



# REQUEST FOR LEGISLATIVE ACTION

Completed by County Counselor's Office:

Res/Ord No.: 4820

Sponsor(s): None

Date: February 8, 2016

SUBJECT	Action Requested <input type="checkbox"/> Resolution <input checked="" type="checkbox"/> Ordinance  Project/Title: <u>Aaron &amp; Elizabeth Cochran Case No. RZ-2016-526</u>											
BUDGET INFORMATION <i>To be completed By Requesting Department and Finance</i>	<table border="1" data-bbox="315 491 1192 806"> <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 1.78 ± acres to District RS (Residential Suburban). The 1.78 ± acres are described as Lot 12, Richardson Estates, in Jackson County, Missouri, aka 10704 NE Blackwell 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 6 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:  	Date: 1/26/2016										
	Brian D. Gaddie, P.E. Director of Public Works											
	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 January 21, 2016

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

**RZ-2016-526**

**ATTACHMENT TO RLA 1:**

**Description:**

Lot 12, Richardson Estates, a subdivision in Jackson County, Missouri.

**Randy Diehl gave the staff report:**

**Applicant:** Aaron & Elizabeth Cochran  
**Location:** 10704 NE Blackwell Road  
**Area:** 1.78 ±  
**Request:** Change of zoning from District AG (Agricultural) to District RS (Residential Suburban)  
**Purpose:** Applicant is requesting the change in zoning in order to reduce the setbacks for the future construction of a garage.

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

This subdivision as well as those across Blackwell Road are within an island of unincorporated area of the County. This area is surrounded by the City of Lee's Summit. These eight subdivisions were platted prior to June 1995, (Adaption of the Unified Development Code) and were not required to be rezoned at that time. In 1999, Lot 3 of Seawood Addition was rezoned to District RS.

The setbacks for AG are: 50', front, rear and street side and 30' side yard.

RS setbacks are: 50' front (platted), 20' rear yard, 15' side, and 20' street side.

**County Plan:**

The County Plan Development Diagram illustrates this area within the Urban Development Tier (UDT).

The Residential Suburban District (RS) 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 APPROVAL of RZ-2016-526

Respectfully submitted,

Jackson County Public Works  
Development Division  
Randy Diehl, Administrator

Mr. Antey:

*Are there any questions for Randy?*

Mr. Tarpley: Are these around 2 acre lots?

Mr. Diehl: Yes. This lot was platted as a two acre lot. The improvements to Blackwell Road and the construction of Chipman Road, this was a City and County project, reduced the lot down to 1.78 acres. There is a roundabout at the intersection of those roads.

Mr. Tarpley: Are the adjacent properties two acres in size?

Mr. Diehl: They were platted at two acres in size as well.

Mrs. Mershon: Where is the garage to be located?

Mr. Diehl: Exhibit 8 shows the site area. The garage will be located in the Northwest corner of the lot next to the driveway.

Mrs. Mershon: So it's not going to be an encroachment to the homes (to the west)?

Mr. Diehl: No.

Mr. Tarpley: What is the square footage on the garage?

Mr. Diehl: 28 by 40.

*Is there anyone who is in favor of this application?*

Aaron Cochran, (Applicant) 10704 NE Blackwell Road had nothing to add to staff's report.

Mr. Tarpley: Is the use of the garage just for your vehicles?

Mr. Cochran: Vehicles. I've got a few antique tractors. I'm trying to make room for my wife to park in the garage.

Mr. Haley: Are your neighbor's okay with that?

Mr. Cochran: I talk to them on a regular basis.

*Is there anyone else who is in favor of this application?*

Tim Wilson: 10712 NE Blackwell Road had no objection to the rezoning.

*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. Mrs. Mershon seconded.**

**Mr. Tarpley: I see no problem with it. None of the neighbor's object.**

**Mr. Antey: They are not even taking up to the new setback.**

**Motion to approve.**

**Mrs. Mershon moved to approve RZ-2016-526. Mr. Crawford seconded.**

<b>Mr. Tarpley</b>	<b>Approve</b>
<b>Mr. Gibler</b>	<b>Approve</b>
<b>Mr. Haley</b>	<b>Approve</b>
<b>Mr. Crawford</b>	<b>Approve</b>
<b>Mrs. Mershon</b>	<b>Approve</b>
<b>Chairman Antey</b>	<b>Approve</b>

**Motion Carried 6 – 0.**

**STAFF REPORT**

**PLAN COMMISSION**

**January 21, 2016**

**RE: RZ-2016-526**

**Applicant:** Aaron & Elizabeth Cochran

**Location:** 10704 NE Blackwell Road

**Area:** 1.78 ±

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

**Purpose:** Applicant is requesting the change in zoning in order to reduce the setbacks for the future construction of a garage.

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

This subdivision as well as those across Blackwell Road are within an island of unincorporated area of the County. This area is surrounded by the City of Lee's Summit. These eight subdivisions were platted prior to June 1995, (Adaption of the Unified Development Code) and were not required to be rezoned at that time. In 1999, Lot 3 of Seawood Addition was rezoned to District RS.

The setbacks for AG are: 50', front, rear and street side and 30' side yard.

RS setbacks are: 50' front (platted), 20' rear yard, 15' side, and 20' street side.

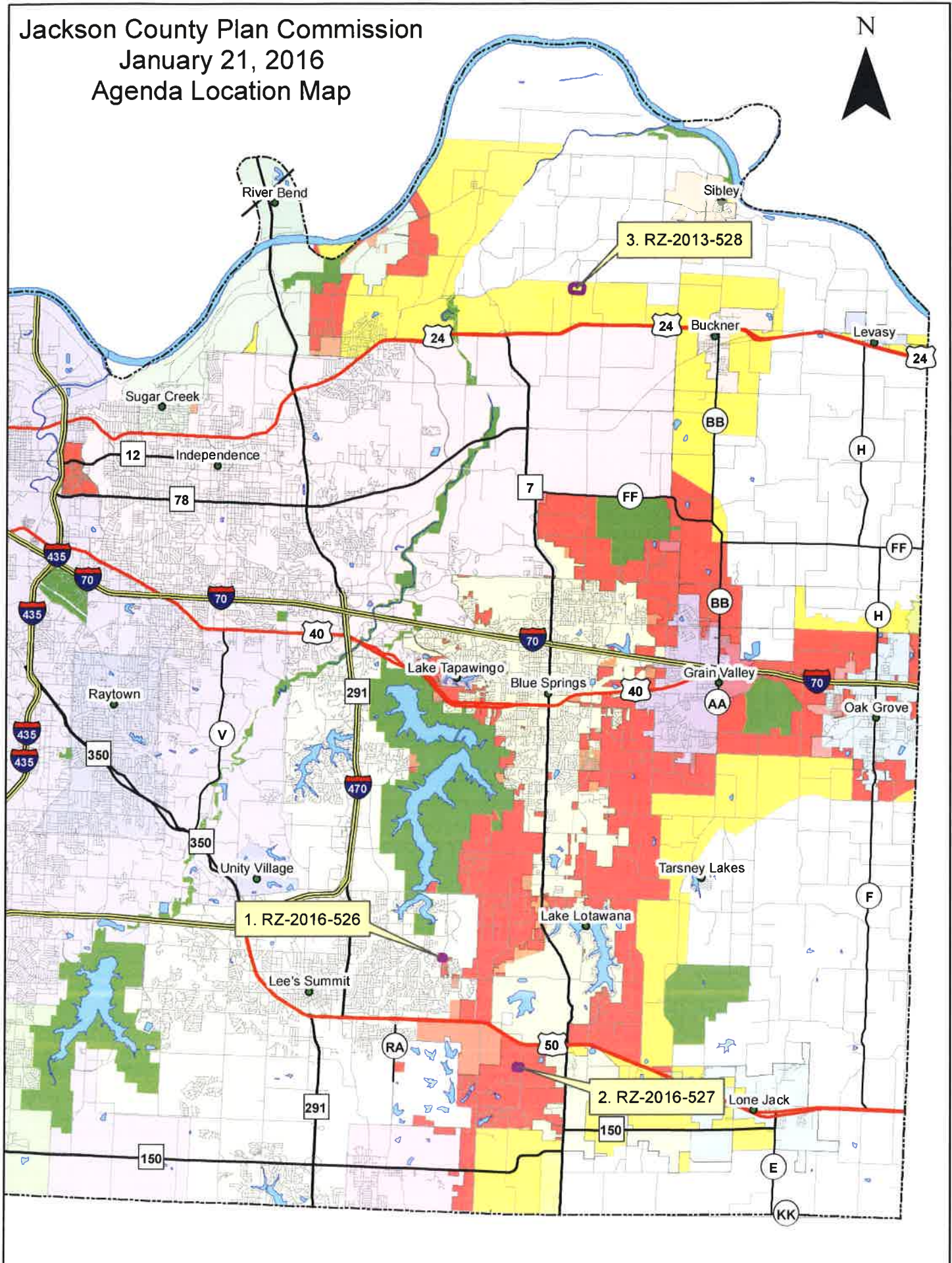
**County Plan:**

The County Plan Development Diagram illustrates this area within the Urban Development Tier (UDT).

The Residential Suburban District (RS) is appropriate for the Urban Development Tier.



Jackson County Plan Commission  
January 21, 2016  
Agenda Location Map



**Recommendation:**

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

Staff recommends APPROVAL of RZ-2016-526

Respectfully submitted,

Jackson County Public Works  
Development Division  
Randy Diehl, Administrator

**Plan Commission  
January 21, 2016  
RZ-2016-526**

**Applicants / Property Owners:**

**60-220-02-01  
Aaron & Elizabeth Cochran  
10704 NE Blackwell Road  
Lee's Summit MO 64086**

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

53-800-03-01-00-0-00-000  
CATHOLIC DIOCESE OF KC-ST JOSEPH  
20 W 9TH ST #200  
Kansas City MO 64105-1704

60-220-01-02-00-0-00-000  
KNISLEY EDDIE G & GLORIA A  
10703 S BLACKWELL RD  
LEES SUMMIT, MO 64086-6638

60-220-01-03-00-0-00-000  
COX KENNETH L & KATHY L  
10707 S BLACKWELL RD  
LEES SUMMIT, MO 64086-6638

60-220-01-04-00-0-00-000  
TORREY JACK S & W FRANCES  
9719 HOWARD RD  
LEES SUMMIT, MO 64086-9555

60-220-02-02-00-0-00-000  
CAMPBELL MAGGIE L & LISA A WILSON  
10712 S BLACKWELL RD  
LEES SUMMIT, MO 64086-6638

60-310-02-09-00-0-00-000  
HO HIEP DINH & DINH V  
2517 NE INDIAN POINTE  
LEES SUMMIT, MO 64086

60-310-02-23-00-0-00-000  
BERTZ LYLE T & STEPHANIE M  
2521 NE INDIAN POINTE  
LEES SUMMIT, MO 64086

60-310-02-24-00-0-00-000  
ANDERSON ANDREW D & JENNIFER L  
2520 NE INDIAN POINTE  
LEES SUMMIT, MO 64086

60-310-02-06-00-0-00-000  
DUFFLE LUKE B & ERICA M  
2516 NE INDIAN POINTE  
LEES SUMMIT, MO 64086

60-310-02-01-00-0-00-000  
RICHADSON RANCH LLC  
416 NE BITTER CREEK RD  
LEES SUMMIT, MO 64086

53-940-12-54-01-0-00-000  
CUMBERLAND PROP INC  
317 SW MARKET ST  
LEES SUMMIT, MO 64063

53-940-12-65-00-0-00-000  
SULLIVAN PATRICK S & ABRAH N  
810 N BURNLEY ROAD  
LEES SUMMIT, MO 64086

53-940-12-64-00-0-00-000  
BANKS PATRICK & DEBORAH L  
2605 NE OLD PAINT RD  
LEES SUMMIT, MO 64086

53-940-12-63-00-0-00-000  
RYAN THOMAS A & ADAIRE K 2609 NE  
OLD PAINT RD  
LEES SUMMIT, MO 64086

53-940-12-62-00-0-00-000  
RIEKHOF AARON T & DEBORAH K  
2615 E OLD PAINT RD  
LEES SUMMIT, MO 64086

53-940-12-61-00-0-00-000  
MORTON JASON & MORTON DEXTER L  
& PAMELA  
1001 SW WHISTLE DR  
LEES SUMMIT, MO 64082

53-940-12-60-00-0-00-000  
KRAUSE RYAN J & DANA L  
2625 NE OLD PAINT RD  
LEES SUMMIT, MO 64086

53-940-12-59-00-0-00-000  
LANGE JOHN M III & HOLLI  
2648 NE HORSESHOE DR  
LEES SUMMIT, MO 64086





1 inch = 427 feet



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

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**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- 2016- 526

Date filed 12-7-15 Date of hearing 1-21-16

Date advertised 1-6-15 Date property owners notified 1-6-15

Date signs posted 1-6-15

Hearings: Heard by DC Date 1-21-16 Decision \_\_\_\_\_

Heard by \_\_\_\_\_ Date \_\_\_\_\_ Decision \_\_\_\_\_

Heard by \_\_\_\_\_ Date \_\_\_\_\_ Decision \_\_\_\_\_

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**BEGIN APPLICATION HERE:**

1. **Data on Applicant(s) and Owner(s):**
  - a. Applicant(s) Name: Aaron + Elizabeth Cochran  
Address: 10704 NE Blackwell Rd  
Lee's Summit, MO 64086  
Phone: 816-914-5564 / 816-210-8642
  - b. Owner(s) Name: Aaron + Elizabeth Cochran  
Address: 10704 NE Blackwell Rd. Lees Summit, MO 64086  
Phone: 816-914-5564
  - c. Agent(s) Name: NA

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

d. Applicant's interest in Property: Owner

2. General location (Road Name) South West corner of Chipman + Blackwell

3. Present Zoning AG Requested Zoning RS

4. AREA (sq. ft. / acres) 77907.79 / 1.78

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

Richardson Estates Lot 12 (EX PT IN ROW)

6. Present Use of Property: Single Family Residence

7. Proposed Use of Property: Single Family Residence

8. Proposed Time Schedule for Development: 5-16 to 5-17

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

Nothing

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? NA

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

a. Water Lees Summit No Effect

b. Sewage disposal Septic No Effect

c. Electricity KCP&L No Effect

d. Fire and Police protection Prairie Township No Effect

12. Describe existing road width and condition: 24' Wide Two Lane Average to Good Cond

13. What effect will proposed development have on existing road and traffic conditions? No Effect

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): NA

**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)

*A.C. Cochran*

12-4-15

12/4/15

Applicant(s):

*A.C. Cochran*

12-4-15

12/4/15

Contract Purchaser(s):

*A.C. Cochran*

12-4-15

12/4/15

STATE OF

*Missouri*

COUNTY OF

*Jackson*

On this 4<sup>th</sup> day of December, in the year of 2015, before me the undersigned notary public, personally appeared Aaron Cochran and Elizabeth Cochran

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

*Kim Buckley*

Commission Expires

*May 30, 2017*



KIM BUCKLEY  
My Commission Expires  
May 30, 2017  
Jackson County  
Commission #13451289



1 inch = 50 feet











I 123880

820

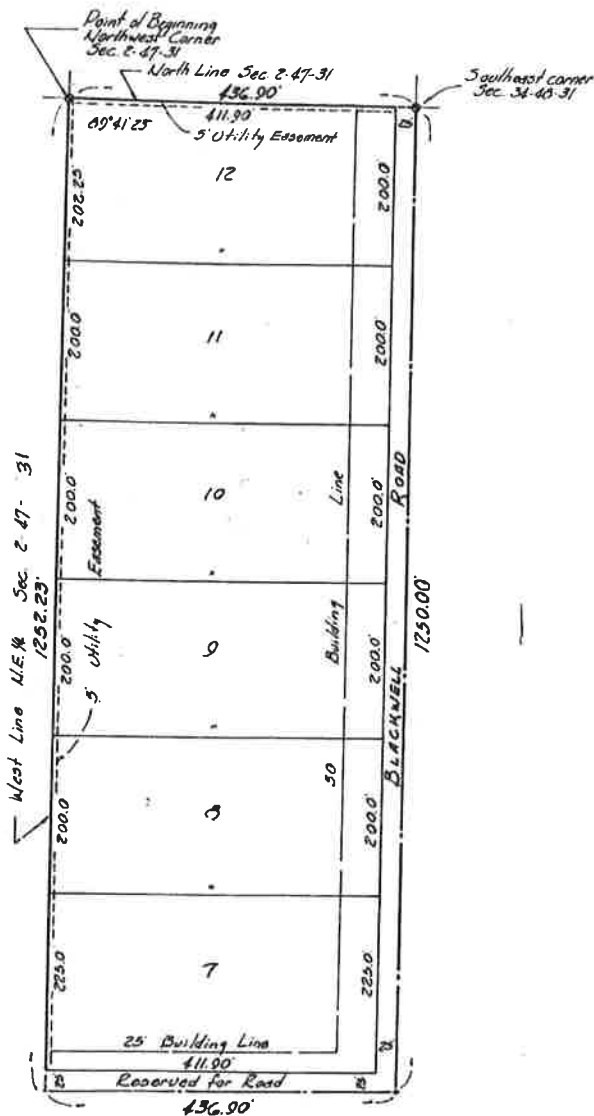
Ord. 4820

STATE OF MISSOURI  
JACKSON COUNTY FSS  
RECEIVED FOR RECORD

1972 JUL 21 PM 5 07 J

BOOK 32 PAGE 58  
RECORDED  
BYRICHARDSON & SUTHER  
JACKSON COUNTY, MISSOURI

07-2403 BOOK 32 PAGE 58

SURVEYED AND PLATTED BY:  
JACKSON CITY ENGINEERING, INC.I HEREBY CERTIFY THE DETAILS OF THIS  
PLAT TO BE CORRECT THIS 26TH DAY  
OF JUNE, 1972.BY: Willie P. Paul

REG. 70, EXPIRE ON 10, 15, 1975

## DISTRIBUTION

ALL THAT PART OF THE SOUTHWEST QUARTER OF SECTION 2, TOWNSHIP 47,  
RANGE 21, JACKSON COUNTY, MISSOURI DESCRIBED AS FOLLOWS: BEGINNING  
AT THE NORTHWEST CORNER OF SAID SECTION 2, THENCE EAST ALONG THE  
NORTH LINE OF SAID SECTION 2, 436.90 FEET TO THE EAST-CENT CORNER  
OF SECTION 24, TOWNSHIP 47, RANGE 21, THENCE SOUTH PARALLEL TO THE  
WEST LINE OF SAID SECTION 2, 1250.00 FEET; THENCE WEST, 436.90 FEET TO  
A POINT ON THE WEST LINE OF SAID SECTION 2, THENCE NORTH, 1252.23  
FEET ALONG SAID WEST LINE TO THE POINT OF BEGINNING.

THE UNDESIGNED PROPRIETORS OF THE ABOVE DESCRIBED TRACT OF LAND  
HAVE CAUSED THE SAME TO BE SUBDIVIDED IN THE MANNER SHOWN ON THIS  
PLAT AND THE SUBDIVISION SHALL HEREAFTER BE KNOWN AS THE  
RICHARDSON & SUTHER

## STREETS

THE STREETS AND ROADWAYS SHOWN ON THIS PLAT AND NOT HERETOFORE  
DEDICATED TO PUBLIC USE AS THOROUGHFARES ARE HEREBY SO DEDICATED.

## EASEMENTS

TO PRESENT AND FUTURE TO JACKSON COUNTY, MISSOURI, TO LOCATE,  
CONSTRUCT AND MAINTAIN OR AUTHORIZE THE LOCATION, CONSTRUCTION AND  
MAINTENANCE OF HIGHWAYS, WATER, GAS AND SEWER LINES, POLES, AND  
WIRE ON ANY OR ALL OF THE, OVER, UNDER, AND ACROSS THE STRIPS OF  
LAND HEREIN DESCRIBED: THIS PLAT IS HEREBY GRANTED.

IN TEST WHEREOF WE HAVE SIGNED OUR NAMES THIS 26TH  
DAY OF JUNE, 1972.

Noel Richardson Edison Richards

STATE OF MISSOURI  
COUNTY OF JACKSON

ON THIS 26TH DAY OF JUNE, 1972, BEFORE ME  
PERSONALLY APPEARED JOEL RICHARDSON AND EDISON RICHARDSON, HUSBAND  
AND WIFE, SO HE TO BE THE PERSONS DESCRIBED IN AND WHO EXECUTED  
THE FOREGOING INSTRUMENT AND THEY ACKNOWLEDGED THAT THEY EXECUTED  
THE SAME AS THEIR FREE ACT AND DEED.

MY WITNESS HEREBY: I HAVE HERETO SET MY HAND AND AFFIRMED BY  
NOTORIAL SEAL AT MY OFFICE IN JACKSON COUNTY, MISSOURI, THE DAY  
AND YEAR ABOVE WRITTEN.

Don A. J. J. J.

NOTARY PUBLIC FOR JACKSON COUNTY, MISSOURI  
MY 20TH EXPIRATION DATE: 6, 1978

APPROVED:  
AS TO ROADS AND STREETS  
JACKSON COUNTY HIGHWAY ENGINEER

BY: Harvey J. J. J.  
DATE: 7-17-72

APPROVED:  
JACKSON COUNTY ASSessor

BY: Don A. J. J. J.  
DATE: 7-20-72

APPROVED:  
BY TO REGISTER AND PLAT  
JACKSON COUNTY ENGINEERING, INC.

BY: Harvey J. J. J.  
DATE: 7/20/72