

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

**BILL NO.: 2023-67**

**ORDINANCE NO.: 2023-67**

**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 6.97 ACRE  
PARCEL OF LAND OWNED BY LAKEFRONT APARTMENTS, LLC**

**WHEREAS**, the owner(s) or the designated representative of the owner(s) (“Applicant”) of the real property legally described as 6.97 Acres in Section 31, Township 40, Range 15, Parcel ID No. 129031002001001000 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 C-2 Commercial and R-2 Medium Density Residential to entirely C-2 General Commercial; and

**WHEREAS**, the Commission held a public hearing on December 6, 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 C-2 General Commercial and R-2 Medium Density Residential to entirely 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: December 12, 2023**

**Second Reading: January 9, 2024**

**DULY READ AND APPROVED THIS 9th DAY OF JANUARY 2024.**

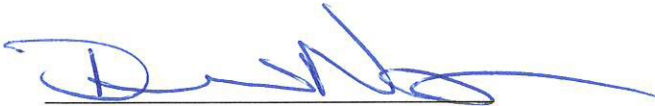
Alderman Denny	Aye
Alderman Watts	Aye
Alderman Thompson	Aye
Alderman Neels	Aye <i>Absent</i>
Alderman Jackson	Aye
Alderman Ridgely	Aye


**APPROVE:**

**ATTEST:**

**MAYOR:**

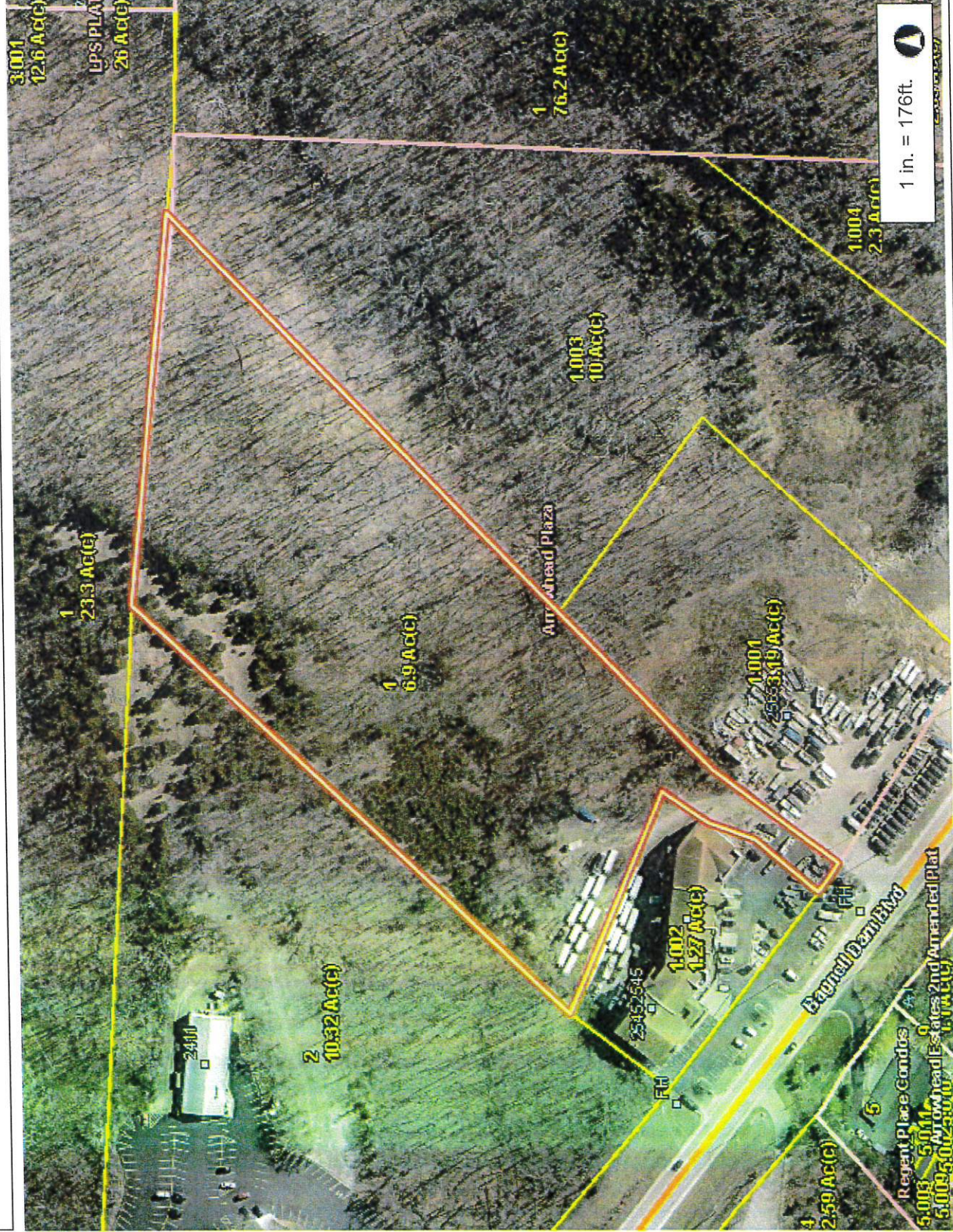
**CITY CLERK**

  
Dennis Newberry

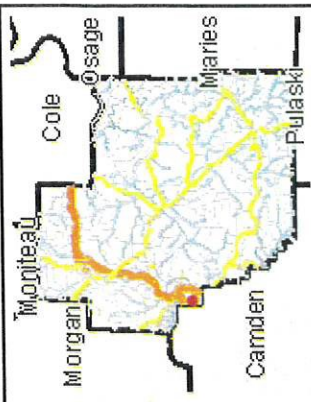
  
Kathy Vance



# Miller County, MO



1 in. = 176ft.



### Legend

- Road**
  - US Hwy
  - State Hwy
  - All Other
- Corporate Limit
- Subdivision
- Address Point
- Parcel
- Parcel Number/Acres
- Misc Text
- Original Lot
- County Boundary

### Notes

This Cadastral Map is for informational purposes only. It does not purport to represent a property boundary survey of the parcels shown and shall not be used for conveyances or the establishment of property boundaries.

THIS MAP IS NOT TO BE USED FOR NAVIGATION



- 1.** Character of the neighborhood. *Planning and Zoning Commission finds that surrounding parcels are developed with a mix of commercial projects of varying intensity and a variety of uses.*
- 2.** Consistency with the Comprehensive Plan and ordinances of the City of Lake Ozark. *Planning and Zoning Commission agrees that the piece of land identified in this request is within an area targeted for commercial and multifamily development, which would be permitted by this request.*
- 3.** Adequacy of public utilities and other needed public services. *Planning and Zoning Commission finds that public water and sewer mains with sufficient service capacity exist at the entrance of the site, and there is electrical service active on the site.*
- 4.** Suitability of the uses to which the property has been restricted under its existing zoning. *Planning and Zoning Commission concurs with property owner that medium- and low-density housing projects permitted by the current zoning classification are not the highest use for the site.*
- 5.** Compatibility of the proposed district classification with nearby properties. *Planning and Zoning Commission finds that the new designation currently exists in multiple areas throughout the community near R-2 zoning classifications, which is also present adjacent to the property.*
- 6.** The extent to which the zoning amendment may detrimentally affect nearby property. *Planning and Zoning Commission finds no adverse effect to this zoning district amendment.*
- 7.** Whether the proposed amendment provides a disproportionately great loss to the individual land owners nearby relative to the public gain. *Planning and Zoning Commission finds that there is no apparent loss for nearby property owners.*

