



TANEY COUNTY PLANNING COMMISSION

P. O. Box 383 • Forsyth, Missouri 65653

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

website: www.taneycounty.org

AGENDA

TANEY COUNTY BOARD OF ADJUSTMENT WEDNESDAY, MAY 21, 2014, 7:00 P.M. COUNTY COMMISSION HEARING ROOM TANEY COUNTY COURTHOUSE

Call to Order:

*Establishment of Quorum
Explanation of Public Hearing Procedures
Presentation of Exhibits
Governing Statutes*

Public Hearing:

Branson Sports Club, Variance Request

Review and Action:

Minutes, April 2014

Old and New Business:

Tentative

Adjournment.



TANEY COUNTY BOARD OF ADJUSTMENT VARIANCE STAFF REPORT

HEARING DATE: May 21, 2014

CASE NUMBER: 2014-0004V

APPLICANTS: Branson Sports Club Inc. / Larry & Pam Dapprich

LOCATION: The subject property is located at 418 Buchanan Road, Branson, MO; Branson Township; Section 8, Township 23, Range 21.

REQUEST: The applicants, the Branson Sports Club Inc / Larry & Pam Dapprich are requesting a variance from Section 7, Table 3, (*Lot Size & Frontage Requirements*) of the Taney County Development Guidance Code and Article 9, Section 3, Table 1 of the Taney County Subdivision Regulations concerning the two (2) acre minimum lot size.

BACKGROUND and SITE HISTORY:

The subject property is an approximately 2.32 acre (per Branson Sports Club Minor Subdivision Plat) meets and bounds described tract of land also known as Lot 1 of the (Un-Recorded) Cedar Ridge Subdivision.

On June 16, 2003 the Taney County Planning Commission issued Division III Permit 2003-0024 authorizing the development of a gymnasium (Branson Sports Club, Inc.) and six (6) storage units.

On July 21, 2005 the Taney County Regional Sewer District approved Septic Permit 2005-0199 for the construction of an engineered, advanced septic system that was to serve both the Branson Sports Club and also the Little Ones Learning Center (owned by Larry & Pam Dapprich) located on the adjoining property to the East.

The applicant's are now wishing to subdivide the 2.32 acres property in question into two (2) lots. If the variance is approved Lot 1 would be +/- 1.09 acres and would consist of the Branson Sports Club and Lot 2 would be +/- 1.23 acres and would consist of the existing mobile home, storage building and the advanced septic system serving the Branson Sports Club and the Little Ones Learning Center. A copy of the Branson Sports Club Minor Subdivision has been attached for your review.

GENERAL DESCRIPTION:

The property in question is an approximately 2.32 acre meets and bounds described tract of land, located at 418 Buchanan Road, Branson.

The applicants, the Branson Sports Club Inc / Larry & Pam Dapprich are requesting a variance from Section 7, Table 3, (*Lot Size & Frontage Requirements*) of the Taney County Development Guidance Code and Article 9, Section 3, Table 1 of the Taney County Subdivision Regulations concerning the two (2) acre minimum lot size. Per the provisions of these regulations, the minimum lot size for a property served by an on-site wastewater treatment system is two (2) acres.

REVIEW:

The applicants have indicated that the property in question was donated to the Branson Sports Club with the intent of separating the personal property owned by Mr. & Mrs. Dapprich (the mobile home and storage building) from the property owned by the Branson Sports Club, LLC a non-profit 501 (C) 3. The applicants have indicated that it will be extremely difficult to continue to operate the Branson Sports Club as a non-profit entity with the other structures (the mobile home and storage building) being located on the same lot. No further development of the property is planned or even possible due to the space limitations of the site; with the existing structures and wastewater treatment system occupy much of the property. The applicants have further indicated that if the variance request is granted, a private sanitary sewer easement will be drafted and filed with the Recorder of Deeds, ensuring access to sanitary sewer for Lot 1 via the shared septic system area located upon Lot 2.

STATUTORY REQUIREMENTS OF APPROVAL:

Per the requirements of Missouri Revised Statutes the Board of Adjustment shall have the have the following powers and it shall be its duty:

"Where, by reason of exceptional narrowness, shallowness, shape or topography or other extraordinary or exceptional situation or condition of a specific piece of property, the strict application of any regulation adopted under sections 64.845 to 64.880 would result in peculiar and exceptional difficulties to or exceptional and demonstrable undue hardship upon the owner of the property as an unreasonable deprivation of use as distinguished from the mere grant of a privilege, to authorize, upon an appeal relating to the property, a variance from the strict application so as to relieve the demonstrable difficulties or hardships, provided the relief can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose, and integrity of the zone plan as embodied in the zoning regulations and map."

STAFF RECOMMENDATIONS:

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

1. Approval of a variance from the two (2) acre minimum lot size requirement, allowing the property in question to be re-platted, to consist of Lot 1 which shall be approximately 1.09 acres in size and Lot 2 which shall be approximately 1.09 acres in size.
2. A private sanitary sewer easement shall be drafted and filed with the Taney County Recorder of Deeds Office, ensuring access to sanitary sewer for Lot 1 (the Branson Sports Club) and also the property description of the tract of land containing the Little Ones Learning Center via the shared septic system area located upon Lot 2.
3. Compliance with all of the other provisions of the Taney County Development Guidance Code.
4. The Decision of Record shall be filed with the Taney County Recorder's Office within 120 days or the approval shall expire (Chapter 7.3.4 Taney County Development Guidance Code).

14-4v

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

(Circle one)

Variance (\$125.00) Appeal (\$125.00)

PLEASE PRINT

DATE

Applicant Branson Sports Club Inc. /Larry Dapprich Phone 417-334-5927

Address, City, State, Zip 418 Buchanan Rd

Representative Larry Dapprich Phone 417-598-0587

Owner of Record Branson Sports Club Signature: _____

Name of Project: Branson Sports Club Minor Subdivision

Section of Code Protested: (office entry) Article 9, Section 3, Table 1 Subdivision Regs.

Address and Location of site: 418 Buchanan Rd., Branson Mo. 65616 Section 7, Table 3 Development Guidance Code
Minimum lot size

Subdivision (if applicable) Branson Sports Club Minor Subdivision

Section 8 Township 23 Range 21 Number of Acres or Sq. Ft. Approx. 2.32

Parcel Number 08-3.0-08-000-000-018.000

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

Required Submittals:

- ☒ Typewritten legal description of property involved in the request
- ☐ Postage for notifying property owners within 600 feet of the project
- ☐ 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:

Please see Exhibit "A"

VERIFICATION

In signing this application, I fully understand, and will comply with, the responsibilities given me by the Taney County Development Guidance Code. I certify that all submittals are true and correct to the best of my knowledge and belief, and that my request may or may not be approved by the Taney County Planning Commission's Board Of Adjustment.

[Signature]
Signature of Applicant

4/21/14
Date of Application

STATE OF MISSOURI)

S.S. On this 21st day of April, 2014

COUNTY OF TANEY)

Before me Personally appeared Larry Daspria, to me known to be the person described in and who executed the foregoing instrument.

In testimony Whereof, I have hereunto set my hand and affixed my official seal, at my office in Forsyth, Mo. The day and year first above written. My term of office as Notary Public will expire 2/6/2014. 8



BONITA KISSEE-SOUTTE
My Commission Expires
February 6, 2018
Taney County
Commission #10440057

Bonita Kisse-Soutte
Bonita Kisse, Notary Public
Soutte

Exhibit "A"

We are requesting a variance from the provisions of Article 9, Section 3, Table 1 of the Taney County Subdivision Regulations and Section 7, Table 3 of the Taney County Development Guidance Code concerning the minimum lot size for a single-family dwelling and a sports club use which are each served by separate on-site wastewater systems.

The current lot size is approximately 2.32 acres and consist of the Branson Sports Club building, a mobile home trailer that has its own septic, a storage building and a advanced drip sewer system that services the Branson Sports Club and Little Ones Learning Center on an adjoining property.

Recently this original property was donated to the Branson Sports Club with the intent of separating the section with the mobile home and storage lot off and back to the original owners "Larry and Pam Dapprich" Please see attached "Contract for exchange of real estate".

The new Branson Sports Club Minor Subdivision would consist of Lot 1 which would be approximately 1.09 acres and Lot 2 which would be approximately 1.23. Lot 1 has the Branson Sports Club Building on it and Lot 2 has the mobile home, a storage building and the advanced sewer system.

Exhibit "B" shows the current layout of the property that we are requesting to be split.

Exhibit "C" shows the entire subdivision with the current property. This subdivision already has multiple properties that have been split less than 2 acres.

We are wanting to get this property split so that the Branson Sports Club which is a non-profit 501(c)3 will be on its own property and personal interest on lot 2 will remain personal interest. It will be extremely difficult to operate the Branson Sports Club as a non-profit with these other structures on the land and it is not in the best interest of all parties involved. No further development of the land is intended or even possible due to the space that the existing structures and system take up.

If this variance is granted, a private easement for sanitary sewer between Lot 1 and Lot 2 will be drafted and recorded which will be a perpetual easement and run with the land.

Exhibit "B"



Parcel ID 08-3.0-08-000-000-018.000
Sec/Twp/Rng 8-23-21
Property Address 418 BUCHANAN RD
 BRANSON

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

Owner Address BRANSON SPORTS CLUB INC
 418 BUCHANAN ROAD
 BRANSON MO 65616-8713

District 4CWX

Brief Tax Description PT SWSE4 KNOWN AS LT 1 CEDAR RIDGE SUB (UNRECORDED
 (Note: Not to be used on legal documents)

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developed by
 The Schneider Corporation
www.schneidercorp.com

Exhibit "C"



Last Data Upload: 4/21/2014 2:26:38 AM



developed by
The Schneider Corporation
www.schneidercorp.com

OFFICE OF TANEY COUNTY 911 ADMINISTRATOR

I hereby certify that the minor subdivision shown on this plat has been approved by the Taney County 911 Administrator.

911 Administrator _____ Date _____

CERTIFICATE OF APPROVAL BY PLANNING

AND ZONING COMMISSION:

I hereby certify that the minor subdivision shown on this plat has been approved by the Taney County Planning Commission. This plat does not violate the provisions of the Taney County Development Guidance Code or the Taney County Subdivision Regulations.

Rick Treese, Chairman _____ Date _____

Bob Atchley, Administrator _____ Date _____

BASES OF BEARING

ASSUMED NORTH BASED ON PLAT

SURVEY CLASSIFICATION

"URBAN"

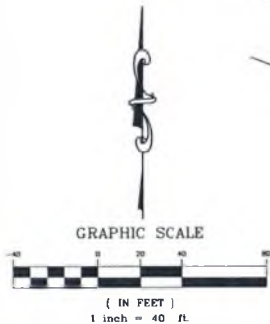
RECORD SOURCE

GENERAL WARRANTY DEED
BOOK 2012, PAGE 54178

RECORD OF DECISION DIVISION III
BOOK 420, PAGES 6501-6502

QUIT CLAIM DEED
BOOK 417, PAGES 6501-6502

RIGHT-OF-WAY EASEMENT
BOOK 394, PAGES 5765-5766



MINOR SUBDIVISION BRANSON SPORTS CLUB PART OF THE SW 1/4 OF THE SE 1/4 SECTION 8, T23N, R21W, TANEY COUNTY, MISSOURI

BRYAN W. STALLINGS
WARRANTY DEED BY CORPORATION
BOOK 450, PAGE 4411-4413

DAVID L. LAFERTY
SPECIAL TRUSTEE'S WARRANTY DEED
BOOK 442, PAGE 210-312

SECTION 8, T23N, R21W
SECTION 17, T23N, R21W

LEGEND

- EXISTING IRON PIN
- SET IRON PIN
- ⊞ EXISTING STONE
- (D) DEED
- (M) MEASURED
- ⊞ UTILITY POLE
- ⊞ SANITARY SEWER MANHOLE

DESCRIPTION AND EXECUTION OF PLAT:

The undersigned BRANSON SPORTS CLUB, INC., a Missouri not for profit corporation, does hereby certify that it is owners in Fee Simple of the following described parcel of land.

DESCRIPTION:

All of that part of the SW 1/4 of the SE 1/4, Section 8, Township 23, Range 21, described as follows: Beginning at the Southeast corner of the E 1/2 of the SW 1/4 of the SE 1/4 of Section 8, thence W 327.32 feet, thence N 334.57 feet, thence E 327.32 feet, thence South to the point of beginning.

Said land has been surveyed and subdivided in the manner shown hereon and said subdivision is to be hereafter known as BRANSON SPORTS CLUB, a minor subdivision. This plat does not involve the creation of any new street, rights-of-way or roads. All utility easements shown hereon are relinquished and dedicated to the use of the appropriate utility company.

BRANSON SPORTS CLUB, INC., is the sole owner of the property described hereon, which is within the subdivision regulation jurisdiction of the County of Taney, and that we freely adopt this plan of subdivision and dedicate to public use all areas shown on this plat as easements or deficient Right of Way, except those specifically indicated as private, and that we will maintain all such areas until the offer of dedication is accepted by the appropriate public authority.

IN TESTIMONY WHEREOF, the undersigned have hereunto set their hands and seal this _____ day of _____, 2014.

BRANSON SPORT CLUB, INC., a Missouri not for profit Corporation

KERRY MORROW, President

ACKNOWLEDGMENT:

State of Missouri
County of Taney

On this _____ day of _____, 2014, before me personally appeared Kerry Morrow to me know, who, being by me duly sworn did say that she is president of BRANSON SPORTS CLUB, INC., a not for profit corporation of the State of Missouri, and that the seal affixed to foregoing instrument is the corporate seal of said Corporation, and that said instrument was signed and sealed in behalf of said Corporation by authority of its Board of Directors and said Kerry Morrow acknowledge said instrument to be the free act and deed of said Corporation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal, at my office in _____ the day and year first above written.

Notary Public: _____

Printed Name: _____

My Commission Expires: _____

Known all men by these presents:

That I, Kenneth J. Buchanan, do hereby declare that this plat was prepared under my personal supervision from an actual survey of the land herein described, prepared by Rozell Survey, dated September 03, 2013, and signed by Kenneth J. Buchanan, L.S. NO. 2340, and that the corner monuments and lot corner pins shown herein were placed under the personal supervision of Kenneth J. Buchanan, L.S. No. 2340, in accordance with the current "Missouri Minimum Standards for Property Boundary" surveys and the subdivision regulations of Taney County, Missouri.


ALL PLATS THAT DO NOT SHOW A SEAL IMPRINT IN RED INK MAY HAVE BEEN FRAUDULENTLY ALTERED. ALL INFORMATION SHOULD BE DISREGARDED UNLESS VERIFIED BY THE PROFESSIONAL LAND SURVEYOR WHOSE SIGNATURE APPEARS ON THIS DOCUMENT.

DIANE KAY DIEBOLD L.S. 3434
KENNETH J. BUCHANAN L.S. 2340, P.L.S. 1307

SURVEYED BRANSON SPORTS CLUB, INC. FOR: LARRY L. AND PAMELA S. DAPPRICH	
SECTIONAL MAP	W.O.# 15272
R 21 W	DATE: 3-5-2014
T 23	DRAWN BY: KCB
N	CHECKED BY: KJB
SEC. 8	REVISED:
	SCALE: 1" = 40'
	SHEET: 1 OF 1

RSE
ROZELL SURVEY CO.
1031 E. BATTLEFIELD STE. 118
SPRINGFIELD, MISSOURI 65807
PHONE: (417) 881-0505
FAX: (417) 881-0504

ROBERT A DIXON, RECORDER
OF TANEY COUNTY, MO, DO HEREBY
CERTIFY THAT THE WITHIN
INSTRUMENT OF WRITING, WAS,
ON 07-15-2003 AT 11:09:45 AM
DULY FILED FOR RECORD AND IS
RECORDED IN THE RECORDS OF
THIS OFFICE. IN BOOK 420
AT PAGE 750-751/2 IN TESTIMONY
WHEREOF, I HAVE HEREUNTO
SET MY HAND AND AFFIXED MY
OFFICIAL SEAL AT FORSYTH, MO,

 DEPUTY

029892

✓ **TANEY COUNTY PLANNING COMMISSION**
RECORD OF DECISION DIVISION III
BRANSON SPORTS CLUB, INC. AND PACK RAT STORAGE
JUNE 16, 2003
PERMIT #03-24

On June 16, 2003 the Taney County Planning Commission (grantor) approved a request by Pamela Dapprich (grantee's) to develop a gymnasium and 6 storage units for commercial use. In accordance with this approval a Division III Permit #03-24 is issued for the property located at the attached legal description.

The following Decision of Record details this approval and lists all applicable conditions:

Larry and Pamela Dapprich are authorized to construct a gymnasium and 6 additional storage units on property located at 414 Buchanan Road in Sec. 8 and 17 Twp. 23 Rng. 21. With six out of nine Planning Commissioners present, the vote to approve was unanimous. The following conditions shall be complied with:

1. Compliance with the Taney County Development Guidance Code (Divisions II and III permits), that includes plans for the following:
 - a. Site plan with scale of buildings, streets and onsite parking.
 - b. Sediment and erosion control
 - c. Stormwater management
 - d. Delineation of the 100 year floodplain
 - e. Utility easements and building line setbacks
 - f. Land grading permit (if applicable)
2. Compliance letters from the Fire, Sewer, and Water Districts.
3. Maximum number of storage units shall not exceed six (6).
4. The Decision of Record shall be filed with the Taney County Recorder's Office within 120 days.

Legal description attached

029892

In signing this record of decision I understand that any breach in the terms of the Division III Record of Decision will result in the revocation of this permit. I further agree to abide by and comply with all the requirements of the Taney County Planning Commission and the Development Guidance Code.

Signature

Pamela Dapprich
Pamela Dapprich

Larry Dapprich
Larry Dapprich

As the Designated official for the Taney County Planning Commission, I hereby issue the foregoing document as the permit and decision of record as detailed above.

Greg Smith

Greg Smith, Taney County Planning Commission

STATE OF MISSOURI)

S.S. On this 9th, day of July, 2003

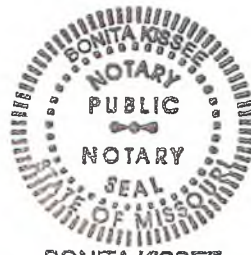
COUNTY OF TANEY)

Before me personally appeared Greg Smith and Larry and Pamela Dapprich to me known to be the persons described in and who executed the foregoing instrument.

In testimony Whereof, I have hereunto set my hand and affixed my official seal, at my office in Forsyth, Missouri the day and year first above written. My term of office as Notary Public will expire 2/6/06

Bonita Kisse

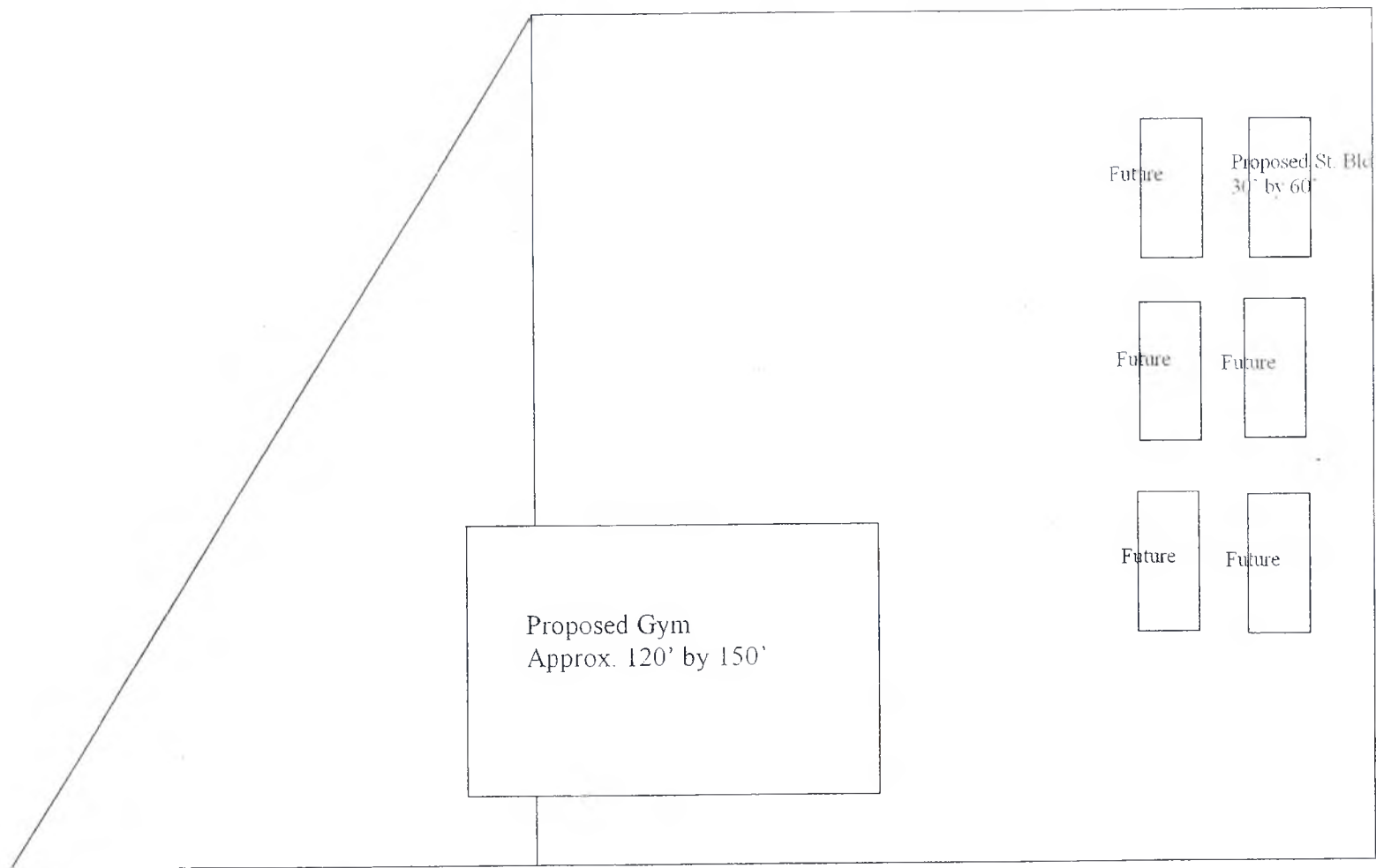
Bonita Kisse, Notary Public



BONITA KISSEE
NOTARY PUBLIC - STATE OF MISSOURI
TANEY COUNTY
MY COMMISSION EXPIRES FEB. 6, 2006

029892

All that part of the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ lying N of the County road in Section 17, Township 23, Range 21. And all that part of the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$, Section 8, Township 23, Range 21, described as follows: Beginning at the SE corner of the E half of the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of said Section 8, thence W 327.32 feet, thence N 334.57 feet, thence E 327.32 feet, thence S to the point of beginning.



NOTICE OF PUBLIC HEARING

THE TANEY COUNTY BOARD OF ADJUSTMENT

Will hold a public hearing concerning the
following requested variance or appeal.

Applicant: Branson Sports Club
Larry Dappich
Request: Variance from minimum lot
size

Property Location: 418 Buchanan Rd

Hearing Location: Taney County Courthouse
Time: 7:00pm Date: Wednesday, 5-21-14
Phone: (417) 546-7225

05/07/2014 08:45

LATALE 65-60C

05/07/2014 08:45

NOTICE
EARLY



05/07/2014 08:45

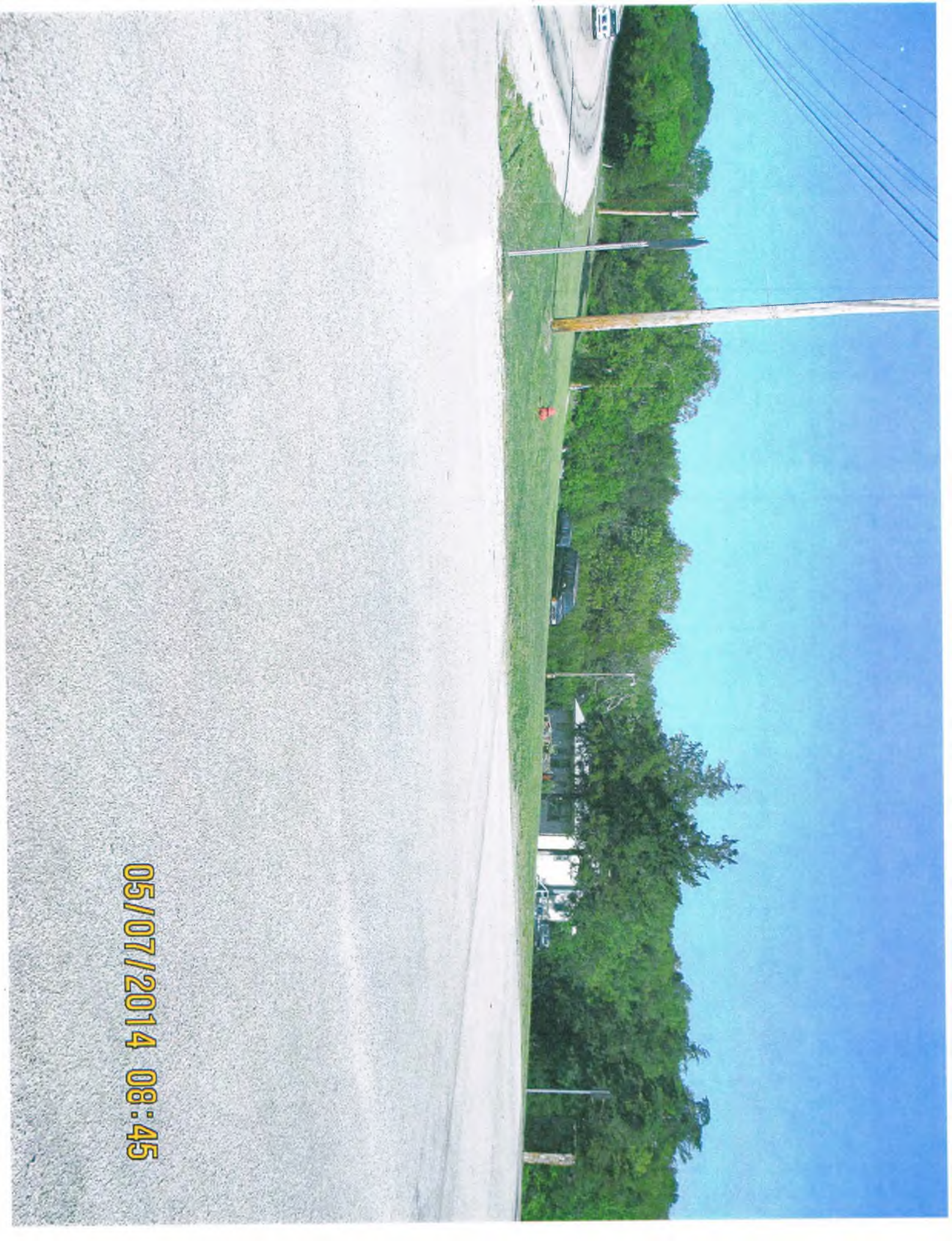
NOTICE
PUBLIC HEARING



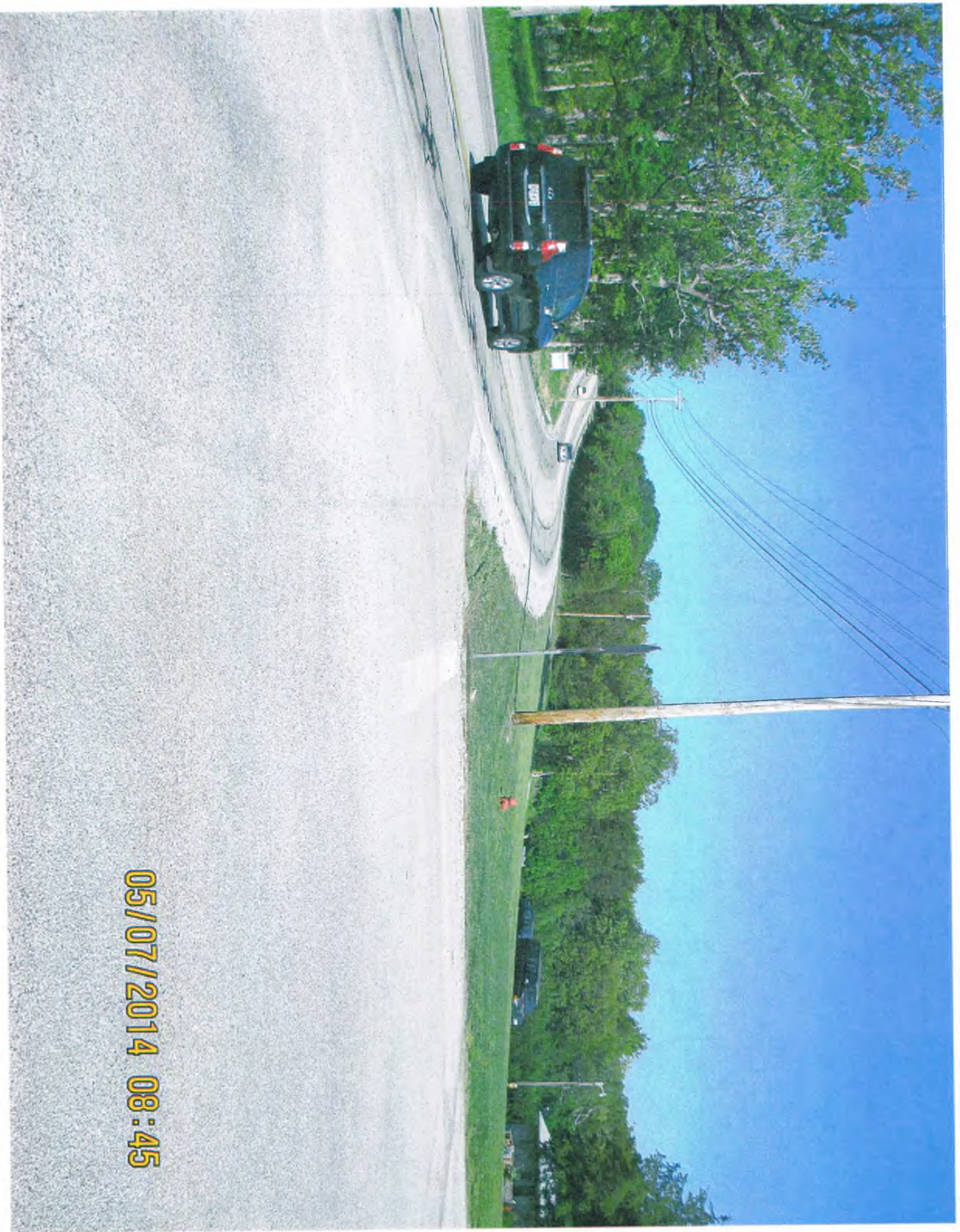
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05/07/2014 08:54



TANEY COUNTY PLANNING COMMISSION

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MINUTES TANEY COUNTY BOARD OF ADJUSTMENT WEDNESDAY, APRIL 16, 2014, 7:00 P.M. COUNTY COMMISSION HEARING ROOM TANEY COUNTY COURTHOUSE

Call to Order:

Chairman Dave Nelson called the meeting to order. A quorum was established with four members present. They were: Dave Nelson, Tony Mullin, Shawn Pingleton, and Tom Gideon. Staff present: Bob Atchley and Bonita Kisse-Souttee.

Mr. Atchley read a statement explaining the meeting procedures and placed the Taney County Development Guidance Code into evidence as Exhibit A, the staff report as Exhibit B, and the staff files including all pertinent information as Exhibit C, and the Board of Adjustment Bylaws as Exhibit D. The state statutes that empower and govern the Board of Adjustment were read.

The speakers were sworn in before their respective hearings.

Public Hearing:

SMBZ, LLC; a request by Steve Creedon to appeal the Planning Administrator's denial of the Division I Permit application to construct a single-family residence at 172 Moberly Mill Road. The denial was based on the Taney County Development Guidance Code Section 10 (Improvements, Installation, Phasing and Maintenance), a Division I Permit cannot be issued at the aforementioned location until such time that the installation of the road infrastructure serving said lot is guaranteed. The applicant feels the denial is baseless, and is requesting that the County utilize bond funds to construct the road infrastructure within the Mill Creek Phase II Subdivision. Mr. Atchley read the staff report and presented maps and a video of the site. Mr. Creedon addressed the Board and stated that his intent was not to build gravel roads, that in his opinion it is the County's responsibility to install the rest of the roads in the subdivision because a bond was not posted in the beginning. He stated that he would pay for the curb and gutter. Mr. Creedon stated that the remaining roads do not have the final coat of asphalt and in his opinion the County should pay for this as well. Also in Mr. Creedon's opinion because the original developer lost this property to the bank, and could not finish the project, it is not his fault that the roads are not to standards. Mr. Pingleton addressed the Planning Commission decision of record and stated that he sat on the Planning Commission at that time. Mr. Nelson asked Mr. Creedon if he researched the

project before he bought the property. Mr. Creedon stated that he did, and clarified which lots he purchased. Mr. Gideon stated that whether or not a bond was in place should be clarified. Mr. Pingleton stated that a bond should have been collected at the time, but whether the County is responsible for the roads is not the Board's responsibility. Robert Olson who lives the closest to the proposed house, stated that the road in front of his house collapsed a few years ago and was never fixed. He said he doesn't care who fixes it, just that it is fixed. There were other property owners present who felt they should not have to shoulder the burden to fix the roads. Mr. Olson also pointed out this makes a decline in property values. Carrie VanSickle stated that as a property owner she did not want another house build on the road that has not been completed. Mr. Nelson closed the public hearing after everyone had spoke. Tom Gideon made a motion to deny the appeal of the Division I permit. Tony Mullen seconded. The vote to deny was unanimous.

Dennis & Christine McClintic; a request for a variance from Section 7, Table 3, (lot size and frontage requirements) of the Taney County Development Guidance Code and Article 9, Section 3 Table 1 of the Taney County Subdivision Regulations concerning the two acre minimum lot size. The reason for this request is that the applicant wishes to sell a "dog leg" area to the adjoining property owner who currently utilizes the property as a driveway into his home. Mr. Atchley read the staff report and presented maps and a video of the site. Mr. McClintic addressed the Board and explained he purchased the property about 3 years ago and the previous owner had allowed the adjacent property owner to utilize the property for a driveway and that he cannot access it and it does not access his property even though he owns it. The adjacent property owner has the property for sale so he would like to be able to sell this portion to him to complete his property. Discussion followed regarding where the wastewater system is located and how Mr. McClintic accesses his property. After discussion the public hearing was closed. Tony Mullen made a motion to approve the variance. Shawn Pingleton seconded. The vote to approve was unanimous.

Ted Underhill, LLC; a request for a series of variances from the provisions of the Taney County Development Guidance Code, Subdivision Regulations and, Road Standards concerning minimum road right of way width, minimum easement width, and setback variances. The applicant is seeking to convert the development from a condominium style of ownership to a more traditional form of ownership. Mr. Atchley read the staff report and presented maps and a video of the site. Mr. Charlie Engrum representing the applicant explained that this property was abandoned for over 3 years. He explained that the wastewater plant needed to be installed and other things done to be able to sell the property. So a lot of money was spent on the site, therefore why this request is being made to be able to sell the property and recoup the money. Mr. Gideon asked that Mr. Atchley and Mr. Engrum clarify the variance requests. Mr. Pingleton clarified the firewall provision, and that if this request is approved the nightly rental section goes away. Rob Robbins who lives in one of the units stated that in his opinion a change of this type is a good idea. After discussion the public hearing was closed.

Shawn Pingleton made a motion to approve as presented with the addition of the removal of the nightly rental on the May 16, 2011 decision of record. Seconded by Tony Mullen. The vote to approve was unanimous.

Review and Action:

Minutes, February 2014; with no additions or corrections a motion was made by Shawn Pingleton to approve the minutes as written. Seconded by Dave Nelson. The vote to approve the minutes was unanimous.

Old and New Business:

No discussion.

Adjournment:

With no other business on the agenda for April 16, 2014 the meeting adjourned at 8:17 p.m.