



## 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 BOARD OF ADJUSTMENT WEDNESDAY, JULY 16, 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:

*Doug Meadows, Variance Request*

##### Review and Action:

*Minutes, May 21, 2014*

##### Old and New Business:

*Tentative*

##### Adjournment.



# TANEY COUNTY BOARD OF ADJUSTMENT

## VARIANCE STAFF REPORT

**HEARING DATE:** July 16, 2014

**CASE NUMBER:** 2013-0005V

**PROJECT:** Doug & Sally Meadows Setback Variance Request

**APPLICANTS:** Doug & Sally Meadows

**LOCATION:** The subject property is located at 147 River Bluff Drive, Branson, MO; Branson Township; Section 12, Township 22, Range 22.

**REQUEST:** The applicants, Doug & Sally Meadows are requesting a variance from the provisions of Section 7, Table 1, (Setbacks) of the Taney County Development Guidance Code. The applicants are requesting a variance from the required 7' side of lot setback requirement, in order to allow for the construction of an 18' x 24' attached garage.

### BACKGROUND and SITE HISTORY:

The subject property is a meets and bounds described tract of land, containing a total of approximately 22,400 square feet (+/- .51 acres) (Utilizing the Assessor's information via Beacon). The property in question currently contains a +/- 2,695 square foot single family residence.

### GENERAL DESCRIPTION:

The subject property is a meets and bounds described tract of land located at 147 River Bluff Drive, Branson, MO.

The applicants, Doug & Sally Meadows are seeking a variance from the provisions of Section 7, Table 1, (Setbacks) of the Taney County Development Guidance Code. Per the provisions of Section 7, Table 1, a structure is required to be setback 7' from the side property lines. Measurements to the structure are made to the portion of the structure that is closest to the property line, which in this instance is the roof overhang. The applicants are requesting a +/- 3.0' setback variance from the east (side) property line, allowing for the construction of a new 18' x 24' garage that would abut directly to the existing attached garage and be setback approximately 4.0' from the side lot line.

## **REVIEW:**

The applicants currently own four (4) vehicles and are wishing to construct an additional (18' x 24') attached garage, which would abut directly to the existing attached two car garage.

The applicants have indicated that they are proposing to construct the new attached garage both for aesthetic and safety reasons. The applicants have stated that on a number of occasions drivers have actually missed the turn onto River Bluff Drive and have ended up in either their driveway area or yard. The applicants have further indicated that by constructing the garage, they are hopeful that they can ensure that drivers do not hit one of the cars parked in the driveway.

The applicants have indicated that they have spoken with the adjoining property owner immediately to the east regarding his feeling concerning the variance request and he has verbally indicated that he has no opposition to the variance request being granted.

## **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 setback variance of +/- 3.0' from the east (side) property line, allowing for the construction of a new 18' x 24' garage that would abut directly to the existing attached garage and be setback +/- 4.0' from the side lot line.
2. Compliance with all of the other provisions of the Taney County Development Guidance Code.
3. 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 of the Taney County Development Guidance Code).

14-5

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

(Circle one)

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

PLEASE PRINT

DATE 6-16-2014

MOBILE 337-2343

Applicant DOUG MEADOWS

Phone HOME 335-4604

Address, City, State, Zip 147 RIVER BLUFF DRIVE BRANSON, MO 65616

Representative NA

Phone NA

Owner of Record DOUG MEADOWS

Signature: Doug Meadows

Name of Project: GARAGE ADDITION

Section of Code Protested: (office entry) Section 7, Table 1 (Detached)

Address and Location of site: 147 RIVER BLUFF DRIVE

BRANSON, MO

Subdivision (if applicable) RIVER BLUFF

Section 12 Township 22 Range 22 Number of Acres or Sq. Ft. .51 ACRES

Parcel Number 18-10-12-003-001-018.002

Does the property lie in the 100-year floodplain? (Circle one) Yes 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:**

CURRENTLY OWN FOUR VEHICLES AND WOULD  
LIKE TO BUILD AN ATTACHED GARAGE (18x24)  
TO EAST SIDE OF HOME TO KEEP A VEHICLE  
OFF THE STREET. I AM REQUESTING A VARIANCE  
SINCE THE STRUCTURE WOULD BE WITHIN  
4.5 FEET OF MY PROPERTY LINE. I HAVE  
SPOKEN TO MIKE JUSTICE (PHONE 334-1648)  
WHO OWNS THE ADJOINING PROPERTY AND HE  
HAS GIVEN ME HIS VERBAL APPROVAL. MR. JUSTICE  
WILL PROVIDE A LETTER FOR THE COMMITTEE  
IF NECESSARY.

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.

Doug Meadows  
Signature of Applicant DOUG MEADOWS

6-16-2014  
Date of Application

STATE OF MISSOURI )

S.S. On this 16th day of June, 2014

COUNTY OF TANEY )

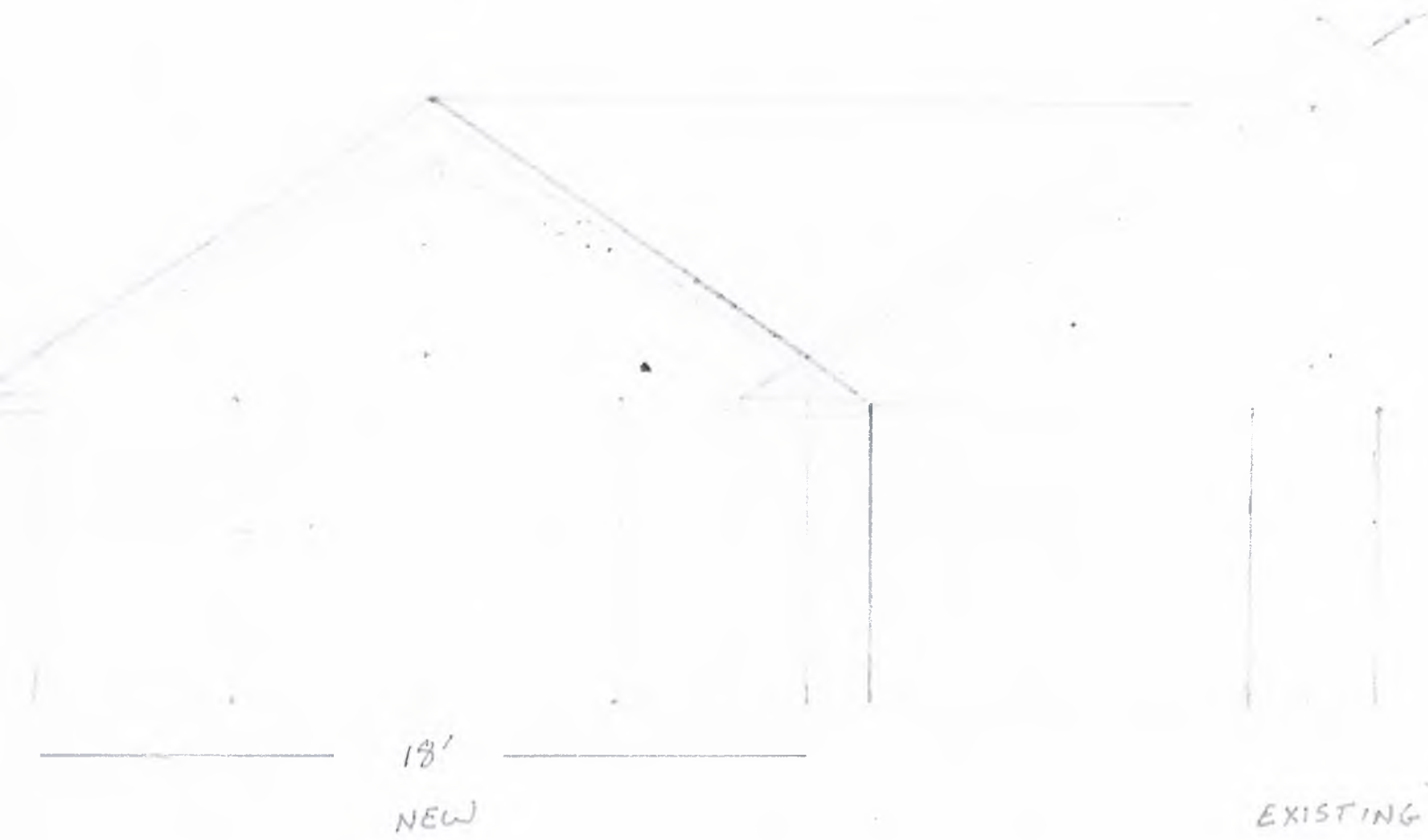
Before me Personally appeared Doug Meadows, to me known to be the person described in and who executed the foregoing instrument.

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 2/6/2018.

Bonita Kisse-Soutte  
Bonita Kisse, Notary Public



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





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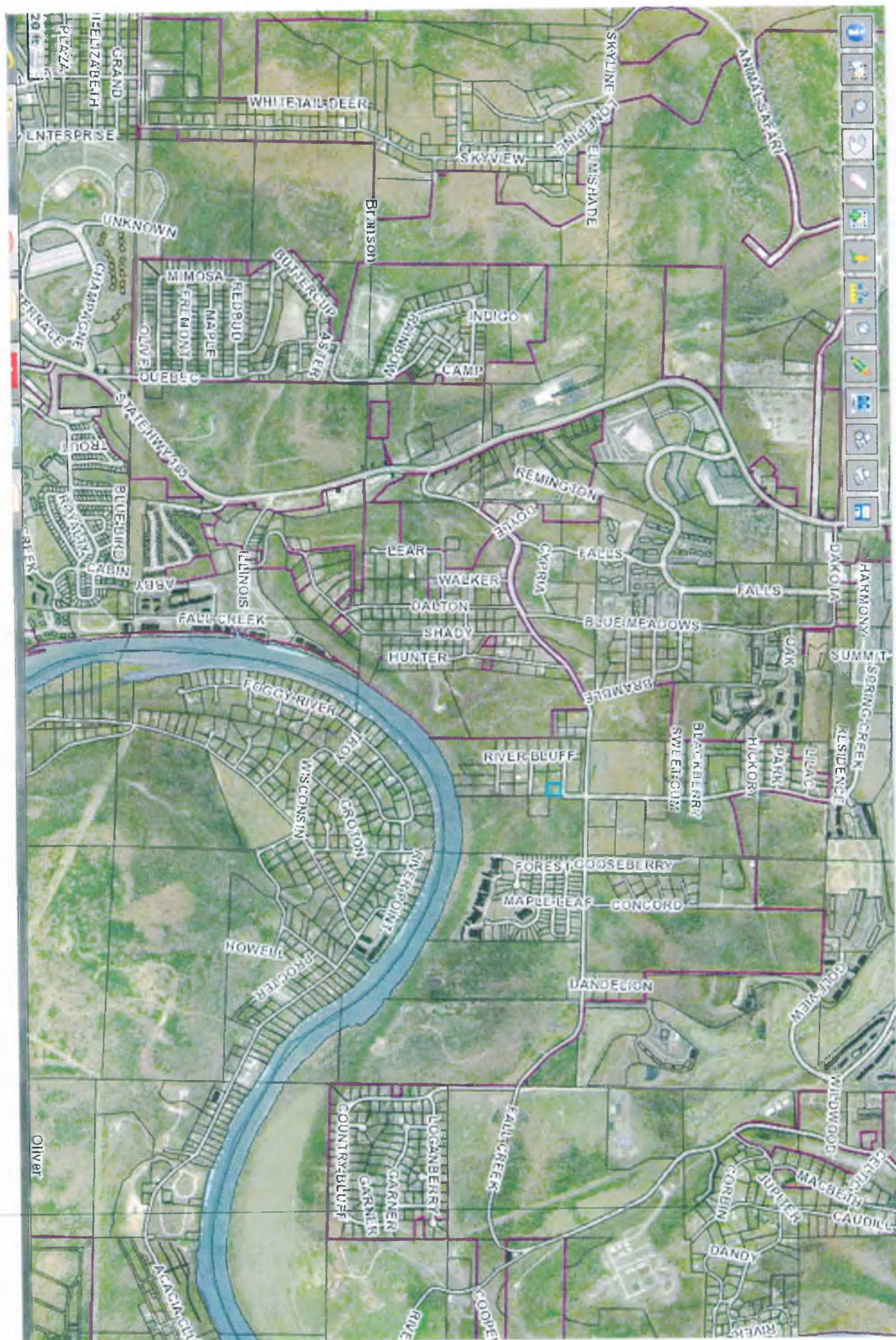


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# BOA Doug Meadows Variance





# NOTICE OF PUBLIC HEARING

## *THE TANEY COUNTY BOARD OF ADJUSTMENT*

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

Applicant: Doug Meadows

Request: Setback Variance  
for garage

Property Location: 147 River Bluff  
Drive

Hearing Location: Taney County Courthouse  
Time: 7:00pm Date: Wednesday, 7-16-14

Phone: (417) 546-7225









































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

#### Call to Order:

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

Mr. Atchley read a statement explain 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 the hearing.

#### Public Hearing:

Branson Sports Club, a request by Larry Dapprich for a variance from Section 7, Table 3, 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 property is located at 418 Buchanan Road. Mr. Atchley read the staff report and presented pictures, maps and a video of the site. Mr. Dapprich explained the reason for his request was that he wants to separate the back section from the other because of one being non-profit. Mr. Pingleton clarified that the metal building is set up to be rental units, but at this time is being used for personal storage. He also discussed lot size with Mr. Dapprich who explained the different sizes of the lots, easements, and which buildings are on the wastewater system, and the type of system it is. Discussion followed regarding that this property is already being used as separate lots. Mr. Weisz discussed parking and what had been required at Division III approval. Mr. Dapprich stated that no one parks behind the building and that the split would not affect the parking. Mr. Weisz asked Mr. Atchley what the Code requires for parking for this size of building. Mr. Atchley stated that the parking is determined based upon usage and square footage. The Code requires one space for every four seats. There was further

discussion regarding parking and availability. Mr. Dapprich stated that the building does not have permanent seating. Mr. Weisz was concerned that at some point the building might sell and there might not be adequate parking at that point. Mr. Dapprich stated that since he owns the adjacent property he would grant an easement for parking if it became a problem. Mr. Pingleton asked that if the request was granted that only one storage building would be allowed. Mr. Dapprich was agreeable to this and stated that there isn't room anyway for that. After discussion, a motion was made by Mr. Pingleton to approve based upon the decision of record with the addition of an easement for parking in recordable form to the lot directly to the south. Also with the addition of limiting the storage buildings to one unit, and to eliminate the six storage units previously approved to one. This was done in two motions, with the first motion to amend by Mr. Pingleton and seconded by Tom Gideon. The vote to amend the decision of record was unanimous. The second motion was made by Mr. Pingleton to approve based upon the amended decision of record, and seconded by Tony Mullen. The vote to approve the variance was unanimous. Mr. Weisz reminded the applicant to make sure the office has a copy of the easement.

#### Review and Action:

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

#### Old and New Business:

Mr. Atchley reported that there are no requests for next month.

#### Adjournment:

With no other business on the agenda for May 21, 2014 the meeting adjourned at 7:35 p.m.