

AN ORDINANCE PURSUANT TO SECTION 238-6 OF THE ROCKDALE COUNTY UNIFIED DEVELOPMENT ORDINANCE, AS AMENDED, TO AUTHORIZE A SPECIAL USE PERMIT FOR RODEO (OUTDOOR FACILITY) AT 375, 385 AND 460 W HIGHTOWER TRAIL, CONYERS, GA, 30012; TO REPEAL CONFLICTING ORDINANCES; AND FOR OTHER PURPOSES.

WHEREAS, an application for a zoning decision, specifically Special Use Permit No. 2023-02, on certain property described below was filed with Rockdale County, Georgia, which involved the following:

SPECIAL USE PERMIT CASE NO. 2023-02	Authorize a special use permit for the operation of a Rodeo (outdoor facility) located at 375, 385, and 460 W Hightower Trail.		
APPLICANT:	Brandon Cabrera and Fidel Cabrera		
PROPERTY OWNER:	Bandon Cabrera and Fidel Cabrera		
LOCATION:	375, 385 and 460 W Hightower Trail		
LAND LOT(S):	331, 309 and 310	DISTRICT:	4 th and 16 th
TAX PARCEL NO.:	0530010089, 053001071B and 0530010071 or 0530010126	TOTAL ACREAGE:	106.49

WHEREAS, said proposal was reviewed by staff and public hearings were held following public notice and all other requirements of Section 238-6 of The Unified Development Ordinance of Rockdale County, Georgia, as amended;

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

Section I

Pursuant to the provisions of Section 238-6 of the UDO, Special Use Permit 2023-02 for an outdoor recreational facility per zoning regulations listed under Section 218-1 Table of Permitted Uses is hereby granted on said property, more particularly described in the deed attached hereto as Exhibit "A" and depicted on the final plat attached hereto as Exhibit "B".

Section II

The Special Use Permit authorized in Section I is approved subject to all conditions, including any conditions of zoning, attached hereto as Exhibit "C", which is hereby incorporated by this reference. All permits issued pursuant to this Special Use Permit shall be in strict compliance with these conditions, as well as all other applicable provisions of the Code of Rockdale County. The Special Use Permit hereby approved does not authorize the violation of any zoning district regulations, nor grant any variances from said 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 authorization of Special Use Permit 2023-02 on said property as 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 13th day of June, 2023.

**ROCKDALE COUNTY, GEORGIA
BOARD OF COMMISSIONERS**



Osborn Nesbitt, Sr., Chairman

opposed

Sherri L. Washington, 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: May 9, 2023

Second Reading: June 13, 2023

Exhibit "A"
Legal Description

PROPERTIES LEGAL DESCRIPTIONS

PROPERTY#1 ADDRESS: 460 NW WEST HIGHTOWER TR CONYERS, GA 30012

TAX PARCEL ID#0530010071 (2 LOTS)

THAT CERTAIN TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 309,310,311, 4TH & 16TH
DISTRICT, ROCKDALE COUNTY, GEORGIA AND SAID TRACT OR PARCEL CONTAINS 65.05 + 17.92 FOR A
TOTAL OF **82.97 ACRES**

PROPERTY #2 ADDRESS: 375 NW WEST HIGHTOWER TRL CONYERS, GA 30012

TAX PARCEL ID# 0530010089 / 0530010121

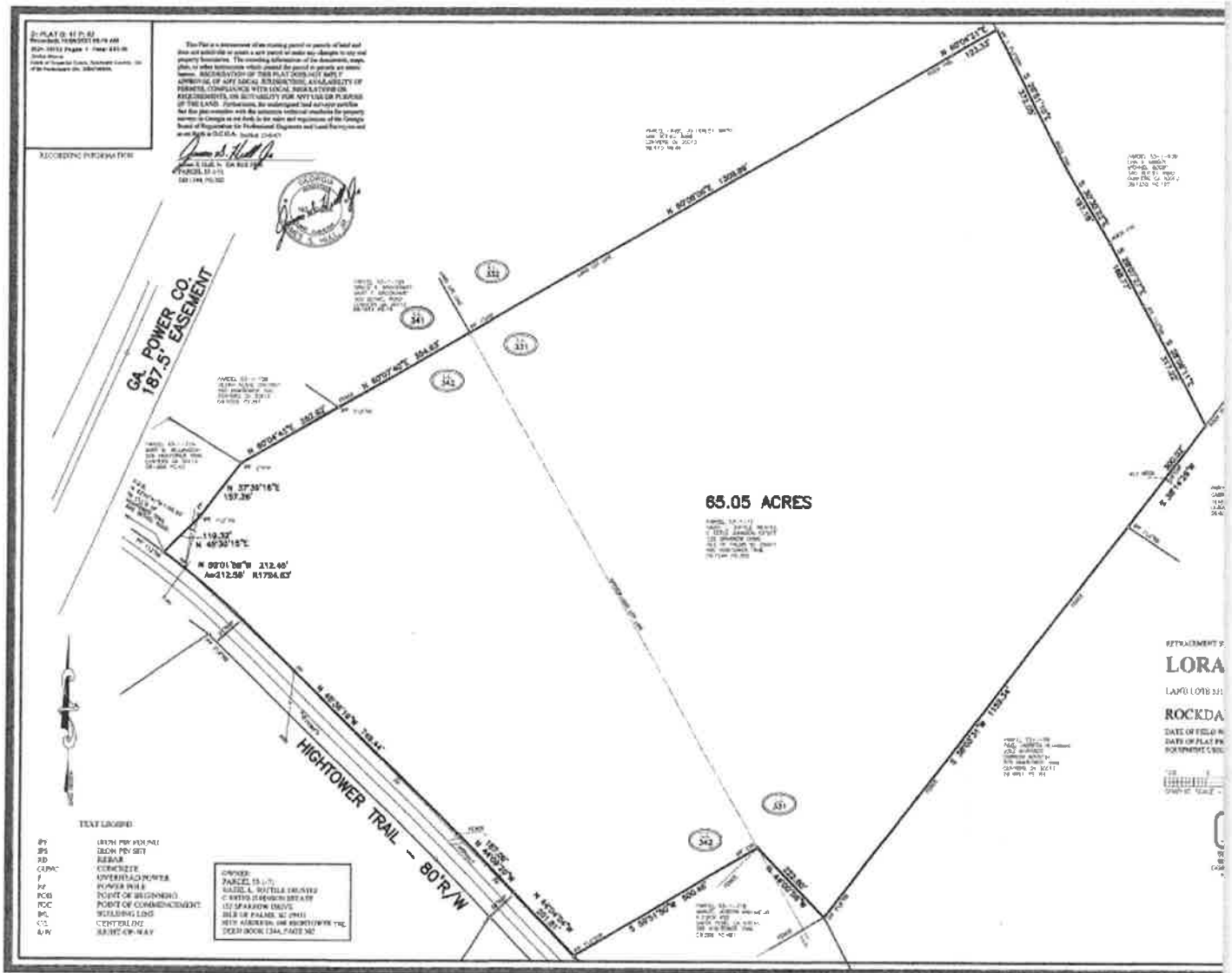
THAT CERTAIN TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 331, 4TH DISTRICT,
ROCKDALE COUNTY, GEORGIA AND SAID TRACT OR PARCEL CONTAINS **20.94 ACRES**

PROPERTY #3 ADDRESS: 385 NW WEST HIGHTOWER TR CONYERS, GA 30012

TAX PARCEL ID# 053001071B

THAT CERTAIN TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 332, 4TH DISTRICT,
ROCKDALE COUNTY, GEORGIA AND SAID TRACT OR PARCEL CONTAINS **2.52 ACRES**

Land Surveys



D: PLAT BY 41 P: 66
 Recorded: 05/05/2021 05:03 PM
 0021-10076 Pages: 1 Page: 016.00
 Jordan Olson
 Draft or Surveyor Stamp, Blount County, GA
 of the Professional No. 00070000.

RECORDING INFORMATION

PARCEL 53-1-710
 JACOBSON, GABRIELLA & C/ALS
 511 HIGHTOWER TRAIL
 CONVEYED GA 00012
 08-4255 PG.117



PERMITS
 L.L.L.

PARCEL 53-1-710
 JACOBSON, GABRIELLA & C/ALS
 511 HIGHTOWER TRAIL
 CONVEYED GA 00012
 08-4255 PG.117

TEXT LEGEND

- BPF IRON PIN FOUND
- BPS IRON PIN SET
- RL REBAR
- CONC CONCRETE
- PH FIRE HYDRANT
- FND FOUND
- L.L.L. LAND LOT LINE
- P OVERHEAD POWER
- PP POWER POLE
- RCP REINFORCED CONCRETE PIPE
- V VALVE
- POB POINT OF BEGINNING
- POC POINT OF COMMENCEMENT
- BL. BUILDING LINE
- CL. CENTERLINE
- R/W RIGHT-OF-WAY

OWNER:
 PARCEL 53-1-710
 MAZEL L. BOTTLE TRUSTEE
 C ESTER JOHNSON ESTATE
 132 SPARROW DRIVE
 MILLER OF PALM, SC 29401
 SITE ADDRESS: 400 HIGHTOWER TRAIL
 DEED BOOK 1244, PAGE 302

17.92 ACRES

GA POWER CO. 187.5' EASEMENT

P.B.E.
 N 50°25'42"W 1190.51'
 TO D.V.S. OF
 HIGHTOWER TRAIL &
 WHITE HOME

PARCEL 53-1-710
 ACTING VLSA-MAZEL
 300 HIGHTOWER TRAIL
 CONVEYED GA 00012
 08-5073 PG.302

310
 309

PARCEL 53-1-710
 JACOBSON, GABRIELLA & C/ALS
 511 HIGHTOWER TRAIL
 CONVEYED GA 00012
 08-4255 PG.117

This Plat is a representation of existing parcel or parcels of land and does not establish or create new parcel or make any changes to any and property boundaries. The recording information of the documents, maps, plans, or other instruments which create the parcel or parcels are shown hereon. RECORDATION OF THIS PLAT DOES NOT IMPLY APPROVAL OF ANY LOCAL JURISDICTION, AVAILABILITY OF PERMITS, COMPLIANCE WITH LOCAL REGULATIONS OR REQUIREMENTS, OR SUITABILITY FOR ANY USE OR PURPOSE OF THE LAND. Furthermore, the undersigned land surveyor certifies that this plat complies with the minimum technical standards for property surveys in Georgia as set forth in the rules and regulations of the Georgia Board of Registration for Professional Engineers and Land Surveyors and is set forth in O.C.G.A. Section 15-4-41.

James S. Hall, Jr.
 PARCEL 53-1-710
 08-1344, PG.303



UTILITY NOTE:
 PATRICK & ASSOCIATES, INC.
 PROFESSIONAL ASSAULT ANY
 EXISTENCE, LOCATION, DATE
 UNDERGROUND UTILITY LINE
 IS THE RESPONSIBILITY OF THE
 VERIFY THE EXISTENCE, EXACT
 AND SIZE OF ANY UNDERGROUND
 BEDDING OR EXCAVATION ON

The field data upon which this closure of one foot is 49,767 error of 0.1" per angle point in compass rate. The plat has a closure and was found to be 1 foot in 1,117,204 feet.

Note: The surveyor herein has no independent check for accuracy relative to previous, ownership of data that a current title search may

Note: This plat was prepared for C person, person or entity named is stated in any person, person or a recordation of the surveyor name or entity

This property is in zone "K" as indicated by P.L.A. Official Survey Map No. 1124700002D, District: 1

RETRACEMENT SURVEY FOR:
LORAIN SC

LAND LOTS 309 & 310 - 16TH DE

ROCKDALE COUNTY

DATE OF FIELD WORK: 9-23-2021
 DATE OF PLAT PREPARATION: 9-23-2021
 EQUIPMENT LISTED: TRIMBLE S5



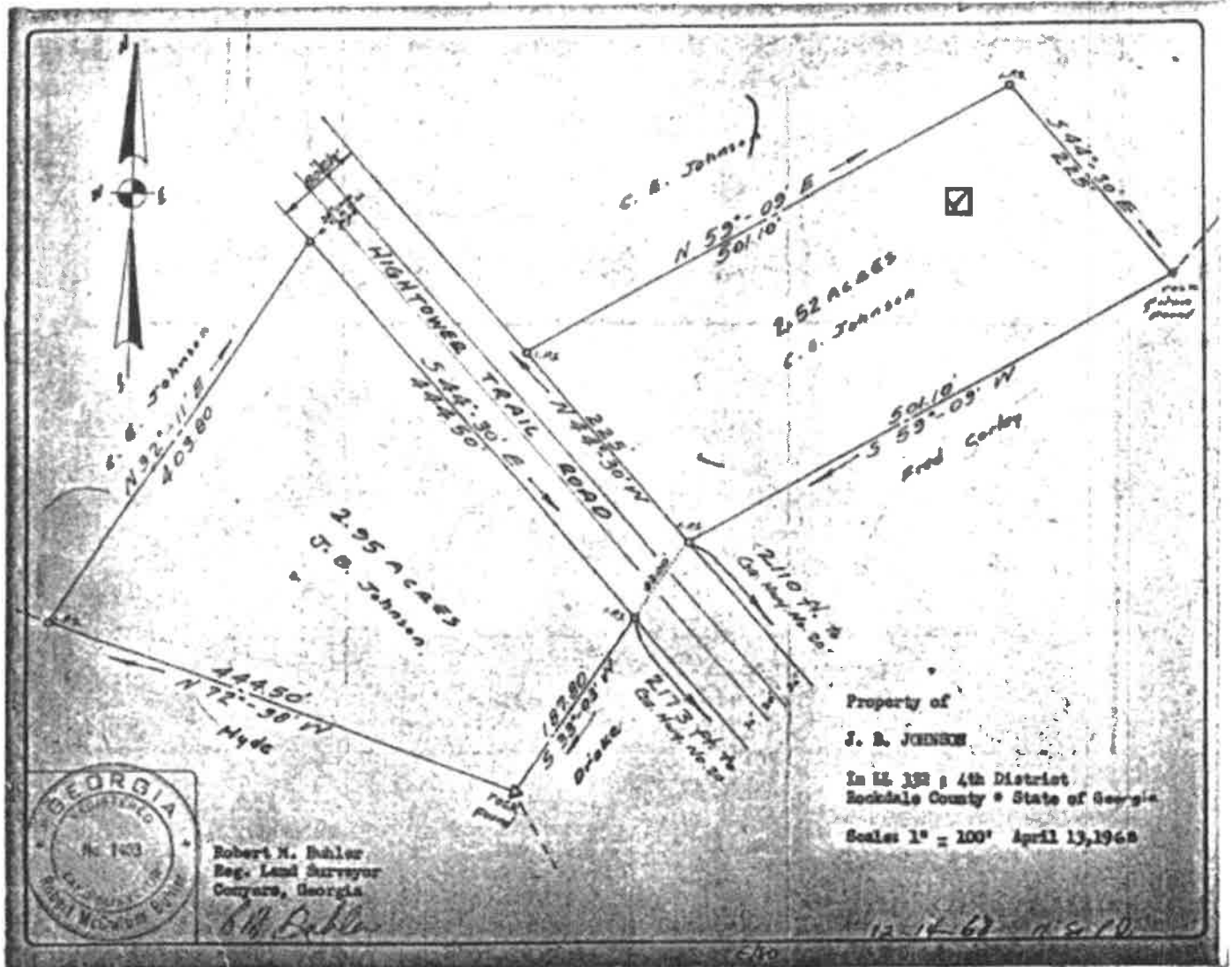


Exhibit "C"
Zoning Conditions

1. The site and associated activities shall be restricted to the Agricultural Residential (A-R) zoned parcels and associated areas.
2. The applicant shall abide by all required setback standards as established by the Unified Development Ordinance for the A-R zoning District.
3. No outdoor recreational activities are permitted within the Watershed Protection (W-P) zoned areas of parcel 0530010071 located at 460 W Hightower Trail.
4. The development shall abide by all applicable standards of the A-R and W-P zoning Districts in the Unified Development Ordinance, unless otherwise specified in these conditions or through approval of a variance by the Zoning Board of Appeals.
5. The site and appropriate activities must adhere to the standards of use and development per Sec.218-13(xx).
6. An environmental-acoustical study shall be submitted to the director for review and approval. Noise levels shall not exceed 65 decibels, dbA measured at property lines. Where there are exceedances from the proscribed noise level standard, the applicant shall perform mitigation measures to ensure noise meets the 65-decibel range.
7. For any structure taller than 35 feet, the applicant shall prepare a view shed analysis to be reviewed and approved by the director to demonstrate that such structures will not be visible year-round from the windows or yard of any single-family residential property.
8. All outdoor equipment taller than 35 feet shall be setback at least 75 feet from property lines.
9. An eight-foot-high fence with gates must be installed and kept locked except when the facility is open to the public.
10. Each parcel utilized for the operations of the rodeo, shall have at least one approved entrance to a street classified by Rockdale County as an arterial (meeting all required UDO Standards and receiving all required permits) before any scheduled events can be held.
11. A 100-foot buffer shall be maintained adjacent to all abutting residentially zoned property.
12. Outdoor activities shall be limited to the hours of 10am to 10 p.m.
13. Lighting shall be contained in cut-off type luminaries and shall be directed in toward the property so as not to shine directly into adjacent properties or rights-of-way.
14. The applicant shall submit a traffic control plan to the RDOT 30 days prior to each scheduled event for approval.
15. The applicant shall provide a schedule of activities indicating dates in which the rodeo events are planned to occur, three (3) months prior to the first event being held through a mail out to neighboring residents with language approved by the Director of Planning and Development, and a letter of notification to the County. Any changes to planned events should notify neighboring residents, and County staff 30 days in advance.
16. The applicant shall provide an improved driveway for parcel 0530010071 permitted in accordance with Sec 332-3 and Sec 302-50 of the Unified Development Ordinance (UDO) three (3) months prior to holding any events on said parcel, if approved for a special use permit by the Board of County Commissioners.
17. The applicant shall provide a minimum of 210 parking spaces in accordance with all requirements Chapter 222 Off Street Parking Standards. All parking areas shall be paved with asphalt, concrete or pervious materials. Recommended pervious paving materials include those described in Volume 2 - Technical Handbook of the Georgia Stormwater Management Manual (First Edition, August 2001) as the porous concrete or modular porous paver systems under the limited application stormwater structural controls (Sec 222-2).

18. The applicant must provide a detailed plan for events intended for parcels 0530010089 and 053001071B in the form of an application for a special use permit, to be reviewed and approved in accordance with Sec. 238-6, before any related recreational activities can be permitted to occur on these sites.
19. Prior to the start of operations, obtain any necessary permits to bring the proposed structure and property up to code for the intended occupancy.
20. The applicant shall submit an accessory building permit application for review and approval in accordance with Sec 218-7 three (3) months prior to holding any events on said parcel, if approved for a special use permit by the Board of County Commissioners.
21. Billboards or oversized signs shall be prohibited.
22. No tents, canopies, temporary banners, streamers or roping decorated with flags, tinsel, or other similar material shall be displayed, hung, or strung on the site. No decorative balloons or hot-air balloons shall be displayed on the site. Yard and/or bandit signs, sign-walkers and sign-twirlers shall be prohibited.
23. Outdoor storage shall be prohibited.
24. Dumpsters shall be screened by a 100% opaque brick or stacked stone wall with an opaque metal gate enclosure. Hours of dumpster pick-up shall be limited to between 7:00 a.m. and 7:00 p.m.
25. The Special Use Permit authorizes no more than four events and shall be valid for a one-year period, at which time the use shall be ceased or the Special Use Permit must be renewed.
26. Peddlers and/or parking lot sales shall be prohibited.
27. The applicant is to provide a site development plan in accordance with Sec 302-24, and show parking areas, the W-P District Boundary, existing wetlands, environmentally sensitive areas, historic structures in relation to planned rodeo activities for parcel 05300100 for Director of Planning and Development approval.