ORDINANCE NO. 2015-01

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF BRIDGEPORT, BY GRANTING A SPECIFIC USE PERMIT TO ALLOW FOR A MANUFACTURED HOME TO BE LOCATED ON PROPERTY ZONED SINGLE FAMILY RESIDENTIAL (R-1), AND REVISING THE OFFICIAL ZONING MAP IN ACCORDANCE THEREWITH; PROVIDING THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING A SAVINGS CLAUSE; PROVIDING A PENALTY CLAUSE; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Bridgeport is a Type A general law municipality located in Wise County, created in accordance with the provisions of Chapter 6 of the Local Government Code and operating pursuant to the enabling legislation of the State of Texas; and

WHEREAS, Mr. Robert Beaman, the owner of a tract of land containing approximately 0.321 acres known as Lots 3 through 6, Block 14, Original Town of Bridgeport, City of Bridgeport, Wise County, Texas, filed an application for a Specific Use Permit to allow for a manufactured home on the property currently zoned Single-Family Residential (R-1); and

WHEREAS, the Zoning Ordinance of the City requires the issuance of a Specific Use Permit for a manufactured home that is to be located in any district other than the Manufactured Housing districts; and

WHEREAS, the Planning and Zoning Commission of the City of Bridgeport, Texas, held a public hearing on January 12, 2015, and the City Council of the City of Bridgeport, Texas, held a public hearing on March 3, 2015, with respect to the Specific Use Permit 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 approval of a Specific Use Permit on the Property; and

WHEREAS, upon review of the application, and after such public hearings, the City Council finds that the Specific Use Permit should be granted as provided herein.

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

SECTION 1

The Zoning Ordinance of the City of Bridgeport, as amended, is hereby amended to permit the following specific use on a tract of land containing approximately 0.321 acres known as Lots 3-6, Block 14, Original Town of Bridgeport, City of Bridgeport, Wise County, Texas.

A Specific Use Permit for a manufactured home, as more fully described on the site plan and application shown in Exhibits "A" and "B", respectively, attached hereto and incorporated herein.

SECTION 2

The City Council finds that the information submitted by the applicant pursuant to the requirements of the Zoning Ordinance is sufficient to grant the Specific Use Permit in accordance with the requirements hereof, subject to the conditions set forth in Exhibit "C" of this ordinance.

SECTION 3

The Specific Use Permit herein established has been made in accordance with the Comprehensive Plan for the purpose of promoting the health, safety, morals and general welfare of the community.

SECTION 4

The use of the property described above shall be subject to all restrictions, terms and conditions contained in this ordinance, including any attached exhibits, as well as the applicable regulations contained in the Zoning Ordinance of the City, and all other applicable and pertinent ordinances of the City of Bridgeport regulating manufactured homes.

SECTION 5

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

SECTION 6

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 7

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

SECTION 8

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 as of the effective date of this ordinance; and any accrued violations, or pending litigation, both civil and criminal, whether pending in court or not under such ordinances, shall not be affected by this ordinance but may be prosecuted until final disposition by the courts.

SECTION 9

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 10

The City Secretary of the City of Bridgeport is hereby directed to publish the caption, penalty clause, and the effective date clause in the official City newspaper one time as authorized by Section 52.011 of the Texas Local Government Code.

SECTION 11

This ordinance shall be in full force and effect from and after 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 4 TO 1, ON THIS THE 5th DAY OF March, 2015.

APPROVED:

Corey Lane, Mayor

ATTEST:

Jesica McEachern, City Secretary

EXHIBIT "A"

Lots 3 through 6, Block 14, Original Town of Bridgeport, Wise County, Texas

EXHIBIT "A"

LOTS 3-6, BLK 14, ORIGINAL TOWN OF BRIDGEPORT

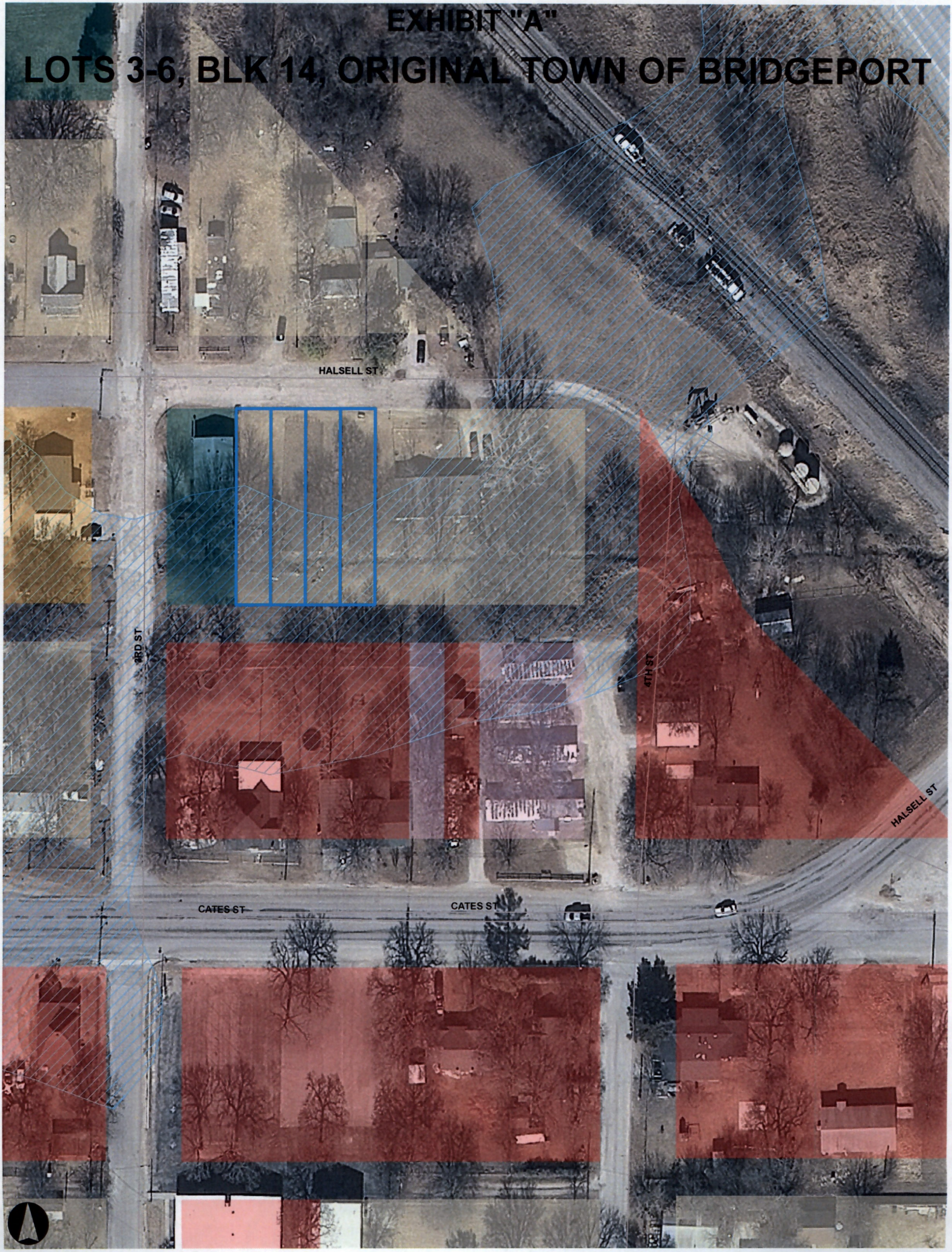

EXHIBIT "C"

THE SPECIFIC USE PERMIT IS SUBJECT TO THE FOLLOWING CONDITIONS:

- Adherence to the regulations set forth in Article 3.800 Flood Damage Prevention Regulations.

- At the time the proposed manufactured home is moved onto the said property, the manufactured home adheres to the setback requirements of the residential (R-1) district,

- At the time the proposed manufactured home is moved onto the said property, the manufactured home will comply with all City codes according to Chapter 14, Section 11E, as amended by Ordinance 2014-03 , and

- At, or before, the time the manufactured home is moved, the applicant will apply for and subsequently be issued all required permits according to Chapter 14, Section 11E, 9, as amended by Ordinance 2014-03.

- Before the time the manufactured home is moved, the property is replatted into a single lot.