

TANEY COUNTY BOARD OF ADJUSTMENT

STAFF REPORT

QUALITY STRUCTURES

CASE #04-14

Public Hearing for Quality Structures, located off Winfield Road, in the Oliver Township, Sec. 24 Twp. 22 Rng. 22.

The applicant's, Gary Shaver (owner) and Wolfe Surveying, (representative), request an appeal of the denial by the Planning Commission to develop Phase 1 as 16 commercial/office warehouse buildings and Phase 2 as future commercial use. (Chapter 3, Sec. VII, Numbers 2 and 3 of the Taney County Development Guidance Code).

History: Denied by the Planning Commission on June 21, 2004, based on the incompatibility of the use to the surrounding area (exhibit A).

General Description: The subject property contains 38 acres and is located off the southeast intersection of St. Hwy. 165 and Winfield Road. The adjacent properties to the development consist of residential to the north and west and agriculture to the east and south.

Review: No new evidence has been submitted to the Planning Department for the appeal request. The proposed site will consist of 2 phases. Phase 1 will be 30.25 acres and will contain 16 office/warehouse buildings of 8,000 sq. ft. in area. The warehouse buildings will be used by retail vendors for shipping and receiving of trucking freight. Phase 2 will be 7.75 acres and is being proposed for future commercial use. Access will be off St. Hwy. 165 (28' wide paved surface). The inner streets shall consist of a 26' wide paved surface with parking and loading area. The property is to be serviced by public central sewer and private well. (Exhibit B)

Summary: If the Taney County Board of Adjustment approves this appeal, the following shall apply, unless revised by the Taney County Planning Commission:

1. Compliance with the Taney County Development Guidance Code (Divisions II and III), that include plans for the following:
 - a. Sediment and erosion control
 - b. Stormwater management
 - c. Land grading permit

- d. Delineation of the 100 year floodplain
 - e. Utility easements and building line setbacks
 - f. Improvements with scale of buildings, streets, on-site parking and utilities, including 60' right of way for Winfield Road
 - g. Foliage screening or fencing for commercial lots that adjoin residential tracts
2. Compliance letters from the Fire, Sewer and Water Districts and MoDot.
 3. No outside storage of equipment or solid waste materials.
 4. Phase 2 (7.75 acres) shall require future review and approval by the Planning Commission.
 5. Covenants and restrictions, which provide for the continued maintenance of the streets and stormwater drainage.
 6. The Decision of Record shall be filed with the Taney County Recorder's Office within 120 days or the approval shall expire.

TANEY COUNTY BOARD OF ADJUSTMENT

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BRANSON DENTAL

CASE #04-15

Public Hearing for Branson Dental Center, located at 515 Bee Creek Road in the Branson Township, Sec. 21 Twp. 23 Rng. 21.

The applicant's Dr. Richard Tallon (owner) and Wolfe Survey (representative), request 2 variances for the following:

1. Required number of parking spaces reduced from 52 to 40 (Appendix F, Sec.IV)
2. Maximum grade of slope for driveway and parking area increased from 10% to 30% (Table 6 of the Taney County Development Guidance Code).

History: Approved by the Planning Commission on June 16, 2003 (Exhibit A & B)

General Description: The subject property contains 1.32 acres and is located off the northeast intersection of St. Hwy. 65 and Bee Creek Road. The adjoining properties to the development consist of agriculture to the north and south, residential to the east and commercial and St. Hwy. 65 to the west.

Review: The first variance request will consist of a 20% increase in grade slope requirements (10% maximum) for the two driveway entrances and the southeast corner of the upper parking lot. The second variance is for a decrease of 12 spaces for parking area requirements (52 minimum) of the Taney County Development Guidance Code (Exhibit C).

Summary: If the Taney County Board of Adjustment approves these 2 variances, the following requirements shall apply, unless revised by the Board of Adjustment:

1. First variance is for the maximum grade slope of 30% (Appendix F, Sec. IV of the Taney County Development Guidance Code).
2. Second variance is for the minimum number of parking spaces of 40 (Table 6 or the Taney County Development Guidance Code).
3. Compliance letter from the Fire District.
4. The Decision of Record shall be filed with the Taney County Recorder's Office within 120 days.

TANEY COUNTY BOARD OF ADJUSTMENT

STAFF REPORT

DIVERSIFIED PROPERTY, INV.

CASE #04-13

Public Hearing for Diversified Property, Inv., located at 211 Shadow View Dr., in the Branson Township, Sec. 14 Twp. 23 Rng. 22.

The applicant, Diversified Property, Inv. (owner) and Angie Canter (representative) request a variance for the reduction of the left side setback line from 7' to 3' for the existing residence.

History: Division I Permit #04-119 was issued on Marcy 10, 2004 (exhibit A). The parcel is all of Lots 268 and 285 of Horizon Hills Subdivision, Neighborhood One, Phase 8A.

General Description: The subject property contains 10,500 sq. ft. (75' x 140') and is located off the intersection of Mills Hollow Road and Shadow View Dr. The adjoining properties to the parcel consist of residential tracts.

Review: The variance request will consist of a 4' encroachment of the overhang of the left side setback requirements (7') of the Taney County Development Guidance Code.

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

1. Variance is for the left side setback difference of 4' (Appendix H, Table 12, Setbacks, Taney County Development Guidance Code).
2. Compliance letter from the Fire District, including overhang setbacks complying with the National Fire Protection Association standards.
3. The Decision of Record shall be filed with the Taney County Recorder's Office within 120 days or the approval shall expire.