CITY OF JOPLIN
COUNCIL AGENDA ITEM

ITEM:
CB 2023-250 – Zoning District Change

MEETING DATE:
January 3, 2023

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 FY2021-22 budget of the Community Planning Fund.

SUMMARY REQUEST:
Case 065-22: Rezoning – 2310 W 2nd St – A request to remove from District R-1 (Single-Family Residential) and include in District R-2 (Two-Family Residential) for future residential development – KLB Properties

BACKGROUND:
The change in zoning will not be detrimental to nearby property. Properties that are directly adjacent in all directions are R-1. However, R-2 would be required to have the same size lots (50' lots) as the adjacent property to develop single family homes. The rezoning is consistent with the Comprehensive Plan.

PLANNING & ZONING COMMISSION TESTIMONY:
Mr. Baker stated he plans to develop single-family homes, consistent with the rest of the neighborhood. Rezoning would allow him to create smaller lots under R-2. Mr. and Mrs. Replogle debated the ownership of the property. Mr. Bolander stated that ownership was provided. Mr. Rosenberg inquired about the minimum lot size. Mr. Bolander explained that in the new code to get a 50' lot in an area that has not been platted you have to rezone it to R-2. Even if you build a single-family home. Most of those lots in that area are already 50' wide. He is requesting an R-2 zoning district so he can put in single-family homes with 50' lots. If it is not rezoned to R-2 he has every right to develop it under R-1 with new homes as well, but the lots will have to be 65' wide.

PUBLIC COMMENT;
Mr. and Mrs. Replogle debated the ownership of the property. They stated they used to own the property and then sold it. Mr. Bolander stated that ownership was provided. They also stated they did not want anyone else coming into the neighborhood that would impact it negatively.

RECOMMENDATIONS:
Staff recommends approval for Council Bill 2023-250
Planning & Zoning Commission recommends approval for Case 064-22 (6 in Favor, 0 Opposed, 1 Absent)

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

Case 065-22: Rezoning

3 Tracts in the 2300 Block of W. 2nd Street-Generally located at 2310 W. 2nd Street-A request to remove from DistrictR-1 (Single Family) and include in District R-2 (Two Family Residential)-KLB Properties, LLC.

Mr. Kyler Baker, 302 Silverwood Lane, Joplin, Missouri. Mr. Baker was representing KLB Properties, LLC. and they have requested rezoning from R1 to R2. He stated he still planned on building single-family homes in that area. R2 would allow him a certain size lot whereas R1 placed limitations on him. R2 gives him the size lot he needs to accommodate the number of homes he wanted to build. He thought the number of homes would be six in that full area.

Ms. Steele asked, the entire block.

Mr. Baker stated yes that is his goal. He just wanted to build nice new homes. They would be rental property for him. He stated he kept all his rental property maintained with good tenants. He just wanted to do good stuff for Joplin and revitalize that area.

Ms. Steele asked if anyone would like to speak in opposition of Case 065-22.

Mary Replogle, 1502 S. Michigan Ave. B-3 A-4, Joplin, Missouri. Ms. Replogle stated she owned a house with her husband located at 209 S. Winfield. She proposed a question to Mr. Baker and asked what three address he owned. Ms. Replogle stated now that she is clear she would like to make known that 2310 W. 2nd is not known as 2310. It is known as 2314 and 2310. She stated her grandmother owned all that property and her uncle owned all the Railroad property. He purchased it from the Railroad down in Texas and then he in turn sold it to her husband. He is waiting to speak also. He owned it for a few years and then he sold it.

Neal Replogle, 209 S. Winfield Ave. Joplin, Missouri. Mr. Replogle stated he resided a couple of doors down from the property.

Mary Replogle stated she was told by her grandmother growing up that this Railroad property when they were finished with it would revert to the landowners around that area. Ms. Replogle stated she had copies of the Warranty Deed from 207 S. Winfield. She advised that she had their Warranty Deed for 209 S. Winfield and she had the Warranty Deed for William Clemmons and Karen Birch. Unfortunately, Karen Birch's son has the property also now. She stated she did not have time to contact him because they just received their letter from the City the other day. She stated that putting duplexes or apartments or whatever it may be, even single-family homes is not a good

idea for that area. Especially duplexes or apartments. It will make the area worse. She stated they have worked and worked and worked to get this area back up. She thinks it should remain as R-1 instead of R-2. She stated there are several other people in opposition, but they could not make it because they are working.

Mr. Neal Replogle stated like she previously stated he bought the Railroad right-of-way from her uncle from the Railroad company in Texas when they put it up for sale. Bill bought it and then I bought it from Bill. The Railroad guy came out and surveyed it and everything. They said because the Railroad line was abandoned so many years ago, like over thirty something years ago, since he had been here. His neighbor's yard was fenced in and everything down there for thirty years or more. Then someone came in and took out all the fence and everything. They were trying to take that property also to add to that other one or whatever. Parts of that on the one side like where his neighbor is at, that reverted back to his property and that is why it was fenced in. And then in the back where the Clemmons are back on the one end that reverted back too. He stated they had paperwork to that out of my records from the Railroad and everything. He stated they know both properties really well and he kept them up for a long time and everything. One used to be her grandma's property, 2310 W. 2nd and 2314 W. 2nd. He stated that 2314 W. 2nd was a big house and 2310 W. 2nd was just a little bitty rock house. It used to be a rental property, that little piece in the back. He stated he thought he pretty much covered that. That was pretty much what he wanted to say. He stated he sold it to the guy down on 3rd Street. He is dead and his partner has it now the Railroad right-of-way. He sold it, but he did not know who he sold it to but them boundaries were in line. He stated he had papers to show where it goes through on the Railroad side. How far it goes down from Winfield down to Monroe. It was more narrow than wide. He stated he could not do what he wanted to do with it. He stated he wanted to put a three bay garage back up on the concrete slab but the City at the time told him he could not because of the zoning change. At that time, it was just a pain to keep it up, so he sold it to this other guy. He resold it to whoever has it now. Now on the 2314 W. 2nd and 2310 W. 2nd a guy named Roger bought that side over there, the grandma's side. He stated that is pretty much all he has to say. He stated he thought they were going by the old records on their survey.

Mr. Jackson asked to clarify the addresses because he was confused. So, he asked Mr. Replogle if his family owned the properties located at 2310 W. 2nd and 2314 W. 2nd.

Mr. Replogle stated yes.

Mr. Jackson asked if both the properties were sold.

Mr. Replogle responded, right.

Mr. Jackson asked so there is also the Railroad property that comes in here as well.

Mr. Replogle stated he bought that.

Mr. Jackson stated correct, and you sold that to another gentlemen.

Mr. Replogle stated yes.

Mr. Jackson stated okay and what were your respective addresses. Where do you live in relation to this.

Mr. Replogle stated just a couple of doors up from this on the same side at 209 S. Winfield. He said the way they got it marked off from the previous owner goes across my neighbor's yard at an angle and it don't touch mine it sits on the back corner fence down to the corner of 3rd and Monroe. Almost to the corner.

Mr. Jackson asked Mr. Replogle if he was the tan house that sits there. He stated he was looking at a map on his phone.

Mr. Replogle said the tan house would be 207 S. Winfield. Nobody said nothing to them or gave them any paperwork or nothing. They went to a deal in Carthage, and they came back and the fence was all ripped out. The line goes down that direction there with it being fenced in for over thirty plus years it should be grandfathered in.

Ms. Steele stated adverse possession.

Mr. Jackson stated you mentioned a Warranty Deed.

Ms. Replogle stated yes, these Warranty Deeds were given to my husband when they sold the property to him.

Ms. Steele asked Ms. Replogle so when you sold the property there is another Warranty Deed issued when you sold it. Ms. Steele asked, are you claiming ownership or a right to this property.

Mr. Replogle stated no.

Ms. Replogle stated what she was doing was letting everyone know that the triangular shape of the 2310 W. 2nd Street property. There are two properties there. Her grandmother owned 2314 W. 2nd. Her name was Mary A. Smith. She passed away in June 1990. Property was originally sold to Erma Money. She stated the reason why she

knows so much about this area is she had family at 1st and Winfield. Her mother owned property at 3rd and Winfield. Basically, this has been a family neighborhood.

Mr. Jackson stated that usually when Railroad property is transferred usually they get the first right of getting it back but they let you transfer the title from the person who bought it from them to you. And everything was good. They just relinquished it.

Mr. Replogle stated, no sir.

Ms. Replogle stated her uncle bought the property from the Railroad company in Texas. He passed away and her cousin was interested in buying it and they sold it to him.

Mr. Replogle stated when her dad died, he got it. He is the one who purchased it. He sold it to me. They were in Texas. Just a narrow property.

Mr. Jackson said basically where the track was and the right-of-way on each side. But you say they have signed off on the fact that they take no claim to it and you have legal ownership of the property.

Mr. Replogle stated he sold it.

Ms. Replogle stated the agreement on this Railroad was there was a street car track that went down the middle of her grandmother's drive-way. When they abandoned it she got it free and clear. Railroad said when they abandoned it after so many years the Railroad property would revert back to the people who were living at those addresses at the time that are up for question.

Mr. Jackson said so what he was hearing from Mr. Replogle was that he sold the property off to another individual.

Ms. Replogle said he sold it to Penny who owns the trucking company at 3rd and Monroe.

Mr. Jackson stated so the question is had Mr. Baker purchased the property from this other gentleman.

Mr. Replogle stated that is what he is trying to figure out.

Ms. Steele asked Mr. Bolander if the land in question was free and clear.

Mr. Bolander stated yes, he did not want to get to much off the subject because it is a rezoning request. We receive documentation that he owns it free and clear. We checked that before the item was placed on the agenda.

Ms. Steele thanked Mr. Bolander.

Ms. Replogle stated that once again she thought it would be wrong to rezone it to R-2 because it will bring all kinds of people in that do not need to be in the neighborhood.

Mr. Replogle said there is just way too much riff raff over there now. We have trouble over there all the time. People have to get guns to protect their homes. He stated he had a gun to protect his home. There is a problem with homeless. Not so much in the day but at night.

Ms. Steele stated that if that land was developed maybe that would cut down on the homeless coming in there.

Ms. Replogle stated no. She said not to get off the subject but 118 and 112 Winfield all those homes are about 25 years old, and they were supposed to make the neighborhood nicer. No. They rent and sell to all kinds of people.

Mr. Replogle stated they have had drug dealers over there and everything else.

Ms. Steele asked if there was anything else they would like to bring before the Commission.

Ms. Replogle stated that would be everything.

Ms. Steele asked if anyone else would like to speak in opposition of Case 065-22.

Mr. Stan Asbell, 1502 S. Michigan Ave., Joplin, Missouri. Mr. Asbell stated the reason he was against this rezoning was my great uncle who owned the property what the confusion was when it was sold where the property lines and fences were you could not build on the property because there was not enough room there already to do anything that is why Mr. Replogle was not allowed to rebuild the shop that fell in from the ice storm. And then when Ms. Replogle's grandmother's house burnt they were not able to rebuild because there was not enough room on said property. Because between where the grandmother's house laid and then the little rock house behind her house which she owned both properties and then where the main Railroad came through which Mr. Smith owned where his shop was. Mr. Replogle bought it. When that all fell in because of the storm he was not able to rebuild because they said there was not enough

property there because the property the homeowners owned around it that the Railroad had taken it had reverted back to the homeowner. Which wasn't very big pieces, but it was enough where no body was able to rebuild. All of a sudden now everyone is able to rebuild there, and nobody knows why. Nobody has said anything or come door to door or said this is our intentions, we would like to know anything about it. But that has not happened. He does understand because he does construction himself. But he stated he knows that is not always the case. But, in saying that a lot of the homes there are low-income homes. You go in and put in these new dwellings and stuff that is going to raise their taxes on their property. Like Mr. Replogle pays $380.00 a year for his home taxes. Those new places go in then his home taxes go up. Everybody in that neighborhood's taxes will go up on their own home property. It happened. So, these low-income families that have these other houses what are they going to do when it comes time for their taxes because they have all these new dwellings coming up around them. They are coded nicer new homes. So, there is that problem. That is the reason he stated he is against it. The families around there now are doing good to hold their own. New dwellings come in that will definitely raise their property tax. Then so you have this new one coming in and then if they start this well your house looks like this, and we have this new one here that is going to cause a lot of problems for them again. Because they can't keep the upkeep of their homes because they are low-income families. So basically, that is the reason I am against it.

Mr. Rosenberg proposed a question to Mr. Bolander. What is the minimum lot size width. Is it 50 or did we raise that.

Mr. Bolander stated that is the question we are trying to answer this evening. In the new code to get a 50' lot in an area that has not been platted you have to rezone it to R-2. Even if you build a single-family home. Most of those lots in that area are already 50' wide. He is requesting an R-2 zoning district so he can put in single-family homes with 50' lots. If it is not rezoned to R-2 he has every right to develop it under R-1 with new homes as well, but the lots will have to be 65' wide. That is the question this evening.

Mr. Jackson stated so the plot size would be sufficient to accommodate what he is requesting to do.

Mr. Bolander stated yes 50' lots which are typical in that neighborhood.

Mr. Jackson asked what would the access be the way it is laid out. Will it be sufficient for people to get to and from the property.

Mr. Bolander stated he thought it would be off a lot on 3rd street and the majority would be off 2nd street.

MR. JACKSON MOVED THAT CASE 065-22 BE FORWARDED TO THE CITY COUNCIL WITH RECOMMENDATION FOR APPROVAL. MS. PHILLIPS SECONDED THE MOTION. MOTION CARRIED. (6 IN FAVOR, 0 NAYS, 1 ABSENT)

Z&P Meeting: December 12, 2022
City Council Meeting: January 3, 2023

JOPLIN
PLANNING, DEVELOPMENT, & NEIGHBORHOOD SERVICES

STAFF PLANNING REPORT
Rezoning

CASE 065-22 A request to rezone from R-1 (Single Family Residential) to R-2 (Two Family Residential).

LOCATION Generally located at 2310 W 2nd St

APPLICANT KLB Properties

EXISTING CONDITIONS

Zoning	Land Use	Property Size
R-1	Vacant	Approximately 1.3 Acres

SITE CONTEXT

	North	East	South	West
Existing Zoning	R-1	R-1	R-1	R-1
Land Use	Single Family Residential	Single Family Residential	Single Family Residential	Single Family Residential

FUTURE LAND USE

Joplin's Future Land Use Map shows this property as Low Density-Residential.

TRANSPORTATION

Streets with access	Classification	Right-of-way width
S Monroe Ave	Local	60′
S Winfield Ave	Local	60′
W 3rd St	Local	60′
W 2nd St	Collector	60′

UTILITIES

Utilities are accessible.

FLOOD PLAIN

This property is not in the flood plain.

STAFF ANALYSIS

CONSISTENT WITH DEVELOPMENT POLICIES OF THE COMPREHENSIVE PLAN?

This request is consistent with the Comprehensive Plan. The property is shown as Low-Density Residential on the Future Land Use Map. R-2 zoning is appropriate in that context.

THE SUITABILITY OF THE SUBJECT PROPERTY FOR THE USES TO WHICH IT HAS BEEN RESTRICTED

R-1 is not appropriate to develop duplexes or two-family residencies.

THE EXTENT THAT THE ZONING CHANGE WILL DETRIMENTALLY AFFECT NEARBY PROPERTY

The change in zoning will not be detrimental to nearby property. Properties that are directly adjacent in all directions are R-1. However, R-2 is a permitted zoning in the Residential Low-Density Future Land Use Category, which is used to promote open space and rural preservation, OR to develop more walkable neighborhoods with a mix of housing types and connection to walkable neighborhood centers.

DISCUSSION

This request to rezone to R-2 is consistent with the Comprehensive Plan and complies with its designated Future Land Use Category on the Future Land Use Map.

Staff recommends approval of Case 065-22.

ENCLOSURES

- Map of property
- Application

Rezoning 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.: 065-22
Filing Fee: $550.00
Received: 10-19-22
Date Advertised: 11/23/22
Proj. No.: 22-135
Public Hearing Date: ~~11-14-22~~ 12-12-22

Applicant: KLB Propertries LLC Phone No.: 417-438-3531

Address: 302 Silverwood Ln, Joplin, MO64801 Email: klbpropertiersllc@gmail.com

Owner: KLB Properties LLC Phone No.: 417-438-3531

Address: 302 Silverwood Ln, Joplin, MO 64801 Email: klbpropertiesllc@gmail.com

Location of Property: 2300 Block of W 2nd St

Present Use of Property: R-1 Vacant land

Proposed Use of Property: R-2 New construction housing

Current Zoning: R-1 Requested Zoning: R-2

Surrounding Land Use and Zoning:

	Land Use	Zoning
North	Housing	R-1
South	Housing	R-1
East	Housing	R-1
West	Housing	R-1

Character of the Neighborhood: _____

Relationship to Existing Zoning Pattern:

Yes	No	
○	◉	Would proposed change create a small, isolated district unrelated to surrounding districts?
◉	○	Are there substantial reasons why the property cannot be used in accord with existing zoning?

If yes, explain: Wanting to divide into multiple lots. Need lot width to be 50ft.

Conformance with Comprehensive Plan:

Yes	No	
◉	○	Consistent with Development Policies?
◉	○	Consistent with Future Land Use Map?

Traffic Conditions:

Yes	No	
○	◉	Will turning movements caused by the proposed use create an undue traffic hazard?

Street(s) with Access to Property: 2nd, 3rd, and Winfield

Classification of Street(s):

Arterial ☐ Collector ☐ Local ☐

Right-of-Way Width: _____

Subdivision Platting:

Yes	No	
◉	○	Is platting required?
◉	○	Are lots appropriately sized?
◉	○	Is street right-of-way appropriately sized?

◉ ○ Are drainage and utility easements adequately sized and provided?

Additional Platting Comments: _____

_____

_____

Unique Characteristic of Property and/or Additional Comment:

_____

_____

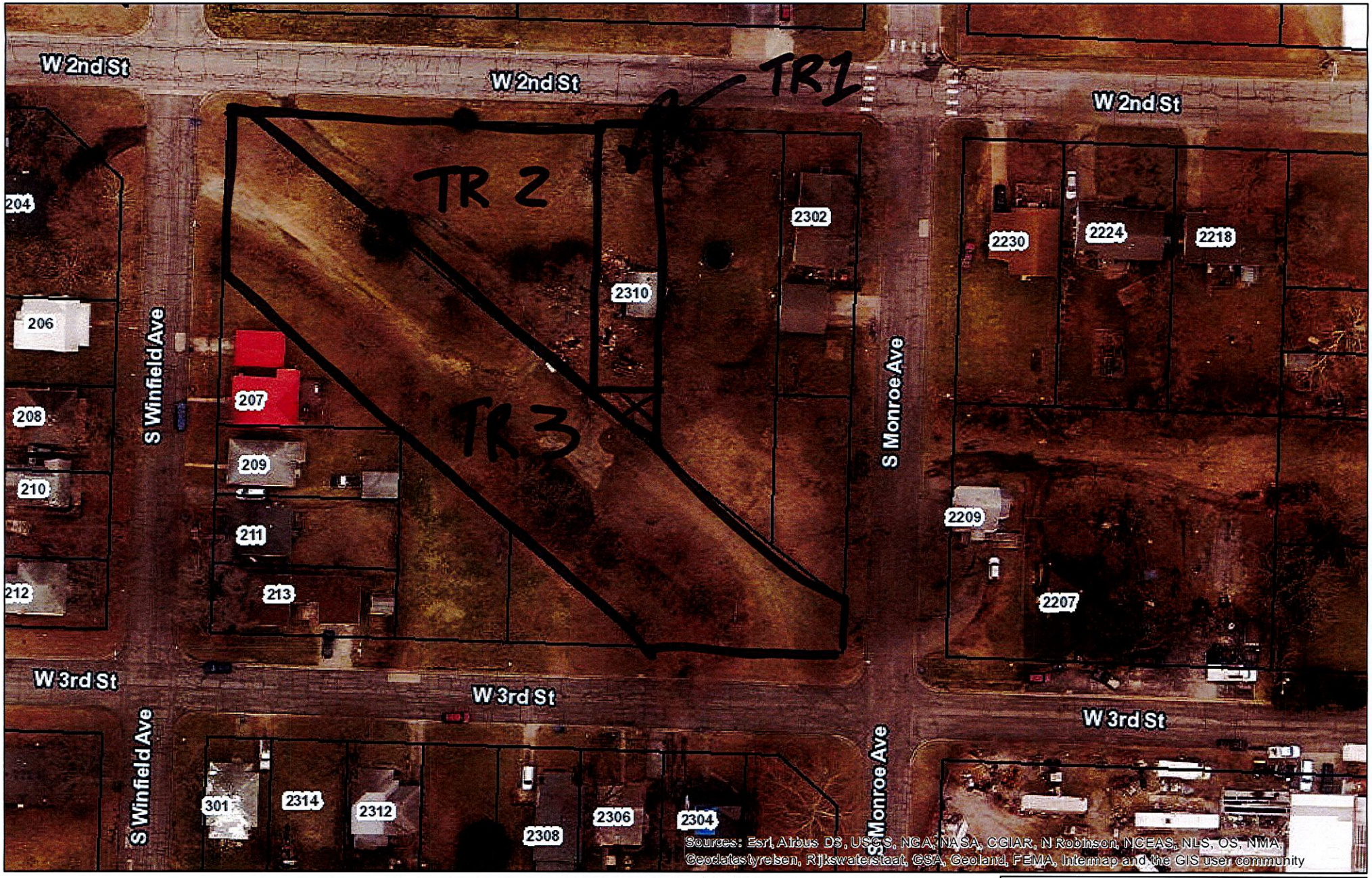
_____

Submission of Documents: The following documents are **required** at time of submission.

Yes	No	
◉	○	Completed and signed application.
◉	○	One copy of a legal description of the property proposed to be rezoned from a deed or certified survey. Must be legible.
◉	○	One copy of a statement describing the reasoning for the rezoning, the impact of the proposed change, including any traffic conditions that may result; any danger from fire hazards; how the proposed change may affect the character of the surrounding properties; and how the proposed change will benefit the City of Joplin.
◉	○	Owner Affidavit and Agent Affidavit, if applicant applying for the rezoning is not the owner of the property be rezoned.

Applications that are incomplete or missing required documents will not be processed or scheduled on an agenda to the Planning & Zoning Commission until corrected and resubmitted.

Signature: Kyle Eck **Date:** 10/19/22



Date: 12/5/2022

1 " = 94 '

0 0.0075 0.015 0.03 mi

N

Joplin City Limits

Addresses

Jasper Parcels

Newton Parcels

Joplin Streets

Red: Band_1

Green: Band_2

Blue: Band_3

@ 12/5/22

DISCLAIMER

This drawing is neither a legally recorded map or a survey and is not intended to be used as one. This map is compilation of records, information, and data located from the City of Joplin, Jasper and Newton Counties, and other State and Federal Offices, and other sources, affecting the area shown, and is to be used for reference purposes only. The City is not responsible for any inaccuracies herein.

SCHEDULE B, PART II
(Continued)

EXHIBIT "A"

TRACT 1:
ALL OF THE EAST 36 FEET OF THE WEST 80 FEET OF LOT NUMBERED THIRTY-SIX (36) LYING NORTH OF RAILROAD RIGHT-OF-WAY OF JOPLIN AND PITTSBURG STREETCAR AND RAILROAD COMPANY IN FOURTH STREET ADDITION TO THE CITY OF JOPLIN, JASPER COUNTY, MISSOURI, ACCORDING TO THE RECORDED PLAT THEREOF.

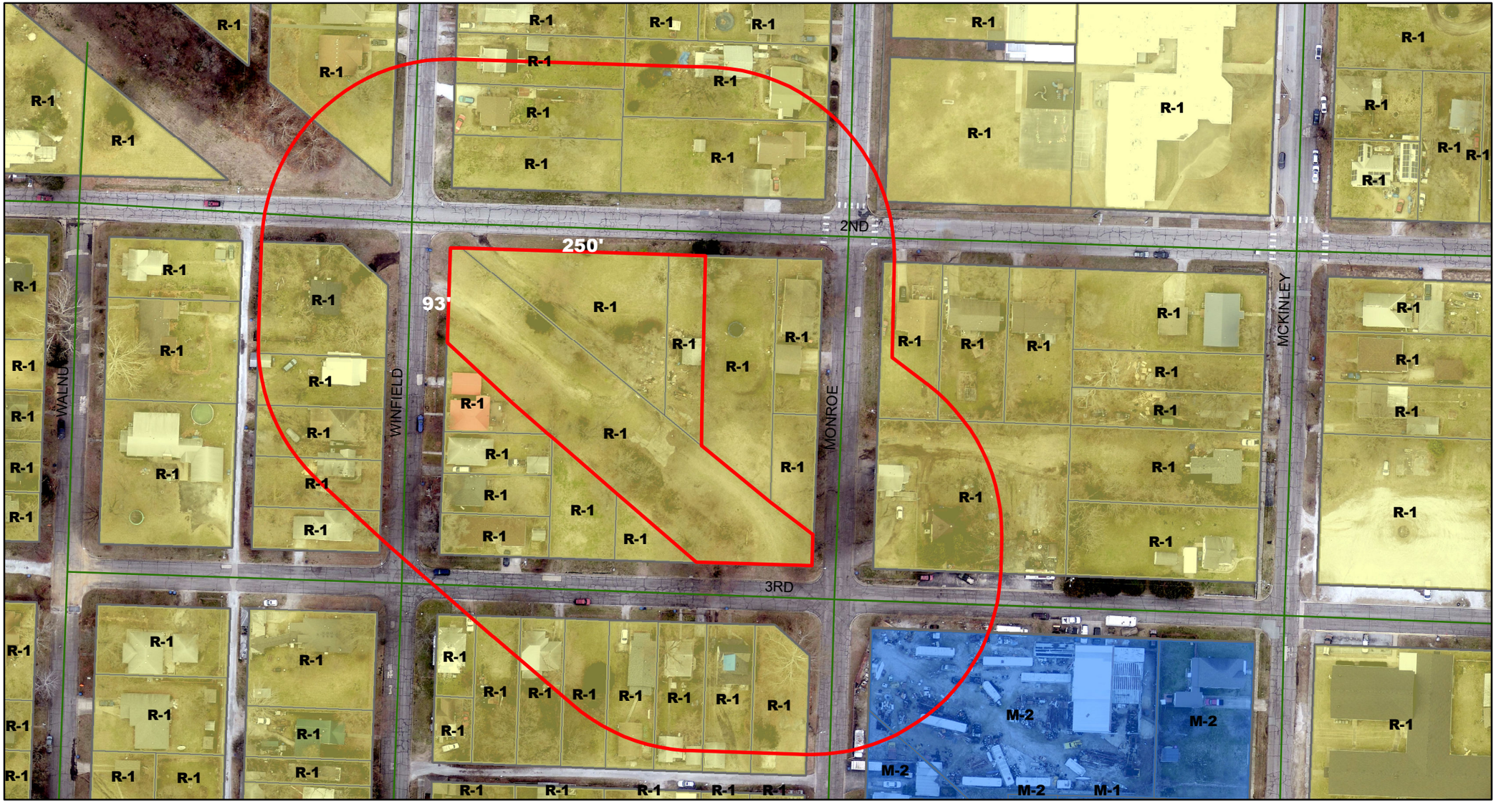
TRACT 2:
ALL OF LOT NUMBERED FORTY-FIVE (45) IN FOURTH STREET ADDITION TO THE CITY OF JOPLIN LYING NORTH AND EAST OF THE RAILROAD RIGHT-OF-WAY AND ALL OF THE WEST 80 FEET OF LOT THIRTY-SIX (36) IN FOURTH STREET ADDITION TO THE CITY OF JOPLIN, EXCEPT FOR THE EAST 36 FEET OF THE WEST 80 FEET LYING NORTH AND EAST OF THE RAILROAD RIGHT-OF-WAY AND NORTHEASTERLY ONE-HALF OF THE ABANDONED M.K, & T RAILROAD RIGHT-OF-WAY LYING AT RIGHT ANGLES AND ADJOINING THAT PORTION OF THE ABOVE DESCRIBED LOTS 45 AND 36 ALL BEING SITUATED IN JOPLIN, JASPER COUNTY, MISSOURI.

TRACT 3:
A PARCEL OF LAND SITUATE IN THE SOUTHWEST QUARTER (SW1/4) OF SECTION 4, TOWNSHIP 27 NORTH, RANGE 33, WEST OF THE SIXTH PRINCIPAL MERIDIAN IN THE CITY OF JOPLIN, JASPER COUNTY, MISSOURI, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE POINT OF INTERSECTION OF THE SOUTH LINE OF SECOND STREET AND THE EAST LINE OF WINFIELD AVENUE, THENCE SOUTHERLY ALONG SAID EAST LINE OF WINFIELD AVENUE, A DISTANCE OF 115 FEET, MORE OR LESS, TO A POINT 50 FEET DISTANT SOUTHWESTERLY, MEASURED AT RIGHT ANGLES, FROM THE CENTERLINE OF ABANDONED MAIN TRACK OF THE FORMER JOPLIN BRANCH OF THE MISSOURI PACIFIC RAILROAD COMPANY AS ORIGINALLY CONSTRUCTED AND OPERATED, THENCE SOUTHEASTERLY ALONG A LINE PARALLEL WITH AND 50 FEET DISTANT SOUTHWESTERLY, MEASURE AT RIGHT ANGLES, FROM SAID CENTERLINE OF ABANDONED MAIN TRACK, A DISTANCE OF 310 FEET, MORE OR LESS, TO A POINT ON THE NORTHERLY LINE OF THIRD STREET, THENCE EASTERLY ALONG SAID NORTHERLY LINE OF THIRD STREET, A DISTANCE OF 120 FEET, MORE OR LESS, TO A POINT ON THE WESTERLY LINE OF MONROE STREET, THENCE NORTHERLY ALONG SAID WESTERLY LINE OF MONROE STREET, A DISTANCE OF 35 FEET, MORE OR LESS, TO A POINT 50 FEET DISTANCE NORTHEASTERLY, MEASURED AT RIGHT ANGLES, FROM SAID CENTERLINE OF ABANDONED MAIN TRACK, THENCE NORTHWESTERLY ALONG A LINE PARALLEL WITH AND 50 FEET DISTANCE NORTHEASTERLY, MEASURED AT RIGHT ANGLES, FROM SAID CENTERLINE OF ABANDONED MAIN TRACK, A DISTANCE OF 435 FEET, MORE OR LESS, TO A POINT ON THE SOUTH LINE OF SAID SECOND STREET, THENCE SOUTHERLY ALONG SAID SOUTH LINE OF SECOND STREET, A DISTANCE OF 25 FEET, MORE OR LESS, TO THE TRUE POINT OF BEGINNING.

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AMERICAN LAND TITLE ASSOCIATION

Case 065-22 - Rezoning - Generally located at 2310 W 2nd St



3 Tracts in the 2300 Block of W. 2nd St – Generally located at 2310 W 2nd St – A request to remove from District R-1 (Single Family) and include in District R-2 (Two Family Residential) - KBL Properties

N

0 50 100 200 300 400 Feet

P & Z Case 065-22
KLB Properties
(P & Z Recommended Approval)

COUNCIL BILL NO. 2023-250 ORDINANCE NO.

AN ORDINANCE amending Ordinance No. 2022-274, passed by the Council of the City of Joplin, Missouri, August 1, 2022, by removing from District R-1 (Single-Family Residential) and including in District R-2 (Two-Family Residential) property as described below and located at 2310 W. 2nd St, City of Joplin, Jasper County, Missouri.

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

Section 1. Having referred the subject matter of this ordinance to the City Planning and Zoning Commission and having given at least fifteen days' notice of time and place of hearing on same by publication in the Joplin Globe, Ordinance No. 2022-274 is hereby amended by removing from District R-1 (Single-Family Residential) the following described property and including in District R-2 (Two-Family Residential).

TRACT 1: ALL OF THE EAST 36 FEET OF THE WEST 80 FEET OF LOT NUMBERED THIRTY-SIX (36) LYING NORTH OF RAILROAD RIGHT-OF-WAY OF JOPLIN AND PITTSBURG STREETCAR AND RAILROAD COMPANY IN FOURTH STREET ADDITION TO THE CITY OF JOPLIN, JASPER COUNTY, MISSOURI, ACCORDING TO THE RECORDED PLAT THEREOF. **TRACT 2:** ALL OF LOT NUMBERED FORTY-FIVE (45) IN FOURTH STREET ADDITION TO THE CITY OF JOPLIN LYING NORTH AND EAST OF THE RAILROAD RIGHT-OF-WAY AND ALL OF THE WEST 80 FEET OF LOT THIRTY-SIX (36) IN FOURTH STREET ADDITION TO THE CITY OF JOPLIN, EXCEPT FOR THE EAST 36 FEET OF THE WEST 80 FEET LYING NORTH AND EAST OF THE RAILROAD RIGHT-OF-WAY AND NORTHEASTERLY ONE-HALF OF THE ABANDONED M.K, & T RAILROAD RIGHT-OF-WAY LYING AT RIGHT ANGLES AND ADJOING THAT PORTION OF THE ABOVE DESCRIBED LOTS 45 AND 36 ALL BEING SITUATED IN JOPLIN, JASPER COUNTY, MISSOURI. **TRACT 3:** A PARCEL OF LAND SITUATE IN THE SOUTHWEST QUARTER (SW1/4) OF SECTION 4, TOWNSHIP 27 NORTH, RANGE 33, WEST OF THE SIXTH PRINCIPAL MERIDIAN IN THE CITY OF JOPLIN, JASPER COUNTY, MISSOURI, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE POINT OF INTERSECTION OF THE SOUTH LINE OF SECOND STREET AND THE EAST LINE OF WINFIELD AVENUE, THENCE SOUTHERLY ALONG SAID EAST LINE OF WINFIELD AVENUE, A DISTANCE OF 115 FEET, MORE OR LESS, TO A POINT 50 FEET DISTANT SOUTHWESTERLY, MEASURED AT RIGHT ANGLES, FROM THE CENTERLINE OF ABANDONED MAIN TRACK OF THE FORMER JOPLIN BRANCH OF THE MISSOURI PACIFIC RAILROAD COMPANY AS ORIGINALLY CONSTRUCTED AND OPERATED, THENCE SOUTHEASTERLY

ALONG A LINE PARALLEL WITH AND 50 FEET DISTANT SOUTHWESTERLY, MEASURE AT RIGHT ANGLES, FROM SAID CENTERLINE OF ABANDONED MAIN TRACK, A DISTANCE OF 310 FEET, MORE OR LESS, TO A POINT ON THE NORTHERLY LINE OF THIRD STREET, THENCE EASTERLY ALONG SAID NORTHERLY LINE OF THIRD STREET, A DISTANCE OF 120 FEET, MORE OR LESS, TO A POINT ON THE WESTERLY LINE OF MONROE STREET, THENCE NORTHERLY ALONG SAID WESTERLY LINE OF MONROE STREET, A DISTANCE OF 35 FEET, MORE OR LESS, TO A POINT 50 FEET DISTANCE NORTHEASTERLY, MEASURED AT RIGHT ANGLES, FROM SAID CENTERLINE OF ABANDONED MAIN TRACK, THENCE NORTHWESTERLY ALONG A LINE PARALLEL WITH AND 50 FEET DISTANCE NORTHEASTERLY, MEASURED AT RIGHT ANGLES, FROM SAID CENTERLINE OF ABANDONED MAIN TRACK, A DISTANCE OF 435 FEET, MORE OR LESS, TO A POINT ON THE SOUTH LINE OF SAID SECOND STREET, THENCE SOUTHERLY ALONG SAID SOUTH LINE OF SECOND STREET, A DISTANCE OF 25 FEET, MORE OR LESS, TO THE TRUE POINT OF BEGINNING.

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_____, 2023, by a vote of _____.

_____
Douglas W. Lawson, Mayor

ATTEST:

_____
Holly Nagy, City Clerk

APPROVED AS TO FORM:

_____
Peter C. Edwards, City Attorney