

ROCKDALE COUNTY BOARD OF COMMISSIONERS

ZONING PUBLIC HEARING

August 22, 2024, AT 6:00P.M.

**ROCKDALE COUNTY ASSEMBLY HALL
901 N MAIN ST NW, CONYERS, GA, 30012**



MINUTES

Commissioners:	STAFF PRESENT:
Chairman, Oz Nesbitt Sr	Interim Director, Christopher Wheeler
Commissioner, Sherri Washington	
	Denise Tugman, Planning Manager
	Aischa Paul, Administrative Operations Coordinator
Executive Staff:	Carolina Angulo, Planner
Jennifer Rutledge, Director of Legislative Affairs	Tracie Roberts, Planner
	Guest:
	Ted Meeker

1. **Call to Order:** Chairman Oz Nesbitt called the meeting to order at 6:00 p.m.
2. **Approval of the Agenda** A motion was made by Commissioner Washington, seconded by Chairman Oz Nesbitt, and unanimously approved.
3. **Approval of the Minutes:** Commissioner Williams moved to approve the minutes as published; Second by Chairman Oz Nesbitt the motion passed unanimously.
 - A. July 25, 2024
4. **Listen to Audio Rules of Procedure for Public Hearings.**
5. **Old/Unfinished Business: None**
6. **New Business:**

A. **2400 Tucker Mill Road:** Request by the Law Office of Mattaniah S John P.A for the following regard 17.41 acres.

1. **Case # SUP2023-01:** A request for a Special Use Permit to allow for the installation a 200' AGL Monopole Communication Tower and related Telecommunication facilities located at 2400 SW Tucker Mill Road.
 - a. Pursuant to the provisions of a Consent Order, the Rockdale County Board of Commissioners will hear Special Use Permit Case # SUP2023-01

Recommendations:

- a. Staff recommended **Approval with Conditions.**
- b. The Planning Commission voted to recommend **Approval with Conditions.**

Staff Report:

Interim Director Christopher Wheeler presented the staff report for SUP2023-01, providing the Board of Commissioners with a history of the application. He noted that the application was previously heard on October 19, 2023, and November 14, 2023. Mr. Wheeler then introduced the County's Attorney Mr. Meeker to review the relevant cell tower regulations. Mr. Meeker explained that the Telecommunications Act of 1996 limits the county authority in certain aspects, including the prohibition of considering health – related factors. However, he noted that the county retains broader zoning authority. Additionally, Mr. Meeker mentioned ongoing litigation between the homeowner and the applicant, describing it as a private dispute. Staff recommended approval with 13 conditions and the Planning Commission recommend denial.

Applicant:

Mattaniah S. Jahn, P.A

Public Comment:

Coretta Sam – Opposition
Vuokko Russo – Opposition
Brandy New – Opposition
Laura Carter – Opposition
Pete New – Opposition
Yolanda Portis – Opposition
Varron Weldon – Opposition
Loretta McIntosh – Opposition

Board Deliberation and Motion:

N/A

B. 1975 and 1985 NW Sigman Road; 1980, 1736, 1670, 1726 and 1716 NW Lester Road; and 1634, 1632 and 1630 NW Farmer Road: Request by SDP Acquisitions, LLC, for the following regarding 52.78 acres:

1. **Case # FLU2024-02:** A request to amend the Future Land Use from High-Density Residential to Technology Park for the development of a data center.
2. **Case # REZ2024-07:** A request to rezone 52.78 acres from R-1 (Single Family Residential) to O-I (Office Institutional) for the development of a data center.
3. **Case # SUP2024-02:** A request to authorize a Special Use Permit for an electrical substation.

Recommendations:

- a. Staff recommended **Approval with Conditions** for the request for a future land use amendment, rezoning, and special use permit.
- b. The Planning Commission voted to recommend **Approval with Conditions** of the requests for a future land use amendment, rezoning, and special use permit, with an amendment to the third condition as requested by the applicant's attorney.

Staff Report:

Interim Director Christopher Wheeler presented the staff reports for **FLU2024-02, REZ2024-07, and SUP2024-02**, providing a comprehensive summary of each project.

Public Comment:

N/A

Board Deliberation and Motion:

N/A

C. 4105 SW East Fairview Road: Request by Anita Hunnicutt for the following regarding 1.49 acres:

1. **Case # FLU2024-04:** A request to amend the Future Land Use Map from Neighborhood Commercial to Low Density Residential for Agricultural/Rural use.
2. **Case # REZ2024-13:** A request to rezone 1.498 acres from C-1 (Local Commercial District) to A-R (Agricultural- Residential District) for agricultural/rural use.

Recommendations:

- a. Staff recommended **Approval with Conditions.**
- b. The Planning Commission voted to recommend **Approval with Conditions.**

Staff Report:

Planning Manager Denise Tugman presented the staff reports for **FLU2024-04** and **REZ2024-13**, offering a comprehensive project summary. A key point emphasized was that, although water is shown on the RWR map for the location, there is no sewer service available.

Public Comment:

N/A

Board Deliberation and Motion:

N/A

D. 2037 SE Old Salem Road: Request by Edwina Schick for the following regarding 1.90 acres:

1. **Case # REZ2024-12:** A request to rezone 1.90 acres from A.R (Agricultural- Residential District) to R-1 (Single Family Residential District) fir the development of three single-family residences.

Recommendations:

- a. Staff recommended **Approval with Conditions.**
- b. The Planning Commission recommend **Approval with Conditions.**

Staff Report:

Planning Manager Denise Tugman presented the staff report for **REZ2024-12**, providing a comprehensive summary of the project. The applicant seeks to develop three single-family homes and is requesting a lot size reduction of **0.08 acres** for two lots and **0.01 acres** for one lot as part of the zoning conditions.

Public Comment:

Dorris Barnes – Opposition

Board Deliberation and Motion:

N/A

E. **2332 SW Old Covington Hwy:** Request by Faith Deliveries Corp & S3 Transport, LLC, for the following regarding 7.66 acres:

1. **Case # REZ2024-14:** A request to rezone 7.66 acres from R-1 to M-1 (Limited Industrial District) for the proposed use of trucking business operations

Recommendations:

- a. Staff recommended **Approval with Conditions**.
- b. The Planning Commission voted to recommend **No Recommendation**.

Staff Report:

Interim Director Christopher Wheeler presented the staff report for **REZ2024-14**, delivering a comprehensive summary of the proposed development of a commercial truck parking lot designed to accommodate approximately 10 to 22 trucks.

Public Comment:

Gary Thompson – Opposition

Board Deliberation and Motion:

N/A

F. **3260 SW East Fairview Road:** Request by Eugene West for the following regarding 40.00 acres:

1. **Case # SUP2024-03:** A request to authorize a special use permit for Recreational Vehicle (RV) Park and Campground.

Recommendations:

- a. Staff recommended **Approval with Conditions**.
- b. The Planning Commission recommended **denial**, citing incompatibility with the surrounding area, environmental and septic concerns, public safety, and traffic issues.

Staff Report:

Interim Director Christopher Wheeler presented the staff report for **SUP2024-03**, delivering a comprehensive summary of the proposed development for a Recreational Vehicle (RV) Park and Campground.

Public Comment:

Stacy Parker – Opposition

Amos Durr- Opposition

George Kelecheck – Opposition

Curtis Hamby – Opposition

David Holland – Opposition

Guilleruo Mendoza – Opposition

Kay Chase – Opposition

Board Deliberation and Motion:

N/A

7. **Reports: None**
8. **Adjourn: 8:02 p.m.**

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<https://www.facebook.com/RockdaleGov/videos/412428186898383>