REQUEST FOR LEGISLATIVE ACTION

Version 6/10/19

Completed by County Counselor's Office: Res/Ord No.: 5465

Sponsor(s):
Date:

November 30, 2020

SUBJECT	Action Requested Resolution Ordinance		
DIPORT	Project/Title: Randall & Miriam Alexander – RZ-2020-592		
BUDGET		Φ.	
INFORMATION To be completed	Amount authorized by this legislation this fiscal year:		
To be completed By Requesting	Amount previously authorized this fiscal year:		
Department and	Total amount authorized after this legislative action: Amount hydrated for this item * (including transfers):		
Finance	Amount budgeted for this item * (including transfers): Source of funding (name of fund) and account code number:		
		\$	
	* If account includes additional funds for other expenses, total budgeted in the account is: \$ OTHER FINANCIAL INFORMATION:		
	No budget impact (no fiscal note required) Term and Supply Contract (funds approved in the annual budget); estimated value a Department: Estimated Use: Prior Year Budget (if applicable): Prior Year Actual Amount Spent (if applicable):	and use of contract:	
PRIOR	Prior ordinances and (date):		
LEGISLATION	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 5.51 ± acres to District RR (Residential Ranchette). The purpose is to create a single family residential lot. The location is 25705 E. Happy Hollow Road, Jackson County, Missouri. 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 November 19, 2020 and accepted testimony pertaining to the rezoning request. The Plan Commission voted 5 to 0 to recommend APPROVAL to the County Legislature.		
CLEARANCE	Tax Clearance Completed (Purchasing & Department) Business License Verified (Purchasing & Department) Chapter 6 Compliance - Affirmative Action/Prevailing Wage (County Auditor's Office)	ffice)	
COMPLIANCE	☐ MBE Goals ☐ WBE Goals ☐ VBE Goals		
ATTACHMENTS	Attachment 1: Property Description. Attachment 2: Zoning Support Documents		
REVIEW	Department Director: Brian D. Gaddie, P.E. Director of Rublic Works	Date: 11-25-20	
	Finance (Budget Approval): If applicable	Date:	
	Division Manager: Il way M Schulte June	Date: 11-25-2020	
	County Counselor's Office: Jugar . War .	Date: 1-25-2020	

Fiscal	Information (to be verified b	y 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:
			County to pay any specific amount. The availability of ach using agency places its order.
\boxtimes	This legislative action does not in	mpact the County financially and	does not require Finance/Budget approval.

RZ-2020-592

ATTACHMENT 1: PROPERTY DESCRIPTION

Description:

A tract of land in the Southeast Quarter of the Northeast Quarter of Section 12, Township 50, Range 31, Jackson County, Missouri, being more particularly described as follows:

Commenting at the Southeast corner of said Southeast Quarter; thence North 02 degrees, 49 minutes, 26 seconds, along the East line of said Southeast Quarter, 968.85 feet to the Point of Beginning; thence North 88 degrees, 19 minutes, 40 seconds West, 692.24 feet; thence North 02 degrees, 49 minutes, 26 seconds East, 347.61 feet to a point on the North line of said Southeast Quarter; thence South 88 degrees, 12 minutes, 13 seconds east, along the North line of said Southeast Quarter, 692.21 feet to the Northeast corner of said Southeast Quarter; thence South 02 degrees, 49 minutes, 26 Seconds West, along the East line of said Southeast Quarter, 346.11 feet to the point of beginning.

RZ-2020-592

ATTACHMENT 1: PROPERTY DESCRIPTION

Description:

A tract of land in the Southeast Quarter of the Northeast Quarter of Section 12, Township 50, Range 31, Jackson County, Missouri, being more particularly described as follows:

Commenting at the Southeast corner of said Southeast Quarter; thence North 02 degrees, 49 minutes, 26 seconds, along the East line of said Southeast Quarter, 968.85 feet to the Point of Beginning; thence North 88 degrees, 19 minutes, 40 seconds West, 692.24 feet; thence North 02 degrees, 49 minutes, 26 seconds East, 347.61 feet to a point on the North line of said Southeast Quarter; thence South 88 degrees, 12 minutes, 13 seconds east, along the North line of said Southeast Quarter, 692.21 feet to the Northeast corner of said Southeast Quarter; thence South 02 degrees, 49 minutes, 26 Seconds West, along the East line of said Southeast Quarter, 346.11 feet to the point of beginning.

RZ-2020-592

ATTACHMENT 2: ZONING SUPPORT DOCUMENTATION

<u>Attachments</u>

Public Hearing Summary from November 19, 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 Certificate of Survey

Randy Diehl gave the staff report:

RE: RZ-2020-592

Applicant: Randall & Miriam Alexander

Location: 25705 E. Happy Hollow Road

Area: $5.51 \pm acres$

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

(Residential Ranchette)

Purpose: To create a single family residential lot

Current Land Use and Zoning in the Area:

The zoning in the immediate area is Agricultural and Residential Ranchette. Land use is single family residences and agricultural uses.

There are 7 subdivisions in the immediate area with lot sizes ranging from 2 to 5 acres in size. Two of these were developed prior to the Unified Development Code (UDC) and therefore remain within district AG (Agricultural). The others are all within District RR.

The applicant has an 11.02 acre tract (Tract A, Exhibit 8) and is wishing to divide it into two tracts. The north tract (Tract A1, Exhibit 9) is the one under consideration. It will also need to be platted into a one lot subdivision before any development commences.

The remaining 5.51 acres to the south will be added into the 14.44 to the south.

County Plan:

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

The Residential Ranchette is appropriate for the Rural Development Tier, and is not out of character with the surrounding properties.

Recommendation:

Staff recommends APPROVAL of RZ-2020-592

Respectfully submitted,

Jackson County Public Works Development Division Randy Diehl, Administrator Mr. Antey: You answered one of my questions on why we are only rezoning just the one 5 acre pieces.

Mr. Antey: Are there any questions for Randy?

There were none

Mr. Antey: Is the applicant here?

Randy Alexander: 15101 Industrial Drive, Independence, MO

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

Mr. Alexander: No, I think he covered it all.

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

Discussion under advisement

Mr. Tarpley moved to approve. Mr. Crawford seconded.

Mr. Tarpley Approve
Mr. Crawford Approve
Mr. Haley Approve
Mr. Hilliard Approve
Chairman Antey Approve

Motion Carried 5 - 0

STAFF REPORT

PLAN COMMISSION November 19, 2020

RE: RZ-2020-592

Applicant: Randall & Miriam Alexander

Location: 25705 E. Happy Hollow Road

Area: 5.51 ± acres

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

(Residential Ranchette)

Purpose: To create a single family residential lot

Current Land Use and Zoning in the Area:

The zoning in the immediate area is Agricultural and Residential Ranchette. Land use is single family residences and agricultural uses.

There are 7 subdivisions in the immediate area with lot sizes ranging from 2 to 5 acres in size. Two of these were developed prior to the Unified Development Code (UDC) and therefore remain within district AG (Agricultural). The others are all within District RR.

The applicant has an 11.02 acre tract (Tract A, Exhibit 8) and is wishing to divide it into two tracts. The north tract (Tract A1, Exhibit 9) is the one under consideration. It will also need to be platted into a one lot subdivision before any development commences.

The remaining 5.51 acres to the south will be added into the 14.44 to the south.

County Plan:

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

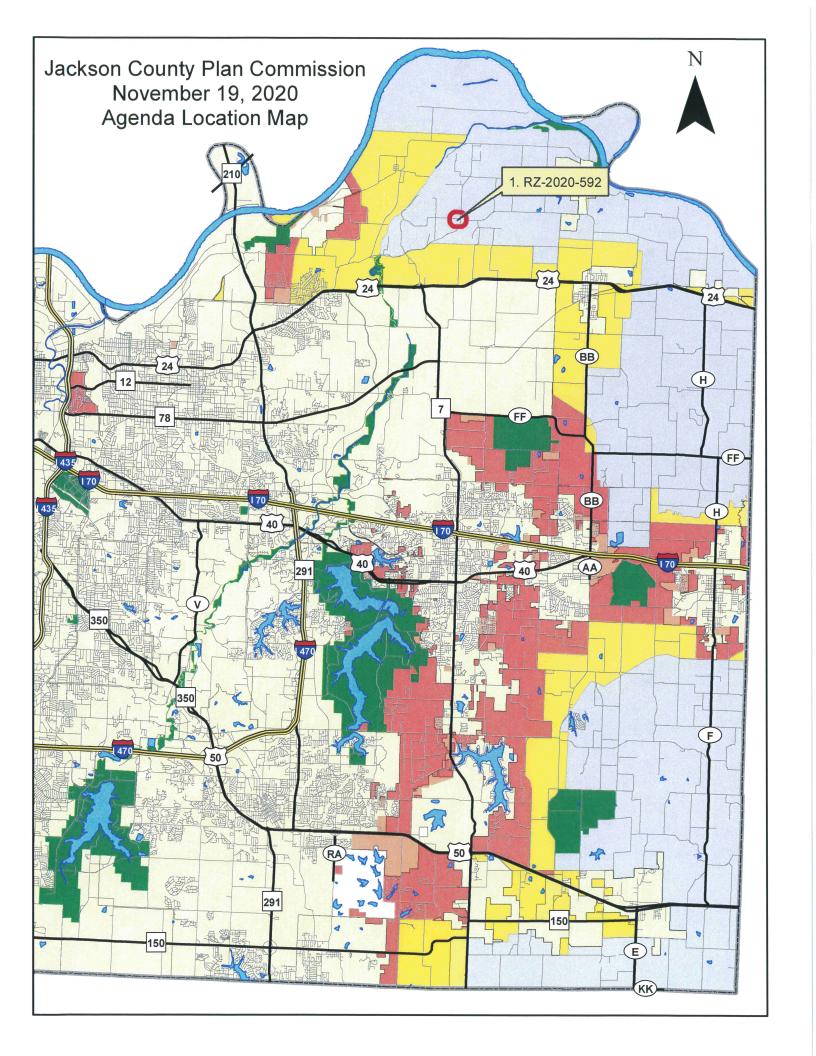
The Residential Ranchette is appropriate for the Rural Development Tier, and is not out of character with the surrounding properties.

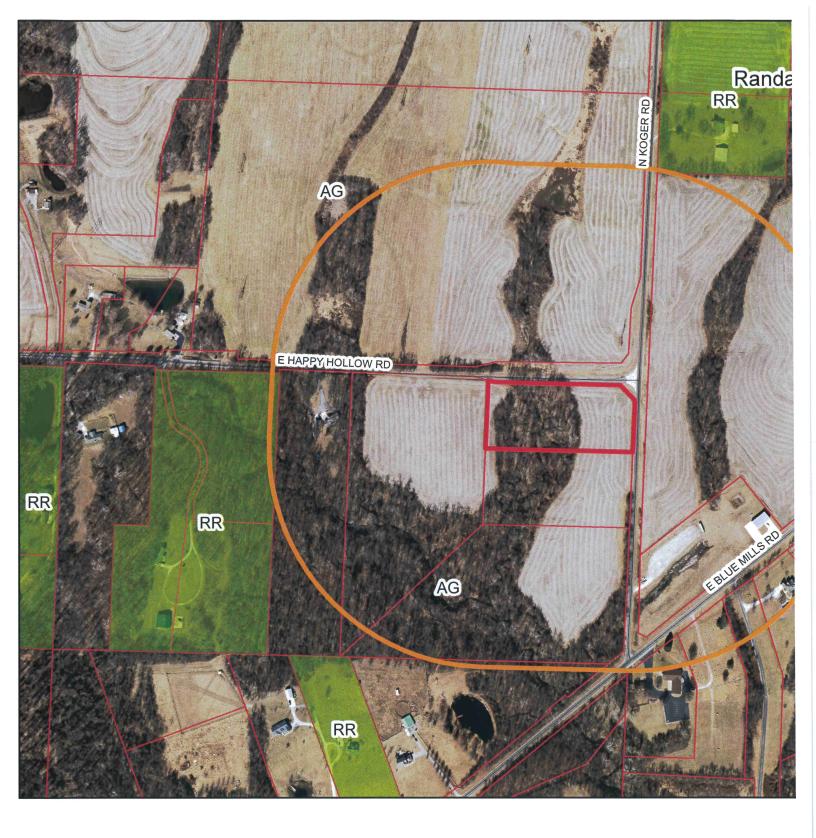
Recommendation:

Staff recommends APPROVAL of RZ-2020-592

Respectfully submitted,

Jackson County Public Works Development Division Randy Diehl, Administrator





Plan Commission November 19, 2020 RZ-2020-592 Property Owners Within 1000 feet

Parcel	Name	Address	City
08-420-02-09-00-0-00-000	LAWSON RICHARD & LAURA	26203 E BLUE MILLS RD	SIBLEY
09-600-01-04-01-1-00-000	MILLER MICHAEL C & SUSAN B	25511 E HAPPY HOLLOW RD	INDEPEND
08-420-02-07-00-0-00-000	MEWES ENNO W & CAROL S	26303 E BLUE MILLS RD	SIBLEY
08-430-01-18-00-0-00-000	SIX MILE BAPTIST CHURCH	26005 E BLUE MILLS RD	INDEPEND
08-420-01-07-00-0-00-000	FORT OSAGE FIRE PROTECTION DISTRICT	4 W MONROE	BUCKNER
09-600-01-15-00-0-00-000	ALEXANDER JEREMY & KATIE	15101 INDUSTRIAL DR	RIVER BE
09-600-01-11-00-0-00-000	HOUSKNECHT MILO & CINA	38307 E STOENNER RD	LEVASY
09-600-04-01-01-0-00-000	MCBEE JAMES W & DARLA	25702 E BLUE MILLS RD	INDEPEND
08-420-01-06-00-0-00-000	CATHOLIC DIOCESE OF KC-ST JOE	PO BOX 419037	KANSAS C
09-600-01-14-00-0-00-000	OGLE ROBERT & LAURELL	4016 N PERRIN RD	INDEPEND
08-430-01-02-00-0-00-000	WILSON RIDGE HOMEOWNERS ASSOC	PO BOX 460	BLUE SPR
08-420-01-08-00-0-00-000	SYME JOHN R & MARY E	3715 N KOGER RD	SIBLEY
08-430-01-03-00-0-00-000	SIX MILE CEMETERY ASSOC	18509 E 23RD TER S	INDEPEND
09-600-01-01-00-0-00-000	CATHOLIC DIOCESE OF KC-ST JOE	PO BOX 419037	KANSAS C
08-420-02-08-00-0-00-000	WALLER KEVIN D & STACIE R	26209 E BLUE MILLS RD	SIBLEY
09-600-01-13-00-0-00-000	ALEXANDER RANDALL & MIRIAM	15101 INDUSTRIAL DR	RIVER BE



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

November 4, 2020

RE:

Public Hearing: RZ-2020-592 Randall & Miriam Alexander

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 Randall & Miriam Alexander for a change of zoning from District AG (Agricultural) on a 5.51 ± acre tract to District RR (Residential Ranchette). The purpose is to create a single family residential lot in Section 12, Township 50, Range 31 at 25705 E. Happy Hollow Road, Jackson County, Missouri.

Please note that this request for a change of zoning <u>affects only the property mentioned above.</u>
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 1000' of the subject property.

The public hearing on this matter will be held by the Plan Commission on <u>Thursday, November 19, 2020</u> at 8:30 a.m. in the Large Conference Room, 2nd Floor, Historic Truman Courthouse, 112 W. Lexington, <u>Independence, MO.</u>

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,

Jackson County Public Works
Development Division

Randy Diehl, Administrator

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.
- 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 C	ase NumberRZ-	2020-592	
Date filed_	8-12-20	Date of hearing	11-19-20
Date adverti	sed_11-4-20	Date property own	ers notified 11-4-20
Date signs p	osted_11-4-20		
Hearings:	Heard by PC	Date 11-19-20	Decision
	Heard by Lo	Date	Decision
	Heard by LG	Date	Decision
BEGIN AI	PPLICATION HERE:		
1. Da	ta on Applicant(s) and	Owner(s):	1
a.	Applicant(s) Name:		Tiriam Alexander
	Address:	11 Industri	al Dr
	_ Rive	r Bend MO	64058
	Phone: 8/6-	809-6543	3
b.	Owner(s) Name:	Same	
	Address:	Same	
	Phone:		
c.	Agent(s) Name:		

Add	ress:
Pho	ne:
d. Apr	olicant's interest in Property:
General lo	cation (Road Name) Corner of E Happy Hollow R
	+ N Koger Rd
Present Zo	ning Agriculture Requested Zoning Residential
AREA (so	t N Koger Rd oning Agriculture Requested Zoning Residential R q. ft. / acres) 10 acres
	cription of Property: (Write Below or Attached 9)
,	See attached

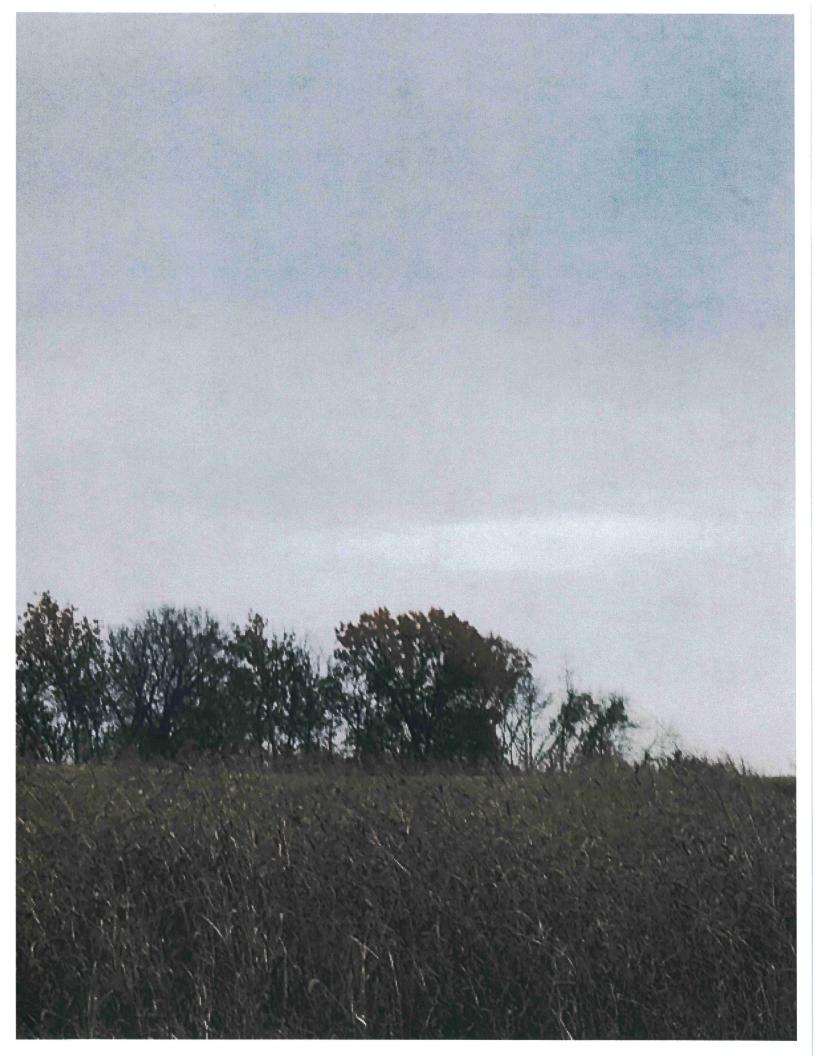
Present Us	e of Property: Agriculture
Proposed I	Jse of Property: November, 2020
Proposed	Time Schedule for Development: Bookle Navender 2020
Is any por	tion of the property within the established flood plain as shown on the FEMA Flood
Boundary	Map?
If so, will	any improvements be made to the property which will increase or decrease the
elevation?	
Describe	the source/method which provides the following services, and what effect the
developme	nt will have on same: All will be residential use
a. Wa	aterPW5D#16
b. Se	wage disposal Will have Septic system
c. Ele	ectricity Evergy - already existing
d. Fir	e and Police protection Fortosage Fire & Jackson County
Describe ex	xisting road width and condition: Wide enough for 2 Vehicles to
	pass contartably- Kands are
	in good condition

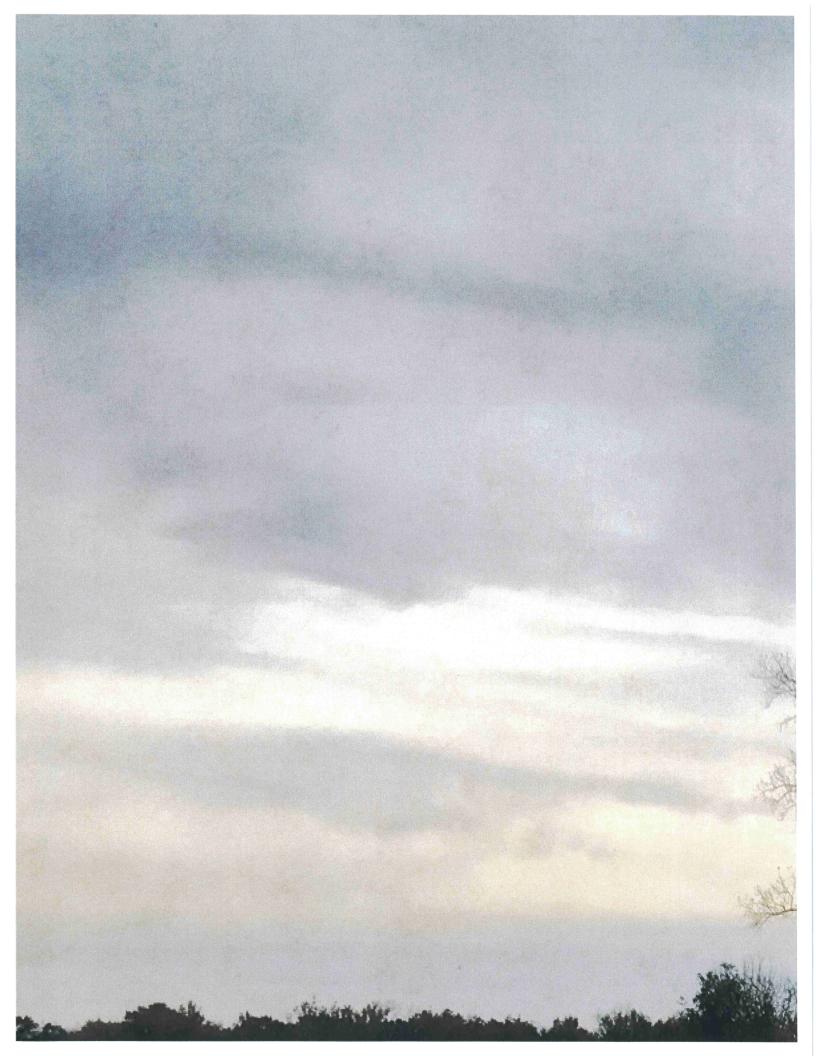
13.	What effect will proposed development have on existing road and traffic
	conditions? It will have a minimal impact. It
	will be residutial use
14.	Are any state, federal, or other public agencies approvals or permits required for the proposed development?
	If so, describe giving dates of application and status (include permit numbers and copies of same,
	if issued):

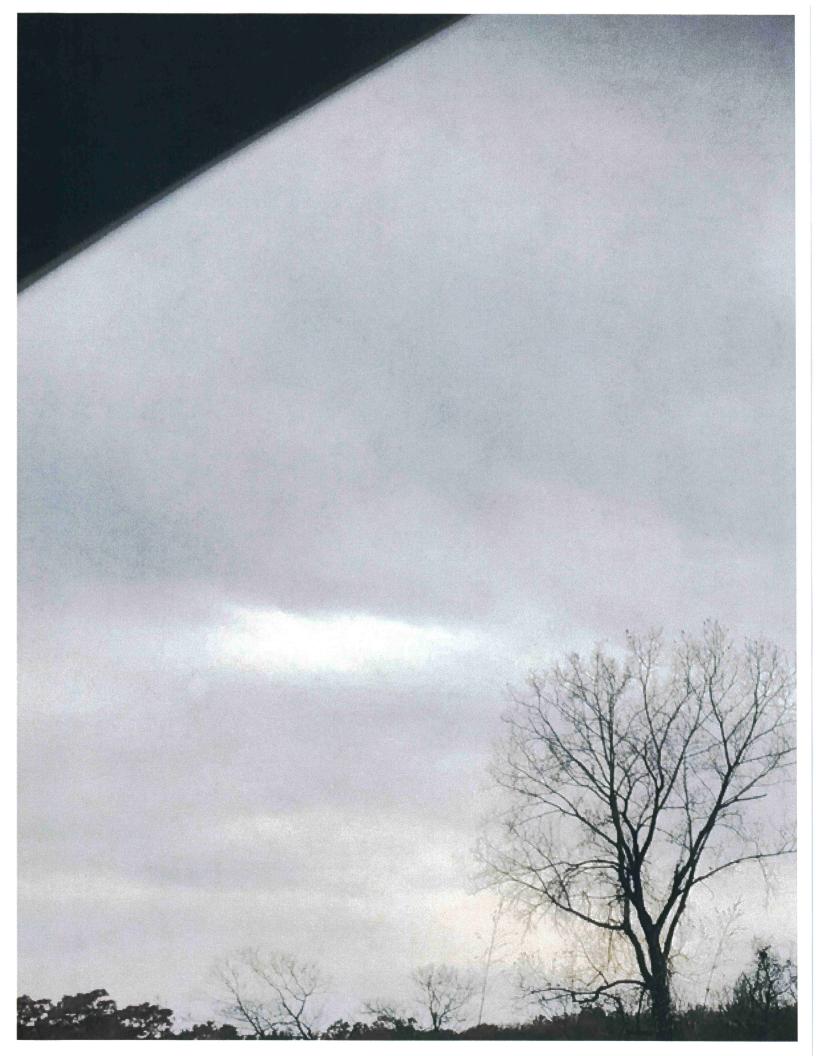
Verification: I (We) hereby certify that all of the foregoing statements contained in any papers and/or plans submitted herewith are true to the best of my (our) knowledge and belief.

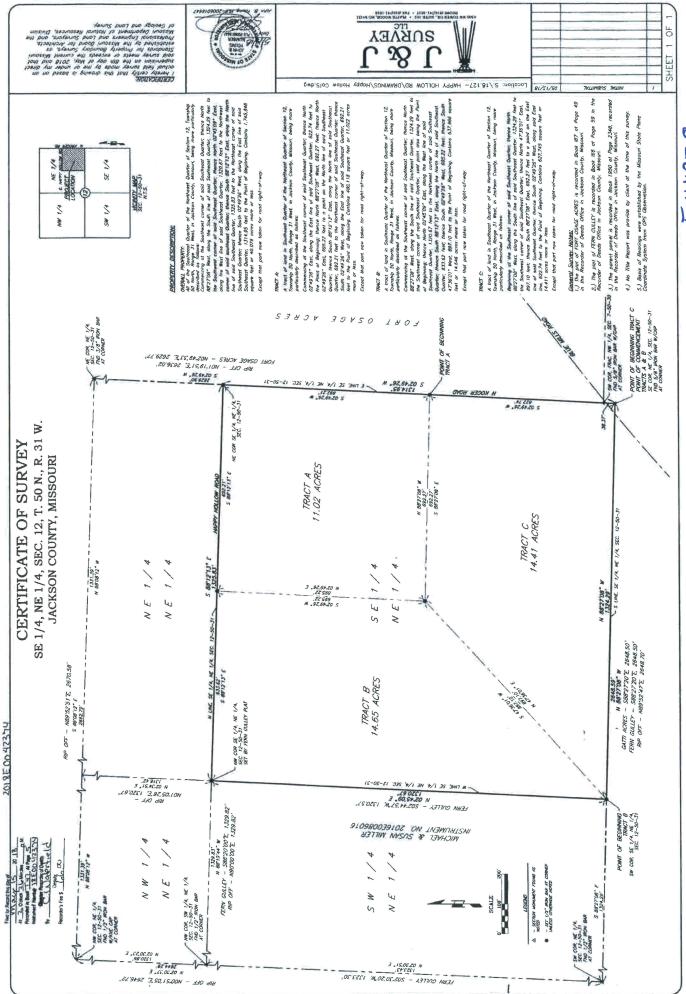
Property Owner(s) Rull fall Maiou Cloyder	8-11-2020 8-11-2020
Applicant(s): Phel fall	8-11-2020
Contract Purchaser(s):	
STATE OF MO COUNTY OF Jackson	5
On this	ear of 2020, before me
known to me to be the person(s) whose names(s) is/are subsc	ribed to the within instrument and
acknowledged that he/she/they executed the same for the purposes the	
In witness whereof, I hereunto set my hand and official seal.	
	n Expires 2/12/2020

EVAN JOSEPH LAVENDER
NOTARY PUBLIC-NOTARY SEAL
STATE OF MISSOURI-JACKSON COUNTY
COMMISSION # 18918080
MY COMMISSION EXPIRES: FEB. 12, 2022









8 18 7