

00093

ORDINANCE NO. 2171
File No. 594-21

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 and R-3 SINGLE-FAMILY TO PLANNED DEVELOPMENT SINGLE-FAMILY WITH A MINIMUM LOT SIZE OF 7200 SQUARE FEET; A MINIMUM UNIT SIZE OF 1570 SQUARE FEET AND AN AVERAGE UNIT SIZE OF 1700; AND THE MINIMUM UNIT SIZE MAY BE NO MORE THAN 15% OF THE DEVELOPMENT; THE 52.5 TRACT IS LOCATED BETWEEN BELT LINE ROAD AND NORTH GALLOWAY AVENUE FRONTING THE NORTH SIDE OF TRIPP ROAD; 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 DEVELOPEMENT 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 (\$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 R-1 and R-3 Single-Family to Planned Develop-

ORDINANCE/PAGE 2

ment Single-Family with a minimum lot size of 7200 square feet; a minimum unit size of 1570 square feet and an average unit size of 1700; and the minimum unit size may be no more than 15% of the Development. The 52.5 tract is located between Belt Line Road and North Galloway Avenue fronting the north side of Tripp Road; 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

ORDINANCE/PAGE 3

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 6th day of May, A.D., 1985.

Mrs. Brunhilde Nystrom
Mrs. Brunhilde Nystrom
Mayor

ATTEST:

APPROVED AS TO FORM:

Lynn Prugel
Lynn Prugel
City Secretary

Elland Archer
City Attorney

0096

#84073
April 8, 1985

PROPERTY DESCRIPTION

BEING a tract of land in the Henry Harter Survey, Abstract No. 594, situated in the City of Mesquite, Dallas County, Texas, and also being a part of that certain 100 acre tract of land conveyed to Robert Joe Riggs by Mrs. Mittie P. Riggs by deed recorded in Volume 5154, Page 476 of the Deed Records of Dallas County, Texas, and being more particularly described as follows:

BEGINNING at an iron rod set at the Most Southerly Southeast corner of Quail Hollow No. 2, an addition to the City of Mesquite, Texas as recorded in Volume 83191, Page 3856 of the Deed Records of Dallas County, Texas, said point being on the North right-of-way line of Tripp Road (60.0 feet wide);

THENCE North $0^{\circ}18'50''$ East along the East boundary of Quail Hollow No. 2, 1309.32 feet to an iron rod set at an ell corner of said Quail Hollow No. 2;

THENCE South $89^{\circ}45'20''$ East along the Southerly boundary of Quail Hollow No. 2 and the Southerly boundary of Quail Hollow, an addition to the City of Mesquite, Texas as recorded in Volume 81094, Page 2023 of the Deed Records of Dallas County, Texas, 1901.4 feet to an iron rod found;


THENCE South $0^{\circ}04'35''$ East, 969.66 feet;

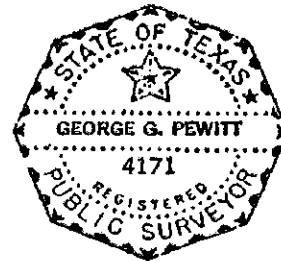
THENCE North $89^{\circ}34'45''$ West, 593.28 feet;

THENCE South $0^{\circ}19'29''$ East, 332.58 feet to a point on the North right-of-way line of Tripp Road;

THENCE South $89^{\circ}51'23''$ West along the North right-of-way line of Tripp Road, 1318.48 feet to the PLACE OF BEGGINNING, and containing 52.5179 acres of land, more or less.

Date 4-8-85


George G. Pewitt,
Registered Public Surveyor



594-21

00098

