

**LAMAR COUNTY BOARD OF COMMISSIONERS
ORDINANCE NO. 2024-01**

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, Emily Ann Nobles and Billy Butler Smith initiated an application to change the zoning classification of the within described property from AR (Agricultural Residential) to R-1 (Residential -1); 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 February 8, 2024, 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 February 20, 2024, 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 R-1 (Residential-1).

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

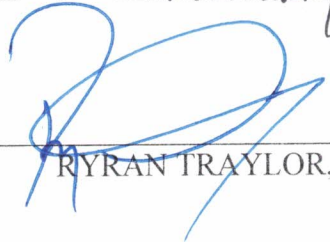
Section 3.

- 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 February, 2024



RYRAN TRAYLOR, Chairman

ATTEST:



CARLETTE DAVIDSON, County Clerk

THIS PROPERTY AS REPRESENTED ON THIS PLAT DOES NOT COMPLY WITH APPLICABLE ZONING CODES AND ORDINANCES AS OF THIS DATE.

James W. Butler 4-3-24
 ZONING OFFICIAL DATE
 ZONING DESIGNATION: R1

NOTES

1. THE EQUIPMENT USED IN OBTAINING THE FIELD DATA ON THIS PLAT WAS A TOPCON 300, LEICA ROBOTIC TOTAL STATION, PSION AND LEICA DATA COLLECTOR.
2. THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 408,138 FEET AND AN ANGULAR ERROR OF 02 SECONDS PER ANGLE POINT.
3. THIS PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 993,999 FEET.
4. THE BASIS OF BEARING IS MAGNETIC.

LEGEND

- P.O.B. ----- POINT OF BEGINNING
- R/W ----- RIGHT-OF-WAY
- PP ----- POWER POLE
- LP ----- LIGHT POLE
- IPF ----- IRON PIN FOUND
- RRF ----- REBAR FOUND
- OTF ----- OPEN TOP PIPE
- IPS ----- IRON PIN SET (1/2" REBAR/CAP)

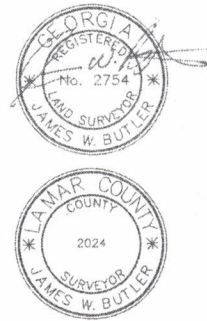
Reserved for the Clerk of Superior Court.

As required by subsection (d) of O.C.G.A. Section 15-6-67, this plat has been prepared by a land surveyor and approved by all applicable local jurisdiction for recording as evidenced by approval certification, signature, stamps, or statements hereon. Such approvals or affirmations should be confirmed with the appropriate governmental bodies by any purchaser or user of this plat as to intended use of any parcel. Furthermore, the undersigned land surveyor certifies that this plat complies with the minimum technical standards for property surveys in Georgia as set forth in the rules and regulations of the Georgia Board of Registration for Professional Engineers and Land Surveyors and as set forth in O.C.G.A. Section 15-6-67.

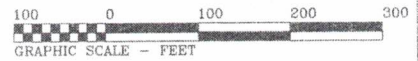


N/F
 Timberlane Farms LLC
 DB.891,Pg.29
 PB.14,Pg.281
 Parcel:097 005

N/F
 Billy B. Smith
 DB.92,Pg.202
 Parcel:098 012



This survey was prepared in conformity with The Technical Standards for Property Surveys in Georgia as set forth in Chapter 180-7 of the Rules of the Georgia Board of Registration for Professional Engineers and Land Surveyors and as set forth in the Georgia Plat Act.



*Partitioning Survey
 For
 Emily Nobles*

LAND LOT 210
 7th DISTRICT
 LAMAR COUNTY, GEORGIA

FIELD LOCATION DATE: 03-07-2024
 PLAT PREPARATION DATE: 03-20-2024 JOB NO.: JWB2024-19

JAMES W. BUTLER

361 JOHNSTONVILLE ROAD PHONE: 770-358-1119
 SARASVILLE, GEORGIA 30288

Date	Revision