

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

ZONING CASE: Don Adcock is seeking to rezone from Neighborhood Commercial (C-1) to Medium-Density Single-Family Residential (R-3) a tract of land (parcel 12-199-09-005) containing a total of 0.18 acres located at 404 W. Hawthorne St. The subject property contains a single-family detached dwelling: The petitioner's request to rezone was made in order for the heir/heirs of the estate to divide the subject property.

The surrounding uses and zoning are as follows: The surrounding parcels are zoned C-1 to the north and east, C-1A to the south, and M-2 to the west.

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 subject property is adjacent to two tracts of land that each contain single-family detached dwellings that were converted for office use similarly to the subject property. While the subject property is not adjacent to any residential zoning, there was a historic character of single-family development at this location. The R-7 zone district can be found within a few hundred feet to the north of the subject property which illustrates an established residential character in the immediate vicinity.

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

The R-3 rezoning would be restricted to only single-family detached use, which is unlikely to have any negative impact on the adjacent or nearby properties.

(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 could be used as an office space as it is currently zoned and developed. The former use of the subject property as a single-family dwelling indicates that it is also conducive for the proposed use.

(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-3) 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.

The proposed rezoning would have no effect on public infrastructure and utilities based on the subject property's limited size and existing development.

(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 that are contrary to the plan recommendation, and if the plan has been amended, does this rezoning or annexation request allow uses that 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 represent aging residential communities in the city in need of reinvestment. The proposed rezoning would serve the intent of this character area and address the need for additional housing near the historic downtown.

(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 proposed R-3 rezoning would create an island of residential zoning surrounded by commercial and manufacturing zoning. However, the adjacent C-1A zone district permits residential development, and the R-7 zone district is within the immediate vicinity.

(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 R-3 rezoning of the subject property, but this planner believes that a recommendation for a C-1A rezoning may be a better fit based on the following factors:

1. The C-1A zone district would allow for the use of the subject property in a manner that would be more similar to the established pattern of zoning and development in this area by permitting both residential and limited commercial uses.
2. The C-1A zone district would be unlikely to have a negative impact on the adjacent or surrounding properties. The R-3 zone district would impose a buffer requirement on the adjacent C-1 properties that could burden them in the future given their limited lot size.
3. The C-1A rezoning would be reflective of the intent of the Town Neighborhood character area in the Joint Comprehensive Plan.