

ORDINANCE NO. 607

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF 1964, DULY PASSED BY THE CITY COUNCIL ON AUGUST 17, 1964, SO AS TO CHANGE THE FOLLOWING DESCRIBED PROPERTY FROM "R-3" SINGLE FAMILY DWELLING DISTRICT CLASSIFICATION TO "R-3" SINGLE FAMILY DISTRICT CLASSIFICATION UNDER A SPECIAL PERMIT FOR A TELEPHONE COMPANY EQUIPMENT BUILDING, SAID PROPERTY BEING IN THE CITY OF MESQUITE, DALLAS COUNTY, TEXAS, AND DESCRIBED AS FOLLOWS: BEING A TRACT OF LAND SITUATED IN DALLAS COUNTY, TEXAS AND BEING PART OF LOT 1, BLOCK "F" OF ROLLINGWOOD HILLS, AN ADDITION TO THE CITY OF MESQUITE, TEXAS, AS RECORDED IN VOLUME 21, PAGE 263, M.R.D.C.T. AND BEING MORE FULLY DESCRIBED AS FOLLOWS: BEGINNING AT AN IRON ROD FOR CORNER IN THE WEST LINE OF SAID LOT 1 AND THE EAST LINE OF A 15 FT. ALLEY, SAID IRON ROD BEING SOUTH 50.00 FT. FROM THE NORTHWEST CORNER OF SAID LOT 1; THENCE, SOUTH ALONG THE WEST LINE OF SAID LOT 1 AND WITH THE EAST LINE OF SAID 15.00 FT. ALLEY TO AN IRON ROD THAT IS NORTH 5.0 FT. FROM THE SOUTHWEST CORNER OF SAID LOT 1; THENCE, SOUTH 88 DEG. 46 MIN. EAST AND BEING AT ALL TIME 5.0 FT. FROM AND PARALLEL TO THE SOUTH LINE OF SAID LOT 1, 25.00 FT. TO AN IRON ROD FOR CORNER; THENCE, NORTH AND BEING AT ALL TIMES 25 FT. FROM AND PARALLEL TO THE WEST LINE OF SAID LOT 1, 20.00 FT. TO AN IRON ROD FOR CORNER; THENCE, NORTH 88 DEG. 46 MIN. WEST AND PARALLEL TO THE SOUTH LINE OF SAID LOT 1, 25.00 FT. TO THE PLACE OF BEGINNING; PROVIDING FOR A PENALTY NOT TO EXCEED TWO HUNDRED DOLLARS (\$200.00) FOR EACH OFFENSE; AND DECLARING AN EMERGENCY.

WHEREAS, the City Plan 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 State Laws with reference to granting of zoning changes under the zoning ordinance regulations and Zoning Map, have given the requisite notices by publication and otherwise and, after holding due hearings and affording a full and fair hearing to all property owners generally and to the persons interested and situated in the area, the City of Mesquite is of the opinion that the said change of zoning should be granted herein:

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

SECTION 1. That the Comprehensive Zoning Ordinance of 1964, duly passed by the City Council of the City of Mesquite, Texas, on the 17th day of August, 1964, be, and the same is

hereby amended by amending the Zoning Map of the City of Mesquite so as to give the following described property an "R-3" Single Family District Classification under a special permit for a Telephone Company equipment building, described as follows:

BEING a tract of land situated in Dallas County, Texas, and being part of Lot 1, Block "F" of Rollingwood Hills, an Addition to the City of Mesquite, Texas as recorded in Volume 21, Page 263, M.R.D.C.T. and being more fully described as follows:

BEGINNING at an iron rod for corner in the West line of said Lot 1 and the East line of a 15 ft. alley, said iron rod being South 50.00 ft. from the Northwest corner of said Lot 1;

THENCE, South along the West line of said Lot 1 and with the East line of said 15.00 ft. alley to an iron rod that is North 5.0 ft. from the Southwest corner of said Lot 1;

THENCE, South 88 deg. 46 min. East and being at all time 5 ft. from and parallel to the South line of said Lot 1, 25.00 ft. to an iron rod for corner;

THENCE, North and being at all times 25 ft. from and parallel to the West line of said Lot 1, 20.00 ft. to an iron rod for corner;

THENCE, North 88 deg. 46 min. West and parallel to the South line of said Lot 1, 25.00 ft. to the Place of Beginning.

SECTION 2. That the special permit for the Telephone Company equipment building is approved and granted on the following express conditions and in accordance with Article XVI of the Comprehensive Zoning Ordinance of 1964:

- (a) That any building upon the above described tract of land shall be of all masonry construction.
- (b) That screening by evergreen vegetation or an acceptable type of solid screening shall be provided around all sides of the building.

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SECTION 3. That all ordinances of the City of Mesquite in conflict with the provisions of this ordinance be, and the same are, hereby repealed and all other ordinances of the City of Mesquite not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 4. That the above described tract of land shall be used only in the manner and for the purposes provided for by the Comprehensive Zoning Ordinance of 1964.

SECTION 5. That should any paragraph, sentence, subdivision, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole, or any part or provision hereof other than the part so decided to be invalid, illegal or unconstitutional and shall not affect the validity of the Comprehensive Zoning Ordinance as a whole.

SECTION 6. That any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of 1964 of the City of Mesquite, and upon conviction shall be punished by a fine not to exceed Two Hundred Dollars (\$200.00) for each offense.

SECTION 7. Whereas, the above described property requires that it be given the above zoning classification in order to permit its proper development and in order to protect the public interest, comfort and general welfare of the City of Mesquite, and creates an urgency and an emergency for the preservation of the public health, safety and welfare and requires that this ordinance shall take effect immediately from and after its passage and publication of the caption of said ordinance, as the law in such cases provides.

DULY PASSED by the City Council on the 7 day of September, 1965.

APPROVED:

George B. ...
MAYOR

ATTEST:

Norma G. McLaughly
CITY SECRETARY

APPROVED AS TO FORM:

B. Robert Baker
ATTORNEY