

BILL NO. 3146

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE APPROVING A ZONING CHANGE FROM "PD" PLANNED DEVELOPMENT #2003-126, TO "C" COMMERCIAL FOR A PARCEL OF LAND LOCATED IN PROFESSIONAL PARK, 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 is located in the city limits of Branson, Missouri; and

**WHEREAS**, the property described herein is currently zoned "PD" Planned Development #2003-126; 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 September 6, 2005, and recommends approval of this rezoning.

**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 legally described on attached Exhibit 1 is hereby rezoned from "PD" Planned Development #2003-126 to "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 \_\_\_\_\_, 2005.

Read this second time, passed and truly agreed to by the Board of Aldermen of the City of Branson, Missouri, on this \_\_\_\_\_ day of \_\_\_\_\_, 2005.

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

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Lisa K Westfall  
City Clerk

  
\_\_\_\_\_  
Joseph L. Johnson  
City Attorney

EXHIBIT 1

DESCRIPTION PART LOT 2:

A TRACT OF LAND BEING A PART OF LOT 2 OF PROFESSIONAL PARK SUBDIVISION AS RECORDED IN PLAT BOOK/SLIDE G AT PAGE 725, BEING A PART OF THE NW1/4 OF THE SW1/4 OF SECTION 35, TOWNSHIP 23 NORTH, RANGE 22 WEST, CITY OF BRANSON, TANEY COUNTY, MISSOURI; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS; BEGINNING AT THE SOUTHWEST CORNER OF THE NW1/4 OF THE SW1/4 OF SAID SECTION 35; THENCE N 00°04'19" E, ALONG THE WEST LINE OF THE NW1/4 OF THE SW1/4, A DISTANCE OF 492.42 FEET, FOR A NEW POINT OF BEGINNING; THENCE CONTINUE N 00°04'19" E, ALONG SAID WEST LINE, A DISTANCE OF 157.94 FEET; THENCE N 85°41'00" E, LEAVING SAID WEST LINE, A DISTANCE OF 45.91 FEET; THENCE S 00°05'25" E, A DISTANCE OF 62.10 FEET; THENCE N 89°54'35" E, A DISTANCE OF 5.41 FEET; THENCE S 00°33'43" E, A DISTANCE OF 45.77 FEET; THENCE S 89°26'17" W, A DISTANCE OF 6.94 FEET; THENCE S 00°33'43" E, A DISTANCE OF 53.03 FEET; THENCE S 89°26'17" W, A DISTANCE OF 45.51 FEET, TO THE NEW POINT OF BEGINNING. CONTAINING 7,541.00 SQUARE FEET OF LAND, MORE OR LESS, SUBJECT TO ALL EASEMENTS AND RESTRICTIONS OF RECORD.



# The Cabins at Maple Creek PD 98-001



Scale 1" = 200'

The Cabins At Maple Creek    Planned Development

Commercial    Outside Branson City Limits

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Planning Technician

