

AN ORDINANCE AMENDING CHAPTER 23, "PLANNING AND COMMUNITY DEVELOPMENT," SUBPART E, "ZONING," OF THE ABILENE MUNICIPAL CODE, BY AMENDING CERTAIN SECTIONS AS SET OUT BELOW; PROVIDING A SEVERABILITY CLAUSE; DECLARING A PENALTY AND CALLING A PUBLIC HEARING.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS:

PART 1: That Chapter 23, Subpart E, "Zoning," of the Abilene Municipal Code be amended as set out in Exhibit "A," attached hereto and made a part of this ordinance for all purposes.

PART 2: That if any provision or any section of this ordinance shall be held to be void or unconstitutional, such holding shall in no way affect the validity of the remaining provisions or sections of this ordinance, which shall remain in full force and effect.

PART 3: 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 One Thousand Dollars (\$1,000.00). Each day such violation shall continue or be permitted to continue, shall be deemed a separate offense.

PASSED ON FIRST READING this 14 day of August, A.D. 1986.

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 3 day of August, 1986, the same being more than fifteen (15) days prior to a public hearing to be held in the Council Chamber of the City Hall in Abilene, Texas, at 9:00 a.m., on the 28 day of August, 1986, 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 SECOND AND FINAL READING this 28 day of August, A.D. 1986.

ATTEST:

Patricia Patten
CITY SECRETARY

David Stubbeman
MAYOR

APPROVED:

Harvey Cargill
CITY ATTORNEY

ORDINANCE NO. 72-1986

EXHIBIT "A"

Amend Section 23-317.3.C.(1) of the Zoning Ordinance of the City of Abilene by adding:

- (1)(a). Swimming pool accessory buildings are permitted in RS and MH districts when they are clearly related and incidental to a swimming pool located on the property where the swimming pool accessory building is to be located. Said buildings, if equipped with water closets, lavatories, showers, tubs or other fixtures requiring plumbing, may not exceed a maximum of 220 square feet of enclosed area. That area under roofs, eaves, covers, and so forth that is open on three or more sides shall not be considered a portion of the enclosed area. Swimming pool accessory buildings are subject to all other provisions of this ordinance pertaining to accessory structures except as provided for in this subsection.

- (b). Detached accessory buildings with water closets, lavatories, showers, tubs or other fixtures requiring plumbing that exceed a maximum of 220 square feet of enclosed area are not swimming pool accessory buildings and are, therefore, subject to all other provisions of this ordinance pertaining to accessory structures.