

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



Type of Request: FLU Case #2022-05		County Clerk Use Only Ordinance #: 2022-05	
<input checked="" type="checkbox"/> Submission Information		<input checked="" type="checkbox"/> Information	
Contact Name: Christopher Wheeler Department: Planning & Development		Summary of Request: First Reading. A request Battle Law, P.C., to amend the Comprehensive Plan Future Land Use Map Category for three parcels on 0 SE Highway 138 SE, SE Highway 138 SE, and 2010 SE Weatherstone Circle Conyers, GA, from Commercial to Mixed Use/Employment Center for the development of single-family attached townhomes. Said property consisting of a combined 7.4 acres, is described as lying and being in Land Lot 239 of the 10th District of Rockdale County, GA, and is further identified as Tax Parcel #'s 046001002E, 046001002D, and 046B010273.	
<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.		I have reviewed the attached, and it is approved for processing.	
Signature: _____ Date: _____		Signature: _____ Date: _____	
<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.		I have reviewed the attached, and it is approved for processing.	
Signature: _____ Date: _____		Signature: _____ Date: _____	

Notes and Comments:

Jan 24: First Reading Work Session;
 Jan 24: First Reading Voting Session;
 February 9: Planning Commission;

2023-33

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**February 23: Zoning Public Hearing;
March 7: Second Reading Work Session;
March 14: Second Reading Voting Session.**

AN ORDINANCE TO AMEND THE FUTURE LAND USE MAP OF ROCKDALE COUNTY'S COMPREHENSIVE PLAN, AS AMENDED, SO AS TO RE-DESIGNATE PROPERTY LOCATED AT 0 HIGHWAY 138 SE, HIGHWAY 138 SE, AND 2010 SE WEATHERSTONE CIRCLE FROM THE COMMERCIAL FUTURE LAND USE CATEGORY TO THE MIXED USE/EMPLOYMENT CENTER FUTURE LAND USE CATEGORY; TO REPEAL CONFLICTING ORDINANCES AND FOR OTHER PURPOSES.

WHEREAS, an application to amend the Future Land Use Map of Rockdale County's Comprehensive Plan for a certain property was filed with Rockdale County, Georgia, which involved the following:

FUTURE LAND USE MAP CASE NO. 2022-05	Amend the Comprehensive Plan Future Land Use Map Category from Commercial to Mixed Use/Employment Center for the development of a 44-unit townhome and office development		
APPLICANT:	Battle Law, P.C.		
PROPERTY OWNER:	Wellborn Development Co., Inc.		
LOCATION:	0 Highway 138 SE, Highway 138 SE, and 2010 SE Weatherstone Circle Conyers, GA, 30094		
LAND LOT(S):	239	DISTRICT:	10th
TAX PARCEL NO.:	046001002E, 046001002D, and 046B010273	TOTAL ACREAGE:	7.36

WHEREAS, said Future Land Use Map Amendment 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 Board of Commissioners of Rockdale County have determined that the proposed Future Land Use Map Amendment would result in a Future Land Use Category that is more consistent with the text and policies of the Comprehensive Plan than the current Future Land Use Category of the property on Future Land Use Map and would result in a land use that is more compatible with the current and future land use of adjacent and nearby property;

NOW, THEREFORE, be it ordained by the Board of Commissioners of Rockdale County, and by the authority of same as follows:

Section I

The Future Land Use Map of Rockdale County's Comprehensive Plan, as amended, is hereby further amended so as to re-designate the 7.36-acre property, more particularly described as Tax Parcel No. 046001002E (0 Highway 138 SE) containing 5.24 acres, Tax Parcel No. 046001002D (Highway 1380 SE) containing 1.09, and Tax Parcel No. 046B010273 (2010 SE Weatherstone Circle) containing 1.03 acres in the Legal Description attached hereto as Exhibit "A" and depicted on the ALTA/NSPS Land Title Survey attached hereto as Exhibit "B", from the Commercial Future Land Use Category to the Mixed Use/Employment Center Future Land Use Category.

Section II

The Future Land Use Map of Rockdale County's Comprehensive Plan, as amended, is hereby further amended to reflect the change in the Future Land Use Category of said property authorized in Section I.

Section III

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, 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

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EXHIBIT "A"

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOTS 210 AND 239 OF THE 10TH DISTRICT OF ROCKDALE COUNTY, GEORGIA BEING SHOWN ON PLAT OF SURVEY DATED FEBRUARY 10, 1986 (REVISED JUNE 6, 1986 AND JULY 9, 1986) PREPARED BY MACK L. MEEKS, GEORGIA REGISTERED LAND SURVEYOR #1497, FOR WELLPORN DEVELOPMENT COMPANY, INC. AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT LOCATED AT THE COMMON CORNER OF LAND LOTS 209, 210, 239 AND 240; RUNNING THENCE NORTH 88 DEGREES 30 MINUTES 00 SECONDS EAST A DISTANCE OF 1,161.93 FEET TO AN R-BAR FOUND; RUNNING THENCE NORTH 00 DEGREES 29 MINUTES 16 SECONDS WEST A DISTANCE OF 619.29 FEET TO A CRIMP TOP PIN FOUND; RUNNING THENCE SOUTH 87 DEGREES 03 MINUTES 15 SECONDS EAST A DISTANCE OF 518.88 FEET TO A GALVANIZED PIPE FOUND; RUNNING THENCE NORTH 7 DEGREES 30 MINUTES 44 SECONDS EAST A DISTANCE OF 591.64 FEET TO A CRIMP TOP PIN FOUND; RUNNING THENCE NORTH 81 DEGREES 23 MINUTES 7 SECONDS EAST A DISTANCE OF 689.08 FEET TO A CRIMP TOP PIN FOUND; RUNNING THENCE NORTH 9 DEGREES 40 MINUTES 46 SECONDS WEST A DISTANCE OF 762.39 FEET TO A FENCE POST; RUNNING THENCE NORTH 81 DEGREES 41 MINUTES 11 SECONDS EAST A DISTANCE OF 49.46 FEET TO A PIPE FOUND; RUNNING THENCE NORTH 26 DEGREES 27 MINUTES 32 SECONDS WEST A DISTANCE OF 136.72 FEET TO A PIPE FOUND; RUNNING THENCE SOUTH 50 DEGREES 3 MINUTES 38 SECONDS WEST A DISTANCE OF 117.90 FEET TO A PIPE FOUND; RUNNING THENCE NORTH 04 DEGREES 49 MINUTES 48 SECONDS WEST A DISTANCE OF 20.87 FEET TO A CRIMP TOP PIN FOUND; RUNNING THENCE SOUTH 81 DEGREES 55 MINUTES 16 SECONDS WEST A DISTANCE OF 91.91 FEET TO A GALVANIZED PIPE FOUND; RUNNING THENCE NORTH 01 DEGREE 54 MINUTES 00 SECONDS EAST A DISTANCE OF 191.20 FEET TO AN R-BAR FOUND ON THE SOUTHEASTERLY RIGHT OF WAY OF GEORGIA HIGHWAY 138 (100 FOOT R/W); RUNNING THENCE NORTHEASTERLY ALONG THE SOUTHEASTERLY RIGHT OF WAY OF SAID GEORGIA HIGHWAY 138 A DISTANCE OF 364.71 FEET TO A POINT; RUNNING THENCE ALONG THE CURVATURE OF SAID GEORGIA HIGHWAY 138 AN ARC DISTANCE OF 158.91 FEET AS SUBTENDED BY A CHORD BEARING NORTH 67 DEGREES 55 MINUTES 45 SECONDS EAST, A CHORD DISTANCE OF 158.83 FEET TO A POINT; RUNNING THENCE ALONG THE CURVATURE OF SAID GEORGIA HIGHWAY 138 AN ARC DISTANCE OF 250.0 FEET AS SUBTENDED BY A CHORD BEARING NORTH 60 DEGREES 01 MINUTES 37 SECONDS EAST, A CHORD DISTANCE OF 249.70 FEET TO AN IRON PIN SET; RUNNING THENCE SOUTH 34 DEGREES 35 MINUTES 58 SECONDS EAST A DISTANCE OF 246.81 FEET TO A POINT ON THE EAST LINE OF LAND LOT 239; RUNNING THENCE ALONG THE EAST LINE OF LAND LOT 239 SOUTH 01 DEGREE 32 MINUTES 30 SECONDS EAST A DISTANCE OF 2348.74 FEET TO A ROCK FOUND AT THE COMMON CORNER OF LAND LOTS 210, 211, 238, AND 239; RUNNING THENCE ALONG THE SOUTH LINE OF LAND LOT 239 SOUTH 89 DEGREES 12 MINUTES 58 SECONDS WEST A DISTANCE OF 1100.39 FEET TO A POINT ON THE CENTER LINE OF CREEK; RUNNING THENCE SOUTHERLY ALONG THE CENTER LINE OF CREEK A DISTANCE OF 145 FEET MORE OR LESS TO A POINT; RUNNING THENCE SOUTH 37 DEGREES 51 MINUTES 04 SECONDS WEST A DISTANCE OF 161.55 FEET TO AN R-BAR FOUND; RUNNING THENCE SOUTH 27 DEGREES 42 MINUTES 19 SECONDS EAST A DISTANCE OF 364.20 FEET TO AN R-BAR FOUND; RUNNING THENCE SOUTH 2 DEGREES 14 MINUTES 49 SECONDS WEST A DISTANCE OF 208.41 FEET TO AN R-BAR FOUND; RUNNING THENCE SOUTH 13 DEGREES 43 MINUTES 39 SECONDS EAST A DISTANCE OF 56.98 FEET TO A R-BAR FOUND; RUNNING THENCE SOUTH 37 DEGREES 39 MINUTES 18 SECONDS EAST A DISTANCE OF 159.60 FEET TO A R-BAR FOUND; RUNNING THENCE SOUTH 39 DEGREES 57 MINUTES 26 SECONDS EAST A DISTANCE OF 198.53 FEET TO AN R-BAR FOUND; RUNNING THENCE SOUTH 43 DEGREES 58 MINUTES 47 SECONDS EAST A DISTANCE OF 122.93 FEET TO AN R-BAR FOUND; RUNNING THENCE SOUTH 17 DEGREES 44 MINUTES 46 SECONDS EAST A DISTANCE OF 175.73 FEET TO AN R-BAR FOUND; RUNNING THENCE NORTH 80 DEGREES 34 MINUTES 25 SECONDS EAST A DISTANCE OF 136.96 FEET TO A POINT ON THE CENTER LINE OF CREEK; RUNNING THENCE SOUTHWESTERLY ALONG THE CENTER LINE OF CREEK A DISTANCE OF 1452 FEET MORE OR LESS TO AN R-BAR FOUND; RUNNING THENCE SOUTH 30 DEGREES 3 MINUTES 07 SECONDS WEST A DISTANCE OF 400 FEET TO A POINT; RUNNING THENCE NORTH 50 DEGREES 11 MINUTES 28 SECONDS WEST A DISTANCE OF 507.35 FEET TO A POINT ON THE CENTER LINE OF ALMAND CREEK; RUNNING THENCE NORTHWESTERLY ALONG THE CENTER LINE OF

A.L.C. m/m

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EXHIBIT "A"
PAGE TWO

ALMUND CREEK A DISTANCE OF 2013 FEET MORE OR LESS TO A POINT ON
THE WEST LINE OF LAND LOT 210; RUNNING THENCE ALONG THE WEST LINE
OF LAND LOT 210 NORTH 2 DEGREES 27 MINUTES 52 SECONDS WEST A
DISTANCE OF 981.94 FEET TO AN AXLE FOUND IN ROCK BEING THE TRUE
POINT OF BEGINNING.

J.P.E.

mjm

RECORDED *July 14, 1986* JOANNE P. CALDWELL, CLERK

Exhibit "B"
ALTA/NSPS Land Title Survey

