

ORDINANCE NO. 43-2020

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING THE "LAND DEVELOPMENT CODE" OF THE ABILENE CITY CODE, BY APPROVING A CONDITIONAL USE PERMIT (CUP) AFFECTING CERTAIN PROPERTY; 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 2 (Zoning Regulations) of the Land Development Code of the City of Abilene, is hereby amended by approving a Conditional Use Permit (CUP) 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 the 22th day of October A.D. 2020.

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 19th day of September, 2020, the same being more than fifteen (15) days prior to a public hearing held in the Council Chamber of the City Hall in Abilene, Texas, at 8:30 p.m. on the 5th day of November, 2020, 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 FINAL READING THIS 5th day of November, 2020.

ATTEST:



CITY SECRETARY



MAYOR

APPROVED:



CITY ATTORNEY



ORDINANCE NO. 43-2020

EXHIBIT A

Conditional Use Permit (CUP) to allow multiple-family dwellings in an Office (O) zoning district and in part of an adjoining General Retail (GR) District, the specific descriptions of which are described below:

Legal description:

all of an Office (O) zoning district comprised of 13.66 acres out of the northeast quarter of Section No. 12, Lunatic Asylum Lands, E. Pogue Survey, Abstract No. 832, City of Abilene, Taylor County, Texas and the southeast quarter of Section No. 12, Lunatic Asylum Lands, M. Jones Survey, Abstract No. 766, City of Abilene, Taylor County, Texas and being out of the south-central portion of that certain 56.32-acre tract as shown per survey for the Estate of Dorothy Parker by Williams Surveying Company in December, 2011, said 13.66-acre tract being more particularly described in metes-and-bounds as follows:

BEGINNING at a point for the southeast corner of this described tract, and being in the most easterly south line of said 56.32-acre tract, from which the most easterly southeast corner of said 56.32-acre tract (being in the west line of right-of-way for U.S. Highway 83-84) bears N. 89° 29' 49" E. 600.16 feet;

THENCE S. 89° 29' 49" W. along the south line of this described tract, same being the most easterly south line of said 56.32-acre tract, a distance of 984.39 feet to a point for the southwest corner of this described tract, from which an interior corner in the south line of said 56.32-acre tract bears S. 89° 29' 49" W. 196.64 feet;

THENCE N. 00° 16' 40" E. along the west line of this described tract, and over and across said 56.32-acre tract, a distance of 602.24 feet to a point for the northwest corner of this described tract;

THENCE N. 89° 27' 26" E. along the north line of this described tract and continuing over and across said 56.32-acre tract, a distance of 990.09 feet to a point for the northeast corner of this described tract;

THENCE S. 00° 49' 07" W. along the east line of this described tract, and continuing over and across said 56.32-acre tract, a distance of 603.04 feet to said POINT OF BEGINNING and containing 13.66 acres of land, more or less;

-and-

all except the north 250.03 feet of the east 272.06 feet of a General Retail (GR) zoning district comprised of 9.86 acres out of the northeast quarter of Section No. 12, Lunatic Asylum Lands, E. Pogue Survey, Abstract No. 832, City of Abilene, Taylor County, Texas and the southeast quarter of Section No. 12, Lunatic Asylum Lands, M. Jones Survey, Abstract No. 766, City of Abilene, Taylor County, Texas and being out of the east end of that certain 56.32-acre tract as shown per survey for the Estate of Dorothy Parker by Williams Surveying Company in December, 2011, said 9.86-acre tract being more particularly described in metes-and-bounds as follows:

BEGINNING at a point for the northeast corner of this described tract and said 56.32-acre tract, being in the west line of right-of-way for U.S. Highway 83-84;

THENCE S. 00° 49' 07" W. along the east line of this described tract, same being the most northerly east line of said 56.32-acre tract, same being the west line of right-of-way for U.S. Highway 83-84, a distance of 853.52 feet to a point for the southeast corner of this described tract, same being the most northerly southeast corner of said 56.32-acre tract;

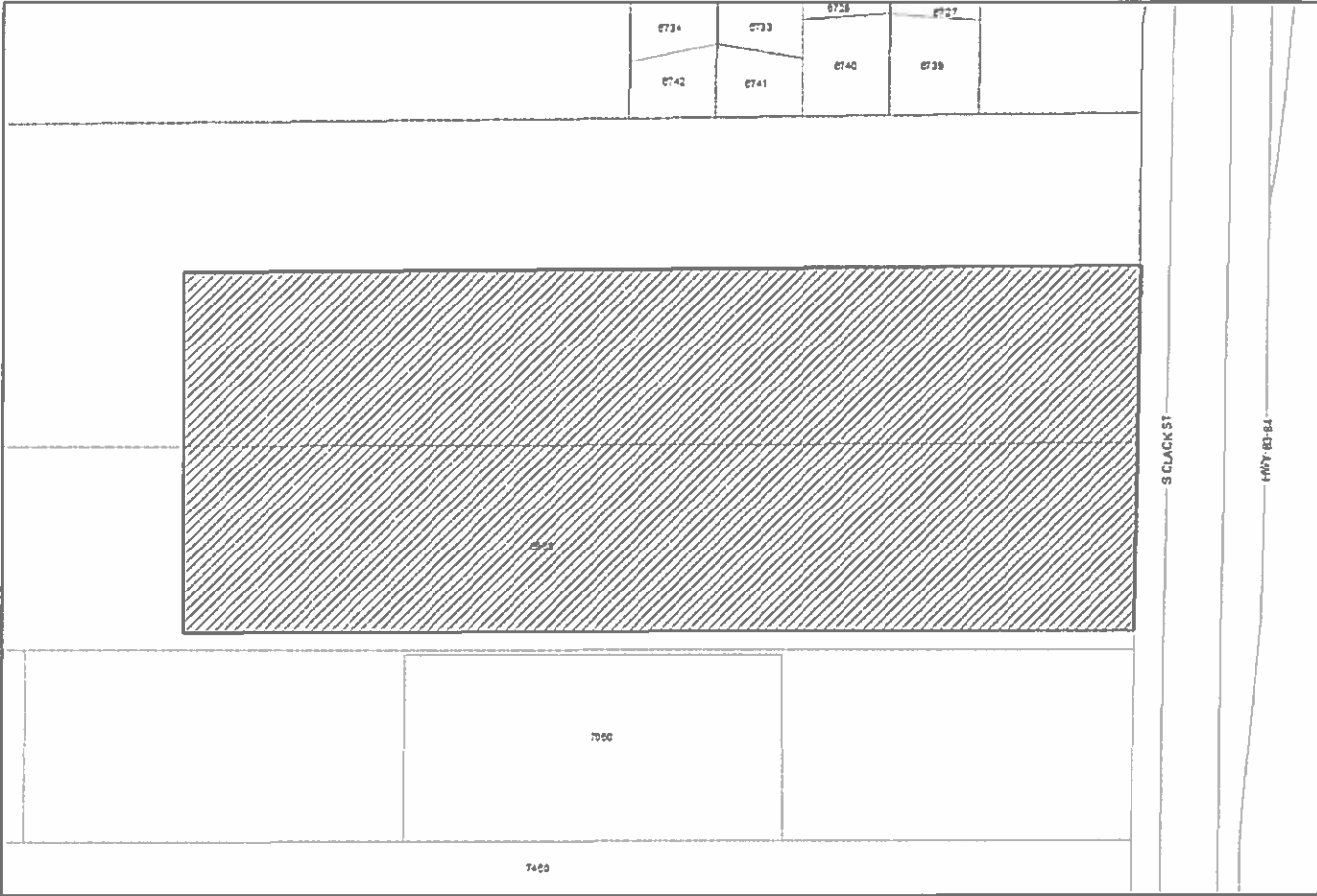
THENCE S. 89° 29' 49" W. along the south line of this described tract, same being the most easterly south line of said 56.32-acre tract, a distance of 600.16 feet to a point for the most westerly northwest corner of this described tract;

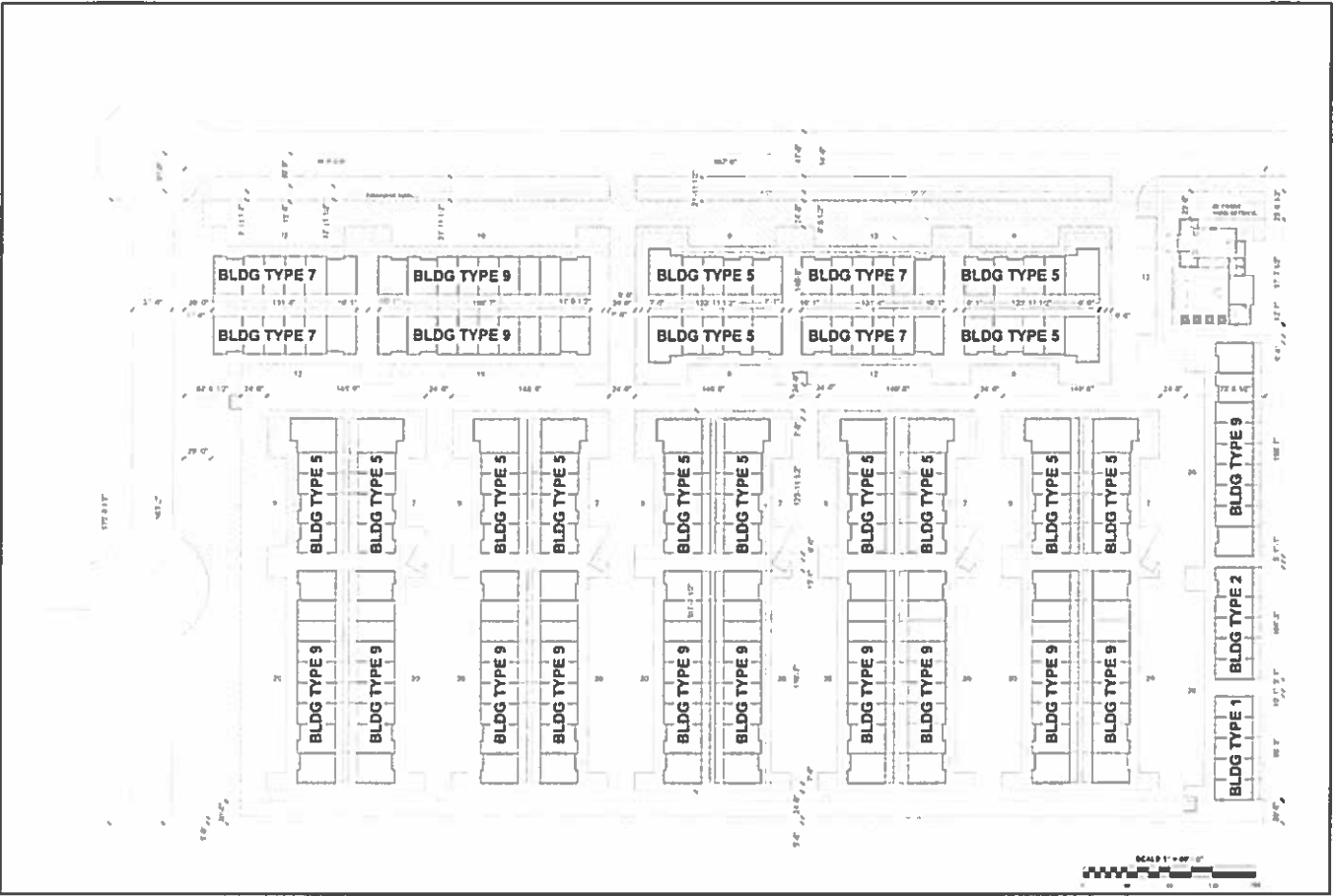
THENCE N. 00° 49' 07" E. along the most southerly west line of this described tract, and over and across said 56.32-acre tract, a distance of 603.04 feet to a point for the most westerly northwest corner of this described tract;

THENCE N. 89° 27' 26" E. along the most westerly north line of this described tract, and over and across said 56.32-acre tract, a distance of 330.47 feet to a point for an interior corner of this described tract;

THENCE N. 00° 16' 40" E. along the most northerly west line of this described tract, and over and across said 56.32-acre tract, a distance of 250.03 feet to point for the most northerly northwest corner of this described tract, and being in the north line of said 56.32-acre tract;

THENCE N. 89° 27' 26" E. along the most easterly north line of this described tract, same being the north line of said 56.32-acre tract, a distance of 272.06 feet to said POINT OF BEGINNING and containing 9.86 acres of land, more or less.





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