City of Duquesne, Mo

Planning & Zoning Commission regular meeting FINAL

**10.2.2023**

In Attendance: Kerry Divine (April 2021-2024), Rick Gamboa-Sec (April 2021-2024), Ray Brown-Chair (Dec 2022-2026), Denny White Absent excused (Sept 2021-2025), Gary Jackson (Dec-2022-2026), Sherry Lawrence-Vice Chair (Dec 2021-2025), Tom Johnston (Dec 2019-2023), Courtney Denney (Jan 2023-2027), MAYOR Bill Sherman, City Attorney Mike Talley

**Call to Order:** 7:03 pm by Chairman Brown

**Approve Agenda:**  Amended Denney/Divine 8-0

**Approve Minutes Dated:** 9.7.2023 Divine/Denney 8-0

**New Business:**

Jim Hunter did not show. Motion to table in case he shows. Denney/Lawrence 8-0

Jake Moore 212 Highlander Drive, Joplin. Would like to hear concerns if any regarding 10th & Duquesne proposed re-zone, minor subdivision with lot splits and proposed 3 lots of Quad units’ construction. The current zoning is R-1. Gamboa asked about 10th St. Moore said he had no intention of doing anything with the street. The power co. said it appears Moore owns it. The surveyor says it appears Moore owns the street but cannot find proof of ownership. Gamboa asked about parking. Moore said there will be concrete parking in front of each unit. Each unit is 2000 sq ft. Talley said as a reminder, the P&Z makes a recommendation on the zoning and the BofA makes the final decision. The re platting of a minor subdivision is an administrative action which will be brought to the P&Z for review. Sherman asked us to review 404.065. It shows that his drawing meets all the criteria for R-3. Jackson said there is a lot of traffic in that area. Moore said he could just put up a fence and close 10thst if necessary but that would cause issues for neighbors. Divine asked Heilbrun if he knew of any information that would help him. Heilbrun said there were “papers in the office”. Sherman said Moore will need to go through the zoning application process first. Moore said he was really asking for our opinions as a sounding board for his project. Sherman asked Heilbrun if he had the information that he has been referring to that he would share with the city. Heilbrun responded that there was a map used to do the last paving. Talley said that in looking at the requirement for minor subdivisions and lot splits he notes that one of the requirements is that each lot have access to a Street. This means that two of his lots would not comply. Moore said that he would have to do what he did not want to do and claim the street property, and close the street off.

Gamboa asked if Moore could not just survey the street property, get a legal description and cede it to the city and then proceed after acceptance by the city. Denney said that the properties must have access to a city street. Moore said he was told he was buying all property including the road. Sherman said that this whole issue is the reason he asked Heilbrun to share his information. Ceding the street to the city must come before any zoning request. Talley said the street issue is related to the minor subdivision request and not the zoning. Talley said if a property is to be ceded to the city, it must come to the P&Z for a recommendation.

Divine asked for report of 605 Walnut Ridge. Sherman said the tall walls must come down and the structure must comply with code and with the building permit.

**Public Comments:**  Gary Heilbrun: 4015 E 25th Joplin He said he has paperwork that “will go in the right direction”. Sherman asked if he would be willing to share it. Heilbrun said he has not received a response to his open request for a copy of the budget so why would he go back and dig out paperwork. Sherman said he has not seen it. Talley said he has not seen it. Sherman said in the BofA meeting it would be available after being approved by the next day. Gamboa said he picked one up the next day. Divine asked why he had the information, and the city does not. Heilbrun said that all this information is in the map closet, but nothing is filled.

**Other business:** Jim Hunter & Discuss P&Z Commission by Laws and Ethical Principles. Postponed until next meeting. Lawrence/Divine 8-0

**Meeting Adjourned:** 8:18 pm Lawrence/Divine 8-0

**Schedule next meeting:** 11.6.2023, 7PM

Submitted by Rick Gamboa