



## EXHIBIT B

ISSUE STATEMENT: PUBLIC HEARING AND POSSIBLE VOTE CONCERNING THE PROPOSED MINOR SUBDIVISION ON 0.48 ACRES OF PROPERTY LOCATED AT THE NORTHWEST CORNER OF WEST BRYANT STREET AND SOUTH WEST STREET

DATE: JUNE 5, 2023

SUBMITTED BY: DAVID PAVLIN

PRESENTED BY: PLANNING AND DEVELOPMENT DEPARTMENT

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### Background

The owners of Lot 1 of the Hedgepeth Addition have applied for a minor subdivision to split the property into two lots. The property features two duplex structures built in 1993. The property is currently zoned two-family residential (R-4). The building permit applications for the two structures submitted in 1993, listed the lot information as Lot 1A and Lot 1B. The property owner wishes to split the property, which will provide one structure on each lot, and will allow them to sell each lot / structure separately.

### Analysis

The property is properly zoned as two-family residential (R-4) for the land use that is occurring on the property. The applicant is requesting to create two lots. Lot 1 will be approximately 12,440 square feet and contain the duplex that is facing South West Street. Lot 26 will be approximately 8,418 square feet and contain the duplex that is facing West Bryant Street. The minimum lot size for the R-4 zoning district is 8,000 square feet.

The existing structure on the proposed lot 26, does not conform to the current front setback requirement of 20 feet from the property line. This is an existing structure and will be considered a legal nonconforming structure. Any redevelopment on the proposed lots will conform to the setback requirements at the time of application.

### Recommendation

The proposed Minor Subdivision conforms with Section 115-38 – Minor Subdivision Approval, and Section 117-277 – Minimum Dimensional Standards. Staff recommends the approval of this minor subdivision.



# Development Department P & Z Application

MSB 23-003  
Application Date: April 13, 2023

Project Type:

Title as it Appears on Plans:

<input type="checkbox"/>	Annexation, Zoning & Concept Plan
<input type="checkbox"/>	Preliminary Plat
<input type="checkbox"/>	Special Use Permit
<input type="checkbox"/>	Rezoning and Concept Plan
<input checked="" type="checkbox"/>	Minor Subdivision (3 or less lots)
<input type="checkbox"/>	Final Plat

<input type="checkbox"/>	Board of Adjustments
<input type="checkbox"/>	Exception to Subdivision Regulations
<input type="checkbox"/>	Zoning Code Amendment
<input type="checkbox"/>	Vacation of Easement
<input type="checkbox"/>	Vacation of Right-of-Way
<input type="checkbox"/>	Other _____

**PAID**

MAY 9 2023

CITY OF NIXA

## INFORMATION

Applicant's Name

DAVE PAVLIN  
999 W VALLEY WAY

Applicant Address:

SPRINGFIELD, MO 65810

417/844-7097

Phone/Fax/Mobile

Project Location

PROPERTY LINE BETWEEN  
501/503 BRYANT  
401/403 WEST

Existing Use

DUPLEX RENTAL

Proposed Use

DUPLEX RENTAL

Existing Zoning

Relationship to Owner

N/A

Zoning

Legal Description of Property

Pre-application conference was held with \_\_\_\_\_

## PERSONS IN INTEREST

Name

Address

Zip

Phone/Fax/Mobile

PROPERTY OWNER(S) (Identify General Partners)

DAVE PAVLIN

999 W VALLEY WAY

SPRINGFIELD, MO 65810

Mortgages

N/A

Optionees

N/A



## Development Department P & Z Application

### CONSULTANTS

Name

Address

Zip

Phone/Fax/Mobile

N/A

### CONTACT PERSON :

DAVE RAY

Identify one person to serve as the contact for the Planning Department during the review process. This will be the only person notified by the Planning Department of meeting schedules. It will be his/her responsibility to notify the other parties who may be

Address

999 W VALLEY WAY

SPRINGFIELD, MO 65810

Phone/Fax

417/844-7097

### OWNER CERTIFICATION

I certify that I am a person in interest and the information and exhibits herewith are true and correct to the best of my knowledge and that in filing this application, I am acting with the knowledge and consent of all persons in interest. Without the consent of persons in interest, the requested action cannot lawfully be accomplished.

Address

SAME

Phone/Fax

Name

Owner's Signature

David Ray

Capacity

OWNER

### STAFF USE ONLY

#### APPLICATION ACCEPTED

Date \_\_\_\_\_

Time \_\_\_\_\_

By \_\_\_\_\_

Fee Received \_\_\_\_\_

☐  
☐

Property Owners within 185 feet notified

Application Requirements Complete





# MSB 23-003

W COVENTRY RD

W CENTRAL ST

W DOVER ST

S SOMERSET DR

W SOMERSET DR

Proposed  
Minor Subdivision

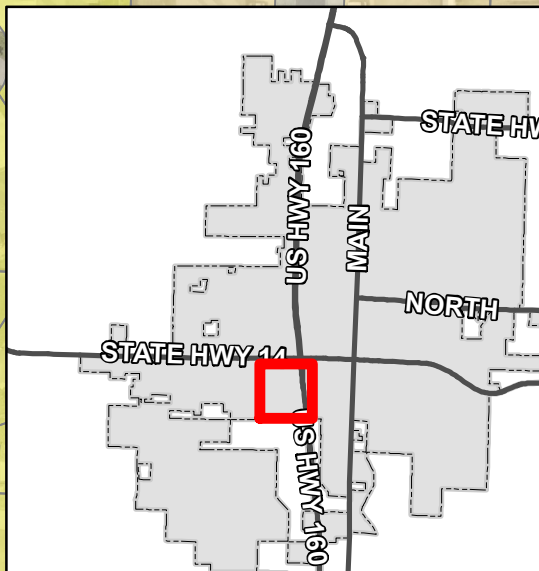
S WEST ST

W SOUTH ST

W BRYANT ST

S MASSEY BLVD

S JAMES ST



 Lots

## Zoning

-  General Commercial
-  Highway Commercial
-  Neighborhood Commercial
-  Office
-  Single-Family
-  Two-Family





GRID NORTH

NOTE: ALL BEARINGS ARE BASED ON  
GPS OBSERVATIONS IN THIS PROJECT  
NO CENTRAL ZONE

LEGEND	
● = EXISTING IRON PIN (EXCEPT AS NOTED)	
○ = IRON PIN SET (PLS#2007017965 CAP)	
Ⓣ = TELEPHONE RISER	—S— = SIGN "CABLE ROUTE"
Ⓜ = WATER METER	Ⓜ = WATER METER
Ⓜ = MANHOLE	Ⓜ = POWER POLE
(M) = MEASURED	(P) = RECORD SOURCE PLAT
—T—T— = UNDERGROUND CABLE	
—E—E— = OVERHEAD ELECTRIC	

REPLAT OF LOT 1, HEDGPETH ADDITION

A MINOR SUBDIVISION IN A PART OF THE SW¼ OF THE SE¼  
SECTION 14, T27N, R22W, IN THE CITY OF  
NIXA, CHRISTIAN COUNTY, MISSOURI

OWNER/DEVELOPER:

DAVID R. & RUSCELL D. PAVLIN  
999 W. VALLEY WAY  
SPRINGFIELD, MO 65810

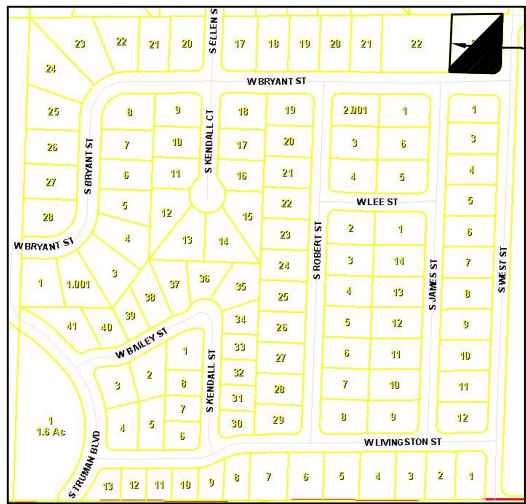


SCALE: 1" = 20'

VICINITY MAP

SW¼, SE¼ SEC. 14, T27N, R22W

SCALE: 1" = 500'



LOCATION OF  
LOTS

NOTES :

- ZONING: R-4
- R-4 BUILDING SETBACKS, UNLESS NOTES OTHERWISE, ARE AS FOLLOWS:  
FRONT SETBACK: 20'  
SIDE SETBACK: 7'  
REAR SETBACK: 15'  
SIDE SETBACK WITH STREET FRONTAGE: 12'
- OWNER/DEVELOPER: DAVID R. & RUSCELL D. PAVLIN
- TOTAL ACREAGE: 20,857 SQ.FT. (0.48 ACRE±)
- THE PROPERTY SHOWN HEREON DOES NOT LIE IN A F.E.M.A. IDENTIFIED FLOOD PLAIN  
ACCORDING TO COMMUNITY PANEL NO.: 29043C0070C, EFFECTIVE 12/17/2010
- RECORD SOURCE DEED: BK 292, PG 1878
- SMALLEST LOT: LOT 26 (8,418 SQ.FT.) LARGEST LOT: LOT 1 (12,440 SQ.FT.)
- THERE IS A PLATTED FIFTEEN (15) FEET WIDE UTILITY EASEMENT ADJACENT TO AND  
PARALLEL WITH S. WEST STREET.
- IF STRUCTURES ARE EVER DESTROYED, NEW STRUCTURES WILL BE REQUIRED TO MEET THE  
CURRENT BUILDING SETBACKS.

REFERENCE SURVEY:

PLAT OF HEDGPETH ADDITION BY  
SAMUEL L. WALZ (RLS#2139) FILED FOR  
RECORD IN BOOK "G", PAGE 286 ON  
JUNE 12, 1991.

SURVEY BY DENNIS D. AMSINGER  
(PLS#2077) DATED MAY 11, 2010  
(DRAWING No. DC-104-259)

CERTIFICATE OF APPROVAL:

I HEREBY CERTIFY THAT THE MINOR SUBDIVISION SHOWN ON THIS PLAT DOES NOT INVOLVE THE  
CREATION OF NEW PUBLIC STREETS OR ANY CHANGE IN EXISTING PUBLIC STREETS, THAT THE  
SUBDIVISION SHOWN IS IN ALL RESPECTS IN COMPLIANCE WITH SUBPART "B" OF THE NIXA CITY  
CODE, AND THAT THEREFORE THIS PLAT HAS BEEN APPROVED BY THE CITY OF NIXA PLANNING  
AND ZONING COMMISSION, SUBJECT TO IT BEING RECORDED IN THE CHRISTIAN COUNTY REGISTRY  
WITHIN 60 DAYS OF THE DATE BELOW.

SCOTT GODBEY – DIRECTOR OF PLANNING AND DEVELOPMENT

CERTIFICATE OF COMPLIANCE WITH CODES:

I HEREBY STATE THAT ALL IMPROVEMENTS HAVE BEEN COMPLIED WITH IN  
ACCORDANCE TO THE LAND DEVELOPMENT CODE OF THE CITY OF NIXA,  
MISSOURI.

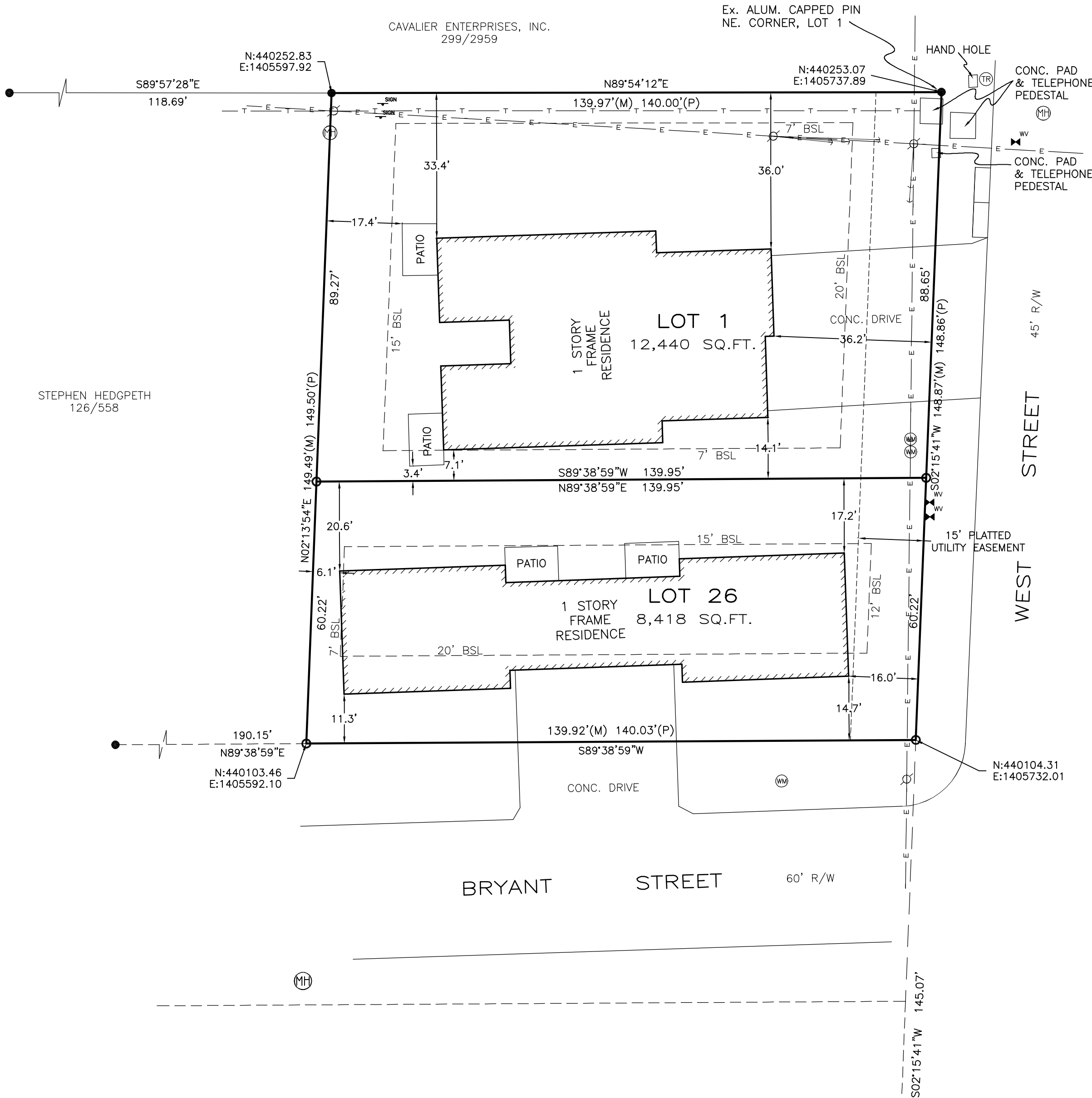
BARRY D. MACKEY – PRINCIPAL DESIGNER

DATE

CERTIFICATE BY COLLECTOR'S OFFICE

I HEREBY CERTIFY THAT ALL COUNTY TAXES  
ASSESSED AGAINST THE PROPERTY  
DESCRIBED HEREON HAVE BEEN PAID  
PARCEL No. 99-10-06-14-004-007-023

(COUNTY COLLECTOR)



W. SOUTH ST.

WEST STREET

BRYANT STREET

PROPERTY DESCRIPTION:

SOURCE OF TITLE: BK. 292, PG. 1878

ALL OF LOT 1 OF HEDGPETH ADDITION TO THE CITY OF NIXA, CHRISTIAN COUNTY, MISSOURI,  
MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF SAID  
LOT 1, THENCE S02°15'41"W, 148.87 FEET TO THE SOUTHEAST CORNER OF SAID LOT 1; THENCE  
S89°38'59"W, 139.92 FEET TO THE SOUTHWEST CORNER OF SAID LOT 1; THENCE N02°13'54"E,  
149.49 FEET TO THE NORTHWEST CORNER OF SAID LOT 1; THENCE N89°54'12"E, 139.97 FEET  
TO THE POINT OF BEGINNING. BEARINGS ARE BASED ON THE MISSOURI COORDINATE SYSTEM OF  
1983, CENTRAL ZONE. HAVING AN AREA OF 20857 SQUARE FEET OR 0.48 ACRES, MORE OR  
LESS BEING SUBJECT TO ANY AND ALL EASEMENTS, RESTRICTIONS, RESERVATIONS AND  
COVENANTS OF RECORD.

CERTIFICATE OF OWNERSHIP:

WE, HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE PROPERTY DESCRIBED HEREON, WHICH  
PROPERTY IS WITHIN THE SUBDIVISION REGULATION JURISDICTION OF THE CITY, AND THAT WE  
FREELY ADOPT THIS PLAN OF SUBDIVISION.

DATE: OWNER: DAVID R. PAVIN

DATE: OWNER: RUSCELL D. PAVLIN

ACKNOWLEDGMENT

STATE OF MISSOURI) SS  
COUNTY OF CHRISTIAN)

ON THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2023, BEFORE ME, THE UNDERSIGNED  
NOTARY PUBLIC, PERSONALLY APPEARED DAVID R. & RUSCELL D. PAVLIN, TO ME PERSONALLY  
KNOWN TO BE THE PERSON(S) DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT  
AND ACKNOWLEDGED THAT THEY EXECUTED THE SAME AS THEIR FREE ACT AND DEED.  
IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY OFFICIAL SEAL AT MY  
OFFICE IN SAID COUNTY AND STATE AND DAY AND YEAR LAST WRITTEN ABOVE.

NOTARY PUBLIC

MY COMMISSION EXPIRES

DECLARATION BY SURVEYOR

I HEREBY DECLARE TO DAVID R. & RUSCELL D. PAVLIN,  
THAT THE INFORMATION CONTAINED HEREON IS BASED UPON AN ACTUAL  
SURVEY OF THE LAND DESCRIBED HEREIN, WHICH WAS PERFORMED TO THE  
BEST OF MY KNOWLEDGE AND BELIEF, IN ACCORDANCE WITH THE JOINT  
STANDARDS FOR PROPERTY SURVEYS AS PUBLISHED BY THE MISSOURI  
DEPARTMENT OF AGRICULTURE AND THE MISSOURI BOARD FOR ARCHITECTS,  
PROFESSIONAL ENGINEERS AND LAND SURVEYORS DATED JUNE 30,  
2017 AND BASED ON INFORMATION PROVIDED BY KIEH ROBERTS.  
MONUMENTS AND PINS SHOWN AS SET WERE PLACED UNDER MY REVIEW  
AND SUPERVISION.

PHYSICAL EVIDENCE OF IMPROVEMENTS IS SHOWN FROM INFORMATION TAKEN  
BY VISUAL INSPECTION OF THE PREMISES. EASEMENTS SHOWN ARE THOSE  
WRITTEN, PROVIDED, OR DISCOVERED AND MAY NOT BE ALL INCLUSIVE.  
APPARENT OWNERSHIPS AS SHOWN ARE BASED UPON INFORMATION  
PROVIDED BY OTHERS AND DO NOT REPRESENT AN OPINION AS TO TITLE.  
THIS PLAT OF SURVEY IS AN INSTRUMENT OF SERVICE AND IS NOT TO BE  
USED BY ANYONE OTHER THAN THOSE TO WHOM IT HAS BEEN CERTIFIED  
UNLESS IT HAS BEEN UPDATED AND RE-CERTIFIED BY THE UNDERSIGNED.

TYPE OF SURVEY: URBAN

<b>O &amp; M</b> SURVEYING I.L.C. (417) 832-1405 (417) 830-1171		LAND SURVEYORS, PLANNERS, & CONSTRUCTION STAKING 472 TROUT ROAD OZARK, MISSOURI 65721		PROFESSIONAL LAND SURVEYOR REG. NUMBER: PLS-2007017965 CORPORATION# 2022004477
CLIENT: <b>DAVID R. &amp; RUSCELL D. PAVLIN</b>	JOB No.: 230318	DATE: 05-02-2023	SCALE: 1" = 20'	
DESCRIPTION: SUBDIVISION REPLAT SURVEY				
LOCATION: HEDGPETH ADDITION NIXA, CHRISTIAN COUNTY, MO	DRAWN BY: JES CHECKED BY: BDM	DWG. No.: 230318-1		
ORDERED BY: KEITH ROBERTS				

NOTE:

ADJOINING LAND OWNERS AND THEIR  
DEED BOOK AND PAGES WERE BASED  
ON INFORMATION OBTAINED FROM THE  
CHRISTIAN COUNTY ON-LINE WEBSITE  
SERVICES. (PROVIDED BY OTHERS)