

ORDINANCE NO. 2025
File No. 340-5

00143

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-1 TO PLANNED DEVELOPMENT SINGLE FAMILY WITH THE FOLLOWING STIPULATIONS: A MINIMUM LOT SIZE OF 4500 SQUARE FEET; A MINIMUM UNIT SIZE OF 1100 SQUARE FEET WITH AN AVERAGE UNIT SIZE OF 1250 SQUARE FEET, AND ALLEY ACCESS TO ALL LOTS WITH GARAGES PROVIDED; THE TRACT IS LOCATED SOUTH AND EAST OF THE I-635 AND NEW MARKET ROAD 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:

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-1 to Planned Development Single Family with the following stipulations: A minimum lot size of 4500 square feet, a minimum unit size of 1100 square feet with an

CC148 average unit size of 1250 square feet, and alley access to all lots with garages provided. The tract is located south and east of the I-635 and New Market Road 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.

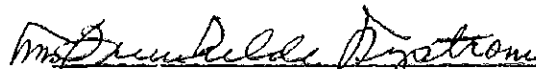
SECTION 4. That the foregoing change shall be, and it is, granted subject to any development of the land herein being developed in conformity with the requirements of current and/or future drainage improvement ordinances of the City of Mesquite, including Ordinance No. 1249 of the Mesquite City Code.

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 (\$200.00) Dollars 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 7th day of May, A.D., 1984.


 Mrs. Brunhilde Nystrom
 Mayor

ATTEST:

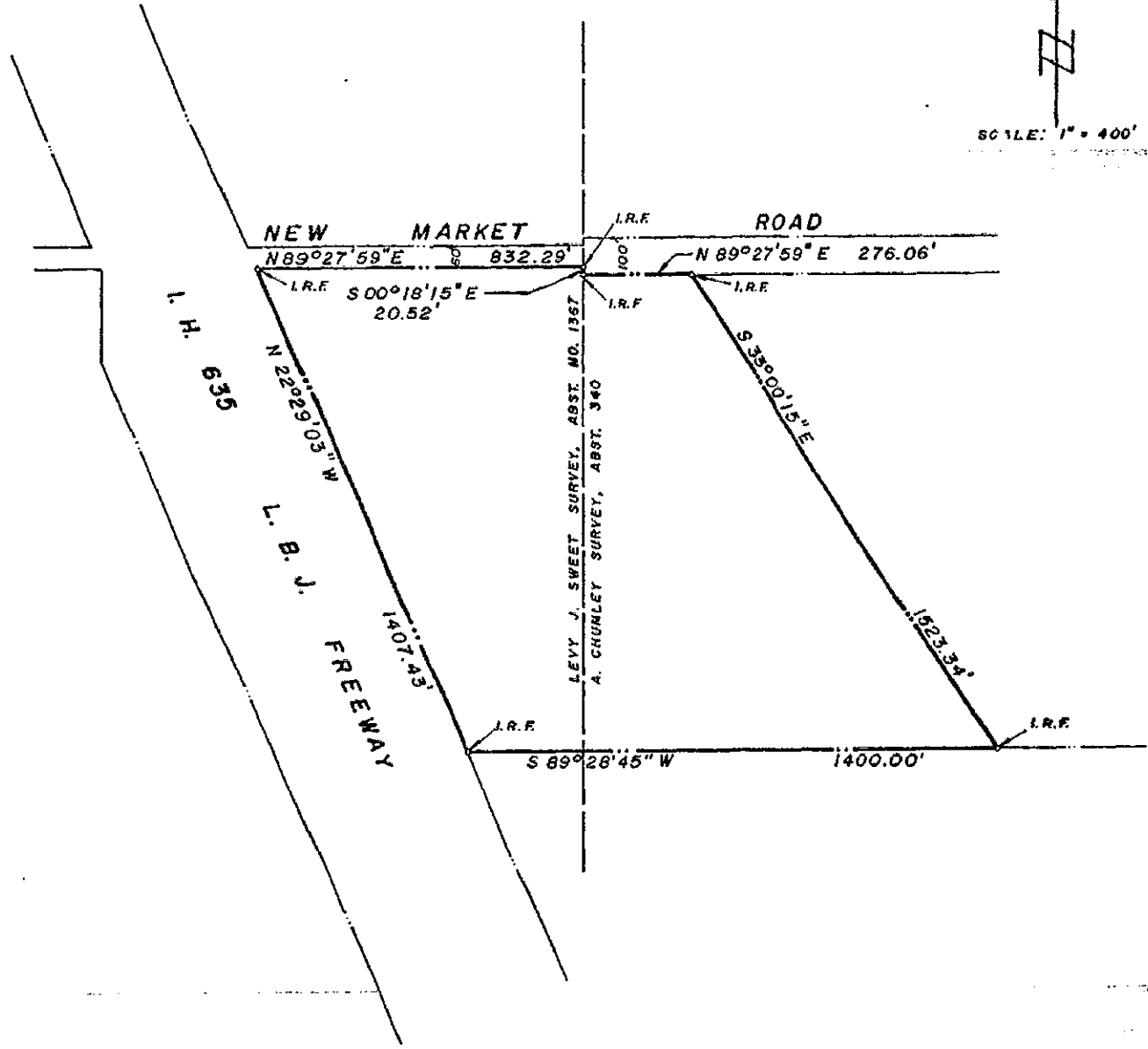

 Lynn Prugel
 City Secretary

APPROVED AS TO FORM:

 Elland Archer
 City Attorney

00145

SCALE: 1" = 400'



340-5

NATHAN D. MAIER
Consulting Engineers, Inc.

00146

Metes and Bounds
for a 37.2631 Acre Tract

Being a tract of land situated in the Levi J. Sweet Survey, Abstract No. 1367 and the A. Chumley Survey, Abstract No. 340 in the City of Mesquite, Dallas County, Texas; said tract being more particularly described as follows:

BEGINNING, at the intersection of the South line of New Market Road (Variable R.O.W.) with the East line of Interstate Highway No. 635 (Variable R.O.W.);

THENCE, N 89° 27' 59" E along said South line of New Market Road a distance of 832.29 feet to a point for corner;

THENCE, S 00° 18' 15" E along the Levi J. Sweet and A. Chumley survey line a distance of 20.52 feet to a point for corner;

THENCE, N 89° 27' 59" E continuing along said South line of New Market Road a distance of 276.06 feet to a point for corner;

THENCE, S 33° 00' 15" E leaving said South line of New Market Road a distance of 1523.34 feet to a point for corner;

THENCE, S 89° 28' 45" W a distance of 1400.00 feet to a point for corner in the said East line of Interstate Highway No. 635;

THENCE, N 22° 29' 03" W along said East line of Interstate Highway No. 635 a distance of 1407.43 feet to the PLACE OF BEGINNING;

CONTAINING, 1,623,182 square feet or 37.2631 acres of land.

340-5