

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING CHAPTER 23, SUBPART E, "ZONING," OF THE ABILENE MUNICIPAL CODE, CONCERNING PDD-64 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 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 Two Thousand Dollars (\$2,000.00). Each day such violation shall continue or be permitted to continue, shall be deemed a separate offense.

PASSED ON FIRST READING this 8 day of January A.D. 1998.

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 4 day of January, 1998, 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 22 day of January, 1998, 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 22 day of January, A.D. 1998.

ATTEST:

[Signature]
CITY SECRETARY

[Signature]
MAYOR

APPROVED:

[Signature]
CITY ATTORNEY

ORDINANCE NO. 3-1998

Exhibit "A"

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 Planned Development District shall be in accordance with the maps, topographical and drainage plans, utility plans, architectural drawings, site plan, plat, and any other required plans filed in connection with this requested Planned Development Residential District 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.

All use and development within the Planned Development Residential District 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 Planned Development Residential District 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 AO & RS-12 (Agricultural Open Space & Residential Single 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:

BEING 3.85 acres of land more or less out of the northeast part of Section 51, Blind Asylum Lands, Taylor County, Texas, and being more particularly described as follows:

BEGINNING at a point on the west line of Oldham Lane (F.M. Highway 1750) and being the northeast corner of Lot 15, block C, Bent Tree Addition to the City of Abilene, Taylor County, Texas, whence the northeast corner of said Section 51 bears North 1120.76' and East 1276.05';

THENCE S 68°24'06"W 154.96' to the northwest corner of said Lot 15;

THENCE N 26°15'09"W 5.0' to the northeast corner of Lot 16, same block;

THENCE N 15°37'51"W 260.31' to a point on the east line of Lot 39, same block;

THENCE N 9°04'11"W 176.29' to a point on the east line of Lot 41, same block;

THENCE N 2°48'53"W 176.29' to a point on the east line of Lot 44, same block;

THENCE N 0°30'30"W approximately 532.5' to a point on the south line of Berry Street;

THENCE East with the south line of said Berry Street 150.0' to a point on the west line of said Oldham Lane;

THENCE S 0°30'30"E approximately 531.16' with the west line of said Oldham Lane to the beginning of a curve to the left;

THENCE with said curve to the left having a radius of 1465.55', a central angle of 21°59'44" and an arc length of 562.62' to the place of beginning and containing 3.85 acres of land more or less.

Location:

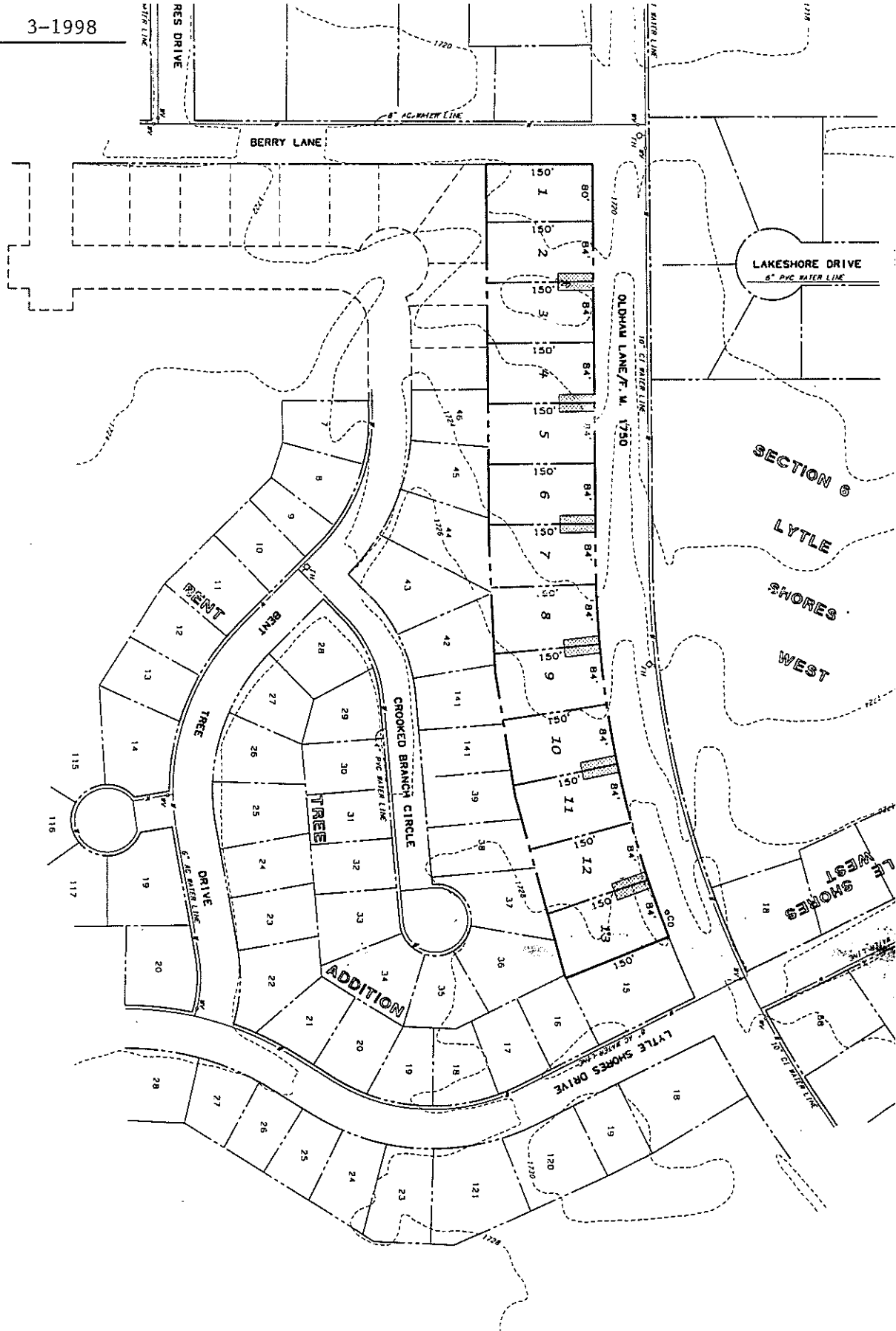
Southwest corner of Berry and Oldham Lanes

PART 6: Purpose: The purpose of the Planned Development Residential District (PDR) request is to allow for single family residential development and related activities of a large tract which generally has not developed under present zoning and development procedures.

PART 7: Specific Modifications. The attached Site Plan (Exhibit B) provides a general layout of the proposed PDD which consists of one tract.

- a. Development of this property will be restricted to the requirements of the RS-8 zoning district.
- b. Driveways shall be constructed and limited to the following:
 1. Lot 1 must access off of Berry Lane, there can be no access from Oldham Lane.
 2. Lots 2 and 3 shall share a driveway on their common boundary.
 3. Lots 4 and 5 shall share a driveway on their common boundary.
 4. Lots 6 and 7 shall share a driveway on their common boundary.
 5. Lots 8 and 9 shall share a driveway on their common boundary.
 6. Lots 10 and 11 shall share a driveway on their common boundary.
 7. Lots 12 and 13 shall share a driveway on their common boundary.
- c. Garages shall be side or rear entry only and driveways shall be designed with sufficient maneuvering area to allow forward egress from the property.

Part 8: Schedule. Construction and development of tract established hereby shall begin no later than twelve (12) months from the effective date of this ordinance. If development does not proceed within this time frame, the Planning and Zoning Commission, shall recommend to the City Council that the proposed development be rezoned to its former status.



LEGEND

COMMON DRIVEWAY

50 0 100
SCALE IN FEET