REQUEST FOR LEGISLATIVE ACTION

Completed by County Counselor's Office: #856 Ord No.: 4646

Sponsor(s):
Date:

xxxxxx July 28, 2014

SUBJECT	Action Requested			
	Resolution			
	○ Ordinance ○ Ord			
	Project/Title: Dana L & Rhonda G Loudermilk Case N	o R7-2014-508		
BUDGET	Troject Itic. <u>Bana B te Idionda d Botderinink Case N</u>	0. ICE-2014-300		
INFORMATION	Amount authorized by this legislation this fiscal year:	\$		
To be completed	Amount previously authorized this fiscal year:	\$		
By Requesting Department and	Total amount authorized after this legislative action:	\$		
Finance	Amount budgeted for this item * (including transfers):	\$		
	Source of funding (name of fund) and account code	FROM ACCT		
	number; FROM / TO			
		TO ACCT		
	* If account includes additional funds for other expenses, total budgets	ed in the account is: \$		
	OTHER FINANCIAL INFORMATION:			
	OTHER PHYANCIAL INFORMATION.			
	No budget impact (no fiscal note required)			
	Term and Supply Contract (funds approved in the ar Department: Estimated Use: \$	nual budget); estimated value	and use of contract:	
	Department: Estimated Use: \$			
	Prior Year Budget (if applicable):			
	Prior Year Actual Amount Spent (if applicable):			
PRIOR	Prior ordinances and (date):			
LEGISLATION CONTACT	Prior resolutions and (date):			
INFORMATION	RLA drafted by Randy Diehl, Planning and Zoning	Coordinator 881 4577		
REQUEST	Requesting a change of zoning from District AG (A		e tract to District RF	
SUMMARY	(Residential Estates). The 9.93 ± acres are to be pla	•		
	property is located in Section 25, Township 47, Range 30, Jackson County, Missouri aka 35211 E.			
	Outer Belt Road, and specifically described on Atta			
	Staff recommends approval because the change in			
	the County Plan and complies with the Unified Dev			
	The Jackson County Plan Commission voted 8 to 0 to recommend APPROVAL to the County			
CLEADANCE	Legislature.			
CLEARANCE	Tax Clearance Completed (Purchasing & Departmer	.+)		
	Business License Verified (Purchasing & Departmer			
	Chapter 6 Compliance - Affirmative Action/Prevailing		ffice)	
ATTACHMENTS	See Attachment to RLA-2			
DELUCE CONTRACTOR OF THE PROPERTY OF THE PROPE				
REVIEW	Department Director:		Date: 07/23/2014	
	Earl Newill Acting Director Earl New U	9		
	Earl Newill, Acting Director Finance (Budget Approval):		Datas	
	If applicable		Date:	
4	Division Minaget:	11//	Date:	
	Shelly leaded frequent by	- Hora	7/23/2014	
	County Counselor's Office:	1	Date	

Fisc	al	Information (to be verified by B	udget Office in Finance Depar	rtment)
		This expenditure was included in the	annual budget.	
		Funds for this were encumbered from	the	Fund in
		There is a balance otherwise unencum is chargeable and there is a cash balan payment is to be made each sufficient	nce otherwise unencumbered in the	treasury to the credit of the fund from which
		Funds sufficient for this expenditure	will be/were appropriated by Ordina	nce #
		Funds sufficient for this appropriation	n are available from the source indic	ated below.
		Account Number:	Account Title:	Amount Not to Exceed:
		This award is made on a need basis ar funds for specific purchases will, of n		to pay any specific amount. The availability of agency places its order.
\boxtimes	•	This legislative action does not impac	et the County financially and does no	ot require Finance/Budget approval.

ATTACHMENT TO RLA-2:

Ord. 4646

Attachments

Plan Commission Public Hearing Summary from May 15, 2014
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
Photos of property
Certificate of Survey – Subject property is Tract B

ATTACHMENT TO RLA 1:

Ord. 4646

Description: . A PART OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER, SECTION 25, TOWNSHIP 47, RANGE 30, AND INCLUDING JOHN ROBINSON ADDITION, ALL IN JACKSON COUNTY, MISSOURI, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 25; THENCE SOUTH 02 DEGREES 21 MINUTES 34 SECONDS WEST ALONG THE EAST LINE OF SAID NORTHEAST QUARTER, 402.30 FEET; THENCE SOUTH 87 DEGREES 45 MINUTES 25 SECONDS WEST, 40.13 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 02 DEGREES 21 MINUTES 34 SECONDS WEST ALONG THE WEST RIGHT OF WAY LINE OF MISSOURI ROUTE E (BYNUM ROAD), 248.48 FEET; THENCE SOUTH 88 DEGREES 30 MINUTES 26 SECONDS WEST, 1282.68 FEET TO A POINT ON THE WEST LINE OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 25: THENCE NORTH 02 DEGREES 07 MINUTES 55 SECONDS EAST ALONG THE WEST LINE OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 25, 593.61 FEET TO THE SOUTH RIGHT OF WAY LINE OF MISSOURI ROUTE 150 (OUTER BELT ROAD) AS ESTABLISHED 40.00 FEET SOUTH OF THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 25: THENCE NORTH 87 DEGREES 45 MINUTES 25 SECONDS EAST ALONG SAID RIGHT OF WAY LINE, 331.64 FEET TO THE NORTHWEST CORNER OF LOT 1, SHORE'S CORNER, LOTS 1 THRU 3. A SUBDIVISION IN LONE JACK, JACKSON COUNTY. MISSOURI: THENCE SOUTH 02 DEGREES 45 MINUTES 38 SECONDS EAST ALONG THE WEST LINE OF SAID LOT 1, 361.01 FEET TO THE SOUTHWEST CORNER OF SAID LOT 1: THENCE NORTH 87 DEGREES 45 MINUTES 25 SECONDS EAST ALONG THE SOUTH LINE OF SAID PLAT AND THE PROLONGATION THEREOF, 922.33 FEET TO THE POINT OF BEGINNING. CONTAINING 9.93 ACRES, MORE OR LESS.

Jackson County Plan Commission Summary of Public Hearing

Ord. 4646

Date:

July 17, 2014

Place:

Independence City Hall

111 E. Maple, Independence, MO

Attendance:

Chairman Antey

Mr. Gibler Mr. Pointer Mr. Haley Mr. Crawford Mrs. Mershon Mrs. Querry Mr. Tarpley

Staff:

Randy Diehl Kristen Geary Jay Haden Chris Jenkins Brianna Wilson

RZ-2014-508

Randy Diehl, Jackson County Public Works gave the staff report.

Applicant:

Dana L. & Rhonda G. Loudermilk

Exhibits:

10 exhibits entered into the record

Location:

35211 E. Outer Belt Road

Area:

9.93 ± acres

Request:

Change of zoning from District AG (Agricultural) to District RE

(Residential Estates)

Purpose:

John Robinson Addition was platted in 1977 prior to the adaption of the Unified Development Code in 1995. Residential lots could be created by subdividing. Zoning remained Agricultural. The lots are approximately .05

acres in size.

Applicant is wishing to consolidate the existing two lots of John Robinson Addition with addition property which will become Lot 1 of the proposed

subdivision plat, D & R Estates. The remaining 7 acres will become Lot 2 of the subdivision.

Current Land Use and Zoning in the Area:

Zoning in the area is predominantly Agricultural. Land use is primarily single family residences on tracts 5 acres and larger. Southerly of the requested are areas rezoned to District RR (Residential Ranchette). Prior to the adoption of the revised Jackson County Development Plan: Building A Vision Together, this area was within the Rural Development Tier (RDT). The new plan updated the development tiers and this area is now with the Suburban Development Tier (SDT), which allows lot sizes down to 3.00 acres in size.

County Plan:

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

The Residential Estates (RE) is intended for detached single family residential use and where public services exist or could reasonably be extended to development.

Recommendation:

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

Staff recommends APPROVAL of RZ-2014-508

Chairman Antey:

Does anyone have any questions for the staff?

Mr. Tarpley:

On the exhibit 5, which lot is which?

Randy Diehl:

They are going to consolidate the 2 existing lots of John Robinson to create lot one. Lot 1 will be 3± acres and then

the balance of the 7± acres will be lot 2.

Mr. Haley:

And the house is on the 3 acres?

Randy Diehl:

Yes, the house is going to absorb the vacant lot and the

outbuilding.

Mr. Pointer:

The house faces 150?

Randy Diehl:

Yes

Chairman Antey:

Is the applicant present?

Dana Loudermilk:

35211 E Outer Belt Road, Lone Jack, MO. As it shows

here, we have access to both properties from F Hwy. This

will bring the property into compliance with county

regulations as well as any future development that might

happen there.

Mr. Tarpley:

Is there any use on this property at this time?

Dana Loudermilk:

Agriculture only. AG

Chairman Antey:

Are there any other questions for the applicant? Is there

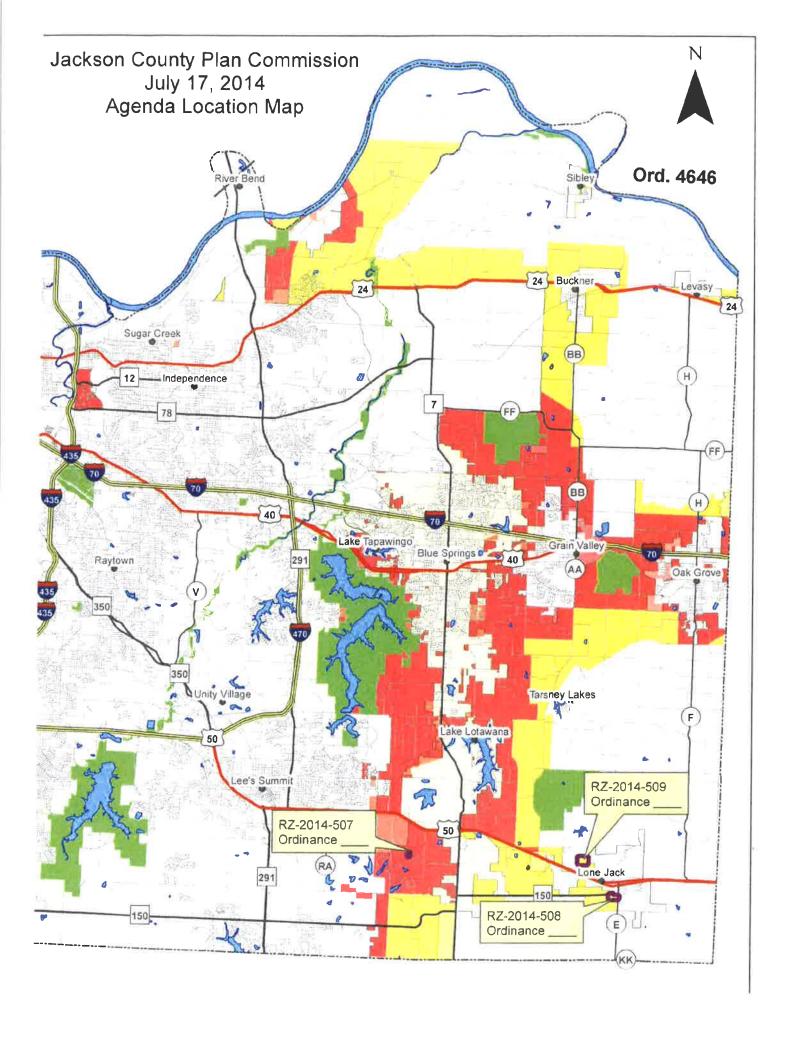
any one present who would like to speak in favor of this application? Is there anyone present that would like to speak who is opposed to or has questions concerning this

application?

Mrs. Mershon motioned to take this under advisement. Mr. Crawford seconded. Motion Carried 8 - 0.

> It will be good to consolidate those ½ acre lots. I see no problem as long as the frontage is wide enough. Mr. Tarpley:

Mr. Gibler motioned to approve RZ-2014-508. Mrs. Querry seconded. Motion Carried 8 - 0.



PLAN COMMISSION July 17, 2014

RE: RZ-2014-508

Applicant: Dana L. & Rhonda G. Loudermilk

Location: 35211 E. Outer Belt Road.

Area: 09.93 ± acres

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

(Residential Estates)

Purpose: John Robinson Addition was platted in 1977 prior to the adaption of the

Unified Development Code in 1995. Residential lots could be created by subdividing. Zoning remained Agricultural. The lots are approximately .05

acres in size.

Applicant is wishing to consolidate the existing two lots of John Robinson Addition with addition property which will become Lot 1 of the proposed subdivision plat, D & R Estates. The remaining 7 acres will become Lot 2

of the subdivision.

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County Plan:

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

The Residential Estates (RE) is intended for detached single family residential use and where public services exist or could reasonably be extended to development.

Recommendation:

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

Staff recommends APPROVAL of RZ-2014-508

Respectfully submitted, Planning and Environmental Health Division

Randy Diehl Planning and Zoning Coordinator

AFFIDAVITOR PUBLICATION

STATE OF MISSSOURI) County of Jackson) SS	
I, KATHERINE M. JONES, being duly sworn according to law, state that I am the LEGAL CLERK and agent of THE EXAMINER, a daily newspaper of general circulation in the County of Jackson, State of Missouri, where located; which newspaper has been admitted to the Post Office as a periodical class matter in the City of Independence, Missouri, the city of publication; which newspaper has been published regularly and consecutively for a period of three years and has a list of bona fide subscribers, voluntarily engaged as such who have paid or agreed to pay a stated price for a subscription for a definite period of time, and that such newspaper has complied with the provisions of Section 493.050, Revised Statutes of Missouri 2000, and Section 59.310, Revised Statutes of Missouri 2000. The affixed notice appeared in said newspaper in the following issues Commencing on	
and ending on July 1, 2014 , being the issues of July 1, 2014	
being Volume 110 Numbers 29	
Signed Legal Clerk, Katherine M Jones Subscribed and sworn to before me on this 1st day of	
July 2014 Saluana Williams Notary Public, Ramona Williams	RAMONA WILLIAMS Notary Public - Notary Seal State of Missouri Commissioned for Jackson County My Commission Expires Murch 13, 2018 Commission Number, 145928.
My commission expires March 13, 2018	
Publishing toe	
Received payment	

PUBLIC HEARING

The Jackson County Plan Commission will hold public hearings at 8:30 a.m. on Thursday, July 17, 2014 in Conference Room D, Ground Floor, City Hail, 111 East Maple, Independence, MO on the following requests:

1. RZ-2014-597 - Andrew & Jennifer Wuebker. Requesting a change of coning from District AG (Agricultural) on a 1.5 z acre tract to District RS (Residential Suburban). The 1.5 z acres is legally described as Lot 40, Trophy Estates aka 25208 E. 130th.

R2-2014-508 - Dana L. & Rhonda G Loudermilk Requesting a change of zoning from District AG (Agricultural) on a 9.93 ≥ acre tract to District RE (Residential Estates). The 9.93 ≥ acres are located in Section 25, Township 47, Range 30 aka 35211 E. Outer Belt Road.

Requesting a change of coning from District AG (Agricultural) on a 25.00 ± acre tract to District RR (Residential Ranchette). The 25.00 ± acres are located in Section 14, Township 47, Range 10 aka 12910 Lone Jack Lee's Summit Road.

For further details, exact locations and specific boundaries of these requests, contact Public Works Planning and Development Division at 881-4649, 303 W. Walnut, Independence, MO where the applications are accessible for inspection.

Persons with disabilities wishing to participate in the meeting and requiring a reasonable accommodation may call the Jackson County Public Works Planning and Development Division at 881-4649 or 1-800-735-2466 (Missouri Relay); 48 hour notice is required.

Jackson County Public Works Planning and Environmental Health Scott George, Assistant Director Randy Diehl, Subdivision and Zoning Coordinator

July 1, 2014

Plan Commission July 17, 2014 Applicant' Property Owner	2014				
58-800-04-12-00-0-00-000	Jeffery D. & Stacey A Roberson	11530 Highway 177	Byars.	ð	74831
Certified Mail - Return Receipt	Property Owners within 300 feet				
Parcel Number 58-800-04-11-00-0-00-000 58-700-03-11-00-0-00-000 58-700-03-13-00-0-00-00 58-700-03-14-01-0-00-00 58-700-03-19-00-00-00 58-700-03-19-00-00-00 58-700-03-00-00-00-00 73-100-02-01-01-0-00-00 73-200-01-13-00-0-00-00	Owner KNITTEL-PACE DIANA POINTER MAX E & VIRGINIA C TREVITT JAMES & LISA DANIEL ANTHONY & MARY B DANIEL ANTHONY DUANE JR DANIEL ANTHONY & MARY B HENSEL HOWARD E & PATRICIA HENSEL HOWARD E & PATRICIA HOLMES DONALD H & JUDY A HOWSER NANCY	Address 12910 S LONE JACK-LEES SUMMIT RD 621 W LONE JACK LEE'S SUMMIT RD 619 W LONE JACK LEE'S SUMMIT RD 615 W LONE JACK LEES SUMMIT RD 615 W LONE JACK LEES SWT RD 617 W LONE JACK RD 618 W LONE JACK RD 619 W LONE JACK RD 611 LEES SUMMIT RD, LONE JACK 403 NE 6TH ST APT B 260 SW WINTERPARK CIR 638 NE ST ANDREWS CRT PO BOX 110	City LEES SUMMIT LONE JACK LONE JACK LONE JACK LONE JACK OAK GROVE LEES SUMMIT LEES SUMMIT LONE JACK	S State M M M M M M M M M M M M M M M M M M M	Zip 64086 64070 64070 64070 64075 64075-6169
	CITY OF LONE JACK	207 S BYNUM RD	LONE JACK	Θ	64070



JACKSON COUNTY Public Works and Facilities Management Departments

303 West Walnut Street Independence, Missouri 64050 www.jacksongov.org

Ord. 4646

Administration Offices 303 W. Walnut Independence, MO 64050 (816) 881-4530 Fax: (816) 881-4448

Planning and Environmental Health 303 W. Walmut Independence, MO 64050 (816) 881-4634 Fax: (816) 881-1650

Road Maintenance 34900 E. Old U.S. 40 Hwy. P.O. Bax 160 Grain Valley, MO 64029 (816) 847-7050 Fax: (816) 847-7051 July 1, 2014

RE: Public Hearing: RZ-2014-509 Jeffery D & Stacy A Roberson

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 Jeffery D & Stacy A Roberson for a change of zoning from District AG (Agricultural) on a 25.00 ± acre tract to District RR (Residential Ranchette). The 25.00 ± acres are located in Section 14, Township 47, Range 30 12910 Lone Jack Lee's Summit Road.

Please note that this request for a change of zoning <u>affects only the property mentioned</u> <u>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 300' of the subject property.

The public hearing on the rezoning will be held by the Plan Commission on <u>Thursday</u>, <u>July 17, 2014 at 8:30 a.m. in Conference Room D. Ground Floor, Independence City Hall, 111 East Maple, Independence, MO.</u>

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 Planning and Environmental Health Division at 881-4649.

Sincerely,

Planning and Environmental Health Division

Randy Diehl

Planning and Zoning Coordinator

1 inch = 800 feet

RR-Residential Ranchette

RRp-Residential Ranchette-Planne

RE-Residential Estates

RS-Residential Suburban RU-Residential Urban

A(r)-Single-Family

C(r)-Multi-Family B(r)-Two-Family

A1-Mobile Homes District

ROp-Residential Office-Planned LB-Local Business

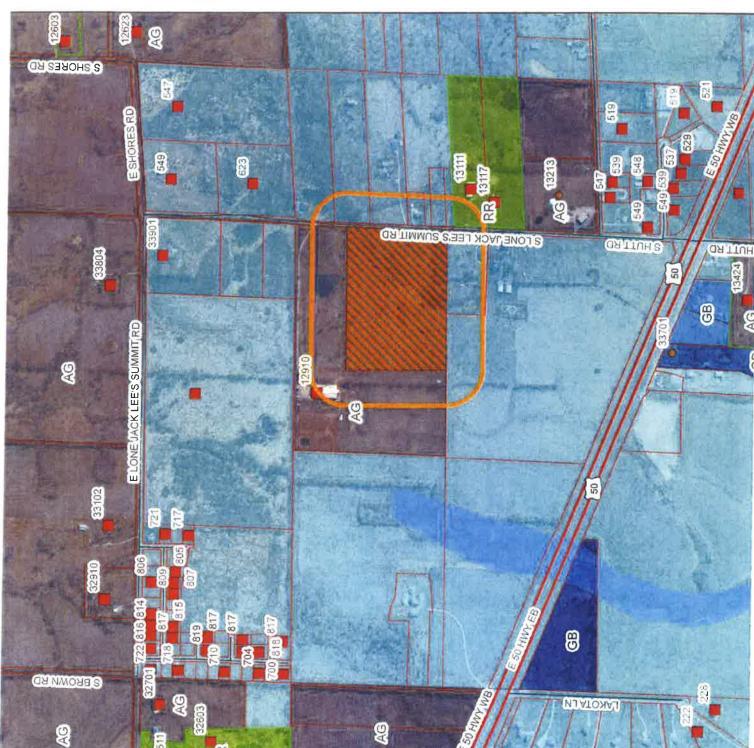
LBp-Local Business-Planned

GBp-General Business-Planned GB-General Business

Llp-Light Industrial-Planned LI-Light Industrial

RZ-2014-509 Ord HI-Heavy Industrial

Ord. 4646





Notification Area

Legend

Pending Rezoning

] TaxParcels

Rezoning Zoning

Pending - Streets

Pending

JACKSON COUNTY, MISSOURI APPLICATION FOR CHANGE OF ZONING

APPLICANT INFORMATION:

Ord. 4646

- 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 CO	MPLETED BY OFFICE	PERSONNEL O	NLY:
Rezoning (Case Number RZ-	2014-508	
Date filed_			
Date advert	ised	Date proper	ty owners notified
Date signs p	posted		
Hearings:	Heard by	Date	Decision
	Heard by	Date	Decision
	Heard by	Date	Decision
1. Da	Address:352/	DANA 4;	Rhowda Loudermilk R Belt Rd. Lowe Dock 64070
b.	Owner(s) Name: 7	1 & Oute	onda Lowermilk RBelt Rd Lowe Jack 44010
c.	Agent(s) Name:		

	Address:
	Phone:
	d. Applicant's interest in Property:
2.	General location (Road Name) & Outer Belt Rd. (150 Nay)
3.	Present Zoning Agricultural Requested Zoning Residential
4.	AREA (sq. ft. / acres) 9, 93
5.	Legal Description of Property: (Write Below or Attached 9)
6.	Progent Lies of Dromart at 1/2
7.	Present Use of Property: Possable build
8.	
0.	Proposed Time Schedule for Development:
9.	What effect will your proposed development have on the surrounding properties?
4.0	Improvement
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
11.	Describe the source/method which provides the following services, and what effect the
	development will have on same:
	a. Water Dist # 15
	b. Sewage disposal Septic
	b. Sewage disposal Septic. c. Electricity K.C.P.L.
12.	b. Sewage disposal Septic. c. Electricity K.C.P.L.

13,	What effect will proposed development have on existing road and traffi
	conditions?Minimal
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

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) And	Date 6-17-14 4-17-14
Applicant(s):	le (0-17-14 2 6-17-14
Contract Purchaser(s):	
STATE OF Missouri COUNTY OF Jackson	х
2012 PM	
On this 17th day of June	in the year of 2014, before me
On this	
the undersigned notary public, personally appeared	Dana Loudermilk and
the undersigned notary public, personally appeared I Rhonda Loudermilk	Sana Loudermilk and
the undersigned notary public, personally appeared	Sana Loudermilk and salar subscribed to the within instrument and purposes therein contained.
known to me to be the person(s) whose names(s) is acknowledged that he/she/they executed the same for the In witness whereof, I hereunto set my hand and official set	Sana Loudermilk and salar subscribed to the within instrument and purposes therein contained.
known to me to be the person(s) whose names(s) is acknowledged that he/she/they executed the same for the In witness whereof, I hereunto set my hand and official set	s/are subscribed to the within instrument and purposes therein contained.

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