



REQUEST FOR LEGISLATIVE ACTION

Completed by County Counselor's Office:

Res/Ord No.: 4819

Sponsor(s): None

Date: February 8, 2016

SUBJECT	Action Requested <input type="checkbox"/> Resolution <input checked="" type="checkbox"/> Ordinance Project/Title: <u>Robin Faulk, Kevin & Theresa Faulk, Kenneth & Renee Kreglo Case No. RZ-2015-525</u>											
BUDGET INFORMATION <i>To be completed By Requesting Department and Finance</i>	<table border="1" data-bbox="297 474 1177 787"> <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; FROM / TO</td><td>FROM ACCT TO ACCT</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 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: \$</p> <p>Prior Year Budget (if applicable): Prior Year Actual Amount Spent (if applicable):</p>		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; FROM / TO	FROM ACCT TO ACCT
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Source of funding (name of fund) and account code number; FROM / TO	FROM ACCT TO ACCT											
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 6.29 ± acres to District RR (Residential Ranchette). The 6.29 ± acres are described are located in Section 15, Township 49, Range 30, in Jackson County, Missouri, at the Northeast corner of Dillingham Road and Pink Hill Road, 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 voted 7 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)											
ATTACHMENTS	See Attachment to RLA-2											
REVIEW	Department Director:  Brian D. Gaddie, P.E. Director of Public Works	Date: 1/26/2016										
	Finance (Budget Approval): <i>If applicable</i>	Date:										
	Division Manager: 	Date: 2/1/16										

County Counselor's Office:	Date:
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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-2:

Attachments

Plan Commission Public Hearing Summary from May 21, 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

Pictures of Property

Lot configuration for Heritage at Pink Hill Farms

RZ-2015-525

ATTACHMENT TO RLA 1:

Description:

That part of the Southeast Quarter of the Southwest Quarter of Section 15, Township 49, Range 30, Jackson County, Missouri, more particularly described as follows:

Commencing at the Southeast Corner of said Southwest Quarter; thence N 01° 32' 24" E a distance of 40.00 feet to the North right of way line of Pink Hill Road; thence N 88° 02' 09" W along said right of way, a distance of 989.58 feet to the Point of Beginning; Thence N 88° 02' 09" W, continuing along said right of way, a distance of 289.70 feet, to the East line of Dillingham Road as now established; thence North 01° 31' 53" E, along said East right of way, a distance of 1280.82 feet; thence leaving said Dillingham Road, South 88° 13' 42" E, a distance of 109.98 feet; thence S 01° 31' 35" W, a distance of 541.51 feet; thence S 88° 02' 09" E, a distance of 179.71 feet; thence S 01° 31' 53" E, a distance of 741.04 feet to the Point of Beginning.

RE: RZ-2015-525

Randy Diehl gave the staff report

Applicant: Robin L. Faulk, Kevin C. & Theresa M Faulk, Kenneth M & Renee Kreglo

Location: Northeast corner of Dillingham and Pink Hill Road

Area: 17.51 ± acres (Amended to 6.29 ± acres)

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

Purpose: Applicants are requesting to rezone the 17.51 acres into three buildable lots. (6.29 ± acres will be one buildable lot)

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 ten 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 within 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 will contain three lots and one ten acre tract. (One lot and two 10 acre tracts) The 10 acre tract, which contains the only residence as this time, 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 (RR) is appropriate for the Urban Development Tier. The applicants are wishing to keep the low density residential use with the RR zoning.

Recommendation:

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

Staff recommends APPROVAL of RZ-2015-525

Respectfully submitted,

Jackson County Public Works
Development Division
Randy Diehl, Administrator

Mr. Tarpley: The house in the top right hand corner, that's a different property, correct?

Mr. Diehl: That is correct.

Mr. Tarpley: Those houses are pretty close.

Mr. Diehl: That tract used to be in the family, and is no longer owned by a family member.

Mr. Crawford: Has there been a driveway established for the east property?

Mr. Diehl: Yes, since this picture was taken, a new driveway has been located on the property.

Mr. Akins: The other driveway appears to cut across the lots.

Mr. Diehl: They will have a cross access easement on the plan that gives them rights to use the driveway.

Are there any other questions for Randy?

Is the applicant present?

Kevin Faulk, 3308 Black Forest Ave, Blue Springs, MO

Do you have anything to add to the staff report? No

Are there any questions for the applicant?

Is there anyone who is in favor of this application?

Is there anyone who is opposed or has questions regarding this application?

Motion to take under advisement.

Mr. Gibler motioned to approve RZ-2015-525. Mr. Akins seconded.

Motion to approve.

Mr. Antey: The concerns I had about the driveway for the east tract have been answered.
Mr. Tarpley: I see no problem with this Mr. Chairman.

Mr. Akins: Randy will the property on the left have access to Dillingham Road?

Mr. Diehl: Yes.

Motion to approve.

Mrs. Mershon motioned to approve RZ-2015-525. Mr. Crawford seconded.

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

Motion Carried 7 – 0.

STAFF REPORT

PLAN COMMISSION

October 15, 2015

RE: RZ-2015-525

Applicant: Robin L. Faulk, Kevin C. & Theresa M Faulk, Kenneth M & Renee Kreglo

Location: Northeast corner of Dillingham and Pink Hill Road

Area: 17.51 ± acres

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

Purpose: Applicants are requesting to rezone the 17.51 acres into three buildable lots.

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 ten 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 will contain three lots and one ten acre tract. The 10 acre tract, which contains the only residence as this time, 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 (RR) is appropriate for the Urban Development Tier. The applicants are wishing to keep the low density residential use with the RR zoning.

Recommendation:

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

Staff recommends APPROVAL of RZ-2015-525

Respectfully submitted,

Randy Diehl
Zoning Compliance Supervisor

Planning and Zoning Division

**Plan Commission
October 15, 2015
RZ-2015-525**

Ord. 4819

Applicants / Property Owners:

**22-900-03-15-02
Kevin & Theresa Faulk
3308 N Black Forest Ave
Blue Springs MO 64015**

**22-900-03-17
Robin L Faulk
809 N Sonora Valley Cir
Blue Springs MO 64014**

**22-900-03-16
Mark K & Renee Kreglo
31408 E Pink Hill Road
Grain Valley MO 64029**

**Certified Mail – Return Receipt
Property Owners within 185 feet**

37-320-01-02-00-0-00-000
COOPER MICHAEL A
1280 NE TUDOR RD
LEE'S SUMMIT MO 64063

37-320-02-01-00-0-00-000
DAVIDSON EDWARD & SUSAN
31105 E PINK HILL ROAD
GRAIN VALLEY MO 64029

22-900-03-04-00-0-00-000
GIMMARRO CARL-TR
3113 S DILLINGHAM ROAD
GRAIN VALLEY MO 64029

22-900-03-15-01-0-00-000
HARMS DAVID M & SUSAN J
31506 E PINK HILL ROAD
GRAIN VALLEY MO 64029

37-320-01-01-00-0-00-000
HONTZ TERRY L & C DEANNA
31503 E PINK HILL ROAD
GRAIN VALLEY MO 64029

22-900-03-07-00-0-00-000
KNUDSEN HENRIK A & ROGENE-TR
P O BOX 727
GRAIN VALLEY MO 64029

22-900-03-03-01-0-00-000
KNUDSEN HENRIK A & ROGENE-TR
P O BOX 727
GRAIN VALLEY MO 64029



Jackson County Zoning Map

Legend

185' Notification Area

Streets

Tax Parcels

Rezoning

Zoning

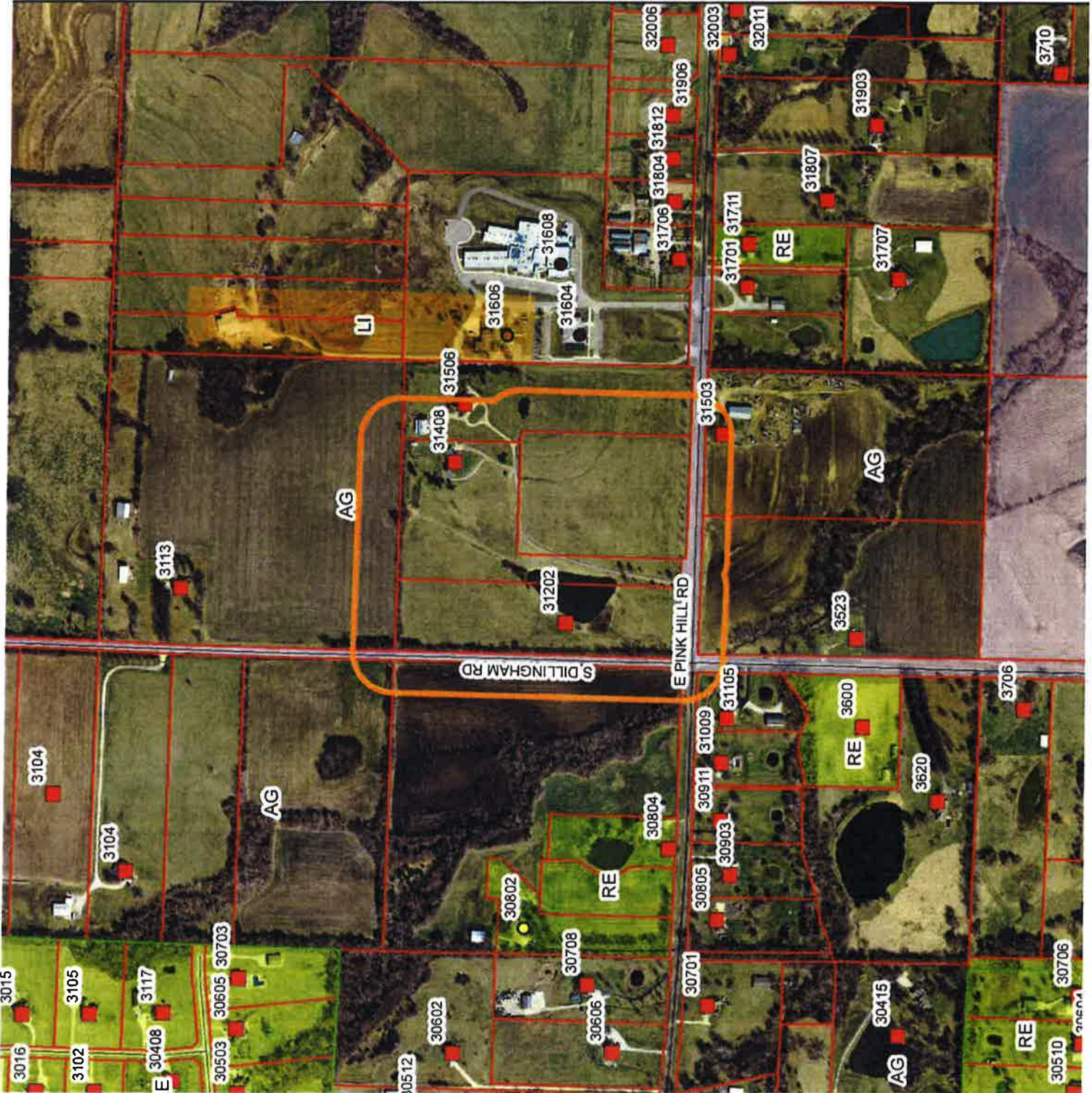
- RR-Residential Ranchette
- RRp-Residential Ranchette-Planned
- RE-Residential Estates
- RS-Residential Suburban
- RU-Residential Urban
- A(r)-Single-Family
- B(r)-Two-Family
- C(r)-Multi-Family
- A1-Mobile Homes District
- ROP-Residential Office-Planned
- LB-Local Business
- LBp-Local Business-Planned
- GB-General Business
- GBp-General Business-Planned
- LI-Light Industrial
- LIp-Light Industrial-Planned
- HI-Heavy Industrial

Ord. 4819

EX. 5

RZ-2015-525

1 inch = 600 feet



**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- 2015 - 525

Date filed 9-24-15 Date of hearing 10-15-15

Date advertised 10-30-15 Date property owners notified 10-15-15

Date signs posted 10-30-15

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: Robin Faulk

Address: 809 NE Sonora Valley Circle

Blue Springs, MO 64014

Phone: 816-898-9619

b. Owner(s) Name: See attached list.

Address: _____

Phone: _____

c. Agent(s) Name: Joe Ben Stone

Address: 1289 Victory Lane, Bates City, MO 64011

Phone: 816-699-9600

d. Applicant's interest in Property: Owner

2. General location (Road Name) Pink Hill Rd. & Dillingham Rd.

3. Present Zoning AG Requested Zoning RR

4. AREA (sq. ft. / acres) 30 acres

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

See atached.

6. Present Use of Property: Vacant and one home

7. Proposed Use of Property: 3 additional homes

8. Proposed Time Schedule for Development: As soon as approval is granted

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? N/A

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

a. Water District 16

b. Sewage disposal Septic

c. Electricity KCP&L

d. Fire and Police protection Eastern Jackson County

12. Describe existing road width and condition: Paved and good.

12. Describe existing road width and condition: _____ Paved and good. _____

13. What effect will proposed development have on existing road and traffic conditions? _____ 3
additional houses. _____
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

Property Owner(s)

Date

Kevin C. Faulk
Theresa M. Faulk
Renee R. Kreglo
Kenneth Kreglo
Robin Faulk

9/24/15
9/24/15
9/24/15
9-24-15
9/24/15

Applicant(s):

Robin Faulk

9/24/15

Contract Purchaser(s): N/ASTATE OF MissouriCOUNTY OF Jackson

On this 24th day of September, in the year of 2015, before me the undersigned notary public, personally appeared Kevin Faulk, Theresa Faulk, Renee Kreglo, Kenneth Kreglo and Robin Faulk 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.

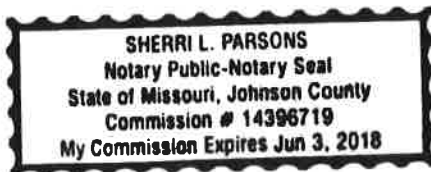
In witness whereof, I hereunto set my hand and official seal.

Notary Public

Sherry Parsons

Commission Expires

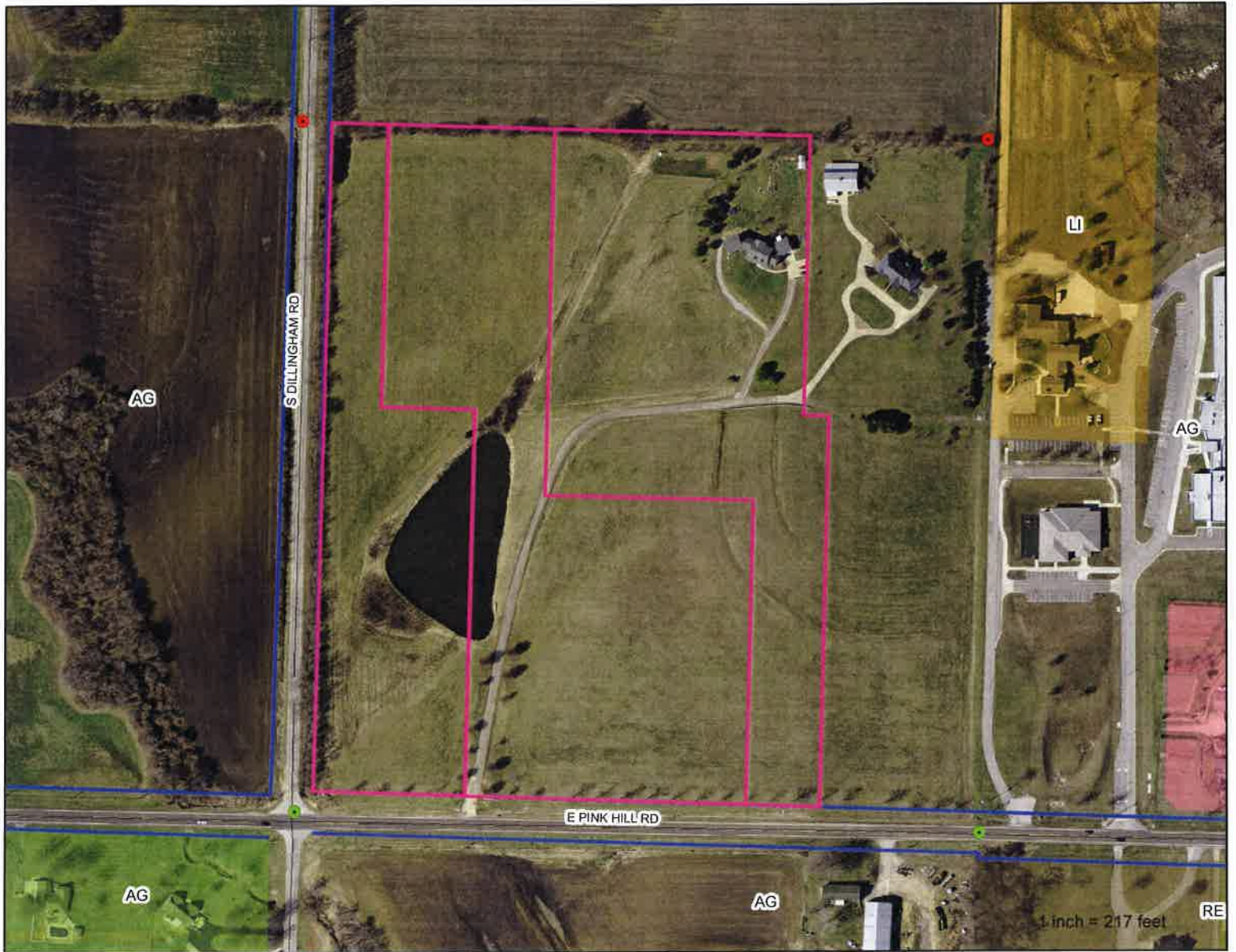
June 3, 2018



Robin Leighton Faulk-Trustee
809 NE Sonora Valley Circle
Blue Springs, MO 64014
816-898-9619

Kenneth Mark & Renee Faulk-Kreglo
31408 E. Pink Hill Rd.
Grain Valley, MO 64029
816-820-1168

Kevin Conrad & Theresa Marie Faulk
3308 Black Forest Ave.
Blue Springs, MO 64015
816-830-0914



THE HERITAGE AT PINK HILL FARMS LOTS 1 TRACTS A & B JACKSON COUNTY, MISSOURI

DEVELOPER:

Contact: ROBIN FAULK

LEGAL DESCRIPTION
 A TRACT OF LAND SITUATED IN THE SOUTHEAST QUARTER OF THE
 SOUTHWEST QUARTER OF SECTION 16, TOWNSHIP 48 NORTH, RANGE 30
 WEST, JACKSON COUNTY, MISSOURI, BEING MORE PARTICULARLY DESCRIBED AS
 FOLLOWS:

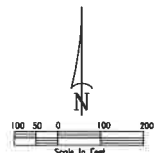
COMMENCING AT THE SOUTHWEST CORNER OF SAID SOUTHWEST
 QUARTER, THENCE S 89° 15' E A DISTANCE OF 40.00 FEET TO THE
 NORTH BOUNDARY OF PINK HILL ROAD, THENCE S 89° 15' E ALONG
 THE NORTH BOUNDARY OF PINK HILL ROAD A DISTANCE OF 10.00 FEET
 TO THE EAST BOUNDARY OF PINK HILL ROAD, THENCE S 89° 15' E
 ALONG THE EAST BOUNDARY OF PINK HILL ROAD A DISTANCE OF 10.00
 FEET, THENCE S 89° 15' E A DISTANCE OF 40.00 FEET TO THE
 POINT OF BEGINNING, AND TRACT CONTAINS 10.00 ACRES MORE OR LESS.

AREA	ACRES
TRACT A	10.00
TRACT B	11.70
LOT 1	6.29
TOTAL	27.99

- NOTES:
1. TOTAL SITE AREA 27.99 AC.
 2. EXISTING ROADS
 3. EXISTING IMPROVEMENTS ON THE SITE
 4. PROPOSED RE-CONSTRUCTION OF LOT 1 (PINK HILL ROAD)



LOCATION MAP



PROJECT CONTACT: DEVELOPER
 JAC. 300-1000

PROJECT CONTACT: ROBIN FAULK, P.E.
 JAC. 300-1000

DATE	BY	REVISION
11-11-11	JAC. 300-1000	1

Q. JAC. Engineering, Inc.
 Civil Engineering for Preliminary & Conditional Plan Development
 1111 N. 1st St., Suite 100
 Jackson, MO 64501
 Phone: (816) 251-1111
 Fax: (816) 251-1112

PRELIMINARY PLAT FOR
 THE HERITAGE AT PINK HILL FARMS
 LOTS 1 TRACTS A & B
 JACKSON COUNTY, MISSOURI

DESIGNED BY: JAC
 CHECKED BY: JAC
 DATE: 11/11/11
 PROJECT NO: 111-111
 SCALE: 1"=100'



