



## TANEY COUNTY PLANNING COMMISSION

P. O. Box 383 • Forsyth, Missouri 65653  
Phone: 417 546-7225 / 7226 • Fax: 417 546-6861  
website: [www.taneycounty.org](http://www.taneycounty.org)

### **AGENDA TANEY COUNTY PLANNING COMMISSION REGULAR MEETING MONDAY, OCTOBER 19, 2009, 7:00 P.M. COUNTY COMMISSION HEARING ROOM TANEY COUNTY COURTHOUSE**

Call to Order:

*Establishment of Quorum  
Explanation of Meeting Procedures*

Review and Action:

*Minutes, September 2009*

Final Votes:

*Epps Trash  
Trong Van Tran*

Concepts:

*The Branson Radio Network  
Small Engine Doctor Relocate  
Wolf Trail Estates Phase II  
Fountains on Fall Creek*

Permit Renewal Requests:

Old and New Business:

Adjournment.



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### **MINUTES TANEY COUNTY BOARD OF ADJUSTMENT WEDNESDAY, SEPTEMBER 16, 2009, 7:00 P.M. COUNTY COMMISSION HEARING ROOM TANEY COUNTY COURTHOUSE**

#### Call to Order:

Chairman Dave Clemenson called the meeting to order at 7:00 p.m. A quorum was established with four members present. They were: Dave Clemenson, Bob Hanzelon, Jack Johnston, and Tom Gideon. Staff: Eddie Coxie, Dan Nosalek, and Bob Paulson.

Mr. Coxie read a statement explaining the meeting procedures and placed the Taney County Development Guidance Code as Exhibit A, the Staff Report as Exhibit B, and the staff files including all pertinent information as Exhibit C, and the Taney County Board of Adjustment bylaws as Exhibit D. The State Statutes that empower and govern the Board of Adjustment were read. Mr. Clemenson swore in the speakers before the hearing.

#### Public Hearings:

Villa Gis: a request by Ed Fisher for a variance from the Taney County Development Guidance Code Section 5.3 for the construction of a commercial building located at 7719 East St. Hwy. 76. The Planning Commission tabled this request at their August 2009 meeting until a variance can be obtained regarding the 2 acre minimum requirement in the Code. Mr. Coxie read the staff report and presented pictures and a video of the site. He gave a history of the request during the procedure with the Planning Commission. If approval is given, it will proceed to Final Vote at the upcoming Planning Commission meeting. Mr. Coxie stated that if the applicant purchases the additional property it would make those surrounding properties also under the 2 acre minimum. Mr. Johnston asked if there were any problems with DNR. Mr. Coxie reported that this is a DNR approved system. Mike Giese representing the applicant addressed questions and explained the request and the wastewater system. The entrance to the property will be enlarged and approved by MoDot. The old septic system will be crushed or removed. No one signed up to speak. The hearing was closed. With no discussion a motion was made by Jack Johnston to approve the request based upon the decision of record. Seconded by Tom Gideon. The vote to approve was unanimous.

Old and New Business:

Mr. Coxie reported the request pending for October.

Review and Action:

Minutes, August 2009: With no additions or corrections a motion was made by Bob Hanzelon to approve the minutes as written. Seconded by Tom Gideon. The vote to approve was unanimous.

Adjournment:

With no other business on the agenda for September 16, 2009 Mr. Clemenson adjourned the meeting at 7:30 p.m.



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### **MINUTES TANEY COUNTY PLANNING COMMISSION REGULAR MEETING MONDAY, SEPTEMBER 21, 2009, 7:00 P.M. COUNTY COMMISSION HEARING ROOM TANEY COUNTY COURTHOUSE**

#### Call to Order:

Chairman Sarah Klinefelter called the meeting to order at 7:00 p.m. A quorum was established with six members present. They were: Sarah Klinefelter, Shawn Pingleton, Randall Cummings, Joey Staples, Jim Brawner, Mark Blackwell. Staff present: Eddie Coxie, Bonita Kissee, Dan Nosalek, Marla Pierce.

Mr. Coxie read a statement explaining the meeting procedures.

#### Review and Action:

Minutes, August 2009: with no additions or corrections a motion was made by Joey Staples to approve the minutes as written. Seconded by Randall Cummings. The vote to approve the minutes was unanimous.

#### Final Votes:

Susan's Bookkeeping: request by Susan Burke to operate a bookkeeping business from her home located at 1129 St. Hwy. H. A letter was presented by the applicant from the next door neighbors voicing their approval of the request. Discussion followed regarding buffering, lighting, and parking and this not being an intrusive kind of business which would necessarily bother the neighborhood. After discussion a motion was made by Jim Brawner to approve based upon the decision of record. Seconded by Joey Staples. The vote to approve was unanimous.

Wilderness Club at Big Cedar Expansion: request by Big Cedar LP/Three Johns Co. to expand the existing Wilderness Club at Big Cedar to the north and east. Tom Jowett, Mike Stalzer, Ed Linqvist, Howard Kitchen, Tim Sweringen were present to address questions from the Commission. Mrs. Klinefelter clarified the request and pointed out the concerns from last meeting. Mr. Stalzer presented the overview of the property and water retention plans requested from last week. Discussion followed regarding the water table, and wastewater plans. Twelve year build out was discussed and how that would affect the drainage areas. Mrs. Klinefelter clarified with staff that during a twelve year build

out the project would be under the current development standards. Mr. Jowett reported that he had met with the neighbors and in his opinion most questions were answered and they would continue to keep in touch with the neighbors regarding stormwater retention, water and wastewater and any other concern that might come up. The number of units will be 620 including cabins and lodges. Estimated number of buildings at this time is not available because the units have not been laid out. Discussion followed regarding location of cabins and lodges, height limitations, emergency exits, entrances, landscaping buffer. After discussion a motion was made by Shawn Pingleton to approve based upon the decision of record with the additions of; Sites, TS1 and TS9 approved as presented; the entrance north of TS3 will be emergency only, any change on this site would come before Planning Commission; On buildings TS1 and TS3 height regulations would apply, the rest of the project will fall under normal regulations. The north side of TS3 and TS2 will have a 30' buffer in addition of a 5' minimum wire fence and continuous vegetation. If the decision is made to have any commercial, it must come back before the Planning Commission. The motion was seconded by Joey Staples who stated he understood the neighborhood concerns, but the project does fall under the regulations, and has complied well with the requirements of the Code. The motion carried with four in favor with two abstentions.

Villa Gis: Mr. Coxie reported that the Board of Adjustment approved the variance for less than two acres. Discussion followed with Mr. Coxie clarifying the request. After discussion a motion was made by Jim Brawner to approve based upon the decision of record with the addition of if the property was ever sold the new owners would need to seek approval by the Planning Commission for any change. If the property use is kept identical, no new approval will be needed. The motion was seconded by Joey Staples. The vote to approve was unanimous.

Farmer's Market: Gene Allison was present to seek the final vote for his project. Mr. Coxie clarified the request and location. Mr. Allison addressed questions from the Commission. After discussion a motion was made by Mark Blackwell to approve based upon the decision of record. Seconded by Joey Staples. The vote to approve was unanimous.

Northview Estates: Mr. Halbrook was present to seek his final approval, and Mr. Coxie clarified the request and reported that the plat would not be signed until the existing buildings hook to central sewer. After discussion a motion was made by Shawn Pingleton to approve based upon the decision of record, with the addition of a letter from the Sewer District addressing the sewer issues. Seconded by Randall Cummings. The vote to approve was unanimous.

Concepts:

Epps Trash Service, LLC: a request by Frank and Barbara Epps to park empty trash trucks and empty trash containers on site located at 171 Remington Dr. Mr. Coxie clarified the request. The applicants explained why they did not move forward with the original request at the previous location. The number of bins and dumpsters was discussed. This project will proceed to public hearing next month.

Trong Van Tran: a request to operate a restaurant from a previous auto repair shop located at 2130 St. Hwy. 248. Mr. Coxie clarified the request and location and stated that this facility had not hooked to Branson's City sewer when the time came. This will need to be done before approval can be given. This project will proceed to public hearing next month.

Permit Renewal Request:

Acacia Bend II and III: No one present. Mr. Coxie explained that the applicant has been in the hospital and can't appear. His permit is due this month, and nothing has changed since approval was given. Shawn Pingleton made a motion to extend the permit. Seconded by Joey Staples. Jim Brawner abstained. Mark Blackwell opposed. The permit was extended for another year.

Old and New Business:

No discussion.

Adjournment:

With no other business on the agenda for September 21, 2009 the meeting adjourned at 8:20 p.m.



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09-27

**APPLICATION FOR CONCEPT  
DIVISION III  
TANEY COUNTY PLANNING COMMISSION**

The Concept Application is for the use of the Planning Staff and Commission to enable us to know the nature of the planned project. The official Division III Application for permit will be filed along with everything needed to complete your file, as listed on the Division III Procedure Checklist. Division III Applications: \$100.00, Special Use Applications: \$25.00.

NAME OF PROJECT: The BRANSON Radio Network

NAME OF APPLICANT: Larry Morton  
(Must be owner of record)

SIGNATURE: Larry Morton DATE: 9/17/09  
(Must be owner of record)

MAILING ADDRESS: 2242 State Hwy 376

TELEPHONE NUMBER: 417 334-6496

**Representative Information**

NAME OF REPRESENTATIVE: JAMES LEKANDER

MAILING ADDRESS (rep.): 2242 State Hwy 376

TELEPHONE NUMBER (rep.): 417-334-6496 or 417-894-5186



***Any proposed project that does not have a posted 911 address must be identified with a survey flag at the proposed access to the property. Failure to post the survey flag will result in a delay of the Public Hearing. Please give a description of your proposed project including all uses: (IMPORTANT: Make this description as complete as possible as your public notice will be based on the information provided here.)***

The Branson Radio Network

The Network will produce and syndicate Live Call-in Radio shows to be broadcasted over the internet and satellite for AM and FM stations throughout the country. We propose to use the structure to house our offices on the top two floors and the basement for our recording studio. We will have about 5 to 7 employees in the house from the hours of 8:00 AM to 6:00 PM. We will have a few visitors briefly for meetings and sales. The structure does not need to be modified for our use at this time or near future.

The property does have adequate parking for all plus more employees and visitors.

To the left of the property is currently 6.76 acres of land that is not developed in any form or sharp and the owners do not have any plans for its development. The property to the right is over 27 acres with only one house on the property. The house is over three tenths of a mile away from the property line.

\_\_\_\_\_  
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\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



# The Branson Radio Network



**DISCLAIMER**

Taney County makes every effort to produce and publish the most current and accurate information possible. This data is provided "as is" without warranty or any representation of accuracy, timeliness or completeness. The burden for determining accuracy, completeness, timeliness, merchantability and fitness for or the appropriateness for use rests solely on the requester. The County makes no warranties, express or implied, as to the use of the Data. There are no implied warranties of merchantability or fitness for a particular purpose. The requester acknowledges and accepts the limitations of the Data, including the fact that the Data is dynamic and is in a constant state of maintenance, correction and update.  
MP 8/5/2006

REC'D  
9-18-09



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09-28

**APPLICATION FOR CONCEPT  
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NAME OF PROJECT: Small Engine Doctor relocation

NAME OF APPLICANT: Richard Robinson  
(Must be owner of record)

SIGNATURE: Richard Robinson DATE: 9-18-09  
(Must be owner of record)

MAILING ADDRESS: 2157 Ridgedale Road, Ash Grove Mo  
65739

TELEPHONE NUMBER: 417-335-6996

**Representative Information**

NAME OF REPRESENTATIVE: \_\_\_\_\_

MAILING ADDRESS (rep.): \_\_\_\_\_

TELEPHONE NUMBER (rep.): \_\_\_\_\_

## Property Information

ACCESS TO PROPERTY (street # and name): 2923 Ridgeclark Road  
65 to 86 to South of Ridgeclark Rd.

Number of Acres (or sq. ft. of lot size): 1.5 acres

PARCEL #: 20-40-17-000-000-020.000

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

SECTION: 17 TOWNSHIP: 21N RANGE: 21W

NAME OF SUBDIVISION (if applicable): N/A

Lot # (if applicable) N/A BLOCK # N/A

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

- Commercial     Multi-Family     Residential     Agricultural  
 Multi-Use     Municipality

### SEWAGE DISPOSAL SYSTEM:

- Treatment Plant     Individual  
 Central Sewer: District # \_\_\_\_\_

### WATER SUPPLY SYSTEM:

- Community Well     Private Well  
 Central: District # \_\_\_\_\_

DOES THE PROPERTY LIE IN THE 100-YEAR FLOOD PLAIN?  Yes  No

### THIS REQUEST FALLS INTO ONE OR MORE OF THE FOLLOWING CATEGORIES:

- Residential     Multi-Family     Commercial     Industrial  
 Special Use     Other - Explain: \_\_\_\_\_

Describe in detail the reason for your request:

I Richard Robinson would like to relocate my small engine business, would have alot more room and inside storage, would be alot safer location, at present I have plenty of room but people will still back out in the road which is very dangerous at this location, At the new location I would have lots of room, people would have plenty of room to get off road

New Location is 1.5 acres, Unable to purchase ~~additional~~  $\frac{1}{2}$  acre to meet 2 acre requirement,

Business restroom only, Employee & some customer use, No showers



# Small Engine Doctor Relocation



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MP 6/5/2006



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REC'D  
 9-28-09

09-29

**APPLICATION FOR CONCEPT  
 DIVISION III  
 TANEY COUNTY PLANNING COMMISSION**

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**NAME OF PROJECT:** Wolf trail Estates Phase 2 + 3 lot minor sub

**NAME OF APPLICANT:** Tri-Sons Properties LLC Steven J Creedon  
 (Must be owner of record)

**SIGNATURE:** *Steven J Creedon* **DATE:** 9/28/09  
 (Must be owner of record)

**MAILING ADDRESS:** P O Box 1200 Hollister MO 65673

**TELEPHONE NUMBER:** 417-294-4549

**Representative Information**

**NAME OF REPRESENTATIVE:** Eddie wolf

**MAILING ADDRESS (rep.):** 800 State Hwy 248 Bldg 4 Suite D

**TELEPHONE NUMBER (rep.):** ~~8~~ 417-334-8820

# Property Information

ACCESS TO PROPERTY (street # and name): Wolf trail Drive

Number of Acres (or sq. ft. of lot size): 26 acres +/- + 3/16 minor sub

PARCEL #: 02 17-980-32-000-000-001.002 + 03 17-8.0-33-000-000-004.000  
(Parcel # MUST be on permit. Example: 00-0.0-00-000-000-000.000. This number is on top left hand corner of property tax statement. If you have not paid taxes on property, must have name of previous owner of property.)

SECTION: 32 TOWNSHIP: 22 RANGE: 21 +  
33 22 21

NAME OF SUBDIVISION (if applicable): Wolf Trail Estates

Lot # (if applicable) \_\_\_\_\_ BLOCK # \_\_\_\_\_

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

- Commercial     Multi-Family     Residential     Agricultural  
 Multi-Use     Municipality

## SEWAGE DISPOSAL SYSTEM:

- Treatment Plant     Individual  
 Central Sewer: District # \_\_\_\_\_

## WATER SUPPLY SYSTEM:

- Community Well     Private Well  
 Central: District # \_\_\_\_\_

DOES THE PROPERTY LIE IN THE 100-YEAR FLOOD PLAIN?  Yes  No

## THIS REQUEST FALLS INTO ONE OR MORE OF THE FOLLOWING CATEGORIES:

- Residential     Multi-Family     Commercial     Industrial  
 Special Use     Other – Explain: \_\_\_\_\_

09-30

# APPLICATION FOR CONCEPT

## DIVISION III TANEY COUNTY PLANNING COMMISSION

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NAME OF PROJECT: FOUNTAINS ON FAU CREEK

NAME OF APPLICANT: FOUNTAINS ON FAU CREEK, LLC  
(must be owner of record)

SIGNATURE: M. RJ  
DATE: 9/30/09  
(must be owner of record)

MAILING ADDRESS: 245 S. WILLOWOOD DR. BRANSON, MO. 65616

TELEPHONE NUMBER: 417.336.8242 or 417.348.1055 x255

NAME OF REPRESENTATIVE: MARK RUDA

MAILING ADDRESS (rep.): SAME

TELEPHONE NUMBER (rep.): SAME

ACCESS TO PROPERTY (street # and name): ~ 3855 FAU CREEK RD.

~ 52.19 + ~ 5.9 ≈ 58.02 AC. # of Acres (or sq. ft. of lot size):

PARCEL # 18-1-0-12-004-001-002.000 AND ADJ.

SECTION: 12 TOWNSHIP: 22N RANGE: 22W

NAME OF SUBDIVISION (if applicable): N/A

Lot # (if applicable) N/A. BLOCK # N/A.

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

COMMERCIAL  MULTI-FAMILY RESIDENTIAL

AGRICULTURAL  MULTI-USE MUNICIPALITY

TYPE OF SEWAGE DISPOSAL SYSTEM:

CENTRAL TREATMENT PLANT  INDIVIDUAL

PUBLIC WATER SUPPLY SYSTEM:

CENTRAL COMMUNITY WELL  PRIVATE WELL

DOES THE PROPERTY LIE IN THE 100 YEAR FLOOD PLAIN?(Circle one)  
YES  NO

THIS REQUEST FALLS INTO ONE OR MORE OF THE FOLLOWING CATEGORIES:

RESIDENTIAL MULTI-FAMILY  COMMERCIAL INDUSTRIAL

SPECIAL-USE OTHER

**Please give a description of your proposed project including all uses:  
(IMPORTANT: Make this description as complete as possible as your  
public notice will be based on the information provided here.)**

PROVIDE CARRY TOUR AND ASSOCIATED STRUCTURES IN  
ADDITION TO PREVIOUSLY APPROVED USES.

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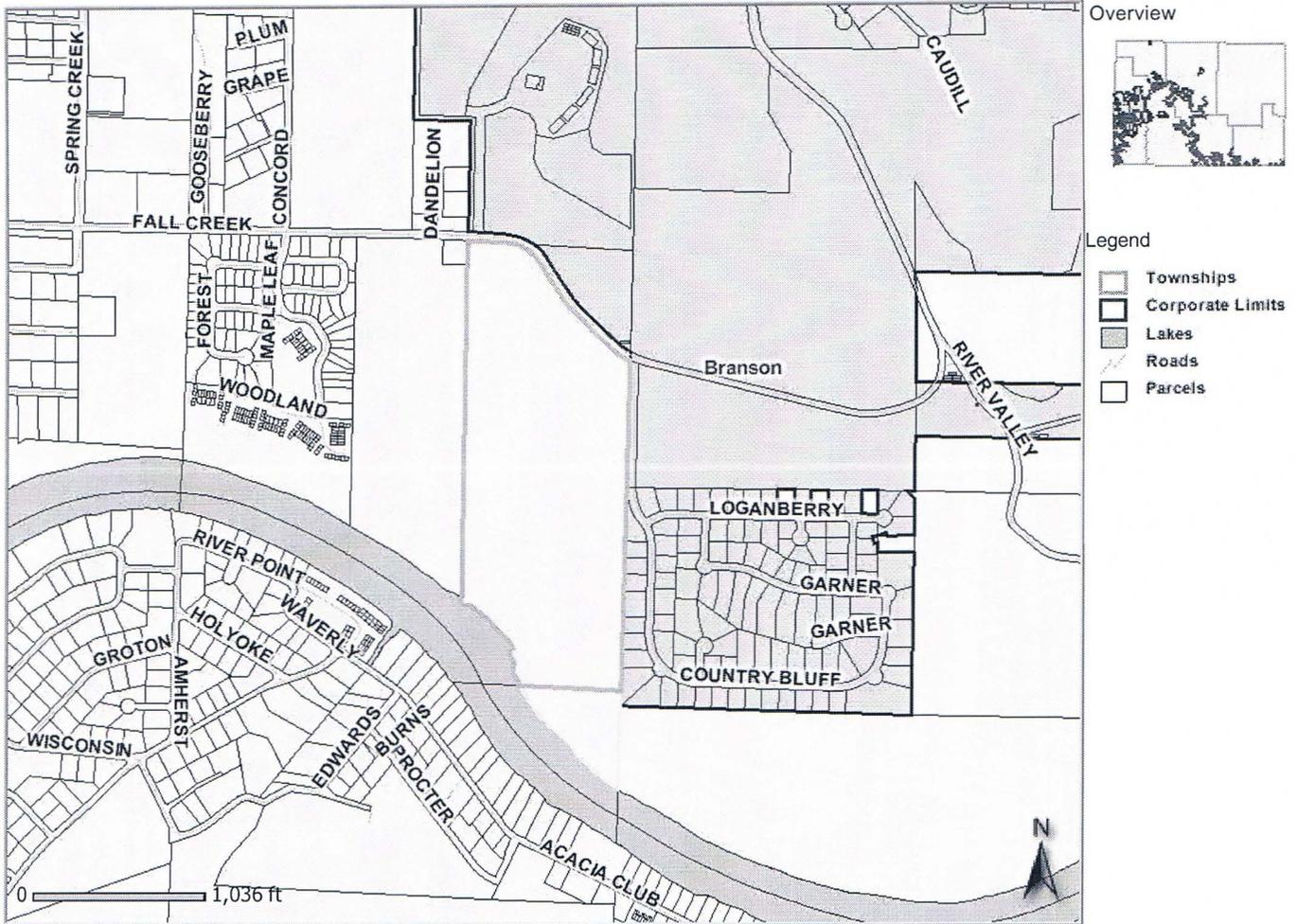
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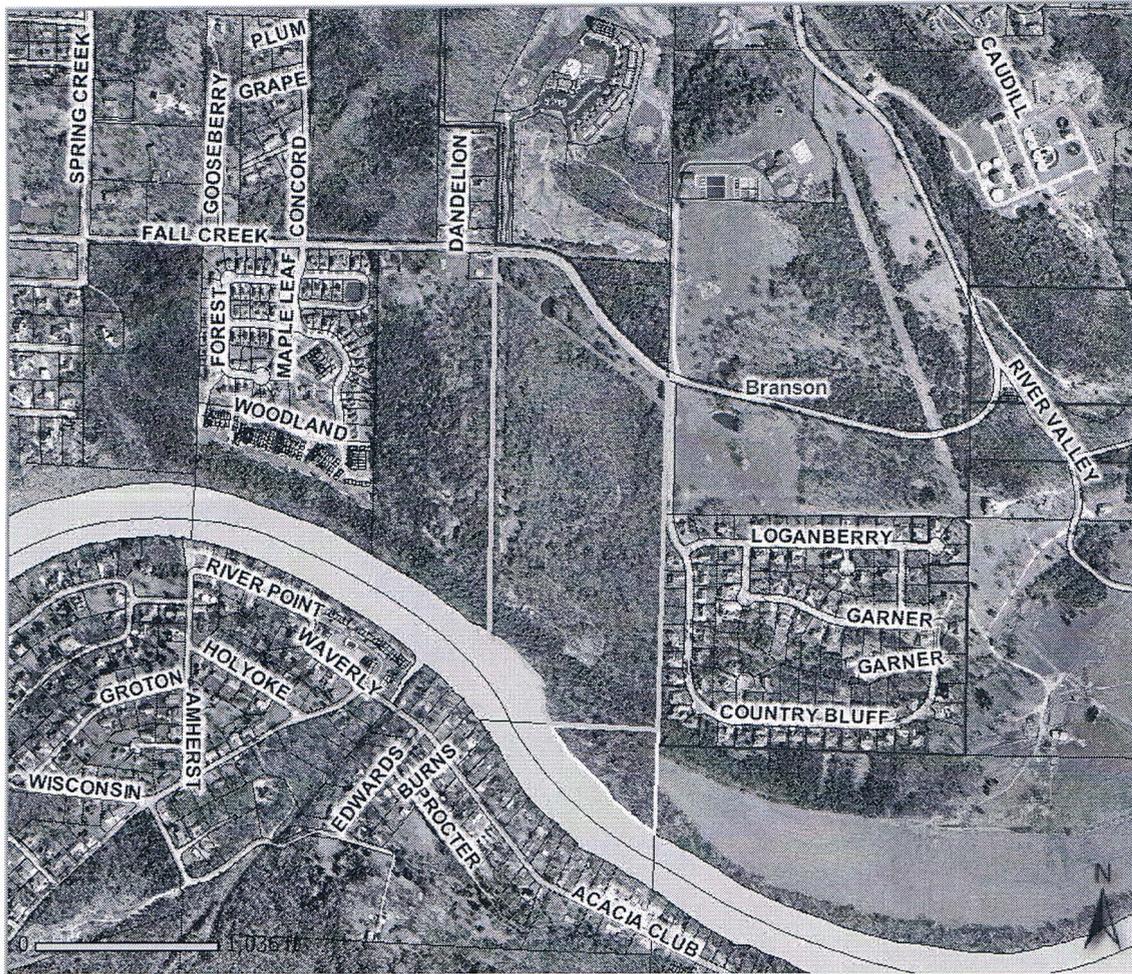


<b>Parcel ID</b>	18-1.0-12-004-001-002.000	<b>Alternate ID</b>	N/A	<b>Owner Name</b>	FOUNTAINS ON FALL CREEK LLC C/O DANIEL C RUDA
<b>Sec/Twp/Rng</b>	12-22-22	<b>Class</b>		<b>Owner Address</b>	FOUNTAINS ON FALL CREEK LLC
<b>Property Address</b>	3855 FALL CREEK RD BRANSON	<b>Acreage</b>	52.12		C/O DANIEL C RUDA 245 S WILDWOOD DR BRANSON MO 65616

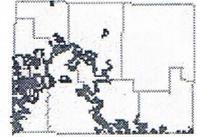
**District** 4CWX  
**Brief Tax Description** PT E 990' SE4 S OF FALL CREEK RD & NE OF LAKE TANE  
 (Note: Not to be used on legal documents)

Last Data Upload: 9/30/2009 1:10:05 AM

Date Created: 9/30/2009  
Map Scale: 1 in = 1,036 ft



Overview



Legend

- Townships
- Corporate Limits
- Lakes
- Roads
- Parcels

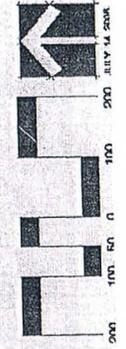
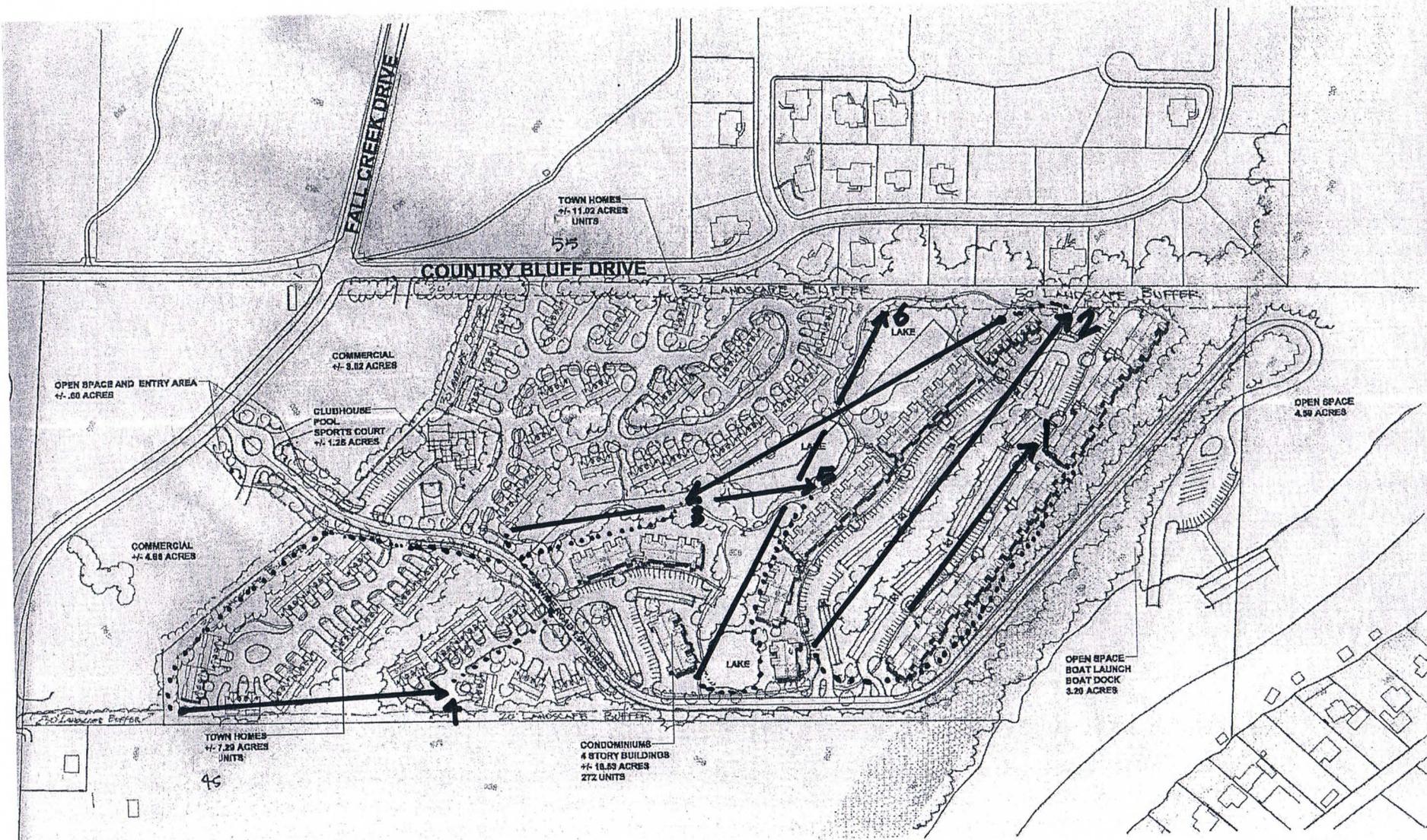
<b>Parcel ID</b>	18-1.0-12-004-001-002.000	<b>Alternate ID</b>	N/A	<b>Owner Name</b>	FOUNTAINS ON FALL CREEK LLC C/O DANIEL C RUDA
<b>Sec/Twp/Rng</b>	12-22-22	<b>Class</b>		<b>Owner Address</b>	FOUNTAINS ON FALL CREEK LLC
<b>Property Address</b>	3855 FALL CREEK RD BRANSON	<b>Acreage</b>	52.12		C/O DANIEL C RUDA 245 S WILDWOOD DR BRANSON MO 65616

**District** 4CWX  
**Brief Tax Description** PT E 990' SE4 S OF FALL CREEK RD & NE OF LAKE TANE  
 (Note: Not to be used on legal documents)

Last Data Upload: 9/30/2009 1:10:05 AM



developed by  
The Schneider Corporation  
www.schneidercorp.com



**OUNTAINS ON FALL CREEK**

LAND USE	ACRES	UNITS	UNITS/ACRE
COMMERCIAL	7.9		
TOWN HOMES	18.31	100	5.46
CONDOMINIUMS	18.53	272	14.68
SUB TOTAL	36.84	572	10.01
PUBLIC ROAD ROW	1.01		
CLUBHOUSE	1.26		
OPEN SPACE	8.39		
TOTAL	58.3	312	6.61

