

ORDINANCE NO. 2545  
File No. 170-19

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF 1973, SO AS TO GRANT A CHANGE OF ZONING FROM R-3 SINGLE FAMILY TO PLANNED DEVELOPMENT OFFICE WITH CERTAIN STIPULATIONS; REPEALING ALL ORDINANCES IN CONFLICT WITH THE PROVISIONS OF THIS ORDINANCE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY; 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 Office with the following stipulations:

- 1) Site Plan approval to be delegated to the staff to allow the occupancy of the existing wood frame residence as an office;
- 2) A 6 foot wooden fence be provided between this tract and the residential district to the north, (this fence would be waived if the property to the north is zoned for office);
- 3) The occupant is to maintain the screening along the east property line with a four foot chain link fence and six foot honeysuckle; and
- 4) The garage shall be torn down.

The subject 0.227 acre tract is located 124 feet south of Mimosa Lane, fronting the east side of North Belt Line Road; 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of the City of Mesquite in conflict with the provisions of this ordinance, to the extent of such conflict are hereby repealed.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 Thousand (\$2000.00) Dollars for each offense.

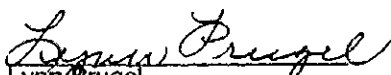
SECTION 7. Whereas, the property described in Section 1 of this ordinance requires that it be given the above classification in order to permit its proper development and in order to protect the public interest, comfort, and general welfare of the City of Mesquite, creates an urgency and an emergency 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 by the City Council of the City of Mesquite, on the 15th day of August, 1988.

  
George A. Venner, Sr.  
Mayor

ATTEST:

APPROVED:

  
Lynn Prugel  
City Secretary

  
Jonathan Graham  
City Attorney

## EXHIBIT "A"

BEING a tract of land out of the R. BETHURUM SURVEY, Abstract No. 170, being described as follows by metes and bounds:  
COMMENCING at the intersection of the South line of Mimosa Street and the East line of Belt Line Road: THENCE South 23 12 00 West 124.02 feet along the East line of Belt Line Road to an iron pin for the point of beginning;  
THENCE South 23 12 00 West, 54.40 feet to an iron pin for a corner, the point being in the East line of Belt Line Road;  
THENCE East 208.25 feet to an iron pin for a corner, the point also being the Southwest corner of a tract of land owned by Fern Anderson;  
THENCE North 50 feet to an iron pin for a corner;  
THENCE West 186.82 feet to an iron pin for a corner, the point of beginning, and containing 0.227 acres of land; and being the same property conveyed in Deed dated January 18, 1960, from Sam Rutherford, to W. H. Ballard and wife, Sarah E. Ballard, recorded in Vol. 5267, Page 155, Deed Records, Dallas County, Texas;

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