

AN ORDINANCE OF THE CITY OF SEAGOVILLE, TEXAS

ORDINANCE NO. 10-2018

AN ORDINANCE OF THE CITY OF SEAGOVILLE, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND MAP OF THE CITY OF SEAGOVILLE, AS AMENDED, BY GRANTING A CHANGE IN ZONING FROM THE R-5, RESIDENTIAL SINGLE FAMILY, ZONING DISTRICT TO THE LM, LIGHT MANUFACTURING, ZONING DISTRICT ON APPROXIMATELY 1-ACRE OF REAL PROPERTY LOCATED AT 301 WEST SIMONDS ROAD IN THE CITY OF SEAGOVILLE, DALLAS COUNTY, TEXAS, BEING LEGALLY DESCRIBED IN EXHIBIT "2" AND DEPICTED IN EXHIBIT "3", ATTACHED HERETO AND INCORPORATED HEREIN; PROVIDING FOR A REPEALING CLAUSE; PROVIDING FOR A SAVINGS CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY OF FINE NOT TO EXCEED TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Commission of the City of Seagoville and the City Council of the City of Seagoville, in compliance with the laws of the State of Texas with reference to the granting of zoning classifications and changes have given requisite notices by publication and otherwise, and have held due hearings and afforded a full and fair hearing to all property owners generally and to all persons interested and situated in the affected area and in the vicinity thereof, and the City Council of the City of Seagoville is of the opinion and finds that a zoning change should be granted, and that the Comprehensive Zoning Ordinance and Map should be amended.

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

SECTION 1: That the Comprehensive Zoning Ordinance and Map of the City of Seagoville, Texas, is heretofore amended, be and the same is hereby amended by granting a change in the zoning from the R-5, Residential Single Family, zoning district to the LM, Light Manufacturing, zoning district on about 1-acre of real property located at 301 West Simonds Road in the City of Seagoville, Dallas County, Texas, being legally described in Exhibit "2" and depicted in Exhibit "3", which are attached hereto and incorporated herein.

SECTION 2: That the property described shall be used only for the purposes set out in accordance with the City of Seagoville's Zoning Ordinance and all other ordinances, codes, and policies of the City of Seagoville, as amended.

SECTION 3: That all provisions of the Ordinances of the City of Seagoville, Texas, in conflict with the provisions of this ordinance as amended be hereby repealed and all other provisions not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 4: That should any sentence, paragraph, subdivision, clause, phrase, or section of this ordinance or the Comprehensive Zoning Ordinance, as amended hereby, be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance or the Comprehensive Zoning Ordinance as a whole, or any part or provision thereof, other than the part declared to be invalid, illegal, or unconstitutional.

SECTION 5: That any person, firm, or corporation violating, disobeying, neglecting, refusing to comply with, or resisting the enforcement of any of the provisions or terms of this ordinance or the Comprehensive Zoning Ordinance, as amended hereby, shall be subject to the same penalty of two thousand dollars (\$2,000.00) for each offense as provided for in the Comprehensive Zoning Ordinance of the City of Seagoville, as heretofore amended. Each and every day such a violation continues or is allowed to exist shall constitute a separate offense.

SECTION 6: That this ordinance shall take effect immediately from and after its passage and the publication of its caption, as the law and charter in such cases provide.

DULY PASSED by the City Council of the City of Seagoville, Texas this 16th day of July, 2018.

APPROVED:



Dennis, K. Childress, Mayor

ATTEST:



Kandi Jackson, City Secretary

APPROVED AS TO FORM:



Alexis G. Allen, City Attorney

(/cdb 07/10/2015)

LEGAL DESCRIPTION FROM PLAT

A tract of land situated in the Herman Heider Abstract No. 541 in the City of Seagoville, Dallas County, Texas, as conveyed to Santiago Bustos per deed recorded in Instrument No. 201800104095 of the Real Property Records of Dallas County, Texas, (R.P.R.D.C.T.) and being more particularly described by metes and bounds as follows:

Beginning at a ½-inch iron rod set for the west corner of said Bustos tract and at the north corner of a 20-foot right-of-way dedication of the Ott's Additions as recorded in Instrument No. 20100022141 of the Real Property Records of Dallas County, Texas, and being in the southeasterly right-of-way line of Simonds Road (a variable width right-of-way); thence North 45 degrees 35 minutes 55 seconds East with the northwesterly line of said Bustos tract and the southeasterly right-of-way of Simonds Road a distance of 129.30 feet to a ½-inch iron rod with an orange cap stamped "3941" set at the north corner of said Bustos tract and at a west corner of a called 2.00-acre tract conveyed to Jeffery D. Hill recorded in Instrument No. 200600360697 of the Real Property Records of Dallas County, Texas, from which a found ½-inch iron pipe bears North 45 degrees 27 minutes 51 seconds West a distance of 1.38 feet; thence South 44 degrees 38 minutes 57 seconds East with the northeasterly line of said Bustos tract and the southwesterly line of said Hill tract a distance of 335.20 feet to a found 3/8-inch iron rod at the east corner of the Bustos tract and at an ell corner of said Hill tract; thence South 45 degrees 38 minutes 44 seconds West with the southeasterly line of said Bustos tract and a northwesterly line of said Hill tract a distance of 129.80 feet to a found ¾-inch iron pipe found for the south corner of said Bustos tract and in the northeasterly line of Lot 2 Block A of said Ott's Addition; thence North 44 degrees 33 minutes 51 seconds West with the southwesterly line of said Bustos tract and a northeasterly line of Lot 2 of Ott's Addition passing a ½-inch found iron rod at the common corner of Lot 1 and Lot 2 of Ott's Addition at a distance of 45.93-feet continuing a total distance of 335.09 feet to the Point of Beginning, containing 43,417 square feet or 0.997 acres of land.

