

**AN ORDINANCE AMENDING
THE MUNICIPAL CODE OF THE CITY OF OZARK, MISSOURI, CHAPTER 405
ZONING REGULATIONS, BY ADOPTING ONE NEW SECTION, SECTION 405.430
DOWNTOWN SINGLE-FAMILY OVERLAY DISTRICT**

WHEREAS, the City of Ozark, Missouri, (“City”) Planning and Development Department proposes to amend the Municipal Code of the City of Ozark, Missouri, (“City Code”) to create one new section regulating the Downtown Single-Family Overlay District; and

WHEREAS, while a majority of the proposed language to be adopted was moved from City Code Section 405.420, the Planning and Development Department incorporated some changes including an expanded district boundary and amended setback regulations; and

WHEREAS, on October 27, 2025, the Planning and Zoning Commission recommended approval of this ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF OZARK, MISSOURI, as follows, that:

SECTION 1 – The Municipal Code of the City of Ozark, Missouri, Chapter 405 Zoning Regulations, is hereby amended to adopt one new section, Section 405.430 Downtown Single-Family Overlay District to read as follows:

NOTE: Language to be added is underlined and language to be deleted is ~~stricken~~.

Section 405.430 (~~Reserved~~) Downtown Single-Family Overlay District.

- A. Purpose. The Downtown Single-Family Overlay District is hereby established for the purpose of resolving a conflict between current minimum lot size and setback requirements and those properties that were developed prior to the adoption of said standards.

- B. Boundaries. The Downtown Single-Family Overlay District Boundary is generally described as an area bordered by West and East South Street on the south; S. 12th Avenue, S. 11th Avenue, South 10th Avenue, and the eastern and northern boundaries of Eastland Heights Addition subdivision on the east; E. Jackson Street, W. Jackson Street, and the southern boundary of the Finley River on the north; and the western boundary Bronson’s Addition, the boundaries of Spring Park Addition, and South 9th Street on the west. Said Downtown Single-Family Overlay District Boundary is more accurately reflected on the Downtown Single-Family Overlay District Map which is on file with the City Clerk.

- C. Regulations. For any single-family residentially zoned property, regardless of the single-family zoning, within the Downtown Single-Family Overlay District the following shall apply:

1. The minimum lot size shall be five thousand (5,000) square feet;
2. The minimum front yard setback shall be fifteen (15) feet for any habitable space and twenty-five (25) feet for garages or attached carports;
3. The minimum side yard setback shall be five (5) feet;
4. The minimum rear yard setback shall be twenty (20) feet; and
5. The minimum lot width shall be forty (40) feet.
6. A reduced side and/or rear yard setback may be approved by the Planning and Zoning Commission if the following circumstances apply:
 - a. The side and/or rear yard setback is only applicable to situations where there is an intervening area such as a unique unimproved alley, street, road, or public easement between neighboring lots, that would otherwise be adjacent to one another;
 - b. The reduction would only apply to uninhabitable spaces, such as open-air patios, porches, carports, awnings, or detached accessory structures, as defined in Section 405.070;
 - c. The setback reduction shall apply to the extent of the structure, such as a roof eave, gutter, steps, railing, etc.; and
 - d. Proof of consent from all adjacent property owners is required prior to consideration by the Planning and Zoning Commission.

SECTION 2 – Severability Clause. If any section, subsection sentence, clause, or phrase of this ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this Ordinance. The Board of Aldermen hereby declares that it would have adopted the Ordinance and each section, subsection, sentence, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared invalid.

SECTION 3 – This Ordinance shall be in full force and effect from and after its passage and approval.

PASSED AT MEETING DECEMBER 1, 2025.

AYE

NAY

ABSENT/ABSTAIN

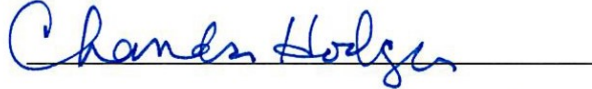
ALDERMAN JEAN ANN HUTCHINSON
ALDERMAN BRUCE GALLOWAY
ALDERMAN CHRIS AIKEN
ALDERMAN EDDIE CAMPBELL
ALDERMAN JIM METCALF
ALDERMAN DAVID SNIDER

APPROVED ON DECEMBER 1, 2025.

A handwritten signature in blue ink that reads "Donald H. Currence". The signature is written in a cursive style and is positioned above a solid horizontal line.

DON CURRENCE, MAYOR

ATTEST:

A handwritten signature in blue ink that reads "Chandra Hodges". The signature is written in a cursive style and is positioned above a solid horizontal line.

CHANDRA HODGES, CITY CLERK



PLANNING AND DEVELOPMENT DEPARTMENT
CITY OF OZARK, MO
205 N. 1ST STREET
OZARK, MISSOURI 65721

TO: Planning and Zoning Commission
FROM: Randall Whitman, Community Development Director
RE: Downtown Single-Family Overlay District Amendments
DATE: October 27, 2025

Two amendments have been drafted by the City Attorney in cooperation with the City's Planning staff to provide additional flexibility for residential property owners located within the Downtown Single-Family Overlay District.

The first amendment, under New Business, agenda item (h) will:

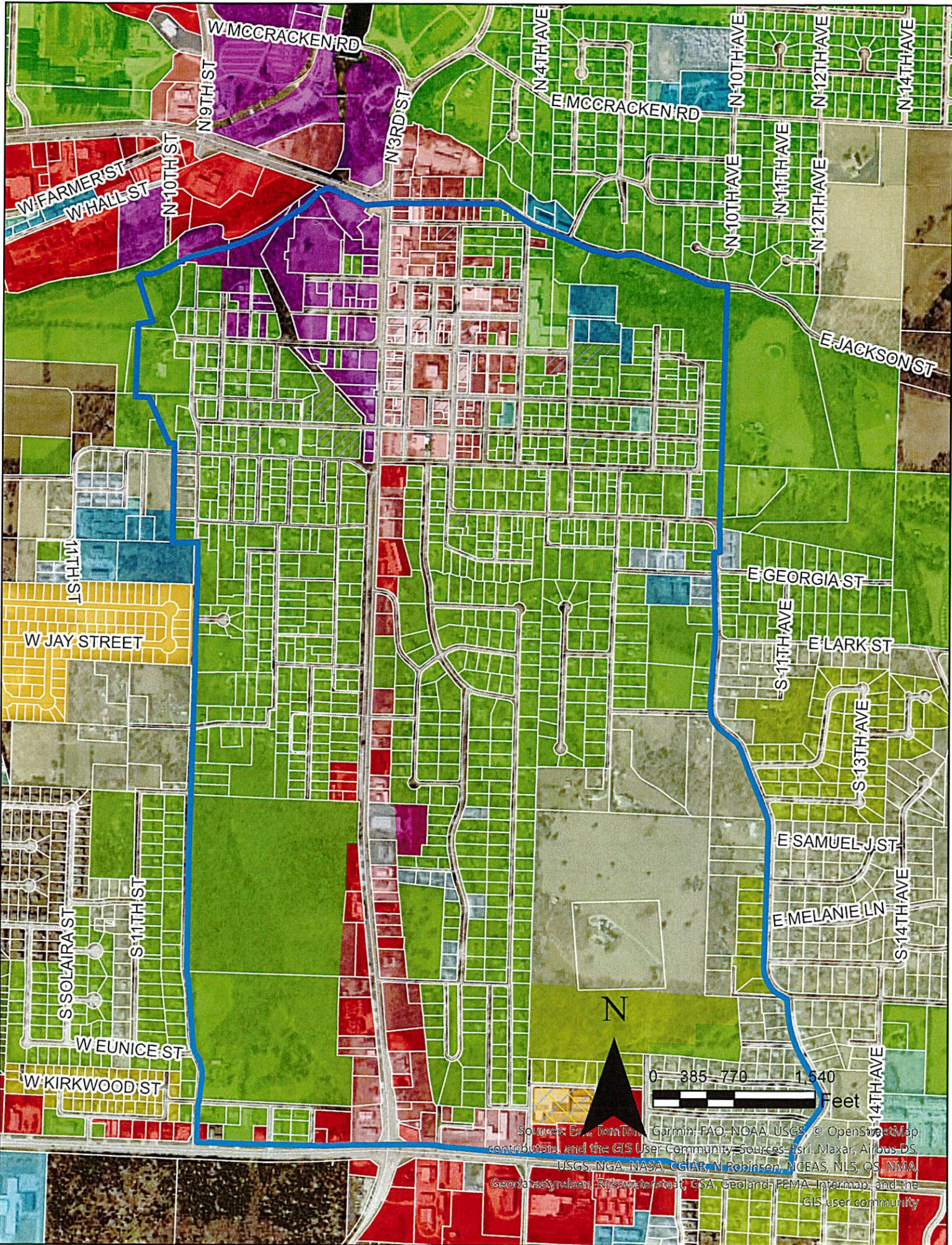
- (1) Remove or delete the entire subsection 405.420 (6.) which establishes the overlay district, as well as the boundaries of the overlay district.
- (2) Remove or delete the zoning requirements which include lot area, lot width, lot depth, building setbacks, etc.

The second amendment, under New Business, agenda item (i) will:

- (1) Readopt the overlay district as a new Section 405.430 in the code, which will appear in the table of contents and be more accessible and searchable.
- (2) Readopt the boundary of the overlay district, as well as an expansion on the northwest corner of the district.
- (3) Readopt the overlay district regulations, which include front and side yard setback amendments and additional side and rear yard setback exceptions for uninhabitable structures.

Explanation and staff analysis

A recent application for a building permit to expand a carport was denied due to the setbacks. In reviewing the situation, the Board encouraged staff to investigate an amendment to the code to remedy this situation and provide relief for future applicants who reside in the older part of the city where lots are narrow, building envelopes are tighter, and in some cases unimproved roads and alleys exist.



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Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community. Sources: Esri, Maxar, Airbus DS, USGS, NGA, NASA, CGIAR, N Robinson, MCEAS, NLS, OS, NMA, Geobasestyrelsen, Rijkswaterstaat, GSA, Geoland, FEMA, Intermap, and the GIS user community

EXPLANATION TO BOARD OF ALDERMAN BILL NO: 3708

FILED DATE: 11-3-2025

ORIGINATING DEPARTMENT: Planning and Development

PURPOSE: AN ORDINANCE AMENDING THE MUNICIPAL CODE OF THE CITY OF OZARK, MISSOURI, CHAPTER 405 ZONING REGULATIONS, BY ADOPTING ONE NEW SECTION, SECTION 405.430 DOWNTOWN SINGLE-FAMILY OVERLAY DISTRICT

BACKGROUND INFORMATION: The Planning and Development Department and Law Department worked together to draft the proposed revisions contained herein, to provide adjustments to the dimensional requirements for the Downtown Single Family Overlay District. This ordinance amendment establishes the Downtown Single Family Overlay District as its own Section in the City Code, entitled 405.430. The ordinance amendment also includes adjustments to the existing code proposed.

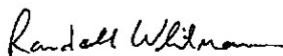
These adjustments are proposed in order to provide flexibility in the dimensional requirements for residences within the Downtown Single-Family Overlay District (DSFOD). The area of town that comprises the DSFOD is older, the lots are narrow, building envelopes are tighter, and in some cases unimproved roads and alleys exist. The adjustments for the overlay district will allow a reduced front yard setback of 15' (previously 25') for habitable space. The side yard setbacks will be reduced from 7.5' to 5'. Additionally, this update provides a path for the Planning and Zoning Commission to approve a reduction in the side yard setback, below 5', potentially to 0', if the proposed structure is adjacent to an unimproved alley, road, or easement.

There was also an adjustment to the boundary of the DSFOD, to incorporate additional lots that were platted in the early 1900's, including the Spring Park Addition plat and the remainder of the Bronson's Addition plat.

REMARKS: By October 7, 2025, the public notice of this ordinance amendment was published in the Daily Events paper.

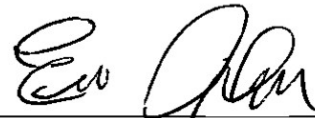
On October 27, 2025, the Planning and Zoning Commission recommended approving the ordinance amendment. The recommendation passed, 6-0.

SUBMITTED BY:



Randall Whitman
Community Development Director

APPROVED BY:



Eric Johnson
City Administrator