



## TANEY COUNTY PLANNING COMMISSION

P. O. Box 383 • Forsyth, Missouri 65653

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website: [www.taneycounty.org](http://www.taneycounty.org)

### **AGENDA TANEY COUNTY PLANNING COMMISSION PUBLIC HEARINGS MONDAY, MAY 13, 2013, 6:00 P.M. COUNTY COMMISSION HEARING ROOM TANEY COUNTY COURTHOUSE**

#### Call to Order:

*Establishment of Quorum  
Explanation of Meeting Procedures  
Presentation of Exhibits*

#### Public Hearings:

*Branson Canyon  
Apex Practical Firearms  
Sycamore Creek Family Ranch  
Kenny Bear Event Center*

#### Old and New Business:

*Tentative*

#### Adjournment.



**TANEY COUNTY  
PLANNING COMMISSION  
DIVISION III PERMIT  
STAFF REPORT**

**HEARING DATE:** May 13, 2013

**CASE NUMBER:** 2013-0005

**PROJECT:** Branson Canyon Condominiums – Nightly Rental Amendment

**APPLICANT:** Phil Lopez

**LOCATION:** The subject property is located in the 800 Block of State Highway P, Hollister, MO; Oliver Township; Section 36, Township 22, Range 22.

**REQUEST:** The applicant, Phil Lopez is requesting the approval of a Division III Permit in order to modify the original Division III Permit Decision of Record (#2003-0049), allowing for up to 281 permitted condominium units to be utilized for nightly rental.

**BACKGROUND and SITE HISTORY:**

On November 17, 2003 the Taney County Planning Commission approved Division III Permit # 2003-0049, authorizing a mixed-use development for residential and commercial use; consisting of 281 single-family cottages and nightly rental cabins, a clubhouse and sales office, boat, RV and mini-storage, and park and open space. Condition # 5 on Division III Permit # 2003-0049 Decision of Record currently limits the development to a, "Maximum number of nightly rental cabins shall not exceed 84 units (30%)." The applicant is now seeking the Planning Commission approval of a Division III Permit which would modify the original Decision of Record allowing the total number of nightly rental cabins within Branson Canyon Condominiums to be increased from 84 units (30%) to a total of up to 281 units (100%).

The current application was approved for Concept on April 15, 2013.

**GENERAL DESCRIPTION:**

The approximately eighty-seven (87) acre subject property (per the Assessor's information) contains a total of 37 existing, platted condominium units and a clubhouse & sales office building. The applicant has indicated that the majority of the existing condominium units are currently being utilized for nightly rental.

## REVIEW:

The Taney County Development Guidance Code defines nightly rental as “A residential building, structure or part thereof that may be rented for any period of time less than thirty (30) calendar days, counting portions of days as full days. The term – Nightly Rental shall not include hotel, motel or bed and breakfast establishments.”

Per the provisions of Appendix E, Section 4.7 (Nightly Rental), “The nightly rental of **all** residential structures shall require the issuance of a Special-Use Permit.” Please note however, that this requirement refers to *residential* structures. Structures constructed within a development held in a condominium style of ownership have historically been viewed by the Planning Department as being commercial structures requiring the issuance of a Division II (Commercial Construction) Permit. In fact, all of the existing condominium structures within the Branson Canyon Condominium development have been issued Division II Permits. The applicant, via the current Division III Permit application, is seeking to modify a condition within the original Division III Permit Decision of Record relating to the number of Nightly Rental units that will be allowed within the Branson Canyon Condominiums development. Therefore, the Staff is recommending that the issuance of a Special-Use Permit not be required for each new nightly rental dwelling unit, so long as a valid Division II (Commercial Construction) Permit and Certificate of Compliance are issued for each these units, establishing compliance with both the provisions of the Taney County Development Guidance Code and the Conditions of the Decision of Record. However, the Staff is further recommending that the owners of all nightly rental dwelling units within the development comply with all of the provisions of the Taney County Development Guidance Code, including all other Nightly Rental provisions.

The Branson Canyon Condominium development is served with both water and sewer service via the Emerald Pointe Utility Company. The sewage is ultimately treated via the Hollister municipal wastewater treatment plant.

The development is served by private roads which access State Highway P. The original Decision of Record requires covenants and restrictions, which provide for the continued maintenance of the streets, stormwater drainage, common area and open space. All existing streets within the development have been platted as common space and are owned and maintained by the Branson Canyon Owners Association.

The project received a total score of 10 on the Policy Checklist, out of a maximum possible score of 33. The relative policies receiving a negative score consist of emergency water supply, solid waste disposal service and use compatibility.

## SUMMARY:

If the Taney County Planning Commission approves this request, the following requirements shall apply, unless revised by the Planning Commission:

1. Compliance with the provisions of the Taney County Development Guidance Code.
2. A Special-Use Permit shall not be required for each new nightly rental dwelling unit, so long as a valid Division II (Commercial Construction) Permit and Certificate of Compliance are issued for each these units, establishing compliance with both the provisions of the Taney County Development Guidance Code and the Conditions of the Decision of Record. However, the owners of all nightly rental dwelling units shall comply with all other provisions of the Taney County Development Guidance Code, including all other Nightly Rental provisions.
3. Compliance letters from the Western Taney County Fire Protection District, the Taney County Assessor's Office, the Taney County Collector's Office and Missouri Department of Revenue; including all other entities which have requirements governing a development of this nature shall be provided to the Planning Department office (Chapter VI-VII).
4. The maximum occupancy for each Nightly Rental unit shall be two (2) persons per dwelling unit, plus two (2) persons per bedroom (e.g., a two (2) bedroom dwelling unit is permitted a maximum occupancy of six (6) persons). The maximum occupancy may be further limited by the Western Taney County Fire Protection District.
5. One (1) off-street parking space shall be provided for each two (2) persons of occupancy in each Nightly Rental unit. All Nightly Rentals shall provide clearly marked and appropriately situated parking spaces for the handicapped, one (1) such space in each parking area.
6. The management company or a waste collection provider shall provide weekly solid waste collection during all months that each of the Nightly Rental units is available for rent.
7. Outdoor lighting shall be downward lit, subdued and have minimal off-site impacts to adjoining properties.
8. All Nightly Rentals units shall contain a minimum of one operable fire extinguisher, operable smoke alarms and operable carbon monoxide alarms in compliance with the Western Taney County Fire Protection District regulations.
9. A copy of a valid Western Taney County Fire Protection District Construction Permit and Certificate of Occupancy (C of O) shall be submitted to the Planning Department Office for all new Nightly Rental units, prior to the issuance of each Division II Permit Certificate of Conformance (C of C).

10. An on-site manager shall be designated and located within the existing Branson Canyon Condominium Clubhouse / Sales building.
11. A name plate shall be posted within five (5) feet of the main entrance of each Nightly Rental dwelling unit, both on the inside and on the outside of the dwelling unit, containing the following information:
  - (a) The Division II Permit number.
  - (b) The name and telephone number of the on-site Branson Canyon Condominium manager.
  - (c) The name and address of the owner of the Nightly Rental dwelling unit .
  - (d) The contact information for the Planning Department and the Taney County Sheriff's Department.
  - (e) The maximum occupancy permitted.
  - (f) The name and telephone number of all local emergency personnel (police, Fire and medical personnel).
  - (g) The number of off-street parking spaces provided on the property, and the maximum number of vehicles allowed to be parked on the property.
  - (h) The solid waste disposal collection day if provided by a solid waste company.
12. No outside storage of equipment or solid waste materials.
13. This decision is subject to all existing easements.
14. This Decision of Record shall be filed with the Taney County Recorder of Deeds Office within 120 days or the approval shall expire (Chapter II Item 6).

Division III Relative Policy Scoring Sheet:  
Western Taney County

Performance Value	Importance Factor	Score	Section Score
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**Water Quality**

SEWAGE DISPOSAL	n/a=			
centralized system	2	5	2	10
on-site treatment system(s) with adequate safeguards to mitigate pollution	1			
septic system of adequate design and capacity	0			
proposed system may not provide adequate capacity	-1			
proposed solution may cause surface and/or ground water pollution	-2			

**Environmental Policies**

SOIL LIMITATIONS	n/a=	x		
no known limitations	0	3		
potential limitations but mitigation acceptable	-1			
mitigation inadequate	-2			

SLOPES	n/a=	x		
NOTE: if residential, mark "x" in box.....				
development on slope under 30%	0	4		
slope exceeds 30% but is engineered and certified	-1			
slope exceeds 30% and not engineered	-2			

WILDLIFE HABITAT AND FISHERIES	n/a=	x		
no impact on critical wildlife habitat or fisheries issues	0	2		
critical wildlife present but not threatened	-1			
potential impact on critical wildlife habitat or fisheries	-2			

AIR QUALITY	n/a=	x		
cannot cause impact	0	2		
could impact but appropriate abatement installed	-1			
could impact, no abatement or unknown impact	-2			

**Land Use Compatibility**

OFF-SITE NUISANCES	n/a=			
no issues or nuisance(s) can be fully mitigated	0	5	0	0
buffered and minimally mitigated	-1			
cannot be mitigated	-2			

**Compatibility Factors**

USE COMPATIBILITY	n/a=			
no conflicts / isolated property	0	4	-1	-4
transparent change / change not readily noticeable	-1			
impact readily apparent / out of place	-2			

Division III Relative Policy Scoring Sheet:  
Western Taney County

	Performance Value	Importance Factor	Score	Section Score
<b>LOT COVERAGE</b> n/a=	x			
lot coverage compatible with surrounding areas	0	1		
lot coverage exceeds surrounding areas by less than 50%	-1			
lot coverage exceeds surrounding areas by more than 50%	-2			
<b>BUILDING BULK AND SCALE</b> n/a=	x			
bulk / scale less than or equivalent to surrounding areas	0	3		
bulk / scale differs from surrounding areas but not obtrusive	-1			
bulk / scale significantly different from surrounding areas / obtrusive	-2			
<b>BUILDING MATERIALS</b> n/a=	x			
proposed materials equivalent to existing surrounding structures	0	2		
proposed materials similar and should blend with existing structures	-1			
materials differ from surrounding structures and would be noticeable	-2			
<b>STRUCTURAL SCREENING OF ROOFTOP EQUIPMENT &amp; VENTS</b> n/a=	x			
no rooftop equipment or vents	2	1		
blocked from view by structure design	1			
blocked from view using screening	0			
partially blocked from view	-1			
exposed / not blocked from view	-2			
<b>STRUCTURAL SCREENING OF SOLID WASTE CONTAINERS</b> n/a=	x			
no on-site waste containers	2	3		
blocked from view by structure design	1			
blocked from view using screening	0			
partially blocked from view	-1			
exposed / not blocked from view	-2			
<b>STRUCTURAL SCREENING OF OUTDOOR EQUIP, STORAGE, ETC.</b> n/a=	x			
no outdoor storage of equipment, materials, etc., or outdoor work areas	2	3		
blocked from view by structure design	1			
blocked from view using screening	0			
partially blocked from view	-1			
exposed / not blocked from view	-2			
<b>LANDSCAPED BUFFERS -- RESIDENTIAL</b> n/a=	x			
approved landscaped buffer between homes and all streets / roads / highways	2	2		
approved landscaped buffer from major roads / highways only	1			
minimal landscaped buffer, but compensates with expanse of land	0			
no landscaped buffer between residences and local streets	-1			
no landscaped buffer from any road	-2			

Division III Relative Policy Scoring Sheet:  
Western Taney County

	Performance Value	Importance Factor	Score	Section Score
<b>LANDSCAPED BUFFERS - INDUSTRIAL</b>	n/a= x			
approved landscaped buffer from public roads	0	3		
minimal landscaped buffer, but compensates with expanse of land	-1			
no landscaped buffer from public roads	-2			
<b>Local Economic Development</b>				
<b>RIGHT TO FARM</b>	n/a= x			
does not limit existing agricultural uses / does not cause nuisance, predation	0	3		
does not limit existing agricultural uses, but may result in minor nuisance	-1			
potential impact(s) on existing agricultural land	-2			
<b>RIGHT TO OPERATE</b>	n/a= x			
no viable impact on existing industrial uses by residential development	0	3		
potential impact but can be mitigated	-1			
potential impact on existing industrial uses with no mitigation	-2			
<b>DIVERSIFICATION</b>	n/a= x			
creates >=5 full-time, year-round jobs outside of recreation / resort sector	2	5		
creates full-time, year-round and seasonal jobs	1			
creates seasonal jobs only	0			
<b>Site Planning, Design, Occupancy</b>				
<b>RESIDENTIAL PRIVACY</b>	n/a=			
privacy provided by structural design, or not applicable	2	2	0	0
privacy provided by structural screening	1			
privacy provided by landscaped buffers	0			
privacy provided by open space	-1			
no acceptable or effective privacy buffering	-2			
<b>MIXED-USE DEVELOPMENTS</b>	n/a= x			
uses / functions are compatible or not applicable	2	3		
uses / functions are integrated and separated based on compatibility	1			
uses / functions differ minimally and are not readily apparent	0			
uses / functions poorly integrated or separated	-1			
uses / functions mixed without regard to compatibility factors	-2			
<b>Commercial Development</b>				
<b>DEVELOPMENT PATTERNS</b>	n/a= x			
clustered development / sharing of parking, signs, ingress, egress, or not applicable	2	3		
some clustering and sharing patterns with good separation of facilities	1			
some clustering and sharing patterns with minimal separation of facilities	0			
clustered development with no appreciable sharing of facilities	-1			
unclustered development with no sharing or ability to share facilities	-2			



Division III Relative Policy Scoring Sheet  
Western Taney County

	Performance Value	Importance Factor	Score	Section Score
<b>DEVELOPMENT BUFFERING</b> n/a=	x			
approved and effectively designed landscaped buffers between structures and all roads	2	3		
minimal landscaped buffering, but compensates with expanse of land	1			
minimal landscaped buffering	0			
no landscaped buffering, but utilizes expanse of land	-1			
no or inadequate buffering or separation by land	-2			
<b>Services - Capacity and Access</b>				
<b>TRAFFIC</b> n/a=				
no impact or insignificant impact on current traffic flows	0	2	0	0
traffic flow increases expected but manageable using existing roads and road accesses	-1			
traffic flow increases exceed current road capacities	-2			
<b>EMERGENCY SERVICES</b> n/a=	x			
structure size and/or access can be serviced by emergency equipment	0	5		
structure size and/or access may impede but not hinder serviceability	-1			
structure size and/or access could be problematic or non-serviceable	-2			
<b>RIGHT-OF-WAY OF EXISTING ROADS</b> n/a=				
greater than 50 ft. right-of-way	1	5	1	5
50 ft. right-of-way	0			
40 ft. right-of-way	-1			
less than 40 ft. right-of-way	-2			
<b>Internal Improvements</b>				
<b>WATER SYSTEM SERVICE</b> n/a=				
central water system meeting DNR requirements for capacity, storage, design, etc.	2	3	2	6
community well / water system meeting DNR requirements	1			
private wells meeting DNR requirements	0			
private wells not meeting any established standards	-1			
individual / private wells	-2			
<b>EMERGENCY WATER SUPPLY</b> n/a=				
fire hydrant system throughout development with adequate pressure and flow	0	5	-2	-10
fire hydrant system with limited coverage	-1			
no fire hydrant system	-2			
<b>PEDESTRIAN CIRCULATION INFRASTRUCTURE</b> n/a=	x			
paved and dedicated walkways (no bicycles) provided throughout development	2	4		
paved walkways provided throughout development / maybe shared with bicycles	1			
designated walkways provided but unpaved	0			
no pedestrian walkways, but green space provided for pedestrian use	-1			
no designated pedestrian walkway areas	-2			

Division III Relative Policy Scoring Sheet:  
Western Taney County

	Performance Value	Importance Factor	Score	Section Score
<b>PEDESTRIAN SAFETY</b> n/a= x				
separation of pedestrian walkways from roadways by landscape or structural buffer	2	2		
separation of pedestrian walkways from roadways by open land buffer	1			
pedestrian walkways abut roadways with no buffering / protection	0			
<b>BICYCLE CIRCULATION</b> n/a= x				
dedicated / separate bike-ways with signage, bike racks, trails	2	1		
bicycle lanes shared with pedestrian walkways but separated by markings / signs	1			
no designated bike-ways	0			
<b>UNDERGROUND UTILITIES</b> n/a=				
all utilities are provided underground up to each building / structure	2	4	2	8
all utilities traverse development underground but may be above ground from easement	1			
utilities above ground but / over designated easements	0			
utilities above ground and not within specific easements	-1			
no specific management of utilities	-2			
<b>Open-Space Density</b>				
<b>USABLE OPEN SPACE</b> n/a= x				
residential developments (>25 units) include more than 25% open recreational space	2	2		
residential developments (>25 units) offer >10% but <25% open recreational space	1			
recreational area provided, but highly limited and not provided as open space	0			
no designated recreational space provided, but open space available	-1			
no open recreational space provided	-2			
<b>Solid Waste Disposal</b>				
<b>SOLID WASTE DISPOSAL SERVICE AVAILABILITY</b> n/a=				
weekly service is available and documentation of availability provided	0	5	-1	-5
weekly service reportedly available but not documented	-1			
centralized, on-site trash collection receptacles available	-2			
<b>SOLID WASTE DISPOSAL SERVICE COMMITMENT</b> n/a= x				
restrictive covenants provide for weekly disposal for each occupied structure	0	5		
services available but not a requirement documented in covenants	-1			
not applicable / no pick-up service provided	-2			

Total Weighted Score= 10

Maximum Possible Score= 33

Actual Score as Percent of Maximum= 30.3%

Number of Negative Scores= 3

Negative Scores as % of All Applicable Scores= 30.0%

Scoring Performed by:

*Bob Atchley / Bonita Kisse*

Date:

*April 25, 2013*

Project: **Branson Canyon Condos - Nightly Rental Amend.**

Permit#: **13-05**

Policies Receiving a Negative Score	
Importance Factor 5:	<b>emergency water supply waste disposal service</b>
Importance Factor 4:	<b>use compatibility</b>
Importance Factor 3:	none
Importance Factor 2:	none
Importance Factor 1:	none

Scoring by: *Bob Atchley / Bonita Kisse*

Date: *April 25, 2013*

**Project: Branson Canyon Condos - Nightly Rental A Permit: 13-05**

	Max. Possible	As Scored	%	Total Negative Scores	
Scoring	33	10	30.3%	3	30.0%

	Max. Possible	As Scored	Negative Scores	
			Number of	Percent
<b>Importance Factor 5</b>			2	40.0%
sewage disposal	10	10		
off-site nuisances	0	0		
diversification				
emergency services				
right-of-way/roads	5	5		
emergency water supply	0	-10		
waste disposal service	0	-5		
waste disposal commitment				
<b>Importance Factor 4</b>	8	4	1	50.0%
slopes				
use compatibility	0	-4		
pedestrian circulation				
underground utilities	8	8		
<b>Importance Factor 3</b>	6	6		
soil limitations				
building bulk/scale				
waste containers screening				
outdoor equip storage				
industrial buffer / screening				
right to farm				
right to operate				
mixed-use developments				
development patterns				
development buffering				
water system service	6	6		
<b>Importance Factor 2</b>				
wildlife habitat and fisheries				
air quality				
building materials				
residential buffer / screening				
residential privacy	4	0		
traffic	0	0		
pedestrian safety				
usable open space				
<b>Importance Factor 1</b>				
lot coverage				
rooftop vents / equipment				
bicycle circulation				

Scoring by: Bob Atchley / Bonita Kissee  
 Date: April 25, 2013



ROBERT A DIXON, RECORDER  
OF TANEY COUNTY, MO DO HEREBY  
CERTIFY THAT THE WITHIN  
INSTRUMENT OF WRITING, WAS  
ON 11/26/2003 AT 03:49:09PM  
DULY FILED FOR RECORD AND IS  
RECORDED IN THE RECORDS OF  
THIS OFFICE. IN BOOK 430  
AT PAGE 5648-5650 IN TESTIMONY  
WHEREOF, I HAVE HEREUNTO  
SET BY HAND AND AFFIXED MY  
OFFICIAL SEAL AT FORSYTH, MO,

*Alice Spurgeon* DEPUTY

**TANEY COUNTY PLANNING COMMISSION**  
**DIVISION III DECISION OF RECORD**  
**BRANSON CANYON**  
**PERMIT #03-49**  
**NOVEMBER 17, 2003**

On November 17, 2003 the Taney County Planning Commission (grantor) approved a request by Bill Yung (grantee) to develop a mixed-use development for residential and commercial use. In accordance with this approval, a Division III Permit #03-49 is issued for the property located at the attached legal description.

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

Conway Bank is authorized to develop 87 acres into a mixed-use development consisting of 281 single-family cottages and nightly rental cabins, clubhouse and sales office, boat, RV and mini storage, park and open space. With five out of nine Planning Commissioners present, the vote to approve was three in favor, one against, and one abstention. The following requirements shall be complied with:

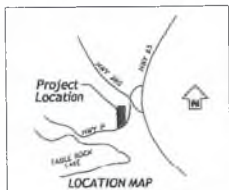
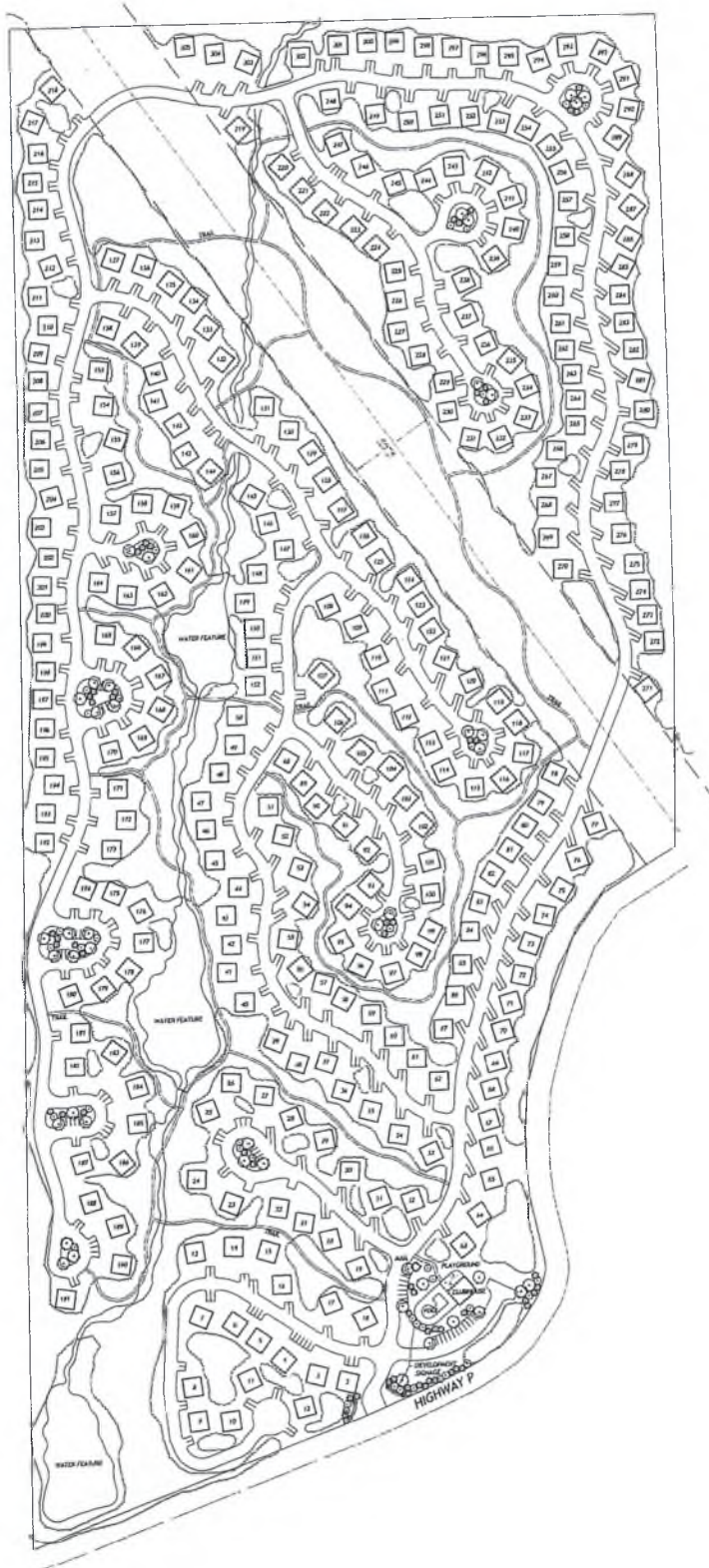
1. Compliance with the Taney County Development Guidance Code (Divisions I, II, and III), that includes plans for the following:
  - a. Sediment and erosion control
  - b. Stormwater management
  - c. Land grading permit
  - d. Delineation of the 100 year floodplain
  - e. Utility easements and building line setbacks
  - f. Improvements with scale of streets, parking, utility and structures
  - g. Foliage screening or fencing for commercial lots that adjoins residential tracts
2. Compliance letters from the Fire, Sewer, and Water Districts, DNR, MoDot.
3. Covenants and restrictions, which provide for the continued maintenance of the streets, stormwater drainage, common area and open space.
4. The Decision of Record shall be filed with the Taney County Recorder's Office within 120 days.
5. Maximum number of nightly rental cabins shall not exceed 84 units (30%).
6. Access easement for parcel that is landlocked.

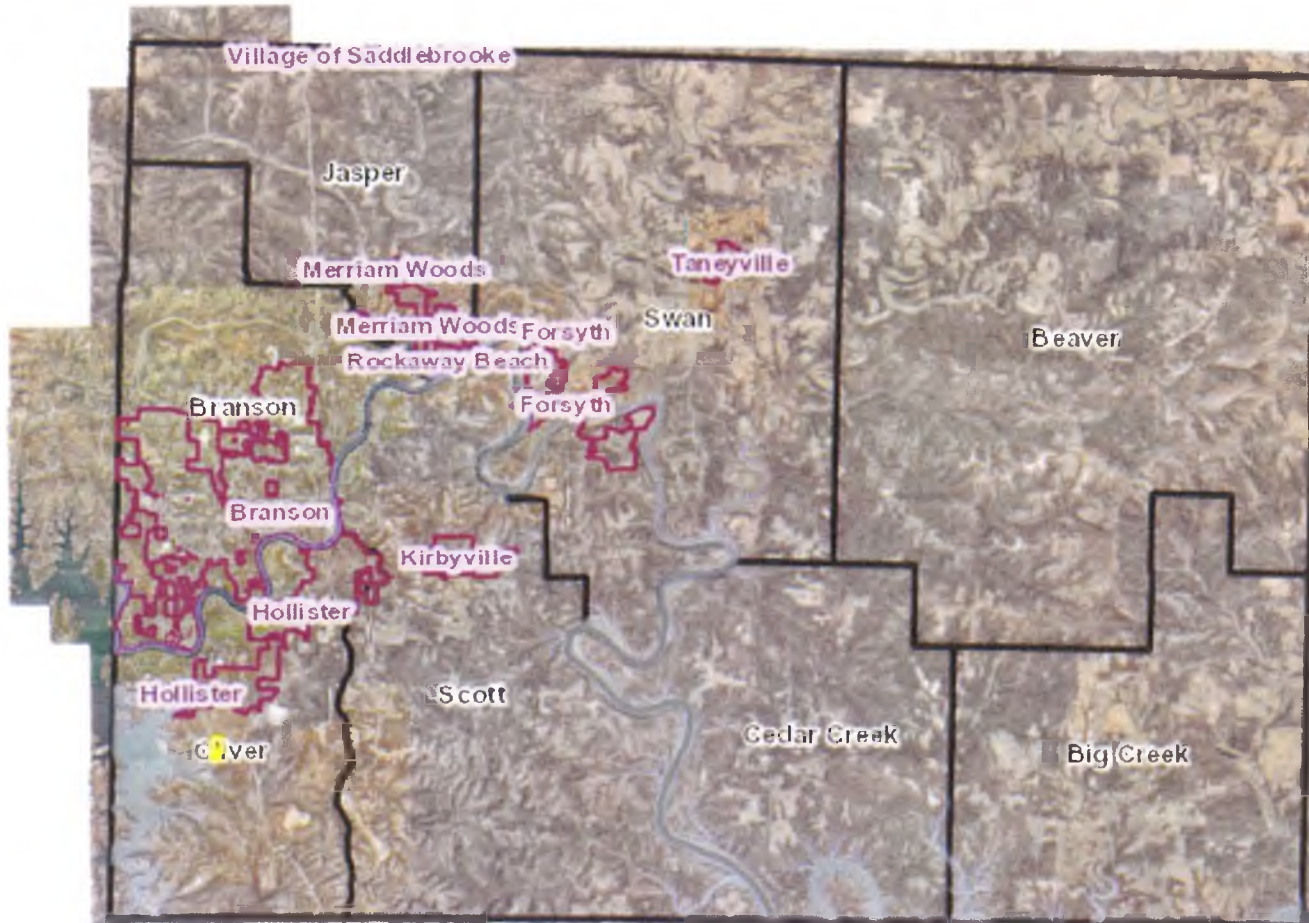
Legal Description attached

# 2003L56764

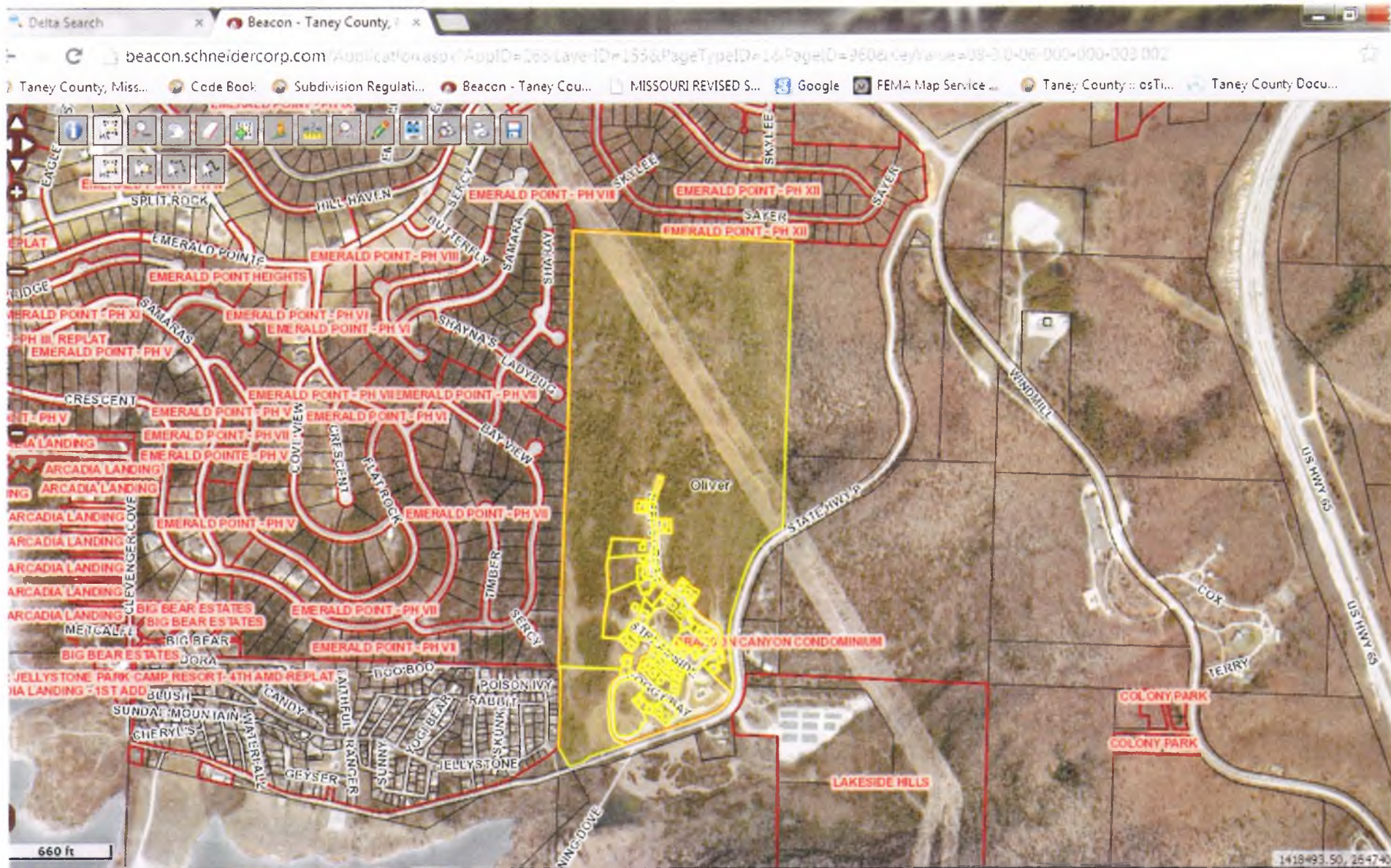
# BRANSON CANYON

Branson, Missouri





**Branson Canyon – Nightly Rental Units  
Division III Permit 2013-0005  
Taney County GIS - Beacon**

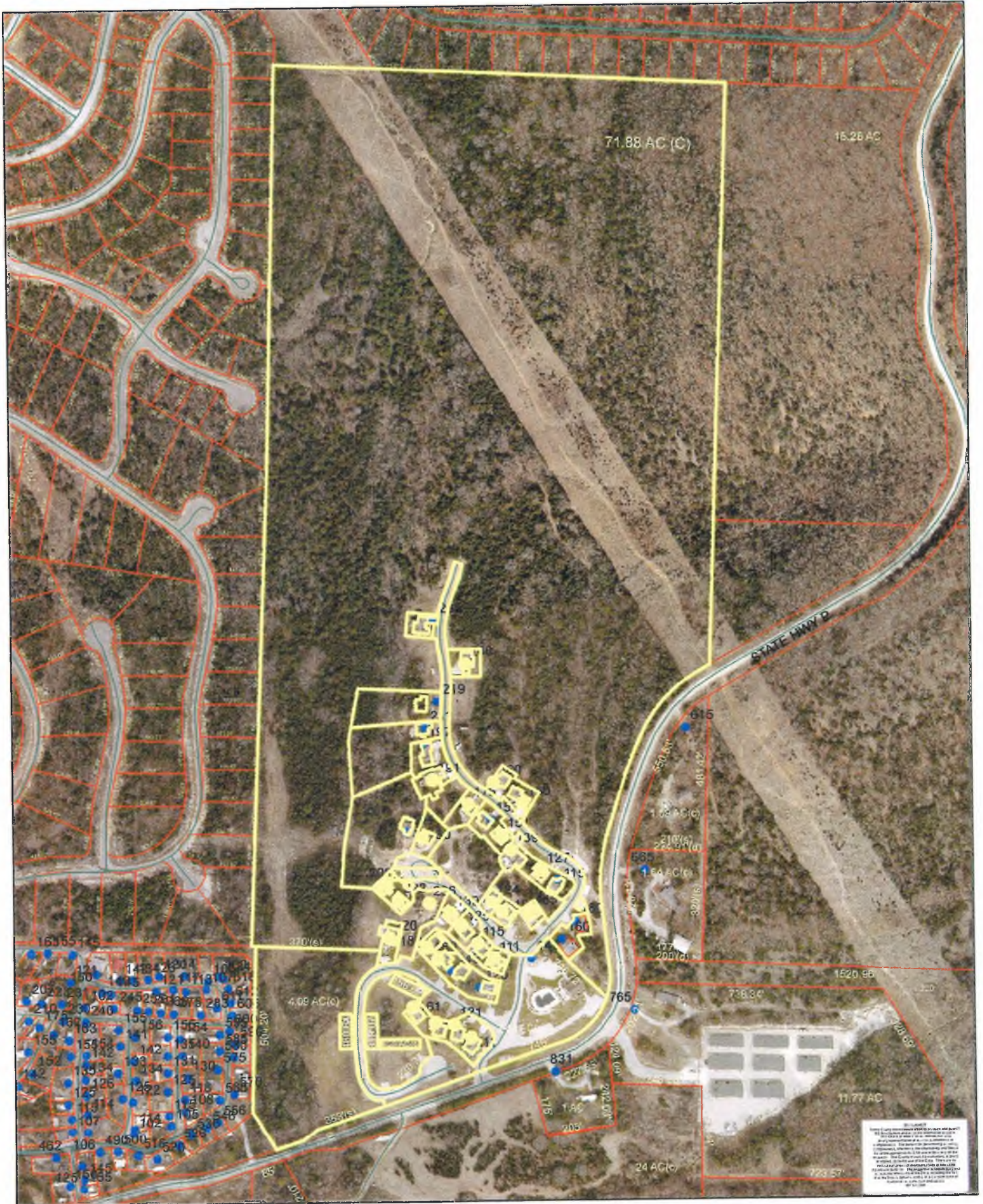


**Branson Canyon – Nightly Rental Units  
Division III Permit 2013-0005  
Taney County GIS - Beacon**





# Branson Canyon



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**TANEY COUNTY  
PLANNING COMMISSION  
DIVISION III SPECIAL-USE PERMIT  
STAFF REPORT**

**HEARING DATE:** May 13, 2013

**CASE NUMBER:** 2013-0007

**PROJECT:** Apex Practical Firearms (Home Occupation)

**APPLICANT:** Lowell Miller

**LOCATION:** The subject property is located at 2750 Victor Church Road, Branson, MO; Branson Township; Section 6, Township 23, Range 21.

**REQUEST:** The applicant, Lowell Miller is requesting the approval of a Division III Special-Use Permit in order to operate a firearms assembly and sales business within his existing single-family residence, as a home occupation.

**BACKGROUND and SITE HISTORY:**

The applicant, Lowell Miller is seeking the Planning Commission approval of a Division III Special-Use Permit for the assembly and sale of firearms at his single-family residence, as a home occupation.

The applicant will be required to obtain a Federal Firearms License (FFL) via the U.S. Department of Justice, Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF). The applicant has indicated that the ATF is requiring local Planning Commission approval of the Division III Special-Use Permit prior to obtaining the FFL. In the past, as a part of this licensing process the Springfield Office of the ATF has contacted the Planning Department Office in order to ensure that the applicant was in full compliance with local zoning regulations, prior to the issuance of an FFL. The applicant is applying for a Type 7 - Federal Firearms License (FFL) which is issued for the manufacturing of both Title 1 and Title 2 firearms and ammunition, so long as he obtains a Class 3 Tax Stamp. This license would allow for the applicant to act as a dealer of firearms and ammunition. However, a Type 7 – FFL does not allow for the manufacturing or dealing in destructive devices, ammunition for destructive devices or armor piercing ammunition. The ATF licensing procedure requires an authorizing signature by a Chief Law Enforcement Officer (CLEO), which in this instance would be the Sheriff. The current application was approved for Concept on April 15, 2013.

## **GENERAL DESCRIPTION:**

The approximately 3.03 acre subject property (per the Assessor's information) contains an approximately 2,392 square foot single-family residence located at 2750 Victor Church Road, Branson, MO, a meets and bounds described parcel of property.

## **REVIEW:**

The applicant is seeking the approval of a Division III Special-Use Permit in order to operate a firearms assembly and sales business within his existing single-family residence, as a home occupation. The applicant has indicated that this home occupation involves no outside employees. The exterior appearance of the single-family home will remain the same. Per the provisions of the Home Occupation requirements of the Development Guidance Code, the applicant will be limited to a sign no larger than a two foot by four foot (2' X 4') unlighted nameplate. The applicant has indicated that the vast majority of his business will be obtained via word of mouth.

The applicant has further indicated that the firearms assembly and sales business will be in compliance with the home occupation provisions of the Development Guidance Code that require, "The total area used for the home occupation shall not exceed one-third (1/3) the floor area of the living area of the dwelling (excluding garage and storage areas) whether the home occupation is in the principal dwelling or an accessory building." The applicant has stated that most of the assembly process will take place in the garage of the existing residence.

The applicant has indicated that no test-firing of any firearms will be conducted on the property in question.

During the Concept Hearing the applicant indicated that this home occupation will be geared primarily toward the assembly (from components) and sales of moderate to high end firearms products, with the primary focus at this time being on the assembly and sales of AR-15 Rifles (light weight semi-automatic rifle) and 1911 Pattern Pistols (semi-automatic pistol). The applicant further indicated that traffic will be limited to occasional client / customer traffic and deliveries of materials, based primarily on his focus on moderate and high end products.

The applicant has further stated that there will be no outside storage of materials related to the home occupation.

This is a home occupation application which falls under the provisions of a Division III Special-Use Permit. Per the provisions of the Development Guidance Code, a Special-Use Permit is specific to the applicant to whom the permit is issued and cannot be transferred without Planning Commission approval. Per the provisions of the Development Guidance Code the Special-Use Permit can not be used to establish commercial compatibility for or with any future land-use change applications.

The project received a total score of -23 on the Policy Checklist, out of a maximum possible score of 37. The relative policies receiving a negative score consist of emergency water supply, solid waste disposal service, off-site nuisances and utilities.

## **SUMMARY:**

If the Taney County Planning Commission approves this request, the following requirements shall apply, unless revised by the Planning Commission:

1. Compliance with the provisions of the Taney County Development Guidance Code.
2. The applicant shall provide a copy of the ATF Federal Firearms License (FFL) to the Planning Department office prior to commencing business operation. The applicant shall also provide an ATF receipt of payment of the Special Occupational Tax (SOT) to the Planning Department Office on an annual basis.
3. Signage for the Apex Practical Firearms business shall be limited to a sign no larger than a two foot by four foot (2' X 4') unlighted nameplate.
4. Absolutely no test-firing of firearms shall be conducted by the applicant and/or his clientele on the property in question, located at 2750 Victor Church Road, Branson, MO.
5. The Apex Practical Firearms application shall be viewed as a Special-Use Permit. Therefore the permit is specific to the applicant to whom the permit is issued and cannot be transferred without Planning Commission approval. The Special-Use Permit shall not be used to establish commercial compatibility for or with any future land-use change applications.
6. All on-site sales shall occur between the hours of 9:00 AM and 8:00 PM.
7. No outside storage of equipment or solid waste materials.
8. This decision is subject to all existing easements.
9. This Decision of Record shall be filed with the Taney County Recorder of Deeds Office within 120 days or the approval shall expire (Chapter II Item 6).

# **APEX Practical Firearms**

## **Mission Statement**

The primary mission of APEX Practical Firearms will be to provide high-quality firearms, ammunition and accessories to a somewhat focused clientele. The products to be carried by APEX will be well-suited to the purposes of home and personal defense, duty, concealed carry, hunting, competition, training, and practice.

The secondary mission of APEX will be to establish and maintain a positive rapport with the surrounding community, and to attempt to improve the image of firearms enthusiasts among the general public.

## **Concerns to be Addressed**

The greatest concerns surrounding a business of this sort will most likely be those relating to safety, noise and traffic. A brief description of the plans for the use of this property and the business activities should go far towards alleviating those concerns.

Neighbors can rest assured that no test-firing of any firearms will be conducted on this property. Access to another property far removed from the neighborhood has already been secured, and all live fire will take place on those premises. I do not wish to jeopardize the safety of my neighbors, and there simply is not enough clear space around this property to safely discharge firearms without a great deal of construction first.



As for noise, the manufacturing process will be no louder than most outdoor home maintenance activities. In fact, many recreational crafts and hobbies are likely to create more noise than assembling a firearm. The fact that most of the process will take place in the garage should help to keep noise to a minimum.

Finally, vehicle and customer traffic will be viewed as indicators of growth. The hope is that they reach a point at which I don't want that many people I don't know coming to my private residence. At that point, it will be time to look for a storefront or separate building to house the business. The plan is to move the business away from the residence before the additional traffic becomes a nuisance to the neighbors.

# Missouri Secretary of State, Jason Kander

SOS Home :: Business Services :: Business Entity Search

### Search

- By Business Name
- By Charter Number
- By Registered Agent
- For New Corporations

### Verify

- Verify Certification
- Registration Report
- File Online
- File Fictitious Name

### Registration

- File Online
- Renew Online
- File LLC Registration

### Online Orders

- Register for Online Orders
- Order Good Standing
- Order Certified Documents

### Filed Documents

**Date:** 5/6/2013 (Click above to view filed documents that are available.)

### Business Name History

Name	Name Type
APEX Practical Firearms	Legal

### Fictitious Registration - Domestic - Information

<b>Charter Number:</b>	X01286676
<b>Status:</b>	Fictitious Active
<b>Entity Creation Date:</b>	1/28/2013
<b>State of Business.:</b>	MO
<b>Expiration Date:</b>	1/28/2018

### Owners

**Name:** Lowell C Miller  
**Address:** 2750 Victor Church Rd.  
 Branson MO 65616

**Name:** Sherry L Miller  
**Address:** 2750 Victor Church Rd.  
 Branson MO 65616

### Commissions

**Phone:** (573) 751-2783  
**Toll Free:** (866) 223-6535

### Corporations

**Phone:** (573) 751-4153  
**Toll Free:** (866) 223-6535

### UCC Office

**Phone:** (573) 751-4628  
**Toll Free:** (866) 223-6535

600 West Main Street  
 Jefferson City, MO 65101

Main Office: (573) 751-4936 

**Division III Relative Policy Scoring Sheet:  
Eastern Taney County**

Performance Value	Importance Factor	Score	Section Score
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**Water Quality**

SEWAGE DISPOSAL	n/a=			
centralized system	2	5	0	0
on-site treatment system(s) with adequate safeguards to mitigate pollution	1			
septic system of adequate design and capacity	0			
proposed system may not provide adequate capacity	-1			
proposed solution may cause surface and/or ground water pollution	-2			

**Environmental Policies**

STORM DRAINAGE	n/a=	x		
on-site stormwater retention and absorption with engineered plans	2	4		
on-site stormwater retention and absorption without engineered plans	1			
stormwater retention with managed and acceptable run-off	0			
no stormwater retention, but adverse impacts from run-off have been mitigated	-1			
no acceptable management and control of stormwater run-off	-2			

**AIR QUALITY**

AIR QUALITY	n/a=	x		
cannot cause impact	0	4		
could impact but appropriate abatement installed	-1			
could impact, no abatement or unknown impact	-2			

**Critical Areas**

PRESERVATION OF CRITICAL AREAS	n/a=	x		
no adverse impact to any designated critical area	2	3		
one of the designated critical areas impacted but can be fully mitigated	1			
more than one of the designated critical areas impacted but can be fully mitigated	0			
one or more of the designated critical areas impacted and mitigation not fully effective	-1			
one or more of the designated critical areas impacted with no ability to mitigate problem	-2			

**Land Use Compatibility**

OFF-SITE NUISANCES	n/a=			
no issues	2	4	-1	-4
minimal issues, but can be fully mitigated	1			
issues that can be buffered and mitigated to a reasonable level	0			
buffered and minimally mitigated	-1			
cannot be mitigated	-2			

**USE COMPATIBILITY**

USE COMPATIBILITY	n/a=			
no conflicts / isolated property	0	4	0	0
transparent change / change not readily noticeable	-1			
impact readily apparent / out of place	-2			

**Division III Relative Policy Scoring Sheet:  
Eastern Taney County**

	Performance Value	Importance Factor	Score	Section Score
<b>STRUCTURAL SCREENING OF ROOFTOP EQUIPMENT &amp; VENTS</b> n/a=	x			
no rooftop equipment / vents or blocked from view by structure design or screening	0	3		
partially blocked from view	-1			
exposed / not blocked from view	-2			
<b>STRUCTURAL SCREENING OF SOLID WASTE CONTAINERS</b> n/a=	x			
no on-site waste containers or blocked from view by structure design or screening	0	3		
partially blocked from view	-1			
exposed / not blocked from view	-2			
<b>STRUCTURAL SCREENING OF OUTDOOR EQUIP, STORAGE, ETC.</b> n/a=	x			
no outdoor storage of equipment, materials, etc., or outdoor work areas	2	3		
blocked from view by structure design	1			
blocked from view using screening	0			
partially blocked from view	-1			
exposed / not blocked from view	-2			
<b>LANDSCAPED BUFFERS -- RESIDENTIAL</b> n/a=	x			
approved landscaped buffer between homes and all streets / roads / highways	2	2		
approved landscaped buffer from major roads / highways only	1			
minimal landscaped buffer, but compensates with expanse of land	0			
no landscaped buffer between residences and local streets	-1			
no landscaped buffer from any road	-2			
<b>LANDSCAPED BUFFERS - INDUSTRIAL</b> n/a=	x			
approved landscaped buffer from public roads	0	3		
minimal landscaped buffer, but compensates with expanse of land	-1			
no landscaped buffer from public roads	-2			
<b>Local Economic Development</b>				
<b>AGRICULTURAL LANDS</b> n/a=	x			
no conversion of Class I-IV agricultural land to other use(s)	0	1		
development requires reclassification of Class I-IV agricultural land to other use(s)	-2			
<b>RIGHT TO FARM</b> n/a=	x			
does not limit existing agricultural uses / does not cause nuisance, predation	0	3		
does not limit existing agricultural uses, but may result in minor nuisance	-1			
potential impact(s) on existing agricultural land	-2			
<b>RIGHT TO OPERATE</b> n/a=	x			
no viable impact on existing industrial uses by residential development	0	2		
potential impact but can be mitigated	-1			
potential impact on existing industrial uses with no mitigation	-2			

Division III Relative Policy Scoring Sheet:  
Eastern Taney County

	Performance Value	Importance Factor	Score	Section Score
<b>DIVERSIFICATION</b>	n/a= x			
creates >=5 full-time, year-round jobs outside of recreation / resort sector	2	4		
creates full-time, year-round and seasonal jobs	1			
creates seasonal jobs only	0			
<b>Site Planning, Design, Occupancy</b>				
<b>RESIDENTIAL PRIVACY</b>	n/a= x			
privacy provided by structural design, or not applicable	2	2		
privacy provided by structural screening	1			
privacy provided by landscaped buffers	0			
privacy provided by open space	-1			
no acceptable or effective privacy buffering	-2			
<b>MIXED-USE DEVELOPMENTS</b>	n/a= x			
uses / functions are compatible or not applicable	2	3		
uses / functions are integrated and separated based on compatibility	1			
uses / functions differ minimally and are not readily apparent	0			
uses / functions poorly integrated or separated	-1			
uses / functions mixed without regard to compatibility factors	-2			
<b>Commercial Development</b>				
<b>DEVELOPMENT PATTERN / BUFFERING</b>	n/a= x			
approved and effectively designed landscaped buffers between structures and all roads	2	4		
minimal landscaped buffering, but compensates with expanse of land	1			
minimal landscaped buffering	0			
no landscaped buffering, but utilizes expanse of land	-1			
no or inadequate buffering or separation by land	-2			
<b>Services - Capacity and Access</b>				
<b>UTILITIES</b>	n/a=			
adequate utilities capacity as evidenced by letter from each utility	0	4	-1	-4
adequate utilities capacity without formal letter from each utility or not from all utilities	-1			
inadequate information to determine adequacy of utilities	-2			
<b>TRAFFIC</b>	n/a=			
no impact or insignificant impact on current traffic flows	0	2	0	0
traffic flow increases expected but manageable using existing roads and road accesses	-1			
traffic flow increases exceed current road capacities	-2			
<b>EMERGENCY SERVICES</b>	n/a=			
structure size and/or access can be serviced by emergency equipment	0	3	0	0
structure size and/or access may impede but not hinder serviceability	-1			
structure size and/or access could be problematic or non-serviceable	-2			

Division III Relative Policy Scoring Sheet:  
Eastern Taney County

	Performance Value	Importance Factor	Score	Section Score
<b>RIGHT-OF-WAY OF EXISTING ROADS</b> n/a=				
greater than 50 ft. right-of-way	1	5	0	0
50 ft. right-of-way	0			
40 ft. right-of-way	-1			
less than 40 ft. right-of-way	-2			
<b>Internal Improvements</b>				
<b>WATER SYSTEMS</b> n/a=				
central water system meeting DNR requirements for capacity, storage, design, etc.	2	3	0	0
community well / water system meeting DNR requirements	1			
private wells meeting DNR requirements	0			
private wells not meeting any established standards	-1			
individual / private wells	-2			
<b>EMERGENCY WATER SUPPLY</b> n/a=				
fire hydrant system throughout development with adequate pressure and flow	0	5	-2	-10
fire hydrant system with limited coverage	-1			
no fire hydrant system	-2			
<b>PEDESTRIAN CIRCULATION</b> n/a=	x			
paved and dedicated walkways (no bicycles) provided throughout development	2	4		
paved walkways provided throughout development / maybe shared with bicycles	1			
designated walkways provided but unpaved	0			
no pedestrian walkways, but green space provided for pedestrian use	-1			
no designated pedestrian walkway areas	-2			
<b>PEDESTRIAN SAFETY</b> n/a=	x			
separation of pedestrian walkways from roadways by landscape or structural buffer	2	2		
separation of pedestrian walkways from roadways by open land buffer	1			
pedestrian walkways abut roadways with no buffering / protection	0			
<b>BICYCLE CIRCULATION</b> n/a=	x			
dedicated / separate bike-ways with signage, bike racks, trails	2	1		
bicycle lanes shared with pedestrian walkways but separated by markings / signs	1			
no designated bike-ways	0			
<b>UNDERGROUND UTILITIES</b> n/a=				
all utilities are provided underground up to each building / structure	2	4	0	0
all utilities traverse development underground but may be above ground from easement	1			
utilities above ground but / over designated easements	0			
utilities above ground and not within specific easements	-1			
no specific management of utilities	-2			

Division III Relative Policy Scoring Sheet: Eastern Taney County	Performance Value	Importance Factor	Score	Section Score
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Open-Space Density				
USABLE OPEN SPACE	n/a=	x		
residential developments (>25 units) include more than 25% open recreational space		2	2	
residential developments (>25 units) offer >10% but <25% open recreational space		1		
recreational area provided, but highly limited and not provided as open space		0		
no designated recreational space provided, but open space available		-1		
no open recreational space provided		-2		
Solid Waste Disposal				
SOLID WASTE DISPOSAL SERVICE AVAILABILITY	n/a=			
weekly service is available and documentation of availability provided		0	5	-1
weekly service reportedly available but not documented		-1		
centralized, on-site trash collection receptacles available		-2		
SOLID WASTE DISPOSAL SERVICE COMMITMENT	n/a=	x		
restrictive covenants provide for weekly disposal for each occupied structure		0	5	
services available but not a requirement documented in covenants		-1		
not applicable / no pick-up service provided		-2		

**Total Weighted Score= -23**  
**Maximum Possible Score= 37**  
**Actual Score as Percent of Maximum= -62.2%**  
**Number of Negative Scores= 4**  
**Negative Scores as % of Total Score= 11.4%**

Scoring Performed by:  
*Bob Atchley / Bonita Kissee*

Date:  
*April 25, 2013*

Project: **Apex Practical Firearms**

Permit#: **13-07**

Policies Receiving a Negative Score	
Importance Factor 5:	<b>emergency water supply waste disposal service</b>
Importance Factor 4:	<b>off-site nuisances utilities</b>
Importance Factor 3:	none
Importance Factor 2:	none
Importance Factor 1:	none

Scoring by: *Bob Atchley / Bonita Kisse*

Date: *April 25, 2013*



# Eastern District Relative Policies: Division III Permit

Project: **Apex Practical Firearms**

Permit: **13-07**

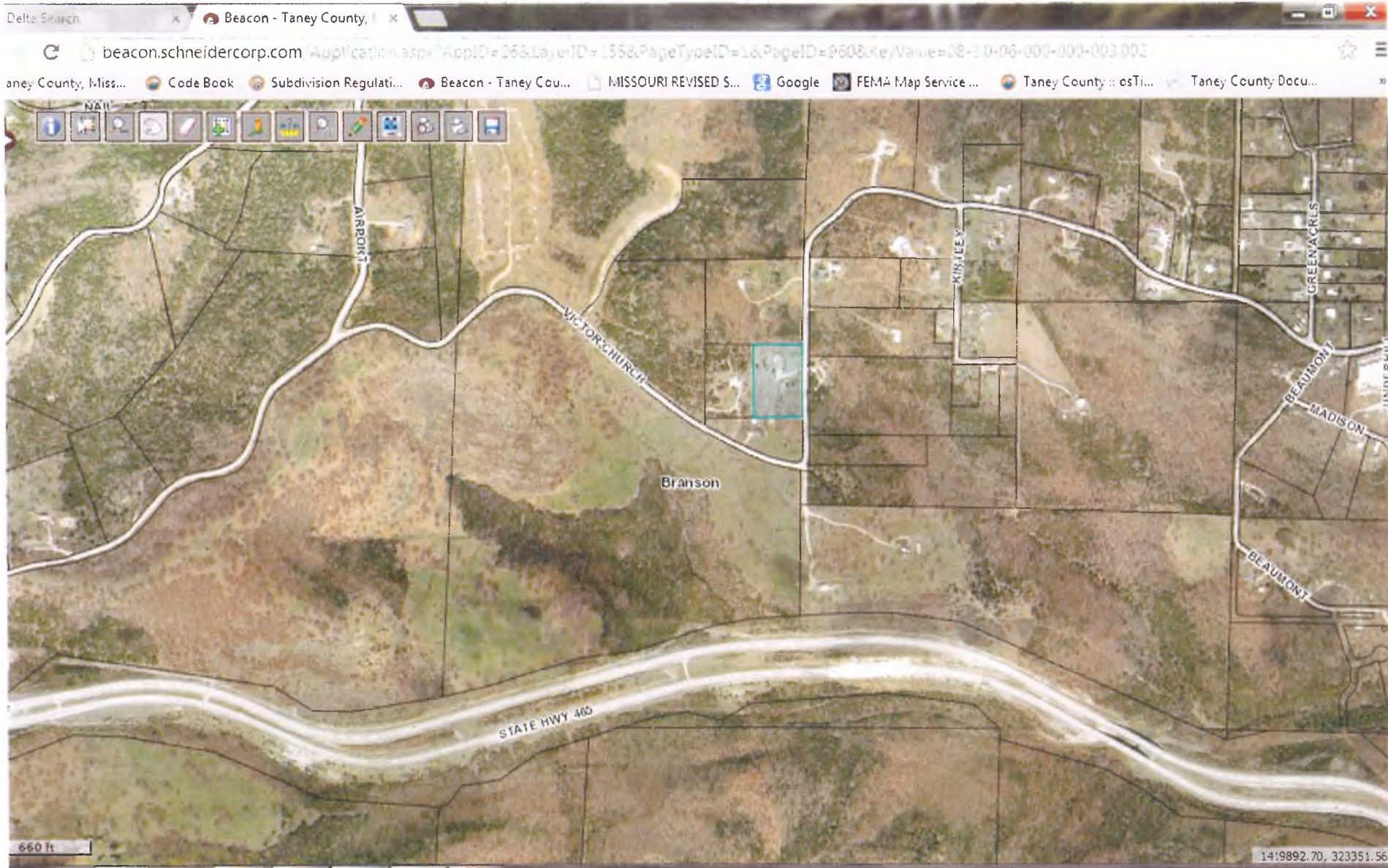
	Max. Possible	As Scored	%	Total Negative Scores	
Scoring	37	-23	-62.2%	4	40.0%

	Max. Possible	As Scored	Negative Scores	
			Number of	Percent
<b>Importance Factor 5</b>	5	-15	2	66.7%
sewage disposal				
right-of-way / roads	5	0		
emergency water supply	0	-10		
waste disposal service	0	-5		
waste disposal commitment				
<b>Importance Factor 4</b>	16	-8	2	50.0%
stormwater drainage				
air quality				
off-site nuisances	8	-4		
use compatibility	0	0		
diversification				
development buffering				
utilities	0	-4		
pedestrian circulation				
underground utilities	8	0		
<b>Importance Factor 3</b>				
preservation of critical areas				
screening of rooftop equip				
screening / waste containers				
screening of outdoor equip				
industrial landscape buffers				
right to farm				
mixed-use developments				
emergency services	0	0		
water systems	6	0		
<b>Importance Factor 2</b>				
residential landscape buffers				
right to operate				
residential privacy				
traffic	0	0		
pedestrian safety				
usable open space				
<b>Importance Factor 1</b>				
agricultural lands				
bicycle circulation				

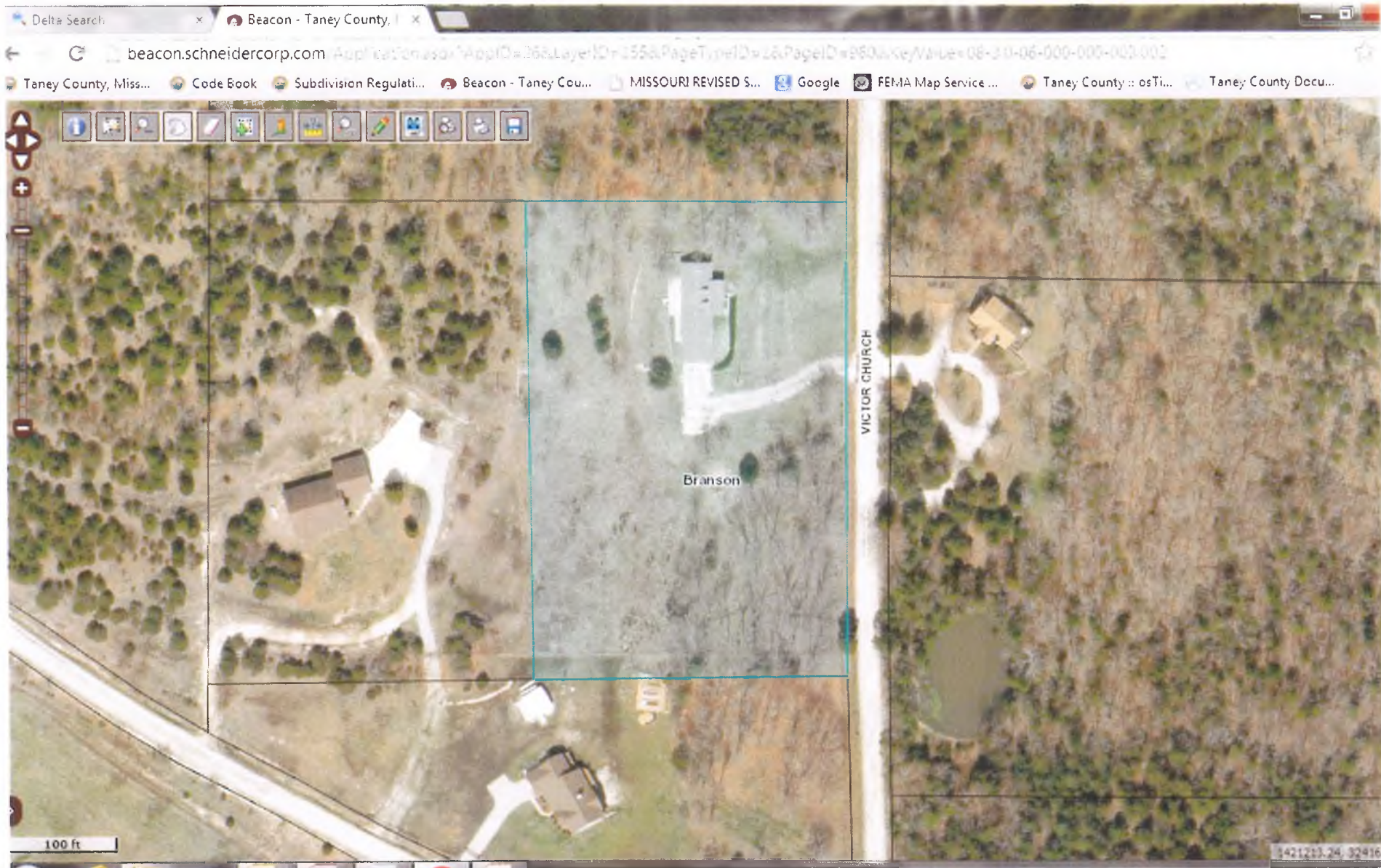
Scoring by: *Bob Atchley / Bonita Kisse*

Date: *April 25, 2013*





**Apex Practical Firearms  
Division III Permit 2013-0007  
Taney County GIS - Beacon**



**Apex Practical Firearms  
Division III Permit 2013-0007  
Taney County GIS - Beacon**













# TANEY COUNTY PLANNING COMMISSION

## DIVISION III PERMIT STAFF REPORT

**HEARING DATE:** May 13, 2013

**CASE NUMBER:** 2013-0008

**PROJECT:** Sycamore Creek Family Ranch

**APPLICANT:** Thomas Crain

**REPRESENTATIVES:** Michael & Lisa Button

**LOCATION:** The subject property is located at 8800 Block of U.S. Highway 160, Walnut Shade, MO, Jasper Township; Section 3 Township 23, Range 21.

**REQUEST:** The representatives, Michael & Lisa Button are requesting approval of a Division III Permit authorizing the development of the Sycamore Creek Family Ranch, an agritourism and ministry based development proposal, which includes an extensive list of proposed uses as described in the General Description.

### **BACKGROUND and SITE HISTORY:**

The representatives have indicated that the Sycamore Creek Family Ranch will be located upon two (2) adjoining parcels of land. The first parcel of land (08-2.0-03-000-000-003.000) is an approximately 174 acre (per the Assessor's information) agricultural parcel of land located in the 8800 Block of U.S. Highway 160, Walnut Shade, MO. The second parcel of property (05-8.0-34-000-000-024.000) is an approximately 5.29 acre agricultural property (per the Assessor's information). However, the representatives are in the process of purchasing a total of approximately 113 acres from the applicant as indicated upon the submitted master plan.

## GENERAL DESCRIPTION:

The proposed Sycamore Creek Family Ranch will be located on a total of approximately 113 acres. This proposed phased development proposal will combine components of agritourism and ministry. The applicants have indicated that the focal point of the proposed Family Ranch will be a large, nicely finished barn that will potentially include a large gathering room, prayer room, conference rooms, small movie theater for family friendly movies, food / clothing pantry, general store, a coffee shop and a loft area where local musician would perform in an intimate setting. The applicants have further stated that they will possibly conduct a church service in the gathering room on Saturday evenings preceding a barn dance. The applicant has stated that this proposed project may potentially include the following uses:

- Movies on the outside of the barn (weather permitting)
- Old-fashioned games and outdoor activities for families
- Tree house
- Hayrides
- Fire pits
- Weddings
- Fruit production (such as a small apple orchard, blueberries or tomatoes)
- Pumpkin Patch
- Corn Maze
- Christmas tree lot
- Fishing
- Kayaking
- Picnic areas
- Amphitheater
- Camping
- Lodging in Yurts and / or Conestoga Wagons
- Retreats / Conferences / Concerts
- Pony rides / Horseback riding
- Hiking / Devotional trails
- School Field trips
- Farmer's market
- Petting Zoo
- Chicken coup
- Peddle karts
- Restaurant
- Chapel
- Zipline
- Water spray zones
- Concessions

## REVIEW:

The representatives have indicated that the Sycamore Creek Family Ranch will be developed in phases over a number of years, with the submitted Master Plan indicating the development upon completion.

Since mixed uses are proposed, per the provisions of Table J-1 of the Development Guidance Code, the on-site parking space requirements will be required to be determined on a proportional basis, based upon the proposed uses. The parking area will have to be designed based upon these specific uses. However, the representatives will have adequate property area to ensure adequate parking. The issuance of the Division II (Commercial Construction) Permit for the barn structure for example will require the provision of a specific number of parking spaces.

The area in question is not served by sewer so as the representatives develop the Sycamore Creek Family Ranch, based upon the specific uses established, the wastewater flows will rapidly exceed 3,000 gallons per day wastewater flow, requiring the approval of a wastewater treatment system via the Missouri Department of Natural Resources (MoDNR).

A large portion of the property in question is within the Special Flood Hazard Area (SFHA) (floodplain) as defined by FEMA. Both the structures and parking area are proposed to be developed outside of this floodplain area.

The staff is recommending that the representatives provide a copy of a current MoDOT Access Permit for the proposed new commercial access for the Sycamore Creek Family Ranch off of U.S. Highway 160.

The adjoining property to the north is agricultural and light residential. The adjoining property to the south is agricultural and Branson View Estates Mobile Home Park. The adjoining property to the east is agricultural and light residential. Further to the east lies the Merrian Woods-Driftwood Subdivision. The adjoining property immediately to the west is agricultural.

The project received a score of -29 on the Policy Checklist, out of a maximum possible score of 53. The relative policies receiving a negative score consist of emergency water supply, solid waste disposal service, use compatibility, underground utilities and traffic.

## STAFF RECOMMENDATIONS:

If the Taney County Planning Commission approves this request, the following requirements shall apply, unless revised by the Planning Commission:

1. Compliance with the provisions of the Taney County Development Guidance Code that include plans for the following:
2. Compliance letters from the Fire District, the On-site Wastewater Permitting Division of the Planning Department, the Missouri Department of Natural Resources (MoDNR) and the Missouri Department of Transportation (MoDOT) including all other entities which have requirements governing a development of this nature.(Chapter VI-VII)
3. The representatives shall either submit a Compliance Letter from the On-site Wastewater Permitting Division of the Planning Department or shall provide a copy of a valid Construction permit for a wastewater treatment system via the MoDNR providing for the applicable wastewater flows.
4. The representatives shall submit a MoDNR Construction Permit for a well(s) to provide service to the Sycamore Creek Family Ranch.
5. The representatives shall provide a copy of a current MoDOT Access Permit for the proposed new commercial access for the Sycamore Creek Family Ranch off of U.S. Highway 160.
6. The representatives shall preserve the existing 25 foot wide vegetative buffer between the Sycamore Creek Family Ranch and adjoining single-family residences.
7. The applicant shall provide proof of liability insurance to the Taney County Planning Department prior to opening day of the operation.
8. All light sources within the facility shall be arranged so that no direct illumination leaves the site toward adjacent residential areas or any roadways
9. No outside storage of equipment or solid waste materials.
10. This decision is subject to all existing easements.
11. Division II Permits will be required for all applicable structures in the development (Chapter 3 Sec. I Item B).
12. This 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).

The Family Ranch will strive to provide resources, encouragement, love, and support to families who live in (or travel to) the Branson area. We will be intentional about specifically ministering to blended families, single parent families, and families of special needs children – in addition to traditional families. This will be accomplished through a facility, loving staff, and simple opportunities that help families re-engage, bond, communicate, grow, and have fun together in a Christian environment. Our mission is to “create memories and build families that last.”

The focal point will be a large, nicely finished barn that will potentially include a large gathering room, prayer room, conference rooms, small movie theater for family friendly movies, food/clothing pantry, general store, a coffee shop, and a loft area where local musicians would perform in an intimate setting. We will possibly conduct a church service in the gathering room on Saturday evenings before our barn dance.

**Our big vision would potentially include the following:**

Movies on the outside of the barn in warmer weather  
Old-fashioned games and outdoor activities for families  
Tree houses  
Hayrides  
Fire pits  
Weddings  
Small apple orchard, blueberries, tomatoes  
Pumpkin patch  
Corn maze  
Christmas tree lot  
Fishing  
Kayaking  
Picnic areas  
Amphitheater  
Camping  
Lodging in Yurts and/or Conestoga wagons  
Retreats/conferences/concerts  
Pony rides/horseback riding  
Hiking/devotional trails  
School field trips  
Farmer’s market  
Petting zoo  
Chicken coup  
Peddle karts  
Restaurant  
Chapel  
Zipline  
Water spray zones  
Concessions

This concept is a combination of agritourism and ministry. This property may also contain a small number of residences for key personnel.

**Division III Relative Policy Scoring Sheet:  
Eastern Taney County**

Performance Value	Importance Factor	Score	Section Score
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**Water Quality**

SEWAGE DISPOSAL	n/a=			
centralized system	2	5	0	0
on-site treatment system(s) with adequate safeguards to mitigate pollution	1			
septic system of adequate design and capacity	0			
proposed system may not provide adequate capacity	-1			
proposed solution may cause surface and/or ground water pollution	-2			

**Environmental Policies**

STORM DRAINAGE	n/a=			
on-site stormwater retention and absorption with engineered plans	2	4	0	0
on-site stormwater retention and absorption without engineered plans	1			
stormwater retention with managed and acceptable run-off	0			
no stormwater retention, but adverse impacts from run-off have been mitigated	-1			
no acceptable management and control of stormwater run-off	-2			

**AIR QUALITY**

	n/a=			
cannot cause impact	0	4	0	0
could impact but appropriate abatement installed	-1			
could impact, no abatement or unknown impact	-2			

**Critical Areas**

PRESERVATION OF CRITICAL AREAS	n/a=			
no adverse impact to any designated critical area	2	3	1	3
one of the designated critical areas impacted but can be fully mitigated	1			
more than one of the designated critical areas impacted but can be fully mitigated	0			
one or more of the designated critical areas impacted and mitigation not fully effective	-1			
one or more of the designated critical areas impacted with no ability to mitigate problem	-2			

**Land Use Compatibility**

OFF-SITE NUISANCES	n/a=			
no issues	2	4	0	0
minimal issues, but can be fully mitigated	1			
issues that can be buffered and mitigated to a reasonable level	0			
buffered and minimally mitigated	-1			
cannot be mitigated	-2			

**USE COMPATIBILITY**

	n/a=			
no conflicts / isolated property	0	4	-1	-4
transparent change / change not readily noticeable	-1			
impact readily apparent / out of place	-2			

Division III Relative Policy Scoring Sheet:  
Eastern Taney County

	Performance Value	Importance Factor	Score	Section Score
<b>STRUCTURAL SCREENING OF ROOFTOP EQUIPMENT &amp; VENTS</b> n/a=	x			
no rooftop equipment / vents or blocked from view by structure design or screening	0	3		
partially blocked from view	-1			
exposed / not blocked from view	-2			
<b>STRUCTURAL SCREENING OF SOLID WASTE CONTAINERS</b> n/a=	x			
no on-site waste containers or blocked from view by structure design or screening	0	3		
partially blocked from view	-1			
exposed / not blocked from view	-2			
<b>STRUCTURAL SCREENING OF OUTDOOR EQUIP, STORAGE, ETC.</b> n/a=	x			
no outdoor storage of equipment, materials, etc., or outdoor work areas	2	3		
blocked from view by structure design	1			
blocked from view using screening	0			
partially blocked from view	-1			
exposed / not blocked from view	-2			
<b>LANDSCAPED BUFFERS -- RESIDENTIAL</b> n/a=	x			
approved landscaped buffer between homes and all streets / roads / highways	2	2		
approved landscaped buffer from major roads / highways only	1			
minimal landscaped buffer, but compensates with expanse of land	0			
no landscaped buffer between residences and local streets	-1			
no landscaped buffer from any road	-2			
<b>LANDSCAPED BUFFERS - INDUSTRIAL</b> n/a=	x			
approved landscaped buffer from public roads	0	3		
minimal landscaped buffer, but compensates with expanse of land	-1			
no landscaped buffer from public roads	-2			
<b>Local Economic Development</b>				
<b>AGRICULTURAL LANDS</b> n/a=				
no conversion of Class I-IV agricultural land to other use(s)	0	1	0	0
development requires reclassification of Class I-IV agricultural land to other use(s)	-2			
<b>RIGHT TO FARM</b> n/a=				
does not limit existing agricultural uses / does not cause nuisance, predation	0	3	0	0
does not limit existing agricultural uses, but may result in minor nuisance	-1			
potential impact(s) on existing agricultural land	-2			
<b>RIGHT TO OPERATE</b> n/a=	x			
no viable impact on existing industrial uses by residential development	0	2		
potential impact but can be mitigated	-1			
potential impact on existing industrial uses with no mitigation	-2			

Division III Relative Policy Scoring Sheet:  
Eastern Taney County

	Performance Value	Importance Factor	Score	Section Score
<b>DIVERSIFICATION</b> n/a=				
creates >=5 full-time, year-round jobs outside of recreation / resort sector	2	4	0	0
creates full-time, year-round and seasonal jobs	1			
creates seasonal jobs only	0			
<b>Site Planning, Design, Occupancy</b>				
<b>RESIDENTIAL PRIVACY</b> n/a=	x			
privacy provided by structural design, or not applicable	2	2		
privacy provided by structural screening	1			
privacy provided by landscaped buffers	0			
privacy provided by open space	-1			
no acceptable or effective privacy buffering	-2			
<b>MIXED-USE DEVELOPMENTS</b> n/a=	x			
uses / functions are compatible or not applicable	2	3		
uses / functions are integrated and separated based on compatibility	1			
uses / functions differ minimally and are not readily apparent	0			
uses / functions poorly integrated or separated	-1			
uses / functions mixed without regard to compatibility factors	-2			
<b>Commercial Development</b>				
<b>DEVELOPMENT PATTERN / BUFFERING</b> n/a=	x			
approved and effectively designed landscaped buffers between structures and all roads	2	4		
minimal landscaped buffering, but compensates with expanse of land	1			
minimal landscaped buffering	0			
no landscaped buffering, but utilizes expanse of land	-1			
no or inadequate buffering or separation by land	-2			
<b>Services - Capacity and Access</b>				
<b>UTILITIES</b> n/a=				
adequate utilities capacity as evidenced by letter from each utility	0	4	-2	-8
adequate utilities capacity without formal letter from each utility or not from all utilities	-1			
inadequate information to determine adequacy of utilities	-2			
<b>TRAFFIC</b> n/a=				
no impact or insignificant impact on current traffic flows	0	2	-1	-2
traffic flow increases expected but manageable using existing roads and road accesses	-1			
traffic flow increases exceed current road capacities	-2			
<b>EMERGENCY SERVICES</b> n/a=				
structure size and/or access can be serviced by emergency equipment	0	3	0	0
structure size and/or access may impede but not hinder serviceability	-1			
structure size and/or access could be problematic or non-serviceable	-2			



Division III Relative Policy Scoring Sheet:  
Eastern Taney County

	Performance Value	Importance Factor	Score	Section Score
<b>RIGHT-OF-WAY OF EXISTING ROADS</b> n/a=				
greater than 50 ft. right-of-way	1	5	1	5
50 ft. right-of-way	0			
40 ft. right-of-way	-1			
less than 40 ft. right-of-way	-2			
<b>Internal Improvements</b>				
<b>WATER SYSTEMS</b> n/a=	x			
central water system meeting DNR requirements for capacity, storage, design, etc.	2	3		
community well / water system meeting DNR requirements	1			
private wells meeting DNR requirements	0			
private wells not meeting any established standards	-1			
individual / private wells	-2			
<b>EMERGENCY WATER SUPPLY</b> n/a=				
fire hydrant system throughout development with adequate pressure and flow	0	5	-2	-10
fire hydrant system with limited coverage	-1			
no fire hydrant system	-2			
<b>PEDESTRIAN CIRCULATION</b> n/a=	x			
paved and dedicated walkways (no bicycles) provided throughout development	2	4		
paved walkways provided throughout development / maybe shared with bicycles	1			
designated walkways provided but unpaved	0			
no pedestrian walkways, but green space provided for pedestrian use	-1			
no designated pedestrian walkway areas	-2			
<b>PEDESTRIAN SAFETY</b> n/a=	x			
separation of pedestrian walkways from roadways by landscape or structural buffer	2	2		
separation of pedestrian walkways from roadways by open land buffer	1			
pedestrian walkways abut roadways with no buffering / protection	0			
<b>BICYCLE CIRCULATION</b> n/a=	x			
dedicated / separate bike-ways with signage, bike racks, trails	2	1		
bicycle lanes shared with pedestrian walkways but separated by markings / signs	1			
no designated bike-ways	0			
<b>UNDERGROUND UTILITIES</b> n/a=				
all utilities are provided underground up to each building / structure	2	4	-2	-8
all utilities traverse development underground but may be above ground from easement	1			
utilities above ground but / over designated easements	0			
utilities above ground and not within specific easements	-1			
no specific management of utilities	-2			

Sycamore Creek Family Ranch		Permit#:	13-09		
Division III Relative Policy Scoring Sheet: Eastern Taney County		Performance Value	Importance Factor	Score	Section Score
<b>Open-Space Density</b>					
USABLE OPEN SPACE	n/a=	x			
residential developments (>25 units) include more than 25% open recreational space		2	2		
residential developments (>25 units) offer >10% but <25% open recreational space		1			
recreational area provided, but highly limited and not provided as open space		0			
no designated recreational space provided, but open space available		-1			
no open recreational space provided		-2			
<b>Solid Waste Disposal</b>					
SOLID WASTE DISPOSAL SERVICE AVAILABILITY	n/a=				
weekly service is available and documentation of availability provided		0	5	-1	-5
weekly service reportedly available but not documented		-1			
centralized, on-site trash collection receptacles available		-2			
SOLID WASTE DISPOSAL SERVICE COMMITMENT	n/a=	x			
restrictive covenants provide for weekly disposal for each occupied structure		0	5		
services available but not a requirement documented in covenants		-1			
not applicable / no pick-up service provided		-2			

Total Weighted Score= -29

Maximum Possible Score= 53

Actual Score as Percent of Maximum= -54.7%

Number of Negative Scores= 6

Negative Scores as % of Total Score= 17.1%

Scoring Performed by:

Bob Atchley / Bonita Kisse

Date:

April 25, 2013

Project: **Sycamore Creek Family Ranch**

Permit#: **13-09**

Policies Receiving a Negative Score	
Importance Factor 5:	<b>emergency water supply waste disposal service</b>
Importance Factor 4:	<b>use compatibility utilities underground utilities</b>
Importance Factor 3:	none
Importance Factor 2:	<b>traffic</b>
Importance Factor 1:	none

Scoring by: *Bob Atchley / Bonita Kisse*

Date: *April 25, 2013*

# Eastern District Relative Policies: Division III Permit

Project: **Sycamore Creek Family Ranch**

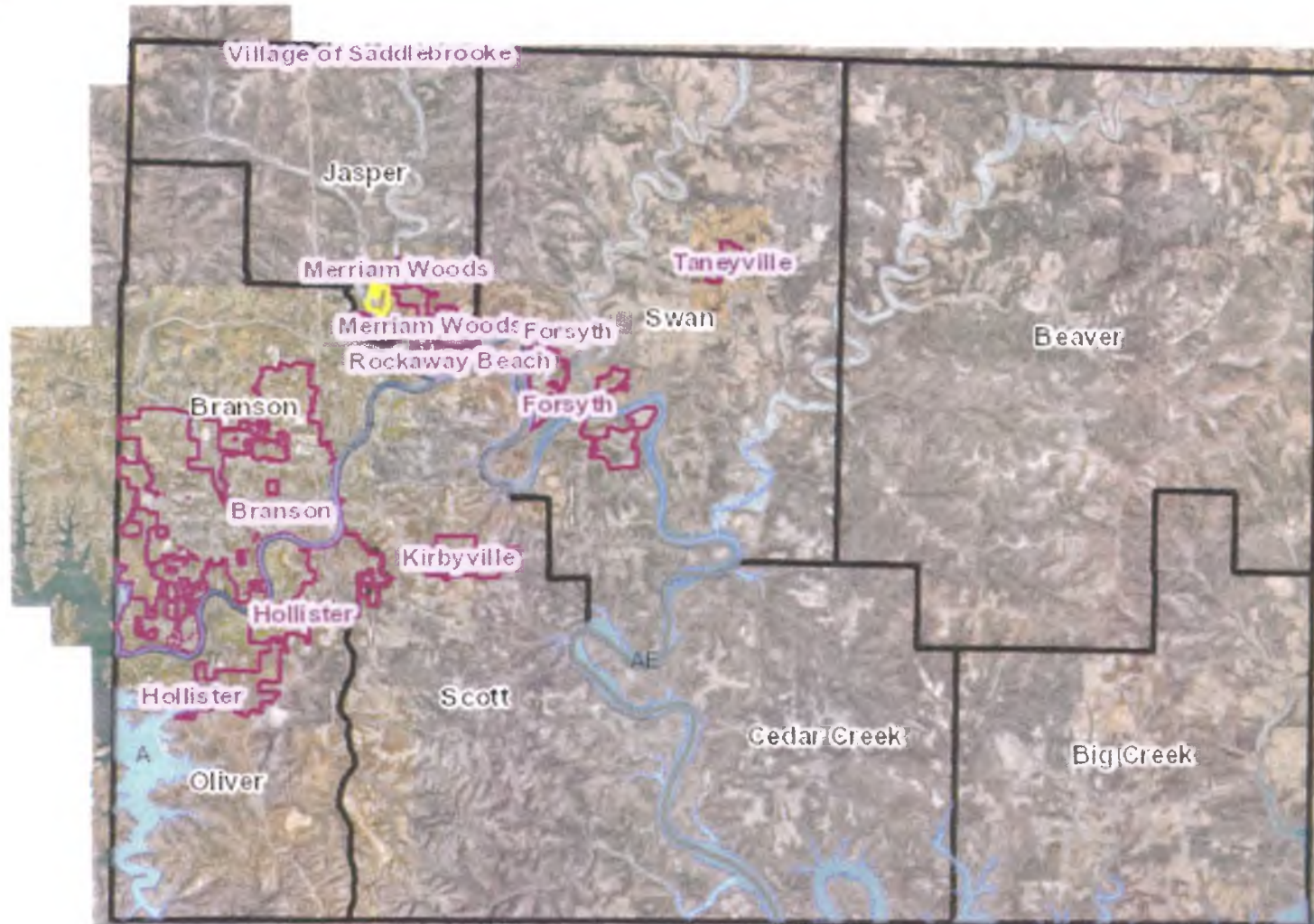
Permit: **13-09**

	Max. Possible	As Scored	%	Total Negative Scores	
Scoring	53	-29	-54.7%	6	40.0%

	Max. Possible	As Scored	Negative Scores	
			Number of	Percent
<b>Importance Factor 5</b>	<b>5</b>	<b>-10</b>	<b>2</b>	<b>66.7%</b>
sewage disposal				
right-of-way / roads	5	5		
emergency water supply	0	-10		
waste disposal service	0	-5		
waste disposal commitment				
<b>Importance Factor 4</b>	<b>32</b>	<b>-20</b>	<b>3</b>	<b>42.9%</b>
stormwater drainage	8	0		
air quality	0	0		
off-site nuisances	8	0		
use compatibility	0	-4		
diversification	8	0		
development buffering				
utilities	0	-8		
pedestrian circulation				
underground utilities	8	-8		
<b>Importance Factor 3</b>	<b>6</b>	<b>3</b>		
preservation of critical areas	6	3		
screening of rooftop equip				
screening / waste containers				
screening of outdoor equip				
industrial landscape buffers				
right to farm	0	0		
mixed-use developments				
emergency services	0	0		
water systems				
<b>Importance Factor 2</b>	<b>0</b>	<b>-2</b>	<b>1</b>	<b>100.0%</b>
residential landscape buffers				
right to operate				
residential privacy				
traffic	0	-2		
pedestrian safety				
usable open space				
<b>Importance Factor 1</b>				
agricultural lands	0	0		
bicycle circulation				

Scoring by: *Bob Atchley / Bonita Kisse*

Date: *April 25, 2013*



**Sycamore Creek Family Ranch  
Division III Permit 2013-0008  
Taney County GIS - Beacon**



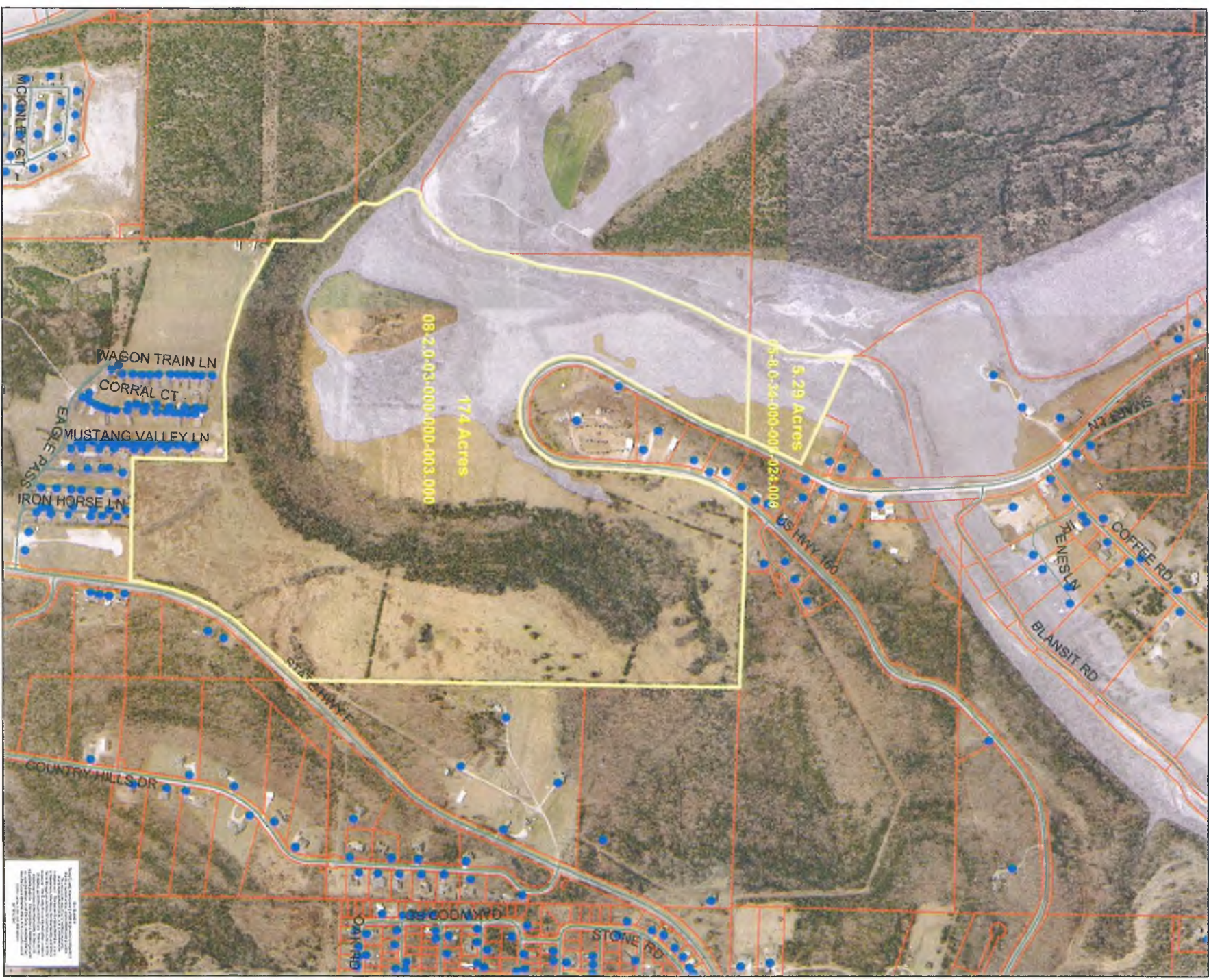
**Sycamore Creek Family Ranch  
Division III Permit 2013-0008  
Taney County GIS - Beacon**



**Sycamore Creek Family Ranch  
Division III Permit 2013-0008  
Taney County GIS - Beacon**



# Sycamore Creek Family Ranch



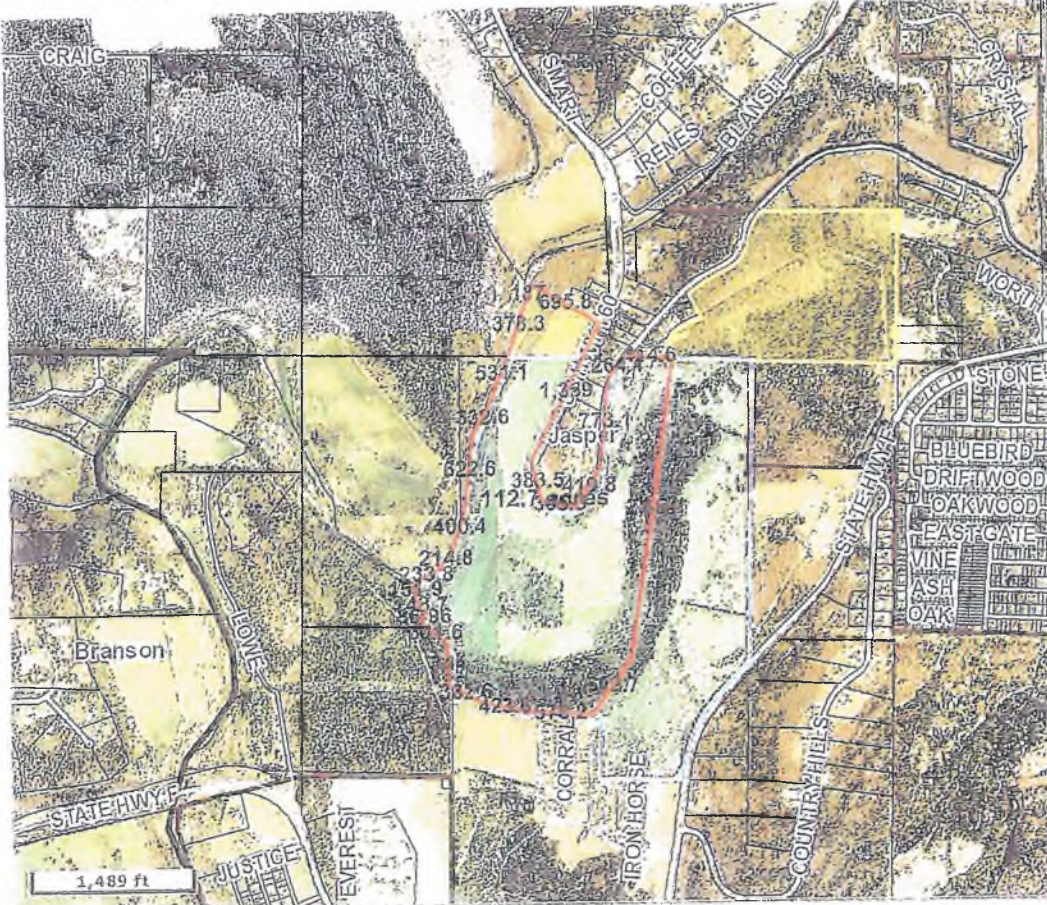
**Legend**  
Orange outline: Property boundary  
Yellow line: Proposed road or path  
Blue dots: Trees or markers  
Purple shading: Specific land area  
Red outline: Other parcels or roads



Date Created: 3/8/2013

Overview

- Legend
- Parcels
  - Roads
  - Lakes
  - Corporate Limits
  - Townships



	<b>Parcel ID</b> 08-2.0-03-000-000-003.000	<b>Alternate ID</b> n/a	<b>Owner Address</b> CRAIN THOMAS ANDREW - 1/2 INT ETA
	<b>Sec/Twp/Rng</b> 3-23-21	<b>Class</b> n/a	3526 W FARM RD 88
	<b>Property Address</b>	<b>Acreege</b> 174.00	SPRINGFIELD MO 65803
	<b>District</b> 4CWX		
	<b>Brief Tax Description</b> W2 LTS 1 & 2 NE4 E OF US HWY 160; E2 LTS 1 & 2 NW		
	<small>(Note: Not to be used on legal documents)</small>		

112.7

Last Data Upload: 3/8/2013 4:56:09 AM



MASTER PLAN

# SYCAMORE CREEK FAMILY RANCH



LANDRUN STUDIO  
 431 WOOD DAW LANE  
 ARDEN, NC 28705  
 813.486.1111  
 LANDRUN.COM



# NOTICE OF PUBLIC HEARING

## THE TANEY COUNTY PLANNING COMMISSION

Will Hold A Public Hearing Concerning The Following Requested Zone Change Under the Division III Process

Applicant: Michael Button

Proposed Development: Agri-tourism Ministry

Property Location: US Hwy 160

Hearing Location: Taney County Courthouse  
Time: 6:00 PM Date: 5-13-20  
Phone: 417-838-5500











## TANEY COUNTY PLANNING COMMISSION

### DIVISION III PERMIT STAFF REPORT

**HEARING DATE:** May 13, 2013

**CASE NUMBER:** 2013-0009

**PROJECT:** Kenny Bear Event Center

**APPLICANT:** Kenneth Portz

**REPRESENTATIVE:** Dean Paul

**LOCATION:** The subject property is located at 3971 State Highway 176, Rockaway Beach, MO, Jasper Township; Section 11 Township 23, Range 21.

**REQUEST:** The applicant, Kenneth Portz is requesting approval of a Division III Permit authorizing the development of the Kenny Bear Event Center, which is to include the "Horse Barn Saloon", motorcycle rallies, outdoor concerts, on-site tent and RV camping, a farmers market, community garage sales, special event rental and nature trail area.

#### **BACKGROUND and SITE HISTORY:**

The applicant has indicated that the events held on site originated in 2007, with Mr. Portz allowing for the property in question to be utilized for overflow camping for the Rockaway Beach Bikers Against Child Abuse Rally. Since that time the number and frequency of events has slowly grown.

On February 20, 2013 the Taney County Planning Department received a complaint regarding the operation of a commercial shooting range at the property located at 3971 State Highway 176, Rockaway Beach, MO. On March 25, 2013 a Stop Work Order was issued by the Planning Department directing Mr. Portz to immediately cease all shooting range operations at the property in question until such time that a Division III Permit has been obtained.

Upon receipt of the Stop Work Order, Mr. Portz immediately submitted the current Division III Permit Application, seeking Planning Commission approval for the Kenny Bear Event Center, which is to include the "Horse Barn Saloon", motorcycle rallies, outdoor concerts, on-site tent and RV camping, a farmers market, community garage sales, special event rental and nature trail area. During the Concept Hearing, the applicant indicated that he is wishing to remove the shooting range use from his Division III Permit Application. However, the current signage on the property indicates that the property in question contains a shooting range. The applicant has further

indicated that should he wish to operate a commercial gun range in the future he will seek Planning Commission approval for an indoor shooting facility and gun sales.

On April 26, 2013, the applicant obtained a Division I Special Event Permit for the Smelt (fish) Fry held on Saturday, April 27, 2013. The Smelt Fry was single day event which was scheduled to run on site from 12:00 PM (noon) to 8:00 PM, with live bands playing from 8:00 PM to 12:00 AM (midnight). The applicant indicated during the Concept Hearing that alcohol sales for that event would be catered. Due to weather issues the Staff is uncertain if that even was held. As a part of this permitting process, the On-Site Wastewater Permitting Division of the Planning Department specified the number of porta-johns that would be required to serve this specific event.

#### **GENERAL DESCRIPTION:**

The applicant has indicated that the Kenny Bear Event Center will be located upon two (2) adjoining parcels of land. The first parcel of land (08-1.0-11-001-032-041.008) is approximately 1.00 acre in size (per the Assessor's information) containing an existing single-family residence and barn addressed at 3971 State Highway 176, Rockaway Beach, MO. The second parcel of property (08-1.0-11-001-032-041.001) is approximately 3.55 acres (per the Assessor's information). The applicant also owns an approximately 12.09 acre parcel of property adjoining the properties in question to the west. However, the submitted site plan indicates that the proposed use will be contained within the two parcels containing a total of approximately 4.55 acres (per the Assessor's information).

The proposed Kenny Bear Event Center is to be a multi-purpose event center, consisting of the "Horse Barn Saloon", motorcycle rallies, outdoor concerts, on-site tent and RV camping, a farmers market, community garage sales, special event rental. The existing barn structure will be converted to the "Horse Barn Saloon". The applicant has indicated that a future nature trail area will be developed within the adjoining +/- 12.09 acre adjoining parcel of property. The Kenny Bear Event Center website further indicates that the Center will also offer booking, advertising, promoting and recording services for local bands. Swap meets are also held in conjunction with a number of the motorcycle rallies. Vendor space will be available at select events.

During the Concept Hearing, the applicant indicated that a percentage of the profits would be divided between six not-for-profit charity organizations such as: The National Law Enforcement Memorial Fund, Freedom of the Road Riders, Bikers Against Child Abuse, Rolling Thunder AM Vet Riders and others. The applicant has further stated that Will Fischer distributing has verbally agreed to match these donations as well.



## REVIEW:

In speaking with Scott Starrett, On-Site Wastewater Permitting, the applicant has indicated that the Kenny Bear Event Center will involve a twenty (20) space RV Campground area with water and sewer connections, a sixty (60) tent primitive camping area served by restrooms and showers and a one hundred (100) seat bar (Horse Bar Saloon). Utilizing the Missouri Department of Health and Senior Services wastewater requirements for on-site systems these three proposed uses would produce a potential of 6,800 gallons per day wastewater flow. Any instance which involves wastewater flows of 3,000 or more gallons per day requires the approval of a wastewater treatment system via the Missouri Department of Natural Resources (MoDNR). In speaking with the personnel from the City of Rockaway Beach, the Staff understands that a municipal sewer interceptor lies within 100 feet of the applicant's property line. Should the applicant connect to Rockaway Beach municipal sewer, the applicant would however be required to annex into the municipal limits. However, connection could also potentially be obtained to the sewer interceptor via the Taney County Regional Sewer District, because the Regional Sewer District has capacity available in the City's Municipal Treatment Plant. This decision however, would have to come via the Board of the Taney County Regional Sewer District. The MoDNR may likely not allow for the construction of a treatment plant with municipal sewer being located 100 feet from the property in question.

Both the existing single-family residence and commercial building located at 3889 State Highway 176 (Formerly the location of the Brown Dog) have utilized a joint lateral field for each of their respective septic tanks, with an agreement being signed by both property owners. This lateral field now appears to be located upon the same property as the mini-storage facility. This system will not accommodate any of the proposed uses within the Kenny Bear Event Center. The information from Taney County Regional Sewer District Permit # 1998-0057 has been attached for your review.

Since a number of mixed uses are being proposed, per the provisions of Table J-1 of the Development Guidance Code, the on-site parking space requirements should be determined on a proportional basis, based upon the proposed uses. Table J-1 requires, "1 space for every 3 fixed seats and/or 30 square feet of floor area used for assembly, dancing, recreations, etc." for the Horse Barn Saloon. The applicant has indicated that the Saloon will eventually seat 100 people. Therefore 34 parking spaces would be required simply for the saloon. The applicant has indicated to the Per the provisions of Table J-1, the outdoor special event / concert area will require, "1 space for every 4 seats and/or 30 square feet of assembly area without fixed seating".

The Kenny Bear Event Center website is currently advertising a total of nine (9) events for 2013. However, the website also indicates that the area is available for rent for \$150.00 per day. The current parking and wastewater facilities will not accommodate a very large crowd.

The staff is recommending that the Planning Commission utilize the Merriam Woods noise ordinance which would require live bands and other outdoor activities to cease by 10:00 PM, due to the proximity of the property in question to both the City limits of Rockaway Beach and the Village limits of Merriam Woods.

The staff is further recommending that the applicant provide a copy of a current MoDOT Access Permit indicating that the existing access off of State Highway 176 may be utilized as the commercial access point for Kenny Bear Event Center.

The adjoining property to the north is State Highway 176, light residential and the municipal limits of Merriam Woods. The adjoining property to the south is light residential. The adjoining property to the east is commercial (mini-storage and thrift shop). The adjoining property immediately to the west is approximately 12.09 acre parcel of property owned by the applicant. Further to the west lies the Merriam Woods-Rockwood Subdivision.

The staff is recommending that either a privacy fence or 25 feet of vegetative buffering be provided along the western and southern property boundaries between the property in question and the adjoining residences.

The project received a score of -44 on the Policy Checklist, out of a maximum possible score of 61. The relative policies receiving a negative score consist of sewage disposal, emergency water supply, solid waste disposal service, off-site nuisances, use compatibility, utilities, pedestrian circulation and traffic.

## STAFF RECOMMENDATIONS:

If the Taney County Planning Commission approves this request, the following requirements shall apply, unless revised by the Planning Commission:

1. Compliance with the provisions of the Taney County Development Guidance Code that include plans for the following:
  - a. Detailed site plan (via a landscape architect, surveyor or engineering professional licensed in the State of Missouri) showing the exact location of the various uses and the number of parking spaces available to serve said uses.
2. Compliance letters from the Fire District, Sherriff's Department, the On-site Wastewater Permitting Division of the Planning Department, the Taney County Regional Sewer District, the Village of Merriam Woods, the City of Rockaway Beach, the Missouri Department of Natural Resources (MoDNR) and the Missouri Department of Transportation (MoDOT) including all other entities which have requirements governing a development of this nature.(Chapter VI-VII)
3. The applicant shall either submit a Compliance Letter from the City of Rockaway Beach or the Taney County Regional Sewer District, ensuring connection to municipal sewer or shall provide a copy of a valid Construction permit for a wastewater treatment system via the MoDNR.
4. The applicant shall provide a letter from Charles Harwood, Water Protection Program of the MoDNR indicating that the soils of said site will support a twenty (20) space RV campground area.
5. The applicant shall either submit a permit for a new well or shall provide a letter from the MoDNR indicating the existing well will serve the needs of the Kenny Bear Event Center.
6. The applicant shall submit a current copy of a liquor license to the Planning Department Office. No alcoholic beverage shall be sold which exceed a 12% alcohol content.
7. All live bands shall cease operation at 10:00 PM in compliance with existing Merriam Woods ordinances.
8. The applicant shall provide a copy of a current MoDOT Access Permit indicating that the existing access may be utilized as the commercial access point for Kenny Bear Event Center.
9. Either a privacy fence or 25 feet of vegetative buffering shall be provided along the western and southern property boundaries between the property in question and the adjoining residences.
10. The applicant shall provide proof of liability insurance to the Taney County Planning Department prior to opening day of the operation.

11. All light sources within the facility shall be arranged so that no direct illumination leaves the site toward adjacent residential areas or any roadways.
12. No outside storage of equipment or solid waste materials.
13. This decision is subject to all existing easements.
14. Division II Permits will be required for all applicable structures in the development (Chapter 3 Sec. I Item B).
15. The applicant shall indemnify and defend the County of Taney, its officers, employees and designated agents against the payment of any and all costs and expenses (including attorney's fees and court costs), resulting from any third party claims, causes of action, lawsuits and liability, arising out of any approval or decision on the proposed project.
16. This 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).

Division III Relative Policy Scoring Sheet:  
Eastern Taney County

Performance Value	Importance Factor	Score	Section Score
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**Water Quality**

SEWAGE DISPOSAL	n/a=			
centralized system	2	5	-1	-5
on-site treatment system(s) with adequate safeguards to mitigate pollution	1			
septic system of adequate design and capacity	0			
proposed system may not provide adequate capacity	-1			
proposed solution may cause surface and/or ground water pollution	-2			

**Environmental Policies**

STORM DRAINAGE	n/a=	x		
on-site stormwater retention and absorption with engineered plans	2	4		
on-site stormwater retention and absorption without engineered plans	1			
stormwater retention with managed and acceptable run-off	0			
no stormwater retention, but adverse impacts from run-off have been mitigated	-1			
no acceptable management and control of stormwater run-off	-2			

AIR QUALITY	n/a=			
cannot cause impact	0	4	0	0
could impact but appropriate abatement installed	-1			
could impact, no abatement or unknown impact	-2			

**Critical Areas**

PRESERVATION OF CRITICAL AREAS	n/a=	x		
no adverse impact to any designated critical area	2	3		
one of the designated critical areas impacted but can be fully mitigated	1			
more than one of the designated critical areas impacted but can be fully mitigated	0			
one or more of the designated critical areas impacted and mitigation not fully effective	-1			
one or more of the designated critical areas impacted with no ability to mitigate problem	-2			

**Land Use Compatibility**

OFF-SITE NUISANCES	n/a=			
no issues	2	4	-2	-8
minimal issues, but can be fully mitigated	1			
issues that can be buffered and mitigated to a reasonable level	0			
buffered and minimally mitigated	-1			
cannot be mitigated	-2			

USE COMPATIBILITY	n/a=			
no conflicts / isolated property	0	4	-2	-8
transparent change / change not readily noticeable	-1			
impact readily apparent / out of place	-2			

Division III Relative Policy Scoring Sheet:  
Eastern Taney County

	Performance Value	Importance Factor	Score	Section Score
<b>STRUCTURAL SCREENING OF ROOFTOP EQUIPMENT &amp; VENTS</b> n/a=	x			
no rooftop equipment / vents or blocked from view by structure design or screening	0	3		
partially blocked from view	-1			
exposed / not blocked from view	-2			
<b>STRUCTURAL SCREENING OF SOLID WASTE CONTAINERS</b> n/a=	x			
no on-site waste containers or blocked from view by structure design or screening	0	3		
partially blocked from view	-1			
exposed / not blocked from view	-2			
<b>STRUCTURAL SCREENING OF OUTDOOR EQUIP, STORAGE, ETC.</b> n/a=	x			
no outdoor storage of equipment, materials, etc., or outdoor work areas	2	3		
blocked from view by structure design	1			
blocked from view using screening	0			
partially blocked from view	-1			
exposed / not blocked from view	-2			
<b>LANDSCAPED BUFFERS -- RESIDENTIAL</b> n/a=	x			
approved landscaped buffer between homes and all streets / roads / highways	2	2		
approved landscaped buffer from major roads / highways only	1			
minimal landscaped buffer, but compensates with expanse of land	0			
no landscaped buffer between residences and local streets	-1			
no landscaped buffer from any road	-2			
<b>LANDSCAPED BUFFERS - INDUSTRIAL</b> n/a=	x			
approved landscaped buffer from public roads	0	3		
minimal landscaped buffer, but compensates with expanse of land	-1			
no landscaped buffer from public roads	-2			
<b>Local Economic Development</b>				
<b>AGRICULTURAL LANDS</b> n/a=	x			
no conversion of Class I-IV agricultural land to other use(s)	0	1		
development requires reclassification of Class I-IV agricultural land to other use(s)	-2			
<b>RIGHT TO FARM</b> n/a=	x			
does not limit existing agricultural uses / does not cause nuisance, predation	0	3		
does not limit existing agricultural uses, but may result in minor nuisance	-1			
potential impact(s) on existing agricultural land	-2			
<b>RIGHT TO OPERATE</b> n/a=	x			
no viable impact on existing industrial uses by residential development	0	2		
potential impact but can be mitigated	-1			
potential impact on existing industrial uses with no mitigation	-2			

Division III Relative Policy Scoring Sheet:  
Eastern Taney County

	Performance Value	Importance Factor	Score	Section Score
<b>DIVERSIFICATION</b> n/a=				
creates >=5 full-time, year-round jobs outside of recreation / resort sector	2	4	1	4
creates full-time, year-round and seasonal jobs	1			
creates seasonal jobs only	0			
<b>Site Planning, Design, Occupancy</b>				
<b>RESIDENTIAL PRIVACY</b> n/a= x				
privacy provided by structural design, or not applicable	2	2		
privacy provided by structural screening	1			
privacy provided by landscaped buffers	0			
privacy provided by open space	-1			
no acceptable or effective privacy buffering	-2			
<b>MIXED-USE DEVELOPMENTS</b> n/a= x				
uses / functions are compatible or not applicable	2	3		
uses / functions are integrated and separated based on compatibility	1			
uses / functions differ minimally and are not readily apparent	0			
uses / functions poorly integrated or separated	-1			
uses / functions mixed without regard to compatibility factors	-2			
<b>Commercial Development</b>				
<b>DEVELOPMENT PATTERN / BUFFERING</b> n/a=				
approved and effectively designed landscaped buffers between structures and all roads	2	4	0	0
minimal landscaped buffering, but compensates with expanse of land	1			
minimal landscaped buffering	0			
no landscaped buffering, but utilizes expanse of land	-1			
no or inadequate buffering or separation by land	-2			
<b>Services - Capacity and Access</b>				
<b>UTILITIES</b> n/a=				
adequate utilities capacity as evidenced by letter from each utility	0	4	-1	-4
adequate utilities capacity without formal letter from each utility or not from all utilities	-1			
inadequate information to determine adequacy of utilities	-2			
<b>TRAFFIC</b> n/a=				
no impact or insignificant impact on current traffic flows	0	2	-2	-4
traffic flow increases expected but manageable using existing roads and road accesses	-1			
traffic flow increases exceed current road capacities	-2			
<b>EMERGENCY SERVICES</b> n/a= x				
structure size and/or access can be serviced by emergency equipment	0	3	0	
structure size and/or access may impede but not hinder serviceability	-1			
structure size and/or access could be problematic or non-serviceable	-2			

**Division III Relative Policy Scoring Sheet:  
Eastern Taney County**

	Performance Value	Importance Factor	Score	Section Score
<b>RIGHT-OF-WAY OF EXISTING ROADS</b> n/a=				
greater than 50 ft. right-of-way	1	5	0	0
50 ft. right-of-way	0			
40 ft. right-of-way	-1			
less than 40 ft. right-of-way	-2			
<b>Internal Improvements</b>				
<b>WATER SYSTEMS</b> n/a=				
central water system meeting DNR requirements for capacity, storage, design, etc.	2	3	0	0
community well / water system meeting DNR requirements	1			
private wells meeting DNR requirements	0			
private wells not meeting any established standards	-1			
individual / private wells	-2			
<b>EMERGENCY WATER SUPPLY</b> n/a=				
fire hydrant system throughout development with adequate pressure and flow	0	5	-2	-10
fire hydrant system with limited coverage	-1			
no fire hydrant system	-2			
<b>PEDESTRIAN CIRCULATION</b> n/a=				
paved and dedicated walkways (no bicycles) provided throughout development	2	4	-1	-4
paved walkways provided throughout development / maybe shared with bicycles	1			
designated walkways provided but unpaved	0			
no pedestrian walkways, but green space provided for pedestrian use	-1			
no designated pedestrian walkway areas	-2			
<b>PEDESTRIAN SAFETY</b> n/a=	x			
separation of pedestrian walkways from roadways by landscape or structural buffer	2	2		
separation of pedestrian walkways from roadways by open land buffer	1			
pedestrian walkways abut roadways with no buffering / protection	0			
<b>BICYCLE CIRCULATION</b> n/a=	x			
dedicated / separate bike-ways with signage, bike racks, trails	2	1		
bicycle lanes shared with pedestrian walkways but separated by markings / signs	1			
no designated bike-ways	0			
<b>UNDERGROUND UTILITIES</b> n/a=				
all utilities are provided underground up to each building / structure	2	4	0	0
all utilities traverse development underground but may be above ground from easement	1			
utilities above ground but / over designated easements	0			
utilities above ground and not within specific easements	-1			
no specific management of utilities	-2			



Kenny Bear Event Center		Permit#:	13-09		
Division III Relative Policy Scoring Sheet: Eastern Taney County		Performance Value	Importance Factor	Score	Section Score
<b>Open-Space Density</b>					
USABLE OPEN SPACE	n/a=	x			
residential developments (>25 units) include more than 25% open recreational space		2	2		
residential developments (>25 units) offer >10% but <25% open recreational space		1			
recreational area provided, but highly limited and not provided as open space		0			
no designated recreational space provided, but open space available		-1			
no open recreational space provided		-2			
<b>Solid Waste Disposal</b>					
SOLID WASTE DISPOSAL SERVICE AVAILABILITY	n/a=				
weekly service is available and documentation of availability provided		0	5	-1	-5
weekly service reportedly available but not documented		-1			
centralized, on-site trash collection receptacles available		-2			
SOLID WASTE DISPOSAL SERVICE COMMITMENT	n/a=	x			
restrictive covenants provide for weekly disposal for each occupied structure		0	5		
services available but not a requirement documented in covenants		-1			
not applicable / no pick-up service provided		-2			

Total Weighted Score= -44

Maximum Possible Score= 61

Actual Score as Percent of Maximum= -72.1%

Number of Negative Scores= 8

Negative Scores as % of Total Score= 22.9%

Scoring Performed by:

Bob Atchley / Bonita Kissee

Date:

April 25, 2013

Project: **Kenny Bear Event Center**

Permit#: **13-09**

Policies Receiving a Negative Score	
Importance Factor 5:	<b>sewage disposal emergency water supply waste disposal service</b>
Importance Factor 4:	<b>off-site nuisances use compatibility utilities pedestrian circulation</b>
Importance Factor 3:	none
Importance Factor 2:	<b>traffic</b>
Importance Factor 1:	none

Scoring by: *Bob Atchley / Bonita Kisse*

Date: *April 25, 2013*

# Eastern District Relative Policies: Division III Permit

Project: **Kenny Bear Event Center**

Permit: **13-09**

	Max. Possible	As Scored	%	Total Negative Scores	
Scoring	61	-44	-72.1%	8	57.1%

	Max. Possible	As Scored	Negative Scores	
			Number of	Percent
<b>Importance Factor 5</b>	<b>15</b>	<b>-20</b>	<b>3</b>	<b>75.0%</b>
sewage disposal	10	-5		
right-of-way / roads	5	0		
emergency water supply	0	-10		
waste disposal service	0	-5		
waste disposal commitment				
<b>Importance Factor 4</b>	<b>40</b>	<b>-20</b>	<b>4</b>	<b>50.0%</b>
stormwater drainage				
air quality	0	0		
off-site nuisances	8	-8		
use compatibility	0	-8		
diversification	8	4		
development buffering	8	0		
utilities	0	-4		
pedestrian circulation	8	-4		
underground utilities	8	0		
<b>Importance Factor 3</b>				
preservation of critical areas				
screening of rooftop equip				
screening / waste containers				
screening of outdoor equip				
industrial landscape buffers				
right to farm				
mixed-use developments				
emergency services				
water systems	6	0		
<b>Importance Factor 2</b>	<b>0</b>	<b>-4</b>		
residential landscape buffers				
right to operate				
residential privacy				
traffic	0	-4		
pedestrian safety				
usable open space				
<b>Importance Factor 1</b>				
agricultural lands				
bicycle circulation				

Scoring by: *Bob Atchley / Bonita Kissee*

Date: *April 25, 2013*

## Public Hearing Notice

### Questions

1. Will a building be used to house the events or will these be open air events?
2. Construction of a paved or graveled parking lot?
3. Construction of an entrance and exit to the event grounds?
4. Will there be food sold on the property and if so, will the area meet Health Department codes?
5. What kind of beverages will be served and or any license will be needed?
6. What kind of restrooms will be provided?
7. Will the property conform to ADA accessibility?
8. What kind of sign or signs will be needed and location of such signs?
9. What kind of lighting will be on the property?
10. Study of traffic flow entering and exiting the property?
11. How many events per year?
12. Will the property have full insurance coverage?
13. What kind of license does the county require before the property can open?
14. How will the noise level be controlled?

Note: This property is just outside the Merriam Woods Village and residents of Merriam Woods Village surround the property.

# Kenny Bear Event Center

## About Us



We are a multifunctional events center that offers a wide range of entertainment. From the “Horse Barn Saloon” to motorcycle rally’s, concerts, camping, farmers market, community garage sales, and many other special events, we have something for everyone. We also offer booking, advertising, promoting and recording for local bands.

## Our Mission

Our mission is to provide a safe and fun place for people to come out and have a good time while giving back to the community and local and/or state charities.

**For more information call;**  
Kenny Portz (417) 337-0430  
John Burns (417) 593-9394  
Dean Paul (417) 332-7776  
Lee Davis (417) 559-7948  
Kevin Arnot (417) 987-6377  
Connie Portz (417) 830-8128

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**Contact us at [KennyBearEventCenter@gmail.com](mailto:KennyBearEventCenter@gmail.com)**

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[Blog at WordPress.com.](#) | Theme: [iTheme2](#) by [Themify](#).

# Kenny Bear Event Center

## Outdoor Concerts



Full details coming soon...

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Contact us at [KennyBearEventCenter@gmail.com](mailto:KennyBearEventCenter@gmail.com)

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[Blog at WordPress.com](http://kennybeareventcenter.wordpress.com). | Theme: [iTheme2](#) by [Themify](#).

# Kenny Bear Event Center

## Camping



We offer primitive camping. More details coming soon...

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Contact us at [KennyBearEventCenter@gmail.com](mailto:KennyBearEventCenter@gmail.com)

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[Blog at WordPress.com](http://Blog at WordPress.com). | Theme: [iTheme2](#) by [Themify](#).



# Kenny Bear Event Center

## Farmers Market / Community Garage Sales



More details coming soon...

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Contact us at [KennyBearEventCenter@gmail.com](mailto:KennyBearEventCenter@gmail.com)

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# Kenny Bear Event Center

## Photos

If you have any great photographs you would like to share with us, email them to [KennyBearEventCenter@gmail.com](mailto:KennyBearEventCenter@gmail.com).













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Contact us at [KennyBearEventCenter@gmail.com](mailto:KennyBearEventCenter@gmail.com)

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# Kenny Bear Event Center

## Rally's / Swap Meets



Check our "Upcoming Events" page for all scheduled events.

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Contact us at [KennyBearEventCenter@gmail.com](mailto:KennyBearEventCenter@gmail.com)

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# Kenny Bear Event Center

## Social Media

Be sure to follow us on...



<https://www.facebook.com/kennybeareventcenter>



<http://www.youtube.com/kennybeareventcenter>

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Contact us at [KennyBearEventCenter@gmail.com](mailto:KennyBearEventCenter@gmail.com)

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# Kenny Bear Event Center

## Sponsors

<http://www.MidwestExposures.com>



<http://www.MoArkEntertainment.com>

# Midwest Exposures Photography



*Model Portfolios ~ Romantic Glamour*  
*Promos ~ Special Events*

**MidwestExposures.com ~ 417-243-0642**

<http://www.MidwestExposures.com>

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Contact us at [KennyBearEventCenter@gmail.com](mailto:KennyBearEventCenter@gmail.com)

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# Kenny Bear Event Center

## Upcoming Events



### ◦ April 19- “Horse Barn Saloon” Warming Party

Join us as we have our first celebration in the “Horse Barn Saloon” starting at 7PM and going until midnight. BYOB and party with music by Super Sound playing 8-11. Donations would be appreciated.

- **April 27** – 1st Annual Fish Fry

Noon until 8PM with entertainment by Jim Principe & Super Sound. \$15 for all you can eat. Kids under 8 eat free. After party in the “Horse Barn Saloon” with Blind Driver. Vendor space available. On site camping and parking.

- **June 20** - Rockin’ Blues BBQ

- **July 4** – Independence Day Rally

- **July 25** – Kenny Bear Biker Camp

- **August 22** – PaPa Bear Biker Camp

- **September 11** – Patriot Day Rally

- **October 18** – Biketober Fest Rally

Schedule subject to change. We will post any updates on this site. Be sure to follow us for instant updates.

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Contact us at [KennyBearEventCenter@gmail.com](mailto:KennyBearEventCenter@gmail.com)

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[Blog at WordPress.com.](#) | Theme: [iTheme2](#) by [Themify](#).

# Kenny Bear Event Center

## Vendors



Vendor space is available at select events.

Rates are as shown below.

## Booth Sizes

10×30 – \$90

10×20 – \$50

10×10 – \$30

## Electricity

# Kenny Bear Event Center

## Field Rental



**Field Rental – \$150 per day**

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OAK CREST SUB / GUENN PYLE

Taney County Regional Sewer District  
"OPEN AND REPAIR"  
ADDING 1000 GAL TANK + 260' SB2 10" LAT

PERMIT # 98-057

Glenn and Jackie Pyle  
524 Shady Dr.  
Branson, MO 65616  
417-335-3585

To Whom It May Concern:

This is an agreement between Glenn and Jackie Pyle and Kenny and Brenda Portz to allow the joint use of the lateral line field that is located on the Pyle property at 3889 hwy. 176, Rockaway Beach, MO. This agreement will not last for a period of more than 2 years and if no central sewer system is available at that time this agreement will continue at the discretion of Glenn and Jackie Pyle.

Glenn Pyle 2/25/98  
Jackie Pyle 2/25/98  
Kenny De Vere Portz 2-25/98

# CITY OF ROCKAWAY BEACH

ROCKAWAY BEACH, MISSOURI 65740

OFFICE OF THE CITY CLERK  
Post Office Box 315  
Telephone (417) 561-4424

MAYOR: *Steve Bergman*

CLERK: *Susan Shoemake*

February 24, 1998

RE: Glenn and Jackie Pyle

To Whom It May Concern:

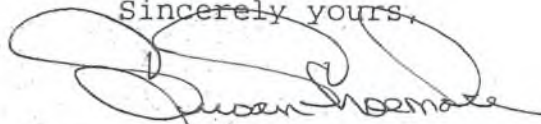
With reference to the above captioned, the City of Rockaway Beach has received from Mr. and Mrs. Pyle a letter expressing their intention to annex into the city limits of Rockaway Beach.

With the City's plan to expand our current Sewer Plant to accommodate a Regional Sewer Facility and a three year water extension and water storage expansion being considered, we see no reason that this annexation request could not be favorably considered and approved.

Mr. and Mrs. Pyle have advised us that you are needing this information in order to approve a variance relative to their septic tank. As explained above, with the approval of the requested annexation and the above mentioned utility expansions Mr. and Mrs. Pyles can anticipate twelve to eighteen months availability to the City of Rockaway Beach's sewer system.

If we can be of service to you in any way or if we can answer any questions, please do not hesitate to let us know.

Sincerely yours,



Susan Shoemake  
City Clerk

SS/osp

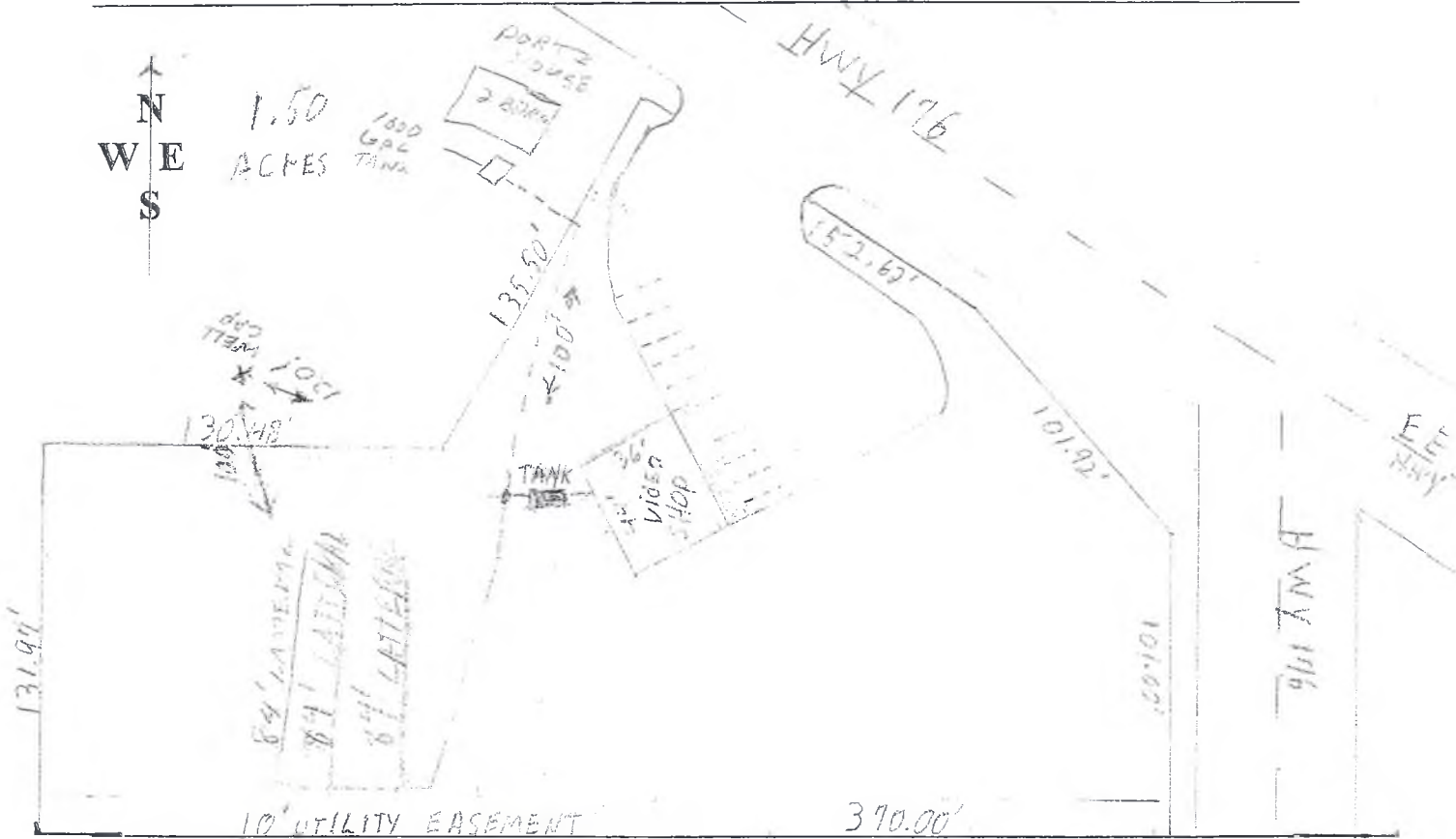


*"In the Heart of the Missouri Ozarks on Lake Taneycomo"*

# SKETCH SITE PLAN

DRAWN BY: \_\_\_\_\_  
(INSTALLER)

FOR: GLENN PYLE  
(HOMEOWNER)



## DESIGN DETAILS (fill in the blanks)

10' Ft. of 4" SCH 40 or SDR 35 between house and tank

N/A Ft. of 4" SCH 40 past excavation hole

1000 Gallon concrete septic tank

ASNO 22 E Type or manufacturer of tank

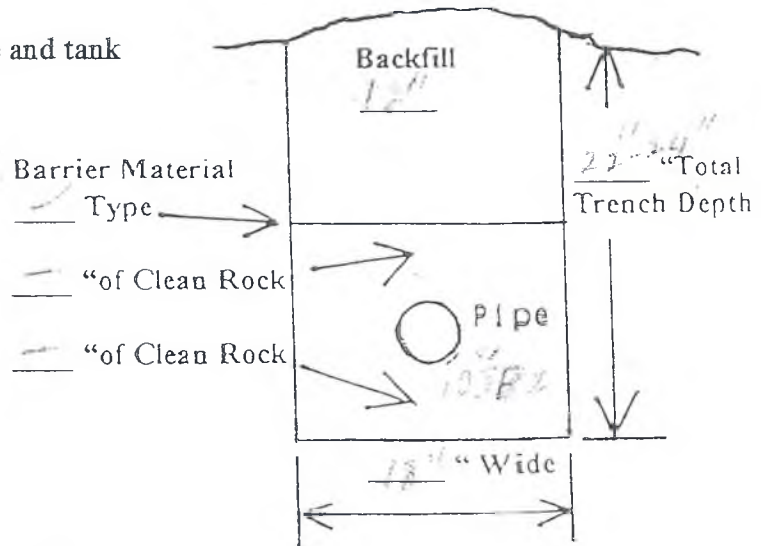
3 % of slope in lateral field

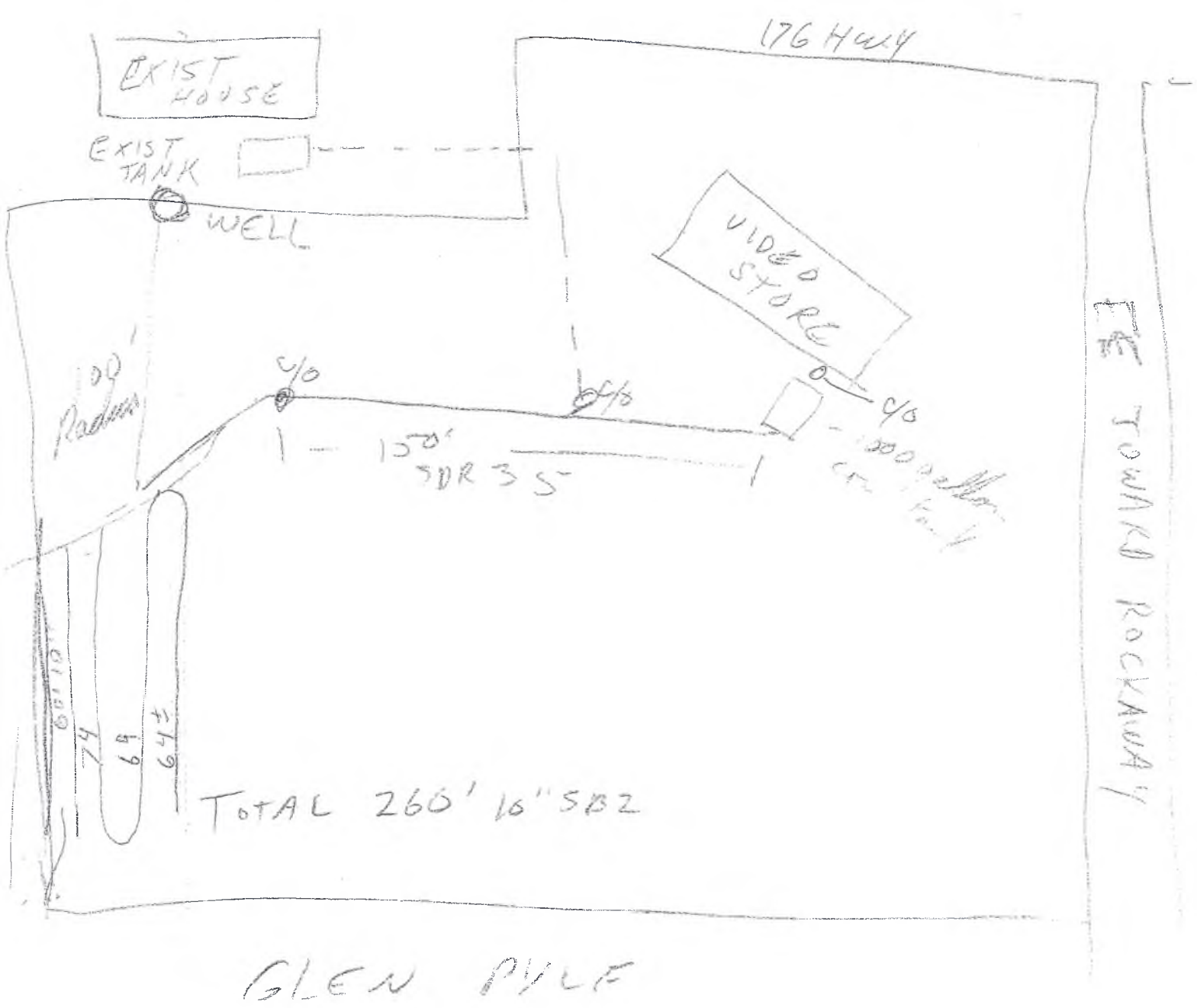
10' Ft. Setback to property line

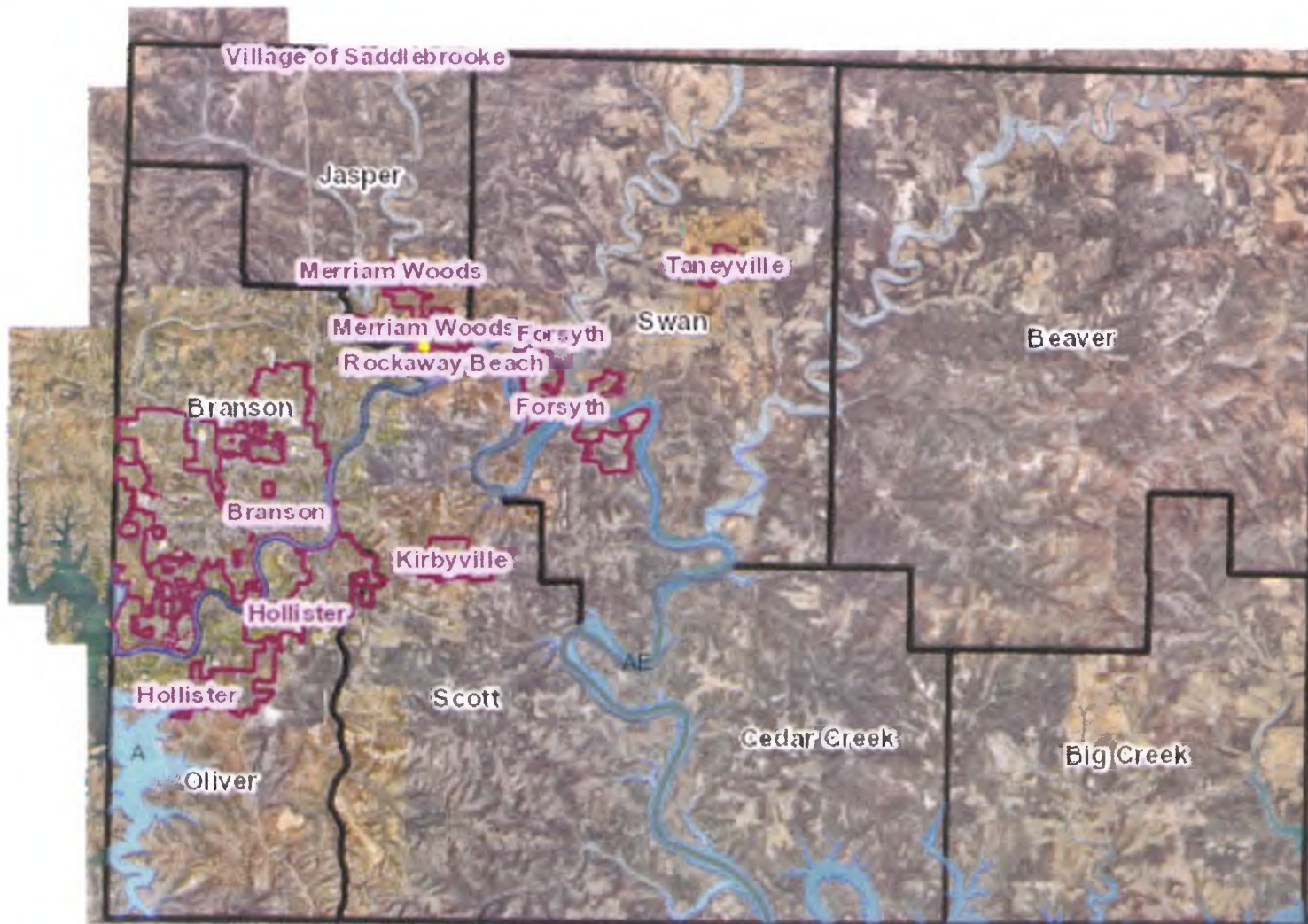
100' Ft. setback to well

\_\_\_\_ Service connections to well (including this one)

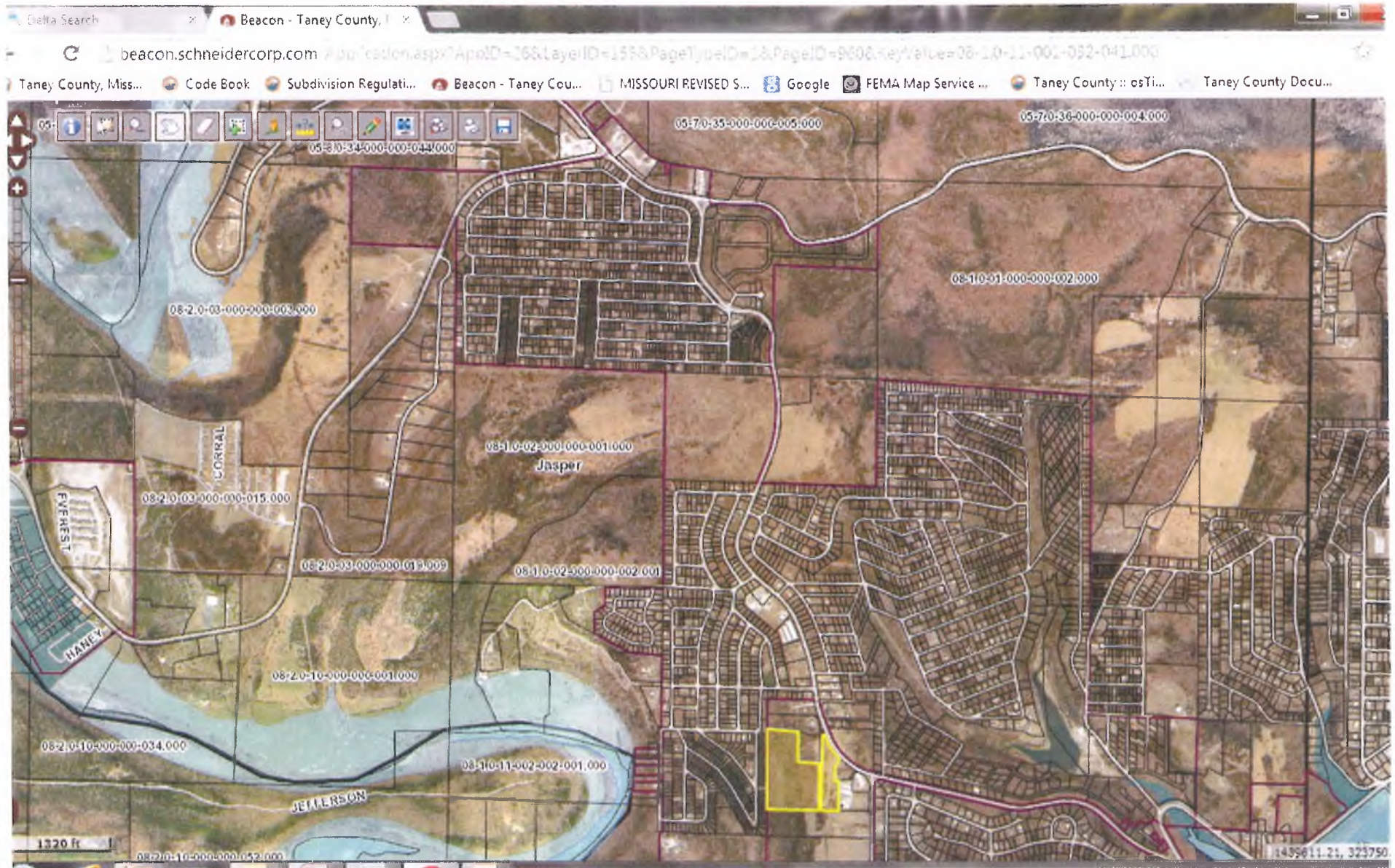
20 Bedroom/home or number of employees



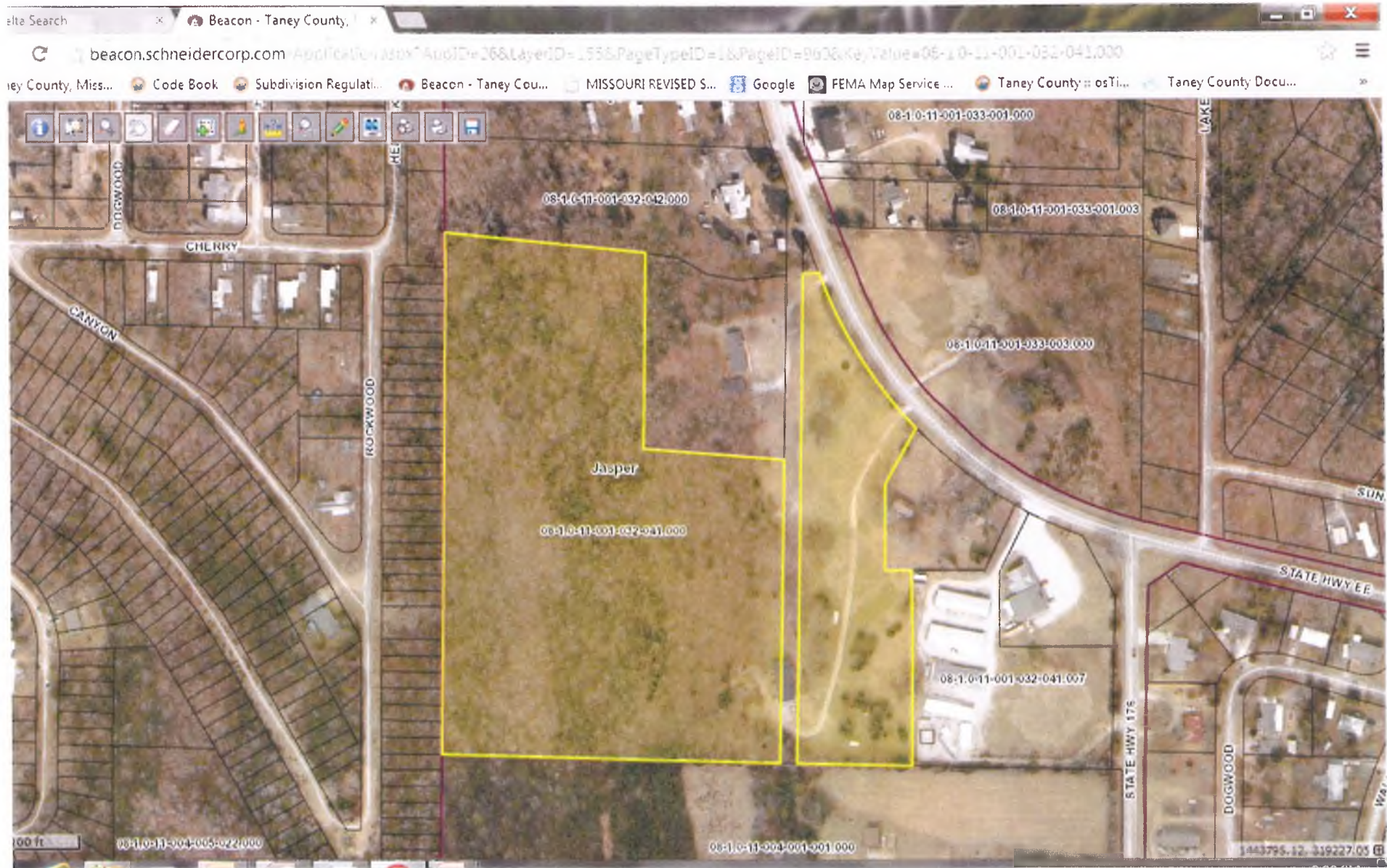




**Kenny Bear Event Center  
Division III Permit 2013-0009  
Taney County GIS - Beacon**



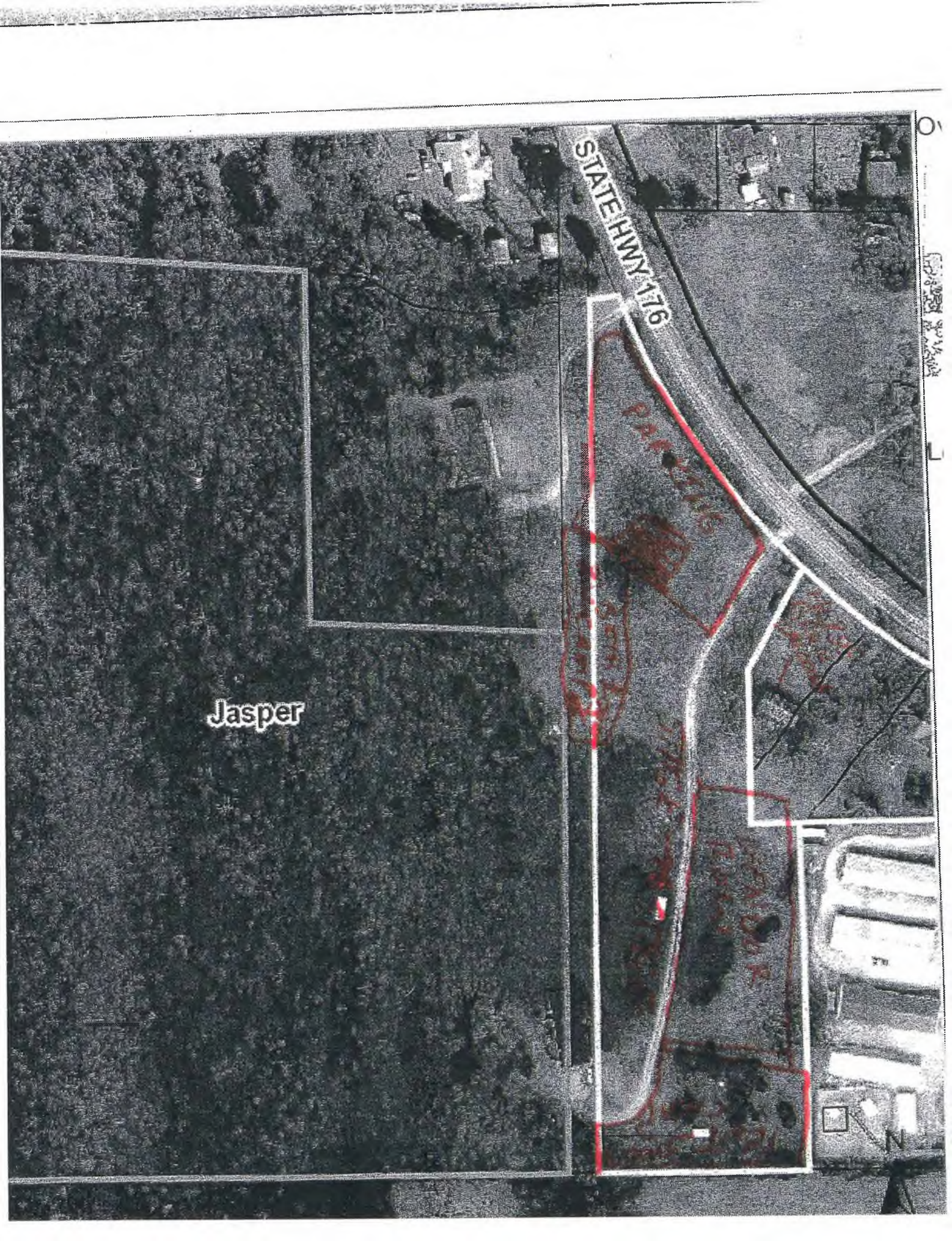
**Kenny Bear Event Center  
Division III Permit 2013-0009  
Taney County GIS - Beacon**



**Kenny Bear Event Center  
Division III Permit 2013-0009  
Taney County GIS - Beacon**







STATE HWY 176

Jasper

PARKWAY

PARKWAY

PARKWAY

PARKWAY

















