

**STAFF ANALYSIS**  
**REZONING REQUEST**  
*Unified Zoning Ordinance*

**ZONING CASE:** Adrianna Cuevas is seeking to rezone two tracts of land from Low-Density Single-Family Residential (R-2) to General Agriculture (GA) (parcels 12-127-02-005 and 014) containing a combined total of 10.49 acres located at 402 Brooker Drive. The subject property is currently developed with a single-family detached dwelling. The petitioner's request was made so that a guest house could be added to the subject property.

The surrounding uses and zoning are as follows: To the north are several tracts of land zoned R-2 and R-5 that are either undeveloped or contain a single-family detached dwelling. To the east are two tracts of land of which one is a small R-2 zoned tract containing a single-family detached dwelling while the other tract is much larger and contains a single-family detached dwelling. To the south is a large undeveloped tract of land zoned C-2. To the west are three tracts of land that are all zoned and developed for R-2.

The subject property is partly within the jurisdiction of the City of Dalton Mayor and Council and mostly within the jurisdiction of the Whitfield County Board of Commissioners.

**CONSIDERING FACTORS FOR A REZONING/ANNEXATION ANALYSIS**

**(A) Whether the proposed amendment would allow a use that is generally suitable for the site compared to other possible uses and whether the proposed change is consistent with the established land use pattern and zoning of adjacent and nearby properties.**

The subject property lies at the convergence of a few zone districts including GA, R-2, C-2, and R-5. The adjacent GA zone district is adjacent to the subject property, and several adjacent tracts are large tracts with large homes and mostly wooded properties. Adding a second single-family detached dwelling to the subject property would not alter the unit/acre density established in this area.

**(B) Whether the proposed GA amendment would adversely affect the economic value or the uses of adjacent and nearby properties.**

The intense agricultural land uses are not viable for the subject property given its size and topography. The proposed addition of a guest house would not alter the character that has been established in this area.

**(C) Whether the subject property has a reasonable economic use as currently zoned, considering the suitability of the subject property for the proposed zoned uses.**

The subject property would need to be rezoned in order for a second dwelling to be permitted.

**(D) Whether there is relative gain to the health, safety, morals, or general welfare of the public as compared to any hardship imposed upon the individual owner**

under the existing zoning.

N/A

**(E) Whether the proposed GA amendment, if adopted or approved, would result in a use which would or could cause an excessive or burdensome use of existing streets, schools, sewers, water resources, police and fire protection, or other utilities, as contrasted with the impact under the existing zoning.**

The proposed rezoning would have little to no effect on the public infrastructure due to the limiting factors of the subject property's development potential under the requested GA zone district.

**(F) Whether the property sought to be rezoned (or annexed) is in conformity with the policy and intent of the adopted joint comprehensive plan or equivalent. If not, has the plan already been amended, officially or unofficially, by the development of uses which are contrary to the plan recommendation, and if the plan has been amended, does this rezoning or annexation request allow uses which are compatible to the existing uses in the vicinity.**

The subject property is within the Suburban Residential character area on the Joint Comprehensive Plan's future development map. The Suburban Neighborhood character area is intended to protect residential neighborhoods from zoning and development that would threaten the neighborhood's integrity. The proposed rezoning, while agricultural, would not threaten the residential character of this area.

**(G) Whether there are any other conditions or transitional patterns affecting the use and development of the property to be rezoned or annexed, which give grounds for approval or disapproval of the proposed zoning proposal. Whether the proposed zoning change constitutes an "entering wedge" and is a deterrent to the use, improvement, or development of adjacent property within the surrounding zone districts or would create an isolated, unrelated district (spot zone) as interpreted by current Georgia law.**

The subject property is adjacent to the GA zone district and this rezoning would simply enlarge that zone district.

**(H) Whether the subject property, as currently zoned, is vacant and undeveloped for a long period of time, considered in the context of land development in the vicinity or whether there are environmental or cultural factors, like steep slopes, flood plain, storm water, or historical issues that influence the development of the subject property under any zoning designation.**

N/A

#### **CONCLUSION:**

The staff can provide a recommendation to approve the requested GA rezoning of the subject property based on the following factors:

1. The requested rezoning would allow for a similar unit/acre density to that established in this area.
2. There is no expectation that the proposed GA rezoning would harm the values of

adjacent or nearby properties based on the limited size and topographical challenges of the subject property.

3. The proposed rezoning would not threaten the integrity of the established neighborhood in this area.