

ORDINANCE NO. 4-2004

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING CHAPTER 23, SUBPART E, "ZONING," OF THE ABILENE MUNICIPAL CODE, CONCERNING PDR-83 A PLANNED DEVELOPMENT RESIDENTIAL 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.

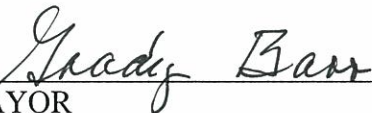
PASSED ON FIRST READING this 26 day of February A.D. 2004.

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 23rd day of February, 2004, the same being more than fifteen (15) days prior to a public hearing to be held in the Civic Center of the City of Abilene, Texas, at 8:30 a.m., on the 11th day of March, 2004, 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 March, A.D. 2004.

ATTEST:


CITY SECRETARY


MAYOR

APPROVED:


CITY ATTORNEY

ORDINANCE NO.

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 Residential 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. 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.

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 (Agricultural Open Space) 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 boundaries of PDR-83 (Ordinance No. 41-2003) are hereby amended to include the following:

Being 5.0 acres out of an original 99 acres tract (Volume 354/352) out of the Northeast ¼ of Section 67, Blind Asylum Lands, Taylor County, Texas, and being more particularly described as follows:

BEGINNING at a ½ " rebar set on the WBL of F.M. Highway 1750, West 40' and North 529.8' of the Southeast corner of said Northeast ¼ of Section 67;

THENCE West 580.5' to a ½ " rebar set for the Southwest corner;

THENCE North 388.8' to a ½ " rebar set for the Northwest corner;

THENCE East 580.5' to a ½ " rebar set for the Northeast corner on the WBL of said FM Highway 1750;

THENCE South 388.8' to the place of beginning and containing 5.0 acres of land.

Location:

4438 Oldham Lane

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

PART 7: Specific Modifications. The regulations, terms and conditions included in PDR-83 (Ordinance No. 41-2003) shall govern the use and development of this Planned Development Residential District and are incorporated herein by reference as though set forth in full.

PART 8: Development Schedule. If a subdivision plat for all or a portion of this PDD is not approved within 12 months of the date of this ordinance, the Planning Director shall initiate rezoning of the PDR to AO (Agricultural Open Space).

-END-