

ORDINANCE NO. 12-2009

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING CHAPTER 23, SUBPART E, "ZONING," OF THE ABILENE MUNICIPAL CODE, BY CHANGING THE ZONING DISTRICT BOUNDARIES AFFECTING CERTAIN PROPERTIES; 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 Five Hundred Dollars (\$500.00). Each day such violation shall continue or be permitted to continue, shall be deemed a separate offense.

PART 3: 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.

PASSED ON FIRST READING this 23rd day of April A.D. 2009.

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 18th day of March, 2009, 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 8:30 a.m., on the 14th day of May, 2009, 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 14th day of May, A.D. 2009.

ATTEST:

  
CITY SECRETARY

  
MAYOR

APPROVED:

  
CITY ATTORNEY

ORDINANCE NO. 12-2009

EXHIBIT "A"

Rezone property from RS-6 (Single Family Residential) to O (Office) zoning.

Legal Description:

Being 2.411 acres out of and a part of the remainder of Lot 1, Block B, Continuation No. 2, Section 3, Countryside South Addition to the City of Abilene, Taylor County, Texas, and all of Lot 103, replat of Lot 1, Block B, Section 3, Countryside South Addition to the City of Abilene, Taylor County, Texas, of record in Plat Cabinet 1, Slide 568, Plat records of Taylor County, Texas, said 2.411 acre tract being more particularly described as follows:

BEGINNING at a point, on the South line of Chimney Rock Road, for the Northeast corner of Royal Heights Addition, of record in Plat Cabinet 3, Slide 22, Plat Records of Taylor County, Texas. the Northwest corner of the remainder of said Lot 1, Block B, Continuation No. 2, Section 3, Countryside South Addition and the Westerly Northwest corner of this tract;

THENCE S88°19'58"E, along South line of said Chimney Rock Road, a distance of 10.0' to a point for the Northwest corner of Lot 2, Block B, Continuation No. 2, Section 3, Countryside South Addition, of record in Plat Cabinet 1, Slide 568, Plat Records of Taylor County, Texas, and the Westerly Northeast corner of this tract;

THENCE S01°06'54"W, along the West line of said of Lot 2, Block B, Continuation No. 2, Section 3, Countryside South Addition, a distance of 119.5' to a found 1/2" rebar, for the Southwest corner of said Lot 2 and an interior corner of this tract;

THENCE S88°04'22"E a distance of 110.28' to a found 3/8" rebar, for the Southeast corner of said Lot 2 and a interior corner of this tract;

THENCE N00°59'02"E a distance of 120' to a found 3/8" rebar, on the South line of said Chimney Rock Road, for the Northeast corner of said Lot 2 and the most Easterly Northwest corner of this tract;

THENCE S88°19'58"E, along South line of said Chimney Rock Road, a distance of 190.82' to a point for the Northwest corner of a 2.660 acre tract, surveyed this same date, out of the East part of said Lot 103, replat of Lot 1, Block B, Section 3, Countryside South Addition, and the Easterly Northeast corner of this tract;

Thence S01°40'02"W a distance of 386.88' to a point, on the North line of a 0.235 acre tract, conveyed to Steve Arthur Development LTD. et al by Deed dated May 20, 2005 of record in Volume 3098, Page 595, Official Public Records of Taylor County, Texas, and the Easterly Southeast corner of this tract;

THENCE in a Northwesterly direction along a curve to the left with a radius of 725.39', a delta of 14°51'01", a length of 188.01' and a chord bearing and distance of N82°16'58"W 187.48' to a point for the end of this curve;

THENCE N89°42'29"W, at 1.54' passing a found 1" pipe, and continuing for a total distance of 61.54' to a found 1/2" rebar with a cap "COJER" for an interior corner of this tract;

THENCE S01°14'58"E a distance of 60.64' to a found 3/8" rebar, for the Westerly Southeast corner of this tract;

THENCE N88°51'56"W a distance of 61.19' to a found 1/2" rebar with a cap "COJER" for the Southeast corner of said Royal Heights Addition, and the Southwest corner of this tract;

THENCE N01°02'01"E, along the East line of said Royal Heights Addition, a distance of 429.76' the point of beginning and containing 2.411 acres of land more or less.

Location: 3501 Chimney Rock Rd.

-END-