



TANEY COUNTY PLANNING COMMISSION

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

TANEY COUNTY BOARD OF ADJUSTMENT
DIVISION III STAFF REPORT
JERNIGAN SUBDIVISION
OCTOBER 15, 2008
#08-41

Public Hearing for Barbara Jernigan located at 232 Bent Oak Road in the Branson Township, Sec. 21 Twp. 23 Rng. 21.

The applicant Barbara Jernigan requests approval to develop a single family residential subdivision, and a variance from the Code requirement for cul-de-sacs.

History: Denied by the Planning Commission July 21, 2008.

General Description: The subject property contains 1.07 acres and is located off Bee Creek Road to Bent Oak. The adjoining properties to the request consist of residential. The proposed site will consist of three residential lots. Access will be from Bent Oak Road. Lot 3 will access of North Street. The property is serviced by Public Water Supply District #3 and Taney County Sewer District.

Review: The Planning Commission based their decision on the project not complying with the County Road Standards, because there is not an easement on Lot C.

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

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 (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, street, 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 of solid waste materials.
4. Division I Permits will be required for all applicable structures in the development (Chapter 3 Sec. I Item B).
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).



TANEY COUNTY PLANNING COMMISSION
 P. O. Box 383 • Forsyth, Missouri 65653
 Phone: 417 546-7225 / 7226 • Fax: 417 546-6861
 email: gregs@co.taney.mo.us • website: www.taneycounty.org

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

(Circle one)

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

08-8

PLEASE PRINT

Applicant Barbara Jernigan Phone 239-1558
 Address, City, State, Zip 232 Bent Oak Rd Branson, Mo 65616

Representative _____ Phone _____

Owner of Record Barbara Jernigan Signature: Barbara Jernigan

Name of Project: Barbara Jernigan

Section of Code Protested: (office entry) _____

Address and Location of site: 232 Bent Oak Rd Branson, Mo 65616

Subdivision (if applicable) Evans

Section 21 Township 3N Range 21W Number of Acres or Sq. Ft. 1.07

Parcel Number 08-5.0-21-000-001-057,003

(Parcel # MUST be on permit. Example: 00-0.0-00-000-000-000. # on top left hand corner of property tax statement.)

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

Due to extraordinary circumstances regarding an existing road with the absence of a road easement. I believe this creates an undue hardship financially and physically. I am requesting a variance from the requirement of a cul-de-sac.

TANEY COUNTY PLANNING COMMISSION
DIVISION III DECISION OF RECORD
JERNIGAN SUBDIVISION
JULY 21, 2008
#08-41

On July 21, 2008 with seven out of nine Planning Commissioners present the Taney County Planning Commission voted unanimously to deny a request by Barbara Jean Jernigan to develop a single family residential subdivision. The property is located at 232 Bent Oak Road. The request was to develop 3 lots on 1.07 acres. The decision was based on the project not complying with the County Road Standards, because there is not road easement on Lot C.

The applicant may appeal the decision to the Taney County Board of Adjustment.



BOA Barbara Jernigan



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 9/5/2008