

PT 12-182-19-000

FOR OFFICE USE ONLY: DATE RECEIVED: 8/20/2020

ACTION BY THE GOVERNING AUTHORITY: APPROVED: _____ DISAPPROVED: _____

APPLICATION FOR AMENDMENT OF THE UNIFIED ZONING ORDINANCE/MAP

Dalton: [check] _____
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: Bryan Spence Telephone: 706-847-6995

Mailing Address: 449 Burgess Rd. Dalton, GA. 30721

Email: bspence-1@yahoo.com

Address of Property to be Rezoned: ^{Lot} Lot 182 12th District 3rd section Tax parcel 12-182-19

Amendment to: Zoning Map [check] _____ Text Section _____

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: 1 1/2 1.56 acres; 50,775 square feet

Existing Zone Classification: R2

Proposed Zone Classification: R3

Present Use of Property: Vacant

Proposed Use of Property: Single Family Housing

If multi-family, total number of ^{LOTS} units: 7

Average size of unit (optional): 1200 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: 8-20-20

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 # 12-182-19 Chattanooga Ave.
Land Lot 182, 12th District, 3rd section city of Dalton.

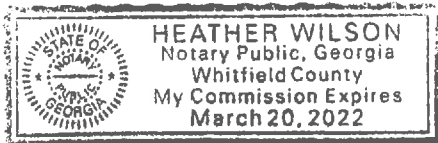
I appoint Bryan Spence
my attorney in fact with full authority, my name, place, and stead, to apply for the zoning amendment set forth in the attached application.

Anna C. G. G. G.
Owner

Sworn to and subscribed
before me, this 20th day
of August, 2020

[Signature]
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: August 20th, 2020

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 20th day of August, 2020.

Byron Spence
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: August 20, 2020

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 20 day of August, 2020



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.

As-Surveyed Description

ALL THAT TRACT or parcel of land lying and being in Land Lot No. 182 in the 12th District, 3rd Section in the City of Dalton, Whitfield County, Georgia, being shown as Tract 2, containing 1.56 acres, on that certain plat of survey for Intermark USA, Inc. and Brian Spence by Christopher Lee Lewis, Georgia PLS No. 3063, dated May 16, 2019, being more particularly described as follows:

BEGINNING at a 5/8-inch capped rebar on the eastern right of way of Chattanooga Avenue (having an 80-foot right of way), said point being located South 19 degrees 07 minutes 22 seconds East a distance of 189.08 feet from a 5/8-inch capped rebar located at the intersection of said right of way of Chattanooga Avenue with the southern right of way of Chenille Drive (having a 50-foot right of way); thence leaving said right of way of Chattanooga Avenue running North 74 degrees 02 minutes 29 seconds East a distance of 148.48 feet to a Mag nail and disk; thence South 11 degrees 42 minutes 14 seconds East a distance of 650.03 feet to a 2-inch pipe located on the northern right of way of Waters Street (being a 50-foot unopened right of way); thence South 82 degrees 35 minutes 16 seconds West along said right of way of Waters Street a distance of 57.23 feet to a 5/8-inch capped rebar on the eastern right of way of Chattanooga Avenue; thence along said right of way of Chattanooga Avenue following the arc of a curve to the left an arc distance of 250.23 feet (said arc having a radius of 3777.04 feet and being subtended by a chord bearing of North 21 degrees 01 minute 14 seconds West and a chord distance of 250.18 feet); thence continuing along said right of way of Chattanooga Avenue North 19 degrees 07 minutes 22 seconds West a distance of 391.12 feet to a 5/8-inch capped rebar and the POINT OF BEGINNING.

RESERVED FOR THE CLERK OF SUPERIOR COURT

PLAT NOTES

CLOSURE STATEMENT

THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE PRECISION OF 1:67,134' AND AN ANGULAR ERROR OF 03" PER ANGLE POINT.

THE FIELD DATA WAS ADJUSTED USING LEAST SQUARES.

THIS PLAT HAS A CLOSURE PRECISION OF 1:153,150.

EQUIPMENT

ALL FIELD MEASUREMENTS WERE MADE USING A SOKKIA IX1003 ROBOTIC TOTAL STATION AND SOKKIA SHC5000 FIELD CONTROLLER.

FLOOD STATEMENT

A PORTION OF THE SUBJECT PROPERTY DOES LIE WITHIN A 1% ANNUAL CHANCE SPECIAL FLOOD HAZARD AREA (100-YEAR FLOOD ZONE) AS SHOWN ON F.I.R.M. MAP NO. 13313C01386, EFFECTIVE DATE 09/19/2007, UPDATED BY LETTER OF MAP REVISION NO. 09-04-1965P, EFFECTIVE DATE 4/14/2010.

BASIS OF BEARINGS

BEARINGS ROTATED TO MONUMENTS FOUND AND SURVEY CONTROL POINTS LOCATED BY GPS OBSERVATION USING A SOKKIA GCS RECEIVER WITH A SOKKIA SHC5000 FIELD CONTROLLER OPERATING ON THE REAL TIME GNSS NETWORK OPERATED BY GPS SOLUTIONS, INC.

SOURCE OF TITLE

TITLE TO THE SUBJECT PARCEL IS CURRENTLY VESTED IN INTERMARK USA, INC. PER DEED BOOK 2896, PAGE 117.

REFERENCES

1. MAP OF CROWN COTTON MILLS, GROUP-3 BY RALPH D. STOUT DATED AUGUST 1953. (PLAT BOOK 3, PAGE 144)

ZONING INFORMATION

THE SUBJECT PROPERTY IS CURRENTLY ZONED M-2

BUILDING SETBACKS:

FRONT (MAJOR): 25'
(MINOR): 20'
SIDES: 15'
REAR: 25'

GENERAL NOTES

- 1. THIS PLAT WAS PREPARED BY THE SURVEYOR OR UNDER HIS DIRECT SUPERVISION BASED ON AN ACTUAL ON THE GROUND SURVEY.
2. THE BOUNDARY CONDITIONS AND IMPROVEMENTS ARE CERTIFIED ONLY AS OF THE DATE OF PLAT PREPARATION AS LISTED IN THE TITLE BLOCK.
3. NO TITLE REPORT WAS PROVIDED TO LEWIS & ASSOCIATES LAND SURVEYING, LLC. NOR WAS AN INDEPENDENT TITLE SEARCH PERFORMED BY LEWIS & ASSOCIATES LAND SURVEYING, LLC. ALL MATTERS PERTAINING TO TITLE ARE EXCEPTED.
4. ALL DIMENSIONS SHOWN ARE HORIZONTAL GROUND DISTANCES.
5. LEWIS & ASSOCIATES LAND SURVEYING, LLC DOES NOT CERTIFY AS TO THE EXISTENCE OR NON-EXISTENCE OF ANY WETLANDS OR HAZARDOUS WASTE IN THE SURVEY AREA. NO UNDERGROUND INVESTIGATIONS HAVE BEEN PERFORMED.
6. CERTIFICATION IS MADE ONLY TO THE PARTY(IES) NAMED ON THIS PLAT. CERTIFICATION DOES NOT EXTEND TO ANY UNNAMED PARTY(IES) WITHOUT AN EXPRESS RE-CERTIFICATION BY THE SURVEYOR.
7. THIS SURVEY PLAT MAY NOT BE REPRODUCED, SCANNED OR ALTERED IN ANY WAY WITHOUT THE WRITTEN CONSENT OF LEWIS & ASSOCIATES LAND SURVEYING, LLC.
8. COPIES OF THIS SURVEY ARE NOT VALID WITHOUT AN ORIGINAL SEAL AND SIGNATURE. COPIES WITHOUT AN ORIGINAL SIGNATURE SHOULD BE CONSIDERED PRELIMINARY AND ARE NOT VALID FOR RECORDING OR CONDUCTING LAND TRANSACTIONS.
9. ALL IRON PINS SET TO BE 5/8" REBAR WITH YELLOW CAP BEARING THE REGISTRATION NUMBER OF THE SURVEYOR UNLESS NOTED OTHERWISE.
10. THE TERM "CERTIFICATION" AS USED IN RULE "180-6-09(2) AND (3)" AND RELATING TO PROFESSIONAL ENGINEERING OR LAND SURVEYING SERVICES, AS DEFINED IN O.C.G.A. 43-15-2(6) AND (11), SHALL MEAN A SIGNED STATEMENT BASED UPON FACTS AND KNOWLEDGE KNOWN TO THE REGISTRANT AND IS NOT A GUARANTEE OR WARRANTY, EITHER EXPRESSED OR IMPLIED.
11. THIS SURVEY COMPLIES WITH BOTH THE RULES OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND THE OFFICIAL CODE OF GEORGIA ANNOTATED (O.C.G.A.) 15-6-67, IN THAT WHERE A CONFLICT EXISTS, THE REQUIREMENTS OF LAW PREVAIL.

SURVEYOR'S CERTIFICATION

Certificate of Accuracy

I HEREBY CERTIFY THAT THE PLAN SHOWN HEREON IS TRUE AND ACCURATE AND WAS PREPARED FROM AN ACTUAL SURVEY OF THE PROPERTY BY ME OR UNDER MY SUPERVISION TO THE ACCURACY REQUIRED BY THE SUBDIVISION REGULATIONS OF THE CITY OF DALTON, GEORGIA AND THAT MONUMENTS OR PINS HAVE BEEN PLACED TO THE SPECIFICATIONS SET FORTH IN SAID REGULATIONS.

Signature of Christopher L. Lewis, PLS, GA REGISTERED LAND SURVEYOR NO. 3063, DATE 5/17/19

AS REQUIRED BY SUBSECTION (d) OF O.C.G.A. SECTION 15-6-67, THIS PLAT HAS BEEN PREPARED BY A LAND SURVEYOR AND APPROVED BY ALL APPLICABLE LOCAL JURISDICTIONS FOR RECORDING AS EVIDENCED BY APPROVAL CERTIFICATES, SIGNATURES, STAMPS, OR STATEMENTS HEREON. SUCH APPROVALS OR AFFIRMATIONS SHOULD BE CONFIRMED WITH THE APPROPRIATE GOVERNMENTAL BODIES BY ANY PURCHASER OR USER OF THIS PLAT AS TO INTENDED USE OF ANY PARCEL. FURTHERMORE, THE UNDERSIGNED LAND SURVEYOR CERTIFIES THAT THIS PLAT COMPLIES WITH THE MINIMUM TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN THE RULES AND REGULATIONS OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN O.C.G.A. SECTION 15-6-67.



CHRISTOPHER L. LEWIS, PLS, GEORGIA RLS #3063, TENNESSEE RLS #2824

5/17/19 DATE

Certificate of Ownership & Dedication

I (WE) HEREBY CERTIFY THAT I AM (WE ARE) THE OWNERS OF THE PROPERTY SHOWN AND DESCRIBED HEREON AND THAT (WE) HEREBY ADOPT THIS PLAN OF SUBDIVISION, ESTABLISH THE MINIMUM SETBACK LINES AND DEDICATE TO THE USE OF THE PUBLIC FOREVER, ALL STREETS, PARKS, DRAINS, EASEMENTS, AND PUBLIC GROUNDS THEREON SHOWN, EXCEPT AS OTHERWISE NOTED. IT IS UNDERSTOOD THAT THIS CERTIFICATE DOES NOT CONSTITUTE THE DEDICATION OF LAND AND IMPROVEMENTS INTENDED TO BE DEDICATED AND THAT (WE) SHALL HAVE PREPARED TO THE SATISFACTION OF LEGAL COUNSEL FOR THE APPROPRIATE PUBLIC AGENCY, SUCH DOCUMENTATION AND MATERIALS AS NECESSARY TO EFFECT SUCH DEDICATION.

Signature of Brian Spence, OWNER, DATE 5-20-19

Certificate of Approval for Public Water System

I HEREBY CERTIFY THAT THE PUBLIC WATER SUPPLY AND DISTRIBUTION SYSTEM IN THIS SUBDIVISION HAVE BEEN SECURED BY SUFFICIENT SURETY TO BE INSTALLED TO MEET THE REQUIREMENTS OF DALTON UTILITIES.

5/17/19 Date, Mark Bruch, Dalton Utilities

Certificate of Approval for Public Wastewater Collection System

I HEREBY CERTIFY THAT THE PUBLIC SEWAGE COLLECTION AND DISPOSAL SYSTEM IN THIS SUBDIVISION HAVE BEEN INSTALLED (HAVE BEEN SECURED BY SUFFICIENT SURETY TO BE INSTALLED) IN AN ACCEPTABLE MANNER AND MEET FULLY THE REQUIREMENTS OF DALTON UTILITIES AND ARE HEREBY APPROVED.

5/17/19 Date, Mark Bruch, Dalton Utilities

Certificate of Approval for Fire Protection

I HEREBY CERTIFY THAT THE LOCATION OF THE FIRE HYDRANTS IN THIS SUBDIVISION ARE INSTALLED (PLANNED FOR INSTALLATION) IN CONFORMANCE WITH RECOMMENDATIONS OF THE DALTON FIRE DEPARTMENT AND ARE HEREBY APPROVED.

5-17-19 Date, Dan Bly, City of Dalton, GA Fire Chief

Certificate of Approval for Streets & Drainage

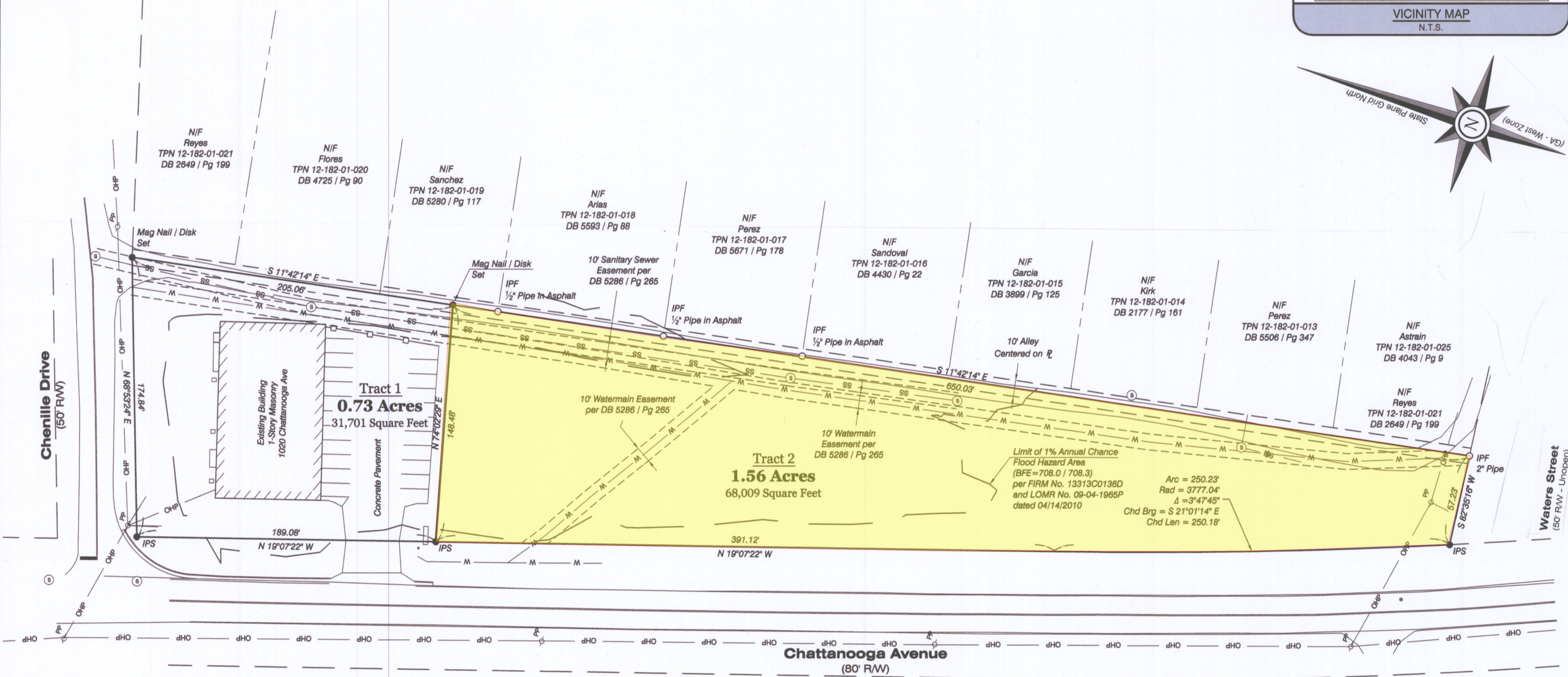
I HEREBY CERTIFY THAT THE STREETS AND DRAINAGE IMPROVEMENTS IN THE SUBDIVISION HAVE BEEN INSTALLED (HAVE BEEN SECURED BY SUFFICIENT SURETY TO BE INSTALLED) IN AN ACCEPTED MANNER AND MEET ALL THE REQUIREMENTS OF THE SUBDIVISION REGULATIONS OF THE CITY OF DALTON.

05/20/2019 Date, Signature, City of Dalton Public Works

Certificate of Approval for Recording (Minor Subdivision)

I HEREBY CERTIFY THAT THE SUBDIVISION PLAT SHOWN HEREON HAS BEEN FOUND TO COMPLY WITH THE SUBDIVISION REGULATIONS OF THE CITY OF DALTON, GEORGIA, AND THAT IT HAS BEEN APPROVED BY THE DALTON- WHITFIELD COUNTY PLANNING COMMISSION FOR RECORDING IN THE OFFICE OF SUPERIOR COURT OF WHITFIELD COUNTY, GEORGIA.

Signature, SECRETARY DALTON-WHITFIELD COUNTY PLANNING COMMISSION, DATE



LEWIS & ASSOCIATES LAND SURVEYING & PLANNING, LLC. P.O. BOX 2046, DALTON, GA 30722. TEL: 706.278.7516. WWW.LEWISLANDSURVEYING.COM

GEORGIA REGISTERED LAND SURVEYOR No. 3063 CHRISTOPHER L. LEWIS. GEORGIA C.O.A. #1169, GWCC CERTIFICATION NO. 3115

INTERMARK USA, INC. BRIAN SPENCE. BEING TAX PARCEL NO. 12-182-19 LOCATED IN LAND LOT 182, 12th DISTRICT, 3rd SECTION CITY OF DALTON, WHITFIELD COUNTY, GEORGIA

TO BE NOTIFIED OF ACTION

CHRISTOPHER L. LEWIS, PLS, P.O. BOX 2046, DALTON, GA 30722-2046, TEL: 706.278.7518

Table with 2 columns: SYMBOL and LEGEND. Includes symbols for storm manhole, sanitary sewer manhole, water meter, fire hydrant, water valve, utility pole, telephone pedestal, light pole, iron pin found (IPF), iron pin set (IPS), building setback line, centerline, overhead power line, chain link fence, open top pipe, crimped top pipe, point of beginning, deed book/page, plat book/page, tax parcel number.

Table with 2 columns: SURVEY DATE, SURVEY CREW, COMPUTED BY, DATE DRAWN, DRAWN BY, CHECKED BY, REVISIONS, REVISION DATE. Includes a graphic scale and a table for drawing file, DWG scale, and sheet number.

811 Know what's below. Call before you dig. GRAPHIC SCALE (IN FEET) 1 inch = 40 ft.