

ORDINANCE NO. 2017-22

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF BRIDGEPORT, TEXAS, BY CHANGING THE ZONING CLASSIFICATION ON THE HEREINAFTER DESCRIBED PROPERTY TO "I" INDUSTRIAL 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 approximately 1.38 acres in the J.B. Floyd Survey, Abstract Number 313, City of Bridgeport, Wise County, Texas, commonly known as 2004 Chico Hwy from its present classification of Commercial District (C) to Industrial District (I); and

WHEREAS, the Planning and Zoning Commission of the City of Bridgeport, Texas, held a public hearing on June 12, 2017, and the City Council of the City of Bridgeport, Texas, held a public hearing on June 12, 2017, 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 as approximately 1.38 acres in the J.B. Floyd Survey, Abstract Number 313, City of Bridgeport, Wise County, Texas, commonly known as 2004 Chico Hwy from its present classification of Commercial District (C) to Industrial District (I).

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 12 DAY OF June, 2017.



Randy Singleton
Randy Singleton, Mayor

ATTEST:

Erika McComis
Erika McComis, City Secretary

EXHIBIT A
Property Description

A tract of land in the City of Bridgeport containing 1.38 acres and being 0.24 acre of a 1.86-acre tract in the J. B. Floyd Survey, Abstract No. 311, recorded in Volume 215, Page 354, Deed Records, Wise County, Texas, and 1.14 acres of a 2.637-acre tract in the J. B. Floyd Survey, Abstract No. 313, recorded in Volume 412, Page 467, Deed Records, Wise County; said 1.38-acre tract being more particularly described as follows:

Beginning at a 5/8-inch iron rod on the East boundary line of State Highway No. 114 and being the Northwest corner of the said 2.637-acre tract conveyed to R. D. Molloy and wife;

Thence South 10° 03' 30" East for a distance of 100.68 feet to a 5/8-inch iron rod on the East boundary line of the said highway and on the West boundary line of the said 2.637-acre tract;

Thence North 84° 25' 19" East for a distance of 435.39 feet to a point on the East boundary line of the said 2.637-acre tract in Turkey Creek;

Thence North 51° 54' 00" West for a distance of 13.77 feet to an unmarked corner of the said 2.637-acre tract in said creek;

Thence North 56° 37' 00" East for a distance of 184.67 feet to an unmarked corner of the said 2.637-acre tract in said creek;

Thence South 84° 52' 30" West for a distance of 326.66 feet to a 5/8-inch iron rod on the North boundary line of the said 2.637-acre tract and being the Southeast corner of said 1.86-acre tract;

Thence North 10° 03' 30" West for a distance of 64.52 feet to a 5/8-inch iron rod on the East boundary line of the said 1.86-acre tract;

Thence South 74° 14' 14" West for a distance of 270.34 feet to a 5/8-inch iron rod on the West boundary line of the said 1.86-acre tract and on the East boundary line of said highway;

Thence South 10° 03' 31" East for a distance of 14.43 feet to the Place of Beginning.

2004 Hwy 114 (Chico Hwy)
Bridgeport, TX 76426