

ORDINANCE NO. 929

Case #ED-4

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 "C" COMMERCIAL DISTRICT, WITH THE STIPULATION THAT A TEN (10) FOOT RIGHT-OF-WAY BE DEDICATED FOR THE WIDENING OF HANBY DRIVE; SAID PROPERTY BEING LOTS 6 AND 7 AND PARTS OF LOTS 8 AND 10, OF THE EAST DALLAS ESTATES ADDITION TO THE CITY OF MESQUITE, DALLAS COUNTY, TEXAS; 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 THE DEVELOPMENT OF LAND 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 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 "C" Commercial District, with the stipulation that a Ten (10) foot right-of-way be dedicated for the widening of Hanby Drive, said property being in the City of Mesquite, Dallas County, Texas, and described as follows:

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Ten (10) acres of land out of the East Dallas Estates Addition in Mesquite, Texas, S. W. Caldwell Survey, Abstract #337, described as follows:

BEING all of Lots 6 and 7, West 77.17 feet of Lot 8, and West 77.17 feet of Lot 10;

BEGINNING in the North Right-of-way line of U.S. Highway 80, the South East corner of Lot 5 and South West corner of Lot 6, for South West corner said 10 acres. Said point being South 77° 21' East, 1150 feet from South West corner of said East Dallas Estates Addition.

THENCE, North 1° 22' East 881.7 feet along the East line of Lot 5 to its North East corner for North West Corner Lot 6, and the North West corner this 10 acres, in South right-of-way line of Hanby Street, South 88° 20' East, 1121.3 feet from West line of said addition;

THENCE South 88° 20' East along South line Hanby Street, at 196.35 feet the North East corner Lot 6 and North West corner Lot 7, of 392.7 feet, the North East corner Lot 7, and North West corner Lot 10, in all 469.87 feet for corner 10 acres;

THENCE South 1° 22' West, at 300 feet cross line Lot 10 and 8, in all 973 feet to point in North Right-of-Way line of U. S. Highway 80, a point North 77° 21' West 358.3 feet from South Corner of Lot 9.

THENCE along North right-of-way line of U. S. Highway 80, North 77° 21' West, of 79.05 feet South West corner Lot 8, South East corner Lot 7, at 279 feet South West corner Lot 7, and South Corner Lot 6, in all 479 feet to BEGINNING.

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.

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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 by the City of Mesquite, and upon conviction shall be punished by a fine not to exceed Two Hundred Dollars (\$200.00) for each offense.

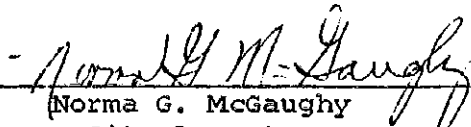
SECTION 7. Whereas, the above-described property requires that it be given the above zoning classification in order to permit its proper development and in order to protect the public interest, comfort, and general welfare of the City of Mesquite, and creates an urgency and an emergency for the preservation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

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


George Boyce
Mayor

ATTEST:

APPROVED AS TO FORM:


Norma G. McGaughey
City Secretary

Elland Archer
City Attorney

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