

Request for Legislative Action

Ord. #5716

Date: February 21, 2023

Completed by County Counselor's Office

Action Requested:	Ordinance	Res.Ord No.:	5716
Sponsor(s):		Legislature Meeting Date:	2/21/2023

Introduction

Action Items: ['Authorize']

Project/Title:

CU-2023-240 – Trevor Mann

Request Summary

Requesting a Conditional Use Permit for a period of 25 years to operate a horse boarding facility on 10.00 ± acres in District AG (Agricultural). The location is 32805 E. Neil Chiles Road.

The Jackson County Plan Commission on January 19, 2023 held a public hearing and accepted testimony pertaining to the Conditional Use Permit. There was no opposition to the request for the Conditional Use Permit. This request conforms to the general intent and purpose of the Unified Development Code.

Therefore, the Plan Commission voted 8 to 0 to recommend APPROVAL with conditions.

Contact Information

Department:	Public Works	Submitted Date:	1/31/2023
Name:	Randy D. Diehl	Email:	RDiehl@jacksongov.org
Title:	Development Division Administrator	Phone:	816-881-4577

Budget Information

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

Request for Legislative Action

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

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

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

Fiscal Information
•

Request for Legislative Action

History

Submitted by Public Works requestor: Randy D. Diehl on 1/31/2023. Comments:

Approved by Department Approver Brian Gaddie on 1/31/2023 10:36:52 AM. Comments:

Not applicable by Purchasing Office Approver Barbara J. Casamento on 1/31/2023 2:31:37 PM. Comments:

Approved by Compliance Office Approver Jaime Guillen on 1/31/2023 4:44:39 PM. Comments:

Approved by Budget Office Approver David B. Moyer on 2/1/2023 8:15:22 AM. Comments:

Approved by Executive Office Approver Sylvya Stevenson on 2/1/2023 9:50:00 AM. Comments:

Approved by Counselor's Office Approver Jamesia Manning on 2/16/2023 11:23:54 AM. Comments:

CU-2023-240

ATTACHMENT 1: PROPERTY DESCRIPTION

Description:

The East Half of the Southwest Quarter of Section 26, Township 50, Range 30, Jackson County, Missouri, except the East Half the of Northeast Quarter of the Southwest Quarter and the Southeast Quarter of the Southwest Quarter thereof; and except the South 10 (ten) acres of the West Half of the Northeast Quarter of the Southwest Quarter.

CU-2023-240

ATTACHMENT 2: ZONING SUPPORT DOCUMENTATION

Attachments

Plan Commission Public Hearing Summary from January 19, 2023

Staff Report

Zoning map of surrounding area

Names/Addresses of Surrounding Property Owners

Copy of letter to said property owners

Application

Site Plan

Aerial of Property

Pictures of events

CU-2023-240

ATTACHMENT 3: LIST OF CONDITIONS

Condition Use Permit for a period of 25 (twenty-five) years with the following Conditions:

1. The number of horses boarded shall be limited to no more than twenty-five at a time.
2. The outdoor arena shall not have any accessory lighting.

Randy Diehl gave the staff report:

RE: CU-2023-240

Applicant: Trevor Mann

Location: 32805 E Neil Chiles Road

Area: 10.0 ± acres

Request: A Conditional Use Permit for a period of 25 years to operate a horse boarding facility.

Zoning Classification: District AG (Agricultural)

Current Land Use and Zoning in Area:

Zoning in the surrounding area is Agricultural. Land use is predominately agricultural. Across Neil Chiles Road is the City of Buckner.

Comments:

This is a reactivation of a conditional permit granted in 1996 as application CU-1996-014. The permit was granted for a period of 20 years and was not renewed when it expired in 2016. The applicant is wishing to restart the boarding business.

County Plan:

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

Recommendation:

An equine riding center and horse stables are allowed by Conditional Use Permit in District AG (Agricultural).

The facility was in operation for 20 years with no complaints. The horse stable facility is consistent with the general purpose and intent of the zoning district regulations and complies with the requirements of the Unified Development Code.

Staff recommends APPROVAL of CU-2023-240 for a period of Twenty-five (25) years subject to the following conditions:

- 1) The number of horses boarded shall be limited to no more than twenty-five at a time.
- 2) The outdoor arena shall not have any accessory lighting.

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

Respectfully submitted,

Jackson County Public Works
Development Division
Randy Diehl, Administrator

Mr. Antey: How long were they using this until it expired?

Mr. Diehl: Right up to that point. The applicant can explain that here in a moment.

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

Mr. Tarpley: How big is the property?

Mr. Diehl: 10 acres.

Mr. Tarpley: Boarding for 25 horses.

Mr. Diehl: They are allowed up to 25 horses. They may not have that many at one time.

Mr. Tapley: Will they be pastured?

Mr. Diehl: The applicant can expound on that.

Mr. Antey: *Is the applicant here?*

Trevor Mann, 32805 E Neil Chiles Road. I'm here with my mother Brenda Saladin.

Ms. Saladin: The reason I didn't renew the permit was that my husband passed away and I didn't think I could run it all by myself. My son has moved into my home and I'm the mobile home now.

The horses are all stalled and each have a large turnout. The pasture is mostly used for riding and exercising. They have another pasture that is sectioned off.

Ms. Saladin passed out pictures.

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. Akins seconded.

Discussion under advisement

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

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

STAFF REPORT

PLAN COMMISSION

January 19, 2023

RE: CU-2023-240

Applicant: Trevor Mann

Location: 32805 E Neil Chiles Road

Area: 10.0 ± acres

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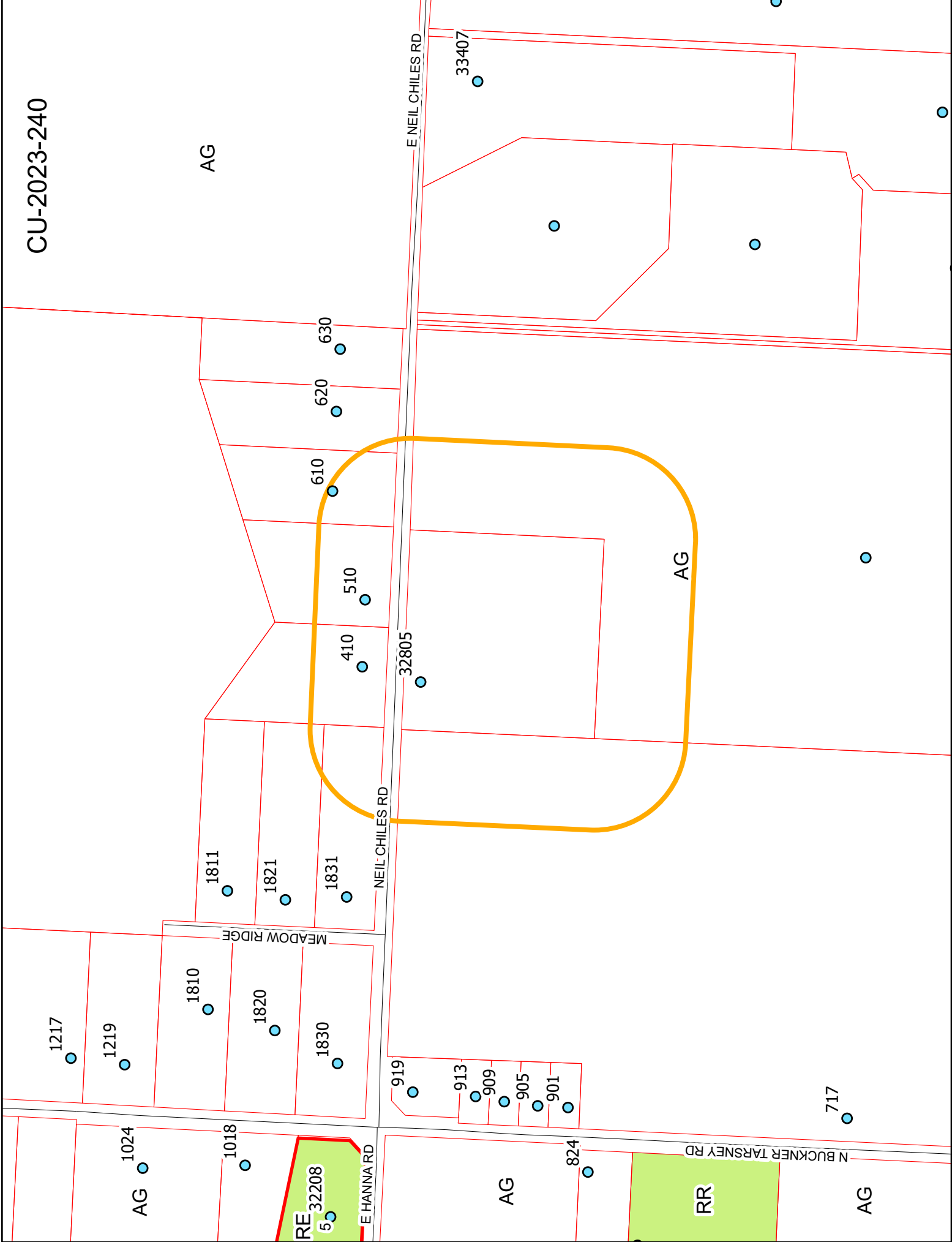
Respectfully submitted,

Jackson County Public Works
Development Division
Randy Diehl, Administrator

CU-2023-240

AG

AG



Plan Commission January 19, 2023

CU-2023-240

Property Owners Within 300 feet

Parcel	owner	address	city	state	zip
19-500-02-09-00-0-00-000	COATNEY BRYON	410 E NEIL CHILES RD	BUCKNER	MO	64016
19-500-02-08-00-0-00-000	BOX DARREL W-TR	1831 MEADOW RD	BUCKNER	MO	64016
19-500-02-07-00-0-00-000	SLOCUM SCOTT & JANA	821 MEADOW RDG	BUCKNER	MO	64016
19-500-02-11-00-0-00-000	THOMPSON RICHARD L & DORIS M	610 NEIL CHILES RD	BUCKNER	MO	64016
19-500-03-02-01-0-00-000	HEMAN TRAVIS DEAN MEGAN RUTH	14906 RIVERVIEW DR	NAPOLEON	MO	64074
19-500-02-12-00-0-00-000	ROBERT & SUSAN SARNA TRUST	4718 LAKEVIEW AVE #21	YORBA LINDA	CA	92886
19-500-03-10-00-0-00-000	ROMAN CONNIE E SHROUT-TR	1604 NW STONECREST CT	BLUE SPRINGS	MO	64015
19-500-02-10-00-0-00-000	LOCKARD DONALD R & SHAREN	510 NEIL CHILES RD	BUCKNER	MO	64016
19-500-03-01-02-1-00-000	MANN TREVOR L & SANDRA M	32805 A E NEIL CHILES RD	BUCKNER	MO	64016



JACKSON COUNTY Public Works Department

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

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

January 4, 2023

RE: Public Hearing: CU-2023-240
Trevor Mann

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 Trevor Mann for Conditional Use Permit for a period of 25 years to operate horse boarding facility on 105.00 ± acres in District AG (Agricultural). The location is 32805 E Neil Chiles Road.

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, January 19, 2023 at 8:30 a.m. in the Large Conference Room, 2nd Floor, Historic Truman Courthouse, 112 W. Lexington, Independence, MO.

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

If you have any questions concerning this matter, please contact the Development Division at 881-4577.

Sincerely,

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
CONDITIONAL USE PERMIT APPLICATION

APPLICANT INFORMATION:

1. Application must be filed with the Jackson County Development Division, 303 W. Walnut, Independence, MO 64050 by the deadline on the Plan Commission Calendar.
 2. Application must be typed or printed in a legible manner.
 3. A scaled map of the property, correlating with the legal description, and clearly showing the property's location must accompany application. Refer to Section 24003.22, pertaining to Site Plan Review within the Unified Development Code.
 4. All applicable sections must be completed. If you need more space to provide information, please use separate 8 1/2"x11" paper, reference the application number and attach it to the application. Incomplete applications will not be accepted and will be returned to the applicant.
 5. The filing fee \$350.00 (non-refundable) must accompany application.
(Check payable to: Manager of Finance)
-

TO BE COMPLETED BY OFFICE PERSONNEL ONLY:

Conditional Use Permit Number CU- 2023- 240

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: Trevor Mann
Address: 32805 E. Niel Chiles Rd.
Buckner, Mo. 64016
Phone: 816-405-6920 - 868-0265
 - b. Owner(s) Name: Trevor Mann
Address: 32805 E. Niel Chiles Rd. Buckner, Mo.
64016
Phone: 816-405-6920
 - c. Agent(s) Name: ✓

Address: ✓ _____

✓ _____

Phone: ✓ _____

d. Applicant's interest in Property: Owner

2. A CONDITIONAL USE PERMIT IS HEREBY REQUESTED for the following described use: Horse Boarding for a period of 25 years; property described as follows: a tract of land 660 x 640 square feet/ 10 acres in size located at 32805 E. Nicl Chiles Road.

Present Zoning District 111

3. Legal Description of Property: (Write Below or Attached) A 10 acre Tract

Sec-26 TWP-50 RNG-30

Th^N 10 ac of Th W 1/2 of Th NW 1/4 of Th SW 1/4 of SD sec (EX PT IN Rd)

We are unincorporated / Farm Land side of Road

4. Present Use of Property: Home

5. Proposed Use of Property: ReStart a Horse Boarding Business

6. Estimated Time Schedule for Development: Immediate

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

None - We had no problems with neighbors the 20 years with our 1st permit

8. Is any portion of the property within the established flood plain as shown on the FEMA Flood Boundary Map? No

If so, will any improvements be made to the property which will increase or decrease the elevation? ✓

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

- a. Water Water Distric #16
- b. Sewage disposal Septic / Porta Potty For Boarders
- c. Electricity Evergy
- d. Heating propane - Barns Not Heated
- e. Fire and Police protection Buckner Fire Dep. / Hydrant across Street Jackson County police

10. Describe existing road width and condition: Asphalt - 23 ft. wide 5 FT. Shoulder on So. Side

11. What effect will proposed development have on existing road and traffic conditions? None - No different from first permit issued / OFF Street parking

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

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

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)

Trevor L. M. Mann

OCT-28-2022

Applicant(s):

Contract Purchaser(s):

STATE OF Missouri
COUNTY OF Jackson

On this 28 day of OCT., in the year of 2022, before me
the undersigned notary public, personally appeared Trevor Mann

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

Crista Newman

Commission Expires

8-13-2023



CRISTA NEWMAN
My Commission Expires
August 13, 2023
Jackson County
Commission #15636812









