

12-218-02-020

FOR OFFICE USE ONLY:
DATE RECEIVED: 10/10/2023

ACTION BY THE GOVERNING AUTHORITY:
APPROVED: _____ DISAPPROVED: _____

APPLICATION FOR AMENDMENT OF THE
UNIFIED ZONING ORDINANCE/MAP

Dalton: _____
Varnell: _____
Whitfield Co: _____

Fee: \$200
Make check payable to: DALTON-WHITFIELD ZONING

Application is hereby made for amendment of the Unified Zoning Ordinance/Map, and if granted, the applicant agrees to conform to all laws, ordinances and resolutions regulating same.

Name of Applicant: Bryan Spence Telephone: 706 847-6995

Mailing Address: 449 Burgess Rd

Email: bspence-1@yahoo.com

Address of Property to be Rezoned: Stright St & Fredrick

Amendment to: Zoning Map Text Section _____

If an amendment to the Zoning Text, include on separate sheets the proposed amendment.

If an amendment to the Zoning Map, indicate the following:

Size of Property: .19 acres; 19,000 sq ft square feet

Existing Zone Classification: R-3

Proposed Zone Classification: R-5

Present Use of Property: Office Trailer

Proposed Use of Property: Duplex & House

If multi-family, total number of units: 1 unit
Average size of unit (optional): 1584 square feet

Preliminary Site plan is required for Special Use and zoning districts of R-6, R-7, MU, and PUD

Include on separate sheets a legal description of the property and a map of the property showing:

- a) Actual dimensions of property
- b) Location and type of existing structures
- c) Zone and land use of surrounding property

I hereby certify that the above information is true and correct.

Signed: Bryan Spence

Date: 10-7-23

VERIFICATION

The undersigned is the/an owner of an interest in the lands described in the attached Application for Amendment of the Unified Zoning Ordinance/Map and concurs in the application. The undersigned's interest in the lands described in the application is as follows:

(describe parcel or parcels of interest and percentage of interest)

100 N Fredrick st, Dalton GA 30721
12-218-02-020 100% ownership
100% CAMERON SMITH Lanford

I appoint Bryan Spivey my attorney in fact with full authority, my name, place, and stead, to apply for the zoning amendment set forth in the attached application.

Cameron Smith Lanford
Owner

Sworn to and subscribed before me, this 10 day of October, 2023

[Signature]
Notary Public



(SEAL)

1
DISCLOSURE REPORT OF PROPERTY/FINANCIAL INTEREST
2
BY APPLICANT

(Required by Title 36, Chapter 67A, O.C.G.A.)

Date of Rezoning Application: 16-7-23

Does any member of the Planning Commission or applicable governing authority have a property interest (direct or indirect ownership, including any percentage of ownership less than total) in the subject property?

(yes or no) NO

If so, describe the nature and extent of such interest:

Does any member of the Planning Commission or applicable governing authority have a financial interest (direct ownership interests of the total assets or capital stock where such ownership interest is ten (10) percent or more) in a corporation, partnership, limited partnership, firm, enterprise, franchise, association, or trust, which has a property interest (direct or indirect ownership, including any percentage of ownership less than total) upon the subject property?

(yes or no) NO

If so, describe the nature and extent of such interest:

1

If the answer to any of the above is "Yes," then the member of the Planning Commission or applicable governing authority must immediately disclose the nature and extent of such interest, in writing, to the applicable governing authority Board or Council. A copy should be filed with this application. Such disclosures shall be a public record and available for public inspection at any time during normal working hours.

2

Applicant means any person who applies for a rezoning action and any attorney or other person representing or acting on behalf of the applicant for a rezoning action.

Does any member of the Planning Commission or applicable governing authority have a spouse, mother, father, brother, sister, son, or daughter who has any interest as described above?

(yes or no) no

If so, describe the relationship and the nature and extent of such interest:

I certify that the foregoing information is true and correct to the best of my knowledge and belief, this 7 day of October, 2023.



Applicant's Signature

[Note: Any local government official or any applicant for rezoning action knowingly failing to make any disclosure as required by O.C.G.A. Chapter 36 - 67A shall be guilty of a misdemeanor.]

**DISCLOSURE REPORT OF CAMPAIGN CONTRIBUTIONS AND GIFTS
BY APPLICANT*
(Required by Title 36, Chapter 67A, O.C.G.A.)**

Date of Rezoning Application: 10-7-23

Has the applicant* made, within two (2) years immediately preceding the filing date of this application, campaign contributions aggregating two hundred fifty dollars (\$250) or more or made gifts having in the aggregate a value of two hundred fifty dollars (\$250) or more to a member or members of the Planning Commission or applicable governing authority who will consider this application?

(Yes or No)

If so, the applicant and the attorney or other person representing the applicant must file a disclosure report with the appropriate governing authority Board or Council within ten (10) days after this application is first filed. The following information will be considered as the required disclosure:

- 1) List the name and official position of the governing authority member or Planning Commission member;
- 2) the dollar amount and date of each applicable campaign contribution;
- and 3) an enumeration and description of each gift having a value of \$250 or more.

I certify that the foregoing information is true and correct to the best of my knowledge and belief, this 7 day of October, 2023.



Applicant's Signature

[Note: Any local government official or any applicant for rezoning action knowingly failing to make any disclosure as required by O.C.G.A. Chapter 36 - 76A shall be guilty of a misdemeanor.]

* Applicant means any person who applies for a rezoning action and any attorney or other person representing or acting on behalf of the applicant for a rezoning action.

Deed Doc: QCD
Recorded 11/09/2018 03:12PM
Georgia Transfer Tax Paid : \$0.00
MELICA KENDRICK
Clerk Superior Court, WHITFIELD County, Ga.
Bk 06680 Pg 0768-0773

PL1003072

✓ After recording, return to:
J. Tracy Ward
Sponcler & Tharpe, LLC
P. O. Box 398
Dalton, GA 30722-0398

NO TITLE EXAMINATION PERFORMED BY:
SPONCLER & THARPE, LLC

STATE OF GEORGIA

COUNTY OF WHITFIELD.

QUITCLAIM DEED

THIS INDENTURE, made as of the 7 day of November, 2018 between **KIMBERLY RENA LANKFORD DUNN and LORI CATHLEEN RICH**, of the first part, and **CAMERON SMITH LANKFORD** of the second part.

WITNESSETH:

That the said party of the first part, for and in consideration of love and affection and other good and valuable considerations, in hand paid, at and before the sealing and delivery of these presents, the receipt of which is hereby acknowledged, does hereby remise, convey and forever QUITCLAIM unto the said party of the second part, his heirs and assigns, the following property, to-wit:

~~TRACT 1:~~

~~A certain tract or parcel of land, located in the City of Dalton, Whitfield County, Georgia, being 65 feet front on Nelson Street and running back a like width 135 feet, and being more particularly described as follows:~~

~~Being in the southwest corner of the intersection of Nelson Street and Emma Street, BEGINNING at a point on the south side of Nelson Street where Emma Street joins Nelson Street and being on the west side of Emma Street; thence running south along Emma Street a distance of 135 feet; thence running west 65~~

feet to a point; thence running north a distance of 65 feet to a point on south side of Nelson Street; thence running east along south side of Nelson Street to the point of beginning.

There being located on said tract a five room dwelling and bath, and also a four room dwelling with bath.

Tax Parcel No. 12-217-06-011

TRACT 2:

All that tract or parcel of land lying and being in Land Lot No. 238 in the 12th District and 3rd Section of Whitfield County, Georgia, and being the west end of City Lot No. 61, on McCamy Street, in the City of Dalton, fronting 50 feet, more or less, on the east side of Spring Street and running back east to a ditch.

Being the same property conveyed to Erwin Lankford and Cameron Lankford by Johnny Hart and Annie Sue Parks Taylor a/k/a Annie Simmons Taylor, by deed dated April 30th, 1991, and recorded May 1, 1991, in Deed Book 2210, Page 313, in the office of the Clerk of the Superior Court of Whitfield County, Georgia.

Tax Parcel No. 12-238-05-006

TRACT 3

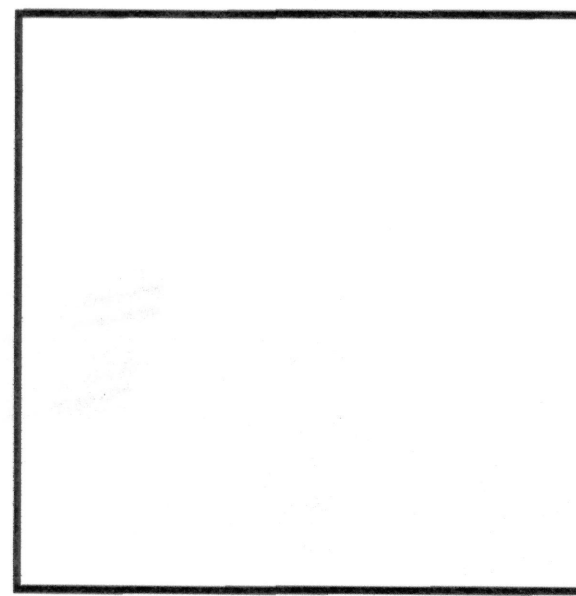
All that tract or parcel of land lying and being in Land Lot No. 218 in the 12th District and 3rd Section of Whitfield County, Georgia, and being Lots Nos. 53 through 60, inclusive, of the Bogle Subdivision, as shown by plat of record in Plat Book 1, Page 200 (Plat Cabinet A, Slide 49), in the office of the Clerk of the Superior Court of Whitfield County, Georgia, and described as follows:

BEGINNING at an "x" on concrete marking the northeast corner of the intersection of Frederick Street and Straight Street; thence north along the east side of Frederick Street 100 feet to an iron pin; thence north 89 degrees 57 minutes east 195 feet to an iron pin; thence south 100 feet to an iron pin on the northerly side of Straight Street; thence south 89 degrees 50 minutes west along the northerly side of Straight Street 195 feet to the point of beginning.

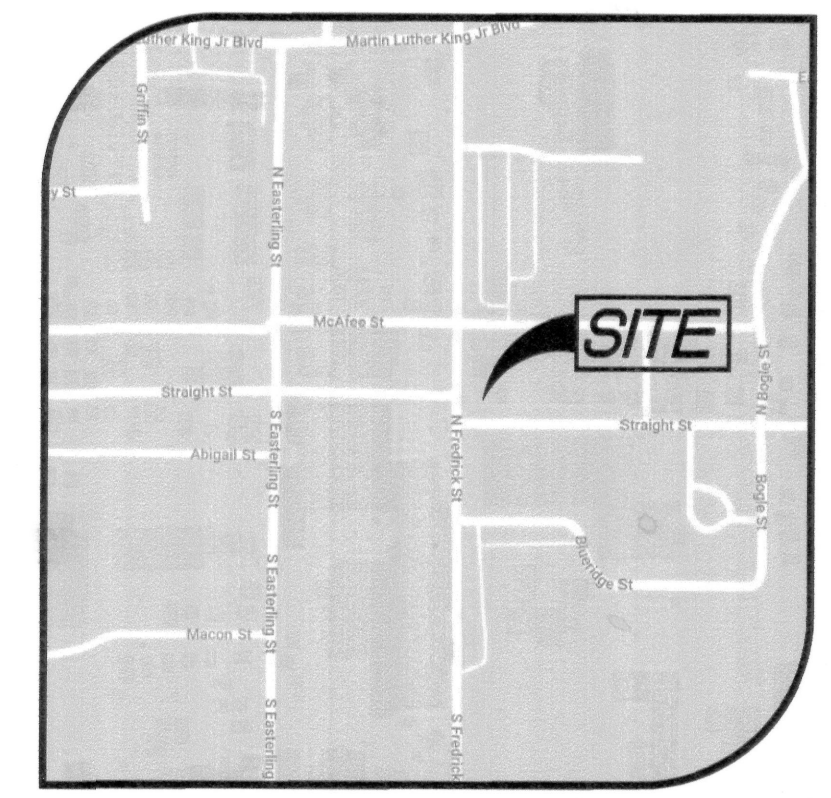
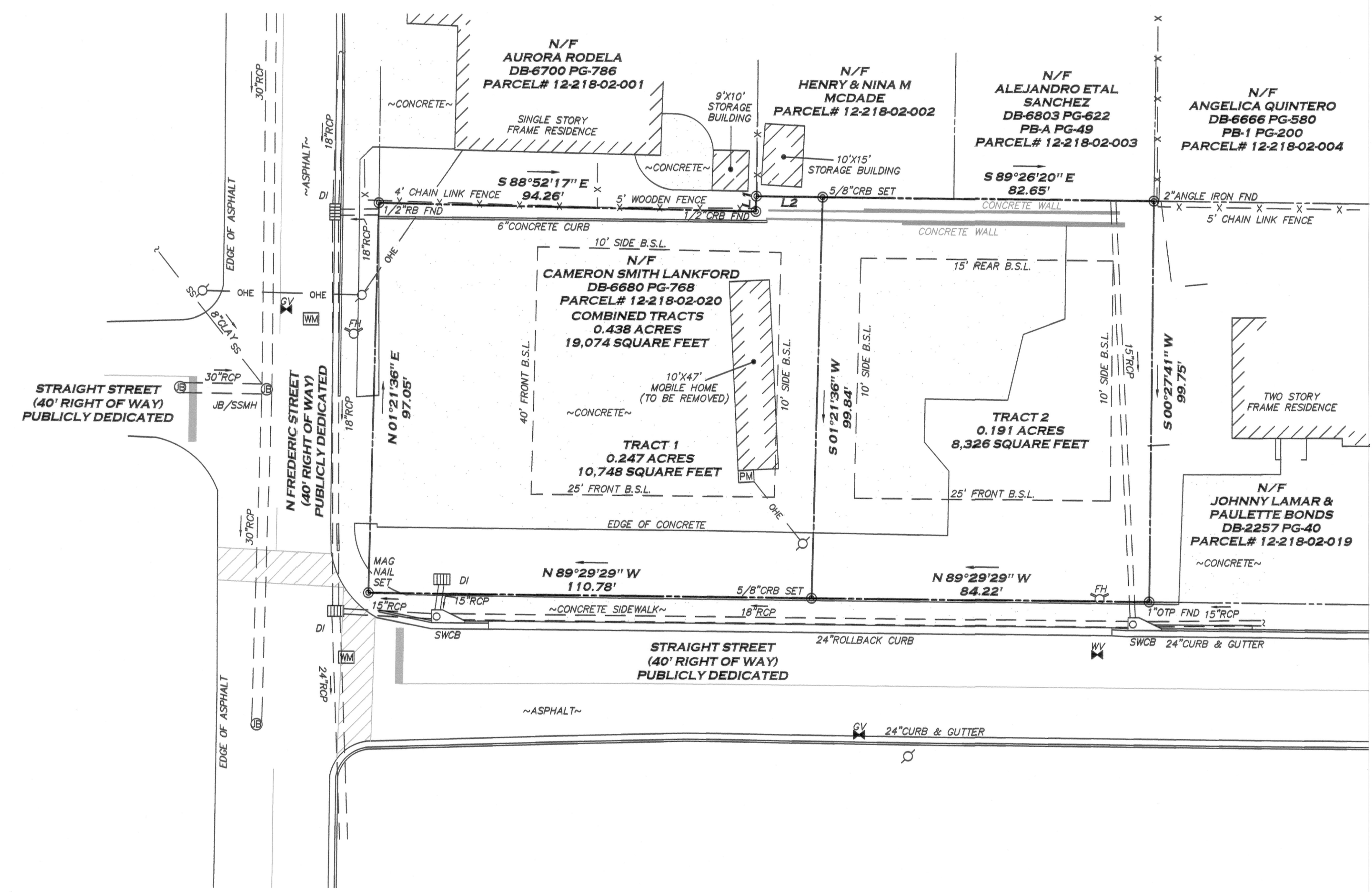
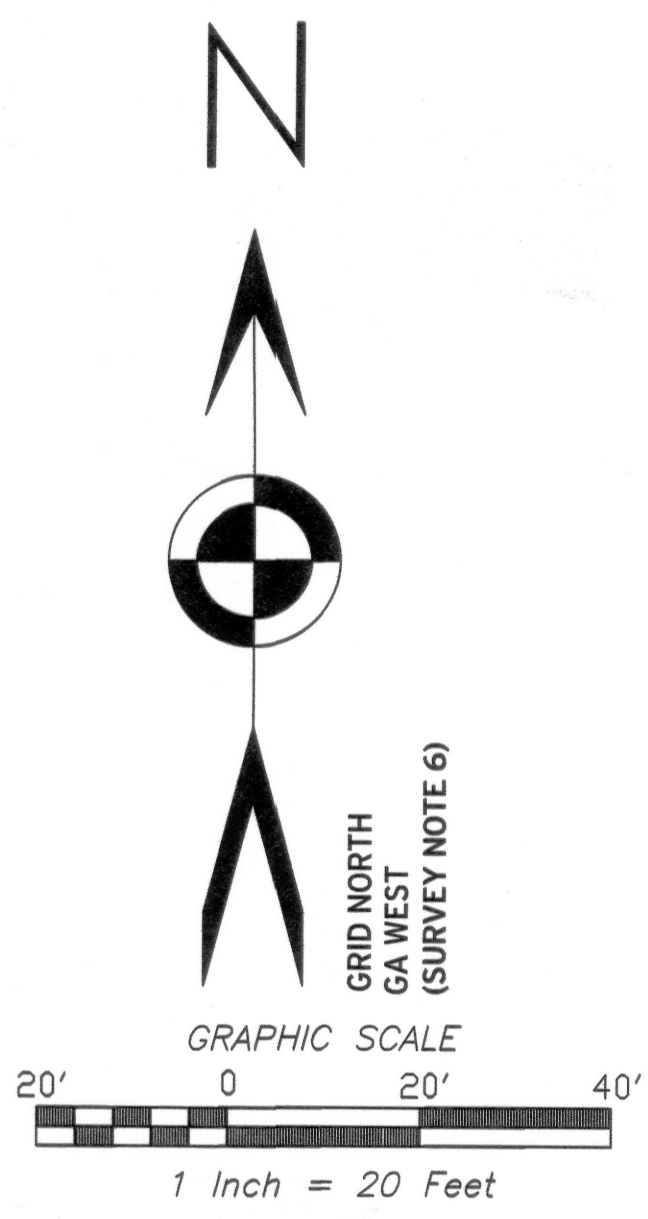
Tax Parcel No. 12-218-02-020

TRACT 4

A tract or parcel of land lying and being in Land Lot No. 217 in the 12th District and 3rd Section of Whitfield County, Georgia, and described as follows:



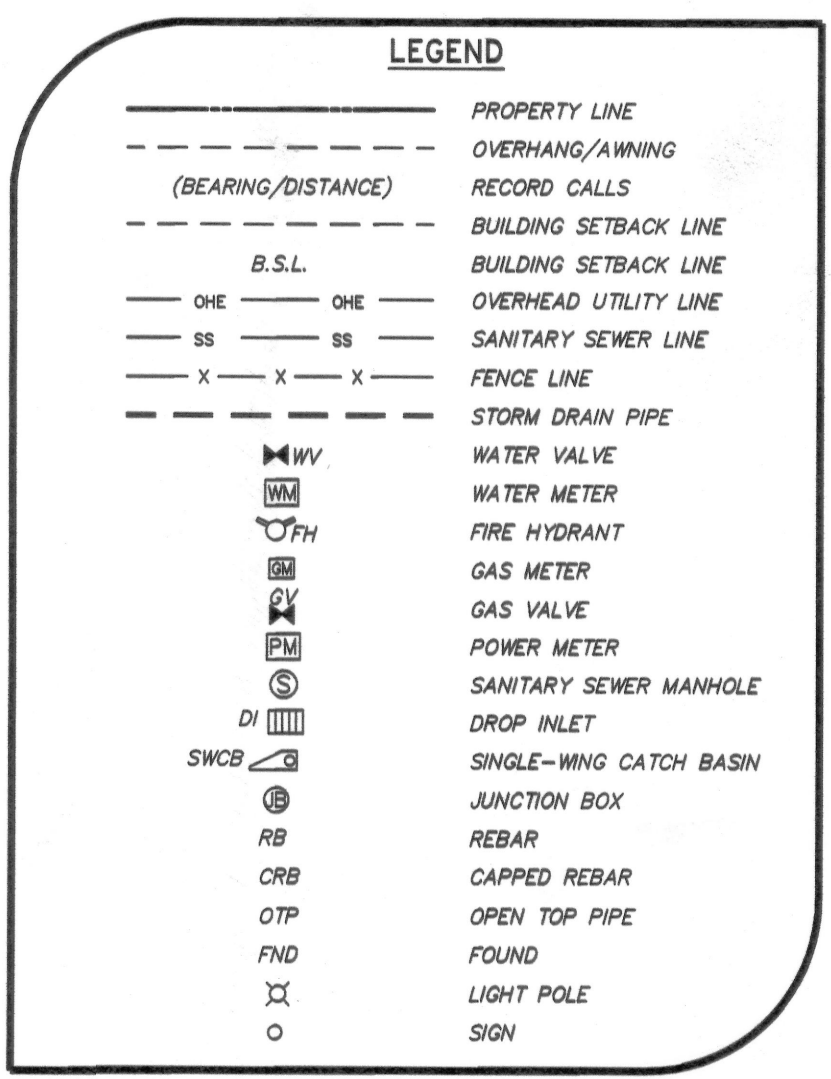
RESERVED FOR OFFICIAL USE ONLY



VICINITY MAP

- SURVEY NOTES: 1) PROPERTY SHOWN HEREON WAS SURVEYED SEPTEMBER 28, 2023. 2) THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE OF 1" IN 37,918' WITH AN ANGULAR ERROR OF 3.46 SECONDS PER ANGLE POINT AND WAS ADJUSTED USING THE LEAST SQUARES METHOD. 3) A SOKKIA IX SERIES ROBOTIC TOTAL STATION, CARLSON BRX7 GPS RECEIVER AND CARLSON SURVEYOR+ DATA COLLECTOR WERE USED FOR FIELD SURVEY MEASUREMENTS. 4) THIS PLAT HAS A MAP CLOSURE OF 1" IN 335,678'. 5) SAID DESCRIBED PROPERTY IS LOCATED WITHIN AN AREA HAVING A ZONE DESIGNATION X ON FLOOD INSURANCE RATE MAP NO. 13313001380, WITH A DATE OF IDENTIFICATION OF SEPTEMBER 19, 2007 FOR COMMUNITY NUMBER 130194, IN WHITFIELD COUNTY, STATE OF GEORGIA, WHICH IS THE CURRENT FLOOD INSURANCE RATE MAP FOR THE COMMUNITY IN WHICH SAID PROPERTY IS SITUATED. 6) CONTROL AND BEARING BASIS FOR THIS SURVEY WERE ESTABLISHED USING A CARLSON BRX7 GPS RECEIVER UTILIZING OPUS-S FOR POST PROCESSING. THE RELATIVE POSITIONAL ACCURACY, AS CALCULATED ACCORDING TO THE FEDERAL GEOGRAPHIC DATA COMMITTEE PART 3: NATIONAL STANDARD FOR SPATIAL DATA ACCURACY, IS .03 FEET HORIZONTAL AND .06 FEET VERTICAL AT THE 95% CONFIDENCE LEVEL. 7) PROPERTY SHOWN HEREON LIES WITHIN THE RECORD DESCRIPTION AS STATED IN GENERAL WARRANTY DEED FROM BRENDA S. REDWINE TO RW SALES, LLC RECORDED IN DEED BOOK 6446, PAGE 65, WHITFIELD COUNTY RECORDS. 8) NO EFFORT TO OBTAIN THE LOCATION OF UNDERGROUND UTILITIES WAS MADE DURING THE COURSE OF THIS SURVEY. PROFESSIONAL LAND SURVEYORS MAKES NO GUARANTEE AS TO THE EXISTENCE OR NON-EXISTENCE OF SAID UTILITIES. 9) NO TITLE REPORT WAS PROVIDED TO THE SURVEYOR, NOR WAS AN INDEPENDENT TITLE SEARCH PERFORMED BY THE SURVEYOR. ALL MATTERS PERTAINING TO TITLE ARE EXCEPTED. 10) THE TERM "CERTIFICATION" AS USED IN RULE "180-6-092(2) AND (3)" AND RELATING TO PROFESSIONAL ENGINEERING OR LAND SURVEYING SERVICES, AS DEFINED IN O.C.G.A. 43-15-2(6), AND (11), SHALL MEAN A SIGNED STATEMENT BASED UPON FACTS AND KNOWLEDGE KNOWN TO THE REGISTRANT AND IS NOT A GUARANTEE OR WARRANTY, EITHER EXPRESSED OR IMPLIED. 11) THIS SURVEY COMPLIES WITH BOTH THE RULES OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND THE OFFICIAL CODE OF GEORGIA ANNOTATED (OCGA) 15-6-67, IN THAT WHERE A CONFLICT EXISTS, THE REQUIREMENTS OF LAW PREVAIL. 12) SUBJECT PROPERTY IS CONTIGUOUS TO ALL ADJACENT PROPERTIES AND RIGHTS OF WAY. NO GAPS, GORES, OR OVERLAPS ARE KNOWN TO EXIST.

AREA TABLE with columns: TRACT NO., ACRES, SQUARE FEET. Rows: TRACT 1 (0.247, 10748), TRACT 2 (0.191, 8326).



CERTIFICATE OF OWNERSHIP & DEDICATION

I (WE) HEREBY CERTIFY THAT I AM (WE ARE) THE OWNERS OF THE PROPERTY SHOWN AND DESCRIBED HEREON AND THAT (WE) HEREBY ADOPT THIS PLAN OF SUBDIVISION, ESTABLISH THE MINIMUM SETBACK LINES AND DEDICATE TO THE USE OF THE PUBLIC FOREVER, ALL STREETS, PARKS, DRAINS, EASEMENTS, AND PUBLIC GROUNDS THEREON SHOWN, EXCEPT AS OTHERWISE NOTED. IT IS UNDERSTOOD THAT THIS CERTIFICATE DOES NOT CONSTITUTE THE DEDICATION OF LAND AND IMPROVEMENTS INTENDED TO BE DEDICATED AND THAT (WE) SHALL HAVE PREPARED TO THE SATISFACTION OF LEGAL COUNSEL FOR THE APPROPRIATE PUBLIC AGENCY, SUCH DOCUMENTATION AND MATERIALS AS NECESSARY TO EFFECT SUCH DEDICATION.

OWNER _____ DATE _____

CERTIFICATE OF ACCURACY

I HEREBY CERTIFY THAT THE PLAN SHOWN HEREON IS TRUE AND ACCURATE AND WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY BY ME OR UNDER MY SUPERVISION TO THE ACCURACY REQUIRED BY THE SUBDIVISION REGULATIONS OF THE CITY OF DALTON, GEORGIA AND THAT MONUMENTS OR PINS HAVE BEEN PLACED TO THE SPECIFICATIONS SET FORTH IN SAID REGULATIONS.

GA REGISTERED LAND SURVEYOR NO. 3033 DATE _____

CERTIFICATE OF APPROVAL FOR PUBLIC WATER SYSTEM

I HEREBY CERTIFY THAT THE PUBLIC WATER SUPPLY AND DISTRIBUTION SYSTEM IN THE SUBDIVISION SHOWN HAVE BEEN SECURED BY SUFFICIENT SURETY TO BE INSTALLED TO MEET THE REQUIREMENTS OF DALTON UTILITIES.

DATE _____ DALTON UTILITIES

CERTIFICATE OF APPROVAL FOR PUBLIC WASTEWATER COLLECTION SYSTEM

I HEREBY CERTIFY THAT THE PUBLIC SEWAGE COLLECTION AND DISPOSAL SYSTEM IN THIS SUBDIVISION HAVE BEEN INSTALLED (HAVE BEEN SECURED BY SUFFICIENT SURETY TO BE INSTALLED) IN AN ACCEPTABLE MANNER AND MEET FULLY THE REQUIREMENTS OF DALTON UTILITIES AND ARE HEREBY APPROVED.

DATE _____ DALTON UTILITIES

CERTIFICATE OF APPROVAL FOR FIRE PROTECTION

I HEREBY CERTIFY THAT THE LOCATION OF THE FIRE HYDRANTS IN THIS SUBDIVISION ARE INSTALLED (PLANNED FOR INSTALLATION) IN CONFORMANCE WITH RECOMMENDATIONS OF THE DALTON FIRE DEPARTMENT AND ARE HEREBY APPROVED.

DATE _____ CITY OF DALTON, GA FIRE CHIEF

CERTIFICATE OF APPROVAL FOR STREETS & DRAINAGE

I HEREBY CERTIFY THAT THE STREETS AND DRAINAGE IMPROVEMENTS IN THE SUBDIVISION HAVE BEEN INSTALLED (HAVE BEEN SECURED BY SUFFICIENT SURETY TO BE INSTALLED) IN AN ACCEPTABLE MANNER AND MEET ALL THE REQUIREMENTS OF THE SUBDIVISION REGULATIONS OF THE CITY OF DALTON.

DATE _____ CITY OF DALTON PUBLIC WORKS

ZONING

ZONING FOR THIS PROPERTY IS CURRENTLY CLASSIFIED AS "R-3" (MEDIUM DENSITY SINGLE FAMILY RESIDENTIAL). SETBACKS AND RESTRICTIONS ARE AS FOLLOWS:

FRONT YARD: 40 FEET (MAJOR ROAD) FRONT YARD: 25 FEET (MINOR ROAD) SIDE YARD: 10 FEET REAR YARD: 15 FEET

ZONING AND SETBACK INFORMATION PER THE CITY OF DALTON UNIFIED DEVELOPMENT CODE. ALL INFORMATION STATED SHOULD BE VERIFIED PRIOR TO THE COMMENCEMENT OF ANY CONSTRUCTION.

CERTIFICATE OF APPROVAL FOR RECORDING (MINOR SUBDIVISION)

I HEREBY CERTIFY THAT THE SUBDIVISION PLAT SHOWN HEREON HAS BEEN FOUND TO COMPLY WITH THE SUBDIVISION REGULATIONS OF THE CITY OF DALTON, GEORGIA, AND THAT IT HAS BEEN APPROVED BY THE DALTON- WHITFIELD COUNTY PLANNING COMMISSION FOR RECORDING IN THE OFFICE OF SUPERIOR COURT OF WHITFIELD COUNTY, GEORGIA.

DATE _____ SECRETARY DALTON-WHITFIELD COUNTY PLANNING COMMISSION

PROFESSIONAL LAND SURVEYORS, LLC 317 GRASSDALE ROAD CARTERSVILLE, GA 30120 770-334-8886 WWW.PLS.US INFO@PLS.US GEORGIA C.O.A.: LSF001380

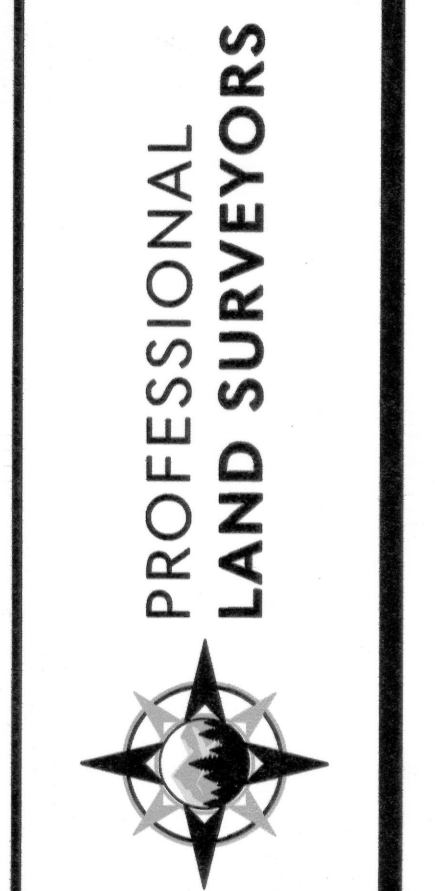
PREPARED FOR: BRYAN SPENCE

FINAL PLAT (MINOR SUBDIVISION) OF: 100 N FREDRICK ST. DALTON, GA 30721 (CITY OF DALTON) STATE: GEORGIA COUNTY: WHITFIELD DISTRICT: 12 LAND LOT: 218 SECTION: 3

REVISIONS

Table with columns: DATE, DESCRIPTION

DATE: OCTOBER 3, 2023 JOB #: 234523 SCALE: 1"=20' DRAWN BY: D. HALL



ADAM T. BRATTON GEORGIA PLS# 3489 DATE OF PLAT OR MAP: OCTOBER 3, 2023

