

ORDINANCE NO. 255

AN ORDINANCE AMENDING ORDINANCE NO. 120 ENACTED BY THE CITY COUNCIL ON MAY 3, 1955, BY PERMITTING THE FOLLOWING DESCRIBED PROPERTY, WHICH IS PRESENTLY ZONED RESIDENTIAL TO WIT: BEING A LOT BEGINNING 25 FEET OUT OF LOT 2 AND 70 FEET OUT OF LOT 1, DESCRIBED AS FOLLOWS: STARTING AT THE NORTHEAST SIDE OF GROSS STREET GOING 85 FEET NORTH PARALLEL WITH GALLOWAY STREET TO STAKE; THENCE WEST 70 FEET BEING OUT OF LOT 1, OUT OF THE F. BORCHARDT ADDITION TO THE ORIGINAL TOWN OF MESQUITE TO A STAKE; THENCE WEST 25 FEET IN LOT 2 OUT OF THE F. BORCHARDT ADDITION TO THE ORIGINAL TOWN OF MESQUITE; THENCE PARALLEL WITH GALLOWAY STREET 70 FEET TO FENCE LINE; THENCE EAST 25 FEET LOT 2 TO STAKE; THENCE 70 FEET IN STAKE NORTHEAST OF CORNER LOT 1 OF GALLOWAY STREET; THENCE SOUTH 70 FEET TO PLACE OF BEGINNING; TO BE USED UNDER A SPECIAL PERMIT FOR A FLORIST SHOP ONLY, AS DESIGNATED AND APPROVED BY THE CITY PLANNING AND ZONING COMMISSION SUBJECT, HOWEVER, TO THE SPECIAL CONDITIONS HEREINAFTER MORE FULLY EXPRESSED; THAT THE PROPERTY SHALL BE IMPROVED ACCORDING TO THE PLANS AND SPECIFICATIONS SUBMITTED THEREFOR AND APPROVED BY THE CITY PLANNING AND ZONING COMMISSION AND THE CITY COUNCIL; PROVIDING FOR PENALTY AND DECLARING AN EMERGENCY.

WHEREAS, the City Planning and Zoning Commission of the City of Mesquite and the Governing Body of the City of Mesquite in compliance with the Charter of the City of Mesquite and the State Law with reference to the granting of Special Permits under the Zoning Ordinance regulations and zoning map have given the requisite notices by publications and otherwise and after holding due hearing and affording a full and fair hearing to all property owners, generally, and to the persons interested situated in the affected area and in the vicinity thereof, the governing body of the City of Mesquite is of the opinion that said Special Permit should be granted, subject to the conditions set out herein.

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

SECTION 1. That Ordinance No. 120 enacted by the City Council on May 3, 1955 be and is hereby amended insofar as the hereinafter described property is concerned, which is presently zoned Residential, shall be used under a Special Permit for a Florist Shop only, as designated and approved by the City Planning and Zoning Commission, subject to the special conditions contained herein:

Being a lot beginning 25 Feet out of Lot 2 and 70 Feet out of Lot 1, and being more particularly described as follows: Starting at the Northeast side of Gross Street going 85 Feet North parallel with Galloway Street to stake; Thence West 70 Feet being out of Lot 1, out of the F. Borchardt Addition to the Original Town of Mesquite; to a stake; Thence West 25 Feet in Lot 2, out of the F. Borchardt Addition to the Original Town of Mesquite; Thence parallel with Galloway Street 70 Feet to fence line; Thence East 25 Feet Lot 2 to stake; Thence 70 Feet in stake Northeast of corner Lot 1 of Galloway Street; Thence South 70 Feet to place of beginning.

SECTION 2. That this Special Permit for a Florist Shop only as designated and approved by the City Planning and Zoning Commission on the herein above described

property is approved and granted upon the following express conditions and in accordance with Section 4 of the Zoning Ordinance:

- (1) A site plan shall be approved by the City Planning and Zoning Commission and development shall be generally in conformance therewith. Such approved site plan may be revised or amended if such revision or amendment thereof is first approved by the City Planning and Zoning Commission.
- (2) That all on-site improvements shall be specified on approved site plan.
- (3) That all adjacent uses of property shall be indicated on approved site plan.
- (4) That all means of ingress and egress shall be as indicated on the approved site plan.
- (5) That all streets, service drives, parking areas and alleys shall be paved and drainage structures and curbs and gutters installed in accordance with the City of Mesquite requirements and as indicated on the approved site plan; and that the developer shall bear the total cost of all such improvements.
- (6) That off-street parking facilities shall be provided as indicated on the approved site plan, and shall not be less than the requirement of Ordinance No. 120 for each use and occupancy.
- (7) That the width of all streets and rights-of-way shall be in conformance with the City of Mesquite thoroughfare and street plan and shall be indicated on the approved site plan, dedicated and improved to the minimum requirements of the City.
- (8) That all utility services shall be shown on site plan and shall conform to the City's specifications and be as approved by the City's Engineer.
- (9) The City of Mesquite water and sanitary sewerlines shall be extended to and service shall be made available for developed portion of the tract at the cost of the owner and developer and shall be in accordance with the City's specifications and regulations.
- (10) That no signs or billboards other than those pertaining to the occupancy of the premises or commodities sold thereon shall be permitted, and such allowable signs shall be of the parapet wall, marquee or flat wall type. No sign or billboard shall be permitted of a flashing or intermittently lighted type. That the location of any sign other than as stated above shall first be approved by the City Planning and Zoning Commission.
- (11) That screening consisting of fencing and/or shrubs shall be as required by the City Planning and Zoning Commission, and shown on approved site plan.
- (12) That all storage facilities, whether inside or outside, shall be designated on approved site plan.

SECTION 3. That any person, firm or corporation violating any of the terms and provisions of this Ordinance shall be subject to the same penalties provided for in Ordinance No. 120.

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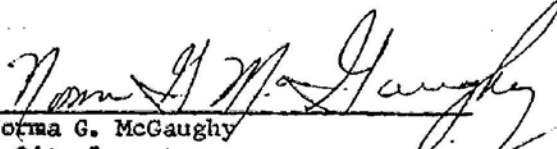
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SECTION 4. WHEREAS, it appears that the subject property of this Ordinance is to be used under a Special Permit for a Florist Shop only, as designated and approved by the City Planning and Zoning Commission, subject to certain conditions, and will serve the public interest, comfort and general welfare and requires that this Ordinance shall take effect immediately from and after its passage and it is accordingly so ordained.

PASSED AND ADOPTED THIS THE 17th DAY OF AUGUST, 1959.


James Fontenot
Mayor

ATTEST:


Norma G. McGaughy
City Secretary