AGENDA
TANEY COUNTY PLANNING COMMISSION
PUBLIC HEARING
MONDAY, FEBRUARY 13, 2017, 6:00 P.M.
COUNTY COMMISSION HEARING ROOM
TANEY COUNTY COURTHOUSE

Call to Order:
Establishment of Quorum
Explanation of Meeting Procedures
Presentation of Exhibits

Public Hearings:
Craig Combs 2339 US Hwy. 65 #16-29
Marc & Liz Kirby 189 Friendly Hills #16-30
Don Phillips 115 Greystone #16-33
John Boyer 119 Tuscany #16-35
George C. Thomas, III 191 Greystone #16-36
Viveiros Duplex 139 Edwards #16-37
Michael Mays 130 Lugano Lane #16-38
Valley View 1, LLC 360 Black Rock #16-39
Patricia A. Bates LT 189 Stoney Pointe #16-40
Steven & Shari Khoury 157 N. Tuscany #16-41
Contemporary Housing, 209 Stoney Pointe #16-42
Valley View 1, LLC 112 N. Tuscany #16-43
Russell Barbour 120 Lugano Lane #16-44
Robert & Leslie Dickson 130 Fieldstone #16-45
Pope & Wutzke 137 N. Tuscany #16-46
Ted & Laurinda Cox 168 Fieldstone #16-47
Valley View I, LLC 138 Stoney Pointe #16-48
Stinkweed, LLC 130 N. Tuscany #16-49
Brad LaCore 670 Amanda Rd. #16-50
DK & NK, LLC 177 N. Tuscany #17-1

Annual Review:
Year End Permit Summaries

New and Old Business:
Discussion of Code Amendments

Adjournment.
TANEY COUNTY PLANNING COMMISSION
DIVISION III STAFF REPORT
COMBS FAMILY VENTURES, LLC
#2016-0029
FEBRUARY 13, 2017

Request:
The representative Craig Combs is seeking the Planning Commission approval of a Division III Permit allowing for the addition of an Alpine Coaster and the necessary structures for the operation and storage of the coaster.

Background and Site History:
On August 17, 2009 the Taney County Planning Commission approved a request by AmiJen Properties, LLC to operate a canopy tour business. This was to include construction of a gift shop, vending area and zip lines on the property located at 2339 US Hwy. 65.

The project received a total score of 1 on the Policy Checklist out of a maximum possible score of 29.

Staff Recommendations:
If the Taney County Planning Commission approves Division III Permit #2016-0029, the following requirements shall apply, unless revised by the Planning Commission:

1. Compliance with the provisions of the Taney County Development Guidance Code.

2. Compliance letters from the Western Taney County Fire Protection District, including all other entities which have requirements governing a development of this nature shall be provided to the Planning Department office. (Chapter VI-VII)

3. Division II permits will be required for all applicable structures in the development.

4. No outside storage of equipment or solid waste materials.
5. 50' buffer on the east and south side of the property, 30' buffer on the north side and normal buffering on the west side as per the Decision of Record from August 17, 2009 permit #90-18III.

6. Hours of operation will be from 8 a.m. to midnight with the tour ending at midnight and special consideration to the directional lighting as per the Decision of Record August 17, 2009 permit #09-18III.

7. This decision is subject to all existing easements.

8. This Decision of Record shall be filed with the Taney County Recorder of Deeds Office within 120 days or the approval shall expire (Chapter II Item 6).
TANEY COUNTY PLANNING COMMISSION
STAFF REPORT
DIVISION III SPECIAL-USE PERMIT
189 FRIENDLY HILLS DR. VACATION RENTAL

Hearing Date: February 13, 2017
Case # 2016-0030
Applicant: Marc & Liz Kirby
Representatives: Marc & Liz Kirby

Request: The representatives, Marc & Liz Kirby are seeking the Planning Commission approval of a Division III Special-Use Permit allowing for the nightly rental of the existing single-family residence. The Residence contains five (5) bedrooms.

Background & Site History:

Per the Assessor’s information the single-family residence was constructed in 1996. Division I Permit 96-91 was issued authorizing the construction of this single-family residence and septic permit #96-055 was issued authorizing the construction of the on-site wastewater treatment system. The single-family residence is approximately 4,412 sq. ft. The subject property is a +/- 1.4 acre lot (per the Assessor’s information) in the Friendly Hills Subdivision.

The representatives, Marc & Liz Kirby are seeking the Planning Commission approval of a Division III Special-Use Permit authorizing the nightly rental of the property in question.

The current application was approved for Concept January 17, 2017.

Review:

The Taney County Development Guidance Code defines nightly rental as “A residential building, structure, or part thereof that may be rented for any period of time less than thirty (30) days, counting portions of days as full days.” Therefore, the applicant would have the ability to rent the residence for a period of thirty (30) days or greater.

The exterior appearance of the single-family residence will remain the same. Per the nightly rental provisions of the Development Guidance Code; “The Maximum occupancy for a Nightly Rental shall be two persons per dwelling unit, plus two (2) persons per
bedroom.” Therefore, the five (5) bedroom home would have a maximum occupancy of twelve (12) people.

The property is currently served by a private well and an individual, onsite wastewater (septic) system. On February 2, 2017, the onsite wastewater permitting staff conducted an onsite evaluation of the septic system. No onsite violations were present at this time. The onsite wastewater staff has suggested continued monitoring of the system and also having the tank pumped at regular intervals as needed.

The property is currently served by an existing drive off Friendly Hills Drive.

Per the nightly rental provisions of the Development Guidance Code; “One (1) off-street parking space shall be provided for each two (2) persons of occupancy in a nightly rental.” Therefore a total of six (6) parking spaces will be required. The project received a total score of -5 on the Policy Checklist, out of a maximum possible score of 29. The relative policies receiving a negative score consist of sewage disposal, emergency water supply and solid waste disposal service.

**STAFF RECOMMENDATIONS:**

If the Taney County Planning Commission approves Division III Permit #2016-0030, the following requirements shall apply, unless revised by the Planning Commission:

1. Compliance with the provisions of the Taney County Development Guidance Code.

2. Compliance letters from the Western Taney County Fire Protection District, the Missouri Department of Revenue and the Environmental Division of the Planning Department; including all other entities which have requirements governing a development of this nature shall be provided to the Planning Department office. (Chapter VI-VII).

3. A valid Missouri Department of Revenue Sales Tax License shall be provided to the Planning Department prior to the issuance of a Certificate of Compliance.

4. In the event that the on-site wastewater treatment system begins to surface, showing signs of failure, the property owner shall either repair or replace said system ensuring capacity for the total number of people that may be accommodated via nightly rental.

5. No outside storage of equipment or solid waste materials.
6. This decision is subject to all existing easements.

7. The residence located at 189 Friendly Hills Dr. shall accommodate (sleep) no more than twelve (12) persons per night. The total occupancy may be further limited based upon the provisions of the Western Taney County Fire Protection District requirements and regulations.

8. The 189 Friendly Hills Dr. Vacation Rental has been approved as a Special-Use Permit. Therefore the permit is specific to the representative to whom the permit is issued and cannot be transferred without Planning Commission approval. The Special-Use Permit shall not be used to establish commercial compatibility for or with any future land-use change applications.

9. This Decision of Record shall be filed with the Taney County Recorder of Deeds Office within 120 days or the approval shall expire (Chapter II Item 6).
Pink = Opposed
Green = Applicant
Yellow = Unreachable
December 22, 2016

Taney County Planning and Zoning Commission,

Please accept this letter as my opposition to:

The request for a Division III Special-Use Permit to allow Short Term Rentals within Friendly Hills Subdivision.

Printed Name(s): Marc Rys

Signature(s):

Lot(s)

Address: 171 Lemakret Lane

Branson, MO 65610

Comments: See Attached.
January 6, 2017

To: The Taney County Planning & Zoning Commission

From: Marc & Rebecca Rys

Re: Nightly/Weekly Rentals

The Friendly Hills subdivision was founded to be an upscale development for single-family homes. All of our neighbors including ourselves bought our properties with the purpose to have a safe place to raise our families have peace and quiet while having some distance from the Branson tourist industry.

Living in Branson, we have witnessed first hand the following issues in other subdivisions that allowed weekly rental.

- Out of control partying
- Damage & trespassing to neighbor’s property
- Unfamiliar pets
- Late night noise
- Vehicles will be carelessly driven & parked
- Septic system capacity
- Risk of Fire hazards due to the negligence of a nightly renter.

But most important, the renters screening process cannot be thorough enough to prevent child predators and convicted felons therefor threatening the safety of our neighborhood.

In summary, to allow a nightly/weekly rental to coexist in the subdivision does nothing but threaten our safety, devalue our property, and force us unwillingly to deal with what ever renter the owner allows to occupy the property for the short term.

The goal of a weekly renter is to let loose and treat the residence as what it is... A rental.
December 22, 2016

Taney County Planning and Zoning Commission,

Please accept this letter as my opposition to:

The request for a Division III Special-Use Permit to allow Short Term Rentals with Subdivision.

Printed Name(s): Greg Slavik, Roz Slavik
Signature(s): Greg Slavik, Roz Slavik
Lot(s): #17
Address: Friendly Hills Subdivision

Comments: We have experienced what nightly rentals can mean to a subdivision and it is all negative. We have a real battle going on in Branson Creek over this issue and we are very familiar with Anna Maria Island FL as there are two of three cities on the Island and in my opinion the one without nightly rentals experiences fewer problems and much higher property values.
December 22, 2016

Taney County Planning and Zoning Commission,

Please accept this letter as my opposition to:

The request for a Division III Special-Use Permit to allow Short Term Rentals within Friendly Hills Subdivision.

Printed Name(s): Charles Earl

Signature(s):

Lot(s): 21, 24, 23, 22

Address: 218 Leonard Lane

Bryan, Mo. 65616

Comments:
December 22, 2016

Taney County Planning and Zoning Commission,

Please accept this letter as my opposition to:

The request for a Division III Special-Use Permit to allow Short Term Rentals within Friendly Hills Subdivision.

Printed Name(s): Ron and Becky Reser

Signature(s):

Lot(s): 16

Address: 186 Friendly Hills Dr. Branson, Mo

Comments: moved here to be in a quiet serene community do not want any commercial application from any scale. Concerned with safety, traffic, noise, threats, decrease in home value.
December 22, 2016

Taney County Planning and Zoning Commission,

Please accept this letter as my opposition to:

The request for a Division III Special-Use Permit to allow Short Term Rentals within Friendly Hills Subdivision.

Printed Name(s): Angelica A. Makuch

Signature(s):

Lot(s): 18, 1, 2

Address:

121 Lenhart
Brunson, MO 65615

Comments: I object to the permit to allow Short Term Rentals within Friendly Hills Subdivision on the basis of retaining property values and maintaining high levels of safety and security. I purchased a home in a residential area, not a commercial area, to keep my family safe.
December 22, 2016

Taney County Planning and Zoning Commission,

Please accept this letter as **my opposition** to:

The request for a Division III Special-Use Permit to allow Short Term Rentals within Friendly Hills Subdivision.

Printed Name(s): Deborah Johnston

Signature(s):

Lot(s): 19 & 20

Address: 104 Lenhart Lane

Braunson, MO

Comments: We bought and built partially to be protected from short rentals next door.
January 5th, 2017

Bob Atchley
Taney County Planning Administrator
P.O. Box 383
Forsyth, MO 65653
FAX: 417.546.6861

VIA US MAIL

RE: Marc & Liz Kirby
Division III Application, 189 Friendly Hills Drive

Dear Mr. Atchley:

Marc & Liz Kirby have applied for a Division III permit to open a nightly rental at 189 Friendly Hills Drive, Lot 3 in the Friendly Hills Subdivision. I own Lots 4, 5 & 6 in the subdivision, adjacent to Kirbys. My lots extend from the Kirbys’ yard downhill to the Corp of Engineers take line on Table Rock Lake. At present, I am opposed to having a nightly rental in 189 Friendly Hills because of two objections:

- **First**, the wastewater system at 189 Friendly Hills is more than 20 years old; the septic tank was not pumped during the five years preceding (2011-2016) when the Myers family lived in the home; and I have known for some time that the lateral field is failing because runoff from the field, exiting Lot 3, is evident. The Myers (who recently sold the house) were aware of the septic issue and reduced the sale price of the house about $20,000 accordingly. Placing a nightly rental at 189 Friendly Hills would aggravate the problem of the ageing and failing septic.

- **Second**, there is limited parking at 189 Friendly Hills and I am concerned that nightly rental guests would park their vehicles on Friendly Hills Drive, itself, and obstruct my access along the roadway easement to my property.
Notwithstanding these objections, I understand from Marc & Liz Kirby that they are willing to replace the ageing septic system with a modern aerobic system and new lateral field. The Kirbys have also indicated their willingness to prevent nightly rental guests from parking on Friendly Hills Drive.

To date, neither the aerobic wastewater system, nor any type of parking control, is in place. But if these two matters were to be satisfactorily addressed, then I would drop my opposition to the nightly rental proposal. In fact, I would support it because it seems better to me to have a profitable business in the home, generating income to maintain the property, than to have what we experienced the past five years – i.e. cash strapped owners who failed to maintain the home properly, leading to untreated wastewater flowing onto my lots. An accumulation of deferred maintenance, bringing decline to the subdivision, seems to me to be a greater threat to my property values than an adjacent nightly rental.

Please call with any questions.

Yours sincerely,

cc: Marc & Liz Kirby
189 Friendly Hills Drive
Branson, Missouri 65616
TANEY COUNTY PLANNING COMMISSION
STAFF REPORT
DIVISION III SPECIAL USE PERMIT
115 GREYSTONE DRIVE VACATION RENTAL

Hearing Date: February 13, 2017
Case #: 2016-0033
Applicant/Representative: Don Phillips

Request:

The representative is seeking the Planning Commission approval of a Division III Special-Use Permit allowing for the nightly rental of the existing single-family residence. The residence contains five (5) bedrooms.

Background and Site History:

Per the Assessor’s information the single-family residence was constructed in 2009. The single-family residence is approximately 2,585 sq. ft. The subject property is located on lot 2 Phase 11 (per the Assessor’s information) in the Fieldstone Bluffs.

The Taney County Development Guidance Code defines nightly rental as “A residential building, structure, or part thereof that may be rented for any period of time less than thirty (30) calendar days, counting portions of days as full days.” Therefore the applicant would have the ability to rent the residence for a period of thirty (30) or greater.

The exterior appearance of the single-family residence will remain the same. Per the nightly rental provisions of the Development Guidance Code, “The maximum occupancy for a Nightly Rental shall be two (2) persons per dwelling unit, plus two (2) persons per bedroom.” Therefore, the five (5) bedroom home would have a maximum occupancy of twelve (12) people.

The property is currently served by an existing drive off of Greystone Drive.

Per the nightly rental provisions of the Development Guidance Code. “One (1) off-street parking space shall be provided for each two (2) persons of occupancy in a Nightly Rental.” Therefore a total of six (6) parking spaces will be required. The project
received a total score of -1 on the Policy Checklist, out of a maximum possible score of 29.

Staff Recommendations:

If the Taney County Planning Commission approves Division III Permit #2016-0033, the following requirements shall apply, unless revised by the Planning Commission:

1. Compliance with the provisions of the Taney County Development Guidance Code.

2. Compliance letters from the Western Taney County Fire Protection District, the Missouri Department of Revenue and the Environmental Division of the Planning Department; including all other entities which have requirements governing a development of this nature shall be provided to the Planning Department office. (Chapter VI-VII).

3. A valid Missouri Department of Revenue Sales Tax License shall be provided to the Planning Department prior to the issuance of a Certificate of Compliance.

4. No outside storage of equipment or solid waste materials.

5. This decision is subject to all existing easements.

6. The residence located at 115 Greystone Drive shall accommodate (sleep) no more than twelve (12) persons per night. The total occupancy may be further limited based upon the provisions of the Western Taney County Fire Protection District requirements and regulations.

7. The 115 Greystone Dr. Vacation Rental has been approved as a Special-Use Permit. Therefore the permit is specific to the representative to whom the permit is issued and cannot be transferred without Planning Commission approval. (The applicant has requested the Special Use permit be transferred to John & Soneeah Digiavanna after the closing of the sale of the property). The Special-Use Permit shall not be used to establish commercial compatibility for or with any future land-use change applications.

8. This Decision of Record shall be filed with the Taney County Recorder of Deeds Office within 120 days or the approval shall expire (Chapter II Item 6).
January 23, 2017

Scott Starrett
Taney County Planning Commission
P. O. Box 383
Forsyth, MO 65653

Dear Mr. Starrett:

Please give a copy of this letter to each member of the Planning Commission.

We will not be able to attend the public hearing on February 13, 2017, that will consider the requests of several property owners in Branson Creek regarding a Division III Special Use Permit to allow them to rent their property on a nightly rental basis.

We live across the street from one of the requesters (115 Greystone) and less than 600 feet from a second requester (191 Greystone).

We are requesting that the Planning Commission deny all requests as I believe that approval would put each of the property owners in violation of the Declaration of Covenants, Conditions, and Restrictions for Branson Creek (Covenants) and is significant inconvenience to the permanent residents. Branson Creek was developed as single family houses and villas of two units for residential living and not as a nightly rental resort. The Covenants Section 3.4 (e) prohibits activities that generate noise, that create unsightly conditions visible outside the dwelling, or create an unreasonable source of annoyance to persons outside the unit. When 115 Greystone and 191 Greystone are rented on a nightly basis, there are 4-6 cars parked in the driveway or street at each address. On occasion there has been a large boat parked on the street. On numerous occasions, I have also seen several towels hanging outside the house. With the additional individuals in the development due to the nightly rentals, it causes overcrowding at the community swimming pools and increased noise.

Covenants Section 3.4 (q) allow for 12 month leases, but not for nightly rentals. Approving a Division III Special Use Permit will be in violation of this covenant.

The two houses on Greystone were built as single family homes. They were not built to meet the safety and fire codes when 4 – 6 families occupy the house.

Thank you for your consideration of our concerns.

Sincerely,

Gordon and Bonnie Glass
120 Greystone Dr.
Hollister, MO 65672
TANEY COUNTY PLANNING COMMISSION
STAFF REPORT
DIVISION III SPECIAL USE PERMIT
119 TUSCANY DRIVE/FIELDSTONE VILLA VACATION RENTAL

Hearing Date: February 13, 2017
Case #: 2016-0035
Applicant/Representative John B. & Shirley Boyer

Request:

The representative Shirley Boyer is seeking Planning Commission approval of a Division III Special-Use Permit allowing for the nightly rental of the existing single-family residence. The residence contains three (3) bedrooms.

Background and Site History:

Per the Assessor’s Information the single-family residence was constructed in 2007. The subject property is owned in Condo style ownership in the Villas of Fieldstone at Branson Creek Development.

The current application was approved for Concept January 17, 2017.

The Taney County Development Guidance Code defines nightly rental as “A residential building, structure, or part thereof that may be rented for any period of time less than thirty (30) calendar days, counting portions of days as full days.” Therefore, the applicant would have the ability to rent the residence for a period of thirty (30) days or greater.

The exterior appearance of the single-family residence will remain the same. Per the nightly rental provisions of the Development Guidance Code, “The maximum occupancy for a nightly rental shall be two (2) persons per dwelling unit, plus two (2) persons per bedroom.” Therefore, the three (3) bedroom home would have a maximum occupancy of eight (8) people.

The property is currently served by an existing drive off of Tuscany Drive.

Per the nightly rental provisions of the Development Guidance Code, “One (1) off-street parking space shall be provided for each two (2) persons of occupancy in a nightly
rental.” Therefore a total of four (4) parking spaces will be required. The project received a total score of -1 on the Policy Checklist, out of a maximum possible score of 29.

Staff Recommendations:

If the Taney County Planning Commission approves Division III Permit #2016-0035, the following requirements shall apply, unless revised by the Planning Commission:

1. Compliance with the provisions of the Taney County Development Guidance Code.

2. Compliance letters from the Western Taney County Fire Protection District, the Missouri Department of Revenue and the Environmental Division of the Planning Department; including all other entities which have requirements governing a development of this nature shall be provided to the Planning Department office. (Chapter VI-VII).

3. A valid Missouri Department of Revenue Sales Tax License shall be provided to the Planning Department prior to the issuance of a Certificate of Compliance.

4. No outside storage of equipment or solid waste materials.

5. This decision is subject to all existing easements.

6. The residence located at 119 Tuscany Drive shall accommodate (sleep) no more than (8) persons per night. The total occupancy may be further limited based upon the provisions of the Western Taney County Fire Protection District requirements and regulations.

7. The 119 Tuscany Dr. Vacation Rental has been approved as a special-use permit. Therefore the permit is specific to the representative to whom the permit is issued and cannot be transferred without Planning Commission approval. The Special-Use Permit shall not be used to establish commercial compatibility for or with any future land-use change applications.

8. This Decision of Record shall be filed with the Taney County Recorder of Deeds Office within 120 days or the approval shall expire (Chapter II Item 6).
TANEY COUNTY PLANNING COMMISSION
STAFF REPORT
DIVISION III SPECIAL USE PERMIT
191 GREYSTONE DRIVE VACATION RENTAL

Hearing Date: February 13, 2017
Case #: 2016-0036
Applicant: George C. & Lizabeth Thomas
Representatives: Beth Hammond

Request:

The representative Beth Hammond is seeking Planning Commission approval of a Division III Special-Use Permit allowing for the nightly rental of the existing single-family residence. The residence contains six (6) bedrooms.

Background and Site History:

Per the Assessor’s Information the single-family residence was constructed in 2011. The single-family residence is approximately 3,125 sq. ft. The subject property is located on lot 11 Phase II (per the Assessor’s information) in the Fieldstone Bluffs.

The Taney County Development Guidance Code defines nightly rental as “A residential building, structure, or part thereof that may be rented for any period of time less than thirty (30) calendar days, counting portions of days as full days.” Therefore, the applicant would have the ability to rent the residence for a period of thirty (30) days or greater.

The exterior appearance of the single-family residence will remain the same. Per the nightly rental provisions of the Development Guidance Code, “The maximum occupancy for a nightly rental shall be two (2) persons per dwelling unit, plus two (2) persons per bedroom.” Therefore, the six (6) bedroom home would have a maximum occupancy of fourteen (14) people.

The property is currently served by an existing drive off of Greystone Drive.

Per the nightly rental provisions of the Development Guidance Code, “One (1) off-street parking space shall be provided for each two (2) persons of occupancy in a nightly rental.” Therefore a total of seven (7) parking spaces will be required. The project
received a total score of -1 on the Policy Checklist, out of a maximum possible score of 29.

Staff Recommendations:

If the Taney County Planning Commission approves Division III Permit #2016-0036, the following requirements shall apply, unless revised by the Planning Commission:

1. Compliance with the provisions of the Taney County Development Guidance Code.

2. Compliance letters from the Western Taney County Fire Protection District, the Missouri Department of Revenue and the Environmental Division of the Planning Department; including all other entities which have requirements governing a development of this nature shall be provided to the Planning Department office. (Chapter VI-VII).

3. A valid Missouri Department of Revenue Sales Tax License shall be provided to the Planning Department prior to the issuance of a Certificate of Compliance.

4. No outside storage of equipment or solid waste materials.

5. This decision is subject to all existing easements.

6. The residence located at 191 Greystone Drive shall accommodate (sleep) no more than fourteen (14) persons per night. The total occupancy may be further limited based upon the provisions of the Western Taney County Fire Protection District requirements and regulations.

7. The 191 Greystone Drive Vacation Rental has been approved as a special-use permit. Therefore the permit is specific to the representative to whom the permit is issued and cannot be transferred without Planning Commission approval. The Special-Use Permit shall not be used to establish commercial compatibility for or with any future land-use change applications.

8. This Decision of Record shall be filed with the Taney County Recorder of Deeds Office within 120 days or the approval shall expire (Chapter II Item 6).
January 23, 2017

Scott Starrett
Taney County Planning Commission
P. O. Box 383
Forsyth, MO 65653

Dear Mr. Starrett:

Please give a copy of this letter to each member of the Planning Commission.

We will not be able to attend the public hearing on February 13, 2017, that will consider the requests of several property owners in Branson Creek regarding a Division III Special Use Permit to allow them to rent their property on a nightly rental basis.

We live across the street from one of the requesters (115 Greystone) and less than 600 feet from a second requester (191 Greystone).

We are requesting that the Planning Commission deny all requests as I believe that approval would put each of the property owners in violation of the Declaration of Covenants, Conditions, and Restrictions for Branson Creek (Covenants) and is significant inconvenience to the permanent residents. Branson Creek was developed as single family houses and villas of two units for residential living and not as a nightly rental resort. **The Covenants Section 3.4 (e) prohibits activities that generate noise, that create unsightly conditions visible outside the dwelling, or create an unreasonable source of annoyance to persons outside the unit.** When 115 Greystone and 191 Greystone are rented on a nightly basis, there are 4-6 cars parked in the driveway or street at each address. On occasion there has been a large boat parked on the street. On numerous occasions, I have also seen several towels hanging outside the house. With the additional individuals in the development due to the nightly rentals, it causes overcrowding at the community swimming pools and increased noise.

**Covenants Section 3.4 (g) allow for 12 month leases, but not for nightly rentals.** Approving a Division III Special Use Permit will be in violation of this covenant.

The two houses on Greystone were built as single family homes. They were not built to meet the safety and fire codes when 4 – 6 families occupy the house.

Thank you for your consideration of our concerns.

Sincerely,

Gordon and Bonnie Glass
120 Greystone Dr.
Hollister, MO 65672
TANEY COUNTY PLANNING COMMISSION
DIVISION III STAFF REPORT
139 EDWARDS DUPLEX
AARON VIVEIROS
#2016-0037
FEBRUARY 13, 2017

Request:
The applicant Aaron Viveiros is seeking the Planning Commission approval of a Division III Permit to build a duplex at 139 Edwards Road Hollister, MO.

Background and Site History:
Per the Assessor's information the residential lot is located in the 2nd Addition Riverlake Subdivision Lot 12 Block 2. The lot is +/- 11,695 sq. ft. in size. There are currently 3 mobile homes on the lot to be removed before construction of the duplex.

The current application was approved for Concept January 17, 2017.

The Taney County Development Guidance Code defines in Section 4.1.2 Division II Permits (b) requirements for a Division II Permit "any duplex that has been issued a Division III Permit".

A Division II Permit will be required before construction begins after Division III approval.

The property is currently served by an existing drive off of Edwards Road.

The project received a total score of 1 on the Policy Checklist, out of a maximum possible score of 29.

Staff Recommendations:

If the Taney County Planning Commission approves Division III Permit #2016-0037, the following requirements shall apply, unless revised by the Planning Commission.

1. Compliance with the provisions of the Taney County Development Guidance Code.
2. Compliance letters from the Western Taney County fire if applicable; including all other entities which have requirements governing a development of this nature shall be provided to the Planning Department office. (Chapter VI-VII).

3. Division II permit be issued by Taney County Planning before new construction begins.

4. No outside storage of equipment or solid waste materials.

5. This decision is subject to all existing easements.

6. This Decision of Record shall be filed with the Taney County Recorder of Deeds Office within 120 days or the approval shall expire (Chapter II Item 6).
TANEGY COUNTY PLANNING COMMISSION  
STAFF REPORT  
DIVISION III SPECIAL USE PERMIT  
130 LUGANO LANE VACATION RENTAL

Hearing Date: February 13, 2017  
Case #: 2016-0038  
Applicant: Michael Mays  
Representatives: Sunset Realty Services

Request:

The representative Sunset Realty Services is seeking Planning Commission approval of a Division III Special-Use Permit allowing for the nightly rental of the existing single-family residence. The residence contains three (3) bedrooms.

Background and Site History:

Per the Assessor’s Information the single-family residence was constructed in 2007. The subject property is owned in Condo style ownership in the Villas of Fieldstone at Branson Creek Development.

The current application was approved for Concept January 17, 2017.

The Taney County Development Guidance Code defines nightly rental as “A residential building, structure, or part thereof that may be rented for any period of time less than thirty (30) calendar days, counting portions of days as full days.” Therefore, the applicant would have the ability to rent the residence for a period of thirty (30) days or greater.

The exterior appearance of the single-family residence will remain the same. Per the nightly rental provisions of the Development Guidance Code, “The maximum occupancy for a nightly rental shall be two (2) persons per dwelling unit, plus two (2) persons per bedroom.” Therefore, the three (3) bedroom home would have a maximum occupancy of eight (8) people.

The property is currently served by an existing drive off of Greystone Drive.
Per the nightly rental provisions of the Development Guidance Code, “One (1) off-street parking space shall be provided for each two (2) persons of occupancy in a nightly rental.” Therefore a total of four (4) parking spaces will be required. The project received a total score of -1 on the Policy Checklist, out of a maximum possible score of 29.

Staff Recommendations:

If the Taney County Planning Commission approves Division III Permit #2016-0038, the following requirements shall apply, unless revised by the Planning Commission:

1. Compliance with the provisions of the Taney County Development Guidance Code.

2. Compliance letters from the Western Taney County Fire Protection District, the Missouri Department of Revenue and the Environmental Division of the Planning Department; including all other entities which have requirements governing a development of this nature shall be provided to the Planning Department office. (Chapter VI-VII).

3. A valid Missouri Department of Revenue Sales Tax License shall be provided to the Planning Department prior to the issuance of a Certificate of Compliance.

4. No outside storage of equipment or solid waste materials.

5. This decision is subject to all existing easements.

6. The residence located at 130 Lugano Lane shall accommodate (sleep) no more than (8) persons per night. The total occupancy may be further limited based upon the provisions of the Western Taney County Fire Protection District requirements and regulations.

7. The 130 Lugano Lane Vacation Rental has been approved as a special-use permit. Therefore the permit is specific to the representative to whom the permit is issued and cannot be transferred without Planning Commission approval. The Special-Use Permit shall not be used to establish commercial compatibility for or with any future land-use change applications.

8. This Decision of Record shall be filed with the Taney County Recorder of Deeds Office within 120 days or the approval shall expire (Chapter II Item 6).
TANEY COUNTY PLANNING COMMISSION
STAFF REPORT
DIVISION III SPECIAL USE PERMIT
360 BLACK ROCK DRIVE VACATION RENTAL

Hearing Date: February 13, 2017
Case #: 2016-0039
Applicant: Valley View I, LLC
Representatives: Sunset Realty Services

Request:

The representative Sunset Realty Services is seeking Planning Commission approval of a Division III Special-Use Permit allowing for the nightly rental of the existing single-family residence. The residence contains three (3) bedrooms.

Background and Site History:

Per the Assessor’s Information the single-family residence was constructed in 2007. The single-family residence is approximately 1,882 sq. ft. The subject property is located on lot 5 Phase I (per the Assessor’s information) in the Fieldstone Bluffs.

The Taney County Development Guidance Code defines nightly rental as “A residential building, structure, or part thereof that may be rented for any period of time less than thirty (30) calendar days, counting portions of days as full days.” Therefore, the applicant would have the ability to rent the residence for a period of thirty (30) days or greater.

The exterior appearance of the single-family residence will remain the same. Per the nightly rental provisions of the Development Guidance Code, “The maximum occupancy for a nightly rental shall be two (2) persons per dwelling unit, plus two (2) persons per bedroom.” Therefore, the three (3) bedroom home would have a maximum occupancy of eight (8) people.

The property is currently served by an existing drive off of Black Rock Drive.

Per the nightly rental provisions of the Development Guidance Code, “One (1) off-street parking space shall be provided for each two (2) persons of occupancy in a nightly rental.” Therefore a total of four (4) parking spaces will be required. The project
received a total score of -1 on the Policy Checklist, out of a maximum possible score of 29.

Staff Recommendations:

If the Taney County Planning Commission approves Division III Permit #2016-0039, the following requirements shall apply, unless revised by the Planning Commission:

1. Compliance with the provisions of the Taney County Development Guidance Code.

2. Compliance letters from the Western Taney County Fire Protection District, the Missouri Department of Revenue and the Environmental Division of the Planning Department; including all other entities which have requirements governing a development of this nature shall be provided to the Planning Department office. (Chapter VI-VII).

3. A valid Missouri Department of Revenue Sales Tax License shall be provided to the Planning Department prior to the issuance of a Certificate of Compliance.

4. No outside storage of equipment or solid waste materials.

5. This decision is subject to all existing easements.

6. The residence located at 360 Black Rock Drive shall accommodate (sleep) no more than eight (8) persons per night. The total occupancy may be further limited based upon the provisions of the Western Taney County Fire Protection District requirements and regulations.

7. The 360 Black Rock Drive Vacation Rental has been approved as a special-use permit. Therefore the permit is specific to the representative to whom the permit is issued and cannot be transferred without Planning Commission approval. The Special-Use Permit shall not be used to establish commercial compatibility for or with any future land-use change applications.

8. This Decision of Record shall be filed with the Taney County Recorder of Deeds Office within 120 days or the approval shall expire (Chapter II Item 6).
TANEY COUNTY PLANNING COMMISSION
STAFF REPORT
DIVISION III SPECIAL USE PERMIT
189 STONEY POINTE DRIVE VACATION RENTAL

Hearing Date: February 13, 2017
Case #: 2016-0040
Applicant: Patricia A. Bates
Representatives: Sunset Realty Services

Request:

The representative Sunset Realty Services is seeking Planning Commission approval of a Division III Special-Use Permit allowing for the nightly rental of the existing single-family residence. The residence contains five (5) bedrooms.

Background and Site History:

Per the Assessor’s Information the single-family residence was constructed in 2008. The single-family residence is approximately 2,902 sq. ft. The subject property is located on lot 11 Phase I (per the Assessor’s information) in the Fieldstone Bluffs.

The current application was approved for Concept January 17, 2017.

The Taney County Development Guidance Code defines nightly rental as “A residential building, structure, or part thereof that may be rented for any period of time less than thirty (30) calendar days, counting portions of days as full days.” Therefore, the applicant would have the ability to rent the residence for a period of thirty (30) days or greater.

The exterior appearance of the single-family residence will remain the same. Per the nightly rental provisions of the Development Guidance Code, “The maximum occupancy for a nightly rental shall be two (2) persons per dwelling unit, plus two (2) persons per bedroom.” Therefore, the five (5) bedroom home would have a maximum occupancy of twelve (12) people.

The property is currently served by an existing drive off of Stoney Pointe Drive.
Per the nightly rental provisions of the Development Guidance Code, “One (1) off-street parking space shall be provided for each two (2) persons of occupancy in a nightly rental.” Therefore a total of four (6) parking spaces will be required. The project received a total score of -1 on the Policy Checklist, out of a maximum possible score of 29.

Staff Recommendations:

If the Taney County Planning Commission approves Division III Permit #2016-0040, the following requirements shall apply, unless revised by the Planning Commission:

1. Compliance with the provisions of the Taney County Development Guidance Code.

2. Compliance letters from the Western Taney County Fire Protection District, the Missouri Department of Revenue and the Environmental Division of the Planning Department; including all other entities which have requirements governing a development of this nature shall be provided to the Planning Department office. (Chapter VI-VII).

3. A valid Missouri Department of Revenue Sales Tax License shall be provided to the Planning Department prior to the issuance of a Certificate of Compliance.

4. No outside storage of equipment or solid waste materials.

5. This decision is subject to all existing easements.

6. The residence located at 189 Stoney Pointe Drive shall accommodate (sleep) no more than twelve (12) persons per night. The total occupancy may be further limited based upon the provisions of the Western Taney County Fire Protection District requirements and regulations.

7. The 189 Stoney Pointe Drive Vacation Rental has been approved as a special-use permit. Therefore the permit is specific to the representative to whom the permit is issued and cannot be transferred without Planning Commission approval. The Special-Use Permit shall not be used to establish commercial compatibility for or with any future land-use change applications.

8. This Decision of Record shall be filed with the Taney County Recorder of Deeds Office within 120 days or the approval shall expire (Chapter II Item 6).
TANEY COUNTY PLANNING COMMISSION
STAFF REPORT
DIVISION III SPECIAL-USE PERMIT
157 N. TUSCANY DRIVE VACATION RENTAL

Hearing Date: February 13, 2017
Case #: 2016-0041
Applicant: Steven & Shari Khoury
Representative: Sunset Realty Services

Request: The representative, Sunset Realty Services is seeking the Planning Commission approval of a Division III Special-Use Permit allowing for the nightly rental of the existing single-family residence. The residence contains three (3) bedrooms.

Background and Site History:

Per the Assessor’s information the single-family residence was constructed in 2006. The single-family residence is approximately 1,815 sq. ft. The subject property is held in condo style ownership in the Villas of Fieldstone at Branson Creek Development.

The current application was approved for Concept January 17, 2017.

The Taney County Development Guidance Code defines nightly rental as “A residential building, structure, or part thereof that may be rented for any period of time less than thirty (30) calendar days, counting portions of days as full days.” Therefore, the applicant would have the ability to rent the residence for a period of thirty (30) days or greater.

The exterior appearance of the single-family residence will remain the same. Per the nightly rental provisions of the Development Guidance Code, “The maximum occupancy for a nightly rental shall be two (2) persons per dwelling unit, plus two (2) persons per bedroom.” Therefore, the three (3) bedroom home would have a maximum occupancy of eight (8) people.

Review:

The property is currently served by an existing drive off of N. Tuscany Drive.
Per the nightly rental provisions of the Development Guidance Code, “One (1) off-street parking space shall be provided for each two (2) persons of occupancy in a nightly rental.” Therefore a total of four (4) parking spaces will be required. The project received a total score of -1 on the Policy Checklist, out of a maximum possible score of 29.

**STAFF RECOMMENDATIONS:**

If the Taney County Planning Commission approves Division III Permit #2016-0041, the following requirements shall apply, unless revised by the Planning Commission:

1. Compliance with the provisions of the Taney County Development Guidance Code.

2. Compliance letters from the Western Taney County Fire Protection District, the Missouri Department of Revenue and the Environmental Division of the Planning Department; including all other entities which have requirements governing a development of this nature shall be provided to the Planning Department office. (Chapter VI-VII).

3. A valid Missouri Department of Revenue Sales Tax License shall be provided to the Planning Department prior to the issuance of a Certificate of Compliance.

4. No outside storage of equipment or solid waste materials.

5. This decision is subject to all existing easements.

6. The residence located at 157 N. Tuscany Drive shall accommodate (sleep) no more than eight (8) persons per night. The total occupancy may be further limited based upon the provisions of the Western Taney County Fire Protection District requirements and regulations.

7. The 157 N. Tuscany Dr. Vacation Rental has been approved as a Special-Use Permit. Therefore the permit is specific to the representative to whom the permit is issued and cannot be transferred without Planning Commission approval. The Special-Use Permit shall not be used to establish commercial compatibility for or with any future land-use change applications.

8. This Decision of Record shall be filed with the Taney County Recorder of Deeds Office within 120 days or the approval shall expire (Chapter II Item 6).
TANEY COUNTY PLANNING COMMISSION
STAFF REPORT
DIVISION III SPECIAL USE PERMIT
209 STONEY POINTE DRIVE VACATION RENTAL

Hearing Date: February 13, 2017
Case #: 2016-0042
Applicant: Contemporary Housing, LLC
Representatives: Sunset Realty Services

Request:

The representative Sunset Realty Services is seeking Planning Commission approval of a Division III Special-Use Permit allowing for the nightly rental of the existing single-family residence. The residence contains five (5) bedrooms.

Background and Site History:

Per the Assessor’s Information the single-family residence was constructed in 2010. The single-family residence is approximately 3,365 sq. ft. The subject property is located on lot 9 Phase I (per the Assessor’s information) in the Fieldstone Bluffs.

The current application was approved for Concept January 17, 2017.

The Taney County Development Guidance Code defines nightly rental as “A residential building, structure, or part thereof that may be rented for any period of time less than thirty (30) calendar days, counting portions of days as full days.” Therefore, the applicant would have the ability to rent the residence for a period of thirty (30) days or greater.

The exterior appearance of the single-family residence will remain the same. Per the nightly rental provisions of the Development Guidance Code, “The maximum occupancy for a nightly rental shall be two (2) persons per dwelling unit, plus two (2) persons per bedroom.” Therefore, the five (5) bedroom home would have a maximum occupancy of twelve (12) people.

The property is currently served by an existing drive off of Stoney Pointe Drive.
Per the nightly rental provisions of the Development Guidance Code, "One (1) off-street parking space shall be provided for each two (2) persons of occupancy in a nightly rental." Therefore a total of six (6) parking spaces will be required. The project received a total score of -1 on the Policy Checklist, out of a maximum possible score of 29.

Staff Recommendations:

If the Taney County Planning Commission approves Division III Permit #2016-0042, the following requirements shall apply, unless revised by the Planning Commission:

1. Compliance with the provisions of the Taney County Development Guidance Code.

2. Compliance letters from the Western Taney County Fire Protection District, the Missouri Department of Revenue and the Environmental Division of the Planning Department; including all other entities which have requirements governing a development of this nature shall be provided to the Planning Department office. (Chapter VI-VII).

3. A valid Missouri Department of Revenue Sales Tax License shall be provided to the Planning Department prior to the issuance of a Certificate of Compliance.

4. No outside storage of equipment or solid waste materials.

5. This decision is subject to all existing easements.

6. The residence located at 209 Stoney Pointe Drive shall accommodate (sleep) no more than twelve (12) persons per night. The total occupancy may be further limited based upon the provisions of the Western Taney County Fire Protection District requirements and regulations.

7. The 209 Stoney Pointe Drive Vacation Rental has been approved as a special-use permit. Therefore the permit is specific to the representative to whom the permit is issued and cannot be transferred without Planning Commission approval. The Special-Use Permit shall not be used to establish commercial compatibility for or with any future land-use change applications.

8. This Decision of Record shall be filed with the Taney County Recorder of Deeds Office within 120 days or the approval shall expire (Chapter II Item 6).
TANEY COUNTY PLANNING COMMISSION
STAFF REPORT
DIVISION III SPECIAL USE PERMIT
112 TUSCANY DRIVE VACATION RENTAL

Hearing Date: February 13, 2017
Case #: 2016-0043
Applicant: Valley View I, LLC
Representatives: Sunset Realty Services

Request:

The representative Sunset Realty Services is seeking Planning Commission approval of a Division III Special-Use Permit allowing for the nightly rental of the existing single-family residence. The residence contains three (3) bedrooms.

Background and Site History:

Per the Assessor’s Information the single-family residence was constructed in 2007. The single-family residence is approximately 1,891 sq. ft. The subject property is owned in Condo style ownership in the Villas of Fieldstone at Branson Creek Development.

The current application was approved for Concept January 17, 2017.

The Taney County Development Guidance Code defines nightly rental as “A residential building, structure, or part thereof that may be rented for any period of time less than thirty (30) calendar days, counting portions of days as full days.” Therefore, the applicant would have the ability to rent the residence for a period of thirty (30) days or greater.

The exterior appearance of the single-family residence will remain the same. Per the nightly rental provisions of the Development Guidance Code, “The maximum occupancy for a nightly rental shall be two (2) persons per dwelling unit, plus two (2) persons per bedroom.” Therefore, the three (3) bedroom home would have a maximum occupancy of eight (8) people.

The property is currently served by an existing drive off of N.Tuscany Drive.
Per the nightly rental provisions of the Development Guidance Code, “One (1) off-street parking space shall be provided for each two (2) persons of occupancy in a nightly rental.” Therefore a total of four (4) parking spaces will be required. The project received a total score of -1 on the Policy Checklist, out of a maximum possible score of 29.

Staff Recommendations:

If the Taney County Planning Commission approves Division III Permit #2016-0043, the following requirements shall apply, unless revised by the Planning Commission:

1. Compliance with the provisions of the Taney County Development Guidance Code.

2. Compliance letters from the Western Taney County Fire Protection District, the Missouri Department of Revenue and the Environmental Division of the Planning Department; including all other entities which have requirements governing a development of this nature shall be provided to the Planning Department office. (Chapter VI-VII).

3. A valid Missouri Department of Revenue Sales Tax License shall be provided to the Planning Department prior to the issuance of a Certificate of Compliance.

4. No outside storage of equipment or solid waste materials.

5. This decision is subject to all existing easements.

6. The residence located at 112 N. Tuscany Drive shall accommodate (sleep) no more than (8) persons per night. The total occupancy may be further limited based upon the provisions of the Western Taney County Fire Protection District requirements and regulations.

7. The 112 N.Tuscany Dr. Vacation Rental has been approved as a special-use permit. Therefore the permit is specific to the representative to whom the permit is issued and cannot be transferred without Planning Commission approval. The Special-Use Permit shall not be used to establish commercial compatibility for or with any future land-use change applications.

8. This Decision of Record shall be filed with the Taney County Recorder of Deeds Office within 120 days or the approval shall expire (Chapter II Item 6).
TANEY COUNTY PLANNING COMMISSION
STAFF REPORT
DIVISION III SPECIAL USE PERMIT
120 LUGANO DRIVE VACATION RENTAL

Hearing Date: February 13, 2017
Case #: 2016-0044
Applicant: Russell Barbour
Representatives: Sunset Realty Services

Request:

The representative Sunset Realty Services is seeking Planning Commission approval of a Division III Special-Use Permit allowing for the nightly rental of the existing single-family residence. The residence contains three (3) bedrooms.

Background and Site History:

Per the Assessor's Information the single-family residence was constructed in 2007. The subject property is owned in Condo style ownership in the Villas of Fieldstone at Branson Creek Development.

The current application was approved for Concept January 17, 2017.

The Taney County Development Guidance Code defines nightly rental as "A residential building, structure, or part thereof that may be rented for any period of time less than thirty (30) calendar days, counting portions of days as full days." Therefore, the applicant would have the ability to rent the residence for a period of thirty (30) days or greater.

The exterior appearance of the single-family residence will remain the same. Per the nightly rental provisions of the Development Guidance Code, "The maximum occupancy for a nightly rental shall be two (2) persons per dwelling unit, plus two (2) persons per bedroom." Therefore, the three (3) bedroom home would have a maximum occupancy of eight (8) people.

The property is currently served by an existing drive off of Lugano Drive.
Per the nightly rental provisions of the Development Guidance Code, “One (1) off-street parking space shall be provided for each two (2) persons of occupancy in a nightly rental.” Therefore a total of four (4) parking spaces will be required. The project received a total score of -1 on the Policy Checklist, out of a maximum possible score of 29.

Staff Recommendations:

If the Taney County Planning Commission approves Division III Permit #2016-0044, the following requirements shall apply, unless revised by the Planning Commission:

1. Compliance with the provisions of the Taney County Development Guidance Code.

2. Compliance letters from the Western Taney County Fire Protection District, the Missouri Department of Revenue and the Environmental Division of the Planning Department; including all other entities which have requirements governing a development of this nature shall be provided to the Planning Department office. (Chapter VI-VII).

3. A valid Missouri Department of Revenue Sales Tax License shall be provided to the Planning Department prior to the issuance of a Certificate of Compliance.

4. No outside storage of equipment or solid waste materials.

5. This decision is subject to all existing easements.

6. The residence located at 120 Lugano Drive shall accommodate (sleep) no more than (8) persons per night. The total occupancy may be further limited based upon the provisions of the Western Taney County Fire Protection District requirements and regulations.

7. The 120 Lugano Dr. Vacation Rental has been approved as a special-use permit. Therefore the permit is specific to the representative to whom the permit is issued and cannot be transferred without Planning Commission approval. The Special-Use Permit shall not be used to establish commercial compatibility for or with any future land-use change applications.

8. This Decision of Record shall be filed with the Taney County Recorder of Deeds Office within 120 days or the approval shall expire (Chapter II Item 6).
TANEY COUNTY PLANNING COMMISSION
STAFF REPORT
DIVISION III SPECIAL USE PERMIT
130 FIELDSTONE DRIVE VACATION RENTAL

Hearing Date: February 13, 2017
Case #: 2016-0045
Applicant: Robert & Leslie Dickson
Representatives: Sunset Realty Services

Request:

The representative Sunset Realty Services is seeking Planning Commission approval of a Division III Special-Use Permit allowing for the nightly rental of the existing single-family residence. The residence contains three (3) bedrooms.

Background and Site History:

Per the Assessor’s Information the single-family residence was constructed in 2007. The subject property is owned in Condo style ownership in the Villas of Fieldstone at Branson Creek Development.

The current application was approved for Concept January 17, 2017.

The Taney County Development Guidance Code defines nightly rental as “A residential building, structure, or part thereof that may be rented for any period of time less than thirty (30) calendar days, counting portions of days as full days.” Therefore, the applicant would have the ability to rent the residence for a period of thirty (30) days or greater.

The exterior appearance of the single-family residence will remain the same. Per the nightly rental provisions of the Development Guidance Code, “The maximum occupancy for a nightly rental shall be two (2) persons per dwelling unit, plus two (2) persons per bedroom.” Therefore, the three (3) bedroom home would have a maximum occupancy of eight (8) people.

The property is currently served by an existing drive off of Fieldstone Drive.
Per the nightly rental provisions of the Development Guidance Code, “One (1) off-street parking space shall be provided for each two (2) persons of occupancy in a nightly rental.” Therefore a total of four (4) parking spaces will be required. The project received a total score of -1 on the Policy Checklist, out of a maximum possible score of 29.

Staff Recommendations:

If the Taney County Planning Commission approves Division III Permit #2016-0045, the following requirements shall apply, unless revised by the Planning Commission:

1. Compliance with the provisions of the Taney County Development Guidance Code.

2. Compliance letters from the Western Taney County Fire Protection District, the Missouri Department of Revenue and the Environmental Division of the Planning Department; including all other entities which have requirements governing a development of this nature shall be provided to the Planning Department office. (Chapter VI-VII).

3. A valid Missouri Department of Revenue Sales Tax License shall be provided to the Planning Department prior to the issuance of a Certificate of Compliance.

4. No outside storage of equipment or solid waste materials.

5. This decision is subject to all existing easements.

6. The residence located at 130 Fieldstone Drive shall accommodate (sleep) no more than (8) persons per night. The total occupancy may be further limited based upon the provisions of the Western Taney County Fire Protection District requirements and regulations.

7. The 130 Fieldstone Dr. Vacation Rental has been approved as a special-use permit. Therefore the permit is specific to the representative to whom the permit is issued and cannot be transferred without Planning Commission approval. The Special-Use Permit shall not be used to establish commercial compatibility for or with any future land-use change applications.

8. This Decision of Record shall be filed with the Taney County Recorder of Deeds Office within 120 days or the approval shall expire (Chapter II Item 6).
TANEY COUNTY PLANNING COMMISSION
STAFF REPORT
DIVISION III SPECIAL USE PERMIT
137 N. TUSCANY DRIVE VACATION RENTAL

Hearing Date: February 13, 2017
Case #: 2016-0046
Applicant: Terry Pope & Janyce Wutzke
Representatives: Sunset Realty Services

Request:

The representative Sunset Realty Services is seeking Planning Commission approval of a Division III Special-Use Permit allowing for the nightly rental of the existing single-family residence. The residence contains three (3) bedrooms.

Background and Site History:

Per the Assessor’s Information the single-family residence was constructed in 2007. The subject property is owned in Condo style ownership in the Villas of Fieldstone at Branson Creek Development.

The current application was approved for Concept January 17, 2017.

The Taney County Development Guidance Code defines nightly rental as “A residential building, structure, or part thereof that may be rented for any period of time less than thirty (30) calendar days, counting portions of days as full days.” Therefore, the applicant would have the ability to rent the residence for a period of thirty (30) days or greater.

The exterior appearance of the single-family residence will remain the same. Per the nightly rental provisions of the Development Guidance Code, “The maximum occupancy for a nightly rental shall be two (2) persons per dwelling unit, plus two (2) persons per bedroom.” Therefore, the three (3) bedroom home would have a maximum occupancy of eight (8) people.

The property is currently served by an existing drive off of N. Tuscany Drive.
Per the nightly rental provisions of the Development Guidance Code, “One (1) off-street parking space shall be provided for each two (2) persons of occupancy in a nightly rental.” Therefore a total of four (4) parking spaces will be required. The project received a total score of -1 on the Policy Checklist, out of a maximum possible score of 29.

Staff Recommendations:

If the Taney County Planning Commission approves Division III Permit #2016-0046, the following requirements shall apply, unless revised by the Planning Commission:

1. Compliance with the provisions of the Taney County Development Guidance Code.

2. Compliance letters from the Western Taney County Fire Protection District, the Missouri Department of Revenue and the Environmental Division of the Planning Department; including all other entities which have requirements governing a development of this nature shall be provided to the Planning Department office. (Chapter VI-VII).

3. A valid Missouri Department of Revenue Sales Tax License shall be provided to the Planning Department prior to the issuance of a Certificate of Compliance.

4. No outside storage of equipment or solid waste materials.

5. This decision is subject to all existing easements.

6. The residence located at 137 N. Tuscany Drive shall accommodate (sleep) no more than (8) persons per night. The total occupancy may be further limited based upon the provisions of the Western Taney County Fire Protection District requirements and regulations.

7. The 137 N. Tuscany Dr. Vacation Rental has been approved as a special-use permit. Therefore the permit is specific to the representative to whom the permit is issued and cannot be transferred without Planning Commission approval. The Special-Use Permit shall not be used to establish commercial compatibility for or with any future land-use change applications.

8. This Decision of Record shall be filed with the Taney County Recorder of Deeds Office within 120 days or the approval shall expire (Chapter II Item 6).
TANEY COUNTY PLANNING COMMISSION
STAFF REPORT
DIVISION III SPECIAL USE PERMIT
168 FIELDSTONE DRIVE VACATION RENTAL

Hearing Date: February 13, 2017
Case #: 2016-0047
Applicant: Ted & Laurinda Cox
Representatives: Sunset Realty Services

Request:

The representative Sunset Realty Services is seeking Planning Commission approval of a Division III Special-Use Permit allowing for the nightly rental of the existing single-family residence. The residence contains three (3) bedrooms.

Background and Site History:

Per the Assessor’s Information the single-family residence was constructed in 2007. The subject property is owned in Condo style ownership in the Villas of Fieldstone at Branson Creek Development.

The current application was approved for Concept January 17, 2017.

The Taney County Development Guidance Code defines nightly rental as “A residential building, structure, or part thereof that may be rented for any period of time less than thirty (30) calendar days, counting portions of days as full days.” Therefore, the applicant would have the ability to rent the residence for a period of thirty (30) days or greater.

The exterior appearance of the single-family residence will remain the same. Per the nightly rental provisions of the Development Guidance Code, “The maximum occupancy for a nightly rental shall be two (2) persons per dwelling unit, plus two (2) persons per bedroom.” Therefore, the three (3) bedroom home would have a maximum occupancy of eight (8) people.

The property is currently served by an existing drive off of Fieldstone Drive.
Per the nightly rental provisions of the Development Guidance Code, “One (1) off-street parking space shall be provided for each two (2) persons of occupancy in a nightly rental.” Therefore a total of four (4) parking spaces will be required. The project received a total score of -1 on the Policy Checklist, out of a maximum possible score of 29.

Staff Recommendations:

If the Taney County Planning Commission approves Division III Permit #2016-0047, the following requirements shall apply, unless revised by the Planning Commission:

1. Compliance with the provisions of the Taney County Development Guidance Code.

2. Compliance letters from the Western Taney County Fire Protection District, the Missouri Department of Revenue and the Environmental Division of the Planning Department; including all other entities which have requirements governing a development of this nature shall be provided to the Planning Department office. (Chapter VI-VII).

3. A valid Missouri Department of Revenue Sales Tax License shall be provided to the Planning Department prior to the issuance of a Certificate of Compliance.

4. No outside storage of equipment or solid waste materials.

5. This decision is subject to all existing easements.

6. The residence located at 168 Fieldstone Drive shall accommodate (sleep) no more than (8) persons per night. The total occupancy may be further limited based upon the provisions of the Western Taney County Fire Protection District requirements and regulations.

7. The 168 Fieldstone Drive Vacation Rental has been approved as a special-use permit. Therefore the permit is specific to the representative to whom the permit is issued and cannot be transferred without Planning Commission approval. The Special-Use Permit shall not be used to establish commercial compatibility for or with any future land-use change applications.

8. This Decision of Record shall be filed with the Taney County Recorder of Deeds Office within 120 days or the approval shall expire (Chapter II Item 6).
TANEY COUNTY PLANNING COMMISSION
STAFF REPORT
DIVISION III SPECIAL USE PERMIT
138 STONEY POINTE DRIVE VACATION RENTAL

Hearing Date: February 13, 2017
Case #: 2016-0048
Applicant: Valley View I, LLC
Representatives: Sunset Realty Services

Request:

The representative Sunset Realty Services is seeking Planning Commission approval of a Division III Special-Use Permit allowing for the nightly rental of the existing single-family residence. The residence contains three (3) bedrooms.

Background and Site History:

Per the Assessor’s Information the single-family residence was constructed in 2008. The subject property is located on lot 20 Phase I (per the Assessor’s information) in the Fieldstone Bluffs.

The current application was approved for Concept January 17, 2017.

The Taney County Development Guidance Code defines nightly rental as “A residential building, structure, or part thereof that may be rented for any period of time less than thirty (30) calendar days, counting portions of days as full days.” Therefore, the applicant would have the ability to rent the residence for a period of thirty (30) days or greater.

The exterior appearance of the single-family residence will remain the same. Per the nightly rental provisions of the Development Guidance Code, “The maximum occupancy for a nightly rental shall be two (2) persons per dwelling unit, plus two (2) persons per bedroom.” Therefore, the three (3) bedroom home would have a maximum occupancy of eight (8) people.

The property is currently served by an existing drive off of Stoney Pointe Drive.
Per the nightly rental provisions of the Development Guidance Code, “One (1) off-street parking space shall be provided for each two (2) persons of occupancy in a nightly rental.” Therefore a total of four (4) parking spaces will be required. The project received a total score of -1 on the Policy Checklist, out of a maximum possible score of 29.

Staff Recommendations:

If the Taney County Planning Commission approves Division III Permit #2016-0048, the following requirements shall apply, unless revised by the Planning Commission:

1. Compliance with the provisions of the Taney County Development Guidance Code.

2. Compliance letters from the Western Taney County Fire Protection District, the Missouri Department of Revenue and the Environmental Division of the Planning Department; including all other entities which have requirements governing a development of this nature shall be provided to the Planning Department office. (Chapter VI-VII).

3. A valid Missouri Department of Revenue Sales Tax License shall be provided to the Planning Department prior to the issuance of a Certificate of Compliance.

4. No outside storage of equipment or solid waste materials.

5. This decision is subject to all existing easements.

6. The residence located at 138 Stoney Pointe Drive shall accommodate (sleep) no more than eight (8) persons per night. The total occupancy may be further limited based upon the provisions of the Western Taney County Fire Protection District requirements and regulations.

7. The 138 Stoney Pointe Drive Vacation Rental has been approved as a special-use permit. Therefore the permit is specific to the representative to whom the permit is issued and cannot be transferred without Planning Commission approval. The Special-Use Permit shall not be used to establish commercial compatibility for or with any future land-use change applications.

8. This Decision of Record shall be filed with the Taney County Recorder of Deeds Office within 120 days or the approval shall expire (Chapter II Item 6).
TANEY COUNTY PLANNING COMMISSION
STAFF REPORT
DIVISION III SPECIAL USE PERMIT
130 N. TUSCANY DRIVE VACATION RENTAL

Hearing Date: February 13, 2017
Case #: 2016-0049
Applicant: Stinkweed, LLC
Representatives: Sunset Realty Services

Request:

The representative Sunset Realty Services is seeking Planning Commission approval of a Division III Special-Use Permit allowing for the nightly rental of the existing single-family residence. The residence contains three (3) bedrooms.

Background and Site History:

Per the Assessor’s Information the single-family residence was constructed in 2007. The subject property is owned in Condo style ownership in the Villas of Fieldstone at Branson Creek Development.

The current application was approved for Concept January 17, 2017.

The Taney County Development Guidance Code defines nightly rental as “A residential building, structure, or part thereof that may be rented for any period of time less than thirty (30) calendar days, counting portions of days as full days.” Therefore, the applicant would have the ability to rent the residence for a period of thirty (30) days or greater.

The exterior appearance of the single-family residence will remain the same. Per the nightly rental provisions of the Development Guidance Code, “The maximum occupancy for a nightly rental shall be two (2) persons per dwelling unit, plus two (2) persons per bedroom.” Therefore, the three (3) bedroom home would have a maximum occupancy of eight (8) people.

The property is currently served by an existing drive off of N. Tuscany Drive.
Per the nightly rental provisions of the Development Guidance Code, “One (1) off-street parking space shall be provided for each two (2) persons of occupancy in a nightly rental.” Therefore a total of four (4) parking spaces will be required. The project received a total score of -1 on the Policy Checklist, out of a maximum possible score of 29.

Staff Recommendations:

If the Taney County Planning Commission approves Division III Permit #2016-0049, the following requirements shall apply, unless revised by the Planning Commission:

1. Compliance with the provisions of the Taney County Development Guidance Code.

2. Compliance letters from the Western Taney County Fire Protection District, the Missouri Department of Revenue and the Environmental Division of the Planning Department; including all other entities which have requirements governing a development of this nature shall be provided to the Planning Department office. (Chapter VI-VII).

3. A valid Missouri Department of Revenue Sales Tax License shall be provided to the Planning Department prior to the issuance of a Certificate of Compliance.

4. No outside storage of equipment or solid waste materials.

5. This decision is subject to all existing easements.

6. The residence located at 130 N. Tuscany Drive shall accommodate (sleep) no more than (8) persons per night. The total occupancy may be further limited based upon the provisions of the Western Taney County Fire Protection District requirements and regulations.

7. The 130 N. Tuscany Drive Vacation Rental has been approved as a special-use permit. Therefore the permit is specific to the representative to whom the permit is issued and cannot be transferred without Planning Commission approval. The Special-Use Permit shall not be used to establish commercial compatibility for or with any future land-use change applications.

8. This Decision of Record shall be filed with the Taney County Recorder of Deeds Office within 120 days or the approval shall expire (Chapter II Item 6).
TANEY COUNTY PLANNING COMMISSION
STAFF REPORT
DIVISION III SPECIAL USE PERMIT
670 AMANDA DRIVE VACATION RENTAL

Hearing Date: February 13, 2017
Case #: 2016-0050
Applicant: Brad LaCore
Representatives: same

Request:

The representative Sunset Realty Services is seeking Planning Commission approval of a Division III Special-Use Permit allowing for the nightly rental of the existing single-family residence. The residence contains five (5) bedrooms.

Background and Site History:

Per the Assessor’s Information the single-family residence was constructed in 2007. The single-family residence is a 7,500 sq. ft. home located in Oak Lake Estates.

The current application was approved for Concept January 17, 2017.

The Taney County Development Guidance Code defines nightly rental as “A residential building, structure, or part thereof that may be rented for any period of time less than thirty (30) calendar days, counting portions of days as full days.” Therefore, the applicant would have the ability to rent the residence for a period of thirty (30) days or greater.

The exterior appearance of the single-family residence will remain the same. Per the nightly rental provisions of the Development Guidance Code, “The maximum occupancy for a nightly rental shall be two (2) persons per dwelling unit, plus two (2) persons per bedroom.” Therefore, the five (5) bedroom home would have a maximum occupancy of twelve (12) people.

The property is currently served by an existing drive off of Amanda Drive.

Per the nightly rental provisions of the Development Guidance Code, “One (1) off-street parking space shall be provided for each two (2) persons of occupancy in a nightly
rental.” Therefore a total of six (6) parking spaces will be required. The project received a total score of -3 on the Policy Checklist, out of a maximum possible score of 29.

Staff Recommendations:

If the Taney County Planning Commission approves Division III Permit #2016-0050, the following requirements shall apply, unless revised by the Planning Commission:

1. Compliance with the provisions of the Taney County Development Guidance Code.

2. Compliance letters from the Western Taney County Fire Protection District, the Missouri Department of Revenue and the Environmental Division of the Planning Department; including all other entities which have requirements governing a development of this nature shall be provided to the Planning Department office. (Chapter VI-VII).

3. A valid Missouri Department of Revenue Sales Tax License shall be provided to the Planning Department prior to the issuance of a Certificate of Compliance.

4. No outside storage of equipment or solid waste materials.

5. This decision is subject to all existing easements.

6. The residence located at 670 Amanda Drive shall accommodate (sleep) no more than twelve (12) persons per night. The total occupancy may be further limited based upon the provisions of the Western Taney County Fire Protection District requirements and regulations.

7. The 670 Amanda Drive Vacation Rental has been approved as a special-use permit. Therefore the permit is specific to the representative to whom the permit is issued and cannot be transferred without Planning Commission approval. The Special-Use Permit shall not be used to establish commercial compatibility for or with any future land-use change applications.

8. This Decision of Record shall be filed with the Taney County Recorder of Deeds Office within 120 days or the approval shall expire (Chapter II Item 6).
TANEY COUNTY PLANNING COMMISSION
STAFF REPORT
DIVISION III SPECIAL USE PERMIT
177 N. TUSCANY DRIVE VACATION RENTAL

Hearing Date: February 13, 2017
Case #: 2017-0001
Applicant: DK & NK LLC
Representatives: Nancy M. Klein

Request:

The representative Nancy M. Klein is seeking Planning Commission approval of a Division III Special-Use Permit allowing for the nightly rental of the existing single-family residence. The residence contains three (3) bedrooms.

Background and Site History:

Per the Assessor’s Information the single-family residence was constructed in 2007. The subject property is owned in Condo style ownership in the Villas of Fieldstone at Branson Creek Development.

The current application was approved for Concept January 17, 2017.

The Taney County Development Guidance Code defines nightly rental as “A residential building, structure, or part thereof that may be rented for any period of time less than thirty (30) calendar days, counting portions of days as full days.” Therefore, the applicant would have the ability to rent the residence for a period of thirty (30) days or greater.

The exterior appearance of the single-family residence will remain the same. Per the nightly rental provisions of the Development Guidance Code, “The maximum occupancy for a nightly rental shall be two (2) persons per dwelling unit, plus two (2) persons per bedroom.” Therefore, the three (3) bedroom home would have a maximum occupancy of eight (8) people.

The property is currently served by an existing drive off of N. Tuscany Drive.
Per the nightly rental provisions of the Development Guidance Code, “One (1) off-street parking space shall be provided for each two (2) persons of occupancy in a nightly rental.” Therefore a total of four (4) parking spaces will be required. The project received a total score of -1 on the Policy Checklist, out of a maximum possible score of 29.

Staff Recommendations:

If the Taney County Planning Commission approves Division III Permit #2017-0001, the following requirements shall apply, unless revised by the Planning Commission:

1. Compliance with the provisions of the Taney County Development Guidance Code.

2. Compliance letters from the Western Taney County Fire Protection District, the Missouri Department of Revenue and the Environmental Division of the Planning Department; including all other entities which have requirements governing a development of this nature shall be provided to the Planning Department office. (Chapter VI-VII).

3. A valid Missouri Department of Revenue Sales Tax License shall be provided to the Planning Department prior to the issuance of a Certificate of Compliance.

4. No outside storage of equipment or solid waste materials.

5. This decision is subject to all existing easements.

6. The residence located at 177 N. Tuscany Drive shall accommodate (sleep) no more than (8) persons per night. The total occupancy may be further limited based upon the provisions of the Western Taney County Fire Protection District requirements and regulations.

7. The 177 N. Tuscany Drive Vacation Rental has been approved as a special-use permit. Therefore the permit is specific to the representative to whom the permit is issued and cannot be transferred without Planning Commission approval. The Special-Use Permit shall not be used to establish commercial compatibility for or with any future land-use change applications.

8. This Decision of Record shall be filed with the Taney County Recorder of Deeds Office within 120 days or the approval shall expire (Chapter II Item 6).
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<th>NAME</th>
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<td>Hwy. 86</td>
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<td>1440 sq. ft. addition to dorm</td>
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<td>Coon Creek Parkway/BB Hwy.</td>
<td>50 x 100 steel bldg. for warehouse</td>
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<td>Douglas Thomas</td>
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<td>190 Cross Creek</td>
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<td>6/3/2016</td>
<td>Gumi Camp</td>
<td>267 MoArk Rd.</td>
<td>16 x 40 office</td>
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<td>16-15</td>
<td>6/3/2016</td>
<td>Gumi Camp</td>
<td>267 MoArk Rd.</td>
<td>14 x 60 Chapel</td>
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<td>16-16</td>
<td>12/20/2016</td>
<td>Tire Crew</td>
<td>13730 US Hwy. 160</td>
<td>60 x 60 auto shop</td>
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<td>16-17</td>
<td>7/14/2016</td>
<td>T-K Global</td>
<td>235 Coon Creek Rd.</td>
<td>1800 sq. ft. addition</td>
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<td>16-18</td>
<td>7/11/2016</td>
<td>Kings Rentals</td>
<td>124 Melody Mtn.</td>
<td>31 x 100 Rental shelter</td>
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<td>16-19</td>
<td>8/16/2016</td>
<td>Tanco Lumber</td>
<td>276 St. Hwy. H</td>
<td>40 x 60 Pole Barn</td>
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<td>16-20</td>
<td>7/28/2016</td>
<td>Verizon Wireless</td>
<td>3271 Ridgedale Rd.</td>
<td>300' cell tower</td>
<td>approved</td>
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<td>16-21</td>
<td>8/11/2016</td>
<td>Jerry's Boat Storage</td>
<td>128 Brewster Rd.</td>
<td>40 x 100 climate control storage</td>
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<td>16-22</td>
<td>8/18/2016</td>
<td>Bluegreen Big Cedar LLC</td>
<td>915 Long Creek Ranch Rd.</td>
<td>timeshare maint. Bldg.</td>
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<td>16-23</td>
<td>8/18/2016</td>
<td>Innovative Project Solutions</td>
<td>2120 Rustic Acres Rd.</td>
<td>65.71 x 13 Solar Bus. System</td>
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<td>&quot;</td>
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<td>16-25</td>
<td>9/15/2016</td>
<td>Saints St. Apts.</td>
<td>200 Saints Street</td>
<td>400 sq. ft. Pavilion</td>
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<td>16-26</td>
<td>9/29/2016</td>
<td>Hercules Church</td>
<td>9256 N. St. Hwy. 125</td>
<td>36 x 66 Multi purpose bldg.</td>
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<td>10/20/2016</td>
<td>Dave Crismon</td>
<td>293 Sycamore Dr.</td>
<td>24 x 28 carport</td>
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<td>16-28</td>
<td>11/17/2016</td>
<td>Kanakuk Camp Ministries</td>
<td>833 Lakeshore Dr.</td>
<td>26 x 27 storage shed</td>
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<td>16-29</td>
<td>12/6/2016</td>
<td>Future Men</td>
<td>3278 Deer Lane</td>
<td>42 x 46 basketball court</td>
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<td>12/27/2016</td>
<td>Empire Energy LLC</td>
<td>945 E. St. Hwy. 76</td>
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<td>16-001l</td>
<td>Sanders Athletic Flooring</td>
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<td>16-002l</td>
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<td>16-003l</td>
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<td>16-004l</td>
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<td>16-005l</td>
<td>Carl Bear</td>
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<td>16-006l</td>
<td>Stacy Hagston</td>
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<td>16-007l</td>
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<td>16-010l</td>
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<td>16-012l</td>
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<td>Randy Rossner</td>
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<td>Oscar Cook</td>
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<td>16-0331</td>
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<td>Thomas Reemes</td>
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<td>Tom Arlt</td>
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<td>1566 Acacia Club</td>
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<td>ron Hams</td>
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## 2016 DIVISION I PERMITS

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## 2016 DIVISION I PERMITS

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## 2016 DIVISION I PERMITS

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### 2016 DIVISION I PERMITS

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## 2016 Plats

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Land Disturbance Permits: 9
The Taney County Planning Staff would like to make the following amendments to the Taney County Development Guidance Code in regards to WORKING DAYS AND CALENDAR DAYS:

1. Section 6 Certificates of Occupancy/Compliance
   Subsection 6.3 Revocation-
   If a certificate of occupancy/compliance has been suspended and sixty (60) calendar days have passed without the development returning or demonstrating diligent efforts to return to compliance with its permit (or filing an appeal that stays further proceedings until it is heard), the certificate of occupancy/compliance shall be revoked and a notice of revocation served, requiring vacation of the development within ten (10) working days. Calendar days

2. APPENDIX B Step: Planning & Zoning Staff Action
   Subsection (b) Applications for Division I permits shall be processed within five (5) working days calendar days of their filing. Applications cannot be processed until all submittals have been made.

3. Notice of Proposed Land Use Change Posting:
   (c) Notice of public hearings, as required for Division II and III applications, shall be posted on the property described in the applications for the permit. The notice shall include the time, date and location of said hearing. The notice shall be supplied and posted by the staff at least ten (10) working days calendar days prior to the public hearing.
To: TANEY COUNTY PLANNING COMMISSION
P.O. BOX 383
FORSYTH, MO. 65653
PHONE 417-546-7226 FAX 417-546-6861

FROM: TIMOTHY F. GRIMM AND BEVERLY GRIMM
170 STONEY POINTE DR.
HOLLISTER, MO. 65672
417-334-3977

RE: PUBLIC HEARING NOTICE 2-13-17 TO OPERATE
A NIGHTLY RENTAL. WE ARE OPPOSED TO THIS.
THEY ARE ILLEGALLY OPERATING THEM NOW. EXCESSIVE
AMOUNTS OF PEOPLE AND NOISE IN SOME UNITS,
CARS AND BOATS SOMETIMES PARKED ON NARROW
STREETS NOT MEANT FOR LARGE AMOUNTS OF TRAFFIC.
WE HAVE 2 SMALL SWIMMING POOLS WHICH ARE
SOMETIMES OVERRUN WITH RENTERS TO THE POINT
WHERE FULL TIME RESIDENTS CANNOT USE THEM,
TRASH BARRELS LEFT OUT ON STREET(AGAINST CCRS)
FULL TIME RESIDENTS QUALITY OF LIVING IS BEING
COMPROMISED BY OUR ASSOCIATION'S LACK OF ENFORCEMENT
AND THE COUNTY'S LACK OF ENFORCEMENT. WHEN THIS
DEVELOPMENT WAS BUILT A PERMIT FOR NIGHTLY
RENTALS WAS NEVER APPROVED! I BELIEVE THE
FIRE DEPARTMENT WAS RECENTLY CONTACTED AND THEY
SAID FIRE SPRINKLERS WOULD BE REQUIRED IN NIGHTLY
RENTAL UNITS AND SHOULD CEASE OPERATING IMMEDIATELY?
WE ARE NOT IN FAVOR OF NIGHTLY RENTALS
IN OUR SUBDIVISION.

THANK YOU
TIMOTHY F. GRIMM
February 5, 2017

Taney County Planning and Zoning Commission
County of Taney
P.O.Box 383
Forsyth, MO 65653-0486

Gentlemen:

I would like to take this opportunity to thank all of you for the consideration you gave to the recent requests for nightly rentals on Lemonwood Lane in Hollister and their subsequent denial. Since I live next door to one of the properties involved in the request for a permit for nightly rentals, I can assure you I can speak from experience with this problem. It also distresses me that this property (and the other one on Lemonwood Lane) were rented without a permit and continued to be rented without a permit in defiance of the ordinance and its denial.

This letter is written as one last plea for your careful consideration concerning restrictions on nightly rentals in Taney County in the future. As you have heard, the residents on Lemonwood Lane and in all of Taney County value the privacy, security and friendly neighborhoods afforded them in their homes located in R-1 zoning. Presently the County has good regulations and restrictions concerning for the rental of housing in R-1 neighborhoods. If you were to remove these restrictions (and or loosen them,) it would be like letting the fox in the hen house. Our secure, private and friendly neighborhoods would then become a “free for all” of nightly rentals springing up everywhere. Nightly rentals are a growing business in the Ozarks and nationwide, and the problem is going to become an even bigger issue in the future.
By removing the restrictions that are currently in place, we could quickly lose our privacy, become insecure and lose property values to name a few. Our children might even show fear since they would not know who is next door. An R-1 designation is just that—a single family neighborhood with people residing there on a permanent basis.

I urge you gentlemen to not remove the restrictions on nightly rentals which are up for a vote before the Commission on Monday, February 13, 2017. And, thank you for your service to our community.

Very truly yours,

Donna Lakey
264 Lemonwood Lane
Hollister, MO 65672
We are residents at Branson Creek Fieldstone Bluffs where there are several single family homes now being rented on a nightly basis. We were the second residence in the Bluffs having moved in 8 years ago. When we bought the lot on which to build, we were told that these houses would be owner occupied or used as second homes for the owners. And for several years, that was the way it was. In the last 3-4 years some of the houses have sold and people who bought them have started renting them out nightly. This has disturbed my wife and I greatly. One of these houses at 226 Stoney Pointe is directly across the street from us and its back yard hot tub are no more than 100 feet from our bedroom window. We have had more than one instance of people out drinking in the hot tub at 1:00 and 3:00 am in the morning. We came very close to calling the police once, but were afraid the people might cause trouble. We have cars parked so thick on Stoney Pointe, that it becomes hard sometimes to weave through them to get out of the neighborhood. These are all at least 4 bedroom houses and so there are always multiple families staying in one house, and with all having cars, it gets very crowded. The HOA covenants say that cars must be in the driveways. Recently, at another rental 4 houses down from us at 360 Black Rock Drive, there were 5 monster trucks parked in the drive way and on the street with people working on them and equipment to do so in the yard. Branson Creek had a small pool built for the residents before the nightly rentals started which would accommodate about 10-12 people at a time comfortably and it was sufficient for us older residents. Now there are many times that there are 20-25 people in that pool, none of which are residents. The residents don't even go to the pool anymore because of this. We can't take our grandchildren when they visit. We don't think it is right that so many of us bought in Branson Creek Fieldstone thinking that we were moving into a residential neighborhood, only to have the rules changed in the middle of the game. As evidenced by the fact we are having these applications for a variance, this was not the original intent of this development. We think it should stay the way it was originally intended. We plan on being there at the public hearing on February 13, but we just felt we needed to send this in case something would happen that we cannot attend.

Richard & Sharon Hurt
326 Black Rock Drive
Branson Creek Bluffs
Hollister, MO
Mr Atchley, we live at 110 Greystone Drive in Hollister. My wife and I plan to attend the meeting scheduled for the evening of February 13. It is my understanding that the issue of nightly rentals in our community will be discussed. We thought it could be more expeditious to put our concerns in writing.

We feel very strongly that nightly rentals should not be allowed for any home or condo in the neighborhood. One reason is the people who rent seem to have no concern for the beauty of our neighborhood.

They crowd our small pool, they park wherever they please and bring so many friends/family members our infrastructure is at risk. The extra traffic is a danger to our folks and children walking about the neighborhood. And the traffic continues well into the night.

It is not pleasing to the eye to drive up to our home and see towels, bathing suits and other clothing hanging from balconies. Our trash cans flow over from usage we never anticipated. They seem to have no concern for us or our equipment.

We have seen our neighborhood advertised as a “Resort Community.” Nothing could be further from the reality of our nice, quiet housing development. And homes advertised for 12 people and more? How can any home in our neighborhood accommodate that many people?

Not to mention the reduction in the value of our beautiful home. We have committed to a 20 year investment only to see it depreciate in value. We have spent a substantial amount of money to beautify our home and neighborhood in terms of landscaping plant and hardscape. We are retired and have no prospects of recovering any losses.

Finally we are also concerned about criminal activity. We know of no such activity at this time but exposing our homes and families to the nightly traffic is not in the best interests of our homeowners.

Your careful consideration is appreciated.

Judi & Ray Vorbeck
February 3, 2017
Would you be sure this complaint is also in the packet. Thanks again.

> On Jan 22, 2017, at 12:24 PM, Joan Farmer <iefarmer123@gmail.com> wrote:
> 
> Dear Sir:
> 
> So sorry you and the commissioners have been brought in to deal with this situation. However, you are probably our last line of defense, protecting us permanent residents from greedy opportunists trying to make money on our misfortune.
> 
> In 2008, we bought our home before it was finished and moved into it a year later. We paid for a dream that has turned into a nightmare. My husband was impressed with the access to a good golf course and a lovely clubhouse. The house itself met all my retirement conditions: one floor (no stairs), brick exterior, and yard maintenance.
> 
> We both appreciated the beauty of the area, the lovely clubhouse where we could have lunch or a quick snack. Unfortunately, the economy crashed, the developer sold most of the area to McMillan Properties. They came in like "gangbusters" and spent a lot of money on foolish parties, flags, etc., etc. After a year of unparalleled spending, they realized their mistake and sold off the golf course and clubhouse to John Morris. Golf privileges ended and the substitute "clubhouse" and pool are a bitter joke.
> 
> We have survived the downturn in the economy and 3 different owners with varying management styles. However, the three individuals presently managing the development don't have any training for their positions and refuse to honor the original guidelines. The result: "We're between a rock and a hard place."
> 
> We are able to move away and leave our dreams behind. However, not everyone in our development is economically or physically able to do so. Hence, our need for intervention.
> 
> I feel that we are being forced out of our homes by a new breed of "carpetbaggers" and that our peace and safety are being destroyed.
> 
> Hopefully, you won't believe all the realtors and opportunists in their "sunny" accounts of the situation and will honor our requests for relief.
> 
> Sincerely,
> 
> Joan Farmer
> Permanent Resident
> of Taney County
>
> I can assure you that without responsible supervision of the rentals, permanent residents will make a grand
exodus and the infrastructure will be trashed by renters who have no loyalty or pride in the area. In other words, within a short time, Branson Creek will be "toast'.

--
Karen L. Murphy
Mr Stennett, please see below a message sent to Mr Atchley regarding nightly rentals in our subdivision. Thank you for your assistance in this matter. J&R

Mr Atchley, we live at 110 Greystone Drive in Hollister. My wife and I plan to attend the meeting scheduled for the evening of February 13. It is my understanding that the issue of nightly rentals in our community will be discussed. We thought it could be more expeditious to put our concerns in writing.

We feel very strongly that nightly rentals should not be allowed for any home or condo in the neighborhood. One reason is the people who rent seem to have no concern for the beauty of our neighborhood.

They crowd our small pool, they park wherever they please and bring so many friends/family members our infrastructure is at risk. The extra traffic is a danger to our folks and children walking about the neighborhood. And the traffic continues well into the night.

It is not pleasing to the eye to drive up to our home and see towels, bathing suits and other clothing hanging from balconies. Our trash cans flow over from usage we never anticipated. They seem to have no concern for us or our equipment.

We have seen our neighborhood advertised as a “Resort Community.” Nothing could be further from the reality of our nice, quiet housing development. And homes advertised for 12 people and more? How can any home in our neighborhood accommodate that many people?

Not to mention the reduction in the value of our beautiful home. We have committed to a 20 year investment only to see it depreciate in value. We have spent a substantial amount of money to beautify our home and neighborhood in terms of landscaping plant and hardscape. We are retired and have no prospects of recovering any losses.

Finally we are also concerned about criminal activity. We know of no such activity at this time but exposing our homes and families to the nightly traffic is not in the best interests of our homeowners.

Your careful consideration is appreciated.

Judi & Ray Vorbeck
February 3, 2017
I am a permanent residence of 155 N Tuscany Dr, Branson Creek Hollister and would like to state I would like to see the unit next to me 157 N Tuscany, cease nightly rentals as it has been an unpleasant experience. I have had to tolerate excessive noise, garbage bags left on our shared front porch for days, children running in out slamming doors that rattle my windows, and children playing with my yard ornaments.

Thank you,

Cheryl Sinko

Sent from my iPad