

## **ORDINANCE NO. 24-25**

To rezone property of JFP Properties Group, LLC from a Medium-Density Single-Family Residential (R-3) 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**, JFP Properties Group, LLC, by and through its members, Jennifer Paniagua and Fernando Paniagua, has petitioned for rezoning of certain real property it owns from R-3 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 R-3 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All ordinances and parts of ordinances in conflict with this Ordinance are repealed.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 TEMPORE

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 No. 12-201-01-060

All that tract or parcel of land lying and being in Land Lot No. 201 in the 12th District and 3rd Section of Whitfield County, Georgia, and being Lot No. 149 of Woodland Heights Subdivision as per revised plat thereof recorded in Plat Book 1 Page 192 (Cabinet A Slide 47), Whitfield County, Georgia Land Records, and being that tract as shown on plat of survey prepared for Harry D. Worley and Sondria Jan Worley by Joseph R. Evans, Registered Land Surveyor, dated January 26, 1983, and being more particularly described as follows:

BEGINNING at a point located in the east side of the right of way of Northview Avenue, said point being located in a northerly direction, as measured along said right of way line, a distance of 1,075 feet from the point of intersection of said right of way line and the north right of way line of Underwood Street; thence north 02 degrees 34 minutes east, along the east right of way of Northview Avenue, a distance of 65 feet to an iron pin; thence north 88 degrees 46 minutes east a distance of 173.50 feet to an iron pin located in the west right of way line of Fields Avenue (a/k/a Veterans Drive); thence south 00 degrees 58 minutes west, along the west right of way line of Fields Avenue a distance of 64.47 feet to an iron pin; thence south 88 degrees 37 minutes west a distance of 175.35 feet to THE POINT OF BEGINNING.

For prior title, see Deed Book 5386 Page 146, Whitfield County, Georgia Land Records.