

ORDINANCE NO. 1083

CASE CV17-3

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 FOR A "SP" SPECIAL PERMIT TO ALLOW DANCING IN A PRIVATE CLUB FOR A PERIOD OF ONE YEAR, TO BE REVIEWED BY THE CITY COUNCIL AT THE END OF SUCH YEAR, ON A PORTION OF TRACT 19, BLOCK 8, CASA VIEW HEIGHTS #17 ADDITION TO THE CITY OF MESQUITE, DALLAS COUNTY, TEXAS, AND KNOWN AS THE STEAK PALACE CLUB, SAID PROPERTY 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:

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 dancing in a private club

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for a period of one year, to be reviewed by the City Council at the end of such year, on a portion of Tract 19, Block 8, Casa View Heights #17 Addition to the City of Mesquite, Dallas County, Texas, and known as the Steak Palace Club, said property 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.

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

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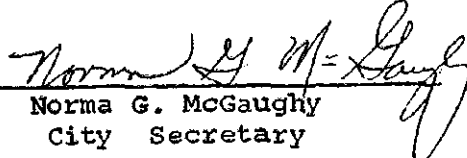
requires that this ordinance shall take effect immediately from and after its passage and publication of said ordinance, as the law in such cases provides.

DULY PASSED AND APPROVED BY the City Council of the City of Mesquite, Texas, on this the 20 day of November, A.D., 1972.


George Boyce
Mayor

ATTEST:

APPROVED AS TO FORM:


Norma G. McGaughy
City Secretary

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, out of the John Hardin Survey, Abstract No. 545, and being a part of Block 8 of Casa View Heights No. 17, an addition to the City of Mesquite, Texas, according to the Map thereof recorded in Volume 37 at page 7 of the Map Records of Dallas County, Texas, also being part of the J. M. Hoppenstein, et al, 89.71 acre tract of land, and being more particularly described as follows:

BEGINNING at an iron rod for corner on the Northwest line of Interstate Highway No. 30, North 59° 47' East, 233.91 feet and North 60° 56' East, 516.09 feet from the intersection of the Northeast line of Modlin Street and the Northwest line of Interstate Highway No. 30;

THENCE North 29° 04' West a distance of 120 feet to a point for corner;

THENCE North 60° 56' East a distance of 143.91 feet to a point for corner in the Southwest line of said Hoppenstein 89.71 acre tract;

THENCE South 89° 04' East a distance of 120 feet to an iron rod for a corner in the Northwest line of Interstate Highway No. 30;

THENCE South 60° 56' along the Northwest line of Interstate Highway No. 30 a distance of 143.91 feet to the place of beginning and containing 0.396 acre of land more or less.