



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 PLANNING COMMISSION** **REGULAR MEETING** **MONDAY, SEPTEMBER 19, 2016, 6:00 P.M.** **COUNTY COMMISSION HEARING ROOM** **TANEY COUNTY COURTHOUSE**

Call to Order:

Establishment of Quorum
Explanation of Meeting Procedures
Presentation of Exhibits

Review and Action:

Minutes; August 2016

Final Vote:

Armor, LLC

Concept:

East 76 Motors

Old and New Business:

Tentative

Adjournment.



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MINUTES
TANEY COUNTY PLANNING COMMISSION
PUBLIC HEARING
MONDAY, AUGUST 8, 2016, 6:00 P.M.
COUNTY COMMISSION HEARING ROOM
TANEY COUNTY COURTHOUSE

Call to Order:

Chairman Steve Adams called the meeting to order at 6:00 p.m. A quorum was established with seven members present. They were: Steve Adams, Dave Stewart, Randy Haes, Doug Faubion, Howard Kitchen and Randy Fogle. Staff present; Bob Atchley and Bonita Kisse-Souttee.

Hyden Nightly Rental 535 Lakewood Dr.; a request by Terry Hyden to operate a nightly rental business from an existing structure. Mr. Atchley read the staff report and presented pictures, maps and a video of the site. Russ Schenewenk representing Mr. and Mrs. Heider who own property in the neighborhood addressed the Commission regarding their opposition of the request. He stated that the nightly rentals were started before permits were obtained and after the stop work orders were posted, they continued to operate. These businesses are advertised on the internet. He stated that boat slips are advertised as coming with the rentals but most of them do not belong to Mr. Hyden. Permission has not been given to utilize the slips and permission must come from the Corps, allowing someone other than the owners to use it. Mr. Schenewenk pointed out that the buffering is not adequate, and that none of the requirements in his opinion can be met by the applicant. In his opinion, if a stop work order had not been posted he would never have sought approval. He reported that renters have left behind trash that the surrounding property owners have had to clean up. Mr. Heider presented a Power Point presentation showing reasons in his opinion the request should not be granted. Some of the points of contention included, road width, noise, parking, trash, access to the businesses, property values, compatibility, compliance with the Corps, personal safety of the neighbors, type of people being rented to, drugs and prostitution. Tom and Linda Bokel who live in the neighborhood expressed how this nightly rental affected them including the previously mentioned items, and also presented a Power Point presentation. Polly LeRock who lives in the neighborhood spoke in opposition to the request and stated that she was Mr. Hyden's realtor in the past. Sherry Sims and her husband spoke in opposition to the request and stated the reason they bought in this neighborhood was that they didn't want the traffic of commercial businesses. She was concerned for her safety when she is alone at night. James Unger and his son,

brother, sister and daughter all live on Graham Clark Dr. and are not in favor of the request because in his opinion it will destroy the neighborhood. Jean Bowen and her mother who is elderly, live in the neighborhood and are not in favor of the request and fear for their personal safety at night. Sherron Wingert who lives in the neighborhood reported that nightly rentals are not allowed according to their covenants. There has been a lot of damage in the neighborhood by the nightly renters according to Mrs. Wingert. She asked the Planning Commission to consider if this was next door to them would they want it. Donna Lakey another neighbor spoke in opposition to the request and stated that cars and boats and other equipment are left out and in the way, and that since Mr. Hyden moved out he doesn't pay his water bill for the shared well. Mr. Adams asked Mr. Hyden about the well issue, who stated that he would pay her what he owes her and that he would drill his own well. Mr. Hyden addressed the issues brought forward, and stated that he picked up the trash after his renters, and he does own three boat slips. He pointed out that his properties are clean and mowed, trash picked up once a week, and he understands the concerns. He reported that he has talked to the Corps about the boat slips. The deputy present stated that pictures should not be taken of license plates. Mr. Hyden stated that people have called his insurance agent, and asked questions to the people who have rented his properties and he feels they have overstepped. After everyone spoke the public hearing was closed. This project will proceed to final vote next week.

Hyden Nightly Rental 319 Lemonwood Lane: a request by Terry Hyden to operate a nightly rental business from an existing structure. Mr. Atchley read the staff report and presented pictures, maps and a video of the site. Randy Dunn who rents this site occasionally spoke in favor of this use because he used to rent out one of the homes and ended up buying it. However he also wanted to protect the neighborhood. Mr. Schenewenk addressed some of the comments made and pointed out that only one person out of approximately 40 spoke in favor of this use. Cindy Heider who lives in the neighborhood was also opposed. She stated that the weekend of the frat party she was having a birthday party for her young grandson and had to move it because of the offensive party. After everyone spoke the hearing was closed. This project will proceed to final vote next week.

Hyden Nightly Rental 260 Lemonwood; a request by Terry Hyden to operate a nightly rental business from an existing structure. Mr. Atchley read the staff report and presented pictures, maps and a video of the site. The Power Point presentation was revisited again and some of the same points brought forward. Mr. Schenewenk pointed out that there were no sprinklers in this structure as well as the other two, and they are not ADA compliant. Parking was discussed. Polly LeRock pointed out that when there are motorcycles, there can be two people on each. Mr. Hyden stated that most of the concerns were in motion, and that he owns one well and shares the other two and he will enforce the rules of his nightly rentals. Diane Unger asked how Mr. Hyden could enforce the restrictions when no one is on site. Mr. Adams stated that Mr. Hyden should

make sure this is done. After Mr. Adams gave everyone the opportunity to speak the public hearing was closed. This project will also proceed to final vote next week.

Vanderlink T1; a request by Linda Crosby to place a 200' monopole tower and two structures to house radio equipment on property located at 5015 St. Hwy. 248. Mr. Atchley read the staff report and presented pictures, maps and a video of the site. Kent Vanderpool explained where the tower would sit on the site. Greg Hoffman who lives next door to the property operates a business from his home there. He stated he wasn't comfortable with a tower being that close to his property. He asked if the entire acreage was being purchased or just the parcel where the tower will be. He was also concerned with aesthetics, property values, health risks, and height guidelines. Bob Jones who built the road, stated that his son lives at the end of the road, and is not in favor of the tower. Mr. Jones felt it was too close to the property lines. Elta Jones who has lived on the property for a long time stated that the easement is only 16' and is the only road that goes to their son's house. Mr. and Mrs. Jones were both concerned about the pie shaped piece of property, and wondered if they could put the tower somewhere else. Garrett Vanderpool another representative of the project pointed out there is a 50' road easement, and that Mr. Jones parks his truck on it. He stated that it will be a monopole tower which doesn't require as much land. He explained how the tower works and that there is protection from RF. Mr. Haes asked about fall radius. Mr. Jones stated that if it were to fall, it would bend down onto itself. Mr. Fogel asked where the trucks would park during construction. Mr. Jones stated that they would park on Ms. Crosby's property. The easement will be moved further into her property. There will not be any added traffic to this road. Mr. Haes asked that the applicant bring a site map showing both easements to the next meeting. Mr. Jones stated that the reason for choosing this site was because of good land usage. After discussion the public hearing was closed. This project will proceed to the next meeting August 15.

2087 YC Henry (name change to Find your Beach, DADJED, LLC); a request by Dean & Janice Donat to operate a nightly rental from an existing structure located at 2087 Yandell Cove Road. Mr. Atchley read the staff report and presented pictures, maps and a video of the site. Mr. Donat was present to address any questions from the Commission. George Sism who lives next to this site asked if Mr. Donat moved and was no longer close to take care of the place would the permit still be valid, and if he didn't comply with the rules what would happen. The Commission addressed the concerns of Mr. and Mrs. Sism. With no other discussion the public hearing was closed and this project will proceed to final vote next week.

Bear Creek Farms; a request by John Padgett to operate a commercial business on property located at 932 Keithley Road. Mr. Atchley read the staff report and presented pictures, maps and a video of the site. No one signed up to speak. Mr. Padgett was present to address questions from the Commission. Discussion followed regarding Mr. Padgett adding the property connecting his house to this property. Mr. Kitchen asked if he was still concerned about his taxes, and Mr. Padgett stated that he

had spoke with the Assessor and it won't raise them too much. Mr. Padgett asked about #4 of the decision of record. Mr. Atchley agreed to remove proposed condition concerning storage of outdoor equipment. The Commission explained #2 and #3. With no other discussion the public hearing was closed and will proceed to final vote next week.

Old and New Business:

Mr. Haes brought up if the agenda could be rearranged at the meeting if needed. Discussion followed.

Adjournment:

With no other business on the agenda for August 11, 2016 the meeting adjourned at 9:30 p.m.



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AGENDA

**TANEY COUNTY PLANNING COMMISSION
REGULAR MEETING
MONDAY, AUGUST 15, 2016, 6:00 P.M.
COUNTY COMMISSION HEARING ROOM
TANEY COUNTY COURTHOUSE**

Call to Order:

Chairman Steve Adams called the meeting to order at 6:00 p.m. A quorum was established with seven members present. They were Steve Adams, Dave Stewart, Doug Faubion, Randy Haes, Randy Fogle, Howard Kitchen, Brad Lawrence. Staff present; Bob Atchley, and Bonita Kisse-Souttee.

Mr. Atchley read a statement outlining the procedures for the meeting.

Review and Action:

Minutes, July 2016, with no additions or correction a motion was made by Dave Stewart to approve. Seconded by Howard Kitchen. The vote to approve the minutes as written was unanimous.

Final Votes:

Hyden Nightly Rental, 535 Lakewood Dr.; Mr. Atchley read the proposed decision of record. Mr. Adams asked for questions or comments from the Commission. Mr. Kitchen discussed the stop work order and pointed out that since this was posted the properties were still being rented. Mr. Adams discussed the shared well. Mr. Faubion asked if he still planned on drilling another well and Mr. Hyden stated that he didn't because the well is on his property. Mr. Stewart discussed onsite management. After discussion a motion was made by Mr. Kitchen to deny the request based upon onsite nuisances, and incompatibility to the surrounding area. Mr. Faubion seconded. The vote to deny the request was unanimous.

Hyden Nightly Rental, 319 Lemonwood Lane; Mr. Atchley read the proposed decision of record. There was no discussion. A motion was made by Mr. Kitchen to deny the request based upon off-site nuisances, incompatibility to the surrounding area, and limited ingress and egress. Mr. Faubion seconded. The vote to deny the request was unanimous.

Hyden Nightly Rental, 260 Lemonwood Lane; Mr. Atchley read the proposed decision of record. There was no discussion. A motion was made by Mr. Kitchen to deny the request based upon incompatibility to the surrounding area, relative policies regarding noise, off site nuisances and limited ingress and egress. Seconded by Mr. Fogel. The vote to deny the request was unanimous.

Vanderlink T1, Wireless Internet Tower; Mr. Atchley read the proposed decision of record. Mr. Haes asked if the applicant could demonstrate where the easement is. The representative pointed it out on the map. Discussion followed. The representatives for Vanderlink stated that they had met with the neighbors regarding the easement and would work with them however they wished it to be. Mr. Stewart asked where the tower would sit in relationship to the home. Mr. Atchley stated that he shot a second video of the site depicting the survey stakes and location of tower, showing approximately 80' between the two. Discussion followed regarding buffering, and removal of trees and vegetation. The applicants stated that only where the tower will sit will have vegetation removal. An adjustment to the decision of record will be made regarding this. After discussion a motion was made by Mr. Haes to approve based upon the decision of record with the change. Mr. Stewart seconded. The vote to approve was unanimous.

2087 YC Henry, Nightly Rental; Mr. Atchley read the proposed decision of record. Mr. Stewart asked if the applicant would be monitoring the business himself and he stated that he would. With no other discussion a motion was made by Mr. Stewart to approve based upon the decision of record. Seconded by Mr. Lawrence. The vote to approve was unanimous.

Bear Creek Farms; the applicant was not present. Mr. Stewart made a motion to wait until the end of the meeting to see if he was present by then. Seconded by Mr. -. The motion to postpone the vote until the end of the meeting was unanimous. After the concept hearings the Commission voted on the request. Mr. Atchley read the proposed decision of record and a motion was made to approve based upon the decision of record by Mr. Lawrence. Seconded by Mr. Haes. The vote to approve was unanimous.

Concepts:

McAdara Nightly Rental; Mr. Atchley presented location maps of the site. The applicant explained his plans. The residence has 4 bedrooms and ample parking. There is an individual septic and well. They are local and will monitor the business themselves. There are monthly rentals in this neighborhood and property owners who are not local. The Commission suggested talking to the neighbors before the letters go out. There is a boat dock which will not be available to the renters. Mr. Atchley suggested they visit with the fire district. With no other discussion this project will proceed to public hearing September 12.

Armor, LLC; Mr. Atchley presented location maps of the site. The applicant was present to explain that he plans to display a couple of storm shelters beside T-Highway, and presented a site plan. This property is not within a subdivision. The shelters will not be manufactured on the site. The applicant lives on the site. He wants to make the driveway wider to provide parking. A sign will be placed between the two shelters. Mr. Haes discussed site distance regarding the placement of the sign. The Commission suggested talking with White River regarding being too close to the power pole. With no other discussion this request will proceed to public hearing September 12.

Old and New Business:

No discussion.

Adjournment:

With no other discussion the meeting adjourned at 6:56 p.m.



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#16-22

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: FAST 76 MOTORS

NAME OF APPLICANT: RICK BEKEMEIER
(Must be owner of record)

SIGNATURE: Rick Bekemeier **DATE:** 8-27-16
(Must be owner of record)

MAILING ADDRESS: 17396 LAWRENCE 2075, MT. VERNON, MO 65712

TELEPHONE: 417-461-4347 **EMAIL:** BEKEMEIER@AOL.COM

Representative Information

NAME OF REPRESENTATIVE: BRANSON BEKEMEIER

* **MAILING ADDRESS (rep.):** 124 PRIMROSE LN, BRANSON, MO 65616

TELEPHONE NUMBER (rep.): 417-365-1934

CH- 9-12
PH- 10-11
FY- 10-17

Property Information

ACCESS TO PROPERTY (street # and name): 3032 E HWY 76, BRANSON

ALSO HAS ACCESS ON VALLEY PARK RD.

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

PARCEL #: 17-1.0-02-003-001-001.001

(Parcel # MUST be on permit. Example: 00-0.0-00-000-000-000.000. This number is on top left hand corner of property tax statement. If you have not paid taxes on property, must have name of previous owner of property.)

SECTION: 2-22-21 TOWNSHIP: _____ RANGE: _____

NAME OF SUBDIVISION (if applicable): _____

Lot # (if applicable) _____ BLOCK # _____

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

- Commercial Multi-Family Residential Agricultural
 Multi-Use Municipality

SEWAGE DISPOSAL SYSTEM:

- Treatment Plant Individual
 Central Sewer: District # _____

WATER SUPPLY SYSTEM:

- 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.)

MY PROPOSED PROJECT AT 3032 E HWY 76 IS A USED AUTOMOBILE LOT CALLED EAST 76 MOTORS. THE LOT WILL BE LOCATED ON E HWY 76 AND VALLEY PARK RD. I AM ALSO CURRENTLY WORKING WITH MOBOT ON REMOVING THE 2 CAR GARAGE AT SAID LOCATION AND RELOCATING THE OFFICE TO A SAFER LOCATION. I WOULD THEN HAVE THE ENTRANCE TO THE LOT ON THE VALLEY PARK SIDE AND ELIMINATE THE CURRENT SAFETY HAZARDS AT THIS LOCATION.



Overview



Legend

- Parcels
- Roads
- Lakes
- Corporate Limits

Parcel ID 17-1.0-02-003-001-001.001
 Sec/Twp/Rng 2-22-21
 Property Address 3032 E STATE HWY 76, BRANSON, MO 65616
 District 6CWX
 Brief Tax Description VALLEY PARK VALLEY PARK PT PL 3
 (Note: Not to be used on legal documents)

Alternate ID n/a
 Class n/a
 Acreage n/a

Owner Address BEKEMEIER RICK & KIMA
 17396 LAWRENCE 2075
 MT VERNON MO 65712-

Date created: 8/11/2016

156.16'

DOGWOOD

115

134.65'

130.69'

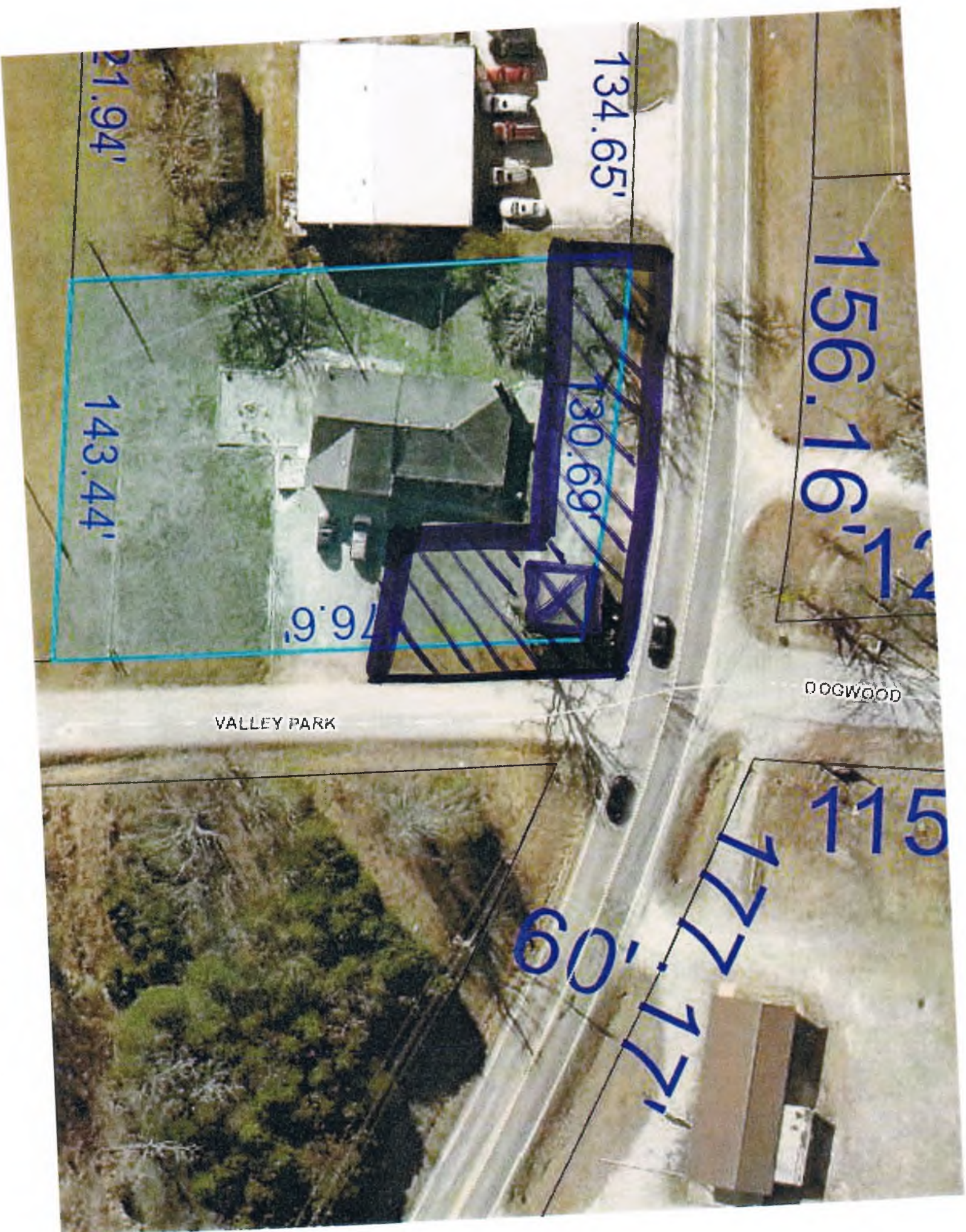
177.17'
60.0'

76.6'

VALLEY PARK

21.94'

143.44'





East 76 Motors



Disclaimer
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