

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING CHAPTER 23, SUBPART E, "ZONING," OF THE ABILENE MUNICIPAL CODE, CONCERNING PDD #54 (POLO PARK) PLANNED DEVELOPMENT DISTRICT; 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, Subpart E, known as the Zoning Ordinance 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 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 10 day of February
A.D. 19 94.

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 6 day of February, 1994, 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 24 day of February, 1994, 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.

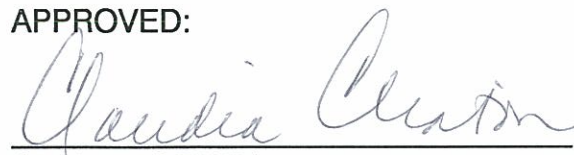
PASSED ON SECOND AND FINAL READING THIS 24 day of February
A.D. 19 94.

ATTEST:


CITY SECRETARY


MAYOR

APPROVED:


CITY ATTORNEY

ORDINANCE NO. 6-1994

Exhibit "A"

PART 1: Land Title. Title to land not dedicated to public use and services or for utility purposes and not otherwise designated for development purposes shall remain in the owner thereof, his heirs, assigns, lessees and successors in interest and shall not be the responsibility of the City of Abilene for any purpose.

PART 2: Development Specifications. All development in the Planned Development District shall be in accordance with the maps, topographical and drainage plans, utility plans, architectural drawings, site plan, plat, and any other required plans filed in connection with this requested Planned Development District and are hereby incorporated by reference and included as part of this ordinance. Site Plan is attached as Exhibit B.

Further, all agreements, provisions, or covenants which govern the use, maintenance, and continued protection of this P.D.R. are hereby incorporated by reference and included as part of this ordinance.

All use and development within the Planned Development District must be in compliance with the general Comprehensive Zoning Ordinance of the City of Abilene except as otherwise specifically provided herein.

PART 3: Building Specifications. All structures in the herein said Planned Development District shall be constructed in accordance with all pertinent building and construction codes of the City of Abilene.

PART 4: Zoning. That Chapter 23, Subpart E, Abilene Municipal Code, known as the Zoning Ordinance of the City of Abilene, is hereby further amended by changing the zoning district boundaries, as hereinafter set forth: From AO & RS-6 & RS-12 (Agricultural Open Space & Residential Single Family) District to PDR (Planned Development Residential) District.

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.

PART 5: Legal Description. The legal description of this P.D.R. is as follows:

Being 19.6003 acres out of the an 81.625 acre tract out of the West part of Lots 1 and 2, Alfred & Mary Fasshauer Subdivision of Survey No. 10, Lunatic Asylum Lands, Abilene, Taylor County, Texas (81.625 acre tract described in Volume 1033, Page 427, Deed Records, Taylor County, Texas) and said 19.6003 acre tract being more particularly described as follows:

BEGINNING at a point in the East line of Block N, Hunters Creek Addition, Section 3, to the City of Abilene, Taylor County, Texas (recorded in Plat Cabinet 1, Slide 190, Plat Records, Taylor County, Texas), also being the Northwest corner of Wyndham Place Addition, Section 2, to the City of Abilene, Taylor County, Texas (recorded in Plat Cabinet 3, Slide 69, whence the Southwest corner of said Wyndham Place Addition hears S0deg.12'W 1319.30');

THENCE N0deg.12'E along the East boundary line of said Block N, Hunters Creek Addition 953.86' to a point for the Northwest corner of this tract;

THENCE N89deg.49'E 830.0' to a point for the Northeast corner of this tract;

THENCE S0deg.12'W 976.95' to a point for the northerly most Southeast corner of this tract;

THENCE S89deg.48'W 524.71' to a point for an interior corner of this tract;

THENCE S0deg.12'W 160.5' to a point in the Center line of Lynbrook Drive for the Southerly most Southeast corner of this tract;

THENCE N85deg.11'20"W 306.29' to the intersection being a point in the centerline of Lynbrook Drive and a point in the East boundary line of said Hunters Creek Addition for the Southwest corner of this tract;

THENCE N0deg.12'E 153.17' to the place of beginning and containing 19.6003 acres of land.

PART 6: Purpose. The purpose of the Planned Development District request is to allow for patio home development of a large tract which has not developed under present zoning and development procedures.

PART 7: Specific Modifications. The attached Site Plan (Exhibit "B") provides the requirements for front, rear, and exterior and interior side building lines. Fifteen (15) foot front and rear building lines are required on all lots. Exterior side building lines are per the Site Plan. Unless otherwise indicated on the Site Plan, a zero (0) foot interior side building line is allowed with a minimum six (6) foot building line required on the opposite side. The above building line requirements are subject to change, without amendment to this ordinance, based upon approval and filing of the final plat for this subdivision. Other conditions and restrictions for individual lots will be per the appropriate deed restrictions as filed for record, otherwise the appropriate codes of the City of Abilene will apply.

PART 8: Schedule. Construction and development of the Planned Development District established hereby shall begin no later than six (6) months from the effective date of this ordinance. If development does not proceed within this time frame, the Planning and Zoning Commission shall recommend to the City Council that the proposed development be rezoned to its former status.

-END-

EXHIBIT "B"

