

12-199-19-008

12-199-19-016

FOR OFFICE USE ONLY: DATE RECEIVED: 10/14/2021

ACTION BY THE GOVERNING AUTHORITY: APPROVED: DISAPPROVED:

APPLICATION FOR AMENDMENT OF THE UNIFIED ZONING ORDINANCE/MAP

Dalton: \* Varnell: Whitfield Co:

Fee: \$200 Make check payable to: DALTON-WHITFIELD ZONING

Application is hereby made for amendment of the Unified Zoning Ordinance/Map, and if granted, the applicant agrees to conform to all laws, ordinances and resolutions regulating same.

Name of Applicant: Thomas Durkan III Telephone: 706-581-4040

Mailing Address: P.O. Box 10057 Dalton, GA 30722

Email: thomasdurkaniii@yahoo.com

Address of Property to be Rezoned: 1024 Charles Street 620 CHARLES STREET

Amendment to: Zoning Map 12-199-19-008 Text Section 12-199-19-016

If an amendment to the Zoning Text, include on separate sheets the proposed amendment.

If an amendment to the Zoning Map, indicate the following:

Size of Property: 0.33 acres 0.11 square feet

Existing Zone Classification: M-2 R3

Proposed Zone Classification: R6 R6

Present Use of Property: Vacant

Proposed Use of Property: Condominium

If multi-family, total number of units: 2 Average size of unit (optional): square feet

Preliminary Site plan is required for Special Use and zoning districts of R-6, R-7, MU, and PUD

Include on separate sheets a legal description of the property and a map of the property showing:

- a) Actual dimensions of property
b) Location and type of existing structures
c) Zone and land use of surrounding property

I hereby certify that the above information is true and correct.

Signed: [Signature] Date: 10/14/2021

**VERIFICATION**

The undersigned is the/an owner of an interest in the lands described in the attached Application for Amendment of the Unified Zoning Ordinance/Map and concurs in the application. The undersigned's interest in the lands described in the application is as follows:

(describe parcel or parcels of interest and percentage of interest)

Parcel: 12-199-19-008 / 624 Charles Street

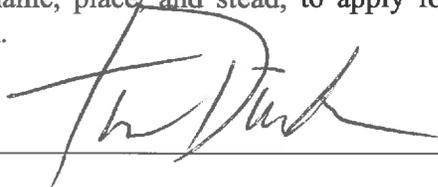
Owner - Thomas Durkan

My interests in the land described is to turn in to a Condominium w/2 units.

\_\_\_\_\_

\_\_\_\_\_

I appoint \_\_\_\_\_  
my attorney in fact with full authority, my name, place, and stead, to apply for the zoning amendment set forth in the attached application.

  
Owner

Sworn to and subscribed  
before me, this \_\_\_\_ day  
of \_\_\_\_\_, \_\_\_\_\_

\_\_\_\_\_  
Notary Public

(SEAL)

**VERIFICATION**

The undersigned is the/an owner of an interest in the lands described in the attached Application for Amendment of the Unified Zoning Ordinance/Map and concurs in the application. The undersigned's interest in the lands described in the application is as follows:

(describe parcel or parcels of interest and percentage of interest)

Parcel: 12-199-19-016 / 620 Charles Street

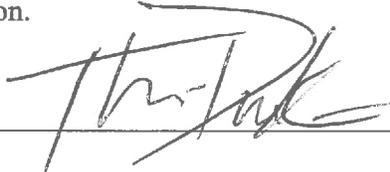
Owner - Thomas Durkan

My interests in the land described is to turn in to a condominium w/ 2 units.

\_\_\_\_\_

\_\_\_\_\_

I appoint \_\_\_\_\_  
my attorney in fact with full authority, my name, place, and stead, to apply for the zoning amendment set forth in the attached application.

Owner  \_\_\_\_\_

Sworn to and subscribed  
before me, this \_\_\_\_ day  
of \_\_\_\_\_, \_\_\_\_\_

\_\_\_\_\_  
Notary Public

(SEAL)

1  
**DISCLOSURE REPORT OF PROPERTY/FINANCIAL INTEREST**  
2  
**BY APPLICANT**

(Required by Title 36, Chapter 67A, O.C.G.A.)

Date of Rezoning Application: 10/14/2021

Does any member of the Planning Commission or applicable governing authority have a property interest (direct or indirect ownership, including any percentage of ownership less than total) in the subject property?

(yes or no) NO

If so, describe the nature and extent of such interest:

Does any member of the Planning Commission or applicable governing authority have a financial interest (direct ownership interests of the total assets or capital stock where such ownership interest is ten (10) percent or more) in a corporation, partnership, limited partnership, firm, enterprise, franchise, association, or trust, which has a property interest (direct or indirect ownership, including any percentage of ownership less than total) upon the subject property?

(yes or no) NO

If so, describe the nature and extent of such interest:

1

If the answer to any of the above is "Yes," then the member of the Planning Commission or applicable governing authority must immediately disclose the nature and extent of such interest, in writing, to the applicable governing authority Board or Council. A copy should be filed with this application. Such disclosures shall be a public record and available for public inspection at any time during normal working hours.

2

Applicant means any person who applies for a rezoning action and any attorney or other person representing or acting on behalf of the applicant for a rezoning action.

Does any member of the Planning Commission or applicable governing authority have a spouse, mother, father, brother, sister, son, or daughter who has any interest as described above?

(yes or no) No

If so, describe the relationship and the nature and extent of such interest:

I certify that the foregoing information is true and correct to the best of my knowledge and belief, this 14 day of October, 2021.

  
Applicant's Signature

[Note: Any local government official or any applicant for rezoning action knowingly failing to make any disclosure as required by O.C.G.A. Chapter 36 - 67A shall be guilty of a misdemeanor.]

**DISCLOSURE REPORT OF CAMPAIGN CONTRIBUTIONS AND GIFTS  
BY APPLICANT\*  
(Required by Title 36, Chapter 67A, O.C.G.A.)**

Date of Rezoning Application: 10/14/2021

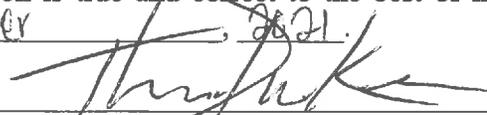
Has the applicant\* made, within two (2) years immediately preceding the filing date of this application, campaign contributions aggregating two hundred fifty dollars (\$250) or more or made gifts having in the aggregate a value of two hundred fifty dollars (\$250) or more to a member or members of the Planning Commission or applicable governing authority who will consider this application?

(Yes or No) No

If so, the applicant and the attorney or other person representing the applicant must file a disclosure report with the appropriate governing authority Board or Council within ten (10) days after this application is first filed. The following information will be considered as the required disclosure:

1) List the name and official position of the governing authority member or Planning Commission member; 2) the dollar amount and date of each applicable campaign contribution; and 3) an enumeration and description of each gift having a value of \$250 or more.

I certify that the foregoing information is true and correct to the best of my knowledge and belief, this 14 day of October, 2021.

  
\_\_\_\_\_  
Applicant's Signature

[Note: Any local government official or any applicant for rezoning action knowingly failing to make any disclosure as required by O.C.G.A. Chapter 36 - 76A shall be guilty of a misdemeanor.]

\* Applicant means any person who applies for a rezoning action and any attorney or other person representing or acting on behalf of the applicant for a rezoning action.

Deed Doc: WD  
Recorded 04/05/2021 11:08AM  
Georgia Transfer Tax Paid : \$160.00  
BABS BAILEY  
Clerk Superior Court, WHITFIELD County, Ga.  
Bk 06839 Pg 0741-0743

Pr1000951

✓ RETURN TO:

L. STEPHEN KELEHEAR  
LITTLE, BATES & KELEHEAR, P.C.  
PO BOX 488  
DALTON, GA 30722-0488

STATE OF GEORGIA  
COUNTY OF WHITFIELD

WARRANTY DEED

**THIS INDENTURE**, made the 1st day of April, 2021, between **Ameer Ali Awad** (hereinafter "Grantor"), of the County of Whitfield and State of Georgia, and **Thomas R. Durkan, III Family Limited Partnership, LLLP** (hereinafter "Grantee"), of the County of Whitfield and State of Georgia.

WITNESSETH

That the Grantor for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable considerations in hand paid at and before the sealing and delivery of these presents, the receipt and sufficiency whereof being hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does hereby grant, bargain, sell, alien, convey and confirm unto the said Grantee the following described property, to-wit:

**SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF**

**TOGETHER WITH** all and singular the hereinabove described premises together with all tenements, hereditaments, and appurtenances thereto belonging or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof; and also all estate, right, title, interest and rights of possession, claim and demand whatsoever, as well in law as in equity, of the said Grantor, of, in or to the said premises, and every part and parcel thereof, with the appurtenances thereto belonging.

EXHIBIT "A"

**Tract 1:**

All that tract or parcel of land lying and being in Land Lot No. 199 in the 12th District and 3rd Section of Whitfield County, Georgia, and describes as follows:

BEGINNING at an iron pinon the southerly side of Piedmont Street which is located north 86 degrees 33 minutes west 79.5 feet from the southwest corner of the intersection of Piedmont Street and Jones Street; thence north 86 degrees 33 minutes west along the southerly side of Piedmont Street 47.88 feet to a concrete monument; thence south 03 degrees 55 minutes west 98 feet; thence south 87 degrees 41 minutes east 52.5 feet; thence north 01 degrees 12 minutes west 97.19 feet to the POINT OF BEGINNING.

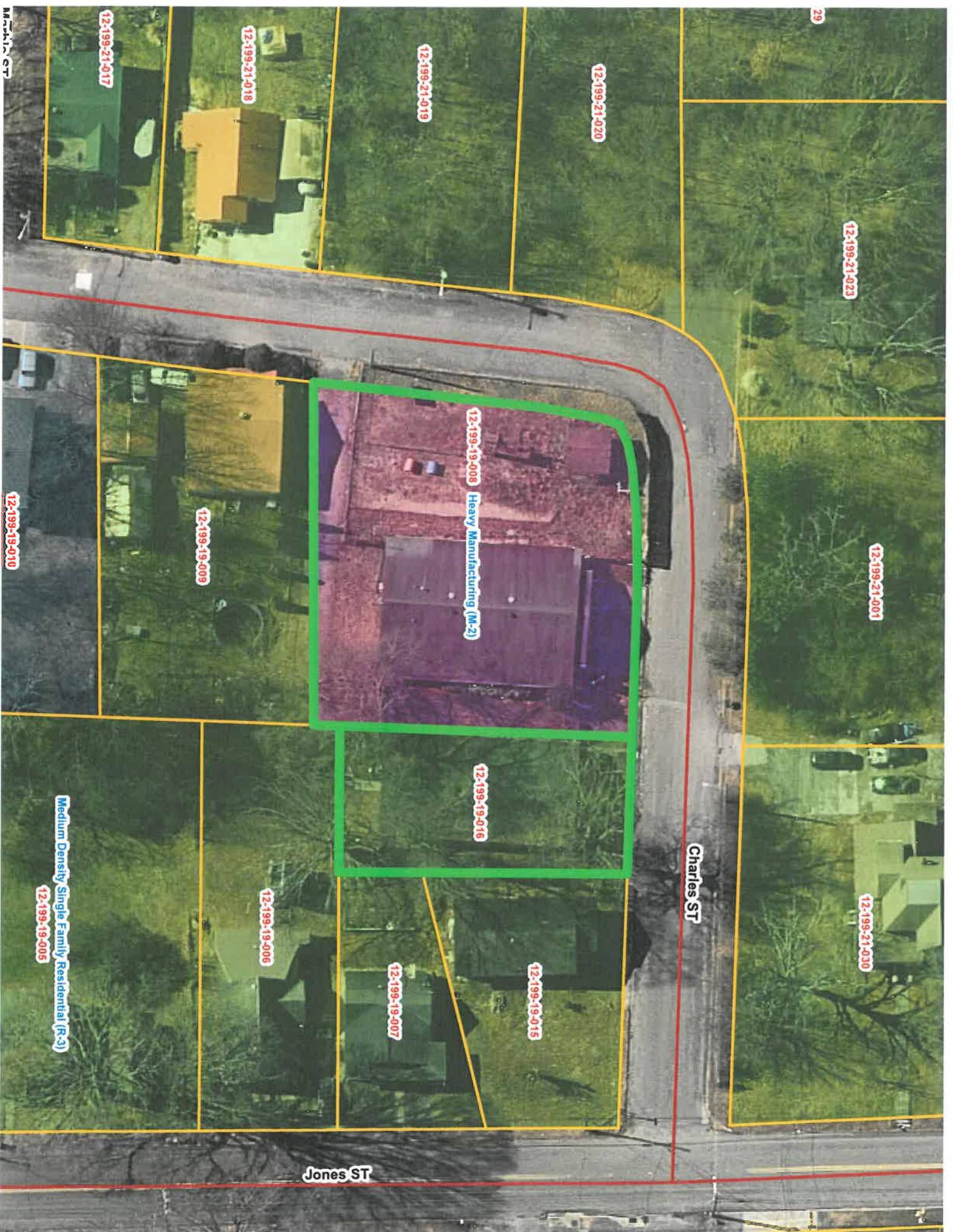
12-199-19-016

**Tract 2:**

All that tract or parcel of land lying and being in Land Lot No. 199 in the 12th District and 3rd Section of Whitfield County, Georgia, and being Lot Nos. 22 and 24 of the Jones Addition to the City of Dalton, said lots lying contiguous and forming one tract of land fronting 115 feet on the easterly side of Charles Street and extending back eastwardly between parallel lines along the south side of Piedmont Street 125 feet.

12-199-19-008

AA.



29

12-199-21-023

12-199-21-001

12-199-21-030

12-199-21-020

12-199-21-019

12-199-21-018

12-199-21-017

12-199-19-008

Heavy Manufacturing (M-2)

12-199-19-016

12-199-19-015

12-199-19-007

12-199-19-006

12-199-19-009

12-199-19-010

Medium Density Single Family Residential (R-3)

12-199-19-005

Charles ST

Jones ST

Maple CT



