

ORDINANCE NO. 39-1995

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING CHAPTER 23, SUBPART E, "ZONING," OF THE ABILENE MUNICIPAL CODE, CONCERNING PDD #60 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.

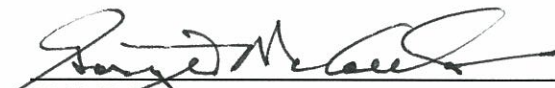
PASSED ON FIRST READING this 10 day of August A.D. 19 95.

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 August, 19 95, 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 August, 19 95, 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 August, A.D. 19 95.

ATTEST:

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

  
\_\_\_\_\_  
MAYOR

APPROVED:

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

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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 (and vicinity map) is attached as Exhibit B.

Further, all agreements, provisions, or covenants which govern the use, maintenance, and continued protection of this P.D.D. 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 RM-3 (Residential Multi-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.D. is as follows:  
All of High Point Addition, Abilene, Taylor County, Texas; filed for record February 8, 1927, Vol. 1, Page 496.

Location:

1900 block of South 3rd Street

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

PART 7: Specific Modifications.

This PDR district shall hereafter be formally known as the "Habitat for Humanity Planned Development Residential" District. For convenience, it is referred to in this document as the PDR District.

- A. The PDR District shall be in accordance with the plan attached as Exhibit "B". All development in the PDR District shall be in conformance with the approved plat and attached plan.

The PDR District shall be developed in a manner consistent with all RS-6 zoning district regulations in the Zoning Ordinance, except as specified below:

1. The minimum lot width shall be 50 feet.
2. The minimum area of lots 14-19 shall be 5500 square feet.
3. The office structure and attached carport, formerly used for collection of recyclables as shown on Exhibit B, shall be permitted to remain on lot 13 for the sole use of Habitat for Humanity, with the following restrictions:
  - a. There shall be no increase in square footage of the office structure. However, exterior painting and interior remodeling and maintenance shall be allowed.
  - b. The office structure shall be set back a minimum of five feet from all rear and side lot lines
  - c. Upon vacancy of the structure by Habitat for Humanity, said office structure shall be demolished and cleared within 90 days.
  - d. Following demolition of said office structure, development on lot 13 shall be restricted to one single family residence.

- B. Opaque screening, a minimum of 6 feet in height, shall be located along the west, south and east property lines of Lot 13, and the front building line of Lot 13. Such screening shall be maintained until demolition of said office structure is complete, at which time the screening may be removed.
- C. Outdoor storage shall be limited to the temporary storage of materials associated with the construction of single family homes. All outdoor storage shall be located on Lot 13, within the required screening.

PART 8: Schedule. If development does not ensue within one year after the approval of this ordinance by the City Council, the Planning and Zoning Commission shall recommend that the development be rezoned to its former status or extend the development period as it deems appropriate.

-END-

