

AN ORDINANCE TO AMEND THE OFFICIAL ZONING DISTRICT MAP OF ROCKDALE COUNTY, AS AMENDED, BY REZONING 1816 PARKER ROAD FROM C-2 (GENERAL COMMERCIAL DISTRICT) TO RM (RESIDENTIAL MULTIFAMILY 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:

REZONING CASE NO. 2023-08	Rezone from C-2 (General Commercial District) to RM (Residential Multifamily District) for the development of 66-Townhome Units		
APPLICANT:	Ross Mundy		
PROPERTY OWNER:	Executor of the Estate for Debra F. Harvill (Nicola D. Harvill)		
LOCATION:	1816 Parker Road		
LAND LOT(S):	243	DISTRICT:	16 TH
TAX PARCEL NO.:	075001025	TOTAL ACREAGE:	7.7 acres

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 designates said property as High Density, which pursuant to Section 202-6 permits the RM 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 7.7-acre property, more particularly described in the Legal Description attached hereto as Exhibit “A” depicted on the ALTA/NSPS Land Title Survey attached hereto as Exhibit “B” and as seen in the site plan attached hereto as Exhibit “C”.

Section II

The zoning amendment authorized in Section I is approved subject to all conditions, including any conditions of zoning, attached hereto as Exhibit “D”, which is hereby incorporated by this reference and applies to the 7.7-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.

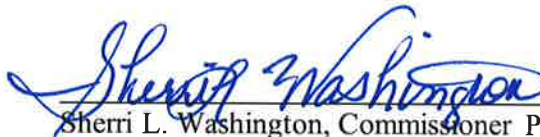
That this Ordinance shall become effective upon adoption.

This 12 day of September, 2023.

**ROCKDALE COUNTY, GEORGIA
BOARD OF COMMISSIONERS**



Osborn Nesbitt, Sr., Chairman

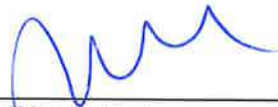


Sherri L. Washington, Commissioner Post I



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: 7/11/2023

Second Reading: 9/12/2023

Exhibit "A"
Legal Description

L E G A L D E S C R I P T I O N

ALL THAT TRACT or parcel of land lying and being in land lot 243 of the 16th district of Rockdale County, Georgia and being more particularly described as follows:

BEGINNING at the intersection of the south right-of-way of Flat Shoals Road and the east right-of-way of Parker Road, thence in a southwesterly direction along the east right-of-way of Parker Road for a distance of 688.32 feet to an IPS 1\2"RB at the true point of beginning.

THENCE North 89 degrees 09 minutes 04 seconds East for a distance of 350.50' feet to an IPF 5\8"RB;

THENCE North 00 degrees 09 minutes 58 seconds West for a distance of 124.30' feet to an IPS 1\2"RB;

THENCE South 88 degrees 44 minutes 23 seconds West for a distance of 85.53' feet to an IPF 1\2"RB;

THENCE North 02 degrees 06 minutes 04 seconds West for a distance of 191.09' feet to an IPF 1"OTP;

THENCE South 75 degrees 57 minutes 08 seconds East for a distance of 514.20' feet to an IPF 1\2"RB;

THENCE South 00 degrees 51 minutes 29 seconds West for a distance of 601.27' feet to an IPF 1\2"RB;

THENCE North 73 degrees 38 minutes 31 seconds West for a distance of 768.00' feet to an IPS 1\2"RB;

THENCE North 03 degrees 08 minutes 27 seconds West for a distance of 191.43' feet to an IPS 1\2"RB at the true point of beginning.

Exhibit "B"
ALTA/NSPS Land Title Survey

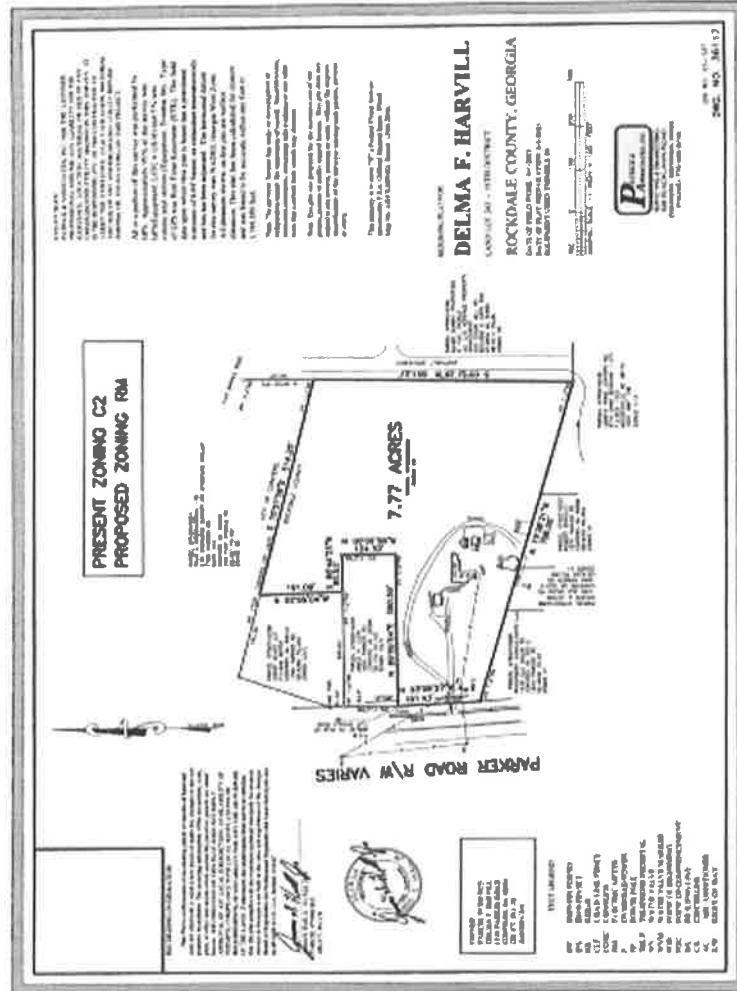


Exhibit "C"
Proposed Site Plan

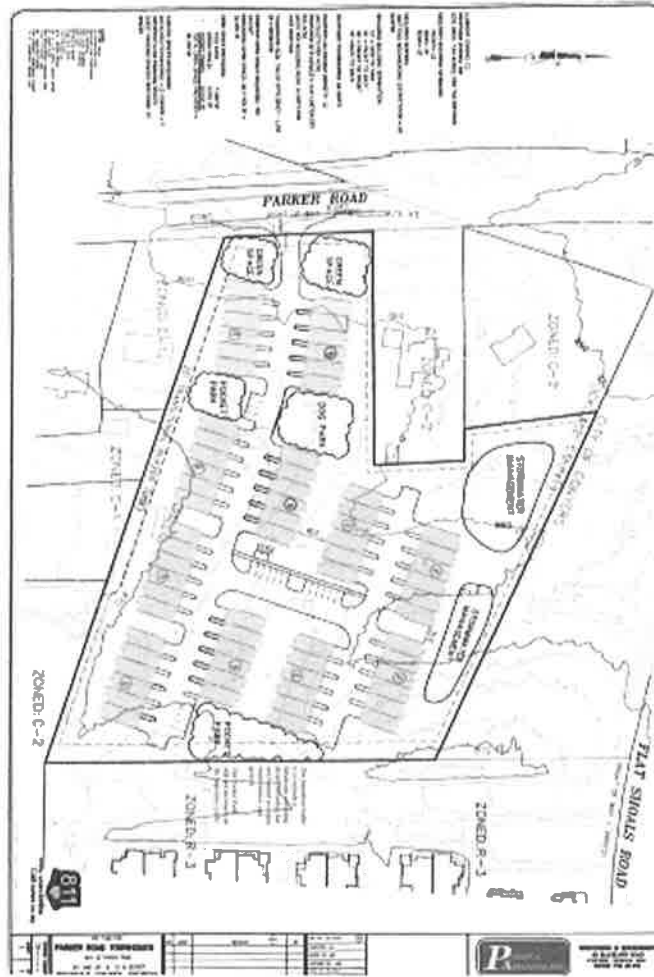


Exhibit D

Proposed Conditions:

1. The site shall be developed in compliance with the Residential Multifamily (RM) Zoning District, if adopted.
2. The applicant shall provide the 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.
3. The site shall be accessed by a deceleration lane that will conform to the minimum design standards provided by Rockdale County ordinances.
4. The site shall be restricted not to exceed 66 townhome units.
5. All townhome units shall have a two-car garage.
6. All amenity areas shall be accessible by five-foot-wide sidewalks.
7. Provide a minimum of 22 guest parking spaces throughout the townhome development.
8. Provide a 20-foot-wide landscape strip along the frontage of the development and a 10-foot-wide landscape strip along the sides and rear of the development. Trees may be planted in groups rather than in a single line. Required landscaping strips shall not be encroached upon by parking space, driveway surfaces or stormwater detention facilities except when complying with the applicable regulations found within the Unified Development Ordinance.
9. All front building elevations shall be constructed with at least fifty (50) percent of the following building materials: Brick, Indigenous Rock, Natural Stone, and Synthetic Stone, or a combination of Brick, Indigenous Rock, Natural Stone, and Synthetic Stone, with accent building materials that may include but not be limited to Stucco, EIFS, Metal, Painted Cement Siding, and Wood where masonry products are not provided. If Stucco or EIFS is used as an accent building material, those specific building materials shall be limited to a maximum of ten (10) percent of the total building wall, with each elevation being calculated independently. Foundations shall be of brick or natural stone. Where another type of structural material is used, it shall be faced with brick, cast stone, or natural stone, no less than six (6) inches in depth. The side elevations and the rear elevation shall have a masonry water table that matches the predominate masonry building material used on the front elevation. The balance of the side elevations and rear elevation shall be Painted Cement Siding.
10. The development shall include an open space and other amenities within the interior of the property. Any structures in the amenity areas shall be constructed using exterior building materials that complement the adjacent residential structures. The amenity areas may be in a single area or in multiple areas.
11. On the Final Plat, Covenants Conditions and Restrictions for the residential community, there shall be a statement that reads as follows (or generally reads): "It is understood by the residents of this RM zoned Residential Townhouse community that it is located in an area of Rockdale County, GA where other commercial land uses are also present and were in existence prior to the development of the Residential Townhouse community. The adjacent and nearby commercial uses do create noises and sounds commonly associated with those types of land uses and the residents of this Residential Townhouse community are fully aware of the existence of the adjacent and nearby commercial land uses prior to their purchase of the residential townhouse units."
12. ***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 five (5) percent, or if the development is to be 100% rented it shall be maintained by a professional management company.***