



## TANEY COUNTY PLANNING COMMISSION

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

website: [www.taneycounty.org](http://www.taneycounty.org)

**AGENDA**  
**TANEY COUNTY PLANNING COMMISSION**  
**PUBLIC HEARING**  
**MONDAY, NOVEMBER 14, 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:

*Stevenson Nightly Rental*  
*Windmill Tower*  
*1159 Bee Creek Road Offices*

Old and New Business:

*Nightly Rentals*

Adjournment.



# TANEY COUNTY PLANNING COMMISSION

## DIVISION III SPECIAL-USE PERMIT STAFF REPORT

**HEARING DATE:** November 14, 2016

**CASE NUMBER:** 2016-0023

**PROJECT:** Stevenson Nightly Rental

**APPLICANTS:** John & Lynnette Stevenson

**LOCATION:** The subject property is located at 146 Sleepy Hollow Road, Hollister, MO; Oliver Township; Section 26, Township 22, Range 22.

**REQUEST:** The applicants, John & Lynnette Stevenson are seeking the Planning Commission approval of a Division III Special-Use Permit allowing for an existing, five (5) bedroom, single-family residence to be utilized for nightly rental.

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

On November 22, 2011 Division I Permit # 2011-0143 was issued authorizing the construction of the single-family residence in question. According to Beacon (Taney County online GIS) the construction of the single-family residence was finalized in 2013. The single-family residence is a five (5) bedroom, 5 ½ bathroom, 8,408 square foot residence (7,405 finished square feet + an additional 1,363 square feet almost finished attic – per the information contained within the Multiple Listing Service (MLS)). On November 22, 2011, the Taney County Regional Sewer District also issued Permit # 2011-C046, authorizing the residence's connection to public sewer.

The applicants, John & Lynnette Stevenson are now seeking the Planning Commission approval of a Division III Special-Use Permit authorizing the nightly rental of the existing residence. The applicant has applied for the Special-Use Permit with the understanding that the new owner will be required to once again seek the Planning Commission approval of a new Division III Special-Use Permit, before utilizing the home for nightly rental, since a Special-Use Permit is not transferable.

The current application was approved for Concept on October 17, 2016.

### **GENERAL DESCRIPTION:**

The subject property is an approximately 16,418 square foot (per the Assessor's information as contained within Beacon) lot, known as Lot 50 of the Siesta Cove Subdivision. The property in question contains an approximately 8,408 square foot, five (5) bedroom, single-family residence, located at, 146 Sleepy Hollow Road, Hollister, MO.

## **REVIEW:**

Initially the application had indicated that this was a Division III Special-Use Permit request for a bed & breakfast use. However, upon speaking with the applicants in greater detail regarding the Development Guidance Code's definition for bed & breakfast versus nightly rental; it was determined that the request is actually a request for nightly rental. I have enumerated the definitions for bed & breakfast versus nightly rental in the paragraphs that follow.

The Taney County Development Guidance Code defines a bed & breakfast as "A family home, occupied as a permanent dwelling by the proprietor, that contains no more than four guest rooms where lodging, with or without meals, is provided for compensation."

The Development Guidance Code further 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."

The applicants have indicated that they are planning to sell the property in question. The applicants have further indicated that potential buyers have expressed an interest in utilizing the property for nightly rental. The current applicant is applying for the Division III Special-Use Permit with the understanding that if the property sells, that the new owner will be required to once again seek the Planning Commission approval of a Division III Special-Use Permit.

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

The property is currently served by a private well and public sewer via the Taney County Regional Sewer District. On November 22, 2011 the Taney County Regional Sewer District issued Permit # 2011-C046 authorizing the residence's connection to public sewer.

The property is currently served by an existing, shared drive off of Sleepy Hollow Road. The driveway in question serves both the residence located at 146 and also 156 Sleepy Hollow Road. The applicants currently own both residences (146 and 156 Sleepy Hollow Road).

Per the nightly rental provisions of the Development Guidance Code, "One (1) off-street parking space shall be provided for each two (2) persons of occupancy in a Nightly Rental." Therefore a total of six (6) parking spaces shall be required. The residence is currently served by a 2 car garage, a driveway, and also a shared driveway area, meeting the minimum requirements of the Development Guidance Code for parking. The adjoining property located at 156 Sleepy Hollow Road is also served by a separate, private drive. During the Concept Hearing the applicants indicated that the shared driveway falls within a recorded ingress / egress easement. The staff is recommending

that a condition be placed upon the Decision of Record, requiring the applicants to provide a recorded copy of the ingress / egress easement to the Planning Department.

The adjoining property immediately to the north is Sleepy Hollow Road and single-family residences within the Siesta Cove Subdivision. The adjoining property immediately to the south is property owned by the U.S. Army Corps of Engineers, with Table Rock Lake being located further to the south. The adjoining property immediately to the east and west is single-family residences within the Siesta Cove Subdivision. The staff recommends that a buffer be established between the nightly rental structure and the single-family residences to the east and west, meeting the requirements of Appendix H, Section 6 (Technical Plans).

The project received a total score of -26 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, use compatibility and traffic.

### **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 Western Taney County Fire Protection District, the Missouri Department of Revenue and the Taney County Regional Sewer District; 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. The applicants shall provide a recorded copy of the ingress / egress easement containing the existing shared driveway to the Planning Department office.
5. A buffer shall be established between the nightly rental structure in question and the single-family residences immediately to the east and west, meeting the requirements of Appendix H, Section 6 (Technical Plans).
6. No outside storage of equipment or solid waste materials.
7. This decision is subject to all existing easements.
8. This residence shall accommodate (sleep) no more than twelve (12) persons per night. The total occupancy may be further limited based upon the provisions of the Western Taney County Fire Protection District requirements and regulations.
9. The Stevenson 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

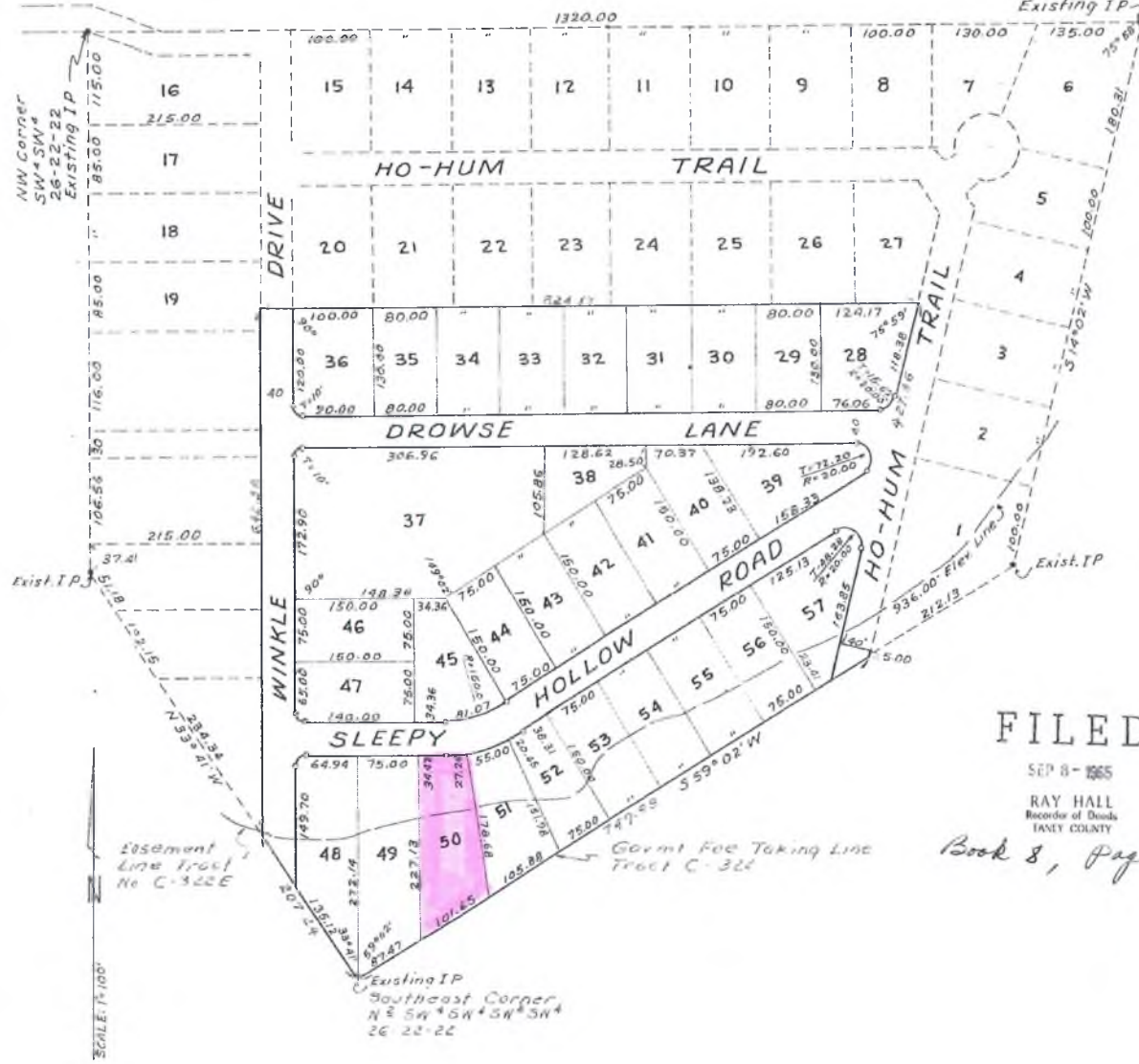
Permit shall not be used to establish commercial compatibility for or with any future land-use change applications.

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).



LOTS 28 THRU 57  
**SIESTA COVE**  
TANEY CO, MISSOURI

NE Corner  
SW<sup>4</sup>SW<sup>4</sup>  
26-22-22  
Existing IP



**DESCRIPTION AND EXECUTION OF PLAT:**

I, Leta V. Cook, hereby certify that I as the owner of the lands in the subdivision shown upon this plat and described as follows:

A tract of land situated in the County of Taney, State of Missouri, being a part of the SW<sup>4</sup> of the SW<sup>4</sup> of Section 26, Township 22 North, Range 22 West, which is more particularly described as follows: Beginning at the Southeast corner of the N<sup>2</sup> of the SW<sup>4</sup> of the SW<sup>4</sup> of said SW<sup>4</sup> of the SW<sup>4</sup>, said point being on the Government Fee Taking Line, Tract No. C-322; thence Northwesterly along said taking line, 207.24 feet; thence North, 62.98 feet; thence East, 82.17 feet; thence S 14° 02' E, 127.36 feet; thence S 75° 38' E, 40.00 feet; thence S 14° 02' E, 5.00 feet; to a point on the aforesaid fee taking line; thence southwesterly along said fee taking line, 719.98 feet, to the point of beginning.

I have had the same surveyed and subdivided in the manner shown on this subdivision is hereby designated and to be hereafter known as Lots 28 through 57, SIESTA COVE. The roadways as shown upon this plat are hereby dedicated to the lot owners in this subdivision. The lots in this subdivision are subject to a Deed of Restrictions recorded in Book 152, at Page 443 of the Recorder's Office of Taney County, Missouri.

IN WITNESS WHEREOF, I have hereunto set my hand this 7<sup>th</sup> day of Sept. 1965.  
Leta V. Cook

**TESTIFICATION:**

State of Missouri  
County of Taney  
On this 7<sup>th</sup> day of Sept. 1965, before me personally Leta V. Cook, to be known to be the person described in and who executed the foregoing instrument and acknowledged that she executed the same as her act and deed.  
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal of my office in Taney County, Missouri, the day and year last above written, my term as Notary Public expires March 21, 1966  
Ray C. Kirkley  
Notary Public

**SURVEYOR'S CERTIFICATION:**

I certify that I have prepared this plat from an actual and accurate survey of the lands described and that I have subdivided said lands into lots of the dimensions as shown hereon, from the survey at all corners and conditions to be as indicated hereon.

Emmett D. Nightingale  
Emmett D. Nightingale  
Taney County Surveyor  
Branson, Missouri  
28 August 1965

**FILED**

SEP 8 - 1965

RAY HALL  
Recorder of Deeds  
TANEY COUNTY

Book 8, Page 21

SCALE: 1"=100'

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

**Environmental Policies**

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

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

WILDLIFE HABITAT AND FISHERIES	n/a=	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
<b>LOT COVERAGE</b> n/a=	x			
lot coverage compatible with surrounding areas	0	1		
lot coverage exceeds surrounding areas by less than 50%	-1			
lot coverage exceeds surrounding areas by more than 50%	-2			
<b>BUILDING BULK AND SCALE</b> n/a=	x			
bulk / scale less than or equivalent to surrounding areas	0	3		
bulk / scale differs from surrounding areas but not obtrusive	-1			
bulk / scale significantly different from surrounding areas / obtrusive	-2			
<b>BUILDING MATERIALS</b> n/a=	x			
proposed materials equivalent to existing surrounding structures	0	2		
proposed materials similar and should blend with existing structures	-1			
materials differ from surrounding structures and would be noticeable	-2			
<b>STRUCTURAL SCREENING OF ROOFTOP EQUIPMENT &amp; VENTS</b> n/a=	x			
no rooftop equipment or vents	2	1		
blocked from view by structure design	1			
blocked from view using screening	0			
partially blocked from view	-1			
exposed / not blocked from view	-2			
<b>STRUCTURAL SCREENING OF SOLID WASTE CONTAINERS</b> n/a=	x			
no on-site waste containers	2	3		
blocked from view by structure design	1			
blocked from view using screening	0			
partially blocked from view	-1			
exposed / not blocked from view	-2			
<b>STRUCTURAL SCREENING OF OUTDOOR EQUIP, STORAGE, ETC.</b> n/a=	x			
no outdoor storage of equipment, materials, etc., or outdoor work areas	2	3		
blocked from view by structure design	1			
blocked from view using screening	0			
partially blocked from view	-1			
exposed / not blocked from view	-2			
<b>LANDSCAPED BUFFERS -- RESIDENTIAL</b> n/a=	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
<b>LANDSCAPED BUFFERS - INDUSTRIAL</b>	n/a= x			
approved landscaped buffer from public roads	0	3		
minimal landscaped buffer, but compensates with expanse of land	-1			
no landscaped buffer from public roads	-2			
<b>Local Economic Development</b>				
<b>RIGHT TO FARM</b>	n/a= x			
does not limit existing agricultural uses / does not cause nuisance, predation	0	3		
does not limit existing agricultural uses, but may result in minor nuisance	-1			
potential impact(s) on existing agricultural land	-2			
<b>RIGHT TO OPERATE</b>	n/a= x			
no viable impact on existing industrial uses by residential development	0	3		
potential impact but can be mitigated	-1			
potential impact on existing industrial uses with no mitigation	-2			
<b>DIVERSIFICATION</b>	n/a= x			
creates >=5 full-time, year-round jobs outside of recreation / resort sector	2	5		
creates full-time, year-round and seasonal jobs	1			
creates seasonal jobs only	0			
<b>Site Planning, Design, Occupancy</b>				
<b>RESIDENTIAL PRIVACY</b>	n/a= x			
privacy provided by structural design, or not applicable	2	2		
privacy provided by structural screening	1			
privacy provided by landscaped buffers	0			
privacy provided by open space	-1			
no acceptable or effective privacy buffering	-2			
<b>MIXED-USE DEVELOPMENTS</b>	n/a= x			
uses / functions are compatible or not applicable	2	3		
uses / functions are integrated and separated based on compatibility	1			
uses / functions differ minimally and are not readily apparent	0			
uses / functions poorly integrated or separated	-1			
uses / functions mixed without regard to compatibility factors	-2			
<b>Commercial Development</b>				
<b>DEVELOPMENT PATTERNS</b>	n/a= x			
clustered development / sharing of parking, signs, ingress, egress, or not applicable	2	3		
some clustering and sharing patterns with good separation of facilities	1			
some clustering and sharing patterns with minimal separation of facilities	0			
clustered development with no appreciable sharing of facilities	-1			
unclustered development with no sharing or ability to share facilities	-2			

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

	Performance Value	Importance Factor	Score	Section Score
<b>DEVELOPMENT BUFFERING</b>	n/a= x			
approved and effectively designed landscaped buffers between structures and all roads	2	3		
minimal landscaped buffering, but compensates with expanse of land	1			
minimal landscaped buffering	0			
no landscaped buffering, but utilizes expanse of land	-1			
no or inadequate buffering or separation by land	-2			
<b>Services - Capacity and Access</b>				
<b>TRAFFIC</b>	n/a=			
no impact or insignificant impact on current traffic flows	0	2	-1	-2
traffic flow increases expected but manageable using existing roads and road accesses	-1			
traffic flow increases exceed current road capacities	-2			
<b>EMERGENCY SERVICES</b>	n/a=			
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			
<b>RIGHT-OF-WAY OF EXISTING ROADS</b>	n/a=			
greater than 50 ft. right-of-way	1	5	-2	-10
50 ft. right-of-way	0			
40 ft. right-of-way	-1			
less than 40 ft. right-of-way	-2			
<b>Internal Improvements</b>				
<b>WATER SYSTEM SERVICE</b>	n/a=			
central water system meeting DNR requirements for capacity, storage, design, etc.	2	3	0	0
community well / water system meeting DNR requirements	1			
private wells meeting DNR requirements	0			
private wells not meeting any established standards	-1			
individual / private wells	-2			
<b>EMERGENCY WATER SUPPLY</b>	n/a=			
fire hydrant system throughout development with adequate pressure and flow	0	5	-2	-10
fire hydrant system with limited coverage	-1			
no fire hydrant system	-2			
<b>PEDESTRIAN CIRCULATION INFRASTRUCTURE</b>	n/a= x			
paved and dedicated walkways (no bicycles) provided throughout development	2	4		
paved walkways provided throughout development / maybe shared with bicycles	1			
designated walkways provided but unpaved	0			
no pedestrian walkways, but green space provided for pedestrian use	-1			
no designated pedestrian walkway areas	-2			

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

	Performance Value	Importance Factor	Score	Section Score
<b>PEDESTRIAN SAFETY</b> n/a=	x			
separation of pedestrian walkways from roadways by landscape or structural buffer	2	2		
separation of pedestrian walkways from roadways by open land buffer	1			
pedestrian walkways abut roadways with no buffering / protection	0			
<b>BICYCLE CIRCULATION</b> n/a=	x			
dedicated / separate bike-ways with signage, bike racks, trails	2	1		
bicycle lanes shared with pedestrian walkways but separated by markings / signs	1			
no designated bike-ways	0			
<b>UNDERGROUND UTILITIES</b> n/a=				
all utilities are provided underground up to each building / structure	2	4	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			
<b>Open-Space Density</b>				
<b>USABLE OPEN SPACE</b> n/a=	x			
residential developments (>25 units) include more than 25% open recreational space	2	2		
residential developments (>25 units) offer >10% but <25% open recreational space	1			
recreational area provided, but highly limited and not provided as open space	0			
no designated recreational space provided, but open space available	-1			
no open recreational space provided	-2			
<b>Solid Waste Disposal</b>				
<b>SOLID WASTE DISPOSAL SERVICE AVAILABILITY</b> n/a=	x			
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			
<b>SOLID WASTE DISPOSAL SERVICE COMMITMENT</b> n/a=	x			
restrictive covenants provide for weekly disposal for each occupied structure	0	5		
services available but not a requirement documented in covenants	-1			
not applicable / no pick-up service provided	-2			

**Total Weighted Score= -26**

**Maximum Possible Score= 29**

**Actual Score as Percent of Maximum= -89.7%**

**Number of Negative Scores= 5**

**Negative Scores as % of All Applicable Scores= 55.6%**

Scoring Performed by:

*Bob Atchley and Bonita Kisse-Soutee*

Date:

*November 2, 2016*

Project: **Stevenson Bed & Breakfast**

Permit#: **16-23**

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

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

Date: *November 2, 2016*

**Project: Stevenson Bed & Breakfast**

**Permit: 16-23**

	Max. Possible	As Scored	%	Total Negative Scores	
<b>Scoring</b>	29	-26	-89.7%	5	55.6%


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

**Scoring by:** Bob Atchley and Bonita Kisse-Soutee  
**Date:** November 2, 2016









**Stevenson Bed & Breakfast**  
**146 Sleepy Hollow Road, Hollister, MO**  
**Division III Permit Case # 2016-0023**  
**Taney County GIS - Beacon**



















**Stevenson Bed & Breakfast**  
**146 Sleepy Hollow Road, Hollister, MO**  
**Division III Permit Case # 2016-0023**  
**Pictometry – View from the North**



**Stevenson Bed & Breakfast**  
**146 Sleepy Hollow Road,**  
**Hollister, MO**  
**Division III Permit Case #**  
**2016-0023**  
**Pictometry – View from the**  
**South**





















# TANEY COUNTY PLANNING COMMISSION

## DIVISION III PERMIT STAFF REPORT

**HEARING DATE:** November 14, 2016

**CASE NUMBER:** 2016-0024

**PROJECT:** Windmill Road Telecommunications Tower

**APPLICANT:** Paul Wrablica III – President of Telecom Realty Consultants LLC

**REPRESENTATIVE:** Caroline Boyd – MW Towers, LLC

**LOCATION:** The subject property is located at 169 Windmill Road, Hollister, MO; Oliver Township; Section 36, Township 22, Range 22.

**REQUEST:** The representative, NW Towers, LLC is requesting the approval of a Division III Permit, in order to allow for the development of a new wireless telecommunications facility consisting of a 255' self-support tower within a 75' x 75' graveled compound area.

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

The +/- 4.70 acre property (according the Assessor's information via Beacon) is owned by Paul Wrablica III. The approximately 4.70 acre parcel had been home to a mobile home and associated accessory buildings which had fallen into a state of disrepair. The mobile home and related outbuildings have recently been dismantled and removed from the property.

The representative, Caroline Boyd – MW Towers, LLC is now requesting the approval of a Division III Permit, authorizing the construction of a new 255' self-supporting tower, within a 75' x 75' leased compound area, providing space for up to four (4) future equipment shelters or pads for equipment.

The current application was approved for Concept on October 17, 2016.



## GENERAL DESCRIPTION:

The +/- 4.70 acre property is owned by Paul Wrablica III. The approximately 4.70 acre parcel is currently a vacant, wooded, meet and bounds described tract of land (upon the removal of the mobile home and attending accessory buildings).

## REVIEW:

The proposed telecommunications tower and future equipment shelters / pads will be located within a 75' x 75' compound area. The proposed tower will be designed to serve four (4) carriers. The representative has indicated that title to the 4.70 acre tract will be conveyed from Paul Wrablica III to MW Towers, LLC. The preliminary site plat indicates the location of the proposed 255' self-support tower and the four (4) future lease areas for equipment within the compound area. The compound area will be graveled in a similar manner to the adjoining substation compound. This compound area is proposed to be located deep within the heavily wooded property. The compound is proposed to be located within the cleared area of the property that was formerly home to the mobile home and accessory buildings. The representative has indicated that the existing tree cover and other vegetation throughout the remainder of the property will be preserved.

During the Concept Hearing questions arose regarding whether an existing tower, located upon an adjoining property could serve as a co-location site. Pursuant to the provisions of Missouri Revised Statutes RSMo 67.5090 to 67.5103 (know and sited as the Uniform Wireless Communications Infrastructure Deployment Act), the Planning Commission cannot evaluate a tower application based upon the availability of other potential locations for the placement of wireless structures. The Planning Commission would only have the ability to require an applicant to state in the application that an analysis was conducted of available collocation opportunities on existing wireless towers within the same search ring as defined by the applicant, solely for the purpose of confirming that the applicant undertook such an analysis. The applicant submitted a statement with the application indicating that ***"The tower, as erected, will meet or exceed any requirements of the Federal Aviation Administration ("FAA") and the Federal Communications Commission ("FCC") as well as all other federal, state, and local laws and regulations applicable to the telecommunications industry."***

The tower will be accessed via the existing access drive, which is proposed to be improved, with the addition of gravel. The representative has indicated that the gate at the road will either remain or will be replaced with a gate that is substantially similar. Once construction is complete, there will be minimal vehicular traffic to the site, because most of the work is accomplished electronically off-site.

There are no existing structures that are located within 255' of the tower. The representative has indicated that the proposed tower will be placed so that it is at least 255' from the rear (eastern-most) property line.

Since the tower is over 200' in height the FAA will require the tower to be lit. The lights will burn medium intensity white during the day and red flashing lights at 30 pulses per minute at night.

The adjoining property immediately to the north is State Highway 265 with predominantly vacant wooded property and light residential properties being located further to the north. The adjoining property immediately to the south is predominantly vacant. The adjoining property immediately to the east is a KAMO electrical substation, with predominantly vacant property being located further to the east. The adjoining property immediately to the west is Windmill Road, with predominately vacant lots within the Emerald Pointe Subdivision being located further to the west. The majority of the tower compound will be screened from view by the existing tree cover and vegetation which are to remain.

The project received a total score of 9 on the Policy Checklist, out of a maximum possible score of 13. 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. 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.
7. 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).



**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=				
no known limitations		0	3	0	0
potential limitations but mitigation acceptable		-1			
mitigation inadequate		-2			

SLOPES	n/a=				
<b>NOTE:</b> if residential, mark "x" in box.....					
development on slope under 30%		0	4	0	0
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	0	0
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	0	0
buffered and minimally mitigated		-1			
cannot be mitigated		-2			

**Compatibility Factors**

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

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

		Performance Value	Importance Factor	Score	Section Score
<b>LOT COVERAGE</b>	n/a=	x			
lot coverage compatible with surrounding areas		0	1		
lot coverage exceeds surrounding areas by less than 50%		-1			
lot coverage exceeds surrounding areas by more than 50%		-2			
<b>BUILDING BULK AND SCALE</b>	n/a=	x			
bulk / scale less than or equivalent to surrounding areas		0	3		
bulk / scale differs from surrounding areas but not obtrusive		-1			
bulk / scale significantly different from surrounding areas / obtrusive		-2			
<b>BUILDING MATERIALS</b>	n/a=	x			
proposed materials equivalent to existing surrounding structures		0	2		
proposed materials similar and should blend with existing structures		-1			
materials differ from surrounding structures and would be noticeable		-2			
<b>STRUCTURAL SCREENING OF ROOFTOP EQUIPMENT &amp; VENTS</b>	n/a=	x			
no rooftop equipment or vents		2	1		
blocked from view by structure design		1			
blocked from view using screening		0			
partially blocked from view		-1			
exposed / not blocked from view		-2			
<b>STRUCTURAL SCREENING OF SOLID WASTE CONTAINERS</b>	n/a=	x			
no on-site waste containers		2	3		
blocked from view by structure design		1			
blocked from view using screening		0			
partially blocked from view		-1			
exposed / not blocked from view		-2			
<b>STRUCTURAL SCREENING OF OUTDOOR EQUIP, STORAGE, ETC.</b>	n/a=	x			
no outdoor storage of equipment, materials, etc., or outdoor work areas		2	3		
blocked from view by structure design		1			
blocked from view using screening		0			
partially blocked from view		-1			
exposed / not blocked from view		-2			
<b>LANDSCAPED BUFFERS -- RESIDENTIAL</b>	n/a=	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
<b>LANDSCAPED BUFFERS - INDUSTRIAL</b> n/a=	x			
approved landscaped buffer from public roads	0	3		
minimal landscaped buffer, but compensates with expanse of land	-1			
no landscaped buffer from public roads	-2			
<b>Local Economic Development</b>				
<b>RIGHT TO FARM</b> n/a=	x			
does not limit existing agricultural uses / does not cause nuisance, predation	0	3		
does not limit existing agricultural uses, but may result in minor nuisance	-1			
potential impact(s) on existing agricultural land	-2			
<b>RIGHT TO OPERATE</b> n/a=	x			
no viable impact on existing industrial uses by residential development	0	3		
potential impact but can be mitigated	-1			
potential impact on existing industrial uses with no mitigation	-2			
<b>DIVERSIFICATION</b> n/a=	x			
creates >=5 full-time, year-round jobs outside of recreation / resort sector	2	5		
creates full-time, year-round and seasonal jobs	1			
creates seasonal jobs only	0			
<b>Site Planning, Design, Occupancy</b>				
<b>RESIDENTIAL PRIVACY</b> n/a=	x			
privacy provided by structural design, or not applicable	2	2		
privacy provided by structural screening	1			
privacy provided by landscaped buffers	0			
privacy provided by open space	-1			
no acceptable or effective privacy buffering	-2			
<b>MIXED-USE DEVELOPMENTS</b> n/a=	x			
uses / functions are compatible or not applicable	2	3		
uses / functions are integrated and separated based on compatibility	1			
uses / functions differ minimally and are not readily apparent	0			
uses / functions poorly integrated or separated	-1			
uses / functions mixed without regard to compatibility factors	-2			
<b>Commercial Development</b>				
<b>DEVELOPMENT PATTERNS</b> n/a=	x			
clustered development / sharing of parking, signs, ingress, egress, or not applicable	2	3		
some clustering and sharing patterns with good separation of facilities	1			
some clustering and sharing patterns with minimal separation of facilities	0			
clustered development with no appreciable sharing of facilities	-1			
unclustered development with no sharing or ability to share facilities	-2			

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

	Performance Value	Importance Factor	Score	Section Score
<b>DEVELOPMENT BUFFERING</b>	n/a= x			
approved and effectively designed landscaped buffers between structures and all roads	2	3		
minimal landscaped buffering, but compensates with expanse of land	1			
minimal landscaped buffering	0			
no landscaped buffering, but utilizes expanse of land	-1			
no or inadequate buffering or separation by land	-2			
<b>Services - Capacity and Access</b>				
<b>TRAFFIC</b>	n/a=			
no impact or insignificant impact on current traffic flows	0	2	0	0
traffic flow increases expected but manageable using existing roads and road accesses	-1			
traffic flow increases exceed current road capacities	-2			
<b>EMERGENCY SERVICES</b>	n/a= x			
structure size and/or access can be serviced by emergency equipment	0	5	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			
<b>RIGHT-OF-WAY OF EXISTING ROADS</b>	n/a=			
greater than 50 ft. right-of-way	1	5	1	5
50 ft. right-of-way	0			
40 ft. right-of-way	-1			
less than 40 ft. right-of-way	-2			
<b>Internal Improvements</b>				
<b>WATER SYSTEM SERVICE</b>	n/a= 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			
<b>EMERGENCY WATER SUPPLY</b>	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			
<b>PEDESTRIAN CIRCULATION INFRASTRUCTURE</b>	n/a= x			
paved and dedicated walkways (no bicycles) provided throughout development	2	4		
paved walkways provided throughout development / maybe shared with bicycles	1			
designated walkways provided but unpaved	0			
no pedestrian walkways, but green space provided for pedestrian use	-1			
no designated pedestrian walkway areas	-2			



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

	Performance Value	Importance Factor	Score	Section Score
<b>PEDESTRIAN SAFETY</b> n/a=	x			
separation of pedestrian walkways from roadways by landscape or structural buffer	2	2		
separation of pedestrian walkways from roadways by open land buffer	1			
pedestrian walkways abut roadways with no buffering / protection	0			
<b>BICYCLE CIRCULATION</b> n/a=	x			
dedicated / separate bike-ways with signage, bike racks, trails	2	1		
bicycle lanes shared with pedestrian walkways but separated by markings / signs	1			
no designated bike-ways	0			
<b>UNDERGROUND UTILITIES</b> n/a=				
all utilities are provided underground up to each building / structure	2	4	1	4
all utilities traverse development underground but may be above ground from easement	1			
utilities above ground but / over designated easements	0			
utilities above ground and not within specific easements	-1			
no specific management of utilities	-2			
<b>Open-Space Density</b>				
<b>USABLE OPEN SPACE</b> n/a=	x			
residential developments (>25 units) include more than 25% open recreational space	2	2		
residential developments (>25 units) offer >10% but <25% open recreational space	1			
recreational area provided, but highly limited and not provided as open space	0			
no designated recreational space provided, but open space available	-1			
no open recreational space provided	-2			
<b>Solid Waste Disposal</b>				
<b>SOLID WASTE DISPOSAL SERVICE AVAILABILITY</b> n/a=	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			
<b>SOLID WASTE DISPOSAL SERVICE COMMITMENT</b> n/a=	x			
restrictive covenants provide for weekly disposal for each occupied structure	0	5		
services available but not a requirement documented in covenants	-1			
not applicable / no pick-up service provided	-2			

**Total Weighted Score= 9**

**Maximum Possible Score= 13**

**Actual Score as Percent of Maximum= 69.2%**

**Number of Negative Scores= 0**

**Negative Scores as % of All Applicable Scores= 0.0%**

Scoring Performed by:

*Bob Atchley and Bonita Kissee-Soutee*

Date:

*November 2, 2016*

**Project:** Windmill Road Telecommunications Tower

**Permit#:** 16-24

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 Kissee-Soutee*

Date: *November 2, 2016*



**Project: Windmill Road Telecommunications Tower Permit: 16-24**

	Max. Possible	As Scored	%	Total Negative Scores
<b>Scoring</b>	13	9	69.2%	

	Max. Possible	As Scored	Negative Scores	
			Number of	Percent
<b>Importance Factor 5</b>	<b>5</b>	<b>5</b>		
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				
<b>Importance Factor 4</b>	<b>8</b>	<b>4</b>		
slopes	0	0		
use compatibility	0	0		
pedestrian circulation				
underground utilities	8	4		
<b>Importance Factor 3</b>				
soil limitations	0	0		
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				
<b>Importance Factor 2</b>				
wildlife habitat and fisheries	0	0		
air quality				
building materials				
residential buffer / screening				
residential privacy				
traffic	0	0		
pedestrian safety				
usable open space				
<b>Importance Factor 1</b>				
lot coverage				
rooftop vents / equipment				
bicycle circulation				

**Scoring by:** Bob Atchley and Bonita Kisse-Soutee  
**Date:** November 2, 2016

# WINDMILL ROAD

## PART OF THE NE 1/4, SECTION 36, T22N, R22W, IN TANEY COUNTY, MISSOURI

**PROPERTY DESCRIPTION: Part of Parcel as Provided**

ALL THAT PART OF THE SOUTHEAST QUARTER (1/4) OF THE NORTHEAST QUARTER (1/4) OF SECTION 36, TOWNSHIP 22, RANGE 22, LYING SOUTH AND EAST OF U.S. HIGHWAY 265, AS NOW LOCATED (JANUARY 2001)

EXCEPT ANY PORTION LYING WITHIN ROADWAY (HIGHWAY 265 REFERRED TO IS NOW AS TOLD HIGHWAY 265)

PARCEL ID #8-7-0-36-000-000-015.000

THIS BEING THE SAME PROPERTY (CONVEYED TO BANK OF AMERICA, N.A., 5/28/04 TO BAKE HOME LOANS SERVING LP, THE COUNTRYWIDE HOME LOANS SERVING LP FROM SECRETARY OF HOUSING AND URBAN DEVELOPMENT IN A DEED DATED NOVEMBER 01, 2013 AND RECORDED NOVEMBER 05, 2013 AS INSTRUMENT NO. 2013.480.76

NOTE: The parcel parcel originally shown herein, in full or in part, is the same as that described above.

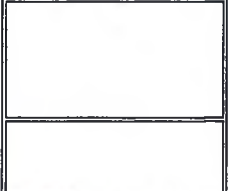
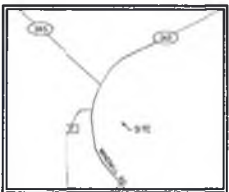
Property information shown herein was provided by First American Title Insurance Company, File No. RW1-262915-1, effective April 28, 2016.

Schedule B-1 information:

6. Affidavit of Affiliation as set out in 2013.32774. (Document not provided, not the type to be depicted herein)

**LEGEND**

POWER POLE	○
ANCHOR	○
RAILS MARK	—
POWER OPTIC MARKER	○
DATE POST	○
RAILS MARK	—
TRUCK POST	○
PROPOSED TOWER	△
POLE (DIA.)	○
POLE LINE	—
OVERHEAD POWER LINE	—
ELECTRICAL	⚡
COVERED POLE	—

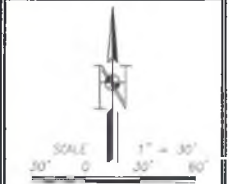


**LA** **LOVELACE & ASSOCIATES**  
 Land Surveying • Land Planning  
 Telecommunications Surveys  
 1019 N. 3rd Street East's Annex, Missouri 65001  
 Phone (636) 347-9977 Fax (636) 347-9978

**SURVEY COORDINATED BY:**  
 LOVELACE AND ASSOCIATES, LLC  
 P.O. BOX 682  
 1019 N. 3RD ST. EAST  
 TELEPHONE: (636) 347-9977  
 FAX: (636) 347-9978

**SURVEY PROVIDED BY:**  
 LOVELACE AND ASSOCIATES, LLC  
 P.O. BOX 682  
 1019 N. 3RD ST. EAST  
 TELEPHONE: (636) 347-9977  
 FAX: (636) 347-9978

**SURVEY PROVIDED FOR:**  
 MW TOWERS, LLC  
 280 WINDMILL RD.  
 HOLLISTER, MISSOURI 65020  
 TELEPHONE: (636) 448-4774



**FLOOD HAZARD:**  
 According to my interpretation of Community Flood Hazard Insurance Policy, dated 03-15-12, the subject property is in Flood Zone "X", a "Special Flood Hazard Area" and is subject to a 100 year flood plus."



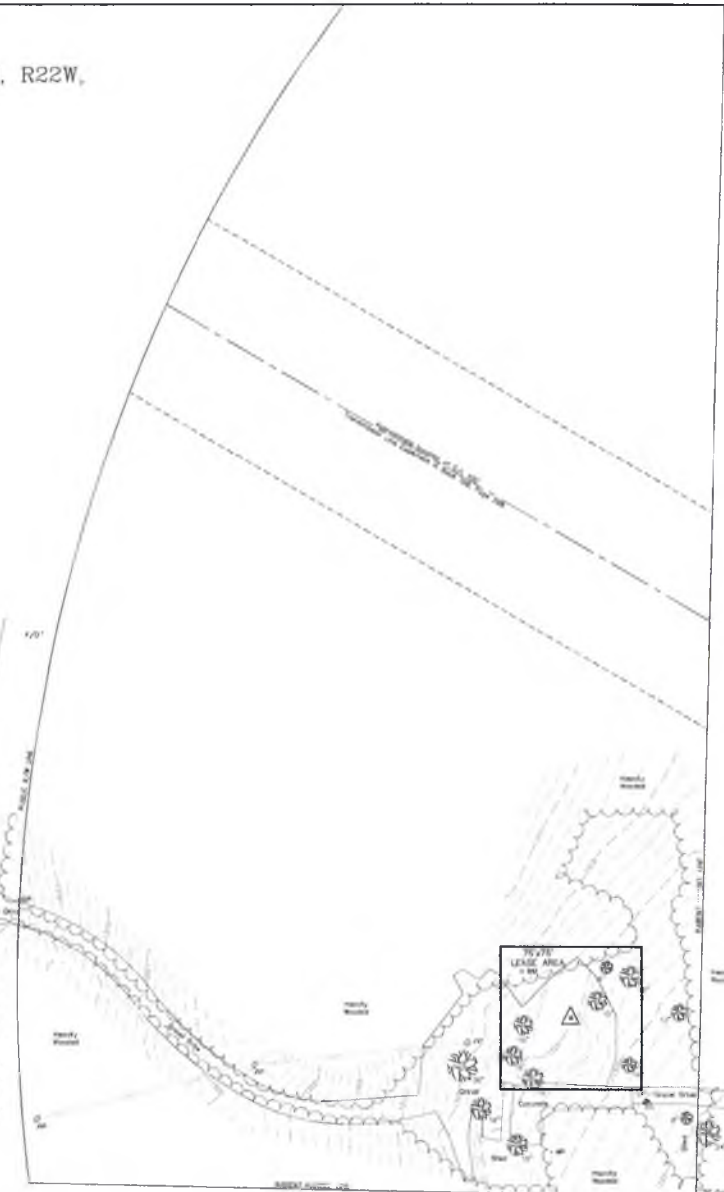
**DRAWN BY:** JBL  
**SITE NAME:** WINDMILL ROAD  
**SITE LOCATION:** 280 WINDMILL RD., HOLLISTER, MO  
**LA PROJECT NO.:** 16283  
**DRAWN BY:** ACT  
**CHECKED BY:** JBL  
**DATE:** 08-18-16  
**FILE NUMBER:** 08-15-16

**SHEET NUMBER**  
**1 OF 1**

R/W 1/2" 6.76'  
 1/2"  
 HIGHWAY 265 (Public R/W)  
 (shown Section)

**PROPERTY LEGEND**

RIGHT OF WAY MARKER	—
SECTION CORNER	○
TRAIL CORNER	○
RIGHT OF WAY	—
OVERHEAD	—



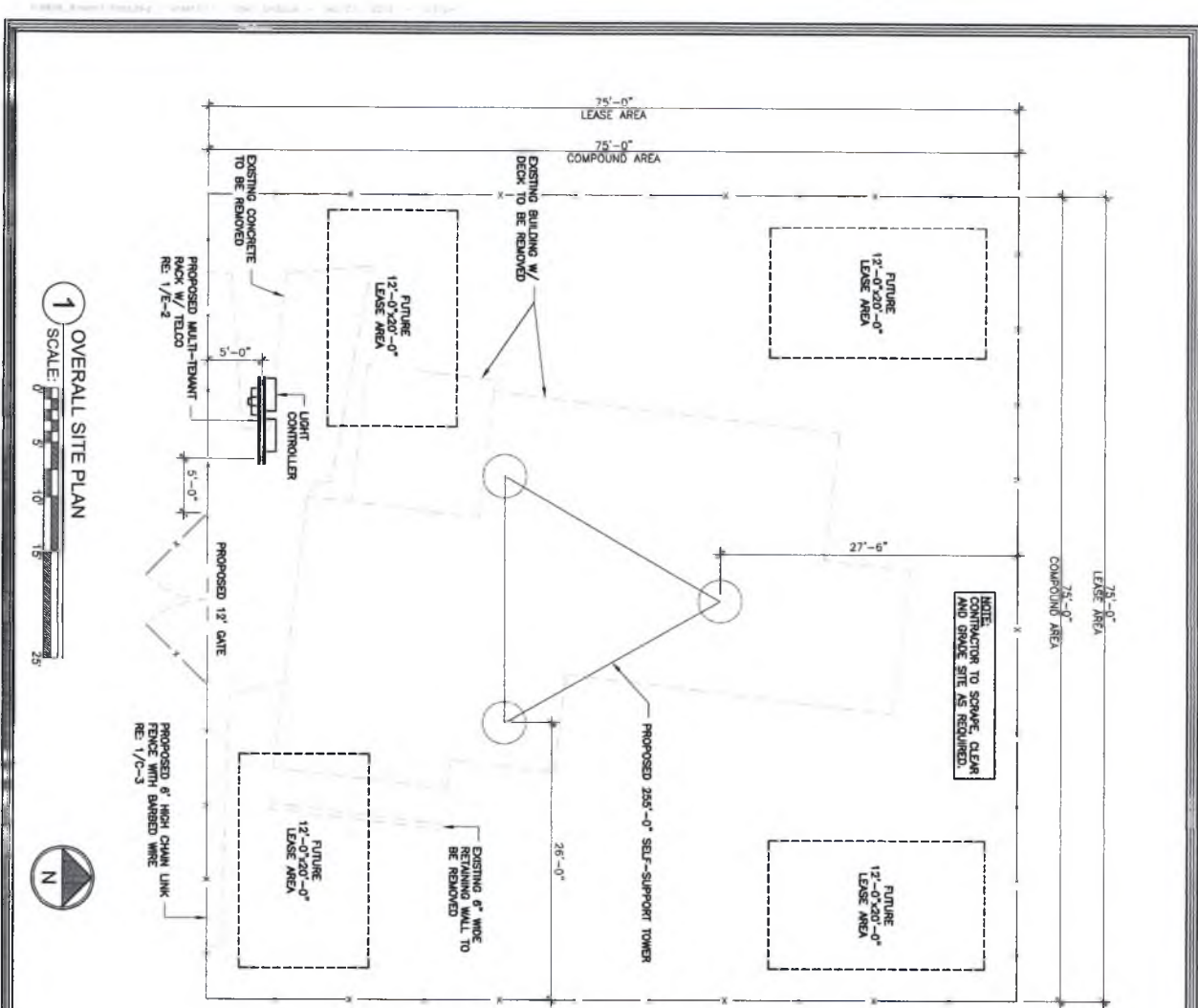
**BENCH MARK**  
 Top of 1/2" Iron Bar w/  
 Central Cap as Q=1  
 Elevation = 1327.441

**PROPOSED CELL TOWER DATA**  
 Center of Tower  
 Lat: 36°23'30.54" North  
 Long: 93°19'36.23" West  
 Ground Elevation = 1320.00

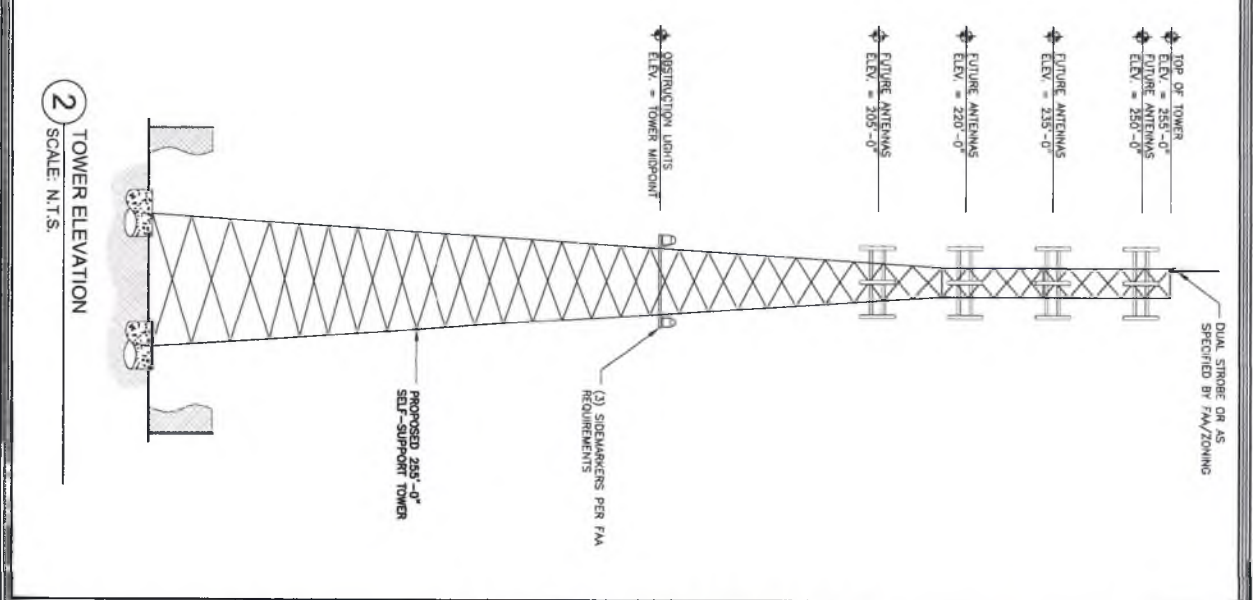
**CERTIFICATION**  
 I, JEFFREY B. LOVELACE, CERTIFY THAT A SURVEY WAS MADE BY ME, OR UNDER MY DIRECT SUPERVISION, ON THE GROUND OF THE LEASE AREA, AND ASSOCIATED EASEMENTS HEREBY DESCRIBED, AND THE RESULTS OF SAID SURVEY ARE REPRESENTED HEREON TO THE BEST OF MY PROFESSIONAL KNOWLEDGE AND BELIEF.

**JEFFREY B. LOVELACE** MO-162830  
 DATE: 08-15-16; ADDED ADDITIONAL TOPO  
 08-24-16; REV. FOR COMMENTS





1 OVERALL SITE PLAN  
SCALE: 1" = 20'




2 TOWER ELEVATION  
SCALE: N.T.S.

		<h1>WINDMILL ROAD</h1> <p>169 WINDMILL RD HOLLISTER, MO 65672</p> <p>PROPOSED SELF-SUPPORT TOWER</p>	
		<p>ISSUED FOR: _____</p> <p>NOV 1 2017 GROW DISCUSSION</p> <p>A 8/21/16 SDI INFLUENCER REVIEW</p> <p>B 8/21/16 SDI INFLUENCER REVIEW</p>	
<p>B&amp;T ENGINEERING, INC. E-20090701314 Expires: 12/31/17</p>		<p>PROJECT NO: 16848401 CHECKED BY: SLM</p>	
<p>THIS DOCUMENT IS PRELIMINARY IN NATURE AND IS NOT A FINAL SIGNED AND SEALED DOCUMENT</p>		<p>SHEET NUMBER: C-1 REVISION: B</p>	



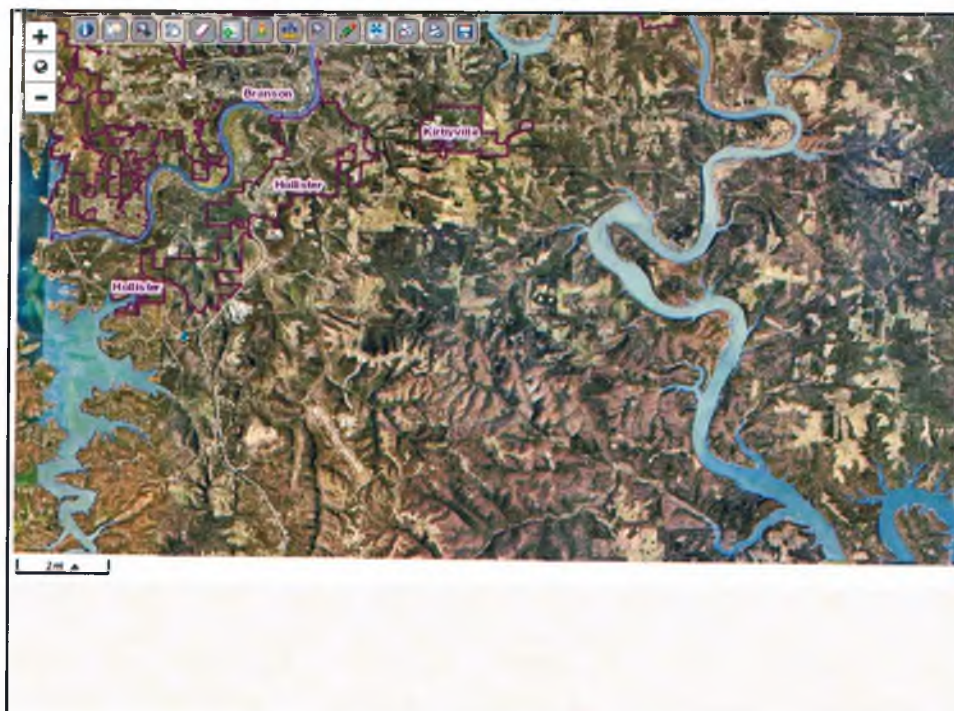






Village of Saddlebrooke  
Merriam Woods  
Merriam Woods  
Rockaway Beach  
Taneyville  
Fossil  
Kirbyville  
Branson  
Hollister  
Hollister

**Windmill Road Telecommunications Tower  
169 Windmill Road, Hollister, MO  
Division III Permit Case # 2016-0024  
Taney County GIS - Beacon**



















**Windmill Road Telecommunications Tower**  
**169 Windmill Road, Hollister, MO**  
**Division III Permit Case # 2016-0024**  
**Pictometry – View from the North**



**Windmill Road Telecommunications Tower**  
**169 Windmill Road, Hollister, MO**  
**Division III Permit Case # 2016-0024**  
**Pictometry – View from the South**



**Windmill Road Telecommunications Tower  
169 Windmill Road, Hollister, MO  
Division III Permit Case # 2016-0024  
Pictometry – View from the East**



**Windmill Road Telecommunications Tower  
169 Windmill Road, Hollister, MO  
Division III Permit Case # 2016-0024  
Pictometry – View from the West**

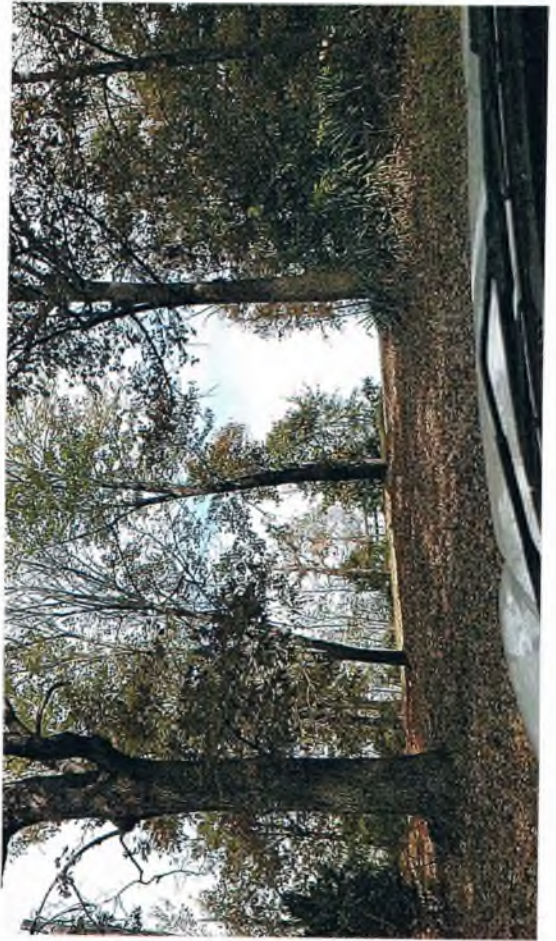






















# TANEY COUNTY PLANNING COMMISSION

## DIVISION III PERMIT STAFF REPORT

**HEARING DATE:** November 14, 2016

**CASE NUMBER:** 2016-0025

**PROJECT:** Worley & Associates Real Estate Office

**APPLICANT:** Ben Barton  
Current Owner

**REPRESENTATIVE:** Jeramie Worley – Worley & Associates

**LOCATION:** The subject property is located at 1159 Bee Creek Road, Branson, MO; Branson Township; Section 21, Township 23, Range 21.

**REQUEST:** The representative, Jeramie Worley is requesting approval of a Division III Permit in order to allow for the relocation of an existing real estate office from the current location at 225 Corporate Place, Ste P1, Branson to the existing single-family residence located at 1159 Bee Creek Road, Branson.

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

The subject property is a +/- 3.65 acre meets & bounds described tract of land, located at 1159 Bee Creek Road, Branson, MO. According to the assessor's information, as contained within Beacon, the single-family residence on the property was constructed in 1973. The property in question is currently shown within Beacon (online GIS) as being a portion of Parcel # 08-5.0-21-000-002-009.000. This parcel number actually consists of two (2) separate meets and bounds described tracts of land; the approximately 3.65 acre tract in question, and also an approximately 5.00 acre meets and bounds described tract of land immediately to the south. Both properties are currently owned by the Benjamin & Pauline Barton Trust and therefore appear within the Assessor's records as a single parcel number.

The current application was approved for Concept on October 17, 2016.

### **GENERAL DESCRIPTION:**

The representative, Jeramie Worley is proposing to relocate the Worley & Associates Real Estate office from its current location at 225 Corporate Place, Ste P1, Branson to the existing structure located at 1159 Bee Creek Road, Branson.



## REVIEW:

The representative is proposing to convert the existing single-family residence into a real estate office. The real estate office would have an on-premise sign specifically identifying the real estate office. Pursuant to the provisions of the Development Guidance Code only off-premise signage is regulated. Other than the sign, the exterior appearance of the structure will remain much the same.

The real estate office will be served by the existing circle driveway off of Bee Creek Road. However, pursuant to the provisions of Section 5 of Section 2 of the Road Standards the driveway entrances will be required to be widened ensuring compliance with a Type 2 Driveway. A Commercial Type 2 Driveway entrance is to be 24' – 60' wide, measured at the right-of-way line. The staff recommends that conditions be placed on the Decision of Record, requiring a compliance letter from the Road & Bridge Department and also ensuring that the driveway entrance is widened in compliance with these minimum standards.

Pursuant to the provisions of Table J-1 (On-Site Parking Performance Standards) one (1) parking space shall be provided for every 300 square feet of professional office space. The Multiple Listing Service (MLS) indicates that 1,439 square feet are finished above grade, with an additional 1,439 square feet of space being an unfinished basement. Based upon an office space of 1,439 square feet in size, a total of five (5) parking spaces would be required. The property in question contains a two (2) car garage and also more than five (5) additional parking spaces; exceeding the minimum parking requirements of the Development Guidance Code.

The property in question is served by an individual, onsite septic system and a private well. The current septic system was likely installed prior to current on-site wastewater permitting requirements. The representative has indicated that the septic system will be inspected by a private inspector prior to the purchase of the property in question. No surfacing effluent in the treatment field area or septic tank area has been observed. For the continued maintenance of the septic system, the staff is recommending that each septic tank be periodically pumped as required. Should the system fail the property owner would either be required to repair or replace the system, or potentially connect to Branson municipal sewer.

The adjoining property immediately to the north is predominantly light residential, with commercial uses being located further to the north. The adjoining property immediately to the south and west is predominantly vacant wooded property. The adjoining property immediately to the east is Bee Creek Road, with residential lots within the Broadview Acres subdivision being located further to the east.

The adjoining properties are either vacant or heavily wooded. Therefore the staff does not see a justification for additional buffering.

The project received a score of -9 on the Policy Checklist, out of a maximum possible score of 39. The relative policies receiving negative scores consist of emergency water supply, waste disposal service, and use compatibility.

## **SUMMARY:**

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

1. Compliance with the provisions of the Taney County Development Guidance Code.
2. Compliance letters from the Taney County Road & Bridge Department and the Western Taney County Fire Protection District shall be submitted to the Planning Department Office, including all other entities which have requirements governing a development of this nature (Chapter VI-VII).
3. The existing driveway entrances shall be widened, ensuring compliance with a Commercial Type 2 Driveway as enumerated within the Taney County Road Standards.
4. 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, or shall connect to Branson municipal sewer.
5. No outside storage of equipment or solid waste materials.
6. This decision is subject to all existing easements.
7. 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).



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

WILDLIFE HABITAT AND FISHERIES	n/a=	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	0	0
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
<b>LOT COVERAGE</b> n/a=	x			
lot coverage compatible with surrounding areas	0	1		
lot coverage exceeds surrounding areas by less than 50%	-1			
lot coverage exceeds surrounding areas by more than 50%	-2			
<b>BUILDING BULK AND SCALE</b> n/a=	x			
bulk / scale less than or equivalent to surrounding areas	0	3		
bulk / scale differs from surrounding areas but not obtrusive	-1			
bulk / scale significantly different from surrounding areas / obtrusive	-2			
<b>BUILDING MATERIALS</b> n/a=	x			
proposed materials equivalent to existing surrounding structures	0	2		
proposed materials similar and should blend with existing structures	-1			
materials differ from surrounding structures and would be noticeable	-2			
<b>STRUCTURAL SCREENING OF ROOFTOP EQUIPMENT &amp; VENTS</b> n/a=	x			
no rooftop equipment or vents	2	1		
blocked from view by structure design	1			
blocked from view using screening	0			
partially blocked from view	-1			
exposed / not blocked from view	-2			
<b>STRUCTURAL SCREENING OF SOLID WASTE CONTAINERS</b> n/a=	x			
no on-site waste containers	2	3		
blocked from view by structure design	1			
blocked from view using screening	0			
partially blocked from view	-1			
exposed / not blocked from view	-2			
<b>STRUCTURAL SCREENING OF OUTDOOR EQUIP, STORAGE, ETC.</b> n/a=	x			
no outdoor storage of equipment, materials, etc., or outdoor work areas	2	3		
blocked from view by structure design	1			
blocked from view using screening	0			
partially blocked from view	-1			
exposed / not blocked from view	-2			
<b>LANDSCAPED BUFFERS -- RESIDENTIAL</b> n/a=	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
<b>LANDSCAPED BUFFERS - INDUSTRIAL</b> n/a=	x			
approved landscaped buffer from public roads	0	3		
minimal landscaped buffer, but compensates with expanse of land	-1			
no landscaped buffer from public roads	-2			
<b>Local Economic Development</b>				
<b>RIGHT TO FARM</b> n/a=	x			
does not limit existing agricultural uses / does not cause nuisance, predation	0	3		
does not limit existing agricultural uses, but may result in minor nuisance	-1			
potential impact(s) on existing agricultural land	-2			
<b>RIGHT TO OPERATE</b> n/a=	x			
no viable impact on existing industrial uses by residential development	0	3		
potential impact but can be mitigated	-1			
potential impact on existing industrial uses with no mitigation	-2			
<b>DIVERSIFICATION</b> n/a=				
creates >=5 full-time, year-round jobs outside of recreation / resort sector	2	5	1	5
creates full-time, year-round and seasonal jobs	1			
creates seasonal jobs only	0			
<b>Site Planning, Design, Occupancy</b>				
<b>RESIDENTIAL PRIVACY</b> n/a=	x			
privacy provided by structural design, or not applicable	2	2		
privacy provided by structural screening	1			
privacy provided by landscaped buffers	0			
privacy provided by open space	-1			
no acceptable or effective privacy buffering	-2			
<b>MIXED-USE DEVELOPMENTS</b> n/a=	x			
uses / functions are compatible or not applicable	2	3		
uses / functions are integrated and separated based on compatibility	1			
uses / functions differ minimally and are not readily apparent	0			
uses / functions poorly integrated or separated	-1			
uses / functions mixed without regard to compatibility factors	-2			
<b>Commercial Development</b>				
<b>DEVELOPMENT PATTERNS</b> n/a=	x			
clustered development / sharing of parking, signs, ingress, egress, or not applicable	2	3		
some clustering and sharing patterns with good separation of facilities	1			
some clustering and sharing patterns with minimal separation of facilities	0			
clustered development with no appreciable sharing of facilities	-1			
unclustered development with no sharing or ability to share facilities	-2			

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

	Performance Value	Importance Factor	Score	Section Score
<b>DEVELOPMENT BUFFERING</b> n/a=	x			
approved and effectively designed landscaped buffers between structures and all roads	2	3		
minimal landscaped buffering, but compensates with expanse of land	1			
minimal landscaped buffering	0			
no landscaped buffering, but utilizes expanse of land	-1			
no or inadequate buffering or separation by land	-2			
<b>Services - Capacity and Access</b>				
<b>TRAFFIC</b> n/a=				
no impact or insignificant impact on current traffic flows	0	2	0	0
traffic flow increases expected but manageable using existing roads and road accesses	-1			
traffic flow increases exceed current road capacities	-2			
<b>EMERGENCY SERVICES</b> n/a=				
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			
<b>RIGHT-OF-WAY OF EXISTING ROADS</b> n/a=				
greater than 50 ft. right-of-way	1	5	1	5
50 ft. right-of-way	0			
40 ft. right-of-way	-1			
less than 40 ft. right-of-way	-2			
<b>Internal Improvements</b>				
<b>WATER SYSTEM SERVICE</b> n/a=				
central water system meeting DNR requirements for capacity, storage, design, etc.	2	3	0	0
community well / water system meeting DNR requirements	1			
private wells meeting DNR requirements	0			
private wells not meeting any established standards	-1			
individual / private wells	-2			
<b>EMERGENCY WATER SUPPLY</b> n/a=				
fire hydrant system throughout development with adequate pressure and flow	0	5	-2	-10
fire hydrant system with limited coverage	-1			
no fire hydrant system	-2			
<b>PEDESTRIAN CIRCULATION INFRASTRUCTURE</b> n/a=	x			
paved and dedicated walkways (no bicycles) provided throughout development	2	4		
paved walkways provided throughout development / maybe shared with bicycles	1			
designated walkways provided but unpaved	0			
no pedestrian walkways, but green space provided for pedestrian use	-1			
no designated pedestrian walkway areas	-2			



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

	Performance Value	Importance Factor	Score	Section Score
<b>PEDESTRIAN SAFETY</b> n/a=	x			
separation of pedestrian walkways from roadways by landscape or structural buffer	2	2		
separation of pedestrian walkways from roadways by open land buffer	1			
pedestrian walkways abut roadways with no buffering / protection	0			
<b>BICYCLE CIRCULATION</b> n/a=	x			
dedicated / separate bike-ways with signage, bike racks, trails	2	1		
bicycle lanes shared with pedestrian walkways but separated by markings / signs	1			
no designated bike-ways	0			
<b>UNDERGROUND UTILITIES</b> n/a=				
all utilities are provided underground up to each building / structure	2	4	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			
<b>Open-Space Density</b>				
<b>USABLE OPEN SPACE</b> n/a=	x			
residential developments (>25 units) include more than 25% open recreational space	2	2		
residential developments (>25 units) offer >10% but <25% open recreational space	1			
recreational area provided, but highly limited and not provided as open space	0			
no designated recreational space provided, but open space available	-1			
no open recreational space provided	-2			
<b>Solid Waste Disposal</b>				
<b>SOLID WASTE DISPOSAL SERVICE AVAILABILITY</b> n/a=				
weekly service is available and documentation of availability provided	0	5	-1	-5
weekly service reportedly available but not documented	-1			
centralized, on-site trash collection receptacles available	-2			
<b>SOLID WASTE DISPOSAL SERVICE COMMITMENT</b> n/a=	x			
restrictive covenants provide for weekly disposal for each occupied structure	0	5		
services available but not a requirement documented in covenants	-1			
not applicable / no pick-up service provided	-2			

**Total Weighted Score= -9**

**Maximum Possible Score= 39**

**Actual Score as Percent of Maximum= -23.1%**

**Number of Negative Scores= 3**

**Negative Scores as % of All Applicable Scores= 27.3%**

Scoring Performed by:

Date:

*Bob Atchley and Bonita Kisse-Souttee*

*November 2, 2016*

**Project:** **Worley & Associates Real Estate Office**

**Permit#:** **16-25**

Policies Receiving a Negative Score	
Importance Factor 5:	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 Kissee-Soutee*

Date: *November 2, 2016*



**Project: Worley & Associates Real Estate Office**

**Permit: 16-25**

	Max. Possible	As Scored	%	Total Negative Scores	
<b>Scoring</b>	39	-9	-23.1%	3	27.3%

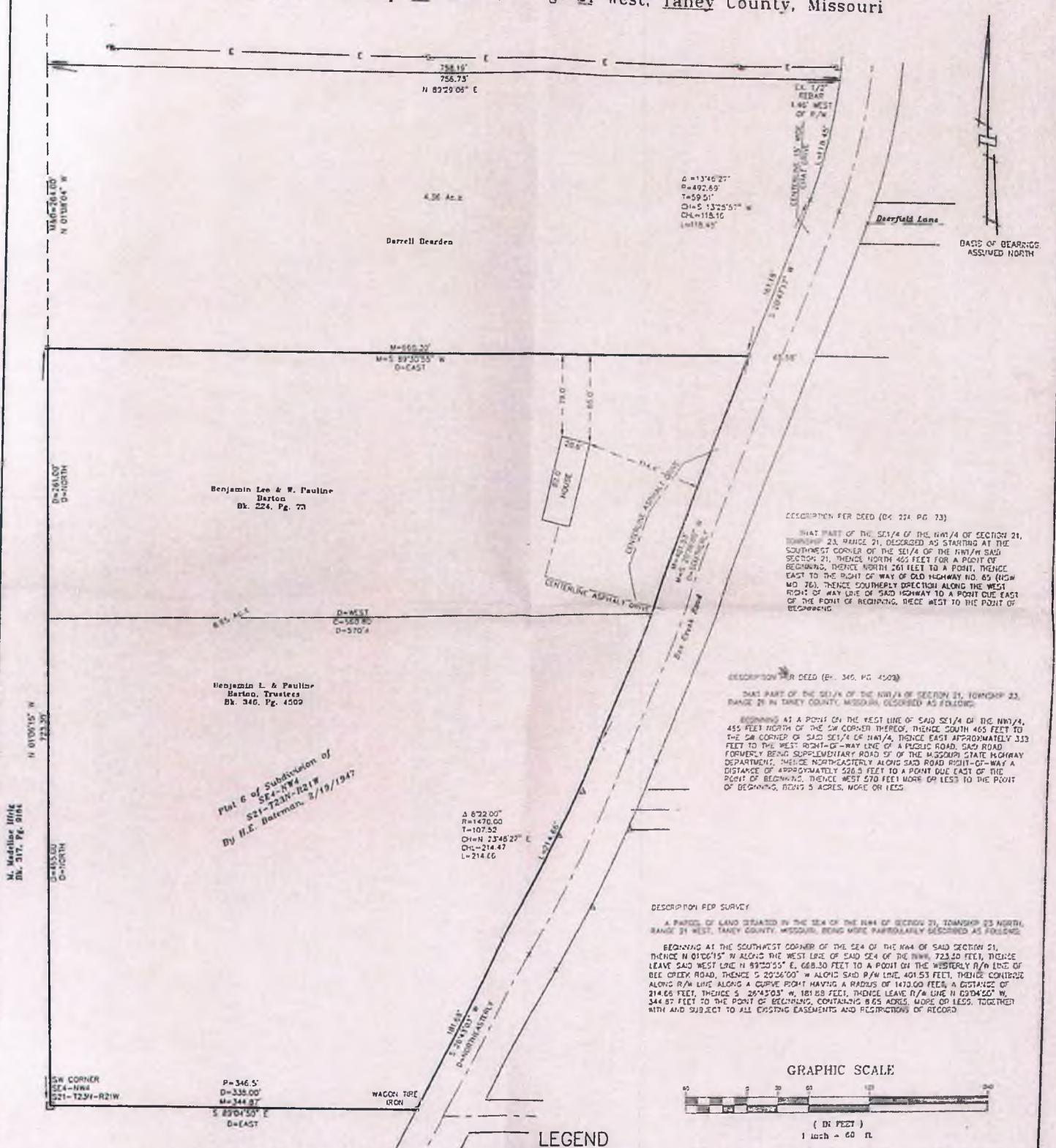
	Max. Possible	As Scored	Negative Scores	
			Number of	Percent
<b>Importance Factor 5</b>	<b>25</b>	<b>-5</b>	<b>2</b>	<b>28.6%</b>
sewage disposal	10	0		
off-site nuisances	0	0		
diversification	10	5		
emergency services	0	0		
right-of-way/roads	5	5		
<b>emergency water supply</b>	0	-10		
<b>waste disposal service</b>	0	-5		
waste disposal commitment				
<b>Importance Factor 4</b>	<b>8</b>	<b>-4</b>	<b>1</b>	<b>50.0%</b>
slopes				
<b>use compatibility</b>	0	-4		
pedestrian circulation				
underground utilities	8	0		
<b>Importance Factor 3</b>				
soil limitations				
building bulk/scale				
waste containers screening				
outdoor equip storage				
industrial buffer / screening				
right to farm				
right to operate				
mixed-use developments				
development patterns				
development buffering				
water system service	6	0		
<b>Importance Factor 2</b>				
wildlife habitat and fisheries				
air quality				
building materials				
residential buffer / screening				
residential privacy				
traffic	0	0		
pedestrian safety				
usable open space				
<b>Importance Factor 1</b>				
lot coverage				
rooftop vents / equipment				
bicycle circulation				

**Scoring by:** Bob Atchley and Bonita Kisse-Souttee  
**Date:** November 2, 2016

# PLAT OF SURVEY

Ordered By Ben Barton Date: April 4, 2005

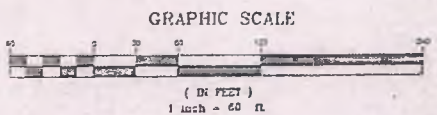
Section 21, Township 23 North, Range 21 West, Taney County, Missouri



DESCRIPTION PER DEED (EX. 224, PG. 73)  
 THAT PART OF THE SE 1/4 OF THE NW 1/4 OF SECTION 21, TOWNSHIP 23, RANGE 21, DESCRIBED AS STARTING AT THE SOUTHWEST CORNER OF THE SE 1/4 OF THE NW 1/4 SAID SECTION 21, THENCE NORTH 465 FEET TO A POINT OF BEGINNING, THENCE NORTH 261 FEET TO A POINT, THENCE EAST TO THE RIGHT OF WAY OF OLD HIGHWAY NO. 65 (HIGHWAY NO. 76), THENCE SOUTHERLY DIRECTION ALONG THE WEST RIGHT OF WAY LINE OF SAID HIGHWAY TO A POINT DUE EAST OF THE POINT OF BEGINNING, THENCE WEST TO THE POINT OF BEGINNING.

DESCRIPTION PER DEED (EX. 340, PG. 4503)  
 THAT PART OF THE SE 1/4 OF THE NW 1/4 OF SECTION 21, TOWNSHIP 23, RANGE 21 IN TANEY COUNTY, MISSOURI, DESCRIBED AS FOLLOWS:  
 BEGINNING AT A POINT ON THE WEST LINE OF SAID SE 1/4 OF THE NW 1/4, 455 FEET NORTH OF THE SW CORNER THEREOF, THENCE SOUTH 465 FEET TO THE SW CORNER OF SAID SE 1/4 OF THE NW 1/4, THENCE EAST APPROXIMATELY 333 FEET TO THE WEST RIGHT-OF-WAY LINE OF A PUBLIC ROAD, SAID ROAD FORMERLY BEING SUPPLEMENTARY ROAD 57 OF THE MISSOURI STATE HIGHWAY DEPARTMENT, THENCE NORTHEASTERLY ALONG SAID ROAD RIGHT-OF-WAY A DISTANCE OF APPROXIMATELY 528.3 FEET TO A POINT DUE EAST OF THE POINT OF BEGINNING, THENCE WEST 570 FEET MORE OR LESS TO THE POINT OF BEGINNING, BEING 5 ACRES, MORE OR LESS.

DESCRIPTION PER SURVEY  
 A PORTION OF LAND CREATED BY THE SEA OF THE NW 1/4 OF SECTION 21, TOWNSHIP 23 NORTH, RANGE 21 WEST, TANEY COUNTY, MISSOURI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
 BEGINNING AT THE SOUTHWEST CORNER OF THE SEA OF THE NW 1/4 OF SAID SECTION 21, THENCE N 01°00'15" W ALONG THE WEST LINE OF SAID SE 1/4 OF THE NW 1/4 723.20 FEET, THENCE LEAVE SAID WEST LINE N 89°00'51" E, 685.30 FEET TO A POINT ON THE WESTERLY R/W LINE OF BEE CREEK ROAD, THENCE S 20°26'00" W ALONG SAID R/W LINE 401.53 FEET, THENCE COURSE ALONG R/W LINE ALONG A CURVE POINT HAVING A RADIUS OF 1473.00 FEET, A DISTANCE OF 214.66 FEET, THENCE S 26°43'03" W, 181.88 FEET, THENCE LEAVE R/W LINE N 02°04'50" W, 344.87 FEET TO THE POINT OF BEGINNING, CONTAINING 8.65 ACRES, MORE OR LESS, TOGETHER WITH AND SUBJECT TO ALL EXISTING EASEMENTS AND RESTRICTIONS OF RECORD.



- LEGEND**
- △ = EXISTING RIGHT-OF-WAY MARKER
  - = EXISTING IRON PIN (EXCEPT AS NOTED)
  - = 1/2" (#4) SET REBAR
  - = UTILITY POLE
  - +— = WIRE FENCE
  - P.O.B. = POINT OF BEGINNING
  - M = MEASURED
  - D = DEED
  - P = PLAT
  - C = COMPUTED

**SURVEYOR'S STATEMENT:**  
 I HEREBY STATE THAT I HAVE MADE AN ACTUAL AND ACCURATE SURVEY OF THE LANDS DESCRIBED HERON AND FOUND CONDITIONS TO BE AS INDICATED. THIS SURVEY IS IN ACCORDANCE WITH STANDARDS ADOPTED BY THE MISSOURI BOARD FOR ARCHITECTS, PROFESSIONAL ENGINEERS AND LAND SURVEYORS.

LARRY A. GARDNER R.L.S. 1458

**MIDWEST SURVEYORS**  
 P.O. BOX 724, DUNSMITH, MO. 65016  
 TELEPHONE (417) 334-5195  
 FAX (417) 337-9285

DATE: April 4, 2005	DRAWN BY: TCM
SCALE: 1"=60'	CHECKED BY: RJA
DRAWING NO.: 05-8080	PROJ:
	REF:









**Worley & Associates Real Estate Office**  
1159 Bee Creek Road, Branson, MO  
Division III Permit Case # 2016-0025  
Taney County GIS - Beacon

















**Worley & Associates Real Estate Office  
1159 Bee Creek Road, Branson, MO  
Division III Permit Case # 2016-0025  
Pictometry – View from the North**



**Worley & Associates Real Estate Office  
1159 Bee Creek Road, Branson, MO  
Division III Permit Case # 2016-0025  
Pictometry – View from the South**



**Worley & Associates Real Estate Office  
1159 Bee Creek Road, Branson, MO  
Division III Permit Case # 2016-0025  
Pictometry – View from the East**



**Worley & Associates Real Estate Office  
1159 Bee Creek Road, Branson, MO  
Division III Permit Case # 2016-0025  
Pictometry – View from the West**















