



Board of Aldermen Request for Action

MEETING DATE: 11/18/2025

DEPARTMENT: Development

AGENDA ITEM: Bill No. 3090-25 Umholtz Homestead Rezoning and Final Plat – 1st Reading

REQUESTED BOARD ACTION

A motion to approve Bill No. 3090-25 changing the zoning classifications or districts of certain lands located in the City of Smithville, Missouri and approving a plat entitled Umholtz Homestead. First reading by title only.

SUMMARY

This ordinance would authorize rezoning a part of 13616 North Virginia Avenue from A-1 to A-R to allow for a two-lot subdivision to be able to sell the existing home and 3 acres.

PREVIOUS ACTION

The current zoning has been in place since the land was annexed into the city.

POLICY OBJECTIVE

Comply with the Comprehensive Plan requirements for low density residential in the area.

FINANCIAL CONSIDERATIONS

The subdivision will be required to pay a park fee of \$625 for the additional lot.

ATTACHMENTS

- ☒ Ordinance
- ☐ Resolution
- ☒ Staff Report
- ☐ Other:

- ☐ Contract
- ☒ Plans
- ☒ Minutes Available to view on line

EXHIBIT A

FINDING OF FACTS AND CONCLUSIONS OF LAW

Applicant: Robert Umholtz

Land Use Proposed: A-R

Zoning: A-1

Property Location: 13616 N. Virginia Ave

Pursuant to the provisions of Section 400.560(C) of the Smithville Code, the Planning Commission does hereby make the following findings of fact based upon the testimony and evidence presented in a public hearing of the Planning and Zoning Commission of the City of Smithville, held on November 13, 2025, and presents these findings to the Board of Aldermen, with its' recommendations on the application.

Finding of Facts

1. Character of the neighborhood.

The surrounding area is a predominantly agricultural with single family homes on all sides.

2. Consistency with the City's Comprehensive Plan and ordinances.

The new Comprehensive Plan was approved on November 10th, 2020, and formally adopted as the policy of the City on November 17th, 2020. That plan seeks to continue this area as large lot single family homes.

3. Adequacy of public utilities and other needed public services.

The property has existing utilities sufficient for housing and any other A-R use.

4. Suitability of the uses to which the property has been restricted under its existing zoning.

The current use is a single-family home on A-1 zoned land with the area surrounding the land developed into large lot residences.

5. Length of time the property has remained vacant as zoned.

The property was developed with a single-family home on a 20 acre lot with an existing metal barn located in the middle of the property.

6. *Compatibility of the proposed district classification with nearby properties.*

The proposed district is compatible with the existing nearby land as all the uses are large lot residential.

7. *The extent to which the zoning amendment may detrimentally affect nearby property.*

No detriment is anticipated.

8. *Whether the proposed amendment provides a disproportionately great loss to the individual landowners nearby relative to the public gain.*

No loss to landowners is expected.

9. That in rendering this Finding of Fact, testimony at the public hearing on November 13, 2025, has been taken into consideration as well as the documents provided.

Recommendation of the Planning Commission

Based on the foregoing findings of fact, we conclude that:

A. This application and the Rezoning of this property from A-1 to A-R is governed by Section 400.560 of the zoning ordinance of Smithville, Missouri.

B. The proposed zoning is compatible with the factors set out in Section 400.560(C) of the zoning ordinance.

C. The Planning and Zoning Commission of the City of Smithville, Missouri recommends approval of rezoning the land to A-R.

AN ORDINANCE CHANGING THE ZONING CLASSIFICATIONS OR DISTRICTS OF CERTAIN LANDS LOCATED IN THE CITY OF SMITHVILLE, MISSOURI AND APPROVING A PLAT ENTITLED UMHOLTZ HOMESTEAD

WHEREAS, The City of Smithville received an application for rezoning 13616 North Virginia Ave and creating a two lot subdivision on September 11, 2025; and

WHEREAS, Public Notice was published in the Courier Tribune and letters to property owners within 185' were sent not less than 15 days prior to the Public Hearings conducted before the Planning Commission on November 13, 2025; and

WHEREAS, the Planning Commission presented its' findings (attached as "Exhibit A" to the Board of Aldermen and recommended approval of the rezoning request and Final Plat of Umholtz Homestead; and,

NOW THEREFORE BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF SMITHVILLE, MISSOURI, THAT;

Section 1. Having received a recommendation from the Planning Commission, and proper notice having been given and public hearing held as provided by law, and under the authority of and subject to the provisions of the zoning ordinances of the City of Smithville, Missouri, by a majority council vote, the zoning classification(s) or district(s) of the lands legally described hereby are changed as follows:

The property legally described as:

Lot 2 of the Umholtz Homestead Final Plat

is hereby changed from A-1 to A-R.

Section 2. Upon the taking effect of this ordinance, the above zoning changes shall be entered and shown upon the "Official Zoning Map" previously adopted and said Official Zoning Map is hereby reincorporated as a part of the zoning ordinance as amended.

Section 3. That the Final Plat entitled Umholtz Homestead, attached hereto as "Exhibit B" is hereby approved and may be released for recording upon payment of all fees and expenses to the city as required.

Section 4. This ordinance shall take effect and be in full force from and after the approval.

PASSED THIS 2nd DAY OF DECEMBER, 2025

Damien Boley, Mayor

ATTEST:

Linda Drummond, City Clerk

First Reading: 11/18/2025

Second Reading: 12/02/2025



STAFF REPORT
November 7, 2025

Rezoning of Parcel Id # 09-302-00-02-014.00
Application for Rezoning District Classification Amendment

Code Sections:

400.560.C Zoning District Classification Amendments

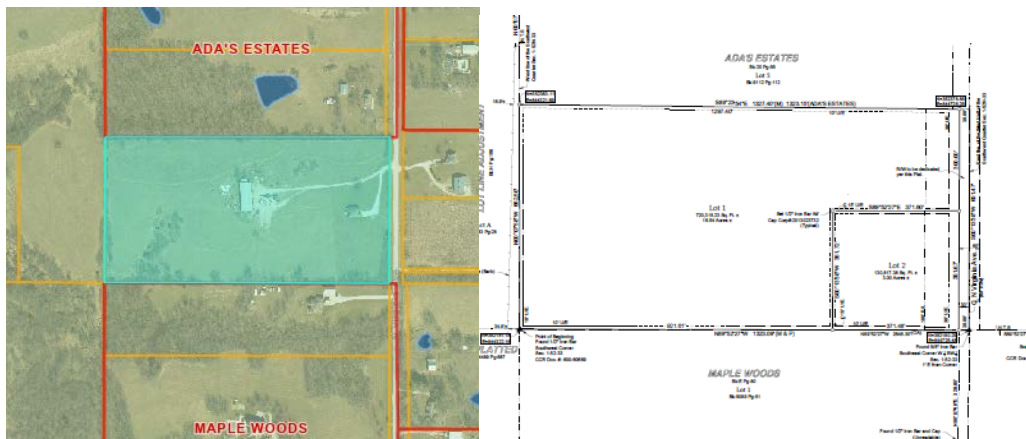
Property Information:

Address: 13616 N. Virginia Ave.
Owners: Robert Umholtz
Current Zoning: A-1
Proposed Zoning: A-R (in part)

Public Notice Dates:

1st Publication in Newspaper: October 29, 2025
Letters to Property Owners w/in 185': October 29, 2025

GENERAL DESCRIPTION



The applicant seeks to rezone the southeast section of the subject property from A-1 to A-R. These properties were zoned many years ago at the

time of annexation. The purpose of the rezoning is to allow the existing house to be separated onto its' own 3 acre lot to be sold, and the remaining 17+/- acres to remain A-1.

EXISTING ZONING:

The existing zoning is A-1.

CHARACTER OF THE NEIGHBORHOOD *400.560.C.1*

The surrounding area is a predominantly agricultural with single family homes on all sides.

CONSISTENCY WITH COMPREHENSIVE PLAN AND ORDINANCES *400.560.C.2*

The new Comprehensive Plan was approved on November 10th, 2020, and formally adopted as the policy of the City on November 17th, 2020. That plan seeks to continue this area as large lot single family homes.

ADEQUACY OF PUBLIC UTILITIES OR OTHER PUBLIC SERVICES *400.560.C.3*

The property has existing utilities sufficient for housing and any other A-R use.

SUITABILITY OF THE USES TO WHICH THE PROPERTY HAS BEEN RESTRICTED UNDER ITS EXISTING ZONING *400.560.C.4.*

The current use is a single family home on A-1 zoned land with the area surrounding the land developed into large lot residences.

TIME THE PROPERTY HAS REMAINED VACANT AS ZONED *400.560.C.5*

The property was developed with a single family home on a 20 acre lot with an existing metal barn located in the middle of the property.

COMPATIBILITY OF PROPOSED DISTRICT WITH NEARBY LAND *400.560.C.6*

The proposed district is compatible with the existing nearby land as all the uses are large lot residential.

EXTENT WHICH THE AMENDMENT MAY DETRIMENTALLY AFFECT NEARBY PROPERTY *400.560C.7*

No detrimental effects are anticipated to the adjacent property values.

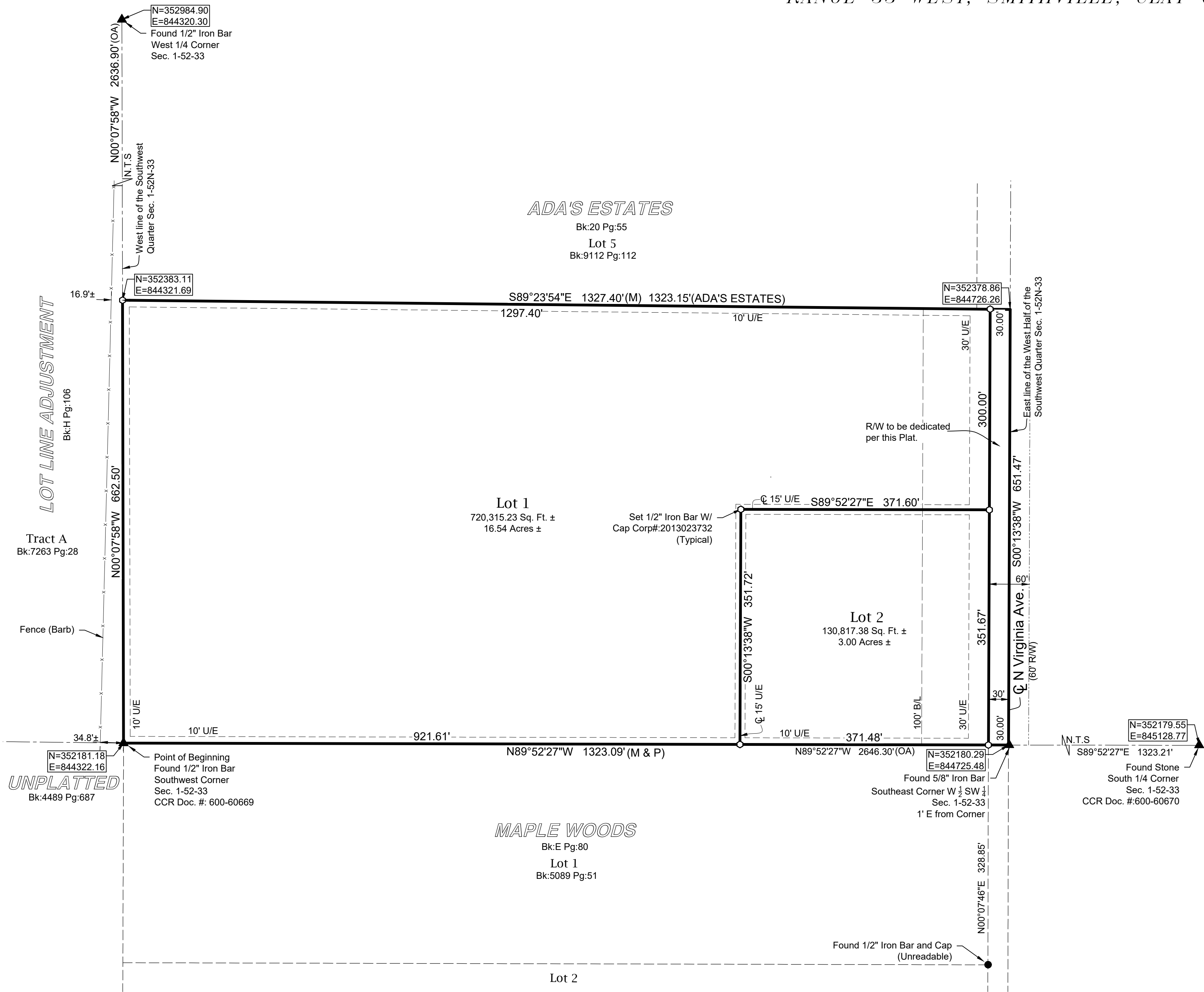
WHETHER THE PROPOSAL HAS A DISPROPORTIONATE GREAT LOSS TO
ADJOINING PROPERTY OWNERS' RELATIVE TO THE PUBLIC GAIN *400.560.C.8*

No detrimental effects are anticipated to adjacent properties.

STAFF RECOMMENDATION:

Staff recommends that the rezoning to A-R be approved.

UMHOLTZ HOMESTEAD
ALL THAT PART OF THE SOUTHWEST QUARTER OF THE
SOUTHWEST QUARTER OF SECTION 1- TOWNSHIP 52 NORTH
- RANGE 33 WEST, SMITHVILLE, CLAY COUNTY, MISSOURI



TRAVERSE TABLE G.P.S.

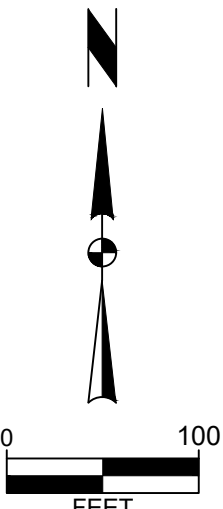
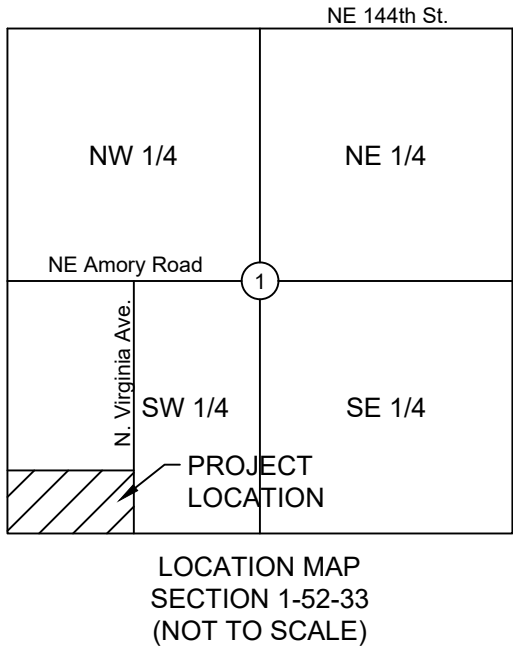
Location	Bearing	Distance (Grid Meters)	Northing	Easting
CL-04			350,717.747	846,039.830
CL-04 To Point of Beginning	N 15°16'15\"	1517.318	352,181.18	844,322.16

STATE PLANE COORDINATES BY G.P.S.

NOTE:
The bearings and coordinates shown on this plat are based upon the Missouri State Plane
Coordinate System, NAD 1983 (adjustment 2001), using a grid factor of .9998979. All coordinates
are in meters.

GENERAL NOTES

- NO TITLE REPORT WAS PROVIDED FOR THIS SURVEY. THEREFORE, ALL EASEMENTS OF RECORD MAY NOT BE SHOWN.
- BASIS OF BEARING: MISSOURI STATE PLANE COORDINATE SYSTEM (NAD 83).
- THIS TRACT CONTAINS 870,680.45 SQUARE FEET OR 19.99 ACRES, MORE OR LESS.
- NO UNDERGROUND UTILITIES WERE LOCATED FOR THIS SURVEY. MISSOURI LAW REQUIRES THE USE OF THE MISSOURI ONE CALL SYSTEM (TOLL FREE 1-800-344-7483) PRIOR TO ANY EXCAVATING OR DIGGING. IT IS THE EXCAVATOR'S RESPONSIBILITY TO VERIFY THE LOCATION OF AND PROTECT ALL UTILITIES WHETHER SHOWN OR NOT.



I hereby state that the plat of "UMHOLTZ HOMESTEAD" subdivision is based on an actual survey made by me or under my direct supervision and that said survey meets or exceeds the current Missouri Minimum Standards for Property Boundary Surveys as established by the Missouri Department of Natural Resources, Division of Geological Survey and Resources Assessment, and Missouri Standards for Property Boundary Surveys, established by the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors and Landscape Architects. I further state that I have complied with all statutes, ordinances and regulations governing the practice of surveying and the platting of subdivisions to the best of my professional knowledge and belief.



ZACHARY A. BRINKER -PLS 2016042019
SNYDER & ASSOCIATES CORP. #: 2013023732

DESCRIPTION:
All that part of the Southwest Quarter of the Southwest Quarter of Section 1, Township 52 North, Range 33 West, in the City of Smithville, Clay County, Missouri, more particularly described as follows; Beginning at the Southwest Corner of said Section 1, also being the Northwest Corner of MAPLE WOODS, a subdivision in the City of Smithville, Clay County, Missouri and the Southeast Corner of Tract A, in LOT LINE ADJUSTMENT by Aylett Survey & Engineering Co., recorded in Book H at Page 106; thence North 00 degrees 07 minutes 58 seconds West, along the West line of the Southeast Quarter of said Section 1, also being the East line of said Tract A, a distance of 662.50 feet to the Southwest Corner of ADA'S ESTATES, a subdivision of land in the City of Smithville, Clay County, Missouri; thence South 89 degrees 23 minutes 54 seconds East, along the South line of said ADA'S ESTATES, a distance of 1327.40 feet to the East line of the West half of the Southwest Quarter of said Section 1; thence South 00 degrees 13 minutes 38 seconds West, along the aforementioned line, a distance of 651.47 feet to the Southeast Corner of the West half of the Southwest Quarter of said Section 1; thence North 89 degrees 52 minutes 27 seconds West, along said South line of said Section 1, also being the North line of said MAPLE WOODS, a distance of 1323.09 feet to the Point of Beginning. Said Tract contains 870,680.45 square feet or 19.99 acres, more or less.

EASEMENTS: An easement or license is hereby granted to the City of Smithville, Missouri to locate, construct and maintain or to authorize the location, construction, maintenance and use of conduits, gas, poles or wires, and anchors upon, over and under the areas outlined on this plat and designated by the words "Utility Easement" or "U/E."

BUILDING LINES: Building lines or setback lines are hereby established as shown on the accompanying plat and no building or portion thereof shall be built between this line and the street line.

STREETS: Streets shown on this plat and not heretofore dedicated to public use as thoroughfares, are hereby so dedicated.

DEDICATION: The undersigned proprietor of the tract of land described hereon has caused the same to be subdivided in the manner as shown on the accompanying plat which subdivision shall hereafter be known as "UMHOLTZ HOMESTEAD".

IN TESTIMONY WHEREOF: Robert D. Umholtz, a single Person, have subscribed his names this ____ day of ____, 20__.

Robert D. Umholtz, a single person

STATE OF ____)SS

COUNTY OF ____

Be it remembered that on this ____ day of ____, 2025 before me the undersigned Notary Public in and for the County and State above mentioned, came Robert D. Umholtz, a single person, who is personally known to me and duly sworn did say that they executed this instrument as the free act and deed.

IN TESTIMONY WHEREOF: I have hereunto set my hand and affixed my notarial seal at my office in ____ County, Missouri on the day and year last written.

My Commission Expires: ____ NOTARY PUBLIC

The final plat of "UMHOLTZ HOMESTEAD" subdivision was submitted to and approved by the Smithville Planning and Zoning Commission on the ____ day of ____, 20__.

____, Chairman

____, Secretary

This final plat approved ____ by the Board of Aldermen of Smithville, Missouri, This ____ day of ____, 20__.

____, Mayor

ATTEST:

____, City Clerk

LEGEND

SET 1/2" REBAR, CAP #2013023732 (UNLESS OTHERWISE NOTED)	○
FOUND MONUMENT (AS NOTED)	● ▲
FENCE (BARB)	—x—x—
CENTERLINE	⊕
RIGHT-OF-WAY	R/W
UTILITY EASEMENT	U/E
BUILDING LINE	B/L
BOOK	BK
PAGE	PG
NOT TO SCALE	N.T.S
OVERALL DISTANCE	(OA)
MEASURED DISTANCE	(M)
PLATTED DISTANCE	(P)

UMHOLTZ HOMESTEAD: Sec. 1-52N-33W, Smithville, Clay County, MO

Prepared for: Robert Umholtz

11330 N. Virginia Ave. Smithville, Missouri 64089

SNYDER & ASSOCIATES, INC. |



Project No: 125.1053.13

Sheet 1 of 1

201 NW 72ND ST
GLADSTONE, MISSOURI 64116
816-436-0732 | www.snyder-associates.com

Sheet 1 of 1