes East), 85.7 feet; thence North 34 degrees 06 minutes 11 seconds East (record=North 30 degrees 25 minutes East), 220.7 feet; thence North 18 degrees 33 minutes 49 seconds West (record=North 22 degrees 15 minutes West), 110.2 feet; thence North 85 degrees 03 minutes 49 seconds West (record=North 88 degrees 45 minutes West), 57.5 feet; thence North 69 degrees 21 minutes 49 seconds West (record=North 73 degrees 03 minutes West), 77.25 feet; thence North 30 degrees 33 minutes 49 seconds West (record=North 34 degrees 15 minutes West), 64.1 feet; thence North 26 degrees 46 minutes 11 seconds East (record=North 23 degrees 05 minutes East), 130.85 feet; thence leaving approximate center of a creek South 86 degrees 18 minutes 49 seconds East (record=due East), 294.2 feet to a point on the East line of said Northeast quarter; thence South 01 degrees 21 minutes 25 seconds West (record=South 02 degrees 49 minutes East) along said East line, 1,345.92 feet; thence North 86 degrees 34 minutes 15 seconds West (plat=North 86 degrees 24 minutes 48 seconds West), 649.86 feet to the point of beginning, except that part thereof in Owens School Road.

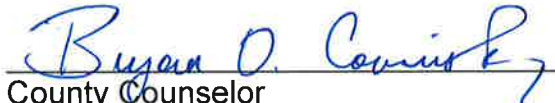
Section 2. The Legislature, pursuant to the application of Teddy and Vicki Rhuems (RZ-2020-581), requesting the amendment embodied in this Ordinance and with notice that the Jackson County Plan Commission voted 6 to 0 to recommend APPROVAL of this application after a public hearing on May 21, 2020, does 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. 5345 introduced on June 1, 2020, was duly passed on _____, 2020 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. 5345.

Date

Frank White, County Executive

REQUEST FOR LEGISLATIVE ACTION


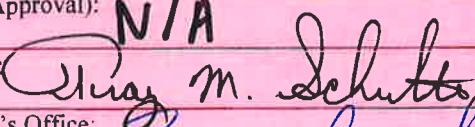
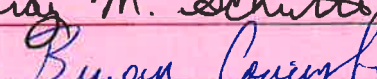
Version 6/10/19

Completed by County Counselor's Office:

Res/Ord No.: 5345

Sponsor(s): N/A

Date: June 1, 2020

SUBJECT	Action Requested <input type="checkbox"/> Resolution <input checked="" type="checkbox"/> Ordinance Project/Title: <u>Teddy and Vicki Rhuems - RZ-2020-581</u>											
BUDGET INFORMATION <i>To be completed By Requesting Department and Finance</i>	<table border="1" data-bbox="358 562 1445 747"> <tr> <td>Amount authorized by this legislation this fiscal year:</td> <td style="text-align: right;">\$</td> </tr> <tr> <td>Amount previously authorized this fiscal year:</td> <td></td> </tr> <tr> <td>Total amount authorized after this legislative action:</td> <td style="text-align: right;">\$</td> </tr> <tr> <td>Amount budgeted for this item * (including transfers):</td> <td style="text-align: right;">\$</td> </tr> <tr> <td>Source of funding (name of fund) and account code number:</td> <td style="text-align: right;">\$</td> </tr> </table> <p>* If account includes additional funds for other expenses, total budgeted in the account is: \$</p> OTHER FINANCIAL INFORMATION: <input checked="" type="checkbox"/> No budget impact (no fiscal note required) <input type="checkbox"/> Term and Supply Contract (funds approved in the annual budget); estimated value and use of contract: Department: _____ Estimated Use: _____ Prior Year Budget (if applicable): _____ Prior Year Actual Amount Spent (if applicable): _____		Amount authorized by this legislation this fiscal year:	\$	Amount previously authorized this fiscal year:		Total amount authorized after this legislative action:	\$	Amount budgeted for this item * (including transfers):	\$	Source of funding (name of fund) and account code number:	\$
Amount authorized by this legislation this fiscal year:	\$											
Amount previously authorized this fiscal year:												
Total amount authorized after this legislative action:	\$											
Amount budgeted for this item * (including transfers):	\$											
Source of funding (name of fund) and account code number:	\$											
PRIOR LEGISLATION	Prior ordinances and (date): _____ Prior resolutions and (date): _____											
CONTACT INFORMATION	RLA drafted by: Randy Diehl, Administrator, Development Division, 881-4577											
REQUEST SUMMARY	Requesting a change of zoning from District AG (Agricultural) on a 16.16 ± acre tract to District RE (Residential Estates). The purpose is create three single family residential lots at 2016 S. Owens School Road, Jackson County, Missouri, and specifically described on Attachment to RLA-1. 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 21, 2020 and accepted testimony pertaining to the rezoning request. The Plan Commission voted 6 to 0 to recommend <u>APPROVAL</u> to the County Legislature.											
CLEARANCE	<input type="checkbox"/> Tax Clearance Completed (Purchasing & Department) <input type="checkbox"/> Business License Verified (Purchasing & Department) <input type="checkbox"/> Chapter 6 Compliance - Affirmative Action/Prevailing Wage (County Auditor's Office)											
COMPLIANCE	<input type="checkbox"/> MBE Goals <input type="checkbox"/> WBE Goals <input type="checkbox"/> VBE Goals											
ATTACHMENTS	See Attachment to RLA-2											
REVIEW	Department Director: Brian D. Gaddie, P.E. Director of Public Works 	Date: <u>5-22-20</u>										
	Finance (Budget Approval): <u>N/A</u> <i>If applicable</i>	Date:										
	Division Manager: 	Date: <u>5-26-2020</u>										
	County Counselor's Office: 	Date: <u>5/27/20</u>										

Fiscal Information (to be verified by Budget Office in Finance Department)

- This expenditure was included in the annual budget.
- Funds for this were encumbered from the _____ Fund in _____.
- There is a balance otherwise unencumbered to the credit of the appropriation to which the expenditure is chargeable and there is a cash balance otherwise unencumbered in the treasury to the credit of the fund from which payment is to be made each sufficient to provide for the obligation herein authorized.
- Funds sufficient for this expenditure will be/were appropriated by Ordinance # _____
- Funds sufficient for this appropriation are available from the source indicated below.

Account Number:	Account Title:	Amount Not to Exceed:

- This award is made on a need basis and does not obligate Jackson County to pay any specific amount. The availability of funds for specific purchases will, of necessity, be determined as each using agency places its order.
- This legislative action does not impact the County financially and does not require Finance/Budget approval.

ATTACHMENT TO RLA

Attachments

Plan Commission Public Hearing Summary from May 21, 2019

Location Map

Staff Report

Affidavit of Publication in Independence Examiner

Names/Addresses of Surrounding Property Owners

Copy of letter to said property owners

Map showing current zoning district in area

County Code Chapter 240 – Unified Development Code

County Master Plan – “Strategy for the Future”

Application

Pictures of Property

Preliminary Plat

STAFF REPORT

PLAN COMMISSION

May 21, 2020

RE: RZ-2020-581

Applicant: Teddy & Vicki Rhuems

Location: 2016 S Owens School Road

Area: 16.16 ± acres

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

Purpose: Applicant is requesting the change in zoning to create three single family residential lots.

Current Land Use and Zoning in the Area:

The zoning in the immediate area is Agricultural with the majority of the land use being single family residences. There are residential zonings and subdivisions created after the implementation of the Unified Development Code, as well as a few created prior to the UDC requirements. These properties are within District AG. To the west on the south side of Flynn Road, is a Light Industrial Zoning. This was rezoned by the County Court in 1965. This is a wrecking and salvage business.

There are a few platted developments within the proximity of the subject property.

In 2017 the applicant rezoned and platted 3.00 acres of their property into a one lot subdivision. They are wishing to subdivide the remaining 16.16 ± acres, which contain a main residence and an accessory residence, into three lots.

The main residence will be on Lot 3. The accessory dwelling will then be placed on its own lot (Lot 4), removing its status as an accessory dwelling.

Lot 2 is for future construction on a residence.

County Plan:

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

The Residential Suburban District (RE) is appropriate for the Urban Development Tier.

Recommendation:

Staff recommends APPROVAL of RZ-2020-581

Mr. Antey: Are there any questions for Randy?

Mr. Antey: which lots are which?

Mr. Diehl: Lot 2 is at the south side of the plat. Lot 3 is in the middle. It contains the main residence. Lot 4 is on the north side and it contains the accessory residence.

Mr. Antey: Lot 4 is very unique in shape.

Mr. Diehl: Yes, that is in order to achieve to 3 acre minimum.

Mr. Tarpley: What about site distance?

Mr. Diehl: Site distance is good. The area is relatively flat.

Mr. Antey: What about the numbering?

Mr. Diehl: This is the 2nd Plat. Lot 1 was the rezoning and platting in 2017.

Mr. Hilliard: What about the floodplain?

Mr. Diehl: The rear (west) portion of the lots are in the floodplain.

Mr. Antey: Is the applicant here?

Vicki Rhuems: 2016 S Owens School Road.

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

Ms. Rhuems: I do not.

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. Hilliard seconded.

Discussion under advisement

RZ-2019-581 Mr. Tarpley moved to approve. Mr. Hilliard seconded.

Mr. Tarpley-Approve Ms. Query-Approve
Mr. Haley-Approve Mr. Hilliard-Approve
Ms. Mershon-Approve Chairman Antey-Approve

Motion Carried 6 – 0

STAFF REPORT

PLAN COMMISSION
May 21, 2020

RE: RZ-2020-581

Applicant: Teddy & Vicki Rhuems
Location: 2016 S Owens School Road
Area: 16.16 ± acres
Request: Change of zoning from District AG (Agricultural) to District RE (Residential Estates)
Purpose: Applicant is requesting the change in zoning to create three single family residential lots.

Current Land Use and Zoning in the Area:

The zoning in the immediate area is Agricultural with the majority of the land use being single family residences. There are residential zonings and subdivisions created after the implementation of the Unified Development Code, as well as a few created prior to the UDC requirements. These properties are within District AG. To the west on the south side of Flynn Road, is a Light Industrial Zoning. This was rezoned by the County Court in 1965. This is a wrecking and salvage business.

There are a few platted developments within the proximity of the subject property.

In 2017 the applicant rezoned and platted 3.00 acres of their property into a one lot subdivision. They are wishing to subdivide the remaining 16.16 ± acres, which contain a main residence and an accessory residence, into three lots.

The main residence will be on Lot 3. The accessory dwelling will then be placed on its own lot (Lot 4), removing its status as an accessory dwelling.

Lot 2 is for future construction on a residence.

County Plan:

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

The Residential Suburban District (RE) is appropriate for the Urban Development Tier.

Recommendation:

Staff recommends APPROVAL of RZ-2020-581

Respectfully submitted,

Jackson County Public Works
Development Division
Randy Diehl, Administrator

Teddy & Vicki Rhuems
RZ-2020-581

Independence

S OWENS SCHOOL RD

E FLYNN RD

AG

AG

RE

LI

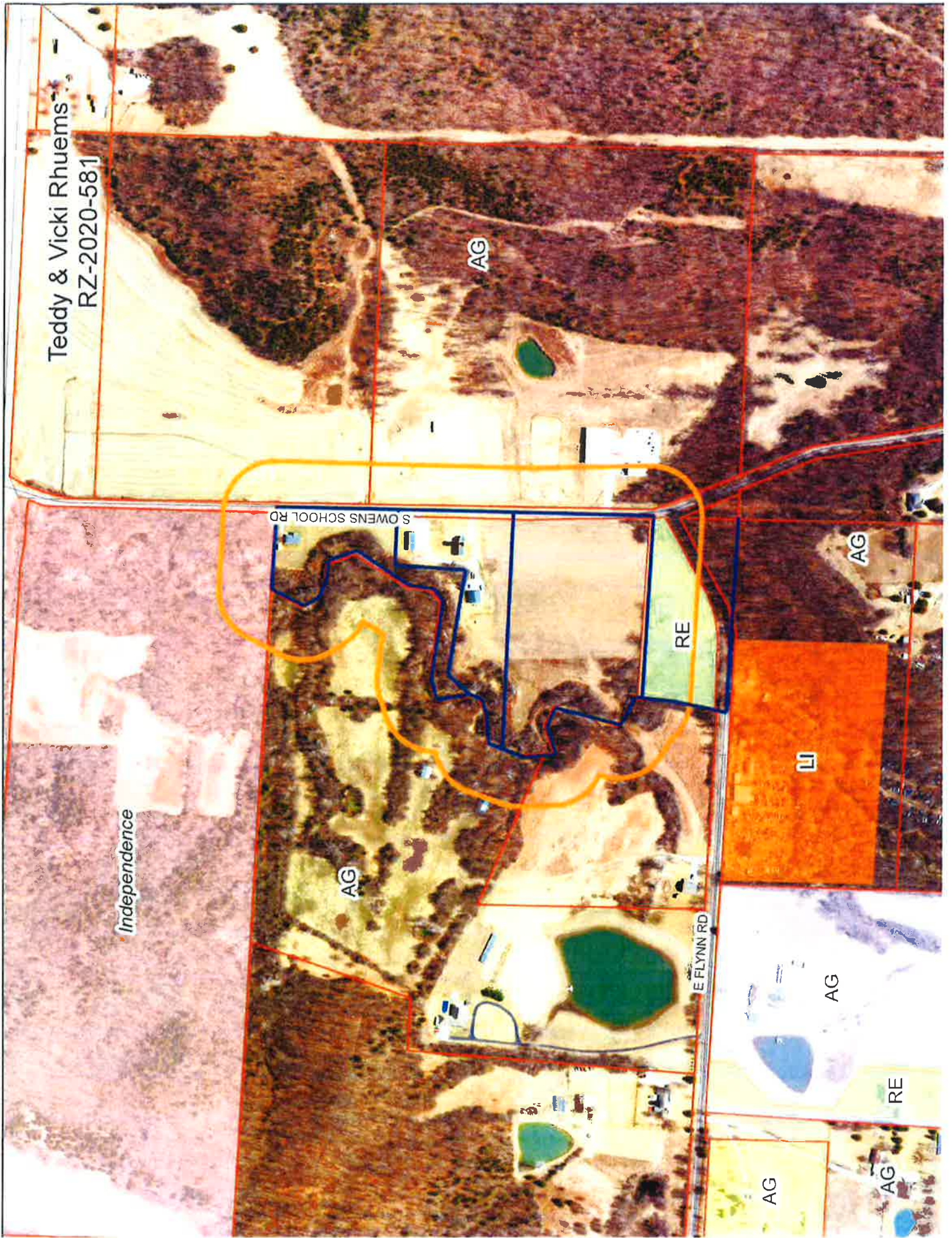
AG

AG

RE

AG

AG



Plan Commission May 21, 2020
 RZ-2020-581

Property Owners Within 185 feet

Name	Name	Address	City	State	Zip
23-400-01-01-00-0-00-000	WHITE DAVID L	4940 S BRITTANY DR	BLUE SPRINGS	MO	64015
23-500-02-02-0-00-000	HODGES PROPERTIES LP	30605 EASY ST	GRAIN VALLEY	MO	64029
23-500-02-03-00-0-00-000	OWENS SCHOOL ROAD LLC	3215 FALLBROOK CT	BLUE SPRINGS	MO	64015
23-500-02-05-00-0-00-000	OWENS SCHOOL ROAD LLC	3215 FALLBROOK CT	BLUE SPRINGS	MO	64015
23-400-01-03-01-0-00-000	SCHWEER JOHN J & SHERRY F	26908 E FLYNN RD	INDEPENDENCE	MO	64057
23-400-01-03-02-0-00-000	SCHWEER SHERRY F COTTEW-TR	26908 E FLYNN RD	INDEPENDENCE	MO	64057
23-400-01-06-00-0-00-000	LADD DALE JR & BREMER KRISTINA	2004 S OWENS SCHOOL RD	INDEPENDENCE	MO	64057
23-400-01-05-00-0-00-000	RHUEMS TEDDY L & VICKI R	2016 S OWENS SCHOOL RD	INDEPENDENCE	MO	64057
23-400-01-04-01-0-00-000	RHUEMS TEDDY L & VICKI R	2016 S OWENS SCHOOL RD	INDEPENDENCE	MO	64057



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 6, 2020

RE: Public Hearing: RZ-2020-581
Teddy & Vicki Rhuems

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 Teddy & Vicki Rhuems for a change of zoning from District AG (Agricultural) on a 16.16 ± acre tract to District RE (Residential Estates). The purpose is to create three single family residential lots in Section 07, Township 49, Range 30, at 2016 S Owens School Road, Jackson County, Missouri.

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 21, 2020 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 881-4649.

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- 2020-581
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: Teddy Rhuems
Address: 2016 S. Owens School Road
Independence, Mo. 64057
Phone: 816-550-9755
 - b. Owner(s) Name: Same as above
Address: _____
Phone: _____
 - c. Agent(s) Name: _____

Address: _____

Phone: _____

- d. Applicant's interest in Property: Property owner
2. General location (Road Name) 2016 S. Owens School Road
3. Present Zoning _____ Requested Zoning _____
4. AREA (sq. ft. / acres) 16.16 acres +/-
5. LEGAL Description of Property: (Write Below or Attached 9)
See attached deed
6. Present Use of Property: Residential
7. Proposed Use of Property: Residential
8. Proposed Time Schedule for Development: now
9. What effect will your proposed development have on the surrounding properties?
None is the same as surrounding properties
10. Is any portion of the property within the established flood plain as shown on the FEMA Flood Boundary Map? Yes
If so, will any improvements be made to the property which will increase or decrease the elevation? No
11. Describe the source/method which provides the following services, and what effect the development will have on same:
- a. Water Water District No. 16
- b. Sewage disposal Septic system
- c. Electricity KCP&L
- d. Fire and Police protection Central
12. Describe existing road width and condition: Standard asphalt surface road

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

Date

Property Owner(s)

Teddy Rhuems
Teddy Rhuems

1-3-2020

1.3.20

Applicant(s):

Contract Purchaser(s):

STATE OF MISSOURI

COUNTY OF JACKSON

On this 12th day of December, in the year of 2019, before me the undersigned notary public, personally appeared Teddy Rhuems

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.

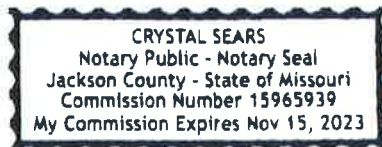
In witness whereof, I hereunto set my hand and official seal.

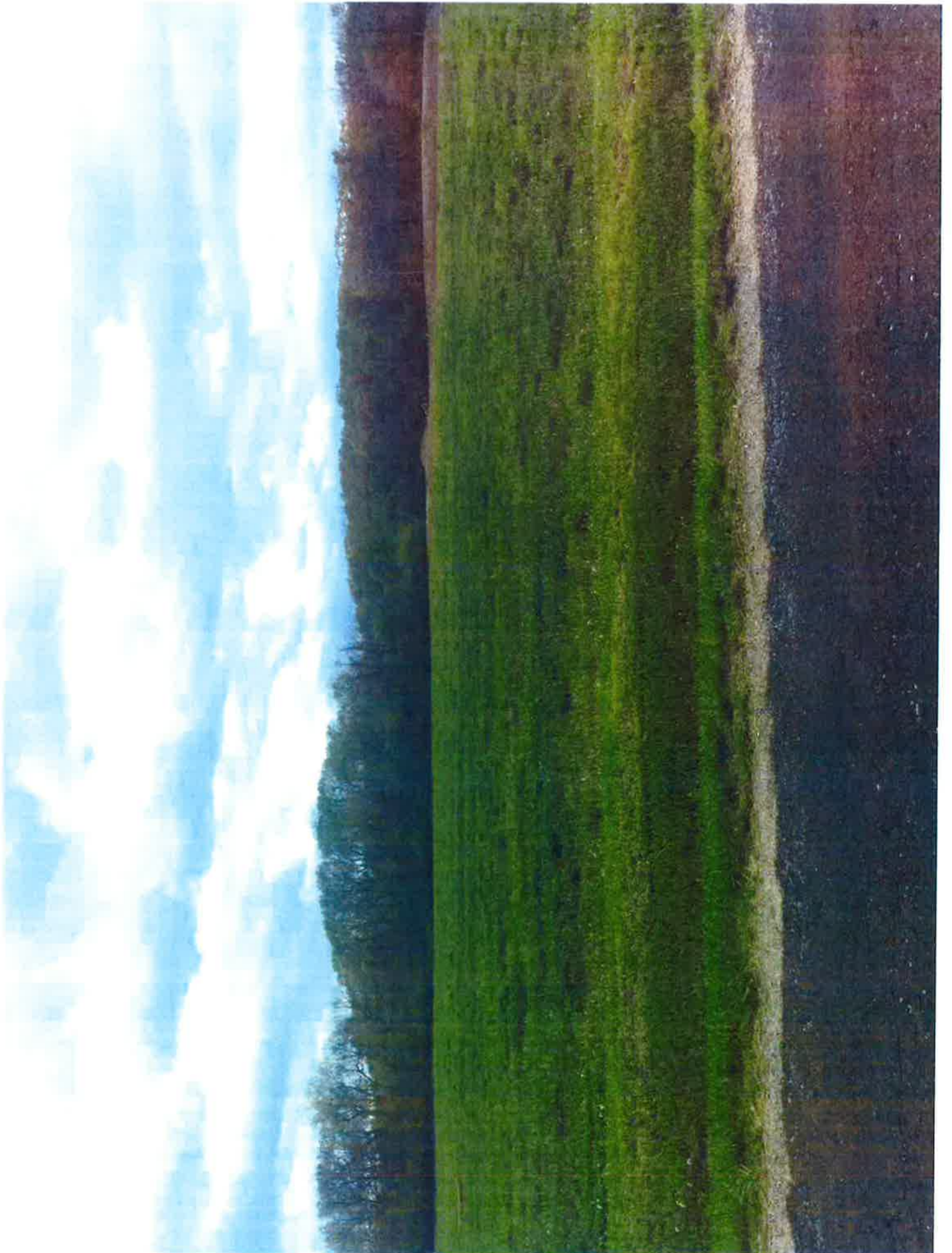
Notary Public

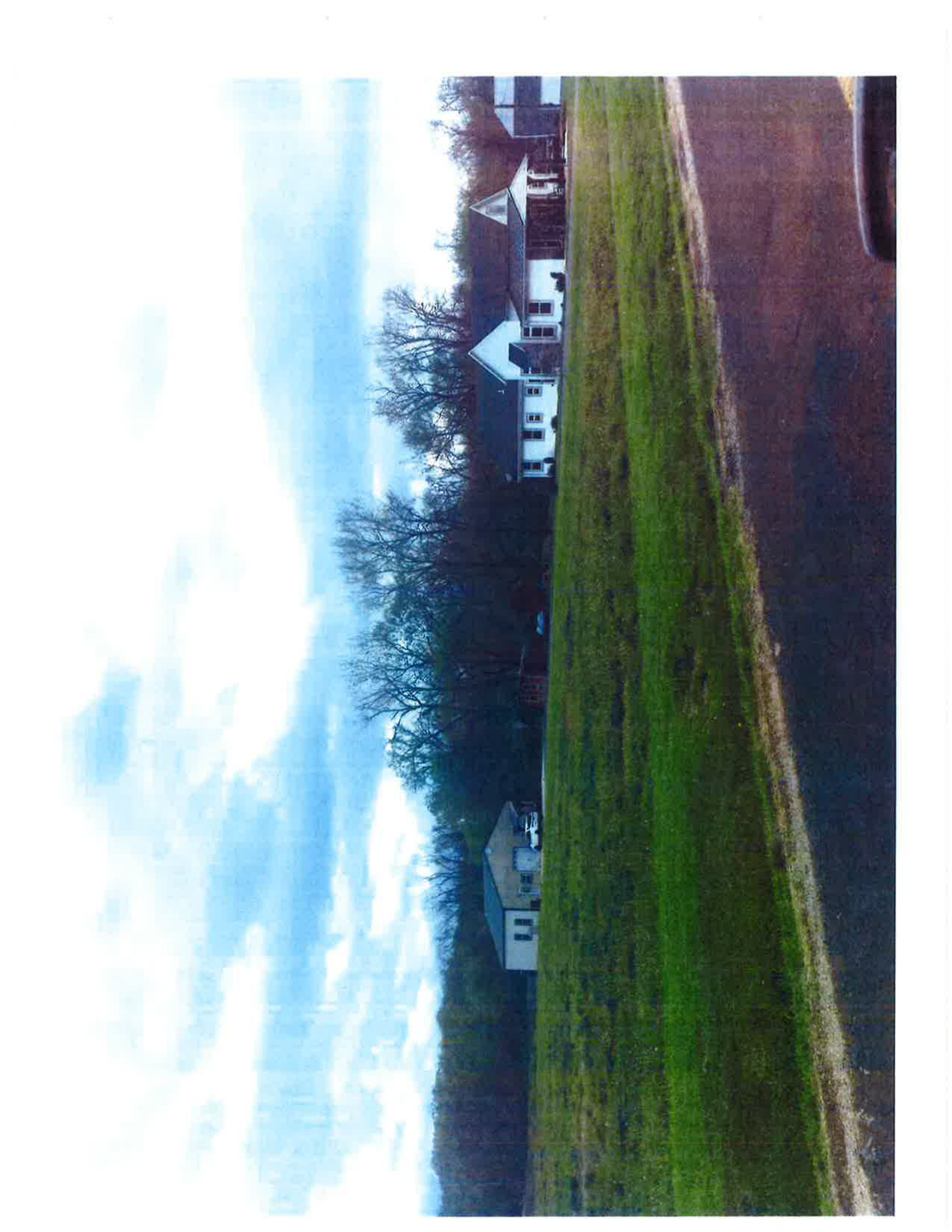
Crystal Sears

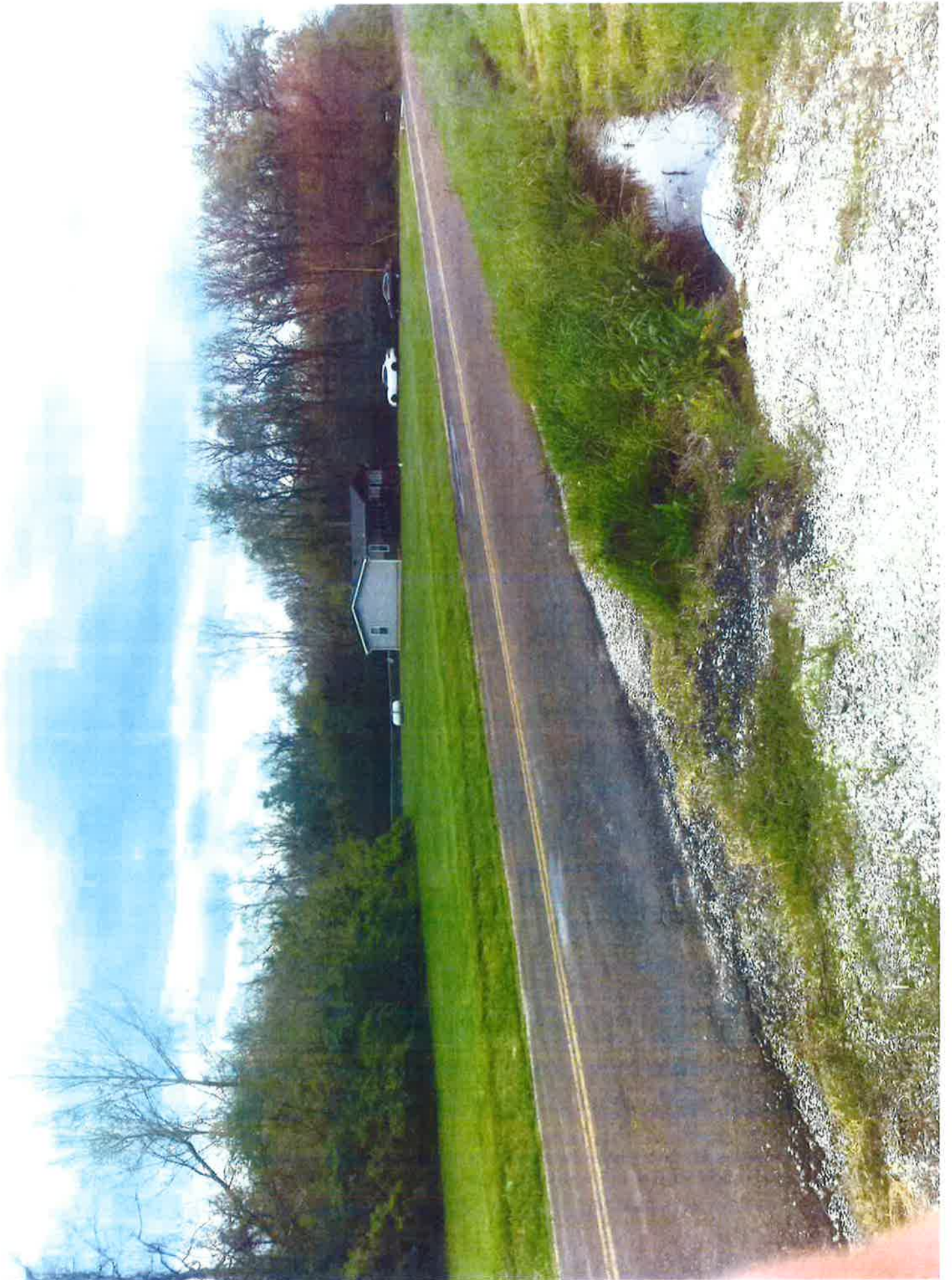
Commission Expires

Nov 15, 2023









Teddy & Vicki Rhuems
RZ-2020-581

2025

AG

2115

2004

S OWENS SCHOOL RD

2016

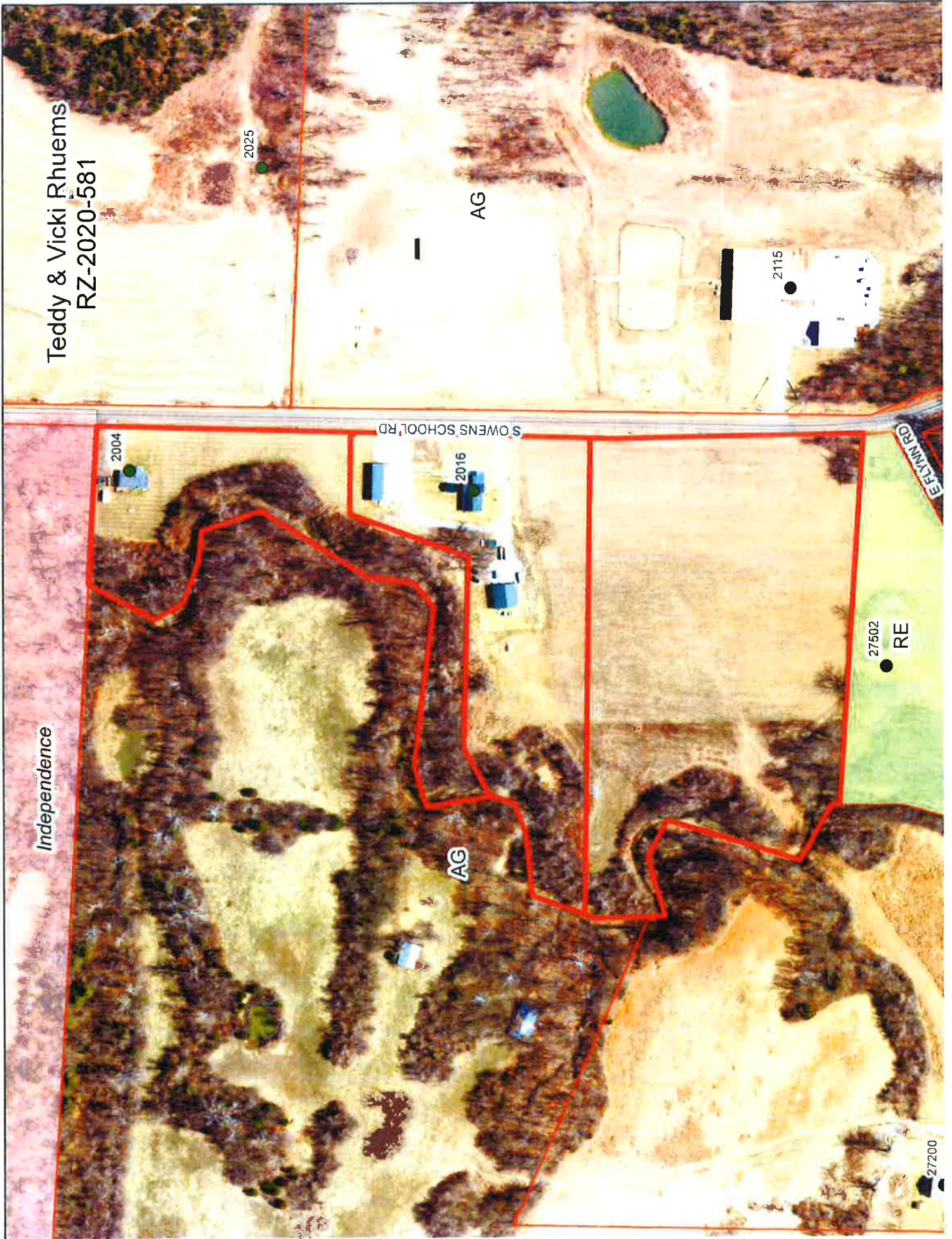
ELM RD

Independence

AG

27502 RE

27200



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 9.668+ acre tract from District AG (Agricultural) to District RR (Residential Ranchette).

ORDINANCE NO. 5346, June 1, 2020

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 located in section 6, township 48, range 29, Jackson County, with a street address of 5907 S. Stillhouse Road, Jackson County, MO, legally described as follows:

Description: All that part of the East half of the Northwest Quarter of Section 06, Township 48, Range 29, and more fully described as follows: Beginning at the Northeast corner of the East Half of the Northwest Quarter of Section 06, Township 48, Range 29, Jackson County, Missouri; thence along the East line of Northwest Quarter of said Section 6, South 01 degrees 41 minutes 11 seconds West, 325.13 feet; thence North 88 degrees 05 minutes 16 seconds West, 1286.37 feet to the West line of the East Half of the Northwest Quarter of said Section 6; thence along said East line North 01 degrees 54 minutes 44 seconds East, 330.00 feet to the Northwest corner of the East half of the Northwest Quarter of said Section 6; thence along the North line of the East Half of the Northwest Quarter of said Section 6, South 87 degrees 52 minutes 14 seconds East, 1282.10 feet to the Point of Beginning. Except that part in road. A/K/A Tract I on Certificate of Survey, filed under Document No. 2006E0010327.

Section 2. The Legislature, pursuant to the application of Jason and Tanya Hailey (RZ-2020-580), requesting the amendment embodied in this Ordinance and with notice that the Jackson County Plan Commission voted 6 to 0 to recommend APPROVAL of this

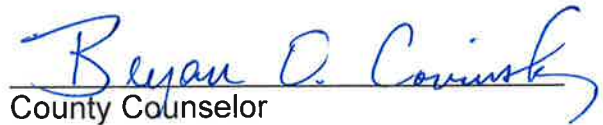
application after a public hearing on May 21, 2020, does hereby adopt this Ordinance pursuant to the Jackson County Charter authorizing the Legislature to exercise legislative power pertaining to planning and zoning.

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. 5346 introduced on June 1, 2020, was duly passed on _____, 2020 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. 5346.

Date

Frank White, County Executive

REQUEST FOR LEGISLATIVE ACTION

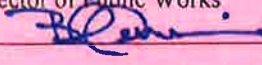


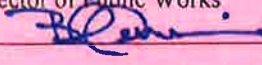


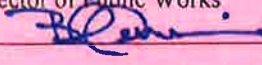


Version 6/10/19

Completed by County Counselor's Office:

Res/Ord No.: 5346

Sponsor(s): N/A

Date: June 1, 2020

SUBJECT	Action Requested <input type="checkbox"/> Resolution <input checked="" type="checkbox"/> Ordinance Project/Title: <u>Jason & Tanya Hailey - RZ-2020-580</u>										
BUDGET INFORMATION <i>To be completed By Requesting Department and Finance</i>	<table border="1"> <tr> <td>Amount authorized by this legislation this fiscal year:</td> <td style="text-align: right;">\$</td> </tr> <tr> <td>Amount previously authorized this fiscal year:</td> <td></td> </tr> <tr> <td>Total amount authorized after this legislative action:</td> <td style="text-align: right;">\$</td> </tr> <tr> <td>Amount budgeted for this item * (including transfers):</td> <td style="text-align: right;">\$</td> </tr> <tr> <td>Source of funding (name of fund) and account code number:</td> <td style="text-align: right;">\$</td> </tr> </table> <p>* If account includes additional funds for other expenses, total budgeted in the account is: \$</p> OTHER FINANCIAL INFORMATION: <input checked="" type="checkbox"/> No budget impact (no fiscal note required) <input type="checkbox"/> Term and Supply Contract (funds approved in the annual budget); estimated value and use of contract: Department: _____ Estimated Use: _____ Prior Year Budget (if applicable): _____ Prior Year Actual Amount Spent (if applicable): _____	Amount authorized by this legislation this fiscal year:	\$	Amount previously authorized this fiscal year:		Total amount authorized after this legislative action:	\$	Amount budgeted for this item * (including transfers):	\$	Source of funding (name of fund) and account code number:	\$
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Amount budgeted for this item * (including transfers):	\$										
Source of funding (name of fund) and account code number:	\$										
PRIOR LEGISLATION	Prior ordinances and (date): _____ Prior resolutions and (date): _____										
CONTACT INFORMATION	RLA drafted by: Randy Diehl, Administrator, Development Division, 881-4577										
REQUEST SUMMARY	Requesting a change of zoning from District AG (Agricultural) on a 9.668 ± acre tract to District RR (Residential Ranchette). The purpose is to decrease the building setback requirements for future construction at 5907 S. Stillhouse Road, Jackson County, Missouri, and specifically described on Attachment to RLA-1. 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 21, 2020 and accepted testimony pertaining to the rezoning request. The Plan Commission voted 6 to 0 to recommend <u>APPROVAL</u> to the County Legislature.										
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ATTACHMENTS	See Attachment to RLA-2										
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Fiscal Information (to be verified by Budget Office in Finance Department)

- This expenditure was included in the annual budget.
- Funds for this were encumbered from the _____ Fund in _____.
- There is a balance otherwise unencumbered to the credit of the appropriation to which the expenditure is chargeable and there is a cash balance otherwise unencumbered in the treasury to the credit of the fund from which payment is to be made each sufficient to provide for the obligation herein authorized.
- Funds sufficient for this expenditure will be/were appropriated by Ordinance # _____
- Funds sufficient for this appropriation are available from the source indicated below.

Account Number:	Account Title:	Amount Not to Exceed:

- This award is made on a need basis and does not obligate Jackson County to pay any specific amount. The availability of funds for specific purchases will, of necessity, be determined as each using agency places its order.
- This legislative action does not impact the County financially and does not require Finance/Budget approval.

ATTACHMENT TO RLA-

Attachments

Plan Commission Public Hearing Summary from May 21, 2020

Location Map

Staff Report

Affidavit of Publication in Independence Examiner

Names/Addresses of Surrounding Property Owners

Copy of letter to said property owners

Map showing current zoning district in area

County Code Chapter 240 – Unified Development Code

County Master Plan – “Strategy for the Future”

Application

Pictures of Property

STAFF REPORT

PLAN COMMISSION

May 21, 2020

RE: RZ-2020-580

Applicant: Jason & Tanya Hailey

Location: 5907 S Stillhouse Road

Area: 9.66 acres

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

Purpose: Applicant is requesting the change in zoning to reduce building line setbacks for future construction.

Current Land Use and Zoning in the Area:

The zoning in the immediate area is Agricultural.

Land use is single family residences.

The applicant is wishing to build a 30 x 65 garage 20 feet from the north property on the side of the residence. The residence is 50 feet from the property line. The side setbacks for district AG is 30 feet.

Placement on the South side of the home would require additional excavation into hillside.

Staff looked at the possibility of a variance to accommodate the setback issue. Variance requested arises from a condition which is unique and particular to the property in question, and not created by an action of the owner or applicant.

Staff felt that a hardship was not warranted since the location of the home was the decision of the owner, and the size of the tract does render it a con-conforming status.

Therefore, a request for rezoning the property would be the only solution to reduce the minimum building line setbacks for the tract.

This would bring the side RR setbacks are: 40' front, 40' rear yard, 20' side.

In 2005 a similar scenario was presented for consideration where an unplatted tract was rezoned to District RR to accommodate a mortgage lender who required that the property be zoned residential.

A favorable recommendation was approved by the Commission and the County Legislature granted the request December of 2005. (Ordinance 3705).

County Plan:

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

The Residential Ranchette District (RR) is appropriate for the Urban Development Tier.

Recommendation:

Staff recommends APPROVAL of RZ-2020-580

Mr. Antey: Are there any questions for Randy?

There were no questions from the Commission members

Mr. Antey: Is the applicant here?

Jason Hailey, 5907 S Stillhouse Road.

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

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. Hilliard seconded.

Discussion under advisement

RZ-2019-580 Mr. Tarpley moved to approve. Mr. Hilliard seconded.

Mr. Tarpley-Approve Ms. Query-Approve
Mr. Haley-Approve Mr. Hilliard-Approve
Ms. Mershon-Approve Chairman Antey-Approve

Motion Carried 6 – 0

STAFF REPORT

PLAN COMMISSION

March 19, 2020

RE: RZ-2020-580

Applicant: Jason & Tanya Hailey

Location: 5907 S Stillhouse Road

Area: 9.66 acres

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

Purpose: Applicant is requesting the change in zoning to reduce building line setbacks for future construction.

Current Land Use and Zoning in the Area:

The zoning in the immediate area is Agricultural.

Land use is single family residences.

The applicant is wishing to build a 30 x 65 garage 20 feet from the north property on the side of the residence. The residence is 50 feet from the property line. The side setbacks for district AG is 30 feet.

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County Plan:

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

The Residential Ranchette District (RR) is appropriate for the Urban Development Tier.

Recommendation:

Staff recommends APPROVAL of RZ-2020-580

Respectfully submitted,

Jackson County Public Works
Development Division
Randy Diehl, Administrator



RZ-2020-580

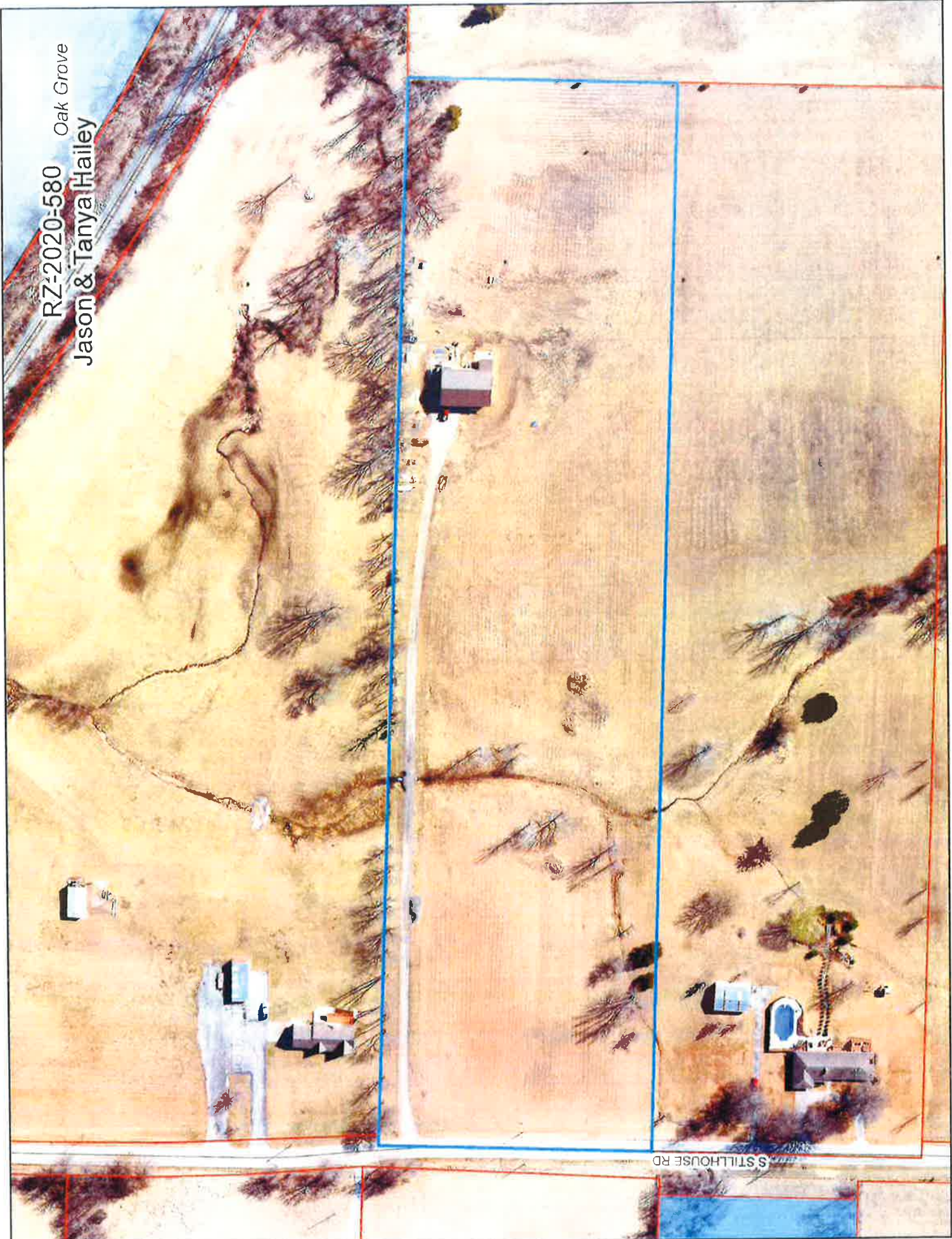
Jason & Tanya Hailey

Oak Grove

S STILLHOUSE RD

E RD MIZE RD

RZ-2020-580 Oak Grove
Jason & Tanya Hailey



S STILLHOUSE RD



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

March 4, 2020

RE: Public Hearing: RZ-2020-580
Jason & Tanya Hailey

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 Jason & Tanya Hailey for a change of zoning from District AG (Agricultural) on a 9.668 ± acre tract to District RR (Residential Ranchette). The purpose is to decrease the building setback requirements for future construction at 5907 S. Stillhouse Road, Jackson County, Missouri.

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, March 19, 2020 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 881-4649.

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

Plan Commission March 19, 2020
 RZ-2020-580

Property Owners Within 185 feet

Name	Name	Address	City	State	Zip
38-900-03-09-00-0-00-000	BURNS DAINAN K & KELLY A	5854 S STILLHOUSE RD	OAK GROVE	MO	64075
38-900-03-11-00-0-00-000	ROBBINS RAYMOND B & CATHY J	5825 S STILLHOUSE RD	OAK GROVE	MO	64075
39-300-01-03-01-0-00-000	GURNEY LAND DEVELOPMENT LLC	36606 E R D MIZE RD	OAK GROVE	MO	64075
39-300-02-02-01-0-00-000	DOLAN MARY K	PO BOX 377	OAK GROVE	MO	64075
39-300-02-08-00-0-00-000	MARBLE DONALD STEVEN & BOBBIE JO-TR	6006 S STILLHOUSE RD	OAK GROVE	MO	64075
39-300-02-19-00-0-00-000	DIAZ JOHN C & KIRBY DIAZ CINDY L	5919 S STILLHOUSE RD	OAK GROVE	MO	64075
39-300-02-18-00-0-00-000	HAILEY JASON & TANYA	5907 S STILLHOUSE RD	OAK GROVE	MO	64075

**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-2020-580
Date filed 2-21-20 Date of hearing 3-19-20
Date advertised 3-4-20 Date property owners notified 3-4-20
Date signs posted 3-4-20
Hearings: Heard by PC Date 3-19-20 Decision _____
Heard by LU Date _____ Decision _____
Heard by LG Date _____ Decision _____

BEGIN APPLICATION HERE:

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

- a. Applicant(s) Name: Jason Hailey
Address: 5907 S Stillhouse Rd Oak Grove, Mo. 64075

Phone: 816-522-3425
- b. Owner(s) Name: Jason Hailey
Address: 5907 S Stillhouse Rd. Oak Grove, Mo. 64075
Phone: 816-522-3425
- c. Agent(s) Name: _____

Address: _____

Phone: _____

d. Applicant's interest in Property: Owner

2. General location (Road Name) Stillhouse Rd

3. Present Zoning Agricultural Requested Zoning Residential Ranchette

4. AREA (sq. ft. / acres) 9.68 acres

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

6. Present Use of Property: _____

7. Proposed Use of Property: _____

8. Proposed Time Schedule for Development: NA

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

No impact to surrounding properties.

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 Water District 17 no effect

b. Sewage disposal Low pressure septic system no effect

c. Electricity West Central Electric no effect

d. Fire and Police protection Sni Valley Fire Jackson County Sheriff no effect

12. Describe existing road width and condition: 30 ft. Black top good condition

13. What effect will proposed development have on existing road and traffic conditions? NA

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

Date

Property Owner(s)

Jason & Julie

2-21-20

Applicant(s):

Contract Purchaser(s):

STATE OF _____

COUNTY OF _____

On this 21st day of February, in the year of 2020, before me the undersigned notary public, personally appeared Jason Hailey

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

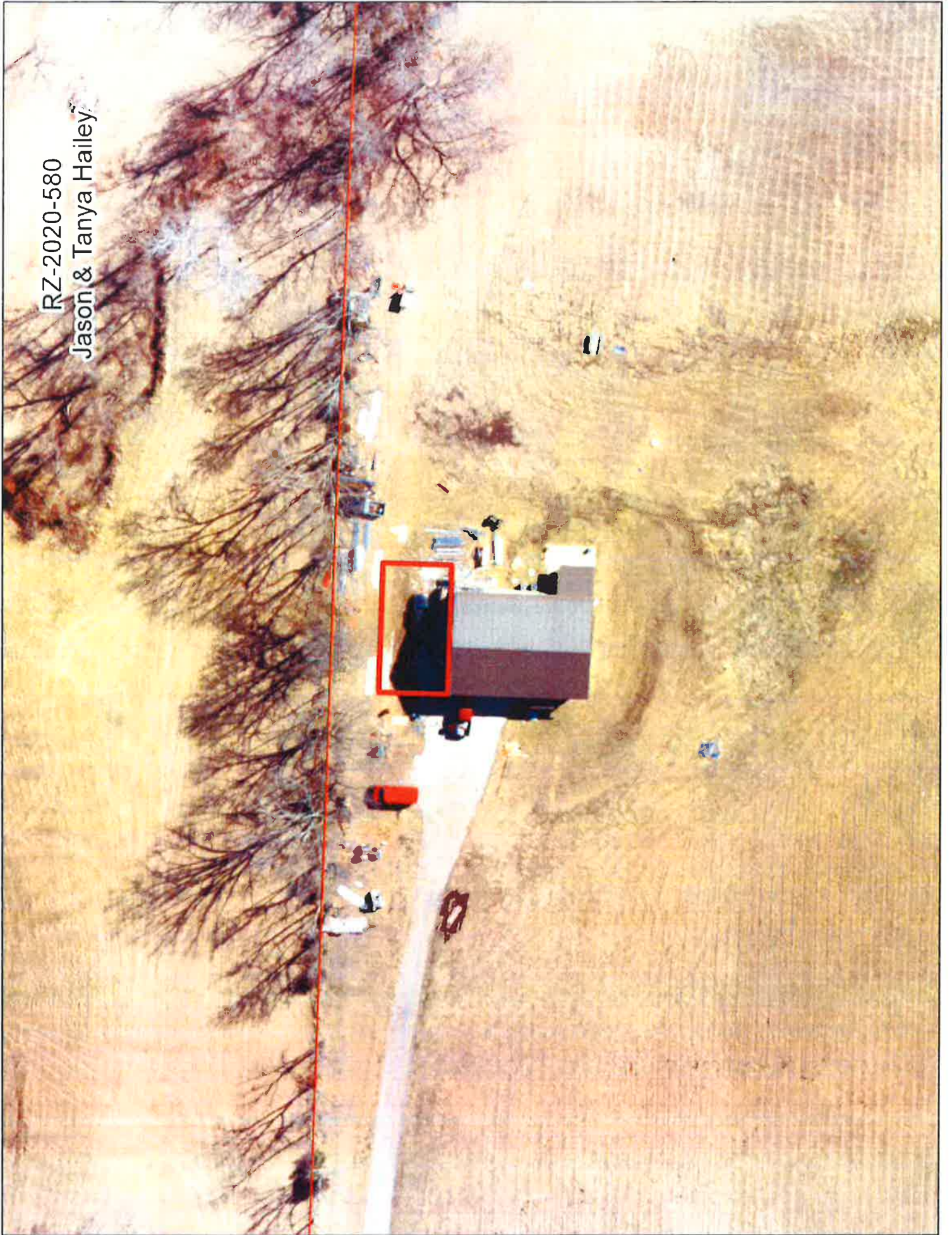
[Signature]

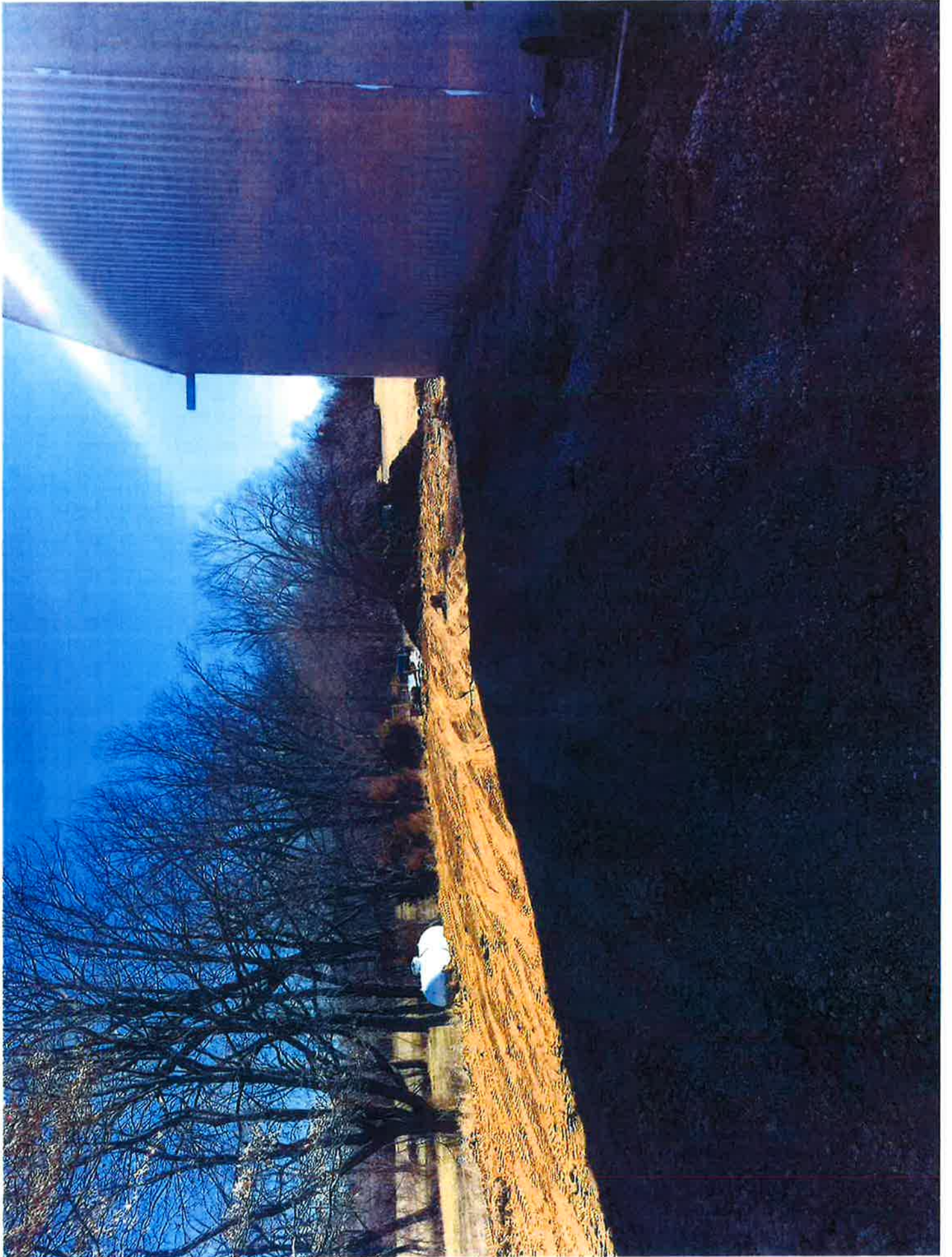
Commission Expires

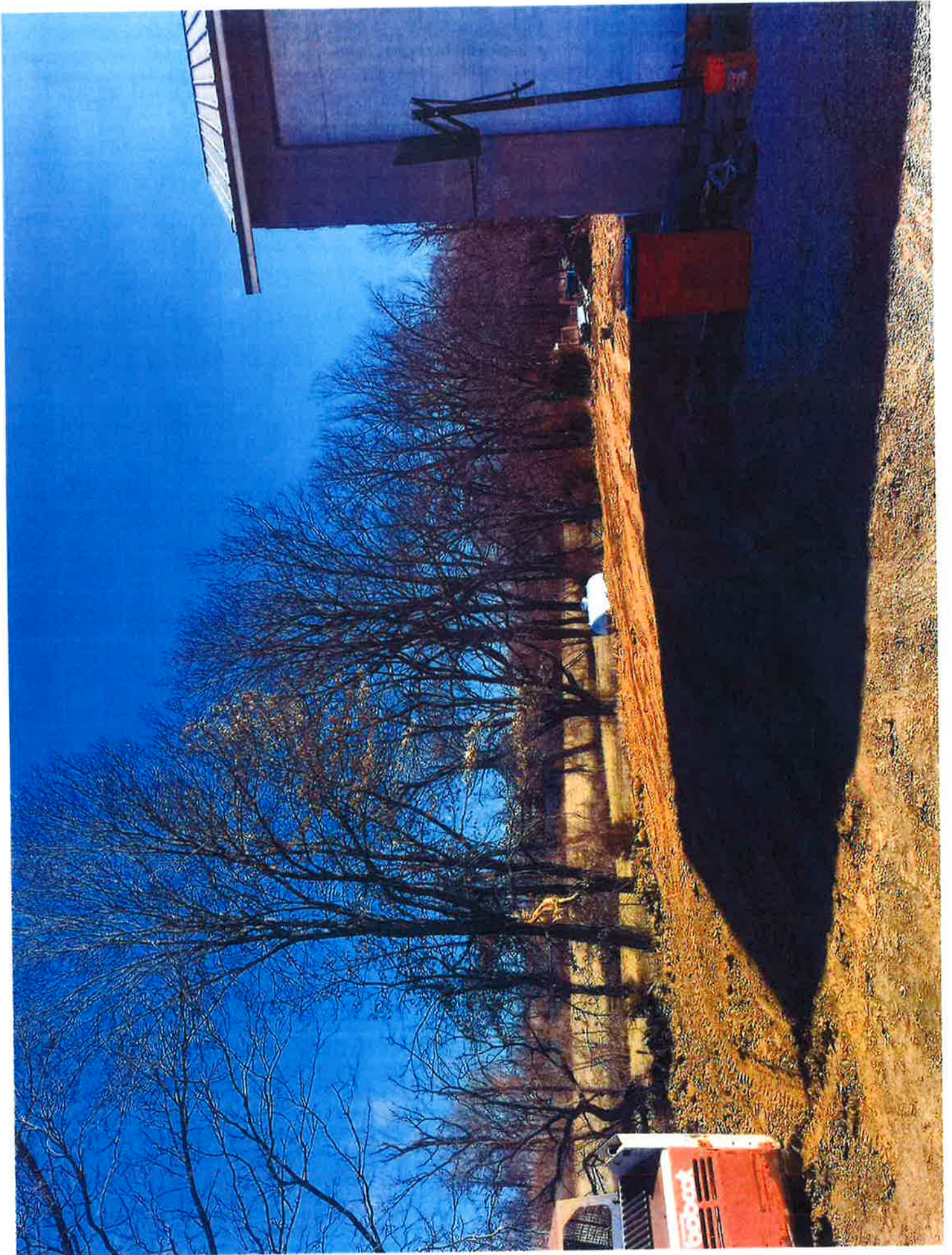
4-15-2023



RZ-2020-580
Jason & Tanya Hailey







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 .88± acre tract from District AG (Agricultural) to District RS (Residential Suburban).

ORDINANCE NO. 5347, June 1, 2020

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

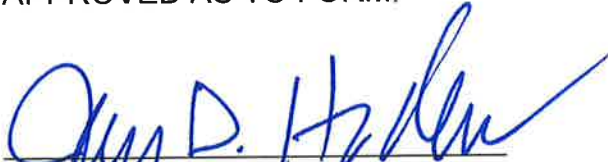
Section 1. The Zoning Order of Jackson County, Missouri, and the official maps which are a part thereof, are amended by changing the boundaries of the "AG" (Agricultural) and "RS" (Residential Suburban) Districts, so that there will be transferred from District AG to District RS a tract of land located in section 2, township 47, range 31, Jackson County, with a street address of 10723 NE. Blackwell Road, Jackson County, MO, legally described as follows:

Description: Lot 2, Seawood Hills, a subdivision in Jackson County, Missouri.

Section 2. The Legislature, pursuant to the application of Brandon and Christina Hess (RZ-2020-579), requesting the amendment embodied in this Ordinance and with notice that the Jackson County Plan Commission voted 6 to 0 to recommend APPROVAL of this application after a public hearing on May 21, 2020, 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. 5347 introduced on June 1, 2020, was duly passed on _____, 2020 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. 5347.

Date

Frank White, County Executive

REQUEST FOR LEGISLATIVE ACTION


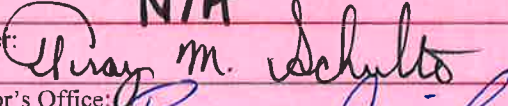


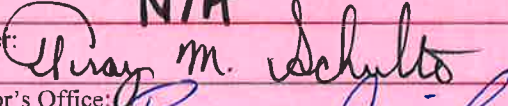


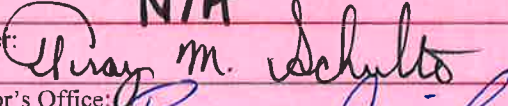

Version 6/10/19

Completed by County Counselor's Office:

Res/Ord No.: 5347

Sponsor(s): N/A

Date: June 1, 2020

SUBJECT	Action Requested <input type="checkbox"/> Resolution <input checked="" type="checkbox"/> Ordinance Project/Title: <u>Brandon & Christina Hess - RZ-2020-579</u>											
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PRIOR LEGISLATION	Prior ordinances and (date): _____ Prior resolutions and (date): _____											
CONTACT INFORMATION	RLA drafted by: Randy Diehl, Administrator, Development Division, 881-4577											
REQUEST SUMMARY	Requesting a change of zoning from District AG (Agricultural) on a 0.88 ± acre platted lot to District RS (Residential Suburban). The purpose is to decrease the building setback requirements for future construction at 10723 NE. Blackwell Road, Jackson County, Missouri, and specifically described on Attachment to RLA-1. 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 21, 2020 and accepted testimony pertaining to the rezoning request. The Plan Commission voted 6 to 0 to recommend <u>APPROVAL</u> to the County Legislature.											
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Fiscal Information (to be verified by Budget Office in Finance Department)

- This expenditure was included in the annual budget.
- Funds for this were encumbered from the _____ Fund in _____.
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Account Number:	Account Title:	Amount Not to Exceed:

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Location Map

Staff Report

Affidavit of Publication in Independence Examiner

Names/Addresses of Surrounding Property Owners

Copy of letter to said property owners

Map showing current zoning district in area

County Code Chapter 240 – Unified Development Code

County Master Plan – “Strategy for the Future”

Application

Pictures of Property

Preliminary Plat

STAFF REPORT

PLAN COMMISSION

May 21, 2020

RE: RZ-2020-579

Applicant: Brandon & Christina Hess

Location: 10723 NE Blackwell Road

Area: 0.88 acres

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

Purpose: Applicant is requesting the change in zoning to reduce building line setbacks for future construction of a 24 x 40 garage.

Current Land Use and Zoning in the Area:

This subdivision as well as those across Blackwell Road are within an unincorporated island of the County. This area is surrounded by the City of Lee's Summit. These eight subdivisions were platted prior to June 1995, (Adaption of the Unified Development Code) and were not required to be rezoned at that that time. Lot 3, Seawood Addition and Lot 12, Richardson Estates have both been rezoned to District RS, for the reduction of building line setbacks.

The setbacks for AG are: 50', front, rear and street side and 30' side yard.

RS setbacks are: 50' front (platted), 20' rear yard, 15' side.

County Plan:

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

The Residential Suburban District (RS) is appropriate for the Urban Development Tier.

Recommendation:

Staff recommends APPROVAL of RZ-2020-579

Respectfully submitted,

Jackson County Public Works
Development Division
Randy Diehl, Administrator

Mr. Antey: Are there any questions for Randy?

Mr. Tarpley: How big is the property?

Mr. Diehl: A little larger than ¾ of an acre.

Mr. Antey: Is the applicant here?

Brandon Hess, 10723 NE Blackwell Rd

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

No.

Mr. Tarpley: What type of building is this going to be?

Mr. Hess: Steel Frame with wooden sides.

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. Hilliard seconded.

Discussion under advisement

RZ-2019-579 Mr. Tarpley moved to approve. Mr. Hilliard seconded.

Mr. Tarpley-Approve Ms. Query-Approve
Mr. Haley-Approve Mr. Hilliard-Approve
Ms. Mershon-Approve Chairman Antey-Approve

Motion Carried 6 – 0

STAFF REPORT

PLAN COMMISSION

March 19, 2020

RE: RZ-2020-579

Applicant: Brandon & Christina Hess

Location: 10723 NE Blackwell Road

Area: 0.88 acres

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

Purpose: Applicant is requesting the change in zoning to reduce building line setbacks for future construction of a 24 x 40 garage.

Current Land Use and Zoning in the Area:

This subdivision as well as those across Blackwell Road are within an unincorporated island of the County. This area is surrounded by the City of Lee's Summit. These eight subdivisions were platted prior to June 1995, (Adaption of the Unified Development Code) and were not required to be rezoned at that time. Lot 3, Seawood Addition and Lot 12, Richardson Estates have both been rezoned to District RS, for the reduction of building line setbacks.

The setbacks for AG are: 50', front, rear and street side and 30' side yard.

RS setbacks are: 50' front (platted), 20' rear yard, 15' side.

County Plan:

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

The Residential Suburban District (RS) is appropriate for the Urban Development Tier.

Recommendation:

Staff recommends APPROVAL of RZ-2020-579

Respectfully submitted,

Jackson County Public Works
Development Division
Randy Diehl, Administrator

1 inch = 150 feet

NE CHIPMAN RD

RZ-2020-579
Brandon & Christina Hess

NE WOODPARK LN

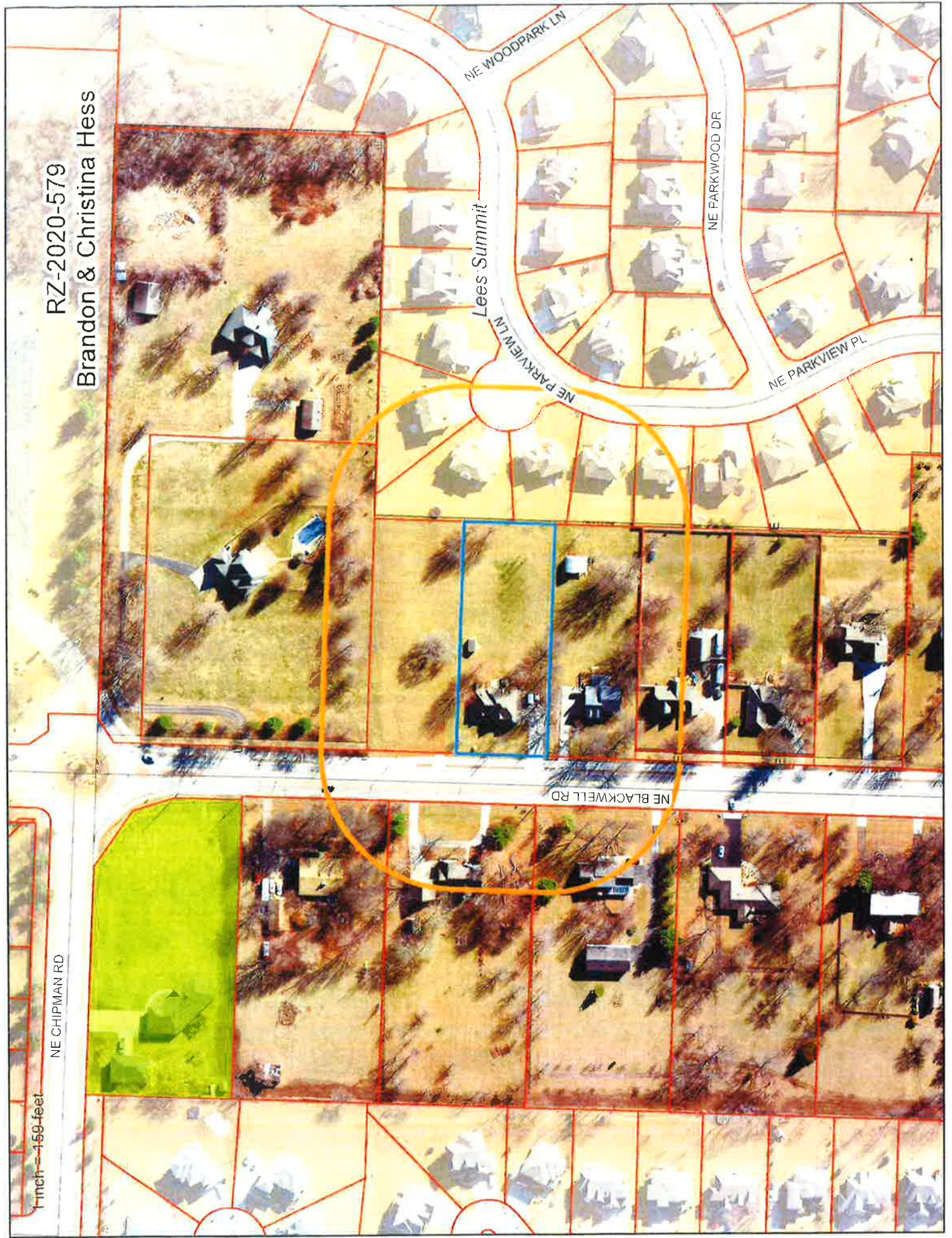
Lees Summit

NE PARKVIEW LN

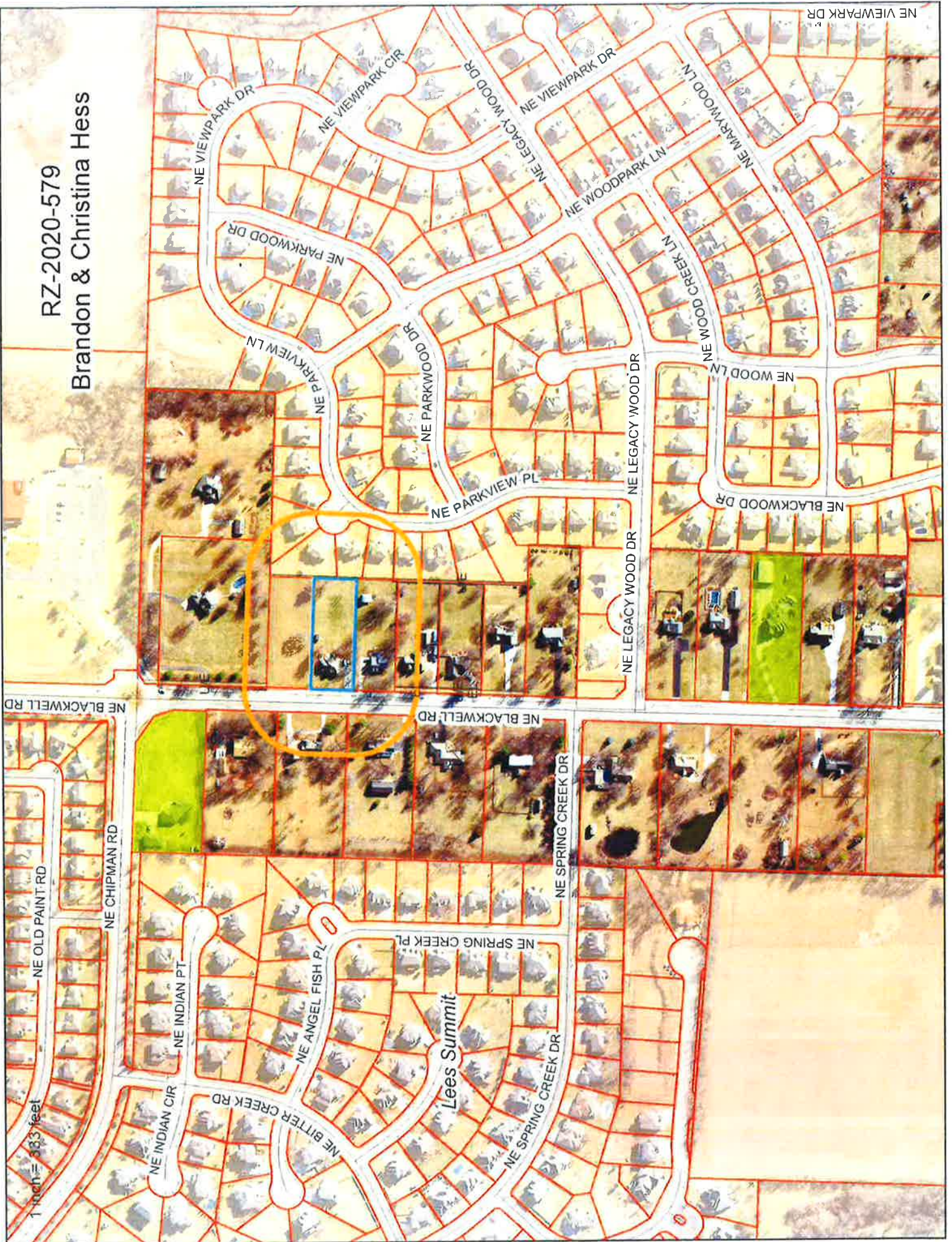
NE PARKWOOD DR

NE PARKVIEW PL

NE BLACKWELL RD



RZ-2020-579
Brandon & Christina Hess





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

March 11, 2020

RE: Public Hearing: RZ-2020-579
Brandon & Christina Hess

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 Brandon & Christina Hess for a change of zoning from District AG (Agricultural) on a 0.88 ± acre platted lot to District RS (Residential Suburban). The purpose is to decrease the building setback requirements for future construction at 10723 NE. Blackwell Road, Jackson County, Missouri.

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, March 19, 2020 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 881-4649.

Sincerely,

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

Jackson County Public Works
Development Division
Randy Diehl, Administrator

Plan Commission March 19, 2020

RZ-2020-579

Property Owners Within 185 feet

Parcel	Name	Address	City	State	Zip
60-220-02-03-00-0-00-000	BIXBY JOHN D & DIANE	10718 NE BLACKWELL RD	LEES SUMMIT	MO	64086
60-220-02-04-00-0-00-000	MCREE H ELDON TRUSTEE	10804 NE BLACKWELL RD	LEES SUMMIT	MO	64086
60-220-01-07-00-0-00-000	ELLIOTT ANGELA R TRUSTEE	10805 NE BLACKWELL RD	LEES SUMMIT	MO	64086
60-220-01-04-00-0-00-000	BULLARD AUSTIN & ANGELA	2125 SE 6TH ST	LEES SUMMIT	MO	64063
60-220-01-06-00-0-00-000	COONEY AYRE K & REBECCA K	10801 NE BLACKWELL RD	LEES SUMMIT	MO	64086
60-220-01-02-00-0-00-000	KNISLEY EDDIE G & GLORIA A	10703 S BLACKWELL RD	LEES SUMMIT	MO	64086
60-220-01-03-00-0-00-000	COX KENNETH L & KATHY L	10707 NE BLACKWELL RD	LEES SUMMIT	MO	64086
60-220-02-02-00-0-00-000	CAMPBELL MAGGIE L & LISA A WILSON TR	10712 NE BLACKWELL RD	LEES SUMMIT	MO	64086
60-220-01-72-00-0-00-000	JOINER BRANDON L & CORBETT JESSICA C	2808 NE PARKVIEW CT	LEES SUMMIT	MO	64086
60-220-01-73-00-0-00-000	DUNN JUSTIN F & ROBIN M	2804 NE PARKVIEW CT	LEES SUMMIT	MO	64086
60-220-01-74-00-0-00-000	KNIPP DUSTIN W & MICHELLE L	2800 NE PARKVIEW CT	LEES SUMMIT	MO	64086
60-220-01-75-00-0-00-000	NGUYEN KHANH & KIMDUNG	532 NE PARKVIEW PL	LEES SUMMIT	MO	64086
60-220-01-76-00-0-00-000	GRIDLEY ANDREW & DARCY	528 NE PARKVIEW PL	LEES SUMMIT	MO	64086
60-220-01-05-00-0-00-000	HESS BRANDON G & CHRISTINA N-TR	10723 NE BLACKWELL RD	LEES SUMMIT	MO	64086

**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- 2020-579
Date filed 2-24-20 Date of hearing 3-19-20
Date advertised 3-4-20 Date property owners notified 3-4-20
Date signs posted 3-4-20
Hearings: Heard by PC Date 3-19-20 Decision _____
Heard by _____ Date _____ Decision _____
Heard by _____ Date _____ Decision _____

BEGIN APPLICATION HERE:

1. **Data on Applicant(s) and Owner(s):**
 - a. Applicant(s) Name: Brandon G. & Christina N. Hess
Address: 10723 NE Blackwell Rd.
Lee's Summit, MO 64086
Phone: 816-379-0694
 - b. Owner(s) Name: Brandon G. & Christina N. Hess - Trustees
Address: 10723 NE Blackwell Rd., Lee's Summit, MO 64086
Phone: 816-379-0694
 - c. Agent(s) Name: _____

Address: _____

Phone: _____

- d. Applicant's interest in Property: Owners / Trustees
2. General location (Road Name) Blackwell Rd., North of
Langsford Rd
3. Present Zoning Agriculture Requested Zoning Residential Suburban
4. AREA (sq. ft. / acres) 38,883.26 / 0.89
5. Legal Description of Property: (Write Below or Attached 9)
City Unincorporated ; SBD Seawood Hills
07-4773 UN ; LT 2-2
6. Present Use of Property: Single - Family Residential
7. Proposed Use of Property: Single - Family Residential
8. Proposed Time Schedule for Development: 1 month
9. What effect will your proposed development have on the surrounding properties?
No effect
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? N/A
11. Describe the source/method which provides the following services, and what effect the development will have on same:
- a. Water Public Water (City of Lee's Summit), No effect
- b. Sewage disposal Septic, No effect
- c. Electricity Public (Evergy), No effect
- d. Fire and Police protection Prairie Township / Jackson County, No effect
12. Describe existing road width and condition: 3 lanes (center turn lane), paved

13. What effect will proposed development have on existing road and traffic conditions? No effect

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): 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)

Brandon B. H
Christina A H

2/22/20
2/22/20

Applicant(s):

Brandon B. H
Christina A H

2/22/20
2/22/20

Contract Purchaser(s):

STATE OF Missouri
COUNTY OF Jackson

On this 22 day of Feb, in the year of 2020, before me the undersigned notary public, personally appeared at UMB bank

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

M R Pipkin II

Commission Expires

10/28/23



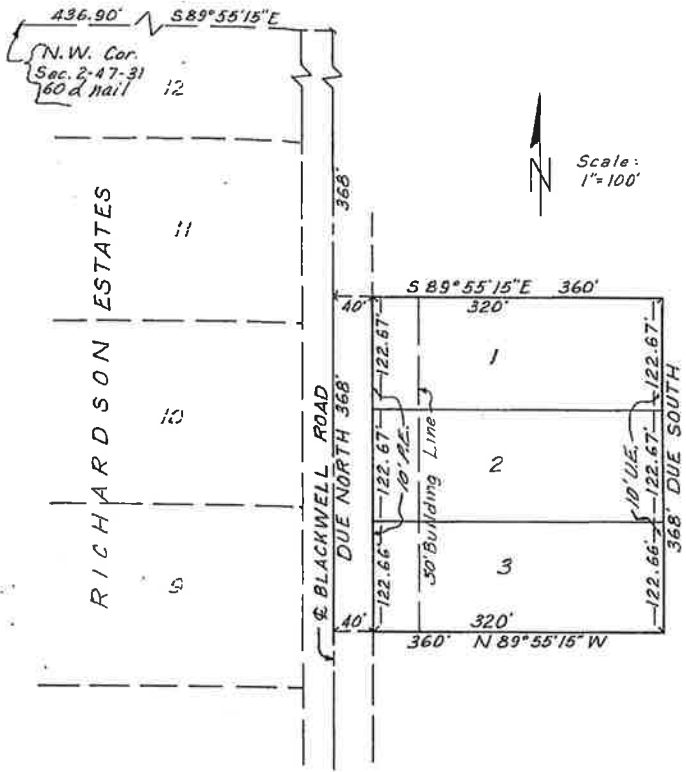
I 423994

STATE OF MISSOURI
JACKSON COUNTY
RECEIVED
JUN 19 1980
38-85
KAREN HUNTLEY STUBBS
DIRECTOR OF RECORDS

SEAWOOD HILLS

LOTS 1 thru 3
JACKSON COUNTY, MISSOURI

07-4773



Scale: 1"=100'

This is a subdivision in the NW 1/4 of NW 1/4 of Section 2, Twp. 47, Rng. 31, Jackson County, Mo., more particularly described as follows: Commencing at the N.W. corner of Section 2, Twp. 47, Rng. 31; thence along the north line of said section South 89 degrees 55 minutes 15 seconds East 436.90 ft. to a point in the center line of the right of way of Blackwell Road as established by RICHARDSON ESTATES, a subdivision in Jackson County, Mo.; thence along the center line of said road due south 368 ft. to the true point of beginning; thence South 89 degrees 55 minutes 15 seconds East 360 ft.; thence due south 368 ft.; thence North 89 degrees 55 minutes 15 seconds West 360 ft. to a point in the center line of said right of way; thence due north 368 ft. to the true point of beginning.

The undersigned proprietor of the above described tract has caused the same to be subdivided in the manner as shown on the accompanying plat, which subdivision and plat shall hereafter be known as "SEAWOOD HILLS"

All thoroughfares shown on this plat and not heretofore dedicated to public use are hereby so dedicated. An easement or license is hereby granted to Jackson County, Missouri to locate, construct and maintain, or to authorize the location, construction and maintenance of conduits, water, gas and sewer mains, poles, wires and anchors and all or any of them upon those areas outlined on this plat and designated by the words "Utilities Easement", or abbreviated "U.E."

In testimony whereof I have hereunto set my hand this 19 day of June A.D., 1980.
Cheryl J. Leppard

State of Missouri) ss.
County of Jackson)

On this 19th day of June A.D., 1980 before me, the undersigned Notary Public, personally appeared Cheryl J. Leppard to me known to be the person described in and who executed the foregoing instrument and acknowledged that she executed the same as her free act and deed.

In testimony whereof I have hereunto set my hand and affixed my official seal at my office in Lees Summit, Mo. the day and year last above written.

Deann Spurgeon
Notary Public in and for Jackson County, Missouri

My commission expires 2-16-84

PLANT BRUNSON
Notary Public - State of Missouri
Commissioned in Cass County
My Commission Expires February 16, 1984

An easement is hereby granted to the Missouri Public Service Company, a Missouri corporation, its successors and assigns, to enter upon to install and maintain such equipment and devices as are necessary for the conveyance and transmission of electrical energy over and along those areas in this subdivision, outlined on this plat, and designated by the words "Power Line Easement" or the abbreviation "P.E."

DRIVEWAY RESTRICTION: No driveways may be constructed in this subdivision in such manner so as to require vehicles using said driveways to be backed onto Blackwell Road. The Jackson County Public Works Dept. will refuse to issue a permit for the construction of any driveway not conforming to this restriction.

Approved:
By *Shari Scanlon* 6-19-80
Assessor's Office

Approved as to Street Locations and Widths

By *James R. Duff*
Director, Public Works Dept.
Jackson County, Missouri
Date: 6/18/80

Approved as to Zoning & Planning

By *David M. Jones*
Director, Zoning & Planning
Jackson County, Missouri
Date: 6/19/80

SURVEYED AND PLATTED BY
HARVEY A. JONES ENGINEERING CO., INC.

By *Harvey A. Jones*
A.S. Surveyor
June 7, 1979.

1 inch = 40 feet

NE BLACKWELL RD

RZ-2020-579
Brandon & Christina Hess

Lees Summit







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 7.75+ acre tract from District AG (Agricultural) to District RR (Residential Ranchette).

ORDINANCE NO. 5348, June 1, 2020

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

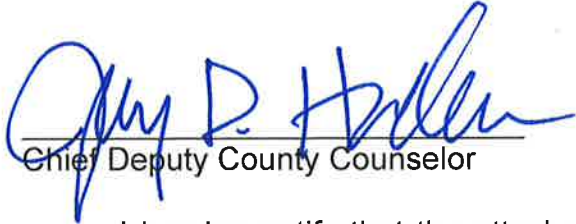
Section 1. The Zoning Order of Jackson County, Missouri, and the official maps which are a part thereof, are amended by changing the boundaries of the "AG" (Agricultural) and "RR" (Residential Ranchette) Districts, so that there will be transferred from District AG to District RR a tract of land located in section 6, township 48, range 29, Jackson County, with a street address of 6603 S. Stillhouse Road, Jackson County, MO, legally described as follows:

Description: The North 268.83 feet of the South 323.5 feet of the North 647 feet of the Southeast Quarter of the Southwest Quarter of Section 06, Township 48, Range 29, Jackson County, Missouri.

Section 2. The Legislature, pursuant to the application of Jeff and Melissa Leslie (RZ-2020-578), requesting the amendment embodied in this Ordinance and with notice that the Jackson County Plan Commission voted 6 to 0 to recommend APPROVAL of this application after a public hearing on May 21, 2020, 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. 5348 introduced on June 1, 2020, was duly passed on _____, 2020 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. 5348.

Date

Frank White, County Executive

REQUEST FOR LEGISLATIVE ACTION

Version 6/10/19

Completed by County Counselor's Office:

~~Res~~/Ord No.: 5348

Sponsor(s): N/A

Date: June 1, 2020

SUBJECT	Action Requested <input type="checkbox"/> Resolution <input checked="" type="checkbox"/> Ordinance Project Title: <u>Jeff & Melissa Leslie - RZ-2020-578</u>										
BUDGET INFORMATION <i>To be completed By Requesting Department and Finance</i>	<table border="1"> <tr> <td>Amount authorized by this legislation this fiscal year:</td> <td>\$</td> </tr> <tr> <td>Amount previously authorized this fiscal year:</td> <td></td> </tr> <tr> <td>Total amount authorized after this legislative action:</td> <td>\$</td> </tr> <tr> <td>Amount budgeted for this item * (including transfers):</td> <td>\$</td> </tr> <tr> <td>Source of funding (name of fund) and account code number:</td> <td>\$</td> </tr> </table> <p>* If account includes additional funds for other expenses, total budgeted in the account is: \$</p> OTHER FINANCIAL INFORMATION: <input checked="" type="checkbox"/> No budget impact (no fiscal note required) <input type="checkbox"/> Term and Supply Contract (funds approved in the annual budget); estimated value and use of contract: Department: _____ Estimated Use: _____ Prior Year Budget (if applicable): _____ Prior Year Actual Amount Spent (if applicable): _____	Amount authorized by this legislation this fiscal year:	\$	Amount previously authorized this fiscal year:		Total amount authorized after this legislative action:	\$	Amount budgeted for this item * (including transfers):	\$	Source of funding (name of fund) and account code number:	\$
Amount authorized by this legislation this fiscal year:	\$										
Amount previously authorized this fiscal year:											
Total amount authorized after this legislative action:	\$										
Amount budgeted for this item * (including transfers):	\$										
Source of funding (name of fund) and account code number:	\$										
PRIOR LEGISLATION	Prior ordinances and (date): _____ Prior resolutions and (date): _____										
CONTACT INFORMATION	RLA drafted by: Randy Diehl, Administrator, Development Division, 881-4577										
REQUEST SUMMARY	Requesting a change of zoning from District AG (Agricultural) on a 7.75 ± acre tract to District RR (Residential Ranchette). The purpose is to create a single family residential lot in Section 6, Township 48, Range 29, aka 6603 S. Stillhouse Road, and specifically described on Attachment to RLA-I. 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 21, 2020 and accepted testimony pertaining to the rezoning request. The Plan Commission voted 6 to 0 to recommend APPROVAL to the County Legislature.										
CLEARANCE	<input type="checkbox"/> Tax Clearance Completed (Purchasing & Department) <input type="checkbox"/> Business License Verified (Purchasing & Department) <input type="checkbox"/> Chapter 6 Compliance - Affirmative Action/Prevailing Wage (County Auditor's Office)										
COMPLIANCE	<input type="checkbox"/> MBE Goals <input type="checkbox"/> WBE Goals <input type="checkbox"/> VBE Goals										
ATTACHMENTS	See Attachment to RLA-2										
REVIEW	<table border="1"> <tr> <td>Department Director: Brian D. Gaddie, P.E. Director of Public Works</td> <td>Date: 5.22.20</td> </tr> <tr> <td>Finance (Budget Approval): <i>If applicable</i></td> <td>Date:</td> </tr> <tr> <td>Division Manager: <i>W/A M. Schabo</i></td> <td>Date: 5/27/20</td> </tr> <tr> <td>County Counselor's Office: <i>Byron Curish</i></td> <td>Date: 5/27/20</td> </tr> </table>	Department Director: Brian D. Gaddie, P.E. Director of Public Works	Date: 5.22.20	Finance (Budget Approval): <i>If applicable</i>	Date:	Division Manager: <i>W/A M. Schabo</i>	Date: 5/27/20	County Counselor's Office: <i>Byron Curish</i>	Date: 5/27/20		
Department Director: Brian D. Gaddie, P.E. Director of Public Works	Date: 5.22.20										
Finance (Budget Approval): <i>If applicable</i>	Date:										
Division Manager: <i>W/A M. Schabo</i>	Date: 5/27/20										
County Counselor's Office: <i>Byron Curish</i>	Date: 5/27/20										

Fiscal Information (to be verified by Budget Office in Finance Department)

- This expenditure was included in the annual budget.
- Funds for this were encumbered from the _____ Fund in ____.
- There is a balance otherwise unencumbered to the credit of the appropriation to which the expenditure is chargeable and there is a cash balance otherwise unencumbered in the treasury to the credit of the fund from which payment is to be made each sufficient to provide for the obligation herein authorized.
- Funds sufficient for this expenditure will be/were appropriated by Ordinance # _____
- Funds sufficient for this appropriation are available from the source indicated below.

Account Number:	Account Title:	Amount Not to Exceed:

- This award is made on a need basis and does not obligate Jackson County to pay any specific amount. The availability of funds for specific purchases will, of necessity, be determined as each using agency places its order.
- This legislative action does not impact the County financially and does not require Finance/Budget approval.

ATTACHMENT TO RLA-

Attachments

Plan Commission Public Hearing Summary from May 21, 2019

Location Map

Staff Report

Affidavit of Publication in Independence Examiner

Names/Addresses of Surrounding Property Owners

Copy of letter to said property owners

Map showing current zoning district in area

County Code Chapter 240 – Unified Development Code

County Master Plan – “Strategy for the Future”

Application

Pictures of Property

Preliminary Plat

STAFF REPORT

PLAN COMMISSION May 21, 2020

RE: RZ-2020-578

Randy Diehl gave the staff report:

RE: RZ-2020-578

Applicant: Jeff & Melissa Leslie

Location: 6515 S. Stillhouse Road

Area: 07.75 ± acres in Section 27, Township 47, Range 30

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

Purpose: Applicant is requesting the change in zoning for one, single-family residential lot.

Current Land Use and Zoning in the Area:

The zoning in the immediate area is Agricultural with a single lot zoned Residential Estates across the road.

Land use are single family residences.

The applicant owns two separate tracts of land. The south tract with the residence is approximately 9.08 ± acres. The north tract is approximately 9.80 ± acres.

They are wanting to adjust the line between the tracts. This would place the existing driveway within the boundaries of the tract with the home. The north tract will then be reduced 7.75 acres in size. This will allow it to be sold and be developed for a single family residence.

The 7.75 acres is being considered for rezoning and will become Lot 1 of the proposed plat, Leslie Estates. The remaining 10.23 acres will remain with District AG (Agricultural) and be designated as Tract A on the plat.

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

Residential Ranchette is appropriate for the UDT.

Recommendation:

Staff recommends APPROVAL of RZ-2020-578.

Mr. Antey: Are there any questions for Randy?

There were no questions from the Commission members

Mr. Antey: Is the applicant here?

Craig Chenney, I'm with Renaissance Infrastructure Consulting. We represent the applicant.

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

No. He covered it.

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. Hilliard seconded.

Discussion under advisement

Mr. Antey: This is pretty straight forward.

Mr. Hilliard: I agree

RZ-2019-578 Mr. Tarpley moved to approve. Mr. Hilliard seconded.

Mr. Tarpley-Approve Ms. Query-Approve
Mr. Haley-Approve Mr. Hilliard-Approve
Ms. Mershon-Approve Chairman Antey-Approve

Motion Carried 6 – 0

STAFF REPORT

PLAN COMMISSION

March 19, 2020

RE: RZ-2020-578

Applicant: Jeff & Melissa Leslie

Location: 6515 S. Stillhouse Road

Area: 07.75 ± acres in Section 27, Township 47, Range 30

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

Purpose: Applicant is requesting the change in zoning for one, single-family residential lot.

Current Land Use and Zoning in the Area:

The zoning in the immediate area is Agricultural with a single lot zoned Residential Estates across the road.

Land use are single family residences.

The applicant owns two separate tracts of land. The south tract with the residence is approximately 9.08 ± acres. The north tract is approximately 9.80 ± acres.

They are wanting to adjust the line between the tracts. This would place the existing driveway within the boundaries of the tract with the home. The north tract will then be reduced 7.75 acres in size. This will allow it to be sold and be developed for a single family residence.

The 7.75 acres is being considered for rezoning and will become Lot 1 of the proposed plat, Leslie Estates. The remaining 10.23 acres will remain with District AG (Agricultural) and be designated as Tract A on the plat.

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

Residential Ranchette is appropriate for the UDT.

Recommendation:

Staff recommends APPROVAL of RZ-2020-578.

Respectfully submitted,

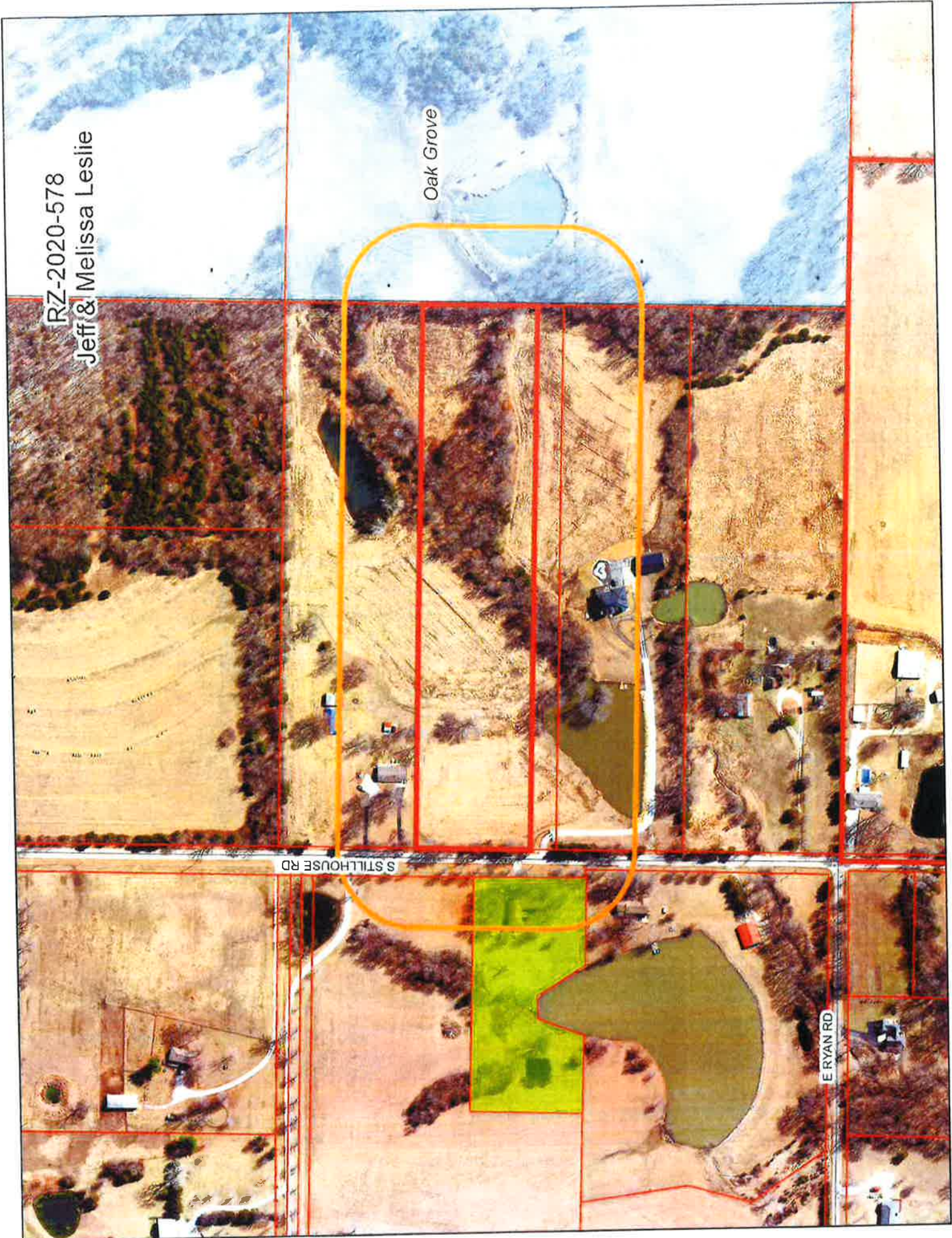
Jackson County Public Works
Development Division
Randy Diehl, Administrator

RZ-2020-578
Jeff & Melissa Leslie

Oak Grove

S STILLHOUSE RD

ERYAN RD





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

March 11, 2020

RE: Public Hearing: RZ-2020-578
Jeff & Melissa Leslie

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 Jeff & Melissa Leslie for a change of zoning from District AG (Agricultural) on a 7.75 ± acre tract to District RR (Residential Ranchette). The purpose is to create a single family residential lot in Section 27, Township 47, Range 30, aka 6515 S. Stillhouse 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, March 19, 2020 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 881-4649.

Sincerely,

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

Jackson County Public Works
Development Division
Randy Diehl, Administrator

Plan Commission March 19, 2020
 RZ-2020-578

Property Owners Within 185 feet

Parcel	Owner	Address	City	State	Zip
39-300-03-03-00-0-00-000	MCCARTY TIMOTHY	6509 S STILLHOUSE RD	OAK GROVE	MO	64075
39-300-03-26-00-0-00-000	GRUBB SCOTT A	6522 STILLHOUSE RD	OAK GROVE	MO	64075
39-300-03-27-00-0-00-000	BLOSS JEFFREY K & BEVERLY DAWN	6524 S STILLHOUSE RD	OAK GROVE	MO	64075
39-300-03-31-00-0-00-000	COOPER JAMES O JR & REGINA V	6606 S STILLHOUSE RD	OAK GROVE	MO	64075
39-300-04-04-01-0-00-000	B & G LAND DEVELOPMENT LLC	36606 E R D MIZE RD	OAK GROVE	MO	64075
39-300-03-06-00-0-00-000	LESLIE JEFF & MELISSA	6603 S STILLHOUSE RD	OAK GROVE	MO	64075
39-300-03-07-00-0-00-000					

**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-2020-578
Date filed 2-10-2020 Date of hearing 3-19-2020
Date advertised 3-4-2020 Date property owners notified 3-4-2020
Date signs posted 3-4-2020
Hearings: Heard by PC Date 3-19-20 Decision _____
Heard by LU Date _____ Decision _____
Heard by LG Date _____ Decision _____

BEGIN APPLICATION HERE:

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

- a. Applicant(s) Name: Jeff Leslie
Address: 6603 S. Stillhouse Road
Oak Grove, MO 64075
Phone: _____
- b. Owner(s) Name: Jeff Leslie
Address: 6603 S. Stillhouse Road
Oak Grove, MO 64075
Phone: _____
- c. Agent(s) Name: _____

Address: _____

Phone: _____

d. Applicant's interest in Property: _____

2. General location (Road Name) Intersection of S Stillhouse Rd,^B
E. RD Mize Rd.

3. Present Zoning Ag Requested Zoning RR

4. AREA (sq. ft. / acres) _____

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

Deed Attached

6. Present Use of Property: Home

7. Proposed Use of Property: New Lot for New Home

8. Proposed Time Schedule for Development: _____

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

1 New Home

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 PWSO #17

b. Sewage disposal _____

c. Electricity West Central

d. Fire and Police protection Jackson County Sheriff - Sni Valley

12. Describe existing road width and condition: good

13. What effect will proposed development have on existing road and traffic conditions? 1 New Home

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

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

Date

Property Owner(s)

[Signature]
Jeff Leslie

2/10/20

Applicant(s):

Contract Purchaser(s):

STATE OF _____

COUNTY OF _____

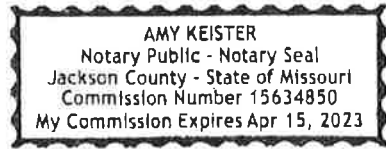
On this 10th day of February, in the year of 2020, before me the undersigned notary public, personally appeared Jeff Leslie

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 15, 2023



RZ-2020-578

Jeff & Melissa Leslie

Oak Grove

S STILLHOUSE RD

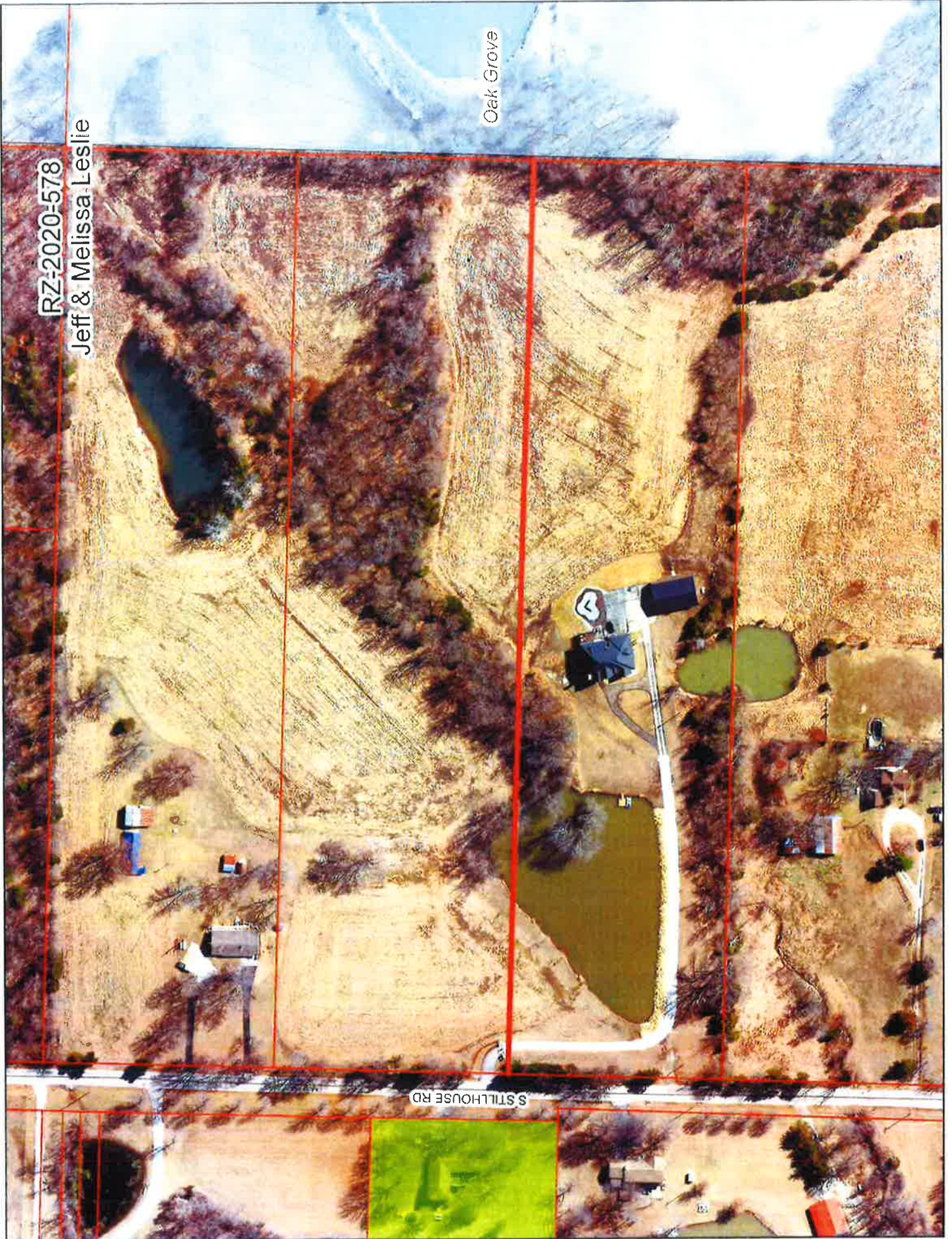


RZ-2020-578

Jeff & Melissa Leslie

Oak Grove

S STILLHOUSE RD

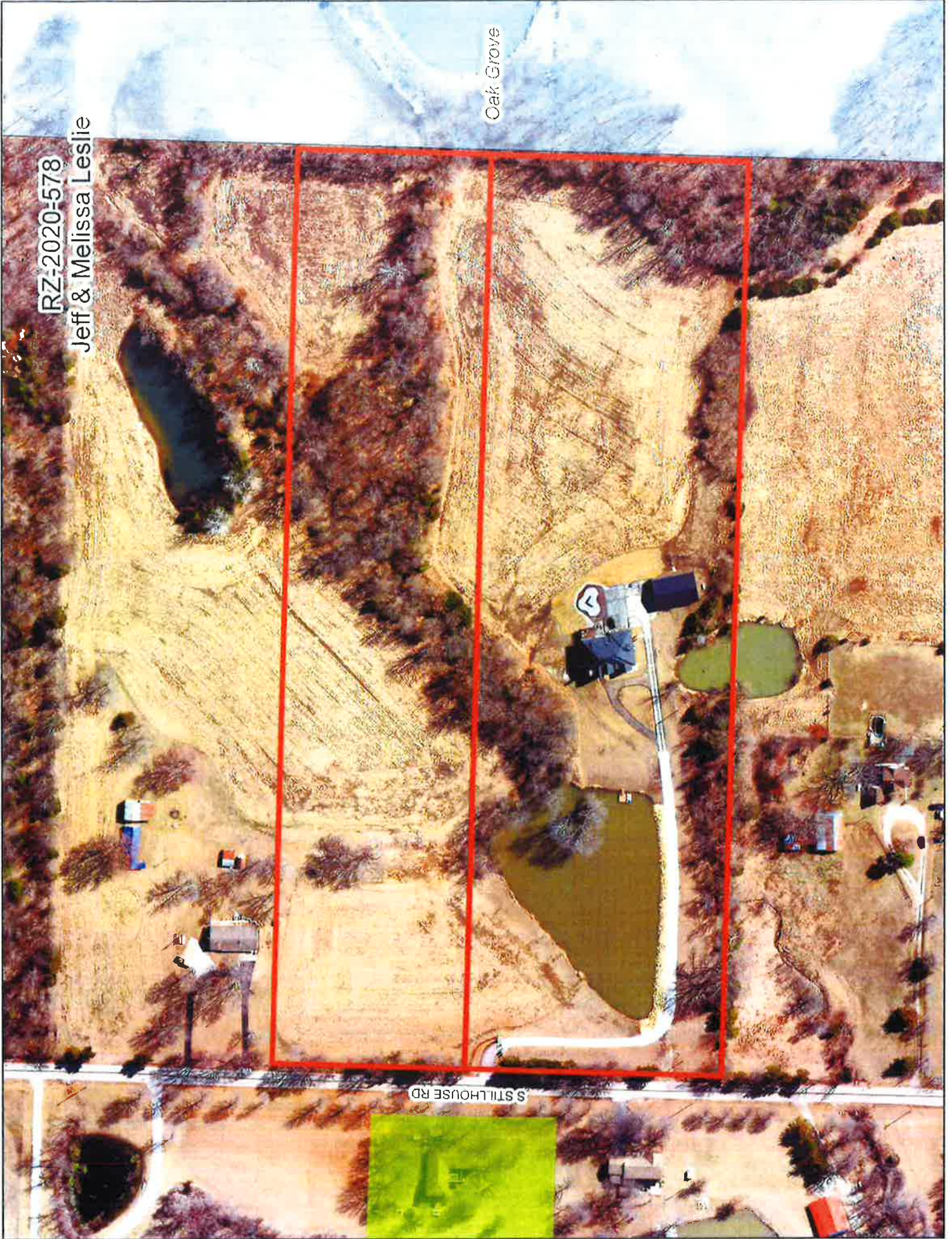


RZ-2020-578

Jeff & Melissa Leslie

Oak Grove

S STILLHOUSE RD







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 80.00+ acre tract from District AG (Agricultural) to District RR (Residential Ranchette) and approving the preliminary plat "Peaceful Ridge," creating a thirteen-lot residential subdivision.

ORDINANCE NO. 5349, June 1, 2020

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 located in section 24, township 47, range 30, Jackson County, at 150 Highway and Hutt Road, Jackson County, MO, legally described as follows:

Description: The South Half of the Southwest Quarter of Section 24, Township 47, Range 30, in Jackson County, Missouri.

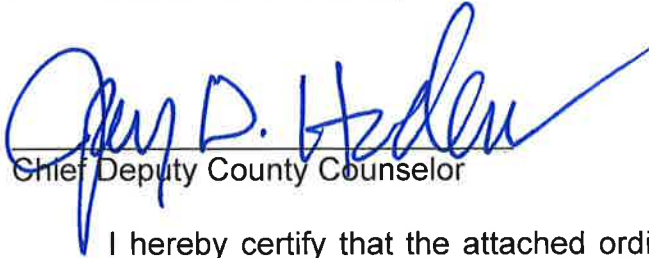
Section 2. The preliminary plat "Peaceful Ridge," creating a thirteen-lot residential subdivision, is hereby approved.

Section 3. The Legislature, pursuant to the application of Steven E. Accurso (RZ-2020-577), requesting the amendment and approval embodied in this Ordinance and with notice that the Jackson County Plan Commission voted 6 to 0 to recommend APPROVAL of this application after a public hearing on May 21, 2020, does hereby adopt this Ordinance pursuant to the Jackson County Charter authorizing the

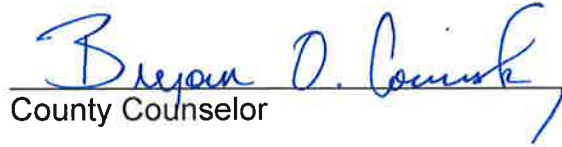
Legislature to exercise legislative power pertaining to planning and zoning.

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. 5349 introduced on June 1, 2020, was duly passed on _____, 2020 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. 5349.

Date

Frank White, County Executive

REQUEST FOR LEGISLATIVE ACTION

Version 6/10/19

Completed by County Counselor's Office:

Res/Ord No.: 5349

Sponsor(s): N/A

Date: June 1, 2020

SUBJECT	Action Requested <input type="checkbox"/> Resolution <input checked="" type="checkbox"/> Ordinance Project/Title: <u>Steven E Accurso – RZ-2020-577</u>										
BUDGET INFORMATION <i>To be completed By Requesting Department and Finance</i>	<table border="1"> <tr> <td>Amount authorized by this legislation this fiscal year:</td> <td style="text-align: right;">\$</td> </tr> <tr> <td>Amount previously authorized this fiscal year:</td> <td></td> </tr> <tr> <td>Total amount authorized after this legislative action:</td> <td style="text-align: right;">\$</td> </tr> <tr> <td>Amount budgeted for this item * (including transfers):</td> <td style="text-align: right;">\$</td> </tr> <tr> <td>Source of funding (name of fund) and account code number:</td> <td style="text-align: right;">\$</td> </tr> </table> <p>* If account includes additional funds for other expenses, total budgeted in the account is: \$</p> OTHER FINANCIAL INFORMATION: <input checked="" type="checkbox"/> No budget impact (no fiscal note required) <input type="checkbox"/> Term and Supply Contract (funds approved in the annual budget); estimated value and use of contract: Department: _____ Estimated Use: _____ Prior Year Budget (if applicable): _____ Prior Year Actual Amount Spent (if applicable): _____	Amount authorized by this legislation this fiscal year:	\$	Amount previously authorized this fiscal year:		Total amount authorized after this legislative action:	\$	Amount budgeted for this item * (including transfers):	\$	Source of funding (name of fund) and account code number:	\$
Amount authorized by this legislation this fiscal year:	\$										
Amount previously authorized this fiscal year:											
Total amount authorized after this legislative action:	\$										
Amount budgeted for this item * (including transfers):	\$										
Source of funding (name of fund) and account code number:	\$										
PRIOR LEGISLATION	Prior ordinances and (date): _____ Prior resolutions and (date): _____										
CONTACT INFORMATION	RLA drafted by: Randy Diehl, Administrator, Development Division, 881-4577										
REQUEST SUMMARY	Requesting a change of zoning from District AG (Agricultural) on an 80.00 ± acre tract to District RR (Residential Ranchette). The purpose is to create 11 residential lots in Section 24, Township 47, Range 30, at 150 Highway and Hutt Road, Jackson County, Missouri, and specifically described on Attachment to RLA-1, and requesting approval of the preliminary plat of "Peaceful Ridge" creating a thirteen (13) 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 May 21, 2020 and accepted testimony pertaining to the rezoning request. The Plan Commission voted 6 to 0 to recommend <u>APPROVAL</u> to the County Legislature.										
CLEARANCE	<input type="checkbox"/> Tax Clearance Completed (Purchasing & Department) <input type="checkbox"/> Business License Verified (Purchasing & Department) <input type="checkbox"/> Chapter 6 Compliance - Affirmative Action/Prevailing Wage (County Auditor's Office)										
COMPLIANCE	<input type="checkbox"/> MBE Goals <input type="checkbox"/> WBE Goals <input type="checkbox"/> VBE Goals										
ATTACHMENTS	See Attachment to RLA-2										
REVIEW	<table border="1"> <tr> <td>Department Director: Brian D. Gaddie, P.E. Director of Public Works</td> <td>Date: 5.22.20</td> </tr> <tr> <td>Finance (Budget Approval): <i>If applicable</i></td> <td>Date:</td> </tr> <tr> <td>Division Manager: <i>NIA</i> <i>Tracy M. Schultz</i></td> <td>Date: 5-26-2020</td> </tr> <tr> <td>County Counselor's Office: <i>Bryan Conroy</i></td> <td>Date: 5/27/20</td> </tr> </table>	Department Director: Brian D. Gaddie, P.E. Director of Public Works	Date: 5.22.20	Finance (Budget Approval): <i>If applicable</i>	Date:	Division Manager: <i>NIA</i> <i>Tracy M. Schultz</i>	Date: 5-26-2020	County Counselor's Office: <i>Bryan Conroy</i>	Date: 5/27/20		
Department Director: Brian D. Gaddie, P.E. Director of Public Works	Date: 5.22.20										
Finance (Budget Approval): <i>If applicable</i>	Date:										
Division Manager: <i>NIA</i> <i>Tracy M. Schultz</i>	Date: 5-26-2020										
County Counselor's Office: <i>Bryan Conroy</i>	Date: 5/27/20										

Fiscal Information (to be verified by Budget Office in Finance Department)

- This expenditure was included in the annual budget.
- Funds for this were encumbered from the _____ Fund in ____.
- There is a balance otherwise unencumbered to the credit of the appropriation to which the expenditure is chargeable and there is a cash balance otherwise unencumbered in the treasury to the credit of the fund from which payment is to be made each sufficient to provide for the obligation herein authorized.
- Funds sufficient for this expenditure will be/were appropriated by Ordinance #
- Funds sufficient for this appropriation are available from the source indicated below.

Account Number:	Account Title:	Amount Not to Exceed:

- This award is made on a need basis and does not obligate Jackson County to pay any specific amount. The availability of funds for specific purchases will, of necessity, be determined as each using agency places its order.
- This legislative action does not impact the County financially and does not require Finance/Budget approval.

ATTACHMENT TO RLA-

Attachments

Plan Commission Public Hearing Summary from May 21, 2020

Location Map

Staff Report

Affidavit of Publication in Independence Examiner

Names/Addresses of Surrounding Property Owners

Copy of letter to said property owners

Map showing current zoning district in area

County Code Chapter 240 – Unified Development Code

County Master Plan – “Strategy for the Future”

Application

Pictures of Property

Preliminary Plat

STAFF REPORT

PLAN COMMISSION
May 21, 2020

Randy Diehl gave the staff report:

RE: RZ-2020-577

Applicant: Steven E Accurso

Location: Northeast corner of 150 Highway and Hutt Road

Area: 80.00 ± acres in Section 24, Township 47, Range 30

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

Purpose: Applicant is requesting the change in zoning for 13, single-family residential lots.

Current Land Use and Zoning in the Area:

The zoning in the immediate area is Agricultural.

Land use is single family residences on properties ranging from 5 acres and up. Some large acreage tracts are farmed.

The applicant is proposing 13 single family lots. Eleven of the lots are 5 and 6 acres in size. There are two 10 acre tracts as well.

The applicant is working with the Missouri Department of Transportation for the location of driveways along 150 Highway. The County will determine the locations along Hutt Road.

These size lots are fairly typical of the surrounding area and would not be out of character of the adjacent properties.

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

Residential Ranchette is appropriate for the SDT.

Recommendation:

Staff recommends APPROVAL of RZ-2020-577.

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

Mr. Tarpley: Is this an area that requires 5 acre lots.

Mr. Diehl: This area is in the Suburban Development Tier and 5 acre lots are appropriate for the tier.

Mr. Hilliard: Are there any concerns for the proposed lots that has the small lake on it.

Mr. Diehl: Not at this time. The area is not in a floodplain. When a building permit application is submitted for review, the wastewater system as designed by an engineer will be reviewed as well. The soil tests will dictate the appropriate type of system.

Mr. Antey: Is the applicant here?

Karen Lux: I'm with Realty Executives, 37904 50 Highway, Lone Jack. I represent the applicant.

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

Ms. Lux: No

Mr. Tarpley: Are all the other houses out there on septic?

Ms. Lux: Yes

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?

Roger Deines, 13909 S Hutt Road, Lone Jack. My question is what are that plans for Hutt Road. I'm not opposed to this development.

Mr. Diehl: Any major improvements would be decided by our Engineering and Road and Bridge staff.

Mr. Tarpley: What is the condition of the road?

Mr. Deines: It's falling apart. I've got two pot holes in front of my house. I understand it a chip seal road.

Mr. Diehl: I'll pass your concerns regarding the road to our Road and Bridge Maintenance Division.

Motion to take under advisement.

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

Discussion under advisement

RZ-2019-577 Mr. Tarpley moved to approve. Mr. Hilliard seconded.

Mr. Tarpley: Staff has answered all my questions.

Mr. Tarpley-Approve Ms. Query-Approve
Mr. Haley-Approve Mr. Hilliard-Approve

Ms. Mershon-Approve Chairman Antey-Approve

Motion Carried 6 – 0

Randy Diehl gave the staff report for Peaceful Ridge:

Since this is major plat, more than 3 lots, the preliminary plat requires approval.

The preliminary plat was received on February 7, 2020.

Stormwater & Erosion: No areas of concern. Area is outside of any flood hazard area.

Engineering: No areas of concern. The Missouri Department of Transportation will determine the locations of driveways along 150 Highway. Driveway locations along Hutt Road will be determined by the County.

Water District 15: Water District requires a feasibility study. District states there is a 12 inch line and no issues with getting meters.

Lone Jack Fire District: Requires hydrants.

Environmental: Lots will be served by individual on-site waste water systems. Location and size of systems are determined at the time of building permit applications.

The layout, as presented, is in compliance with Section 24004.4 Residential Ranchette District (RR) of the Unified Development Code and the Master Plan of Jackson County.

COMMENTS:

Staff recommends APPROVAL of Preliminary subdivision plat Peaceful Ridge. Subject to compliance with comments noted in this report and the condition that it may require future additions, deletions, and or corrections through reviews by staff.

Mr. Antey: My question is regarding the access for the two 10 acre tracts. It's pretty limited spot where they can be. I assume there may be some adjustment if necessary?

Mr. Diehl: Yes. Given that MoDOT will determine the access onto Route 150, there may be a need for some adjustment of that driveway location. Typically MoDot likes to have as few as possible driveway. They may have some lots share access point onto 150.

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

Mr. Tarpley: Is there any line of sight issues?

Mr. Diehl: No. That area is fairly flat. We'll determine the access onto Hutt Road. For the corner lot, we will not allow any access within 200 feet off the intersection.

Mr. Tarpley moved to approve the preliminary plat of Peaceful Acres.

Mr. Hilliard seconded.

Mr. Tarpley-Approve Ms. Query-Approve
Mr. Haley-Approve Mr. Hilliard-Approve
Ms. Mershon-Approve Chairman Antey-Approve Motion Carried 6 – 0

STAFF REPORT

PLAN COMMISSION
March 19, 2020

RE: RZ-2020-577

Applicant: Steven E Accurso

Location: Northeast corner of 150 Highway and Hutt Road

Area: 80.00 ± acres in Section 24, Township 47, Range 30

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

Purpose: Applicant is requesting the change in zoning for 13, single-family residential lots.

Current Land Use and Zoning in the Area:

The zoning in the immediate area is Agricultural.

Land use is single family residences on properties ranging from 5 acres and up. Some large acreage tracts are farmed.

The applicant is proposing 13 single family lots. Eleven of the lots are 5 and 6 acres in size. There are two 10 acre tracts as well.

The applicant is working with the Missouri Department of Transportation for the location of driveways along 150 Highway. The County will determine the locations along Hutt Road.

These size lots are fairly typical of the surrounding area and would not be out of character of the adjacent properties.

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

Residential Ranchette is appropriate for the SDT.

Recommendation:

Staff recommends APPROVAL of RZ-2020-577.

Respectfully submitted,

Jackson County Public Works
Development Division
Randy Diehl, Administrator

SUBDIVISION REPORT

By Randy Diehl

Planning Commission

March 19, 2020

RE: Peaceful Ridge

APPLICANT/DEVELOPER: John & Carolyn Hedgecock

The preliminary plat was received on February 7, 2020.

Stormwater & Erosion: No areas of concern. Area is outside of any flood hazard area.

Engineering: No areas of concern. The Missouri Department of Transportation will determine the locations of driveways along 150 Highway. Driveway locations along Hutt Road will be determined by the County.

Water District 15: Water District requires a feasibility study. District states there is a 12 inch line and no issues with getting meters.

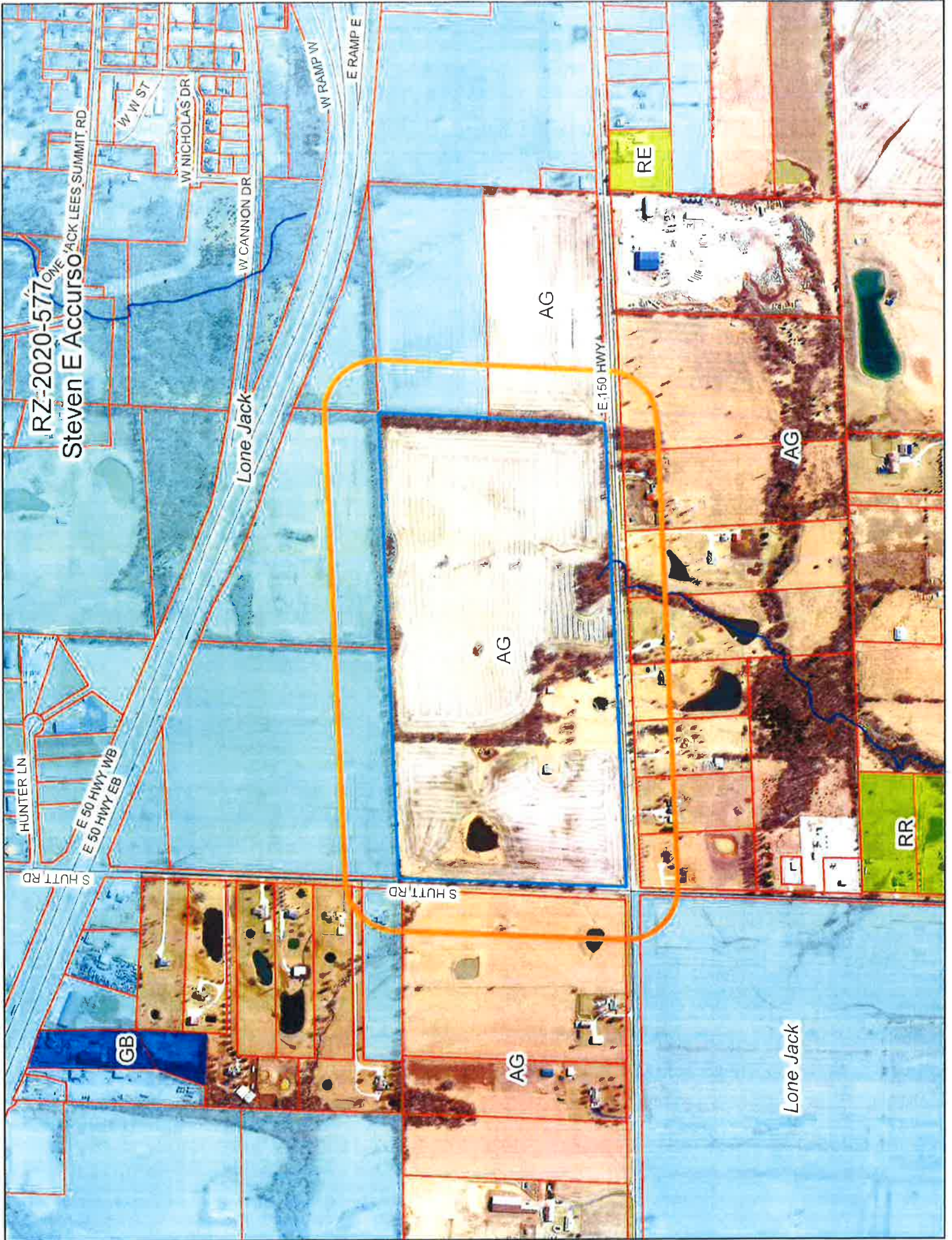
Lone Jack Fire District: Requires hydrants.

Environmental: Lots will be served by individual on-site waste water systems. Location and size of systems are determined at the time of building permit applications.

The layout, as presented, is in compliance with Section 24004.4 Residential Ranchette District (RR) of the Unified Development Code and the Master Plan of Jackson County.

COMMENTS:

Staff recommends APPROVAL of Preliminary subdivision plat Peaceful Ridge. Subject to compliance with comments noted in this report and the condition that it may require future additions, deletions, and or corrections through reviews by staff.



RZ-2020-577
Steven E Accurso

Lone Jack

AG

RE

AG

AG

RR

GB

AG

Lone Jack

HUNTER LN

E 50 HWY WB
E 50 HWY EB

S HUTT RD

S HUTT RD

E 150 HWY

W RAMP W
E RAMP E

W NICHOLAS DR

W CANNON DR

W W ST

ONE JACK LEES SUMMIT RD



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

March 4, 2020

RE: Public Hearing: RZ-2020-577
Steven E Accurso

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 Steven E Accurso a change of zoning from District AG (Agricultural) on an 80.00 ± acre tract to District RR (Residential Ranchette). The purpose is to create 13 residential lots in Section 24, Township 47, Range 30, at 150 Highway and Hutt Road, Jackson County, Missouri

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, March 19, 2020 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 881-4649.

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

Plan Commission March 19, 2020
 RZ-2020-577

Property Owners Within 300 feet

Parcel	Name	Address	City	State	Zip
73-100-03-02-00-0-00-000	GIBSON WILLIAM R TRUST	37411 E FAULKENBERRY RD	LONE JACK	MO	64070
73-100-03-03-00-0-00-000	WALKER SHIRLEY B	801 SE BATTERY DR UNIT 117	LEES SUMMIT	MO	64063
73-140-05-03-00-0-00-000	WALKER ALFORD H & SHIRLEY B	801 SE BATTERY DR UNIT 117	LEES SUMMIT	MO	64063
73-140-05-05-00-0-00-000	MOEHLE VINCENT	1612 NW NICHOLAS DR	GRAIN VALLEY	MO	64029
73-140-05-06-00-0-00-000	MOEHLE VINCENT	1612 NW NICHOLAS DR	GRAIN VALLEY	MO	64029
73-200-04-04-00-0-00-000	HEDGPETH THOMAS E & JANICE A-TR	33800 E OUTER BELT RD	LEES SUMMIT	MO	64086
73-200-04-13-00-0-00-000	LONG MEGAN	13610 S HUTT RD	LEES SUMMIT	MO	64086
73-200-04-14-00-0-00-000	FELIX BRIAN & AMANDA	13616 S HUTT RD	LEES SUMMIT	MO	64086
73-200-04-15-00-0-00-000	HEFLEY JAMES GRANT II & SARA ELIZABETH	13620 S HUTT RD	LEES SUMMIT	MO	64086
73-600-01-14-00-0-00-000	CROWELL TAMARA E	4121 SW LEEWARD DR	LEES SUMMIT	MO	64082
73-600-02-06-00-0-00-000	HAMMOND RICKLAND E & ROSALINDA T-TR	34309 E OUTERBELT RD	LONE JACK	MO	64070
73-600-02-07-00-0-00-000	WILLYARD BOB D & BOBBIE K	34029 E OUTER BELT RD	LONE JACK	MO	64070
73-600-02-08-00-0-00-000	BARTOW DANNY & KATHY	34105 E 150 HWY	LONE JACK	MO	64070
73-600-02-09-00-0-00-000	DEINES ROGER L & AMY J	13909 S HUTT RD	LONE JACK	MO	64070
73-600-02-11-00-0-00-000	STEVENSON CLINT ALLEN & ANGELA DIANE-TRS	34405 E OUTER BELT RD	LONE JACK	MO	64070
73-600-02-12-00-0-00-000	TRAMMELL MARK L & CYNTHIA D-TR	34601 E OUTER BELT RD	LONE JACK	MO	64070
73-600-02-13-00-0-00-000	POWELL KEVIN & LAURA	34703 E OUTER BELT RD	LONE JACK	MO	64070
73-500-01-01-00-0-00-000	INDEP COMMERCIAL INVESTMENT CO LLC	1120 NW EAGLE RIDGE BLVD	GRAIN VALLEY	MO	64029
73-100-03-04-00-0-00-000	ACCURSO STEVEN E-TRUSTEE	PO BOX 290	LONE JACK	MO	64070

**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.
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 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- 2020-577

Date filed 2-7-2020 Date of hearing 3-19-2020

Date advertised 3-4-2020 Date property owners notified 3-4-2020

Date signs posted 3-4-2020

Hearings: Heard by PC Date 3-19-20 Decision _____

Heard by LJ Date _____ Decision _____

Heard by LG Date _____ Decision _____

BEGIN APPLICATION HERE:

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

- a. Applicant(s) Name: Steven E Accurso
- Address: PO Box 290
- Lone Jack, MO 64070
- Phone: 816-699-4042
- b. Owner(s) Name: Steven E Accurso Trust U/T/A dtd 6/7/11
- Address: PO Box 290, Lone Jack, MO 64070
- Phone: 816-699-4042
- c. Agent(s) Name: Karen Lux, Realty Executives of Kansas City

Address: 37904 E US 50 Hwy, Suite B, Lone Jack, MO 64070

Phone: 816-697-4000

d. Applicant's interest in Property: Owner/Developer

2. General location (Road Name) NE Corner of 150 Hwy and Hutt Rd
Lone Jack, MO

3. Present Zoning agricultural Requested Zoning residential

4. AREA (sq. ft. / acres) 80 acres+-

5. Legal Description of Property: (Write Below or Attached 9)
South 1/2 of the SW 1/4 of Section 24, Township 47, Range 30 Jackson County, MO

6. Present Use of Property: agriculture - crop/hay

7. Proposed Use of Property: platted 5-10 acre tracts of land

8. Proposed Time Schedule for Development: March/April 2020

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

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#15 - no effect - water district has stated 12 inch line and no issue getting meters

b. Sewage disposal Private Wastewater Systems Installed Per Jack County Guidelines

c. Electricity Evergy - company representative has stated no issue with availability

d. Fire and Police protection No issue - fire hydrants will be required to install

12. Describe existing road width and condition: Hutt Rd and 150 Hwy are both approx. 30 feet wide with more ROW - both in good condition.

13. What effect will proposed development have on existing road and traffic conditions? Already met with State Hwy Dept and no issues getting entrances of E of 150 Hwy.

Slight increase in traffic; however, easy access to 50 Hwy so not much distance to have more travelers.

14. Are any state, federal, or other public agencies approvals or permits required for the proposed development? _____

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)

[Handwritten Signature]

Date

1-31-2020

Applicant(s):

[Handwritten Signature]

1-31-2020

Contract Purchaser(s):

STATE OF Missouri

COUNTY OF Jackson

On this 30th day of January, in the year of 2020, before me the undersigned notary public, personally appeared Steven E Accurso

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 Karen R Lux

Commission Expires 8/11/2020





RZ-2020-577
Steven E Accurso

Lone Jack

AG

AG

AG

AG

AG

Lone Jack

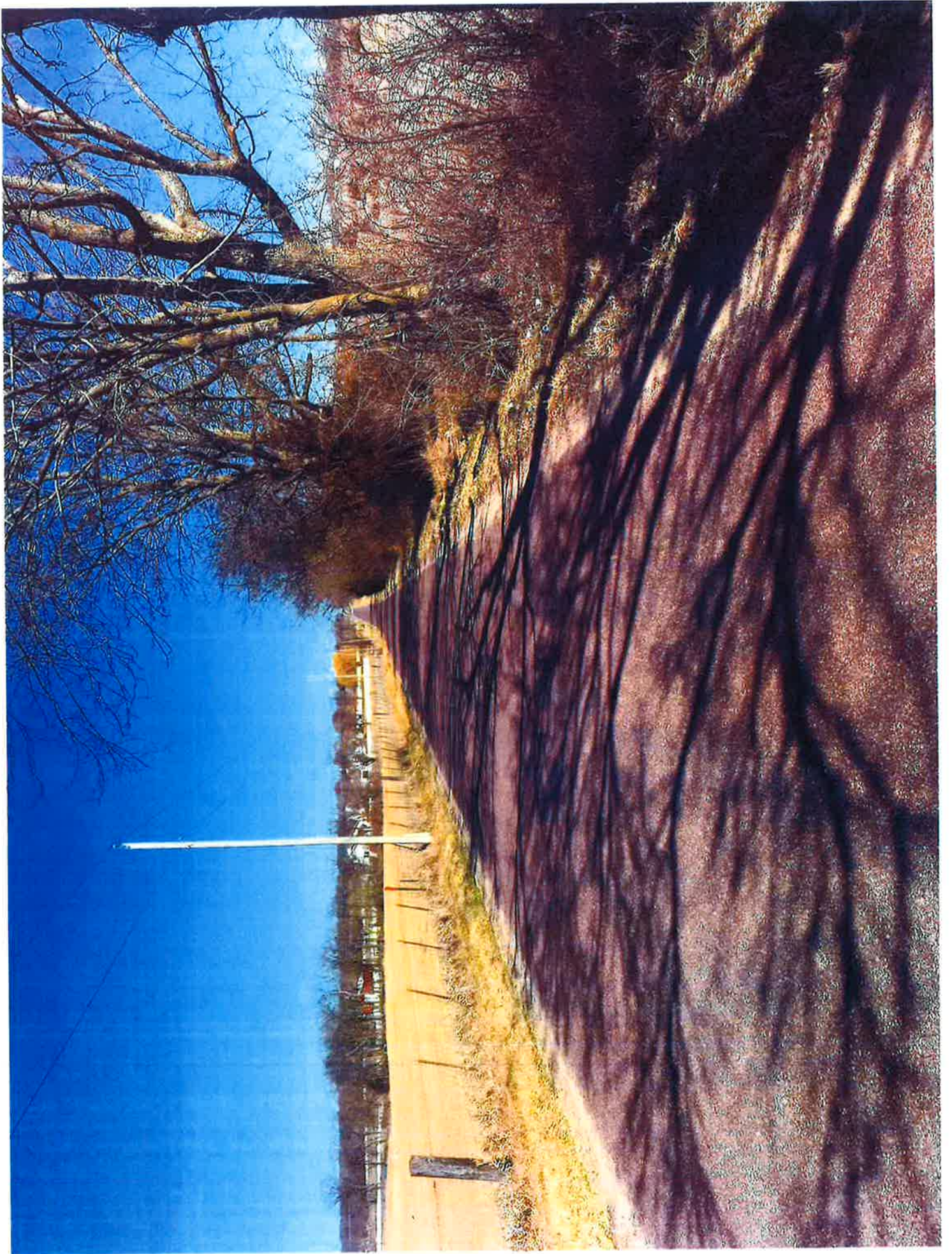
E 50 HWY EB

E 150 HWY

S HUTT RD

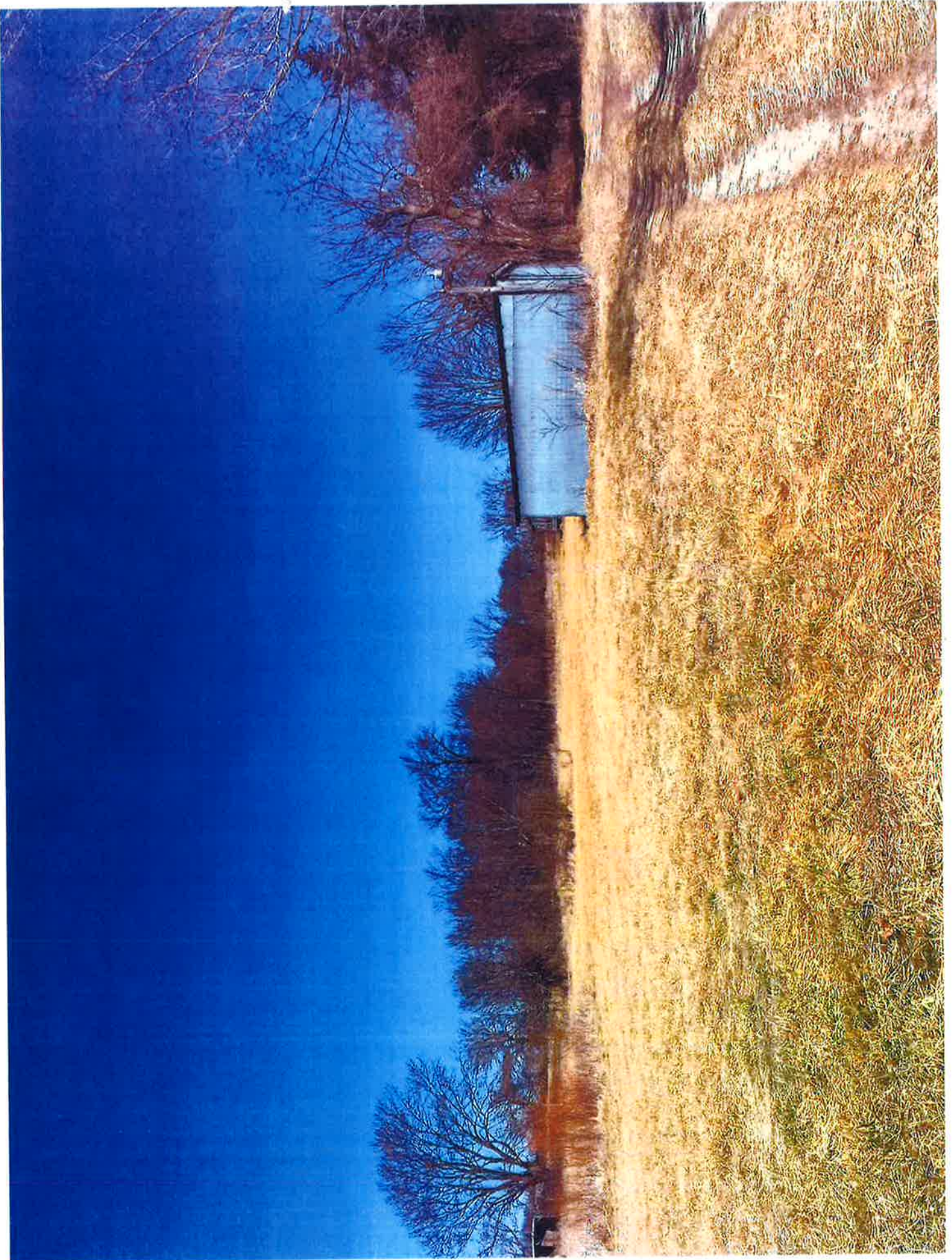




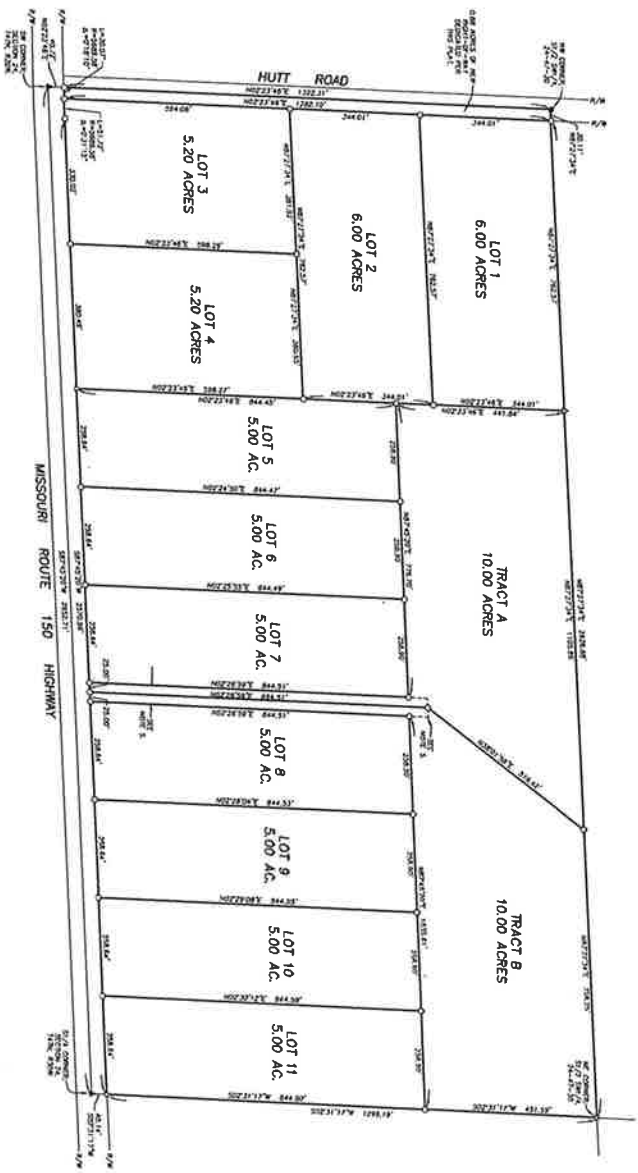








PEACEFUL RIDGE
 PRELIMINARY PLAN
 IN THE S 1/2 SW 1/4 SECTION 24, T47N, R30W,
 JACKSON COUNTY, MISSOURI



- NOTES
1. REMAINS STRONG IS JACKSON STATE PARK, WEST ZONE.
 2. PLANNING OF REDEVELOPMENT PROJECT SHALL BE
 3. SYSTEM OF DRAINAGE, ROUTE OF THE STORM, F. ACQUIRED TRACT
 4. THIS SURVEY IS MADE IN ACCORDANCE WITH THE ACTING SURVEYOR OF
 5. FOR IMPROVED SURVEY OF SURVEY FOR THE PROJECT OF THE
 6. FOR THE SURVEY OF SURVEY FOR THE PROJECT OF THE

SEANIVON'S SURVEYING
 AGENCY CERTIFIED THAT THIS IS A TRUE AND CORRECT COPY OF THE ORIGINAL
 LAND OF THE STATE OF MISSOURI

PREPARED FOR: **SISCO LAND SURVEYING, LLC**
 LENOIR, MO 64687
 PHONE (816) 888-8300
 siscosurveying@yahoo.com

DATE: FEBRUARY 8, 2020

PROJECT # SLS-20-20

THOMAS S. SISCO
 MO P.L.S. 500519189

IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

AN ORDINANCE appropriating \$17,566.00 from the undesignated fund balance of the 2020 General Fund in acceptance of insurance proceeds relating to three motor vehicle accidents.

ORDINANCE NO. 5350, June 1, 2020

INTRODUCED BY Crystal Williams, County Legislator

WHEREAS, the County has received two payments from its auto insurer, MOPERM, representing the cost of repairs to two Sheriff's Office patrol vehicles; and,

WHEREAS, the County has also received a payment from Automobile Club Insurance Exchange, representing the cost of repairs to another Sheriff's Office patrol vehicle; and,

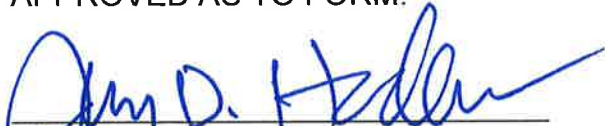
WHEREAS, an appropriation is necessary to place the insurance proceeds in the proper spending account, so that the funds may be used to repair the damaged vehicles; now therefore,

BE IT ORDAINED by the County Legislature of Jackson County, Missouri, that the following appropriation from the undesignated fund balance of the 2020 General Fund be and hereby is made:

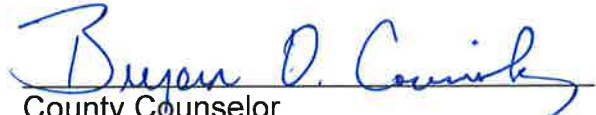
<u>DEPARTMENT/DIVISION</u>	<u>CHARACTER/DESCRIPTION</u>	<u>FROM</u>	<u>TO</u>
General Fund			
001-9999	47040 –		
	Reimb. Damage Claims	\$17,566	
001-9999	32810 –		
	Undesignated Fund Balance		\$17,566
001-9999	32810 –		
	Undesignated Fund Balance	\$17,566	
Sheriff			
001-4201	56530 –		
	Maint & Repair Auto Equip.	\$17,566	

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. 5350 introduced on June 1, 2020, was duly passed on _____, 2020 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. 5350.

Date

Frank White, Jr., County Executive

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

ACCOUNT NUMBER: 001 9999 32810
ACCOUNT TITLE: General Fund
Undesignated Fund Balance
NOT TO EXCEED: \$17,566.00

5-28-2020

Date



Chief Administrative Officer

REQUEST FOR LEGISLATIVE ACTION

Version 6/10/19

Completed by County Counselor's Office:

Res/Ord No.: 5350

Sponsor(s): Crystal Williams

Date: June 1, 2020

<p>SUBJECT</p>	<p>Action Requested <input type="checkbox"/> Resolution <input checked="" type="checkbox"/> Ordinance</p> <p>Project/Title: An ordinance accepting insurance proceeds in the amount of \$17,565.21 relating to 3 separate incidents:</p>												
<p>BUDGET INFORMATION <i>To be completed By Requesting Department and Finance</i></p>	<table border="1"> <tr> <td>Amount authorized by this legislation this fiscal year:</td> <td>\$17,565.21</td> </tr> <tr> <td>Amount previously authorized this fiscal year:</td> <td>\$0</td> </tr> <tr> <td>Total amount authorized after this legislative action:</td> <td>\$17,565.21</td> </tr> <tr> <td>Amount budgeted for this item * (including transfers):</td> <td>\$0</td> </tr> <tr> <td>Source of funding (name of fund) and account code number: FROM: 001-32810 – General Fund-Undesignated Fund Balance</td> <td>\$17,565.21</td> </tr> <tr> <td>TO: 001-4201-56530 – General Fund-Sheriff's Office-Main & Repair-Auto Equipment</td> <td>\$17,565.21</td> </tr> </table> <p>* If account includes additional funds for other expenses, total budgeted in the account is: \$</p> <p>OTHER FINANCIAL INFORMATION:</p> <p><input type="checkbox"/> No budget impact (no fiscal note required) <input type="checkbox"/> Term and Supply Contract (funds approved in the annual budget); estimated value and use of contract: Department: _____ Estimated Use: _____</p> <p>Prior Year Budget (if applicable): _____ Prior Year Actual Amount Spent (if applicable): _____</p>	Amount authorized by this legislation this fiscal year:	\$17,565.21	Amount previously authorized this fiscal year:	\$0	Total amount authorized after this legislative action:	\$17,565.21	Amount budgeted for this item * (including transfers):	\$0	Source of funding (name of fund) and account code number: FROM: 001-32810 – General Fund-Undesignated Fund Balance	\$17,565.21	TO: 001-4201-56530 – General Fund-Sheriff's Office-Main & Repair-Auto Equipment	\$17,565.21
Amount authorized by this legislation this fiscal year:	\$17,565.21												
Amount previously authorized this fiscal year:	\$0												
Total amount authorized after this legislative action:	\$17,565.21												
Amount budgeted for this item * (including transfers):	\$0												
Source of funding (name of fund) and account code number: FROM: 001-32810 – General Fund-Undesignated Fund Balance	\$17,565.21												
TO: 001-4201-56530 – General Fund-Sheriff's Office-Main & Repair-Auto Equipment	\$17,565.21												
<p>PRIOR LEGISLATION</p>	<p>Prior ordinances and (date): _____ Prior resolutions and (date): _____</p>												
<p>CONTACT INFORMATION</p>	<p>RLA drafted by (name, title, & phone): Deputy James Murphy 816.541.8017</p>												
<p>REQUEST SUMMARY</p>	<p>Requesting \$1,086.76 be appropriated into 001-4201-56530 in acceptance of insurance proceeds from Automobile Club Insurance Exchange for damage sustained to a 2017 Ford Explorer patrol vehicle on 10/17/2019. Requesting \$8,785.10 be appropriated into 001-4201-56530 in acceptance of insurance proceeds from MOPERM for damage sustained to a 2018 Ford Explorer patrol vehicle on 11/4/2019. Requesting \$7,693.35 be appropriated into 001-4201-56530 in acceptance of insurance proceeds from MOPERM for damage sustained to a 2014 Dodge Charger patrol vehicle on 4/10/2020.</p> <p>The total requested appropriation is \$17,565.21.</p>												
<p>CLEARANCE</p>	<p><input type="checkbox"/> Tax Clearance Completed (Purchasing & Department) <input type="checkbox"/> Business License Verified (Purchasing & Department) <input type="checkbox"/> Chapter 6 Compliance - Affirmative Action/Prevailing Wage (County Auditor's Office)</p>												
<p>COMPLIANCE</p>	<p><input type="checkbox"/> MBE Goals <input type="checkbox"/> WBE Goals <input type="checkbox"/> VBE Goals</p>												
<p>ATTACHMENTS</p>	<p>Copy of 3 insurance checks</p>												

REVIEW	Department Director: <i>Sarah Matthes</i>	Date: 5-20-2020
	Finance (Budget Approval): <i>If applicable</i>	Date:
	Division Manager: <i>Greg M. Schutte</i>	Date: 5-26-2020
	County Counselor's Office: <i>Bryan Cantrich</i>	Date: 5/27/20

APPROVED
By Sarah Matthes at 8:30 am, May 22, 2020

Fiscal Information (to be verified by Budget Office in Finance Department)

- This expenditure was included in the annual budget.
- Funds for this were encumbered from the _____ Fund in _____.
- There is a balance otherwise unencumbered to the credit of the appropriation to which the expenditure is chargeable and there is a cash balance otherwise unencumbered in the treasury to the credit of the fund from which payment is to be made each sufficient to provide for the obligation herein authorized.
- Funds sufficient for this expenditure will be/were appropriated by Ordinance # _____
- Funds sufficient for this appropriation are available from the source indicated below.

Account Number:	Account Title:	Amount Not to Exceed:
001-32810	General Fund-Undesignated Fund Balance	\$17,565.21

- This award is made on a need basis and does not obligate Jackson County to pay any specific amount. The availability of funds for specific purchases will, of necessity, be determined as each using agency places its order.
- This legislative action does not impact the County financially and does not require Finance/Budget approval.



Missouri Public Entity Risk Management Fund

3425 Constitution Ct., 3rd Floor
P.O. Box 7110
Jefferson City, MO 65102-7110



Central Bank

P.O. Box 779
Jefferson City, Missouri 65102
80-63/865

27630
12/16/2019



PAY TO THE ORDER OF EIGHT THOUSAND SEVEN HUNDRED EIGHTY-FIVE AND 10 / 100

\$ 8,785.10

DOLLARS

COUNTY OF JACKSON
415 E 12TH 2ND FLOOR
KANSAS CITY MO 64106

Void After 90 Days

TWO SIGNATURES REQUIRED

Brenda L. Gibson
AUTHENTIC SIGNATURE

MEMO Claim Payments



MOPERM

12/16/2019

27630

Claim Number	Claimant	Member Name	Description	Amount
AP19-0044758-1	COUNTY OF JACKSON	COUNTY OF JACKSON	Repair 2018 Ford Explorer/Sheriff	\$9,785.10
AP19-0044758-1	COUNTY OF JACKSON	COUNTY OF JACKSON	Deductible Applied	-\$1,000.00
Total				\$8,785.10

001-9999-47040-19
MOPERM-Sheriff Dmg Claim 11/4/19



Security features Details on back

001-9999-47040
 AAA - Sheriff Dmg Claim 10/17/19

JACKSON COUNTY SHERRIFF
 415 E. 12TH ST
 ROOM 105
 KANSAS CITY, MO. 64106

AUTOMOBILE CLUB INTERINSURANCE EXCHANGE					Check No: 0001143955
					Issued Date: 02/17/2020
Claim Number	Date of Occurrence	COV Type	COV Type	Type of Payment	Payment/Withholding Information
PA0001539026	10/17/19				Total Payment Amount: \$1,086.76
Named Insured (Last, First, Middle)					Federal Withholding: \$0.00
BARBARA WILLOUGHBY					State Withholding: \$0.00
Name of Claimant					Total Check Amount: \$1,086.76
Payment Memo					
In Payment of: pd / cv est. \$1086.76 / 2018 Ford Interceptor					
Handling Adjuster			Adjuster Number	District Office	
Jason Gretzschel					
Telephone	Envelope Number	Document	U.S.	Stop Code	
314-523-7350	E-25	BLK			

HARLAND CLARKE 10421 REV 10/16 B0178378

THE FACE OF THIS DOCUMENT HAS A COLORED BACKGROUND ON WHITE PAPER VOID AFTER 6 MONTHS

AUTOMOBILE CLUB INTERINSURANCE EXCHANGE
 12901 North Forty Drive
 St Louis, Missouri 63141 (314-523-7350)

Bank of America

70-2328
 719

02/17/2020

No. 0001143955

PAY One Thousand Eighty-Six Dollars And Seventy-Six Cents*****

\$

****1,086.76

PAY JACKSON COUNTY SHERRIFF
 TO THE 415 E. 12TH ST
 ORDER KANSAS CITY MO 64106
 OF

Rajiv Varma

AUTHORIZED SIGNATURE

Memo

Type: Office:
 Insured: BARBARA WILLOUGHBY
 Claimant:
 Claim Number: PA0001539026 Date of Occurrence: 10/17/19 Coverage Type:

0001143955 021719 2328 719 0001143955

Security Features Included. Details on Back



28446



Missouri Public Entity Risk Management Fund

3425 Constitution Ct., 3rd Floor
P.O. Box 7110
Jefferson City, MO 65102-7110



Central Bank

P.O. Box 779
Jefferson City, Missouri 65102
80-63/865

04/22/2020



SEVEN THOUSAND SIX HUNDRED NINETY-THREE AND 35 / 100

\$ 7,693.35

DOLLARS

Void After 90 Days

TWO SIGNATURES REQUIRED

PAY
TO THE
ORDER OF

COUNTY OF JACKSON
415 E 12TH 2ND FLOOR
KANSAS CITY MO 64106



Brenda L. Gibson
AUTHORIZED SIGNATURE

Details on back

MEMO
Claim Payments



IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

AN ORDINANCE appropriating \$25,000.00 from the undesignated fund balance of the 2020 CARES Act Fund and authorizing the County Counselor to execute a Legal Services Agreement with Ellis, Ellis, Hammons & Johnson P.C. of Springfield, MO, at an actual cost to the County not to exceed \$25,000.00.

ORDINANCE NO. 5351, June 1, 2020

INTRODUCED BY Theresa Cass Galvin, County Legislator

WHEREAS, Travis A. Elliott of the Springfield, MO, law firm of Ellis, Ellis, Hammons & Johnson P.C., is the general counsel of the Missouri Association of Counties, of which Jackson County is a member; and,

WHEREAS, Mr. Elliott, in his private practice, also represents over thirty Missouri counties in matters relating to the federal CARES Act funding that has been received by counties; and,

WHEREAS, Mr. Elliott is currently assisting over thirty other client counties with the drafting of contracts, requests for proposals, and other CARES Act-related legal documents, and providing other related legal services as required; and,

WHEREAS the County Counselor recommends that a Legal Services Agreement with Mr. Elliott's firm be authorized, to allow Jackson County to take advantage of Mr. Elliott's experience in this area at a cost not to exceed \$25,000.00; and,

WHEREAS, an appropriation is necessary to make available the required funds in the proper spending account; now therefore,

BE IT ORDAINED by the County Legislature of Jackson County, Missouri, that the following approbation be made:

<u>DEPARTMENT/DIVISION</u>	<u>CHARACTER/DESCRIPTION</u>	<u>FROM</u>	<u>TO</u>
CARES Act Fund 040-9999	32810 – Undesignated Fund Balance	\$25,000	
County Counselor 040-1101	56020 – Legal Services		\$25,000


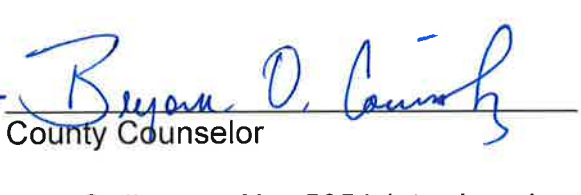
and,

BE IT FURTHER ORDAINED by the County Legislature of Jackson County, Missouri, that the County Counselor be and hereby is authorized to execute a Legal Services Agreement with Ellis, Ellis, Hammons & Johnson P.C., for a term ending December 31, 2020, at an actual cost to the County not to exceed \$25,000.00, in a form to be approved by him; and,

BE IT FURTHER ORDAINED that the Director of the Department of Finance and Purchasing be and hereby is authorized to make all payments, including final payment on the Agreement.

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. 5351 introduced on June 1, 2020, was duly passed on _____, 2020 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. 5351.

Date

Frank White, Jr., County Executive

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

ACCOUNT NUMBER: 040 9999 32810

ACCOUNT TITLE: CARES Act

Undesignated Fund Balance

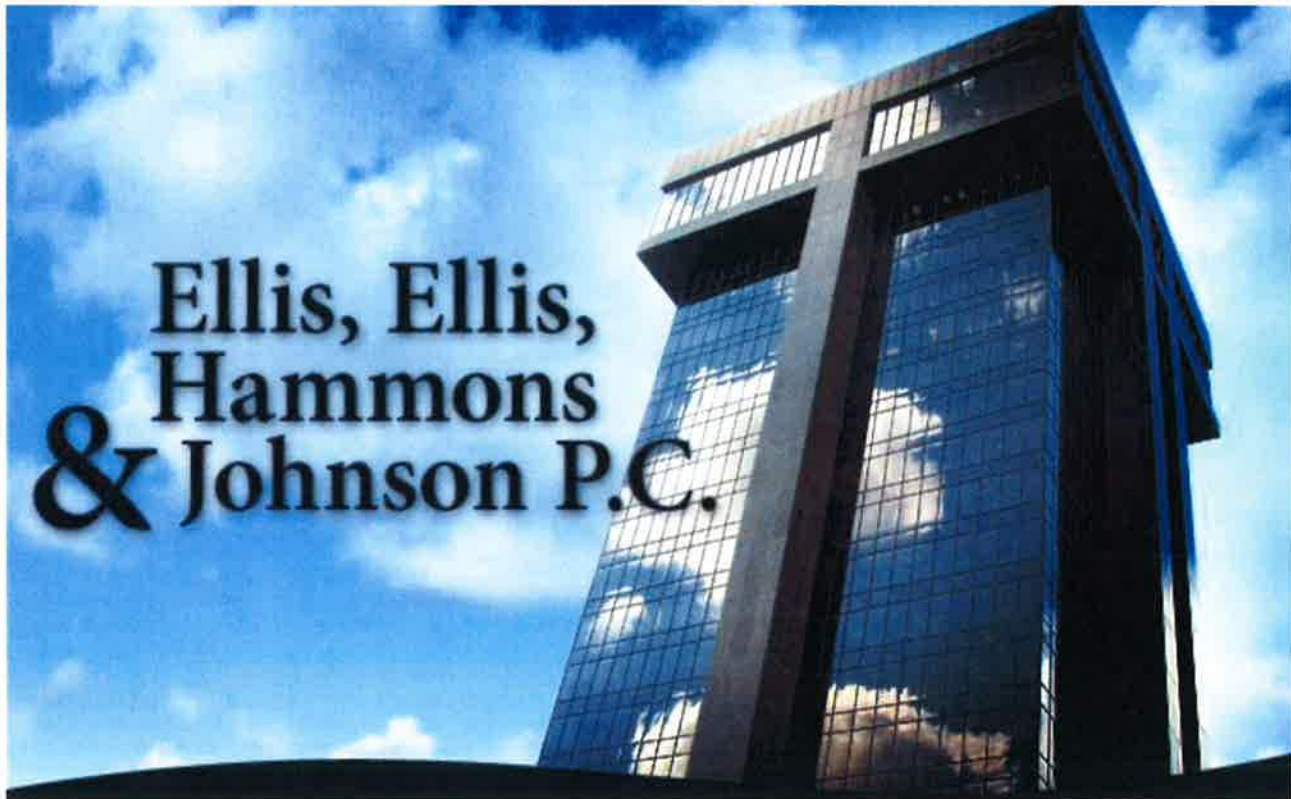
NOT TO EXCEED: \$25,000.00

There is a balance otherwise unencumbered to the credit of the appropriation to which the expenditure is chargeable and there is a cash balance otherwise unencumbered in the treasury to the credit of the fund from which payment is to be made each sufficient to provide for the obligation herein authorized..

ACCOUNT NUMBER: 040 1101 56020
ACCOUNT TITLE: CARES Act
County Counselor
Legal Services
NOT TO EXCEED: \$25,000.00

5-28-2020
Date


Chief Administrative Officer



Ellis, Ellis, Hammons & Johnson, P.C., is an AV rated law firm based in Springfield, Missouri. Founded in 1977, this locally owned and operated firm regularly represents clients in both state and federal court and before administrative agencies throughout Missouri.

The firm's attorneys practice in a wide variety of civil practice areas including Labor and Employment Law, Education Law, Hospital Law, Business and Corporate Law, Public Entity Law, Commercial Litigation, Civil Litigation and Appeals and Workers' Compensation Defense.

The attorneys of Ellis, Ellis, Hammons & Johnson, P.C. have the legal knowledge, experience and commitment to provide superior advice to their clients and represent their interests. The firm prides itself in providing superior client service with positive results in a cost-effective way.

Ellis, Ellis, Hammons & Johnson, P.C.
The Hammons Tower
901 St. Louis Street, Suite 600
Springfield, MO 65806
417-866-5091
www.eehjfirm.com

PRACTICE AREAS

Labor Law (*Representing Employers Only*)

- Public and Private Sector Employers
- Union Representational Campaigns
- Collective Bargaining
- Contract Maintenance
- Arbitration and Litigation
- Practice Before the NLRB
- Employee Benefits

Employment Law (*Representing Employers Only*)

- Administrative Investigation and Proceedings – EEOC and State FEP agencies
- Trials and Appeals
- Practice Before the DOL, OSHA and Other Administrative Agencies

Education Law (*Representing Educational Entities Only*)

- Public/Private Schools – K-12, Colleges and Universities
- Special Education – SPED Compliance, Due Process Proceedings, Section 504
- Personnel, Student Discipline
- Real Estate
- Practice Before Administrative Agencies –OCR, DESE
- Civil Rights Defense
- Collective Bargaining

Health/Hospital Law (*Representing Hospitals, Nursing Homes and Clinics*)

- General Counsel Activities
- Physician Contracting
- Transactions: Mergers, Acquisitions and Affiliations
- Contract Review and Negotiation
- Medicare and Medicaid Compliance
- Fraud and Abuse Guidance
- Anti-Kickback Advice
- State Licensure Issues
- Practitioner Credentialing and Privileging Issues

Public Entity Law

- General Counsel and Advice
- Public Works Bidding and Contracting
- Resolution, Ordinance and Contract drafting
- Sunshine Law
- Employment Law
- Labor law

Business and Corporate Law

- Construction Law
- Commercial Litigation
- Workers' Compensation (*Representing Employers Only*)
- Real Estate

Civil Trial and Appellate Practice

- Insurance Defense Litigation
- Trial and Appeals – Federal and State



Travis A. Elliott
Ellis, Ellis, Hammons & Johnson, P.C.
The Hammons Tower
901 St. Louis Street, Suite 600
Springfield, MO 65806
417-866-5091
telliott@eehjfirm.com

Travis A. Elliott was born in Springfield, Missouri. He received Bachelor of Arts degrees in Political Science, with honors, and Philosophy from the University of Missouri-Columbia in 2004. In 2007, he received his Juris Doctor from the University of Missouri School of Law. While in law school, Travis received the Roscoe Anderson Award for Excellence in Advocacy and was inducted into the Order of the Barristers.

Travis is licensed to practice in Missouri and the U.S. District Court, Western District of Missouri.

Professional Affiliations: Missouri Bar Association (Member: Labor & Employment Law Committee; Education Law Committee; Health & Hospital Law Committee; Eminent Domain Law Committee; Small Firm Practice Committee); Springfield Metropolitan Bar Association (Member: Mentorship Committee); Missouri State School Boards' Association Council of School Attorneys; National School Boards' Association Council of School Attorneys.

Civic Involvement: Instructor, Agricultural Law, Missouri State University.

Practice Areas: Labor and Employment Law; Education Law; Hospital Law; Employment Litigation; Business and Corporate Law; Commercial Litigation.

IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

AN ORDINANCE appropriating \$284,036.00 from the undesignated fund balance of the 2020 CARES Act Fund to provide for hazard pay for impacted County associates in the Corrections and Parks + Rec Departments and Sheriff's Office in connection with the workplace risks of the ongoing Coronavirus/COVID-19 pandemic, at a cost to the County not to exceed \$284,036.00.

ORDINANCE NO. 5352, June 1, 2020

INTRODUCED BY Theresa Cass Galvin and Dan Tarwater III, County Legislator

WHEREAS, U.S. President Donald J. Trump, Missouri Governor Mike Parson, and County Executive Frank White, Jr., have all declared, in one form or another, the ongoing Coronavirus/COVID-19 pandemic to be a public health emergency; and,

WHEREAS, the County, through its various efforts, plays a significant role in the public health of its citizens and employees; and,

WHEREAS, an appropriate response by the County to this emergency will require significant expenditures from the County CARES Act Fund, which consists of monies provided by the U.S. Treasury for this purpose; and,

WHEREAS, with the funding provided by this appropriation, Jackson County will provide temporary hazard pay salary adjustments in the amount of \$150.00 per pay period, for the pay periods from March 14, 2020, to June 5, 2020, to approximately 295 impacted County associates in the Corrections and Parks + Rec Departments and Sheriff's Office; and,

WHEREAS, the associates who shall receive these adjustments are frontline field personnel and exclude most management, clerical, and administrative personnel in the departments and office identified; and,

WHEREAS, the pay periods selected coincide with the local onset of COVID-19 in March and the beginning of Phase 2 of the Jackson County reopening plan in early June 2020; now therefore,

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

<u>DEPARTMENT/DIVISION</u>	<u>CHARACTER/DESCRIPTION</u>	<u>FROM</u>	<u>TO</u>
CARES Act Fund 040-9999	32810- Undesignated Fund Balance	\$284,036	
Park Safety 040-1605 040-1605	55090- Salary Adjustments 55040- FICA Taxes		\$15,300 \$ 1,171
Detention Center Pop. Control 040-2304 040-2304	55090- Salary Adjustments 55040- FICA Taxes		\$4,500 \$ 345
Corrections 040-2701 040-2701	55090- Salary Adjustments 55040- FICA Taxes		\$165,150 \$ 12,634
Sheriff 040-4201 040-4201	55090- Salary Adjustments 55040- FICA Taxes		\$78,900 \$ 6,036

and,

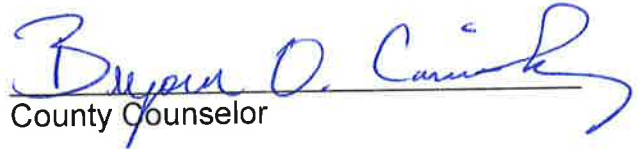
Be IT FURTHER ORDAINED, that the Director of Finance and Purchasing be and hereby is authorized to implement the indicated temporary hazard pay salary adjustments in a manner consistent with the intent of this Ordinance.

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. 5352 introduced on June 1, 2020, was duly passed on _____, 2020 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. 5352.

Date

Frank White, Jr., County Executive

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

ACCOUNT NUMBER: 040 9999 32810
ACCOUNT TITLE: CARES Act Fund
Undesignated Fund Balance
NOT TO EXCEED: \$284,036.00

There is a balance otherwise unencumbered to the credit of the appropriation to which the expenditure is chargeable and there is a cash balance otherwise unencumbered in the treasury to the credit of the fund from which payment is to be made each sufficient to provide for the obligation herein authorized.

ACCOUNT NUMBER: 040 1605 55090
ACCOUNT TITLE: CARES Act
Park Safety
Salary Adjustments
NOT TO EXCEED: \$15,300.00

ACCOUNT NUMBER: 040 1605 55040
ACCOUNT TITLE: CARES Act
Park Safety
FICA Taxes
NOT TO EXCEED: \$1,171.00

ACCOUNT NUMBER: 040 2304 55090
ACCOUNT TITLE: CARES Act
Detention Center Population Control
Salary Adjustments
NOT TO EXCEED: \$4,500.00

ACCOUNT NUMBER: 040 2304 55040
ACCOUNT TITLE: CARES Act
Detention Center Population Control
FICA Taxes
NOT TO EXCEED: \$345.00

ACCOUNT NUMBER: 040 2701 55090
ACCOUNT TITLE: CARES Act
Corrections
Salary Adjustments
NOT TO EXCEED: \$165,150.00

ACCOUNT NUMBER: 040 2701 55040
ACCOUNT TITLE: CARES Act
Corrections
FICA Taxes
NOT TO EXCEED: \$12,634.00

ACCOUNT NUMBER: 040 4201 55090
ACCOUNT TITLE: CARES Act
Sheriff
Salary Adjustments
NOT TO EXCEED: \$78,900.00

ACCOUNT NUMBER: 040 4201 55040
ACCOUNT TITLE: CARES Act
Sheriff
FICA Taxes
NOT TO EXCEED: \$6,036.00

5-28-2020

Date



Chief Administrative Officer

REQUEST FOR LEGISLATIVE ACTION

Version 6/10/19

Completed by County Counselor's Office:

Res/Ord No.: 5352

Sponsor(s): Theresa Cass Galvin & Dan Tarwater III

Date: June 1, 2020

SUBJECT	<p>Action Requested</p> <p><input type="checkbox"/> Resolution</p> <p><input checked="" type="checkbox"/> Ordinance</p> <p>Project/Title: Appropriating \$284,036 in CARES Act funding for use by Jackson County, Missouri to pay up to \$900 (\$1.88/hour) per impacted associate in Corrections, Sheriff, and Parks for COVID-19 hazard pay for the period of March 14 to June 5, 2020.</p>																																				
<p>BUDGET INFORMATION</p> <p><i>To be completed By Requesting Department and Finance</i></p>	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td>Amount authorized by this legislation this fiscal year:</td> <td style="text-align: right;">\$284,036</td> </tr> <tr> <td>Amount previously authorized this fiscal year:</td> <td></td> </tr> <tr> <td>Total amount authorized after this legislative action:</td> <td style="text-align: right;">\$284,036</td> </tr> <tr> <td>Amount budgeted for this item * (including transfers):</td> <td style="text-align: right;">\$284,036</td> </tr> <tr> <td>Source of funding (name of fund) and account code number:</td> <td></td> </tr> <tr> <td>FROM:</td> <td style="text-align: right;">FROM ACCT:</td> </tr> <tr> <td>040-9999-32810 CARES Act Fund, Undesignated Fund Balance</td> <td style="text-align: right;">\$284,036</td> </tr> <tr> <td>TO:</td> <td style="text-align: right;">TO ACCT:</td> </tr> <tr> <td>CARES Act Fund</td> <td style="text-align: right;">\$15,300</td> </tr> <tr> <td>040-1605-55090-Park Safety-Salary Adjustment</td> <td style="text-align: right;">1,171</td> </tr> <tr> <td>040-1605-55040-Park Safety-FICA</td> <td style="text-align: right;">4,500</td> </tr> <tr> <td>040-2304-55090 Population Control-Salary Adjustment</td> <td style="text-align: right;">345</td> </tr> <tr> <td>040-2304-55040 Population Control-FICA</td> <td style="text-align: right;">165,150</td> </tr> <tr> <td>040-2701-55090 Corrections – Salary Adjustment</td> <td style="text-align: right;">12,634</td> </tr> <tr> <td>040-2701-55040 Corrections – FICA</td> <td style="text-align: right;">78,900</td> </tr> <tr> <td>040-4201-55090 Sheriff-Salary Adjustment</td> <td style="text-align: right;">6,036</td> </tr> <tr> <td>040-4201-55040 Sheriff-FICA</td> <td></td> </tr> <tr> <td style="text-align: right;">Total:</td> <td style="text-align: right;">\$284,036</td> </tr> </table> <p>* If account includes additional funds for other expenses, total budgeted in the account is: \$</p> <p>OTHER FINANCIAL INFORMATION:</p> <p><input type="checkbox"/> No budget impact (no fiscal note required)</p> <p><input type="checkbox"/> Term and Supply Contract (funds approved in the annual budget); estimated value and use of contract: Department: _____ Estimated Use: _____</p> <p>Prior Year Budget (if applicable): N/A Prior Year Actual Amount Spent (if applicable): N/A</p>	Amount authorized by this legislation this fiscal year:	\$284,036	Amount previously authorized this fiscal year:		Total amount authorized after this legislative action:	\$284,036	Amount budgeted for this item * (including transfers):	\$284,036	Source of funding (name of fund) and account code number:		FROM:	FROM ACCT:	040-9999-32810 CARES Act Fund, Undesignated Fund Balance	\$284,036	TO:	TO ACCT:	CARES Act Fund	\$15,300	040-1605-55090-Park Safety-Salary Adjustment	1,171	040-1605-55040-Park Safety-FICA	4,500	040-2304-55090 Population Control-Salary Adjustment	345	040-2304-55040 Population Control-FICA	165,150	040-2701-55090 Corrections – Salary Adjustment	12,634	040-2701-55040 Corrections – FICA	78,900	040-4201-55090 Sheriff-Salary Adjustment	6,036	040-4201-55040 Sheriff-FICA		Total:	\$284,036
Amount authorized by this legislation this fiscal year:	\$284,036																																				
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Total:	\$284,036																																				
PRIOR LEGISLATION	<p>Prior ordinances and (date):</p> <p>Prior resolutions and (date):</p>																																				
CONTACT INFORMATION	<p>RLA drafted by Troy Schulte, County Administrator at 881-1079</p>																																				
REQUEST SUMMARY	<p>This ordinance appropriates \$284,036 in CARES Act funding to various County departments for the purpose of providing a temporary salary adjustment averaging \$1.88/hour or \$150 per pay period for the six pay periods between March 14, 2020 and June 5, 2020. FICA costs are included in the above total. These dates coincide with the local onset of COVID-19 in March and the beginning of Phase 2 of the Jackson County reopening plan in early June of 2020. Approximately 295 front-line County field personnel (non-management, and non-clerical, or administrative personnel) in Corrections, Sheriff, and Park Safety will be eligible for this temporary salary adjustment.</p>																																				
CLEARANCE																																					

	<input type="checkbox"/> Tax Clearance Completed (Purchasing & Department) <input type="checkbox"/> Business License Verified (Purchasing & Department) N/A <input type="checkbox"/> Chapter 6 Compliance - Affirmative Action/Prevailing Wage (County Auditor's Office)	
COMPLIANCE	<input type="checkbox"/> MBE Goals <input type="checkbox"/> WBE Goals N/A <input type="checkbox"/> VBE Goals	
ATTACHMENTS		
REVIEW	Department Director: <i>Tracy M. Schulte</i>	Date: <i>5-27-2020</i>
	Finance (Budget Approval): <i>If applicable</i>	APPROVED By Mark Lang at 3:34 pm, May 27, 2020
	Division Manager: <i>Tracy M. Schulte</i>	Date: <i>5-27-2020</i>
	County Counselor's Office: <i>Bryan Canine</i>	Date: <i>5/27/20</i>

Fiscal Information (to be verified by Budget Office in Finance Department)

- This expenditure was included in the annual budget.
- Funds for this were encumbered from the _____ Fund in _____.
- There is a balance otherwise unencumbered to the credit of the appropriation to which the expenditure is chargeable and there is a cash balance otherwise unencumbered in the treasury to the credit of the fund from which payment is to be made each sufficient to provide for the obligation herein authorized.
- Funds sufficient for this expenditure will be/were appropriated by Ordinance # _____
- X Funds sufficient for this appropriation are available from the source indicated below.

Account Number:	Account Title:	Amount Not to Exceed:
040-9999-32810	CARES Act Fund, Undesignated Fund Balance	\$284,036

- This award is made on a need basis and does not obligate Jackson County to pay any specific amount. The availability of funds for specific purchases will, of necessity, be determined as each using agency places its order.
- This legislative action does not impact the County financially and does not require Finance/Budget approval.

IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

AN ORDINANCE appropriating \$100,000.00 from the undesignated fund balance of the 2020 CARES Act Fund to allow the city of Blue Springs, Missouri, to acquire supplies and equipment, make minor building improvements, and pay public safety overtime, necessary in connection with the fight against the ongoing Coronavirus/COVID-19 pandemic and authorizing the County Executive to execute an Intergovernmental Agreement with the City of Blue Springs, Missouri, at a cost to the County not to exceed \$100,000.00.

ORDINANCE NO. 5353, June 1, 2020

INTRODUCED BY Theresa Cass Galvin, County Legislator

WHEREAS, U.S. President Donald J. Trump, Missouri Governor Mike Parson, and County Executive Frank White, Jr., have all declared, in one form or another, the ongoing Coronavirus/COVID-19 pandemic to be a public health emergency; and,

WHEREAS, the County, through its various efforts, plays a significant role in the public health of its citizens; and,

WHEREAS, an appropriate response by the County to this emergency will require significant expenditures from the County CARES Act Fund, which consists of monies provided by the U.S. Treasury for this purpose; and,

WHEREAS, with the funding provided by this appropriation, Blue Springs will acquire personal protective equipment (PPE) for city staff, make minor building improvements, and pay public safety overtime; and,

WHEREAS, the County Executive recommends this appropriation and the execution of an Intergovernmental Agreement with the City of Blue Springs, Missouri, for this purpose, in a form to be approved by the County Counselor; and,

WHEREAS, such Intergovernmental Agreement shall require that Jackson County be indemnified by the City for any shortfall in or misuse of County-provided funds; now therefore,

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

<u>DEPARTMENT/DIVISION</u>	<u>CHARACTER/DESCRIPTION</u>	<u>FROM</u>	<u>TO</u>
CARES Act Fund 040-9999	32810- Undesignated Fund Balance	\$100,000	
City of Blue Springs 040-1546	56070- Intergovernmental Agreements		\$100,000

and,

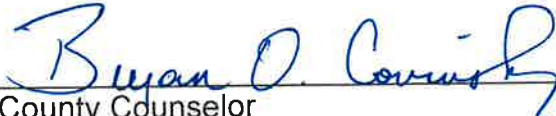
BE IT FURTHER ORDAINED that the County Executive be and hereby is authorized to execute an appropriate Intergovernmental Agreement with the City of Blue Springs, in a form to be approved by County Counselor.

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. 5353 introduced on June 1, 2020, was duly passed on _____, 2020 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. 5353.

Date

Frank White, Jr., County Executive

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

ACCOUNT NUMBER: 040 9999 32810
ACCOUNT TITLE: CARES Act Fund
Undesignated Fund Balance
NOT TO EXCEED: \$100,000.00

There is a balance otherwise unencumbered to the credit of the appropriation to which the expenditure is chargeable and there is a cash balance otherwise unencumbered in the treasury to the credit of the fund from which payment is to be made each sufficient to provide for the obligation herein authorized.

ACCOUNT NUMBER: 040 1546 56070
ACCOUNT TITLE: CARES Act Fund
City of Blue Springs
Intergovernmental Agreements
NOT TO EXCEED: \$100,000.00

5/28/2020
Date


Chief Administrative Officer

REQUEST FOR LEGISLATIVE ACTION

Version 6/10/19

Completed by County Counselor's Office:

Res/Ord No.: 5353

Sponsor(s): Theresa Cass Galvin

Date: June 1, 2020

<p>SUBJECT</p>	<p>Action Requested <input type="checkbox"/> Resolution <input checked="" type="checkbox"/> Ordinance</p> <p>Project Title: Appropriating \$100,000 in CARES Act funding for use by the City of Blue Springs, Missouri to reimburse for unanticipated COVID-19 costs and authorizing the County Executive to execute an intergovernmental agreement on the use of those funds.</p>												
<p>BUDGET INFORMATION <i>To be completed By Requesting Department and Finance</i></p>	<table border="1"> <tr> <td>Amount authorized by this legislation this fiscal year:</td> <td>\$100,000</td> </tr> <tr> <td>Amount previously authorized this fiscal year:</td> <td></td> </tr> <tr> <td>Total amount authorized after this legislative action:</td> <td>\$100,000</td> </tr> <tr> <td>Amount budgeted for this item * (including transfers):</td> <td>\$100,000</td> </tr> <tr> <td>Source of funding (name of fund) and account code number: FROM: 040-9999-32810 CARES Act Fund, Undesignated Fund Balance</td> <td>FROM ACCT: \$100,000</td> </tr> <tr> <td>TO: CARES Act Fund 040-1546-56070 City of Blue Springs – Intergovernmental Agreement</td> <td>TO ACCT: \$100,000</td> </tr> </table> <p>* If account includes additional funds for other expenses, total budgeted in the account is: \$</p> <p>OTHER FINANCIAL INFORMATION:</p> <p><input type="checkbox"/> No budget impact (no fiscal note required) <input type="checkbox"/> Term and Supply Contract (funds approved in the annual budget); estimated value and use of contract: Department: Estimated Use:</p> <p>Prior Year Budget (if applicable): N/A Prior Year Actual Amount Spent (if applicable): N/A</p>	Amount authorized by this legislation this fiscal year:	\$100,000	Amount previously authorized this fiscal year:		Total amount authorized after this legislative action:	\$100,000	Amount budgeted for this item * (including transfers):	\$100,000	Source of funding (name of fund) and account code number: FROM: 040-9999-32810 CARES Act Fund, Undesignated Fund Balance	FROM ACCT: \$100,000	TO: CARES Act Fund 040-1546-56070 City of Blue Springs – Intergovernmental Agreement	TO ACCT: \$100,000
Amount authorized by this legislation this fiscal year:	\$100,000												
Amount previously authorized this fiscal year:													
Total amount authorized after this legislative action:	\$100,000												
Amount budgeted for this item * (including transfers):	\$100,000												
Source of funding (name of fund) and account code number: FROM: 040-9999-32810 CARES Act Fund, Undesignated Fund Balance	FROM ACCT: \$100,000												
TO: CARES Act Fund 040-1546-56070 City of Blue Springs – Intergovernmental Agreement	TO ACCT: \$100,000												
<p>PRIOR LEGISLATION</p>	<p>Prior ordinances and (date): Prior resolutions and (date):</p>												
<p>CONTACT INFORMATION</p>	<p>RLA drafted by Troy Schulte, County Administrator at 881-1079</p>												
<p>REQUEST SUMMARY</p>	<p>This ordinance appropriates \$100,000 in CARES Act funding to the City of Blue Springs, Missouri for the purpose of providing reimbursement funding for unanticipated COVID-19 costs such as the purchase of personal protective equipment (PPE), public safety overtime and minor building improvements and other costs deemed reasonable under CARES Act guidelines. It further authorizes the County Executive to enter into an intergovernmental agreement with the City of Blue Springs, Missouri as to the use of these CARES Act funds</p>												
<p>CLEARANCE</p>	<p><input type="checkbox"/> Tax Clearance Completed (Purchasing & Department) <input type="checkbox"/> Business License Verified (Purchasing & Department) N/A <input type="checkbox"/> Chapter 6 Compliance - Affirmative Action/Prevailing Wage (County Auditor's Office)</p>												
<p>COMPLIANCE</p>	<p><input type="checkbox"/> MBE Goals <input type="checkbox"/> WBE Goals N/A <input type="checkbox"/> VBE Goals</p>												

ATTACHMENTS		
REVIEW	Department Director: <i>Tracy M. Schutte</i>	Date: <i>5-27-2020</i>
	Finance (Budget Approval): <i>APPROVED</i>	Date:
	<i>If applicable</i> Division Manager: <i>Tracy M. Schutte</i>	Date: <i>5-27-2020</i>
	County Counselor's Office: <i>Bu - County</i>	Date: <i>5/28/20</i>

Fiscal Information (to be verified by Budget Office in Finance Department)

- This expenditure was included in the annual budget.
- Funds for this were encumbered from the _____ Fund in _____.
- There is a balance otherwise unencumbered to the credit of the appropriation to which the expenditure is chargeable and there is a cash balance otherwise unencumbered in the treasury to the credit of the fund from which payment is to be made each sufficient to provide for the obligation herein authorized.
- Funds sufficient for this expenditure will be/were appropriated by Ordinance # _____.
- Funds sufficient for this appropriation are available from the source indicated below.

Account Number:	Account Title:	Amount Not to Exceed:
040-9999-32810	CARES Act Fund, Undesignated Fund Balance	\$100,000

- This award is made on a need basis and does not obligate Jackson County to pay any specific amount. The availability of funds for specific purchases will, of necessity, be determined as each using agency places its order.
- This legislative action does not impact the County financially and does not require Finance/Budget approval.

IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

A RESOLUTION awarding a contract for the construction of a metal shelter house for use by the Parks + Rec Department at Longview Beach to Gunter Construction of Kansas City, KS, under the terms and conditions of Invitation to Bid No. 7-20, at an actual cost to the County in the amount of \$44,500.00.

RESOLUTION NO. 20438, June 1, 2020

INTRODUCED BY Tony Miller, County Legislator

WHEREAS, by Resolution 20289, dated October 21, 2019, the Legislature did award a contract for the construction of a metal shelter house for use by the Parks + Rec Department at Longview Beach to Athco of Lenexa, KS, under the terms and conditions of Invitation to Bid No. 45-19, at an actual cost to the County in the amount of \$39,590.00; and,

WHEREAS, after the award a purchase order was issued and the awarded bidder stated a mistake was made and that it could not provide a metal shelter house for the amount previously bid; and,

WHEREAS, due to the fiscal year closing, there was insufficient time to re-award the bid to the second lowest bidder in 2019; and,

WHEREAS, the Department of Finance and Purchasing has solicited formal written bids on Invitation to Bid No. 7-20 for the construction of a metal shelter house for use by the Parks + Rec Department at Longview Beach; and,

WHEREAS, a total of twenty notifications were distributed and five responses were received, with three having been rejected due to non-compliance with the bid's specifications, and with the remaining two responses as follows:

<u>BIDDER</u>	<u>BID</u>
Gunter Construction Company Kansas City, KS	\$44,500.00
NW Rogers Construction Blue Springs, MO	\$51,940.00

and,

WHEREAS, pursuant to section 1054.6 of the Jackson County Code, the Director of Finance and Purchasing recommends the award of a contract for the construction of a metal shelter house for use by the Parks + Rec Department at Longview Beach to Gunter Construction of Kansas City, KS, under the terms and conditions of Invitation to Bid No. 7-20, as the lowest and best bidder; now therefore,

BE IT RESOLVED by the County Legislature of Jackson County, Missouri, that award be made as recommended by the Director of Finance and Purchasing, and that the Director be and hereby is authorized to execute for the County any documents necessary for the accomplishment of the award; and,

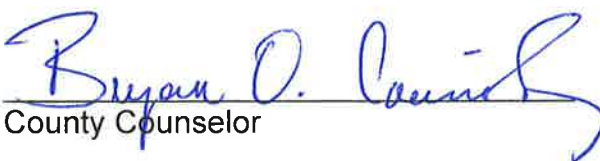
BE IT FURTHER RESOLVED that the Director of Finance and Purchasing is authorized to make all payments, including final payment on the contract.

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. 20438 of June 1, 2020, was duly passed on _____, 2020 by the Jackson County Legislature. The votes thereon were as follows:

Yeas _____

Nays _____

Abstaining _____

Absent _____

Date

Mary Jo Spino, Clerk of the Legislature

There is a balance otherwise unencumbered to the credit of the appropriation to which the expenditure is chargeable and there is a cash balance otherwise unencumbered in the treasury to the credit of the fund from which payment is to be made each sufficient to provide for the obligation herein authorized.

ACCOUNT NUMBER: 003 1608 58020
ACCOUNT TITLE: Park Fund
Construction Services
Buildings & Improvements
NOT TO EXCEED: \$44,500.00

5-28-2020

Date



Chief Administrative Officer

REQUEST FOR LEGISLATIVE ACTION

Version 6/10/19

Completed by County Counselor's Office:

Res/Ord No.: 20438

Sponsor(s): Tony Miller

Date: June 1, 2020

<p>SUBJECT</p>	<p>Action Requested <input checked="" type="checkbox"/> Resolution <input type="checkbox"/> Ordinance</p> <p>Project/Title: <u>Authorizing the purchase of a Metal Shelter House for the Parks + Rec Department from Gunter Construction of Kansas City, Kansas under the terms and conditions of Invitation to Bid No. 7-20.</u></p>												
<p>BUDGET INFORMATION <i>To be completed By Requesting Department and Finance</i></p>	<table border="1"> <tr> <td>Amount authorized by this legislation this fiscal year:</td> <td>\$44,500</td> </tr> <tr> <td>Amount previously authorized this fiscal year:</td> <td></td> </tr> <tr> <td>Total amount authorized after this legislative action:</td> <td>\$44,500</td> </tr> <tr> <td>Amount budgeted for this item * (including transfers):</td> <td>\$44,500</td> </tr> <tr> <td>Source of funding (name of fund) and account code number: 003-1608-58020</td> <td></td> </tr> <tr> <td>Park Fund, Capital Projects, Buildings and Improvements</td> <td>\$44,500</td> </tr> </table> <p>* If account includes additional funds for other expenses, total budgeted in the account is: \$</p> <p>OTHER FINANCIAL INFORMATION:</p> <p><input type="checkbox"/> No budget impact (no fiscal note required) <input type="checkbox"/> Term and Supply Contract (funds approved in the annual budget); estimated value and use of contract: Department: Estimated Use:</p> <p>Prior Year Budget (if applicable): Prior Year Actual Amount Spent (if applicable):</p>	Amount authorized by this legislation this fiscal year:	\$44,500	Amount previously authorized this fiscal year:		Total amount authorized after this legislative action:	\$44,500	Amount budgeted for this item * (including transfers):	\$44,500	Source of funding (name of fund) and account code number: 003-1608-58020		Park Fund, Capital Projects, Buildings and Improvements	\$44,500
Amount authorized by this legislation this fiscal year:	\$44,500												
Amount previously authorized this fiscal year:													
Total amount authorized after this legislative action:	\$44,500												
Amount budgeted for this item * (including transfers):	\$44,500												
Source of funding (name of fund) and account code number: 003-1608-58020													
Park Fund, Capital Projects, Buildings and Improvements	\$44,500												
<p>PRIOR LEGISLATION</p>	<p>Prior ordinances and (date): Prior resolutions and (date): 20289, October 21, 2019</p>												
<p>CONTACT INFORMATION</p>	<p>RLA drafted by (name, title, & phone): Barbara Casamento, Purchasing Administrator, 881-3253</p>												
<p>REQUEST SUMMARY</p>	<p>Invitation to Bid No. 45-19 for a Metal Shelter House was bid in 2019, received three responses and was awarded to the lowest bidder by Resolution No. 20289 on October 28, 2019. After the award a Purchase Order was issued and the awarded bidder stated a mistake was made and they could not provide the Metal Shelter House for the amount bid. Due to the 2019 fiscal year closing, there was not enough time to re-award the bid to the second lowest bid or re-bid the Metal Shelter House.</p> <p>Invitation to Bid No. 7-20 was issued in 2020 for the Metal Shelter House. A total of twenty notifications were distributed and five bids were received, three of which were rejected as non-compliant with the Invitation to Bid. The two other bids were evaluated as follows:</p> <table> <tr> <td>Gunter Construction Company of Kansas City, Kansas</td> <td>\$44,500</td> </tr> <tr> <td>NW Rogers of Blue Springs, Missouri</td> <td>\$51,940</td> </tr> </table> <p>Pursuant to Section 1054.6 of the Jackson County Code, the Purchasing Department and the Parks + Rec Department recommend the purchase of a Metal Shelter House for the Parks + Rec Department to Gunter Construction of Kansas City, Kansas in the amount of \$44,500 as the lowest and best bid received.</p>	Gunter Construction Company of Kansas City, Kansas	\$44,500	NW Rogers of Blue Springs, Missouri	\$51,940								
Gunter Construction Company of Kansas City, Kansas	\$44,500												
NW Rogers of Blue Springs, Missouri	\$51,940												
<p>CLEARANCE</p>	<p><input type="checkbox"/> Tax Clearance Completed (Purchasing & Department) N/A <input type="checkbox"/> Business License Verified (Purchasing & Department) N/A <input checked="" type="checkbox"/> Chapter 6 Compliance - Affirmative Action/Prevailing Wage (County Auditor's Office)</p>												
<p>COMPLIANCE</p>	<p><input type="checkbox"/> MBE Goals Goals of 9.5% MBE; 11.7% WBE and 9.5% VBE were set. The recommended bidder, a WBE <input checked="" type="checkbox"/> WBE Goals will meet the 11.7% WBE Goals, but could not find MBE or VBE bidders to subcontract with. <input type="checkbox"/> VBE Goals A Good Faith Effort was submitted to and approved by the Compliance Review Office</p>												

ATTACHMENTS	Abstract of Bids Received, a Recommendation Memorandum from Bruce Wilke of the Parks + Rec Department and the pertinent pages of Gunter's bid documents.	
REVIEW	Department Director: <i>Brian Bond</i> → <i>for Michelle Newman</i>	Date: <i>5/19/20</i>
	Finance (Budget Approval): <i>If applicable</i>	Date:
	Division Manager: <i>Bryan M. Schultz</i>	Date: <i>5-26-2020</i>
	County Counselor's Office: <i>Bryan Conroy</i>	Date: <i>5/27/20</i>

APPROVED
By Mark Lang at 3:31 pm, May 26, 2020

Fiscal Information (to be verified by Budget Office in Finance Department)

- This expenditure was included in the annual budget.
- Funds for this were encumbered from the _____ Fund in _____.
- There is a balance otherwise unencumbered to the credit of the appropriation to which the expenditure is chargeable and there is a cash balance otherwise unencumbered in the treasury to the credit of the fund from which payment is to be made each sufficient to provide for the obligation herein authorized.
- Funds sufficient for this expenditure will be/were appropriated by Ordinance # _____
- Funds sufficient for this appropriation are available from the source indicated below.

Account Number:	Account Title:	Amount Not to Exceed:

- This award is made on a need basis and does not obligate Jackson County to pay any specific amount. The availability of funds for specific purchases will, of necessity, be determined as each using agency places its order.
- This legislative action does not impact the County financially and does not require Finance/Budget approval.

ABSTRACT OF BIDS

NO	DESCRIPTION	UNIT QTY		NW		Athco		Gunter		Fry		AB	
				AMOUNT	MO	Lenexa	KS	AMOUNT	KCKS	and Assoc	NKC MO	AMOUNT	AMOUNT
	Invitation to Bid No. 7-20 Metal Shade Structure Opens: 2:00 PM, CDT on 3/17/20												
				\$ 51,940		49,435		44,500		41,637.		40,500	

1) See Bid

CERTIFICATION OF BID OPENING
 BIDS WERE PUBLICLY
 OPENED AND RECORDED
 ON: March 17, 2020 BY
Wendi A. Rowland
 CLERK OF THE LEGISLATURE
Robert J. Alexander
 PURCHASING



**JACKSON COUNTY
Parks + Rec**

22807 Woods Chapel Road
Blue Springs, Missouri 64015
MakeYourDayHere.com

Miguel N. ...
781-215-01-300
Feb 18 10 35 AM '14

To: Barbara Casamento
From: Bruce Wilke *Bruce*
cc:
Date: April 28, 2020
Re: Bid No. 7-20
Metal Shelter an Longview Beach

Barbara,
After reviewing the bid tabulation, we recommend award of the bid to Gunter Construction of Kansas City, Kansas. Gunter Construction submitted the third lowest bid however the two lower bidders did not submit their Contractor Utilization Plan goals set by the Compliance Review office.

Funding for this project, (\$ 44,500.00), is in our 2020 operating budget in account 300-1608-58020 Building and Improvements.



Frank White, Jr., County Executive

6.0 EVALUATION PROCESS

- 6.1 All bids received that are response to the General Conditions, Specifications, and other provisions of this Invitation to Bid will be evaluated. An Evaluation Committee will evaluate responses and make recommendations for award.
- 6.2 Jackson County shall be the sole judge of the bids received and its decision shall be final.
- 6.3 The County reserves the right to reject all, some, one, or none of the Invitation to Bid responses submitted.

7.0 QUESTIONS

- 7.1 All Questions regarding this Invitation to Bid **must be in writing and e-mailed** as detailed under General Conditions, Item Number Five (5) on Page Ten (10) of this Invitation to Bid by **March 10, 2020** by 5:00 p.m., CST.
- 7.2 Point of contact for this Invitation to Bid is Barbara Casamento, e-mail address: bcasamento@jacksongov.org.
- 7.2 All answers to questions will be published on the County's website in the form of Addenda. Respondents must check for Addenda prior to submitting their proposal.
- 7.3 Bidders and their agents (including subcontractors, employees, consultants, or anyone else acting on their behalf) must follow this procedure. Bidders or their agents **may not** contact any other County staff regarding matters covered by this Invitation to Bid during the solicitation and evaluation process. Inappropriate contact are grounds for **REJECTION** of the Bidder's submission.

8.0 QUOTATION

- 8.1 Quotation is to include all labor, materials, tools, equipment, and other ancillary expenses necessary to Furnish and Install the Shade Structures according the Specifications detailed in this Invitation to Bid herein. This quotation shall be all-inclusive and satisfactory for completing this project. The County will not reimburse for bonds, insurance, mileage, fuel expenses, freight, shipping, or expenses associated with travel to and from the worksite.

No.	Description	Location	Quantity	Price
1	Furnishing and Installation of Shelter House	Longview Beach	1	\$44,500.00

SIGNATURE: 	DATE: 3-17-20
NAME (PRINT): Christina Gunter	PHONE: 913-362-7844
TITLE (PRINT): President	CELL: 913-362-7844
COMPANY NAME (PRINT) Gunter Construction Company	FAX: 913-362-7844
E-MAIL ADDRESS (PRINT) Christina@Gunterkc.com	
E-MAIL ADDRESS FOR PO'S (PRINT) Christina@Gunterkc.com	
URL (PRINT): Gunterkc.com	

IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

A RESOLUTION authorizing the Jackson County Legislature to hold a closed meeting on Monday, June 1, 2020, for the purpose of conducting privileged and confidential communications between itself and the Jackson County Counselor under section 610.021(1) of the Revised Statutes of Missouri, and closing all records prepared for discussion at said meeting.

RESOLUTION NO. 20439, June 1, 2020

INTRODUCED BY Theresa Cass Galvin, County Legislator

WHEREAS, the Jackson County Legislature desires to hold a closed meeting on Monday, June 1, 2020, during the regularly scheduled meeting of the Legislature; and,

WHEREAS, public notice of such closed meeting has been given by inclusion of this Resolution on the published agenda for said meeting; and,

WHEREAS, the purpose of such closed meeting is to conduct privileged and confidential communications between the Legislature and the Jackson County Counselor concerning the status of legal actions, causes of action, and/or litigation; and,

WHEREAS, such closed meeting is allowable under section 610.021(1) of the Revised Statutes of Missouri; now therefore,

BE IT RESOLVED by the County Legislature of Jackson County, Missouri, that the Legislature be authorized to hold a closed meeting during the regularly scheduled meeting of the Legislature on Monday, June 1, 2020, pursuant to section 610.021(1), RSMo, and closing all records prepared in connection therewith.

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. 20439 of June 1, 2020, was duly passed on _____, 2020 by the Jackson County Legislature. The votes thereon were as follows:

Yeas _____

Nays _____

Abstaining _____

Absent _____

Date

Mary Jo Spino, Clerk of Legislature



FRANK WHITE, JR.
Jackson County Executive

RECEIVED

MAY 28 2020

MARY JO SPINO
COUNTY CLERK

JAK
2:25 pm

EXECUTIVE ORDER NO. 20-08

TO: MEMBERS OF THE LEGISLATURE
CLERK OF THE LEGISLATURE

FROM: FRANK WHITE, JR.
JACKSON COUNTY EXECUTIVE

DATE: May 28, 2020

RE: APPOINTMENT AND REAPPOINTMENTS TO TRUMAN MEDICAL
CENTER BOARD OF DIRECTORS

I hereby make the following appointment and reappointments to the Truman Medical Center Board of Directors:

Bonnaye V. Mims is appointed to fill the vacancy occasioned by the resignation of James A. Heeter, for a new term to expire June 30, 2021. A copy of Ms. Mim's resume is attached.

Jon H. Otto is reappointed for a term to expire June 30, 2021.

LaTosha Eligon is reappointed for a term to expire June 30, 2021.



Frank White, Jr., County Executive

Date: 5/28/2020



7907 East 8th Street
Raytown, Mo 64138
816/965-0141 (Home)
816/304-2132 (Cell)

Bonnaye V. Mims

Objective

Continue involvement in the community and representing the constituents of Raytown, Missouri and the 5th district on Local, City, and State level. Future goal: Being a former member of the Missouri House of Representatives, 27th District, I continue to work for the people in the areas of my expertise, as a public servant. More importantly, continue to be "A voice" for the people. Currently serving as Mayor ProTem and 5 Alderman in Raytown, Missouri

Served as State Representative, 27th District

Education

1995–1997 **Park College/University** **Kansas City, Mo**

- **M.P.A.**, Public Administration - Major: Business and Government Relations, Labor Relations; Minor Non Profit Management. Graduated with Honors
- **B.P.A.**, Public Administration - Political Science. 1997 Graduated, 1997; Magna Cum Laude.
- **Associate Degree** from Wentworth Military Academy, Liberal Arts, 1987.

Experience

2017 – Present **Board of Alderman, Ward 5 Raytown, Mo**

2012 – 2016 **98th General Assembly** **Jefferson City, Mo**
Missouri House Of Representatives,
27th District State Representative

201 W. Capitol Ave., Jefferson City, Mo 65101

- I served on the following Committee's: Appropriations Health, Mental Health and Social Services/Ranking Minority Member; Corrections; Higher Education and Joint Education Committee;

Presently serving on Hickman Mills School Board

18 Years, Presently serving on the Hickman Mills School Board Member; School Board President, 4th Terms

Retired – 38 years at WMMHC, **February, 2006**

Western Missouri Mental Health Center,
1000 East 24th Street; K.C. Mo. 64108

Coordinator, Forensic Services

- Assistant to the Director of Forensic Services. Handle all department operations. Work closely with the Judicial System (clerks), Judges,

Attorneys, Probation and Parole, Sheriff's Departments, and Detention Center personnel for Northwest Region.

- Work closely with Attorney General's Office, DMH General Counsel and DMH Forensic Director; assist in decision process of forensic clients: emergency admissions/transfers, Incompetent to Proceed, NGRI, for inpatient/commitment, treatment and care.

1994-1998 AFSCME-Local 1812 Kansas City, Mo.

Union President, Local 1812/3160

Volunteer/Community Involvement

In the course of my community/volunteer work, I have worked successfully with others in writing grants, analyze budgets, overseen the allocation of funds to operate these organizations. I have completed various training in Cultural and Gender Sensitivity, Labor Management, Budget Training, and Enhancement of Leadership Skills.

Part-time Employment

Sept, 2007- 2013 Ruskin Heights Homes Association K.C, Mo
May, 2008 –Present, Ruskin Hills Homes Association
K.C.Mo

Office Assistant

May, 2010- July, 2010 U.S. Census K.C. Mo

Enumerator Part-time

August, 2006 – June, 2009 Western Missouri Mental Health Center

Admissions Clerk/Part-time 1000 E. 24th Street K.C.Mo. 64108

Personal / Political Affiliations

2018 – Campaigned: U.S. Senator, Claire McCaskill; U.S. Congressman, Emanuel Cleaver; County Executive, Frank White; Sheriff, Darryl Forte; State Representative, Jerome Barnes; State Auditor, Nicole Galloway

I campaigned and worked on the following Campaigns (2016): Emanuel Cleaver, III for U.S. congressman, 5th District; Jason Kander for U.S. Congressman; Robin Smith for Missouri Secretary of State; Chris Koster for Governor; Teresa Hensley for Attorney General; Materials were provided for canvassing.

Successful completed a campaign/victory for Missouri State Representative, 27th district, August, 2012, served 4 years in the General Assembly until 2016; The Hickman Mills School District board, served 18 years and 4 years as Board President; Hickman Mills Board of Director-School Board Member; MSBA, Certified

Board Member, Advanced Certification and Master Certification as a School Board Member; assist in several City Council campaigns. Involved with the Presidential campaign for **President. Barak Obama;** April, 2008, President; Chairperson of Longview YMCA Advisory Council; Member of Longview Aquatic Center Area Plan-**as of May 25, 2012 The Bay Water Park completed;** 25th Ward Democratic County Committee Woman Jackson County Democratic Committee (since 1989) Vice-President, served three terms (2 years each), resigned July, 2013 due to re-districting (27th District); **NAACP Life Member;** ABWA member; **Order of Eastern Star (OES), Lone Star Chapter 2;** (OES) **Golden Circle; Daughters of Allah Court #6,** served as Illustrious Commandress, **Past Commandress;** Commission/Chair-Property Maintenance Appeals Board-(PMAB)-appointed by the mayor and served under 14 years, 3 years as Chair; Richard-Gebaur PAC Committee Member; **RDA member, 25+ years; Citizens Association- 25 years+, Board of Director,** served as 6th District VP, served as nominating committee chair; **Member of Southern Coalition of South Kansas City;** Grandview Triangle Committee Member; Board of Director, Salvation Army;; Deputy Registrar; **Democratic election judge, since 1971-Present; Notary Public, since 1975 to present;** Board of Director at Radio Station-KKFI; Member of, and active in Harmony In A World of Difference; Regional Board of Managers, PTA (State); Chairperson for Community 2000 Team (IMPACT); Greater Missouri Leadership, alumni; Alumni Member of Greater Missouri Leadership Challenge Organization; Member of AMI (Alliance to the Mentally Ill); Member of Jackson County Advisory Committee, Member of (CCO) Church Community Organization; Executive Board/Secretary of MMM-LOC (Million Man March, Local Organizing Committee; Past PTSA President, 1st V -P, 2nd V-P, secretary, Reflections, Programs; District Youth Director and member of St. Paul AME Zion Church, Past Local Youth Director and Church Secretary; Hot Summer Nights Youth Program, Site-Director-eight years; Past Girl Scout Leader; Past President of AFL-CIO AFSCME (American Federation of State, County, & Municipal Employees) - Local 1812 now local 3160.

**** AWARDS ****

The Kansas City Substance Abuse Treatment Recovery support Coalition – Missouri Unsung Hero Award - 2016

SHERO Award, G.Y.R.L. - 2016 (Giving Yourself Real Love-Anti Domestic Violence)

University of Missouri GPC – Graduate Professional Council
Steadfast support for Higher Education - **2015**

Past Commandress, Daughters-Allah #6 - **2014**

The U Church Community Changers Award – 6/2010

Imperial Court Daughters – For Exemplary Community Services/2008

1st Ceremonal Daughter, Bonnaye Mims

Bonnaye V. Mims
Resume
Page 4

MSBA – Certified School Board Member
Master Certification
Advanced School Board Certification

References

***** Furnished Upon Request *****