

MINUTES
TANEY COUNTY PLANNING COMMISSION
PUBLIC HEARING & REGULAR MEETING
MONDAY December 13, 2021, 6:00 P.M.
COUNTY COMMISSION HEARING ROOM
TANEY COUNTY COURT HOUSE

The Taney County Planning Commission held a meeting on Monday, December 13, 2021 located at Taney County Courthouse in the County Commission Hearing room; 132 David Street, Forsyth, Missouri. Chairman Howard Kitchen called the meeting to order at 6:00 p.m.

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

Board Members Present

George Cramer
Dave Stewart
Devin Huff
Roger Hoenes
Doug Faubion
Howard Kitchen
Thomas Holman
Randy Fogle

Board Members Absent

Randy Haes

Also present was Planning and Zoning Administrator, Scott Starrett and Zoning Coordinator, Presley Cozort.

Review and Action

Mr. Holman moved to approve the November 4, 2021 Closed Session Special Meeting Minutes. Mr. Huff seconded the motion. The motion passed: 8 (aye) – 0 (nay), 1 (absent)

Mr. Hoenes moved to approve the November 8, 2021 Regular Meeting Minutes. Mr. Cramer seconded the motion. The motion passed: 8 (aye) – 0 (nay), 1 (absent)

Mr. Huff moved to limit the speaking time to four minutes, excluding the applicant. Mr. Hoenes seconded the motion. The motion passed: 8 (aye) – 0 (nay), 1 (absent)

Public Hearing & Final Vote

#21-014 Rezoning: Todd Chandler, Engineer & Glen Green, Attorney were present to represent applicant 4MIN Development, LLC. Gay Cooper was present to ask questions and voice concern. Mr. Cramer moved to approve rezoning recommendation of application #21-014 for an amendment to the Taney County Zoning Maps by 4MIN Development, LLC for the 1 parcel located of Buchanan Rd, Branson, Missouri to be rezoned from A-1 Zoning District to C-2 Zoning District in the form of a resolution sent to the Taney County Commission. Mr. Holman seconded the motion. The motion passed: 8 (aye) – 0 (nay), 1 (absent)

#21-020 Rezoning: **WITHDREW**

#21-013 Rezoning: Rob Hefner, President of Briarwood Association, Vidar Ligard, Charlie Gerkin and Benton Clark were present to speak for the applications. Mike Bilbray, Mike Sziga, Terry Fleeman, Harold Nester& John Stricklin were present to speak against the applications. Mr. Faubion moved to recommend approval of application #21-013 Rezoning for an amendment to the Taney County Zoning Maps by Vidar Ligard for the parcel located at 1707 Lakeshore Drive, Building 4 Unit1, Branson, Missouri to be rezoned from R-3 Zoning District to NR-3 Zoning District in the form of a resolution sent to the Taney County Commission. Mr. Holman seconded the motion. The motion passed: 5 (aye) – 3 (nay), 1 (absent).

#21-015 Rezoning: Rob Hefner, President of Briarwood Association, Vidar Ligard, Charlie Gerkin and Benton Clark were present to speak for the applications. Mike Bilbray, Mike Sziga, Terry Fleeman, Harold Nester& John Stricklin were present to speak against the applications. Mr. Fogle moved to recommend approval of application #21-015 Rezoning for an amendment to the Taney County Zoning Maps by Rob Hefner for the parcel located at 1707 Lakeshore Drive, Building 2 Unit 3, Branson, Missouri to be rezoned from R-3 Zoning District to NR-3 Zoning District in the form of a resolution sent to the Taney County Commission. Mr. Faubion seconded the motion. The motion passed: 5 (aye) – 3 (nay), 1 (absent).

#21-016 Rezoning: Rob Hefner, President of Briarwood Association, Vidar Ligard, Charlie Gerkin and Benton Clark were present to speak for the applications. Mike Bilbray, Mike Sziga, Terry Fleeman, Harold Nester& John Stricklin were present to speak against the applications. Mr. Holman moved to recommend approval of application #21-016 Rezoning for an amendment to the Taney County Zoning Maps by One Briarwood, LLC for the parcel located at 1707 Lakeshore Drive, Building 2 Unit 1, Branson, Missouri to be rezoned from R-3 Zoning District to NR-3 Zoning District in the form of a resolution sent to the Taney County Commission. Mr. Stewart seconded the motion. The motion passed: 5 (aye) – 3 (nay), 1 (absent).

#21-017 Rezoning: Rob Hefner, President of Briarwood Association, Vidar Ligard, Charlie Gerkin and Benton Clark were present to speak for the applications. Mike Bilbray, Mike Sziga, Terry Fleeman, Harold Nester& John Stricklin were present to speak against the applications. Mr. Fogle moved to recommend approval of application #21-017 Rezoning for an amendment to

the Taney County Zoning Maps by 1707 Lakeshore Drive #8 Trust for the parcel located at 1707 Lakeshore Drive, Building 2 Unit 8, Branson, Missouri to be rezoned from R-3 Zoning District to NR-3 Zoning District in the form of a resolution sent to the Taney County Commission. Mr. Stewart seconded the motion. The motion passed: 5 (aye) – 3 (nay), 1 (absent).

#21-018 Rezoning: Rob Hefner, President of Briarwood Association, Vidar Ligard, Charlie Gerkin and Benton Clark were present to speak for the applications. Mike Bilbray, Mike Sziga, Terry Fleeman, Harold Nester & John Stricklin were present to speak against the applications. Mr. Fogle moved to recommend approval of application #21-018 Rezoning for an amendment to the Taney County Zoning Maps by Daniel Wilson for the parcel located at 1707 Lakeshore Drive, Building 5 Unit 1, Branson, Missouri to be rezoned from R-3 Zoning District to NR-3 Zoning District in the form of a resolution sent to the Taney County Commission. Mr. Stewart seconded the motion. The motion passed: 5 (aye) – 3 (nay), 1 (absent).

#21-019 Rezoning: Rob Hefner, President of Briarwood Association, Vidar Ligard, Charlie Gerkin and Benton Clark were present to speak for the applications. Mike Bilbray, Mike Sziga, Terry Fleeman, Harold Nester & John Stricklin were present to speak against the applications. Mr. Fogle moved to recommend approval of application #21-019 Rezoning for an amendment to the Taney County Zoning Maps by Benton Clark for the parcel located at 1707 Lakeshore Drive, Building 2 Unit 4, Branson, Missouri to be rezoned from R-3 Zoning District to NR-3 Zoning District in the form of a resolution sent to the Taney County Commission. Mr. Stewart seconded the motion. The motion passed: 5 (aye) – 3 (nay), 1 (absent).

#21-032 CUP: Applicant James Jewsbury was present. No one signed up to speak for or against the application. Mr. Cramer moved to approve the application. Mr. Stewart seconded the motion. The motion passed: 8 (aye) – 0 (nay), 1 (absent).

#21-033 CUP: Applicant David Crowds was present. Tom Hubbard was present to speak against the application. Mr. Faubion moved to deny based on the planned additional living space proposed to the single family home will not be consistent with the surrounding single family homes with the addition being used as a nightly rental unit. This would not be compatible with the neighboring single family homes due to the proposed site design and added traffic flow. Mr. Huff seconded the motion. The motion passed: 1 (abstain), 1 (nay), 6 (aye) and 1 (absent).

#21-034 CUP: Mike Dortch was present to represent the applicant Bridger Hardie. Kenneth Coleman was present to speak against the application. Mr. Faubion moved to deny based on the nightly rental use operating characteristics is not consistent with the R-1 parcels making it not compatible. The nightly rental use will injure the property values within this area. Mr. Hoenes seconded the motion. The motion passed: 6 (aye), 2 (nay) and 1 (absent).

RECESS: 8:39 p.m.

RESUME: 8:44 p.m.

#21-035 CUP: Applicant's Jacob & Megan Smith were present. Thomas Vogt, the property owner was present to speak for the application. Tom Bokel, Linda Bokel, Susan Unger and Megan McGuire were present to speak against the application. Mr. Faubion moved to deny based on the safety issue with the position of the drives to the single family home on Devils Pool Road would be a hazard for renters unfamiliar with the amount of traffic on Devils Pool Road. Also the nightly rental use not be compatible with the single family homes in the immediate area due to no other nightly rentals permitted in the area. Mr. Stewart seconded the motion. The motion passed: 7 (aye), 1 (nay) and 1 (absent).

#21-036 CUP: Representative for the applicant, Adam Martin & current property owner, Matthew Martin were present. Doug Helt, Johnnie Groves, Susan Smith, and Chuck Hinrichsen were present to speak against the application.

Mr. Cramer moved to extend the meeting to 10:00 p.m. or when this application is done. Mr. Hoenes seconded the motion. The motion passed: 8 (aye) – 0 (nay), 1 (absent).

Mr. Cramer moved to approve the application. Mr. Faubion seconded the motion. The motion failed: 2 (aye), 6 (nay) and 1 (absent). Based on the Planning Commission has the ability to consider the CCR's documents, which were not presented to the Planning Commission in this meeting for their review, and the fact that the HOA is enforcing the CCR's. Also the new owner of the single family home if approved would injure the ability for the immediate neighboring property owners to enjoy their property with future noise issues from nightly rental occupants due to the past noise issues with the current owner's nightly rental occupants.

Old and New Business

None.

Adjournment

Mr. Holman moved to adjourn the meeting at 10:07 p.m. Mr. Cramer seconded the motion. The motion passed: 8 (aye), 0 (nay), 1 (absent).