



Report to Planning & Zoning Commission

Clay County, Missouri

General Information

Site Location: approximately 17326 169 Highway
Section 15 | Township 53 | Range 33

Site Size: 75.82± Acres

Existing Landuse & Zoning: Agricultural District (AG)

Zoning/Platting History: None

Surrounding Landuse & Zoning:

- North - City of Smithville, Agricultural (AG) zoned land
- East - 169 Highway, Agricultural (AG) zoned land, City of Smithville
- South - City of Smithville
- West - Agricultural (AG) zoned land, City of Smithville

Current Conditions:



Courtesy Clay County Assessor, GIS/Mapping



Courtesy Microsoft® Bing™



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Assessment

Donald (Dirk) and Julie Talley are requesting the use of well water as the sole water supply source on a 75.82± acre property located at approximately 17326 169 Highway.

The Talley's are submitting this request to allow for the construction of their new single-family residence on the subject property.

2008 Comprehensive Plan Considerations

The Comprehensive Plan ("Plan") indicates that the subject property is located in the Urban Services Tier, the one-mile coordination tier with the City of Smithville and the Highway Corridor Overlay District.

Character of the General Neighborhood

Agricultural (AG) zoned is to the North, East and West of the property. The City of Smithville is to each direction of the property [see Attachment B].

LDC Considerations

Section 151-8.9, Water Supply and Fire Protection, of the Land Development Code (LDC) requires that all proposed development (including new construction) be connected to an enclosed water supply system, with an exception under subsection (D) for well water "only under unusual circumstances, as determined by the Planning and Zoning Commission, Clay County Commission and approved by the MO Department of Natural Resources".

Findings

Mr. Talley has submitted a packet of information [see Attachment C].

Staff recommends that a notarized statement must be signed by the land owners that the subject property will connect to a water supply district or other approved enclosed water source if it is ever further subdivided.

Recommendations

Staff recommends the **General Recommendation** to allow the use of well water as a sole water supply source for the property at approximately 17326 169 Highway be **approved**, with the following condition as shown on Exhibit A:

Exhibit A

1. Notarized statement signed by the land owners that the subject property will connect to a water supply district or other approved enclosed water source if it is ever further subdivided.

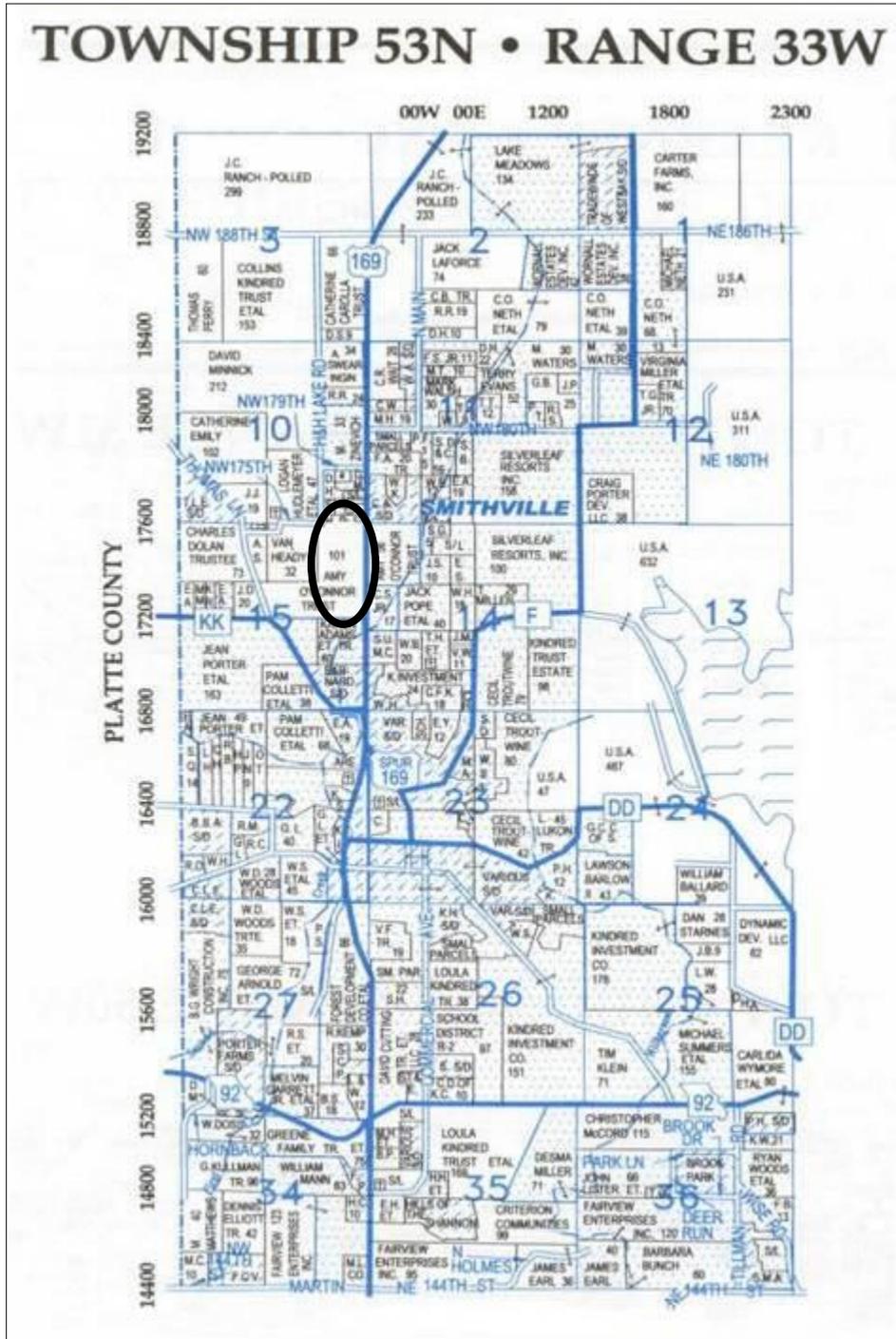


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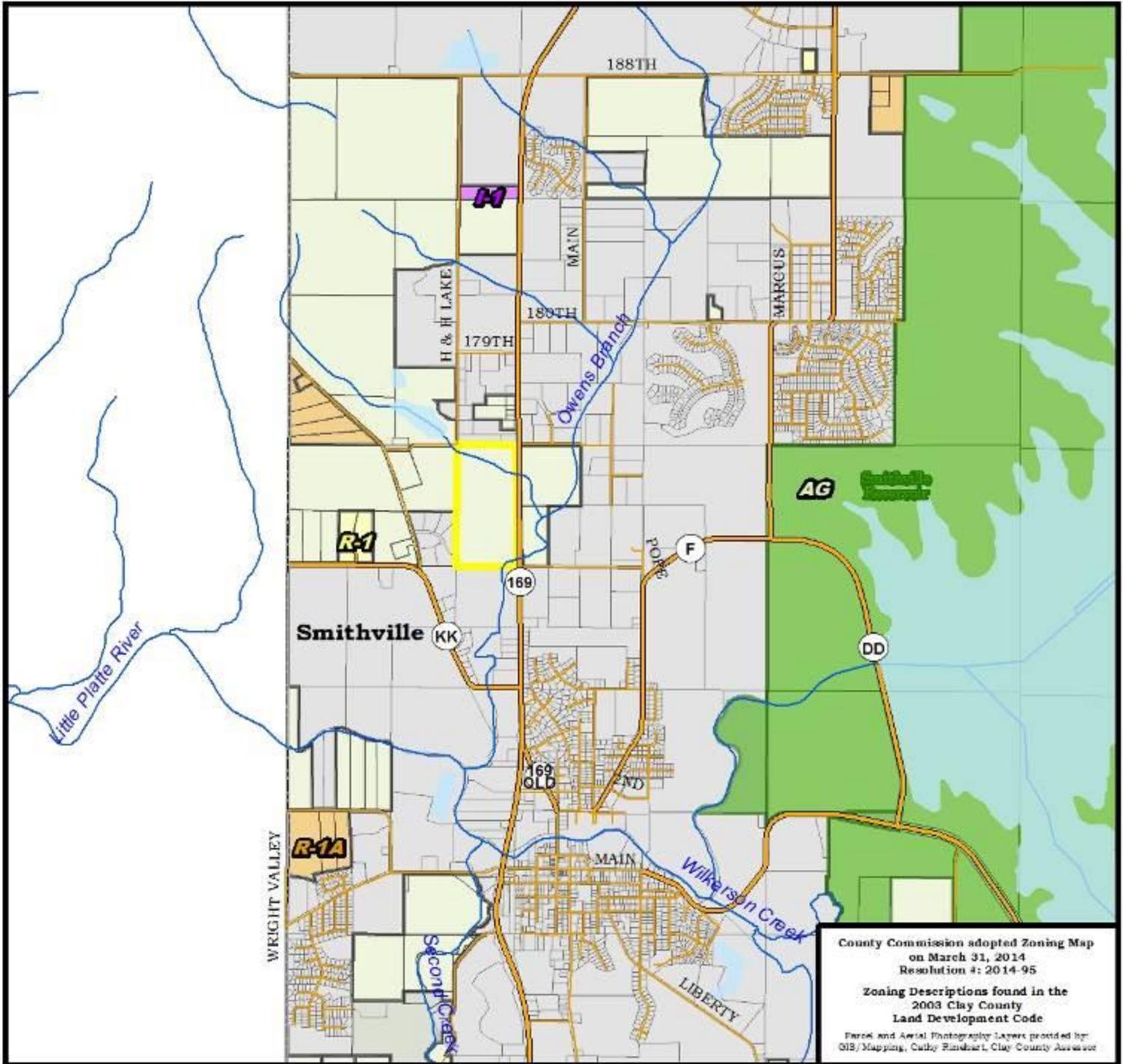
Attachments

Dec 14-137GR – Talley – Well Water Attachment A - Vicinity Map



Dec 14-137GR – Talley - Well Water

Attachment B - Existing Conditions Map



County Commission adopted Zoning Map
on March 31, 2014
Resolution #: 2014-95
Zoning Descriptions found in the
2003 Clay County
Land Development Code
Parcel and Aerial Photography Layers provided by:
GIS/Mapping, Cathy Reinhardt, Clay County Assessor

Planning & Zoning Department



LEGEND

- | | | | | |
|---------------|----------------|-------------------|-------------------------------------|------------------|
| Property Line | Roads | Subdivisions | Overlay Districts | Zoning Districts |
| Streams (EPA) | Interstates | 2014 City Limits | CD (Conservation District) | AG |
| Railroads | State Highways | Parks | POD (Preservation Overlay District) | R-1 |
| Highway Ramps | Local Roads | County Boundaries | PUD (Planned Unit Development) | R-1A/R-5 |
| | | | | R-1B/RU |
| | | | | R-3 |
| | | | | C-1 |
| | | | | C-2 |
| | | | | C-3 |
| | | | | I-1 |
| | | | | I-2 |
| | | | | OP |

Map Document: G:\GIS\Project_Files\actimg_Map - 3 x 11 P.mxd; 1/17/2014 4:02:18 PM



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Dec 14-137GR - Talley – Well Water Attachment C – Applicant's (Page 1 of 3)

November 20, 2014

Dear Commission,

I am requesting well water for my primary water source.

While I understand the 2011 Clay County Land Development Code (LDC) guidelines of connecting to public water within 200 feet of a property line, there are severe limitations in using the nearest public water system. The closest location of water is across US 169 Highway from the southeast corner of our property. We would first need to bore under 169 Hwy, but of greater significance, we would then need to bore under a blue line waterway, which requires additional permits from Missouri Department of Natural Resources (MDNR). The next nearest public water line lies within the subdivision to the west (Estates of Whispering Meadows), but is well over 200 feet from the subject property.

Another public water line is located near the northeast property line but would need to cross a blue line creek as well as a gas pipeline, therefore creating further hardships.

I have included maps illustrating our property, location of home site as well as existing water lines.

Thanks in advance,

A handwritten signature in black ink, appearing to read "Dirk Talley".

Dirk Talley

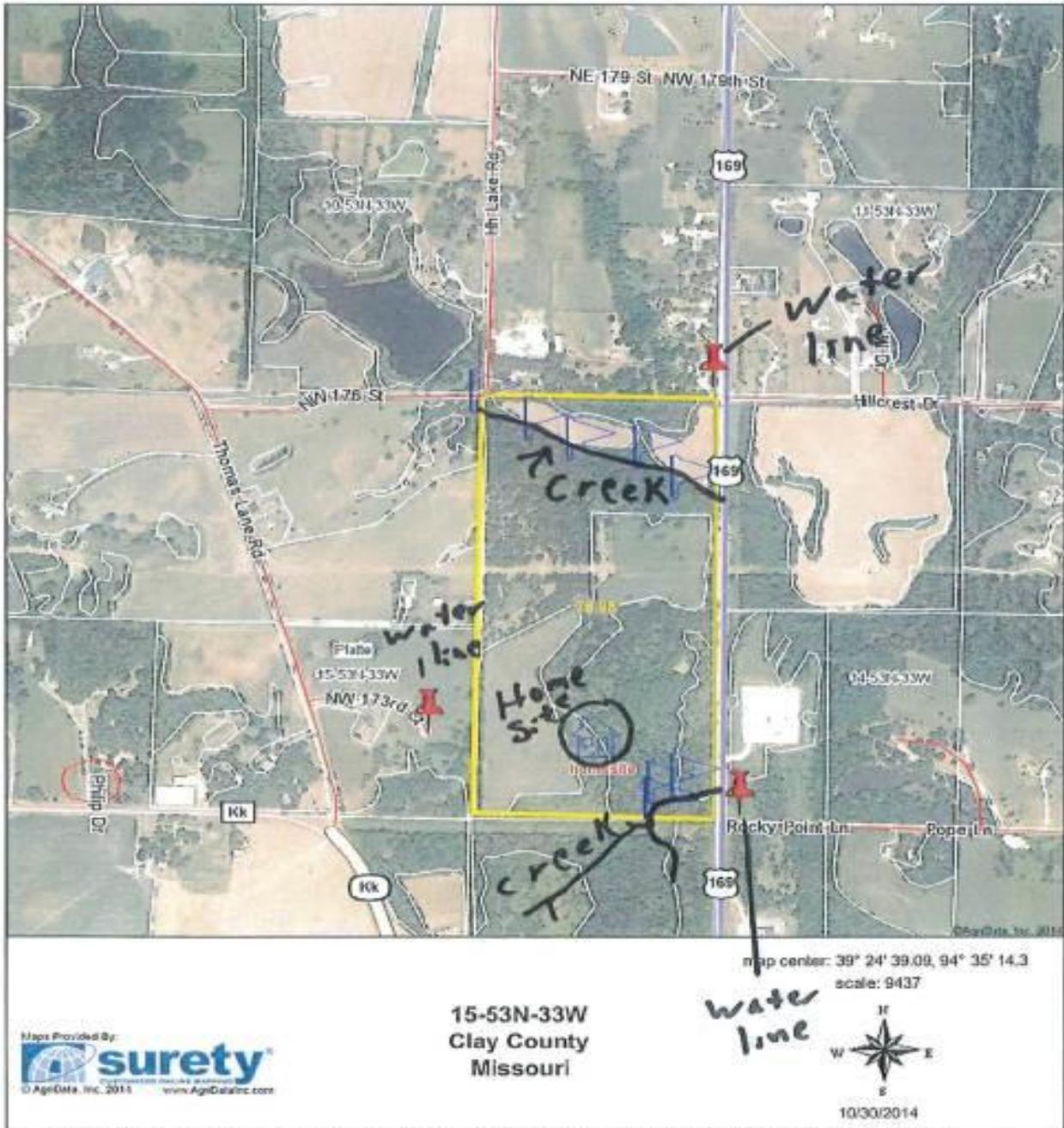


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Aerial Map



Field borders provided by Farm Service Agency as of 5/21/2009. Aerial photography provided by Aerial Photography Field Office.



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Attachment C - Applicant's (Page 3 of 3)

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