

**AN ORDINANCE PURSUANT TO SECTION 238-15 OF THE ROCKDALE COUNTY UNIFIED DEVELOPMENT ORDINANCE, AS AMENDED, TO MODIFY THE CONDITIONS OF ZONING AS APPROVED UNDER SPECIAL USE PERMIT CASE NO. 2014-08 FOR A PRIVATE SCHOOL AS AN ACCESSORY USE TO A PLACE OF WORSHIP; TO REPEAL CONFLICTING ORDINANCES; SET AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.**

**WHEREAS**, an application to modify the Conditions of Zoning for a Special Use Permit authorizing a Private School was filed with Rockdale County, Georgia, of which proposal involved the following information:

SPECIAL USE PERMIT CASE NO. 2020-03:	To amend existing Condition No. 1 of Special Use Permit Case No. 2014-08 (Ordinance No. O-2014-11), which restricts the private school to an elementary school, grades K-5, Condition No. 2, which restricts the private school to an enrollment of 99 students, and Condition No. 3, which states K-5, and to allow the private school on a site with 5 acres.
AGENT:	E. Brian Watkins
PROPERTY OWNER:	Kingdom Builders Covenant Church
LOCATION:	1151 Flat Shoals Rd SE, Conyers, GA, 30013
TAX PARCEL NUMBER(s):	0760030016
ZONING DISTRICT:	A-R (Agricultural-Residential)
FUTURE LAND USE MAP:	Medium Density Residential Category
LAND LOT(s):	244
DISTRICT:	10 <sup>th</sup>

**WHEREAS**, said Special Use Permit was reviewed by staff and public hearings were held following public notice and all other requirements of Sections 238-4, 238-6, and 238-15 of The Unified Development Ordinance (UDO) of Rockdale County, Georgia, as amended, having been reviewed and applied to said Special Use Permit Application;

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

**Section I**

Pursuant to the provisions of Section 238-15 of the UDO, the Special Use Permit for a Private School as an Accessory Use to a Place of Worship on said property, more particularly described in the overall legal description attached hereto as Exhibit "A" and depicted on the site plan attached hereto as Exhibit "B", which exhibits are hereby incorporated by this reference, is hereby amended so as to alter the Conditions of Zoning previously approved in Special Use Permit Case No. 2014-08 to those specified in Section II below.

**Section II**

The conditions attached to and approved as part of Special Use Permit Case No. 2014-08 are hereby amended so as to reflect those conditions attached hereto as Exhibit "C", which exhibit is hereby incorporated by this reference. All permits issued shall be in strict compliance with these conditions as well as all other applicable

provisions of the Code of Rockdale County. The alterations to the Zoning Conditions hereby approved does not authorize the violation of any zoning district regulations, nor grant any variances from said regulations.

**Section III**

The Official Zoning Map of Rockdale County, Georgia, established as a part of the Rockdale County UDO, as amended, is hereby further amended to reflect these alterations to the Zoning Conditions of said property.

**Section IV**

All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

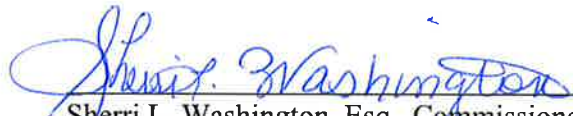
**EFFECTIVE DATE:** This Ordinance shall become effective as of the date hereof.

**ADOPTED AND APPROVED THIS** 10th **DAY OF** November, 2020.

**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: September 22, 2020

Second Reading: 11/10/2020

**Exhibit "A"**  
**Legal Description**

ALL THAT TRACT AND PARCEL OF LAND lying and being in Land Lot Land Lot 244 of the 10th District, Rockdale County, Georgia and more fully described as follows:

Beginning at an iron pin located on the Southwest right-of-way of Flat Shoals Road (100 foot right-of-way), said iron pin being located 691.76 feet Southeast from that point where the land lot line dividing Land Lots 243 and 244 of the 10th District intersects the Southwest right-of-way of Flat Shoals Road; as measured along the Southwest right-of-way of Flat Shoals Road;

thence South 55 Degrees 19 Minutes east along the Southwest right-of-way of Flat Shoals Road 400.16 feet to an iron pin corner; thence South 1 Degree 41 Minutes West 536.51 feet to iron pin found at corner;

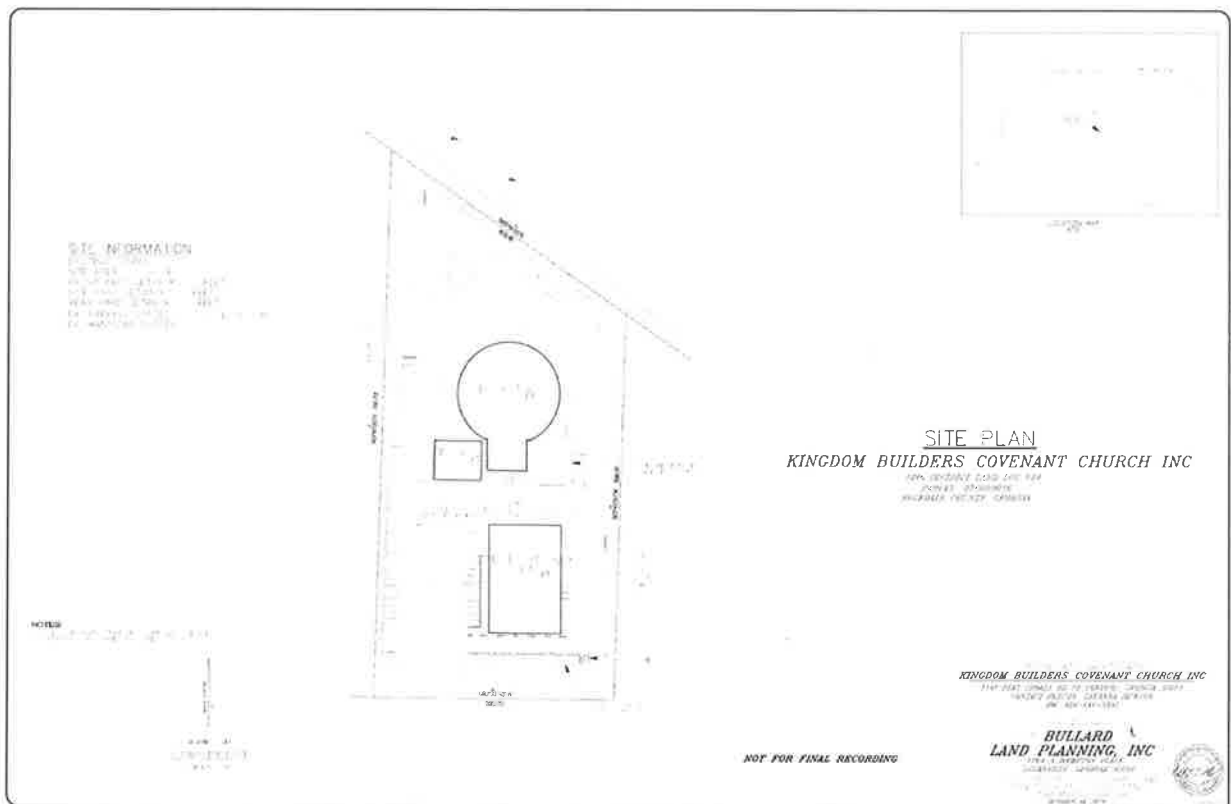
thence North 89 Degrees 33 Minutes 43 Seconds West 335.7 feet to iron pin corner;

thence North 1 Degree 41 Minutes East 761.72 feet to iron pin at the point of beginning.

Same being the property conveyed from George O. White and Colleen Garner White to Grantor as shown in Deed Book 232, page 822, Records of Rockdale County, Georgia.

Less and except the property in that certain right of way deed to the County of Rockdale recorded January 31, 1996 at Deed Book 1198, Page 227.

Exhibit "B"  
Site Plan



**Exhibit "C"**  
**Conditions of Zoning**

1. The private school may operate with grades K-12;
2. The enrollment of the school as an accessory use to a place of worship on 5 acres shall not exceed 125 students;
3. The approval of a special use permit for a K-12 private school does not authorize any independently owned and operated private school by other than Kingdom Builders Covenant Church dba Excel Church;
4. The issuance of a special use permit shall only constitute approval of the proposed use, and development of the use shall not be carried out until the applicant has secured all other permits and approvals required.