

ORDINANCE NO. 2018-09

**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 Lot 10-R, J.H. Whitten Subdivision, being approximately 4.134 acres of land located in the City of Bridgeport, Wise County, Texas, commonly known as 3106 S ST 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 March 26, 2018, and the City Council of the City of Bridgeport, Texas, held a public hearing on March 26, 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 as Lot 10-R, J.H. Whitten Subdivision, approximately 4.134 acres of land located in the City of Bridgeport, Wise County, Texas, commonly known as 3106 S ST 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 4 TO 1, ON THIS 26 DAY OF March, 2018.**

  
\_\_\_\_\_  
Randy Singleton, Mayor

**ATTEST:**

  
\_\_\_\_\_  
Erika McComis, City Secretary



# EXHIBIT "A"



## CITY OF BRIDGEPORT DEVELOPMENT SERVICES

### CHANGE IN ZONING APPLICATION

APPLICATION FEE: \$150.00

#### Property Information

Addition Name or Abstract: <i>Lot 10-R J. H. Whitted Subdivision</i>		Address / Location: <i>3106 South State Hwy 101</i>		Proposed Zoning: <i>Adm 1/2 Industrial</i>
Lot(s): <i>10-R</i>	Block:	Current Zoning: <i>Commercial - Residential</i>		
# of Acres: <i>4+</i>	# of Lots:	# of Units:		

#### Applicant Information

Name: <i>Bret Lamb</i>		Company: <i>Go Green Tile</i>		
Mailing Address: <i>3106 S. State Hwy 101</i>				
City: <i>Bridgeport TEXAS</i>	State:	Zip: <i>76426</i>		
Phone: <i>940 293 5339</i>	Fax:	E-mail: <i>BretLamb@Juno.com</i>		

#### Owner Information - If different from Applicant, must have letter of authorization if not the owner

Name: <i>Bret Lamb</i>		Company:		
Mailing Address: <i>3106 S. State Hwy 101</i>				
City: <i>Bridgeport</i>	State: <i>TX</i>	Zip: <i>76426</i>		
Phone: <i>940 293 5339</i>	Fax:	E-mail: <i>BretLamb@Juno.com</i>		

- All requests shall be advertised for the requested district and/or any other district which is more restrictive by area requirements, land use and height.
- A Legal description of the property for which the zoning change is requested must be completed as "EXHIBIT A" and attached hereto. The description shall include the distance and bearing of the point of beginning from the nearest intersection of streets or roads.

**Application Submittal Requirements:** Please refer to *Zoning Change Submittal Checklist* on reverse. →→

Signature: *Bret Lamb*

Date: *2-22-18*

<i>For Office Use Only:</i>	
County Clerk filing information:	
Date Filed: _____	Receipt Number: _____ \$ _____
Pending Plat: _____	Staff Initials: _____

Entered into Master Permit Log

CITY OF BRIDGEPORT

\*\*\*\* REPRINT RECEIPT\*\*\*\*

REC#: 00401090 2/22/2018 2:34 PM  
OPER: DSC TERM: 191  
REF#: 5540

TRAN: 605.0000 ZONING FEES  
3106 ST HWY 101 - ZONE CHANGE  
100-4250  
ZONING FEES 150.00CR

TRAN: 605.0000 ZONING FEES  
3106 S ST HWY 101 - SUP TIRES  
100-4250  
ZONING FEES 150.00CR

TENDERED: 300.00 CHECK  
APPLIED: 300.00-

CHANGE: 0.00