

**CITY OF LAKE OZARK**  
A Missouri Municipality of the 4th Class

**BILL NO.: 2023-09**

**ORDINANCE NO.: 2023-09**

**AN ORDINANCE ADOPTING THE FINDINGS AND RECOMMENDATION OF  
THE PLANNING AND ZONING COMMISSION OF THE CITY OF LAKE  
OZARK CONCERNING A REZONING REQUEST FOR A CERTAIN 3.7 ACRE  
PARCEL OF LAND OWNED BY MCM DEVELOPMENT, LLC**

**WHEREAS**, the owner(s) or the designated representative of the owner(s) (“Applicant”) of the real property legally described as 3.7 Acres in Section 20, Township 40, Range 15, Parcel ID No. 12402002003006000 as more specifically identified in the attached Exhibit 1, (“Property”) has filed an application for rezoning (“Application”) with the Planning and Zoning Commission of the City of Lake Ozark, Missouri (“Commission”) to rezone said Property from its current designation of R-1 to C-2; and

**WHEREAS**, the Commission held a public hearing on March 1, 2023 on the Application to rezone the Property with notice of said public hearing being properly published, posted, and given to residents of the City of Lake Ozark, Missouri and the property owners residing within 185 feet of the Property; and

**WHEREAS**, after hearing evidence from the Applicant and the citizens being given opportunity to be heard, the Commission deliberated on the Application, made findings of fact, and recommended that the Board of Aldermen of the City of Lake Ozark approve the Application; and

**WHEREAS**, the procedure set forth in the zoning code relating to zoning have in all matter been complied with;

**NOW, THEREFORE, BE IT ENACTED BY THE BOARD OF ALDERMEN OF THE CITY OF LAKE OZARK, MISSOURI AS FOLLOWS:**

**Section 1 of this Ordinance:** The Board of Aldermen of the City of Lake Ozark, Missouri hereby adopts the findings of fact and recommendation of the Commission with respect to the Application to rezone the Property from R-1 Single Family to C-2 General Commercial as requested by the Applicant. Accordingly, the Application to rezone the Property as requested by the Applicant is hereby granted. A copy of the Commission’s findings of fact and recommendation is attached hereto as Exhibit 2 and incorporated herein by this reference.

**Section 2 of this Ordinance.** This ordinance shall take effect upon its lawful, final passage by the Board of Aldermen.

First Reading: March 14, 2023

Second Reading: March 28, 2023

DULY READ AND APPROVED THIS 28th DAY OF MARCH 2023.

Alderman Wright	Aye
Alderman Watts	Aye
Alderman Thompson	Aye
Alderman Neels	Aye
Alderman Jackson	Aye
Alderman Ridgely	Aye

APPROVE:

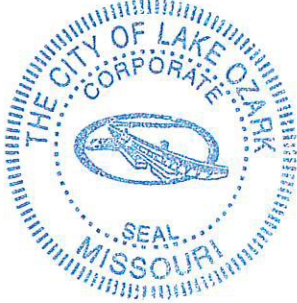
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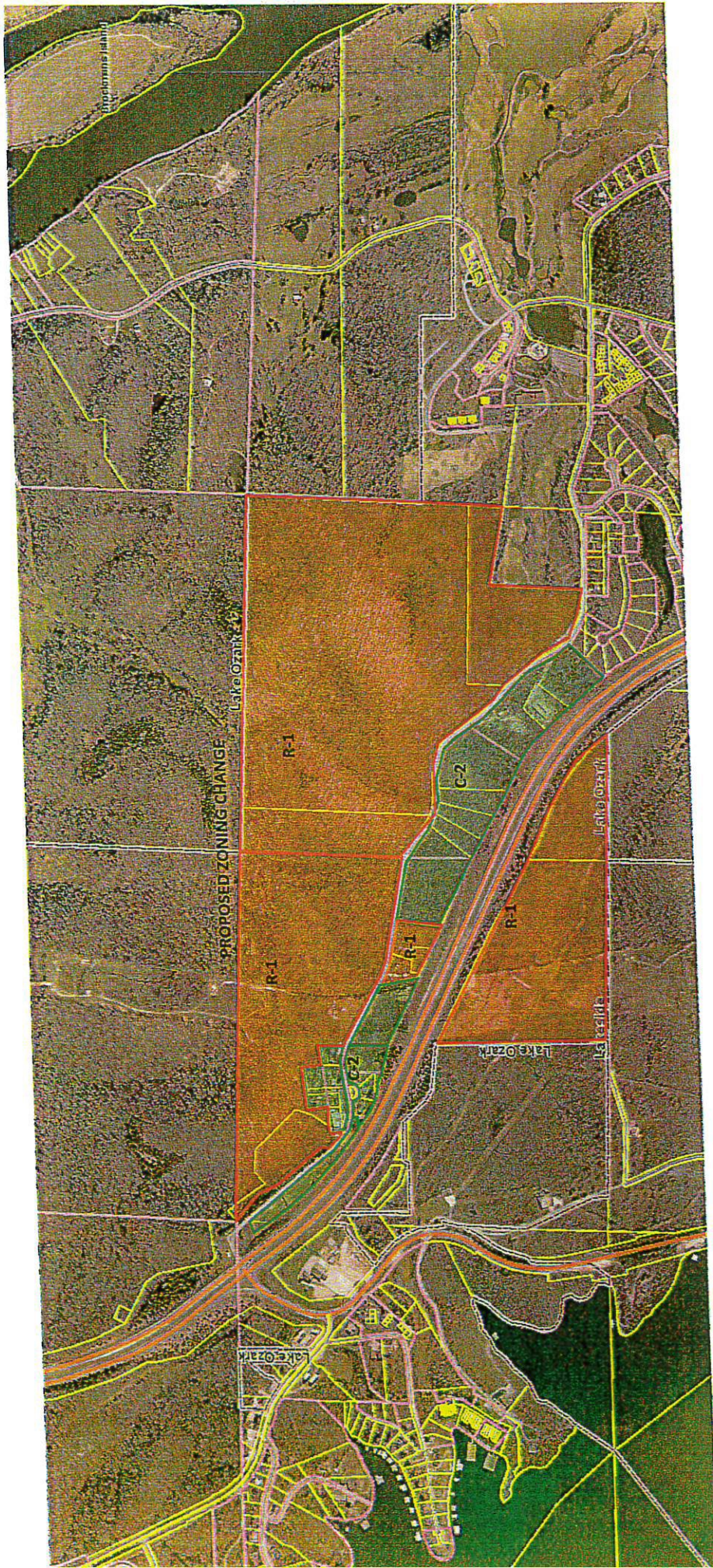
MAYOR:

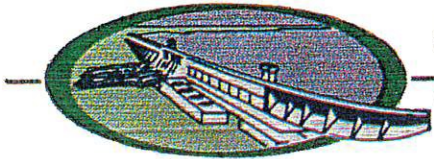
CITY CLERK

  
 Dennis Newberry

  
 Kathy Vance







# City of Lake Ozark

At Bagnell Dam — Lake of the Ozarks

## Findings of Fact – MCM Change of Zoning Request

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Regarding the application for change in zoning classification named above, the Planning and Zoning Commission has submitted the following findings of fact:

This application for rezoning is for 1 vacant parcel with an R-1 zoning classification. The property was recently acquired by the applicant in a 2022 land auction. As the Commission reviews this application for rezoning, they must make seven findings of fact.

- 1.) **Character of the neighborhood.** *Presently, there are a mix of single-family homes and commercially-approved buildings in the immediate area. There is also vacant land nearby, separate from this lot.*
- 2.) **Consistency with the Comprehensive Plan and ordinances of the City of Lake Ozark.** *This rezoning would be consistent with the current Comprehensive Plan, outlining the entryway to Osage Hills Road as ideal for a mix of low-intensity commercial and residential uses.*
- 3.) **Adequacy of public utilities and other needed public services.** *Property is located upon a city-maintained road and it is not anticipated that development of this site would induce traffic volumes of such scale to require a road design or improvements. City water and sewer lines are in excess of 300 feet from the development area, which would not require the Applicant to connect. Applicant is aware that utility extensions are not currently planned for this area, so privately-funded extensions or privately-maintained systems would be necessary.*
- 4.) **Suitability of the uses to which the property has been restricted under its existing zoning.** *Based on lot makeup, an R-1 single family structure would be suitable for this lot, though in its current dimension, much of the land would likely go unused.*
- 5.) **Compatibility of the proposed district classification with nearby properties.** *Presently, nearby properties are classified as a mix of R-1 and C-2 designations. Many of the surrounding lots have been developed with both categories of permitted uses present- single family homes, storage units, contractors' offices, and a maintenance building for the golf course.*
- 6.) **The extent to which the zoning amendment may detrimentally affect nearby property.** *No anticipated detriment to nearby property owners. The owner/occupant of the single family home immediately adjacent to the lot has not contacted the city with concerns at this point.*
- 7.) **Whether the proposed amendment provides a disproportionately great loss to the individual land owners nearby relative to the public gain.** *Based on other recent changes in zoning classification, approved site plans, and long range planning efforts of the city, this is not anticipated.*

Department of Community Development

City of Lake Ozark, MO

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