



## TANEY COUNTY PLANNING COMMISSION

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### **AGENDA TANEY COUNTY PLANNING COMMISSION PUBLIC HEARING MONDAY, JULY 11, 2016, 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 Hearing:

*Haney Nightly Rental*

Old and New Business:

*Tentative*

Adjournment.



# TANEY COUNTY PLANNING COMMISSION

## DIVISION III SPECIAL-USE PERMIT STAFF REPORT

**HEARING DATE:** July 11, 2016

**CASE NUMBER:** 2016-0012

**PROJECT:** Haney Nightly Rental

**APPLICANTS:** Del & Gayla Haney

**LOCATION:** The subject property is located at 1180 Tate Road, Ridgedale, MO; Oliver Township; Section 23, Township 21, Range 22.

**REQUEST:** The applicants, Del & Gayla Haney are requesting approval of a Division III Special-Use Permit in order to utilize an existing, five (5) bedroom, single-family residence for nightly rental.

### **BACKGROUND and SITE HISTORY:**

On July 27, 2006 Division I Permit # 2006-0325 was issued, authorizing the construction of an approximately 2,150 square foot single-family residence with a basement. The single-family residence has been listed per the Multiple Listing Service (MLS) as being an approximately 3,702 square foot, five (5) bedroom, four (4) bathroom home.

On August 3, 2006 the Taney County Regional Sewer District issued Onsite Wastewater Permit # 2006-0241, authorizing the construction of a septic system consisting of a 1,000 gallon tank, with 300 feet of lateral line.

The applicants, Del & Gayla Haney are now seeking the Planning Commission approval of a Division III Special-Use Permit authorizing the nightly rental of the property in question.

The current application was approved for Concept on June 20, 2016.

### **GENERAL DESCRIPTION:**

The subject property (approximately 1.3 acres per the Assessor's information) is a meets and bounds described parcel of property contains an approximately 3,702 square foot, five (5) bedroom, single-family residence, located at, 1180 Tate Road, Ridgedale, MO.

## REVIEW:

The Taney County Development Guidance Code defines nightly rental as “A residential building, structure, or part thereof that may be rented for any period of time less than thirty (30) calendar days, counting portions of days as full days.” Therefore, the applicant would have the ability to rent the residence for a period of thirty (30) days or greater.

The exterior appearance of the single-family home will remain the same. Per the nightly rental provisions of the Development Guidance Code, “The maximum occupancy for a Nightly Rental shall be two (2) persons per dwelling unit, plus two (2) persons per bedroom.” Therefore, the five (5) bedroom home would have a maximum occupancy of up to twelve (12) people.

The property in question is served by an individual, onsite septic system. Onsite Wastewater Permit # 2006-0241 was issued, authorizing the construction of a septic system consisting of a 1,000 gallon tank, with 300 feet of lateral line. The staff recommends that a condition be placed on the permit stating that in the event that the on-site wastewater treatment system begins to surface, showing signs of failure, the property owner shall either repair or replace said system ensuring capacity for the specific usage of the building, ensuring that the system will adequately meet the needs of up to twelve (12) people.

The property is currently served by an existing drive off of Tate Road.

Per the nightly rental provisions of the Development Guidance Code, “One (1) off-street parking space shall be provided for each two (2) persons of occupancy in a Nightly Rental.” Therefore a total of six (6) parking spaces will be required. The residence is currently served by a three (3) car garage and also a two (2) car attached garage, along with a large driveway and parking area; exceeding the minimum parking requirements of the Development Guidance Code.

The adjoining property immediately to the north is the Integrity Hills Subdivision, which includes light residential, wedding chapel and reception hall uses. The adjoining property immediately to the south is primarily single-family residential properties. The adjoining property immediately to the east is single-family residential, with Tate Road being located further to the east. The adjoining property immediately to the west is U.S. Army Corps of Engineers property, with Table Rock Lake being located further to the west.

The project received a total score of -8 on the Policy Checklist, out of a maximum possible score of 33. The relative policies receiving a negative score consist of right-of-way on existing roads, emergency water supply and solid waste disposal service.

## STAFF RECOMMENDATION:

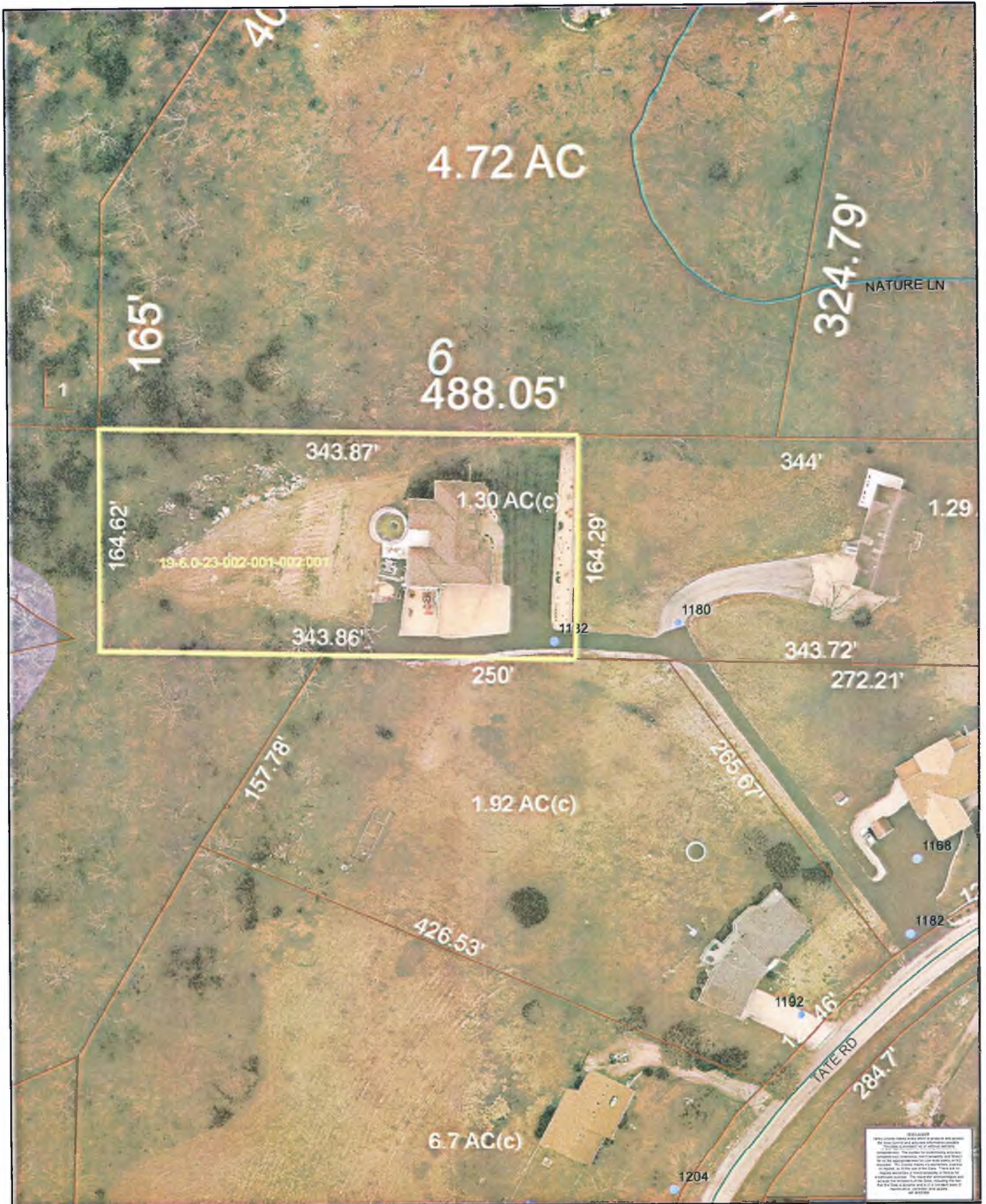
If the Taney County Planning Commission approves Division III Permit # 2016-0012, the following requirements shall apply, unless revised by the Planning Commission:

1. Compliance with the provisions of the Taney County Development Guidance Code.
2. Compliance letters from the Western Taney County Fire Protection District, the Missouri Department of Revenue and the Environmental Division of the Planning 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 valid Missouri Department of Revenue Sales Tax License shall be provided to the Planning Department prior to the issuance of a Certificate of Compliance.
4. This residence shall accommodate (sleep) no more than twelve (12) persons per night. The total occupancy may be further limited based upon the provisions of the Western Taney County Fire Protection District requirements and regulations.
5. In the event that the on-site wastewater treatment system begins to surface, showing signs of failure, the property owner shall either repair or replace said system ensuring capacity for the nightly rental of the building, ensuring that the system will adequately meet the needs of up to twelve (12) people.
5. No outside storage of equipment or solid waste materials.
6. This decision is subject to all existing easements.
7. The Haney Nightly Rental has been approved 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.
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).





# Haney Nightly Rental



Division III Relative Policy Scoring Sheet:  
Western 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**

SOIL LIMITATIONS	n/a=			
no known limitations	0	3		
potential limitations but mitigation acceptable	-1			
mitigation inadequate	-2			

SLOPES	n/a=			
<b>NOTE:</b> if residential, mark "x" in box.....				
development on slope under 30%	0	4		
slope exceeds 30% but is engineered and certified	-1			
slope exceeds 30% and not engineered	-2			

WILDLIFE HABITAT AND FISHERIES	n/a=			
no impact on critical wildlife habitat or fisheries issues	0	2		
critical wildlife present but not threatened	-1			
potential impact on critical wildlife habitat or fisheries	-2			

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

**Land Use Compatibility**

OFF-SITE NUISANCES	n/a=			
no issues or nuisance(s) can be fully mitigated	0	5	0	0
buffered and minimally mitigated	-1			
cannot be mitigated	-2			

**Compatibility Factors**

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



Division III Relative Policy Scoring Sheet:  
Western Taney County

	Performance Value	Importance Factor	Score	Section Score
<b>LOT COVERAGE</b> n/a=	x			
lot coverage compatible with surrounding areas	0	1		
lot coverage exceeds surrounding areas by less than 50%	-1			
lot coverage exceeds surrounding areas by more than 50%	-2			
<b>BUILDING BULK AND SCALE</b> n/a=	x			
bulk / scale less than or equivalent to surrounding areas	0	3		
bulk / scale differs from surrounding areas but not obtrusive	-1			
bulk / scale significantly different from surrounding areas / obtrusive	-2			
<b>BUILDING MATERIALS</b> n/a=	x			
proposed materials equivalent to existing surrounding structures	0	2		
proposed materials similar and should blend with existing structures	-1			
materials differ from surrounding structures and would be noticeable	-2			
<b>STRUCTURAL SCREENING OF ROOFTOP EQUIPMENT &amp; VENTS</b> n/a=	x			
no rooftop equipment or vents	2	1		
blocked from view by structure design	1			
blocked from view using screening	0			
partially blocked from view	-1			
exposed / not blocked from view	-2			
<b>STRUCTURAL SCREENING OF SOLID WASTE CONTAINERS</b> n/a=	x			
no on-site waste containers	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			
<b>STRUCTURAL SCREENING OF OUTDOOR EQUIP, STORAGE, ETC.</b> 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			
<b>LANDSCAPED BUFFERS -- RESIDENTIAL</b> n/a=				
approved landscaped buffer between homes and all streets / roads / highways	2	2	2	4
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			

Division III Relative Policy Scoring Sheet:  
Western Taney County

	Performance Value	Importance Factor	Score	Section Score
<b>LANDSCAPED BUFFERS - INDUSTRIAL</b>	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			
<b>Local Economic Development</b>				
<b>RIGHT TO FARM</b>	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			
<b>RIGHT TO OPERATE</b>	n/a= x			
no viable impact on existing industrial uses by residential development	0	3		
potential impact but can be mitigated	-1			
potential impact on existing industrial uses with no mitigation	-2			
<b>DIVERSIFICATION</b>	n/a= x			
creates >=5 full-time, year-round jobs outside of recreation / resort sector	2	5		
creates full-time, year-round and seasonal jobs	1			
creates seasonal jobs only	0			
<b>Site Planning, Design, Occupancy</b>				
<b>RESIDENTIAL PRIVACY</b>	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			
<b>MIXED-USE DEVELOPMENTS</b>	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			
<b>Commercial Development</b>				
<b>DEVELOPMENT PATTERNS</b>	n/a= x			
clustered development / sharing of parking, signs, ingress, egress, or not applicable	2	3		
some clustering and sharing patterns with good separation of facilities	1			
some clustering and sharing patterns with minimal separation of facilities	0			
clustered development with no appreciable sharing of facilities	-1			
unclustered development with no sharing or ability to share facilities	-2			



Division III Relative Policy Scoring Sheet:  
Western Taney County

	Performance Value	Importance Factor	Score	Section Score
<b>DEVELOPMENT BUFFERING</b>	n/a= x			
approved and effectively designed landscaped buffers between structures and all roads	2	3		
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			
<b>Services - Capacity and Access</b>				
<b>TRAFFIC</b>	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			
<b>EMERGENCY SERVICES</b>	n/a= x			
structure size and/or access can be serviced by emergency equipment	0	5		
structure size and/or access may impede but not hinder serviceability	-1			
structure size and/or access could be problematic or non-serviceable	-2			
<b>RIGHT-OF-WAY OF EXISTING ROADS</b>	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			
<b>Internal Improvements</b>				
<b>WATER SYSTEM SERVICE</b>	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			
<b>EMERGENCY WATER SUPPLY</b>	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			
<b>PEDESTRIAN CIRCULATION INFRASTRUCTURE</b>	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			

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

	Performance Value	Importance Factor	Score	Section Score
<b>PEDESTRIAN SAFETY</b>	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			
<b>BICYCLE CIRCULATION</b>	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			
<b>UNDERGROUND UTILITIES</b>	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			
<b>Open-Space Density</b>				
<b>USABLE OPEN SPACE</b>	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			
<b>Solid Waste Disposal</b>				
<b>SOLID WASTE DISPOSAL SERVICE AVAILABILITY</b>	n/a=			
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			
<b>SOLID WASTE DISPOSAL SERVICE COMMITMENT</b>	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= -8**

**Maximum Possible Score= 33**

**Actual Score as Percent of Maximum= -24.2%**

**Number of Negative Scores= 3**

**Negative Scores as % of All Applicable Scores= 30.0%**

Scoring Performed by:

Date:

*Bob Atchley & Bonita Kissee-Soutee*

*June 29, 2016*

**Project:** Haney Nightly Rental

**Permit#:** 16-12

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

Scoring by: Bob Atchley & Bonita Kissee-Souttee

Date: June 29, 2016



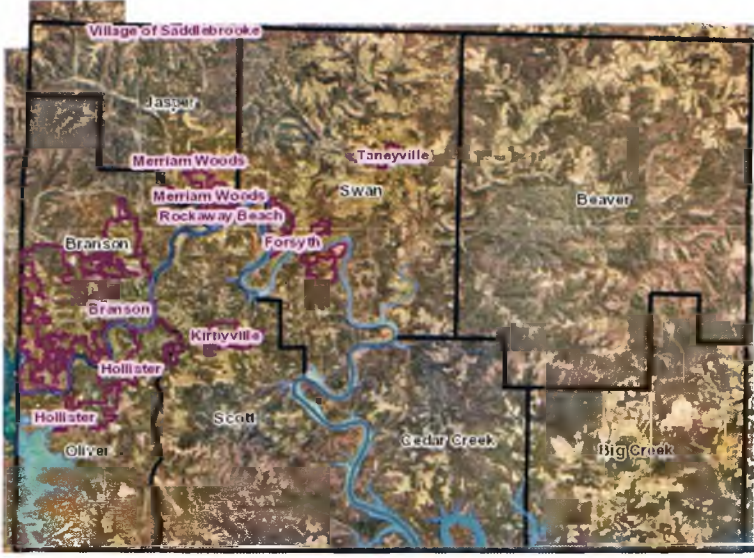
**Project: Haney Nightly Rental**

**Permit: 16-12**

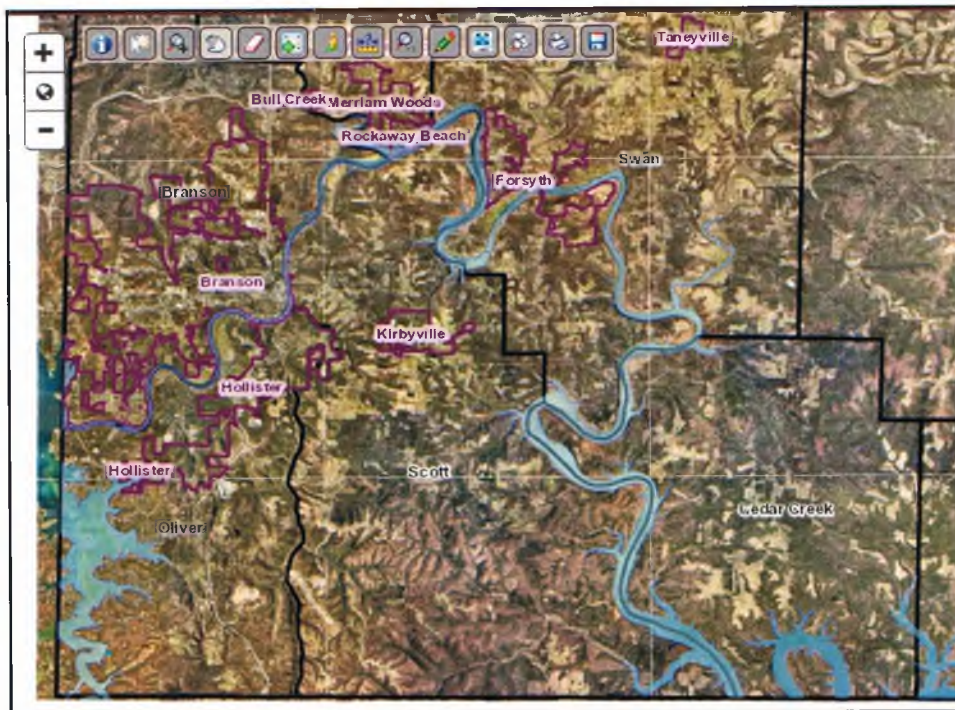
	Max. Possible	As Scored	%	Total Negative Scores	
<b>Scoring</b>	33	-8	-24.2%	3	30.0%

	Max. Possible	As Scored	Negative Scores	
			Number of	Percent
<b>Importance Factor 5</b>	<b>15</b>	<b>-20</b>	<b>3</b>	<b>60.0%</b>
sewage disposal	10	0		
off-site nuisances	0	0		
diversification				
emergency services				
<b>right-of-way/roads</b>	5	-5		
<b>emergency water supply</b>	0	-10		
<b>waste disposal service</b>	0	-5		
waste disposal commitment				
<b>Importance Factor 4</b>	<b>8</b>	<b>8</b>		
slopes				
use compatibility	0	0		
pedestrian circulation				
underground utilities	8	8		
<b>Importance Factor 3</b>				
soil limitations				
building bulk/scale				
waste containers screening				
outdoor equip storage				
industrial buffer / screening				
right to farm				
right to operate				
mixed-use developments				
development patterns				
development buffering				
water system service	6	0		
<b>Importance Factor 2</b>	<b>4</b>	<b>4</b>		
wildlife habitat and fisheries				
air quality				
building materials				
residential buffer / screening	4	4		
residential privacy				
traffic	0	0		
pedestrian safety				
usable open space				
<b>Importance Factor 1</b>				
lot coverage				
rooftop vents / equipment				
bicycle circulation				

**Scoring by:** Bob Atchley & Bonita Kisse-Soutee  
**Date:** June 29, 2016



**Haney Nightly Rental**  
**1182 Tate Road, Ridgedale, MO**  
**Division III Permit Case # 2016-0012**  
**Taney County GIS - Beacon**

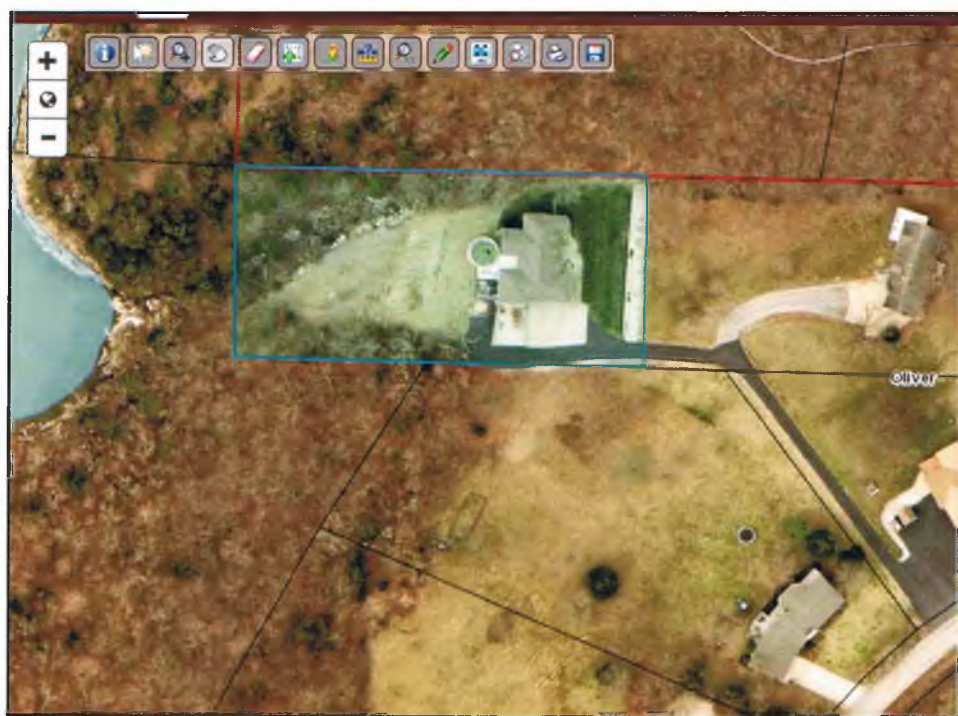




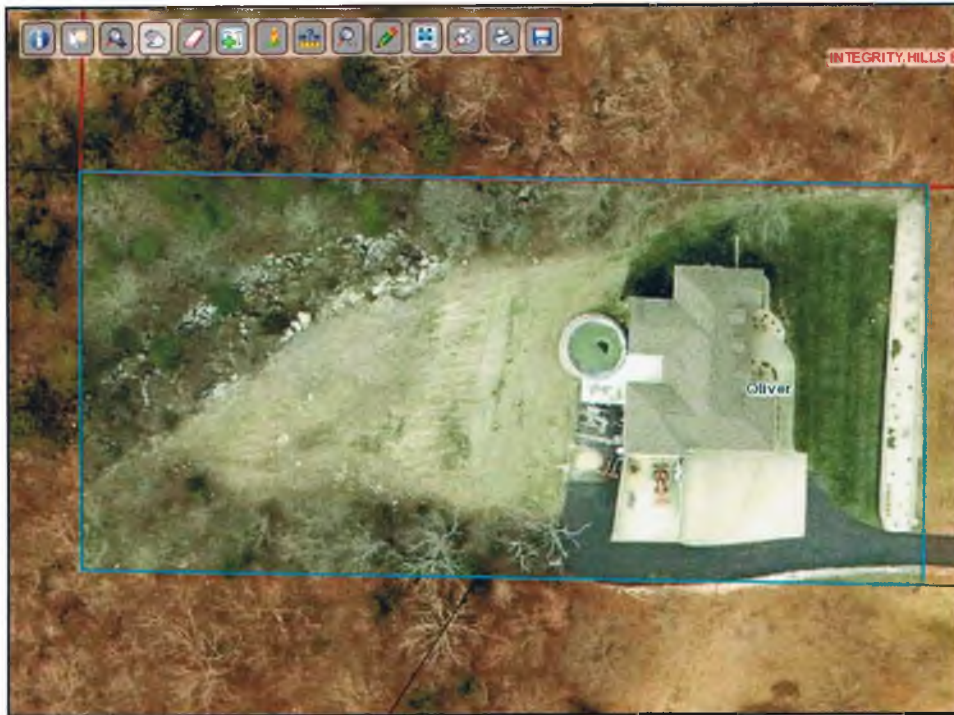












**Haney Nightly Rental**  
**1182 Tate Road, Ridgedale, MO**  
**Division III Permit Case # 2016-0012**  
**Pictometry – View from the North**





**Haney Nightly Rental  
1182 Tate Road, Ridgedale, MO  
Division III Permit Case # 2016-0012  
Pictometry – View from the South**



**Haney Nightly Rental  
1182 Tate Road, Ridgedale, MO  
Division III Permit Case # 2016-0012  
Pictometry – View from the East**





















