

ORDINANCE NO. 1616

Appl. No. 1353-14

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 OF ZONING FROM R-3 SINGLE FAMILY TO GENERAL RETAIL ON A TRACT LOCATED NORTHEAST OF THE PIONEER ROAD/SH-352 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 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 FOR A SEVERABILITY CLAUSE; BY PROVIDING FOR A PENALTY NOT TO EXCEED TWO HUNDRED (\$200.00) DOLLARS 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 change 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 from R-3 Single Family to General Retail on a tract located Northeast of the Pioneer Road/SH-352 Intersection, City of Mesquite, Dallas County, Texas.

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of the City of Mesquite in conflict with the provisions of this ordinance, to the extent of such conflict are hereby repealed.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.

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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.

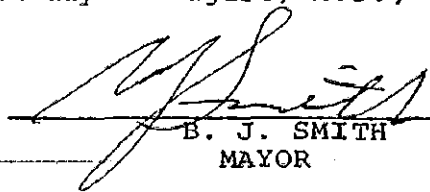
SECTION 4. That the foregoing change shall be, and it is, granted subject to any development of the land herein being developed in conformity with the requirements of current and/or future drainage improvement ordinances of the City of Mesquite, including Ordinance No. 1249 of the Mesquite City Code.

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 of 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.

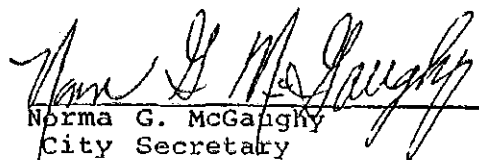
SECTION 7. Whereas, the property described in Section 1 of this ordinance requires that it be given the above classification in order to permit its proper development and in order to protect the public interest, comfort, and general welfare of the City of Mesquite, creates an urgency and an emergency 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.

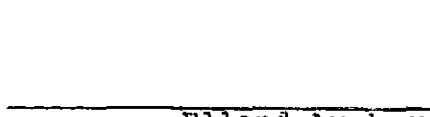
DULY PASSED AND APPROVED BY THE City Council of the City of Mesquite, Texas, on the 18th day of August, A.D., 1980.


B. J. SMITH
MAYOR

ATTEST:

APPROVED AS TO FORM:


Norma G. McGaughey
City Secretary


Eiland Archer
City Attorney

ZONING TRACT

File No. 1353-14

Lot, tract, or parcel of land situated in Dallas County, Texas, to-wit:
Being all that certain lot, tract, or parcel of land situated in Dallas County, Texas,
to-wit: Being a tract of land measuring 2.53 acres, more or less, out of the THOMAS SC
SURVEY, Abstract No. 1353, said tract being more particularly described as follows:
BEGINNING on the South boundary of Old State Highway No. 15, also known as Scyene Road,
said point being where Mesquite Cut Off to State Highway No. 15 intersects with said
Highway No. 15;
THENCE North 83 deg. 36" West, along the South line of Old State Highway No. 15, a dist
of 496.5 feet to point for corner;
THENCE South 359.4 feet to a point in the North line of said Mesquite Cut Off to
Highway No. 15;
THENCE North 80 deg. 10" East along the Mesquite Cut Off to State Highway No. 15, 31.4
feet to point for corner;
THENCE in a Northeasterly direction following a curve along the Northeast line of said
Mesquite Cut Off to said Highway 15, a distance of 562 feet to place of Beginning; and
being the same property conveyed in Deed from Clyde F. Bull, a single woman, Individual
and as Independent Executrix of the Estate of Clyde W. Bull, and Individually, and as
Independent Executrix of the Estate of Mrs. Clyde W. Bull, to Iva Warren, dated 1/22/63
filed 1/30/63, recorded in Deed Records, Dallas County, Texas.

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