

**AN ORDINANCE TO AMEND THE OFFICIAL ZONING DISTRICT MAP OF ROCKDALE COUNTY, AS AMENDED, BY REZONING 1141 OLD SALEM RD SE FROM M1 TO C2; 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. 2022-03</b>	Rezone 2.63 acres from M1 (Limited Industrial) to C2 (General Commercial) to allow the development of a hotel.		
<b>APPLICANT:</b>	Forsyth Hospitality, Inc.		
<b>PROPERTY OWNER:</b>	Chatto Fields II, LLP; BNY Melton, National Association as successor trustee U/T/A of the Hugh W. Cheek Revocable Trust		
<b>LOCATION:</b>	1141 Old Salem Rd, Conyers, GA, 30094		
<b>LAND LOT(S):</b>	296 and 299	<b>DISTRICT:</b>	16th
<b>TAX PARCEL NO.:</b>	075001013M and 0750010013		

**WHEREAS**, said rezoning 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 Future Land Use Map of Rockdale County’s Comprehensive Plan designate said property as Light Industrial, which pursuant to Section 202-6 permits the M1 Zoning District;

**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 further amended so as to rezone the 2.63 -acre property, more particularly described in the legal description attached hereto as Exhibit “A” and depicted on the ALTA/NSPSS Land Title Survey attached hereto as Exhibit “B”, from M1 to C2.

**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”, which exhibit is hereby incorporated by this reference and applies to the 2.63 -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.

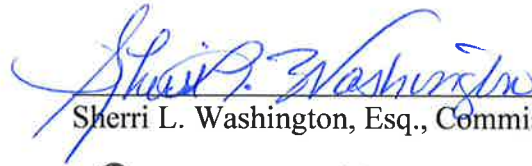
That this Ordinance shall become effective upon adoption.

This 8th day of March, 2022.

**ROCKDALE COUNTY, GEORGIA  
BOARD OF COMMISSIONERS**



Oz Nesbitt, Sr., Chairman



Sherri L. Washington, Esq., 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: 1/25/2022

Second Reading: 3/8/2022

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

**EXHIBIT A**

**LEGAL DESCRIPTION**

**AS TO TRACT 1, M/P 0750010013**

A tract or parcel of land situated at and around the Interstate Highway 20/Georgia Highway 138/20 interchange near Conyers, Rockdale County, Georgia, designated as Parcel A on the **Plat recorded in Deed Book 1536, Page 305 Clerk's office, Rockdale County Superior Court** and by this reference made a part hereof comprising 1.9945 acres situated at the northeast corner of Old Salem Road and Old McDonough Highway, located in Land Lots 296 and 299 of the 16<sup>th</sup> District, Rockdale County, Georgia and identified as Tax Parcel 075-001-0013 on the Rockdale County tax records.

This being the same property conveyed by Executor's Deed dated May 19<sup>th</sup>, 2017 from BNY Mellon, N.A. as Executor of the Estate of Hugh W. Cheek to BNY Mellon, N.A. as Trustee of the Hugh W. Cheek Revocable trust dated June 24, 2008, and recorded in Deed Book 6080, Pages, 7-10 aforesaid records.

**AS TO TRACT 2, M/P 075001013M**

A tract or parcel of land situated at and around the Interstate Highway 20/Georgia Highway 138/20 interchange near Conyers, Rockdale County, Georgia, designated as Parcel B on the **Plat recorded in Deed Book 1536 Page 305, Clerk's office, Rockdale County Superior Court** and by this reference made a part thereof, comprising 0.6218 acres situated along the north side of the I-20 frontage road in the northwest quadrant of the I-20/Highway 183/20 interchange, located in Land Lot 299 of the 16<sup>th</sup> District, Rockdale County, Georgia and identified as Tax Parcel 075-01-0013M on the Rockdale County tax records.

This being the same property conveyed by Warranty Deed dated July 12, 2002 from Hugh W. Cheek to Chatto Fields, II, LLLP and recorded in Deed Book 2397, Page 123, aforesaid records.



**Exhibit "C"**

**Proposed Zoning Conditions**

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

- A. The Conceptual Site Plan prepared by Carter Engineering Group., dated December 29, 2021, shall become the guiding layout and design. The actual location of the water quality area, detention, streets, sidewalks, amenity areas, and other depicted improvements shall be subject to actual site conditions and the requirements of the Code of Rockdale County.
- B. The site shall be developed in compliance with the proposed revisions regarding the C2 (General Commercial) Zoning District, if adopted.
- C. The applicant shall provide a 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 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.

Conditions Requested by Planning Commission:

- D. Guest lodging shall be limited to not more than 14 consecutive days.