

## **ORDINANCE NO. 24-22**

To rezone property of Teresa Acevedo from a Medium-Density Single-Family Residential (R-3) to a High-Density Residential (R-7) Classification; to provide for an effective date; to provide for the repeal of conflicting ordinances; to provide for severability; and for other purposes.

**WHEREAS**, Teresa Acevedo has petitioned for rezoning of certain real property she owns from R-3 classification to R-7 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-7 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All ordinances and parts of ordinances in conflict with this Ordinance are repealed.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. 12-180-01-024

A tract or parcel of land lying and being in Land Lot 180 of the 12<sup>th</sup> District and 3<sup>rd</sup> Section of Whitfield County, Georgia and being more particularly described as follows:

To find the POINT OF BEGINNING proceed from centerline of the intersection of Cleveland Highway (Glenwood Avenue) and Sassafras Street North 85 degrees 49 minutes 15 seconds east a distance of 328.74 feet to a point which is the POINT OF BEGINNING; thence north 00 degree 03 minutes 31 seconds west a distance of 138.06 feet to a point; thence north 84 degrees 56 minutes 29 seconds east a distance of 123.47 feet to a point; thence south 00 degree 03 minutes 31 seconds east a distance of 194.82 feet to a point on the northerly right-of-way of Sassafras Street; and thence along the northerly right-of-way of Sassafras Street south 89 degrees 56 minutes 29 seconds west a distance of 123.00 feet to a point which is the POINT OF BEGINNING.

Said tract or parcel of land shown as Tract 1 and Tract 2 on that Minor Subdivision for: Daymon Duckett dated May 31, 2018 and recorded in Plat Book E, Page 1041 of the Whitfield County, Georgia Deed Records.

Said tract or parcel of land being the same tract or parcel shown in Deed Book 4978, Page 330 of the Whitfield County, Georgia Deed Records, Tax Parcel number 12-180-01-024.