



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
PUBLIC HEARING
MONDAY, AUGUST 8, 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 Hearings:

Hyden Nightly Rental, 535 Lakewood Dr.
Hyden Nightly Rental, 319 Lemonwood Lane
Hyden Nightly Rental, 260 Lemonwood Lane
Vanderlink T1 Wireless Internet Tower
2087 YC Henry Nightly Rental (Find your Beach, DADJED, LLC)
Bear Creek Farms

Old and New Business:

Tentative

Adjournment.



TANEY COUNTY PLANNING COMMISSION

DIVISION III SPECIAL-USE PERMIT STAFF REPORT

HEARING DATE: August 8, 2016

CASE NUMBER: 2016-0014

PROJECT: Hyden, 535 Lakewood Nightly Rental

APPLICANTS: Terry & Jana Hyden

REPRESENTATIVE: Jordan Rielly

LOCATION: The subject property is located at 535 Lakewood Drive, Hollister, MO; Oliver Township; Section 10, Township 21, Range 22.

REQUEST: The applicants, Terry & Jana Hyden are requesting approval of a Division III Special-Use Permit in order to utilize an existing, three (3) bedroom, single-family residence for nightly rental.

BACKGROUND and SITE HISTORY:

On April 5, 2002 Division I Permit # 2002-0122 was issued, authorizing the construction of a 30' x 55' single-family residence, located at 535 Lakewood Drive, Hollister. Per the Assessor's information, as contained within Beacon, the single-family residence in question is approximately 1,713 square feet in size.

On February 20, 2002 Septic Permit # 2002-0099 was issued, authorizing the construction of an onsite wastewater treatment (septic) system, consisting of a 1,000 gallon concrete tank and 200' of lateral line.

On June 9, 2016, a formal complaint was submitted to the Planning Department office by neighboring property owners, indicating that the properties located at 260 Lemonwood Lane, 319 Lemonwood Lane and 535 Lakewood Drive, Hollister, MO were being utilized for what the Development Guidance Code defines as "nightly rental", without the issuance of a Division III Special Use Permit. The complaint form has since been signed by a total of forty (40) adjoining property owners via an attached signature list.

On June 15, 2016, a Stop Work Order was issued to Mr. & Mrs. Hyden both via certified, return receipt mail and a posting on the property; giving Mr. & Mrs. Hyden ten (10) days from the date of service to seek compliance with the provisions of the Development Guidance Code and also asking the Hydens to cease all nightly rental operations immediately until such time that they obtain a Division III Special-Use Permit for nightly rental. As of the date of this report, there is an active nightly rental

advertisement on the Airbnb website. This nightly rental residence located at 535 Lakewood Drive is advertised on the Airbnb website as the Log Cabin – Lakeview of Table Rock.

Upon receipt of the Stop Work Order, the applicants, Terry & Jana Hyden immediately submitted three (3) Division III Special-Use Permit applications requesting Planning Commission authorization of the nightly rental use of the three (3) properties in question (260 Lemonwood Lane, 319 Lemonwood Lane and 535 Lakewood Drive, Hollister, MO).

The current application was approved for Concept on July 18, 2016.

GENERAL DESCRIPTION:

The subject property (approximately .26 acres (11,325.60 square feet) per the Assessor's information) is known as Lot thirteen (13), Block Two (2), Lakeside South Addition to Ozarks Paradise Village. The property in question contains an approximately 1,713 square foot (Per the Assessor's information) single-family residence. The residence is listed on the Airbnb website as containing three (3) bedrooms and two (2) bathrooms. The Airbnb website lists Jordan as the Airbnb Host. Jordan Rielly is also the representative for this application.

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, per these provisions, the three (3) bedroom home would have a maximum occupancy of up to eight (8) people.

The property in question is served by an individual, onsite septic system. On February 20, 2002 the septic system was permitted by the Taney County Regional Sewer District via Septic Permit # 2002-0099. On July 13, 2016 the Onsite Wastewater Permitting staff visited the three (3) homes located at 260 Lemonwood, 319 Lemonwood and 535 Lakewood Drive in order to complete a visual inspection of the three (3) septic systems. While walking the lateral field area of each home no problems or issues were observed at this time. No surfacing effluent in the treatment field area or septic tank area was observed. For the continued maintenance of the septic system serving each home, the staff is recommending that each septic tank be pumped each five (5) to seven (7) years, or more frequently if required.

The property in question is currently served by an existing drive off of Lakewood Drive.

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 four (4) parking spaces will be required. The residence is currently served by a two (2) car garage and driveway; meeting the minimum parking requirements of the Development Guidance Code. The Airbnb site for this property states that, “Free parking is available on the property and additional parking for larger vehicles is available upon request.” The property in question has adequate parking for automobiles. However, the staff recommends that a condition be placed on the Decision of Record stating that no recreational vehicles (RVs), trailers, boats or other watercraft shall be parked onsite, unless they are to be stored within the garage.

The adjoining property immediately to the north is Lakewood Drive, with single-family lots within the Lakeside Estates Addition to Ozarks Paradise Village being located further to the north. The adjoining property immediately to the south is a vacant lots within the Lakeside South Addition to Ozarks Paradise Village, with additional vacant and single-family residential lots within the Lakeside South Addition to Ozarks Paradise Village being located further to the south. The adjoining property immediately to the east and west are single-family residential lots within the Moore’s Oasis Subdivision.

Pursuant to the provisions of Appendix E, Section 4.7.15 of the Development Guidance Code, “A buffer shall be established between any structure utilized for nightly rental and any existing residential land use, meeting the requirements of Appendix H, Section 6(Technical Plans)” of the Development Guidance Code. These provisions of the Development Guidance Code allow the Planning Commission the discretion to allow the buffer to be a vegetative buffer or privacy fence, wall, landscaped earthen berm or other screening device.

The project received a total score of -19 on the Policy Checklist, out of a maximum possible score of 29. The relative policies receiving a negative score consist of off-site nuisances, emergency water supply, solid waste disposal service and use compatibility.

STAFF RECOMMENDATION:

If the Taney County Planning Commission approves Division III Permit # 2016-0014, 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 eight (8) 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 eight (8) people.
6. A minimum of one (1) off-street parking space shall be designated as a handicapped parking space. No recreational vehicles (RVs), trailers, boats or other watercraft shall be parked onsite, unless they will be stored within the garage.
7. No outside storage of equipment or solid waste materials.
8. This decision is subject to all existing easements.
9. Opaque fencing shall be provided along the north and south side property lines, between the nightly rental residence in question and the adjoining single-family residences.
10. The Hyden, 535 Lakewood 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.
11. 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:
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
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=			
NOTE: 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	-1
buffered and minimally mitigated		-1		
cannot be mitigated		-2		

Compatibility Factors

USE COMPATIBILITY	n/a=			
no conflicts / isolated property		0	4	-1
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
LOT COVERAGE 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			
BUILDING BULK AND SCALE 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			
BUILDING MATERIALS 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			
STRUCTURAL SCREENING OF ROOFTOP EQUIPMENT & VENTS 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			
STRUCTURAL SCREENING OF SOLID WASTE CONTAINERS 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			
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			

Division III Relative Policy Scoring Sheet: Western Taney County

	Performance Value	Importance Factor	Score	Section Score
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				
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	3		
potential impact but can be mitigated	-1			
potential impact on existing industrial uses with no mitigation	-2			
DIVERSIFICATION	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			
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 PATTERNS	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
DEVELOPMENT BUFFERING	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			
Services - Capacity and Access				
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	5	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			
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 SYSTEM SERVICE	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 INFRASTRUCTURE	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
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			
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	-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= -19

Maximum Possible Score= 29

Actual Score as Percent of Maximum= -65.5%

Number of Negative Scores= 4

Negative Scores as % of All Applicable Scores= 40.0%

Scoring Performed by:

Bob Atchley and Bonita Kissee-Soutee

Date:

July 26, 2016

Project: Hyden 535 Lakewood Nightly Rental

Permit#: 16-14

Policies Receiving a Negative Score	
Importance Factor 5:	off-site nuisances emergency water supply waste disposal service
Importance Factor 4:	use compatibility
Importance Factor 3:	none
Importance Factor 2:	none
Importance Factor 1:	none

Scoring by: *Bob Atchley and Bonita Kisse-Soutee*

Date: *July 26, 2016*

Project: Hyden 535 Lakewood Nightly Rental

Permit: 16-14

	Max. Possible	As Scored	%	Total Negative Scores	
Scoring	29	-19	-65.5%	4	40.0%

	Max. Possible	As Scored	Negative Scores	
			Number of	Percent
Importance Factor 5	15	-15	3	50.0%
sewage disposal	10	0		
off-site nuisances	0	-5		
diversification				
emergency services	0	0		
right-of-way/roads	5	5		
emergency water supply	0	-10		
waste disposal service	0	-5		
waste disposal commitment				
Importance Factor 4	8	-4		
slopes				
use compatibility	0	-4		
pedestrian circulation				
underground utilities	8	0		
Importance Factor 3				
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		
Importance Factor 2				
wildlife habitat and fisheries				
air quality				
building materials				
residential buffer / screening				
residential privacy				
traffic	0	0		
pedestrian safety				
usable open space				
Importance Factor 1				
lot coverage				
rooftop vents / equipment				
bicycle circulation				

Scoring by: *Bob Atchley and Bonita Kisse-Souttee*
 Date: *July 26, 2016*



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

TANEY COUNTY PLANNING COMMISSION
COMPLAINT REPORT

(All information herein is confidential)

NAME OF PERSON(S) FILING COMPLAINT: Tom and Linda Bokel and see attached sheet

TELEPHONE OF PERSON FILING COMPLAINT: 417-343-9736

(Must have # in order to follow-up. With no follow up, phone complaint will not be considered.)

NAME OF PROPERTY OWNER OF VIOLATING PROPERTY: Terry and Jana Hyden

PROPERTY WHERE VIOLATION IS OCCURRING: 319 Lemonwood, 260 Lemonwood, 535 Lake

TELEPHONE # OF PROPERTY OWNER WHERE VIOLATION IS OCCURRING: 417-861-7701

(Please include area code)

EXPLAIN TYPE OF CODE
VIOLATION/COMPLAINT

The homes at 319 Lemonwood Lane, 260 Lemonwood Lane and 535 Lakewood Drive (all Hollister 65672 but outside Hollister City Limits) are being rented out as nightly vacation rentals. All three homes are being advertised for rent on Airbnb and possibly other web sites. There have already been rental customers from various states in all three homes and on the private docks. The home owners do not know the renters and are not present during the rentals. The homes all appear to already be booked for many days this summer of 2016. We would like this activity to stop and we would like them to cancel the future rentals, re-fund the customers money and cease any further advertising and renting.

SIGNATURE OF PERSON FILING COMPLAINT:

See Attached

DATE: June 9, 2016

(Complaint report must be signed in order to be followed up. Unsigned complaints will not be considered. All information obtained is strictly confidential. However, this document may be used in court if this matter cannot be rectified by any other means. Person's violating the Taney County Development Guidance Code will be sent a notice of violation via certified mail and given a period of 10 days from the time they receive said notice to rectify said problem.)

DATE INSPECTION PERFORMED: INSPECTOR:

FINDINGS OF INSPECTOR:

NOV #: DATE MAILED: DATE CR RECEIVED:

Signatures on Complaint to Taney County

Regarding:

Nightly Rentals at 319 Lemonwood lane, 260 Lemonwood Lane and 535 Lakewood Drive

Printed Name	ADDRESS	SIGNATURE
TOM AND LINDA BOKEL	331 LEMONWOOD LANE HOLLISTER, MO. 65672	Tom and Linda Bokel
Tony and Nancy LAZUK	224 Lemonwood Ln Hollister 65672	Tony and Nancy Lazuk
Rick and Eileen Raines	265 Lemmwood Ln Hollister, MO 65672	Rick and Eileen Raines
EDNA MAE LAKEY	264 LEMONWOOD LANE HOLLISTER, MO 65672.	Edna Mae Lakey
JEAN BOWEN	562 Lakewood Drive Hollister, MO 65672	Jean Bowen
Laura Bowen	314 Lemonwood Lane Hollister, MO 65672	Laura Bowen
George + Polly LaRock	245 Lemonwood Lane Hollister, MO 65672	George LaRock
MICHAEL & EUNICE DUNNIN	183 Lemonwood Ln HOLLISTER MO 72672	Michael & Eunice Dunnin
Jerry Spears	171 Lemonwood Ln Hollister MO 65672	Jerry Spears
RW. SIMPSON	131 Lemonwood Lane Hollister, MO 65672	RW Simpson
ROBERT & EKATERINA DAVIS	102 LEMONWOOD LN HOLLISTER MO 65672	Robert & Ekaterina Davis
Tanya L Myers	270 Lemonwood Ln Hollister mo 65672	Tanya L Myers
TERRY A. WILSON	8190 Graham Clark Road Hollister Mo. 65672	Terry A. Wilson
William BEGG BEGGS	1977 Graham Clark Hollister MO 65672	William R Beggs

Signatures on Complaint to Taney County

Regarding:


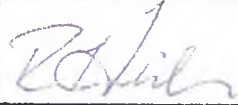
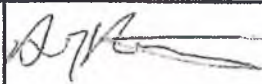
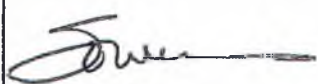
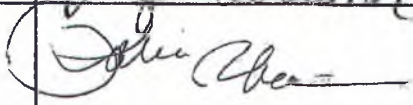
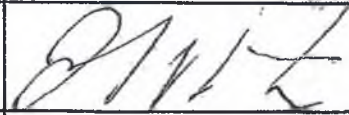
Nightly Rentals at 319 Lemonwood lane, 260 Lemonwood Lane and 535 Lakewood Drive

Printed Name	ADDRESS	SIGNATURE
Robert Middleton	296 Carlton Rd Hollister, Mo 65672	Robert Middleton
LARRY SIMS	285 LEMONWOOD LANE HOLLISTER, MO 65672	Larry R Sims
EMIL MARTINER	363 LEMONWOOD LANE HOLLISTER, MO 65672	Emil Martin
JIM PEANIE	2280 GRAHAM CLARK DRIVE HOLLISTER MO 65672	Jim Peanie
MARCELLA PEANIE	2280 GRAHAM CLARK DRIVE HOLLISTER MO 65672	Marcella Peanie
JIM UNGER	2092 GRAHAM CLARK DR HOLLISTER, MO 65672	James J Unger
Carl Dyer	2044 Graham Clark Dr	Carl Dyer
Susan Cole	1964 Graham Clark Dr	Susan Cole
Tom Collins	1850 Graham Clark Road	Thomas Collins
KATHLEEN TREWISO	315 LAKEWOOD DR.	Kathleen Trewiso
LOUIS & JUANITA CHAPMAN	295 LAKEWOOD DR.	Juanita Chapman
Tom & Deb Lange	2375 Graham Clark	Deb Lange
Barb Dobush	2345 Graham Clark Dr.	Barb Dobush
Barb Dobush	2347 Graham Clark Dr.	Barb Dobush

Signatures on Complaint to Taney County

Regarding:

Nightly Rentals at 319 Lemonwood lane, 260 Lemonwood Lane and 535 Lakewood Drive

Printed Name	ADDRESS	SIGNATURE
RANDY DUNN	293 LEMONWOOD LANE HOLLISTER, MO	
RICHARD HEIDER	351 LEMONWOOD LANE HOLLISTER, MO 65672	
Shaaron Winget	569 LAKWOOD DR HOLLISTER, MO 65672	Shaaron Winget
JOHN WINGET	569 LAKWOOD DR HOLLISTER, MO 65672	John Winget
DAUG RAPHAN	147 LEMONWOOD LN	
BILL HENDERSKOTT	4011 Graham Clark Drive Hollister, MO 65672	Bill Henderskott
Sam Owens	1735 Graham Clark Dr. Hollister Mo 65672	
MICHAEL WENIG	2478 GRAHAM CLARK DR HOLLISTER, MO. 65672	Michael Wenig
Jack & Jani Hessner	588 Crestview Dr Ridgedale, Mo. 65739	Jack Hessner Jani Hessner
PATRICIA RHODES	443 CRESTVIEW DR- RIDGEDALE MO 65739	
Lillian M Krugger	369 Crestview Dr. Ridgedale, Mo 65739	Lillian M Krugger
JOHN Petersor	132 lemonwood HOLLISTER MO 65672	

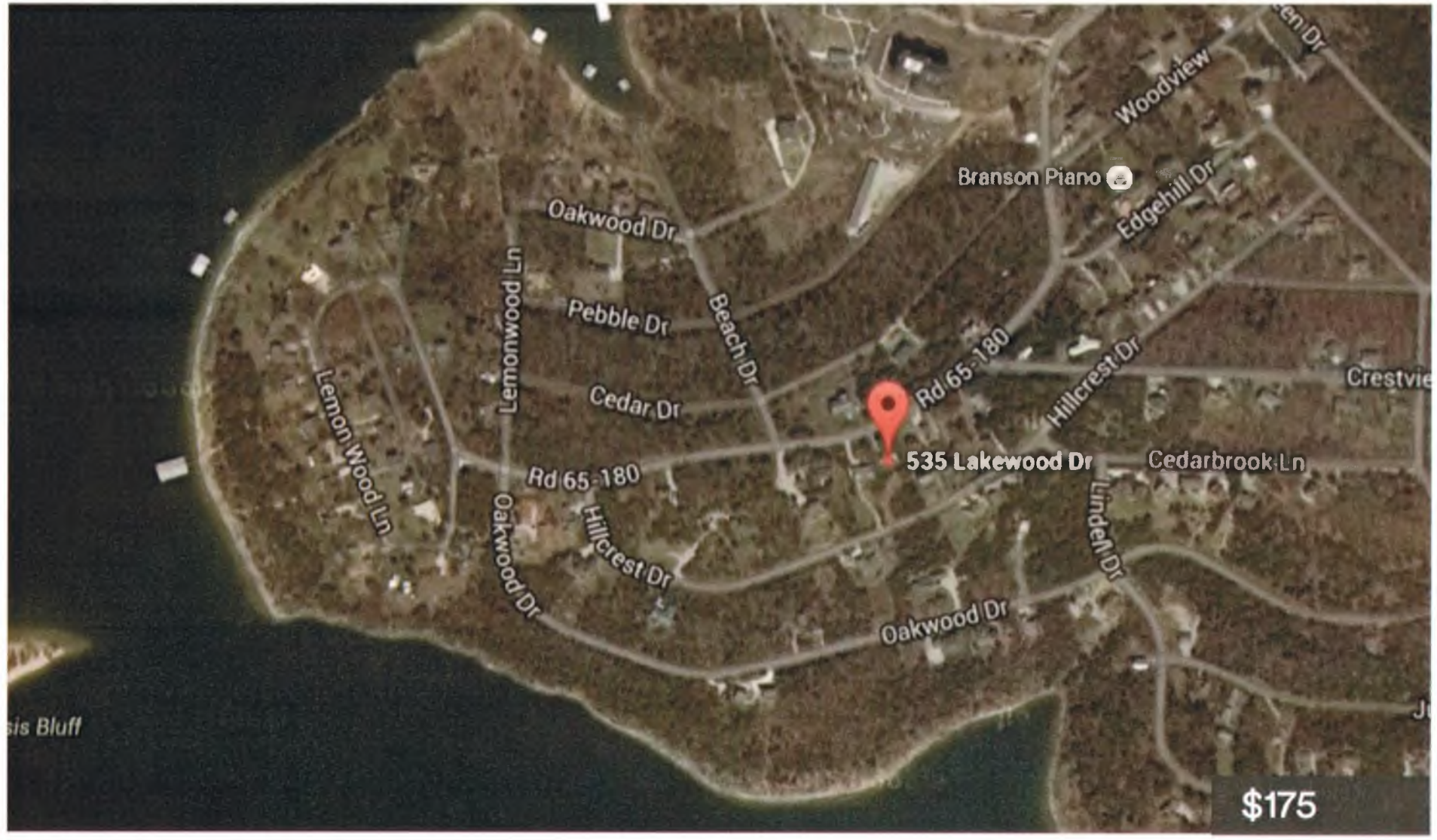


Where to?

Become a Host

Trips

Me



Log Cabin- Lakeview of Table Rock

Check in

Ch

Photos About this listing Reviews The Host Location

\$175

Per N



Jordan

Log Cabin- Lakeview of Table Rock

Hollister, MO, United States



Entire home/apt



6 Guests



3 Bedrooms



3 Beds

Check in

mm/dd/yyyy

Check out

mm/dd/yyyy

Guests

1

Request to Book

Your Credit Card will not be charged

Save to Wish List

2 travelers saved this place

Email

Messenger

... More

Report this listing

About this listing

Beautiful house near Table Rock Lake.

[Contact Host](#)

The Space

Accommodates: **6**

Bathrooms: **2**

Bedrooms: **3**

[House Rules](#)

Beds: **3**

Property type: **House**

Room type: **Entire home/apt**

Amenities

Kitchen

TV

Essentials

Shampoo

[+ More](#)

Prices

Extra people: **No Charge**

Cleaning Fee: **\$85**

Security Deposit: **\$250**

Cancellation: **Strict**

Description

Sleeping Arrangements



Bedroom 1
1 king bed



Bedroom 2
1 queen bed



Bedroom 3
1 queen bed

Beautiful house near Table Rock Lake.

House Rules

No smoking
Not suitable for pets

Property Features

Smoke Detector

Availability

2 nights minimum stay

[View Calendar](#)

Check in

Check out

Guests

Request to Book

Your Credit Card will not be charged

Save to Wish List

2 travelers saved this place

Email

Messenger

... More

Report this listing



Photos About this listing Reviews The Host Location

\$175

Per Ni

Safety Features

Smoke Detector

Check in

Check out

Guests

mm/dd/yyyy

mm/dd/yyyy

1

Availability

2 nights minimum stay

View Calendar

Request to Book

Your Credit Card will not be charged

Save to Wish List

2 travelers saved this place

Email

Messenger

Mo

Report this listing



See all 14 photos

\$175

Per Night

Check in

Check out

Guests

mm/dd/yyyy

mm/dd/yyyy

1

Request to Book

Your Credit Card will not be charged

Save to Wish List

2 travelers saved this place

Email

Messenger

More

Report this listing

Review

Search reviews



Carley

Our host was very responsive and accommodating. If any problems arose he helped us figure them out. The house was very clean and fit 6 comfortably. The house was fully stocked and had everything we needed. The house was in a great location, just up the road from Big Cedar and close to some quiet coves and the cliffs. Went for 4th of July and the dock was a great place to watch all the fireworks displays.

July 2016

Helpful



Response from Jordan:

Thanks Carley! Come back anytime!

July 2016

This host has 11 reviews for other properties.

View Other Reviews

\$175

Per Night

our Host



Jordan

Dallas, Texas, United States · Member since January 2016

My fiancé and I are young professionals who love to travel, spend time with our families, and work hard.

We are getting married in Sept 2016!

Response rate: 100%

Response time: within a day

12

Reviews



Verified

Contact Host

Check in

mm/dd/yyyy

Check out

mm/dd/yyyy

Guests

1

Request to Book

Your Credit Card will not be charged

Save to Wish List

2 travelers saved this place

Email

Messenger

More

Report this listing

cial Connections

Are you or your friends connected with this host?

Connect with Facebook















TANEY COUNTY PLANNING COMMISSION

P. O. Box 383 • Forsyth, Missouri 65653
Phone: 417 546-7225 / 7226 • Fax: 417 546-6861
website: www.taneycounty.org

Terry L & Jana D Hyden
12293 N Hwy 123
Walnut Grove, MO 65770

Terry,

After an onsite visit July 13, 2016 at the homes located at 260 Lemonwood, 319 Lemonwood & 535 Lakewood to do a visual inspection of the septic system for any issues that are occurring at this time. While walking the lateral field areas of each home no problems or issues were observed at this time. No surfacing effluent in the treatment field area or septic tank area was observed. For the continued maintenance of the septic system at each home I would recommend getting the septic tank pumped each 5-7 years or more frequently if required.

Scott Starrett

07/25/2016
SCOTT STARRETT
TANEY COUNTY PLANNING
417-546-7225- OFFICE
417-546-0764-MOBILE
417-546-6861-FAX
scotts@co.taney.mo.us





July 23, 2016

Bob Atchley
Administrator
Taney County Planning and Zoning
P O Box 383
Forsyth, Missouri 65653

Dear Sir:

I am writing you in regards to Terry Hyden renting his properties. We live at 569 Lakewood Drive. First of all this is against the code of covenants by living in Oakmont subdivision that you cannot rent out or run a business out of your home.

Mr. Hyden had a family living in the home and they had children and the boys did damage in our neighborhood while they were renting. They bashed out the truck windows of our neighbor's truck, the done damage at Oakmont's boat dock and they took some golf carts from Paradise Point and ran them into the lake.

Thomas Bahler who owns the house in our cal-de-sac was renting his home out weekly and there was constant commotion going on all the time. He was living in California and had a property management company looking after his property, I called Mr. Bahler because he had given us a key and wanted us to watch out for his home and told him he couldn't be renting out his home nightly or weekly because it was against the code of Oakmont Community so he said he was surprised that the property management company didn't tell him this - well they were just looking out for the money so he said it wouldn't be happening again and didn't. He then found a couple you leased it for 2 years and did all the repairs on the home by the renters they had in there and it was a mess.

We as property owners do not like this happening because it opens up crime in our neighborhood. They know your comings and goings and we didn't build these homes to have every Tom, Dick or Harry moving in. We live anyway between Paradise Point and Big Cedar and have constant traffic as is and they are using our driveways and turning around, stopping and asking where this or that - a lot of changes going on and all we came out here for was peace and quiet and enjoy the lake. This is a residential area.

Thank you for reading this letter and would appreciate your co-operation in getting this stopped. Will be seeing you at the meeting August 8th. Would you like this going on next door to your residence?

Sincerely,

Sharon Wingert
569 Lakewood Drive
Hollister, Missouri 65672

Bob Atchley
Administrator
Taney County Planning and Zoning
P.O. Box 383
Forsyth, MO 65653

Regarding Permit to allow nightly rentals at 260 Lemonwood, 319 Lemonwood and 535
Lakewood , Hollister MO

Dear Mr. Atchley,

I am against the houses at 260 Lemonwood Lane, 319 Lemonwood Lane and 535 Lakewood Lane being granted a permit to conduct a nightly vacation rental business. These houses are surrounded by long established single family residential homes and allowing nightly rental businesses within these neighborhoods is an inappropriate use of the homes. There are covenants within both neighborhoods which state homes shall remain single family residential and the homes should not be converted into tourist rental businesses.

Taney County should protect the residential neighborhoods and deny this permit.

Sincerely,

John J. Whinger
Shaun E. Whinger

Taney County Planning and Zoning
Attention: Mr. Bob Atchley, Administrator

Regarding: Hyden; Special Use Permit Application for nightly rental of 319 Lemonwood Ln,
260 Lemonwood Ln, and 535 Oakwood St

To Taney County Commissioners and Taney County Planning and Zoning:

We live next door to the house located at 319 Lemonwood Lane where Terry Hyden is applying for a special use permit to rent it out nightly. My husband and I have owned our home at 331 Lemonwood Lane for **32 years**. We also own the large triangular lot across the street from our house, Terry Hyden's house and the house on the other side of Terry Hyden. Last year we spent our life savings rebuilding our house so we could live here the rest of our lives. We did this based on the fact that we are located in a nice single family neighborhood which is separated from the tourist rental industry. The neighborhood of Moore's Oasis has ALWAYS been singly family residential homes. Moore's Oasis subdivision is on a circular street with no outlet and no thru access. We are buffered from the tourist industry by blocks of other single family residences in Oakmont where they pay dues and have covenants that disallow the nightly rental of homes. Years ago, one person in Moore's Oasis wanted to split their house into two apartments and all of the neighbors got that stopped based on the fact that we are a singly family residential subdivision. Everyone who has invested money into homes here, did so based on them being single family homes! After owning here for 32 years, I had every reason to believe we were protected from a house in the neighborhood being turned into a nightly rental business.

Before we rebuilt, we had many conversations with Terry Hyden about the homes and the subdivision in general. Terry Hyden always indicated to us that the house next door to us was for his personal use and he said he bought the other two houses for his family's use and as an investment to re-sell someday. He never indicated that he would try to turn these homes into nightly rental businesses. I would NEVER had invested the money I did into my house if I had had any idea this could happen in my neighborhood. Terry lied to us and the neighbors when we asked about persons we started seeing in the houses on Lemonwood last year. He said they were his employees. When I talked to the people staying in these houses, they had no idea who Terry even was. This was my first tip off that something odd was going on. But with our rebuilding underway, we were not able to stay in our house last year and could not really track what was happening.

This year we found out that Terry Hyden is full blown advertising all three houses for rent online, on the web site Airbnb. The two on Lemonwood were advertised with the use of docks which is not permitted by the Corps of Engineers. We alerted the County and the Corps that this was going on immediately after Memorial weekend. The County P&Z department issued a cease and desist letter and posted signs in the yard telling Mr Hyden he could not rent the houses further unless he had a permit. Terry took down the signs that same day and has continued to rent the places non-stop. Terry has lied and said he is not getting paid! We and other neighbors talked to some of the customers and the customers tell us they are paying to stay there.

The customers think they are renting from a guy named Jordan. Terry has made his daughter, Hunter Hyden, and her soon to be husband, Jordan, the contacts for the rentals on Airbnb. Jordan and Hunter live in Texas. This is all manipulated to break up the money trail and to further

try to hide what is going on. All three houses have remained on Airbnb with new rentals being made even after he was told to cease and desist. Terry Hyden has tried to continue the lie at the concept meeting that these are non-paying people he knows even after being caught red handed renting them!

Terry has continued to have the renters use the boat stalls and the docks even after being told by the Corp that you cannot let non-permittees use your boat stalls. Terry Hyden has shown he does not care about rules, regulations or neighbors.

Terry has allowed the renters to pack as many people into the houses as they can. There is even a review on line where the people claim they exceeded the ten persons which is even too many for these small houses. None of the houses are four bedroom as was claimed at the concept meeting. But that is just more lies. It does not matter to me if he was told he could rent to only two persons. I did not move next door to a tourist rental on purpose. Terry Hyden has shown he does not follow any rules put forth anyway.

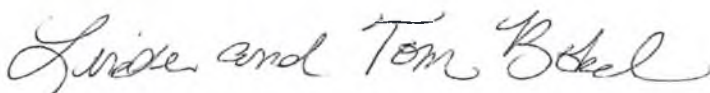
It is the responsibility of Planning and Zoning to delineate and separate residential from commercial properties. Currently, persons using the Blue Green Resorts at Big Cedar and Paradise Point use Crestview Street to go back and forth between the two locations. The Blue-Green Resorts really should use Estate Street since it is more direct and does not have the homes that Crestview has. Crestview Street and westward is all residential, with many homes having been established well before the condos ever existed. We have many many long term singly family residents and we deserve to be protected from the tourist industry taking over our neighborhoods. I applaud Bob Atchely's idea to try to delineate and identify the rental areas. In our case we have an overwhelming majority of residences that want this from Crestview Street west.

Terry Hyden's three homes are all within strictly residential areas and need to be denied permits that will commercialize the neighborhood. These house are being rented to anyone who can use a computer and has a credit card. The Hydens do not know who these customers are and no one is present to monitor anything that goes on. The customers or their companions could be a thief, a sexual predator, or a pedophile and we have no protection.

No one is present during those rentals except the renters and we the neighbors are left to deal with whoever rented the place. I have witnessed drug use on the back deck by the customers. We had a house full of Arabic guys partying all night long. Those guys got there at 4:20 am and were still up all the next day and night. People who rent un-monitored houses like this probably do so for a reason. It is probably because they want to engage in some activity that they couldn't get away with at a resort that is monitored. I did not feel comfortable going out in my own back yard alone. I should not have to feel this way at home.

There is no place for this type of business in a platted residential subdivision of singly family homes and this permit should be denied. The Hydens should be prosecuted for their complete disregard for the law and regulations.

Sincerely,



Linda and Tom Bokel

331 LEMONWOOD LN

Bob Atchley
Administrator
Taney County Planning and Zoning
P.O. Box 383
Forsyth, MO 65653

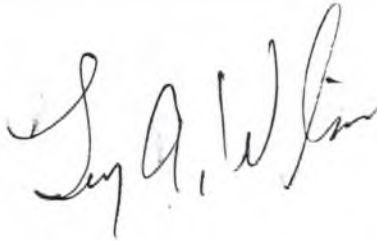
Regarding Permit to allow nightly rentals at 260 Lemonwood, 319 Lemonwood and 535 Lakewood , Hollister MO

Dear Mr. Atchley,

I am against the houses at 260 Lemonwood Lane, 319 Lemonwood Lane and 535 Lakewood Lane being granted a permit to conduct a nightly vacation rental business. These houses are surrounded by long established single family residential homes and allowing nightly rental businesses within these neighborhoods is an inappropriate use of the homes. There are covenants within both neighborhoods which state homes shall remain single family residential and the homes should not be converted into tourist rental businesses.

Taney County should protect the residential neighborhoods and deny this permit.

Sincerely,



TERRY WILSON
2190 GRAHAM CLARK DRIVE
HOLLISTER, MO, 65672

Bob Atchley
Administrator
Taney County Planning and Zoning
P.O. Box 383
Forsyth, MO 65653

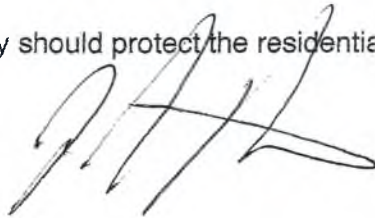
Regarding Permit to allow nightly rentals at 260 Lemonwood, 319 Lemonwood and 535 Lakewood , Hollister MO

Dear Mr. Atchley,

I am against the houses at 260 Lemonwood Lane, 319 Lemonwood Lane and 535 Lakewood Lane being granted a permit to conduct a nightly vacation rental business. These houses are surrounded by long established single family residential homes and allowing nightly rental businesses within these neighborhoods is an inappropriate use of the homes. There are covenants within both neighborhoods which state homes shall remain single family residential and the homes should not be converted into tourist rental businesses.

Taney County should protect the residential neighborhoods and deny this permit.

Sincerely,



JOHN PETERSON
132 LEMONWOOD
HOLLISTER MO 65672

Bob Atchley
Administrator
Taney County Planning and Zoning
P.O. Box 383
Forsyth, MO 65653

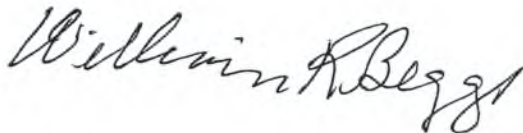
Regarding Permit to allow nightly rentals at 260 Lemonwood, 319 Lemonwood and 535
Lakewood , Hollister MO

Dear Mr. Atchley,

I am against the houses at 260 Lemonwood Lane, 319 Lemonwood Lane and 535 Lakewood
Lane being granted a permit to conduct a nightly vacation rental business. These houses are
surrounded by long established single family residential homes and allowing nightly rental
businesses within these neighborhoods is an inappropriate use of the homes. There are
covenants within both neighborhoods which state homes shall remain single family residential
and the homes should not be converted into tourist rental businesses.

Taney County should protect the residential neighborhoods and deny this permit.

Sincerely,



WILLIAM BEGGS
1977 GRAHAM CLARK .
HOLLISTER, MO 65672

July 5, 2016

Mr. Bob Atchley, Administrator
Taney County Planning and Zoning
P.O. Box 383
Forsyth, Mo 65653

Re: 260 Lemonwood Lane, Hollister, Mo. 65672
319 Lemonwood Lane, Hollister, Mo. 65672

Dear Mr. Atchley,

We would like to go on record as being against the above referenced properties being granted a permit to conduct nightly and/or vacation rentals. These homes are in a long standing subdivision called Moore's Oasis, which is zoned for single family residences only, not businesses such as short term or vacation rentals.

Our home is directly across the street from 260 Lemonwood Lane. We have experienced a disruption of our normal peace and quiet with six to eight cars in the driveway, two or more parked in the yard and trucks pulling boats parked in the road, which is a one lane road at best. Excessive noise, loud music and motor cycles coming and going have also been a somewhat "normal" situation at this home. Trash left around the driveway finds its way to homes adjacent to or across from this home with almost every "weekend guest."

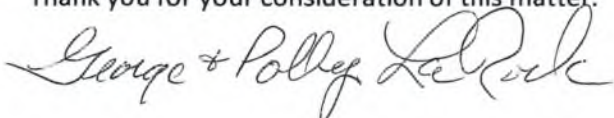
We feel that Mr. Hyden is no longer interested in keeping our neighborhood as it has been for decades. If this was his primary residential neighborhood, we doubt he would be attempting to turn it into a short term rental area and creating the nuisance he has for the rest of the subdivision.

At this point there are constantly strange vehicles riding the circle checking out our homes, the boat dock and causing most of us to feel unsafe in our own subdivision.

Singlehandedly, Mr. Hyden's "rental business" is bringing our property values down with his lack of upkeep on these two properties. Displaced roof shingles on 260 Lemonwood Lane have been there for over a year, with the promise of his getting a new roof for about that same time period. The tarp that he has had tied around his chimney at 319 Lemonwood for six months or more is also an indication of much needed repair causing a concern to potential buyers driving through this area. It's very obvious that Mr. Hyden no longer has any pride of ownership in these homes.

We ask that you consider a very strong denial of his efforts to rent and profit in this neighborhood where most of us live full time or have summer residences in which up until now, we have enjoyed a safe and peaceful environment.

Thank you for your consideration of this matter.

A handwritten signature in cursive script that reads "George & Polly LaRock". The signature is written in black ink and is positioned below the typed name.

George and Polly LaRock

Bob Atchley
Administrator
Taney County Planning and Zoning
P. O. Box 383
Forsyth, MO 65653

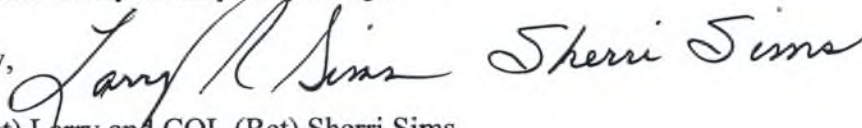
Regarding Permit to allow nightly rentals at 260 Lemonwood, 319 Lemonwood, and 535 Lakewood, Hollister, MO

Dear Mr. Atchley,

We are against the owners of the houses at 260 Lemonwood, 319 Lemonwood, and 535 Lakewood being granted a permit to conduct a nightly vacation rental business. These houses are surrounded by long established single-family residential homes. Allowing nightly rentals within these neighborhoods is inappropriate. There are covenants within both neighborhoods which state that homes shall remain single-family residential and that the homes should not be converted into tourist rental businesses.

Request that Taney County deny this permit.

Sincerely,



COL (Ret) Larry and COL (Ret) Sherri Sims
285 Lemonwood Lane
Hollister, MO 65672
501-590-0749

P.S. On June 13, 2016, at approximately 11:00 p.m., I was making sure the house was locked up and preparing for bed. As I was locking the door opening to the screen porch, I heard voices coming from the Corps of Engineer property directly behind our house. I stepped out onto the porch and could distinguish a vehicle parked in the turnaround spot there. I then heard the tinkling sound of glass hitting glass. I was frightened to the point that when I finally went to bed around midnight, I retrieved the gun that we keep in a secure location and put it in the nightstand beside my bed. The people were still there behind the house at midnight.

I cannot verify that these people were renters from any of these homes; however, this has never happened in the three years we've been here. I was certain it was none of my neighbors, but I thought it could be someone's family member or friend using their home; I had just arrived at the house that day and was unaware that the houses were being rented. Therefore, I did not call the police.

The next day, I found dozens of beer bottles thrown in a heap beside the parking spot I mentioned.

Thank you for your consideration.



July 2, 2016

Bob Atchley
Administrator
Taney County Planning and Zoning
P.O. Box 383
Forsyth, MO 65653

Regarding Permit to allow nightly rentals at 260 Lemonwood, 319 Lemonwood and 535 Lakewood Dr., Hollister, MO

Dear Mr. Atchley,

I am against the houses owned by Terry and Jana Hyden at 260 Lemonwood Lane, 319 Lemonwood Lane and 535 Lakewood Drive being granted a permit to conduct a nightly vacation rental business. These houses are surrounded by long established single family residential homes and allowing nightly rental businesses within these neighborhoods is an inappropriate use of the homes. There are covenants within both neighborhoods which state homes shall remain single family residential and the homes should not be converted into tourist rental businesses as nightly rentals. The covenants for Oakmont Association specifically prohibit nightly rentals.

Please consider the interests of the permanent residents of this Taney County neighborhood and deny this permit.

Sincerely,

The image shows two handwritten signatures in cursive ink. The first signature is 'Warren Schuler' and the second is 'Cynthia Schuler'. They are positioned to the right of the typed name below.

Warren & Cynthia Schuler
801 Hillcrest Dr.
Ridgedale, MO 65739

Bob Atchley
Administrator
Taney County Planning and Zoning
P.O. Box 383
Forsyth, MO 65653

Regarding Permit to allow nightly rentals at 260 Lemonwood, 319 Lemonwood and 535
Lakewood , Hollister MO

Dear Mr. Atchley,

I am against the houses at 260 Lemonwood Lane, 319 Lemonwood Lane and 535 Lakewood Lane being granted a permit to conduct a nightly vacation rental business. These houses are surrounded by long established single family residential homes and allowing nightly rental businesses within these neighborhoods is an inappropriate use of the homes. There are covenants within both neighborhoods which state homes shall remain single family residential and the homes should not be converted into tourist rental businesses.

Taney County should protect the residential neighborhoods and deny this permit.

Sincerely,

Richard W. Simpson
131 Lemonwood Lane
Hollister, Mo. 65672

Bob Atchley
Administrator
Taney County Planning and Zoning
P.O. Box 383
Forsyth, MO 65653


Regarding Permit to allow nightly rentals at 260 Lemonwood, 319 Lemonwood and 535 Lakewood , Hollister MO

Dear Mr. Atchley,

I am against the houses at 260 Lemonwood Lane, 319 Lemonwood Lane and 535 Lakewood Lane being granted a permit to conduct a nightly vacation rental business. These houses are surrounded by long established single family residential homes and allowing nightly rental businesses within these neighborhoods is an inappropriate use of the homes. There are covenants within both neighborhoods which state homes shall remain single family residential and the homes should not be converted into tourist rental businesses.

Taney County should protect the residential neighborhoods and deny this permit.

Sincerely,

MICHAEL DRAKIN

183 LEMONWOOD LN
HOLLISTER MO. 65672

Bob Atchley
Administrator
Taney County Planning and Zoning
P.O. Box 383
Forsyth, MO 65653

Regarding Permit to allow nightly rentals at 260 Lemonwood, 319 Lemonwood and 535
Lakewood , Hollister MO

Dear Mr. Atchley,

I am against the houses at 260 Lemonwood Lane, 319 Lemonwood Lane and 535 Lakewood Lane being granted a permit to conduct a nightly vacation rental business. These houses are surrounded by long established single family residential homes and allowing nightly rental businesses within these neighborhoods is an inappropriate use of the homes. There are covenants within both neighborhoods which state homes shall remain single family residential and the homes should not be converted into tourist rental businesses.

Taney County should protect the residential neighborhoods and deny this permit.

Sincerely,

Robert Middleton
203 Lemonwood
Hollister, Mo. 65672
334-2447

Bob Atchley
Administrator
Taney County Planning and Zoning
P.O. Box 383
Forsyth, MO 65653

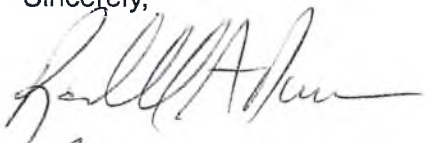
Regarding Permit to allow nightly rentals at 260 Lemonwood, 319 Lemonwood and 535
Lakewood , Hollister MO

Dear Mr. Atchley,

I am against the houses at 260 Lemonwood Lane, 319 Lemonwood Lane and 535 Lakewood Lane being granted a permit to conduct a nightly vacation rental business. These houses are surrounded by long established single family residential homes and allowing nightly rental businesses within these neighborhoods is an inappropriate use of the homes. There are covenants within both neighborhoods which state homes shall remain single family residential and the homes should not be converted into tourist rental businesses.

Taney County should protect the residential neighborhoods and deny this permit.

Sincerely,



RANDALL A DUNN

293 LEMONWOOD LANE

Bob Atchley
Administrator
Taney County Planning and Zoning
P.O. Box 383
Forsyth, MO 65653

Regarding Permit to allow nightly rentals at 260 Lemonwood, 319 Lemonwood and 535
Lakewood , Hollister MO

Dear Mr. Atchley,

I am against the houses at 260 Lemonwood Lane, 319 Lemonwood Lane and 535 Lakewood Lane being granted a permit to conduct a nightly vacation rental business. These houses are surrounded by long established single family residential homes and allowing nightly rental businesses within these neighborhoods is an inappropriate use of the homes. There are covenants within both neighborhoods which state homes shall remain single family residential and the homes should not be converted into tourist rental businesses.

Taney County should protect the residential neighborhoods and deny this permit.

Sincerely,

Serry Searns
171 Lemonwood Ln
Hollister Mo 65672

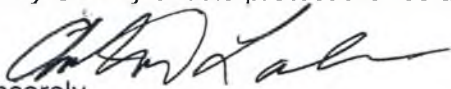
Bob Atchley
Administrator
Taney County Planning and Zoning
P.O. Box 383
Forsyth, MO 65653

Regarding Permit to allow nightly rentals at 260 Lemonwood, 319 Lemonwood and 535 Lakewood , Hollister MO

Dear Mr. Atchley,

I am against the houses at 260 Lemonwood Lane, 319 Lemonwood Lane and 535 Lakewood Lane being granted a permit to conduct a nightly vacation rental business. These houses are surrounded by long established single family residential homes and allowing nightly rental businesses within these neighborhoods is an inappropriate use of the homes. There are covenants within both neighborhoods which state homes shall remain single family residential and the homes should not be converted into tourist rental businesses.

Taney County should protect the residential neighborhoods and deny this permit.


Sincerely,

TONY LALUK

224 Lemonwood Ln
Hollister, MO 65672

Bob Atchley
Administrator
Taney County Planning and Zoning
P.O. Box 383
Forsyth, MO 65653

Regarding Permit to allow nightly rentals at 260 Lemonwood, 319 Lemonwood and 535 Lakewood, Hollister MO

Dear Mr. Atchley,

I am against the houses at 260 Lemonwood Lane, 319 Lemonwood Lane and 535 Lakewood Lane being granted a permit to conduct a nightly vacation rental business. These houses are surrounded by long established single family residential homes and allowing nightly rental businesses within these neighborhoods is an inappropriate use of the homes. There are covenants within both neighborhoods which state homes shall remain single family residential and the homes should not be converted into tourist rental businesses.

Taney County should protect the residential neighborhoods and deny this permit.

Sincerely,

Donna Mae Lahey

I live next door to the 260 address and definitely do not want nightly rentals. Some have already happened and 4 or more vehicles in the driveway is not conducive to a quiet neighbor.

Donna Mae Lahey
264 Lemonwood Lane
Hollister, Mo 65672

Bob Atchley
Administrator
Taney County Planning and Zoning
P.O. Box 383
Forsyth, MO 65653

Regarding Permit to allow nightly rentals at 260 Lemonwood, 319 Lemonwood and 535
Lakewood , Hollister MO

Dear Mr. Atchley,

I am against the houses at 260 Lemonwood Lane, 319 Lemonwood Lane and 535 Lakewood Lane being granted a permit to conduct a nightly vacation rental business. These houses are surrounded by long established single family residential homes and allowing nightly rental businesses within these neighborhoods is an inappropriate use of the homes. There are covenants within both neighborhoods which state homes shall remain single family residential and the homes should not be converted into tourist rental businesses.

Taney County should protect the residential neighborhoods and deny this permit.

Sincerely,



(Tom) Thomas Collins

1880 Graham Clark Road.

Bob Atchley
Administrator
Taney County Planning and Zoning
P.O. Box 383
Forsyth, MO 65653

Regarding Permit to allow nightly rentals at 260 Lemonwood, 319 Lemonwood and 535
Lakewood , Hollister MO

Dear Mr. Atchley,

I am against the houses at 260 Lemonwood Lane, 319 Lemonwood Lane and 535 Lakewood
Lane being granted a permit to conduct a nightly vacation rental business. These houses are
surrounded by long established single family residential homes and allowing nightly rental
businesses within these neighborhoods is an inappropriate use of the homes. There are
covenants within both neighborhoods which state homes shall remain single family residential
and the homes should not be converted into tourist rental businesses.

Taney County should protect the residential neighborhoods and deny this permit.

Sincerely,

Juane Chapman
395 LAKEWOOD PR
HOLLISTER, MO. 65672

Bob Atchley
Administrator
Taney County Planning and Zoning
P.O. Box 383
Forsyth, MO 65653

Regarding Permit to allow nightly rentals at 260 Lemonwood, 319 Lemonwood and 535
Lakewood , Hollister MO

Dear Mr. Atchley,

I am against the houses at 260 Lemonwood Lane, 319 Lemonwood Lane and 535 Lakewood Lane being granted a permit to conduct a nightly vacation rental business. These houses are surrounded by long established single family residential homes and allowing nightly rental businesses within these neighborhoods is an inappropriate use of the homes. There are covenants within both neighborhoods which state homes shall remain single family residential and the homes should not be converted into tourist rental businesses.

Taney County should protect the residential neighborhoods and deny this permit.

Sincerely,

Susan M. Cole
1964 Graham Clark Dr.
Hollister, Mo 65672

Bob Atchley
Administrator
Taney County Planning and Zoning
P.O. Box 383
Forsyth, MO 65653

Regarding Permit to allow nightly rentals at 260 Lemonwood, 319 Lemonwood and 535
Lakewood , Hollister MO

Dear Mr. Atchley,

I am against the houses at 260 Lemonwood Lane, 319 Lemonwood Lane and 535 Lakewood Lane being granted a permit to conduct a nightly vacation rental business. These houses are surrounded by long established single family residential homes and allowing nightly rental businesses within these neighborhoods is an inappropriate use of the homes. There are covenants within both neighborhoods which state homes shall remain single family residential and the homes should not be converted into tourist rental businesses.

Taney County should protect the residential neighborhoods and deny this permit.

Sincerely,

Laura Bower
314 Lemonwood Lane

Bob Atchley
Administrator
Taney County Planning and Zoning
P.O. Box 383
Forsyth, MO 65653

Regarding Permit to allow nightly rentals at 260 Lemonwood, 319 Lemonwood and 535
Lakewood , Hollister MO

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Taney County should protect the residential neighborhoods and deny this permit.

Sincerely,

Jean Bowen
562 Lakewood Drive

Bob Atchley
Administrator
Taney County Planning and Zoning
P.O. Box 383
Forsyth, MO 65653

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Taney County should protect the residential neighborhoods and deny this permit.

Sincerely,

Tom Dange
2375 Abraham Clark

Bob Atchley
Administrator
Taney County Planning and Zoning
P.O. Box 383
Forsyth, MO 65653

Regarding Permit to allow nightly rentals at 260 Lemonwood, 319 Lemonwood and 535 Lakewood , Hollister MO

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Taney County should protect the residential neighborhoods and deny this permit.

Sincerely,

A handwritten signature in black ink, appearing to read "William Johnson". The signature is fluid and cursive, with a large initial "W" and "J".

443 CRESTVIEW DR
RIDGEDALE MO
65739

Bob Atchley
Administrator
Taney County Planning and Zoning
P.O. Box 383
Forsyth, MO 65653

Regarding Permit to allow nightly rentals at 260 Lemonwood, 319 Lemonwood and 535
Lakewood , Hollister MO

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Taney County should protect the residential neighborhoods and deny this permit.

Sincerely,

Marcella Peone
2250 Graham Clark Dr.
Hollister, MO, 65672.

Bob Atchley
Administrator
Taney County Planning and Zoning
P.O. Box 383
Forsyth, MO 65653

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Taney County should protect the residential neighborhoods and deny this permit.

Sincerely,

Kathleen Lewis
315 Lakewood Dr.
HOLLISTER, MO. 65672

Bob Atchley
Administrator
Taney County Planning and Zoning
P.O. Box 383
Forsyth, MO 65653


Regarding Permit to allow nightly rentals at 260 Lemonwood, 319 Lemonwood and 535 Lakewood , Hollister MO

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Taney County should protect the residential neighborhoods and deny this permit.

Sincerely,

 Jim UNGER
2092 GRAHAM CLARK DR
Hollister, MO-65672

Bob Atchley
Administrator
Taney County Planning and Zoning
P.O. Box 383
Forsyth, MO 65653

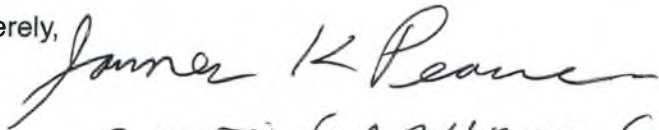
Regarding Permit to allow nightly rentals at 260 Lemonwood, 319 Lemonwood and 535 Lakewood , Hollister MO

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Taney County should protect the residential neighborhoods and deny this permit.

Sincerely,



JAMES PEARCE

2250 GRAFTON CLARK DR.
HOLLISTER, MO. 65672.

Bob Atchley
Administrator
Taney County Planning and Zoning
P.O. Box 383
Forsyth, MO 65653

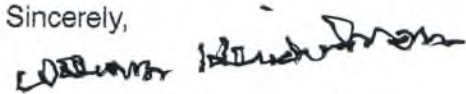
Regarding Permit to allow nightly rentals at 260 Lemonwood, 319 Lemonwood and 535
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businesses within these neighborhoods is an inappropriate use of the homes. There are
covenants within both neighborhoods which state homes shall remain single family residential
and the homes should not be converted into tourist rental businesses.

Taney County should protect the residential neighborhoods and deny this permit.

Sincerely,



William HENDERSON

2011 GRAHAM CLARK DRIVE
HOLLISTER MO 65672

Bob Atchley
Administrator
Taney County Planning and Zoning
P.O. Box 383
Forsyth, MO 65653

Regarding Permit to allow nightly rentals at 260 Lemonwood, 319 Lemonwood and 535
Lakewood , Hollister MO

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Sincerely,

Rich Barnes + Eileen Raines
265 Lemonwood Ln
Hollister, MO 65672

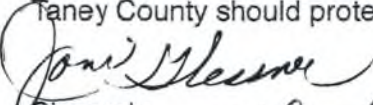
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Taney County Planning and Zoning
P.O. Box 383
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Taney County should protect the residential neighborhoods and deny this permit.


Sincerely, *588 Creebuck*
Ridge Lake, MO 65739

Bob Atchley
Administrator
Taney County Planning and Zoning
P.O. Box 383
Forsyth, MO 65653

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Taney County should protect the residential neighborhoods and deny this permit.

Sincerely,

Mrs Lillian M Krueger
369 Crestview Dr
Ridgedale, MO 65739

Lillian M. Krueger

Bob Atchley
Administrator
Taney County Planning and Zoning
P.O. Box 383
Forsyth, MO 65653

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Sincerely,


2044 Graham Clark Rd

Bob Atchley
Administrator
Taney County Planning and Zoning
P.O. Box 383
Forsyth, MO 65653

Regarding Permit to allow nightly rentals at 260 Lemonwood, 319 Lemonwood and 535
Lakewood , Hollister MO

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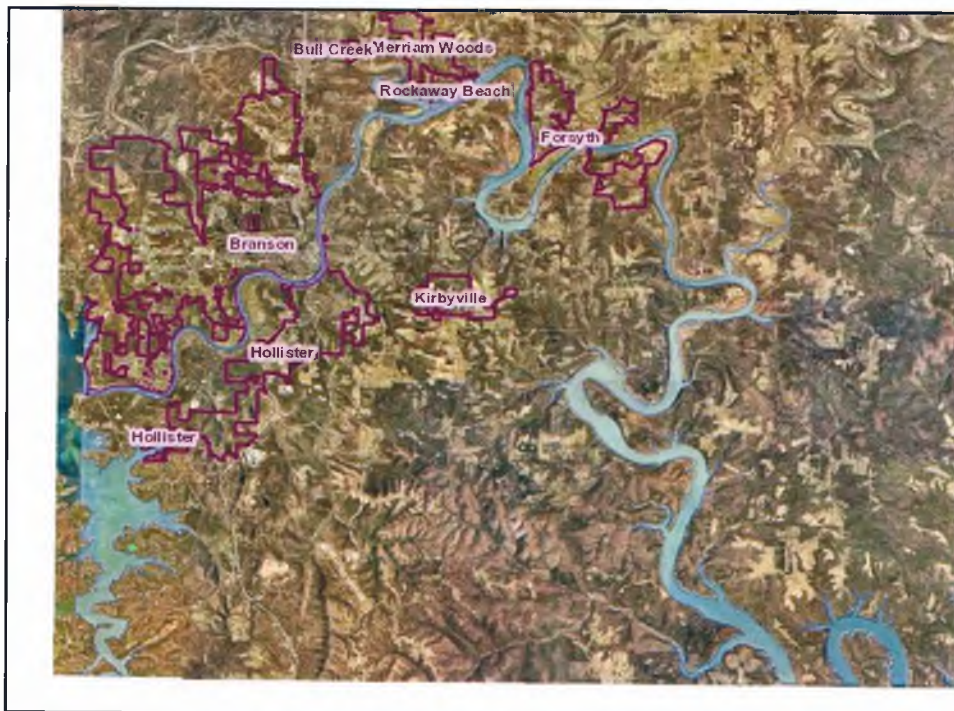
Michael L Wenz
2478 GRAHAM PLANK DR
HOLLISTER, MO 65672



Hyden Nightly Rental, 535 Lakewood Dr



Disclaimer: This map is for informational purposes only and does not constitute a warranty of any kind. The user assumes all responsibility for the accuracy and completeness of the information provided. The user agrees to hold the provider harmless for any and all damages, including consequential damages, arising from the use of this map. The provider makes no representation or warranty as to the accuracy or completeness of the information provided. The user agrees to hold the provider harmless for any and all damages, including consequential damages, arising from the use of this map. The provider makes no representation or warranty as to the accuracy or completeness of the information provided.













535 Lakewood Drive Nightly Rental
535 Lakewood Drive, Hollister, MO
Division III Permit Case # 2016-0014
Pictometry – View from the North



535 Lakewood Drive Nightly Rental
535 Lakewood Drive, Hollister, MO
Division III Permit Case # 2016-0014
Pictometry – View from the South



**535 Lakewood Drive Nightly Rental
535 Lakewood Drive, Hollister, MO
Division III Permit Case # 2016-0014
Pictometry – View from the East**



**535 Lakewood Drive Nightly Rental
535 Lakewood Drive, Hollister, MO
Division III Permit Case # 2016-0014
Pictometry – View from the West**













TANEY COUNTY PLANNING COMMISSION

DIVISION III SPECIAL-USE PERMIT STAFF REPORT

HEARING DATE: August 8, 2016

CASE NUMBER: 2016-0015

PROJECT: Hyden, 319 Lemonwood Nightly Rental

APPLICANTS: Terry & Jana Hyden

REPRESENTATIVE: Jordan Rielly

LOCATION: The subject property is located at 319 Lemonwood Lane, Hollister, MO; Oliver Township; Section 10, Township 21, Range 22.

REQUEST: The applicants, Terry & Jana Hyden are requesting approval of a Division III Special-Use Permit in order to utilize an existing, three (3) bedroom, single-family residence for nightly rental.

BACKGROUND and SITE HISTORY:

Per the Assessor's information, as contained within Beacon, the single-family residence in question is approximately 1,509 square feet in size and was constructed in 1965. The residence was constructed prior to the adoption of the Development Guidance Code in 1984. Therefore a Division I (Residential Construction) Permit and a Septic Permit will not exist for the property in question.

On June 9, 2016, a formal complaint was submitted to the Planning Department office by neighboring property owners, indicating that the properties located at 260 Lemonwood Lane, 319 Lemonwood Lane and 535 Lakewood Drive, Hollister, MO were being utilized for what the Development Guidance Code defines as "nightly rental", without the issuance of a Division III Special Use Permit. The complaint form has since been signed by a total of forty (40) adjoining property owners via an attached signature list.

On June 15, 2016, a Stop Work Order was issued to Mr. & Mrs. Hyden both via certified, return receipt mail and a posting on the property; giving Mr. & Mrs. Hyden ten (10) days from the date of service to seek compliance with the provisions of the Development Guidance Code and also asking that Mr. & Mrs. Hyden cease all nightly rental operations immediately until such time that they obtain a Division III Special-Use Permit for nightly rental. As of the date of this report, there is an active nightly rental advertisement on the Airbnb website. This nightly rental residence located at 319 Lemonwood Lane is advertised on the Airbnb website as the Lakefront House on Table Rock.

Upon receipt of the Stop Work Order, the applicants, Terry & Jana Hyden immediately submitted three (3) Division III Special-Use Permit applications requesting Planning Commission authorization of the nightly rental use of the three (3) properties in question (260 Lemonwood Lane, 319 Lemonwood Lane and 535 Lakewood Drive, Hollister, MO).

The current application was approved for Concept on July 18, 2016.

GENERAL DESCRIPTION:

The subject property (approximately .32 acres (13,939.20 square feet) per the Assessor's information) is known as All of Lot two (2), Block A of Moore's Oasis Subdivision. The property in question contains an approximately 1,745 square foot (Per the Assessor's information) single-family residence. The residence is listed on the Airbnb website as containing three (3) bedrooms and two (2) bathrooms. The Airbnb website lists Jordan as the Airbnb Host. Jordan Rielly is also the representative for this application.

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, per these provisions, the three (3) bedroom home would have a maximum occupancy of up to eight (8) people.

The property in question is served by an individual, onsite septic system. The construction of the septic system predates the County's onsite wastewater permit requirements. On July 13, 2016 the Onsite Wastewater Permitting staff visited the three (3) homes located at 260 Lemonwood, 319 Lemonwood and 535 Lakewood Drive in order to complete a visual inspection of the three (3) septic systems. While walking the lateral field area of each home no problems or issues were observed at this time. No surfacing effluent in the treatment field area or septic tank area was observed. For the continued maintenance of the septic system serving each home, the staff is recommending that each septic tank be pumped each five (5) to seven (7) years, or more frequently if required.

The property in question is currently served by an existing drive off of Lemonwood Lane.

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 four (4) parking spaces will be required. The residence is currently served by a half circle driveway which would accommodate four (4) or more cars; meeting the minimum parking requirements of the Development Guidance Code. The Airbnb website for this property states that, “Free parking is available on the property and additional parking for larger vehicles is available upon request.” The property in question has adequate parking for automobiles. However, the staff recommends that a condition be placed on the Decision of Record stating that no recreational vehicles (RVs), trailers, boats or other watercraft shall be parked onsite, because there simply may not be adequate space of RVs, trailers, boats and watercraft.

The adjoining property immediately to the north and south is single-family residential lots within the Moore’s Oasis Subdivision. The adjoining property immediately to the east is Lemonwood Lane, with single-family residential lots within the Moore’s Oasis Subdivision being located further to the east. The adjoining property immediately to the west is property owned by the US Army Corps of Engineers, with Table Rock Lake being located further to the west.

Pursuant to the provisions of Appendix E, Section 4.7.15 of the Development Guidance Code, “A buffer shall be established between any structure utilized for nightly rental and any existing residential land use, meeting the requirements of Appendix H, Section 6 (Technical Plans)” of the Development Guidance Code. These provisions of the Development Guidance Code allow the Planning Commission the discretion to allow the buffer to be a vegetative buffer or privacy fence, wall, landscaped earthen berm or other screening device.

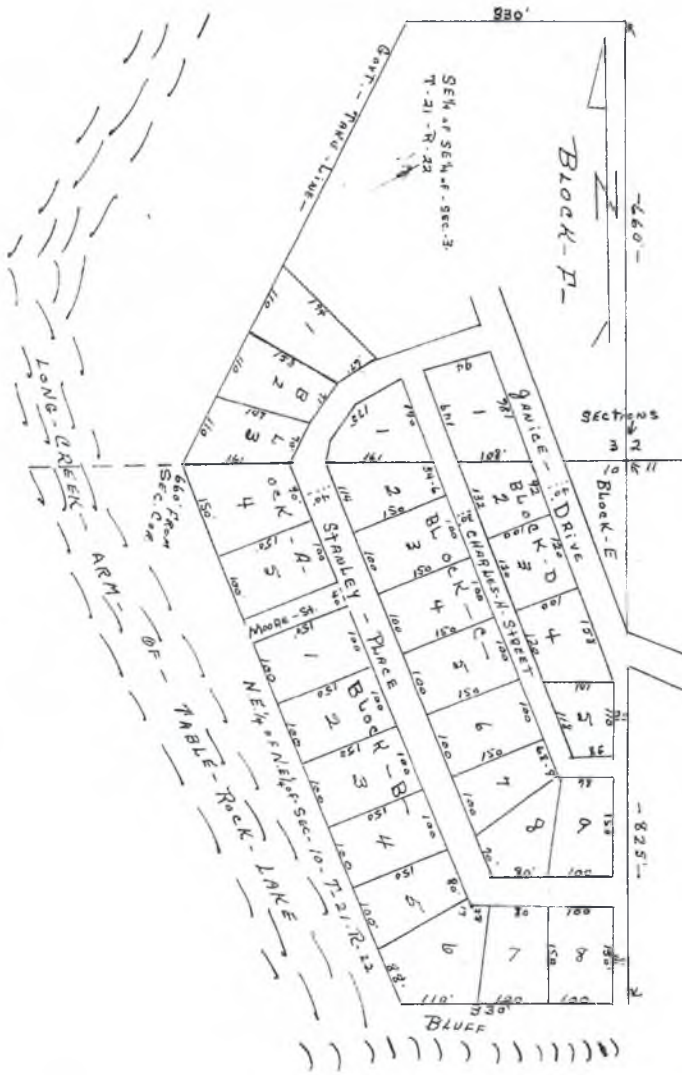
The project received a total score of -34 on the Policy Checklist, out of a maximum possible score of 29. The relative policies receiving a negative score consist of off-site nuisances, right-of-way on existing roads, emergency water supply, solid waste disposal service and use compatibility.

STAFF RECOMMENDATION:

If the Taney County Planning Commission approves Division III Permit # 2016-0015, 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 eight (8) 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 eight (8) people.
6. A minimum of one (1) off-street parking space shall be designated as a handicapped parking space. No recreational vehicles (RVs), trailers, boats or other watercraft shall be parked onsite.
7. No outside storage of equipment or solid waste materials.
8. This decision is subject to all existing easements.
9. Opaque fencing shall be provided along the north and south side property lines, between the nightly rental residence in question and the adjoining single-family residences. The fencing shall in no way interfere with the visibility of the either the applicant's or the neighboring property owner's driveway entrance.
10. The Hyden, 319 Lemonwood 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.
11. 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).



State of Missouri) ss.
 County of Taney)
 Plat of Moore's Base Sub-Division, Taney County, Missouri.
 This Plat of Moore's Base Sub-Division in Taney County, State of Missouri, is a Sub-Division of the following described land, which is the undersigned's own, and such land is described as follows:
 All of the SE 1/4 of the SW 1/4 of Section 3, all of the NE 1/4 of the NE 1/4 of Section 10, all in Township 21, Range 22, in Taney County, State of Missouri, except that part heretofore added off to the United States of America.
 The width of streets, avenues and drives and the width and length of lots, Plots and Blocks are marked in feet on said Plat, herein filed.
 Description of above land owned by us has been subdivided as therein shown, and is known as Moore's Base Sub-Division, and James Drive, Charles H. Street, State Place and Moore Street, all of said Sub-Division, are hereby dedicated as roads and relinquished to the public forever.
 In Witness Whereof, We have hereto set our hands and seals, this 31st day of July, 1958, at Branson, Missouri.
Charles A. Moore
 Owner of Moore's Base Sub-Division

State of Missouri) ss.
 County of Taney)
 Now on this 31st day of July, 1958, before me, the undersigned Notary Public in and for the aforesaid County and State, personally appeared before me, Charles A. Moore and Ella Moore, his wife, to me known to be the persons described in and who executed the foregoing instrument and acknowledged that they executed the same as their free act and deed.
 In testimony whereof, I have hereunto set my hand and seal and affixed said seal at my office in Branson, Missouri, the day and month and year above mentioned.
 My commission as Notary Public expires April 13, 1959.
J. William Cook, Jr., Notary Public

(Seal) Dated July 31, 1958,
 I, O. Z. Howard, County Surveyor of Taney County, State of Missouri, do hereby certify that I have surveyed and Platted the above described sub-division known as Moore's Base Sub-Division and that said Plat shows the correct widths, lengths of lots, blocks, plots and streets, drives and places and avenues.
O. Z. Howard
 County Surveyor of Taney County
 State of Missouri.

Filed for record this 31st day of July, 1958.
 Ray Hall, Recorder.
 I hereby certify this is a true copy of the original Plat.
 Ray Hall, Recorder

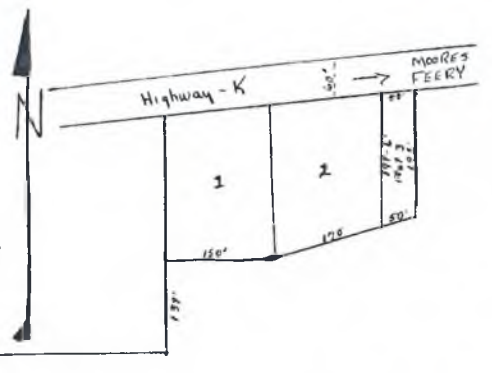


I hereby certify that the Plat herein of Lot 10 of the NW 1/4 of the NE 1/4 of Section 13, Township 21, Range 20 conforms to my survey of August 10th, 1958.
 (Seal)
W. H. Mendenhall, County Surveyor

Filed for record this 20th day August, 1958.
 Ray Hall, Recorder

I hereby certify this is a true copy of the original Plat.
 Ray Hall, Recorder

Plat showing the location of Plot 3 - in the SW 1/4 of the SE 1/4 of Sec 28, Twp. 23, Range 20 Taney County, Mo.
 Complies with my survey of January 10, 1959 made for Homer Bookout, Kirbyville, Mo.
 (Seal)
Orville L. Howard
 County Surveyor
 Taney Co., Mo.



Filed for record this Jan. 24, 1959, Ray Hall, Recorder
 I hereby certify this is a true copy of the original Plat.
 Ray Hall, Recorder

Division III Relative Policy Scoring Sheet: Western Taney County

	Performance Value	Importance Factor	Score	Section Score
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=	x		
no known limitations	0	3		
potential limitations but mitigation acceptable	-1			
mitigation inadequate	-2			
SLOPES	n/a=	x		
NOTE: 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=	x		
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=	x		
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	-2	-10
buffered and minimally mitigated	-1			
cannot be mitigated	-2			
Compatibility Factors				
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: Western Taney County

	Performance Value	Importance Factor	Score	Section Score
LOT COVERAGE	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			
BUILDING BULK AND SCALE	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			
BUILDING MATERIALS	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			
STRUCTURAL SCREENING OF ROOFTOP EQUIPMENT & VENTS	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			
STRUCTURAL SCREENING OF SOLID WASTE CONTAINERS	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			
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			

Division III Relative Policy Scoring Sheet: Western Taney County

	Performance Value	Importance Factor	Score	Section Score
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				
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	3		
potential impact but can be mitigated	-1			
potential impact on existing industrial uses with no mitigation	-2			
DIVERSIFICATION	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			
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 PATTERNS	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
DEVELOPMENT BUFFERING	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			
Services - Capacity and Access					
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	5	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			
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 SYSTEM SERVICE	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 INFRASTRUCTURE	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
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			
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	-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= -34

Maximum Possible Score= 29

Actual Score as Percent of Maximum= -117.2%

Number of Negative Scores= 5

Negative Scores as % of All Applicable Scores= 50.0%

Scoring Performed by:

Bob Atchley and Bonita Kissee-Soutee

Date:

July 26, 2016

Project: Hyden 319 Lemonwood Nightly Rental

Permit#: 16-15

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

Scoring by: Bob Atchley and Bonita Kisse-Souttee

Date: July 26, 2016

Project: Hyden 319 Lemonwood Nightly Rental

Permit: 16-15

	Max. Possible	As Scored	%	Total Negative Scores	
Scoring	29	-34	-117.2%	5	50.0%

	Max. Possible	As Scored	Negative Scores	
			Number of	Percent
Importance Factor 5	15	-30	4	66.7%
sewage disposal	10	0		
off-site nuisances	0	-10		
diversification				
emergency services	0	0		
right-of-way/roads	5	-5		
emergency water supply	0	-10		
waste disposal service	0	-5		
waste disposal commitment				
Importance Factor 4	8	-4		
slopes				
use compatibility	0	-4		
pedestrian circulation				
underground utilities	8	0		
Importance Factor 3				
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		
Importance Factor 2				
wildlife habitat and fisheries				
air quality				
building materials				
residential buffer / screening				
residential privacy				
traffic	0	0		
pedestrian safety				
usable open space				
Importance Factor 1				
lot coverage				
rooftop vents / equipment				
bicycle circulation				

Scoring by: *Bob Atchley and Bonita Kisse-Soutee*
 Date: *July 26, 2016*

Taney County Sheriff's Office

P.O. Box 1005, Forsyth, MO 65653

Offense / Incident Report

Report Date 07/03/2016 2259	Type of Incident PEACE DISTURBANCE (M B)	Complaint No. 16-06600	Case Status RECORDS
---------------------------------------	--	----------------------------------	-------------------------------

Occurred on **07/03/2016 2259** to **07/03/2016 2344**

Incident Location

Street Address 319 LEMONWOOD LN	City RIDGEDALE	State MO	Zip Code
Sector SOUTH	Precinct	Geo	Ward
Neighborhood	Jurisdiction TANEY COUNTY SHERIFF	Latitude	Primary Location
		Longitude	Secondary Location

Dispatch Information

Received Date / Time 07/03/2016 2259	Call Received Via PUBLIC SERVICE	Dispatched Date / Time 07/03/2016 2301	Call Dispatched As PEACE DISTURBANCE	
Arrived Date / Time 07/03/2016 2331	Departed Date / Time 07/03/2016 2344	Offense Category	TTY Ref.#	TeleType Operator

Officers

ID	Name	Role	Primary	Arrived Scene	Departed Scene
123	Marler, Jared	REPORTING	<input checked="" type="checkbox"/>		

Offenses

Charge	Cause Number	Local Code	Jurisdiction	State Statute	State Charge Code	Category
PEACE DISTURBANCE (M B)				574.01	3401299	M B

Modus Operandi

<u>Possible/Probable Motivation</u>	<u>Offender Suspected of Using</u>	<u>Chemical / Incendiary Agent</u>	<u>Special Skills</u>	<u>Weather Conditions</u>
<u>Point of Entry</u>	<u>Method of Entry</u>	<u>Characteristics of Entry</u>	<u>Malicious Mischief Events</u>	

Reporting Party / Complainant

Name (Last, First Middle Suffix)	Race	Sex	DOB	Age	Juvenile	SSN	Moniker
----------------------------------	------	-----	-----	-----	----------	-----	---------

Addresses

Type	Street Address	City	State	Zip Code	Country
------	----------------	------	-------	----------	---------

Phone Numbers

Type	Phone	Ext/PIN
Drivers License	Type	State Expires Restrictions

Email Addresses

Type	Email Address
Marital Status	Resident Status Ethnicity Language

Statement / Notes:

Offense Narrative

Reporting Officer **123 Marler, Jared**

Approving Officer
(Cover Pages Only)

Taney County Sheriff's Office

P.O. Box 1005, Forsyth, MO 65653

Offense / Incident Report

Report Date	Type of Incident	Complaint No.	Case Status
07/03/2016 2259	PEACE DISTURBANCE (M B)	16-06600	RECORDS

Dispatched to a noise complaint of a party with dancing. We spoke with the occupants who agreed to turn the music down. Nothing further to report.

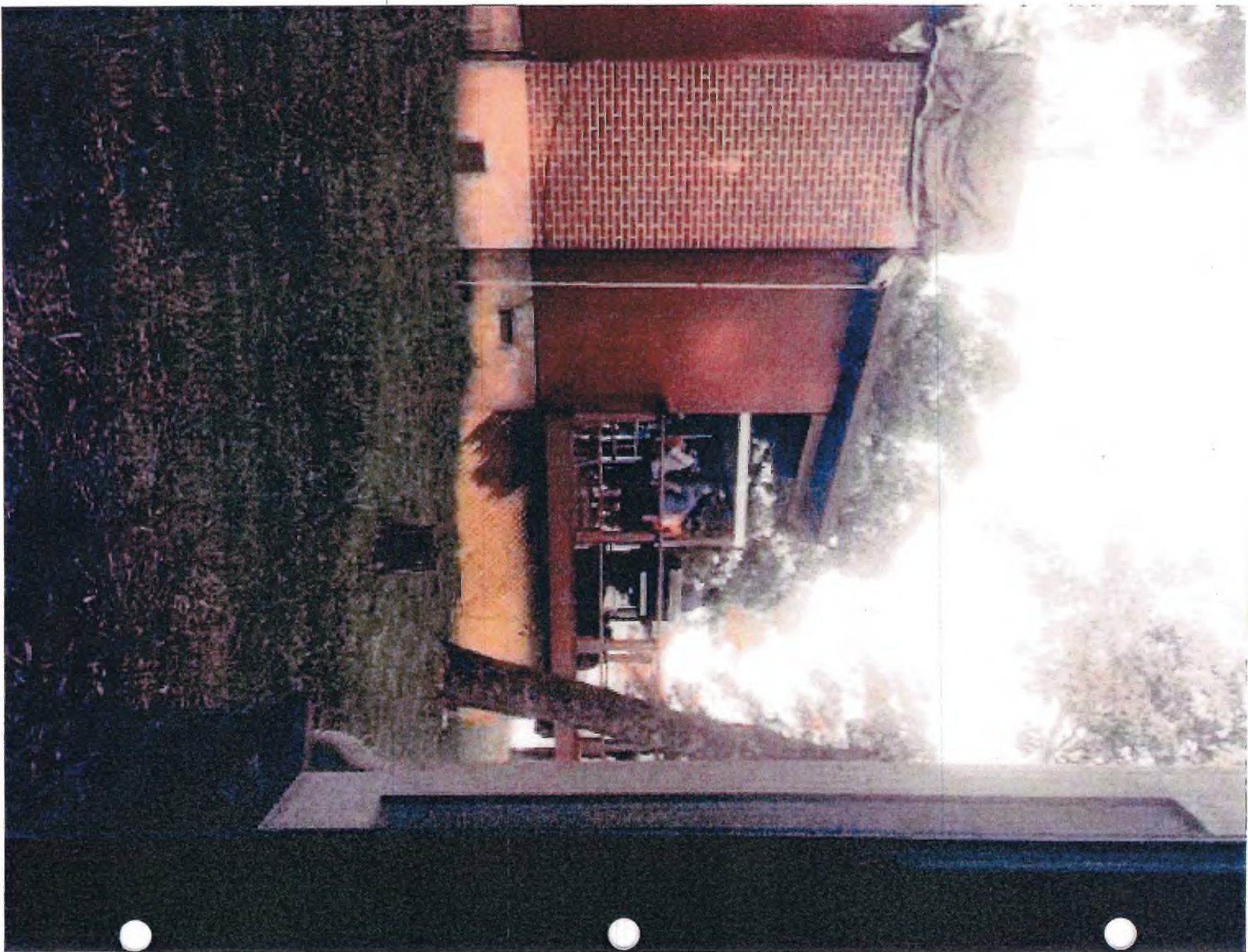
Deputy Jared Marler
DSN #123

Reporting Officer 123 Marler, Jared

Approving Officer
(Cover Pages Only)

Page 2 of 2

Printed 07/11/2016 1509





Photos About this listing Reviews The Host Location

\$187

Per Night



Jordan

Lakefront House on Table Rock Lake

Hollister, MO, United States



Entire home/apt



10 Guests



3 Bedrooms



5 Beds

Check in

07/26/2016

Check out

08/03/2016

Guests

1

Those dates are not available

[View Other Listings](#)

About this listing

Perfect Location next to Big Cedar! Close to Big Cedar & Top of the Rock and 15 minutes of Branson Landing, Tanger Outlets and traditional Branson entertainment. Bring you boat and enjoy the lakefront property- parking and lake access is available.

Contact Host

The Space

Accommodates: 10

Bathrooms: 2

Bedrooms: 3

Beds: 5

[House Rules](#)

Check in: 4PM - 8PM

Check Out: 11AM

Property type: House

Room type: Entire home/apt

[Save to Wish List](#)

58 travelers saved this place

[Email](#)

[Messenger](#)

[More](#)

[Report this listing](#)

Amenities



Kitchen



TV



Essentials



Shampoo

[+ More](#)

Prices

Extra people: No Charge

Cleaning Fee: \$100

Security Deposit: \$250

Cancellation: **Strict**

ption | **Sleeping Arrangements**



Bedroom 1
1 queen bed



Bedroom 2
1 king bed



Bedroom 3
3 double beds



Common spaces
2 couches

The Space

Perfect Location next to Big Cedar! Very close to Big Cedar & Top of the Rock and 15 minutes of Branson Landing, Tanger Outlets and traditional Branson entertainment.

3 bedrooms that with beds for 10, couches for 2. 2 bathrooms and washer/dryer in separate utility room. Large deck with access to propane grill.

Guest Access

-Access to Table Rock Lake for swimming, fishing, water activities

Interaction with Guests

We are more than willing to help you during your stay. At any point you need something, or just recommendation for dinner we will be just a phone call away. Our phone will be on us 24 hours a day.

The Neighborhood

Check in	Check out	Guests
07/26/2016	08/03/2016	1

Those dates are not available

[View Other Listings](#)

[Save to Wish List](#)

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[Email](#) | [Messenger](#) | [More](#)

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away. Our phone will be on us 24 hours a day.

The Neighborhood

Very quiet, peaceful neighborhood at Big Cedar Cove. Less than 5 minutes from Big Cedar & Top of the Rock- which includes restaurants, bars, and golf course. Branson Airport and the favorites in Branson are just 15 minutes away.

Getting Around

Free parking is available on the property and additional parking for larger vehicles is available upon request.

The house is 10 minutes from Highway 65.

House Rules

No smoking

Not suitable for pets

Check-in time is 4PM - 8PM.

We want everyone to feel at home as much as possible. With that said, we just ask for respect while in the house.

*No pets

*No smoking inside

*This is a very quit neighborhood please be respectful of our neighbors

*This home is privately owned. The owners are not responsible for accidents, injuries or illness that occurs while on the premises or its facilities. The home owner is not responsible for the loss of personal belongings or valuables of the guest. By accepting this reservation, it is agreed that all guests are expressly assuming the risk of any harm arising from their use of the premise or others whom they invite to use the premise.

Check in	Check out	Guests
07/26/2016	08/03/2016	1

Those dates are not available

[View Other Listings](#)

 [Save to Wish List](#)

58 travelers saved this place

 Email  Messenger  More

 [Report this listing](#)

Photos About this listing Reviews The Host Location **\$187** Per Night

or others whom they invite to use the premise.

Check in	Check out	Guests
07/26/2016	08/03/2016	1

Those dates are not available

[View Other Listings](#)

Safety Features

- Smoke Detector
- Carbon Monoxide Detector
- First Aid Kit
- Safety Card
- Fire Extinguisher

Availability

2 nights minimum stay

[View Calendar](#)

[Save to Wish List](#)

58 travelers saved this place

- [Email](#)
- [Messenger](#)
- [More](#)

[Report this listing](#)

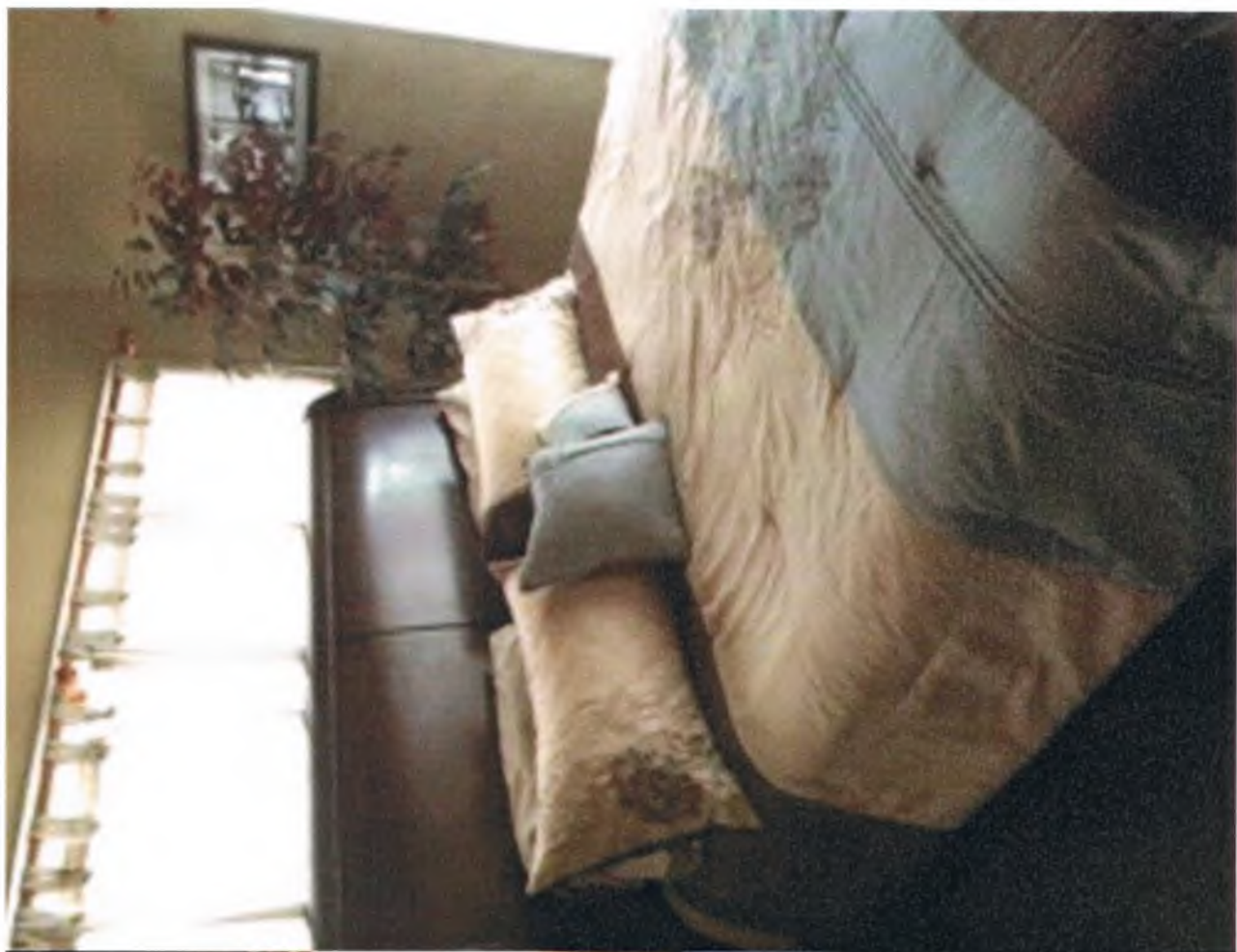


[See all 17 photos](#)



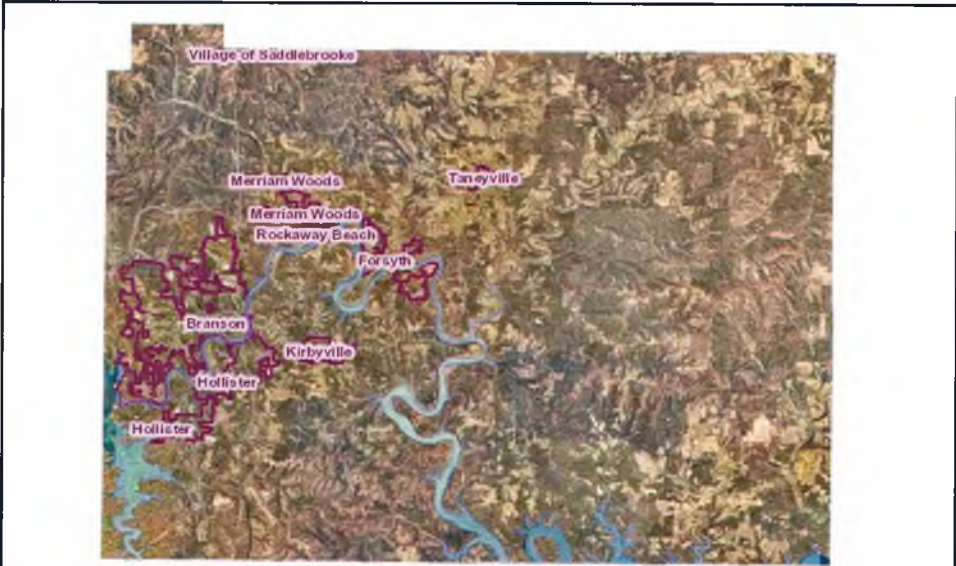




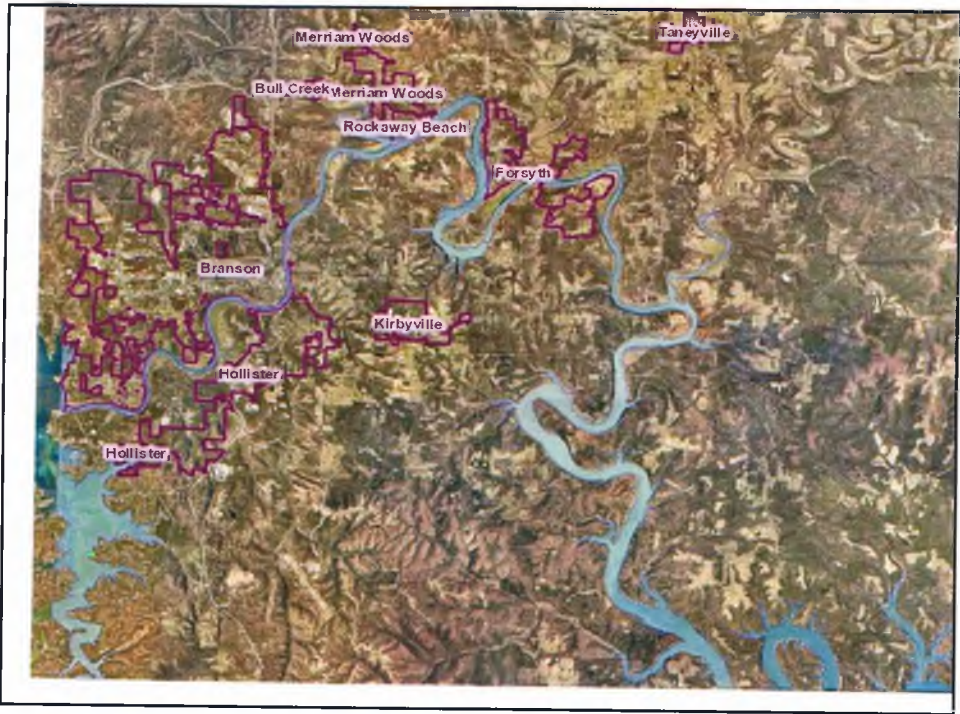








319 Lemonwood Lane Nightly Rental
319 Lemonwood Lane, Hollister, MO
Division III Permit Case # 2016-0014
Taney County GIS - Beacon











03/23/2015

319 Lemonwood Lane Nightly Rental
319 Lemonwood Lane, Hollister, MO
Division III Permit Case # 2016-0014
Pictometry – View from the North



03/23/2015

319 Lemonwood Lane Nightly Rental
319 Lemonwood Lane, Hollister, MO
Division III Permit Case # 2016-0014
Pictometry – View from the South



03/23/2015

319 Lemonwood Lane Nightly Rental
319 Lemonwood Lane, Hollister, MO
Division III Permit Case # 2016-0014
Pictometry – View from the East



**319 Lemonwood Lane Nightly Rental
319 Lemonwood Lane, Hollister, MO
Division III Permit Case # 2016-0014
Pictometry – View from the West**















TANEY COUNTY PLANNING COMMISSION

DIVISION III SPECIAL-USE PERMIT STAFF REPORT

HEARING DATE: August 8, 2016

CASE NUMBER: 2016-0016

PROJECT: Hyden, 260 Lemonwood Nightly Rental

APPLICANTS: Terry & Jana Hyden

REPRESENTATIVE: Jordan Rielly

LOCATION: The subject property is located at 260 Lemonwood Lane, Hollister, MO; Oliver Township; Section 10, Township 21, Range 22.

REQUEST: The applicants, Terry & Jana Hyden are requesting approval of a Division III Special-Use Permit in order to utilize an existing, four (4) bedroom, single-family residence for nightly rental.

BACKGROUND and SITE HISTORY:

Per the Assessor's information, as contained within Beacon, the single-family residence in question is approximately 2,069 square feet in size and was constructed in 1994. The staff has been unable to locate either a Division I (Construction) Permit or a Septic Permit for the property in question.

On June 9, 2016, a formal complaint was submitted to the Planning Department office by neighboring property owners, indicating that the properties located at 260 Lemonwood Lane, 319 Lemonwood Lane and 535 Lakewood Drive, Hollister, MO were being utilized for what the Development Guidance Code defines as "nightly rental", without the issuance of a Division III Special Use Permit. The complaint form has since been signed by a total of forty (40) adjoining property owners via an attached signature list.

On June 15, 2016, a Stop Work Order was issued to Mr. & Mrs. Hyden both via certified, return receipt mail and also a posting on the property; giving Mr. & Mrs. Hyden ten (10) days from the date of service to seek compliance with the provisions of the Development Guidance Code and also asking Mr. & Mrs. Hyden to cease all nightly rental operations immediately until such time that they obtain a Division III Special-Use Permit for nightly rental. As of the date of this report, there is an active nightly rental advertisement on the Airbnb website. This nightly rental residence located at 260 Lemonwood Lane is advertised on the Airbnb website as the Lake-View House on Table Rock.

Upon receipt of the Stop Work Order the applicants, Terry & Jana Hyden immediately submitted three (3) Division III Special-Use Permit applications requesting Planning Commission authorization of the nightly rental use of the three (3) properties in question (260 Lemonwood Lane, 319 Lemonwood Lane and 535 Lakewood Drive, Hollister, MO).

The current application was approved for Concept on July 18, 2016.

GENERAL DESCRIPTION:

The subject property (approximately .33 acres (14,374.80 square feet) per the Assessor's information) is known as All of Lot five (5), Block C of Moore's Oasis Subdivision. The property in question contains an approximately 1,745 square foot (Per the Assessor's information) single-family residence. The residence is listed on the Airbnb website as containing four (4) bedrooms and two (2) bathrooms. The Airbnb website lists Jordan as the Airbnb Host. Jordan Rielly is also the representative for this application.

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 four (4) bedroom home would have a maximum occupancy of up to ten (10) people.

The property in question is served by an individual, onsite septic system. However, the staff was unable to locate an onsite wastewater permit. On July 13, 2016 the Onsite Wastewater Permitting staff visited the three homes located at 260 Lemonwood, 319 Lemonwood and 535 Lakewood Drive in order to complete a visual inspection of the three (3) septic systems. While walking the lateral field area of each home no problems or issues were observed at this time. No surfacing effluent in the treatment field area or septic tank area was observed. For the continued maintenance of the septic system serving each home, the staff is recommending that each septic tank be pumped each five (5) to seven (7) years, or more frequently if required.

The property in question is currently served by an existing drive off of Lemonwood Lane.

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 five (5) parking spaces will be required. The residence is currently served by a two (2) car garage, along with a fairly large driveway; meeting the minimum parking requirements of the Development Guidance Code. The Airbnb site for this property states that, "Free parking is available on the property and additional

parking for larger vehicles is available upon request.” The property in question has adequate parking for automobiles. However, the staff recommends that a condition be placed on the Decision of Record stating that no recreational vehicles (RVs), trailers, boats or other watercraft shall be parked onsite, unless they are to be stored within the garage.

The adjoining property immediately to the north and south is single-family residential lots within the Moore’s Oasis Subdivision. The adjoining property immediately to the east is an undeveloped roadway within a recorded road right-of-way, with single-family residential lots within the Moore’s Oasis Subdivision being located further to the east. The adjoining property immediately to the west is Lemonwood Lane, with single-family residential lots within the Moore’s Oasis Subdivision being located further to the west.

Pursuant to the provisions of Appendix E, Section 4.7.15 of the Development Guidance Code, “A buffer shall be established between any structure utilized for nightly rental and any existing residential land use, meeting the requirements of Appendix H, Section 6 (Technical Plans)” of the Development Guidance Code. These provisions of the Development Guidance Code provide the Planning Commission the with a level of discretion by allowing the buffer to be a vegetative buffer or privacy fence, wall, landscaped earthen berm or other screening device.

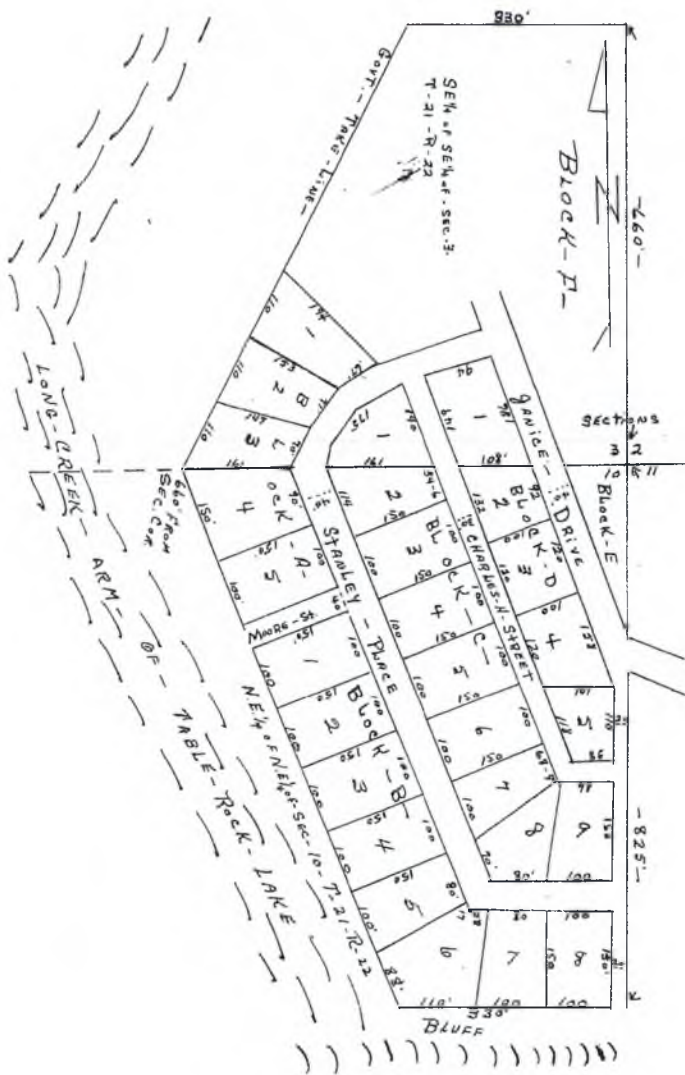
The project received a total score of -34 on the Policy Checklist, out of a maximum possible score of 29. The relative policies receiving a negative score consist of off-site nuisances, right-of-way on existing roads, emergency water supply, solid waste disposal service and use compatibility.

STAFF RECOMMENDATION:

If the Taney County Planning Commission approves Division III Permit # 2016-0016, 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 ten (10) 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.

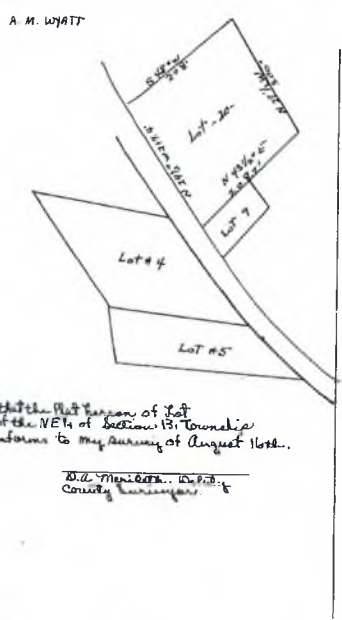
5. In the event that the on-site wastewater treatment system begins to surface, showing signs of failure, the property owner shall either repair or replace said system ensuring capacity for the nightly rental of the building, ensuring that the system will adequately meet the needs of up to ten (10) people.
6. A minimum of one (1) off-street parking space shall be designated as a handicapped parking space. No recreational vehicles (RVs), trailers, boats or other watercraft shall be parked onsite, unless they will be stored within the garage.
7. No outside storage of equipment or solid waste materials.
8. This decision is subject to all existing easements.
9. Opaque fencing shall be provided along the north, south and east property lines, between the nightly rental residence in question and the adjoining single-family residences. The fencing shall in no way interfere with the visibility of either the applicant's or the neighboring property owner's driveway entrance.
10. The Hyden, 260 Lemonwood 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.
11. 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).



State of Missouri } ss.
 County of Taney }
 Plat of Moore's Basin Sub-Division, Taney County, Missouri.
 This Plat of Moore's Basin Sub-Division in Taney County, State of Missouri, is a Sub-Division of the following described land, which is the undersigned's own, and said land is described as follows:
 All of the SE 1/4 of the SE 1/4 of Section 3, all of the NE 1/4 of the NE 1/4 of Section 10; all in Township 21, Range 27, in Taney County, State of Missouri, West of that Part West-ore Leased off to the United States of America.
 The width of streets, avenues and bridges and the width and length of lots, plots and blocks are marked in full on said Plat herein filed.
 Description of above land owned by us has been subdivided as therein shown, and is known as Moore's Basin Sub-Division, and Gaines Drive, Charles H. Street, Stanley Place and Moore Street, all of said Sub-Division are hereby dedicated as roads and relinquished to the public forever.
 In witness whereof, We have hereunto set our hands and seals, this 31st day of July, 1958, at Branson, Missouri.
Charles A. Moore
Ella Moore
 Owners of Moore's Basin Sub-Division

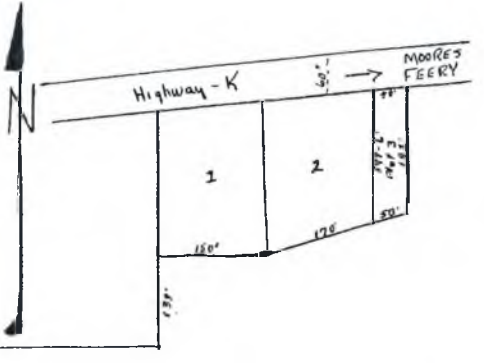
State of Missouri } ss.
 County of Taney }
 Now on this 31st day of July, 1958, before me, the undersigned Notary Public in and for the aforesaid County and State, personally appeared before me, Charles A. Moore and Ella Moore, his wife, to me known to be the persons described in and who executed the foregoing instrument and acknowledged that they executed the same as their free act and deed.
 In testimony whereof, I have hereunto set my hand and seal and affixed said seal at my office in Branson, Missouri, this day and month and year above mentioned.
 My commission as Notary Public expires April 13, 1959.
J. William Cook, Jr. Notary Public
 (Seal) Dated July 31, 1958,
 I, O. L. Howard, County Surveyor of Taney County, State of Missouri, do hereby certify that I have surveyed and Platted the above described sub-division known as Moore's Basin Sub-Division and that said Plat shows the correct widths, lengths of lots, blocks, plots and streets, avenues and places and bridges.
O. L. Howard
 County Surveyor of Taney County
 State of Missouri.

Filed for record this 31st day of July, 1958.
Ray Hall, Recorder.
 I hereby certify this is a true copy of the original Plat.
Ray Hall, Recorder



I hereby certify that the Plat portion of Lot 10 of the NW 1/4 of the NE 1/4 of Section 13, Township 21, Range 20 conforms to my survey of August 10th, 1958.
 (Seal)
O. L. Howard County Surveyor

Plat showing the location of Plot 3 - in the SW 1/4 of the SE 1/4 of Sec 28, Twp. 23, Range 20 Taney County, Mo.
 Complies with my survey of January 10, 1959 made for Homer Bookout Kirbyville, Mo.
 (Seal)
O. L. Howard County Surveyor Taney Co., Mo.



Filed for record this Jan. 24, 1959.
Ray Hall, Recorder
 I hereby certify this is a true copy of the original Plat.
Ray Hall, Recorder

Filed for record this 20th day August, 1958.
Ray Hall, Recorder
 I hereby certify this is a true copy of the original Plat.
Ray Hall, Recorder

Division III Relative Policy Scoring Sheet: Western Taney County

Performance Value	Importance Factor	Score	Section Score
-------------------	-------------------	-------	---------------

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=			
NOTE: 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	-2	-10
buffered and minimally mitigated	-1			
cannot be mitigated	-2			

Compatibility Factors

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: Western Taney County

		Performance Value	Importance Factor	Score	Section Score
LOT COVERAGE	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			
BUILDING BULK AND SCALE	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			
BUILDING MATERIALS	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			
STRUCTURAL SCREENING OF ROOFTOP EQUIPMENT & VENTS	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			
STRUCTURAL SCREENING OF SOLID WASTE CONTAINERS	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			
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			

Division III Relative Policy Scoring Sheet: Western Taney County

	Performance Value	Importance Factor	Score	Section Score
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				
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	3		
potential impact but can be mitigated	-1			
potential impact on existing industrial uses with no mitigation	-2			
DIVERSIFICATION	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			
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 PATTERNS	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			

<h2 style="margin: 0;">Division III Relative Policy Scoring Sheet: Western Taney County</h2>	Performance Value	Importance Factor	Score	Section Score
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DEVELOPMENT BUFFERING	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		

Services - Capacity and Access

TRAFFIC	n/a=			
no impact or insignificant impact on current traffic flows		0	2	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	5	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		

RIGHT-OF-WAY OF EXISTING ROADS	n/a=			
greater than 50 ft. right-of-way		1	5	-5
50 ft. right-of-way		0		
40 ft. right-of-way		-1		
less than 40 ft. right-of-way		-2		

Internal Improvements

WATER SYSTEM SERVICE	n/a=			
central water system meeting DNR requirements for capacity, storage, design, etc.		2	3	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	-10
fire hydrant system with limited coverage		-1		
no fire hydrant system		-2		

PEDESTRIAN CIRCULATION INFRASTRUCTURE	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
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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 about 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				
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	-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= -34

Maximum Possible Score= 29

Actual Score as Percent of Maximum= -117.2%

Number of Negative Scores= 5

Negative Scores as % of All Applicable Scores= 50.0%

Scoring Performed by:

Bob Atchley and Bonita Kisse-Souttee

Date:

July 26, 2016

Project: Hyden 260 Lemonwood Nightly Rental

Permit#: 16-16

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

Scoring by: Bob Atchley and Bonita Kisse-Souttee

Date: July 26, 2016

Project: Hyden 260 Lemonwood Nightly Rental

Permit: 16-16

	Max. Possible	As Scored	%	Total Negative Scores	
Scoring	29	-34	-117.2%	5	50.0%

	Max. Possible	As Scored	Negative Scores	
			Number of	Percent
Importance Factor 5	15	-30	4	66.7%
sewage disposal	10	0		
off-site nuisances	0	-10		
diversification				
emergency services	0	0		
right-of-way/roads	5	-5		
emergency water supply	0	-10		
waste disposal service	0	-5		
waste disposal commitment				
Importance Factor 4	8	-4	1	50.0%
slopes				
use compatibility	0	-4		
pedestrian circulation				
underground utilities	8	0		
Importance Factor 3				
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		
Importance Factor 2				
wildlife habitat and fisheries				
air quality				
building materials				
residential buffer / screening				
residential privacy				
traffic	0	0		
pedestrian safety				
usable open space				
Importance Factor 1				
lot coverage				
rooftop vents / equipment				
bicycle circulation				

Scoring by: Bob Atchley and Bonita Kissee-Souttee
Date: July 26, 2016



Jordan

lake-view House on Table Rock Lake

Hollister, MO, United States · ★★★★★ 9 reviews



Entire home/apt



10 Guests



4 Bedrooms



5 Beds

Check in

mm/dd/yyyy

Check out

mm/dd/yyyy

Guests

1

Request to Book

Your Credit Card will not be charged

What guests liked about this place

Spacious Residential Private

About this listing

Very close to Big Cedar & Top of the Rock and within 15 minutes of Branson Landing, Tanger Outlets and traditional Branson entertainment. Bring your boat if you want as we have lake access and parking available within walking distance of house, next to Big Cedar Cove.

Contact Host

The Space

Accommodates: 10

Bathrooms: 2

Bedrooms: 4

Beds: 5

House Rules

Check In: 4PM - 9PM

Check Out: 11AM

Property type: House

Room type: Entire home/apt

Amenities



Kitchen



Essentials

Save to Wish List

66 travelers saved this place

Email

Messenger

... More

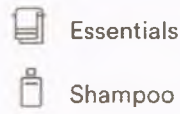
Report this listing

Photos About this listing Reviews The Host Location

\$139

Per Night

Amenities



+ More

Check in

Check out

Guests

mm/dd/yyyy

mm/dd/yyyy

1

Request to Book

Your Credit Card will not be charged

Prices

Extra people: No Charge
Cleaning Fee: \$100
Security Deposit: \$250

Weekly discount: 0%
Monthly discount: 0%
Cancellation: Strict

Description

Sleeping Arrangements



Bedroom 1
1 king bed



Bedroom 2
1 queen bed



Bedroom 3
1 double bed



Bedroom 4
1 bunk bed



Common spaces
2 couches

The Space

Ranch-style house with all bedrooms and living areas on main floor. House

Save to Wish List

66 travelers saved this place

Email

Messenger

More

Report this listing

The Space

Ranch-style house with all bedrooms and living areas on main floor. House includes Master Bedroom with Bath, large living room with fireplace, screened back porch, dining room with dining table that seats 8, modern kitchen with new appliances, granite countertops, slate backsplash and a lot of counter/cabinet space.

Guest Access

-Access to Table Rock Lake for swimming, fishing, water activities

Interaction with Guests

We are more than willing to help you during your stay. At any point you need something, or just recommendation for dinner we will be just a phone call away. Our phone will be on us 24 hours a day.

The Neighborhood

Very quiet, peaceful neighborhood at Big Cedar Cove. Less than 5 minutes from Big Cedar & Top of the Rock- which includes restaurants, bars, and golf course. Branson Airport and the favorites in Branson are just 15 minutes away.

Getting Around

Free parking is available on the property and additional parking for larger vehicles is available upon request.

The house is 10 minutes from Highway 65.

Check in: mm/dd/yyyy Check out: mm/dd/yyyy Guests: 1

Request to Book

Your Credit Card will not be charged

Save to Wish List

66 travelers saved this place

Email Messenger ... More

Report this listing

House Rules

Check-in time is 4PM - 9PM.

We want everyone to feel at home as much as possible. With that said, we

Photos About this listing Reviews The Host Location

\$139

Per Night

House Rules

Check-in time is 4PM - 9PM.

We want everyone to feel at home as much as possible. With that said, we just ask for respect while in the house.

*No pets

*No smoking inside

*This is a very quiet neighborhood please be respectful of our neighbors

*This home is privately owned. The owners are not responsible for accidents, injuries or illness that occurs while on the premises or its facilities. The home owner is not responsible for the loss of personal belongings or valuables of the guest. By accepting this reservation, it is agreed that all guests are expressly assuming the risk of any harm arising from their use of the premise or others whom they invite to use the premise.

Safety Features

Smoke Detector

Safety Card

Carbon Monoxide Detector

Fire Extinguisher

First Aid Kit

Availability

2 nights minimum stay

[View Calendar](#)



Check in

Check out

Guests

[Request to Book](#)

Your Credit Card will not be charged

[Save to Wish List](#)

66 travelers saved this place

[Email](#)

[Messenger](#)

[More](#)

[Report this listing](#)

Availability

2 nights minimum stay

[View Calendar](#)

Check in

Check out

Guests

Request to Book

Your Credit Card will not be charged

Save to Wish List

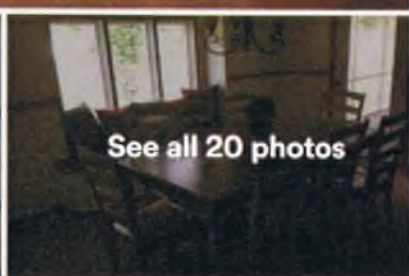
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Email

Messenger

... More

Report this listing



[See all 20 photos](#)

9 Reviews

9 Reviews ★★★★★

Search reviews

Check in

mm/dd/yyyy

Check out

mm/dd/yyyy

Guests

1

Request to Book

Your Credit Card will not be charged

Save to Wish List

66 travelers saved this place

Email

Messenger

More

Report this listing



Heather

The house was very nice and very well-stocked. The beds were comfortable and baths adequate. Overall, it was great.

July 2016

Helpful



Elizabeth

Jordan was easy to communicate with and helped with any questions. The 4 bedroom house was plenty big enough. We used an air bed in the living room. The carpet had multiple stains. I took pics and sent to Jordan. She was very apologetic and said she would get the carpet

+ More

July 2016

Helpful



Lucas

Our family of 5 rented Jordan's lake house over the week of July 4th and had a great time! The house is comfortable with plenty of room. All of the appliances worked well and the house was clean. Even the propane grill out back worked fine. The kitchen was stocked with all of the

+ More

July 2016

Helpful



Response from Jordan:

Thanks Lucas! Come back soon!

July 2016

\$139

Per Night



Ashley

This is a very clean, nice and spacious house for anyone who is wanting to be together with family to enjoy watching a movie or playing games. Added bonus is the water is not far away and its in a great location on the lake. Jordan was very nice and easy to work with.

June 2016

Helpful



Jesse

Jordan was a fantastic host! He was responsive to any and all texts/requests and the house was a fantastic fit for our large family. We were able to easily accommodate 6 adults, 2 teens, and 4 kids by adding an air mattress in the living room (which is large enough to easily fit 2

+ More

June 2016

Helpful



Response from Jordan:

Thanks Jesse! Come back anytime

June 2016



Melanie

The house was great for 7 people! Easy to locate and close to the water. I'd recommend doing your grocery shopping on the way or beforehand because the closest store was 20 minutes away, as expected. Also the beds were a little firm for our taste but I would definitely stay here again

+ More

June 2016

Helpful



Response from Jordan:

Check in

mm/dd/yyyy

Check out

mm/dd/yyyy

Guests

1

Request to Book

Your Credit Card will not be charged

Save to Wish List

66 travelers saved this place

Email

Messenger

... More

Report this listing

June 2016

Helpful



Response from Jordan: thanks Melanie! You are welcome back anytime!

June 2016

Check in	Check out	Guests
mm/dd/yyyy	mm/dd/yyyy	1

Request to Book

Your Credit Card will not be charged



Samantha

House was great, very nice and had everything you would need. The walk down to the lake is a little rough with coolers/ supplies, but the house is on a great spot on the lake. There are some quiet coves and also a lot of open water all right there and multiple marinas. Jordan made us

+ More

June 2016

Helpful



Response from Jordan: Thanks Samantha!

June 2016

Save to Wish List

66 travelers saved this place

Email Messenger More

Report this listing



This host has 3 reviews for other properties.

View Other Reviews

Check in	Check out	Guests
mm/dd/yyyy	mm/dd/yyyy	1

Request to Book

Your Credit Card will not be charged

Save to Wish List

66 travelers saved this place

- Email
- Messenger
- ... More

Report this listing

Your Host



Jordan

Dallas, Texas, United States · Member since January 2016

My fiancé and I are young professionals who love to travel, spend time with our families, and work hard.

We are getting married in Sept 2016!

Response rate: **100%**

Response time: **within a day**

12 Reviews Verified

Contact Host

Social Connections

Are you or your friends connected with this host?

Connect with Facebook











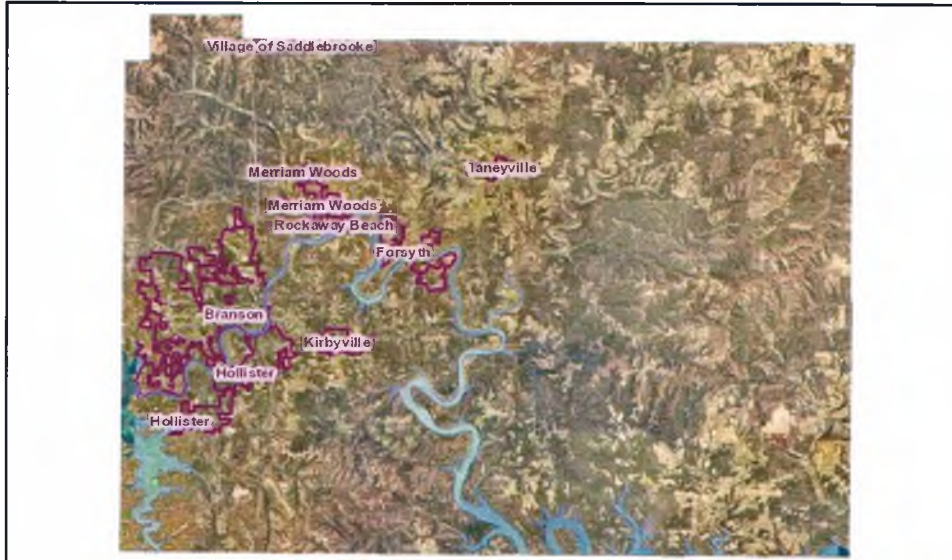






Hyden Nightly Rental, 260 Lemonwood





**260 Lemonwood Lane Nightly Rental
260 Lemonwood Lane, Hollister, MO
Division III Permit Case # 2016-0016
Taney County GIS - Beacon**











**260 Lemonwood Lane Nightly Rental
260 Lemonwood Lane, Hollister, MO
Division III Permit Case # 2016-0016
Pictometry – View from the North**



260 Lemonwood Lane Nightly Rental
260 Lemonwood Lane, Hollister, MO
Division III Permit Case # 2016-0016
Pictometry – View from the South



260 Lemonwood Lane Nightly Rental
260 Lemonwood Lane, Hollister, MO
Division III Permit Case # 2016-0016
Pictometry – View from the East



03/23/2015

**260 Lemonwood Lane Nightly Rental
260 Lemonwood Lane, Hollister, MO
Division III Permit Case # 2016-0016
Pictometry – View from the West**











**TANEY COUNTY
PLANNING COMMISSION
DIVISION III PERMIT
STAFF REPORT**

HEARING DATE: August 8, 2016

CASE NUMBER: 2016-0017

PROJECT: Vanderlink T1 Wireless Internet Tower

APPLICANT (Current Owner): Linda Crosby

**REPRESENTATIVE:
(Purchaser)** Garrett Vanderpool - Vanderlink

LOCATION: The subject property is located at 5015 West State Highway 248, Branson, MO; Branson Township; Section 12, Township 23, Range 22.

REQUEST: The representative, Garrett Vanderpool - Vanderlink is requesting the approval of a Division III Permit, in order to allow for the development of a new wireless internet facility consisting of a new 170' monopole or 150' self supporting tower (based upon engineering) a concrete pad with two (2) concrete portable structure, serving as equipment shelters and a propane powered backup generator located upon a utility lot.

BACKGROUND and SITE HISTORY:

The +/- 25.07 acre property (according the Assessor's information via Beacon) is currently owned by Linda Crosby. The approximately 25.07 acre parcel currently contains three (3) single-family residences which were all constructed prior to the adoption of the Development Guidance Code (1950, 1952 & 1970).

The representative, Garrett Vanderpool – Vanderlink is now requesting the approval of a Division III Permit, authorizing the construction of a new 170' monopole or 150' self supporting tower (based upon engineering) a concrete pad with two (2) concrete portable structure, serving as equipment shelters and a propane powered backup generator to be located upon a separate utility lot.

The current application was approved for Concept on July 18, 2016.

GENERAL DESCRIPTION:

The +/- 25.07 acre property (according the Assessor's information via Beacon) is currently owned by Linda Crosby. The approximately 25.07 acre parcel currently contains three (3) single-family residences which were all constructed prior to the adoption of the Development Guidance Code (1950, 1952 & 1970).

The representative, Garrett Vanderpool – Vanderlink is proposing to purchase a +/- 0.17 acre lot (+/- 7,405.2) utility lot from the current property owner, to serve as the location of the new wireless internet tower site.

REVIEW:

The representative has indicated that Vanderlink is proposing to establish a new wireless internet facility because the existing tower on the property to the east will not support additional co-locations.

The +/-0.17 acre (+/- 7,405.2 square foot) utility lot will be served by a 50' wide access easement.

There are two (2) existing single-family residences that will likely fall within the 170' or 150' foot radius of the tower. The staff recommends that a condition be placed on the application requiring the submission of an Engineering Design Fall Zone Letter, for the proposed wireless internet tower, prior to the issuance of the Division II (Construction) Permit.

The adjoining property immediately to the north is State Highway 248 with predominantly vacant property being located further to the north. The adjoining property immediately to the south is predominantly vacant. The adjoining property to the east is State Highway 248, with predominantly vacant property being located further to the east. The adjoining property immediately to the west is predominantly single-family residential.

The project received a total score of 8 on the Policy Checklist, out of a maximum possible score of 19. No relative policies received a negative score.

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.
2. Compliance letters from the Federal Communications Commission (FCC) and the Federal Aviation Administration (FAA), if required.
3. No outside storage of equipment or solid waste materials, other than generators.

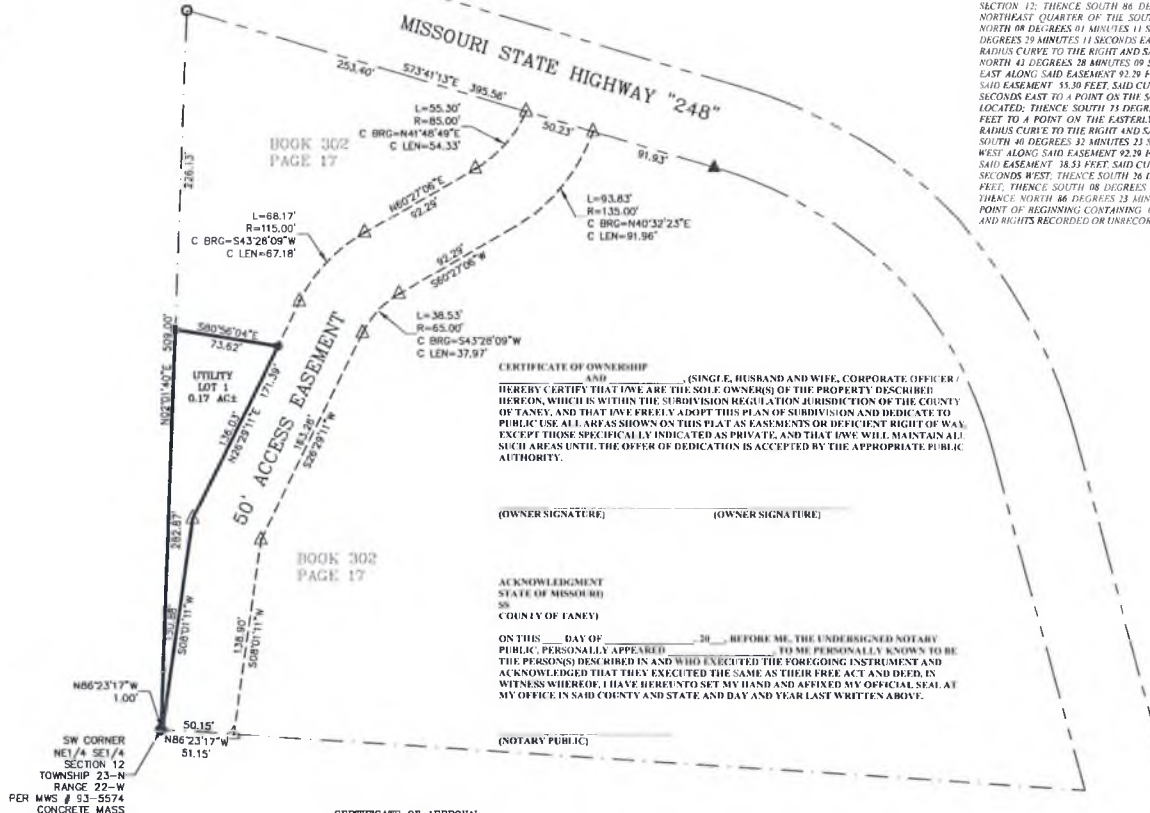
4. This decision is subject to all existing easements.
5. Division II Permits will be required for all applicable structures in the development (Chapter 3 Sec. I Item B).
6. Prior to the issuance of a Division II Permit, an Engineering Design Fall Zone Letter, for the proposed wireless internet tower, shall be provided to the Planning Department office.
7. Should the telecommunications tower no longer be in use for the original purpose granted by the Division III Permit and serving as an approved co-location site, the tower shall be dismantled and removed within six months of the cessation of operations
8. This Decision of Record shall be filed with the Taney County Recorder of Deeds Office within 120 days or the approval shall expire (Chapter II Item 6).

PROPERTY CLASSIFICATION: SUBURBAN
 DEED REFERENCE:
 BOOK 302 PAGE 17

MINOR SUBDIVISION
 TOWER SUBDIVISION
 UTILITY LOT 1
 NORTHEAST QUARTER SOUTHEAST QUARTER
 SECTION 12 TOWNSHIP 23 NORTH, RANGE 22 WEST
 FIFTH PRINCIPAL MERIDIAN, TANEY COUNTY, MISSOURI



- LEGEND
- SET #5 REBAR
 - FOUND POINT
 - △ COMPUTED POSITION
 - R/W MARKER
 - R/W RIGHT-OF-WAY



CERTIFICATE OF OWNERSHIP AND
 (SINGLE, HUSBAND AND WIFE, CORPORATE OFFICER/
 HEREBY CERTIFY THAT I/WE ARE THE SOLE OWNER(S) OF THE PROPERTY DESCRIBED
 HEREON, WHICH IS WITHIN THE SUBDIVISION REGULATION JURISDICTION OF THE COUNTY
 OF TANEY, AND THAT I/WE FREELY ADOPT THIS PLAN OF SUBDIVISION AND DEDICATE TO
 PUBLIC USE ALL AREAS SHOWN ON THIS PLAN AS EASEMENTS OR DEFICIENT RIGHT OF WAY,
 EXCEPT THOSE SPECIFICALLY INDICATED AS PRIVATE, AND THAT I/WE WILL MAINTAIN ALL
 SUCH AREAS UNTIL THE OFFER OF DEDICATION IS ACCEPTED BY THE APPROPRIATE PUBLIC
 AUTHORITY.

(OWNER SIGNATURE) (OWNER SIGNATURE)

ACKNOWLEDGMENT
 STATE OF MISSOURI
)
) COUNTY OF TANEY)
 ON THIS ____ DAY OF _____, 20____, BEFORE ME, THE UNDERSIGNED NOTARY
 PUBLIC, PERSONALLY APPEARED _____ TO ME PERSONALLY KNOWN TO BE
 THE PERSON(S) DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND
 ACKNOWLEDGED THAT THEY EXECUTED THE SAME AS THEIR FREE ACT AND DEED, IN
 WITNESS WHEREOF, I HAVE HEREIN SET MY HAND AND AFFIXED MY OFFICIAL SEAL AT
 MY OFFICE IN SAID COUNTY AND STATE, ON DAY AND YEAR LAST WRITTEN ABOVE.

(NOTARY PUBLIC)

CERTIFICATE OF APPROVAL

HEREBY CERTIFY THAT THE MINOR SUBDIVISION SHOWN ON THIS PLAN HAS BEEN
 APPROVED BY THE TANEY COUNTY PLANNING COMMISSION. THIS PLAN DOES NOT VIOLATE
 THE PROVISIONS OF THE TANEY COUNTY DEVELOPMENT GUIDANCE CODE OR THE TANEY
 COUNTY SUBDIVISION REGULATIONS.

(PLANNING COMMISSION CHAIRMAN)

(PLANNING ADMINISTRATOR)

CERTIFICATE OF TANEY COUNTY 911 ADMINISTRATOR

HEREBY CERTIFY THAT THE MINOR SUBDIVISION SHOWN ON THIS PLAN HAS BEEN
 APPROVED BY THE TANEY COUNTY 911 ADMINISTRATOR

(911 ADMINISTRATOR)

SURVEY DESCRIPTION

A PART OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 12, TOWNSHIP 23 NORTH, RANGE 22 WEST, TANEY COUNTY, MISSOURI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 12; THENCE NORTH 67 DEGREES 01 MINUTES 40 SECONDS EAST ALONG WEST THE WEST LINE OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER 282.87 FEET; THENCE SOUTH 86 DEGREE 24 MINUTES 04 SECONDS EAST DEPARTING SAID LINE 73.63 FEET; THENCE SOUTH 26 DEGREES 29 MINUTES 11 SECONDS WEST 154.91 FEET; THENCE SOUTH 86 DEGREES 01 MINUTES 11 SECONDS WEST 13.66 FEET TO A POINT ON THE SOUTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER; THENCE NORTH 88 DEGREES 23 MINUTES 17 SECONDS WEST ALONG SAID SOUTH LINE 1.06 FEET, TO THE POINT OF BEGINNING CONTAINING 0.17 ACRES MORE OR LESS, SUBJECT TO ANY AND ALL ENCUMBRANCES AND RIGHTS RECORDED OR UNRECORDED.

50' ACCESS EASEMENT

SURVEY DESCRIPTION

A PART OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 12, TOWNSHIP 23 NORTH, RANGE 22 WEST, TANEY COUNTY, MISSOURI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 12; THENCE SOUTH 86 DEGREES 23 MINUTES 17 SECONDS EAST ALONG THE SOUTH LINE OF NORTHEAST QUARTER OF THE SOUTHEAST QUARTER 1.00 FEET TO THE POINT OF BEGINNING; THENCE NORTH 08 DEGREES 01 MINUTES 11 SECONDS EAST ALONG SAID EASEMENT 134.88 FEET; THENCE NORTH 36 DEGREES 29 MINUTES 11 SECONDS EAST ALONG SAID EASEMENT 171.39 FEET; THENCE ALONG A 115.00 FOOT RADIUS CURVE TO THE RIGHT AND SAID EASEMENT 68.17 FEET; SAID CURVE HAVING A CHORD BEARING OF NORTH 41 DEGREES 28 MINUTES 09 SECONDS EAST; THENCE NORTH 60 DEGREES 23 MINUTES 06 SECONDS EAST ALONG SAID EASEMENT 92.29 FEET; THENCE ALONG A 85.00 FOOT RADIUS CURVE TO THE LEFT AND SAID EASEMENT 35.39 FEET; SAID CURVE HAVING A CHORD BEARING OF NORTH 41 DEGREES 48 MINUTES 49 SECONDS EAST TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY OF SAID EASEMENT; THENCE ALONG A 133.00 FOOT RADIUS CURVE TO THE RIGHT AND SAID EASEMENT 91.83 FEET; SAID CURVE HAVING A CHORD BEARING OF SOUTH 46 DEGREES 11 MINUTES 31 SECONDS WEST; THENCE SOUTH 60 DEGREES 23 MINUTES 06 SECONDS WEST ALONG SAID EASEMENT 92.29 FEET; THENCE ALONG A 65.00 FOOT RADIUS CURVE TO THE LEFT AND SAID EASEMENT 38.53 FEET; SAID CURVE HAVING A CHORD BEARING OF SOUTH 43 DEGREES 28 MINUTE 09 SECONDS WEST; THENCE SOUTH 14 DEGREES 29 MINUTES 11 SECONDS WEST ALONG SAID EASEMENT 18.25 FEET; THENCE SOUTH 08 DEGREES 01 MINUTES 11 SECONDS WEST ALONG SAID EASEMENT 118.90 FEET; THENCE NORTH 86 DEGREES 23 MINUTES 17 SECONDS WEST ALONG SAID EASEMENT 30.13 FEET, TO THE POINT OF BEGINNING CONTAINING 0.61 ACRES MORE OR LESS, SUBJECT TO ANY AND ALL ENCUMBRANCES AND RIGHTS RECORDED OR UNRECORDED.

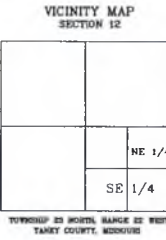
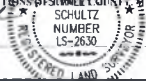
COUNTY NOTE:

THE UTILITY LOT IN QUESTION IS BEING CREATED STRICTLY TO ALLOW FOR THE PLACEMENT OF A TELECOMMUNICATIONS TOWER AND THE ATTENDING STRUCTURE(S), SUCH AS EQUIPMENT SHELTER(S), NO HABITABLE STRUCTURE SHALL BE CONSTRUCTED UPON THE PROPERTY IN PERPETUITY. NO WATER AND/OR SEWER SERVICES SHALL SERVE THE PROPERTY IN QUESTION.

SURVEYOR'S DECLARATION

KNOWN ALL MEN BY THESE PRESENTS: THAT I, STANLEY J. SCHULTZ, DO HEREBY DECLARE THAT THIS PLAN WAS PREPARED UNDER MY PERSONAL SUPERVISION FROM AN ACTUAL SURVEY OF THE LAND HEREIN DESCRIBED, PREPARED BY SCANNING AND ENGINEERING, DATED 07-28-2016, AND SIGNED BY STANLEY J. SCHULTZ, I.S. NO. 2630, AND THAT THE CORNER MONUMENTS AND LOC CORNER MARKERS WERE PLACED UNDER THE PERSONAL SUPERVISION OF STANLEY J. SCHULTZ, I.S. NO. 2630, IN ACCORDANCE WITH THE CURRENT MISSOURI MINORS SUBDIVISION ACT AND TANEY COUNTY SUBDIVISION AND THE SUBDIVISION REGULATIONS OF TANEY COUNTY, MISSOURI.

STANLEY J. SCHULTZ, PLS 2630
 SURVEYOR



Boundary Office (417) 317-8650
 Survey/Misc. Office (417) 317-8650
 Doniphan Office (417) 996-4447
 Law of the Ozarks Office (417) 365-3003

www.schultzengineering.com
 Civil Engineering - Land Surveying - Materials Testing

SS
 Schultz Surveying & Engineering, P.C.
 1000 N. 1st St., Suite 100
 Springfield, MO 65802

GARRETT VANDERPOOL
 A PART OF THE NE 1/4 SE 1/4
 SECTION 12, TOWNSHIP 23 NORTH, RANGE 22 WEST
 TANEY COUNTY, MISSOURI

BOUNDARY SURVEY

AutoCAD Civil 3D
 07/28/2016
 Drawn by J.S.
 Project # 201607
 Sheet Size: 11x17
 File: 201607.dwg

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=	x		
centralized system		2	5	
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=	x		
no known limitations		0	3	
potential limitations but mitigation acceptable		-1		
mitigation inadequate		-2		

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

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

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

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

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

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

	Performance Value	Importance Factor	Score	Section Score
LOT COVERAGE n/a=				
lot coverage compatible with surrounding areas	0	1	0	0
lot coverage exceeds surrounding areas by less than 50%	-1			
lot coverage exceeds surrounding areas by more than 50%	-2			
BUILDING BULK AND SCALE n/a=				
bulk / scale less than or equivalent to surrounding areas	0	3	0	0
bulk / scale differs from surrounding areas but not obtrusive	-1			
bulk / scale significantly different from surrounding areas / obtrusive	-2			
BUILDING MATERIALS n/a=				
proposed materials equivalent to existing surrounding structures	0	2	0	0
proposed materials similar and should blend with existing structures	-1			
materials differ from surrounding structures and would be noticeable	-2			
STRUCTURAL SCREENING OF ROOFTOP EQUIPMENT & VENTS 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			
STRUCTURAL SCREENING OF SOLID WASTE CONTAINERS 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			
STRUCTURAL SCREENING OF OUTDOOR EQUIP, STORAGE, ETC. n/a=				
no outdoor storage of equipment, materials, etc., or outdoor work areas	2	3	1	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			

Division III Relative Policy Scoring Sheet: Western Taney County	Performance Value	Importance Factor	Score	Section Score
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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

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	3	
potential impact but can be mitigated		-1		
potential impact on existing industrial uses with no mitigation		-2		

DIVERSIFICATION	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		

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 PATTERNS	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		

Vanderlink T1 Tower		Permit#:	16-17		
Division III Relative Policy Scoring Sheet: Western Taney County		Performance Value	Importance Factor	Score	Section Score
DEVELOPMENT BUFFERING		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			
Services - Capacity and Access					
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	5	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			
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 SYSTEM SERVICE		n/a=	x		
central water system meeting DNR requirements for capacity, storage, design, etc.		2	3		
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=	x		
fire hydrant system throughout development with adequate pressure and flow		0	5		
fire hydrant system with limited coverage		-1			
no fire hydrant system		-2			
PEDESTRIAN CIRCULATION INFRASTRUCTURE		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
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			
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		
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= 8
Maximum Possible Score= 19
Actual Score as Percent of Maximum= 42.1%
Number of Negative Scores= 0
Negative Scores as % of All Applicable Scores= 0.0%

Scoring Performed by:

Bob Atchley and Bonita Kissee-Soutee

Date:

July 26, 2016

Project: Vanderlink T1 Tower

Permit#: 16-17

Policies Receiving a Negative Score	
Importance Factor 5:	none
Importance Factor 4:	none
Importance Factor 3:	none
Importance Factor 2:	none
Importance Factor 1:	none

Scoring by: *Bob Atchley and Bonita Kisse-Soutee*

Date: *July 26, 2016*

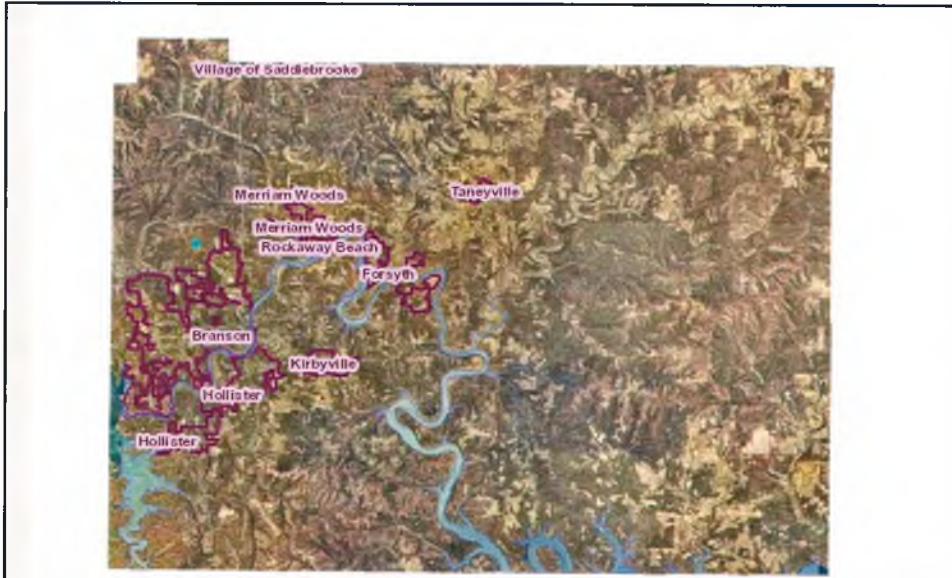
Project: Vanderlink T1 Tower

Permit: 16-17

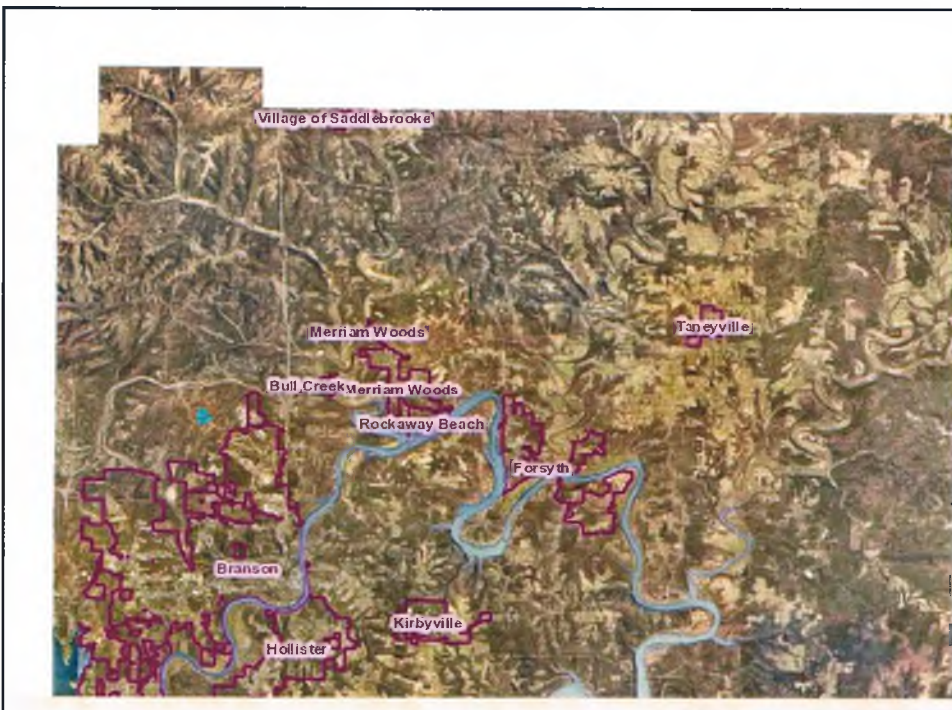
	Max. Possible	As Scored	%	Total Negative Scores	
Scoring	19	8	42.1%		

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

Scoring by: Bob Atchley and Bonita Kisse-Soutee
Date: July 26, 2016



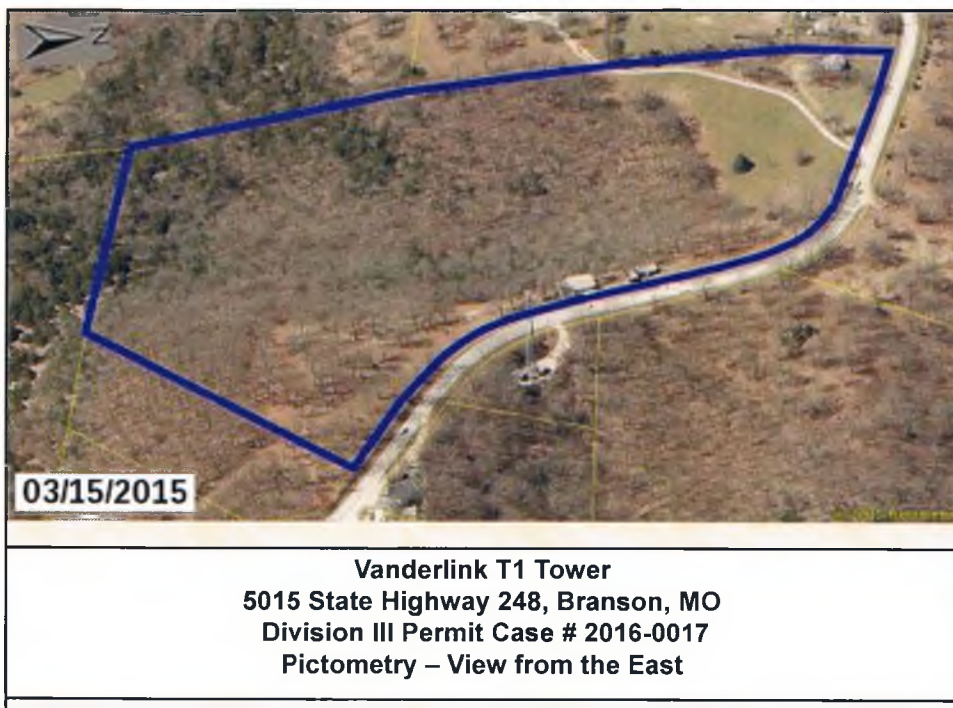
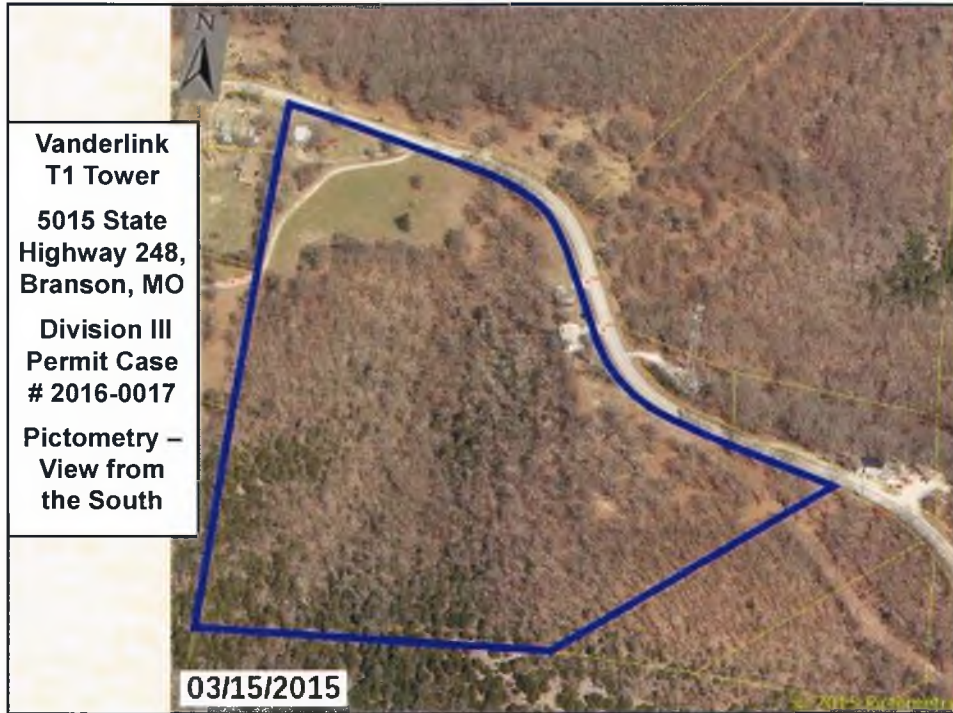
Vanderlink T1 Tower
5015 State Highway 248, Branson, MO
Division III Permit Case # 2016-0017
Taney County GIS - Beacon

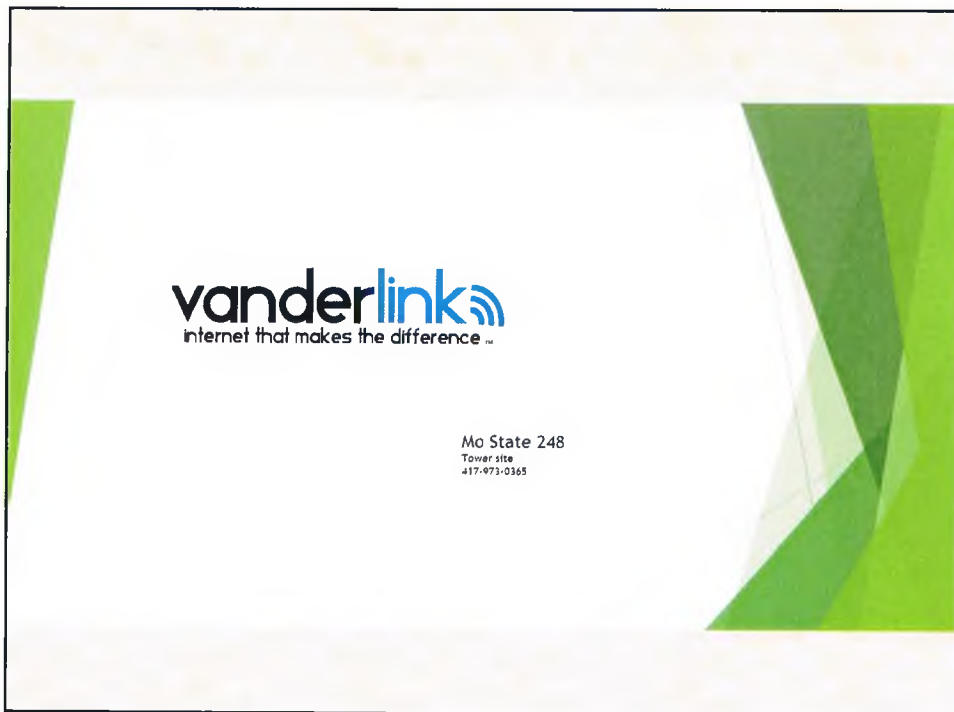
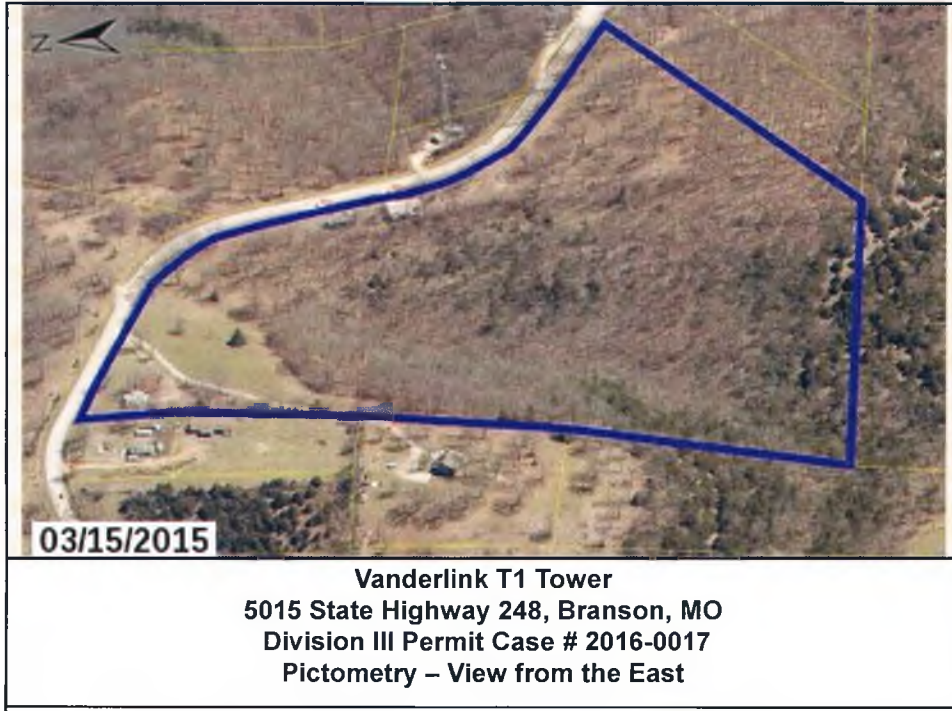












This view is for concept only.
Drawing is not to scale.

Land use lay out resembles the concept. All structures and fencing
Will be outside of the 25' centerline set back.
Chain link fencing will surround tower site
Propane tank 500 gal
(2) 35 kw Generators
(1) 170' monopole or 150' Self supporting tower (based on engineering)
Concrete pad will support up to two concrete portable structures
After initial setup, little to no traffic will access site.
Roadway will be recorded 24/7 giving neighboring land owners the
Option to request video footage upon availability.



Concept hearing July 18, 2016

Thank you for giving us this opportunity to present our concept of this land use.
This site will improve the internet coverage to our existing customers and
provide a way to supply services to future customers.

If you should have any additional questions, I would be privileged to speak with
you at any time.

Garrett Vanderpool
417-973-0365













TANEY COUNTY PLANNING COMMISSION

DIVISION III SPECIAL-USE PERMIT STAFF REPORT

HEARING DATE: August 8, 2016

CASE NUMBER: 2016-0018

PROJECT: 2087 Yandell Cove Nightly Rental

APPLICANTS: Dean & Janice Donat – Find Your Beach-DADJED, LLC

LOCATION: The subject property is located at 2087 Yandell Cove Road, Kirbyville, MO; Oliver Township; Section 27, Township 23, Range 20.

REQUEST: The applicants, Dean & Janice Donat are requesting approval of a Division III Special-Use Permit in order to utilize an existing, three (3) bedroom, single-family residence for nightly rental.

BACKGROUND and SITE HISTORY:

Per the Assessor's information, as contained within Beacon, the single-family residence in question is approximately 1,561 square feet in size and was constructed in 1994. The staff has been unable to locate the Division I (Residential Construction) Permit for the property in question.

On April 12, 2016 the Onsite Wastewater Permitting Division of the Planning Department issued Onsite Wastewater Permit # 2016-00062, authorizing the placement of a new 1,000 gallon septic tank and 400 feet of lateral lines.

The applicants, Dean & Janice Donat are now requesting the approval of a Division III Special-Use Permit in order to utilize the existing, three (3) bedroom, single-family residence for nightly rental.

The current application was approved for Concept on July 18, 2016.

GENERAL DESCRIPTION:

The subject property is an approximately 9.7 acre (per the Assessor's information) meets and bounds described tract of land containing the existing residence and a small accessory building.

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, per these provisions, the three (3) bedroom home would have a maximum occupancy of up to eight (8) people.

The property in question is served by an individual, onsite septic system. On April 12, 2016 the Onsite Wastewater Permitting Division of the Planning Department issued Onsite Wastewater Permit # 2016-00062, authorizing the placement of a 1,000 gallon septic tank and 400 feet of lateral lines. For the continued maintenance of the septic system serving each home, the Onsite Wastewater Permitting staff is recommending that the septic tank be pumped each five (5) to seven (7) years, or more frequently if required.

The property in question is currently served by an existing drive off of Yandell Cove 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 four (4) parking spaces will be required. The residence is currently served by a lengthy driveway which ends in a circle turn-around area. There is considerable space for parking; exceeding the minimum parking requirements of the Development Guidance Code.

The adjoining property immediately to both the north and south is primarily low density, large single-family tracts of land. The adjoining property immediately to the east is owned by the US Army Corps of Engineers, with Bull Shoals Lake being located further to the west. The adjoining property immediately to the west is primarily low density, large, single-family tracts of land; with land owned by the US Army Corps of Engineers and Bull Shoals Lake being located further to the west.

Pursuant to the provisions of Appendix E, Section 4.7.15 of the Development Guidance Code, “A buffer shall be established between any structure utilized for nightly rental and any existing residential land use, meeting the requirements of Appendix H, Section 6 (Technical Plans)” of the Development Guidance Code. The residence in question is located within the approximate center of the approximately 9.7 acre property and is buffered on all sides by existing trees and vegetation.

The project received a total score of -8 on the Policy Checklist, out of a maximum possible score of 45. The relative policies receiving a negative score consist of right-of-way on existing roads, emergency water supply, solid waste disposal service and utilities.

STAFF RECOMMENDATION:

If the Taney County Planning Commission approves Division III Permit # 2016-0018, 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 eight (8) 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 eight (8) people.
6. No outside storage of equipment or solid waste materials.
7. This decision is subject to all existing easements.
8. The existing vegetative buffer shall continue to be preserved around the perimeter of the property.
9. The 2087 Yandell Cove 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.
10. 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
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=	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	2
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	0
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=	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=				
no conversion of Class I-IV agricultural land to other use(s)	0	1	0	0
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=	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
DIVERSIFICATION n/a=	x			
creates >=5 full-time, year-round jobs outside of recreation / resort sector	2	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=	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	2	8
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	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=				
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= -8

Maximum Possible Score= 45

Actual Score as Percent of Maximum= -17.8%

Number of Negative Scores= 4

Negative Scores as % of Total Score= 11.4%

Scoring Performed by:

Bob Atchley & Bonita Kisse/Soutee

Date:


July 26, 2016



2087 YC Henry



DISCLAIMER
 This document is a map and does not constitute a deed or any other legal instrument. It is intended for informational purposes only. The information contained herein is based on the best available data and is not guaranteed. The user assumes all responsibility for the use of this information. This document is not to be used as a basis for any legal action.



2087 Yandell Cove Nightly Rental
2087 Yandell Cove Road, Kirbyville, MO
Division III Permit Case # 2016-0018
Taney County GIS - Beacon







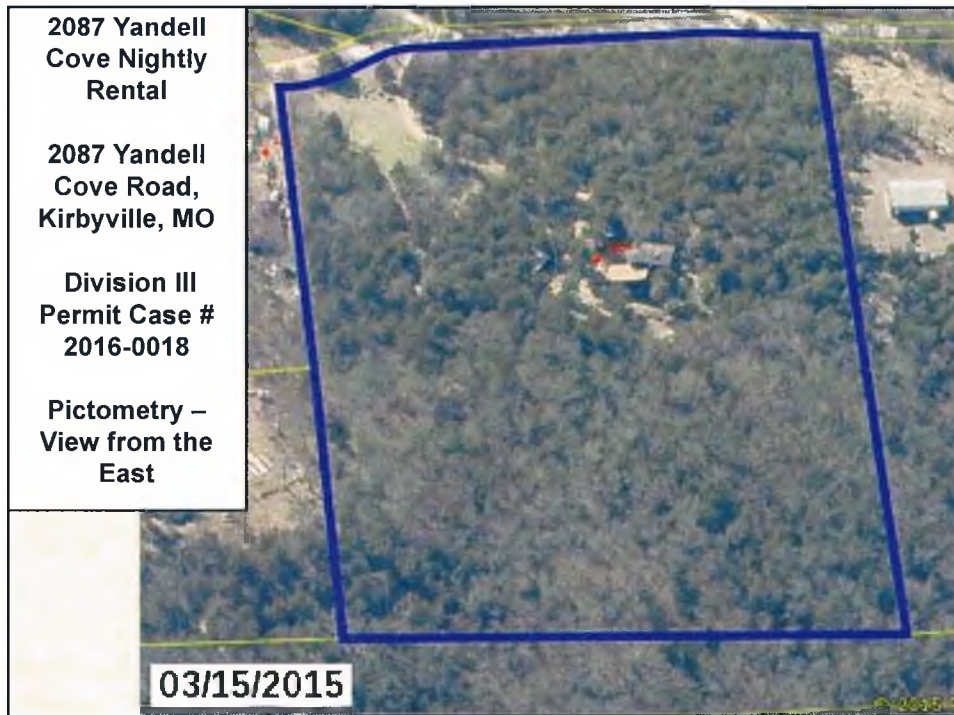




**2087 Yandell Cove Nightly Rental
2087 Yandell Cove Road, Kirbyville, MO
Division III Permit Case # 2016-0018
Pictometry – View from the North**



**2087 Yandell Cove Nightly Rental
2087 Yandell Cove Road, Kirbyville, MO
Division III Permit Case # 2016-0018
Pictometry – View from the South**



















TANEY COUNTY PLANNING COMMISSION

DIVISION III PERMIT STAFF REPORT

HEARING DATE: August 8, 2016

CASE NUMBER: 2016-0019

PROJECT: Bear Creek Farms

APPLICANTS: John & Mary Padgett

LOCATION: The subject property is located at 932 Keithley Road, Walnut Shade, MO; Jasper Township; Section 1, Township 24, Range 22.

REQUEST: The applicants, John & Mary Padgett are requesting approval of a Division III Permit to allow for the development of Bear Creek Farms. Bear Creek Farms is an agri-tourism business, involving a number of festivals, event hosting and Dinners at the Barn. The Bear Creek Farms also contains a Farm Store which will sell a number of retail products such as wine, local honey, apple products, quilts and pre-packaged meats, deserts, drinks & sandwiches, goat's milk soap, candles & wax melts, fairy gardens, nuts, quilts & fabric goods, toys and pretties.

BACKGROUND and SITE HISTORY:

The applicants initially applied for a Division III Permit in 2014 (Division III Application # 2014-0001) for what was referenced as a Barn and Fall Festivals. On March 17, 2014 during the Concept Hearing for this Division III Permit request, the Planning Commission was unanimous in its belief that the proposed Barn and Fall Festivals (as described within the Division III Permit Application) would be considered agricultural activities, exempt from the provisions of the Development Guidance Code. The Division III Permit Application from that time indicates that the proposed use would be for an apple orchard and grape vineyard, with a barn that would be used to process, store and retail apples, peaches, grapes and honey in season. The application further indicated that the business would only be open to the public in the fall during special events, with a maximum of three (3) or four (4) events per year for a maximum of twelve (12) days per year.

On June 1, 2016 the Planning Department received a complaint from a neighboring property owner indicating that the applicants are selling liquor by the drink and also by the bottle without first obtaining a Division III permit. Upon investigating the complaint and visiting the site, it was determined by the staff that Bear Creek Farms is selling a

number of retail products. The business is currently selling wine that is produced off-site (White Mule Winery) by the drink and also by the bottle. According to the Bear Creek Farms website you may purchase and sample such items as wine, local honey and apple pie during Sampling Saturdays. The business is also selling such items as quilts, pre-packaged meats, deserts, drinks and sandwiches. The Bear Creek Farms website was also recently undated and is now listing retail sales of such products as: goat's milk soap, candles & wax melts, fairy gardens, nuts, quilts & fabric goods, toys and pretties. Bear Creek Farms has also been hosting events advertised as "Dinners at the Barn", in which attendees pay \$25.00 per person for a meal and live entertainment. The website currently lists four (4) dates for the 2016 season for Dinner at the Barn (May 22nd, July 17th, September 25th and November 13th). Per the applicants' website The Dinners at the Barn requires reservation in advance, with meals being provided for up to thirty (30) guests. The website also enumerates a number of festivals that have been and will continue to held throughout the remainder of the 2016 season (April 29th-30th, October 22nd, and December 10th)

The current application was approved for Concept on July 18, 2016.

GENERAL DESCRIPTION:

The subject property is approximately 4.67 acres in size (per the Assessor's information) and is known as Lot one (1) and two (2) of the Bear Valley Ranchero Subdivision and also includes a meets and bounds described area as well.

The property currently includes a 1½ acre apple orchard, ½ acre grape vineyard and eight (8) honey bee hives, with a two (2) acre peach orchard being located on another parcel of land, all which are agricultural uses and are therefore exempt from the provisions of the Development Guidance Code. However, the property also contains a barn structure that is utilized as the "Farm Store" (as referenced on the website) for retail sales and Dinners at the Barn.

REVIEW:

Bear Creek Farms is an agri-tourism business with retail sales. On the Bear Creek Farms Facebook page it is now advertising that Bear Creek Farms can host private events such as: birthdays, anniversaries, lunch or dinner, meetings, family reunions, etc. As previously indicated, Bear Creek Farms is also hosting "Dinners at the Barn" which include a meal and live entertainment for up to thirty (30) guests. Bear Creek Farms is further hosting a number of festivals. The business is currently selling such items as wine, local honey, apple products, quilts, pre-packaged meats, deserts, drinks & sandwiches and promises in the near future to also sell such items as goat's milk soap, candles & wax melts, fairy gardens, nuts, quilts & fabric goods, toys and pretties.

The Bear Creek Farms "Farm Store" (as referenced on the website) is currently open on Friday and Saturday from 10:00 AM to 6:00 PM. The staff does not recommend restrictions on the hours of operation because it appears that the agri-tourism business may continue to expand beyond its current hours of operation.

The Bear Creek Farms, Farm Store is served by a private well and an individual on-site wastewater treatment system. The on-site wastewater treatment system was installed without the issuance of an Onsite Wastewater Treatment Permit. The applicants have been working with Scott Starrett, Onsite Wastewater Permitting, to obtain an Onsite Permit, after the fact.

The Bear Creek Farms is served by an existing driveway off of Keithley Road. This driveway contains a separate entrance and exit point, which is clearly marked by signage. The Bear Creek Farms also contains a small parking area. The applicants will have ample space on the +/- 4.67 acre tract to expand the parking if necessary in the future.

The adjoining property immediately to the north is Keithley Road, with prominently vacant properties being located further to the north. The adjoining property immediately to the south and west is predominantly vacant. The adjoining property immediately to the east is Keithley Road, light single-family residential properties and vacant properties.

The project received a score of -22 on the Policy Checklist, out of a maximum possible score of 51. The relative policies receiving negative scores consist of right-of-way on existing roads, emergency water supply, solid waste disposal service, stormwater drainage 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. This Division III Permit commercial designation shall encompass strictly the area of the property in question containing the barn structure, currently known as the Bear Creek Farms, Farm Store.
3. Compliance letters from the Western Taney County Fire Protection District and the Onsite Wastewater Permitting Division of the Planning Department shall be submitted to the Planning Department Office, including all other entities which have requirements governing a development of this nature (Chapter VI-VII).
4. No outside storage of equipment or solid waste materials.
5. This decision is subject to all existing easements.
6. Division II Permits shall be required for all applicable structures in the development, including the Farm Store (Chapter 3, Section 1, Item B).
7. Prior to the issuance of a Division II Permit, the applicant shall first present an Onsite Wastewater Treatment Permit.

8. Prior to the issuance of Division II Certificates of Conformance (C of Cs), the developer shall first present a Final Inspection from the Western Taney County Fire Protection District to the Taney County Planning Department Office, if applicable.
9. This Decision of Record shall be filed with the Taney County Recorder of Deeds Office within 120 days or the approval shall expire (Chapter 2, Item 6).

DOCUMENT 2009 P20029

RECORDING FEE \$400
STATE USER FEE \$400
TOTAL \$800 SLIDE J PAGE 295

Bear Valley Ranchero S1-T24N-R22W Taney County, Missouri 5th Principal Meridian

FILED
TIME 2:15 pm
FEB 06 2009
ROBERT A. DIXON
RECORDER OF DEEDS
TANEY COUNTY

DESCRIPTION:

A PARCEL OF LAND SITUATED IN THE NORTH HALF OF THE SOUTH HALF OF SECTION 1, TOWNSHIP 24 NORTH, RANGE 22 WEST, TANEY COUNTY, MISSOURI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCING AT THE SOUTHEAST CORNER OF THE NORTH HALF OF THE SE4 OF SAID SECTION 1, THENCE S 87° 43' 52" W ALONG THE SOUTH LINE OF SAID NORTH HALF OF THE SOUTH HALF, 1318.00 FEET TO A POINT ON THE SOUTHWESTERLY R/W LINE OF DOTHLEY ROAD, THENCE LEAVE SAID SOUTH LINE N 15° 52' 35" W ALONG SAID R/W LINE, 87.74 FEET, THENCE CONTINUE ALONG R/W LINE ALONG A SEGMENT OF A CURVE LEFT HAVING A CHORD BEARING AND DISTANCE OF W 53° 17' 33" W, 237.80 FEET, A RADIUS OF 195.68 FEET, A DISTANCE OF 255.58 FEET, THENCE S 85° 17' 30" W, 420.79 FEET, THENCE ALONG A CURVE LEFT HAVING A CHORD BEARING AND DISTANCE OF S 88° 31' 29" W, 199.45 FEET, A RADIUS OF 7450.00 FEET, A DISTANCE OF 199.45 FEET, THENCE S 87° 45' 20" W, 114.40 FEET, THENCE ALONG A CURVE LEFT HAVING A CHORD BEARING AND DISTANCE OF S 85° 11' 38" W, 158.01 FEET, A RADIUS OF 2212.88 FEET, A DISTANCE OF 198.08 FEET, THENCE S 82° 37' 45" W, 133.86 FEET, THENCE ALONG A CURVE RIGHT HAVING A CHORD BEARING AND DISTANCE OF S 80° 51' 00" W, 201.83 FEET, A RADIUS OF 1796.94 FEET, A DISTANCE OF 202.04 FEET, THENCE S 89° 04' 16" W, 1263.19 FEET, THENCE LEAVE R/W LINE S 11° 33' 42" E, 254.90 FEET TO A POINT ON THE SOUTH LINE OF THE NORTH HALF OF THE SOUTH HALF OF SAID SECTION 1, THENCE N 87° 43' 39" E ALONG SAID SOUTH LINE, 2684.41 FEET TO THE POINT OF BEGINNING, CONTAINING 14.57 ACRES, MORE OR LESS, TOGETHER WITH AND SUBJECT TO ALL EXISTING EASEMENTS AND RESTRICTIONS OF RECORD.

DECLARATION:

THE UNDESIGNED OWNERS OF THE PARCEL OF LAND DESCRIBED IN THE FOREGOING SURVEYOR'S DESCRIPTION HAVE CAUSED SAID PARCEL TO BE SURVEYED AS SHOWN ON THIS PLAT AND HEREAFTER KNOWN AS 'BEAR VALLEY RANCHERO'.
IN WITNESS WHEREOF, TED BOSSINGHAM AND BETTY BOSSINGHAM, HUSBAND AND WIFE, HAVE CAUSED THIS INSTRUMENT TO BE EXECUTED THIS 12th DAY OF FEBRUARY 2009.
Ted Bossingham Ted BOSSINGHAM
Betty Bossingham BETTY BOSSINGHAM

STATE OF Missouri
COUNTY OF TANEY

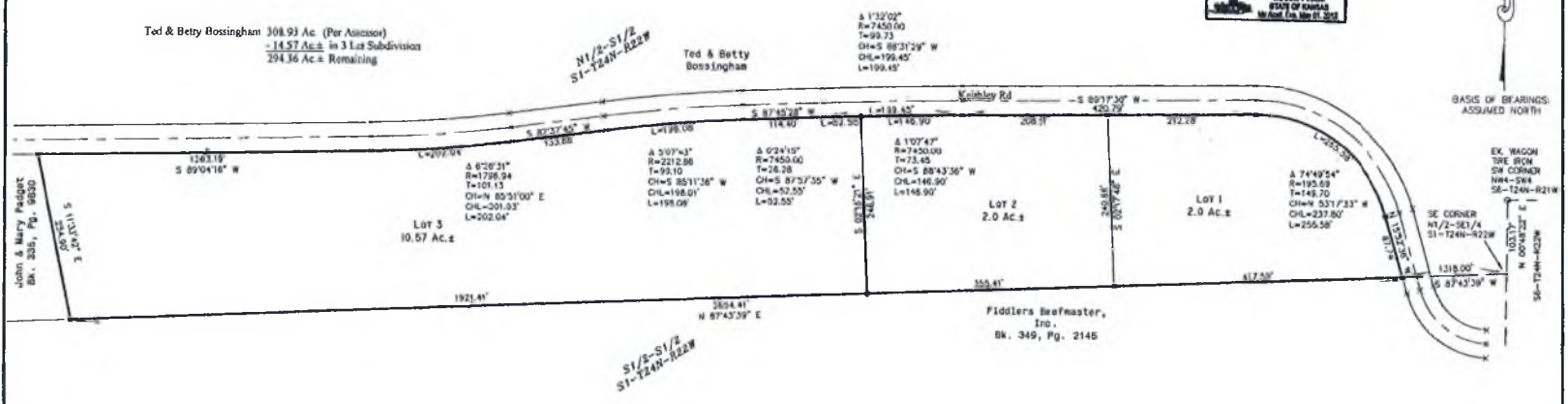
BE IT REMEMBERED THAT ON THIS 12th DAY OF FEBRUARY 2009, BEFORE ME, A NOTARY PUBLIC IN AND FOR THE COUNTY AND STATE AFORESAID, CAME TED BOSSINGHAM AND BETTY BOSSINGHAM, HUSBAND AND WIFE, WHO ARE PERSONALLY KNOWN TO ME TO BE THE SAME PERSONS WHO EXECUTED THE FOREGOING INSTRUMENT OF WRITING, AND WHO DULY ACKNOWLEDGED THE EXECUTION OF SAME TO BE THEIR FREE ACT AND DEED.
IN WITNESS WHEREOF, I HERETO SET MY HAND AND AFFIX MY OFFICIAL SEAL ON THE DAY AND YEAR LAST ABOVE MENTIONED.

MY COMMISSION EXPIRES
MAY 1, 2017

Annella Duvell
NOTARY PUBLIC, STATE OF MISSOURI
COMMISSIONED IN 06-17-07, COUNTY



Ted & Betty Bossingham 308.93 Ac. (Per Acre) = 14.57 Ac. in 3 Lot Subdivision
294.36 Ac. Remaining



NOTES:

- (1) OWNERSHIP INFORMATION OF ADJOINING PARCELS, AS SHOWN HEREON, HAS BEEN PROVIDED BY OTHERS; NO GUARANTEE IS GIVEN AS TO THE ACCURACY OF THIS INFORMATION.
- (2) THIS PROPERTY IS SUBJECT TO BUILDING SETBACKS OF 75' FRONT, 7' SIDE AND 10' REAR, AS PER TANEY COUNTY DEVELOPMENT CODE.
- (3) ALL BUILDING SETBACKS IN TANEY COUNTY ARE MEASURED TO THE EDGE OF THE ROOF OVERHANG.
- (4) THIS SURVEY REPRESENTS A RURAL SURVEY.

TANEY COUNTY PLANNING COMMISSION CERTIFICATION:

APPROVED BY THE TANEY COUNTY PLANNING COMMISSION THIS 26th DAY OF FEBRUARY 2009.
THIS SURVEY DOES NOT VIOLATE THE RULES AND REGULATIONS OF THE TANEY COUNTY DEVELOPMENT GUIDANCE CODE.

Janice Hagan
CHAIRMAN
Janice Hagan
ADMINISTRATOR

911 ROAD AND LOT ASSIGNMENTS:
THE ROAD AND LOT ASSIGNMENTS IN BEAR VALLEY RANCHERO HAVE BEEN APPROVED THIS 26th DAY OF FEBRUARY 2009 PER AMENDMENT 1580 OF 1993.

Janice Hagan
911 REPRESENTATIVE

TANEY COUNTY RECORDER
RECORDED BY THE TANEY COUNTY RECORDER ON _____ AT _____ THIS _____ DAY OF _____ 2009.
RECORDER

SURVEYOR'S STATEMENT:

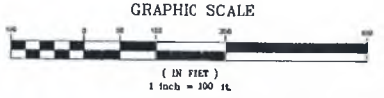
I HEREBY STATE THAT I HAVE MADE A TRUTHFUL AND ACCURATE SURVEY OF THE LANDS DESCRIBED ON THIS PLAT AND FOUND CONDITIONS TO BE AS INDICATED. THIS SURVEY HAS BEEN IN ACCORDANCE WITH STANDARDS ADOPTED BY THE BOARD OF SURVEYORS FOR ARCHITECTS, PROFESSIONAL ENGINEERS AND LAND SURVEYORS.

LARRY A. GARDNER R.L.S. 1458



LEGEND

- = EXISTING IRON PIN (EXCEPT AS NOTED)
- = 1/2" (4") SET REBAR & CAP.
- = REBAR PREV. SET BY WWS.
- P.O.B. = POINT OF BEGINNING.
- M = MEASURED.
- D = DEED.
- P = PLAT.
- C = COMPUTED.
- R/W = RIGHT-OF-WAY.
- EX. = EXISTING.



CORNERSTONE REGIONAL SURVEYING, L.L.C.
P.O. Box 623, Hollister, MO. 65673
Telephone: (417) 334-5195 Fax: (417) 337-9285
DATE: January 31, 2008 DRAWN BY: TCM
SCALE: 1"=100' CHECKED BY: RJA
REF: PROJ:
DRAWING NO.: 8-0709136ad3 SHEET: 1 OF 1



Bear Creek Farms Branson

July 21 at 8:59pm ·

Did you know that Bear Creek Farms can help you host a private event? Birthdays, anniversaries, lunch or dinner, meetings, family reunions ... you name it, we can help you create memories worth sharing. Call us at 417-501-5244 and let us know how we can host you!

Bear Creek Farms Branson
@bearcreekfarmsbranson

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Reviews

Likes

Videos

Events

Posts

Create a Page



Like

Comment

Share



2



Write a comment...



Bear Creek Farms Branson added an event.

July 21 at 8:37pm ·



JUL

Bear Creek Farms

Apple Orchard, Apiary, and Farm Store

Welcome to Bear Creek Farms

Apple Orchard, Apiary, and Farm Store

Nestled on a beautiful ridge overlooking Bear Creek, we are located 10 minutes north of Branson, Missouri, in the rustic Ozark Mountains.

Step back in time and indulge in a sweet taste of history on the farm. We offer creamy apple butter and fresh apple sauce handcrafted in copper kettles over an open fire. Fruit picking will tantalize your tastebuds as you pick from our choicest seasonal crops of fresh apples, peaches, grapes and pumpkins. Visit our beehives and learn about the tremendous importance of honey bees by viewing our observation hive and guided bee classroom.

Bear Creek Farms' mission is to preserve the history and values of a time gone by. It's a way when life seemed slower, when folks were connected to the land that sustained them, when families worked and stayed together. We live these values, and look forward to sharing them with you!

Come. Visit us on the farm. Relax into the serenity of these mountains and reconnect with yourself and your family. We know you'll love it as much as we do.



4 thoughts on “Welcome to Bear Creek Farms”

MONA M says: [May 6, 2016 at 12:29 am](#) [REPLY](#)

1. We would like to attend the May 22nd dinner in the barn. My fiance cannot eat pork so if chicken or beef is on the menu we are in. Please let me know if you have room for us. Thank you Mona Menezes

SNPADGETT says: [May 9, 2016 at 5:10 am](#) [REPLY](#)

- o Hello, Mona!

We would be happy to accommodate your fiance's dietary needs. Please give us a call at 417-501-5244 to discuss how we can best serve you. Thanks!

CAROL MILLER says: [July 9, 2016 at 3:21 pm](#) [REPLY](#)

2. Mary and John, how we all enjoyed our lunch on July 7 at the barn! Your restaurant and store are both a delight. The quiche was the best I've ever had! You really outdid yourselves that day! Thank you for all that you did. I am looking forward to trying the Sweet Salsa and your apple butter! We will definitely return! Blessings!

Carol Miller

SNPADGETT says: [July 12, 2016 at 3:51 am](#) [REPLY](#)

- o Hi, Carol! Thanks so much for coming out to see us! We're so happy you enjoyed the visit!

[CREATE A FREE WEBSITE OR BLOG AT WORDPRESS.COM.](#) | [THE SELA THEME.](#)

Bear Creek Farms

Apple Orchard, Apiary, and Farm Store


Dinner at the Barn

Starlight. Live music. Friends. Good country cooking.

For an unforgettable evening, step away from the crowd and head to Bear Creek Farms for Dinner at the Barn. Each dinner, hosted quarterly, features locally-grown, seasonal foods combined in unique menus by local cooks. Each four course meal is served family-style at our farm tables, outdoors if it's nice, inside if the weather's uncooperative. Live music and games will round out the evening, so come ready to sit a spell!

The next Dinner at the Barn will be held on September 25, 2016.

Make reservations any time by calling us at 417-501-5244



THANK YOU for attending
Dinner at the Barn!

Missed it?

It's never too early to reserve a spot at the September 25th dinner. Call us at 417-501-5244 and we'll save you a seat!



5 thoughts on “Dinner at the Barn”

FRIEDA says: [October 18, 2015 at 3:51 am](#)

1. The dinner sounds delicious. What days and times do you serve dinner?

SNPADGETT says: October 18, 2015 at 3:58 pm

- Hello, Frieda! Our first dinner at the barn is on November 14, 2015 at 7:00 p.m.! If you'd like to make a reservation, please call us at (417) 501-5244 and we'd love to host you! You can also stop by to see us any time; we are open Wednesday to Saturday from 10 to 6! Thank you!

JANA says: October 24, 2015 at 2:21 am

2. We are curious about the dinner November 14th. We would like to make a reservation please. I left a message earlier today on your voicemail.

Thank you

Jana Winn

417-337-0118

JULIE says: July 18, 2016 at 9:20 pm

3. My mother and I had a delicious dinner at the barn yesterday! Thank you for a wonderful experience with a great atmosphere, mouthwatering food and superb service. Looking forward to your next event!

SNPADGETT says: July 20, 2016 at 3:19 am

- Hi Julie! We're so glad you could come by! We appreciate you and your momma being there! Hope to see you again soon!

Comments are closed.

[BLOG AT WORDPRESS.COM](http://BLOG.AT.WORDPRESS.COM). | [THE SELA THEME](http://THE.SELA.THEME).

Bear Creek Farms

Apple Orchard, Apiary, and Farm Store

Event Calendar

Here's a preview of Bear Creek Farms' 2016 events; make sure you check back with us on the website, or on [Facebook \(https://www.facebook.com/bearcreekfarmsbranson/?ref=hl\)](https://www.facebook.com/bearcreekfarmsbranson/?ref=hl) for all the details!

Season Opening — 1000 a.m. to 6:00 p.m., April 28, 2016

Spring Planting Festival — April 29-30th

Spring Dinner at the Barn — May 22nd (reservations only)

Ice Cream Social — June 18th

Early Summer Dinner at the Barn — July 17th (reservations only)

Early Autumn Dinner at the Barn — September 25th (reservations only)

Fall Harvest Festival — October 22nd

Holiday Dinner at the Barn — November 13th

Carols, Cocoa, and Cookies — December 10th

Last Day of Season — December 17th

[BLOG AT WORDPRESS.COM.](#) | [THE SELA THEME.](#)

Bear Creek Farms

Apple Orchard, Apiary, and Farm Store

Farm Store

From cabbages to quilts, this little farm store has a bit of everything! To check availability, please call us at 417-501-5244.

Fresh Produce

Fresh, farm-grown produce is available seasonally, as indicated below. Our produce is grown organically, without any pesticides.

Spring Produce

Strawberries

Summer Produce

Blackberries, Cabbage, Corn, Cucumber, Green Pepper, Onion, Potatoes, Tomatoes

Baker Creek Heirloom seeds

Autumn Produce (Starting in September)

Apples: Jonathan, Golden Delicious, Red Delicious, and Fuji

Pumpkins



(<https://bearcreekfarmsbranson.com/farm->

[store/img_4101/#main](https://bearcreekfarmsbranson.com/farm-store/img_4101/#main))



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[store/img_4098/#main](https://bearcreekfarmsbranson.com/farm-store/img_4098/#main))



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([https://bearcreekfarmsbranson.com/2015/10/13/grand-opening-and-](https://bearcreekfarmsbranson.com/2015/10/13/grand-opening-and-family-fun-festival/stack-o-pumpkins/#main)

[family-fun-festival/stack-o-pumpkins/#main](https://bearcreekfarmsbranson.com/2015/10/13/grand-opening-and-family-fun-festival/stack-o-pumpkins/#main))



(<https://bearcreekfarmsbranson.com/2015/10/13/grand-opening-and-family-fun-festival/dad-w-apples-2015/#main>)

Honey

Honey has been dubbed nature's perfect food, and we couldn't agree more! We extract and bottle our own honey on the farm three times a year (spring, summer, and early fall). Bear Creek Farms honey is local honey, which can help with seasonal allergies.

Honey is sold in Half-Pint, Pint, Quart, and Gallon (when available) jars. Sampling available at the Farm.



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(https://bearcreekfarmsbranson.com/honey/img_3739/#main)



(<https://bearcreekfarmsbranson.com/honey/jar-of-honey-close-up/#main>)

Apple Butter

This super-secret family recipe makes a sweet & spicy treat, perfect with hot buttered biscuits, in recipes, or straight out of the jar! Sampling available at the farm.



Missouri Meats

You've never had the breakfast of your life until you've tried Cinnamon Bacon! Featuring Swiss Meats out of Hermann, Missouri, we carry several varieties of fresh meats and sausages from this family-owned company.

Cinnamon Bacon, Beer & Cheese Brats, Apple Cinnamon Brats, Summer Sausage, Bologna



Goat's Milk Soap

Under Construction

Candles and Wax Melts

Under Construction

Fairy Gardens

Under Construction

Nuts

Under Construction

Quilts & Fabric Goods

Under Construction

Toys

Under Construction

Pretties

Under Construction

Bear Creek Farms

Apple Orchard, Apiary, and Farm Store

Bees, Honey & Other Wild Things

Bees & Honey

Oh, sweetness! Our honey is local and raw, bottled straight from the hive. Our bees spend their time pollinating our apple and peach trees. Unlike store bought honey, ours has a light, refreshing flavor of apple blossoms, lavender, and herbs.



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(https://bearcreekfarmsbranson.com/honey/img_3643/#main)

We sell our honey in half-pints, pints, quarts, and gallons (when available). Feel free to call us to reserve some honey for you and yours, as our honey sells out fast!

Half-Pint \$5.00

Pint \$9.00

Quart \$17.00

Gallons, please call for current price

Alpacas

What's cuter than an alpaca? Not much we can think of! These camelids reign supreme in South America, where their fiber (not wool!) is prized for being lightweight, yet extremely warm and durable. If you stop by the farm, make sure you touch our fiber samples so you can see for yourself just how soft the fiber is compared to wool or cotton. These creatures are gentle and shy, yet possess curious personalities; our herd of three loves treats, so if you hold your hand out with a little snack you'll get a sweet and snuggly kiss on the hand.

Every spring each of our herd is sheared, giving them an otherworldly appearance (see below). The fiber then slowly grows back so that in the winter months the animals stay warm and toasty in the barn.

We have three alpaca males: Cruiser (the youngest), Hershey Kiss, and Three Musketeer.



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[festival/img_2835/#main](https://bearcreekfarmsbranson.com/2015/10/13/grand-opening-and-family-fun-festival/img_2835/#main))



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[BLOG AT WORDPRESS.COM.](https://bearcreekfarmsbranson.com/honey/) | [THE SELA THEME.](#)

**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=			
on-site stormwater retention and absorption with engineered plans	2	4	-1	-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

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	2	6
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	0	0
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

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			

Bear Creek Farms		Permit#:	16-19		
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=			
no conversion of Class I-IV agricultural land to other use(s)			0	1	0
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
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		

Bear Creek Farms		Permit#:	16-19		
Division III Relative Policy Scoring Sheet: Eastern Taney County		Performance Value	Importance Factor	Score	Section Score
DIVERSIFICATION		n/a=	x		
creates >=5 full-time, year-round jobs outside of recreation / resort sector			2	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=	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=	x		
approved and effectively designed landscaped buffers between structures and all roads			2	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
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
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
structure size and/or access may impede but not hinder serviceability			-1		
structure size and/or access could be problematic or non-serviceable			-2		

Bear Creek Farms		Permit#:	16-19		
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=			
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				
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= -22
Maximum Possible Score= 51
Actual Score as Percent of Maximum= -43.1%
Number of Negative Scores= 5
Negative Scores as % of Total Score= 14.3%

Scoring Performed by:	Date:
<i>Bob Atchley & Bonita Kisse/Soutee</i>	<i>July 26, 2016</i>

Project: Bear Creek Farms

Permit#: 16-19

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

Scoring by: Bob Atchley & Bonita Kisse/Soutee

Date: July 26, 2016

Eastern District Relative Policies: Division III Permit

Project: **Bear Creek Farms**

Permit: **16-19**

	Max. Possible	As Scored	%	Total Negative Scores	
Scoring	51	-22	-43.1%	5	35.7%

	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	24	-8	2	40.0%
stormwater drainage	8	-4		
air quality				
off-site nuisances	8	0		
use compatibility	0	0		
diversification				
development buffering				
utilities	0	-4		
pedestrian circulation				
underground utilities	8	0		
Importance Factor 3	12	6		
preservation of critical areas	6	6		
screening of rooftop equip				
screening / waste containers				
screening of outdoor equip				
industrial landscape buffers				
right to farm	0	0		
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	0	0		
bicycle circulation				

Scoring by: *Bob Atchley & Bonita Kissee/Soutee*
 Date: *July 26, 2016*

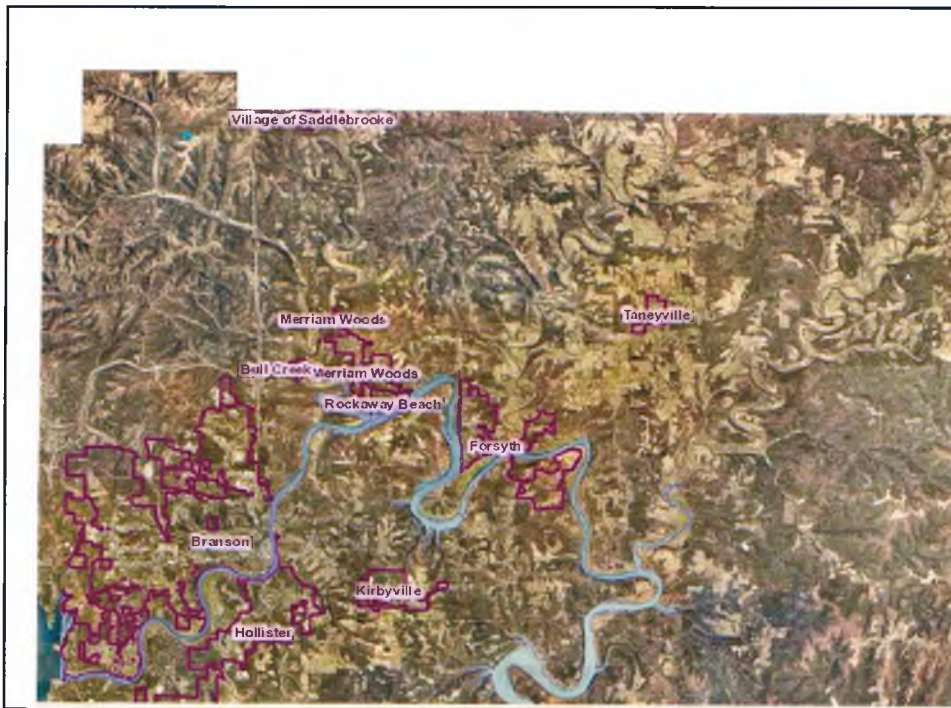


Bear Creek Farms

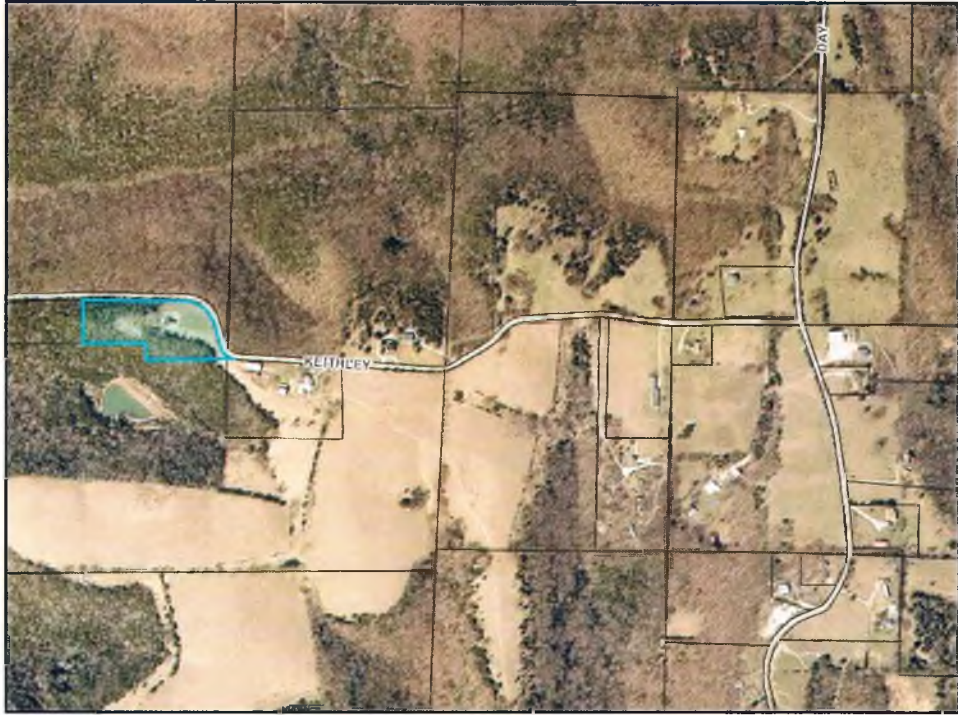




Bear Creek Farms
932 Keithley Road, Walnut Shade, MO
Division III Special-Use Permit 2016-0019
Taney County GIS - Beacon











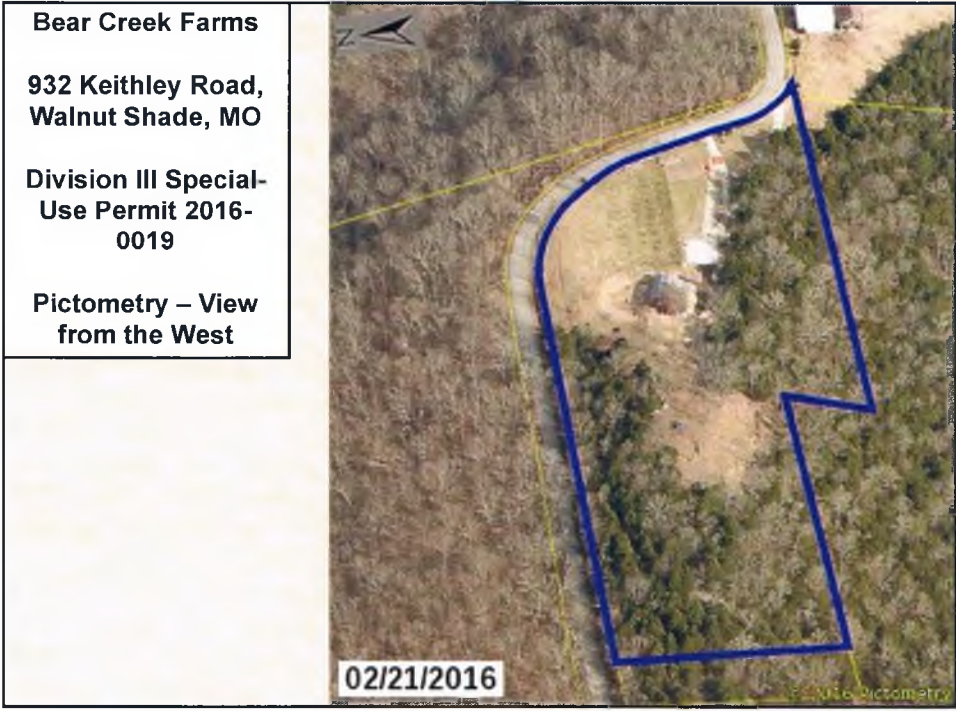
03/01/2016

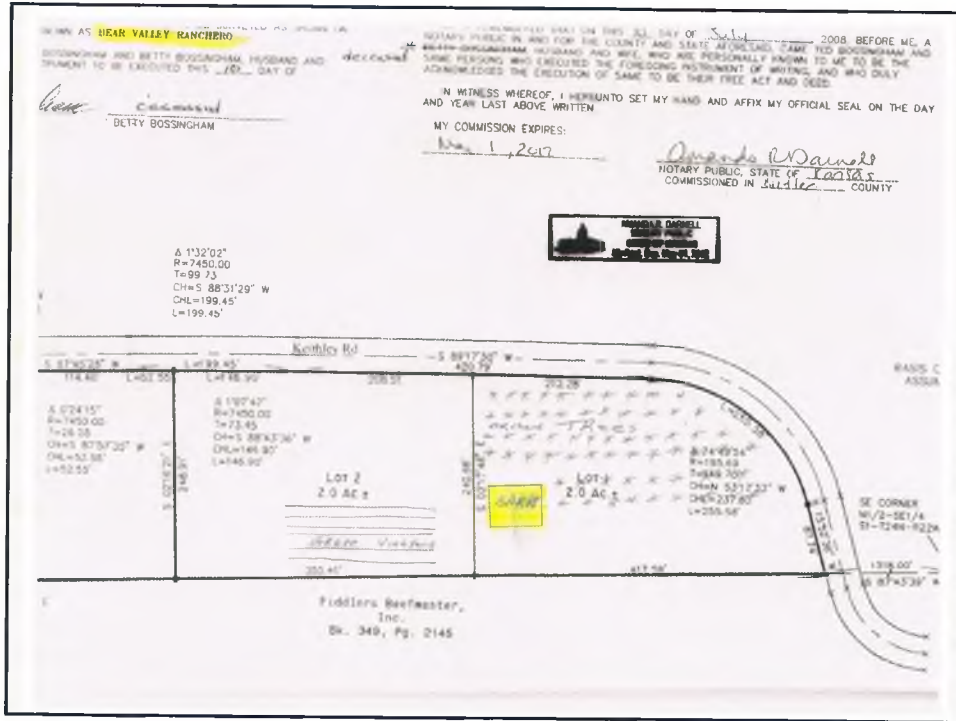
Bear Creek Farms
932 Keithley Road, Walnut Shade, MO
Division III Special-Use Permit 2016-0019
Pictometry – View from the North



02/22/2016

Bear Creek Farms
932 Keithley Road, Walnut Shade, MO
Division III Special-Use Permit 2016-0019
Pictometry – View from the South





TANEY COUNTY

TANEY COUNTY PLANNING COMMISSION
 P. O. Box 383 • Forsyth, Missouri 65653
 Phone: 417 546-7225 • Fax: 417 546-6861
 website: www.taneycounty.org

March 21, 2014

Mr. John Padgett
 504 Keithley Road
 Walnut Shade, MO 65771

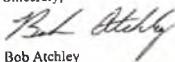
Re: Barn and Fall Festivals – Considered Exempt from the Development Guidance Code

Dear Mr. Padgett:

On March 17, 2014, during the Concept Hearing (first hearing), the Planning Commission was unanimous in its belief that the proposed barn and fall festival(s) (as described within your Division III Permit Application) to be held at the property located at 932 Keithley Road, Walnut Shade, are to be considered agricultural activities, exempt from the provisions of the Taney County Development Guidance Code. Please note that future land-use changes may require a Division III Permit.

Please also note that the exemption from the land-use provisions of the Development Guidance Code will not be exempt your proposed project from the on-site wastewater permitting requirements of the Missouri Department of Health and Senior Services. Please feel free to contact Scott Starrett, Taney County On-Site Wastewater Permitting, at (417) 546-0764 in order to discuss the applicable on-site wastewater permitting requirements.

Please feel free to contact me with questions or concerns. Thank you for your time, patience and assistance.

Sincerely,

 Bob Atchley
 Taney County Planning Administrator

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.)

CONSTRUCT a BARN 28 x 36 with a 15 x 28 basement.

The Access has an apple orchard and grape vineyard on it; the barn will be used to process, store and retail apples, peaches, grapes and honey in season.

We will only be open to public in the fall during special events or a Fall Festival. We will do 3 or 4 events per year, 3 day at each event on a maximum of 18 days per year. We raise apples, peaches, grapes and honey. The building will help us process and market our produce. The rest of time it will store equipment and produce.

Revised 12/19/03

Padgett Barn

We have a small hobby farm where we raise honey bees, apples, grapes and vegetables. The purpose of the barn is to provide a shelter for equipment used to process and extract honey and to clean up equipment used for apple butter making demonstrations and to display produce, fruit and related items as in a fruit stand.

The hours open to the public will be seasonal during harvest; weekends only the last 2 weeks of August, 4 weekends in October, and 2 weekends in November. The hours will probably be 9 to 4 Friday and Saturday and maybe Sunday afternoon.

A gravel parking area for 8 to 10 cars will be provided.





















