



LAMAR COUNTY BOARD OF COMMISSIONERS

Public Hearing

Courthouse

July 18, 2023, 6:00 PM

Agenda

1. Call to Order
2. Kunst Freeman Road Rezoning from Agricultural Residential to Residential 1
 - i. Kunst Freeman Road
 - ii. Public Comment
3. Latimer Fredonia Road-Rezoning from Residential 3 to Highway Commercial
 - i. Latimer Fredonia Church Road
 - ii. Public Comment
4. Strickland Van Buren Road Rezoning 2 acres from Agricultural Residential to Residential 1
 - i. Strickland Van Buren Road
 - ii. Public Comment
5. Shockley Ethridge Mill Road -Remove Restriction of a Site Built Home so a Manufactured Home Can Be Placed on the Property
 - i. Shockley Ethridge Mill Road
 - ii. Public Comment
6. Adjournment



Lamar County
Planning and Community Development
408 Thomaston Street
Barnesville, Georgia 30204

Anita Buice
Director
Office: (770) 358-5364
Cell: (678) 603-3114

Email:
LCZoningOffice@lamarcountyga.com

Buddy Lanier
Building Inspector
Office: (770) 358-5436
Cell: (770) 872-1360

Email: Codeenf@lamarcountyga.com

**PUBLIC HEARING NOTIFICATION
TO NEARBY PROPERTY OWNERS**

June 23, 2023

Dear Property Owner:

Neighbors close to you have applied to rezone property from Agriculture-Residential to Residential-1. The applicants wish to split a 2 acre tract from their 18.9 acre property. Properties that are less than 5 acres requires a rezoning to a Residential class.

This request requires two public hearings, both held at the Lamar County Courthouse, so that everyone has an opportunity to voice their questions or concerns. The Board of Commissioners will make a final decision after the second public hearing. The details of the application and dates/times of the public hearings are below:

Applicant: Paul Kunst

Request: Rezoning from Agriculture-Residential to Residential 1

Location: 147 Freeman Road (Map 039, Parcel 017)

1st Public Hearing: July 13, 2023 at 6:00 pm with the Planning Commission

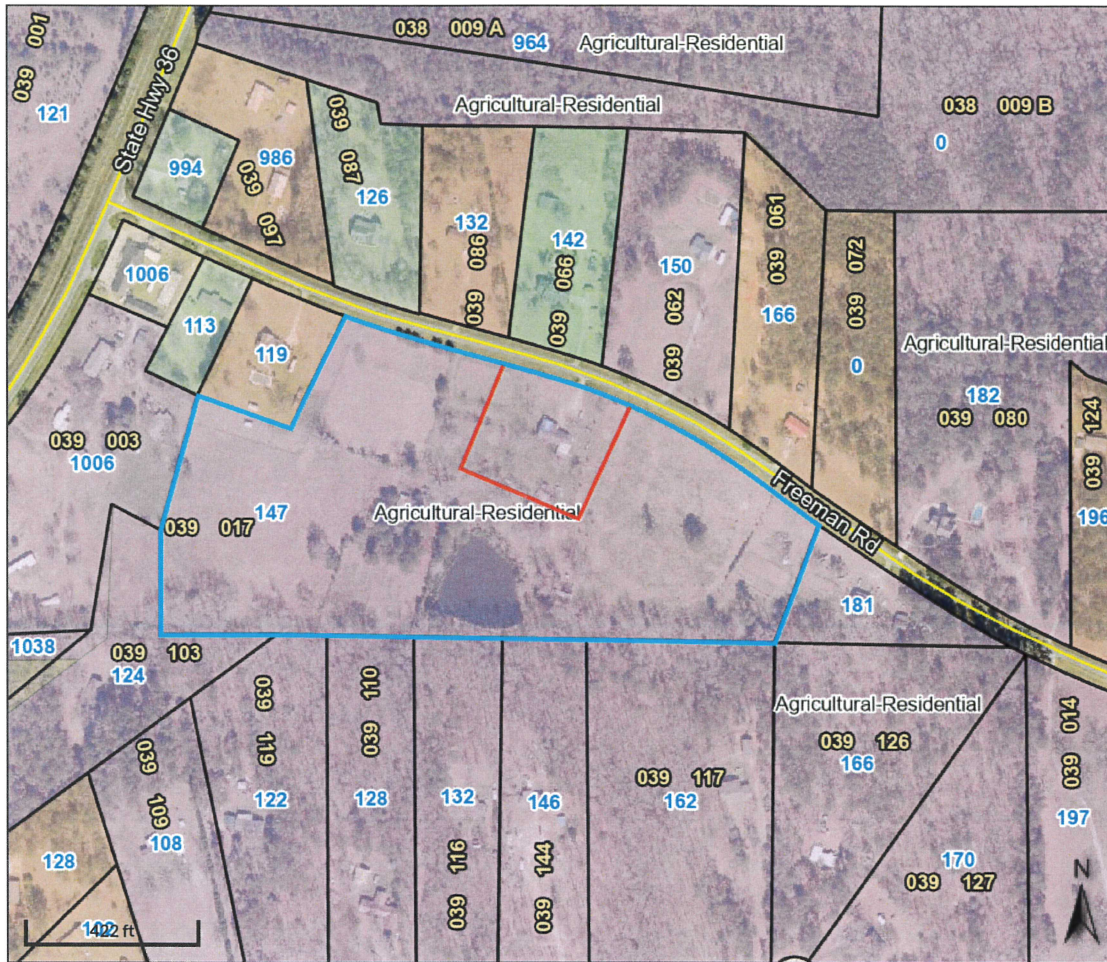
2nd Public Hearing: July 18, 2023 at 6:00 pm with the Board of Commissioners

The Lamar County Courthouse is located at 326 Thomaston Street, Barnesville GA 30204. If you have any questions concerning this application, please contact me at 770-358-5364. If you would like to view the entire application, please stop by the office anytime Monday through Friday 8:00 am to 4:30 pm.

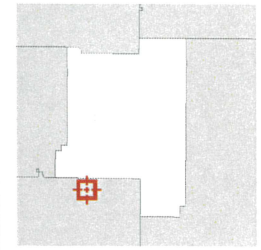
Respectfully,


Anita Buice

Director, Planning and Community Development



Overview



Legend

- ☐ Parcels
- ☐ Parcel Numbers
- ☐ Roads
- Zoning**
 - ☐ Agricultural-Residential
 - ☐ Estate Residential
 - ☐ General Residential-4 Residences >800 Sq Ft
 - ☐ Highway Commercial
 - ☐ Manufacturing-Light
 - ☐ Manufacturing-General
 - ☐ Neighborhood Commercial
 - ☐ Office Residential
 - ☐ Planned Residential
 - ☐ Residential-1 Single Family Residences >2000 Sq Ft
 - ☐ Residential-2 Single Family Residences >1600 Sq Ft
 - ☐ Residential-3 Single Family Residences >1200 Sq Ft

Parcel ID 039 017
 Class Code Consv Use
 Taxing District COUNTY
 Acres 18.9

Owner Chute Denise L
 332 Midway Rd
 BARNESVILLE, GA 30204
 Physical Address 147 FREEMAN RD
 Assessed Value Value \$262480

Last 2 Sales

Date	Price	Reason	Qual
4/27/2012	0	CU	U
3/14/2012	0	PS	U

(Note: Not to be used on legal documents)

Date created: 6/22/2023
 Last Data Uploaded: 6/22/2023 2:21:59 AM

Developed by  Schneider
 GEOSPATIAL

APPLICANT IS ASKING TO CREATE A 2 ACRE TRACT AND REZONE TO R1

ARTICLE 7. R-1 SINGLE-FAMILY RESIDENTIAL—LOW DENSITY

Sec. 701. Purpose.

R-1 (single-family residential) zoning districts are intended to establish and preserve quiet, relatively low-density neighborhoods of single-family residences. The larger lot size requirements are used as a balance for the amenities that are not required in this district such as street lights and community areas. These districts are free from other uses which are incompatible with single-family homes.

(Ord. No. 2010-16, 11-16-10; Ord. No. 2020-07, § 1, 11-17-20)

Sec. 702. Determining if an area is suitable for inclusion within a R-1 district.

The factors contained in section 410 of these regulations must be thoroughly considered by the planning commission as well as the Lamar County Board of Commissioners when determining in which zoning district an area of land is to be placed. This will assure that rational comprehensive planning principles are the basis upon which the decision is made. Land use decisions which are based on sound planning principles encourage the development and preservation of land use patterns that provide healthful and safe living conditions for the residents of Lamar County.

(Ord. No. 2010-16, 11-16-10; Ord. No. 2020-07, § 1, 11-17-20)

Sec. 703. Boundaries of R-1 districts.

The official zoning map (section 2301 of these regulations) shows the boundaries of all R-1 districts within Lamar County. Article 23 also contains additional information concerning interpreting district boundaries, amending boundaries, etc.

(Ord. No. 2010-16, 11-16-10; Ord. No. 2020-07, § 1, 11-17-20)

Sec. 704. Permitted uses.

(a) The following principal uses are permitted in R-1 districts:

- (1) Site-built single-family detached dwelling with a floor area of at least two thousand (2,000) square feet.
- (2) Industrialized/modular home with a floor area of at least two thousand (2,000) square feet.
- (3) Class A manufactured home with a floor area of at least two thousand (2,000) square feet. All pre-owned/pre-lived in (used) manufactured homes must be inspected for health, safety and aesthetic standards by a Lamar County building inspector before these homes may be brought into or relocated within Lamar County. The applicant for the used manufactured home must pay an inspection fee based on the time and distance traveled by the Lamar County building inspector to perform the required inspection.
- (4) Local, state, or federal government building.
- (5) Deleted.

-
- (6) Publicly owned and operated park or recreation area.
 - (7) Subdivision recreation area owned, operated, and maintained by a homeowner's association exclusively for the use of residents and their guests.
 - (8) Utility substations meeting the following development standards:
 - a. Structures must be placed at least thirty (30) feet from all property lines.
 - b. Structures must be enclosed by a woven wire fence at least eight (8) feet high with bottom of fence either flush with the ground or with a masonry footing.
 - c. No vehicles or equipment may be stored on lot.
 - d. A buffer must be maintained along the side and rear property lines.
 - (b) The following principal uses are permitted as special exceptions in R-1 districts:
 - (1) None.
 - (c) The following accessory uses are permitted in R-1 districts:
 - (1) Private garage or carport not to exceed the storage capacity of three (3) automobiles per dwelling unit.
 - (2) Structure for the storage of equipment and supplies used in maintaining the principal building and its grounds.
 - (3) Structure for a children's playhouse and the storage of children's play equipment.
 - (4) Private swimming pool and bath house, or cabana meeting the following development standards:
 - a. All such swimming pools which are at least three (3) feet deep must be completely enclosed by a fence that is at least four (4) feet high.
 - (5) Private tennis court and/or basketball facilities; if lighted, lights must be designed so that they do not intrude upon adjacent lots. Such a court may be surrounded by a fence up to ten (10) feet high.
 - (6) Noncommercial garden, including a greenhouse and other customary garden structures not over eight (8) feet high.
 - (7) Deck, patio, barbecue grill, or other such facility.
 - (8) Fence, wall, exterior lighting fixture, or other general landscaping and site development facility.
 - (9) Antenna — Satellite, television, radio, etc.
 - (10) Temporary building for storage of materials, during construction, meeting the following development standards:
 - a. Permitted only in conjunction with construction of a building;
 - b. Allowed either on the same lot where construction is taking place or on adjacent lots;
 - c. Such a use must be terminated upon completion of construction.
 - (11) The parking of unoccupied travel trailers, motor coaches, or pleasure boats, within a garage or carport.
 - (12) Sign as permitted by the Lamar County Sign Ordinance (Appendix F).
 - (13) Home occupation, as defined in section 202.
 - (d) The following accessory uses are permitted as special exceptions in R-1 districts:
 - (1) Refer to section 504(d) for other accessory uses permitted as special exceptions.

(e) All accessory uses must meet the standards set forth in section 504(e).

(f) Any similar use may be applied for as a special exception.

(Ord. No. 2010-16, 11-16-10; Res. No. 2012-08, 8-21-12; Ord. No. 2020-07, § 1, 11-17-20)

Sec. 705. Development standards for R-1 districts.

In addition to the development standards contained in article 4 of these regulations, the following standards are required within R-1 districts:

- (a) *Minimum floor area per dwelling unit:* Two thousand (2,000) square feet.
- (b) *Minimum lot area:*
 - (1) *Unsewered areas without public water:* As specified by the Lamar County Health Department, but in no case less than eighty-seven thousand one hundred twenty (87,120) square feet (two (2) acres); however, a lot of record lawfully existing at the time of passage of these regulations, and having an area of less than two (2) acres (nonconforming) may nevertheless be developed with a use which is permitted within a R-1 district if approved by the Lamar County Health Department.
 - (2) *Sewered areas and/or areas with public water:* eighty-seven thousand one hundred twenty (87,120) square feet (two (2) acres); however, a lot of record lawfully existing at the time of passage of these regulations, and having an area of less than two (2) acres (nonconforming) may nevertheless be developed with a use which is permitted within a R-1 district.
- (c) *Minimum lot width:* One hundred seventy-five (175) feet.
- (d) *Minimum front yard:* One hundred (125) feet from the front property line.
- (e) *Minimum side yard:* Twenty (20) feet.
- (f) *Minimum rear yard:* Forty (40) feet.
- (g) *Maximum lot coverage by impervious surfaces:* Thirty (30) percent.
- (h)—(x) Development standards common to most districts are listed under subsections 505(h)—(x).

(Ord. No. 2010-16, 11-16-10; Ord. No. 2020-07, § 1, 11-17-20)



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Item i.

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**PUBLIC HEARING NOTIFICATION
TO NEARBY PROPERTY OWNERS**

June 23, 2023

Dear Property Owner:

Neighbors close to you have applied to rezone property from Residential-3 to Highway Commercial (C-2). The property is adjacent to commercial property currently owned by the applicant.

This request requires two public hearings, both held at the Lamar County Courthouse, so that everyone has an opportunity to voice their questions or concerns. The Board of Commissioners will make a final decision after the second public hearing. The details of the application and dates/times of the public hearings are below:

Applicant: Brent Latimer

Request: Rezoning from Residential 3 to Highway Commercial

Location: 2 acre tract on Fredonia Church Road (Map 060, Parcel 190)

1st Public Hearing: July 13, 2023 at 6:00 pm with the Planning Commission

2nd Public Hearing: July 18, 2023 at 6:00 pm with the Board of Commissioners

The Lamar County Courthouse is located at 326 Thomaston Street, Barnesville GA 30204. If you have any questions concerning this application, please contact me at 770-358-5364. If you would like to view the entire application, please stop by the office anytime Monday through Friday 8:00 am to 4:30 pm.

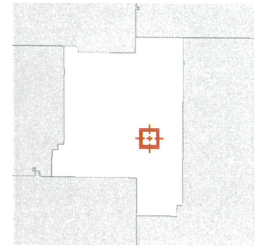
Respectfully,

Anita Buice

Director, Planning and Community Development



Overview



Legend

- ☐ Parcels
- ☐ Parcel Numbers
- ☐ Roads
- Zoning**
 - ☒ Agricultural-Residential
 - ☐ Estate Residential
 - ☐ General Residential-4 Residences >800 Sq Ft
 - ☐ Highway Commercial
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 - ☐ Office Residential
 - ☐ Planned Residential
 - ☐ Residential-1 Single Family Residences >2000 Sq Ft
 - ☐ Residential-2 Single Family Residences >1600 Sq Ft
 - ☐ Residential-3 Single Family Residences >1200 Sq Ft

Parcel ID 060 190
 Class Code Residential
 Taxing District COUNTY
 Acres 2.0

Owner Latimer Brent
 132 Mott Rd
 Barnesville, GA 30204
 Physical Address FREDONIA CHURCH RD
 Assessed Value Value \$30811

Last 2 Sales

Date	Price	Reason	Qual
3/31/2023	0	AF	U
3/29/2023	\$40000	AL	U

(Note: Not to be used on legal documents)

Date created: 6/21/2023
 Last Data Uploaded: 6/20/2023 11:33:35 PM

Developed by  **Schneider**
 GEOSPATIAL

Applicant is requesting to have the total of his property zoned C2

ARTICLE 16. C-2 COMMERCIAL—GENERAL/HIGHWAY

Sec. 1601. Purpose.

C-2 (commercial—general/highway) districts are intended to establish and preserve business areas that are motor vehicle oriented, rather than pedestrian oriented. C-2 districts provide areas that are convenient and attractive for retail activities, business transactions, and services to the public designed primarily to meet the day-to-day shopping and service needs not only of residents of Lamar County, but of surrounding communities as well. Off-street parking and minimum yards are required. These areas are more suburban in nature than of a "downtown" character.

(Ord. No. 2010-16, 11-16-10)

Sec. 1602. Determining if an area is suitable for inclusion within a C-2 district.

The factors contained in section 410 of these regulations must be thoroughly considered by the planning commission as well as the Lamar County Board of Commissioners when determining in which zoning district an area of land is to be placed. This will assure that rational comprehensive planning principles are the basis upon which the decision is made. Land use decisions which are based on sound planning principles encourage the development and preservation of land use patterns that provide healthful and safe living conditions for the residents of Lamar County.

(Ord. No. 2010-16, 11-16-10)

Sec. 1603. Boundaries of C-2 districts.

The official zoning map (section 2301 of these regulations) shows the boundaries of all C-2 districts within Lamar County. Article 23 also contains additional information concerning interpreting district boundaries, amending boundaries, etc.

(Ord. No. 2010-16, 11-16-10)

Sec. 1604. Permitted uses.

(a) The following principal uses are permitted in C-2 districts:

- (1) Any retail business or service.
- (2) Gasoline service station that meets the following development standards:
 - a. All structures, including underground storage tanks, must be placed at least thirty (30) feet from any property line.
 - b. Curb cuts must be located at least fifteen (15) feet from the intersection of street lines.
- (3) Hotel.
- (4) Office.

- (5) Bank.
 - (6) Radio station.
 - (7) Printing, copying, publishing establishment.
 - (8) Off-street parking lot or parking garage.
 - (9) Education or training facility.
 - (10) Lodge or club.
 - (11) Local, state, or federal government building.
 - (12) Utility substation meeting the following development standards:
 - a. Structures must be placed at least thirty (30) feet from all property lines.
 - b. Structures must be enclosed by a woven-wire fence at least eight (8) feet high with bottom of fence either flush with the ground or with a masonry footing.
 - c. No vehicles or equipment may be stored on the lot.
 - d. A buffer must be maintained along the side and rear property lines.
 - (b) The following principal uses are permitted as special exceptions in C-2 districts:
 - (1) None.
 - (c) The following accessory uses are permitted in C-2 districts:
 - (1) Those determined by the administrative officer to be customarily appurtenant to those uses permitted in this district.
 - (2) Manufacturing in connection with the principal retail business or service on the lot meeting the following standards:
 - a. Occupies less than forty (40) percent of the floor area;
 - b. Employs no more than five (5) persons. (The intent here is to assure that activities which are primarily manufacturing in nature are directed away from commercial areas and into manufacturing areas. Establishments with five (5) or fewer manufacturing employees in connection with a commercial activity are considered to be primarily commercial and compatible with a commercial district. Manufacturing activities with more than five (5) employees would be considered large enough to belong in a manufacturing district with other such uses rather than in a commercial district.)
 - (d) The following accessory uses are permitted as special exceptions in C-2 districts:
 - (1) None.
 - (e) All accessory uses must meet the standards set forth in section 504(e).
 - (f) All uses not permitted within C-2 districts by this section are specifically prohibited.
- (Ord. No. 2010-16, 11-16-10)

Sec. 1605. Development standards for C-2 districts.

In addition to the development standards contained in article 4 of these regulations, the following standards are required within C-2 districts:

-
- (a) *Minimum floor area for buildings:*
- (1) *Site-built structures:* Four hundred (400) square feet.
 - (2) *Temporary/portable structures:* None.
- (b) *Minimum lot area:*
- (1) *Unsewered areas:* As specified by the Lamar County Health Department; a lot of record lawfully existing at the time of passage of these regulations (nonconforming) may be developed with a use which is permitted within a C-2 district if approved by the Lamar County Health Department.
 - (2) *Sewered areas:* No minimum requirement; a lot of record lawfully existing at the time of passage of these regulations (nonconforming) may be developed with a use which is permitted within a C-2 district.
- (c) *Minimum lot width:* Fifty (50) feet.
- (d) *Minimum front yard:*
- (1) *Arterial streets/roads:* One hundred (100) feet. The front of all buildings must be at least thirty-five (35) feet from the front property line.
 - (2) *Collector streets and other streets/roads:* Eighty-five (85) feet. The front of all buildings must be at least thirty-five (35) feet from the front property line.
- (e) *Minimum side yard:* Ten (10) feet.
- (f) *Minimum rear yard:* Forty (40) feet.
- (g) *Maximum lot coverage by building:* Forty (40) percent.
- (h)—(x) Development standards common to most districts are listed under subsections 505(h)—(x).



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Planning and Community Development
408 Thomaston Street
Barnesville, Georgia 30204

Item i.

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June 23, 2023

Dear Property Owner:

Neighbors close to you have applied to rezone property from Agriculture-Residential to Residential-1. The applicants wish to split a 2 acre tract from their 22.95 acre property. Properties that are less than 5 acres requires a rezoning to a Residential class.

This request requires two public hearings, both held at the Lamar County Courthouse, so that everyone has an opportunity to voice their questions or concerns. The Board of Commissioners will make a final decision after the second public hearing. The details of the application and dates/times of the public hearings are below:

Applicant: Minolin Strickland

Request: Rezoning @ 2 acres from Agriculture-Residential to Residential 1

Location: Van Buren Road (Map 093, Parcel 040)

1st Public Hearing: July 13, 2023 at 6:00 pm with the Planning Commission

2nd Public Hearing: July 18, 2023 at 6:00 pm with the Board of Commissioners

The Lamar County Courthouse is located at 326 Thomaston Street, Barnesville GA 30204. If you have any questions concerning this application, please contact me at 770-358-5364. If you would like to view the entire application, please stop by the office anytime Monday through Friday 8:00 am to 4:30 pm.

Respectfully,


Anita Buice

Director, Planning and Community Development

ARTICLE 7. R-1 SINGLE-FAMILY RESIDENTIAL—LOW DENSITY

Sec. 701. Purpose.

R-1 (single-family residential) zoning districts are intended to establish and preserve quiet, relatively low-density neighborhoods of single-family residences. The larger lot size requirements are used as a balance for the amenities that are not required in this district such as street lights and community areas. These districts are free from other uses which are incompatible with single-family homes.

(Ord. No. 2010-16, 11-16-10; Ord. No. 2020-07, § 1, 11-17-20)

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- (6) Publicly owned and operated park or recreation area.
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 - a. Structures must be placed at least thirty (30) feet from all property lines.
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 - (b) The following principal uses are permitted as special exceptions in R-1 districts:
 - (1) None.
 - (c) The following accessory uses are permitted in R-1 districts:
 - (1) Private garage or carport not to exceed the storage capacity of three (3) automobiles per dwelling unit.
 - (2) Structure for the storage of equipment and supplies used in maintaining the principal building and its grounds.
 - (3) Structure for a children's playhouse and the storage of children's play equipment.
 - (4) Private swimming pool and bath house, or cabana meeting the following development standards:
 - a. All such swimming pools which are at least three (3) feet deep must be completely enclosed by a fence that is at least four (4) feet high.
 - (5) Private tennis court and/or basketball facilities; if lighted, lights must be designed so that they do not intrude upon adjacent lots. Such a court may be surrounded by a fence up to ten (10) feet high.
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 - b. Allowed either on the same lot where construction is taking place or on adjacent lots;
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 - (13) Home occupation, as defined in section 202.
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 - (1) Refer to section 504(d) for other accessory uses permitted as special exceptions.
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(e) All accessory uses must meet the standards set forth in section 504(e).

(f) Any similar use may be applied for as a special exception.

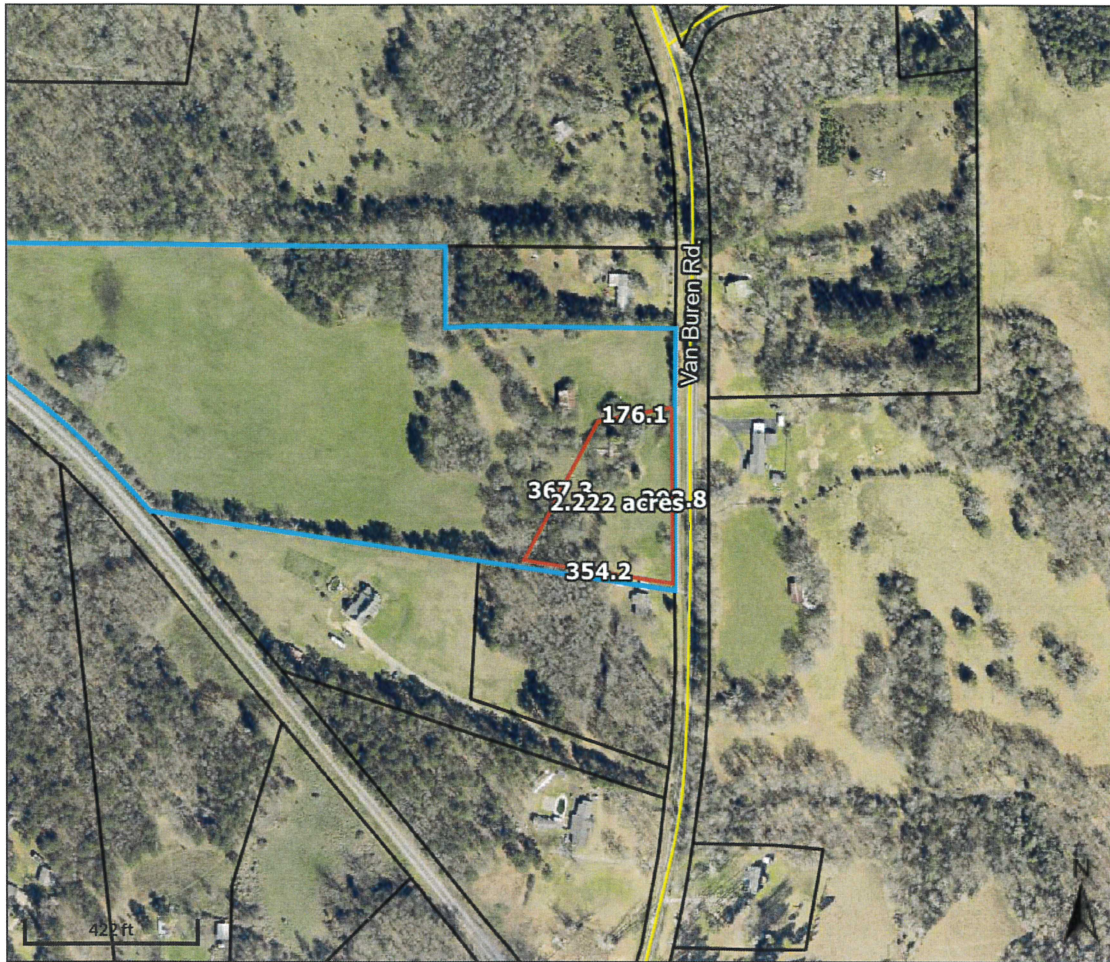
(Ord. No. 2010-16, 11-16-10; Res. No. 2012-08, 8-21-12; Ord. No. 2020-07, § 1, 11-17-20)

Sec. 705. Development standards for R-1 districts.

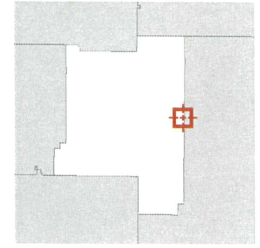
In addition to the development standards contained in article 4 of these regulations, the following standards are required within R-1 districts:

- (a) *Minimum floor area per dwelling unit:* Two thousand (2,000) square feet.
- (b) *Minimum lot area:*
 - (1) *Unsewered areas without public water:* As specified by the Lamar County Health Department, but in no case less than eighty-seven thousand one hundred twenty (87,120) square feet (two (2) acres); however, a lot of record lawfully existing at the time of passage of these regulations, and having an area of less than two (2) acres (nonconforming) may nevertheless be developed with a use which is permitted within a R-1 district if approved by the Lamar County Health Department.
 - (2) *Sewered areas and/or areas with public water:* eighty-seven thousand one hundred twenty (87,120) square feet (two (2) acres); however, a lot of record lawfully existing at the time of passage of these regulations, and having an area of less than two (2) acres (nonconforming) may nevertheless be developed with a use which is permitted within a R-1 district.
- (c) *Minimum lot width:* One hundred seventy-five (175) feet.
- (d) *Minimum front yard:* One hundred (125) feet from the front property line.
- (e) *Minimum side yard:* Twenty (20) feet.
- (f) *Minimum rear yard:* Forty (40) feet.
- (g) *Maximum lot coverage by impervious surfaces:* Thirty (30) percent.
- (h)—(x) Development standards common to most districts are listed under subsections 505(h)—(x).

(Ord. No. 2010-16, 11-16-10; Ord. No. 2020-07, § 1, 11-17-20)



Overview



Legend

-  Parcels
-  Roads

Parcel ID	093 040	Owner	Strickland Mindolin Williams	Last 2 Sales			
Class Code	Consv Use		1536 VAN BUREN RD	Date	Price	Reason	Qual
Taxing District	COUNTY		BARNESVILLE, GA 30204	4/17/2014	0	CU	U
Acres	22.95	Physical Address	VAN BUREN RD	12/31/2013	0	ED	U
		Assessed Value	Value \$122243				

(Note: Not to be used on legal documents)

Date created: 6/21/2023
Last Data Uploaded: 6/20/2023 11:33:35 PM

Developed by  Schneider
GEOSPATIAL

APPLICANT IS ASKING TO CREATE A 2 ACRE TRACT AND REZONE TO R1



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Planning and Community Development
408 Thomaston Street
Barnesville, Georgia 30204

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**PUBLIC HEARING NOTIFICATION
TO NEARBY PROPERTY OWNERS**

June 23, 2023

Dear Property Owner:

Neighbors close to you have applied to remove the restriction of a site built house from property that was rezoned to Residential 2 with conditions last year. Included with this letter is the ordinance that placed the restrictions on this lot.

This request requires two public hearings, both held at the Lamar County Courthouse, so that everyone has an opportunity to voice their questions or concerns. The Board of Commissioners will make a final decision after the second public hearing. The details of the application and dates/times of the public hearings are below:

Applicant: Andrew Shockley

Request: Remove restriction of a site built home only so that a manufactured home can be placed on the property.

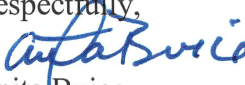
Location: 2 acre tract on Ethridge Mill Road (Map 006, Parcel 023)

1st Public Hearing: July 13, 2023 at 6:00 pm with the Planning Commission

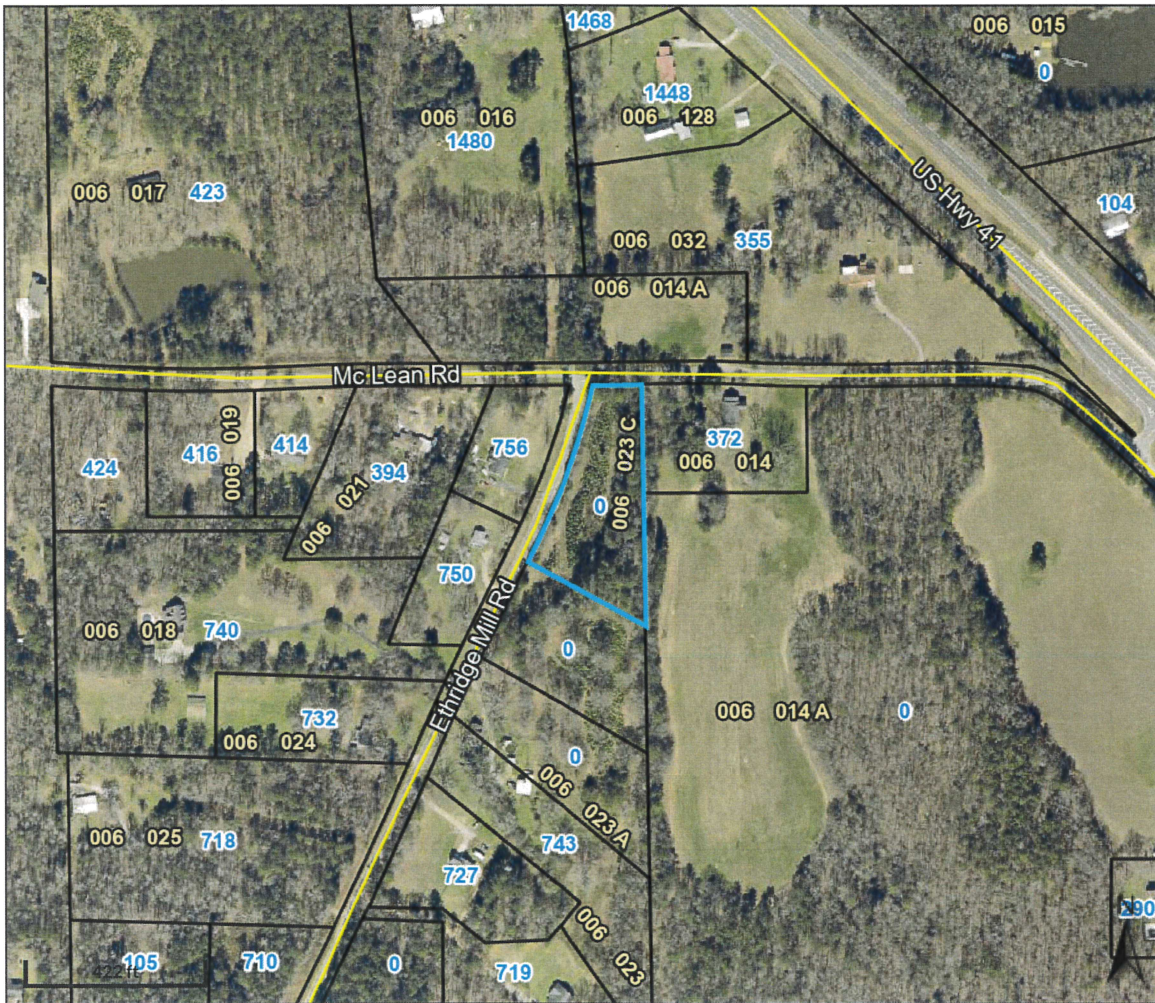
2nd Public Hearing: July 18, 2023 at 6:00 pm with the Board of Commissioners

The Lamar County Courthouse is located at 326 Thomaston Street, Barnesville GA 30204. If you have any questions concerning this application, please contact me at 770-358-5364. If you would like to view the entire application, please stop by the office anytime Monday through Friday 8:00 am to 4:30 pm.

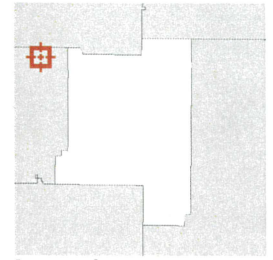
Respectfully,


Anita Buice

Director, Planning and Community Development



Overview



Legend

-  Parcels
 Parcel Numbers
 Roads

Parcel ID	006 023 C	Owner	Shockley James E Jr	Last 2 Sales			
Class Code	Residential		Shockley Bonny	Date	Price	Reason	Qual
Taxing District	COUNTY		578 Ethridge Mill Road	8/15/2022	\$37500	LM	Q
Acres	2.03		MILNER, GA 30257	n/a	0	n/a	n/a
		Physical Address	ETHERIDGE MILL RD				
		Assessed Value	Value \$31218				

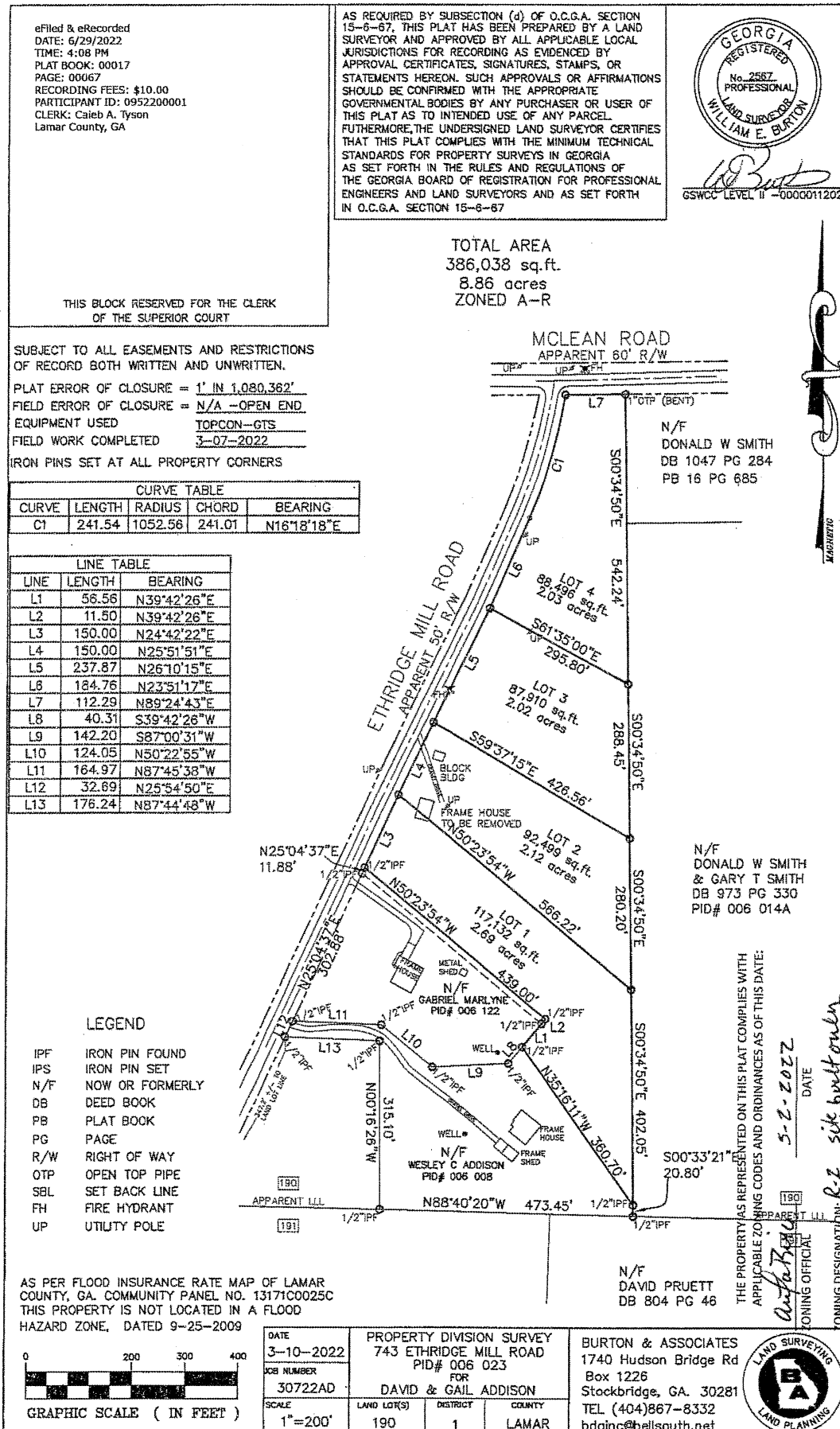
(Note: Not to be used on legal documents)

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Item i.



**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.