

ORDINANCE NO. 29-1987

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING CHAPTER 23,
SUBPART E, ZONING, OF THE ABILENE MUNICIPAL CODE, CONCERNING
PDD #49 PLANNED DEVELOPMENT DISTRICT;
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, Subpart E, known as the Zoning Ordinance of the City of Abilene, is hereby amended; 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 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 May,
A.D. 19 87.

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 5 day of May, 19 87, 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 May, 19 87, 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 May,
A.D. 19 87.

ATTEST:

Leticia Hancock
CITY SECRETARY

Dale Ferguson
MAYOR

APPROVED:

Jonathan Graham
CITY ATTORNEY

PART 1: Land Title. Title to land not dedicated to public use and services or for utility purposes and not otherwise designated for development purposes shall remain in the owner thereof, his heirs, assigns, lessees and successors in interest and shall not be the responsibility of the City of Abilene for any purpose.

PART 2: Development Specifications. All development in the P.D.R. shall be in accordance with the maps, site plan, plat, and any other required plans filed in connection with this requested P.D.R. and are hereby incorporated by reference and included as part of this ordinance. Site Plan is attached as Exhibit B.

Further, all agreements, provisions, or covenants which govern the use, maintenance, and continued protection of this P.D.R. are hereby incorporated by reference and included as part of this ordinance. (Some of these documents may be attached as Exhibit C, if applicable.)

All use and development within the P.D.R. must be in compliance with the general Comprehensive Zoning Ordinance of the City of Abilene except as otherwise specifically provided herein.

PART 3: Building Specifications. All structures in the herein said P.D.R. shall be constructed in accordance with all pertinent building and construction codes of the City of Abilene.

PART 4: Zoning. That Chapter 23, Subpart E, Abilene Municipal Code, known as the Zoning Ordinance of the City of Abilene, is hereby further amended by changing the zoning district boundaries, as hereinafter set forth: From RM-3 (Residential Multi-Family) District to PDR (Planned Development Residential) District.

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.

PART 5: Legal Description. The legal description of this P.D.R. is as follows:

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EXHIBIT "A"

PART 5:

Legal Description:

Lot 1, Block C, Section 2, Champions Addition, Abilene, Taylor County, Texas.

PART 6: Name: This planned development residential district shall hereafter be known and referred to as Planned Development District Number 49.

PART 7: Purpose: The purpose of Planned Development District Number 49 is to integrate small lot, single family development into a standard residential subdivision environment. The district will allow some double frontage lots and will result in densities above that found in standard patio home development.

PART 8: Specific Modifications The following regulations shall govern the use and development of the Planned Development District.

- A. Permitted Uses. One and two story patio homes, accessory swimming pools and storage buildings shall be permitted within the district.
- B. Area, Height and Placement. All garage doors parallel to streets shall be set back a minimum of twenty (20) feet from rear and front property lines. All primary buildings shall furthermore be set back as follows and as illustrated on the attached site plan Exhibit B:
 1. Front setback-Lots 1-9, Block A: five (5) feet.
 2. Rear setback-Lots 1-9, Block A: five (5) feet.
 3. Rear setback (from Champions Drive) Lots 2 & 4, Block B: ten (10) feet.
 4. Rear setback (from Champions Drive) Lots 1 & 5, Block B: five (5) feet.
 5. Interior side setbacks shall be zero (0) on one side and at least ten (10) feet on the opposing side for each lot except that Lot 1, Block A and Lot 5, Block B shall have ten (10) foot exterior side setbacks and ten (10) foot interior side setbacks. All patio homes shall be separated by a distance of at least 10 feet.
 6. Rear setback (from Champions Drive) Lot 3, Block B: fifty (50) feet.

7. Front setback Lots 1-5, Block B: five (5) feet, except that no buildings or fences are allowed in the access easement proposed in the front of Lots 2-4.
8. Exterior side setbacks for Lots 1 & 9, Block A: ten (10) feet.

Detached accessory storage buildings shall be no greater than 120 square feet in size and located in compliance with standard zoning requirements for placement of such buildings in residential single family zoning districts.

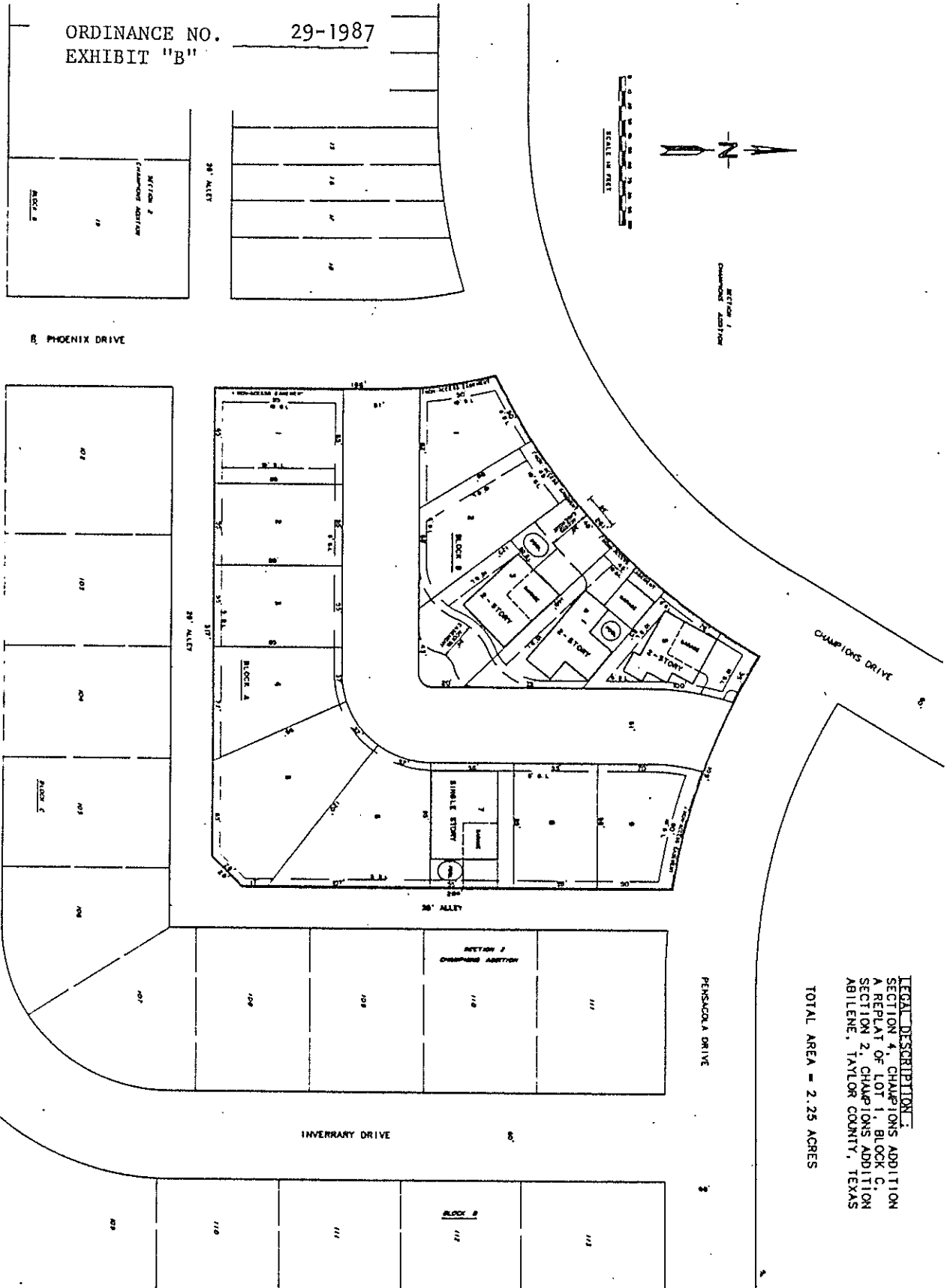
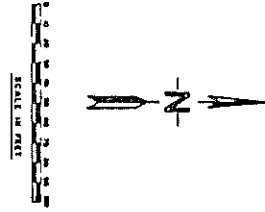
- C. Swimming Pools. Swimming pools accessory to dwellings shall be allowed within three (3) feet of side or rear property lines.
- D. Screening. Six (6) foot high wood or masonry screening walls/fences shall be placed along all side and rear property lines, though not beyond required setbacks or within easements. No fences or walls shall be allowed in such areas. Where building walls on the zero setback are proposed, said walls shall provide screening for the length of the lot line upon which they sit. Screening must be provided by other permitted means for remaining portions of the lot lines. Swimming pools and rear yards shall also be screened as required above. Fences and walls shall not be placed so as to interfere with traffic movement and sight distances.
- E. Streets and Alleys. The proposed interior street as shown on attached Exhibit B shall be designed, built and dedicated to the City of Abilene as a standard public street, except that it is allowed to have a centerline radius of less than one hundred fifty (150) feet. For purposes of classification, it shall be considered a minor street.
- F. Easements. Lots 2-4, Block B shall share a common access easement located on Lot 4 no more than 30 feet in depth and containing a 24 foot wide driveway functioning as a common access point from Champions Drive. No other access to Champions Drive is permitted these lots. A one (1) foot non-access easement shall be created along the western boundaries of Lot 1, Block B and Lot 1, Block A; along the northwestern boundaries of Lots 1, 2, 4 and 5, Block B; and along the northern property lines of Lot 5, Block A and Lot 9, Block A. An access easement 40 feet wide may be located along the southern portion of Lots 2-4, Block B as illustrated on the attached site plan Exhibit B. All 10 foot interior side setbacks shall be fire separation easements. All such easements shall be depicted on the subdivision plat associated with the development.

- G. Building Density. No more than sixty (60) percent of each lot may be occupied by buildings and/or driveways/parking areas.
- H. Lot Width and Depth. Lots created by formal subdivision plat shall be in conformance with lot configurations depicted on the attached site plan Exhibit B.
- I. Lot Frontage. Lots 1-5, Block B shall be allowed double frontage onto both Champions Drive and the proposed interior street.
- J. Building Permits. Individual or project-wide final site plans shall be submitted for review by the Site Plan Review Committee in accordance with the provisions of the Zoning Ordinance prior to issuance of permits to begin construction on the site.

PART 9: Subdivision and Platting

At the time development is proposed, land within the PDR district shall be subdivided according to the City of Abilene Subdivision Regulations in effect at the time of subdivision, except for specific variations contained herein. Amendment of this ordinance shall be necessary for resubdivision, and such action shall comply with the Subdivision Regulations.

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EXHIBIT "B"



LEGAL DESCRIPTION:
SECTION 4, CHAMPIONS ADDITION
A REPLAT OF LOT 1, BLOCK C,
SECTION 2, CHAMPIONS ADDITION
ABILENE, TAYLOR COUNTY, TEXAS

TOTAL AREA = 2.25 ACRES

1 OF 1
SHEET NO.

SITE PLAN
PLANNED DEVELOPMENT DISTRICT
SECTION 4, CHAMPIONS ADDITION
ABILENE, TAYLOR COUNTY, TEXAS

TODD ENGINEERING, INC.
CONSULTING ENGINEERS AND PLANNERS ABILENE, TEXAS

DESIGNED BY	JDT
DRAWN BY	SH
CHECKED BY	JDT
DATE	APRIL 15, 1987
SCALE	1" = 30'

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