



TANEY COUNTY PLANNING COMMISSION

P. O. Box 383 • Forsyth, Missouri 65653

Phone: 417 546-7225 / 7226 • Fax: 417 546-6861

website: www.taneycounty.org

AGENDA TANEY COUNTY PLANNING COMMISSION REGULAR MEETING MONDAY, OCTOBER 21, 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*

Review and Action:

Minutes, September 2013

Final Votes:

*Table Rock Traders
Esther's House of Redemption
SBA Structures, Inc.*

Concepts:

*Star Furniture Liquidator
Bee Creek Office and Storage*

Old and New Business:

Tentative

Adjournment.



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**MINUTES
TANEY COUNTY PLANNING COMMISSION
PUBLIC HEARING
MONDAY, SEPTEMBER 9, 2013, 6:00 P.M.
COUNTY COMMISSION HEARING ROOM
TANEY COUNTY COURTHOUSE**

Call to Order:

Chairman Rick Treese called the meeting to order at 6:00 p.m. A quorum was established with eight members present. They were: Rick Treese, Ronnie Melton, Steve Adams, Dave Stewart, Mike Scofield, Randy Haes, Ray Edwards, and Rick Caudill. Staff present: Bob Atchley, and Bonita Kisse-Souttee.

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

Public Hearing:

Areawide Motors: a request by Hwy. 248 Group, LLC to operate a used car lot on property located at 1818 St. Hwy. 248. Mr. Atchley read the staff report and presented maps, pictures and a video of the site. Mark Fitzhugh representing the project addressed questions from the Planning Commission, and public. Mr. Treese discussed item #8 with the applicant and if he is comfortable with the hours of operation. Mr. Fitzhugh stated that he might want to operate different hours in the winter. The Commission stated that he could operate less hours without approval but not later. The applicant chose to operate from 8:00 a.m. until 8:00 p.m. Mr. Edwards asked about why the applicant did not want to hook to City sewer. The applicant stated that he didn't want to go to the expense that it would take to hook up. He stated that he would place a portable toilet onsite with a fence, or use the neighboring business restroom. Mr. Edwards asked Mr. Atchley if there were any regulations specifying if a commercial business was required to have a restroom by the sewer district. Mr. Atchley stated that not through the sewer district. He did state that if a property owner builds a restroom facility and had central sewer available they are required to hook on. Mr. Caudill stated that in his opinion a property owner shouldn't have to come under City regulations if he doesn't want to. Discussion followed. Mr. Stewart stated that in his opinion the Planning Commission doesn't have the authority to require this, and the previous property owner didn't have water and restrooms. Mr. Fitzhugh informed the Commission that state doesn't require a car lot to have a restroom. The applicant is agreeable to having a portable toilet if the Commission asked him to. Discussion

followed. Mr. Caudill and Mr. Stewart stated that in their opinions the ground would not perc in order to put in a septic tank, and that they would rather see a portable toilet. No one signed up to speak. With no other discussion the public hearing was closed. This project will receive final vote next week.

Layton Auto Service: a request by Gail Layton to move his existing auto repair business to property located at 1421 Bee Creek Road. Mr. Atchley read the staff report and presented maps, pictures and a video of the site. The Commission discussed ingress and egress and that the existing road is used for access to the single family dwelling behind the property. Mr. Layton stated that he plans to place the ingress and egress on the side of the property from Stinger Road. He will also make part of the access road wider for the neighbors use. He will place an 8' tall privacy fence between the residence and his property. He will keep all liquids inside the building for pick up. He will address any run off, and have an asphalt parking lot. He reported that he spoke to the closest neighbor and said in his opinion they were agreeable. Mr. Adams wants a letter from the property owner stating this. Discussion followed regarding the road easement. Mr. Layton stated that he will not construct anything that looks junky. Bryan Wade representing Bee Creek Partners who are the developers of the property to the west in the (Bee Creek Apartments), addressed some issues regarding the property values, compatibility, access points from Stinger Road, sight distance, added traffic onto Bee Creek Road, buffering to the west, hours of operation, and adequate parking. Brett Johnson, developer of Bee Creek Apartments, presented a power point presentation of the project to scale on the property showing the ingress and egress from Stinger Road, parking, and Bee Creek Road. He presented a noise level chart showing the levels of sound that comes from each type of electric tool used in a mechanics shop. Mr. Hoy who lives in the neighborhood expressed concerns regarding buffering, junk onsite, and if we can enforce the rules. He was also concerned about property values. Don Benson who also lives in the Bee Creek Apartments, was concerned if a traffic study was done on Bee Creek Road, access of emergency vehicles from Stinger Road, and safety. Mary Lissak who lives in Bee Creek Apartments, was concerned with traffic safety. Mr. Haes stated that Stinger Road is not a county maintained road. Mr. Stewart asked if Mr. Layton could have access from a public road. Mr. Johnson stated that since he put the road in he would have to study that. Mr. Haes explained how site distance is measured. Mr. Caudill asked Mr. Johnson if he owned this property how many units he could get on the site and how many cars the use would generate. Discussion followed. Mr. Treese asked if Mr. Layton didn't use Stinger Road would the project be more acceptable to the property owners. Mr. Johnson stated that if the project could be done without disrupting the neighborhood he would be more in favor of it, and he suggested placing the entrance further south. Mr. Caudill discussed having a single entrance from Stinger Road allowing a car to pull out then onto Bee Creek Road. Discussion followed regarding buffering, and providing a site plan showing elevations. Mr. Johnson wants to know what kind of signage is planned. Mr. Layton stated that the reason there are no drawings yet is because he needs to know what style of building he will be considering and how much solid rock is on the property. Noise mitigation was discussed, and that

Bee Creek Road generates as much noise as a commercial garage would. Mr. Treese again asked Mr. Johnson if he would be agreeable to the project if Mr. Layton did not use Stinger Road. Mr. Johnson stated that this would go a long way, but that noise mitigation and traffic are also concerns. Mr. Treese asked Mr. Layton how close residences are to his current business. He stated that they are close and that he lives next to it. He hasn't had complaints from the current neighborhood regarding traffic to and from the business. He also stated that he is not comfortable with not using Stinger Road as an access. The Commission asked for a site plan from Mr. Layton showing parking and access before the next meeting. Mr. Haes stated that the County has guidelines for accesses from county roads. Discussion followed after which the public hearing was closed. This project will proceed to final vote next week.

Cardwell Automotive, LLC: a request by Adam Cardwell to operate a used car sales business on property owned by Charles Harris, 122 Delaware Road. Mr. Atchley read the staff report and presented maps, pictures and a video of the site. Hours of operation were discussed. He would like to change the hours in case he wanted to meet someone on the site at a different time. The hours were changed to 7:00 a.m. to 6:00 p.m. Monday through Saturday. He will access the property off Delaware only. There will be no driveway between the business or highway and gravel one way only. Mr. Stewart discussed special use and that an agreement should be written between the business and the applicant in order to use the restroom. Mr. Haes stated that the entrance should be widened in order to accommodate the county road right of way. The applicant was agreeable to a special use permit. Discussion followed regarding why the Planning Commission should hear this request because the property is also commercial of a similar use. Discussion followed. Mike Fulton who own property in the area previously was concerned with traffic off Delaware, cutting the grass, the neighboring spring becoming polluted, and trashing the property. After discussion, the public hearing was closed and this project will proceed to final vote next week.

Old and New Business:

Mr. Atchley reported on the new legislation regarding cell phone towers, and what the Planning Commissions in Mo., can discuss and not discuss in a meeting. Mr. Edwards stated that he heard this legislation can't be implemented at this time. Mr. Atchley will research this further and report back to the Commission.

A Division II Application for an existing business was discussed by Mr. Atchley regarding if the Planning Commission should hear the request as a Division III application rather than doing a Division II. The business hopes to add another structure taking up most of the existing parking lot. Part of the structure will be rented out to other businesses. Mr. Stewart stated that in his opinion any major changes to a commercial request should come back before the Planning Commission. Discussion followed, after which the Planning Commission decided to hear this request as a Division III.

Adjournment:

With no other business on the agenda for September 9, 2013 the meeting adjourned at 8:20 p.m.



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**MINUTES
TANEY COUNTY PLANNING COMMISSION
REGULAR MEETING
MONDAY, SEPTEMBER 16, 2013, 6:00 P.M.
COUNTY COMMISSION HEARING ROOM
TANEY COUNTY COURTHOUSE**

Call to Order:

Chairman Rick Treese called the meeting to order at 6:00 p.m. A quorum was established with eight members present. They were: Rick Treese, Ronnie Melton, Steve Adams, Dave Stewart, Mike Scofield, Randy Haes, Ray Edwards, and Rick Caudill. Staff present: Bob Atchley, and Bonita Kisse-Souttee.

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

Review and Action:

Minutes: August 2013, with no additions or corrections, a motion was made by Ronnie Melton to approve the minutes as written. Seconded by Ray Edwards. The vote to approve the minutes was unanimous.

Final Votes:

Areawide Motors: a request by Hwy. 248 Group, LLC to operate a used car lot on property located at 1818 St. Hwy. 248. Mr. Atchley read the proposed decision of record. Discussion followed regarding the vegetative buffer, previous use, and portable toilet. Mr. Stewart suggested that a discussion should be had in February regarding permitting projects without water or sewer. The applicant stated that plans are if the project is a success, sewer and water will be added. Mr. Caudill stated that for a project of this size, he didn't see the necessity of sewer and water. After discussion Mr. Caudill made a motion to approve based upon the decision of record. The vote to approve was six in favor and two against.

Layton Auto Service: a request by Gail Layton to move his existing auto repair business to property located at 142 Bee Creek Road. Mr. Atchley read the proposed decision of record, and presented the requested site plan. Mr. Treese asked Mr. Layton if he wanted to move the 5:00 p.m. closing time until later. He stated that the hours of 8:00 a.m. until 6:00 p.m. would be more convenient for customers after they get off

work. Mr. Stewart clarified that the current vegetative buffer is adequate. Mr. Melton stated that he would like to see the 27' driveway changed to 32'. One driveway and make it a little wider, will be changed on the decision of record. After discussion Dave Stewart made a motion to approve based upon the decision of record. Seconded by Ronnie Melton. The vote to approve was unanimous.

Cardwell Automotive, LLC: a request by Adam Cardwell to operate a used car business on property owned by Charles Harris, 122 Delaware Road. Mr. Atchley read the proposed decision of record. Mr. Caudill clarified the placement of the cars. Mr. Haes discussed the site distance of the driveway width. Mr. Edwards again stated that this is another instance of no water or wastewater onsite. Mr. Cardwell reported that he has the use of the adjoining business restrooms. Mr. Caudill made a motion to approve based upon the decision of record with changes in hours of operation and driveway width. Mr. Stewart seconded. The vote to approve was seven in favor and one against.

Concepts:

Table Rock Traders: a request by John Holcomb to do gunsmithing and sales at 747 Painter Road. Mr. Atchley presented a map showing location of the request. Mr. Holcomb explained his request and stated that the gunsmithing will be done in his outbuilding and sales will take place in his home. He presented his license from the state. He plans to sell ammunition from the out building as well. Mr. Holcomb stated that the previous resident also did gun sales on the property. He will do this business by appointment only, because he works another job. This project will proceed to public hearing next month.

Esther's House of Redemption: a request by Sundi Jo Graham to operate a residential discipleship program for women at 1947 Lakeshore Drive. Mr. Atchley presented a map showing the location of the request. Ms. Graham explained her request. This property was previously commercial but not permitted. There will be full time staff on the property. No children will be on site. Discussion followed regarding how prospective applicants find out about this location. This program is free of charge and funded by donations. This project will proceed to public hearing next month.

SBA Structures, Inc.: a request by Curtis Holland representing SBA Structures to place a wireless communications tower at 1384 North St. Hwy. 265. Mr. Atchley presented a map showing location of the request. John Tiner representing the applicant explained the existing tower has reached capacity. This proposed tower will built next to the existing tower. Mr. Treese asked if this is the type of tower would fall inward. The representative did not know. Mr. Atchley pointed out that the Code does not specify fall requirements. Mr. Tiner stated that the company wished to place a temporary tower on the site until this one is built. This project will proceed to public hearing next month.

Old and New Business:

Mr. Atchley reported about the ongoing litigation regarding the law on cell phone towers.

Adjournment:

With no other business on the agenda for September 16, 2013 the meeting adjourned at 6:48 p.m.



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#13-23

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

The Concept Application is for the use of the Planning Staff and Commission to enable us to know the nature of the planned project. The official Division III Application for permit will be filed along with everything needed to complete your file, as listed on the Division III Procedure Checklist. Division III Applications: \$150.00, Special Use Applications: \$150.00.

NAME OF PROJECT: Stair Furniture Liquidator

NAME OF APPLICANT: Michael G. Lenz
(Must be owner of record)

SIGNATURE: *Michael G. Lenz* **DATE:** 9-19-13
(Must be owner of record)

MAILING ADDRESS: 4900 State Hwy 176
Rockaway Beach, mo 65740

TELEPHONE NUMBER: 507 280-6555

Representative Information

NAME OF REPRESENTATIVE: _____

MAILING ADDRESS (rep.): _____

TELEPHONE NUMBER (rep.): _____

Property Information

ACCESS TO PROPERTY (street # and name): State Hwy 176

Number of Acres (or sq. ft. of lot size): 3 Acres

PARCEL #: 08-1.0-02-004-001-001.001
(Parcel # MUST be on permit. Example: 00-0.0-00-000-000-000.000. This number is on top left hand corner of property tax statement. If you have not paid taxes on property, must have name of previous owner of property.)

SECTION: 2 TOWNSHIP: 23 RANGE: 21

NAME OF SUBDIVISION (if applicable): _____

Lot # (if applicable) _____ BLOCK # _____

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

- Commercial Multi-Family Residential Agricultural
 Multi-Use Municipality

SEWAGE DISPOSAL SYSTEM:

- Treatment Plant Individual
 Central Sewer: District # _____

WATER SUPPLY SYSTEM:

- Community Well Private Well
 Central: District # _____

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

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

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

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

Conversion of storage shed into a
retail furniture store.



Star Furniture Liquidator



ADDRESS WITHIN 600'
4104 WESTGATE

413.38

WEST GATE

WHITE RIVER VALLEY ROAD

STATE HWY 176

312.11

Jasper

EXISTING 19" CULVERT AND DRIVE
YELLOW CAP SURVEY

214.50

136.65

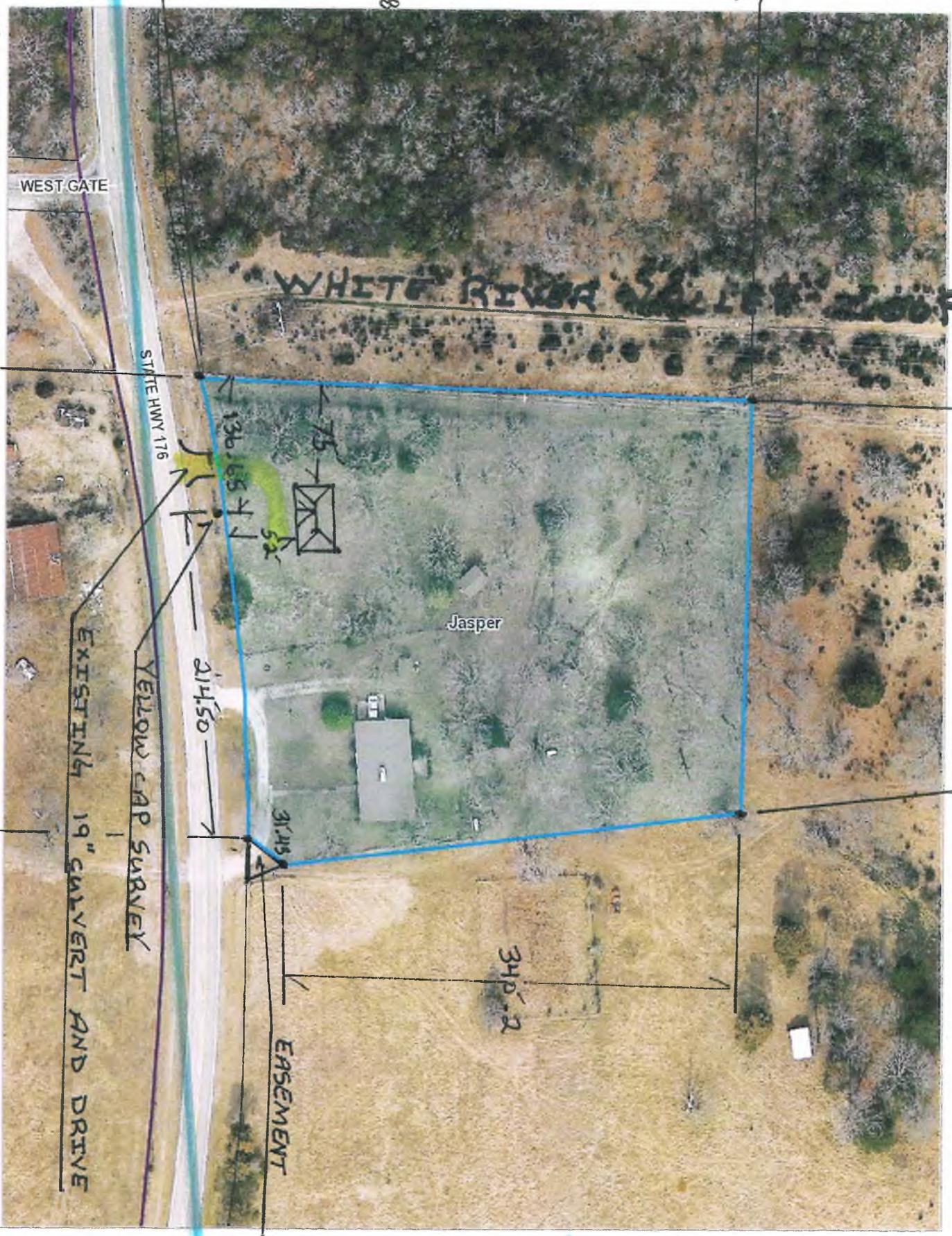
31.15

EASEMENT

340.2

MERIAM WOODS CITY LIMIT

TANEY COUNTY





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13-24

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

The Concept Application is for the use of the Planning Staff and Commission to enable us to know the nature of the planned project. The official Division III Application for permit will be filed along with everything needed to complete your file, as listed on the Division III Procedure Checklist. Division III Applications: \$150.00, Special Use Applications: \$150.00.

NAME OF PROJECT: Bee Creek Storage & Office

NAME OF APPLICANT: David Jackson
(Must be owner of record)

SIGNATURE: David Jackson **DATE:** 9-23-13
(Must be owner of record)

MAILING ADDRESS: 1571 Bee Creek Rd Branson, MO 65761

TELEPHONE NUMBER: 335-3486

Representative Information

NAME OF REPRESENTATIVE: Sam Kirkendall

MAILING ADDRESS (rep.): 1571 Bee Creek Rd Branson MO

TELEPHONE NUMBER (rep.): 699-2514

Property Information

ACCESS TO PROPERTY (street # and name): Bee Creek Rd

Number of Acres (or sq. ft. of lot size): 1 Acre ±

PARCEL #: 08-5.0-21-000-002-001.000
(Parcel # MUST be on permit. Example: 00-0.0-00-000-000-000.000. This number is on top left hand corner of property tax statement. If you have not paid taxes on property, must have name of previous owner of property.)

SECTION: 21 TOWNSHIP: 23 RANGE: 21

NAME OF SUBDIVISION (if applicable): _____

Lot # (if applicable) _____ BLOCK # _____

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

- Commercial Multi-Family Residential Agricultural
 Multi-Use Municipality

SEWAGE DISPOSAL SYSTEM:

- Treatment Plant Individual
 Central Sewer: District # _____

WATER SUPPLY SYSTEM:

- Community Well Private Well
 Central: District # _____

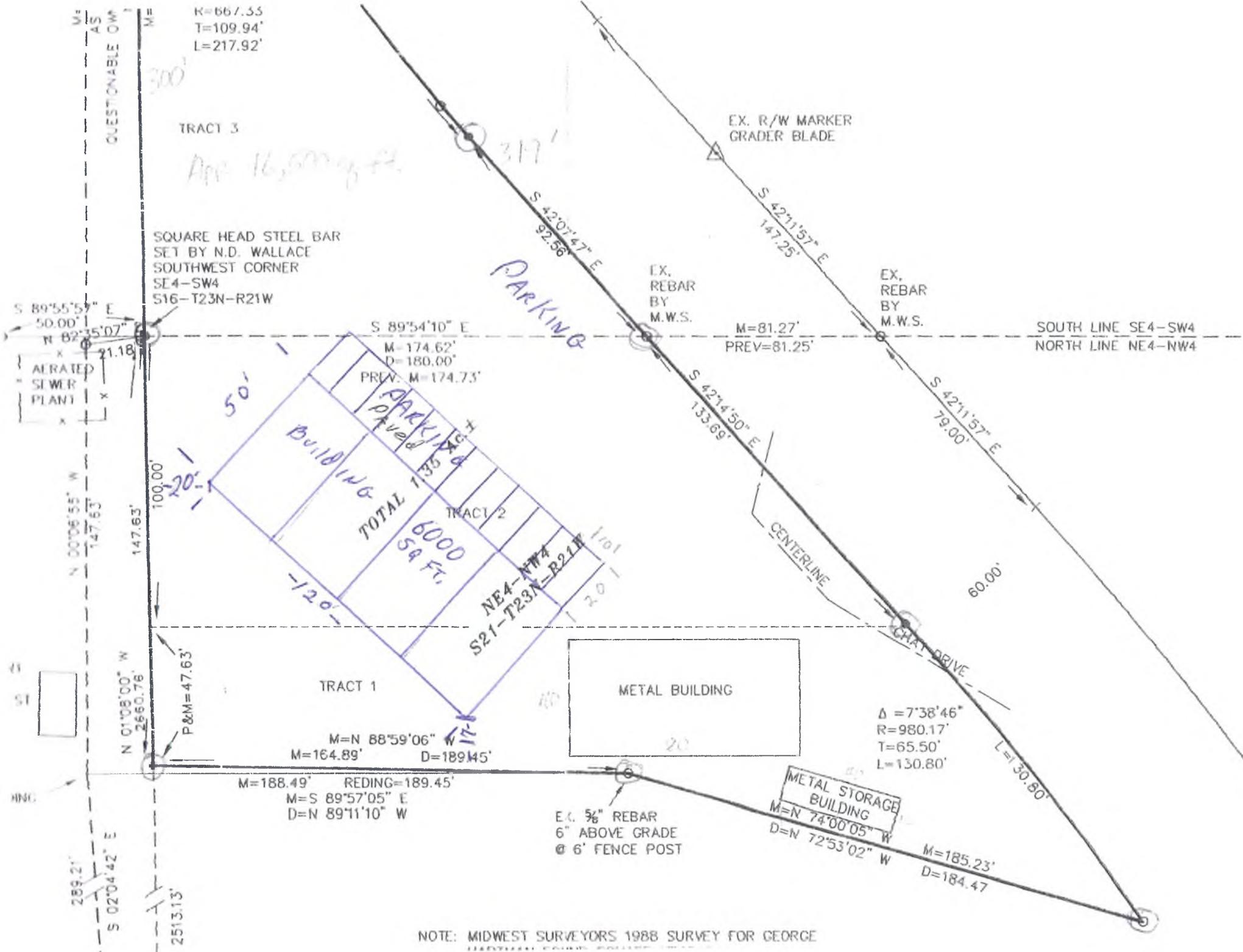
DOES THE PROPERTY LIE IN THE 100-YEAR FLOOD PLAIN? Yes No

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

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

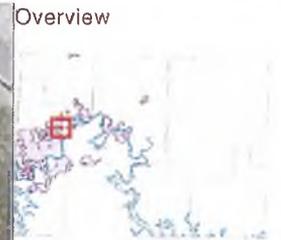
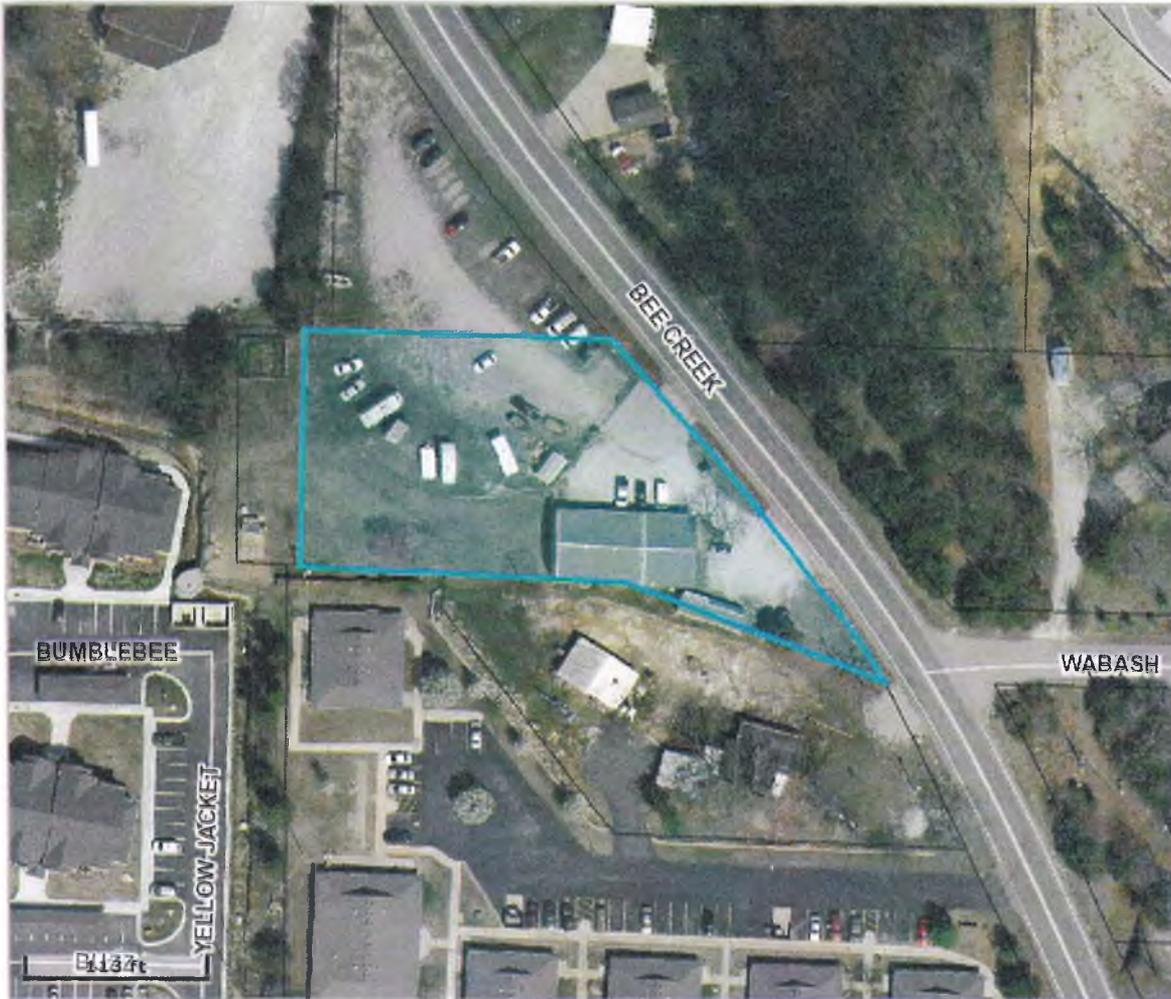
Any proposed project that does not have a posted 911 address must be identified with a survey flag at the proposed access to the property. Failure to post the survey flag will result in a delay of the Public Hearing. Please give a description of your proposed project including all uses: (IMPORTANT: Make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

Commercial warehouse rentals



NOTE: MIDWEST SURVEYORS 1988 SURVEY FOR GEORGE

Date Created: 9/24/2013



- Legend
- Parcels
 - Roads
 - Lakes
 - Corporate Limits

Parcel ID	08-5.0-21-000-002-001.000	Alternate ID	n/a	Owner Address	BEE CREEK OFFICE AND STORAGE LLC
Sec/Twp/Rng	21-23-21	Class	n/a		1571 BEE CREEK RD APT A
Property Address	1571 BEE CREEK RD BRANSON	Acreeage	1.18		BRANSON MO 65616-9888

District 4CWX
Brief Tax Description PT NENW4 W OF CR 65-80
 (Note: Not to be used on legal documents)

Last Data Upload: 9/24/2013 3:08:39 AM