

ORDINANCE NO. 1012

AN ORDINANCE AMENDING CHAPTER 53 (ZONING) OF THE CITY OF KYLE, TEXAS, FOR THE PURPOSE OF REZONING APPROXIMATELY 0.2887 ACRES OF LAND FROM SINGLE FAMILY RESIDENTIAL 'R-1' TO NEIGHBORHOOD COMMERCIAL 'NC' FOR PROPERTY LOCATED ON THE SOUTHWEST CORNER OF BLANCO STREET AND BARBEE STREET, IN HAYS COUNTY, TEXAS. (JOHN HALL- Z-18-0028); 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 0.2887 acres of land from Single Family Residential 'R-1' to Neighborhood Commercial 'NC' for property located on the southwest corner of Blanco Street and Barbee 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.

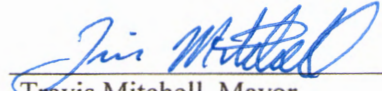
SECTION 4. This Ordinance shall be published according to law and shall be and remain in full force and effect from and after the date of publication.

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 21st day of August, 2018, 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 4th day of September 2018, 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 4th day of September, 2018.



Travis Mitchell, Mayor

ATTEST:



Jennifer Vetrano, City Secretary

EXHIBIT "A"

A tract of land containing 0.2887 acres (12,577.66 sq. ft.), out of and part of the D. A. Barbee Addition to the City of Kyle, Hays County, Texas, according to the plat recorded in Volume S, Page 164 of the Hays County Deed Records, and being all of that same tract as conveyed to Mark Schmeltkopf as recorded and described in Volume 1212, Page 258 of the Official Public Records of Hays County, less and except that portion, called 181.06 sq. ft., as conveyed to the City of Kyle for right-of-way expansion as recorded and described in Volume 4266, Page 1 of the Official Public Records of Hays County, said 0.2887 acres being more particularly described by metes and bounds as follows:

COMMENCING at a PK nail found set in asphalt at the intersection of the original south right-of-way of Blanco Street and the northeast right-of-way of Rebel Drive, F. M. 150, for the northwest corner of the Schmeltkopf original tract and the northwest corner of the City of Kyle 181.06 sq. ft. tract, from which for reference and used for the bearing basis, a 1" iron pipe found for the southwest corner of Lot 7 the "H. Garland Stokes Subdivision No. 2" a subdivision recorded in Volume 1, Page 139 of the Hays County Plat Records, bears N 26° 01' 00" W, a distance of 99.18 feet;

THENCE along the northeast right-of-way of Rebel Drive S 26° 01' 00" E, a distance of 11.89 feet to a ½" iron rod found for the southwest corner of the 181.06 sq. ft. City of Kyle tract, the northwest corner of the herein described 0.2887 acre tract and for the POINT OF BEGINNING;

THENCE S 87° 26' 00" E, and at a distance of 34.68 feet passing an iron rod with a plastic cap found for the southeast corner of the 181.06 sq. ft. City of Kyle tract, in all a total distance of 112.68 feet to an iron rod with a plastic cap found at the intersection of the south right-of-way of Blanco Street with the west right-of-way of Barbee Street for the northeast corner of this 0.2887 acre tract, from which for reference an iron rod with a plastic cap found for the northwest corner of Lot Twenty-two (22) of the Woods and Young Addition to the City of Kyle, a subdivision recorded in Volume 117, Page 178 of the Hays County Deed Records, bears S 87° 55' 23" E, a distance of 45.38 feet;

THENCE S 00° 45' 00" W, along the Barbee Street right-of-way, a distance of 234.20 feet to an iron rod with a plastic cap found at the intersection of the west right-of-way of Barbee Street with the curving northeast right-of-way of Rebel Drive for the south corner of this tract;

THENCE along the northeast right-of-way of Rebel Drive and a curve to the left with a radius of 995.37 feet, a chord bearing of N 22° 36' 58" W and a chord distance of 110.00 feet to the remains of a concrete right-of-way monument found for an angle point of this tract, the PT of the curve and also used for the bearing basis;

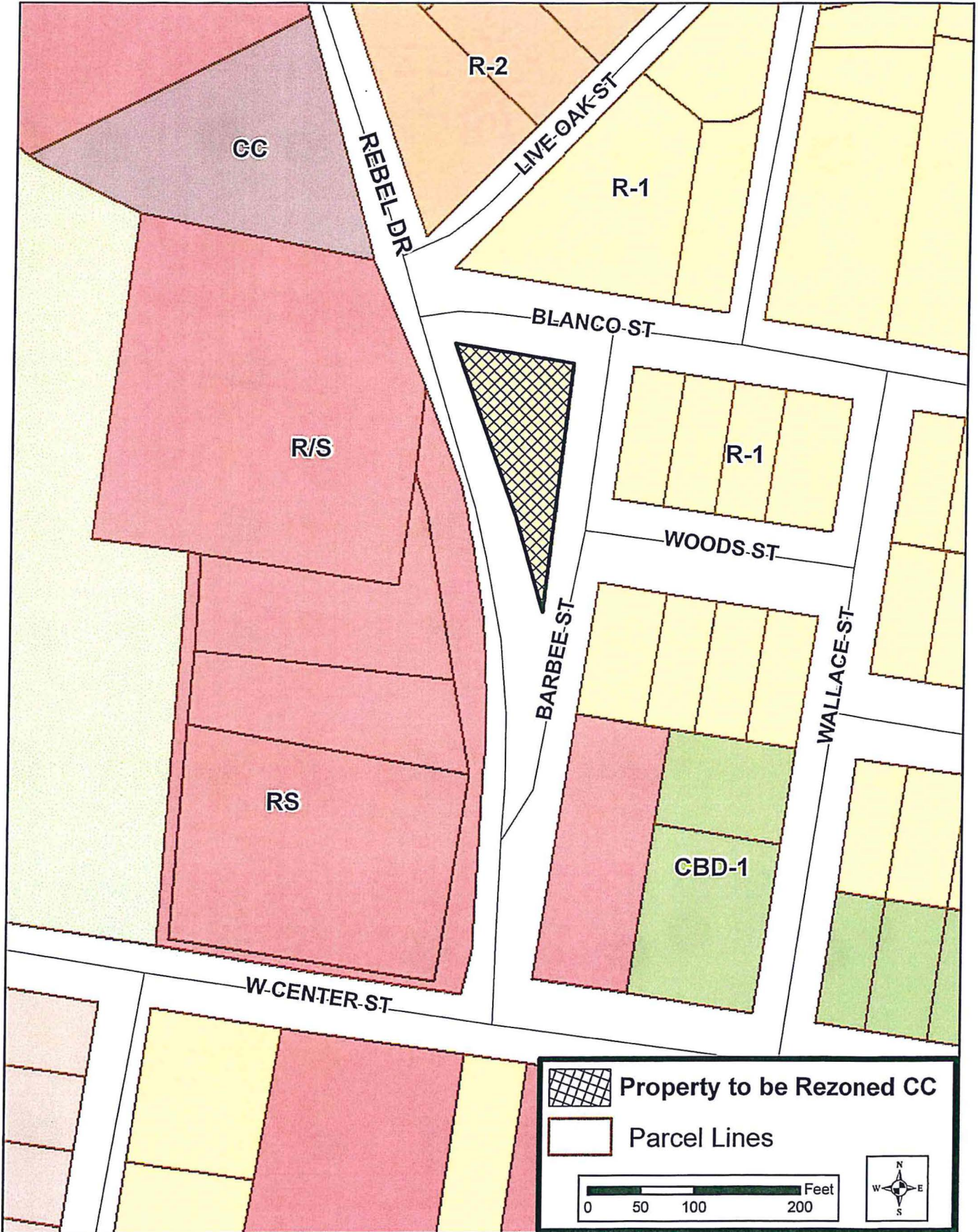
THENCE N 26° 01' 00" W (bearing basis), along the Rebel Drive right-of-way, a distance of 153.21 feet to the POINT OF BEGINNING, containing 0.2887 acres.


Exhibit B

Z-18-0028

Barbee St & Blanco St

0.29 Acres



 Property to be Rezoned CC

 Parcel Lines

