

ORDINANCE NO. 959

Case 1462-74

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 "I" INDUSTRIAL TO "SP" SPECIAL PERMIT FOR ELECTRIC SUBSTATION ON A PORTION OF TRACT 35, SHEET 14E OF THE DANIEL TANNER SURVEY, ABSTRACT #1462 OF THE CITY OF MESQUITE, DALLAS COUNTY, TEXAS, SAID PROPERTY BEING FURTHER DESCRIBED IN SECTION 1 OF THIS ORDINANCE; 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 BEING IN CONFORMITY WITH THE REQUIREMENTS OR 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 "I" to "SP" Special Permit for Electric Substation:

BEING a tract of land situated in the Daniel Tanner League Survey, Abstract No. 1462, and a part of

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partition No. 8 as recorded in Volume 51 at Page 238 of the Deed Records of Dallas County, Texas, same being a part of a tract of land conveyed to Buckner Orphans Home in deed recorded in Volume 54 at Page 239 of the Deed Records of Dallas County, Texas, City of Mesquite, Dallas County, Texas, and being more particularly described as follows:

BEGINNING at the intersection of the Northeast line of partition No. 8 with the Northwest line of Forney Road (a 60 foot Right-of-Way) said point also being the most Southerly corner of an 8.8 acre tract conveyed to Kathryn DeLock by Walter Albert DeLock in deed recorded in Volume 563 at Page 1968 of Deed Records of Dallas County, Texas, an iron stake found for corner;

THENCE South 45° 10' 47" West with the said Northwest line of Forney Road a distance of 150.00 feet, an iron stake for corner;

THENCE North 44° 43' 13" West leaving the said Northwest line of Forner Road a distance of 300 feet an iron stake for corner;

THENCE North 45° 10' 47" East on a line parallel to Forner Road a distance of 150.00 feet to a point in the Southwest line of said Kathryn DeLock tract an iron stake for corner;

THENCE South 44° 43' 13" East with the said Southwest line of said Kathryn DeLock tract a distance of 300.00 feet to the Place of Beginning and Containing 1.033 Acres of land.

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 in conformity with the requirements of current and/or future drainage improvement ordinances of the City of Mesquite, including Ordinance No. 858 of the City of Mesquite 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.

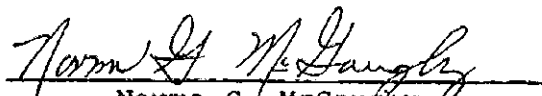
SECTION 7. Whereas, the above-described property requires that it be given the above zoning classification in order to permit its proper development and in order to protect the public interest, comfort, and general welfare of the City of Mesquite, and creates an urgency and an emergency for the preservation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

DULY PASSED by the City Council of the City of Mesquite, Texas, on the 6th day of July, A.D., 1971.


George Boyce
Mayor

ATTEST:

APPROVED AS TO FORM:


Norma G. McGaughy
City Secretary


Elland Archer
City Attorney

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