

AN ORDINANCE TO AMEND THE OFFICIAL ZONING DISTRICT MAP OF ROCKDALE COUNTY, GEORGIA, AS AMENDED, BY REZONING 0 FLAT SHOALS ROAD SE FROM SRC-CID (SALEM ROAD CORRIDOR-CIVIC INSTITUTIONAL) TO SRC-MXD (SALEM ROAD CORRIDOR-MIXED USE 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. 2023-14	Rezone 2.67-acre site from SRC-CID (Salem Road Corridor-Civic Institutional) to SRC-MxD (Salem Road Corridor-Mixed Use Development) to allow for the development of a 17,200 square foot retail and office complex including a convenience store with gas		
APPLICANT:	John Andrew Nix		
PROPERTY OWNER:	Dipakbhai B. Mistry, Tejash M. Patel & Shailesh K. Shah		
LOCATION:	0 Flat Shoals Road SE, approximately 1000 feet east of Salem Road, Conyers, GA 30013		
LAND LOT(S):	234	DISTRICT:	10th
TAX PARCEL NO.:	093002023A		

WHEREAS, said rezoning proposal was reviewed by staff and public hearings 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.

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 amended to rezone the 2.67-acre property, more particularly described in the legal description attached hereto as Exhibit "A" and depicted on Exhibit "B" attached hereto, from SRC-CID (Salem Road Corridor-Civic Institutional) to SRC-MxD (Salem Road Corridor-Mixed Use Development).

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 applies to the 2.67-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 14th day of November, 2023.

**ROCKDALE COUNTY, GEORGIA
BOARD OF COMMISSIONERS**



Osborn Nesbitt, Sr., Chairman

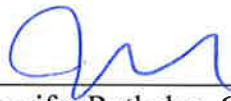
OPPOSED

Sherri L. Washington, Commissioner Post I

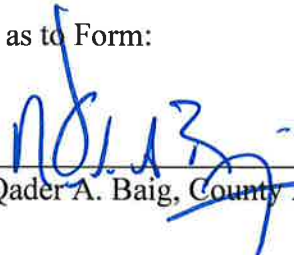


Dr. Doreen Williams, Commissioner Post II

Attest:

By: 
Jennifer Rutledge, County Clerk

Approved as to Form:

By: 
M. Qader A. Baig, County Attorney

First Reading: 10-10-2023

Ordinance No. #0-2023-26

REZ Case No. 2023-14

Second Reading: 11-14-2023

EXHIBIT "A"
LEGAL DESCRIPTION

presents, the receipt of which is hereby acknowledged, has granted, bargained, sold and conveyed unto the said parties of the second part, their heirs and assigns, all that tract or parcel of land.

All that tract or parcel of land lying and being in Land Lot 234 of the 10th District of Rockdale County, Georgia, and more fully and particularly described as follows:

BEGINNING at an iron pin corner located on the West right-of-way of Edwards Road (road leading from access road to I-20 to Flat Shoals Road) and the North right-of-way of Flat Shoals Road at that point where said rights-of-way intersect; thence in a Westerly direction along the North right-of-way of Flat Shoals Road the following courses, to-wit: South 80 degrees 45 minutes 20 seconds West 416.5 feet to a point; South 89 degrees 23 minutes 40 seconds West 222.8 feet to an iron pin corner found located at that point where the North right-of-way of Flat Shoals Road changes to a fifty foot right-of-way; thence North 00 degrees 32 minutes 30 seconds East 164.7 feet to an iron pin corner; thence North 89 degrees 23 minutes 40 seconds East 271.8 feet to an iron pin corner; thence North 01 degrees 09 minutes 17 seconds East 75 feet to an iron pin corner; thence South 88 degrees 50 minutes 40 seconds East 376.5 feet to an iron pin corner located on the West right-of-way of said Edwards Road; thence South along the West right-of-way of said Edwards Road South 03 degrees 08 minutes West 223.9 feet to an iron pin at the point of beginning.

The above described property is more fully and particularly described on plat prepared for Farris Neil Edwards, III, by Louie D. Patrick, Registered Land Surveyor #1757, dated May 15, 1975, recorded in Plat Book L, Page 265, Clerk's Office, Rockdale County, Georgia, and said plat is here by reference incorporated in and made a part hereof.

TO HAVE AND TO HOLD the said tract or parcel of land, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of the said parties of the second part, their heirs and assigns, forever, in Fee Simple.

AND THE SAID party of the first part his heirs, executors and administrators, will warrant and forever defend the right and title to the above described property, unto the said parties of the second part, heirs and assigns, against the claims of all persons owning, holding or claiming by, through or under the said party of the first part.

IN WITNESS WHEREOF, the said party of the first part has hereunto set hand and seal, the day and year above written.

Signed, sealed and delivered

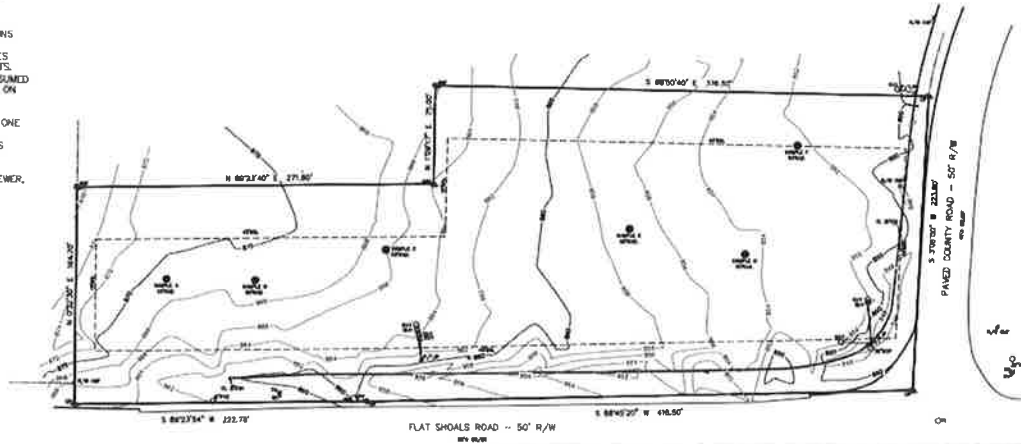
EXHIBIT "B"

Survey

ALL MATTERS OF TITLE ARE EXCEPTED, THIS PLAT IS SUBJECT TO ALL LEGAL EASEMENTS AND RIGHTS-OF-WAY PUBLIC OR PRIVATE.
 NOTE: PROPERTY LINES SHOWN ON THIS MAP/PLAT REPRESENT PHYSICAL FIELD CONDITIONS BY EVIDENCE OF APPARENT POSSESSION (IRON PINS FOUND, OLD & ESTABLISHED FENCE LINES, OLD WALL LINES, SHRUB & HEDGE LINE, HOUSE LOCATIONS, ETC.) THEY MAY DIFFER AND BE IN CONFLICT WITH EVIDENCE FOUND AT THE APPLICABLE COUNTY COURTHOUSE, THEY MAY ALSO DIFFER FROM OTHER SURVEYOR OPINIONS AND/OR NEIGHBORS SURVEYS/PLATS. A FULL LAND TITLE REPORT OPINION ON ALL PROPERTIES, INCLUDING ADJACENT AND CONTIGUOUS PROPERTIES MAY BE NEEDED TO RESOLVE ALL POSSIBLE PROPERTY LINE DISPUTES OR DISCREPANCIES.
 THIS MAP/PLAT WAS MADE WITHOUT THE BENEFIT OF A CURRENT TITLE COMMITMENT. EASEMENTS AND ENCUMBRANCES MAY EXIST WHICH BENEFIT AND BURDEN THIS PROPERTY. THIS MAP/PLAT IS SUBJECT TO REVISIONS AND UPDATE UPON RECEIPT OF SAID TITLE COMMITMENT.
 BUILDING LINES SHOWN HEREON DERIVED FROM VARIOUS ONLINE SOURCES. THEY MAY BE IN CONFLICT WITH OR DIFFER FROM INTERPRETATIONS OF GOVERNING AUTHORITIES. IT IS THE CLIENT'S OBLIGATION TO CONFIRM WITH PERMITTING AGENCIES BASED ON THEIR SPECIFIC CONSTRUCTION PROJECTS.
 THIS MAP/PLAT HAS BEEN FIELD RUN WITH ASSUMED ELEVATIONS, THEN ADJUSTED TO NAVD 88 BASED ON MULTIPLE OBSERVATIONS FROM GOOGLE EARTH SATELLITE IMAGERY OR OTHER ONLINE SOURCES. THE ELEVATIONS SHOWN HEREON ARE +/- 1' (± ONE FOOT).
 TREE SYMBOLS ARE NOT TO SCALE. TREE SYMBOLS REPRESENT POSITION OF TREE & ARE NOT THE CRITICAL ROOT ZONE (NOT DRILLABLE).
 NOTE: ANY & ALL UNDERGROUND UTILITIES, I.E. SEWER, STORM, GAS, WATER, ETC., HAVE NOT BEEN FIELD LOCATED BY CONVENTIONAL SURVEY METHODS.

NO.	DESCRIPTION	DATE
1	1.00 AC. 100' x 100' 0.00	10/1/2023
2	2.00 AC. 100' x 100' 0.00	10/1/2023
3	3.00 AC. 100' x 100' 0.00	10/1/2023
4	4.00 AC. 100' x 100' 0.00	10/1/2023
5	5.00 AC. 100' x 100' 0.00	10/1/2023
6	6.00 AC. 100' x 100' 0.00	10/1/2023
7	7.00 AC. 100' x 100' 0.00	10/1/2023
8	8.00 AC. 100' x 100' 0.00	10/1/2023
9	9.00 AC. 100' x 100' 0.00	10/1/2023
10	10.00 AC. 100' x 100' 0.00	10/1/2023

NO DETERMINATION OF FLOOD HAZARD HAS BEEN MADE FOR THIS PROPERTY BY THIS SURVEYOR.
 * L E G E N D *
 NOTE: ALL ITEMS IN THIS LEGEND MAY NOT APPEAR ON THIS PLAT.
 AKA ALSO KNOWN AS
 APP AS PER DEED
 APP AS PER PLAT
 BSL BUILDING (SETBACK) LINE
 CP CORNER POINT
 CTP CRIMP TOP PIPE FOUND
 D DEED (BOOK/PAGE)
 DB DRIVEWAY
 EP EDGE OF PAVEMENT
 FFE FINISH FLOOR ELEVATION
 FKA FORMERLY KNOWN AS
 PF IRON PIN FOUND
 L ARC LENGTH
 LL LAND LOT
 LLL LAND LOT LINE
 N NEIGHBOR'S
 H/T NOW OR FORMERLY
 H/L WALL FOUND
 P PLAT (BOOK/PAGE)
 POB POINT OF BEGINNING
 POC POINT OF COMMENCEMENT
 R RADIUS LENGTH
 R/W RIGHT-OF-WAY
 RBF REINFORCING BAR FOUND (1/2" UNO)
 RBS 1/2" REINFORCING BAR SET
 SB SIDEWALK
 SSE SANITARY SEWER EASEMENT
 SSC SANITARY SEWER CLEANOUT
 -L- FENCE LINE
 ■■■ WALL



PLAT PREPARED FOR: 0 FLAT SHOALS RD	
DATE OF SURVEY: 10/1/2023 SURVEYOR: [Signature] SCALE: 1" = 100'	TITLE: [Signature] DATE: 10/1/2023 SCALE: 1" = 100'

EXHIBIT "C"

Approval with Conditions of the request to rezone from R-1 (Single-Family Residential District) to M-1 (Limited Industrial District) with the following recommended Conditions:

1. The site shall be developed in compliance with the MxD (Mixed-Use Development) Zoning District, if adopted.
2. The applicant shall provide a Traffic Impact Study prior to the submittal of an application for a Land Disturbance Permit (LDP). 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.
3. Natural vegetation shall remain on the property until the issuance of a development permit.
4. Provide five-foot-wide sidewalks along the Flat Shoals Road SE and Edwards Drive SE Right-of-Way. In addition, curb and gutter will be required along Flat Shoals Road SE.
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.
8. Provide one off-street loading space per building. 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.