

Fair Grove Planning and Zoning **Public Hearing**

81 S. Orchard

October 6, 2025

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Opened Public Hearing at 6:30 pm

Present – Roe, McCormick, Petty, Lee, Moyers, Hayes

Absent – Foreman, McMains

**Public Hearing for** – Rezone #RZ25-09-06, 207 West Cherry, owner C HUFF IND PARK LLC; **FROM** R-1 Single Family Residential **TO** R-2 Two-Family Residential.

**The Public Hearing will proceed as follows: The petitioner will step up to the podium, state name, and be recognized by the Chairman. The petitioner will be given 5 minutes to speak. Those in favor of and those opposed, will be given 3 minutes each. Maximum time limit for Public Hearing will be 30 minutes. Public Hearing will remain open at a minimum of 15 minutes.**

**Petitioner:**

Charles Huff - Just one question, because I feel the lot is too big for just one and I tried to address the city's need for some housing and make the highest and best use for the property. Sewer is available and it's a lot suitable for developing.

Hayes – So do you plan on developing it or do you plan on selling it?

Huff – It just depends on what my son decides to do. I'm letting him spearhead our efforts and he is going to be preoccupied for a little while, but the plan is to build something. If it takes six months to get a set a plans and get things..... I've had interest in the lot, should the zoning get rezoned, a guy that was building houses before. So, it remains to be seen. I plan on building, but there again, I've not ever been a builder and rely on subcontractors, who knows. I'm just trying to get the highest and best use of the property to address the city's needs for housing.

Hayes – One more question, so the board has denied R-2 before. Denied R-4 and then obviously a couple of months ago, you had petitioned for R-4, which we talked about and decided to move it back to R-2, to have a better chance basically.

Huff – Well, I realized that R-2 was the most practical for the location in my point of view.

Hayes – My question is, I guess, what has changed since it was denied R-2 originally?

Huff – What was it.....I don't recall, it just wasn't approved and with the property down the street being zoned R-4, I thought that it was timely to be addressed and make a run at getting it R-2.

Roe – Are you talking about property on West Cherry was recently rezoned R-4?

Huff – I heard that. Something on the east end of it was approved. Maybe it wasn't, I don't know.

Hayes – Yeah, everything on Cherry is still R-1 as of this point, today.

Petty – We approved the one on.....Evan Fullerton, at the end of Cherry that's on the corner.

Hayes – For R-2

Petty – For R-2.

Hayes – Right, but that still has to go before the Board of Adjustments for the variance. That hasn't been approved yet. I talked to Steve Short and that hasn't been approve yet.

Petty – The zoning itself though has been.

Hayes – Correct, correct.

Roe – And the problem with that lot, is that it didn't meet the minimum lot size. So it wasn't just a rubber stamp, it has to be approved by the Board of Adjustments.

Petty – What they're wanting to do with it, but the zone itself has been changed to R-2.

Hayes – Yes, should be, yes. It hasn't been changed on the maps, so.

Petty – It is. It's updated on the map on the website.

Roe – Ok, not the printed maps.

Huff – The square footage of this lot is 242' x 210', 1.16 acres is the size of it.

Petty – His lot is a lot bigger

Hayes – Yep, and we were looking on google maps. The building or structures that are off of that road that come up on the east side behind the tree line. That's actually the property behind that sort of weird shaped lot with, there's building right behind the tree line. That's not your lot?

Huff – No, there was a trailer park there and it's right on the line?

Roe – It's on the east property line.

Huff – North of it.

Roe – It's north, but there's an easement.

Huff - The east property line is the driveway and the utility company put some poles right on the property line.

Hayes – Ok. Anything else you want to add.

Huff – Is there anything you want me to answer?

Hayes – Now at this point we'll give three minutes each for anyone in favor of or opposed to the rezone to R-2. Just state your name and where you're at.

**Those opposed to:**

Carl Letterman 229 West Cherry Street. You folks probably already know my opinion, but as far as one house being there. I've been around here 69 years and one house was always enough. I think the landscape down that road, all nice pretty lots. It ought to stay R-1. Me and him was talking about the road, we just met on the road and we were both riding the edge of it and he actually got off the road. I'm against it, I don't know what you folks think.

Hayes – So just for the record, you're opposed to it?

Letterman – Yes, I actually think it would lower the property value down through there. Thank you

Hayes – Thank you.

Jeffrey McConnell for those of you that don't know me, I live in north Elkland, but I have lots of property here in Fair Grove that I rent. I'm not against development, I'm against bad development. I have 20 years of experience coming to counsel meetings and planning commission meetings before I came here and was on the Planning commission for 4 years. I was a developer and real estate broker. I've been involved with those things for most of my life, since I was in my twenties. So my experience, I will say, if you approve this, it would be considered spot zoning. I don't know how you want to run your community, but as I said with the three story, they wanted to put over there behind O'Bannon. As soon as you set a precedence for three stories, developers are going to line up and want to do the same thing. If you spot zone, start spot zoning, you're going to have people coming in for the same reason and say I want to do spot zoning. So for that reason, in my experience, being raised in small towns and living in big cities, or next to big cities, my question is, how do you really want to run your city? How do you want to run your zoning, because this will set the precedence for the future. Number one, it's just over an acre. What's your minimum lot size for that neighborhood?

Roe – It's approximately quarter of an acre.

McConnell – Well then you can split the thing, you don't need to put an R-2.

Roe – He could do a minor subdivision and easily get two lots out of it.

McConnell – I would say don't spot zone, just have him split it. And as this neighbor said, yeah, I had to come right off the edge of the road when we passed each other. It's a very narrow road, if you start doing multiple dwellings, you're going to increase the traffic substantially. Then you're going to have to do something with the road and who's going to pay for that. Number two, I was going to the west after I passed him. I pulled down to the back side of Maverick. Is that a public right of way? If you start putting multiple dwellings in there, people are going to short cut to Old Mill, because it's closer. I'm sure they do already. I'm just pointing that out, you may not know that.

Letterman – Traffic has picked up tremendously since Maverick has come in.

McConnell – Well, I mean, it's a nice paved area right in the back of Maverick, which I just took. You guys do what you want to do, but from my experience, I would advise you, do not spot zone. That would be a bad thing for the future or your city.

Hayes – Thank you.

**Those in favor of:**

I'm Franklin Hodges, you all know me. I've lived here in Fair Grove all of my life. I'm probably one of the oldest persons around and I know about every piece of property here in Fair Grove. I know the condition of it and what it's been in the past and everything else. This piece of property that we're talking about, Mr. Kehoe used to own it, him and his wife did years ago and after they passed away, they sold it to a man. It ran down bad. The barn... did you see it in the past?

Roe – I saw the barn when it was falling in. So I'm a little bit familiar with what you're saying, Franklin.

Hodges – It was falling in and everything, weeds sky high over there and everything. Like I said, I think it would be a good thing for the property to be changed from R-1 to R-2, build some apartments there. It's not going to be a lot, but like I said, it was bad, to have that next to you like that. And back to the spot zone deal, the garage, the transmission shop is right there next to this property on the other side of the driveway. So it starts out the transmission shop, then Mr. Huff's property, then Mr. Letterman's property, then the church and you've got the back side of Maverick down there and stuff. I just think it would be a good thing to do. Like I said, we've changed some other zoning here lately, like on CC down there, we changed it. It just think it would be a good thing. Like I said, the property can get took care of properly, like I said, getting mowed all the time and everything it would be nice. I'm not sure whatever they build over there would be some nice looking buildings. Just like with Karla's place over here on 125, some nice looking buildings. Like I said, I just think it would be good over there. Like I said, I understand

Mr. Letterman too. I understand his thinking on it and stuff, but if they get this changed, and get some apartments built in there grass won't be growing up and would look nice and I'm sure Mr. Huff or somebody would probably put a privacy fence in between their property and stuff, so I'm for it. That's all I'm saying.

Hayes – Thank you. Anybody else that would like to say anything? Alright, we have been.....we have two more minutes.

Petty – I can talk two minutes, ask questions for two minutes.

Hayes – Rock and roll.

Petty – So Missouri statute says spot zoning. It's considered spot zoning, if it does not align with our Comprehensive Plan, which our Comprehensive Plan does talk and call out the transitional house, compatible with surrounding uses. When looking at the map, it's kind of surrounded by R-1 and then commercial. It talks about if it is a good thing to have if you're transitioning from R-1 and then a little bit further down is R-3 and R-4 and R-2 would be good in that, but that is not the case here. It is just R-1 and commercial. Does it serve public interest, in the case of housing diversity or infrastructure efficiency? So, yes going from one owner to two or two homes in place of one. Is it an isolated zoning island, completely out of character with the neighbors? And the answer to this would be yes. So we've got...it does support the Comprehensive Plan and it does support the public interest, however, it does not meet the neighborhoods character or the intent and it does not provide a transitional housing from a higher density to a lower density area. So I do think that this one is a little bit tricky, however, under the Missouri statutes, I do feel like we are towing the line with spot zoning, if we do rezone this one. That's my conclusions.

Hayes – And to just sort of state the facts, R-2 was originally, I think there were a few of us that were on the board when R-2 was asked for a year or two ago and the determination, the denial at that point was due to the spot zoning. It is an island within. So that said, my take on it is, it's still spot zoning, nothing has really changed with the property, but as Dennis said, your lot if big enough, I would totally be in favor of splitting the lot and creating two nice lots there and you could build two houses, sell two houses, maximize your income that way if that's what you choose to do. But that way it wouldn't violate the zoning at that time. It actually improves the neighborhood, it adds to the value of the neighborhood. And again, that's just my opinion. I'm going to let everybody talk and ask questions.

Roe – That's my opinion also and I had proposed that to Charles after the meeting. I remember sitting down with him after the meeting and recommending that to him to consider. I again, support Kelly Petty's recommendation and consider that spot zoning.

Hayes – It's 6:46 we've been open for 15 minutes, let's go ahead and leave the public meeting, leave the open meeting and we're going to go into the Public Hearing at the same time, 6:46.

Petty – We're leaving the Public Hearing and going into the open meeting.

Hayes – I'm sorry, leaving open meeting and going into the public.....

Roe – No. No, leaving the public meeting for open meeting.

Hayes – Leaving the public meeting for open meeting. Ok. And at the point, we will do roll call, correct?

Roe – The open meeting had to be open 15 minutes, we can close it now.

Hayes – Close it?

Scott – Someone needs to make a motion.

Hayes – The notes are backwards so. I'm just going by.....

Scott – No they're not. The only time you do these two things is if we leave the public hearing to go into open meeting.

Hayes – Gotcha

Roe – So we're ready for a motion.

Hayes – Yes

**Motion by** Roe to deny recommendation to the Board of Aldermen for Rezone #RZ25-09-06, 207 West Cherry, owner C HUFF IND PARK LLC; **FROM** R-1 Single Family Residential **TO** R-2 Two-Family Residential.

Seconded Lee. Discussion: None

Roe AYE, McCormick AYE, Petty AYE, Lee AYE, Moyers AYE, Hayes AYE

Closed Public Hearing at 6:49 pm

### **OPEN MEETING**

Roll call taken by Chairman John Hayes

Roe present, McCormick present, Petty present, Lee present, Moyers present, Foreman absent, McMains absent

Call to order at 6:49 p.m.

**NEW BUSINESS**

Approve Planning and Zoning minutes from September 3, 2025:

**Motion** by **Petty** to approve September 3, 2025 minutes. Second McCormick

Discussion:

Roe AYE, McCormick AYE, Petty AYE, Lee ABSTAIN, Moyers AYE, Hayes AYE

Hayes – Public Portion, public may speak on anything on the agenda.

Roe – So we went to new business and skipped over old business.

Hayes – Yeah. No old business.

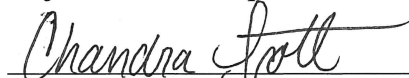
Roe – I think we're ready to adjourn.

**ADJOURNMENT**

Motion by Lee to adjourn. Seconded by Roe.

Roe AYE, McCormick AYE, Petty AYE, Lee AYE, Moyers AYE, Hayes AYE

Adjourned at 6:51 p.m.



Chandra Scott, Secretary