

**AN ORDINANCE TO AUTHORIZE A SPECIAL USE PERMIT TO ALLOW AN EXPANSION AND UPGRADE OF AN EXISTING RECYCLING AND SALVAGE FACILITY LOCATED AT 2314 DOGWOOD DRIVE SE, CONYERS, GEORGIA, 30013; TO REPEAL CONFLICTING ORDINANCES; AND FOR OTHER PURPOSES.**

WHEREAS, an application for a zoning decision, specifically Special Use Permit No. 2023-04, on certain property described below was filed with Rockdale County, Georgia, which involved the following:

<b>SPECIAL USE PERMIT CASE NO. 2023-04</b>	Authorize a special use permit to expand and upgrade an existing recycling and salvage facility located at 2314 Dogwood Drive SE		
<b>APPLICANT:</b>	John Andrew Nix		
<b>PROPERTY OWNER:</b>	Newell Recycling Southeast, LLC		
<b>LOCATION:</b>	2314 Dogwood Drive SE, Conyers, GA 30013		
<b>LAND LOT(S):</b>	233	<b>DISTRICT:</b>	10 <sup>th</sup>
<b>TAX PARCEL NO.:</b>	0930010010	<b>TOTAL ACREAGE:</b>	7.005

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**

The Official Zoning District Map of Rockdale County, Georgia, established as a part of the Rockdale County Unified Development Ordinance (UDO), as amended, classifies the subject site as M-2 (General Industrial) which identifies the proposed activities, pursuant to Special Use Permit 2023-04, as special uses.

**Section II**

Pursuant to the provisions of Section 238-6 of the UDO, Special Use Permit 2023-04 to allow for an upgrade and expansion of an existing recycling and salvage facility per zoning regulations listed under Section 218-13 Standards for Use and Development (fff) *Recovered materials processing facility (recycling center)* and (kkk) *Salvage operation, junkyard, recyclable material wholesalers* 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 III**

The Special Use Permit authorized in Section II is approved subject to all conditions, including any conditions of zoning. 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 IV**

All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

That this Ordinance shall become effective upon adoption.

This 14<sup>th</sup> day of November, 2023.

**ROCKDALE COUNTY, GEORGIA  
BOARD OF COMMISSIONERS**



Osborn Nesbitt, Sr., Chairman



Sherri L. Washington, Commissioner Post I

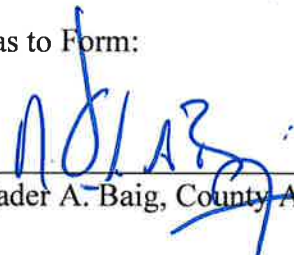


Dr. Doreen Williams, Commissioner Post II

Attest:

By:   
Jennifer Rutledge, County Clerk

Approved as to Form:

By:   
M. Qader A. Baig, County Attorney

First Reading: 10-10-2023

Ordinance No. #0-2023-27  
SUP Case No. 2023-04

Second Reading: 11-14-2023

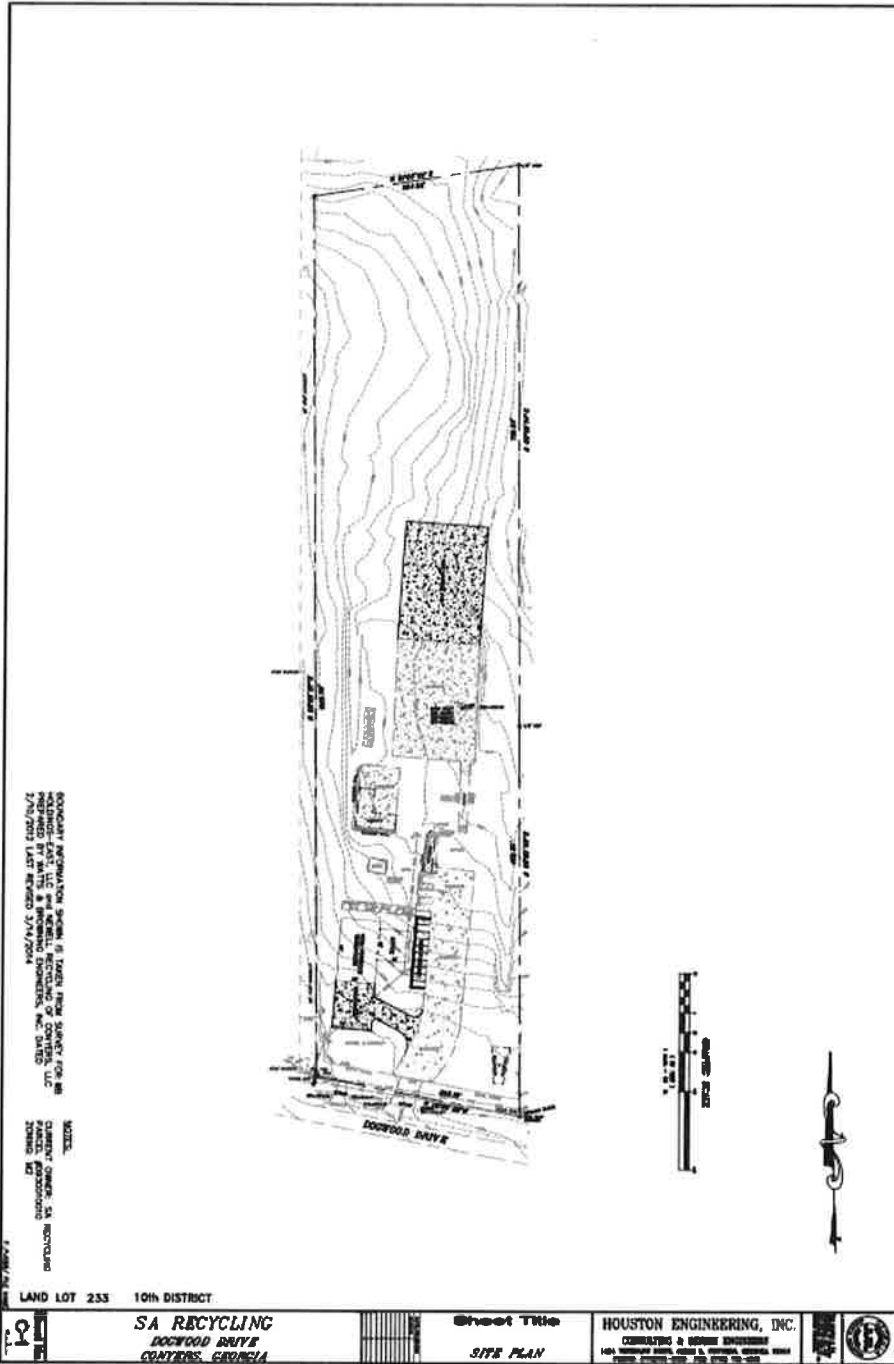
**Exhibit "A"**  
**Legal Description**  
**0550010050**

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 16<sup>th</sup> 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"**

recommends Approval with Conditions for a special use permit to upgrade an existing recycling and salvage facility with the following conditions.

1. The Site Plan prepared by Houston Engineering, Inc., dated May 15, 2019, shall become the guiding layout and design.
2. Activities shall be limited to the purchasing and processing of recyclables and automobiles. A new building will be constructed and maintained in the location depicted on the Site Plan in addition to other site improvements shown on the Site Plan. The primary use of the new building will be as storage for non-ferrous recycled materials and as office space related to the on-site operations.  
The Subject Property will serve as a local collection point and automobiles brought to the site will be stored for a maximum of seven (7) business days from the date of delivery until transported to a facility to be shredded.
3. All requirements of Subsection 218-13(fff) and Subsection 218-13(kkk) shall apply where applicable unless modified below.
  - a. The Subject Property shall be exempt from the provisions of 218-13(fff)(5) as the provisions of 218-13(kkk) will be applicable for outside storage conducted on the Subject Property.
4. The existing earthen berm, fence and landscaping shall continue to be maintained in a reasonable manner within the approximate area depicted on the Site Plan. The slope of the three foot berm shall be maintained in good condition. The finished side of the fence shall face the exterior property lines of the Subject Property. The landscaping of the berm which consists of evergreen trees and shrubs, or a combination thereof, and shall continue to be maintained as a result of spacing and density to provide an eight foot tall visual barrier along the property line of the Subject Property adjacent to Dogwood Drive. A sign may be located in the landscape area provided it otherwise complies with the applicable provisions of the Rockdale County sign ordinance.
5. A front setback of 125 feet shall be required for all buildings, storage, maintenance, and staging areas excluding the entrance gate. Incoming truck queuing and required parking for the building may be allowed within the 125 foot paved setback area.
6. A septic tank system shall be maintained consistent with applicable requirement of the Environmental Health Department in its current location or an alternative location as may be determined by the Applicant and approved by the Environmental Health Department.
7. All trucks and car carriers utilizing the facility shall be in compliance with all securement rules and regulations of the Georgia Department of Transportation.
8. Maximum hours of operation shall be from 7:00am to 7:00pm Monday through Friday and from 8:00am to 12:00pm on Saturdays. Operations outside the stated hours are prohibited.
9. The operation shall continue to engage in the End of Life Vehicle Solutions (ELVS) Automobile Mercury Switch Recovery Program consistent with the protocols required of the activities conducted on site related to automobiles by that program.
10. The stormwater monitoring currently conducted on site will continue as prescribed by the applicable provisions of EPD's Industrial Storm Water Permit (GAR050000) regulations and state law.
11. Quarterly reports given to the Stormwater Department related to the water quality of the containment pond.