

STAFF ANALYSIS
REZONING REQUEST
Unified Zoning Ordinance

ZONING CASE: Danielle Putnam is seeking to rezone from Medium-Density Single-Family Residential (R-3) to Rural Residential (R-5) a tract of land (parcel 12-241-02-009) containing a total of 0.32 acres located at 405 Mosedale Drive. The subject property is vacant: The petitioner's request to rezone was made in order to construct a single duplex structure on the subject property.

The surrounding uses and zoning are as follows: Two adjacent tracts of land are found to the north. One of the northern tracts contains a single-family detached dwelling while the other contains an aging commercial building. The eastern adjacent tract of land contains a small commercial building and is zoned C-2. A single tract of land is adjacent to the south side of the subject property zoned R-3 and contains a single-family detached dwelling. There are two tracts of land to the west across Mosedale Drive zoned R-3 and each 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 subject property lies at the convergence of the R-3 and C-2 zone districts. This area has seen a diverse blend of land uses and zoning through the years. The subject property was likely occupied by a single-family dwelling in the past, but the former dwelling has since been demolished and the lot is now vacant. The proposed rezoning would allow for the development of a single duplex dwelling on the subject property. Within a short distance from the subject property, multiple multi-family dwellings as well as high-density single-family dwellings can be found. The proposed rezoning and duplex would not introduce a character to the area that does not already exist.

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

While there are no adjacent duplexes or other multi-family structures, the adjacent commercial zone district and development throughout this area give grounds for more residential density than is currently permitted in the R-3 zone district. It is unlikely that the addition of a duplex dwelling would have a negative impact to the values of adjacent 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 developed as it is currently zoned with a single-family detached dwelling. The petitioner is proposing the construction of a duplex dwelling that

would require the requested R-5 rezoning. The proximity of the subject property to the heavily commercialized area give reason for consideration of a slight increase in residential density at this location.

(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-5) 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 area is well-served by public utilities such as water and sewer. There are multiple outlets to access local roads and more than sufficient sight distance at this location regarding ingress/egress.

(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 Regional Activity Center character area. This character area is intended to represent areas surrounding commercial centers and places that attract large crowds. This character area recommends residential uses be of a higher density than just single-family dwellings. Based on the surrounding zoning and development, the proposed R-5 rezoning is not in conflict with the intent of the Regional Activity Center in the Comprehensive Plan.

(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 identified.

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

1. The requested 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 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 established zoning and development pattern of this area.
3. The requested R-5 zone district would allow for the subject property to be developed with a duplex dwelling. Multi-family development is a recommended land use in the Regional Activity Center character area in the Comprehensive Plan.