

**PUBLIC HEARING FOR VARIANCE CASE #334
OF THE BOARD OF ZONING ADJUSTMENT
FOR THE CITY OF OSAGE BEACH, MISSOURI**

June 17, 2020

Call to Order

Chairman Randy Gross called the Board of Zoning Adjustment Commission of the City of Osage Beach, Missouri, to order at the regular meeting on June 17, 2020 at 4:00 p.m.

Roll Call

The following Board Members were present: Randy Gross, Chairman, Karen Bowman, Louis Mayer, Gloria O'Keefe and Fred Catcott. Board members not in attendance: Larry Jones. Also, present City Planner Cary Patterson and Planning & Zoning Secretary Pam Campbell. Capital City Court Reporting Court Reporter, Shelly Stewart, was also present.

Minutes – 3/18/2020

Chairman Gross asked if there were any corrections or comments regarding the March 18, 2020 minutes. There were none. *Board member Fred Catcott made a motion to approve the March 18, 2020 minutes and Board member Gloria O'Keefe seconded the motion which passes unanimously.*

New Business

Chairman Gross presided, read the Statutes of Missouri and read the criteria for granting a variance, went over the rules that special circumstances must exist and established that a quorum had been met.

B) Variance Case No. 334 James and Janet Hickam

Chairman Gross called Case #334 and asked Planner Patterson if the City made a prudent effort to notify, by mail, adjacent and otherwise obviously affected property owners.

The Code Book and file containing Variance Case #334 were entered into the record as Exhibits 1 and 2 by Planner Patterson.

Planner Patterson replied yes and there were no negative responses from the neighbors.

Chairman Gross asked Planner Patterson to please describe the Variance request. Planner Patterson stated the applicants want to build an attached garage that doesn't meet the setback requirements, this is a hardship and accessibility issue and the Veteran's Association will be building the garage.

Planner Patterson delivered the following report:

**PLANNING DEPARTMENT
REPORT TO
BOARD OF ADJUSTMENT**

Date: June 17, 2020 **Case Number:** 334

Applicant: James and Janet Hickam
Location: 1567 Bluff Drive
Petition: Variance from minimum setback requirements
Purpose: Garage addition
Existing Use: Single-family home
Zoning: R-1a (Single Family)
Tract Size: Approximately 7,000 sq ft

Case History **Case #** **Date**

None

Utilities

<u>Water:</u>	City	<u>Gas:</u>	Summit
<u>Electricity:</u>	Ameren	<u>Sewer:</u>	City

Access: The subject property derives access from Bluff Drive

Analysis:

1. The applicant is the owner of the property in question. The property is a platted lot designated as "Lot 16 of First Addition to Holiday Acres Subdivision" and has the designated physical address of 1567 Bluff Drive.
2. The applicants are requesting a variance to build a garage addition onto their existing home on the subject lot that will be 21.3 feet from the front property line, 8 feet from the side property line, and 21.8 feet from the rear. In the R-1a zone the minimum required front yard setback is twenty-five (25') feet, ten (10') feet on the side, and thirty (30') in the rear.
3. The applicants have owned the property for approximately twenty years. Mr. Hickam is a disabled veteran and needs the assistance of a wheelchair to be mobile which requires ramps and safe places to load and unload from vehicles. Because of his needs, the

Veterans Association has agreed to fund an accessible garage attached to his home. As you can see from the submitted site plan, the addition cannot meet the required setbacks so a variance will be required for them to get a permit to build.

4. This is a clear issue of hardship and necessity for the Hickam's. Letters from the adjacent property owners, that explain their favor of the request, are enclosed in this packet.
5. Of course, if approved the addition cannot be built on or over any public utilities or easements.

Department Comments:

It of course is up to this board to use the facts in this case along with any written or verbal testimony and make the decision that is right.

If this request is approved, the following conditions shall apply:

1. The structure must be built according to the submitted site plan.
2. Any expansion or significant change in the proposal shall require Board of Adjustment approval.
3. A building permit must be obtained for the new construction and all other zoning codes be adhered to.

Planner Patterson asked if there were any questions of the applicant or the builder and there were none.

Chairman Gross read the letter from City Attorney, Ed Rucker and asked if there were any questions regarding this letter. There were none.

Chairman Randy Gross said since there is no opposition and there are letters in favor from the neighbors, he asked for a motion to approve this request.

Fred Catcott made a motion to approve Variance Case 334 and Karen Bowman seconded the motion. A roll call vote was taken, and Variance Case 334 was unanimously passed.

Louis Mayer stated he would like to salute and recognize the applicant, Veteran James Hickam, for his service to the country.

Fred Catcott stated he would also like to recognize the applicant, as he was a Veteran also and today is his birthday.

Karen Bowman stated her family member is also a Veteran and would like to recognize the applicant also.

Chairman Randy Gross stated he would like the Pledge of Allegiance said before all meetings going forward.

Chairman Randy Gross made a motion to say the Pledge of Allegiance at all upcoming meetings and Gloria O'Keefe seconded the motion. A roll call vote was taken and the Pledge of Allegiance to be said at all upcoming meetings was approved.

Planner Patterson said it's within Chairman Randy Gross's rights to request this and it will be done, as it is also done at the Board of Aldermen Meetings.

REPORTS:

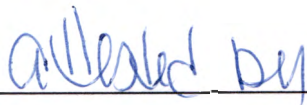
Planner Patterson said there are no other reports at this time.

Adjourn

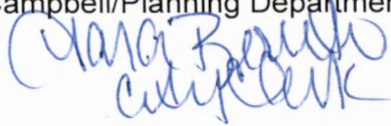
Fred Catcott made a motion to adjourn the meeting and Karen Bowman made a motion to second the motion.

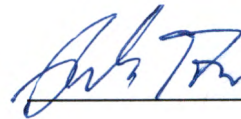
There being no further business to come before the Board of Zoning Adjustment, Chairman Gross adjourned the meeting at 4:13 p.m.

I, Pam Campbell, Planning Department Secretary, for the City of Osage Beach, Missouri, do hereby certify that the above foregoing is a true and complete journal of proceedings of the regular meeting of the Board of Zoning Adjustment of the City of Osage Beach, Missouri, held on June 17, 2020.



Pam Campbell/Planning Department Secretary





Randy Gross/Chairman