

**AN ORDINANCE TO AMEND THE OFFICIAL ZONING DISTRICT MAP OF ROCKDALE COUNTY, AS AMENDED, BY REZONING PROPERTY LOCATED AT 4711 HIGHWAY 20 SE AND 905 & 0 BELL RD SE FROM THE AR (AGRICULTURAL RESIDENTIAL) ZONING DISTRICT TO THE C1 (LOCAL COMMERCIAL) 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. 2021-12</b>	Rezone 2.61 acres from AR (Agricultural Residential) to C1 (Local Commercial) to allow the construction of a convenience store.		
<b>APPLICANT:</b>	Bethany Lavigno, P.C.		
<b>PROPERTY OWNER:</b>	ARP HOLDINGS LLC		
<b>LOCATION:</b>	4711 Highway 20 SE and 905 & 0 Bell Rd SE, Conyers, GA, 30094		
<b>LAND LOT(S):</b>	83	<b>DISTRICT:</b>	10th
<b>TAX PARCEL NO.:</b>	0510020005, 051002005B, & 051002005E		

**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 Commercial, which pursuant to Section 202-6 permits the C1 (Local Commercial) 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 2.61-acre property, more particularly described in the legal description attached hereto as Exhibit “A” and depicted as Parcel 5, Parcel 5B, and Parcel 5E on the Zoning Plat attached hereto as Exhibit “B”, from the AR (Agricultural Residential) Zoning District to the C1 (Local Commercial) Zoning District.

**Section II**

The zoning amendment authorized in Section I is approved subject to all conditions, including any conditions of zoning, attached hereto as Exhibit “C”, which exhibit is hereby incorporated by this reference and applies to the 2.61-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.

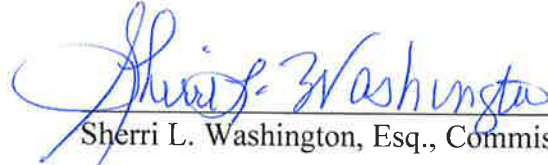
That this Ordinance shall become effective upon adoption.

This 10<sup>th</sup> day of August, 2021.

**ROCKDALE COUNTY, GEORGIA  
BOARD OF COMMISSIONERS**



Oz Nesbitt, Sr., Chairman



Sherri L. Washington, Esq., Commissioner Post I

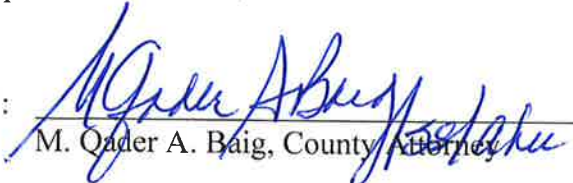


Dr. Doreen Williams, Commissioner Post II

Attest:

By:   
Jennifer Rutledge, County Clerk

Approved as to Form:

By:   
M. Qader A. Baig, County Attorney

First Reading: May 25, 2021

Second Reading: August 10, 2021

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

All that tract or parcel of land lying and being in Land Lot 83 of the 10th District, Rockdale County, State of Georgia, being more fully and particularly described as follows:

BEGINNING at the right-of-way monument on the west right-of-way of Georgia Highway Number 20 (80' right-of-way) and the south right-of-way of Bell Road (55' right-of-way);

THENCE along the western right-of-way of Georgia Highway Number 20 South 11 degrees 56 minutes 00 seconds East a distance of 204.97 feet to a right-of-way monument located on the west right-of-way of Georgia Highway Number 20;

THENCE South 89 degrees 06 minutes 02 seconds West for a distance of 293.34 feet to a 1" open top pipe found;

THENCE North 07 degrees 10 minutes 11 seconds West a distance of 202.83 feet to a one-half inch rebar found located on the south right-of-way of Bell Road;

THENCE along the right-of-way of Bell Road (55' R/W) along a curve to the right North 88 degrees 38 minutes 51 seconds East and a chord distance of 187.93, an arc distance of 187.97 feet and a radius of 2538.80 feet to a point located on the right-of-way of Bell Road;

THENCE South 89 degrees 39 minutes 17 seconds East for a distance of 88.36 feet to a right-of-way monument on the south right-of-way of Bell Road and the west right-of-way of Georgia Highway Number 20, the TRUE POINT OF BEGINNING.

Said property contains 1.33 Acres.

All that tract or parcel of land lying and being in Land Lot 83 of the 10th District, Rockdale County, State of Georgia, being more fully and particularly described as follows:

TO FIND THE TRUE POINT OF BEGINNING, Begin at the right-of-way monument on the west right-of-way of Georgia Highway Number 20 (80' right-of-way) and the south right-of-way of Bell Road (55' right-of-way);

THENCE north 89 degrees 39 minutes 17 seconds west a distance of 88.36 feet to a point located on the south right-of-way of Bell Road;

THENCE along the right-of-way of Bell Road (55' R/W) along a curve to the left South 88 degrees 38 minutes 51 seconds West and a chord distance of 187.93, an arc distance of 187.97 feet and a radius of 2538.80 feet to a one-half inch rebar found, being THE TRUE POINT OF BEGINNING.

THENCE South 07 degrees 10 minutes 11 seconds East 202.83 feet to a one inch open top pipe found;

THENCE South 07 degrees 14 minutes 18 seconds East a distance of 125.48 feet to a one-half inch rebar found;

THENCE North 77 degrees 25 minutes 19 seconds West a distance of 124.77 feet to a one-half inch rebar found;

THENCE North 08 degrees 37 minutes 37 seconds West a distance of 292.73 feet to a one-half inch open top pipe found located on the south right-of-way of Bell Road;

THENCE North 85 degrees 48 minutes 18 seconds East along the right-of-way of Bell Road for a distance of 124.90 feet to one half inch rebar found, THE TRUE POINT OF BEGINNING

Said property contains 0.86 Acres.

All that tract or parcel of land lying and being in Land Lot 83 of the 10th District, Rockdale County, State of Georgia, being more fully and particularly described as follows:

TO FIND THE TRUE POINT OF BEGINNING, Begin at the right-of-way monument on the west right-of-way of Georgia Highway Number 20 (80' right-of-way) and the south right-of-way of Bell Road (55' right-of-way);  
THENCE North 89 degrees 39 minutes 17 seconds west a distance of 88.36 feet to a point located on the south right-of-way of Bell Road;

THENCE along the right-of-way of Bell Road (55' R/W) along a curve to the left South 88 degrees 38 minutes 51 seconds West and a chord distance of 187.93, an arc distance of 187.97 feet and a radius of 2538.80 feet to a one-half inch rebar found;

THENCE South 85 degrees 48 minutes 18 seconds West a distance of 124.90 feet to a one-half inch open top pipe found, being THE TRUE POINT OF BEGINNING.

THENCE South 08 degrees 37 minutes 37 seconds East 292.73 feet to a one-half inch rebar found;

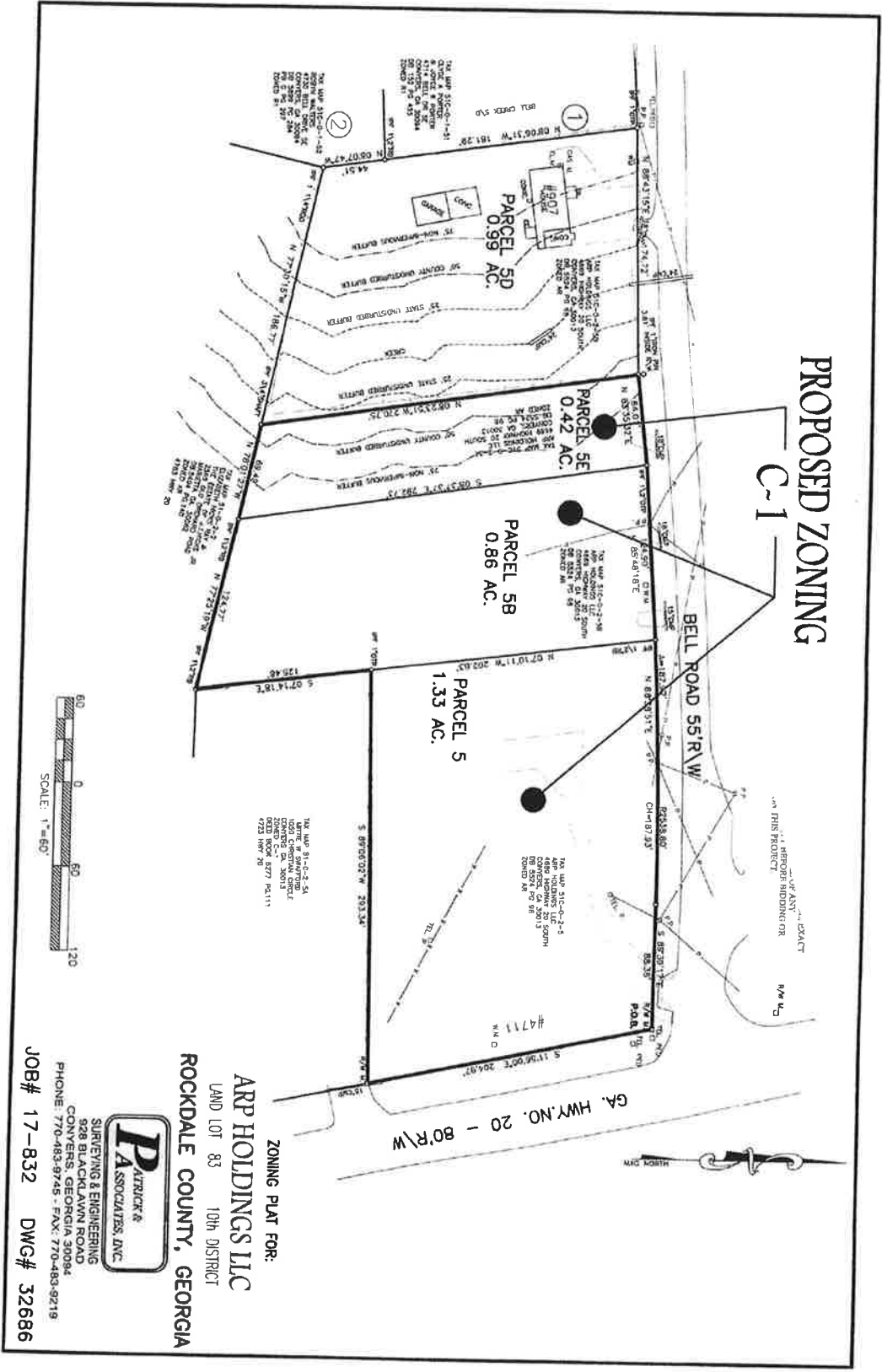
THENCE North 78 degrees 01 minutes 27 seconds West a distance of 69.49 feet to a ¾ shaft;

THENCE North 08 degrees 23 minutes 51 seconds West a distance of 270.75 feet to a point located on the south right-of-way of Bell Road;

THENCE North 83 degrees 35 minutes 32 seconds East along the right-of-way of Bell Road for a distance of 64.01 feet to one half inch rebar found, THE TRUE POINT OF BEGINNING

Said property contains 0.42 Acres.

**Exhibit "B"**  
**Zoning Plat**



ZONING PLAT FOR:  
**ARP HOLDINGS LLC**  
 LAND LOT 83 10th DISTRICT  
 ROCKDALE COUNTY, GEORGIA

**PATRICK & ASSOCIATES, INC.**  
 SURVEYING & ENGINEERING  
 588 BLACKLAVAN ROAD  
 CANNONS, GEORGIA 30084  
 PHONE: 770-483-9745 - FAX: 770-483-9219

JOB# 17-832 DWG# 32686

**Exhibit "C"**

**Conditions of Zoning**

1. Traffic Impact Study required, unless determined otherwise by the Rockdale County Department of Transportation (RDOT). Any recommendations for improvements by the Traffic Impact Study, as determined by RDOT, shall be shown on the Land Disturbance Permit (LDP);
2. If any type of gasoline station is to be on the property, the location of the fuel pumps shall not be within 100 feet of a residential district or adjacent to a residential district. The LDP shall show the measurements;
3. The property shall be recombined through the Fast-Track Plat Process so that the septic field and stormwater management pond are on the same parcel as the structures that they serve.



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



<b>Type of Request:</b> REZ Case #2021-12		County Clerk Use Only Ordinance #: 2021- 34	
<input checked="" type="checkbox"/> <b>Submission Information</b> <b>Contact Name:</b> Kalanos Johnson / Tiras Winn Petrea  <b>Department:</b> Planning & Development		<input checked="" type="checkbox"/> <b>Information</b> <b>Summary of Request:</b> Second Reading.  4711 Highway 20 SE and 905 & 0 Bell Rd SE. A request by Bethany Lavigno, P.C. to rezone from AR (Agricultural Residential) to C1 (Local Commercial) to allow the construction of a convenience store.	
<input checked="" type="checkbox"/> <b>Department Director/Elected Official Signature</b> I have reviewed the attached, and it is approved as to substance. Signature: <i>[Handwritten Signature]</i> Date: 7-23-21		<input type="checkbox"/> <b>Chief of Staff Signature</b> I have reviewed the attached, and it is approved for processing. Signature: _____ Date: _____	
<input type="checkbox"/> <b>County Attorney Signature</b> I have reviewed the attached, and it is approved as to form. Signature: _____ Date: _____		<input type="checkbox"/> <b>Director of Legislative Affairs/County Clerk Signature</b> I have reviewed the attached, and it is approved for processing. Signature: _____ Date: _____	

**Notes and Comments:**

May 25: First Reading;  
 July 8: Planning Commission;  
 July 22: Board of Commissioners' Zoning Public Hearing;  
 August 3: Second Reading Work Session;  
 August 10: Second Reading Voting Session.