

**STATE OF GEORGIA**

**CITY OF SNELLVILLE**

**ORDINANCE NO. \_\_\_\_\_**

AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP CITY OF SNELLVILLE, GEORGIA, AS AMENDED FOR A 1.25± ACRE TRACT OF LAND LOCATED IN LAND LOT 29 OF THE 5<sup>TH</sup> DISTRICT, GWINNETT COUNTY, SNELLVILLE, GEORGIA 30078; TO GRANT VARIANCES; TO PROVIDE FOR SEVERABILITY; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

**CASE NO.:** #RZ 17-07

**LOCATION:** Parkview Professional Center  
3005 Lenora Church Road, Building A, Snellville,  
Georgia 30078

**SIZE:** 1.25± acres

**MAP NUMBER:** R5029 294

**PRESENT ZONING:** OP (Office Professional) District

**REQUESTED ZONING:** CI (Civic-Institutional) District

**CURRENT FUTURE LAND  
USE PLAN:** Public-Civic

**DEVELOPMENT/PROJECT:** Arts-oriented International Exchange Center

**APPLICANT/  
PROPERTY OWNER:** Dr. He-Ping Ma  
House and Land Dealer, Inc.  
955 Bridgewater Walk  
Snellville, Georgia 30078-2050

**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 amend its zoning map as it applies to a 1.25± acre tract of land in the Parkview Professional Center development (Tax Parcel R5029 294), zoned OP (Office Professional) District; and

**WHEREAS**, the governing authority of the City of Snellville, Georgia desires to amend prior approved conditions of zoning; and

**WHEREAS**, the governing authority of the City of Snellville, Georgia desires to grant site specific variances from the Zoning Ordinance as it applies to the 1.25± acre property; 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.** The property described in Exhibit “A”, a copy of which is attached hereto and incorporated herein by reference, is hereby rezoned from OP (Office Professional) District to CI (Civic-Institutional) District. This action is subject to the attachment of the following approved variances and conditions as shown on the rezoning plan:

**VARIANCES:**

1. Variance from Section 19.73 of Article X, Landscape Strips of the Zoning Ordinance requiring a 5-foot wide landscape strip along internal property lines.

2. Variance from Section 19.74 of Article X, Parking Areas and Landscape Islands from the requirement for terminus landscape islands to be 200 sq. ft. minimum. Specifically, the terminus island on the north end of the 90-degree parking lot have an area less than 200 sq. ft.
3. Variance from the minimum parking requirements for ‘clubs and organization halls’ in the Section 11.3 of Article XI, Parking and Loading Requirements which requires 3.3 parking spaces per 1,000 sq. ft. of gross floor area. The existing building is 16,161 sq. ft.; 53 spaces being needed while there are 52 existing spaces.
4. Variance for the site to be approved in its current condition with exception to the items requested on the plan and application.

**CONDITIONS:**

1. The property shall be utilized in general accordance with the submitted conceptual rezoning site plan, entitled “3005A Lenora Church Road – Rezoning Concept”, sealed and dated 4-11-2017, attached hereto as Exhibit “A” and incorporated herein by reference, 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. New signs higher than fifteen (15) feet or larger than 225 sq. ft. in area are prohibited;
3. Overnight occupancy is prohibited, including any boarding or dormitory type uses;
4. Uses involving adult entertainment, including any sale or display of adult magazines, books, or videos and as further defined by the Adult Entertainment Ordinance in effect on the date this condition is imposed, are prohibited;
5. Outdoor speakers or sound amplification systems shall be prohibited; and
6. There shall be no temporary or permanent outside storage;

**Section 2.** The changes in zoning classification is to be noted on the Official Zoning Map of the City of Snellville, Georgia as approved by the Mayor and Council as soon as reasonably possible following the adoption of this Ordinance. The Official

Zoning Map of the City of Snellville, Georgia, shall also be amended with an editorial note specifying the date these Snellville zoning amendments were approved by the Mayor and Council and specifying the parcels affected by this Ordinance. Until the changes are indicated on the Official Zoning Map of the City of Snellville, Georgia, as approved by the Mayor and Council, this Ordinance shall govern over Official Zoning Map of the City of Snellville, Georgia approved by the Mayor and Council to the extent of any discrepancy between this Ordinance and the Official Zoning Map of the City of Snellville, Georgia approved by the Mayor and Council.

**Section 3.** The preamble of this Ordinance shall be considered to be and is hereby incorporated by reference as if fully set out herein.

**Section 4.** (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 5.** 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 6.** All ordinances and parts of ordinances in conflict herewith are hereby expressly repealed

**Section 7.** 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 July, 2017.

\_\_\_\_\_  
Tom Witts, Mayor

\_\_\_\_\_  
Barbara Bender, Mayor Pro Tem

*ATTEST:*

\_\_\_\_\_  
Dave Emanuel, Council Member

\_\_\_\_\_  
Melisa Arnold, City Clerk

\_\_\_\_\_  
Bobby Howard, Council Member

*APPROVED AS TO FORM:*

\_\_\_\_\_  
Cristy Lenski, Council Member

\_\_\_\_\_  
Anthony O. L. Powell, City Attorney  
Webb, Tanner & Powell, P.C.

\_\_\_\_\_  
Roger Marmol, Council Member

EXHIBIT "A"

