

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 VARIANCES; TO PROVIDE FOR SEVERABILITY; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

CASE NUMBER: #RZ 17-12

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

REQUESTED ZONING MAP AMMENDMENT: Zoning Map Amendment from RS-180 (Single-Family Residence) to CI (Civic-Institutional) and Request for variances from the Snellville City Code of Ordinances

LOCATION: 3400 Rosebud Road, Loganville, Georgia

SIZE: 12.0± acres

MAP NUMBER: R5099 062

PROPOSED DEVELOPMENT: 12.0± Acre Site with Existing Church Building, Manufactured Building and Related Parking

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 previously approved conditions of zoning; 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 official zoning of the property described in Exhibit “A,” a copy of which is attached hereto and incorporated herein by reference, is hereby amended to reflect the following zoning amendments:

CONDITIONS:

1. The property shall be utilized in general accordance with the submitted conceptual rezoning site plan, sealed and dated 7-11-2017, and stamped received 10-5-2017 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 conceptual rezoning site plan, sealed and dated 7-11-2017 shall be completed within three (3) months from the date of rezoning 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. Installation of a six-foot wide sidewalk and grassed/landscape strip of not less than four-feet separating sidewalk and back of curb; curb and gutter; and related stormwater infrastructure shall be required along the entire length of Rosebud Road and triggered when any building improvement or re-development with a total value in excess of the Gwinnett County Tax Assessor’s 100% appraised value of the existing improvements; and

5. 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 Article III, Section 19.73(f) of the Landscape Ordinance relating to landscape strip requirement.
 - a. In lieu of the 10-foot front landscape strip along the entire frontage along Rosebud Road, allow the landscape plan presented in the attached plans submitted by Bullard Land Planning, dated 7-11-2017.
 - b. Allow variance from side landscape strip requirements along the south property line adjoining Summit Chase, to let it remain as-is.
 - c. Allow variance from landscape strip requirements along the north and eastern property lines to remain as undisturbed existing tree stands.
2. Variance from Section 19.74 of the Landscape Ordinance relating to the parking lot planter island requirement.
3. Variance from Article VII, Section 8.18 of the Zoning Ordinance relating to sidewalks and curb and gutter requirements to allow site to remain as shown on the attached plan.
4. Variance from Section 6.5.6.2 of the Development Regulations to allow the existing site building exterior and site outdoor lighting.
5. Variance from Section 9.7(3)(1) of the Zoning Ordinance to allow the existing parking lot to be located in front of the existing building.
6. Allow a general variance for the site to be approved in its current condition except for the items requested on this rezoning application.

Section 2. The changes in zoning classifications are 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. This Ordinance was adopted on _____, 2018. The effective date of this Ordinance shall be the date of adoption unless otherwise stated herein.

[SIGNATURES APPEAR ON 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

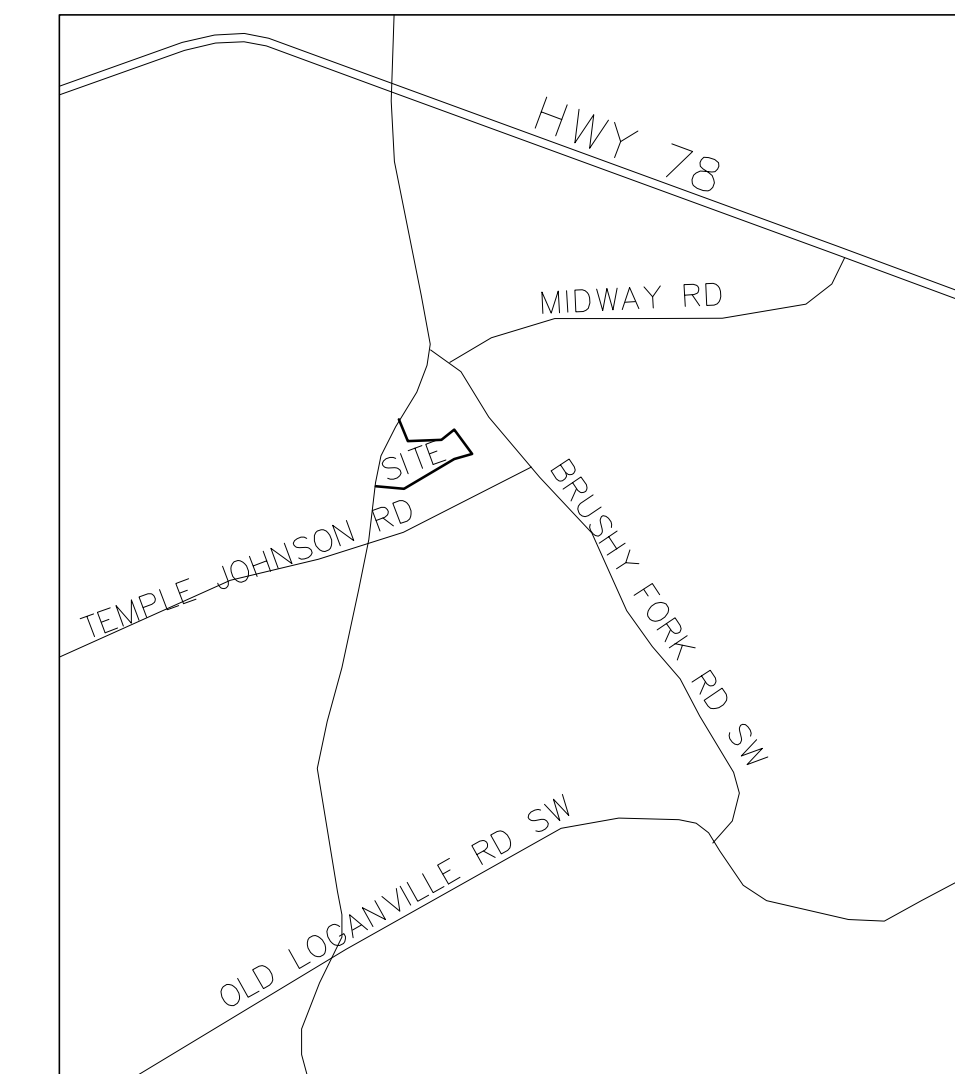
EXISTING ZONING: RS-180
PROPOSED ZONING: CI
TOTAL AREA: 12.00 ACRES ON 1 PARCEL (5-099-062)
MINIMUM LOT AREA = 5000 SQ.FT.
MINIMUM LOT WIDTH = 48 FEET
MAXIMUM GROUND COVERAGE = 90%

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:

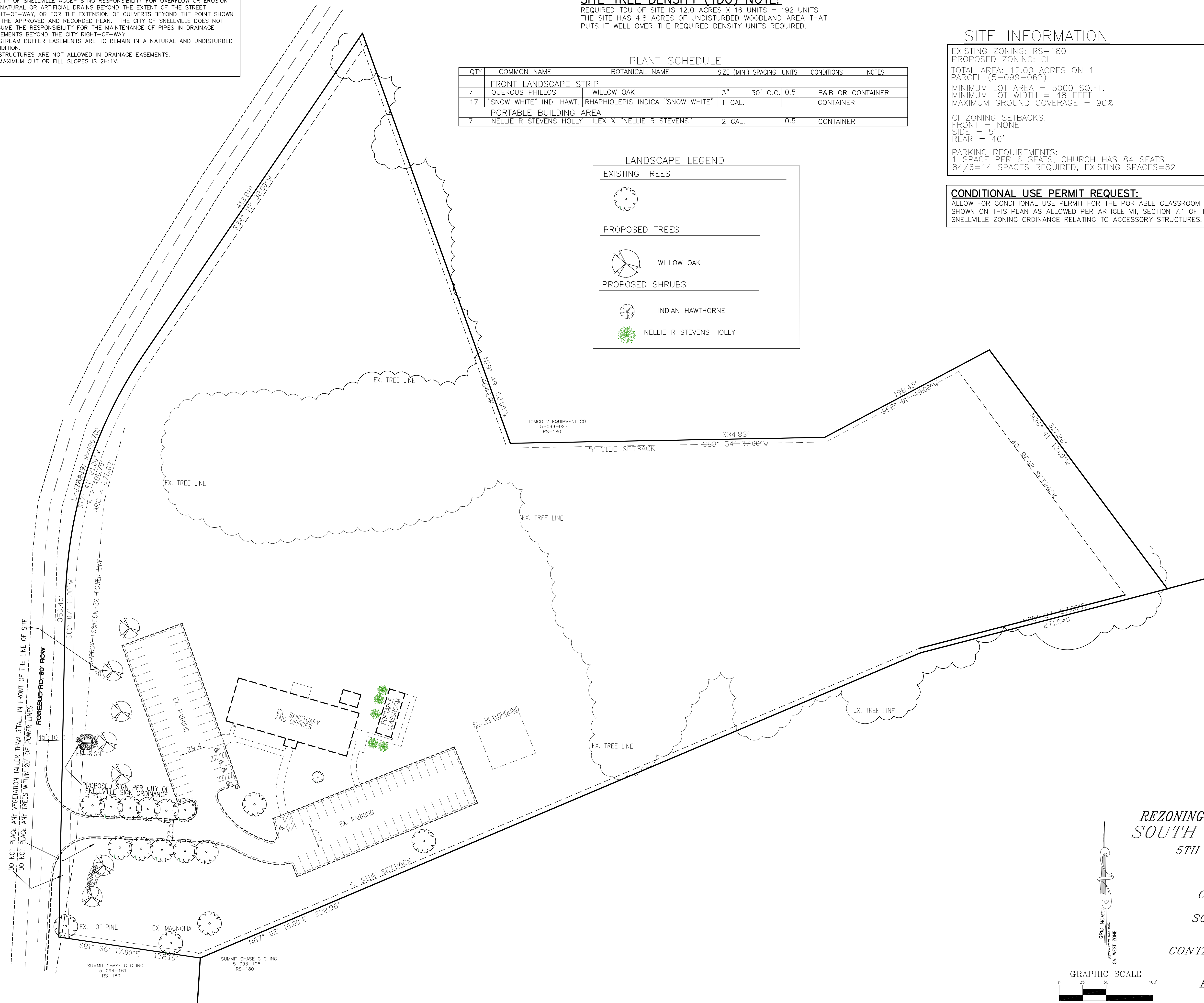
ALLOW FOR VARIANCE FROM SNELLVILLE DEVELOPMENT REGULATIONS SECTION 6.5.6.2 TO ALLOW THE EXISTING SITE BUILDING EXTERIOR AND SITE OUTDOOR LIGHTING.

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.

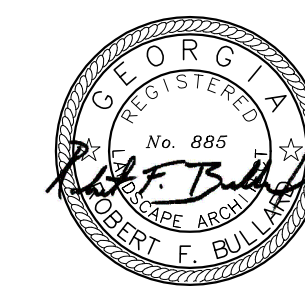
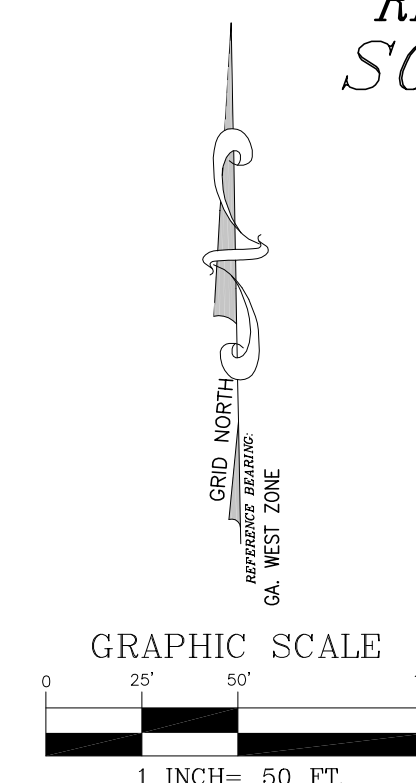


**REZONING & CONDITIONAL USE PERMIT PLAN FOR:
SOUTH GWINNETT BAPTIST CHURCH**

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