



TANEY COUNTY PLANNING COMMISSION

P. O. Box 383 • Forsyth, Missouri 65653

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

e-mail: rcbrish@co.taney.mo.us

AGENDA TANEY COUNTY PLANNING COMMISSION REGULAR MEETING MONDAY, NOVEMBER 16, 2009, 7:00 P.M. COUNTY COMMISSION HEARING ROOM TANEY COUNTY COURTHOUSE

Call to Order:

Establishment of Quorum

Explanation of Meeting Procedures

Review and Action:

Minutes, October 2009

Final Votes:

The Branson Radio Network

Small Engine Doctor Relocation

Concepts:

Briarwood on Lake Taneycomo

Gene Rogers Farms

Permit Renewal Requests:

Old and New Business:

Adjournment.



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email: gregs@co.taney.mo.us • website: www.taneycounty.org

Pre-App
11-5
10:00 am.
09-31

**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: \$100.00, Special Use Applications: \$25.00.

NAME OF PROJECT: Briarwood on LAKE Taneycomol LC

NAME OF APPLICANT: DAVID W. and Carrie L. Hover
(Must be owner of record)

SIGNATURE: [Signature] **DATE:** 10/27/09
(Must be owner of record)

MAILING ADDRESS: 5525 Petaluma Hill Rd., S

95404

TELEPHONE NUMBER: 707-291-5899

Representative Information

NAME OF REPRESENTATIVE: JOHN E. Hover

MAILING ADDRESS (rep.): 112 East End Rd., Branson, MO, 65616

TELEPHONE NUMBER (rep.): 417 335-2168 Home 417-527-2700 Cell

Property Information

ACCESS TO PROPERTY (street # and name): 1707 LAKESHORE Dr.

Number of Acres (or sq. ft. of lot size): 3.29

PARCEL #: 08-8.0-28-000-000-089.001 + 8-8-28-0-0-89.201
~~088,020000000089.002~~ → .202
.203
.204
.205

(Parcel # MUST be on permit. Example: 00-0.0-00-000-000.000. 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: 28 TOWNSHIP: 23 RANGE: 21
.206
.207
.208

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.)

Request commission change
status of project from whole
ownership to fractional ownership.
(24 units)

BLD 1, 2 + 3

BLD 2 BUILT UNITS 1 + 8

BLD 1 + 3 are Future



Briarwood on Lake Taneycomo LLC



DISCLAIMER
Taney County makes every effort to produce and publish the most current and accurate information possible. This data is provided "as is" without warranty or any representation of accuracy, timeliness or completeness. The burden for determining accuracy, completeness, timeliness, merchantability and fitness for or the appropriateness for use rests solely on the requester. The County makes no warranties, express or implied, as to the use of the Data. There are no implied warranties of merchantability or fitness for a particular purpose. The requester acknowledges and accepts the limitations of the Data, including the fact that the Data is dynamic and is in a constant state of maintenance, correction and update.
MP 9/5/2006

TANEY COUNTY PLANNING COMMISSION
DIVISION III DECISION OF RECORD
FEBRUARY 21, 2006
BRIARWOOD CONDOMINIUMS
#06-6

On February 21, 2006 the Taney County Planning commission (grantor) approved a request by Briarwood Resorts, Inc. (grantee) to construct three whole ownership condo buildings. In accordance with this approval Division III Permit #06-6 is issued for the property located at the attached legal description.

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

Briarwood Resorts, Inc. is authorized to construct three whole ownership condo buildings with a total of 24 units for located at 1685 Lakeshore Dr. With six out of nine Planning Commissioners present the vote to approve was unanimous. The following conditions shall be complied with:

1. Compliance with the provisions of the Taney County Development Guidance Code that include 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. Foliage screening or fencing for commercial area that adjoins residential tracts
 - g. Improvements with scale of buildings, streets, onsite parking and utilities
2. Compliance letters from the Fire, Sewer, and Water Districts.
3. No outside storage of equipment or solid waste materials.
4. Division II permits will be required for all applicable structures in the development.
5. There shall be no more than 24 units on the project.
6. The Decision of Record shall be filed with the Taney County Recorder's office within 120 days or the approval shall expire.

Legal description attached



TANEY COUNTY PLANNING COMMISSION
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09-32

**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: \$100.00, Special Use Applications: \$25.00.

NAME OF PROJECT: Gene Rogers Farms

NAME OF APPLICANT: Eugene Rogers
 (Must be owner of record)

SIGNATURE: Eugene Rogers **DATE:** 10-27-09
 (Must be owner of record)

MAILING ADDRESS: 7415 S. Hwy 125 Pro Tem, Mo 65733

TELEPHONE NUMBER: 417-785-4709 Co. Cell 546-7927

Representative Information

NAME OF REPRESENTATIVE: _____

MAILING ADDRESS (rep.): _____

TELEPHONE NUMBER (rep.): _____

Property Information

ACCESS TO PROPERTY (street # and name): _____

741^{1/2} U.S. Hwy 125

Number of Acres (or sq. ft. of lot size): 80

PARCEL #: 24-2.0-09-000-000-001.001

(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: 09 TOWNSHIP: 21 RANGE: 17

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: RETAIL SPOK FEED STORES

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.)

*Wants to sell feed out of trailer
on property.*



Gene Rogers Farms



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MP 9/5/2006



Eugene Rogers



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MINUTES TANEY COUNTY PLANNING COMMISSION PUBLIC HEARING TUESDAY, OCTOBER 13, 2009, 7:00 P.M. COUNTY COMMISSION HEARING ROOM TANEY COUNTY COURTHOUSE

Call to Order:

Chairman Sarah Klinefelter called the meeting to order at 7:12 p.m. A quorum was established with nine members present. They were: Sarah Klinefelter, Randall Cummings, Joey Staples, Ray Edwards, Shawn Pingleton, Jim Brawner, Carl Pride, Mark Blackwell, and Frank Preston. Staff: Eddie Coxie, Bonita Kisse, Dan Nosalek.

Mr. Coxie read a statement explaining the meeting procedures and presented the exhibits.

Public Hearings:

Epps Trash: a request by Frank and Barbara Epps to develop a parking lot for trash trucks and containers located at 171 Remington Dr. Mr. Coxie read the staff report and presented pictures and a video of the site. The Planning Commission discussed the road width. Ellis LeCroy who lives on the adjacent property was concerned with up keep of the road, money spent on the property without permits, and what will become of the adjoining lots. Mr. LeCroy confirmed that all the property surrounding this request is commercial. Mr. Pingleton stated that for the property owner to spend money on his property ahead of time is just a gamble for him. Mr. Coxie reported on the history of the request. Mrs. Klinefelter referred to a letter received from Mr. LeCroy discussing hours of operation etc. Mr. Epps and Mr. Geisey addressed the issues by stating that before this request was applied for they were using this property for storage. Plans are to put a row of shrubs along the property line to buffer the containers. Mr. Pingleton would like to see another road easement bringing the road up to county standards on their plat. This project will proceed to final vote next week.

Trong Van Tran: a request by Ms. Tran to operate a restaurant from an existing structure located at 2130 St. Hwy. 248. Mr. Coxie read the staff report and presented pictures and a video of the site. Ms. Tran presented plans for the

restaurant. The entire building will be gutted, and ten feet will be added to the south side of the building with a retaining wall so there can be parking in the back. Mrs. Klinefelter asked that the junk around the site be controlled. Mr. Tran stated that a wall will be built to buffer from the other businesses. There will be thirty six parking places. The entrance was discussed and the fact that three businesses use the two entrances. With no other discussion this project will proceed to final vote next week. Mr. Pingleton asked for a more readable drawing be presented.

Permit Renewal Requests:

Tim Friend requested permit renewal on permit #07-55. A motion was made by to approve. Seconded by Mark Blackwell. The vote to approve was unanimous.

Old and New Business:

Mr. Coxie reported on the Tiger Sanctuary. The new location is located in the County but they will be voluntarily annexing into the City of Rockaway Beach before requesting approval from them.

Cedar Creek Airpark was discussed by Mr. Coxie who met with their lawyer, county counsel, and the prosecutor last week. The applicant is in the process of trying to comply with County regulations. Harry Styron representing the applicant presented a preliminary plat, and reported that Mr. Warner was charged with trying to sell property that had not been platted. Mr. Styron asked that the plats be allowed to be administratively approved so he can lawfully close the sale of some lots. He is seeking minor sub approval, and would like to apply for a new Division III permit to plat the rest of the property in phases. Discussion followed regarding how to remedy the situation. Mr. Coxie stated that if this situation is not remedied there will be people who bought property they can't use. Mrs. Klinefelter asked to place this request on the agenda next week under old and new business in order to get more information. Mr. Edwards would like to see the project completed because as it looks today is an eyesore in his opinion. Will Grinley who originally owned the land stated that he had not been paid yet and implored the Commission to help get this project off square one so he could get paid. Mark Shubb who handles the marketing of the airpark read a letter to the Commission and reported that they are only selling lots on the property which received approval on. Mr. Edwards reprimanded Mr. Shubb for blaming the Commission because the applicant cannot close on their property. Mr. Pingleton stated that it is obvious that something wasn't done as the Planning Commission asked the applicant to do. Mr. Preston stated that this staff has bent over backwards to work with the applicant, yet the applicant has not worked with the staff. Mr. Pingleton stated that if the applicant had complied with what was asked of them there wouldn't have been a problem. Mrs. Klinefelter asked why they were here. Mr. Styron stated that he is trying to begin

a state of compliance. Mr. Coxie explained how a developer can go about platting lots, and stated that when staff scheduled the applicant to come back before them they did not show up. After discussion a motion was made by Mark Blackwell to approve the minor subdivision if it meets County standards. Seconded by Shawn Pingleton. Mr. Coxie reported that at this point the plat does not meet county standards. Discussion followed. Mr. Blackwell withdrew the original motion then made another motion to approve the minor subdivision if an acceptable minor subdivision plat was presented that can be handled administratively. Mr. Preston would like to give Mr. Coxie the ability to handle this in a timely manner without the applicant having to appear before the Commission again. Mr. Preston seconded the motion. Ray Edwards voted no. The motion passed with eight in favor.

Adjournment:

With no other business on the agenda for October 13, 2009 the meeting was adjourned at 8:55 p.m.



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**MINUTES
TANEY COUNTY PLANNING COMMISSION
REGULAR MEETING
MONDAY, OCTOBER 19, 2009, 7:00 P.M.
COUNTY COMMISSION HEARING ROOM
TANEY COUNTY COURTHOUSE**

Call to Order:

Chairman Sarah Klinefelter called the meeting to order at 7:00 p.m. A quorum was established with eight members present. They were: Sarah Klinefelter, Shawn Pingleton, Randall Cummings, Joey Staples, Mark Blackwell, Ray Edwards, Carl Pride, and Frank Preston. Staff: Eddie Coxie, Bonita Kisse, Dan Nosalek, Marla Pierce.

Mr. Coxie read a statement explaining the meeting procedures.

Review and Action:

Minutes, September 2009: with a correction to September 21 a motion was made to approve by Shawn Pingleton to change the wording of his motion to read residential height restriction shall apply in section TS1, TS3 in the Wilderness Club Expansion. Seconded by Joey Staples. The vote to approve the minutes was unanimous.

Final Votes:

Epps Trash Service: request by Frank and Barbara Epps to park empty trash trucks and containers on site located at 171 Remington Dr. Mr. Coxie clarified the request. Mrs. Klinefelter reintroduced a letter from a property owner not in favor of the request and stated that in her opinion he misunderstood the request and that there will be no garbage on the site. Discussion followed regarding having up to nine trucks on the property. Mrs. Klinefelter asked if there were any long term plans. Mr. Epps stated that if the business grew they would have to move, but possibly in the future they might need an additional building for shop type repairs. The Commission suggested the applicant reapply for approval to do that when the time comes. The roads were discussed regarding which ones were public and which were private and that Mr. Epps paid for some of the paving. The hours of operation would be 6 a.m. to 6 p.m. Buffering was discussed. Mr. Preston made a motion to approve based upon the decision of record with the addition of hours of operation being 6 a.m. to 6 p.m. Shawn Pingleton added a maximum of 9 trucks and easement given by the applicant to

comply with County Road Standards. Seconded by Ray Edwards. The vote to approve was unanimous.

Trong Van Tran: a request to operate a restaurant from a previous auto repair shop located at 2130 St. Hwy. 248. Mr. Coxie reported that the parking which is planned will meet the requirements of the Code, and stated that the access to the body shop would be better to use the one in front of the car dealership. There are 34 parking spaces planned. Mr. Coxie reported that compliance letters have been discussed with the applicant. A motion to approve was made by Shawn Pingleton with the addition of adding a retaining wall on the east parking area. Mark Blackwell seconded. The vote to approve unanimous.

Concepts:

The Branson Radio Network: a request by Larry Morton to produce and syndicate live call in radio shows to be broadcasted over the internet and satellite for am and fm radio stations from an existing single family residential structure located at 2242 St. Hwy. 376. Mr. Coxie clarified the request and stated that all the business is done over the internet. Mr. Lekander explained his request and the type of programming planned. There will be no antennas. This request will proceed to public hearing next month.

Small Engine Doctor Relocation: a request by Richard Robison to move his existing small engine repair business down the road to 2923 Ridgedale Road. Mr. Coxie explained that this property is less than two acres and has applied to the Board of Adjustment this week for a variance from the two acres minimum. Mr. Robinson addressed the Commission and presented information. Mr. Pingleton informed the applicant that some type of buffering would be required between the business and any residential. Mrs. Klinefelter asked Mr. Robison to bring a land use map of the property showing parking, storage area placement. This request will proceed to public hearing if approval is given by the Board of Adjustment this week.

Wolfe Trail Estates Phase 2: This project was done as a minor subdivision and handled in house.

Fountains on Fall Creek: a request by Mark Ruda to add a canopy tour business to a previously approved use located at 3855 Fall Creek Dr. This project withdrew.

Permit Renewal Request:

Integrity Hills: Request by Quality Structures to renew the approval of November 17, 2008 permit #08-62 to construct cabins, duplexes, twelve-plexes and amenities located off Tate Road. Angela Adams representing the project addressed the Commission and explained the approval. Mr. Coxie made the

applicant aware that any new regulations would need to be followed. Shawn Pingleton made a motion to approve. Randall Cummings seconded. The vote to approve was unanimous.

Old and New Business:

Briarwood Condominiums: Mr. Coxie reported that the applicant has asked for approval for fractional ownership. The Commission would ask the applicant to come back before them for any additional uses not previously approved.

Airpark South: Mr. Coxie presented how the property was laid out when they received original approval, then how it has been sold off now showing nineteen separate owners. He discussed how the Code book allows property to be subdivided. A copy of the new County Road standards was given to the owner. The procedure for bringing this property into compliance was discussed. Mr. Coxie reported that the bond which is in place is only enough to reseed but there is not enough to put the land back like it was. Further discussion followed.

Adjournment:

With no other business on the agenda for October 19, 2009 the meeting adjourned at 8:15 p.m.