

**AN ORDINANCE AMENDING THE ZONING CODE AND OFFICIAL
MAP BY CHANGING THE CLASSIFICATION OF APPROXIMATELY
10 ACRES OWNED BY ROGER BEARD V ET AL TR, LOCATED
AT 615 SOUTH MAIN STREET FROM R1-M TO PDD**

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF REPUBLIC, MISSOURI, AS FOLLOWS:

WHEREAS, an application for amendment of the Zoning Code to rezone real estate located at 615 South Main Street in the City of Republic, Missouri, by changing the zoning classification from R1-M to PDD was submitted to the Planning and Development Staff by Roger Beard V et al TR (hereinafter "Applicants"); and

WHEREAS, the Planning and Development Staff did, thereafter, submit said application to the Planning and Zoning Commission which did set the 20th day of November, 2006, as the date a Public Hearing would be held on such application and proposed amendment; and

WHEREAS, notice of the time and date of Public Hearing was given by publication on Wednesday, November 1, 2006, in *The Republic Monitor*, a newspaper of general circulation in the City of Republic, such notice being at least 15 days before the date set for the Public Hearing; and

WHEREAS, a Public Hearing was conducted by the Planning and Zoning Commission on the 20th day of November 2006, after which the Commission rendered written findings of fact on the proposed amendment and rezoning and, thereafter, submitted the same, together with its recommendations, to the Board of Aldermen; and

WHEREAS, the Planning and Zoning Commission, by a vote of 5 to 0, did recommend to approve such application for rezoning; and

WHEREAS, notice of the time and date of the Public Hearing at which the application for rezoning and to amend the Zoning Code would be submitted to the Board of Aldermen was given by publication on Wednesday November 1, 2006, in *The Republic Monitor*, a newspaper of general circulation in the City of Republic; such notice being at least 15 days before the date set for Public Hearing; and

WHEREAS, a Public Hearing was conducted, and the application for rezoning and to amend the Zoning Code was submitted to the Board of Aldermen at its regular meeting held on the 27th day of October 2006, after which the Board did proceed to vote to rezone such property and amend the zoning code accordingly; and

WHEREAS, the City gave notice of such Public Hearing to the record owners of all properties within the area proposed to be rezoned and within 185 feet of the property proposed to be rezoned by certified mailings

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF REPUBLIC AS DESCRIBED, AS FOLLOWS:

SECTION 1: That the Zoning Code and Official Zoning Map are hereby amended insofar as the same relate to a certain tract of realty located at 615 South Main Street changing the zoning classification thereof from R1-M to PDD, such tract being more fully described as follows:

All that part of a Tract of land being the Northeast Quarter of the Northeast Quarter of the Northeast Quarter of Section 30, Township 28 North, Range 23 West, Greene County, Missouri, more particularly described as follows:

BEGINNING at an existing 5/8" rebar being the Northeast Corner of Section 30, Township 28 North, Range 11 West, Greene County, Missouri; thence North 87 Degrees 23 Minutes 42 Seconds West along the North line of the Northeast Quarter of the Northeast Quarter of the Northeast Quarter of Section 30, a distance of 662.98 feet to the Northwest Corner thereof; thence leaving said North line South 01 Degrees 44 Minutes 58 Seconds West along the West line of said Quarter Quarter Quarter, a distance of 664.16 feet to the Southwest Corner thereof; thence leaving said West line South 87 Degrees 30 Minutes 41 Seconds East along the South line of said Quarter Quarter Quarter, a distance of 662.24 feet to the Southeast Corner thereof; thence leaving said South line North 01 Degrees 48 Minutes 43 Seconds East along the East line of said Quarter Quarter Quarter, a distance of 662.80 feet to the POINT OF BEGINNING and containing 439,723 square feet or 10.09 acres more or less, except any part thereof deeded or taken for road purposes and subject to any easements, restrictions, reservations, agreements, and covenants of record, if any.

SECTION 2: The regulations attached to the Exhibit and described as "A Planned Development District Report for Miller Crossing" are incorporated herein by reference and shall govern and control the use and development of land in the planned development.

SECTION 3: In all other respects, other than those herein amended, modified or changed, the Zoning Code and Official Zoning Map shall remain the same and continue in full force and effect.

SECTION 4: This ordinance shall be in full force and effect from and after its date of passage.

Passed and approved at a regular meeting of the Board of Aldermen of the City of Republic, Missouri, this _____ day of _____, 2006.

ATTEST:

Brenda Jackson, City Clerk

James H. Collins, Mayor

Approved for Board Action: _____, City Administrator

Approved as to Form: _____, City Attorney