

STATE OF GEORGIA

CITY OF SNELLVILLE

ORDINANCE NO. _____

AN ORDINANCE TO AMEND THE 2030 COMPREHENSIVE PLAN FUTURE LAND USE MAP FOR THE CITY OF SNELLVILLE, GEORGIA, AS AMENDED, FOR THE 7.1918± ACRE TRACT OF LAND LOCATED IN LAND LOT 94 OF THE 5TH LAND DISTRICT, GWINNETT COUNTY, GEORGIA; TO PROVIDE FOR SEVERABILITY; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

CASE NUMBER: #LUP 18-02
PROPERTY OWNER: Donald H. Britt
SIZE: 7.1918± Acres
LOCATION: 1485 Temple Johnson Road, Loganville, GA
TAX PARCEL(s): R5094 045 and R5094 087
DEVELOPMENT/PROJECT: Existing 2,336 sq. ft. Single-Family Detached Residential Dwelling and Property

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 reaffirm the designated land use as it applies to the 7.1918± acre tract of land located at 1485 Temple Johnson Road, Loganville, Georgia (Tax Parcels R5094 045 and R5094

087) for an existing 2,336 sq. ft. single-family detached residential dwelling and related real property; and

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

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

Section 1. Having been annexed into the City of Snellville, the future land use designation of the 7.1918± acre tract of land shown on the Boundary Survey dated 8-3-2018 entitled “Boundary Survey for Donald H. Britt”, described and shown in Exhibit “A”, a copy of which is attached hereto and incorporated herein by reference, and previously designated as Low-Density Residential under the “Sphere of Influence for Snellville” boundary of the 2030 Comprehensive Plan Future Land Use Map, is hereby reaffirmed as Low-Density Residential. This reaffirmation in future land use, as well as the change to the City boundaries, are to be noted on the City of Snellville 2030 Comprehensive Plan Future Land Use Map, as previously amended and as approved by the Mayor and Council as soon as reasonably possible following the adoption of this Ordinance. The future land use map shall also be amended with an editorial note specifying the date this Snellville Land Use Plan Amendment was approved by the Mayor and Council and specifying the parcel(s) affected by this Ordinance. Until the change is indicated on the City of Snellville 2030 Comprehensive Plan Future Land Use Map approved by the Mayor and Council, this Ordinance shall govern over the City of Snellville 2030 Comprehensive Plan Future Land Use Map approved by the Mayor and Council to the extent of any discrepancy between this Ordinance and the City of

Snellville 2030 Comprehensive Plan Future Land Use Map approved by the Mayor and Council.

Section 2. The preamble of this Ordinance shall be considered to be and is hereby incorporated by reference as if fully set out 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 on November 12, 2018. The effective date of this Ordinance shall be the date of adoption unless otherwise stated herein.

[SIGNATURES BEGIN ON THE FOLLOWING PAGE]

ORDAINED this 12th day of November, 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
Powell & Edwards, Attorneys at Law, P.C.

Gretchen Schulz, Council Member

EXHIBIT "A"

Gwinnett County Tax Parcels: R5094 045 and 087

Size: 7.1918 Acres (+/-)

SITUS Address: 1485 Temple Johnson Road and 3291 Garmon Drive, Loganville

Property Owner: Donald H. Britt

All that tract or parcel of land lying in Land Lot 94 of the 5th District of Gwinnett County, Georgia containing 7.1918 acres, more or less, as shown on plat of survey for Donald H. Britt dated August 03, 2018 as prepared by McNally & Patrick, Inc., bearing the seal of Lloyd C. McNally, Jr., Georgia Registered Land Surveyor No. 2040, being more particularly described as follows:

Beginning at a point on the northwestern 80 foot right of way of Temple Johnson Road 625.74 feet northeasterly along said right of way from the intersection with the northeastern 60 foot right of way of Garmon Road, thence leaving said right of way North 28 deg 01 min 43 sec West for a distance of 473.17 feet along a northeastern line of property now or formerly owned by Steve E. Carter et al to a 1/2 inch r-bar found; thence North 30 deg 29 sec 06 min East for a distance of 328.85 feet along a southeastern line of property of aforementioned ad joiner to a 1/2 inch r-bar found; thence North 20 deg 28 min 29 sec East for a distance of 264.81 feet along a southeastern property line of aforementioned adjoiner to an iron pin set; thence North 29 deg 30 min 42 sec West for a distance of 231.32 feet along a northeastern line of property of the aforementioned adjoiner and property now or formerly owned by Christopher Barber and Melinda K. Barber to a 1/2 inch r-bar found; thence North 60 deg 47 min 42 sec East for a distance of 283.88 feet along a southeastern property line of property now or formerly owned by Christopher Barber and Melinda K. Barber to a 1/2 inch r-bar found; thence North 60 deg 47 min 42 sec East along a southeastern line of aforementioned adjoiner for a distance of 280.30 feet to a point; thence South 27 deg 41 min 15 sec East for a distance of 639.97 feet along a southwestern property line of property now or formerly owned by David E. Emanuel et al to a point lying in a lake; thence South 87 deg 47 min 34 sec West along a northerly line of property now or formerly owned by Rachel Sells Moore and William F. Moore for a distance of 687.89 feet to point in a lake; thence South 20 deg 28min 29 sec West along a northwesterly line of aforementioned adjoiner for a distance of 154.19 feet to an iron pin set; thence South 30 deg 29 min 06 sec West along a northwesterly line of aforementioned ad joiner for a distance of 314.67 feet to a point; thence South 28 deg 01 min 43sec East along the southwestern property line of aforementioned adjoiner for a distance of 464.16 feet to an iron pin set on the northwestern 80 foot right of way of Temple Johnson Road; thence southwesterly along said right of way following a curve to the left an arc distance of 31.00 feet (said arc having a radius of 766.197 feet and being subtended by a chord of South 76 deg 32 min 36 sec West for 31.00 feet) to the point on said right of way at the Point of Beginning.

