

ORDINANCE NO. 1919
FILE NO. 1157-18

00177

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 A-1 AND R-1 TO PLANNED DEVELOPMENT DUPLEX WITH THE FOLLOWING STIPULATIONS: (1) THE PROPOSED UNITS MUST RESEMBLE THE PHOTOS PRESENTED TO THE COUNCIL, (2) THE DUPLEX STRUCTURE (2 UNITS) MUST BE A MINIMUM OF 2200 SQUARE FEET WITH A MINIMUM UNIT SIZE OF 900 SQUARE FEET FOR THE SMALL SIDE, AND (3) THE SITE PLAN SHOULD ADDRESS THE ADJACENT HOMEOWNERS' CONCERNS REGARDING PROVISION FOR PROVIDING GARAGES VERSUS CARPORTS, LANDSCAPING AND SPRINKLER SYSTEMS; THE SUBJECT TRACT IS LOCATED SOUTH AND WEST OF THE NORTHWEST DRIVE AND PALOS VERDES 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 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 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 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:

00178

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 A-1 and R-1 to Planned Development Duplex with the following stipulations: (1) The proposed units must resemble the photos presented to the Council, (2) the duplex structure (2 units) must be a minimum of 2200 square feet with a minimum unit size of 900 square feet for the small side, and (3) the site plan should address the adjacent homeowners' concerns regarding provision for providing garages versus carports, landscaping and sprinkler systems; the subject tract is located south and west of the Northwest Drive and Palos Verdes Drive intersection; City of Mesquite, Dallas County, Texas, and being more fully described in Exhibit "A" attached hereto.

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 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.

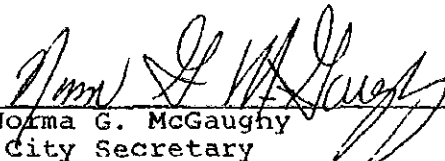
SECTION 7. Whereas, the property described in Section 1 of this ordinance requires that it be given the above classification in order to permit its proper development and in order to protect the public interest, comfort, and general welfare of the City of Mesquite, creates an urgency and an emergency 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 15th day of August, A.D., 1983.


MRS. BRUNHILDE NYSTROM
MAYOR

ATTEST:

APPROVED AS TO FORM:


Norma G. McGaughy
City Secretary

Elland Archer
City Attorney

00180



DON A. TIPTON, INC.

CONSULTING ENGINEERS

1203

6330 Belt Line Road Suite C Garland, Texas 75043 (214) 226-2967

PD DUPLEX ZONING

BEING a tract of land situated in the T. THOMAS SURVEY, Abstract No. 1461, J.R. WARRALL SURVEY, Abstract No. 1606, and the S.A. & M.G. RAILROAD SURVEY, Abstract No. 1414, and being more particularly described as follows:

BEGINNING at the intersection of the Southwest line of Northwest Drive (a 100' R.O.W.), and the Northwest line of Palos Verdes Drive (a 60' R.O.W.), an iron stake for corner;

THENCE along said Northwest line of Palos Verdes Drive the following:

S 32° 20' 34" W, a distance of 121.88 feet to the beginning of a curve to the left having a central angle of 32° 49' 25" and a radius of 471.43 feet, an iron stake for corner;

Southerly around said curve a distance of 270.07 feet to an iron stake for corner;

S 0° 28' 51" E, a distance of 53.0 feet to a point on the Northerly addition property line of Palos Verdes Estates No. 2, an addition to the City of Mesquite, an iron stake for corner;

THENCE along the said Northerly addition property line the following:

S 89° 31' 09" W, a distance of 35.79 feet to the beginning of a curve to the left having a central angle of 25° 55' 35" and a radius of 365.0 feet, an iron stake for corner;

Southwesterly around said curve a distance of 165.16 feet to an iron stake for corner;

S 63° 35' 34" W, a distance of 212.0 feet to an iron stake for corner;

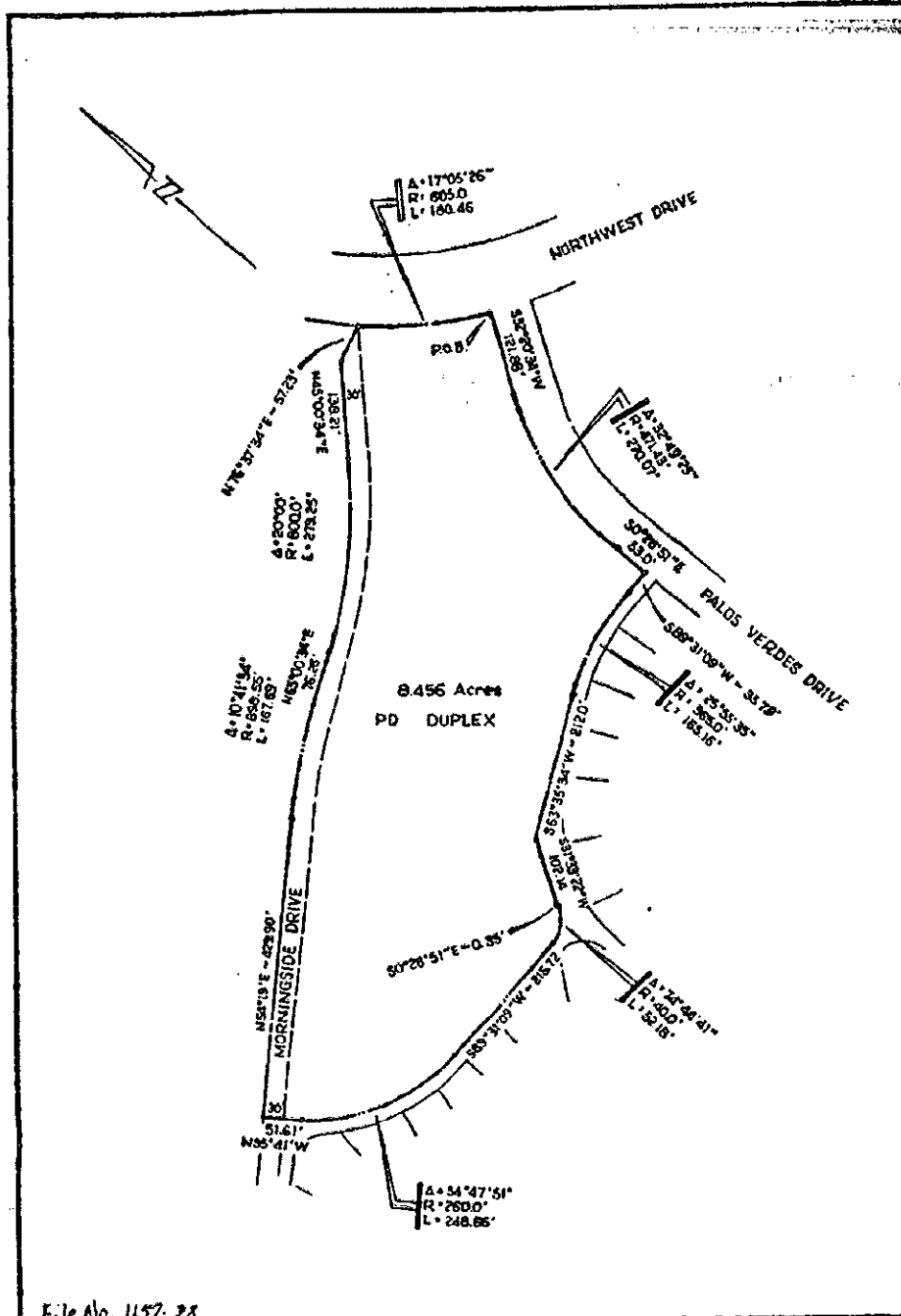
S 31° 33' 22" W, a distance of 102.14 feet to an iron stake for corner;

S 0° 28' 51" E, a distance of 0.35 feet to a point on the North addition property line of Meadowview Farms, an addition to the City of Mesquite as recorded in Volume 81201, Page 1824, of the Map Records of Dallas County, Texas, an iron stake for corner;

THENCE along said North addition property line of Meadowview Farms the following:

Around a curve to the right having a central angle of 74° 44' 41" and a radius of 40.0 feet with a back tangent bearing S 14° 46' 28" W, a distance of 52.18 feet, to an iron stake for corner;

Je No. 1157-18



File No. 1157-78



DON A. TIPTON, INC.
 CONSULTING ENGINEERS
 6811 Bull Creek Road, Suite 6, Garland, Texas 75042

EXHIBIT "A"

8.456 Ac.

Zoning Sketch / P.D Duplex

Mesquite, Texas

Drawn	Checked	Date	Scale	No.
✓		6/4/83	None	

1597

PD DUPLEX ZONING

S 89° 31' 09" W, a distance of 215.72 feet to the beginning of a curve to the right having a central angle of 54° 47' 51" and a radius of 260.0 feet, an iron stake for corner;

Around said curve a distance of 248.66 feet to an iron stake for corner;

N 35° 41' W, a distance of 51.61 feet to an iron stake for corner;

THENCE N 54° 19' E, leaving said North addition property line of Meadowview Farms a distance of 429.90 feet to the beginning of a curve to the right having a central angle of 10° 41' 34" and a radius of 898.55 feet, an iron stake for corner;

THENCE around said curve a distance of 167.69 feet to an iron stake for corner;

THENCE N 65° 00' 34" E, a distance of 76.26 feet to the beginning of a curve to the left having a central angle of 20° 00' and a radius of 800.0 feet, an iron stake for corner;

THENCE around said curve a distance of 279.25 feet to an iron stake for corner;

THENCE N 45° 00' 34" E, a distance of 138.21 feet to an iron stake for corner;

THENCE N 76° 37' 34" E, a distance of 57.23 feet to a point on said Southwest line of Northwest Drive, said point also being the beginning of a curve to the left having a central angle of 17° 05' 26" and a radius of 605.0 feet, an iron stake for corner;

THENCE around said curve a distance of 180.46 feet to the PLACE OF BEGINNING and containing 8.456 acres of land.