



TANEY COUNTY PLANNING COMMISSION

P. O. Box 383 • Forsyth, Missouri 65653

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website: www.taneycounty.org

TANEY COUNTY BOARD OF ADJUSTMENT

STAFF REPORT

EMORY CREEK RANCH, LLC

#08-5

JULY 16, 2008

Public Hearing for Emory Creek Ranch, LLC located at 163 Adair Road, in the Branson Township, Sec. 5 Twp. 23 Rng. 21.

The applicant requests an appeal of the Taney County Planning Commission decision to deny a request for a Multi-Use Complex.

History: Denied by the Planning Commission June 16, 2008.

General Description: The subject property contains approximately 430 acres and is located at the end of Adair Road north of Pinegar Auto Plaza. The adjoining properties to the development consist of commercial, residential, and agricultural.

Review: If the appeal is granted the proposed site will consist of multi-family uses, 4-story condo buildings, cabins, hotel/lodging, indoor/outdoor water park, retail shops, food establishments, large box specialty retail and other service industry uses, offices, along with a 7,500 seat all-purpose open-air arena to be used for, rodeo events, sporting events including racing events, concerts, and festivals.

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

1. Compliance with the provisions of the Taney County Development Guidance Code that includes plans for the following:
 - a. Sediment and erosion control (Appendix B Sec. VI Item 2)
 - b. Stormwater management (Appendix B Item 3)
 - c. Land grading permit (Appendix B)
 - d. Delineation of the 100 year floodplain (Taney County Floodplain Management Ordinance 60.3b Sec. A)
 - e. Utility easements and building line setbacks (Table 12)
 - f. Foliage screening or fencing for commercial area that adjoins residential tracts (Appendix C)
 - g. Improvements with scale of buildings, streets, onsite parking and utilities (Table 6)
2. Compliance letters from the Fire, Sewer and Water Districts (Chapter VI-VII).
3. No outside storage of equipment or solid waste materials.
4. Division II Permits will be required for all applicable structures in the development (Chapter 3 Sec. 1 Item B).
5. This decision is subject to all existing easements.
6. The Decision of Record shall be filed in the Taney County Recorder's Office within 120 days or the approval shall expire (Chapter II Item 6).

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

(Circle one)

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

PLEASE PRINT

Applicant Emory Creek Ranch, LLC Phone (417) 336-8798

Address, City, State, Zip 800 State Highway 248, Bldg III, Branson, MO 65616

Representative Wolfe Surveying Phone (417) 334-8820

Owner of Record Emory Creek Ranch, LLC Signature: _____

Name of Project: Highway 65 Multi-Use Complex at Emory Creek Ranch

Section of Code Protested: (office entry) _____

Address and Location of site: End of Adair Road north of Pinegar Auto Plaza located at
163 Adair Road

Subdivision (if applicable) _____

Section 05 Township 23N Range 21W Number of Acres or Sq. Ft. 430 +/-

Parcel Number 08-3.0-05-000-000-043.000

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

Required Submittals:

- Typewritten legal description of property involved in the request
- 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:

Proposed multi-use residential/retail/all-purpose entertainment complex was denied by
the Taney County Planning & Zoning Commission at the June 16, 2008 meeting.
Applicant is appealing the Commission's decision to deny the Division III permit,
believing the proposed project meets all requirements of the Taney County Development
Guidance Code. In order to meet the Board of Adjustment deadline for the July 16,
2008, meeting, Applicant is applying to the BOA before the *Finding of Fact* is available.
The proposed project consists of, but is not limited to, multi-family use, 4-story condo
buildings, cabins, hotel/lodging, indoor/outdoor water park, retail shops, food
establishments, large box specialty retail & other service industry uses, offices, etc.
along with a 7,500 seat all-purpose open-air arena to be used for, but not limited to,
rodeo events, sporting events including racing events, concerts, festivals, etc. The site
plan dictates acreages and numbers for each use.
