

### **Case 016-23: Rezoning**

A request to Rezone from District R-1 (Single-Family Residential) to District R-2 (Two-Family Residential) for Property located at 507 N. Wall Ave. to remodel a duplex-Jerry Hill.

Mr. Jerry Hill, 111 Killdeer Rd., Rogers, Arkansas. Mr. Hill stated he would like to rezone this property from R-1 to R-2 to make it an up and down duplex.

Mr. Kimble asked so you are adding in a structure rather than rehabbing what is there.

Mr. Hill stated no, he was rehabbing what is currently there. He said it was previously a duplex up and down in the past decade. He was just turning it into what it once was.

Mr. Kimble asked if there were any other questions from the Commission on Case 016-23.

Ms. Phillips stated that entire block on that side of the street going to E Street is R-1. The opposite side on the west side is all R-1. Part of that is because there is a church and churches are R-1. As you go west all the properties on N. Pearl are R-1. Then as you go north of E Street, they are all R-1 going from Main Street clear over to Lone Elm. To the south are some R-2. She said to just bust that block up by putting it in R-2 she does not see how that helps the neighborhood. She stated it may help you sustainably make it pay for itself, but she was not in favor of busting up the block.

Mr. Hill stated if he was not mistaken the property across the street is commercial for that church.

Ms. Phillips stated technically it is residential R-1 because that is what churches are.

Mr. Hill asked if there were residences north on that same block that have multi-family residences.

Ms. Phillips said it could be non-conforming use, but it is zoned technically R-1. At least the last time this map was updated.

Mr. Bolander stated we must look at the existing zoning districts not necessarily the current use like the former request. It is primarily R-2 to the south of this request across D Street and to the east along Joplin Ave. He is asking for an extension of the R-2 district that is already present. Joplin has like pyramid zoning so in an R-3 district you could have duplexes and single-family homes. In R-2 districts you can have duplexes and single-family homes and in R-1 you just have single-family homes. So, even though you see a lot of existing R-2 districts most of those are single-family homes, but it would allow a duplex if someone wanted to build one.

Mr. Hill stated this property was not going to be changed in any way. It will have two separate families, one up and one down that was previously done before. There will be no modifications to the property at all.

Mr. Kimble asked if there were any other questions from the Commission on Case 016-23.

There were none.

Mr. Kimble asked if anyone else wished to speak in favor of Case 016-23.

There were none.

Mr. Kimble asked if anyone wished to speak in opposition of Case 016-23.

Kenan Klein, 530 N. Wall Ave., Joplin, Missouri. Mr. Klein stated he had the privilege of living in North Heights for four years now and he loves seeing single-family homes in the neighborhood. He was concerned about it being broken up into duplexes and more people moving in as renters. They have seen a crime spike from the south side of this neighborhood. He would love for a single family to move in and own the property, own the space, and make it a safer place for all of them to live. It was just a preference he and other neighbors had.

Mr. Jackson asked if he was in the circle reflected on the diagram. He asked if Mr. Klein had signed a petition of protest that the City provides.

Mr. Klein stated he did not have a petition of protest sent to his house. He only saw the letter that came a week ago.

Mr. Jackson stated so City staff could probably provide better clarification that there is a form on the City website that you can get and print off and if you are in opposition and it requires more votes for it to pass if there is a certain percentage of property owners

who sign it and oppose it, but you must get it notarized. Mr. Jackson asked Mr. Bolander if he missed anything or if there was something he wanted to add.

Mr. Bolander stated no, that is exactly correct.

Ms. Phillips asked if any petitions had been submitted.

Mr. Bolander said no. It stated in the letter they received that you could acquire a petition from City staff or get it off the website.

Mr. Klein stated he missed that in the letter but that was good to know for next time.

Mr. Jackson said if you have a certain percentage go against it requires two-thirds of Council to approve it.

Mr. Kimble asked if anyone else wished to speak in opposition of Case 016-23.

**MR. ROSENBERG MOVED THAT CASE 016-23 BE FORWARDED TO THE CITY COUNCIL WITH RECOMMENDATION FOR APPROVAL. MR. MCCULLOUGH SECONDED THE MOTION. MOTION CARRIED. MS. PHILLIPS, MS. STEELE AND MR. JACKSON OPPOSED. (4 IN FAVOR, 3 NAY)**