

## **ORDINANCE NO. 24-16**

To rezone property of Preferred Tufters, Inc. from a Heavy Manufacturing (M-2) 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**, Preferred Tufters, Inc., by and through its president and authorized representative, Jason Goldberg, has petitioned for rezoning of certain real property it owns from M-2 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 M-2 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All ordinances and parts of ordinances in conflict with this Ordinance are repealed.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"

Tax Parcel ID # 12-255-10-016

A certain tract or parcel of land lying and being in Land Lot 255 in the 12<sup>th</sup> District and 3rd Section of Whitfield County, Georgia, and being located in the City of Dalton, said State and County, being that identical tract as shown on plat of survey prepared by Peter L. Bakkum for Ronald Headrick, dated May 4, 1982, being more particularly described as follows:

BEGINNING at an iron pin located at the northeast corner of the dead end of Riverbend Drive; thence south 89 degrees 36 minutes west, following the north side of said Riverbend Drive, 110 feet to an iron pin at the east line of Fifth Avenue Subdivision; thence north, along the east side of said Fifth Avenue Subdivision, 61.7 feet to an iron pin; thence north 89 degrees 36 minutes east 110 feet to an iron pin; thence south 61.7 feet to the point of beginning.