

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



Type of Request: Text Amendment Request - Case #2021-02	County Clerk Use Only Ordinance #: 2021-
<input checked="" type="checkbox"/> Submission Information	<input checked="" type="checkbox"/> Information
Contact Name: Kalanos Johnson / Tiras Winn Petrea Department: Planning & Development	Summary of Request: February 9, 2021: Second Reading. A request by Rockdale County to modify the UDO regarding the Board of Adjustment meetings.
<input checked="" type="checkbox"/> Department Director/Elected Official Signature	<input type="checkbox"/> Chief of Staff Signature
I have reviewed the attached, and it is approved as to substance. Signature: <i>Kh V. Johnson</i> Date: 2-2-21	I have reviewed the attached, and it is approved for processing. Signature: <i>James F. Ch...</i> Date: 02-03-2021
<input type="checkbox"/> County Attorney Signature	<input type="checkbox"/> Director of Legislative 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: <i>James F. Ch...</i> Date: 02-03-2021 CHIEF OF STAFF
Notes and Comments:	
December 8, 2020: First Reading and Referral to Planning Commission; January 14, 2021: Planning Commission; January 26, 2021: Zoning Public Hearing; February 9, 2021: Second Reading.	

2021-72

AN ORDINANCE TO AMEND THE TEXT OF SEC. 238-7 BOARD OF ADJUSTMENT SUBSECTION (D)(1) OF THE UNIFIED DEVELOPMENT ORDINANCE OF ROCKDALE COUNTY, AS AMENDED, REGARDING REGULAR MEETINGS OF THE BOARD OF ADJUSTMENT; TO REPEAL CONFLICTING LAWS; AND FOR OTHER PURPOSES.

WHEREAS, the Unified Development Ordinance of Rockdale County (Subpart B – Planning and Development of The Code of Rockdale County, Georgia), as amended, governs land use and zoning, administration of the Ordinance, including definitions, and development and permitting; and

WHEREAS, provisions within the Unified Development Ordinance regulates meetings of the board of adjustment; and

WHEREAS, the specificity of the meeting dates reconstruction of nonconforming uses within the Unified Development Ordinance requires revision in order to allow flexibility and to match the language in Sec. 238-3(g)(1) regarding the meeting dates of the planning commission; and

WHEREAS, public hearings were held following public notice and all other requirements of Sec. 238-4 of the Unified Development Ordinance;

NOW, THEREFORE BE IT ORDAINED by the Board of Commissioners of Rockdale County, Georgia, and it is hereby ordained by the authority of same as follows:

Section I

That Sec. 238-7 Board of adjustment is hereby amended by repealing the following:

(d) *Meetings of the board of adjustment.*

(1) *Regular meetings.*

- a. Unless there is no business to be conducted, regular meetings, including public hearings on matters listed in subsection (a), shall be held on the first Monday of each month at a time so designated by the board of adjustment. If the first Monday of the month is a holiday, the hearing will be scheduled for the second Monday of the month. Meetings shall be held at the Rockdale County Administration & Services Building located at 901 Main Street, Conyers, Georgia.
- b. All meetings shall be open to the public. Notice of all meetings shall comply with O.C.G.A. § 50-14-1, et seq., the Georgia Open Meetings Act.
- c. Each member shall be notified of each regular meeting at least five days preceding the meeting through a written agenda prepared and distributed by the secretary.

Section II

That Sec. 238-7 Board of adjustment is hereby amended by enacting the following:

(d) *Meetings of the board of adjustment.*

- (1) *Regular meetings.* Unless there is no business to be conducted, the board of adjustment shall hold regularly scheduled meetings each month. The board of adjustment shall establish and make available to the public the time, place, and dates of its regular meetings. Except as otherwise authorized by the Georgia Open Meetings Act, O.C.G.A. § 50-14-1 et seq., all meetings shall be open to the public. Public notice of all meetings shall be as required by

said Georgia Open Meetings Act. Each member shall be notified of each regular meeting at least five days preceding the meeting through a written agenda prepared and distributed by the secretary.

Section III

That all ordinances or resolutions, or parts thereof, in conflict with this Ordinance are hereby repealed.

Section IV

That should any court of competent jurisdiction declare any section of this ordinance invalid or unconstitutional, such declaration shall not affect the validity of the ordinance as a whole, or any part thereof, which is not specifically declared to be invalid or unconstitutional.

EFFECTIVE DATE: This Ordinance shall become effective as of the date hereof.

ADOPTED AND APPROVED THIS _____ DAY OF _____, 2021.

**ROCKDALE COUNTY, GEORGIA
BOARD OF COMMISSIONERS**

Oz Nesbitt, Sr., Chairman

Sherri L. Washington, Esq., 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: December 8, 2020

Second Reading: _____