



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
MONDAY, APRIL 8, 2013, 6:00 P.M.
COUNTY COMMISSION HEARING ROOM
TANEY COUNTY COURTHOUSE**

Call to Order:

Establishment of Quorum

Explanation of Meeting Procedures

Presentation of Exhibits

Public Hearings:

Stateline Gun Range

His House Bed and Breakfast

Old and New Business:

Hollister Recycling Center

Food Stand

Adjournment.



TANEY COUNTY PLANNING COMMISSION

DIVISION III SPECIAL-USE PERMIT STAFF REPORT

HEARING DATE: April 8, 2013

CASE NUMBER: 2013-0002

PROJECT: State Line Gun Range

APPLICANT: Terry Filczer

LOCATION: The subject property is located at 1505 Stateline Road, Kirbyville, MO, Scott Township; Section 2 Township 21, Range 20.

REQUEST: The applicant, Terry Filczer is requesting approval of a Division III Special-Use Permit authorizing the development of an outdoor gun range.

BACKGROUND and SITE HISTORY:

On July 19, 2006 the Taney County Planning Commission approved Division III Permit # 2006-0033 authorizing the development of an automatic transmission business and Class 2 NFA weapons manufacturing at the property located at 1505 Stateline Road, Kirbyville, MO.

In the following paragraphs the staff has enumerated Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) descriptions and requirements for NFA weapons. NFA weapons refer to the Federal National Firearms Act which was first adopted by Congress in 1934 and changed the way automatic weapons were to be dealt with in the United States. Over time, additional firearms legislation was passed, affecting both automatic weapons and general sporting use firearms, each succeeding set of laws being more restrictive.

The Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) describes (National Firearms Act) NFA weapons (known as Title II weapons or firearms) are such items as follows:

1. Automatic Weapons - Fires more than one round with a single pull of the trigger.
2. Short Barreled Rifle - Any rifle with barrel length under 16 inches.
3. Short Barreled Shotgun - Any shotgun with barrel length under 18 inches.
4. Silencer - Also referred to as a sound suppressor.
5. Destructive Device (DD) - Grenades, bombs, gases, etc., and any firearm over .50 caliber with no legitimate sporting purpose.
6. Any Other Weapon (AOW) - Is the catch-all for smooth bore pistols, cane-guns, short barreled-short stock rifles and shotguns, etc.

The Gun Control Act of 1968 was the beginning of virtually all the firearm rules and regulations that are in place today. The Gun Control Act created the NFA Special Occupational Taxpayer (SOT) FFL designations. SOT holders are listed in three categories based on which involvement on NFA weapons they are engaged in, as follows:

- Class 01 - Importer of NFA weapons, requires a Type 8 or 11 FFL
- Class 02 - Manufacturer of NFA weapons, requires a Type 7 or 10 FFL
- Class 03 - Dealer in NFA weapons.

The Firearms Owners Protection Act of 1986 made it illegal for an individual to take a semi-automatic rifle and convert it to a automatic gun, or buy a newly manufactured automatic weapon, even by complying with all (up to that point) NFA requirements. On and after that date, all newly manufactured automatic weapons could only be sold:

1. Between SOT holders,
2. To the Government (US Military, Federal agencies such as FBI, DEA, etc.)
3. To Police and Sheriff Departments.

Mr. Filczer currently holds a Type 7 - Federal Firearms License (FFL) which is issued for the manufacturing of both Title 1 and Title 2 firearms and ammunition, so long as he obtains a Class 3 Tax Stamp. This license also allows for the applicant to act as a dealer of firearms and ammunition. However, a Type 7 – FFL does not allow for the manufacturing or dealing in destructive devices, ammunition for destructive devices or armor piercing ammunition. The ATF licensing procedure requires an authorizing signature by a Chief Law Enforcement Officer (CLEO), which in this instance would be by the Sheriff. The applicant has provided the Planning Department Office with a copy of both his ATF Federal Firearms License (FFL) and his ATF receipt of payment of the Special Occupational Tax (SOT).

GENERAL DESCRIPTION:

The approximately five (5) acre subject property, located at 1505 State Line Road, Kirbyville, MO, contains an existing, approximately 7,812 square foot building (per the Assessor's information) currently utilized for both Affordable Transmissions Specialists and Class 2 NFA weapons manufacturing.

The applicant is requesting the approval of a Division III Special-Use Permit authorizing the development of an outdoor gun range. The applicant has indicated that the gun range will be operated primarily based upon membership in a gun club but will also allow patrons to pay an individual fee for a given time frame of use. The gun range will allow for patrons to either provide their own firearms or guns will also be available for rent. The range will allow for the firing of pistols and rifles, both automatic and semi-automatic. The applicant has stated that fully automatic weapons will not be rented. Only those patrons providing the applicant with a copy of the appropriate Federal Firearms License will be allowed to fire their own personal automatic weapons on site. The applicant has constructed permanent gun stands, anchored in concrete which will provide a permanent base for fixtures designed specifically to hold automatic weapons. The applicant has indicated that patrons will only be allowed to fire automatic weapons

if said firearms are affixed to these bases via the fixtures provided by the applicant. The proposed gun range hours of operation will be 10:00 AM to 7:00 PM Tuesday through Saturday.

The applicant has indicated that he will establish a gun range backstop behind the targets through the establishment of both an earthen berm and a ballistics barrier provided via a company called Defencell. The ballistics barriers provided by Defencell have been utilized primarily for military ranges. The Defencell website states that, "Force Protection Systems are low maintenance, non-richocheting tactical training ballistics barriers designed for use on military, law enforcement, and civilian outdoor firing ranges."

REVIEW:

The proposed gun range will be located immediately north of the existing automatic transmission business and Class 2 NFA weapons manufacturing building. The proposed gun stalls will face to the north. The nearest existing structure located north of the proposed gun range is a cabin utilized by Prayer Mountain ministries which is located approximately 1,100 feet from the location of the proposed gun stalls.

The applicant has indicated that both a protective ballistics barrier and an earthen berm will be established as a backstop between the targets and the Prayer Mountain Cabins to the north. The applicant has further indicated that the ballistics barrier will ensure that projectiles do not leave the property and will also allow for the management of lead. The Defencell website claims that, "Defencell systems allow rapid construction and significantly higher level of defense structure protection than Earth Berms." According to the publication "Baffles, Berms and Backstops" By David Luke, Range Technical Team Advisor National Rifle Association "A minimum height of 15 feet is acceptable but 20 to 25 feet is recommended." However, the publication goes on to say that, "Backstops and side berms do not remove the requirement to include a safety fan." A *safety fan* is a term used to describe a controlled area utilized to prevent injury in the event of accidental discharge. Therefore, due to the lengthy distance that a projectile could potentially travel and uncertainty regarding the proposed height of the backstop (earthen berm and baffle system), the staff is recommending that the applicant provide detailed engineering plans (via an engineering professional licensed in the State of Missouri) for the entire gun range area indicating the specific Best Management Practices (BMPs) and safety considerations being incorporated into the design, ensuring compliance with all applicable minimum safety recommendations found within the 2012 National Rifle Association (NRA) Range Source Book. The staff has found that a number of State and local laws and regulations encourage ranges to comply with the NRA's range safety standards by protecting those that do from civil liability, criminal prosecution, and injunctions related to a range of actions including violating safety standards, operating an illegal nonconforming use, and exceeding acceptable noise standards.

Noise from the site would be minimized with the installation of large earthen berms along both the east and west sides of the range. The staff is recommending that earthen berms of at least fifteen (15) feet in height be installed along both the eastern

and western boundary of the gun range area in order to muffle a portion of the sound leaving the site. However, more complete sound mitigation measures may be dictated by the engineer within the submitted engineering plans.

The applicant has indicated that the activity within the fenced gun stall area will be closely monitored by an on-site range master. Each of the guns stalls will be roofed in order to provide some shelter for customers.

The applicant is proposing to utilize the existing parking area to serve both the existing automatic transmission business and the proposed gun range. The parking provisions of the Development Guidance Code do not address a gun range use. Future expansion of the parking area may be necessary as the gun range business expands.

The adjoining property immediately to the north, south, east and west is agricultural. The Prayer Mountain ministry is located further north. Light residential is located further to the south and east.

The project received a score of -27 on the Policy Checklist, out of a maximum possible score of 65. The relative policies receiving a negative score consist of road right-of-way width, emergency water supply, solid waste disposal service, off-site nuisances, use compatibility, utilities and mixed-use developments.

STAFF RECOMMENDATIONS:

If the Taney County Planning Commission approves this request, the following requirements shall apply, unless revised by the Planning Commission:

1. Compliance with the provisions of the Taney County Development Guidance Code that include plans for the following:
 - a. Detailed engineering plans (via an engineering professional licensed in the State of Missouri) of the entire gun range area indicating the specific Best Management Practices (BMPs) and safety considerations being incorporated into the design, ensuring compliance with all applicable minimum safety recommendations found within the 2012 National Rifle Association Range Source Book.
 - b. Sediment and erosion control
 - c. Land Grading Permit (if Land grading activities exceed one (1) acre in area)
2. Compliance letters from the Fire District, Sherriff's Department, the On-site Wastewater Permitting Division of the Planning Department and the Missouri Department of Natural Resources (MoDNR), including all other entities which have requirements governing a development of this nature.(Chapter VI-VII)
3. The State Line Gun Range shall be viewed as a Special-Use Permit. Therefore the permit is specific to the applicant to whom the permit is issued and cannot be transferred without Planning Commission approval. The Special-Use Permit shall not be used to establish commercial compatibility for or with any future land-use change applications.
4. The applicant shall establish a protective barrier behind the targets through the establishment of both an earthen berm and a ballistics barrier, meeting or exceeding the recommendations for ballistics barrier design as found within the 2012 National Rifle Association Range Source Book and as indicated on the submitted engineering plans.
5. Earthen berms of at least fifteen (15) feet in height shall be installed along both the eastern and western boundary of the gun range area in order to muffle a portion of the sound leaving the site or other sound mitigation measures shall be implemented as dictated within the submitted engineering plans.
6. Patrons of the State Line Gun Range shall only be allowed to fire fully automatic weapons if said firearms are affixed to permanent bases via fixtures provided by the applicant.
7. Only those patrons providing a copy of the appropriate Federal Firearms License (FFL) shall be allowed to fire their own personal automatic weapons on site.
8. The shooting range hours of operation shall be 10:00 AM to 7:00 PM Tuesday through Saturday.
9. The applicant shall provide proof of liability insurance to the Taney County Planning Department prior to opening day of the operation.

10. No outside storage of equipment or solid waste materials.
11. This decision is subject to all existing easements.
12. Division II Permits will be required for all applicable structures in the development (Chapter 3 Sec. I Item B).
13. The applicant shall indemnify and defend the County of Taney, its officers, employees and designated agents against the payment of any and all costs and expenses (including attorney's fees and court costs), resulting from any third party claims, causes of action, lawsuits and liability, arising out of any approval or decision on the proposed project.
14. This Decision of Record shall be filed with the Taney County Recorder's Office within 120 days or the approval shall expire (Chapter II Item 6).

**Division III Relative Policy Scoring Sheet:
Eastern Taney County**

Performance Value	Importance Factor	Score	Section Score
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Water Quality

SEWAGE DISPOSAL	n/a=			
centralized system	2	5	0	0
on-site treatment system(s) with adequate safeguards to mitigate pollution	1			
septic system of adequate design and capacity	0			
proposed system may not provide adequate capacity	-1			
proposed solution may cause surface and/or ground water pollution	-2			

Environmental Policies

STORM DRAINAGE	n/a=	x		
on-site stormwater retention and absorption with engineered plans	2	4		
on-site stormwater retention and absorption without engineered plans	1			
stormwater retention with managed and acceptable run-off	0			
no stormwater retention, but adverse impacts from run-off have been mitigated	-1			
no acceptable management and control of stormwater run-off	-2			

AIR QUALITY	n/a=	x		
cannot cause impact	0	4		
could impact but appropriate abatement installed	-1			
could impact, no abatement or unknown impact	-2			

Critical Areas

PRESERVATION OF CRITICAL AREAS	n/a=			
no adverse impact to any designated critical area	2	3	0	0
one of the designated critical areas impacted but can be fully mitigated	1			
more than one of the designated critical areas impacted but can be fully mitigated	0			
one or more of the designated critical areas impacted and mitigation not fully effective	-1			
one or more of the designated critical areas impacted with no ability to mitigate problem	-2			

Land Use Compatibility

OFF-SITE NUISANCES	n/a=			
no issues	2	4	-1	-4
minimal issues, but can be fully mitigated	1			
issues that can be buffered and mitigated to a reasonable level	0			
buffered and minimally mitigated	-1			
cannot be mitigated	-2			

USE COMPATIBILITY	n/a=			
no conflicts / isolated property	0	4	-1	-4
transparent change / change not readily noticeable	-1			
impact readily apparent / out of place	-2			

HIS House Bed & Breakfast		Permit#:	13-3		
Division III Relative Policy Scoring Sheet: Eastern Taney County		Performance Value	Importance Factor	Score	Section Score
STRUCTURAL SCREENING OF ROOFTOP EQUIPMENT & VENTS		n/a= x			
no rooftop equipment / vents or blocked from view by structure design or screening		0	3		
partially blocked from view		-1			
exposed / not blocked from view		-2			
STRUCTURAL SCREENING OF SOLID WASTE CONTAINERS		n/a= x			
no on-site waste containers or blocked from view by structure design or screening		0	3		
partially blocked from view		-1			
exposed / not blocked from view		-2			
STRUCTURAL SCREENING OF OUTDOOR EQUIP, STORAGE, ETC.		n/a= x			
no outdoor storage of equipment, materials, etc., or outdoor work areas		2	3		
blocked from view by structure design		1			
blocked from view using screening		0			
partially blocked from view		-1			
exposed / not blocked from view		-2			
LANDSCAPED BUFFERS -- RESIDENTIAL		n/a= x			
approved landscaped buffer between homes and all streets / roads / highways		2	2		
approved landscaped buffer from major roads / highways only		1			
minimal landscaped buffer, but compensates with expanse of land		0			
no landscaped buffer between residences and local streets		-1			
no landscaped buffer from any road		-2			
LANDSCAPED BUFFERS - INDUSTRIAL		n/a= x			
approved landscaped buffer from public roads		0	3		
minimal landscaped buffer, but compensates with expanse of land		-1			
no landscaped buffer from public roads		-2			
Local Economic Development					
AGRICULTURAL LANDS		n/a= x			
no conversion of Class I-IV agricultural land to other use(s)		0	1		
development requires reclassification of Class I-IV agricultural land to other use(s)		-2			
RIGHT TO FARM		n/a=			
does not limit existing agricultural uses / does not cause nuisance, predation		0	3	0	0
does not limit existing agricultural uses, but may result in minor nuisance		-1			
potential impact(s) on existing agricultural land		-2			
RIGHT TO OPERATE		n/a=			
no viable impact on existing industrial uses by residential development		0	2	0	0
potential impact but can be mitigated		-1			
potential impact on existing industrial uses with no mitigation		-2			

**Division III Relative Policy Scoring Sheet:
Eastern Taney County**

	Performance Value	Importance Factor	Score	Section Score
DIVERSIFICATION				
	n/a=			
creates >=5 full-time, year-round jobs outside of recreation / resort sector	2	4	1	4
creates full-time, year-round and seasonal jobs	1			
creates seasonal jobs only	0			
Site Planning, Design, Occupancy				
RESIDENTIAL PRIVACY				
	n/a=	x		
privacy provided by structural design, or not applicable	2	2		
privacy provided by structural screening	1			
privacy provided by landscaped buffers	0			
privacy provided by open space	-1			
no acceptable or effective privacy buffering	-2			
MIXED-USE DEVELOPMENTS				
	n/a=			
uses / functions are compatible or not applicable	2	3	-1	-3
uses / functions are integrated and separated based on compatibility	1			
uses / functions differ minimally and are not readily apparent	0			
uses / functions poorly integrated or separated	-1			
uses / functions mixed without regard to compatibility factors	-2			
Commercial Development				
DEVELOPMENT PATTERN / BUFFERING				
	n/a=			
approved and effectively designed landscaped buffers between structures and all roads	2	4	1	4
minimal landscaped buffering, but compensates with expanse of land	1			
minimal landscaped buffering	0			
no landscaped buffering, but utilizes expanse of land	-1			
no or inadequate buffering or separation by land	-2			
Services - Capacity and Access				
UTILITIES				
	n/a=			
adequate utilities capacity as evidenced by letter from each utility	0	4	-1	-4
adequate utilities capacity without formal letter from each utility or not from all utilities	-1			
inadequate information to determine adequacy of utilities	-2			
TRAFFIC				
	n/a=			
no impact or insignificant impact on current traffic flows	0	2	0	0
traffic flow increases expected but manageable using existing roads and road accesses	-1			
traffic flow increases exceed current road capacities	-2			
EMERGENCY SERVICES				
	n/a=	x		
structure size and/or access can be serviced by emergency equipment	0	3		
structure size and/or access may impede but not hinder serviceability	-1			
structure size and/or access could be problematic or non-serviceable	-2			

**Division III Relative Policy Scoring Sheet:
Eastern Taney County**

	Performance Value	Importance Factor	Score	Section Score
RIGHT-OF-WAY OF EXISTING ROADS n/a=				
greater than 50 ft. right-of-way	1	5	-1	-5
50 ft. right-of-way	0			
40 ft. right-of-way	-1			
less than 40 ft. right-of-way	-2			
Internal Improvements				
WATER SYSTEMS n/a=				
central water system meeting DNR requirements for capacity, storage, design, etc.	2	3	0	0
community well / water system meeting DNR requirements	1			
private wells meeting DNR requirements	0			
private wells not meeting any established standards	-1			
individual / private wells	-2			
EMERGENCY WATER SUPPLY n/a=				
fire hydrant system throughout development with adequate pressure and flow	0	5	-2	-10
fire hydrant system with limited coverage	-1			
no fire hydrant system	-2			
PEDESTRIAN CIRCULATION n/a=	x			
paved and dedicated walkways (no bicycles) provided throughout development	2	4		
paved walkways provided throughout development / maybe shared with bicycles	1			
designated walkways provided but unpaved	0			
no pedestrian walkways, but green space provided for pedestrian use	-1			
no designated pedestrian walkway areas	-2			
PEDESTRIAN SAFETY n/a=	x			
separation of pedestrian walkways from roadways by landscape or structural buffer	2	2		
separation of pedestrian walkways from roadways by open land buffer	1			
pedestrian walkways abut roadways with no buffering / protection	0			
BICYCLE CIRCULATION n/a=	x			
dedicated / separate bike-ways with signage, bike racks, trails	2	1		
bicycle lanes shared with pedestrian walkways but separated by markings / signs	1			
no designated bike-ways	0			
UNDERGROUND UTILITIES n/a=				
all utilities are provided underground up to each building / structure	2	4	0	0
all utilities traverse development underground but may be above ground from easement	1			
utilities above ground but / over designated easements	0			
utilities above ground and not within specific easements	-1			
no specific management of utilities	-2			

**Division III Relative Policy Scoring Sheet:
Eastern Taney County**

Performance Value	Importance Factor	Score	Section Score
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Open-Space Density

USABLE OPEN SPACE	n/a=	x			
residential developments (>25 units) include more than 25% open recreational space	2		2		
residential developments (>25 units) offer >10% but <25% open recreational space	1				
recreational area provided, but highly limited and not provided as open space	0				
no designated recreational space provided, but open space available	-1				
no open recreational space provided	-2				

Solid Waste Disposal

SOLID WASTE DISPOSAL SERVICE AVAILABILITY	n/a=	x			
weekly service is available and documentation of availability provided	0		5	-1	-5
weekly service reportedly available but not documented	-1				
centralized, on-site trash collection receptacles available	-2				
SOLID WASTE DISPOSAL SERVICE COMMITMENT	n/a=	x			
restrictive covenants provide for weekly disposal for each occupied structure	0		5		
services available but not a requirement documented in covenants	-1				
not applicable / no pick-up service provided	-2				

Total Weighted Score= -27

Maximum Possible Score= 65

Actual Score as Percent of Maximum= -41.5%

Number of Negative Scores= 7

Negative Scores as % of Total Score= 20.0%

Scoring Performed by:

Bob Atchley / Bonita Kisse

Date:

March 27, 2013

Project: HIS House Bed & Breakfast

Permit#: 13-3

Policies Receiving a Negative Score	
Importance Factor 5:	right-of-way / roads emergency water supply waste disposal service
Importance Factor 4:	off-site nuisances use compatibility utilities
Importance Factor 3:	mixed-use developments
Importance Factor 2:	none
Importance Factor 1:	none

Scoring by: Bob Atchley / Bonita Kisse

Date: March 27, 2013

Eastern District Relative Policies: Division III Permit

Project: **HIS House Bed & Breakfast**

Permit: **13-3**

	Max. Possible	As Scored	%	Total Negative Scores	
Scoring	65	-27	-41.5%	7	46.7%

	Max. Possible	As Scored	Negative Scores	
			Number of	Percent
Importance Factor 5	5	-20	3	100.0%
sewage disposal				
right-of-way / roads	5	-5		
emergency water supply	0	-10		
waste disposal service	0	-5		
waste disposal commitment				
Importance Factor 4	32	-4	3	50.0%
stormwater drainage				
air quality				
off-site nuisances	8	-4		
use compatibility	0	-4		
diversification	8	4		
development buffering	8	4		
utilities	0	-4		
pedestrian circulation				
underground utilities	8	0		
Importance Factor 3	18	-3	1	25.0%
preservation of critical areas	6	0		
screening of rooftop equip				
screening / waste containers				
screening of outdoor equip				
industrial landscape buffers				
right to farm	0	0		
mixed-use developments	6	-3		
emergency services				
water systems	6	0		
Importance Factor 2				
residential landscape buffers				
right to operate	0	0		
residential privacy				
traffic	0	0		
pedestrian safety				
usable open space				
Importance Factor 1				
agricultural lands				
bicycle circulation				

Scoring by: *Bob Atchley / Bonita Kisse*

Date: *March 27, 2013*

AFFORDABLE GUN WORKS CORP 20-8632740

AFFORDABLE GUN WORKS CORP
 1505 STATE LINE RD
 KIRBYVILLE, MO 65679

(Annual Tax Rate)	500.00
Initial Tax S	500.00
Additions S	.00
Total Tax PAID S	500.00

TAX 2013 YEAR
--

**THIS IS NOT A BILL.
 DO NOT PAY THE AMOUNT NOTED.**

Actual Physical Business Address (See Number 2 below)
AFFORDABLE GUN WORKS CORP
AFFORDABLE GUN WORKS CORP
 1505 STATE LINE RD
 KIRBYVILLE, MO 65679

Type of Operation Conducted
 (72) NFA FIREARMS MFGR (REDUCED)

This is a receipt of payment of Special (Occupational) Tax (SOT) under the National Firearms Act. (27 CFR 479.36)

Number of Locations
 1 OF 1

If You Have Any Questions, Refer To The Information Below

Date of This Receipt JULY 3, 2012	Dates of Special Tax Period 07/01/2012 TO 06/30/2013
Employer Identification Number 20-8632740	Control Number 2012171-N50-013

If you have any questions, you may contact the Bureau of Alcohol, Tobacco, Firearms and Explosives as follows:

CALL: (304) 616-4500	OR	WRITE: National Firearms Act Branch, Bureau of ATF
FAX: (304) 616-4501		244 Needy Road
		Suite 1250
		Martinsburg, WV 25405

1. If you write, include in the letter your employer identification number, control number from above, your telephone number, and the best time for us to call if we need more information.
2. If you filed ATF Form 5630.7, Special Tax Registration and Return (NFA Firearms), for the first time, or have renewed your special tax stamp on ATF Form 5630.5R, Special Tax "Renewal" Registration and Return, and ATF Form 5630.5RC, Special Tax Location Registration Listing(s), showing multiple locations, you should have received a stamp for each location. Each stamp is printed with your principal business address and the actual physical address of the business location for which the stamp was issued. Forward the stamp to that location. Be sure that each location keeps the stamp on its business premises so that it is available for inspection. Photocopies are not acceptable evidence of tax payment.
3. If any of the preprinted information is incorrect, please write to the above address listing the correct information and return this Special Tax Stamp with your letter.
4. If there is a change in ownership of your business or business structure, such as a sole owner incorporating, the new owner is required to file ATF Form 5630.7, Special Tax Registration and Return (NFA Firearms), and obtain a new Special Tax Stamp (except as provided in 27 CFR 194.166 - 194.169 or 27 CFR 179.42 - 179.45) before engaging in the business.
5. If you have a change in control, contact ATF. You must notify the Bureau of Alcohol, Tobacco, Firearms and Explosives of any change of address, location, or trade name and receive approval before the change is made, by filing ATF Form 5630.7. If a Federal firearms licensee discontinues business and retains NFA firearms, the retention may be in violation of law. The licensee should check with State and local authorities.
6. This is a Special Tax Stamp and Receipt for Payment of Federal Tax. This does not authorize anyone to begin or continue a business contrary to Federal, State or local laws, nor does it exempt anyone from penalties or punishment for violating such laws.
7. **THIS RECEIPT IS NOT TRANSFERABLE.**

U.S. Department of Justice
Bureau of Alcohol, Tobacco, Firearms and Explosives

Federal Firearms License
(18 U.S.C. Chapter 44)

U.S. GOVERNMENT PRINTING OFFICE: 2010 O 493008

In accordance with the provisions of Title I, Gun Control Act of 1968, and the regulations issued thereunder (27 CFR Part 478), you are licensed to engage in the business specified in this license, within the limitations of Chapter 44, Title 18, United States Code, and the regulations issued thereunder, until the expiration date shown. See "WARNINGS" and "NOTICES" on reverse.

Direct ATF Correspondence To	ATF - Chief, FFLC 244 Needy Road Martinsburg, WV 25405-9431	License Number 5-43-213-07-5J-03836
Chief, Federal Firearms Licensing Center (FFLC)	<i>Tracy Robertson</i>	Expiration Date September 1, 2015
Name	AFFORDABLE GUN WORKS CORP	

Premises Address (Changes? Notify the FFLC at least 30 days before the move.)
**1505 STATE LINE RD
KIRBYVILLE, MO 65679-**

Type of License
07-MANUFACTURER OF FIREARMS OTHER THAN DESTRUCTIVE DEVICES

Purchasing Certification Statement
The licensee named above shall use a copy of this license to assist a transferor of firearms to verify the identity and the licensed status of the licensee as provided by 27 CFR Part 478. The signature on each copy must be an original signature. A faxed, scanned or e-mailed copy of the license with a signature intended to be an original signature is acceptable. The signature must be that of the Federal Firearms Licensee (FFL) or a responsible person of the FFL. I certify that this is a true copy of a license issued to the licensee named above to engage in the business specified above under "Type of License."

Mailing Address (Changes? Notify the FFLC of any changes.)

AFFORDABLE GUN WORKS CORP
1505 STATE LINE RD
KIRBYVILLE, MO 65679-

<i>[Signature]</i> Licensee/Responsible Person Signature	<i>President</i> Position/Title
<i>MARRY FILCRO</i> Printed Name	<i>2/20/2015</i> Date

File Copy



**State Line Gun Range
Division III Permit 2013-0002
Pictometry – North View**





**State Line Gun Range
Division III Permit 2013-0002
Pictometry – South View**



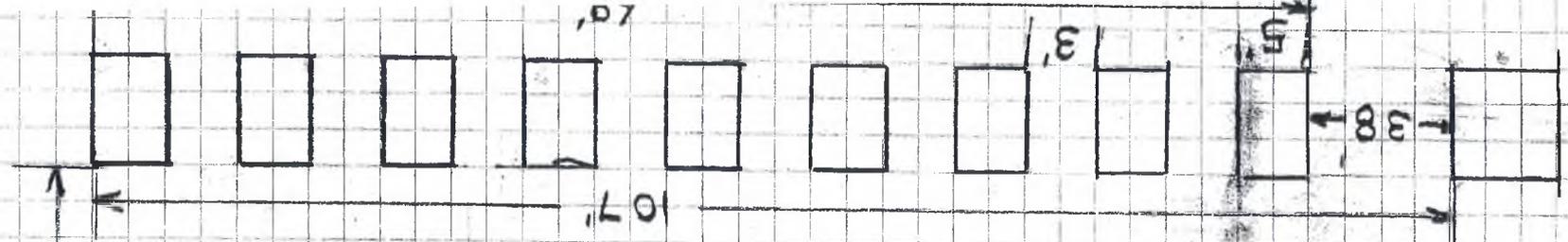


**State Line Gun Range
Division III Permit 2013-0002
Pictometry – East View**



**State Line Gun Range
Division III Permit 2013-0002
Pictometry – West View**

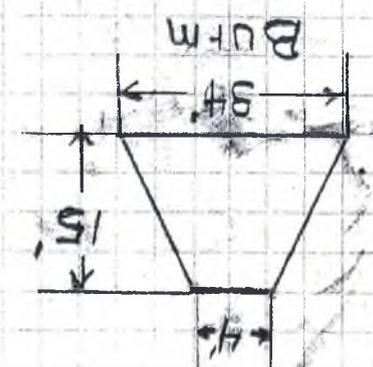
3 yd CONCRETE
5'x5'x4'
9



2410'

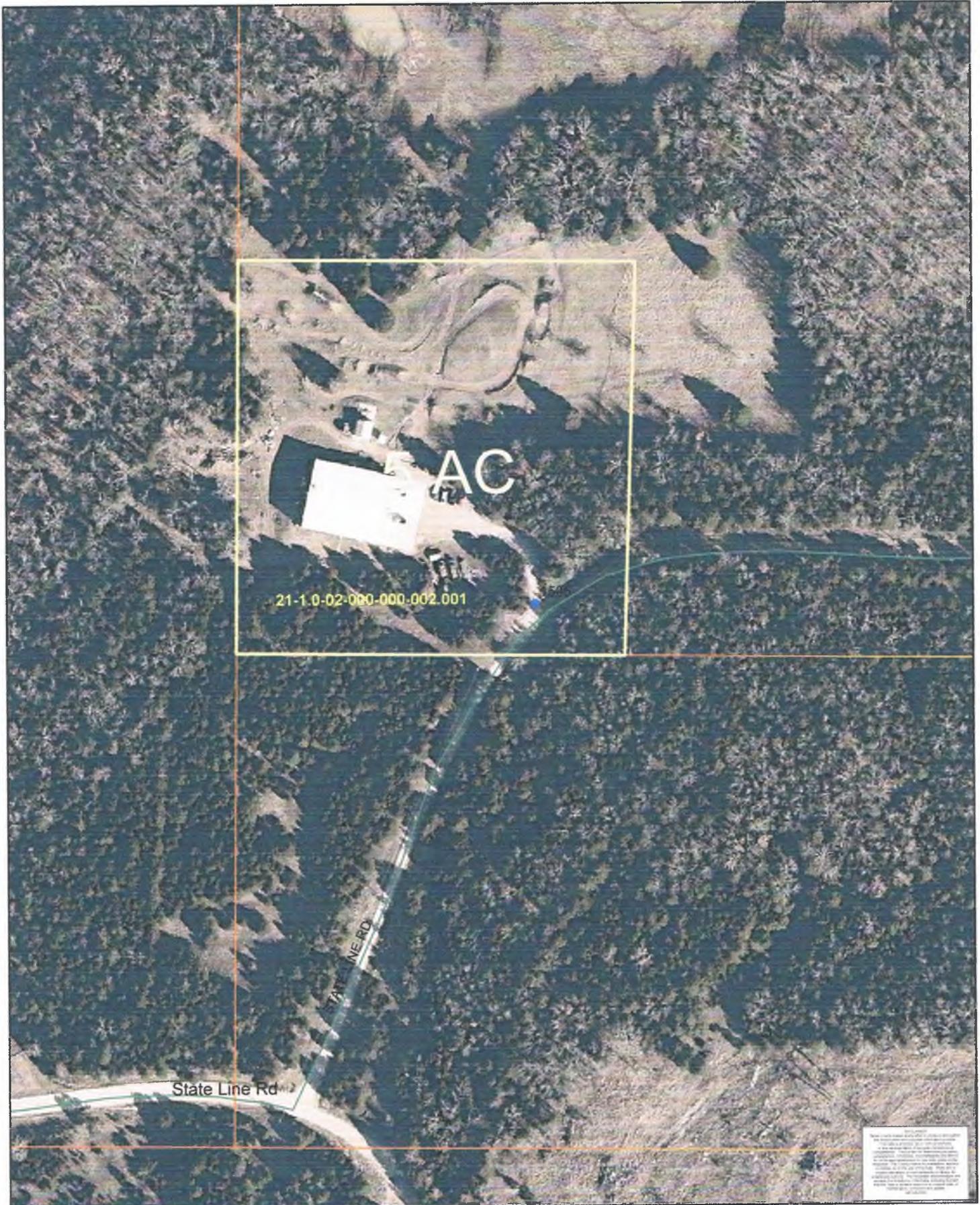
85' LONG

1605 yd DIRT ?
! 1X1' SLOP
895 yd
1500 ton





State Line Gun Range





TANEY COUNTY PLANNING COMMISSION

DIVISION III PERMIT STAFF REPORT

HEARING DATE: April 8, 2013

CASE NUMBER: 2013-0003

PROJECT: HIS House Bed and Breakfast

APPLICANT: Gary & Norma Smalley

REPRESENTATIVES: Charles & Brenda LeMoine

LOCATION: The subject property is located at 1482 Lakeshore Drive, Branson, MO; Scott Township; Section 28, Township 23, Range 21.

REQUEST: The representatives, Charles & Brenda LeMoine are requesting approval of a Division III Permit in order to convert an existing Victorian style home structure (utilized as an office with warehouse space) to a bed and breakfast.

BACKGROUND and SITE HISTORY:

On June 19, 1995 the Planning Commission approved Division III Permit # 1995-0026 authorizing the construction of structure with the appearance of a Victorian style home, which was to act as the office with warehouse space for Today's Family, a family counseling agency. This approval allowed for the expansion and relocation of Today's Family (i.e. Gary and Norma Smalley) from 1483 Lakeshore Drive (across the street) to 1482 Lakeshore Drive. Since that time the property has continued to act as the office for the Smalley Relationship Center.

The current application was approved for Concept on March 18, 2013.

GENERAL DESCRIPTION:

The subject property (approximately .80 acres total) contains an approximately 5,075 square foot structure (per the Assessor's information) located at 1482 Lakeshore Drive, Branson, MO formerly utilized as the Smalley Relationship Center office, with warehouse space.

The representatives are requesting to utilize the existing Victorian style home structure, formerly utilized as an office, with warehouse space for the Smalley Relationship Center, as a seven (7) bedroom, five (5) bathroom bed and breakfast facility.

The facility is listed on the Multiple Listing Service (MLS) as currently having seventeen (17) office rooms, five (5) bathrooms, full eat-in kitchen, two (2) fireplaces, three (3) conference rooms and over 1,000 square feet of warehouse space.

The adjoining property immediately to the north is Doulos Ministries. The adjoining property to the south and east is the Kids Across America office. The adjoining property immediately to the west is Lakeshore Drive, two residences and Kanakuk.

REVIEW:

Per the Bed and Breakfast provisions of the Taney County Development Guidance (Appendix E, Section 4.3.), "No more than four guest rooms can be provided under the special use permit procedure." The representatives have indicated that they are wishing to convert the existing structure into a seven (7) bedroom bed and breakfast facility. Therefore per these provisions, this application would be viewed as a Division III Commercial request. Since the application is to be viewed as a Division III Commercial request the permit **will** be transferable upon a change of ownership and **can** actually be used to establish commercial compatibility for or with any future Division III (land-use change) applications.

The exterior appearance of the Victorian style home structure will remain the same. The staff is recommending that the newly adopted occupancy standards for nightly rental be applied to this proposed bed and breakfast facility. The nightly rental regulations state that, "The maximum occupancy for a Nightly Rental shall be two (2) persons per dwelling unit, plus two (2) persons per bedroom." Therefore per these provisions the property in question would accommodate up to 14 guests (two people per bedroom) plus the two representatives, whom would own and operate the bed and breakfast.

The property is currently served by a private well and public sewer service via the Taney County Regional Sewer District.

The residence is in compliance with the setback requirements. Per the provisions of the Development Guidance Code, "Parking shall be provided (for a Bed and Breakfast facility) at the following rate: Two off-street spaces plus one additional off-street parking space per lodging room provided." Therefore, the parking area would be required to accommodate a total of nine (9) parking spaces. The existing parking area includes a very large garage, circle drive and an additional shared parking area immediately to the south which is shared with the Kids Across America Office property. There would likely be at least nine (9) total available, on-site parking spaces, not including the shared parking lot.

Per the buffering provisions of the Development Guidance Code, buffering would not be required because there are no existing residences immediately adjoining the property in question.

The project received a total score of -6 on the Policy Checklist, out of a maximum possible score of 53. The relative policies receiving a negative score consist of right-of-way on existing roads, emergency water supply, solid waste disposal service, use compatibility and utilities.

SUMMARY:

If the Taney County Planning Commission approves this request, the following requirements shall apply, unless revised by the Planning Commission:

1. Compliance with the provisions of the Taney County Development Guidance Code.
2. Compliance letters from the Western Taney County Fire Protection District, the Taney County Assessor's Office, the Missouri Department of Revenue, the Taney County Regional Sewer District and the Taney County Health Department; including all other entities which have requirements governing a development of this nature shall be provided to the Planning Department office.(Chapter VI-VII)
3. A copy of a valid Merchant's License via the Taney County Collector's Office shall be provided to the Planning Department.
4. A valid Missouri Department of Revenue Sales Tax License shall be provided to the Planning Department prior to the issuance of a Certificate of Compliance. A No Tax Due Letter from the Missouri Department of Revenue shall be submitted to the Planning Department office annually, indicating that the sales taxes have been paid.
5. No outside storage of equipment or solid waste materials.
6. This decision is subject to all existing easements.
7. The Bed and Breakfast shall accommodate (sleep) no more than sixteen (16) persons per night (fourteen residents of the Bed & Breakfast and the two owners / operators). The total occupancy may be further limited based upon the provisions of the Western Taney County Fire Protection District requirements and regulations.
8. This Decision of Record shall be filed with the Taney County Recorder's Office within 120 days or the approval shall expire (Chapter II Item 6).

**Division III Relative Policy Scoring Sheet:
Eastern Taney County**

Performance Value	Importance Factor	Score	Section Score
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Water Quality

SEWAGE DISPOSAL	n/a=			
centralized system	2	5	2	10
on-site treatment system(s) with adequate safeguards to mitigate pollution	1			
septic system of adequate design and capacity	0			
proposed system may not provide adequate capacity	-1			
proposed solution may cause surface and/or ground water pollution	-2			

Environmental Policies

STORM DRAINAGE	n/a=	x		
on-site stormwater retention and absorption with engineered plans	2	4		
on-site stormwater retention and absorption without engineered plans	1			
stormwater retention with managed and acceptable run-off	0			
no stormwater retention, but adverse impacts from run-off have been mitigated	-1			
no acceptable management and control of stormwater run-off	-2			

AIR QUALITY	n/a=			
cannot cause impact	0	4	0	0
could impact but appropriate abatement installed	-1			
could impact, no abatement or unknown impact	-2			

Critical Areas

PRESERVATION OF CRITICAL AREAS	n/a=	x		
no adverse impact to any designated critical area	2	3		
one of the designated critical areas impacted but can be fully mitigated	1			
more than one of the designated critical areas impacted but can be fully mitigated	0			
one or more of the designated critical areas impacted and mitigation not fully effective	-1			
one or more of the designated critical areas impacted with no ability to mitigate problem	-2			

Land Use Compatibility

OFF-SITE NUISANCES	n/a=			
no issues	2	4	1	4
minimal issues, but can be fully mitigated	1			
issues that can be buffered and mitigated to a reasonable level	0			
buffered and minimally mitigated	-1			
cannot be mitigated	-2			

USE COMPATIBILITY	n/a=			
no conflicts / isolated property	0	4	-1	-4
transparent change / change not readily noticeable	-1			
impact readily apparent / out of place	-2			

**Division III Relative Policy Scoring Sheet:
Eastern Taney County**

	Performance Value	Importance Factor	Score	Section Score
STRUCTURAL SCREENING OF ROOFTOP EQUIPMENT & VENTS n/a=	x			
no rooftop equipment / vents or blocked from view by structure design or screening	0	3		
partially blocked from view	-1			
exposed / not blocked from view	-2			
STRUCTURAL SCREENING OF SOLID WASTE CONTAINERS n/a=				
no on-site waste containers or blocked from view by structure design or screening	0	3	0	0
partially blocked from view	-1			
exposed / not blocked from view	-2			
STRUCTURAL SCREENING OF OUTDOOR EQUIP, STORAGE, ETC. n/a=	x			
no outdoor storage of equipment, materials, etc., or outdoor work areas	2	3		
blocked from view by structure design	1			
blocked from view using screening	0			
partially blocked from view	-1			
exposed / not blocked from view	-2			
LANDSCAPED BUFFERS -- RESIDENTIAL n/a=	x			
approved landscaped buffer between homes and all streets / roads / highways	2	2		
approved landscaped buffer from major roads / highways only	1			
minimal landscaped buffer, but compensates with expanse of land	0			
no landscaped buffer between residences and local streets	-1			
no landscaped buffer from any road	-2			
LANDSCAPED BUFFERS - INDUSTRIAL n/a=	x			
approved landscaped buffer from public roads	0	3		
minimal landscaped buffer, but compensates with expanse of land	-1			
no landscaped buffer from public roads	-2			
Local Economic Development				
AGRICULTURAL LANDS n/a=	x			
no conversion of Class I-IV agricultural land to other use(s)	0	1		
development requires reclassification of Class I-IV agricultural land to other use(s)	-2			
RIGHT TO FARM n/a=	x			
does not limit existing agricultural uses / does not cause nuisance, predation	0	3		
does not limit existing agricultural uses, but may result in minor nuisance	-1			
potential impact(s) on existing agricultural land	-2			
RIGHT TO OPERATE n/a=	x			
no viable impact on existing industrial uses by residential development	0	2		
potential impact but can be mitigated	-1			
potential impact on existing industrial uses with no mitigation	-2			

**Division III Relative Policy Scoring Sheet:
Eastern Taney County**

Performance Value	Importance Factor	Score	Section Score
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DIVERSIFICATION	n/a=			
creates >=5 full-time, year-round jobs outside of recreation / resort sector	2	4	0	0
creates full-time, year-round and seasonal jobs	1			
creates seasonal jobs only	0			

Site Planning, Design, Occupancy

RESIDENTIAL PRIVACY	n/a=	x		
privacy provided by structural design, or not applicable	2	2		
privacy provided by structural screening	1			
privacy provided by landscaped buffers	0			
privacy provided by open space	-1			
no acceptable or effective privacy buffering	-2			

MIXED-USE DEVELOPMENTS	n/a=	x		
uses / functions are compatible or not applicable	2	3		
uses / functions are integrated and separated based on compatibility	1			
uses / functions differ minimally and are not readily apparent	0			
uses / functions poorly integrated or separated	-1			
uses / functions mixed without regard to compatibility factors	-2			

Commercial Development

DEVELOPMENT PATTERN / BUFFERING	n/a=			
approved and effectively designed landscaped buffers between structures and all roads	2	4	0	0
minimal landscaped buffering, but compensates with expanse of land	1			
minimal landscaped buffering	0			
no landscaped buffering, but utilizes expanse of land	-1			
no or inadequate buffering or separation by land	-2			

Services - Capacity and Access

UTILITIES	n/a=			
adequate utilities capacity as evidenced by letter from each utility	0	4	-1	-4
adequate utilities capacity without formal letter from each utility or not from all utilities	-1			
inadequate information to determine adequacy of utilities	-2			

TRAFFIC	n/a=			
no impact or insignificant impact on current traffic flows	0	2	0	0
traffic flow increases expected but manageable using existing roads and road accesses	-1			
traffic flow increases exceed current road capacities	-2			

EMERGENCY SERVICES	n/a=			
structure size and/or access can be serviced by emergency equipment	0	3	0	0
structure size and/or access may impede but not hinder serviceability	-1			
structure size and/or access could be problematic or non-serviceable	-2			

**Division III Relative Policy Scoring Sheet:
Eastern Taney County**

	Performance Value	Importance Factor	Score	Section Score
RIGHT-OF-WAY OF EXISTING ROADS n/a=				
greater than 50 ft. right-of-way	1	5	-1	-5
50 ft. right-of-way	0			
40 ft. right-of-way	-1			
less than 40 ft. right-of-way	-2			
Internal Improvements				
WATER SYSTEMS n/a=				
central water system meeting DNR requirements for capacity, storage, design, etc.	2	3	0	0
community well / water system meeting DNR requirements	1			
private wells meeting DNR requirements	0			
private wells not meeting any established standards	-1			
individual / private wells	-2			
EMERGENCY WATER SUPPLY n/a=				
fire hydrant system throughout development with adequate pressure and flow	0	5	-2	-10
fire hydrant system with limited coverage	-1			
no fire hydrant system	-2			
PEDESTRIAN CIRCULATION n/a=	x			
paved and dedicated walkways (no bicycles) provided throughout development	2	4		
paved walkways provided throughout development / maybe shared with bicycles	1			
designated walkways provided but unpaved	0			
no pedestrian walkways, but green space provided for pedestrian use	-1			
no designated pedestrian walkway areas	-2			
PEDESTRIAN SAFETY n/a=	x			
separation of pedestrian walkways from roadways by landscape or structural buffer	2	2		
separation of pedestrian walkways from roadways by open land buffer	1			
pedestrian walkways abut roadways with no buffering / protection	0			
BICYCLE CIRCULATION n/a=	x			
dedicated / separate bike-ways with signage, bike racks, trails	2	1		
bicycle lanes shared with pedestrian walkways but separated by markings / signs	1			
no designated bike-ways	0			
UNDERGROUND UTILITIES n/a=				
all utilities are provided underground up to each building / structure	2	4	2	8
all utilities traverse development underground but may be above ground from easement	1			
utilities above ground but / over designated easements	0			
utilities above ground and not within specific easements	-1			
no specific management of utilities	-2			

Division III Relative Policy Scoring Sheet: Eastern Taney County	Performance Value	Importance Factor	Score	Section Score
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Open-Space Density				
USABLE OPEN SPACE	n/a=	x		
residential developments (>25 units) include more than 25% open recreational space		2	2	
residential developments (>25 units) offer >10% but <25% open recreational space		1		
recreational area provided, but highly limited and not provided as open space		0		
no designated recreational space provided, but open space available		-1		
no open recreational space provided		-2		
Solid Waste Disposal				
SOLID WASTE DISPOSAL SERVICE AVAILABILITY	n/a=			
weekly service is available and documentation of availability provided		0	5	-1
weekly service reportedly available but not documented		-1		
centralized, on-site trash collection receptacles available		-2		
SOLID WASTE DISPOSAL SERVICE COMMITMENT	n/a=	x		
restrictive covenants provide for weekly disposal for each occupied structure		0	5	
services available but not a requirement documented in covenants		-1		
not applicable / no pick-up service provided		-2		

Total Weighted Score= -6
Maximum Possible Score= 53
Actual Score as Percent of Maximum= -11.3%
Number of Negative Scores= 5
Negative Scores as % of Total Score= 14.3%

Scoring Performed by:

Bob Atchley / Bonita Kisse

Date:

March 27, 2013

Project: HIS House Bed & Breakfast

Permit#: 13-3

Policies Receiving a Negative Score	
Importance Factor 5:	right-of-way / roads emergency water supply waste disposal service
Importance Factor 4:	use compatibility utilities
Importance Factor 3:	none
Importance Factor 2:	none
Importance Factor 1:	none

Scoring by: *Bob Atchley / Bonita Kissee*

Date: *March 27, 2013*

Eastern District Relative Policies: Division III Permit

Project: **HIS House Bed & Breakfast**

Permit: **13-3**

	Max. Possible	As Scored	%	Total Negative Scores	
Scoring	53	-6	-11.3%	5	33.3%

	Max. Possible	As Scored	Negative Scores	
			Number of	Percent
Importance Factor 5	15	-10	3	75.0%
sewage disposal	10	10		
right-of-way / roads	5	-5		
emergency water supply	0	-10		
waste disposal service	0	-5		
waste disposal commitment				
Importance Factor 4	32	4	2	28.6%
stormwater drainage				
air quality	0	0		
off-site nuisances	8	4		
use compatibility	0	-4		
diversification	8	0		
development buffering	8	0		
utilities	0	-4		
pedestrian circulation				
underground utilities	8	8		
Importance Factor 3				
preservation of critical areas				
screening of rooftop equip				
screening / waste containers	0	0		
screening of outdoor equip				
industrial landscape buffers				
right to farm				
mixed-use developments				
emergency services	0	0		
water systems	6	0		
Importance Factor 2				
residential landscape buffers				
right to operate				
residential privacy				
traffic	0	0		
pedestrian safety				
usable open space				
Importance Factor 1				
agricultural lands				
bicycle circulation				

Scoring by: *Bob Atchley / Bonita Kisse*

Date: *March 27, 2013*

Office: **417.334.1892** Fax: **417.334.1898** [Email Us](#)



Property Type

City

Min Price Beds

Max Price Baths

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1482 Lakeshore Dr Branson, MO 65616

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Remarks

Reduced \$ 100,000. This property has all kinds of possibilities, currently used as an office with warehouse space, could be a home with business attached, weekend retreat, ministry office, bed & breakfast, medical office or your great idea. 17 office rooms, 5 bathrooms, full eat-in kitchen, 2 fireplaces, 3 conference rooms, one wired as a studio, over 1000 sq ft of warehouse space with 16 x 10 overhead door, designed for a second level, parking spaces, park like lot within 5 minutes to the Branson Landing. Shown by appointment only!

Sale Info

Financing: Cash, Conventional
Foreclosure Shortsale: No
Tenant Pays: None
Possession: Negotiable
Has Restrictions: Yes
Avm: No

Property Features

Features: 220 Power, Basement, Cable Tv, Delivery Doors, Drapes, Fireplace, Garage Bays, Inside Storage, Private Restrooms, Reception Area, Smoke Detectors, Sprinkler System



Price: \$375,000
MLS#: 346314
Status: pending
Class: Commercial Industrial
Square Feet: 6,067
Year Built: 1995
Area: Ct
County: Taney

Property Info

Class Sub Type: Commercial
Construction: Frame, Vinyl, Wood
Cooling: Central Electric
Current Use: General Office, Warehouse
Electric: Empire Elec
Parking: 6-10 Spaces
Roof: Composition Shingle
Stories: 4
Water And Sewer: Sewer-Public, Water-Private Well
Water View: None
Livable Sqft: 5,067
Has Living Qtrs: Yes
Num Units: 0
Property Format: 3
Zoning: Commercial
Fireplace: Brick, Other
Fireplaces: 2
Heating: Central Electric, Heat Pump
Inside City: No
Direction Remarks: Business 65 & East 76 across Lake Taneycomo to left on East Hwy 76 to left on Lakeshore Drive past Kanukak camps to sign on right.

Lot Info

Lot Description: Wooded, Level
Lot Size: 151 X 199
Parcel Number: 08-8.0-28-000-000-086.002

Related Listings

 **\$375,000**
 Branson MO 65616

Provided courtesy of Shawn Boushehri of Branson Best Realty

Courtesy of Re/max Associated Brokers

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**HIS House Bed & Breakfast
Division III Permit 2013-0003
Pictometry – Ortho View**



**HIS House Bed & Breakfast
Division III Permit 2013-0003
Pictometry – North View**



**HIS House Bed & Breakfast
Division III Permit 2013-0003
Pictometry – South View**



**HIS House Bed & Breakfast
Division III Permit 2013-0003
Pictometry – East View**



**HIS House Bed & Breakfast
Division III Permit 2013-0003
Pictometry – West View**



His House B&B



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