







REQUEST FOR LEGISLATIVE ACTION

Completed by County Counselor's Office:

~~Res~~/Ord No.: 4966

Sponsor(s): None

Date: April 3, 2017

SUBJECT	<p>Action Requested <input type="checkbox"/> Resolution <input checked="" type="checkbox"/> Ordinance</p> <p>Project/Title: <u>Donald & Lisa Parker - RZ-2017-548</u></p>													
<p>BUDGET INFORMATION <i>To be completed By Requesting Department and Finance</i></p>	<table border="1" data-bbox="315 485 1198 800"> <tr> <td>Amount authorized by this legislation this fiscal year:</td> <td style="text-align: right;">\$</td> </tr> <tr> <td>Amount previously authorized this fiscal year:</td> <td style="text-align: right;">\$</td> </tr> <tr> <td>Total amount authorized after this legislative action:</td> <td style="text-align: right;">\$</td> </tr> <tr> <td>Amount budgeted for this item * (including transfers):</td> <td style="text-align: right;">\$</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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PRIOR LEGISLATION	<p>Prior ordinances and (date): _____ Prior resolutions and (date): _____</p>													
CONTACT INFORMATION	<p>RLA drafted by Randy Diehl, Administrator, Development Division, 881-4577</p>													
REQUEST SUMMARY	<p>Requesting a change of zoning from District AG (Agricultural) on 16.50 ± acres to District RR (Residential Ranchette). The proposed land use is a two lot subdivision. The 16.50 ± acres are located in Section 20, Township 49, Range 29, in Jackson County, Missouri, aka 3515 S. Ketterman Road, and specifically described on Attachment to RLA-1.</p> <p>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 8 to 0 to recommend <u>APPROVAL</u> to the County Legislature.</p>													
CLEARANCE	<p><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)</p>													
ATTACHMENTS	<p>See Attachment to RLA-2</p>													
REVIEW	<table border="1" data-bbox="315 1696 1247 1938"> <tr> <td>Department Director: Brian D. Gaddie, P.E. Director of Public Works</td> <td style="text-align: center;"></td> <td>Date: 3.21.17</td> </tr> <tr> <td>Finance (Budget Approval): <i>If applicable</i></td> <td></td> <td>Date:</td> </tr> <tr> <td>Division Manager:</td> <td style="text-align: center;"></td> <td>Date: 3.24.17</td> </tr> <tr> <td>County Counselor's Office:</td> <td></td> <td>Date:</td> </tr> </table>		Department Director: Brian D. Gaddie, P.E. Director of Public Works		Date: 3.21.17	Finance (Budget Approval): <i>If applicable</i>		Date:	Division Manager:		Date: 3.24.17	County Counselor's Office:		Date:
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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 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 March 16, 2017

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

Preliminary plat

RZ-2017-548**ATTACHMENT TO RLA 1:**

Description: That part of the N $\frac{1}{2}$ of the N $\frac{1}{2}$ of Section 20, Township 49 North, Range 29 West, Jackson County, Missouri, being described as follows: Commencing at the N $\frac{1}{4}$ Corner of said Section 20; thence S 01 degrees, 44 minutes, 04 seconds West along the west line of the NE $\frac{1}{4}$ of said Section 20, 471.43 feet to the east right of way line of Ketterman Road, and to the Point of Beginning; thence 07 degrees, 35 minutes, 49 seconds East along said right of way line, 426.95 feet to the south right of way line of Pink Hill Road; thence South 86 degrees, 03 minutes, 52 seconds East along said right of way line, 240.88 feet; thence South 74 degrees, 45 minutes, 18 seconds East along said right of way, 229.47 feet to the centerline of a creek; thence South 46 degrees, 59 minutes, 44 seconds East along said centerline, 290.36 feet; thence South 70 degrees, 53 minutes, 30 seconds East along said centerline, 122.26 feet; thence South 47 degrees, 39 minutes, 27 seconds East along said centerline, 141.65 feet; thence South 72 degrees, 23 minutes, 01 seconds East along said centerline, 141.65 feet; thence South 47 degrees, 20 minutes, 40 seconds East along said centerline, 148.68 feet; thence South 62 degrees, 33 minutes, 57 seconds East along said centerline, 401.28 feet; the South 72 degrees, 34 minutes, 33 seconds East along said centerline, 315.05 feet; thence North 86 degrees, 08 minutes, 25 seconds West parallel with the south line of the N $\frac{1}{2}$ of the NE $\frac{1}{4}$ of said Section 20, 1864.66 feet to the west line of said NE $\frac{1}{4}$; thence North 86 degrees, 08 minutes, 11 seconds West parallel with the south line of N $\frac{1}{2}$ of NW $\frac{1}{4}$ of said Section 20, 29.13 feet to the east right of way line of Ketterman Road; thence North 07 degrees, 35 minutes, 49 seconds East along said right of way line, 285.00 feet to the Point of Beginning.

RE: RZ-2017-548

Randy Diehl gave the staff report:

Applicant: Donald & Lisa Parker

Location: 3515 S. Ketterman Road

Area: 16.51 ± acres in Section 20, Township 49, Range 29

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

Purpose: Applicant is requesting the change in zoning for a two lot subdivision.

Current Land Use and Zoning in the Area:

The zoning in the immediate area is Residential & Agricultural with the majority of the land use being single family residences and some agricultural uses.

Prior to 2013, this area was completely within the Rural Development Tier. At that time the minimum lot size was 5 acres.

With the adaption of amended Development Plan, Building A Vision Together in 2012 and implemented in 2013, the development tiers map was adjusted, and one of the policies was that there would be no new lots less than 10 acres in size in the Rural Development Tier.

Since 2013, staff has had at least multiple inquiry's relating to the division within the RDT. All of the requests were well within the confines of the Rural Tier. This request is based on the proximity of the Suburban Development Tier. The subject property is approximately 2500' North of the Suburban Tier.

There are 20 subdivisions surrounding the subject property. 11 of these were developed after the adoption of the UDC. One is within District RE and the rest are within District RR.

The applicant owns approximately 16 acres and is wanting to subdivide a new lot in order to build a new residence. Lot 2 is 8.70 acres. The existing home will remain on the Lot 1 which is 7.81 acres.

There is area in the rear portion of the lots that are within the Special Flood Hazard Area. However, there is sufficient buildable area for a residence and wastewater system.

County Plan:

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

District RR (Residential Ranchette) is appropriate for the Urban Development Tier and the request is not out of character with the surrounding land use.

Recommendation:

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

Staff recommends APPROVAL of RZ-2017-548

Respectfully submitted,

Jackson County Public Works
Development Division
Randy Diehl, Administrator

Mr. Tarpley: Is the access to the East lot of Ketterman Road?

Mr. Diehl: Yes.

Mr. Haley: So nothing can be built in the floodplain?

Mr. Diehl: Building within the fringe area would require development permits. The light blue area on the map is the floodway. Absolutely nothing should be built in that area. The darker blue area is commonly referred to as the 100-year flood, any structure in this area would require the lowest floor be 1 foot above the base flood elevation. This area is also subject to Chapter 241 of the County Code, prohibiting any structures within 150 feet of each side of the thread of the creek.

Mr. Antey: *Are there any questions for Randy?*

Is the applicant here?

Don Parker, 3515 S. Ketterman Road.

Mr. Antey: *Do you have anything to add to the report?*

Mr. Parker: We are just wanting to split to build a new home. We have a larger house now and are wanting to build smaller. All the kids are raised. The area we want to build is the highest part of that lot.

Mr. Tarpley: Is your house on septic?

Mr. Parker: Yes. It's a pond system.

Mr. Diehl: The system for the new will be designed specifically for that piece of ground by an engineer.

Mr. Antey: *Are there any other questions for the applicant?*

There were none

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?*

There were none

Motion to take under advisement.

Mr. Tarpley moved to take under advisement. Mrs. Mershon seconded.

Discussion under advisement

Mr. Gibler moved to approve. Mr. Akins seconded.

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

Motion Carried 8 – 0.

STAFF REPORT**PLAN COMMISSION**

March 16, 2017

RE: RZ-2017-548**Applicant:** Donald & Lisa Parker**Location:** 3515 S. Ketterman Road**Area:** 16.51 ± acres in Section 20, Township 49, Range 29**Request:** Change of zoning from District AG (Agricultural) to District RR (Residential Ranchette)**Purpose:** Applicant is requesting the change in zoning for a two lot subdivision.**Current Land Use and Zoning in the Area:**

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Recommendation:

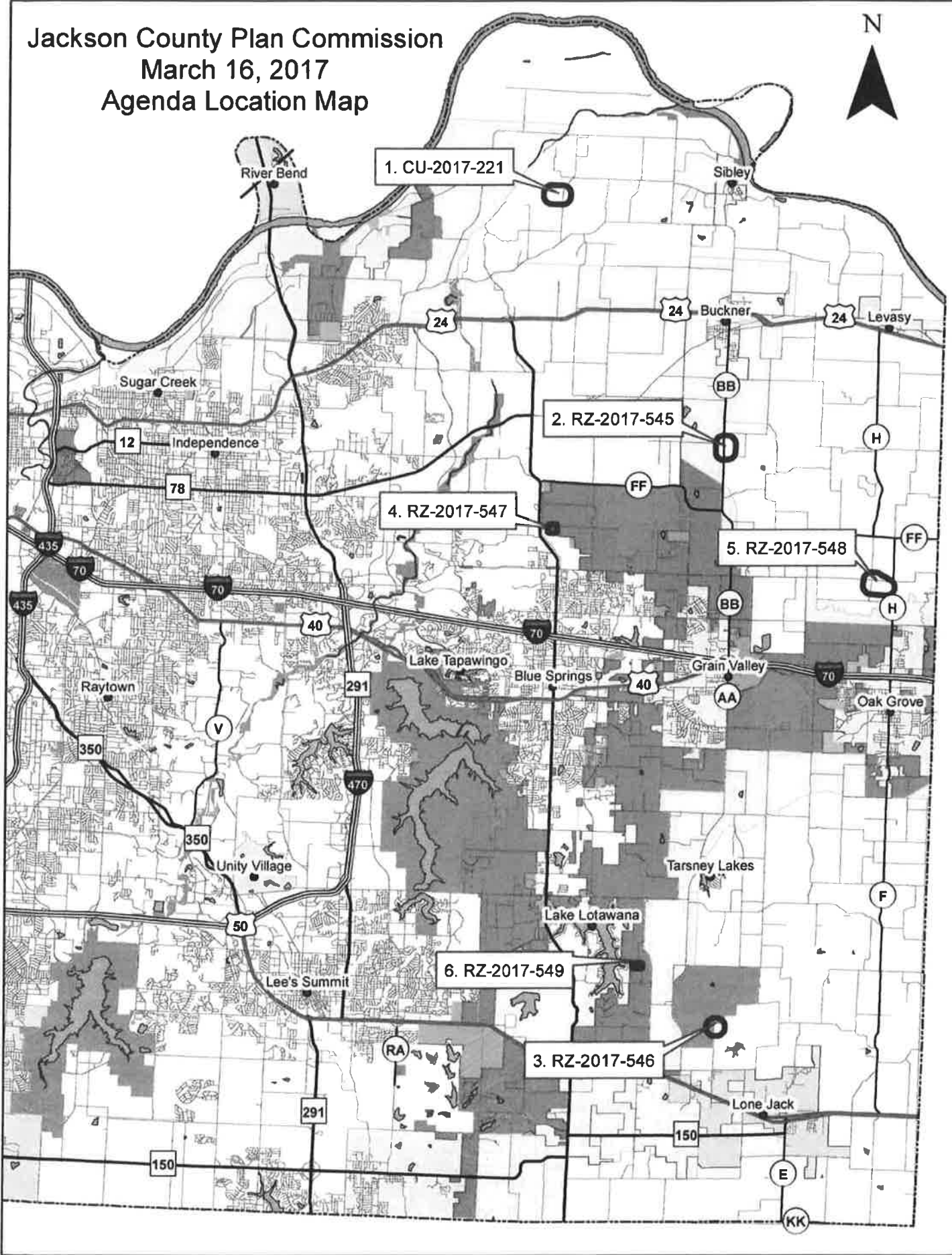
This request for rezoning is consistent with the intent and purpose of the County Plan.

Staff recommends APPROVAL of RZ-2017-548

Respectfully submitted,

Jackson County Public Works
Development Division
Randy Diehl, Administrator

Jackson County Plan Commission March 16, 2017 Agenda Location Map



**Plan Commission
March 16, 2017
RZ-2016-548**

Applicants / Property Owners:

**Donald & Lisa Parker
3515 S Ketterman Road
Oak Grove MO 64075**

38-200-01-01-02-3

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

38-200-02-09-01
BRALEY DAVID L JR
KLEMENZ JACKIE R
3708 S KETTERMAN RD
OAK GROVE MO 64075

38-200-02-09-02-1
BRIGHT KRISTOPHER J
3722 S KETTERMAN RD
OAK GROVE MO 64075

21-800-04-03
CYP FARM LLC
3404 S OUTER BELT RD
OAK GROVE MO 64075

21-800-03-17
DITZER PAUL & PAMELA
3314 KETTERMAN RD
OAK GROVE MO 64075

38-200-02-23
DUNAVIN BURLEY D & JUDA I
3610 KETTERMAN RD
OAK GROVE MO 64075

38-200-02-20
FANNON KENNETH & ROXANNA
37605 E PINK HILL RD
OAK GROVE MO 64075

21-800-03-10
JOHNSON CHARLES A JR & KARA SUE
37708 E PINK HILL RD
OAK GROVE MO 64075

38-200-01-01-02-4
JOHNSON JOHN W & VICTORIA
3516 S OUTER BELT RD
OAK GROVE MO 64075

21-800-04-02-02-4
KETTERMAN PROPERTIES LLC
1 W 61ST TER
KANSAS CITY MO 64113

21-800-04-02-02-3
KETTERMAN PROPERTIES LLC
4010 WASHINGTON AVE STE 330
KANSAS CITY MO 64111

38-200-01-15
KUIKEN GREG & ANDREA
38306 E OLD PINK HILL RD
OAK GROVE MO 64075

38-200-01-12
LONG JOSEPH & ANNIE
3806 S OUTER BELT RD
OAK GROVE MO 64075

38-100-02-08
LYLE RHENEA BOYER TRUSTEE
38805 E RENICK RD
OAK GROVE MO 64075

38-200-01-16
MCCURRY JAMES PATRICK
3604 S RUST RD
GRAIN VALLEY MO 64029

21-800-04-07
MCGEE MICHAEL V & JUDY L
3422 S OUTER BELT RD
OAK GROVE MO 64075

38-200-01-14
MIDDAUGH JAMES E & PATRICIA E
3622 S HOWELL
OAK GROVE MO 64075

21-800-04-08
MITCHELL JERRY P & DEBBIE L
38404 E PINK HILL RD
OAK GROVE MO 64075

38-200-01-17
MONTGOMERY STEVEN & AMANDA
PO BOX 113
OAK GROVE MO 64075

38-200-01-01-02-6
MOODY MICHEAL & JENNINGS KELLY
3619 S KETTERMAN RD
OAK GROVE MO 64075

38-200-01-01-02-5
MOORE ROBERT L & JUNE D
3607 S KETTERMAN RD
OAK GROVE MO 64075

38-100-02-01-02
PHILPOTT LARRY S & BONNIE S
3615 S OUTERBELT RD
OAK GROVE MO 64075

38-200-02-06-01
PISCIOTTA PHILLIP H & KATHLEEN A
1204 NW CEDAR LN
GRAIN VALLEY MO 64029

38-200-01-01-02-1
RICHARDS STEPHEN & JENNIFER
38601 E PINK HILL RD
OAK GROVE MO 64075

38-200-02-19
RODGERS WILMA L & RICHARD W
3506 S KETTERMAN RD
OAK GROVE MO 64075

38-200-01-01-01
RUSSELL CHARLES L
3617 S KETTERMAN RD
OAK GROVE MO 64075

38-100-02-10
SCHLICHTING MICHAEL J & LISA L
3607 S OUTER BELT RD
OAK GROVE MO 64075

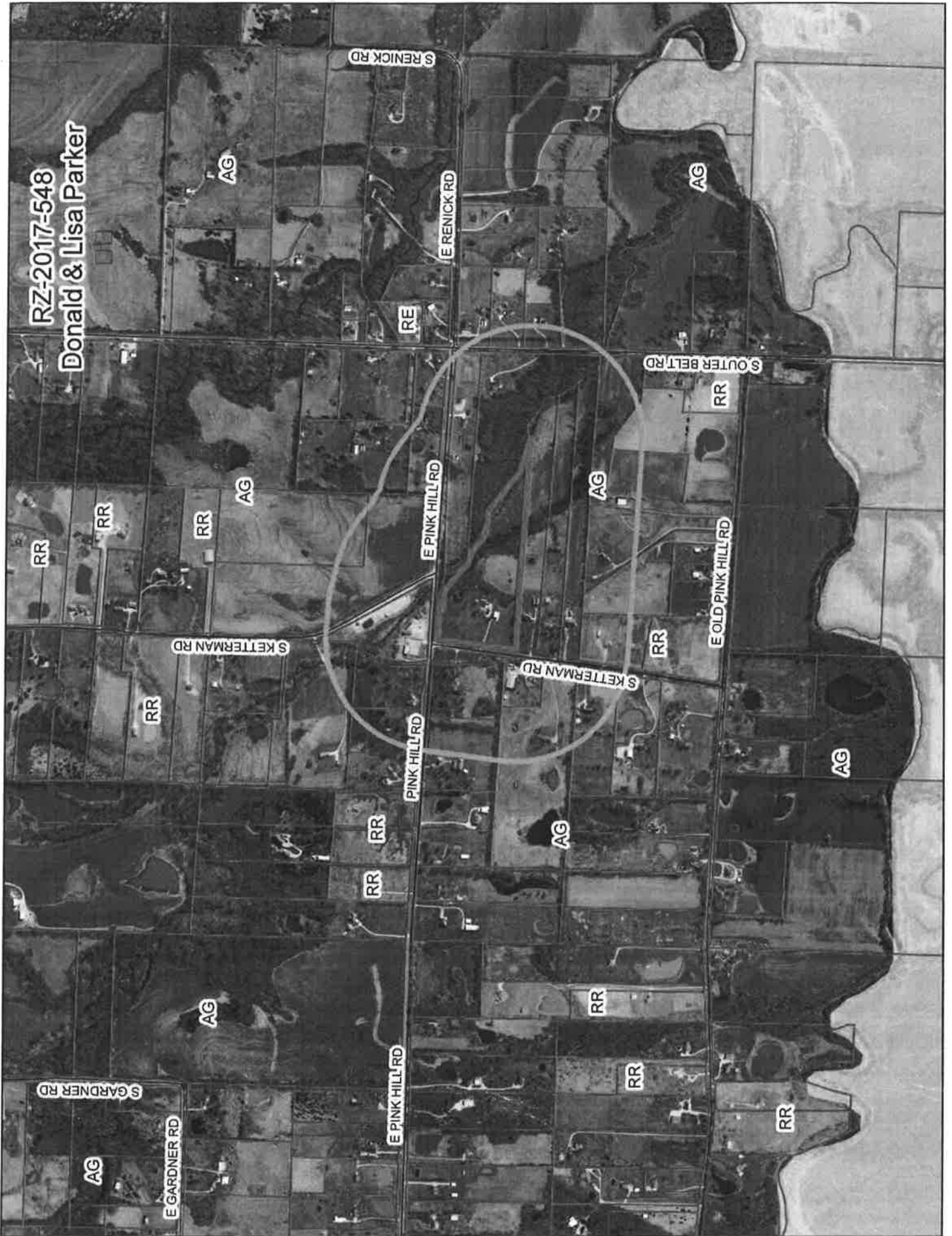
38-200-02-24
SMITH RANDALL W & COURTNEY L
3711 S KETTERMAN RD
OAK GROVE MO 64075

38-100-02-09
SPENCER JOEL T & LOLA A
3521 S OUTER BELT RD
OAK GROVE MO 64075

21-800-03-11
WILSON KENNETH E & ANN MARIE
37806 E PINK HILL RD
OAK GROVE MO 64075

21-800-03-08-00-0-00-000
JACKSON COUNTY MISSOURI

RZ-2017-548
Donald & Lisa Parker



**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- R2-2017-548

Date filed _____ Date of hearing _____

Date advertised _____ Date property owners notified _____

Date signs posted _____

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: Don & Lisa Parker
 - Address: 3515 S. Ketterman
 - Oak Grove, MO 64075
 - Phone: 816-365-6814
 - b. Owner(s) Name: SAME
 - Address: _____
 - Phone: _____
 - c. Agent(s) Name: SAME

Address: _____

Phone: _____

- d. Applicant's interest in Property: Fee Simple
2. General location (Road Name) 3515 S. Ketterman
SE Corner of S. Ketterman & E. Pink Hill Rd.
3. Present Zoning AG Requested Zoning RE
4. AREA (sq. ft. / acres) 16.51 AC
5. Legal Description of Property: (Write Below or Attached 9)
Deed attached
6. Present Use of Property: Residential
7. Proposed Use of Property: Residential
8. Proposed Time Schedule for Development: unknown
9. What effect will your proposed development have on the surrounding properties?
Adding one single-family residence
10. Is any portion of the property within the established flood plain as shown on the FEMA Flood Boundary Map? Yes, far east portion of property is in SFHA Zone AE and Floodway.
If so, will any improvements be made to the property which will increase or decrease the elevation? No
11. Describe the source/method which provides the following services, and what effect the development will have on same:
- a. Water District 14
 - b. Sewage disposal Individual, septic tank w/ lagoon, None
 - c. Electricity West Central Electric
 - d. Fire and Police protection Shi Valley Fire Protection
12. Describe existing road width and condition: 1/24' wide asphalt

13. What effect will proposed development have on existing road and traffic conditions? Adding one single-family residence to S. Ketterman Rd.

14. Are any state, federal, or other public agencies approvals or permits required for the proposed development? Unknown

If so, describe giving dates of application and status (include permit numbers and copies of same, if issued): _____

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)

Don Parker
Lisa Parker

Date

2-8-17
2-8-17

Applicant(s):

Don Parker
Lisa Parker

2-8-17
2-8-17

Contract Purchaser(s):

STATE OF Missouri
COUNTY OF Jackson

On this 8th day of February, in the year of 2017, before me the undersigned notary public, personally appeared Don & Lisa Parker

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

Janelle L. Hawthorne

Commission Expires

4/25/2018

JANELLE L. HAWTHORNE
NOTARY PUBLIC-NOTARY SEAL
STATE OF MISSOURI
JACKSON COUNTY
MY COMMISSION EXPIRES 4/25/2018
COMMISSION # 14875621

RZ-2017-548

Donald & Lisa Parker

3404

38404

38601

752

AG

AE

E PINK HILL RD

753

AE

FW

752

AE

751

AE

S KETTERMAN RD

3400

758

AE

AG

AE

37910

AE

3515

3607

3617

3619

AG

AE

Legend

37806

PINK HILL RD

3506

S KETTERMAN RD

AG

3610

1 inch = 251 feet RR



