

City takes action against rental property

The City of Lake Ozark is wasting no time in pursuing individuals who are illegally renting their properties in unauthorized areas of the city.

City Attorney Chris Rohrer has filed a petition in Miller County Circuit Court for a restraining order against a property owner who has persistently ignored formal requests to end his rental program. City officials say there are other violating property owners who may be served notice as well.

The swift action by the city came after neighbors of the illegally rented properties complained to city officials and the Lake Ozark Police Department about parking and noise issues and property abuses associated with the rental properties.

Nightly rentals are only prohibited in R-1 and R-2 single family residential areas, but some property owners have either ignored the ordinances or were not aware of the rules. Also prohibited in R-1 and R-2 districts are mobile homes, lodging or boarding houses and lodging establishes.

Rental properties are, however, allowed in Lakefront Mixed Use, R-3 multi-family and marine-related commercial districts, lakefront eating and drinking places and similar water-related uses.

“There has been some discussion on social media that the city is anti-business or

is inhibiting free enterprise,” City Administrator Dave Van Dee said. “That absolutely isn’t the case. Those types of nightly rentals are certainly allowed in areas that are zoned accordingly, and we encourage that. We understand the importance of having a balance of zoning and property types in our city.”

The rental restrictions are nothing new. They have been in place for more than five years. City officials say that some real estate agents may not understand City of Lake Ozark restrictions and are misinforming prospective buyers who want to buy properties as an investment.

The city is urging real estate agents or others who are listing their properties online for short-term rentals to make sure they are familiar with zoning ordinances. This helps the community preserve its neighborhoods and for guests to be located in an area that better serves their time at the lake.

Anyone considering buying property for rental purposes in Lake Ozark are urged to contact the City Hall at 573-365-5378 before the purchase is finalized.

Renewed enforcement

The city has taken a low-key approach in recent years, but that approach has changed after property owners ignored

requests by the city to halt their rentals, and as the city received more and more complaints from nearby property owners.

After initial contact with the property owner, the city was told the issue would be resolved. However, city officials learned that rentals continued even after the listing had been removed from Vacation Rentals By Owner (VRBO) website.

“If you tell us you stopped, and we find that you haven’t, then we’ll take legal action,” Van Dee said.

The matter was turned over to the city attorney after additional contact with the violating property owner failed to resolve the issue.

Assistant City Administrator Harrison Fry issued a cease and desist letter to the property owner July 13. After the violation continued, a Motion for Temporary Restraining Order and Preliminary Injunction were filed in Miller County Circuit Court Aug. 17 against the defendant, the owner of the property. In addition, the city filed a Petition for Injunctive Relief and for Unpaid Taxes and Penalties from Unreported Economic Activity.

The property has been advertised on VRBO and Airbnb as a three-bedroom, two and a half bath lodging establishment that sleeps up to 12 individuals.