

AN ORDINANCE TO AMEND THE OFFICIAL ZONING DISTRICT MAP OF ROCKDALE COUNTY, GEORGIA, AS AMENDED, BY REZONING 1405 SW SMYRNA ROAD, 1375 SW SMYRNA ROAD, 1901 SW FLAT SHOALS ROAD, SW STILLMEADOW ROAD, 1301 SW STILLMEADOW ROAD, AND 1320 SW STILLMEADOW ROAD FROM R-1 (SINGLE-FAMILY RESIDENTIAL) TO CRS (COLLABORATIVE RESIDENTIAL SUBDIVISION) 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. REZ2025-06	To Rezone 53.32 acres from R-1 (Single-Family Residential) to CRS (Collaborative Residential Subdivision) located at 1405 SW Smyrna Road, 1375 SW Smyrna Road, 1901 SW Flat Shoals Road, SW Stillmeadow Road, 1301 SW Stillmeadow Road, and 1320 SW Stillmeadow Road, to develop a 94-lot, single-family residential subdivision. Deferred to July Zoning Public Hearing		
APPLICANT:	Rebecca Haynes		
PROPERTY OWNER:	Katherine C. Mackie, Marvin R. Brown, David R. Brown, Maranda Kate Hardeman, 1901 Flat Shoals Road LLC/Eileen Smith, and Rockdale Baptist Church of Conyers, Inc./Michael Goodard		
LOCATION:	1405 SW Smyrna Road, 1375 SW Smyrna Road, 1901 SW Flat Shoals Road, SW Stillmeadow Road, 1301 SW Stillmeadow Road, and 1320 SW Stillmeadow Road		
LAND LOT:	239, 240	DISTRICT:	16 th
TAX PARCEL NO.:	026001016A, 0260010017, 0260010010, 0260010072, 026001072B, 0260010004	TOTAL ACREAGE:	53.32

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 Medium Density Residential.

NOW, THEREFORE, be it ordained by the Board of Commissioners of Rockdale County, 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 53.32-acre property, more particularly described in the legal description attached hereto as Exhibit "A" and depicted on Exhibit "B" attached hereto, from R-1 (Single-Family Residential) to CRS (Collaborative Residential Subdivision).

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 53.32-acre property. All permits issued pursuant to this change in

zoning shall be in strict compliance with these conditions, as well as all the 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 9 day of September, 2025.

ROCKDALE COUNTY, GEORGIA

BOARD OF COMMISSIONERS

Abstained

JaNice Van Ness, Chair & CEO

Tuwanya C. Smith

Tuwanya C. Smith, Commissioner Post I

Doreen Williams

Dr. Doreen Williams, Commissioner Post II

Attest:

By: Jennifer Rutledge
Jennifer Rutledge, County Clerk

Approved as to Form:

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

First Reading: 5/13/2025

Second Reading: 9/9/2025

EXHIBIT "A"

Parcel 026001016A

ALL THAT TRACT or parcel of land lying and being in Land Lots 239 and 240 of the 16th District, Rockdale County, Georgia, and being more particularly described as follows:

BEGINNING at a point 667.30 feet North of Flat Shoals Road and on the West side of 80 foot right-of-way of Smyrna Road, thence North $71^{\circ} 39$ minutes 34 seconds West, 219.28 feet to an iron pin found; thence North $71^{\circ} 10$ minutes 56 seconds West, 165.0 feet to an iron pin set; thence North $71^{\circ} 10$ minutes 56 seconds West, a distance of 541.88 feet to an iron pin found and the Southwest corner; thence North $10^{\circ} 39$ minutes 37 seconds East, a distance of 298.72 feet to an iron pin found and the Northwest corner; thence South $71^{\circ} 13$ minutes 06 seconds East to an iron pin set for a distance of 538.34 feet and the Northeast corner; thence, South $10^{\circ} 00$ minutes 00 seconds West, a distance of 269.58 feet to an iron pin set; thence South $71^{\circ} 25$ minutes 31 seconds East, a distance of 383.13 feet to an iron pin on the West side of right-of-way of Smyrna Road, thence South $07^{\circ} 46$ minutes 39 seconds West, a distance of 30 feet to the POINT OF BEGINNING, being tract two containing 3.92 acres and being more fully delineated on a survey of record prepared by Robert Buhler, Registered Land Surveyor No. 1403, dated December 13, 1985, in Plat Book T, Page 105, Rockdale County, Georgia Records.

Parcel 0260010017

All that tract or parcel of land lying and being in Land Lot 239 of the 16th District, Rockdale County, Georgia, and being more particularly described as follows:

BEGINNING at an iron pin corner located on the northwest right-of-way of Upper Smyrna Road (80 foot right-of-way); said iron pin being located, 1,338.8 feet south from the south right-of-way of Ramla Court, as measured along the southwest right-of-way of Upper Smyrna Road; thence south 07 degrees 30 minutes west, along the southwest right-of-way of Upper Smyrna Road, 275.1 feet to large angle iron found at corner; thence north 71 degrees 13 minutes 06 seconds west, 1,211.7 feet to a large angle iron found at corner; thence north 17 degrees 35 minutes 06 seconds east, 313.5 feet to iron pin found at corner; thence south 88 degrees 02 minutes 46 seconds east, 1,133 feet to large angle iron found at corner; thence south 13 degrees 03 minutes west, 295.1 feet to iron pin corner; thence south 72 degrees 08 minutes east, 326 feet to iron pin at the point of beginning.

Said property is more fully and particularly described on plat prepared for M. R. Brown by Louie E. Patrick, Registered Surveyor #1757, dated April 2, 1976, recorded in Plat Book K, Page 231, Rockdale County Records, said plat is hereby reference incorporated herein and made a part hereof for a more complete and accurate description of the property owned.

Parcel 0260010010

All that tract or parcel of land lying and being in Land Lots 239 and 240 of the 11th District of Rockdale County, Georgia, and being more fully and particularly described as follows:

BEGINNING at an iron pin on the North side of Flat Shoals Road, said iron pin being 485.3 feet Northwest from the intersection of Old Smyrna Road and Flat Shoals Road; thence North 72 degrees 15 minutes West along Flat Shoals Road 458 feet; thence North 8 degrees 51 minutes East 434.0 feet to an iron pin; thence North 70 degrees 12 minutes West 321.7 feet; thence North 31 degrees 59 minutes East 240.3 feet to an iron pin; thence North 52 degrees 21 minutes East 206.9 feet to a post; thence South 8 degrees 04 minutes East 236.3 feet to an iron pin; thence South 72 degrees 31 minutes East 705.2 feet to an iron pin; thence South 9 degrees 02 minutes West 279 feet to an iron pin; thence North 68 degrees 16 minutes West 150 feet to a 15 inch pine tree; thence South 22 degrees 41 minutes West 386 feet to an iron pin at the point of beginning.

The above described property contains 10.28 acres and is more fully described by a plat of same prepared by George W. O'Neill, registered surveyor No. 1142, recorded in Plat Book A, Page 259, Clerk's Office, Rockdale County, Georgia and for the purpose of a more complete and accurate description said plat is hereby referenced, incorporated in and made a part of this description.

Being the same as that property conveyed by Warranty Deed dated September 28, 1999 and recorded in Deed Book 1761, Page 54, Rockdale County, Georgia records.

Parcel 0260010004

ALL THAT TRACT or parcel of land lying and being in Land Lots 239 and 240 of the 16th District of Rockdale County, Georgia, consisting of 19.28 acres and being more particularly shown as Tract "B" on a survey for Wayne Armstrong, dated Nov. 15, 1984, by Louie D. Patrick, Georgia Registered Land Surveyor No. 1757, and being more particularly described as follows:

BEGINNING at an iron pin found at the intersection of the Northerly right-of-way of Flat Shoals Road (pins found on Flat Shoals Road are 40 feet off the centerline) and the Westerly right-of-way of an unnamed County Road (55 foot right-of-way) being located 300 feet Easterly of the West line of Land Lot 240; thence running along the Northerly right-of-way of Flat Shoals Road South 82 degrees 05 minutes East 55.1 feet to an iron pin found on the Easterly right-of-way of the unnamed County Road; thence leaving the right-of-way Flat Shoals Road and running along the Easterly right-of-way of the unnamed County Road North 02 degrees 11 minutes East 397.0 feet to a fence post; thence continuing North 02 degrees 10 minutes East 130.0 feet to an iron pin set; thence continuing North 02 14 minutes East 339.7 feet to an iron pin set, being the TRUE POINT OF BEGINNING.

From said TRUE POINT OF BEGINNING; thence continuing along the Easterly right-of-way of the unnamed County Road North 02 degrees 28 minutes East 60.00 feet to a ½ inch solid rod set; thence leaving said right-of-way and running South 86 degrees 54 minutes 42 seconds East 1461.05 feet to a ½ inch solid rod set; thence running South 18 degrees 25 minutes West 423.42 feet to an axle; thence running South 70 degrees 19 minutes East 300.5 feet to an iron pin found; thence running South 53 degrees 15 minutes West 306.5 feet to an iron pin found; thence running South 35 degrees 28 minutes West 152.9 feet to an iron pin found; thence running North 41 degrees 53 minutes West 139.5 feet to an iron pin found; thence running North 71 degrees 52 minutes West 199.4 feet to an iron pin found; thence running North 71 degrees 45 minutes West 240.4 feet to an iron pin found; thence running North 64 degrees 40 minutes West 300.0 feet to an iron pin set; thence running South 25 degrees 11 minutes West 184.1 feet to an iron pin set; thence running North 74 degrees 26 minutes West 297.4 feet to an iron pin found; thence running North 01 degrees 54 minutes East 79.9 feet to a fence post; thence running North 02 degrees 13 minutes East 130.0 feet to an iron pin set; thence running North 02 degrees 13 minutes East 331.4 feet to an iron pin found; thence running North 87 degrees 50 minutes West 150.00 feet to an iron pin set on the Easterly right-of-way of the unnamed County Road, being the TRUE POINT OF BEGINNING.

Parcels 026001072B & 0260010072

ALL THAT TRACT or parcel of land lying and being in Land Lot 239 of the 16th District of Rockdale County, Georgia, and being more particularly described as follows:

BEGINNING at a point where the west land lot line of Land Lot 240 intersects the right of way of Flat Shoals Road; thence running East along the right of way of Flat Shoals Road a distance of 355.1 feet to an iron pin; thence running North 02 degrees 11 minutes East a distance of 397.0 feet to an iron pin; thence running North 02 degrees 10 minutes East a distance of 130.0 feet to an iron pin; thence running North 02 degrees 14 minutes East a distance of 339.7 feet to an iron pin; thence running North 02 degrees 28 minutes East a distance of 60.0 feet to a ½ inch solid rod; said point being the TRUE POINT OF BEGINNING. FROM SAID TRUE POINT OF BEGINNING, thence running North 02 degrees 28 minutes East a distance of 512.8 feet to an iron pin; thence running South 86 degrees 59 minutes a distance of 264.6 feet to an iron pin; thence running South 88 degrees 12 minutes East a distance of 113.6 feet to an iron pin; thence running South 86 degrees 39 minutes East a distance of 375.2 feet to an iron pin; thence running South 86 degrees 53 minutes East a distance of 424.5 feet to an iron pin; thence running South 86 degrees 47 minutes East a distance of 429.3 feet to an axle; thence running South 18 degrees 25 minutes West a distance of 531.68 feet to a ½ inch solid rod; thence running North 86 degrees 54 minutes 42 seconds West a distance of 1461.05 feet to a ½ inch solid rod; said rod being the TRUE POINT OF BEGINNING.

This being the same property as conveyed in Warranty Deed 265, Page 4, Rockdale County, Georgia records.

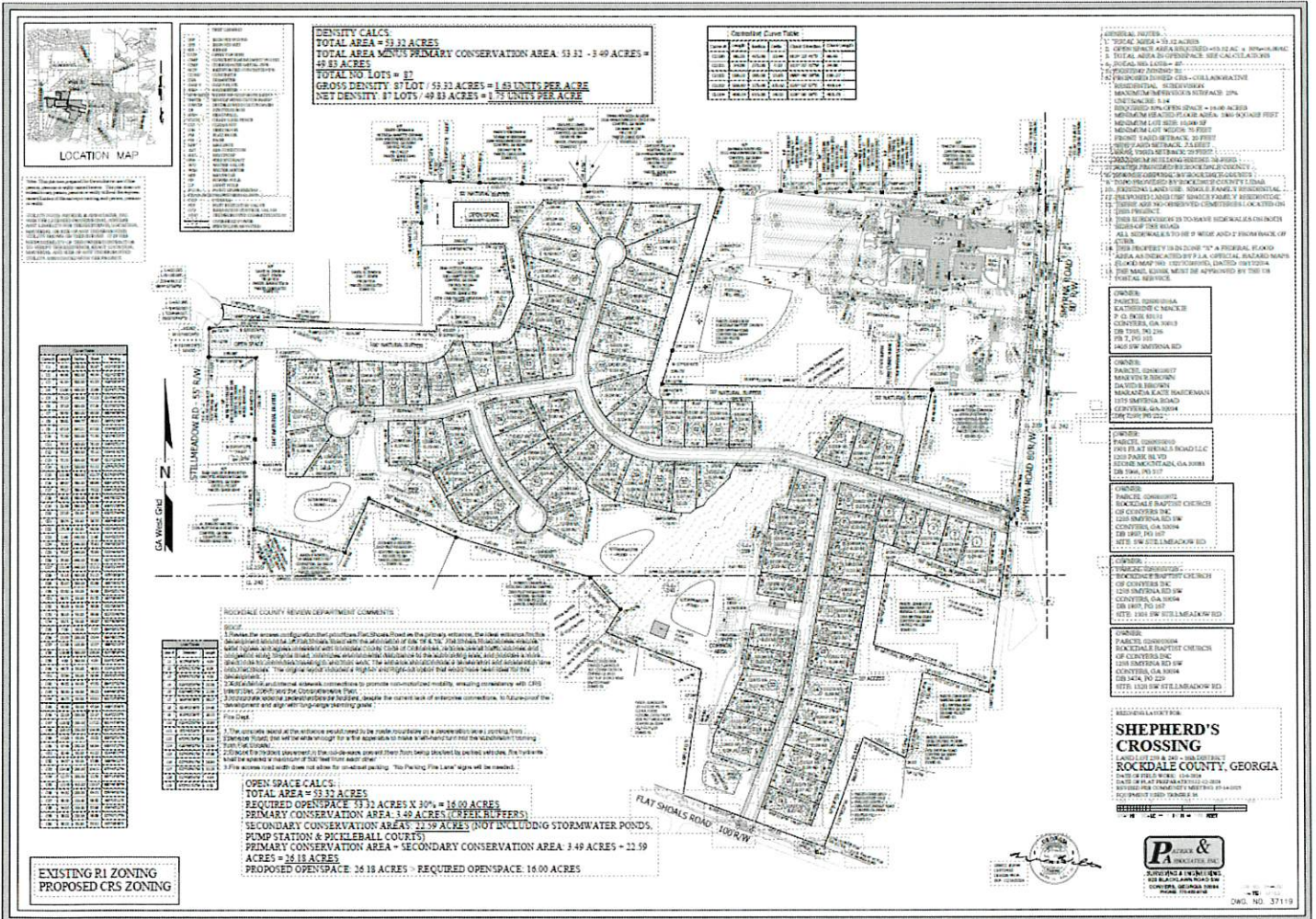
LESS AND EXCEPT: ALL THAT TRACT or parcel of land lying and being in Land Lot 239 of the 16th District of Rockdale County, Georgia, containing 7.00 acres, as per plat prepared for David Irwin, prepared by Robert M. Buhler, Georgia Registered Land Surveyor No. 1403, and recorded in Plat Book 28, Page 8, Rockdale County, Georgia records.

LESS AND EXCEPT: ALL THAT TRACT or parcel of land conveyed in that certain Quit-Claim Deed from P.E.T. Service, Inc. and Wayne Armstrong to Rockdale County, Georgia, dated March 30, 1993, and recorded in Deed Book 866, Page 51, Rockdale County, Georgia records.

SUBJECT TO non-exclusive perpetual easement contained in Warranty Deed from Wayne Armstrong a/k/a Weyman L. Armstrong to David B. Irwin and Lisa T. Irwin, dated March 30, 1995, recorded in Deed Book 1106, Page 223, Rockdale County, Georgia records.

SUBJECT TO non-exclusive perpetual easement contained in Warranty Deed from Wayne Armstrong a/k/a Weyman L. Armstrong to Lisa T. Irwin, dated December 1, 1997, recorded in Deed Book 1449, Page 315, Rockdale County, Georgia records.

EXHIBIT "B"
Survey
Revised 9-4-2025



Previous

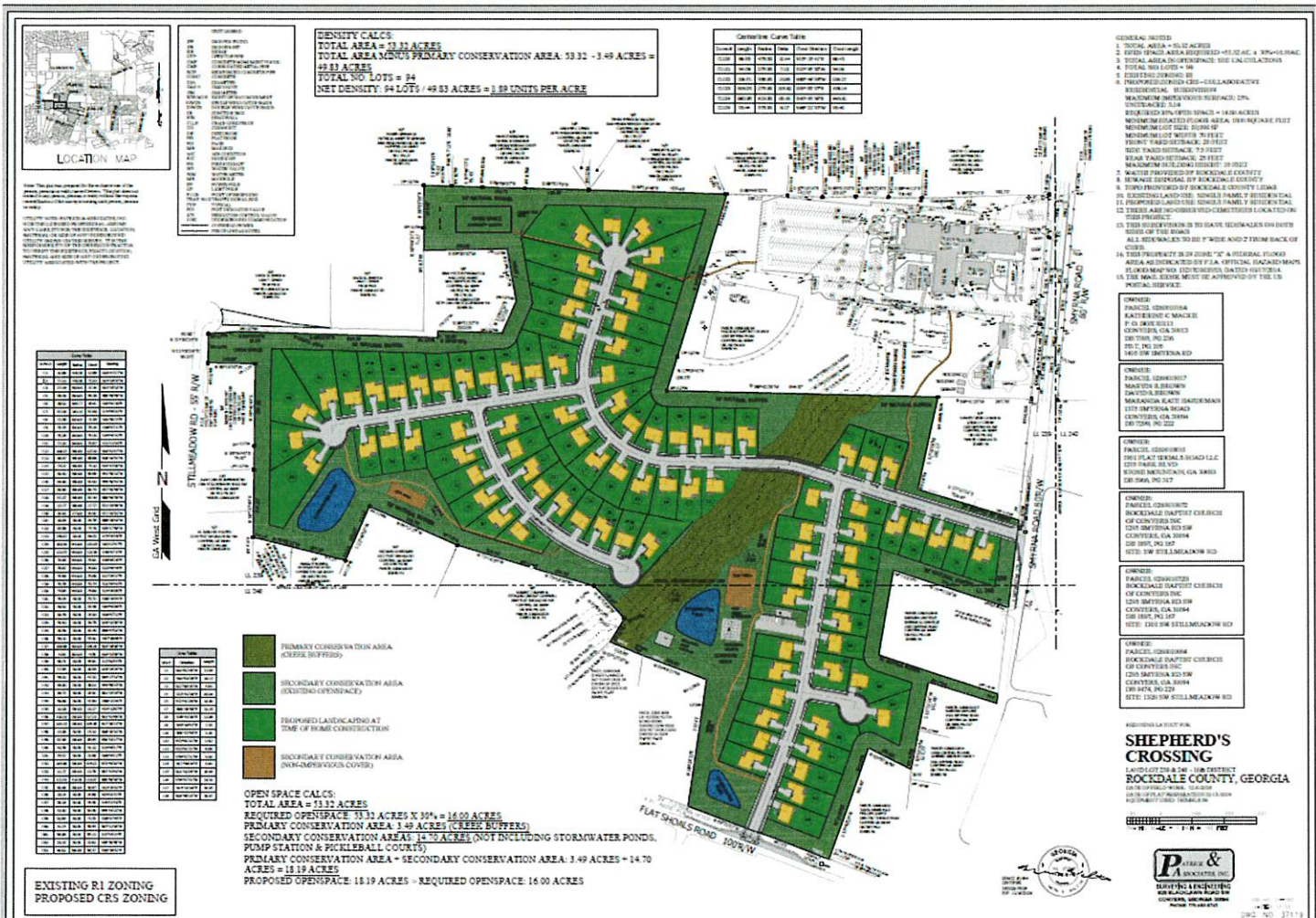


EXHIBIT "C"
Conditions of Zoning

1. The site shall be developed in compliance with the Collaborative Residential Subdivision (CRS) Zoning District if adopted.
2. The site shall be restricted not to exceed ~~94~~ lots. *87*
3. Should the Rezoning applications be approved, the applicant shall submit a Combination plat to the Department of Planning and Development to combine the parcels.
4. A mandatory Homeowners' Association shall be established and shall be responsible for the maintenance of all common areas and facilities.
5. The Homeowners' Association covenants shall include a rental restriction of five percent (5%) of all single-family residential dwelling units.
6. Any recommendations made in the Traffic Impact Study shall be reflected in the submittal for Land Disturbance Permit (LDP).
7. All single-family residential dwelling units shall have a two-car garage.
8. Provide a five-foot-wide sidewalk along at least one side of the proposed internal streets and along the front lines of all CRS-zoned lots. Sidewalks shall be separated from street curbs by a "tree lawn" not less than five feet wide, planted with shade trees in accordance with the Rockdale County plant palette.
9. All grassed areas shall be sodded.
10. All utilities shall be placed underground.
11. Natural vegetation shall remain on the property until the issuance of a development permit.
12. All sides of proposed buildings shall consist of brick, stone, cementitious siding, or real (lath and portland) stucco from ground to eaves, with brick, stone, cedar shake, real stucco, painted wood siding or cementitious siding to be used as accents. Metal siding, vinyl siding, metal canopies, and exposed standard concrete blocks are prohibited. Soffits may be constructed of vinyl.
13. Streetlights are to be provided along one side of every street, a minimum of 16 feet high and a maximum of 20 feet high if overhanging into the street and placed no more than 160 feet apart.
14. Stormwater detention ponds shall be screened from view from adjoining residential properties. Screening plans shall be subject to review and approval by the Director of Planning and Development.
15. Any structures in the amenity areas shall be constructed using exterior building materials that complement the adjacent residential structures. The amenity areas may be in a single area or in multiple areas. Amenity areas shall be accessible by five-foot-wide concrete sidewalks.
16. The triangular concrete island shall be constructed to allow left hand turns into the property and designed to allow for right-turn only for both entrances.

Example of triangular island with left hand turns into property and right turn only

