



TANEY COUNTY PLANNING COMMISSION

P. O. Box 383 • Forsyth, Missouri 65653

Phone: 417 546-7225 / 7226 • Fax: 417 546-6861

website: www.taneycounty.org

TANEY COUNTY BOARD OF ADJUSTMENT

STAFF REPORT

DONALD NIENABER

MAY 21, 2008

#07-08

Public Hearing for Donald Nienaber located at Forest Park Estates #2 in the Branson Township, Sec. 26 Twp. 23 Rng. 22.

The applicant requests a 3' variance on a front porch overhang.

History: The property is located at 148 Hill Drive, Lot 45 and 70 in Forest Park Estates. No structure exists on the property only an RV.

General Description: The adjoining properties to the request consist of residential.

Review: The request is for a 3' variance for a planned single family residence on Lot 83 which is 45' x 70' making it 10 feet from the front lot line instead of the current 13 ft. requirement. The reason for the request is the existence of a 4' high retaining wall across the rear of the lot at 53 feet from the front lot line that will allow only a 958 sq. ft. structure with the variance.

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

1. Variance is for the setback difference of 3' for a front porch. (Appendix H, Table 12, Setbacks, Taney County Development Guidance Code).
2. This Decision of Record shall be filed with the Taney County Recorder's Office within 120 days or the approval shall expire. (Chapter II Item 6).



TANEY COUNTY PLANNING COMMISSION
 P. O. Box 383 • Forsyth, Missouri 65653
 Phone: 417 546-7225 / 7226 • Fax: 417 546-6861
 email: gregs@co.taney.mo.us • website: www.taneycounty.org

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

(Circle one)

Variance (\$25.00) Appeal (\$75.00)

PLEASE PRINT

Applicant Donald Nieraber Phone 417-231-2262
 Address, City, State, Zip 148 Hill Dr. Branson, Mo.
 Representative same Phone same
 Owner of Record same Signature: Donald Nieraber
 Name of Project: NA
 Section of Code Protested: (office entry) Appendix H Mobile 12 Setbacks
 Address and Location of site: ~~Lot 53 Forest Park Est~~
148 Hill Dr.
 Subdivision (if applicable) Forest Park Est. #2
 Section 26 Township 23 Range 22 Number of Acres or Sq. Ft. Lot 45 X 70
 Parcel Number 07-7.0-26-004-005-010.00
 (Parcel # **MUST** be on permit. Example: 00-0.0-00-000-000-000.000. # on top left hand corner of property tax statement.)
 Does the property lie in the 100-year floodplain? (Circle one) Yes No

Required Submittals:

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

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

Describe in detail the reason for your request:

3' 'variance on front porch
overhang.

March 5, 2008


To: Taney County Planning Commission Board of Adjustment
P. O. Box 383
Forsyth, Mo. 65653

Re: Variance for front setback on lot 83 Forest Park Estates # 2 in
Taney County, Mo.

The following residents of Forest Park Estates have voiced their approval of the request to allow a three (3) foot setback variance for the front porch overhang, on the planned residence on lot 83 which is 45' wide by 70' deep, making it 10 feet from the front lot line instead of the current 13 foot requirement. This change will leave ample off street parking for vehicles in the front and will bring the setback of this residence to match the setback of the homes directly across the street on Hill Dr. With this variance the porch size can still only be 5' deep by 16' wide. A smaller porch would be useless.

The reason for this request is the existence of a 4 foot high retaining wall across the rear of the lot at 53 feet from the front lot line that will allow only a 958 sq. ft. residence, with this variance. The house can only be a maximum of 38 feet deep to the retaining wall even though this lot is 70 feet deep. The property will then compliment the immediate neighborhood.

Thanking you, I remain


Donald Nienaber
148 Hill Dr.
Branson, Mo. 65616


Leon Dobson, president of Forest Park Assn.


C. D. Cooper, neighbor 146 Hill Dr.


Gerald Grubb, neighbor 150 Hill Dr.


Jim Hughes neighbor 147 Hill Dr.
