

## ORDINANCE NO. 924

Case 814-1

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 GRANT A CHANGE OF ZONING FROM "R-3" SINGLE-FAMILY DWELLING DISTRICT TO "A" MULTIPLE-FAMILY DWELLING DISTRICT SUBJECT TO THE DENSITY BEING LIMITED TO NOT MORE THAN SIXTEEN UNITS PER ACRE, APPROVAL OF SITE PLAN BY THE CITY PLANNING COMMISSION AND DEDICATION OF RIGHT OF WAY FOR THE SOUTHERLY EXTENSION OF WILKINSON DRIVE; SAID PROPERTY BEING TRACT 5, PART OF TRACTS 4, 6, AND 7, OF THE W. J. LEWIS SURVEY, ABSTRACT 814, OF THE CITY OF MESQUITE, DALLAS COUNTY, TEXAS, AND CONTAINS APPROXIMATELY 14.02 ACRES; BY REPEALING ALL ORDINANCES IN CONFLICT WITH THE PROVISIONS OF THIS ORDINANCE AND RETAINING IN FULL FORCE AND EFFECT ALL PROVISIONS OF THE 1964 ZONING ORDINANCE NOT IN CONFLICT HEREWITH; BY MAKING APPLICABLE ALL REGULATIONS OF THE 1964 ZONING ORDINANCE TO THE LAND HEREWITH ZONED; BY PROVIDING THAT THE FOREGOING ZONING IS GRANTED SUBJECT TO ANY DEVELOPMENT OF THE LAND HEREIN BEING IN CONFORMITY WITH THE REQUIREMENTS OF CURRENT AND/OR FUTURE DRAINAGE IMPROVEMENT ORDINANCES; BY PROVIDING A SEVERABILITY CLAUSE; BY PROVIDING FOR A PENALTY NOT TO EXCEED TWO HUNDRED DOLLARS (\$200.00) FOR EACH OFFENSE, AND DECLARING AN EMERGENCY.

WHEREAS, the City Planning 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 the 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 grant a change of zoning on the following described property from "R-3" Single-Family Dwelling District to "A" Multiple-Family Dwelling

ORDINANCE/PAGE 2  
Case 814-1

District, subject to the density being limited to not more than sixteen units per acre, approval of site plan by the City Planning Commission and dedication of right of way for the Southerly extension of Wilkinson Drive, said property being in the City of Mesquite, Dallas County, Texas, and described as follows:

BEING a tract of land located in the City of Mesquite, Dallas County, Texas, out of the W. J. Lewis Survey, Abstract No. 814, and the John Scurlock Survey, Abstract No. 1368, and being a part of the land described in deed to Wylie Morris, et ux, recorded in Volume 1836, Page 27-30, Deed Records, and a part of the land set aside to Matilda Morris, recorded in Volume 45, Page 631 of the 14th District Court Minutes and being more fully described as follows:

BEGINNING at an iron rod in the South line of the Wylie Morris land, South  $89^{\circ} 25'$  East from the East line of Belt Line Road;

THENCE North  $0^{\circ} 56'$  East 1085.75 feet to an iron rod on the South line of Paza Drive, in fence line;

THENCE South  $84^{\circ} 13'$  East 452.85 feet along Pazo Drive to the beginning of a curve to the right, an iron rod in fence line;

THENCE 202.56 feet around said curve, whose central angle is  $85^{\circ} 09'$ , radius is 136.30 feet, to an iron rod on the West line of Wilkinson Drive, in fence line;

THENCE South  $0^{\circ} 56'$  West 770.30 feet along the West line of Wilkinson Drive to an iron rod in fence corner;

THENCE South  $44^{\circ} 04'$  East 42.42 feet, crossing the common Lewis and Scurlock Survey Line, to an iron rod in fence corner;

THENCE South  $0^{\circ} 56'$  West 107.70 feet to an iron rod in fence corner at the Southeast corner of the Wylie Morris land;

THENCE North  $89^{\circ} 25'$  West 606.00 feet to the Place of Beginning and containing 14.021 acres of land, more or less.

ORDINANCE/PAGE 3  
Case 814-1

SECTION 2. 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 3. 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 4. That the foregoing zoning change shall be and it is granted subject to any development of the land herein being developed in conformity with the requirements of current and/or future drainage improvement ordinances of the City of Mesquite, including Ordinance No. 858 of the Mesquite City Code.

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.

20. 194

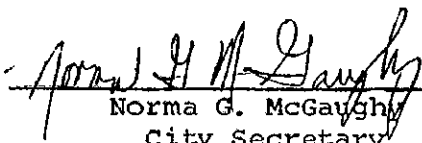
ORDINANCE/PAGE 4  
Case 814-1


DULY PASSED by the City Council of the City of Mesquite,  
Texas, on the 1st day of February, A.D., 1971.

  
George Boyce  
Mayor

ATTEST:

APPROVED AS TO FORM:

  
Norma G. McGaughy  
City Secretary

  
Elland Archer  
City Attorney