CITY OF JOPLIN
COUNCIL AGENDA ITEM

ITEM:
CB 2024-250 – Voluntarily Deannexation

MEETING DATE:
January 2, 2024

ORIGINATING DEPARTMENT:
Planning, Development and Neighborhood Services

REVIEWED BY:
Director of Planning, Development & Neighborhood Services – Troy Bolander
Director of Finance – Leslie Haase
City Attorney – Peter Edwards
Assistant City Manager – Tony Robyn
City Manager – Nicholas Edwards

FUNDING SOURCE:
These payments are included in the FY2023 budget of the Community Planning Fund.

SUMMARY REQUEST:
Case 053-23: 3031 N Arizona Ave – A request to voluntarily deannex from the City of Joplin – Kristy Carson

BACKGROUND:

The subject property was annexed into the City in 2022 as one of the conditions of an out-of-town sewer agreement. The property never connected to the City's sanitary sewer and utilizes a septic tank.

The City has filed this request on behalf of the owner of the property, who is opposed to being within the corporate limits of the City of Joplin. The property does not have right of way frontage within the City and is the only property in this subdivision within City Limits.

PLANNING & ZONING COMMISSION TESTIMONY:

Mr. Bellairs explained to the commissioners the background on this case. Dr. Rosenberg asked if the owner was aware they would lose City services. Mr. Bellairs stated that the owner was aware. Mr. Kimble asked why the owner was not in attendance. Mr. Bellairs stated that the City was applying and representing this case on behalf of the owner. Mr. Bellairs confirmed to the Commissioners that the property was one acre.

PUBLIC COMMENT;
There was no comment in favor or opposition of this case.

RECOMMENDATIONS:
Staff recommends approval for Council Bill 2024-250
Planning & Zoning Commission recommends approval for Case 053-23 (7 in Favor, 0 Opposed)

ATTACHMENTS
Staff Planning Report
P&Z Commission Minutes
Applicant Materials
Map

Case 053-23: Deannexation

3031 N Arizona Ave-De-annexation-A request to De-annex property from the Corporate Limits of the City of Joplin-City of Joplin

Tyler Bellairs represented the City of Joplin. The property was annexed in 2022. The owners had out of town sewer agreement. Mr. Bellairs stated the owners had never connected to sewer and roads are not designed to city standards. The owners do not wish to be annexed. There is a lack of infrastructure. They are on septic and well water.

Mr. Rosenberg asked who requested the De-annexation.
Mr. Bellairs stated the owners.

Mr. Kimble stated that in the past when no one was in attendance wasn't the item tabled.

Mr. Bellairs stated the City was the applicant.

Ms. Phillips stated the property was annexed in March 2022.

Mr. Bellairs stated the annexation would not have been voluntary.

Mr. Kimble asked if the property was one acre.

Mr. Bellairs stated yes, and the owner had an out-of-town sewer agreement.

Mr. Landis stated he believed the City was doing due diligence but the land owners did not want to be annexed in.

Mr. Bellairs stated at one time the resident wanted to annex.

Mr. Rosenberg asked Mr. Bellairs if the resident was aware they would lose fire and police protection.

Mr. Bellairs stated yes.

Mr. Kimble asked if there was any one to speak in favor of Case 053-23.

There were none.

Mr. Kimble asked if there was any one to speak in opposition of Case 053-23.

There were none.

MR. JACKSON MOVED THAT CASE 053-23 BE APPROVED AND FORWARDED TO THE CITY COUNCIL FOR APPROVAL. MR. ROSENBERG SECONDED THE MOTION. MOTION CARRIED. (7 IN FAVOR, 0 NAY)

Z&P Meeting: December 11, 2023
City Council Meeting: January 2, 2024

JOPLIN
PLANNING, DEVELOPMENT, & NEIGHBORHOOD SERVICES

STAFF PLANNING REPORT
Deannexation

CASE 053-23 A request to voluntarily deannex property from the City of Joplin

LOCATION 3031 N Arizona Ave

APPLICANT City of Joplin

EXISTING CONDITIONS

Zoning	Land Use	Property Size
R-1 (Single-Family Residential)	Single-Family	Approximately 1 acre

DISCUSSION

The subject property was annexed into the City in 2022 as one of the conditions of an out-of-town sewer agreement. The property never connected to the City's sanitary sewer and utilizes a septic tank.

The City has filed this request on behalf of the owner of the property, who is opposed to being within the corporate limits of the City of Joplin. The property does not have right of way frontage within the City and is the only property in this neighborhood within City Limits.

Staff recommends approval of Case 053-23.

ENCLOSURES
- Map of area to be deannexed
- Application

BEFORE THE COUNCIL OF THE CITY OF JOPLIN, MISSOURI

PETITION FOR DEANNEXATION PURSUANT TO 71.012, RSMO., 1994

TO WHOM IT MAY CONCERN:

Pursuant to the terms of V.A.M.S. 71.02, the undersigned, being all of the owners of fee interests of record in all tracts of real property attached hereto and incorporated herein as Exhibit "A", do hereby request the deannexation of said land from the City of Joplin, Missouri.

Kristy Carson

3031 N Arizona Ave 64801

STATE OF Missouri)
) ss:
COUNTY OF Jasper)

On this 20th day of December 2023, before me appeared Kristy Carson, a single person, to me known to be the person described in and who acknowledged that he/she executed the foregoing instrument and acknowledged that he/she executed the same as his/her free act and deed.

IN TESTIMONY WHEREOF, I have hereunto set by hand and affixed by official seal, in the County and State aforesaid, the day and year first above written.

Notary Public Rachel Holcomb

My commission expires: April 6, 2024

Rachel Holcomb
NOTARY PUBLIC, NOTARY SEAL
STATE OF MISSOURI
Newton County
COMMISSION # 16487402
MY COMMISSION EXPIRES: April 06, 2024

Deannexation Application

Return Form to:
Planner
Joplin City Hall
602 S. Main Street
Joplin, Missouri 64801
417-624-0820 Ext. 1511
Zoning-Planning@JoplinMO.org

Office Use Only

Case No.: 053-23
Filing Fee: $0.00
Received: 11/9/23
Proj. No.: _____

Please complete the following information as it pertains to the requested deannexation property. If you own more than one parcel in which you are requesting deannexation, you will need to complete this form for each parcel of property.

Owner Name: Harold Cupp / Kristy Carson Phone No. 417-825-5086 (Kristy Carson) - Daughter

Email: _____

Applicant Name: City of Joplin Phone No. 417-624-0820 ext 1511

Email: tbellair@joplinmo.org

Mailing Address: 602 S Main St

Deannexation Property Address: 3031 N. Arizona Ave

Present Use of Property: Single-Family Residence

Residential Information (if no present of future residences, you may skip this section.)

Number of presently occupied or occupiable:

Single-family residences: 1

Duplex residences: -

Triplex residences: -

Apartment house residences: -

Apartment complex units: -

Number of future occupiable:

Single-family residences: -

Duplex residences: -

Triplex residences: -

Apartment house residences: -

Apartment complex units: -

Name of water provider, or list 'well': well

Name of sewer provider, or list 'septic': Septic

Commercial Information (if no present commercial use, you may skip this section.)

Business #1

Business Name: _____

Mailing Address: _____

Owner/Manager Name: _____

Phone No. _____ Email: _____

Landlord Name: _____ Phone No. _____

Missouri Sales Tax ID No. _____

Liquor Sales: Yes ○ No ○

Business #2

Business Name: _____

Mailing Address: _____

Owner/Manager Name: _____

Phone No. _____ Email: _____

Landlord Name: _____ Phone No. _____

Missouri Sales Tax ID No. _____

Liquor Sales: Yes ○ No ○

REQUIRED DEANNEXATION INFORMATION

JOPLIN

FINANCE DEPARTMENT

*******THIS FORM MUST BE SUBMITTED WITH YOUR DEANNEXATION PETITION*******

Please complete the following information as it pertains to the requested deannexation property. If you own more than one parcel in which you are requesting deannexation you will need to complete this form for each parcel of property.

Property Owner Name: Harold Cupp/Kristy Carson **Telephone Number:** 417-825-5086

Property Address: 3031 N Arizona Ave

1. **Is the deannexation the result of an out-of-town sewer agreement?** X **Yes** _____ **No**
2. **Is this property residential property?** X **Yes** _____ **No**
3. **Are there any businesses located on this property?** _____ **Yes** X **No**

If yes, how many businesses are located on this property? _____

Please list the following information for each business located on the property:

Business #1:

Business Name: _____

Business Mailing Address: _____

Name of Owner or Manager: _____

Business Contact Phone Number: _____

Is the Property Leased to the Business? _____ **Yes** _____ **No**

Type of Business (example: insurance, repair shop, etc.) _____

Does the business sell retail items? _____ **Yes** _____ **No**

If yes, what is their Missouri Sales Tax ID Number? _____

Does the business sell liquor? _____ **Yes** _____ **No**

Business #2:

Business Name: _____

Business Mailing Address: _____

Name of Owner or Manager: _____

Business Contact Phone Number: _____

Is the Property Leased to the Business? _____ **Yes** _____ **No**

Type of Business (example: insurance, repair shop, etc.) _____

Does the business sell retail items? _____ **Yes** _____ **No**

Are there residential living units on the property that are occupied or capable of being occupied? ___X___Yes _____No

If Yes, how many
Single-family house(s) ___1___Amount
Duplex(s) _____Amount
Tri-plex(s) _____Amount
Apartment House(s) _____Amount
Apartment Complex(s) _____Amount

Do you plan to build residential living units on the property _____Yes ___X___No

If Yes, how many
Single-family house(s) _____Amount
Duplex(s) _____Amount
Tri-plex(s) _____Amount
Apartment House(s) _____Amount
Apartment Complex(s) _____Amount

Are (or Will) the living unit(s) be on a well ___Y___Yes _____No
If NO, please furnish the name of the water company _____

Are (or Will) the living unit(s) have a septic system? ___X___Yes _____No
If NO, please furnish the name of the municipal sewer system _____

If yes, what is their Missouri Sales Tax ID Number? _____

Does the business sell liquor? _____Yes _____No (Over)

Business #3: Business Name: _____

Business Mailing Address: _____

Name of Owner or Manager: _____

Business Contact Phone Number: _____

Is the Property Leased to the Business? _____Yes _____No

Type of Business (example: insurance, repair shop, etc.) _____

Does the business sell retail items? _____Yes _____No

If yes, what is their Missouri Sales Tax ID Number? _____

Does the business sell liquor? _____Yes _____No

Business #4: Business Name: _____

Business Mailing Address: _____

Name of Owner or Manager: _____

Business Contact Phone Number: _____

Is the Property Leased to the Business? _____Yes _____No

Type of Business (example: insurance, repair shop, etc.) _____

Does the business sell retail items? _____Yes _____No

If yes, what is their Missouri Sales Tax ID Number? _____

Does the business sell liquor? _____Yes _____No

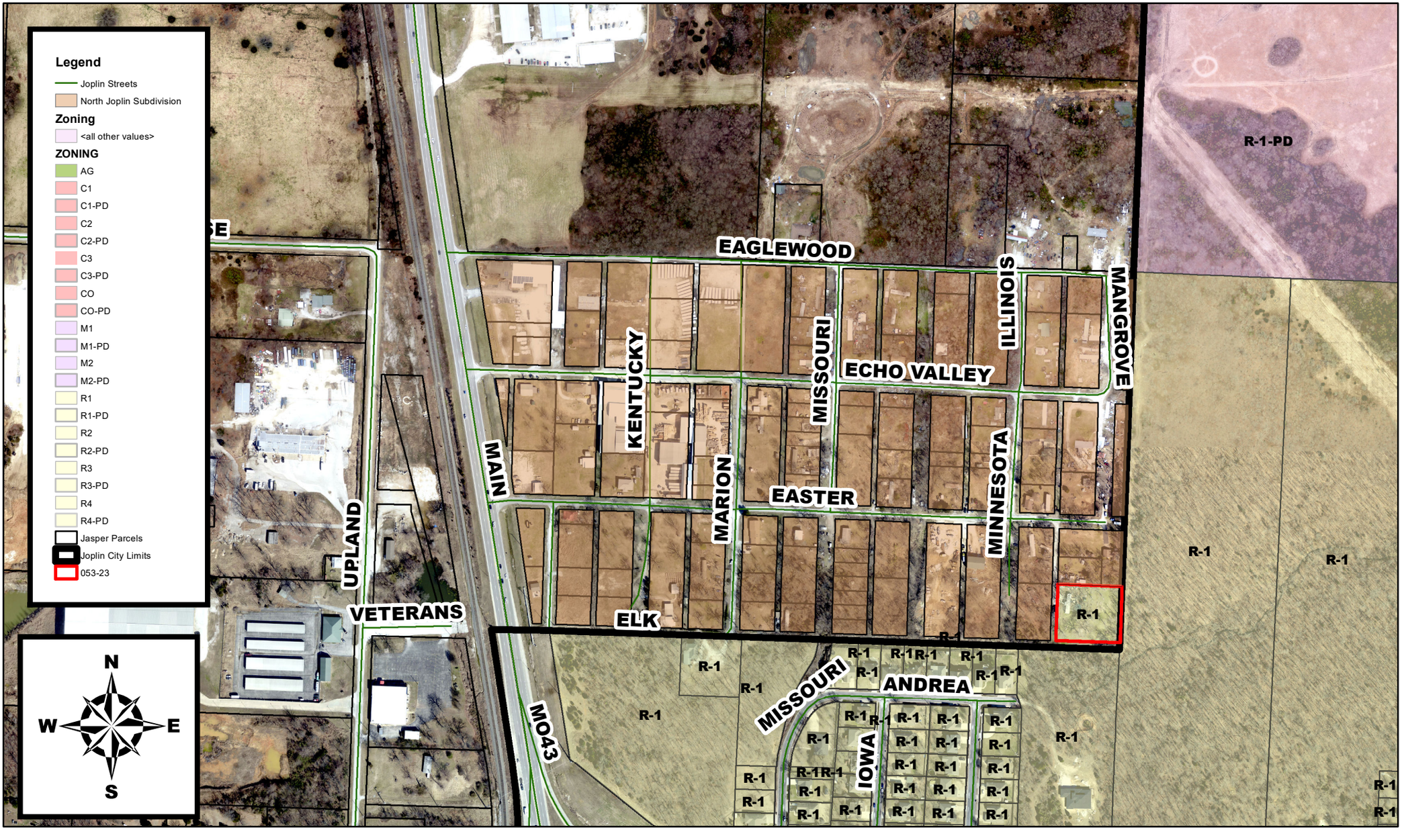
MMENTS

Case 053-23: Deannexation



3031 N Arizona Ave – Deannexation - A request to Deannex property from the Corporate Limits of the City of Joplin - City of Joplin

Case 053-23: Deannexation



3031 N Arizona Ave - Deannexation - A reqiest to Deannex property from the Corporate Limits of the City of Joplin - City of Joplin

0 145 290 580 870 1,160 Feet

P & Z Case 053-23
City of Joplin
(P & Z Recommended Approval)

COUNCIL BILL NO. 2024-250 ORDINANCE NO.

AN ORDINANCE approving the deannexation by the Council of the City of Joplin, Missouri, of property generally located at 3031 N Arizona Ave.

WHEREAS, pursuant to Section 71.012, RSMo, 2001, as amended, a Petition requesting deannexation and signed by the owners of all fee interests in record in the tract of real property described herein, was presented to the governing body of the City of Joplin, Missouri; and,

WHEREAS, pursuant to Section 71.012, RSMo, 2001, as amended, the proposed deannexation has been brought within five years of the date of the annexation ordinance.

WHEREAS, pursuant to Section having referred this matter to the Planning and Zoning Commission for Public Hearing thereon and having obtained the favorable recommendation and support of said deannexation; and,

WHEREAS, having held a Public Hearing concerning the proposed deannexation not less than fourteen (14) nor more than sixty (60) days after the Petition is received after first having given fifteen (15) days' notice of the Hearing in the Joplin Globe; and,

WHEREAS, after said Public Hearing, the City of Joplin determines that the deannexation is reasonable and necessary to the proper development of the City of Joplin; and,

WHEREAS, having received no written objections to the proposed deannexation within fourteen (14) days after the Public Hearing.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF JOPLIN, MISSOURI, as follows:

Section 1. That the following described tract of land be and the same is hereby deannexed from the City of Joplin, Missouri, said tract of land be described as follows, to-wit:

All of Lots Numbered Six (6), Seven (7), Eight (8), Nine (9), and Ten (10), in North Joplin Addition located on the North Half (N ½) of the Southwest Quarter (SW ¼) of Section Twenty-Six (26), Township Twenty-Eight (28), Range Thirty-Three (33), Jasper County, Missouri.

Section 2. That the City Clerk is hereby ordered to file this ordinance with the Zoning District Map maintained in her office and to note the changes herein provided thereon.

PASSED BY THE COUNCIL OF THE CITY OF JOPLIN, MISSOURI, this the _____ day of_____, 2024, by a vote of _____.

_____
Douglas W. Lawson, Mayor

ATTEST:

_____
Holly Nagy, City Clerk

APPROVED AS TO FORM:

_____
Peter C. Edwards, City Attorney