

ORDINANCE NO. 29-2021

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 24th day of June, 2021.

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 15th day of May, 2021, 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 8th day of July, 2021, 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 8th day of July, 2021.

ATTEST:



CITY SECRETARY



MAYOR

APPROVED:



CITY ATTORNEY



EXHIBIT A

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

BEING a 16.397 acre tract out of the southwest-quarter of Section No. 14, Lunatic Asylum Lands, Abstract No. 777, City of Abilene, Taylor County, Texas and being out of the south end of the remainder of that certain 264.813 acre tract conveyed to Carriage Hills Development Corporation and described in a Warranty Deed with Vendor's Lien recorded in Instrument No. 2015-00006545 of the Official Public Records of said Taylor County, Texas. Said 16.397 acre tract is more particularly described in metes and bounds as follows:

BEGINNING at a found aluminum disk monument stamped "J&M 4247" for the southeast corner of the herein described tract, and the southeast corner of said 264.813 acre tract, and being in the north right-of-way line of FM Highway No. 707, said corner being the beginning of a non-tangent curve to the left, having a radius of 5779.82 feet, a delta angle of $01^{\circ}31'11''$, and a long chord which bears $S88^{\circ}51'32''W$ 153.31 feet;

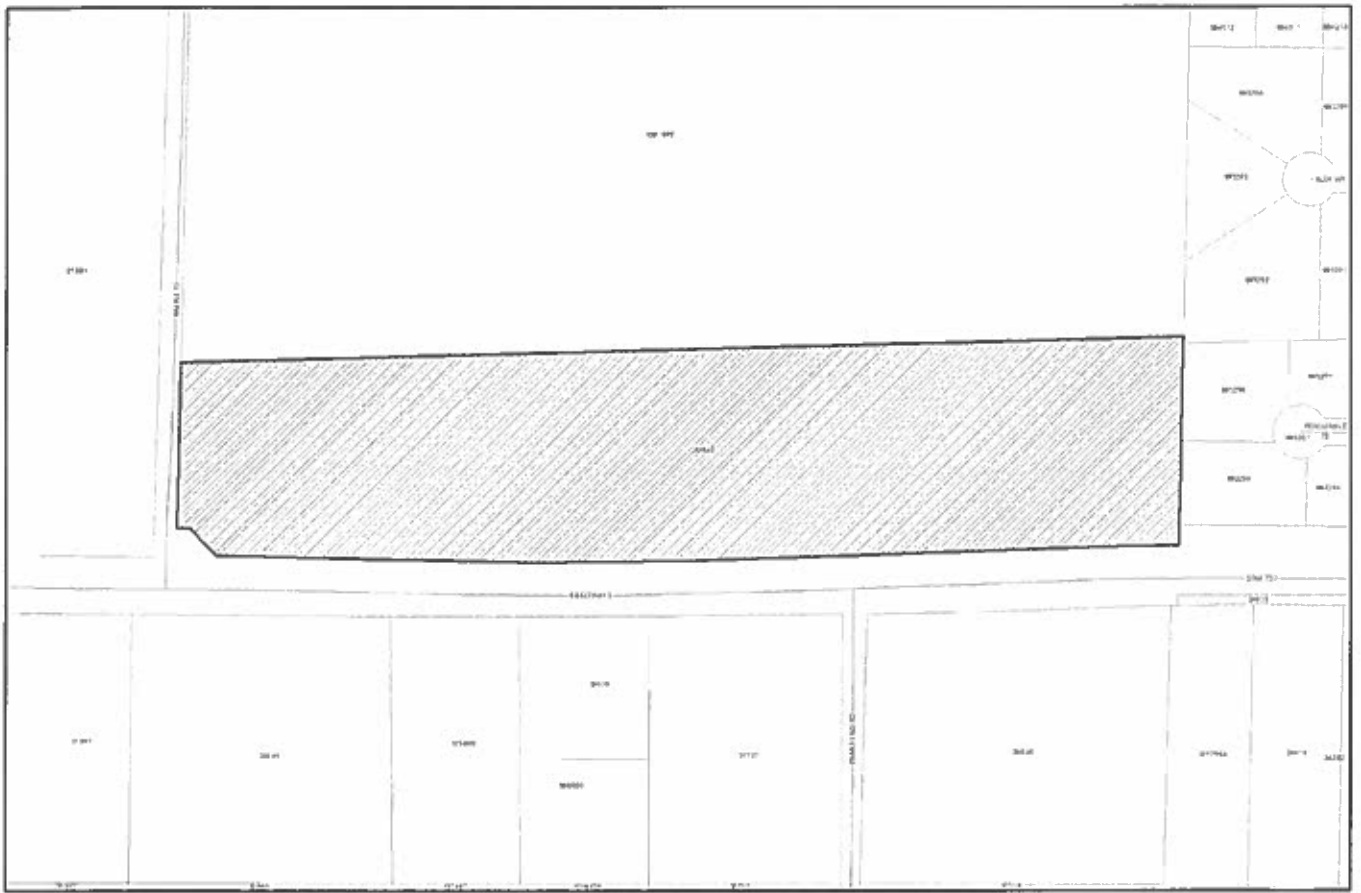
THENCE along the southerly line of the herein described tract and said 264.813 acre tract, and along the northerly right-of-line of said FM Highway No. 707 the following bearings and distances:

- Along said curve to the left an arc length distance of 153.32 feet to a found concrete monument at the end of said curve;
- $S88^{\circ}06'23''W$ a distance of 769.79 feet to a found concrete monument for the beginning of a tangent curve to the right, having a radius of 5679.30 feet, a delta angle of $02^{\circ}52'06''$, and a long chord which bears $S89^{\circ}39'42''W$ 284.30 feet;
- Along said curve to the right an arc distance of 284.33 feet to a found concrete monument at the end of said curve;
- $N89^{\circ}01'16''W$ a distance of 586.33 feet to a found concrete monument at the southeast end of a "clipped corner";
- $N44^{\circ}10'36''W$ a distance of 70.51 feet to a found concrete monument at the northwest end of said "clipped corner" and being in the occupied east line of Maple Street;
- $N88^{\circ}24'02''W$ a distance of 19.28 feet to a MAG-NAIL with metal washer stamped "J&M 4247" found in asphalt pavement of said Maple Street for the most westerly southwest corner of the herein described tract and said 264.813 acre tract;

THENCE $N01^{\circ}14'14''E$ along the west line of the herein described tract and said 264.813 acre tract, and along the general course of said Maple Street, a distance of 310.96 feet to a MAG-NAIL with metal washer set in asphalt pavement of said Maple Street for the northwest corner of the herein described tract from which a MAG-NAIL with metal washer found in asphalt pavement of said Maple Street and being at an interior corner of said 264.813 acre tract bears $N01^{\circ}14'14''E$ 1808.33 feet;

THENCE $N88^{\circ}35'07''E$ along the north line of the herein described tract and over and across said 264.813 acre tract, a distance of 1863.47 feet to a found 1/2 inch rebar rod for the northeast corner of the herein described tract, and being in the east line of said 264.813 acre tract, said corner also being at the common corner between the southwest corner of Lot 10, Block A and the northwest corner of Lot 4, Block A, both being in the Sawgrass Addition, Section 1, as shown per plat recorded in Cabinet 4, Slide 112, Plat Records of said Taylor County, Texas;

THENCE $S01^{\circ}11'02''W$ along the east line of the herein described tract and said 264.813 acre tract, and the west line of said Sawgrass Addition, Section 1, a distance of 387.93 feet to said **POINT OF BEGINNING** and containing 16.397 acres of land, more or less.



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