NOTICE OF MEETING AND
BOARD OF ADJUSTMENT AGENDA

CITY OF OSAGE BEACH
BOARD OF ADJUSTMENT MEETING

1000 City Parkway
Osage Beach, MO 65065
573.302.2000
www.osagebeach.org

TENTATIVE AGENDA

REGULAR MEETING

August 16, 2023 - 4:00 PM
CITY HALL

** ***Note:*** All cell phones should be turned off or on a silent tone only. Complete meeting packets are available on the City's website at www.osagebeach.org.

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

APPROVAL OF MINUTES

NEW BUSINESS

A. Variance Case #348 John Green

B. Variance Case #349 Craig and Brooke Loo

ADJOURN

PLANNING DEPARTMENT
REPORT TO
BOARD OF ADJUSTMENT

Date: August 16, 2023 **Case Number:** **348**

Applicant: John Green

Location: 4895 Pennel Lane

Petition: Variance from minimum setback requirements

Purpose: Replace existing non-conforming structure

Existing Use: Single-family home

Zoning: M (Mobile Home)

Tract Size: Approximately 1,994 sq ft

Case History	**Case #**	**Date**
None		

Utilities

Water:	City	**Gas:**	Summit
Electricity:	Ameren	**Sewer:**	City

Access: The subject property derives access from Pennel Ln.

Analysis:

1. The applicant is the owner of the property in question. The property is a portion of lot 2 of Clown Cove Estate and is designated with the physical address 4895 Pennel Lane.

2. The applicants are requesting a variance to replace the existing mobile home with a new house structure. As you can see on the site plan, the new structure is proposed to be one (1') foot from the front property line, eight tenths (.8') of a foot from the west side property line, and three and six tenths (3.6') feet from the rear property line. Approval of the requested variance will allow the city to issue a legal building permit to construct the addition as per the submitted site plan. In the R-1b zone, the minimum required front yard setback is twenty-five (25') feet from the front property line and the side yard setback requirement is ten (10') feet from the side property line.

3. It is worth noting that the proposed structure improves the non-conforming issues that exist with the current structure in which portions of it encroach over the property lines in both the front and rear of the lot. The proposed structure falls completely on the applicant's property and allows for the creation of two parking spaces, on their property, as opposed to parking in the Pennel Lane Right of Way or on the neighbor's property as they currently are forced to do.

4. 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.

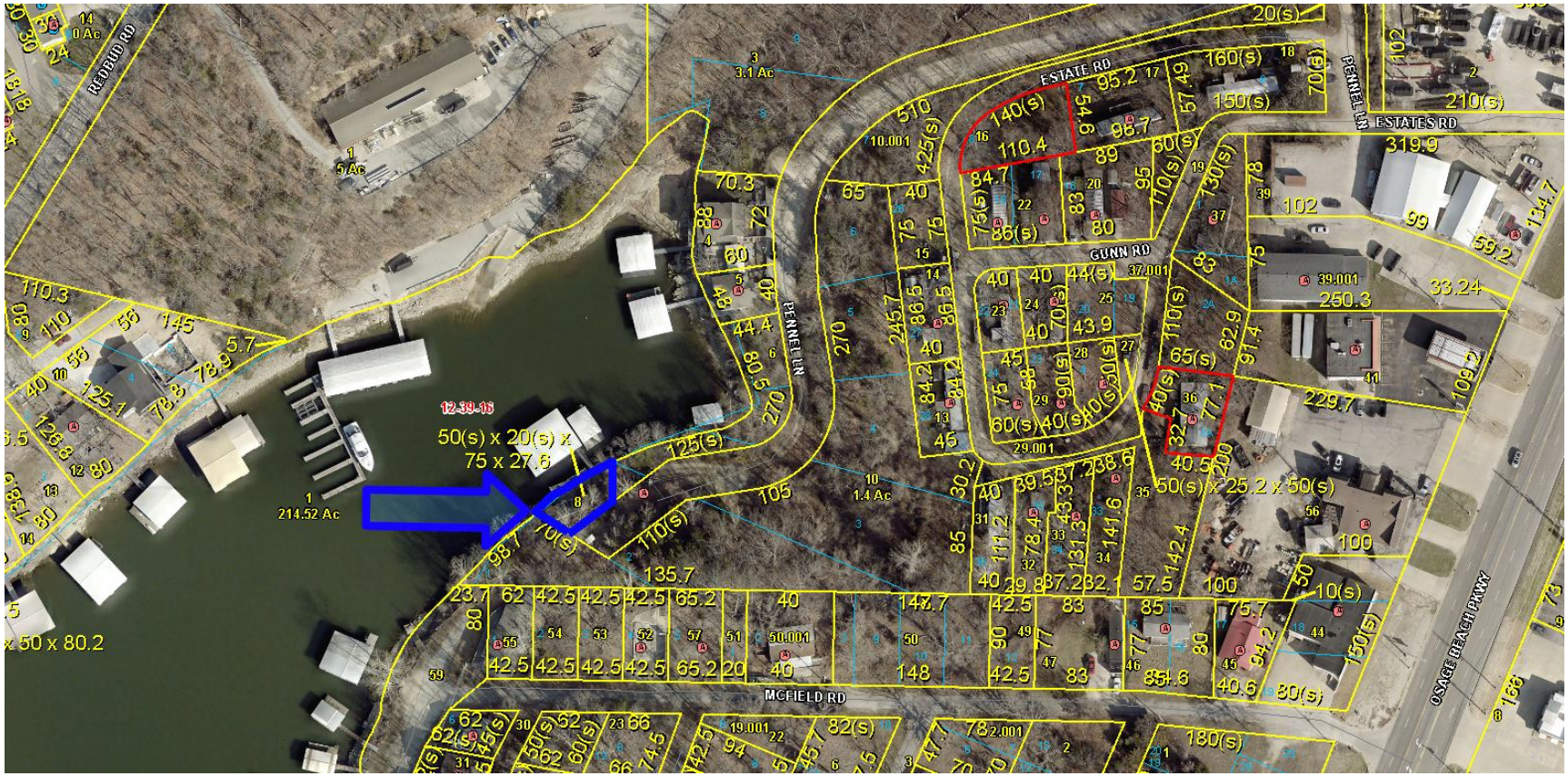
If this request is approved, the following conditions shall apply:

1. The structure must be built according to the submitted site plan.

2. A minimum construction easement of fifteen (15') feet must be acquired from the adjacent property to the west of the subject property. This easement must be signed by all necessary property owners to make it legally executable and recorded with Camden County.

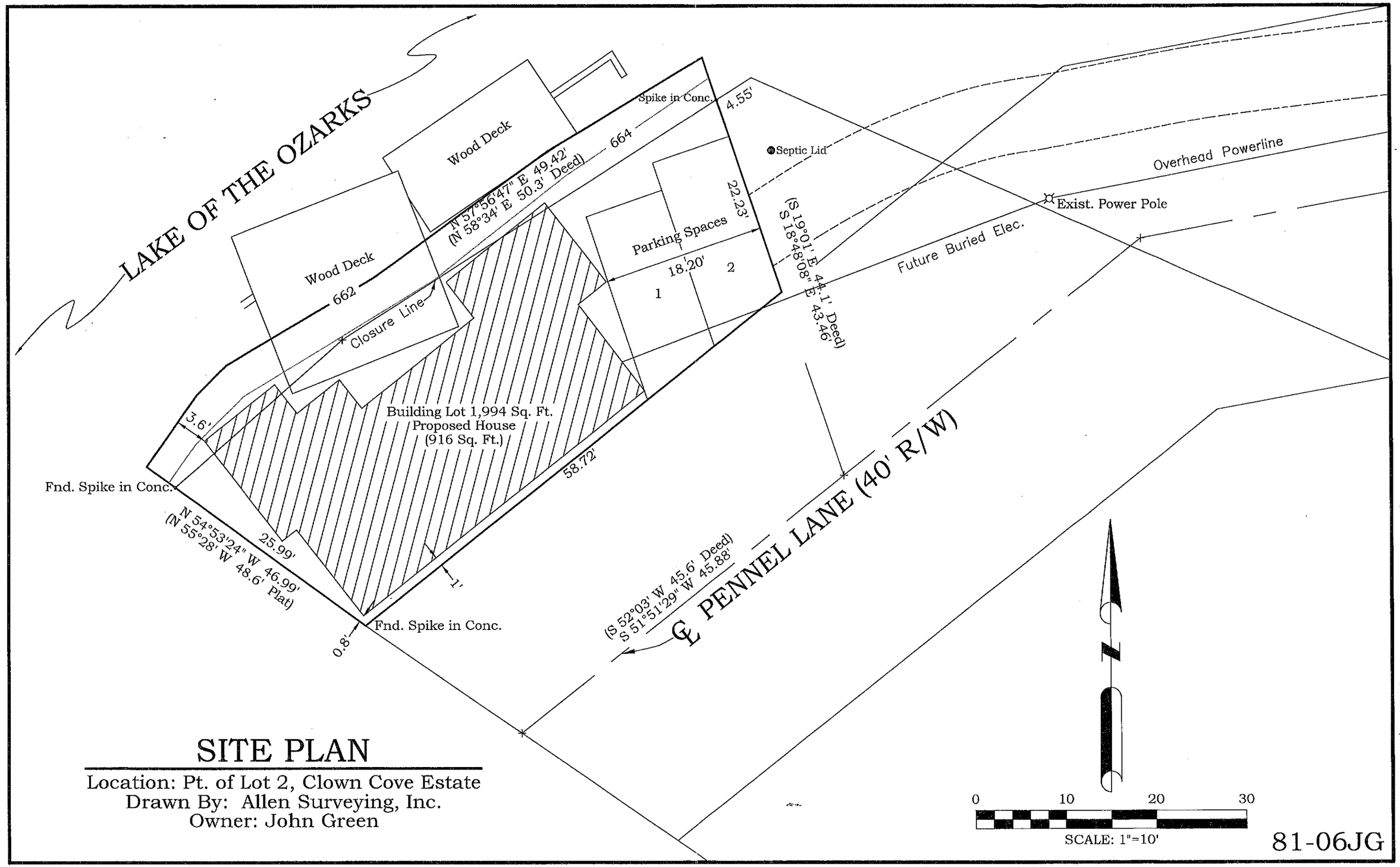
3. Any expansion or significant change in the proposal shall require Board of Adjustment approval.

4. A building permit must be obtained for the new construction and all other zoning codes be adhered to. The variance must be used within a year of the approval date.



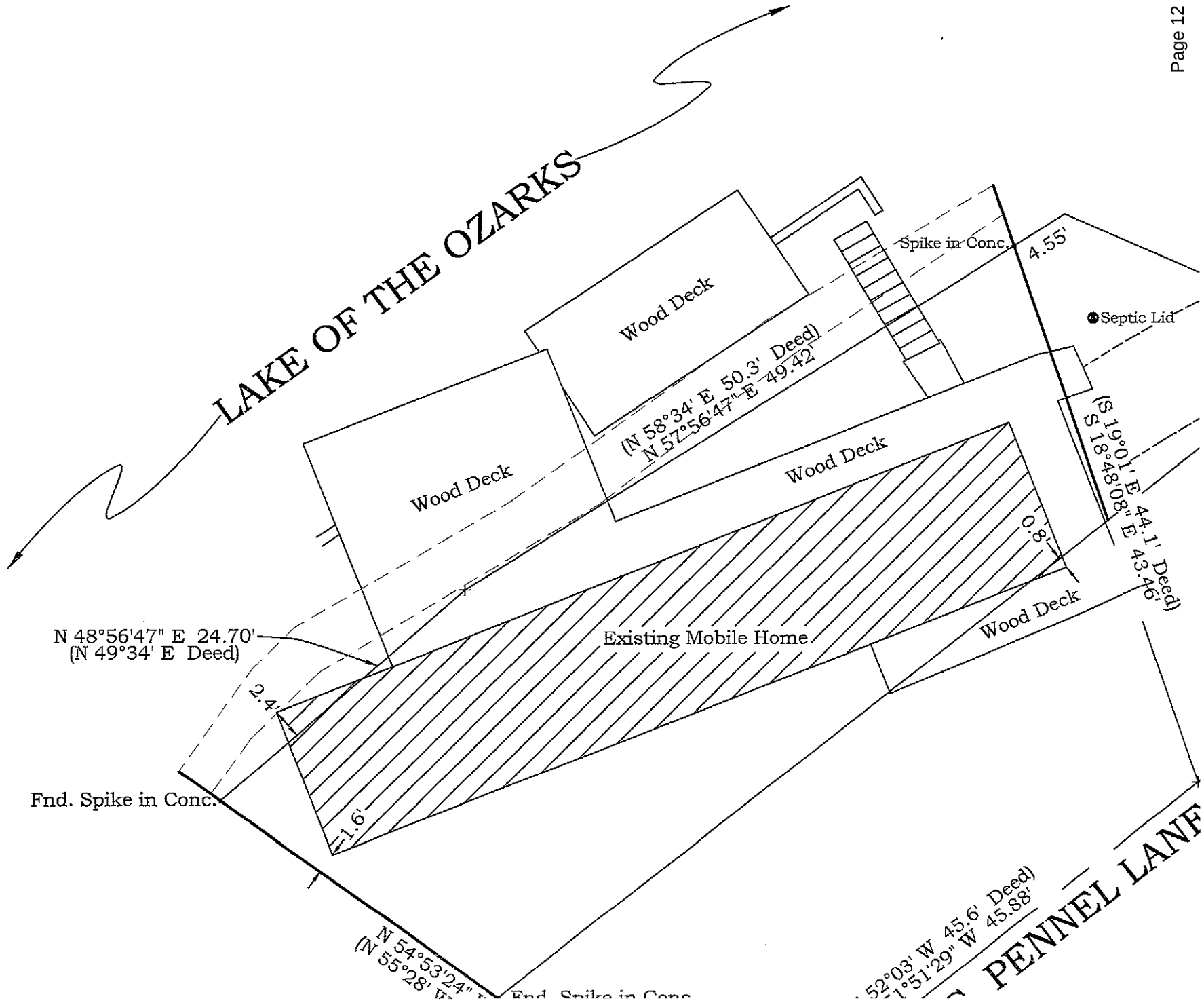
NORTH

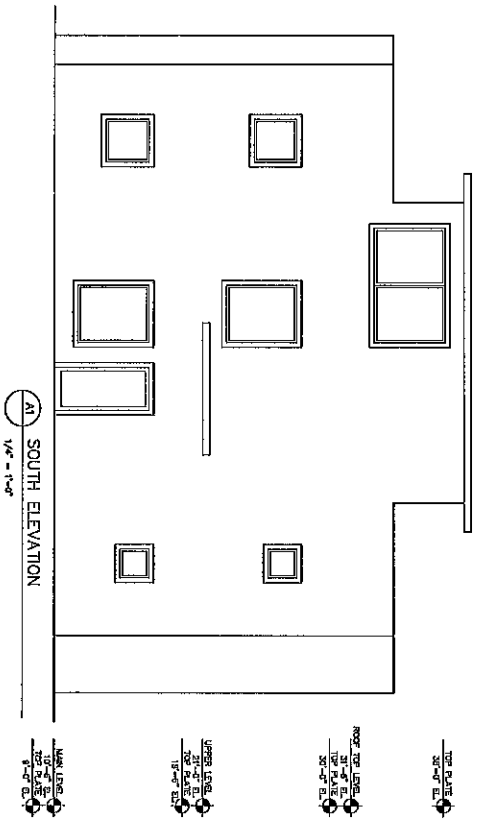
Variance Case
348 Location Map

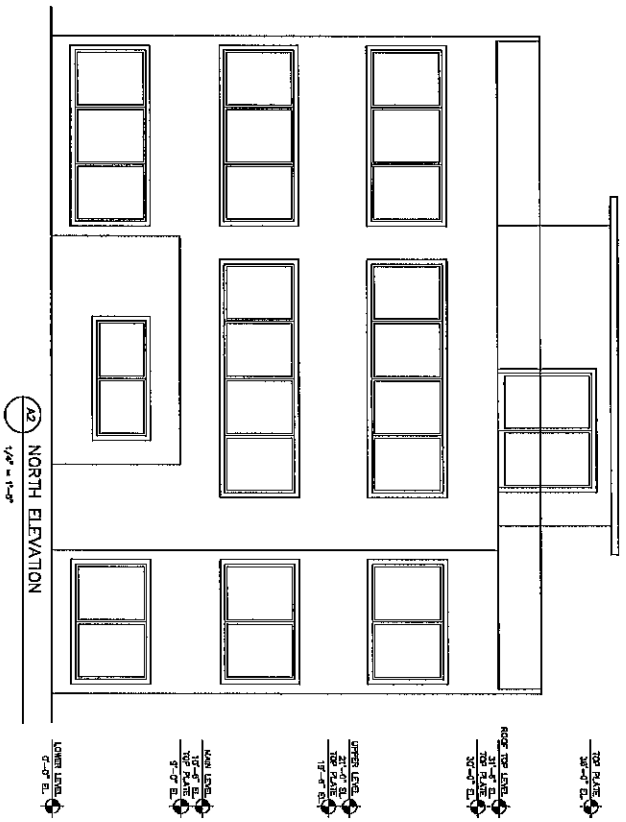


SITE PLAN

Location: Pt. of Lot 2, Clown Cove Estate
Drawn By: Allen Surveying, Inc.
Owner: John Green


LAKE OF THE OZARKS
Wood Deck
Wood Deck
Wood Deck
Wood Deck
Spike in Conc.
4.55'
Septic Lid
(N 58°34' E 50.3' Deed)
N 57°56'47" E 49.42'
(S 19°01' E 44.1' Deed)
S 18°48'08" E 43.46'
0.8'
Existing Mobile Home
N 48°56'47" E 24.70'
(N 49°34' E Deed)
2.4'
1.6'
Fnd. Spike in Conc.
N 54°53'24"
(N 55°28'
Fnd. Spike in Conc
52°03' W 45.6' Deed)
1°51'29" W 45.88'
PENNEL LANE





Green Home

Pennel Lane
Osage Beach, MO 65065

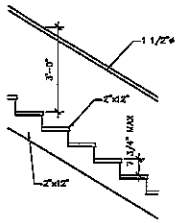
ELEVATION SHEET

Project Number: 22-110
Drawing Number: A200
Submission Date: 05.12.23

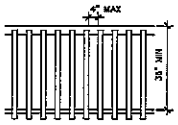
DONALD CAMPBELL DESIGN BUILD
1025 ELKS WAY
OSAGE BEACH, MO 65065
573.723.1003

Drawn By:

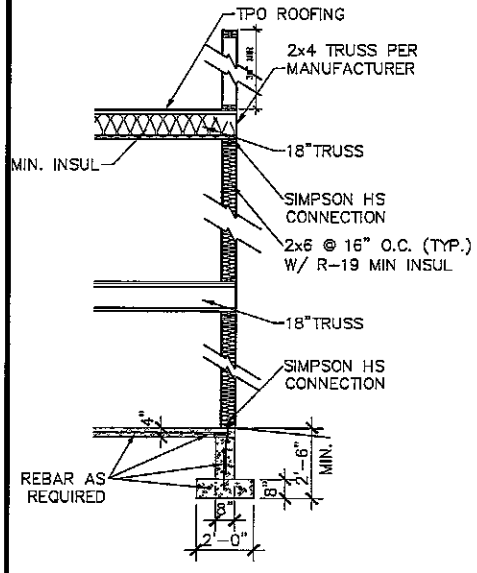
©



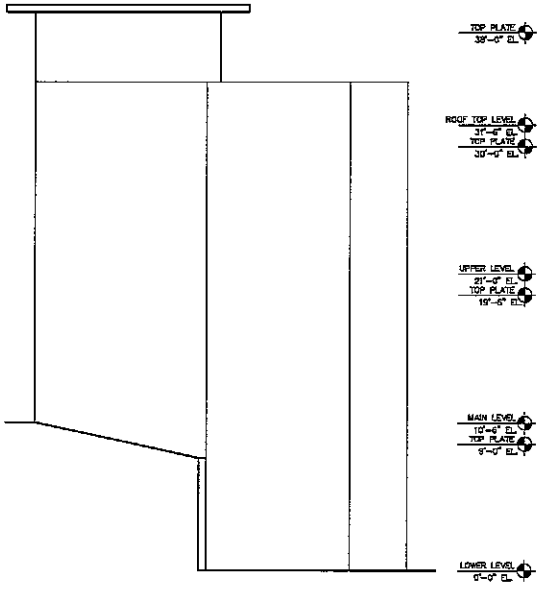
A5 STAIR SECTION
1/2" = 1'-0"



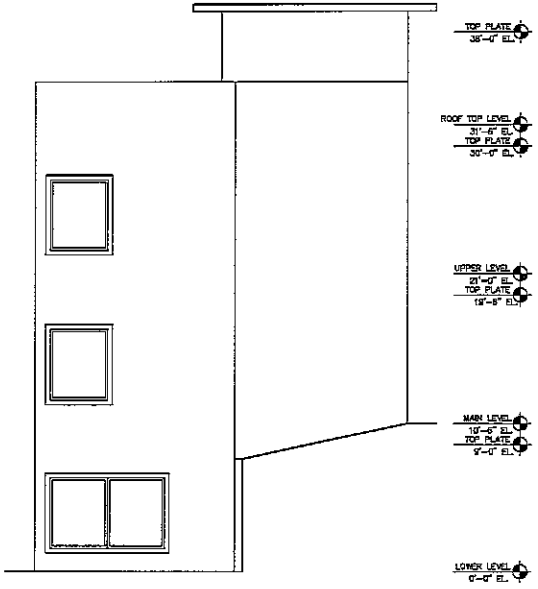
A4 GUARDRAIL DETAIL
1/2" = 1'-0"



A3 BUILDING SECTION
1/2" = 1'-0"



A2 EAST ELEVATION
1/4" = 1'-0"



A1 WEST ELEVATION
1/4" = 1'-0"

Drawn By:

DONALD CAMPBELL DESIGN BUILD
1025 ELKS WAY
OSAGE BEACH, MO 65065
573.723.1003

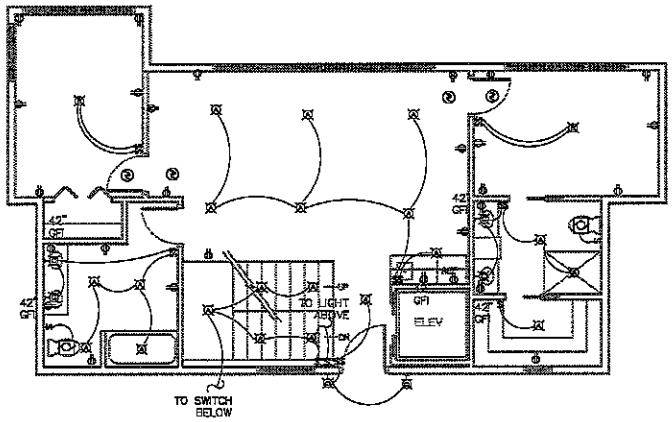
©

Green Home

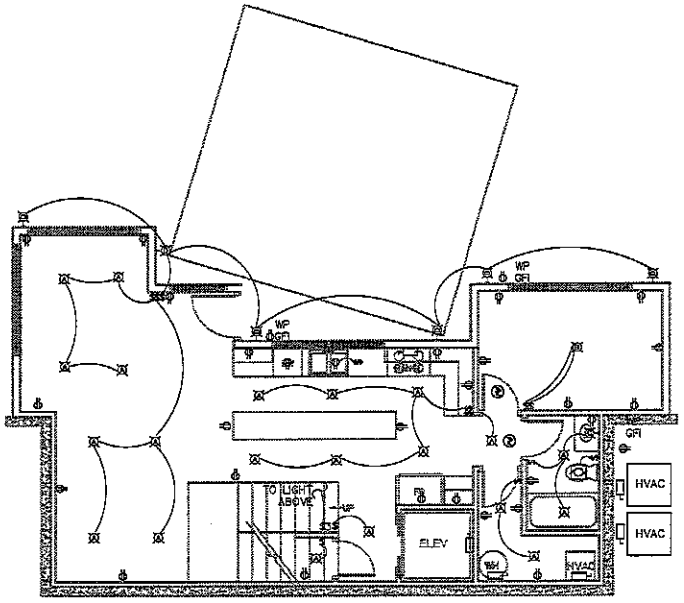
Pennel Lane
Osage Beach, MO 65065

ELEVATION SHEET

Project Number: 23-110	Drawing Number: A201
Submission Date: 05.15.23	



A2 MAIN LEVEL ELECTRICAL PLAN
1/4" = 1'-0"



A1 LOWER LEVEL ELECTRICAL PLAN
1/4" = 1'-0"

NOTE:
ALL OUTLETS "AFCI" AS REQUIRED
COAX & CAT 5 ALL ROOMS

- CAN LIGHT
- CEILING FAN WITH LIGHT
- WALL MOUNTED LIGHT
- EXTERIOR LIGHT
- CEILING FAN
- PENDANT LIGHT
- INDIRECT LIGHT
- EXHAUST FAN WITH LIGHT
- RECESSED STAIR LIGHT
- 4' FLUORESCENT LIGHT
- SMOKE/CO DETECTOR ALL HARDWIRE TOGETHER

Drawn By:

DONALD CAMPBELL DESIGN BUILD
1025 ELKS WAY
OSAGE BEACH, MO 65065
573.723.1003

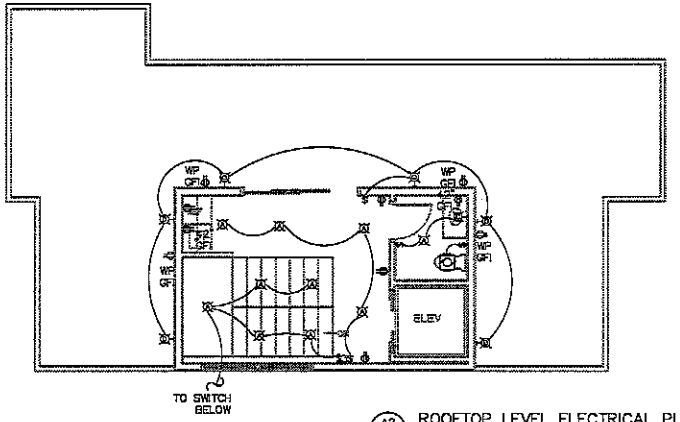
©

Green Home

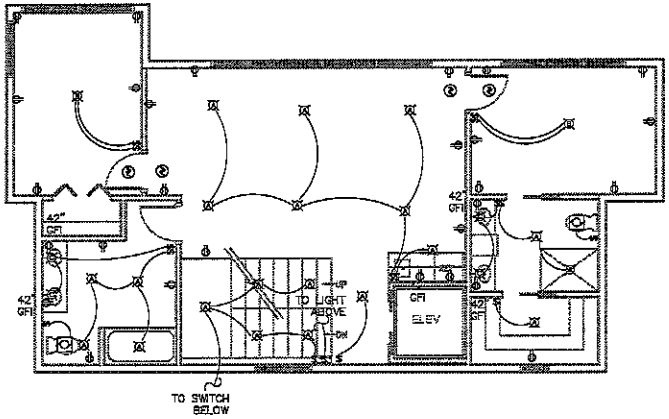
Pennel Lane
Osage Beach, MO 65065

ELECTRICAL PLAN

Project Number: 23-110
Submission Date: 05.15.23
Drawing Number: E100



A2 ROOFTOP LEVEL ELECTRICAL PLAN
1/4" = 1'-0"



A1 UPPER LEVEL ELECTRICAL PLAN
1/4" = 1'-0"

NOTE:
ALL OUTLETS 'AFCI' AS REQUIRED
COAX & CAT 5 ALL ROOMS

- CAN LIGHT
- CEILING FAN WITH LIGHT
- WALL MOUNTED LIGHT
- EXTERIOR LIGHT
- CEILING FAN
- PENDANT LIGHT
- INDIRECT LIGHT
- EXHAUST FAN WITH LIGHT
- RECESSED STAIR LIGHT
- 4' FLUORESCENT LIGHT
- SMOKE/CO DETECTOR ALL HARDWIRE TOGETHER

Drawn By:

DONALD CAMPBELL DESIGN BUILD
1025 ELKS WAY
OSAGE BEACH, MO 65065
573.723.1003

Green Home
Pennel Lane
Osage Beach, MO 65065

ELECTRICAL PLAN

Project Number: 25-110
Submission Date: 05.15.25
Drawing Number: E101

Date Submitted July 17, 2023

CITY OF OSAGE BEACH
BOARD OF ZONING ADJUSTMENT
REQUEST FOR REVIEW

NAME OF APPLICANT: Craig & Brooke Loo

MAILING ADDRESS: 10821 W. 140th St.

Overland Park, KS 66221

TELEPHONE: 913-957-6906

LOCATION OF PROPERTY: Be specific. Give directions to property. Include Lake Road and lot number. Attach legal description of property to this application. Please mark property in some way, i.e., distance from property lines with red paint, flags or stakes, indicating location of proposed variance.

4507 Cove Rd, Osage Beach, MO 65065 Lot 1 of Frank Clark's Subdivision

North Side Property Line Setback - Variance of 3.75 feet for a Setback Distance of 6.25 feet.

Lakefront Property Line Setback - Variance of 6.12 feet for a Setback Distance of 23.88 feet.

VARIANCE **FOR/FROM:**

APPEAL **FOR/FROM:**

List names and mailing addresses of the current adjoining property owners:
(Attach a separate sheet if necessary)

NAME	COMPLETE ADDRESS/WITH ZIP CODE
Vicky Simbro	4505 Cove Rd, Osage Beach, MO 65065
Allen & Janet Bednarek	1008 Dean St, St. Charles, IL 60174
Richard & Lisa Beckmann	4495 Cove Rd, Osage Beach, MO 65065

1016VarianceApplicationPacket12-17-2014

CITY OF OSAGE BEACH
BOARD OF ZONING ADJUSTMENT
QUESTIONNAIRE

1. SIZE OF PROPERTY: 13,977 sq. ft.

2. SOURCE OF UTILITIES: WATER: City of Osage Beach GAS: None
SEWER: City of Osage Beach ELECTRIC: Ameren

3. PRESENT USE OF PROPERTY: Single-Family Residential

4. PRESENT ZONING OF PROPERTY: R-1A

5. HAVE YOU PREVIOUSLY APPLIED FOR A VARIANCE ON THIS PROPERTY? Yes
IF SO, WHEN? December of 2021

6. HOW LONG HAVE YOU OWNED THE SUBJECT PROPERTY? 3 years

7. PLEASE LIST ANY EXISTING STRUCTURES ON THE PROPERTY AND THE YEAR BUILT.

8. DO YOU OWN ANY PROPERTY ADJACENT TO THE SUBJECT PROPERTY? No

9. WHY, IN YOUR OPINION IS YOUR CURRENT SITUATION, AND OR THE EXISTING SIZE /EXTENT OF THE USE NOT ACCEPTABLE?

The existing foundation that we would like to utilize is within the current setbacks. We would like to rebuild our home in its original location.

10. IS THERE ANY PARTICULAR HARDSHIP RELATED TO YOU OR YOUR PROPERTY OF WHICH THE BOARD SHOULD BE AWARE?

A house fire of our home requires us to rebuild. The concrete foundation has tested as acceptable for reuse. Removing and replacing the usable foundation will create a financial hardship on rebuilding, and delay us further.

11. LIST SPECIAL CIRCUMSTANCES WHICH ARE PECULIAR TO THE LAND STRUCTURE OR BUILDING IN QUESTION AND DO NOT GENERALLY APPLY TO THE NEIGHBORING LANDS, STRUCTURES OR BUILDINGS IN THE SAME DISTRICT OR VICINITY.

House fire.

12. LIST REASONS WHY STRICT APPLICATION OF THE PROVISIONS OF THE ZONING ORDINANCE WOULD DEPRIVE YOU OF REASONABLE USE OF THE LAND, STRUCTURE OR BUILDING IN A MANNER EQUIVALENT TO THE USE PERMITTED TO BE MADE BY OTHER OWNERS OF NEIGHBORING LANDS, STRUCTURES OR BUILDINGS IN THE SME DISTRICT.

The existing foundation is within the setback provisions.

13. WERE THESE SPECIAL CIRCUMSTANCES THE RESULT OF ANY ACTION TAKEN SUBSEQUENT TO MAY 10, 1984? YES NO

NOTE: Applications must be accompanied by additional information as outlined in the Board of Adjustment Application Procedures. (Page 1 of this packet). The Administrative Officer of the Zoning Ordinance will review the application for Variance and determine if sufficient date is contained to adequately describe the situation to the Board of Adjustment. If the date is not adequate, the Administrative Officer shall return the application to the applicant for additional information. Only completed applications shall be forwarded to the Board of Adjustment.

SIGNATURE OF APPLICANT: Brooke Fox

SIGNATURE OF PROPERTY OWNER: Brooke Fox

Checks should be made payable to the City of Osage Beach. Postage costs should be calculated and submitted with the $330.00 filing fee.

STATE OF ~~MISSOURI,~~ Kansas ER

COUNTY OF ~~CAMDEN,~~ Johnson ER

Subscribed and sworn to me before me, the 24th day of July 20 23

Notary Public Elisa Reynolds

My Commission expires: (stamp) (seal)

NOTARY PUBLIC - State of Kansas
ELISA REYNOLDS
My Appt. Exp. 7/29/2026

1016VarianceApplicationPacket12-17-2014

July 18, 2023

Dear City of Osage Beach,

Craig and Brooke Loo are requesting another variance to rebuild our property at 4507 Cove Rd. Osage Beach, MO 65065 in the existing location so we are able to us the existing foundation which has been tested and verified by Miller Companies that the foundation is still good. We were unable to complete the 1 year rebuilding and permit process from December 15, 2021 due to the inability of being able to find a builder at the lake. We found a builder, Joe Elder from Overland Park, KS in April 2023 who plans to start the rebuilding process in September of 2023. We apologize it has taken awhile to get this process started but really hope it will be completed sometime next year!

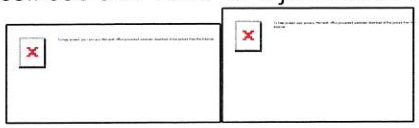
Thank you for your time!
Brooke/Craig Loo

Cary Patterson

From: Janet Bednarek <janetbednarek123@gmail.com>
Sent: Wednesday, August 2, 2023 7:35 AM
To: Cary Patterson
Subject: Case No. 349 4507 cove Rd

Good morning,
Per our conversation 8/1/23, we are unable to attend the meeting 8/16/23.
I understand this was already approved, didn't meet the expiration date, so has to be reprocessed.
We are owners of 4511 Cove Rd, we share the driveway and are informing you that we are fine with any construction machinery, vehicles and workers utilizing our property when needed for the completion of the home.
We do ask that the fence that is blocking access to the lower driveway, which is actually our property be removed to block only access to the other half of the access to their property.
My husband needs to drive down to that lower driveway as he is weak from his ongoing illness and cannot walk up the hill. It takes everything he can muster to make it up the steps and for that he has to sit after every 2 or 3 steps.
We hope all goes smoothly for the Loo family, and look forward to seeing the completed home.
Respectfully,

Janet Bednarek Broker ABR SRS RENE PSA CSC SRES
cell 630 514-4325 text janetexit to 85377



Women's Council of Realtors West Suburban President 2020, President Elect 2019, Secretary 2018
Toastmasters International VP Education2020, Secretary 2019, Vice President PR 2018
Mainstreet Organization of Realtors
Senior Services Committee 2020-2021
Grievance Committee 2020-2023

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

PLANNING DEPARTMENT
REPORT TO
BOARD OF ADJUSTMENT

Date:	August 16, 2023	**Case Number:**	**349**

Applicant: Craig & Brook Loo

Location: 4507 Cove Road (behind 4505 Cove Road)

Petition: Variance from minimum setback requirements

Purpose: Rebuild dwelling on an existing foundation (structure destroyed by fire)

Existing Use: Single-family home

Zoning: R-1a (Single Family)

Tract Size: 13,977 sq ft

Case History	**Case #**	**Date**
Variance	345	12/15/21

Utilities

Water:	City	**Gas:**	Summit
Electricity:	Ameren	**Sewer:**	City

Access: The subject property derives access from Cove Road

Analysis:

1. The applicant is the owner of the property in question. The property is a platted lot designated as "Lot 1 of Frank Clark's Subdivision" and is designated with the physical address 4507 Cove Road.

2. The dwelling structure at the subject location was destroyed by fire in June of 2021. At the time it was destroyed, the dwelling was a legal non-conforming structure. The applicants are requesting a variance from setback regulations to rebuild the structure on the existing foundation. The applicants have had an engineer do a structural evaluation of the existing foundation and it was found to be capable of handling the new structure. That report and statement will be submitted to the Building Official with the building permit application if the requested variance is approved.

3. The applicant is requesting a variance to rebuild a dwelling on an existing foundation that will be 6.25 ft. from the side property line and 23.88 ft. from the rear property line at its closest point. Approval of the requested variance will allow the city to issue a legal building permit to construct the dwelling as per the submitted site plan. The minimum required side yard setback in the R-1a zone is ten (10') feet from the side property line and the required setback in the rear is thirty (30') feet from the lakeside property boundary.

4. The applicant was granted a variance by the Board of Zoning Adjustment in December 2021, but failed to use the variance within a year which resulted in the variance being cancelled. This is the reason that the applicant is before the Board once again, requesting the same variance relief.

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. The variance must be used within one year of the approval date.

NORTH

Variance Case
349 Location Map

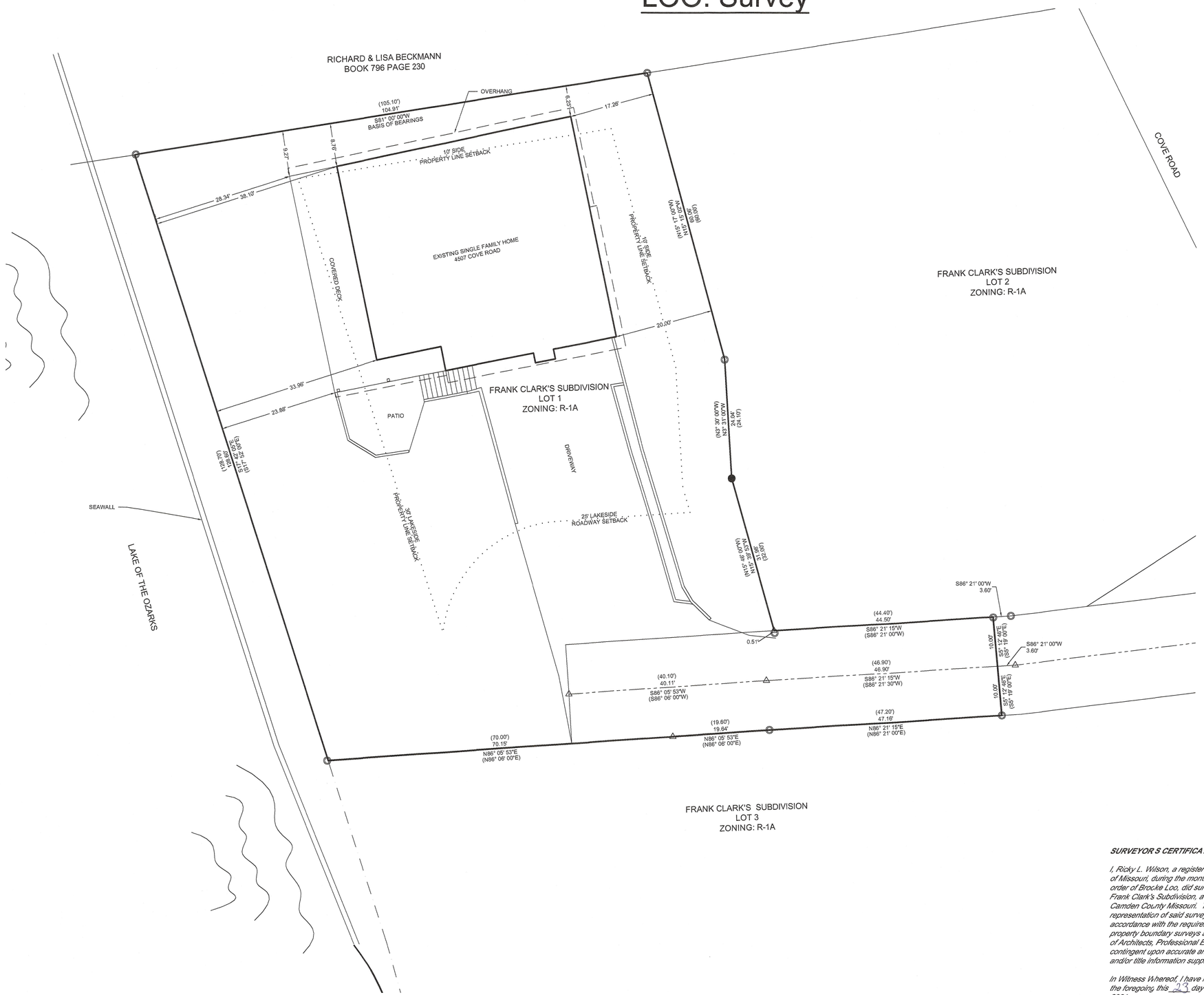
LOO: Survey

Note:

1. Bearings and Distances in parenthesis are from recorded deed(s) and/or plat(s).

2. All monuments found are 3/8" iron pins and all set monuments are 1/2" iron pins, unless otherwise noted.

3. Property is Zoned R-1.



0 10 20 30

GRAPHIC SCALE-FEET
SCALE 1" = 10'

LEGEND

Standard symbols that may appear on this drawing

- Shoreline
- Centerline of Road
- R-O-W Line
- Property Line
- Setbacks
- Old Lot Line
- Structures
- Fence Line
- Closure Line
- Treeline
- Found Monument
- Set Monument
- No Found or Set Monument
- Government Corner
- Right-of-way Marker
- Grinder Pump
- Utility Pole
- Lift Station
- Telephone Box
- Sign
- Sewer Valve
- Manhole
- Cleanout
- Tree
- WV Water Valve
- Electric Box
- Water Meter
- Water Hydrant
- Cable TV

Class of Survey: URBAN

SURVEYOR S CERTIFICATE

I, Ricky L. Wilson, a registered Land Surveyor in the State of Missouri, during the month of September, 2021, by order of Brocke Loo, did survey, and monument Lot 1 of Frank Clark's Subdivision, a subdivision of Record at Camden County Missouri. The attached plat is a representation of said survey. The survey was performed in accordance with the requirements of the standards for property boundary surveys adopted by the Missouri Board of Architects, Professional Engineers and Land Surveyors, contingent upon accurate and complete deed, easement and/or title information supplied to me by the client.

In Witness Whereof, I have hereunder signed and sealed the foregoing this 23 day of September, 2021.

Ricky L Wilson

Ricky L. Wilson
MO. REG. NO. L.S. 2638

DRAWING DATE:	09/23/2021
REVISIONS:	
DRAWN BY:	LRS
SCALE:	1" = 10'
PROJECT #:	21245
SHEET:	1 OF 1
FIELD BOOK:	M-304 PG 1

MO Certificate of Authority No. E-2011027014

LOT 1 OF FRANK CLARK'S SUBDIVISION
SECTION 1, TOWNSHIP 39 NORTH, RANGE 16 WEST
CAMDEN COUNTY, MISSOURI

MILLER COMPANIES
Engineering • Land Surveying • Environmental Services
P.O. BOX 282, OSAGE BEACH, MO 65065
Eng. (573)348-9799 Surv. (573)348-3532 Fax (573)348-2894
www.millercos.com

STATE OF MISSOURI
LS-2638
RICKY L. WILSON
REGISTERED LAND SURVEYOR

SEAL

FILE LOCATION: M800:\Projects\PROJECTS\LOO, CRAIG AND BROOKE\21245 - Lot 1 Frank Clarks Sub\21245 Lot 1 Frank Clarks Sub.dwg