

**CITY OF DRIPPING SPRINGS
ORDINANCE No.**

AN ORDINANCE OF THE CITY OF DRIPPING SPRINGS, TEXAS (“CITY”), REZONING ONE TRACT OF LAND, TOTALING APPROXIMATELY 18.250 ACRES FROM AGRICULTURAL DISTRICT (AG) TO SINGLE-FAMILY RESIDENTIAL DISTRICT – MODERATE DENSITY (SF-2); AND PROVIDING FOR THE FOLLOWING: FINDINGS OF FACT; ENACTMENT; REPEALER; SEVERABILITY; EFFECTIVE DATE; AUTHORIZING THE CITY ADMINISTRATOR TO NOTE THE CHANGE ON THE OFFICIAL ZONING MAP OF THE CITY; PROPER NOTICE & MEETING.

WHEREAS, the City Council of the City of Dripping Springs (“City Council”) seeks to promote orderly land use and development within the City; and

WHEREAS, the City Council finds to be reasonable and necessary the rezoning of the tract, described more fully in Attachment “A” and totaling approximately 18.250 acres, from Agricultural District (AG) to Single-Family Residential District – Moderate Density (SF-2); and

WHEREAS, the City Council recognizes changed conditions and circumstances in the particular location; and

WHEREAS, the City Council finds that the zoning change is compatible with the surrounding area and with the City’s Zoning Ordinance and Comprehensive Plan; and

WHEREAS, after notice and hearing required by law, a public hearing was held before the Dripping Springs Planning and Zoning Commission on February 23, 2021 to consider the proposed amendment and the Planning and Zoning Commission recommended approval of the proposed change; and

WHEREAS, after public hearing held by the City Council on March 9, 2021, the City Council voted to approve the recommendation of the Planning and Zoning Commission; and

WHEREAS, pursuant to Texas Local Government Code Section 51.001, the City has general authority to adopt an ordinance or police regulation that is for the good government, peace or order of the City and is necessary or proper for carrying out a power granted by law to the City; and

WHEREAS, pursuant to Chapter 211 of the Texas Local Government Code, the City has the authority to zone and rezone property; and

WHEREAS, the City Council finds that it is necessary and proper for the good government, peace

or order of the City of Dripping Springs to adopt this Ordinance.

NOW, THEREFORE, BE IT ORDAINED by the City Council of Dripping Springs:

1. FINDINGS OF FACT

The foregoing recitals are incorporated into this Ordinance by reference as findings of fact as expressly set forth herein.

2. ENACTMENT

One tract of land totaling approximately 18.250 acres and described more fully in Attachment “A” and shown in Attachment “B”, is hereby rezoned from Agricultural District (AG) to Single-Family Residential – Moderate Density (SF-2).

3. REPEALER

All ordinances, resolutions, or parts thereof, that are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters regulated, herein.

4. SEVERABILITY

Should any of the clauses, sentences, paragraphs, sections or parts of this Ordinance be deemed invalid, unconstitutional, or unenforceable by a court of law or administrative agency with jurisdiction over the matter, such action shall not be construed to affect any other valid portion of this Ordinance.

5. CHANGE ON ZONING MAP

The City Administrator is hereby authorized to and shall promptly note the zoning change on the official Zoning Map of the City of Dripping Springs, Texas.

6. EFFECTIVE DATE

This Ordinance shall be effective immediately upon passage.

7. PROPER NOTICE & MEETING

It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public, a public hearing was held, and that public notice of the time, place and purpose of said hearing and meeting was given as required by the Open Meetings Act, Texas Government Code, Chapter 551.

PASSED & APPROVED this, the _____ day of _____ 2021, by a vote of _____ (ayes) to _____ nays to _____ (abstentions) of the City Council of Dripping Springs, Texas.

CITY OF DRIPPING SPRINGS:

By: _____
Bill Foulds, Jr., Mayor

ATTEST:

Andrea Cunningham, City Secretary

LEGAL DESCRIPTION

BEING AN 18.250 ACRE TRACT OF LAND (INCLUDING A 60 SQUARE FOOT AREA IN CONFLICT) OUT OF THE BENJAMIN F. HANNA SURVEY NO. 28, ABSTRACT NO. 222, SITUATED IN HAYS COUNTY, TEXAS, BEING A PORTION OF A CALLED 34.26 ACRE TRACT CONVEYED TO CHARLES B. FLORIO AND KYLE FLORIO BY DEED OF RECORD IN VOLUME 5262, PAGE 573, OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS (O.P.R.H.C.T.); SAID 18.250 ACRE TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING, at a ½ inch iron rod found in the south line of a called 5.01 acre tract conveyed to Bobby Glenn Stevens and Dorrae Tubb Stevens by deed of record in Document No. 15011837, O.P.R.H.C.T. at the northerly common corner of said 34.26 acre tract and of a called 34.27 acre tract conveyed to Barbara Jean Johnson by deed of record in Volume 1055, Page 894, O.P.R.H.C.T.;

THENCE, along the common line of said 34.26 acre tract and of said 5.01 acre tract, S86°47'54"W, a distance of 543.83 feet to a ½ inch iron rod found at the southerly common corner of said 5.01 acre tract and of the remainder of a called 111.67 acre tract conveyed to Bunker Ranch, LLC by deed of record in Document No. 16020931, O.P.R.H.C.T.;

THENCE, along the common line of said 34.26 acre tract and said remainder of 111.67 acre tract, S86°01'29"W, a distance of 73.64 feet to a ½ inch iron rod with "CEC" cap set for the **POINT OF BEGINNING**, hereof;

THENCE, over and across said 34.26 acre tract, the following three (3) courses and distances:

1. S00°13'03"W, a distance of 308.03 feet to a set ½ inch iron rod with "CEC" cap;
2. S12°51'27"E, a distance of 164.56 feet to a set ½ inch iron rod with "CEC" cap;
3. S07°29'25"E, a distance of 266.18 feet to a ½ inch iron rod with "CEC" cap set in the common line of said 34.26 acre tract and of a called 74.00 acre tract conveyed to Robert A. Garland, Jr. and Amy L. Garland by deed of record in Document No. 14020704, O.P.R.H.C.T.;

THENCE, along the common line of said 34.26 acre tract and of said 74.00 acre tract, S89°02'53"W, a distance of 1,141.56 feet to a 5/8 inch iron rod with "Staudt Surveying" cap found in the east line of a called 603.70 acre tract conveyed to Anna Marie Widen Speir, et al, by deed of record in Document 00025671, O.P.R.H.C.T., at the westerly common corner of said 34.26 acre tract and of said 74.00 acre tract;

THENCE, along the common line of said 34.26 acre tract and of said 603.70 acre tract, N01°06'51"W, passing at 713.92 feet, an 8" cedar fence post found in the common line of said 603.70 acre tract and of a called 79.61 acre tract conveyed to P & H Family Limited Partnership No. 1 by deed of record in Document No. 00025538, O.P.R.H.C.T., from said fence post, a found ½ inch iron rod bears N86°15'32"E, a distance of 5.94 feet, and continuing an additional 11.21 feet (bounding area in conflict) for a total distance of 725.12 feet to a set ½ inch iron rod with "CEC" cap;

18.250 ACRES
BUNKER RANCH
DRIPPING SPRINGS, TX

PROJECT NO.: 181-500
DECEMBER 23, 2020

THENCE, S89°22'34"E, passing at a distance of 5.01 feet (bounding area of conflict), a ½ inch iron rod found for the southwesterly corner of said remainder of 111.67 acre tract, continuing along the common line of said 34.26 acre tract and said remainder of 111.67 acre tract for a total distance of 242.11 feet to a found ½ inch iron rod;

THENCE, continuing with the common line of said 34.26 acre tract and said remainder of 111.67 acre tract, the following four (4) courses and distances:

1. N89°12'53"E, a distance of 336.81 feet to a found ½ inch iron rod;
2. N87°39'49"E, a distance of 260.74 feet to a found ½ inch iron rod;
3. N87°07'43"E, a distance of 173.46 feet to a found ½ inch iron rod;
4. N86°01'29"E, a distance of 72.88 feet to the **POINT OF BEGINNING**, and containing 18.250 acres (794,923 square feet, including 60 square feet in conflict) of land, more or less.

THE BASIS OF BEARING OF THIS SURVEY IS TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE, NSRS 2011(2012A), UTILIZING THE LEICA SMARTNET CONTINUALLY OPERATING REFERENCE NETWORK.

Witness my hand and seal this 23rd day of December, 2020.



Frank William Funk, R.P.L.S. 6803
Civil & Environmental Consultants, Inc.
3711 S. MoPac Expressway, Building 1, Suite 550
Austin, TX 78746
Texas Registered Surveying Firm No. 10194419



Attachment "B"
18.250 ac Property Depiction

