

12-200-11-018

FOR OFFICE USE ONLY: DATE RECEIVED: 9/13/2023

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: Gonzalo Galvan Telephone: (706) 537-4738

Mailing Address: 123 W Skyview Dr Dalton Ga 30721

Email: JGR1337@gmail.com

Address of Property to be Rezoned: Mitchell St Dalton Ga 30721

Amendment to: Zoning Map ✓ Parcel # 12-200-11-018 Text Section 018

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: ~~129~~ 129 acres; ~~10,017~~ 12,752 square feet

Existing Zone Classification: R-3

Proposed Zone Classification: R-5

Present Use of Property: VACANT LOT

Proposed Use of Property: NEW CONSTRUCTION DUPLEX

If multi-family, total number of units: 2

Average size of unit (optional): 1100 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: Gonzalo Galvan

Date: 9-13-23

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)

Gonzalo Gairan of 123 W Skyview Dr Dalton Ga 30721 is the sole owner of Parcel # 12-200-11-018.

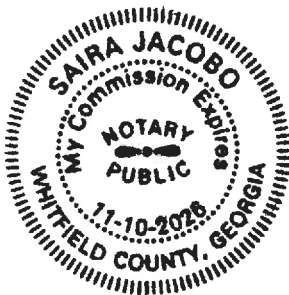
I appoint Jaime Gairan my attorney in fact with full authority, my name, place, and stead, to apply for the zoning amendment set forth in the attached application.

Jaime Gairan
Owner

Sworn to and subscribed before me, this 13 day of September, 2023

Saira Jacobo
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: 9-13-23

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 13th day of September, 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: 9-13-23

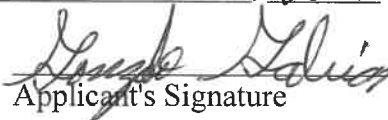
Has the applicant* made, within two (2) years immediately preceding the filing date of this application, campaign contributions aggregating two hundred fifty dollars (\$250) or more or made gifts having in the aggregate a value of two hundred fifty dollars (\$250) or more to a member or members of the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

(Yes or No) 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 13th day of September, 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.

PT 20-2978

↓ After Recording Return to:
Harvard H. Kranzlein, Jr.
Gregory H. Kinnamon, P.C.
P.O. Box 6178
Dalton, GA 30722-6178

Deed Doc: WD
Recorded 11/24/2020 03:50PM
Georgia Transfer Tax Paid : \$28.00
MELICA KENDRICK
Clerk Superior Court, WHITFIELD County, Ga.
Bk 06808 Pg 0080-0083

[Space above this line for recording data.]

LIMITED WARRANTY DEED

Georgia, Whitfield County

THIS INDENTURE made this 5th day of November, 2020, between **M. George Chastain a/k/a George Chastain**, Grantor, and **Gonzalo Galvan**, Grantee.

The words "Grantee" and "Grantor" whenever used herein shall include all individuals, corporations and any other persons or entities, and all the respective heirs, executors, administrators, legal representatives, successors and assigns of the parties hereto, and all those holding under either of them, and the pronouns used herein shall include, when appropriate, either gender and both singular and plural, and the grammatical construction of sentences shall conform thereto. If more than one party shall execute this deed each Grantor shall always be jointly and severally liable for the performance of every promise and agreement made herein.

WITNESSETH: That the GRANTOR, for and in consideration of the sum of TEN DOLLARS AND OTHER VALUABLE CONSIDERATIONS, in hand paid at or before the sealing and delivery of these presents, the receipt of which is hereby acknowledged, has bargained and sold, and by these presents does grant, bargain, sell and convey unto the said GRANTEE the following described property:

All that tract or parcel of land lying and being in Land Lot No. 200, in the 12th District and 3rd Section of Whitfield County, Georgia and being shown as PARCEL C, being 12,752 square feet, more or less, as shown on plat of survey prepared for Pauline B. Williams Estate by Joseph R. Evans, GRLS, dated April 7, 2005, revised April 7, 2007, a copy of which plat is attached hereto as Exhibit "B" reference to which plat is hereby made and incorporated herein by reference, and being more particularly described according to said survey as follows:

BEGINNING at an iron pin located on the southerly right of way of Mitchell Street (50'R/W), said iron pin being located in an easterly direction as measured along said right of way a distance of 183.5 feet from the point intersection of the southerly right of way of said Mitchell Street with the easterly right of way of Glenwood Avenue; said point of beginning also being the northeast corner of property described in deed recorded at Deed Book 6375, page 258, Whitfield County, Georgia Land Records; thence continue along the

southerly right of way of Mitchell Street, south 88 degrees 53 minutes 20 seconds east, a distance of 25.01 feet to an open top pipe found; thence south 01 degree 13 minutes 55 seconds west, a distance of 113.0 feet to an iron pin; thence south 85 degrees 39 minutes 00 seconds east, a distance of 64.41 feet to an iron pin; thence south 01 degree 13 minutes 55 seconds west, a distance of 119.56 feet to an open top pipe; thence north 88 degrees 42 minutes 19 seconds west a distance of 81.18 feet to an iron pin; thence north 00 degrees 54 minutes 29 seconds east, a distance of 82.14 feet to an open top pipe; thence north 00 degrees 52 minutes 18 seconds west, a distance of 43.05 feet to an open top pipe; thence north 84 degrees 47 minutes 42 seconds west, 6.11 feet to an iron pin; thence running along the easterly line of property described at Deed Book 6375, page 258, north 01 degree 13 minutes 55 seconds east a distance of 110.34 feet to an iron pin located on the southerly right of way of Mitchell Street, which is the point of beginning.

GRANTOR HEREBY RESERVES AND MAKES THIS CONVEYANCE SUBJECT TO a non-exclusive perpetual 10 feet in width easement for ingress, egress, installation and maintenance of utilities, and the installation of maintenance of drainage area and for the purposes of grading and the creation and maintaining of a slope located in said easement area and on the Grantor's remaining property located west of the said easement area, the westerly line of said 10 feet in width easement area being more particularly described as follows:

TO FIND THE TRUE POINT OF BEGINNING of the westerly line of said 10 feet in width easement area herein described, commence at an iron pin located on the southerly right of way of Mitchell Street (50'R/W), said iron pin being located in an easterly direction as measured along said right of way a distance of 183.5 feet from the point intersection of the southerly right of way of said Mitchell Street with the easterly right of way of Glenwood Avenue; said point of beginning also being the northeast corner of property described in deed recorded in Deed Book 6375, page 258, Whitfield County, Georgia Land Records; thence running along the easterly line of property described at Deed Book 6375, page 258, south 01 degree 13 minutes 55 seconds west a distance of 110.34 feet to an iron pin; the running south 84 degrees 47 minutes 42 seconds east 6.11 feet to an open top pipe and the TRUE POINT OF BEGINNING of the WESTERLY line of the 10 feet in width easement herein described, FROM THE TRUE POINT OF BEGINNING thus established, thence running south 00 degrees 52 minutes 18 seconds east a distance of 43.05 feet as measured along the westerly line of said 10 feet in width easement to an open top pipe; thence running south 00 degrees 54 minutes 29 seconds west 82.14 feet as measured along the westerly of said 10 feet in width easement to an iron pin, which marks the terminus of the westerly line of said 10 feet in width easement.

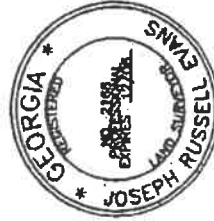
THIS CONVEYANCE is made subject to all zoning ordinances, rights of way, easements, and restrictions insofar as the same may lawfully affect the above-described property.

TO HAVE AND TO HOLD the said tract of land, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in any wise appertaining, to the only proper use, benefit and behoof of the said GRANTEE forever, in Fee Simple. The said GRANTOR will warrant and forever defend the right and title to the above-described property unto the said GRANTEE against the lawful claims of all persons, claiming by, through, of under the said GRANTOR.

STATEMENT OF OWNERSHIP:
 THIS DRAWING, AS AN INSTRUMENT OF SERVICE, IS THE PROPERTY OF THE SURVEYOR AND MAY NOT BE PUBLISHED, REPRODUCED, ELECTRONICALLY DIGITIZED OR SCANNED, OR OTHERWISE COPIED OR USED WITHOUT THE EXPRESSED AND WRITTEN PERMISSION OF JOSEPH R. EVANS, REGISTERED LAND SURVEYOR.

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SURVEY FOR
PAULINE B. WILLIAMS ESTATE
 BLOCK MAP # 56, PARCELS 1, 13, AND 18,
 CITY OF DALTON
 LAND LOT 200, 12TH DISTRICT, 3RD SECTION
 WHITFIELD COUNTY, GEORGIA



Joseph R. Evans
 GA. REG. LAND SURVEYOR, NO. 2168
JOSEPH R. EVANS & ASSOCIATES
 LAND SURVEYORS
 1816 DAC GAP ROAD, DALTON, GA. 30729
 (706) 228-7902 FAX (706) 275-9908
 DRAWN BY: J.R.E. CHECK BY: J.L.D.
 DATE: OCT. 2003 SCALE: 1"=50'

EXHIBIT B

THE FIELD DATA UPON WHICH THIS PLAN IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 10,000 FEET AN ANGULAR ERROR OF 0.17" PER ANGLE POINT AND WAS (ADJUSTED) USING THE 1/30 RULE.
 THIS PLAN HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITHIN ONE FOOT IN 10,000 FEET.
 FIELD WORK WAS DONE BY USING A EDM, TRANSIT AND A CHAIN

FILE NO. 050404
 MAILING ADDRESS: 808 NORTH CLEWOOD AVENUE
 MAILING ADDRESS: 302 MITCHELL STREET

MAGNETIC NORTH

