



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 PLANNING COMMISSION
REGULAR MEETING
MONDAY, SEPTEMBER 21, 2009, 7:00 P.M.
COUNTY COMMISSION HEARING ROOM
TANEY COUNTY COURTHOUSE

Call to Order:

Establishment of Quorum
Explanation of Meeting Procedures

Review and Action:

Minutes, August 2009

Final Votes:

Susan's Bookkeeping
Wilderness Club at Big Cedar Expansion
Villa GIS

Concepts:

Epps Trash Service, LLC
Trong Van Tran

Permit Renewal Requests:

Old and New Business:

Adjournment.



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**MINUTES
TANEY COUNTY PLANNING COMMISSION
PUBLIC HEARING
MONDAY, AUGUST 10, 2009, 7:00 P.M.
COUNTY COMMISSION HEARING ROOM
TANEY COUNTY COURTHOUSE**

Call to Order:

Chairman Sarah Klinefelter called the meeting to order at 7:00. A quorum was established with nine members present. They were: Sarah Klinefelter, Frank Preston, Randall Cummings, Joey Staples, Ray Edwards, Shawn Pingleton, Jim Brawner, Carl Pride and Mark Blackwell. Staff: Eddie Coxie, Bonita Kisse, Marla Pierce, Dan Nosalek, and Bob Paulson.

Mr. Coxie read a statement explaining the meeting procedures and presented the exhibits.

Public Hearings:

Appleseed Christian Academy: a request by Robin McGinnis to operate a Christian school from an existing location at 658 Walkington Lane. Mr. Coxie read the staff report, and presented pictures and a video of the site. No one signed up to speak. Mr. Coxie addressed the easement issue, and reported how this would affect parking. Ms. McGinnis asked what she could do about the easement. Mr. Preston advised that a prescriptive easement could be done and that she should seek the advice from an attorney. The grades will be kindergarten through 6th grade with up to 30 students. This school has been in operation for 11 years, and is just moving to this location. The Commission advised Ms. McGinnis to get a letter from Mr. Burton. This project will move to final vote next week.

Northview Heights Subdivision of Lot 1: a request by Donald Halbrook to divide Lot 1 for single family residential purposes located off 110 Wabash Lane. Mr. Coxie read the staff report, and presented pictures and a video of the site. Mr. Coxie advised that if wastewater is generated, a sewer system must be installed or hooked to a central system. No one signed up to speak. Mr. Halbrook stated that the previous owner of the other lot bought the part of the property with the garage structure on it. He simply wants to retain a clear deed to the property. Mrs. Klinefelter asked who would be responsible for making sure the

owner of the lot would adhere to the decision of record. Discussion followed regarding the ownership of the lot, with Mr. Halbrook explaining why he is requesting this lot split. Mr. Coxie stated that whatever happens with the sewer, we would get notification from the sewer district before any plat was signed. This project will proceed to final vote next week.

Canopy Tour: a request by AmiJen Properties, LLC to operate a canopy tour business located at 2339 US Hwy. 65. Mr. Coxie read the staff report and presented pictures and a video of the site. He also addressed the access from the St. Hwy. Mr. Bohmont who lives close to this property, asked some questions regarding what it is, where the crossover to Hwy.65 is located, and had some concerns regarding the traffic, water, and sewer, he reported that, the houses that abut this property would be able to look down on this site. Matt Cook addressed the concerns, and stated that all compliance letters have been turned in. There will not be a lot of in and out traffic because the tours only last a couple of hours and are on appointment basis. Darrell Henley also addressed the question of the view of the zip lines. The hours will be from 8 to 10 during daylight hours. Mr. Cook addressed the viability of the company and stated that there are not many of these kinds of businesses in the US. He also addressed the issue of safety and the site plan was discussed. The Commission would like to see where the gift shop and restrooms will be and asked for these plans to show parking and ingress and egress be presented. Mr. Pingleton discussed screening between the residential and business. Further discussion followed. There will be a pole barn to store the gators that will transport the passengers to the site. A couple of small streams are planned. This project will proceed to final vote next week.

Villa Gis, Inc.: a request by Ed Fisher to construct an additional building at the existing location at 7719 E. St. Hwy. 76. Mr. Coxie read the staff report and presented pictures and a video of the site. Mr. Coxie explained this to be a preexisting non conforming use. The applicant needs to add another piece of property to make two acres. A new site plan was presented showing the wastewater system. Mike Geisey addressed the request and stated that he will be meeting with MoDot this week regarding the entrance. There will be no more than 50 people at this site at anytime. The wastewater system according to Mr. Geisey is oversized. He currently owns the adjoining property and plans to buffer between the properties. He plans to ask for a variance from the Board of Adjustment regarding the property being under 2 acres. The Commission agreed to stop this project at this point until a variance is obtained. This project can come back to public hearing after this is done. Discussion followed regarding having a daycare in the facility. Mr. Nosalek advised that under Roberts Rules they can delay and keep on the table until the next meeting. This project will not proceed to final vote next week, but will apply for Board of Adjustment.

Permit Renewal Requests:

Mr. Steve Redford was present to request an extension of Emory Creek Multi-Use project. Mr. Coxie clarified the request and Mr. Redford conferred. Mr. Redford stated that they are moving forward and Mr. Coxie explained that some land grading has been done and the bond in place. Discussion followed. Carl Pride made a motion to grant the extension. Mark Blackwell seconded. The vote to approve was unanimous. This project will be extended one year from this date.

Old and New Business:

Mr. Coxie reported that staff will be moving in to their new offices at the end of this week.

Mr. Coxie discussed that the mini-warehouse facility on Coon Creek Road requested to put in a commercial laundry business at that site. He asked if they felt this type of use was what they planned on their decision of record. Discussion followed with the Commission allowing this use.

The car lot which was approved last meeting contacted the office regarding placing more cars across the street. The Commission directed Mr. Coxie to issue a Notice of Violation if anymore cars were placed on the property.

The farmers market will be at the next meeting for approval.

Adjournment:

With no other business on the agenda for August 10, 2009 a motion was made by Randall Cummings to adjourn. The vote to adjourn was unanimous. The meeting adjourned at 8:50 p.m.



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MINUTES TANEY COUNTY PLANNING COMMISSION REGULAR MEETING MONDAY, AUGUST 17, 2009, 7:00 P.M. COUNTY COMMISSION HEARING ROOM TANEY COUNTY COURTHOUSE

Call to Order:

Chairman Sarah Klinefelter called the meeting to order at 7:00 p.m. A quorum was established with eight members present. They were Sarah Klinefelter, Shawn Pingleton, Frank Preston, Ray Edwards, Randall Cummings, Joey Staples, Jim Brawner, Mark Blackwell. Staff present: Eddie Coxie, Dan Nosalek, Marla Pierce, and Bob Paulson.

Mr. Coxie read a statement explaining the meeting procedures.

Review and Action:

Minutes, July 2009: with no additions or corrections a motion was made by Joey Staples to approve the minutes as written. Seconded by Frank Preston. The vote to approve the minutes was unanimous.

Final Votes:

Appleseed Christian Academy: request by Robin McGinnis to operate a Christian school from an existing located at 658 Walkington Lane. The school will be kindergarten through sixth grade with a maximum of 30 students. Mr. Coxie reported that a letter had been received from Mr. Creedon stating that the new road easement has been acquired, and the parking is adequate. After discussion a motion was made by Jim Brawner to approve based upon the decision of record with the addition of a maximum of 30 students and the road easement. Shawn Pingleton seconded. Discussion followed regarding a turn lane off St. Hwy. 76 onto Walkington Lane. The motion to approve was unanimous.

Northview Heights Subdivision of Lot 1: request by Donald Halbrook to divide Lot 1 for single family residential purposes located at 110 Wabash Lane. No one was present to represent the project, this vote was postponed until September 21, 2009.

Canopy Tour: request by AmiJen Properties, LLC to operate a canopy tour business located at 2339 US Hwy. 65. Mr. Coxie reported that he received the updated plat, showing 5000 sq. ft. for the gift shop, and 4000 sq. ft. for the storage barn. Mr. Cummings expressed concern regarding the pole height. Mr. Coxie reported that the Code requires 75 ft. restriction on height, but this would not apply to the poles only to the platforms or buildings. Mrs. Klinefelter discussed the letter from MoDot stating they are okay with the 59.06 entrance, but would have to submit plans if it is done wider. Mr. Henley stated that if there is a need to make the entrance wider or additional parking, Mesa Engineering would do a turn lane and work with MoDot to submit the plans. Mr. Preston discussed light pollution with Mr. Henley who reported plans to do directional lighting. Mr. Brawner discussed placing a 50' buffer between the project and residences with Mr. Henley stating that would be no problem except for the north side due to the ridge. Mr. Cook and Henley stated hours of operation would be from March through December and would close at 10 p.m. with an occasional midnight tour, which would be from 10 p.m. to midnight with the lighting being at a minimum. After discussion Mr. Pingleton made a motion to approve based upon the decision of record with the addition of; a 50' buffer on the east and south side of the property, 30' buffer on the north side and normal buffering on the west side, the pole height will be 120' maximum and hours of operation will be from 8 a.m. to midnight with the tour ending at midnight, and special consideration to the directional lighting. Ray Edwards seconded. Mark Blackwell opposed. The vote to approve was seven in favor and one opposing.

Villa Gis: request by Ed Fisher to construct an additional building at the existing location, 7719 E. St. Hwy. 76. Mr. Edwards discussed why this project had to go to the Board of Adjustment to get a variance due to the property being grandfathered because it was split before Planning and Zoning was implemented. Mr. Coxie stated that this lot is a pre-existing non-conforming use and it must go before the Board for the variance because the Planning Commission cannot vote against their own code. Mrs. Klinefelter questioned if 1/10 of an acre had been acquired to bring it into compliance. The applicant stated that it had not. Mr. Pingleton made a motion to table this project for the September 21st meeting. Mr. Edwards seconded. Discussion followed regarding expanding the entrance to 59', there will be a maximum of 50 employees, a daycare will be provided for employees only for 5 to 10 children, ages newborn to 4 years old. The motion to approve was unanimous.

Concepts:

Booger Holler Upgrade: a request by Callen and Joyce McDonald to add a U-haul rental, seasonal produce sales and second hand retail to an existing business at 143 Clayton Rd. This project withdrew.

Susan's Bookkeeping: a request by Susan A. Burke to operate a bookkeeping business from her home located at 1129 St. Hwy. H as a special use permit. There will be one customer at a time. Ms. Burk will be the only employee. This project will proceed to public hearing next month.

Wilderness Club at Big Cedar Expansion: a request by Big Cedar, LP a Three Johns Co. to expand the existing Wilderness Club at Big Cedar to the north and east to include nightly rental and timeshare, mixed use, commercial and condominiums. Brian Wade representing the applicant explained there would be a total of 620 units with a 30' buffer between this project the neighboring residential area. Ed Linqest a neighboring property owner expressed concern regarding the steepness of the property. There will be walking paths for the customer's safety. Mr. Wade reported that eventually McMeen road would be vacated, and reconstructed to run south. A boat ramp will be discussed with Oakmont. This project will proceed to public hearing next month.

Permit Renewal Requests:

There were none.

Old and New Business:

No discussion.

Adjournment:

With no other business on the agenda for August 17, 2009 the meeting adjourned at 8:25 p.m.



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09-25

APPLICATION FOR CONCEPT DIVISION III TANEY COUNTY PLANNING COMMISSION

The Concept Application is for the use of the Planning Staff and Commission to enable us to know the nature of the planned project. The official Division III Application for permit will be filed along with everything needed to complete your file, as listed on the Division III Procedure Checklist. Division III Applications: \$100.00, Special Use Applications: \$25.00.

NAME OF PROJECT: Epps Trash Service L.L.C

NAME OF APPLICANT: Barbara Epps Frank Epps (Must be owner of record)

SIGNATURE: Frank Epps Barbara Epps DATE: 8/30/09 (Must be owner of record)

MAILING ADDRESS: 1440 State Hwy 248 Suite Q-509, Branson 65616

TELEPHONE NUMBER: 335-8250 = 598-3151

Representative Information

NAME OF REPRESENTATIVE: Frank Epps

MAILING ADDRESS (rep.): 171 Remington Drive, Branson, Mo 65616

TELEPHONE NUMBER (rep.): 417-335-0097

Property Information

ACCESS TO PROPERTY (street # and name): _____

171 Remington Drive, Bronson 65616

Number of Acres (or sq. ft. of lot size): 2 3/4 acres

PARCEL #: 18-1.0-11-004-001-019.000

(Parcel # MUST be on permit. Example: 00-0.0-00-000-000-000.000. This number is on top left hand corner of property tax statement. If you have not paid taxes on property, must have name of previous owner of property.)

SECTION: 11 TOWNSHIP: 22 RANGE: 22

NAME OF SUBDIVISION (if applicable): Dewey Blvd

Lot # (if applicable) 29-34 BLOCK # _____

WITHIN 600' FROM THIS PROPERTY IS: (Check all land uses that apply)

- Commercial Multi-Family Residential Agricultural
 Multi-Use Municipality

SEWAGE DISPOSAL SYSTEM:

- Treatment Plant Individual
 Central Sewer: District # _____

WATER SUPPLY SYSTEM:

- Community Well Private Well
 Central: District # _____

DOES THE PROPERTY LIE IN THE 100-YEAR FLOOD PLAIN? Yes No

THIS REQUEST FALLS INTO ONE OR MORE OF THE FOLLOWING CATEGORIES:

- Residential Multi-Family Commercial Industrial
 Special Use Other – Explain: _____

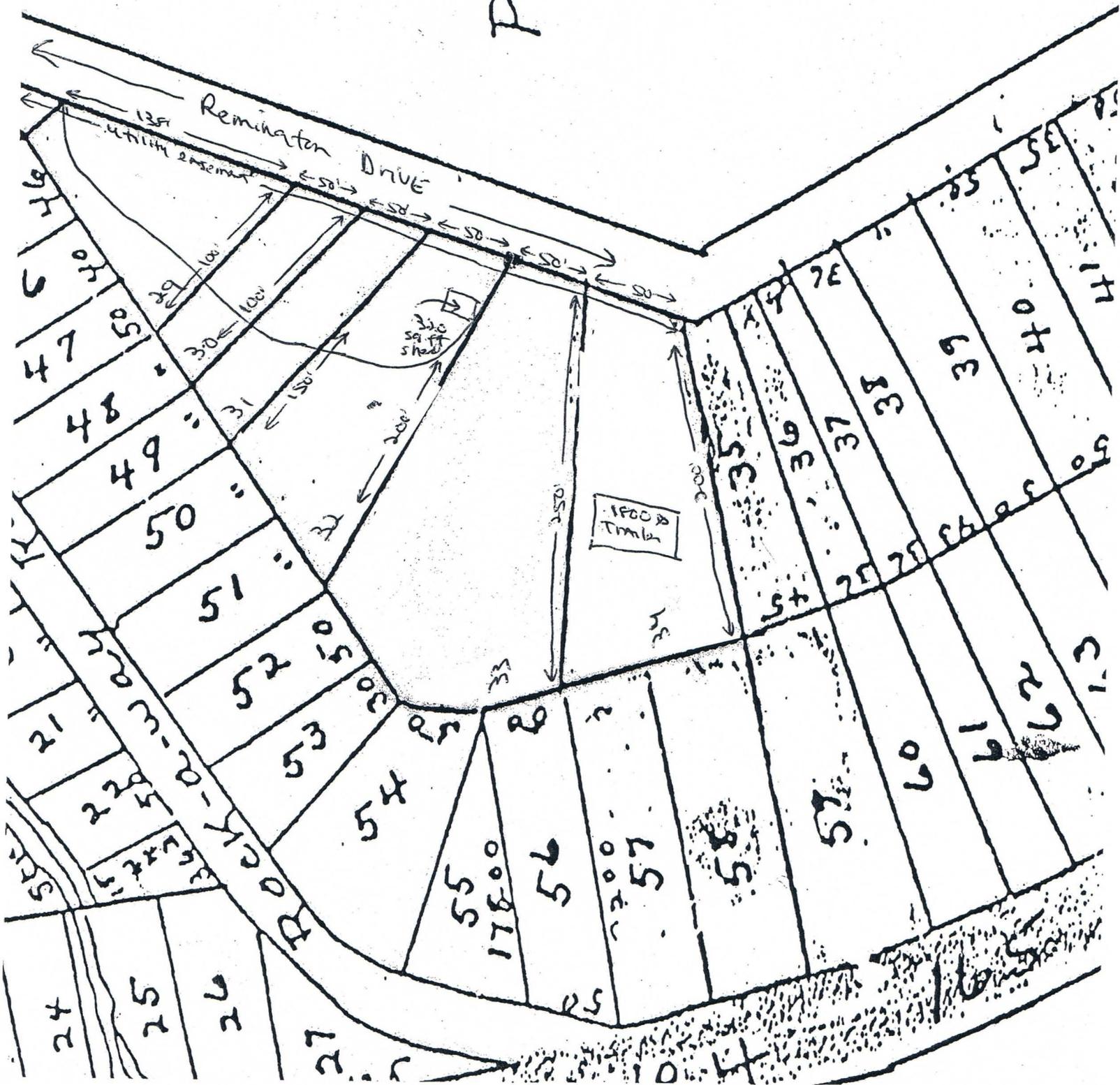
Any proposed project that does not have a posted 911 address must be identified with a survey flag at the proposed access to the property. Failure to post the survey flag will result in a delay of the Public Hearing. Please give a description of your proposed project including all uses: (IMPORTANT: Make this description as complete as possible as your public notice will be based on the information provided here.)

We want to change the zoning to be able to use the property for parking several empty trash truck + empty containers on site. Trucks and containers will be empty, not full of my trash.

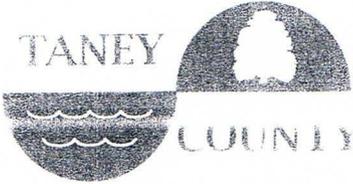


Farm House

Plot E



RECD 8-14-09



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09-26

**APPLICATION FOR CONCEPT
DIVISION III
TANEY COUNTY PLANNING COMMISSION**

The Concept Application is for the use of the Planning Staff and Commission to enable us to know the nature of the planned project. The official Division III Application for permit will be filed along with everything needed to complete your file, as listed on the Division III Procedure Checklist. Division III Applications: \$100.00, Special Use Applications: \$25.00.

NAME OF PROJECT: _____

NAME OF APPLICANT: Trong Van Tran
(Must be owner of record)

SIGNATURE: *[Signature]* DATE: _____
(Must be owner of record)

MAILING ADDRESS: 1204 W Hwy 76 Branson, MO
65756

TELEPHONE NUMBER: 417-230-9491

Representative Information

NAME OF REPRESENTATIVE: Tuan Van Tran

MAILING ADDRESS (rep.): 1204 W. Hwy 76 Branson, MO 65756

TELEPHONE NUMBER (rep.): 417-230-9491

Property Information

ACCESS TO PROPERTY (street # and name): 2130 State Hwy 248
Branson, MO 65706

Number of Acres (or sq. ft. of lot size): _____

PARCEL #: 08-9.0-30-000-000-081.000
(Parcel # MUST be on permit. Example: 00-0.0-00-000-000-000.000. This number is on top left hand corner of property tax statement. If you have not paid taxes on property, must have name of previous owner of property.)

SECTION: 30 TOWNSHIP: 23 RANGE: 21

NAME OF SUBDIVISION (if applicable): _____

Lot # (if applicable) _____ BLOCK # _____

**WITHIN 600' FROM THIS PROPERTY IS:
(Check all land uses that apply)**

- Commercial
- Multi-Family
- Residential
- Agricultural
- Multi-Use
- Municipality

SEWAGE DISPOSAL SYSTEM:

- Treatment Plant
- Individual
- Central Sewer: District # _____

WATER SUPPLY SYSTEM:

- Community Well
- Private Well
- Central: District # _____

DNR APPROVED WELL

DOES THE PROPERTY LIE IN THE 100-YEAR FLOOD PLAIN? Yes No

THIS REQUEST FALLS INTO ONE OR MORE OF THE FOLLOWING CATEGORIES:

- Residential
- Multi-Family
- Commercial
- Industrial
- Special Use
- Other - Explain: _____

Any proposed project that does not have a posted 911 address must be identified with a survey flag at the proposed access to the property. Failure to post the survey flag will result in a delay of the Public Hearing. Please give a description of your proposed project including all uses: (IMPORTANT: Make this description as complete as possible as your public notice will be based on the information provided here.)

We want to change this auto repair shop into a restaurant. Our open hours of this restaurant will be Monday - Sunday 11 a.m. - 9 p.m. Will seat approximately 85-100 ppl. This is only an add on, no new buildings will be constructed. Add ons and renovation.