

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



<b>Type of Request:</b> REZ Case #2022-15	County Clerk Use Only Ordinance #: 2022-015
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<input checked="" type="checkbox"/> <b>Submission Information</b>	<input checked="" type="checkbox"/> <b>Information</b>
<b>Contact Name:</b> Christopher Wheeler  <b>Department:</b> Planning & Development	<b>Summary of Request:</b> First Reading. A request by Battle Law, P.C., to rezone three parcels for a total 49.86-acre parcel on 1880, 1914 and 1920 Lake Rockaway Rd, Tax Parcel #0200010002, 0200010001 and 0200010003, from AR (Agricultural Residential), to RM (Residential Multifamily), for a 273-unit single-family detached and townhome development.

<input checked="" type="checkbox"/> <b>Department Director/Elected Official Signature</b>	<input type="checkbox"/> <b>Chief of Staff Signature</b>
I have reviewed the attached, and it is approved as to substance.	I have reviewed the attached, and it is approved for processing.
<b>Signature:</b> _____ <b>Date:</b> _____	<b>Signature:</b> _____ <b>Date:</b> _____
<input type="checkbox"/> <b>County Attorney Signature</b>	<input type="checkbox"/> <b>Director of Legislative Affairs/County Clerk Signature</b>
I have reviewed the attached, and it is approved as to form.	I have reviewed the attached, and it is approved for processing.
<b>Signature:</b> _____ <b>Date:</b> _____	<b>Signature:</b> _____ <b>Date:</b> _____

**Notes and Comments:**

Jan 24: First Reading Work Session;  
 Jan 24: First Reading Voting Session;  
 February 9: Planning Commission;  
 February 23: Zoning Public Hearing;  
 March 7: Second Reading Work Session;  
 March 14: Second Reading Voting Session.

2023-30

**AN ORDINANCE TO AMEND THE OFFICIAL ZONING DISTRICT MAP OF ROCKDALE COUNTY, AS AMENDED, BY REZONING 1880, 1914, AND 1920 LAKE ROCKAWAY RD FROM THE AR (AGRICULTURAL-RESIDENTIAL) TO RM (RESIDENTIAL MULTIFAMILY) ZONING 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:

<b>REZONING CASE NO. 2022-15</b>	Rezone 49.86 acres from AR (Agricultural Residential) to RM (Residential Multifamily) to allow the development of a residential subdivision of 273 units.		
<b>APPLICANT:</b>	Rockhaven Homes c/o Battle Law		
<b>PROPERTY OWNER:</b>	PLUNKETT JAMES W & ETALS		
<b>LOCATION:</b>	1880, 1914, and 1920 Lake Rockaway Rd Conyers, GA, 30094		
<b>LAND LOT(S):</b>	215	<b>DISTRICT:</b>	16 <sup>th</sup>
<b>TAX PARCEL NO.:</b>	0200010002, 0200010001 and 0200010003		

**WHEREAS**, said rezoning proposal was reviewed by staff and public hearings were 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 was amended to designate said property as High-Density Residential, which pursuant to Section 202-6 permits the RM (Residential Multifamily) Zoning District;

**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 further amended so as to rezone the 49.86-acre property, more particularly described in the legal description attached hereto as Exhibit “A” and depicted as on the Boundary Survey attached hereto as Exhibit “B”, from the AR (Agricultural Residential) Zoning District to the RM (Residential Multifamily).

**Section II**

The zoning amendment authorized in Section I is approved subject to all conditions, including any conditions of zoning, which exhibit is hereby incorporated by this reference and applies to the 49.86-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 \_\_\_\_\_, 2023.

**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: \_\_\_\_\_

Second Reading: \_\_\_\_\_



*X Selloff*  
*299-310*

FILED IN OFFICE  
CLERK OF SUPERIOR COURT

**WARRANTY DEED**

1985 DEC -4 PM 2:31

JOANNE P. CALDWELL, CLERK

STATE OF GEORGIA    ROCKDALE    COUNTY    BOOK 209    PAGE 310

THIS INDENTURE, Made the 3rd day of December, 1985, in the year One Thousand Nine Hundred and Eighty Five, between

E. HUBERT PLUNKETT  
of the County of Rockdale, and State of Georgia, as party or parties of the first part, hereinafter called Grantor, and

RONALD E. DONGWORTH and VERNA B. DONGWORTH

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 AND OTHER VALUABLE CONSIDERATIONS 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 confirmed, and by these presents does grant, bargain, sell, alien, convey and confirm unto the said Grantees, to-wit:

All that tract or parcel of land lying and being in Land Lot 215 of the 16th District of Rockdale County, Georgia and being more fully and accurately described as follows:

To find the true point of beginning begin at that point where the centerline of Kinmoor Industrial Parkway (60 foot R/W) intersects the eastern right of way of Lake Rockaway Road (40 foot R/W); thence following the Northeasterly right of way of Lake Rockaway Road in a Northeasterly direction along said right of way 70.88 feet to the TRUE POINT OF BEGINNING. From the true point of beginning thus located, which said true point of beginning is on the Northeasterly right of way of Lake Rockaway Road, thence in a Northeasterly direction along the easterly right of way of Lake Rockaway Road the following courses and distances to wit: North 17° 04' East 75.48 feet; North 12° 22' East 100.34 feet to a point; thence North 12° 27' East 99.76 feet to a point; thence North 14° 54' East 99.27 feet to a point; thence North 20° 14' East 98.95 feet to a point; thence North 25° 03' East 98.94 feet to a point; thence North 29° 57' East 88.87 feet to a point; thence North 34° 24' East 97.70 feet to an iron pin set; thence departing from the easterly right of way of Lake Rockaway Road South 49° 29' 03" East 363.40 feet to an iron pin set; thence North 53° 02' 46" East 174.19 feet to an iron pin set; thence South 03° 08' 04" East 235 feet to an eight inch granite rock corner; thence South 62° 15' West 565.68 feet to an eight inch granite rock corner; thence South 46° 25' 33" west 175 feet to an iron pin found; thence North 62° 24' 41" West 81.51 feet back to the true point of beginning located on the easterly right of way of Lake Rockaway Road.

(LEGAL DESCRIPTION CONTINUED ON REVERSE SIDE HEREOF)

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 the said Grantee forever in FEE SIMPLE.

AND THE SAID Grantor will warrant and forever defend the right and title to the above described property unto the said Grantee against the claims of all persons whomsoever, except as to all easements to power and telephone lines and transmission lines of all types, both below and above surface.

Signed, sealed, and delivered in the presence of:

*[Signature]*  
*[Signature]*

*E. Hubert Plunkett* (SEAL)  
E. Hubert Plunkett (SEAL)

Notary Public for Georgia, State at Large  
My Commission Expires Mar. 20, 1988

FILED IN OFFICE  
CLERK OF SUPERIOR COURT  
1985 DEC -4 PM 2:31 12-29-85

*PB:*  
*T-7A*

BOOK 200 PAGE 311

NOV 1985

Said tract or parcel of land being more fully and accurately described according to a plat prepared for E. Hubert Plunkett dated October 29, 1985, by Robert M. Buhler, Registered Land Surveyor and containing some 5.79 acres according to said plat.

Said plat is hereby incorporated in and made a part hereof and may be found at Plat Book T, page 79, Rockdale County, Georgia records. (See also plat at Plat Book A, page 160, Rockdale County, Georgia records for further history.)

The above described property is a portion of the property received by E. Hubert Plunkett at Deed Book 27, page 191, Rockdale County, Georgia records.

**WARRANTY DEED**

TO \_\_\_\_\_

Dated \_\_\_\_\_ 18 \_\_\_\_\_

Georgia, \_\_\_\_\_ County.

Clerk's Office, Superior Court

Filed for Record \_\_\_\_\_ at \_\_\_\_\_ o'clock \_\_\_\_\_ m. Recorded in book \_\_\_\_\_ on \_\_\_\_\_ 18 \_\_\_\_\_

\_\_\_\_\_ Clerk

SIDNEY L. NATION  
ATTORNEY AT LAW  
401 BANK STREET  
CONYERS, GEORGIA 30207

*100-004-1319*

RECORDED December 4, 1985 JOANNE P. CALDWELL, CLERK

27-191

STATE OF GEORGIA, ROCKDALE COUNTY

This Indenture, Made this 3rd day of October in the year of our Lord One Thousand Nine Hundred and Forty-seven between \_\_\_\_\_ of the State of Georgia and County of Rockdale of the first part and E. RUSSETT PLUNKETT of the second part, together with all and singular the rights, members and appurtenances thereto, to the same being, belonging or in anywise appertaining, to the only purpose use, benefit and behoof of him the said party of the second part, his heirs and assigns forever, in full and complete satisfaction of the debt and obligation of the said party of the first part, for and in consideration of the sum of Dollars and Penny Cents Lawful Money of the United States to him the said party of the second part, in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged by the said party of the first part, and all that tract or parcel of land lying and being in the 16th District, of Rockdale County, Georgia, part of land lot No. 215, containing fifty three and twenty-three one-hundredths acres, more or less, according to plat thereof, made by J. A. Wells, surveyor, on September 29, 1947, said plat by reference is made part hereof.

Said land, bounded as follows: North by lands of Jackson; East by lands of Lam Hall; Southeast by lands of John Allan; Southwest by the lands of Mrs. Lila Harbut Plunkett (home place) and West by lands of Mildred S. Plunkett.

Being part of the lands described in deed from R. H. Tribble to John F. Plunkett, dated Jan. 4, 1909, and of record in Deed Book "B" Page 199, Rockdale County Records, the Grantor herein having acquired title to said land, under and by virtue of this last will and testament of John F. Plunkett, dated Oct. 16, 1944, and of record in said Book "B" page 37, Ordinary's Office, Rockdale County, Georgia.

To Have and to hold the said heretofore premises, together with all and singular the rights, members and appurtenances thereto, to the same being, belonging or in anywise appertaining, to the only purpose use, benefit and behoof of him the said party of the second part, his heirs and assigns forever, in full and complete satisfaction of the debt and obligation of the said party of the first part, for and in consideration of the sum of Dollars and Penny Cents Lawful Money of the United States to him the said party of the second part, in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged by the said party of the first part, and all that tract or parcel of land lying and being in the 16th District, of Rockdale County, Georgia, part of land lot No. 215, containing fifty three and twenty-three one-hundredths acres, more or less, according to plat thereof, made by J. A. Wells, surveyor, on September 29, 1947, said plat by reference is made part hereof.

Signed, sealed and delivered in the presence of: \_\_\_\_\_

A. M. Lucas \_\_\_\_\_ Clerk

L. M. McDowell \_\_\_\_\_ Clerk

Clark Supr. Court, Rockdale Co., Ga.

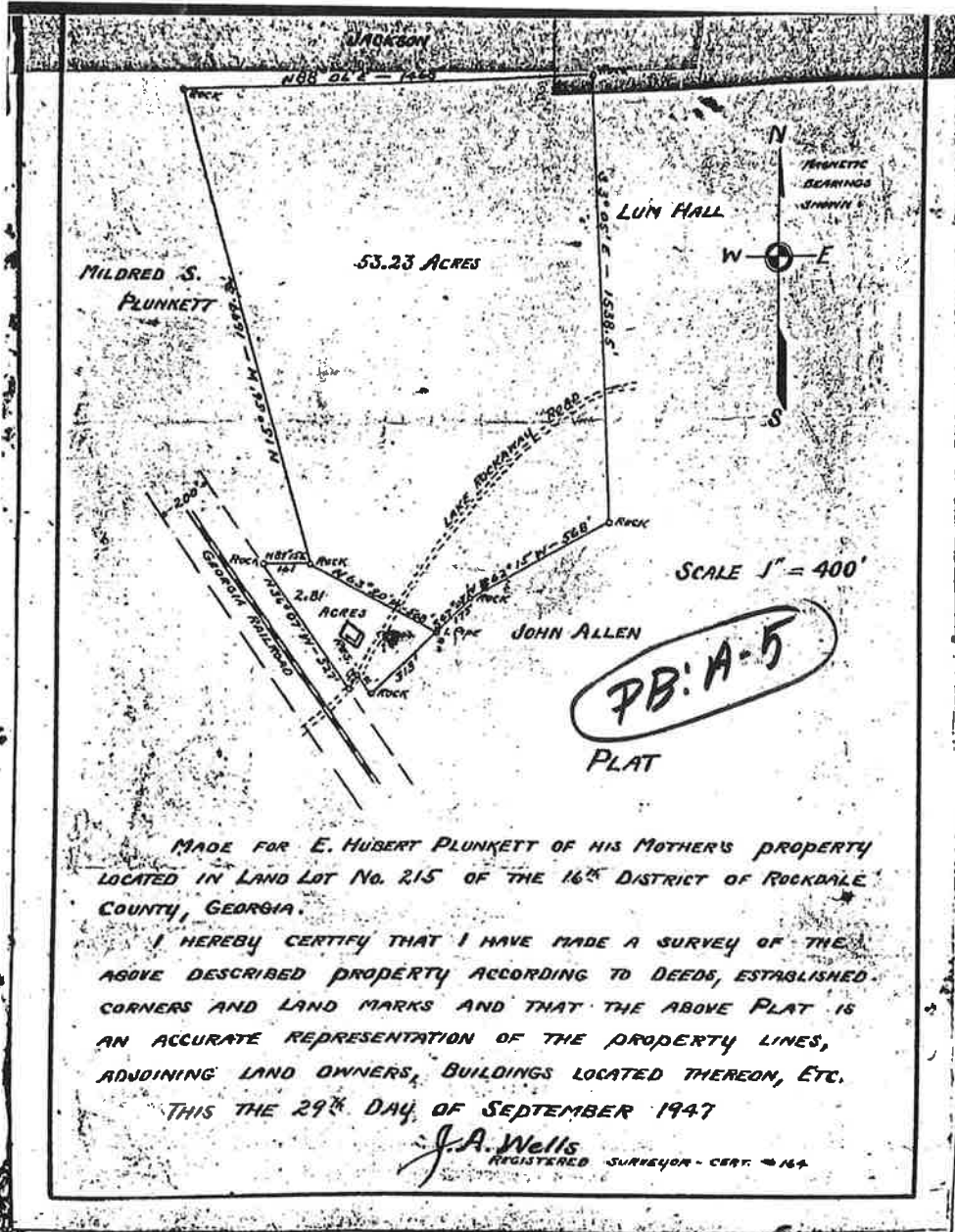
Recorded: Oct. 4th, 1947

L. M. McDowell

STATE OF GEORGIA, ROCKDALE COUNTY

This Indenture, Made this 11th day of October in the year of our Lord One Thousand Nine Hundred and Forty-seven between \_\_\_\_\_ of the State of Georgia and County of Rockdale of the first part and PAUL S. PHICE of the second part, together with all and singular the rights, members and appurtenances thereto, to the same being, belonging or in anywise appertaining, to the only purpose use, benefit and behoof of him the said party of the second part, his heirs and assigns forever, in full and complete satisfaction of the debt and obligation of the said party of the first part, for and in consideration of the sum of Dollars and Penny Cents Lawful Money of the United States to him the said party of the second part, in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged by the said party of the first part, and all that tract or parcel of land lying and being in the 16th District, of Rockdale County, Georgia, part of land lot No. 215, containing fifty three and twenty-three one-hundredths acres, more or less, according to plat thereof, made by J. A. Wells, surveyor, on September 29, 1947, said plat by reference is made part hereof.

Exhibit "B"  
 Boundary Survey



MADE FOR E. HUBERT PLUNKETT OF HIS MOTHER'S PROPERTY  
LOCATED IN LAND LOT No. 215 OF THE 16<sup>TH</sup> DISTRICT OF ROCKDALE  
COUNTY, GEORGIA.

I HEREBY CERTIFY THAT I HAVE MADE A SURVEY OF THE  
ABOVE DESCRIBED PROPERTY ACCORDING TO DEEDS, ESTABLISHED  
CORNERS AND LAND MARKS AND THAT THE ABOVE PLAT IS  
AN ACCURATE REPRESENTATION OF THE PROPERTY LINES,  
ADJOINING LAND OWNERS, BUILDINGS LOCATED THEREON, ETC.

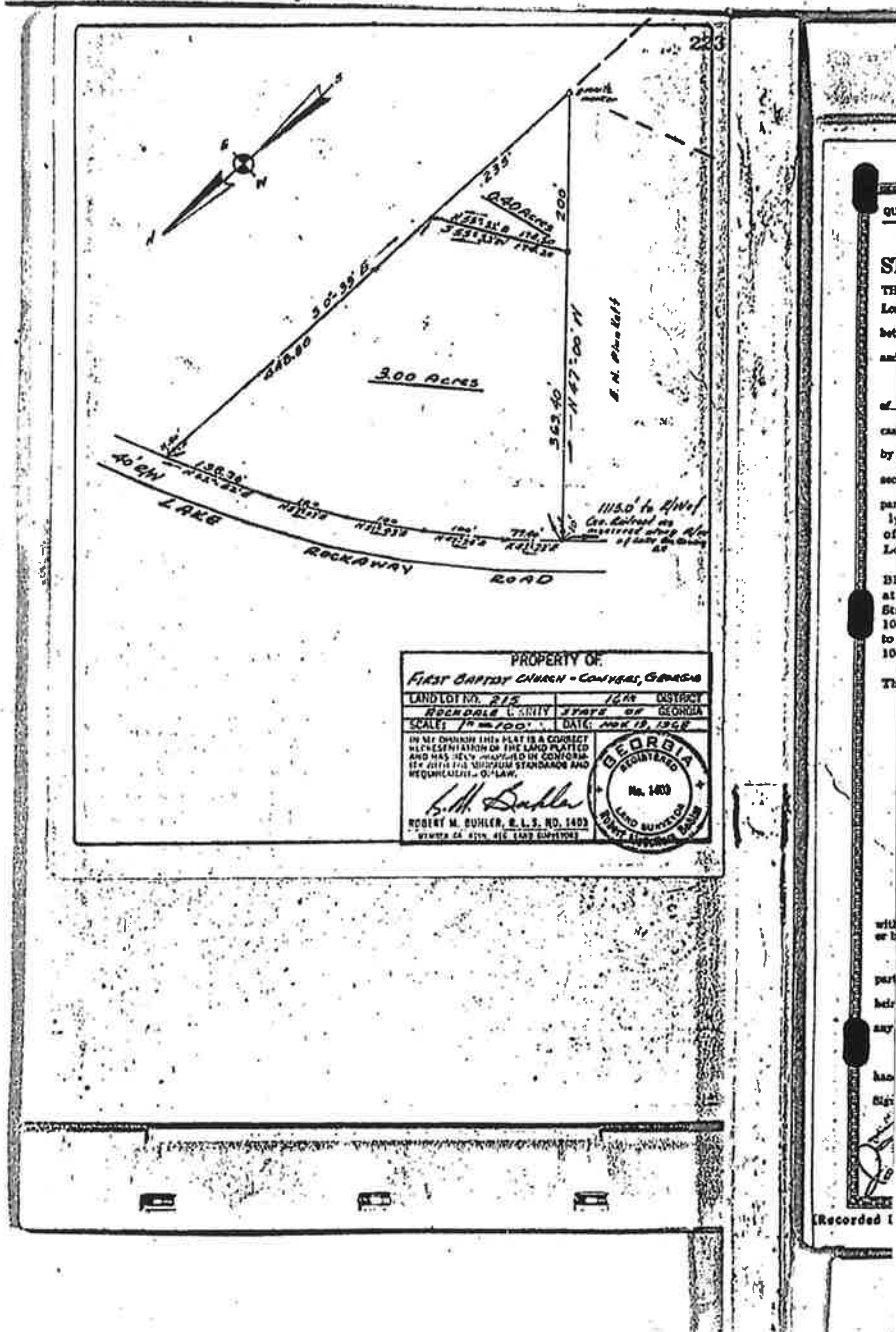
THIS THE 29<sup>TH</sup> DAY OF SEPTEMBER 1947

J. A. Wells  
REGISTERED SURVEYOR - CERT. 164

Recorded Oct. 4, 1947, L. M. McDowell, clerk



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