

STATE OF GEORGIA

CITY OF SNELLVILLE

ORDINANCE NO. _____

AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP, CITY OF SNELLVILLE, GEORGIA, AS AMENDED, FOR A PARCELOF LAND LOCATED AT 1958 DOGWOOD ROAD, SNELLVILLE, GEORGIA 30078; TO GRANT A CONDITIONAL USE PERMIT; TO GRANT VARIANCES; TO PROVIDE FOR SEVERABILITY; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

CASE NO.: #CUP 17-05

PROPERTY OWNER: New Jerusalem Church Ministries, Inc
Snellville, Georgia 30078

APPLICANT/CONTACT: Saw Bik, Chairman
Zotung Christian Church, Inc.
Lilburn, Georgia 30047
404.578.8952 or lsawbik@yahoo.com

REQUEST: Request for Conditional Use Permit and Variances
from the City Code of Ordinances

LOCATION: 1958 Dogwood Road, Snellville, Georgia

SIZE: 1.73± acres

MAP NUMBER: R5040 036

WHEREAS, the governing authority of the City of Snellville, Georgia is the Mayor and Council thereof; and

WHEREAS, the governing authority of the City of Snellville, Georgia desires to grant the requested conditional use permit; and

WHEREAS, the health, safety, and welfare of the citizens of Snellville, Georgia, will be positively impacted by the adoption of this Ordinance;

IT IS HEREBY ORDAINED BY THE GOVERNING AUTHORITY OF THE CITY OF SNELLVILLE, GEORGIA, and by the authority thereof:

Section 1. A conditional use permit is hereby granted for the property described in Exhibit “A,” a copy of which is attached hereto and incorporated herein by reference, to allow for operation of a place of worship, subject to the variances and conditions set forth below:

CONDITIONS:

1. The property shall be developed and utilized in general accordance with the submitted conceptual rezoning site plan, sealed and dated 10-16-2017 with modifications to meet conditions of zoning or State, County, and City regulations. Substantial variation from the concept plan, as determined by the Director of Planning and Development, will require Mayor and Council approval;
2. Installation of trees and shrubbery as shown on the submitted site plan, sealed and dated 10-16-2017 shall be completed within three (3) months from the date of Mayor and Council approval;
3. Installation of any new exterior building or site lighting or upgrades to any existing building or site lighting shall comply with the City’s exterior lighting standards and require an approved permit;
4. Parking of vehicles shall be on a hard-surface parking area only. Parking in the grass/yard is prohibited. Any expansion to the parking area shall require a Land Disturbance Permit approved by the Director of Planning and Development;
5. Prior to occupancy and use of the building, the Church shall provide to the City a Certificate of Occupancy certificate issued by the Gwinnett County Fire Marshal’s Office;
6. In the event that the subject property is vacated by Zotung Christian Church, the Conditional Use Permit will become null and void; and

7. New signs higher than fifteen (15) feet or larger than 225 sq. ft. in area are prohibited. Any new sign(s) shall conform to the sign ordinance and require and approved sign permit prior to installation.

VARIANCES:

1. Variance from the Snellville Buffer, Landscape and Tree Ordinance Article III, Section 19.73(f) regarding side and rear landscape strip requirements to let it remain as undisturbed tree stands as shown on the proposed site plan.
2. Variance from Snellville Zoning Ordinance Article VII, Section 8.18 regarding curb and gutter requirements to allow site to remain as shown on the proposed site plan.
3. Variance from the Buffer, Landscape and Tree Ordinance Article III, Section 19.74 relating to parking island requirement to allow parking lot and islands to remain as shown on the proposed site plan.
4. Variance from Snellville Development Regulations Section 6.5.5.2 to allow the existing site building exterior and site outdoor lighting.
5. Variance from Snellville Ordinance Article XI, Section A.11.2(2), which states “one-way interior driveways shall be a minimum of 10 feet in width.” The existing drive ranges from 9.2’ to 30.6’ in width.
6. Variance from Snellville Ordinance Article III, Section 19.73(c)(1) regarding landscape strip restrictions to allow for encroachment by existing parking lot along southeastern property line. Amount of encroachment is 5 feet near front property line and gets smaller as property line extends toward rear as shown on the proposed site plan.
7. Variance from Snellville Buffer, Landscape and Tree Ordinance Article II, Section 19.32 relating to buffer strip requirements to allow the northwestern property line area to remain as-is with existing fence and vegetation from fence area to the back property line and planted near adjacent residence, as shown on the proposed site plan.
8. Allow a general variance for the site to be approved in its current condition except for the additional items requested on the proposed site plan.

Section 2. The preamble of this Ordinance shall be considered to be and is hereby incorporated by reference as if fully set forth herein.

Section 3. (a) It is hereby declared to be the intention of the Mayor and Council that all sections, paragraphs, sentences, clauses and phrases of this Ordinance are

or were, upon their enactment, believed by the Mayor and Council to be fully valid, enforceable and constitutional.

(b) It is hereby declared to be the intention of the Mayor and Council that, to the greatest extent allowed by law, each and every section, paragraph, sentence, clause or phrase of this Ordinance is severable from every other section, paragraph, sentence, clause or phrase of this Ordinance. It is hereby further declared to be the intention of the Mayor and Council that, to the greatest extent allowed by law, no section, paragraph, sentence, clause or phrase of this Ordinance is mutually dependent upon any other section, paragraph, sentence, clause or phrase of this Ordinance.

(c) In the event that any phrase, clause, sentence, paragraph or section of this Ordinance shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is the express intent of the Mayor and Council that such invalidity, unconstitutionality or unenforceability shall, to the greatest extent allowed by law, not render invalid, unconstitutional or otherwise unenforceable any of the remaining phrases, clauses, sentences, paragraphs or sections of the Ordinance and that, to the greatest extent allowed by law, all remaining phrases, clauses, sentences, paragraphs and sections of the Ordinance shall remain valid, constitutional, enforceable, and of full force and effect.

Section 4. Penalties in effect for violations of the Zoning Ordinance of the City of Snellville at the time of the effective date of this Ordinance shall be and are hereby made applicable to this Ordinance and shall remain in full force and effect.

Section 5. All ordinances and parts of ordinances in conflict herewith are hereby expressly repealed.

Section 6. This Ordinance was adopted _____, 2018. The effective date of this Ordinance shall be the date of adoption unless otherwise stated herein.

[SIGNATURES APPEAR ON THE FOLLOWING PAGE]

ORDAINED this _____ day of January, 2018.

Barbara Bender, Mayor Pro Tem

ATTEST:

Dave Emanuel, Council Member

Melisa Arnold, City Clerk

Cristy Lenski, Council Member

APPROVED AS TO FORM:

Roger Marmol, Council Member

Anthony O. L. Powell, City Attorney

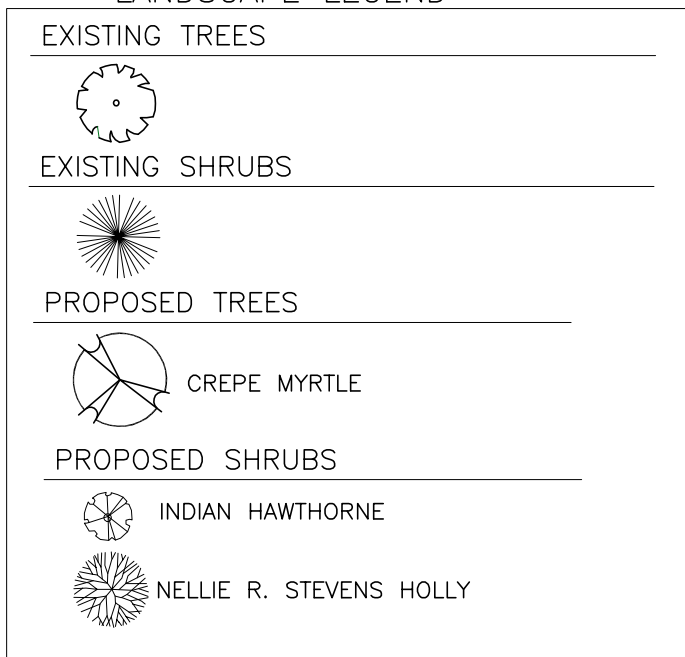
Gretchen Schulz, Council Member

EXHIBIT "A"

PLANT SCHEDULE

QTY	COMMON NAME	BOTANICAL NAME	SIZE (MIN.)	SPACING	UNITS	CONDITIONS	NOTES
FRONT LANDSCAPE STRIP							
16	LAGERSTROEMIA INDICA 'TONTON'	CREPE MYRTLE 'TONTON'	2"				B&B OR CONTAINER
24	"SNOW WHITE" IND. HAWT.	RHAPHIOLEPIS INDICA "SNOW WHITE"	1 GAL.				CONTAINER
ZONING BUFFER							
17	NELLIE R. STEVENS HOLLY	ILEX X 'NELLIE R STEVENS'	MIN. 6'				B&B OR CONTAINER

LANDSCAPE LEGEND



SITE INFORMATION

EXISTING ZONING: RS-180
 TOTAL AREA: 1.731 ACRES
 MINIMUM LOT SIZE = 1 ACRE
 MAXIMUM LOT SIZE = 3 ACRE
 MINIMUM LOT WIDTH = 100 FEET

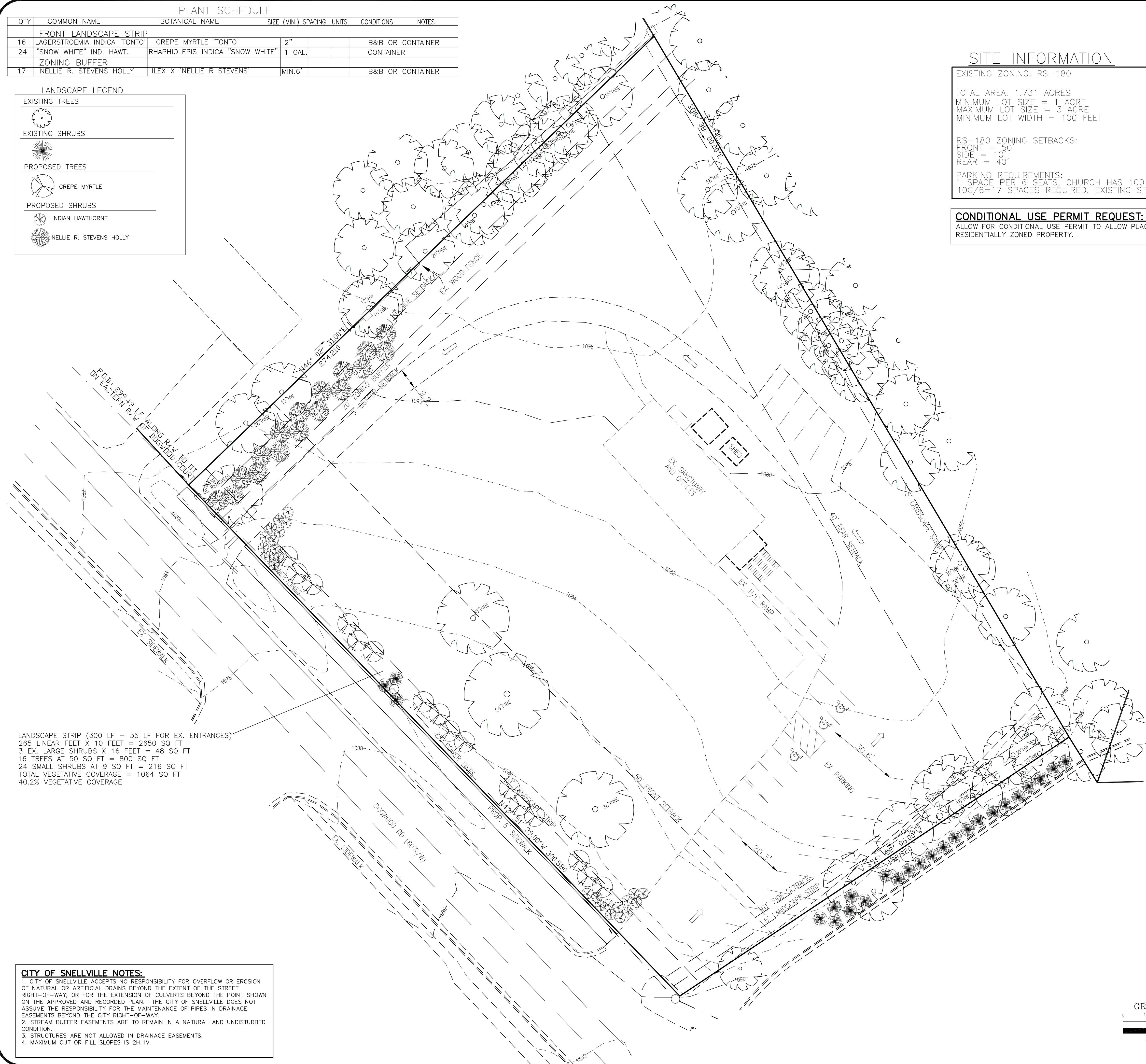
RS-180 ZONING SETBACKS:
 FRONT = 50'
 SIDE = 10'
 REAR = 40'

PARKING REQUIREMENTS:
 1 SPACE PER 6 SEATS, CHURCH HAS 100 SEATS
 100/6=17 SPACES REQUIRED, EXISTING SPACES=26

CONDITIONAL USE PERMIT REQUEST:
 ALLOW FOR CONDITIONAL USE PERMIT TO ALLOW PLACE OF WORSHIP IN RESIDENTIALLY ZONED PROPERTY.



LOCATION MAP



LANDSCAPE STRIP (300 LF - 35 LF FOR EX. ENTRANCES)
 265 LINEAR FEET X 10 FEET = 2650 SQ FT
 3 EX. LARGE SHRUBS X 16 FEET = 48 SQ FT
 16 TREES AT 50 SQ FT = 800 SQ FT
 24 SMALL SHRUBS AT 9 SQ FT = 216 SQ FT
 TOTAL VEGETATIVE COVERAGE = 1064 SQ FT
 40.2% VEGETATIVE COVERAGE

VARIANCE # 1:
 ALLOW FOR VARIANCE FROM SNELLVILLE BUFFER, LANDSCAPE AND TREE ORDINANCE ARTICLE III.sec19.73(f) ALLOW VARIANCE ON SIDE AND REAR LANDSCAPE STRIP REQUIREMENTS TO LET IT REMAIN AS UNDISTURBED TREE STANDS AS SHOWN ON ATTACHED CUP PLAN.

VARIANCE # 2:
 ALLOW FOR VARIANCE FROM SNELLVILLE ZONING ORDINANCE ARTICLE VII.sec8.18 RELATING TO CURB AND GUTTER REQUIREMENTS TO ALLOW SITE TO REMAIN AS SHOWN ON ATTACHED PLAN.

VARIANCE # 3:
 ALLOW FOR VARIANCE FROM SNELLVILLE BUFFER, LANDSCAPE AND TREE ORDINANCE ARTICLE III.sec19.74 RELATING TO PARKING ISLAND REQUIREMENTS TO ALLOW THE PARKING LOT AND ISLANDS TO REMAIN AS SHOWN ON THE ATTACHED CUP PLAN.

VARIANCE # 4:
 ALLOW FOR VARIANCE FROM SNELLVILLE DEVELOPMENT REGULATIONS SECTION 6.5.6.2 TO ALLOW THE EXISTING SITE BUILDING EXTERIOR AND SITE OUTDOOR LIGHTING.

VARIANCE # 5:
 ALLOW FOR VARIANCE FROM SNELLVILLE ORDINANCE ARTICLE XI.A.11.2.(2) ONE WAY INTERIOR DRIVEWAYS SHALL BE A MINIMUM OF 10 FEET IN WIDTH. EXISTING DRIVES RANGE FROM 9.2' TO 30.6'.

VARIANCE # 6:
 ALLOW FOR VARIANCE FROM SNELLVILLE ORDINANCE ARTICLE III.SEC19.73.(c)(1) RELATING TO LANDSCAPE STRIP RESTRICTIONS. TO ALLOW FOR ENCROACHMENT BY EXISTING PARKING LOT ALONG SOUTHEASTERN PROPERTY LINE. AMOUNT OF ENCROACHMENT IS 5 FEET NEAR FRONT PROPERTY LINE AND GETS SMALLER AS PROPERTY LINE EXTENDS TOWARD REAR AS SHOWN ON PLANS

VARIANCE # 7:
 ALLOW FOR VARIANCE FROM SNELLVILLE BUFFER, LANDSCAPE AND TREE ORDINANCE ARTICLE II.sec19.32 RELATING TO BUFFER STRIP REQUIREMENTS TO ALLOW THE NORTHWESTERN PROPERTY LINE AREA TO REMAIN AS IS WITH EXISTING FENCE AND VEGETATION FROM FENCE AREA TO THE BACK PROPERTY LINE AND PLANTED NEAR ADJACENT RESIDENCE AS SHOWN ON PLAN.

VARIANCE # 8:
 ALLOW A GENERAL VARIANCE FOR THE SITE TO BE APPROVED IN ITS CURRENT CONDITION EXCEPT FOR THE ADDITIONAL ITEMS REQUESTED ON THIS VARIANCE PLAN.

CONDITIONAL USE PERMIT PLAN FOR:
 ZOTUNG CHRISTIAN CHURCH

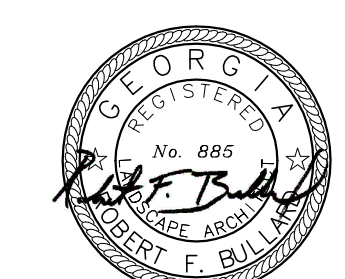
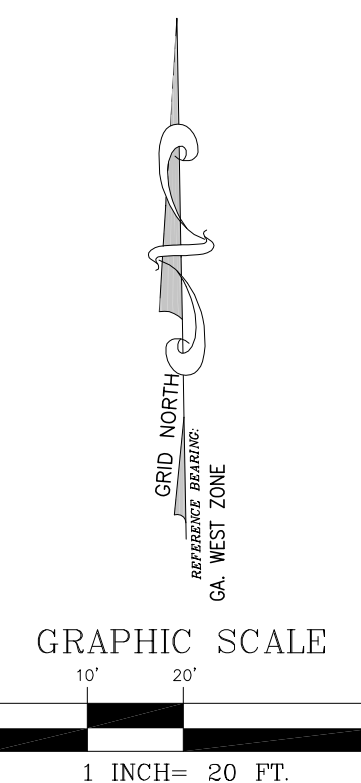
5TH DISTRICT, LAND LOT 40, PARCEL 036
 1958 DOGWOOD RD.
 SNELLVILLE, GA 30078
 GWINNETT COUNTY
 CITY OF SNELLVILLE, GEORGIA

OWNER:
 NEW JERUSALEM CHURCH MINISTRIES
 PO BOX 1627
 SNELLVILLE, GA 30078
 PHONE: 770-972-2324

APPLICANT:
 ZOTUNG CHRISTIAN CHURCH
 705 GRENIER TERRACE
 LAWRENCEVILLE, GA 30045
 CONTACT PERSON: MR. SAW BIK
 PHONE: 404-578-8952

DESIGNER:
 BULLARD LAND PLANNING, INC
 3790 CANNONWOLDE DR
 SNELLVILLE, GA. 30039
 CONTACT PERSON: BOBBY BULLARD
 770-344-1293 blpbobby@bellsouth.net

CITY OF SNELLVILLE NOTES:
 1. CITY OF SNELLVILLE ACCEPTS NO RESPONSIBILITY FOR OVERFLOW OR EROSION OF NATURAL OR ARTIFICIAL DRAINS BEYOND THE EXTENT OF THE STREET RIGHT-OF-WAY, OR FOR THE EXTENSION OF CULVERTS BEYOND THE POINT SHOWN ON THE APPROVED AND RECORDED PLAN. THE CITY OF SNELLVILLE DOES NOT ASSUME THE RESPONSIBILITY FOR THE MAINTENANCE OF PIPES IN DRAINAGE EASEMENTS BEYOND THE CITY RIGHT-OF-WAY.
 2. STREAM BUFFER EASEMENTS ARE TO REMAIN IN A NATURAL AND UNDISTURBED CONDITION.
 3. STRUCTURES ARE NOT ALLOWED IN DRAINAGE EASEMENTS.
 4. MAXIMUM CUT OR FILL SLOPES IS 2H:1V.



-DATE: 10/16/2017
 -BLP JOB# 17-1905