

ORDINANCE NO. 2161  
File No. HV-1

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 AGRICULTURE TO GENERAL RETAIL WITH THE STIPULATION THAT PARKING BE ALLOWED IN THE 25 FOOT FRONT YARD SETBACK ON A TRACT LOCATED NORTH OF THE BELT LINE ROAD AND COMO 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 PENALTY NOT TO EXCEED TWO HUNDRED (\$200.00) DOLLARS 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 Agriculture to General Retail with the stipulation that parking be allowed in the 25 foot front yard setback on a tract located north of the Belt Line Road and Como 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 15th day of April, A.D., 1985.

  
Mrs. Brunhilde Nystrom  
Mayor

ATTEST:

APPROVED AS TO FORM:

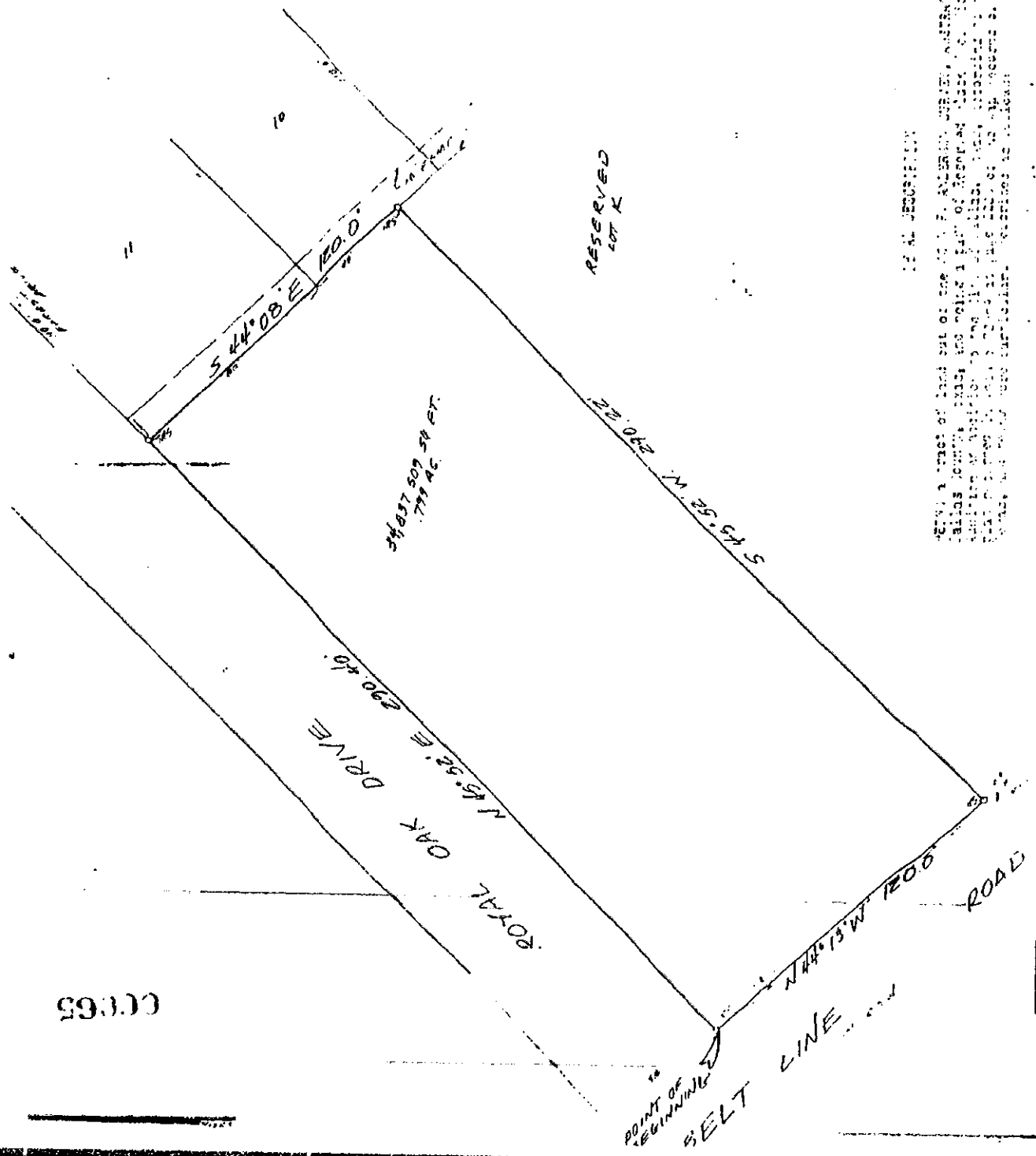
  
Lynn Prugel  
City Secretary

Elland Archer  
City Attorney



1-111A

The state of Michigan is hereby notified that the same is hereby reserved for the use of the State of Michigan and that the same shall be held for the use of the State of Michigan and that the same shall be held for the use of the State of Michigan and that the same shall be held for the use of the State of Michigan.



STATE OF MICHIGAN

BEFORE ME, the undersigned authority, on this day personally appeared \_\_\_\_\_, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

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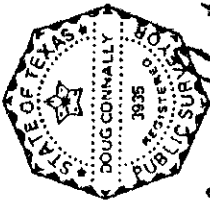
RESERVED  
LOT K

5 45.52' W 290.22'

1-17-85

The plat herein is true, correct, and accurate representation of the survey as determined by survey the lines and monuments of said property being as indicated by the plat, the size, location, and type of buildings and monuments are as shown, all measurements being within the boundaries of the property as back to the property, the distance between, and their true distance from the nearest intersecting street or road, as shown on this plat.

THERE ARE NO ENCROACHMENTS, CONFLICTS OR PROTRUSIONS



LEGAL DESCRIPTION

BEING a tract of land out of the JOHN F. ANDERSON SURVEY, ADJACENT NO. 13 of Dallas County, Texas, and being a part of Reserved Block K of Wicken Valley Addition as addition to the City of Dallas, TEXAS, according to the plat recorded in Volume 2209 at page 2221 of the Map Records of Dallas County, Texas, and being more particularly described as follows:

BEGINNING at the intersection of Belt Line Road (a 100' R.O.W. and Royal Oak Drive (a 60' R.O.W.);

HENCE : NORTH 45° 52' EAST, along the East R.O.W. line of said Royal Oak Drive, a distance of 290.50', to an iron rod set for corner;

HENCE : SOUTH 44° 17' WEST, a distance of 120.0' to an iron rod set for corner;

HENCE : SOUTH 45° 52' WEST, a distance of 290.22' to an iron rod set for corner, said point also being in the North R.O.W. line of said Belt Line Road;

HENCE : NORTH 44° 17' WEST, along said North R.O.W. line of Belt Line Road, a distance of 120.0' to an iron rod found for corner and being the POINT OF BEGINNING; and containing 34,977.509 square feet or .799 acres of land.

1-17-85  
Doug Connally

0.799 ACRES

Q.S.C. INC.  
PO BOX 901516  
DALLAS, TX 75390-1516  
(214) 357-1037

Scale:	Date:	Job No.	G. E. No.	Drawn By:
1"=50'	1-17-85	10,248	M2209-34	KIMBY

49710