

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

**ZONING CASE:** Erik Rojo is seeking to rezone from Heavy Manufacturing (M-2) to High-Density Residential (R-7) a tract of land (parcel 12-200-05-008) containing a total of 0.15 acres located at 204 E. Matilda Street. **The subject property is developed with one blighted single-family detached dwelling:** The petitioner's request was made to redevelop the subject property for residential use consisting of a duplex dwelling.

The surrounding uses and zoning are as follows: To the north there is one R-3 zoned property that contains a single-family detached dwelling and a C-2 zoned property that contains a commercial building. To the east across the RR are two tracts of land that are zoned and developed for heavy manufacturing. To the south is a tract of land zoned and developed for heavy manufacturing use. To the west is a tract of land zoned R-3 that contains a single-family detached dwelling.

The subject property is within the jurisdiction of the City of Dalton Mayor and Council.

**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 City's former pyramid-style zoning ordinance would have permitted residential uses in the M-2 zone district, which may explain the existence of the M-2 zone at this location despite the long-standing residential development pattern of the subject property. This area is host to a number of varying developments from single-family detached and industrial with the subject property appearing to be on the periphery of a small "pocket neighborhood."

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

The proposed rezoning would likely have no negative impacts on any of the surrounding adjacent properties based on the existing zoning and development of 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 M-2 zone district of the UZO is intended solely for high-intensity industrial and manufacturing developments. The subject property's limited size makes it a poor candidate for manufacturing and industrial development. The existing amount of residential development in this area suggest that residential redevelopment of the subject property is within reason.

**(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 (R-7) amendment, if adopted or approved, would result in a use which would or could cause 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.**

This is an area with an abundance of public utility capacity for both water and sewer, so there would be no expectation for a burden in regard to public infrastructure if this rezoning is approved. The limited size of the subject property does not create concern regarding vehicle trip generation at this location.

**(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 comprehensive plan's future development map shows this property to be within the Town Neighborhood Revitalization character area. This character area is intended to promote reinvestment in aging residential neighborhoods where blight and high vacancy rates are notable. The proposed rezoning is an excellent fit based on the intent of the Comprehensive Plan and Town Neighborhood Revitalization character 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.**

No issues were identified here. The proposed rezoning would establish an island of R-7 zoning entirely surrounded by the R-3 and M-2 zone districts, but there is an adjacent pocket neighborhood zoned R-3 indicating there is an established residential character of this area. Rezoning the residential properties in this area will help to incentivize residential reinvestment and revitalization of the aging neighborhood.

**(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 an R-5 rezoning of the subject property based on the following factors:

1. An R-5 zone district would allow for the use of the subject property in a manner that would not conflict with the established pattern of zoning and development in this area.
2. There is no expectation that the proposed rezoning and development would harm the values of adjacent or nearby properties given the reduction in proposed land use intensity, but the R-5 zone district would be more reflective of other properties in this area while permitting the desired redevelopment of the subject property.
3. The R-7 or R-5 zone districts would allow for the development of the subject property that would not conflict with the intent of the Town Neighborhood Revitalization character area based on the established development pattern and zoning of this area, but the R-5 zone district would be a better fit based on the zoning and development of the adjacent neighborhood while allowing the proposed duplex dwelling.