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ORDINANCE NO. 1320

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF 1973, DULY PASSED BY THE CITY COUNCIL ON SEPTEMBER 4, 1973, BY ESTABLISHING A NEW SINGLE FAMILY RESIDENTIAL ZONING DISTRICT KNOWN AS "R-1A"; COMBINING CERTAIN ELEMENTS OF THE R-1 DISTRICT AND THE R-2 DISTRICT AND ESTABLISHING CERTAIN REGULATIONS THEREFOR; AND AMENDING THE SCHEDULE OF USES TO CONFORM THERETO; BY PROVIDING FOR A SEVERABILITY CLAUSE; BY PROVIDING FOR A PENALTY NOT TO EXCEED TWO HUNDRED DOLLARS (\$200.00) FOR EACH OFFENSE; AND DECLARING AN EMERGENCY.

WHEREAS, the City Planning 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 said change of zoning should be granted herein.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS:

SECTION 1. That the Comprehensive Zoning Ordinance of 1973, duly passed by the City Council on September 4, 1973, be and the same is, hereby amended by establishing a new Single Family Residential Zoning District known as "R-1A" as follows; and Article 50, Use Regulation Schedule, is hereby amended to conform to this ordinance.

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## R-1A SINGLE FAMILY

PURPOSE AND SCOPE: The R-1A Single Family District is intended to provide an area for a large dwelling square footage at an R-2 Single Family density.

PRINCIPAL PERMITTED USES: No building, structure, or land shall be used and no building or structure shall be erected, altered, or any way enlarged which is arranged, intended, or designed for other than one of the following uses, except as provided in Article 07.

RESIDENTIAL: Single Family dwellings containing a minimum of eighteen hundred (1800) square feet.

GENERAL: All principal uses permitted as regulated in the R-1 Single Family District. Refer to paragraph 20.00.

CONDITIONAL USES: All conditional uses permitted in the R-1 Single Family District. Refer to paragraph 20.01.

ACCESSORY USES: Accessory uses permitted as regulated in the R-1 Single Family District. Refer to Paragraph 20.02.

HEIGHT REGULATIONS: No principal structure shall exceed two and one-half (2-1/2) stories or thirty-five (35) feet in height and no accessory structure shall exceed one (1) story or twenty (20) feet in height, except as provided in Article 71.

LOT, AREA, FRONTAGE, AND YARD REQUIREMENTS: The following minimum requirements shall apply, except as provided in Articles 72 and 73:

Use	Area of Dwelling	Lot Area Sq. Ft.	Width of Lot
Single Family Dwelling	1800 sq. ft.	8,250	NONE
Other Permitted Uses	NONE	1 Acre	-200 Feet

FRONT YARD: There shall be a front yard having a minimum depth of not less than thirty (30) feet, except as hereinafter provided in Article 72.

Other Permitted Uses shall require a front yard of thirty-five (35) feet.

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SIDE YARD: Combined side yards shall be twenty (20) percent of the width of the lot, but no side yard shall be less than five (5) feet wide. The side yard of a corner lot adjacent to a side street shall not be less than ten (10) feet wide. Where the corner lot is a key lot, the required front yard shall be provided on both streets.

Other Permitted Uses shall require a side yard of twenty (20) feet.

REAR YARD: The rear yard shall be a minimum of 15' in depth. In addition to the minimum 15 feet required, where entry is from the alley there shall be a minimum distance of 25 feet between the rear property line and the face of the garage. Where the garage faces the rear and entry is from the street the drive approach and radius shall be constructed so as to accommodate the operation and turning of a standard size automobile.

Other Permitted Uses shall require a rear yard of forty (40) feet.

EXTERIOR FIRE RESISTANT CONSTRUCTION: All main buildings shall be of exterior fire resistant construction, having at least seventy-five (75) percent of the total exterior walls below the first floor plate line, excluding doors and windows, constructed of brick, stone, concrete block, or other masonry or material of equal characteristics, in accordance with the City of Mesquite Building Code and the Fire Prevention Code.

PARKING REGULATIONS: Off-street parking spaces shall be provided on the lot to accommodate two (2) automobiles for each dwelling; however, vans and pickups not exceeding three-fourths (3/4) ton capacity may be parked on the premises.

No dwelling shall be constructed so as to allow a garage opening fronting the street.

No supporting member of any garage, carport, or other automobile storage structures shall be located within the required front yard.

The parking spaces shall be provided behind the building line for two (2) vehicles to be served by either a double driveway or a single driveway with a flared approach to the parking spaces. This approach shall allow two (2) vehicles to be parked and removed without moving one (1) vehicle to facilitate the movement of the other.

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All parking areas shall be paved according to the City of Mesquite paving specifications. Parking for other uses shall be provided as required by Article 61.

SIGN REGULATIONS: Refer to Paragraph 20.07.

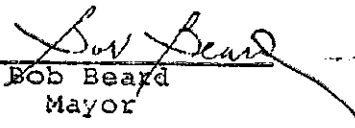
SECTION 2. That all ordinances, or portions thereof, of the City of Mesquite in conflict with the provisions of this ordinance, to the extent of such conflict are hereby repealed. To the extent that such ordinances or portions thereof not in conflict herewith, the same shall remain in full force and effect.

SECTION 3. That should any paragraph, sentence, subdivision, clause, phrase, section or provision of this ordinance be adjudged or 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 Comprehensive Zoning Ordinance of 1973 as a whole.

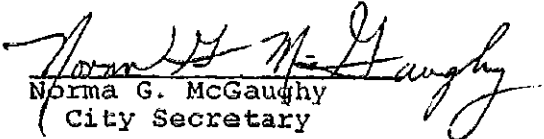
SECTION 4. That any person, firm, or corporation violating any of the provisions or terms of this ordinance shall be deemed to be guilty of a Class C Misdemeanor and subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of 1973, of the City of Mesquite, and upon conviction in the Municipal Court shall be punished by a fine not to exceed Two Hundred Dollars (\$200.00) for each offense.

SECTION 5. The fact that the present ordinances of the City of Mesquite are inadequate to allow for proper development within the city, creates an urgency and an emergency and requires that this ordinance shall take effect immediately from and after its passage and publication of said ordinance, as the law and charter in such cases provides.

DULY PASSED AND APPROVED by the City Council of the City of Mesquite, Texas, on the 21st day of June, A.D. 1976.

  
Bob Beard  
Mayor

ATTEST:

  
Norma G. McGaughy  
City Secretary

APPROVED AS TO FORM:

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Elland Archer  
City Attorney