

**THE BOARD OF ADJUSTMENT
FOR THE CITY OF OSAGE BEACH, MISSOURI**

October 18, 2023

Call to Order

Randy Gross called the Board of Adjustment Commission of the City of Osage Beach, Missouri, to order at the regular meeting on October 18, 2023, at 4:00 p.m.

Randy 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 has been met.

Roll Call

The following Board Members were present: Randy Gross, Fred Catcott, Karen Bowman, Larry Jones, Robert Bickle.

City Staff present: City Planner Cary Patterson, and City Clerk Tara Berreth.

Court Reporter: Candice Perez with Lexitas Legal – Via Zoom

Minutes

Commissioner Catcott made a motion to approve the amended minutes for the September 20, 2023. This motion was seconded by Commissioner Bowman. Motion passed unanimously with a voice vote.

NEW BUSINESS

Variance Case #350 Tracey Berman

<u>Applicant:</u>	Tracey Berman
<u>Location:</u>	1301 Summit Circle
<u>Petition:</u>	Variance from minimum setback requirements
<u>Purpose:</u>	Addition to Primary Dwelling
<u>Existing Use:</u>	Single-family home
<u>Zoning:</u>	R-1a (Single Family)
<u>Tract Size:</u>	Approximately 8,712 sq ft

<u>Case History</u>	<u>Case #</u>	<u>Date</u>
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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 Summit Circle

Analysis:

1. The applicant is the owner of the property in question. The property is a platted lot known as Lot 34 of Dogwood Park Estates and is designated with the physical address 1301 Summit Circle.
2. The applicants are requesting a variance to cover the existing deck and put a cover over the main entrance into the home. The roof addition over the deck will extend to 12.7 feet from the rear property line. As you can see on the submitted site plan, the existing home is 8.5 feet from the side property line at its closest point which is what makes the home a legal non-conforming structure. With that being the case, a variance is required to enlarge or add on to the legal non-conforming structure, which is why the entrance cover is included in this request. Approval of the requested variance will allow the city to issue a legal building permit to construct the additions as per the submitted site plan. In the R-1a zone, the minimum required rear yard setback is twenty (20') feet from the rear property line and the side yard setback requirement is ten (10') feet from the side property line.
3. 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. The variance must be used within one year of the approval date.

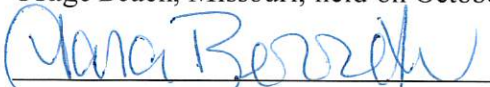
Board member Catcott made a motion to approve Variance Case No. 350. This motion was seconded by Board member Bickel. A roll call vote was taken, and Variance Case No. 350 was unanimously passed.

Board Member Jones made a motion to adjourn the meeting. This motion was seconded by Board Member Bowman. Motion passed unanimously with a voice vote.

Adjourn

There being no further business to come before the Board of Adjustment, Fred Catcott adjourned the meeting at 4:12 p.m.

I, Tara Berreth, City Clerk, 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 October 18, 2023


Tara Berreth, City Clerk


Randy Gross, Board Chairman