



City of Lilburn

in Gwinnett County

State of Georgia

Ordinance

Number:

2022-595

Date of Reading and Adoption: November 14, 2022

At the meeting of the Lilburn City Council held at 340 Main Street, Lilburn, Georgia.

AN ORDINANCE TO AMEND THE CODE OF THE CITY OF LILBURN, GEORGIA, WITH RESPECT TO A ZONING UPDATE OF THE OFFICIAL ZONING MAP FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES;

RZ-2022-02 and SUP-2022-02

An ordinance to amend the Official Zoning Map of City of Lilburn to rezone an assemblage of property comprised of 9 parcels and approximately 3.44 +/- acres on young St near Main St, recorded as District 6, Land Lot 135 Parcels 051, 052, 053, 055, 056, 057, 058, 059 and 060 from R1 Low Density Residential to R2 Medium Density Residential, with a Special Use Permit to allow development of up to 30-unit fee-simple townhome subdivision.

WHEREAS, the Code of the City of Lilburn entitled the Lilburn Zoning Ordinance, Article 10.- Zoning Amendments and Applications, provides that the text and map thereof may be amended from time to time by ordinance of the City of Lilburn; and

WHEREAS, The city provided for all public notices and procedures set forth in subsequent code sections to address criteria for amendments to the official zoning map; and special use permits; and

WHEREAS, the City of Lilburn Planning Commission met on Thursday, October 27, 2022, and recommended approval of RZ-2022-02 and SUP-2022-02 with conditions for action by the Mayor and City Council;

NOW THEREFORE BE IT ORDAINED that the Mayor and City Council of the City of Lilburn, Georgia hereby approves the map amendment and special use permit with the following conditions:

1. The property shall be developed as fee-simple, owner-occupied, residential units in general accordance with the submitted letter of intent and proposed "Site Plan" entitled "The Village at

Lilburn," by Alliance Engineering and Planning, Inc., and presented at City Council public hearing November 14th, 2022, to be modified only to meet conditions of current R2 zoning ordinance Special Use Permit, development regulations and design standards for the Town Center Overlay, as may be amended prior to permitting, and all building elevations shall be subject to review and approval by Planning Director.

2. There shall be mandatory master protective covenants that will include all phases of the development and be binding on all property or properties within the development; and concurrent therewith, a homeowners association (HOA) shall be formed which will include all component parts of the proposed development. The owners' association shall be responsible for the oversight, upkeep, and maintenance of the entrance areas, common areas, open space areas, the front, rear and side yards on each lot within the community as well as all drives, alleys, streets, sidewalks, streetlights, stormwater facilities and drainage structures that serve the private development.
3. The covenants required by the preceding condition (in addition to standard covenants) shall include the following: a covenant prohibiting rental of more than 40% of units; a covenant prohibiting removal of healthy plants and requiring replacement of diseased plants with similar type plants in landscape strips and buffer areas; a covenant allowing (but not requiring) the City to enforce any covenant required by these conditions.
4. A combination plat and application for demolition of the existing structures must be submitted within 12 months of zoning approval, should no combination plat or application for demolition be submitted in such time, the SUP shall expire and the development of attached residential uses will require new submittal for SUP from Mayor and Council.

BE IT FURTHER ORDAINED that this ordinance becomes effective upon its adoption



SO ORDAINED this the 14th day of November, 2022.

APPROVED:

A handwritten signature in black ink, appearing to read 'Tim Dunn', written over a horizontal line.

Tim Dunn, Mayor
City of Lilburn

ATTEST:

A handwritten signature in black ink, appearing to read 'Rick Badie', written over a horizontal line.

Rick Badie, City Clerk