

Resolution of the Rockdale County Board of Commissioners to Accept the Withdrawal
of Rezoning Case #2025-05 Without Prejudice and Waive the 12 Month Prohibition on
Subsequent Amendment Applications on the Subject Site

Rezoning Case #2025-05 – An Ordinance to Amend the Official Zoning District Map of Rockdale County, Georgia, As Amended, By Rezoning 0 SE Parker Road from C-2 (General Commercial District) to C-1 (Local Commercial District) – Danny K. Hermann; To Impose Conditions Upon the Property; To Repeal Conflicting Ordinances; And For Other Purposes

WHEREAS, Rockdale County Code Section §238-4 authorizes an application to amend the official zoning map of Rockdale County by the owner of the property or an authorized agent of the owner; and

WHEREAS, Rockdale County Code Section §238-4 authorizes an application to amend the official zoning map of Rockdale County to be withdrawn by the owner of the property of an authorized agent of the owner prior to publication of the required legal advertisement; and

WHEREAS, the public hearing notice for Rezoning Case #2025-05 was properly noticed and published for consideration by the Rockdale Planning Commission and the Rockdale County Board of Commissioners; and

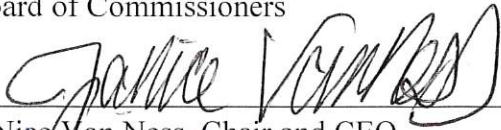
WHEREAS, the request to withdraw Rezoning Case #2025-05 was submitted by the authorized agent of the owner at the public hearing on June 26, 2025 after the publication of the legal advertisement; and

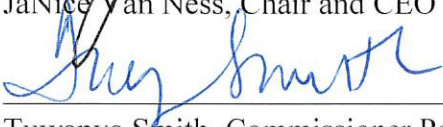
WHEREAS, Rockdale County Code Section §238-4 prohibits an application to amend the official zoning map within 12 months from the date of the final decision of the Board of Commissioners, unless the Board of Commissioners waives the 12 month interval by Resolution; and

NOW, THEREFORE, BE IT RESOLVED, by the Rockdale County Board of Commissioners that Rezoning Case #2025-05 be formally withdrawn from further consideration and the 12 month interval prohibiting subsequent application on the subject property if hereby waived.

Approved this 8th Day of July 2025.

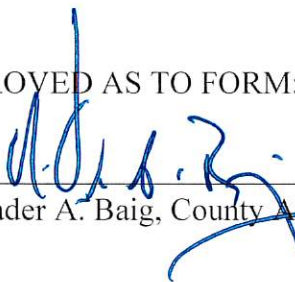
Rockdale County, Georgia
Board of Commissioners


JaNice Van Ness, Chair and CEO

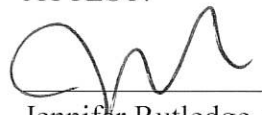

Tuwanya Smith, Commissioner Post I


Doreen Williams, Commissioner Post II

APPROVED AS TO FORM:


M. Qader A. Baig, County Attorney

ATTEST:


Jennifer Rutledge, County Clerk
Director of Government
Affairs

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



Type of Request: Rezone: REZ2025-05 – 2nd Reading of Ordinance		County Clerk Use Only Ordinance #:
☒ Submission Information	☒ Information	
Contact Name: Denise Tugman/LaShawn Gardiner Department: Planning & Development	Summary of Request: A request by Danny K. Herrmann to Rezone 1.327 acres on SE Parker Road from C-2 (General Commercial District) to C-1 (Local Commercial District) to allow an Assisted Living Facility. WITHDRAWN (by applicant)	
☒ Department Director/Elected Official Signature	☐ Chief Operating Officer Signature	
I have reviewed the attached, and it is approved as to substance. Signature: <i>LaShawn Gardiner</i> Date: 6/25/2025	I have reviewed the attached, and it is approved for processing. Signature: Date:	
☐ County Attorney Signature	☐ Executive Director of Government Affairs/County Clerk Signature	
I have reviewed the attached, and it is approved as to form. Signature: Date:	I have reviewed the attached, and it is approved for processing. Signature: Date:	
Notes and Comments: June 26, 2025: BOC Zoning Public Hearing July 8, 2025: BOC Meeting/Second Read		

AN ORDINANCE TO AMEND THE OFFICIAL ZONING DISTRICT MAP OF ROCKDALE COUNTY, GEORGIA, AS AMENDED, BY REZONING 0 SE PARKER ROAD FROM C-2 (GENERAL COMMERCIAL DISTRICT) TO C-1 (LOCAL COMMERCIAL DISTRICT); 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. REZ2025-05	Rezone 1.327 acres on SE Parker Road from C-2 (General Commercial District) to C-1 (Local Commercial District) to allow an Assisted Living Facility. WITHDRAWN (by applicant)		
APPLICANT:	Danny K. Herrmann		
PROPERTY OWNER:	Herrmann Properties LLC.		
LOCATION:	SE Parker Road		
LAND LOT(S):	242	DISTRICT:	10 th
TAX PARCEL NO.:	075001031A		

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 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 1.327-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 C-2 (General Commercial).

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 1.327-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 _____ day of _____, 2025.

**ROCKDALE COUNTY, GEORGIA
BOARD OF COMMISSIONERS**

JaNice Van Ness, Chair & CEO

Tuwanya C. Smith, 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: _____

Second Reading: _____

EXHIBIT "A"
LEGAL DESCRIPTION

LEGAL DESCRIPTION

All that tract or parcel of land lying and being in Land Lot 242, Land District 10, Rockdale County, Georgia State Plane West Zone, State of Georgia, being shown on a Survey for "Herrmann Properties, LLC", prepared by Garrett Land Surveying, LLC, dated 03/25/2024 and more particularly described as follows;

Beginning at an Iron Pin Set at the intersection of the eastern property line of current Rockdale County tax parcel 075001031A and the northern right of way margin of Parker Road SE Extension, said point having the following coordinates; 1,323,458.22, 2,341,075.59;
thence along said northern right of way margin the following calls,
N 84°04'28"W, 40.38 Feet,
thence N 51°35'36" W 56.11 Feet,
to a point of curve to the right having a radius of 656.99 Feet and being subtended by a chord of N 55°21'55" W, 93.81 Feet;
to a point of curve to the right having a radius of 485.50 Feet and being subtended by a chord of N 50°38'14" W, 77.36 Feet;
to a point of curve to the right having a radius of 650.29 Feet and being subtended by a chord of N 39°09'58" W, 97.44 Feet;
thence N 29°00'05" W, 35.55 Feet,
thence leaving said right-of-way margin N 60°59'55" E, 71.22 Feet,
thence S 88°33'21" E, 92.54 Feet,
thence N 61°26'39" E, 31.00 Feet,
thence S 88°33'21" E, 125.44 Feet to a point on the eastern property line of Rockdale Parcel 075001031A,
thence S 01°32'07" W, 92.90 Feet to a 1" spike;
thence S 01°26'39" W, 199.10 Feet, to the POINT OF BEGINNING;

Said Tract containing 57,832 Square Feet, (1.327 Acres);

EXHIBIT “C”
Conditions of Zoning

1. The proposed development must comply with all Rockdale County Land Disturbance requirements.
2. The proposed development must comply with all Rockdale County Standard Design and Construction Details.
3. The applicant shall abide by all applicable standards of the Unified Development Ordinance for the C-1 (Local Commercial) Zoning District, unless otherwise specified in these conditions or with the approval of a variance by the Board of Adjustments.
4. The developer shall provide a lighting plan for the site. Outdoor lighting shall be contained in cut-off type luminaries and shall be directed in, toward the property so as not to reflect into adjacent properties or rights-of-way.
5. The applicant shall provide a 20-foot-wide landscape strip adjacent to Parker Road SE right-of-way. Trees may be planted in groups rather than a single line.
6. The existing five-foot-wide concrete sidewalk shall remain adjacent to Parker Road SE right-of-way. Should the existing sidewalk be removed during land development, a new sidewalk shall be constructed in accordance with Sec. 332-9 of the Unified Development Ordinance.
7. No plans for ground signage were provided with this application. The proposed signage shall abide by the sign regulations found in Sec. 230-20 of the Unified Development Ordinance.
8. All utilities shall be placed underground.
9. Natural vegetation shall remain on the property until the issuance of a development permit.
10. All grassed areas shall be sodded.
11. Trees should be planted on the East and West side of the development to camouflage the aluminum fencing.