

**AN ORDINANCE APPROVING ZONING OF "C" COMMERCIAL FOR PROPERTY OWNED BY DENNIS AND ANITA SHEAFFER AND LOCATED AT 148 CYPRIA LANE, BRANSON, MISSOURI**

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**WHEREAS**, the City of Branson by Ordinance No. 682 adopted and established certain zoning districts and classifications for the City of Branson; and

**WHEREAS**, the property described herein was annexed into the City of Branson April 26, 2004; and

**WHEREAS**, the property described herein is currently unzoned; and

**WHEREAS**, Section 89.010 to 89.060 inclusive, RSMo, as amended, provides that a city of the fourth class may amend and change from time to time the boundaries of zoning districts; and

**WHEREAS**, notice of the proposed zoning was published in the Branson Daily News no less than fifteen days prior to public hearing before the Planning and Zoning Commission of the City of Branson; and

**WHEREAS**, the Branson Planning and Zoning Commission held a public hearing on July 6, 2004, and recommends approval of this zoning.

**NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF BRANSON, MISSOURI, THE FOLLOWING:**

**Section 1.** That the tract of land situated in Branson, Missouri, and described as:

**A TRACT OF LAND A TRACT OF LAND SITUATED IN THE NE1/4 OF THE SE1/4 OF SECTION 11, TOWNSHIP 22 NORTH, RANGE 22 WEST, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NE CORNER OF SAID NE1/4 OF THE SE1/4; THENCE N89°06'22"W, ALONG THE NORTH LINE THEREOF, 450.00 FEET; THENCE S00°53'38"W, 208.00 FEET FOR A NEW POINT OF BEGINNING; THENCE S89°06'22"E, 165.00 FEET; THENCE S05°07'29"E, 333.73 FEET; THENCE S59°34'28"W, 38.57 FEET; THENCE WESTERLY ALONG A 36.18029° CURVE TO THE RIGHT, 86.56 FEET; THENCE N89°06'22"W, 84.72 FEET; THENCE N00°53'38"W, 375.00 FEET TO THE NEW POINT OF BEGINNING.**

**SUBJECT TO ANY PART DEEDED, TAKEN OR USED FOR STREET, ROAD OR HIGHWAY PURPOSES, ALL IN TANEY COUNTY, MISSOURI.**

is hereby zoned as "C" Commercial, subject to the Land Use Regulations of the City of Branson contained in Title IV of the Branson Municipal Code.

**Section 2.** That the Official Zoning Map of the City of Branson is hereby amended in respect to the changes in the zoning district of the area described above.

**Section 3.** If any section, subsection, 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 and each section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or major sections, sentences, clauses or phrases be declared invalid.


**Section 4.** This Ordinance shall be in full force and effect immediately after passage by the Board and endorsement by the Mayor.

Read this first time on this \_\_\_\_\_ day of \_\_\_\_\_, 2004.

Read this second time, passed and truly agreed to by the Board of Aldermen of the City of Branson, Missouri, on this \_\_\_\_\_ day of \_\_\_\_\_, 2004.

\_\_\_\_\_  
Louis E. Schaefer  
Mayor

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Daniel R. Wichmer  
City Attorney

ATTEST:

\_\_\_\_\_  
Sandra L. Williams  
City Clerk


# VICINITY MAP

Dennis and Anita Sheaffer  
148 Cypria Lane

Western



 Subject Property

 Outside Branson  
City Limits

South Falls

Blue Meadows

Cypria

Fall Creek

Dalton

Walker

**PLANNING AND ZONING COMMISSION**

**RESOLUTION NO. P-2004-019**

**A PLANNING COMMISSION RESOLUTION RECOMMENDING APPROVAL OF THE ZONING OF NEWLY ANNEXED PROPERTY OWNED BY DENNIS AND ANITA SHEAFFER, LOCATED AT 148 CYPRIA LANE IN THE CITY OF BRANSON TO "C" COMMERCIAL.**

**WHEREAS**, in order to regulate and restrict the use and improvement of lands and the location, type, construction and use of building improvements located within the City; to promote the general welfare, public safety and health; and to preserve personal and property rights; all lots, parcels and tracts of land located within the City, together with any and all building improvements located thereon, shall be zoned; and,

**WHEREAS**, it is necessary for the City of Branson to zone newly annexed property owned by Dennis and Anita Sheaffer, and legally described as follows:

A TRACT OF LAND A TRACT OF LAND SITUATED IN THE NE1/4 OF THE SE1/4 OF SECTION 11, TOWNSHIP 22 NORTH, RANGE 22 WEST, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NE CORNER OF SAID NE1/4 OF THE SE1/4; THENCE N89°06'22"W, ALONG THE NORTH LINE THEREOF, 450.00 FEET; THENCE S00°53'38"W, 208.00 FEET FOR A NEW POINT OF BEGINNING; THENCE S89°06'22"E, 165.00 FEET; THENCE S05°07'29"E, 333.73 FEET; THENCE S59°34'28"W, 38.57 FEET; THENCE WESTERLY ALONG A 36.18029° CURVE TO THE RIGHT, 86.56 FEET; THENCE N89°06'22"W, 84.72 FEET; THENCE N00°53'38"W, 375.00 FEET TO THE NEW POINT OF BEGINNING. SUBJECT TO ANY PART DEEDED, TAKEN OR USED FOR STREET, ROAD OR HIGHWAY PURPOSES, ALL IN TANEY COUNTY, MISSOURI.

**WHEREAS**, a Public Hearing was held before the Branson Planning and Zoning Commission on July 6, 2004, at 7:30 p.m. in the City Council Chambers located at 110 West Maddux Street, Branson, Missouri; and,

**WHEREAS**, the review of the zoning of the newly annexed property, conducted by the Planning and Zoning Commission for the City of Branson, Missouri, has resulted in the determination that approval of the zoning of newly annexed property is reasonable and will cause no adverse effect of the City's Comprehensive Plan.

**BE IT THEREFORE RESOLVED**, that the Planning and Zoning Commission for the City of Branson hereby recommends approval of the zoning of newly annexed property as herein described.

**DONE THIS 6<sup>TH</sup> DAY OF JULY, 2004, BY THE PLANNING AND ZONING COMMISSION FOR THE CITY OF BRANSON, MISSOURI.**

\_\_\_\_\_  
Rick Davis - Chairman

ATTEST:

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Don D. Stephens - Director of Planning and Development