

ORDINANCE NO. 3745
File No. 1462-246

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 AGRICULTURAL TO PLANNED DEVELOPMENT – SINGLE FAMILY 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 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 from Agricultural to Planned Development – Single Family subject to the following stipulations:

1. No more than two total units are permitted.
2. Site plan approval shall be delegated to staff.

That the subject property is a 2.3-acre tract located at 2140 Cordia Drive, further described as part of Alma Heights Addition, Tract 10, 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of the City of Mesquite in conflict with the provisions of this ordinance, to the extent of such conflict are hereby repealed.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 Code of the City of Mesquite.

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 (\$2,000.00) Dollars 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 18th day of July, 2005.



Mike Anderson
Mayor

ATTEST:

APPROVED:



Judy Womack
City Secretary



B. J. Smith
City Attorney

DESCRIPTION

BEING a part of Tract 10 of ALMA HEIGHTS ADDITION, an Addition to the City of Mesquite, Dallas County, Texas, according to the Plat thereof recorded in Volume 10, Page 111 of the Map Records of Dallas County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2" iron rod with yellow plastic cap stamped "R.S.C.I. RPLS 5034" set for corner at the intersection of the Southwest right-of-way line of Cordia Drive (50' R.O.W.) and the Northwest right-of-way line of Mesquite Valley Road (80' R.O.W.) at the East corner of said Tract 10;

THENCE S. 44 deg. 51 min. 02 sec. W. along the Northwest right-of-way line of Mesquite Valley Road, a distance of 165.61 feet to a 1/2" iron rod with yellow plastic cap stamped "R.S.C.I. RPLS 5034" set for corner;

THENCE N. 45 deg. 50 min. 00 sec. W. a distance of 345.30 feet to a 1/2" iron rod with yellow plastic cap stamped "R.S.C.I. RPLS 5034" set for corner in the Northwest line of said Tract 10;

THENCE N. 45 deg. 03 min. 24 sec. E. along the Northwest line of Tract 10, a distance of 165.62 feet to a 1/2" iron rod with yellow plastic cap stamped "R.S.C.I. RPLS 5034" set for corner in the Southwest right-of-way line of Cordia Drive;

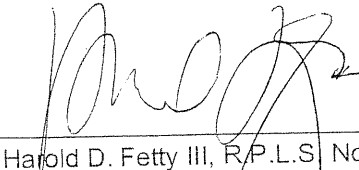
THENCE S. 45 deg. 50 min. 00 sec. E. along said right-of-way line, a distance of 344.70 feet to the POINT OF BEGINNING and containing 1.31 acres of land.

NOTES

- 1) According to F.E.M.A. Flood Insurance Rate Map. Community Panel No. 485490 0530 J dated August 23, 2001, this property lies in Zone X. This property does not appear to lie within a 100-year flood plain.
- 2) BEARING SOURCE: RECORDED PLAT.
- 3) ALL 1/2" IRS ARE CAPPED WITH YELLOW PLASTIC CAPS "R.S.C.I. RPLS 5034."

SURVEYOR'S CERTIFICATE

I, Harold D. Fetty, III, Registered Professional Land Surveyor No. 5034, do hereby certify that the above plat of the property surveyed for CHICAGO TITLE COMPANY, FIRST HORIZON HOME LOAN CORPORATION, and PATRICK B. AND KARLA K. WILSON at 2140 CORDIA DRIVE, MESQUITE, DALLAS County, Texas, is the result of a careful collection of the best evidence available to me and my opinion is based on the facts as found at the time of survey. This survey meets the requirements of the Minimum Standards of Practice as approved and published by the Texas Board of Professional Land Surveying, effective September 1, 1992 and subsequent revisions, and the same was surveyed under my supervision on the ground this the 26th day of August, 2004.


Harold D. Fetty III, R.P.L.S. No. 5034



SYMBOL LEGEND				
Ⓢ	Ⓠ	Ⓣ	Ⓜ	Ⓟ
TELEVISION CABLE RISER	GAS METER	TEL PHONE RISER	FH FIRE HYDRANT	PP POWER POLE
⚡	Ⓜ	Ⓜ	Ⓞ	Ⓞ
ELEC ELECTRIC METER	TU ELEC BOX	WM WATER METER	1/2" IRF IRON ROD FOUND (CORNER)	LP LIGHT POLE
-X-	Ⓜ	Ⓜ	Ⓞ	Ⓞ
FENCE	SUBSURFACE JUNCTION BOX	A/C AIR COND. UNIT	PROPR PROPANE TANK	PROPR PROPANE TANK
— — — — — PROPERTY LINES				

SURVEY DATE AUGUST 26, 2004
SCALE 1" = 50' FILE # R0-1.31AC
CLIENT WILSON GF # 651130

R.S.C.I.
ROCKWALL SURVEYING CO., INC. LAND SURVEYING

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THENCE S. 44 deg. 51 min. 02 sec. W. along the Northwest right-of-way line of Mesquite Valley Road, a distance of 126.08 feet to a 1/2" iron rod with yellow plastic cap stamped "R.S.C.I. RPLS 5034" set for corner;

THENCE N. 45 deg. 50 min. 00 sec. W. a distance of 345.75 feet to a 1/2" iron rod with yellow plastic cap stamped "R.S.C.I. RPLS 5034" set for corner in the Northwest boundary line of said Tract 10;

THENCE N. 45 deg. 03 min. 24 sec. E. along the Northwest line of Tract 10, a distance of 126.08 feet to a 1/2" iron rod with yellow plastic cap stamped "R.S.C.I. RPLS 5034" set for corner;

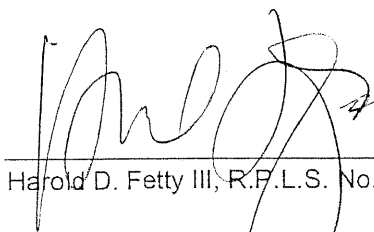
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NOTES

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Harold D. Fetty III, R.P.L.S. No. 5034



SYMBOL LEGEND				
Ⓢ	Ⓜ	☎	⊖	⊕
TV	GAS	TEL	FH	PP
TELEVISION	GAS	PHONE	FIRE	POWER
CABLE RISER	METER	RISER	HYDRANT	POLE
▲	Ⓜ	⊗	○	
ELEC	TU ELEC	WM	1/2" IRF	
METER	BOX	WATER	IRON ROD FOUND	
ELECTRIC	SUBSURFACE	METER	(CORNER)	
METER	JUNCTION BOX	A/C	LP	
—X—		AIR COND	LIGHT	
FENCE		UNIT	POLE	
			PROPANE	
			TANK	
— — — — — PROPERTY LINES				

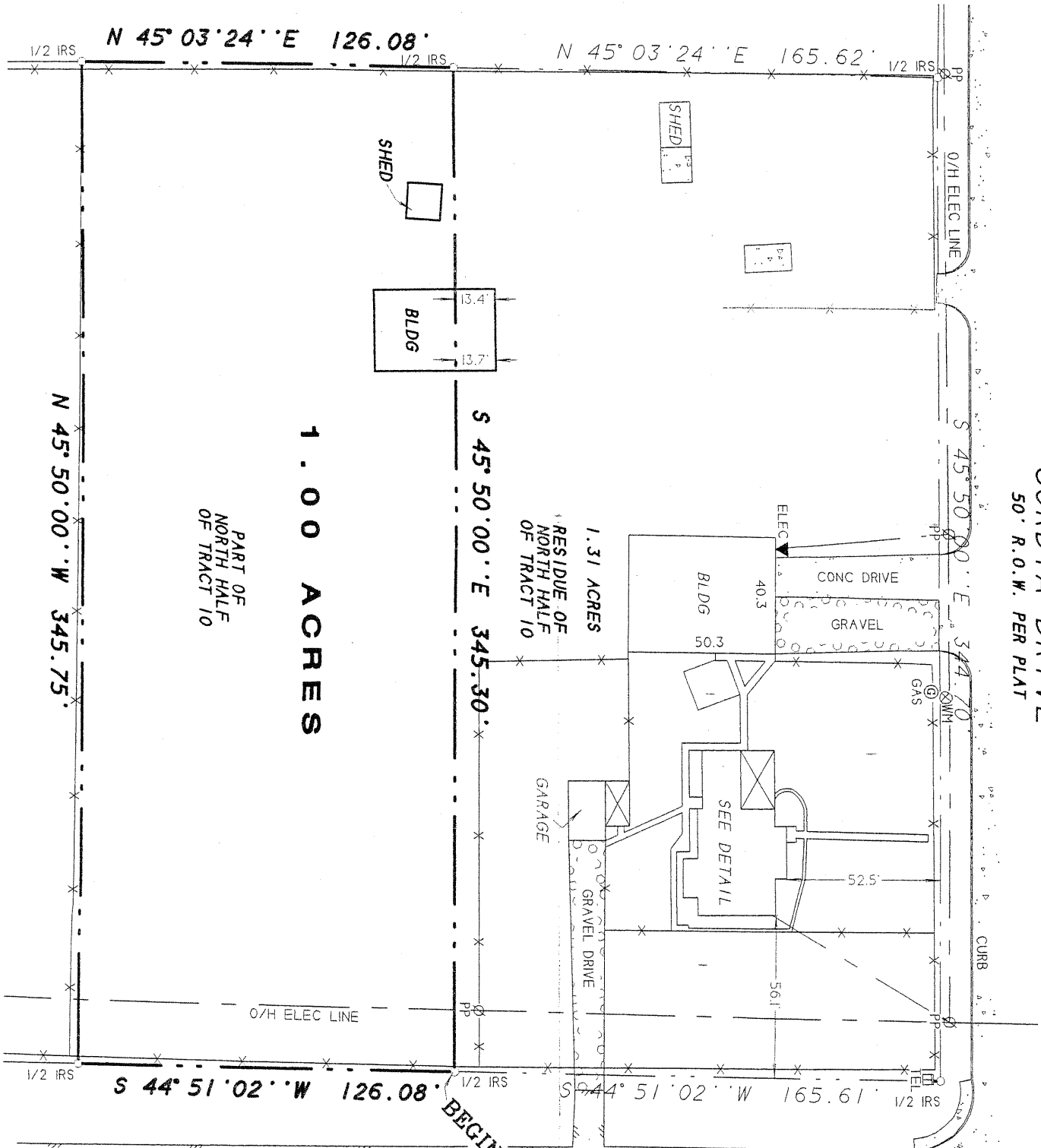
SURVEY DATE AUGUST 26, 2004
SCALE 1" = 50' FILE # RO-1AC
CLIENT WILSON GF # 651130

R.S.C.I.
ROCKWALL SURVEYING CO., INC.

LAND SURVEYING

1984 S. FM 551 ROYSE CITY, TX 75189 972-772-5434 PHONE 972-772-5443 FAX

4.99 ACRES
TRACT 9



CORDIA DRIVE
50' R.O.W. PER PLAT

MESQUITE VALLEY ROAD