



Dallas Planning Commission

Thursday, November 02, 2023

6:00 PM

City Hall, 129 E Memorial Dr, Dallas GA 30132

Individuals with disabilities who require certain accommodations in order to allow them to observe and/or participate in this meeting, or who have questions regarding the accessibility of a meeting or the facilities, are required to promptly contact the City's ADA Coordinator at 770-443-8110 ext. 1604 or e-mail rbruce@dallasga.gov to allow the city to make reasonable accommodations for those persons.

AGENDA

CALL TO ORDER

MINUTES APPROVAL

1. Consideration for the approval of the Minutes from 8/3/2023.

RECOGNITION OF VISITORS

2. None

REPORTS

3. None

OLD BUSINESS

4. None

NEW BUSINESS

5. Zoning Application Z-2023-08 Kerley Family Homes, LLC have applied to zone/rezone a portion of Land Lot(s) 273 in the 2nd District, 3rd Section of Paulding County, located at 260 Merchants Drive, within City of Dallas, Georgia, from a Zoning District of C-2 Commercial to a Zoning District of R-4 Residential and C-2 Commercial, in the City of Dallas.
6. Zoning Application Z-2023-09 Kerley Family Homes, LLC have applied to zone/rezone a portion of Land Lot(s) 273 in the 2nd District, 3rd Section of Paulding County, located at 200 Clay Drive, within City of Dallas, Georgia, from a zoning of R-1 Residential District to a Zoning District of R-4 Residential and C-2 Commercial, in the City of Dallas.
7. First National Community Bank has submitted development plans for property that is located within the Corridor Overlay District. The property is 0.93 acres located at 104 Village Walk, Dallas, GA 30132.
8. The City of Dallas has proposed text amendments to the Zoning Ordinance.
9. Consideration for the 2024 meeting schedule.

ADJOURNMENT



Dallas Planning Commission

Thursday, August 03, 2023

6:00 PM

City Hall, 129 E Memorial Dr, Dallas GA 30132

MINUTES

CALL TO ORDER

PRESENT

Terry Johnson
Debbie Ewing
Ryan Ayers
Andrew Nesbit

ABSENT

David Holt

MINUTES APPROVAL

1. Consideration for the approval of the Minutes from 6/1/2023.

Motion to approve the Minutes from 6/1/2023

Motion made by Ayers, Seconded by Ewing.

Voting Yea: Ewing, Ayers, Nesbit

RECOGNITION OF VISITORS

2. None

REPORTS

3. None

OLD BUSINESS

4. None

NEW BUSINESS

5. Annexation Application A-2023-01

Annexation Application A-2023-01 Geosam Capital US, LLC have applied for annexation and to zone/rezone a portion of Land Lot(s) 566, and 567 in the 2nd District, 3rd Section of Paulding County, located South of Happy Valley Church Rd, East of Cole Lake Rd, and West of Arbor Creek Dr, within Paulding County, Georgia, from a zoning District of R-2 Residential in Paulding County, GA to a District of R2-C Residential, in the City of Dallas, GA.

Steven L. Jones spoke in favor of the application. No one spoke in opposition.

Motion to approve recommendation of Annexation Application A-2023-01.

Motion made by Ayers, Seconded by Ewing.

Voting Yea: Ewing, Ayers

Voting Nay: Nesbit

6. Zoning Application Z-2023-04

Zoning Application Z-2023-04 Geosam Capital US, LLC have applied for annexation and to zone/rezone a portion of Land Lot(s) 566, and 567 in the 2nd District, 3rd Section of Paulding County, located South of Happy Valley Church Rd, East of Cole Lake Rd, and West of Arbor Creek Dr, within Paulding County, Georgia, from a zoning District of R-2 Residential in Paulding County, GA to a District of R2-C Residential, in the City of Dallas, GA.

Steven L. Jones spoke in favor of the application. Todd Pownall spoke in opposition of the application.

Motion to deny recommendation of Zoning Application Z-2023-04.

Motion made by Ayers, Seconded by Nesbit.

Voting Yea: Ewing, Ayers

7. Annexation Application A-2023-02

Annexation Application A-2023-02 Paulding County Land Development, LLC have applied for annexation and to zone/rezone a portion of Land Lot(s) 494, 495, 514, 515, 566, and 567 in the 2nd District, 3rd Section of Paulding County, located South of Happy Valley Church Rd, East of Cole Lake Rd, and West of Arbor Creek Dr, within Paulding County, Georgia, from a zoning District of R-2 Residential in Paulding County, GA to a District of R2-C Residential, in the City of Dallas, GA.

Steven L. Jones spoke in favor of the application. Todd Pownall spoke in opposition.

Motion to approve recommendation of Annexation Application A-2023-02.

Motion made by Ayers, Seconded by Ewing.

Voting Yea: Ewing, Ayers, Nesbit

8. Zoning Application Z-2023-05

Zoning Application Z-2023-05 Paulding County Land Development, LLC have applied for annexation and to zone/rezone a portion of Land Lot(s) 494, 495, 514, 515, 566, and 567 in the 2nd District, 3rd Section of Paulding County, located South of Happy Valley Church Rd, East of Cole Lake Rd, and West of Arbor Creek Dr, within Paulding County, Georgia, from a zoning District of R-2 Residential in Paulding County, GA to a District of R2-C Residential, in the City of Dallas, GA.

Steven L. Jones spoke in favor of the application. Todd Pownall, Nancy Chisholm, Dennis Widner, Jimmy Anglin, and Stan Chisholm spoke in opposition of the application.

Motion to deny recommendation of Zoning Application Z-2023-05.

Motion made by Ewing, Seconded by Nesbit.
Voting Yea: Ewing, Ayers, Nesbit

9. Zoning Application Z-2023-06

Zoning Application Z-2023-06 Paulding County Land Development, LLC have applied for annexation and to zone/rezone a portion of Land Lot(s) 514 in the 2nd District, 3rd Section of Paulding County, located South of Happy Valley Church Rd, East of Cole Lake Rd, and West of Arbor Creek Dr, within Paulding County, Georgia, from a zoning District of R-2 Residential in Paulding County, GA to a District of R2-C Residential, in the City of Dallas, GA.

Steven L. Jones spoke in favor of the application. Todd Pownall and Stan Chisholm spoke in opposition of the application.

Motion to deny recommendation of Zoning Application Z-2023-06.

Motion made by Ayers, Seconded by Nesbit.
Voting Yea: Ewing, Ayers, Nesbit

10. Zoning Application Z-2023-07

Zoning Application Z-2023-07 Paulding County Land Development, LLC have applied for annexation and to zone/rezone a portion of Land Lot(s) 514 and 567 in the 2nd District, 3rd Section of Paulding County, located South of Happy Valley Church Rd, East of Cole Lake Rd, and West of Arbor Creek Dr, within Paulding County, Georgia, from a zoning District of R-2 Residential in Paulding County, GA to a District of R2-C Residential, in the City of Dallas, GA.

Steven L. Jones spoke in favor of the application. Todd Pownall and Allen Hornback spoke in opposition of the application.

Motion to deny recommendation of Zoning Application Z-2023-07.

Motion made by Nesbit, Seconded by Ayers.
Voting Yea: Ewing, Ayers, Nesbit

ADJOURNMENT

Motion to adjourn.

Motion made by Ayers, Seconded by Nesbit.
Voting Yea: Ewing, Ayers, Nesbit

Board Secretary

Date

Z-2023-08

STAFF COMMENTS:

The applicant (Kerley Family Homes, LLC) is proposing to rezone 15.57 acres from C-2 to R-4. The front portion of the property is to remain C-2. The property is located at 260 Merchants Drive. The property is to be combined with adjacent property in zoning application Z-2023-09 for a total of 18.01 acres.

Properties that border the site to the North, East, South, and West are currently inside City limits.

A. Existing land use and zoning classification of nearby property:

ADJACENT ZONING

ADJACENT DEVELOPMENT

NORTH: Dallas R-2
Dallas C-2

NORTH: Residential, single family
Commercial

EAST: Dallas R-2

EAST: Residential, single family
City Park

SOUTH: Dallas C-2

SOUTH: Commercial

WEST: Dallas C-2

WEST: Commercial

B. Permitted Use impact on adjacent properties.

Proposed use will increase number or residents who could potentially patron adjacent businesses.

C. Adverse effect on the usability of adjacent or nearby property?

None

D. Proposal cause excessive or burdensome use of streets, transportation facilities, utilities, schools

Increased traffic on City streets. May increase student population of nearby schools.

E. Supported by current conditions

Water and Sewer are available.

F. 2022 Comp Plan

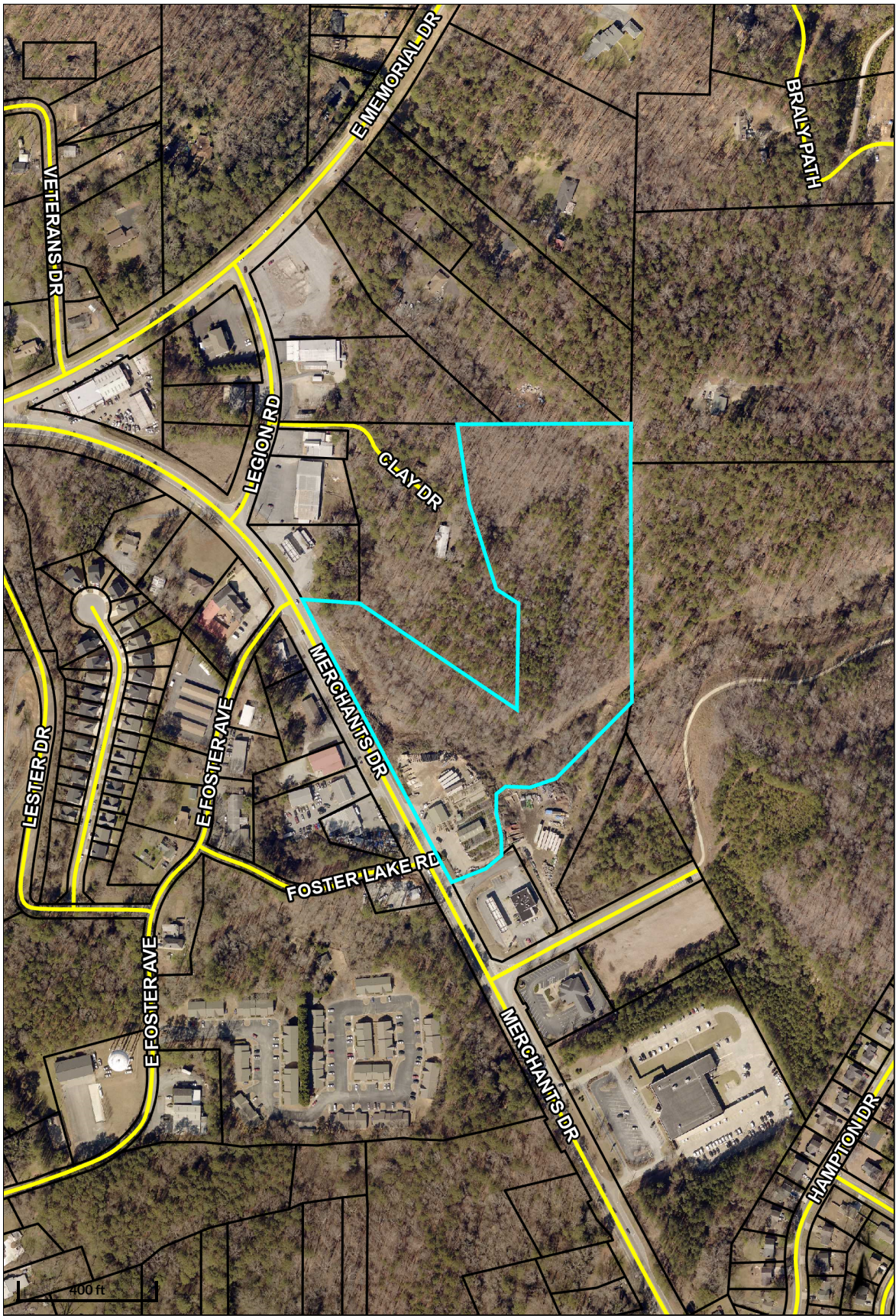
The 2022 Comp Plan Future Land use map is Commercial.

Based on the preceding analysis, staff recommends approval with the following stipulations:

1. Developer is responsible for off-site downstream sewer infrastructure improvements that are required. Improvements must be installed and accepted by City prior to final plat approval.
2. Development shall be constructed in substantial conformity with the site plan provided in zoning application.
3. Developer shall provide a minimum 20-foot planted or natural (where possible) buffer adjacent to the property boundaries as shown on the zoning site plan.
4. Developer shall provide a berm with two rows of evergreen trees staggered six feet on center where the development borders single family residential properties. Berm with evergreen trees shall be located on the development side of the 20-foot planted or natural buffer.
5. Developer shall provide fence along development side of 20-foot buffer along north and east sides of development.
6. Developer shall provide a 10-foot concrete multi-use trail along the entire length of property frontage along Merchants Drive for connection to City of Dallas Battlefield Trail.
7. Developer shall provide curb and gutter along the entire length of property frontage along Merchants Drive.
8. Developer is responsible for providing required all development entrance improvements as required by Georgia DOT.
9. Developer is responsible for providing and installing license plate reader camera at development entrance compatible with the City of Dallas Police Department system.
10. Home Owners Association with mandatory membership required for preservation and maintenance of common areas.
11. Developer shall submit detailed architectural, site, and landscaping plans to the City of Dallas for design review approval.

Unless explicitly stated herein, all other development standards shall comply with the R-4 zoning district as written in the City of Dallas Code of Ordinances.

The findings made herein are the opinions of the City of Dallas, Ga Development staff and do not constitute a final decision. The City of Dallas, Ga Mayor and Council makes the final decision on all Zoning/Rezoning, Land Use Permit, Special Use Permit, and Medical Hardship Applications.



- Legend**
- Parcels
 - Subdivision Names
 - Roads



ZONING / REZONING APPLICATION

City of Dallas, Georgia

Application # _____

Hearing Dates: PC: _____

CC: _____ OFFICE OF THE CITY CLERK
FILED DATE 3

Item 5.

(PLEASE PRINT OR TYPE ALL INFORMATION)

Applicant: Kerley Family Homes, LLC Business phone: 770-792-5500 ext 106 Cell: 678-438-9227

Address: 3957 South Main Street Home phone: _____

City: Acworth State: GA Zip: 30101 Fax phone: _____

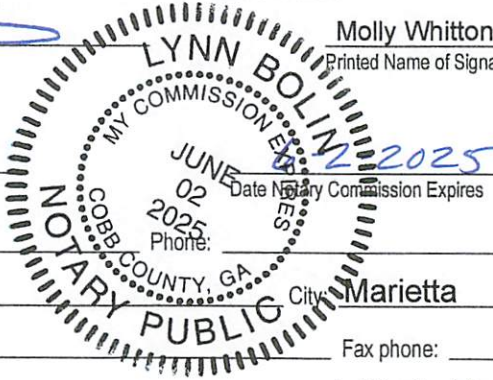
E-mail address: mwhitton@kerleyfamilyhomes.com

[Signature]
Applicant's Signature

Molly Whitton - Development Manager
Printed Name of Signatory

Signed, sealed and delivered in the presence of:

[Signature]
Notary Public



Representative: J. Kevin Moore Cell: 770-429-1499

Address: 326 Roswell Sreet City: Marietta State: GA Zip: 30060

E-mail address: JKM@mjjs.com Fax phone: _____

BY: [Signature]
Representative's Signature

J. Kevin Moore
Printed Name of Signatory

Signed, sealed and delivered in the presence of:

[Signature]
Notary Public

January 10, 2027
Date Notary Commission Expires



Titleholder: Martha D Hendrix Business phone: _____ Home phone: _____
(Each Titleholder must have a separate, complete form with notarized signatures)

Address: 260 Merchants Drive City: Dallas State: GA Zip: 30132

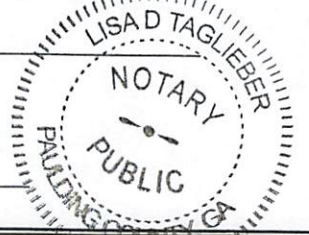
[Signature]
Signature

Martha D Hendrix
Printed Name of Signatory

Signed, sealed and delivered in the presence of:

[Signature]
Notary Public

4-3-2027
Date Notary Commission Expires



Property Information

Present Zoning Classification: R-1 Requested Zoning Classification: R-4, C-2 (overall)

Total Acreage of Zoning/Rezoning Application: 18.01 Acreage of Titleholder: 2.44

Land Lot(s): 273 District(s): 2nd Section(s): 3rd Tax Parcel I.D. Number(s): 138.1.1.055.0000

Location of Property: 260 Merchants Drive Dallas, GA 30132
Physical address, if available, and nearest intersections (i.e. east/west side of given road, and north/south of given road)

Detailed description of proposed development (including maximum number of lots, if residential, or number of units): R-4 zoning for single-family, attached, townhomes, maximum 91 units; C-2 zoning for allowable commercial uses

Filed with City: _____ (Date) _____ (Signature)

City of Dallas Planning Commission Recommendation: Approve Disapprove No recommendation

Conditions, reasons, stipulations: _____

City Council Decision: Approve Approve as different classification Disapprove

Conditions, reasons, stipulations: _____



ZONING / REZONING APPLICATION

City of Dallas, Georgia

Application # _____ - _____

Hearing Dates: PC: _____ CC: _____

OFFICE _____

Time/Date _____

Item 5.

(PLEASE PRINT OR TYPE ALL INFORMATION)

Applicant: Kerley Family Homes, LLC Business phone: 770-792-5500 ext 106 Cell: 678-438-9227

Address: 3957 South Main Street Home phone: _____

City: Acworth State: GA Zip: 30101 Fax phone: _____

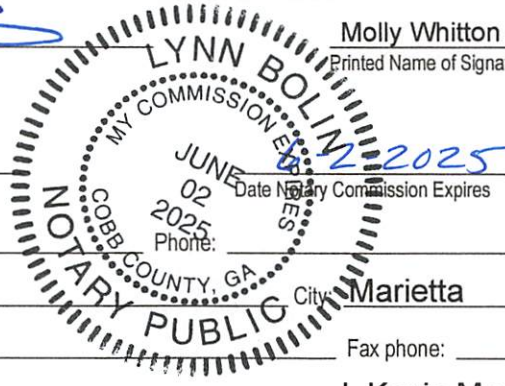
E-mail address: mwhitton@kerleyfamilyhomes.com

[Signature]
Applicant's Signature

Molly Whitton - Development Manager
Printed Name of Signatory

Signed, sealed and delivered in the presence of:

[Signature]
Notary Public



2025
Date Notary Commission Expires

Representative: J. Kevin Moore Cell: 770-429-1499

Address: 326 Roswell Sreet City: Marietta State: GA Zip: 30060

E-mail address: JKM@mjjs.com Fax phone: _____

BY: [Signature]
Representative's Signature

J. Kevin Moore
Printed Name of Signatory

Signed, sealed and delivered in the presence of:

[Signature]
Notary Public

January 10, 2027
Date Notary Commission Expires



Titleholder: Martha D Hendrix Business phone: _____ Home phone: _____

(Each Titleholder must have a separate, complete form with notarized signatures)

Address: 260 Merchants Drive City: Dallas State: GA Zip: 30132

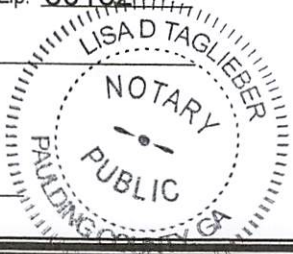
[Signature]
Signature

Martha D Hendrix
Printed Name of Signatory

Signed, sealed and delivered in the presence of:

[Signature]
Notary Public

4-3-2027
Date Notary Commission Expires



Property Information

Present Zoning Classification: R-1 Requested Zoning Classification: R-4, C-2 (overall)

Total Acreage of Zoning/Rezoning Application: 18.01 Acreage of Titleholder: 2.44

Land Lot(s): 273 District(s): 2nd Section(s): 3rd Tax Parcel I.D. Number(s): 115.4.4.003.0000 ~~138.1.1.055.0000~~ BE

Location of Property: 260 Merchants Drive Dallas, GA 30132

Physical address, if available, and nearest intersections (i.e. east/west side of given road, and north/south of given road)

Detailed description of proposed development (including maximum number of lots, if residential, or number of units): R-4 zoning for single-family, attached, townhomes, maximum 91 units; C-2 zoning for allowable commercial uses

Filed with City: _____ (Date) _____ (Signature)

City of Dallas Planning Commission Recommendation: Approve Disapprove No recommendation

Conditions, reasons, stipulations: _____

City Council Decision: Approve Approve as different classification Disapprove

Conditions, reasons, stipulations: _____



ZONING / REZONING APPLICATION
City of Dallas, Georgia

Application # _____ - _____
Hearing Dates: PC: _____ CC: _____

OFFICE U
Time/Date S
Item 5.

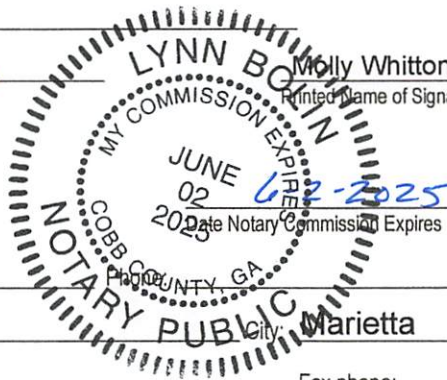
(PLEASE PRINT OR TYPE ALL INFORMATION)

Applicant: Kerley Family Homes, LLC Business phone: 770-792-5500 ext 106 Cell: 678-438-9227
Address: 3957 South Main Street Home phone: _____
City: Acworth State: GA Zip: 30101 Fax phone: _____
E-mail address: mwhitton@kerleyfamilyhomes.com

[Signature]
Applicant's Signature Molly Whitton - Development Manager
Printed Name of Signatory

Signed, sealed and delivered in the presence of:

[Signature]
Notary Public



Representative: J. Kevin Moore Cell: 770-429-1499
Address: 326 Roswell Sreet City: Marietta State: GA Zip: 30060
E-mail address: JKM@mijs.com Fax phone: _____

BY: [Signature]
Representative's Signature

J. Kevin Moore
Printed Name of Signatory

Signed, sealed and delivered in the presence of:
[Signature]
Notary Public

January 10, 2027
Date Notary Commission Expires



Titleholder: Douglas E Hendrix Business phone: _____ Home phone: _____
(Each Titleholder must have a separate, complete form with notarized signatures)

Address: 260 Merchants Drive City: Dallas State: GA Zip: 30132

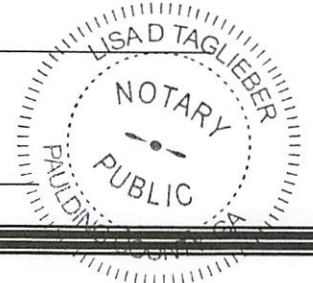
[Signature]
Signature

Douglas E Hendrix
Printed Name of Signatory

Signed, sealed and delivered in the presence of:

[Signature]
Notary Public

4-3-2027
Date Notary Commission Expires



Property Information

Present Zoning Classification: R-1 Requested Zoning Classification: R-4, C-2 (overall)

Total Acreage of Zoning/Rezoning Application: 18.01 Acreage of Titleholder: 2.44

Land Lot(s): 273 District(s): 2nd Section(s): 3rd Tax Parcel I.D. Number(s): 115.4.4.003.0000
BE 200 Clay 138.1.1.055.0000 BE

Location of Property: 260 Merchants Drive Dallas, GA 30132
Physical address, if available, and nearest intersections (i.e. east/west side of given road, and north/south of given road)

Detailed description of proposed development (including maximum number of lots, if residential, or number of units): R-4 zoning for single-family, attached, townhomes, maximum 91 units; C-2 zoning for allowable commercial uses

Filed with City: _____ (Date) _____ (Signature)

City of Dallas Planning Commission Recommendation: Approve Disapprove No recommendation

Conditions, reasons, stipulations: _____

City Council Decision: Approve Approve as different classification Disapprove

Conditions, reasons, stipulations: _____



ZONING / REZONING APPLICATION

City of Dallas, Georgia

Application # _____ - _____

Hearing Dates: PC: _____ CC: _____

OFFICE U

Time/Date S

Item 5.

(PLEASE PRINT OR TYPE ALL INFORMATION)

Applicant: Kerley Family Homes, LLC Business phone: 770-792-5500 ext 106 Cell: 678-438-9227

Address: 3957 South Main Street Home phone: 770-792-5500 ext 106

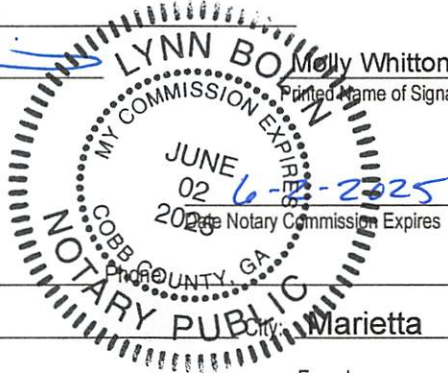
City: Acworth State: GA Zip: 30101 Fax phone: _____

E-mail address: mwhitton@kerleyfamilyhomes.com

Applicant's Signature

Signed, sealed and delivered in the presence of:

Notary Public



Molly Whitton - Development Manager
Printed Name of Signatory

JUNE 02 6-2-2025
Date Notary Commission Expires

Representative: J. Kevin Moore Cell: 770-429-1499

Address: 326 Roswell Sreet City: Marietta State: GA Zip: 30060

E-mail address: JKM@mijs.com Fax phone: _____

BY: J. Kevin Moore
Representative's Signature

J. Kevin Moore
Printed Name of Signatory

Signed, sealed and delivered in the presence of:

Notary Public

January 10, 2027
Date Notary Commission Expires



Titleholder: Nancy Rakestraw Arnold Business phone: _____ Home phone: _____
(Each Titleholder must have a separate, complete form with notarized signatures)

Address: 260 Merchants Drive City: Dallas State: GA Zip: 30132

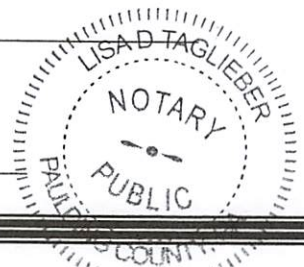
Signature

Nancy Rakestraw Arnold
Printed Name of Signatory

Signed, sealed and delivered in the presence of:

Notary Public

4-3-2027
Date Notary Commission Expires



Property Information

Present Zoning Classification: C-2 Requested Zoning Classification: R-4, C-2 (overall)

Total Acreage of Zoning/Rezoning Application: 18.01 Acreage of Titleholder: 15.57

Land Lot(s): 273 District(s): 2nd Section(s): 3rd Tax Parcel I.D. Number(s): 138.1.1.055.0000

Location of Property: 260 Merchants Drive Dallas, GA 30132
Physical address, if available, and nearest intersections (i.e. east/west side of given road, and north/south of given road)

Detailed description of proposed development (including maximum number of lots, if residential, or number of units): R-4 zoning for single-family, attached, townhomes, maximum 91 units; C-2 zoning for allowable commercial uses

Filed with City: _____ (Date) _____ (Signature)

City of Dallas Planning Commission Recommendation: Approve Disapprove No recommendation

Conditions, reasons, stipulations: _____

City Council Decision: Approve Approve as different classification Disapprove

Conditions, reasons, stipulations: _____



ZONING / REZONING APPLICATION

City of Dallas, Georgia

Application # _____ - _____

Hearing Dates: PC: _____ CC: _____

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(PLEASE PRINT OR TYPE ALL INFORMATION)

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Address: 3957 South Main Street Home phone: 770-792-5500 ext 106

City: Acworth State: GA Zip: 30101 Fax phone: _____

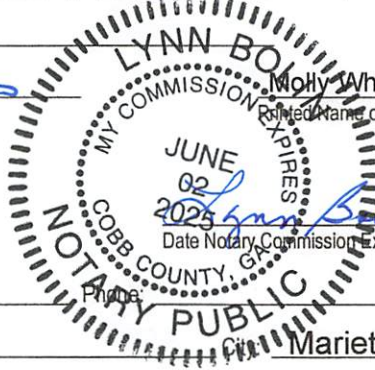
E-mail address: mwhitton@kerleyfamilyhomes.com

[Signature]
Applicant's Signature

Molly Whitton - Development Manager
Printed Name of Signatory

Signed, sealed and delivered in the presence of:

[Signature]
Notary Public



[Signature] 6-2-2025
Date Notary Commission Expires

Representative: J. Kevin Moore Cell: 770-429-1499

Address: 326 Roswell Sreet City: Marietta State: GA Zip: 30060

E-mail address: JKM@mijs.com Fax phone: _____

BY: [Signature]
Representative's Signature

J. Kevin Moore
Printed Name of Signatory

Signed, sealed and delivered in the presence of:

[Signature]
Notary Public

January 10, 2027
Date Notary Commission Expires



Titleholder: Judy Rakestaw Barnette Business phone: _____ Home phone: _____

(Each Titleholder must have a separate, complete form with notarized signatures)

Address: 260 Merchants Drive City: Dallas State: GA Zip: 30132

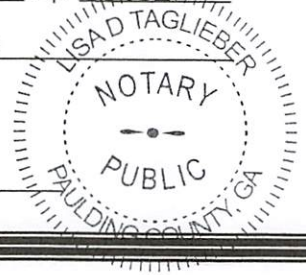
[Signature]
Signature

Judy Rakestraw Barnette
Printed Name of Signatory

Signed, sealed and delivered in the presence of:

[Signature]
Notary Public

4-3-2027
Date Notary Commission Expires



Property Information

Present Zoning Classification: C-2 Requested Zoning Classification: R-4, C-2 (overall)

Total Acreage of Zoning/Rezoning Application: 18.01 Acreage of Titleholder: 15.57

Land Lot(s): 273 District(s): 2nd Section(s): 3rd Tax Parcel I.D. Number(s): 138.1.1.055.0000

Location of Property: 260 Merchants Drive Dallas, GA 30132

Physical address, if available, and nearest intersections (i.e. east/west side of given road, and north/south of given road)

Detailed description of proposed development (including maximum number of lots, if residential, or number of units): R-4 zoning for single-family attached, townhomes, maximum 91 units; C-2 zoning for allowable commercial uses.

Filed with City: _____ (Date) _____ (Signature)

City of Dallas Planning Commission Recommendation: Approve Disapprove No recommendation

Conditions, reasons, stipulations: _____

City Council Decision: Approve Approve as different classification Disapprove

Conditions, reasons, stipulations: _____



ZONING / REZONING APPLICATION

City of Dallas, Georgia

Application # _____ - _____

Hearing Dates: PC: _____ CC: _____

OFFICE U

Time/Date S

Item 5.

(PLEASE PRINT OR TYPE ALL INFORMATION)

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Address: 3957 South Main Street Home phone: _____

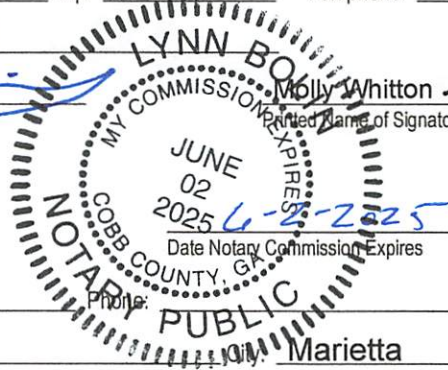
City: Acworth State: GA Zip: 30101 Fax phone: _____

E-mail address: mwhitton@kerleyfamilyhomes.com

Applicant's Signature

Signed, sealed and delivered in the presence of:

Notary Public



Molly Whitton - Development Manager
Printed Name of Signatory

JUNE 02 2025 6-2-2025
Date Notary Commission Expires

Representative: J. Kevin Moore Cell: 770-429-1499

Address: 326 Roswell Sreet City: Marietta State: GA Zip: 30060

E-mail address: JKM@mijs.com Fax phone: _____

BY: J. Kevin Moore
Representative's Signature

J. Kevin Moore
Printed Name of Signatory

Signed, sealed and delivered in the presence of:

Notary Public

January 10, 2027
Date Notary Commission Expires



Titleholder: June G Rakestraw Business phone: _____ Home phone: _____

(Each Titleholder must have a separate, complete form with notarized signatures)

Address: 260 Merchants Drive City: Dallas State: GA Zip: 30132

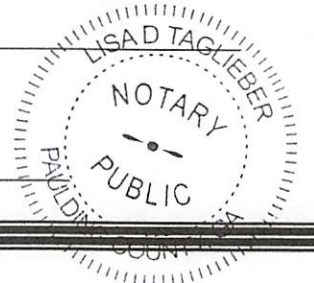
June G. Rakestraw
Signature

June G Rakestraw
Printed Name of Signatory

Signed, sealed and delivered in the presence of:

Notary Public

4-3-2027
Date Notary Commission Expires



Property Information

Present Zoning Classification: C-2 Requested Zoning Classification: R-4, C-2 (overall)

Total Acreage of Zoning/Rezoning Application: 18.01 Acreage of Titleholder: 15.57

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Physical address, if available, and nearest intersections (i.e. east/west side of given road, and north/south of given road)

Detailed description of proposed development (including maximum number of lots, if residential, or number of units): R-4 zoning for single-family, attached, townhomes, maximum 91 units; C-2 zoning for allowable commercial uses

Filed with City: _____ (Date) _____ (Signature)

City of Dallas Planning Commission Recommendation: Approve Disapprove No recommendation

Conditions, reasons, stipulations: _____

City Council Decision: Approve Approve as different classification Disapprove

Conditions, reasons, stipulations: _____



Applicant / Representative Attendance Required

Applicant or representative must be present at the public hearings before the Dallas Planning Commission and the Mayor and City Council. Failure to attend may result in dismissal with prejudice, rejection of the application, or continuance of the hearing at the Commission or Council's sole discretion.

I / We (Cross Out One) have investigated the site as to the existence of archeological and/or architectural landmarks. I / We (Cross Out One) hereby certify there are / are not (Cross Out One) any such assets. If any exist, documentation must be provided with the application.

I / We (Cross Out One) have investigated the site as to the existence of any cemetery located on the property. I / We (Cross Out One) hereby certify there is / is not (Cross Out One) such a cemetery. If any exist, documentation must be provided with the application, including notice to the Paulding County Cemetery Commission.

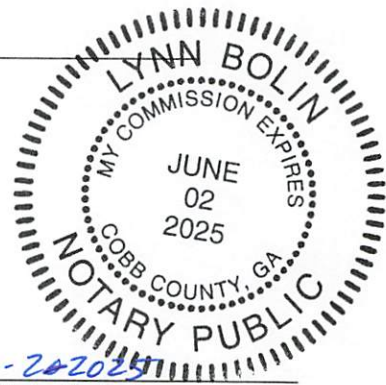
Signature of Applicant/Representative

7.25.23

Date

Molly Whitton - ~~Development Manager~~

Printed Name of Applicant/Representative



Signed, sealed and delivered in the presence of:

Notary Public Signature

6-2025

Commission Expiration

Signature of Applicant/Representative

Date

Printed Name of Applicant/Representative

Signed, sealed and delivered in the presence of:

Notary Public Signature

Commission Expiration

Disclosure Statement

(Required by O.C.G.A. 36-67A)



I (we), Kerley Family Homes, LLC, do hereby certify that, to the best of my (our) knowledge, no elected official of the City of Dallas, Georgia has a property interest, a financial interest nor does any family member of an elected official of the City of Dallas, Georgia have a property interest or financial interest in this property or in this application for rezoning except as follows:

N/A

I (we), Kerley Family Homes, LLC, do further certify that we, nor the property owner, have not contributed any monies and/or gifts totaling over \$250.00 within the last two years to any elected official of the City of Dallas, Georgia except for the following (Give the names of officials, dates and amounts of contribution):

N/A

7.31.23
Date

Applicant

Disclosure Statement (Required by O.C.G.A. 36-67A)



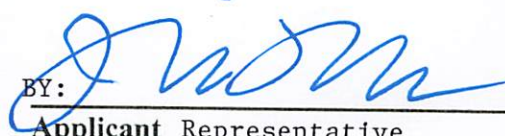
Moore Ingram Johnson &
 (we), Steele, LLP, do hereby certify that, to the best of my (our) knowledge, no elected official of the City of Dallas, Georgia has a property interest, a financial interest nor does any family member of an elected official of the City of Dallas, Georgia have a property interest or financial interest in this property or in this application for rezoning except as follows:

Not Applicable.

Moore Ingram Johnson &
 (we), Steele, LLP, do further certify that we, nor the property owner, have not contributed any monies and/or gifts totaling over \$250.00 within the last two years to any elected official of the City of Dallas, Georgia except for the following (Give the names of officials, dates and amounts of contribution):

Not Applicable.

MOORE INGRAM JOHNSON & STEELE, LLP

BY: 
Applicant Representative

J. Kevin Moore
Attorneys for Applicant and Property

July 31, 2023
Date

Owners

**CITY OF DALLAS
LEGAL NOTICE
ZONING / REZONING**



I / WE(Choose one), Kerley Family Homes, LLC
HAVE APPLIED TO ZONE/REZONE A PORTION OF LAND LOT(S) 273
IN THE 2nd DISTRICT AND 3rd SECTION OF PAULDING COUNTY, LOCATED
AT 260 Merchants Drive Dallas, GA 30132 WITHIN THE CITY OF DALLAS, GEORGIA,
FROM A ZONING DISTRICT OF C-2 & R-1 TO A ZONING DISTRICT OF
C2 and R4 SUBJECT TO PUBLIC HEARING TO BE HELD AT
7:00 PM AT THE DALLAS CITY COUNCIL ROOM, 129 EAST MEMORIAL DRIVE, DALLAS, GEORGIA.

SAID PUBLIC HEARING WILL BE HELD ON _____ BEFORE THE
CITY OF DALLAS PLANNING COMMISSION AND ON _____ BEFORE THE
MAYOR AND COUNCIL OF THE CITY OF DALLAS.

THIS, THE 31 DAY OF July, 2023.

Molly Whitton / Development Manager
APPLICANT(S) NAME

For City Use

NOTICE WILL RUN WEEKS OF: _____
AND THE WEEK OF: _____
AND THE WEEK OF: _____

For City Use

CITY OF DALLAS ZONING/ REZONING REQUEST DISPOSITION FORM



A PUBLIC HEARING WAS HELD ON AN APPLICATION FOR ZONING/REZOING REQUESTED BY _____ AT THE DALLAS COUNCIL ROOM. SAID HEARING WAS HELD ON _____.

THE CITY OF DALLAS PLANNING COMMISSION RECOMMENDS TO THE DALLAS CITY COUNCIL THAT THE ABOVE APPLICATION BE:

- APPROVED
- DISAPPROVED

PLEASE INDICATE BELOW ANY COMMENTS, REASONS FOR DISAPPROVAL, OPPOSITION TO THE REQUEST AND/OR ANY CONDITIONS THAT SHOULD BE MADE A PART OF THE ZONING AMENDMENT.

DATE

SECRETARY TO THE PLANNING
COMMISSION

PRINTED NAME

**MERCHANTS DRIVE PROPERTY
LEGAL DESCRIPTION**

A tract or parcel of land situated in Land Lot 273, 2nd District, City of Dallas, Paulding County, Georgia, the bearings of which are based on State Plane Grid System (Georgia West Zone) and being more particularly described as follows:

Beginning at a 3/4" O.T. Pipe at the common corner of Land Lots 232, 233, 272 and 273 of said county and district and having State Plane Coordinates of N-1,428,576.90 and E-2,095,672.55, said point being the **POINT OF BEGINNING**; thence along the common line of said Land Lots 272 and 273S 00°35'56" E for a distance of 744.18 feet to a point; thence leaving said Land Lot Line S 44°31'52" W for a distance of 301.67 feet to a #4 Rebar; thence S 58°17'05" W for a distance of 44.72 feet to a point; thence S 77°09'33" W for a distance of 44.30 feet to a point; thence N 81°58'59" W for a distance of 61.94 feet to a point; thence S 58°55'38" W for a distance of 38.27 feet to a point; thence S 00°06'07" W for a distance of 49.63 feet to a point; thence S 15°55'13" E for a distance of 74.10 feet to a point; thence S 01°09'36" E for a distance of 55.18 feet to a point; thence S 49°54'43" W for a distance of 58.31 feet to a point; thence S 68°37'33" W for a distance of 98.79 feet to a #4 Rebar set at the Northeasterly right-of-way of Merchants Drive (100' R/W); thence along said Northeasterly right-of-way N 27°40'09" W for a distance of 892.65 feet to a #4 Rebar; thence leaving said Northeasterly right-of-way S 80°52'16" E for a distance of 158.68 feet to an Angle Iron; thence N 00°46'27" E for a distance of 225.02 feet to a #3 Rebar; thence N 12°36'35" W for a distance of 168.73 feet to a T-Post; thence S 86°49'55" E for a distance of 18.15 feet to a #4 Rebar set; thence N 00°30'22" E for a distance of 90.00 feet to a #4 Rebar set; thence N 89°29'38" W for a distance of 200.00 feet to a #4 Rebar set at the Easterly right-of-way of Legion Road (100' R/W); thence along said Easterly right-of-way 16.22 feet along the arc of a curve to the left having a radius of 571.19 feet, a central angle of 1°37'36", and a chord bearing and distance of N 10°04'25" E and 16.22 feet to a #4 Rebar set at the intersection of said Easterly right-of-way and the common line of Land Lots 232 and 273; thence leaving said Easterly right-of-way and along said Land Lot Line the following 2 courses and distances: {S 89°29'38" E for a distance of 482.00 feet to a #3 Rebar; S 89°29'42" E for a distance of 482.29 feet} to said 3/4" O.T. Pipe at the **POINT OF BEGINNING**.

Containing **18.01 acres or 784,475 square feet** being more specifically shown on an ALTA Survey prepared for Kerley Family Homes, LLC, by Mitchell Surveying & Consulting, LLC, dated June 26, 2023 (Job No. 22032), unto which reference is hereby made.

**MERCHANTS DRIVE PROPERTY
TRACT 1
LEGAL DESCRIPTION**

A tract or parcel of land situated in Land Lot 273, 2nd District, City of Dallas, Paulding County, Georgia, the bearings of which are based on State Plane Grid System (Georgia West Zone) and being more particularly described as follows:

Commencing at a 3/4" O.T. Pipe at the common corner of Land Lots 232, 233, 272 and 273 of said county and district and having State Plane Coordinates of N-1,428,576.90 and E-2,095,672.55; thence along the common line of said Land Lots 232 and 273 N 89°29'42" W for a distance of 482.29 feet to a #3 Rebar to the **POINT OF BEGINNING**; thence leaving said Land Lot Line S 00°29'54" W for a distance of 236.89 feet to a #3 Rebar; thence S 28°00'30" E for a distance of 249.83 feet to a #3 Rebar; thence N 63°31'34" W for a distance of 426.94 feet to a #3 Rebar; thence N 12°36'35" W for a distance of 168.73 feet to a T-Post; thence S 86°49'55" E for a distance of 18.15 feet to a #4 Rebar set; thence N 00°30'22" E for a distance of 90.00 feet to a #4 Rebar set; thence N 89°29'38" W for a distance of 200.00 feet to a #4 Rebar set at the Easterly right-of-way of Legion Road (100' R/W); thence along said Easterly right-of-way 16.22 feet along the arc of a curve to the left having a radius of 571.19 feet, a central angle of 1°37'36", and a chord bearing and distance of N 10°04'25" E and 16.22 feet to a #4 Rebar set at the intersection of said Easterly right-of-way and the common line of said Land Lots 232 and 273; thence leaving said Easterly right-of-way and along said Land Lot Line S 89°29'38" E for a distance of 482.00 feet to said #3 Rebar at the **POINT OF BEGINNING**.

Containing **2.44 acres or 106,402 square feet** being more specifically shown on an ALTA Survey prepared for Kerley Family Homes, LLC, by Mitchell Surveying & Consulting, LLC, dated June 26, 2023 (Job No. 22032), unto which reference is hereby made.

**MERCHANTS DRIVE PROPERTY
TRACT 2
LEGAL DESCRIPTION**

A tract or parcel of land situated in Land Lot 273, 2nd District, City of Dallas, Paulding County, Georgia, the bearings of which are based on State Plane Grid System (Georgia West Zone) and being more particularly described as follows:

Beginning at a 3/4" O.T. Pipe at the common corner of Land Lots 232, 233, 272 and 273 of said county and district and having State Plane Coordinates of N-1,428,576.90 and E-2,095,672.55, said point being the **POINT OF BEGINNING**; thence along the common line of said Land Lots 272 and 273 S 00°35'56" E for a distance of 744.18 feet to a #4 Rebar set; thence leaving said Land Lot Line S 44°31'52" W for a distance of 301.67 feet to a #4 Rebar; thence S 58°17'05" W for a distance of 44.72 feet to a point; thence S 77°09'33" W for a distance of 44.30 feet to a point; thence N 81°58'59" W for a distance of 61.94 feet to a point; thence S 58°55'38" W for a distance of 38.27 feet to a point; thence S 00°06'07" W for a distance of 49.63 feet to a point; thence S 15°55'13" E for a distance of 74.10 feet to a point; thence S 01°09'36" E for a distance of 55.18 feet to a point; thence S 49°54'43" W for a distance of 58.31 feet to a point; thence S 68°37'33" W for a distance of 98.79 feet to a #4 Rebar set at the Northeasterly right-of-way of Merchants Drive (100' R/W); thence along said Northeasterly right-of-way N 27°40'09" W for a distance of 892.65 feet to a #4 Rebar; thence leaving said Northeasterly right-of-way S 80°52'16" E for a distance of 158.68 feet to an Angle Iron; thence N 00°46'27" E for a distance of 225.02 feet to a #3 Rebar; thence S 63°31'34" E for a distance of 426.94 feet to a #3 Rebar; thence N 28°00'30" W for a distance of 249.83 feet to a #3 Rebar; thence N 00°29'54" E for a distance of 236.89 feet to a #3 Rebar at the common line of said Land Lots 232 and 273; thence along said Land Lot Line S 89°29'42" E for a distance of 482.29 feet to said 3/4" O.T. Pipe at the **POINT OF BEGINNING**.

Containing **15.57 acres or 678,073 square feet** being more specifically shown on an ALTA Survey prepared for Kerley Family Homes, LLC, by Mitchell Surveying & Consulting, LLC, dated June 26, 2023 (Job No. 22032), unto which reference is hereby made.

RECORDED BY THE CLERK OF SUPERIOR COURT
 Recpt:021841
 RECORDED: 08/29/2022 3:28 PM
 WARRANTY DEED
 DEED BOOK 4830 PAGES 498 - 499
 FILING FEES: \$25.00
 TRANSFER TAX: \$0.00
 PT01: 110-2022-007905
 Sheila Butler, Superior Court Clerk
 Paulding County, GA

Return to:
 BAGBY LAW OFFICE, P.C.
 100 West Griffin Street
 Dallas, Georgia 30132
 (770) 445-2727 Fax# (770) 443-9203
 Email: bagbylawoffice@att.net
 DEED ONLY: NO TITLE CERTIFICATION

WARRANTY DEED

STATE OF GEORGIA, COUNTY OF PAULDING

THIS INDENTURE, made this 16th day of AUGUST in the year of our Lord Two Thousand and Twenty Two between JUNE G. RAKESTRAW, NANCY RAKESTRAW ARNOLD and JUDY RAKESTRAW BARNETTE of the State of Georgia and County of Paulding of the first part and JUNE G. RAKESTRAW, NANCY RAKESTRAW ARNOLD and JUDY RAKESTRAW BARNETTE, AS JOINT TENANTS WITH RIGHT OF SURVIVORSHIP of the State of Georgia and County of Paulding of the second part.

WITNESSETH: That the said parties of the first part, for and in consideration of the sum of Ten (\$10.00) Dollars and other good and valuable considerations in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, have granted, bargained, sold and conveyed and by these presents do grant, bargain, sell and convey unto the said parties of the second part, their heirs and assigns, all that tract or parcel of land described as follows:

LEGAL DESCRIPTION ATTACHED HERETO AS EXHIBIT "A"

The purpose of this deed is to confirm that the within grantees each own an undivided one-third (1/3) interest in and to the within described property as Joint Tenants With Right Of Survivorship.

This deed is given subject to all easements and restrictions of record.

TO HAVE AND TO HOLD the said bargained premises, together with all and singular the rights, members and appurtenances thereof, to the same being, befoing or in any wise appertaining, to the only proper use, benefit and behoof of the said parties of the second part, their heirs and assigns forever, IN FEE SIMPLE.

And the said parties of the first part, for their heirs, executors and administrators will warrant and forever defend the right and title to the above described property unto the said parties of the second part, their heirs and assigns, against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, the said parties of the first part have hereunto set their hand and affixed their seal, the day and year above written.

Signed, sealed and delivered in the presence of:

[Signature]
 WITNESS

[Signature] (SEAL)
 JUNE G. RAKESTRAW

[Signature] (SEAL)
 NANCY RAKESTRAW ARNOLD

[Signature]
 NOTARY PUBLIC

[Signature] (SEAL)
 JUDY RAKESTRAW BARNETTE

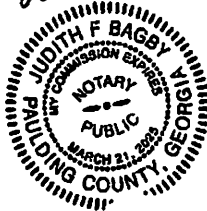


EXHIBIT "A"

All that tract or parcel of land lying and being in that tract of land located in Land Lot Two Hundred Seventy Three (273), the Second (2nd) District and Third (3rd) Section, City of Dallas, Paulding County, Georgia, described as Beginning at the Northeast corner of Land Lot 273, running thence South 770 feet to the centerline of the Old Pumping Station (now closed); thence South 42°40' West along the center of said road 195 feet; continuing thence along the center of said road the following courses and distances: South 60°40' West 120 feet, South 83° West 155 feet, South 5°31' East 200 feet, South 68°59' West 170 feet to the right-of-way of the Dallas-Atlanta Highway Bypass; thence Northwesterly along the East side of said by-pass highway 870 feet; thence South 86° East 155 feet; thence South 55° East 538 feet; thence North 1°30' East 300 feet; thence North 63° West 74 feet to the property of John Clay; thence running Northwesterly along the Easterly line of the John Clay property 250 feet to a point; thence North 237 feet to the North line of Land Lot 273; thence South 88° East 485 feet along the North line of Land Lot 273 to the Northeast corner thereof and the Point of Beginning.

Said tract containing 15.64 acres, more or less, and being improved commercial property known as 260 Merchants Drive, Dallas, Georgia 30132, and being further identified as Pin# R011656 by the Paulding County Tax Assessor's Office.

SK2055PG0694

PAULDING COUNTY, GA
 REAL ESTATE TRANSFER TAX 2005 DEC 27 PM 12: 53
 PAID \$ 0 TRUSTEE
 DATE 12-27-05 PAULDING COUNTY COURT
 TREVA W. SHERTON
 CLERK SUPERIOR COURT
 110 2005 012127

WARRANTY DEED - NO TITLE WORK DONE

VINSON, TALLEY
 RICHARDSON & CABLE, P.A.
 P.O. BOX 197
 DALLAS, GEORGIA 30132
 KENNETH G. VINSON/AG

STATE OF GEORGIA, Paulding County

THIS INDENTURE, made this 22 day of December of the year of our Lord Two Thousand Five between JOHN B. CLAY, SR., of the State of Georgia and County of Paulding of the first part and MARTHA D. HENDRIX and DOUGLAS E. HENDRIX, as joint tenants with right of survivorship of the State of Georgia and County of Paulding of the second part.

WITNESSETH: That the said party of the first part, for and in consideration of the sum of Ten and NO/100 (\$10.00) DOLLARS, in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold and conveyed and by these presents does grant, bargain, sell and convey unto the said parties of the second part, their heirs and assigns, all that tract or parcel of land lying and being in

SEE ATTACHED EXHIBIT "A" FOR LEGAL DESCRIPTION

Provided, however, that this shall be known as a survivorship deed with the surviving grantee herein taking fee simple title to the above-described property upon the death of the grantee herein who first departs this life.

TO HAVE AND TO HOLD the said bargained premises, together with all and singular the right, members and appurtenances thereof, to the same being, belonging or in any wise appertaining, to the only proper use, benefit and behoof of themselves, the said parties of the second part, their heirs and assigns forever, IN FEE SIMPLE.

And, the said party of the first part, for his heirs, executors and administrators will warrant and forever defend the right and title to the above described property unto the said party of the second part, their heirs and assigns, against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, The said party of the first part has hereunto set his hand and affixed his seal, the day and year above written.

Signed, sealed and delivered in the presence of:

Jessica M. Julian
 Witness

John B. Clay, Sr. (Seal)
 JOHN B. CLAY, SR.

Karen A. Kastraw
 Notary Public

RECORDED 12-29 20 05
 TREVA W. SHERTON, CLERK
 SUPERIOR COURT, PAULDING CO.



BK2055PG0695

EXHIBIT "A"

PARCEL ONE:

lying and being in the Second (2nd) District and Third (3rd) Section of Paulding County, Georgia, and being in Ward Three (3) in the City of Dallas and being a part and fraction of Original Lot of Land Number Two Hundred Seventy-Three (273), and being more fully and particularly described as follows:

BEGINNING at a point, said point being an Iron Stake, on the South side of an Old Road leading from the Paved By-Pass that runs East of and in front of the American Legion Home, said point being located Seventy-Five (75) feet South of a point on the North Original Line of said Lot Number 273 (said point on the said North Line being located Five Hundred Seventy (570) feet East of the Northwest Corner of said Lot Number 273); thence running South One (1) Degree and Thirty (30) Minutes West, for a distance of Two Hundred (200) feet, to an Iron Stake; thence running South Sixty-Three (63) Degrees East for a distance of Three Hundred Fifty (350) feet, to an Iron Stake; thence running North Fifteen (15) Degrees West for a distance of One Hundred Seventy-Two (172) feet, to an Iron Stake on the South side of the said Old Road; thence running North Fifty-Five (55) Degrees West along the South side of the said Old Road for a distance of Three Hundred Twenty-Seven (327) feet, to an Iron Stake at the point of beginning.

Said tract containing One and One-Half (1½) acres, more or less.

Said tract being in accordance with a Plat and Survey made by Aubrey F. Harris, Paulding County Surveyor, on August 11, 1956, said Plat being recorded in Deed Book 3-, Page .., of the Deed Records on file in the Office of the Clerk of the Superior Court of Paulding County, Georgia.

PARCEL TWO:

lying and being in the Second (2nd) District and Third (3rd) Section of Paulding County, Georgia, and being a part and fraction of Original Lot of Land Number Two Hundred Seventy-Three (273), and being more fully and particularly described as follows:

BEGINNING at a point on the North Original Line of said Lot Number 273, said point being an Iron Stake located Fifty (50) feet East of the Center of the Street that runs in front of and on the East side of the American Legion Home; thence running East along the said North Original Line for a distance of Four Hundred Eighty-Two (482) feet, to an Iron Stake; thence running South for a distance of Two Hundred Thirty-Seven (237) feet, to an Iron Stake; thence running in a Southeasterly direction on a straight line for a distance of Two Hundred Fifty (250) feet; to an Iron Stake; thence running West for a distance of Seventy-Six (76) feet, to an Iron Stake at the present Southeast corner of the Home lot of John B. Clay, Sr.; thence running in a Northerly direction along the present East Property Line of said Home Lot for a distance of One Hundred Seventy-Two (172) feet, to an Iron Stake at the present Northeast corner of said Home Lot; thence running Northwesterly along the present North Boundary Line of said Home Lot for a distance of Three Hundred Twenty-Seven (327) feet, to an Iron Stake; thence running South along the present West Boundary line of the said Home Lot for a distance of Two Hundred (200) feet, to an Iron Stake; thence running in a Northerly direction on a straight line for a distance of One Hundred Sixty (160) feet, to an Iron Stake at the present Southeast corner of the Old Sudie Carter Lot (now John B. Clay, Sr.); thence running North along the East side of the said Old Sudie Carter lot for a distance of Ninety (90) feet, to an Iron Stake; thence running West along the North side of the Said Old Sudie Carter Lot for a distance of Two Hundred (200) feet; thence running North for a distance of Sixteen (16) feet, to an Iron Stake at the point of beginning.

BK 2055PG0696

EXHIBIT "A"
(CONTINUED)LESS AND EXCEPT:

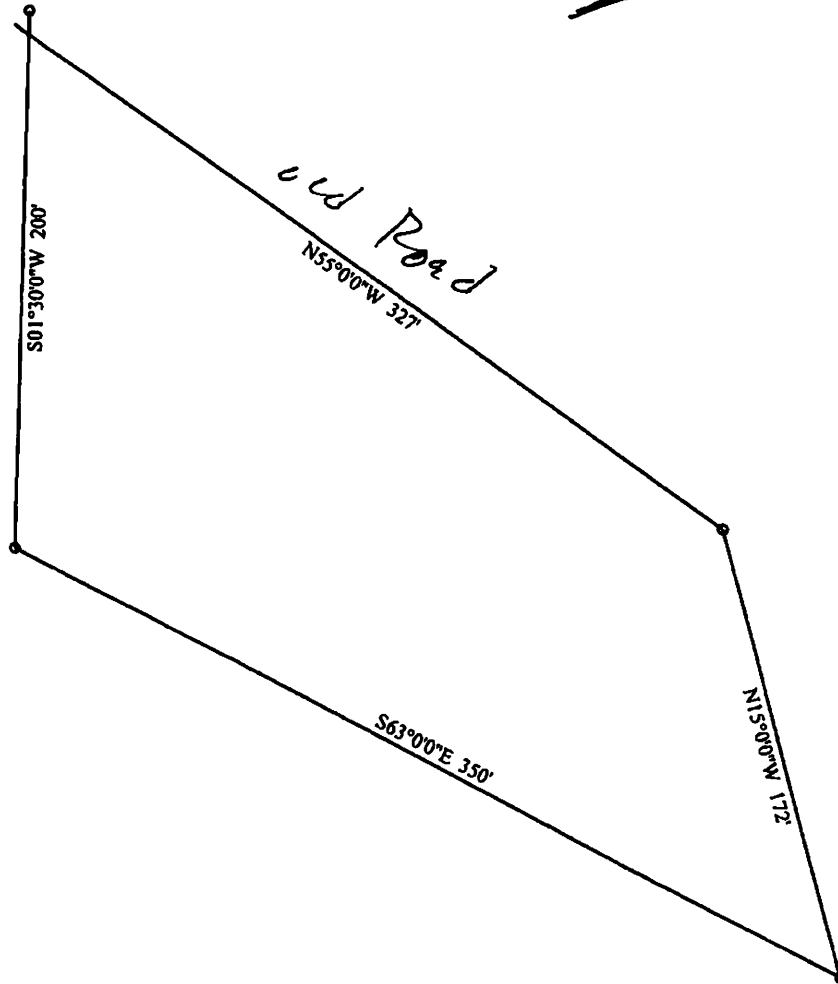
parcel of land lying and being in the Second District and Third Section of Paulding County, Georgia, and being a part of Original Lot of Land Number 273, more particularly described as follows:

BEGINNING at a point 50 feet east of the center of the street running in front of the present American Legion Hut in the City of Dallas, Georgia, and 16 feet south of the north original line of said lot and running thence east parallel with the north line of said lot, 200 feet to an iron stake; thence south 90 feet to an iron stake; thence west parallel with the first call, (that is, the original land line) a distance of 200 feet to a point 50 feet east of the center of the street running in front of the American Legion Hut; thence northerly in a straight line to the point of beginning a distance of 90 feet.



Scale: 1 Inch = 67 Feet
Area: 1.098 Acres (47,846.67 Square Feet)

*piece
2*



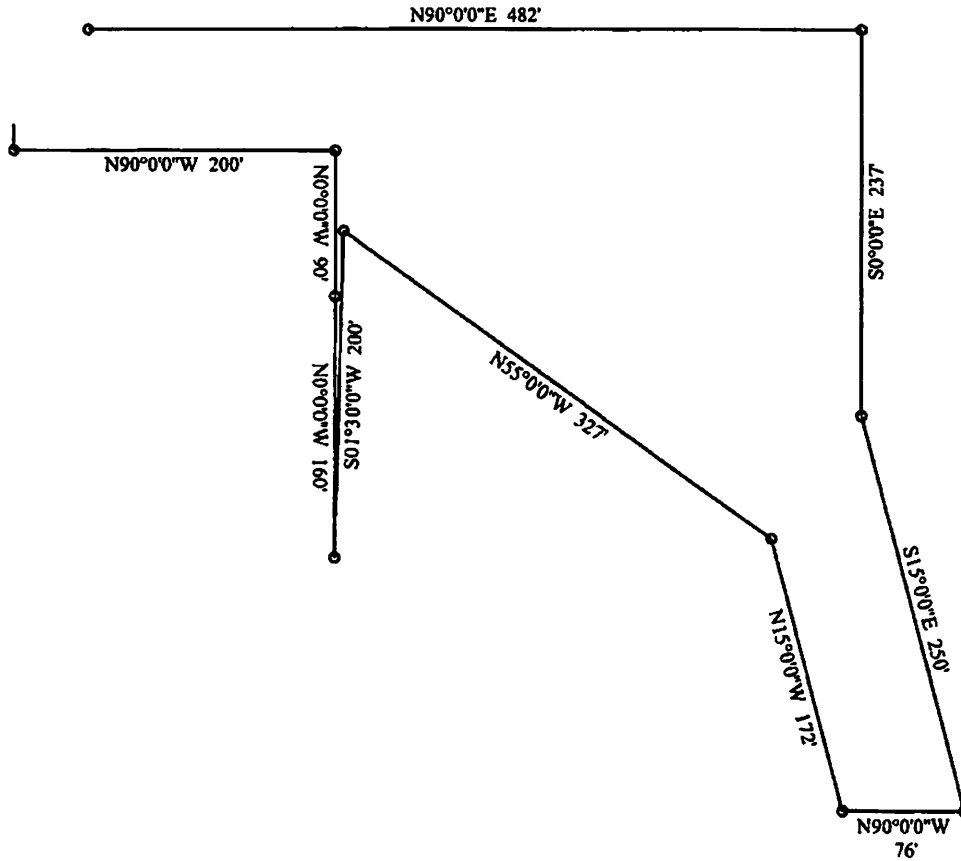
- 1. S01°30'0"W 200'
- 2. S63°0'0"E 350'
- 3. N15°0'0"W 172'
- 4. N55°0'0"W 327'



Scale: 1 Inch = 111 Feet
Area: 2.390 Acres (104,106.70 Square Feet)
(The map does not close and the acreage may be incorrect.)

Item 5.

*Parcel
2*



- 1. N90°0'0"E 482'
- 2. S0°0'0"E 237'
- 3. S15°0'0"E 250'
- 4. N90°0'0"W 76'

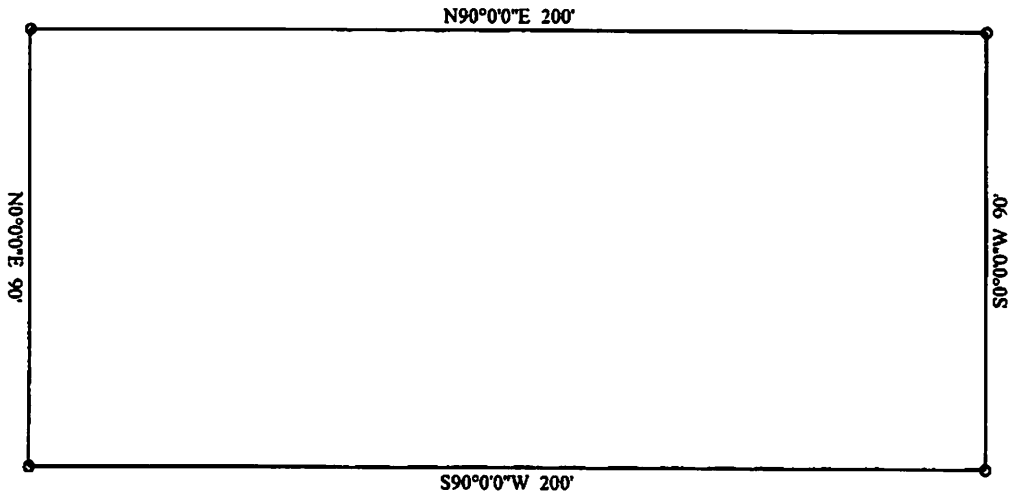
- 5. N15°0'0"W 172'
- 6. N55°0'0"W 327'
- 7. S01°30'0"W 200'
- 8. N0°0'0"W 160'

- 9. N0°0'0"W 90'
- 10. N90°0'0"W 200'
- 11. N0°0'0"E 16'



Scale: 1 Inch = 38 Feet
Area: 0.413 Acres (18,000.00 Square Feet)

*Less +
Except*



1. N90°0'0"E 200'
2. S0°0'0"W 90'
3. S90°0'0"W 200'
4. N0°0'0"E 90'

WARRANTY DEED NEW ERA PRINT, DALLOS, GA.

STATE OF GEORGIA, Paulding County.

THIS INSTRUMENT, made this 15th day of August
 in the year of our Lord One Thousand Nine Hundred and Sixty-Three
 between NERA M. GRAHAM

of the State of Georgia and County of Paulding of the first part
 and RONNIE BAKERSTROM and JUNE C. BAKERSTROM

of the state of Georgia and County of Paulding of the second part.

WITNESSETH: That the said part Y of the first part, for and in consideration of the sum
 of Ten (\$10.00) Dollars & other good & valuable consideration ~~whereof~~
 in hand paid at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged,
 has granted, bargained, sold and conveyed and by these presents does grant, bargain, sell and convey unto
 the said part X of the second part, their heirs and assigns, all that tract or
 parcel of land lying and being in the Second (2nd) District and Third (3rd)
 Section of Paulding County, Georgia, and being a part and fraction of
 Original Lot of Land Number Two Hundred Seventy-Three (273), and being
 more fully and particularly described as follows:

BEGINNING at a point, said point designated by an iron stake lo-
 cated Two Hundred Seventy-Five (275) feet South of the North Original
 Line of said Land Lot number 273 and being the Southwest corner of the
 property of John B. Clay; thence running South (South 1 degree 30
 minutes West) for a distance of Two Hundred Twenty-Five (225) feet,
 to an iron stake; thence running Southeasterly (South 55 degrees East)
 for a distance of Five Hundred Thirty-Eight (538) feet, to an iron
 stake; thence running North (North 1 degree 30 minutes East) for a
 distance of Three Hundred (300) feet, to an iron stake; thence running
 Northwesterly (North 63 degrees West) for a distance of Five Hundred
 (500) feet, to the iron stake at the point of beginning.

Said tract being bounded on the North by the property of John B.
 Clay and Nera M. Graham, and on the East, South and West by the lands
 of Nera M. Graham.

TO HAVE AND TO HOLD the said bargained premises, together with all and singular the rights, members and
 appurtenances thereto, to the same being, belonging or in any way appertaining, to the only proper use, benefit
 and behoof of them the said parties of the second part, their heirs and
 assigns forever, **IN FEE SIMPLE.**

And the said part Y of the first part, herself & her heirs, executors and administrators
 will warrant and forever defend the right and title to the above described property unto the said parties of
 the second part, their heirs and assigns, against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, The said part Y of the first part ha... hereunto set her
 hand and affixed her seal, the day and year above written.

Signed, sealed and delivered in the presence of
Wilma Boyd
George T. Boyd, Jr., NP.

Nera M. Graham (Seal)
 _____ (Seal)
 _____ (Seal)
 _____ (Seal)
 _____ (Seal)

Filed March 28, 1964, 4:05 PM Recorded March 30, 1964
 Sylvia G. Strickland, Deputy Clerk

4E/93

Item 5.



LOCATION MAP
SITE

DEVELOPMENT SUMMARY

ITEM	DESCRIPTION	AMOUNT
1	PROPOSED ZONING (RESIDENTIAL TRACT 273) - C-2 B & F-1	
2	PROPOSED ZONING (RESIDENTIAL TRACT 273) - C-2 B & F-1	
3	PROPOSED ZONING (RESIDENTIAL TRACT 273) - C-2 B & F-1	
4	PROPOSED ZONING (RESIDENTIAL TRACT 273) - C-2 B & F-1	
5	PROPOSED ZONING (RESIDENTIAL TRACT 273) - C-2 B & F-1	
6	PROPOSED ZONING (RESIDENTIAL TRACT 273) - C-2 B & F-1	
7	PROPOSED ZONING (RESIDENTIAL TRACT 273) - C-2 B & F-1	
8	PROPOSED ZONING (RESIDENTIAL TRACT 273) - C-2 B & F-1	
9	PROPOSED ZONING (RESIDENTIAL TRACT 273) - C-2 B & F-1	
10	PROPOSED ZONING (RESIDENTIAL TRACT 273) - C-2 B & F-1	
11	PROPOSED ZONING (RESIDENTIAL TRACT 273) - C-2 B & F-1	
12	PROPOSED ZONING (RESIDENTIAL TRACT 273) - C-2 B & F-1	
13	PROPOSED ZONING (RESIDENTIAL TRACT 273) - C-2 B & F-1	
14	PROPOSED ZONING (RESIDENTIAL TRACT 273) - C-2 B & F-1	
15	PROPOSED ZONING (RESIDENTIAL TRACT 273) - C-2 B & F-1	
16	PROPOSED ZONING (RESIDENTIAL TRACT 273) - C-2 B & F-1	
17	PROPOSED ZONING (RESIDENTIAL TRACT 273) - C-2 B & F-1	
18	PROPOSED ZONING (RESIDENTIAL TRACT 273) - C-2 B & F-1	
19	PROPOSED ZONING (RESIDENTIAL TRACT 273) - C-2 B & F-1	
20	PROPOSED ZONING (RESIDENTIAL TRACT 273) - C-2 B & F-1	
21	PROPOSED ZONING (RESIDENTIAL TRACT 273) - C-2 B & F-1	
22	PROPOSED ZONING (RESIDENTIAL TRACT 273) - C-2 B & F-1	
23	PROPOSED ZONING (RESIDENTIAL TRACT 273) - C-2 B & F-1	
24	PROPOSED ZONING (RESIDENTIAL TRACT 273) - C-2 B & F-1	
25	PROPOSED ZONING (RESIDENTIAL TRACT 273) - C-2 B & F-1	
26	PROPOSED ZONING (RESIDENTIAL TRACT 273) - C-2 B & F-1	
27	PROPOSED ZONING (RESIDENTIAL TRACT 273) - C-2 B & F-1	
28	PROPOSED ZONING (RESIDENTIAL TRACT 273) - C-2 B & F-1	
29	PROPOSED ZONING (RESIDENTIAL TRACT 273) - C-2 B & F-1	
30	PROPOSED ZONING (RESIDENTIAL TRACT 273) - C-2 B & F-1	
31	PROPOSED ZONING (RESIDENTIAL TRACT 273) - C-2 B & F-1	
32	PROPOSED ZONING (RESIDENTIAL TRACT 273) - C-2 B & F-1	
33	PROPOSED ZONING (RESIDENTIAL TRACT 273) - C-2 B & F-1	
34	PROPOSED ZONING (RESIDENTIAL TRACT 273) - C-2 B & F-1	
35	PROPOSED ZONING (RESIDENTIAL TRACT 273) - C-2 B & F-1	
36	PROPOSED ZONING (RESIDENTIAL TRACT 273) - C-2 B & F-1	
37	PROPOSED ZONING (RESIDENTIAL TRACT 273) - C-2 B & F-1	
38	PROPOSED ZONING (RESIDENTIAL TRACT 273) - C-2 B & F-1	
39	PROPOSED ZONING (RESIDENTIAL TRACT 273) - C-2 B & F-1	
40	PROPOSED ZONING (RESIDENTIAL TRACT 273) - C-2 B & F-1	
41	PROPOSED ZONING (RESIDENTIAL TRACT 273) - C-2 B & F-1	
42	PROPOSED ZONING (RESIDENTIAL TRACT 273) - C-2 B & F-1	
43	PROPOSED ZONING (RESIDENTIAL TRACT 273) - C-2 B & F-1	
44	PROPOSED ZONING (RESIDENTIAL TRACT 273) - C-2 B & F-1	
45	PROPOSED ZONING (RESIDENTIAL TRACT 273) - C-2 B & F-1	
46	PROPOSED ZONING (RESIDENTIAL TRACT 273) - C-2 B & F-1	
47	PROPOSED ZONING (RESIDENTIAL TRACT 273) - C-2 B & F-1	
48	PROPOSED ZONING (RESIDENTIAL TRACT 273) - C-2 B & F-1	
49	PROPOSED ZONING (RESIDENTIAL TRACT 273) - C-2 B & F-1	
50	PROPOSED ZONING (RESIDENTIAL TRACT 273) - C-2 B & F-1	
51	PROPOSED ZONING (RESIDENTIAL TRACT 273) - C-2 B & F-1	
52	PROPOSED ZONING (RESIDENTIAL TRACT 273) - C-2 B & F-1	
53	PROPOSED ZONING (RESIDENTIAL TRACT 273) - C-2 B & F-1	
54	PROPOSED ZONING (RESIDENTIAL TRACT 273) - C-2 B & F-1	
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68	PROPOSED ZONING (RESIDENTIAL TRACT 273) - C-2 B & F-1	
69	PROPOSED ZONING (RESIDENTIAL TRACT 273) - C-2 B & F-1	
70	PROPOSED ZONING (RESIDENTIAL TRACT 273) - C-2 B & F-1	
71	PROPOSED ZONING (RESIDENTIAL TRACT 273) - C-2 B & F-1	
72	PROPOSED ZONING (RESIDENTIAL TRACT 273) - C-2 B & F-1	
73	PROPOSED ZONING (RESIDENTIAL TRACT 273) - C-2 B & F-1	
74	PROPOSED ZONING (RESIDENTIAL TRACT 273) - C-2 B & F-1	
75	PROPOSED ZONING (RESIDENTIAL TRACT 273) - C-2 B & F-1	
76	PROPOSED ZONING (RESIDENTIAL TRACT 273) - C-2 B & F-1	
77	PROPOSED ZONING (RESIDENTIAL TRACT 273) - C-2 B & F-1	
78	PROPOSED ZONING (RESIDENTIAL TRACT 273) - C-2 B & F-1	
79	PROPOSED ZONING (RESIDENTIAL TRACT 273) - C-2 B & F-1	
80	PROPOSED ZONING (RESIDENTIAL TRACT 273) - C-2 B & F-1	
81	PROPOSED ZONING (RESIDENTIAL TRACT 273) - C-2 B & F-1	
82	PROPOSED ZONING (RESIDENTIAL TRACT 273) - C-2 B & F-1	
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85	PROPOSED ZONING (RESIDENTIAL TRACT 273) - C-2 B & F-1	
86	PROPOSED ZONING (RESIDENTIAL TRACT 273) - C-2 B & F-1	
87	PROPOSED ZONING (RESIDENTIAL TRACT 273) - C-2 B & F-1	
88	PROPOSED ZONING (RESIDENTIAL TRACT 273) - C-2 B & F-1	
89	PROPOSED ZONING (RESIDENTIAL TRACT 273) - C-2 B & F-1	
90	PROPOSED ZONING (RESIDENTIAL TRACT 273) - C-2 B & F-1	
91	PROPOSED ZONING (RESIDENTIAL TRACT 273) - C-2 B & F-1	
92	PROPOSED ZONING (RESIDENTIAL TRACT 273) - C-2 B & F-1	
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97	PROPOSED ZONING (RESIDENTIAL TRACT 273) - C-2 B & F-1	
98	PROPOSED ZONING (RESIDENTIAL TRACT 273) - C-2 B & F-1	
99	PROPOSED ZONING (RESIDENTIAL TRACT 273) - C-2 B & F-1	
100	PROPOSED ZONING (RESIDENTIAL TRACT 273) - C-2 B & F-1	

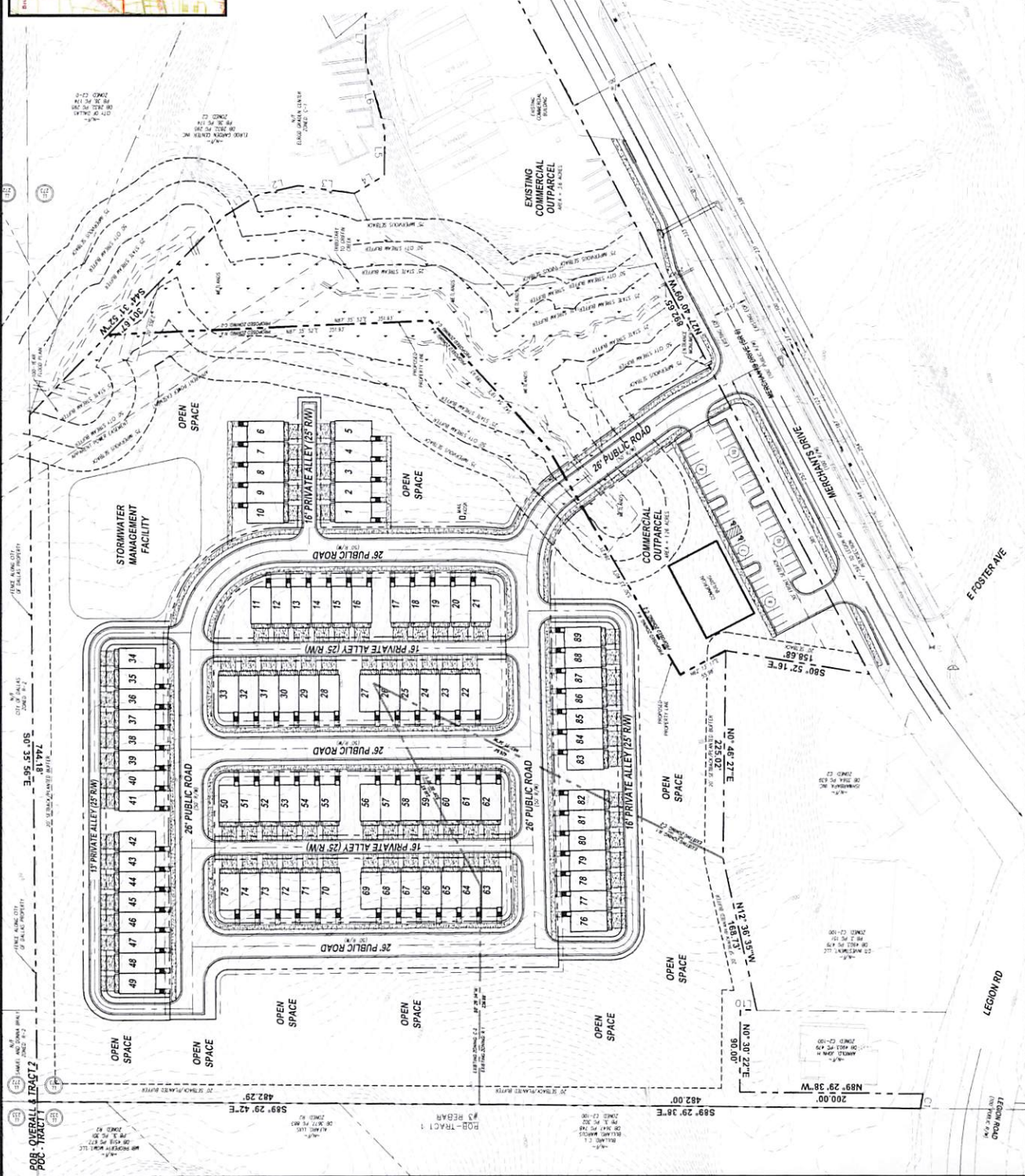
EXISTING COMMERCIAL OUTPARCEL

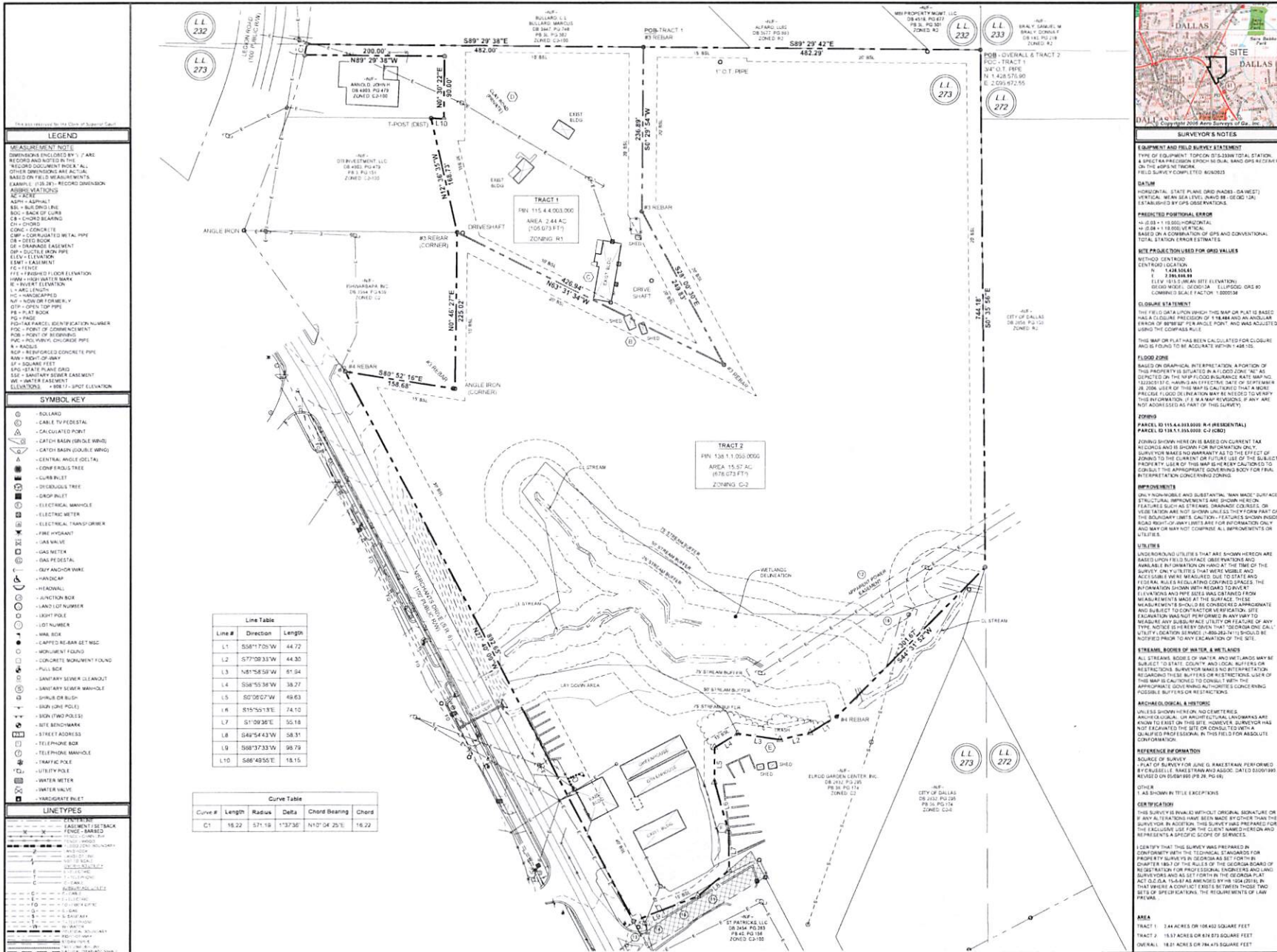
Lot No.	Area	Dimensions
1	10,170.78	117.2' x 86.8'
2	17,722.54	118.3' x 150.0'
3	10,170.78	117.2' x 86.8'
4	10,170.78	117.2' x 86.8'
5	10,170.78	117.2' x 86.8'
6	10,170.78	117.2' x 86.8'
7	10,170.78	117.2' x 86.8'
8	10,170.78	117.2' x 86.8'
9	10,170.78	117.2' x 86.8'
10	10,170.78	117.2' x 86.8'

24 HOUR CONTACT:
JEFF SMITH
404.328.6280

GEORGIA811
Utilities Protection Center, Inc.
Know what's below.
Call before you dig.

1" = 50'





EQUIPMENT AND FIELD SURVEY STATEMENT

TYPE OF EQUIPMENT: TOPCON 0153330 TOTAL STATION, A SPECTRA PRECISION EPOCH SERIAL BAND GPS RECEIVER, AND A SPECTRA PRECISION EPOCH SERIAL BAND GPS RECEIVER.

FIELD SURVEY COMPLETED: 06/20/2023

ALTA / NSPS LAND TITLE BOUNDARY SURVEY

SITUATED IN
 LAND LOT 273
 2ND DISTRICT - 3RD SECTION
 CITY OF DALLAS
 PAULDING COUNTY, GEORGIA

PREPARED FOR
KERLEY FAMILY HOMES, LLC, A LIMITED LIABILITY COMPANY, KFM TITLE, LLC, AND TITLE RESOURCES GUARANTY COMPANY

STATE PLANE GRID

GA WEST
 NORTH ARROW

GRAPHIC SCALE
 1 inch = 40 feet



6/26/2023

SHEET RECORD

DATE	DESCRIPTION	ISSUED
07/27/2023		

REFERENCE INFORMATION

1. ALL MEASUREMENTS WERE MADE BY THE SURVEYOR OR UNDER HIS CLOSE PERSONAL SUPERVISION.

2. ALL MEASUREMENTS WERE MADE BY THE SURVEYOR OR UNDER HIS CLOSE PERSONAL SUPERVISION.

3. ALL MEASUREMENTS WERE MADE BY THE SURVEYOR OR UNDER HIS CLOSE PERSONAL SUPERVISION.

DRAWING INFORMATION

CAD FILE: 23032-ALTA-1.DWG
 DRAWN BY: RPH, CHECKED BY: CRM

COVER

TRACT 1: 2.44 ACRES OR 10640 SQUARE FEET
 TRACT 2: 15.57 ACRES OR 675 SQUARE FEET
 TOTAL: 18.01 ACRES OR 78475 SQUARE FEET

PROJECT 23032.00 SHEET 1 OF 1

**CITY OF DALLAS
LEGAL NOTICE
ZONING/REZONING**

Kerley Family Homes, LLC (Applicant), Nancy Rakestraw Arnold, Judy Rakestraw Barnette, and June G. Rakestraw (Titleholders), and J. Kevin Moore (Representative), have applied to zone/rezone a portion of Land Lot(s) 273 in the 2nd District, 3rd Section of Paulding County, located at 260 Merchants Drive, within City of Dallas, Georgia, from a Zoning District of C-2 Commercial to a Zoning District of R-4 Residential and C-2 Commercial, in the City of Dallas, GA subject to public hearings to be held on November 2nd, 2023, at 6:00 pm before the Dallas Planning & Zoning Commission; and November 6th, 2023, at 5:15 pm before the Mayor and Council of the City of Dallas; public hearings will be held in Council Chambers of Dallas City Hall, 129 E. Memorial Drive, Dallas, GA. 30132.

This the 29th day of September, 2023

Kerley Family Homes, LLC (Applicant)
Nancy Rakestraw Arnold, Judy Rakestraw Barnette,
and June G. Rakestraw (Titleholders)
J. Kevin Moore (Representative)



City of Dallas, GA
200 Main St
Dallas, GA 30132
(770) 443-8108

Tax ID #:11656
2022
Property Tax Bill

Parcel ID	Tax District		Bill #						
138110550000	02 - CITY OF DALLAS		000638						
Property Owner/Location/Description			Fair Market Value	Taxable Value					
RAKESTRAW JUNE G 260 MERCHANTS DR			357,560	143,024					
Levies	Taxable Value	-	Exemptions	=	Net Assessment	X	Tax Rate	=	Net Tax
CITY TAX	143,024		0		143,024		9.9400000000		\$1,421.66
Sales Tax Rollback	143,024		0		143,024		(5.7700000000)		(\$825.25)

Exemptions:

Current Year Tax	\$596.41
Interest	\$0.00
Penalty	\$0.00
Other Fees	\$0.00
Payments Received	\$596.41
Other Amounts Due	\$0.00
Total Due	\$0.00
Due Date	12/20/2022

City of Dallas GA- The law requires payment in full by December 20, 2022.
 If your bill is to be paid by you mortgage company through an escrow account please forward a copy of this bill to them.

Bills are sent to the owner of a property as of January 1st. If you sold a property listed on this notice please send a copy to the new owner and call the County Tax Assessor.

All monies will be applied to past due taxes first if applicable.

Your check will be used as your paid receipt. If you desire a paid receipt, please enclose a self addressed stamped envelope.

Failure to receive a bill does not exempt penalties or interest.
 Penalty and interest will apply as stated by state law and City of Dallas ordinance.



City of Dallas, GA
200 Main St
Dallas, GA 30132

We accept Cash, Checks, Visa, MasterCard and Discover. For cash payments please see us in person.

Parcel ID: 138110550000
Amount Due: \$0.00
Bill#: 000638
Due Date: 12/20/2022

AMOUNT PAID

RAKESTRAW JUNE G
ARNOLD NANCY RAKESTRAW
765 ROCK STORE RD
DALLAS, GA 30132

City of Dallas, GA
200 Main St
Dallas, GA 30132



City of Dallas, GA
200 Main St
Dallas, GA 30132
(770) 443-8108

Tax ID #:2897
2022
Property Tax Bill

Parcel ID	Tax District		Bill #						
115440030000	02 - CITY OF DALLAS		000179						
Property Owner/Location/Description			Fair Market Value	Taxable Value					
HENDRIX MARTHA D 200 CLAY DR			328,690	131,476					
Levies	Taxable Value	-	Exemptions	=	Net Assessment	X	Tax Rate	=	Net Tax
CITY TAX	131,476		0		131,476		9.9400000000		\$1,306.88
Sales Tax Rollback	131,476		0		131,476		(5.7700000000)		(\$758.62)

Exemptions:

Current Year Tax	\$548.26
Interest	\$0.00
Penalty	\$0.00
Other Fees	\$0.00
Payments Received	\$548.26
Other Amounts Due	\$0.00
Total Due	\$0.00
Due Date	12/20/2022

City of Dallas GA- The law requires payment in full by December 20, 2022.
 If your bill is to be paid by you mortgage company through an escrow account please forward a copy of this bill to them.

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 Penalty and interest will apply as stated by state law and City of Dallas ordinance.



City of Dallas, GA
200 Main St
Dallas, GA 30132

We accept Cash, Checks, Visa, MasterCard and Discover. For cash payments please see us in person.

Parcel ID: 115440030000
Amount Due: \$0.00
Bill#: 000179
Due Date: 12/20/2022

AMOUNT PAID

HENDRIX MARTHA D
HENDRIX DOUGLAS E
200 CLAY DR
DALLAS, GA 30132

City of Dallas, GA
200 Main St
Dallas, GA 30132

Rezoning Notice**260 Merchants Drive****Names**

Velasco Mauricio & Velasco Jackie
Blair Unlimited, LLC
Lance Loveless
ST PATRICKS LLC
COMMUNITY TRUST BANK
Elrod Garden Center, INC
GIRALDO ANDRES
JAY BURGER
HEADRICK PROPERTIES LLC
HEADRICK PROPERTIES LLC
SAMUEL BRALY and DONNA BRADLY
MBI PROPERTY MANAGEMENT LLC
ALFARO LUIS
BULLARD C L
ARNOLD JOHN H
DTI INVESTMENT LLC
ISHWARBAPA INC
WEST DALLAS LLC
JOEY TIDWELL

Mailing Address

265 Merchants Dr, Dallas, GA 30132
263 Merchants Dr, Dallas, GA 30132
261 Merchants Dr, Dallas, GA 30132
85 WABURN WALK DALLAS GA 30132-8496
C/O CORPORATE REAL ESTATE VA RIC 8614 PO BOX 26665 RICHMOND VA 23261-6665
PO Box 2150 Dallas GA 30132
113 FOSTER LAKE RD DALLAS GA 30132-4737
259 MERCHANTS DR DALLAS GA 30132-4701
519 POLK LN DALLAS GA 30132-2926
PO BOX 1939 DALLAS GA 30132-0033
278 BRALY PATH DALLAS GA 30132-7490
2174 UNITY TRL NW MARIETTA GA 30064-5457
261 E MEMORIAL DR DALLAS GA 30132-4320
BULLARD MARCUS 687 BETHEL CHURCH RD HIRAM GA 30141-5911
PO BOX 345 DALLAS GA 30132-0007
216 LEGION RD DALLAS GA 30132-4325
250 MERCHANTS DR DALLAS GA 30132-4761
PO BOX 1790 DALLAS GA 30132-0031
PO BOX 890 DALLAS GA 30132-0016

Parcel ID Numbers

138.1.1.014.0000
138.1.1.016.0000
138.1.1.007.0000
138.1.1.003.0000
138.1.1.004.0001
138.1.1.018.0000
138.1.1.020.0000
138.1.1.019.0000
138.1.1.023.0000
115.4.4.024.0000
115.4.3.003.0000
115.4.4.016.0000
115.4.4.020.0000
115.4.4.010.0000
115.4.4.006.0000
115.4.4.018.0000
115.4.4.004.0000
138.1.2.007.0000
138.1.1.024.0000

CITY OF DALLAS - UTILITIES
129 E Memorial Dr
Dallas, GA 30132
(770) 443-8119

DATE : 8/4/2023 8:08 AM
OPER : ME
TKBY : MALAK ELGAYDI
TERM : 17
REC# : R00519410
=====

3.4000 GENERAL FUND MIS 2051.00
Rezoning 260 Merchants Dr 2051.00

Paid By:Rezoning 260 Merchants Dr
C2 2051.00 REF:2029

APPLIED 2051.00
TENDERED 2051.00

CHANGE : 0.00

Z-2023-09

STAFF COMMENTS:

The applicant (Kerley Family Homes, LLC) is proposing to rezone 2.44 acres from R-1 to R-4. The property is located at 200 Clay Drive. The property is to be combined with adjacent property in zoning application Z-2023-08 for a total of 18.01 acres.

Properties that border the site to the North, East, South, and West are currently inside City limits.

A. Existing land use and zoning classification of nearby property:

ADJACENT ZONING

ADJACENT DEVELOPMENT

NORTH: Dallas R-2
Dallas C-2

NORTH: Residential, single family
Commercial

EAST: Dallas R-2

EAST: Residential, single family
City Park

SOUTH: Dallas C-2

SOUTH: Commercial

WEST: Dallas C-2

WEST: Commercial

B. Permitted Use impact on adjacent properties.

Proposed use will increase number or residents who could potentially patron adjacent businesses.

C. Adverse effect on the usability of adjacent or nearby property?

None

D. Proposal cause excessive or burdensome use of streets, transportation facilities, utilities, schools

Increased traffic on City streets. May increase student population of nearby schools.

E. Supported by current conditions

Water and Sewer are available.

F. 2022 Comp Plan

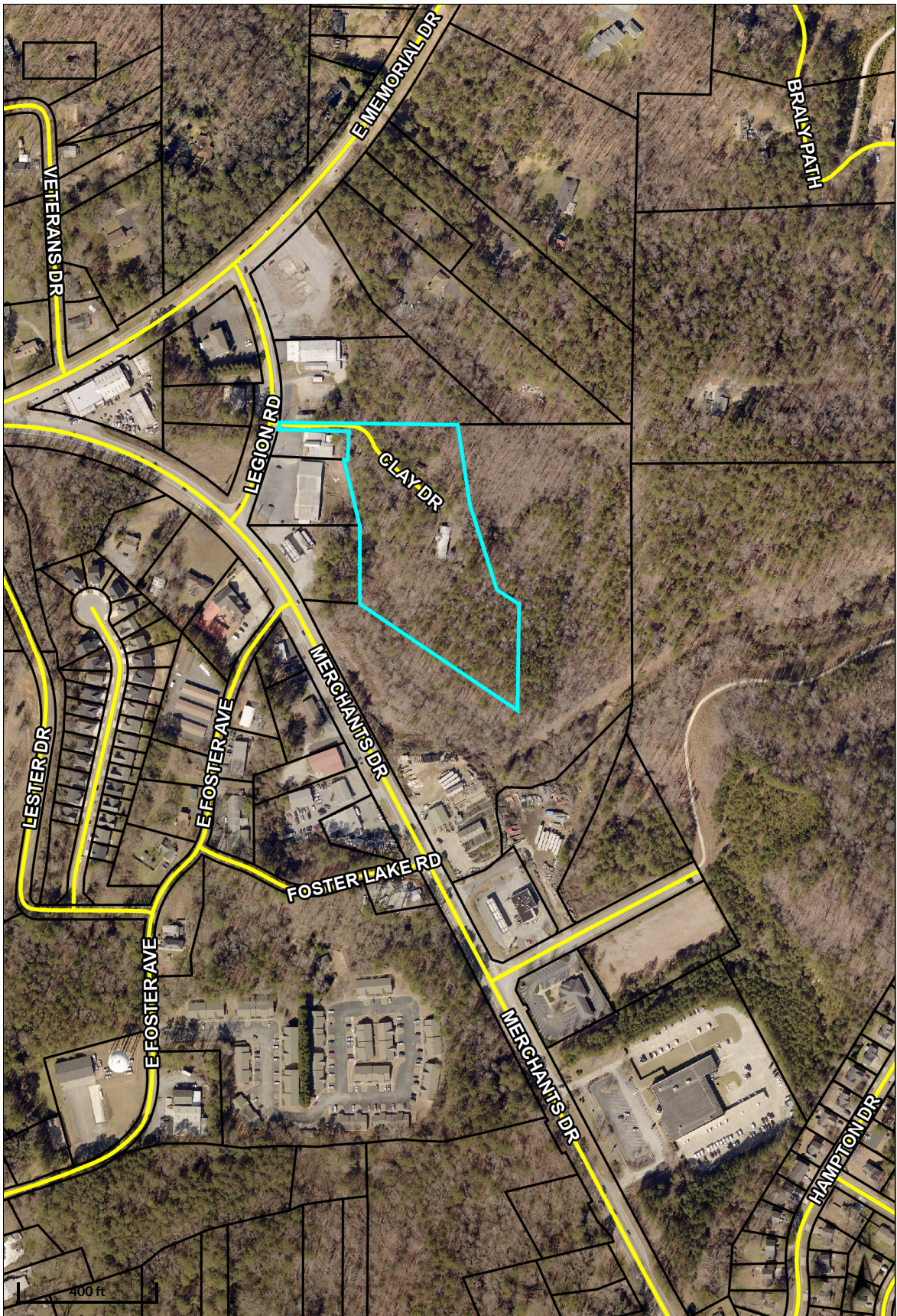
The 2022 Comp Plan Future Land use map is Residential.

Based on the preceding analysis, staff recommends approval with the following stipulations:

1. Developer is responsible for off-site downstream sewer infrastructure improvements that are required. Improvements must be installed and accepted by City prior to final plat approval.
2. Development shall be constructed in substantial conformity with the site plan provided in zoning application.
3. Developer shall provide a minimum 20-foot planted or natural (where possible) buffer adjacent to the property boundaries as shown on the zoning site plan.
4. Developer shall provide a berm with two rows of evergreen trees staggered six feet on center where the development borders single family residential properties. Berm with evergreen trees shall be located on the development side of the 20-foot planted or natural buffer.
5. Developer shall provide fence along development side of 20-foot buffer along north and east sides of development.
6. Developer shall provide a 10-foot concrete multi-use trail along the entire length of property frontage along Merchants Drive for connection to City of Dallas Battlefield Trail.
7. Developer shall provide curb and gutter along the entire length of property frontage along Merchants Drive.
8. Developer is responsible for providing required all development entrance improvements as required by Georgia DOT.
9. Developer is responsible for providing and installing license plate reader camera at development entrance compatible with the City of Dallas Police Department system.
10. Home Owners Association with mandatory membership required for preservation and maintenance of common areas.
11. Developer shall submit detailed architectural, site, and landscaping plans to the City of Dallas for design review approval.

Unless explicitly stated herein, all other development standards shall comply with the R-4 zoning district as written in the City of Dallas Code of Ordinances.

The findings made herein are the opinions of the City of Dallas, Ga Development staff and do not constitute a final decision. The City of Dallas, Ga Mayor and Council makes the final decision on all Zoning/Rezoning, Land Use Permit, Special Use Permit, and Medical Hardship Applications.



- Legend**
- Parcels
 - Subdivision Names
 - Roads



ZONING / REZONING APPLICATION

City of Dallas, Georgia

Application # _____ - OFFICE USE
Hearing Dates: PC: _____ CC: _____ File Date: _____
Item 6.

(PLEASE PRINT OR TYPE ALL INFORMATION)

Applicant: Kerley Family Homes, LLC Business phone: 770-792-5500 ext 106 Cell: 678-438-9227

Address: 3957 South Main Street Home phone: _____

City: Acworth State: GA Zip: 30101 Fax phone: _____

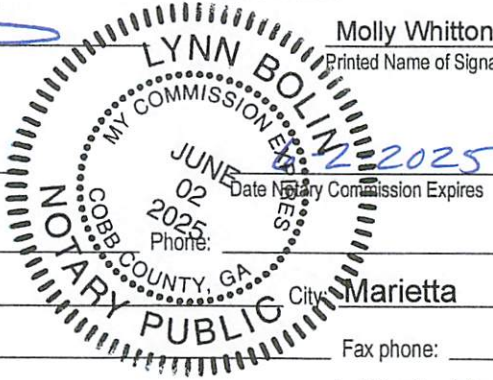
E-mail address: mwhitton@kerleyfamilyhomes.com

[Signature]
Applicant's Signature

Molly Whitton - Development Manager
Printed Name of Signatory

Signed, sealed and delivered in the presence of:

[Signature]
Notary Public



Representative: J. Kevin Moore Cell: 770-429-1499

Address: 326 Roswell Sreet City: Marietta State: GA Zip: 30060

E-mail address: JKM@mjjs.com Fax phone: _____

BY: [Signature]
Representative's Signature

J. Kevin Moore
Printed Name of Signatory

Signed, sealed and delivered in the presence of:

[Signature]
Notary Public

January 10, 2027
Date Notary Commission Expires



Titleholder: Martha D Hendrix Business phone: _____ Home phone: _____
(Each Titleholder must have a separate, complete form with notarized signatures)

Address: 260 Merchants Drive City: Dallas State: GA Zip: 30132

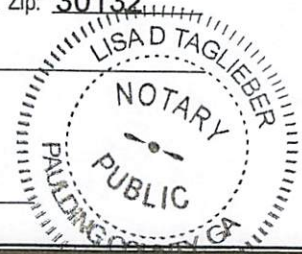
[Signature]
Signature

Martha D Hendrix
Printed Name of Signatory

Signed, sealed and delivered in the presence of:

[Signature]
Notary Public

4-3-2027
Date Notary Commission Expires



Property Information

Present Zoning Classification: R-1 Requested Zoning Classification: R-4, C-2 (overall)

Total Acreage of Zoning/Rezoning Application: 18.01 Acreage of Titleholder: 2.44

Land Lot(s): 273 District(s): 2nd Section(s): 3rd Tax Parcel I.D. Number(s): 138.1.1.055.0000

Location of Property: 260 Merchants Drive Dallas, GA 30132
Physical address, if available, and nearest intersections (i.e. east/west side of given road, and north/south of given road)

Detailed description of proposed development (including maximum number of lots, if residential, or number of units): R-4 zoning for single-family, attached, townhomes, maximum 91 units; C-2 zoning for allowable commercial uses

Filed with City: _____ (Date) _____ (Signature)

City of Dallas Planning Commission Recommendation: Approve Disapprove No recommendation

Conditions, reasons, stipulations: _____

City Council Decision: Approve Approve as different classification Disapprove

Conditions, reasons, stipulations: _____



ZONING / REZONING APPLICATION

City of Dallas, Georgia

Application # _____ - _____

Hearing Dates: PC: _____ CC: _____

OFFICE _____

Time/Date _____

Item 6.

(PLEASE PRINT OR TYPE ALL INFORMATION)

Applicant: Kerley Family Homes, LLC Business phone: 770-792-5500 ext 106 Cell: 678-438-9227

Address: 3957 South Main Street Home phone: _____

City: Acworth State: GA Zip: 30101 Fax phone: _____

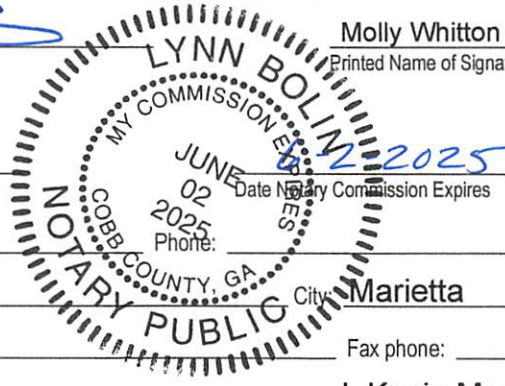
E-mail address: mwhitton@kerleyfamilyhomes.com

[Signature]
Applicant's Signature

Molly Whitton - Development Manager
Printed Name of Signatory

Signed, sealed and delivered in the presence of:

[Signature]
Notary Public



2025
Date Notary Commission Expires

Representative: J. Kevin Moore Cell: 770-429-1499

Address: 326 Roswell Sreet City: Marietta State: GA Zip: 30060

E-mail address: JKM@mjjs.com Fax phone: _____

BY: [Signature]
Representative's Signature

J. Kevin Moore
Printed Name of Signatory

Signed, sealed and delivered in the presence of:

[Signature]
Notary Public

January 10, 2027
Date Notary Commission Expires



Titleholder: Martha D Hendrix Business phone: _____ Home phone: _____
(Each Titleholder must have a separate, complete form with notarized signatures)

Address: 260 Merchants Drive City: Dallas State: GA Zip: 30132

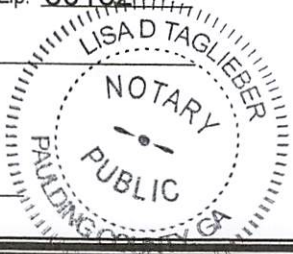
[Signature]
Signature

Martha D Hendrix
Printed Name of Signatory

Signed, sealed and delivered in the presence of:

[Signature]
Notary Public

4-3-2027
Date Notary Commission Expires



Property Information

Present Zoning Classification: R-1 Requested Zoning Classification: R-4, C-2 (overall)

Total Acreage of Zoning/Rezoning Application: 18.01 Acreage of Titleholder: 2.44

Land Lot(s): 273 District(s): 2nd Section(s): 3rd Tax Parcel I.D. Number(s): 138.1.1.055.0000 115.4.4.003.0000 BE

Location of Property: 260 Merchants Drive Dallas, GA 30132
Physical address, if available, and nearest intersections (i.e. east/west side of given road, and north/south of given road)

Detailed description of proposed development (including maximum number of lots, if residential, or number of units): R-4 zoning for single-family, attached, townhomes, maximum 91 units; C-2 zoning for allowable commercial uses

Filed with City: _____ (Date) _____ (Signature)

City of Dallas Planning Commission Recommendation: Approve Disapprove No recommendation

Conditions, reasons, stipulations: _____

City Council Decision: Approve Approve as different classification Disapprove

Conditions, reasons, stipulations: _____



ZONING / REZONING APPLICATION

City of Dallas, Georgia

Application # _____ - _____

Hearing Dates: PC: _____ CC: _____

OFFICE U

Time/Date S

Item 6.

(PLEASE PRINT OR TYPE ALL INFORMATION)

Applicant: Kerley Family Homes, LLC Business phone: 770-792-5500 ext 106 Cell: 678-438-9227

Address: 3957 South Main Street Home phone: _____

City: Acworth State: GA Zip: 30101 Fax phone: _____

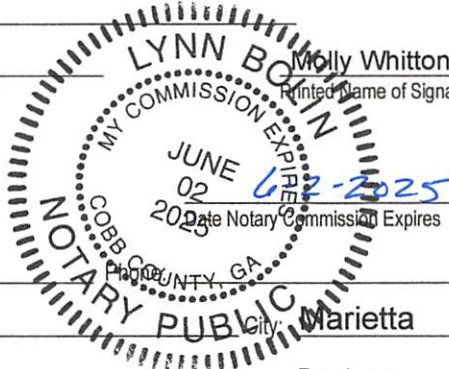
E-mail address: mwhitton@kerleyfamilyhomes.com

[Signature]
Applicant's Signature

Molly Whitton - Development Manager
Printed Name of Signatory

Signed, sealed and delivered in the presence of:

[Signature]
Notary Public



Representative: J. Kevin Moore Cell: 770-429-1499

Address: 326 Roswell Sreet City: Marietta State: GA Zip: 30060

E-mail address: JKM@mijs.com Fax phone: _____

BY: [Signature]
Representative's Signature

J. Kevin Moore
Printed Name of Signatory

Signed, sealed and delivered in the presence of:
[Signature]
Notary Public

January 10, 2027
Date Notary Commission Expires



Titleholder: Douglas E Hendrix Business phone: _____ Home phone: _____

(Each Titleholder must have a separate, complete form with notarized signatures)

Address: 260 Merchants Drive City: Dallas State: GA Zip: 30132

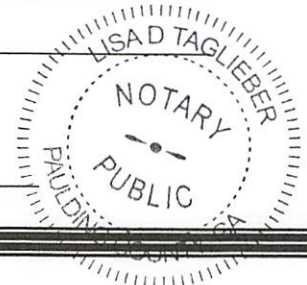
[Signature]
Signature

Douglas E Hendrix
Printed Name of Signatory

Signed, sealed and delivered in the presence of:

[Signature]
Notary Public

4-3-2027
Date Notary Commission Expires



Property Information

Present Zoning Classification: R-1 Requested Zoning Classification: R-4, C-2 (overall)

Total Acreage of Zoning/Rezoning Application: 18.01 Acreage of Titleholder: 2.44

Land Lot(s): 273 District(s): 2nd Section(s): 3rd Tax Parcel I.D. Number(s): 115.4.4.003.0000
BE 200 Clay BE

Location of Property: 260 Merchants Drive Dallas, GA 30132

Physical address, if available, and nearest intersections (i.e. east/west side of given road, and north/south of given road)

Detailed description of proposed development (including maximum number of lots, if residential, or number of units): R-4 zoning for single-family, attached, townhomes, maximum 91 units; C-2 zoning for allowable commercial uses

Filed with City: _____ (Date) _____ (Signature)

City of Dallas Planning Commission Recommendation: Approve Disapprove No recommendation

Conditions, reasons, stipulations: _____

City Council Decision: Approve Approve as different classification Disapprove

Conditions, reasons, stipulations: _____



ZONING / REZONING APPLICATION

City of Dallas, Georgia

Application # _____ - _____

Hearing Dates: PC: _____ CC: _____

OFFICE U

Time/Date S

Item 6.

(PLEASE PRINT OR TYPE ALL INFORMATION)

Applicant: Kerley Family Homes, LLC Business phone: 770-792-5500 ext 106 Cell: 678-438-9227

Address: 3957 South Main Street Home phone: 770-792-5500 ext 106

City: Acworth State: GA Zip: 30101 Fax phone: _____

E-mail address: mwhitton@kerleyfamilyhomes.com

Applicant's Signature

Signed, sealed and delivered in the presence of:

Notary Public

Molly Whitton - Development Manager
Printed Name of Signatory

LYNN BOYD
MY COMMISSION EXPIRES
JUNE 02 6-2325
2028
COBB COUNTY, GA
NOTARY PUBLIC

Representative: J. Kevin Moore Cell: 770-429-1499

Address: 326 Roswell Sreet City: Marietta State: GA Zip: 30060

E-mail address: JKM@mijs.com Fax phone: _____

BY: J. Kevin Moore
Representative's Signature

J. Kevin Moore
Printed Name of Signatory

Signed, sealed and delivered in the presence of:

Notary Public

January 10, 2027
Date Notary Commission Expires



Titleholder: Nancy Rakestraw Arnold Business phone: _____ Home phone: _____

(Each Titleholder must have a separate, complete form with notarized signatures)

Address: 260 Merchants Drive City: Dallas State: GA Zip: 30132

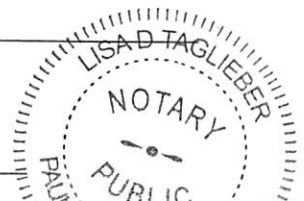
Signature

Nancy Rakestraw Arnold
Printed Name of Signatory

Signed, sealed and delivered in the presence of:

Notary Public

4-3-2027
Date Notary Commission Expires



Property Information

Present Zoning Classification: C-2 Requested Zoning Classification: R-4, C-2 (overall)

Total Acreage of Zoning/Rezoning Application: 18.01 Acreage of Titleholder: 15.57

Land Lot(s): 273 District(s): 2nd Section(s): 3rd Tax Parcel I.D. Number(s): 138.1.1.055.0000

Location of Property: 260 Merchants Drive Dallas, GA 30132

Physical address, if available, and nearest intersections (i.e. east/west side of given road, and north/south of given road)

Detailed description of proposed development (including maximum number of lots, if residential, or number of units): R-4 zoning for single-family, attached, townhomes, maximum 91 units; C-2 zoning for allowable commercial uses

Filed with City: _____ (Date) _____ (Signature)

City of Dallas Planning Commission Recommendation: Approve Disapprove No recommendation

Conditions, reasons, stipulations: _____

City Council Decision: Approve Approve as different classification Disapprove

Conditions, reasons, stipulations: _____



ZONING / REZONING APPLICATION

City of Dallas, Georgia

Application # _____ - _____

Hearing Dates: PC: _____ CC: _____

OFFICE U

Time/Date S

Item 6.

(PLEASE PRINT OR TYPE ALL INFORMATION)

Applicant: Kerley Family Homes, LLC Business phone: 770-792-5500 ext 106 Cell: 678-438-9227

Address: 3957 South Main Street Home phone: 770-792-5500 ext 106

City: Acworth State: GA Zip: 30101 Fax phone: _____

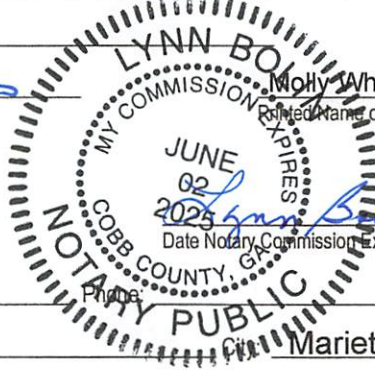
E-mail address: mwhitton@kerleyfamilyhomes.com

[Signature]
Applicant's Signature

Molly Whitton - Development Manager
Printed Name of Signatory

Signed, sealed and delivered in the presence of:

[Signature]
Notary Public



[Signature] 6-2-2025
Date Notary Commission Expires

Representative: J. Kevin Moore Cell: 770-429-1499

Address: 326 Roswell Sreet City: Marietta State: GA Zip: 30060

E-mail address: JKM@mijs.com Fax phone: _____

BY: [Signature]
Representative's Signature

J. Kevin Moore
Printed Name of Signatory

Signed, sealed and delivered in the presence of:

[Signature]
Notary Public

January 10, 2027
Date Notary Commission Expires



Titleholder: Judy Rakestaw Barnette Business phone: _____ Home phone: _____

(Each Titleholder must have a separate, complete form with notarized signatures)

Address: 260 Merchants Drive City: Dallas State: GA Zip: 30132

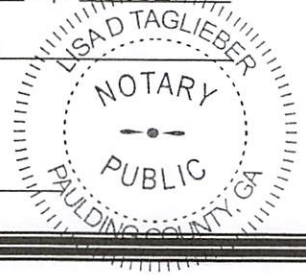
[Signature]
Signature

Judy Rakestraw Barnette
Printed Name of Signatory

Signed, sealed and delivered in the presence of:

[Signature]
Notary Public

4-3-2027
Date Notary Commission Expires



Property Information

Present Zoning Classification: C-2 Requested Zoning Classification: R-4, C-2 (overall)

Total Acreage of Zoning/Rezoning Application: 18.01 Acreage of Titleholder: 15.57

Land Lot(s): 273 District(s): 2nd Section(s): 3rd Tax Parcel I.D. Number(s): 138.1.1.055.0000

Location of Property: 260 Merchants Drive Dallas, GA 30132

Physical address, if available, and nearest intersections (i.e. east/west side of given road, and north/south of given road)

Detailed description of proposed development (including maximum number of lots, if residential, or number of units): R-4 zoning for single-family attached, townhomes, maximum 91 units; C-2 zoning for allowable commercial uses.

Filed with City: _____ (Date) _____ (Signature)

City of Dallas Planning Commission Recommendation: Approve Disapprove No recommendation

Conditions, reasons, stipulations: _____

City Council Decision: Approve Approve as different classification Disapprove

Conditions, reasons, stipulations: _____



ZONING / REZONING APPLICATION

City of Dallas, Georgia

Application # _____ - _____

Hearing Dates: PC: _____ CC: _____

OFFICE U

Time/Date S

Item 6.

(PLEASE PRINT OR TYPE ALL INFORMATION)

Applicant: Kerley Family Homes, LLC Business phone: 770-792-5500 ext 106 Cell: 678-438-9227

Address: 3957 South Main Street Home phone: _____

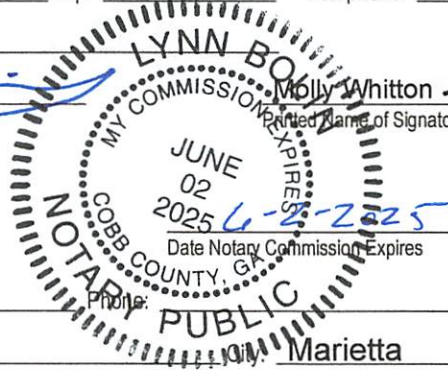
City: Acworth State: GA Zip: 30101 Fax phone: _____

E-mail address: mwhitton@kerleyfamilyhomes.com

Applicant's Signature

Signed, sealed and delivered in the presence of:

Notary Public



Molly Whitton - Development Manager
Printed Name of Signatory

JUNE 02 2025 6-2-2025
Date Notary Commission Expires

Representative: J. Kevin Moore Cell: 770-429-1499

Address: 326 Roswell Sreet City: Marietta State: GA Zip: 30060

E-mail address: JKM@mjjs.com Fax phone: _____

BY: J. Kevin Moore
Representative's Signature

J. Kevin Moore
Printed Name of Signatory

Signed, sealed and delivered in the presence of:

Notary Public

January 10, 2027
Date Notary Commission Expires



Titleholder: June G Rakestraw Business phone: _____ Home phone: _____

(Each Titleholder must have a separate, complete form with notarized signatures)

Address: 260 Merchants Drive City: Dallas State: GA Zip: 30132

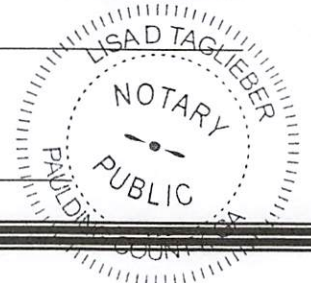
June G. Rakestraw
Signature

June G Rakestraw
Printed Name of Signatory

Signed, sealed and delivered in the presence of:

Notary Public

4-3-2027
Date Notary Commission Expires



Property Information

Present Zoning Classification: C-2 Requested Zoning Classification: R-4, C-2 (overall)

Total Acreage of Zoning/Rezoning Application: 18.01 Acreage of Titleholder: 15.57

Land Lot(s): 273 District(s): 2nd Section(s): 3rd Tax Parcel I.D. Number(s): 138.1.1.055.0000

Location of Property: 260 Merchants Drive Dallas, GA 30132

Physical address, if available, and nearest intersections (i.e. east/west side of given road, and north/south of given road)

Detailed description of proposed development (including maximum number of lots, if residential, or number of units): R-4 zoning for single-family, attached, townhomes, maximum 91 units; C-2 zoning for allowable commercial uses

Filed with City: _____ (Date) _____ (Signature)

City of Dallas Planning Commission Recommendation: Approve Disapprove No recommendation

Conditions, reasons, stipulations: _____

City Council Decision: Approve Approve as different classification Disapprove

Conditions, reasons, stipulations: _____



Applicant / Representative Attendance Required

Applicant or representative must be present at the public hearings before the Dallas Planning Commission and the Mayor and City Council. Failure to attend may result in dismissal with prejudice, rejection of the application, or continuance of the hearing at the Commission or Council's sole discretion.

I / We (Cross Out One) have investigated the site as to the existence of archeological and/or architectural landmarks. I / We (Cross Out One) hereby certify there are / are not (Cross Out One) any such assets. If any exist, documentation must be provided with the application.

I / We (Cross Out One) have investigated the site as to the existence of any cemetery located on the property. I / We (Cross Out One) hereby certify there is / is not (Cross Out One) such a cemetery. If any exist, documentation must be provided with the application, including notice to the Paulding County Cemetery Commission.



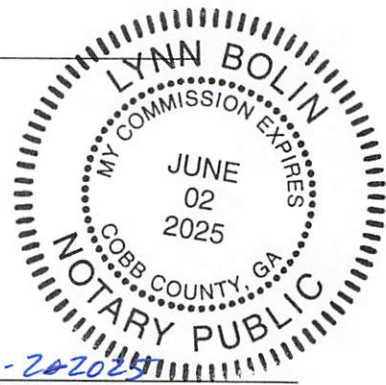
Signature of Applicant/Representative

7.25.23

Date

Molly Whitton - ~~Development Manager~~

Printed Name of Applicant/Representative



Signed, sealed and delivered in the presence of:



Notary Public Signature

6-2025

Commission Expiration

Signature of Applicant/Representative

Date

Printed Name of Applicant/Representative

Signed, sealed and delivered in the presence of:

Notary Public Signature

Commission Expiration

Disclosure Statement

(Required by O.C.G.A. 36-67A)



I (we), Kerley Family Homes, LLC, do hereby certify that, to the best of my (our) knowledge, no elected official of the City of Dallas, Georgia has a property interest, a financial interest nor does any family member of an elected official of the City of Dallas, Georgia have a property interest or financial interest in this property or in this application for rezoning except as follows:

N/A

I (we), Kerley Family Homes, LLC, do further certify that we, nor the property owner, have not contributed any monies and/or gifts totaling over \$250.00 within the last two years to any elected official of the City of Dallas, Georgia except for the following (Give the names of officials, dates and amounts of contribution):

N/A

7.31.23
Date

Applicant

Disclosure Statement (Required by O.C.G.A. 36-67A)



Moore Ingram Johnson &
 (we), Steele, LLP, do hereby certify that, to the best of my (our) knowledge, no elected official of the City of Dallas, Georgia has a property interest, a financial interest nor does any family member of an elected official of the City of Dallas, Georgia have a property interest or financial interest in this property or in this application for rezoning except as follows:

Not Applicable.

Moore Ingram Johnson &
 (we), Steele, LLP, do further certify that we, nor the property owner, have not contributed any monies and/or gifts totaling over \$250.00 within the last two years to any elected official of the City of Dallas, Georgia except for the following (Give the names of officials, dates and amounts of contribution):

Not Applicable.

MOORE INGRAM JOHNSON & STEELE, LLP

BY: 

Applicant Representative
J. Kevin Moore
Attorneys for Applicant and Property

July 31, 2023
Date

Owners

**CITY OF DALLAS
LEGAL NOTICE
ZONING / REZONING**



I / WE(Choose one), Kerley Family Homes, LLC
HAVE APPLIED TO ZONE/REZONE A PORTION OF LAND LOT(S) 273
IN THE 2nd DISTRICT AND 3rd SECTION OF PAULDING COUNTY, LOCATED
AT 260 Merchants Drive Dallas, GA 30132 WITHIN THE CITY OF DALLAS, GEORGIA,
FROM A ZONING DISTRICT OF C-2 & R-1 TO A ZONING DISTRICT OF
C2 and R4 SUBJECT TO PUBLIC HEARING TO BE HELD AT
7:00 PM AT THE DALLAS CITY COUNCIL ROOM, 129 EAST MEMORIAL DRIVE, DALLAS, GEORGIA.

SAID PUBLIC HEARING WILL BE HELD ON _____ BEFORE THE
CITY OF DALLAS PLANNING COMMISSION AND ON _____ BEFORE THE
MAYOR AND COUNCIL OF THE CITY OF DALLAS.

THIS, THE 31 DAY OF July, 2023.

Molly Whitton / Development Manager
APPLICANT(S) NAME

For City Use

NOTICE WILL RUN WEEKS OF: _____
AND THE WEEK OF: _____
AND THE WEEK OF: _____

For City Use

CITY OF DALLAS ZONING/ REZONING REQUEST DISPOSITION FORM



A PUBLIC HEARING WAS HELD ON AN APPLICATION FOR ZONING/REZOING REQUESTED BY _____ AT THE DALLAS COUNCIL ROOM. SAID HEARING WAS HELD ON _____.

THE CITY OF DALLAS PLANNING COMMISSION RECOMMENDS TO THE DALLAS CITY COUNCIL THAT THE ABOVE APPLICATION BE:

- APPROVED
- DISAPPROVED

PLEASE INDICATE BELOW ANY COMMENTS, REASONS FOR DISAPPROVAL, OPPOSITION TO THE REQUEST AND/OR ANY CONDITIONS THAT SHOULD BE MADE A PART OF THE ZONING AMENDMENT.

DATE

SECRETARY TO THE PLANNING
COMMISSION

PRINTED NAME

**CITY OF DALLAS
LEGAL NOTICE
ZONING/REZONING**

Kerley Family Homes, LLC (Applicant), Martha D. Hendrix and Douglas E. Hendrix (Titleholders), and J. Kevin Moore (Representative), have applied to zone/rezone a portion of Land Lot(s) 273 in the 2nd District, 3rd Section of Paulding County, located at 200 Clay Drive, within City of Dallas, Georgia, from a Zoning District of R-1 Residential to a Zoning District of R-4 Residential, in the City of Dallas, GA subject to public hearings to be held on November 2nd, 2023, at 6:00 pm before the Dallas Planning & Zoning Commission; and November 6th, 2023, at 5:15 pm before the Mayor and Council of the City of Dallas; public hearings will be held in Council Chambers of Dallas City Hall, 129 E. Memorial Drive, Dallas, GA. 30132.

This the 29th day of September, 2023

Kerley Family Homes, LLC (Applicant)
Martha D. Hendrix & Douglas E. Hendrix (Titleholders)
J. Kevin Moore (Representative)

DEV-2023-02**STAFF COMMENTS:**

The applicant has submitted development plans for property that is located within the Corridor Overlay District. Per Section 44-214 of the City of Dallas Zoning Ordinance, approval by the Planning Commission is required for any proposed development plan in the Corridor Overlay District.

The property is 0.93 acres located at 104 Village Walk. The property is zoned C-2 General Business. The proposed use of bank is permitted by the zoning district.

Properties that border the site are also zoned C-2. The site access is from Village Walk. The rear of the site borders US Hwy 278.

Staff has reviewed the development plans and has no objections.

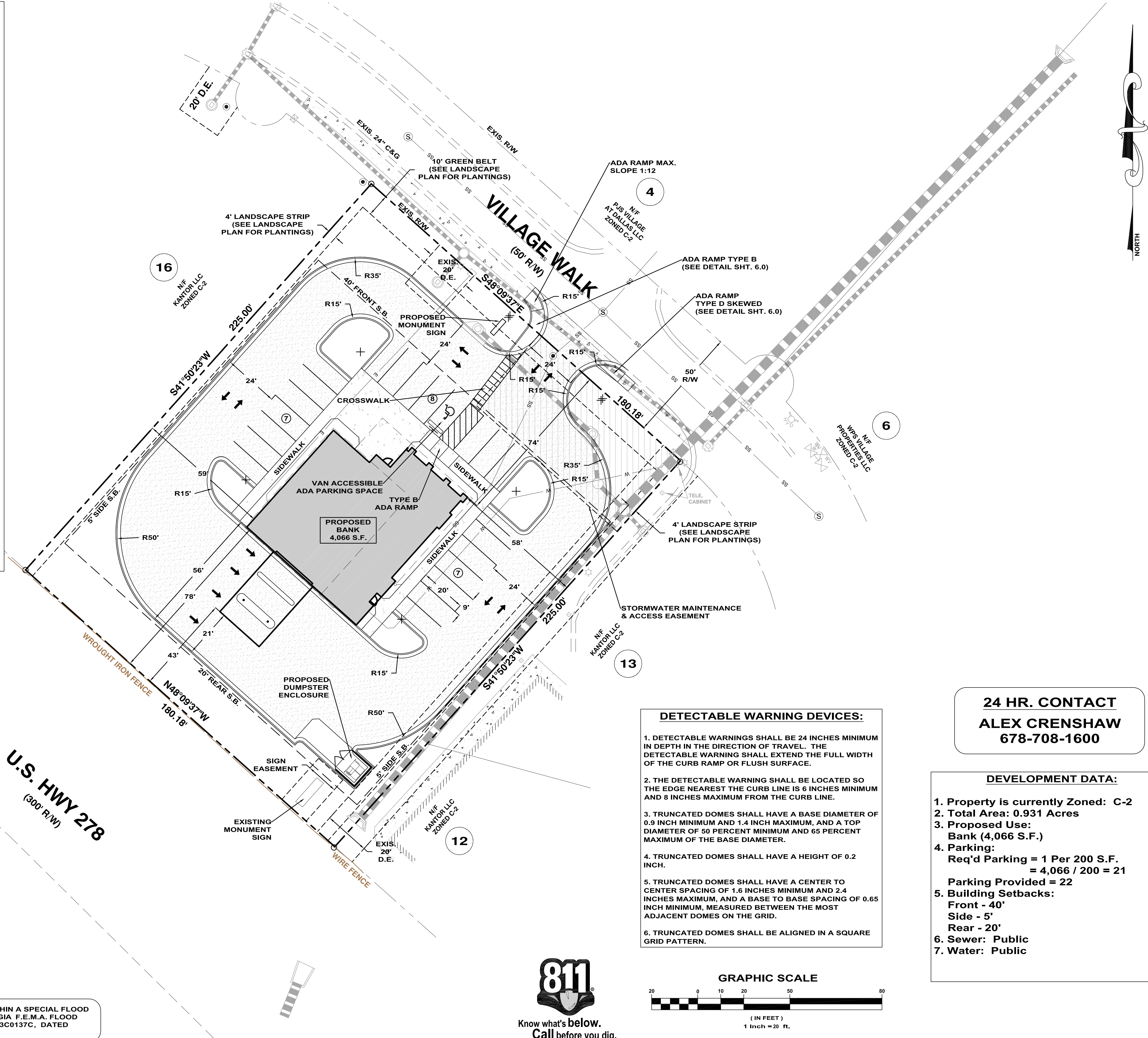
Staff recommends approval.

The findings made herein are the opinions of the City of Dallas, Ga Development staff and do not constitute a final decision.

CONCRETE SIDEWALKS & CURBS:

1. USE CONCRETE THAT CONFORMS TO THE MINIMUM REQUIREMENTS FOR CLASS "B", AS SPECIFIED BY GDOT STANDARD SPECIFICATIONS SECTION 500.
2. CONCRETE SHALL ONLY BE PLACED WHEN THE AIR TEMPERATURE 40° F AND RISING. PROTECT CONCRETE FROM FREEZING FOR THE FIRST 24 HOURS. HAND FINISHING IS ALLOWED.
3. CONCRETE SIDEWALKS SHALL HAVE A TYPE V FINISH UNLESS OTHERWISE NOTED ON THE PLANS. TEST THE SURFACE WITH A 10 FT. STRAIGHTEDGE LAID PARALLEL TO THE CENTER LINE. ELIMINATE IRREGULARITIES GREATER THAN 0.25 IN. PER 10 FT. WHILE THE CONCRETE IS STILL PLASTIC. ENSURE THAT CONCRETE SIDEWALK CONSTRUCTED AS CURB CUT (WHEELCHAIR) RAMPS HAS A ROUGH OR TEXTURED FINISH.
4. FOR CONCRETE SIDEWALKS, FORM TRANSVERSE CONTRACTION JOINTS USING A TOOL DESIGNED TO FORM A GROOVE ONE-THIRD THE DEPTH OF THE SIDEWALK AT INTERVALS SHOWN ON THE PLANS.
5. WHERE SIDEWALKS ABUT CURB AND GUTTER, ENSURE THAT ALTERNATE JOINTS COINCIDE. ROUND THE EDGES WITH A 0.25 IN. EDGER. MAKE EXPANSION JOINTS ACCORDING TO THE MATERIALS, DIMENSIONS, AND LOCATIONS SPECIFIED ON THE PLANS.
6. FOR CONCRETE CURB AND GUTTERS, FORM CONTRACTION JOINTS AT LEAST ONE-FIFTH BUT NO GREATER THAN ONE-FOURTH THE DEPTH OF THE CONCRETE. INSTALL CONTRACTION JOINTS SPACED NO MORE THAN 20 FT. APART.
7. FOR CURB CUT WHEELCHAIR RAMPS, LOCATE AND FORM EXPANSION JOINTS ACCORDING TO SPECIAL DETAILS FOR RAMP TYPE A, B, C OR D.
8. USE CURING METHODS SPECIFIED IN GDOT STANDARD SPECIFICATIONS SUBSECTION 430.3.05.L, CURE THE CONCRETE. ENSURE THAT THE MEMBRANE CURING COMPOUND IS TYPE 2, IF USED. PACK HONEYCOMBED AREAS IMMEDIATELY AFTER REMOVING THE FORMS.
9. BACKFILL THE AREAS AS SOON AS POSSIBLE WITHOUT DAMAGING THE WORK.
10. WHEN CONCRETE WORK IS COMPLETE, CLEAN EACH SURFACE AND PROTECT THE WORK FROM STAINS OR OTHER DAMAGE UNTIL FINAL ACCEPTANCE.
11. DEPOSIT CONCRETE WITHIN FORMS OR AGAINST OTHER PAVEMENTS ON A COMPACTED AND WETTED SUBGRADE TO THE DEPTH TO PRODUCE THE SPECIFIED THICKNESS. DO NOT PLACE CONCRETE ON A MUDDY OR FROZEN SURFACE.
12. MIX CLASS B CONCRETE AS SPECIFIED IN GDOT STANDARD SPECIFICATIONS SECTION 500.
13. MINIMUM THICKNESS OF SIDEWALKS SHALL BE 4 INCHES. THE MINIMUM WIDTH OF SIDEWALKS SHALL BE 5 FEET, EXCEPT AS SHOWN OTHERWISE ON THE PLAN.

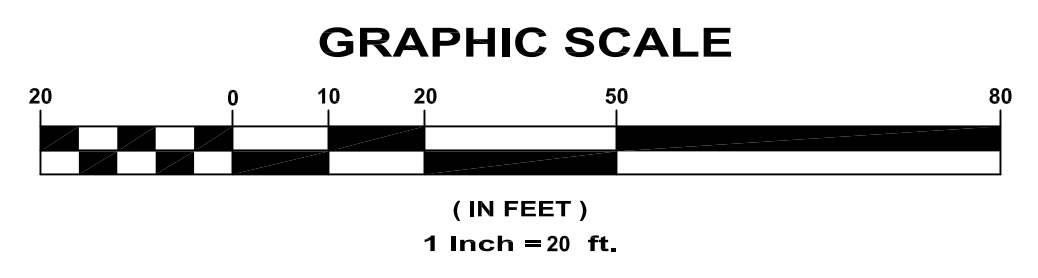
FLOOD NOTE: NO PORTIONS OF THIS PROPERTY LIE WITHIN A SPECIAL FLOOD HAZARD AREA AS SHOWN ON CITY OF DALLAS, GEORGIA F.E.M.A. FLOOD RATE INSURANCE MAP, COMMUNITY PANEL NUMBER 13223C0137C, DATED SEP. 29, 2006.



- DETECTABLE WARNING DEVICES:**
1. DETECTABLE WARNINGS SHALL BE 24 INCHES MINIMUM IN DEPTH IN THE DIRECTION OF TRAVEL. THE DETECTABLE WARNING SHALL EXTEND THE FULL WIDTH OF THE CURB RAMP OR FLUSH SURFACE.
 2. THE DETECTABLE WARNING SHALL BE LOCATED SO THE EDGE NEAREST THE CURB LINE IS 6 INCHES MINIMUM AND 8 INCHES MAXIMUM FROM THE CURB LINE.
 3. TRUNCATED DOMES SHALL HAVE A BASE DIAMETER OF 0.9 INCH MINIMUM AND 1.4 INCH MAXIMUM, AND A TOP DIAMETER OF 50 PERCENT MINIMUM AND 65 PERCENT MAXIMUM OF THE BASE DIAMETER.
 4. TRUNCATED DOMES SHALL HAVE A HEIGHT OF 0.2 INCH.
 5. TRUNCATED DOMES SHALL HAVE A CENTER TO CENTER SPACING OF 1.6 INCHES MINIMUM AND 2.4 INCHES MAXIMUM, AND A BASE TO BASE SPACING OF 0.65 INCH MINIMUM, MEASURED BETWEEN THE MOST ADJACENT DOMES ON THE GRID.
 6. TRUNCATED DOMES SHALL BE ALIGNED IN A SQUARE GRID PATTERN.

24 HR. CONTACT
ALEX CRENSHAW
678-708-1600

- DEVELOPMENT DATA:**
1. Property is currently Zoned: C-2
 2. Total Area: 0.931 Acres
 3. Proposed Use:
Bank (4,066 S.F.)
 4. Parking:
Req'd Parking = 1 Per 200 S.F.
= 4,066 / 200 = 21
Parking Provided = 22
 5. Building Setbacks:
Front - 40'
Side - 5'
Rear - 20'
 6. Sewer: Public
 7. Water: Public



Item 7.

REVISIONS
8/18/23 - REVISED PER CITY OF DALLAS REVIEW COMMENTS.
10/05/23 - REVISED PER CITY OF DALLAS REVIEW COMMENTS.

www.perspectiveeng.com

PERSPECTIVE ENGINEERING

4255 Wade Green Road, #625
 Kennesaw, Georgia 30144
 Ph: (678) 567-1203

GA SOS Eng. Firm Lic #PEF003958

JULIAN

JOB NUMBER: 2023-710
 DRAWN BY: J.LJ

PROJECT NAME
 FIRST NATIONAL COMMUNITY BANK
 LAND LOT 374, 2ND DISTRICT, 3RD SECTION
 CITY OF DALLAS, PAULDING COUNTY, GEORGIA

CLIENT NAME
 FIRST NATIONAL COMMUNITY BANK
 701 NORTH THIRD AVENUE
 CHATSWORTH, GEORGIA 30705

SEAL

10/05/23

SITE PLAN

2.0

STORM DRAIN PIPE:

1. FOR STORM DRAIN APPLICATIONS USE GRADED AGGREGATE MATERIAL MEETING GDOT STANDARD SPECIFICATIONS SECTION 815 FOR BACKFILL MATERIAL.
2. PROVIDE NECESSARY TEMPORARY DRAINAGE. PERIODICALLY REMOVE ANY DEBRIS OR SILT CONSTRICTING THE PIPE FLOW TO MAINTAIN DRAINAGE THROUGHOUT THE LIFE OF THE CONTRACT.
3. PROTECT THE STRUCTURE BY PROVIDING SUFFICIENT DEPTH AND WIDTH OF COMPACTED BACKFILL BEFORE ALLOWING CONSTRUCTION OVER A CULVERT. REPAIR DAMAGE OR DISPLACEMENT FROM TRAFFIC OR EROSION OCCURRING AFTER INSTALLING AND BACKFILLING.
4. CHECK VERTICAL AND HORIZONTAL ALIGNMENT OF THE PIPE CULVERT OR PIPE BARREL BY SIGHTING ALONG THE CROWN, INVERT AND SIDES OF THE PIPE, AND BY CHECKING FOR SAGGING, FAULTING AND INVERT HEAVING. REPAIR ANY ISSUES INVOLVING INCORRECT HORIZONTAL AND/OR VERTICAL ALIGNMENT BEFORE BACKFILLING PIPE.
5. INSTALL SMOOTH-LINED CORRUGATED HDPE PIPE ACCORDING TO ASTM D 2321 AS PER PLANS USING BACKFILL REQUIREMENTS IN GDOT STANDARD SPECIFICATIONS SUBSECTION 550.3.03. USE FITTINGS AND COUPLINGS THAT COMPLY WITH THE JOINT PERFORMANCE CRITERIA OF AASHTO STANDARD SPECIFICATIONS FOR HIGHWAY BRIDGES, DIVISION II. ENSURE ALL JOINTS ARE "SILT TIGHT" AS STATED IN THE AASHTO BRIDGE SPECIFICATIONS.

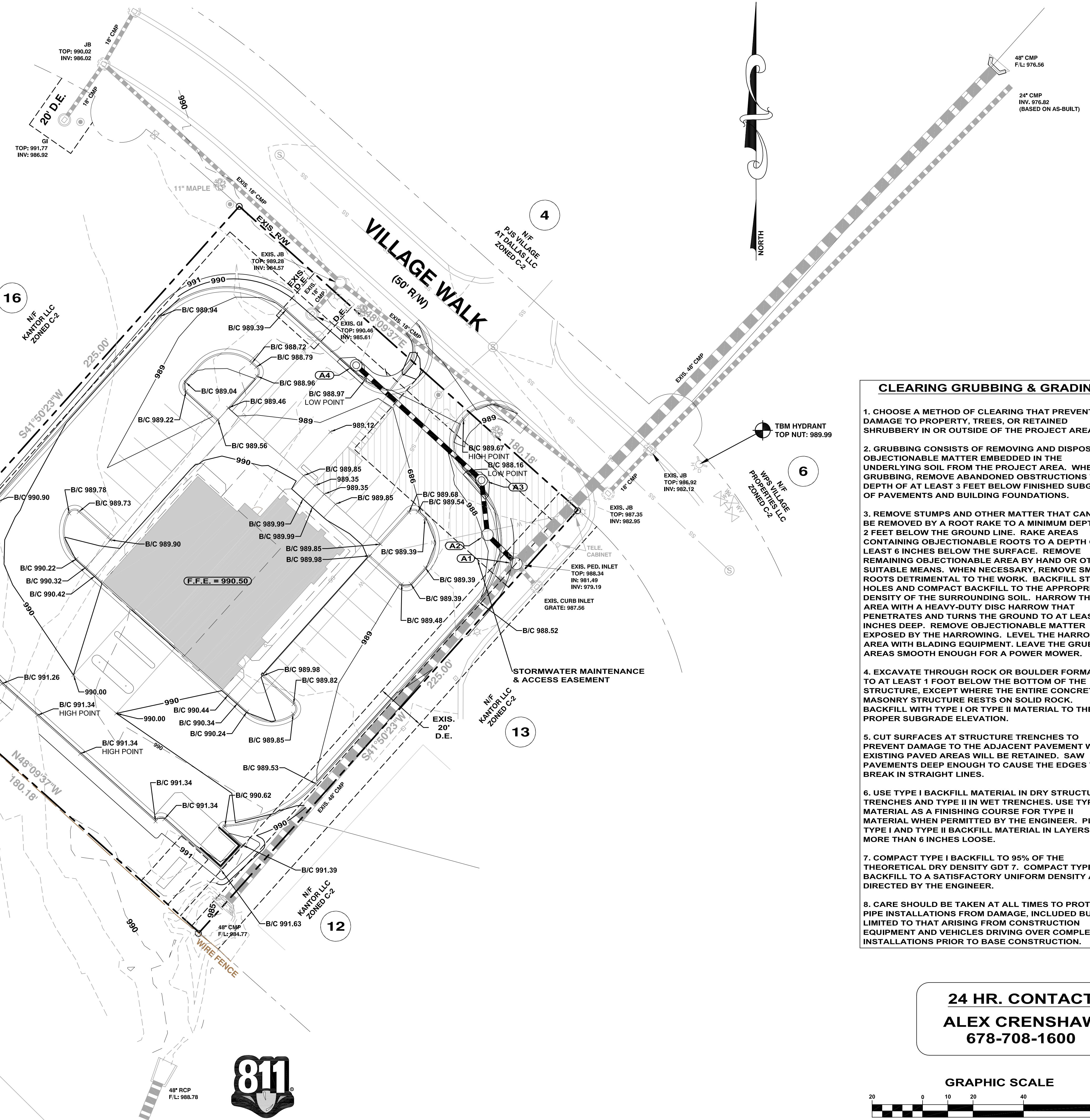
NOTES:

1. PLANIMETRIC AND TOPOGRAPHIC FEATURES SHOWN ON THIS PLAN ARE BASED ON TOPOGRAPHIC SURVEY FOR LOT 14 OF THE VILLAGE AT DALLAS BY CARLTON RAKESTRAW & ASSOCIATES DATED FEBRUARY 17, 2023. ELEVATIONS SHOWN ARE BASED ON NAVD 88. ALL EXISTING CONDITIONS SHOULD BE VERIFIED BY THE CONTRACTOR PRIOR TO BEGINNING CONSTRUCTION.
2. ANY DISCREPANCIES IN FIELD CONDITIONS FROM WHAT IS SHOWN ON THIS PLAN SHOULD BE REPORTED TO THE ENGINEER PRIOR TO PROCEEDING WITH WORK.

FLOOD NOTE: NO PORTIONS OF THIS PROPERTY LIE WITHIN A SPECIAL FLOOD HAZARD AREA AS SHOWN ON CITY OF DALLAS, GEORGIA F.E.M.A. FLOOD RATE INSURANCE MAP, COMMUNITY PANEL NUMBER 13223C0137C, DATED SEP. 29, 2006.



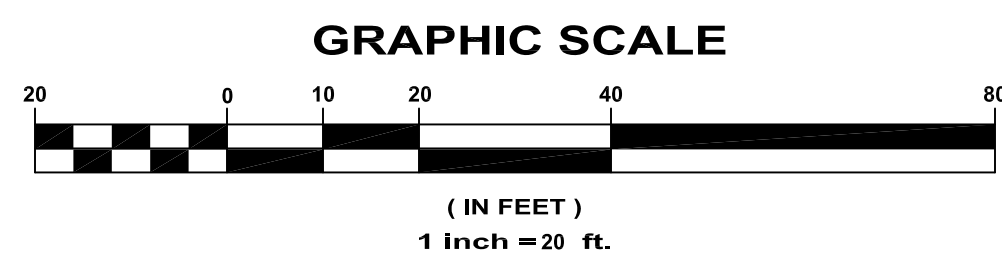
Know what's below.
Call before you dig.



CLEARING GRUBBING & GRADING:

1. CHOOSE A METHOD OF CLEARING THAT PREVENTS DAMAGE TO PROPERTY, TREES, OR RETAINED SHRUBBERY IN OR OUTSIDE OF THE PROJECT AREA.
2. GRUBBING CONSISTS OF REMOVING AND DISPOSING OBJECTIONABLE MATTER EMBEDDED IN THE UNDERLYING SOIL FROM THE PROJECT AREA. WHEN GRUBBING, REMOVE ABANDONED OBSTRUCTIONS TO A DEPTH OF AT LEAST 3 FEET BELOW FINISHED SUBGRADE OF PAVEMENTS AND BUILDING FOUNDATIONS.
3. REMOVE STUMPS AND OTHER MATTER THAT CANNOT BE REMOVED BY A ROOT RAKE TO A MINIMUM DEPTH OF 2 FEET BELOW THE GROUND LINE. RAKE AREAS CONTAINING OBJECTIONABLE ROOTS TO A DEPTH OF AT LEAST 6 INCHES BELOW THE SURFACE. REMOVE REMAINING OBJECTIONABLE AREA BY HAND OR OTHER SUITABLE MEANS. WHEN NECESSARY, REMOVE SMALL ROOTS DETRIMENTAL TO THE WORK. BACKFILL STUMP HOLES AND COMPACT BACKFILL TO THE APPROPRIATE DENSITY OF THE SURROUNDING SOIL. HARROW THE AREA WITH A HEAVY-DUTY DISC HARROW THAT PENETRATES AND TURNS THE GROUND TO AT LEAST 6 INCHES DEEP. REMOVE OBJECTIONABLE MATTER EXPOSED BY THE HARROWING. LEVEL THE HARROWED AREA WITH BLADING EQUIPMENT. LEAVE THE GRUBBED AREAS SMOOTH ENOUGH FOR A POWER MOWER.
4. EXCAVATE THROUGH ROCK OR BOULDER FORMATIONS TO AT LEAST 1 FOOT BELOW THE BOTTOM OF THE STRUCTURE, EXCEPT WHERE THE ENTIRE CONCRETE OR MASONRY STRUCTURE RESTS ON SOLID ROCK. BACKFILL WITH TYPE I OR TYPE II MATERIAL TO THE PROPER SUBGRADE ELEVATION.
5. CUT SURFACES AT STRUCTURE TRENCHES TO PREVENT DAMAGE TO THE ADJACENT PAVEMENT WHEN EXISTING PAVED AREAS WILL BE RETAINED. SAW PAVEMENTS DEEP ENOUGH TO CAUSE THE EDGES TO BREAK IN STRAIGHT LINES.
6. USE TYPE I BACKFILL MATERIAL IN DRY STRUCTURE TRENCHES AND TYPE II IN WET TRENCHES. USE TYPE I MATERIAL AS A FINISHING COURSE FOR TYPE II MATERIAL WHEN PERMITTED BY THE ENGINEER. PLACE TYPE I AND TYPE II BACKFILL MATERIAL IN LAYERS NO MORE THAN 6 INCHES LOOSE.
7. COMPACT TYPE I BACKFILL TO 95% OF THE THEORETICAL DRY DENSITY GDT 7. COMPACT TYPE II BACKFILL TO A SATISFACTORY UNIFORM DENSITY AS DIRECTED BY THE ENGINEER.
8. CARE SHOULD BE TAKEN AT ALL TIMES TO PROTECT PIPE INSTALLATIONS FROM DAMAGE, INCLUDED BUT NOT LIMITED TO THAT ARISING FROM CONSTRUCTION EQUIPMENT AND VEHICLES DRIVING OVER COMPLETED INSTALLATIONS PRIOR TO BASE CONSTRUCTION.

24 HR. CONTACT
ALEX CRENSHAW
678-708-1600



8/18/23 - REVISED PER CITY OF DALLAS REVIEW COMMENTS.
10/5/23 - REVISED PER CITY OF DALLAS REVIEW COMMENTS.

PERSPECTIVE ENGINEERING
www.perspectiveeng.com
4255 Wade Green Road, #625
Kennesaw, Georgia 30144
Ph: (678) 567-1203
GA SOS Eng. Firm Lic #PEF003958

JULIA J. JOHNSON
REGISTERED PROFESSIONAL ENGINEER
10/05/23

JOB NUMBER: 2023-710
DRAWN BY: J.LJ

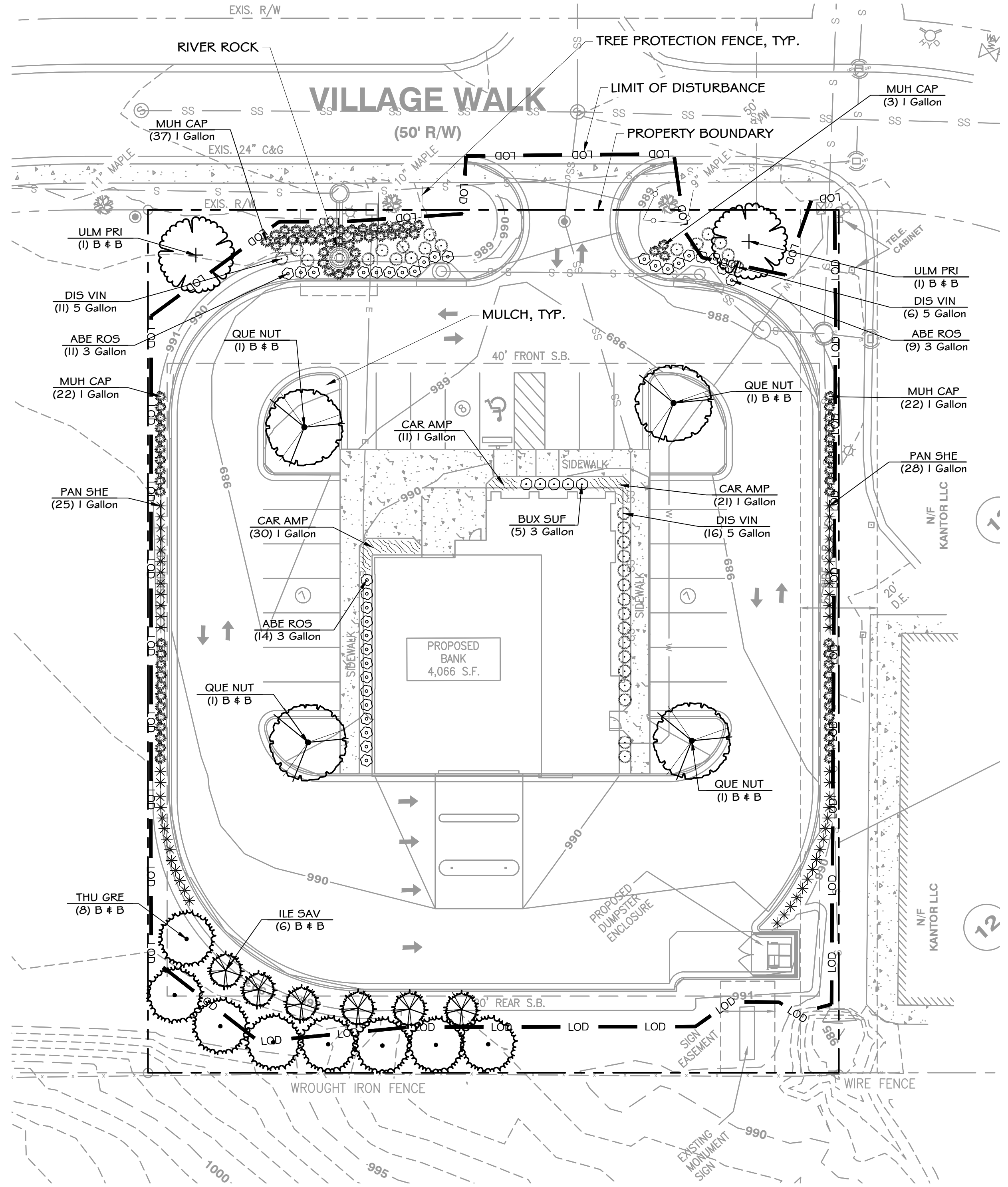
PROJECT NAME
FIRST NATIONAL COMMUNITY BANK
LAND LOT 374, 2ND DISTRICT, 3RD SECTION
CITY OF DALLAS, PAULDING COUNTY, GEORGIA

CLIENT NAME
FIRST NATIONAL COMMUNITY BANK
701 NORTH THIRD AVENUE
CHATSWORTH, GEORGIA 30705

SEAL
JULIA J. JOHNSON
REGISTERED PROFESSIONAL ENGINEER
10/05/23

GRADING & DRAINAGE PLAN

4.0



PLANT SCHEDULE

TREES	CODE	QTY	BOTANICAL / COMMON NAME	CONT	CAL	SPEC SIZE
ILE SAV		6	ILEX X ATTENUATA 'SAVANNAH' / SAVANNAH HOLLY FULL TO GROUND, SINGLE STRAIGHT LEADER, GOOD FORM, HEALTHY	B # B	2"	8-10' HT.
QUE NUT		4	QUERCUS NUTTALLII / NUTTALL OAK SINGLE STRAIGHT LEADER, HEALTHY, GOOD FORM	B # B	2"	8-10' HT.
THU GRE		8	THUJA STANDISHII X PLICATA 'GREEN GIANT' / GREEN GIANT ARBORVITAE FULL TO GROUND, GOOD FORM, HEALTHY	B # B	2"	8-10' HT.
ULM PRI		2	ULMUS AMERICANA 'PRINCETON' / AMERICAN ELM SINGLE STRAIGHT LEADER, HEALTHY, GOOD FORM	B # B	2"	8-10' HT.
SHRUBS	CODE	QTY	BOTANICAL / COMMON NAME	CONT SIZE	SPEC SIZE	
ABE ROS		34	ABELIA X GRANDIFLORA 'ROSE CREEK' / ROSE CREEK ABELIA FULL IN POT, GOOD FORM, HEALTHY	3 GALLON	12" HT.	
BUX SUF		5	BUXUS SEMPERVIRENS 'SUFFRUTICOSA' / SUFFRUTICOSA COMMON BOXWOOD FULL IN POT, GOOD FORM, HEALTHY	3 GALLON	12" HT.	
DIS VIN		33	DISTYLIUM MYRICOIDES VINTAGE JADE / VINTAGE JADE DISTYLIUM FULL IN POT, GOOD FORM, HEALTHY	5 GALLON	24-36" HT.	
MUH CAP		84	MUHLENBERGIA CAPILLARIS / PINK MUHLY GRASS	1 GALLON	6-12" HT.	
PAN SHE		53	PANICUM VIRGATUM 'SHENANDOAH' / SHENANDOAH SWITCH GRASS	1 GALLON	6-12" HT.	
GROUND COVERS	CODE	QTY	BOTANICAL / COMMON NAME	CONT SIZE		
CAR AMP		62	CAREX AMPHIBOLA / CREEK SEDGE	1 GALLON		18" o.c.
RIVER ROCK	QTY	DESCRIPTION / SIZE				
1 CY		SMALL RIVER ROUNDS / FLATS, APPROX. 2 TO 4 INCHES IN SIZE, AVAILABLE AS ROUNDS OR FLATS, SMOOTH SURFACE, VARIOUS SHADES OF CREAM, TAN, # BROWN				

10' WIDE GREENBELT ON FRONT SIDE OF PROPOSED BUILDING PROVIDED

4' WIDE LANDSCAPE STRIP ALONG SIDES OF PARKING AREAS PROVIDED

PLANTING WITHIN PARKING LOT INCLUDING SHADE TREES PROVIDED

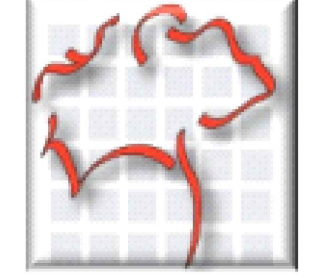
EVERGREEN SCREENING PROVIDED

PROJECT:
FIRST NATIONAL COMMUNITY BANK

LOCATION:
**VILLAGE WALK
LL 374
DISTRICT 2
PAULDING COUNTY
CITY OF DALLAS, GA**

OWNER/DEVELOPER:
**ALEX CRENSHAW
678-708-1600**

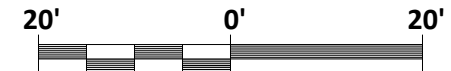
ENGINEER:
PERSPECTIVE ENGINEERING
JERRY JOHNSON, PE
678-567-1203

CONSULTANT:

TJ SCHELL, LLC

Landscape Architect • Consulting Arborist
770.361.2319
teresa@tjschell.com
2985 Gordy Pkwy., Ste. 422, Marietta, GA 30066

SEAL:

TERESA H. ELDRIDGE
ISA - SO-5442A

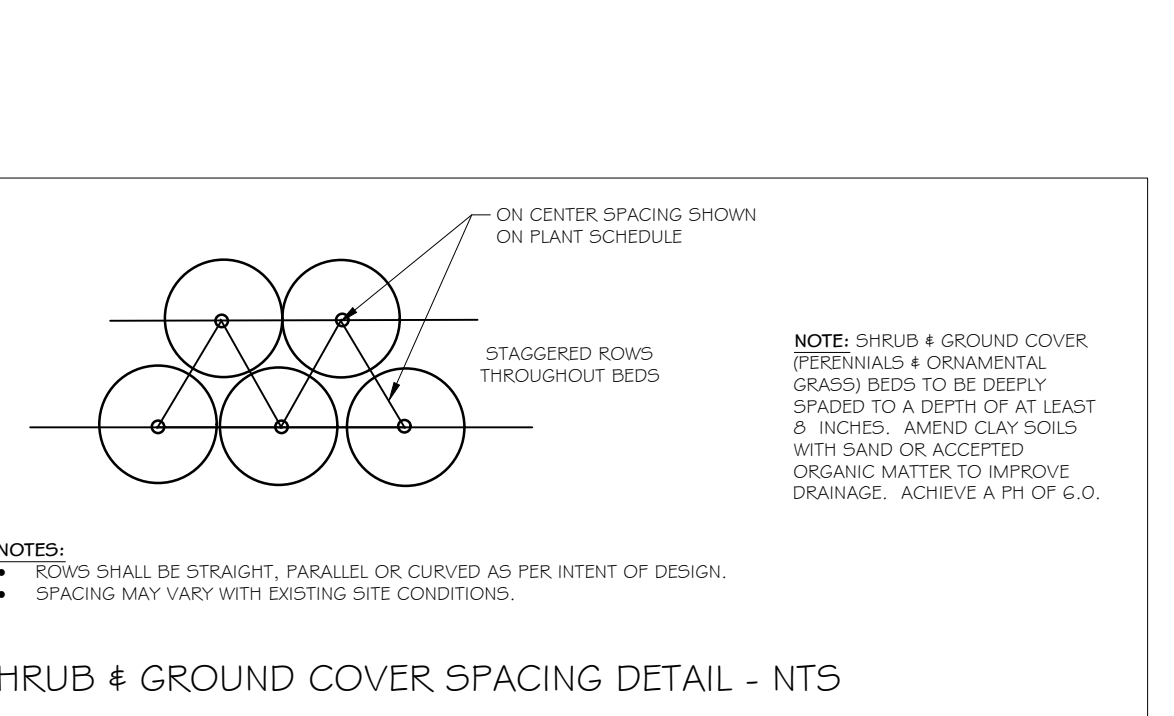
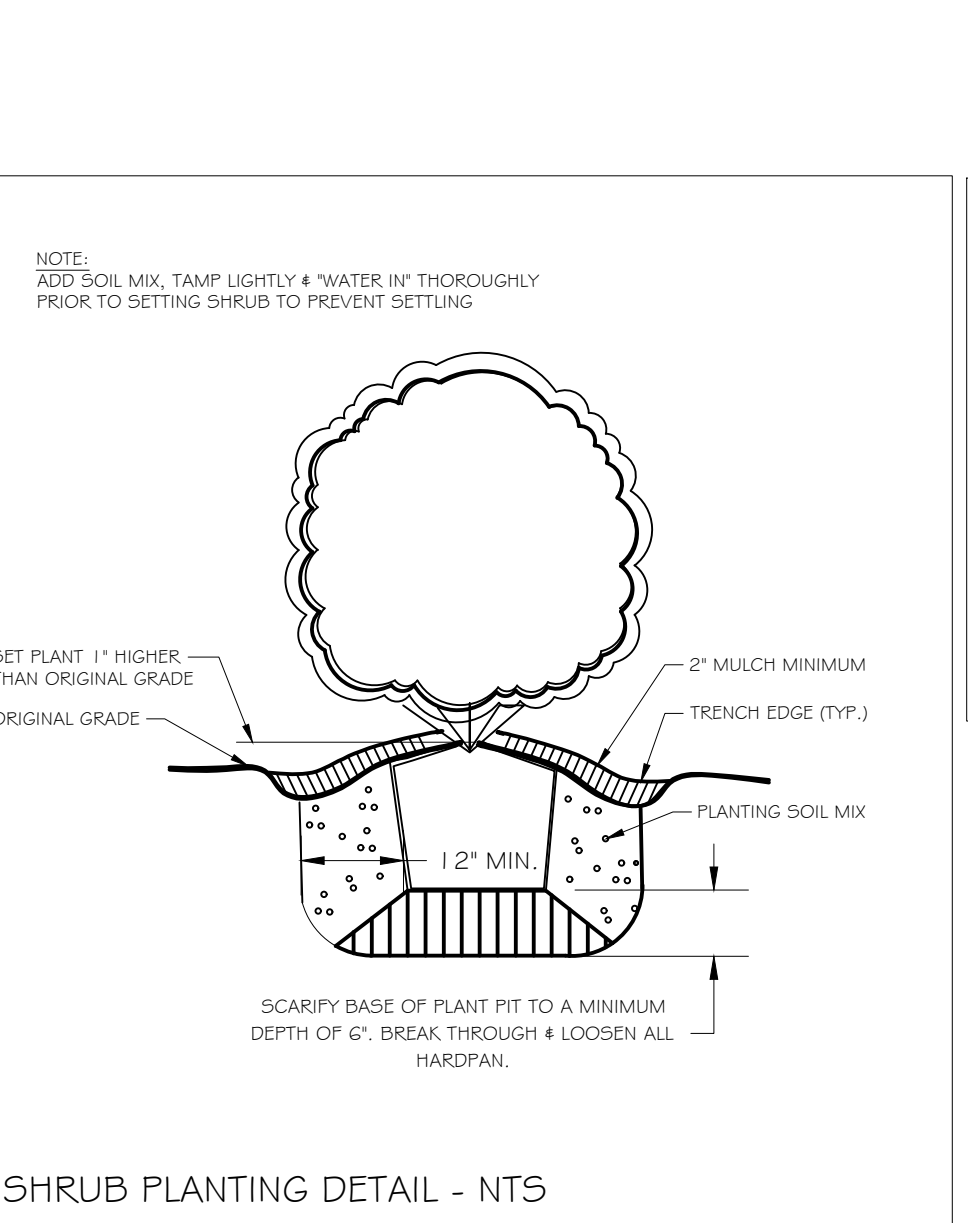
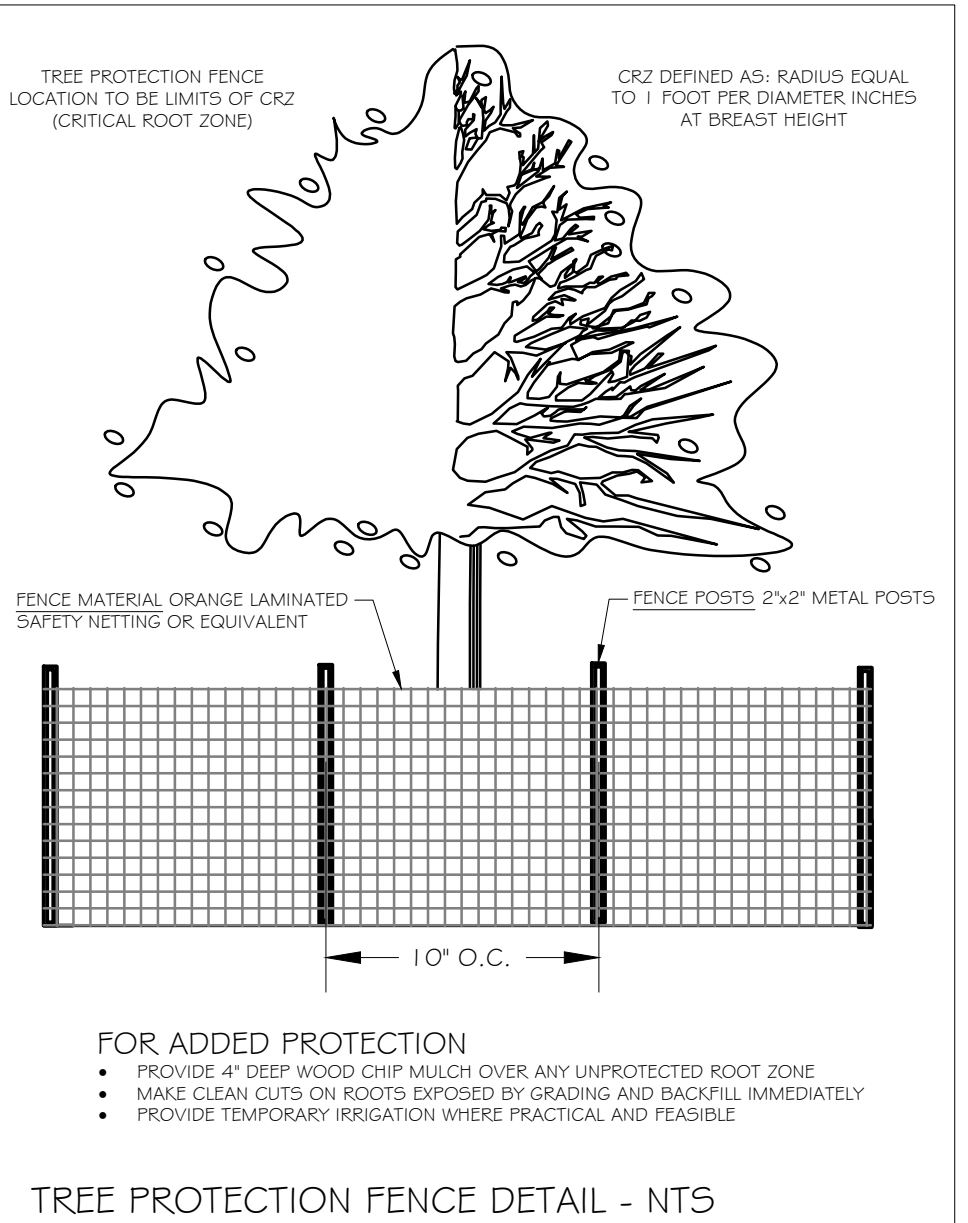
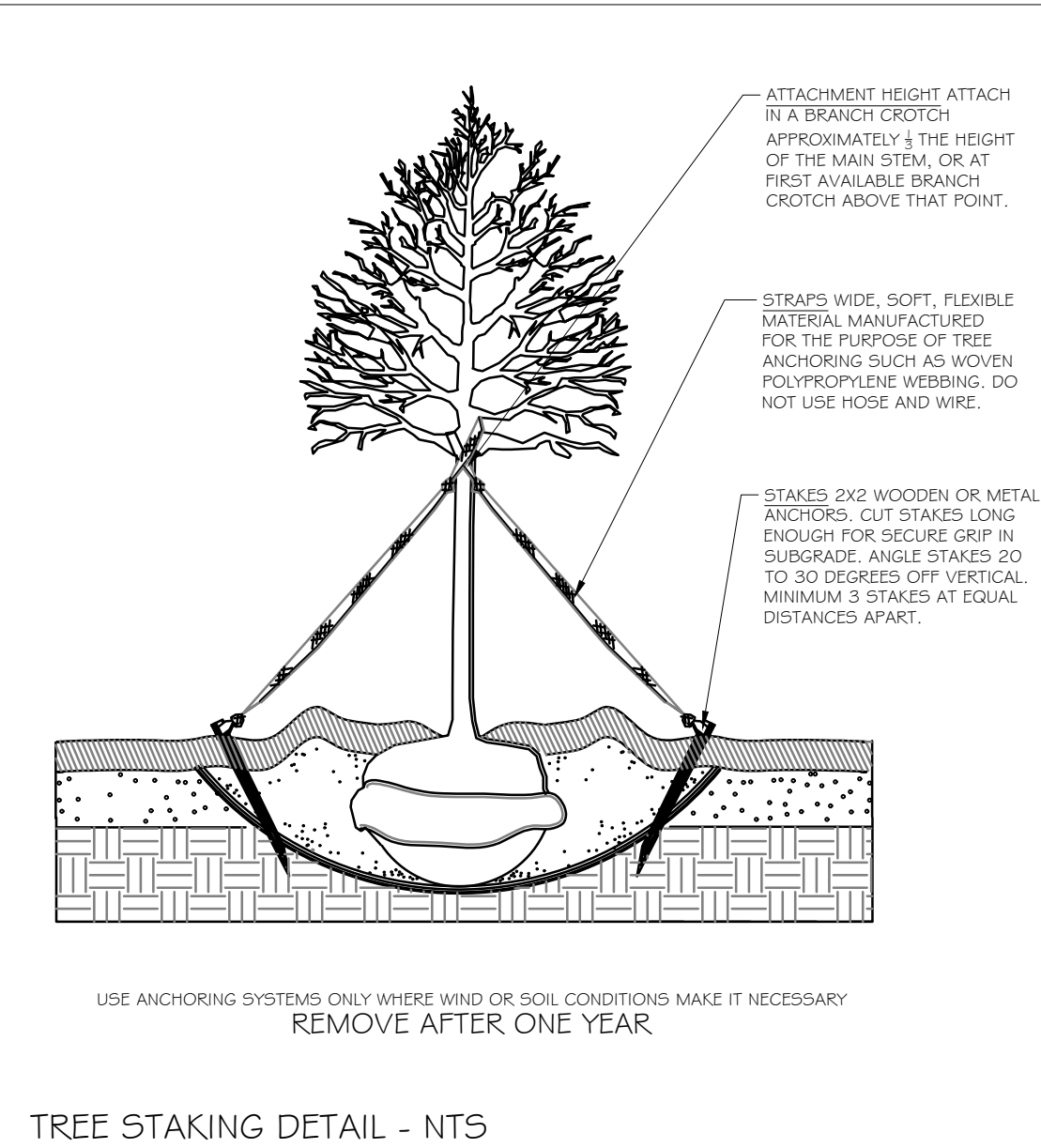
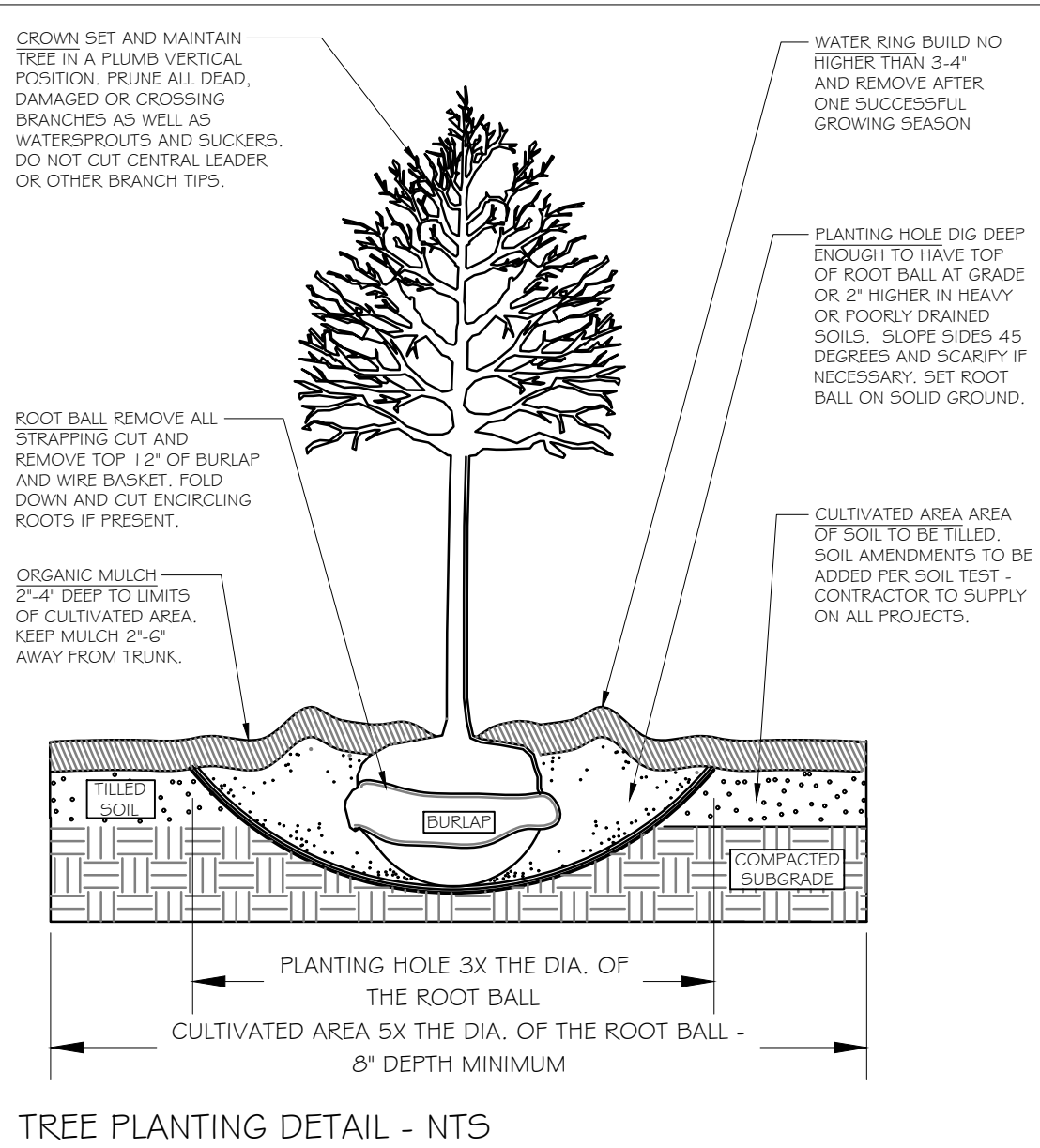
SCALE 1" = 20'


REVISIONS	DATE

DRAWN BY:
JURISDICTION:
DATE:

SHEET TITLE:
TREE PLAN, NOTES, SCHEDULE, & DETAILS

SHEET NUMBER:
T.1



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200 Galleria Parkway Suite 1150 Atlanta, GA 30339 404-965-1287 tel 404-601-9859 fax ceo@westside-engineering.com



4255 WADE GREEN RD NW SUITE 625 KENNESAW, GEORGIA 30144 770.644.9200 Telephone studio@AEPerspective.com www.aeperspective.com

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DRAWING ISSUES

Table with columns for APPROVED BY, DRAWN BY, and ISSUE DATE/DESCRIPTION. Includes entry: 8/04/2023 ISSUED FOR CONSTRUCTION



8/04/2023

FIRST NATIONAL COMMUNITY BANK DALLAS BRANCH 104 VILLAGE WALK DALLAS GEORGIA, 30132

AE JOB NUMBER: 23004

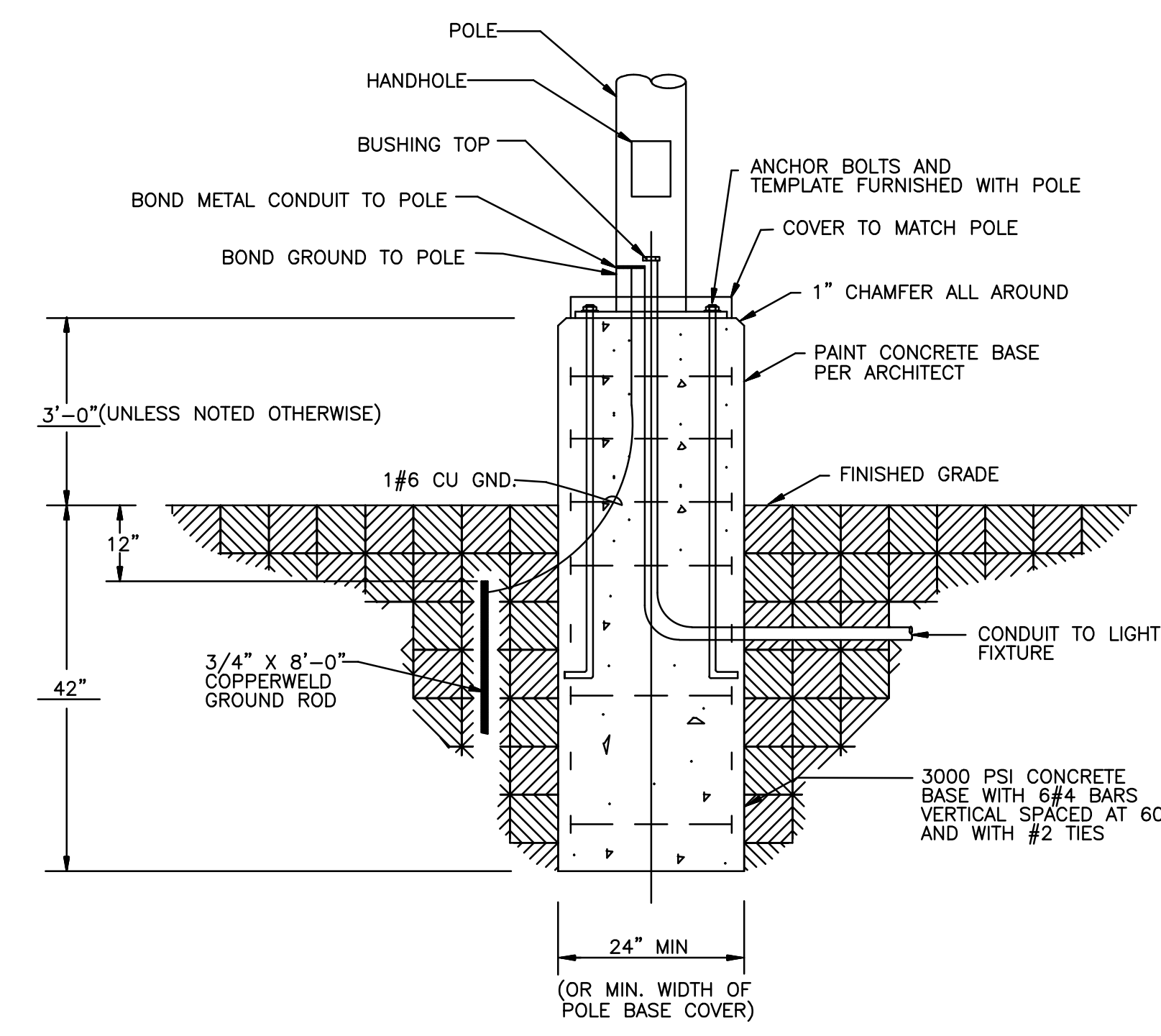
DRAWING TITLE: SITE - ELECTRICAL PLAN

SHEET NUMBER: E100

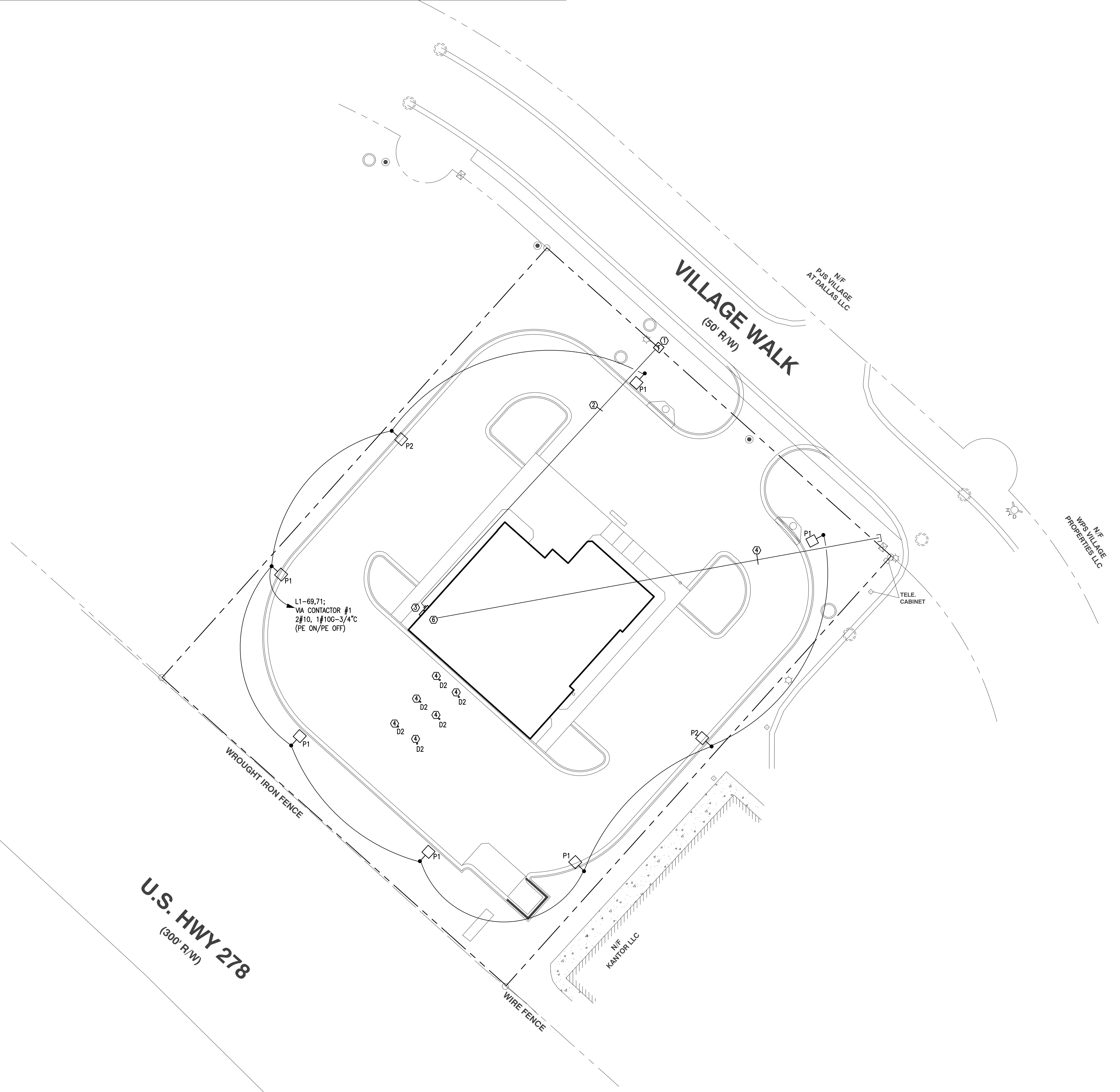
ISSUED FOR CONSTRUCTION

LIGHTING FIXTURE SCHEDULE table with columns: TYPE, DESCRIPTION, MOUNT, VOLTAGE, LAMP QTY, LAMP WATTAGE/TYPE, MANUFACTURER, CATALOG NUMBER, NOTES. Includes entries for P1 and P2.

- KEYNOTES: 1. APPROXIMATE LOCATION OF EXISTING PAD MOUNTED TRANSFORMER... 2. SECONDARY CONDUIT AND WIRING PER POWER RISER DIAGRAM... 3. APPROXIMATE LOCATION OF ELECTRICAL DISCONNECT... 4. PROVIDE (2) 4" AND (1) 2" FOR TELEPHONE/CATV SERVICE... 5. REFER TO SHEET 1/E300 FOR LIGHTING REQUIREMENTS... 6. APPROXIMATE LOCATION OF ELECTRICAL/IT ROOM.



2 POLE BASE DETAIL E100 NTS



1 SITE - ELECTRICAL PLAN E100 1" = 20'-0"

U.S. HWY 278 (300' R/W)

VILLAGE WALK (50' R/W)

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DRAWING ISSUES

NO.	DATE	DESCRIPTION
1	8/04/2023	ISSUED FOR CONSTRUCTION



8/04/2023

**FIRST NATIONAL COMMUNITY BANK
DALLAS BRANCH**
104 VILLAGE WALK
DALLAS GEORGIA, 30132

AE JOB NUMBER:
23004

DRAWING TITLE:
**SITE -
PHOTO-
METRIC PLAN**

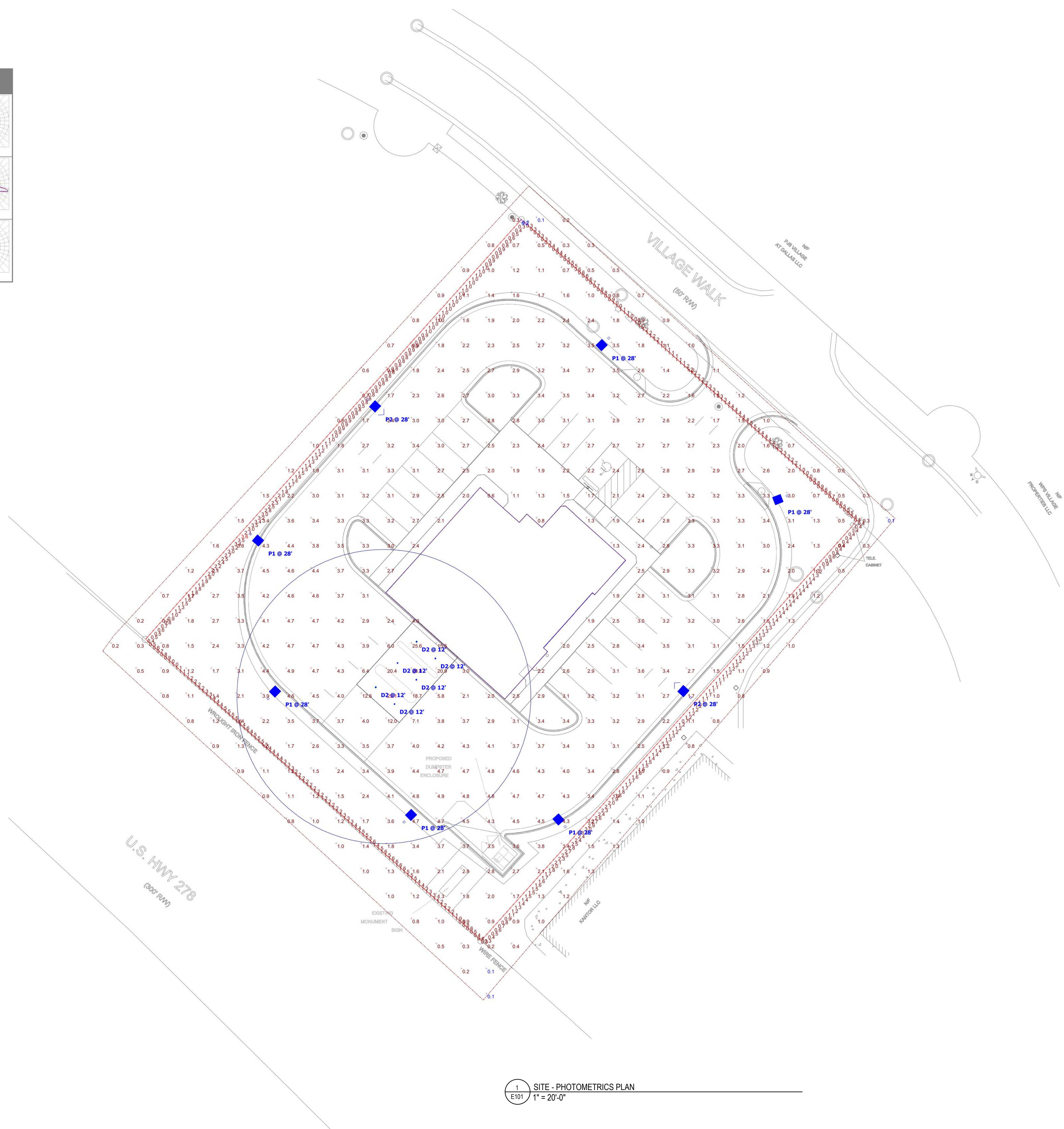
SHEET NUMBER:
E101

Statistics

Description	Symbol	Avg	Max	Min	Max/Min	Avg/Min
Property Line	+	1.2 fc	3.6 fc	0.2 fc	18.0:1	6.0:1
Calc Zone #2	+	2.8 fc	29.1 fc	0.1 fc	291.0:1	28.0:1

Schedule

Symbol	Label	Image	QTY	Manufacturer	Catalog	Description	Number Lamps	Lamp Output	LLF	Input Power	Polar Plot
○	D2		6	Lithonia Lighting	LDN6 40/30 106AR LS	6IN LDN, 4000K, 3000LM, CLEAR, SPECULAR REFLECTOR, CR80	1	3185	0.9	3475	
□	P1		6	Lithonia Lighting	DSX1 LED P8 40K 70CRI T4M HG	D-Series Size 1 Area Luminaire P8 Performance Package 4000K CCT 70 CRI Type 4 Medium Houseside Shield	1	24472	0.9	215.7732	 Max: 3305cd
□	P2		2	Lithonia Lighting	DSX1 LED P4 40K 70CRI BLC3 EGS	D-Series Size 1 Area Luminaire P4 Performance Package 4000K CCT 70 CRI Type 3 Extreme Backlight Control External Glare Shield	1	10852	0.9	123.94	 Max: 2076cd Max: 11597cd



1 SITE - PHOTOMETRICS PLAN
E101 1" = 20'-0"



FRONT VIEW - VILLAGE WALK

FIRST NATIONAL COMMUNITY BANK
104 VILLAGE WALK, DALLAS, GA 30132



SIDE / ENTRY VIEW - (WEST) VILLAGE WALK



SIDE VIEW - (EAST) VILLAGE WALK

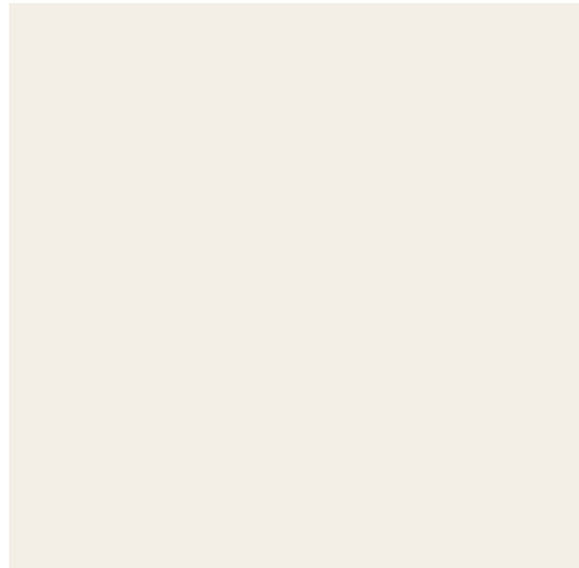
FIRST NATIONAL COMMUNITY BANK
104 VILLAGE WALK, DALLAS, GA 30132



REAR DRIVE THRU - HWY 278

FIRST NATIONAL COMMUNITY BANK
104 VILLAGE WALK, DALLAS, GA 30132

MT-1 AND MT-3 (METAL PANEL)

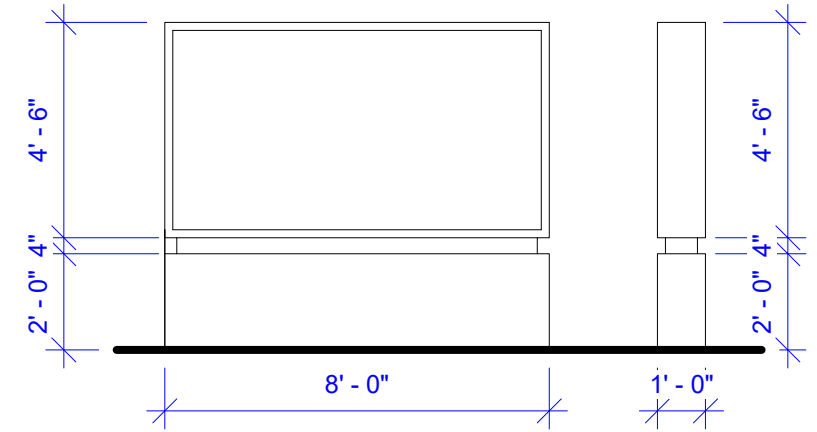


ALPOLIC PE
COLOR: HWH WHITE

EF-1 AND EF-2 (EIFS)



DRYVIT OUTSULATION PLUS
SANDBLAST, COLOR: DOVER SKY



Item 7.

MT-2 (METAL PANEL ACCENT)



ALPOLIC PE
COLOR: SHB BLUE

B-1 (BRICK)



NORTH GEORGIA BRICK
PATTERN: ASHLAND



MONUMENT SIGN



**ORDINANCE
AMENDMENT
NO. OA-2023-15**

CHAPTER 44 – Zoning

ARTICLE II. – ADMINISTRATION AND ENFORCEMENT

DIVISION 1. – GENERALLY

SECTIONS 44-23 through 44-33

DIVISION 2. – 44-53, 44-56, 44-57

ARTICLE III. – DISTRICT REGULATIONS

DIVISION 2. – RESIDENTIAL DISTRICTS

SECTIONS 44-138 and 44-141

WHEREAS, The Charter of the City of Dallas, Georgia does allow the Mayor and Council to adopt Ordinances to provide for rules and regulations concerning zoning and land use within the City of Dallas, Georgia and for the safety, health, and welfare of the citizens of the City of Dallas, Georgia; **AND**

WHEREAS, The Charter of the City of Dallas, Georgia does allow the Mayor and the City Council, by ordinance, to regulate zoning in the City of Dallas; **AND**

WHEREAS, The Mayor and the City Council of Dallas, Georgia considered the proposed amendment at a duly noticed public meeting on _____, 2023; **AND**

WHEREAS, The Mayor and the City Council of Dallas, Georgia have determined that this amendment is in the best interest of the City’s residences for their safety, health and welfare; **AND**

THEREFORE, be it ordained by the Mayor and the City Council of Dallas, Georgia:

SECTION I.

That CHAPTER 44 – Zoning, ARTICLE II. – ADMINISTRATION AND ENFORCEMENT, DIVISION 1. – GENERALLY, SECTIONS 44-23 through 44-33 are amended as follows:

DIVISION 1. – GENERALLY

Sec. 44-23. Zoning enforcement officer.

- (a) The provisions of this chapter shall be administered and enforced by the ~~building official~~ community development director of the city who is hereby given the authority to perform these functions. The community development director shall serve as the zoning enforcement officer. The zoning enforcement officer and/or his designee duties shall include:
- (1) Receiving applications;
 - (2) Inspecting premises; ~~and~~
 - (3) ~~Issuing building permits and certificates of occupancy for uses and structures that meet the requirements of this chapter.~~
- (b) The provisions of the ordinance shall be administered by the zoning enforcement officer and enforced in coordination with the city marshal, with the powers provided in the laws of the State of Georgia and in the chapter and resolutions of the City of Dallas. For the propose of serving citations for violations of this ordinance, such citations may be referred to the City Marshal's Bureau of the City of Dallas for service.

(Ord. No. OA-2023-04 , 7-10-2023)

Sec. 44-24. – Reserved**Sec. 44-25. – Reserved****Sec. 44-26. – Reserved****Sec. 44-27. – Reserved****Sec. 44-28. Denial of certificate of occupancy.**

A certificate of occupancy shall not be issued unless the proposed use of a building or land conforms to the applicable provisions of this chapter, or unless the building, as finally constructed, complies with the sketch or plan upon which the building permit was issued. The zoning enforcement officer shall state in writing the reasons for denying such certificate of occupancy.

(Ord. No. OA-2023-04 , 7-10-2023)

Sec. 44-29. Records of applications and ~~certificates~~ Plats.

Records of applications ~~for building permits, records of and plats and plans in connection with said permits, and records of all occupancy certificates and denials~~ shall be kept on file in the office of the ~~building inspector~~ community development director and copies shall be furnished on request to any person having a proprietary or tenancy interest in the building or land involved.

(Ord. No. OA-2023-04 , 7-10-2023)

Sec. 44-30. Remedies.

In case any building is erected, constructed, reconstructed, altered, repaired, converted, or maintained, or any building or land is used in violation to this chapter, the ~~building inspector~~ community development director, or any other appropriate city authority or any person who would be damaged by such violation, in addition to other remedies, may institute injunction mandamus, or other appropriate action in proceeding to prevent the violation in the case of each building or use of land.

(Ord. No. OA-2023-04 , 7-10-2023)

Sec. 44-32. Violations of article.

Any action or inaction which violates the provisions of this article ~~or the requirements of an approved permit~~, may be subject to the enforcement actions outlined in this section. Any such action or inaction which is continuous with respect to time is deemed to be a public nuisance and may be abated by injunctive or other equitable relief. The imposition of any of the penalties described in sections 44-34 shall not prevent such equitable relief.

(Ord. No. OA-2023-04 , 7-10-2023)

Sec. 44-33. Notice.

If the city determines that an applicant or other responsible person has failed to comply with the terms and conditions of ~~a permit~~ or the provisions of this article, it shall issue a written notice of violation to such applicant or other responsible person.

Where a person is engaged in activity covered by this article without having first secured ~~a permit approval~~ therefor, the notice of violation shall be served on the owner or the responsible person in charge of the activity being conducted on the site. The notice of violation shall contain:

- (1) The name and address of the owner or the applicant or the responsible person;
- (2) The address or other description of the site upon which the violation is occurring;
- (3) A statement specifying the nature of the violation;
- (4) A description of the remedial measures necessary to bring the action or inaction into compliance ~~with the permit, the stormwater management plan or~~ of this article and the date for the completion of such remedial action;
- (5) A statement of the penalties that may be assessed against the person to whom the notice of violation is directed; and

- (6) A statement that the determination of violation may be appealed to the city by filing a written notice of appeal within 30 days after the notice of violation; except, that in the event the violation constitutes an immediate danger to public health or public safety, 24 hours' notice shall be sufficient.

(Ord. No. OA-2023-04 , 7-10-2023)

That CHAPTER 44 – Zoning, ARTICLE II. – ADMINISTRATION AND ENFORCEMENT, DIVISION 2. – BOARD OF ZONING APPEALS, SECTIONS 44-53, 44-56 and 44-57 are amended as follows:

Sec. 44-53. Powers and duties.

The board of zoning appeals shall have the following powers and duties:

- (1) Administrative review. To hear and decide appeals where it is alleged there is error in any order, requirement, decision, or determination made by the ~~building inspector~~ zoning enforcement officer in the enforcement of this chapter.
- (2) Variances. To authorize upon appeal in specific cases such variance from the terms of this chapter as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of this chapter will, in an individual case, result in practical difficulty or unnecessary hardship, so that the spirit of this chapter shall be observed, public safety and welfare secured, and substantial justice done. The existence of a nonconforming use of neighboring land, buildings, or structures in the same district or of permitted or nonconforming uses in other districts shall not constitute a reason for the requested variance. Such variance may be granted in such individual case of unnecessary hardship upon a finding by the board of zoning appeals that all of the following conditions exist:
 - a. There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape or topography.
 - b. The application of this chapter to this particular piece of property would create an unnecessary hardship.
 - c. Such conditions are peculiar to the particular piece of property involved.
 - d. Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of this chapter; provided, however, that no variance may be granted for a use of land or building or structure that is prohibited by this chapter.

(Ord. No. OA-2023-04 , 7-10-2023)

Sec. 44-56. Stay of proceedings.

An appeal stays all legal proceedings in furtherance of the action appealed from, unless the ~~building inspector~~ community development director certifies to the board of zoning appeals after the notice of appeal shall have been filed with ~~him~~ the community development director, that by reason of facts stated in the certificate a stay would, in their opinion, cause imminent peril to life and property. In such case, proceedings shall not be stayed otherwise than by a restraining order which may be granted by the board of zoning appeals or by a court of record on application, on notice to the ~~building inspector~~ community development director, and on due cause shown.

(Ord. No. OA-2023-04 , 7-10-2023)

Sec. 44-57. Decisions.

In exercising its powers, the board of zoning appeals may, in conformity with the provisions of this chapter, reverse or affirm, wholly or partly, or may modify the order, requirements, decision, or determination, and to that end shall have all the powers of the ~~building inspector~~ community development director ~~and may issue or direct the issuance of a building permit.~~ The concurring vote of two members of the board shall be necessary to reverse any order, requirements, decision or determination of the ~~building inspector~~ community development director, or to decide in favor of the applicant on any matter upon which it is required to pass under this chapter or to effect any variation of this chapter. On all appeals, applications and other matters brought before the board of zoning appeals, said board shall inform, in writing, all the parties involved of its decisions and the reasons therefor. Recourse from a decision by the board of zoning appeals shall be to a court of competent jurisdiction in such matters.

That CHAPTER 44 – ZONING, ARTICLE III. – DISTRICT REGULATIONS, DIVISION 2. – RESIDENTIAL DISTRICTS, SECTION 44-138 is amended as follows:

Sec. 44-138. R-2C single-family residential district—Conservation.

- (a) Single-family dwellings except for manufactured homes. Total density limitation of three single-family dwellings per acre.
 - (1) Residential developments shall conserve and protect a minimum of 30 percent of the gross tract area as open space.
 - (2) The open space shall be provided in conformance with the requirements of Chapter 34, Article III, Section 34-59 Open Space.

- (b) Churches and similar places of worship and their customary related uses.
- (c) Public and private schools offering general education courses.
- (d) Municipal, county, state, federal and other public uses, including parks and playgrounds.
- (e) Accessory buildings provided such shall be permitted only in a rear yard and shall not be less than ten feet from any property line. No accessory buildings shall contain independent kitchen facilities.
- (f) Nursery schools (day care centers) and kindergartens, provided that they shall have at least 35 square feet of indoor space provided for each child and at least 100 square feet of play area per child in the outdoor play area; and that the outdoor area shall be enclosed by a fence having a minimum height of six feet; and provided that the principal building of such use shall meet all the yard requirements of the R-1 residential district.
- (g) A business, occupation or profession carried on within a single-family residential dwelling by the resident thereof that is designated as a home occupation shall conform to the following criteria:
 - (1) The occupation carried on within the dwelling unit shall be restricted to the heated floor area of the dwelling.
 - (2) No product shall be sold on the premises and all home occupation activities shall be conducted entirely within the dwelling. This shall not prohibit sales by telephone when the delivery of merchandise is to take place elsewhere.
 - (3) The home occupation use carried on within the dwelling unit shall not occupy more than 25 percent of the heated floor area of the dwelling unit, and said home occupation use shall be clearly incidental and subordinate to the use of the dwelling for residential purposes.
 - (4) There shall be no external display of products or storage of equipment or other externally visible evidence whatsoever of the occupation, business or profession.
 - (5) No sign advertising a home occupation exceeding two square feet is permitted, including those mounted inside windows and doors that are visible from a public right-of-way or a neighboring property line. No sign shall be internally or externally illuminated.
 - (6) Any person who conducts a home occupation shall be a member of the family residing on the premises, shall take substantially all of their overnight lodging at the dwelling, shall store substantially all of their personal belongings which are used in normal daily life in the dwelling,

and shall use the address of the subject dwelling as their address for legal purposes such as voting and the payment of personal property taxes.

- (7) No equipment or process shall be used in that creates smoke, dust, odor, fumes, glare, noise, vibration, electrical or electronic disturbance detectable to the normal senses at the lot line or beyond.
- (8) There shall be no stock of goods or materials on the premises with the exception of literature and brochures appurtenant to the occupation, business or profession. Said literature and brochures shall remain in that part of the residence designated for home occupation purposes.
- (9) There shall be no chemical, mechanical or electrical equipment on the premises other than that normally found in a purely domestic residence.
- (10) Contact with customers and clients shall be made by telephone or mail. No business vehicle larger than a van, or pickup truck shall be permitted to remain on the premises other than a vehicle owned by the resident.
- (11) There shall be no assembly or group instructions in connection with the home occupation with the exception of child care which can be conducted with a maximum of five children at a time. Other individual instruction on a one-on-one basis is permitted.
- (12) The above listed requirements of a home occupation shall not be construed to restrict the sale of garden produce grown on the premises, provided that this exception shall not extend to allow the operation of a commercial greenhouse or nursery or the existence of stands or booths for display of said produce.
- (13) Any business, occupation or profession, the operation of which does not meet the aforementioned requirements of a home occupation shall not be interpreted to be a home occupation despite the fact that it might attempt to operate in a single-family residence.

(Ord. No. OA-2023-04 , 7-10-2023)

That CHAPTER 44 – ZONING, ARTICLE III. – DISTRICT REGULATIONS, DIVISION 2. – RESIDENTIAL DISTRICTS, SECTION 44-141 is struck in its entirety and replaced with:

Sec. 44-141. R-4 mixed use/residential district high-density (new district).

- (a) The R-4 residential district is only appropriate within the Downtown Development District #1. The Downtown Development District #1 shall be any and all properties located within the boundaries of the roadways listed below and also any

parcel with frontage along or property adjacent to the public right-of-way on either side of the roadways listed below and shown on the official zoning map of the city:

- (1) East Memorial Drive from Main Street to Lester Drive.
- (2) Merchants Drive from Lester Drive to Nathan Dean Blvd.
- (3) Nathan Dean Blvd. from Merchants Drive to Henry Y Holland Drive.
- (4) Henry Y Holland Drive from Nathan Dean Blvd. to Hardee Street.
- (5) Hardee Street from Henry Y Holland Drive to West Foster Avenue.
- (6) West Foster Avenue from Hardee Street to Main Street.
- (7) Main Street from West Foster Avenue to South Johnston Street.
- (8) South Johnston Street from Main Street to West Cooper Avenue.
- (9) West Cooper Avenue from South Johnston Street to Hood Street.
- (10) Hood Street from West Cooper Avenue to West Griffin Street.
- (11) West Griffin Street from Hood Street to South Street.
- (12) South Street from West Griffin Street to Victory Drive.
- (13) Victory Drive from South Street to Griffin Street.
- (14) Griffin Street from Victory Drive to West Memorial Drive.
- (15) West Memorial Drive from Griffin Street to Main Street.
- (16) Grove Park Avenue from South Johnston Street to end.

SECTION II. REPEAL OF CONFLICTING ORDINANCES. That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION III. SEVERABILITY CLAUSE. If any section, sentence, clause or phrase of this ordinance or any part thereof is for any reason found to be invalid by a court of competent jurisdiction, such decision will not affect the validity of the remainder of this ordinance or any part thereof.

SECTION IV EFFECTIVE DATE. Following passage and approval of this ordinance by the Mayor and City Council, this ordinance shall be effective on and after _____, 2023.

**SO SHALL IT BE ORDAINED BY THE MAYOR AND COUNCIL OF THE
CITY OF DALLAS, GEORGIA, THIS THE _____ DAY OF
_____, 2023.**

L. James Kelly, Mayor

James R. Henson, Councilmember

Michael G. Cason, Councilmember

Cooper Cochran, Councilmember

Nancy R. Arnold, Councilmember

Christopher B. Carter, Councilmember

Leah Alls, Councilmember

ATTEST:

Tina Clark, City Clerk of the City of Dallas, GA

Date

**AGENDA
QR Code**



2024 MEETING SCHEDULE

January

City Council 01/08/24*
Planning Commission 12/21/23

July

City Council 07/01/24
Planning Commission 06/20/24

February

City Council 02/05/24
Planning Commission 01/25/24

August

City Council 08/05/24
Planning Commission 07/25/24

March

City Council 03/04/24
Planning Commission 02/22/24

September

City Council 09/09/24*
Planning Commission 08/22/24

April

City Council 04/01/24
Planning Commission 03/21/24

October

City Council 10/07/24
Planning Commission 09/26/24

May

City Council 05/06/24
Planning Commission 04/25/24

November

City Council 11/04/24
Planning Commission 10/24/24

June

City Council 06/03/24
Planning Commission 05/23/24

December

City Council 12/02/24
Planning Commission 11/21/24

*** Date other than 1st Monday of month – due to conflict**

Planning Commission dates are RESERVED; Please call 770.443.8110 x 1203 to verify if meeting is occurring.

The City of Dallas | 129 East Memorial Drive | Dallas, Georgia 30132 | 770.443.8110