

CO412

ORDINANCE NO. 1068

CASE 1462-80A

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-1" TOWNHOUSES WITH THE STIPULATION THAT THE SITE PLAN BE APPROVED BY BOTH THE PLANNING AND ZONING COMMISSION AND THE CITY COUNCIL, SAID PROPERTY BEING A PORTION OF TRACT 16, SHEET 12-F, ABSTRACT #1462, TANNER SURVEY, CITY OF MESQUITE, DALLAS COUNTY, TEXAS, AND BEING FURTHER DESCRIBED IN EXHIBIT "A" AS ATTACHED HERETO AND MADE A PART 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 CHANGE IS GRANTED SUBJECT TO ANY DEVELOPMENT OF THE LAND BEING DEVELOPED 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:

00413

ORDINANCE/PAGE 2
CASE 1462-80A

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 property described, from "R-3" Single Family Dwelling District to "A-1" Townhouses, with the stipulation that the site plan be approved by both the Planning and Zoning Commission and the City Council, said property being a portion of Tract 16, Sheet 12-F, Abstract #1462, Tanner Survey, City of Mesquite, Dallas County, Texas, and further described in Exhibit "A" as attached hereto and made a part of this ordinance.

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 property described in Exhibit "A" 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.

C0414

ORDINANCE/PAGE 3
CASE 1462-80A

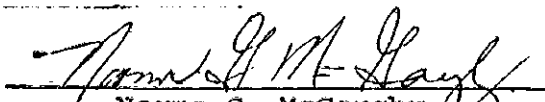
SECTION 6. That any person, firm, or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of 1964, of the City of Mesquite, and upon conviction shall be punished by a fine not to exceed Two Hundred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

SECTION 7. Whereas, the property described in Exhibit "A" 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 AND APPROVED by the City Council of the City of Mesquite, Texas, on this the 18 day of September, A.D., 1972.


George Boyce
Mayor

ATTEST:


Norma G. McGaughy
City Secretary

APPROVED AS TO FORM:

Elland Archer
City Attorney

00415

EXHIBIT "A"

CASE 1462-80A

BEING a tract of land situated in the Daniel Tanner League Abstract No. 1462, City of Mesquite, Dallas County, Texas, and being more particularly described as follows:

BEGINNING at a point in the Southeast line of 26.25 Acre Tract of land conveyed to the City of Mesquite in Deed filed September 21, 1962, of the Deed Records of Dallas County, Texas, said point being South 45° 10' East 606.22 feet and North 45° East 225 feet from the intersection of the Southeast line of Hillcrest Street (a 60 foot Right-of-Way) with the Northeast line of Gross Road a point for corner;

THENCE North 45° East proceeding with the Southeast line of said 26.25 Acre City of Mesquite Tract same being with the Northwest line of Bobby J. Boone Tract a distance of 700.4 feet to a point for corner;

THENCE South 45° 17' East with an old fence and hedge row a distance of 306.0 feet a point for corner;

THENCE South 45° West with the Southeast line of said Bobby J. Boone Tract same being with the Northwest line of a 13.19 Acre Tract conveyed to V. L. Spillers in deed filed December 27, 1951, in the Deed Records of Dallas County, Texas, a distance of 701.02 feet a point for corner;

THENCE North 45° 10' West on a line 225 feet from and parallel to Northeast line of Gross Road a distance of 306.0 feet to the Place of Beginning and containing 4.92 Acres of land.