



## TANEY COUNTY PLANNING COMMISSION

P. O. Box 383 • Forsyth, Missouri 65653

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

**MINUTES**  
**TANEY COUNTY PLANNING COMMISSION**  
**PUBLIC HEARING**  
**MONDAY, MARCH 13, 2017, 6:00 P.M.**  
**COUNTY COMMISSION HEARING ROOM**  
**TANEY COUNTY COURTHOUSE**

### Call to Order:

Chairman Steve Adams called the meeting to order at 6:00 p.m. A quorum was established with eight members present. They were: Steve Adams, Dave Stewart, Doug Faubion, Rick Caudill, Brad Lawrence, Randy Haes, Howard Kitchen, and Randy Fogle. Staff present: Scott Starrett and Bonita Kisse-Souttee.

Mr. Starrett read a statement outlining the procedures for the meeting and presented the exhibits.

### Final Vote:

A vote was taken on a project previously tabled at the last meeting because no representative was present. 177 N. Tuscany Nightly Rental was discussed with Luanne Danner representing Nancy Klein. Mr. Starrett clarified the request. With no discussion a motion was made by Mr. Lawrence to approve based upon the decision of record. Seconded by Mr. Haes. The vote was three in favor of the motion and four opposing, with the Chairman not voting. The project was not approved. Mrs. Danner questioned the vote and pointed out that at the last meeting the Planning Commission voted to approve the other requests which were exactly the same as this one. Mr. Faubion stated that he was not at the last meeting and explained his reason for voting against the approval. Discussion followed.

### Public Hearings:

167 N. Tuscany Nightly Rental; a request to operate a nightly rental from a single family residence located at the Villas of Fieldstone at Branson Creek Development. No one was present to represent the request. Mr. Stewart made a motion table until the end of the meeting. Seconded by Mr. Lawrence. The vote to table until the end of the meeting was unanimous. The applicant did not appear before the end of the meeting. Mr. Stewart made a motion to postpone until next month. Mr. Lawrence seconded. The vote to postpone was unanimous.

National Enzyme; a request for the expansion of the National Enzyme Co. manufacturing facilities located on the adjacent property to the east off Austin Street. Mr. Starrett read the staff report and presented maps and pictures of the site. The project was represented by Charles Amidon and Kim Crouse. Discussion followed

regarding parking and other uses of the property. Mr. Starrett stated that there is an open permit for a large structure on the property. Mr. Haes discussed number of parking spaces which will be approximately 100, and how big the delivery trucks will be. Mr. Stewart discussed the cul-de-sac. Mr. Fogle discussed stormwater runoff which will be in the form of a retention pond. With no other discussion this project will proceed to final vote next week. No one from the public signed up to speak.

764 Jones Road Nightly Rental; a request for the construction of a single family dwelling with attached guest house to be operated as a nightly rental. Mr. Starrett read the staff report and presented maps and pictures of the site. Gary McSpadden representing the project addressed questions from the board. Mr. Faubion asked if this property was in a subdivision; Mr. McSpadden stated that it was not and that he talked to the closest neighbor who did not have a problem with this use. With no other questions or discussion this project will proceed to final vote next week.

127 N. Tuscany Nightly Rental; a request to operate a nightly rental from an existing single family residence located at the Villas of Fieldstone at Branson Creek Development. Mr. Glazer was present to address questions from the Commission. Mr. Faubion asked if the other part of the structure was nightly rental or a permanent structure. Mr. Glazer stated that it was permanent. He and his wife purchased the structure as a nightly rental and he and his wife stay there about 15% of the time. They are very careful about who they rent to according to Mr. Glazer. Karen Murphy signed up to speak against the request. She stated that in her opinion plans for parking were not turned in to the office. She continued to state various errors in her opinion by the staff and Commission regarding procedure and interpretation of the Code. Mr. Murphy who lives in the neighborhood opposing the request asked if any of the Planning Commission had driven through their neighborhood. They answered that they have. He pointed out the other nightly rentals in the neighborhood. He asked how many complaints needed to be filed before a permit can be revoked. Mr. Stewart answered the question that the request must proceed through the process until it goes to the prosecutor's office. Mr. Starrett explained how the enforcement process works. Mr. Faubion asked Mr. Murphy in his opinion who he thinks is responsible for the "mess out there". Mr. Murphy stated the developer and the organization he operates. Mr. Faubion stated that this puts the Planning Commission in a real quandary and that in his opinion it is not their problem to fix. Discussion followed between the applicant and the room. Lisa Aguirre discussed the Tim Mahoney letter and stated that in her opinion what happened in the past doesn't matter. She stated that the property owners were not told there would be nightly rentals in that subdivision. She criticized the way the Planning Commission does their business and how the projects have been approved or denied. Ms. Aguirre reported on the fire district meeting regarding the nightly rentals. Mrs. Murphy was allowed to speak again. She also criticized the staff and Planning Commission, and reported on when the nightly rentals started happening in her neighborhood. Mr. Starrett clarified what the 120 days meant, and what a certificate of conformance is. Mr. Glazer explained that he has a maintenance person locally. Mr.

Kitchen asked if he has a sales tax receipt, Mr. Glazer stated that he does. He has been operating this nightly rental for 10 years. Another property owner stated that in his opinion one property owner started renting and the others followed. In his opinion the occupancy rule should be followed. With no other discussion this project will proceed to final vote next week.

Old and New Business:

Mr. Caudill discussed National Enzyme, the Division II Permit and Landgrading permit.

Adjournment:

With no other business on the agenda for March 13, 2017 the meeting adjourned at 7:18 p.m.



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**MINUTES  
TANEY COUNTY PLANNING COMMISSION  
REGULAR MEETING  
MONDAY, MARCH 20, 2017, 6:00 P.M.  
COUNTY COMMISSION HEARING ROOM  
TANEY COUNTY COURTHOUSE**

**Call to Order:**

Vice-Chairman Dave Stewart called the meeting to order at 6:00 p.m. A quorum was established with five members present. They were; Dave Stewart, Rick Caudill, George Cramer, Randy Fogle, Doug Faubion. Staff present; Scott Starrett and Bonita Kisse-Souttee.

Mr. Starrett read a statement outlining the procedures for the meeting and presented the exhibits.

**Review and Action:**

Minutes, February 2017; with one correction to page three paragraph 1 a motion was made by Mr. Caudill to approve the minutes as written. Seconded by Mr. Fogle. The vote to approve the minutes was unanimous.

**Final Votes:**

167 N. Tuscanly Nightly Rental; a request to operate a nightly rental business at Branson Villas. This request was withdrawn.

National Enzyme Co.; a request to extend the existing business to adjoining property after purchase, accessed from Austin Street. Mr. Starrett clarified the request and presented the proposed decision of record. The representative was present. A motion was made by Mr. Cramer to approve based upon the decision of record. Mr. Caudill seconded. Mr. Faubion stated that he thought this business was a plus to this side of the county. The vote to approve was unanimous.

764 Jones Road Nightly Rental; a request by GCS Properties LLC to operate a nightly rental business. Mr. Starrett clarified this request and presented the proposed decision of record. Mr. McSpadden was present. With no questions a motion was made by Mr. Faubion to approve based upon the decision of record. Seconded by Mr. Cramer. The vote to approve was unanimous.



127 N. Tuscany Drive Nightly Rental; a request by Roy and Jane Glazer to operate a nightly rental business from an existing structure. Mr. Starrett clarified the request and presented the proposed decision of record. Mr. Glazer was present. Mr. Caudill discussed the driveway with Mr. Glazer who stated that there is a flat spot up above for two additional cars and the garage is available for parking as well and they would not normally have more than two cars. Discussion also included the amount of time this property has been used as nightly rental. Mr. Faubion asked if there was something in writing legally stating this owner could use this property as a nightly rental. Mr. Glazer stated that yes he does. Further discussion ensued regarding management and amount of time the property is rented during the year. With no other discussion Mr. Caudill made a motion to approve based upon the decision of record. Mr. Cramer seconded. Mr. Fogle asked how many nightly rentals were on this street. Mr. Faubion asked if the property next door was a nightly rental. Mr. Glazer stated that she was in favor of his using this property as a nightly rental. There was further discussion. The vote was three in favor and one opposed for approval.

#### Concepts:

133 N. Tuscany Nightly Rental; a request by Jonathan S. George to operate a nightly rental from an existing single family dwelling located at Fieldstone Villas. The representative Jonathan George was present to explain his request. Mr. Starrett presented a map of the property. After discussion the hearing on this request was closed and will proceed to public hearing next month.

360 Lone Pine Road Nightly Rental; a request by Jackie C. Hughes to operate a nightly rental business from an existing single family dwelling located at Lot 20 Block 1 of Skyline Subdivision. Mr. Starrett presented a map of the property. The listing agent Leta Young was present to discuss the request. The Commission discussed making sure the new owner fills out a new application when it is purchased. Discussion followed regarding fire suppression, wastewater, number of bedrooms, and location of other nightly rentals in the area. After discussion the hearing was closed and this project will proceed to public hearing next month.

Western Taney County Fire Protection District Station 12; a request by the District to construct a fire station with living quarters for two families and three individuals with the station centered between the two living quarters with a duplex for the two families and a training room. The property is located off Windmill Road. Mr. Single and Mr. White were present to explain their plans. Mr. Starrett presented a map of the area. The Commission discussed location, the families living there will be firefighters, and proximity of the fire station to the neighborhood. After discussion the hearing was closed and this request will proceed to public hearing next month.

Reece Nightly Rental; a request by Robert Woolston to construct a single family dwelling for a vacation home with the option of using it as a nightly rental when not in use. The property is located at the corner of Majestic and Lenhart Roads. Mr. Starrett

presented a map of the property. Mr. Fogle discussed wastewater availability. After discussion this hearing was closed and the project will proceed to public hearing next month.

180 Legends Circle; a request by Adam Donyes to operate a nightly rental business at Lot 52 of the Pinnacles Subdivision. Mr. Starrett presented a map of the area. There was no one present to represent the project. A motion was made to table until the next concept hearing by Mr. Cramer. Seconded by Mr. Caudill. The vote to table was unanimous.

Essential Therapeutic Massage; a request by Steven Judd to operate a therapeutic massage business from a detached building located at 830 Beeler Road. This business has been in operation for 17 years inside the City limits of Hollister. Mr. and Mrs. Judd were present. Mr. Starrett presented a map of the area. Discussion included, signage, number of appointments in a day, and parking. With no other discussion this project will proceed to public hearing next month.

Deer Crossing Nightly Rental; a request by Branson Turkey Crossing to construct 6 log cabins to be used as a nightly rental business located off Jones Road. The representative explained the request. Mr. Starrett presented a map of the area. Discussion included permitted nightly rentals in the neighborhood, the property owner is the applicant, the driveway will be shared, and wastewater disposal. With no other discussion this project will proceed to public hearing next month.

Shabby Chic & Junktique; a request by Donna Tanka to construct a 24 x 36 building located at 22068 US Hwy. 160 for a flea market business. No representative was present. A motion was made by Mr. Cramer to table until the concept hearing next month. Seconded by Mr. Caudill. The vote to table was unanimous.

Old and New Business:

Discussion regarded permitting special use to the buyer of the property.

Adjournment:

With no other business on the agenda for March 20, 2017 the meeting adjourned at 7:18 p.m.