



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
Tuesday, May 9, 2017, 6:00 P.M.
COUNTY COMMISSION HEARING ROOM
TANEY COUNTY COURTHOUSE

Call to Order:

Establishment of Quorum
Explanation of Meeting Procedures
Presentation of Exhibits

Public Hearing:

#17-08 Reece Nightly Rental
#17-09 180 Legends Circle Nightly Rental
#17-12 Shabby Chic & Junktique
#17-13 The "M" Nightly Rental
#17-14 136 Monte Cristo Nightly Rental
#17-15 110 N Tuscany Drive Nightly Rental
#17-16 Bristol Road Vacation Rental
#17-17 226 Stoney Pointe Drive Nightly Rental
#17-18 Lee's Secret Garden

Old and New Business:

Tentative

Adjournment

Copies of this notice may be obtained by contacting the Planning Office at the above address and phone number.

Posted: By: MP

Time:

Posted At: David St. entrance to the Taney County Courthouse bulletin board, outside the County Commission meeting room
At the Taney County Courthouse and the office of Planning and Zoning.



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TANEY COUNTY PLANNING COMMISSION

DIVISION III STAFF REPORT

REECE NIGHTLY RENTAL

MAY 9, 2017

#2017-0008

Michael Reece is seeking Planning Commission approval to construct and operate a nightly rental business on property located at the corner of Majestic and Lenhart roads.

BACKGROUND AND SITE HISTORY:

The current application was approved for concept March 20, 2017.

Per the Assessor's information the lot is located in the Estates at Majestic Pointe lot #1. The applicant is planning to build a 5 bedroom single family home. The property is served by Taney County Water District #3. The subdivision is connected to the City of Branson Central Sewer with a lift station to the north east of the subdivision.

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."

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 and one (1) off-street parking space shall be provided for each two (2) persons of occupancy in a nightly rental."

The project received a total score of 4 on the policy checklist.

STAFF RECOMMENDATIONS:

If the Taney County Planning Commission approves Division III Permit #2017-0008, the following requirements shall apply, unless revised by the Planning Commission:

1. Compliance with the provisions of the Taney County Development Guidance Code.
2. A Compliance letter from the Western Taney County Fire Protection District.
3. A valid Missouri Department of Revenue Sales Tax License number shall be provided to the Planning Department prior to the issuance of a Certificate of Compliance.
4. No outside storage of equipment of solid waste materials.
5. This decision is subject to all existing easements.
6. The residence to be located at Majestic and Lenhart shall accommodate (sleep) no more than the Maximum Occupancy "The maximum occupancy for a nightly rental shall be two (2) persons per dwelling unit, plus two (2) persons per bedroom". The total occupancy may be further limited based upon the provisions of the Western Taney County Fire Protection District requirements and regulations.
7. The Reece Nightly Rental Special-Use permit is specific to the representative to whom the permit is issued and cannot be transferred without Planning Commission approval. The Special-Use Permit shall not be used to establish commercial compatibility for or with any future land-use change applications.
8. The current contact information for the property shall be posted on the property and on file in the Taney County Planning office.
9. A Division II Permit will be required before construction begins.
10. A Decision of Record shall be filed with the Taney County Recorder of Deeds Office within 120 days or the approval shall expire. (Appendix D, Step 6).

Marla Pierce

From: Kyla Kutch [kylabuhrl@hotmai.com]
Sent: Wednesday, April 26, 2017 2:47 PM
To: Marla Pierce
Subject: Michael Reese - Hearing regarding nightly rentals

I am unable to attend the upcoming hearing, but wanted to voice my opinion and express my agreement with and strong support regarding the proposed nightly rentals in the Majestic Estates area. I am in support of nightly rentals in this area/neighborhood. I feel this helps boost tourism to the area and overall would be a positive for the area/neighborhood.

I would strongly urge you to vote in favor of this pro-growth, forward thinking, tourism boosting proposal.

Thank you very much for your kind consideration.

Sincerely,

Kyla Kutch
8213 NE 124th St.
Kansas City, MO 64167
816-695-2887



Reece Nightly Rental



April 7, 2017

Uwe and Joan Jagiella

332 Majestic Circle (Lots 16, 17 and 18)

Branson, MO 65616

Taney County Planning and Zoning

PO Box 383

Forsyth, Mo 65653

Re: Request of Michael Reece for Nightly Rental at the corner of Majestic and Lenhart (intersecting Friendly Hills and Southern Comfort subdivisions)

Dear Planning and Zoning Board:

It is our request that you deny the applicant for Division III Special Use Nightly Rental Permit for the following reasons.

A nightly rental at Lot One of Majestics Estates (Southern Comfort subdivision) is not compatible with surrounding single family residential uses and the property does not comply with the Policies for Land Use Compatibility and off site nuisances as enumerated within the Taney County Development Guidance Code.

Appendix P: Presently, Mr. Reece does not own the property nor does he live in the subdivision. Therefore, he would be operating a commercial business in a residential neighborhood. Section 4.7.8 of the Taney County Guidance Code requires that a Certificate of Compliance be issued by the Assessor's office to show the property owner is being assessed for commercial use. Section 4.7.10 requires the applicant to acquire a sales tax license. Sales taxes are charged on commercial services. The property is presently taxed as a residential lot.

From my understanding a Certificate of Compliance has not been issued to any Night Rental in over a year. Apparently, it appears that numerous Nightly Rental operators are in violation of the Taney County Development Code section 4.7.9. This is a huge disservice to the Public Schools within Taney County because it appears that properties that are engaging in Nightly Rentals are not being taxed properly and the Public Schools are not given the needed funding.

Gunner Hill drive and Majestic Dr. are very steep, narrow and curvy. Having a commercial business would put the neighborhood residents at risk as the fire department would have extreme difficulty operating in a narrow, steep and curvy road. There are no fire hydrants in a reasonable range and tanker trucks would be needed, as happened with the condo fires a few years ago. The result of the fire was that the total condo building needed to be rebuilt due to the total loss.

The Southern Comfort subdivision was built to be a gated high quality residential neighborhood complementing the Friendly Hills subdivision. These houses range from over \$ 400,000 to approximately one million dollars. As the owner of one of the only 2 homes that are completed in the subdivision, I am very concerned that the value of our taxable property and home will decrease with the addition of a commercial business in our neighborhood. There is also the fear that having transient renters puts the neighborhoods at risk for theft and vandalism. Our property has already had things stolen from it as well as the electrical boxes have been subject to graffiti. Transient renters do not have the care and concern of the neighborhood as individual tax paying owners.

Upon purchasing our home and lots on either side of the home it was marketed as a residential neighborhood with covenants and restrictions. We would like to see the continuation of these restrictions and covenants.

In conclusion, a commercial nightly rental business would not be compatible or suitable with the surrounding single family residential uses and the property does not comply with the Policies for Land Use Compatibility and off site nuisances as enumerated within the Taney County Development Code and will violate the neighborhoods Covenants and Restrictions, and will also not promote, public health and safety and the general welfare of the neighborhoods.

Similar permits have been denied for the same reasons. Therefore, we are requesting that the application for nightly rentals from Michael Reece be **denied**.

Thank you for your consideration.

Uwe and Joan Jagiella

262-501-5552

jjagiella@gmail.com

Friendly Hills
Home Owners Association
Ph: 417-230-2354
friendlyhillshoa@gmail.com

1440 State Hwy 248 Suite Q
Box 131
Branson, MO 65616

April 10, 2017

Taney County Planning & Zoning
P.O. Box 383
Forsyth, MO 65653

Re: #17-8 Reece Nightly Rental

Dear Planning and Zoning Board,

It is our request that you deny the applicant for Division III Special Use Nightly Rental Permit because we feel that A nightly rental at the corner of Majestic and Lenhart Drive is not compatible with surrounding single-family residential uses and the property does not comply with the Policies for Land Use Compatibility and off-site nuisances as enumerated within the Taney County Development Guidance Code.

Taney County Development Guidance Code 4.7.2 - Parking
No site plan has been provided in the application. The slope of Majestic Circle is extremely steep. Winter travel & parking on this road is treacherous.

The only access to the applicant's property is to drive past 3 homes in Friendly Hills. All 3 of these homes are line of sight to the property of the applicant and will have to deal with the traffic of the renters. All three owners of these homes are against nightly rentals. (Owners: Marc & Rebecca Rys, Charlie & Scotty Earls, Angelica Makuch)

The applicants have no concern for what the neighbors will have to deal with when unruly activities occur on a rental property. My neighbors and myself are already regularly bothered by the visitors to the majestic who often recklessly speed down our road or ask us "can you tell me where the welcome center is?"

Currently there are no nightly rentals operating in our residential area and we are trying to keep it that way to prevent the problems that have arisen in the Branson Creek area.

To recap a weekly rental will not be compatible with surrounding single-family residences and use of the property does not comply with the Policies for Land Use Compatibility and off-site nuisances as enumerated within the Taney County Development Guidance Code In the past your have denied other similar permit requests for the same reasons. (13-02III,16,14III, 16-15III, 16-16III, 16-30). I encourage you to deny this applicant for the same reasons.

Thank you for your consideration of our concerns.

Sincerely,

Marc Rys
Friendly Hills
Home Owners Association
417-230-2354











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TANEY COUNTY PLANNING COMMISSION

DIVISION III STAFF REPORT

180 LEGENDS CIRCLE NIGHTLY RENTAL

MAY 9, 2017

#2017-0009

Adam Donyes is seeking Planning Commission approval of a Division III Special-Use Permit allowing the nightly rental use of the single-family residence located at 180 Legends Circle, Hollister, Missouri.

BACKGROUND AND SITE HISTORY:

Per the Assessor's information the five (5) bedroom, 3,100 square foot single-family residence was constructed in 2007. The subject property is lot 52 Phase 3 Pinnacles at Branson Creek.

The current application was approved for concept April 17, 2017.

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."

The exterior appearance of the single family residence 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 and one (1) off-street parking space shall be provided for each two (2) person of occupancy in a Nightly Rental".

The project received a total score of -1 on the policy checklist.

STAFF RECOMMENDATIONS:

If the Taney County Planning Commission approves Division III Permit #2017-0009, 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 letter from the Western Taney County Fire Protection District.
3. A valid Missouri Department of Revenue Sales Tax License number shall be provided to the Planning Department prior to the issuance of a Certificate of Compliance.
4. No outside storage of equipment of solid waste materials.
5. This decision is subject to all existing easements.
6. The residence located at 180 Legends Circle shall accommodate (sleep) no more than the Maximum Occupancy "The maximum occupancy for a nightly rental shall be two (2) persons per dwelling unit, plus two (2) persons per bedroom". The total occupancy may be further limited based upon the provisions of the Western Taney County Fire Protection District requirements and regulations.
7. The 180 Legends Circle Vacation Rental Special-Use permit is specific to the representative to whom the permit is issued and cannot be transferred without Planning Commission approval. The Special-Use Permit shall not be used to establish commercial compatibility for or with any future land-use change applications.
8. The current contact information for the property shall be posted on the property and on file in the Taney County Planning office.
9. A Decision of Record shall be filed with the Taney County Recorder of Deeds Office within 120 days or the approval shall expire (Appendix D, Step 6).



180 Legends Circle





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TANEY COUNTY PLANNING COMMISSION
DIVISION III STAFF REPORT
SHABBY CHIC & JUNKTIQUE
MAY 9, 2017
#2017-0012

Donna Tanka is seeking Planning Commission approval of a Division III Permit allowing for the use of a new 36 x 24 building for a flea market located at 22068 US Hwy 160, Kissee Mills, Missouri.

BACKGROUND AND SITE HISTORY:

Per the Assessor's information the property is two (2) acres in size. The 36 x 24 building will not be connected to water so a waste water system will not be required. The new building will be served by the existing circle drive off US Hwy 160. The owner has indicated she plans to add parking to each side of the building to keep the circle drive open for traffic flow, five (5) to six (6) spaces will be made available for parking. Pursuant to the provisions of Appendix J (On-Site Parking and Loading) of the Development Guidance Code this commercial use would require 1 parking space per 200 square foot of building, thus an 864 square foot building would need 4.32 parking spaces.

The current application was approved for concept April 17, 2017.

The proposed flea market will be open 9:00 a.m. till 5:00 p.m., Wednesday through Sunday.

The adjoining property is currently agriculture with the nearest residence being 900 plus feet away.

The project received a total score of 3 on the Policy Checklist.

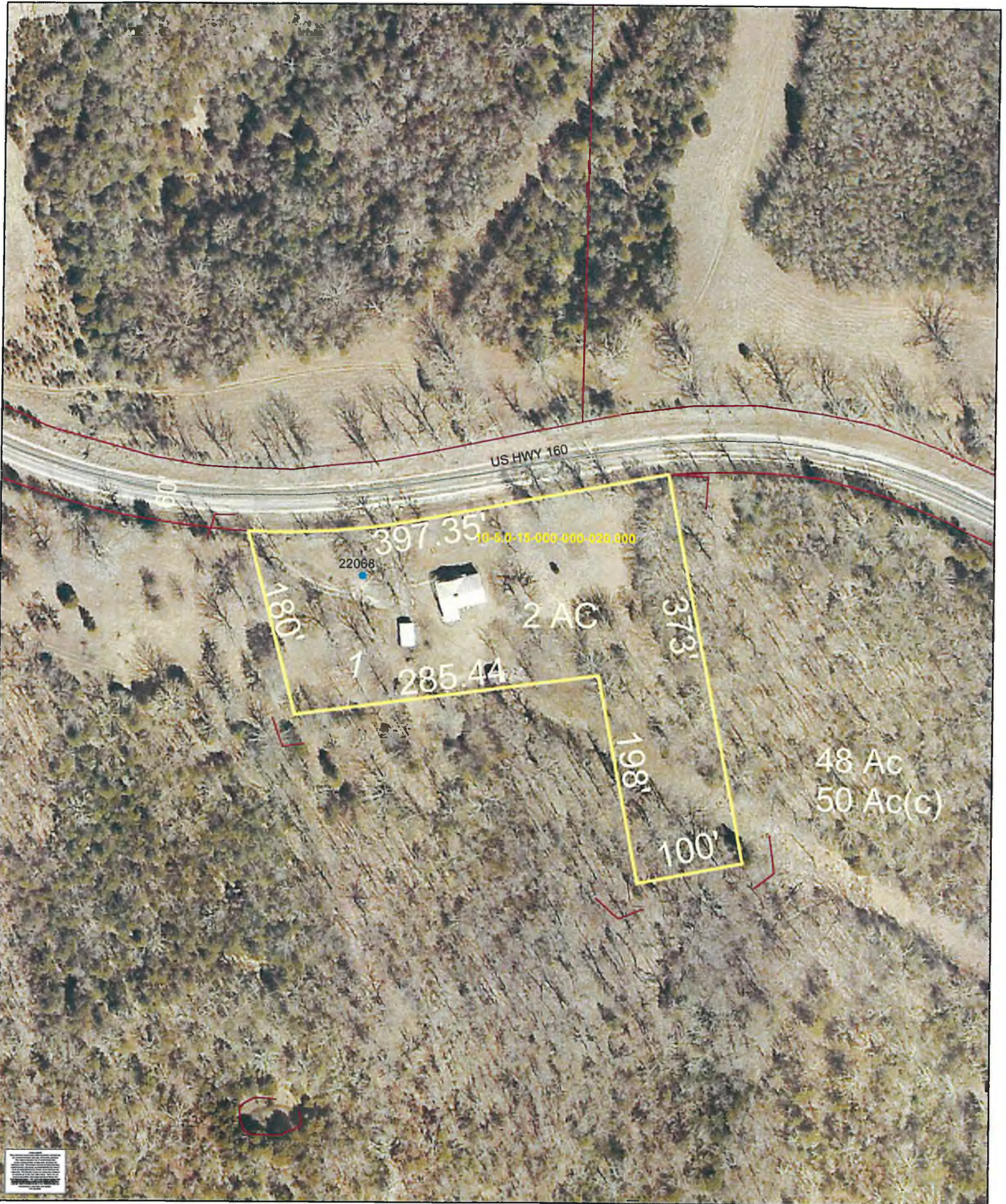
STAFF RECOMMENDATIONS:

If the Taney County Planning Commission approves Division III Permit #2017-0012, the following requirements shall apply, unless revised by the Planning Commission:

1. Compliance with the provisions of the Taney County Development Guidance Code.
2. Compliance letter from the Central Taney County Fire Protection District.
3. A valid Missouri Department of Revenue Sales Tax License number shall be provided to the Planning Department prior to the issuance of a Certificate of Compliance.
4. No outside storage of equipment of solid waste materials.
5. This decision is subject to all existing easements.
6. A Division II Permit will be required for all applicable structures in the development.
7. A 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).



Shabby Chic & Junktique



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TANEY COUNTY PLANNING COMMISSION

DIVISION III STAFF REPORT

THE "M" NIGHTLY RENTAL

MAY 9, 2017

#2017-0013

Jerilyn Munshi of JHM Properties is seeking Planning Commission approval of a Division III Special-Use Permit allowing for the nightly rental use of the existing single-family residence located at 955 Emory Creek Blvd, Branson, Missouri.

BACKGROUND AND SITE HISTORY:

The current application was approved for concept April 17, 2017.

Per the Assessor's information the subject property is approximately 57.9 acres. The single-family residence was constructed in 2013. Access is from Emory Creek Blvd in the Emory Creek Ranch Subdivision. The property is not part of the Emory Creek Ranch Subdivision.

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."

The exterior appearance of the single-family residence 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 and one (1) off-street parking space shall be provided for each two (2) persons of occupancy in a nightly rental."

The project received a total score of 4 on the policy checklist.

REVIEW:

The property is surrounded by a forest of mature trees. The nearest residence is approximately 1,050 feet to the North of the home. The home has an attached two (2) car garage and a one (1) car detached garage. There are numerous graveled parking areas on the property. The driveway is concrete to the home. There were no signs of present or past waste water failures on the property.

STAFF RECOMMENDATIONS:

If the Taney County Planning Commission approves Division III Permit #2017-0013, the following requirements shall apply, unless revised by the Planning Commission:

1. Compliance with the provisions of the Taney County Development Guidance Code.
2. A Compliance letter from the Western Taney County Fire Protection District.
3. A valid Missouri Department of Revenue Sales Tax License number shall be provided to the Planning Department prior to the issuance of a Certificate of Compliance.
4. No outside storage of equipment of solid waste materials.
5. This decision is subject to all existing easements.
6. The residence to be located at 955 Emory Creek Blvd shall accommodate (sleep) no more than the Maximum Occupancy "The maximum occupancy for a nightly rental shall be two (2) persons per dwelling unit, plus two (2) persons per bedroom". The total occupancy may be further limited based upon the provisions of the Western Taney County Fire Protection District requirements and regulations.
7. The "M" Nightly Rental Special-Use permit is specific to the representative to whom the permit is issued and cannot be transferred without Planning Commission approval. The Special-Use Permit shall not be used to establish commercial compatibility for or with any future land-use change applications.
8. The current contact information for the property shall be posted on the property and on file in the Taney County Planning office.

9. A Decision of Record shall be filed with the Taney County Recorder of Deeds Office within 120 days or the approval shall expire. (Appendix D, Step 6).



The M Nightly Rental 955 Emory Creek Blvd





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DIVISION III STAFF REPORT

136 MONTE CRISTO DRIVE NIGHTLY RENTAL

MAY 9, 2017

#2017-0014

Timothy Watson is seeking the Planning Commission approval of a Division III Special-Use Permit allowing for the nightly rental use of the existing single-family residence located at 136 Monte Cristo Drive, Hollister, Missouri.

BACKGROUND AND SITE HISTORY:

Per the Assessor's information the single-family residence was constructed in 2007. The subject property is held in Condo style ownership in the Villas of Fieldstone at Branson Creek Development.

The current application was approved for concept April 17, 2017.

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."

The exterior appearance of the single family residence 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 and one (1) off-street parking space shall be provided for each two (2) person of occupancy in a Nightly Rental".

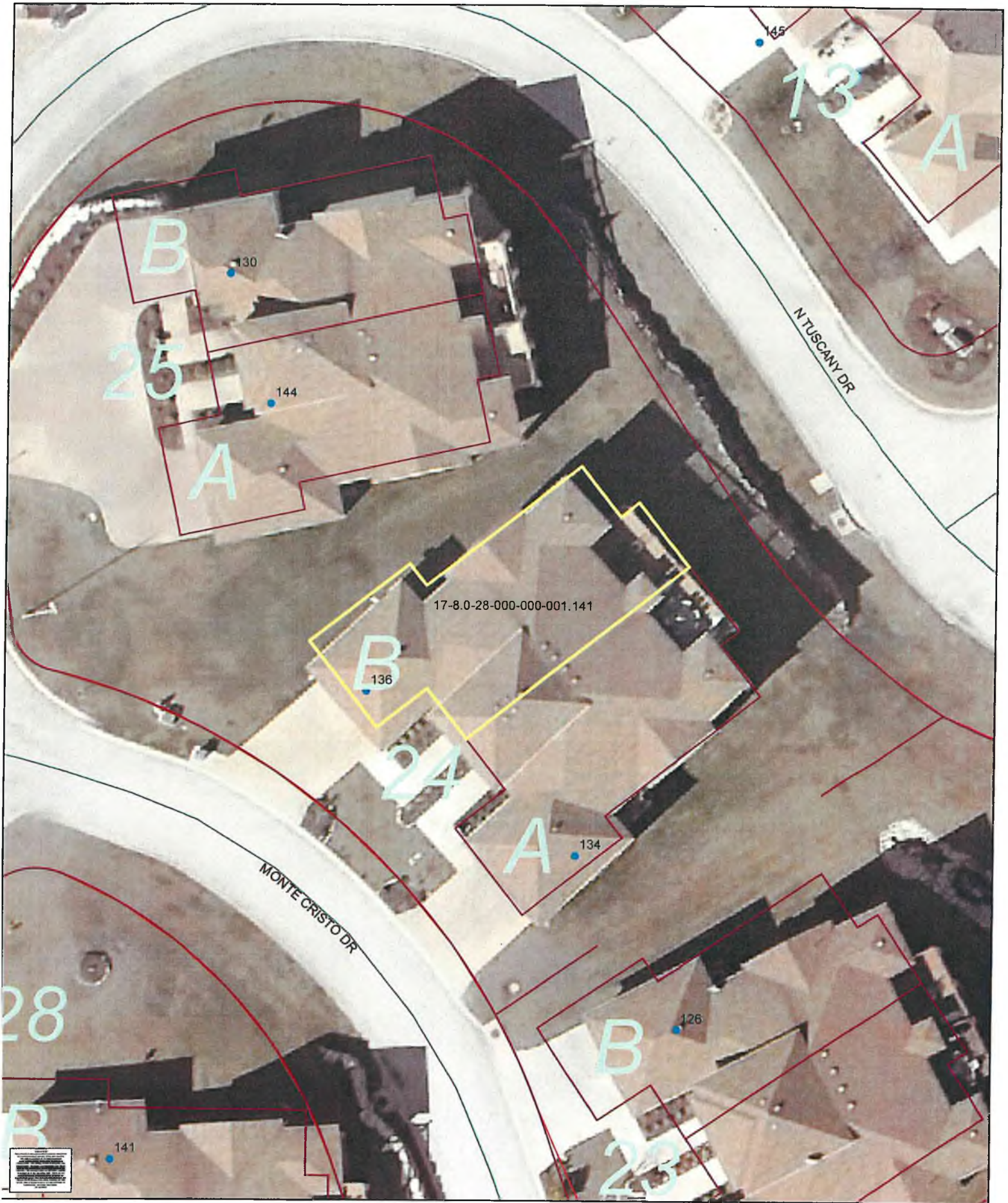
The project received a total score of -1 on the policy checklist.

If the Taney County Planning Commission approves Division III Permit #2017-0014, 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 letter from the Western Taney County Fire Protection District.
3. A valid Missouri Department of Revenue Sales Tax License number shall be provided to the Planning Department prior to the issuance of a Certificate of Compliance.
4. No outside storage of equipment or solid waste materials.
5. This decision is subject to all existing easements.
6. The residence located at 136 Monte Cristo Drive shall accommodate (sleep) no more than the Maximum Occupancy "The maximum occupancy for a nightly rental shall be two (2) persons per dwelling unit, plus two (2) persons per bedroom". The total occupancy may be further limited based upon the provisions of the Western Taney County Fire Protection District requirements and regulations.
7. The 136 Monte Cristo Drive Vacation Rental Special-Use Permit is specific to the representative to whom the permit is issued and cannot be transferred without Planning Commission approval. The Special-Use Permit shall not be used to establish commercial compatibility for or with any future land-use change applications.
8. The current contact information for the property shall be posted on the property and on file in the Taney County Planning office.
9. A Decision of Record shall be filed with the Taney County Recorder of Deeds Office within 120 days or the approval shall expire (Appendix D, Step 6).



136 Monte Cristo Dr Nightly Rental



San Diego County Assessor's Office
Aerial Imagery
© 2018

Scott Starrett

From: Karen Murphy [klmnm40@gmail.com]
Sent: Thursday, April 27, 2017 10:41 AM
To: P&Z
Subject: 136 Monte Cristo - Watson

Mr. Watson purchased this Villa September 2, 2016. He originally ignored the letter sent by Taney County P&Z about having to have a permit in order to rent. He listed his two Villas with Branson Vacation Rentals (owned by Mr. Mauzey) and has been renting the units without first receiving his Certificate of Completion. There are no sprinklers and also no contact information available. Total violation of the Guidance Code.

This unit has been rented and complaints have been directed at the owner. It is amazing that Mr. Mauzey was able to represent Mr. Watson since Mr. Mauzey was not listed as the representative on the application. Once again the application was not accurate. The application stated it was three bedrooms. Wrong! A sketch/ floor plan to prove that it was three bedroom was not attached to the application. Nor was a driveway sketch with footage attached. The aerial views that Scott Starrett provides at the concept hearing and also the public hearing do not adequately show the driveways or the inside of the house. The villas are 1600 square feet if there is a loft and only 1300 square feet if there is not a loft.

We ask that this application from Mr. Watson be denied because it had misleading information and not complete. Also when renting illegally there have already been many complaints against the property.

--
Karen L. Murphy
112 Monte Cristo Dr
Hollister MO 65672



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TANEY COUNTY PLANNING COMMISSION

DIVISION III STAFF REPORT

110 N TUSCANY DRIVE NIGHTLY RENTAL

MAY 9, 2017

#2017-0015

Timothy Watson is seeking Planning Commission approval of a Division III Special-Use Permit allowing the nightly rental use of the existing single-family residence located at 110 n Tuscany Drive, Hollister, Missouri.

BACKGROUND AND SITE HISTORY:

Per the Assessor's information the single-family residence was constructed in 2007. The subject property is held in Condo style ownership in the Villas of Fieldstone at Branson Creek Development.

The current application was approved for concept April 17, 2017.

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."

The exterior appearance of the single family residence 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 and one (1) off-street parking space shall be provided for each two (2) person of occupancy in a Nightly Rental".

The project received a total score of -1 on the policy checklist.

STAFF RECOMMENDATIONS:

If the Taney County Planning Commission approves Division III Permit #2017-0015, 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 letter from the Western Taney County Fire Protection District.
3. A valid Missouri Department of Revenue Sales Tax License number shall be provided to the Planning Department prior to the issuance of a Certificate of Compliance.
4. No outside storage of equipment of solid waste materials.
5. This decision is subject to all existing easements.
6. The residence located at 110 N Tuscany Drive shall accommodate (sleep) no more than the Maximum Occupancy "The maximum occupancy for a nightly rental shall be two (2) persons per dwelling unit, plus two (2) persons per bedroom". The total occupancy may be further limited based upon the provisions of the Western Taney County Fire Protection District requirements and regulations.
7. The 110 N Tuscany Drive Vacation Rental Special-Use permit is specific to the representative to whom the permit is issued and cannot be transferred without Planning Commission approval. The Special-Use Permit shall not be used to establish commercial compatibility for or with any future land-use change applications.
8. The current contact information for the property shall be posted on the property and on file in the Taney County Planning office.
9. A Decision of Record shall be filed with the Taney County Recorder of Deeds Office within 120 days or the approval shall expire (Appendix D, Step 6).



110 N Tuscany Dr Nightly Rental



Scott Starrett

From: Karen Murphy [klmnjm40@gmail.com]
Sent: Thursday, April 27, 2017 10:35 AM
To: P&Z
Subject: 110 N Tuscany - Watson

Mr. Watson purchased this Villa May 6, 2016. He originally ignored the letter sent by Taney County P&Z about having to have a permit in order to rent. He listed his two Villas with Branson Vacation Rentals (owned by Mr. Mauzey) and has been renting the units without first receiving his Certificate of Completion. There are no sprinklers and also no contact information available. Total violation of the Guidance Code. This unit is directly across the street from me.

This unit was rented last week and a complaint was filed with Branson Vacation Rentals for loud music playing at 10:30 PM. The unit was also rented this week and the vehicle was not parked in the garage or driveway, it was parked at the pool a short distance away from the Villa. It was reported to the HOA and then moved to the garage, however, the car was too long and the garage door could not be closed. This driveway is very steep and therefore, renters do not want to park on it because it is too difficult to get out of the car.

It is amazing that Mr. Mauzey was able to represent Mr. Watson since Mr. Mauzey was not listed as the representative on the application. Once again the application was not accurate. The application stated it was three bedrooms. Wrong! A sketch/ floor plan to prove that it was three bedroom was not attached to the application. Nor was a driveway sketch with footage attached. The aerial views that Scott Starrett provides at the concept hearing and also the public hearing do not adequately show the driveways or the inside of the house. The villas are 1600 square feet if there is a loft and only 1300 square feet if there is not a loft.

We ask that this application from Mr. Watson be denied because it had misleading information and not complete. Also when renting illegally there have already been two complaints against the property.

--

Karen L. Murphy
112 Monte Cristo Dr
Hollister MO 65672



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TANEY COUNTY PLANNING COMMISSION

DIVISION III STAFF REPORT

THE BRISTOL ROAD VACATION RENTAL

MAY 9, 2017

#2017-0016

Rachel Dunlap is seeking Planning Commission approval of a Division III Special-Use Permit allowing for the nightly rental use of the existing single-family residence located at 417 Bristol Road, Walnut Shade, Missouri.

BACKGROUND AND SITE HISTORY:

The current application was approved for concept April 17, 2017.

Per the Assessor's information the subject property is approximately 1 acre, lot 2 of the Froeschle's Lazy Acres Subdivision. The single-family residence was constructed in 1992. Access is from Bristol Road.

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."

The exterior appearance of the single-family residence 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 and one (1) off-street parking space shall be provided for each two (2) persons of occupancy in a nightly rental."

The project received a total score of -5 on the policy checklist.

REVIEW:

The applicant indicates the single-family home is a 4 bedroom, 2.5 bath home. The home sits on 1 acre lot with a private well and on-site waste water system. The property has a back yard with

a cabana, grill and an above ground pool. There is a two (2) car attached garage along with a two (2) car closed in carport. There is also ample parking room in front of both garages. The nearest residence is approximately 300 feet from the home.

STAFF RECOMMENDATIONS:

If the Taney County Planning Commission approves Division III Permit #2017-0016, the following requirements shall apply, unless revised by the Planning Commission:

1. Compliance with the provisions of the Taney County Development Guidance Code.
2. A Compliance letter from the Western Taney County Fire Protection District.
3. A valid Missouri Department of Revenue Sales Tax License number shall be provided to the Planning Department prior to the issuance of a Certificate of Compliance.
4. No outside storage of equipment of solid waste materials.
5. This decision is subject to all existing easements.
6. The residence to be located at 417 Bristol Road shall accommodate (sleep) no more than the Maximum Occupancy "The maximum occupancy for a nightly rental shall be two (2) persons per dwelling unit, plus two (2) persons per bedroom". The total occupancy may be further limited based upon the provisions of the Western Taney County Fire Protection District requirements and regulations.
7. The Bristol Road Vacation Rental Special-Use permit is specific to the representative to whom the permit is issued and cannot be transferred without Planning Commission approval. The Special-Use Permit shall not be used to establish commercial compatibility for or with any future land-use change applications.
8. The current contact information for the property shall be posted on the property and on file in the Taney County Planning office.
9. A Decision of Record shall be filed with the Taney County Recorder of Deeds Office within 120 days or the approval shall expire. (Appendix D, Step 6).



Bristol Road Vacation Rental





TANEY COUNTY PLANNING COMMISSION

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

**TANEY COUNTY PLANNING COMMISSION
DIVISION III STAFF REPORT
226 STONEY POINTE DRIVE NIGHTLY RENTAL
MAY 9, 2017
#2017-0017**

Gary Billingsley is seeking Planning Commission approval of a Division III Special-Use Permit allowing the nightly rental use of the single-family residence located at 226 Stoney Pointe Drive, Hollister, Missouri.

BACKGROUND AND SITE HISTORY:

Per the Assessor’s information the four (4) bedroom single-family residence was constructed in 2007. The subject property is on lot 29 Phase 1 Fieldstone Bluffs and is approximately .25 acres in size.

The current application was approved for concept April 17, 2017.

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.”

The exterior appearance of the single family residence 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 and one (1) off-street parking space shall be provided for each two (2) person of occupancy in a Nightly Rental”.

The project received a total score of -1 on the policy checklist.

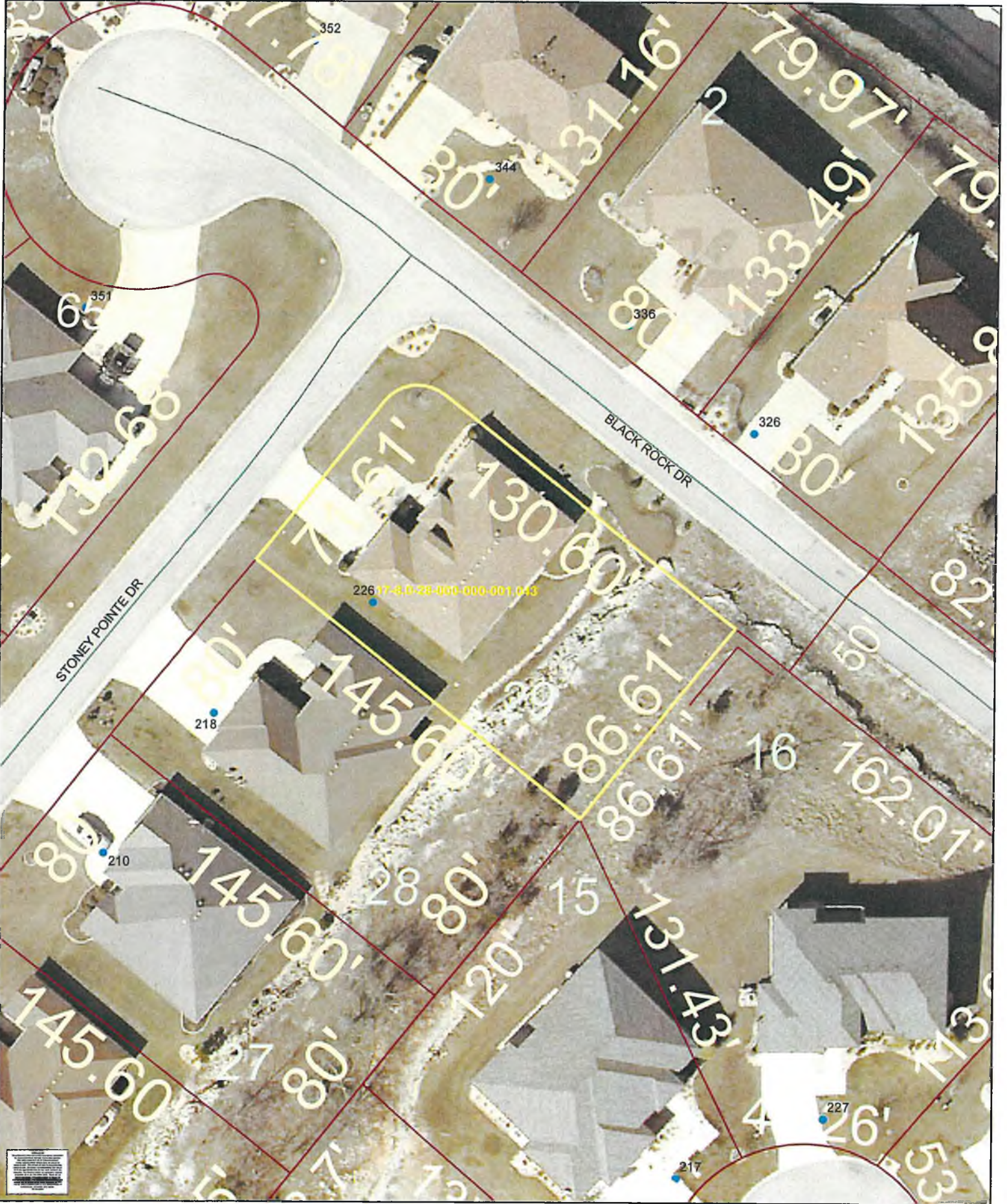
STAFF RECOMMENDATIONS:

If the Taney County Planning Commission approves Division III Permit #2017-0017, 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 letter from the Western Taney County Fire Protection District.
3. A valid Missouri Department of Revenue Sales Tax License number shall be provided to the Planning Department prior to the issuance of a Certificate of Compliance.
4. No outside storage of equipment of solid waste materials.
5. This decision is subject to all existing easements.
6. The residence located at 226 Stoney Pointe Drive shall accommodate (sleep) no more than the Maximum Occupancy "The maximum occupancy for a nightly rental shall be two (2) persons per dwelling unit, plus two (2) persons per bedroom". The total occupancy may be further limited based upon the provisions of the Western Taney County Fire Protection District requirements and regulations.
7. The 226 Stoney Pointe Drive Vacation Rental Special-Use permit is specific to the representative to whom the permit is issued and cannot be transferred without Planning Commission approval. The Special-Use Permit shall not be used to establish commercial compatibility for or with any future land-use change applications.
8. The current contact information for the property shall be posted on the property and on file in the Taney County Planning office.
9. A Decision of Record shall be filed with the Taney County Recorder of Deeds Office within 120 days or the approval shall expire (Appendix D, Step 6).



226 Stoney Pointe Dr Nightly Rental





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TANEY COUNTY PLANNING COMMISSION

DIVISION III STAFF REPORT

LEE'S SECRET GARDEN VACATION RENTAL

MAY 9, 2017

#2017-0018

Dean Donat is seeking Planning Commission approval of a Division III Special-Use Permit allowing for nightly rental use of the existing single-family residence, located at 392 Blackwell Ferry Road, Kirbyville, Missouri.

BACKGROUND AND SITE HISTORY:

The current application was approved for concept April 17, 2017.

Per the Assessor's information the single-family residence was constructed in 1982. The subject property is approximately .8 acres in size.

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."

The exterior appearance of the single family residence will remain the same. Per the nightly rental provisions of the Development Guidance Code, "The maximum occupancy for a night rental shall be two (2) persons per dwelling unit, plus two (2) persons per bedroom and one (1) off-street parking space shall be provided for each two persons of occupancy in a nightly rental."

The project received a total score of -1 on the policy checklist.

REVIEW:

The property located at 392 Blackwell Ferry Road is currently served by Taney County Water District #2 for water and an onsite septic system for waste water. The Taney County Planning Staff did a site visit to check the on-site waste water system and did not find any past or present failure of the current waste water system. The property has a large gravel parking area

to the south of the home. The property is surrounded by a six (6) to seven (7) foot high privacy fence on two (2) sides of the property (West and South Sides). The front (North) of the property has a six (6) foot high privacy fence for the back yard area and a four (4) foot high fence for the front yard between the property and Blackwell Ferry Road. There is a garage and storage building on the east side of the property for privacy. The adjacent property to the West is vacant and adjacent property to East and South are currently residential.

STAFF RECOMMENATIONS:

If the Taney County Planning Commission approves Division III Permit #2017-0018, 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 letter from the Western Taney County Fire Protection District.
3. A valid Missouri Department of Revenue Sales Tax License number shall be provided to the Planning Department prior to the issuance of a Certificate of Compliance.
4. No outside storage of equipment of solid waste materials.
5. This decision is subject to all existing easements.
6. The residence to be located at 392 Blackwell Ferry Road shall accommodate (sleep) no more than the Maximum Occupancy "The occupancy for a nightly rental shall be two (2) persons per dwelling unit plus two (2) persons per bedroom". The total occupancy may be further limited based upon the provision of the Western Taney County Fire Protection District requirements and regulations.
7. The Lee's Secret Garden Vacation Rental permit is specific to the representative to whom the permit is issued and cannot be transferred without Planning Commission approval. The Special-Use Permit shall not be used to establish commercial compatibility for or with any future land-use change applications.
8. The current contact information for the property shall be posted on the property and on file in the Taney County Planning office.
9. A Decision of Record shall be filed with the Taney County Recorder of Deeds Office within 120 days or the approval shall expire (Appendix D, Step 6).



Lee's Secret Garden

