

REQUEST FOR LEGISLATIVE ACTION


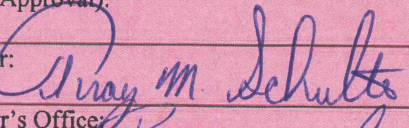
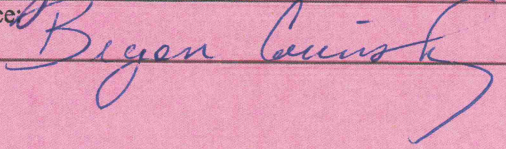

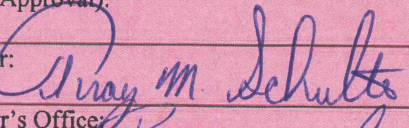
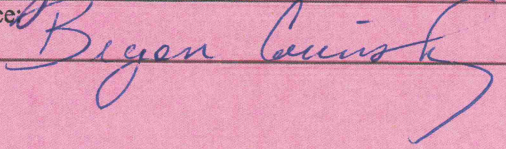

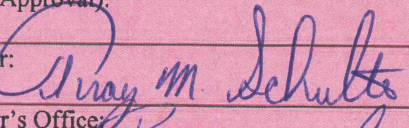
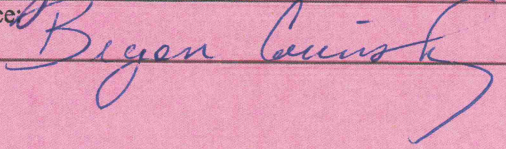
Version 6/10/19

Completed by County Counselor's Office:

Res/Ord No.: 5433

Sponsor(s): Tony Miller

Date: October 19, 2020

SUBJECT	Action Requested <input type="checkbox"/> Resolution <input checked="" type="checkbox"/> Ordinance Project/Title: <u>Christine Block - LA-2020-039</u>											
BUDGET INFORMATION <i>To be completed By Requesting Department and Finance</i>	<table border="1"> <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:</td><td>\$</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: _____ 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:	\$
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:	\$											
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 vacation of a platted 8 foot pedestrian walkway between Lots 69 and 70 Block 21, Tarsney Lakes, a subdivision in Jackson County, Missouri at 2170 Sunset Drive. 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 held a public hearing on September 24, 2020 and accepted testimony pertaining to the rezoning request. The 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)											
COMPLIANCE	<input type="checkbox"/> MBE Goals <input type="checkbox"/> WBE Goals <input type="checkbox"/> VBE Goals											
ATTACHMENTS	Attachment 1: Property Description. Attachment 2: Zoning Support Documents											
REVIEW	<table border="1"> <tr> <td>Department Director: Brian D. Gaddie, P.E. Director of Public Works </td><td>Date: 9.30.20</td></tr> <tr> <td>Finance (Budget Approval): <i>If applicable</i></td><td>Date:</td></tr> <tr> <td>Division Manager: </td><td>Date: 10-12-2020</td></tr> <tr> <td>County Counselor's Office: </td><td>Date: 10/14/20</td></tr> </table>		Department Director: Brian D. Gaddie, P.E. Director of Public Works 	Date: 9.30.20	Finance (Budget Approval): <i>If applicable</i>	Date:	Division Manager: 	Date: 10-12-2020	County Counselor's Office: 	Date: 10/14/20		
Department Director: Brian D. Gaddie, P.E. Director of Public Works 	Date: 9.30.20											
Finance (Budget Approval): <i>If applicable</i>	Date:											
Division Manager: 	Date: 10-12-2020											
County Counselor's Office: 	Date: 10/14/20											

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.

LA-2020-039

ATTACHMENT 1: PROPERTY DESCRIPTION

Description:

Beginning at the Northeast corner of Lot 71, Block 21, Tarsney Lakes, a subdivision in Jackson County, Missouri; thence along a bearing of South 50 degrees, 53 minutes, 00 seconds East, a distance of 164.88 feet to a point; Thence South 74 degrees, 31 minutes, 09 seconds East, a distance of 8.50 feet to a point; thence North 50 degrees 30 minutes 58 seconds East, a distance of 164.88 feet to a point, said point being the Northwest corner of Lot 69, Block 21, said subdivision; thence along a non-radial curve to the right having a Chord bearing of North 42 degrees 30 minutes 52 seconds West, a radius of 480 feet, and an arc distance of 8.00 feet to the point of beginning.

LA-2020-039

ATTACHMENT 2: ZONING SUPPORT DOCUMENTATION

Attachments

Public Hearing Summary from September 24, 2020 Plan Commission
Staff Report
Location Map
Map showing current zoning district in area
Names/Addresses of Surrounding Property Owners
Copy of letter to said property owners
Application
Pictures of subject property
Survey

Randy Diehl gave the staff report:

RE: LA-2020-039

Applicant: Christine Block

Location: 2170 Sunset Drive (Tarsney Lakes)

Request: Vacation of a platted 8 foot pedestrian walkway

The applicant is requesting the vacation of the pedestrian walkway between lots 69 & 70 Block 21, Tarsney Lakes. They own the lots on each side of the walkway.

The walkways were established in 1927 when the plat of Tarsney Lakes was recorded. They are considered right of way. The walkway is not being utilized as a functioning walkway leading to the lake.

In 1993 a similar request was made and granted to vacate the walkway across the street between Lots 10, 11, 49 & 50 Block 20.

During the testimony in 1993 it was discussed whether or not the walkways should be vacated as a whole or on a case by case basis. It was decided that requests for walkway vacations should be heard on an individual basis.

The vacation would be subject to any utilities that may exist within it.

Recommendation:

Staff recommends APPROVAL of LA-2020-039

Respectfully submitted,

Jackson County Public Works
Development Division
Randy Diehl, Administrator

Mr. Antey: The continuation of the walk way to the southwest will not be affected. The application does own both sides on both sides of the walkway.

Mr. Diehl: There is an additional 8 foot walkway that continues to the next street. We are just focusing on the portion between both her lots. Generally if there are different property owners on each side of a vacation, each property would be given the half that is adjacent to their property. It's split down the middle.

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

There were none.

Mr. Antey: *Is the applicant here?*

Christine Block: 2015 Sunset Drive.

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

I'm wanting to have my property as a whole. I'm wanting to do some developing on the lot on the other side of the walkway and don't want to have the walkway dividing it. I've been maintaining it for 15 years, and it hasn't been used as a walkway. My propane tank is on the other side as well.

Mr. Crawford: Is the walkway south of you being maintained at all?

Ms. Block: No. It's pretty much overgrown and wooded.

Mr. Antey: *Is there anyone else who is in favor of this application?*

Pete Schartel: 820 SW Ryan Road. I own one of the lots on the south side of this. I'm in favor of it.

Mr. Antey: *Is there anyone who is opposed or has questions regarding this application?*

There were none

Motion to take under advisement.

Mr. Crawford moved to take under advisement. Mr. Akins seconded.

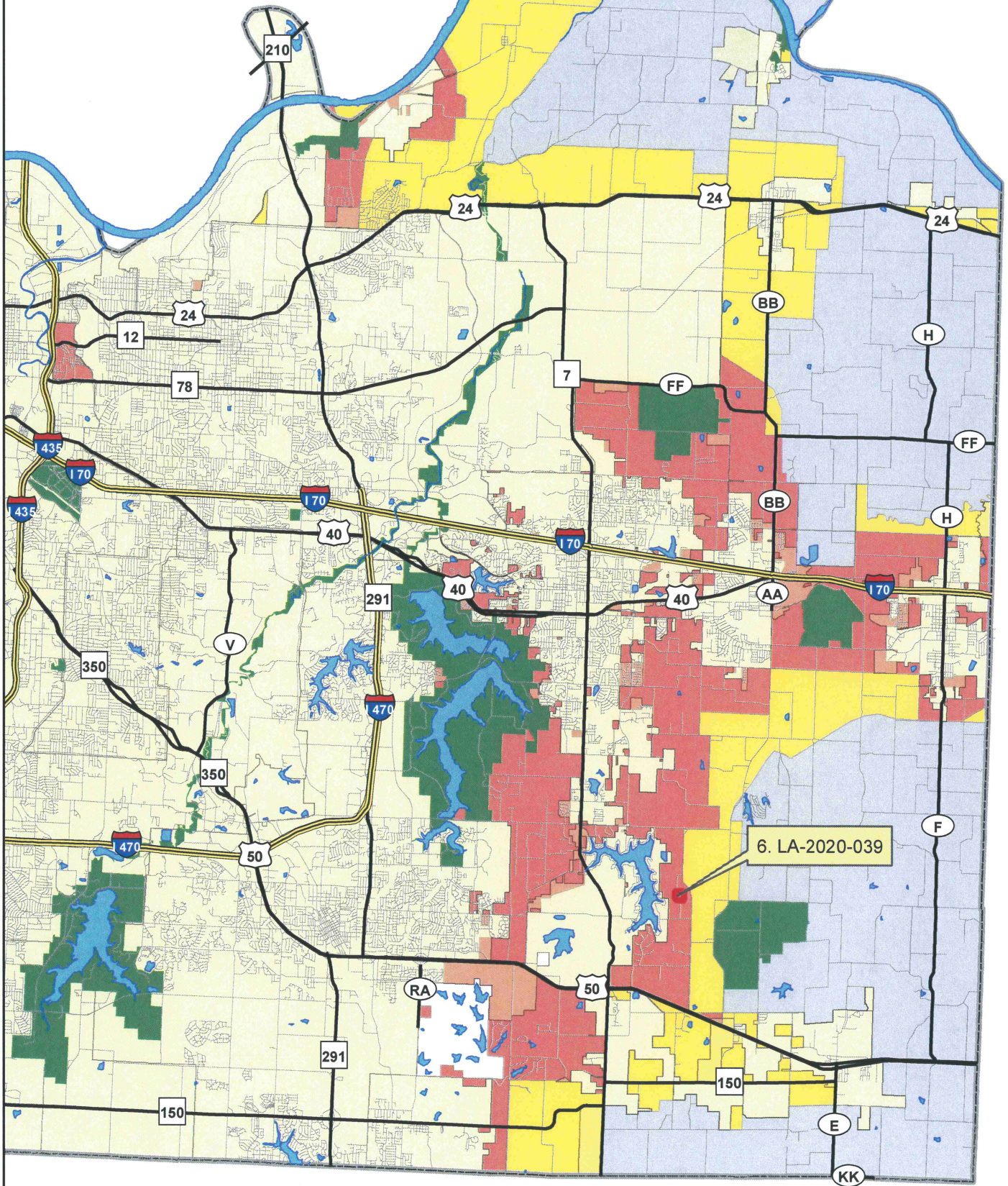
Discussion under advisement

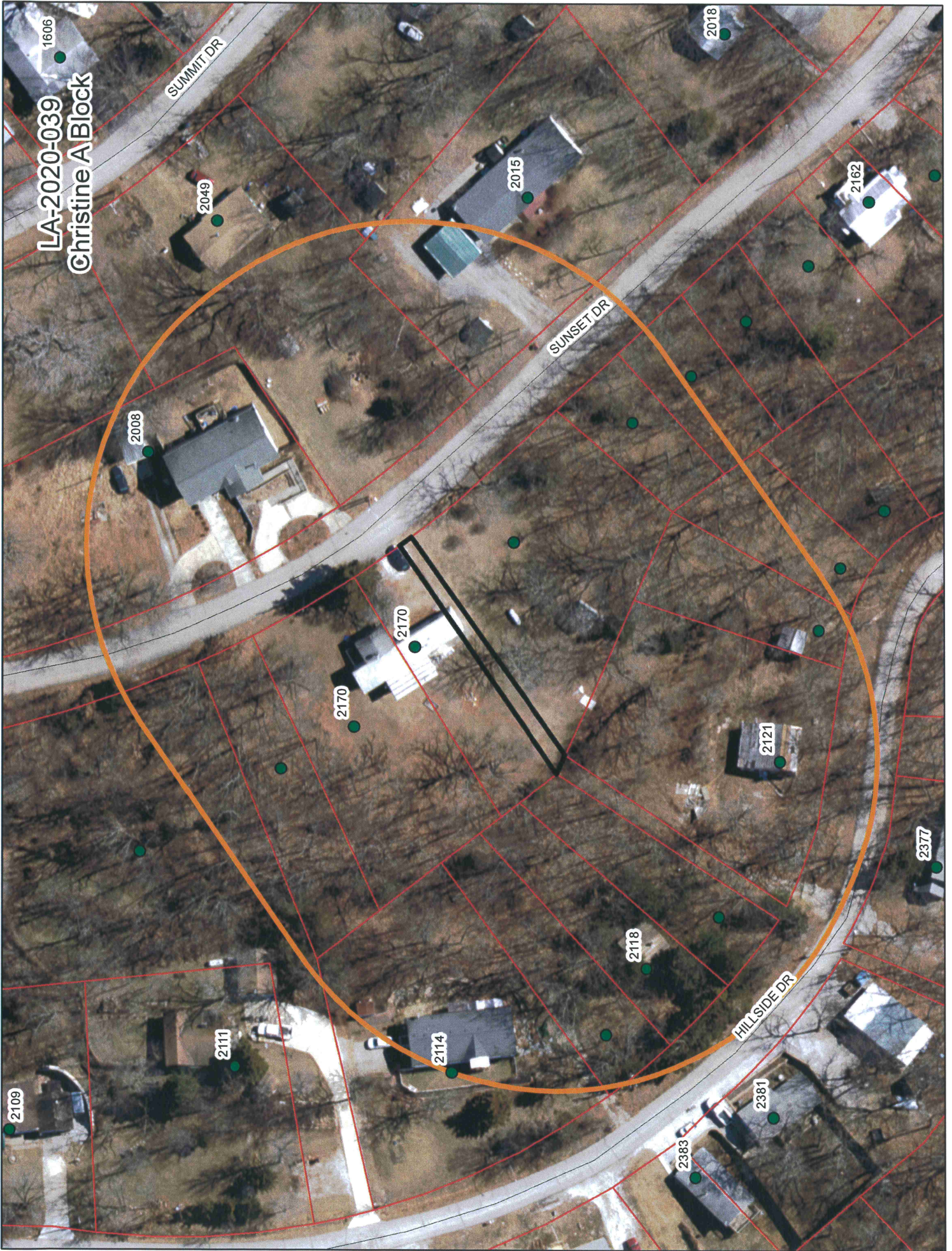
Ms. Mershon moved to approve. Mr. Tarpley seconded.

Mr. Akins	Approve
Mr. Tarpley	Approve
Mr. Crawford	Approve
Mr. Haley	Approve
Mr. Hilliard	Approve
Ms. Mershon	Approve
Chairman Antey	Approve

Motion Carried 7 – 0

Jackson County Plan Commission
September 17, 2020
Agenda Location Map





LA-2020-039
Christine A Block

SUMMIT DR

SUNSET DR

HILLSIDE DR

1606

2049

2015

2162

2018

2008

2170

2170

2121

2118

2114

2111

2109

2377

2381

2383

Plan Commission September 17, 2020

LA-2020-039

Property Owners Within 185 feet

Name	Name	Address	City	State	Zip
55-520-05-24-00-0-00-000	LAKES DEVELOPMENT CO	PO BOX 620	LIBERTY	MO	64069
55-520-04-52-00-0-00-000	CLASEN ROBERT E	2008 SUNSET DR	OAK GROVE	MO	64075
55-520-05-39-00-0-00-000	KEIM MICHELLE M	#18 FIRESIDE DR	CAMDENTON	MO	65020
55-520-05-34-00-0-00-000	LAND TRUST OF JACKSON COUNTY MO	4035 CENTRAL ST	KANSAS CITY	MO	64111
55-520-05-36-00-0-00-000	STITH MARY E	5923 OXFORD AVE	RAYTOWN	MO	34133
55-520-05-27-00-0-00-000	HAMERLY ROBERT W & DEBORA K	2111 HILLSIDE DR	OAK GROVE	MO	64075
55-520-04-43-00-0-00-000	JEPSEN DOUGLAS P	2052 SUMMIT DR	OAK GROVE	MO	64075
55-520-05-37-00-0-00-000	SCHARTEL PETER E	820 SW RYAN RD	GRAIN VALLEY	MO	64029
55-520-05-38-00-0-00-000	LAND TRUST OF JACKSON COUNTY MO	4035 CENTRAL ST	KANSAS CITY	MO	64111
55-520-05-68-00-0-00-000	BACON LINDA LOU	2111 HILLSIDE DR	OAK GROVE	MO	64075
55-520-05-35-00-0-00-000	STITH JAMES G & MARY E	3731 FULLER AVE	KANSAS CITY	MO	64129
55-520-04-48-01-0-00-000	STOWELL SETH S SR	2049 SUMMIT	OAK GROVE	MO	64075
55-520-05-23-00-0-00-000	BLOCK CHRISTINE A	2015 SUNSET DR	OAK GROVE	MO	64075
55-520-05-22-00-0-00-000	BLOCK CHRISTINE A	2015 SUNSET DR	OAK GROVE	MO	64075
55-520-05-64-00-0-00-000	BLOCK CHRISTINE A	2015 SUNSET DR	OAK GROVE	MO	64075
55-520-05-18-00-0-00-000	BARRETT SHELLY K & BLOCK CHRISTINE	2015 SUNSET DR	OAK GROVE	MO	64075
55-520-05-17-00-0-00-000	BARRETT SHELLY	2015 SUNSET DR	OAK GROVE	MO	64075
55-520-04-50-00-0-00-000	BARRETT SHELLY	2015 SUNSET DR	OAK GROVE	MO	64075



JACKSON COUNTY

Public Works Department

Jackson County Technology Center
303 West Walnut Street
Independence, Missouri 64050
jacksongov.org

(816) 881-4530
Fax: (816) 881-4448

September 2, 2020

RE: Public Hearing: LA-2020-039
Christine A Block

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 Christine A Block to vacate a platted 8 foot pedestrian walkway between Lots 69 & 70 Block 21, Tarsney Lakes, a subdivision in Jackson County, Missouri, aka 2170 Sunset Drive.

Please note that this request for a change of zoning affects only the property mentioned above. 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 185' of the subject property.

The public hearing on this matter will be held by the Plan Commission on Thursday, September 17, 2020 at 8:30 a.m. in the Large Conference Room, 2nd Floor, Historic Truman Courthouse, 112 W. Lexington, Independence, MO.

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 Development Division at 881-4649.

Sincerely,

A handwritten signature in blue ink, appearing to read "Randy Diehl", is written over a horizontal line.

Jackson County Public Works
Development Division
Randy Diehl, Administrator

Frank White, Jr., County Executive

JACKSON COUNTY, MISSOURI
APPLICATION FOR RIGHT-OF-WAY AND EASEMENT VACATIONS

Type of vacation (check one):

☒ Easement
WALKWAY

☐ Street

☐ Road right-of-way

Applicant: CHRISTINE BLOCK

Address: 2170 SUNSET DR. OAK GROVE MO
64075

Phone: 816-805-0079

APPLICANT INFORMATION:

Application must be filed with the Jackson County Planning and Development Division, 303 West Walnut, Independence, Missouri 64050 by the date on the Plan Commission Calendar.

The following items need to be submitted with the application:

1. A letter to the Administrator of Planning and Development giving the reasons for the vacation request.
2. An accurate legal description of the easement, street or road right-of-way. This needs to be done by a Missouri Registered land surveyor who must sign and seal the legal description document.
3. One (1) copy, size 8 1/2 x 11, of a black and white map which shows the general location of the subject easement, street or road right-of-way.
4. Two (2) copies, (1 size 8 1/2 x 11, 1 copy size 22 x 33) of a black and white map which shows the subject easement, street or road right-of-way in detail.
5. The filing fee of \$250 (non-refundable), check payable to Manager of Finance.

Signature of individual submitting the vacation request:


(Signature)

08/07/2020
(Date)

TO BE COMPLETED BY OFFICE PERSONNEL ONLY:

Vacation Case Number LA _____

Date filed _____ Date of hearing _____ Date Advertised _____

Heard by _____ Date _____ Decision _____

Heard by _____ Date _____ Decision _____

Heard by _____ Date _____ Decision _____

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

Applicant(s):

Christine Block
CHRISTINE BLOCK

^{14 CTR}
08/14/2020
08/14/2020

Applicant(s):

~~gph~~

~~gph~~

STATE OF Missouri
COUNTY OF Jackson

On this 14th day of August, in the year of 2020, before me the undersigned notary public, personally appeared

known to me to be the person(s) whose name(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.

Jordyn Beebe
Notary Public

Commission Expires 10/23/2022

