

AN ORDINANCE TO AMEND THE OFFICIAL ZONING DISTRICT MAP OF ROCKDALE COUNTY, GEORGIA, AS AMENDED, TO AUTHORIZE A SPECIAL USE PERMIT FOR MINRAL EXTRACTION (DIMENSIONAL STONE) AT 2265 ZINGARA ROAD NE, CONYERS, GA, 30012; TO REPEAL CONFLICTING ORDINANCES; AND FOR OTHER PURPOSES.

WHEREAS, an application for a zoning decision, specifically Special Use Permit No. 2023-03, on certain property described below was filed with Rockdale County, Georgia, which involved the following:

SPECIAL USE PERMIT CASE NO. 2023-03	Authorize a special use permit for Mineral Extraction (Dimensional Stone) located at 2265 Zingara Rd NE.		
APPLICANT:	LG 13, LLC.		
PROPERTY OWNER:	LG 13, LLC		
LOCATION:	2265 Zingara Rd. NE		
LAND LOT(S):	304, 305, 315 & 316	DISTRICT:	16 th
TAX PARCEL NO.:	0550010049 & 0550010050	TOTAL ACREAGE:	92.25

WHEREAS, said proposal was reviewed by staff and public hearings were held following public notice and all other requirements of Section 238-6 of The Unified Development Ordinance of Rockdale County, Georgia, as amended;

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 238-6 of the UDO, Special Use Permit 2023-03 for Mineral Extraction (Dimensional Stone) per zoning regulations listed under Section 218-1 Table of Permitted Uses is hereby granted on said property, more particularly described in the legal descriptions attached hereto as Exhibit "A" and shown on the site plan attached hereto as Exhibit "B."

Section II

The Special Use Permit authorized in Section I is approved subject to all conditions, including any conditions of zoning attached hereto as Exhibit "C", and applies to the 92.25-acre property. All permits issued pursuant to this Special Use Permit shall be in strict compliance with any and all conditions, as well as all other applicable provisions of the Code of Rockdale County. The Special Use Permit hereby approved does not authorize the violation of any zoning district regulations, nor grant any variances from said 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 authorization of Special Use Permit 2023-03 on said property as 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 10th day of October, 2023.

**ROCKDALE COUNTY, GEORGIA
BOARD OF COMMISSIONERS**

opposed

Osborn Nesbitt, Sr., Chairman

Sherril Washington

Sherril L. Washington, Commissioner Post I

Doreen Williams

Dr. Doreen Williams, Commissioner Post II

Attest:

By: [Signature]
Jennifer Rutledge, County Clerk

Approved as to Form:

By: [Signature]
M. Qader A. Baig, County Attorney

First Reading: 9/12/2023

Second Reading: 10/10/2023

Exhibit "A"
Legal Description
0550010050

All that tract or parcel of land lying and being in Land Lots 304, 315 and 316 of the 16th District of Rockdale County, Georgia, and being more particularly described as follows: Beginning at a half-inch (1/2") iron pin set at the northeast corner of the intersection of Georgia Highway 20 and Zingara Road; running thence North 69 degrees 53 minutes 35 seconds East 50.82 feet; thence North 61 degrees 1 minute 8 seconds East 25.77 feet; thence North 46 degrees 44 minutes 34 seconds East 37.89 feet; thence North 30 degrees 26 minutes 24 seconds East 392.98 feet; thence North 35 degrees 24 minutes 58 seconds East 188.67 feet, Arc 188.77', Radius 1675.61', and thence North 36 degrees 47 minutes 41 seconds East 327.52 feet to a half-inch (1/2") iron pin set. Continuing thence South 52 degrees 50 minutes 42 seconds East 450.40 feet to a half-inch (1/2") iron pin set; thence South 2 degrees 23 minutes 18 seconds West 400.00 feet to a rock found; thence South 84 degrees 15 minutes 42 seconds East 224.19 feet to a rock found; and thence South 2 degrees, 11 minutes 59 seconds West 214.77 feet to a three-quarters inch (3/4") iron pin found. Continuing thence South 84 degrees 46 minutes 39 seconds East 594.13 feet to an iron pin found and a rock; thence South 83 degrees 6 minutes 33 seconds East 437.53 feet to an iron pin found and a rock; and thence South 6 degrees 19 minutes 1 second West 403.46 feet to a three-quarter inch (3/4") iron pin found. Continuing thence North 77 degrees 37 minutes 26 seconds East 195.85 feet to a three-quarter inch iron pin found; thence South 38 degrees 15 minutes 12 seconds West 401.13 feet to a nail in a rock pile; thence South 56 degrees 59 minutes 58 seconds 122.89 feet to a nail in a rock; thence South 56 degrees 57 minutes 29 seconds East 183.41 feet to a half-inch (1/2") iron pin found; thence South 53 degrees 32 minutes 30 seconds East 321.11 feet to a half-inch (1/2") iron pin set; thence South 70 degrees 34 minutes 34 seconds East 26.37 feet to a half-inch (1/2") iron pin set; thence South 40 degrees 28 minutes 55 seconds West 152.36 feet to a half-inch (1/2") iron pin found; and thence South 30 degrees 20 minutes 35 seconds West 219.19 feet to a one-inch (1") iron pin found. Continuing thence North 79 degrees 13 minutes 41 seconds West 235.77 feet to a five-eighths inch (5/8") iron pin found; thence North 79 degrees 6 minutes 33 seconds West 593.53 feet to an iron pin found and a rock; thence South 31 degrees 18 minutes 40 seconds West 87.77 feet to a one-inch (1") iron pin found; thence South 29 degrees 56 minutes 40 seconds West 30.25 feet to a half-inch (1/2") iron pin found; thence North 89 degrees 52 minutes 11 seconds West 25.66 feet to a one-inch (1") iron pin found; and thence South 89 degrees 48 minutes 42 seconds West 374.53 feet to a one-inch (1") iron pin found. Continuing thence North 33 degrees 36 minutes 10 seconds West 166.97 feet to an iron pin found and a rock; thence North 40 degrees 12 minutes 14 seconds West 124.99 feet to a half-inch (1/2") iron pin set; thence North 39 degrees 28 minutes 8 seconds West 175.74 feet to a three-quarters inch (3/4") iron pin found; thence North 30 degrees 59 minutes 31 seconds West 26.98 feet; thence North 17 degrees 46 minutes 43 seconds West 79.00 feet to a half-inch (1/2") iron pin set; thence North 5 degrees 3 minutes 17 seconds East 170 feet to a half inch (1/2") iron pin set; thence North 3 degrees 53 minutes 17 seconds East 64.00 feet to a half-inch (1/2") iron pin set; and thence North 8 degrees 21 minutes 43 seconds West 60.00 feet to a half inch (1/2") iron pin set. Continuing thence North 49 degrees 8 minutes 43 seconds West 73.65 feet to a half-inch (1/2") iron pin set; thence North 72 degrees 51 minutes 44 seconds West 235.44 feet to a one-inch (1") iron pin found; thence North 69 degrees 57 minutes 6 seconds West 332.04 feet to an iron pin found (axle); thence North 70 degrees 31 minutes 43 seconds West 245.75 feet to a half-inch (1/2") iron pin set; and thence North 00 degrees 21 minutes 8 seconds West 421.88 feet to a half-inch (1/2") iron pin set and the Point of Beginning. The property comprises approximately 66.66 acres as depicted on that Retracement Survey for the Estate of Evelyn E. Summers dated May 11, 2016 and prepared by James S. Hull, Jr., Georgia Registered Surveyor No. 2856.

LEGAL DESCRIPTION
0550010049

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lots 304, 305, 315 and 316 of the 16th District of Rockdale County, Georgia, and being Parcel 1, as per Subdivision Plat for Herman Johnson, prepared by SAM, bearing the seal and certification of Scott C. North, G.R.L.S. No. 3176, dated July 8, 2022, recorded in Plat Book 42, Page 28, Rockdale County, Georgia Records, which plat is incorporated herein and made a part hercof by reference.

EXHIBIT "B"
SITE PLAN

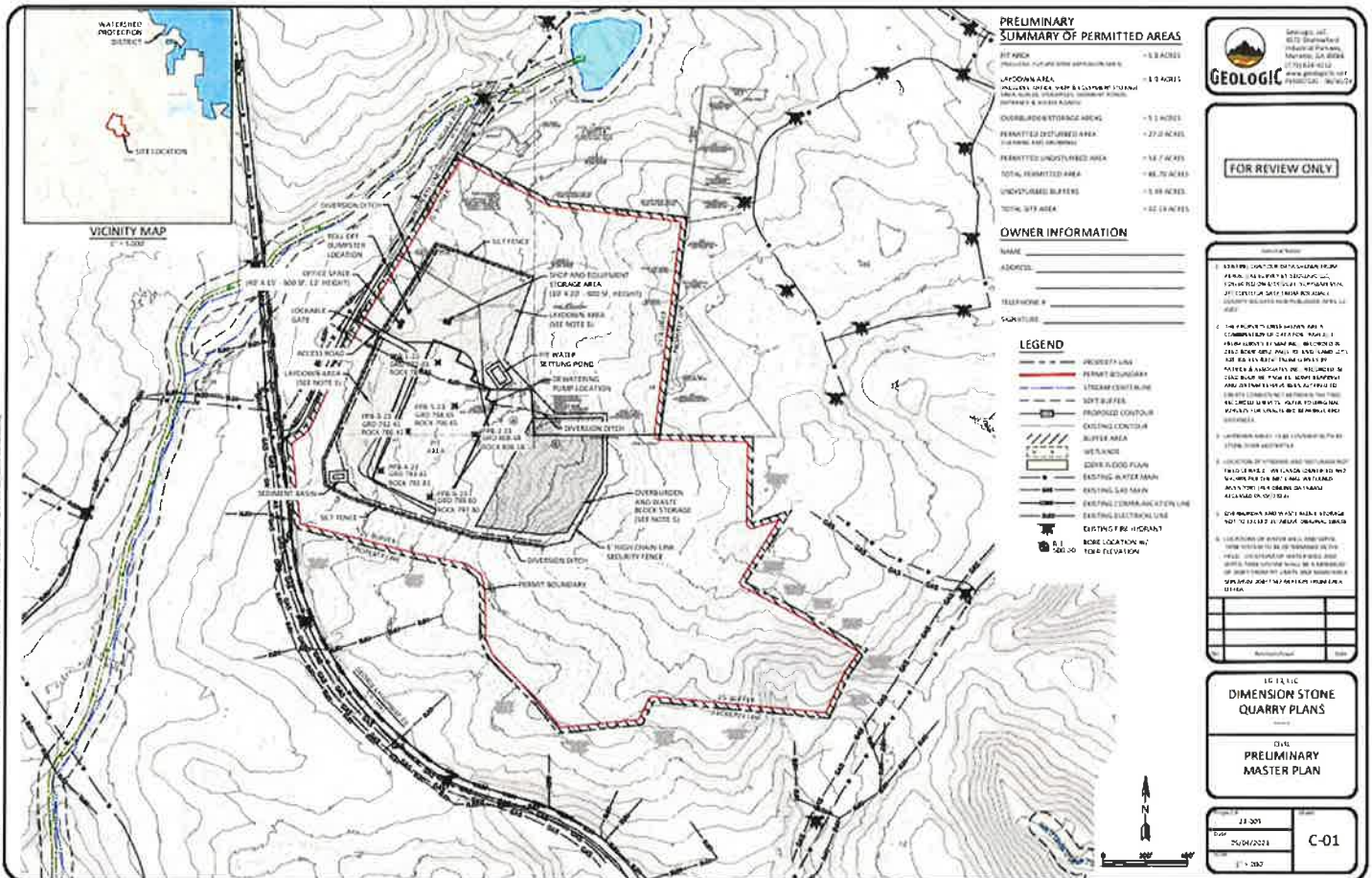


Exhibit "C"
Zoning Conditions

1. The Site Plan (Exhibit A) prepared by GeoLogic, LLC, received August 17, 2023, shall become the guiding layout and design.
2. Pursuant to the Site Plan (Exhibit B) presented to the Board of Commissioners on October 3, 2023, the limits of the rock pit shall be not less than 400 feet from Zingara Road and not less than 380 feet from Highway 20. Furthermore, the limits of the rock pit and extraction activities shall be not less than 270 feet from residentially zoned properties.
3. Setback areas shall be adequately landscaped to achieve 75 percent opacity within 2 years of operation.
4. Blasting and crushing shall be expressly prohibited.
5. Extraction activities shall be prohibited between the hours of 5:00pm and 9:00am Monday through Friday, weekends, and federal holidays.
6. Outbound truck traffic shall be limited to between the hours of 9:00am and 2:00pm Monday through Friday.
7. The entrance to the site shall be from Highway 20 and approved by Georgia Department of Transportation. If Highway 20 entrance cannot be obtained, reconstruction of Zingara Road will be required at the expense of the developer to meet design standards for industrial use.
8. All improved and maintained entrances shall be fenced and locked during non-business hours. The property shall be adequately posted and such notice filed with the proper county authority.
9. Grading or other construction activity on the site may not alter existing natural drainage ways in such a way as to adversely affect an adjacent parcel of land either by increasing or redirecting the drainage flow over that parcel, or by impeding the drainage ways flowing from that parcel.
10. Natural creeks, streams, rivers, lakes, or other bodies of water shall not be altered in course or relocated by the Operator, unless such alteration or relocation has been specifically approved by applicable state and federal agencies and the Board of Commissioners.
11. Operations shall not adversely impact adjacent properties and shall comply with the performance standards of Section 218-13.
12. Noise generated by mineral extraction activities shall not exceed the standards set forth in any applicable law or regulation including, but not limited to, the Official Code of Georgia, the Department of Natural Resources regulations, and the Rockdale County Code of Ordinances (whichever is the most stringent).
13. Waste drill fluids generated on-site shall be contained on-site in a securely fenced location and/or transported from the site and disposed of in an environmentally safe and legal manner.
14. The following plans shall be submitted and approved prior to any extraction activities. Said plans shall demonstrate compliance with any and all applicable rules and regulations.
 - a. A drainage plan shall be submitted to the Stormwater Department for review and approval.
 - b. A dust abatement plan shall be submitted to the Department of Planning and Development for review and approval.
 - c. A noise abatement plan shall be submitted to the Department of Planning and Development for review and approval.
 - d. An emergency operations plan shall be submitted to the Fire Department for review and approval.
 - e. A comprehensive reclamation plan shall be submitted to the Department of Planning and Development for review and approval.
15. The site of the extraction activity shall be restored to a usable condition subject to a comprehensive reclamation plan. Reclamation activities shall be completed not later than 2 years from cessation of extraction, unless otherwise extended by the Board of Commissioners.
16. This use shall conform to all county, state and federal laws.
17. ***The applicant shall perform a study as to any potential impact on wells by operations at the subject property to determine if the dimensional stone operation will affect such wells.***

18. **The applicant shall perform an environment study specifically to ensure the protection of endangered flora and or fauna in the existing project area.**

Exhibit A

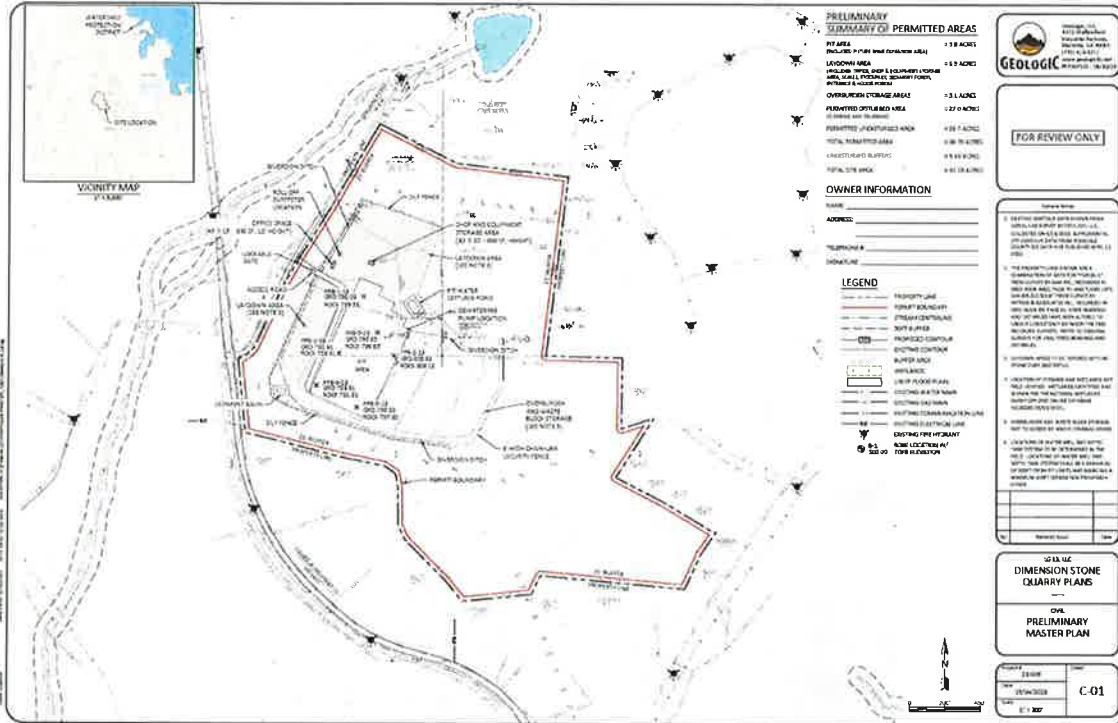


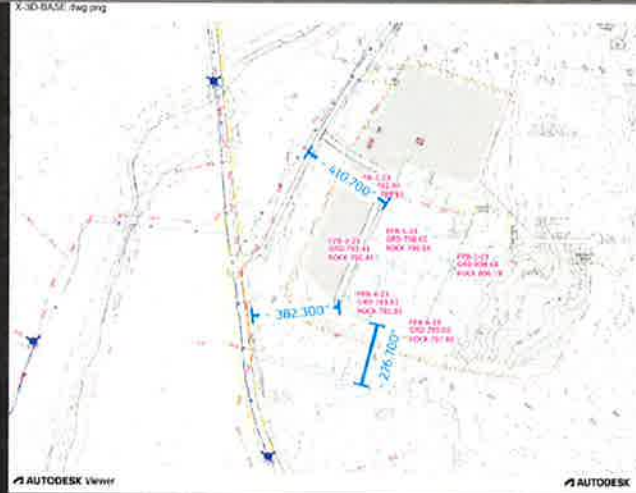
Exhibit B

Distances

Important to keep in perspective for dust and noise concerns

- Distance from rock pit to nearby properties is pertinent to discussion around dust levels & noise levels
- Distances from pit to property line (not house):
 - Closest: ~270 ft (2159 Hwy 20, 2115 Hwy 20)
 - GA-20: ~382 ft
 - Zingara Rd: ~400ft
 - All other properties would be significantly farther away from the pit
- Main entrance to site is on Hwy 20 so minimal disturbance to Zingara neighbors

Project is more than 5 times the required setbacks from the nearest property helping further alleviate any noise or dust concerns



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