

ORDINANCE NO. 13-2009

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING CHAPTER 23, SUBPART E, "ZONING," OF THE ABILENE MUNICIPAL 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 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 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.

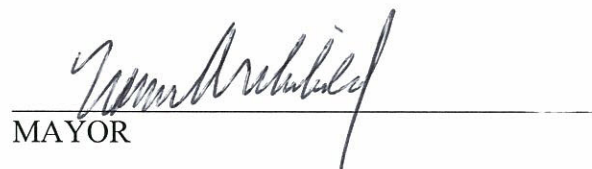
PASSED ON FIRST READING this 23rd day of April A.D. 2009.

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 18th day of March, 2009, 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 8:30 a.m., on the 14th day of May, 2009, 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 14th day of May, A.D. 2009.

ATTEST:


CITY SECRETARY


MAYOR

APPROVED:

CITY ATTORNEY

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EXHIBIT "A"

Rezone property from RS-6 (Single Family Residential) to RS-6/PH (Single Family Residential with Patio Home Overlay) zoning.

Legal Description:

Being 2.660 acres out of the East part of Lot 103, replat of Lot 1, Block B, Section 3, Countryside South Addition to the City of Abilene, Taylor County, Texas, of record in Plat Cabinet 1, Slide 568, Plat records of Taylor County, Texas, said 2.660 acre tract being more particularly described as follows:

BEGINNING at a set 1/2" rebar with a cap marked "ESTES 5003", on the South line of Chimney Rock Road for the Northwest corner of a 0.2585 acre tract, surveyed this same date, and the Northerly Northeast corner of this tract, from which a found 3/8" rebar in concrete bears S88°19'58"E 108.0';

Thence S01°40'02"W a distance of 160.0' to a set 1/2" rebar with a cap marked "ESTES 5003", for the Southwest corner of said 0.2585 acre tract and an interior corner of this tract;

S88°19'58"E a distance of 32.79' to a set 1/2" rebar with a cap marked "ESTES 5003", on West line of Lot 201, Block B, of a replat of Lots 1, 101, 102 and 2, Block B, Section 3, Countryside South Addition, of record in Plat Cabinet 1, Slide 602, Plat Records of Taylor County, Texas, and the East line of said Lot 103, for the Southeast corner of said 0.2585 acre tract and the Easterly Northeast corner of this tract;

THENCE S26°50'38"W, along the West line of said Lot 201 and the East line of said Lot 103, a distance of 281.52' to a found 1/2" rebar with a aluminum cap for the Southeast corner of this tract;

THENCE S87°24'55"W a distance of 4.6' to a found 3/8" rebar, for a PI in the South line of this tract;

THENCE N74°51'40"W a distance of 3.46' to a recovered 3/8" rebar for the beginning of a curve to the right;

THENCE in a Northwesterly direction along said curve with a radius of 685.02', a delta of 15°53'22", a length of 189.97' and a chord bearing and distance of N81°21'57"W 189.36' to a found 3/8" rebar for a point of a reverse curve;

THENCE continuing in a Northwesterly direction along said curve to the left with a radius of 725.39' and a delta of 1°26'12", a length of 18.19' and a chord bearing and distance of N74°08'32"W 18.19' to a point for the Southeast corner of a 2.411 acre tract surveyed this same date and the Southwest corner of this tract;

THENCE N01°40'02"E a distance of 386.88' to a point, on the South line of said Chimney Rock Road, for the Northeast corner of said 2.411 acre tract and the Northwest corner of this tract;

THENCE S88°19'58"E, along South line of said Chimney Rock Road, a distance of 300.53' to the point of beginning and containing 2.660 acres of land more or less.

Location: 3501 Chimney Rock Rd.

-END-