

**LAMAR COUNTY BOARD OF COMMISSIONERS
ORDINANCE NO. 2024-04**

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, Paul Daly and Ilicia Goodman initiated an application to change the zoning classification of 2.43 acres located at 951 Highway 18 West (tax map and parcel 023 006A) 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 June 6, 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 June 18, 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 by reference

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.

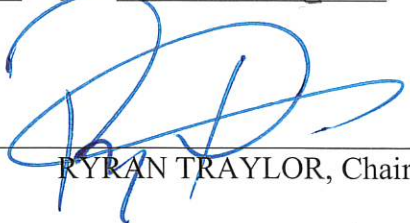
Section 3.

- 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 18th day of June, 2024



RYRAN TRAYLOR, Chairman

ATTEST:



CARLETTE DAVIDSON, County Clerk

(SEAL)

ATTACHMENT A

All that tract or parcel of land situate, lying and being in Land Lot 8 of the 2nd Land District of Lamar County, Georgia, containing 2.43 acres, more or less, being more particularly described as follows:

Beginning at the intersection of Right of Ways of State Route 18 (100') and Five Points Road (60') monumented by a 3/8" rebar; run thence along the northerly right of way of State Route 18, N 6517' 09" W, a distance of 442.32 feet to a 3/8" rebar; run thence leaving said right of way N 2235' 40" E, a distance of 239.72 feet to a 3/8" rebar; run thence S 7858' 03" E, a distance of 287.70 feet to a 3/8" rebar on the western right of way of Five Points Road; run thence along said right of way S 1342' 55" E, a distance of 92.98 feet; run thence, S 0646' 32" E, a distance of 91.90 feet; run thence, S 0003' 10" E, a distance of 96.72 feet; run thence S 0426' 19" W, a distance of 73.11 feet to the point of beginning.

Said tract contains 2.43 acres per that plat of survey for Walter & Laura Geiger by Mark D. Pressley of Countryland Surveyors, Ltd. Dated February 3, 2004. This tract is a 2.43 acre portion of that 9.43 acre tract per that plat of survey for Walter & Laura Geiger by Brian Caldwell of Compass Surveying, Inc. dated February 19, 2009 recorded in Plat Book 16, page 81-A, Lamar County, Georgia Clerk's office, which said plats, together with the metes, bounds, courses, and distances, as shown thereon with respect to said 2.43 acres, are by this reference incorporated herein in aid of this description as fully as if copied at length herein.



N/F GEIGER

S 78°58'03"E 287.70'

N/F GEIGER

N 22°35'40"E 239.72'

R/W (H3RB)

ASPHALT DRIVE

WELL

CAR PORT

SHED

2 STORY FRAME HOUSE

2.43 ACRES

R/W (H3RB)

S 13°42'55"E 92.98'

S 06°46'32"E 91.90'

S 00°03'10"E 96.72'

S 01°19'26"E 111.32'

P.O.B. INTX. R/W'S

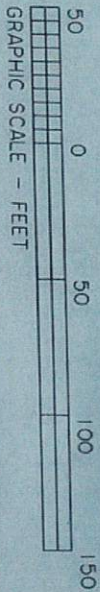
442.32' HISTORIC MARKER

28' PAVING

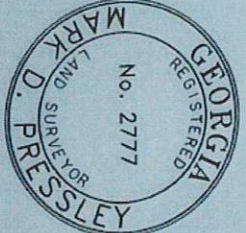
GEORGIA HIGHWAY #18 - 100' R/W

FIVE POINTS ROAD - 60' R/W SHOWN

- GEND
- IRON PIN FOUND
- IRON PIN SET (H3RB)
- LAND LOT LINE
- CENTERLINE
- RIGHT-OF-WAY
- PROPERTY LINE
- NOW OR FORMERLY
- POWER LINE
- POWER POLE
- OPEN TOP PIPE
- CRIMP TOP PIPE
- REBAR



- IN MY OPINION, THIS PLAT IS A CORRECT REPRESENTATION OF THE LAND PLATTED AND HAS BEEN PREPARED IN CONFORMITY WITH THE MINIMUM STANDARDS AND REQUIREMENTS OF LAW.
- THE PUBLIC RECORDS REFERENCED HEREON REFLECT ONLY THOSE RECORDS NECESSARY TO ESTABLISH THE BOUNDARIES SHOWN HEREON, AND REFERENCE TO THE SAME DOES NOT AND IS NOT INTENDED TO CONSTITUTE A TITLE SEARCH OR TITLE OPINION.
- NOTES
1. THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN +20,000 FEET, AND AN AVERAGE ANGULAR ERROR OF 03" PER ANGLE POINT. TRAVERSE WAS ADJUSTED BY LEAST SQUARES.
 2. ANGULAR AND LINEAR FIELD MEASUREMENTS WERE MADE WITH A TOPCON 312 TOTAL STATION.
 3. THIS PROPERTY IS NOT LOCATED IN A FLOOD HAZARD AREA AS SCALED FROM LAMAR COUNTY F.I.R.M. H.
 4. THE EXTERIOR BOUNDARY OF THIS PROPERTY HAS A CLOSURE PRECISION OF ONE FOOT IN +100,000 FEET.
 5. THIS PROPERTY IS SUBJECT TO ALL EASEMENTS AND RESTRICTIONS, ALL MATTERS OF TITLE EXCEPTED.



TOTAL AREA = 2.43 ACRES

SURVEY FOR

WALTER & LAURA
GEIGER

LAND LOT 8
2ND DISTRICT, SECTION,
LAMAR COUNTY, GEORGIA

DATE: 2/3/04 SCALE: 1" = 50'
REVISED:

Countryland Surveyors, Ltd.
214 A Campground Road
Zebulon, Georgia 30295
(770) 567-8553 fax 567-8554

PLS: WALTERS L.
SHEET 1 OF 1