

12-143-11-003

FOR OFFICE USE ONLY:
DATE RECEIVED: 8/24/2023

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: JUAN FIGUEROA Telephone: 706-218-6959

Mailing Address: 348 LEVI CIRCLE CHATSWORTH, GA 30705

Email: jfigueroa2200@gmail.com

Address of Property to be Rezoned: R-7

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: 1.12 acres; 48787 square feet

Existing Zone Classification: COMMERCIAL LOT M-2

Proposed Zone Classification: R-7

Present Use of Property: QUADPLEX - 2 BEDROOM ONE BATH

Proposed Use of Property: QUADPLEX - 2 BEDROOM ONE BATH

If multi-family, total number of units: 4
Average size of unit (optional): 1050 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: 

Date: 08/23/2023

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)

OWNER OF THE PROPERTY

JUAN FIGUEROA 100%

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



Owner

Sworn to and subscribed
before me, this ____ day
of _____, _____

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: 08/23/2023

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 23RD day of AUGUST, 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: 08/23/2023

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 23RD day of AUGUST, 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: WD
Recorded 08/30/2022 12:27PM
Georgia Transfer Tax Paid : \$200.00
BABS BAILEY
Clerk Superior Court, WHITFIELD County, Ga.
Bk 06955 Pg 0037-0038

ku100 2764

This space above this line is for recording purposes.

After recording, please return to:

J. Tracy Ward
The Ward Firm, LLC
P. O. Box 398
Dalton, Georgia 30722-0398
File No. 2022070508

STATE OF GEORGIA,

WHITFIELD COUNTY.

WARRANTY DEED

THIS INDENTURE, made the 26th day of August, 2022, between **GARY SWINNEY** (hereinafter, whether singly or more than one, the "Grantor"), and **JUAN FIGUEROA** (hereinafter, whether singly or more than one, the "Grantee"):

WITNESSETH

That in consideration of Ten Dollars (\$10.00), and other good and valuable considerations, the receipt and sufficiency of which are hereby acknowledged, Grantor by these presents does hereby grant, bargain, sell, and convey unto the said Grantee the following described real property, together with the appurtenances thereto belonging, to-wit:

All that tract or parcel of land lying and being in Land Lot Nos. 124 and 143 in the 12th District and 3rd Section of Whitfield County, Georgia, and described as follows:

BEGINNING at the intersection of the easterly side of Waring Road with the line dividing said Land Lot Nos. 124 and 143; thence north 20 degrees 44 minutes west along the easterly side of Waring Road 82 feet; thence north 84 degrees 21 minutes 13 seconds east 238.43 feet; thence south 17 degrees 45 minutes east 210 feet; thence south 85 degrees 0 minutes west 227.82 feet to the easterly side of Waring Road;

thence north 20 degrees 44 minutes west along the easterly side of Waring Road 128 feet to the point of beginning.

Said property being a part of Tract Nos. 10 and 11 as shown on plat of the James F. Smith Estate, of record in Plat Book 1, page 162, in the Office of the Clerk of the Superior Court of Whitfield County, Georgia.

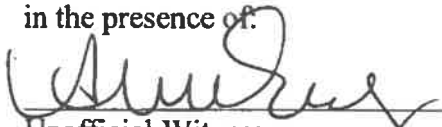
TO HAVE AND TO HOLD, all and singular the above described premises, unto the said Grantee, and to the heirs, legal representatives, successors and assigns of the said Grantee forever, in fee simple.

AND THE SAID GRANTOR, and the heirs, legal representatives, successors and assigns of the Grantor will **WARRANT** and **DEFEND** all right, title and interest in and to the said premises and the quiet and peaceable possession thereof, unto the said Grantee, and to the heirs, legal representatives, successors and assigns of the Grantee, against all acts and deeds of the said Grantor, against all acts and deeds of the Grantor, and of every person lawfully claiming thereunder.

SUBJECT, HOWEVER, to all easements, rights-of-way, covenants and restrictions which may lawfully affect the above-described property.

IN WITNESS WHEREOF, the Grantor has signed, sealed and delivered this Deed on the day and year first above written.

Signed, sealed and delivered in the presence of:


Unofficial Witness

Notary Public

My Commission Expires: 6/7/2023

[Notary Seal]

 (SEAL)
Gary Swinney

