

ORDINANCE NO. 2018-28

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF BRIDGEPORT, TEXAS, BY CHANGING THE ZONING CLASSIFICATION ON THE HEREINAFTER DESCRIBED PROPERTY TO "C" COMMERCIAL DISTRICT CLASSIFICATION; AND REVISING THE OFFICIAL ZONING MAP IN ACCORDANCE THEREWITH; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Bridgeport is a home rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and

WHEREAS, an application for zoning has been initiated by the property owner of property more fully described as Exhibit "A" attached hereto being 15.973 acres of land located out of the J.M. Kirkman Survey, Abstract No. 477 and the W.T. Simmons Survey, Abstract No. 1410, City of Bridgeport, Wise County, Texas, commonly known as Boaz Estate, from its present classification of Single-Family Residential (R-1) to Commercial District (C); and

WHEREAS, the Planning and Zoning Commission of the City of Bridgeport, Texas, held a public hearing on October 22, 2018, and the City Council of the City of Bridgeport, Texas, held a public hearing on October 22, 2018, with respect to the zoning changes described herein; and

WHEREAS, the City has complied with all requirements of Chapter 211 of the Local Government Code and all other laws dealing with notice, publication and procedural requirements for the rezoning of the Property.

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

SECTION 1

The Zoning Ordinance of the City of Bridgeport, as amended, is hereby amended by rezoning a tract of land described being 15.973 acres of land located out of the J.M. Kirkman Survey, Abstract No. 477 and the W.T. Simmons Survey, Abstract No. 1410, City of Bridgeport, Wise County, Texas, commonly known as Boaz Estate, from its present classification of Single-Family Residential (R-1) to Commercial District (C).

SECTION 2

That the above described property shall be used only in the manner and for the purposes provided for in the Zoning Ordinance of the City, as amended herein by the granting of this zoning classification.

SECTION 3

The official zoning map of the City of Bridgeport is amended and the City Secretary is directed to revise the official zoning map to reflect the approved zoning as set forth above.

SECTION 4

This Ordinance shall be cumulative of all provisions of ordinances and of the Code of Ordinances of the City of Bridgeport, Texas, as amended, except when the provisions of this Ordinance are in direct conflict with the provisions of such ordinances and such code, in which event the conflicting provisions of such ordinances and such code are hereby repealed.

SECTION 5

It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable, and if any section, paragraph, sentence, clause, or phrase of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining sections, paragraphs, sentences, clauses, and phrases of this Ordinance, since the same would have been enacted by the City Council without the incorporation in this Ordinance of any such unconstitutional section, paragraph, sentence, clause or phrase.

SECTION 6

All rights and remedies of the City of Bridgeport are expressly saved as to any and all violations of the provisions of any ordinances governing zoning that have accrued at the time of the effective date of this Ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by this Ordinance but may be prosecuted until final disposition by the courts.

SECTION 7

Any person, firm or corporation who violates, disobeys, omits, neglects or refuses to comply with or who resists the enforcement of any of the provisions of this ordinance shall be fined not more than Two Thousand Dollars (\$2,000.00) for each offense

involving fire safety, zoning or public health and sanitation, and shall be fined not more than Five Hundred Dollars (\$500.00) for all other violations of this ordinance. Each day that a violation is permitted to exist shall constitute a separate offense.

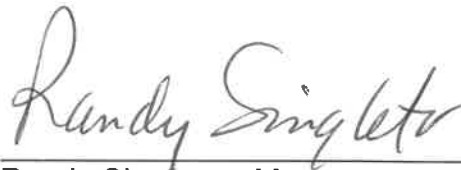
SECTION 8

The City Secretary of the City of Bridgeport is hereby directed to publish a descriptive caption, penalty clause, and the effective date clause in the official City newspaper one time as authorized by Section 3.11 of the City Charter and Section 52.013 of the Texas Local Government Code.

SECTION 9

This Ordinance shall be in full force and effect from and after the date of its passage and publication as required by law, and it is so ordained.


DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF BRIDGEPORT, TEXAS, BY A VOTE OF 5 TO 0, ON THIS 22nd DAY OF October, 2018.



Randy Singleton, Mayor

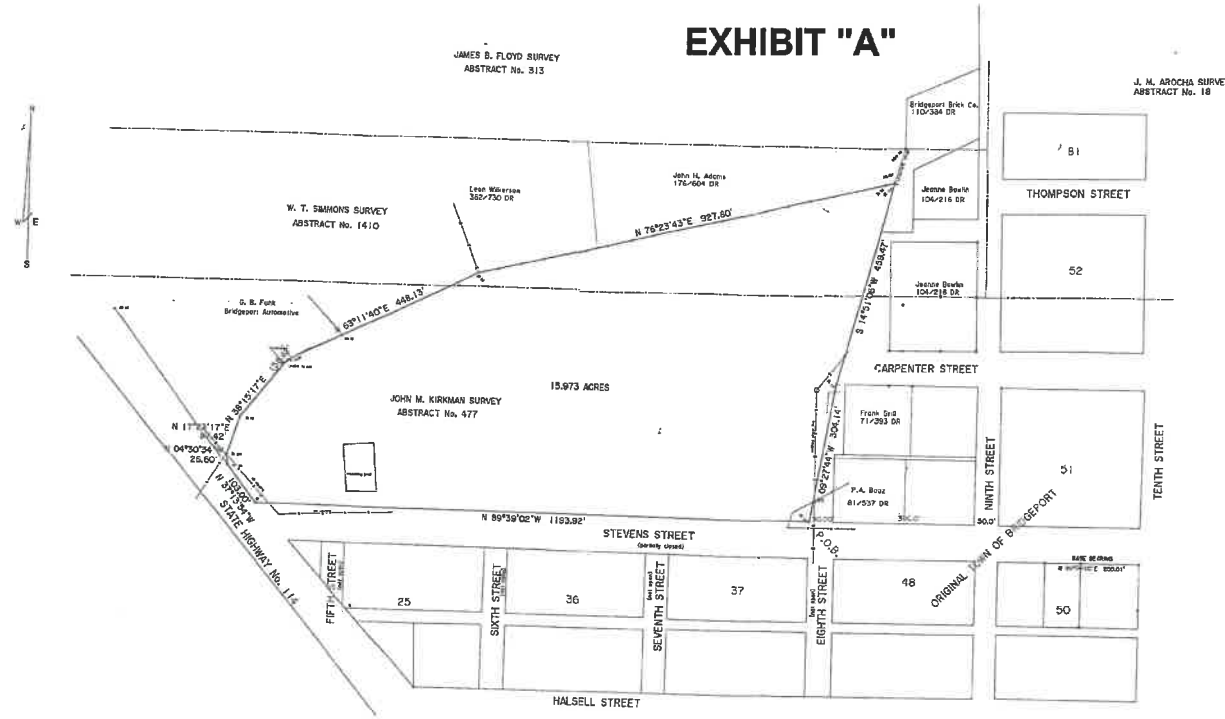


ATTEST:



Erika McComis, City Secretary

EXHIBIT "A"



15.973 acres of land out of the J. M. KIRKMAN SURVEY, ABSTRACT No. 477 and the W. T. SIMMONS SURVEY, ABSTRACT No. 1410, City of Bridgeport, West County, Texas, being part of that certain tract as described in P. A. Book 10 Volume 95, Page 52, Deed Records, West County, Texas, see field notes.

NOTES
This tract is subject to the Acts and Regulations of the City of Bridgeport, West County, Texas and will have to be platted in its entirety.

This plan was prepared from a true and correct survey as surveyed on the ground under my personal supervision and I certify that the same are in accordance with the laws and regulations of the State of Texas.
Surveyor J. Edwards, P.L.S. 1888

Thomas T. Edwards, Surveyor P. O. Box 414, Bridgeport, Texas Phone BR 497-2441, BR 497-2442	
Date:	8-17-00
Book:	0000-18
Page:	18
City:	County
Scale:	1" = 100'

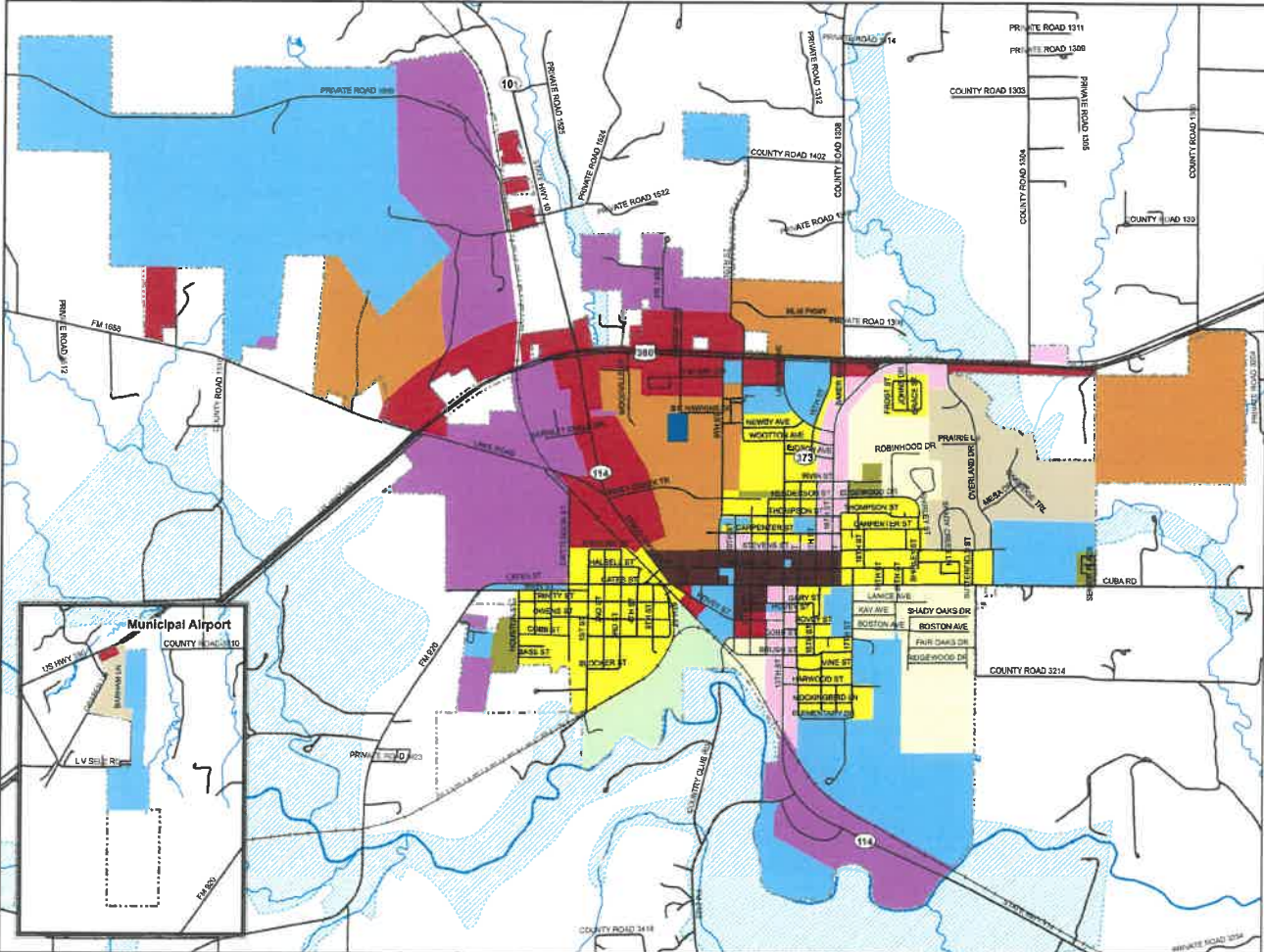
Future Land Use Plan

- LEGEND**
- Agricultural
 - Commercial
 - Downtown Mixed Use
 - High Density Residential
 - Hospital/Medical Center
 - Industrial
 - Low Density Residential
 - Medium Density Residential
 - Mixed Use
 - Office/Retail
 - Public Facilities/Parks & Open Spaces*
 - Rural Residential
 - City Limit
 - West Fork Trinity River
 - Straams
 - Floodplain
- * This category is not considered a Future Land Use classification but is for informational purposes only.

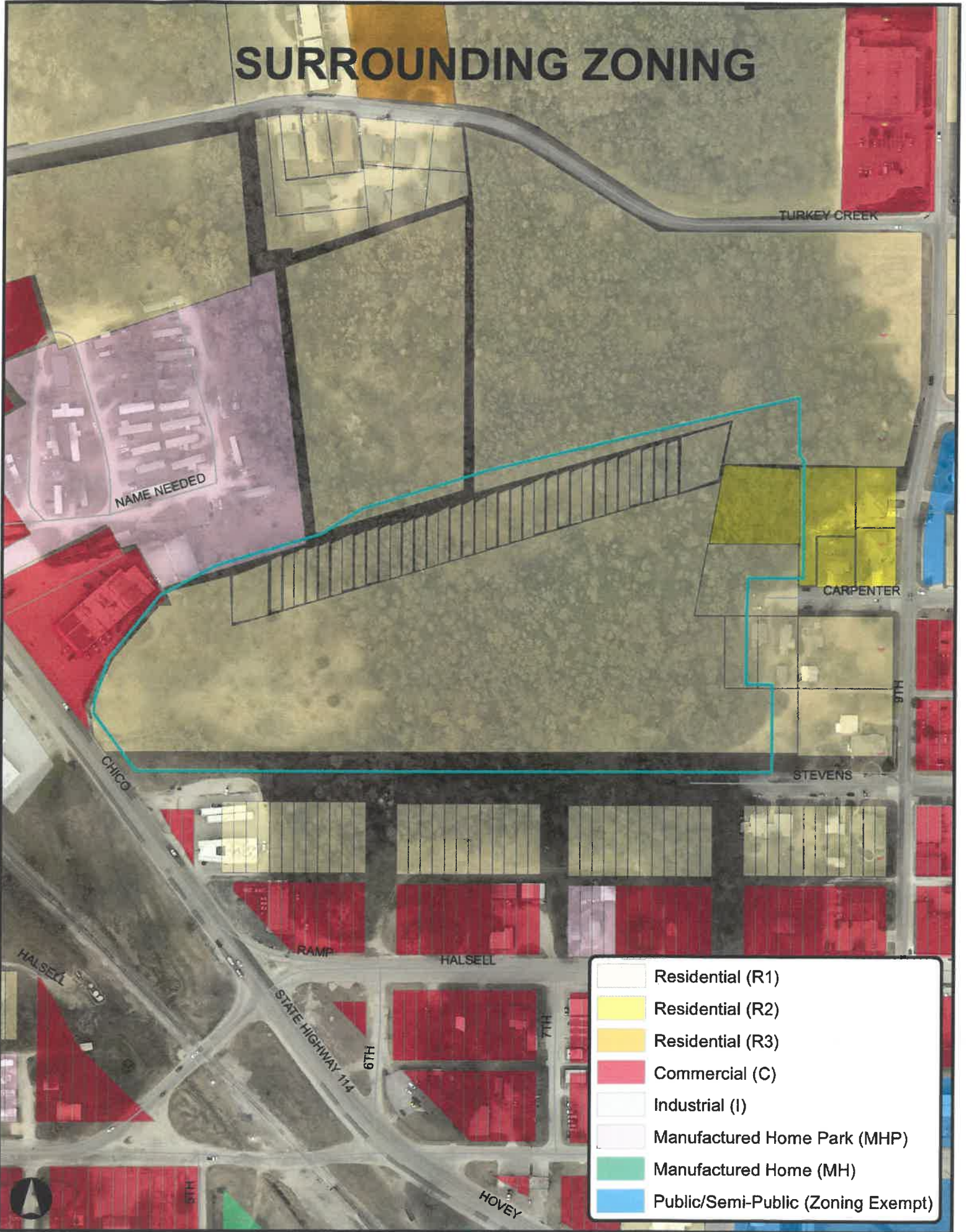
A comprehensive plan shall not constitute zoning regulations or establish zoning district boundaries.



June 2017
 MAD 83 State Plane Texas North Central



SURROUNDING ZONING



- Residential (R1)
- Residential (R2)
- Residential (R3)
- Commercial (C)
- Industrial (I)
- Manufactured Home Park (MHP)
- Manufactured Home (MH)
- Public/Semi-Public (Zoning Exempt)