

ORDINANCE NO. 1415

CCOC1

Appl. No. 1461-49

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF 1973, DULY PASSED BY THE CITY COUNCIL ON SEPTEMBER 4, 1973, SO AS TO GRANT A CHANGE IN ZONING SUBMITTED BY AYRSHIRE CORPORATION FROM PLANNED DEVELOPMENT-TOWNHOUSE, R-2 SINGLE FAMILY RESIDENTIAL AND GENERAL RETAIL TO PLANNED DEVELOPMENT FOR SINGLE FAMILY RESIDENTIAL WITH THE FOLLOWING STIPULATIONS: (1) THAT SINGLE FAMILY DWELLINGS SHALL HAVE A MINIMUM LIVING AREA OF 1,450 SQUARE FEET AND LOTS SHALL HAVE A MINIMUM AREA OF 7,200 SQUARE FEET, (2) THAT A SOLID LIVING SCREEN OF JAPANESE LIGUSTRUM (30 INCHES MINIMUM HEIGHT, SPACED FIVE FEET APART) SHALL BE PROVIDED ALONG NORTHWEST DRIVE WHERE LOTS BACK UP TO THIS MAJOR THOROUGHFARE, (3) THAT THE CITY STAFF SHALL WORK WITH THE APPLICANT TO DETERMINE THE MOST DESIRABLE PLACE FOR A MEDIAN CUT WHEN THE REMAINDER OF THE AYRSHIRE PROPERTIES SOUTHWEST OF NORTHWEST DRIVE ARE CONSIDERED; SAID PROPERTY BEING LOCATED ON THE EAST CORNER OF THE LA PRADA DRIVE AND NORTHWEST DRIVE INTERSECTION, CITY OF MESQUITE, DALLAS COUNTY, TEXAS, AND BEING MORE FULLY DESCRIBED IN EXHIBIT "A" 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 REGULATIONS OF THE 1973 ZONING ORDINANCE TO THE LAND HEREWITH ZONED; BY PROVIDING THAT THE FOREGOING CHANGES ARE SUBJECT TO ANY DEVELOPMENT OF THE LAND BEING DEVELOPED IN CONFORMITY WITH THE REQUIREMENTS OF CURRENT AND/OR FUTURE DRAINAGE IMPROVEMENT ORDINANCES; BY PROVIDING FOR 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 change of zoning may 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 1973, duly passed by the City Council of the City of Mesquite, Texas, on the 4th day of September, 1973, 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 submitted by Ayrshire Corporation from Planned Development-Townhouse, R-2 Single Family Residential and General Retail to Planned Development for Single Family Residential with the following stipulations: (1) That Single Family dwellings shall have a minimum living area of 1,450 square feet and lots shall have a minimum area of 7,200 square feet, (2) That a solid living screen of Japanese Ligustrum (30 inches minimum height, spaced five feet apart) shall be provided along Northwest Drive where lots back up to this major thoroughfare, (3) That the City Staff shall work with the applicant to determine the most desirable place for a median cut when the remainder of the Ayshire Properties Southwest of Northwest Drive are considered, City of Mesquite, Dallas County, Texas, and being more fully described in Exhibit "A" attached hereto and made a part of this ordinance.

SECTION 2. That all ordinances, or portions thereof, of the City of Mesquite in conflict with the provisions of this ordinance, to the extent of such conflict are hereby repealed. To the extent that such ordinances or portions thereof not in conflict herewith, the same shall remain in full force and effect.

SECTION 3. That the property described in Section 1 of this ordinance, shall be used only in the manner and for the purposes provided for by the Comprehensive Zoning Ordinance of 1973.

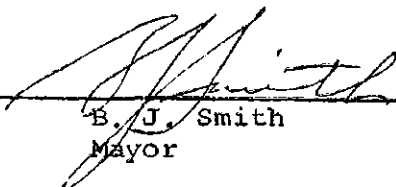
SECTION 4. That the foregoing zoning change shall be, and it is, granted subject to any development of the land herein being developed in conformity with the requirements of current and/or future drainage improvement ordinances of the City of Mesquite, including Ordinance No. 1249 of the Mesquite City 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 deemed to be guilty of a Class C Misdemeanor and subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of 1973, of the City of Mesquite, and upon conviction in the Municipal Court shall be punished by a fine not to exceed Two Hundred Dollars (\$200.00) for each offense.

SECTION 7. Whereas, the property described in Section 1 of this ordinance requires that it be given the above 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, 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.

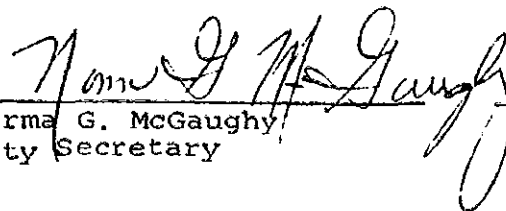
DULY PASSED AND APPROVED by the City Council of the City of Mesquite, Texas on the 20th day of February, A.D., 1978.



B. J. Smith
Mayor

ATTEST:

APPROVED AS TO FORM:



Norma G. McGaughy
City Secretary

Elland Archer
City Attorney

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M. E. Bennett Engineers, Inc.
3828 Forest Lane
Garland, Texas 75042

January 20, 1978

FIELD NOTES - FOR 23.829 ACRE TRACT OF LAND

BEING a tract of 23.829 acres of land in the JOHN LITTLE LEAGUE SURVEY, ABSTRACT NO. 761, DALLAS COUNTY, TEXAS and being more particularly described as follows:

COMMENCING at the intersection of the existing Southeast line of LaPrada Drive (50' R.O.W.) and the Northeast line of Northwest Drive (100' R.O.W.); thence S 44° 44' 33" E along the Northeast line of said Northwest Drive, 185.98 feet to the beginning of a curve to the left, a point for corner; thence Southeasterly along the Northeast line of a Northwest Drive and along a curve to the left, which has a tangent that bears S 44° 44' 33" E, a central angle of 9° 42' 08"; a radius of 1482.40 feet, for an arc distance of 251.02 feet to a point of beginning;

THENCE N 45° 16' 21" E, 544.28 feet to a point for corner;

THENCE N 0° 15' 08" E, 28.27 feet to a point for corner;

THENCE N 44° 46' 04" W, 363.81 feet to a point for corner;

THENCE N 45° 29' E along the proposed Southeast line of LaPrada Drive (100' R.O.W.) 308.00 feet to a point for corner;

THENCE S 44° 46' 04" E, 1306.68 feet to a point for corner;

THENCE S 45° 16' 21" W, 1088.63 feet to a point in the Northeast line of Northwest Drive, a point for corner;

THENCE N 44° 37' 08" W along said Northeast line of Northwest Drive, 7.28 feet to the beginning of a curve to the right, a point for corner;

THENCE Northwesterly along the Northeast line of Northwest Drive and along a curve to the right, which has a tangent that bears N 44° 37' 08" W, a central angle of 16° 55' 04"; a radius of 1156.23 feet, for an arc distance of 341.40 feet to the point of tangency of said curve, a point for corner;

THENCE N 27° 42' 04" W along the Northeast line of Northwest Drive, 413.87 feet to the beginning of a curve to the left, a point for corner;

THENCE Northwesterly along the Northeast line of Northwest Drive and along a curve to the left, which has a tangent that bears N 27° 42' 04" W, a central angle of 7° 20' 21", a radius of 1482.40 feet, for an arc distance of 189.88 feet to the point of beginning and containing 23.829 acres of land more or less.