



## TANEY COUNTY PLANNING COMMISSION

P. O. Box 383 • Forsyth, Missouri 65653

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

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

### **AGENDA TANEY COUNTY PLANNING COMMISSION REGULAR MEETING MONDAY, DECEMBER 21, 2015, 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, November 2015*

#### Final Vote:

*Sarge's Gun Shop*

#### Concepts:

*Timothy Davis, Law Office and Residence  
Acacia Club Affordable Mobile Home Park  
Dollar General Store #16542*

#### Old and New Business:

*Tentative*

#### Adjournment.



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**MINUTES**  
**TANEY COUNTY PLANNING COMMISSION**  
**PUBLIC HEARING**  
**MONDAY, NOVEMBER 9, 2015, 6:00 P.M.**  
**COUNTY COMMISSION HEARING ROOM**  
**TANEY COUNTY COURTHOUSE**

### Call to Order:

Chairman Steve Adams called the meeting to order at 6:00 p.m. A quorum was established with six members present. They were: Steve Adams, Dave Stewart, Doug Faubion, George Cramer, Randy Fogel, and Rick Caudill. Staff present; Bob Atchley, and Bonita Kisse-Souttee.

Mr. Atchley read a statement outlining the procedures for the meeting.

### Public Hearings:

Branson View Campground & Ziplines; a request by Andrew Darby to add zip lines to an already existing business located at 2362 St. Hwy. 265. Mr. Atchley read the staff report and presented pictures and maps of the site. Dan Boone representing the applicant was present to answer any questions from the Commission. Mr. Cramer asked how many restrooms would be provided. Mr. Boone answered there were four. With no other questions from the Planning Commission or public, this project will proceed to final vote next week.

Woodbridge Estates, Phase II; a request by SMBZ, LLC to operate a nightly rental business located at Jamie Court and Woodbridge Estates Dr. Mr. Atchley read the staff report and presented pictures and maps of the site. Tim Davis representing the applicant, addressed the Planning Commission. He reported that the infrastructure is in place. There is only one ingress and egress. He also explained that the alternative of building an additional ingress and egress would not be financially feasible to the applicant. Mr. Faubion clarified since there was a variance it would make the residences 25' from the road. Mr. Davis stated that the parking spaces would have to be "hammered in on the uphill side". Mr. Caudill asked if the roads met the current road standards. No one knew. The lots will be sold individually with the option to do nightly rental. Mr. Faubion asked who would enforce the restrictions. Mr. Davis stated that the individual property owner would. There would be no homeowners association. Mr. Fogel asked if there would be a square footage requirement. Mr. Davis did not know. The

county doesn't have a standard according to Mr. Atchley. Mr. Cramer clarified that technically there could be 19 houses with six bedrooms each. Discussion followed regarding the lots being too small to build six bedroom houses. Robert Hanzelon who lives in the area spoke in opposition to the nightly rentals. He pointed out that there would be no difference in building these homes or putting a motel in a residential area. There isn't enough parking in Mr. Hanzelon's opinion. The property owners more than likely will not live here and wouldn't care about the area as the other property owners who live there. He also pointed out that the cul-de-sacs are not big enough for turning around a bigger automobile or school bus. Property values were discussed by Mr. Hanzelon and in his opinion it would be detrimental to these. He stated that the neighborhood would not feel safe with different people who would be in and out of their neighborhood that they do not know. John Nettleton who lives at 299 Southfork also stressed the safety issue, he also stated that he agreed with Mr. Hanzelon's statements. Billy Ong who lives at 329 Southfork for 25 years agreed with the same concerns as Mr. Hanzelon and Mr. Nettleton. He stated that everybody knows everyone else in the neighborhood and their safety would be threatened in his opinion. He pointed out that it is a small area with only one way in and one way out. He asked about the point system and Mr. Atchley explained what the score is based on. Mr. Atchley explained that it is a guide and what constitutes a positive and negative score. Mr. Ong pointed out that it would be hard to get emergency vehicles in and out of the area because of the one entrance and exit and narrowness of the road. William Carter who lives at 310 Southfork voiced concerns regarding the width of the road, the dry creek at the bottom, the lots not being buildable because of the topography. Mark McSpadden stated that he built his house in that area years ago because it was a quiet area. He pointed out that there are a lot of older people in the subdivision who like to walk on the roads there, and that to have a nightly rental business would be detrimental to that. Mr. Adams asked Mr. Davis who would be maintaining the houses, because the Code states that the property manager must be available on a 24 hour basis 7 days a week. Mr. Davis stated that because the Code requires this they would have to do it. He addressed the question of security and that the only people who can afford to stay are upper middle class people. With no other discussion this project will proceed to final vote next week. The Planning Commission received two texts after hours from individuals who could not make it to the meeting, who were opposed to this request.

274 Foggy River Road Rentals; a request by Valerie Whiteman to operate a nightly rental business on property located at 274 Foggy River Road. Mr. Atchley read the staff report and presented pictures and maps of the site. Ms. Whiteman was present to address the Commission. Mr. Stewart asked if any remodeling was planned. Ms. Whiteman stated that has already been done. Possibly two large closets might be redone to make another bedroom in the guest house, if the Planning Commission allows it. After discussing this the applicant decided not to do it. Carol St. Peter who lives two streets over and owns other property in the subdivision stated that in her opinion it isn't

compatible with the surrounding area. She was also concerned about road safety. With no other discussion this project will proceed to final vote next week.

Martino Vacation Rental; a request by Patti Martino to operate nightly rental from property located at 615 St. Hwy. P. Mr. Atchley read the staff report and presented pictures and maps of the site. Barbara Edwards representing the applicant addressed questions from the Planning Commission. No one from the public was present to speak. Mr. Caudill asked if there would be signs on the highway. Ms. Edwards stated that would be up to the buyer. Mr. Stewart clarified the request, and pointed out that even with approval the new buyer would have to apply for this same use. Ms. Edwards stated that as the real estate agent she felt it was necessary for the sale of the property. Discussion followed. With no other discussion this project will proceed to final vote next week.

Old and New Business:

Mr. Atchley gave the Board an update on Mr. Melton's health situation. The Planning Commission discussed their feelings on some of the projects.

Adjournment:

With no other business on the agenda for November 9, 2015 the meeting adjourned at 7:52 p.m.



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### **MINUTES TANEY COUNTY PLANNING COMMISSION REGULAR MEETING MONDAY, NOVEMBER 16, 2015, 6:00 P.M. COUNTY COMMISSION HEARING ROOM TANEY COUNTY COURTHOUSE**

#### Call to Order:

Chairman Steve Adams called the meeting to order at 6:00 p.m. A quorum was established with seven members present. They were; Steve Adams, Dave Stewart, Randy Haes, Doug Faubion, George Cramer, Randy Fogel, and Rick Caudill. Staff present; Bob Atchley and Bonita Kisse-Souttee.

Mr. Atchley read a statement outlining the procedures for the meetings.

#### Review and Action:

Minutes, October 2015; with no additions or corrections, a motion was made by George Cramer to approve as written. Randy Fogel seconded. The vote to approve the minutes was unanimous.

#### Final Votes:

Branson View Campground & Ziplines; request by Andrew Darby to add zip lines to an already existing business located at 2362 St. Hwy. 265. Mr. Atchley read the proposed decision of record. Mr. Dan Boone representing the applicant was present along with the owners. With no discussion a motion was made by Rick Caudill to approve based upon the decision of record. Seconded by George Cramer. The vote to approve was unanimous.

Woodbridge Estates Phase II; request by SMBZ, LLC to operate a nightly rental business located at Jamie Court and Woodbridge Estates Dr. Mr. Atchley read the proposed decision of record. Mr. Tim Davis was present to represent the applicant. Mr. Stewart discussed with Mr. Davis about the roads within the subdivision. Mr. Davis clarified that it is not financially feasible for the applicant to add more roads. Mr. Faubion stated that in his opinion this use is not compatible with the surrounding area and that most of the neighbors are against it. Mr. Faubion then made a motion to deny. Seconded by Dave Stewart. The Chairman asked that the record show he voted in favor of the motion. The vote to deny was unanimous.

274 Foggy River Road Rentals; request by Valerie Whiteman to operate a nightly rental business on property located at 274 Foggy River Road. Mr. Atchley read the

proposed decision of record. The representative was present. Mr. Caudill asked if the applicant still wanted to add more sleeping area in the garage. The representative stated that they had decided against it. Mr. Stewart stated that in his opinion this use is compatible with the surrounding area and would pose no problems to the neighbors. He then made a motion to approve based upon the decision of record. George Cramer seconded. The vote to approve was unanimous.

Martino Vacation Rental; request by Patti Martino to operate nightly rental from property located at 615 St. Hwy. P. Mr. Atchley read the proposed decision of record. Ms. Edwards the representative was present. Mr. Faubion stated that he thought the proposed decision of record was asking to pump the septic tank more than necessary. Mr. Stewart thought this request should not be approved as a special use. Discussion followed. Ms. Edwards stated that they would rather do special use in case the property sells. Mr. Caudill had a concern about parking. After discussion the Planning Commission changed the decision of record to reflect the change in parking. A motion was made to approve based upon the amended decision of record. Seconded by Doug Faubion. Mr. Stewart voted no based upon the sewer requirement. With six in favor and one opposed. The motion passed.

#### Concept:

Sarge's Gun Shop, LLC; a request by Christopher Sparks to operate a gunsmithing business from property located at 150 Benjamin Place. Mr. Sparks presented his plans. Mr. Atchley presented location maps. Mr. Sparks is moving this business from a commercial building to his home. Mr. Haes asked if there was just the one access to the property. Mr. Sparks stated that was correct. Mr. Caudill asked if he was planning to shoot the guns. Mr. Sparks stated that there would not be any discharging of the guns. He has a discharging barrel in his garage. Business is by appointment only. There will not be any signs. He will not check functioning unless he is at the range. Mr. Atchley clarified this to be a special use request. With no other discussion this project will proceed to public hearing next month.

#### Old and New Business:

Mr. Cramer asked how a permit can be revoked, if there is a time limit on special use permits, and what can happen if an applicant doesn't comply with the requirements. Mr. Atchley explained these rules. Other discussion followed regarding how the process works when an applicant isn't in compliance.

The Planning Commission recognized Ronnie Melton for his service to the County on the various boards in light of his passing this last week.

#### Adjournment:

With no other business on the agenda for November 16, 2015 the meeting adjourned at 6:47 p.m.

#15-21

**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:** Law Office & Private Home

**NAME OF APPLICANT:** Timothy Davis  
*(Must be owner of record)*

**SIGNATURE:** *Timothy Davis* **DATE:** 10 SEPT 2015  
*(Must be owner of record)*

**MAILING ADDRESS:** P.O. Box 1625, Branson, MO 65615

**TELEPHONE NUMBER:** 417.294.1083

**Representative Information**

**NAME OF REPRESENTATIVE:** owner, self-represented

**MAILING ADDRESS (rep.):** \_\_\_\_\_

**TELEPHONE NUMBER (rep.):** \_\_\_\_\_

*Postponed 10-13-15*  
~~CH-10-19-15~~ 12-21-15  
~~PH-11-9-15~~ 1-11-15  
~~FV-11-16-15~~ 1-19-15

## Property Information

**ACCESS TO PROPERTY (street # and name):** Lot 5, Friendly Hills

(approx) 301 Friendly Hills Drive, Branson, Missouri

**Number of Acres (or sq. ft. of lot size):** Approximately 3 acre lot  
within 9 acres total land

18-2.0-10-003-001-002.000

**PARCEL #:** \_\_\_\_\_  
(This number is on the top left hand corner of your property tax statement)

**SECTION:** 10 **TOWNSHIP:** 22 N **RANGE:** 22 W

**NAME OF SUBDIVISION (if applicable):** Friendly Hills Subdivision, Branson

**Lot # (if applicable)** Lot 5 **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 # Missouri America Water (public)

**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: \_\_\_\_\_

Law Office within Private Residence

*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.)*

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I own lots 4, 5 & 6 in the Friendly Hills Subdivision.

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The property is 9 acres in total.

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I plan to build my personal home on lot 5.

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I want to have my law office within my house.

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Currently, for meeting clients, holding depositions and  
so on, I use space in the Commerce Bank Building.

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I plan to continue using the Commerce Bank Building,  
but it would also be useful to have an office at home.

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I request permission to use approximately 1600 sq. ft.  
of the home for office space, a library, and file storage.

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Given that attorneys must keep their clients files 10 years,  
the single biggest demand for space arises from file storage.

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I currently have no employees.

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Div. III App - TIM DAVIS

15-2-0-10-003-001-002-005



Timothy Davis Law Office



#15-26

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

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NAME OF PROJECT: Acacia Club Affordable mobile home park

NAME OF APPLICANT: JMS Property LLC  
(Must be owner of record)

SIGNATURE: [Signature] DATE: 11/24/15  
(Must be owner of record)

MAILING ADDRESS: P O Box 1700 Hollister MO 65673

TELEPHONE NUMBER: 417-294-4549

**Representative Information**

NAME OF REPRESENTATIVE: Tim Davis

MAILING ADDRESS (rep.): \_\_\_\_\_

TELEPHONE NUMBER (rep.): 417-294-1083

## Property Information

ACCESS TO PROPERTY (street # and name): Acacia Club

Number of Acres (or sq. ft. of lot size): 10 acres

PARCEL #: 18-6.0-13-002-006-004.003

(This number is on the top left hand corner of your property tax statement)

SECTION: 13 TOWNSHIP: 22 RANGE: 22

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 # Taney County

### WATER SUPPLY SYSTEM:

- Community Well     Private Well  
 Central: District # Missouri American Water

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: Mobile Home Park

***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.)***

Requesting approval for 87 unit mobile home park,  
for affordable housing. All units to be connected  
to public water + sewer.





# 15-27

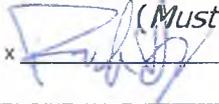
**APPLICATION FOR CONCEPT  
DIVISION III  
TANEY COUNTY PLANNING COMMISSION**

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**NAME OF PROJECT:** Dollar General Store# 16542

**NAME OF APPLICANT:** RSBR Investments LLC (contract buyer)  
NCY Properties, LLC, (current owner of record)

*(Must be owner of record)*

**SIGNATURE:** x  Rod Hamby RSBR Investments LLC **DATE:** x 11/30/15

*(Must be owner of record)*

**MAILING ADDRESS:** 1598 Imperial Center Suite 2001, West Plains, MO 65775 (contract buyer)  
203 Buccaneer Blvd. Ste. C Branson, MO 65616 (owner of record)

**TELEPHONE NUMBER:** 417-256-4790

**Representative Information**

**NAME OF REPRESENTATIVE:** Rodney Parrott, Overland Engineering LLC (Engineer)

**MAILING ADDRESS (rep.):** 1598 Imperial Center, Suite 2009 West Plains, MO 65775

**TELEPHONE NUMBER (rep.):** 417-256-8150

# Property Information

**ACCESS TO PROPERTY (street # and name):** 920 State Hwy 86 Ridgedale, MO 65739

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

**PARCEL #:** 20-4.0-18-002-002-001.001 (Subject to revision per Minor Sub Plat)  
(This number is on the top left hand corner of your property tax statement)

**SECTION:** 18 **TOWNSHIP:** 21N **RANGE:** 21W

**NAME OF SUBDIVISION (if applicable):** MINOR SUB OF NCY PROPERTIES

**Lot # (if applicable)** 1 **BLOCK #** 1

## 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 # \_\_\_\_\_ (TRANSIENT NON COMMUNITY WELL PER DNR APPROVAL)

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

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

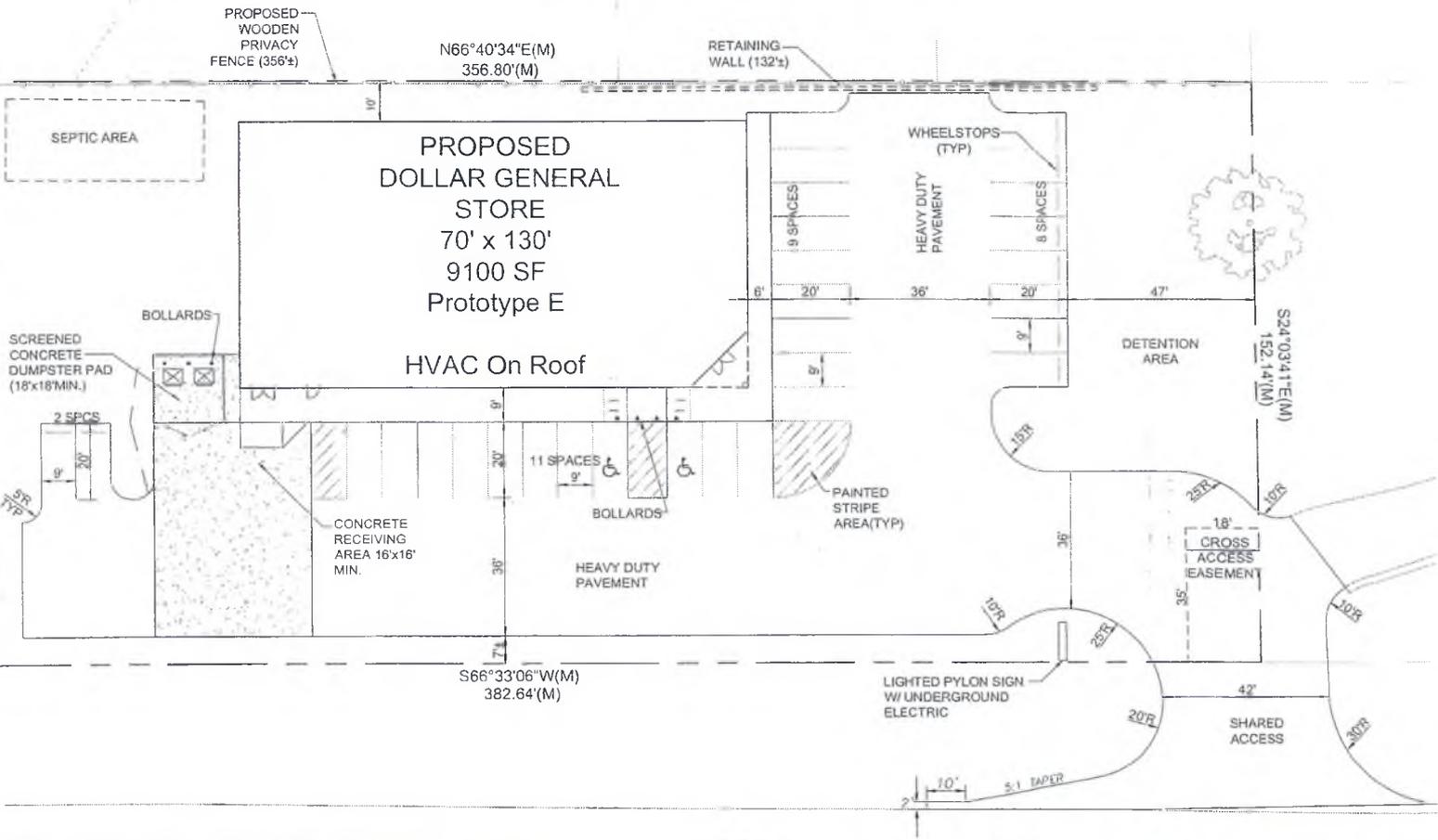
- Residential     Multi-Family     Commercial     Industrial  
 Special Use     Other – Explain: \_\_\_\_\_





DOLLAR GENERAL STORE  
RIDGE DA

PARKING SPACE  
BLDG/SALES SF  
DEVELOPER: RS  
ENGINEER: OVE



MISSOURI STATE HIGHWAY 86