

PASSED: June 5, 2000

ORDINANCE NO. 700

AN ORDINANCE AMENDING THE ZONING MAP OF THE TOWN OF MAYSVILLE, GEORGIA BY CHANGING THE ZONING OF A PARCEL OF LAND OWNED BY DIAL-A-PRAYER MINISTRIES, INC. AND BEING DESIGNATED AS 26 HOMER STREET, AND LYING AND BEING IN BANKS COUNTY, GEORGIA, AND AS DESCRIBED ON SURVEY BY JAMES ROBERT CHEATHAM DATED MAY 1, 2000, SAID SURVEY INCORPORATED HEREIN BY REFERENCE, AND MADE A PART OF THIS DESCRIPTION FOR THIS ORDINANCE, TO CHANGE THE ZONING CLASSIFICATION THEREOF FROM RESIDENTIAL-1 (R-1) TO HIGHWAY BUSINESS (HB) SUBJECT TO CERTAIN CONDITIONS; REPEALING CONFLICTING ORDINANCES; TO PROVIDE FOR SEVERABILITY; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

BE IT ORDAINED by the Town Council of Maysville, Georgia as follows:

Section 1. ZONING IMPOSED WITH CONDITIONS.

That from and after the passage of this Ordinance the following described lands shall be rezoned and so designated on the Zoning Map of the Town of Maysville, as Highway Business (HB), with the following conditions:

Conditions.

See **Exhibit "A"** attached hereto and by this reference made a part hereof.

Legal Description.

See **Exhibit "B"** attached hereto and by this reference made a part hereof.

Section 2. REPEAL OF CONFLICTING ORDINANCES.

All ordinances and parts of ordinances in conflict herewith are hereby repealed to the extent of the conflict.

Section 3. SEVERABILITY OF PARAGRAPHS.

If any portion of this ordinance shall be invalid or unconstitutional, such invalidity or unconstitutionally shall not affect or impair the remaining portions unless it clearly appears that other parts are wholly and necessarily dependent upon the part held to be invalid or unconstitutional.

Section 4. AMENDMENT TO THE ZONING MAP.

This ordinance is enacted as an amendment to the Zoning Map of the Town of Maysville.

Section 5. EFFECTIVE DATE.

The effective date of the zoning classification imposed by this ordinance shall be June 5, 2000, upon passage.

SO ORDAINED this 5th day of June, 2000.

MAYSVILLE TOWN COUNCIL

By: Richard Presley
Mayor

James S. Smith
Councilperson

Vincent A. Maut
Councilperson

William Oester
Councilperson

Attest:

Scott Hays

Town Clerk

Exhibit "A"
Proposed Conditions to Rezoning to Highway Business

The following shall be conditions to the rezoning of the subject property from R-1 to HB:

1. The property may continue to be used for any of the uses permitted under R-1.
2. The uses set out in Section 71 of the Ordinance as numbers 1 through 20, except 18, shall not be permitted on the premises.

3. The premises may be used for the following uses subject to the following limitations:

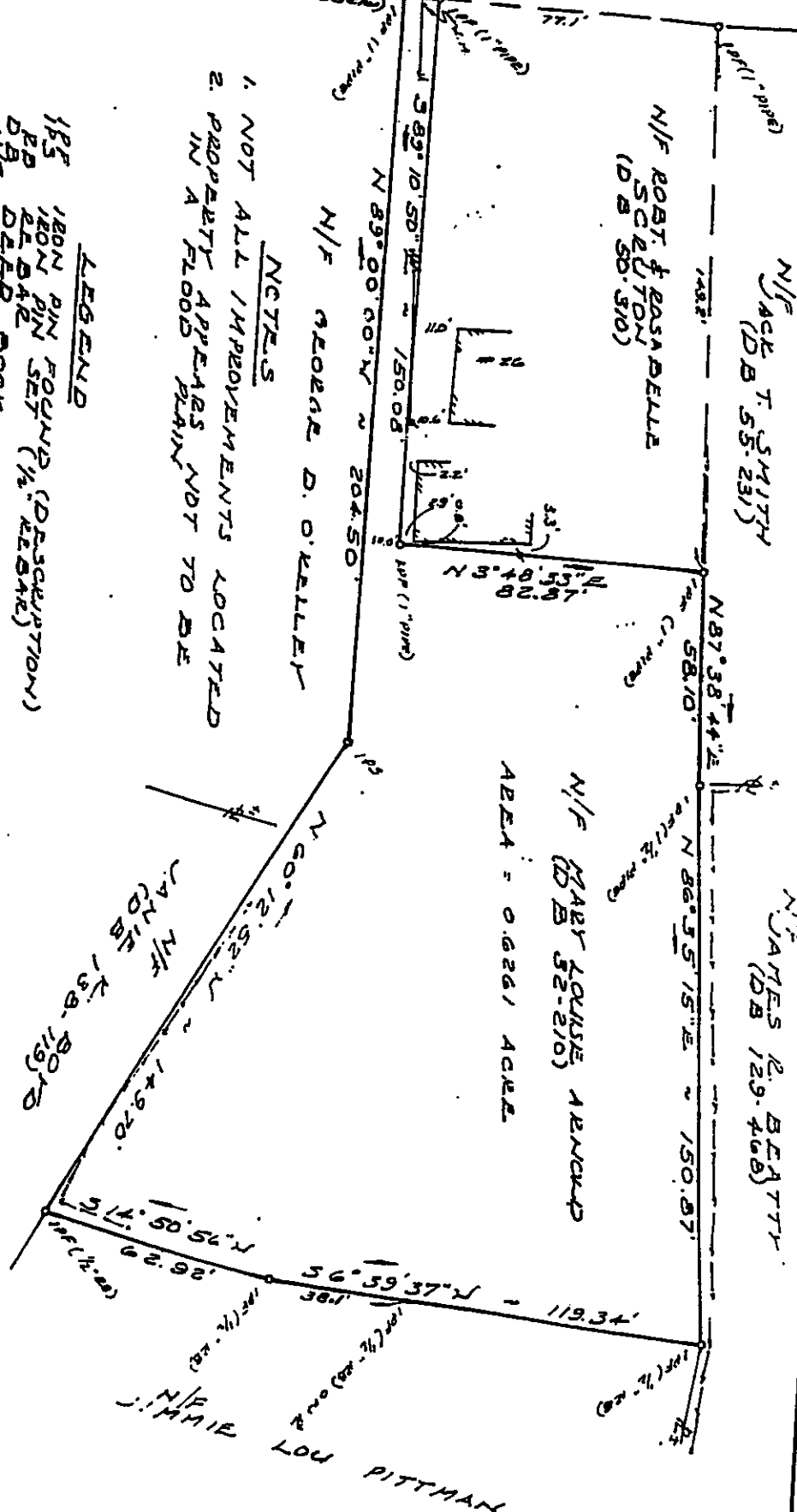
(a) The Property may continue to be used as a dial-a-prayer telephone ministry subject to the home occupation rules of Section 31:10 of Article III of the Maysville Zoning Ordinance; provided, however, the ministry may be conducted in the existing accessory building in addition to being conducted inside the dwelling, and one additional non-family member employee or independent contractor may be used.

(b) The rear portion of the Property (the tract just purchased from Mary L. Arnold as shown on **Exhibit "B"**) may be used as an open-air religious and recreational site for ministering to children subject to the following limitations:

- (i) the entire area shall be fenced with chain link or wooden privacy fencing;
- (ii) one male and one female restroom and one water fountain may be installed;
- (iii) a half basketball court may be constructed as well as swings and slides;
- (iv) one open air shelter may be constructed;
- (v) no more than twenty-five (25) persons shall be on the property at any one time;
- (vi) no activities shall be conducted on the property between the hours of 9:00 p.m. and 7:00 a.m. on any day;
- (vii) all activities shall be conducted in such a manner so as to prevent excess noise and any other nuisance to neighbors; and
- (viii) adequate off-street parking shall be provided for all vehicles coming onto the property.

HOMER ST. (50' 2 1/2')

126' 72" N 0° 50' 43" E 124.52' PAVEMENT 7
 JACKSON ST. (302M)



- NOTES
1. NOT ALL IMPROVEMENTS LOCATED
 2. PROPERTY APPEARS NOT TO BE IN A FLOOD PLAIN

LEGEND

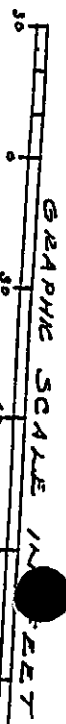
- 185 IRON PIN FOUND (DESCRIPTION)
- 185 IRON PIN SET (1/2 REBAR)
- DB DEAD BARK
- N/F NO. OF FORTNIGHTLY
- WATER METER
- UTILITY POLE & OVERHEAD WIRES

5.3.30
 JAMES R. PRAYER
 SURVEYOR

THIS PLAN WAS PREPARED BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND TO THE BEST OF MY KNOWLEDGE AND BELIEF IT COMPLY WITH ALL THE RELEVANT STATUTES AND REGULATIONS IN THIS RESPECT. I AM NOT PROVIDING ANY WARRANTY OR GUARANTEE OF ANY KIND, EXPRESS OR IMPLIED, INCLUDING BUT NOT LIMITED TO THE ACCURACY OF THE INFORMATION CONTAINED HEREIN.

JAMES R. PRAYER
 SURVEYOR
 706 693 2223

IN THE TOWN OF MARYVILLE
 SURVEY FOR
 DIAL-A-PRAYER MINISTER
 LOCATED IN THE COUNTY OF AGS AND
 BANKS COUNTY GA.
 SCALE: 1" = 30' DATE: MAY 1, 2005
 SURVEY BY
 JAMES ROBERT CYLEATHA
 706 693 2223



(45)
 MAG.