

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING CHAPTER 23, SUBPART E, "ZONING," OF THE ABILENE MUNICIPAL CODE, CONCERNING PDD-66 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 8 day of April A.D. 1999.


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 April, 1999, 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 April, 1999, 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 April, A.D. 1999.

ATTEST:




CITY SECRETARY



MAYOR

APPROVED:



CITY ATTORNEY

ORDINANCE NO. 14-1999

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 Residential District and are hereby incorporated by reference and included as part of this ordinance. Site Plan is attached as Exhibit B.

All use and development within the Planned Development Residential 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 Residential District shall be constructed in accordance with all pertinent building and construction codes of the City of Abilene, subject to the modifications listed in PART 7.

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 RS-6 (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.

ORDINANCE NO. 14-1999
EXHIBIT "A"
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PART 5: Legal Description. The legal description of this P.D.R. is as follows:

Lots 1-9, Block 60, 2nd Continuation, Abilene Heights Addition, Abilene, Taylor County, Texas; filed for record March 14, 1952, Vol. 2, Page 336.

Location:

Ambler Avenue and Avenue D

PART 6: Purpose: The purpose of the Planned Development Residential District (PDR) request is to allow for single family residential development and related activities of a large tract which generally has not developed under present zoning and development procedures.

PART 7: Specific Modifications.

- a. Permitted Uses:
 Duplex
 Single-Family Residence

b. Setbacks:		<u>Rear Access</u>	<u>Front Access</u>
	Front -	15 feet	30 feet
	Rear -	25 feet	20 feet
	Interior Sides -	5 feet	5 feet
	Exterior Side -	15 feet	15 feet

- c. Structure Height: Limited to one story

- d. Screening:

An opaque fence, wall or hedge must be located parallel to, and ten (10) feet north of the south property line for rear access. The screening must be from six (6) to seven (7) feet in height and must be constructed of natural vegetation, wood, or masonry materials. Front access requires screening along the rear property line at a height of six (6) to seven (7) feet and constructed of natural vegetation, wood or masonry materials.

- e. Accessory Structures:

Size - 600 square feet maximum per lot

Setback:		<u>Rear Access</u>	<u>Front Access</u>
	Front -	20 feet	30 feet
	Rear -	10 feet	1 foot
	Interior Side -	3 feet	3 feet
	Exterior Side -	15 feet	15 feet
	Detached garages and carports -	25 feet from rear	1 foot from rear

Height - 10 feet maximum

f. Access:

The property must be developed with either all front access or all rear access with the following conditions.

1. Rear Access:

- a. The north fourteen (14) feet of the alley shall have an improved driving surface.
- b. The improved surface and the south six (6) feet of the subject property must be kept clear of all obstructions, including vehicles.

2. Front Access:

- a. Lot 1 access shall be from avenue D.
- b. Access for Lots 2-9 shall be from Ambler Avenue as follows:
 - (1) Lots 2 and 3 shall share a driveway on their common boundary.
 - (2) Lots 4 and 5 shall share a driveway on their common boundary.
 - (3) Lots 6 and 7 shall share a driveway on their common boundary.
 - (4) Lots 8 and 9 shall share a driveway on their common boundary.
- c. Driveways shall be designed with sufficient maneuvering area to allow forward egress from the property.

Part 8: Schedule. Construction and development of tract established hereby shall begin no later than twelve (12) 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-

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CERTIFICATE FOR ORDINANCE

THE STATE OF TEXAS :
COUNTIES OF JONES AND TAYLOR :
CITY OF ABILENE :

We, the undersigned officers of said City, hereby certify as follows:

1. The City Council of said City convened in REGULAR MEETING ON THE 22ND DAY OF APRIL, 1999, at the City Hall, and the roll was called of the duly constituted officers and members of said City Council, to-wit:

Gary D. McCaleb, Mayor
Carol Martinez, Mayor Pro Tem
Rob Beckham, Deputy Mayor Pro Tem
Kay Alexander
Versie L. Brown
A. Don Drennan
Paul R. Vasquez

Jo Moore, City Secretary

and all of said persons were present, except the following absentees: none thus constituting a quorum. Whereupon, among other business, the following was transacted at said Meeting: a written

ORDINANCE
AUTHORIZING THE ISSUANCE OF CITY OF ABILENE, TEXAS
GENERAL OBLIGATION BONDS, SERIES 1999,
IN THE PRINCIPAL AMOUNT OF \$6,000,000

was duly introduced for the consideration of said City Council and read in full. It was then duly moved and seconded that said Ordinance be passed; and, after due discussion, said motion carrying with it the passage of said Ordinance, prevailed and carried by the following vote:

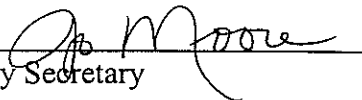
AYES: All members of said City Council shown present above voted "Aye".

NOES: None.

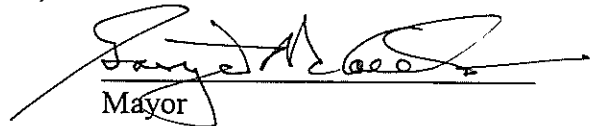
2. That a true, full and correct copy of the aforesaid Ordinance passed at the Meeting described in the above and foregoing paragraph is attached to and follows this Certificate; that said Ordinance has been duly recorded in said City Council's minutes of said Meeting; that the above and foregoing paragraph is a true, full and correct excerpt from said City Council's minutes of said Meeting pertaining to the passage of said Ordinance; that the persons named in the above and foregoing paragraph are the duly chosen, qualified and acting officers and members of said City Council as indicated therein; that each of the officers and members of said City Council was duly and sufficiently notified officially and personally, in advance, of the time, place and purpose of the aforesaid Meeting, and that said Ordinance would be introduced and considered for passage at said Meeting, and each of said officers and members consented, in advance, to the holding of said Meeting for such purpose, and that said Meeting was open to the public and public notice of the time, place and purpose of said meeting was given, all as required by Chapter 551, Texas Government Code.

3. That the Mayor of said City has approved and hereby approves the aforesaid Ordinance; that the Mayor and the City Secretary of said City have duly signed said Ordinance; and that the Mayor and the City Secretary of said City hereby declare that their signing of this Certificate shall constitute the signing of the attached and following copy of said Ordinance for all purposes.

SIGNED AND SEALED the 22nd day of April, 1999.



City Secretary



Mayor

SEAL