



Christian County Commission

100 West Church St, Room 100
Ozark, MO 65721

SCHEDULED

MEETING ATTACHMENTS (ID # 5403)

Meeting: 06/06/23 10:00 AM

Department: County Clerk

Category: Meeting Items

Prepared By: Paula Brumfield

Initiator: Paula Brumfield

Sponsors:

DOC ID: 5403

Meeting Attachments

ATTACHMENTS:

- 060623 REZONING Staff Report (Case #2023-0087) SW Missouri Drilling LLC (PDF)
- 060623 REZONING Case 2023-0087 (SW Missouri Drilling LLC) (PDF)
- 060623 REZONING Staff Report (Case #2023-0115) Nick Preston (PDF)
- 060623 REZONING Case 2023-0115 (Nick Preston) (PDF)
- 060623 REZONING Staff Report (Case #2023-0119) GFT LLC (PDF)
- 060623 REZONING Case 2023-0119 (GFT LLC) (PDF)
- 060623 REZONING Staff Report (Case #2023-0120) Harold and Janice Hodges (PDF)
- 060623 REZONING Case 2023-0120 (Harold and Janice Hodges) (PDF)

PLANNING & DEVELOPMENT DEPARTMENT STAFF REPORT

Request for Zoning Change

HEARING DATE: June 6, 2023

CASE NUMBER: 2023-0087

APPLICANT: SW MO Drilling, LLC (Jerry Bader)

CURRENT ZONING: R-1 (Suburban Residence)

PROPOSED ZONING: C-2 (General Commercial)



1106 W. Jackson St., Ozark, MO 65721 (417) 581-7242



PROJECT DESCRIPTION: The applicant proposes the change in zoning classification for a 1-acre parcel from R-1 to C-2 in order that it can lawfully utilized for commercial use acceptable within the C-2 District. The proposed use is outdoor storage, specifically RV parking.



PLANNING/LAND USE ANALYSIS:

Land Use Plan:

Christian County's future land use plan notes this specific property is designated as mixed use as shown on the Urban Service Area Future Land Use Map within the 2022 Comprehensive Plan.

Compatibility:

The parcel to be re-zoned as C-2 is located adjacent to commercial/industrial properties in addition to residentially zoned properties, which are also used for commercial purposes. The city limits of Ozark are approximately 300-feet to the east and west, and 500-feet to the south.

The size of this parcel would allow for most uses described in Article 43 to take place while also being able to meet any required setbacks.

Connectivity:

The property is fronted by N 23rd Street.



Landscaping and Buffering:

No specific provisions for landscaping or buffering have been offered or will be required at this time. Any specific requirements regarding landscaping, buffering or setbacks called for within the Zoning Regulations for a particular use would be administered and verified by staff prior to granting any certificate of occupancy.

Building Design:

Any commercial building would be permitted by the building inspections department. The applicant is simply proposing installing fencing and using the existing parking area for RV storage. Depending on the height of the fence, a building permit may be required.

Access:

There is existing access to the property.

Utility Services:

Utility service is not needed for the proposed use, but public water is available.



Stormwater Impact:

None anticipated at this time, as the property already has the maximum amount of impervious coverage.

Groundwater Impact:

None anticipated at this time due to rezoning.

Floodplain/Sinkhole Impacts:

There are no known sinkholes or mapped floodplain areas on the property.

Traffic Impact:

No additional traffic impact is expected since the use already exists on the site.



OZARK STAFF COMMENTS:

An Urban Service Area application was filed with the City of Ozark. Staff noted that if the property required connection to water or sewer, then an Irrevocable Consent to Annex will be required. Once both services are required, the property will be annexed.

STAFF COMMENTS:

This change will allow for a wider range of land uses on a parcel of land which is in keeping with the County's desire for future growth and economic development. Additionally, this rezoning will bring the property into compliance with the zoning regulations.

RECOMMENDATIONS:

The Planning and Zoning Commission reviewed this application at its May 15, 2023, meeting. The Commission voted unanimously to recommend approval of this rezoning request.



ORDER OF THE
CHRISTIAN COUNTY COMMISSION
OZARK, MISSOURI

DATE ISSUED: June 6, 2023

SUBJECT: CASE NUMBER 2023-0087

TEXT: SOUTHWEST MISSOURI DRILLING, LLC petitions the Christian County Commission to rezone 1.0 acre from R-1 (SUBURBAN RESIDENCE) TO C-2 (GENERAL COMMERCIAL) in order to lawfully permit land use compatible with surrounding parcels and be reflected as such on the Christian County Zoning Map located 6006 N 23RD STREET, OZARK, MO 65721, within Parcel 11-0.2-04-0-0-5.000 which is legally described as follows:

All of Lot Three (3) of Christian County Commercial Park Lots 2 through 12, being a subdivision in the Northeast Quarter of Section 4, Township 27 North, Range 21 West, according to the plat filed for record in Plat Book F, Page 7, Christian County, Recorder's Office, Christian County, Missouri.

WHEREAS, the Christian County Planning and Zoning Commission did, during public hearing on May 15, 2023 review this request and hear public comment; and

WHEREAS, a motion to forward a recommendation of approval of this change was made, seconded and passed by a unanimous vote.

NOW, THEREFORE, after additional review of this case and having heard additional public comment the Christian County Commission did this day, upon a motion by Commissioner Bilyeu and seconded by Commissioner Jackson, vote unanimously to approve this request.

IT IS HEREBY ORDERED that the zoning classification for the above described property be changed and reflected on the Christian County Zoning map as C-2 "General Commercial" and thereby subject to all pertinent requirements contained within the Zoning Regulations for Christian County, Missouri.


Done this 6th day of June 2023, at 10:00 a.m.

CHRISTIAN COUNTY COMMISSION




Lynn Morris
Presiding Commissioner

Yes
Dated: 6/6/23



Bradley Jackson
Commissioner, Eastern District

Yes
Dated: 6-6-23



Hosea Bilyeu
Commissioner, Western District

Yes
Dated: 6-6-23

ATTEST:



Paula Brumfield
County Clerk



PLANNING & DEVELOPMENT DEPARTMENT STAFF REPORT

Request for Zoning Change

HEARING DATE: June 6, 2023

CASE NUMBER: 2023-0115

APPLICANT: Nick Preston

CURRENT ZONING: A-1 (Agricultural)

PROPOSED ZONING: A-R (Agriculture Residential)



1106 W. Jackson St., Ozark, MO 65721 (417) 581-7242



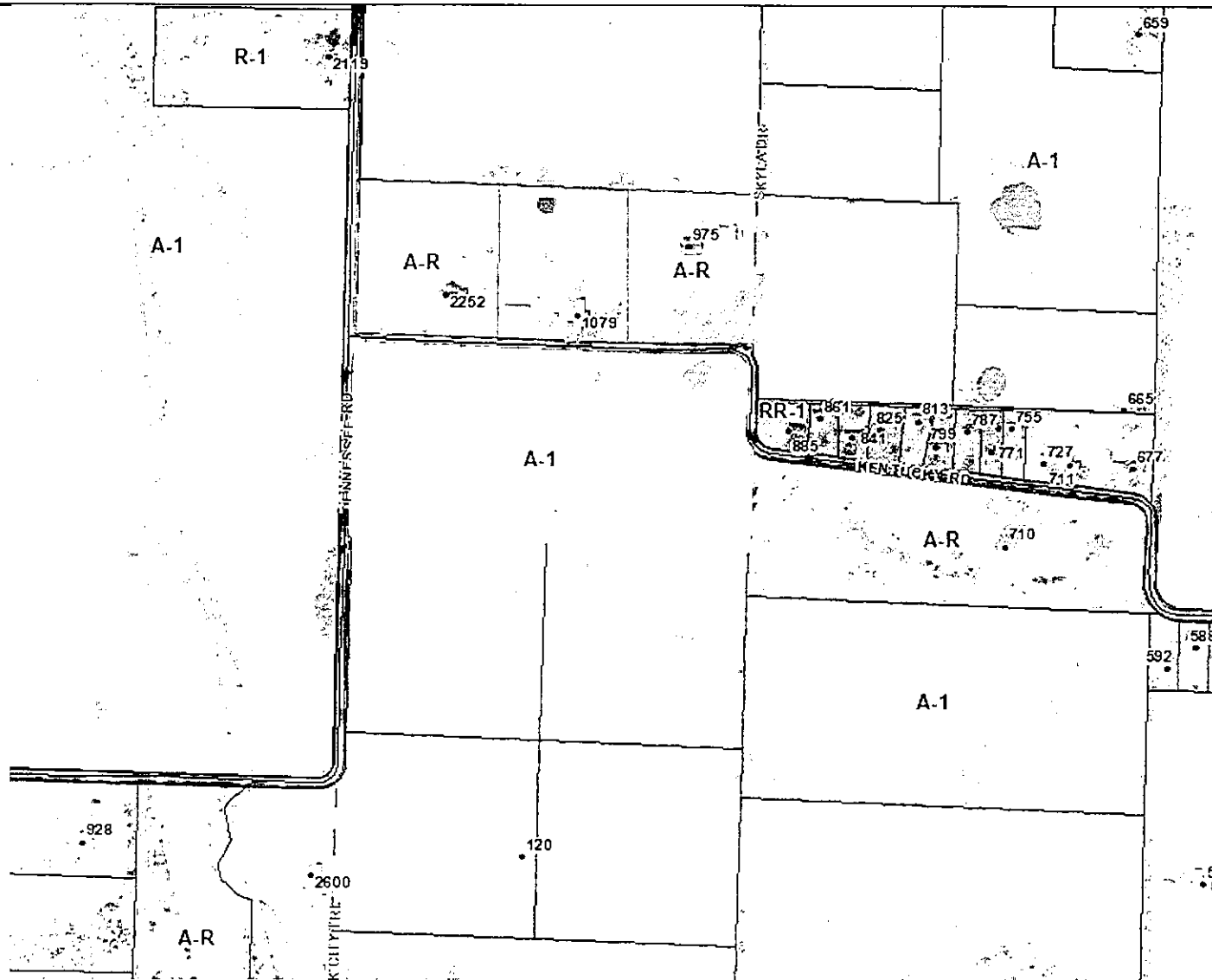
LOCATION: Tennessee and Kentucky Road - Ozark



Surrounding and nearby land uses includes agriculture and single family residential.



Nearby Zoning



PROJECT DESCRIPTION: The applicant proposes the change in zoning classification for 20 acres from A-1 to A-R in order that it can be lawfully subdivided and utilized for single family residential use acceptable within the Agricultural-Residence District.



PLANNING/LAND USE ANALYSIS:

Land Use Plan:

Christian County's future land use plan notes this area as designated as an "Agricultural/Dispersed Residential", as shown on Appendix A of the 2022 Comprehensive Plan.

Compatibility:

The parcel to be re-zoned as A-R is located adjacent to existing residential property to the north and East. There are several parcels in the vicinity which have recently been sold and are expected to be used as single-family parcels.

The size of this parcel would allow for up to six 3-acre properties, while the intent is to simply subdivide into four 5-acre parcels. They have received pre-approval by the Selmore Special Road District for four driveway access points. The property owner has submitted a sketch plan of the subdivision and will likely submit the preliminary plat in the coming months.

Connectivity:

This change does not represent any change to connectivity.



Landscaping and Buffering:

No specific provisions for landscaping or buffering have been offered or will be required at this time.

Building Design:

The site is currently vacant. Any future structures would be permitted through the Building Inspections department.

Access:

The property would require approval for access from the Selmore Special Road District. They have been granted pre-approval for 4 driveways along Kentucky.

Utility Services:

The property would be serviced by private wells and septic systems.



Stormwater Impact:

No stormwater impact currently anticipated due to rezoning of land.

Groundwater Impact:

Impacts to groundwater are not anticipated due to the rezoning of land.

Floodplain/Sinkhole Impacts:

There are no floodplain or known sinkhole areas on the property.

Traffic Impact:

Traffic impact will be addressed when this property is reviewed as a major subdivision to be developed into a residential subdivision.

Public Comments:

Concerns voiced by neighbors included traffic and drainage concerns. These will be addressed during the Major Subdivision review. Additional concerns included increase in crime and property taxes.



STAFF COMMENTS:

This zoning change would allow the property to be potentially developed into a major residential subdivision and allow for additional housing which is keeping with the County's desire for future growth. Environmental and traffic impacts will be reviewed in more detail when the preliminary plat is reviewed.

RECOMMENDATIONS:

The Planning and Zoning Commission reviewed this application at its May 15, 2023, meeting. The Commission voted unanimously to recommend approval of this rezoning request.



ORDER OF THE
CHRISTIAN COUNTY COMMISSION
OZARK, MISSOURI

DATE ISSUED: June 6, 2023

SUBJECT: CASE NUMBER 2023-0115

TEXT: NICK PRESTON petitions the Christian County Commission to rezone 20 acres from A-1 (AGRICULTURE) TO A-R (AGRICULTURE RESIDENTIAL) in order to lawfully permit land use compatible with surrounding parcels and be reflected as such on the Christian County Zoning Map located intersection of TENNESSEE AND KENTUCKY ROAD, OZARK, MO, within Parcel 18-0.2-09-0-0-6.002 which is legally described as follows:

TRACT 1:
PART OF THE SOUTHWEST QUARTER (SW¼) OF THE NORTHWEST QUARTER (NW¼) OF SECTION NINE (9), TOWNSHIP TWENTY-SIX (26) NORTH, RANGE TWENTY-ONE (21) WEST, CHRISTIAN COUNTY, MISSOURI DESCRIBED AS COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION NINE (9); THENCE ALONG THE WEST LINE OF SAID SECTION NINE (9), NORTH 00°14'45" WEST 2798396 FEET FOR A TRUE POINT OF BEGINNING; THENCE CONTINUING NORTH 00°14'46" WEST 655.30 FEET TO THE CENTERLINE OF KENTUCKY ROAD; THENCE ALONG SAID CENTERLINE THE FOLLOWING COURSES: SOUTH 89°23'03" EAST, 711.88 FEET; THENCE NORTH 89°47'39" EAST, 397.09 FEET; THENCE NORTH 87°45'56" EAST 218.90 FEET TO THE EAST LINE OF SAID SOUTHWEST QUARTER (SW¼) OF THE NORTHWEST QUARTER (NW¼); THENCE LEAVING SAID CENTERLINE AND ALONG SAID EAST LINE SOUTH 00°22;27" EAST, 667.57 FEET; THENCE NORTH 89°34'16" WEST, 1329.24 FEET TO THE POINT OF BEGINNING. SUBJECT TO RIGHT-OF-WAY FOR TENNESSEE ROAD, KENTUCKY ROAD, AND ALL OTHER RIGHT-OF-WAYS, EASEMENTS AND RESTRICTIONS OF RECORD.

WHEREAS, the Christian County Planning and Zoning Commission did, during public hearing on May 15, 2023 review this request and hear public comment; and

WHEREAS, a motion to forward a recommendation of approval of this change was made, seconded and passed by a unanimous vote.

NOW, THEREFORE, after additional review of this case and having heard additional public comment the Christian County Commission did this day, upon a motion by Commissioner Jackson and seconded by Commissioner Bilyeu, vote unanimously to approve this request.

IT IS HEREBY ORDERED that the zoning classification for the above described property be changed and reflected on the Christian County Zoning map as A-R "Agricultural Residence" and thereby subject to all pertinent requirements contained within the Zoning Regulations for Christian County, Missouri.


Done this 6th day of June 2023, at 10:00 a.m.

CHRISTIAN COUNTY COMMISSION




Lynn Morris
Presiding Commissioner

Yes
Dated: 6/6/23



Bradley Jackson
Commissioner, Eastern District

Yes
Dated: 6-6-23



Hosea Bilyeu
Commissioner, Western District

Yes
Dated: 6-6-23

ATTEST:



Paula Brumfield
County Clerk



PLANNING & DEVELOPMENT DEPARTMENT STAFF REPORT

Request for Zoning Change

HEARING DATE: June 6,2023

CASE NUMBER: 2023-0119

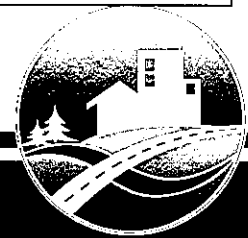
APPLICANT: GFT LLC (Kevin Peebles)

CURRENT ZONING: A-R (Agricultural Residence)

PROPOSED ZONING: C-1 (Neighborhood Commercial)



1106 W. Jackson St., Ozark, MO 65721 (417) 581-7242



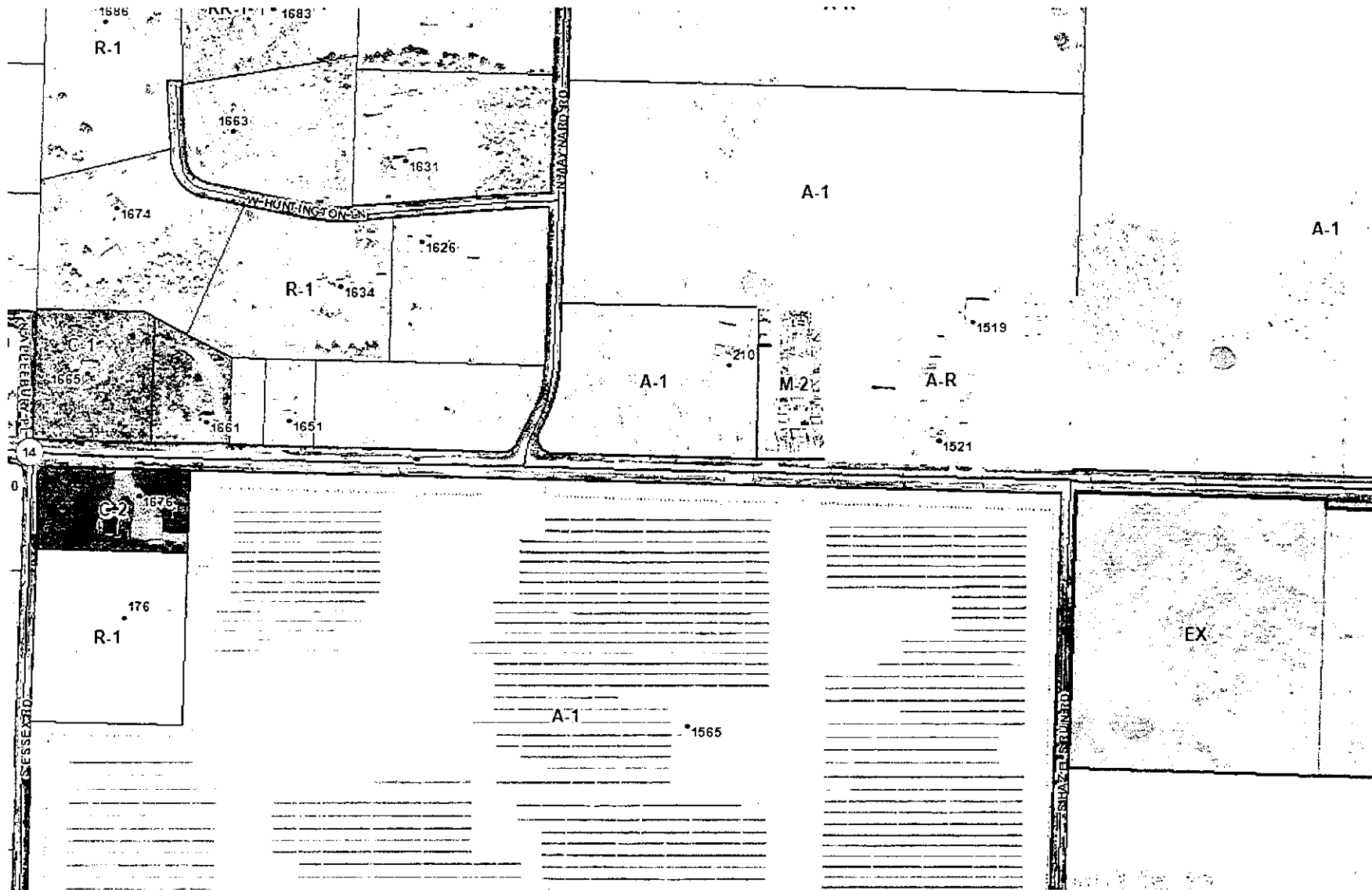
LOCATION: 1521 W Mount Vernon Street - Nixa



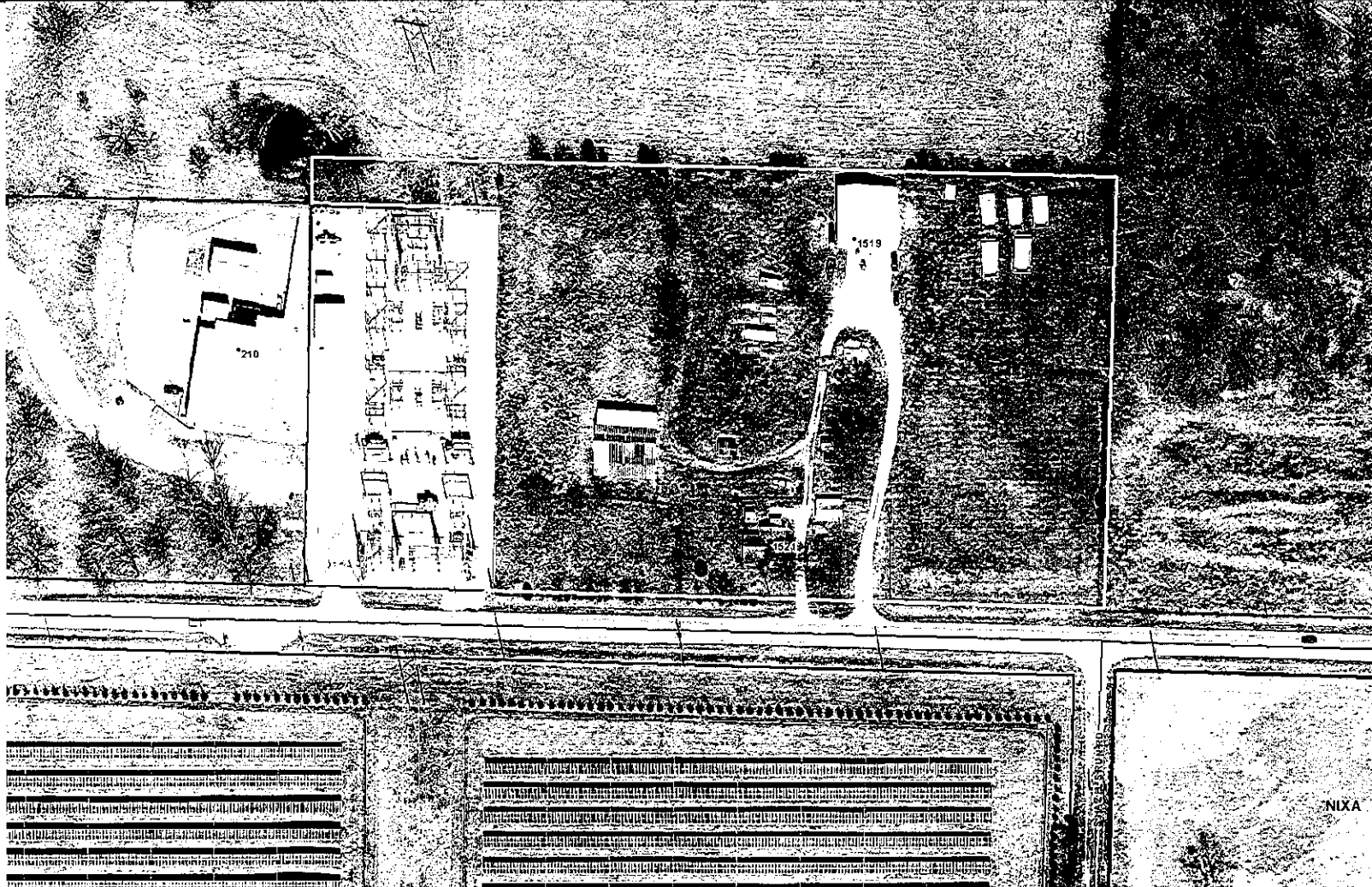
Surrounding and nearby land uses include agricultural fields, solar farm to the south, an electrical substation to the west, and several residential subdivisions further to the west and east.



Nearby Zoning



PROJECT DESCRIPTION: The applicant is proposing the change in zoning for a 1-acre area within an existing 6.4-acre parcel from A-R to C-1 in order that it can lawfully utilized for commercial use acceptable within the Neighborhood Commercial District. .



PLANNING/LAND USE ANALYSIS:

Land Use Plan:

Christian County's future land use plan notes this specific property is designated as commercial use as shown on the Urban Service Area Future Land Use Map within the 2022 Comprehensive Plan.

Compatibility:

The parcel to be re-zoned as C-1 is located adjacent to commercial/industrial use properties in addition to agriculturally zoned land. The city limits of Nixa are across the road to the southeast. The property is within "Tier 2" of the Urban Service Area.

The Neighborhood Commercial District focuses on land uses pertaining to small scale retail and customer service establishments. Other than the dwelling on the subject property, the closest single-family dwelling is approximately 900 feet to the southeast.

Connectivity:

The property is fronted by West Mount Vernon Street (State Highway 14 W).



Landscaping and Buffering:

No specific provisions for landscaping or buffering have been offered or will be required at this time. Any specific requirements regarding landscaping, buffering or setbacks called for within the Zoning Regulations for a particular use would be administered and verified by staff prior to granting any certificate of occupancy.

Building Design:

Any commercial building would be permitted by the building inspections department.

Access:

There is existing access to the property.

Utility Services:

Utility service is not needed for the proposed use, but public water is available.



Stormwater Impact:

None anticipated at this time, but if the applicant decides to add more than 5,000 square feet of impervious coverage to the property, a stormwater evaluation will be required as part of the site development process to determine if detention is needed.

Any required stormwater infrastructure would need to be constructed prior to the issuance of building permits unless its construction is otherwise guaranteed by some financial security instrument.

Groundwater Impact:

None anticipated at this time due to rezoning.

Floodplain/Sinkhole Impacts:

There are no known sinkholes or mapped floodplain areas on the property.



STAFF COMMENTS:

This change will allow for a wider range of land uses on a parcel of land on a well-traveled corridor which is in keeping with the County's desire for future growth and economic development.

RECOMMENDATIONS:

The Planning and Zoning Commission reviewed this application at its May 15, 2023, meeting. The Commission voted unanimously to recommend approval of this rezoning request.



ORDER OF THE
CHRISTIAN COUNTY COMMISSION
OZARK, MISSOURI

DATE ISSUED: June 6, 2023

SUBJECT: CASE NUMBER 2023-0119

TEXT: GFT LLC petitions the Christian County Commission to rezone +/- 1 acres from A-R (AGRICULTURE RESIDENTIAL) TO C-1 (NEIGHBORHOOD COMMERCIAL) in order to lawfully permit land use compatible with surrounding parcels and be reflected as such on the Christian County Zoning Map located 1521 WEST MOUNT VERNON STREET, NIXA, MO, within Parcel 10-0.5-16-0-0-22.001 which is legally described as follows:

A PORTION OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 16, TOWNSHIP 27 NORTH, RANGE 22 WEST, CHRISTIAN COUNTY, MISSOURI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 16; THENCE NORTH 1°28'39" EAST ALONG THE EAST LINE OF SAID SOUTHEAST QUARTER OF THE NORTHEAST QUARTER A DISTANCE OF 29.05 FEET TO AN INTERSECTION WITH THE NORTHERLY RIGHT-OF-WAY LINE OF MISSOURI STATE HIGHWAY NO. 14 FOR THE POINT OF BEGINNING OF THE PORTION HEREIN BEING DESCRIBED; THENCE NORTH 88°53'25" WEST ALONG SAID NORTHERLY RIGHT-OF-WAY LINE A DISTANCE OF 247.47 FEET; THENCE LEAVING SAID RIGHT-OF-WAY LINE NORTH 3°15'10" EAST, 33.86 FEET; THENCE NORTH 10°49'39" EAST, 53.04 FEET; THENCE NORTH 1°28'39" EAST, 76.88 FEET; THENCE SOUTH 88°53'25" EAST, 237.80 FEET TO AN INTERSECTION WITH THE EAST LINE OF SAID SOUTHEAST QUARTER OF THE NORTHEAST QUARTER; THENCE SOUTH 1°28'39" WEST ALONG SAID EAST LINE A DISTANCE OF 163.00 FEET TO THE POINT OF BEGINNING OF THE PORTION HEREIN DESCRIBED, CONTAINING 0.90 ACRES, SUBJECT TO RIGHT-OF-WAYS, EASEMENTS AND RESTRICTIONS OF RECORD.

WHEREAS, the Christian County Planning and Zoning Commission did, during public hearing on May 15, 2023 review this request and hear public comment; and

WHEREAS, a motion to forward a recommendation of approval of this change was made, seconded and passed by a unanimous vote.

NOW, THEREFORE, after additional review of this case and having heard additional public comment the Christian County Commission did this day, upon a motion by Commissioner Bilyeu and seconded by Commissioner Jackson, vote unanimously to approve this request.

IT IS HEREBY ORDERED that the zoning classification for the above described property be changed and reflected on the Christian County Zoning map as C-1 "Neighborhood Commercial" and thereby subject to all pertinent requirements contained within the Zoning Regulations for Christian County, Missouri.

Done this 6th day of June 2023, at 10:00 a.m.

CHRISTIAN COUNTY COMMISSION




Lynn Morris
Presiding Commissioner

Yes
Dated: 6/6/23



Bradley Jackson
Commissioner, Eastern District

Yes
Dated: 6-6-23



Hosea Bilyeu
Commissioner, Western District

Yes
Dated: 6-6-23

ATTEST:



Paula Brumfield
County Clerk



PLANNING & DEVELOPMENT DEPARTMENT STAFF REPORT

Request for Zoning Change

HEARING DATE: June 6,2023

CASE NUMBER: 2023-0120

APPLICANT: Harold and Janice Hodges

CURRENT ZONING: A-1 (Agriculture)

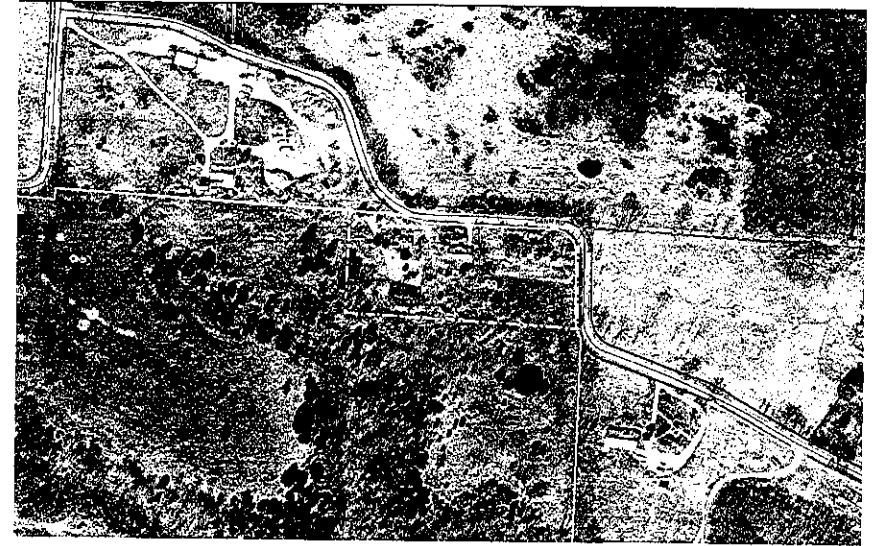
PROPOSED ZONING: A-R (Agriculture Residential)



1106 W. Jackson St., Ozark, MO 65721 (417) 581-7242



LOCATION: 341 Gann Road - Sparta



Surrounding and nearby land uses includes agriculture and single family residential.



Nearby Zoning



PROJECT DESCRIPTION: The applicant proposes the change in zoning classification for 3 acres from A-1 to A-R in order that it can be lawfully subdivided and utilized for single family residential use acceptable within the Agricultural-Residence District.



PLANNING/LAND USE ANALYSIS:

Land Use Plan:

Christian County's future land use plan notes this area as designated as an "Agricultural/Dispersed Residential", as shown in the 2022 Comprehensive Plan.

Compatibility:

The parcel to be re-zoned as A-R is located adjacent to existing residential property to the north and East. There are several 3- to 5-acre sized parcels in the nearby vicinity.

This rezoning would allow one 3-acre parcel to be established at the site of the existing home.

Connectivity:

This change does not represent any change to connectivity.



Landscaping and Buffering:

No specific provisions for landscaping or buffering have been offered or will be required at this time. Any specific requirements regarding landscaping, buffering or setbacks called for within the Zoning Regulations for a particular use would be administered and verified by staff prior to granting any certificate of occupancy.

Building Design:

Any future construction or demolition would be permitted through the Building Inspections department.

Access:

The property has an existing driveway onto Gann Road.

Utility Services:

The property is serviced by a private well and septic system.



Stormwater Impact:

No stormwater impact currently anticipated due to rezoning of land.

Groundwater Impact:

Impacts to groundwater are not anticipated due to the rezoning of land.

Floodplain/Sinkhole Impacts:

There are no known sinkholes or mapped floodplain areas on the property.

Traffic Impact:

No additional traffic is expected since the property currently has a home on the site of the proposed 3-acre tract.



STAFF COMMENTS:

This zoning change would allow the property to be subdivided into a smaller residential property while keeping the remaining land agriculturally oriented.

RECOMMENDATIONS:

The Planning and Zoning Commission reviewed this application at its May 15, 2023, meeting. The Commission voted unanimously to recommend approval of this rezoning request.



ORDER OF THE
CHRISTIAN COUNTY COMMISSION
OZARK, MISSOURI

DATE ISSUED: June 6, 2023

SUBJECT: CASE NUMBER 2023-0120

TEXT: HAROLD AND JANICE HODGES petitions the Christian County Commission to rezone 3 acres from A-1 (AGRICULTURE) TO A-R (AGRICULTURE RESIDENTIAL) in order to lawfully permit land use compatible with surrounding parcels and be reflected as such on the Christian County Zoning Map located at 341 GANN ROAD, SPARTA, MO 65753, within Parcel 17-0.2-09-0-0-12.000 which is legally described as follows:

Part of the Northeast Quarter of the Southwest Quarter (NE1/4 SW1/4) and part of the Northwest Quarter of the Southeast Quarter (NW1/4 SE1/4), all in Section 9, Township 26N, Range 20W, Christian County, Missouri, described as beginning at the Northeast corner of said Northeast Quarter of the Southwest Quarter; thence along the East line thereof S01°54'18"W 46.07 feet to the centerline of a county road; thence along said centerline the following courses: along a curve to the right with a radius of 86.24 feet a distance of 50.64 feet (chord bears S16°40'13"E 49.92 feet); thence S00°09'14"W 156.25 feet; thence leaving said centerline N87°27'43"W 526.21 feet; thence N01°54'18"E 254.50 feet to the North line of said Northeast Quarter of the Southwest Quarter; thence along said North line S86°52'37"E 505.62 feet to the point of beginning. Tract contains 3.00 acres more or less. SUBJECT TO right-of-way for a county road along the North and East sides of said tract, and all other right-of-ways, easements, and restrictions of record.

WHEREAS, the Christian County Planning and Zoning Commission did, during public hearing on May 15, 2023 review this request and hear public comment; and

WHEREAS, a motion to forward a recommendation of approval of this change was made, seconded and passed by a unanimous vote.

NOW, THEREFORE, after additional review of this case and having heard additional public comment the Christian County Commission did this day, upon a motion by Commissioner Jackson and seconded by Commissioner Bilyeu, vote unanimously to approve this request.

IT IS HEREBY ORDERED that the zoning classification for the above described property be changed and reflected on the Christian County Zoning map as A-R "Agricultural Residence" and thereby subject to all pertinent requirements contained within the Zoning Regulations for Christian County, Missouri.

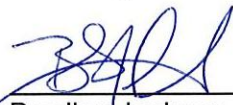
Done this 6th day of June 2023, at 10:00 a.m.

CHRISTIAN COUNTY COMMISSION



Lynn Morris
Presiding Commissioner

Yes
Dated: 6/6/23



Bradley Jackson
Commissioner, Eastern District

Yes
Dated: 6-6-23



Hosea Bilyeu
Commissioner, Western District

Yes
Dated: 6-6-2023

ATTEST:



Paula Brumfield
County Clerk

