

**LAMAR COUNTY BOARD OF COMMISSIONERS
ORDINANCE NO. 2023-08**

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 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, Alphonso and Mary Watson initiated an application to change the zoning classification of the within described property from AR (Agricultural Residential) to C-2 (Commercial -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 June 8, 2023, 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 June 20, 2023 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 Attachment "A" attached hereto and incorporated herein

From AR (Agricultural Residential) to C-2 (Commercial-2)

With the following conditions: no fueling station; no utility substation; no off-street parking; no nightclubs; no underground tanks; property must maintain a 25' landscaped buffer on all sides.

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

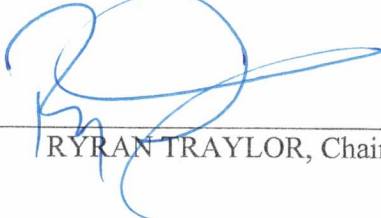
Section 3.

- 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 20th day of June, 2023



RYRAN TRAYLOR, Chairman

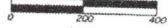
ATTEST:


CARLETTE DAVIDSON, County Clerk

ATTACHMENT "A"

All that tract or parcel of land situate, lying and being in Land Lot 215 of the 3rd Land District of Lamar County, Georgia, and being more particularly known and designated as Tract F containing 2.295 acres and Tract G containing 2.295 acres according to a plat made by Kenneth E. Presley Associates, Inc. which appears of record in Plat Book 9 Folio 35, Clerk's Office of Lamar Superior Court. Said plat is referred to for the purpose of a more complete and accurate description and is incorporated herein by reference thereto.

PROPERTY SURVEY FOR
MIDDLE GEORGIA WOODLANDS
 LOCATED IN LANDLOT 215
 OF THE 3RD LAND DISTRICT
 LAMAR COUNTY, GEORGIA
 SCALE: 1" = 200' DATE: OCT. 29, 1984



REVISED: DEC. 14, 1984 JULY 11, 1985
 JAN. 25, 1985

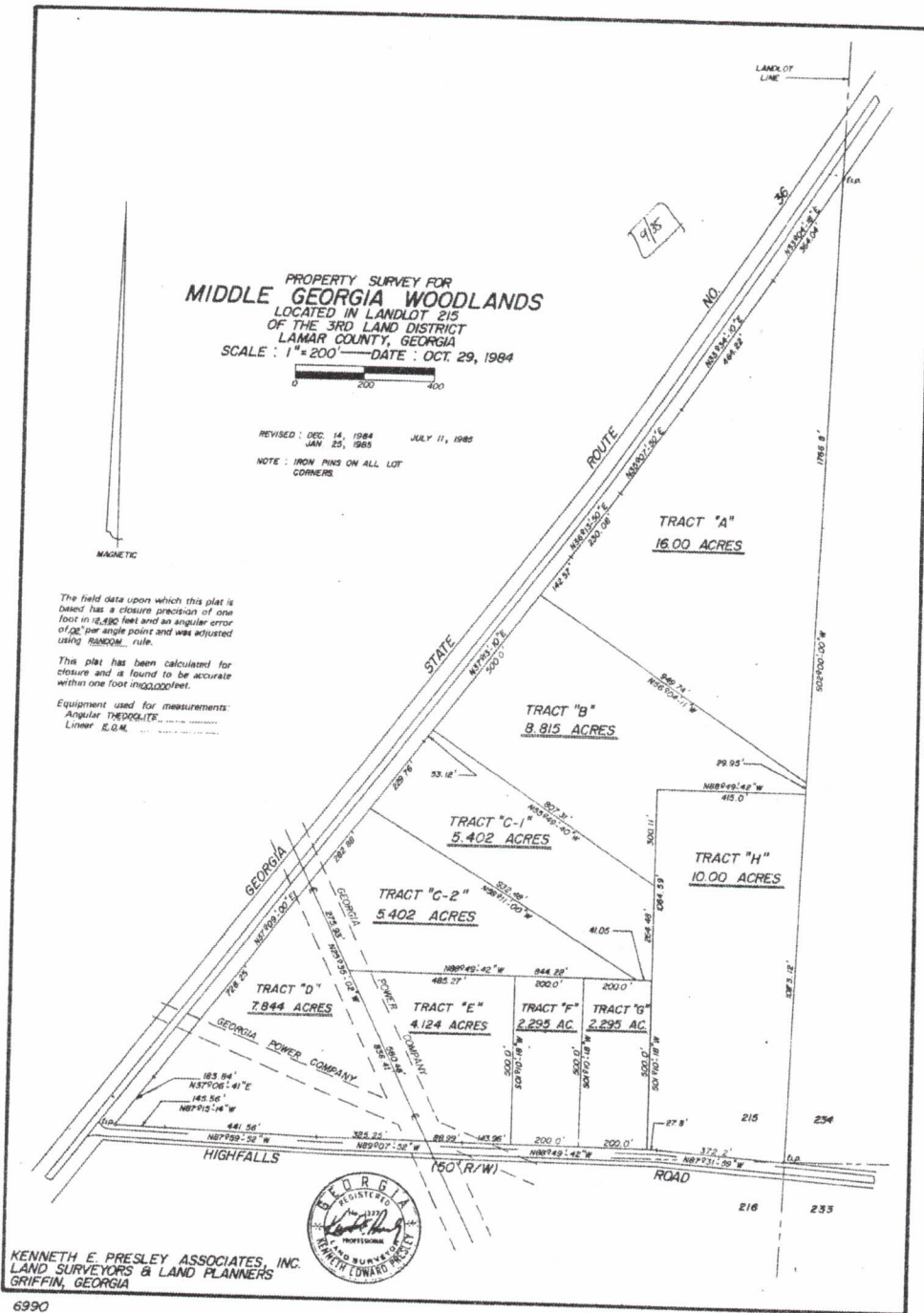
NOTE: IRON PINS ON ALL LOT CORNERS

MAGNETIC

The field data upon which this plat is based has a closure precision of one foot in 12,390 feet and an angular error of 62" per angle point and was adjusted using RANDOM rule.

This plat has been calculated for closure and is found to be accurate within one foot in 100,000 feet.

Equipment used for measurements:
 Angular THEODOLITE
 Linear E.G.M.



KENNETH E. PRESLEY ASSOCIATES, INC.
 LAND SURVEYORS & LAND PLANNERS
 GRIFFIN, GEORGIA

6990

Submitted Lamar County
 Clerk's Office Superior Court
 Plat for Record Filed 31.1985
 10/26/85
 Recorded in Plat Book 9
 Page 25
 10/26/85
 Clerk's Office