

AN ORDINANCE CHANGING THE OFFICIAL ZONING MAP OF THE CITY OF WEST PLAINS, MISSOURI AND DEFINING THE BOUNDARIES OF THE AREA TO BE CHANGED ON SAID OFFICIAL ZONING MAP BY THIS ORDINANCE (PROPERTY LOCATED AT 814 JOHN N. WILES).

WHEREAS, Andrew Cobb, petitioned the Planning Commission of West Plains, Missouri seeking to have the property located at 814 John N. Wiles, West Plains, Missouri be rezoned from Residential (R-2) to Commercial (C-1). The property is further described as follows;

A part of the NE1/4 of the SW1/4 of Section 28, Township 24, Range 8, commencing at the center of Section 28, Township 24, Range 81 run thence South about 480 feet to North right-of-way line of Highway 17, thence in a Northwesterly direction along North line of said right-of-way to the point where said North line of right-of-way intersects the North line of said NE1/4 of the SW1/4, which point is about 24 rods West of the Northeast corner of said NE1/4 of the SW1/4, thence East about 24 rods to the Northeast corner of said NE1/4 of the SW1/4, the land conveyed containing 2 acres, more or less.

WHEREAS, a public hearing was held by the Planning and Zoning Commission on December 1, 2022, concerning the rezone request with public notice published in the West Plains Daily Quill on November 12, 2022.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WEST PLAINS, MISSOURI AS FOLLOWS:

Section 1: That the zoning classification for property described above and which is situated in the City of West Plains, Missouri, be and hereby is changed so as to include the property described above as zone classification C-1.

Section 2: That boundary lines of the Official Zoning Map of the City of West Plains, Missouri, be and hereby are changed so as to include the property described above as zone classification C-1.

Section 3: That this Ordinance shall be in full force and effect on and after its passage and approval.

PASSED AND APPROVED THIS 17<sup>th</sup> DAY OF January 2023.

CITY OF WEST PLAINS, MISSOURI

BY: Michael Topliff  
MAYOR MICHAEL TOPLIFF

ATTEST:  
Allison Skinner  
CITY CLERK ALLISON SKINNER



November 29, 2022

To: Sam Anselm, City Administrator  
Allison Skinner, City Clerk

From: Dustin Harrison, Building Official/Zoning Administrator.

Re: Rezone request from R-2 to C-1

**Executive Summary**

Council action approving an ordinance changing the official zoning map to rezone the property located at 814 John N Wiles Dr. from R-2 urban Residential to C-1 Neighborhood Commercial.

**Discussion**

This request has been submitted by Andrew Cobb. This request is for a change in zone to allow for the retail sales of fireworks year-round.

Our current future land use plan shows the property to be used as public/ semipublic/ institutional.

**Fiscal Impact**

N/a

EXHIBIT "A"

Property 1:

LAND SITUATED IN HOWELL COUNTY, MISSOURI TO-WIT:


A part of the NE1/4 of the SW1/4 of Section 28, Township 24, Range 8, commencing at the center of Section 28, Township 24, Range 8, run thence South about 480 feet to North right-of-way line of Highway 17, thence in a Northwesterly direction along North line of said right-of-way to the point where said North line of right-of-way intersects the North line of said NE1/4 of the SW1/4, which point is about 24 rods West of the Northeast corner of said NE1/4 of the SW1/4, thence East about 24 rods to the Northeast corner of said NE1/4 of the SW1/4, the land conveyed containing 2 acres, more or less.

**LEGAL NOTICE PAYMENT AGREEMENT**

I have requested that the matter listed below be brought up for possible approval at an upcoming City Council meeting. I understand that before this can be addressed by the Council, a legal notice must be printed in the local newspaper. I also understand that if this is approved, Howell County recording fees may be incurred.

I agree to reimburse the City for both legal notice and recording fees, if applicable. I also understand that approval of my request by the City Council, if granted, will be contingent upon the payment of all applicable fees.

Matter to be Addressed: rezoning of 814 John N Wiles  
from R-2 zoning to C-1

  
Signature of Applicant                      10-17-22  
Date

Andrew Cobb  
Printed name of applicant

\_\_\_\_\_  
Witness (City Representative)

TO THE CITY COUNCIL OF WEST PLAINS, MISSOURI

PETITION TO CHANGE OFFICIAL ZONING MAP FOR THE DESCRIBED REAL ESTATE IN EXHIBIT A, ATTACHED.

FROM ZONE R2 TO ZONE C1

Petitioners state that they are the owners of all fee interests of record in all tracts of real property located within the area described in Exhibit A and that a zone request is made for the following reasons:

~~To develop the property to be a center~~  
To develop the property into a commercial center for business

WHEREFORE, Petitioners pray that the City Council of West Plains, Missouri by its Ordinance change the official zone map for this property. All property owners must sign. We understand that we will be responsible for the publication of the legal notice in the Quill and recording fees.

Name	Address
<u>Andrew Cobb</u>	

On this \_\_\_ day of \_\_\_\_\_, \_\_\_\_\_. Before me personally appeared the above listed persons to me personally known who being by me first sworn, did say they are the owners of all the property described herein. In witness whereof, I have hereunto set my hand and affixed my official seal on the date first above written.

My commission expires on the \_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Notary Public – Howell County, Missouri

## **PUBLIC NOTICE**

Notice is hereby given that a public hearing will be held by the Planning Commission of the City of West Plains, Missouri at 5:30 p.m. Thursday, December 1, 2022, in the council chambers at City Hall, 1910 Holiday Lane, West Plains, Missouri to give all interested persons an opportunity to be heard on a rezone request from R-2 Urban Residential zoning to C-1 Neighborhood Commercial.

This property is owned by Andrew Cobb at 814 John N. Wiles more particularly described as follows:

A part of the NE1/4 of the SW1/4 of Section 28, Township 24, Range 8, commencing at the center of Section 28, Township 24, Range 81 run thence South about 480 feet to North right-of-way line of Highway 17, thence in a Northwesterly direction along North line of said right-of-way to the point where said North line of right-of-way intersects the North line of said NE1/4 of the SW1/4, which point is about 24 rods West of the Northeast corner of said NE1/4 of the SW1/4, thence East about 24 rods to the Northeast corner of said NE1/4 of the SW1/4, the land conveyed containing 2 acres, more or less.

Any person requiring special accommodation to attend the public hearing may contact City Hall, P.O. Box 710, West Plains, MO 65775 or telephone 417-256-7176.

Done by order of the City Council of the City of West Plains, Missouri this 10th day of November 2022.

ALLISON SKINNER  
CITY CLERK

Insert Date: November 12, 2022