

ORDINANCE NO. 2203
File No. 1462-179

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 LIGHT COMMERCIAL TO PLANNED DEVELOPMENT LIGHT COMMERCIAL WITH THE ADDED USE OF MINI WAREHOUSE AND ALSO APPROVE THE SITE PLAN PRESENTED WITH THE ZONING REQUEST; THE 6.38 ACRE TRACT IS LOCATED SOUTH AND WEST OF THE GROSS ROAD AND WINDBELL CIRCLE INTERSECTION, FRONTING THE EAST SIDE OF WINDBELL; 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 (\$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 Light Commercial to Planned Development Light Commercial with the added use of mini warehouse and also approve the site plan presented with the zoning request; the 6.38 acre tract is located south and west of the Gross Road and Windbell Circle intersection, fronting the east side of Windbell; 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.

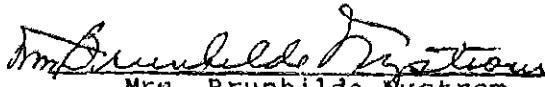
SECTION 4. That the foregoing change shall be, and it is, granted subject to any development of the land herein being developed in conformity with the requirements of current and/or future drainage improvement ordinances of the City of Mesquite, including Ordinance No. 1249 of the Mesquite City Code.

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.

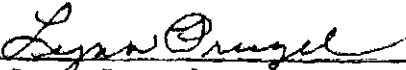
SECTION 7. Whereas, the property described in Section 1 of this ordinance requires that it be given the above classification in order to permit its proper development and in order to protect the public interest, comfort, and general welfare of the City of Mesquite, creates an urgency and an emergency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

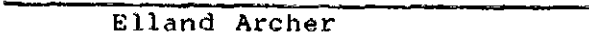
DULY PASSED AND APPROVED by the City Council of the City of Mesquite, Texas on the 5th day of August A.D., 1985.


Mrs. Brunhilde Wylstrom
Mayor

ATTEST:

APPROVED AS TO FORM:


Lynn Prugel
City Secretary


Elland Archer
City Attorney

Surveying Associates

1022 S. Beckley
Dallas, TX 75203

Ben D. Rychlik,
Registered Public Surveyor

(214) 948-3324

FIELD NOTES FOR ZONING

BEING a tract of land situated in the Daniel Tanner Survey, Abstract No. 1462, and being part of Lot 1, Block A of Skyline Village No. 37, Phase III, an addition to the City of Mesquite, Dallas County, Texas, recorded in Volume 85094, Page 1333 of the Deed Records of Dallas County, Texas, and being more particularly described as follows;

BEGINNING at a point in the Southeast line of Windbell Circle, (a 60 foot R.O.W.), said point being South 44 deg. 50 min. 35 sec. West, a distance of 150.00 feet from the intersection of the said Southeast line of Windbell Circle, with the Southwest line of Gross Road, (a 120.00 foot R.O.W.), a point for corner;

THENCE, South 45 deg. 09 min. 25 sec. East, with the Northeast line of said Lot 1, a distance of 282.76 feet, a point for corner;

THENCE, South 28 deg. 08 min. West, a distance of 278.26 feet, a point for corner;

THENCE, South 56 deg. 49 min. 36 sec. West, a distance of 110.93 feet;

THENCE, South 75 deg. 00 min. 40 sec. West, a distance of 513.69 feet, a point for corner;

THENCE, North 27 deg. 09 min. 25 sec. West, with the North line of a private ingress and egress and utility easement, a distance of 123.74 feet, to the beginning of a curve to the left, having a central angle of 11 deg. 30 min., a radius of 269.00 feet, a point for corner;

THENCE, Northerly with said curve to the left, an arc distance of 53.99 feet to the end of said curve and the beginning of a curve to the right, having a central angle of 11 deg. 30 min., a radius of 231.0 feet, a point for corner;

THENCE, Northerly, with said curve to the right, an arc distance of 46.36 feet, to the end of said curve, a point for corner;

THENCE, North 27 deg. 09 min. 25 sec. West, a distance of 50.0 feet, a point for corner;

THENCE, North 17 deg. 50 min. 35 sec. East, a distance of 14.14 feet, to a point in the said Southeast line of Windbell Circle, a point for corner;

THENCE, North 62 deg. 50 min. 35 sec. East, with the said Southeast line of Windbell Circle, a distance of 563.95 feet to the beginning of a curve to the left, having a central angle of 18 deg. 00 min., a radius of 280.00 feet, a point for corner;

THENCE, Northeasterly, with said curve to the left, same being with the said Southeast line of Windbell Circle, an arc distance of 87.97 feet to the end of said curve, a point for corner;

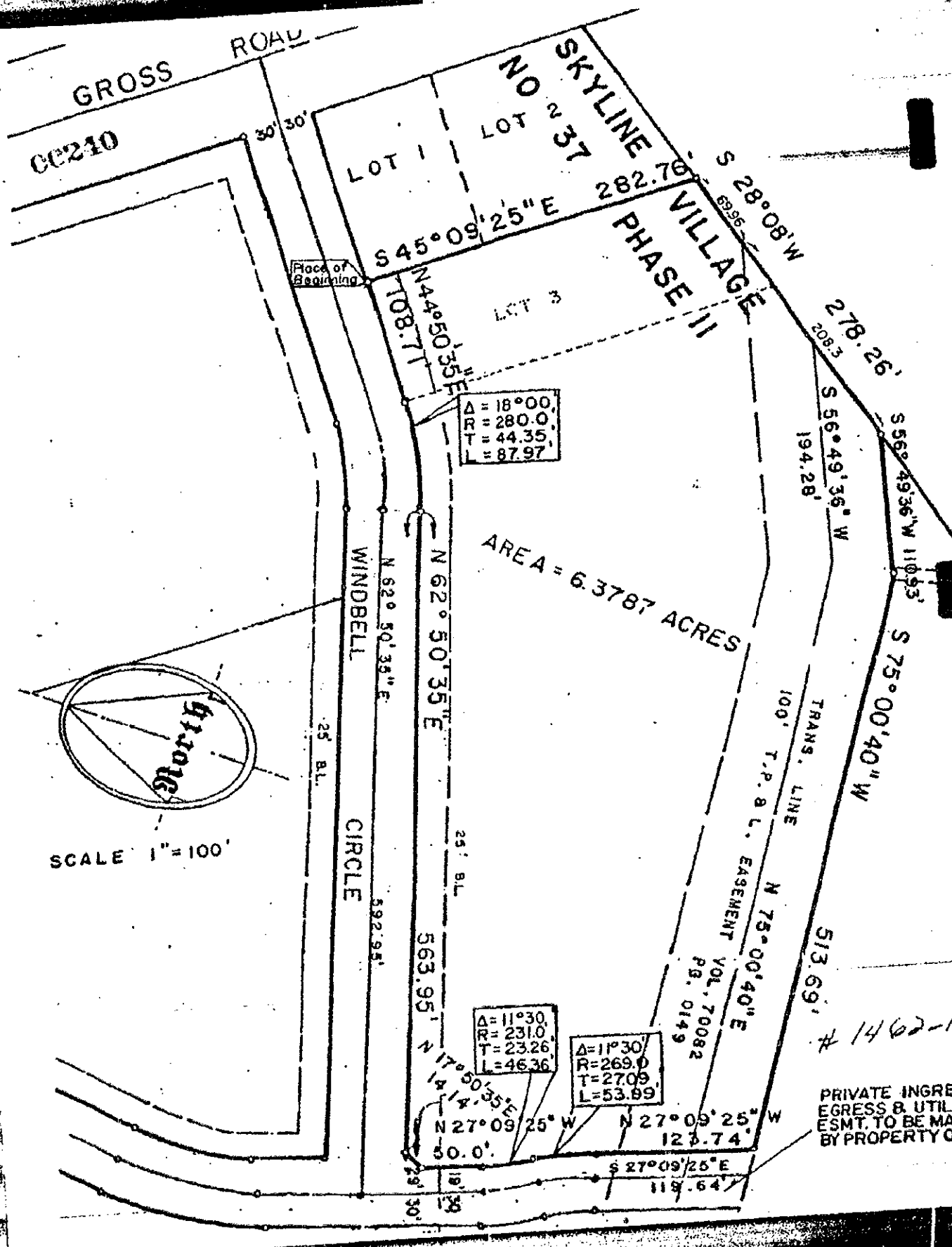
THENCE, North 44 deg. 50 min. 35 sec. East, with the said Southeast line of Windbell Circle, a distance of 108.71 feet, to the PLACE OF BEGINNING and CONTAINING 6.3787 acres of land.



#1462-179

"Remove not the ancient landmark, which thy fathers have set" —Proverbs 22:28

03 20 00



00240

30' 30'

LOT 1

NO. 37 SKYLINE VILLAGE PHASE II

S 28° 08' W 69.55'

S 45° 09' 25" E 282.76'

Place of Beginning

N 44° 50' 35" E 108.71'

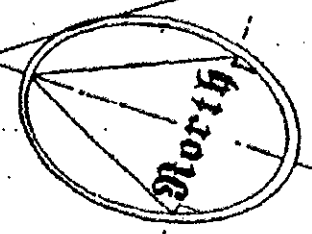
LOT 3

278.26' 208.3'

Δ = 18° 00'
R = 280.0
T = 44.35
L = 87.97

S 56° 49' 36" W 194.28'

AREA = 6.3787 ACRES



SCALE 1" = 100'

N 62° 50' 35" E 592.95'

25' B.L.

N 62° 50' 35" E 563.95'

25' B.L.

TRANS. LINE

100' T.P. & L. EASEMENT

513.69'

Δ = 11° 30'
R = 231.0
T = 23.26
L = 46.36

Δ = 1° 30'
R = 269.0
T = 27.09
L = 53.89

N 27° 09' 25" W 50.0'

N 27° 09' 25" W 123.74'

S 27° 09' 25" E 118.64'

PRIVATE INGRESS EGRESS & UTILITY ESMT. TO BE MAINT BY PROPERTY OWN