REQUEST FOR LEGISLATIVE ACTION

Completed by County Counselor's Office:

xRes/Qrd No.: 4713

Sponsor(s): None
Date: January 26, 2014

SUBJECT	Action Requested Resolution Ordinance						
	Project/Title: Rogene F Knudsen Trust Case No. RZ-20	015-513					
BUDGET							
INFORMATION	Amount authorized by this legislation this fiscal year:						
To be completed	Amount previously authorized this fiscal year:						
By Requesting							
Department and	A CONTRACTOR OF THE PROPERTY O						
Finance	Amount budgeted for this item * (including \$						
	transfers):						
	Source of funding (name of fund) and account code number; FROM / TO FROM ACCT						
	municer, Tradivi / 10						
		TO ACCT					
	* If account includes additional funds for other expenses, total budgete	ed in the account is: \$					
	OTHER FINANCIAL INFORMATION:		F (1)				
	No budget impact (no fiscal note required)						
	☐ Term and Supply Contract (funds approved in the ar	inual budget); estimated value	and use of contract:				
	Department: Estimated Use: \$						
	Prior Vary D. days ('C. 1', 11)						
	Prior Year Budget (if applicable):						
PRIOR	Prior Year Actual Amount Spent (if applicable):						
LEGISLATION	Prior ordinances and (date):						
CONTACT	Prior resolutions and (date):						
INFORMATION	Bill a series						
	RLA drafted by Randy Diehl, Planning and Zoning	Coordinator, 881-4577					
REQUEST	Requesting a change of zoning from District AG (A	gricultural) on a $10.13 \pm ac$	ere tract to District RE				
SUMMARY	(Residential Estates). The 10.13 ± acres are describ	ed are located in Section 1	5, Township 49, Range				
	30 at 30802 E. Pink Hill Road. The $10.13 \pm acres$ w	ill be platted as a three lot	subdivision Knudsen				
	Acres, and specifically described on Attachment to	RLA-1	Tarana in the same of the same				
	Staff recommends approval because the change in	zoning is consistent with the	a intent and numara of				
	the County Plan and complies with the Unified Dev	elanment Code requirement	te intent and purpose of				
	The Jackson County Plan Commission world 8 to 0	to an annual Approximation	us.				
	The Jackson County Plan Commission voted 8 to 0	to recommend APPROVA	L to the County				
CLEARANCE	Legislature.						
CLEARANCE	Tou Classes County 1/B 1 1 0 B						
	Tax Clearance Completed (Purchasing & Departmen	t)					
	Business License Verified (Purchasing & Departmen	t)					
ATTACIDAENITC	Chapter 6 Compliance - Affirmative Action/Prevailing Wage (County Auditor's Office)						
ATTACHMENTS	See Attachment to RLA-2						
REVIEW	Department Director:		Date:01/20/2015				
			Date,01/20/2013				
	Earl Newill, Acting Director						
	Finance (Budget Approval):		Date:				
	If applicable						
	Division Manager:		Date: 1-22-15				
	County Counselor's Office:		Date:				

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 theFund in						
	There is a balance otherwise unencur is chargeable and there is a cash bala payment is to be made each sufficien	nce otherwise unencumbered in the	treasury to the credit of the fund from which				
	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:				
			C. T. C. T.				
	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.						

RZ-2015-513

ATTACHMENT TO RLA 1:

Description:

All that part of the Southwest quarter of the Southwest quarter of Section 15, Township 49, Range 30, in Jackson County Missouri, more particularly described as; Beginning at the Southwest corner of said quarter quarter section; thence North 01 degrees 31 minutes 19 seconds East, along the West line of said quarter quarter section, a distance of 805.28 feet; thence South 87 degrees 17 minutes 39 seconds East, a distance of 243.46 feet; thence North 02 degrees 42 minutes 21 seconds East, a distance of 61.16 feet; thence South 87 degrees 17 minutes 39 seconds East, a distance of 180.33 feet; thence South 01 degrees 31 minutes 19 seconds West, a distance of 64.19 feet; thence South 44 degrees 12 minutes 36 seconds West, a distance of 237.33 feet; thence South 88 degrees 28 minutes 41 seconds East, a distance of 160.51 feet; thence South 01 degrees 31 minuets 19 seconds West, a distance of 28.81 feet; thence South 88 degrees 28 minutes 41 seconds East, a distance of 203,16 feet; thence South 01 degrees 31 minutes 19 seconds West, a distance of 603.20 feet, to a point on the South line of said quarter quarter section; thence North 87 degrees 17 minutes 39 seconds West, along the South line of said quarter quarter section, distance of 627.86 feet, to the Point of Beginning. Containing 10.14 acres. Except that part in roads.

ATTACHMENT TO RLA-2:

Attachments

Plan Commission Public Hearing Summary from January 15, 2015
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
Copy of Knudsen Acres – Preliminary Plat
Photos of Property

Jackson County Plan Commission Summary of Public Hearing

Date:

January 15, 2015

Place:

Independence City Hall,

Conference Room D

111 E Maple, Independence, MO

Attendance:

Chairman Antey
Mr. Gibler
Mr. Haley

Mr. Crawford Mrs. Mershon Mrs. Querry Mr. Akins Mr. Tarpley

Staff:

Randy Diehl Chris Jenkins Kristen Geary

RE: RZ-2015-513

Applicant:

Rogene F Knudsen Trust

Location:

Section 15, Township 49, Range 30,

30802 E. Pink Hill Road

Area:

10.13 ± acres

Request:

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

Purpose:

Applicant is requesting the change in zoning in order to subdivide property into a

three lot subdivision to be known as Knudsen Acres.

Current Land Use and Zoning in the Area:

The zoning in the area is Agricultural and Residential with the majority of the land use being single family residences. There are nine subdivisions in the area, rezoned to District RE. These have been established since the adoption of the Unified Development Code (UDC) in 1995. There are at least nine subdivisions created prior to the adoption of the UDC. These subdivisions remain with in District AG (Agricultural). Two separate lots within these previously created subdivisions have

been rezoned from AG to RE.

The unplatted properties in the area range in size from 5 acres and larger.

The proposed subdivision is being created out of 40 acre tract. The remaining property will remain within District AG.

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:

This request for rezoning is consistent with the intent and purpose of the County Plan. Staff recommends <u>APPROVAL</u> of RZ-2015-513

Chairman Antey:

Are there any questions for Randy or staff?

Mr. Tarpley:

How do you access this particular lot?

Randy Diehl:

It is on Pink Hill. We did go out there and we did a site

distance test. We will limit the driveway access because of

the site distance.

Mr. Tarpley:

What is the site distance?

Randy Diehl:

To the left it's 350' and to the right it's 460'. The allowed location is on a high spot that allows you to be able to see

both ways.

Chairman Antey:

Are there any other questions for Randy or staff? (there

were none) Is the applicant or his representative

available?

Brant Ladwig:

Ladwig & Assoc. 33604 E 235th, Pleasant Hill, MO 64080. I'm here on behalf of the property owner. A brief idea of the owners intention is that this is an elderly couple who are trying to get their estate in order. They have 3 sons that they want to divide a portion of the property so that each can have a home site.

Chairman Antey:

Does anyone have any questions for the applicants

representative? (there were none)

Chairman Antey:

Is there anyone else present who would like to speak in

favor of this application? (There was none)

Is there anyone present who would like to speak who is opposed to or has questions concerning this application?

(There was none)

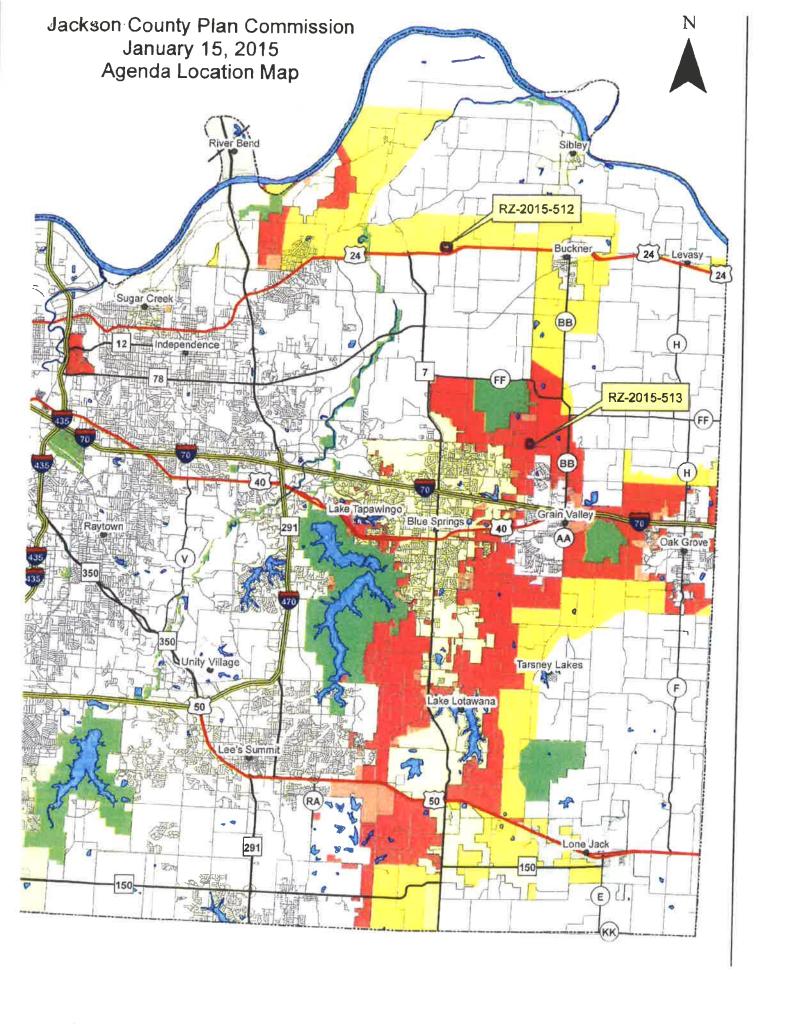
Mr. Haley motioned to take this under advisement. Mr. Akins seconded. Voice Vote: Motion Carried 8 – 0.

Chairman Antey: Are there any questions or comments? (there were none)

Mrs. Querry motioned to approve RZ-2014-513. Mr. Akins seconded.

Mr. Akins Approve Mr. Haley Approve Mrs. Querry Approve Mr. Crawford Approve Mr. Gibler Approve Mrs. Mershon Approve Mr. Tarpley Approve Chairman Antey Approve

Motion Carried 8 - 0.



STAFF REPORT

PLAN COMMISSION January 15, 2015

RE: RZ-2015-513

Applicant:

Rogene F Knudsen Trust

Location:

Section 15, Township 49, Range 30,

30802 E. Pink Hill Road

Area:

10.13 ± acres

Request:

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

(Residential Estates)

Purpose:

Applicant is requesting the change in zoning in order to subdivide

property into a three lot subdivision to be known as Knudsen Acres.

Current Land Use and Zoning in the Area:

The zoning in the area is Agricultural and Residential with the majority of the land use being single family residences. There are nine subdivisions in the area, rezoned to District RE. These have been established since the adoption of the Unified Development Code (UDC) in 1995. There are at least nine subdivisions created prior to the adoption of the UDC. These subdivisions remain with in District AG (Agricultural). Two separate lots within these previously created subdivisions have been rezoned from AG to RE.

The unplatted properties in the area range in size from 5 acres and larger.

The proposed subdivision is being created out of 40 acre tract. The remaining property will remain within District AG.

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:

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

Staff recommends <u>APPROVAL</u> of RZ-2015-513

Respectfully submitted,

Randy Diehl Zoning Compliance Supervisor

Planning and Zoning Division

equesting a change of zoning from District AG (Agricultural) on 10.13 ± acre tract to District RE (Residential Estates). The 10.13 ± cres are located in Section 15, Township 49, Range 30, Jackson rsons with disabilities wishing to participate in the meeting and equesting a change of zoning from District AG (Agricultural) o 10.33 = acre tract to District RE (Residental Estates). The 10.33 cres are located in Sections 18 & 19, Township 50, Renge 31 actson County, Missouri aka 2125 N. Six Mile Church Road. these requests, contact Public Works Planning and Developmi Division at 861-4649, 303 W. Walnut, Independence, MO whi the applications are accessible for inspection. 830 a.m. on Thursday, January 15, 2015 in Conference Ground Floor, City Hall, 111 East Maple, Independence, I requiring a reasonable accommodation may co County Public Works Planning and Development 489 or 1-800-735-2466 (Missouri Relay); 48 equired. The Jackson County Plan Commission will hold County, Missouri aka 30802 E. Pink Hill Road, RZ-2015-512 - Gerald W. & Janes E. Syler. PUBLIC HEARING RZ-2015-513 - Rogene E. Knudsen Trust acres are located in Saction 15, details, day of RAMONA WILLIAMS

Planning & Zoning Division Randy Diehl, Zoning Compilance Supervisor

2014

December 31

AFFIDAVIT OF PUBLICATION STATE OF MISSSOURD 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: December 31, 2014 Commencing on ___ and ending on December 31, 2014 being the issues of: December 31, 2014 being Volume 110 Numbers: 160 Signed Legal Clerk, Katherine M. Jones Subscribed and sworn to before me on this December 2014 Notary Public - Notary Seal State of Missouri Commissioned for Jackson County My Commission Expires: March 13, 2018 Notary Public, Ramona Williams Commission Number: 14592804 My commission expires March 13, 2018

Publishing Fee:_____

Received payment ______per___

Plan Commission January 16, 2015 Applicant' Property Owner

22-900-03-03-00-0-00-000 Rogene Knudsen F - Trus	Rogene Knudsen F - Trustee 30802 E. Pink Hill Road	Grain Vallev	MO 64029
Certified Mail Return Receipt	Property Owners within 185 feet		
Parcel Number 37-320-02-03-00-00-00-000 37-320-02-04-00-00-00-000 37-320-02-05-00-00-00-00 37-320-02-05-00-00-00-00 36-100-01-04-00-00-00-00 23-700-04-14-00-0-00-00 23-700-04-09-00-0-00-00 6RIEFITH DORIS A	Parcel Number 30911 E PINK HILL RD 37-320-02-03-00-00-000 37-320-02-04-00-00-000 GRUBER THOMAS I & DELORES A TRUSTEES 30903 E PINK HILL RD 37-320-02-05-00-000 GREENE JOSEPH W-TRUSTEE 30901 E PINK HILL RD 30701 E PINK HILL RD 36-100-01-04-00-000 GREENE JOSEPH W-TRUSTEE 30701 E PINK HILL RD 30701 E PINK HILL RD 23-700-04-09-00-000 GRIFFITH DORIS A 30602 E PINK HILL RD	City GRAIN VALLEY GRAIN VALLEY GRAIN VALLEY GRAIN VALLEY GRAIN VALLEY	State Zip MO 64029 MO 64029 MO 64029 MO 64029 MO 64029



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CRYSTAL AIRE DR

Jackson County Zoning Map

185' Noticifaction Area Pending Rezoning

Zoning

Residential Suburban - Streets

☐ TaxParcels

AG

з DILLINGHAM RD

Rezoning

RR-Residential Ranchette Zoning

RRp-Residential Ranchette-Plani 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 GB-General Business

E PINK HILL RD

GBp-General Business-Planned LI-Light Industrial

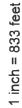
Llp-Light Industrial-Planned

HI-Heavy Industrial

EX. 5

RZ-2014-513

9





Jackson County Zoning Map

CRYSTAL AIRE CT

RE

RYSTAL AIRE DR

S SLAUGHTER RD

RE

RE

185' Noticifaction Area Pending Rezoning Legend

Zoning Residential Suburban

- Streets

☐ TaxParcels

8

Rezoning

Zoning

RRp-Residential Ranchette-Plar RR-Residential Ranchette

RS-Residential Suburban RE-Residential Estates

RU-Residential Urban

A(r)-Single-Family

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

E PINK HILL'RD

A1-Mobile Homes District

ROp-Residential Office-Planned

LB-Local Business

RE

AG

S DILLINGHAM RD

RE

B

RE

LBp-Local Business-Planned

GBp-General Business-Planned **GB-General Business**

Llp-Light Industrial-Planned LI-Light Industrial

HI-Heavy Industrial

EX. 5

RZ-2014-513

RE

E.TYER RD

TYER RD

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

		RZ- $20 5-9$	ng	
	ed		owners notified	
Date signs pos				
Hearings:	Heard by		Decision	
	Heard by	Date		
	Heard by	Date	Decision	
1. Data	PLICATION HER on Applicant(s) a applicant(s) Name:	nd Owner(s): Rogene	Knudsen	
l. Data	on Applicant(s) a	Rogene Rogene P. D. Box	727	
l. Data a. A	on Applicant(s) a	Rogene Rogene P. D. Box	727 Mey, Mo, 64029	
l. Data a. A	on Applicant(s) a applicant(s) Name: Address:	nd Owner(s): Rogene P.O. Box GRAIN VI	727 Mey, Mo, 64029	
l. Data a. A b. (on Applicant(s) a Applicant(s) Name: Address: Phone: Owner(s) Name: Address:	Rogene P.D. Box GRAIN V. 216-229- Rogene P.O. Box	727 Mey, Mo, 64029 1893	

	Address:
	Phone:
	d. Applicant's interest in Property: DWNER
2.	General location (Road Name) PINK HILL Rd & Dillingham Rd.
	The state of the s
3.	Present Zoning AG Requested Zoning RE
4.	Present Zoning AG Requested Zoning RE AREA (sq. ft. / acres) 449, 103.6 2007 / 10.13 Ac.
5.	Legal Description of Property: (Write Below or Attached 9)
	SEE ATTACHED
6.	Present Use of Property: RESIDENTIAL
7.	Proposed Use of Property: RESIDENTIAL
8.	Proposed Time Schedule for Development: Spring 2015
9.	What effect will your proposed development have on the surrounding properties?
	NONE
10.	Is any portion of the property within the established flood plain as shown on the FEMA Flood
	Boundary Map? No
	If so, will any improvements be made to the property which will increase or decrease the
	elevation?
11.	Describe the source/method which provides the following services, and what effect the
	development will have on same:
	a. Water Water District 16, Potential FOR 1 ADDED
	b. Sewage disposal ON - SITE, NONE SERVICE
	c. Electricity KCPOL, Potential FOR 1 ADDED Service LINE
	d. Fire and Police protection Central Jackson, Nove
12.	Describe existing road width and condition: 28' EDGE OF PAVEMENT

				5000		,			+ Ho
What effe			develop	ment have	on	existing	road	and	traffic
conditions?	$\mathcal{N}_{\mathcal{O}}$	DNE							
Are any sta			public agend	cies approva	ls or p	ermits requ	ired for	the p	roposed
		1 ~							
developmen	t?	10							
			alication and	l status (incl	uda nar	mit numbe	es and o	opies o	faama
developmen If so, descri if issued):	e giving d	ates of app				mit numbe	rs and c	opies o	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	r(s) Joylue & M.	Date	12/9/14
Applicant(s):			
Contract Purcha	aser(s):		
STATE OF M	issani Jaukson	-	
On this944 the undersigned i	day of Decemotary public, personally appear	the , in the year o	of ZO14, before m
	be the person(s) whose nar		
In witness whereo	of, I hereunto set my hand and o	official seal.	
Notary Public	Jul Burger	Commission Ex	pires <u>04-25 -2016</u>

JARED BARZEE

Notary Public - Notary Seal State of Missouri Commissioned for Jackson County My Commission Expires: April 25, 2016 12332226

