

**AN ORDINANCE TO AMEND THE FUTURE LAND USE MAP OF ROCKDALE COUNTY’S COMPREHENSIVE PLAN, AS AMENDED, SO AS TO RE-DESIGNATE PROPERTY LOCATED AT NW EBENEZER AND 0 HIGHWAY 138 FROM THE OFFICE INSTITUTIONAL FUTURE LAND USE CATEGORY TO THE HIGH-DENSITY FUTURE LAND USE CATEGORY; TO REPEAL CONFLICTING ORDINANCES AND FOR OTHER PURPOSES.**

**WHEREAS**, an application to amend the Future Land Use Map of Rockdale County’s Comprehensive Plan for a certain property was filed with Rockdale County, Georgia, which involved the following:

<b>FUTURE LAND USE MAP CASE NO. 2023-02</b>	Amend the Comprehensive Plan Future Land Use Map Category from Office Institutional to High-Density for the development of a mixed single-family development.		
<b>APPLICANT:</b>	Cabellero Holdings, LLC		
<b>PROPERTY OWNER:</b>	Seven Smith Investments, LP		
<b>LOCATION:</b>	NW Ebenezer and 0 Highway 138 Conyers, GA, 30094		
<b>LAND LOT(S):</b>	209	<b>DISTRICT:</b>	10th
<b>TAX PARCEL NO.:</b>	0450010018	<b>TOTAL ACREAGE:</b>	15.5 acres

**WHEREAS**, said Future Land Use Map Amendment 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 Board of Commissioners of Rockdale County have determined that the proposed Future Land Use Map Amendment would result in a Future Land Use Category that is more consistent with the text and policies of the Comprehensive Plan than the current Future Land Use Category of the property on Future Land Use Map and would result in a land use that is more compatible with the current and future land use of adjacent and nearby property;

**NOW, THEREFORE**, be it ordained by the Board of Commissioners of Rockdale County, and by the authority of same as follows:

**Section I**

The Future Land Use Map of Rockdale County’s Comprehensive Plan, as amended, is hereby further amended so as to re-designate the 15.5-acre property, more particularly described as Tax Parcel No. 0450010018 (NW Ebenezer and 0 Highway 138) in the Legal Description attached hereto as Exhibit “A” and depicted on the ALTA/NSPS Land Title Survey attached hereto as Exhibit “B”, from the Office Institutional Future Land Use Category to the High-Density Future Land Use Category.

**Section II**

The Future Land Use Map of Rockdale County's Comprehensive Plan, as amended, is hereby further amended to reflect the change in the Future Land Use Category of said property authorized in Section I.

**Section III**

All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

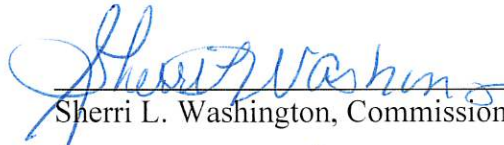
That this Ordinance shall become effective upon adoption.

This 28<sup>th</sup> day of May, 2023. 2024.

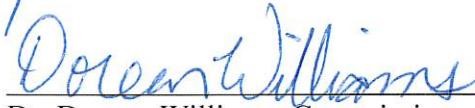
**ROCKDALE COUNTY, GEORGIA  
BOARD OF COMMISSIONERS**



Oz 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: 8/9/2023

Second Reading: 5/28/2024

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

TRACT 1

ALL THAT TRACT or parcel of land lying and being in Land Lots 209 & 240 of the 11th District of Rockdale County, Georgia, and being more particularly described as follows:

Commencing at the intersection on the western right of way of GA Hwy 138 (120' R/W) and the southerly right of way of Cherry Hill Road (50' R/W), thence in a southwest direction along the western right of GA Hwy 138 for a distance of 119.85 feet to an IPF 1/2" RB, said point being the TRUE POINT OF BEGINNING.

Thence continue along the western right of way of GA Hwy 138 (120' R/W) along a curve to the right having a radius of 4,523.66 feet and an arc length of 511.72 feet, being subtended by a chord of South 50 degrees 02 minutes 42 seconds West a distance of 511.45 feet to a Axle End.; Thence leaving said Right of Way North 02 degrees 22 minutes 40 seconds West a distance of 785.44 feet to a IPF 1/2" RB; Thence South 39 degrees 56 minutes 31 seconds East a distance of 4.86 feet to a IPF 1/2" RB; Thence South 43 degrees 00 minutes 01 seconds East a distance of 107.31 feet to a IPF 1/2" RB; Thence South 42 degrees 55 minutes 38 seconds East a distance of 95.99 feet to a IPF 1/2" RB; Thence South 43 degrees 04 minutes 54 seconds East a distance of 75.16 feet to a IPF 1/2" RB; Thence South 43 degrees 12 minutes 46 seconds East a distance of 74.83 feet to a IPF 1/2" RB; Thence South 42 degrees 58 minutes 45 seconds East a distance of 150.04 feet to a IPF 1/2" RB; Thence South 42 degrees 42 minutes 06 seconds East a distance of 115.15 feet to the TRUE POINT OF BEGINNING.

Said Tract contains 3.71 Acres.

TRACT 2

ALL THAT TRACT or parcel of land lying and being in Land Lots 209 & 240 of the 11th District of Rockdale County, Georgia, and being more particularly described as follows:

Commencing at the intersection on the western right of way of GA Hwy 138 (120' R/W) and the northerly right of way of Cherry Hill Road (50' R/W), thence in a northeast direction along the western right of way of GA Hwy 138 for a distance of 140.41 feet to an IPF 1/2" RB, said point being the TRUE POINT OF BEGINNING.

Thence leaving said right of way of GA Hwy 138 (120' R/W) North 42 degrees 46 minutes 16 seconds West a distance of 114.45 feet to a IPF 1/2" RB; Thence North 42 degrees 51 minutes 22 seconds West a distance of 150.06 feet to a IPF 1/2" RB; Thence North 42 degrees 52 minutes 45 seconds West a distance of 75.15 feet to a IPF 1/2" RB; Thence North 42 degrees 43 minutes 51 seconds West a distance of 99.80 feet to a IPF 1/2" RB; Thence North 47 degrees 01 minutes 51 seconds East a distance of 79.75 feet to a IPF 1/2" RB; Thence North 46 degrees 51 minutes 19 seconds East a distance of 149.90 feet to a IPF 1/2" RB; Thence north 47 degrees 03 minutes 35 seconds East a distance of 74.93 feet to a IPF 1/2" RB; Thence North 46 degrees 55 minutes 52 seconds East a distance of 74.87 feet to a IPF 5/8" RB; Thence North 46 degrees 57 minutes 17 seconds East a distance of 74.98 feet to a IPF 1/2" RB; Thence North 46 degrees 55 minutes 46 seconds East a distance of 75.02 feet to a IPF 1/2" RB; Thence North 46 degrees 59 minutes 14

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seconds East a distance of 149.89 feet to a IPF 1/2" RB; Thence North 47 degrees 05 minutes 32 seconds East a distance of 75.01 feet to a IPF 1/2" RB; Thence North 47 degrees 01 minutes 34 seconds East a distance of 75.04 feet to a IPF 1/2" RB; Thence North 46 degrees 52 minutes 21 seconds East a distance of 74.89 feet to a IPF 1/2" RB; Thence 47 degrees 03 minutes 18 seconds East a distance of 75.04 feet to a IPF 1/2" RB; Thence North 47 degrees 02 minutes 37 seconds East a distance of 75.06 feet to a IPF 1/2" RB; Thence North 47 degrees 16 minutes 33 seconds East a distance of 74.85 feet to a IPF 1/2" RB; Thence North 46 degrees 54 minutes 38 seconds East a distance of 92.54 feet to a IPF 1/2" RB; Thence north 46 degrees 57 minutes 00 seconds East a distance of 117.20 feet to a IPF 1/2" RB; Thence North 46 degrees 41 minutes 13 seconds East a distance of 63.54 feet to a IPF 1/2" RB, said point being on the southern right of way of Ebenezer Road (R/W Varies); Thence along said right of way of Ebenezer Road (R/W Varies) South 02 degrees 14 minutes 20 seconds East a distance of 215.35 feet to a point; Thence North 89 degrees 45 minutes 30 seconds West a distance of 10.00 feet to a point; Thence South 00 degrees 13 minutes 38 seconds West a distance of 40.67 feet to a point; Thence along a curve to the left having a radius of 1,949.86 feet and an arc length of 144.72 feet, being subtended by a chord of South 01 degrees 52 minutes 55 seconds East a distance of 144.69 feet to a point; Thence along a curve to the left having a radius of 1,949.86 feet and an arc length of 76.07 feet, being subtended by a chord of South 05 degrees 07 minutes 32 seconds East a distance of 76.07 feet to a point; Thence South 08 degrees 00 minutes 17 seconds East a distance of 77.62 feet to a point, said point being the mitre R/W of Ebenezer Road (R/W Varies) and GA Hwy 138; Thence along said mitre R/W South 21 degrees 54 minutes 59 seconds West a distance of 47.42 feet to a point, said point being on the western Right of Way of GA Hwy 138; Thence along said right of way of GA Hwy 138 continue South 46 degrees 54 minutes 56 seconds West a distance of 998.90 feet to the TRUE POINT OF BEGINNING.

Said Tract contains 12.15 Acres.

# Exhibit "B"

## ALTA/NSPS Land Title Survey

