

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



Type of Request: Rezone (REZ) 2024-25 - 2nd Reading of Ordinance	County Clerk Use Only Ordinance #:
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<input checked="" type="checkbox"/> Submission Information	<input checked="" type="checkbox"/> Information
Contact Name: Christopher Wheeler/Denise Tugman Department: Planning & Development	Summary of Request: A request by Agnes Slack LLLP of Georgia to rezone 94.31 acres from WP (Watershed Protection District) and A-R (Agricultural-Residential District) to MRU (Mixed Residential Uses District) to allow the property located at 2245 NE White Road to be developed with a mixed residential development.

<input checked="" type="checkbox"/> Department Director/Elected Official Signature	<input type="checkbox"/> Chief Operating Officer Signature
I have reviewed the attached, and it is approved as to substance. Signature: <i>Denise Tugman</i> Date: 11/18/2024	I have reviewed the attached, and it is approved for processing. Signature: _____ Date: _____
<input type="checkbox"/> County Attorney Signature	<input type="checkbox"/> Executive Director of Government Affairs/County Clerk Signature
I have reviewed the attached, and it is approved as to form. Signature: _____ Date: _____	I have reviewed the attached, and it is approved for processing. Signature: _____ Date: _____

Notes and Comments:

December 10, 2024: Second Read Work Session
 December 10, 2024: Second Read Voting Session

2024-627

AN ORDINANCE TO AMEND THE OFFICIAL ZONING DISTRICT MAP OF ROCKDALE COUNTY, GEORGIA, AS AMENDED, BY REZONING 2245 NE WHITE ROAD FROM WP (WATERSHED PROTECTION) AND A-R (AGRICULTURAL-RESIDENTIAL) TO MRU (MIXED RESIDENTIAL USES); TO IMPOSE CONDITIONS UPON THE PROPERTY; 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:

REZONING CASE NO. 2024-25	Rezone 94.31 acres from WP (Watershed Protection) and A-R (Agricultural-Residential) to MRU (Mixed Residential Uses) to allow the property located at 2245 NE White Road to be developed with a mixed residential development		
APPLICANT:	Agnes Slack LLLP of Georgia		
PROPERTY OWNER:	Agnes Slack LLLP of Georgia		
LOCATION:	2245 NE White Road		
LAND LOT:	375	DISTRICT:	16 th
TAX PARCEL NO.:	0860010008		

WHEREAS, said rezoning 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 Future Land Use Map of Rockdale County’s Comprehensive Plan designates said property as Medium Density Residential and Watershed Protection.

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 for Rockdale County, as amended, is hereby amended to rezone the 94.31-acre property, more particularly described in the legal description attached hereto as Exhibit “A” and depicted on Exhibit “B” attached hereto, from WP (Watershed Protection) and A-R (Agricultural-Residential) to MRU (Mixed Residential Uses District).

Section II

The zoning amendment authorized in Section I is approved subject to all conditions, including any conditions of zoning attached hereto as Exhibit “C”, and applies to the 94.31-acre property. All permits issued pursuant to this change in zoning shall be in strict compliance with these conditions, as well as all other applicable provisions of the Code of Rockdale County. The change in zoning hereby approved does not authorize the violation of any zoning district 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 _____ day of _____, 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: _____

Second Reading: _____

EXHIBIT "A"
LEGAL DESCRIPTION

Rockdale White Road
(S. Oak-Douglas)

EXHIBIT "A"

AN 85% UNDIVIDED INTEREST IN AND TO:

BOOK 749 PAGE 343

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lots 374, 375 and 360 of the 16th Land District, Rockdale County, Georgia, containing 94.39 acres, as shown on plat of survey for Cline Land Co., Inc. dated January 12, 1983, prepared by Louie D. Patrick, R.S., and recorded in Plat Book P, Page 30, in the office of the Clerk of the Superior Court of Rockdale County, Georgia, and being more fully and particularly described as follows:

BEGIN at an iron pin located at the intersection of the northeasterly right of way line of White Road (80 foot right of way) with the northwesterly right of way of State Highway #138; thence in a northwesterly direction along the arc of the northeasterly right of way line of White Road a distance of 714.2 feet, said arc having a chord bearing and distance of North 44 degrees 34 minutes West 71.2 feet to a point; thence North 49 degrees 02 minutes West 276.7 feet along said right of way to an iron pin; thence North 48 degrees 41 minutes West along said right of way a distance of 788.4 feet to a point; thence North 47 degrees 46 minutes West along said right of way a distance of 318.3 feet to a point; thence continuing in a northwesterly direction along the arc of the northeastern right of way line of White Road a distance of 152.0 feet, said arc having a chord bearing and distance of North 45 degrees 23 minutes West 151.9 feet to an iron pin; thence South 67 degrees 43 minutes East 86.07 feet to an iron pin; thence South 55 degrees 20 minutes East 546.1 feet; thence South 60 degrees 37 minutes East 72.0 feet to an iron pin; thence North 01 degrees 33 minutes East 378.8 feet to a rock found; thence North 01 degrees 37 minutes East 697.6 feet to an iron pin; thence North 02 degrees 33 minutes East 567.9 feet to an iron pin; thence North 02 degrees 31 minutes East 628.0 feet to an iron pin; thence North 02 degrees 31 minutes East 164.3 feet to an iron pin located at the common corner of Land Lots 360, 359, 375 and 376, said district; thence South 88 degrees 07 minutes East a distance of 1413.1 feet along the northerly line of Land Lot 375, said district, to an iron pin; thence South 01 degree 56 minutes West 2654.3 feet to an iron pin located on the northwesterly right of way line of Georgia State Highway #138; thence in a southwesterly direction along the arc of the northwesterly right of way line of Georgia State Highway #138 a distance of 133.1 feet, said arc having a chord bearing and distance of South 65 degrees 47 minutes West 133.1 feet, to a right of way marker; thence South 86 degrees 38 minutes West 155.3 feet to an iron pin; thence South 60 degrees 39 minutes West 65.1 feet to a highway right of way marker; thence continuing in a southwesterly direction along the arc of the northwesterly right of way line of Georgia State Highway #138 a distance of 288.2 feet, said arc having a chord bearing and distance of South 61 degrees 30 minutes West 288.2 feet to an iron pin; thence North 29 degrees 30 minutes West a distance of 20 feet; thence continuing in a southwesterly direction along the arc of the northwesterly right of way line of Georgia State Highway #138 a distance of 150 feet, said arc having a chord bearing and distance of South 59 degrees 50 minutes West 149.99 feet to a point; thence continuing along said right of way South 59 degrees 16 minutes West a distance of 100.0 feet to a right of way marker; thence South 30 degrees 58 minutes East 20 feet to an iron pin; thence South 59 degrees 16 minutes West 61.7 feet to a right of way marker; thence South 59 degrees 16 minutes West 12.5 feet to the iron pin marking the POINT OF BEGINNING.

EXHIBIT "B"
SURVEY PLAT

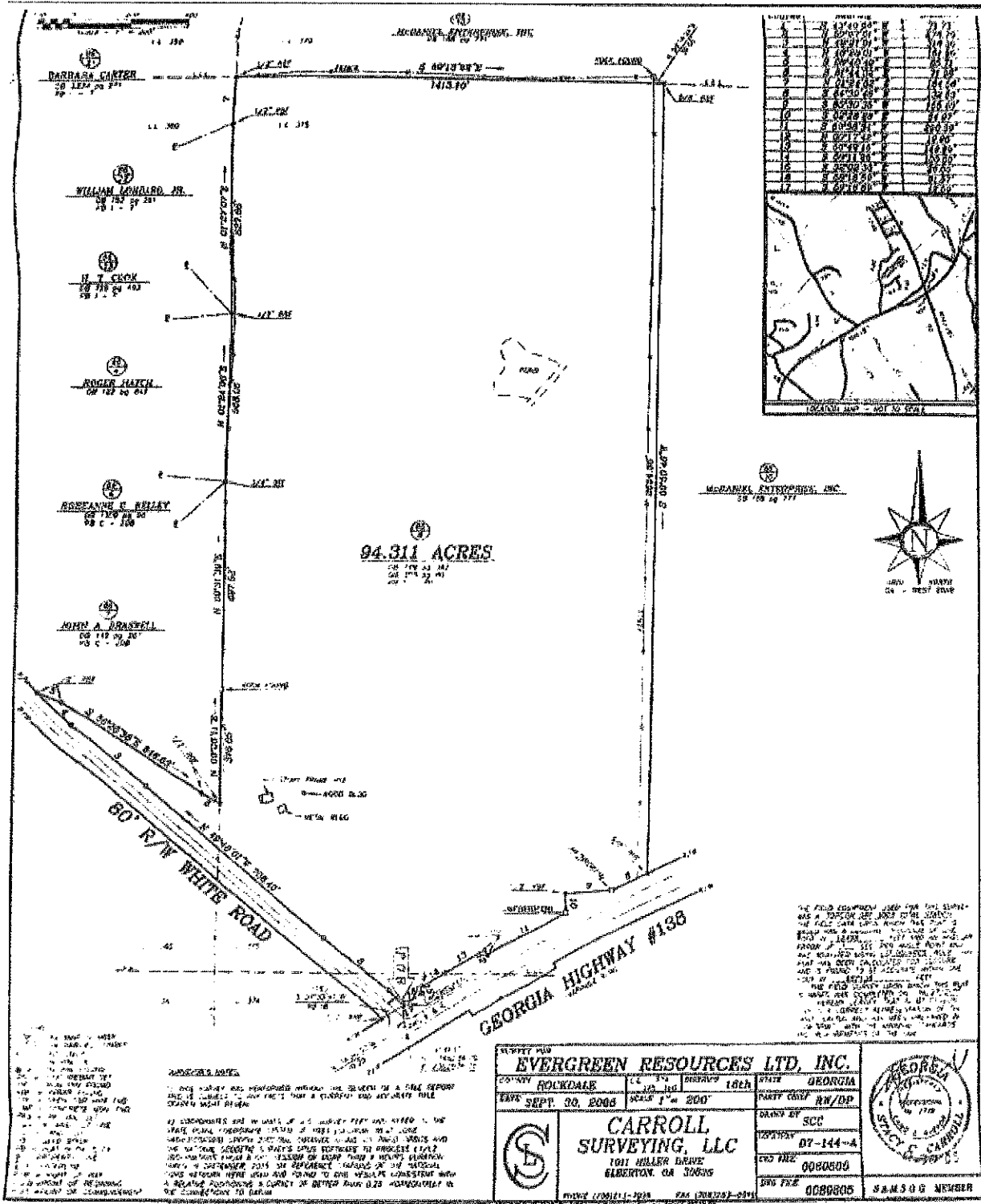


EXHIBIT "C"
CONDITIONS OF ZONING

1. The site shall be developed in compliance with the Mixed Residential Uses (MRU) Zoning District if adopted.
2. The applicant shall provide the Traffic Impact Study with the Preliminary Plat. Any recommendations for improvements shall be required to be shown on the Land Disturbance Permit (LDP). Additionally, as determined by the Rockdale County Department of Transportation, a new study may be required for the development. Any recommendations for improvements from any new studies shall be required to be shown on the LDP.
3. Per the Rockdale County 2023 Comprehensive Plan, the site shall be restricted to single-family residential units only and shall be developed with a density of no less than 1 unit per 3 acres.
4. A mandatory Homeowners' Association shall be established and shall be responsible for the maintenance of all common areas and facilities.
5. The Homeowners' Association covenants shall include a rental restriction of five percent (5%) of all single-family residential dwelling units.
6. All single-family detached units shall have a two-car garage.
7. Provide a five-foot-wide concrete sidewalk along both sides of the proposed internal streets. Provide a two-foot-wide grass strip on all internal public roads between the back of the curb and the sidewalk. Provide a five-foot-wide landscape strip. All trees planted in this landscape strip shall be counted towards any Rockdale County required tree recompense credits or tree density units as mandated by the required development permit.
8. Provide a five-foot-wide concrete sidewalk along White Road NE and Highway 138 NE. Provide a ten-foot-wide landscape strip within existing right-of-way between the roadway and the sidewalk.
9. All grassed areas shall be sodded.
10. All utilities shall be placed underground.
11. Natural vegetation shall remain on the property until the issuance of a development permit.
12. All front building elevations shall be constructed with at least fifty (50) percent of the following building materials: Brick, Indigenous Rock, Natural Stone, and Synthetic Stone, or a combination of Brick, Indigenous Rock, Natural Stone, and Synthetic Stone, with accent building materials that may include but not be limited to Stucco, EIFS, Metal, Painted Cement Siding, and Wood where masonry products are not provided.
13. Streetlights shall be provided throughout the residential development along the internal streets where residential units directly abut. When internal to the block, all streetlights shall be residential in character and meet the minimum lighting standards of Rockdale County, GA as defined in the current edition of the development regulations at the time of development permitting.
14. Stormwater detention ponds shall be screened from view from adjoining residential properties. Screening plans shall be subject to review and approval of the Director of Planning and Development.
15. Any structures in the amenity areas shall be constructed using exterior building materials that complement the adjacent residential structures. The amenity areas may be in a single area or in multiple areas.