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ORDINANCE NO. 1078

CASE 486-9

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 "SP" SPECIAL PERMIT TO ALLOW THE DALLAS COUNTY MENTAL HEALTH AND MENTAL RETARDATION CENTER TO USE THE EXISTING EDUCATIONAL BUILDING LOCATED AT THE REAR OF THE NORTHRIDGE BAPTIST CHURCH, WITH THE STIPULATION THAT THE APPLICANT COMPLY WITH STATE AND CITY REQUIREMENTS AS TO SPACE AND PLAY AREA PER PUPIL, THAT THE OUTSIDE PLAY AREA BE FENCED, AND THAT SPECIAL PERMIT #923 ISSUED FOR THE DALLAS COUNTY MENTAL HEALTH AND MENTAL RETARDATION CENTER AT THE ST. MARK'S UNITED METHODIST CHURCH, 3117 MOTLEY DRIVE, BE WITHDRAWN BY JANUARY 1, 1973; SAID PROPERTY BEING TRACT 3, SHEET 4, ABSTRACT #486, (ALSO KNOWN AS 1930 GUS THOMASSON ROAD), CITY OF MESQUITE, DALLAS COUNTY, TEXAS, AND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 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:

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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 "SP" Special Permit to allow the Dallas County Mental Health and Mental Retardation Center to use the existing Educational Building located at the rear of the Northridge Baptist Church, with the stipulation that the Applicant comply with State and City requirements as to space and play area per pupil, that the outside play area be fenced, and that Special Permit #923 issued for the Dallas County Mental Health and Mental Retardation Center at the St. Mark's United Methodist Church, 3117 Motley Drive, be withdrawn by January 1, 1973; the location of said request being Tract 3, Sheet 4, Abstract #486, (also known as 1930 Gus Thomasson Road), City of Mesquite, Dallas County, Texas, and being 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 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.

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SECTION 5. 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 6. 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 the 23 day of October, A.D., 1972.


George Boyce
Mayor

ATTEST:


Norma G. McGaughy
City Secretary

APPROVED AS TO FORM:

Elland Archer
City Attorney

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EXHIBIT "A"

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BEING all that certain Lot, Tract, or Parcel of land situated in Dallas County, Texas, to wit: BEING out of the William Foreman Survey, Abstract No. 486, Dallas County, Texas, and being more particularly described as follows:

BEGINNING on the Southeast line of the Northridge Baptist Church 5 acre tract and North 45° East 180 feet from Gus Thomasson Road;

THENCE North 45° West 150 feet parallel to Gus Thomasson Road;

THENCE North 45° East 100 feet to corner;

THENCE South 45° East 150 feet to the Southeast line of said Church 5 acre tract;

THENCE South 45° West 100 feet to the Place of Beginning and containing 0.34 acre tract.