**Camden County Lake Area Board of Adjustment**

 **January 22, 2025**

**MINUTES**

**Members: Staff:**

**Dave Schlenfort (C) Jennifer Eblen – Administrator**

**Laura Martin Brent Hubbard - Asst. Administrator**

**Chris Cisar Annette Miller – Permit Coordinator**

**Brian Schuster**

**John Beckett**

The meeting was called to order by Chair Dave Schlenfort at 5:30 PM. The Assistant Administrator Hubbard established a quorum five (5) of five (5) members present.

Asst. Administrator Hubbard read the rules of procedure for the record.

Beckett makes a motion to approve October 23, 2024 minutes, second by Cisar, four (4) of five (5) members approve. Laura Martin abstained from voting. (**APPROVED 4/5**).

**Old business: NONE**

**New Business:**

**PZ24-0169 Phillips:** A request by Randy & Dawn Phillips for a roadside & a two-sided variance. Requesting a variance of 7.3’ to the required 10’ Eastside setback for a new Eastside setback of 2.7’, a variance of 5.9’ to the required 10’ Westside setback for a new Westside setback of 4.1’ and a variance of 10.3’ to the required 15’ roadside setback for a new roadside setback of 4.7’. The property is located at 327 Little Island Dr., Roach, MO and is in S12-T38N-R18W. The tax parcel number is 14-1.0-12.0-001.0-001-002.000.

 Zach Sousley, contractor for Phillips is present. He states the stakes on the project were moved at some point in time. Sousley admits he should have double checked the stakes prior to building and that he should have got a second survey to make sure they were in setbacks and he didn’t. The error was discovered when the as-built was provided to the Planning and Zoning office.

He states the home is conforming to the area, many of the homes are close to the setbacks. The original plans showed a larger garage and they actually cut seven feet off of it.

No one is present in favor or opposition.

Thersia, a resident in the area does have questions. She wants to make sure the road is not blocked or impeded on any further if the variance is granted.

Beckett asks if she has any objections to how it is built now, she states she does not. The contractor shows her the survey to show where the house is located on the property.

Cisar makes a motion to approve, second by Beckett, five (5) of the five (5) members vote to approve **(APPROVED 5/5).**

**PZ24-0174 Johnsen/S & S Custom Homes:** A request by S & S Custom Building/Donald Johnsen for a one-sided variance. Requesting a variance of 4.21’ to the required 10’ side setback for a new side setback of 5.79’. The property is located at 135 Sandpiper Dr., Camdenton, MO and is in S05-T38N-R17W. The tax parcel number is 13-3.0-05.0-000.0-001-077.008.

Zach Sousley, S & S Custom Homes is representing the property owner. Owner Donald Johnsen, is present. Sousley states the owner is wanting more storage space on flat ground. He would like to square off the garage with the house, adding storage and a bathroom.

The board has questions regarding the site plan. Sousley clarifies, shows the board exactly where the addition will be and the corner that is encroaching on the setback.

No one is present to speak in favor or in opposition of the requested variance.

Schuster makes a motion to approve, second by Beckett, five (5) of the five (5) members vote to approve **(APPROVED 5/5).**

**PZ24-0181 Dunn:** A request by Kevin & Susan Dunn for a roadside variance. Requesting a variance of 7’ to the required 15’ roadside setback for a new roadside setback of 8’. The property is located at 268 Aspen Ln., Sunrise Beach, MO and is in S05-T39N-R16W. The tax parcel number is 08-3.0-05.1-000.0-002-026.000.

Applicant is present and states they would like to do a garage addition. He can’t build further back his well is located in back.

Schlenfort asks what the hardship is. Applicant states they are trying to set his home up for future, old age. His mother is handicapped and in a handicap van.

Schlenfort asks if the garage will have a straight shot into the home. Applicant states yes it is, everything is wheelchair accessible.

No one is present to speak in favor or in opposition of the requested variance. Schlenfort reads correspondence that was sent in who is in opposition of the variance request.

Beckett makes a motion to approve, second by Schuster, five (5) of the five (5) members vote to approve **(APPROVED 5/5).**

**PZ24-0182 Fritz:** A request by John & Nancy Fritz for a two-sided variance. Requesting a variance of 4.5’ to the required 10’ Northside setback for a new Northside setback of 5.5’ and a variance of 1.5’ to the required 10’ Southside setback for a new Southside setback of 8.5’. The property is located at 38 Rod N Reel Dr., Camdenton MO and is in S06-T38N-R17W. The tax parcel number is 13-3.0-06.0-000.0-001-041.000.

Applicant states when they purchased the home back in October they made the mistake of assuming it was built within the setbacks and thought it would be alright to add on. They found out it was not within setbacks. They would like an addition to make the existing bedrooms larger. If they were to build on the other side it would impede on the neighbors view. The Board of Adjustment does not regulate views.

Hubbard states Planning and Zoning does not like to bring cases like this to the board, applicants were aware of what they purchased when they bought it.

Schlenfort asks if there is anyone in favor of the request.

Al Wilson is present and states this property was part of the old Rod N Reel Resort. The house was originally a 16’ x 20’ fishing cabin at the resort.

No one is present in opposition.

Martin makes a motion to approve, second by Beckett, five (5) of the five (5) members vote to

Approve **(APPROVED 5/5).**

**PZ24-0186 Dunn:** A request by Jeff & Gaylene Dunn for a roadside variance. Requesting a variance of 10’ to the required 15’ roadside setback for a new roadside setback of 5’. The property is located at 228 Aspen Ln., Sunrise Beach, MO and is in S05-T39N-R16W. The tax parcel number is 08-3.0-05.1-000.0-002-027.000.

Variance request is for new construction.

Applicant is present and states he would like to have a level driveway as opposed to having a steep incline. He would like the house and garage to come straight off the road. He is the brother to case PZ24-0181 heard earlier, mother is in a wheelchair. He is wanting to install an elevator to make access easier for his mother. There was a discrepancy on the site plan submitted. Dunn approaches board and clarifies where garage and home are going on the property.

Schlenfort reads a letter of opposition.

Cisar asks the size of the garage, applicant states it is a two-car garage, twenty-six feet.

Cisar states she does not like to approve new construction. She states they are creating their hardship. Schuster and Schlenfort agree. However since they are trying to plan for the future and for his mother and they are wanting it ADA compliant, they understand.

Beckett makes a motion to approve, second by Schuster, five (5) of the five (5) members vote to

Approve **(APPROVED 5/5).**

**Board Discussion:** Board elects Dave Schlenfort to continue with Chair duties of the board.

Hubbard states in the ULUC the Planning and Zoning Administrator can reject new construction. The applicant has the right to reject the decision and appeal to the Board of Adjustments to hear their request. Hubbard asks if the board is comfortable with Planning and Zoning administratively approving some of the variance requests at their discretion. For example, anyone who is creating their own hardship by over building their lot.

The Board agrees that Planning and Zoning can approve or deny certain variance requests.

Motion to adjourn, all in favor, **(ADJOURNED).**

Chair Administrator