

# Jackson County, Missouri Request for Legislative Action

REQUESTED MEET	ING DATE:	s	PONSOR:		
To be completed by the Country NUMBER: 5845	ty Counselor's Office:	Д	SSIGNED M	EETING DATE	<u>04/15/2024</u>
STAFF CONTACT:	Randy Diehl		PHONE: 8	16-881-4577	
EMAIL: rdiehl@jac	ksongov.org				
DEPARTMENT: Pu	blic Works				
<b>TITLE:</b> RZ-2024-672 –	Reign Real Estate L	LC			
SUMMARY: Requesting a change (Residential Ranchett Staff recommends ap purpose of the County The Jackson County testimony pertaining to the Plan Commission	te). The purpose proval because to Plan and complete Plan Commission to the rezoning re	is to create two he change in zo lies with the Un n held a public h equest. There w	residential lo oning is consi fied Develop nearing on Ma as no opposi	ots at 38301 E. Estent with the interest ment Code requarch 21, 2024, tion to the requ	Cline Road.  ntent and uirements.  and accepted est.
FINANCIAL IMPACT	: NO ■ YES □	Amount	Fund	Department	Line-Item Detail
ACTION NEEDED:	ZONING (UDC)				
ATTACHMENT(S):					

#### RZ-2024-672

#### **ATTACHMENT 1: PROPERTY DESCRIPTION**

#### **Description:**

Part of the West Half of the fractional Northeast Quarter of Section 5, Township 47, Range 29 of Jackson County, Missouri, more particularly described as follows: commencing at the North quarter corner of said Section 5, thence south 88 degrees 00 minutes 20 seconds East, along the North line of said Section 5, a distance of 672.48 feet to the Point of Beginning; thence South 88 degrees 00 minutes 20 seconds East, continuing along the North line of said Section 5, a distance of 647.62 feet; thence South 2 degrees 45 minutes 59 seconds West, a distance of 697.65 feet; thence North 88 degrees 00 minutes 20 seconds West, a distance of 653.62 feet; thence North 3 degrees 15 minutes 32 seconds East, a distance of 697.76 feet to the Point of Beginning. Also known as Tract B as shown on Certificate of Survey filed November 14, 2023, as document 2023E0082416 in Book 58, Page 56.

#### RZ-2024-672

#### ATTACHMENT 2: ZONING SUPPORT DOCUMENTATION

#### <u>Attachments</u>

Plan Commission Public Hearing Summary from March 21, 2023 Staff Report Zoning map of surrounding area Names and addresses of surrounding property owners Letter to surrounding property owners Application Aerial of location Reign Estates

#### Randy Diehl gave the staff report:

RE: RZ-2024-672

Applicant: Reign Real Estate LLC

**Location:** 38301 E. Cline Road

**Area:** 10.41 ± acres

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

District RR (Residential Ranchette)

**Purpose:** The purpose is to create a residential lots.

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

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

Land use is single family residences.

The property is Tract B of a Certificate of Survey recorded November of 2023. The applicant wishes to further subdivide the property into two buildable lots.

#### **County Plan:**

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

#### Recommendation:

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

Staff recommends APPROVAL of RZ-2024-672.

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?

(The applicant contacted staff during the meeting that they were running late due a family matter.)

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?

Scott Westbrook: 3409 SW Windemere, Lee's Summit: I just wanted to know what Ranchette meant.

Mr. Diehl: That is the zoning designation based upon minimum acreage and minimum lot width. In this case the minimum acreage is 5 acres and the minimum width is 250 feet.

Mr. Westbrook: I heard houses.

Mr. Diehl: There can only be one dwelling on each lot.

Motion to take under advisement.

Mr. Monaco moved to take under advisement, Mr. Crawford seconded.

Discussion under advisement

Mr. Crawford moved to approve. Mr. Monaco seconded.

Mr. Lake Approve
Mr. Monaco Approve
Mr. Crawford Approve
Ms. Ryerkerk Approve
Chairman Antey Approve

Motion Carried 5-0

#### STAFF REPORT

#### PLAN COMMISSION March 21, 2024

RE: RZ-2024-672

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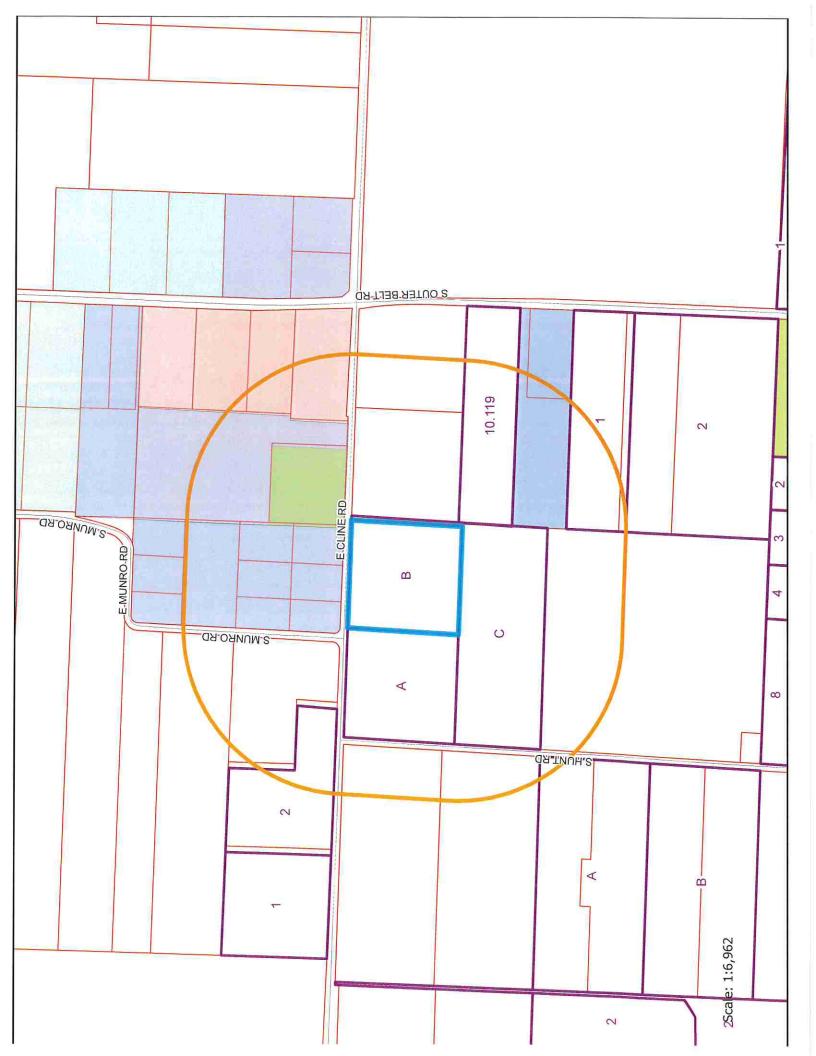
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Respectfully submitted,

Jackson County Public Works Development Division Randy Diehl, Administrator



RZ-2024-672 Property Owners Within 1000 feet

parcel	owner	address	city	state	zip
57-200-02-05-02-0-00-000	WHITE ROBERT E & CATHY	10908 S HUNT RD	<b>LONE JACK</b>	MO	64070
56-800-04-39-00-0-00-000	HOPKINS CRAIG R & SHERRY L	38604 E CLINE RD	<b>LONE JACK</b>	MO	64070
56-800-04-31-04-0-00-000	ROMANCHUK JOHN GARY	10520 S MUNRO RD	<b>LONE JACK</b>	MO	64070
57-200-04-01-00-0-00-000	MONTGOMERY CODI & SARAH	40103 E COLBERN RD EXT	OAK GROVE	MO	64075
56-800-04-49-00-0-00-000	GREENSTREET MATTHEW R	38108 E CLINE RD	<b>LONE JACK</b>	MO	64070
56-800-04-26-00-0-00-000	BOTTEMULLER MICAH & CHLOE	38308 E CLINE R	<b>LONE JACK</b>	MO	64070
56-800-04-28-00-0-00-000	CLARK PATRICIA A	38204 E CLINE RD	<b>LONE JACK</b>	MO	64070
56-800-04-29-00-0-00-000	OLIVER DAVID MICHAEL & MARCELLA ANN	38300 E CLINE RD	<b>LONE JACK</b>	MO	64070
56-800-04-25-00-0-00-000	ROUSH MARK P & HELEN A	10609 S MUNRO RD	LONE JACK	MO	64070
57-200-01-08-00-0-00-000	LEON TONI R	10908 S OUTER BELT RD	<b>LONE JACK</b>	MO	64070
57-200-03-10-01-0-00-000	WHITE ROBERT E & CATHY S	10908 S HUNT RD	<b>LONE JACK</b>	MO	64070
57-200-01-10-00-0-00-000	HULL DAVID A & JANIS	10802 S F HIGHWAY	<b>LONE JACK</b>	MO	64070
57-200-02-05-01-0-00-000	WHITE ROBERT E & CATHY S	10908 S HUNT RD	<b>LONE JACK</b>	MO	64070
56-800-03-37-01-0-00-000	CUMBERFORD RONALD A & ANGIE L	37604 E CLINE RD	LONE JACK	MO	64070
57-200-04-02-00-0-00-000	KACEE LAMB TRUST	11716 S OUTER BELT RD	<b>LONE JACK</b>	MO	64070
56-800-04-36-00-0-00-000	SMITH CHRISTINE L	38410 E CLINE RD	<b>LONE JACK</b>	MO	64070
56-800-04-48-00-0-00-000	STREET LARRY E & SHARON L	10602 S OUTER BELT RD	OAK GROVE	MO	64075
56-800-04-27-00-0-00-000	OLIVER DAVID MICHAEL & MARCELLA ANN	38300 E CLINE RD	LONE JACK	MO	64070
56-800-04-30-00-0-00-000	BOTTEMULLER MICAH & CHLOE	38308 E CLINE RD	LONE JACK	MO	64070
57-200-01-11-00-0-00-000	CHASTAIN DONALD K & MICHELLE J	38405 E CLINE RD	<b>LONE JACK</b>	MO	64070
56-800-04-47-00-0-00-000	REISER COREY LEE	10518 S OUTER BELT RD	OAK GROVE	MO	64075
56-800-04-23-00-0-00-000	TITUS CALEB A	10521 S MUNRO RD	<b>LONE JACK</b>	MO	64070
57-200-01-04-00-0-00-000	DRECKTRAH BRAD R & SHELLY	10816 S OUTER BELT RD	LONE JACK	MO	64070
56-800-04-51-00-0-00-000	SMITH CHRISTINE L	38410 E CLINE RD	LONE JACK	MO	64070
56-800-04-50-00-0-00-000	SMITH CHRISTINE L	38410 E CLINE RD	LONE JACK	MO	64070
56-800-04-53-00-0-00-000	CEDAR CREEK RANCH LLC	38000 E CLINE RD	LONE JACK	MO	64070
57-200-01-02-00-0-00-000	AMERICAN MIDWEST CONSTR SERVICES LLC	10810 S CAVE RD	LONE JACK	MO	64070
	WESTBROOK SCOTT A & ANGIE	3409 SW WINDEMERE DR	LEE'S SUMMIT	MO	64082

64029

MO

**GRAIN VALLEY** 

P O BOX 2996

REIGN REAL ESTATE LLC



## 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, 2024

RE:

Public Hearing: RZ-2024-672

Reign Real Estate LLC

#### Dear Property Owner:

You are hereby invited to participate in a public hearing to be held by the Jackson County Plan Commission on a request by Reign Real Estate LLC Requesting a change of zoning from District AG (Agricultural) on 10.41 ± acres to District RR (Residential Ranchette). The purpose is to create two residential lots at 38301 E. Cline Road.

Please note that this request for a change of zoning <u>affects only the property mentioned above.</u> 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, March 21, 2024 at 8:30 a.m. in the Large Conference Room, 2<sup>nd</sup> Floor, Historic Truman Courthouse, 112 W. Lexington, Independence, MO.

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

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

Sincerely,

Jackson County Public Works
Development Division

Randy Diehl, Administrator

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

#### APPLICANT INFORMATION:

- 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.
- 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 DE CO	MDI ETED DV OFF	CE PERCONNEL ON	
		ICE PERSONNEL ON RZ- 2024 – 67:	
Date filed			*
Date advertis	sed		/ owners notified
Date signs p	osted		·
Hearings:	Heard by	Date	Decision
	Heard by	Date	Decision
	Heard by	Date	Decision
b.	Legal Owner of Pro	ddress: PO B 309-7604 operty: RE16N ddress: PO B 309-7604 operty:	EAL ESTATE LLC  OX 2996 GRAIN VALLEY, MO 64029  email: PATELGROUP @ KW. COM  REAL ESTATE LLC  SOX 2996 GRAIN VALLEY, MO 64029  email: PATELGROUP @ KW. COM
	Current Mailing A Phone:	ddress:	
Revised 11/1	The Transcriptor		email:

Gene	eral location (Road Name) CLINE ROAD
	ent Zoning AG Requested Zoning Requested
	Description of Property: (Write Below or provide copy of deed and survey)  See a Hached
	ent Use of Property: PASTURE
Prop	osed Use of Property: RESIDENTIAL - 5 ACRE LOTS (2) osed Time Schedule for Development: 3-6 MONTHS TO LOT SPLIT  OD SELL. HOME CONSTRUCTION DEPENDENT ON BUYER.
Wha	t effect will your proposed development have on the surrounding properties?  TTLE EFFECT SIMILAR TO DEVELOPMENT ACROSS THE STREET
	ny portion of the property within the established flood plain as shown on the FEMA Flood and and and and and and and and and an
	o, will any improvements be made to the property which will increase or decrease the ation?
	wribe the source/method which provides the following services, and what effect the lopment will have on same:  Water Provider PWSD # 1 - No EFFECT
b. c. d.	Sewage disposal: Onsite Waste Water Y Public Sewer  Electricity WEST CENTRAL ELECTRIC - NO EFFECT  Fire and Police protection LONE JACK FPD - NO EFFECT
Desc	Cribe existing road width and condition: 20 FOOT WIDE ASPHALT ROAD  GOOD CONDITION
Wha	t effect will proposed development have on existing road and traffic litions? VERY LITTLE EFFECT SINCE ONLY ADDING ONE MORE POSSIBLE HOUSE.

14.	Are any state, federal, or other public agencies approvals or permits required for the proposed							
	development?NO							
	If so, describe giving dates of application and status (include permit numbers and copies of same,							
	if issued):							

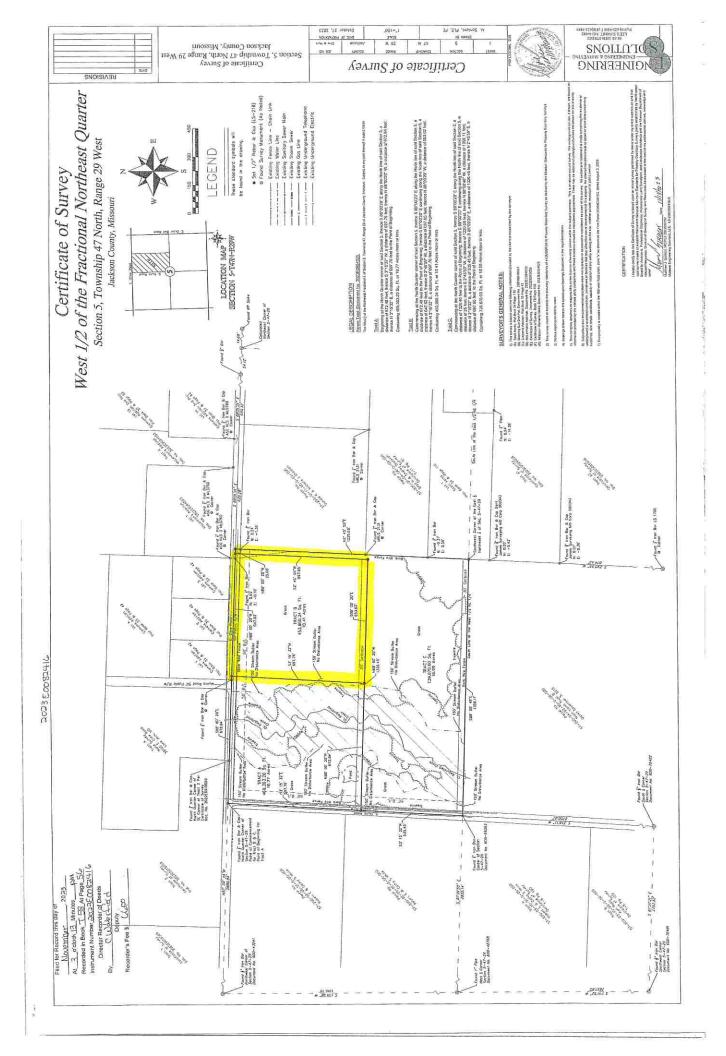
The LEGAL OWNER(s) of the property must be signatory to this application. If the owner is also the applicant then only the Property Owner portion needs to be filled out. Applications will not be accepted to move forward without the proper signatories.

Verification of ownership will be made using the Tax Rolls and the Recorder of Deeds database.

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

Signature Property Owner(s)  Date  2/6/24
COUNTY OF Jackson.
On this day of, in the year of, before me the undersigned notary public, personally appeared, before me
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 Lanes Commission Expires 05-26-2025
SHEILA A. JONES NOTARY PUBLIC - NOTARY SEAL STATE OF MISSOURI MY COMMISSION EXPIRES MAY 26, 2025 JACKSON COUNTY COMMISSION #13502207





## THE PRELIMINARY PLAT OF REIGN ESTATES

PART OF THE W 1/2 OF THE FRACTIONAL NE 1/4SEC.5-T47-R29 A SUBDIVISION IN JACKSON COUNTY, MISSOURI

## **DEDICATION:**

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 "REIGN ESTATES".

## PLAT DESCRIPTION:

PART OF THE WEST 1/2 OF THE FRACTIONAL NORTHEAST 1/4, OF SECTION 5, TOWNSHIP 47, RANGE 29 OF JACKSON COUNTY MISSOURI, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 5, THENCE SOUTH 88°00'20" EAST, ALONG THE NORTH LINE OF SAID SECTION 5, A DISTANCE OF 672.48 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 88°00'20" EAST CONTINUING ALONG THE NORTH LINE OF SAID SECTION 5, A DISTANCE OF 647.62 FEET; THENCE SOUTH 2°45'59" WEST, A DISTANCE OF 697.65 FEET: THENCE NORTH 88°00'20" WEST. A DISTANCE OF 653.62 FEET: THENCE NORTH 3"15'32" EAST. A DISTANCE OF 697.76 FEET TO THE POINT OF BEGINNING.

### **EASEMENTS:**

AN EASEMENT OR LICENSE IS HEREBY GRANTED TO JACKSON COUNTY, MISSOURI, TO LOCATE, CONSTRUCT AND MAINTAIN OR AUTHORIZE LOCATION, CONSTRUCTION, MAINTENANCE AND USE OF CONDUITS FOR ALL OR ANY PURPOSE, WATER, GAS, SEWER MAINS, POLES AND WIRES OR ALL OR ANY OF THEM, OVER, UNDER AND ALONG THE STRIPS OF LAND MARKED "UTILITY EASEMENT" OR "U/E".

ALL EASEMENTS SHALL BE KEPT FREE AND CLEAR OF ANY AND ALL BUILDINGS, STRUCTURES OR OTHER OBSTRUCTIONS (EXCEPT DRIVEWAYS, PAVED AREAS, GRASS, SHRUBS AND FENCES) WHICH WOULD INTERFERE WITH (A) THE PROPER SAFE AND CONTINUOUS USE AND MAINTENANCE OR RECONSTRUCTION OF THE FACILITIES LOCATED WITHIN SAID EASEMENTS, (B) THE AGENTS AND EMPLOYEES OF JACKSON COUNTY, MISSOURI AND ITS FRANCHISED UTILITIES FROM GOING UPON SAID EASEMENTS IN THE EXERCISING OF THE RIGHTS GRANTED BY SAID EASEMENT.

BUILDING LINES OR SETBACK LINES ARE SHOWN HEREON.

### IN TESTIMONY THEREOF:

THE	UNDERSIGNED	PROPRIETORS	HAS	CAUSED	THESE	PRESENTS	TO BE	EXECUTED	THIS	 DAY	C
	, 20	024.									

NILESH PATEL MANAGING MEMBER, REIGN REAL ESTATE LLC

STATE OF MISSOURI)

COUNTY OF

\_\_, 2024, BEFORE ME APPEARED NILESH PATEL, MANAGING MEMBER, REIGN REAL ESTATE LLC, TO ME PERSONALLY KNOWN TO BE THE SAME PERSON WHO EXECUTED THE FOREGOING INSTRUMENT OF WRITING AND THAT SAID INSTRUMENT TO BE THEIR FREE ACT AND DEED OF SAID PERSON AND DULY ACKNOWLEDGED THE EXECUTION OF THE SAME.

IN WITNESS THEREOF:

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

NOTARY PUBLIC

MY COMMISSION EXPIRES: \_\_

APPROVED BY JACKSON COUNTY, MISSOURI:

PUBLIC WORKS DEPARTMENT

DATE

JACKSON COUNTY ASSESSMENT

- THE BEARINGS SHOWN HEREON ARE BASED ON THE MISSOURI STATE PLANE WEST ZONE, NAD 83.
  THE SUBJECT PROPERTY ADDRESS IS: UNASSIGNED.
- PARENT TRACT INFORMATION IS BASED ON DOCUMENT NO. 2024E0010689, TRACT B OF SURVEY 2023E0082416. NO TITLE INFORMATION WAS PROVIDED AT THE TIME OF THIS SURVEY.

BEEN DETERMINED TO BE AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN.

- FENCES SHOWN, OR REFERENCED HEREIN, MAY REPRESENT DIVISION LINES BETWEEN ADJOINING LAND OWNERS, AND EITHER ENCROACH UPON THE SUBJECT PREMISES, OR PROVIDE THE SUBJECT PREMISES WITH SURPLUS LAND BECAUSE SAID FENCES MAY NOT BE LOCATED ON THE DEED LINES. THESE FENCES MAY BE SUBJECT TO ADVERSE POSSESSION RIGHTS BY SAID ADJOINERS. NO FENCES SHOULD BE REMOVED OR REPLACED WITHOUT FIRST CONSULTING CHAPTER 272 OF THE MISSOURI REVISED STATUTES, AND FURTHER, LEGAL ADVICE SHOULD BY SOUGHT, WHICH IS BEYOND THE SCOPE OF SERVICES PROVIDED BY THE SURVEYOR. SAID PROPERTY IS LOCATED IN ZONE X, AS SHOWN ON FLOOD INSURANCE RATE MAP NUMBERS 290095C0467G, EFFECTIVE DATE OF JANUARY 20, 2017. THIS ZONE X HAS
- THIS CERTIFICATE OF SURVEY WAS PREPARED FOR REIGN REAL ESTATE LLC AND IS EXPRESSLY FOR HIS/HER/THEIR USE AND SAID CERTIFICATE OF SURVEY SHALL NOT BE TRANSFERRED TO PARTIES OTHER THAN THOSE HAVING A DIRECT INTEREST IN THE SUBJECT PREMISES AS OF THE DATE OF ISSUANCE OF THIS SURVEY. THE UNDERSIGNED REGISTERED LAND SURVEYOR HEREBY STATES THAT A SURVEY HAS BEEN COMPLETED UNDER HER DIRECT SUPERVISION OF THE ABOVE DESCRIBED PREMISES AND ALL MEASUREMENTS SHOWN, ANGULAR AND LINEAR, WERE MEASURED ON THE GROUND AND MONUMENTS WERE SET OR FOUND AS SHOWN. THIS CERTIFICATE OF SURVEY HAS BEEN PREPARED FROM INFORMATION COMPILED IN THE FIELD AND OFFICE AND THAT SAID SURVEY MEETS OR EXCEEDS THE CURRENT MISSOURI STANDARDS FOR PROPERTY BOUNDARY SURVEYS AS ESTABLISHED BY THE MISSOURI BOARD FOR ARCHITECTS, PROFESSIONAL ENGINEERS, PROFESSIONAL LAND SURVEYORS AND LANDSCAPE ARCHITECTS, AND THE MISSOURI DEPARTMENT OF AGRICULTURE LAND SURVEY PROGRAM. I FURTHER CERTIFY THAT I HAVE COMPLIED WITH ALL STATUTES, ORDINANCES AND REGULATIONS GOVERNING THE PRACTICE OF SURVEYING TO THE BEST OF MY

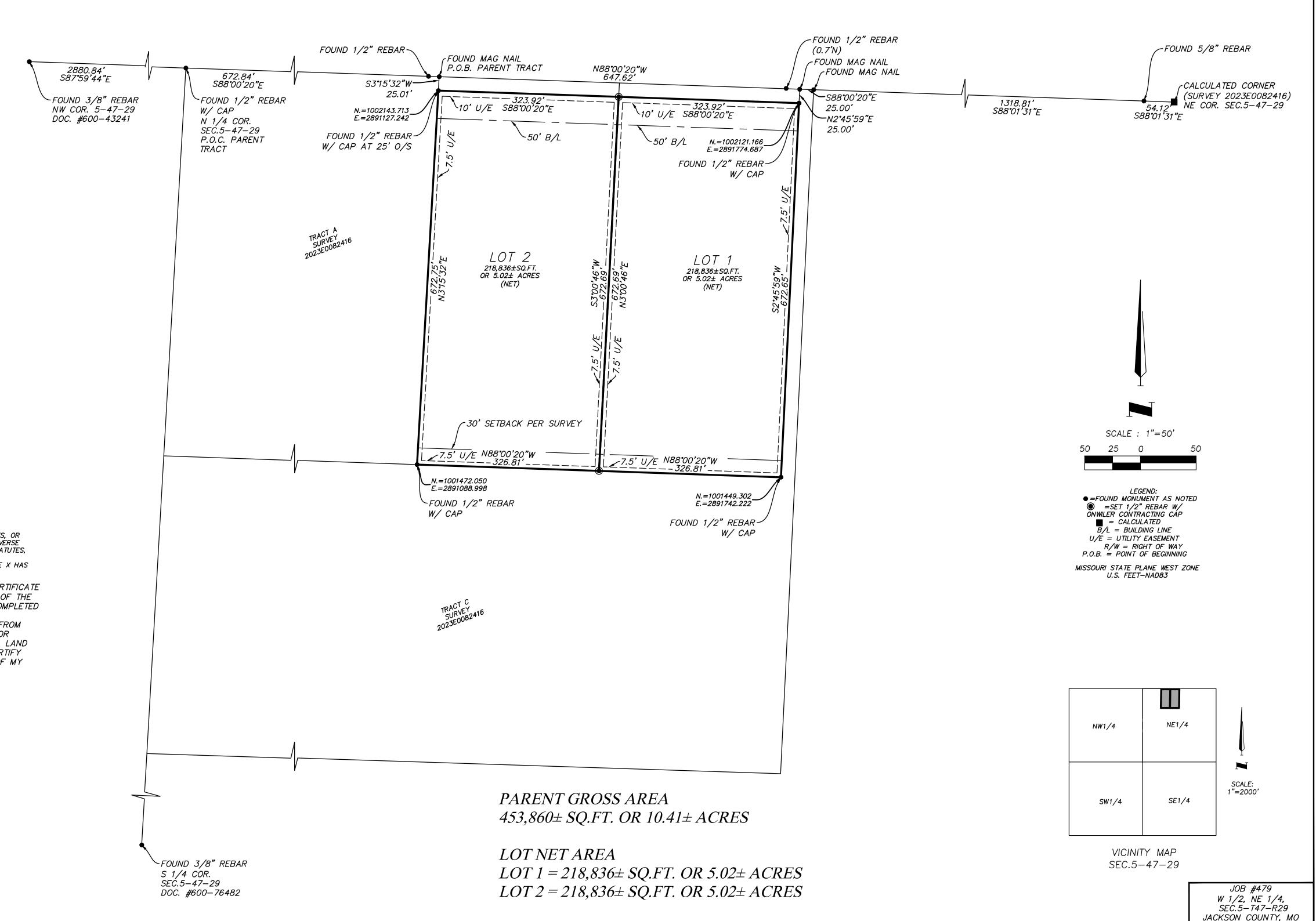
THE FIELD WORK WAS COMPLETED ON MARCH 8, 2024.

PROFESSIONAL KNOWLEDGE AND BELIEF.

CAITLIN J. MILLER, MO PLS# 2018032651 COA No. LS-2020014106

onwilercontracting@gmail.com

ONWILER CONTRACTING, LLC 15118 S. HAMILTON RD. GREENWOOD, MO 64034 PHONE: 816-308-1223 COA: LS-2020014106 PROJECT NO. 479 DATE 3/8/2024 BY CJM



TRACT B CLINE RD.DWG