

**Fair Grove Planning and Zoning *Open Meeting***

81 S. Orchard  
Fair Grove, MO  
April 6, 2026

Roll call taken by Chairman John Hayes.

Dennis Roe Present, Travis Lee Present, Darrin Moyers Present, Shawn McCormick Present, Paul Foreman Present, Kelly Petty Present, Eric Boncuk Present

Meeting called to order at 6:30 pm

Approve agenda.

Motion by Dennis Roe to approve the agenda. Second Shawn McCormick

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

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

**OLD BUSINESS:** None

**NEW BUSINESS:**

**1. Approve Planning and Zoning minutes from October 6, 2025:**

Motion by Shawn McCormick to approve October 6, 2025 minutes. Second Travis Lee Discussion: None

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

**2. Discuss detailed definitions of: A. Drive-in Restaurants, B. Drive-thru window.**

Steve Short – Thank you and would it be alright if I sit here instead of stand? I'll try to speak loudly. This goes back to my time on City Council and as Mayor, when folks would be talking about building projects in our fair city. Even in some of the preconstruction conferences and I'll tap Dennis Roe, were you on the one where Dairy Queen was talking to us about the old Kum and Go sight?

Roe – I may have been on Planning and Zoning, but I was not an Alderman.

Short – Darra was the Assistant City Clerk at that time. The Dairy Queen folks and potential developers and the owners of the property were there and they came into the meeting and they said we understand that Fair Grove does not like drive-up windows. I corrected them and said that we have no problems with drive-up windows, but in our C-2 historical district, along south Main street, up to the square our code does prohibit drive-in restaurants and even with code officials at that time, we had difficulties coming up with even definition for drive up restaurants, per the code.

Petty – What code?

Short – The city code, land use. You would look up C-2 and I know that Kelly is very quick on her phone.

Hayes – Yeah, E360 doesn't show anything for Fair Grove. I've pulled the stuff for Greene county, so we can, depending on where the discussion goes.

Short – I'm not understanding you. Did you say that our code, our land use code does not.....

.....

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Hayes – I'm saying on E360 for Fair Grove, there's nothing that specifies or calls out drive-thru or drive-in eating, as does Greene counties code on their E360. Here's the print outs on those two.

Short – Just give me a second.

Hayes – There's a lot of drive-thru safety zones and drive-thru other things on our code, but. I guess if you want to pose your question or let us know what you want to talk about, then we could take it in that direction.

Short – Kelly is you look at section 405.330, A – Permitted Use, and go to 3. Are you there? Can you read what 3 states?

Hayes – 3 says drive-in restaurants, it's pertaining to C-2 Historic businesses.

Short – Yes, that's just what I was discussing.

Petty – C-2 historic business district permitted uses. All uses permitted in C-1 general commercial district, shall be permitted in the C-2 except for the following uses which are prohibited, number 3, drive-in restaurants.

Roe – Steve, what is the definition of a drive-in restaurant versus a drive-thru.

Petty – That's why he's here.

Hayes – That's why I pulled both of those too.

Short – Per our code, where our code does not give a definition, you are to use the standard dictionary definition and you'll allow me to go to my google. Merriam Webster definition of drive-in restaurant. I can read this, with your permission. According to Merriam Webster a drive-in is a business such as a restaurant or movie theater designed to serve customers while they remain in their automobiles, unlike a drive-thru which typically implies ordering at a window and driving away. A drive-in often features parking spaces where customers are served directly, but the....

**NOTE – On 4/8/2026, Steve Short provided documents and stated that the definition of a "drive-in" that he read aloud in the meeting was not from Merriam Webster Dictionary, like he thought, but rather was AI generated. Please see attached documentation.**

Roe – A Sonic restaurant would be a typical example of a drive-in restaurant.

Hayes – Correct

Short – Merriam Webster's simple definition is one that's.....

Hayes – If you want to Steve, I can quote the Greene county Ecode. The way they define both of them is exactly the way you defined them. They gave a specific example of Sonic and say that Sonic is both an example of a drive-in and potential drive-thru, because some Sonic's have the window where you can pick up as well. So they have actually classified them and showed their example as both. You're exactly right, a drive-in would be some place that you park and they serve you at your car. A drive-thru would be a window, whether you order at a separate spot or a window and then drive-thru.

Petty – You stay in perpetual motion, moving through a line where you are served and then you leave.

Hayes – Versus parking.

Petty – And consume whatever it is that you purchased.

Roe – Our city code for the historic district, prohibits a drive-in restaurant.

Short – It prohibits a drive-in restaurant.

Roe – But does it say anything about a drive-thru?

Short – No, and that's where I'm thinking that it would be a benefit to us and future office holders if we did clarify our definitions, so that there would not be confusion.

McCormick – Can we just copy.....

Hayes – We can, but it's the Aldermen's decision, it's not P & Z.

Short – One of the Planning and Zoning duties is to hear comments from the public and discuss them and hopefully they are positive and then take that to the aldermen and hopefully let them weight that. I don't spend a lot of time on Facebook, but in the last 10 years plus, there's been even comments on Facebook, Fair Grove doesn't allow drive-thrus. Clarifying it in black and white would eliminate confusion.

Hayes – Sort of like what we did with the three story and the electrical and fire suppression and all that. It would be an Aldermen decision. Would you as the Alderman lead, I guess, prefer that we make a formal recommendation or do you want to start at your end and then we approve it and send it back for final approval.

Petty – I would rather you guys just give us a recommendation and we approve it. I'm fine sticking with the Greene county codes or definitions of drive-thru versus drive-in and we can just adopt that as an approved definition. If nothing is mentioned about a drive-thru, then we don't need to include that definition, but we can define what a drive-in is. That way, the only place that it is referenced in the code and it is clear what it is referring to.

Hayes – What I would like to do is table the discussion until our next meeting. What we could do is duplicate these from Greene county and give them to all of the P & Z board members. That way you guys can review it and come to next meeting with an opinion.

Petty – Is the intent of the Code itself to prevent large gatherings of cars in one place. I'm just curious, the background or if you even know. What is the intent to not have drive-in, not a drive-thru, in the C-2 historic district?

Hayes – When I pulled those and the cursory glance that I gave it, it appears that just like other cities they want some form of traffic control. Because it mentions noise and traffic and a couple of other things on those listings. That is the main purpose of a drive-in. The drive-thru would be in the Greene County code also calls out, if it's within the easements or restricted areas, if MODOT would have say on what it is. The access has be to 30-40 feet with a 30 foot radius, etc, etc, etc. So in my opinion it would basically be traffic control and well as a little bit of noise.

Roe – The historic district prohibits drive-in restaurants. That makes total sense to me. We all know there's no parking in the historic district. There's not enough parking. So why would you want cars sitting there, taking up space, eating their lunch and then driving off. That just makes sense to me.

Petty – The mill pavilion area is included in the C-2 historic district, so someone wouldn't be able to host a drive-in movie thing at that location, according to code, right?

Hayes - Yes, the way that it is currently written. Because drive-thru is not part of that, it's drive-in. The other consideration that I would want to throw out there, if we're going to do this verbiage, is God forbid that there's another Covid lock-down and everything else, there was a lot of service being done at cars, which is technically considered a drive-in at that point or drive-thru, because they were carrying food outside of the establishment and to the parked car, while it was waiting. I think all the restaurants had that happen during Covid. It's something to consider if that ever comes up again.

Moyers – Inaudible.

Hayes – Inaudible.

Petty – Is the intent for a drive-in is to stay and enjoy the thing that you just purchased, in your car at that location?

Hayes – That would be my opinion.

Petty – You can still pull into a parking spot.

Roe – Those of us that are older, I don't like to eat and drive anymore.

Hayes – I don't know Steve, if you have anything in particular, but if the new Subway is built, most subways have a drive-thru. We want to make sure that we are accommodating proper business growth.

Short – It just clarifies a lot of misinterpretations or incorrect interpretations, if it's in black and white. That was one of the things that kind of stuck in my craw, conversations that we had with code enforcement officers at the time. I think anytime you can read it and have a good definition, it's a lot better than going to according to our code, go to the dictionary and see the common definition.

Hayes – agreed. Any objection to tabling this to the next meeting? I'll make sure that everybody gets a copy of this email. Then we can come up with a, basically something in writing that we can pass along to the Aldermen for their approval or alternation or turn it down completely and say they are good with what we got. It's tabled until the meeting. You also had something on Article IV minor subdivision.

Short – This was also something that came up when I was Mayor, caused some heartache among folks. I wrote a little white paper at that point in time and never presented it to anyone. Afterwards I thought, well it's still an issue. Do you have copies of what I provided? And yes, that was just you can see kind of a chronology there of that property.

Roe – Steve, you're saying that lot at 91 West Cherry, went through a minor subdivision?

Short – No, I'm saying that it did not go through Planning and Zoning.

Hayes – It didn't go through our procedure.

Short - No

Hayes – But it's on the Greene county books as a separate lot now.

Short – It's on, which you would just assume that the individual sub-divided this property, without following city code. City code for a minor subdivision would require, coming to this esteemed board to review that all of the requirements were met. In this particular case, one of the requirements is access to sanitary sewer. This property has changed hands, I remember talking to former Darra, assistant city clerk on this issue and at the time, saying, Darra, we gave a building permit, to a lot that was not approved by Planning and Zoning and then from Planning and Zoning to the Aldermen. This is a very sticky wicket, when somebody has not followed the procedure. And a former Aldermen and I have had long discussions on just what's the best way to take care of this. Unfortunately, I think our opinion on this was attorneys. Our City Attorney has to do it and that was just former alderman to former alderman/mayor.

Hayes – So Steve, question for you in my brief review of this as well as the history. It appears that the one lot has been divided into two lots and there are two separate owners now, correct?

Short – Correct

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Hayes – We've been through the upper lot many times in the past couple of years, with people wanting to put pre-fab on there, build a house etc, etc. and like you said, there's no sewer access from that, unless there's easements given or it was taken further north with a lift or whatever.

Roe- Kelly, there has to be an easement on private property to access this and that's the issue.

Hayes – My question, that I had, that stuck out more than anything, has it been remedied at this point. Why somebody at Greene county took the initiative without or City Clerk's stamp or our P&Z stamp to approve this subdivision and will that not happen. We don't know what we don't know. If someone takes something directly to Greene county, Greene county should say, "Hold your horses, it's got to go back to Fair Grove."

Short – You are absolutely, positively correct.

Petty – Whose responsibility would it be to reach out to the Recorder? Is that who would do it?

Hayes – Our city officials, basically Sara or.....

Roe – Greene county should have reached out to Fair Grove and they didn't.

Hayes – And say, there's nobody's stamp on here from the City of Fair Grove approving this, so when we've done subdivisions before.....

Petty – What's required to request this?

Hayes - There's formal paperwork, the engineer gets involved.

Petty – Is there anywhere in Greene county paperwork that has a place? These are public records we could go pull?

Hayes – I would imagine, yes. I haven't gone that far with it. Somebody did something at Greene County that they shouldn't have done. Basically overstepped or took a short cut and it goes back what 12, 14 years. I'm trying to see when it was split.

Short – Roughly 2018

Roe - 2022

Petty – Even so, what could we do?

Hayes – Now that it's two owners, it's going to have to be a legal situation. Because we are the only ones that don't have it on our books, but the problem is, whoever owns that northern lot, that was separated, has no sewer access and I have a feeling that's why it's changed hands so many times. Because they tried I know at least two potential buyers that tried to get easements and haven't been able to secure easements from the neighbors to get a building site suitable. So they've basically created an illegal lot, because it's land locked or utility locked.

Roe – Kelly, one of the owners came before Planning and Zoning wanting to put a modular house there, which would require a zoning change. That's why they came to us. We basically said no, because you're surrounded by A-1, it needs to stay A-1, not have a modular constructions, but have the question of the sewer hookup was brought at that time. It was brought up, but was never addressed, because it would be up to the owner of the land to get an easement from the neighboring owner to have the sewer go across to his property and that never happened.

Hayes – There are options, but an easement would be required.

Short – I would also say that there's an ingress/egress easement for those two lots that goes immediately south along the property line.

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Hayes – On Cherry?

Short – To Cherry. That's when an easement was recorded on those subject properties. There is no ingress/egress easement for those 2 lots to go out to Orchard. There was an ingress/egress for many, many years ago, for that existing house back in that corner.

Hayes – Steve, what I would recommend, just from past experience, whoever bought the property, they had to go through a title company. The title was not perfected. They didn't do a title search. I would start with the title company if I was the land owner there. I would start with the title company and ask them to perfect the title. Basically secure the easement at that point. From a city perspective, there's not much we can do, other than find out what happened at Greene county and make sure it doesn't happen again.

Moyers – The owner of the other property, the original owner, in the first place, is that a different owner than.....

Hayes – Did both properties change hands, or was it just the one?

Short – Yes, both properties have changed hands.

Hayes – So they should have two title policies that basically help them out. At least they will get some legal...

Short – We need to be very careful, so this doesn't happen again. We have Planning and Zoning so that things like this are checked before.....

Hayes – Sara, who do you communicate with when those papers are filed, at Greene County?

Roe – Like a minor subdivision was filed.

Hayes – I know that we've done some in the past few years.

Sara – We always just do them and send them over to the county collector, not collector, Recorder. There is a lot of paperwork that we sign off on and we send a Certificate with it. So someone up there is not checking it, there's not much we can do. People come in and out of offices all the time. I can call them and I would be happy to.

Hayes – I was just wondering if you had a contact that you could say, is it your procedure to make sure that our stamp is on the paperwork. Like if somebody walked in out of the blue and tried to change something, it would be like me walking into a bank and saying, put me on this bank account. They should be calling us.

Sara – I've had the County Recorder call me before and say, "hey we need your stamp on this" and we were able to get ahold of somebody. I have had people in the city do things like Property Line Adjustments, go directly to the county and we don't get notified, so I guess it just depends on whoever they get that day. I don't have a direct person that just takes Fair Grove stuff.

Hayes – If you could call someone and find out if there's a check list. If it's just one person that's jumping the line, or I don't know, maybe they don't even have a check list, but it's causing problems. If it's causing problems for us, then it's probably other cities as well.

Sara – I will get a hold of somebody. See if I can do something.

Short – Ladies and Gentlemen, this is not to cause any problems, it was from the problems that I suffered with, while I was Mayor and just wanted to try and correct and things align to where the problems didn't bother in the future.

Hayes – Any other questions?

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Petty – I think we need a motion to table the drive-in definition, until next meeting.

Hayes – Ok. I'll entertain a motion to table the drive-in, drive-thru discussion until the next meeting.

Petty – I'll make the motion.

Hayes – Motion made by Kelly. Seconded by Travis.

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

**ADJOURNMENT:**

**Motion to adjourn meeting** by Travis Lee. Second Shawn McCormick

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

Adjourned at 7:01 pm



Chandra Scott

Chandra Scott, Clerk

AMERICAN - WEBSTER  
12th. EDITION

drinkable © drizzle

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understand what she was driving at} ME, fr. OE *drifan*; akin to OHG *triban* to drive} (before 12c)

**drive** *n* 1: an act of driving: a: a trip in a carriage or automobile (a short ~ to the coast) b: an instance of collecting and moving animals (as game or cattle) together in a desired direction; also: the animals gathered and driven c: a driving of cattle or sheep overland d: a hunt or shoot in which the game is driven within the hunter's range e: the guiding of logs downstream to a mill; also: the floating logs amassed in a drive f (1): the act or an instance of propelling an object of play (as a golf ball) swiftly or forcefully (2): the flight of a ball (a high ~ to left field) 2 a: a private road: DRIVEWAY b: a public road for driving (as in a park) 3: the state of being hurried and under pressure (... elude the ruthless ~ of work and worry. —S. H. Adams) 4 a: a strong systematic group effort (a fund-raising ~) b: a sustained offensive effort (the ~ ended in a touchdown) 5 a *mechanical engineering*: the means for giving motion to a machine or machine part b: the means by which the propulsive power of an automobile is applied to the road (front wheel ~) c: the means by which the propulsion of an automotive vehicle is controlled and directed (a left-hand ~) 6 a: an offensive, aggressive, or expansionist move; esp: a strong military attack against enemy-held terrain b *basketball*: a quick and aggressive move toward the basket 7 a *biology*: an urgent, basic, or instinctual need: a motivating physiological condition of an organism (a sexual ~) b: an impelling culturally acquired concern, interest, or longing (the ~ to succeed) c: dynamic quality (... his ~ and enthusiasm overcame all obstacles ... —*Times Literary Supplement* (London)) 8 *computers*: a device for reading or writing on magnetic, optical, or electronic media (as tapes, disks, or flash memory); broadly: MEMORY 4 (... the disk defragmenter doesn't just defrag a given ~ ... —Barry Brenesal) — see also HARD DRIVE (1685)

**drive-by** \ˈdri-v-ē\ *adj* 1: carried out from a moving vehicle (a ~ shooting) 2: done or made in a quick or cursory manner (1968)

**drive-in** \ˈdri-v-īn\ *n*: an establishment (as a theater or restaurant) so laid out that patrons can be accommodated while remaining in their automobiles — *drive-in adj* (1931)

**drive** *n* 1: NONSENSE (Don't waste your time reading such ~) 2 *archaic*: DROOL 1 (14c [2])

**drivel** \ˈdri-vəl\ *vb* *driveled or -elled; driveling or -elling* \ˈdri-v(ə)-lɪŋ\ *vi* 1: to talk stupidly and carelessly (What is he ~ing about now?) 2: to let saliva dribble from the mouth: SLAVER — *driveler* \ˈdri-v(ə)-lə\ *n* {ME, fr. OE *driflian*; perh. akin to ON *drif* malt dregs} (before 12c [2])

**driveline** \ˈdri-v-īn\ *n*: DRIVETRAIN (1903)

**driven** \ˈdri-vən\ *adj* 1 a: having a compulsive or urgent quality (a ~ sense of obligation) b: determined to succeed: highly energetic and motivated (... a versatile yacht captained by a ~ skipper who has won everything in the sport ... —Herb McCormick) 2: propelled or motivated by something — used in combination (results-driven) — *driveness* \ˈdri-vən-nəs\ *n* (1797)

**driver** \ˈdri-vər\ *n*: one that drives: as a: COACHMAN b: the operator of a motor vehicle c: an implement (as a hammer) for driving d: a mechanical piece for imparting motion to another piece e: one that provides impulse or motivation (a ~ in this economy) f: a golf wood with a nearly straight face used in driving g: an electronic circuit that supplies input to another electronic circuit; also: LOUDSPEAKER h: a piece of computer software that controls input and output operations — *driverless* \ˈdri-vər-ləs\ *adj* (14c)

**driver's license** *n*: a license issued under governmental authority that permits the holder to operate a motor vehicle (1904)

**driver's seat** *n*: the position of top authority or dominance (1860)

**driveshaft** \ˈdri-v-ʃaft\ *n*: a shaft that transmits mechanical power (1860)

**drive (someone) bananas** *idiom, informal*: to make (someone) very irritated, angry, or annoyed (You're driving me bananas with all these questions.) (1955)

**drive (someone) nuts** *idiom, informal*: to make (someone) very irritated, angry, or annoyed (Her fidgeting drives me nuts.) (1908)

**drive (someone) up the wall** also **drive (someone) up a wall** *idiom, informal*: to make (someone) very irritated, angry, or annoyed (Your constant tapping is driving me up the wall!) (1952)

**drive-through** \ˈdri-v-θru\ also **drive-thru** *adj*: DRIVE-UP (1918)

**drive-through** also **drive-thru** *n*: a drive-through establishment (as a restaurant or bank); also: the drive-through window at such an establishment (1949)

**drive time** *n*: a time during rush hour when radio audiences are swelled by listening to car radios (1960)

## Chandra Scott

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**From:** Steve Short <sshort67@hotmail.com> on behalf of Steve Short  
**Sent:** Tuesday, April 07, 2026 10:54 AM  
**To:** John Hayes; Dennis Roe  
**Cc:** Chandra Scott; Sara Davis  
**Subject:** P&Z 4.6.2026 error in testimony  
**Attachments:** Merriam-Webster Dictionary-12th.pdf

During the meeting I read from my phone the definition of "drive-in", after asking my phone for the Merriam-Webster definition of "drive-in restaurant". I failed to recognize what I read was an AI response and not the requested information. My apologies and please accept the attached page from the current edition of the Merriam-Webster Dictionary for the true definition of "drive-in". Thanks Steve Short