

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 53 (ZONING) OF THE CITY OF KYLE, TEXAS, FOR THE PURPOSE OF REZONING APPROXIMATELY 0.407 ACRES OF LAND FROM SINGLE FAMILY RESIDENTIAL 'R-1' TO SINGLE FAMILY RESIDENTIAL-3 'R-1-3' FOR PROPERTY LOCATED AT 300 W. ALLEN STREET, IN HAYS COUNTY, TEXAS. (ANGEL AND DALILA M. RANGEL – Z-17-017); AUTHORIZING THE CITY SECRETARY TO AMEND THE ZONING MAP OF THE CITY OF KYLE SO AS TO REFLECT THIS CHANGE; PROVIDING FOR PUBLICATION AND EFFECTIVE DATE; PROVIDING FOR SEVERABILITY; AND ORDAINING OTHER PROVISIONS RELATED TO THE SUBJECT MATTER HEREOF; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE WAS PASSED WAS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF KYLE, TEXAS, THAT:

SECTION 1. That the zoning district map of the City of Kyle adopted in Chapter 53 (Zoning) be and the same is hereby amended to rezone approximately 0.407 acres of land from Single Family Residential 'R-1' to Single Family Residential-3 'R-1-3' for property located at 300 W. Allen Street, as shown on the property location map labeled Exhibit B.

SECTION 2. That the City Secretary is hereby authorized and directed to designate the tract of land zoned herein as such on the zoning district map of the City of Kyle and by proper endorsement indicate the authority for said notation.

SECTION 3. If any provision, section, sentence, clause, or phrase of this Ordinance, or the application of same to any person or set of circumstances is for any reason held to be unconstitutional, void or invalid (or for any reason unenforceable), the validity of the remaining portions of this Ordinance or the application to such other persons or sets of circumstances shall not be affected hereby, it being the intent of the City Council of the City of Kyle in adopting this Ordinance, that no portion hereof or provision contained herein shall become inoperative or fail by reason of any unconstitutionality or invalidity of any other portion or provision.

SECTION 4. This Ordinance shall be published according to law and shall be and remain in full force and effect from and after the date of publication.

SECTION 5. It is hereby officially found and determined that the meeting at which this ordinance was passed was open to the public as required by law.

READ, CONSIDERED, PASSED AND APPROVED ON FIRST READING by the City Council of Kyle at a regular meeting on the _____ day of _____, 2017, at which a quorum was present and for which due notice was given pursuant to Section 551.001, et. Seq. of the Government Code.

READ, CONSIDERED, PASSED AND APPROVED ON SECOND AND FINAL READING by the City Council of Kyle at a regular meeting on the _____ day of _____, 2017, at which a quorum

was present and for which due notice was given pursuant to Section 551.001, et. Seq. of the Government Code.

APPROVED this _____ day of _____, 2017.

R. Todd Webster, Mayor

ATTEST:

Jennifer Vetrano, City Secretary

Exhibit A

300 W Allen St. Field Notes

BEING A PORTION OF THAT 0.50 ACRE TRACT OF LAND AS CONVEYED TO ERLINDA AND ABEL TENORIO BY DEED DATED OCTOBER 24, 2011 AND RECORDED IN VOLUME 4215, PAGE 249, OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, BEING THE SAME TRACT SHOWN ON PRO-TEC ENGINEERING GROUP, MAP OF SURVEY, PLAN NO. 7081, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS, TO WIT;
BEGINNING AT AN IRON STAKE WITH AN ALUMINUM CAP MARKED "PRO-TECH ENG 2219" SET IN THE NORTHWEST LINE OF SOUTH MAIN STREET FOR THE EAST CORNER OF THE TRACT HEREIN DESCRIBED, SAME BEING THE SOUTH CORNER OF A TRACT OF LAND CONVEYED TO BROOKS BY DEED RECORDED IN VOLUME 131, PAGE 318 OF THE DEED RECORDS OF HAYS COUNTY;
THENCE WITH NORTHWEST LINE OF THE SAID SOUTH MAIN STREET, S45°21'19"W 88.89 FEET TO AN IRON STAKE WITH AN ALUMINUM CAP MARKED "PRO-TECH ENG 2219" SET AT THE

INTERSECTION OF THE NORTHWEST LINE OF THE SAID SOUTH MAIN STREET AND THE NORTHEAST LINE OF WEST ALLEN STREET FOR THE SOUTH CORNER OF THE TRACT HEREIN DESCRIBED;
THENCE LEAVING THE SAID SOUTH MAIN STREET WITH THE NORTHEAST LINE OF THE SAID WEST ALLEN STREET, N45°39'05"W, 201.88 FEET TO AN IRON STAKE WITH AN ALUMINUM CAP MARKED "PRO-TECH ENG 2219" SET FOR THE NORTH CORNER OF THE TRACT HEREIN DESCRIBED, SAME BEING THE SOUTH CORNER OF A 0.25 ACRE TRACT OF LAND CONVEYED TO ZARAGOSA AND DORA POMPA BY DEED RECORDED IN VOLUME 767, PAGE 330, OF THE REAL PROPERTY RECORDS OF HAYS COUNTY;
THENCE, LEAVING THE SAID WEST ALLEN STREET, WITH EAST LINE OF THE SAID POMPA TRACT, N09°U'19"E FEET TO AN IRON STAKE WITH AN ALUMINUM CAP MARKED "PRO-TECH ENG 2219" SET FOR THE NORTH CORNER OF THE TRACT HEREIN DESCRIBED, SAME BEING THE WEST CORNER OF THE AFOREMENTIONED BROOKS TRACT;
THENCE LEAVING THE SAID POMPA TRACT, WITH THE SOUTH LINE OF THE SAID BROOKS TRACT, S50°54'24"E, 250.83 FEET TO THE POINT OF BEGINNING, CONTAINING 0.407 ACRES OF LAND;

STANDARD LAND SURVEY

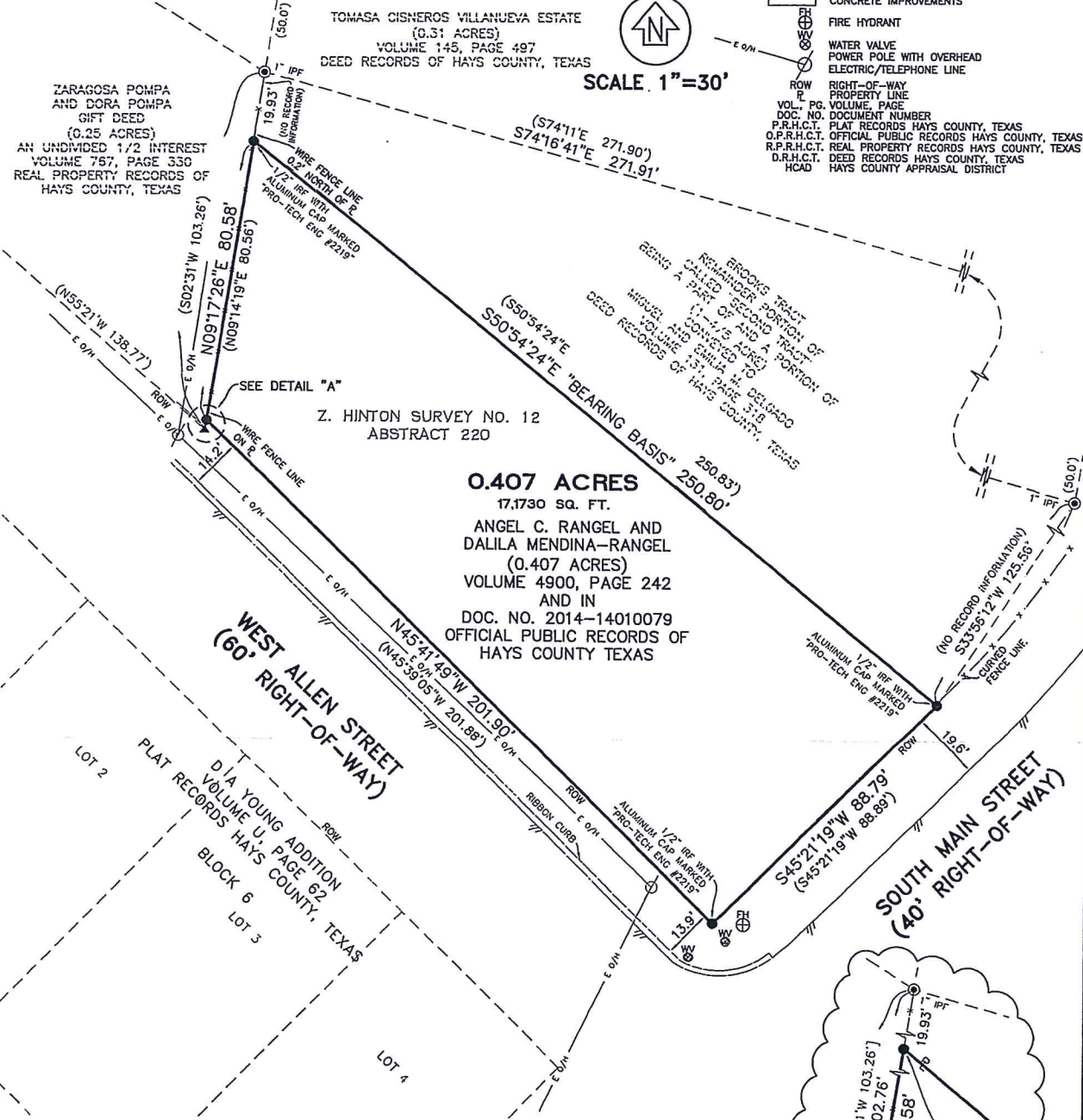
Address: 300 WEST ALLEN STREET Reference: ANGEL RANGEL

Legal Description: 0.407 ACRES OF LAND, OUT OF THE Z. HINTON SURVEY NO. 12, ABSTRACT 220 CITY OF KYLE, HAYS COUNTY, TEXAS AS RECORDED IN VOLUME 4900, PAGE 242 AND IN DOCUMENT NO. 2014-14010079, OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS

LEGEND

- IRON ROD FOUND (TYPE AND SIZE NOTED)
- 1/2" IRON PIPE FOUND
- △ MAG NAIL FOUND
- RECORD INFORMATION
- EDGE OF PAVEMENT
- WIRE FENCE
- CONCRETE IMPROVEMENTS
- ⊕ FIRE HYDRANT
- ⊕ WATER VALVE
- ⊕ POWER POLE WITH OVERHEAD
- ⊕ ELECTRIC/TELEPHONE LINE
- RIGHT-OF-WAY
- PROPERTY LINE
- VOL. PG. VOLUME, PAGE
- DOC. NO. DOCUMENT NUMBER
- P.R.H.C.T. PLAT RECORDS HAYS COUNTY, TEXAS
- O.P.R.H.C.T. OFFICIAL PUBLIC RECORDS HAYS COUNTY, TEXAS
- R.P.R.H.C.T. REAL PROPERTY RECORDS HAYS COUNTY, TEXAS
- D.R.H.C.T. DEED RECORDS HAYS COUNTY, TEXAS
- ROAD

SCALE 1"=30'



NOTES

1. Additional Building lines and easements that may affect this lot are not shown hereon.
2. Additional Building setback lines that may also be affected by local zoning ordinance requirements and restrictive covenants are not shown hereon.
3. Visible utilities within existing easements are not shown hereon.

The property described hereon is contained within Flood Zone "X" as identified on F.I.R.M. Map Number No. 48209C0385F, dated September 02, 2005 as published by the Federal Emergency Management Agency, the purpose of which is for flood insurance only. A title commitment was not available at the time of this survey. All easements of which I have knowledge are shown or depicted hereon. Other than visible easements, no unrecorded or unwritten easements which may exist are shown hereon. No additional research of easements was performed by Landmark Surveying, LP, for this survey.

I HEREBY STATE that a survey was made on the ground of the property shown hereon: that there are no visible discrepancies, conflicts, shortages in area, boundary line conflicts, overlapping of improvements, easements or right-of-way, except as shown; that said property has access to and from a public roadway; and that this plat is an accurate representation of the property to the best of my knowledge.

AS SURVEYED BY:
LANDMARK SURVEYING, LP
FIRM REGISTRATION NO. 100727-00

Juan M. Canales, Jr. 6-13-14

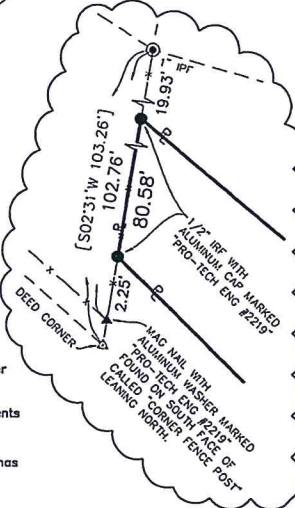
JUAN M. CANALES, JR.
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 4453
SURVEYED: JUNE 05, 2014
THIS SURVEY PLAT IS VALID ONLY IF IT BEARS THE ORIGINAL SIGNATURE OF THE ABOVE SURVEYOR.

Client: RANGEL
Date: June 13, 2014
Office: Eleuterio Leos
Crew: J. LEE, K. DUNN
F.B.: 1369/55.70
Path: t:\angel\west allen street\landmark drawings\assumed-staff\300-310 west allen street_assumed.dwg
Job No.:



DETAIL "A"

NOT TO SCALE



REPRODUCTION OF THIS SURVEY IS EXPRESSLY FORBIDDEN. COPIES WITHOUT ORIGINAL SIGNATURE ARE VOID.

Landmark
SURVEYING, LP
2205 East 5th STREET
AUSTIN, TEXAS 78702
PH: (512)328-7411 FAX: (512)328-7413

Exhibit B

Z-17-017

300 W. Allen St

0.4 Acres

