

ORDINANCE NO. 24-05

To rezone property of Knight and Marshal, LLC from a Heavy Manufacturing (M-2) Classification to a General Commercial (C-2) Classification; to provide for an effective date; to provide for the repeal of conflicting ordinances; to provide for severability; and for other purposes.

WHEREAS, Knight and Marshall, LLC, by and through its attorney-in-fact, Shazman Ali, has petitioned for rezoning of certain real property it owns from M-2 classification to C-2 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 C-2 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All ordinances and parts of ordinances in conflict with this Ordinance are repealed.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"

Parcel No. 12-159-01-059

Parcel No. 12-159-01-065

Tract 1:

A certain tract or parcel of land lying and being in Land Lot 146 of the 12th District and 3rd Section of Whitfield County, Georgia, being a part of Tracts 2 and 3 of the Willowdale Subdivision, as per plat of same recorded in Plat Book I, page 107, Deed Records of Whitfield County, Georgia, being a portion of that property shown on plat of survey prepared by Peter L. Bakkum for Earl Crawford dated March 5, 1974 and amended March 20, 1974 and recorded in Plat Book 10, page 10, Deed Records of Whitfield County, Georgia, being more particularly described as follows:

BEGINNING at a point on the west line of said Tract 2, said point being located 341.71 feet north of the right-of-way of the Old Dixie Highway; thence north 00 degrees 57 minutes 20 seconds west 436.54 feet; thence north 88 degrees 46 minutes 20 seconds east 350 feet to an iron pin; thence south 00 degrees 57 minutes 20 seconds east 503.24 feet; thence north 80 degrees 27 minutes 58 seconds west 357.30 feet to the point of beginning.

Tract 2:

A certain tract or parcel of land lying and being in Land Lot 146 of the 12th District and 3rd Section of Whitfield County, Georgia, being a part of Willowdale Subdivision as per plat of same recorded in Plat Book 1, page 107, being a portion of that property shown on plat of survey prepared by Peter L. Bakkum for Earl Crawford dated March 5, 1974 and amended March 20, 1974 recorded in Plat Book 10, page 10, being more particularly described as follows:

COMMENCING at an iron stake located 560.62 feet east and south 00 degrees 57 minutes 20 seconds west 2,007.24 feet and north 80 degrees 27 minutes 58 seconds west 1 foot from the northwest corner of Land Lot 146, said district and section, as measured in an easterly direction; thence southerly, thence in a westerly direction from said land lot corner; thence south 00 degrees 57 minutes east 233.5 feet to an iron stake located on the north side of the right-of-way of Willowdale Road; thence south 81 degrees 58 minutes 40 seconds west 50.39 feet to an iron stake; thence north 00 degrees 57 minutes 20 seconds west 248.85 feet to an iron stake; thence south 80 degrees 27 minutes 58 seconds east 50.87 feet to an iron stake and the point of beginning.