

ORDINANCE NO. 3165

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS AMENDING THE COMPREHENSIVE ZONING ORDINANCE DULY ADOPTED ON SEPTEMBER 4, 1973, AND RECODIFIED ON NOVEMBER 21, 1988, BY ESTABLISHING AN "H" - HISTORIC LANDMARK OVERLAY DESIGNATION FOR THE PROPERTY AT 207 WEST MAIN STREET, ALSO KNOWN AS LOT 4, BLOCK 3, OF THE ORIGINAL TOWN - THE WOODMEN OF THE WORLD (WOW) BUILDING; ESTABLISHING A HISTORIC PRESERVATION COMMITTEE; SETTING OUT GUIDELINES FOR CONSIDERING A CERTIFICATE OF APPROPRIATENESS; REPEALING ALL ORDINANCES IN CONFLICT WITH THIS ORDINANCE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY NOT TO EXCEED TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE AND DECLARING AN EMERGENCY.

WHEREAS, through administration and experience, the Planning and Zoning Commission has determined that it is necessary to revise certain regulations so that the intended purposes of the Zoning Ordinance are best served; and

WHEREAS, the Planning and Zoning Commission did give notice and did hold a public hearing regarding the proposed revision and has recommended amendment of the ordinance; and

WHEREAS, the City Council did give notice and did hold a public hearing regarding the proposed amendment;

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS:

SECTION 1. That the Mesquite Zoning Ordinance duly adopted on September 4, 1973 and recodified on November 21, 1988, be and the same is hereby amended by establishing an "H" - Historic Landmark Overlay Designation for the property at 207 West Main Street, also known as Lot 4, Block 3, of the Original Town and further known as the Woodmen of the World (WOW) building, the location of such building illustrated on Exhibit "A" attached hereto and made a part hereof for all purposes.

SECTION 2. That as a part of the "H" - Historic Landmark overlay designation, there is hereby established a Historic Preservation Committee for the purposes set forth in Chapter 5, Article X, of the Code of the City of Mesquite, Texas, and as follows:

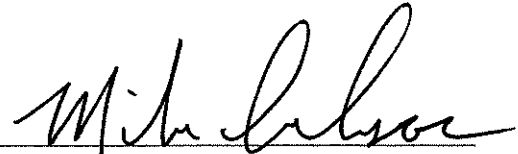
- a) Committee Established: A historic preservation committee is hereby established for the purposes of overseeing the property at 207 West Main Street, The Woodmen of the World (WOW) building.
- b) Membership: The Historic Preservation Committee shall be composed of five (5) members who shall be the following persons or their appointed representative: 1) the owner of the property; 2) the Historic Preservation Coordinator for the City of Mesquite; 3) the Chair of the Mesquite Planning and Zoning Commission; 4) the Chair of Historic Mesquite, Inc.; and 5) the Chair of Main Street Mesquite, Inc.
- c) Terms of Office: The term of office of each member shall be co-extensive with the member's status as named above. In the event of divided ownership, the aggregate ownership of the property shall designate one of the owners or their representative to serve as representative to the Committee.
- d) Quorum: Any three members of the Committee shall constitute a quorum.
- e) Powers: The Committee, by majority vote, may study, investigate, and determine what exterior changes, alterations, and improvements will protect and further the historical value of the property. The Committee, by majority vote, will review proposals for exterior construction and alterations and will act on the Certificate of Appropriateness as set out in the Historic Preservation regulations.
- f) Guidelines: The Criteria to be observed by the committee when considering whether or not to issue a Certificate of Appropriateness shall be as follows: *The existing basic structure shall not be removed or substantially altered so as to change its overall appearance.*

SECTION 3. That should any word, sentence, clause, paragraph or provision of this ordinance be held to be invalid or unconstitutional the remaining provisions of this ordinance shall remain in full force and effect.

SECTION 4. 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 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 5. That the present ordinances of the City of Mesquite are inadequate to provide for the preservation of historical landmarks 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 AND APPROVED by the City Council of the City of Mesquite, Texas,  
on the 4th day of August, 1997.



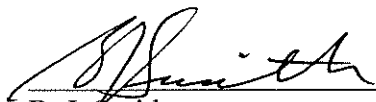
Mike Anderson  
Mayor

ATTEST:

APPROVED:



Ellen Williams  
City Secretary



B. J. Smith  
City Attorney

CASCADE 00078

LEE  
IRENE  
MOORE

GLEN  
GRUBB

ERBIT

DENMARK  
VERSALLES

UPLAND  
REDMILL  
PEBBLE CREEK

MUNICIPAL

BRYAN CIR  
MELINDA

MATADOR

SUBJECT PROPERTY  
ORDINANCE NO. 3165

WAY

BELTLINE  
BRYAN PL  
BRYAN WAY

DALWORTH

LOCUST

LAWRENCE  
MCKINNEY  
JANE

GALLOWAY

JASANDA  
KIMBROUGH

COLLEGE

CARMACK  
LOCUST  
MAIN  
DAVIS

TEXAS  
RUGEL

BEATON

KIMBELL  
PERKINS

GROSS  
WALKER

LOCUST  
EBRITTE

GIBSON  
BODINE

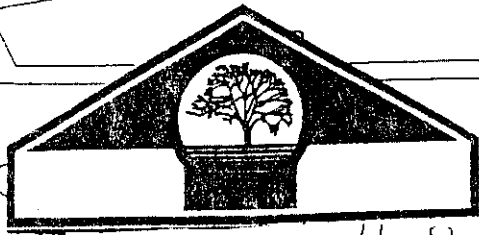
PARK

BOIS  
D'ARC  
WALNUT  
OAK  
ELM  
PECAN

HOLLEY

LAKESIDE

GALLOWAY  
HOLLEY  
NEWSOM



WALKER  
BORCHARDT

LAKESIDE

GALLOWAY  
WALKER

EXHIBIT "A"