



TANEY COUNTY PLANNING COMMISSION

P. O. Box 383 • Forsyth, Missouri 65653

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

website: www.taneycounty.org

AGENDA

TANEY COUNTY PLANNING COMMISSION

PUBLIC HEARING

MONDAY, JUNE 12, 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:

#17-19 *Hinkle Workshop*

#17-21 *Beths Breakaway Vacation Rental*

#17-22 *141 Monte Cristo Drive Nightly Rental*

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: 06/05/2017

By: MP

Time: 10:00 am

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.



Taney County Planning Commission
Division III Permit Staff Report

HEARING DATE: June 12, 2017

CASE NUMBER: 2017-019

PROJECT: Hinkle Workshop

APPLICANTS: Camille Hinkle

REPRESENTATIVE: Andrew Hinkle and Camille Hinkle

LOCATION: The subject property is located at 226 Barbs Lane, Forsyth, Missouri, Swan Township, Section 34, Township 24, Range 20.

REQUEST:

The applicant, Camille Hinkle is seeking Planning Commission approval of a Division III Permit for a pole barn to be built and used for building fishing lures, located at 226 Barbs Lane, Forsyth, Missouri. The barn will also be used to store a personal boat along with other storage.

BACKGROUND and SITE HISTORY:

The property at 226 Barbs Lane is approximately 1.6 acres in size as per the Taney County Assessor’s information. There is a single family home located on the parcel. The applicant has indicated no water will be connected to the pole barn thus no requirements for a waste water system. The lures will be sold via the Internet. The pole barn will not be used as a store front. There will be no signage on the pole barn.

The current application was approved for Concept May 15, 2017.

The Property is currently served by an existing driveway off Barbs Lane.

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

STAFF RECOMMENDATIONS:

If the Taney County Planning Commission approves Division III Permit #2017-019, 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. No outside storage of equipment or solid waste materials.
4. This decision is subject to all existing easements.
5. A Division II Permit will be required for all applicable structures in the development.
6. 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).



Overview



Legend

- Parcels
- Addresses
- Parcel Lines**
 - STATE LINE
 - COUNTY LINE
 - TWP/RNG LINE
 - SECTION LINE
 - CORP./DISTRICT LINE
 - PROPERTY LINE
 - RAIL ROAD
 - LOT TIC'S
 - WATER/DRAINAG
 - TRANSMISSION LINES
- Subdivisions
- Roads**
- Lakes
- Corporate Limits

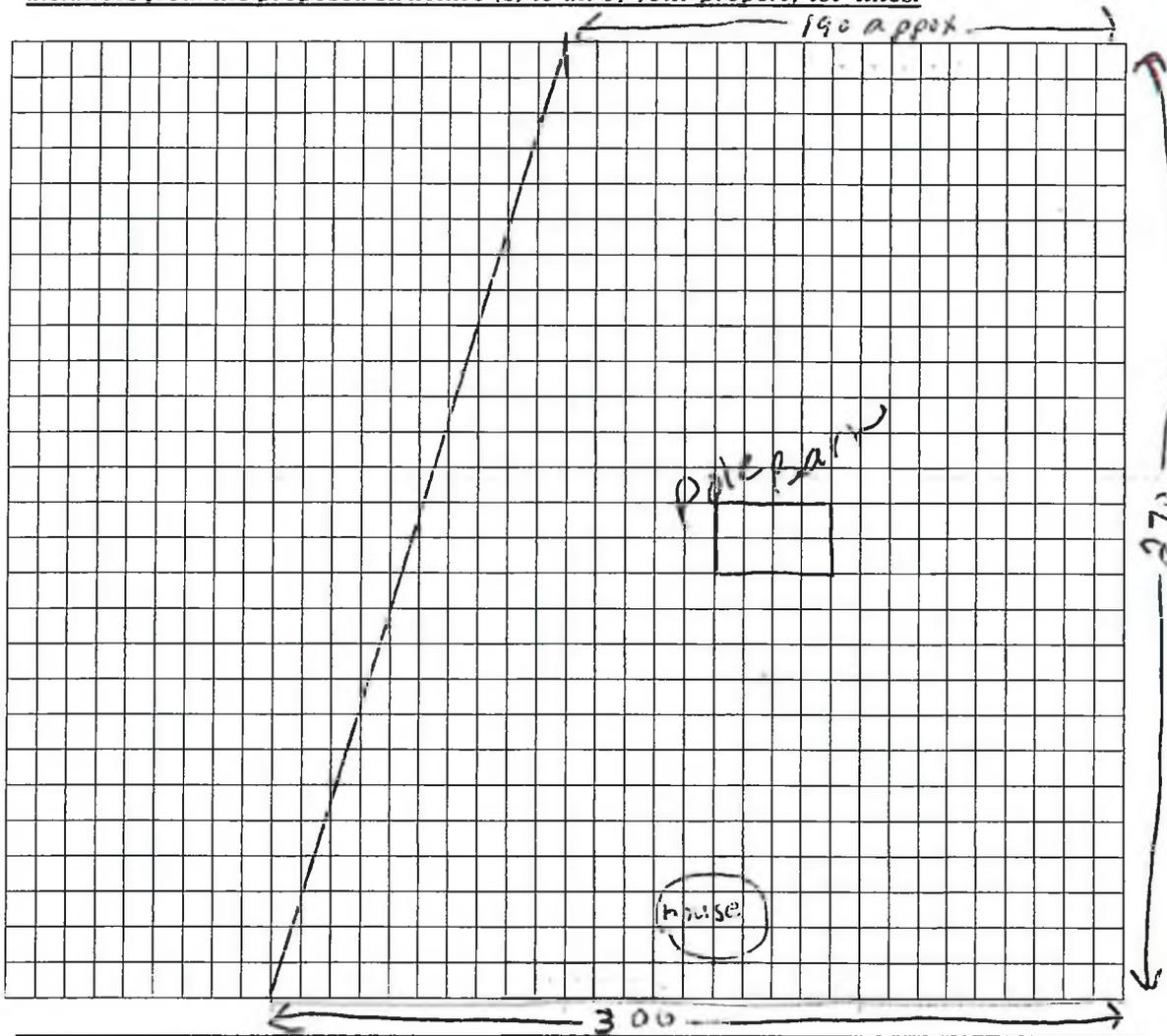
Date created: 2/8/2017
 Last Data Uploaded: 5/20/2013 10:17:09 PM



SITE PLAN

Name of Applicant: Camille Hinkle

Please diagram your property lot lines with dimensions, showing location of streets/roads and access to property, structures (proposed & existing), easements, and distances from the proposed structure (s) to all of your property lot lines.



Details: All measurements are from the requested structure to your property lines.

My structure will face Barbs Ln Private County State
(Name & indication of street/road)

120 Feet Front Setback

100 L Feet Side Setback

130 Feet Rear Setback

100 R. Feet Side Setback



05/17/2017 09:41

05/17/2017 09:41



05/17/2017 09:44





Taney County Planning Commission

Division III Special Use Permit

Staff Report

HEARING DATE: June 12, 2017

CASE NUMBER: 2017-021

PROJECT: Beth's Breakaway's Vacation Rental

APPLICANTS: Beth Hammond

REPRESENTATIVE: Tracey Lightfoot and Beth Hammond

LOCATION: The subject property is located at 186 Fairlane Drive, Ridgedale, Missouri, Oliver Township, Section 07, Township 21, Range 21.

REQUEST:

The applicant, Beth Hammond 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 186 Fairlane Drive, Ridgedale, Missouri. The request includes lots 3, 4, 5, 6, 34 and 36, Block 54 of Ozark Paradise Village. The six (6) lots total area is approximately 1.65 acres.

BACKGROUND and SITE HISTORY:

Per the Assessor's information the single family residence was constructed in 2009. A Division I permit number 09-048, was issued April 10, 2009 for a thirteen hundred and sixty (1360) square foot single family home.

Taney County Regional Sewer District permit number 09-036 was issued April 30, 2009 for the onsite system located at 186 Fairlane. The onsite system consists of a 1000 gallon septic tank and 250 lineal feet of ten (10) inch SB2 pipe eighteen (18) inches deep.

The adjacent lots are currently vacant in Ozark Paradise Village.

The application indicates the water is supplied by a community well.

The current application was approved for Concept May 15, 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 Property is currently served by an existing driveway off Fairlane Drive.

The project received a total score of -1 on the Policy Checklist.

STAFF RECOMMENDATIONS:

If the Taney County Planning Commission approves Division III Special Use Permit #2017-021, 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. This decision is subject to all existing easements.
5. The residence located at 186 Fairlane 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.

6. The Beth's Breakaway's 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.
7. The current contact information for the property shall be posted on the property and on file in the Taney County Planning office.
8. 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).

Taney County Regional Sewer District
SEWER PERMIT APPLICATION

417-546-7220

(PERMIT MUST BE VISIBLY POSTED ON CONSTRUCTION SITE)

- NEW INSTALLATION/SOIL EVALUATION REQUIRED () HOOK TO EXISTING
() HOOK TO CENTRAL ** (See disclaimer below) () Open & Repair ** (Note work to be done)
() Holding Tank

Property Owner's Name Jean Cargile
Address 599 Baker Forsyth Mo. 65679
Street or P.O. Box City State Zip
Phone () (Please include area code)

Applicant's Name Ellis Cargile
Mailing Address 9478 E. Hwy. 76 Kubysville, Mo. Telephone Number 417-546-2288

LOCATION

Physical Location of Property (911 Address) 186 Fairlane
Subdivision Ozark Paradise Lot 5-6 Block 54
County Road Name Fairlane State Hwy. Access 86

LEGAL DESCRIPTION

Section _____ Township _____ Range _____
Tract Size (Sq. Ft. or acres) 1254180 Type of Structure (Frame, Mobile, Etc) Frame
Size of Structure 28x48 # of Bedrooms 3 Parcel No. _____

UTILITIES

Water Supply: District # _____ Private Well () Private Subdivision ()
If Private, please specify with sketch
Electric Company: () White River () Empire Other _____
Sewer System: () Septic () Central Other _____
Installers Name: Ron Simmons Registration No. 33095

PLEASE READ BEFORE SIGNING

In signing this application, I understand that if the information provided herein is not true, my permit will be revoked. I understand and agree to abide by the requirements of the Taney County Regional Sewer District. The Taney County Regional Sewer District assumes no liability for the installation or performance of any sewer system. I agree to all inspections on my property deemed necessary to secure compliance with all County Codes relevant to this application.

** DISCLAIMER FOR HOOKING TO EXISTING SYSTEM: I understand that when hooking to an existing system, I, the owner of the property, am solely responsible for installing a New System to Code should the existing system fail at anytime before Central Sewer becomes available to hook onto.

SIGNATURE OF PROPERTY OWNER Jean Cargile / Ellis Cargile Date _____
* Not Valid without Property Owner's Signature

FOR OFFICE USE ONLY

09-036

Brent G

New Installation
1000 Gal conc. tank
250' 10" lat. pipe

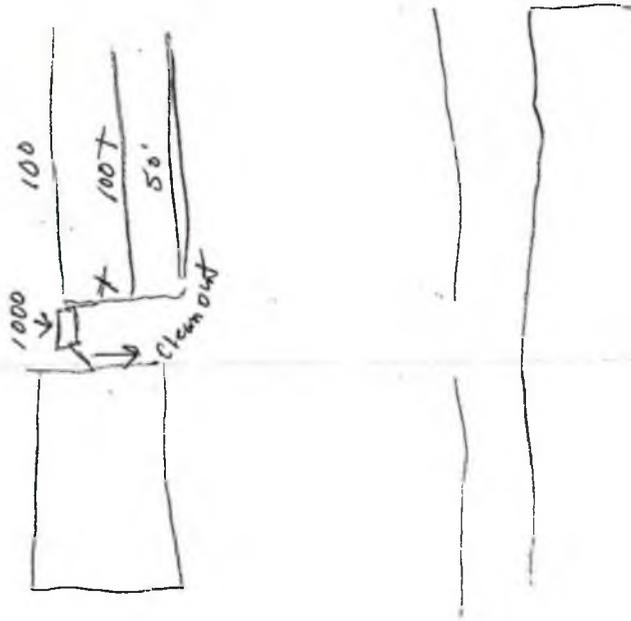
4/9/09

SKETCH SITE PLAN

DRAWN BY: Ron Simmons
(INSTALLER)

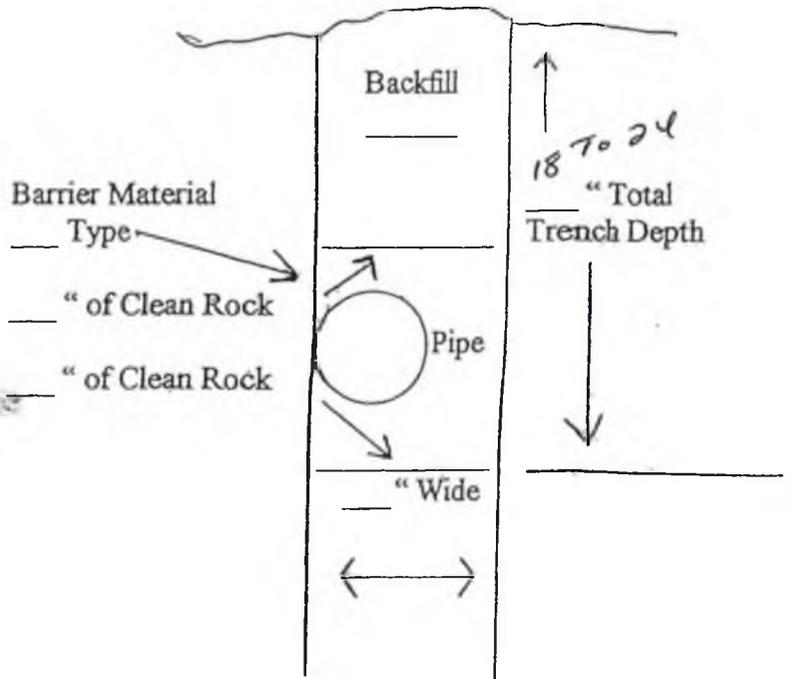
FOR: Jean Cargile
(HOME OWNER)

N
WE
S



DESIGN DETAILS (fill in the blanks)

- 10" Diameter or type of lateral pipe
- 20' Ft. of 4" SCH 40 between house and tank
- 20' Ft. of 4" SCH 40 past excavation hole
- 1000 Gallon concrete septic tank
- Conc Type of manufacturer of tank
- % of slope in lateral field
- 20' Ft. Setback to property line
- 300 Ft. Setback to well *community well w/3*
- Service connections to well (including this one)





1000 gallon conc. septic tank
300' 8" lateral pipe ← changed from 350'
10" lat
Installer Nathan Burton

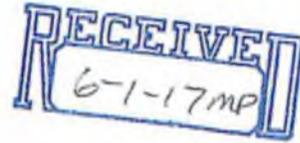
ON-SITE SEWAGE DISPOSAL SYSTEM
CONSTRUCTION PERMIT

PERMIT NUMBER
09-036

OWNER NAME Jean Cargile	
SITE ADDRESS 186 Fairlane	
CITY Ridgedale, Mo.	
DATE PERMIT ISSUED 4/9/09	FINAL INSPECTION DATE 4/27/09
SIGNATURE OF INSPECTOR BT	APPROVED <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

NOTICE

1. The design, construction, operation and maintenance of sewage treatment and disposal systems, whether septic tank systems, privies or alternative systems, shall be the responsibility of the designer, owner, developer, installer or user of the system.
2. Actions of representatives of the administrative authority engaged in the evaluation and determination of measures required to effect compliance with the provisions of this rule shall in no way be taken as a guarantee or warranty that the sewage treatment and disposal systems approved and permitted will function in a satisfactory manner for any given period of time. Due to the development of clogging mats, which adversely impact the life expectancy of normally functioning ground absorption sewage treatment and disposal systems and variables influencing system function which are beyond the scope of this rule, no guarantee or warranty is implied or given that a sewage treatment and disposal system will function in a satisfactory manner for any specific period of time



May 28, 2017

Taney County Planning Commission

RE: Hearing/Beth Hammond

To Whom This May Concern:

We are homeowners, permanent residents of 140 Fairlane Drive, Ridgedale, Missouri.

We were recently advised of a request from Beth Hammond to allow operation of a nightly rental BUSINESS for a residential home at 186 Fairlane Drive, Ridgedale, MO.

I would 1st like to say that having a "nightly rental" business in the home directly on the side of us would cause us much distress due to the fact that we were the victims of a home invasion on Dec. 28, 2012. We still suffer from that event, and the idea of complete strangers coming in and out of the house next door is terrifying to us.

Our street is a quiet, residential area. It is very nice and all the homeowners take pride in their properties.

We retired in 2007 and purchased our home on Fairlane Drive as our permanent residence. As a result, we have invested a big amount of our retirement in our home.

It would be wrong to allow a "nightly rental" for profit, at the expense of the permanent homeowners in the area and especially those on Fairlane Drive.

Most persons using a "nightly rental" are on vacation with their friends and families. Vacations are a time for fun, get togethers & parties. I believe that a "nightly rental" would also produce increased noise and traffic on the street.

I also believe that purchasing a residential home in Oakmont Association, for the intent of a "nightly rental" for profit is not allowed in their bylaws.

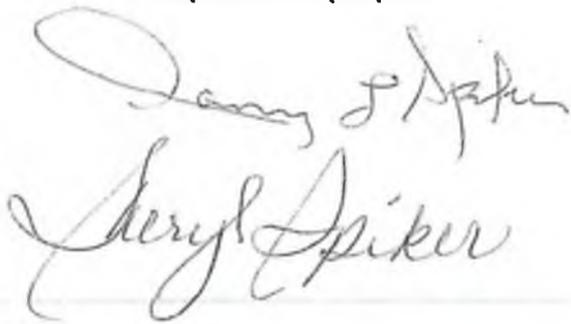
We wanted to send you our thoughts and feelings on this endeavor to allow a "nightly rental" business in our residential neighborhood.

We respectfully request that whomever decides this please consider our concerns and put themselves in our shoes. Would you want a "nightly rental" business next door to your family residential home?

Thank you for your time.

Sincerely.

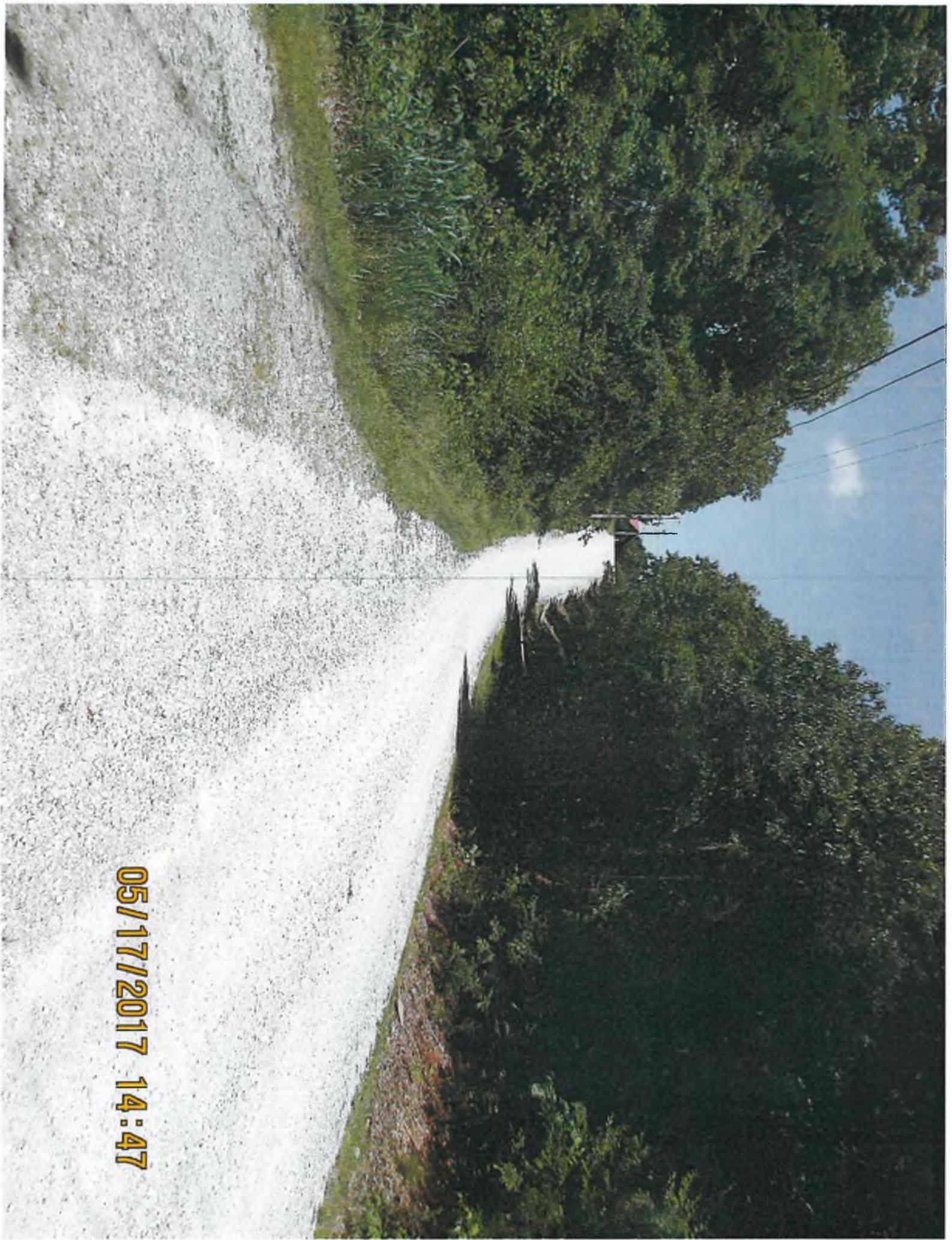
Danny and Sheryl Spiker

Handwritten signatures of Danny and Sheryl Spiker. The signature for Danny is written above the signature for Sheryl. Both are in a cursive script.



05/17/2017 14:47

05/17/2017 14:47



A photograph of a dark wooden building, possibly a garage or workshop, with a white garage door. The building has a gabled roof and several windows. A gravel driveway is visible in the foreground, and there are trees and bushes around the building. The date and time stamp '05/17/2017 14:48' is located in the bottom right corner of the image.

05/17/2017 14:48



05/17/2017 14:48



05/18/2017 14:04



Taney County Planning Commission

Division III Special Use Permit

Staff Report

HEARING DATE: June 12, 2017

CASE NUMBER: 2017-022

PROJECT: 141 Monte Cristo Drive Nightly Rental

APPLICANTS: Thomas & Julie Strickler Revocable Trust

REPRESENTATIVE: Tom Strickler

LOCATION: The subject property is located at 141 Monte Cristo Drive, Villa #28, Unit B, Hollister Missouri, , Scott Township, Section 28, Township 22, Range 21.

REQUEST:

The applicants, Tom and Julie Strickler are requesting the approval of a Division III Special Use Permit allowing for the nightly rental use of the existing single family residence, located at 141 Monte Cristo Drive, Hollister, Missouri.

BACKGROUND and SITE HISTORY:

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

Western Taney County Fire Department has inspected and approved the single family home as "okay to occupy" and the inspection report is on file in the Taney County Planning Office.

The current application was approved for Concept May 15, 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 Property is currently served by an existing drive off Tuscan Drive.

The project received a total score of -1 on the Policy Checklist.

REVIEW:

Tom has owned the single family home since April 2011 and has used it for nightly rental from April 2011 to present. Tom markets the single family home on his own and not through any onsite vendors such as VRBO, Local Real Estate Agents, etc. The single family home has been rented to friends and acquaintances exclusively except on two (2) occasions. Tom wants to limit the rentals due to the wear and tear of the home as he also uses the villa as a second home. Tom has donated the home for fundraisers such as: Iola Reading Festival, Kansas Crime Stoppers Association, Bowlus Fine Arts Center, Rotary District 6110 Youth Exchange, Allen Community College Endowment Association, etc. Jerry and Julie Jones owners and residents of the other half of the duplex addressed as 116 N Tuscan Drive, have submitted an email to the Planning office stating they have not had any problems and have not been inconvenienced in any way and have no objections to the Strickler’s home being used as a nightly rental.

STAFF RECOMMENDATIONS:

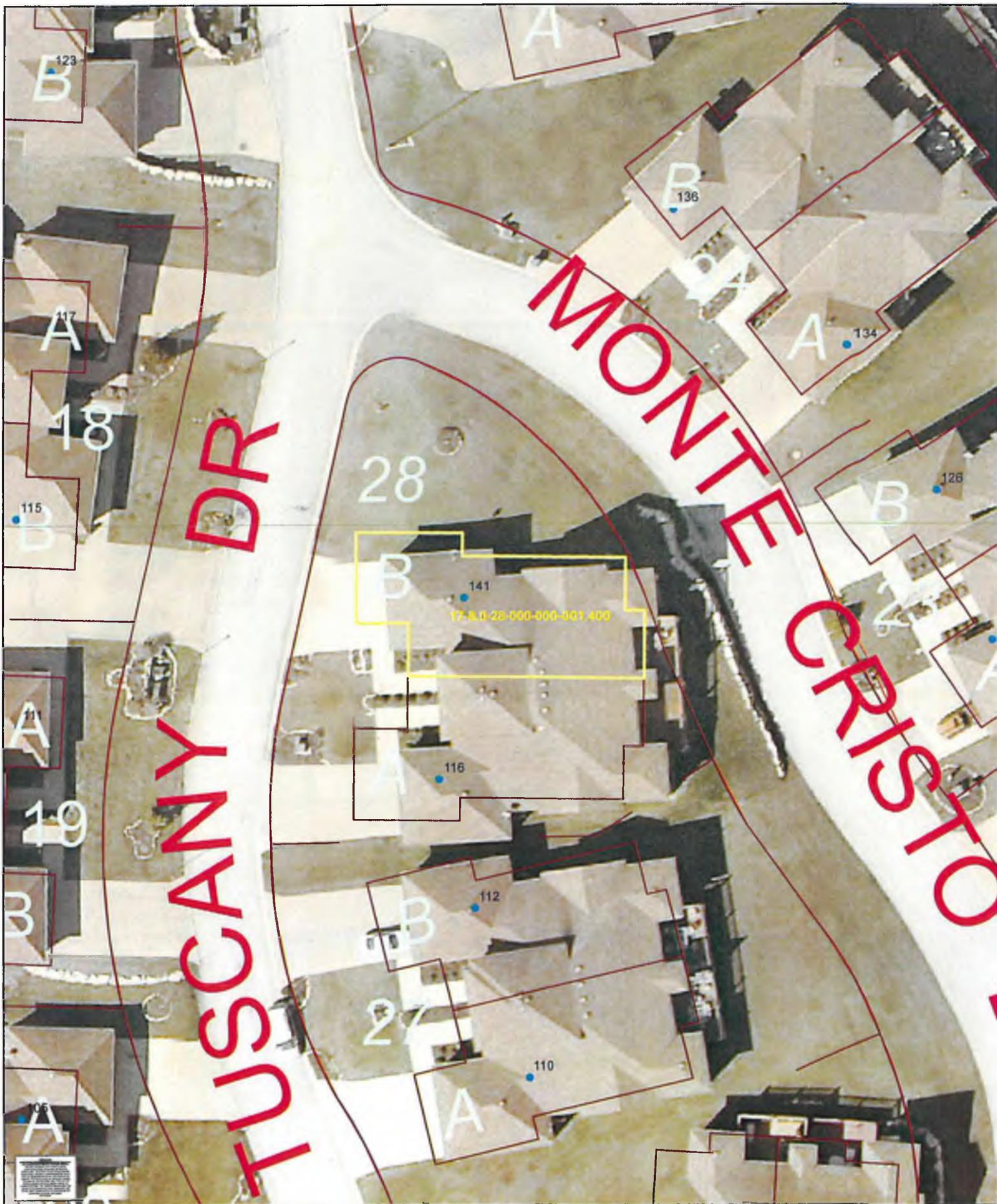
If the Taney County Planning Commission approves Division III Special Use Permit #2017-022, the following requirements shall apply, unless revised by the Planning Commission:

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. This decision is subject to all existing easements.
5. The residence located at 141 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.
6. The 141 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.
7. The current contact information for the property shall be posted on the property and on file in the Taney County Planning office.
8. 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).



141 Monte Cristo Drive Nightly Rental



WESTERN TANEY COUNTY FIRE PROTECTION DISTRICT
 221 JEFFERSON RD. BRANSON, MO. 65616

Job Name: NIGHTLY RENTAL Permit# N/A
 Job Address: 41 MONTE CRISTO Date Wanted:
 Type of Inspection: FIRE AM PM 4:00

FND/UNDR FL	ROUGH IN	INT WALL	FINAL INSP
<input type="checkbox"/> 1. FIRE PL.	<input type="checkbox"/> 1. GAS LNS.	<input type="checkbox"/> 5. HVAC	<input type="checkbox"/> 1. HVAC
<input type="checkbox"/> 2. RISER	<input type="checkbox"/> 2. SPKR/STD PIPE	<input type="checkbox"/> 6. FIRESTOP	<input type="checkbox"/> 2. ADDRES
<input type="checkbox"/> 3. ELEC.	<input type="checkbox"/> 3. FIRE ALM.	<input type="checkbox"/> 7. ABV CLG	<input checked="" type="checkbox"/> 3. FIRE
	<input type="checkbox"/> 4. HOODS	<input type="checkbox"/> 8. OTHER	<input type="checkbox"/> 4. HOODS
		<input type="checkbox"/> 1. INSULAT.	<input type="checkbox"/> 5. OTHER
		<input type="checkbox"/> 2. RC CHANL	
		<input type="checkbox"/> 3. DRWL FAS	
		<input type="checkbox"/> 4. PENETRAT	
		<input type="checkbox"/> 5. OTHER	

OTHER: FIRE
OKAY TO OCCUPY

(IF REJECTED, MAKE CORRECTIONS - CALL FOR REINSPECTION)

FIRE EXTINGUISHION - OKAY
SMOKE ALARMS - OKAY

INSPECTOR SIGN: [Signature] DATE: 5/15/17

PHONE: 834-3440
 ORIGINAL - FILE

FAX: 334-3446
 COPY - CUSTOMER

Scott Starrett

From: Tom Strickler [Tom.Strickler@communitynational.net]
Sent: Wednesday, May 24, 2017 2:44 PM
To: Scott Starrett
Subject: FW: 141 Monte Cristo

Good afternoon Scott.

I have attached the email that we received from Jerry and Julie Jones who own and reside in the other half of our duplex. I assume that you will want this for your records, and I will also bring a copy with us for the public hearing. Thanks, Tom.

Tom Strickler
Senior Executive Vice President
Community National Bank & Trust
120 E. Madison, P. O. Box 447
Iola, KS 66749
tom.strickler@communitynational.net

620-365-6000, Extension 11311
620-365-6995 (fax)
620-365-9330 (cell)
NLMS# 420009

-----Original Message-----

From: Tom Strickler [mailto:tjstrickler@cox.net]
Sent: Wednesday, May 24, 2017 7:32 AM
To: Tom Strickler
Subject: FW: 141 Monte Cristo

-----Original Message-----

From: Julie Jones [mailto:juliejones.inc@gmail.com]
Sent: Tuesday, May 23, 2017 8:09 PM
To: tjstrickler@cox.net
Subject: 141 Monte Cristo

Dear Taney County Planning Commission,
Our home at 116 N Tuscany is attached to the Tom and Julie Strickler's home at 141 Monte Cristo in Hollister. We have not had any problems or been inconvenienced in any way by the Strickler's use of their home as a vacation home which they occasionally rent to friends and family. We have no objections to their continued use of their home in this manner.
Sincerely,
Jerry and Julie Jones
116 N Tuscany Dr
Hollister, MO 65672

Sent from my iPad=

At Community National Bank & Trust, we're committed to protecting your privacy and security. We will never initiate a request for sensitive information from you via email (ie. , Social Security Number, Personal ID, Password, PIN or account number). We strongly suggest that you do not share your Personal ID, Password, PIN or account number with anyone, ever. IMPORTANT: If you're a Community National Bank & Trust customer and have replied to such an email, please immediately call Community National Bank & Trust at 620-431-2265. CONFIDENTIALITY NOTICE: This message contains information from Community National Bank & Trust which may be confidential and privileged. If you are not an intended recipient, please refrain from any disclosure, copying, distribution or use of this information and note that such actions are prohibited. If you have received this transmission in error, please notify by e-mail techsupport@communitynational.net and destroy all copies of the original message. Thank you.



05/17/2017 14:29

05/17/2017 14:29



Scott Starrett

From: Susan [trsmith@centurytel.net]
Sent: Friday, May 19, 2017 1:49 PM
To: Scott Starrett; P&Z
Subject: Branson creek violation
Attachments: image1.JPG; ATT00001.txt; image2.JPG; ATT00002.txt

This is how the nightly renters park at 110 N Tuscany in Branson Creek. Can't get up driveway, too steep. The owner Mr Watson has not appeared before PZ to acquire permit. He is being defiant and renting anyway.







Scott Starrett

From: Sheila Wyatt
Sent: Monday, May 22, 2017 5:01 PM
To: Lisa Aguirre; mscofield@co.taney.mo.us; P&Z; Scott Starrett
Subject: RE: Branson Creek - Nightly Rentals

Lisa,
If I did not explain well I will try to give you a better explanation as why I am advised to not reply to these emails and not give my opinion. Due to statements made by you in regard to a possible law suit the commission's attorney requests I not have further communication in regard to both parties of the nightly rental issue. This includes people on both sides of the nightly rental issue in this area that have contacted me. It is not just you.

Respectfully,
Sheila Wyatt

From: Lisa Aguirre [mailto:hollisterladyquilts@gmail.com]
Sent: Monday, May 22, 2017 10:43 AM
To: Sheila Wyatt; mscofield@co.taney.mo.us; P&Z; Scott Starrett
Subject: Branson Creek - Nightly Rentals

Mr. Scofield and Ms. Wyatt:

I have previously addressed correspondence to Ms. Wyatt in which she said she could not answer my questions due to statements I made at a meeting in the Court House. I am guessing my belief that the county is "corrupt" is the core of your concern. My comments are my opinion and as a free American, I am entitled to that opinion whether you like it or not. You are elected officials and while you may not think you can respond to me, I do believe it is your duty to hear my concerns.

I would specifically like to address the approval for a Special Use Permit for the property located at 112 N. Tuscany Dr. This particular property was approved by the Planning & Zoning Commission together with a group of approximately 20 other applications. This unit was presented as a three bedroom unit. It is not. The unit is a two bedroom and a loft/media room. It does not meet the requirements of a bedroom having a closing door, closet and operational window. The commission did not bother to address this issue nor did they address the difficult parking for this particular unit. Although it does have a two-car garage, the driveway is at a very steep incline and "guests" have chosen to park in the street or at our pool rather than deal with the driveway.

The Certificate of Conformance was inspected and approved by Bonita Kisse-Souttee on April 13, 2017. I have attached a copy of the document as well as a document posted on this unit that states that the maximum occupancy of this residence is 10. This unit should have been approved for a maximum of 6 occupants. Because the P & Z Commission did not properly determine the number of bedrooms in this unit, it appears it was approved for 8 which is still 2 occupants under what is currently posted.

I would like to know if an employee of the County actually inspected this property to see that it is only a two-bedroom unit. Further, if there were any changes made to this property, the owner should have gone back to the county with another Special Use Permit requesting a new approval for any changes made and the public should have had an opportunity to voice concerns as is protocol.

The residents of Branson Creek are filing the necessary paperwork today for a hearing with the Board of Adjustments to appeal this decision of record due to the fact that the Planning & Zoning Commission approved the initial request without proper due diligence.

Is this what we can expect going forward? The residents of this community have expressed just this scenario in our opposition to nightly rentals. The owners/managers will simply do exactly what they want without regard to the regulations and requirements the permit was issued under. In direct contrast to Missouri law (as pointed out on numerous occasions), the county has left the policing of this issue to the permanent residents of Branson Creek. We, the permanent residents, have no choice but to point out the defects and ask that this property's Special Use Permit be revoked.

The favor of a reply is requested as I am a voting constituent in your district and I plan on using this particular scenario as follow-up with the local newspapers and KSPR 33 in Springfield.

Sincerely,

Lisa Aguirre

210.412.2468

hollisterladyquilts@gmail.com

Valley View Villa

112 North Tuscany Drive, Hollister, MO 65672

Managed By: Sunset Nightly Rentals-417-334-3780
Owner: Valley View Villa, LLC -398 N Powderhorn Drive, Fayetteville,
AR 72704

Rules and Regulations:

1. Valley View Villa is permitted to sleep up to 10 people
2. Off street parking is strictly prohibited. Up to 5 vehicles can be parked at the property in the garage and driveway only
3. Trash pickup is on Tuesday

Emergency Contact Numbers:

For emergencies please call 911
Taney County Sheriff- 417-546-7250
Taney County Planning-417-546-7225
Western Taney County Fire District 417-334-3440

TANEY COUNTY PLANNING COMMISSION
P.O. Box 383, Forsyth, MO 65653
Telephone: (417) 546-7225
Fax: (417) 546-6861

CERTIFICATE OF CONFORMANCE

Project: 11201 Anthony Dr. Location Branson Creek

Representative: [Signature] Phone # 417-336-3780

This certifies that Division III Permit # 1642 has met
All required absolute policies of the Taney County Development
Guidance Code and all requirements imposed by the Taney County
Planning Commission.

Inspected by: [Signature] Division III Inspector

Date: 1-2-12

ALL OF UNIT B OF VILLA 27 THE VILLAS OF FIELDSTONE AT BRANSON
CREEK, VILLA 27 AS PER THE RECORDED PLAT RECORDED IN SLIDE
CABINET "J" AT SLIDE 250 & 251 OFFICIAL RECORDS OF TANEY COUNTY,
MISSOURI AND PLAT RATIFICATION FILED ON OCTOBER 27, 2008 AS

Scott Starrett

From: Karen Murphy [klmnjm40@gmail.com]
Sent: Sunday, May 28, 2017 10:52 PM
To: P&Z
Subject: Branson Creek

Against the covenants. This is what we have to contend with having transient people who don't care about rules.

Please do not approve any more rentals.

From: Karen Murphy
Sent from my iPhone

Begin forwarded message:

From: Susan <trsmith@centurytel.net>
Date: May 28, 2017 at 4:52:52 PM PDT
To: Murphy Karen <klmnjm40@gmail.com>
Subject: Pool

Beautiful!
Walked by the pool this was my view from the gate.



Sent from my iPhone

Scott Starrett

From: Susan Smith [trsmith@centurytel.net]
Sent: Monday, May 29, 2017 6:35 AM
To: P&Z
Subject: Complaint 209 Stoney Pt Branson Creek

Complaint 209 Stoney Pt

Sunday the 28th at approximately 9:30 PM, I was trying to enjoy some quiet time on my deck. Unfortunately the loud music and partying coming from 209 Stoney Pt prevented that from happening. Since that home is managed by SUNSET nightly rentals, I called the number that is posted on several of their rentals. Got a voice message with several different options, not one is specific for official complaints. Finally after several attempts selected the option for nightly renters that have "maintenance issues".

Finally Spoke to a real person and told her my complaint.

Unfortunately this is what she said. We don't have a specific option on our voicemail for complaints but I can put your info in the the computer and someone will call you back the next business day. I said how does that help me now? She said that is all she could do!

Seriously, is this what the PZ approved ? I thought they informed us**local representative available 24/7 for complaints.**

She apologized and said she was sorry, but again said that's all she could do.
This is totally a violation of what the PZ commissioners told us.

Scott, to my knowledge, this home is owned by Contemporary Housing LLC and has not received their C of C to be in compliance or to even being renting.

I didn't called the County Sheriff, but if this is the best managerial assistance we get from Sunset Nightly Rentals, then I will put Jimmy Russel, county Sheriff on my speed dial.

Sent from my iPad

Scott Starrett

From: Susan Smith [trsmith@centurytel.net]
Sent: Sunday, May 28, 2017 6:27 PM
To: P&Z
Subject: 112 N Tuscany Branson Creek

Complaint 112 N Tuscany

These nightly renters occupying 112 N Tuscany are not respectful and have no regards to how offensive they are to our residents. These people most definitely were not vetted properly and not informed of the regulations within our neighborhood. The management company is lacking in their responsibility.

This is not party central nor is it a Resort!

I have never been so embarrassed for my friends while out walking past 112 N Tuscany. No one should be subjected to that kind of vulgar language, they were yelling amongst themselves. They were drunk and loud and disturbing everyone.

I have notified the so called management company, but if it is not contained immediately I will be calling the county sheriff.

Unfortunate that we have to waste the County sheriff's time over this nuisance.

Sent from my iPad



Scott Starrett

From: Wally Sinko [wallysinko@me.com]
Sent: Tuesday, May 30, 2017 10:09 AM
To: Scott Starrett
Subject: Fwd: Violation 165 N Tuscany

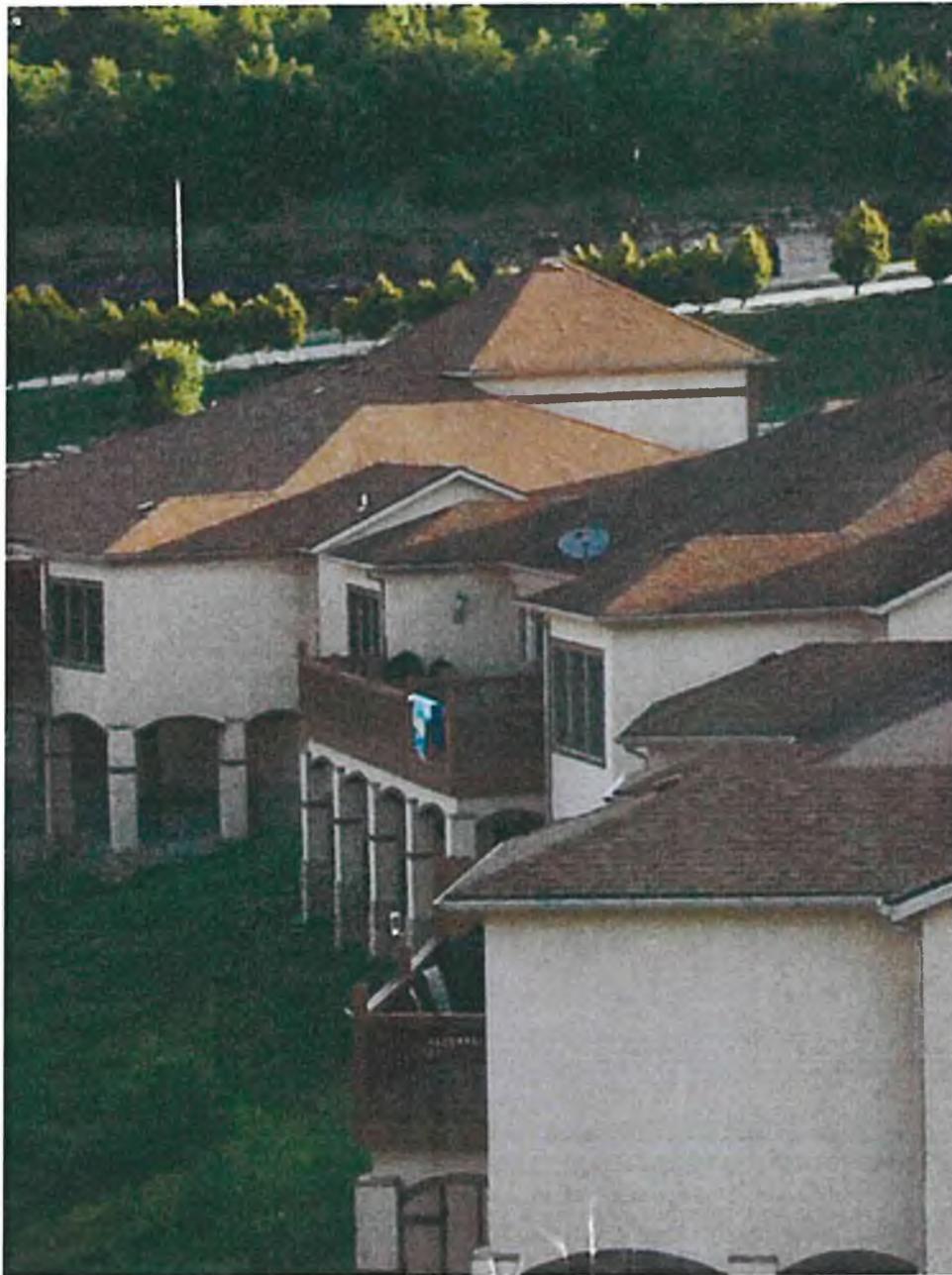
This is a perfect example of how nightly rentals, this being 165 N Tuscany, Fieldstone, Buffalo Ridge, violate our covenants. In our rules which are to be posted in each Villa, it clearly states, nothing hanging on rails. Also, 157 N Tuscany is continuing nightly rentals & they have NOT installed a sprinkler system, nor are they doing necessary outside maintenance. This affects me directly as I am a permanent residence that lives next door at 155. I have been forced to take this to the appeal board as there is NO ENFORCEMENT system in place. Investors continue to disregard the covenants as they all know there will be no enforcement. PLEASE, as a permanent residence who does NOT want to move, do NOT APPROVE ANY MORE NIGHTLY RENTALS!

Cheryl Sinko
573-222-8440
155 N Tuscany Dr
Hollister, Mo 65672

Sent from my iPad

Begin forwarded message:

From: Susan Smith <trsmith@centurytel.net>
Date: May 30, 2017 at 8:38:12 AM CDT
To: Wally Sinko <wallysinko@me.com>
Subject: Violation 165 N Tuscany



Sent from my iPad

Scott Starrett

From: Karen Murphy [klmnjm40@gmail.com]
Sent: Friday, May 19, 2017 11:49 AM
To: P&Z; Scott Starrett; Branson Creek Scott Bailey; Branson Creek Stacey Blevins; Oak Tree Capital Jason Keller; Asaro Guy; Meridian - Rey Ross Guy Asaro
Subject: Branson Creek
Attachments: FullSizeRender.jpg; ATT00001.txt

Thanks for allowing nightly rentals in our community!!! See picture below or attached. Just one case wherein the owner who rents said they didn't have money to do maintenance on the outside of their home. The permanent owner who is the adjoining villa joined the maintenance program offered. Branson Creek HOA should have stepped in and completed the rental side and billed the owner. Also the HOA should have completed the maintenance on any permanent resident who did not join the maintenance program and bill them too. Of course the HOA did not and this is what we look at now.

