

AN ORDINANCE AMENDING THE LAND USE REGULATIONS FOR PLANNED DEVELOPMENT PD-99-007, KNOWN AS FRENCH QUARTER, BRANSON, MISSOURI

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF BRANSON, MISSOURI, AS FOLLOWS:

Section 1: That the Sign Plan Section of PD-99-007, is hereby amended, so that Sign number 1 shall hereafter read as follows:

Sign number 1: Main [~~Freestanding~~] **Monument** Identification Sign on Highway 76. This sign is the primary property identification for persons driving east and west on highway 76. [~~This sign is currently designed at 180 square feet in sign area and 28' 2" tall. However we may increase the sign of this sign in the future to the maximum allowable square footage of 300 square feet and the maximum height of 30' 0" from grade in the future. This would still keep our total sign area below the maximum allowed of 2775 square feet.~~] **This sign shall not exceed an overall height of 30' with a maximum square footage of 300.**

Total square footage sign #1. 300.00 square feet.

Section 2: That the Sign Plan Section of PD-99-007, is hereby amended, so that Sign number 3 shall hereafter read as follows:

Sign number 3: Main [~~Monument~~] **Freestanding** Identification Sign on Green Mountain Drive.

This sign is the primary property identification for persons driving on Green Mountain Drive. [~~This sign will be located in the island of the split drive.~~] **This sign will be fronting Green Mountain Drive with a minimum of ten feet setback from the front right of way and a minimum setback of five feet from any side property lines. This sign shall not exceed an overall height of 25' with a maximum square footage of 161.25.**

Total square footage sign #3. 161.25 square feet.

NOTE: LANGUAGE WHICH IS **BOLD, UNDERLINED** HAS BEEN ADDED; LANGUAGE WHICH IS [~~BRACKETS, STRICKEN~~] HAS BEEN DELETED.

Section 3: Severability Clause. 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: Savings Clause. Nothing in this ordinance hereby adopted shall be construed to affect any suit or proceeding now pending in any court or any rights acquired or liability incurred nor any cause or causes of action accrued or existing, under any act or ordinance repealed hereby, nor shall any right or remedy of any character be lost, impaired, or affected by this ordinance.

Section 5: This ordinance shall be in full force and effect from and after its passage and approval.

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

ATTEST:

APPROVED AS TO FORM:

Sandra L. Williams
City Clerk



Daniel R. Wichmer
City Attorney

Vicinity Map

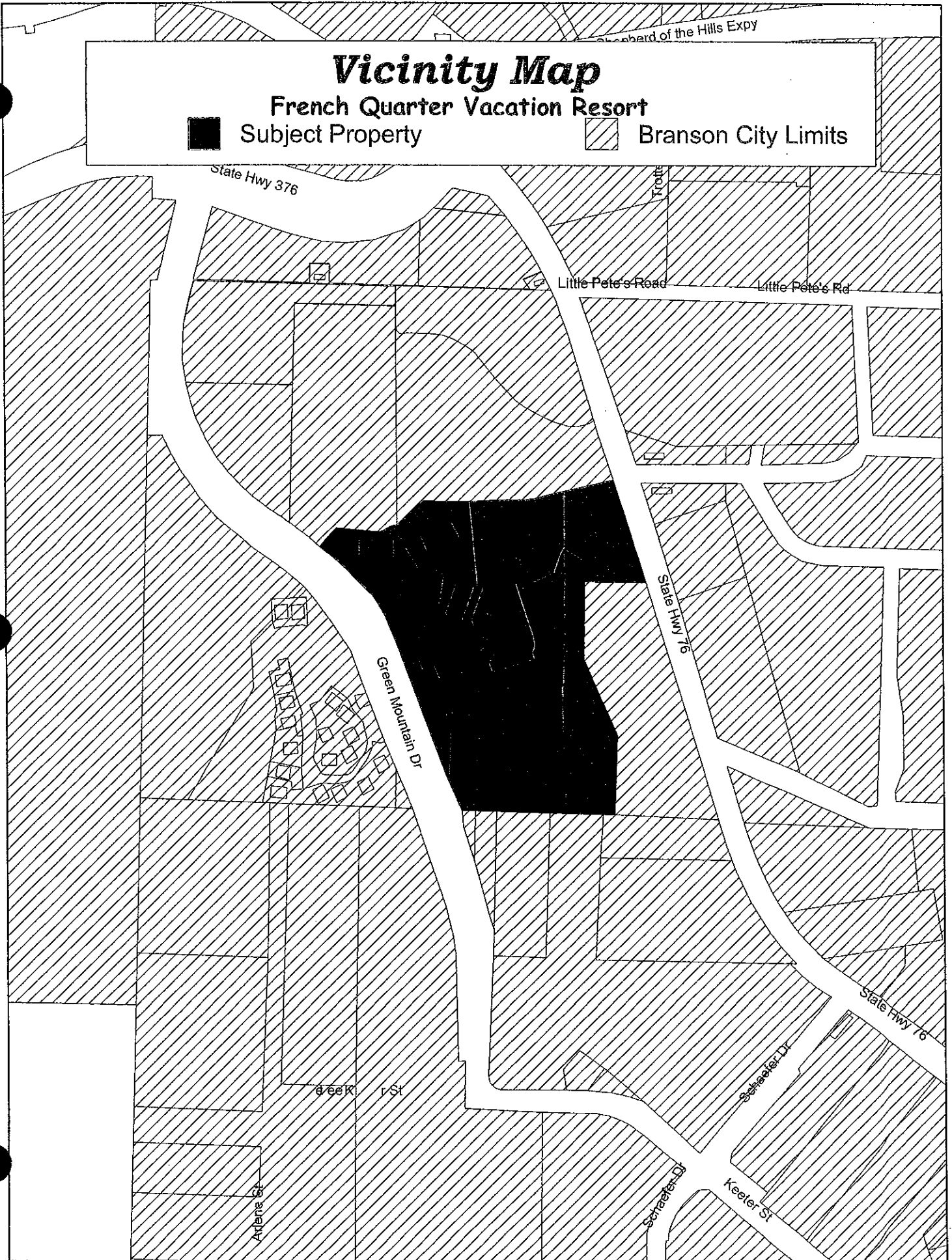
French Quarter Vacation Resort



Subject Property



Branson City Limits



PLANNING AND ZONING COMMISSION

RESOLUTION NO. P-2004-026

A PLANNING COMMISSION RESOLUTION RECOMMENDING APPROVAL OF AN APPLICATION FROM FRENCH QUARTER VACATION RESORT REQUESTING AN AMENDMENT TO #PD-99-007 FOR PROPERTY LOCATED AT 3706 WEST HIGHWAY 76, BRANSON, MISSOURI.

WHEREAS, an application has been submitted to the City of Branson by French Quarter Vacation Resort requesting approval of an amendment to #PD-99-007 of property legally described as follows:

A TRACT OF LAND SITUATED IN THE NW1/4 OF THE SW1/2 OF SECTION 35, TOWNSHIP 23 NORTH, RANGE 22 WEST, TANEY COUNTY, MISSOURI, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHWEST CORNER OF SAID NW ¼ OF THE SW ¼, THENCE S89°38'51" E. ALONG THE NORTH LINE OF SAID NW ¼ OF THE SW ¼ A DISTANCE OF 648.85 FEET; THENCE S00°21'09" W, A DISTANCE OF 107.03 FEET; THENCE SOUTHEASTERLY ALONG A 287.5062 DEGREE CURVE TO THE LEFT 31.38 FEET (SAID CURVE HAVING A RADIUS OF 19.93 FEET); THENCE S89°50'55" E, A DISTANCE OF 68.81 FEET; THENCE EASTERLY ALONG A 32.8084 DEGREE CURVE TO THE RIGHT 143.75 FEET (SAID CURVE HAVING A RADIUS OF 174.65 FEET); THENCE S42°42'19" E, A DISTANCE OF 133.56 FEET; THENCE SOUTHEASTERLY ALONG A 40.6296 DEGREE CURVE TO THE LEFT 70.47 FEET (SAID CURVE HAVING A RADIUS OF 141.03 FEET); THENCE S71°19'09" E, A DISTANCE OF 84.22 FEET; THENCE SOUTHEASTERLY ALONG A 84.4261 DEGREE CURVE TO THE LEFT 46.01 FEET (SAID CURVE HAVING A RADIUS OF 67.87 FEET); THENCE N69°50'14" E, A DISTANCE OF 16.95 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF M.S.H.D. #76; THENCE S18°30'55" E, ALONG SAID WESTERLY RIGHT-OF-WAY LINE A DISTANCE OF 143.43 FEET FOR A NEW POINT OF BEGINNING; THENCE CONTINUE S18°30'55" E, ALONG SAID WESTERLY RIGHT-OF-WAY LINE A DISTANCE OF 260.48 FEET; THENCE S89°36'20" W, LEAVING SAID RIGHT-OF-WAY LINE A DISTANCE OF 148.35 FEET; THENCE S02°24'26" E, A DISTANCE OF 200.79 FEET; THENCE N89°36'20" E, A DISTANCE OF 80.00 FEET; THENCE S00°10'58" E, A DISTANCE OF 206.51 FEET; THENCE N89°32'06" W, A DISTANCE OF 417.50 FEET; THENCE S00°10'42" E, A DISTANCE OF 188.98 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF WHITE RIVER DRIVE; ALONG EASTERLY RIGHT-OF-WAY LINE OF WHITE RIVER DRIVE AS FOLLOWS: THENCE NORTHWESTERLY ALONG A 6.0314 DEGREE SEGMENT OF A CURVE TO THE RIGHT 110.11 FEET (SAID SEGMENT HAVING A CHORD BEARING AND DISTANCE OF N 24°00'25" W, 110.05 FEET, AND HAVING A RADIUS OF 949.98 FEET); THENCE N20°41'11" W, A DISTANCE OF 351.01 FEET; THENCE NORTHWESTERLY ALONG A 11.4592 DEGREE SEGMENT OF A CURVE TO THE LEFT 248.70 FEET (SAID SEGMENT HAVING A CHORD BEARING AND DISTANCE OF N36°59'55" W, 280.87 FEET, AND HAVING A RADIUS OF 500.00 FEET); THENCE N40°33'03" E, LEAVING SAID EASTERLY RIGHT-OF-WAY LINE A DISTANCE OF 45.58 FEET; THENCE S88°35'40" E, A DISTANCE OF 38.20 FEET; THENCE S80°49'07" E, A DISTANCE OF 34.41 FEET; THENCE S80°55'48" E, A DISTANCE OF 34.67 FEET; THENCE N66°45'48" E, A DISTANCE OF 14.37 FEET; THENCE N51°42'14" E, A DISTANCE OF 19.63 FEET; THENCE N75°12'16" E, A DISTANCE OF 14.79 FEET; THENCE N57°07'37" E, A DISTANCE OF 16.74 FEET; ;THENCE N45°31'35" E, A DISTANCE OF 35.55 FEET; THENCE N49°01'54" E, A DISTANCE OF 17.68 FEET; ;THENCE N45°33'40" E, A DISTANCE OF 19.63 FEET; THENCE S89°41'35" E, A DISTANCE OF

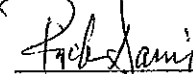
225.90 FEET; THENCE EASTERLY ALONG A 47.0753 DEGREE CURVE TO THE LEFT 81.46 FEET (SAID CURVE HAVING A CHORD BEARING AND DISTANCE OF N71°08'04" E, 79.74 FEET AND HAVING A RADIUS OF 121.71 FEET); THENCE N72°19'10" E, A DISTANCE OF 193.08 FEET TO THE NEW POINT OF BEGINNING. CONTAINING 7.97 ACRES OF LAND, MORE OR LESS, SUBJECT TO ALL EASEMENTS AND RESTRICTIONS OF RECORD AS SHOWN ON TITLE COMMITMENT PREPARED BY TRI LAKES TITLE AND ESCROW FILE NO. 36932-96.

WHEREAS, a Public Hearing was held before the Branson Planning and Zoning Commission on August 03, 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 application, conducted by the Planning and Zoning Commission for the City of Branson, Missouri, has resulted in the determination that approval of the application is reasonable and will cause no adverse effect on 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 Planned Development Amendment as herein described.

DONE THIS 3rd DAY OF AUGUST, 2004, BY THE PLANNING AND ZONING COMMISSION FOR THE CITY OF BRANSON, MISSOURI.



Rick Davis - Chairman

ATTEST:



Don D. Stephens - Director of Planning and Development