

ORDINANCE NO. 54-2021

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING THE, "LAND DEVELOPMENT CODE," OF THE ABILENE CITY CODE, CONCERNING PD-173 A 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 the Land Development Code 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: 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.

PASSED ON FIRST READING this 23rd day of September, 2021.

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 21st day of August, 2021, 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 October, 2021, 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 October, 2021.

ATTEST:

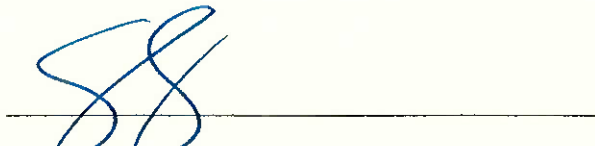


CITY SECRETARY



MAYOR

APPROVED:



CITY ATTORNEY

ORDINANCE NO. 54-2021

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 possession of 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 shall be in accordance with any 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, which are hereby incorporated by reference and included as part of this ordinance. All use and development within the Planned Development 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 shall be constructed in accordance with all pertinent building and construction codes of the City of Abilene.

PART 4: Zoning. That the Land Development Code of the City of Abilene is hereby further amended by changing the zoning district boundaries, as hereinafter set forth: from Agricultural Open (AO) to Planned Development (PD) 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 PDD is as follows: Being two tracts totaling 7.75 acres out of the W.J Reddell Pre-Emption Survey in the City of Abilene, Taylor County, Texas, each of the two tracts comprising said 7.75 acres being more particularly described by metes-and-bounds as follows:

TRACT 1

BEING 3.88 acres out of W.J. Reddell Pre-Emption Survey, Taylor County Texas, said 3.88 being all of a 4.00-acre tract recorded in Volume 1250, Page 763, Deed Records, Taylor County, Texas, save and except a 0.113 acre tract recorded in Volume 2233, Page 975, Official Public Records, Taylor County, Texas and being more particularly described as follows:

BEGINNING at a ½" rebar found on the WBL of Hardwick Road (right-of-way varies) at the northwest corner of said 0.113 acre tract and the southeast corner of Lot 2, Block A, Wylie Middle School Addition, City of Abilene, Taylor County, Texas, as shown by plat recorded in Cabinet 1, Slide 781, Plat Records, Taylor County, Texas for the northeast corner of this tract;

THENCE S00°16'36"W 299.65 feet along the WBL of Hardwick Road to a ½" rebar found at the southwest corner of said 0.113-acre tract for the southeast corner of this tract;

THENCE N89°21'12"W 564.03 feet to a 3/8" rebar set on the EBL of Lot 1, Block A, Wylie Middle School Addition, City of Abilene, Taylor County, Texas as shown by plat recorded in Cabinet 1, Slid 469, Plat records, Taylor County, Texas for the southwest corner of this tract;

THENCE N00°09'10"E 299.65 feet to a 3/8" rebar set on the SBL of said Lot 2 at the most northerly northeast corner of said Lot 1 for the northwest corner of this tract;

THENCE S89°21'12" 564.68 feet along the SBL of said Lot 2 to the place of beginning and containing 3.88 acres of land.

TRACT 2

BEING 3.78 acres out of the W.J. Reddell Pre-Emption Survey, Taylor County, Texas, said 3.87 acre being all of a 4.00 acre tract recorded in Volume 1245, Page 89, Deed Records, Taylor County, Texas, save and except a 0.116 acre tract recorded in Volume 2228, Page 113, Official Public Records, Taylor County, Texas and being more particularly described as follows:

BEGINNING at ½" rebar found on the WBL of Hardwick Road (right-of-way varies) at the southwest corner of said 0.116 acre tract and the northeast corner of a 1.882 acre tract recorded in Volume 2615, Page 688, Official Public Records, Taylor County, Texas, for the southeast corner of this tract;

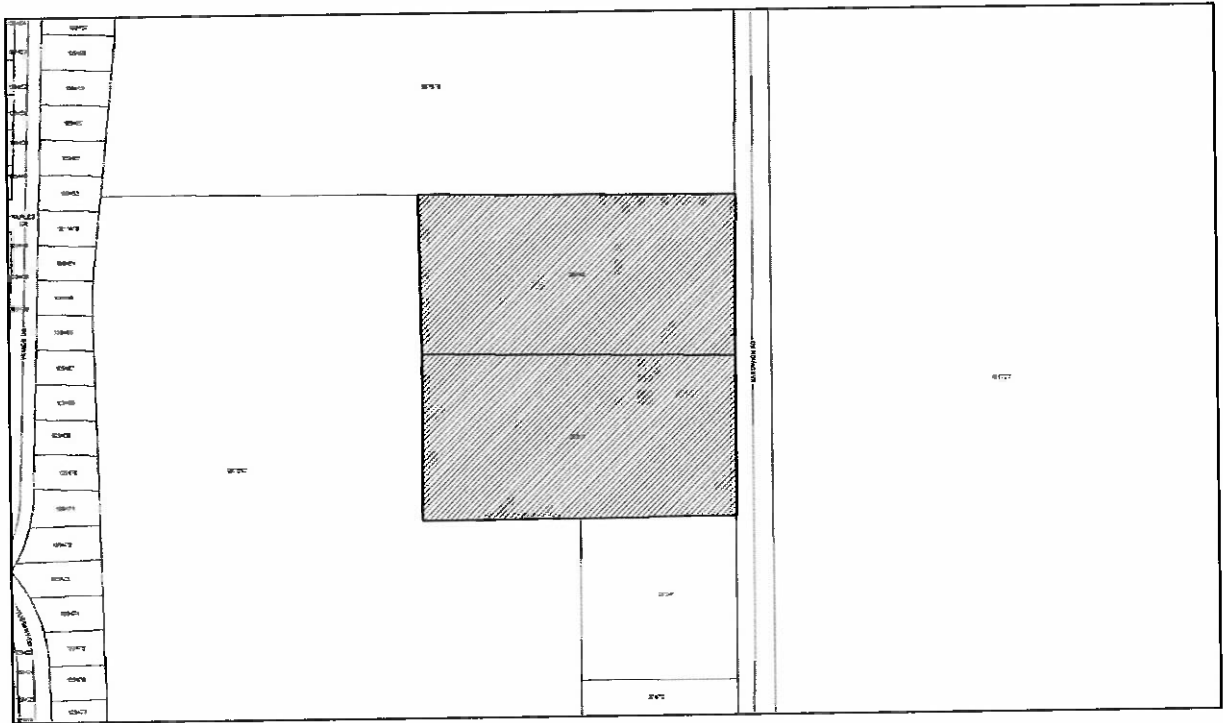
THENCE N89°21'12"W 563.65 feet to a 1/2" pipe found at an interior corner of Lot 1, Block A, Wylie Middle School Addition, City of Abilene, Taylor County, Texas, as shown by plat recorded in Cabinet 1, Slide 469, Plat Records, Taylor County, Texas for the southwest corner of this tract;

THENCE N00°09'10"E 299.33 feet to a 3/8" rebar set on the EBL of said Lot 1 for the northwest corner of this tract;

THENCE S89°21'12"E 564.03 feet to a ½" rebar found at the northwest corner of said 0.116 acre tract for the northeast corner of this tract;

THENCE S00°13'32"W 299.3 feet along the WBL of said 0.116 acre tract to the place of beginning and containing 3.87 acres of land.

EXHIBIT "A"
PAGE 2



Location: 7.75 acres located between the 7700-7900 blocks (west side) of Hardwick Road and east of Wylie East Elementary and Wylie East Intermediate Schools.

PART 6: Purpose. The purpose of the Planned Development (PD) District is to allow single-family residential development, similar to what would be found within Patio Home (PH) zoning districts.

PART 7: Specific Modifications. The use and development of land and buildings in this Planned Development (PD) District shall generally be subject to requirements of the Patio Home (PH) zoning classification, except as modified below:

A. Site Layout and Building Requirements:

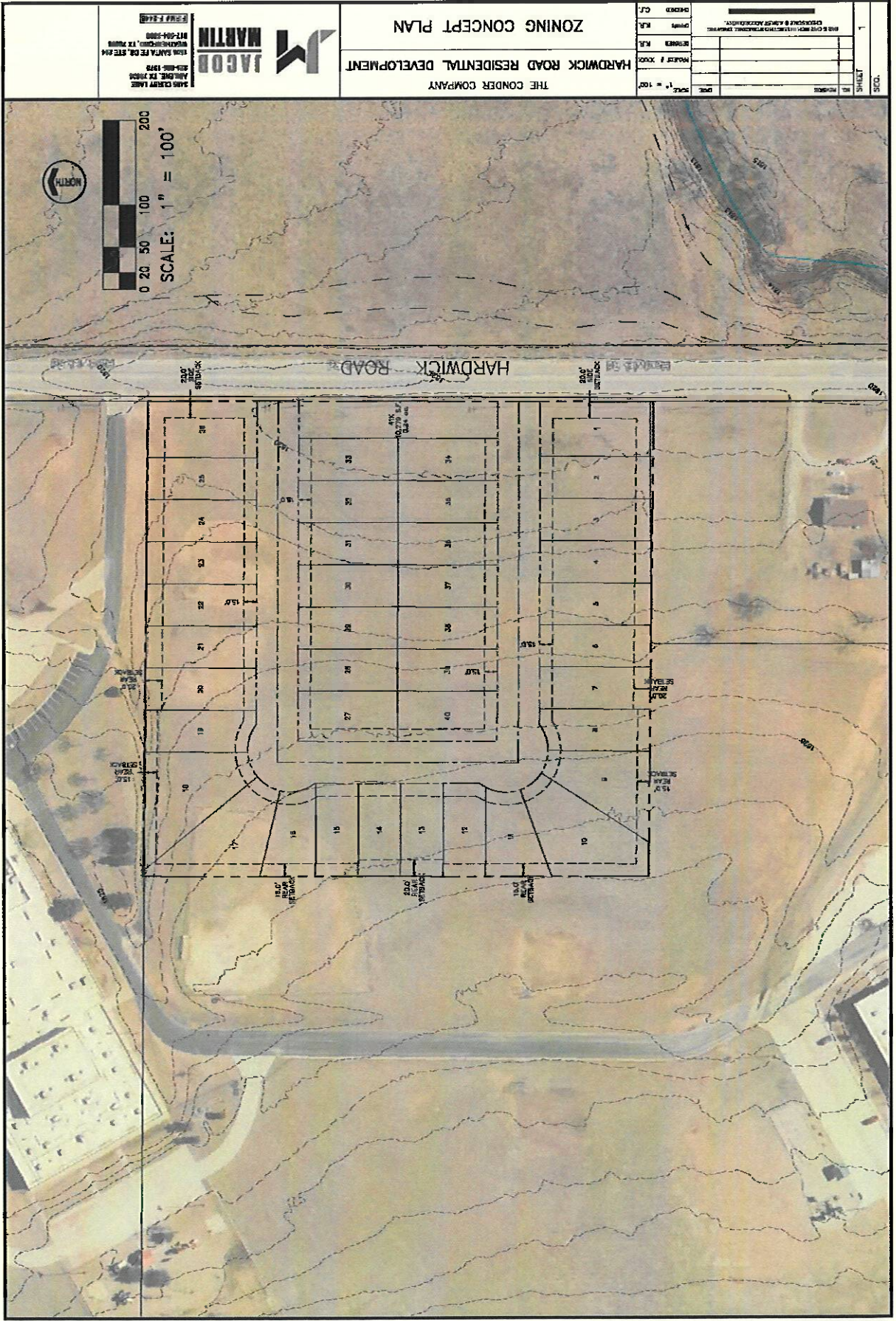
1. Lot Size:

- a. Platted lots within this Planned Development District must be a minimum of 5,000 square feet in area.

2. Setbacks:

- a. Interior Side Yard: 5-feet
- b. Rear Yard Setback:

- Cul-de-Sac lots identified in the attached exhibit are permitted 15-foot rear yard setbacks.
- All other lots shall be subject to a minimum 20-foot rear yard setback.



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