



TANEY COUNTY PLANNING COMMISSION

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TANEY COUNTY BOARD OF ADJUSTMENT
STAFF REPORT
FOUNTAINS ON FALL CREEK
JUNE 17, 2009
#09-3

Public Hearing for Fountains on Fall Creek located at Fall Creek Road and Country Bluff Road, in the Branson Township, Sec. 12 Twp. 22 Rng. 22.

The applicant is requesting an appeal of the decision of the Planning Commission decision to deny the project known as Fountains on Fall Creek.

History: The applicant requests an appeal of a Planning Commission decision to deny a request to allow a condominium project with nightly rental and timeshare. This site was previously approved September 22, 2006, but permits expired without extensions, and applicant applied with similar project and was denied.

General Description: The subject property is located off Fall Creek and Country Bluff Road. The adjoining properties to the request consist of commercial, residential, and agricultural.

Review: The proposed site would consist of a mixed-use development containing traditional commercial, condominiums, duplex, and cabins. Nightly rental and timeshares are requested on all of the residential and multi-family.

Summary: If the Taney County Board of Adjustment approves this variance, the following requirements shall apply, unless revised by the Board:

1. Approval of Permit #09-3 and original Decision of Record adhered to.
2. All other provisions of the Taney County Development Guidance Code met.
3. The Decision of Record shall be filed with the Taney County Recorder's Office within 120 days or the approval shall expire (Chapter II Item 6).

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REC. FEE: 30.00
NON-STD FEE:
PAGES: 3

ROBERT A DIXON, RECORDER
OF TANEY COUNTY, MO, DO HEREBY
CERTIFY THAT THE WITHIN
INSTRUMENT OF WRITING, WAS
ON 09/22/2006 AT 11:43:53AM
DULY FILED FOR RECORD AND IS
RECORDED IN THE RECORDS OF
THIS OFFICE BOOK: 499
PAGE: 2204-2206
WHEREOF, I HAVE HEREUNTO
SET MY HAND AND AFFIXED MY
OFFICIAL SEAL AT FORSYTH, MO,

Robert A. Dixon, DEPUTY

TANEY COUNTY PLANNING COMMISSION ✓
DIVISION III DECISION OF RECORD
SEPTEMBER 11, 2006
FOUNTAINS ON FALL CREEK
#06-42

On September 11, 2006 the Taney County Planning Commission (grantor) approved a request by Dwight and Linda Sprague (grantee) to develop a mixed use development. In accordance with this approval a Division III Permit #06-42 is issued for the property located at the attached legal description.

The following Decision of Record details this approval and lists all applicable conditions:

Dwight and Linda Sprague are authorized to develop 56 acres into a mixed use development. With seven out of nine Planning Commissioners present the vote to approve was unanimous with one abstention. The following conditions shall be complied with:

1. Compliance with the provisions of the Taney County Development Guidance Code that include plans for the following:
 - a. Sediment and erosion control (Appendix B Sec. VI Item 2)
 - b. Stormwater management (Appendix B Item 3)
 - c. Land grading permit (Appendix B)
 - d. Delineation of the 100 year floodplain (Taney County Floodplain Management Ordinance 60.3b Sec. A)
 - e. Utility easements and building line setbacks (Table 12)
 - f. Foliage screening or fencing for commercial area that adjoins residential tracts, with a 50' buffer between Country Bluff Sub. 30' buffer next to the lake, and the existing buffer undisturbed (Appendix C)
 - g. Improvements with scale of buildings, streets, onsite parking and utilities (Table 6)
2. Compliance letters from the Fire, Sewer and Water Districts (Chapter VI-VII).
3. No outside storage of equipment or solid waste materials.
4. Division II Permits will be required for all applicable structures in the development (Chapter 3 Sec. I Item B)
5. The Decision of Record shall be filed with the Taney County Recorder's Office within 120 days or the approval shall expire (Chapter II Item 6).

Legal description attached