

WORK SESSION
OF MAYOR AND COUNCIL
CITY OF SNELLVILLE, GEORGIA
MONDAY, APRIL 26, 2021

Publication Date: April 22, 2021

TIME: 6:30 p.m.

DATE: April 26, 2021

PLACE: City Hall Community Room

I. CALL TO ORDER

**II. REVIEW REGULAR BUSINESS MEETINGS AND PUBLIC HEARING
AGENDA ITEMS**

III. REVIEW CORRESPONDENCE

IV. CITY ATTORNEY'S REPORT

V. DISCUSSION ITEMS

- a) Update of Ongoing Projects [Bender]
- b) Landscaping of the two City round-a-bouts [Schulz]
- c) Beautification of Retention Pond 78/124 and Walls along Hwy 78 Update [Emanuel]
- d) Update on Senior Center Reopening [Lenski]
- e) Allocation of Federal COVID Relief Funds [Warner]

VI. EXECUTIVE SESSION

An Executive Session may be called:

- To discuss pending and/or potential litigation, settlement claims, administrative proceedings or other judicial actions, which is exempt from the Open Meetings Act pursuant to O.C.G.A. Section 50-14-2(1).
- To authorize negotiations to purchase, dispose of, or lease property; authorize the ordering of an appraisal related to the acquisition or disposal of real estate; enter into a contract to purchase, dispose of, or lease property subject to approval in a subsequent public vote; or enter into an option to purchase, dispose of, or lease real estate subject to approval in subsequent public vote, which is excluded from the Open Meetings Act pursuant to Section 50-14-3(b)(1)(C).
- Upon the appointment, employment, compensation, hiring, disciplinary action or dismissal, or periodic evaluation or rating of a public officer or employee, which is excluded pursuant to O.C.G.A. Section 50-14-3(b)(2).

VII. ADJOURNMENT

PUBLIC HEARING & REGULAR BUSINESS MEETING
OF MAYOR AND COUNCIL
CITY OF SNELLVILLE, GEORGIA
MONDAY, APRIL 26, 2021

Publication Date: April 22, 2021

TIME: 7:30 p.m.

DATE: April 26, 2021

PLACE: Council Chambers

I. CALL TO ORDER

II. INVOCATION

III. PLEDGE TO THE FLAG

IV. CEREMONIAL MATTERS

PRO 2021-07 - Arbor Day

V. MINUTES

Approve the Minutes of the April 2, 2021 Special Called Meeting and the April 12, 2021 Meetings

VI. INVITED GUESTS

None

VII. COMMITTEE / DEPARTMENT REPORTS

VIII. APPROVAL OF THE AGENDA

IX. PUBLIC HEARING

a) 2nd Reading - RZ 20-04 LUP 20-03 – Consideration and Recommendation on applications by Meritage Homes of Georgia (applicant) and Crawford F. Juhan, Jr. (property owner) and Edjen Finance, LLC (property owner) requesting to amend the Snellville 2040 Comprehensive Plan Future Land Use Map from Office-Professional and Low-Density Residential to Medium-Density Residential; Official Zoning Map amendment from OP (Office Professional) District and BG (General Business) District to R-TH (Single-family Residential)

Townhome) District and request for variance from the front-load garage setback requirement for a 101-unit townhome development on a 14.724± acre site having a density of 6.859 units per acre, located at 2465 Scenic Highway S, Snellville, Georgia (Tax Parcels 5006 002 and 5006 003)

- b) 2nd Reading - CIC 21-01 – Consideration and Recommendation on application by Concept Engineering Services (applicant) and Rejoice in The Word Church International Ministry, Inc. (property owner) requesting a change in conditions from #RZ 07-01 (approved 2-26-2007) to allow 95 onsite parking spaces to be constructed between the street and 8,000 SF proposed religious assembly building on a 5.47± acre site, zoned CI (Civic Institutional) District, located at 3079 Lenora Church Road, Snellville, Georgia (Tax Parcel 5029 090)
- c) 2nd Reading - RZ 21-02 LUP 21-02 – Consideration and Action on applications by Patrick Mallory Companies (applicant) and Summit Chase Country Club, Inc. (property owner) requesting: 1) to amend the Snellville 2040 Comprehensive Plan Future Land Use Map from Park-Recreation to Low-Density Residential; 2) to amend the Official Zoning Map from RS-30 (Single-family Residential) District to RO (Residential for Older Persons) District; and 3) variances from the RO District regulations and General Architectural and Small Building Standards for 21-lot single-family (detached) residential lots on a 5.58± acre site and located at the intersection of Rosebud Road and Temple Johnson Road, Snellville, Georgia (Tax Parcel 5094 327). The subject property is to be incorporated into the adjoining 75.29 acre site, zoned RO (Residential for Older Persons) District for a combined 274-lot age-restricted single-family detached residential community
- d) 2nd Reading - RZ 21-03 LUP 21-03 – Consideration and Action on applications by Roger Fisher (applicant) and Oak Road, LLC (property owner) requesting: 1) to amend the Snellville 2040 Comprehensive Plan Future Land Use Map from Office-Professional to Medium-Density Residential; 2) to amend the Official Zoning Map from OP (Office Professional) District to RS-5 (Single-family Residential) District; and 3) variance from the Small Building Standards and required garage setback from the front elevation for a 5-lot single-family (detached) residential development on a 1.17± acre site located at 1736 Oak Road, Snellville, Georgia (Tax Parcel 5024 075)
- e) 2nd Reading - ANX 21-01 RZ 21-04 LUP 21-04 – Consideration and Action on applications by TOMCO2 Systems Company (applicant) and Stephen & Walter Moon (property owners) requesting: 1) to amend the Snellville 2040 Comprehensive Plan Future Land Use Map to Industrial Mixed-Use; and 2) to amend the Official Zoning Map to LM (Light Manufacturing) District for a 2.7± site located at 3320 Brushy Fork Road, Loganville for expansion of the TOMCO2 System facility and development of an office building with associated parking, (Tax Parcel 5099 003)

REGULAR BUSINESS & PUBLIC HEARING OF MAYOR AND COUNCIL
MONDAY, APRIL 26, 2021
PAGE THREE

X. CONSENT AGENDA (Please see *Note)

XI. OLD BUSINESS

XII. NEW BUSINESS

- a) Consideration and Action on Approval of Gwinnett County Water Metering Device and Access Easement for the Library and Business Building [Bender]

XIII. COUNCIL REPORTS

XIV. MAYOR'S REPORT

XV. PUBLIC COMMENTS

- Section 2-53
Each member of the public who wishes to address the Mayor and City Council in public session must submit their name, address and the topic (be as specific as possible) of their comments to the City Clerk prior to making such comments. Individuals will be allotted five minutes to make their comments and such comments must be limited to the chosen topic. Members of the public shall not make inappropriate or offensive comments at a City Council meeting and are expected to comply with our adopted rules of decorum.
- Decorum
You must conduct yourself in a professional and respectful manner. All remarks should be directed to the Chairman and not to individual Council Members, staff or citizens in attendance. Personal remarks are inappropriate.

XVI. EXECUTIVE SESSION

An Executive Session may be called:

- To discuss pending and/or potential litigation, settlement claims, administrative proceedings or other judicial actions, which is exempt from the Open Meetings Act pursuant to O.C.G.A. Section 50-14-2(1).
- To authorize negotiations to purchase, dispose of, or lease property; authorize the ordering of an appraisal related to the acquisition or disposal of real estate; enter into a contract to purchase, dispose of, or lease property subject to approval in a subsequent public vote; or enter into an option to purchase, dispose of, or lease real estate subject to approval in subsequent public vote, which is excluded from the Open Meetings Act pursuant to Section 50-14-3(b)(1)(C).
- Upon the appointment, employment, compensation, hiring, disciplinary action or dismissal, or periodic evaluation or rating of a public officer or employee, which is excluded pursuant to O.C.G.A. Section 50-14-3(b)(2).

XVII. ADJOURNMENT

***Note:** Items on the Consent Agenda may be read by title only. Upon the request of any Council Member, any item may be removed from the Consent Agenda and placed on the Regular Agenda prior to the adoption of the Regular Agenda. The Consent Agenda, or the remainder thereof omitting the challenged items, shall be adopted by unanimous consent.

CITY OF SNELLVILLE
MEETINGS AND LOCAL EVENTS
APRIL 26, 2021

April 26

Council Meeting

Monday, April 26, 2021

6:30 pm Work Session – Community Room, City Hall

7:30pm Meeting - Council Chambers, City Hall

April 27

Planning Commission Meeting - CANCELLED

Tuesday, April 27, 2021

7:00 pm Work Session – Community Room, City Hall

7:30 pm Meeting – Council Chambers, City Hall

May 1

Extended Farmers' Market – Farm Products

Saturday, May 1, 2021

9:00am-12:00pm

City Hall Parking Lot

May 2

Broadcast of 04/26/21 Council Meeting

Sunday, May 2, 2021

Watch the broadcast of the 04/26/21 Council Meeting on Comcast Channel 25 at 6:30pm

May 4

Commerce Club Meeting

Tuesday, May 4, 2021

Noon – 1:00 pm

Community Room

May 7

Red Cross Blood Drive

Friday, May 7, 2021

1:30 pm – 6:30 pm

Community Room

May 7

Food Truck Friday

Friday, May 7, 2021

4:00 pm to 8:00 pm

Towne Green

May 8

Beach Blast

Saturday, May 8, 2021

7:00 pm to 9:00 pm

****Concert Only****

Towne Green

May 10

Council Meeting

Monday, May 10, 2021

6:30pm Work Session – Community Room, City Hall

7:30pm Meeting - Council Chambers, City Hall



CITY OF SNELLVILLE

Proclamation

PRO 2021-07
ARBOR DAY

- WHEREAS,** In 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees; and
- WHEREAS,** this holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska; and
- WHEREAS,** Arbor Day is now observed throughout the nation and the world; and
- WHEREAS,** trees can reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce life-giving oxygen, and provide habitat for wildlife; and
- WHEREAS,** trees are a renewable resource giving us paper, wood for our homes, fuel for our fires and countless other wood products; and
- WHEREAS,** trees in our city increase property values, enhance the economic vitality of business areas, and beautify our community; and
- WHEREAS,** trees, wherever they are planted, are a source of joy and spiritual renewal.
- THEREFORE,** I, Barbara Bender, Mayor of the City of Snellville, Georgia, Where Everybody is PROUD to be Somebody, join with our City Council and the Citizens of Snellville to hereby proclaim the day of April 30, 2021 as the celebration of

ARBOR DAY

in the City of Snellville, and I urge all citizens to celebrate Arbor Day and to support efforts to protect our trees and woodlands; and

- FURTHER,** I urge all citizens to plant trees to gladden the heart and promote the well-being of this and future generations.

Dated this 26th day of April 2021.



ATTEST:

Barbara Bender, Mayor

Dave Emanuel, Mayor Pro Tem

Solange Destang, Council Member

Cristy Lenski, Council Member

Gretchen Schulz, Council Member

Melisa Arnold, City Clerk

Tod Warner, Council Member



SPECIAL CALLED MEETING
OF MAYOR AND COUNCIL
CITY OF SNELLVILLE, GEORGIA
FRIDAY, APRIL 2, 2021

Present: Mayor Barbara Bender, Council Members Cristy Lenski, Gretchen Schulz, and Tod Warner. (Mayor Pro Tem Dave Emanuel joined via conference call at 4 p.m. and Council Member Solange Destang joined via conference call at 4:23 p.m.) Also present City Manager Butch Sanders, City Attorney Chuck Ross and Attorney Jay Crowley with Powell and Edwards Attorneys at Law, Public Information Officer Brian Arrington, and City Clerk Melisa Arnold.

At 4:08 p.m. Mayor Bender started with a general description of what had happened to date regarding the Tax Commissioner's proposal.

CALL TO ORDER

Council Member Lenski arrived at 4:10 p.m. at which point Mayor Bender announced a quorum was present and called the meeting to order.

Discussion of Gwinnett County Tax Commissioner Proposal [Bender]

Mayor Bender explained what had occurred with negotiations regarding the Tax Commissioner's proposal which would include a \$2 per parcel charge that would be paid directly to the Commissioner as an addition to her salary. She talked about other cities who were participating in the negotiations. Further discussion was held about which option would be best for the City. Consensus was that Mayor and Council were in favor of the actual billing cost charged by Gwinnett County but they did not want to pay the per parcel charge to the Commissioner. Due to legislation pending the Governor's signature and possible future negotiations it was decided that no action would be taken right away.

ADJOURNMENT

Council Member Schulz made a motion to adjourn, 2nd by Council Member Warner; voted 4 in favor and 0 opposed, motion approved. The meeting adjourned at 4:55 p.m.

Barbara Bender, Mayor

Melisa Arnold, City Clerk



**WORK SESSION
OF MAYOR AND COUNCIL
CITY OF SNELLVILLE, GEORGIA
MONDAY, APRIL 12, 2021**

Present: Mayor Barbara Bender, Mayor Pro Tem Dave Emanuel, Council Members Solange Destang, Cristy Lenski, Gretchen Schulz, and Tod Warner. Also present City Manager Butch Sanders, City Attorney Chuck Ross and Attorney Jay Crowley with Powell and Edwards Attorneys at Law, Chief Roy Whitehead, Assistant Chief Greg Perry, Public Information Officer Brian Arrington, Economic Development Manager Eric Van Otteren, Parks and Recreation Director Lisa Platt, and City Clerk Melisa Arnold.

CALL TO ORDER

Mayor Bender called the meeting to order at 6:30 p.m.

**REVIEW REGULAR BUSINESS MEETINGS AND PUBLIC HEARING AGENDA
ITEMS**

During review of agenda item RZ 21-01 LUP 21-01 Theresa Curry of Axis Infrastructure was present representing the applicant and asked for an extension on this application. Consensus was to allow the extension and postpone the item during the meeting.

The remaining agenda was reviewed and discussed with no further changes.

REVIEW CORRESPONDENCE

None

CITY ATTORNEY'S REPORT

Attorney Ross advised an Executive Session is needed for pending litigation.

DISCUSSION ITEMS

Update of Ongoing Projects [Bender]

City Manager Sanders reviewed the Towne Center progress update. During this discussion he talked about the meeting to review the architecture submittals for the Market Building. The consensus was to amend the agenda to add the award of the design for the Market Building.

Discussion of Options to Improve Dumpster Locations on Existing Commercial Properties
[Emanuel]

Mayor Pro Tem Emanuel asked about ways to make the locations look better. During discussion Attorney Ross advised we could not enforce current ordinances on grandfathered properties. Planning Director Thompson spoke about the issue and consensus was to look at ways to help improve the locations by making sure the locations were compliant with the ordinances they currently operate under.

City of Snellville Administration Department

WORK SESSION OF MAYOR AND COUNCIL
MONDAY, APRIL 12, 2021
PAGE TWO

EXECUTIVE SESSION

Mayor Bender read the closed meeting notice into the record as follows:

- To discuss pending and/or potential litigation, settlement claims, administrative proceedings or other judicial actions, which is exempt from the Open Meetings Act pursuant to O.C.G.A. Section 50-14-2(1).

Upon a motion by Mayor Pro Tem Emanuel, 2nd by Council Member Destang, the meeting was closed, with all Council Members and the Mayor present and voting in favor.

The meeting was closed at 7:12 p.m.

The meeting reconvened at 7:27 p.m.

ADJOURNMENT

Mayor Pro Tem Emanuel made a motion to adjourn, 2nd by Council Member Warner; voted 6 in favor and 0 opposed, motion approved. The meeting adjourned at 7:27 p.m.

Barbara Bender, Mayor

Melisa Arnold, City Clerk



PUBLIC HEARING & REGULAR BUSINESS MEETING
OF MAYOR AND COUNCIL
CITY OF SNELLVILLE, GEORGIA
MONDAY, APRIL 12, 2021

Present: Mayor Barbara Bender, Mayor Pro Tem Dave Emanuel, Council Members Solange Destang, Cristy Lenski, Gretchen Schulz, and Tod Warner. Also present City Manager Butch Sanders, City Attorney Chuck Ross and Attorney Jay Crowley with Powell and Edwards Attorneys at Law, Chief Roy Whitehead, Assistant Chief Greg Perry, Public Information Officer Brian Arrington, Economic Development Manager Eric Van Otteren and City Clerk Melisa Arnold.

CALL TO ORDER

Mayor Bender called the meeting to order at 7:33 p.m.

INVOCATION

Former Council Member Mike Sabbagh gave the invocation.

PLEDGE TO THE FLAG

Trase Lee led the Pledge of Allegiance.

CEREMONIAL MATTERS

PRO 2021-05 – Arab American Heritage Month

Mayor Bender read the proclamation into the record and presented it to Mike Sabbagh.

Presentation of a Youth Business License to Trase Lee for Tray Productions

Eric Van Otteren gave a brief overview of the Shark Tank Program for Youth and then Mayor Bender presented Trase Lee with the Youth Business License.

MINUTES

Approve the Minutes of the March 22, 2021 Meetings

Council Member Destang made a motion to approve the minutes of the March 22, 2021 meetings, 2nd by Council Member Lenski; voted 6 in favor and 0 opposed, motion approved.

INVITED GUESTS

None

COMMITTEE / DEPARTMENT REPORTS

None

PUBLIC HEARING & REGULAR BUSINESS OF MAYOR AND COUNCIL
MONDAY, APRIL 12, 2021
PAGE TWO

APPROVAL OF THE AGENDA

Mayor Pro Tem Emanuel a motion to approve the agenda with the addition of New Business item d, Motion to Approve Architect for Towne Center Mercantile Building, 2nd by Council Member Destang; voted 6 in favor and 0 opposed, motion approved.

PUBLIC HEARING

2nd Reading - RZ 21-01 LUP 21-01 – Consideration and Recommendation on applications by AXIS Infrastructure, LLC (applicant) and Britt and Camp, LLC (property owner) requesting to amend the Snellville 2040 Comprehensive Plan Future Land Use Map from Low-Density Residential to Medium-Density Residential and Official Zoning Map amendment from RS30 (Single-family Residential) District to RS-5 (Single-family Residential) District for a 13- lot single-family (detached) residential subdivision on a 2.765± acre site having a gross density of 4.7 units per acre, located at 2706 Lenora Church Road, Snellville, Georgia (Tax Parcel 5028 001)

Mayor Bender explained that the applicant has requested this item be postponed for thirty days. Mayor Pro Tem Emanuel made a motion to table until the May 10, 2021 meeting, 2nd by Council Member Schulz; voted 6 in favor and 0 opposed, motion approved.

1st Reading - RZ 21-02 LUP 21-02 – Consideration and Action on applications by Patrick Mallory Companies (applicant) and Summit Chase Country Club, Inc. (property owner) requesting: 1) to amend the Snellville 2040 Comprehensive Plan Future Land Use Map from Park-Recreation to Low-Density Residential; 2) to amend the Official Zoning Map from RS-30 (Single-family Residential) District to RO (Residential for Older Persons) District; and 3) variances from the RO District regulations and General Architectural and Small Building Standards for 21-lot single-family (detached) residential lots on a 5.58± acre site and located at the intersection of Rosebud Road and Temple Johnson Road, Snellville, Georgia (Tax Parcel 5094 327). The subject property is to be incorporated into the adjoining 75.29 acre site, zoned RO (Residential for Older Persons) District for a combined 274-lot age-restricted single-family detached residential community

Council Member Schulz made a motion to waive the first reading and place on the April 26, 2021 agenda for the second reading and public hearing, 2nd by Mayor Pro Tem Emanuel; voted 6 in favor and 0 opposed, motion approved.

1st Reading - RZ 21-03 LUP 21-03 – Consideration and Action on applications by Roger Fisher (applicant) and Oak Road, LLC (property owner) requesting: 1) to amend the Snellville 2040 Comprehensive Plan Future Land Use Map from Office-Professional to Medium-Density Residential; 2) to amend the Official Zoning Map from OP (Office Professional) District to RS-5 (Single-family Residential) District; and 3) variance from the Small Building Standards and required garage setback from the front elevation for a 5-lot single-family (detached) residential development on a 1.17± acre site located at 1736 Oak Road, Snellville, Georgia (Tax Parcel 5024 075)

PUBLIC HEARING & REGULAR BUSINESS OF MAYOR AND COUNCIL
MONDAY, APRIL 12, 2021
PAGE THREE

Council Member Lenski made a motion to waive the first reading and place on the April 26, 2021 agenda for the second reading and public hearing, 2nd by Council Member Warner; voted 6 in favor and 0 opposed, motion approved.

1st Reading - ANX 21-01 RZ 21-04 LUP 21-04 – Consideration and Action on applications by TOMCO2 Systems Company (applicant) and Stephen & Walter Moon (property owners) requesting: 1) to amend the Snellville 2040 Comprehensive Plan Future Land Use Map to Industrial Mixed-Use; and 2) to amend the Official Zoning Map to LM (Light Manufacturing) District for a 2.7± site located at 3320 Brushy Fork Road, Loganville for expansion of the TOMCO2 System facility and development of an office building with associated parking. (Tax Parcel 5099 003)

Council Member Lenski made a motion to waive the first reading and place on the April 26, 2021 agenda for the second reading and public hearing, 2nd by Mayor Pro Tem Emanuel; voted 6 in favor and 0 opposed, motion approved.

CONSENT AGENDA

- a) Consideration and Action on Quit Claim Deed between City of Snellville and Downtown Development Authority for all Permanent and Temporary Construction Easements [Bender]
- b) Consideration and Action on Right of Way Deed for the City of Snellville on Three Tracts of Land [Bender]
- c) Consideration and Action on Intergovernmental Agreement for the Construction, Development, and Operation of Certain Components of the Grove at Towne Center In The City Of Snellville [Bender]
- d) Consideration and Action on Intergovernmental Agency Agreement Between the Downtown Development Authority and the City of Snellville for the Issuing of Town Center Project Taxable Revenue Bonds, Series 2021A [Bender]

Mayor Bender read the consent agenda into the record.

Mayor Pro Tem Emanuel made a motion to approve the consent agenda, 2nd by Council Member Destang; voted 6 in favor and 0 opposed, motion approved.

OLD BUSINESS

None

NEW BUSINESS

Mayor's Nomination and Council Confirmation of Michael Kissel to Planning Commission Post 6 with an Expiration Date of June 30, 2021 [Bender]

Mayor Bender nominated Michael Kissel to Planning Commission Post 6, confirmed 6 in favor and 0 opposed, nomination confirmed.

Mayor Bender administered the Oath of Office to Mr. Kissel.

Consideration and Action on Award of Bid for Property and Casualty Insurance [Bender]

City Manager Sanders reviewed the bid information from Travelers and explained it would be about a \$30,000 savings.

PUBLIC HEARING & REGULAR BUSINESS OF MAYOR AND COUNCIL
MONDAY, APRIL 12, 2021
PAGE FOUR

Council Member Schulz made a motion to approve the bid from Travelers in the amount of \$287,626, 2nd by Mayor Pro Tem Emanuel; voted 6 in favor and 0 opposed, motion approved.

Consideration and Action on Surplus of Old Snowflake Decorations for Public Works [Bender]
Mayor Pro Tem Emanuel made a motion to approve the surplus 127 old snowflake decorations, 2nd by Council Member Lenski; voted 6 in favor and 0 opposed, motion approved.

Consideration and Action on Selection of Architect Firm for Towne Center Mercantile Building [Bender]
Mayor Pro Tem Emanuel made a motion to approve Place Maker Design as the architect for the Market Building, 2nd by Council Member Warner; voted 6 in favor and 0 opposed, motion approved.

COUNCIL REPORTS

Council Members Destang, Warner, Lenski, Schulz and Mayor Pro Tem Emanuel each gave a report.

MAYOR'S REPORT

Mayor Bender gave a report.

PUBLIC COMMENTS

None

EXECUTIVE SESSION

None

ADJOURNMENT

Mayor Pro Tem Emanuel made a motion to adjourn, 2nd by Council Member Destang; voted 6 in favor and 0 opposed, motion approved. The meeting adjourned at 8:10 p.m.

Barbara Bender, Mayor

Melisa Arnold, City Clerk

Agenda Item Summary



TO: The Mayor and Council

FROM: Jason Thompson, Director
Department of Planning and Development

DATE: ~~March 22, 2021~~
April 26, 2021

RE: #RZ 20-04 LUP 20-03

DEVELOPMENT: 101-Unit Townhome Development
14.7± Acres at 2465 Scenic Hwy. S, Snellville, Georgia

STATUS: ~~Continuance from Feb 22nd Reading~~ **Continuance from March 22, 2021 2nd Reading/Public Hearing**

Applications to amend the Snellville 2040 Comprehensive Plan Future Land Use Map; Official Zoning Map amendment and request for variance for a 101-Unit Single-family Attached (Townhome) Development on a 14.7± acre property located at 2465 Scenic Hwy. S, Snellville, Georgia (Tax Parcels 5006 002 and 5006 003.

UPDATE – Upon concerns about density and overall quality of life to Lanier Forest residents, the applicant asked for the hearing to be tabled. The applicant has since provided and new site plan with a reduction of 11 units bringing the total down to 90 units. The site plan also pulls the development further back from Lanier Forest. The applicant concurrently provided revised front elevations with enhancements made to the garages to make them more aesthetically pleasing.

Financial Impact: Site Development Permit fees; Building Permit fees; Real Property Taxes

Planning Commission Meeting: January 26, 2021

Recommendations:

Case No. →	LUP 20-03	RZ 20-04
Planning Department	Approval	Approval
Planning Commission	Approval	Approval

Mayor and Council Meetings: February 8, 2021 (1st Reading)

14.7± Acres at 2465 Scenic Hwy. S, Snellville, Georgia
Case #RZ 20-04 LUP 20-03
March 22, 2021
Page... 2

**February 22, 2021 (2nd Reading and Public Hearing –TABLED)
March 22, 2021 (Public Hearing)**

Action requested: **Consideration, Public Hearing and Action**

Case Documents (website link):

- Letter of Intent (10-09-2020)
- #RZ 20-04 Application (10-09-2020)
- #LUP 20-03 Application (10-09-2020)
- Property Survey (10-09-2020)
- Property Legal Descriptions (10-09-2020)
- Supplements to Applications (10-09-2020)
- 9-18-2020 Master Rezoning Site Plan (10-09-2020)
- Sample Elevation Rendering & Photos (10-09-2020)
- 11-24-2020 Planning Department Case Summary & Analysis (11-11-2020)
- *Official* 1-26-2021 Planning Commission Regular Meeting Minutes (2-24-2021)
- 1-26-2021 Planning Commission Case Report (2-1-2021)
- 2-8-2021 Planning Department Case Summary & Analysis with Planning Commission Report (2-2-2021)
- Draft Ordinance(s) (2-4-2021)
- Conditions *Only* Recommendation (2-9-2021)
- Variances *Only* Recommendation (2-9-2021)
- 2-22-2021 Planning Department Case Summary & Analysis with Planning Commission Report (2-15-2021)
- Sample Front Elevation with Enhanced Garage Doors (3-8-2021)
- 3-7-2021 REVISED Master Rezoning Plan (3-8-2021)
- Revised Draft Ordinance(s) (3-18-2021)

STATE OF GEORGIA

CITY OF SNELLVILLE

ORDINANCE NO. 2021-05

AN ORDINANCE TO AMEND THE 2040 COMPREHENSIVE PLAN FUTURE LAND USE MAP FOR THE CITY OF SNELLVILLE, GEORGIA, FOR A 14.724± ACRE TRACT OF LAND LOCATED IN LAND LOT 6 OF THE 5TH LAND DISTRICT, GWINNETT COUNTY, GEORGIA, 2465 SCENIC HIGHWAY S., SNELLVILLE, GEORGIA; TO PROVIDE FOR SEVERABILITY; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

CASE NUMBER:	#LUP 20-03
SIZE:	14.724 Acres
LOCATION:	2465 Scenic Highway S., Snellville, Georgia
TAX PARCELS:	R5006 002 and R5006 003
CURRENT FUTURE LAND USE MAP DESIGNATION:	Office-Professional and Low-Density Residential
REQUESTED FUTURE LAND USE MAP AMENDMENT:	Medium-Density Residential
DEVELOPMENT/PROJECT:	90-Unit Single-family Residential Townhome Community
PROPERTY OWNERS:	Crawford F. Juhan, Jr., Snellville, Georgia Edjen Enterprises, LLC, Longboat Key, FL
APPLICANT/CONTACT:	Meritage Homes of Georgia c/o Mitch Peevy 770-361-8444 or MitchPeevy@gmail.com

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 the designated land use as it applies to the 14.724± acre tract of land located at 2465 Scenic Highway S., Snellville, Georgia (Tax Parcels R5006 002 and R5006 003) for a 90-unit single-family attached (townhome) development; 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 future land use designation of the 14.724± acre tract of land as shown on the revised site plan entitled “Scenic Hwy at Henry Clower a Master Planned Residential Development for Meritage Homes”, dated 9-18-2020 and revised 3-7-2021 and 4-19-2021 (stamped received 4-20-2021) in Exhibit “A”, a copy of which is attached hereto and incorporated herein by reference is hereby changed from Office-Professional and Low-Density Residential to Medium-Density Residential.

This change in future land use is to be noted on the City of Snellville 2040 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 affected by this Ordinance. Until the change is indicated on the City of Snellville 2040 Comprehensive Plan Future Land Use Map approved by the Mayor

and Council, this Ordinance shall govern over the City of Snellville 2040 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 2040 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 _____, 2021. The effective date of this Ordinance shall be the date of adoption unless otherwise stated herein.

[SIGNATURES BEGIN ON THE FOLLOWING PAGE]

ORDAINED this _____ day of April, 2021.

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

W. Charles Ross, City Attorney
Powell & Edwards, P.C.

Gretchen Schulz, Council Member

Tod Warner, Council Member

EXHIBIT “A”



SHEFF

STATE OF GEORGIA

CITY OF SNELLVILLE

ORDINANCE NO. 2101-05

AN ORDINANCE TO DENY THE REQUEST TO AMEND THE 2040 COMPREHENSIVE PLAN FUTURE LAND USE MAP FOR THE CITY OF SNELLVILLE, GEORGIA, FOR A 14.724± ACRE TRACT OF LAND LOCATED IN LAND LOT 6 OF THE 5TH LAND DISTRICT, GWINNETT COUNTY, GEORGIA, 2465 SCENIC HIGHWAY S., SNELLVILLE, GEORGIA; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

CASE NUMBER:	#LUP 20-03
SIZE:	14.724 Acres
LOCATION:	2465 Scenic Highway S., Snellville, Georgia
TAX PARCELS:	R5006 002 and R5006 003
CURRENT FUTURE LAND USE MAP DESIGNATION:	Office-Professional and Low-Density Residential
REQUESTED FUTURE LAND USE MAP AMENDMENT:	Medium-Density Residential
DEVELOPMENT/PROJECT:	101-Unit Single-family Residential Townhome Community
PROPERTY OWNERS:	Crawford F. Juhan, Jr., Snellville, Georgia Edjen Enterprises, LLC, Longboat Key, FL
APPLICANT/CONTACT:	Meritage Homes of Georgia c/o Mitch Peevy 770-361-8444 or MitchPeevy@gmail.com

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 deny LUP 20-03, which requested to amend the designated land use as it applies to the 14.724± acre tract of land located at 2465 Scenic Highway S., Snellville, Georgia (Tax Parcels R5006 002 and R5006 003) for a 101-unit single-family attached (townhome) development, later revised and reduced by 11-units for a 90-unit single-family attached (townhome) development; 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. For reasons stated in the public hearing and upon a review of the application submitted by Applicant, the request for a change in the future land use designation of the 14.724± acre tract of land as shown on the site plan entitled “Scenic Hwy at Henry Clower a Master Planned Residential Development for Meritage Homes”, sealed and dated 9-18-2020 (stamped received 10-9-2020) in Exhibit “A”, and as shown on the 3-7-2021 and 4-19-2021 revised site plan entitled “Scenic Hwy at Henry Clower a Master Planned Residential Development for Meritage Homes”, stamped received 4-20-2021 in Exhibit “B”, copies of which are attached hereto and incorporated herein by reference is hereby denied.

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 _____, 2021. The effective date of this Ordinance shall be the date of adoption unless otherwise stated herein.

[SIGNATURES BEGIN ON THE FOLLOWING PAGE]

ORDAINED this _____ day of April, 2021.

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

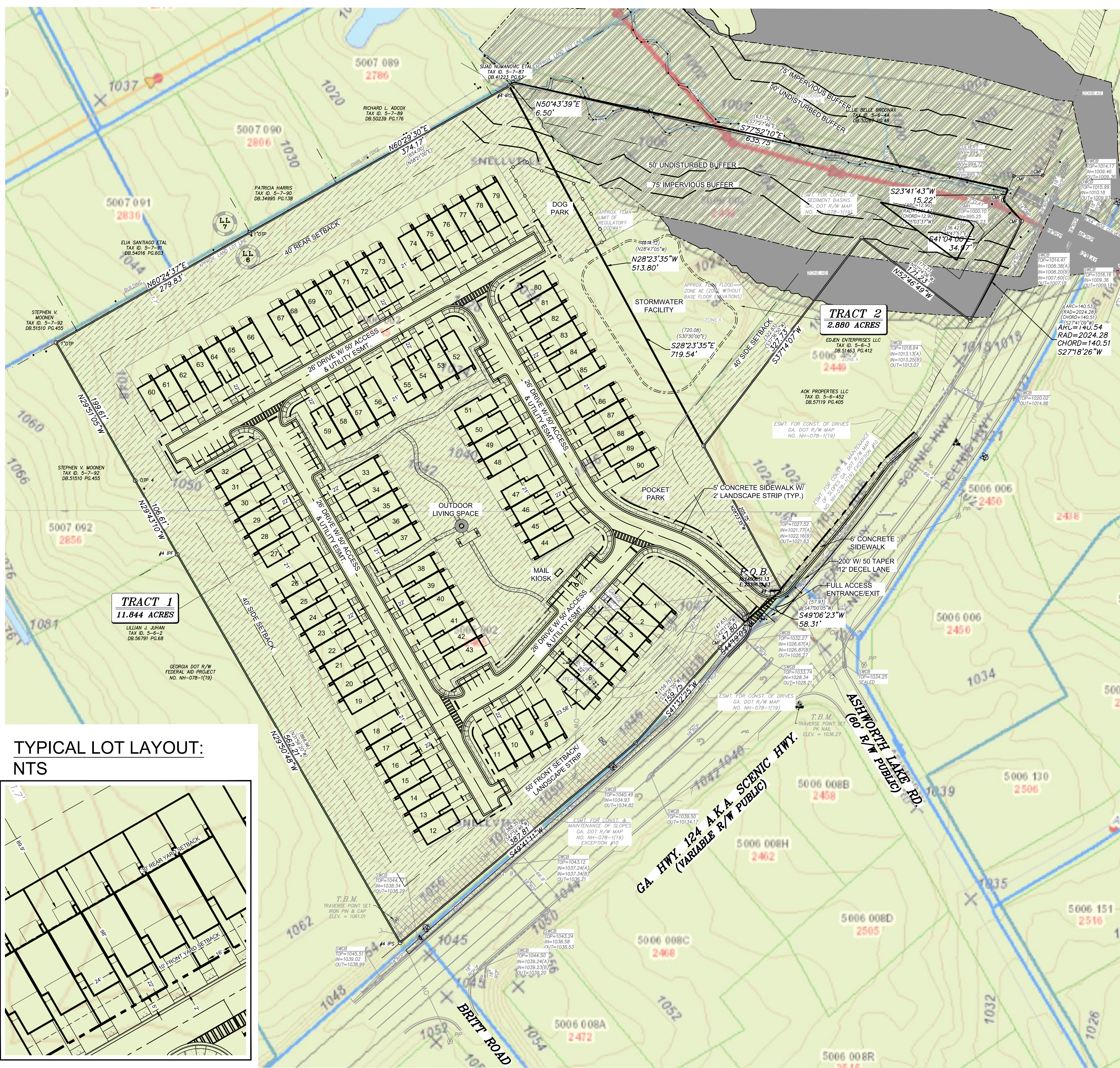
W. Charles Ross, City Attorney
Powell & Edwards, P.C.

Gretchen Schulz, Council Member

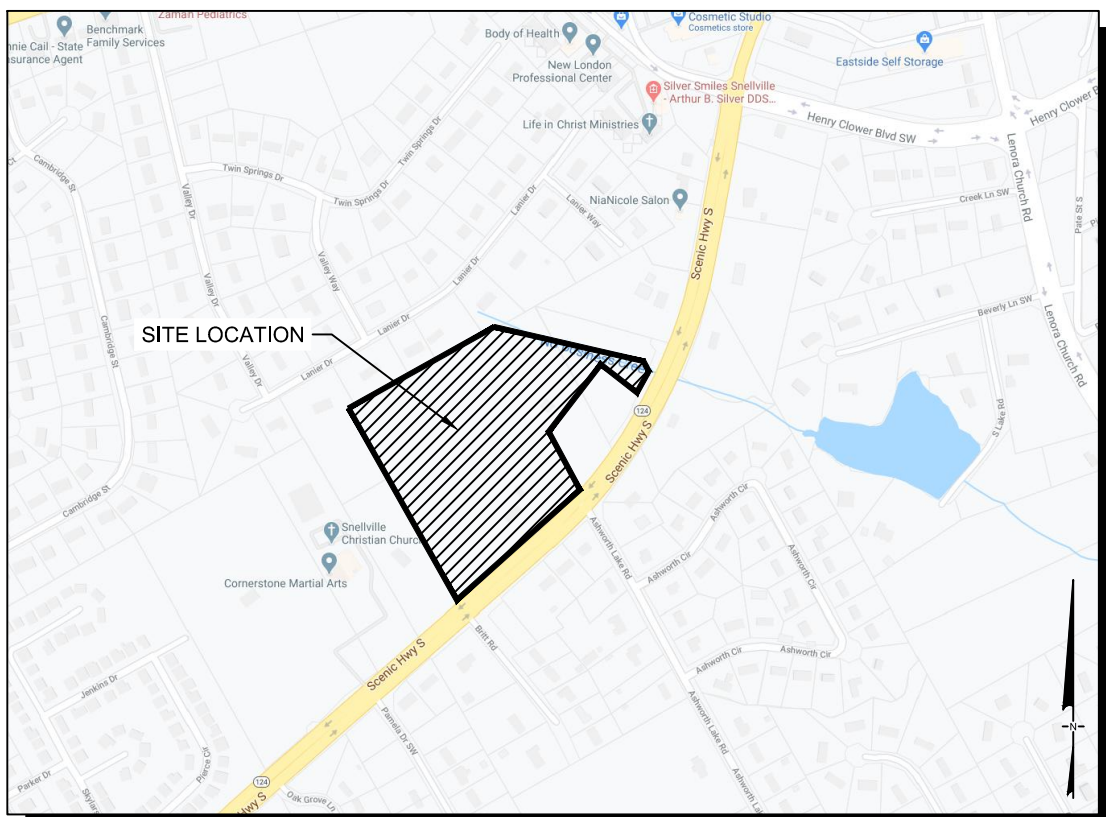
Tod Warner, Council Member

EXHIBIT “A”

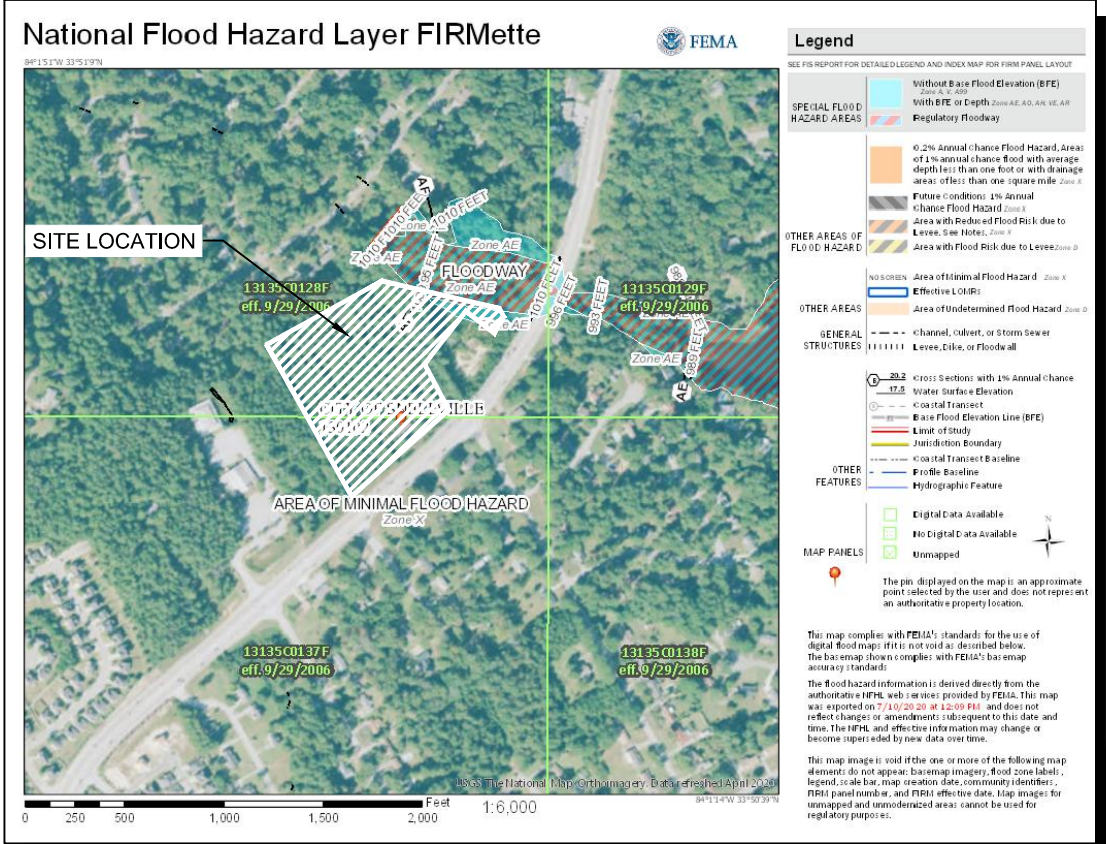
EXHIBIT “B”



TYPICAL LOT LAYOUT:
NTS

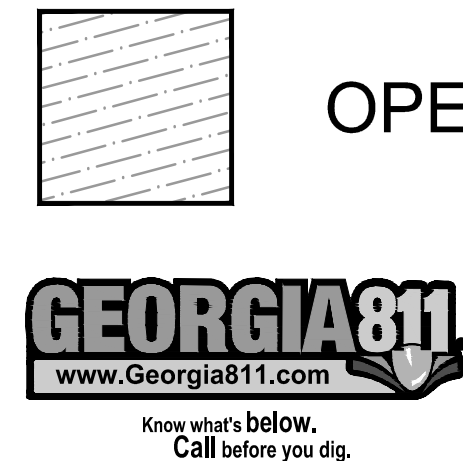


SITE LOCATION MAP
NOT TO SCALE



FEMA FIRMAP
NOT TO SCALE

SITE DATA:	
SITE AREA	14.724 ACRES
ZONING	
EXISTING ZONING	BG
PROPOSED ZONING	R-TH
ZONING JURISDICTION	CITY OF SNELLVILLE, GEORGIA
USE CALCULATIONS	
NET LOT AREA	14.724 ACRES
EXTERIOR YARD SETBACK REQUIREMENTS	
FRONT YARD	50 FEET
SIDE YARD	40 FEET
REAR YARD	40 FEET
INTERIOR YARD SETBACK REQUIREMENTS	
FRONT YARD	10 FEET (EXCLUDING PORCHES)
SIDE YARD	0 FEET (MIN. 20' SEPARATION BETWEEN END UNIT BLDGS.)
REAR YARD	30 FEET
MAX. BUILDING HEIGHT	35 FEET
DEVELOPMENT STANDARDS	
24' X 56' FRONT LOADED TOWNHOMES	90 UNITS
TOTAL SITE DENSITY PROVIDED	6.11 UPA
MAX. SITE DENSITY ALLOWED	8.0 UPA
OPEN SPACE CALCULATIONS	
OPEN SPACE REQUIRED	2.945 ACRES (20% OF TOTAL SITE AREA)
50% OF STREAM BUFFER AREA	0.685 ACRES (1.37 ACRES X 50%)
OPEN SPACE PROVIDED	4.87 ACRES (33.1% OF TOTAL SITE AREA)
TOTAL OPEN SPACE PROVIDED	6.24 ACRES (42.38% OF TOTAL SITE AREA)
TOTAL IMPERVIOUS AREA PROVIDED	2.36 ACRES (16% OF TOTAL SITE AREA)
PARKING REQUIREMENTS	
MIN. PARKING REQUIRED	180 SPACES (2 SP/ DWELLING UNIT)
PARKING PROVIDED	270 SPACES (2 GARAGE + 1 DRIVEWAY SPACE)
GUEST PARKING PROVIDED	35 SPACES
TOTAL PARKING PROVIDED	305 SPACES (3.4 SP/ DWELLING UNIT)



OPEN SPACE

24 HOUR CONTACT:
RAY RICHARD
912-222-5646

SCENIC HWY at HENRY CLOWER

A MASTER PLANNED RESIDENTIAL DEVELOPMENT

FOR
MERITAGE HOMES

2700 CUMBERLAND PARKWAY

SUITE 400

ATLANTA, GEORGIA 30339

PHONE: 912-222-5646

"WE PROVIDE SOLUTIONS"

PLANNERS AND ENGINEERS COLLABORATIVE

SITE PLANNING LANDSCAPE ARCHITECTURE CIVIL ENGINEERING LAND SURVEYING

350 RESEARCH COURT PEACHTREE CORNERS, GEORGIA 30092 (770) 451-2741 FAX (770) 451-3915

REVISIONS:

NO.	DATE	BY	DESCRIPTION
*1	3/7/21	kw	Reduce Density & Revise Entry Road
*2	4/19/21	kw	City Comments

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MASTER REZONING PLAN

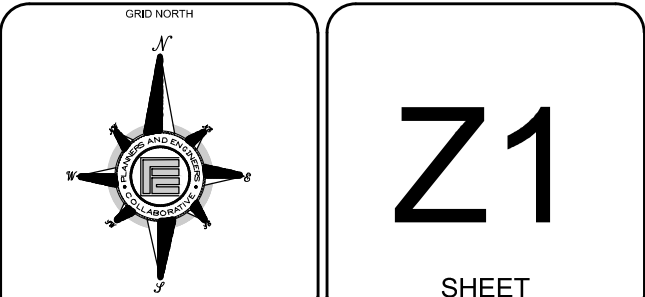


SCALE: 1" = 60'
DATE: SEPT. 18, 2020
PROJECT: 20160.00

THIS SEAL IS ONLY VALID IF COUNTER SIGNED AND DATED WITH AN ORIGINAL SIGNATURE.



GSWCC LEVEL II DESIGN PROFESSIONAL
CERTIFICATION # 0000059389 EXP. 10/28/2021



Z1
SHEET

STATE OF GEORGIA

CITY OF SNELLVILLE

ORDINANCE NO. 2021-04

AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF SNELLVILLE, GEORGIA, AS AMENDED, FOR A 14.724± ACRE TRACT OF LAND LOCATED IN LAND LOT 6 OF THE 5TH LAND DISTRICT, GWINNETT COUNTY, GEORGIA, 2465 SCENIC HIGHWAY S., SNELLVILLE, GEORGIA; TO ADD CONDITIONS AFFECTING THE PROPERTY; TO APPROVE VARIANCES; TO PROVIDE FOR SEVERABILITY; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

CASE NUMBER:	#RZ 20-04
SIZE:	14.724 Acres
LOCATION:	2465 Scenic Highway S., Snellville, Georgia
TAX PARCELS:	R5006 002 and R5006 003
CURRENT ZONING MAP:	OP (Office-Professional) District and BG (General Business) District
REQUESTED ZONING MAP AMENDMENT:	R-TH (Single-family Residential Townhome) District
DEVELOPMENT/PROJECT:	90-Unit Single-family Residential Townhome Community
PROPERTY OWNERS:	Crawford F. Juhan, Jr., Snellville, Georgia Edjen Enterprises, LLC, Longboat Key, FL
APPLICANT/CONTACT:	Meritage Homes of Georgia c/o Mitch Peevy 770-361-8444 or MitchPeevy@gmail.com BG (General Business) District

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 14.724± acre tract of land located at 2465 Scenic Highway S., Snellville, Georgia (Tax Parcels R5006 002 and 5006 003) for a 90-unit single-family attached (townhome) development; 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 Official Zoning Map for the City of Snellville, Georgia for the 14.724± acre tract of land as shown on the site plan entitled “Scenic Hwy at Henry Clower a Master Planned Residential Development for Meritage Homes”, dated 9-18-2020 and revised 3-7-2021 and 4-19-2021 (stamped received 4-20-2021) in Exhibit “A”, a copy of which is attached hereto and incorporated herein by reference is hereby changed from OP (Office-Professional) District and BG (General Business) District to R-TH (Single-family Residential Townhome) District. This action is subject to the attachment of the following conditions (1-11):

CONDITIONS:

1. The property shall be developed in accordance with the rezoning site plan entitled “Scenic Hwy at Henry Clower”, dated 9-18-2020 and revised 3-7-2021 and 4-19-2021 (stamped received 4-20-2021), with modifications permitted to meet conditions of zoning or State, County, and City regulations. Substantial variation from the rezoning site plan, as determined by the Director of Planning and Development will require Mayor and Council approval.

2. Single-family attached dwellings shall not exceed a density of 6.12 units per acre.
3. A Property Owner's Association shall be established for the continuous maintenance of buffers, open space, stormwater detention facility, and recreation areas.
4. The development and townhome units are to be deed restricted to at least 90% owner-occupied fee-simple single-family ownership while the remaining 10% of the townhome units may be used as non-owner occupied (rental) units. This condition must be incorporated into the Property Owner's Association documents prior to the release of any certificates of occupancy.
5. Signs higher than 15 feet or larger than 225 square feet are prohibited.
6. Continue sidewalk connectivity within the existing public right-of-way where there are no sidewalks between Tract 1 and Tract 2.
7. Developer shall erect a 6-foot tall vinyl coated chain link or wooden privacy fence around the perimeter of the development, excluding the front of the property.
8. Developer shall provide a permanent berm, minimum two-foot in height, along 280± feet on the northern property line where abutting Lanier Forest subdivision (parcels 5007 091; 5007 090; 5007 089; 5007 091 (part of); and 5007 088 (part of). Said berm shall be planted per a buffer and landscape plan approved by the Director of Planning and Development so as to provide a dense visual screen upon maturity of the plantings.

9. A 25-foot landscape buffer shall be required along the western and northern property lines and front portion of the eastern property line and extending up to Unit-90.
10. In consideration of approval of the variance from Sec. 9.5B(4)(6)(a) of the Zoning Ordinance, the applicant shall be required to utilize one sixteen-foot (16') wide insulated carriage style garage door for each townhome dwelling as per Exhibit "B". Garage doors may not be colored in 'Bright White'.
11. All driveways shall be a minimum of twenty-two feet (22') in length, measured from the front of the garage door to the leading edge of the sidewalk (edge closest to dwelling), and shall be wide enough to accommodate the parallel parking of two vehicles.

Section 2. The requested variance from Sec. 9.5B(4)(6)(a) of the Zoning Ordinance requiring front-loading garages for single-family attached dwellings (townhomes), be located a minimum of ten (10) feet behind the plane of the front façade of the principal building is approved, subject to Condition #11 (above).

Section 3. The changes in zoning classification 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 4. The preamble of this Ordinance shall be considered to be and is hereby incorporated by reference as if fully set out herein.

Section 5. (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 6. 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 7. All ordinances and parts of ordinances in conflict herewith are hereby expressly repealed

Section 8. This Ordinance was adopted on _____, 2021. The effective date of this Ordinance shall be the date of adoption unless otherwise stated herein.

[SIGNATURES BEGIN ON THE FOLLOWING PAGE]

ORDAINED this _____ day of April, 2021.

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

W. Charles Ross, City Attorney
Powell & Edwards, P.C.

Gretchen Schulz, Council Member

Tod Warner, Council Member

EXHIBIT “A”

EXHIBIT “B”



STATE OF GEORGIA

CITY OF SNELLVILLE

ORDINANCE NO. 2021-04

AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF SNELLVILLE, GEORGIA, AS AMENDED, FOR A 14.724± ACRE TRACT OF LAND LOCATED IN LAND LOT 6 OF THE 5TH LAND DISTRICT, GWINNETT COUNTY, GEORGIA, 2465 SCENIC HIGHWAY S., SNELLVILLE, GEORGIA; TO ADD CONDITIONS AFFECTING THE PROPERTY; TO DENY VARIANCES; TO PROVIDE FOR SEVERABILITY; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

CASE NUMBER:	#RZ 20-04
SIZE:	14.724 Acres
LOCATION:	2465 Scenic Highway S., Snellville, Georgia
TAX PARCELS:	R5006 002 and R5006 003
CURRENT ZONING MAP:	OP (Office-Professional) District and BG (General Business) District
REQUESTED ZONING MAP AMENDMENT:	R-TH (Single-family Residential Townhome) District
DEVELOPMENT/PROJECT:	90-Unit Single-family Residential Townhome Community
PROPERTY OWNERS:	Crawford F. Juhan, Jr., Snellville, Georgia Edjen Enterprises, LLC, Longboat Key, FL
APPLICANT/CONTACT:	Meritage Homes of Georgia c/o Mitch Peevy 770-361-8444 or MitchPeevy@gmail.com BG (General Business) District

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 14.724± acre tract of land located at 2465 Scenic Highway S., Snellville, Georgia (Tax Parcels R5006 002 and 5006 003) for a 90-unit single-family attached (townhome) development; 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 Official Zoning Map for the City of Snellville, Georgia for the 14.724± acre tract of land as shown on the site plan entitled “Scenic Hwy at Henry Clower a Master Planned Residential Development for Meritage Homes”, dated 9-18-2020 and revised 3-7-2021 and 4-19-2021 (stamped received 4-20-2021) in Exhibit “A”, a copy of which is attached hereto and incorporated herein by reference is hereby changed from OP (Office-Professional) District and BG (General Business) District to R-TH (Single-family Residential Townhome) District. This action is subject to the attachment of the following conditions (1-9):

CONDITIONS:

1. The property shall be developed in accordance with the rezoning site plan entitled “Scenic Hwy at Henry Clower”, dated 9-18-2020 and revised 3-7-2021 and 4-19-2021 (stamped received 4-20-2021), with modifications permitted to meet conditions of zoning or State, County, and City regulations. Substantial variation from the rezoning site plan, as determined by the

Director of Planning and Development will require Mayor and Council approval.

2. Single-family attached dwellings shall not exceed a density of 6.12 units per acre.
3. A Property Owner's Association shall be established for the continuous maintenance of buffers, open space, stormwater detention facility, and recreation areas.
4. The development and townhome units are to be deed restricted to at least 90% owner-occupied fee-simple single-family ownership while the remaining 10% of the townhome units may be used as non-owner occupied (rental) units. This condition must be incorporated into the Property Owner's Association documents prior to the release of any certificates of occupancy.
5. Signs higher than 15 feet or larger than 225 square feet are prohibited.
6. Continue sidewalk connectivity within the existing public right-of-way where there are no sidewalks between Tract 1 and Tract 2.
7. Developer shall erect a 6-foot tall vinyl coated chain link or wooden privacy fence around the perimeter of the development, excluding the front of the property.
8. Developer shall provide a permanent berm, minimum two-foot in height, along 280± feet on the northern property line where abutting Lanier Forest subdivision (parcels 5007 091; 5007 090; 5007 089; 5007 091 (part of); and 5007 088 (part of). Said berm shall be planted per a buffer and landscape plan

approved by the Director of Planning and Development so as to provide a dense visual screen upon maturity of the plantings.

9. A 25-foot landscape buffer shall be required along the western and northern property lines and front portion of the eastern property line and extending up to Unit-90.

Section 2. The requested variance from Sec. 9.5B(4)(6)(a) of the Zoning Ordinance requiring front-loading garages for single-family attached dwellings (townhomes), be located a minimum of ten (10) feet behind the plane of the front façade of the principal building is denied.

Section 3. The changes in zoning classification 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 4. The preamble of this Ordinance shall be considered to be and is hereby incorporated by reference as if fully set out herein.

Section 5. (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.

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Section 6. 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 7. All ordinances and parts of ordinances in conflict herewith are hereby expressly repealed

Section 8. This Ordinance was adopted on _____, 2021. The effective date of this Ordinance shall be the date of adoption unless otherwise stated herein.

[SIGNATURES BEGIN ON THE FOLLOWING PAGE]

ORDAINED this _____ day of April, 2021.

Barbara Bender, Mayor

ATTEST:

Dave Emanuel, Mayor Pro Tem

Melisa Arnold, City Clerk

Cristy Lenski, Council Member

APPROVED AS TO FORM:

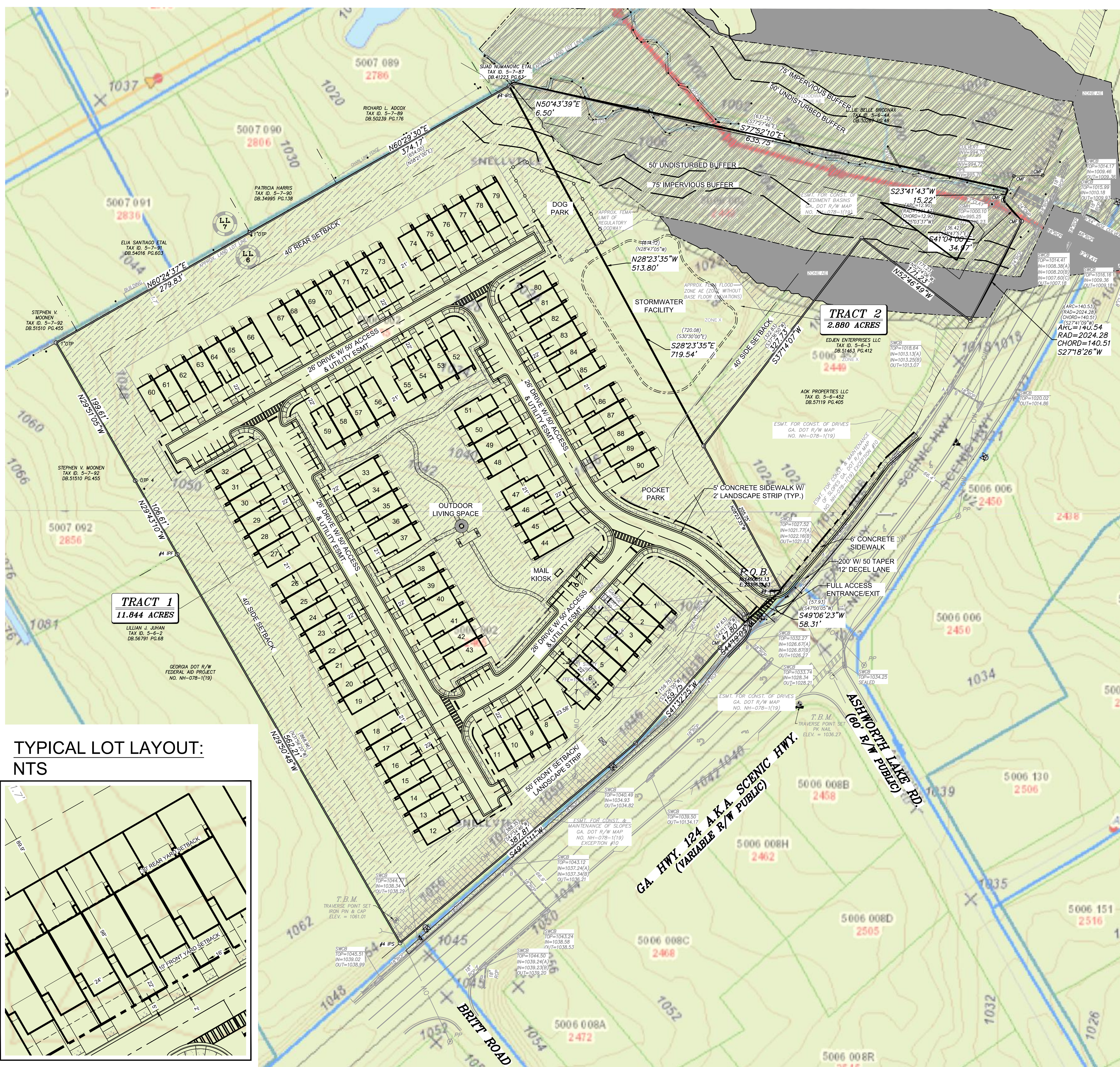
Solange Destang, Council Member

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Powell & Edwards, P.C.

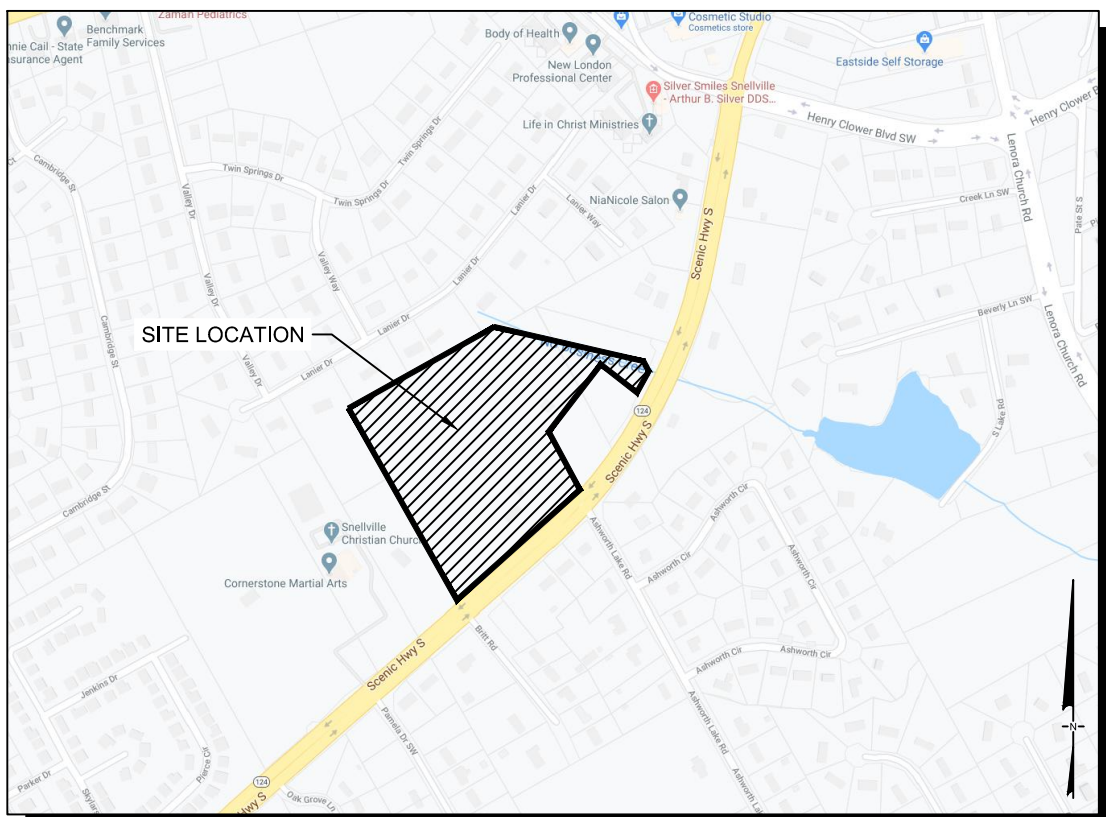
Gretchen Schulz, Council Member

Tod Warner, Council Member

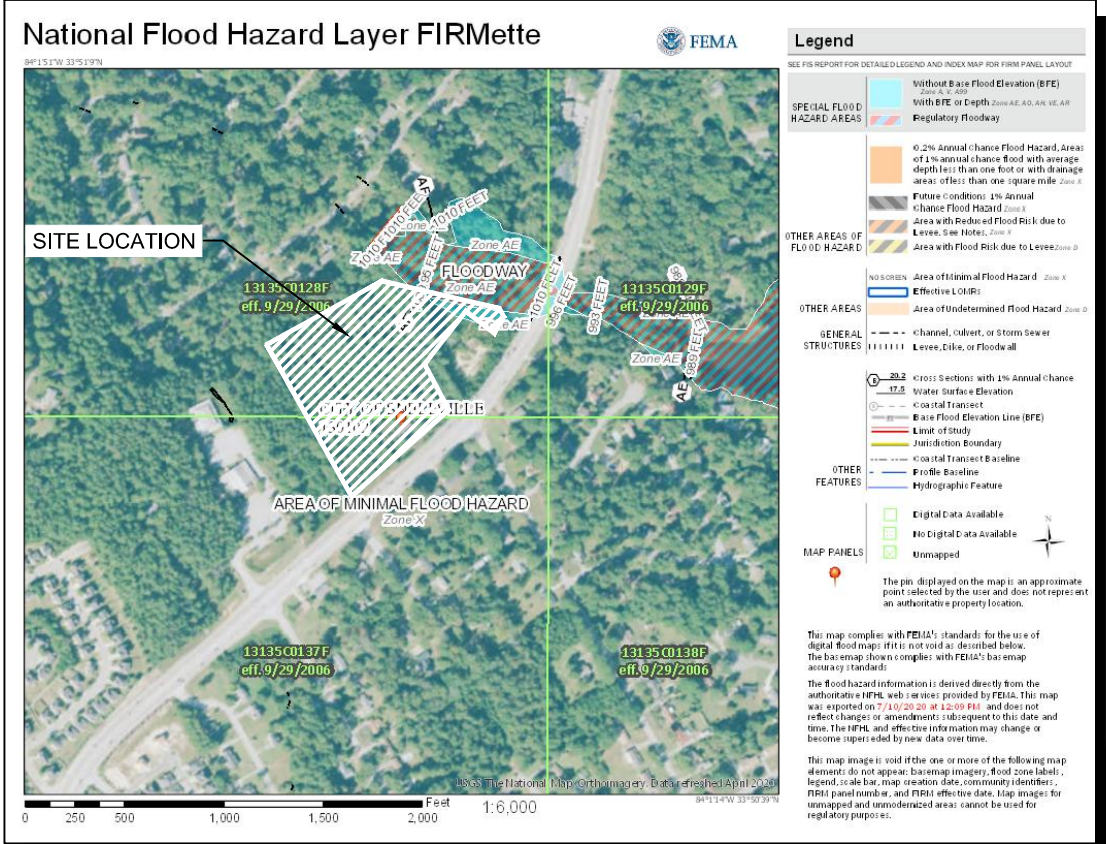
EXHIBIT “A”



TYPICAL LOT LAYOUT:
NTS

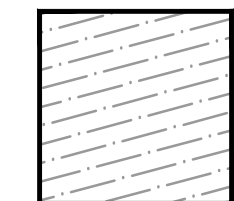


SITE LOCATION MAP
NOT TO SCALE

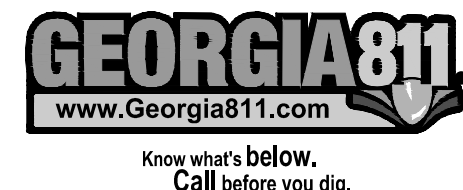


FEMA FIRMAP
NOT TO SCALE

SITE DATA:	
SITE AREA	14.724 ACRES
ZONING	
EXISTING ZONING	BG
PROPOSED ZONING	R-TH
ZONING JURISDICTION	CITY OF SNELLVILLE, GEORGIA
USE CALCULATIONS	
NET LOT AREA	14.724 ACRES
EXTERIOR YARD SETBACK REQUIREMENTS	
FRONT YARD	50 FEET
SIDE YARD	40 FEET
REAR YARD	40 FEET
INTERIOR YARD SETBACK REQUIREMENTS	
FRONT YARD	10 FEET (EXCLUDING PORCHES)
SIDE YARD	0 FEET (MIN. 20' SEPARATION BETWEEN END UNIT BLDGS.)
REAR YARD	30 FEET
MAX. BUILDING HEIGHT	35 FEET
DEVELOPMENT STANDARDS	
24' X 56' FRONT LOADED TOWNHOMES	90 UNITS
TOTAL SITE DENSITY PROVIDED	6.11 UPA
MAX. SITE DENSITY ALLOWED	8.0 UPA
OPEN SPACE CALCULATIONS	
OPEN SPACE REQUIRED	2.945 ACRES (20% OF TOTAL SITE AREA)
50% OF STREAM BUFFER AREA	0.685 ACRES (1.37 ACRES X 50%)
OPEN SPACE PROVIDED	4.87 ACRES (33.1% OF TOTAL SITE AREA)
TOTAL OPEN SPACE PROVIDED	6.24 ACRES (42.38% OF TOTAL SITE AREA)
TOTAL IMPERVIOUS AREA PROVIDED	2.36 ACRES (16% OF TOTAL SITE AREA)
PARKING REQUIREMENTS	
MIN. PARKING REQUIRED	180 SPACES (2 SP/ DWELLING UNIT)
PARKING PROVIDED	270 SPACES (2 GARAGE + 1 DRIVEWAY SPACE)
GUEST PARKING PROVIDED	35 SPACES
TOTAL PARKING PROVIDED	305 SPACES (3.4 SP/ DWELLING UNIT)



OPEN SPACE



24 HOUR CONTACT:
RAY RICHARD
912-222-5646

SCENIC HWY at HENRY CLOWER

A MASTER PLANNED RESIDENTIAL DEVELOPMENT

FOR
MERITAGE HOMES

2700 CUMBERLAND PARKWAY

SUITE 400

ATLANTA, GEORGIA 30339

PHONE: 912-222-5646

LAND LOT 6
SN DISTRICT

"WE PROVIDE SOLUTIONS"

PLANNERS AND ENGINEERS COLLABORATIVE

SITE PLANNING LANDSCAPE ARCHITECTURE CIVIL ENGINEERING LAND SURVEYING

350 RESEARCH COURT PEACHTREE CORNERS, GEORGIA 30092 (770) 451-2741 FAX (770) 451-3915

REVISIONS:

NO.	DATE	BY	DESCRIPTION
*1	3/7/21	kw	Reduce Density & Revise Entry Road
*2	4/19/21	kw	City Comments

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MASTER REZONING PLAN

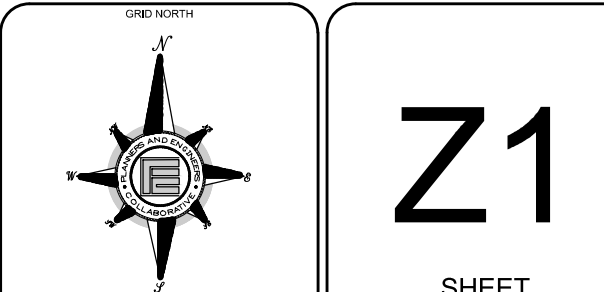


SCALE: 1" = 60'
DATE: SEPT. 18, 2020
PROJECT: 20160.00

THIS SEAL IS ONLY VALID IF COUNTER SIGNED AND DATED WITH AN ORIGINAL SIGNATURE.



GSWCC LEVEL II DESIGN PROFESSIONAL
CERTIFICATION # 0000059389 EXP. 10/28/2021



STATE OF GEORGIA

CITY OF SNELLVILLE

ORDINANCE NO. 2021-04

AN ORDINANCE TO DENY THE REQUEST TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF SNELLVILLE, GEORGIA, AS AMENDED, FOR A 14.724± ACRE TRACT OF LAND LOCATED IN LAND LOT 6 OF THE 5TH LAND DISTRICT, GWINNETT COUNTY, GEORGIA, 2465 SCENIC HIGHWAY S., SNELLVILLE, GEORGIA; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

CASE NUMBER:	#RZ 20-04
SIZE:	14.724 Acres
LOCATION:	2465 Scenic Highway S., Snellville, Georgia
TAX PARCELS:	R5006 002 and R5006 003
CURRENT ZONING MAP:	OP (Office-Professional) District and BG (General Business) District
REQUESTED ZONING MAP AMENDMENT:	R-TH (Single-family Residential Townhome) District
DEVELOPMENT/PROJECT:	101-Unit Single-family Residential Townhome Community
PROPERTY OWNERS:	Crawford F. Juhan, Jr., Snellville, Georgia Edjen Enterprises, LLC, Longboat Key, FL
APPLICANT/CONTACT:	Meritage Homes of Georgia c/o Mitch Peevy 770-361-8444 or MitchPeevy@gmail.com BG (General Business) District

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 deny RZ 20-04, which requested to amend the official zoning map as it applies to the 14.724± acre tract of land located at 2465 Scenic Highway S., Snellville, Georgia (Tax Parcels R5006 002 and 5006 003) for a 101-unit single-family attached (townhome) development, later revised and reduced by 11-units for a 90-unit single-family attached (townhome) development; 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. For reasons stated in the public hearing and upon a review of the application submitted by Applicant, the request for a change to the Official Zoning Map for the City of Snellville, Georgia for the 14.724± acre tract of land as shown on the site plan entitled “Scenic Hwy at Henry Clower a Master Planned Residential Development for Meritage Homes”, sealed and dated 9-18-2020 (stamped received 10-9-2020) in Exhibit “A”, and as shown on the 3-7-2021 and 4-19-2021 revised site plan entitled “Scenic Hwy at Henry Clower a Master Planned Residential Development for Meritage Homes”, stamped received 4-20-2021 in Exhibit “B”, copies of which are attached hereto and incorporated herein by reference is hereby denied.

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 _____, 2021. The effective date of this Ordinance shall be the date of adoption unless otherwise stated herein.

[SIGNATURES BEGIN ON THE FOLLOWING PAGE]

ORDAINED this _____ day of April, 2021.

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

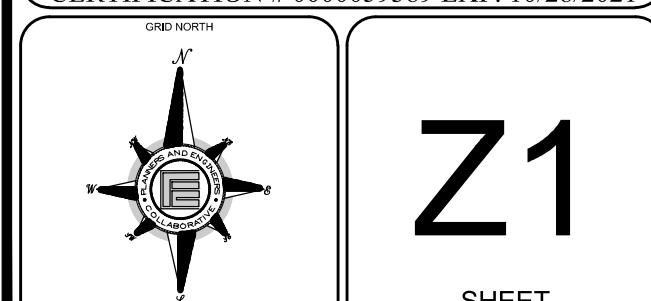
W. Charles Ross, City Attorney
Powell & Edwards, P.C.

Gretchen Schulz, Council Member

Tod Warner, Council Member

EXHIBIT “A”

EXHIBIT “B”



24 HOUR CONTACT:
RAY RICHARD
912-222-5646

21
SHEET

Agenda Item Summary



TO: The Mayor and Council

FROM: Jason Thompson, Director
Department of Planning and Development

DATE: ~~March 22, 2021~~
April 26, 2021

RE: #CIC 21-01

DEVELOPMENT: Rejoice in The Word Church International Ministry, Inc.
5.47± Acre Site at 3079 Lenora Church Road, Snellville, Georgia

STATUS: Public Hearing (2nd Reading)
Continued from March 22, 2021

Application to amend the conditions of zoning for rezoning case #07-01 approved by the Mayor and Council on 2-26-2007 to allow parking to be located between the sanctuary building and street (Lenora Church Road).

Financial Impact: Minimal

Planning Commission Meeting: February 23, 2021

Recommendations:

Case No. →	CIC 21-01
Planning Department	Approval
Planning Commission	Approval

Mayor and Council Meetings: March 8, 2021 (1st Reading)
March 22, 2021 (2nd Reading and Public Hearing)

Action requested: Consideration, Public Hearing and Action

Case Documents (website link):

5.47± Acre Site at 3079 Lenora Church Road, Snellville, Georgia
Case #CIC 21-01
March 22, 2021
Page... 2

Case Documents (website link):

- Letter of Intent & Impact Analysis (1-6-2021)
- #CIC 21-01 Application (1-6-2021)
- 2-26-2007 Mayor and Council Meeting Minutes (1-11-2021)
- Assembly Building Floor Plan (1-6-2021)
- 11-1-2020 Zoning Site Plan Exhibit (1-6-2021)
- 8-12-2020 Site Plan (1-6-2021)
- 5-17-2020 Grading Plan (1-6-2021)
- 2-23-2021 Planning Department Case Summary & Analysis (1-25-2021)
- *Unofficial* 2-23-2021 Planning Commission Meeting Minutes (2-24-2021)
- 2-23-2021 Planning Commission Case Report (2-24-2021)
- 3-8-2021 & 3-22-2021 Planning Department Case Summary & Analysis with Planning Commission Report (2-24-2021)
- Conditions *Only* Recommendations (2-24-2021)
- #CIC 21-01 *Approval* Draft Ordinance (2-24-2021)
- #CIC 21-01 *Denial* Draft Ordinance (2-24-2021)

STATE OF GEORGIA

CITY OF SNELLVILLE

ORDINANCE NO. 2021-09

AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF SNELLVILLE, GEORGIA, AS AMENDED, FOR A 5.47± ACRE TRACT OF LAND LOCATED IN LAND LOT 29 OF THE 5TH LAND DISTRICT, GWINNETT COUNTY, GEORGIA, 3079 LENORA CHURCH ROAD, SNELLVILLE, GEORGIA; TO ADD CONDITIONS AFFECTING THE PROPERTY; TO REPEAL CONDITIONS AFFECTING THE PROPERTY; TO PROVIDE FOR SEVERABILITY; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

CASE NUMBER:	#CIC 21-01
REQUEST:	Rezoning Change in Conditions
LOCATION:	3079 Lenora Church Road, Snellville, Georgia
SIZE:	5.47± Acres
TAX PARCEL:	5029 090
CURRENT ZONING:	CI (Civic Institutional) District
CURRENT FUTURE LAND PLAN:	Public-Civic
DEVELOPMENT/PROJECT:	Place of Worship
PROPERTY OWNER:	Rejoice in The Word Church International Ministry, Inc. Snellville, Georgia
APPLICANT/CONTACT:	Concept Engineering Services Peachtree Corners, Georgia Emmanuel Abua, P.E. 404-643-6044 or conceptengrsceo@gmail.com

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 5.47± acre tract of land located at 3079 Lenora Church Road, Snellville, Georgia (Tax Parcel R5029 090) for a place of worship and associated parking; 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 Official Zoning Map for the City of Snellville, Georgia for the 5.47± acre tract of land as shown on the rezoning site plan entitled “Rejoice in The Word 3079 Lenora Church Road Snellville, GA 30078”, dated 8-20-2020 (stamped received 1-12-2021) in Exhibit “A”, a copy of which is attached hereto and incorporated herein by reference is hereby zoned CI (Civic-Institutional) District. This action is subject to the attachment of the following conditions (1-5):

CONDITIONS:

1. The property shall be developed in accordance with the rezoning site plan entitled “Rejoice in The Word 3079 Lenora Church Road Snellville, GA 30078”, dated 8-20-2020 (stamped received 1-12-2021), with modifications permitted to meet conditions of zoning or State, County, and City regulations. Substantial variation from the rezoning site plan, as determined by the

Director of Planning and Development will require Mayor and Council approval.

2. New signs higher than 15 feet and larger than 225 sq. ft. in area are prohibited.
3. Uses involving adult entertainment, including the 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.
4. No buffer is required between the subject property and the Church of Christ at Snellville to the north (parcel 5029 090).
5. A twenty-foot (20') undisturbed buffer is required on the western edge of the property where abutting parcels (5029 249; 5029 248; 5029 201 and 5029 200).

Section 2. The attachment of Conditions (1-6) for #RZ 07-01 approved 2-26-2007 by the Mayor and Council are hereby repealed.

Section 3. The changes in zoning classification 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 4. The preamble of this Ordinance shall be considered to be and is hereby incorporated by reference as if fully set out herein.

Section 5. (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 6. Penalties in effect for violations of the Unified Development 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 7. All ordinances and parts of ordinances in conflict herewith are hereby expressly repealed

Section 8. This Ordinance was adopted on _____, 2021. The effective date of this Ordinance shall be the date of adoption unless otherwise stated herein.

[SIGNATURES BEGIN ON THE FOLLOWING PAGE]

ORDAINED this _____ day of April, 2021.

Barbara Bender, Mayor

ATTEST:

Dave Emanuel, Mayor Pro Tem

Melisa Arnold, City Clerk

Cristy Lenski, Council Member

APPROVED AS TO FORM:

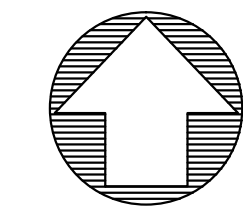
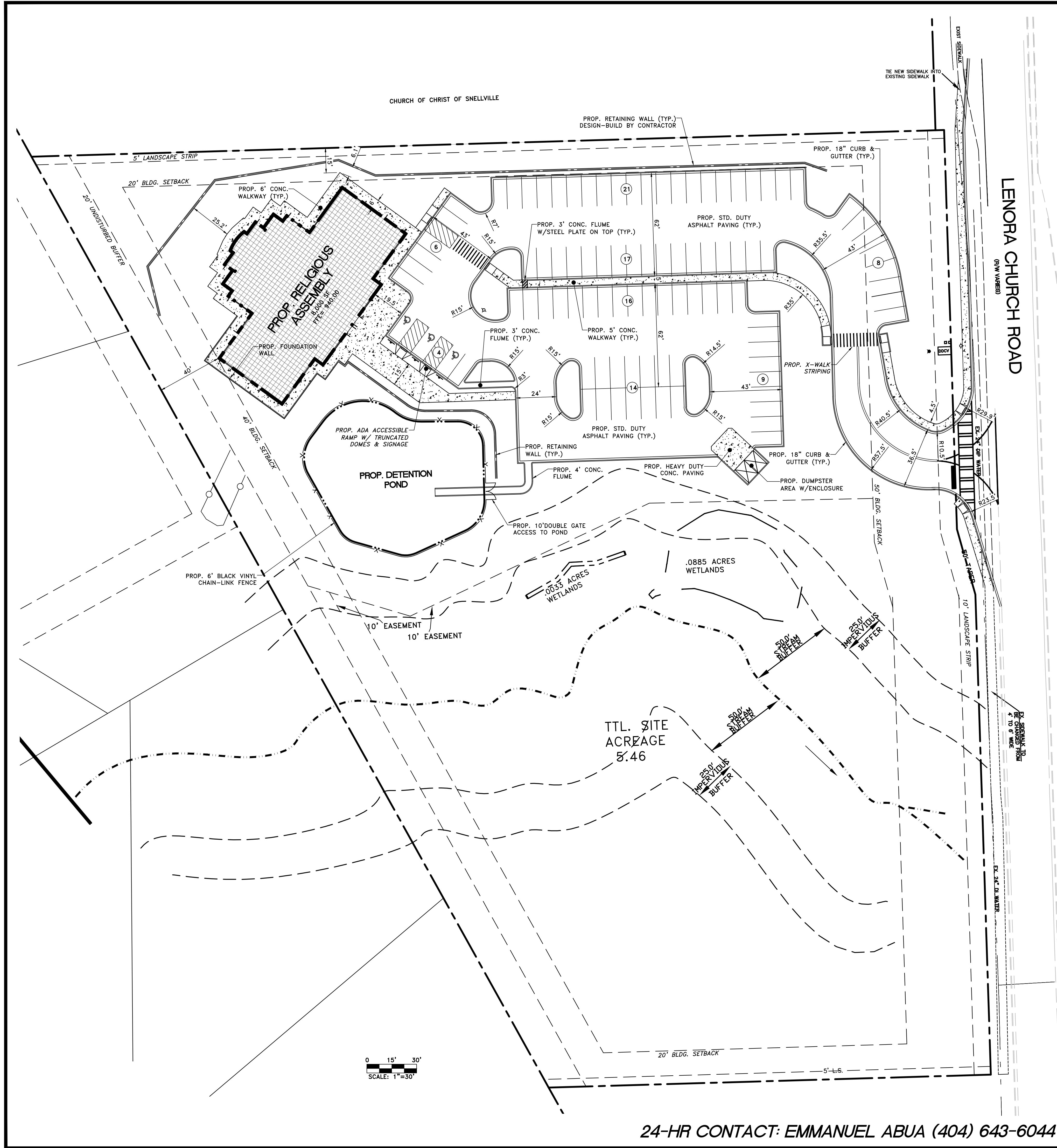
Solange Destang, Council Member

W. Charles Ross, City Attorney
Powell & Edwards, P.C.

Gretchen Schulz, Council Member

Tod Warner, Council Member

EXHIBIT “A”



SITE AREA CALCULATIONS

LOT SIZE	= 238,273 SQ. FT. (5.47 AC)
DISTURBED AREA	= 112,947 SQ. FT. (2.59 AC)
PROP. IMPERVIOUS AREA	= 51,585 SF (1.18 AC.)-21.6%
PROP. PERVIOUS AREA	= 186,988 SF (4.29 AC.)-78.4%

BUILDING AREA CALCULATIONS

TOTAL BUILDING AREA = 8,000 SQ. FT.

ZONING

C1 (CIVIC/INSTITUTIONAL DISTRICT)

PARKING

REQUIRED PARKING	59 SPACES (1 SPACE/6 SEATS)
PROVIDED PARKING	92 REGULAR SPACES
	3 ADA ACCESSIBLE (1 VAN)
TOTAL PROVIDED	95 PARKING SPACES

SETBACKS

FRONT YARD SETBACK	50'
SIDE YARD SETBACK	20'
REAR YARD SETBACK	40'
REAR YARD BUFFER	20'
MAX. BLDG. HEIGHT	3 STORIES

SITE NOTES

- ALL WORK SHALL BE PERFORMED IN ACCORDANCE WITH THE PLANS AND SITE WORK SPECIFICATIONS AND SHALL COMPLY WITH APPLICABLE FEDERAL, STATE AND LOCAL CODES.
- REFERENCE ARCHITECTURAL PLANS FOR BUILDING DIMENSIONS, SIDEWALKS, STEPS, TRANSFORMER PADS, ETC.
- TOPOGRAPHIC BOUNDARY SURVEY, PROPERTY LINES, LEGAL DESCRIPTION, EXISTING UTILITIES, SITE TOPOGRAPHY WITH SPOT ELEVATIONS, OUTSTANDING PHYSICAL FEATURES AND EXISTING STRUCTURE LOCATIONS WAS PROVIDED BY THE FOLLOWING COMPANY:
BOUNDARY & TOPOGRAPHY:
- ALL DIMENSIONS AND RADII ARE TO THE FACE OF CURB, UNLESS OTHERWISE NOTED. ALL DIMENSIONS SHOWN TO BUILDINGS ARE TO OUTSIDE FACE OF BUILDING.
- ALL HANDICAP ACCESSIBLE PARKING SIGNS AND STRIPING SHALL BE IN ACCORDANCE WITH THE AMERICAN WITH DISABILITY ACT (ADA) REQUIREMENTS AND STATE CODE.
- ALL TRAFFIC SIGNS SHALL CONFORM TO THE UNIFORM TRAFFIC CONTROL MANUAL AND THE STATE OF GA DEPARTMENT OF TRANSPORTATION.
- ALL STRIPED OR CURBED RADII SHALL BE 5' UNLESS OTHERWISE NOTED.
- THE CONTRACTOR IS RESPONSIBLE FOR REPAIR OF ANY DAMAGE TO ANY EXISTING IMPROVEMENTS, ONSITE OR OFF SITE, SUCH AS PAVEMENT, UTILITIES, STORM DRAINAGE, ETC. THE REPAIR MUST BE APPROVED BY THE ENGINEER AND BE EQUAL OR BETTER THAN EXISTING CONDITIONS.
- SITE LIGHTING SHALL BE INCLUDED IN THE GENERAL CONTRACTOR'S SCOPE OF WORK. ALL PARKING LOT LIGHTING POLES, BASES AND FIXTURES WITH LAMPS SHALL BE INSTALLED BY THE GENERAL CONTRACTOR'S ELECTRICAL CONTRACTOR AND SHALL SUPPLY A ONE YEAR WARRANTY CERTIFICATE.
- CONTRACTOR SHALL OBTAIN ALL PERMITS BEFORE CONSTRUCTION BEGINS.
- SITE CONTRACTOR SHALL SUPPLY AS-BUILT PLANS INDICATING ALL CHANGES AND DEVIATIONS.
- ANY DEVIATION FROM THESE PLANS MAY CAUSE THE WORK TO BE UNACCEPTABLE.
- ANY UNANTICIPATED CONDITIONS ENCOUNTERED DURING THE CONSTRUCTION PROCESS SHALL BE IDENTIFIED TO THE ENGINEER IMMEDIATELY.
- ALL CONCRETE SHALL BE 3,000 PSI 28 DAY COMPRESSIVE STRENGTH.
- ALL CURB AND GUTTER WITHIN THE DEVELOPMENT SHALL BE 18". IT SHALL BE 30" WITHIN THE R.O.W. UNLESS NOTED OTHERWISE.
- PARKING LOT STRIPING SHALL BE INCLUDED IN PAVING CONTRACTOR'S SCOPE OF WORK. STRIPING WILL BE ACCORDING TO OWNER'S SPECIFICATIONS UNLESS NOTED OTHERWISE. ALL STRIPING IS TO HAVE TWO (2) COATS OF PAINT (MIN). ALL STRIPING IN R/W SHALL BE THERMOPLASTIC.
- THE SITE CONTRACTOR IS RESPONSIBLE FOR PROVIDING ALL WORK AND APPURTENANCE TO WITHIN 5' OF THE BUILDING. THIS INCLUDES TRANSFORMER AND DUMPSTER PADS AS WELL AS ALL UTILITY CONDUITS.

SITE LEGEND

	EXISTING PROPERTY LINE
	EXISTING RIGHT-OF-WAY
	EXISTING SETBACK LINE
	PROPOSED RIGHT-OF-WAY
	PROPOSED SETBACK LINE
	18" CURB AND GUTTER
	STOP BAR (PAVEMENT MARKING)
	TRAFFIC FLOW ARROW (PAVEMENT MARKING)
	HANDICAP STALL
	CONCRETE WHEEL STOP
	A.D.A. STD HANDICAP RAMP
	PARKING SPACE COUNT
	SIGN
	DUMPSTER PAD
	GRATE INLET
	STORM MANHOLE
	OUTLET CONTROL STRUCTURE
	HEADWALL
	SANITARY SEWER MANHOLE
	CONCRETE
	STANDARD DUTY PAVING



CONCEPT
ENGINEERING
SERVICES INC.

ARCHITECTURE
ENGINEERING
CONSTRUCTION MANAGEMENT
ENERGY ENGINEERING

35 PLOTTING & PRINTING SERVICES

NORTH ATANTA, GA 30326

Atlanta GA 30326

TEL: (404) 643-6044

EMAIL: ea@conceptengineering.net

CLIENT:

THIS DRAWING IS THE PROPERTY OF CES LLC. IT IS ONLY TO BE USED FOR THE PROJECT AND LOCATION IDENTIFIED HEREIN. NO PART OF THIS DRAWING IS TO BE REPRODUCED, STORED IN A RETRIEVAL SYSTEM OR TRANSMITTED IN ANY FORM BY MEANS ELECTRONIC, MECHANICAL, PHOTOCOPYING OR OTHERWISE WITHOUT THE PRIOR PERMISSION OF CES LLC.

SEAL:

REVISIONS:

NO. DATE DESCRIPTION

PROJECT:

REJOICE IN
THE WORD

3079 LENORA CHURCH ROAD
SNELLVILLE, GA 30078

SHEET TITLE:

SITE PLAN

DESIGNED BY: DO-CES

DRAWN BY: DJ

CHECKED BY: DJ

APPROVED BY: DO-CES

SCALE: AS SHOWN

DATE: 8-12-2020

PROJECT NO.: CES-2020-041-C

SHEET:

C2.0



Know what's below.
Call before you dig.

GWINNETT CO. CASE NO: CDP2017-00075

24-HR CONTACT: EMMANUEL ABUA (404) 643-6044

STATE OF GEORGIA

CITY OF SNELLVILLE

ORDINANCE NO. 2021-09

AN ORDINANCE TO DENY THE REQUEST FOR CHANGE IN CONDITIONS TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF SNELLVILLE, GEORGIA, AS AMENDED, FOR A 5.47± ACRE TRACT OF LAND LOCATED IN LAND LOT 29 OF THE 5TH LAND DISTRICT, GWINNETT COUNTY, GEORGIA, 3079 LENORA CHURCH ROAD, SNELLVILLE, GEORGIA; TO PROVIDE FOR SEVERABILITY; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

CASE NUMBER:	#CIC 21-01
REQUEST:	Rezoning Change in Conditions
LOCATION:	3079 Lenora Church Road, Snellville, Georgia
SIZE:	5.47± Acres
TAX PARCEL:	5029 090
CURRENT ZONING:	CI (Civic Institutional) District
CURRENT FUTURE LAND PLAN:	Public-Civic
DEVELOPMENT/PROJECT:	Place of Worship
PROPERTY OWNER:	Rejoice in The Word Church International Ministry, Inc. Snellville, Georgia
APPLICANT/CONTACT:	Concept Engineering Services Peachtree Corners, Georgia Emmanuel Abua, P.E. 404-643-6044 or conceptengrsceo@gmail.com

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 deny CIC 21-01, which requested to amend the conditions affecting the property that were approved on 2-26-2007 for RZ 07-01 as it applies to the 5.47± acre tract of land located at 3079 Lenora Church Road, Snellville, Georgia (Tax Parcel R5029 090) for a place of worship and associated parking; 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. For reasons stated in the public hearing and upon a review of the application submitted by the Applicant, the request for a change in conditions approved on 2-26-2007 for RZ 07-01 for the 5.47± acre tract of land as shown on the rezoning site plan entitled “Rejoice in The Word 3079 Lenora Church Road Snellville, GA 30078”, dated 8-20-2020 (stamped received 1-12-2021) in Exhibit “A”, a copy of which is attached hereto and incorporated herein by reference is hereby denied..

Section 2. Conditions (1-6) for #RZ 07-01 approved 2-26-2007 by the Mayor and Council remain in full force and effect and are restated as follows:

1. New signs higher than 15 feet and larger than 225 square feet are prohibited;
2. 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;
3. The property shall be developed in general accordance with the submitted site plan dated 12/08/06, Concept Plan, Canaan Land Church Int'l, 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;

4. No buffer is required between the subject property and the Church of Christ of Snellville to the north (parcel 5029-090);
5. A twenty-foot (20') buffer is required on the western edge of the subject property where abutting parcels (5029-249, 5029-248, 5029-201, and 5029-200); and
6. Parking may be constructed as shown on the submitted concept plan referenced in condition #3 to allow the construction of a covered drop-off area and 3 handicapped parking spots in front of the building.

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 Unified Development 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 _____, 2021. The effective date of this Ordinance shall be the date of adoption unless otherwise stated herein.

[SIGNATURES BEGIN ON THE FOLLOWING PAGE]

ORDAINED this _____ day of April, 2021.

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


W. Charles Ross, City Attorney
Powell & Edwards, P.C.

Gretchen Schulz, Council Member

Tod Warner, Council Member

EXHIBIT “A”

GWINNETT CO. CASE NO: CDP2017-00075



CONCEPT
ENGINEERING
SERVICES INC.

ARCHITECTURE
ENGINEERING
CONSTRUCTION MANAGEMENT
ENERGY ENGINEERING

35 Peachtree Industrial S. 100
North Tower S. 100
Atlanta GA 30326

TEL: (404) 643-6044

EMAIL: ea@ua conceptenets.net

CLIENT:

THIS DRAWING IS THE PROPERTY OF CES LLC. IT IS ONLY TO BE USED FOR THE PROJECT AND LOCATION IDENTIFIED HEREIN. NO PART OF THIS DRAWING IS TO BE REPRODUCED, STORED IN A RETRIEVAL SYSTEM OR TRANSMITTED IN ANY FORM BY MEANS ELECTRONIC, MECHANICAL, PHOTOCOPYING OR OTHERWISE WITHOUT THE PRIOR PERMISSION OF CES LLC.

SEAL:

REVISIONS:

NO.	DATE	DESCRIPTION

PROJECT:

REJOICE IN
THE WORD

3079 LENORA CHURCH ROAD
SNELLVILLE, GA 30078

SHEET TITLE:

SITE PLAN

DESIGNED BY:

DO-CES

DRAWN BY:

DJ

CHECKED BY:

DJ

APPROVED BY:

DO-CES

SCALE:

AS SHOWN

DATE:


8-12-2020

PROJECT NO.:

CES-2020-041-C

SHEET:

C2.0



Know what's below.
Call before you dig.

Agenda Item Summary



TO: The Mayor and Council

FROM: Jason Thompson, Director
Department of Planning and Development

DATE: April 26, 2021

RE: #RZ 21-02 LUP 21-02

DEVELOPMENT: 21-Lot Single-family Detached (Age-Restricted) Subdivision
5.58± Acres at 3491 Rosebud Road, Snellville, Georgia

STATUS: Public Hearing (2nd Reading)

Applications to amend the Snellville 2040 Comprehensive Plan Future Land Use Map and Official Zoning Map for a 21-Lot single-family detached age-restricted subdivision on a 5.58± acre property located at 3491 Rosebud Road, Snellville.

The subject property is to be incorporated into the adjoining 75.29 acre site, zoned RO (Residential for Older Persons) District for a combined 274-lot age-restricted single-family detached residential community.

Financial Impact: Site Development Permit fees; Building Permit fees; Real Property Taxes

Planning Commission Meeting: March 23, 2021

Recommendations:

Case No. →	LUP 21-02	RZ 21-02
Planning Department	Approval	Approval
Planning Commission	Approval	Approval

Mayor and Council Meetings: April 12, 2021 (1st Reading)
April 26, 2021 (2nd Reading and Public Hearing)

Action requested: Consideration, Public Hearing and Action

5.58± Acre Site at 3491 Rosebud Road, Snellville, Georgia
Case #RZ 21-02 LUP 21-02
April 26, 2021
Page... 2

Case Documents (website link):

- [#RZ 21-02 Application \(2-5-2021\)](#)
- [#LUP 21-02 Application \(2-5-2021\)](#)
- [Auburn Model Plans \(2-5-2021\)](#)
- [Denton Model Plans \(2-5-2021\)](#)
- [Edison Model Plans \(2-5-2021\)](#)
- [Jefferson Model Plans \(2-5-2021\)](#)
- [Montrose Model Plans \(2-5-2021\)](#)
- [Pearson Model Plans \(2-5-2021\)](#)
- [Tifton Model Plans \(2-5-2021\)](#)
- [Weston Model Plans \(2-5-2021\)](#)
- [Rezoning Site Plan \(1-22-2021\)](#)
- [3-23-2021 Planning Department Case Summary & Analysis \(3-2-2021\)](#)
- [Unofficial 3-23-2021 Planning Commission Regular Meeting Minutes \(3-29-2021\)](#)
- [3-23-2021 Planning Commission Case report \(3-29-2021\)](#)
- [04-12-2021 and 04-26-2021 Planning Department Case Summary & Analysis with Planning Commission Report \(3-29-2021\)](#)
- [Conditions *Only* Recommendations \(3-29-2021\)](#)
- [Variances *Only* Recommendations \(3-29-2021\)](#)
- [#LUP 21-02 *Approval* Draft Ordinance \(4-6-2021\)](#)
- [#RZ 21-02 *Approval* Draft Ordinance \(4-6-2021\)](#)
- [#LUP 21-02 *Denial* Draft Ordinance \(4-6-2021\)](#)
- [#RZ 21-02 *Denial* Draft Ordinance \(4-6-2021\)](#)

STATE OF GEORGIA

CITY OF SNELLVILLE

ORDINANCE NO. 2021-10

AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF SNELLVILLE, GEORGIA, AS AMENDED, FOR A 5.58± ACRE TRACT OF LAND LOCATED IN LAND LOT 94 OF THE 5TH LAND DISTRICT, GWINNETT COUNTY, GEORGIA, 3491 ROSEBUD ROAD, SNELLVILLE, GEORGIA; TO ADD CONDITIONS AFFECTING THE PROPERTY; TO APPROVE VARIANCES; TO PROVIDE FOR SEVERABILITY; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

CASE NUMBER:	#RZ 21-02
SIZE:	5.58± Acres
LOCATION:	3491 Rosebud Road, Snellville, Georgia
TAX PARCEL:	R5094 327
CURRENT ZONING MAP:	RS-30 (Single-Family Residential) District
REQUESTED ZONING MAP AMENDMENT:	RO (Residential for Older Persons) District
DEVELOPMENT/PROJECT:	21-Lot Single-family Detached (Age- Restricted 55+) Residential Subdivision
PROPERTY OWNER:	Summit Chase Country Club, Inc. Snellville, Georgia
APPLICANT/CONTACT:	John Gaskin Patrick Malloy Companies, LLC Atlanta, Georgia 770-319-5258 or john.gaskin@pmcommunities.com

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 5.58± acre tract of land located at 3491 Rosebud Road, Snellville, Georgia (Tax Parcel R5094 327) for a 21-lot single-family detached (age-restricted) residential subdivision development and incorporate it into the adjoining 75.29± acre 253-lot tract that was rezoned in June 2019 (case #RZ 19-02 LUP 19-01) for an age-restricted (55+) single-family detached residential community; 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 Official Zoning Map for the City of Snellville, Georgia for the 5.58± acre tract of land as shown on the conceptual rezoning site plan entitled “Rezoning Exhibit Summit Chase Snellville Georgia”, dated 1-22-2021 (stamped received 2-5-2021), in Exhibit “A”, a copy of which is attached hereto and incorporated herein by reference is hereby changed from RS-30 (Single-family Residential) District to RO (Residential for Older Persons) District. This action is subject to the attachment of the following conditions (1-17):

CONDITIONS:

1. The property shall be developed in accordance with the conceptual rezoning site plan entitled “Rezoning Exhibit Summit Chase Snellville Georgia”, dated 1-22-2021 (stamped received 2-5-2021), with modifications permitted to meet conditions of zoning or State, County, and City regulations. Substantial variation from the

conceptual rezoning site plan, as determined by the Director of Planning and Development will require Mayor and Council approval.

2. Single-family detached dwellings shall not exceed a density of 3.41 units per acre.
The project is to be deed restricted to residents aged 55 and older.
3. Stormwater detention facility(s) shall be fenced with either a black vinyl-coated chain link fence a minimum of four feet in height, or 6-8-foot-tall privacy fence.
4. Signs higher than 15 feet and larger than 225 sq. ft. in area are prohibited.
5. All corner lots and lots abutting an external public street shall be designated as “High Visibility Lots” and require a continuation of the front façade treatments to the corner side to continue the architectural theme that is presented on the front elevation to the corner elevation exposed to public view.
6. There shall be master protective covenants for the entire development that will include all phases of the development (recreation/amenity and residential) and such other usual and necessary covenants and restrictions to protect the quality and integrity of the single-family development.
7. A mandatory homeowner’s association shall be formed and incorporated for all single-family lots in the development and common areas which will include all component parts of the proposed development. The Homeowners’ Association shall be responsible for the oversight, upkeep, maintenance and repair of all common areas/facilities; private streets; curb and gutter; stormwater detention facilities, including detention ponds, underground pipe/structures, catch basins, headwalls and manholes; street frontage and amenity area landscaping; gated entrance areas; ground signage; walls and fencing; open space areas; amenities

- including tennis court, swimming pool, clubhouse, walking trails and other amenities, and the like contained within the overall development, and maintain adequate liability insurance and working capital.
8. The Homeowners' Association shall be responsible for the exterior maintenance of individual residences to include, at a minimum, painting of the exteriors on a rotation not to exceed ten (10) years.
 9. A Residential Drainage Plan (RDP) shall be submitted for review and approval by the Director of Planning and development for those lots so designated on the Final Plat prior to issuance of a building permit.
 10. A no-access easement shall be provided on the side and rear of all lots abutting Rosebud Road, Temple Johnson Road, and Brushy Fork Road.
 11. All driveways shall be a minimum of twenty-two feet (22') in length, measured from the front of the garage door to the leading edge of the sidewalk (edge closest to dwelling), and shall be wide enough to accommodate the parallel parking of two vehicles.
 12. All streets shall be privately owned and maintained by the Homeowners' Association.
 13. All approved zoning conditions and variances shall be referenced on any plat of a lot provided to homebuyers.
 14. Non-substantial variances, as determined by the Director of Planning and Development and/or City Manager for the design requirements, zoning requirements, development regulations, and construction requirements must be

submitted in writing for administrative review and approval by the Director of Planning and Development.

15. The 5.58± acre parcel shall be subject to and included within the Master Protective Covenants written for the entire Summit Chase development that includes the adjoining 75 acre parcel zoned in June 2019 for case #RZ 19-02 LUP 19-01.

16. Concurrent with the rezoning the Mayor and Council shall include the adoption of the following Architectural Plans submitted by the developer: TIFTON, WESTON, EDLSON, JEFFERSON, AUBURN, DENTON, PEARSON, and MONTROSE.

17. With the exception of the “High Visibility Lots” in Condition #5 (above), the approved architectural plans shall at a minimum be subject to the following Architectural Design Standards:

- a. Forty-Five (45) percent of the units shall have a front facade composed of cedar shake accent with two-foot (2') masonry/brick water table. Side and rear elevations shall be constructed of stained/painted cedar shake and/or cement board siding.
- b. Forty-Five (45) percent of the units shall have a front facade composed of cedar shake accent with thirty (30) percent brick/masonry accent. Side and rear elevations shall be constructed of stained/painted cedar shake and/or cement board siding.
- c. Ten (10) percent of the units shall have a front facade of cedar shake with Seventy (70) percent brick/masonry. Side and Rear elevations shall be constructed of stained/painted cedar shake and or cement board siding.

Section 2. (a) The requested variance from UDO Sec. 202-9.7, Building Separation to reduce the 15 foot minimum separation between buildings on the same site to 10 feet is approved.

(b) The requested variances from UDO Table 201-3.2.D, Allowed Building Materials to exceed the 50% maximum allowance for use of siding material on the front, side, and rear elevation of any one dwelling is approved, subject to Condition #17 (above).

(c) The requested variance from UDO Sec. 201-3.3.E.3, Garage Doors, to allow the garage doors facing a street to not be required to be located at least 10 feet behind front wall plane of the dwelling, not including front porches is approved.

(d) The requested variance from UDO Sec. 201-3.3.E.4, Garage Doors, to allow single-family detached dwelling garage doors facing a street to comprise more than 50% of the overall width of the front wall plane of the house is approved.

Section 3. The changes in zoning classification 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 4. The preamble of this Ordinance shall be considered to be and is hereby incorporated by reference as if fully set out herein.

Section 5. (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 6. Penalties in effect for violations of the Chapter 1 of the Code of Ordinances, City of Snellville, Georgia 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 7. All ordinances and parts of ordinances in conflict herewith are hereby expressly repealed

Section 8. This Ordinance was adopted on _____, 2021. The effective date of this Ordinance shall be the date of adoption unless otherwise stated herein.

[SIGNATURES BEGIN ON THE FOLLOWING PAGE]

ORDAINED this _____ day of April, 2021.

Barbara Bender, Mayor

ATTEST:

Dave Emanuel, Mayor Pro Tem

Melisa Arnold, City Clerk

Cristy Lenski, Council Member

APPROVED AS TO FORM:

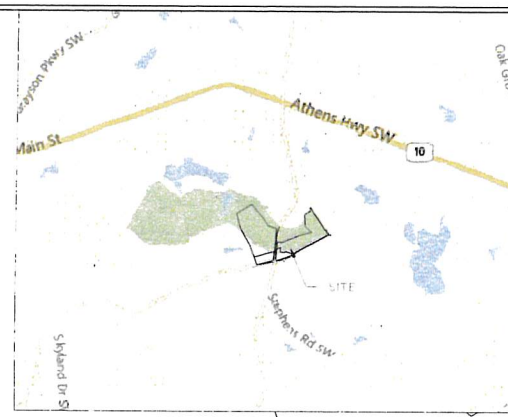
Solange Destang, Council Member

W. Charles Ross, City Attorney
Powell & Edwards, P.C.

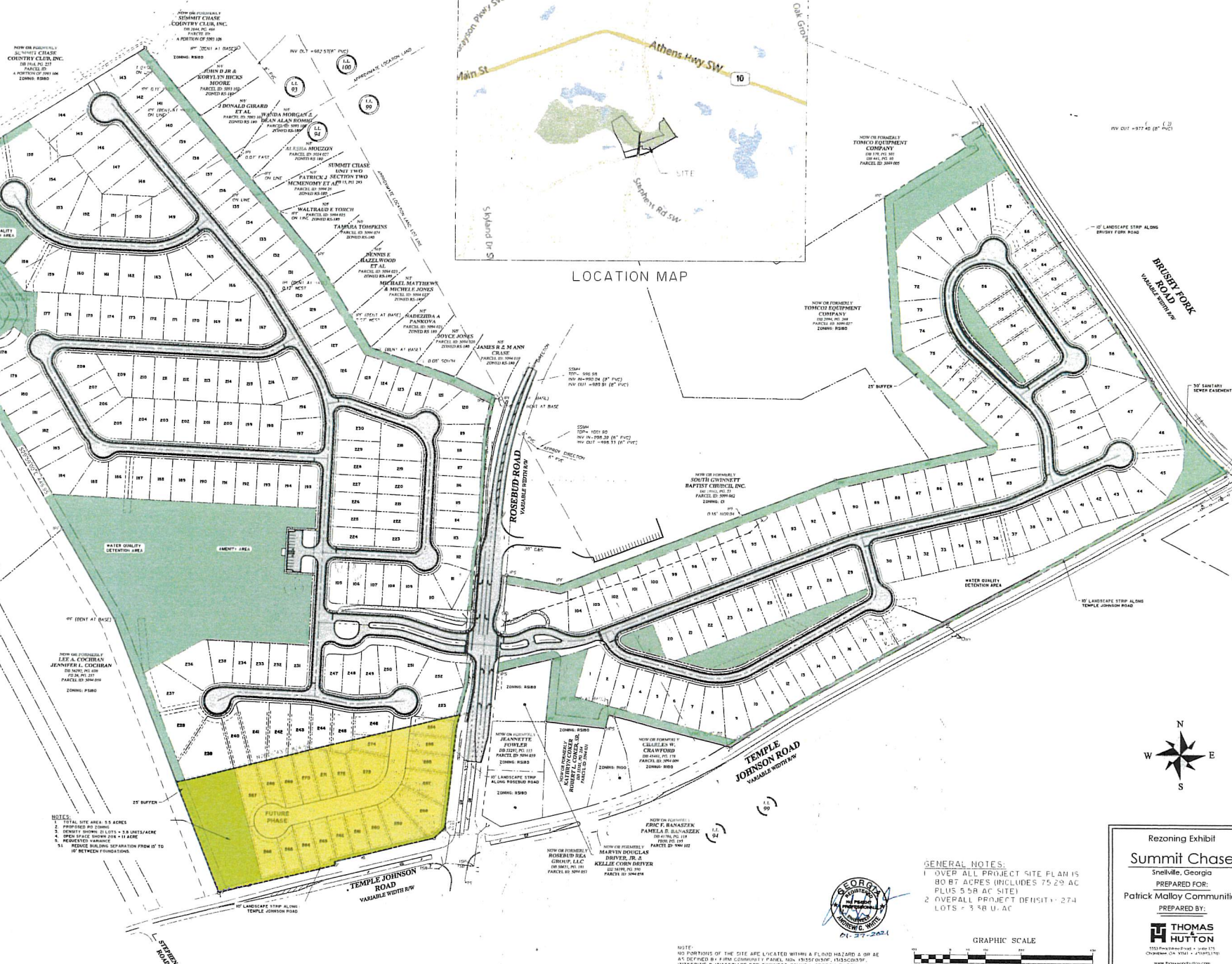
Gretchen Schulz, Council Member

Tod Warner, Council Member

EXHIBIT “A”

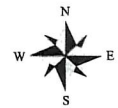


LOCATION MAP



- NOTES:
1. TOTAL SITE AREA: 1.5 ACRES
 2. PROPOSED LOT SIZES: 1/2 - 1/4 ACRE
 3. PROPOSED LOT SIZES: 1/2 - 1/4 ACRE
 4. OPEN SPACE: 0.5 ACRE
 5. REDUCED BUILDING SEPARATION FROM LOT TO LOT

GENERAL NOTES:
 1. OVER ALL PROJECT SITE PLAN IS 80.87 ACRES (INCLUDES 75.29 AC PLUS 5.58 AC SITE)
 2. OVERALL PROJECT DENSITY: 274 LOTS / 3.58 U. AC



Rezoning Exhibit
Summit Chase
 Snellville, Georgia
 PREPARED FOR:
 Patrick Malloy Communities
 PREPARED BY:
THOMAS HUTTON
 155 Peachtree Street, Suite 170
 Atlanta, GA 30309
 PHONE: 404.525.1100
 FAX: 404.525.1101
 WWW.THOMASHUTTON.COM

NOTE:
 NO PORTIONS OF THE SITE ARE LOCATED WITHIN A FLOOD HAZARD AREA AS DEPICTED BY FEMA COMMUNITY PANEL NO. 13052-0001, FLOODPLAIN, (DISSEMINATED BY STATE OF GEORGIA) FOR BRUNN COUNTY, GEORGIA DATED SEPTEMBER 23, 2006

LEGAL DESCRIPTION - TRACT 2

All that tract or parcel of land lying and being in Land Lot 94 of the 5th District, City of Snellville, Gwinnett County, Georgia, and being more particularly described as follows:

BEGINNING at an iron pin set (1/2" rebar with cap stamped "Gunnin LSF 1033") located at the intersection of the westerly right-of-way line of Rosebud Road (having a variable width right-of-way) with the northwesterly right-of-way line of Temple Johnson Road (having a variable width right-of-way), said iron pin set being the **TRUE POINT OF BEGINNING**.

FROM THE TRUE POINT OF BEGINNING AS THUS ESTABLISHED, thence leave said intersection and run southwesterly along the northwesterly right-of-way line of Temple Johnson Road the following courses and distances: S76°06'43"W a distance of 290.00 feet to a point; S13°53'17"E a distance of 10.25 feet to a point; S76°07'26"W a distance of 139.38 feet to a point; S76°32'12"W a distance of 111.68 feet to a point; S76°24'43"W a distance of 78.94 feet to a point; S75°29'38"W a distance of 9.07 feet to a point; thence leave said right-of-way line and run N20°49'41"W a distance of 336.54 feet to an iron pin set (1/2" rebar with cap stamped "Gunnin LSF 1033"); thence run N76°06'43"E a distance of 824.80 feet to an iron pin set (1/2" rebar with cap stamped "Gunnin LSF 1033") located on the westerly right-of-way line of Rosebud Road; thence run southwesterly along the westerly right-of-way line of Rosebud Road the following courses and distances: S14°22'53"W a distance of 38.92 feet to a point; along the arc of a curve to the right, on an arc distance of 23.68 feet to a point, said curve having a radius of 9,940.00 feet and being subtended by a chord bearing S06°06'55"W and a chord distance of 23.68 feet; S06°11'25"W a distance of 101.63 feet to a point; along the arc of a curve to the right, on an arc distance of 161.02 feet to an iron pin set (1/2" rebar with cap stamped "Gunnin LSF 1033"); said curve having a radius of 6,420.00 feet and being subtended by a chord bearing S06°54'32"W and a chord distance of 161.02 feet; S46°10'33"W a distance of 41.29 feet to an iron pin set (1/2" rebar with cap stamped "Gunnin LSF 1033") located at the intersection of the westerly right-of-way line of Rosebud Road with the northwesterly right-of-way line of Temple Johnson Road, said iron pin set being the **TRUE POINT OF BEGINNING**.

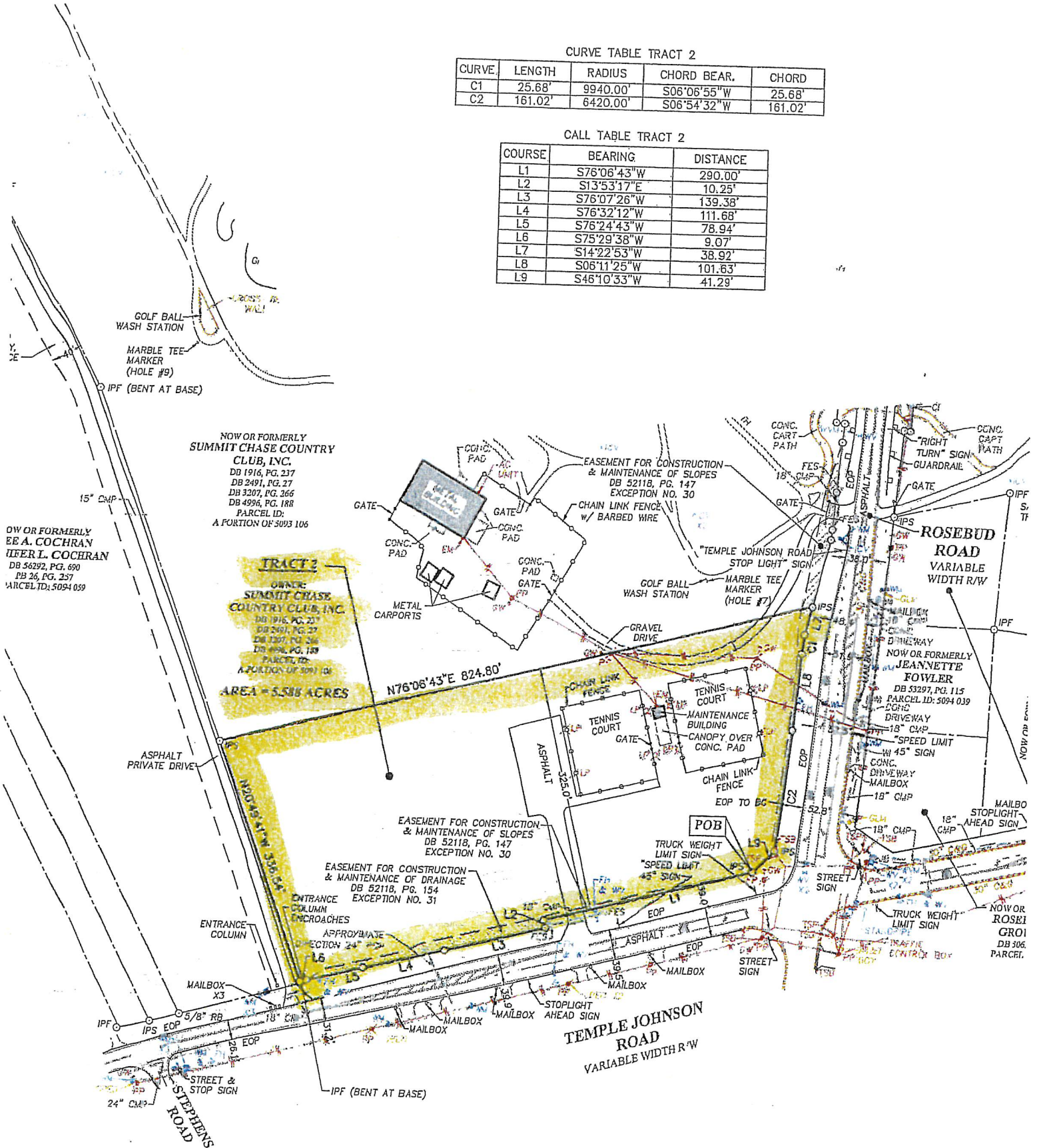
Said tract or parcel of land containing 5.588 acres.

CURVE	LENGTH	RADIUS	CHORD BEAR.	CHORD
C1	25.68'	9940.00'	S06°06'55"W	25.68'
C2	161.02'	6420.00'	S06°54'32"W	161.02'

CURVE	LENGTH	RADIUS	CHORD BEAR.	CHORD
C1	25.68'	9940.00'	S06°06'55"W	25.68'
C2	161.02'	6420.00'	S06°54'32"W	161.02'

COURSE	BEARING	DISTANCE
L1	S76°06'43"W	290.00'
L2	S13°53'17"E	10.25'
L3	S76°07'26"W	139.38'
L4	S76°32'12"W	111.68'
L5	S76°24'43"W	78.94'
L6	S75°29'38"W	9.07'
L7	S14°22'53"W	38.92'
L8	S06°11'25"W	101.63'
L9	S46°10'33"W	41.29'

COURSE	BEARING	DISTANCE
L1	S76°06'43"W	290.00'
L2	S13°53'17"E	10.25'
L3	S76°07'26"W	139.38'
L4	S76°32'12"W	111.68'
L5	S76°24'43"W	78.94'
L6	S75°29'38"W	9.07'
L7	S14°22'53"W	38.92'
L8	S06°11'25"W	101.63'
L9	S46°10'33"W	41.29'





Tax Assessor's Office

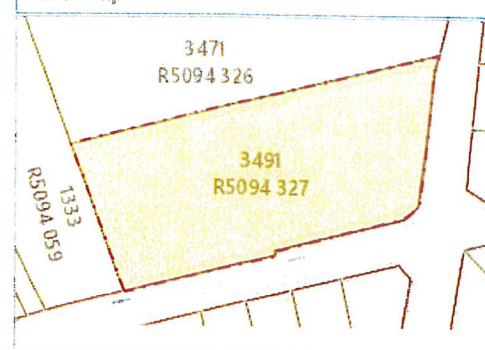
I Want To ... Tax Assessor



Property Detail

[Go Back](#)[Neighborhood Sales](#)[Property Report](#)

GIS Map



General Info

SUMMIT CHASE C C INC
PO BOX 606
SNELLVILLE GA 30078-0606

Property ID	R5094 327
Alternate ID	33390319
Address	3491 ROSEBUD RD
Property Class	Commercial Auxiliary Imp
Neighborhood	9310
Deed Acres	5.5800

Value History

Year	2020
Reason	New Parcel
Land Val	\$634,800
Imp Val	\$30,900
Total Appr	\$665,700
Land Assd	\$253,920
Land Use	\$0
Imp Assd	\$12,360
Total Assd	\$266,280

Transfer History

Sales history does not exist for this account.

[C01](#)[Attributes](#)[Floor Areas](#)

Story	Use	Attribute	Code	Detail
		Class	83	Clay

STATE OF GEORGIA

CITY OF SNELLVILLE

ORDINANCE NO. 2021-10

AN ORDINANCE TO DENY THE REQUEST TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF SNELLVILLE, GEORGIA, AS AMENDED, FOR A 5.58± ACRE TRACT OF LAND LOCATED IN LAND LOT 94 OF THE 5TH LAND DISTRICT, GWINNETT COUNTY, GEORGIA, 3491 ROSEBUD ROAD, SNELLVILLE, GEORGIA; TO DENY VARIANCES; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

CASE NUMBER:	#RZ 21-02
SIZE:	5.58± Acres
LOCATION:	3491 Rosebud Road, Snellville, Georgia
TAX PARCEL:	R5094 327
CURRENT ZONING MAP:	RS-30 (Single-Family Residential) District
REQUESTED ZONING MAP AMENDMENT:	RO (Residential for Older Persons) District
DEVELOPMENT/PROJECT:	21-Lot Single-family Detached (Age-Restricted 55+) Residential Subdivision
PROPERTY OWNER:	Summit Chase Country Club, Inc. Snellville, Georgia
APPLICANT/CONTACT:	John Gaskin Patrick Malloy Companies, LLC Atlanta, Georgia 770-319-5258 or john.gaskin@pmcommunities.com

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 deny RZ 21-02, which requested to amend the official zoning map as it applies to the 5.58± acre tract of land located at 3491 Rosebud Road, Snellville, Georgia (Tax Parcel R5094 327) for a 21-lot single-family detached (age-restricted) residential subdivision; and,

WHEREAS, the governing authority of the City of Snellville, Georgia desires to deny variances requested by the Applicant as it applies to the 5.58± acre tract of land located at 3491 Rosebud Road, Snellville, Georgia (Tax Parcel R5094 327) for a 21-lot single-family detached (age-restricted) residential subdivision; 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. For reasons stated in the public hearing and upon a review of the application submitted by the Applicant, the request for a change to the Official Zoning Map for the City of Snellville, Georgia from RS-30 (Single-family Residential) District to RO (Residential for Older Persons) District for the 5.58± acre tract of land as shown on the conceptual rezoning site plan entitled “Rezoning Exhibit Summit Chase Snellville Georgia”, dated 1-22-2021 (stamped received 2-5-2021), in Exhibit “A”, a copy of which is attached hereto and incorporated herein by reference is hereby denied.

Section 2. (a) The requested variance from UDO Sec. 202-9.7, Building Separation to reduce the 15 foot minimum separation between buildings on the same site to 10 feet is denied.

(b) The requested variances from UDO Table 201-3.2.D, Allowed Building Materials to exceed the 50% maximum allowance for use of siding material on the front, side, and rear elevation of any one dwelling is denied.

(c) The requested variance from UDO Sec. 201-3.3.E.3, Garage Doors, to allow the garage doors facing a street to not be required to be located at least 10 feet behind front wall plane of the dwelling, not including front porches is denied.

(d) The requested variance from UDO Sec. 201-3.3.E.4, Garage Doors, to allow single-family detached dwelling garage doors facing a street to comprise more than 50% of the overall width of the front wall plane of the house is denied.

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 Chapter 1 of the Code of Ordinances, City of Snellville, Georgia 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 _____, 2021. The effective date of this Ordinance shall be the date of adoption unless otherwise stated herein.

[SIGNATURES BEGIN ON THE FOLLOWING PAGE]

ORDAINED this _____ day of April, 2021.

Barbara Bender, Mayor

ATTEST:

Dave Emanuel, Mayor Pro Tem

Melisa Arnold, City Clerk

Cristy Lenski, Council Member

APPROVED AS TO FORM:

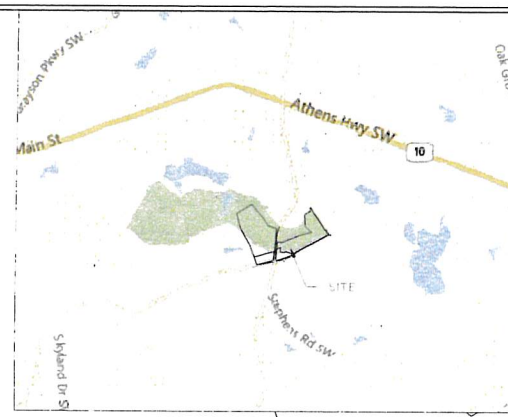
Solange Destang, Council Member

W. Charles Ross, City Attorney
Powell & Edwards, P.C.

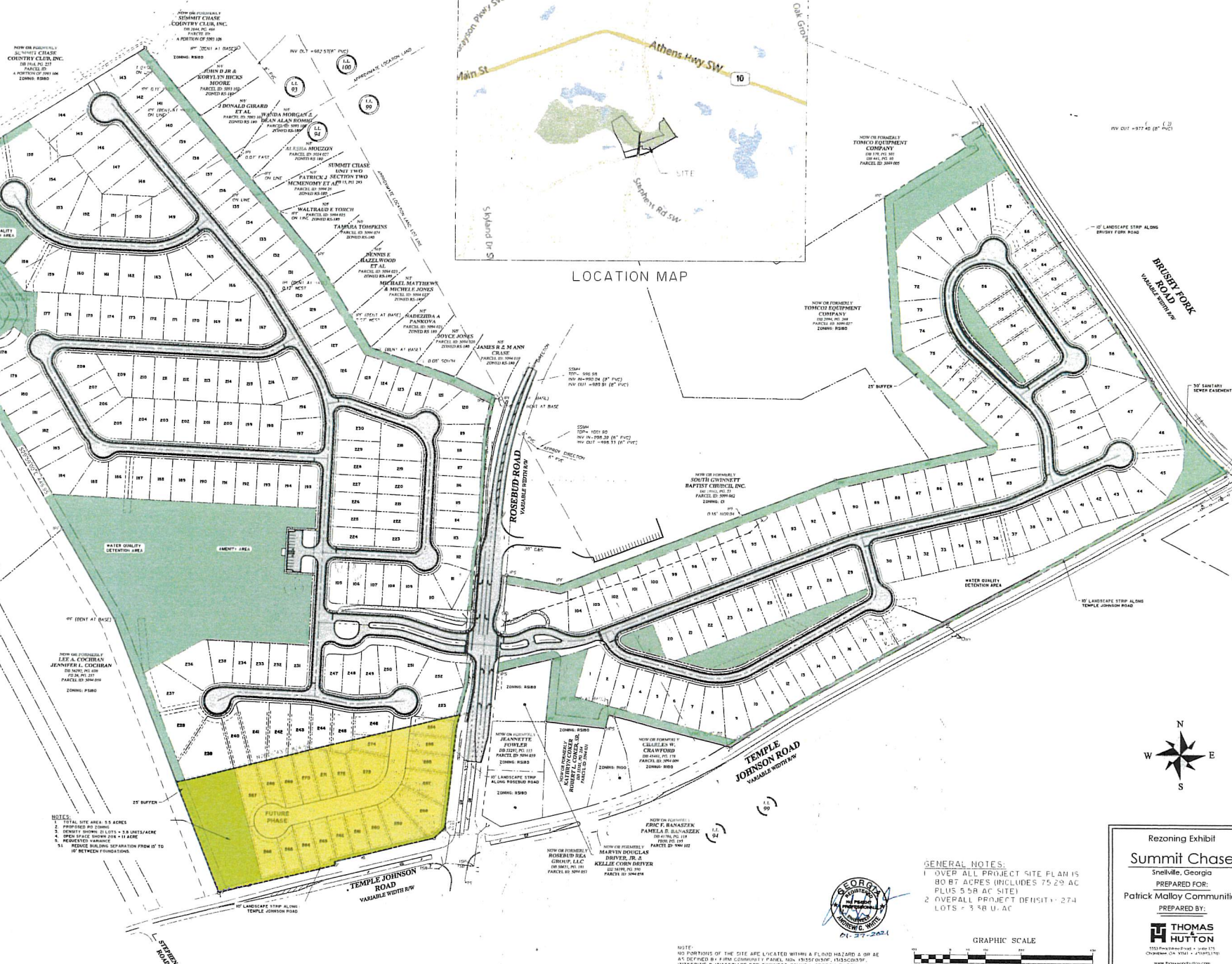
Gretchen Schulz, Council Member

Tod Warner, Council Member

EXHIBIT “A”

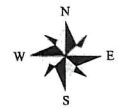


LOCATION MAP



- NOTES:
1. TOTAL SITE AREA: 1.5 ACRES
 2. PROPOSED LOT SIZES: 1/2 TO 1/4 ACRE
 3. PROPOSED LOT DENSITY: 1.5 UNITS/ACRE
 4. OPEN SPACE: 0.5 ACRE
 5. REQUIRED VARIANCE
 6. REDUCE BUILDING SEPARATION FROM 10' TO 5' BETWEEN FOUNDATIONS

GENERAL NOTES:
 1. OVER ALL PROJECT SITE PLAN IS 80.87 ACRES (INCLUDES 75.29 AC PLUS 5.58 AC SITE)
 2. OVERALL PROJECT DENSITY: 27.4 LOTS / 3.58 U. AC



Rezoning Exhibit
Summit Chase
 Snellville, Georgia
 PREPARED FOR:
 Patrick Malloy Communities
 PREPARED BY:
THOMAS HUTTON
 155 Peachtree Street, Suite 175
 Cherokee, GA 30615 • 404.251.1717
 www.thomashutton.com

DATE: 1.20.2019	SCALE: 1" = 100'
BY: THH	DATE: 09/29/2017
REVISION: 2019	DATE: 1/20/19

NOTE:
 NO PORTIONS OF THE SITE ARE LOCATED WITHIN A FLOOD HAZARD AREA AS DEFINED BY FEMA COMMUNITY PANEL NO. 13352-0001, FLOODPLAIN, (DISSEMINATED BY STATE OF GEORGIA FOR 600011 COUNTY, GEORGIA DATED SEPTEMBER 23, 2006)

LEGAL DESCRIPTION - TRACT 2

All that tract or parcel of land lying and being in Land Lot 94 of the 5th District, City of Snellville, Gwinnett County, Georgia, and being more particularly described as follows:

BEGINNING at an iron pin set (1/2" rebar with cap stamped "Gunnin LSF 1033") located at the intersection of the westerly right-of-way line of Rosebud Road (having a variable width right-of-way) with the northwesterly right-of-way line of Temple Johnson Road (having a variable width right-of-way), said iron pin set being the **TRUE POINT OF BEGINNING**.

FROM THE TRUE POINT OF BEGINNING AS THUS ESTABLISHED, thence leave said intersection and run southwesterly along the northwesterly right-of-way line of Temple Johnson Road the following courses and distances: S76°06'43"W a distance of 290.00 feet to a point; S13°53'17"E a distance of 10.25 feet to a point; S76°07'26"W a distance of 139.38 feet to a point; S76°32'12"W a distance of 111.68 feet to a point; S76°24'43"W a distance of 78.94 feet to a point; S75°29'38"W a distance of 9.07 feet to a point; thence leave said right-of-way line and run N20°49'41"W a distance of 336.54 feet to an iron pin set (1/2" rebar with cap stamped "Gunnin LSF 1033"); thence run N76°06'43"E a distance of 824.80 feet to an iron pin set (1/2" rebar with cap stamped "Gunnin LSF 1033") located on the westerly right-of-way line of Rosebud Road; thence run southwesterly along the westerly right-of-way line of Rosebud Road the following courses and distances: S14°22'53"W a distance of 38.92 feet to a point; along the arc of a curve to the right, on an arc distance of 23.68 feet to a point, said curve having a radius of 9,940.00 feet and being subtended by a chord bearing S06°06'55"W and a chord distance of 23.68 feet; S06°11'25"W a distance of 101.63 feet to a point; along the arc of a curve to the right, on an arc distance of 161.02 feet to an iron pin set (1/2" rebar with cap stamped "Gunnin LSF 1033"), said curve having a radius of 6,420.00 feet and being subtended by a chord bearing S06°54'32"W and a chord distance of 161.02 feet; S46°10'33"W a distance of 41.29 feet to an iron pin set (1/2" rebar with cap stamped "Gunnin LSF 1033") located at the intersection of the westerly right-of-way line of Rosebud Road with the northwesterly right-of-way line of Temple Johnson Road, said iron pin set being the **TRUE POINT OF BEGINNING**.

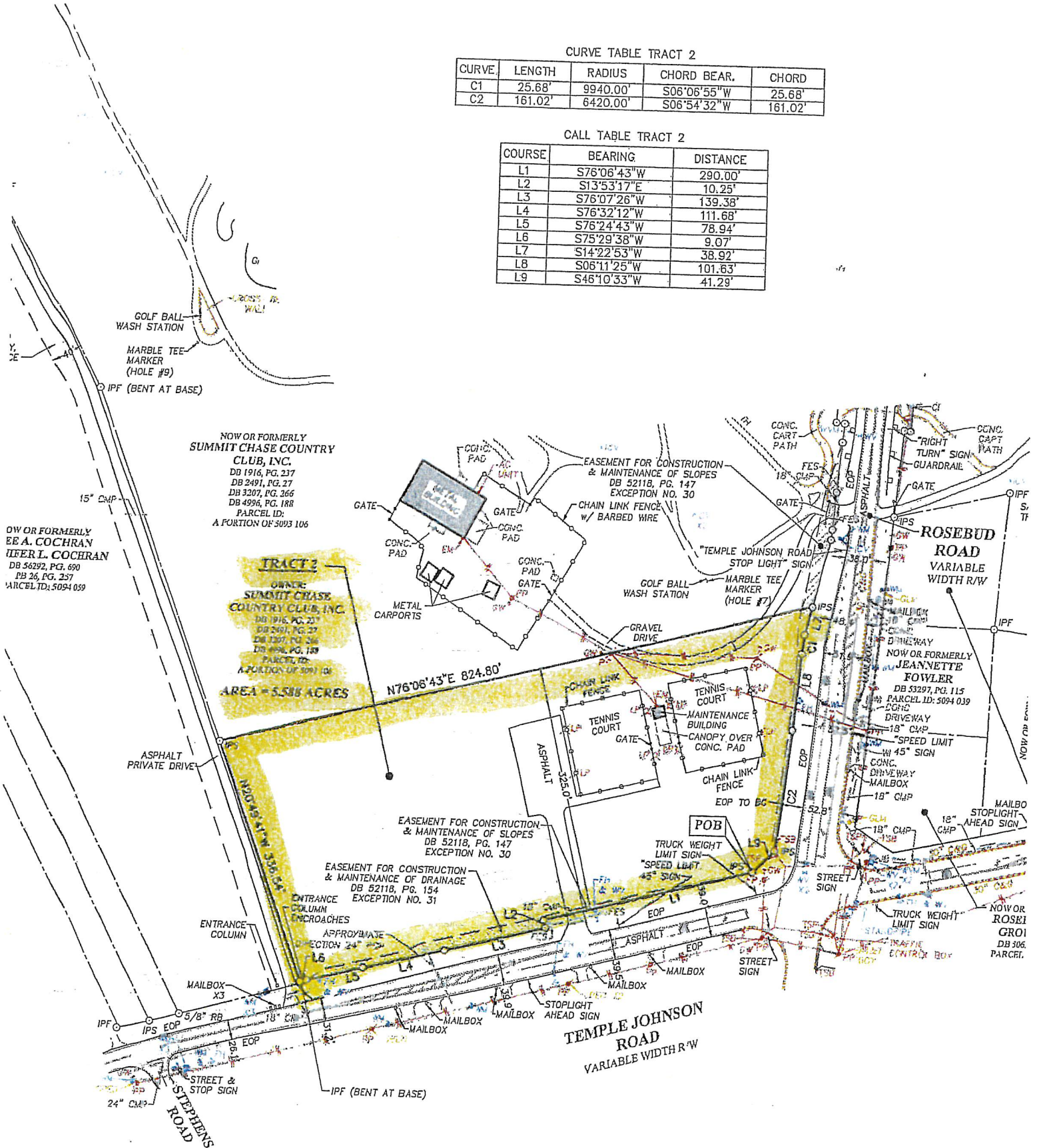
Said tract or parcel of land containing 5.588 acres.

CURVE	LENGTH	RADIUS	CHORD BEAR.	CHORD
C1	25.68'	9940.00'	S06°06'55"W	25.68'
C2	161.02'	6420.00'	S06°54'32"W	161.02'

CURVE	LENGTH	RADIUS	CHORD BEAR.	CHORD
C1	25.68'	9940.00'	S06°06'55"W	25.68'
C2	161.02'	6420.00'	S06°54'32"W	161.02'

COURSE	BEARING	DISTANCE
L1	S78°06'43"W	290.00'
L2	S13°53'17"E	10.25'
L3	S76°07'26"W	139.38'
L4	S76°32'12"W	111.68'
L5	S76°24'43"W	78.94'
L6	S75°29'38"W	9.07'
L7	S14°22'53"W	38.92'
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L8	S06°11'25"W	101.63'
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Tax Assessor's Office

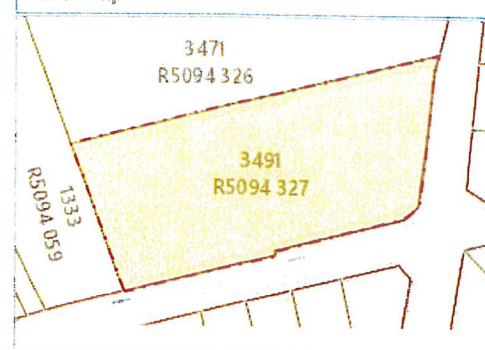
I Want To ... Tax Assessor



Property Detail

[Go Back](#)[Neighborhood Sales](#)[Property Report](#)

GIS Map



General Info

SUMMIT CHASE C C INC
PO BOX 606
SNELLVILLE GA 30078-0606

Property ID	R5094 327
Alternate ID	33390319
Address	3491 ROSEBUD RD
Property Class	Commercial Auxiliary Imp
Neighborhood	9310
Deed Acres	5.5800

Value History

Year	2020
Reason	New Parcel
Land Val	\$634,800
Imp Val	\$30,900
Total Appr	\$665,700
Land Assd	\$253,920
Land Use	\$0
Imp Assd	\$12,360
Total Assd	\$266,280

Transfer History

Sales history does not exist for this account.

[C01](#)[Attributes](#)[Floor Areas](#)

Story	Use	Attribute	Code	Detail
		Class	83	Clay

STATE OF GEORGIA

CITY OF SNELLVILLE

ORDINANCE NO. 2021-11

AN ORDINANCE TO AMEND THE 2040 COMPREHENSIVE PLAN FUTURE LAND USE MAP FOR THE CITY OF SNELLVILLE, GEORGIA, FOR A 5.58± ACRE TRACT OF LAND LOCATED IN LAND LOT 94 OF THE 5TH LAND DISTRICT, GWINNETT COUNTY, GEORGIA, 3491 ROSEBUD ROAD, SNELLVILLE, GEORGIA; TO PROVIDE FOR SEVERABILITY; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

CASE NUMBER:	#LUP 21-02
SIZE:	5.58± Acres
LOCATION:	3491 Rosebud Road, Snellville, Georgia
TAX PARCEL:	R5094 327
CURRENT FUTURE LAND USE MAP DESIGNATION:	Park-Recreation
REQUESTED FUTURE LAND USE MAP AMENDMENT:	Low-Density Residential
DEVELOPMENT/PROJECT:	21-Lot Single-family Detached Residential Subdivision
PROPERTY OWNER:	Summit Chase Country Club, Inc. Snellville, Georgia
APPLICANT/CONTACT:	John Gaskin, VP Land Acquisition Patrick Malloy Companies, LLC 770-319-5258 or john.gaskin@pmccommunities.com

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 the designated land use as it applies to the 5.58± acre tract of land located at 3491 Rosebud Road, Snellville, Georgia (Tax Parcel R5094 327) for a 21-lot single-family detached (age-restricted) residential subdivision development and incorporate it into the adjoining 75.29± acre 253-lot tract that was rezoned in June 2019 (case #RZ 19-02 LUP 19-01) for an age-restricted (55+) single-family detached residential community; 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 future land use designation of the 5.58± acre tract of land as shown on the conceptual rezoning site plan entitled “Rezoning Exhibit Summit Chase Snellville Georgia”, dated 1-22-2021 (stamped received 2-5-2021), in Exhibit “A”, a copy of which is attached hereto and incorporated herein by reference is hereby changed from Park-Recreation to Low-Density Residential.

This change in future land use is to be noted on the City of Snellville 2040 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 affected by this Ordinance. Until the change is indicated on the City of Snellville 2040 Comprehensive Plan Future Land Use Map approved by the Mayor and Council, this Ordinance shall govern over the City of

Snellville 2040 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 2040 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.

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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 Chapter 1 of the Code of Ordinances, City of Snellville, Georgia 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 _____, 2021. The effective date of this Ordinance shall be the date of adoption unless otherwise stated herein.

[SIGNATURES BEGIN ON THE FOLLOWING PAGE]

ORDAINED this _____ day of April, 2021.

Barbara Bender, Mayor

ATTEST:

Dave Emanuel, Mayor Pro Tem

Melisa Arnold, City Clerk

Cristy Lenski, Council Member

APPROVED AS TO FORM:

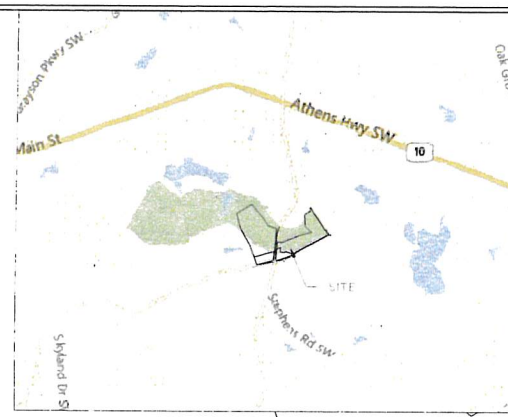
Solange Destang, Council Member

W. Charles Ross, City Attorney
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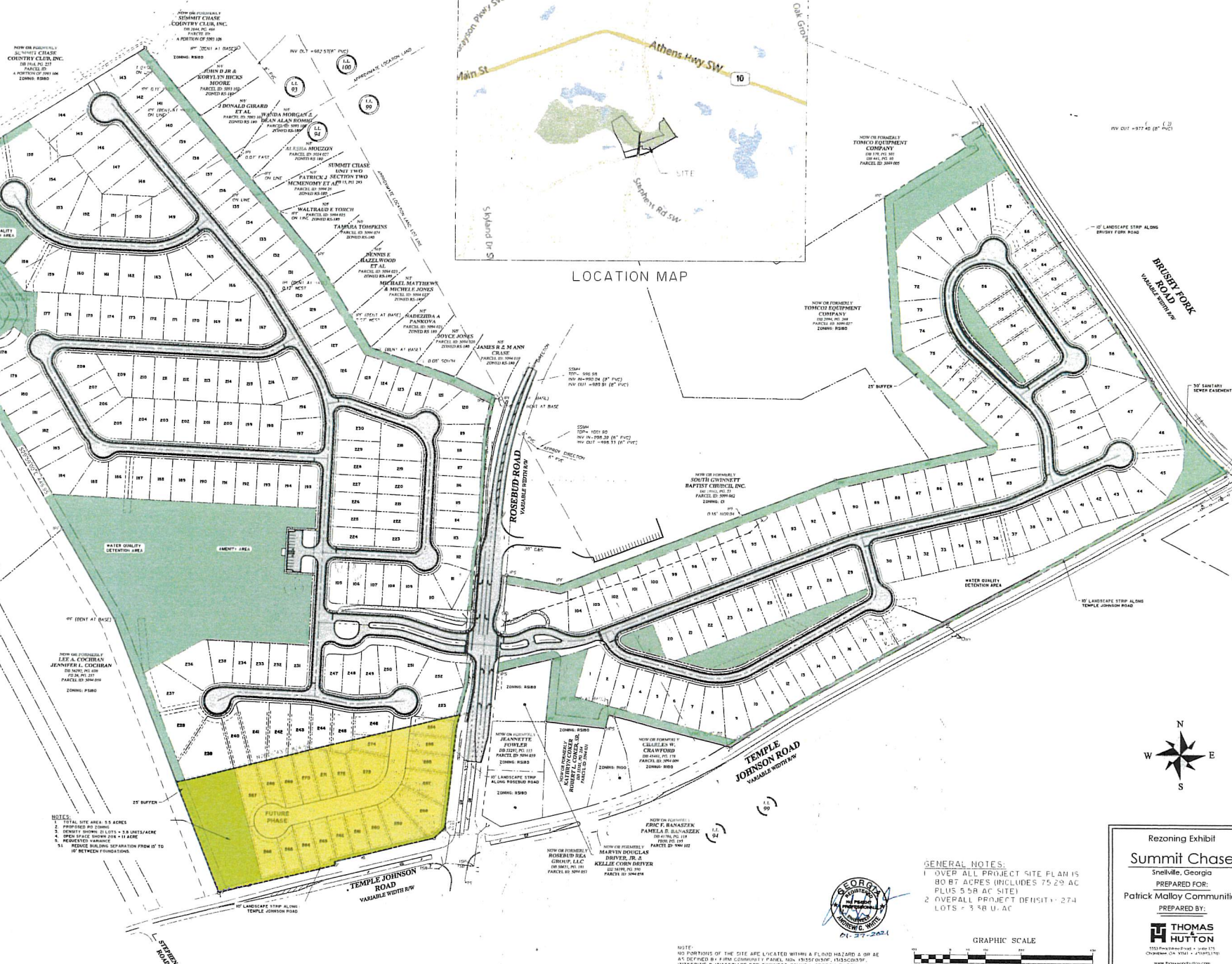
Gretchen Schulz, Council Member

Tod Warner, Council Member

EXHIBIT “A”

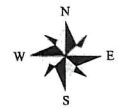


LOCATION MAP



- NOTES:
1. TOTAL SITE AREA: 1.5 ACRES
 2. PROPOSED LOT SIZES: 1/2 TO 1/4 ACRE
 3. PROPOSED LOT DENSITY: 1.5 UNITS/ACRE
 4. OPEN SPACE: 0.5 ACRE
 5. REQUIRED VARIANCE
 6. REDUCE BUILDING SEPARATION FROM 10' TO 15' BETWEEN FOUNDATIONS

- GENERAL NOTES:
1. OVER ALL PROJECT SITE PLAN IS 80.87 ACRES (INCLUDES 75.29 AC PLUS 5.58 AC SITE)
 2. OVERALL PROJECT DENSITY: 27.4 LOTS / 3.58 U. AC



Rezoning Exhibit
Summit Chase
 Snellville, Georgia
 PREPARED FOR:
 Patrick Malloy Communities
 PREPARED BY:
THOMAS HUTTON
 155 Peachtree Park • Suite 175
 Cherokee, GA 30615 • 404.271.1717
 www.thomashutton.com

DATE: 1.20.2019	SCALE: 1" = 100'
BY: JAH	DATE: 09/09/2020
REVIEWED: JAH	DATE: 10/01/2020

NOTE:
 NO PORTIONS OF THE SITE ARE LOCATED WITHIN A FLOOD HAZARD AREA AS DEFINED BY FEMA COMMUNITY PANEL NO. 13352-0001, FLOODPLAIN, (DISSEMINATED BY STATE OF GEORGIA FOR 6000111 COUNTY, GEORGIA DATED SEPTEMBER 23, 2006)

LEGAL DESCRIPTION - TRACT 2

All that tract or parcel of land lying and being in Land Lot 94 of the 5th District, City of Snellville, Gwinnett County, Georgia, and being more particularly described as follows:

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FROM THE TRUE POINT OF BEGINNING AS THUS ESTABLISHED, thence leave said intersection and run southwesterly along the northwesterly right-of-way line of Temple Johnson Road the following courses and distances: S76°06'43"W a distance of 290.00 feet to a point; S13°53'17"E a distance of 10.25 feet to a point; S76°07'26"W a distance of 139.38 feet to a point; S76°32'12"W a distance of 111.68 feet to a point; S76°24'43"W a distance of 78.94 feet to a point; S75°29'38"W a distance of 9.07 feet to a point; thence leave said right-of-way line and run N20°49'41"W a distance of 336.54 feet to an iron pin set (1/2" rebar with cap stamped "Gunnin LSF 1033"); thence run N76°06'43"E a distance of 824.80 feet to an iron pin set (1/2" rebar with cap stamped "Gunnin LSF 1033") located on the westerly right-of-way line of Rosebud Road; thence run southwesterly along the westerly right-of-way line of Rosebud Road the following courses and distances: S14°22'53"W a distance of 38.92 feet to a point; along the arc of a curve to the right, on an arc distance of 25.68 feet to a point, said curve having a radius of 9,940.00 feet and being subtended by a chord bearing S06°06'55"W and a chord distance of 25.68 feet; S06°11'25"W a distance of 101.63 feet to a point; along the arc of a curve to the right, on an arc distance of 161.02 feet to an iron pin set (1/2" rebar with cap stamped "Gunnin LSF 1033"); said curve having a radius of 6,420.00 feet and being subtended by a chord bearing S06°54'32"W and a chord distance of 161.02 feet; S46°10'33"W a distance of 41.29 feet to an iron pin set (1/2" rebar with cap stamped "Gunnin LSF 1033") located at the intersection of the westerly right-of-way line of Rosebud Road with the northwesterly right-of-way line of Temple Johnson Road, said iron pin set being the **TRUE POINT OF BEGINNING**.

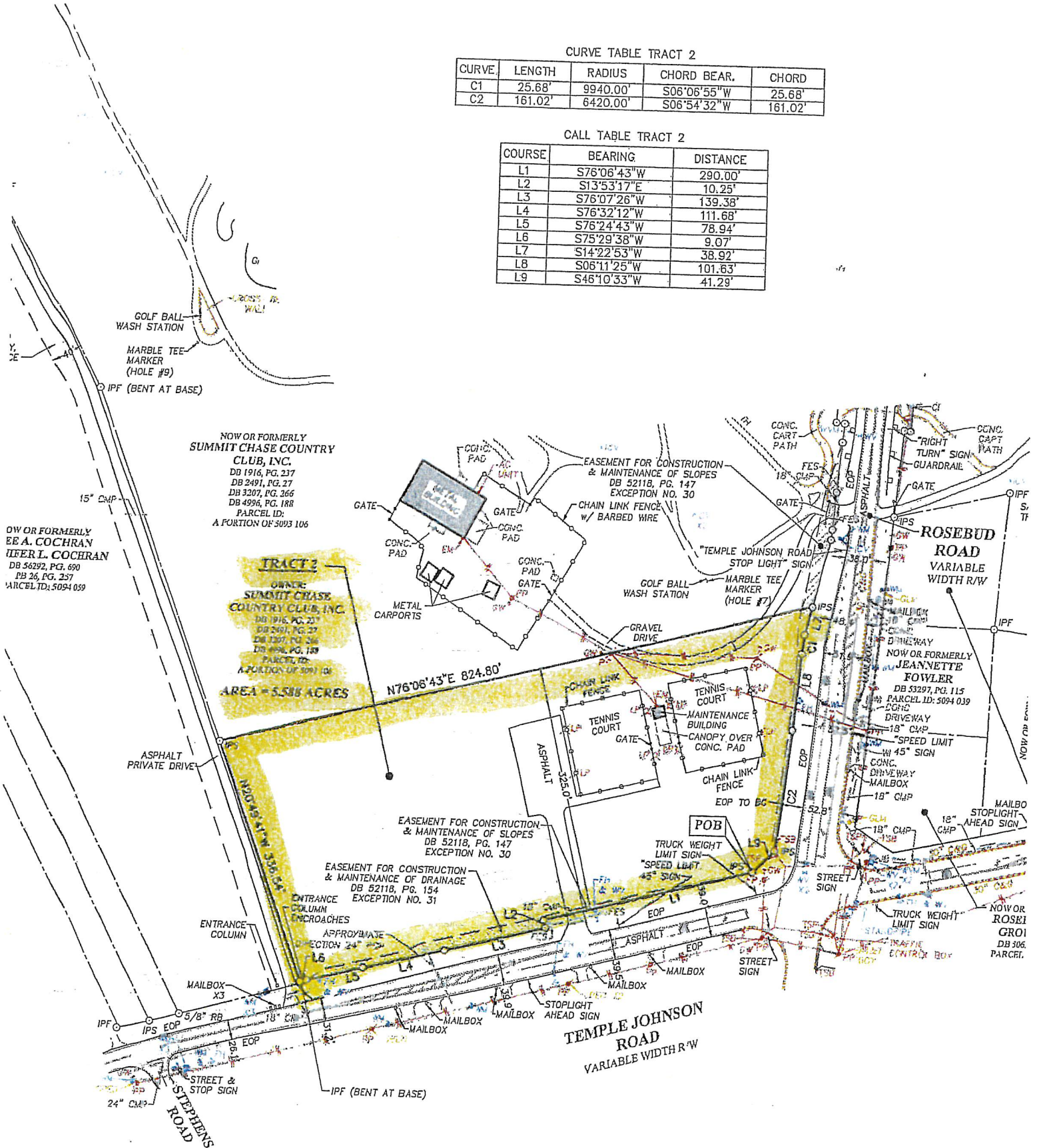
Said tract or parcel of land containing 5.588 acres.

CURVE	LENGTH	RADIUS	CHORD BEAR.	CHORD
C1	25.68'	9940.00'	S06°06'55"W	25.68'
C2	161.02'	6420.00'	S06°54'32"W	161.02'

CURVE	LENGTH	RADIUS	CHORD BEAR.	CHORD
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COURSE	BEARING	DISTANCE
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Tax Assessor's Office

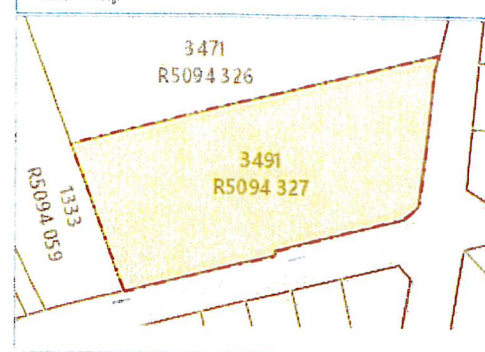
I Want To ... Tax Assessor



Property Detail

[Go Back](#)[Neighborhood Sales](#)[Property Report](#)

GIS Map



General Info

SUMMIT CHASE C C INC
PO BOX 606
SNELLVILLE GA 30078-0606

Property ID	R5094 327
Alternate ID	33390319
Address	3491 ROSEBUD RD
Property Class	Commercial Auxiliary Imp
Neighborhood	9310
Deed Acres	5.5800

Value History

Year	2020
Reason	New Parcel
Land Val	\$634,800
Imp Val	\$30,900
Total Appr	\$665,700
Land Assd	\$253,920
Land Use	\$0
Imp Assd	\$12,360
Total Assd	\$266,280

Transfer History

Sales history does not exist for this account.

[C01](#)[Attributes](#)[Floor Areas](#)

Story	Use	Attribute	Code	Detail
		Class	83	Clay

STATE OF GEORGIA

CITY OF SNELLVILLE

ORDINANCE NO. 2021-11

AN ORDINANCE TO DENY THE REQUEST TO AMEND THE 2040 COMPREHENSIVE PLAN FUTURE LAND USE MAP FOR THE CITY OF SNELLVILLE, GEORGIA, FOR A 5.58± ACRE TRACT OF LAND LOCATED IN LAND LOT 94 OF THE 5TH LAND DISTRICT, GWINNETT COUNTY, GEORGIA, 3491 ROSEBUD ROAD, SNELLVILLE, GEORGIA; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

CASE NUMBER:	#LUP 21-02
SIZE:	5.58± Acres
LOCATION:	3491 Rosebud Road, Snellville, Georgia
TAX PARCEL:	R5094 327
CURRENT FUTURE LAND USE MAP DESIGNATION:	Park-Recreation
REQUESTED FUTURE LAND USE MAP AMENDMENT:	Low-Density Residential
DEVELOPMENT/PROJECT:	21-Lot Single-family Detached Residential Subdivision
PROPERTY OWNER:	Summit Chase Country Club, Inc. Snellville, Georgia
APPLICANT/CONTACT:	John Gaskin, VP Land Acquisition Patrick Malloy Companies, LLC 770-319-5258 or john.gaskin@pmccommunities.com

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 deny LUP 21-02, which requested to amend the designated future land use map as it applies to the 5.58± acre tract of land located at 3491 Rosebud Road, Snellville, Georgia (Tax Parcel R5094 327) for a 21-lot single-family detached (age-restricted) residential subdivision development and incorporate it into the adjoining 75.29± acre 253-lot tract that was rezoned in June 2019 (case #RZ 19-02 LUP 19-01) for an age-restricted (55+) single-family detached residential community; 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. For reasons stated in the public hearing and upon review of the application submitted by Applicant, the request for a change in the future land use map designation from Park-Recreation to Low-Density Residential for the 5.58± acre tract of land as shown on the conceptual rezoning site plan entitled “Rezoning Exhibit Summit Chase Snellville Georgia”, dated 1-22-2021 (stamped received 2-5-2021), in Exhibit “A”, a copy of which is attached hereto and incorporated herein by reference is hereby denied.

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 _____, 2021. The effective date of this Ordinance shall be the date of adoption unless otherwise stated herein.

[SIGNATURES BEGIN ON THE FOLLOWING PAGE]

ORDAINED this _____ day of April, 2021.

Barbara Bender, Mayor

ATTEST:

Dave Emanuel, Mayor Pro Tem

Melisa Arnold, City Clerk

Cristy Lenski, Council Member

APPROVED AS TO FORM:

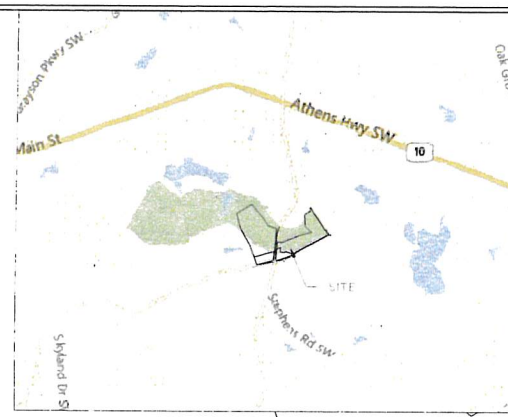
Solange Destang, Council Member

W. Charles Ross, City Attorney
Powell & Edwards, P.C.

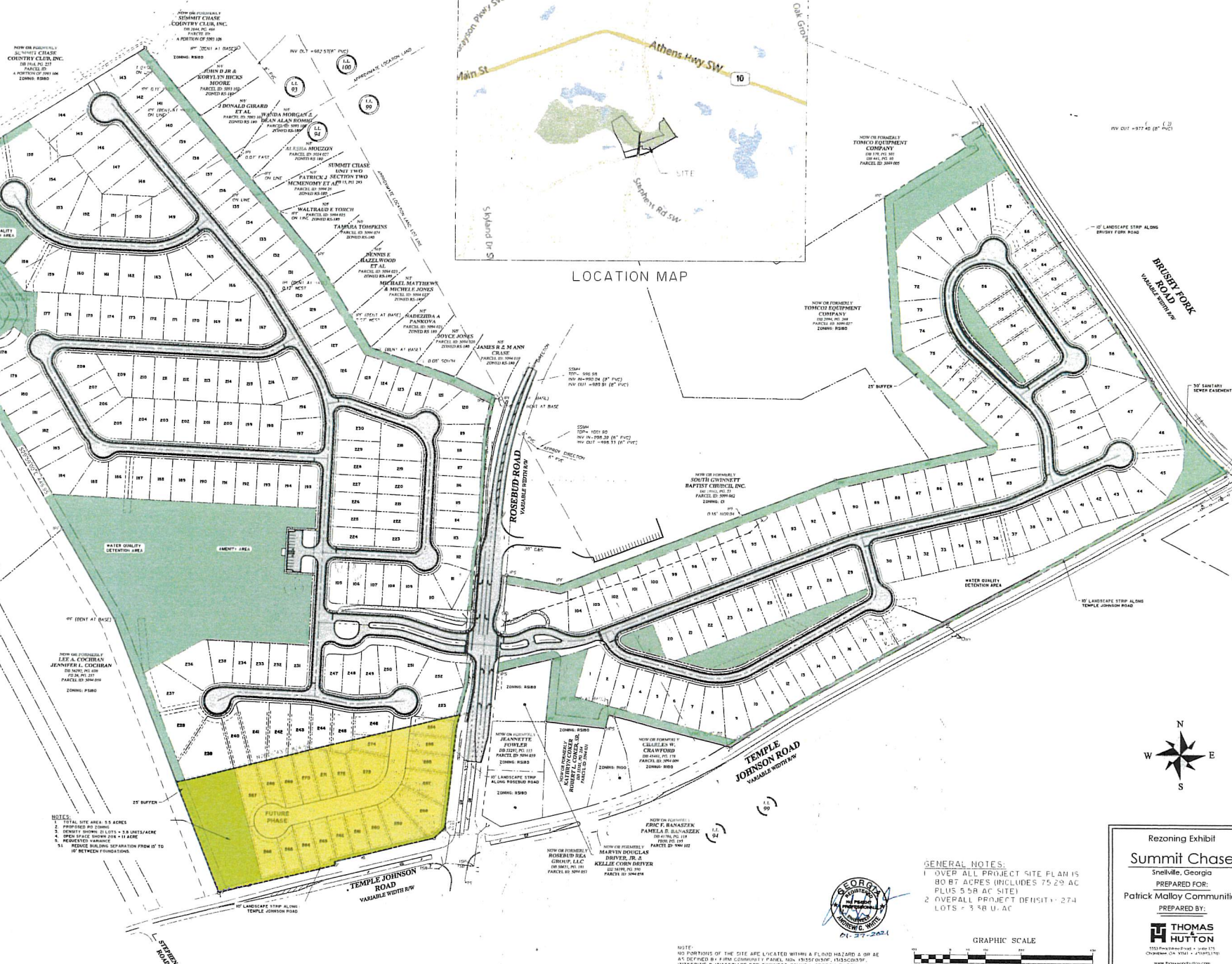
Gretchen Schulz, Council Member

Tod Warner, Council Member

EXHIBIT “A”



LOCATION MAP



- NOTES:
1. TOTAL SITE AREA: 1.5 ACRES
 2. PROPOSED LOT SIZES: 1/2 - 1/4 ACRE
 3. PROPOSED LOT SIZES: 1/2 - 1/4 ACRE
 4. OPEN SPACE: 0.50 ACRES
 5. REDUCED BUILDING SEPARATION FROM LOT TO LOT

GENERAL NOTES:
 1. OVER ALL PROJECT SITE PLAN IS 80.87 ACRES (INCLUDES 75.29 AC PLUS 5.58 AC SITE)
 2. OVERALL PROJECT DENSITY: 274 LOTS / 3.58 U. AC



Rezoning Exhibit
Summit Chase
 Snellville, Georgia
 PREPARED FOR:
 Patrick Malloy Communities
 PREPARED BY:
THOMAS HUTTON
 155 Peachtree Street, Suite 170
 Atlanta, GA 30309
 PHONE: 404.525.1100
 FAX: 404.525.1101
 WWW.THOMASHUTTON.COM

NOTE:
 NO PORTIONS OF THE SITE ARE LOCATED WITHIN A FLOOD HAZARD AREA AS DEPICTED BY FEMA COMMUNITY PANEL NO. 13052-0001, FLOODPLAIN, (DISSEMINATED BY STATE OF GEORGIA) FOR BRUNN COUNTY, GEORGIA DATED SEPTEMBER 23, 2006

LEGAL DESCRIPTION - TRACT 2

All that tract or parcel of land lying and being in Land Lot 94 of the 5th District, City of Snellville, Gwinnett County, Georgia, and being more particularly described as follows:

BEGINNING at an iron pin set (1/2" rebar with cap stamped "Gunnin LSF 1033") located at the intersection of the westerly right-of-way line of Rosebud Road (having a variable width right-of-way) with the northwesterly right-of-way line of Temple Johnson Road (having a variable width right-of-way), said iron pin set being the **TRUE POINT OF BEGINNING**.

FROM THE TRUE POINT OF BEGINNING AS THUS ESTABLISHED, thence leave said intersection and run southwesterly along the northwesterly right-of-way line of Temple Johnson Road the following courses and distances: S76°06'43"W a distance of 290.00 feet to a point; S13°53'17"E a distance of 10.25 feet to a point; S76°07'26"W a distance of 139.38 feet to a point; S76°32'12"W a distance of 111.68 feet to a point; S76°24'43"W a distance of 78.94 feet to a point; S75°29'38"W a distance of 9.07 feet to a point; thence leave said right-of-way line and run N20°49'41"W a distance of 336.54 feet to an iron pin set (1/2" rebar with cap stamped "Gunnin LSF 1033"); thence run N76°06'43"E a distance of 824.80 feet to an iron pin set (1/2" rebar with cap stamped "Gunnin LSF 1033") located on the westerly right-of-way line of Rosebud Road; thence run southwesterly along the westerly right-of-way line of Rosebud Road the following courses and distances: S14°22'53"W a distance of 38.92 feet to a point; along the arc of a curve to the right, on an arc distance of 23.68 feet to a point, said curve having a radius of 9,940.00 feet and being subtended by a chord bearing S06°06'55"W and a chord distance of 23.68 feet; S06°11'25"W a distance of 101.63 feet to a point; along the arc of a curve to the right, on an arc distance of 161.02 feet to an iron pin set (1/2" rebar with cap stamped "Gunnin LSF 1033"), said curve having a radius of 6,420.00 feet and being subtended by a chord bearing S06°54'32"W and a chord distance of 161.02 feet; S46°10'33"W a distance of 41.29 feet to an iron pin set (1/2" rebar with cap stamped "Gunnin LSF 1033") located at the intersection of the westerly right-of-way line of Rosebud Road with the northwesterly right-of-way line of Temple Johnson Road, said iron pin set being the **TRUE POINT OF BEGINNING**.

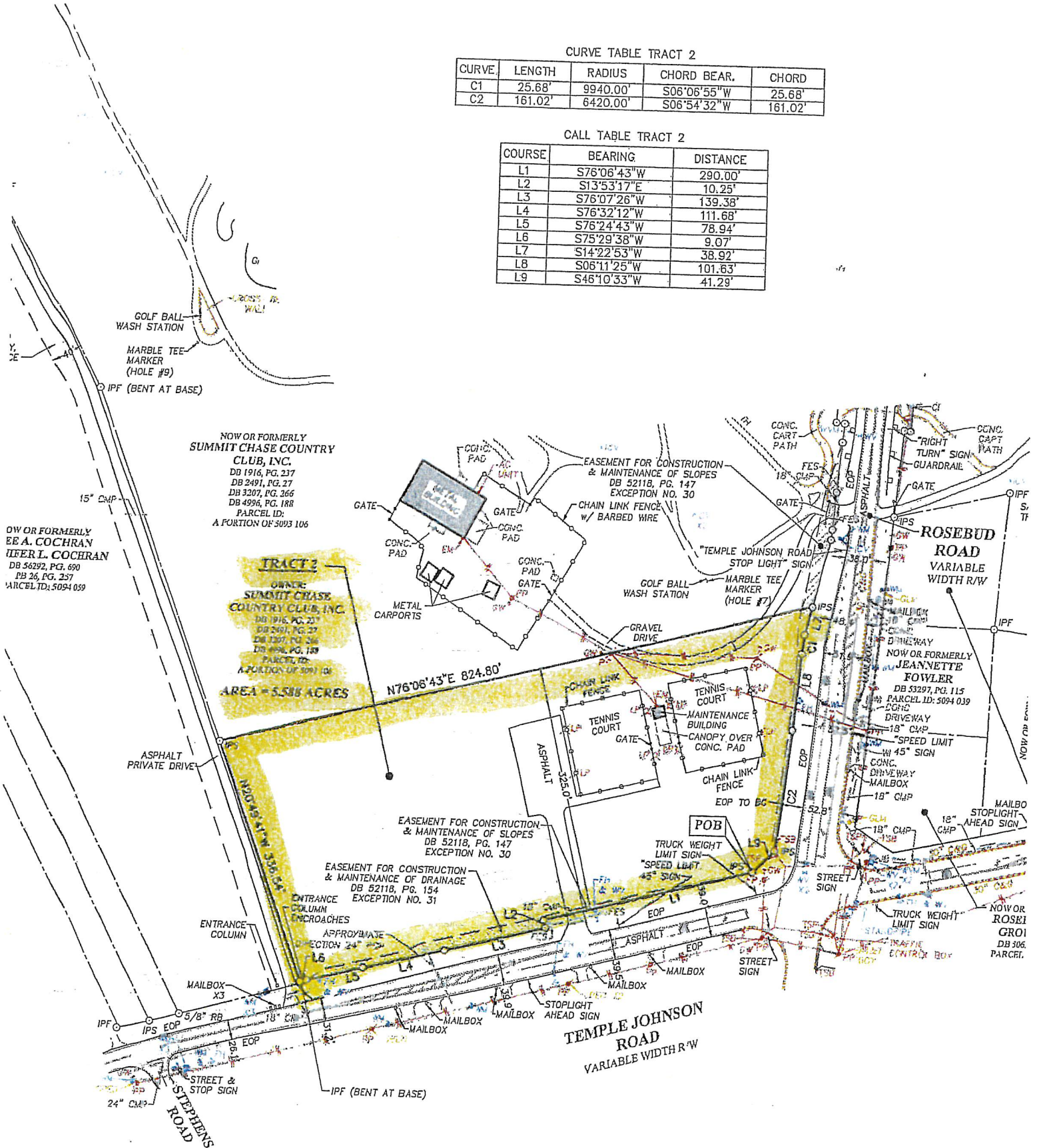
Said tract or parcel of land containing 5.588 acres.

CURVE	LENGTH	RADIUS	CHORD BEAR.	CHORD
C1	25.68'	9940.00'	S06°06'55"W	25.68'
C2	161.02'	6420.00'	S06°54'32"W	161.02'

CURVE	LENGTH	RADIUS	CHORD BEAR.	CHORD
C1	25.68'	9940.00'	S06°06'55"W	25.68'
C2	161.02'	6420.00'	S06°54'32"W	161.02'

COURSE	BEARING	DISTANCE
L1	S76°06'43"W	290.00'
L2	S13°53'17"E	10.25'
L3	S76°07'26"W	139.38'
L4	S76°32'12"W	111.68'
L5	S76°24'43"W	78.94'
L6	S75°29'38"W	9.07'
L7	S14°22'53"W	38.92'
L8	S06°11'25"W	101.63'
L9	S46°10'33"W	41.29'

COURSE	BEARING	DISTANCE
L1	S76°06'43"W	290.00'
L2	S13°53'17"E	10.25'
L3	S76°07'26"W	139.38'
L4	S76°32'12"W	111.68'
L5	S76°24'43"W	78.94'
L6	S75°29'38"W	9.07'
L7	S14°22'53"W	38.92'
L8	S06°11'25"W	101.63'
L9	S46°10'33"W	41.29'





Tax Assessor's Office

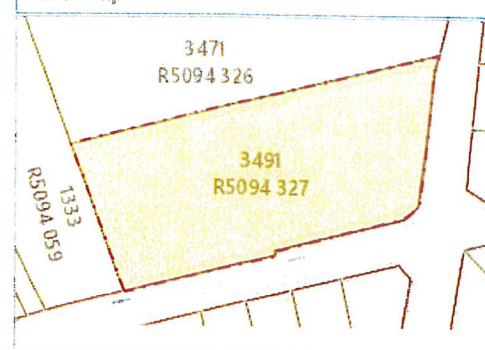
I Want To ... Tax Assessor



Property Detail

[Go Back](#)[Neighborhood Sales](#)[Property Report](#)

GIS Map



General Info

SUMMIT CHASE C C INC
PO BOX 606
SNELLVILLE GA 30078-0606

Property ID	R5094 327
Alternate ID	33390319
Address	3491 ROSEBUD RD
Property Class	Commercial Auxiliary Imp
Neighborhood	9310
Deed Acres	5.5800

Value History

Year	2020
Reason	New Parcel
Land Val	\$634,800
Imp Val	\$30,900
Total Appr	\$665,700
Land Assd	\$253,920
Land Use	\$0
Imp Assd	\$12,360
Total Assd	\$266,280

Transfer History

Sales history does not exist for this account.

[C01](#)[Attributes](#)[Floor Areas](#)

Story	Use	Attribute	Code	Detail
		Class	83	Clay



Agenda Item Summary

TO: The Mayor and Council

FROM: Jason Thompson, Director
Department of Planning and Development

DATE: April 26, 2021

RE: #RZ 21-03 LUP 21-03

DEVELOPMENT: 5-Lot Single-family Detached Subdivision
1.17± Acres at 1736 Oak Road, Snellville, Georgia

STATUS: Public Hearing (2nd Reading)

Applications to amend the Snellville 2040 Comprehensive Plan Future Land Use Map and Official Zoning Map for a 5-Lot single-family detached subdivision on a 1.17± acre property located at 1736 Oak Road, Snellville, Georgia.

Financial Impact: Site Development Permit fees; Building Permit fees; Real Property Taxes

Planning Commission Meeting: March 23, 2021

Recommendations:

Case No. →	LUP 21-03	RZ 21-03
Planning Department	Approval	Approval
Planning Commission	Approval	Approval

Mayor and Council Meetings: April 12, 2021 (1st Reading)
April 26, 2021 (2nd Reading and Public Hearing)

Action requested: Consideration, Public Hearing and Action

1.17± Acre Site at 1736 Oak Road, Snellville, Georgia
Case #RZ 21-03 LUP 21-03
April 26, 2021
Page... 2

Case Documents (website link):

- #RZ 21-03 Application (2-9-2021)
- #LUP 21-03 Application (2-9-2021)
- Sample Elevations and Floor Plan (2-9-2021)
- Conceptual Site Plan (2-8-2021)
- Property Boundary Survey (2-12-2021)
- Application Amendment (2-12-2021)
- 3-23-2021 Planning Department Case Summary & Analysis (3-2-2021)
- *Unofficial* 3-23-2021 Planning Commission Regular Meeting Minutes (3-29-2021)
- 3-23-2021 Planning Commission Case Report (3-29-2021)
- 04-12-2021 and 04-26-2021 Planning Department Case Summary & Analysis with Planning Commission Report (3-29-2021)
- Conditions *Only* Recommendations (3-29-2021)
- Variances *Only* Recommendations (3-29-2021)
- #LUP 21-03 *Approval* Draft Ordinance (4-6-2021)
- #RZ 21-03 *Approval* Draft Ordinance (4-6-2021)
- #LUP 21-03 *Denial* Draft Ordinance (4-6-2021)
- #RZ 21-03 *Denial* Draft Ordinance (4-6-2021)

STATE OF GEORGIA

CITY OF SNELLVILLE

ORDINANCE NO. 2021-12

AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF SNELLVILLE, GEORGIA, AS AMENDED, FOR A 1.17± ACRE TRACT OF LAND LOCATED IN LAND LOT 24 OF THE 5TH LAND DISTRICT, GWINNETT COUNTY, GEORGIA, 1736 OAK ROAD, SNELLVILLE, GEORGIA; TO ADD CONDITIONS AFFECTING THE PROPERTY; TO APPROVE VARIANCES; TO DENY VARIANCES; TO PROVIDE FOR SEVERABILITY; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

CASE NUMBER:	#RZ 21-03
SIZE:	1.17± Acres
LOCATION:	1736 Oak Road, Snellville, Georgia
TAX PARCEL:	R5024 175
CURRENT ZONING MAP:	OP (Office-Professional) District
REQUESTED ZONING MAP AMENDMENT:	RS-5 (Single-family Residential) District
DEVELOPMENT/PROJECT:	5-Lot Single-family Detached Residential Subdivision
PROPERTY OWNER:	Oak Road, LLC Lawrenceville, Georgia
APPLICANT/CONTACT:	Roger Fisher Fisher Allen Group, LLC 404-391-6538 or Roger@fisherallengroup.com

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 1.17± acre tract of land located at 1736 Oak Road, Snellville, Georgia (Tax Parcel R5024 175) for a 5-lot single-family detached residential subdivision; 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 Official Zoning Map for the City of Snellville, Georgia for the 1.17± acre tract of land as shown on the conceptual rezoning site plan entitled “1736 Oak Road SW”, sealed and dated 2-8-2021 (stamped received 2-12-2021) in Exhibit “A”, a copy of which is attached hereto and incorporated herein by reference is hereby changed from OP (Office-Professional) District to RS-5 (Single-family Residential) District. This action is subject to the attachment of the following conditions (1-7):

CONDITIONS:

1. The property shall be developed in accordance with the conceptual rezoning site plan entitled “1736 Oak Road SW”, sealed and dated 2-8-2021 (stamped received 2-12-2021), with modifications permitted to meet conditions of zoning or State, County, and City regulations. Substantial variation from the conceptual rezoning site plan, as determined by the Director of Planning and Development will require Mayor and Council approval.
2. All lots shall connect to sanitary sewer.

3. In consideration of approval of the variance from Sec. 201-4.3.G.7, the applicant shall be required to use two 8' wide insulated carriage style garage doors for each dwelling as per Exhibit "B".
4. A Property Owner's Association shall be established for the continuous maintenance of open space, stormwater detention facility, and entrance signage.
5. Twenty (20) percent of the total site area must be conserved as open space and subject to the Open Space regulations of Sec. 401-2 of Chapter 4 of the Snellville Unified Development Ordinance.
6. Subdivision entrance signage (if any) shall be located on Open Space.
7. Signs higher than 15 feet or larger than 225 square feet are prohibited.

Section 2. (a) The requested variance from Sec. 201-4.3.G.7 to allow two eight (8) feet wide carriage style garage doors on a typical forty (40) feet wide house plan is approved, subject to Condition #3 (above).

(b) The requested variances from Sec. 201-4.3.G.6 requiring garage doors facing a street must be located at least ten (10) feet behind the front wall plane, not including front porches is denied.

Section 3. The changes in zoning classification 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 4. The preamble of this Ordinance shall be considered to be and is hereby incorporated by reference as if fully set out herein.

Section 5. (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 6. Penalties in effect for violations of Chapter 1 of the Code of Ordinances, City of Snellville, Georgia 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 7. All ordinances and parts of ordinances in conflict herewith are hereby expressly repealed

Section 8. This Ordinance was adopted on _____, 2021. The effective date of this Ordinance shall be the date of adoption unless otherwise stated herein.

[SIGNATURES BEGIN ON THE FOLLOWING PAGE]

ORDAINED this _____ day of April, 2021.

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

W. Charles Ross, City Attorney
Powell & Edwards, P.C.

Gretchen Schulz, Council Member

Tod Warner, Council Member

EXHIBIT “A”

EXHIBIT “B”

imagine loving your garage door

FILTER BY STYLE: All ▼



★★★★★ 5 (16)

Canyon Ridge® Carriage House (5-Layer)

Insulated carriage house garage doors with faux wood-look composite overlays.

☐ COMPARE

SEE DETAILS >

STATE OF GEORGIA

CITY OF SNELLVILLE

ORDINANCE NO. 2021-12

AN ORDINANCE TO DENY THE REQUEST TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF SNELLVILLE, GEORGIA, AS AMENDED, FOR A 1.17± ACRE TRACT OF LAND LOCATED IN LAND LOT 24 OF THE 5TH LAND DISTRICT, GWINNETT COUNTY, GEORGIA, 1736 OAK ROAD, SNELLVILLE, GEORGIA; TO DENY VARIANCES; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

CASE NUMBER:	#RZ 21-03
SIZE:	1.17± Acres
LOCATION:	1736 Oak Road, Snellville, Georgia
TAX PARCEL:	R5024 175
CURRENT ZONING MAP:	OP (Office-Professional) District
REQUESTED ZONING MAP AMENDMENT:	RS-5 (Single-family Residential) District
DEVELOPMENT/PROJECT:	5-Lot Single-family Detached Residential Subdivision
PROPERTY OWNER:	Oak Road, LLC Lawrenceville, Georgia
APPLICANT/CONTACT:	Roger Fisher Fisher Allen Group, LLC 404-391-6538 or Roger@fisherallengroup.com

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 deny RZ 21-03, which requested to amend the official zoning map as it applies to the

1.17± acre tract of land located at 1736 Oak Road, Snellville, Georgia (Tax Parcel R5024 175) for a 5-lot single-family detached residential subdivision; and,

WHEREAS, the governing authority of the City of Snellville, Georgia desires to deny variances requested by the Applicant as it applies to the 1.17± acre tract of land located at 1736 Oak Road, Snellville, Georgia (Tax Parcel R5024 175) for a 5-lot single-family detached residential subdivision; 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. For reasons stated in the public hearing and upon a review of the application submitted by the Applicant, the request for a change to the Official Zoning Map for the City of Snellville, Georgia from OP (Office Professional) District to RS-5 (Single-family Residential) District for the 1.17± acre tract of land as shown on the conceptual rezoning site plan entitled “1736 Oak Road SW”, sealed and dated 2-8-2021 (stamped received 2-12-2021) in Exhibit “A”, a copy of which is attached hereto and incorporated herein by reference is hereby denied.

Section 2. (a) The requested variance from Sec. 201-4.3.G.7 to allow two eight (8) feet wide carriage style garage doors on a typical forty (40) feet wide house plan is denied.

(b) The requested variance from Sec. 201-4.3.G.6 requiring garage doors facing a street must be located at least ten (10) feet behind the front wall plane, not including front porches is denied.

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 Chapter 1 of the Code of Ordinances, City of Snellville, Georgia 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 _____, 2021. The effective date of this Ordinance shall be the date of adoption unless otherwise stated herein.

[SIGNATURES BEGIN ON THE FOLLOWING PAGE]

ORDAINED this _____ day of April, 2021.

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

W. Charles Ross, City Attorney
Powell & Edwards, P.C.

Gretchen Schulz, Council Member

Tod Warner, Council Member

EXHIBIT “A”

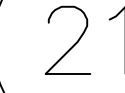
COMMUNITY PANEL #13135C 0128F DATED: SEPTEMBER 29, 2006

Signature of Authorized Agent/Owner Date

EX. ASPHALT PAVING

LOT 1
0.196 ACRES

OAK ROAD
(100' R/W)



24 HOUR CONTACT
OAK ROAD LLC.
ROGER FISHER
1001 Virginia Ave. Ste. 321
Hapeville, GA. 30354
PH: 404-391-6538
E: roger@fisherallengroup.com

GEORGIA
REGISTERED
No. 2941
PROFESSIONAL
ENGINEER
GEORGE P. HARPER III
02/08/21
GSWCC NO. 09374

REV.	DATE:	DESCRIPTION:
DRAWING NO: 210201 - OAK ROAD		

PROJECT:	1736 OAK ROAD SW		
SHEET:	CONCEPTUAL SITE PLAN		
LL 24	5TH DISTRICT		CITY OF SNELLVILLE
DATE:	02/08/2021	DRAWN BY: GPH	SCALE: 1" = 20'

1

STATE OF GEORGIA

CITY OF SNELLVILLE

ORDINANCE NO. 2021-13

AN ORDINANCE TO AMEND THE 2040 COMPREHENSIVE PLAN FUTURE LAND USE MAP FOR THE CITY OF SNELLVILLE, GEORGIA, FOR A 1.17± ACRE TRACT OF LAND LOCATED IN LAND LOT 24 OF THE 5TH LAND DISTRICT, GWINNETT COUNTY, GEORGIA, 1736 OAK ROAD, SNELLVILLE, GEORGIA; TO PROVIDE FOR SEVERABILITY; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

CASE NUMBER:	#LUP 21-03
SIZE:	1.17± Acres
LOCATION:	1736 Oak Road, Snellville, Georgia
TAX PARCEL:	R5024 075
CURRENT FUTURE LAND USE MAP DESIGNATION:	Office-Professional
REQUESTED FUTURE LAND USE MAP AMENDMENT:	Medium-Density Residential
DEVELOPMENT/PROJECT:	5-Lot Single-family Detached Residential Subdivision
PROPERTY OWNER:	Oak Road, LLC Lawrenceville, Georgia
APPLICANT/CONTACT:	Roger Fisher Fisher Allen Group, LLC 404-391-6538 or Roger@fisherallengroup.com

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 the designated land use as it applies to the 1.17± acre tract of land located at 1736 Oak Road, Snellville, Georgia (Tax Parcel R5024 175) for a 5-lot single-family detached residential subdivision; 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 future land use designation of the 1.17± acre tract of land as shown on the conceptual rezoning site plan entitled “1736 Oak Road SW”, sealed and dated 2-8-2021 (stamped received 2-12-2021) in Exhibit “A”, a copy of which is attached hereto and incorporated herein by reference is hereby changed from Office-Professional to Medium-Density Residential.

This change in future land use is to be noted on the City of Snellville 2040 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 affected by this Ordinance. Until the change is indicated on the City of Snellville 2040 Comprehensive Plan Future Land Use Map approved by the Mayor and Council, this Ordinance shall govern over the City of Snellville 2040 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 2040 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 Chapter 1 of the Code of Ordinances, City of Snellville, Georgia 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 _____, 2021. The effective date of this Ordinance shall be the date of adoption unless otherwise stated herein.

[SIGNATURES BEGIN ON THE FOLLOWING PAGE]

ORDAINED this ____ day of April, 2021.

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

W. Charles. Ross, City Attorney
Powell & Edwards, P.C.

Gretchen Schulz, Council Member

Tod Warner, Council Member

EXHIBIT “A”

COMMUNITY PANEL #13135C 0128F DATED: SEPTEMBER 29, 2006

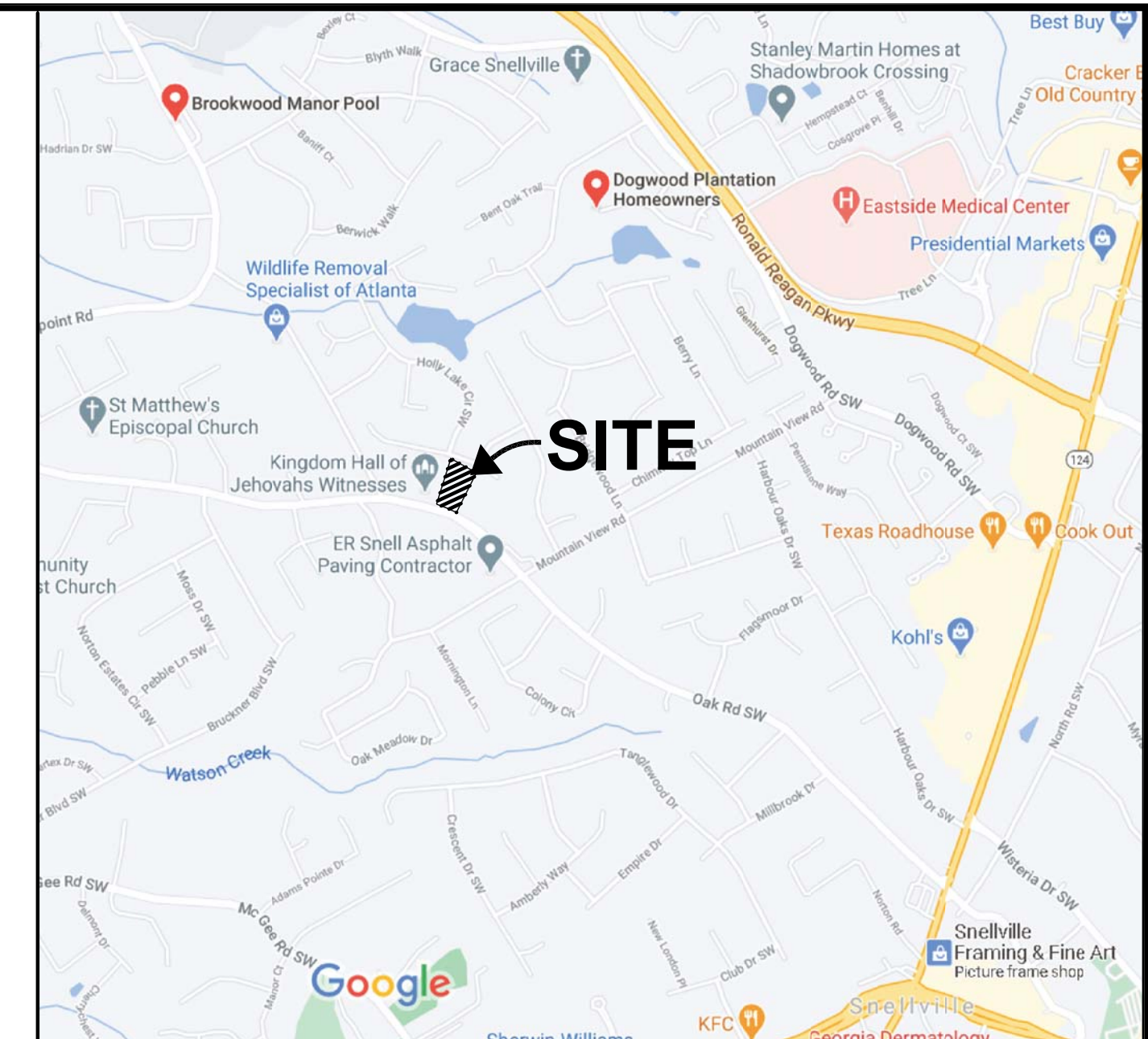
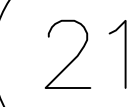
Signature of Authorized Agent/Owner Date

EX. ASPHALT PAVING

LOT 1
0.196 ACRES

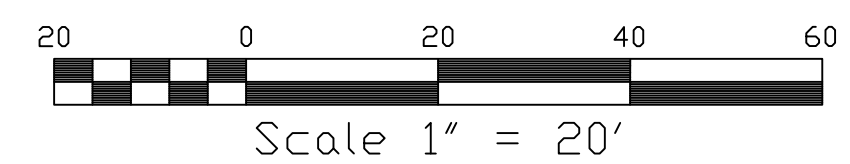
OAK ROAD
(100' R/W)

NEW SADDLE TAP AND VALVE
FOR LONG SERVICE CONNECTION



Location Map N.T.S.

24 HOUR CONTACT
OAK ROAD LLC.
ROGER FISHER
1001 Virginia Ave. Ste. 321
Hapeville, GA. 30354
PH: 404-391-6538
E: roger@fisherallengroup.com

The logo for Paramount Engineering, LLC. It features the word "paramount" in a dark blue, lowercase, sans-serif font. Below it, the words "ENGINEERING, LLC" are written in a smaller, dark blue, uppercase, sans-serif font. The entire logo is set against a white background.

11 E. BROAD ST.
NEWNAN, GA. 30263
PH: (770)-473-9576
george@paramountengineering.com



PROJECT:	1736 OAK ROAD SW		
SHEET:	CONCEPTUAL SITE PLAN		
LL 24	5TH DISTRICT	CITY OF SNELLVILLE	
DATE:	02/08/2021	DRAWN BY: GPH	SCALE: 1" = 20'
REV:	DATE:	DESCRIPTION:	
		DRAWING NO: 210201 - OAK ROAD	

SHEET

1

STATE OF GEORGIA

CITY OF SNELLVILLE

ORDINANCE NO. 2021-13

AN ORDINANCE TO DENY THE REQUEST TO AMEND THE 2040 COMPREHENSIVE PLAN FUTURE LAND USE MAP FOR THE CITY OF SNELLVILLE, GEORGIA, FOR A 1.17± ACRE TRACT OF LAND LOCATED IN LAND LOT 24 OF THE 5TH LAND DISTRICT, GWINNETT COUNTY, GEORGIA, 1736 OAK ROAD, SNELLVILLE, GEORGIA; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

CASE NUMBER:	#LUP 21-03
SIZE:	1.17± Acres
LOCATION:	1736 Oak Road, Snellville, Georgia
TAX PARCEL:	R5024 075
CURRENT FUTURE LAND USE MAP DESIGNATION:	Office-Professional
REQUESTED FUTURE LAND USE MAP AMENDMENT:	Medium-Density Residential
DEVELOPMENT/PROJECT:	5-Lot Single-family Detached Residential Subdivision
PROPERTY OWNER:	Oak Road, LLC Lawrenceville, Georgia
APPLICANT/CONTACT:	Roger Fisher Fisher Allen group, LLC 404-391-6538 or Roger@fisherallengroup.com

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 deny LUP 21-02, which requested to amend the designated future land use map as it applies to the 1.17± acre tract of land located at 1736 Oak Road, Snellville, Georgia (Tax Parcel R5024 175) for a 5-lot single-family detached residential subdivision; 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. For reasons stated in the public hearing and upon review of the application submitted by Applicant, the request for a change in the future land use map designation from Office-Professional to Medium-Density Residential for the 1.17± acre tract of land as shown on the conceptual rezoning site plan entitled “1736 Oak Road SW”, sealed and dated 2-8-2021 (stamped received 2-12-2021) in Exhibit “A”, a copy of which is attached hereto and incorporated herein by reference is hereby denied.

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 Chapter 1 of the Code of Ordinances, City of Snellville, Georgia 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 _____, 2021. The effective date of this Ordinance shall be the date of adoption unless otherwise stated herein.

[SIGNATURES BEGIN ON THE FOLLOWING PAGE]

ORDAINED this _____ day of April, 2021.

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

W. Charles Ross, City Attorney
Powell & Edwards, P.C.

Gretchen Schulz, Council Member

Tod Warner, Council Member

EXHIBIT “A”

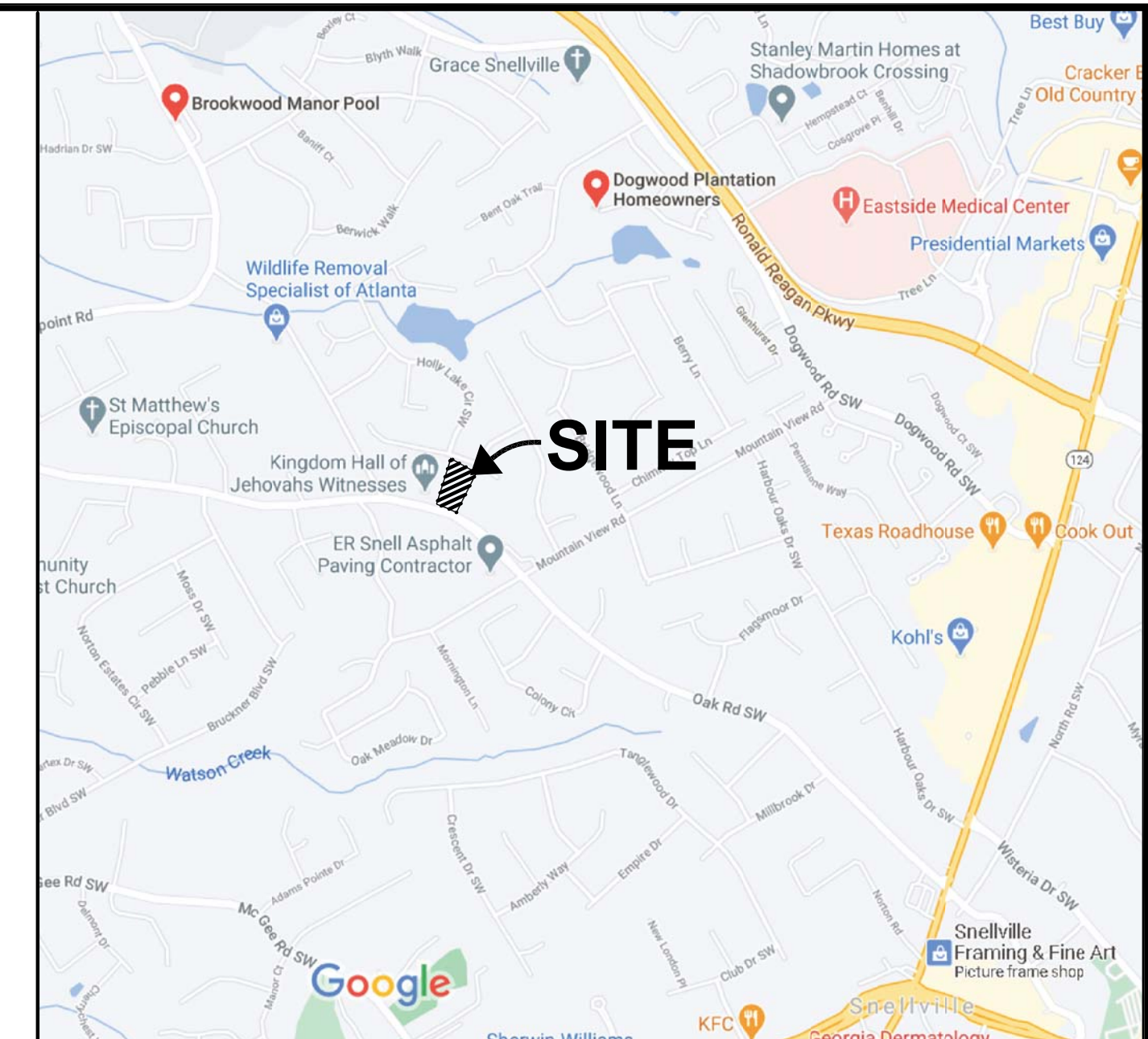
COMMUNITY PANEL #13135C 0128F DATED: SEPTEMBER 29, 2006

Signature of Authorized Agent/Owner Date

EX. ASPHALT PAVING

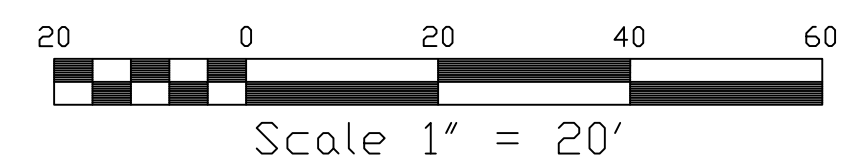
LOT 1
0.196 ACRES

OAK ROAD
(100' R/W)



- 5 LOTS AND COMMON AREA
- MIN LOT SIZE = 5,000 SF.
- OPEN SPACE = 11,583 SF (23% OF SITE)

24 HOUR CONTACT
OAK ROAD LLC.
ROGER FISHER
1001 Virginia Ave. Ste. 321
Hapeville, GA. 30354
PH: 404-391-6538
E: roger@fisherallengroup.com



02/08/21

REV.	DATE:	DESCRIPTION:
DRAWING NO: 210201 - OAK ROAD		

PROJECT:	1736 OAK ROAD SW		
SHEET:	CONCEPTUAL SITE PLAN		
LL 24	5TH DISTRICT	CITY OF SNELLVILLE	
DATE:	02/08/2021	DRAWN BY: GPH	SCALE: 1" = 20'

SHEET

1

Agenda Item Summary



TO: The Mayor and Council

FROM: Jason Thompson, Director
Department of Planning and Development

DATE: April 26, 2021

RE: #ANX 21-01 RZ 21-04 LUP 21-04

DEVELOPMENT: Office Building and Associated Parking for Future Expansion of TOMCO2 Systems Facility – 2.70± Acres at 3320 Brushy Fork Road, Loganville, Georgia

STATUS: Public Hearing (2nd Reading)

Petition for annexation to the municipal boundaries of the City of Snellville; applications to amend the Snellville 2040 Comprehensive Plan Future Land Use Map and Official Zoning Map for a 14,300 sq. ft. one-story office building and associated parking for the future expansion of the adjacent TOMCO2 Systems facility.

Financial Impact: Site Development Permit fees; Building Permit fees; Real Property Taxes

Planning Commission Meeting: March 23, 2021

Recommendations:

	LUP 21-04	RZ 21-04
Planning Department	Denial (Industrial Mixed-Use) Approval (Office Professional)	Denial (LM District) Approval (OP District)
Planning Commission	Approval (Office Professional)	Denial (LM District) Approval (OP District)

Mayor and Council Meetings: April 12, 2021 (1st Reading)
April 26, 2021 (2nd Reading and Public Hearing)

Action requested: Consideration, Public Hearing and Action

2.70± Acre Site at 3320 Brushy Fork Road, Loganville, Georgia
Case #ANX 21-01 RZ 21-04 LUP 21-04
April 26, 2021
Page... 2

Case Documents (website link):

- Letter of Intent (2-10-2021)
- #ANX 21-01 Application (2-10-2021)
- #RZ 21-04 Application (2-10-2021)
- #LUP 21-04 Application (2-10-2021)
- Property Survey and Legal Description (2-10-2021)
- Conceptual Site Plan (2-10-2021)
- 3-23-2021 Planning Department Case Summary & Analysis (3-2-2021)
- *Unofficial* 3-23-2021 Planning Commission Regular Meeting Minutes (3-29-2021)
- 3-23-2021 Planning Commission Case Report (3-29-2021)
- 04-12-2021 and 04-26-2021 Planning Department Case Summary & Analysis with Planning Commission Report (3-29-2021)
- Conditions *Only* Recommendations (3-29-2021)
- #ANX 21-01 *Approval* Draft Ordinance (4-6-2021)
- #LUP 21-04 *Approval* Draft Ordinance (4-6-2021)
- #RZ 21-04 *Approval* Draft Ordinance (4-6-2021)
- #ANX 21-01 *Denial* Draft Ordinance (4-6-2021)
- #LUP 21-04 *Denial* Draft Ordinance (4-6-2021)
- #RZ 21-04 *Denial* Draft Ordinance (4-6-2021)
- Revised Conceptual Site Plan (4-9-2021)

STATE OF GEORGIA

CITY OF SNELLVILLE

ORDINANCE NO. 2021-14

AN ORDINANCE TO ANNEX THE 2.704± ACRE TRACT OF LAND LOCATED IN LAND LOT 99 OF THE 5TH LAND DISTRICT, GWINNETT COUNTY, GEORGIA, AT THE REQUEST OF 100% OF THE OWNERS OF SAID PROPERTY INTO THE MUNICIPAL BOUNDARY OF THE CITY OF SNELLVILLE, GWINNETT COUNTY, GEORGIA AND EXTENDING THE BOUNDARY LIMITS OF SAID CITY LIMITS, AND GRANTING TO SAID REAL PROPERTY AND TO ALL FUTURE INHABITANTS OF SAID REAL PROPERTY ALL OF THE RIGHTS AND PRIVILEGES OF OTHER CITIZENS AND BINDING SAID FUTURE INHABITANTS BY ALL OF THE ACTIONS AND ORDINANCES OF SAID CITY; TO PROVIDE FOR SEVERABILITY; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

CASE NUMBER: #ANX 21-01

PROPERTY OWNERS: Stephen Ray Moon and Walter Major Moon
Braselton, Georgia

SIZE: 2.704± Acres

LOCATION: 3320 Brushy Fork Road, Loganville, GA

TAX PARCEL: R5099 003

APPLICANT: For TOMCO2 Systems Company
Shane Lanham, Esq.
Mahaffey Pickens Tucker, LLP
770-232-0000 or slanham@mptlawfirm.com

DEVELOPMENT/PROJECT:

Office Building and Associated Parking for
Future Expansion of TOMCO2 Systems
Facility

WHEREAS, the governing authority of the City of Snellville, Georgia is the Mayor and Council thereof; and

WHEREAS, O.C.G.A. §36-36-21 authorizes the City of Snellville to annex to the existing corporate limits thereof all or any portion of unincorporated property where 100% of the land owners request annexation and said property is contiguous to the existing limits at the time of such annexation upon compliance with the procedures set forth in the statute; and

WHEREAS, the City of Snellville received an application for annexation including the Petition for Annexation under the 100 percent (%) method of annexation by property owners Stephen Ray Moon and Walter Major Moon; and

WHEREAS, the City of Snellville did not receive any objection from Gwinnett County after being served with proper notice of the proposed annexation; and

WHEREAS, the City of Snellville desires to annex said property located in unincorporated Gwinnett County, Georgia into the City pursuant to O.C.G.A. §36-36-21 and has complied with the statutory provisions thereof; and

WHEREAS, on the 26th day of April, 2021 a Public Hearing was held at 7:30 p.m. in the Council Chambers of the Snellville City Hall building. The purpose of the Public Hearing was to give all interested persons the right to appear and be heard on the proposed annexation of 2.704 acres of land, more or less, by the City of Snellville, Georgia, more fully described in Exhibit "A", attached hereto and made part hereof; and

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

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING AUTHORITY OF THE CITY OF SNELLVILLE, GEORGIA, and by the authority thereof:

Section 1. That the real property described in Exhibit “A” attached hereto is annexed into the City of Snellville, Gwinnett County, Georgia, and that the boundary limits of the City of Snellville are hereby extended to include the real property described in Exhibit “A” within the city limits and the same shall hereafter be included within the territorial limits of said City, and said land and future inhabitants thereof shall hereafter be entitled to all rights and privileges of other citizens of the City, and shall be bound by the acts and ordinances of said City.

Section 2. The City Clerk of the City of Snellville is instructed to file an identification of the annexed property with the Department of Community Affairs and the county governing authority within 30 days of the last day of the quarter in which the annexation becomes effective as set forth in Section 7.

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 Chapter 1 of the Code of Ordinances, City of Snellville, Georgia 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 is adopted on _____, 2021 the effective date of this Ordinance shall be on May 1, 2021 and for ad valorem tax purposes on December 31, 2021.

[SIGNATURES BEGIN ON THE FOLLOWING PAGE]

ORDAINED this _____ day of April, 2021.

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

W. Charles Ross, City Attorney
Powell & Edwards, P.C.

Gretchen Schulz, Council Member

Tod Warner, Council Member

EXHIBIT "A"

Gwinnett County Tax Parcel: R5099 003

Size: 2.704 Acres (+/-)

SITUS Address: 3320 Brushy Fork Road, Loganville, Georgia

Property Owners: Stephen Ray Moon and Walter Major Moon

All that tract or parcel of land lying in Land Lot 99 of the 5th District of Gwinnett County, Georgia; and being more particularly described as follows:

Beginning at the west corner of the mitered intersection of the east right-of-way of Rosebud Road (80' R/W) with the southwestern right-of-way of Brushy Fork Road (60' R/W), said point being the POINT OF BEGINNING:

Thence traveling along said mitered intersection NORTH 89 Degrees 03 Minutes 25 Seconds EAST for a distance of 95.40 feet to a point on the southwesterly right-of-way of Brushy Fork Road; thence traveling along the southwesterly right-of-way of Brushy Fork Road the following three (3) courses and distances; SOUTH 66 Degrees 06 Minutes 18 Seconds EAST for a distance of 56.80 feet to a point; thence along a curve to the right with an arc length of 263.44 feet and a radius of 448.25 feet, being subtended by a chord of SOUTH 49 Degrees 11 Minutes 01 Seconds EAST a distance of 259.66 feet to a point; thence SOUTH 32 degrees 19 Minutes 01 Seconds EAST for a distance of 327.74 feet to an iron pin found; thence leaving said right-of-way NORTH 68 Degrees 20 Minutes 59 Seconds WEST for a distance of 604.36 feet to an iron pin found on the easterly right-of-way of Rosebud Road; thence traveling along said right-of-way along a curve to the left with an arc length of 232.81 feet and a radius of 803.44 feet, being subtended by a chord of NORTH 10 Degrees 23 Minutes 35 Seconds EAST a distance of 232.00 feet to a point; thence continuing along said right-of-way NORTH 02 degrees 48 Minutes 07 Seconds EAST for a distance of 17.00 feet to the POINT OF BEGINNING.

Said tract or parcel of land contains 2.704 acres and is depicted on that certain ALTA/NSPS plat of survey prepared by LandPro Surveying and Mapping, Inc., sealed and certified by James H. Rader, GRLS No. 3033, dated January 11, 2021.

[BOUNDARY SURVEY ON NEXT PAGE]

TITLE EXCEPTIONS

NOTES TO TITLE EXCEPTIONS AS APPEARING IN SCHEDULE B, PART II OF THAT CERTAIN COMMITMENT FOR TITLE INSURANCE PREPARED BY CHICAGO TITLE INSURANCE COMPANY, COMMITMENT NUMBER TB010821, DATED JANUARY 8, 2021.

10. RURAL POST ROADS - RIGHT OF WAY DEED IN FAVOR OF GWINNETT COUNTY, DATED 11/17/1976 FILED 02/04/1977 RECORDED IN DEED BOOK 1224, PAGE 261, GWINNETT COUNTY, GEORGIA RECORDS.

AFFECTS THE SUBJECT PROPERTY. EASEMENTS CONTAINED THEREIN ARE AMBIGUOUS AND NOT LOCATABLE.

11. RIGHT OF WAY DEED FROM STEPHEN RAY MOON AND WALTER MAJOR MOON TO GWINNETT COUNTY DATED 10/07/2020 FILED 10/30/2020 RECORDED IN DEED BOOK 58015, PAGE 508, GWINNETT COUNTY, GEORGIA RECORDS.

DOES NOT AFFECT THE SUBJECT PROPERTY.

12. PERMANENT CONSTRUCTION EASEMENT FROM STEPHEN RAY MOON AND WALTER MAJOR MOON TO GWINNETT COUNTY DATED 10/07/2020 FILED 10/30/2020 RECORDED IN DEED BOOK 58015, PAGE 514, GWINNETT COUNTY, GEORGIA RECORDS.

AFFECTS THE SUBJECT PROPERTY AS SHOWN HEREON.

13. TEMPORARY DRIVEWAY EASEMENT FROM STEPHEN RAY MOON AND WALTER MAJOR MOON TO GWINNETT COUNTY DATED 10/07/2020 FILED 10/30/2020 RECORDED IN DEED BOOK 58015, PAGE 520, GWINNETT COUNTY, GEORGIA RECORDS.

AFFECTS THE SUBJECT PROPERTY AS SHOWN HEREON.

14. ALL MATTERS AS SHOWN ON THAT PLAT OF SURVEY FOR STEPHEN RAY MOON BY NORTON & ASSOCIATES, BEARING THE SEAL OF JEAN G. NORTON, JR., GRLS # 2276, DATED 10/14/1993 FILED 10/15/1993 RECORDED IN PLAT BOOK 60, PAGE 120, GWINNETT COUNTY, GEORGIA RECORDS.

CURRENT CONDITIONS SHOWN HEREON.

SURVEY LEGAL DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 99, DISTRICT 5, GWINNETT COUNTY, GEORGIA; AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE WEST CORNER OF THE MITERED INTERSECTION OF THE EAST RIGHT OF WAY OF ROSEBUD ROAD (80' R/W) WITH THE SOUTHWESTERLY RIGHT OF WAY OF BRUSHY FORK ROAD (60' R/W), SAID POINT BEING THE POINT OF BEGINNING;

THENCE TRAVELING ALONG SAID MITERED INTERSECTION NORTH 89 DEGREES 03 MINUTES 25 SECONDS EAST FOR A DISTANCE OF 95.40 FEET TO A POINT ON THE SOUTHWESTERLY RIGHT OF WAY OF BRUSHY FORK ROAD; THENCE TRAVELING ALONG THE SOUTHWESTERLY RIGHT OF WAY OF BRUSHY FORK ROAD THE FOLLOWING THREE (3) COURSES AND DISTANCES: SOUTH 66 DEGREES 06 MINUTES 18 SECONDS EAST FOR A DISTANCE OF 56.80 FEET TO A POINT; THENCE ALONG A CURVE TO THE RIGHT WITH AN ARC LENGTH OF 263.44 FEET AND A RADIUS OF 448.25 FEET, BEING SUBTENDED BY A CHORD OF SOUTH 49 DEGREES 11 MINUTES 01 SECONDS EAST A DISTANCE OF 259.66 FEET TO A POINT; THENCE SOUTH 32 DEGREES 19 MINUTES 01 SECONDS EAST FOR A DISTANCE OF 327.74 FEET TO AN IRON PIN FOUND; THENCE LEAVING SAID RIGHT OF WAY NORTH 68 DEGREES 20 MINUTES 59 SECONDS WEST FOR A DISTANCE OF 604.36 FEET TO AN IRON PIN FOUND ON THE EASTERLY RIGHT OF WAY OF ROSEBUD ROAD; THENCE TRAVELING ALONG SAID RIGHT OF WAY ALONG A CURVE TO THE LEFT WITH AN ARC LENGTH OF 232.81 FEET AND A RADIUS OF 803.44 FEET, BEING SUBTENDED BY A CHORD OF NORTH 10 DEGREES 23 MINUTES 35 SECONDS EAST A DISTANCE OF 232.00 FEET TO A POINT; THENCE CONTINUING ALONG SAID RIGHT OF WAY NORTH 02 DEGREES 48 MINUTES 07 SECONDS EAST FOR A DISTANCE OF 17.00 FEET TO THE POINT OF BEGINNING.

SAID TRACT OR PARCEL OF LAND CONTAINS 2.704 ACRES AND IS DEPICTED ON THAT CERTAIN ALTA/NSPS PLAT OF SURVEY PREPARED BY LANDPRO SURVEYING AND MAPPING, INC., SEALED AND CERTIFIED BY JAMES H. RADER, GRLS NO. 3033, DATED JANUARY 11, 2021.

LEGEND

PROPERTY LINE	INVT	INVERT ELEVATION	GV	GAS METER
LAND LOT LINE	SS	SANITARY SEWER LINE	GH	GAS VALVE
CMF	SSMH	SANITARY SEWER MANHOLE	FW	FIRE HYDRANT
OPS	SC	SEWER CLEANOUT	FW	WATER VALVE
IPF	DP	GREASE TRAP	FW	WATER METER
OTF	PVC	DUCTILE IRON PIPE	FW	FIRE DEPARTMENT CONNECTION
R/W	PPVC	POLYVINYL CHLORIDE PIPE	FW	IRRIGATION CONTROL VALVE
POB	LP	POWER POLE	FW	WATER LINE
BL	LI	LIGHT POLE	FW	TREE LINE
BL	LI	POWER (TRANSFORMER) BOX	FW	MONITORING WELL
BL	LI	QUI WIRE	FW	BUILDING (FINISHED)
BL	LI	POWER METER	FW	RAILROAD TRACKS
BL	LI	POWER MANHOLE	FW	FENCE LINE
BL	LI	OVERHEAD POWER LINE	FW	CONTOUR
BL	LI	UNDERGROUND POWER LINE	FW	INDEX CONTOUR
BL	LI	TELEPHONE MANHOLE	FW	SPOT ELEVATION
BL	LI	TELEPHONE PEDESTAL	FW	FINISHED FLOOR ELEVATION
BL	LI	UNDERGROUND TELEPHONE LINE	FW	CENTERLINE OF STREAM
BL	LI	TELEVISION (CABLE) LINE	FW	FLOOD LIMITS
BL	LI	TELEVISION PEDESTAL	FW	CONCRETE
BL	LI	STORM DRAINAGE PIPE	FW	
BL	LI	CORRUGATED METAL PIPE	FW	
BL	LI	CORRUGATED PLASTIC PIPE	FW	
BL	LI	REINFORCED CONCRETE PIPE	FW	

POSSIBLE ENCROACHMENTS

FROM SUBJECT PROPERTY ONTO ADJACENT PROPERTY:
NONE APPARENT

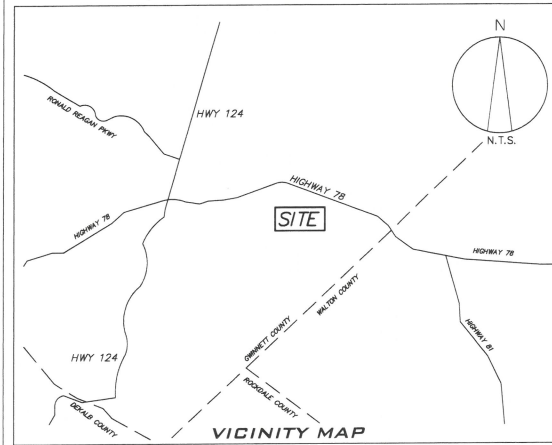
FROM ADJACENT PROPERTY ONTO SUBJECT PROPERTY:
NONE APPARENT

BY UTILITIES OUTSIDE OF EASEMENTS:
NONE APPARENT

RECEIVED

FEB 10 2021

CITY OF SNELLVILLE
PLANNING & DEVELOPMENT



SURVEY NOTES

1. THIS SURVEY WAS PREPARED IN CONFORMITY WITH THE TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN CHAPTER 180-7 OF THE RULES OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN THE GEORGIA PLAT ACT O.C.G.A. 15-6-67.

2. THIS PLAT WAS PREPARED FROM A FIELD SURVEY USING A ONE SECOND TRIMBLE ROBOTIC TOTAL STATION.

3. ALL IPF & IPS ARE 1/2" REBAR UNLESS NOTED OTHERWISE.

4. INFORMATION REGARDING THE PRESENCE, SIZE AND LOCATION OF UNDERGROUND UTILITIES SHOWN HEREON IS BASED ON THE LOCATION OF VISIBLE APPURTENANCES AND ON FLAGS AND/OR PAINT PLACED BY OTHERS. NO CERTIFICATION IS MADE AS TO THE ACCURACY OR THOROUGHNESS OF THE INFORMATION CONCERNING UNDERGROUND UTILITIES SHOWN HEREON, PER GEORGIA LAW.

5. DISTANCES SHOWN HEREON ARE GROUND DISTANCES.

SURVEY DATA

1. THE PRECISION OF THE FIELD DATA UPON WHICH THIS SURVEY IS BASED WAS VERIFIED WITH REDUNDANT LINEAR MEASUREMENTS. THE CALCULATED POSITIONAL TOLERANCE IS LESS THAN 0.07" PER POINT. THE FIELD DATA HAS BEEN ADJUSTED USING LEAST SQUARES.

2. THE BEARINGS SHOWN HEREON ARE BASED ON ANGLES TURNED AND ARE REFERENCED TO GRID NORTH VIA RTN GPS OBSERVATIONS. HORIZONTAL DATUM: NAD83/GEORGIA WEST ZONE

3. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND FOUND TO BE ACCURATE WITHIN ONE FOOT IN 253,384 FEET.

4. NO PORTION OF THIS PROPERTY LIES WITHIN THE 100 YEAR FLOOD PLAIN, AND LIES IN ZONE "X", ACCORDING TO FEMA FLOOD INSURANCE RATE MAP NUMBER 13135C0131F, EFFECTIVE DATE OF 09/29/2006.

NOTES

1. THE PROPERTY SHOWN HEREON IS THE SAME PROPERTY DESCRIBED IN THAT CERTAIN COMMITMENT FOR TITLE INSURANCE PREPARED BY CHICAGO TITLE INSURANCE COMPANY, COMMITMENT NUMBER TB010821, DATED JANUARY 8, 2021.

2. THERE IS NO VISIBLE EVIDENCE OF CURRENT EARTH MOVING WORK, BUILDING CONSTRUCTION, OR BUILDING ADDITIONS ON THIS SITE.

3. THERE IS NO VISIBLE EVIDENCE OF RECENT STREET OR SIDEWALK REPAIRS OR CONSTRUCTION IN THE PUBLIC RIGHT OF WAYS ADJACENT TO THIS SITE. THERE IS PLANNED CONSTRUCTION AT THE INTERSECTION OF ROSEBUD ROAD AND BRUSHY FORK ROAD AS EVIDENCED BY TITLE EXCEPTIONS 11, 12 & 13.

4. NUMBER OF MARKED PARKING SPACES: 0 INCLUDING 0 HANDICAP

5. PROPERTY ADDRESS: 3320 BRUSHY FORK ROAD, LOGANVILLE, GA 30052

6. SURVEY LEGAL DESCRIPTION SHOWN HEREON TO DEPICT RIGHT OF WAY CONVEYED TO GWINNETT COUNTY PER TITLE EXCEPTION 11.

SURVEY CERTIFICATION

TO TOMCO2 SYSTEMS COMPANY; TRUIST BANK, ITS SUCCESSORS AND/OR ASSIGNS AS THEIR INTERESTS MAY APPEAR; & CHICAGO TITLE INSURANCE COMPANY:

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2016 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 2-4, 7(b), 8, 9, 13, 14, 16 & 17 OF TABLE A THEREOF. THE FIELDWORK WAS COMPLETED ON 12/30/2020. DATE OF PLAT 01/11/2021.



JAMES H. RADER GEORGIA RLS# 3033

ALTA/NSPS LAND TITLE SURVEY

LANDPRO
SURVEYING AND MAPPING
305 CREEKSTONE RIDGE
WOODSTOCK, GA 30188
TELE: 404-386-2170
AUTHORIZATION NO. LSFO00838
WWW.LANDPROSURVEYING.COM
INFO@LANDPROSURVEYING.COM
COPYRIGHT 2021

TOMCO2 SYSTEMS COMPANY

CURRENT OWNER: MOON, STEPHEN RAY & MOON, WALTER MAJOR

LAND LOT 99, DISTRICT 5
GWINNETT COUNTY, GA

SCALE 1" = 40' DATE 01/11/21 PROJECT NO. 20210111 SHEET 1 OF 1



REVISION	DATE	PURPOSE

STATE OF GEORGIA

CITY OF SNELLVILLE

ORDINANCE NO. 2021-14

AN ORDINANCE TO DENY THE REQUEST TO ANNEX THE 2.704± ACRE TRACT OF LAND LOCATED IN LAND LOT 99 OF THE 5TH LAND DISTRICT, GWINNETT COUNTY, GEORGIA, AT THE REQUEST OF 100% OF THE OWNERS OF SAID PROPERTY INTO THE MUNICIPAL BOUNDARY OF THE CITY OF SNELLVILLE, GWINNETT COUNTY, GEORGIA AND EXTENDING THE BOUNDARY LIMITS OF SAID CITY LIMITS, TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

CASE NUMBER: #ANX 21-01

PROPERTY OWNERS: Stephen Ray Moon and Walter Major Moon
Braselton, Georgia

SIZE: 2.704± Acres

LOCATION: 3320 Brushy Fork Road, Loganville, GA

TAX PARCEL: R5099 003

APPLICANT: For TOMCO2 Systems Company
Shane Lanham, Esq.
Mahaffey Pickens Tucker, LLP
770-232-0000 or slanham@mptlawfirm.com

DEVELOPMENT/PROJECT: Office Building and Associated Parking for
Future Expansion of TOMCO2 Systems
Facility

WHEREAS, the governing authority of the City of Snellville, Georgia is the Mayor and Council thereof; and

WHEREAS, O.C.G.A. §36-36-21 authorizes the City of Snellville to annex to the existing corporate limits thereof all or any portion of unincorporated property where 100% of the land owners request annexation and said property is contiguous to the existing limits at the time of such annexation upon compliance with the procedures set forth in the statute; and

WHEREAS, the City of Snellville received an application for annexation including the Petition for Annexation under the 100 percent (%) method of annexation by property owners Stephen Ray Moon and Walter Major Moon; and

WHEREAS, the City of Snellville did not receive any objection from Gwinnett County after being served with proper notice of the proposed annexation; and

WHEREAS, on the 26th day of April, 2021 a Public Hearing was held at 7:30 p.m. in the Council Chambers of the Snellville City Hall building. The purpose of the Public Hearing was to give all interested persons the right to appear and be heard on the proposed annexation of 2.704 acres of land, more or less, by the City of Snellville, Georgia, more fully described in Exhibit “A”, attached hereto and made part hereof; and

WHEREAS, the City of Snellville desires to deny ANX 21-01, which requested annexation of said property located in unincorporated Gwinnett County, Georgia into the City pursuant to O.C.G.A. §36-36-21; 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. For reasons stated in the public hearing and upon review of the application submitted by Applicant, the request for annexation of said property located in unincorporated Gwinnett County, Georgia into the corporate limits of the City of Snellville is hereby denied.

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 Chapter 1 of the Code of Ordinances, City of Snellville, Georgia 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 is adopted on _____, 2021. The effective date of this Ordinance shall be the date of adoption unless otherwise stated herein.

[SIGNATURES BEGIN ON THE FOLLOWING PAGE]

ORDAINED this ____ day of April, 2021.

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

W. Charles Ross, City Attorney
Powell & Edwards, P.C.

Gretchen Schulz, Council Member

Tod Warner, Council Member

EXHIBIT "A"

Gwinnett County Tax Parcel: R5099 003

Size: 2.704 Acres (+/-)

SITUS Address: 3320 Brushy Fork Road, Loganville, Georgia

Property Owners: Stephen Ray Moon and Walter Major Moon

All that tract or parcel of land lying in Land Lot 99 of the 5th District of Gwinnett County, Georgia; and being more particularly described as follows:

Beginning at the west corner of the mitered intersection of the east right-of-way of Rosebud Road (80' R/W) with the southwestern right-of-way of Brushy Fork Road (60' R/W), said point being the POINT OF BEGINNING:

Thence traveling along said mitered intersection NORTH 89 Degrees 03 Minutes 25 Seconds EAST for a distance of 95.40 feet to a point on the southwesterly right-of-way of Brushy Fork Road; thence traveling along the southwesterly right-of-way of Brushy Fork Road the following three (3) courses and distances; SOUTH 66 Degrees 06 Minutes 18 Seconds EAST for a distance of 56.80 feet to a point; thence along a curve to the right with an arc length of 263.44 feet and a radius of 448.25 feet, being subtended by a chord of SOUTH 49 Degrees 11 Minutes 01 Seconds EAST a distance of 259.66 feet to a point; thence SOUTH 32 degrees 19 Minutes 01 Seconds EAST for a distance of 327.74 feet to an iron pin found; thence leaving said right-of-way NORTH 68 Degrees 20 Minutes 59 Seconds WEST for a distance of 604.36 feet to an iron pin found on the easterly right-of-way of Rosebud Road; thence traveling along said right-of-way along a curve to the left with an arc length of 232.81 feet and a radius of 803.44 feet, being subtended by a chord of NORTH 10 Degrees 23 Minutes 35 Seconds EAST a distance of 232.00 feet to a point; thence continuing along said right-of-way NORTH 02 degrees 48 Minutes 07 Seconds EAST for a distance of 17.00 feet to the POINT OF BEGINNING.

Said tract or parcel of land contains 2.704 acres and is depicted on that certain ALTA/NSPS plat of survey prepared by LandPro Surveying and Mapping, Inc., sealed and certified by James H. Rader, GRLS No. 3033, dated January 11, 2021.

[BOUNDARY SURVEY ON NEXT PAGE]

STATE OF GEORGIA

CITY OF SNELLVILLE

ORDINANCE NO. 2021-15

AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF SNELLVILLE, GEORGIA, AS AMENDED, FOR A 2.704± ACRE TRACT OF LAND LOCATED IN LAND LOT 99 OF THE 5TH LAND DISTRICT, GWINNETT COUNTY, GEORGIA, 3320 BRUSHY FORK ROAD, LOGANVILLE; TO ADD CONDITIONS AFFECTING THE PROPERTY; TO PROVIDE FOR SEVERABILITY; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

CASE NUMBER: #RZ 21-04

SIZE: 2.704± Acres

LOCATION: 3320 Brushy Fork Road, Loganville,
Georgia

TAX PARCEL: R5099 003

**REQUESTED ZONING MAP
AMENDMENT:** LM (Light Manufacturing) District

**APPROVED ZONING MAP
AMENDMENT:** OP (Office Professional) District

DEVELOPMENT/PROJECT: Office Building and Associated Parking for
Future Expansion of TOMCO2 Systems
Facility

PROPERTY OWNERS: Stephen Ray Moon and Walter Major Moon
Braselton, Georgia

APPLICANT/CONTACT: For TOMCO2 Systems Company
Shane Lanham, Esq.
Mahaffey Pickens Tucker, LLP
770-232-0000 or slanham@mptlawfirm.com

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 2.704± acre tract of land located at 3320 Brushy Fork Road, Loganville, Georgia (Tax Parcel R5099 003) for a 14,300 sq. ft. office building and associated for the future expansion of TOMCO2 Systems facility; 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 Official Zoning Map for the City of Snellville, Georgia for the 2.704± acre tract of land as shown on the conceptual rezoning site plan entitled “TOMCO2 Office Building”, sealed and dated 2-8-2021 (stamped received 2-10-2021), in Exhibit “A”, a copy of which is attached hereto and incorporated herein by reference is hereby amended and changed to OP (Office-Professional) District. This action is subject to the attachment of the following conditions (1-4):

CONDITIONS:

1. The property shall be developed in accordance with the conceptual site plan entitled “TOMCO2 Office Building”, sealed and dated 2-8-2021 (stamped received 2-10-2021), with modifications permitted to meet conditions of zoning or State, County, and City regulations. Substantial variation from the conceptual rezoning site plan, as determined by the Director of Planning and Development will require Mayor and Council approval.

2. Use of and development of the property shall conform to the use provisions and zoning district regulations for the OP District.
3. Interparcel access and connectivity to the adjacent TOMCO2 Systems Facility property to the south (Parcel R5099 005) is prohibited; however, a pedestrian/golf cart sidewalk no wider than ten (10) feet in width shall be allowed to connect to the adjacent TOMCO2 property.
4. Signs higher than 15 feet or larger than 225 square feet are prohibited.

Section 2. The changes in zoning classification 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 Chapter 1 of the Code of Ordinances, City of Snellville, Georgia 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 _____, 2021. The effective date of this Ordinance shall be the date of adoption unless otherwise stated herein.

[SIGNATURES BEGIN ON THE FOLLOWING PAGE]

ORDAINED this _____ day of April, 2021.

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

W. Charles Ross, City Attorney
Powell & Edwards, P.C.

Gretchen Schulz, Council Member

Tod Warner, Council Member

EXHIBIT “A”

DRAFT



*INCLUDES 2 A.D.A. SPACE (2 REQUIRED)

ZONING DATA TABLE:

CURRENT ZONING:	R100 (GWINNETT)
PROPOSED ZONING:	LM (SNELLVILLE)
MINIMUM LOT AREA:	1 ACRE
MINIMUM LOT WIDTH:	100 FEET
MINIMUM ROAD FRONTAGE:	25 FEET
MAXIMUM BUILDING HEIGHT:	40 FEET
MAXIMUM COVER:	75% IMPERVIOUS
BUILDING SETBACKS:	
FRONT:	50 FEET
SIDE:	20 FEET (35 FEET ROAD FRONTAGE)
REAR:	15 FEET
LANDSCAPE STRIPS:	
ALONG ROW:	10 FEET
OTHER:	5 FEET

THIS PROPERTY DOES NOT LIE IN A 100-YR FLOOD ZONE AS SHOWN ON FIRM COMMUNITY PANEL NO. 13C01031F, DATED SEPTEMBER 29, 2006.



Evans Design Group, Inc.
 Civil Engineering /
 Site Planning/
 Land Development Services
 4755 Summer Song Court
 Buford, GA 30519
 (Ph) 678.207.6830
jevans@evansdsg.com



GSWCC LEVEL II CERT. # 10877

PROJECT NAME
**TOMC02 OFFICE
BUILDING**

3320 BRUSHY FORK RD,
L.L. 99, 5TH DIST.,
PARCEL 3, GWINNETT
COUNTY, GEORGIA

DATE: 01-25-21

DESIGN BY	DRAWN BY	CHECKED BY
JME	JME	JME

☒ Not Released For Construction
☐ Released For Construction

OWNER/DEVELOPER

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REVISIONS

JOB NUMBER:
21-005

SHEET TITLE

SITE PLAN

C-4

GEORGIA 811
Utilities Protection Center, Inc.

Know what's below.
Call before you dig.

UTILITY DISCLAIMER

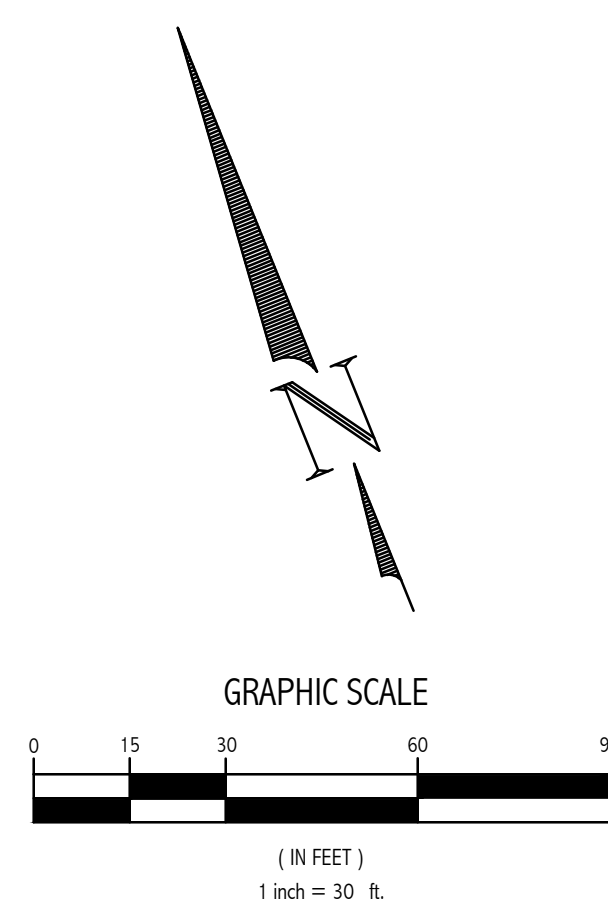
IN ADDITION TO SHOWING THE STRUCTURES TO BE BUILT UNDER THIS CONTRACT, THE DRAWINGS SHOW CERTAIN INFORMATION OBTAINED BY THE ENGINEER REGARDING THE PIPES, POLE LINES, CONDUITS, AND OTHER STRUCTURES WHICH EXIST ALONG THE LINE OF THE WORK, BOTH AT AND BELOW THE SURFACE OF THE GROUND. THE ENGINEER AND THE OWNER EXPRESSLY DISCLAIM ANY RESPONSIBILITY FOR THE ACCURACY OR COMPLETENESS OF THE INFORMATION GIVEN ON THE DRAWINGS WITH REGARD TO EXISTING STRUCTURES, AND THE CONTRACTOR WILL NOT BE ENTITLED TO ANY EXTRA COMPENSATION ON ACCOUNT OF ANY INACCURACY OR INCOMPLETENESS OF SUCH INFORMATION, SAID STRUCTURES BEING INDICATED ONLY FOR THE CONVENIENCE OF THE CONTRACTOR, WHO MUST VERIFY THE INFORMATION TO HIS OWN SATISFACTION. THE GIVING OF THIS INFORMATION UPON THE CONTRACT DRAWINGS WILL NOT RELIEVE THE CONTRACTOR OF HIS OBLIGATION TO SUPPORT ALL STRUCTURES EXISTING UNDER OR ADJACENT TO THE PROPOSED WORK. THE CONTRACTOR SHALL LOCATE ALL UNDERGROUND OBSTRUCTIONS PRIOR TO EXCAVATION SO AS TO PREVENT ANY DAMAGE TO THOSE SERVICES OR OTHER UTILITIES. ANY SUCH DAMAGES MUST BE REPAIRED WITHOUT DELAY AND THE COST OF SUCH REPAIRS MUST BE BORNE BY THE CONTRACTOR.

LINE	BEARING	DISTANCE		
L1	S 66°06'18" E	56.80'		
L2	N 02°48'07" E	17.00'		
CURVE	ARC LENGTH	RADIUS	CHORD LENGTH	CHORD BEARING
C1	263.44'	448.25'	259.66'	S 49°11'01" E
C2	232.81'	803.44'	232.00'	N 10°23'35" E

OWNER/DEVELOPER:

24-HR CONTACT:

ENGINEER:
EVANS DESIGN GROUP, INC
4755 SUMMER SONG COURT
BUFORD, GA 30519
678.207.6830 (Ph)
CONTACT: JON M. EVANS, P.E.



STATE OF GEORGIA

CITY OF SNELLVILLE

ORDINANCE NO. 2021-15

AN ORDINANCE TO DENY THE REQUEST TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF SNELLVILLE, GEORGIA, AS AMENDED, FOR A 2.704± ACRE TRACT OF LAND LOCATED IN LAND LOT 99 OF THE 5TH LAND DISTRICT, GWINNETT COUNTY, GEORGIA, 3320 BRUSHY FORK ROAD, LOGANVILLE; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

CASE NUMBER: #RZ 21-04

SIZE: 2.704± Acres

LOCATION: 3320 Brushy Fork Road, Loganville, Georgia

TAX PARCEL: R5099 003

REQUESTED ZONING MAP AMENDMENT: LM (Light Manufacturing) District

DEVELOPMENT/PROJECT: Office Building and Associated Parking for Future Expansion of TOMCO2 Systems Facility

PROPERTY OWNERS: Stephen Ray Moon and Walter Major Moon
Braselton, Georgia

APPLICANT/CONTACT: For TOMCO2 Systems Company
Shane Lanham, Esq.
Mahaffey Pickens Tucker, LLP
770-232-0000 or slanham@mptlawfirm.com

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 deny RZ 21-04, which requested to amend the official zoning map as it applies to the 2.704± acre tract of land located at 3320 Brushy Fork Road, Loganville, Georgia (Tax Parcel R5099 003) for a 14,300 sq. ft. office building and associated for the future expansion of TOMCO2 Systems facility; 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. For reasons stated in the public hearing and upon a review of the application submitted by the Applicant, the request for a change to the Official Zoning Map for the City of Snellville, Georgia to LM (Light Manufacturing) District for the 2.704± acre tract of land as shown on the conceptual rezoning site plan entitled “TOMCO2 Office Building”, sealed and dated 2-8-2021 (stamped received 2-10-2021), in Exhibit “A”, a copy of which is attached hereto and incorporated herein by reference is hereby denied.

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.

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(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 Chapter 1 of the Code of Ordinances, City of Snellville, Georgia 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 _____, 2021. The effective date of this Ordinance shall be the date of adoption unless otherwise stated herein.

[SIGNATURES BEGIN ON THE FOLLOWING PAGE]

ORDAINED this _____ day of April, 2021.

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

W. Charles Ross, City Attorney
Powell & Edwards, P.C.

Gretchen Schulz, Council Member

Tod Warner, Council Member

EXHIBIT “A”

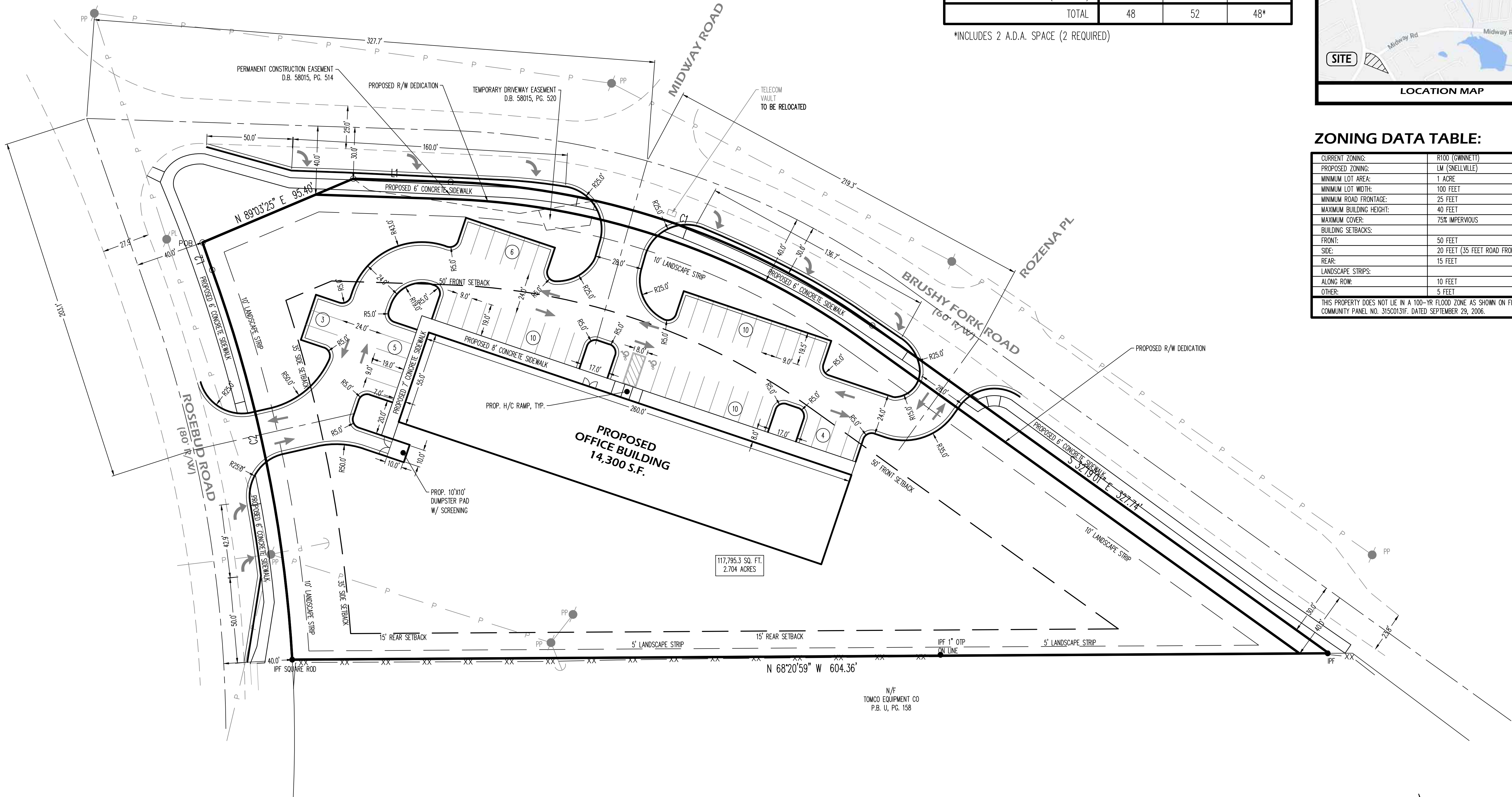
DRAFT



UTILITY DISCLAIMER:

IN ADDITION TO SHOWING THE STRUCTURES TO BE BUILT UNDER THIS CONTRACT, THE DRAWINGS SHOW CERTAIN INFORMATION OBTAINED BY THE ENGINEER REGARDING THE PIPES, POLE LINES, CONDUITS, AND OTHER STRUCTURES WHICH EXIST ALONG THE LINE OF THE WORK, BOTH AT AND BELOW THE SURFACE OF THE GROUND. THE ENGINEER AND THE OWNER EXPRESSLY DISCLAIM ANY RESPONSIBILITY FOR THE ACCURACY OR COMPLETENESS OF THE INFORMATION GIVEN ON THE DRAWINGS WITH REGARD TO EXISTING STRUCTURES, AND THE CONTRACTOR WILL NOT BE ENTITLED TO ANY EXTRA COMPENSATION ON ACCOUNT OF ANY INACCURACY OR INCOMPLETENESS OF SUCH INFORMATION, SAID STRUCTURES BEING INDICATED ONLY FOR THE CONVENIENCE OF THE CONTRACTOR, WHO MUST VERIFY THE INFORMATION TO HIS OWN SATISFACTION. THE GIVING OF THIS INFORMATION UPON THE CONTRACT DRAWINGS WILL NOT RELIEVE THE CONTRACTOR OF HIS OBLIGATION TO SUPPORT AND PROTECT ALL PIPES, CONDUITS, AND OTHER STRUCTURES. THE CONTRACTOR SHALL LOCATE ALL UNDERGROUND OBSTRUCTIONS PRIOR TO EXCAVATION SO AS TO PREVENT ANY DAMAGE TO THOSE SERVICES OR OTHER UTILITIES. ANY SUCH DAMAGES MUST BE REPAIRED WITHOUT DELAY AND THE COST OF SUCH REPAIRS MUST BE BORNE BY THE CONTRACTOR.

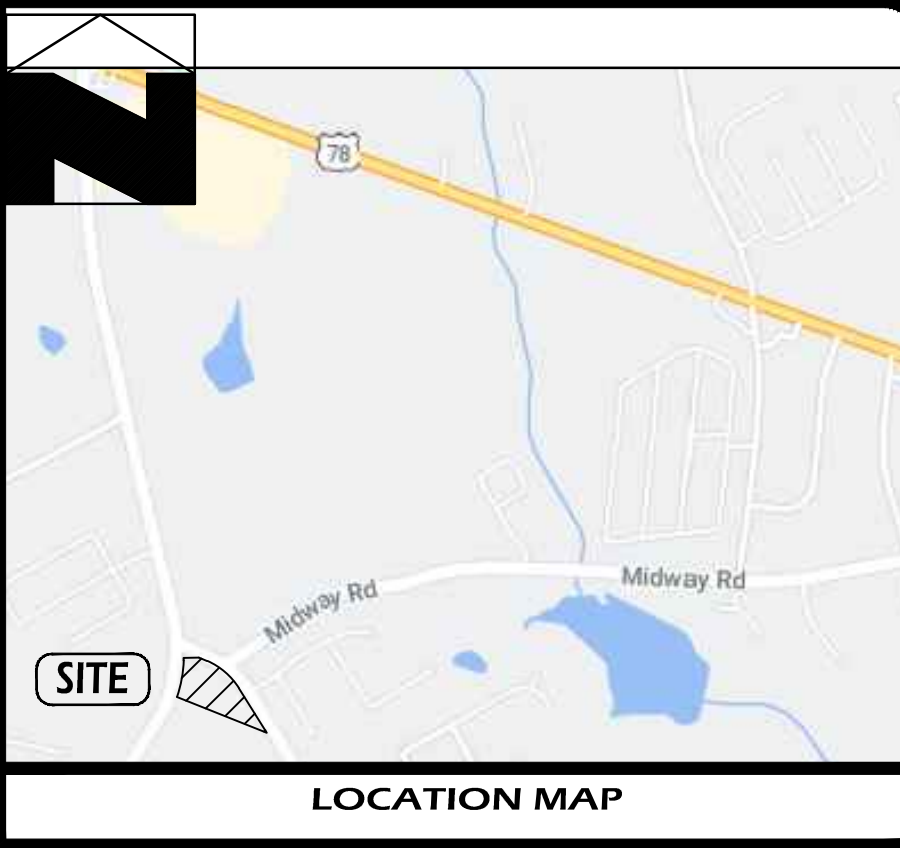
LINE	BEARING	DISTANCE			
L1	S 66°06'18" E	56.80'			
L2	N 02°48'07" E	17.00'			
CURVE	ARC LENGTH	RADIUS	CHORD LENGTH	CHORD BEARING	
C1	263.44'	448.25'	259.66'	S 49°11'01" E	
C2	232.81'	803.44'	232.00'	N 10°23'35" E	



PARKING REQUIREMENTS:

CITY REQUIREMENT	MINIMUM PARKING	MAXIMUM PARKING	PROVIDED PARKING
OFFICE @ 14,300 S.F.			
1 SPACE PER 300 S.F. (MINIMUM)	48	52	48
1 SPACE PER 275 S.F. (MAXIMUM)			
TOTAL	48	52	48*

*INCLUDES 2 A.D.A. SPACE (2 REQUIRED)



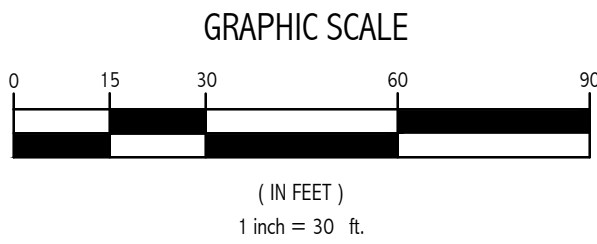
ZONING DATA TABLE:

CURRENT ZONING:	R100 (GWINNETT)
PROPOSED ZONING:	LM (SNELLVILLE)
MINIMUM LOT AREA:	1 ACRE
MINIMUM LOT WIDTH:	100 FEET
MINIMUM ROAD FRONTAGE:	25 FEET
MAXIMUM BUILDING HEIGHT:	40 FEET
MAXIMUM COVER:	75% IMPERVIOUS
BUILDING SETBACKS:	
FRONT:	50 FEET
SIDE:	20 FEET (35 FEET ROAD FRONTAGE)
REAR:	15 FEET
LANDSCAPE STRIPS:	
ALONG ROW:	10 FEET
OTHER:	5 FEET
THIS PROPERTY DOES NOT LIE IN A 100-YR FLOOD ZONE AS SHOWN ON FIRM COMMUNITY PANEL NO. 315C0131F, DATED SEPTEMBER 29, 2006.	

OWNER/DEVELOPER:

24-HR CONTACT:

ENGINEER:
EVANS DESIGN GROUP, INC.
4755 SUMMER SONG COURT
BUFORD, GA 30519
678.207.6830 (Ph)
CONTACT: JON M. EVANS, P.E.



Evans Design Group, Inc.
Civil Engineering /
Site Planning /
Land Development Services
4755 Summer Song Court
Buford, GA 30519
(Ph) 678.207.6830
jevans@evansdg.com



GSWCC LEVEL II CERT. # 10877

PROJECT NAME
TOMCO2 OFFICE
BUILDING

3320 BRUSHY FORK RD,
L.L. 99, 5TH DIST.,
PARCEL 3, GWINNETT
COUNTY, GEORGIA

DATE:
01-25-21

DESIGN BY JME DRAWN BY JME CHECKED BY JME

Not Released For Construction
Released For Construction

OWNER/DEVELOPER

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REVISIONS

JOB NUMBER:
21-005

SHEET TITLE

SITE
PLAN

C-4

STATE OF GEORGIA

CITY OF SNELLVILLE

ORDINANCE NO. 2021-16

AN ORDINANCE TO AMEND THE 2040 COMPREHENSIVE PLAN FUTURE LAND USE MAP FOR THE CITY OF SNELLVILLE, GEORGIA, FOR A 2.704± ACRE TRACT OF LAND LOCATED IN LAND LOT 99 OF THE 5TH LAND DISTRICT, GWINNETT COUNTY, GEORGIA, 3320 BRUSHY FORK ROAD, LOGANVILLE, GEORGIA; TO PROVIDE FOR SEVERABILITY; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

CASE NUMBER: #LUP 21-04

SIZE: 2.704± Acres

LOCATION: 3320 Brushy Fork Road, Loganville, Georgia

TAX PARCEL: R5099 003

2030 UNIFIED PLAN FUTURE DEVELOPMENT MAP (Gw. Co.): Community Mixed-Use

REQUESTED FUTURE LAND USE MAP AMENDMENT: Industrial Mixed-Use

APPROVED FUTURE LAND USE MAP AMENDMENT: Office-Professional

DEVELOPMENT/PROJECT: Office Building and Associated Parking for Future Expansion of TOMCO2 Systems Facility

PROPERTY OWNERS: Stephen Ray Moon and Walter Major Moon
Braselton, Georgia

APPLICANT/CONTACT: For TOMCO2 Systems Company
Shane Lanham, Esq.
Mahaffey Pickens Tucker, LLP
770-232-0000 or slanham@mptlawfirm.com

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 the designated land use as it applies to the 2.704± acre tract of land located at 3320 Brushy Fork Road, Loganville, Georgia (Tax Parcel R5099 003) for a 14,300 sq. ft. office building and associated for the future expansion of TOMCO2 Systems facility; 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 future land use map designation of the 2.704± acre tract of land as shown on the conceptual rezoning site plan entitled “TOMCO2 Office Building”, sealed and dated 2-8-2021 (stamped received 2-10-2021), in Exhibit “A”, a copy of which is attached hereto and incorporated herein by reference is hereby designated Office-Professional.

This change in future land use is to be noted on the City of Snellville 2040 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 affected by this Ordinance. Until the change is indicated on the City of Snellville 2040 Comprehensive Plan Future Land Use Map

approved by the Mayor and Council, this Ordinance shall govern over the City of Snellville 2040 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 2040 Comprehensive Plan Future Land Use Map approved by the Mayor and Council.

Section 2. For reasons stated in the public hearing and upon review of the application submitted by Applicant, the request for a change in the future land use map designation to Industrial Mixed-Use is hereby denied.

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 Chapter 1 of the Code of Ordinances, City of Snellville, Georgia 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 _____, 2021. The effective date of this Ordinance shall be the date of adoption unless otherwise stated herein.

[SIGNATURES BEGIN ON THE FOLLOWING PAGE]

ORDAINED this ____ day of April, 2021.

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

W. Charles Ross, City Attorney
Powell & Edwards, P.C.

Gretchen Schulz, Council Member

Tod Warner, Council Member

EXHIBIT “A”

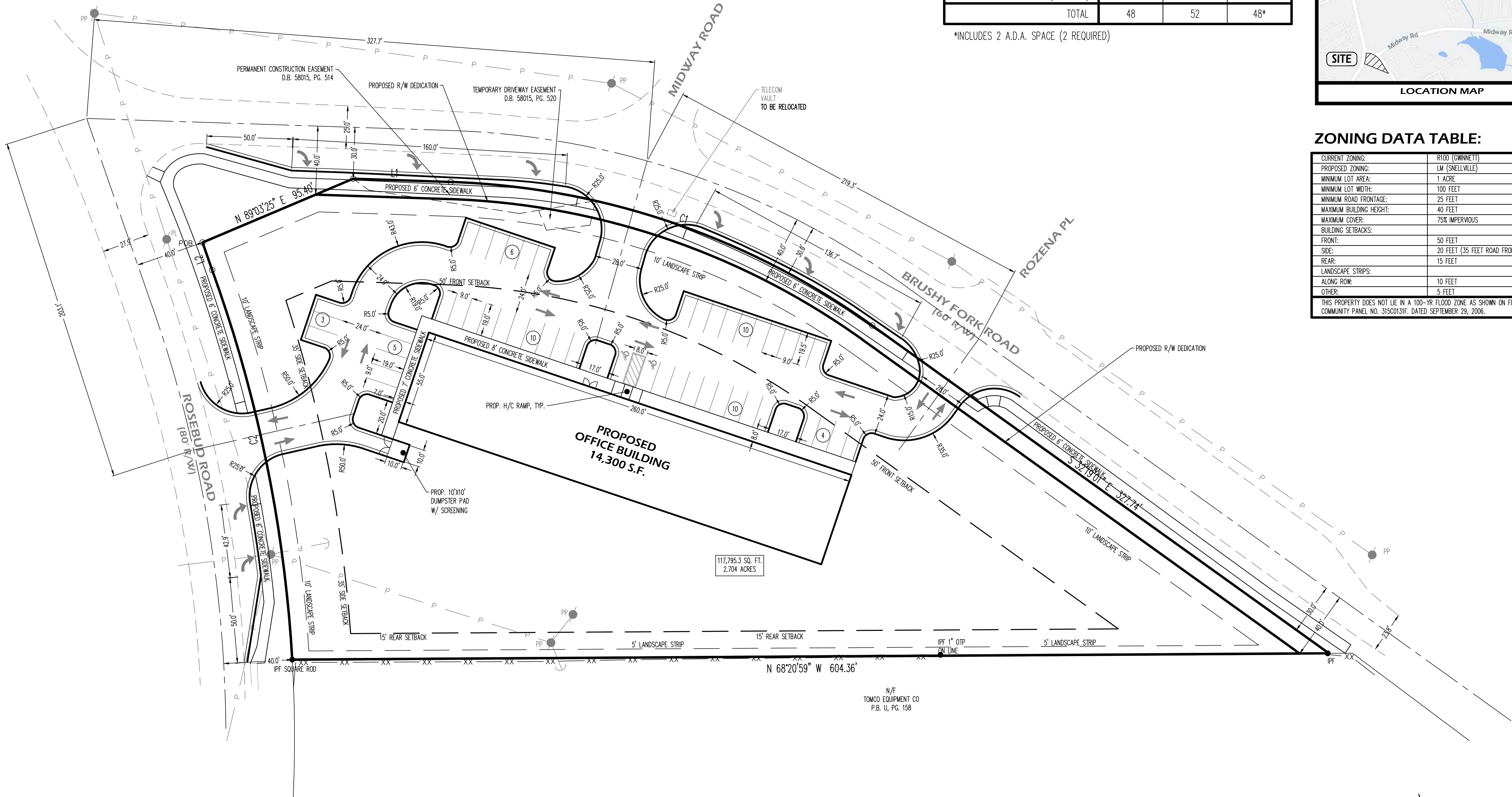
DRAFT



UTILITY DISCLAIMER:

IN ADDITION TO SHOWING THE STRUCTURES TO BE BUILT UNDER THIS CONTRACT, THE DRAWINGS SHOW CERTAIN INFORMATION OBTAINED BY THE ENGINEER REGARDING THE PIPES, POLE LINES, CONDUITS, AND OTHER STRUCTURES WHICH EXIST ALONG THE LINE OF THE WORK, BOTH AT AND BELOW THE SURFACE OF THE GROUND. THE ENGINEER AND THE OWNER EXPRESSLY DISCLAIM ANY RESPONSIBILITY FOR THE ACCURACY OR COMPLETENESS OF THE INFORMATION GIVEN ON THE DRAWINGS WITH REGARD TO EXISTING STRUCTURES, AND THE CONTRACTOR WILL NOT BE ENTITLED TO ANY EXTRA COMPENSATION ON ACCOUNT OF ANY INACCURACY OR INCOMPLETENESS OF SUCH INFORMATION, SAID STRUCTURES BEING INDICATED ONLY FOR THE CONVENIENCE OF THE CONTRACTOR, WHO MUST VERIFY THE INFORMATION TO HIS OWN SATISFACTION. THE GIVING OF THIS INFORMATION UPON THE CONTRACT DRAWINGS WILL NOT RELIEVE THE CONTRACTOR OF HIS OBLIGATION TO SUPPORT AND PROTECT ALL PIPES, CONDUITS, AND OTHER STRUCTURES. THE CONTRACTOR SHALL LOCATE ALL UNDERGROUND OBSTRUCTIONS PRIOR TO EXCAVATION SO AS TO PREVENT ANY DAMAGE TO THOSE SERVICES OR OTHER UTILITIES. ANY SUCH DAMAGES MUST BE REPAIRED WITHOUT DELAY AND THE COST OF SUCH REPAIRS MUST BE BORNE BY THE CONTRACTOR.

LINE	BEARING	DISTANCE			
L1	S 66°06'18" E	56.80'			
L2	N 02°48'07" E	17.00'			
CURVE	ARC LENGTH	RADIUS	CHORD LENGTH	CHORD BEARING	
C1	263.44'	448.25'	259.66'	S 49°11'01" E	
C2	232.81'	803.44'	232.00'	N 10°23'35" E	



PARKING REQUIREMENTS:

CITY REQUIREMENT	MINIMUM PARKING	MAXIMUM PARKING	PROVIDED PARKING
OFFICE @ 14,300 S.F.			
1 SPACE PER 300 S.F. (MINIMUM)	48	52	48
1 SPACE PER 275 S.F. (MAXIMUM)			
TOTAL	48	52	48*

*INCLUDES 2 A.D.A. SPACE (2 REQUIRED)



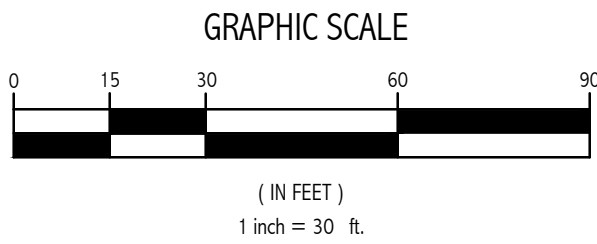
ZONING DATA TABLE:

CURRENT ZONING:	R100 (GWINNETT)
PROPOSED ZONING:	LM (SNELLVILLE)
MINIMUM LOT AREA:	1 ACRE
MINIMUM LOT WIDTH:	100 FEET
MINIMUM ROAD FRONTAGE:	25 FEET
MAXIMUM BUILDING HEIGHT:	40 FEET
MAXIMUM COVER:	75% IMPERVIOUS
BUILDING SETBACKS:	
FRONT:	50 FEET
SIDE:	20 FEET (35 FEET ROAD FRONTAGE)
REAR:	15 FEET
LANDSCAPE STRIPS:	
ALONG ROW:	10 FEET
OTHER:	5 FEET
THIS PROPERTY DOES NOT LIE IN A 100-YR FLOOD ZONE AS SHOWN ON FIRM COMMUNITY PANEL NO. 315C0131F, DATED SEPTEMBER 29, 2006.	

OWNER/DEVELOPER:

24-HR CONTACT:

ENGINEER:
EVANS DESIGN GROUP, INC.
4755 SUMMER SONG COURT
BUFORD, GA 30519
678.207.6830 (Ph)
CONTACT: JON M. EVANS, P.E.



Evans Design Group, Inc.
Civil Engineering /
Site Planning /
Land Development Services
4755 Summer Song Court
Buford, GA 30519
(Ph) 678.207.6830
jevans@evansdg.com



GSWCC LEVEL II CERT. # 10877

PROJECT NAME
TOMCO2 OFFICE
BUILDING

3320 BRUSHY FORK RD,
L.L. 99, 5TH DIST.,
PARCEL 3, GWINNETT
COUNTY, GEORGIA

DATE:
01-25-21

DESIGN BY	DRAWN BY	CHECKED BY
JME	JME	JME

☒ Not Released For Construction
☐ Released For Construction

OWNER/DEVELOPER

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THEY SHALL NOT BE REPRODUCED OR
CONVEYED IN ANY MANNER NOR ARE THEY
TO BE USED FOR ANY OTHER PROJECTS
OTHER THAN THAT SPECIFICALLY INDICATED
HEREIN WITHOUT WRITTEN PERMISSION
FROM AND DUE COMPENSATION TO EVANS
DESIGN GROUP, INC.

REVISIONS

JOB NUMBER:
21-005

SHEET TITLE

SITE
PLAN

C-4

STATE OF GEORGIA

CITY OF SNELLVILLE

ORDINANCE NO. 2021-16

AN ORDINANCE TO DENY THE REQUEST TO AMEND THE 2040 COMPREHENSIVE PLAN FUTURE LAND USE MAP FOR THE CITY OF SNELLVILLE, GEORGIA, FOR A 2.704± ACRE TRACT OF LAND LOCATED IN LAND LOT 99 OF THE 5TH LAND DISTRICT, GWINNETT COUNTY, GEORGIA, 3320 BRUSHY FORK ROAD, LOGANVILLE, GEORGIA; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

CASE NUMBER: #LUP 21-04

SIZE: 2.704± Acres

LOCATION: 3320 Brushy Fork Road, Loganville, Georgia

TAX PARCEL: R5099 003

2030 UNIFIED PLAN FUTURE DEVELOPMENT MAP (Gw. Co.): Community Mixed-Use

REQUESTED FUTURE LAND USE MAP AMENDMENT: Industrial Mixed-Use

DEVELOPMENT/PROJECT: Office Building and Associated Parking for Future Expansion of TOMCO2 Systems Facility

PROPERTY OWNERS: Stephen Ray Moon and Walter Major Moon
Braselton, Georgia

APPLICANT/CONTACT: For TOMCO2 Systems Company
Shane Lanham, Esq.
Mahaffey Pickens Tucker, LLP
770-232-0000 or slanham@mptlawfirm.com

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 deny LUP 21-04, which requested to amend the designated future land use map as it applies to the 2.704± acre tract of land located at 3320 Brushy Fork Road, Loganville, Georgia (Tax Parcel R5099 003) for a 14,300 sq. ft. office building and associated for the future expansion of TOMCO2 Systems facility; 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. For reasons stated in the public hearing and upon review of the application submitted by Applicant, the request for a change in the future land map designation to Industrial Mixed-Use for the 2.704± acre tract of land as shown on the conceptual rezoning site plan entitled “TOMCO2 Office Building”, sealed and dated 2-8-2021 (stamped received 2-10-2021), in Exhibit “A”, a copy of which is attached hereto and incorporated herein by reference is hereby denied.

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.

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Section 4. Penalties in effect for violations of Chapter 1 of the Code of Ordinances, City of Snellville, Georgia 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 _____, 2021. The effective date of this Ordinance shall be the date of adoption unless otherwise stated herein.

ORDAINED this ____ day of April, 2021.

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

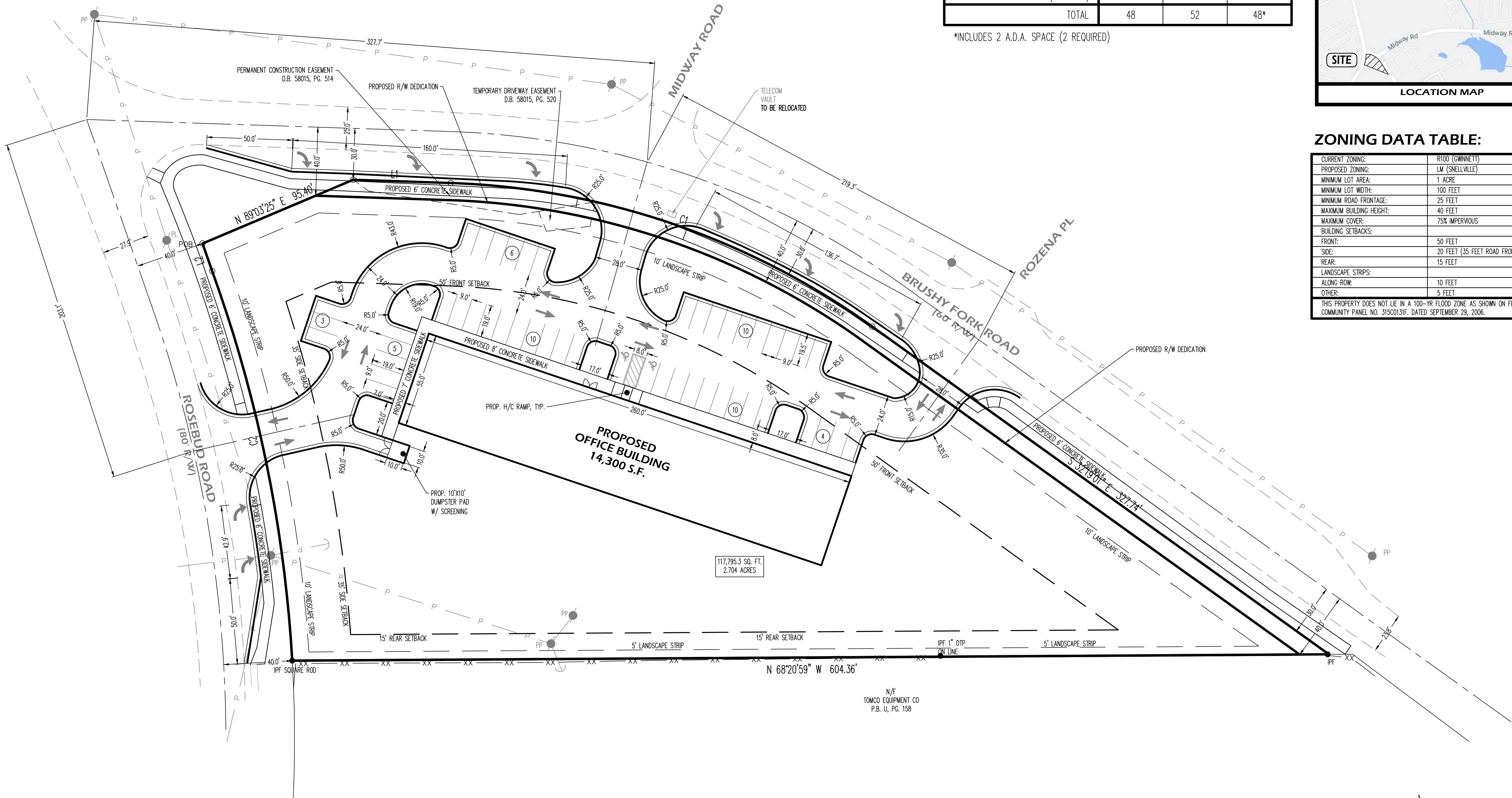
W. Charles Ross, City Attorney
Powell & Edwards, P.C.

Gretchen Schulz, Council Member

Tod Warner, Council Member

EXHIBIT “A”

DRAFT



PARKING REQUIREMENTS:

CITY REQUIREMENT	MINIMUM PARKING	MAXIMUM PARKING	PROVIDED PARKING
OFFICE @ 14,300 S.F.			
1 SPACE PER 300 S.F. (MINIMUM)	48	52	48
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TOTAL	48	52	48*

*INCLUDES 2 A.D.A. SPACE (2 REQUIRED)



ZONING DATA TABLE:

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REAR:	15 FEET
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ALONG ROW:	10 FEET
OTHER:	5 FEET
THIS PROPERTY DOES NOT LIE IN A 100-YR FLOOD ZONE AS SHOWN ON FIRM COMMUNITY PANEL NO. 315C0131F, DATED SEPTEMBER 29, 2006.	

EDG
Evans Design Group, Inc.
Civil Engineering /
Site Planning /
Land Development Services
4755 Summer Song Court
Buford, GA 30519
(Ph) 678.207.6830
jevans@evansdg.com



GSWCC LEVEL II CERT. # 10877

PROJECT NAME
TOMCO2 OFFICE BUILDING

**3320 BRUSHY FORK RD,
L.L. 99, 5TH DIST.,
PARCEL 3, GWINNETT
COUNTY, GEORGIA**

DATE:
01-25-21

DESIGN BY	DRAWN BY	CHECKED BY
JME	JME	JME

☒ Not Released For Construction
☐ Released For Construction

OWNER/DEVELOPER

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REVISIONS

JOB NUMBER:
21-005

SHEET TITLE

SITE PLAN

C-4

GEORGIA811
Utilities Protection Center, Inc.
Know what's below.
Call before you dig.

UTILITY DISCLAIMER:

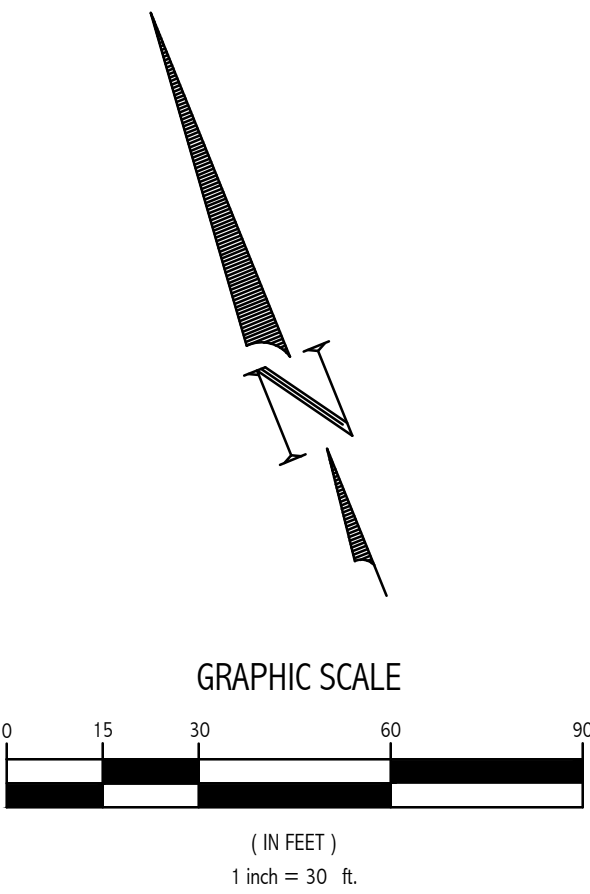
IN ADDITION TO SHOWING THE STRUCTURES TO BE BUILT UNDER THIS CONTRACT, THE DRAWINGS SHOW CERTAIN INFORMATION OBTAINED BY THE ENGINEER REGARDING THE PIPES, POLE LINES, CONDUITS, AND OTHER STRUCTURES WHICH EXIST ALONG THE LINE OF THE WORK, BOTH AT AND BELOW THE SURFACE OF THE GROUND. THE ENGINEER AND THE OWNER EXPRESSLY DISCLAIM ANY RESPONSIBILITY FOR THE ACCURACY OR COMPLETENESS OF THE INFORMATION GIVEN ON THE DRAWINGS WITH REGARD TO EXISTING STRUCTURES, AND THE CONTRACTOR WILL NOT BE ENTITLED TO ANY EXTRA COMPENSATION ON ACCOUNT OF ANY INACCURACY OR INCOMPLETENESS OF SUCH INFORMATION, SAID STRUCTURES BEING INDICATED ONLY FOR THE CONVENIENCE OF THE CONTRACTOR, WHO MUST VERIFY THE INFORMATION TO HIS OWN SATISFACTION. THE GIVING OF THIS INFORMATION UPON THE CONTRACT DRAWINGS WILL NOT RELIEVE THE CONTRACTOR OF HIS OBLIGATION TO SUPPORT AND PROTECT ALL PIPES, CONDUITS, AND OTHER STRUCTURES. THE CONTRACTOR SHALL LOCATE ALL UNDERGROUND OBSTRUCTIONS PRIOR TO EXCAVATION SO AS TO PREVENT ANY DAMAGE TO THOSE SERVICES OR OTHER UTILITIES. ANY SUCH DAMAGES MUST BE REPAIRED WITHOUT DELAY AND THE COST OF SUCH REPAIRS MUST BE BORNE BY THE CONTRACTOR.

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L2	N 02°48'07" E	17.00'		
CURVE	ARC LENGTH	RADIUS	CHORD LENGTH	CHORD BEARING
C1	263.44'	448.25'	259.66'	S 49°11'01" E
C2	232.81'	803.44'	232.00'	N 10°23'35" E

OWNER/DEVELOPER:

24-HR CONTACT:

ENGINEER:
EVANS DESIGN GROUP, INC.
4755 SUMMER SONG COURT
BUFORD, GA 30519
678.207.6830 (Ph)
CONTACT: JON M. EVANS, P.E.



THE DEVELOPMENT REVIEW PROCESS REQUIRES THE FOLLOWING INFORMATION IN ORDER
TO APPROVE AND RECORD EASEMENTS:

PROJECT NAME: Snellville Library
DISTRICT/LANDLOT/PARCEL 5 - 03 - 014

DEVELOPER NAME: Gwinnett County
ADDRESS: _____ (City) _____ (Zip) _____
CONTACT NAME: _____ PHONE NO: _____ EXT. # _____
EMAIL: _____

ENGINEERING FIRM: CPL
ADDRESS: 3011 Sutton Gate Dr, Suite 130 (City) Suwanee (Zip) 30024
CONTACT NAME: Larry Genn, P.E. PHONE NO: 770-312-2674 EXT. # _____
EMAIL: lgenn@cplteam.com

INCLUDE THE FOLLOWING ITEMS IN YOUR SUBMITTAL PACKAGE:

- **THIS FORM** FOR GWINNETT COUNTY WATER RESOURCES DEPARTMENT
- **PLAT NO LARGER THAN 8 ½ X 14**, SHOWING LOCATION, WIDTH OF EASEMENT, METES AND BOUNDS & NORTH ARROW
- **WARRANTY DEED(S)** FOR ONSITE *AND* OFFSITE PROPERTIES THAT HAVE CHANGED OWNERSHIP WITHIN THE PAST 12 MONTHS.
- **COMPLETE DETAILS** OF THE DISTRICT, LAND LOT, PARCEL NUMBERS & TERM OF TEMPORARY CONSTRUCTION
- **ARTICLES OF CORPORATION/ORGANIZATION/BY-LAWS**: ANY AUTHORIZED SIGNATURE OTHER THAN MEMBER/MANAGER, OFFICER, AS NOTED ON SECRETARY OF STATE, MUST INCLUDE DOCUMENTATION SHOWING PERSON(S) AS AUTHORIZED TO SIGN ON BEHALF OF REAL ESTATE INTEREST FOR THE COMPANY.

SIGNATURE LINES FOR EASEMENTS MUST COMPLY WITH GEORGIA LAW:

- **INDIVIDUAL**- SIGNED EXACTLY AS YOU TOOK TITLE
(GRANTOR OF EASEMENT SHALL BE SAME AS GRANTEE ON WARRANTY DEED)
- **TRUST**- SIGNATURE OF TRUSTEE (S)
(IF TRUSTEES HAVE CHANGED, AN ENCUMBANCY LETTER IS REQUIRED)
- **GENERAL PARTNERSHIP**- SIGNATURE OF ALL PARTNERS
- **LIMITED PARTNERSHIP**- SIGNATURE AND TITLE OF MANAGING GENERAL PARTNER (WE REQUIRE NAME AND TITLE PRINTED BELOW SIGNATURE)
- **LIMITED LIABILITY COMPANY**- SIGNATURE AND TITLE OF A MEMBER
- **CORPORATION**-SIGNATURE OF THE PRESIDENT OR VICE PRESIDENT OF THE CORPORATION AND BE ATTESTED BY THE SECRETARY OR TREASURER OF THE CORPORATION AND TITLE AND NAME CLEARLY PRINTED (2 Signatures)
-OR-
SIGNATURE OF THE PRESIDENT OR VICE PRESIDENT ALONG WITH THE CORPORATE SEAL AND TITLE AND NAME CLEARLY PRINTED (1 Signature *plus* Corporate Seal)

SIGNED: _____ DATE: _____
Developer

Contact For Missing Information/Questions:
Gwinnett County Department of Support Services
Real Estate and Records Management Division

Angela Schaeffer
Phone: 770.822.8023
Angela.Schaeffer@gwinnettcountry.com

GWINNETT COUNTY DEPARTMENT OF WATER RESOURCES **EASEMENT PROCEDURES**

Easements not dedicated to the County by a recorded final plat must be granted to the County by an easement document. Off-site easements are received from off-site parcel owners to developer. Developer shall assign such easements to Gwinnett County Water and Sewerage Authority utilizing a standard Gwinnett County Assignment form.

Off-site easements are to be negotiated by the developer with the owner(s) of the property the sewer/ water will cross. If unable to acquire through reasonable negotiation, the developer may request that the County acquire the easement through condemnation. This requires approval by the Gwinnett County Board of Commissioners. The final decisions whether or not to condemn rests with the Board of Commissioners. All costs associated with condemnation will be at the developer's expense. Ask for additional instructions and requirements if a request for condemnation appears inevitable.

1. **Use Gwinnett County Water Resources easement forms:** Agreements between the property owner and the developer should be separate from the County dedicated easement and not made as an attachment thereto. Gwinnett County sanitary sewer standards state: **“no conditional easements or easements with special stipulations may be granted to the County”**. Therefore, assignment of other easement forms is **not acceptable**.
2. Complete information for date, parties, land lot, district, parcel number and plat information.
3. **Signature on documents as follows:** Documentation must be provided should authorized signer not be the member/manager or officer of the company as shown as Secretary of State.

Corporation: requires the signature and title of either the president/CEO or vice president/CFO and a corporate seal (1 signature) **OR** the attest signature of the secretary along with the signature of the president/CEO or vice president/CFO (2 signatures).

Limited Liability Corporation or LLC: requires the signature and title of a member/manager.

Limited Partnership or LP: requires the signature and title of the managing general partner.

Trust: requires the signature of the trustee or trustees.

Individual: requires a signature by every individual holding title, exactly as he or she took title.

4. **Signed by both** (1) an unofficial witness and (2) a Notary Public. The Notary's seal must be affixed.
5. Easement(s) Plats for **Sanitary Sewer, Water and Water Metering Device and Access** must include:
 - Attachment of an 8 ½” x 11” or 8 ½” x 14” plat;
 - Total square footage of the easement listed on exhibit;
 - Signed, stamped and dated by Engineer
 - Metes and bounds description of the easement area;
 - Tax Parcel Number and North arrow must be shown
6. **DO NOT RECORD THE EASEMENT** - Submit original signed, notarized documents and completed submittal form to the Stormwater/Water/Sewer Plan Review Section of Gwinnett County Planning and Development. Documents will be recorded by the county after the easement document(s) are approved.

Sanitary Sewer design plans will not be approved until all easement documents have been received.
Utility Construction Permits will not be issued until all easement documents have been approved.

For additional information concerning easement requirements refer to the current edition of Gwinnett County Sanitary Sewer Standards for Developers, or contact Angela Schaeffer at 770.822.8023 or Angela.Schaeffer@gwinnettcounty.com.

EXPLANATION OF GWINNETT COUNTY DEPARTMENT OF WATER RESOURCES STANDARD FORMS:

EASEMENT FORMS:

- 1. EASEMENT:** This form is required to dedicate an easement from a Property Owner to a Developer, giving the Developer access during the construction of the line, or it can dedicate an easement from a Property Owner to Gwinnett County Water and Sewerage Authority.
- 2. ASSIGNMENT EASEMENT:** This form is required by the Developer to assign an *existing easement (previously dedicated to the Developer)* to Gwinnett County Water and Sewerage Authority after installation of the line.
- 3. WATER METERING DEVICE AND ACCESS EASEMENT:** This form is required to dedicate the easement for water metering devices or equipment to Gwinnett County Water and Sewerage Authority.

**FOR INFORMATION CONCERNING EASEMENT FORMS PLEASE CONTACT
Angela Schaeffer - Real Estate Specialist: 770.822.8023
E-mail: Angela.Schaeffer@gwinnettcountry.com**

OWNER/DEVELOPER AGREEMENTS:

- 1. SANITARY SEWER OWNER/DEVELOPER AGREEMENT:** This form is required if an 8-inch or larger sewer main is to be installed and dedicated to Gwinnett County Water and Sewerage Authority.
- 2. WATER MAIN OWNER/DEVELOPER AGREEMENT:** This form is required if an 8-inch or larger water main is to be installed and dedicated to Gwinnett County Water and Sewerage Authority.
- 3. WATER METERING DEVICE OWNER/DEVELOPER AGREEMENT:** This form is required if a private fire line with DDC or meters 3-inch or larger are being installed.

**FOR INFORMATION CONCERNING OWNER/DEVELOPER AGREEMENT FORMS
PLEASE CALL GWINNETT COUNTY DEPARTMENT OF PLANNING & DEVELOPMENT
WATER/SEWER PLAN REVIEW @ 678.518.6000**

ATTN:

PROJECT NAME AND NUMBER: 2020-00565

WATER METERING DEVICE AND ACCESS EASEMENT

GEORGIA, GWINNETT COUNTY

THIS INDENTURE, made this _____ day of _____, 20____, by and between _____, party of the first part and **GWINNETT COUNTY WATER AND SEWERAGE AUTHORITY**, a political subdivision of the State of Georgia, hereinafter referred to as the party of the second part.

WITNESSETH: That the said party of the first part, for and in consideration of the sum of **ONE (\$1.00) DOLLAR** and other valuable considerations in hand paid, at and before the sealing and delivery of these presents, the receipt and sufficiency whereof is hereby acknowledged, has granted, bargained, sold and conveyed and by these presents does grant, bargain, sell and convey unto the said party of the second part, their successors and/or their assigns, an easement for the purpose of accessing, inspecting and maintaining water metering devices located within the said easement.

The maintenance of piping, backflow preventers, vaults and all other appurtenances located within the above-described easement, with the exception of the metering devices shall be the sole responsibility of the party of the first part.

The said easement being more particularly defined as a portion of that property in Land Lot 03 of _____ the **5th** Land District, being described by the tax parcel #352446 of Gwinnett County, Georgia, for a water metering device and assess as shown on the attached plat labeled as Exhibit "A", which by reference is incorporated herein.

The party of the first part does hereby covenant with party of the second part that it is the owner of record and is lawfully seized and possessed of the property above described, and it has a good and lawful right to convey said property, or any part thereof, and it is free from all encumbrances, and that it will forever warrant and defend title thereto against the lawful claims of the persons whomsoever.

TO HAVE AND TO HOLD, the said easement unto the party of the second part, its successors and/or assigns forever.

IN WITNESS WHEREOF, the party of the first part has hereunto set its hands and affixed its seals, the day and year first above written.

Signed, sealed, and delivered on this _____ day of _____, 20____
In the presence of...

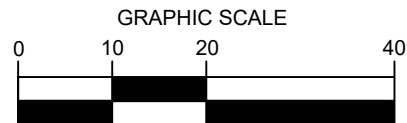
Unofficial Witness

Notary Public
My Commission Expires:

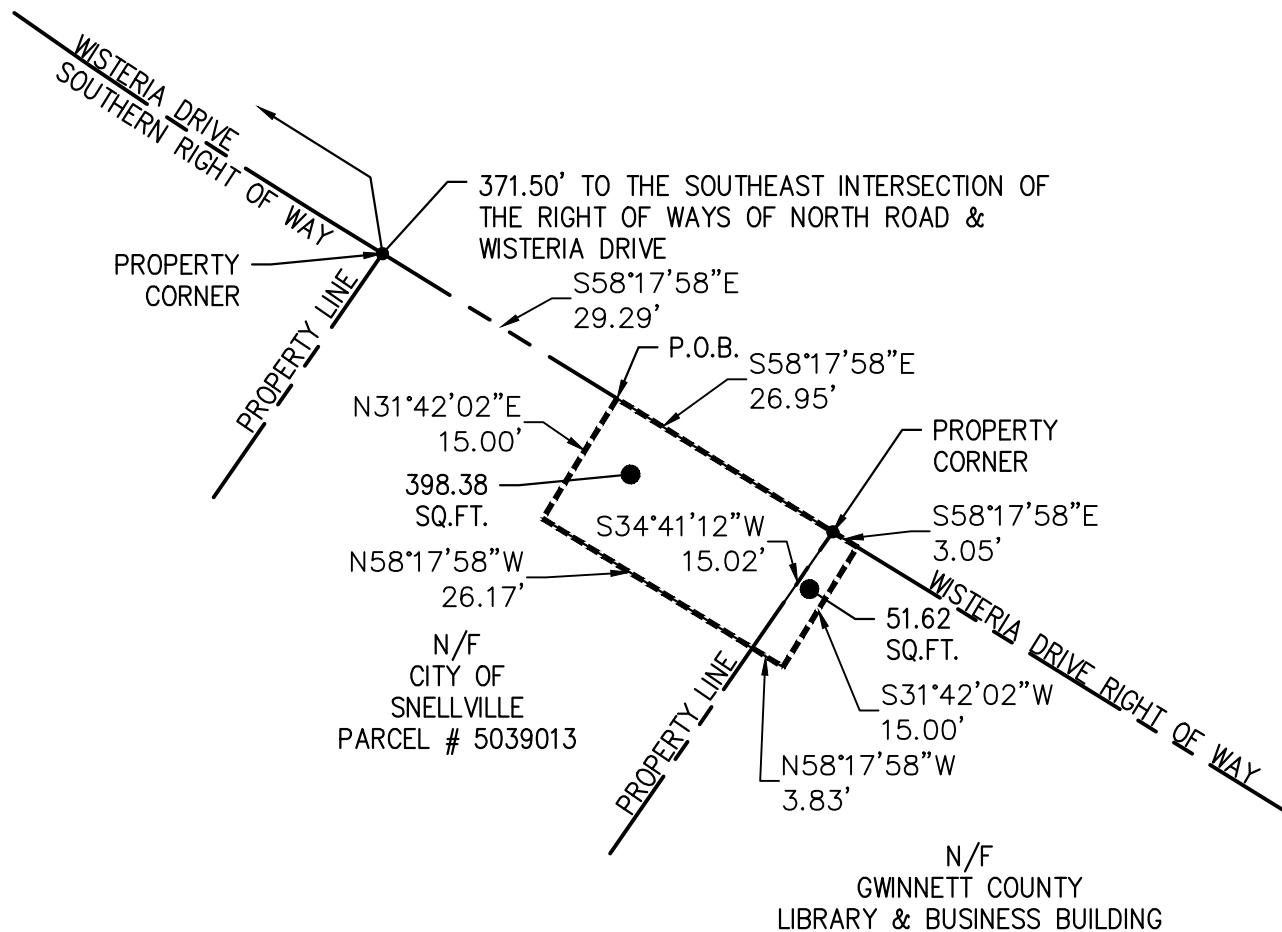
BY: _____(SEAL)
Signature Name/Title:

_____(ATTEST)
Signature
Name/Title:

[NOTARY SEAL]



1 inch = 20 ft.



WATER METER EASEMENT:

SNELLVILLE :	398.38 SQ.FT.
GWINNETT :	51.62 SQ.FT.
TOTAL:	450.00 SQ.FT.



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ARCHITECTURE | ENGINEERING | PLANNING

GWINNETT - SNELLVILLE
LIBRARY & BUSINESS BUILDING
WATER METER EASEMENT EXHIBIT A

03/26/2021

1

Author: [redacted]
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