

AN ORDINANCE TO AMEND THE OFFICIAL ZONING DISTRICT MAP OF ROCKDALE COUNTY, GEORGIA, AS AMENDED, BY REZONING 4105 SW EAST FAIRVIEW ROAD FROM C-1 (LOCAL COMMERCIAL) TO A-R (AGRICULTURAL-RESIDENTIAL); 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. 2024-13	Rezone 1.49 acres from C-1 (Local Commercial District) to A-R (Agricultural-Residential District) to allow the property to be used for agricultural purposes.		
APPLICANT:	Anita Hunnicutt		
PROPERTY OWNER:	Anita Hunnicutt		
LOCATION:	4105 SW East Fairview Road		
LAND LOT(S):	120	DISTRICT:	11 th
TAX PARCEL NO.:	0090010021		

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 Neighborhood Commercial.

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 1.49-acre property, more particularly described in the legal description attached hereto as Exhibit "A" and depicted on Exhibit "B" attached hereto, from C-1 (Local Commercial) to A-R (Agricultural-Residential).

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" which is hereby incorporated by this reference, and applies to the 1.49-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 10th day of September, 2024.

**ROCKDALE COUNTY, GEORGIA
BOARD OF COMMISSIONERS**



Osborn Nesbitt, Sr., Chairman

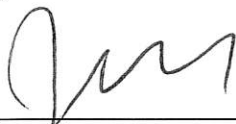


Sherri L. Washington, Commissioner Post I



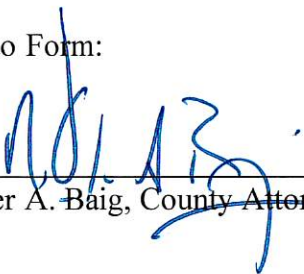
Dr. Doreen Williams, Commissioner Post II

Attest:



By: _____
Jennifer Rutledge, County Clerk

Approved as to Form:



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

First Reading: 7/23/24

Second Reading: 9/10/24

EXHIBIT "A"
LEGAL DESCRIPTION

Doc ID: 008534580008 Type: GLR
Filed: 12/27/2011 at 03:20:15 PM
Fee Amt: \$12.00 Page 1 of 3
Transfer Tax: \$0.00
Rockdale County Superior Court
Ruth A. Wilson Clerk
BK **5086** PG **37-39**

After recording, return
this instrument to:
Brochstein & Bantley, P.C.
827 Fairways Court, Suite 100
Stockbridge, Georgia 30281
DRAW DEED ONLY

WARRANTY DEED

STATE OF GEORGIA
COUNTY OF HENRY

THIS INDENTURE, made the 21st day of December, in the year two thousand eleven, between
WALTER A. STAPLES, as party or parties of the first part, hereinafter called Grantor, and **ANITA STAPLES
HUNNICUTT**, as party or parties of the second part, hereinafter called Grantee (the words "Grantor" and "Grantee"
to include their respective heirs, successors, and assigns where the context requires or permits).

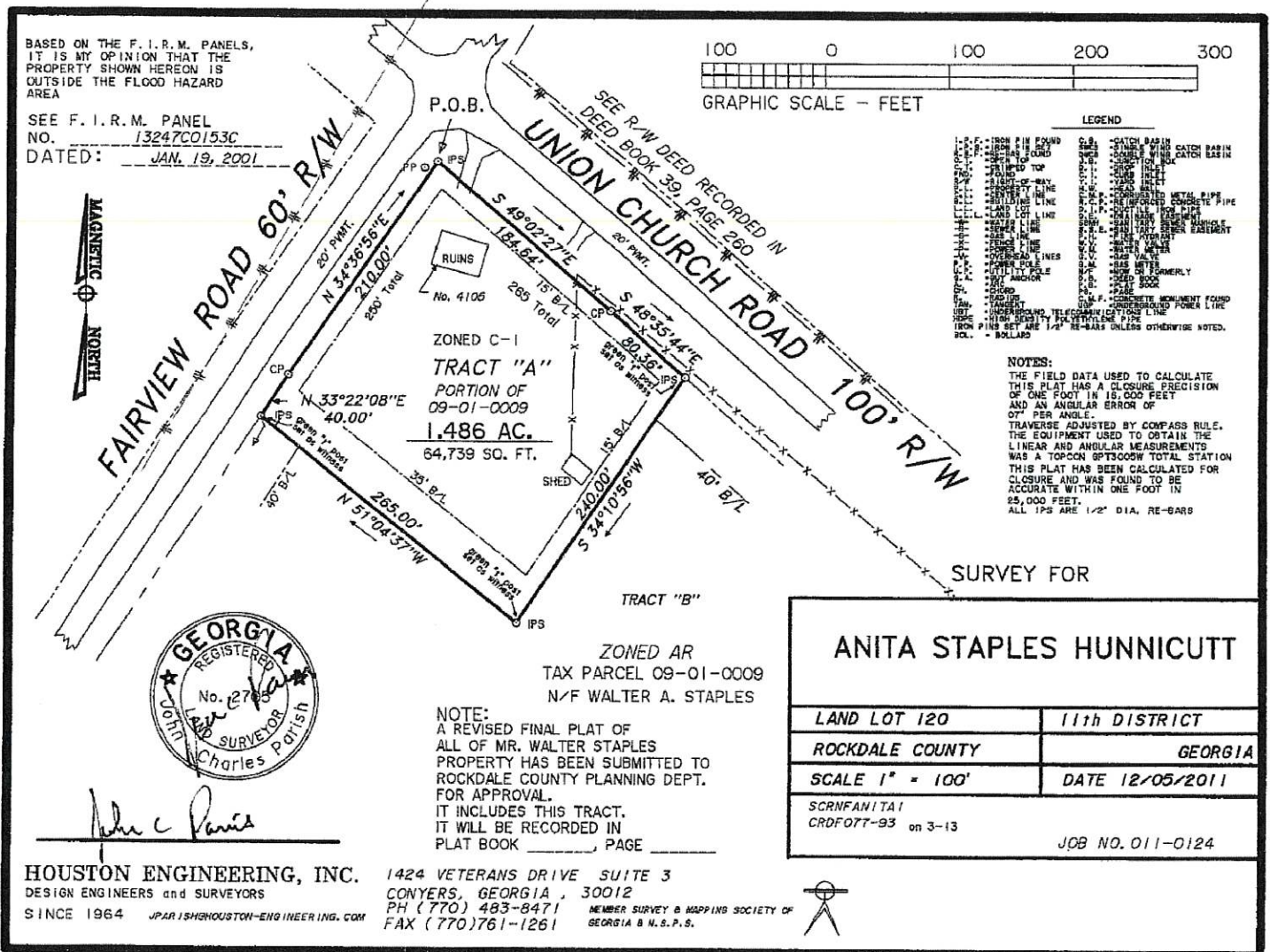
WITNESSETH that: Grantor, for and in consideration of the sum of TEN AND NO/100 (\$10.00)
DOLLARS in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby
acknowledged, has granted, bargained, sold, aliened, conveyed, and by these presents does grant bargain, sell, alien,
convey unto the said Grantee, the below described tract or parcel of land more fully and completely described as
follows:

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 120 OF THE 11TH
DISTRICT, ROCKDALE COUNTY, GEORGIA, BEING 1.486 ACRES, DESIGNATED AS TRACT "A" ON A
PLAT OF SURVEY PREPARED FOR WALTER A. STAPLES, BY JOHN CHARLES PARISH, RLS #2705,
DATED 12/5/11 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT AN IRON PIN LOCATED AT THE INTERSECTION OF THE SOUTHWESTERLY
RIGHT-OF-WAY LINE OF UNION CHURCH ROAD (100' R/W) WITH THE SOUTHEASTERLY RIGHT-OF-
WAY LINE OF EAST FAIRVIEW ROAD (60' R/W); THENCE SOUTHEASTERLY ALONG THE
SOUTHWESTERLY RIGHT-OF-WAY LINE OF UNION CHURCH ROAD, SOUTH 49 DEGREES 02
MINUTES 27 SECONDS EAST, 184.64 FEET TO A POINT; THENCE SOUTH 48 DEGREES 35 MINUTES 44
SECONDS EAST, 80.36 FEET TO AN IRON PIN; THENCE LEAVING THE SOUTHWESTERLY RIGHT-OF-
WAY LINE OF UNION CHURCH ROAD, SOUTH 34 DEGREES 10 MINUTES 56 SECONDS WEST, 240.00
FEET TO AN IRON PIN; THENCE NORTH 51 DEGREES 04 MINUTES 37 SECONDS WEST, 265.00 FEET
TO AN IRON PIN LOCATED ON THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF EAST FAIRVIEW
ROAD; THENCE NORTHEASTERLY ALONG SAID SOUTHEASTERLY RIGHT-OF-WAY LINE, NORTH 33
DEGREES 22 MINUTES 08 SECONDS EAST 40.00 FEET TO A POINT; THENCE NORTH 34 DEGREES 36
MINUTES 56 SECONDS EAST, 210.00 FEET TO AN IRON PIN AND THE TRUE POINT OF BEGINNING.

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 said Grantee forever in FEE SIMPLE.

EXHIBIT "B"
SURVEY PLAT



**EXHIBIT “C”
CONDITIONS**

Staff had no recommended conditions.

**Board of Commissioners
Agenda Item Transmittal Form
Ordinance Transmittal Form**



Type of Request: Rezone (REZ) 2024-13 – 2 nd Reading of Ordinance		County Clerk Use Only Ordinance #: 2024-18
☒ Submission Information Contact Name: Christopher Wheeler/Denise Tugman Department: Planning & Development	☒ Information Summary of Request: Case #REZ2024-13: A request by Anita Hunnicutt to rezone 1.49 acres from C-1 (Local Commercial District) to A-R (Agricultural-Residential District) to allow the property located at 4105 SW East Fairview Road to be used for agricultural purposes.	
☒ Department Director/Elected Official Signature I have reviewed the attached, and it is approved as to substance. Signature: <i>Christopher Wheeler</i> Date: 8/23/2024	☐ Chief of Staff Signature I have reviewed the attached, and it is approved for processing. Signature: _____ Date: _____	
☐ County Attorney Signature I have reviewed the attached, and it is approved as to form. Signature: _____ Date: _____	☐ Director of Legislative Affairs/County Clerk Signature I have reviewed the attached, and it is approved for processing. Signature: _____ Date: _____	
Notes and Comments: July 23, 2024: First Read Work Session July 23, 2024: First Read Voting Session Aug 8, 2024: Planning Commission Aug 22, 2024: BOC Zoning Public Hearing Sep 3, 2024: Second Read Work Session (CANCELED) Sep 10, 2024: Second Read Voting Session		