

ORDINANCE NO. 24-06

To rezone property of TNFR, LLC from a Medium-Density Single Family Residential (R-3) 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, TNFR, LLC, by and through its attorney in fact, Danielle Putnam, 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All ordinances and parts of ordinances in conflict with this Ordinance are repealed.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 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 12-241-02-009

All that tract or parcel of land lying and being in Land Lots Nos. 241 and 242 in the 12th District and 3rd Section of Whitfield County, Georgia, and being designated as Lots Nos. 34, 35 and 36 and PART of Lots Nos. 37 and 38 of the W. F. McGhee Subdivision, as per plat made by R. E. Smith, Surveyor, dated 6/20/1941, as appears of record in Plat Book 1, page 191, in the Office of the Clerk of the Superior Court of Whitfield County, Georgia, and being more particularly described as follows:

BEGINNING at the northwest corner of Lot No. 34, which beginning point is 223 feet south of the Dalton-Chatsworth Highway and running thence south 70 degrees east 145 feet, thence south 5 degrees west 92 feet; thence north 75 degrees west 132.9 feet to the east side of Mosedale Drive; thence north 108 feet along the east side of Mosedale Drive to the point of beginning.