

**LAMAR COUNTY BOARD OF COMMISSIONERS
ORDINANCE NO. 2022-10**

**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 June 10, 2022 HFG Development, LLC initiated an application to change the zoning classification of the within described property to M-2 (Manufacturing-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 September 8, 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 September 20, 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:

Pell Tract: Tax ID 086 008

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOTS 232,233
& 249 OF THE 3rd DISTRICT, LAMAR COUNTY GEORGIA AND BEING MORE
PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A 2" OPEN TOP PIPE, BEING THE COMMON CORNER OF LAND
LOTS 216,217,232 & 233 OF THE 3rd DISTRICT,LAMAR COUNTY,GEORGIA.

SAID POINT BEING THE POINT OF BEGINNING:

THENCE SOUTH 00°16'45" WEST 1413.03 FEET TO A POINT;
THENCE NORTH 27°00'49" EAST 76.63 FEET TO A POINT;
THENCE NORTH 16°55'05" EAST 86.27 FEET TO A POINT;
THENCE NORTH 03°53'52" WEST 78.87 FEET TO A POINT;
THENCE NORTH 28°15'57" EAST 31.28 FEET TO A POINT;
THENCE NORTH 25°08'59" WEST 65.41 FEET TO A POINT;
THENCE NORTH 48°51'55" WEST 22.91 FEET TO A POINT;
THENCE NORTH 03°29'46" EAST 80.04 FEET TO A POINT;
THENCE NORTH 00°00'00" EAST 28.44 FEET TO A POINT;
THENCE NORTH 14°41'27" EAST 39.94 FEET TO A POINT;
THENCE NORTH 73°18'28" EAST 25.61 FEET TO A POINT;
THENCE NORTH 58°33'13" EAST 15.26 FEET TO A POINT;
THENCE NORTH 46°55'03" EAST 46.32 FEET TO A POINT;
THENCE SOUTH 67°30'50" EAST 32.05 FEET TO A POINT;
THENCE NORTH 38°17'44" EAST 40.96 FEET TO A POINT;
THENCE SOUTH 64°18'23" EAST 10.49 FEET TO A POINT;
THENCE NORTH 47°15'17" EAST 16.12 FEET TO A POINT;
THENCE NORTH 21°09'40" EAST 25.32 FEET TO A POINT;
THENCE NORTH 60°54'36" EAST 36.98 FEET TO A POINT;
THENCE NORTH 03°03'07" EAST 12.56 FEET TO A POINT;
THENCE NORTH 48°20'00" EAST 63.72 FEET TO A POINT;
THENCE NORTH 47°06'18" EAST 59.65 FEET TO A POINT;
THENCE NORTH 47°59'32" EAST 71.83 FEET TO A POINT;
THENCE NORTH 52°11'02" EAST 42.39 FEET TO A POINT;
THENCE NORTH 39°00'36" EAST 56.41 FEET TO A POINT;
THENCE SOUTH 79°26'45" EAST 25.07 FEET TO A POINT;
THENCE SOUTH 65°18'44" EAST 22.99 FEET TO A POINT;
THENCE NORTH 75°37'41" EAST 50.45 FEET TO A POINT;
THENCE SOUTH 71°45'14" EAST 42.66 FEET TO A POINT;
THENCE SOUTH 40°11'19" EAST 42.07 FEET TO A POINT;
THENCE SOUTH 39°18'30" EAST 29.67 FEET TO A POINT;
THENCE NORTH 72°34'33" EAST 111.76 FEET TO A POINT;
THENCE SOUTH 80°46'37" EAST 40.95 FEET TO A POINT;
THENCE SOUTH 67°18'39" EAST 20.51 FEET TO A POINT;
THENCE NORTH 67°14'52" EAST 92.71 FEET TO A POINT;

THENCE NORTH 56°55'34" EAST 50.58 FEET TO A POINT;
THENCE NORTH 13°12'59" EAST 47.91 FEET TO A POINT;
THENCE NORTH 65°16'57" EAST 133.16 FEET TO A POINT;
THENCE NORTH 89°29'03" EAST 52.86 FEET TO A POINT;
THENCE SOUTH 39°26'08" EAST 60.97 FEET TO A POINT;
THENCE SOUTH 51°47'54" EAST 48.48 FEET TO A POINT;
THENCE SOUTH 87°21'04" EAST 51.49 FEET TO A POINT;
THENCE NORTH 41°17'33" EAST 88.04 FEET TO A POINT;
THENCE NORTH 38°25'18" EAST 96.74 FEET TO A POINT;
THENCE SOUTH 68°40'35" EAST 32.72 FEET TO A POINT;
THENCE SOUTH 19°13'54" EAST 54.94 FEET TO A POINT;
THENCE SOUTH 70°21'30" EAST 42.47 FEET TO A POINT;
THENCE SOUTH 23°28'23" EAST 82.49 FEET TO A POINT;
THENCE SOUTH 01°52'18" WEST 42.06 FEET TO A POINT;
THENCE SOUTH 45°36'36" EAST 32.65 FEET TO A POINT;
THENCE NORTH 70°46'53" EAST 65.06 FEET TO A POINT;
THENCE SOUTH 30°19'50" EAST 78.57 FEET TO A POINT;
THENCE SOUTH 06°13'19" EAST 66.76 FEET TO A POINT;
THENCE SOUTH 24°30'09" EAST 172.54 FEET TO A POINT;
THENCE SOUTH 53°13'01" EAST 81.70 FEET TO A POINT;
THENCE NORTH 88°28'25" EAST 120.22 FEET TO A POINT;
THENCE SOUTH 37°27'01" EAST 40.84 FEET TO A POINT;
THENCE SOUTH 11°45'19" WEST 140.43 FEET TO A POINT;
THENCE SOUTH 03°55'58" EAST 103.87 FEET TO A POINT;
THENCE SOUTH 25°23'22" WEST 153.22 FEET TO A POINT;
THENCE SOUTH 16°04'36" WEST 49.04 FEET TO A POINT;
THENCE SOUTH 05°31'52" EAST 98.54 FEET TO A POINT;
THENCE SOUTH 12°27'40" WEST 132.17 FEET TO A POINT;
THENCE SOUTH 00°47'07" EAST 57.75 FEET TO A POINT;
THENCE SOUTH 37°15'13" WEST 74.53 FEET TO A POINT;
THENCE SOUTH 45°42'45" EAST 277.54 FEET TO A POINT;
THENCE SOUTH 64°17'04" EAST 72.92 FEET TO A POINT;
THENCE NORTH 70°21'30" EAST 70.60 FEET TO A POINT;
THENCE NORTH 22°27'55" EAST 103.57 FEET TO A POINT;
THENCE NORTH 28°10'08" EAST 166.00 FEET TO A POINT;
THENCE NORTH 54°10'51" EAST 123.00 FEET TO A POINT;
THENCE NORTH 40°13'40" WEST 38.66 FEET TO A POINT;
THENCE NORTH 63°37'52" WEST 46.24 FEET TO A POINT;
THENCE NORTH 15°57'20" EAST 49.84 FEET TO A POINT;
THENCE NORTH 53°26'22" EAST 69.00 FEET TO A POINT;
THENCE NORTH 35°51'22" EAST 91.84 FEET TO A POINT;
THENCE SOUTH 75°07'56" EAST 141.59 FEET TO A POINT;
THENCE NORTH 78°04'51" EAST 61.60 FEET TO A POINT;
THENCE NORTH 46°37'47" EAST 142.81 FEET TO A POINT;
THENCE NORTH 33°11'46" WEST 50.36 FEET TO A POINT;
THENCE NORTH 53°53'57" WEST 37.14 FEET TO A POINT;

THENCE NORTH 05°21'53" EAST 40.78 FEET TO A POINT;
THENCE NORTH 17°05'58" EAST 131.94 FEET TO A POINT;
THENCE NORTH 47°48'43" EAST 34.45 FEET TO A POINT;
THENCE SOUTH 63°54'21" EAST 133.51 FEET TO A POINT;
THENCE NORTH 20°23'34" EAST 119.57 FEET TO A POINT;
THENCE NORTH 64°58'38" EAST 111.69 FEET TO A POINT;
THENCE SOUTH 69°39'34" EAST 88.05 FEET TO A POINT;
THENCE SOUTH 79°32'30" EAST 106.30 FEET TO A POINT;
THENCE NORTH 35°30'32" EAST 94.00 FEET TO A POINT;
THENCE NORTH 09°13'04" EAST 208.59 FEET TO A POINT;
THENCE NORTH 53°00'44" EAST 111.70 FEET TO A POINT;
THENCE SOUTH 67°17'43" EAST 211.34 FEET TO A POINT;
THENCE SOUTH 73°29'04" EAST 156.29 FEET TO A POINT ON THE WESTERN RIGHT
OF WAY OF INTERSTATE HIGHWAY 75;
THENCE CONTINUING ALONG SAID WESTERN RIGHT OF WAY OF SAID
INTERSTATE 75 NORTH 36°11'50" WEST 1662.21' TO A RIGHT OF WAY MONUMENT
FND;
THENCE CONTINUING ALONG SAID RIGHT OF WAY NORTH 41°06'29" WEST
231.32' TO A RIGHT OF WAY MONUMENT FND;
THENCE CONTINUING ALONG SAID RIGHT OF WAY NORTH 26°05'09" WEST
207.00' TO A RIGHT OF WAY MONUMENT FND;
THENCE CONTINUING ALONG SAID RIGHT OF RIGHT WAY WITH A CURVE
TURNING TO THE RIGHT WITH AN ARC LENGTH OF 1977.53', WITH A RADIUS OF
5879.57', WITH A CHORD BEARING OF NORTH 22°16'57" WEST , WITH A CHORD
LENGTH OF 1968.22', TO A 51/2"x 51/2" CONCRETE MONUMENT FND;
THENCE LEAVING SAID RIGHT OF WAY SOUTH 01°09'05" WEST 2367.86' TO A 4"x 4"
CONCRETE MONUMENT;
THENCE SOUTH 01°37'52" WEST 354.95' TO A T POST FND.;
THENCE NORTH 88°38'46" WEST 1571.59' TO A 2" OPEN TOP FND;
SAID POINT BEING THE POINT OF BEGINNING,

SAID TRACT OR PARCEL CONTAINS 109.31 ACRES

Turner Tract: Tax ID 086 007
ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND
LOTS 233 & 234 OF
THE 3rd DISTRICT, LAMAR COUNTY GEORGIA, AND BEING MORE
PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A 2" OPEN TOP PIPE, BEING THE COMMON CORNER
OF LAND LOTS 216, 217, 232 & 233 OF THE 3rd DISTRICT, LAMAR
COUNTY, GEORGIA.

SAID POINT BEING THE POINT OF BEGINNING:

THENCE NORTH 00 DEGREES 33 MINUTES 10 SECONDS EAST 1076.32
FEET TO A #4 REBAR FOUND:
THENCE SOUTH 89 DEGREES 21 MINUTES 02 SECONDS EAST 300.01
FEET TO A #4 REBAR FOUND:
THENCE NORTH 00 DEGREES 33 MINUTES 10 SECONDS EAST 726.00
FEET TO A #4 REBAR FOUND:
THENCE NORTH 00 DEGREES 33 MINUTES 10 SECONDS EAST 100.00
FEET TO A #4 REBAR FOUND:
THENCE NORTH 00 DEGREES 33 MINUTES 10 SECONDS EAST 200.00
FEET TO A #4 REBAR FOUND:
THENCE NORTH 00 DEGREES 33 MINUTES 10 SECONDS EAST 100.00
FEET TO A #4 REBAR FOUND:
THENCE NORTH 89 DEGREES 21 MINUTES 02 SECONDS WEST 300.00
FEET TO A #4 REBAR FOUND:
THENCE NORTH 00 DEGREES 33 MINUTES 10 SECONDS EAST 314.15
FEET TO A #4 REBAR FOUND:
THENCE SOUTH 88 DEGREES 44 MINUTES 47 SECONDS EAST 566.69
FEET TO A #4 REBAR FOUND:
THENCE NORTH 00 DEGREES 57 MINUTES 51 SECONDS EAST 510.77
FEET TO A #4 REBAR FOUND, ON THE SOUTH RIGHT OF WAY OF HIGH
FALLS ROAD (VARIABLE RIGHT OF WAY):
THENCE CONTINUING ALONG SAID RIGHT OF WAY, SOUTH 88
DEGREES 45 MINUTES 42 SECONDS EAST 83.23 FEET TO A #4 REBAR
FOUND:
THENCE CONTINUING ALONG SAID RIGHT OF WAY, SOUTH 01
DEGREES 14 MINUTES 18 SECONDS WEST 20.00 FEET TO A #4 REBAR
FOUND:
THENCE CONTINUING ALONG SAID RIGHT OF WAY, SOUTH 88
DEGREES 45 MINUTES 42 SECONDS EAST 144.92 FEET TO A POINT:
THENCE CONTINUING ALONG SAID RIGHT OF WAY, ALONG A CURVE
TO THE RIGHT. SAID CURVE HAVING A RADIUS OF 2033.48 FEET AND
A ARC LENGTH OF 450.40 FEET. THE CURVE IS SUBTENDED BY A
CHORD BEARING OF SOUTH 82 DEGREES 24 MINUTES 59 SECONDS
EAST AND A CHORD LENGTH OF 449.48 FEET TO A RIGHT OF WAY

MONUMENT DISTURBED:

THENCE CONTINUING ALONG SAID RIGHT OF WAY, SOUTH 67 DEGREES 57 MINUTES 35 SECONDS EAST 324.11 TO A #4 REBAR SET:

THENCE CONTINUING ALONG SAID RIGHT OF WAY, SOUTH 37 DEGREES 55 MINUTES 11 SECONDS EAST 64.16 TO A RIGHT OF WAY MONUMENT FOUND, ON THE WESTERN RIGHT OF WAY OF

INTERSTATE 75:

THENCE CONTINUING ALONG SAID INTERSTATE 75 RIGHT OF WAY SOUTH 12 DEGREES 53 MINUTES 07 SECONDS EAST 60.11 FEET TO A RIGHT OF WAY MONUMENT:

THENCE SOUTH 11 DEGREES 25 MINUTES 34 SECONDS EAST 14.82 FEET TO A 51/2"x 51/2" SQUARE CONCRETE MONUMENT:

THENCE LEAVING SAID RIGHT OF WAY SOUTH 01 DEGREES 09 MINUTES 05 SECONDS WEST 2367.86 FEET TO A 4"x 4" SQUARE CONCRETE MONUMENT.

THENCE SOUTH 01 DEGREES 37 MINUTES 52 SECONDS WEST 354.95 FEET TO A T POST FOUND:

THENCE NORTH 88 DEGREES 38 MINUTES 46 SECONDS 1571.59 FEET TO A POINT:

SAID POINT BEING THE POINT OF BEGINNING:

SAID TRACT OR PARCEL CONTAINS 94.51 ACRES

From AR (Agricultural Residential) to M-2 (Manufacturing-2) with the following conditions:

- A native species buffer of an average width of 50' shall be planted along all state waters. In any area where the width is less than 50', an enhanced buffer will be installed and maintained.
- Impervious surfaces shall be limited to 70% of the total acreage.
- Any future buildings constructed on the property must include a landscape plan with irrigation.
- Truck traffic into and out of the property shall be limited to Van Mar Boulevard only.
- Developer is responsible for upgrading the section of High Falls Road between the access point and Van Mar Boulevard to the same standards of Van Mar Boulevard.
- A landfill of any classification, or the development of natural resources (other than forestry practices) is excluded from the approved uses of this property.
- All retention ponds shall have an annual inspection and maintenance agreement
- The following uses are excluded from permitted uses on the property: Public garage; Repair garage; Newspaper or printing plant; Off-street parking lot or parking garage; Armory; Printing, publishing, reproducing establishment; Radio transmission tower; Feed, grain, or fertilizer manufacture or storage; Food processing plant; foundry or forging plant; Recycling center; Junkyard (salvage yard); Transfer station; Materials recovery facilities; Recovered materials processing; Acid manufacture and storage; Gasoline storage terminal; Bulk petroleum plant; poultry processing plant.

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 September, 2022


CHARLES GLASS, Chairman

ATTEST:


CARLETTE DAVIDSON, County Clerk