

ORDINANCE NO. 57-2023

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 A 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 23 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 Two Thousand Dollars (\$2,000.00). 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 24<sup>nd</sup> day of August, 2023.

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 17<sup>th</sup> day of July, 2023, 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 14<sup>th</sup> day of September, 2023, 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** 14<sup>th</sup> day of September, 2023.

ATTEST:

  
CITY SECRETARY

  
MAYOR

APPROVED:

  
CITY ATTORNEY

## EXHIBIT A

Approve a Conditional Use Permit (CUP) to allow for a Daycare within Residential Single Family (RS-6) zoning for up to 12 children.

The Conditional Use Permit is subject to:

1. Compliance with the proposed Plan of Operation.
2. The issuance of any required local and state licenses for 6 additional children.
3. A copy of all required licenses shall be provided to the Building Official.
4. The issuance of a Certificate of Occupancy prior to expanding the size of the day-care for up to 12 children.

Legal description being Lot 20, Block 36, Green Acres Section 2, Abilene, Taylor County, Texas.

Located at 3236 Ambler Avenue, Abilene, Taylor County, Texas.



## EXHIBIT B

### PLAN OF OPERATION

04/28/2023

JC's Spot for Tots Daycare  
3236 Ambler Avenue  
Abilene, TX 79603  
325-725-6731  
Jovon Christophe

Dear City of Abilene,

My name is Jovon Christophe, and I am a Registered Childcare Provider going on 14 years. I am located at 3236 Ambler Avenue, and I am interested in becoming a Licensed childcare home where I will care for no more than 12 children with ages ranging from 18 months to 12 years old. I will determine my own program services, hours, and parent fees.

My hours of operation are Monday through Friday 7:30am to 5:30pm. Parents work schedules are different, and the children usually arrive over a period of two hours in the morning, and leave during a similar period in the late afternoon. This will reduce the number of vehicles at my home at one time. Parents escort their children safely to and from their vehicles to my home. By implementing these measures, my business will not increase traffic congestion on the street.

While children are in my care, my assistant and I are responsible for the supervision at all times including indoor activities, outdoor play in a fenced in back yard 1 to 2 hours a day, on walks, or vehicle trips away from my home.

If you have questions or concerns, or if you would like to consider other impact to the neighborhood please contact me at any time. Gathering your input now will help me to better plan my program, and prevent issues that might arise in the future.

Thank you for your time,

Jovon Christophe

END