

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

**BILL NO.: 2023-10**

**ORDINANCE NO.: 2023-10**

**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 10.4 ACRE  
PARCEL OF LAND OWNED BY LAKESIDE DEVELOPMENT, LLC**

**WHEREAS**, the owner(s) or the designated representative of the owner(s) (“Applicant”) of the real property legally described as 10.4 Acres in Section 25, Township 40 N, Range 16 W, Parcel ID Nos. 0170250000005019000, 0172500000007006000 and 0170250000007005000 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-2 to R-3; 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-2 Two Family Dwellings to R-3 Multi-Family Dwellings 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

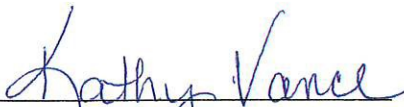
**APPROVE:**

**ATTEST:**

**MAYOR PRO TEM:**

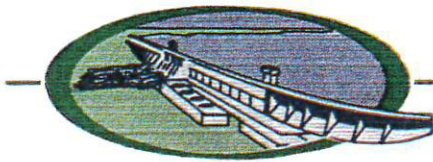
**CITY CLERK**

  
\_\_\_\_\_  
**David Ridgely**

  
\_\_\_\_\_  
**Kathy Vance**







# City of Lake Ozark

At Bagnell Dam — Lake of the Ozarks

## Findings of Fact – Lakeside Village Change of Zoning Request

---

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 a series of vacant parcels and partial parcels with current classifications of R-2 Two-Family Dwelling and C-2 General Commercial Districts.

- 1.) **Character of the neighborhood.** *Presently, there are a mix of commercial structures (grocery stores, restaurants, banks, office complexes) in close vicinity to the site, as well as an under-construction service station, and (outside the city limits) a vacant building. This site is in the key commercial corridor of the city.*
- 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 site as a part of the city's business district and as a piece of land specifically targeted for high-density housing development.*
- 3.) **Adequacy of public utilities and other needed public services.** *Property is located upon the intersection of a city-maintained road, a state-maintained road, and a road currently maintained by a special road district outside our jurisdiction. Based on the size of the site, if fully developed, it is possible that road or traffic improvements could be a necessary feature of a future development plan. City water and sewer mains are in close proximity to the property, and would be able to service the site.*
- 4.) **Suitability of the uses to which the property has been restricted under its existing zoning.** *The lots currently given a C-2 classification appear to be an appropriate fit and would allow for optimal development conditions. The R-2 designation does not appear to be a suitable designation for the lakeside portion of the site, which would likely be better suited for high-dollar single family homes or high-density housing structures, similar to condominiums already present throughout the city and lake region.*
- 5.) **Compatibility of the proposed district classification with nearby properties.** *With most nearby properties maintain a C-2 classification, this should not create issues with the surrounding area. Because the R-3 classification and approved uses are considered by our code to be downzoned from C-2 classification, development of specific lakeside lots to feature high density housing developments would be compatible in the area.*
- 6.) **The extent to which the zoning amendment may detrimentally affect nearby property.** *It is not anticipated that this change of zoning would have a negative impact on neighboring property owners.*
- 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

P.O. Box 370 Lake Ozark, MO 65049

Phone 573-365-5378 Fax 573-365-4515