



Jackson County Missouri

Jackson County Courthouse
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Legislation Text

File #: 4071, Version: 1

Land Use Committee
Substitute
January 8, 2009

IN THE COUNTY LEGISLATURE OF JACKSON COUNTY, MISSOURI

AN ORDINANCE amending the zoning districts established pursuant to the Unified Development Code by changing from District A (Agricultural) to District RR (Residential Ranchette) a certain 46.5± acre tract, and approving the preliminary plat "Country Oaks," creating an eight-lot residential subdivision.

ORDINANCE #4071, December 8, 2008

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

Section 1. The Zoning Order of Jackson County, Missouri, and the official maps which are a part thereof, are amended by changing the boundaries of the "A" (Agricultural) District and the "RR" (Residential Ranchette) District, so that there will be transferred from District A to District RR, a tract of land described as follows:

Description:

The 46.5± acres are located at the northwest corner of Nebgen and Hardsaw Roads and specifically described as a tract of land located in the west one-half of the northwest quarter of Section 13, Township 48, Range 30 in Jackson County, Missouri, more particularly described as:

Description: Commencing at the southwest corner of the northwest quarter of Section 13, Township 48, Range 30 in Jackson County, Missouri; thence north 00°08'22" west, 939.86 feet along the west line of said northwest quarter; thence south 89°35'56" east, 833.15 feet; thence north 00°02'44" east, 1670.00 feet to a point on the north line of the west one-half of the northwest quarter of said Section 13; thence south 89°35'56" east, 480.00 feet to the northwest corner of the northwest quarter of said Section 13; thence south 00°02'44" west, 2460.55 feet along the east line of the west one-half of the northwest quarter of said Section 13; thence south 54°41'36" west, 261.69 feet to a point on the south line of the west one-half of said northwest quarter; thence north 89°24'21" west, 1096.70 feet along the south line of the west one-half of the northwest quarter of said Section 13 to the southwest corner of the northwest quarter of said Section 13, said point being the point of beginning of this description. The

above described tract of land contains 46.576 acres and is subject to road right of ways, easements and restrictions of record, if any.

Section 2. The preliminary plat "Country Oaks," creating an eight-lot residential subdivision, is hereby approved, subject to the following conditions:

1. On the plat, illustrate and label as a "No Build Zone" 75 feet on each side of the creek that flows through Lot 6 and Tract C.
2. On the plat, Water District 17 has requested a dedicated 15 foot easement inside the proposed lots. The 15 foot easement will be adjacent and within the lot line. A 10 foot utility easement will be adjacent to the water district 15 foot easement.
3. Because of the severely rated soil and bisecting drainage routes, the wastewater system for lots 6, 7 and Tract C will need to be designed by a professional registered engineer and illustrated on the final plat.
4. On the plat, remove the 25 foot access to Tract A north of Lot 8 and relocate to the south of Lot 7 making it adjacent to the access locations for Tracts B and C.
5. The developer must coordinate with Kansas City Power and Light the release of a blanket electrical easement that was assigned to Missouri Public Service in 1949. A new easement will need to be illustrated on the plat to incorporate the overhead power lines.
6. The Public Works Department has restricted driveway locations for lots and tracts to meet sight distance requirements. These locations must be illustrated on the plat.
7. Prior to final plat approval, the developer shall submit to the Public Works Department construction engineering plans prepared by a Missouri Registered Professional Engineer to improve the line of sign issue on the north side of Nebgen Road between the Hardsaw Road intersections. The Public Works Department will review and issue a permit for construction. The developer shall construct all improvement that will be inspected and accepted by Public Works. The developer shall guarantee the improvements for three years in accordance to Unified Development Code Section 24003.15.

Section 3. The Legislature, pursuant to the application of Mid-AM Financial Leasing, LLC (RZ-2008-459), requesting the amendment embodied in this Ordinance and with notice that the Jackson County Plan Commission unanimously recommended approval of this application in a public hearing

on November 20, 2008, does adopt this Ordinance pursuant to the Jackson County Charter authorizing the Legislature to exercise legislative power pertaining to planning and zoning.

Effective Date: This Ordinance shall be effective immediately upon its signature by the County Executive.

APPROVED AS TO FORM:

Chief Deputy County Counselor

County Counselor

I hereby certify that the attached Ordinance, Ordinance #4071 introduced on December 8, 2008, was duly passed on January 13, 2009 by the Jackson County Legislature. The votes thereon were as follows:

Yeas	<u>7</u>	<u>0</u>	Nays
Abstaining	<u>0</u>	<u>2</u>	Absent

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

Date

Mary Jo Spino, Clerk of Legislature

I hereby approve the attached Ordinance #4071.

Date

Michael Sanders, County Executive