

ORDINANCE NO. 3383  
File No. 1157-26

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 OF  
ZONING FROM PLANNED DEVELOPMENT MULTIFAMILY  
TO OFFICE; 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 all 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 change of zoning to amend from Planned Development Multifamily to Office.

The subject property is a 1.08-acre tract located approximately 1,300 feet north of the Northwest Drive and Belt Line Road intersection, fronting the west side of Belt Line Road and is more fully described in the approved field notes in Exhibit "A", attached hereto.

SECTION 2. 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 3. That the foregoing change shall be, and 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 4. That should any word, sentence, clause, paragraph, phrase or section 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 5. 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 6. That 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 21<sup>st</sup> day of August, 2000.




Mike Anderson  
Mayor

ATTEST:



Ellen Williams  
City Secretary

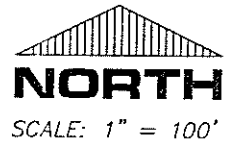
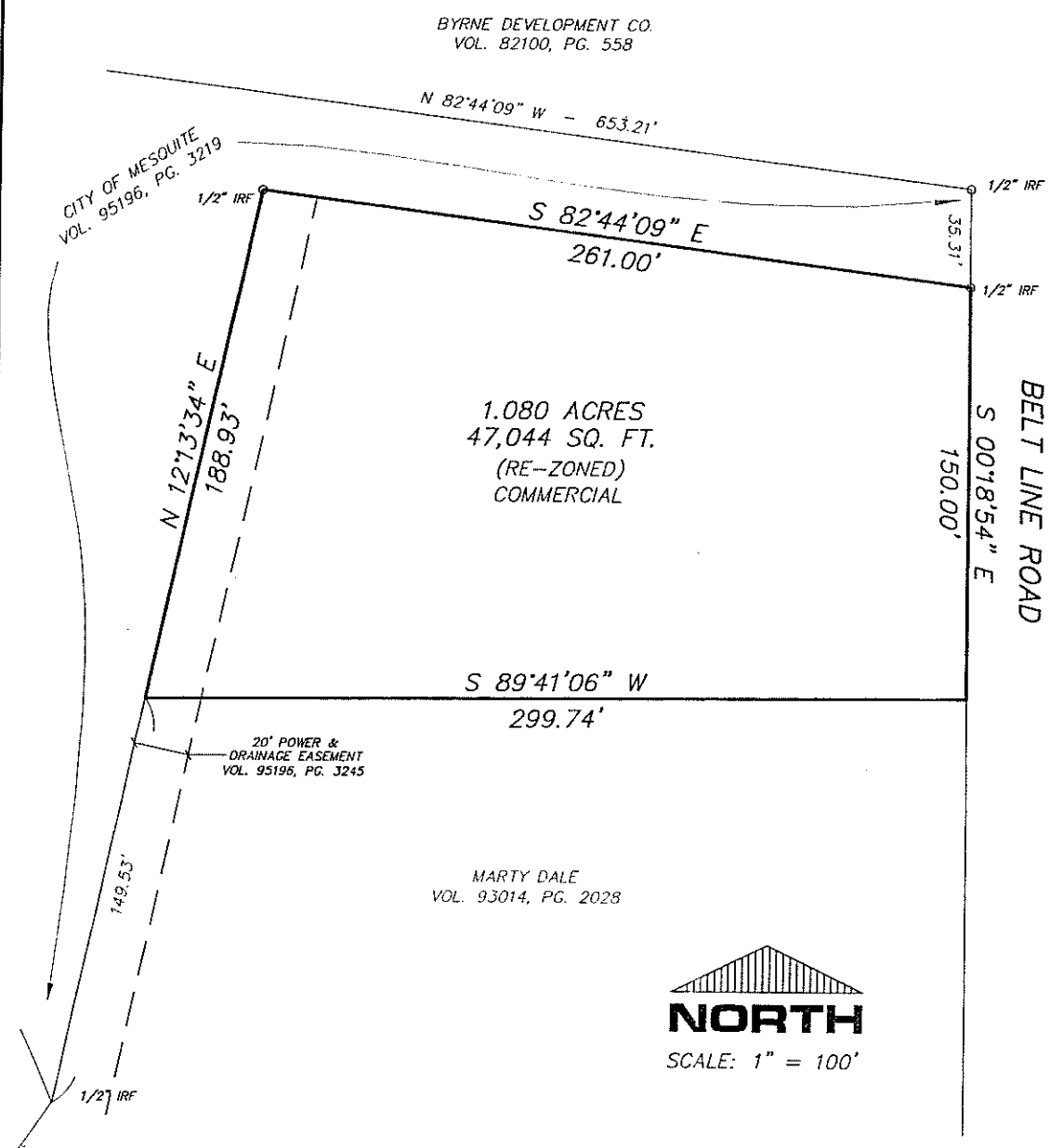
APPROVED:



B. J. Smith  
City Attorney

# RE-ZONING EXHIBIT BOUNDARY SURVEY

Exhibit "A"  
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BAIS OF BEARINGS for this description is the 1983 State Plane Coordinate System, Lambert Projection, North Central Zone, Per N.G.S. Triangulation Stations "Garland NE Base, "Buckner", and "Grove RM1".

RE-ZONING EXHIBIT  
BOUNDARY DESCRIPTION

Exhibit "A"  
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LEGAL DESCRIPTION

BEING 1.080 acres tract of land situated in the Josiah Phelps Survey, Abstract No. 1157, Dallas County, Texas, and being a portion of that certain tract of land conveyed to Marty Dale, as recorded in Volume 93014, Page 2028, Deed Records, Dallas County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2" iron rod with an NDM plastic cap found for the most easterly southeast corner of that certain 1.666 acre tract of land conveyed to the City of Mesquite as recorded in Volume 95196, Page 3219, Deed Records, Dallas County, Texas, said iron rod being in the west line of Belt Line Road, a variable width right-of-way;

THENCE S 00°18'54" E, along the west line of said Belt Line Road, a distance of 150.00 feet to a point for corner;

THENCE S 89°41'06" W, departing said west line, a distance of 299.74 feet to a point for corner, said point being in the most southerly east line of the aforementioned City of Mesquite 1.666 acre tract of land;

THENCE N 12°13'34" E, along said east line, a distance of 188.93 feet to an NDM plastic cap found for an inner ell corner of said City of Mesquite tract;

THENCE S 82°44'09" E, along the northerly south line of said City of Mesquite tract, a distance of 261.00 feet to the POINT OF BEGINNING containing 1.080 acres, 47,044 square feet of land, more or less.

BAIS OF BEARINGS for this description is the 1983 State Plane Coordinate System, Lambert Projection, North Central Zone, Per N.G.S. Triangulation Stations "Garland NE Base, "Buckner", and "Grove RM1".