

**STATE OF GEROGIA  
DEKALB COUNTY  
CITY OF STONECREST**

**ORDINANCE NO. \_\_\_\_ - \_\_\_\_\_**

**AN ORDINANCE BY THE MAYOR AND COUNCIL OF THE CITY OF STONECREST,  
GEORGIA TO APPROVE SPECIAL LAND USE PERMIT 23-009 ON PARCEL  
NUMBERS 16 022 01 004 AND 16 022 01 246 TO DEVELOP A PLACE OF WORSHIP AT  
3309 AND 3313 PANOLA ROAD STONECREST, GEORGIA 30038; TO PROVIDE  
SEVERABILITY; TO PROVIDE FOR REPEAL OF CONFLICTING ORDINANCES; TO  
PROVIDE FOR AN ADOPTION AND EFFECTIVE DATE; AND TO PROVIDE FOR  
OTHER LAWFUL PUPOSES.**

**WHEREAS**, the governing body of the City of Stonecrest (“City”) is the Mayor and City  
Council (“City Council”) thereof; and

**WHEREAS**, Article IX, Section II, Paragraph IV of the 1983 Constitution of the State of  
Georgia authorizes the City to adopt plans and exercise the power of zoning; and

**WHEREAS**, the City Council is authorized by O.C.G.A. § 36-35-3 to adopt ordinances  
relating to its property, affairs, and local government; and

**WHEREAS**, the City of Stonecrest has been vested with substantial powers, rights, and  
functions to generally regulate the use of real property to maintain health, morals, safety, security,  
peace, and the general welfare of the City; and

**WHEREAS**, the city received an application for the approval to develop a place of worship  
at 3309 and 3313 Panola Road; and

19           **WHEREAS**, pursuant to the city’s zoning Ordinance applicants who desire to develop a  
20 place of worship must obtain a special land use permit; and

21           **WHEREAS**, the matter was heard in the City’s Community Planning Information Meeting  
22 pursuant to the provisions of the City’s Zoning Procedures Law; and

23           **WHEREAS**, the City has properly advertised and held a public hearing before the  
24 Planning Commission regarding SLUP 23-009, the request for special land use permit to develop  
25 a place of worship at 3309 and 3313 Panola Road; and

26           **WHEREAS**, the City has properly advertised and held a public hearing pursuant to the  
27 provisions of Georgia’s Zoning Procedures Law before the City Council prior to the adoption of  
28 this Ordinance; and

29           **WHEREAS**, the Planning and Zoning Department recommends approval of special land  
30 use permit 23-009 of property located at 3309 and 3313 Panola Road; and

31           **WHEREAS**, the health, safety, and welfare of the citizens of the City will be positively  
32 impacted by the adoption of this Ordinance.

33 **BE IT AND IT IS HEREBY ORDAINED BY THE MAYOR AND CITY COUNCIL OF**  
34 **THE CITY OF STONECREST, GEORGIA, as follows:**

35           **Section 1.** SLUP 23-009, to develop a place of worship at 3309 and 3313 Panola Road,  
36 satisfying Section 7.4.6 of Division 4 of Article 7 and Section 4.2.42 of Division 2 of Article 7 in  
37 Chapter 27 of the City of Stonecrest Code of Ordinances, is **APPROVED**.

38           **Section 2.** (a) It is hereby declared to be the intention of the Mayor and Council that all  
39 sections, paragraphs, sentences, clauses, and phrases of this Ordinance are or were, upon their  
40 enactment, believed by the Mayor and Council to be fully valid, enforceable and constitutional.

41 (b) It is hereby declared to be the intention of the Mayor and Council that, to the greatest extent

42 allowed by law, each and every section, paragraph, sentence, clause or phrase of this Ordinance  
43 is severable from every other section, paragraph, sentence, clause or phrase of this Ordinance. It  
44 is hereby further declared to be the intention of the Mayor and Council that, to the greatest extent  
45 allowed by law, no section, paragraph, sentence, clause, or phrase of this Ordinance is mutually  
46 dependent upon any other section, paragraph, sentence, clause, or phrase of this Ordinance.

47 (c) In the event that any phrase, clause, sentence, paragraph, or section of this Ordinance shall, for  
48 any reason whatsoever, be declared invalid, unconstitutional, or otherwise unenforceable by the  
49 valid judgment or decree of any court of competent jurisdiction, it is the express intent of the  
50 Mayor and Council that such invalidity, unconstitutionality or unenforceability shall, to the  
51 greatest extent allowed by law, not render invalid, unconstitutional or otherwise unenforceable any  
52 of the remaining phrases, clauses, sentences, paragraphs or section of the Ordinance and that, to  
53 the greatest extent allowed by law, all remaining phrases, clauses, sentences, paragraphs and  
54 sections of the Ordinance shall remain valid, constitutional, enforceable, and of full force and  
55 effect.

56 **Section 3.** The City Clerk, with the concurrence of the City Attorney, is authorized to  
57 correct any scrivener's errors found in this Ordinance, including its exhibits, as enacted.

58 **Section 4.** All ordinances and parts of ordinances in conflict herewith are hereby expressly  
59 repealed.

60 **Section 5.** The Ordinance shall be codified in a manner consistent with the laws of the  
61 State of Georgia and the City of Stonecrest.

62 **Section 6.** It is the intention of the governing body, and it is hereby ordained that the  
63 provisions of this Ordinance shall become and be made part of the Code of Ordinances, City of  
64 Stonecrest, Georgia.

**SO ORDAINED AND EFFECTIVE this \_\_\_\_\_ day of \_\_\_\_\_, 2023.**

**[SIGNATURES TO FOLLOW]**

**CITY OF STONECREST, GEORGIA**

\_\_\_\_\_  
**Jazzmin Cobble, Mayor**

**ATTEST:**

\_\_\_\_\_  
**City Clerk**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
**City Attorney**

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