

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

JANUARY 15, 2025

CALL TO ORDER

Randy Gross called the Board of Adjustments Commission of the City of Osage Beach, Missouri, to order at the regular meeting on January 15, 2025 at 4:00 p.m.

ROLL CALL

The following Members were in present: Randy Gross, Fred Catcott, Karen Bowman, Gloria O'Keefe, Jeremy Green.

City Staff Present: City Planner Cary Patterson and City Clerk Tara Berreth.

MINUTES:

Commissioner Catcott made a motion to approve the minutes from December 18, 2024. This motion was seconded by Commission O'Keefe. Motion passed unanimously with a voice vote.

Randy Gross presided, read the Statues 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.

City Planner submitted the Municipal Code Book in to Exhibit 1 and Case 353 as Exhibit 2.

NEW BUSINESS:

Date: December 18, 2024

Case Number: 352

Applicant:	Christopher and Sarah Brand
Location:	870 Pintail Lane
Petition:	Variance from minimum setback requirements
Purpose:	Addition/ remodel of existing structure in a C-1 zone.
Existing Use:	Single Family Dwelling
Zoning:	C-1 General Commercial
Tract Size:	Approximately 5,000 square feet

Case History
None

Case #

Date

Utilities

<u>Water:</u>	City	<u>Gas:</u>	None	<u>Electricity:</u>	Ameren	<u>Sewer:</u>	City
<u>Access:</u>	Property has frontage on both Driftwood Lane and Pintail Lane with the access derived from Pintail Lane.						

Analysis:

1. The applicant is the owner of the property in question. The lot is not a part of a platted subdivision and has an area of approximately 5,000 sq. ft.
2. The applicant wishes to remodel and build an addition on to the existing structure on the subject property. The addition will encroach to within 23.4 feet from the front property line (Driftwood Lane Frontage). The minimum required setback is twenty-five (25) feet in the front yard in a C-1 district. As the requested addition creates a non-conformity, a variance is required before a building permit can be issued for the proposed construction.
3. Several structures in this proximity are built in violation of minimum setback requirements. Most are legal nonconforming, built prior to zoning code adoption by the City of Osage Beach.
4. If this request is granted a variance from the setback regulations, a Special Use Permit to expand or alter a residential use in a commercial zone must then be granted by the Board of Alderman prior to a building permit being issued. The request for a Special Use Permit will be heard by the Planning Commission at their meeting on December 10, 2024. The Planning Commission will send a recommendation on the request to the Board of Aldermen who will hear the request at their meeting on January 2, 2024.

Department Comments:

It is of course 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 Special Use Permit to construct a residential use in a commercial zone must then be granted by the Board of Alderman prior to a building permit being issued.

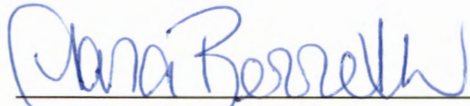
A building permit must be obtained for the addition and all other zoning codes be adhered to.

Commissioner Catcott made a motion to approve Variance Case No. 353. This motion was seconded by Commissioner O'Keefe. A roll call vote was taken, and Variance Case No. 353 was unanimously passed.

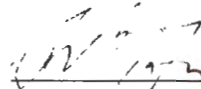
Adjourn

There being no further business to come before the Board of Adjustment adjourned the meeting at 4:08p.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 January 15, 2025



Tara Berreth, City Clerk



Randy Gross, Board Chairman