

ORDINANCE NO. 1641

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING THE ZONING ORDINANCE OF THE CITY OF MESQUITE BY ESTABLISHING A NEW ZONING DISTRICT AND ESTABLISHING USES AND REGULATIONS AND PROVIDING FOR THE NUMBERING AND TITLE THEREOF; BY PROVIDING THAT ARTICLE 50, USE REGULATION SCHEDULES BE AMENDED TO CONFORM HEREWITH; 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.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS:

SECTION 1. Appendix III of the Code of the City of Mesquite known as the Zoning Ordinance of the City of Mesquite is hereby amended as follows, in all other respects to remain in full force and effect:

There is hereby created a new zoning district to be known as R-2A Single Family and to be numbered Art. 20.5 and which shall read as follows:

ARTICLE 21-A
R-2A Single Family

PURPOSE AND SCOPE: The R-2A Single Family District is intended to provide an area for accommodating R-2 sized structures at an R-3 Single Family density.

- 20.5.00 PRINCIPAL PERMITTED USES: No building, structure, or land shall be used and no building or structure shall be erected, altered, or any way enlarged which is arranged, intended, or designed for other than one of the following uses, except as provided in Article 07.
- 20.5.001 GENERAL: All principal uses permitted as regulated in the R-1 Single Family District. Refer to Paragraph 20.00.
- 20.5.002 RESIDENTIAL: Single Family dwellings containing a minimum of fifteen hundred (1500) square feet.
- 20.5.01 CONDITIONAL USES: All conditional uses permitted in the R-2 Single Family District. Refer to Paragraph 21.01.

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- 20.5.02 ACCESSORY USES: Accessory uses permitted as regulated in the R-2 Single Family District. Refer to Paragraph 21.02.
- 20.5.03 HEIGHT REGULATIONS: No principal structure shall exceed two and one-half (2-1/2) stories or thirty-five (35) feet in height and no accessory structure shall exceed one (1) story or twenty (20) feet in height, except as provided in Article 71.
- 20.5.04 LOT AREA, FRONTAGE, & YARD REQUIREMENTS: The following minimum requirements shall apply, except as provided in Articles 72 and 73:

Use	Area of Dwelling	Lot Area Sq. Feet	Width of Lot
Single Family Dwelling	1500 Sq. ft.	7200	60 feet
Other Permitted Uses	--	1 acre	200 feet

- 20.5.041 FRONT YARD: There shall be a front yard having a minimum depth of not less than twenty-five (25) feet, except as hereinafter provided in Article 72.

Other Permitted Uses shall require a front yard of thirty (30) feet.

- 20.5.042 SIDE YARD: There shall be a side yard on each side of the building not less than five (5) feet in width. The side yard of a corner lot adjacent to a side street shall not be less than ten (10) feet wide. Where the corner lot is a key lot, the required front yard shall be provided on both streets.

- 20.5.043 REAR YARD: The rear yard shall be twenty (20) percent of the depth of the lot.

For homes with rear entry: The greater distance of twenty-five (25) feet or twenty (20) percent of the total lot depth shall be provided between the garage door and the property line.

Other Permitted Uses shall require a rear yard of forty (40) feet.

- 20.5.044 MINIMUM DEPTH OF LOT: The minimum depth of lot shall be one hundred and ten (110) feet, except where the lot backs up to a freeway, expressway, or thoroughfare, the minimum depth of the lot shall be one hundred thirty (130) feet.

- 20.5.045 ALTERATION OF WIDTH OR DEPTH OF LOT: Ten (10) percent of the total lots in any given subdivision can receive an alteration of either the lot width or the lot depth, but not the total square footage requirements of the lot.
- 20.5.05 EXTERIOR FIRE RESISTANT CONSTRUCTION: All main buildings shall be of exterior fire resistant construction, having at least seventy-five (75) percent of the total exterior walls below the first floor plate line, excluding doors and windows, constructed of brick, stone, concrete block, or other masonry or material of equal characteristics, in accordance with the City of Mesquite Building Code and the Fire Prevention Code.
- 20.5.06 PARKING REGULATIONS: Off-street parking spaces shall be provided on the lot to accommodate two (2) automobiles for each dwelling; vans and pickups not exceeding three-fourths (3/4) ton capacity may be parked on the premises.

No supporting member of any garage, carport, or other automobile storage structures shall be located within the required front yard. The parking spaces shall be provided behind the building line for two (2) vehicles to be served by either a double driveway or a single driveway with a flared approach to the parking spaces. This approach shall allow two (2) vehicles to be parked and removed without moving one (1) vehicle to facilitate the movement of the other.

All parking areas shall be paved according to the City of Mesquite paving specifications. Parking for other uses shall be provided as required by Article 61.

SECTION 2. That Article 50, Use Regulation Schedules, is hereby amended to conform with this ordinance.

SECTION 3. 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 4. 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.

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SECTION 5. 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 land uses within the City 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.

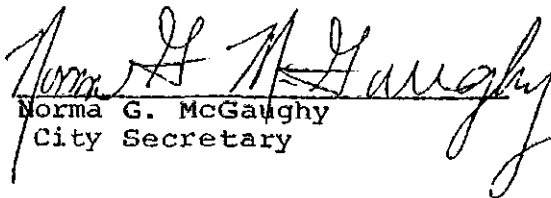
DULY PASSED AND APPROVED by the City Council of the City of Mesquite, Texas, on the 20th day of October, A.D., 1980.



J. SMITH
MAYOR

ATTEST:

APPROVED AS TO FORM:



Norma G. McGaughy
City Secretary

Elland Archer
City Attorney