

ORDINANCE NO. 44-2020

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING THE, "LAND DEVELOPMENT CODE" OF THE ABILENE CITY 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 2 (Zoning Regulations) of the Land Development Code 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 the 22nd day of October, 2020.

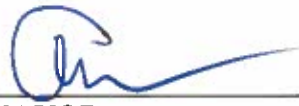
A notice of the time and place, where and when said ordinance would be given a public hearing and considered for final passage, was published in the Abilene Reporter-News, a daily newspaper of general circulation in the City of Abilene, said publication being on the 19th day of September, 2020, the same 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 a.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

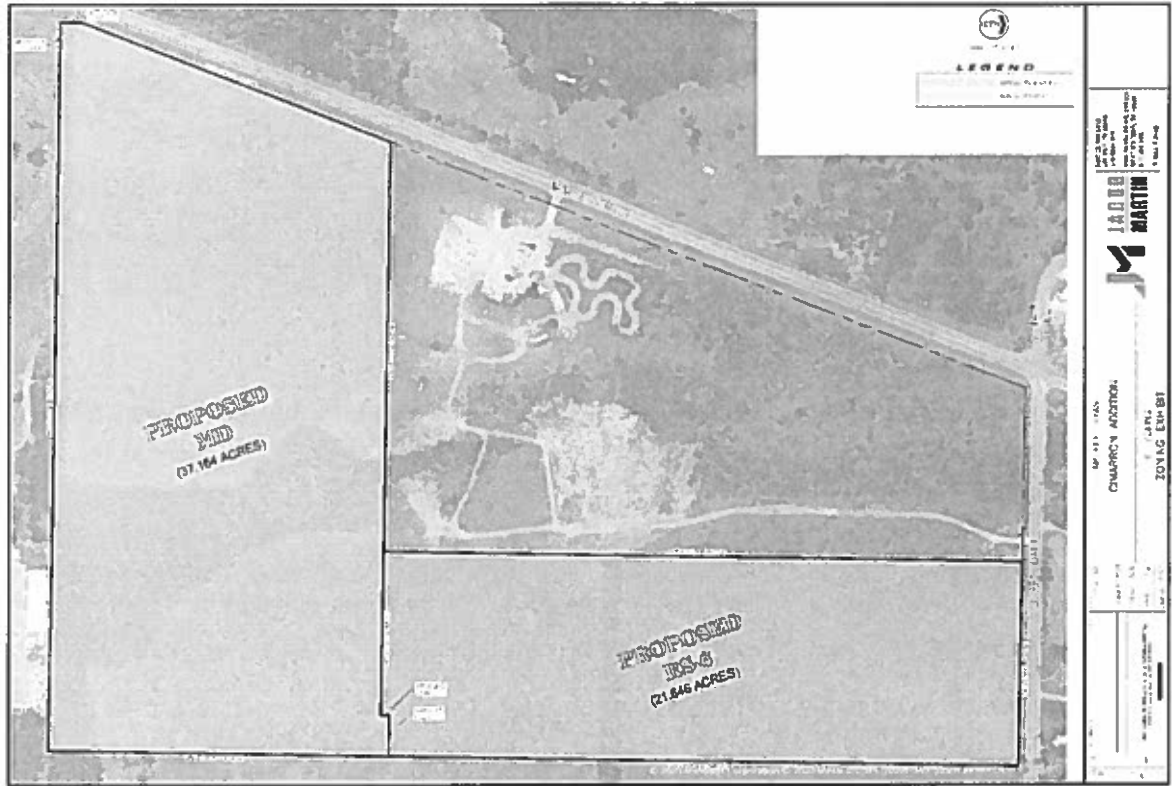
APPROVED:



CITY ATTORNEY

EXHIBIT A

Rezone property from Planned Development District 58 (PDD 58) zoning classification, to a combination of Medium Density (MD) and Residential Single-Family (RS-6) zoning districts, as follows:



Location: 6800-6900 blocks (west side) of Highway 83-84 Abilene, Taylor County, Texas.

Medium Density (MD) zoning district

BEING a 37.164 acre zoning tract out of the northwest quarter of Section No. 51, Blind Asylum Lands, Abstract No. 630, City of Abilene, Taylor County, Texas, and being out of the southern portion of Lot 1, Block A, Section 2, Parkview Addition as shown per plat recorded in Cabinet 3, Slide 270, Plat Records, Taylor County, Texas, and further conveyed (called "TRACT TWO") in a Warranty Deed to Rogers Recreation, Inc. recorded in Volume 2236, Page 860, Official Public Records, Taylor County, Texas, and also being out of "Tract Three" as described in said Volume 2236, Page 860. Said 37.164 acre zoning tract is more particularly described in metes and bounds as follows:

BEGINNING at a point for the southwest corner of this described tract and said "TRACT THREE", and being in the southeasterly right-of-way line of Maple Street;
THENCE N. 00° 37' 56" E. along the west line of this described tract, same being the west line of said "TRACT THREE", same being the southeasterly right-of-way line of said Maple Street, a distance of 55.73 feet to a point for corner of this described tract;

THENCE N. 21° 10' 42" E. along the northwest line of this described tract, same being the northwest line of said "TRACT THREE", same being the southeasterly right-of-way line of said Maple Street, a distance of 891.39 feet to a point for the northwest corner of this described tract;

THENCE along the northerly lines of this described tract; and over and across said "TRACT THREE" and said Lot 1, Block A, the following bearing and distances:

- S. 89° 04' 34" E, at 106.47 feet pass the southeast line of said "TRACT THREE", same being the northwest line of said Lot 1, Block A, and continuing on for a total distance of 1540.36 feet to a point for an interior corner of this described tract;
- N. 00° 55' 26" E a distance of 23.96 feet to a point for a corner of this described tract;
- S. 89° 04' 34" E a distance of 110.00 feet to a point for the northeast corner of this described tract, and being in the east line of said Lot 1, Block A;

THENCE S. 00° 55' 26" W along the east line of this described tract, same being the east line of said Lot 1, Block A, a distance of 913.96 feet to a point for the southeast corner of this described tract, same being the southeast corner of said Lot 1, Block A;

THENCE N. 89° 07' 46" W along the south line of this described tract, same being the south line of said Lot 1, Block A, a distance of 1872.87 feet to a point for a slight angle point of this described tract, and being at the southwest corner of said Lot 1, Block A, same being the southeast corner of said "TRACT THREE";

THENCE N. 89° 14' 38" W, and continuing along the south line of this described tract, same being the south line of said "TRACT THREE", a distance of 85.80 feet to the POINT OF BEGINNING and containing 31.164 acres of land, more or less.

Single Family Residential (RS-6) zoning district

BEING a 21.646 acre zoning tract out of the northwest quarter of Section No. 51, Blind Asylum Lands, Abstract No. 630, City of Abilene, Taylor County, Texas, and being out of the eastern portion of Lot 1, Block A, Section 2, Parkview conveyed (called "TRACT TWO") in a Warranty Deed to Rogers Recreation, Inc. recorded in Volume 2236, Page 860, Official Public Records, Taylor County, Texas. Said 21.646 acre zoning tract is more particularly described in metes and bounds as follows:

BEGINNING at a point for the northeast corner of this described tract, and said Lot 1, Block A, and being in the south right-of-way line of Berry Lane;

THENCE S. 00° 55' 26" W along the east line of this described tract, same being the east line of said Lot 1, Block A, a distance of 1695.10 feet to a point for the southeast corner of this described tract;

THENCE along the southerly lines of this described tract, and over and across said Lot 1, Block A, the following bearings and distances:

- N. 89° 04' 34" W a distance of 110.00 feet to a point for an interior corner of this described tract;
- S. 00° 55' 26" W a distance of 23.96 feet to a point for a corner of this described tract;
- N. 89° 04' 34" W a distance of 440.00 feet to a point for the southwest corner of this described tract;

THENCE N. 00° 55' 26" E, and continuing over and across said Lot 1, Block A, and along the west line of this described tract, a distance of 1719.32 feet to a point for the northwest corner of this described tract, and being in the north line of said Lot 1, Block A, same being the south right-of-way line of said Berry Lane;

THENCE S. 89° 02' 59" E along the north line of this described tract, same being the north line of said Lot 1, Block A, same being the south right-of-way line of said Berry Lane, a distance of 550.00 feet to the POINT OF BEGINNING and containing 21.646 acres of land, more or less.

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