



**City Council  
Agenda Memo**

**City Council Meeting Date: 8/13/2015**

**TO: Robert Hanna, City Manager**

**FROM: Jon James, AICP Director of Planning and Development Services**

**SUBJECT: Ordinance & Public Hearing: (Final Reading) Z-2015-17 A request from Jamie Anderson, to rezone property from RS-6 (Single-Family Residential) to RS-6/H (Single-Family Residential/Historic Overlay) zoning, located at 1134 Grand Ave.**

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**GENERAL INFORMATION**

Currently the property is developed with a home. The surrounding area is developed with single-family homes in all directions. The Presley/Anderson House was built c. 1929. This house has had few external alterations since 1930. Building records do show that there was an additional separate garage structure added to the lot in 1947, it is of age and construction type to be considered contributing to the property. The purpose of the zoning is to designate a historic overlay on the home in order to protect the home and provide tax incentives for the home owner.

The Future Land Use section of the Comprehensive Plan designates this general area as 'low density residential'. The requested zoning is deemed compatible with the Future Land Use Map and the adjacent properties.

**SPECIAL CONSIDERATIONS**

**FUNDING/FISCAL IMPACT**

**STAFF RECOMMENDATION**

Staff recommends approval as requested.

**BOARD OR COMMISSION RECOMMENDATION**

The Landmarks Commission recommends approval by a vote of 5 in favor (Butman, Lee, McClellan, Miller, & Minter) and none opposed.

The Planning and Zoning Commission recommends approval by a vote of 6 in favor (Bixby, Calk, Dunnahoo, Ellinger, Rosenbaum, & McClarty) and none opposed.

**ATTACHMENTS:**

| Description                           | Type            |
|---------------------------------------|-----------------|
| <input type="checkbox"/> Ordinance    | Ordinance       |
| <input type="checkbox"/> Exhibit      | Exhibit         |
| <input type="checkbox"/> Staff Report | Backup Material |

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

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING CHAPTER 23, "LAND DEVELOPMENT CODE," OF THE ABILENE MUNICIPAL CODE, BY CHANGING THE ZONING DISTRICT BOUNDARIES AFFECTING CERTAIN PROPERTIES; CALLING A PUBLIC HEARING; PROVIDING A PENALTY AND AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS:

PART 1: That Chapter 23, part known as the Land Development Code of the City of Abilene, is hereby amended by changing the zoning district boundaries as set out in Exhibit "A," attached hereto and made a part of this ordinance for all purposes.

PART 2: That any person, firm or corporation violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not more than Five Hundred Dollars (\$500.00). Each day such violation shall continue or be permitted to continue, shall be deemed a separate offense.

PART 3: That the Planning Director be, and is hereby authorized and directed to change the official Zoning Map of the City of Abilene to correctly reflect the amendments thereto.

PASSED ON FIRST READING this 23<sup>rd</sup> day of July, A.D. 2015.

A notice of the time and place, where and when said ordinance would be given a public hearing and considered for final passage, was published in the Abilene Reporter-News, a daily newspaper of general circulation in the City of Abilene, said publication being on the 19<sup>th</sup> day of June, 2015, the same being more than fifteen (15) days prior to a public hearing to be held in the Council Chamber of the City Hall in Abilene, Texas, at 8:30 a.m., on the 13<sup>th</sup> day of August, 2015 to permit the public to be heard prior to final consideration of this ordinance. Said ordinance, being a penal ordinance, becomes effective ten (10) days after its publication in the newspaper, as provided by Section 19 of the Charter of the City of Abilene.

PASSED ON SECOND AND FINAL READING THIS 13<sup>th</sup> day of August, A.D. 2015.

ATTEST:

\_\_\_\_\_  
CITY SECRETARY

\_\_\_\_\_  
MAYOR

APPROVED:

\_\_\_\_\_  
CITY ATTORNEY

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

EXHIBIT "A"

Rezone property from RS-6 (Single-Family Residential) to RS-6/H (Single-Family Residential/Historic Overlay) zoning.

Legal Description:

HIGHLAND ADDN CONT 3, BLOCK 34, LOT S44 LT 6 N10 OF LT 7



Location:  
1134 Grand Ave

-END-

# ZONING CASE Z-2015-17

## STAFF REPORT



### APPLICANT INFORMATION:

Jamie Anderson

### HEARING DATES:

P & Z Commission: July 6, 2015

City Council 1<sup>st</sup> Reading: July 23, 2015

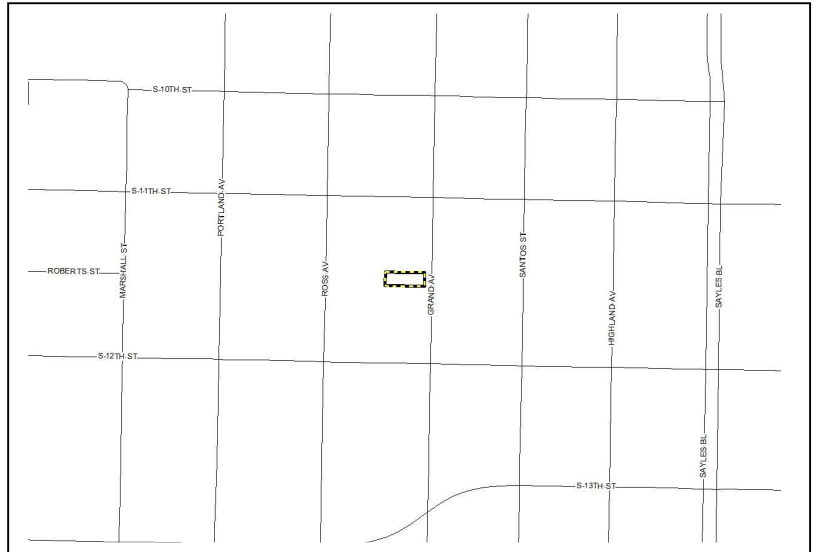
City Council 2<sup>nd</sup> Reading: August 13, 2015

### LOCATION:

1134 Grand Ave

### REQUESTED ACTION:

Rezone property from RS-6 (Single-Family Residential) to RS-6/H (Single-Family Residential/Historic Overlay) zoning



### SITE CHARACTERISTICS:

The subject parcel totals approximately 0.16 acres and is currently zoned RS-6. The adjacent properties are zoned RS-6 to the north, south, east, & west.

### ZONING HISTORY:

The property was annexed in 1923 and zoned RS-6 sometime after.

### ANALYSIS:

- Current Planning Analysis

Currently the property is developed with a home. The surrounding area is developed with single-family homes in all directions. The Presley/Anderson House was built c. 1929. This house has had few external alterations since 1930. Building records do show that there was an additional separate garage structure added to the lot in 1947, it is of age and construction type to be considered contributing to the property. The purpose of the zoning is to designate a historic overlay on the home in order to protect the home and provide tax incentives for the home owner.

- Comprehensive Planning Analysis

The Future Land Use section of the Comprehensive Plan designates this general area as 'low density residential'. The requested zoning is deemed compatible with the Future Land Use Map and the adjacent properties.

**PLANNING STAFF RECOMMENDATION:**

Staff recommends approval.

**LANDMARKS COMMISSION RECOMMENDATION:**

The Landmarks Commission recommends approval by a vote of 5 in favor (Butman, Lee, McClellan, Miller, & Minter) and none opposed.

**PLANNING AND ZONING COMMISSION RECOMMENDATION:**

The Planning and Zoning Commission recommends approval by a vote of 6 in favor (Bixby, Calk, Dunnahoo, Ellinger, Rosenbaum, & McClarty) and none opposed.

**NOTIFICATION:**

Property owners within a 200-foot radius were notified of the request.

| OWNER                             | ADDRESS        | RESPONSE |
|-----------------------------------|----------------|----------|
| ARIAS JOSE LUIS JR                | 2441 S 11TH ST |          |
| HARLAN JOHN & LINDSEY R           | 1126 SANTOS ST |          |
| VANNOY REBECCA S                  | 2433 S 11TH ST |          |
| JONES ORDIS P & GERALDINE         | 1166 GRAND AV  |          |
| GRAY THELMA                       | 1102 GRAND AV  |          |
| GOODWIN BRENDA                    | 1110 GRAND AV  |          |
| WHEELER JOEL E & CAROLYN C        | 1118 GRAND AV  |          |
| PARKS CHARLES M                   | 1150 GRAND AV  |          |
| MC CLEARY SCOTT & CATHY S         | 1142 GRAND AV  |          |
| BLACKBURN STEPHANIE L             | 1157 ROSS AV   |          |
| FAIRCLOTH JACQUELINE K            | 1155 GRAND AV  |          |
| DAVIDSON EDWARD LEE & BILLIE SUE  | 1126 GRAND AV  |          |
| CAMP BRENT Z & ALISON R           | 1145 GRAND AV  |          |
| MILLER JOHN & BONNIE              | 1117 GRAND AV  |          |
| HARGUS RONALD KENT                | 2325 S 11TH ST |          |
| D & J RENTALS PARTNERSHIP         | 1117 ROSS AV   |          |
| FILLMON DONALD J & SHERYL         | 1173 ROSS AV   |          |
| SHANAFELT GARY W & NANCY          | 1197 GRAND AV  |          |
| HOWARD AMBER BROOKE               | 2341 S 11TH ST |          |
| WILSON CHRISTOPHER T              | 1149 ROSS AV   |          |
| PHELPS TONY                       | 1141 ROSS AV   |          |
| STRAIT NICHOLAS A & NICHOLE TUMEY | 1134 SANTOS ST |          |
| BRONAUGH JASON R & ALISA          | 1165 ROSS AV   |          |
| YOUNGBLOOD DANIEL P & JESSICA S   | 1137 GRAND AV  |          |
| BOCKENFELD STEVEN E & APRIL L     | 1174 GRAND AV  |          |
| GLR LEASING INC                   | 1133 ROSS AV   |          |
| EAGLE ROBERT A & LAUREN           | 1165 GRAND AV  |          |
| ANDERSON JAMES P                  | 1134 GRAND AV  |          |

0 in Favor- **Y**  
0 Opposed- **N**

