

AN ORDINANCE TO AMEND CHAPTER 405 ARTICLE III OF THE CODE OF ORDINANCES OF THE CITY OF FAIR GROVE, MISSOURI, FOR THE PURPOSE OF UPDATING THE BOARD OF ADJUSTMENT ORDINANCES

WHEREAS, the City of Fair Grove (“City”) desires to update Chapter 405 Article III Sections 405.130 to 405.150, of the Code of Ordinances to update their Code to mirror Missouri law governing Boards of Adjustment; and

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF FAIR GROVE, MISSOURI, AS FOLLOWS:

SECTION 1: That Section 405.130 Board of Adjustment is hereby amended as follows:

D. Meetings Of The Board Of Adjustment.

1. Adopting rules. The Board of Adjustment shall adopt rules of procedure in accordance with the provisions of Sections 89.010 to 89.144, RSMo.

E. Powers And Duties Of Board Of Adjustment. The Board of Adjustment shall hear and decide appeals from any order, decision, requirement or interpretation made by any administrative official of the City, any application for a variance and any other matter the Board is required to act upon by any other City ordinance or Missouri law.

SECTION 2: That Section 405.140 Appeals is hereby amended as follows:

D. Hearing On Appeals. The Board of Adjustment shall hold a public hearing on all appeals within a reasonable time, in accordance with the provisions of Section 405.190

SECTION 3: That Section 405.150 Variances is hereby amended as follows:

C. Standards For Grant Of Variance. The Board of Adjustment may grant a variance if it concludes that strict enforcement of the Ordinance would result in practical difficulties or undue hardship for the applicant and, by granting the variance, the spirit of the Ordinance will be observed, public safety and welfare will be secured and substantial justice will be done.

SECTION 4: That Section 405.130 D. 1 and E of the current Code of Ordinances is hereby stricken in its entirety and replaced with the new language provided in Section 1 above.

SECTION 5: That Section 405.140 D of the current Code of Ordinances is hereby stricken in its entirety and replaced with the new language provided in Section 2 above.

SECTION 6: That Section 405.150 C included subparagraphs 1 through 7 of that Section of the current Code of Ordinances is hereby stricken in its entirety and replaced with the new language provided in Section 3 above.

SECTION 7: This Ordinance shall be in full force and effect from and after the date of its passage and approval.

SECTION 8: That the City Clerk is authorized by this Ordinance to correct any scrivener's errors identified within this Ordinance.

SECTION 9: All ordinances conflicting in whole or in part with the provisions of this Ordinance are hereby repealed to the extent of the conflict.

First Reading: 6-24-25

Second Reading: 6-24-25

BE IT REMEMBERED THE PRECEDING ORDINANCE WAS ADOPTED ON ITS SECOND READING THIS 24th DAY OF June, 2025, BY THE FOLLOWING

VOTE:

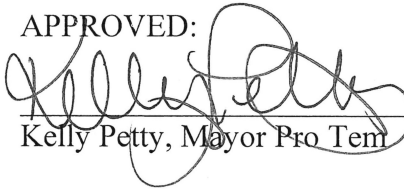
Alderman McMains
Alderman Stewart
Alderman Petty

Aye
Aye
Aye

Alderman Hodges
Alderman Cooke
Alderman Lord

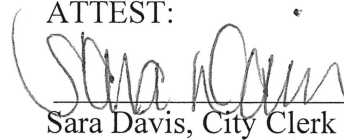
Aye
Aye
Aye

APPROVED:



Kelly Petty, Mayor Pro Tem

ATTEST:



Sara Davis, City Clerk