

ORDINANCE NO. 51-2020

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 19th day of November, 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 17th day of October, 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 3rd day of December, 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 3rd day of December, 2020.

ATTEST:



CITY SECRETARY



MAYOR

APPROVED:



CITY ATTORNEY



ORDINANCE NO. 51-2020

EXHIBIT A

Change the zoning classification of the following described tract(s), from Agricultural Open Space (AO) District to a General Commercial (GC) District:

TRACT 1

Being 3.380 acres of land containing a 2.0 acre tract and two 1.0 acre tracts, recorded in Volume 1595, Page 691, Deed Records, Taylor County, Texas, Save and Except a 0.615 acre tract deeded to the State of Texas for right-of-way and recorded in Volume 2580, Page 310, Official Public Records, Taylor County, Texas. Said 3.380 acre tract being more particularly described as follows.

Beginning at a found brass cap highway right-of-way monument on the West line of Highway 83-84, Highway Sta. 22+331.687, the South line of Waldrop Road and the North line of the 1.0 acre tract (Tract 2) recorded in Volume 1595, Page 691, for the Northerly Northeast corner of this tract and the Northwest corner of said 0.615 acre tract, whence the Northeast corner of said Section 23 is record to bear N89°28'E 206.26' and N0°05'W 22.0';

THENCE S43°30'48"W, with the West line of said Highway, 42.25' to a found brass cap right-of-way monument, at Highway Sta. 22+340.900, for the Southerly Northeast corner of this tract;

THENCE S00°49'28"W, with the West line of said Highway, 287.49' to a point whence the center of a 2.5" pipe fence corner post bears S61°05'22"E 0.14'. Said point being on the South line of said 2.0 acre tract and the North line of a 3.73 acre tract recorded in Volume 1948, Page 568, Official Public Records, Taylor County, Texas, for the Southwest corner of this tract, whence a found brass cap highway right-of-way monument bears S00°49'28"W 1054.31';

THENCE N89°37'42"W 465.54' to a found 1/2" metal rebar at the Southwest corner of said 2.0 acre tract and the Northwest corner of said 3.73 acre tract, for the Southeast corner of this tract;

THENCE N00°57'13"E 316.98' to a found 3/8" metal rebar on the South line of said Waldrop Road, at the Northwest corner of said 1.0 acre tract (Tract 3) recorded in Volume 1595, Page 691, for the Northwest corner of this tract;

THENCE S89°45'21"E, with the South line of said Waldrop Road, 435.31' to the point of beginning and containing 3.380 acres of land.

Bearing Basis – right-of-way markers on the West line of Highway 83-84. Records S00°49'28"W.

TRACT 2

BEING 3.14 acres of land out of Section 23, Lunatic Asylum Lands, Taylor County, Texas and being all of that same tract recorded as 3.73 acres in Volume 1948, Page 568, Official Public Records, Taylor County, Texas less a 0.586 acre tract deeded to the State of Texas in Volume 2580, Page 863, Official Public Records, Taylor County, Texas, said 3.14 acres being more particularly described as follows:

BEGINNING at an existing aluminum highway monument on the WBL of South U. S. Highway 83 – 84 at the Southeast corner of a 3.380 acre tract recorded in Volume 2971, Page 435, Official Public Records, Taylor County, Texas for the Northeast corner of this tract;

THENCE S0°10'40"W 293.81 feet along the WBL of said South U. S. Highway 83 - 84 and the WBL of said 0.586 acre tract to an existing aluminum highway monument at the Northeast corner of a 1.000 acre tract recorded in Clerk File No. 2012-6530, Official public Records, Taylor County, Texas for the Southeast corner of this tract;

THENCE S89°42'19"W 465.07 feet to the Southwest corner of said 3.73 acre tract and the Northwest corner of a 5.55 acre tract recorded as Tract 2 in Clerk File No. 2010-6979, Official Public Records, Taylor County, Texas for the Southwest corner of this tract, from whence an existing 4" pipe fence corner post bears North 0.8 feet and East 0.3 feet;

THENCE N0°02'34"W 293.80 feet to a 1/2" rebar found at the Southwest corner of said 3.380 acre tract for the Northwest corner of this tract;

THENCE N89°42'19"E 465.76 feet along the NBL of said 3.73 acre tract and the SBL of said 3.380 acre tract to the place of beginning and containing 3.14 acres of land.

TRACT 3

Being 1.000 acre out of a 10.100 acre tract recorded in Volume 3139, Page 821, Official Public Records, Taylor County, Texas, containing an 11.98 acre tract recorded in Volume 1185, Page 551, Deed Records, Taylor County, Texas, Save and Except a 1.883 acre (0.762 hectare) tract dedicated to the State of Texas for right-of-way, recorded in Volume 2580, Page 305, Official Public Records, Taylor County, Texas. Said 10.100 acre tract being out of the Northeast 1/4 of Section 23, Lunatic Asylum Lands, Taylor County, Texas and said 1.000 acre tract being more particularly described as follows.

Beginning at a set 1/2" metal rebar on the North line of said 10.100 acre tract and the South line of a 3.73 acre tract recorded in Volume 1948, Page 568, Official Public Records, Taylor County, Texas, for the Northwest corner of this tract, whence a found 60D nail on the East line of Steve Roth Addition to the City of Abilene, Taylor County, Texas, recorded in Plat Cabinet 3, Slide 392, Plat Records, Taylor County, Texas, at the Southwest corner of said 3.73 acre tract, the Northwest corner of said 11.98 acre tract and the Northwest corner of said 10.100 acre tract bears N89°30'59"W 112.06', from said found 60D nail a found 3/8" metal rebar at the Northeast corner of said Steve Roth Addition bears N00°50'30"E 609.96' and from said 60D nail the Northwest corner of the Northeast 1/4 of said Section 23 is record to bear North 620.1' and S89°57'W 2043.9' per Volume 1185, Page 551, Deed Records, Taylor County, Texas;

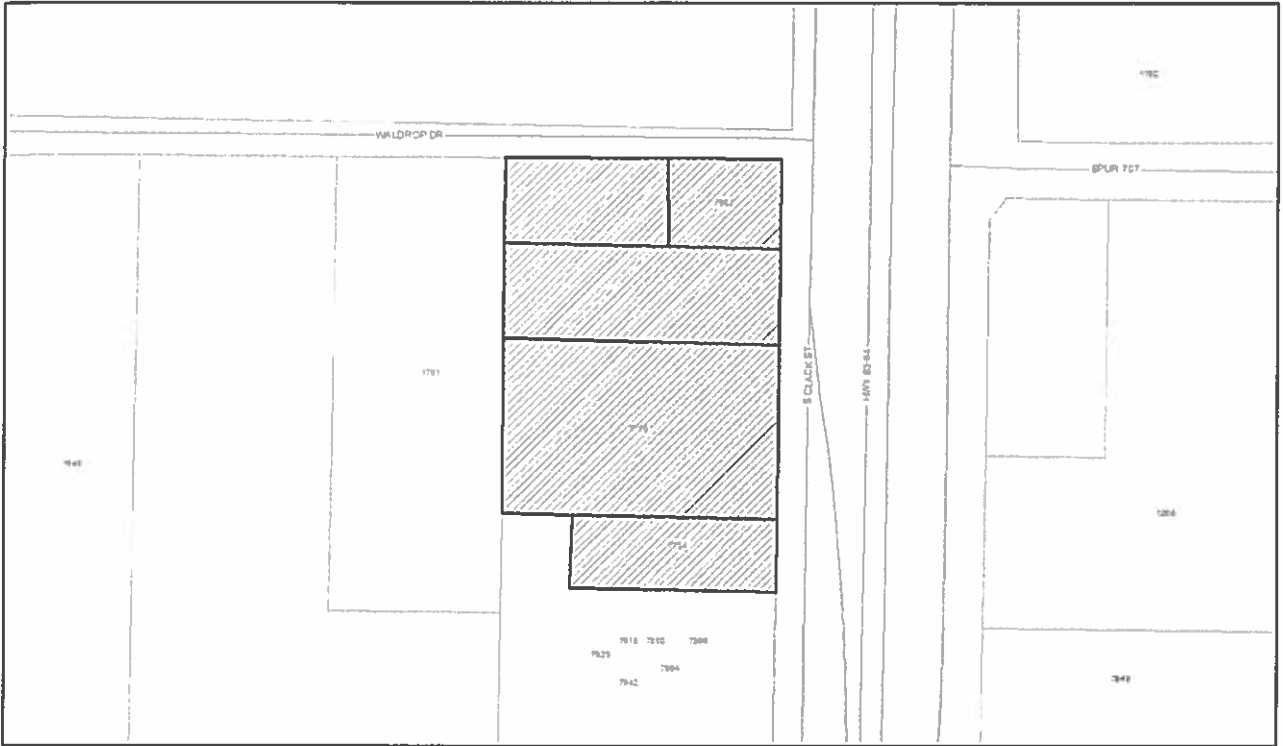
THENCE S89°30'59"E, with the North line of said 10.100 acre tract and the south line of said 3.73 acre tract, 352.95' to found 1/2" metal rebar with cap marked "TxDot" on the West line of U.S. Highway 83-84 (200' right-of-way) at the Northeast corner of said 10.100 acre tract, for the Northeast corner of this tract, whence a found 1/2" metal rebar with cap marked "TxDot" on the North line of said 3.73 acre tract bears N00°49'40"E 293.81';

THENCE S00°49'28"W with the West line of said Highway 83-84 123.42' to a set 1/2" metal rebar for the Southeast corner of this tract, whence a found brass cap highway monument bears S00°49'28"W 349.54' and from said monument a found 1/2" metal rebar with cap marked "TxDot" at the Southeast corner of said 10.100 acre tract bears S00°49'28"W 472.98';

THENCE N89°30'59"W 352.95' to a set 1/2" metal rebar for the Southwest corner of this tract;

THENCE N00°49'28"E 123.42' to the point of beginning and containing 1.000 acre of land.

Bearing basis -- West line of U.S. Highway 83-84. S00°49'28"W



Location: 7600-7800 blocks (west side) of South Clack Street