



TANEY COUNTY PLANNING COMMISSION

P. O. Box 383 • Forsyth, Missouri 65653
Phone: 417 546-7225 / 7226 • Fax: 417 546-6861
website: www.taneycounty.org

AGENDA TANEY COUNTY BOARD OF ADJUSTMENT WEDNESDAY, APRIL 21, 2010, 7:00 P.M. COUNTY COMMISSION HEARING ROOM TANEY COUNTY COURTHOUSE

Call to Order:

*Establishment of Quorum
Explanation of Public Hearing Procedures
Presentation of Exhibits
Governing Statutes*

Public Hearing:

Brass Lantern Resort Community

Old and New Business:

Review and Action:

Minutes: January 2010

Adjournment.



TANEY COUNTY PLANNING COMMISSION

P. O. Box 383 • Forsyth, Missouri 65653
Phone: 417 546-7225 / 7226 • Fax: 417 546-6861
website: www.taneycounty.org

TANEY COUNTY BOARD OF ADJUSTMENT

APPLICATION and AFFIDAVIT

FOR VARIANCE OR APPEAL

(Circle one)

Variance (\$125.00) Appeal (\$125.00)

PLEASE PRINT

Applicant Dan + Tammy Warner Phone 417-794-3700

Address, City, State, Zip 1272 Brass Lantern Rd.

Representative _____ Phone _____

Owner of Record Someday Ranch LLC Signature: [Signature]

Name of Project: Brass Lantern Resort Community

Section of Code Protested: (office entry) _____

Address and Location of site: 5133 Brass Lantern Rd - Cedarcreek mo.

Subdivision (if applicable) Johnnie B. Jones → this tract exempt from cc+Rs

Section 25 Township 22 Range 20 Number of Acres or Sq. Ft. 2.84 Ac.

Parcel Number 16-7.0-25-000-000-042,000

Does the property lie in the 100-year floodplain? (Circle one) _____ Yes ☒ No.

Required Submittals:

- ☒ Typewritten legal description of property involved in the request on attached request
- ☐ Alphabetical list of all property owners within 600 feet of the request
- ☒ Proof of public notification in a newspaper of county-wide circulation
- ☒ Proof of ownership or approval to proceed with request by the owner
- ☒ Sketch plan/survey of the project which completely demonstrates request

Please give a complete description of your request on page two.

Describe in detail the reason for your request:

The Brass Lantern Resort property currently has (3) septic tanks, which we want to replace with a sewer treatment plant. We have created (4) residential building lots to offer for sale to cover the cost of infrastructure.

Two variances are needed. The first is for a small section of a picnic pavilion on Lot 4 that is in the setback. The second is the parent parcel will be less than two acres due to the 50' ROW being given. The parent parcel will be connected to the new sewer treatment plant within one-year.

**BRASS LANTERN RESORT
MINOR SUBDIVISION**
LOT 14 JOHNNIE B. JONES SUBDIVISION
PART OF THE S 1/2 NE 1/4 SEC. 26, T 22 N, R 20 W
TANEY COUNTY, MISSOURI

FRONT - 25 FEET
SIDE - 7 FEET
REAR - 10 FEET
SIDE CORNER - 1/2 OF REQUIRED FRONT

SITE INFORMATION:
PARENT TRACT ACREAGE - 3.047 ACRES
ACREAGE IN NEW LOTS - 0.735 ACRES
ACREAGE IN ROAD RIGHT OF WAY - 0.416 ACRES
REMAINING ACREAGE - 1.896 ACRES

ALL OF LOT FOURTEEN (14) IN THE JOHNNIE B. JONES SUBDIVISION AS PER THE
RECORDED PLAT THEREOF FILED IN THE OFFICE OF THE RECORDER OF DEEDS FOR
TANEY COUNTY, MISSOURI, IN PLAT BOOK 6 AT PAGE 78.
SUBJECT TO ALL EASEMENTS AND RESTRICTIONS OF RECORD.

A TRACT OF LAND, BEING PART OF LOT 14 OF JOHNNIE B. JONES SURVIVOR, AS PER THE RECORDED PLAT THEREOF FILED IN THE OFFICE OF THE RECORDER OF DEEDS FOR TANEY COUNTY, MISSOURI IN PLAT NO. 14 AND MONUMENTED BY THE FOLLOWING CORNERS: COMMENCING AT THE NORTHEAST CORNER OF SAID LOT 14; THENCE SOUTH 89°50'40" WEST ALONG THE NORTH LINE OF SAID LOT 14 A DISTANCE OF 78.20 FEET TO A POINT OF BEGINNING; BEARING S19°53'50" WEST A DISTANCE OF 78.20 FEET TO A POINT FOR CORNER; THENCE NORTH 70°06'10" WEST A DISTANCE OF 55.09 FEET TO A POINT OF BEGINNING; BEARING S19°53'50" WEST A DISTANCE OF 147.95 FEET, A DELTA OF 05°57'20" N, AN ARC LENGTH OF 140.96 FEET, AND A CHORD WHICH BEARS NORTH 67°22'15" WEST HAVING A CHORD DISTANCE OF 140.96 FEET TO A POINT ON THE NORTH LINE OF SAID LOT 14 FOR CORNER; THENCE NORTH 89°50'40" WEST ALONG THE NORTH LINE OF SAID LOT 14 A DISTANCE OF 208.48 FEET TO A POINT OF BEGINNING, AND CONTAINING 6.000 SQUARE FEET OR 0.1537 ACRE(S) OF LAND, MORE OR LESS, SUBJECT

A TRACT OF LAND, BEING PART OF LOT 14 OF JOHNNIE B. JONES SUBDIVISION AS PER THE RECORDED PLAT THEREOF FILED IN THE OFFICE OF THE RECORDER OF DEEDS FOR TAYLOR COUNTY, MISSOURI IN PLAT BOOK 5 AT PAGE 108, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 14, THENCE S 00°12'24" EAST ALONG THE EAST LINE OF SAID LOT 14 A DISTANCE OF 109.40 FEET TO A POINT FOR CORNER; THENCE NORTH 70°06'10" WEST A DISTANCE OF 109.40 FEET TO A POINT FOR CORNER; THENCE S 70°06'10" WEST A DISTANCE OF 119.50' EAST A DISTANCE OF 70.20 FEET TO A POINT ON THE NORTH LINE OF SAID LOT 14 FOR CORNER; THENCE NORTH 89°50'40" EAST A DISTANCE OF 71.57 FEET TO SAID POINT OF BEGINNING, AND CONTAINING 8.014 ACRES, MORE OR LESS, OF SAID ACRES OF LAND, MORE OR LESS, SUBJECT TO EASEMENTS AND/OR RIGHTS OF WAY.

A TRACT OF LAND, BEING PART OF LOT 14 OF JOHNNIE B. JONES SUBDIVISION AS PER THE RECORDED PLAT THEREOF FILED IN THE OFFICE OF THE RECORDER OF DEEDS FOR TAYLOR COUNTY, MISSOURI, IN PLAT NO. 60 AND BOOK NO. 18, BEING MORE DETAILLED AND DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF SAID LOT 14; THENCE ALONG THE NORTH LINE OF SAID LOT 14 A CHORD DISTANCE OF 198.20 FEET; THENCE NORTH $70^{\circ}09'10''$ WEST A DISTANCE OF 178.23 FEET TO A POINT OF CURVE; THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 1,526.15 FEET, AN ARC LENGTH OF 200.33 FEET, A DELTA OF $40^{\circ}25'02''$, AN ARC LENGTH OF 200.33 FEET, AND A CHORD WHICH BEARS NORTH $69^{\circ}39'27''$ WEST HAVING A CHORD DISTANCE OF 23.75 FEET TO THE POINT OF BEGINNING; THENCE ALONG THE SOUTH LINE OF SAID LOT 14 A CHORD DISTANCE OF 198.20 FEET TO THE POINT OF BEGINNING; THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 203.93 FEET, A DELTA OF $40^{\circ}25'02''$, AN ARC LENGTH OF 200.33 FEET, AND A CHORD WHICH BEARS NORTH $69^{\circ}39'27''$ WEST HAVING A CHORD DISTANCE OF 23.75 FEET TO A POINT ON A CURVE; THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 1,526.15 FEET, A DELTA OF $40^{\circ}25'13''$, AN ARC LENGTH OF 200.33 FEET, AND A CHORD WHICH BEARS SOUTH $69^{\circ}39'27''$ EAST HAVING A CHORD DISTANCE OF 198.20 FEET TO THE POINT OF BEGINNING; AND CONTAINING 8,012 SQUARE FEET OR .1833 ACRES OF LAND.

A TRACT OF LAND, BEING PART OF LOT 14 OF JOHNNIE B. JONES SUBDIVISION AS PER THE RECORDED PLAT THEREOF FILED IN THE OFFICE OF THE RECORDER OF DEEDS FOR TANCY COUNTY, MISSOURI IN 1951, AS DESCRIBED BY DEEDS 70 AND 71, COMMENCING AT THE NORTHEAST CORNER OF SAID LOT 14; THENCE SOUTH 00°12'24" EAST ALONG THE EAST LINE OF SAID LOT 14 A DISTANCE OF 95.16 FEET TO A POINT ON A CURVE; THENCE ALONG A CURVE TO THE POINT OF BEGINNING; THENCE SOUTH 53°52'31" WEST A DISTANCE OF 96.46 FEET TO A POINT ON A CURVE; THENCE ALONG A CURVE TO THE POINT OF BEGINNING; THENCE SOUTH 53°52'31" WEST A DISTANCE OF 95.74 FEET TO A CHORD WHICH BEARS NORTH 58°46'00" WEST; THENCE ALONG A CHORD DISTANCE OF 95.16 FEET TO A POINT ON A LINE; THENCE SOUTH 10°12'45" EAST ALONG A LINE TO A POINT ON A CURVE; THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 1,029.15 FEET; A DELTA OF 00°53'28"; AN ARC LENGTH OF 23.75 FEET, AND A CHORD DISTANCE OF 23.75 FEET TO A POINT ON A CURVE; THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 23.75 FEET TO A POINT OF TANGENCY; THENCE SOUTH 70°06'00" EAST A DISTANCE OF 106.50 FEET TO THE POINT OF BEGINNING; AND CONTAINING 0.0015 ACRES OR 63.67 ACRES(S) OF LAND, MORE OR LESS, SUBJECT TO ASSESSMENTS AND OTHER RIGHTS.

KNOWN ALL MEN BY THESE PRESENTS THAT I, LAWRENCE E JANSEN, DO HEREBY
DECLARE THAT THIS PLAT WAS PREPARED UNDER MY SUPERVISION FROM AN
ACTUAL SURVEY OF THE LAND HEREIN DESCRIBED, AND THAT THE CORNER
MONUMENTS AND LOT CORNER PINS SHOWN HEREON WERE PLACED UNDER THE
PERSONAL SUPERVISION OF LAWRENCE E JANSEN, LS 2385 IN ACCORDANCE WITH
THE MISSOURI MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS, AND IN
ACCORDANCE WITH THE SUBDIVISION REGULATIONS OF TANEY COUNTY, MISSOURI.

DATE _____

EXECUTION OF PLAT S 89°50'32" W 405.00'M & P
WE HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE TRACT OF LAND DESCRIBED HEREIN

SAID LAND HAS BEEN SURVEYED IN THE MANNER SHOWN HEREON. IN TESTIMONY WHEREOF,

THE UNDERSIGNED HAVE HEREUNTO SET THEIR HANDS
SOMEDAY RANCH LLC - DANIEL WARNER, MANAGING MEMBER

OFFICE OF TANEY COUNTY 911

APPROVED BY THE OFFICE OF TANEY COUNTY 911
ADMINISTRATOR THIS _____ DAY OF _____
2010.

911 REPRESENTATIVE

APPROVAL BY THE TANEY COUNTY PLANNING COMMISSION:

APPROVED THIS _____ DAY OF _____, 20____
BY THE TANEY COUNTY PLANNING COMMISSION.

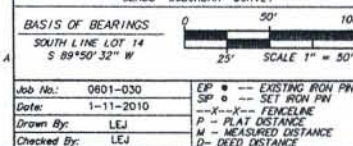
CHAIRPERSON

ADMINISTRATOR

PROPERTY DESCRIPTION REMAINING TRACT

TRACT OF LAND, BEING PART OF LOT 14 OF JOHNNIE B. JONES SUBDIVISION AS PER THE RECORDED PLAT THEREOF FILED IN THE OFFICE OF THE RECORDER OF DEEDS FOR TANEY COUNTY, MISSOURI IN PLAT BOOK 100, PAGE 10, AND MORE PARTICULARLY AS SHOWN ON PLAT NO. 100 COMMENCING AT THE NORTHEAST CORNER OF SAID LOT 14; THENCE SOUTH 89°50'10" EAST ALONG THE EAST LINE OF SAID LOT 14 A DISTANCE SOUTH 89°50'10" EAST ALONG THE EAST LINE OF SAID LOT 14 A DISTANCE SOUTH 89°50'10" EAST ALONG THE EAST LINE OF SAID LOT 14 A DISTANCE SOUTH 89°50'10" WEST ALONG THE SOUTH LINE OF SAID LOT 14 A DISTANCE OF 405.00 FEET TO THE SOUTHWEST CORNER OF SAID LOT 14; THENCE NORTH 89°50'10" WEST ALONG THE WEST LINE OF SAID LOT 14 A DISTANCE OF 328.23 FEET TO THE NORTHWEST CORNER OF SAID LOT 14 FOR CORNER; THENCE NORTH 89°50'40" EAST ALONG THE NORTH LINE OF SAID LOT 14 A DISTANCE OF 328.23 FEET TO A POINT ON A CURVE; THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 5,526.15 FEET, A DELTA OF 00°54'07", AN ARC LENGTH OF 24.08 FEET, AND A CHORD BEARING SOUTH 89°48'40" EAST HAVING A CHORD DISTANCE OF 24.05 FEET TO A POINT ON A CURVE; THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 263.99 FEET, A DELTA OF 40°29'02", AN ARC LENGTH OF 10.00 FEET, AND A CHORD BEARING SOUTH 89°48'40" EAST HAVING A CHORD DISTANCE OF 196.20 FEET TO A POINT ON A CURVE; THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 250.00 FEET, A DELTA OF 40°29'02", AN ARC LENGTH OF 10.00 FEET, AND A CHORD BEARING SOUTH 89°48'40" EAST HAVING A CHORD DISTANCE OF 89.18 FEET TO A POINT ON A LINE; THENCE NORTH 53°52'15" EAST A DISTANCE OF 196.20 FEET TO A POINT ON A CURVE; THENCE ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 250.00 FEET, A DELTA OF 40°29'02", AN ARC LENGTH OF 10.00 FEET, AND A CHORD BEARING SOUTH 89°48'40" EAST A DISTANCE OF 89.71 FEET TO THE POINT OF BEGINNING, AND BEING 898 ACRES OF LAND, MORE OR LESS, SUBJECT TO EASEMENTS AND/OR RIGHTS.

CLASS "SUBURBAN" SURVEY



GLOBAL
PRECISION SURVEYING, L.L.C.
P.O. BOX 790, REPUBLIC, MO 65738

PHONE (417) 883-0300 FAX (417) 883-0333
 CERTIFICATE OF AUTHORITY
 NUMBER LS-20100005404

Brass Lantern Rd = ROW = 40FT Pavement = 20FT
Brass Lantern Circle = ROW = 30FT Pavement = 12FT

10-4
10-6

**APPLICATION FOR CONCEPT
DIVISION III
TANEY COUNTY PLANNING COMMISSION**

The Concept Application is for the use of the Planning Staff and Commission to enable us to know the nature of the planned project. The official Division III Application for permit will be filed along with everything needed to complete your file, as listed on the Division III Procedure Checklist. Division III Applications: \$150.00, Special Use Applications: \$150.00.

NAME OF PROJECT: BRASS LANTERN RESORT COMMUNITY

NAME OF APPLICANT: DANIEL WARNER
(Must be owner of record)

SIGNATURE: Daniel Warner **DATE:** 2/22/10
(Must be owner of record)

MAILING ADDRESS: 1272 BRASS LANTERN ROAD
CEDAR CREEK, MO 65627

TELEPHONE NUMBER: 417-794-3700

Representative Information

NAME OF REPRESENTATIVE: TAMMY WARNER

MAILING ADDRESS (rep.): - SAME -

TELEPHONE NUMBER (rep.): _____

Property Information

ACCESS TO PROPERTY (street # and name): _____

5133 BRASS LANTERN RD. CEDARCREEK MO 65627

Number of Acres (or sq. ft. of lot size): 2.84 AC.

PARCEL #: 16-7.0-25-000-000-042.000
(This number is on the top left hand corner of your property tax statement)

SECTION: 25 **TOWNSHIP:** 22 **RANGE:** 20

NAME OF SUBDIVISION (if applicable): Jonnie B. Jones

Lot # (if applicable) 14 **BLOCK #** _____

WITHIN 600' FROM THIS PROPERTY IS: (Check all land uses that apply)

- ☒ Commercial ☐ Multi-Family ☒ Residential ☐ Agricultural
☐ Multi-Use ☐ Municipality

SEWAGE DISPOSAL SYSTEM:

- PROPOSED ☒ Treatment Plant ☐ Individual
☐ Central Sewer: District # _____

WATER SUPPLY SYSTEM:

- PROPOSED ☒ Community Well ☐ Private Well
☐ Central: District # _____

DOES THE PROPERTY LIE IN THE 100-YEAR FLOOD PLAIN? ☐ Yes ☐ No

THIS REQUEST FALLS INTO ONE OR MORE OF THE FOLLOWING CATEGORIES:

- ☒ Residential ☐ Multi-Family ☐ Commercial ☐ Industrial
☐ Special Use ☐ Other – Explain: _____

Any proposed project that does not have a posted 911 address must be identified with a survey flag at the proposed access to the property. Failure to post the survey flag will result in a delay of the Public Hearing. Please give a description of your proposed project including all uses: (IMPORTANT: Make this description as complete as possible as your public notice will be based on the information provided here.)

Adding four residential building lots to our Resort property, Lot 14 in the Johnnie B. Jones subdivision in Cedar Creek, Mo.

The four new lots will include access to community water and sewer treatment plant, which will be bonded upon project approval.

The Brass Lantern Resort parent parcel will remain unchanged. Future development plans include connecting the existing structures to the community water and sewer treatment plant upon its completion. The parent parcel is slightly less than the 2-Acre minimum due to vacating additional road easements to 50'.

Brass Lantern Resort Community		Permit#:		10-06	
Division III Relative Policy Scoring Sheet: Eastern Taney County		Performance Value	Importance Factor	Score	Section Score
Water Quality					
SEWAGE DISPOSAL		n/a=			
centralized system	2	5	-1	-5	
on-site treatment system(s) with adequate safeguards to mitigate pollution	1				
septic system of adequate design and capacity	0				
proposed system may not provide adequate capacity	-1				
proposed solution may cause surface and/or ground water pollution	-2				
Environmental Policies					
STORM DRAINAGE		n/a=			
on-site stormwater retention and absorption with engineered plans	2	4	-2	-8	
on-site stormwater retention and absorption without engineered plans	1				
stormwater retention with managed and acceptable run-off	0				
no stormwater retention, but adverse impacts from run-off have been mitigated	-1				
no acceptable management and control of stormwater run-off	-2				
AIR QUALITY		n/a=			
cannot cause impact	0	4	0	0	
could impact but appropriate abatement installed	-1				
could impact, no abatement or unknown impact	-2				
Critical Areas					
PRESERVATION OF CRITICAL AREAS		n/a=			
no adverse impact to any designated critical area	2	3	-1	-3	
one of the designated critical areas impacted but can be fully mitigated	1				
more than one of the designated critical areas impacted but can be fully mitigated	0				
one or more of the designated critical areas impacted and mitigation not fully effective	-1				
one or more of the designated critical areas impacted with no ability to mitigate problem	-2				
Land Use Compatibility					
OFF-SITE NUISANCES		n/a=			
no issues	2	4	0	0	
minimal issues, but can be fully mitigated	1				
issues that can be buffered and mitigated to a reasonable level	0				
buffered and minimally mitigated	-1				
cannot be mitigated	-2				
USE COMPATIBILITY		n/a=			
no conflicts / isolated property	0	4	-1	-4	
transparent change / change not readily noticeable	-1				
impact readily apparent / out of place	-2				

Brass Lantern Resort Community		Permit#:	10-06		
Division III Relative Policy Scoring Sheet: Eastern Taney County		Performance Value	Importance Factor	Score	Section Score
STRUCTURAL SCREENING OF ROOFTOP EQUIPMENT & VENTS		n/a=	x		
no rooftop equipment / vents or blocked from view by structure design or screening		0	3		
partially blocked from view		-1			
exposed / not blocked from view		-2			
STRUCTURAL SCREENING OF SOLID WASTE CONTAINERS		n/a=			
no on-site waste containers or blocked from view by structure design or screening		0	3	-1	-3
partially blocked from view		-1			
exposed / not blocked from view		-2			
STRUCTURAL SCREENING OF OUTDOOR EQUIP, STORAGE, ETC.		n/a=			
no outdoor storage of equipment, materials, etc., or outdoor work areas		2	3	0	0
blocked from view by structure design		1			
blocked from view using screening		0			
partially blocked from view		-1			
exposed / not blocked from view		-2			
LANDSCAPED BUFFERS -- RESIDENTIAL		n/a=			
approved landscaped buffer between homes and all streets / roads / highways		2	2	-1	-2
approved landscaped buffer from major roads / highways only		1			
minimal landscaped buffer, but compensates with expanse of land		0			
no landscaped buffer between residences and local streets		-1			
no landscaped buffer from any road		-2			
LANDSCAPED BUFFERS - INDUSTRIAL		n/a=	x		
approved landscaped buffer from public roads		0	3		
minimal landscaped buffer, but compensates with expanse of land		-1			
no landscaped buffer from public roads		-2			
Local Economic Development					
AGRICULTURAL LANDS		n/a=	x		
no conversion of Class I-IV agricultural land to other use(s)		0	1		
development requires reclassification of Class I-IV agricultural land to other use(s)		-2			
RIGHT TO FARM		n/a=			
does not limit existing agricultural uses / does not cause nuisance, predation		0	3	0	0
does not limit existing agricultural uses, but may result in minor nuisance		-1			
potential impact(s) on existing agricultural land		-2			
RIGHT TO OPERATE		n/a=			
no viable impact on existing industrial uses by residential development		0	2	0	0
potential impact but can be mitigated		-1			
potential impact on existing industrial uses with no mitigation		-2			

Brass Lantern Resort Community		Permit#:	10-06		
Division III Relative Policy Scoring Sheet: Eastern Taney County		Performance Value	Importance Factor	Score	Section Score
DIVERSIFICATION		n/a=	x		
creates >=5 full-time, year-round jobs outside of recreation / resort sector		2	4		
creates full-time, year-round and seasonal jobs		1			
creates seasonal jobs only		0			
Site Planning, Design, Occupancy					
RESIDENTIAL PRIVACY		n/a=			
privacy provided by structural design, or not applicable		2	2	-2	-4
privacy provided by structural screening		1			
privacy provided by landscaped buffers		0			
privacy provided by open space		-1			
no acceptable or effective privacy buffering		-2			
MIXED-USE DEVELOPMENTS		n/a=			
uses / functions are compatible or not applicable		2	3	-1	-3
uses / functions are integrated and separated based on compatibility		1			
uses / functions differ minimally and are not readily apparent		0			
uses / functions poorly integrated or separated		-1			
uses / functions mixed without regard to compatibility factors		-2			
Commercial Development					
DEVELOPMENT PATTERN / BUFFERING		n/a=			
approved and effectively designed landscaped buffers between structures and all roads		2	4	-2	-8
minimal landscaped buffering, but compensates with expanse of land		1			
minimal landscaped buffering		0			
no landscaped buffering, but utilizes expanse of land		-1			
no or inadequate buffering or separation by land		-2			
Services - Capacity and Access					
UTILITIES		n/a=			
adequate utilities capacity as evidenced by letter from each utility		0	4	-2	-8
adequate utilities capacity without formal letter from each utility or not from all utilities		-1			
inadequate information to determine adequacy of utilities		-2			
TRAFFIC		n/a=			
no impact or insignificant impact on current traffic flows		0	2	-2	-4
traffic flow increases expected but manageable using existing roads and road accesses		-1			
traffic flow increases exceed current road capacities		-2			
EMERGENCY SERVICES		n/a=			
structure size and/or access can be serviced by emergency equipment		0	3	-2	-6
structure size and/or access may impede but not hinder serviceability		-1			
structure size and/or access could be problematic or non-serviceable		-2			

Brass Lantern Resort Community		Permit#:	10-06		
Division III Relative Policy Scoring Sheet: Eastern Taney County		Performance Value	Importance Factor	Score	Section Score
RIGHT-OF-WAY OF EXISTING ROADS		n/a=			
greater than 50 ft. right-of-way	1	5	-2	-10	
50 ft. right-of-way	0				
40 ft. right-of-way	-1				
less than 40 ft. right-of-way	-2				
Internal Improvements					
WATER SYSTEMS		n/a=			
central water system meeting DNR requirements for capacity, storage, design, etc.	2	3	-1	-3	
community well / water system meeting DNR requirements	1				
private wells meeting DNR requirements	0				
private wells not meeting any established standards	-1				
individual / private wells	-2				
EMERGENCY WATER SUPPLY		n/a=			
fire hydrant system throughout development with adequate pressure and flow	0	5	-2	-10	
fire hydrant system with limited coverage	-1				
no fire hydrant system	-2				
PEDESTRIAN CIRCULATION		n/a=			
paved and dedicated walkways (no bicycles) provided throughout development	2	4	-2	-8	
paved walkways provided throughout development / maybe shared with bicycles	1				
designated walkways provided but unpaved	0				
no pedestrian walkways, but green space provided for pedestrian use	-1				
no designated pedestrian walkway areas	-2				
PEDESTRIAN SAFETY		n/a=	x		
separation of pedestrian walkways from roadways by landscape or structural buffer	2	2			
separation of pedestrian walkways from roadways by open land buffer	1				
pedestrian walkways abut roadways with no buffering / protection	0				
BICYCLE CIRCULATION		n/a=			
dedicated / separate bike-ways with signage, bike racks, trails	2	1	0	0	
bicycle lanes shared with pedestrian walkways but separated by markings / signs	1				
no designated bike-ways	0				
UNDERGROUND UTILITIES		n/a=			
all utilities are provided underground up to each building / structure	2	4	-2	-8	
all utilities traverse development underground but may be above ground from easement	1				
utilities above ground but / over designated easements	0				
utilities above ground and not within specific easements	-1				
no specific management of utilities	-2				

Brass Lantern Resort Community		Permit#:		10-06	
Division III Relative Policy Scoring Sheet: Eastern Taney County		Performance Value	Importance Factor	Score	Section Score
Open-Space Density					
USABLE OPEN SPACE		n/a=			
residential developments (>25 units) include more than 25% open recreational space		2	2	-1	-2
residential developments (>25 units) offer >10% but <25% open recreational space		1			
recreational area provided, but highly limited and not provided as open space		0			
no designated recreational space provided, but open space available		-1			
no open recreational space provided		-2			
Solid Waste Disposal					
SOLID WASTE DISPOSAL SERVICE AVAILABILITY		n/a=			
weekly service is available and documentation of availability provided		0	5	-1	-5
weekly service reportedly available but not documented		-1			
centralized, on-site trash collection receptacles available		-2			
SOLID WASTE DISPOSAL SERVICE COMMITMENT		n/a=	x		
restrictive covenants provide for weekly disposal for each occupied structure		0	5		
services available but not a requirement documented in covenants		-1			
not applicable / no pick-up service provided		-2			

Total Weighted Score= -104

Maximum Possible Score= 93

Actual Score as Percent of Maximum= -111.8%

Number of Negative Scores= 19

Negative Scores as % of Total Score= 54.3%

Scoring Performed by:

Jonathan Coxie

Date:

April 2, 2010

Eastern District Relative Policies: Division III Permit

Project: Brass Lantern Resort Community

Permit: 10-06

	Max. Possible	As Scored	%	Total Negative Scores	
Scoring	93	-104	-111.8%	19	76.0%

	Max. Possible	As Scored	Negative Scores	
			Number of	Percent
Importance Factor 5	15	-30	4	100.0%
sewage disposal	10	-5		
right-of-way / roads	5	-10		
emergency water supply	0	-10		
waste disposal service	0	-5		
waste disposal commitment				
Importance Factor 4	40	-44	6	75.0%
stormwater drainage	8	-8		
air quality	0	0		
off-site nuisances	8	0		
use compatibility	0	-4		
diversification				
development buffering	8	-8		
utilities	0	-8		
pedestrian circulation	8	-8		
underground utilities	8	-8		
Importance Factor 3	24	-18	5	71.4%
preservation of critical areas	6	-3		
screening of rooftop equip				
screening / waste containers	0	-3		
screening of outdoor equip	6	0		
industrial landscape buffers				
right to farm	0	0		
mixed-use developments	6	-3		
emergency services	0	-6		
water systems	6	-3		
Importance Factor 2	12	-12	4	80.0%
residential landscape buffers	4	-2		
right to operate	0	0		
residential privacy	4	-4		
traffic	0	-4		
pedestrian safety				
usable open space	4	-2		
Importance Factor 1				
agricultural lands				
bicycle circulation	2	0		

Scoring by: Jonathan Coxie

Date: April 2, 2010

Project: Brass Lantern Resort Community

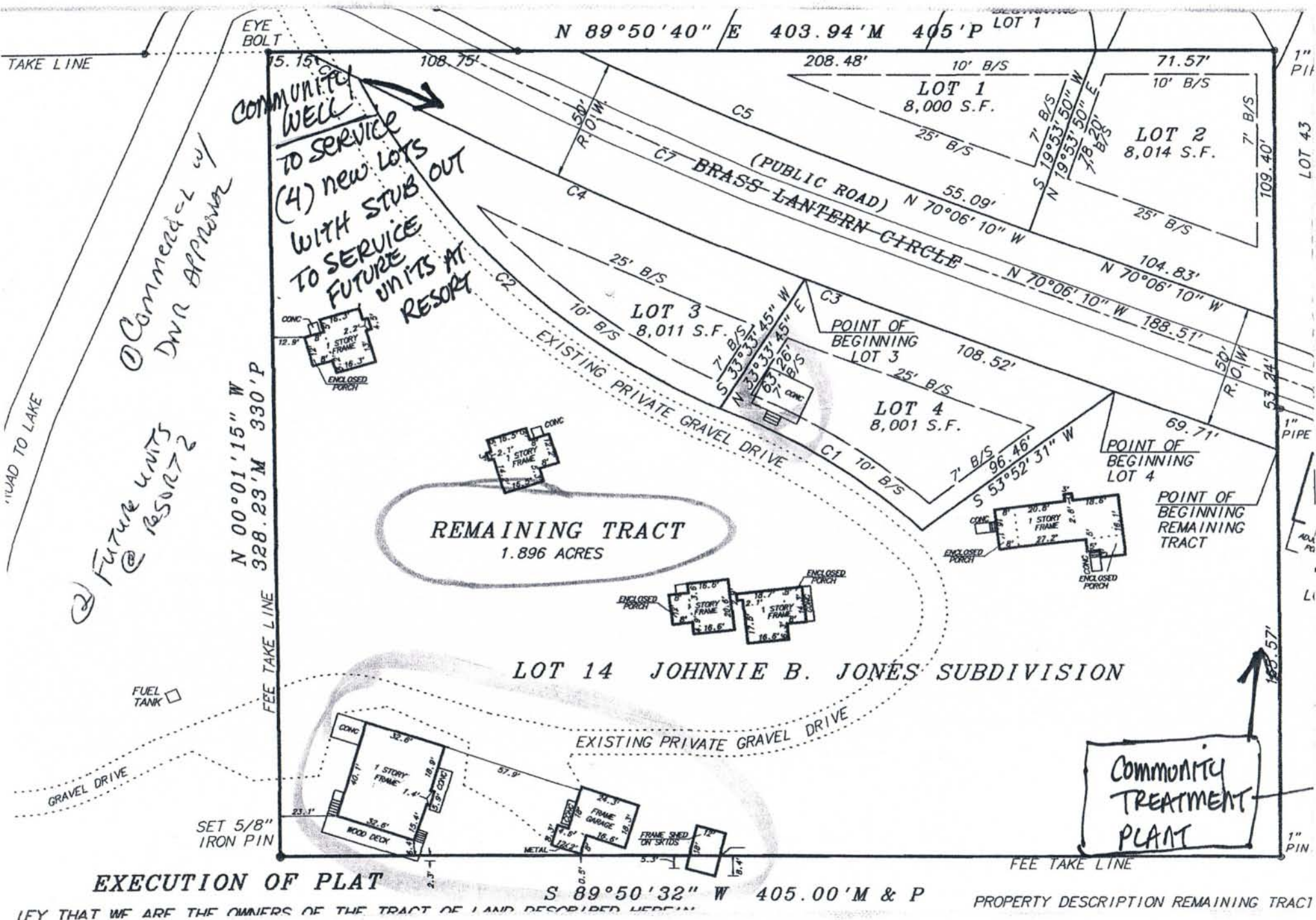
Permit#: 10-06

Policies Receiving a Negative Score	
Importance Factor 5:	sewage disposal right-of-way / roads emergency water supply waste disposal service
Importance Factor 4:	stormwater drainage use compatibility development buffering utilities pedestrian circulation underground utilities
Importance Factor 3:	preservation of critical areas screening / waste containers mixed-use developments emergency services water systems
Importance Factor 2:	residential landscape buffers residential privacy traffic usable open space
Importance Factor 1:	none

Scoring by: *Jonathan Coxie*

Date: *April 2, 2010*

Brass Lantern Resort Community		Permit#:		10-06	
Division III Relative Policy Scoring Sheet: Eastern Taney County		Performance Value	Importance Factor	Score	Section Score
Water Quality					
SEWAGE DISPOSAL		n/a=			
centralized system		2	5	-1	-5
on-site treatment system(s) with adequate safeguards to mitigate pollution		1			
septic system of adequate design and capacity		0			
proposed system may not provide adequate capacity		-1			
proposed solution may cause surface and/or ground water pollution		-2			
Environmental Policies					
STORM DRAINAGE		n/a=			
on-site stormwater retention and absorption with engineered plans		2	4	-2	-8
on-site stormwater retention and absorption without engineered plans		1			
stormwater retention with managed and acceptable run-off		0			
no stormwater retention, but adverse impacts from run-off have been mitigated		-1			
no acceptable management and control of stormwater run-off		-2			
AIR QUALITY		n/a=			
cannot cause impact		0	4	0	0
could impact but appropriate abatement installed		-1			
could impact, no abatement or unknown impact		-2			
Critical Areas					
PRESERVATION OF CRITICAL AREAS		n/a=			
no adverse impact to any designated critical area		2	3	-1	-3
one of the designated critical areas impacted but can be fully mitigated		1			
more than one of the designated critical areas impacted but can be fully mitigated		0			
one or more of the designated critical areas impacted and mitigation not fully effective		-1			
one or more of the designated critical areas impacted with no ability to mitigate problem		-2			
Land Use Compatibility					
OFF-SITE NUISANCES		n/a=			
no issues		2	4	0	0
minimal issues, but can be fully mitigated		1			
issues that can be buffered and mitigated to a reasonable level		0			
buffered and minimally mitigated		-1			
cannot be mitigated		-2			
USE COMPATIBILITY		n/a=			
no conflicts / isolated property		0	4	-1	-4
transparent change / change not readily noticeable		-1			
impact readily apparent / out of place		-2			







TANEY COUNTY PLANNING COMMISSION

P. O. Box 383 • Forsyth, Missouri 65653
Phone: 417 546-7225 / 7226 • Fax: 417 546-6861
e-mail: rchrish@co.taney.mo.us

MINUTES TANEY COUNTY BOARD OF ADJUSTMENT WEDNESDAY, JANUARY 20, 2010, 7:00 P.M. COUNTY COMMISSION HEARING ROOM TANEY COUNTY COURTHOUSE

Call to Order:

Chairman Dave Clemenson called the meeting to order at 7:00 p.m. A quorum was established with five members present they were: Dave Clemenson, Jack Johnston, Tom Gideon, Dave Nelson, and Bob Hanzelon. Staff: Eddie Coxie, Bonita Kissee, and Dan Nosalek.

Mr. Coxie read a statement explaining the meeting procedures and placed the Taney County Development Guidance Code as Exhibit A, the Staff Report as Exhibit B, and the staff files including all pertinent information as Exhibit C, and the Taney County Board of Adjustment bylaws as Exhibit D. The State Statutes that empower and govern the Board of Adjustment were read. Mr. Clemenson swore in the speakers before each respective hearing.

Election of 2010 Officers: Bob Hanzelon made a motion to nominate Dave Clemenson as Chairman for another year. Seconded by Tom Gideon. The vote to nominate Mr. Clemenson as Chairman was unanimous. Dave Clemenson made a motion to nominate Bob Hanzelon as Vice-Chairman. Seconded by Jack Johnston. Mr. Hanzelon was elected by acclamation.

Public Hearings:

Douglas R. Andrieu: A request for a variance from Table 1 in the Taney County Development Guidance Code for an existing storage shed place too close to the back and side property line located at 121 Park Place, Big Bear Estates. Mr. Coxie read the staff report and presented pictures and a video of the site. Mr. Andrieu explained his request and stated that the shed was built by the original developer and was in place when he bought the property a few years ago. He presented pictures depicting the rear of the house and why he would have a problem moving the structure. He reported that there was an agreement with the developer that he would leave the front lot vacant. Mr. Morrissey the neighbor behind this property who was not in favor of the request reported that he had to move his shed and felt Mr. Andrieu should have to move his. No survey was produced by either property owner. Mr. Clemenson stated that the

Board cannot grant a variance for an encroachment. The situation should be resolved before a decision could be made. Mr. Andrieu should produce a survey and come back with a specific request. Mr. Nelson explained that it might be more cost effective to just move the shed. Mr. Coxie cautioned the Board that granting this variance might be a privilege rather than a hardship. Discussion followed regarding the two property owners history. Tom Gideon made a motion to deny. Dave Nelson seconded. The vote to deny was unanimous. The applicant may have a survey of the property done and request a rehearing later if the survey shows that the building doesn't encroach.

Charles Wayne Shetterly: A request for a variance from Table 1 in the Taney County Development Guidance Code for Lot 110 and 126 Skyline Subdivision to move the center property line over. Mr. Coxie read the staff report and presented pictures and a video of the site. This request was handled administratively.

Vickie Lind: A request for a variance from Table 1, Sec. 7.1, 7.1.1, 9.1 in the Taney County Development Guidance Code for Lot 4, 5, 6 Block 30 of Long Beach Subdivision for the encroachment of two houses on the center property line. Mr. Coxie read the staff report and presented pictures and a video of the property. The property line can be jogged over to allow both lots to have enough square feet to comply with the Code, however the house on lot 5 will encroach into the setback in front. Eddie Wolfe surveyor of the property presented a survey. He stated that the lot line goes through both porches. The houses were built in 1920. The new lot line would meet the setback requirements of the County according to Mr. Wolfe, who reported the front porch is 7.75 from the lot line. A variance of 20' from the front of Lot 5 and a 2' variance from the side center lot line. would be needed to allow the structure to comply. He stated that both parties are agreeable and this would be a good time to bring the properties into compliance. After discussion Dave Nelson made a motion to grant the variance of 20' in the front and 2' on the sides. Seconded by Bob Hanzelon. The vote to approve was unanimous.

Review and Action:

Minutes, November 2009: with no additions or corrections a motion was made by Dave Nelson to approve the minutes as written. Seconded by Tom Gideon. The vote to approve was unanimous.

Old and New Business:

Topics for February: Mr. Coxie reported that a document should be presented for the Boards perusal amending the Code. He suggested that if the Board had any topics for discussion to bring them to the meetings. Discussion followed.

Adjournment:

With no other business on the agenda for January 20, 2010 a motion was made by Dave Nelson to adjourn. Seconded by Tom Gideon. The vote to adjourn was unanimous. The meeting adjourned at 8:15 p.m.