

ORDINANCE NO. 16-1989

AN ORDINANCE AMENDING ORDINANCE NO. 971 PROVIDING FOR THE REGULATION OF MOBILE HOMES AT LAKE FORT PHANTOM HILL, 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 all provisions of the Zoning Ordinance, Chapter 32, of the Abilene Municipal Code, affecting mobile homes, shall remain in full force and effect, except that special provision shall be made for mobile homes presently at Lake Fort Phantom Hill on the date of passage of this ordinance.

PART 2: Except as provided in Part 3 of this ordinance, no mobile homes are allowed at Lake Fort Phantom Hill for living quarters unless they be in MH (Mobile Home) District or PDD (Planned Development) District.

PART 3: All Mobile Homes not in MH or PDD Zoning Districts used for living quarters that were present at Lake Fort Phantom on May 1, 1989, are hereby declared to be a legal use and may remain at Lake Fort Phantom until the end of June, 2032, subject to these restrictions.

- (a) At the end of this additional 40 year amortization time (1992 to 2032) the owner of the mobile home may request additional amortization time. The City Council will evaluate the condition of the applicant's property and whether it is the public interest to allow any additional amortization time.
- (b) No mobile home exempted in this manner may be replaced with another mobile home.
- (c) When a lease is transferred having an "exempted" mobile home, the transferee may utilize the "same exempted" mobile home. The transferee shall not be allowed to have another mobile home on said lot.
- (d) Mobile home owners may repair damaged mobile homes so long as the damage does not exceed fifty percent (50%) of the value of such structure at the time of damage. Mobile homes damaged more than fifty percent (50%) of the value of such structure at the time of damage shall not be restored or reconstructed and shall be removed from Lake Fort Phantom Hill.

This general exemption for mobile homes shall expire at the end of June, 2032, unless additional time is requested and granted by the City Council; and all mobile homes used for living quarters not in MH or PDD Districts shall be removed from Lake Fort Phantom Hill.

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 Two Thousand Dollars (\$2,000.00). Each day such violation shall continue, or be permitted to continue, shall be deemed a separate offense.

PASSED ON FIRST READING this 27 day of April,
A.D. 1989.

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 9 day of April, 1989, 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 9:00 a.m. on the 11 day of May, 1989, 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 11 day of
May, A.D. 1989.

ATTEST:


CITY SECRETARY


MAYOR

APPROVED:

Harry Cayell
CITY ATTORNEY

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ATTACHMENT "A"

Ordinance No. 16-1989 applies to mobile homes used for living quarters that were present at Lake Fort Phantom on May 1, 1989, and includes, but is not limited to the lots or Central Appraisal District's parcel numbers listed below:

North Addition, parcel no. J0289000100, Charlie A. Barry

Lakeview Heights, parcel no. JS442000100, W.M. Hawkins

Leased Lots:

<u>Lot</u>	<u>Parcel No.</u>
24	JS600000200
122	JS600007900
150	JS600010300
169	JS600012000
211	JS600014900
222	JS600016100
231	JS600017000
492 B,C,D	JS600029300
827	JS600036600
840	JS600037900
1002-1006	JS600040300