

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 18, 2010, 6:00 P.M. COUNTY COMMISSION HEARING ROOM TANEY COUNTY COURTHOUSE

Call to Order:

Establishment of Quorum Explanation of Meeting Procedures

Review and Action: Minutes, September 2010

Final Votes:

Chole's Dream House Brass Lantern Resort Saddlebrooke Ridge

Concepts:

Clemenson Realty Branson Environmental Learning Center River Rock Transitional Housing Randall Cerretti

Permit Renewal Requests:

Old and New Business:

Adjournment.



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MINUTES TANEY COUNTY PLANNING COMMISSION PUBLIC HEARING MONDAY, SEPTEMBER 13, 2010, 6:00 P.M. COUNTY COMMISSION HEARING ROOM TANEY COUNTY COURTHOUSE

Call to Order:

Chairman Sarah Klinefelter called the meeting to order at 6:00 p.m. A quorum was established with eight members present. They were: Sarah Klinefelter, Frank Preston, Randall Cummings, Ray Edwards, Mark Blackwell, Susan Martin, Rick Caudill, and Carl Pride. Staff present; Eddie Coxie, Bonita Kissee, and Dan Nosalek.

Mr. Coxie read a statement outlining the procedures for the public hearing and presented the exhibits.

Public Hearings:

Sunset Hills Split of Lot 12: a request by Ivan West, Jr. to split Lot 12 of Sunset Hills Subdivision for the purpose of dividing the business from the residence. The property is located at 101 Jimco Dr. Mr. Coxie read the staff report and presented pictures and video of the site. LeAnn Dennison who lives next door was concerned about the width of the street being able to handle the traffic. According to Ms. Dennison the County does not maintain the road and there are semi-trucks that deliver to the business. She also stated that the stormwater runs downhill from this property. Mr. West stated that he maintains both roads himself without any help from the neighbors. The roads are subdivision roads. Mr. West also put in the community well and maintains that as well. Wastewater is maintained by the County. Mr. West's purpose of splitting the lot is for his family. His business is that he ships drilling supplies all over the world, and his business hours are from 8 to 5 four days a week. This project will proceed to final vote next week.

Tri-Lakes Motors: a request by Dave Williams for two new car showrooms located at St. Hwy. F. Mr. Coxie read the staff report and presented pictures and video of the site. He reported that this project did not have a Division III permit in the beginning. Mr. Williams addressed questions from the Commission and located the addition. No one else signed up to speak. Mr. Edwards asked about wastewater disposal. No public sewer is available for this property. Mrs. Klinefelter asked about future plans. Mr. Williams stated that phase three which is the final phase is included in the request. Mr. Coxie brought to attention that there is a lot of impervious cover, but these buildings would not add to it. This project will proceed to final vote next week.

Alsop Vacation Cabin: a request by Thomas Alsop to rent an existing structure for nightly rental as a special use permit located at 274 Foggy River Road. Mr. Coxie read the staff report and presented pictures and a video of the site. He reported that this property is in a floodway and explained the requirements for new structures as FEMA requires. Lavern Getch who is a neighboring property owner stated that this was John Morris's guest house at one time. Representing other property owners in the area he stated oppositions to the request because of added traffic, noise, setting a precedence, and decline in property values. He stated that a homeowners association is planned to oversee the protective covenants. Mrs. Klinefelter stated that this request is for a special use permit and does not change the zoning of the property and would not set a precedence. Mr. Coxie stated that the covenents would be enforced through the circuit courts and permits would be issued by the county who does not enforce private restrictions. Kathy Joy who lives two doors down from this property presented copies of the covenants. She also was concerned with added traffic, compatibility, and covenants. Jean St. Peter two streets over from this property was concerned with noise, traffic, compatibility, safety of children and security. Jean Raymond another property owner reported the covenants state that there cannot be commercial in the subdivision, and there shouldn't be any more traffic on the roads. Shirley Gordon who lives on Wisconsin Road one road over from the property, stated the property has been rented out for several years before, and that the neighbors did not know about it because of the wall around the property. She also reported that there is stormwater run-off from the road which ends up in the driveway of the property. There are also a lot of children along this road, and people like to walk along the lower road. She feels because this is a rental it generates more traffic. She wondered if more cabins could be built on the property. Mr. Coxie clarified that since this is in a floodway any new structures would have to receive a no rise certificate from FEMA. Mr. Alsop addressed questions from the Commission and stated there are two lots contained on the property. He has rented the property in the past and allowed friends to stay there. He was not aware when he bought it, that he needed a permit to rent it out. No one lives onsite, but there is someone who looks after the property in the area. Homeaway.com is the website and occupancy limit listed is nine. Mr. Coxie clarified that the apartment in the garage is not open to be rented. This project will receive final vote next week.

Permit Renewal Requests:

Big Cedar: This request will be heard next week.

Old and New Business:

Wanda Martin/Y Hwy./Mt. Vernon St, stormwater runoff: Mr. Coxie reported that the Sewer District put sewer lines on the property and Mrs. Martin had the contractor remove a stock pond located on this property. When the pond was removed the stormwater began to run onto the neighboring property. There have been efforts to manage the stormwater, but it is still running on to the neighbor. The Sewer District was consulted about what to do. The sewer board stated that it is not within their ability to do anything about. A letter was sent to Mrs. Martins by the Planning Staff asking her to remedy the situation. Upon receiving the letter she asked to address the Planning Commission. There is no structure on the property and no one lives there, it is only trees. Mrs. Martins read a prepared statement and presented pictures of the site. Mr. Coxie clarified what the responsibility of the Planning Department is, in that a complaint by the adjoining property owner was turned in. Mrs. Klinefelter asked Mrs. Martin what she wanted them to do. Mrs. Martin stated that it is not her fault that the water is running onto her neighbor's property. Discussion followed. The Planning Commission directed Mr. Coxie to bring the people together and get them to resolve the matter. Mr. Blackwell would like to give to Mrs. Martin 60 days to resolve the situation. The Planning Commission agreed and staff will discuss the issue with Sewer District Staff.

Greg Altom: Not present. Mr. Coxie reported that he has talked to Mr. Altom and asked him to put the fence up. The fence has not been put up. The Commission stated that a deadline was placed on getting the fence up and as long as there is equipment and gravel piles on the property a fence shall be placed between the residential and his property.

Robert Wachob: Not present. Mr. Coxie reported that Mr. Wachob wants to take his property out of his name and put his son as the owner of the property. Question is will the special use still be in effect. The Commission stated that Mr. Wachob's son shall seek a new special use permit.

Mr. Coxie reported on the upcoming Board of Adjustment meeting, the quarry, the Erhart property and the Church property.

Adjournment:

With no other business on the agenda for September 13, 2010 the meeting adjourned at 8:00 p.m.



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MINUTES TANEY COUNTY PLANNING COMMISSION REGULAR MEETING MONDAY, SEPTEMBER 20, 2010, 6:00 P.M. COUNTY COMMISSION HEARING ROOM TANEY COUNTY COURTHOUSE

Call to Order:

Chairman Sarah Klinefelter called the meeting to order at 5:59 p.m. A quorum was established with eight members present. They were: Sarah Klinefelter, Shawn Pingleton, Randall Cummings, Ray Edwards, Susan Martin, Rick Caudill, Carl Pride and Frank Preston. Staff present: Eddie Coxie, Bonita Kissee, and Dan Nosalek.

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

Review and Action:

Minutes, August 2010: with no additions or corrections a motion was made by Susan Martin to approve the minutes as written. Seconded by Rick Caudill. The vote to approve was unanimous.

Final Votes:

Sunset Hills Split of Lot 12: request by Ivan West, Jr. to divide Lot 12 at 101 Jimco Dr. in the Sunset Hills Subdivision. Mrs. Klinefelter clarified the project, and Mr. Coxie stated that the project meets all the requirements. Mrs. Martin stated that whether the request is approved or not the business would still be there. Mr. Caudill discussed the condition of the well. Mr. West stated that a new pressure pump was installed a few years ago. There are four residences on the well at this time, and Mr. West said in his opinion that adding more users should not affect the water pressure. After discussion a motion was made by Ray Edwards to approve based upon the decision of record. Randall Cummings seconded. The vote to approve was unanimous.

Tri-Lakes Motors: request by Dave Williams to construct two showrooms $100' \times 100'$ each located at St. Hwy. F. No one was present to represent the request. The Planning Commission tabled the project.

Alsop Vacation Cabin: request by Thomas Alsop to use an existing structure as nightly rental unit located at 274 Foggy River Road. Mrs. Klinefelter clarified this was predominately nightly rental and that the intent of the builder was for a vacation facility. Mr. Edwards discussed setting a precedence and compatibility. Mr. Pingleton

discussed the number of nightly rentals in the area and that the Planning Commission needs to know if they exist and are permitted. Discussion followed. Mr. Coxie discussed special use and that it will always come before the Planning Commission as a residential structure, lots of special use permits are issued to in-home occupations, and the Planning Commission has the right to impose additional items to the Decision of Record. Discussion followed regarding definition of nightly rental, and if the Planning Commission doesn't approve this maybe the Code Book should be changed so as not to approve any nightly rentals. Mrs. Klinefelter discussed the advertisements on the internet for nightly rentals. Mr. Coxie read the definition from the Code Book for nightly rentals. Discussion followed. Mrs. Klinefelter asked Mr. Alsop if he would want to change the request to a bed and breakfast. Mr. Alsop stated that he wouldn't have anyone to live on premise. Mr. Preston discussed the fact that Mr. Alsop is trying to do the right thing by seeking approval and that we know there are other uses of this type in the County and they are not permitted. After discussion a motion was made by Susan Martin to approve based upon the decision of record with the following conditions: 6 nights minimum, 8 people maximum staying onsite, a manager on premise 24/7 or live in Taney County and available, off street parking adequate to accommodate four vehicles and boat trailers, sound levels of music shall not be a nuisance to residents, fencing around on both residential properties and street side, and adequate trash disposal. Seconded by Rick Caudill. The vote to approve the special use permit was six in favor and one against. Discussion followed.

Concepts:

Chole's Dream Home: a special use request by Alicia Britt Chole to operate a prayer, investment, and mentoring retreat in her home located at 177 Ella Lane. Plans are to make the property available for church gatherings, teacher's planning meetings, and groups on a selective basis not to exceed the individual capacity of the home. Mr. Coxie presented a location map. Mrs. Chole and Gary Allman presented the request. Mrs. Klinefelter asked the applicant how this request differed from a nightly rental. Mrs. Chole explained that the home has six potential bedrooms and four bathrooms. Mr. Coxie explained that some of the people stay at no charge and that to help pay expenses Mrs. Chole would like to rent out some rooms. Mr. Allman clarified the commercial use to the south of the property and residential uses. Onsite management was discussed. Mrs. Chole stated there will be adequate parking, fire requirements, water, sewer and trash. This project will proceed to public hearing next month.

Brass Lantern Resort: a request by Tammy Warner to replat property located at 5133 Brass Lantern Road in the Johnnie B. Jones Subdivision Lot 14 into 6 lots and increase the units on the property to 12 (three additional units). The cabins will be sold as whole ownership and be rented as nightly rental and platted as condominiums. The existing cabins will be removed and replaced with new structures. Eddie Wolfe representing the request stated he had been working with the applicant and has cleaned up the plat. He reported that the reason for the request is that the applicant would like to build a pool, laundry room, new cabins, well and treatment plant on the

site. There will be someone at the site 24/7. The road will be diverted to the lake. Discussion followed. This project will proceed to public hearing next month.

Saddlebrooke Ridge: a request by Quentin McGhee to plat a minor subdivision replatting lots 1, 2, 3, 4, and six into five additional lots, located off Ridgerunner Road in Saddlebrooke Ridge Subdivision. Eddie Wolfe representing the applicant explained the request and stated that these lots would meet all requirements for water and wastewater. The road will be moved to the top of the hill. This project will proceed to public hearing next month.

Permit Renewal Requests:

Big Cedar: Eddie Wolfe representing the request explained that the applicant would like to extend the 109 acre project for another year. Ray Edwards made a motion to approve. Seconded by Randall Cummings. The vote to approve was unanimous.

Twin Island Condominiums: The representative explained that this project will remain the same and the applicant is about ready to begin. A motion was made to approve the extension by Shawn Pingleton. Seconded by Carl Pride. The vote to approve was unanimous.

Old and New Business:

Mr. Coxie reported that Blue Green was buying out some of Big Cedar and wanted to make sure that their Division III approval would stay with the property. The Planning Commission stated that it would.

Mr. Coxie reported that the Altom property had put the required fence up.

Mrs. Klinefelter discussed the meeting of the County Commission this day regarding Planning and Zoning in Taney County. Mr. Coxie reported that there are some disgruntled people in the County regarding the rules. Discussion followed regarding defining zoning districts, and what the progression might be at this point.

Adjournment:

With no other business on the agenda for September 20, 2010 the meeting adjourned at 7:40 p.m.



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: OFFICE IN HOME - CLEMENSON REALTY

NAME OF APPLICANT: DAVID E. & JOYCE K CLIEMENSON CO-TRUSTEES
(Must be owner of record) SIGNATURE: Main Clemenson JJEE DATE: 9-21-10 (Must be owner of record)
Alph Clemens TIEE
SIGNATURE: hour Clemenson JEE DATE: 9-21-10
(Must be owner of record)
MAILING ADDRESS: 161 BREWSTER RO HOLLISTER
TELEPHONE NUMBER: 417+334+4694
Representative Information
NAME OF REPRESENTATIVE:
MAILING ADDRESS (rep.):
TELEPHONE NUMBER (rep.):

Revised 01/01/2010

Property Information

Revised 12/19/03

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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.)

14'X16' OFFICE IN HOME REAL ESTATE BUSINESS

Revised 12/19/03

Exhibit "A"

CLEMENSON

All of Lot 1 of the CAUSEY SUBDIVISION, of the Fractional Section 19, Township 22N, Range 21W, as per the recorded plat thereof, filed in Plat Book/Slide G at page 562, records of Taney County, Missouri

Together with and subject to all existing easements and restrictions of record, and together with a Twenty (20) foot-wide ingress/egress easement, the centerline being more particularly described as follows:

Commencing at the Northeast corner of the NW1/4 of the SW1/4 of said Fractional Section 19; thence N 01° 19' 59" W along the East line of the South Half of Lot 2 of the Fractional NW1/4 said Section 19, 338.19 feet; thence leave said East line S 87° 14 24" W, 156.57 feet to a point on the centerline of said Twenty (20) foot-wide easement being the Point of Beginning; thence N 00° 01' 41" W along said centerline, 204.79 feet; thence N 24° 31' 15" W, 105.32 feet; thence N 05° 51' 30" W, 64.50 feet to the intersection with the South R/W line of Missouri State Highway #165.



SITE PLAN

NAME OF APPLICANT: DAVID CLEMENSON CO-TTEES

Please sketch your property lot lines with dimensions, show location of roads and access to property, location of all structures (indicate existing), show all easements, and indicate distances from proposed structure to all of your property lines.



ALL MEASUREMENTS ARE FROM THE REQUESTED STRUCTURE TO YOUR PROPERTY LINES.

Details:

My structure will face BREWSTER ROAD (Name of private or county road or highway) 150' Feet front setback. 100' Feet side setback 300' Feet rear setback. 150' Feet side setback.



Clemenson Realty





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APPLICATION FOR CONCEPT DIVISION III TANEY COUNTY PLANNING COMMISSION

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NAME OF PROJECT: Brasson Environmental Learning Consus

NAME OF APPLICANT: Clabal Lesources for Environald Education & Nutren
(Must be owner of record)
SIGNATURE: Lot future Presdut DATE: 9-16-10 (Must be owner of record)
(Must be owner of record)
MAILING ADDRESS: P.O. Box 99 Bloomsdale MO 63627
TELEPHONE NUMBER: (573) 483-3100 (417) 559-5071
Representative Information
NAME OF REPRESENTATIVE: 10110 1017C

MAILING ADDRESS (rep.): 210 South 3rd streat Branson, Nic. 65616

TELEPHONE NUMBER (rep.): 417-334-8820

Revised 01/01/2010

Property Information

ACCESS TO PR	OPERTY (stre	et # and r	ame): <u> </u>	eno 5	ntings
Number of Acr	es (or sq. ft.	of lot size)	13,73		
PARCEL #: <u>06</u> -	-1,0-02-000-00	00-002,00	and corner of	0.2-000-000	-cc2,000
SECTION:					
NAME OF SUBI	DIVISION (if	applicable): Crepts	. Cresin	9
Lot # (if applic	able <u>) 273</u>	В	LOCK #		
	WITHIN 600 (Check a	' FROM TH all land use		Contraction of the second s	
Commerci	al 🗆 Multi-Fa			卤 cipality	Agricultural
	C Treatment P	GE DISPOS lant ewer: Distric	PÍ	ndividual	
C	Community W	e R SUPPLy /ell al: District #	PI	ivate Well	
DOES THE PRO	PERTY LIE I	THE 100-	YEAR FLO	OD PLAI	N? & Yes D No
THIS REQU	EST FALLS IN	TO ONE O		F THE FO	LLOWING
 Residenti Specia 		1ulti-Family □ Other – E			Industrial
				Revised 12	19/03

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The Request for Zonings: Parcel ID 06-1.0-02-000-000-002.00 and 06-1.0-02-000-000-002.001 This is a request to create sustainable employment and economic development opportunities by creating a definitive and permanent Environmental Leaning Campus for the education of students, professionals and the general public from around the world. Using projected growth this project should create 5-10 new and sustainable jobs. It will provide internships for national and international college and graduate students seeking careers in the ecological, zoological, veterinary medicine and ecotourism and other areas of study. It will provide a curriculum and field site experience for thousands of grade school, high school children and youth groups from the area strengthening their ecological knowledge. We may house native wildlife that would be approved and requested by the Missouri Department of Conservation. We will add USDA approved habitats of 5,000 to 15,000 sq ft each for 18-20 large cats. A barn/equipment storage, visitor center and classrooms will also be added to property. There will be living quartets add above the visitor center for caretakers.

g'd



Branson Environmental Learning Campus





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NAME OF PROJECT: RIVER ROCK Transitional Housing
NAME OF APPLICANT: DOULOS MINISTRES Ju Alle (Must be owner of record) (Must be owner of record) SIGNATURE: MULA Angle Sources DATE: 9-18-10
SIGNATURE:
MAILING ADDRESS: 282 Doubs Rd. Branson, MO 65616
TELEPHONE NUMBER: 417-593-1224
Representative Information Dwight Stace Zabel
Representative Information Dwight Stace Zabel NAME OF REPRESENTATIVE: David Patrick, Samh Denney, Karen Garnson
MAILING ADDRESS (rep.): 116 Pathway Bd Brunson Mo lestelle David Patrick
TELEPHONE NUMBER (rep.): 417-337-7770 or 417-332-7777
Samh Denney 231-7706

Revised 12/19/03

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Property Information

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ACCESS TO PROPERTY (street # and name): 282 Doulos Rd
Branson, Mo lestello
Number of Acres (or sq. ft. of lot size): <u>22</u>
PARCEL #: 08-8.0-28-000-000-085,000 (Parcel # MUST be on permit. Example: 00-0.0-000-000-000.000. 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: <u>28</u> TOWNSHIP: <u>23</u> RANGE: <u>Z/</u>
NAME OF SUBDIVISION (if applicable):
Lot # (if applicable)BLOCK #
WITHIN 600' FROM THIS PROPERTY IS: (Check all land uses that apply)
Commercial Monutei-Family Residential Agricultural □ Multi-Use □ Municipality
SEWAGE DISPOSAL SYSTEM: Treatment Plant Central Sewer: District #
WATER SUPPLY SYSTEM: Community 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 Special Use Other – Explain:

Revised 12/19/03



River Rock Transitional Housing







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10-24

APPLICATION FOR CONCEPT DIVISION III TANEY COUNTY PLANNING COMMISSION

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NAME OF PROJECT:	shop building 259 Latagette	
NAME OF APPLICANT:	Randall T- Cerretti (Must be owner officiard)	
SIGNATURE: /am	(Must be owner of record) Lell) - Cultor DATE: 9-16-10 (Must be owner of record)	
MAILING ADDRESS:	583 Edgewater Circle, Ridgedale, MO	65739
TELEPHONE NUMBER:	417-779-2017	
	Representative Information	
NAME OF REPRESENTA	TIVE:	
MAILING ADDRESS (re	p.);	
TELEPHONE NUMBER (rep.):	

Revised 12/19/03

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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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Revised 12/19/03

Property Information

ACCESS TO PROPERTY (street # and name):
259 Latayette Ln. Branson, MD 65616
Number of Acres (or sq. ft. of lot size): Total to include duplexes 3
PARCEL #: 08-3.0-08-000-000-013, 000 (Parcel # MUST be on permit. Exemple: 00-0.0-00-000-000-000.000. This number is on top left land corner of
property tax statement. If you have not paid taxes on property, must have name of previous owner of property.) SECTION: 08 TOWNSHIP: 23 RANGE: 21
NAME OF SUBDIVISION (if applicable): Cedan Ridge
Lot # (if applicable)BLOCK #
WITHIN 600' FROM THIS PROPERTY IS: (Check all land uses that apply)
X Commercial □ Multi-Family X Residential □ Agricultural □ Multi-Use □ Municipality
SEWAGE DISPOSAL SYSTEM: Treatment Plant X Individual Central Sewer: District #
WATER SUPPLY SYSTEM: Community Well Private Well Central: District #
DOES THE PROPERTY LIE IN THE 100-YEAR FLOOD PLAIN? - Yes XNo
THIS REQUEST FALLS INTO ONE OR MORE OF THE FOLLOWING CATEGORIES:
□ Residential □ Multi-Family ☑ Commercial □ Industrial □ Special Use □ Other - Explain:

Revised 12/19/03

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Change from residential to commercial. Revised 12/19/03



Randall Cerretti/Shop Building



