

00211

ORDINANCE NO. 1983
File No. 1353-18

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 PLANNED DEVELOPMENT/INDUSTRIAL TO PLANNED DEVELOPMENT FOR DUPLEXES WITH THE STIPULATION THAT THE MINIMUM UNIT SIZE OF 1800 SQUARE FEET BE PROVIDED FOR EACH DUPLEX STRUCTURE AND THAT A MINIMUM OF 800 SQUARE FEET BE PROVIDED FOR THE SMALLER SIDE ON TRACT 1 AND FROM PLANNED DEVELOPMENT/INDUSTRIAL TO PLANNED DEVELOPMENT FOR PATIO HOMES WITH A MINIMUM UNIT SIZE OF 1200 SQUARE FEET AND AN OVERALL AVERAGE OF 1275 SQUARE FEET ON TRACT 2. BOTH TRACTS ARE LOCATED SOUTH OF SCYENE ROAD BETWEEN STATE HIGHWAY 352 AND NORTH MESQUITE CREEK; 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:

00212

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 Planned Development/Industrial to Planned Development for Duplexes with the stipulation that the minimum unit size of 1800 square feet be provided for each duplex structure and that a minimum of 800 square feet be provided for the smaller side on Tract 1 and from Planned Development/industrial to Planned Development for Patio Homes with a minimum unit size of 1200 square feet and an overall average of 1275 square feet on Tract 2. Both tracts are located south of Scyene Road between State Highway 352 and North Mesquite Creek; 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 6th day of February, A.D., 1984.

Mrs. Brunhilde Nystrom
Mrs. Brunhilde Nystrom
Mayor

ATTEST:

APPROVED AS TO FORM:

Lynn Prugel
Lynn Prugel
City Secretary

Elland Archer
City Attorney

00214

FIELD NOTES

Tract 1

BEING a tract of land situated in the Thomas Scott Survey, Abstract No. 1353, ⁰⁰²¹⁵
City of Mesquite, Dallas County, Texas and part of a tract of land as conveyed
to R.W. Windham, Trustee, recorded in Volume 82176, Page 1571, Deed Records,
Dallas County, Texas and being more particularly described as follows:

BEGINNING at the intersection of the South line of Scyene Road with the south-
east line of State Highway No. 352;
THENCE South $83^{\circ}34'$ East along the south line of Scyene Road a distance of
1119.89 feet to a point for a corner;
THENCE South $46^{\circ}03'43''$ West a distance of 937.04 feet to a point for a corner
in the center line of the proposed Scyene Road Relocation (100' R.O.W.);
THENCE North $72^{\circ}00'$ West along said center line a distance of 950.00 feet to a
point for a corner;
THENCE North $18^{\circ}00'$ East a distance of 187.79 feet to a point for a corner on
the southeast line of State Highway No. 352; said point also being on a
circular curve to the left having a central angle of $29^{\circ}45'05''$, a radius of
850.00 feet, a tangent of 225.78 feet and a chord that bears North $55^{\circ}26'52''$
East 436.43 feet;
THENCE around said curve in a northeasterly direction along the southeast line
of State Highway No. 352 an arc distance of 441.37 feet to the point of
tangency of said curve;
THENCE North $40^{\circ}34'20''$ East along the southeast line of State Highway No. 352
a distance of 73.71 feet to the POINT OF BEGINNING and containing 16.1926
acres of land.



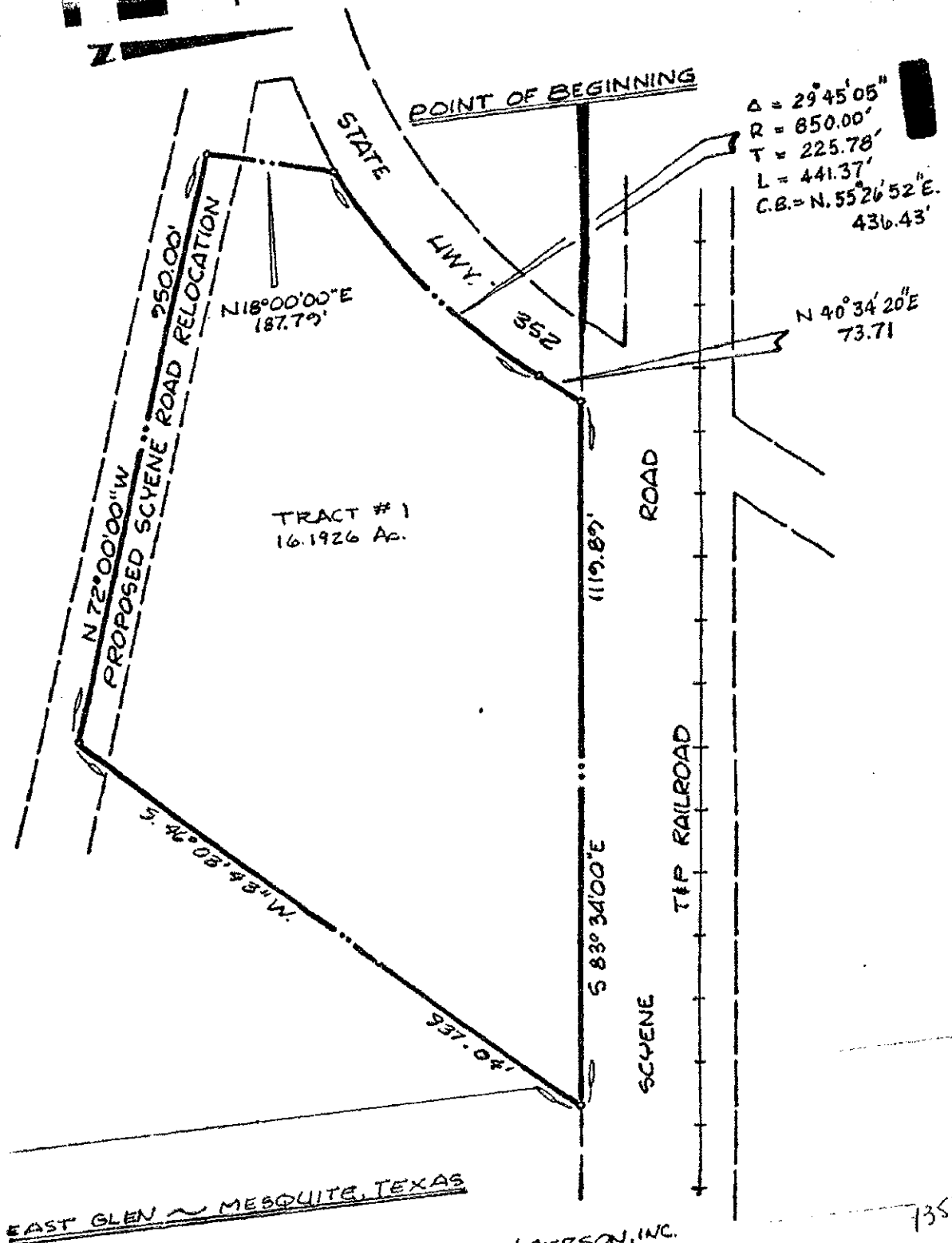
Danny E Osteen

Danny E. Osteen
Registered Public Surveyor No. 4169

Acrey, Roberts & Pierson, Inc.
83-8P-230
September 22, 1983

1353-18

00216



AGREY, ROBERTS & PIERSON, INC.
 83-8P-230
 12/21/83
 SCALE: E: 1" = 200'

7353-18

FIELD NOTES
TRACT 2

00217

BEING a tract of land situated in the Thomas Scott Survey, Abst. No. 1353, and S. Andrews Survey, Abstract No. 40, City of Mesquite, Dallas County, Texas and part of a tract of land as conveyed to R.W. Windham, Trustee, recorded in Volume 82176, Page 1571, Deed records, Dallas County, Texas and being more particularly described as follows:

COMMENCING at the intersection of the South line of Scyene Road with the Southeast line of State Highway No. 352; thence South $83^{\circ}34'$ East along the South line of Scyene Road a distance of 1119.89 feet to the POINT OF BEGINNING;
THENCE: Along the South line of Scyene Road as follows;
South $83^{\circ}34'$ East a distance of 200.00 feet;
South $6^{\circ}26'$ West a distance of 30.0 feet;
South $83^{\circ}34'$ East a distance of 1150.0 feet;
North $6^{\circ}26'$ East a distance of 30.0 feet;
South $83^{\circ}34'$ East a distance of 562.82 feet;
THENCE: South $4^{\circ}05'50''$ West a distance of 371.70 feet to point for a corner;
THENCE: South $89^{\circ}45'08''$ East a distance of 760.63 feet to point for a corner;
THENCE: South $0^{\circ}14'33''$ West a distance of 735.0 feet to point for a corner at the centerline of proposed Scyene Road relocation;
THENCE: North $79^{\circ}18'06''$ West along the centerline of proposed Scyene Road relocation a distance of 2872.01 feet to the point of curvature of a circular curve to the right having a central angle of $7^{\circ}18'06''$, a radius of 2037.42 feet, a tangent of 130.00 feet;
THENCE: Around said curve in a Northwesterly direction along the centerline of proposed Scyene Road relocation an arc distance of 259.65 feet to the point of tangency of said curve;
THENCE: North 72° West along the centerline of proposed Scyene Road relocation a distance of 245.0 feet to point for a corner;
THENCE: North $46^{\circ}03'43''$ East a distance of 937.04 feet to the POINT OF BEGINNING and containing 56.0996 acres of land.

Danny E. Osteen
Danny E. Osteen
Registered Public Surveyor No. 4169



12-30-83
Date

Creay, Roberts & Pierson, Inc.
3-8P-230
December 28, 1983

1353-18

C0218



Δ = 7° 18' 06"
R = 2037.42'
L = 130.00'
L = 259.65'

Point Of
Commencing

Point of Beginning

EAST GLEN ~ MESQUITE, TEXAS

TRACT # 2
56.0996 Ac.

ACREY, ROBERTS & PIERSON, INC.
83-8P-230
12/21/83

1353-18

