

AN ORDINANCE TO AMEND THE OFFICIAL ZONING DISTRICT MAP OF ROCKDALE COUNTY, AS AMENDED, BY REZONING 0 SIGMAN RD NW, 0 SHIPP CIRCLE NW AND 0 IRWIN BRIDGE RD NW FROM R1 TO CRS; 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:

REZONING CASE NO. 2022-05	Rezone 0 Sigman Rd NW, 0 Shipp Circle NW And 0 Irwin Bridge Rd NW from R1 (Single-Family Residential) to to MRU (Mixed Residential Use) to allow the development of a single-family attached and detached subdivision with no more than 171 lots.		
APPLICANT:	Joe Gary		
PROPERTY OWNER:	First National Community Bank		
LOCATION:	0 Sigman Rd NW, 0 Shipp Circle NW and 0 Irwin Bridge Rd NW, Conyers, GA, 30012		
LAND LOT(S):	275 and 292	DISTRICT:	16th
TAX PARCEL NO.:	0560010004, 0560010006 and 057003050A	TOTAL ACREAGE:	65.07

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 designate said property as Low and Medium Density Residential, which pursuant to Section 202-6 permits the MRU 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 65.07-acre property, more particularly described in the Legal Description attached hereto as Exhibit “A” and depicted in the Boundary Exhibit attached hereto as Exhibit “B”, from R1 (Single Family Residential) to MRU (Mixed Residential Use).

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 60.07-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.

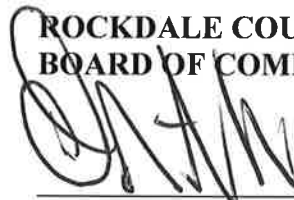
Section IV

All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

That this Ordinance shall become effective upon adoption.

This 12 day of July, 2022.

**ROCKDALE COUNTY, GEORGIA
BOARD OF COMMISSIONERS**



Oz Nesbitt, Sr., Chairman


OPPOSED

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: 5/10/2022

Second Reading: 7/12/2022

EXHIBIT "A"
LEGAL DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lots 292 and 293 of the 16th District of Rockdale County, Georgia, and being more particularly described on a plat of survey prepared for Triad Investments, LLC prepared by Wayne A. Powers, Ga RLS #2891 dated 6/13/2003, which said plat of survey is incorporated herein and by reference thereto said property being more particularly described as follows:

BEGINNING at an iron pin found at the corner formed by the intersection of the western right-of-way line of Northside Drive (50' right-of-way) with the northern right-of-way line of Shipp Circle (50' right-of-way); thence leaving said right-of-way lines North 89° 32' 48" West 199.76 feet to an iron pin found; thence proceeding North 00° 33' 56" West 954.87 feet to an iron pin found; thence proceeding North 00° 33' 56" West 11.17 feet to a point; thence proceeding in an easterly direction to the right along the arc of a curve to the left of a chord having been subtended a distance of 565.59 feet said arc having a radius of 557.33 feet and having been subtended by a chord having a bearing and distance of North 70° 01' 25" East 541.63 feet to a point; thence proceeding South 80° 54' 14" East 106.67 feet to a point; thence proceeding in an easterly direction to the left along the arc of a curve to the right of a chord having been subtended a distance of 466.59 feet, said arc having a radius of 825.58 feet and having been subtended by a chord having a bearing and distance of North 83° 06' 39" East 460.40 feet to an iron pin found; thence proceeding South 02° 21' 30" East 390.37 feet to an iron pin found; thence proceeding South 55° 01' 54" East 164.70 feet to an iron pin found; thence proceeding North 77° 10' 32" East 138.34 feet to an iron pin found on the western right-of-way line of Sigman East Drive (50' right-of-way); thence proceeding along the western right-of-way line of Sigman East Drive South 12° 44' 59" East 500.00 feet to a point; thence leaving said right-of-way line South 77° 10' 32" West 108.85 feet to a point; thence proceeding South 12° 15' 58" West 493.27 feet to a point; thence proceeding North 77° 08' 28" East 117.07 feet to an iron pin found; thence proceeding South 12° 46' 41" East 399.59 feet to an iron pin found; thence proceeding North 77° 24' 48" East 200.18 feet to a point; thence proceeding South 57° 32' 36" seconds East 35.34 feet to a point; thence proceeding South 02° 06' 59" West 1097.88 feet to an iron pin found; thence proceeding North 89° 10' 51" West 227.00 feet to a point; thence proceeding North 22° 42' 37" West 75.02 feet to a point; thence proceeding North 24° 49' 09" East 143.60 feet to a point; thence proceeding North 51° 22' 43" West 92.76 feet to an iron pin found; thence proceeding North 01° 39' 47" West 132.85 feet to an iron pin found; thence proceeding North 04° 06' 10" East 271.58 feet to an iron pin found; thence proceeding North 03° 04' 54" East 150.44 feet to an iron pin found; thence proceeding North 16° 10' 17" West 145.02 feet to an iron pin found; thence proceeding South 67° 12' 09" West 189.98 feet to an iron pin found; thence proceeding North 27° 59' 24" West 103.90 feet to an iron pin found; thence proceeding North 22° 33' 13" West 100.08 feet to a point; thence proceeding North 31° 28' 35" West 250.68 feet to an iron pin found on the southeastern right-of-way line of Shipp Circle (50' right-of-way - Not Improved); thence proceeding along said right-of-way line South 63° 28' 25" West 252.83 feet to an iron pin found on the northern right-of-way line of Shipp Circle (50' right-of-way); thence proceeding along the northern right-of-way line of Shipp Circle North 76° 43' 35" West 78.11 feet to a point; thence leaving the northern right-of-way line of Shipp Circle and proceeding along the northwestern right-of-way line of Shipp Circle (not improved) North 63 degrees 28' 25" East 248.84 feet to a point; thence proceeding North 06° 22' 55" West 217.37 feet to a point; thence proceeding North 14° 52' 05" East 91.38 feet to a point; thence proceeding South 55° 39' 05" West 115.60 feet to a point; thence proceeding North 86 degrees 19' 55" West 450.20 feet to an iron pin found; thence proceeding South 00 degrees 10' 47" West 349.89 feet to an iron pin found on the northern right-of-way line of Shipp Circle; thence proceeding along the northern right-of-way line of Shipp Circle North 57° 34' 46" West 59.50 feet to an iron pin found at the corner formed by the intersection of the western right-of-way line of Northside Drive with the northern right-of-way line of Shipp Circle, said iron pin being the POINT OF BEGINNING.

ALSO:

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot 292 of the 16th District of Rockdale County, Georgia, being more particularly described in the

survey prepared by Fourmen Properties, dated October 3, 1984, by Robert M. Kirkley, RLS No. 1844 and recorded at Plat Book R, page 63, Rockdale County, Georgia records, which plat is incorporated herein and made a part hereof.

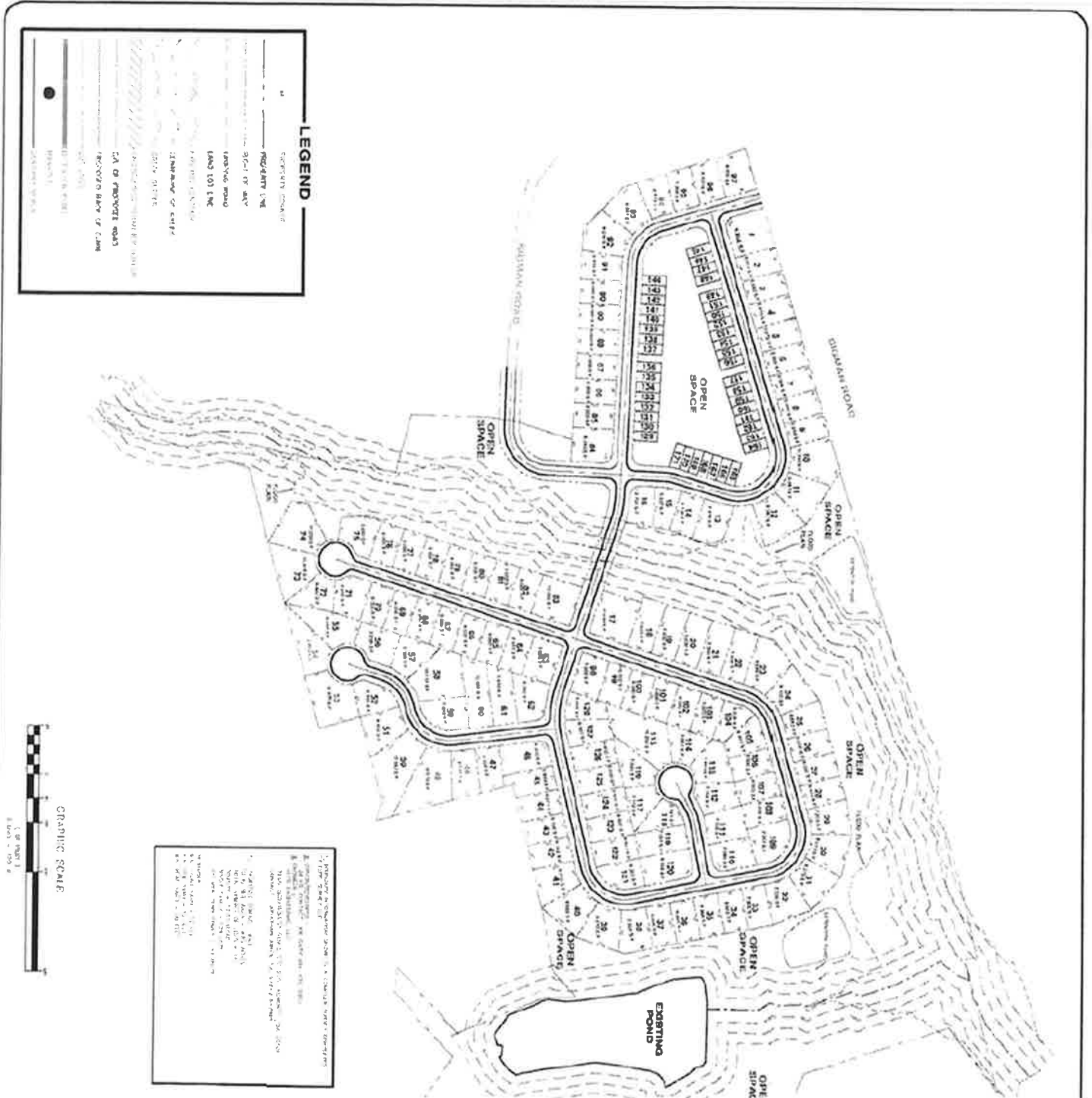
TOGETHER WITH:

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot 292 of the 16th District of Rockdale County, Georgia, being more particularly described in the survey prepared by Fourmen Properties, dated October 3, 1984, by Robert M. Kirkley, RLS #1844 and recorded at Plat Book R, page 63, Rockdale County, Georgia records. In said survey, shown as Milstead Railroad Right-of-Way and being that portion of said right-of-way beginning at the intersection with the southwesterly boundary of the right-of-way of Sigman Road and extending along the southwesterly side of the property owned by Raymond Donald Day, Donald Ted Sikes, William Walter Harrell, and Larry Charles Downing; thence running through the Day, Sikes, Harrell, Downing property to that property's furthestmost property line. Said Day, Sikes, Harrell Property being the same as identified in the aforementioned survey for Fourmen Properties.

AND ALSO:

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot 292 of the 16th District of Rockdale County, Georgia, being shown as Tract 1 containing 16.386 acres; Tract 2 containing 1.386 acres and Tract 3 containing 7.197 acres on a survey for Durden Land & Properties Unlimited Inc. by Brewer & Dudley LLC dated April 8, 2003, which survey is attached hereto as Exhibit "B" and incorporated herein by reference thereto.

EXHIBIT "B" BOUNDARY EXHIBIT



LEGEND	
	PROPERTY BOUNDARY
	RIGHT OF WAY
	EASEMENT
	LAND USE LINE
	ELEVATION OF CENTER
	CA OR PROPOSED ROAD
	RECORD MAP OR CLAIM
	EASEMENT
	ELEVATION OF CENTER
	CA OR PROPOSED ROAD
	RECORD MAP OR CLAIM

1. PROJECT: [Illegible]
 2. SHEET: [Illegible]
 3. DATE: [Illegible]
 4. SCALE: [Illegible]
 5. DRAWN BY: [Illegible]
 6. CHECKED BY: [Illegible]
 7. APPROVED BY: [Illegible]





EXHIBIT "C"
CONDITIONS OF ZONING

1. To restrict the use of the property as follows:

- A. The Conceptual Site Plan prepared by Elite Engineering, dated March 2022, shall become the guiding layout and design. The actual location of the water quality area, detention, streets, sidewalks, amenity areas, and other depicted improvements shall be subject to actual site conditions and the requirements of the Code of Rockdale County.
- B. The 65-acre site shall be developed in compliance with the proposed revisions regarding the MRU (Mixed Residential Use) Zoning District, if adopted.
- C. The applicant shall provide a Traffic Impact Study with the Preliminary Plat. Any recommendations for improvements shall be required to be shown on the Land Disturbance Permit (LDP). Additionally, as determined by Rockdale County Department of Transportation, a new study may be required for the development. Any recommendations for improvements from any new studies shall be required to be shown on the LDP.
- D. The Covenants, Conditions, and Restrictions shall include a clause to limit the maximum number of homes that can be rented or leased within the development at any one time to be no more than 5 percent.
- E. The site shall be restricted not to exceed 171 dwelling units with no more than 43 townhome units and permitted accessory uses.
- F. All 128 single-family detached residences shall be constructed before construction of the townhomes exceeds 50%.
- G. A minimum of 14 guest parking spaces shall be provided throughout the townhome side of the development.
- H. All dwellings shall have two-car garages.
- I. The elevations shall be a mixture of cementitious siding, board and batten, brick and stone and shall be in compliance with those provided by the applicant.
- J. The amenity areas shall be included and with detailed features. Any structures in the amenity areas shall be constructed using exterior building materials that complement the adjacent residential structures.
- K. On the Final Plat for the residential community, there shall be a statement that reads as follows (or generally reads): "It is understood by the residents of this MRU zoned Residential community that it is located in an area of Rockdale County, GA where other non-residential land uses are also present and were in existence prior to the development of the Residential community. The adjacent and nearby non-residential uses do create noises and sounds commonly associated with those types of land uses and the residents of this Residential community are fully aware of the existence of the adjacent and nearby non-residential land uses prior to their purchase of the residential units."
- L. The existing entrance on Sigman Rd and pavement shall be utilized by the development and improved pursuant to any specifications required by RDOT.