



## TANEY COUNTY PLANNING COMMISSION

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

### **AGENDA TANEY COUNTY BOARD OF ADJUSTMENT WEDNESDAY, JANUARY 19, 2011, 7:00 P.M. COUNTY COMMISSION HEARING ROOM TANEY COUNTY COURTHOUSE**

#### Call to Order:

*Establishment of Quorum  
Election of 2011 Officers  
Explanation of Public Hearing Procedures  
Presentation of Exhibits  
Governing Statutes*

#### Public Hearings:

*Randall Cerretti  
W. Glen Roe*

#### Review and Action:

*Minutes, December 2010*

#### Old and New Business:

#### Adjournment.



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### **TANEY COUNTY BOARD OF ADJUSTMENT**

#### **STAFF REPORT**

**RANDALL CERRETTI**

**JANUARY 19, 2011**

**#10-8**

Public Hearing for Randall and Cathy Cerretti for a variance request in the Branson Township, Sec. 8 Twp. 23 Rng. 21.

The applicants are requesting a variance from Section 5.3.1 and 2 of the Taney County Development Guidance Code as it applies to lot sizes.

History: Mr. Cerretti appeared before the Planning Commission October 18, 2010 as a concept with a request to change the property from residential to commercial. At that time the Planning Commission stated that before they could act on the request a variance would need to be obtained from the Board of Adjustment.

General Description: The subject property is located at 259 Lafayette Lane in the Cedar Ridge Subdivision and contains 3.74 acres. There are two shop buildings and two duplexes existing on the property.

Review: The applicants wish to split the property in two so that the shop buildings are on one parcel and the duplexes are on the other one. If this is done the shop buildings will be on less than two acres.

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

1. Minimum lot size reduced below 2 acres for all structures on the property.
2. Compliance with the rules and regulations of the Taney County Regional Sewer District.
3. All other provisions of the Taney County Development Guidance Code met.
4. The decision of record shall be filed with the Taney County Recorder's Office within 120 days or the approval shall expire (Appendix D Step 6).

**TANEY COUNTY BOARD OF ADJUSTMENT**

**APPLICATION and AFFIDAVIT**

**FOR VARIANCE OR APPEAL**

(Circle one)

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

**PLEASE PRINT**

**DATE** 12-6-10

Applicant RANDALL & CATHY CERRETTI Phone 779-2077

Address, City, State, Zip 583 Edgewater Circle, Ridgedale Mo 65739

Representative RANDALL CERRETTI Phone 294-5595

Owner of Record RANDALL T + CATHERINES CERRETTI Signature: Randall J. Ceretti

Name of Project: Shop @ Lafayette LANE

Section of Code Protested: (office entry) 5.3.1-2

Address and Location of site: 259 LAFAYETTE Lane BRANSON

Subdivision (if applicable) Cedar Ridge Subdivision

Section 08 Township 23 Range 21 Number of Acres or Sq. Ft. 3.74

Parcel Number 08 - 3.0 - 08 - 000 - 000 - 013,000

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

Required Submittals:

- ☐ Typewritten legal description of property involved in the request
- ☐ Postage for notifying property owners within 600 feet of the project
- ☐ 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:**

To be compliant with the new rules.  
The shop will be setting on less than 2 acres.  
Now the duplexes share the same lateral  
field. I want to divide the property &  
put in another lateral field for the upper  
duplex so they will be separate. The shop  
is already on its own septic system.

### VERIFICATION

In signing this application, I fully understand, and will comply with, the responsibilities given me by the Taney County Development Guidance Code. I certify that all submittals are true and correct to the best of my knowledge and belief, and that my request may or may not be approved by the Taney County Planning Commission's Board Of Adjustment.

Randall J. Cerretti  
Signature of Applicant

12-04-10  
Date of Application

STATE OF MISSOURI )

S.S. On this 6th day of Dec., 2010

COUNTY OF TANEY )

Before me Personally appeared Randall Cerretti, to me known to be the person described in and who executed the foregoing instrument.

In testimony Whereof, I have hereunto set my hand and affixed my official seal, at my office in Forsyth, Mo. The day and year first above written. My term of office as Notary Public will expire 2/6/2014.

Bonita Kisse  
Bonita Kisse, Notary Public



BONITA KISSEE  
My Commission Expires  
February 6, 2014  
Taney County  
Commission #10440057



## TANEY COUNTY REGIONAL SEWER DISTRICT

P. O. Box 206 • Forsyth, Missouri 65653

Phone: 417/546-7220

January 5, 2011

Randall Cerretti  
583 Edgewater Circle  
Ridgedale, MO. 65739

RE: Property Located At 259 Lafayette Lane

Dear Mr. Cerretti,

This letter is to confirm that you have met with officials of the Taney County Regional Sewer District to discuss your proposed project located at 259 Lafayette Lane which is now before the Planning and Zoning Department.

During the discussion you shared that you were seeking to subdivide this property in a manner that would allow each existing structure to be located on its own parcel of land. The existing structures now include two duplex structures and two shop buildings. You explained that if approval is granted by the Planning Department each duplex structure would be located its own specific parcel and the two shop buildings would be located on an additional parcel bringing the total number of parcels to be created to three.

Due to the fact that the lateral field area that serves all existing structures is located in an area north of the shop buildings there was a concern regarding the long term functionality of the lateral disposal field. Due to this concern you agreed to provide sufficient space for a new lateral field to be installed which would serve the duplex structure located in the southwest corner of the property. This would reduce the hydraulic pressure placed on the existing lateral field and also eliminate the need of multiple property owners to share one lateral system.

In looking at the area to be included with the duplex located in the southwest corner of the property there seems to be sufficient land area for a lateral installation. The actual size of the lateral field must be determined by a soil evaluation test. Also, if the soil evaluation test should result in an unsuitable rating, changes may have to be made to the entire onsite system in order to obtain a higher degree of treatment as required by the Missouri Department of Health and Senior Services.

Yours truly,

A handwritten signature in cursive script that reads "John Souttee".

John Souttee, Administrator, TCRSD





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### **TANEY COUNTY BOARD OF ADJUSTMENT**

#### **STAFF REPORT**

**W. GLEN ROE**

**JANUARY 19, 2011**

**#10-9**

Public Hearing for W. Glen Roe for a variance in the Swan Township, Sec. 5 Twp. 23 Rng. 20.

The applicant is requesting a variance from Table 1 of the Taney County Development Guidance Code as it applies to setbacks.

History: A concrete slab and retaining wall was poured in the front of the house to extend the driveway before the applicants decided to construct a garage on that area.

General Description: The subject property is located at 1370 St. Hwy. Y in the Hi-View Homesites Subdivision Lot 14. The property is 7200 sq. ft. in size and contains a single family dwelling with a one car garage.

Review: The applicant wants to construct the garage in the front of the property causing a 0 lot line because of the topography of the land.

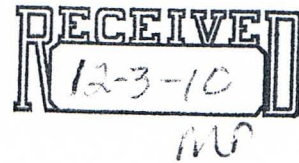
Summary: If the Taney County Board of Adjustment approves this request, the following requirements shall apply, unless revised by the Board:

1. Zero lot line on side of lot and front of property.
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 (Appendix D Step 6).









**TANEY COUNTY BOARD OF ADJUSTMENT**  
**APPLICATION and AFFIDAVIT**  
**FOR VARIANCE OR APPEAL**

(Circle one)

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

PLEASE PRINT

DATE 12/03/10

Applicant W. Glen Roe, Trustee Phone 417-546-5500

Address, City, State, Zip 1370 STATE HIGHWAY Y, FANSYTA, MO 65653

Representative \_\_\_\_\_ Phone \_\_\_\_\_

Owner of Record W. GLEN ROE AND GEORGE M. ROE Signature: [Signature]

Name of Project: TRUSTEES OF ROE LIVING TRUST

Section of Code Protested: (office entry) \_\_\_\_\_

Address and Location of site: 1370 STATE HIGHWAY Y

LOT 14, OF HI-VUE HOMESITES OF LOTS 3, 4 AND 5

Subdivision (if applicable) \_\_\_\_\_

Section 5 Township 23 Range 20 Number of Acres or Sq. Ft. 7200 Sq Ft

Parcel Number 09-3.0-05-000-000-051.000

Does the property lie in the 100-year floodplain? (Circle one) \_\_\_\_\_ Yes X No.

Required Submittals:

- ☐ Typewritten legal description of property involved in the request
- ☐ Postage for notifying property owners within 600 feet of the project
- ☐ 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:

CONSTRUCTION OF GARAGE

REQUESTING 0' SETBACK ON SIDE OF LOT AND  
FRONT OF LOT

SUBDIVISION RESTRICTIVE COVENANTS DO NOT  
PROHIBIT - SEE ATTACHED

SEVERAL NEIGHBORS HAVE GARAGES WITHOUT  
SETBACKS

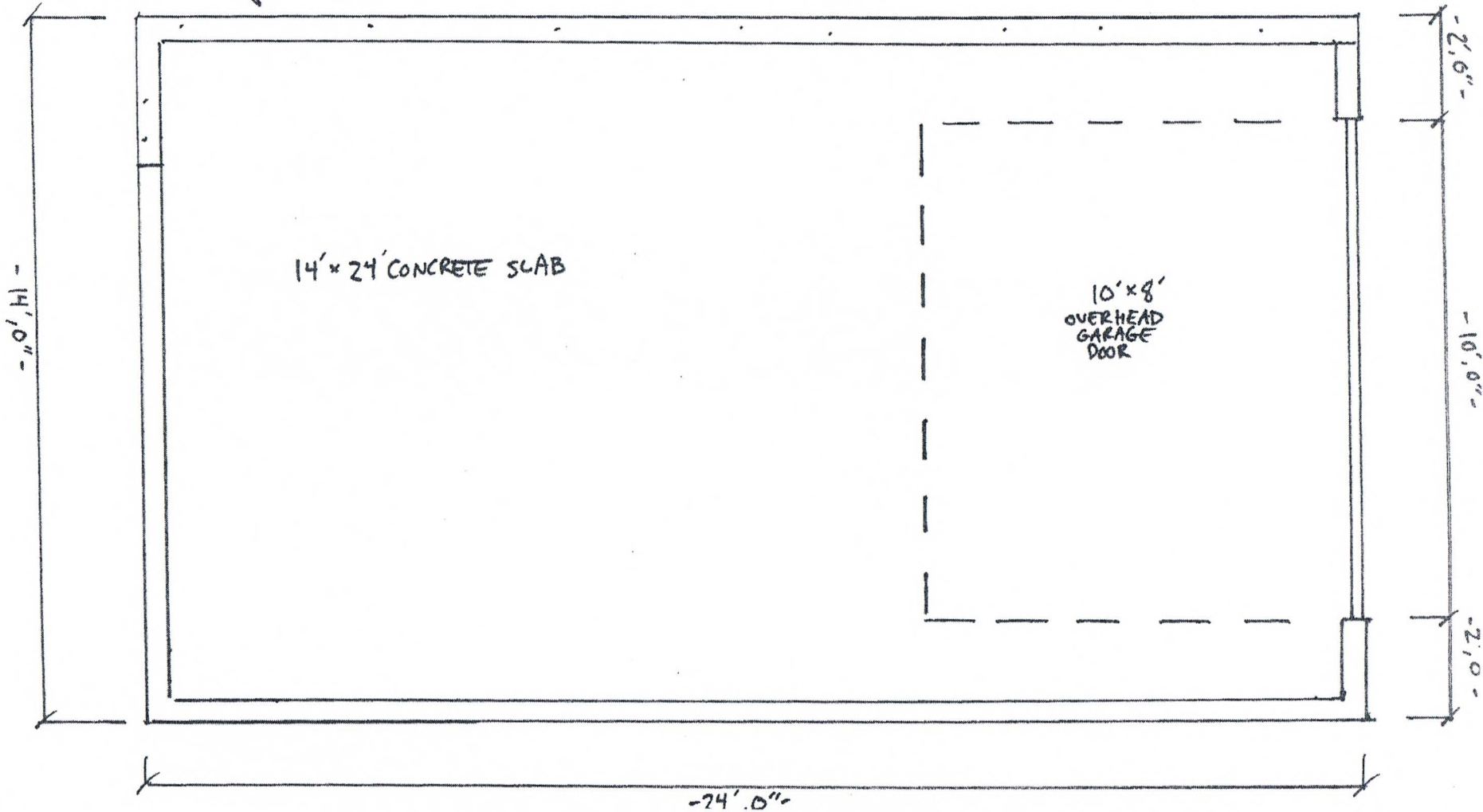
LOT 13, NEXT TO US. WE WERE INFORMED  
BY PLANNING AND ZONING IS NOT BUILDABLE

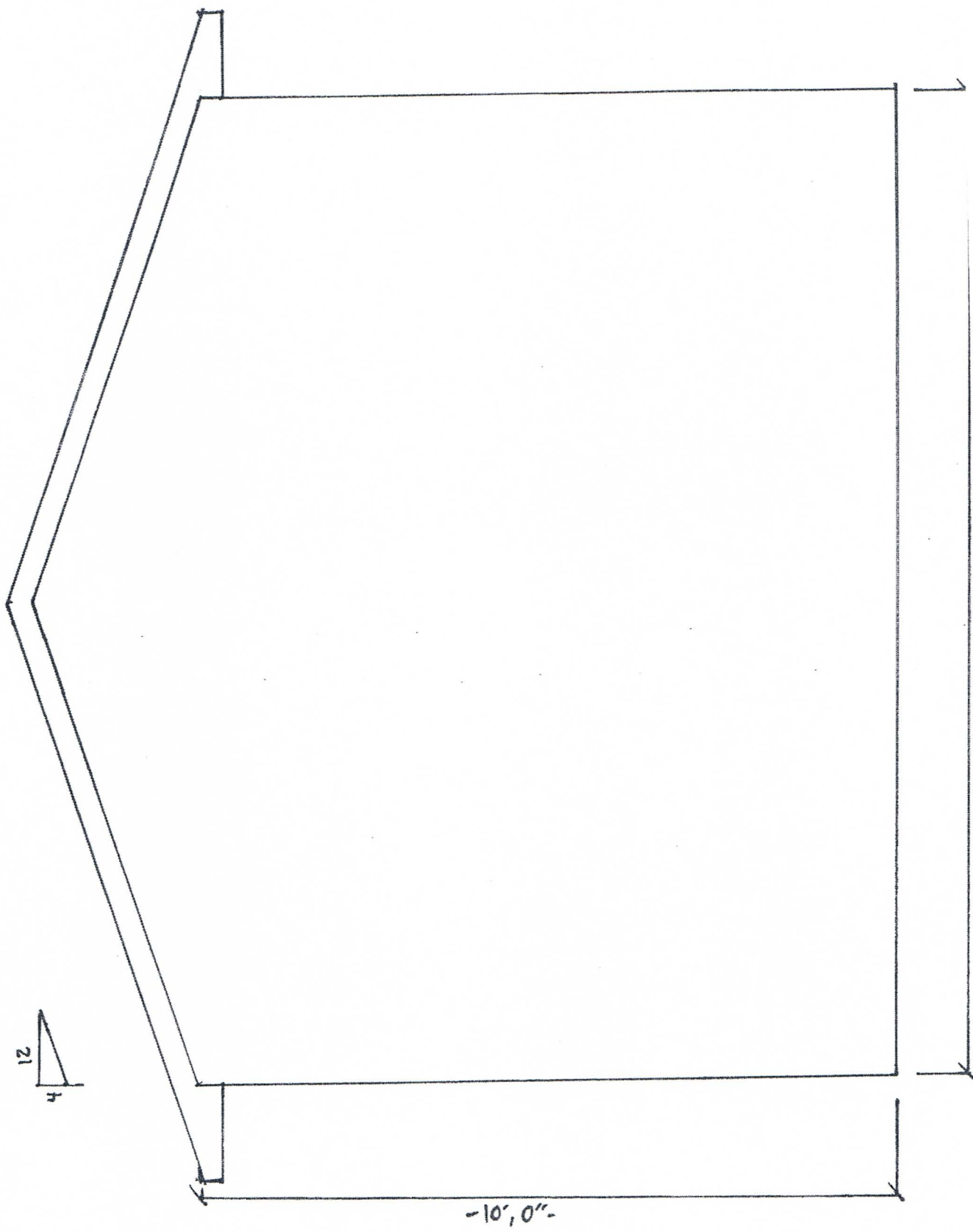


BUILDING DIMENSIONS - 14' x 24'  
ROOF FRAMING - 2"x6" PRE-ENGINEERED TRUSS @ 4'  
WALLS - STUDS @ 24" o.c.  
TOP DOUBLE PLATED  
BOTTOM TREATED PLATE  
10' STUDS - PURLINS 2' o.c.  
ANCHOR BOLTS @ 6' o.c.



3' CONCRETE WALL  
7' STUDS @ 24" o.c.





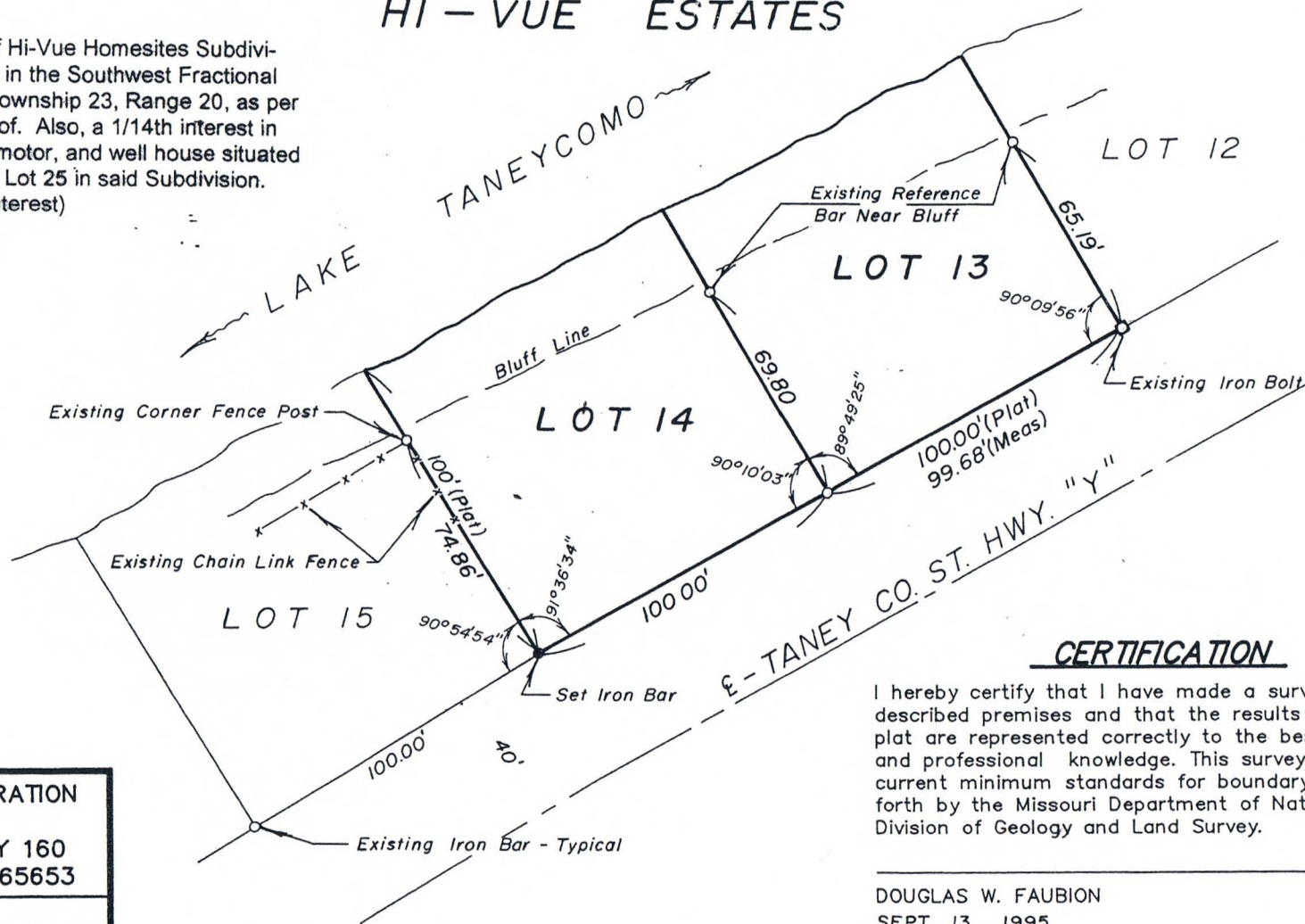


# LOT SURVEY

## HI - VUE ESTATES

### DESCRIPTION

All of Lots 13 and 14 of Hi-Vue Homesites Subdivision of Lots 3, 4, and 5 in the Southwest Fractional Quarter of Section 5, Township 23, Range 20, as per the recorded plat thereof. Also, a 1/14th interest in the drilled well, pump, motor, and well house situated on the South 30 feet of Lot 25 in said Subdivision. (Each Lot has 1/14th interest)



### PREPARED FOR:

BOATMEN'S BANK  
P.O. Box 216  
Forsyth, Mo 65653  
Borrower: Vines

**E.T. ARCHER CORPORATION**  
P.O. BOX 969  
15405 U.S. HIGHWAY 160  
FORSYTH, MISSOURI 65653

FB P.  
JOB NO. 95-0708-01.13

### CERTIFICATION

I hereby certify that I have made a survey of the above described premises and that the results shown on this plat are represented correctly to the best of my belief and professional knowledge. This survey meets the current minimum standards for boundary surveys as set forth by the Missouri Department of Natural Resources, Division of Geology and Land Survey.

DOUGLAS W. FAUBION  
SEPT. 13, 1995

RLS 1890





# BOA W Glen Roe



**DISCLAIMER**

Taney County makes every effort to produce and publish the most current and accurate information possible. This data is provided "as is" without warranty or any representation of accuracy, timeliness or completeness. The burden for determining accuracy, completeness, timeliness, merchantability and fitness for or the appropriateness for use rests solely on the requester. The County makes no warranties, express or implied, as to the use of the Data. There are no implied warranties of merchantability or fitness for a particular purpose. The requester acknowledges and accepts the limitations of the Data, including the fact that the Data is dynamic and is in a constant state of maintenance, correction and update.  
MP 9/5/2006





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### **MINUTES TANEY COUNTY BOARD OF ADJUSTMENT WEDNESDAY, DECEMBER 15, 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 four members present they were: Dave Clemenson, Bob Hanzelon, Dave Nelson, and Tom Gideon. Staff present: Eddie Coxie, Bonita Kisse, 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 Board of Adjustment Bylaws as Exhibit D. The state statutes that empower and govern the Board of Adjustment were read.

#### Public Hearing:

Bob Schanz: a request for reconsideration of the Board's decision of November 17, 2010 to deny his request for an appeal of the Taney County Planning Commission decision of July 19, 2010 to approve a marriage counseling resort located at 210 Ella Lane. No one signed up to speak. Mr. Schanz was not present, so no action was taken.

#### Old and New Business:

Mr. Coxie updated the Board on the new amendments to the Code and asked for any input they might have.

#### Review and Action:

Minutes, November 2010: with no additions or changes a motion was made by Dave Nelson to approve the minutes as written. Seconded by Bob Hanzelon. The vote to approve the minutes was unanimous.

#### Adjournment:

With no other business on the agenda for December 15, 2010 the meeting adjourned at 7:15 p.m.