

Fair Grove Planning and Zoning *Open Meeting*

81 S. Orchard
Fair Grove, MO
July 1, 2024

Roll call taken by Chairman John Hayes.

Denis Roe present, Travis Lee present Darrin Moyers present, Tommy Voorhis present, Don Brite present, Shawn McCormick present, Paul Foreman present,
Meeting called to order at 6:30

PUBLIC PORTION – Public may speak on any item on this agenda.

Brad with Tri-lake Realty, Keller Williams. Here to discuss the north Orchard Blvd. property zoned R-1. The buyers want to put in a modular.

Hayes: Is it factory built, going on a slab?

Brad: It's already existing, it's her fathers and it's only about 2 years old.

Roe: Where is the access? Go by and take the next left? Brad has a copy of access easement.

Brad: the owner is Tristan Van Wyke

Roe: Is it vacant?

Potential property owners: It is grown up and we plan to take care of it.

Roe: Where is the access to water and sewer?

Roe: Sewer connection is not readily accessible. There is no main and it is a good distance to the water and the sewer. You would need to talk to the neighbors that own the easement for water and sewer.

Friend of Potential Owner: At the top of the hill, there's a modular on a lot by the city park, on Main Street.

Roe: it was probably grandfathered in. Paul, do you know?

Paul: no.

Roe: We have farm animals in Fair Grove, they have been Grandfathered in, but if that property sales, no more farm animals. When city became incorporated if it was a modular in a residential, it stayed that way.

Brad: Would it be put to the public?

Hayes: Yes.

Brite: A modular home is not required to be titled like a trailer. It's considered a permanent fixture. A true modular home is appraised as a permanent fixture. If it was manufactured as a trailer and that's what has to go in the R-MP.

Hayes: The only time it would have wheels is when it's moved?

Potential Property Owners: Yes, after being moved, it would be on a foundation.

Fair Grove Planning And Zoning Open Meeting

April 3, 2023

Roe: For a manufactured home, it's designated R-MP. It don't believe that R-1 includes manufactured homes.

Brite: I know that we've looked into tiny home and trailers and have that zoned in one area.

Hayes: That would be the area off of Saddle Club?

Hayes: It would be classified R-MP?

McCormick: If you look in R-1, stick built or modular construction. It kind of contradicts itself. 405.270. The water and sewer would be a really big deal. Does this home have a title? Is it a deed?

Potential Property Owner: It's a title. It looks like a car title.

McCormick: It can be changed to real property.

Potential Property Owner: It think with the footing and block foundation. That changes it.

McCormick: The county can come out and look at it and change it to real property.

McCormick: It would have to be rezoned before it's turned into real property.

Brad: They want to purchase the property. What kind of time frame are we looking at?

Hayes: Rezone would be passed along to aldermen and then P&Z holds public hearing for 15 days minimum. Then P&Z gives their recommendations to the Board of Aldermen. 6-8 weeks to make it happen.

McCormick: if you're wanting to move forward, check with the county to see what needs to be done to turn into real property. They can let you know what you need to do.

Potential Property Owner: Thank you.

Hayes: check on easements as well.

Brad: say we get ok with neighbors for easements? What is the rest of the process?

Brite: if you can get that house as real property, you don't need a rezone. Sounds like you can't get it turned into real property until it is set on the property.

McCormick: tell them you're wanting to set it in an R-1.

You need to have foundation and wheels removed. It can't have tongue on it and can't be moved in any way.

Hayes: You also need to find out about easements for utilities.

1. Approve Planning and Zoning minutes from June 3, 2024:

Motion by Roe to approve June 3, 2024 minutes with the lot size corrected to .27 acres. Second Lee
Discussion:

Roe: look at the minutes and there's a typo, under bullet number 2, fourth line, it says lot size 2.7 acres, but it should read .27 acres. I talked to Chandra earlier about it and it has been fixed.

Foreman Aye, Lee Aye, Brite Aye, Voorhis Aye, Roe aye, Moyers aye, McCormick aye, Hayes aye

Old Business

1. Discuss the use of shipping containers as storage units, tiny homes, etc.

Discussion:

McCormick: In looking at the City of Battlefield ordinances, shipping containers need to be hidden and be painted similar to the home. They can't sit on the ground. They need to be raised and have skirting and no electricity ran to them.

Hayes: Cleanest and most updated is Marshfield. If being used as residence, they must follow all building codes, plumbing sewer, etc. Eureka MO outlawed all tiny homes and trailers to be used as residence. They still allow them as a trailer type. I included the City of Springfield, because it had good descriptions and definitions. The 1st packet, City of Marshfield, spells out about storage.

McCormick: One thing I did notice a place in Springfield is advertising storage containers for use as office buildings. We need to take that into consideration as well. Other cities allow them for manufacturing. Main thing is that you cannot run electricity and can't use them as residence. Also, the use of shipping containers for construction storage. They allow them with a permit, to use for 30-60 days and if they need longer, they would need to file for a new permit.

Hayes: They need be removed 180 days after the certificate of occupancy.

Hayes: I would like some input from the rest of the board.

Brite: I know we talked about just completely banning, but I like this a whole lot better

Hayes: Our building inspector will have the authority, to make sure that it's done right.

Moyers: On business section limits to the size of the property

McCormick: on residential it restricts to 25%. Marshfield also mentions no utilities.

Roe: Am I missing to where you can have long term storage in residential? It can only be there for 14 days?

Foreman: If you have a remodel, you can store furniture, but you can't get it until you get the building permit.

McCormick: It says 270 days.

Roe: I don't think it provides for permanent storage.

Hayes: Permanent storage is shown for Springfield.

Moyers: Take the business district off and do residential, it would fit.

Hayes: sounds to me that we are all moving in the same direction. We are all good with it as long as it's not an eye sore and permitted property. How far do we need to take it? My concern right now, is that someone is going to put it on their property and occupy it.

Brite: If we have that written in, no utilities whatsoever, that eliminates it from being occupied.

McCormick: Does our ordinance say anything about it being painted similar to the home?

Lee: That's an HOA thing.

Hayes: Would anyone like to make a motion and move forward?

Brite: I think we've got a general consensus and we need some verbiage that can be added into our ordinances, to include storage containers.

Hayes: Do we do that?

Brite: P&Z comes up with the verbiage and then we push it to the Aldermen.

Foreman: Is the consensus that we like the storage containers on a temporary basis?

Roe: Yes, I'm leaning that way too. Using them for permanent, there's so many things that we can't control. It's my understanding is that our ordinance allows those with setbacks.

Roe: I like the Marshfield ordinance for the temporary storage.

Brite: We can't regulate aesthetics. We have to think about the structure. If we completely outlaw them, some people are going to get irate, because they are inexpensive.

Moyers: For permanent storage it needs to be written where it needs to be placed.

McCormick: Either a concrete foundation or gravel and the container has to be off the ground with skirting to prevent animals.

Brite: I would rather do specific rules instead of just say you can't have them.

Hayes: You can request it be a solid color, with no graphics.

Hayes: I'll ask for a motion to take the next step and write up stuff or form a sub-committee.

Tommy: What are the other communities around Fair Grove doing? What is Strafford and Pleasant Hope doing?

McCormick: Most small cities are following Battlefield and Marshfield. Everyone gets a lot of ideas from Springfield. A lot of small towns like us are gathering information from them. This is fairly new.

Hayes: Strafford has nothing on the books.

Tommy: Is it something we could handle on a case by case basis? Not that I want to see people living in storage containers.

Moyers-: It would then be addressed as a resident and not storage

Hayes: Once it crosses over into residential, the IBC takes over. They are doing some really cool things with them, but they have to conform to building codes. I found out that modifying them to make them livable is very expensive and cheaper to stick build.

Tommy: I was just worried about telling them no, from the beginning.

Lee: Would this fall under the nuisance ordinance?

Tommy: Refer to Roe.

Hayes: Going back to last fall, it came up because we need to get something on the books. If they want to bring them in, we have no control.

Roe – To get Thomas up to speed. I brought this to Planning and Zoning last fall from the Aldermen, because we need something on the books. It's just being proactive. We need someone to take a stab at writing it.

Hayes: A lot can be cut and pasted. That's the next step, before we move forward.

Hayes: I will volunteer.

Brite makes motion for Hayes to write something. Seconded by McCormick.

All ayes

New Business:

- 1. Evan Fullerton would like to discuss the possibility of a variance for a lot located at the corner of East Cherry and North Orchard. He is wanting to build a duplex and the lot size is 12,000 square feet. City ordinance requires a lot size of 14,000 square feet.**

Evan: I have been going over regulations for the duplex. Major thing is that for a duplex it would require 14,000 square feet. The property is 11,700.2 square feet. I need to see if it's possible to go any further. I've looked at the setbacks and all seem doable. I would have 55 feet from Cherry, 20 plus 30 for collector so it would be 50 from Orchard. Rear is 20 and 6 feet on the other side. I need clarification on buffer yard.

Roe: On setback from the street you have to add to that. It is from the center of the street.

Hayes: Everything else falls in?

Evan: I could do a 3,000 square foot duplex, which is still pretty good size. I wanted to clarify to make sure I am interpreting the setbacks correctly.

Roe: I printed off setbacks and yard space information for Evan and he picked it up at City Hall.

Evan: What would be required for landscaping and bufferyard?

Roe: There is a buffer zone required. Against commercial, it requires a 6' fence.

Brite: Isn't that the commercial property owner's responsibility?

Roe: Because of the rezone, Evan needs to do it and the commercial property is probably grandfathered in without a fence.

Brite: Rezoning gets tricky.

Hayes: For a duplex rental property, would be a good thing.

Evan: Fence doesn't bother me, just want to understand the buffer yard.

Hayes: To get it rezoned, we would need to get a variance for the lot size.

Brite: Variances are hard to get pushed through.

Roe: In my experience it is hard to get a variance. I'm on the fence, but I really like your proposal.

Tommy: I'm new and can't say much, but the city of Fair Grove needs roof tops. I think it's worth a shot to take it to the Board. It would be hard for the Aldermen, but need to try.

Hayes: I agree and if you're following the plan, it's going to look good and improve the neighborhood.

Roe: The problem is, he doesn't own the property yet.

Hayes: There are 2 other steps beyond Planning and Zoning. Could the grandfather file for the variance?

Evan: I'm not sure if he would think about tearing it down. If I can't get the variance and rezone, I can make it livable.

McCormick: once you're the owner, you will have my vote to go to the Alderman. As long as you stay on the same track as the last proposal. I would be ok with the variance to go to the Aldermen.

Hayes: You would need the variance and the change of the zoning.

Brite: Variance on lot size might be the hang up.

Hayes: Is there a way to check and find a duplex on a lot that's under 14,000 square feet?

Evan: I looked and I don't think there are any in town.

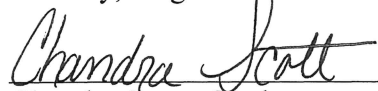
Roe - Any other questions?

Evan- I'm going to keep moving forward.

Hayes – Once you have the title, we can work it through the system officially.

Roe- Hayes asked for an update on comprehensive study update. Community survey the month of May. Jake has reached out and they have the data. He's going to schedule a workshop with the committee, the end of July, and wants to get it completed by the end of the year. We only had one kick-off meeting.

Motion to adjourn meeting by Roe. Second Foreman. All ayes. Adjourned at 7:54 pm Next meeting,
Monday, August 5th


Chandra Scott, Clerk