

**AN ORDINANCE TO AMEND THE OFFICIAL ZONING DISTRICT MAP OF ROCKDALE COUNTY, AS AMENDED, BY REZONING 2966 AND 0 FLAT SHOALS RD SW FROM AR TO R1; TO IMPOSE CONDITIONS UPON THE PROPERTY; TO REPEAL CONFLICTING ORDINANCES AND FOR OTHER PURPOSES.**

**WHEREAS**, an application to rezone a certain property was filed with Rockdale County, Georgia, which involved the following:

|                                  |                                                                                                                                                                        |                  |      |
|----------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|------|
| <b>REZONING CASE NO. 2021-20</b> | Rezone 90.52 acres from AR (Agricultural-Residential) to R1 (Single Family Residential) to allow the development of a single family detached subdivision with 50 lots. |                  |      |
| <b>APPLICANT:</b>                | Kaleb Smith                                                                                                                                                            |                  |      |
| <b>PROPERTY OWNER:</b>           | Daniel L Carmichael III                                                                                                                                                |                  |      |
| <b>LOCATION:</b>                 | 2966 and 0 Flat Shoals Rd SW, Conyers, GA, 30094                                                                                                                       |                  |      |
| <b>LAND LOT(S):</b>              | 245                                                                                                                                                                    | <b>DISTRICT:</b> | 11th |
| <b>TAX PARCEL NO.:</b>           | 0120010019 and 0120010066                                                                                                                                              |                  |      |

**WHEREAS**, said rezoning proposal was reviewed by staff and public hearings were held following public notice and all other requirements of Section 238-4 of The Unified Development Ordinance of Rockdale County, Georgia, as amended;

**WHEREAS**, the Future Land Use Map of Rockdale County's Comprehensive Plan designate said property as Medium Density Residential, which pursuant to Section 202-6 permits the R1 Zoning District;

**NOW, THEREFORE**, be it ordained by the Board of Commissioners of Rockdale County, Georgia, and by the authority of same as follows:

**Section I**

The Official Zoning District Map for Rockdale County, as amended, is hereby further amended so as to rezone the 90.52-acre property, more particularly described as Tracts One and Two in the legal description attached hereto as Exhibit "A" and depicted as Tracts One and Two on the Boundary Survey attached hereto as Exhibit "B", from the AR to R1.

**Section II**

The zoning amendment authorized in Section I is approved subject to all conditions, including any conditions of zoning, attached hereto as Exhibit "C" and the concept plan attached hereto as Exhibit "D", is hereby incorporated by this reference and applies to the 90.52-acre property. All permits issued pursuant to this change in zoning shall be in strict compliance with these conditions, as well as all other applicable provisions of the Code of Rockdale County. The change in zoning hereby approved does not authorize the violation of any zoning district regulations.

**Section III**

The Official Zoning District Map of Rockdale County, Georgia, established as a part of the Rockdale County Zoning Ordinance, as amended, is hereby further amended to reflect the change in zoning of said property authorized in Section I, along with the conditions authorized in Section II.

**Section IV**

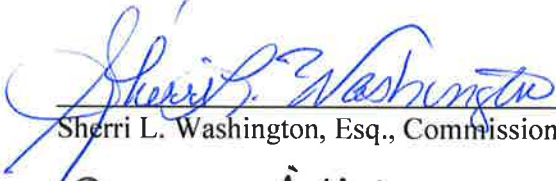
All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

That this Ordinance shall become effective upon adoption.

This 8th day of March, 2022.

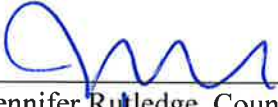
**ROCKDALE COUNTY, GEORGIA  
BOARD OF COMMISSIONERS**

  
\_\_\_\_\_  
Oz Nesbitt, Sr., Chairman

  
\_\_\_\_\_  
Sherri L. Washington, Esq., Commissioner Post I

  
\_\_\_\_\_  
Dr. Doreen Williams, Commissioner Post II

Attest:

By:   
\_\_\_\_\_  
Jennifer Rutledge, County Clerk

Approved as to Form:

By:   
\_\_\_\_\_  
M. Qader A. Baig, County Attorney

First Reading: 9/28/2021

Second Reading: 3/8/2022

**Exhibit "A"**  
**Legal Description**

L E G A L   D E S C R I P T I O N  
TRACT ONE  
PARCEL 12-1-19

ALL THAT TRACT or parcel of land lying and being in land lot 245 of the 11th district and land lot 177 of the 16th district of Rockdale County, Georgia and being more particularly described as follows:

BEGINNING at the intersection of the south right-of-way of Flat Shoals Road (60' r/w) and the center line of Honey Creek this being the true point of beginning.

THENCE South 68 degrees 33 minutes 39 seconds East for a distance of 171.54 feet to a point;

THENCE along a curve to the left having a radius of 982.27 feet and an arc length of 371.89 feet, being subtended by a chord of South 79 degrees 06 minutes 15 seconds East for a distance of 369.67 feet to a point;

THENCE South 89 degrees 44 minutes 27 seconds East for a distance of 220.91 feet to a point;

THENCE along a curve to the left having a radius of 500.15 feet and an arc length of 431.52 feet, being subtended by a chord of North 64 degrees 17 minutes 52 seconds East for a distance of 418.26 feet to a point;

THENCE North 42 degrees 29 minutes 05 seconds East for a distance of 109.86 feet to a point;

THENCE along a curve to the right having a radius of 696.35 feet and an arc length of 322.33 feet, being subtended by a chord of North 53 degrees 55 minutes 13 seconds East for a distance of 319.46 feet to a point;

THENCE South 02 degrees 37 minutes 09 seconds West for a distance of 210.00 feet to a point;

THENCE North 68 degrees 59 minutes 17 seconds East for a distance of 210.00 feet to an IPF-5RB;

THENCE South 02 degrees 36 minutes 44 seconds West for a distance of 249.65 feet to a point;

THENCE North 69 degrees 17 minutes 51 seconds East for a distance of 420.00 feet to an IPF-5RB;

THENCE North 02 degrees 37 minutes 21 seconds East for a distance of 89.78 feet to an IPF 5\8"RB;

THENCE South 88 degrees 46 minutes 19 seconds East for a distance of 414.93 feet to an IPF 1\2"RB;

THENCE South 00 degrees 28 minutes 28 seconds West for a distance of 199.75 feet to an IPF 1\2"RB;

THENCE South 00 degrees 29 minutes 14 seconds West for a distance of 199.95 feet to an IPF 1\2"OTF;

THENCE South 00 degrees 33 minutes 47 seconds West for a distance of 200.06 feet to an IPF 1\2"RB;

THENCE South 00 degrees 35 minutes 49 seconds West for a distance of 199.92 feet to an IPF 1\2"RB;

THENCE South 00 degrees 32 minutes 13 seconds West for a distance of 200.00 feet to an IPF 1\2"RB;

THENCE South 00 degrees 33 minutes 50 seconds West for a distance of 199.62 feet to an IPF 1\2"RB;

THENCE South 00 degrees 29 minutes 58 seconds West for a distance of 281.66 feet to an IPF 1"ROD;

THENCE South 00 degrees 44 minutes 14 seconds West for a

distance of 139.27 feet to a CMF;  
THENCE South 00 degrees 48 minutes 37 seconds West for a distance of 242.89 feet to an IPF 5\8"OTP;  
THENCE South 00 degrees 43 minutes 26 seconds West for a distance of 334.20 feet to a CMF;  
THENCE South 01 degrees 08 minutes 11 seconds West for a distance of 99.17 feet to an IPF 1\2"RB;  
THENCE South 00 degrees 47 minutes 44 seconds West for a distance of 249.29 feet to a CMF;  
THENCE South 00 degrees 58 minutes 36 seconds West for a distance of 27.60 feet to an IPF 1"OTP;  
THENCE South 00 degrees 48 minutes 49 seconds West for a distance of 155.00 feet to a point in center of Honey Creek;  
THENCE in a Northwesterly direction 3940 feet +- along the center line of Honey Creek to the south right-of-way of Flat Shoals Road this being the true point of beginning.

Said property contains 85.570 acres.

#### LEGAL DESCRIPTION

##### TRACT TWO

##### PARCEL 12-1-66

ALL THAT TRACT or parcel of land lying and being in land lots 177 & 208 of the 16th district and land lot 245 of the 11th district of Rockdale County, Georgia and being more particularly described as follows:

BEGINNING at the intersection of the west right-of-way of McDaniel Mill Road (50'r\w) and the south right-of-way of Flat Shoals Road (60'r\w), thence in a south westerly direction 1145.20 feet along the south right-of-way of Flat Shoals Road to a point at the true point of beginning.

THENCE leaving said right-of-way South 03 degrees 07 minutes 00 seconds West for a distance of 362.28 feet to an IPF 5\8"RB;

THENCE South 02 degrees 37 minutes 21 seconds West for a distance of 89.78 feet to an IPF 5\8"RB;

THENCE South 69 degrees 17 minutes 51 seconds West for a distance of 420.00 feet to a point;

THENCE North 02 degrees 36 minutes 44 seconds East for a distance of 249.65 feet to an IPF 5\8"RB;

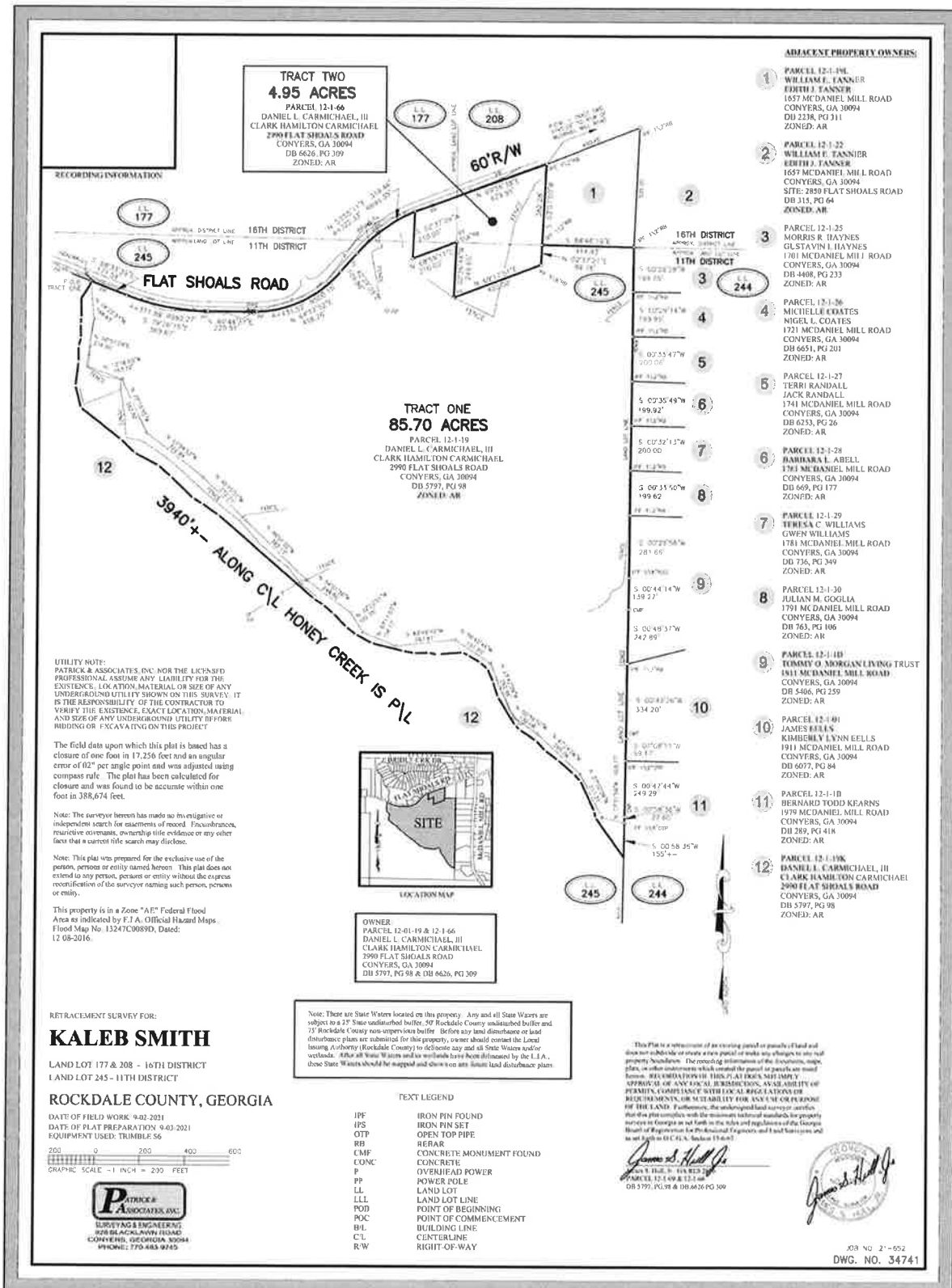
THENCE South 68 degrees 59 minutes 17 seconds West for a distance of 210.00 feet to a point;

THENCE North 02 degrees 37 minutes 09 seconds East for a distance of 210.00 feet to a point on the south right-of-way of Flat Shoals Road;

THENCE along said right-of-way North 69 degrees 56 minutes 38 seconds East for a distance of 629.95 feet to a point at the true point of beginning.

Said property contains 4.95 acres.

**Exhibit "B"**  
**Boundary Survey**



**Exhibit "C"**  
**Conditions of Zoning**

**1. To restrict the use of the property as follows:**

- A. The Proposed Lot Sketch prepared by Patrick & Associates, Inc., dated September 3, 2021, shall become the guiding layout and design. The actual location of the water quality and stormwater management facilities, streets, sidewalks, amenity areas, and other depicted improvements shall be subject to actual site conditions and the requirements of the Code of Rockdale County, including those that are not shown.
- B. The applicant shall provide a Traffic Impact Study with the Preliminary Plat. Any recommendations for improvements shall be required to be shown on the Land Disturbance Permit (LDP). Additionally, as determined by Rockdale County Department of Transportation, a new study may be required for the development. Any recommendations for improvements from any new studies shall be required to be shown on the LDP.
- C. The Covenants, Conditions, and Restrictions shall include a clause to limit the maximum number of homes that can be rented or leased within the development at any one time to be no more than 5 percent

**Exhibit "D"**  
**Concept Plan**

