

ORDINANCE NO. _____
File No. Z0218-0021

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 – INDUSTRIAL TO OFFICE ON PROPERTY LOCATED AT 2821 NEWSOM ROAD; REPEALING ALL ORDINANCES IN CONFLICT WITH THE PROVISIONS OF THIS ORDINANCE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY NOT TO EXCEED TWO THOUSAND (\$2,000.00) DOLLARS 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 to approve a change of zoning on property zoned Planned Development – Industrial to Office.

That the subject property is an approximately 1.79 acres tract located at 2821 Newsom Road and is more fully described in the 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of the City of Mesquite in conflict with the provisions of this ordinance, to the extent of such conflict are hereby repealed.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 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 5. That any person (as defined in Chapter 1, Section 1-2 of the Code of the City of Mesquite, Texas, as amended) violating any of the provisions or terms of this ordinance shall be deemed to be guilty of a Class C Misdemeanor and upon conviction thereof, shall be subject to a fine not to exceed Two Thousand (\$2,000.00) Dollars for each offense, provided, however, if the maximum penalty provided for by this ordinance for an offense is greater than the maximum penalty provided for the same offense under the laws of the State of Texas, the maximum penalty for violation of this ordinance for such offense shall be the maximum penalty provided by the laws of the State of Texas. Each day or portion of a day any violation of this ordinance continues shall constitute a separate 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 2nd day of April, 2018.

Stan Pickett
Mayor

ATTEST:

APPROVED:

Sonja Land
City Secretary



B. J. Smith
City Attorney

Exhibit "A"

Being a 1.79 acres tract of land in the T. J. Sewell Survey, Abstract No. 1359, in the City of Mesquite, Dallas County, Texas, said 1.79 acres being all that certain tract of land described in deed to John W. and Jeanell Maxwell as recorded in Volume 72112, Page 1462, and Volume 2002048, Page 28, Deed Records, Dallas County, Texas, said 1.79 acres being more particularly described by the metes and bounds as follows:

Beginning at a ½ inch iron rod set in the north line of Newsome Road, a public right-of-way, and being the southeast corner of a tract of land described in deed to Clyde Hinton as described in deed recorded in Volume 75053, Page 1428, Said deed records;

Thence, N. 00 ° 14' 23" E. Passing at 170.1 the northeast corner of said Hinton Tract, continue a total distance of 221.27 feet to a ½ inch iron rod set;

Thence, S. 77 ° 33' 40" E. 467.27 feet to ½ inch iron rod set;

Thence, S. 02° 00' 00" W. 120.95 feet to a ½ iron rod found in the north line of the aforesaid Newsome Road;

Thence, N 89 ° 58' 00" W. 453.01 feet along the north line of said Newsome Road to the Point of Beginning and containing 1.79 acres of land, more or less.