

IN THE CIRCUIT COURT OF JASPER COUNTY, MISSOURI
CIRCUIT DIVISION

STATE OF MISSOURI, ex. rel.
DEREK A. SNYDER AND
LAURA J. SNYDER, TRUSTEES OF THE
SNYDER FAMILY REVOCABLE
TRUST AGREEMENT, AS REVISED
AND RESTATED,

RELATORS,

vs.

Case No.

CITY OF JOPLIN, MISSOURI,
a municipal corporation,
Serve: Keenan Cortez, Mayor and
Peter Edwards, City Attorney
602 S. Main Street
Joplin, Missouri 64801

and

KEENAN CORTEZ,
Mayor in his official capacity
Serve: 602 S. Main Street
Joplin, Missouri 64801

and

The City Council Members,
in their official capacity,

Charles Copple,
Serve: 602 S. Main Street
Joplin, Missouri 64801

Doris Carlin,
Serve: 602 S. Main Street
Joplin, Missouri 64801

Josh DeTar,
Serve: 602 S. Main Street
Joplin, Missouri 64801

Doug Lawson,
Serve: 602 S. Main Street
Joplin, Missouri 64801

Gary Shaw,
Serve: 602 S. Main Street
Joplin, Missouri 64801

Ryan Jackson,
Serve: 602 S. Main Street
Joplin, Missouri 64801

Mark Farnham,
Serve: 602 S. Main Street
Joplin, Missouri 64801

Joshua Bard,
Serve: 602 S. Main Street
Joplin, Missouri 64801

and

WILDWOOD RANCH, LLC,
Serve: Registered Agent Richard Collins
5957 E. 20th Street
Joplin, Missouri 64801

RESPONDENTS.

PETITION FOR WRIT OF CERTIORARI

COME NOW Relators, State of Missouri ex. rel. Derek A. Snyder and Laura J. Snyder, Trustees of the Snyder Family Revocable Trust Agreement as Revised and Restated, by their counsel, Derek A. Snyder of Warten, Fisher & Lee, LLC, and hereby move for Writ of Certiorari and aver as follows:

FACTS

1. Relators, Derek A. Snyder and Laura J. Snyder, Trustees of the Snyder Family Revocable Trust Agreement as Revised and Restated, are owners of real property addressed at 2079 Annelise Lane, Joplin, Missouri, 64804 and additional property adjacent to said addressed real property, designated as Lots 17 and 18, in Forest View Estates, Newton County, Missouri, all contained within the development known as “Wildwood Ranch.”

2. Respondent City of Joplin, Missouri (“Joplin”) is a municipal corporation organized as a home rule charter form of government, located in Jasper County, Missouri, and Newton County, Missouri.

3. Respondent Keenan Cortez is the current Mayor and a councilmember of Joplin and Defendants, Charles Copple, Doris Carlin, Josh DeTar, Doug Lawson, Gary Shaw, Ryan Jackson, Mark Farnham, and Joshua Bard are the other councilmembers of the City Council of Joplin, who are all named herein solely in their official capacity.

4. Respondent Wildwood Ranch, LLC, is a Missouri limited liability company with a principal place of business address in Newton County, Missouri and is the owner of approximately six hundred (600) acres situated in both Jasper and Newton Counties, Missouri, within the development of Wildwood Ranch.

5. Respondent Joplin, as well as the Mayor and Council Members (collectively referred to hereafter as “City”) in their official capacity, had a duty to review and approve rezoning applications as an administrative action and ensure said review and approval adhered to Joplin zoning code requirements and provide for the public health, safety, morals, morals and general welfare; and the Respondents acted to approve a zoning application for rezoning of property owned

by Wildwood Ranch, LLC (hereinafter referred to as "WWR") which is the gravamen of this cause of action.

6. WWR is the developer and previous owner of lots within Forest View Estates, situated in Newton, County, Missouri, within the development of Wildwood Ranch.

7. Relators purchased Lot # 18, containing approximately 15.46 acres in the Forest View Estates, on or about August 9, 2021, with WWR as the seller; and Relators constructed and reside in a custom home on the property.

8. Relators purchased a second tract from two individuals, on or about October 30, 2023, Lot # 17, containing approximately 20.11 acres in the Forest View Estates.

9. Forest View Estates is situated outside the limits of City and consists of approximately 11 larger acreage and predominantly wooded lots on the south side of Annelise Lane, and approximately 12 prairie lots ranging from 3-5 acres on the north side of Annelise Lane.

10. Relators' two Lots are both on the south side of Annelise Lane, in Newton County.

11. The Liberty Utility Stateline Power Station and the Owens Corning facility are both located approximately one mile from Forest View Estates.

12. Forest View Estates contain an abundance of wildlife, natural forestry and prairie grasses. It has minimal traffic and noise, providing for a scenic, peaceful and tranquil subdivision.

13. WWR as grantor recorded on June 9, 2021, with the Recorder of Deeds for Newton County Missouri in Book 370 and beginning on page 5140, "Declaration of Covenants, Conditions and Restrictions for "FOREST VIEW ESTATES" at Wildwood Ranch, Newton County, Missouri, dated June 1, 2021," attached hereto and incorporated herein as **Exhibit "A"** ("CCR").

14. The CCR states “Each parcel is designed to be utilized for a single-family residence and to provide for the preservation of the natural amenities and to develop the Property consistent with and in harmony with the natural environment of the surrounding area;...”. Page 2.

15. The CCR further states, “Whereas, Declarant desires to maintain the Property in as natural a state as possible. Any use or activity conducted on the Property shall be of a nature as not to disturb the natural flora and fauna now existing on the Property. Wise Stewardship of the Property shall be a prime consideration in any use of activity taking place on the Property,...”. Id.

16. The CCR further required, “No noxious or offensive activity shall be carried on with respect to any Parcel...nor shall anything be done which may be or become an annoyance or nuisance to the neighborhood.” Id. Page 8.

17. On or about, December 4, 2025, Respondent WWR applied to have approximately six hundred (600) acres in the development of Wildwood Ranch voluntarily annexed into Joplin and contemporaneously applied to have the same 600 acres, rezoned from District R-1 (Single Family Residential) to District M-2 (Heavy Industrial District).¹ Approximately 520 acres are situated in Jasper County and approximately 80 acres are situated in Newton County. The application for annexation and application for rezoning are attached hereto and collectively incorporated herein as **Exhibit “B”**.

18. The application for rezoning indicated the subject property bordered single-family residential to the north, south and east.

19. Forest View Estates is adjacent to and bordering the south side of said subject property.

¹ Joplin City Code specifies that upon annexation the zoning will default to R-1 Single-family residential.

20. The application for rezoning did not include a Site Plan or Concept Plan for the proposed industrial development, but stated it was for a possible data center.

21. The City Planning and Development Department fast-tracked the review of both applications by WWR.²

22. That on or about January 12, 2026, the Joplin Planning and Zoning Commission held a public hearing and meeting in regular session to consider the applications for annexation and rezoning. A public hearing was held on the applications and testimony was given by applicant, Wildwood Ranch, and by the public. The minutes from the Joplin Planning and Zoning Commission are attached hereto and incorporated herein as **Exhibit “C” (“Zoning Minutes”)**.

23. At the meeting by Joplin Planning and Zoning, Assistant Planning and Development Director, Tyler Bellairs (“Bellairs”), erroneously stated that there are existing industrial uses along the corridor. *Id.* Page 2. Instead, the existing industrial uses are approximately one mile from any existing residential uses to the south and east of the subject area.

24. At the meeting by Joplin Planning and Zoning, the applicant appeared by James “Jimmer” Pinjuv, managing member of WWR (“Pinjuv”), who stated the proposed development would cover approximately 20% of the total acreage. *Id.* page 6.

25. At the meeting by Joplin Planning and Zoning, Pinjuv stated that a Site Plan is expected to be presented prior to the City Council meeting in two weeks. *Id.* Page 7.

26. At the meeting by Joplin Planning and Zoning, Pinjuv stated that plans for bringing sufficient utilities for natural gas, electricity and water were still being done. *Id.* Page 8.

27. At the meeting by Joplin Planning and Zoning, Bellairs stated that the scope of the decision is “whether or not this M-2 Heavy Industrial is a suitable zoning district for this area

² Joplin Globe Article February 8, 2026, citing an email that the city staff “will fast track the application.”

regarding the specific use whether or it's a data center, whether it's a manufacturing or a something similar to Owens Corning or utilities uses anything that permitted in the M-2 district." Id. Page 11.

28. At the meeting, Bellairs stated that no traffic study has been started or completed, nor could he specify if any environmental studies had been started or completed. Id. Page 14.

29. After testimony at the public hearing, the Planning and Zoning Commission approved a motion to recommend approval of the annexation and rezoning applications.

30. The City Council for the City of Joplin held public hearings and a meeting on January 20, 2026, for both applications of annexation and rezoning. The minutes from the Joplin City Council Meeting dated January 20, 2026, are attached hereto and incorporated herein as **Exhibit "D" ("Council Minutes 1-20-26")**.

31. WWR did not present a Site Plan or Concept Plan for any development in the proposed area at the January 20, 2026, meeting.

32. The Council Minutes 1-20-26 reflect a significantly large number of the public wishing to speak against annexation and rezoning, so much so, that the meeting began at 6:00 p.m. and a break was taken at 7:56 p.m., a second break at 10:21 p.m., and the meeting adjourned at 1:09 a.m. on January 21, 2026. See Exhibit D.

33. The minutes do not record councilmember discussions, but those deliberations included concerns that the Council had to annex the property based on a prior agreement from 2009, that if not annexed the applicant would develop the property anyway, and that the Council could not agree to annex the property without approving the zoning application as presented.³ See the attached Agreement for Sanitary Sewer Construction and Treatment Services and Annexation, attached hereto and incorporated herein as **Exhibit "E", ("Annexation Agreement")**.

³ Relators aver that the comments of person(s) at both council meetings as stated in this Petition will be supported by the transcripts to be provided by City upon issuance of the Writ of Certiorari.

34. The Annexation Agreement arguably does not require annexation and nothing in said Agreement required any rezoning approval by City. See Exhibit “E”.

35. The Council also reasoned, based on erroneous information from the Planning and Development Department, that other industrial uses were in the area.

36. Without a Site Plan, Concept Plan or any studies of the subject area the Council approved the first readings of both council bills 2026-256 for Annexation and 2026-257 for rezoning from District R-1 (Single Family Residential) to District M-2 (Heavy Industrial District).

37. The City of Joplin announced on January 21, 2026, that the next meeting for final readings for both council bills would occur at the next regular council meeting on February 2, 2026.

38. That Relators sent correspondence to the Council on January 21, 2026, discussing the issue of agreeing to annex based on a predetermined rezoning decision, the issue of the powers of the council to approve, deny or change the applied zoning district requested, that the City code stated heavy industrial is not compatible with residential, and the obvious failure to comply with RSMo § 71.012 if the Council held final readings on February 2, 2026. See the attached correspondence attached hereto and incorporated herein as **Exhibit “F” (“Letter”)**.

39. The Letter quoted and cited provisions that the City of Joplin zoning procedures Article 2. Procedures Section 2.03(C)(4) that clearly state, “The Planning Commission may recommend or the **City Council may approve a lessor change than was proposed in the notice, whether in extent of property or project area, or in the scale, intensity, or other substantive standards** for proposed project and zoning change (emphasis added).” See Letter Exhibit “F” and Joplin Zoning Code separately attached and incorporated herein as **Exhibit “G” including Article 2. and Article 4. Relevant provisions (“Zoning Code”)**.

40. The Letter also pointed out that Joplin City Code Article 4. Zoning Districts & Use Standards Table 4-01 clearly state, “M-2 – Heavy Industrial. The M-2 district provides industrial uses that are generally **not compatible with residential** and/or commercial activity due to the scale, operation, intensity, or impacts of activities, or due to the high level of transportation access and support infrastructure require of the business (emphasis added).” Exhibit “F” and “G”.

41. The Letter also asked whether any permitted uses as shown on Table 4-03 of the Zoning Code should be permitted in the backyard of residential properties. Exhibit “F” and “G”.

42. The Letter also pointed out that the planned meeting and final approval for annexation scheduled for February 2, 2026, would not satisfy RSMo. § 71.012, which requires 14 days to allow for written comment from the public hearing until annexation. Exhibit “F”.

43. While not stated in the Letter, the review criteria as listed in Article 2, Section 2.03 Rezoning, paragraph (B), 2. requires, “The application supports the character of the neighborhood, considering the design of streets, civic spaces, and other open spaces; the scale, pattern, and format of buildings; the zoning of property and intent of the other zoning districts in the vicinity; and the **compatibility, transitions, and integration of existing and potential future uses**” (emphasis added). Exhibit G.

44. The same Section under paragraph (B) 7. list as review criteria “[t]he effect of approval on surrounding property, including the likelihood that surrounding areas may be developed in accordance with current zoning or future plans.” Id.

45. This Section further states under paragraph (C) Review Procedures subparagraph 1. “Applications may be accompanied by one of the following complementary applications: a Site Plan, a Special Use Permit, or a Concept Plan of a similar nature to that required in Section 2.04 for Planned Developments.” Id.

46. Subsequently, on January 23, 2026, the Council and administration discussed scheduling a special meeting on February 4th or 5th of 2026 to comply with RSMo. § 71.012. See the attached email communications incorporated herein as **Exhibit “H” (“Emails”)**.

47. The meeting for taking up both council bills was eventually scheduled for February 17, 2026. The minutes from the Joplin City Council Meeting dated February 17, 2026, are attached hereto and incorporated herein as **Exhibit “I” (“Council Minutes 2-17-26”)**.

48. WWR did not present a Site Plan or Concept Plan for any development in the proposed area at the meeting on February 17, 2026.

49. The Council Minutes 2-17-26 do not record discussions by the Council, but deliberations included the same reasoning as the January 20th meeting, as well as, Councilmember Carlin erroneously stating that the applicant had a development plan, which was more restrictive than the City’s zoning requirements, even though Relator later testified that no such development plan was recorded nor was a plan presented, and therefore any restrictions presumed were not binding. Furthermore, Respondent WWR never presented or testified to applying any standards from a prior unrecorded development plan.

50. Troy Bolander, Joplin Planning and Development Director (“Bolander”), erroneously stated that other industrial uses were in the area and that a “proposed bypass” would help with traffic concerns.

51. Councilmember Copple erroneously stated, referencing a bit mining operation that covers less than one-half acre, that there was already a data center in the area.

52. Councilmember Jackson erroneously stated the area has been designated for industrial for more than 20 years, even though he provided no document or record to substantiate such a claim.

53. Councilmembers DeTar and Mayor Cortez discussed personally visiting a data center located in an industrial park in Pryor, Oklahoma, and that with the nearby traffic, the noise was minimal; but, neither provided any discussion as to controlling noise from any of the permitted uses under the proposed change to M-2 (Heavy Industrial District) in subject area or the impact on the residential areas to the south or east.

54. During deliberations, the Councilmembers failed to discuss that no traffic study had been completed, that no study on sufficient utilities had been completed, that no environmental study had been completed, that similar heavy industrial uses were not actually in the area of residential properties to the south and east of the subject area, that no Site Plan or Concept Plan was presented, nor that the Joplin Zoning Code clearly stated that such heavy industrial uses are not compatible with residential properties and they failed to apply the review criteria required.

55. Without discussing such clear and obvious conflicts with approving the zoning request and against all substantial and competent evidence, Councilmembers arbitrarily and capriciously approved the rezoning from District R-1 (Single Family Residential) to District M-2 (Heavy Industrial District), including subject property adjacent to and/or near residential properties by a vote of 7 in favor and 2 against. See Exhibit I - Council Minutes 2-17-26.

56. Relators, having demonstrated specific and legally cognizable interest in the subject matter of the decision and showing that the decision will have a direct and substantial impact on Relators' personal or property rights or interests, timely file this action within 30 days of the date of the City of Joplin's decision at issue. RSMo § 536.110.1

57. This court has jurisdiction over this action pursuant to RSMo. § 478.070.

COUNT I – ABDICATION OF POWER

58. Relators incorporate by reference paragraph 1-57 above.

59. Missouri law holds a municipal authority may not abdicate its legislative powers.

60. The City Council for the City of Joplin is vested and delegated with legislative power to annex and zone real property.

61. A municipality has a duty to preserve and protect the public health, safety, morals and general welfare under such powers to annex and zone real property and under its police powers.

62. The City abdicated its powers legislatively and its police powers when it entered into an agreement in 2009 (Exhibit E) arguably requiring a future council to approve annexation of real property by 2029.

63. In entering said agreement the City Council abdicated its future power to determine if annexation was appropriate and served to preserve and protect the public health, safety, morals and general welfare.

64. Comments from the Respondent councilmembers also demonstrate that, in their official capacity, they each abdicated their legislative and police powers to the Respondent WWR, based on the 2009 Agreement.

65. The City further abdicated its powers legislatively and its police powers because it approved the applicant's submitted request for rezoning based on the premise that City must approve the zoning application in order to approve the annexation under the 2009 Agreement.

66. That if the 2009 Agreement required an obligation for approval of future rezoning, which it does not, it would have been an abdication of the City's powers to a private individual or entity.

67. That since no agreement exist requiring such rezoning, yet multiple councilmembers indicated that the rezoning must be approved because of approval of the annexation, the City abdicated its legislative and police powers to a private individual or entity.

68. No City abdicated its power to a private individual or entity by *fast-tracking* the review of the annexation and rezoning applications for property to allow use as a heavy industrial park that consisting of 600 acres with adjacent residential properties to the south and east.

WHEREFORE, your Relators pray for review by this Court and an order that the decision by the City of Joplin and Respondents is void because the City of Joplin abdicated its legislative powers and police powers to a private individual or entity to the detriment of Relators and the public, plus any other relief that this Court may deem just and proper in the premises.

COUNT II – RESPONDENT’S DECISION IS AN ABUSE OF DISCRETION

69. Relators incorporate by reference paragraph 1-68 above.

70. The City’s decision to rezone the property was arbitrary and capricious and was not supported by competent and substantial evidence, constituting an abuse of discretion.

71. The City’s decision to rezone property was *fast-tracked* and was done without completed studies on sufficient utilities for heavy industrial use, without a traffic study for heavy industrial use, without an environmental study for heavy industrial use, and without any discussions on how approving for heavy industrial use, to the most intrusive use allowed, would support and provide for the public health, safety, morals and general welfare.

72. The City’s decision was arbitrary and capricious and was not supported by competent and substantial evidence in that it ignored its own provisions of its code that clearly stated heavy industrial uses are “not compatible with residential.”

73. The City's decision was arbitrary and capricious and was not supported by competent and substantial evidence in that it ignored its own provisions of its code that clearly required "[t]he application supports the character of the neighborhood, considering the design of streets, civic spaces, and other open spaces; the scale, pattern, and format of buildings; the zoning of property and intent of the other zoning districts in the vicinity; and the **compatibility, transitions, and integration of existing and potential future uses.**"

74. The City's decision was arbitrary and capricious and was not supported by competent and substantial evidence in that it ignored its own provisions of its code that clearly required for review of "[t]he effect of approval on surrounding property, including the likelihood that surrounding areas may be developed in accordance with current zoning or future plans."

75. The City's decision was arbitrary and capricious and was not supported by competent and substantial evidence in that, based on erroneous information from its Planning and Development Department, it used as reasoning for its decision that industrial uses were already in the area, when those existing uses are approximately one mile from any of the residential properties to the south and east.

76. The City's decision was arbitrary and capricious and was not supported by competent and substantial evidence in that, based on incorrect information from its Planning and Development Department, that this area had already been designated by any approved and/or recorded document to be used for heavy industry, including the property located nearest to residential properties to the south and east.

77. The City's decision was arbitrary and capricious and was not supported by competent and substantial evidence in that the council erroneously believed the council had to

approve annexation of the property based on an agreement from 2009 and that council then had to approve the requested rezoning use as applied for based on approving annexation.

78. The City's decision was arbitrary and capricious and was not supported by competent and substantial evidence in that it acted with total disregard for the public health, safety, morals and general welfare of the nearby residential properties to the south and east of the subject property, even though it should have denied or application or **approved a lessor change than was proposed in the notice, whether in extent of property or project area, or in the scale, intensity, or other substantive standards** for proposed project and zoning change.

79. The City's decision was arbitrary and capricious and was not supported by competent and substantial evidence in that it acted with total disregard for the health, safety, morals and general welfare by approving a large heavy industrial park use without a Site Plan or Concept Plan, or a requirement of any restrictions or other substantive standards on use to ensure how to preserve the integrity of adjacent residential areas to the south and east and the public health, safety, morals and general welfare.

80. The City's decision was arbitrary and capricious and was not supported by competent and substantial evidence in that WWR stated the intended use was for a data center that would cover no more than 20% of the total area to be rezoned, yet the City still unreasonably and improperly approved rezoning 100% of the 600 acres.

81. The City's decision was arbitrary and capricious and was not supported by competent and substantial evidence in that the use of land for heavy industry will clearly change the landscape of the surrounding area of the existing residential properties to the south and east, destroying the natural flora and fauna, will lead to substantially increased traffic and noise to the detriment of the public health, safety, morals and general welfare.

82. The City's decision was arbitrary and capricious and was not supported by competent and substantial evidence in that the clear impact of heavy industry over and on the entire area rezoned will destroy the Relators' peace, solitude, scenic and tranquil subdivision and be to the detriment of the public health, safety, morals and general welfare.

83. The City's decision was arbitrary and capricious and was not supported by competent and substantial evidence, in that the public health, safety, morals and general welfare in the development of Wildwood Ranch and other nearby properties will be negatively affected and that no benefit to the same will be provided.

84. The City's decision was arbitrary and capricious and was not supported by competent and substantial evidence in that the Respondent, WWR, has demonstrated a total disregard for the integrity of the residential properties it established, in direct contradiction to the CCR's it created and cannot be relied on, on its own, to preserve and protect the public health, safety, morals, and general welfare or the peace, solitude, scenic and tranquil subdivisions.

85. The City's decision was arbitrary and capricious and was not supported by competent and substantial evidence in that since WWR stated the plan is to sell all of the property to a industrial developer, and once sold WWR will have no control over any restrictions or substantive standards on the heavy industry to be located on the subject property and will have no control to preserve and protect the public health, safety, morals, and general welfare of the public or the peace, solitude, scenic and tranquil subdivisions.

86. Based on the foregoing, the following is not fairly debatable: that the rezoning of the entire property from District R-1 (Single Family Residential) to District M-2 (Heavy Industrial District) was unnecessary and unreasonable at the time of approval by City; the City's decision failed to protect the public health, safety, morals, and general welfare; the City's decision failed to

provide any benefit to the public; and the City's decision was arbitrary and capricious and not supported by competent and substantial evidence to the detriment of Relators and the public.

WHEREFORE, your Relators pray for review by this Court and an order that the decision by the City of Joplin and Respondents is void because it is arbitrary and capricious and that said decision was not supported by competent and substantial evidence to the detriment of Relators and the public, plus any other relief that this Court may deem just and proper in the premises.

Respectfully submitted,

WARTEN, FISHER & LEE, L.L.C.

By:


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ATTORNEYS FOR RELATORS

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STATE OF MISSOURI)
) ss.
COUNTY OF JASPER)
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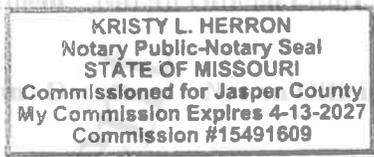
Derek A. Snyder, being duly sworn on his oath, states that he is a Relator herein, as Trustee the Snyder Family Revocable Trust Agreement as Revised and Restated and for the foregoing action that he has read the above statement, and the facts set forth therein are true to the best of his knowledge, belief, and information.

By *Derek A. Snyder*
Derek A. Snyder, Trustee

Subscribed and sworn to before me this 17th day of March, 2026.

Kristy L. Herron
Notary Public

My Commission expires: 4/13/27



STATE OF MISSOURI)
) ss.
COUNTY OF JASPER)
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Laura J. Snyder, being duly sworn on his oath, states that she is a Relator herein, as Trustee the Snyder Family Revocable Trust Agreement as Revised and Restated and for the foregoing action that she has read the above statement, and the facts set forth therein are true to the best of her knowledge, belief, and information.

By *Laura J. Snyder*
Laura J. Snyder, Trustee

Subscribed and sworn to before me this 17th day of March, 2026.

Kristy L. Herron
Notary Public

My Commission expires: 4/13/27

