

**LAMAR COUNTY BOARD OF COMMISSIONERS  
ORDINANCE NO. 2022-04**

**AN ORDINANCE FOR THE PURPOSE OF REZONING PROPERTY IN LAMAR COUNTY, GEORGIA, AND TO AMEND THE OFFICIAL ZONING MAP OF LAMAR COUNTY, GEORGIA**

WHEREAS, the Board of Commissioners of Lamar County, Georgia (hereinafter "County") under the authority of its County Code and the Constitution and Laws of the State of Georgia, is empowered to by virtue of its police power to regulate the health, safety and welfare of the citizens of the County, and to provide for and enact zoning and developmental regulations; and

WHEREAS, the County has enacted the current Zoning Ordinance of the County and thereby adopted the Official Zoning Map of the County; and

WHEREAS, on March 15, 2022, David and Gail Addison initiated an application to change the zoning classification of the within described property to R2 (Residential 2); and

WHEREAS, notice of this application, public hearings, and action was properly advertised in the legal organ, a sign was placed on the subject property, and letters describing the application and hearing dates were sent to property owners within 300' of the subject property; and

WHEREAS, a public hearing was held on April 7, 2022, and the application was reviewed by the Lamar County Planning Commission, and a second public hearing on the application was conducted by the County on April 19, 2022, pursuant to O.C.G.A. §33-66-1, *et seq.* and local ordinances at the Lamar County Courthouse; and

WHEREAS, the Board of Commissioners considered the proposed amendment, and all alternate proposals or amendments, the report of the Planning Commission, and all data and evidence taken at both public hearings; and

WHEREAS, it is deemed by the County that rezoning the within described property and amending the Official Zoning Map of the County is in conformance with the sound comprehensive planning principles, of substantial benefit to the public, and in promotion of the best interest and general welfare of the people of the County; Now, therefore,

**BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF LAMAR COUNTY,  
GEORGIA**

**Section 1:** The Zoning Ordinance of Lamar County, Georgia, and the Official Zoning Map of Lamar County, Georgia, designating the boundaries of several types or classes of zoning districts within the County, shall be, and are hereby amended so as to change the zoning classification applicable to the following described property:

**SEE EXHIBIT "A" ATTACHED HERETO AND INCORPORATED HEREIN**

From AR (Agricultural Residential) to R2 (Residential 2) subject to the following conditions:

1. Only stick-built homes shall be built on the property;
2. All lots must be a minimum of 2 acres; and
3. There must be a vegetative buffer between the homes.

**Section 2.** The Official Zoning Map of the County is hereby amended to reflect such zoning classification for the within described property.

**Section 3.**

- A. It is hereby declared to the intention of the Board of Commissioners that all sections, paragraphs, sentences, clauses and phrases of this Ordinance are and were, upon their enactment, believed by the Board of Commissioners to be fully valid, enforceable and constitutional.
- B. It is hereby declared to the intention of the Board of Commissioners that, to the greatest extent allowed by law, each and every section, paragraph, sentence, clause or phrase of this Ordinance is severable from every other section, paragraph, sentence, clause or phrase of this Ordinance. It is hereby further declared to be the intention of the Board of Commissioners that, to the greatest extent allowed by law, no section, paragraph, sentence, clause or phrase of this Ordinance is mutually dependent upon any other section, paragraph, sentence, clause or phrase of this Ordinance.
- C. In the event of any section, paragraph, sentence, clause or phrase of this Ordinance shall, for any reason whatsoever, be declared invalid, unconstitutional, or otherwise unenforceable by the valid judgement or decrees of any court of competent jurisdiction, it is the express intent of the Board of Commissioners that such invalidity, unconstitutionality, or unenforceability shall, to the greatest extent allowed by law, not render invalid, unconstitutional or otherwise unenforceable any of the remaining sections, paragraphs, sentences, clauses, or phrases of the Ordinance and that, to the greatest extent allowed by law, all remaining sections, paragraphs, sentences, clauses or phrases of the Ordinance shall remain valid, constitutional, enforceable, and full force and effect.

**Section 4.** Repeal of Conflicting Provisions. Except as otherwise provided herein, all ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

**Section 5. Effective Date.** This Ordinance shall become effective immediately upon its adoption by the Board of Commissioners of Lamar County, Georgia.

SO ORDAINED, this April day of 1967, 2022

  
CHARLES GLASS, Chairman

ATTEST:


  
CARLETTE DAVIDSON, County Clerk



EXHIBIT "A"

8.86 acres in Land Lot 190 of the 2<sup>nd</sup> Land District more particularly described as follows:

All that lot, tract or parcel of land containing 13.761 acres, situate, lying and being in Land Lot 190 of the Second Land District of Lamar County, Georgia, as more particularly shown on a property survey by Kenneth E. Prasley, Registered Land Surveyor for George C. Harned, dated December 15, 1966, and recorded in Plat Book 4, page 207, of the Lamar Superior Court records, which plat is by reference incorporated herein and made a part hereof. From said plat said property may be more particularly described as follows:

BEGINNING at an iron stake which marks the southeast property corner of the property of J. R. Perkins which point lies 844.7 feet east of the west land lot line of Land Lot 190, and running thence along the south line of Land Lot 190 south 87 degrees 50 minutes east, 476.9 feet to an iron stake; thence north 0 degrees 22 minutes west, 1,539.3 feet to an iron stake; thence north 87 degrees 53 minutes west 121.3 feet to an iron stake; thence south 11 degrees 13 minutes west, 151.8 feet to a point; thence south 24 degrees 18 minutes west, 239.6 feet to a point; thence south 25 degrees 17 minutes west, 925.3 feet to an iron stake; thence south 87 degrees 26 minutes east, 175.8 feet to an iron stake; thence south 315.0 feet to a point, marking the aforesaid point of beginning.

Said property is now or formerly bounded as follows: North by a County road; east by property of Grady Carlton; south by property of H. L. McLean and J. R. Perkins and west by property of J. R. Perkins and Schridge Mill Road.

Less and Except the Following:

All that tract or parcel of land lying and being in Land Lot No. 190 of the Second Land District of Lamar County, Georgia, consisting of 2.00 acres, and being more particularly shown upon a plat of survey prepared for Scott Knight by Delta Surveyors, Inc., which said plat is dated January 18, 2000, and is recorded in Plat Book 14, Page 114, Clerk's Office, Superior Court, Lamar County, Georgia, and which said plat is incorporated herein by reference and made a part of this description.

This is a part of the property conveyed to David Ray Addison and Gail C. Addison by warranty deed from George C. Harned, dated May 25, 1988.

Also Less and Except the Following:

All that lot, tract or parcel of land containing 2.57 acres, situate, lying and being in Land Lot 190 of the Second Land District of Lamar County, Georgia, Tract 3, as more particularly shown on a property survey by Delta Surveyors, Inc. Registered Land Surveyors, RLS No: 2898, for "David Ray Addison," as shown of record in the Lamar County Plat Records. Said plat and the reference thereto is hereby incorporated.

The legal description is as follows:

To find the True Point of Beginning start at the centerline of the intersection where Etheridge Mill Road and the County Road intersect and proceed Southwest along the right of way of Etheridge Mill Road South 89 degrees 06' 40" West a distance of 117.02 feet to a point; thence proceed South 17 degrees 45' 06" East a distance of 288.83 feet to a point; thence Proceed South 25 degrees 48' 13" West a distance of 303.00 feet to a point where a 1/2" rebar is set AND THE TRUE POINT OF BEGINNING; thence proceed South 50 degrees 10' 24" East a distance of 435.70 feet to a 1/2" rebar set; thence proceed South 39 degrees 49' 36" West a distance of 193.04 feet to a 1/2" rebar set; thence proceed North 50 degrees 10' 24" West a distance of 228.54 feet to a 1/2" rebar set; thence proceed North 87 degrees 32' 43" West a distance of 165.07 feet to a point on the right of way of Etheridge Mill Road; thence proceed along said right of way of Etheridge Mill Road North 25 degrees 17' 59" East a distance of 302.92 feet to the TRUE POINT OF BEGINNING.

**PLANNING COMMISSION  
MINUTES OF MEETING  
LAMAR COUNTY COURTHOUSE  
THURSDAY, APRIL 7, 2022, AT 6:00 P.M.**

The Barnesville-Lamar County Planning Commission, in and for the county of Lamar, Georgia met on Thursday, April 7, 2022, at 6:00 p.m., at the Lamar County Courthouse. Members present for the meeting were Ms. Angela Preston, Mr. Gerald Thompson, and Mr. Jarrod Fletcher. Ms. Anita Buice, Lamar County Planning and Community Development Director was also present.

Ms. Preston called the meeting to order at 6:00 p.m.

Mr. Thompson made a motion to approve the minutes of meeting for March 10, 2022. Mr. Fletcher seconded the motion. The motion passed unanimously.

Ms. Preston opened the Public Hearing.

Ms. Buice then presented Minor Subdivision Modification Application submitted by Kevin Edmondson for property located on Barnesville Avenue, parent tract is Lamar County Tax Map 035, Parcel 085. The applicant is asking to combine property, .34 acres, shown on Map 035, Parcel 084 with Lot 1, currently 6.14 acres as shown on the survey found in Plat Book 16 Page 860 and then split Lot 1 into two tracts: 4.02 acres and 2.526 acres.

Mr. Kevin Edmondson was present to answer any questions or concerns.

Ms. Preston then asked Mr. Edmondson if he has built on the site in question yet, he replied no ma'am he is just starting.

With there being no more questions or concern Ms. Preston asked if there was a motion.

Mr. Thompson made a motion to approve the minor subdivision modification application, Mr. Fletcher seconded the motion. The motion passed unanimously.

Next Ms. Buice presented Rezoning and Minor Subdivision Application submitted by David and Gail Addison to rezone property from Agricultural Residential to Residential R-2. The property is a 9-acre tract located at 743 Etheridge Mill Road, Lamar County Tax Map 006, Parcel 023; and recorded in Deed Book 130, Page 272. The applicant is also asking to divide the property into six 1+ acre lots should the rezoning be approved.

Mr. David and Mrs. Gail Addison owners of property / applicant were present to answer any questions or concerns.

Ms. Preston then asked the owners how they plan to use the land, Mr. Addison replied hopefully they can sale them, and the reason they are considering this option is because they have a better chance selling smaller tracts, and they are getting older, and it is getting harder to maintain.

Ms. Preston then asked if their home was on part of this land, Mrs. Addison replied yes.

Mr. Thompson then asked if they would have public water, Ms. Buice replied yes.

With there being no more questions or concerns the Board closed the public hearing.

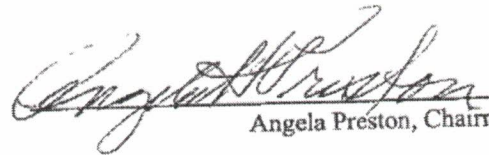
Next Ms. Preston asked if there was a motion.

Mr. Thompson made a motion to approve rezoning and minor subdivision application, Mr. Fletcher seconded the motion. The motion passed unanimously.

With there being no other business to address Mr. Thompson made a motion to adjourn the meeting, and Mr. Fleming seconded the motion. The motion passed unanimously.


The meeting adjourned at 6:10 p.m.

PLANNING COMMISSION:

  
Angela Preston, Chairman

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Jarrod Fletcher, Member

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Dwight Fleming, Member

  
Gerald Thompson, Member