

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 3400 ROSEBUD ROAD, LOGANVILLE, GEORGIA TO GRANT A CONDITIONAL USE PERMIT; TO PROVIDE FOR SEVERABILITY; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

CASE NO.: #CUP 17-04

PROPERTY OWNER: South Gwinnett Baptist Church, Inc
Loganville, Georgia 30052

APPLICANT/CONTACT: Pastor Tim Owens
South Gwinnett Baptist Church, Inc
Loganville, Georgia 30052
(770) 978-2532 or owen3328@bellsouth.net

REQUEST: Request for Conditional Use Permit

LOCATION: 3400 Rosebud Road, Loganville, Georgia

SIZE: 12.0± acres

MAP NUMBER: R5099 062

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 the use of the existing modular classroom located on the property subject to the conditions set forth below:

CONDITIONS:

1. In the event that the subject property is vacated by South Gwinnett Baptist Church, the Conditional Use Permit will become null and void; and
2. The Church shall provide to the City within thirty (30) days from the date of rezoning approval, a Certificate of Occupancy certificate issued by the Gwinnett County Fire Marshal’s Office within the past six (6) months for both the main sanctuary building and accessory modular classroom building.

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"

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.

SITE TREE DENSITY (TDU) NOTE:

REQUIRED TDU OF SITE IS 12.0 ACRES X 16 UNITS = 192 UNITS
 THE SITE HAS 4.8 ACRES OF UNDISTURBED WOODLAND AREA THAT PUTS IT WELL OVER THE REQUIRED DENSITY UNITS REQUIRED.

PLANT SCHEDULE

QTY	COMMON NAME	BOTANICAL NAME	SIZE (MIN.)	SPACING	UNITS	CONDITIONS	NOTES
FRONT LANDSCAPE STRIP							
7	QUERCUS PHILLOS	WILLOW OAK	3"	30' O.C.	0.5	B&B OR CONTAINER	
17	"SNOW WHITE" IND. HAWT.	RHAPHIOLEPIS INDICA "SNOW WHITE"	1 GAL.			CONTAINER	
PORTABLE BUILDING AREA							
7	NELLIE R STEVENS HOLLY	"LEX X" "NELLIE R STEVENS"	2 GAL.		0.5	CONTAINER	

LANDSCAPE LEGEND

EXISTING TREES

PROPOSED TREES

WILLOW OAK

PROPOSED SHRUBS

INDIAN HAWTHORNE

NELLIE R STEVENS HOLLY

SITE INFORMATION

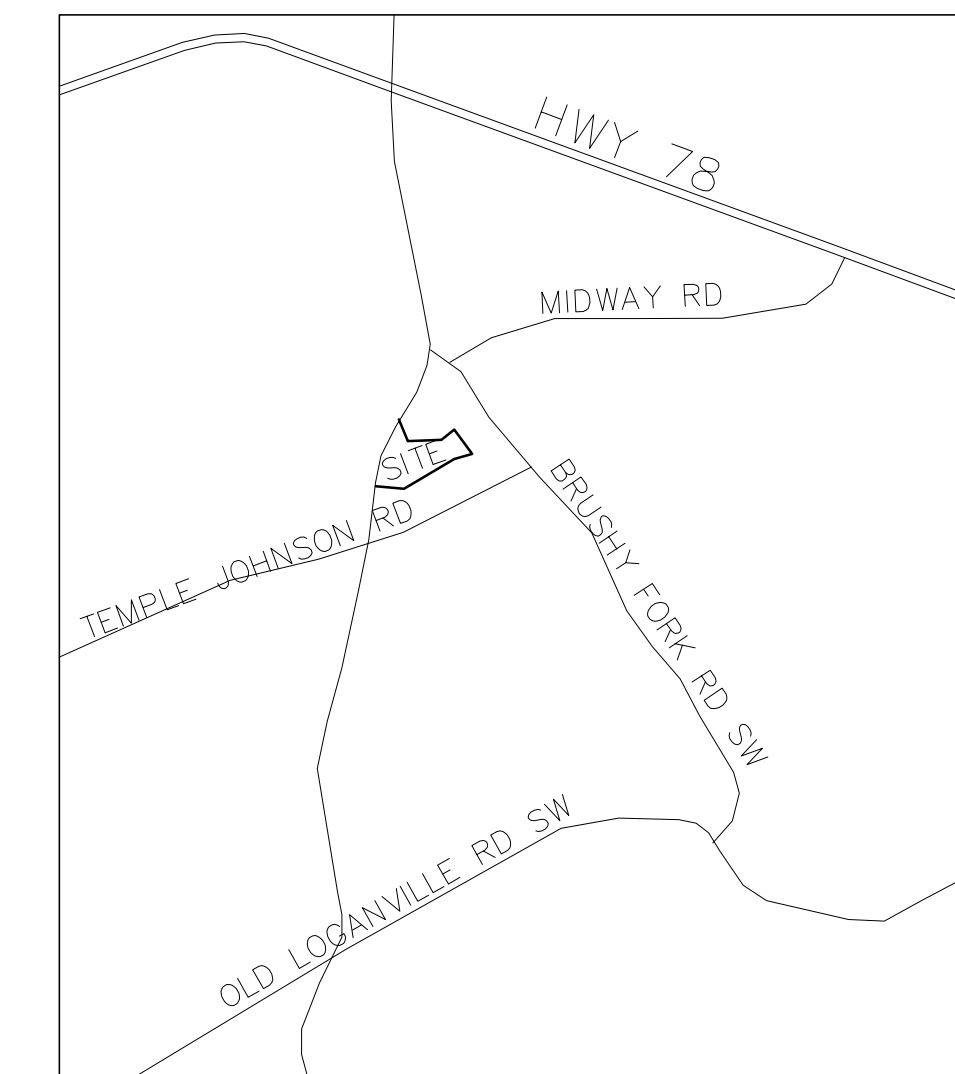
EXISTING ZONING: RS-180
 PROPOSED ZONING: CI
 TOTAL AREA: 12.00 ACRES ON 1 PARCEL (5-099-062)
 MINIMUM LOT AREA = 5000 SQ.FT.
 MINIMUM LOT WIDTH = 48 FEET
 MAXIMUM GROUND COVERAGE = 90%

CI ZONING SETBACKS:
 FRONT = NONE
 SIDE = 5'
 REAR = 40'

PARKING REQUIREMENTS:
 1 SPACE PER 6 SEATS, CHURCH HAS 84 SEATS
 84/6=14 SPACES REQUIRED, EXISTING SPACES=82

CONDITIONAL USE PERMIT REQUEST:

ALLOW FOR CONDITIONAL USE PERMIT FOR THE PORTABLE CLASSROOM BUILDING SHOWN ON THIS PLAN AS ALLOWED PER ARTICLE VII, SECTION 7.1 OF THE CITY OF SNELLVILLE ZONING ORDINANCE RELATING TO ACCESSORY STRUCTURES.



LOCATION MAP

VARIANCE # 1:

ALLOW FOR VARIANCE FROM SNELLVILLE BUFFER, LANDSCAPE AND TREE ORDINANCE ARTICLE III.sec19.73(f) RELATING TO LANDSCAPE STRIP REQUIREMENTS. IN LIEU OF 10 FOOT FRONT LANDSCAPE STRIP ALONG ENTIRE ROSEBUD RD. FRONTAGE, ALLOW LANDSCAPE PLAN AS SHOWN ON ATTACHED REZONING PLAN BY BULLARD LAND PLANNING DATED 07-11-17. ALSO ALLOW VARIANCE ON SIDE LANDSCAPE STRIP REQUIREMENTS ALONG SOUTH SOUTH PROPERTY LINE THAT ADJOINS SUMMIT CHASE GOLF COURSE TO LET IT REMAIN AS IT EXISTS NOW. ALSO ALLOW REAR AND SIDE LANDSCAPE STRIPS ALONG WEST AND NORTH TO REMAIN AS UNDISTURBED EXISTING TREE STANDS.

VARIANCE # 2:

ALLOW FOR VARIANCE FROM SNELLVILLE ZONING ORDINANCE ARTICLE VII.sec8.18 RELATING TO SIDEWALKS AND 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 REZONING PLAN.

VARIANCE # 4:

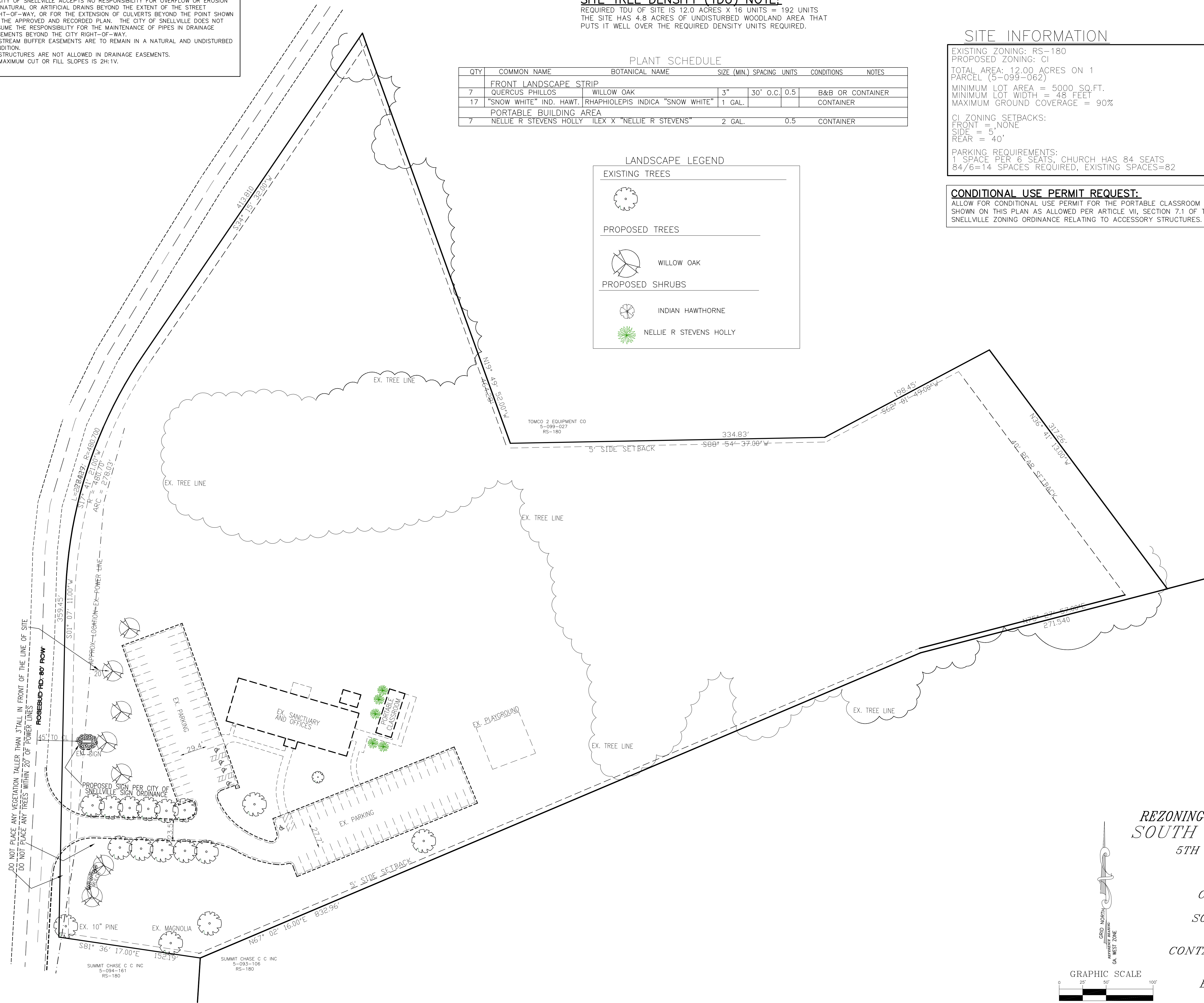
ALLOW FOR VARIANCE FROM SNELLVILLE DEVELOPMENT REGULATIONS SECTION 6.5.6.2 TO ALLOW THE EXISTING SITE BUILDING EXTERIOR AND SITE OUTDOOR LIGHTING.

VARIANCE # 5:

ALLOW FOR VARIANCE FROM SNELLVILLE ZONING ORDINANCE SECTION 9.7(3)(1) TO ALLOW THE EXISTING PARKING LOT TO BE LOCATED IN FRONT OF THE EXISTING BUILDING.

VARIANCE # 6:

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

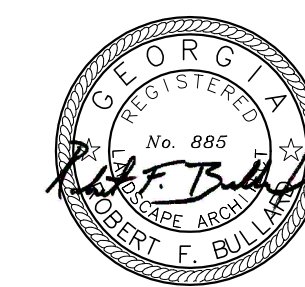
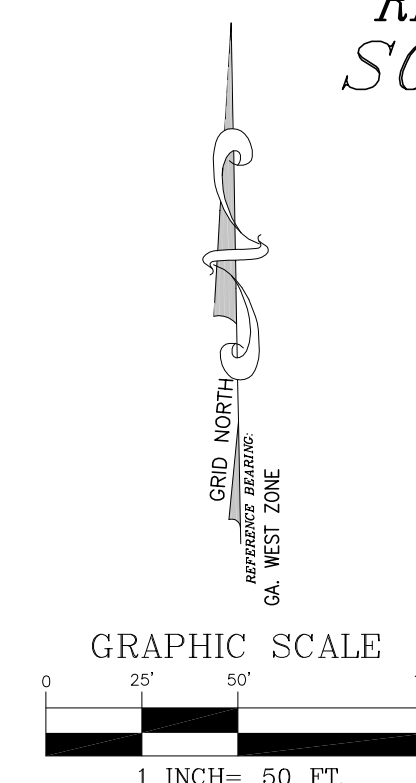


**REZONING & CONDITIONAL USE PERMIT PLAN FOR:
 SOUTH GWINNETT BAPTIST CHURCH**

5TH DISTRICT, LAND LOT 99, PARCEL 062
 3400 ROSEBUD RD.
 LOGANVILLE, GA 30052
 GWINNETT COUNTY
 CITY OF SNELLVILLE, GEORGIA

OWNER:
 SOUTH GWINNETT BAPTIST CHURCH
 3400 ROSEBUD RD.
 LOGANVILLE, GA 30052
CONTACT PERSON: PASTOR TIM OWENS
 PHONE: 404-376-0647

DESIGNER:
 BULLARD LAND PLANNING, INC
 3790 CANNONWOLDE DR
 SNELLVILLE, GA 30039
CONTACT PERSON: BOBBY BULLARD
 770-554-8714 blpbobby@bellsouth.net



-DATE: 07/11/2017
 -BLP JOB# 17-1889