

## PLANNING AND ZONING AGENDA

August 4, 2021 @ 5:00 pm

Lake Ozark City Hall

### AGENDA

#### **MEMBERS:**

Chairman, Margaret Davis  
Vice Chairman/ Secretary, Rick Hasty  
Commissioner, Ethan Shackelford  
Commissioner, Mike Kolar  
Commissioner, Larry Buschjost  
Commissioner, Mike Otten  
Mayor, Dennis Newberry  
City Attorney, Christopher Rohrer  
Director of Community Development, Harrison Fry

#### **CALL TO ORDER**

#### **ROLL CALL**

**APPROVAL OF MINUTES:** July 7, 2021, Regular Meeting.

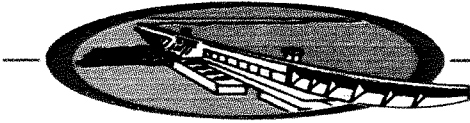
**OPEN FORUM:** This time is set aside for the Public to address the P & Z Commission. The P & Z Commission cannot take action on any item not listed on the Agenda, but do welcome and value input and feedback from the public. Speakers will be restricted to three minutes for non-agenda items; five minutes for agenda items unless otherwise permitted. Minutes may not be donated or transferred from one speaker to another.

**STAFF REPORT:** Written

**OLD BUSINESS:** None at this time.

#### **PUBLIC HEARING:**

1. Public hearing and action regarding a rezoning of four parcels (ID# 1290320000000200, 129032002001002000, 129032002001003000, 129032002002001000; Section 32, Township 40N, Range 15W) along State Route 242 and South Fish Haven Road from R-1 Residential Low-Density to C-2 – General Commercial. The application includes a request to change the Zoning District Classification for two parcels (ID# 129032002003009000, 129032002001019000; Section 32, Township 40N, Range 15W) along South Fish Haven Road from R-1 Residential Low-Density to R-3 Residential High-Density. The application also includes a request to change the Zoning District Classification for thirteen parcels (ID# 129032002001016001, 129032002001016000, 129032002001015000, 129032002001014000, 129032002001012000, 129032002001004000, 129032002001005000, 129032002001006000, 129032002003008000, 129032002003007000, 129032002003005000, 129032002003004000, 129032002003003000; Section 32, Township 40N, Range 15W) along South Fish Haven Road and Forest Hills Road from M-S Manufactured Home Park Residential to R-3 Residential High-Density.



**PLANNING AND ZONING AGENDA**

**August 4, 2021 @ 5:00 pm**

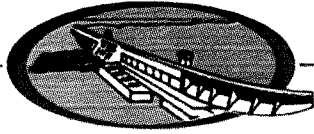
**Lake Ozark City Hall**

**AGENDA, continued**

**NEW BUSINESS:**

1. Discussion and action regarding an application for a rezoning of four parcels (ID# 1290320000000200, 129032002001002000, 129032002001003000, 129032002002001000; Section 32, Township 40N, Range 15W) along State Route 242 and South Fish Haven Road from R-1 Residential Low-Density to C-2 – General Commercial. The application includes a request to change the Zoning District Classification for two parcels (ID# 129032002003009000, 129032002001019000; Section 32, Township 40N, Range 15W) along South Fish Haven Road from R-1 Residential Low-Density to R-3 Residential High-Density. The application also includes a request to change the Zoning District Classification for thirteen parcels (ID# 129032002001016001, 129032002001016000, 129032002001015000, 129032002001014000, 129032002001012000, 129032002001004000, 129032002001005000, 129032002001006000, 129032002003008000, 129032002003007000, 129032002003005000, 129032002003004000, 129032002003003000; Section 32, Township 40N, Range 15W) along South Fish Haven Road and Forest Hills Road from M-S Manufactured Home Park Residential to R-3 Residential High-Density.
2. Discussion and action regarding an application for preliminary and final plat for 2 lots (3.73 acres) along Forest Hills Road, Fish Haven Road, and Hickory Drive.

**ADJOURNMENT:** Date of next Regular Meeting is September 1, 2021, at 5:00 p.m.



# City of Lake Ozark

At Bagnell Dam — Lake of the Ozarks

## LAKE OZARK PLANNING AND ZONING COMMISSION

Minutes of Meeting  
July 7, 2021 @ 5:00 PM  
Lake Ozark City Hall

### **CALL TO ORDER:**

The regular meeting of the Planning and Zoning Commission was called to order at 5:00 p.m., Wednesday, July 7, 2021, by Chairman, Margaret Davis.

### **ROLL CALL:**

Present – Chairman, Margaret Davis  
Present – Vice Chairman/Secretary, Rick Hasty  
Present – Commissioner, Ethan Shackelford  
Present – Commissioner, Mike Kolar  
Present – Commissioner, Larry Buschjost  
Absent – Commissioner, Mike Otten  
Present – Mayor, Dennis Newberry  
Present – City Attorney, Christopher Rohrer  
Present – Director of Community Development, Harrison Fry

### **APPROVAL OF MINUTES:**

Chairman Davis requested a motion to approve the minutes of the June 2, 2021 meeting. Commissioner Kolar made the first motion for approval which was seconded by Commissioner Shackelford and unanimously approved.

### **OPEN FORUM:**

This time is set aside for the Public to address the P & Z Commission. The P & Z Commission cannot take action on any item not listed on the Agenda, but do welcome and value input and feedback from the public. Speakers will be restricted to three minutes for non-agenda items; five minutes for agenda items unless otherwise permitted. Minutes may not be donated or transferred from one speaker to another.

**STAFF REPORT:** Written.

**OLD BUSINESS:** None at this time.

### **PUBLIC HEARING:**

Chairman Davis asked for a motion to open the public hearing. Commissioner Shackelford made the first motion which was seconded by Commissioner Kolar. All were in favor and the motion passed.

Public hearing and action regarding a Special Use Permit submitted by George Tucker of the Neon Taco to allow an accessory structure at 1076 Bagnell Dam Blvd.

Director of Community Development Fry presented the Findings of Fact to the Commission and asked the Commission to answer a list of questions regarding the structure.

1. The location and size of the proposed use in relation to the site and to adjacent sites and uses of property and the nature and intensity of operations proposed thereon.
2. Accessibility of the property to police, fire, refuse collection and other municipal services; adequacy of ingress and egress to and within the site; traffic flow and control; and the adequacy of off-street parking and loading areas.
3. Utilities and services, including water, sewer, drainage, gas and electricity, with particular reference to location, availability, capacity and compatibility.
4. The location, nature and height of structures, walls, fences and other improvements; their relation to adjacent property and uses; and the need for buffering or screening.
5. The adequacy of required yard and open space requirements and sign provisions.
6. The general compatibility with adjacent properties, other properties in the district and the general safety, health, comfort and general welfare of the community.

It was determined that the site met all requirements as listed in the Findings of Fact.

With no further discussion, Chairman Davis asked for a motion to close the public hearing. Commissioner Shackelford made the first motion which was seconded by Commissioner Buschjost. The motion passed.

#### **NEW BUSINESS:**

1. Discussion and action regarding an application for a Special Use Permit has been submitted by George Tucker of the Neon Taco to allow an accessory structure at 1076 Bagnell Dam Blvd. This is an allowed special use for the district in which the property is located.

Director of Community Development Fry explained that the intended use of this structure is to be an extension of the eating and drinking area of the main restaurant. The original permit allowed for the business to operate this area for six months without any changes being made. At the end of the six-month period, Mr. Tucker could apply for a Special Use Permit to either use the area as an accessory structure or have it be fully enclosed with walls. The liquor serving area has an approximately 3-foot high guard rail around it to keep in line with the standard minimum requirements by Liquor Control to define the perimeter of the facility. Mr. Tucker applied for a Special Use permit to keep the facility in its current state.

The Commission discussed and determined that signs must be posted reminding patrons that alcohol would not be allowed past the barriers in place.

Chairman Davis then asked for a motion to recommend the Special Use Permit with conditions to the Board of Alderman. Commissioner Shackelford made the first motion which was seconded by Commissioner Kolar. The motion unanimously passed.

**ADJOURNMENT:**

With no further business to discuss, Chairman Davis requested a motion to adjourn the meeting. The motion was made by Commissioner Kolar, seconded by Commissioner Shackelford and unanimously approved. The meeting adjourned at 5:31 p.m.

**APPROVED:**

**ATTEST:**

\_\_\_\_\_  
Margaret Davis, Chairman

\_\_\_\_\_  
Kim Stevens, P & Z Clerk

Approved on: \_\_\_\_\_

**\*\* Next Regular meeting is scheduled on Wednesday, August 4, 2021, at 5:00 p.m. \*\***