

**AN ORDINANCE OF THE CITY OF SEAGOVILLE, TEXAS**

**ORDINANCE NO. 17-2021**

**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 TO C, COMMERCIAL, TO R-5, RESIDENTIAL SINGLE FAMILY-5, ON AN APPROXIMATELY 0.481± ACRE TRACT DESCRIBED AS TRACT 50 IN THE HENRY D. BOHANNON SURVEY, ABSTRACT 178, COMMONLY REFERRED TO AS 316 SOUTH KAUFMAN STREET IN THE CITY OF SEAGOVILLE, DALLAS COUNTY, TEXAS, AND BEING DEPICTED AND LEGALLY DESCRIBED BY METES AND BOUNDS IN EXHIBIT "A" 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 public 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 C, Commercial, to R-5, Residential Single Family-5, on an approximately 0.481± acre tract described as Tract 50 in the Henry D. Bohannon Survey, Abstract 178, commonly referred and being a part of 316 South Kaufman Street in the City of Seagoville, Dallas County, Texas, and being depicted and legally described by metes and bounds in Exhibit "A", which is attached hereto and incorporated herein.

**SECTION 2:** That the land 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 7<sup>th</sup> day of June, 2021.

**APPROVED:**



Dennis, K. Childress, Mayor

**ATTEST:**



Kandi Jackson, City Secretary

**APPROVED AS TO FORM:**



Victoria Thomas, City Attorney  
(/cdb 06/01/2021)



# EXHIBIT "A"

ADDRESS: 316 S. Kaufman Street, Seagoville, Texas.

**PROPERTY DESCRIPTION**

BEING a 0.4817 acre tract of land situated in the H. D. Bohanan Survey, Abstract no. 178, City of Seagoville, Dallas County, Texas, and being all that certain property as conveyed to I. D. Smith Associates by deed recorded in Volume 83186, Page 3696, Deed Records, Dallas County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2 inch iron rod with remains of plastic cap found in the southwest line of S. Kaufman Street (50 foot wide) at the east corner of Lot 1, of Bode Addition, an addition to the City of Seagoville, Dallas, County, Texas, according to the map or plat thereof recorded in Volume 2001066, Page 17, Deed Records, Dallas County, Texas;

THENCE South 59 degrees 12 minutes 00 seconds East, along the southwest line of S Kaufman Street, a distance of 100.00 feet to a 5/8 inch iron rod with orange cap marked "PATRICK / RPLS 4593" set for corner;

THENCE South 30 degrees 18 minutes 00 seconds West, along the northwest line of a tract of land conveyed to Leland D. Gjetley by deed recorded in Volume 94015, Page 1698, Deed Records, Dallas County, Texas, a distance of 209.84 feet to a 2 1/2 inch galvanized fence post for corner in the northeasterly line of the former Texas and New Orleans Railroad;

THENCE North 59 degrees 12 minutes 00 seconds West, along said northeasterly line, a distance of 100.00 feet to a 1 3/4 inch steel fence post for corner at the south corner of said Lot 1 of Bode Addition;

THENCE North 30 degrees 18 minutes 00 seconds East, along the southeast line of said Lot 1, of Bode Addition, a distance of 209.84 feet to the PLACE OF BEGINNING and containing 20,983 square feet or 0.4817 acres of land more or less.

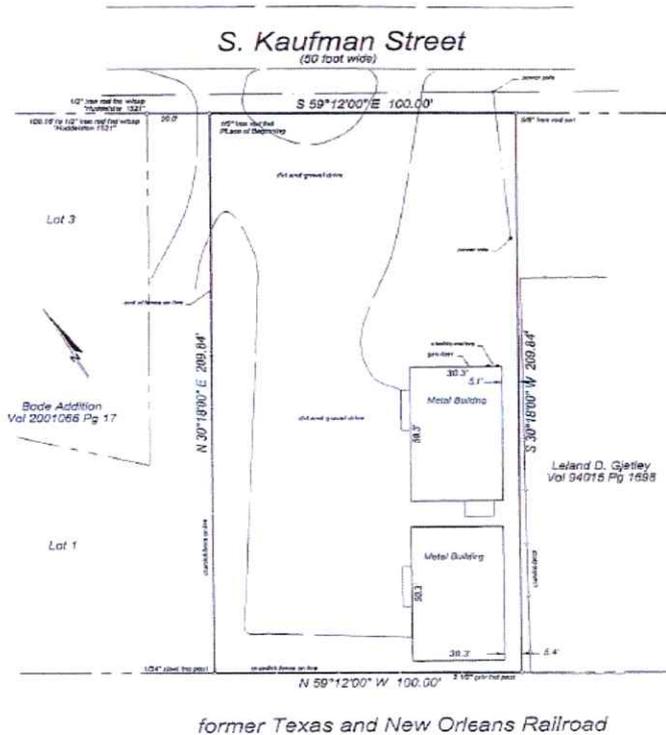
**SURVEYOR'S NOTES**

Corners noted as 5/8" Iron rod set are 5/8 inch rebar with orange plastic caps marked "PATRICK/RPLS 4593"

BASIS OF BEARINGS: Plat of Bode Addition recorded in Volume 2001066, Page 17, Deed Records, Dallas County, Texas

CONTROLLING MONUMENTS: Monuments shown and/or noted as found hereon were used as "controlling monuments" for purposes of this survey.

This is a surface or above ground survey. No attempt to locate underground utilities or structures of any kind has been made.



TO: H & O Electric,  
I. D. Smith Associates  
National Land Title of Kaufman GF # 05-23029

Survey of  
316 S. Kaufman Street, Seagoville, Texas  
0.4817 acre tract H. D. Bohanan Survey, Abstract No 178  
City of Seagoville, Dallas County, Texas

I do hereby certify that the plat shown hereon represents the results of a true, correct and accurate representation of the results of a survey made on the ground by me or under my direction and supervision and conforms to the "Minimum Professional and Technical Standards" as currently established by the Texas Board of Professional Land Surveying. Visible and apparent improvements to the property found on the ground are shown hereon. Except as shown hereon there were no visible and apparent encroachments or protrusions of improvements found on the ground. This survey is subject to all easements and restrictions of record. This certification is an expression of professional opinion regarding the facts of the survey and does not constitute a warranty or guarantee, expressed or implied. This survey was performed exclusively for the above mentioned parties and is licensed for the original transaction. No license is granted for any other use. This survey contains material protected by United States Copyright Law and International Treaties. All Rights Reserved. Unauthorized use and copying is prohibited.

Scale 1" = 40'  
Date 04/23/05  
Job No. 0504-106  
Drawn By M. Patrick

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Mike E. Patrick, Jr. RPLS 4593