



## 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 PLANNING COMMISSION REGULAR MEETING/WORK SESSION TUESDAY, FEBRUARY 21, 2012, 6:00 P.M. COUNTY COMMISSION HEARING ROOM TANEY COUNTY COURTHOUSE**

Call to Order:

*Establishment of Quorum*

*Explanation of Public Hearing Procedures*

Review and Action:

*Minutes: January 2012*

Codebook Amendment Discussion/Votes:

Old and New Business:

*Big Cedar Monopine*

Adjournment.



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**MINUTES**  
**TANEY COUNTY PLANNING COMMISSION**  
**PUBLIC HEARING**  
**MONDAY, JANUARY 9, 2012, 6:00 P.M.**  
**COUNTY COMMISSION HEARING ROOM**  
**TANEY COUNTY COURTHOUSE**

Call to Order:

Chairman called the meeting to order at 6:00 p.m. A quorum was established with seven members present. They were: Shawn Pingleton, Susan Martin, Dave Stewart, Rick Treese, Steve Adams, Rick Caudill and new Interim Road and Bridge Administrator Randy Hayes.

Election of 2012 Officers: Chairman; Susan Martin nominated Shawn Pingleton to serve another year as Chairman. Rick Treese seconded. The vote to elect Mr. Pingleton was unanimous. Vice-Chairman; Rick Treese nominated Susan Martin to serve as Vice-Chairperson another year. The vote to elect Mrs. Martin was unanimous.

Mr. Atchley read a statement outlining the procedures for the meeting and presented the exhibits.

Public Hearings:

Country Park, a request by Lianne Milton to utilize an existing single family dwelling for a commercial use located at 121 Yale St. Mr. Atchley read the staff report and presented pictures and a video of the site. Mr. Wolfe representing the applicant stated that this property borders the City of Branson, and when hooked to their wastewater plant will be annexed into the City. Mr. Leach who lives in the adjoining subdivision voiced concerns regarding the vagueness of the usage, and the subdivision regulations. Yale St. is the only egress and if cars are parked in the road the cars cannot get in and out of the subdivision, in his opinion, he has objections on some of the possible uses, as well. Mr. Leach mows most of the property surrounding this site, and in his opinion Fountain St. is an emergency road only, and traffic is supposed to be channeled through the golf course. He also pointed out that there is only one fire hydrant serving the subdivision. Mr. Wolfe addressed the questions and stated what part of the property the applicant does own. The road will be built to City Standards and will connect to the existing road. He stated that the reason all the compatible uses

are listed is that in case a renter moves on, the new renter won't have to wait for Planning Commission approval. Mr. Pingleton asked that the applicant narrow down the list of uses by the next meeting. There is one employee currently who works for the applicant. Discussion followed regarding, if there would be any walk-in retail, and keeping the structure looking residential. Mr. Stewart stated that where the sign sits it is commercial. Mr. Caudill asked if the well had been closed. Mr. Wolfe will have that answer by next meeting. Mr. Pingleton asked staff to contact the City regarding the issues concerning Fountain Street, and well. Mr. Leach asked about the sign and if the sign could be upgraded. Mr. Stewart answered that not without Planning Commission approval. He was also concerned that if Stormy Point were to build condos this property might become a welcome center. Mr. Pingleton stated that the Planning Commission must look at what is before them. This property will proceed to final vote next week.

Lot 45 Monopine, a request by American Sportsman Holdings Co. to construct an 80' monopine communications tower and associated ground based equipment placed within a fenced compound at Dale Dr. Mr. Atchley read the staff report and presented pictures and a video of the site. Eddie Wolfe representing the applicant addressed the points of the project. He stated that only an area big enough to place the tower and a road to access the property will be cleared. The purpose of the tower is to fill the void created in that area for Big Cedar. Co-location is possible. Every lot adjoining this property is owned by the applicant. There is only one structure within the fall distance which is a shed. Mr. Wolfe stated that if the tower were to fall in, it will fall within. Mr. Stewart asked if that would be the only pine tree. Mr. Wolfe stated that yes, but there are other pine trees in the subdivision. Mr. Ladue who owns seven lots in the subdivision voiced concerns that this would not be compatible to the area, and another concern that it would disrupt property values. Mark Kennedy who also lives in the subdivision, stated that he would be in direct view of the pine tree. He feels it would be out of place and that because the applicant owns so much property maybe they could put it somewhere else. Amanda Tiefry who lives closest to the property stated concerns regarding compatibility, there is a better location, it will stand out, it is 250' to her daughter's bedroom window, and feels communication towers are not healthy. Mr. Wolfe addressed the questions and stated that the applicant's engineers picked this area, and stated that if needed the engineer will be at the next meeting to address the location and other questions they might have. The Commission stated that they would like for him to be there. Mr. Pingleton stated that cell towers must be above the tree tops to work properly. Mr. Stewart asked how tall the trees on the lot were. Mr. Wolfe answered 50', and explained where the tower sits, the hills surrounding it and why the tower should be where it is. Mr. Treese asked if the residents could benefit from the tower. Mr. Wolfe stated that not at this time, but if a company wanted to co-locate the residents would benefit then. Discussion followed regarding that on an 80' tower, lights are not required, and that landscape buffers would not be needed. This project will proceed to final vote next week.

Old and New Business:

Update on Code Amendments; Mr. Atchley sat in on a work session with the County Commission and reported on this. There will be a public hearing on any amendment approved by the County Commission. There was no discussion.

Update on Spirit Hill; Mr. Atchley reported that Mrs. Warner came to the office at 4:00 p.m. this day to submit the landgrading application and fee. All requests from the Planning Commission will be done before the meeting next week so a vote can be taken. Mr. Pingleton read a letter from Charles Conover an adjacent property owner concerning the request. He stated that take off and landings will occur over his property in his opinion. He also voiced concerns regarding stormwater runoff and maintenance of the roads. Discussion followed with Mr. Wolfe addressing some of the concerns. Mr. Pingleton suggested placing requirements from the FAA in the decision of record. Mr. Atchley reported on some research he did on FAA regulations. He will have a more detailed report on this at the next meeting. Mr. Hayes discussed the proximity of the airstrip to St. Hwy. M. Mr. Adams asked about the contours of the lots. Mr. Wolfe stated that any road in the subdivision is on a ridge top. Mr. Wolfe reported that all the run off goes to Elbow Creek. Mr. Wolfe stated that there is nothing in the lay out that violates either State or County Codes. This project will be voted on at the next meeting.

Adjournment:

With no other business on the agenda for January 9, 2012 the meeting adjourned at 7:23 p.m.



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### **MINUTES TANEY COUNTY PLANNING COMMISSION REGULAR MEETING TUESDAY, JANUARY 17, 2012, 6:00 P.M. COUNTY COMMISSION HEARING ROOM TANEY COUNTY COURTHOUSE**

#### Call to Order:

Chairman Shawn Pingleton called the meeting to order at 6:00 p.m. A quorum was established with seven members present. They were: Shawn Pingleton, Susan Martin, Dave Stewart, Rick Caudill, Rick Treese, Steve Adams, and Randy Haes. Staff present: Bob Atchley and Bonita Kissee.

Mr. Atchley read a statement outlining the procedures for the meeting, and presented the Exhibits.

#### Review and Action:

Minutes: With no additions or corrections a motion was made by Susan Martin to approve, Rick Caudill seconded. The vote to approve was unanimous.

#### Final Votes:

Country Park, a request by Lianne Milton to utilize an existing single family dwelling for a commercial use located at 121 Yale St. Jack Houseman was present to represent the applicant. Mr. Atchley clarified the request and addressed the concerns from last week. The applicant presented a limited list of uses as requested. City of Branson was contacted and confirmed that it is an approved planned unit development and the road would become a service road if needed and will be gated. Mr. Houseman reported on how the well was capped off, the decision of record will reflect that DNR approves this. Discussion followed regarding other roads in the subdivision being vacated. Mr. Adams asked about parking, on the various uses. Mrs. Martin discussed giving approval for as many uses. After discussion a motion was made by Rick Treese to deny the request based upon limited parking, and too many incompatible uses listed. Seconded by Susan Martin. The vote to deny was four in favor and two against, with the Chairman not voting.

Lot 45 Monopine, a request by American Sportsman Holdings Co. to construct an 80' monopine communications tower and associated ground based equipment placed

within a fenced compound at Dale Dr. Paul Reblica engineer, representing the applicant addressed how the location was arrived at, co-location, and health effects (no known effects). Mr. Pingleton stated he visited the site, and wanted to make sure the Planning Commission looked at all the questions brought forth by the public. Mr. Reblica stated that if the tower was located at any of the other sites it would have to be taller. Amanda Tiefry presented a petition from the neighbors, and a statement opposing the placement of the tower. The letter stated that she had met with the homeowners association and that they had offered placement by the clubhouse. Mr. Pingleton stated that the applicant would need to do additional leasing agreements etc. if the location was changed. Mr. Reblica asked that the vote be tabled until this location could be looked into. A motion was made by Susan Martin to table until the February 21 meeting, seconded by Dave Stewart. The vote to table this application was unanimous.

Spirit Hill Airpark, a request by Tammy Warner to subdivide a total of 1018.12 acres more or less into 146, five acre residential lots located off St. Hwy. M. This request was tabled from the December 19, 2011 meeting until all requirements could be met. Mr. Atchley addressed the concerns that the Planning Commission asked him to look into. There are no FAA regulations regarding this type of request except proximity to another airport. The previously issued stop work order will be lifted as the applicant has met her obligations required. Mr. Atchley discussed Corps of Engineers permits on waterways and if it would impact this request. Mr. Haes asked about access to and from the runway. There is an approved road meeting the requirements of the Code. Mr. Pingleton asked that the runway will not be any closer then 150' to the property line, be added to the decision of record. Mr. Treese asked if the runway would be in place before it is marketed, and about the wastewater system. Mrs. Warner stated that the runway would be flat and be a private grass strip. The lots will be 5 acre tracts. The road is private built to current County standards. Mr. Atchley stated that as the Code book reads at this time, 50' right of way is all that is required. Discussion followed regarding infrastructure and when it should be in. MoDot will approve the ingress and egress. Mr. Atchley clarified the request. With no other discussion a motion was made by Rick Caudill with the additions. Dave Stewart seconded. Mr. Pingleton clarified that the runway will not be built closer than 150' to the east property line. With no other discussion the vote to approve based upon the decision of record, three in favor two abstentions, and one against the motion, with the Chairman not voting. The project was approved.

#### Concept:

Crawford's Towing Service, a request by Bruce Crawford to divide .43 of an acre of property located at 1919 Bee Creek Road. Mr. Atchley stated that the Code states that this request could be approved administratively, as it is basically a lot split with no change to the site. The Planning Commission stated that Mr. Atchley may approve this in house with out a hearing.

Old and New Business:

Mr. Atchley reported that the County Commission will be acting on Board appointments Thursday.

Mr. Stewart discussed the upcoming hearing on the racetrack. Mr. Adams discussed Spirit Hill Airpark. Mr. Caudill discussed the tower.

Adjournment:

With no other business on the January 17, 2012 agenda the meeting adjourned at 7:03 p.m.