

AN ORDINANCE AMENDING CHAPTER 23, "PLANNING AND COMMUNITY DEVELOPMENT," SUBPART E, "ZONING," OF THE ABILENE MUNICIPAL CODE, BY CHANGING THE ZONING DISTRICT BOUNDARIES AFFECTING CERTAIN PROPERTIES, AS DESCRIBED BELOW, DECLARING A PENALTY, AND CALLING A PUBLIC HEARING.

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 8 day of August A.D. 19 96.

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 4 day of August, 19 96, 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 22 day of August, 19 96, 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 22 day of August, A.D. 19 96.

ATTEST:



CITY SECRETARY



MAYOR

APPROVED:



CITY ATTORNEY

EXHIBIT "A"

Rezone property from MH (Mobile Home) to AO & MH (Agricultural Open Space & Mobile Home) zoning district.

Legal Description:

BEING 1.0 acre out of an original 21.0 acre tract out of Sections 82 and 83, Block 14, T & P RR. Company Surveys, Taylor County, Texas, said 1.0 acre tract being more particularly described as follows: BEGINNING at a 1/2" rebar set on the SBL of a 9.688 acre tract off the North part of said 21 acre tract; whence the most westerly Northwest corner of said Section 83 bears S88°29'W 644.3' and North 687.4'; THENCE N88°29'E 181.5' to a 1/2" rebar set on the SBL of said 9.688 acre tract, 201' S88°29'W from the Southeast corner of said 9.688 acre tract and WBL of said 21 acre tract; THENCE S1°19'W 240.3' to a 1/2" rebar set for the Southeast corner of this tract; THENCE S88°29'W 181.5' to a 1/2" rebar set for the Southwest corner of this tract; THENCE N1°19'E 240.3' to the place of beginning and containing 1.0 acre.

Property shall remain MH (Mobile Home) and reversion to MH (Mobile Home) in the event of a suit.

It is further provided that an area 150' x 150' for the present mobile home or a replacement double wide mobile home shall remain MH (Mobile Home) zoning. It shall be up to the owner or his successor as to where on the one acre tract the 150' x 150' area for the present mobile home or a replacement double wide shall be located. The owner or his successor retain the right to relocate the 150' x 150' area.

It is the specific intent of this Amendment to limit the MH (Mobile Home) zoning to the 150' x 150' area for only one (1) mobile home.

It is additionally provided that should a suit be filed to set aside this zone change to AO (Agricultural Open Space) and MH (Mobile Home) zoning for one (1) mobile home or replacement double wide mobile home, the entire one (1) acre area shall revert to a MH (Mobile Home) zoning district.

Location:

3665 Caldwell Road