

ORDINANCE NO. 3288  
File No. CV15-24

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 APPROVE A CHANGE IN ZONING REQUEST FROM GENERAL RETAIL TO LIGHT COMMERCIAL; REPEALING ALL ORDINANCES IN CONFLICT WITH THE PROVISIONS OF 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, 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 changes 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 approve a zoning change from General Retail to Light Commercial on property located at 4555 Gus Thomasson Road, recorded as Block 16, Lot 78, Casa View Heights #15 in Volume 73160, Page 0724, Deed Records of Dallas County, Texas, as shown in the attached Exhibit "A".

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of the City of Mesquite in conflict with the provisions of this ordinance, to the extent of such conflict are hereby repealed.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. 3042 of the Mesquite City Code.

SECTION 5. That should any word, sentence, clause, paragraph, phrase, or provision of this ordinance be 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, and upon conviction in the Municipal Court shall be punished by a fine not to exceed Two Thousand Dollars (\$2,000.00) 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 5th day of April, 1999.

  
Mike Anderson  
Mayor

ATTEST:

  
Ellen Williams  
City Secretary

APPROVED:

  
B. Smith  
City Attorney



# W. R. BOB HARVEY, INC. Registered Public Surveyor

5804 E. Lancaster Ave. • Fort Worth, Texas 76103 • 531-2883

CITY LOTS • ACREAGE • SUBDIVISIONS & LAND PLANNING  
TITLE & LOAN SURVEYS

SURVEY of a tract of land out of CASA VIEW HEIGHTS NO. 15, An Addition to the City of Mesquite, Texas and being more particularly described as follows:

**BEGINNING** at the North corner of the D.C. Motley 5.0 acre tract, said point being on the Southwesterly line of Gus Thomasson Road. Point also being North 44°51' West 580 feet from the Southwest corner of Oates Drive and Gus Thomasson Road;

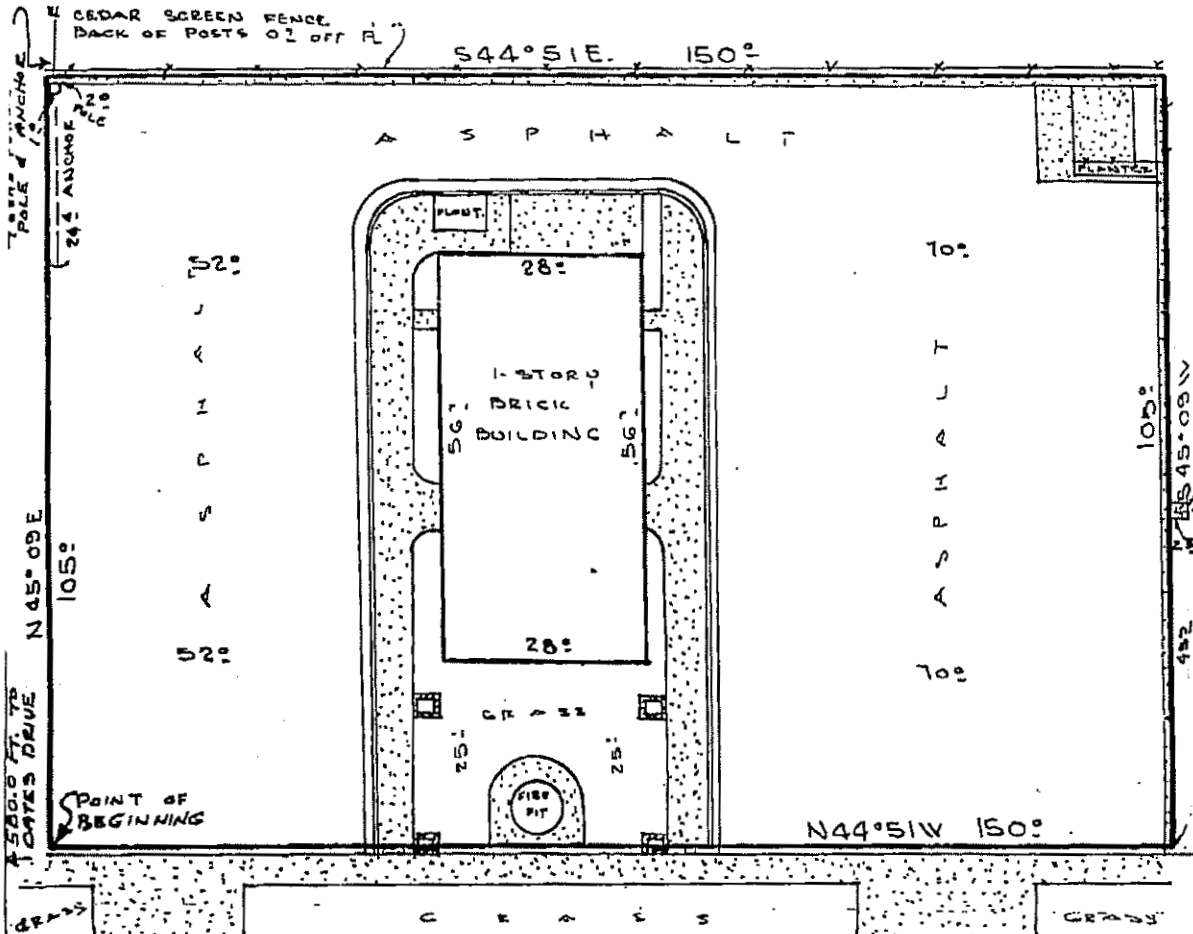
**THENCE** North 44°51' West 150.0 feet along the Southwest R.O.W. line of Gus Thomasson (120 foot R.O.W.) to an iron rod for corner;

**THENCE** SOUTH 45°09' West 105 feet to an iron rod for corner;

**THENCE** South 44°51' East 150 feet to an iron rod for corner;

**THENCE** North 45°09' East 105 feet to the POINT OF BEGINNING and containing 15,750.0 square feet of land, more or less.

Deed Recorded in Volume 73160, Page 0724, on the 8/14/ 1973,  
Deed Records of Dallas County, Texas.



## 4555 GUS THOMASSON RD.

120' R.O.W.

I HEREBY CERTIFY THAT THIS SURVEY MADE UNDER MY SUPERVISION CORRECTLY SHOWS THE RELATION OF BUILDINGS & OTHER STRUCTURES TO THE PROPERTY LINES OF THE LAND INDICATED HEREON AND THERE ARE NO ENCROACHMENTS OR PROTRUSIONS OTHER THAN SHOWN.

DATE APRIL 13 19 74

*W. R. Bob Harvey*



JERALD GREENSTEIN  
16400 VENTURA BLVD  
ENCINO, CALIF. 91316

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