

ORDINANCE NO. 2090
File No. 1462-174

00237

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-3 SINGLE FAMILY TO LIGHT COMMERCIAL ON A TRACT LOCATED SOUTH OF THE MILITARY PARKWAY AND SCYENE 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-3 Single Family to Light Commercial on a tract located south of the Military Parkway and Scyene Road intersection; City of Mesquite, Dallas County, Texas, and being more fully described in exhibit "A" attached hereto.

00238

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of the City of Mesquite in conflict with the provisions of this ordinance, to the extent of such conflict are hereby repealed.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.

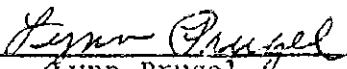
SECTION 7. Whereas, the property described in Section 1 of this ordinance requires that it be given the above classification in order to permit its proper development and in order to protect the public interest, comfort, and general welfare of the City of Mesquite, creates an urgency and an emergency 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 1st day of October, A.D., 1984.


Mrs. Brunhilde Nystrom
Mayor

ATTEST:

APPROVED AS TO FORM:


Lynn Prugel
City Secretary

Elland Archer
City Attorney



DON A TIPTON, INC.

CONSULTING ENGINEERS

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

ZONING FIELD NOTES

BEING a tract of land situated in the Daniel Tanner Survey, Abstract No. 1462, City of Mesquite, Dallas County, Texas, and being more particularly described as follows:

COMMENCING at the point of intersection of the Southeast line of Scyene Road, with the Southwest line of IH 635, an iron stake for corner;

THENCE, Along said Southeast line of Scyene Road the following:

N.87°23'43"W, a distance of 440.06 feet to the beginning of a curve to the Left having a central angle of 03°51'39" and a radius of 1591.54 feet, an iron stake for corner;

Westerly around said curve a distance of 107.25 feet to the PLACE OF BEGINNING, an iron stake for corner;

THENCE, S.0°19'49"E, leaving said Southeast line of Scyene Road a distance of 658.34 feet to an iron stake for corner;

THENCE, N.44°34'W, a distance of 390.0 feet to an iron stake for corner;

THENCE, N.45°26'E, a distance of 337.87 feet to an iron stake for corner;

THENCE, N.0°19'49"W, a distance of 142.45 feet to a point in the said Southeast line of Scyene Road, same point being the beginning of a curve to the Right having a central angle of 01°04'49" and a radius of 1591.54 feet with a back tangent bearing of N.87°39'49"E, an iron stake for corner;

THENCE, Easterly along said Southeast lot line of Scyene Road and around said curve a distance of 30.01 feet to the PLACE OF BEGINNING and containing 1.788 acres of land.

