

ORDINANCE NO. 3413  
File No. 1462-232

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 CONDITIONAL USE PERMIT FOR TRUCK LEASING SUBJECT TO CERTAIN STIPULATIONS; 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 conditional use permit for truck leasing subject to the following stipulations, provisions and regulations:

1. That no display or parking of trucks shall be permitted in front of the main building.
2. That no more than eight trucks shall be on the site at any one time.
3. That trucks shall be parked in an orderly manner along the north property line.
4. That no truck shall exceed 24-feet in length.
5. That review and approval of the site plan for this use is delegated to staff.

That the subject property is a 0.75-acre tract located at 1711 W. Scyene Road, and is more fully described in the approved field notes 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of the City of Mesquite in conflict with the provisions of this ordinance, to the extent of such conflict are hereby repealed.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.

Zoning Ordinance/File No. 1462-232/February 5, 2001

Page 2 of 2

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.

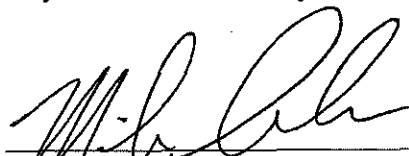
SECTION 4. That the foregoing change shall be, and it is, granted subject to any development of the land herein being developed in conformity with the requirements of current and/or future drainage improvement ordinances of the City of Mesquite, including Ordinance No. 3042, codified in Chapter 11 of the Mesquite City Code.

SECTION 5. 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 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 upon conviction in the Municipal Court shall be punished by a fine not to exceed two thousand dollars (\$2,000.00) for each offense.

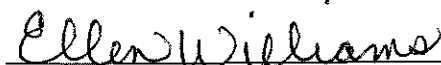
SECTION 7. Whereas the property described in Section 1 of this ordinance requires that it be given the above classification in order to permit its proper development and in order to protect the public interest, comfort and general welfare of the City of Mesquite, creates an urgency and emergency for 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 February, 2001.



Mike Anderson  
Mayor

ATTEST:



Ellen Williams  
City Secretary

APPROVED:



B. J. Smith  
City Attorney

**Field Notes**  
**File No. 1462-232**

**LEGAL DESCRIPTION**

**BEING** a tract of land situated in the City of Mesquite, Dallas County, Texas out of the Daniel Tanner Survey, Abstract No. 1462 and being all of the land conveyed to Scyene Mobil, L.L.C. according to the deed filed for record in Volume 2000184, Page 1074, Deed Records, Dallas County, Texas and being more particularly described by metes and bounds as follows:

**BEGINNING** at a 5/8" iron rod found with yellow plastic cap stamped "Yandell Hiller" in the west right-of-way line of I.H. 635 (L.B.J. Freeway) (Variable R.O.W.) and being in the north right-of-way line of Scyene Road (100' R.O.W.), the beginning of a curve to the right with a tangent bearing of South 73 degrees, 19 minutes, 44 seconds West;

**THENCE**, along said north right-of-way line, along said curve to the right through a central angle of 04 degrees, 30 minutes, 04 seconds, a radius of 2814.79 feet, an arc length of 221.13 feet, a chord bearing of South 75 degrees, 34 minutes, 46 seconds West, a chord distance of 221.07 feet to a feet to a 5/8" iron rod set with red plastic cap stamped "R.P.L.S. 5199" in the east line of Lot 1, Lot 1 Speed Addition according to the plat thereof recorded in Volume 80087, Page 2216, Map Records, Dallas County, Texas;

**THENCE**, along said east line, North 11 degrees, 46 minutes, 40 seconds East, a distance of 195.00 feet to a 5/8 iron rod found with yellow plastic cap, the southwest corner of a 0.677 acre described tract of land conveyed to Ronald L. Price according to the deed filed for record in Volume 91228, Page 0571, Deed Records, Dallas County, Texas;

**THENCE**, departing said east line along the south line of said 0.677 acre tract, North 86 degrees, 13 minutes, 40 seconds East, a distance of 164.92 feet to a 5/8" iron rod found in the west right-of-way line of said I.H. 635;

**THENCE**, departing said south line, along said west right-of-way line, South 13 degrees, 56 minutes, 20 seconds East, a distance of 95.00 feet to a Texas Department of Transportation concrete monument;

**THENCE**, continuing along said west line, South 13 degrees, 33 minutes, 44 seconds West, a distance of 56.05 feet to the **POINT OF BEGINNING** and containing 33,012 square feet or 0.7579 acres of land, more or less.