

PLANNING AND ZONING BOA PACKET JULY 2006

**AGENDA
TANEY COUNTY BOARD OF ADJUSTMENT
WEDNESDAY, JULY 19, 2006, 7:00 P.M.
ASSOCIATE CIRCUIT COURT DIVISION II COURTROOM
TANEY COUNTY COURTHOUSE**

Call to Order:

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

Public Hearings:

*Marilyn Beltz, (Appeal Vickery Resort)
Lonnie & Melanie Smith Etal. (Request for Rehearing Yearly Redi-Mix)*

Old and New Business:

Review and Action:

Minutes, June 2006

Adjournment.

TANEY COUNTY BOARD OF ADJUSTMENT
STAFF REPORT

MARILYN BELTZ, ETAL.
#06-14

Public Hearing for Marilyn Beltz and other residents in the Lakeland Beach Subdivision area, located in the Oliver Township, Sec. 27 Twp. 22 Rng. 22.

The applicants request an appeal of the April 17, 2006 decision of the Taney County Planning Commission to approve a condominium project at Vickery Resort.

History: Terry and Colleen Blackman were approved to construct 18 condominium units on .97 acres at 238 Tina St. by the Planning Commission. The surrounding property owners feel this is incompatible to the surrounding area.

General Description: The subject property contains an existing resort and pool with a footing for the approved condos. The adjoining properties to the development consist of residential and commercial.

Review: The appeal would consist of the revocation of the permit to construct.

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

1. Appeal is to revoke permit #06-20 issued to Terry and Colleen Blackman for the construction of an 18-unit condo project.
2. This Decision of Record shall be filed with the Taney County Recorder's Office within 120 days or the approval shall expire.

TANEY COUNTY PLANNING COMMISSION
DIVISION III DECISION OF RECORD

APRIL 17, 2006
YEARY REDI-MIX, INC.
#06-21

On April 17, 2006 the Taney County Planning Commission (grantor) approved a request by James T. Horner (grantee) to allow Gerald Yeary to operate a ready mix concrete plant from the property being purchased from him. In accordance with this approval a Division III Permit #06-21 is issued for the property located at the attached legal description.

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

Gerald Yeary is authorized to operate a ready mix concrete plant from property being purchased from James T. Horner located at 13181 E. St. Hwy. 76. With seven out of nine Planning Commissioners present the vote to approve was four in favor and three against. The following conditions shall be complied with:

1. Compliance with the provisions of the Taney County Development Guidance Code that include 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
 - 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 onsite parking and utilities (Table 6)
2. Compliance letters from the Fire, Sewer, and Water Districts, MoDot and the Department of Natural Resources. (Chapter VI-VII)
3. Division II Permits will be required for all applicable structures in the development (Chapter 3 Sec. 1 Item B)
4. Previous approval for this use on property located 26080 St. Hwy. 160 is void.
5. The 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)

Legal description attached