

ORDER NO. 03-02-2020-03

**ORDER OF THE  
CHRISTIAN COUNTY COMMISSION  
OZARK, MISSOURI**

**DATE ISSUED:** March 2, 2020

**SUBJECT:** CASE NUMBER 2020-0013

**TEXT:**

**JM & CS, LLC petitions the Christian County Commission to rezone a 19.7 acre tract of land from A-1 (Agriculture District) to A-R (Agriculture Residence District) in order to lawfully permit land use compatible with surrounding parcels and be reflected as such on the Christian County Zoning Map at 1231 N NICHOLAS RD, NIXA, MISSOURI, located within Parcel 10-0.2-10-2-1-16.000 which is legally described as follows:**

**THE SOUTH HALF (S ½) OF THE NORTHEAST QUARTER (NE ¼) OF THE NORTHWEST QUARTER (NW ¼) OF SECTION 10 TOWNSHIP 27, RANGE 22, IN CHRISTIAN COUNTY MISSOURI, EXCEPT ANY PART TAKEN, DEEDED OR USED FOR ROAD OR HIGHWAY PURPOSES.**

**The Christian County Planning and Zoning Commission did, during public hearing on February 18, 2020 review this request and hear public comment. The motion to recommend approval of this change 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, seconded by Commissioner Robertson, by a unanimous vote to approve this request.**

Done this 2nd day of March, 2020, at 10:40 a.m.

**CHRISTIAN COUNTY COMMISSION**

  
\_\_\_\_\_  
Ralph Phillips  
Presiding Commissioner

Yes   
Dated: 3-2-2020

  
\_\_\_\_\_  
Mike Robertson  
Commissioner, Eastern District

Yes   
Dated: 03-02-2020

  
\_\_\_\_\_  
Hosea Bilyeu  
Commissioner, Western District

Yes   
Dated: 03-02-2020

**ATTEST:**

  
\_\_\_\_\_  
Kay Brown  
County Clerk

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# PLANNING & DEVELOPMENT DEPARTMENT STAFF REPORT

**Request for Zoning Change**

**HEARING DATE: March 2, 2020**

**CASE NUMBER: 2020-0013**

**APPLICANT: JM & CS, LLC**

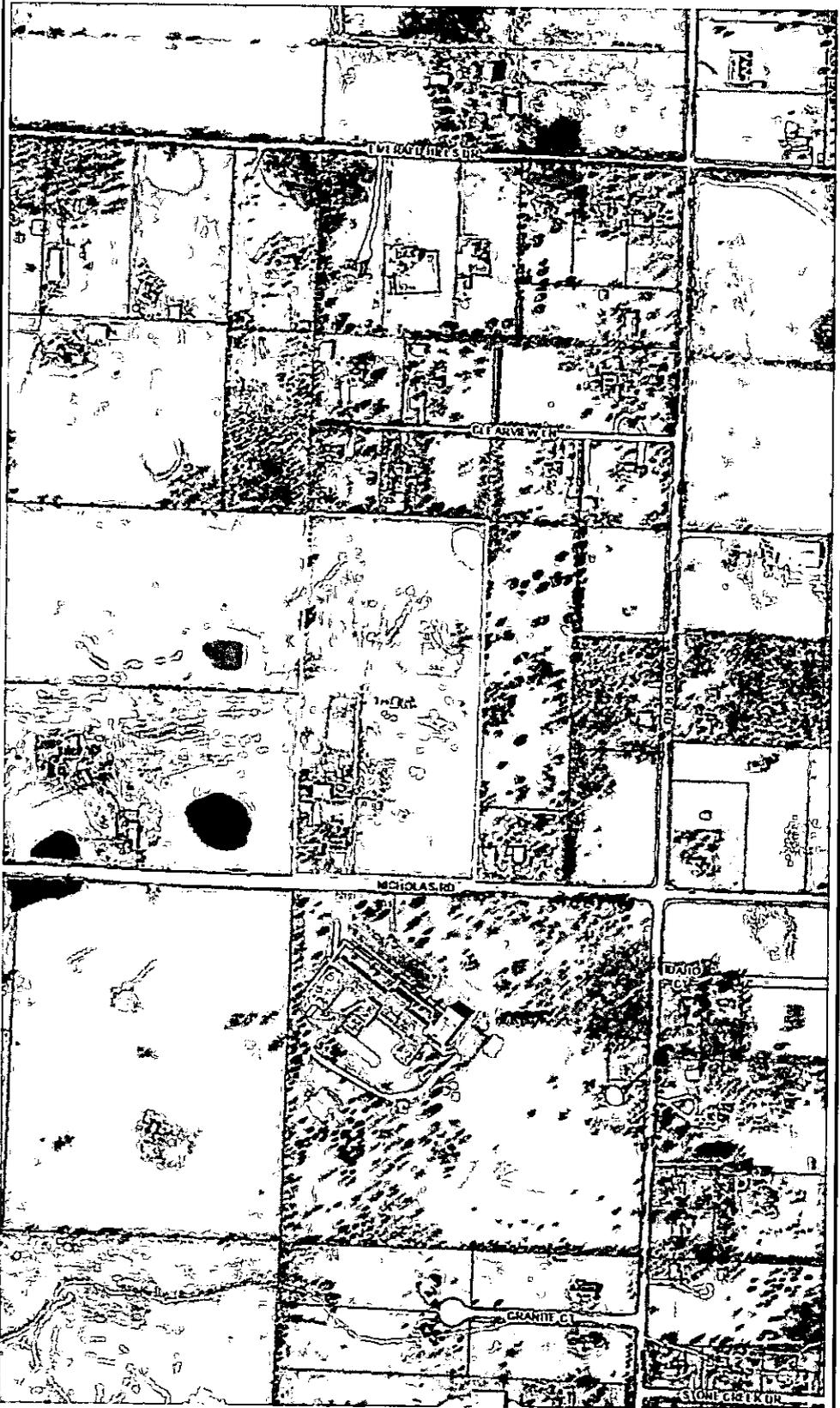
**CURRENT ZONING: A-1 Agricultural**



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



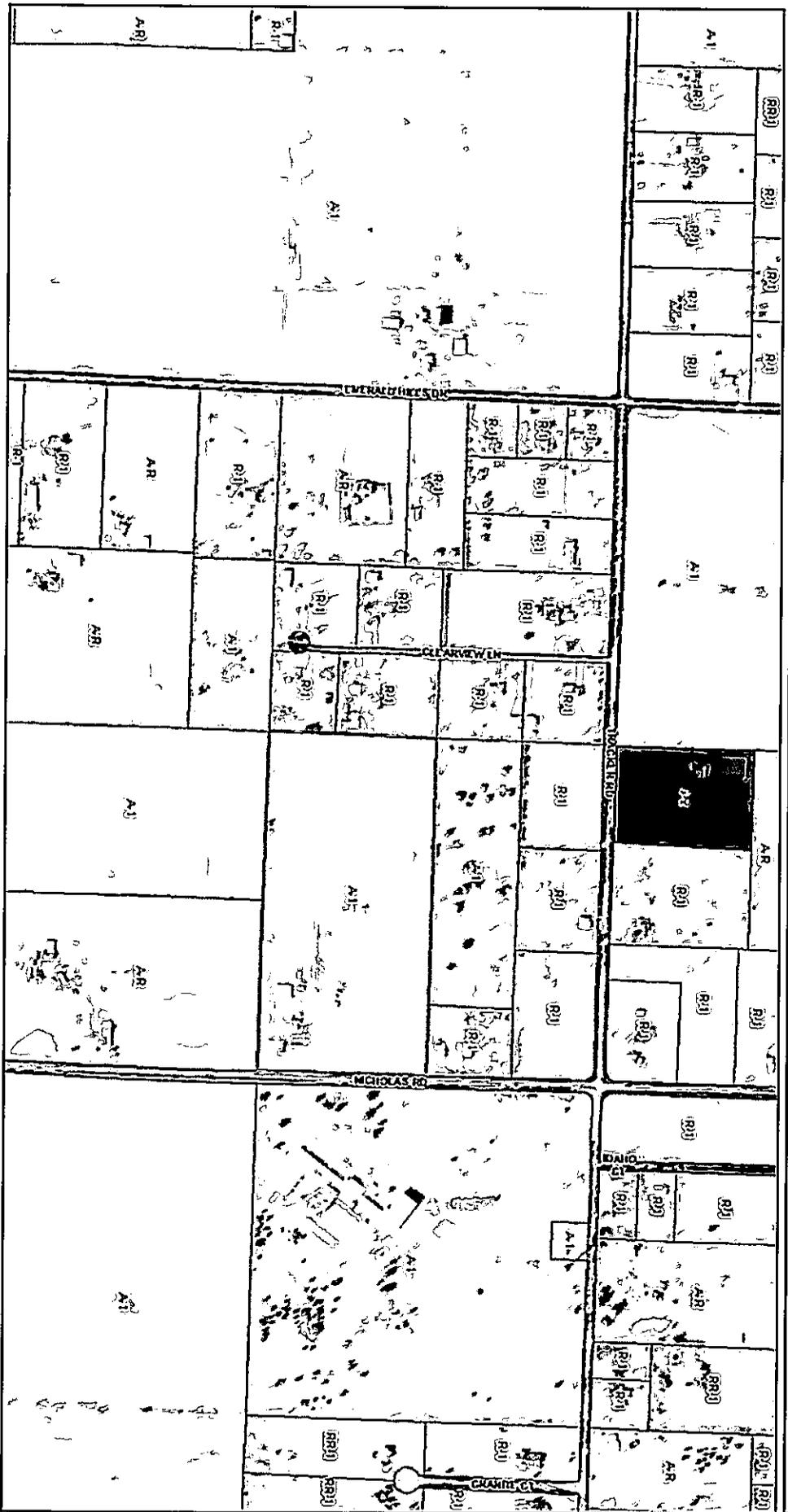
**LOCATION: 1231 Nicholas Rd., Nixa, MO**



Low density residential, and larger undeveloped parcels uses surround this property along with the school directly across the street.



# Zoning in the area:



**PROJECT DESCRIPTION:**

The applicant proposes the change in zoning classification for a 19.7 +/- acre parcel to A-R in order that it can be lawfully developed for residential use which would be acceptable within a A-R district.



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## **BACKGROUND AND SITE HISTORY:**

The property contains a single family dwelling with acreage utilized for pasture.

## **ZONING DISTRICT BEING CONSIDERED:**

The applicant is requesting a change in zoning to A-R Agriculture Residence which is detailed in Article 32 of the County Zoning Regulations.

If this change in zoning is approved, the subject parcel could be subdivided into parcels as small as 3 acres.



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## **PLANNING / LAND USE ANALYSIS:**

### *Land Use Plan:*

The Christian County Comprehensive Plan looks at this area as one of continued dispersed residential development.

### *Compatibility:*

The parcel to be re-zoned as A-R is currently surrounded by other tracts which are being used for dispersed residential and agriculture.

### *Connectivity:*

The site has frontage along Nicholas Rd. If and when the property is subdivided, the owner would be required to dedicate any areas of deficient right-of-way to become compliant with the Major Thoroughfare Plan. This change would provide for future improvements to vehicular connectivity.

### *Public Benefits:*

The rezoning of this parcel creates the possibility of additional residential development in the area.



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## **PROJECT/SITE ANALYSIS:**

### *Landscaping and Buffering:*

No provisions for landscaping or buffering have been offered or will be required at this time. If and when the site is developed, the prescribed residential setbacks found in Article 32 would be applied.

### *Building Design:*

No structural design plans have been presented at this time. Any future buildings would be subject to the codes administered by the Building Inspections Department.



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## **PROJECT/SITE ANALYSIS:**

### **Access:**

The site has approximately 660' of frontage along Nicholas Rd. and contains two established points of access. Nicholas Rd. is classified as a primary arterial according to the OTO MTP. This classification of road does not allow for adding residential driveways. Any future plans to subdivide would need to take this into consideration. It is likely that in order to provide access to the northern half of the property, the owner will be required to abandon one of the two southern driveways and to re-establish a second access point at a location acceptable to the Christian County Highway Department.

### **Utility Services:**

Utilities currently serve the existing home on the site. Any new wells would require the approval of MoDNR and any new septic systems would have to be approved by the County Health Department.



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## **ENVIRONMENTAL ANALYSIS:**

### **Stormwater Impact:**

If and when the site is developed, it would be done on parcels which are at least 3 acres in size. The amount of pervious area which would remain after any residential development should be more than adequate to allow for continued normal absorption of rainwater.

### **Groundwater Impact:**

None is anticipated.

### **Floodplain/Sinkhole Impacts:**

While the surrounding area is populated with numerous mapped sinkholes only a small portion of one sinkhole area is located on the northwest corner of the property.



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## **TRANSPORTATION ANALYSIS:**

### *Traffic Impact:*

A change of zoning to A-R and subsequent development of the property would likely create only minimal increase in traffic to and from a site which is currently undeveloped.

### *Access Management:*

The property has a significant amount of road frontage along which safe access can be granted. Any new driveway or the re-location of an existing access point would need to be approved by the Christian County Highway Department.



**STAFF COMMENTS:**

This change will allow for utilization of this land in a way that is in keeping with the County's adopted Development Regulations.

**RECOMMENDATIONS:**

On February 18, 2020 the Planning and Zoning Commission reviewed this request and took public comment on it. A motion to recommend approval was passed by a unanimous vote.

