



TANEY COUNTY PLANNING COMMISSION

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MINUTES

TANEY COUNTY BOARD OF ADJUSTMENT WEDNESDAY, MAY 15, 2019, 6:00 P.M. COUNTY COMMISSION HEARING ROOM TANEY COUNTY COURHOUSE

Call to Order:

Chairman Howard Kitchen called the meeting to order at 6:00 p.m. A quorum was established with five members present. They were: Howard Kitchen, Trent Edwards, Rick Persinger, Cory Roebuck and David Herd. Staff present; Scott Starrett and Bonita Kisse-Souttee. The governing statutes were read by Mr. Starrett who also read a statement outlining the procedures for this meeting and presented the exhibits. Mr. Kitchen swore in the speakers before the hearings began.

Mr. Kitchen acknowledged Mrs. Souttee's last meeting and thanked her for 40 years of service to Taney County.

Review and Action:

Minutes, April 17, 2019; with no additions or corrections a motion was made by Mr. Edwards to approve the minutes as written. Seconded by Mr. Roebuck. The vote to approve the minutes was unanimous.

Reconsideration Requests:

#19-02A JMS Property LLC, appeal of the Planning Commission decision on February 11, 2019 to deny Division III Permit #18-44 seeking nightly rental use for 10 single family homes located on Sunrise Cove. Mr. Steve Creedon addressed the Board with his reasons why the appeal should be reheard. The Board discussed the reasons, and how the bylaws read regarding a rehearing. After discussion with each Board member giving their reasons to rehear this project, a motion was made by Mr. Persinger to deny the request. Seconded by Mr. Roebuck. The reason for the motion was that no new evidence was presented. The vote was three in favor of denial, and two against denial. The next step for the applicant is civil court or a new application that is different.

#19-03A JMS Property LLC, appeal of the Planning Commission decision on February 11, 2019 to deny Division III permit #18-42 seeking nightly rental use for 6 duplexes located on Sunset Cove. Mr. Steve Creedon explained his reasons for asking for a rehearing. The Board stated that the reasons for this one were identical to the previous one. Mr. Persinger made a motion to deny the request. Mr. Roebuck seconded. The vote to approve was four in favor and one against denial.

#19-05A SMBZ LLC, appeal of the Planning Commission decision on February 11, 2019 to deny Division III permit #18-41 seeking to develop Woodbridge Estates into a two-unit multi-family subdivision located on Woodbridge Estates Drive and Jamie Court. Mr. Steve Creedon explained his reasons for asking for a rehearing. The Board discussed the reasons for denial. After discussion a motion was made by Mr. Persinger to deny the request. Seconded by Mr. Roebuck. The vote to deny the request was unanimous.

#19-04A Doug and Jill Will regarding a Board of Adjustment approval of Permit #19-04A, JMS Property LLC, allowing nightly rental use on 3 lots located on Sunrise Cove. Jillian Will clarified her request. Mr. Starrett addressed the board and stated that she had extensively researched the covenants regarding the subdivision but that the board cannot make a decision based upon private covenants. Discussion followed regarding private covenants, traffic, and compatibility. After discussion a motion was made by Mr. Edwards based on no new evidence being presented, the applicant had the opportunity to present all evidence and all board members were confident with their decision. Mr. Roebuck seconded. The vote to deny was unanimous.

Public Hearings:

#19-06A and #19-07A Postponed until June 19, 2019.

Old and New Business:

No discussion.

Adjournment:

With no other business on the agenda for May 15, 2019 the meeting adjourned at 6:30 p.m.