

AN ORDINANCE TO AMEND THE FUTURE LAND USE MAP OF ROCKDALE COUNTY’S COMPREHENSIVE PLAN, AS AMENDED, FOR PROPERTY LOCATED AT 4105 SW EAST FAIRVIEW RD FROM THE NEIGHBORHOOD COMMERCIAL FUTURE LAND USE CATEGORY TO THE LOW DENSITY RESIDENTIAL/AGRICULTURE 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:

FUTURE LAND USE MAP AMENDMENT (FLU) CASE NO. 2024-04	Amend the Comprehensive Plan Future Land Use Map Category from Neighborhood Commercial to Low Density Residential/Agriculture to allow the property to be used for agricultural purposes.		
APPLICANT:	Anita Hunnicutt		
PROPERTY OWNER:	Anita Hunnicutt		
LOCATION:	4105 SW East Fairview Road		
LAND LOT(S):	120	DISTRICT:	11 th
TAX PARCEL NO.:	0090010021	TOTAL ACREAGE:	1.49

WHEREAS, said Future Land Use Map Amendment proposal was reviewed by staff and public hearings 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 from Neighborhood Commercial to Low Density Residential/Agriculture is consistent with the text and policies of the Comprehensive Plan 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 to change the 1.49-acre property, located at 4105 SW East Fairview Road (0090010021) and more particularly described in the Legal Description attached hereto as Exhibit “A” and depicted on Exhibit “B” attached hereto, from the Neighborhood Commercial Future Land Use Category to the Low Density Residential/Agriculture 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.

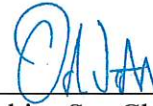
Section III

All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

That this Ordinance shall become effective upon adoption.

This 10th day of September, 2024.

**ROCKDALE COUNTY, GEORGIA
BOARD OF COMMISSIONERS**



Osborn Nesbitt, Sr., Chairman

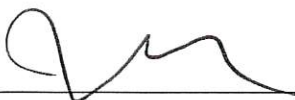


Sherri L. Washington, Commissioner Post I



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: 7/23/24

Second Reading: 9/10/24

EXHIBIT "A"


Doc ID: 008884580008 Type: GLR
Filed: 12/27/2011 at 03:20:15 PM
Fee Amt: \$12.00 Page 1 of 3
Transfer Tax: \$0.00
Rockdale County Superior Court
Ruth A. Wilson Clerk
BK 5086 pg 37-39

After recording, return
this instrument to:
Brochstein & Bantley, P.C.
827 Fairways Court, Suite 100
Stockbridge, Georgia 30281
DRAW DEED ONLY

WARRANTY DEED

STATE OF GEORGIA
COUNTY OF HENRY

THIS INDENTURE, made the 21st day of December, in the year two thousand eleven, between WALTER A. STAPLES, as party or parties of the first part, hereinafter called Grantor, and ANITA STAPLES HUNNICUTT, as party or parties of the second part, hereinafter called Grantee (the words "Grantor" and "Grantee" to include their respective heirs, successors, and assigns where the context requires or permits).

WITNESSETH that: Grantor, for and in consideration of the sum of TEN AND NO/100 (\$10.00) DOLLARS in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, conveyed, and by these presents does grant bargain, sell, alien, convey unto the said Grantee, the below described tract or parcel of land more fully and completely described as follows:

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 120 OF THE 11TH DISTRICT, ROCKDALE COUNTY, GEORGIA, BEING 1.486 ACRES, DESIGNATED AS TRACT "A" ON A PLAT OF SURVEY PREPARED FOR WALTER A. STAPLES, BY JOHN CHARLES PARISH, RLS #2705, DATED 12/5/11 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT AN IRON PIN LOCATED AT THE INTERSECTION OF THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF UNION CHURCH ROAD (100' R/W) WITH THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF EAST FAIRVIEW ROAD (60' R/W); THENCE SOUTHEASTERLY ALONG THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF UNION CHURCH ROAD, SOUTH 49 DEGREES 02 MINUTES 27 SECONDS EAST, 184.64 FEET TO A POINT; THENCE SOUTH 48 DEGREES 35 MINUTES 44 SECONDS EAST, 80.36 FEET TO AN IRON PIN; THENCE LEAVING THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF UNION CHURCH ROAD, SOUTH 34 DEGREES 10 MINUTES 56 SECONDS WEST, 240.00 FEET TO AN IRON PIN; THENCE NORTH 51 DEGREES 04 MINUTES 37 SECONDS WEST, 265.00 FEET TO AN IRON PIN LOCATED ON THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF EAST FAIRVIEW ROAD; THENCE NORTHEASTERLY ALONG SAID SOUTHEASTERLY RIGHT-OF-WAY LINE, NORTH 33 DEGREES 22 MINUTES 08 SECONDS EAST 40.00 FEET TO A POINT; THENCE NORTH 34 DEGREES 36 MINUTES 56 SECONDS EAST, 210.00 FEET TO AN IRON PIN AND THE TRUE POINT OF BEGINNING.

TO HAVE AND TO HOLD the said tract or parcel of land, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit, and behoof of said Grantee forever in FEE SIMPLE.

**Board of Commissioners
Agenda Item Transmittal Form
Ordinance Transmittal Form**



Type of Request: Future Land Use Map Amendment (FLU) 2024-04 - 2 nd Reading of Ordinance	County Clerk Use Only Ordinance #: <u>2024-17</u>
---	--

<input checked="" type="checkbox"/> Submission Information	<input checked="" type="checkbox"/> Information
Contact Name: Christopher Wheeler/Denise Tugman Department: Planning & Development	Summary of Request: Case #FLU2024-04: A request by Anita Hunnicutt to amend the Comprehensive Plan Future Land Use Map category from Neighborhood Commercial to Low Density Residential/Agriculture to allow for the subject property to be used for agricultural purposes. The subject property is 1.49 acres and is located at 4105 SW East Fairview Road.

<input checked="" type="checkbox"/> Department Director/Elected Official Signature I have reviewed the attached, and it is approved as to substance. Signature: <i>Christopher Wheeler</i> Date: 8/23/2024	<input type="checkbox"/> Chief of Staff Signature I have reviewed the attached, and it is approved for processing. Signature: _____ Date: _____
<input type="checkbox"/> County Attorney Signature I have reviewed the attached, and it is approved as to form. Signature: _____ Date: _____	<input type="checkbox"/> Director of Legislative Affairs/County Clerk Signature I have reviewed the attached, and it is approved for processing. Signature: _____ Date: _____

Notes and Comments:
 July 23, 2024: First Read Work Session
 July 23, 2024: First Read Voting Session
 Aug 8, 2024: Planning Commission
 Aug 22, 2024: BOC Zoning Public Hearing
 Sep 3, 2024: Second Read Work Session (CANCELED)
 Sep 10, 2024: Second Read Voting Session