

ORDINANCE NO. 2427
File No. 1461-102

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 OFFICE TO LIGHT COMMERCIAL WITH A CONDITIONAL USE FOR OUTDOOR SALES, A NEW CAR SALES LOT; WITH THE STIPULATIONS THAT A SIX (6) FOOT HIGH MASONRY SCREENING FENCE BE PLACED ON THE NORTHEAST PROPERTY LINE BETWEEN THE PROPOSED LIGHT COMMERCIAL AND EXISTING OFFICE ZONING, AND THAT ALL PREVIOUS STIPULATIONS OF ORDINANCE NO. 2123 BE APPLIED; THE SUBJECT 1.5 ACRE TRACT IS LOCATED NORTH OF THE NORTH GALLOWAY AVENUE AND I-635 INTERSECTION, FRONTING THE NORTH SIDE OF WOODED LAKE DRIVE; 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

**RETAKE
OF
PREVIOUS
DOCUMENT**

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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 Office to Light Commercial with a Conditional Use for Outdoor Sales, a new car sales lot; with the stipulations that a six (6) foot high masonry screening fence be placed on the northeast property line between the proposed light commercial and existing office zoning, and that all previous stipulations of Ordinance No. 2123 be applied. The subject 1.5 acre tract is located north of the North Galloway Avenue and I-635 intersection, fronting the north side of Wooded Lake Drive; 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.

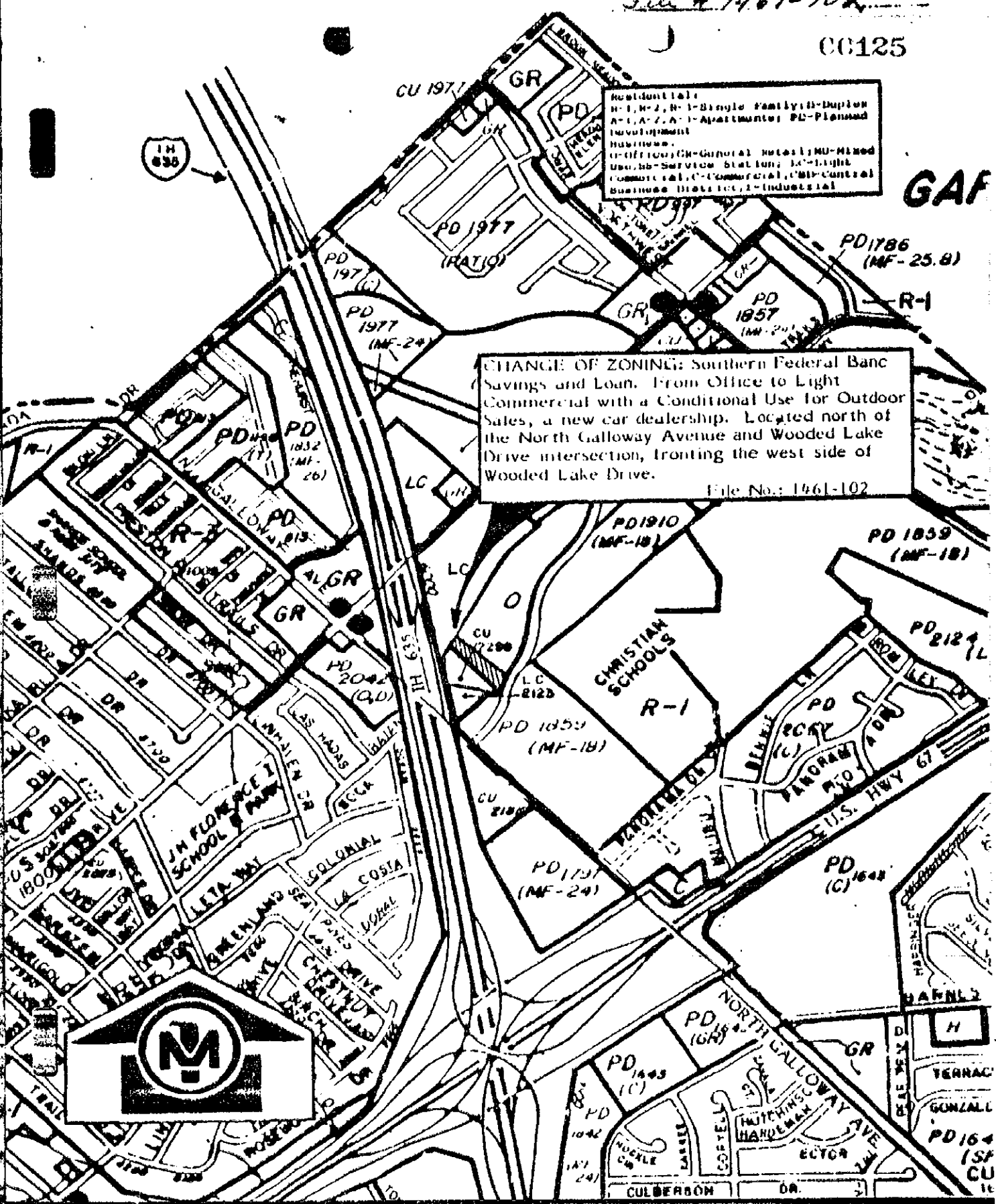
SECTION 6. That any person, firm, or corporation violating any of the provisions or terms of this ordinance shall be deemed to be guilty of a Class C Misdemeanor and subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of 1973, of the City of Mesquite, and upon conviction 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.

Residential:
 R-1, R-2, R-3 - Single Family (1-Duplex)
 A-1, A-2, A-3 - Apartments; PD - Planned
 Development
 Office: O-1 - General Office; MU - Mixed
 Use; SB - Service Station; LC - Light
 Commercial; C - Commercial; CB - Central
 Business District; I - Industrial

GAF


CHANGE OF ZONING: Southern Federal Banc
 (Savings and Loan). From Office to Light
 Commercial with a Conditional Use for Outdoor
 Sales, a new car dealership. Located north of
 the North Galloway Avenue and Wooded Lake
 Drive intersection, fronting the west side of
 Wooded Lake Drive.
 File No.: 1461-102



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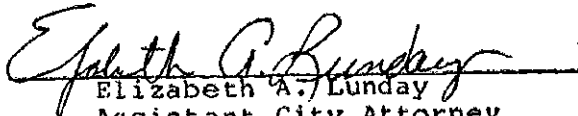
DULY PASSED AND APPROVED by the City Council of the City of Mesquite, Texas on the 18th day of May, A.D., 1987.


George A. Venner, Sr.
Mayor

ATTEST:

APPROVED AS TO FORM:


Lynn Prugel
City Secretary


Elizabeth A. Lunday
Assistant City Attorney

File # 146-102

15000 ACRES

Being a tract of land situated in the Township 37 North, Range 14 East, Dallas County, Texas, and being a part of a 160 acre tract of land conveyed to T. Ray Carter, et al, in Volume 443, Page 165, said records of Dallas County, Texas, and being more particularly described as follows:

Beginning at an iron rod found for corner, said corner being the most northerly corner of the McGee-Corcoran tract, Block 1, Lot 2, as shown on the plat of the McGee-Corcoran tract, Dallas County, Texas, and being more particularly described as follows:

THENCE North 48°51'48" West, a distance of 78.00 ft. to an iron rod set for corner;

THENCE South 54°23'16" West, a distance of 146.77 ft. to an iron rod set for corner in the McGee-Corcoran tract, Block 1, Lot 2, as shown on the plat of the McGee-Corcoran tract, Dallas County, Texas, and being more particularly described as follows:

THENCE along the McGee-Corcoran tract, Block 1, Lot 2, a distance of 11.18 ft. to the point of tangency of a circular curve to the right having a central angle of 135°11'11", a radius of 134.19 ft., a tangent bearing of South 15°11'18" West, a tangent distance of 18.48 ft., and an arc length of 17.18 ft. to the point of tangency;

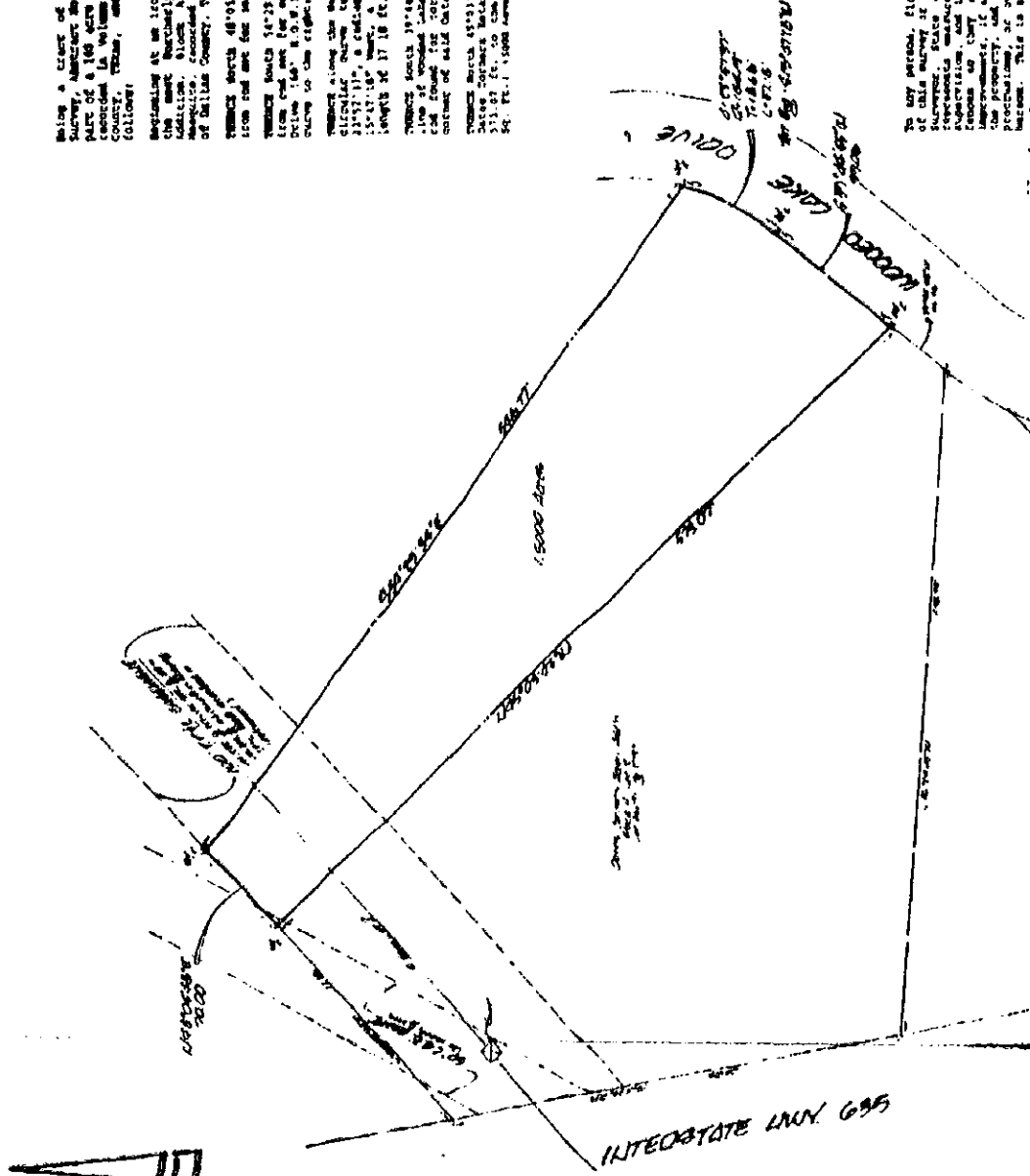
THENCE South 39°49'55" West, continuing along the McGee-Corcoran tract, Block 1, Lot 2, a distance of 49.45 ft. to an iron rod set for corner, said corner being the most northerly corner of said McGee-Corcoran tract, Block 1, Lot 2, as shown on the plat of the McGee-Corcoran tract, Dallas County, Texas, and being more particularly described as follows:

CERTIFICATION

I, the undersigned, being a commissioned surveyor and the secretary of this survey, do hereby certify that this plat represents a true and correct copy of the original records as shown to me by the parties thereto, and that the same are in accordance with the laws of this State, and that there are no errors or omissions hereon. This is a true and correct copy of the original records as shown to me by the parties thereto.



DATE: 5/27/02



NOTE: This plat was prepared by me and others for the purpose of showing the location of the McGee-Corcoran tract, Block 1, Lot 2, as shown on the plat of the McGee-Corcoran tract, Dallas County, Texas, and being more particularly described as follows:

FUGATE SURVEYING
815 WEST LIME ROAD
MCKINNEY, TEXAS 75069
(972) 223-8700

15000 ACRE BOUNDARY SURVEY
THEOPHILUS THOMAS SURVEY - WEST 1861
CITY OF MESQUITE, DALLAS COUNTY, TEXAS

CREATED	DATE	DATE
02/15/02	05/27/02	05/27/02

01228