

00149

ORDINANCE NO. 2125  
File No. 34-25

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 #1183 (OPEN) AND PLANNED DEVELOPMENT #1216 (COMMERCIAL) TO PLANNED DEVELOPMENT SINGLE FAMILY FOR PATIO HOMES WITH THE FOLLOWING DEVELOPMENT STANDARDS: (1) MINIMUM LOT SIZE OF 4000 SQUARE FEET WITH AN AVERAGE LOT SIZE OF 5000 SQUARE FEET; (2) MINIMUM UNIT SIZE OF 1100 SQUARE FEET WITH AN AVERAGE UNIT SIZE OF 1250 SQUARE FEET; (3) GARAGES REQUIRED ON ALL UNITS AS FOLLOWS: A MAXIMUM 30% OF THE UNITS MAY HAVE ONE CAR GARAGES; A MAXIMUM 30% OF THE UNITS MAY HAVE 1½ CAR GARAGES; THE REMAINING UNITS MUST HAVE 2-CAR GARAGES; (4) TWO-CAR DRIVES REQUIRED ON ALL UNITS; (5) THIRTY (30%) PER CENT OF THE UNITS MAY BE 2-STORY WITH NO WINDOWS FACING THE EXISTING HOMES IN TOWN EAST ESTATES; THE 22 ACRE TRACT IS LOCATED EAST OF EAST MEADOWS BOULEVARD BETWEEN I-30 AND U.S. HIGHWAY 80; 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:

00150

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 Planned Development #1183 (open) and Planned Development #1216 (commercial) to Planned Development Single Family for Patio Homes with the following development standards: (1) Minimum lot size of 4000 square feet with an average lot size of 5000 square feet; (2) Minimum unit size of 1100 square feet with an average unit size of 1250 square feet; (3) Garages required on all units as follows: A Maximum 30% of the units may have one car garages; A maximum 30% of the units may have 1½ car garages; the remaining units must have 2-car garages; (4) Two-car drives required on all units; (5) Thirty (30%) per cent of the units may be 2-story with no windows facing the existing homes in Town East Estates; the 22 acre tract is located east of East Meadows Boulevard between I-30 and U.S. Highway 80; 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.

00151

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 of January, A.D., 1985.

Mrs. Brunhilde Nystrom  
Mrs. Brunhilde Nystrom  
Mayor

ATTEST:

APPROVED AS TO FORM:

Lynn Prugee  
Lynn Prugee  
City Secretary

Elland Archer  
Elland Archer  
City Attorney

00152

LEGAL DESCRIPTION

Being a tract of land situated in the W.O. Abbott Survey Abstract No. 34, City of Mesquite, Dallas County, Texas and being more particularly described as follows:

COMMENCING at the intersection of the Southerly R.O.W. line Interstate Highway 30 (a 300.0 foot R.O.W.) and the Westerly R.O.W. line of Abston Drive (a 50.0 foot R.O.W.);

THENCE, S 29° 11' 22" E, along said Westerly R.O.W. line of Obston Drive, a distance of 296.13 feet (called 300.00 feet on Town East Estates No. 8, Second Installment) to a point for corner, said point in the Northerly R.O.W. line of a 15 foot alley easement;

THENCE, S 60° 54' 28" W, along said Northerly R.O.W. line of alley easement, a distance of 109.81 feet (called 112.34 feet on Town East Estates No. 8, Second Installment) to a point for corner, said point lying in the Westerly property line of Town East Estates No. 8, Second Installment;

THENCE, S 00° 07' 40" E, along said Westerly property line Town East Estates No. 8, Second Installment, a distance of 823.84 feet to the POINT OF BEGINNING;

THENCE, S 00° 07' 40" E, along said Westerly property line of Town East Estates No. 8, Second Installment, a distance of 2818.80 feet to a point for corner;

THENCE, S 89° 52' 20" W, a distance of 84.45 feet to a point for corner;

THENCE, N 45° 07' 40" W, a distance of 131.58 feet to a point for corner;

THENCE, N 00° 07' 40" W, a distance of 62.11 feet to a point for corner;

THENCE, S 89° 52' 20" W, a distance of 127.50 feet to a point for corner, said point lying in the East property line of Hi-Point Square Addition;

THENCE, N 00° 07' 40" W, along said East property line of Hi-Point Square Addition, a distance of 850.00 feet to a point for corner, said point being the Northeastern corner of Hi-Point Square Addition;

# 34-25

00153

THENCE, S 89° 31' 10" W, along the Northern property line Hi-Point Square Addition, a distance of 473.94 feet to a point for corner, said point lying in the Easterly R.O.W. of East Meadows Boulevard (an 80.00' R.O.W.) and also being the beginning of a curve to the left having an initial tangent bearing of N 31° 23' 58" E;

THENCE, along said curve to the left and along the Easterly R.O.W. line of East Meadows Boulevard, having a central angle of 1° 27' 38", a radius of 550.00 feet and a tangent of 7.01 feet, a distance of 14.02 feet to a point for corner;

THENCE, N 33° 43' 50" E, along said Easterly R.O.W. line of East Meadows Boulevard, a distance of 645.10 feet to the beginning of a curve to the left along the Easterly R.O.W. line of East Meadows Boulevard;

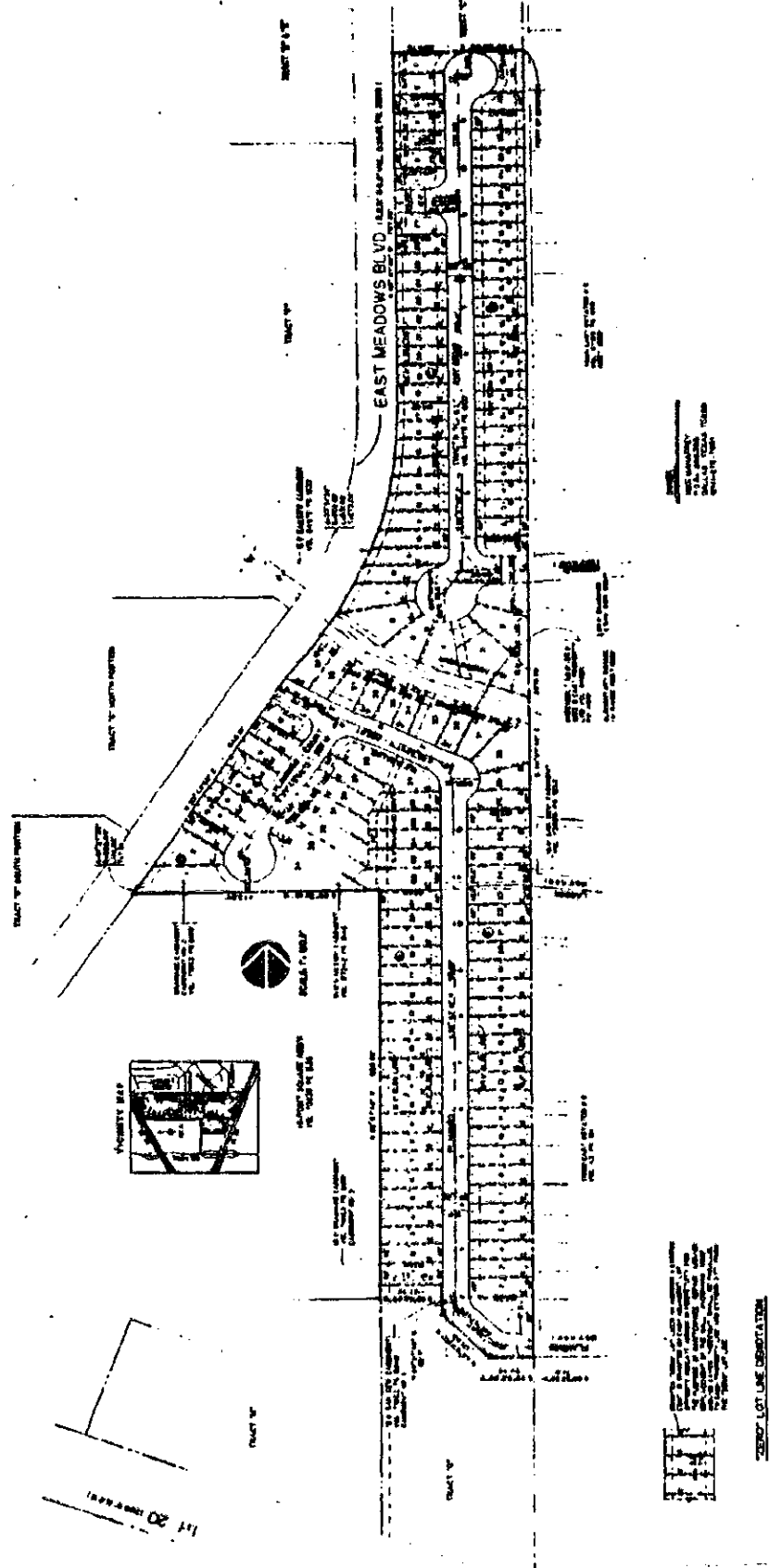
THENCE, along said curve to the left along the Easterly R.O.W. line of East Meadows Boulevard, having a central angle of 33° 51' 30", a radius of 900.00 feet and a tangent of 273.94 feet, a distance of 531.85 feet to a point for corner;

THENCE, N 00° 07' 40" W, along said Easterly R.O.W. line of East Meadows Boulevard, a distance of 767.38 feet to a point for corner;

THENCE, N 89° 52' 20" E, a distance of 259.72 feet to the POINT OF BEGINNING and containing 961,483 square feet or 22.073 acres of land, more or less.

# 34-25

00154



# 34-25

1/2" = 20' SCALE