

ORDINANCE NO. 2989  
File No. 1157-21

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 PLANNED DEVELOPMENT SINGLE FAMILY AND MULTIFAMILY TO PLANNED DEVELOPMENT SINGLE FAMILY SUBJECT TO A MINIMUM UNIT SIZE OF 1700 SQUARE FEET, A MINIMUM LOT SIZE OF 7200 SQUARE FEET, ALLOWING A 10% VARIANCE IN LOT SIZE, AND FRONT ENTRY GARAGES WITH NO ALLEYS; 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 Planned Development Single Family and Multifamily to Planned Development Single Family subject to a minimum unit size of 1700 square feet, a minimum lot size of 7200 square feet, allowing a 10% variance in lot size, and front entry garages with no alleys. The subject property is a 29.47 acre tract located at the northeast corner of the Via Ventura and Barnes Bridge Road 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of the City of Mesquite in conflict with the provisions of this ordinance, to the extent of such conflict are hereby repealed.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 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.

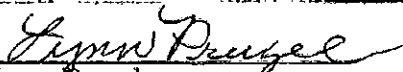
SECTION 7. Whereas, the property described in Section 1 of this ordinance requires that it be given the above classification in order to permit its proper development and in order to protect the public interest, comfort, and general welfare of the City of Mesquite, creates an urgency and emergency for 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 19th day of September, 1994.

  
\_\_\_\_\_  
Cathye Ray  
Mayor

ATTEST:

APPROVED:

  
\_\_\_\_\_  
Lynn Prugel  
City Secretary

  
\_\_\_\_\_  
B.J. Smith  
City Attorney

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FIELD NOTES

BEING a 29.47 Acre tract owned by Richland Beltline, Ltd. and situated in the Josiah Phelps Survey, Abstract No. 1157 in the City of Mesquite, Dallas County, Texas, and also being a part of Tracts 8 and 9 as conveyed to Jimmy W. Wolff in Volume 83220, Page 892, of the Deed Records of Dallas County, Texas, and being more particularly described as follows:

BEGINNING at the intersection of a corner clip of the North line of Barnes Bridge Road (100' R.O.W.) with the East line of Via Ventura Drive (60' R.O.W.);

THENCE, N 00° 06' 20" E, along the East line of Via Ventura Drive, a distance of 291.27 feet to a point for corner and the beginning of a curve to the left;

THENCE, along said curving East line of Via Ventura Drive, having a central angle of 46° 50' 00", a radius of 430.00 feet, and a chord that bears N 23° 18' 40" W, 341.78 feet; for an arc distance of 351.48 feet to a point of reverse curvature;

THENCE, along a curve to the right, having a central angle of 46° 50' 00", a radius of 370.00 feet, and a chord that bears N 23° 18' 40" W, 294.09 feet; for an arc distance of 302.44 feet to a point of tangency;

THENCE, N 00° 04' 39" E, continuing along the East line of Via Ventura Drive, a distance of 600.32 feet to a point for corner and the beginning of a curve to the right;

THENCE, along said curve to the right, having a central angle of 02° 28' 53", a radius of 270.00 feet, and a chord that bears N 01° 19' 05" E, 11.69 feet; for an arc distance of 11.69 feet to a point for corner, said point being the Southwest corner of "Palos Verdes Estates No. 10", as recorded in Volume 83168, Page 2330, of the Deed Records of Dallas County, Texas;

THENCE, S 81° 19' 12" E, along the South line of said "Palos Verdes Estates No. 10", a distance of 750.61 feet to a point for corner;

THENCE, S 00° 06' 05" W, a distance of 825.00 feet to a point for corner;

THENCE, S 89° 53' 55" E, a distance of 635.00 feet to a point for corner;

THENCE, S 00° 06' 05" W, a distance of 325.00 feet to a point for corner;

THENCE, S 22° 57' 03" W, a distance of 339.64 feet to a point for corner on the North line of Lot 1, Block A of the "North Mesquite Commercial Addition", as recorded in Volume 82009, Page 1073 of the Deed Records of Dallas County, Texas;

THENCE, S 87° 53' 55" E, along said North line, a distance of 120.00 feet to a point for corner on the North line of Barnes Bridge Road (100' R.O.W.) and the beginning of a non-tangent curve to the left;

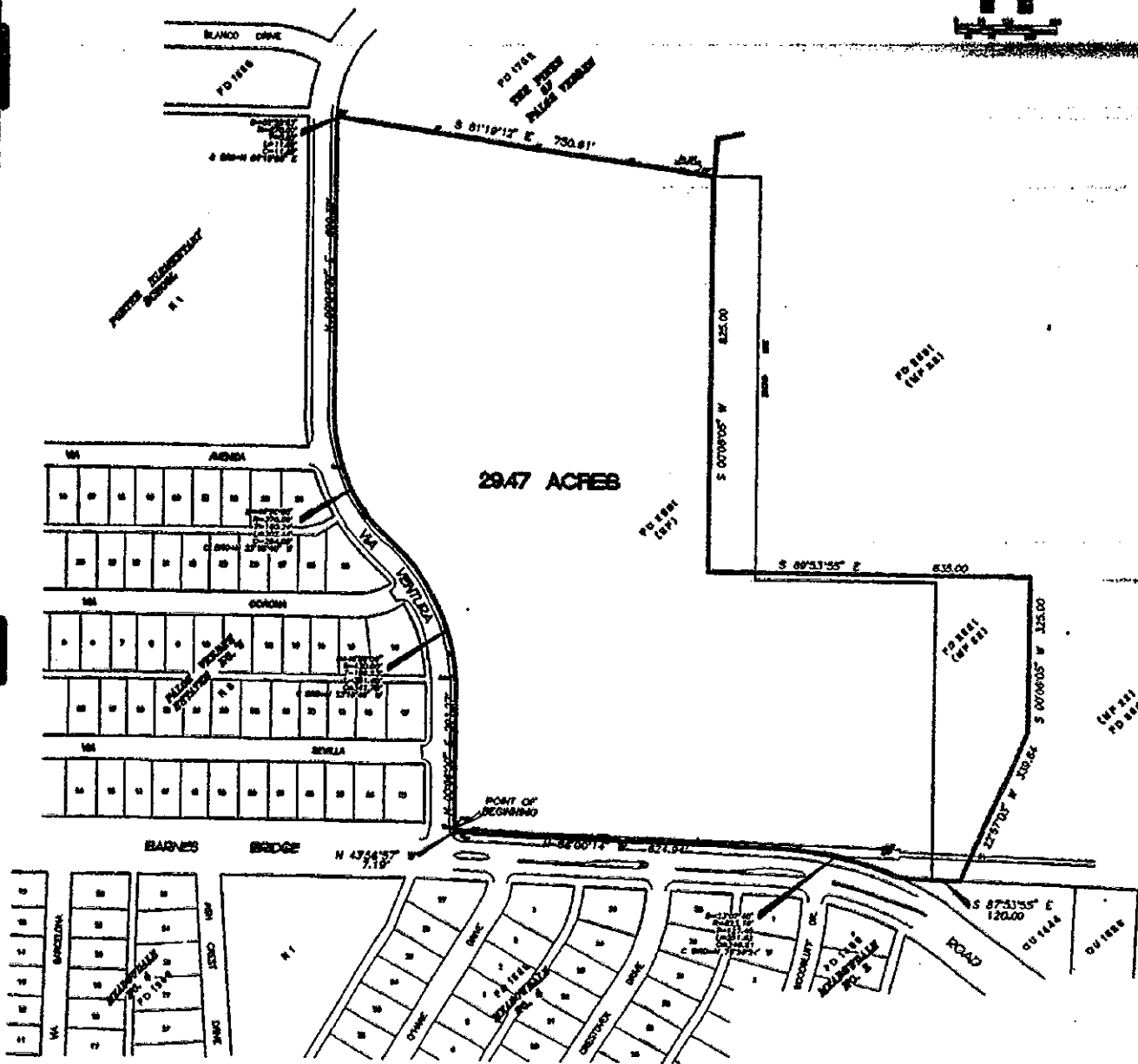
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THENCE, along said curving North line of Barnes Bridge Road, having a central angle of  $23^{\circ} 07' 40''$ , a radius of 623.10 feet, and a chord that bears  $N 76^{\circ} 26' 24'' W$ , 249.81 feet; for an arc distance of 251.52 feet to a point of tangency;

THENCE,  $N 88^{\circ} 00' 14'' W$ , continuing along the North line of Barnes Bridge Road, a distance of 624.94 feet to a point for corner;

THENCE,  $N 43^{\circ} 56' 57'' W$ , a distance of 7.19 feet to the Point of Beginning;

CONTAINING, 29.47 Acres (1,283,705.362 Square Feet) of land.



**ZONING EXHIBIT**

29.47 ACRE TRACT  
JOSIAH PHELPS SURVEY, ABSTRACT NO. 1157  
CITY OF MESQUITE, DALLAS COUNTY, TEXAS

INDM

NATHAN D. MAIER CONSULTING ENGINEERS, INC.  
Three Northpark / 8800 N. Central Expwy. / Suite 300  
Dallas, Texas 75231 / Ph. (214) 739-4741

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