

ORDINANCE NO. 2824
File No. 1095-29

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING THE MESQUITE ZONING ORDINANCE ADOPTED ON SEPTEMBER 4, 1973, AND RECODIFIED ON NOVEMBER 21, 1988, SO AS TO GRANT A CHANGE OF ZONING FROM R-2 TO R-2A SINGLE FAMILY, SUBJECT TO A MINIMUM UNIT SIZE OF 1600 SQUARE FEET; 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 Planning and Zoning 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 Mesquite Zoning Ordinance adopted on September 4, 1973, and recodified on November 21, 1988, 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-2 to R-2A Single Family, subject to a minimum unit size of 1600 square feet, on an undeveloped .94 acre tract northeast of the Devonshire Lane and Shackelford Drive intersection, fronting the east side of Shackelford 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of the City of Mesquite in conflict with the provisions of this ordinance, to the extent of such conflict are hereby repealed.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 Mesquite Zoning Ordinance.

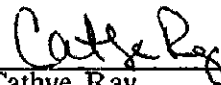
SECTION 4. That the foregoing change shall be, and it is, granted subject to any development of the land herein being developed in conformity with the requirements of current and/or future drainage improvement ordinances of the City of Mesquite, including Ordinance No. 1249 of the Mesquite City Code.

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 Mesquite 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 Mesquite Zoning Ordinance as amended, of the City of Mesquite, and upon conviction in the Municipal Court shall be punished by a fine not to exceed Two Thousand (\$2,000.00) 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 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 3rd day of August, 1992.



Cathye Ray
Mayor

ATTEST:

APPROVED:



Lynn Prugel
City Secretary



B.J. Smith
City Attorney

00175

LEGAL DESCRIPTION

BEING all that tract of land in the City of Mesquite, Dallas County, Texas a part of the J. T. Nelms Survey, Abstract No 1095, and being a part of the 152.545 Acre tract conveyed by Basil Georges to LBJ East Joint Venture by deed recorded in Volume 84031, Page 1645, Dallas County Deed Records, and being further described as follows:

BEGINNING at a 1/2 inch iron rod found for corner as the Northeast corner of said tract;

THENCE South 00°48'06" West, a distance of 343.69 feet along the east line of said tract to a 1/2 inch iron rod found for corner on the north line of Devenshire Drive (60 foot right-of-way);

THENCE North 69°11'54" West, a distance of 120.00 feet along the north line of Devenshire Drive to a 1/2 inch iron rod found for corner on the east line of Shackelford Drive (60 foot right-of-way);

THENCE North 00°48'06" East, a distance of 343.54 feet along the east line of Shackelford Drive to a 1/2 inch iron rod found for corner on the north line of said tract;

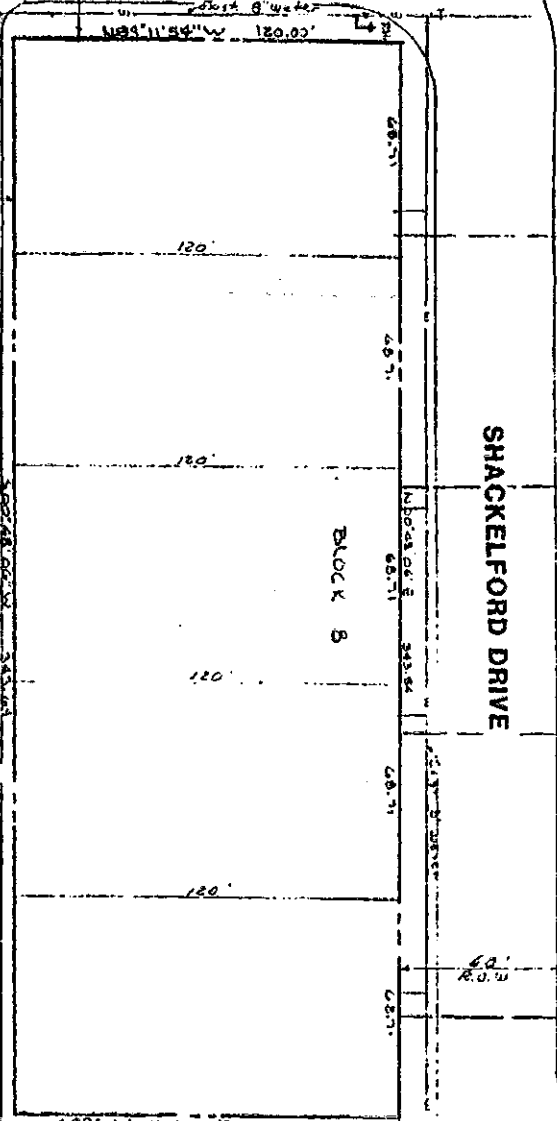
THENCE South 89°16'17" East, a distance of 120.00 feet along the north line of said tract to the POINT OF BEGINNING and;

CONTAINING 41,234 square feet or 0.947 Acres of land, more or less.

00176

DEVONSHIRE LANE

9' East Allies



SHACKELFORD DRIVE

BRAZORIA DRIVE

50
R.O.W.