

Source: Community Development - Planning ^W

Agenda Item No: (C)

To: **City Council**
From: **City Manager and Staff**

Council Meeting Date: Aug 19, 2013

Re: Ricky and Jennifer Belzer voluntary annexation (Case 13-137)

EXECUTIVE SUMMARY:

A request by Ricky and Jennifer Belzer (owner) to annex approximately 5 acres of land into the City of Columbia, and to assign R-1 (One-Family Dwelling) as permanent City zoning. The subject site is located on the west side of Howard Orchard Road south of Stedman Road and is addressed as 5551 Howard Orchard Road. (Case # 13-137)

DISCUSSION:

The applicant is proposing to annex approximately 5 acres of land into the city. The subject site is contiguous with the city limits to the east, and the applicant is requesting R-1 (Single-family Dwelling District) as permanent City zoning. The subject site is presently zoned Boone County A-2 (Agriculture).

The site is occupied by one (1) single-family dwelling. Annexation is desired to allow for connection to public sewer as the current on-site system is no longer properly functioning. Currently the site receives public water from Consolidated District #1, electric from Boone Electric Cooperative, and fire protection from the Boone County Fire Protection District. Upon annexation the property would be served by city sewer and the Columbia Fire Department would assume fire protection duties per the territorial agreement. The property is within the City's electric and water territories; however, such service extensions will not be required until further development of the site is proposed.

The Planning and Zoning Commission will make a recommendation to the City Council on the permanent zoning request at its August 22, 2013 meeting.

Locator maps are attached.

FISCAL IMPACT:

None.

VISION IMPACT:

<http://www.gocolumbiamo.com/Council/Meetings/visionimpact.php>

None.

SUGGESTED COUNCIL ACTIONS:

If Council finds the request for annexation reasonable and necessary to proper development of the city, a resolution should be passed setting a public hearing and introduction of an ordinance on August 19, 2013.

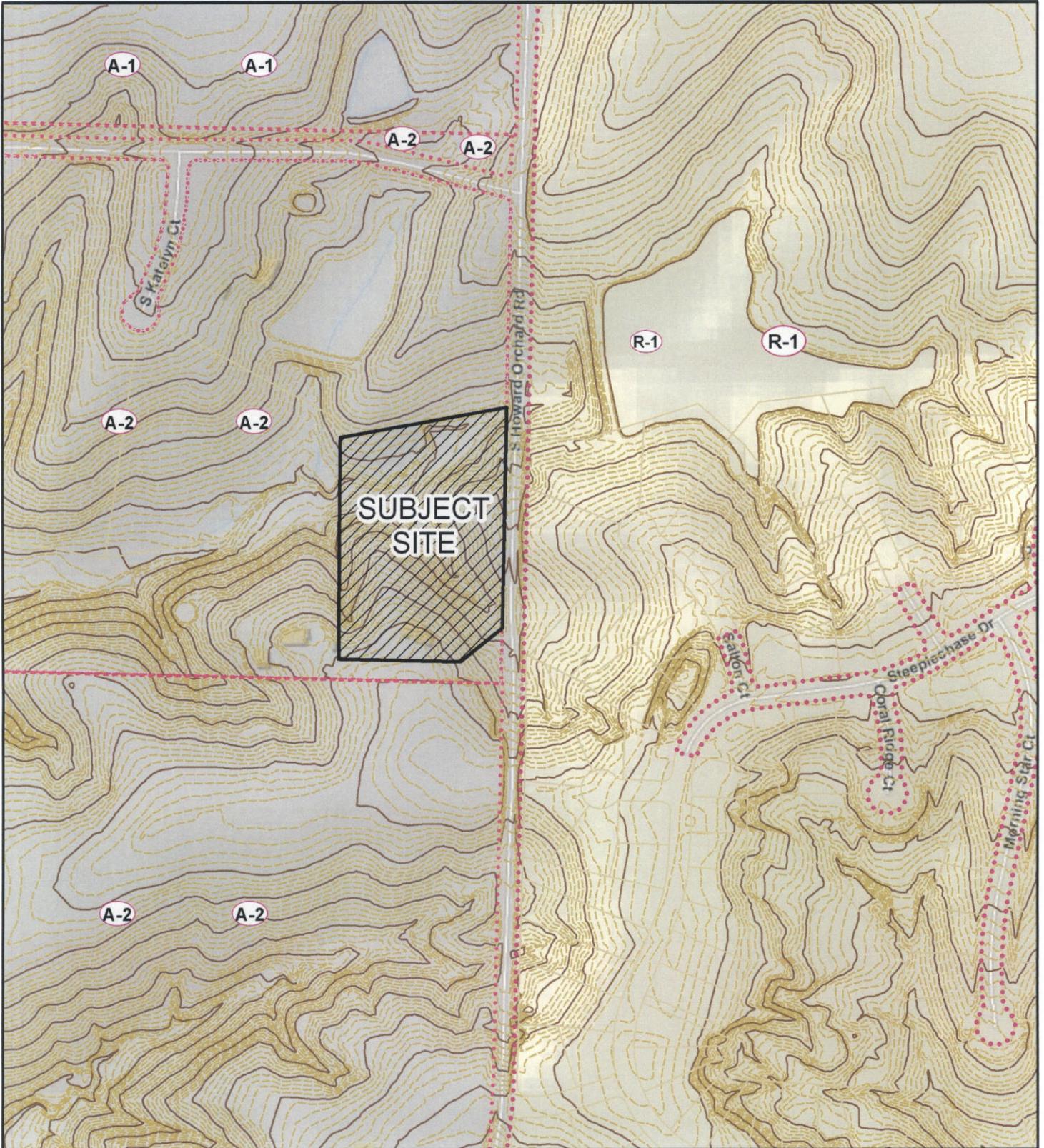
FISCAL and VISION NOTES:					
City Fiscal Impact Enter all that apply		Program Impact		Mandates	
City's current net FY cost	\$0.00	New Program/ Agency?	No	Federal or State mandated?	No
Amount of funds already appropriated	\$0.00	Duplicates/Expands an existing program?	No	Vision Implementation impact	
Amount of budget amendment needed	\$0.00	Fiscal Impact on any local political subdivision?	No	Enter all that apply: Refer to Web site	
Estimated 2 year net costs:		Resources Required		Vision Impact?	No
One Time	\$0.00	Requires add'l FTE Personnel?	No	Primary Vision, Strategy and/or Goal Item #	N/A
Operating/ Ongoing	\$0.00	Requires add'l facilities?	No	Secondary Vision, Strategy and/or Goal Item #	N/A
		Requires add'l capital equipment?	No	Fiscal year implementation Task #	N/A



**Case 13-137: Annexation/Permanent Zoning
Ricky Joe and Jennifer Belzer**



1 inch = 317 feet



**Case 13-137: Annexation/Permanent Zoning
Ricky Joe and Jennifer Belzer**



Parcel Data
Source: Boone County Assessor



1 inch = 317 feet



Introduced by _____ Council Bill No. R 153-13

A RESOLUTION

setting a public hearing on the voluntary annexation of property located on the west side of Howard Orchard Road, south of Stedman Road (5551 Howard Orchard Road).

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF COLUMBIA, MISSOURI, AS FOLLOWS:

SECTION 1. A verified petition requesting the annexation of certain lands owned by Ricky Joe and Jennifer Belzer was filed with the City on June 10, 2013. A copy of this petition, which contains the description of the property, marked "Exhibit A," is attached to and made a part of this resolution.

SECTION 2. In accordance with Section 71.012, RSMo, a public hearing on this annexation request shall be held on September 3, 2013 at 7:00 p.m. in the City Council Chamber of the City Hall Building, 701 E. Broadway, in the City of Columbia, Missouri.

SECTION 3. The City Clerk shall cause notice of this hearing to be published at least seven days before the hearing in a newspaper published in the City.

ADOPTED this _____ day of _____, 2013.

ATTEST:

City Clerk

Mayor and Presiding Officer

APPROVED AS TO FORM:

City Counselor

PETITION REQUESTING ANNEXATION TO THE CITY OF COLUMBIA

Ricky Joe Belzer + Jennifer Belzer, husband and wife, hereby petition the City Council of the City of Columbia to annex the land described below into the corporate limits of Columbia and, in support of this petition, state the following:

- 1. Mr. + Mrs. Belzer are the owners of all fee interests of record in the real estate in Boone County, Missouri, described as follows:

(Attach Legal Description)

- 2. This real estate is not now a part of any incorporated municipality.
3. This real estate is contiguous and compact to the existing corporate limits of the City of Columbia, Missouri.
4. Mr. + Mrs. Belzer request that this real estate be annexed to, and be included within the corporate limits of the City of Columbia, Missouri, pursuant to Section 71.012, RSMo 1994.
5. Petitioners request that the property be zoned residential at the time of annexation. If the requested zoning is not granted by the proposed ordinance annexing the property, petitioners reserve the right to withdraw this petition requesting annexation.

Dated this 10th day of June, 2013.

STATE OF MISSOURI)
) ss.
COUNTY OF BOONE)

VERIFICATION

The undersigned, Ricky Joe Belzer, Jennifer Belzer, husband and wife, being of lawful age and after being duly sworn state and verify that they have reviewed the foregoing Petition for Voluntary Annexation, and that they are duly authorized to execute the foregoing instrument and acknowledge the requests, matters and facts set forth therein are true and correct to the best of their information and belief.

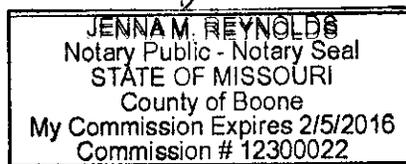
Ricky Joe Belzer (signature)

Jennifer Belzer (signature)

Subscribed and sworn to before me this 10th day of June, 2013.

Jennam Reynolds (signature)
Notary Public

My commission expires: 2/5/2016



BRUSH & ASSOCIATES

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PROFESSIONAL ENGINEERS
JAMES W. BRUSH PE - RETIRED
J. DANIEL BRUSH PE

LAND SURVEYORS
JAMES W. BRUSH PLS - RETIRED
J. DANIEL BRUSH PLS
KEVIN M. SCHWEIKERT LSIT

DESCRIPTION

A TRACT OF LAND LOCATED IN THE NORTH HALF OF SECTION 6, TOWNSHIP 47 NORTH, RANGE 13 WEST, AND BEING TRACT 1 AS SHOWN BY THE SURVEY IN BOOK 1041 PAGE 351 AND BEING THE TRACT DESCRIBED BY THE DEED IN BOOK 4034 PAGE 11 BOTH OF THE BOONE COUNTY RECORDS; EXCEPT FOR THAT PART CONVEYED TO BOONE COUNTY, MISSOURI BY AN INSTRUMENT RECORDED IN BOOK 1133 PAGE 206 OF THE BOONE COUNTY RECORDS, SAID TRACT CONTAINING 5.11 ACRES.