



# Jackson County Missouri

Jackson County Courthouse  
415 E. 12th Street, 2nd floor  
Kansas City, Missouri  
64106  
(816)881-3242

## Legislation Text

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**File #: 2857, Version: 1**

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Land Use

Committee Amendment  
October 27, 1998

IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI  
AN ORDINANCE approving a conditional use permit for the operation of a winery as to a certain 7 + acre tract.  
ORDINANCE 2857, October 5, 1998

BE IT ORDAINED by the County Legislature of Jackson County, Missouri as follows:

Section 1. A conditional use permit for twenty years for the operation of a winery, subject to the restrictions specified below, under the Unified Development Code, is hereby approved as to a certain tract of land described as follows:

A tract of land in Jackson County, Missouri in the Southwest Quarter of Section 25, Township 48, Range 31 described as follows:

Commencing at the Northwest Corner of the Southwest Quarter of Section 25, Township 48, Range 31; thence South 88 degrees 06 minutes 22 seconds East a distance of 761 feet to the point of beginning; thence South 88 degrees 06 minutes 22 seconds East a distance of 175.41 feet; thence South 01 degrees 53 minutes 38 seconds West a distance of 952 feet; thence North 88 degrees 06 minutes 22 seconds West a distance of 550.41 feet; thence North 02 degrees 13 minutes 13 seconds east a distance of 332 feet; thence South 88 degrees 06 minutes 22 seconds East a distance of 180 feet; thence North 43 degrees 06 minutes 22 seconds East a distance of 28.28 feet; thence North 02 degrees 13 minutes 13 seconds East a distance of 67 feet; thence South 88 degrees 06 minutes 22 seconds East a distance of 175 feet; thence North 02 degrees 13 minutes 13 seconds East a distance of 533 feet to the point of beginning, aka 24607 NE Colbern Road.

Conditions to RLA:

A conditional use permit to operate a winery for a period of Twenty (20) years subject to the following conditions:

- 1) **SITE PLAN:** The site plan as presented by the applicant shall be strictly adhered to. The total number of buildings as well as the total square footage of any single building shall not be exceeded.
- 2) **DRIVEWAYS & PARKING AREAS:** The existing driveway and parking areas shall be an impervious surface such as asphalt or concrete. Any future parking areas shall also be impervious with a similar material. Off-street parking shall be provided at the ratio of one (1) space per 200 square feet of floor area open to the public.
- 3) **ITEMS FOR SALE:** The display of items being offered for resale shall be restricted to indoor areas. All items shall be stored indoors, or within an approved, screened storage area.
- 4) **HOURS OF OPERATION:** Hours of operation that the winery is open to the public shall be limited to 8:00 AM to 9:00 PM. Private functions must end by 10:00 PM, Sunday through Thursday nights and by 11:00 PM on Friday and Saturday nights.
- 5) **SIGNAGE:** Signage shall comply with Section 24007 in the Unified Development Code and must be further approved as a part of the Site Plan.
- 6) **DELIVERY HOURS:** Scheduled deliveries shall be limited to 7:00AM to 6:00PM Monday through Friday.
- 7) **MUSIC:** Live music shall be restricted to indoor areas. Music piped to the outdoors shall be played at a level that is not objectionable to a property owner within 600 feet of the permitted property.
- 8) **WINE PRODUCTION:** Total wine production shall be limited to 30,000 gallons per calendar year. A copy of the annual report to the Bureau of Alcohol, Tobacco and Firearms indicating production shall be provided to the County Public Works Development Division. The owner shall maintain annually a minimum of seven acres on-site in fruit production and limit the U-pick berry operation to 15,000 pounds.
- 9) **PRODUCTION, SALE & CONSUMPTION OF ALCOHOLIC BEVERAGES:** The production of alcoholic beverages shall be limited to wines. The sale of alcoholic beverages shall be limited to wines. The on-site consumption of alcoholic beverages by the general public shall be limited to wines. In addition, wine and beer may be provided by catering services at private parties and events. Hard liquor may not be produced, sold or consumed on the site.
- 10) **PRODUCTION, SALE & CONSUMPTION OF FOOD:** The preparation and sale of food items shall be restricted to snack items and cold sandwiches normally associated with wine and wine tasting. The preparation of bratwurst and sausages for special events shall be

allowed. The preparation of hot sandwiches such as hamburgers and hotdogs is prohibited. A restaurant operation of any kind is additionally prohibited. Food for private functions that is provided by catering services shall be allowed.

11) TEMPORARY STRUCTURES & TENTS: No temporary structures shall be allowed. A single tent, not exceeding two thousand, five hundred (2,500) square feet, may be erected from time-to-time for a special event not to exceed a time period of four consecutive days. The location of the tent shall be restricted to an area south of an east-west line that is parallel to the north face of the main winery building. The tent must be taken down within twenty-four (24) hours after the special event.

Section 2. The Legislature, pursuant to the application of Kenneth Euritt, (CU-98-035), requesting approval embodied in this ordinance and with notice that the Jackson County Planning Commission unanimously recommended approval of this application in a public hearing on August 20, 1998, does adopt this ordinance pursuant to the Jackson County Charter authorizing the Legislature to exercise legislative power pertaining to planning and zoning...Attorney  
Effective Date: This Ordinance shall be effective immediately upon its signature by the County Executive.

APPROVED AS TO FORM:

\_\_\_\_\_  
County Counselor

I hereby certify that the attached Ordinance, Ordinance #2857 introduced on October 5, 1998, was duly passed on \_\_\_\_\_ October 27 \_\_\_\_\_, 1998 by the Jackson County Legislature. The votes thereon were as follows:

Yeas \_\_\_\_\_ 8 \_\_\_\_\_                      Nays \_\_\_\_\_ 0 \_\_\_\_\_  
Abstaining \_\_\_\_\_ 0 \_\_\_\_\_                      Absent \_\_\_\_\_ 1 \_\_\_\_\_

This Ordinance is hereby transmitted to the County Executive for her signature.

\_\_\_\_\_  
Date    Mary Jo Brogato, Clerk of Legislature

I hereby approve the attached Ordinance #2857.

\_\_\_\_\_  
Date    Katheryn J. Shields, County Executive