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ORDINANCE NO. 2472  
File No. 263-4

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-3 SINGLE FAMILY TO PLANNED DEVELOPMENT SINGLE FAMILY WITH A MINIMUM UNIT SIZE OF 1100 SQUARE FEET AND A MINIMUM LOT SIZE OF 4500 SQUARE FEET ON A 10.2639 ACRE TRACT LOCATED SOUTH OF SAM HOUSTON ROAD AT LIVERPOOL 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 change of zoning from R-3 Single Family to Planned Development Single Family with a minimum unit size of 1100 square feet and a minimum lot size of 4500 square feet on a 10.2639 acre tract located south of Sam Houston Road at Liverpool 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.

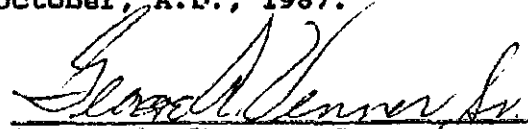
SECTION 5. That should any paragraph, sentence, subdivision, clause, phrase, or section of this ordinance be adjudged or held to be unconstitutional, illegal, or invalid, the same shall not affect the validity of this ordinance as a whole or any part or provision hereof other than the part so decided 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.


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DULY PASSED AND APPROVED by the City Council of the City of Mesquite, Texas on the 5th day of October, A.D., 1987.

  
George A. Venner, Sr.  
Mayor

ATTEST:

APPROVED:

  
Lynn Brugel  
City Secretary

  
Jonathan Graham  
City Attorney

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EXHIBIT "A"

David Petree  
Registered Public Surveyor  
8703 Cortleigh Place  
Dallas, Texas 75209  
214-352-3271

10.2639 ACRES  
CITY OF MESQUITE ZONING TRACT

BEING a tract of land situated in the Abraham Carver Survey, Abstract 263, Dallas County, Texas, and being a portion of a 32.2722 acre tract to the City of Mesquite by deed recorded in Volume 79032 at Page 1458, and a 1.22 acre tract deeded to the City of Mesquite and recorded in Volume 79101 at Page 1537 of the Deed Records of Dallas County, Texas, and being more particularly described as follows;

BEGINNING at a point being the Northwest corner of Oak Ridge Estates Addition, Replat, an addition to the City of Mesquite as recorded in Volume 23, Page 167 of the Deed Records of Dallas County, Texas;

THENCE South  $0^{\circ} 52' 08''$  West along the West line of said Oak Ridge Estates, a distance of 797.86 feet to the Southeast corner of said 32.2722 acre tract;

THENCE North  $89^{\circ} 11' 36''$  West along the South line of said 32.2722 acre tract, a distance of 415.24 feet to a point on the Corporation Line for the Cities of Mesquite and Dallas as described in City of Dallas Ordinance No. 5341 dated December 18, 1951;

THENCE North  $0^{\circ} 14' 03''$  East along said Corporation Line, a distance of 1495.90 feet to a point on the South line of Sam Houston Road;

THENCE South  $44^{\circ} 39' 43''$  East along the South line of Sam Houston Road, a distance of 158.71 feet to a point;

THENCE South  $41^{\circ} 49' 10''$  East along the South line of Sam Houston Road, a distance of 198.73 feet to a point;

THENCE South  $44^{\circ} 56' 15''$  West a distance of 253.43 feet to the North corner of said 1.22 acre tract;

THENCE South  $45^{\circ} 11' 53''$  East along the East line of said 1.22 acre tract, a distance of 373.11 feet to the East corner of said 1.22 acre tract;

THENCE South  $89^{\circ} 34' 49''$  East a distance of 91.38 feet to the Place of Beginning and Containing 10.2639 Acres of Land, more or less.