ORDINANCE NO. ______

AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF SNELLVILLE, GEORGIA, AS AMENDED, FOR THE 0.75± ACRE TRACT OF LAND LOCATED IN LAND LOT 7 OF THE 5TH LAND DISTRICT AND LAND LOT 51 OF THE 6TH LAND DISTRICT, GWINNETT COUNTY, GEORGIA; TO PROVIDE FOR SEVERABILITY; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

CASE NUMBER: #RZ 19-05

SIZE: 0.75 Acres

LOCATION: 2258 Scenic Drive, Snellville, Georgia

TAX PARCEL: R6051 014

CURRENT ZONING MAP: OP (Office Professional) District

REQUESTED ZONING MAP AMENDMENT: RS-180 (Single-family Residence) District

DEVELOPMENT/PROJECT: Existing Single-family Detached Residential Dwelling

PROPERTY OWNER: Lois S. Ford
Snellville, Georgia 30078

APPLICANT/CONTACT: Darlene Philips
Darlene Philips Real Estate
Snellville, Georgia 30078
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 official zoning map as it applies to the 0.75± acre tract of land located at 2258 Scenic Drive, Snellville, Georgia (Tax Parcel R6051 014) for the existing and continued use for a single-family detached dwelling; 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. The 0.75± acre tract of land identified as Lot 5 Block A Lanier Mountain Estates and shown on the revised plat in Exhibit “A”, a copy of which is attached hereto and incorporated herein by reference and described by the legal description in Exhibit “B”, a copy of which is attached hereto and incorporated herein by reference, is hereby rezoned from OP (Office Professional) District to RS-180 (Single-family Residence) District.

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. This Ordinance was adopted on January 27, 2020. The effective date of this Ordinance shall be the date of adoption unless otherwise stated herein.

[SIGNATURES BEGIN ON THE FOLLOWING PAGE]
ORDAINED this 27th day of January, 2020.

______________________________
Barbara Bender, Mayor

ATTEST:

______________________________
Dave Emanuel, Mayor Pro Tem

Melisa Arnold, City Clerk

______________________________
Cristy Lenski, Council Member

APPROVED AS TO FORM:

______________________________
Solange Destang, Council Member

Anthony O. L. Powell, City Attorney
Powell & Edwards, Attorneys at Law, P.C.

______________________________
Gretchen Schulz, Council Member

______________________________
Tod Warner, Council Member
LANIER MOUNTAIN ESTATES

LAND LOT 7-8TH DIST.
LAND LOT 81-8TH DIST.
GWINNET COUNTY, GA. SCALE 1"=100'
SURVEYED JULY, 1960 REVISION JUNE, 1960
C. W. HOBSON, SURVEYOR
LAWRENCEVILLE, GA.

THE OWNER OF THE LAND SHOWN ON THIS PLAT AND HIS NAME IS SUBSCRIBED
HEREIN AND IN PERSON OR A Duly AUTHORIZED AGENT ACKNOWLEDGES THAT THIS
PLAT WAS MADE FROM AN ACTUAL SURVEY AND DEDICATES TO THE USE OF THE PUBLIC
INTEREST IN ALL STREETS, ROADS, WATER COURSES, DRAINS, EASEMENTS
AND PUBLIC PLACES THEREIN SHOWN FOR THE PURPOSES AND CONSIDERATIONS
THEREOF EXPRESSED.

IT IS HEREBY CERTIFIED THAT THIS PLAT IS TRUE AND CORRECT AND WAS PREPARED
FROM AN ACTUAL SURVEY OF THE PROPERTY MADE UNDER MY SUPERVISION ON THE
GROUND.

PROTECTIVE COVENANTS

LOTS SHOWN HEREBY ARE TO BE SOLD SUBJECT TO THE FOLLOWING RESTRICTIONS
WHICH ARE COVENANTS RUNNING WITH THE LAND AND SHALL REMAIN IN FULL FORCE
AND EFFECT UNTIL FURTHER NOTICE, AND MAY BE ENFORCED BY THE OWNER OR ANY
SUCCESSOR IN INTEREST.

1. LOTS SHALL BE USED FOR SINGLE FAMILY RESIDENCE PURPOSES ONLY.
2. NO LOT SHALL BE SUBDIVIDED, NOR SHALL MORE THAN ONE RESIDENCE BE ERECTED
ON ANY LOT.
3. NO HOUSE SHALL BE BUILT HUSHER TO A RIGHT-OF-WAY THAN THE BUILDING LINE
DESIGNED IN THE PLAT, NOR HAINER A SIDE LINE THAN 10 FT.
4. NO TEMPORARY OUTBUILDING, SHED, OR TRAILER SHALL BE ERECTED ON
ANY LOT AS A RESIDENCE.
5. NO RESIDENCE SHALL BE ERECTED ON OR PLACED ON ANY LOT HAVING LESS THAN
1,000 SQ. FT. OF FLOOR SPACE IF ONLY ONE STORY, OR LESS THAN 1,900 SQ. FT. IF
MORE THAN ONE STORY.
6. STREETS WILL BE PAINTED BY THE DEVELOPER IN ACCORDANCE WITH GWINNETT
COUNTY REQUIREMENTS.
7. NO LOT SHALL BE SOLD OR OWNED BY ANY PERSON WHO IS NOT A MEMBER OF THE
CAUCASIAN RACE.

THE ABOVE RESTRICTIONS HAVE BEEN REVISED THIS 1ST DAY OF JUNE, 1960.

OWNER

NOTE: ITEMS RED SET ON ALL CORNERS.
All that tract or parcel of land lying and being in the 5th and 6th Land Districts, and being part of Land Lot 7 of the 5th Land District, and part of Land Lot 51 of the 6th Land District and being a tract of revised Lot 5, Block A, Lanier Mountain Estates as per plat and survey made by C. M. Higginbotham and E. E. J. James, Surveyors, January 29, 1963, a copy of said plat being recorded in Plat Book J, Page 198, Gwinnett County Plat Records, and more particularly described as follows:

BEGINNING at an iron pin stake on the Easterly side of Scenic Drive at a point 770 feet from the right of way of U.S. Highway No. 78; thence run North 76 degrees 15 Min. East 204.6 feet to iron pin stake; thence run South 13 degrees 22 Min. East 150 feet to iron pin stake; thence run South 76 degrees 43 Min. West 229.4 feet to iron pin stake on the Easterly side of Scenic Drive; thence run in a Northerly direction along the Easterly side of Scenic Drive 150 feet to the point of beginning.

Said tract being located in the City of Snellville, Gwinnett County, Georgia.

ALL THAT TRACT or parcel of land lying and being in Land Lot 51 of the 6th Land District, Gwinnett County, Georgia, and being more particularly described as follows:

BEGINNING at a point on the northeasterly right of way line of Scenic Drive (60-foot right of way) located 920 feet southeasterly as measured along said right of way line from the point at which said right of way line is intersected by the southeasterly right of way line of U.S. Highway No. 78; run thence North 78 degrees 57 minutes 48 seconds East 229.40 feet to a point; run thence South 10 degrees 56 minutes 23 seconds East 68.86 feet to a point; run thence South 80 degrees 30 minutes 56 seconds West 218.69 feet to an iron pin found on the northeasterly right of way line of Scenic Drive; run thence along said right of way line North 20 degrees 39 minutes 38 seconds West 63.83 feet to a point, which is the place or point of beginning.