

ORDINANCE NO. 3551

File No. 34-31

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 ON PROPERTY ZONED COMMERCIAL THEREBY ALLOWING THE MANUFACTURING OF WINDOW SHUTTERS; REPEALING ALL ORDINANCES IN CONFLICT WITH THE PROVISIONS OF THIS ORDINANCE; PROVIDING FOR 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 on property zoned Commercial thereby allowing the manufacturing of window shutters.

That the subject property is a 0.849-acre tract located approximately 400 feet west of the East Meadows Boulevard and Action Drive intersection 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of the City of Mesquite in conflict with the provisions of this ordinance, to the extent of such conflict are hereby repealed.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.

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. 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 6th day of January, 2003.



Mike Anderson
Mayor

ATTEST:

APPROVED:



Ellen Williams
City Secretary



B. J. Smith
City Attorney

PROPERTY DESCRIPTION

BEING part of Lot 7, Block A, East Meadows Addition, an Addition in the City of Mesquite, Dallas County, Texas, according to the plat thereof recorded in Volume 97040, Page 6606, Deed Records of Dallas County, Texas and being more particularly described as follows:

BEGINNING at a 1/2 inch iron rod set, with yellow cap stamped RPLS 2509, in the South ROW line of Action Drive (a 60' ROW), said point being in the North line of Lot 7, Block A, East Meadows Addition, also being S 89° 51' 58" W, 410.00 feet from the West ROW line of East Meadows Boulevard and S 89° 51' 58" W, 200.00 feet from the Northeast corner of Lot 7, Block A, East Meadows Addition;

THENCE: S 00° 07' 0" E, 215.00 feet to a 1/2 inch iron rod set, with yellow cap stamped RPLS 2509, in the South line of said Lot 7, Block A, and the North line of Lot 2, Block A, East Meadows Addition No. 1, an Addition in the City of Mesquite, Texas, according to the plat thereof recorded in Volume 85239, Page 4577. Deed Records of Dallas County, Texas;

THENCE: S 89° 51' 58" W, 172.00 feet along the South line of Lot 7, Block A, East Meadows Addition and the North line of Lot 2, Block A, East Meadows Addition No. 1, to a 1/2 inch iron rod set, with yellow cap stamped RPLS 2509, for corner;

THENCE: N 00° 07' 40" W, 215.00 feet to a 1/2 inch iron rod set, with yellow cap stamped RPLS 2509, in the South ROW line of Action Drive and the North line of said Lot 7, Block A, East Meadows Addition;

THENCE: N 89° 51' 58" E, 172.00 feet along the South line of Action Drive and the North line of said Lot 7, Block A, East Meadows Addition to the PLACE OF BEGINNING and containing 0.849 acres of land.

