

ORDINANCE NO. 2199
File No. 1-1

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS,
AMENDING SECTION 1 OF ORDINANCE NO. 2070
ADOPTED BY THE CITY COUNCIL ON SEPTEMBER 10,
1984 BY CHANGING THE MINIMUM LOT SIZE ON
TRACTS 32, 33 AND 35 FROM 5000 TO 5500 SQUARE
FEET; 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; and

WHEREAS, in the preparation of the ordinance, the minimum lot size of tracts 32, 33 and 35 was inadvertently stated to be 5000 square feet instead of 5500 square feet as determined by the Planning and Zoning Commission and the City Council after public hearings.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS:

SECTION 1. That Ordinance No. 2070 adopted by the City Council on September 10, 1984, is hereby amended by amending Section 1 thereof to read as follows, in all other respects to remain in full force and effect: (1) General Retail (7.98 acres); (2) Office (15.28 acres); (3) Light Commercial for Office-Showroom (12.03 acres); (4) R-1 Single Family stipulating a minimum lot size of 1300 square feet and a minimum unit size of 2000 square feet (41.30 acres); (5) R-1 Single Family stipulating that those lots abutting the Ponderosa Addition shall have a minimum lot size of 13,000 square feet and a minimum unit size of 2000 square feet (52.60 acres); (6) R-2A Single Family (130.79 acres); (7) General Retail (6.07 acres); (8) Office (10.56 acres); (9) General Retail (7.66 acres); (10) Office (3.67 acres); (11) Planned Development/Single Family for patio homes stipulating a minimum lot size of 4000 square feet (48.01 acres); (12) R-2A Single Family (53.02 acres); (13) Planned Development/Single Family for patio homes stipulating a minimum lot size of 5000 square feet (25.80 acres); (14) R-2A Single Family (50.87 acres); (15) R-3 Single Family (8.09 acres); (16 & 17) R-3 (71.12 acres); (18) General Retail (11.41 acres); (20) R-2 Single Family stipulating a minimum lot size of 10,000 square feet and a minimum unit size of 1600 square feet (48.68 acres); (21) General Retail (7.12 acres); (22) Planned Development/Single Family for patio homes stipulating a minimum lot

size of 5000 square feet or duplexes with a minimum lot size of 7700 square feet (19.31 acres); (23) R-3 Single Family (129.65 acres); (24) General Retail (11.43 acres); (25) R-2 Single Family stipulating a minimum lot size of 10,000 square feet and a minimum unit size of 1600 square feet (49.76 acres); (29) Planned Development-Townhouse or Duplex with a maximum number of developable units of 138 (36.90 acres); (31) R-3 Single Family (46.86 acres); (32,33 & 35) Planned Development/Single Family for patio homes stipulating a minimum lot size of 5500 square feet with a minimum unit size of 1300 square feet (137.75 acres); (34) General Retail (3.02 acres); the land is located generally between Newsom Road, Berry Road, Cartwright Road and North Mesquite Creek; 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 July, A.D., 1985.

Mrs. Brunhilde Nystrom
Mrs. Brunhilde Nystrom
Mayor

ATTEST:

APPROVED AS TO FORM:

Lynn Prugel
Lynn Prugel
City Secretary

Elland Archer
Elland Archer
City Attorney

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"EXHIBIT A" TO
ORDINANCE NO. 2199

PLEASE REFER TO ORDINANCE NO. 2070 ADOPTED BY THE
CITY COUNCIL ON SEPTEMBER 10, 1984, FOR EXHIBIT A,
TRACTS 1 - 35, BAKER AND ASSOCIATES NO. 1, APPLICATION
NO. 1-1.