



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

STAFF REPORT

LUTHER HARKINS

JANUARY 21, 2008

#08-6

Public Hearing for Luther Harkins, located at Dandelion Ct., in the Branson Township, Sec. 12 Twp. 22 Rng. 22.

The applicant, Luther Harkins is requesting an appeal of the Taney County Planning Commission decision of record item #4, dated October 20, 2008.

History: The applicant applied to allow Alltel Communications to place a cell tower on his property October 20 2008, with the Planning Commission giving approval and stipulating that no structure shall be within 130' of the tower.

General Description: The subject property contains 5 acres and is located off Fall Creek Road to Dandelion Ct. The adjoining properties to the development consist of residential, commercial, and undeveloped.

Review: The appeal is to strike item #4 of the decision of record from the approval.

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

1. Item #4 of the Taney County Planning Commission decision of record removed from the October 14, 2008 document.
2. All other provisions of the Taney County Development Guidance Code met.
3. 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).

Recvd 12-10-08



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

APPLICATION and AFFIDAVIT
FOR VARIANCE OR APPEAL
(Circle one)

086

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

PLEASE PRINT

Applicant Luther P Harkins Phone 417-294-7741

Address, City, State, Zip PO Box 26 Branson, Mo 65615

Representative _____ Phone 417-294-7740

Owner of Record Luther P. Harkins Signature: [Signature]

Name of Project: Altel Communications tower Dandelion Ct.

Section of Code Protested: (office entry) _____

Address and Location of site: Dandelion Ct

Subdivision (if applicable) _____

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

Parcel Number 18-1.0-12-001-001-031-000

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

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:

I can not understand why I have to cut down nine trees to move a trailer because of a tower to be put up; as no tower has ever fell over in the history of Altal. The trailer is approx 100 ft from where the tower will be erected. The planning commission decision of record states no structure shall be within 130 ft of the tower. Just for 30 ft why should have to cut down 9 trees.



(Item 2) - Terms and provisions of Water Use Agreement in Para. 277, Page 677 and Book 279, Page 930 (Not photos)

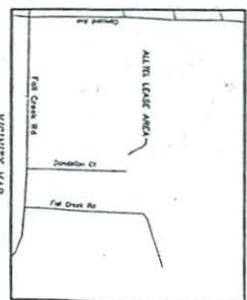
The utilities as shown on the drawing were developed from the information available (existing utility map, above-ground observation and/or surface markings) placed on the ground by the utility company or a representative thereof. This company has made no attempt to ascertain or to take steps to locate utilities and does not extend or imply a warranty or liability on the part of the engineer or architect for the location of utilities. It shall be the contractor's responsibility to verify the location and depth of utilities (whether existing or proposed) prior to excavation and protect and restore utilities from damage.

FL0000 NOTE:
According to my interpretations of Community Parcel No. 2021AC02370 at the Flood Insurance Rate Map for Torrey County, Missouri, dated September 29, 2006, the subject property is in Flood Zone "X". It "seems determined to be outside the 0.2% annual chance floodplain."

1. Describing silver mirrors on the famous "Solid Phase Coordinate System" of 1983 (P4A).
2. The purpose of this entry is to attract and describe a LaTeX PreTeX and statistical resource. This is not a bibliography entry of the present PreTeX.
3. Coordinates are derived using GDS Solid State method and post processed data with Logarithmic/Arithmetic functions on "Solid State" preprocessor software.
4. $10^{-1/2}$ can be at least errors within alternative units.

[illegible]



E 1910056, 2080
Elevation = 945.8971 (NAVD-88)



distance of 100.00 feet thence South 01°35'45" West, a distance of 100.00 feet to the POINT OF BEGINNING. Containing 10,000 square feet.

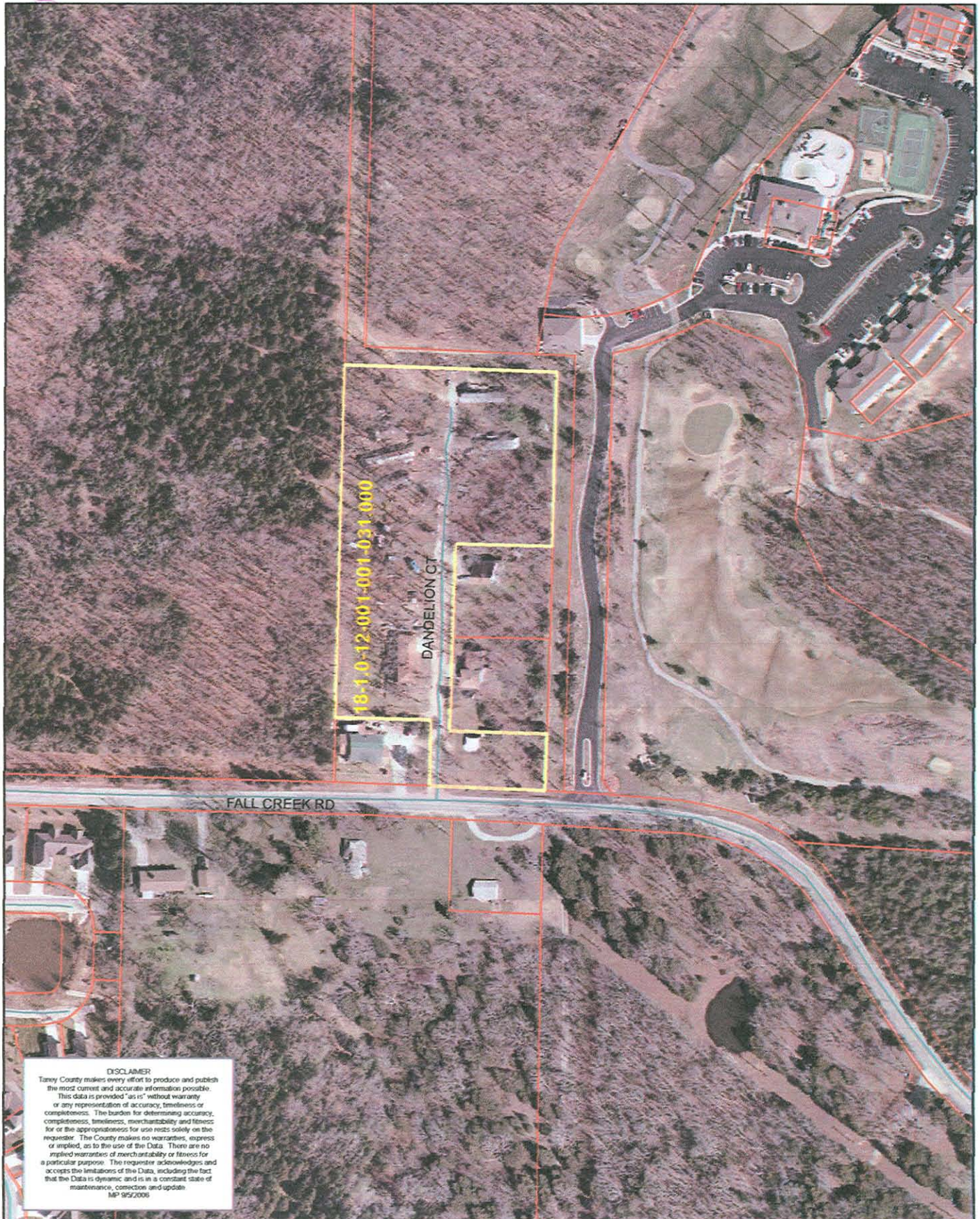
[illegible]

I heavily relied on a survey not made by us, or under my direct supervision, on the ground of this being our best research assessment, and thus a fully, statement pertinent, disregard, and the results of said survey, or registered person. This survey was attacked in accordance with the current minimum standards for priority boundary surveys over said issue premises. In the hall of my professional knowledge and belief.

		LOWE'S & ASSOCIATES 10000 W. 10th Avenue, Suite 100 Denver, Colorado 80231 Phone (303) 440-1000 Fax (303) 440-1001	
		Heritage Engineering 8000 E. 17th Avenue, Suite 100 Denver, Colorado 80231 Phone (303) 751-1010 Fax (303) 751-1011	
POINT LOOKOUT MISSOURI NEW BELF PUMP-OUT TOWER			
1425 East Avenue 77053 Fair, MO 64132		2.0	
MODEL NO.		SERIAL NO.	
YEAR BUILT		YEAR REBUILT	
FOUNDATION		FOUNDATION	
SOILS		SOILS	
DESIGNER		DESIGNER	
CONTRACTOR		CONTRACTOR	
DATE		DATE	



BOA Luther Harkins



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 9/5/2006