

ORDINANCE NO. 2028
File No. NR4-9

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 GENERAL RETAIL TO PLANNED DEVELOPMENT/DUPLEX WITH STIPULATIONS AS FOLLOWS: (1) MINIMUM DUPLEX SIZE OF 2,000 SQUARE FEET; (2) REAR ENTRY DRIVES INCLUDING THE PROVISIONS OF A PRIVATE ACCESS DRIVE; (3) TWO CAR CARPORTS SET BACK FIVE FEET FROM THE PRIVATE DRIVE WITH THE PROVISION THAT CARPORTS MAY NOT BE ENCLOSED; (4) WOOD BURNING FIREPLACES, AND (5) TWO BATHS PER SIDE; THE TRACT IS LOCATED GENERALLY NORTHEAST OF THE RIDGEVIEW AND CREST PARK 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

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to grant a change of zoning from General Retail to Planned Development/Duplex with stipulations as follows: (1) Minimum duplex size of 2,000 square feet; (2) Rear entry drives including the provision of a private access drive; (3) Two car carports set back five feet from the private drive with the provision that carports may not be enclosed; (4) Wood burning fireplaces, and (5) Two baths per side; The tract is located generally northeast of the Ridgeview and Crest Park 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

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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 Nyström
Mayor

ATTEST:

APPROVED AS TO FORM:


Lynn Prugel
City Secretary

Elland Archer
City Attorney

FIELD NOTES

Being a part of Block 52 of Northridge Estates No. 4, an Addition to the City of Mesquite, Texas and according to the Revised Map recorded in Volume 29, Page 161, Map Records, Dallas County Texas and being more particularly described as follows:

BEGINNING at the most Westerly corner of Block 52, said point being the intersection of the Northeast line of Crest Park Dr. and the Southeast line of Ridgeview Street;
THENCE North 44° 50' East a distance of 290.0 ft. along the Southeast line of Ridgeview Street to an iron rod for a corner;
THENCE South 45° 50' East a distance of 120.41 ft. to an iron rod for a corner;
THENCE South 44° 48' West a distance of 165.0 ft. to an iron rod for a corner;
THENCE South 45° 50' West a distance of 8.7 ft. to an iron rod for a corner;
THENCE South 44° 48' West a distance of 125.0 ft. along the Southeast line of Block 52 to an iron rod for a corner;
THENCE North 45° 50' West a distance of 127.59 ft. along the Northeast line of Crest Park Drive and containing 0.82155 acres of land.

The plat hereon is a true, correct, and accurate representation of the property as determined by survey, the lines and dimensions of said property being as indicated by the plat.

THERE ARE NO ENCROACHMENTS, CONFLICTS, OR PROTRUSIONS.

Robert E. Acrey
Registered Professional Engineer
Registered Public Surveyor

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supervision
on the
lines of
or over-
survey.



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1956

NR 119

30157

Registered Public Surveyor
Date 11-21-83

The plat herein is a true, correct, and accurate representation of the property as determined by a survey, the lines and dimensions of said property being as indicated by the plat.
THESE ARE NO ENCUMBRANCES, CONFLICTS OR PROVISIONS.

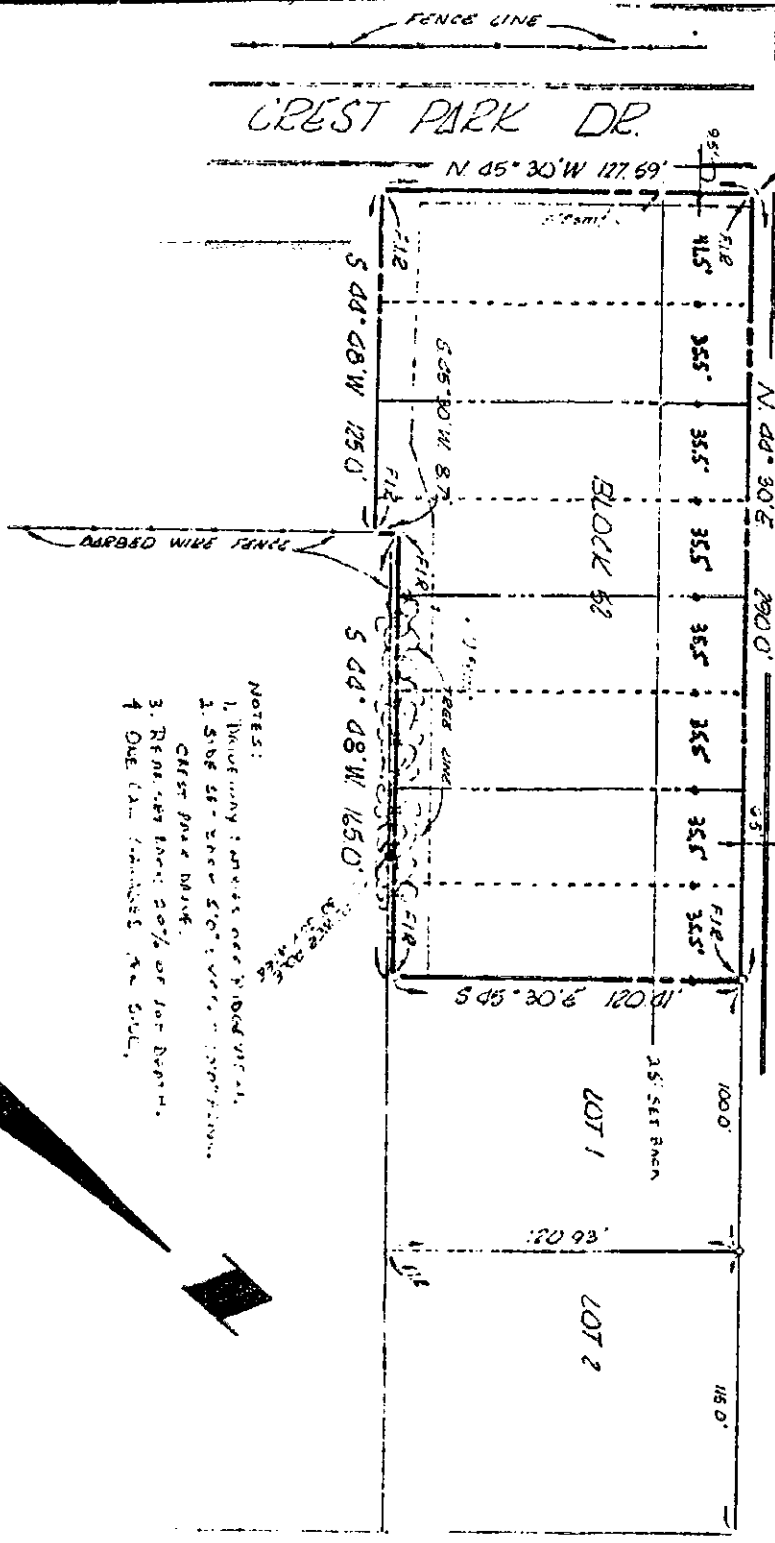
Robert E. Acery
Registered Professional Engineer
Registered Public Surveyor

POINT OF BEGINNING

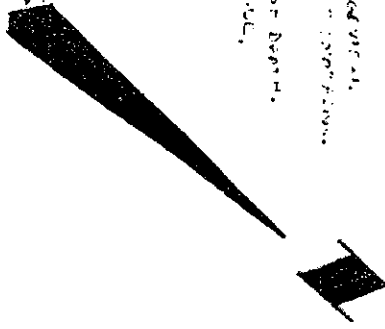
RIDGEVIEW STREET

CREST PARK DR.

GIS THOMASSON ROAD



- NOTES:
1. Block and lot areas are provided for all.
 2. SBE 58 - NEW 500' WIDE - 100' WIDE.
 3. REPAIRS TO BE MADE 50% OF JOB EXPENSE.
 4. ONE (1) FENCE LINE TO BE BUILT.



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