

Fair Grove Planning and Zoning **Public Hearing**

81 S. Orchard

May 5, 2025

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Roll call taken by Chairman John Hayes.

Travis Lee PRESENT, Tommy Voorhis PRESENT, Paul Foreman PRESENT, Don Brite PRESENT, Shawn McCormick PRESENT, Darrin Moyers PRESENT, Ben McMains PRESENT

Opened Public Hearing at 6:33 PM

Public Hearing for – Rezone #RZ25-04-02, 10 West Cherry, owner Evan Fullerton; **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.

Those in favor of:

Steven Short – 70 E Willow Street, in favor of the rezoning. For an existing lot, platted before Fair Grove adopted Planning and Zoning that is currently R-1. Can the lot be rezoned by Planning and Zoning Commission and Fair Grove Aldermen to R-2 if the resulting lot size is less than the minimum R-2 lot square footage (14,000 square feet per Section 405.280. 1. B)

Hayes – Anybody else?

Jeffrey McConnell – Was that on the calendar? I would like to make comments on it, but I haven't heard what the applicant has to say yet. Where I come from, the applicant presents the project or whatever it may be and then the questions comes from you folks up there to the applicant and then you open it up to the public. That way, we are better informed.

John Hayes- We had that the last time. He's actually presented twice to us already. So this last meeting we voted on proceeding to the next step, which was the rezone itself. The signs were posted, we gave public notice and that's where we're at, at this point. We're just looking to hear back from everybody on the plans and everything that were submitted.

Jeffrey McConnell – I personally don't have a problem with it. I was going over the agenda. I think I know the owner.

Hayes – Did you want to take a look at the plans real quick?

McConnell – No, I think I know the owner. We were discussing at breakfast a week or two ago.

Hayes – Yeah, exactly. It's his grandson, he now owns the place and is just looking for a rezone and has submitted all the plans.

Gwen Wilson – I own the 24 West Cherry property, which is adjacent to the 10 West Cherry property. I didn't know about it until the public notice went out that this rezoning was happening. I just want to correct your statement that you said it would be in conjunction with other duplexes on that street. There are currently no other duplexes, at least in sight, where this duplex will be.

Hayes – Right, on Cherry, it's the other street going north and south that all the duplexes are on.

Wilson – I don't know that street. I'm actually only six months living at my house. I just don't know what the value of my single dwelling house will now be, with having a duplex, which I assume will be rented property next to it. So I just have that concern of what that could do for the value of my property, being adjacent to a duplex. I've never been to a public hearing before, but I want to go on record with that concern. I don't really oppose or object, but a concern.

Hayes – Absolutely and if you want to look at it, I'm sure you're familiar with the house that's there right now. It's basically at a condemned state. This is the property they are going to build, it's going to be very nice and Evan is actually going to live in one side of it and rent the other side out.

Wilson – It's going to be within touching distance of my property.

Hayes – Same setbacks.

Wilson – They're going to put that size? That's current dwelling size?

Hayes – It's smaller than it looks. It's on the same footprint.

Wilson – Ok, so it will be the same footprint of the existing house?

Hayes – Yes

Wilson – It will be quite small.

Hayes – It's a corner lot and there are certain setbacks along that road that are considered.

Wilson – Like I said, I just had that concern that the other dwelling on that street are single zoning and sometimes rental properties bring down the value.

Hayes – Sure. Anybody else? I'm going to leave the Public Hearing open and we can go through the other business.

Those opposed to: None

Left Public Hearing for Open Meeting at 6:39 pm

RETURNED to Public Hearing at 6:55 pm

Hayes – Evan, you're up. Appreciate you coming. So far the discussion was, everybody's for the rezone to R-2 there's a question that Steve had regarding the lot square footage, which we had discussed at the last meeting, thus, sort of the crux of the whole thing. This lady here, new to Fair Grove, six months. She's your neighbor next door. She's concerned about property values. I've shown her some of your plans and everything. Probably seen the house like it is and is ready to be torn down.

Wilson – I'm not sure how you're going to fit that on that little lot.

Petitioner:

Fullerton - I actually changed it up. I was going to print this out, but don't have it printed. I went with more of a townhouse style. This current drawing that I have is going to be 45' x 50', which is basically perfect for what I have in that area to meet the setbacks and buffer zone, whatever. It will be more of a two story, nice townhouse looking property, single car garage. I think it would be good for property values compared to what is there. That is my take, I can show this picture to you all. This is about a two.....

Hayes – Similar to this, but narrower with the garages together?

Fullerton - Yes, basically it's like that but those two sides are more like on top.

Hayes – Ok. And your intent is to live in one side?

Fullerton - Yes

Hayes – Anything else you would like to comment on?

Fullerton – Not really at this time. I work in construction. I can get this done. I have the people and the know how to get this done on time, the right way. I know how to follow all of the permits and I'll meet the expectations. I don't want to build something that's not nice and it will be well maintained. That's all I can think of. It's kind of like a farm house plan that I've currently got pulled up now. Want to take a look at it?

McCormick – Can you show the audience?

Wilson – I still don't know how you're going to fit it on the lot. Cause you said it was the existing size of the current dwelling? That will be....

Fullerton – I did the setbacks. I measured per the code from the center lines of the road on the amount that you need to have for an R-2 property. I think it was like 30' from Orchard and it was like 25' from Cherry and it was like 6' from the adjacent property line. I came up with about a 50' X 45' square that I

could do a duplex and meet the code. I still wouldn't meet the code as far as the lot size. So that's another thing as well.

Hayes – Right, that's Steve's point because he was bringing up the fact that you had discussed it. I think you're at .27 if memory serves me correct.

Fullerton – Yes. I think it says .33.

Hayes – Ok. So it's like 1,000 square feet short, but it's a corner lot.

Fullerton – Yes and it's not, if I remember right, it's not selectively putting a R-2 property in the middle of the neighborhood.

Hayes – Yes, she had brought that up.

Wilson – You're on the end of the neighborhood.

Hayes – Any more questions from the board? Thank you Evan.

LEFT Public Hearing for Open Meeting 6:39 pm

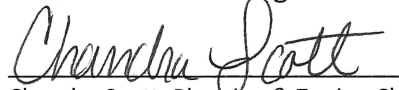
Returned to Public Hearing 6:56

Motion by Foreman to approve the rezone #RZ25-04-02. Second McCormick.

Discussion: None

McCormick AYE Moyers AYE, Hayes AYE, Lee AYE, Brite AYE, McMains AYE, Voorhis AYE

Closed Public Hearing at 7:00 PM

A handwritten signature in cursive script that reads "Chandra Scott". The signature is written in dark ink and is positioned above a horizontal line.

Chandra Scott, Planning & Zoning Clerk