

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



|  |                                       |
|--|---------------------------------------|
| <b>Type of Request:</b><br>Rezoning (REZ) 2024-18 - 2nd Reading of Ordinance | County Clerk Use Only<br>Ordinance #: |
|--|---------------------------------------|

|   |   |
|---|---|
| <input checked="" type="checkbox"/> <b>Submission Information</b>   | <input checked="" type="checkbox"/> <b>Information</b>  |
| <b>Contact Name:</b><br>Christopher Wheeler/Denise Tugman<br><br><b>Department:</b><br>Planning & Development | <b>Summary of Request:</b><br><br>A request by John Andrew Nix to rezone 12.88 acres from A-R (Agricultural-Residential District) to C-2 (General Commercial District) to allow the property located at 4250 SE Highway 20 to be developed with commercial uses including a restaurant. |

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

**Notes and Comments:**

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

2024-633

**AN ORDINANCE TO AMEND THE OFFICIAL ZONING DISTRICT MAP OF ROCKDALE COUNTY, GEORGIA, AS AMENDED, BY REZONING 4250 SE HIGHWAY 20 FROM A-R (AGRICULTURAL-RESIDENTIAL) TO C-2 (GENERAL COMMERCIAL); 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:

|                                     |   |                  |                  |
|-------------------------------------|---|------------------|------------------|
| <b>REZONING CASE NO.</b><br>2024-18 | Rezone 12.88 acres from A-R (Agricultural-Residential) to C-2 (General Commercial) to allow the property located at 4250 SE Highway 20 to be developed with commercial uses including a restaurant. |                  |                  |
| <b>APPLICANT:</b>                   | John Andrew Nix   |                  |                  |
| <b>PROPERTY OWNER:</b>              | 1618 Land Holdings, LLC   |                  |                  |
| <b>LOCATION:</b>                    | 4250 SE Highway 20  |                  |                  |
| <b>LAND LOT:</b>                    | 115   | <b>DISTRICT:</b> | 11 <sup>th</sup> |
| <b>TAX PARCEL NO.:</b>              | 080A010014  |                  |                  |

**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.

**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 12.88-acre property, more particularly described in the legal description attached hereto as Exhibit “A” and depicted on Exhibit “B” attached hereto, from A-R (Agricultural-Residential) to C-2 (General Commercial).

**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 12.88-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**

TR00400 Page 8 of 8

**EXHIBIT "A"**  
**LEGAL DESCRIPTION**

**TRACT E:**

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 115 OF THE 10<sup>TH</sup> DISTRICT, ROCKDALE COUNTY, GEORGIA, AND BEING SHOWN AS 12.885 ACRES ON PLAT OF SURVEY PREPARED FOR ROBERT W. MADDOX AND JAMES O. MANOUM, BY LOUIE D. PATRICK, GA. RLS, DATED AUGUST 8, 1990, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT AN IRON PIN FOUND ON THE EASTERN RIGHT OF WAY OF GEORGIA HIGHWAY NO. 20 (80 FOOT RIGHT OF WAY), SAID IRON PIN FOUND BEING LOCATED 62.5 FEET FROM THE INTERSECTION OF THE NORTHERN RIGHT OF WAY OF CHRISTIAN ROAD (80 FOOT RIGHT OF WAY) WITH THE EASTERN RIGHT OF WAY OF GEORGIA HIGHWAY NO. 20 AS MEASURED IN A NORTEASTERLY DIRECTION ALONG THE EASTERN RIGHT OF WAY OF GEORGIA HIGHWAY NO. 20; THENCE CONTINUING ALONG THE EASTERN RIGHT OF WAY OF GEORGIA HIGHWAY NO. 20 THE FOLLOWING COURSES AND DISTANCES, TO WIT: NORTH 13 DEGREES 41 MINUTES 07 SECONDS EAST 280.02 FEET; NORTH 13 DEGREES 27 MINUTES 07 SECONDS EAST 100.0 FEET; NORTH 11 DEGREES 44 MINUTES 36 SECONDS EAST A CHORD DISTANCE OF 399.64 FEET WITH AN ARC DISTANCE OF 399.71 FEET TO AN IRON PIN FOUND AT CORNER; THENCE LEAVING THE RIGHT OF WAY OF GEORGIA HIGHWAY NO. 20 RUNNING SOUTH 87 DEGREES 43 MINUTES EAST 641.2 FEET TO AN IRON PIN FOUND AT CORNER; THENCE RUNNING SOUTH 06 DEGREES 28 MINUTES WEST 636.3 FEET TO AN IRON PIN SET; THENCE RUNNING SOUTH 06 DEGREES 47 MINUTES 54 SECONDS WEST 237.13 FEET TO AN IRON PIN FOUND ON THE NORTHERN RIGHT OF WAY OF CHRISTIAN ROAD; THENCE RUNNING ALONG THE NORTHERN RIGHT OF

(Page 1 of 2)

TN60108 Page 7 of 8

WAY OF CHRISTIAN ROAD THE FOLLOWING COURSES AND DISTANCES, TO-WIT: NORTH 77 DEGREES 35 MINUTES 06 SECONDS WEST A CHORD DISTANCE OF 298.5 FEET WITH AN ARC DISTANCE OF 300.95 FEET; NORTH 89 DEGREES 09 MINUTES 45 SECONDS WEST 333.77 FEET TO AN IRON PIN; THENCE LEAVING THE RIGHT OF WAY OF CHRISTIAN ROAD RUNNING NORTH 01 DEGREES 32 MINUTES 52 SECONDS WEST 45.62 FEET TO A ROCK AT CORNER; THENCE RUNNING NORTH 75 DEGREES 44 MINUTES 53 SECONDS WEST 67.45 FEET TO THE POINT OF BEGINNING.

THIS PROPERTY BEING THE SAME AS THAT CONVEYED IN A WARRANTY DEED RECORDED AT DEED BOOK 589, PAGE 29, ROCKDALE COUNTY, GEORGIA RECORDS.

And

TRACT II:

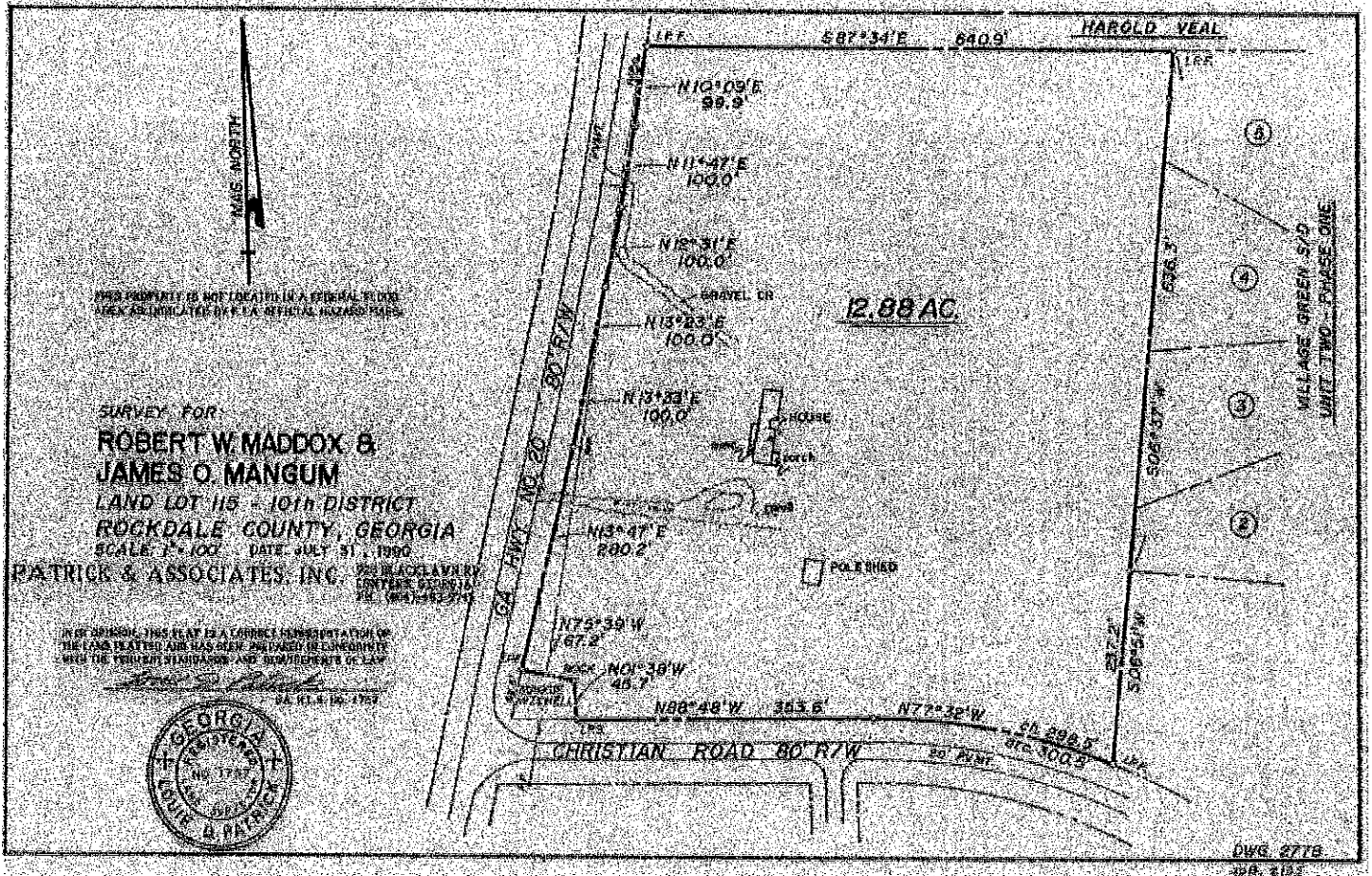
ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 115 OF THE 10<sup>TH</sup> DISTRICT, ROCKDALE COUNTY, GEORGIA, AND BEING SHOWN AS 0.09 ACRES ON PLAT OF SURVEY PREPARED FOR ROBERT W. MADDOX AND JAMES O. MANGUM BY DAVID PATRICK, GA. RLS, DATED AUGUST 1, 1990, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE CORNER FORMED BY THE INTERSECTION OF THE NORTHERN RIGHT OF WAY OF CHRISTIAN ROAD (80 FOOT RIGHT OF WAY) WITH THE EASTERN RIGHT OF WAY OF GEORGIA HIGHWAY NO. 20 (80 FOOT RIGHT OF WAY); THENCE RUNNING ALONG THE EASTERN RIGHT OF WAY OF GEORGIA HIGHWAY NO. 20 NORTH 13 DEGREES 41 MINUTES 07 SECONDS EAST 62.5 FEET TO AN IRON PIN FOUND AT CORNER; THENCE LEAVING THE RIGHT OF WAY OF GEORGIA HIGHWAY NO. 20 RUNNING SOUTH 75 DEGREES 44 MINUTES 53 SECONDS EAST 67.45 FEET TO A ROCK AT CORNER; THENCE RUNNING SOUTH 01 DEGREES 32 MINUTES 52 SECONDS EAST 45.62 FEET TO AN IRON PIN FOUND ON THE NORTHERN RIGHT OF WAY OF CHRISTIAN ROAD; THENCE RUNNING ALONG THE NORTHERN RIGHT OF WAY OF CHRISTIAN ROAD NORTH 88 DEGREES 57 MINUTES 12 SECONDS WEST 81.48 FEET TO THE POINT OF BEGINNING.

THIS BEING THE SAME PROPERTY AS CONVEYED IN A WARRANTY DEED RECORDED AT DEED BOOK 591, PAGE 116, ROCKDALE COUNTY, GEORGIA RECORDS.

(Page 2 of 2)



### EXHIBIT "B" SURVEY PLAT



**EXHIBIT "C"**  
**CONDITIONS OF ZONING**

1. The applicant shall abide by all applicable standards of the Unified Development Ordinance for the C-2 Zoning District, unless otherwise specified in these conditions or through approval of a variance by the Zoning Board of Appeals.
2. The applicant shall provide the Traffic Impact Study prior to the submittal of an application for a Land Disturbance Permit (LDP). Any recommendations for improvements shall be required to be shown on the Land Disturbance Permit (LDP). Additionally, as determined by 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. The applicant shall provide documentation of GDOT's review and approval of a ROW/driveway encroachment of Highway 20 with future permit submissions to Rockdale County.
4. The applicant shall ensure that the driveway entrance from Christian Circle has a centerline aligned directly across from Faye Court.
5. The developer shall provide a lighting plan for the site.
6. No elevations or architectural renderings were provided with this submittal. Buildings shall be of brick, stacked stone and/or glass finish on all sides. Final building elevations shall be submitted for review by the Director of Planning and Development prior to land development disturbance approval.
7. As indicated on the site plan, the development shall provide a 50-foot-wide natural undisturbed buffer adjacent to all residentially zoned properties. Buffers shall be replanted where sparsely vegetated and shall be subject to the review and approval of the Director of Planning and Development.
8. The applicant shall provide a 20-foot-wide landscape strip adjacent to all rights-of-way.
9. No tents, canopies, temporary banners, streamers or roping decorated with flags, tinsel, or other similar material shall be displayed, hung, or strung on the site. No decorative balloons or hot-air balloons shall be displayed on the site. Yard and/or bandit signs, sign walkers and sign-twirlers shall be prohibited.
10. Outdoor lighting shall be contained in cut-off type luminaries and shall be directed in toward the property so as not to reflect into adjacent properties or rights-of-way.
11. Where infrastructure capacity is later deemed unavailable at the time of application submittal, the applicant shall appear before the Planning Commission (PC) prior to submitting the Land Disturbance Permit (LDP) with proof of capacity.
12. All utilities shall be placed underground.
13. Natural vegetation shall remain on the property until the issuance of a development permit.
14. **The total square footage (heated) for commercial buildings to be located on the subject property shall be limited to 16,000 square feet in the absence of the filing of a modification of condition and the granting of same.**
15. **A dedicated left turn lane from Christian Circle to Georgia Highway 20 (turning south from Christian Circle left onto Georgia Highway) shall be depicted in the preliminary survey associated with the LDP for the subject property and shall be constructed by the owner or its successor in interest in conjunction with the development of the subject property.**
16. **The owner agrees to request and seek approval for GDOT for the approval of a dedicated left turn lane from Georgia Highway 20 to Christian Circle (turning west from Georgia Highway 20 left onto Christian Circle). If approved by GDOT said dedicated left turn lane shall be constructed by the owner or its successor in interest in conjunction with the development of the subject property.**