



## 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)

**MINUTES  
TANEY COUNTY PLANNING COMMISSION  
PUBLIC HEARING  
MONDAY, APRIL 10, 2017, 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 eight members present. They were: Steve Adams, Dave Stewart, Doug Faubion, Rick Caudill, Randy Haes, Howard Kitchen, Randy Fogle, and George Cramer. Staff present: Scott Starrett and Bonita Kisse-Soutee.

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

### Public Hearings:

133 N. Tuscany Drive Vacation Rental: a request by Jonathan George to operate a nightly rental from an existing single-family dwelling at Branson Creek Development. Mr. George presented at packet of information and discussed the contract he signed when he purchased the property, showing in his opinion nightly rental was allowed at this site. Mr. Starrett read the staff report and presented maps and pictures of the site. Sondra Strange discussed the covenants and pointed out that they do not allow nightly rentals. Further discussion followed. Wes Hoffman who lives at Branson Creek moved to the property in 2014. He stated he didn't know when he bought the property that nightly rentals were allowed. He doesn't feel the properties are designed for nightly rentals, and he also discussed parking. Ed Fisher who also lives in the neighborhood pointed out the advantages of full time residency. Gordon Glass another property owner spoke in opposition to the request, stating that parking is a problem, poor management, covenants, and incompatibility. Mr. Faubion asked if there was an active HOA. Mr. Glass stated that it was not active. Mr. Cramer asked if a permanent resident was doing the same things as a nightly renter did, what would the property owners do about it. Mr. Glass stated that they could call the sheriff or the HOA. Mr. Caudill asked if the problems were being addressed would the property owners feel better about the nightly rentals. Mr. Glass stated that they wouldn't. Neil Murphy read a prepared statement addressing his opposition to the request. Mr. Faubion stated that the property owners should mistrust the people who sold them their property. Mr. George addressed the questions brought forth by the property owners and Commission. After discussion the public hearing was closed. This project will proceed to final vote next week.

360 Lone Pine Nightly Rental: a request by Leta Young to operate nightly rental from an existing single-family dwelling. Mr. Starrett read the staff report and presented maps and pictures of the site. Ms. Young was present. Mr. Caudill asked if there were any other nightly rentals in the neighborhood. Mr. Starrett stated that there was one other one approved by the Planning Commission. Ms. Young asked if the approval could be transferred to a new owner. The Planning Commission stated that special use permits couldn't be transferred. Discussion followed. Mr. Faubion clarified that Ms. Young is acting as the agent for the new owners. John West representing the other property owners read a statement opposing the use of nightly rental. Some of his concerns were; narrowness of the roads, slope, parking, and compatibility. Ms. Young addressed the concerns. After discussion the public hearing was closed. This project will proceed to final vote next week.

Western Taney County Fire Protection District: a request to construct a duplex for two families with living quarters for three fire fighters and a fire station on property located at 300 Windmill Road. Mr. Starrett read the staff report and presented maps and pictures of the site. Jim Single was present to represent the fire district. Mr. Stewart asked if there would be full time firefighters present. Mr. Single stated that they would be part time. Discussion followed. Mr. Kitchen discussed location and stated that the fire district does a great job and this is greatly needed in this area. After discussion the public hearing was closed. This request will proceed to final vote next week.

Reece Nightly Rental: a request to operate a nightly rental business on property located at the Corner of Majestic and Lenhart Roads. The applicant would build a five bedroom single family home if approved. Mr. Starrett read the staff report and presented maps and pictures of the site. The applicant was not present. Two people signed up to speak. Janna Hilt who lives in the neighborhood spoke in favor of the request. Marc Rys who also lives in the neighborhood spoke against the request because of the added traffic, and parking, and noise. Mr. Fogle stated that the water district name has changed. Dave Stewart made a motion to table until next month. Seconded by Randy Haes. This project will be heard next month.

Essential Therapeutic Massage: a request to operate a massage therapy business from an existing garage on property located off Beeler Road. Mr. Starrett read the staff report and presented maps and pictures of the site. Mr. and Mrs. Judd were present. Mr. Kitchen asked about signage. Mrs. Judd stated she didn't need a sign because her business is word of mouth. There might be a small sign by the door, so customers would know where to go. With no other discussion this project will proceed to final vote next week.

Deer Crossing Nightly Rental: a request to operate a nightly rental business on property located off Jones Road. Mr. Starrett read the staff report and presented pictures, additional information from the applicant and maps of the site. Valerie Budd was present to represent the project. Mr. Kitchen asked Mr. Starrett why this wouldn't

be a Division III Permit instead of a special use permit. Mr. Starrett answered that each approval stands on its own. Mr. Stewart discussed building on lot lines. Ms. Budd stated that one structure would be built on two lots. The availability of water was discussed. Mr. Caudill discussed the property seeming like a resort. Mr. Haes asked if there was another road besides Seiler would be accessed. There is another option for access. Plans are to save as many trees as possible. With no other discussion this project will proceed to final vote next week.

#### Old and New Business:

Echo Hollow Estates; a request by Audrey Anderson for an extension on an approval given in 2015 to develop a 24 lot subdivision to be used as nightly rental located south of State Highway 165 and immediately west of Cedar Glade Road. Mrs. Anderson and her son were present. Mr. Starrett clarified the request and presented the history of the project. Mr. Caudill discussed availability of water pressure. Mr. Anderson stated that an engineer was consulted regarding water for the project and had DNR approval. After discussion a motion was made to extend the project for two years by Mr. Cramer. Seconded by Mr. Kitchen. The vote to approve was unanimous.

Mr. Stewart welcomed Mr. Starrett as the new Administrator.

Discussion followed regarding the emails from the Branson Creek residents.

Mr. Cramer stated that something should be done to facilitate changing owners after a special use permit has been given. Discussion followed.

Mr. Adams asked if we have anything from the County Commission regarding the new Code. Mr. Starrett has a meeting with them next week.

Mr. Caudill was concerned about approving some nightly rentals in a certain area and not approving one. Discussion followed.

#### Adjournment:

With no other business on the agenda for April 10, 2017 the meeting adjourned at 8:34 p.m.



## 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)

**MINUTES**  
**TANEY COUNTY PLANNING COMMISSION**  
**REGULAR MEETING**  
**MONDAY, APRIL 17, 2017, 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 nine Planning Commissioners present. They were; Steve Adams, Dave Stewart, Rick Caudill, Doug Faubion, George Cramer, Randy Fogle, Howard Kitchen, Brad Lawrence, and Randy Haes. Staff present: Scott Starrett and Bonita Kisse-Soutee.

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

### Review and Action:

Minutes, March 2017; With no additions or corrections a motion was made by Mr. Haes to approve the minutes as written. Seconded by Mr. Cramer. The vote to approve the minutes was unanimous.

### Final Votes:

133 N. Tuscany Dr. Vacation Rental; request by Jonathan George to operate a nightly rental business on property at Branson Creek Development. Mr. Starrett clarified the request and presented the map of the property. Mr. Starrett read the staff recommendations. Mr. George was present. Mr. Cramer asked how long it had been rented, and if there had ever been any problems. With no further discussion a motion was made by Mr. Lawrence to approve based upon the decision of record. Seconded by Mr. Haes. The vote to approve was seven in favor and two against. Mr. Fogle and Mr. Kitchen voted no. The request was approved.

360 Lone Pine Nightly Rental; request by Jackie C. Hughes to operate a nightly rental from an existing single family dwelling located at Lot 20 Block 1 of Skyline Subdivision. Mr. Starrett read the staff recommendations. The representative Leta Young was present. Mr. Haes suggested adding to the decision of record the letter from fire department. Mr. Caudill asked who would be the owners of the property. The



representative stated it would be Mr. & Mrs. Hughes. Mr. Cramer discussed the banisters, and that it would be a fire safety issue. Other discussion included the owners not being present. With no other discussion a motion was made by Mr. Caudill to approve with the addition in the decision of record. Seconded by Mr. Lawrence. The vote to approve was five in favor and four against.

Western Taney County Fire Protection District Station 12; request to construct a fire station with living quarters for two families and three individuals with the station center between the two living quarters with a duplex for the two families and a training room off Windmill Road. Mr. Starrett clarified the request and presented the map of the property. Mr. Single was present to represent the fire department. Mr. Starrett read the staff recommendations. With no discussion a motion was made by Mr. Cramer to approve based upon the decision of record. Seconded by Mr. Haes. The vote to approve was unanimous.

Reece Nightly Rental; request by Robert Woolston to construct a single family dwelling for a vacation home with the option of using it as a nightly rental at the corner of Majestic and Lenhart Roads. This request was postponed.

Essential Therapeutic Massage; request by Steven Judd to operate a therapeutic massage business from a detached building located at 830 Beeler Road. Mr. Starrett clarified the request and presented the map of the site. Mr. Starrett read the staff recommendation. With no discussion a motion was made by Mr. Lawrence based upon the decision of record. Seconded by Mr. Fogle. The vote to approve was unanimous.

Deer Crossing Nightly Rental; request by Branson Turkey Crossing to construct 6 log cabins to be used as a nightly rental business located off Jones Road. Mr. Starrett clarified the request and presented the map of the property. Mr. Starrett read the staff recommendations. Mr. Stewart clarified the number of people to sleep. With no other discussion a motion was made by Mr. Haes to approve based upon the decision of record. Seconded by Mr. Fogle. The motion to approve was unanimous.

#### Concepts:

180 Legends Circle Nightly Rental; a request by Adam Donyes to operate a nightly rental business on property located at Branson Creek Development. Mr. Donyes explained his request. Mr. Starrett presented location maps and pictures of the site. Discussion followed regarding use of the amenities, age of structure, closing date, how many swimming pools in the neighborhood, number of bedrooms, how many parking spaces required, and limiting occupancy according to parking spaces. Mr. Starrett discussed the history of this site. Other discussion included adding parking spaces. This request will proceed to public hearing next month.

Shabbychic & Junktique; a request by Donna Tanka to operate a flea market on property located at 22068 US Hwy. 160. Ms. Tanka was present. Mr. Starrett presented

location maps and pictures of the site. Mr. Caudill clarified the request and discussed site distance. Mr. Cramer asked about signage. There will be a sign on premise. With no other discussion this project will proceed to public hearing next month.

The M Nightly Rental; a request by Jerilyn Munshi to operate a nightly rental business on property located at 955 Emory Creek Blvd. Ms. Munshi was present. Mr. Starrett presented location maps and pictures of the site. The applicant doesn't plan to put up a sign. With no other discussion this request will proceed to public hearing next month.

136 Monte Cristo Dr.; a request by Timothy Watson to operate a nightly rental from property located at Branson Creek Development. Mr. Marc Mauzey was present to represent the applicant. Mr. Starrett presented location maps and pictures of the site. With no discussion this request will proceed to public hearing next month.

110 N. Tuscan; a request by Timothy Watson to operate a nightly rental from property located at Branson Creek Development. Mr. Marc Mauzey represented Mr. Watson. Mr. Starrett presented location maps and pictures of the site. Mr. Lawrence asked if these two locations have been renting out. Mr. Mauzey stated that they have for the past year. With no other discussion this request will proceed to public hearing next month.

Bristol Road Vacation Rental Home; a request by Rachel Dunlap to operate a nightly rental business from property located at 417 Bristol Road. Ms. Dunlap was present. Mr. Starrett presented location maps and pictures of the site. Discussion followed regarding the well, the adjacent chicken house, and wastewater disposal. With no other discussion this request will proceed to public hearing next month.

226 Stoney Pointe Dr. Nightly Rental; a request by Gary Billingsley to operate a nightly rental business from property located at Branson Creek Development. Mr. Billingsley was present. Mr. Starrett presented location maps and pictures of the site. Mr. Caudill asked how many units the applicant owned at that location. He stated he owned only one. With no other discussion this project will proceed to public hearing next month.

Lee's Secret Garden; a request by Dean & Janice Donat to operate a nightly rental from property located at 392 Blackwell Ferry Road. Mr. Donat was present. Mr. Starrett presented location maps and pictures of the site. Discussion followed regarding compatibility. With no other discussion this project will proceed to public hearing next month.

#### Old and New Business:

Mr. Starrett clarified the date of mailing the postage invoices, and reported on issuance of the C of C's. Mr. Fogle asked if the Health Department were notified on the

nightly rentals. Mr. Starrett explained they do only if they rent separate rooms in the home to separate renters with individual contracts for each room. Mr. Cramer discussed what the fire department checks on the properties. Further discussion followed regarding nightly rentals.

**Adjournment:**

With no other business on the agenda for April 17, 2017 the meeting adjourned at 7:05 p.m.