

**AN ORDINANCE TO AMEND THE OFFICIAL ZONING DISTRICT MAP OF ROCKDALE COUNTY, AS AMENDED, TO AUTHORIZE A SPECIAL USE PERMIT FOR 200’ AGL MONOPOLE COMMUNICATION TOWER AND RELATED TELECOMMUNICATION FACILITIES AT 2400 SW TUCKER MILL, CONYERS, GA, 30012; 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:

<b>SPECIAL USE PERMIT CASE NO. SUP2023-02</b>	Authorize a special use permit for the installation of 200’ AGL Monopole Communication Tower and related Telecommunication located at 2400 Tucker Mill.		
<b>APPLICANT:</b>	Law Office of Mattaniah S. Jahn, P. A		
<b>PROPERTY OWNER:</b>	SAMUEL MUSORA		
<b>LOCATION:</b>	2400 SW Tucker Mill		
<b>LAND LOT(S):</b>	179	<b>DISTRICT:</b>	11 <sup>th</sup>
<b>TAX PARCEL NO.:</b>	0300010031	<b>TOTAL ACREAGE:</b>	17.49

**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, a Special Use Permit for telecommunication monopole per zoning regulations listed under Section 218-1 Table of Permitted Uses is hereby granted on said property, more particularly described in the deed attached hereto as Exhibit “A” and depicted on the final plat 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", which is hereby incorporated by this reference. All permits issued pursuant to this Special Use Permit shall be in strict compliance with these 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 change in zoning of said property authorized in Section I, along with the conditions authorized in Section II.

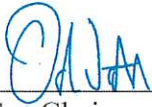
**Section IV**

All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

That this Ordinance shall become effective upon adoption.

This 24<sup>th</sup> day of September 2024.

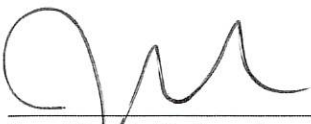
**ROCKDALE COUNTY, GEORGIA  
BOARD OF COMMISSIONERS**

  
\_\_\_\_\_  
Oz Nesbitt, Sr., Chairman

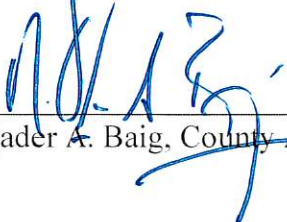
OPPOSED  
\_\_\_\_\_  
Sherri L. Washington, Commissioner Post I

  
\_\_\_\_\_  
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: 5/23/2023

Second Reading: 9/24/2024

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

**LEASE AREA**  
**Vertical Bridge**  
**"Goode Rd"**  
**US-GA-5341**

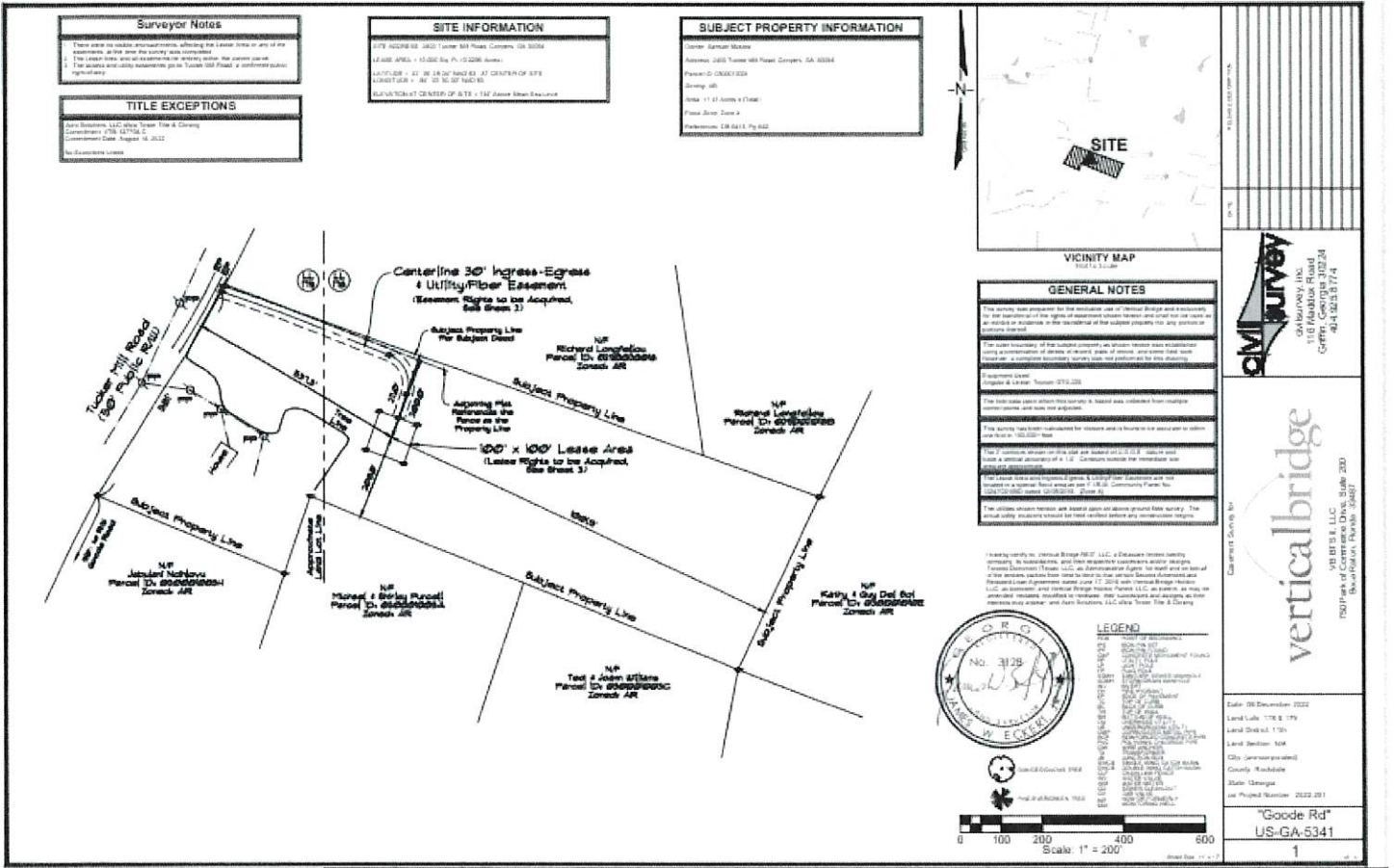
All that tract or parcel of land lying and being in Land Lot 178 of the 11th District, Rockdale County, Georgia, and being more particularly described as follows:

To find the Point of Beginning, COMMENCE at the intersection of the northern right of way of Goode Road and the eastern right of way of Tucker Mill Road;  
Thence running along said eastern right of way of Tucker Mill Road in a northerly direction, 918 feet, more or less to a point;  
Thence continuing along said right of way in a northerly direction, 581 feet to a point;  
Thence leaving said right of way and running, South 70°29'00" East, 156.42 feet to a point;  
Thence, South 68°43'37" East, 282.61 feet to a point;  
Thence, 115.51 feet along a curve to the right, having a radius of 75.00 feet and being scribed by a chord bearing South 24°36'19" East, 104.43 feet to a point;  
Thence, South 19°31'00" West, 62.35 feet to a point;  
Thence, South 70°29'00" East, 50.00 feet to a point and the true POINT OF BEGINNING;

Thence running, South 19°31'00" West, 100.00 feet to a point;  
Thence, North 70°29'00" West, 100.00 feet to a point;  
Thence, North 19°31'00" East, 100.00 feet to a point;  
Thence, South 70°29'00" East, 100.00 feet to a point and the true POINT OF BEGINNING.

Said tract contains 0.2296 acres (10,000 square feet), more or less.

## Exhibit "B" Land Survey





**Exhibit "C"**  
**Conditions of Zoning**

**To restrict the use of the property as follows:**

(1) *Compliance with section 238-6* The granting of a special use permit for a telecommunications tower or antenna shall be subject to all provisions of section 238-6 of the Rockdale County UDO except:

a. Notwithstanding the provisions of section 238-6, special use permits for telecommunication towers and antennas shall not expire, but shall continue indefinitely or for such time as is established by the board in a particular case.

b. The procedures referenced in section 238-6 shall be modified so as to allow an additional 30-day time period following receipt of a complete application and prior to the 60-day submission for advertisement, so as to allow additional time to secure independent analysis of submitted data and adequately review all application materials.

(2) *Compliance with other standards.* All proposed telecommunication facilities shall comply with the application standards and requirements of section 218-22 and the general standards and requirements of section 218-23 as well as all other applicable county ordinances.

(3) *Residential districts not favored.* No tower permit shall be granted for any site zoned A-R, R-1, R-2, CRS, CSD, MUR, RM, MxD or W-P unless the evidence establishes that it is not possible to locate said tower in a non-residential district and close significant service gaps or otherwise provide personal wireless communication service mandated by the terms of the applicant's federal telecommunications license.

(4) *Co-location.* No tower permit shall be granted unless the applicant demonstrates that no existing tower or structure can accommodate the applicant's proposed antenna.

(5) *Least intrusive means required.* No tower permit shall be granted unless the evidence establishes that the proposed tower's location and design constitute the least intrusive means necessary to close significant service gaps or otherwise provide personal wireless communication service mandated by the terms of the applicant's federal telecommunications license.

Ordinance No. #0-2024-20  
SUP Case No. 2023-01

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



<b>Type of Request:</b> Special Use Permit - SUP2023-01 – 2 <sup>ND</sup> Reading of Ordinance		County Clerk Use Only Ordinance #: # 0-2024-20
<input checked="" type="checkbox"/> <b>Submission Information</b> <b>Contact Name:</b> Denise Tugman/Christopher Wheeler <b>Department:</b> Planning & Development	<input checked="" type="checkbox"/> <b>Information</b> <b>Summary of Request:</b> Case # SUP2023-01: A request by the Law Office of Mattaniah S. Jahn, P.A, for a Special Use Permit to allow for the installation of a 200' AGL Monopole Communication Tower and related Telecommunications facilities located on 2400 SW Tucker Mill Road, Tax Parcel #030001003I.	
<input checked="" type="checkbox"/> <b>Department Director/Elected Official Signature</b> I have reviewed the attached, and it is approved as to substance. Signature: <i>Denise Tugman</i> Date: 8/21/24	<input type="checkbox"/> <b>Chief of Staff Signature</b> I have reviewed the attached, and it is approved for processing. Signature: _____      Date: _____	
<input type="checkbox"/> <b>County Attorney Signature</b> I have reviewed the attached, and it is approved as to form. Signature: _____      Date: _____	<input type="checkbox"/> <b>Director of Legislative Affairs/County Clerk Signature</b> I have reviewed the attached, and it is approved for processing. Signature: _____      Date: _____	
<b>Notes and Comments:</b> (May 16, 2023 <del>August 13, 2024: First Reading Work Session.</del> ? (May 23, 2023 <del>August 13, 2024: First Reading Voting Session.</del> ) August 22, 2024: Zoning Public Hearing. August 27, 2024: Second Reading Work Session. August 27, 2024: Second Reading Voting Session.		

8/22/2024 deferral  
 9/10/2024 deferral