

AN ORDINANCE TO AMEND THE OFFICIAL ZONING DISTRICT MAP OF ROCKDALE COUNTY, AS AMENDED, BY REZONING 2405 SE SALEM ROAD, CONYERS, GA 30094 FROM O-I (OFFICE INSTITUTIONAL) TO SRC-NC (SALEM ROAD CORRIDOR-NEIGHBORHOOD COMMERCIAL) FOR COMMERCIAL DEVELOPMENT; 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:

REZONING CASE NO. 2023-04	Rezone from OI (Office Institutional) to SRC-NC (Salem Road Corridor Neighborhood Commercial) for a commercial development		
APPLICANT:	John Andrew Nix		
PROPERTY OWNER:	Main Street Saving Bank FSB		
LOCATION:	2405 SE Salem Road		
LAND LOT(S):	215	DISTRICT:	10 th
TAX PARCEL NO.:	077001001H	TOTAL ACREAGE:	1.02

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 designates said property as Mixed Use/Employment Center, which pursuant to Section 202-6 permits the NC 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 1.02-acre property, more particularly described in the Legal Description attached hereto as Exhibit "A" depicted as "Proposed Main Tract" on the ALTA/NSPS Land Title Survey attached hereto as Exhibit "B" and as seen in the site plan attached hereto as Exhibit "C".

Section II

The zoning amendment authorized in Section I is approved subject to all conditions, including any conditions of zoning, attached hereto as Exhibit "D", which is hereby incorporated by this reference and applies to the 1.02-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 9th day of May, 2023.

**ROCKDALE COUNTY, GEORGIA
BOARD OF COMMISSIONERS**

OPPOSED

Oz Nesbitt, Sr., Chairman

[Signature]

Sherri L. Washington, Commissioner Post I

[Signature]

Dr. Doreen Williams, Commissioner Post II

Attest:

[Signature]

By: _____
Jennifer Rutledge, County Clerk

Approved as to Form:

[Signature]

By: _____
M. Qader A. Baig, County Attorney

First Reading: 2/28/2023

Second Reading: 5/9/2023

Exhibit "A"
Legal Description

RECORD DESCRIPTION

The Land is described as follows:

All that tract or parcel of land lying and being in Land Lot 215 of the 10th District, Rockdale County, Georgia, and being more particularly described as follows:

Beginning at the point of intersection of the Southwestern right-of-way line of Salem Road (having an 80-foot right-of-way width) with the Northwestern right-of-way line of Ellington Road (having a 60-foot right-of-way width) running thence along said Northwestern right-of-way line of Ellington Road the following courses and distances: South 62 degrees 39 minutes 36 seconds West a distance of 102.13 feet to a point, South 63 degrees 18 minutes 34 seconds West a distance of 40.02 feet to a point, South 65 degrees 02 minutes 59 seconds West a distance of 50.04 feet to a point, and South 67 degrees 13 minutes 30 seconds West a distance of 45.90 feet to a point, thence leaving said right-of-way line run North 22 degrees 44 minutes 13 seconds West a distance of 197.69 feet to a point, run thence North 67 degrees 15 minutes 47 seconds East a distance of 242.00 feet to a point located on the Southwestern right-of-way line of Salem Road; run thence along the Southwestern right-of-way line of Salem Road South 21 degrees 22 minutes 52 seconds East a distance of 184.82 feet to a point located at the intersection of said right-of-way line with the Northwestern right-of-way line of Ellington Road, said point being the True Point of Beginning.

The above described property contains 1.0629 acres and is more particularly shown on that Boundary Survey for The Citizens and Southern National Bank prepared by Travis N. Pruitt, Sr., Georgia Registered Land Surveyor No. 1729, Travis Pruitt & Associates, P.C., dated December 13, 1988, last revised January 31, 1989.

Together With rights of ingress and egress contained in that certain Easement Agreement by and between Atlanta Suburbia, Ltd., and The Citizens and Southern National Bank dated February 3, 1989, recorded in Deed Book 457, Page 238, Rockdale County, Georgia Records.

THE LANDS SURVEYED, SHOWN AND DESCRIBED HEREON ARE THE SAME LANDS AS DESCRIBED IN THE TITLE COMMITMENT PROVIDED BY FIDELITY NATIONAL TITLE INSURANCE COMPANY, COMMITMENT NO. 5130098-D-GA-CP-GRS, DATED OCTOBER 05, 2022.

Exhibit "B"
ALTA/NSPS Land Title Survey

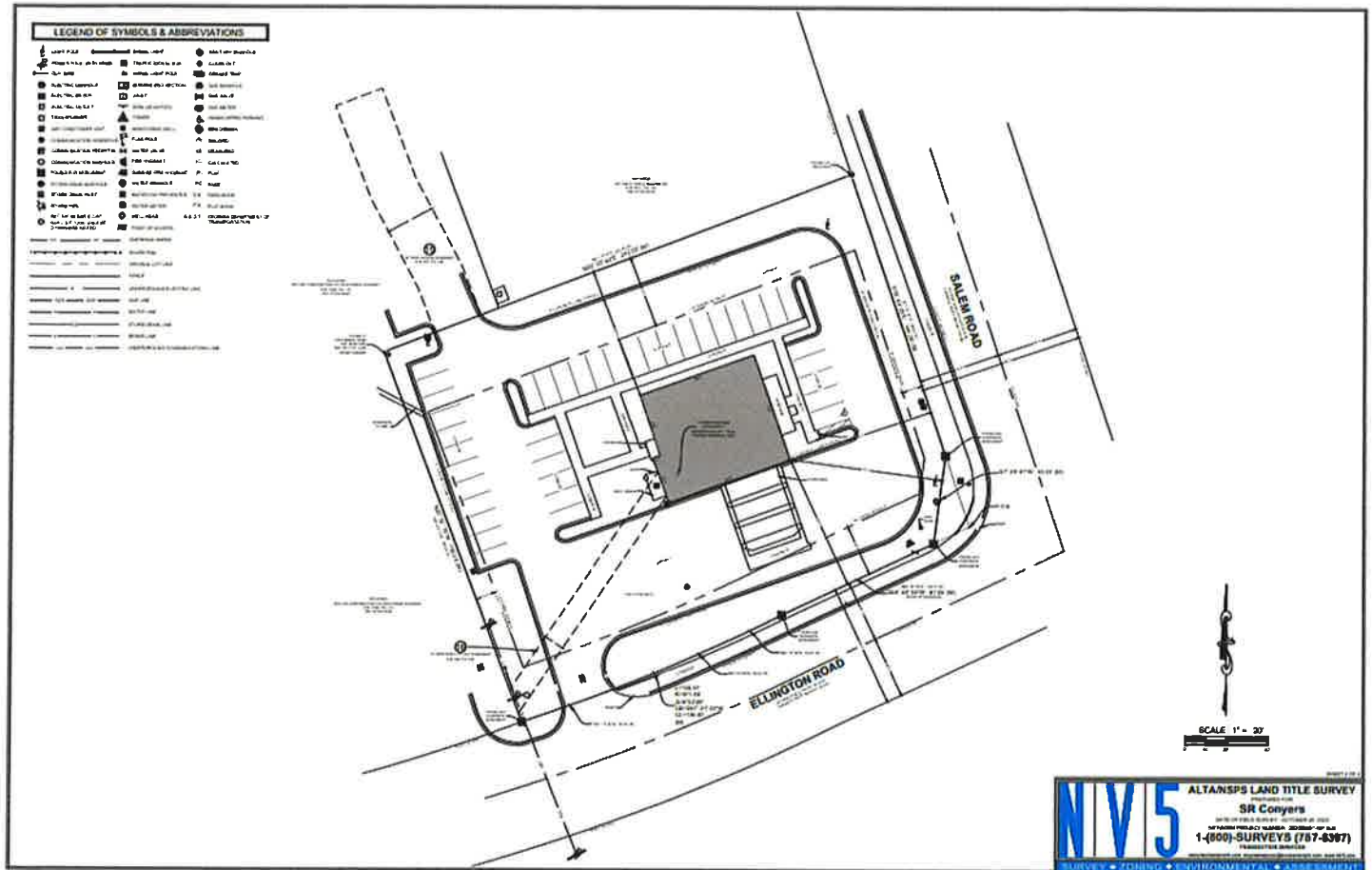


Exhibit "D"
Zoning Conditions

Final

1. The site shall be developed in compliance with the NC (Neighborhood Commercial) Zoning District and SRCO (Salem Road Corridor Overlay).
2. Existing five-foot-wide concrete sidewalks along the Salem Road and Ellington Road Rights-of-Way to remain or to be reinstated.
3. Existing landscaped buffer adjacent to O-I (Office-Institutional) zoned property to remain or to be reinstated.
4. Parking lot shall incorporate landscaped areas covering at least 15 percent of the surface area. Parking lot shall be landscaped such that every parking space is no more than 50 feet from a shade tree or street tree.
5. Principal building entrances shall be oriented to public streets wherever possible. Building materials for facades oriented to public streets shall be constructed of brick, stone, stucco, wood siding or similar material approved by the director. Metal siding, vinyl siding, and standard concrete block are prohibited.
6. At least 40 percent of non-residential facades facing boulevards must be clear glass.
7. Dumpsters shall be placed on a concrete pad and screened by an opaque fence or wall that is a minimum of eight feet in height. Dumpsters shall only be located in the area between the rear of the principal structure and the rear lot setback line, or between the side of the principal building and the side lot setback line.
8. Provide one off-street loading space. Loading spaces shall be 10 feet in width and 30 feet in length. Off-street loading shall be limited to the area between the rear of the principal structure and the rear lot setback line, or between the side of the principal building and the side lot setback line.
9. All utilities shall be placed underground.
10. The site shall be restricted to those uses within the NC (Neighborhood Commercial) Zoning District except that drive-through services and convenience markets shall be prohibited.