

ORDINANCE NO. 24-18

To rezone property of John Suttles from a Heavy Manufacturing (M-2) Classification to a Rural Residential (R-5) Classification; to provide for an effective date; to provide for the repeal of conflicting ordinances; to provide for severability; and for other purposes.

WHEREAS, John Suttles has petitioned for rezoning of certain real property he owns from M-2 classification to R-5 classification;

WHEREAS, the application for rezoning appears to be in proper form and made by all owners of the Property sought to be rezoned;

WHEREAS, the rezoning is in conformity with the City of Dalton Joint Comprehensive Plan; and

WHEREAS, all other procedures as required by Georgia law have been followed.

NOW, THEREFORE, BE IT HEREBY ORDAINED, by the Mayor and Council of the City of Dalton, Georgia, as follows:

Section 1.

The real property as described in Exhibit “A” (the “Property”), which is attached to and incorporated herein as a part of this Ordinance, is hereby rezoned from M-2 classification to R-5 classification.

Section 2.

This Ordinance shall be effective as of the date of approval of this Ordinance.

Section 3.

The City Clerk is instructed to send a copy of this Ordinance to the Dalton-Whitfield Zoning Administrator with a request to record this rezoning on the Official Zoning Map of Whitfield County, Georgia.

Section 4.

All ordinances and parts of ordinances in conflict with this Ordinance are repealed.

Section 5.

It is hereby declared to be the intention of the Mayor and Council of the City of Dalton that the section, paragraphs, sentences, clauses and phrases of this Ordinance are severable and if any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared unconstitutional or otherwise invalid by a court of competent jurisdiction such unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this Ordinance.

SO ORDAINED this _____ day of _____, 2024.

The foregoing Ordinance received its first reading on _____ and a second reading on _____. Upon second reading a motion for passage of the ordinance was made by Councilmember _____, seconded by Councilmember _____, and upon the question the vote is _____ ayes, _____ nays, and the Ordinance is adopted.

ATTEST:

CITY CLERK

MAYOR/MAYOR PRO TEM

A true copy of the foregoing Ordinance has been published in two public places within the City of Dalton for five (5) consecutive days following passage of the above-referenced Ordinance as of _____.

CITY CLERK, CITY OF DALTON

EXHIBIT "A"

Tax Parcel ID # 12-255-03-057, 12-255-03-034, and 12-255-03-047

Tax Parcel ID # 12-255-03-057:

Lots Nos. 139, 140, 141, and 142 of the Fifth Avenue Subdivision, as per plat made by R. E. Smith, Surveyor, as appears of record in the Office of the Clerk of Superior Court, in Plat Book No. 2, Page 50, Deed Records of Whitfield County, Georgia.

Tax Parcel ID # 12-255-03-034:

50 ft off the west end of Lots No 137 and 138 and running east to a point at the corner of Lots No. 138 and 139 of the Fifth Ave. Subdivision as per plat made by R. E. Smith Surveyor and recorded in Plat Book No. 2, Page 50 in the Clerk's Office of the Superior Court of Whitfield County Georgia.

Tax Parcel ID # 12-255-03-047:

Lots Nos. 133, 134, 135, 136, and a part of the East ends of Lots Nos. 137 and 138. That part of Lots No 137 and 138 being described as follows: Commencing at the Northwest corner of Lot No. 138 running in a western direction across Lot 138 and 137 in a straight line to the Northwest corner of Lot No. 136. Said Lots lying and being in Fifth Avenue Subdivision as show by Plat made by R. E. Smith, Surveyor, which plat is recorded in Plat Book 2, Page 50 in Office of Clerk of Whitfield Superior Court. Said tract herein conveyed is all the lands which I now own in said Subdivision.