

ORDINANCE NO. 2266  
File No. 337-10

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 SINGLE FAMILY TO A CONDITIONAL USE TO ALLOW A HOME OCCUPATION, A PHOTOGRAPHY STUDIO, IN THE R-1 SINGLE FAMILY DISTRICT WITH THE FOLLOWING STIPULATIONS: (1) NO EXTERIOR SIGNS ARE ALLOWED; (2) THE APPLICANT WILL CONSTRUCT A WOOD FENCE AT LEAST SIX (6) FEET IN HEIGHT ALONG THE SOUTH AND EASTERN PROPERTY LINE; (3) NO EXTERIOR CHANGES TO THE STRUCTURE RELATING TO THE PHOTOGRAPHY USE MAY BE PERMITTED; THE 1.62 ACRE TRACT IS LOCATED NORTHWEST OF THE BELT-LINE ROAD AND RIPPLEWOOD DRIVE 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 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 da, 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 Single Family to a Conditional Use to allow a home occupation, a photography studio, in the R-1 Single Family District with the following stipulations: (1) No exterior signs are allowed (2) The applicant will construct a wood fence at least six (6) feet height along the south and eastern property line; (3) No exterior changes to the structure relating to the photography use may be permitted; the 1.62 acre tract is located northwest of the Beltline Road and Ripplewood Drive 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

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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 6th day of January A.D., 1986.

*Mrs. Brunhilde Nystrom*  
Mrs. Brunhilde Nystrom  
Mayor

ATTEST:

APPROVED AS TO FORM:

*Lynd Prugel*  
Lynd Prugel  
City Secretary

\_\_\_\_\_  
Elland Archer  
City Attorney

SURVEY PLAT

TO ALL PARTIES INTERESTED IN PREMISES SURVEYED:

This is to certify that I have, this date, made a careful survey on the ground of the following described property, to-wit:

Being all that certain lot, tract or parcel of land situated in Dallas County, Texas, and being out of the S.W. CALDWELL SURVEY, ABSTRACT NO. 337, and being part of a 54.3 acre tract of land conveyed to O. C. Hanby Jr., from Annie Hanby as recorded in Volume 5250, Page 481 of the Deed Records of Dallas County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2" iron rod for a corner, said rod being at the intersection of the North R.O.W. line of Ripplewood Drive with the West R.O.W. line of Bell Line Road;

THENCE South 89° 01' West, along the North line of Ripplewood Drive a distance of 108.58 feet to a 1/2" iron rod for a corner;

THENCE North 00° 59' West, a distance of 109.76 feet to a 1/2" iron rod for a corner;

THENCE North 41° 59' West, a distance of 282.8 feet to a 1/2" iron rod for a corner;

THENCE North 35° 08' 12" East a distance of 69.51 feet to a 1/2" iron rod for a corner;

THENCE North 88° 47' East a distance of 253.57 feet to a 1/2" iron rod for a corner in the West R.O.W. line of Bell Line Road;

THENCE South 01° 13' East, along the West line of Bell Line Road, 381.27 feet to the place of BEGINNING and containing 0.01914 acres of land.

This plat shows a true, correct and accurate representation of the property as determined by survey, subject to any and all easements, encroachments and other facts that may be of record. The lines and dimensions of land and property being as shown and to the fact that no high and low tide or building and improvements are as shown, all improvements being within the boundaries of the property, so that from property lines the distances indicated and that the distance from the nearest intersecting street or road is as shown on said plat. There are no encroachments, conflicts or public square, except as shown.

Scale 1" = 30'	Well No. 14354
Date 9-11-84	City No.

By *Don Parish*  
 DON PARISH  
 Registered Public Surveyor  
 PARISH SURVEYING, INC.  
 3815156  
 1140 Military Parkway Dallas Texas 75227



00475

N

120° 59' 47" E ~ 693.5'

Geo. SAUITYRY SE  
VOL 80248, PG

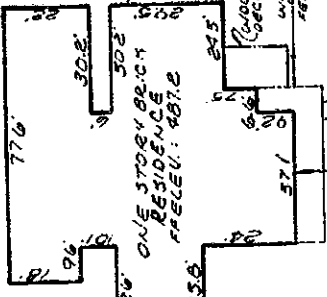
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TRINIDAD PARTITION  
VOL 81028 PG 2195  
FILED 2-10-81 82 ACCT



PART OF  
S W CALDWELL  
161914 ACRES  
337 SURVEY

DRIVE  
-RIPPLE WOOD

N 00° 59' 41" W - 1097.6'

389° 01' W - 1085.8'

N 88° 47' E ~ 255.57'

141.5'

3 07° 13' E ~ 981.77'

RECU...NING

BELT LINE ROAD

25

00176