

STAFF ANALYSIS
REZONING REQUEST
Unified Zoning Ordinance

ZONING CASE: Roberto Silva is requesting to rezone from Medium-Density Single Family Residential (R-3) to Transitional Residential (R-6) a tract of land totaling 0.55 acres located at 1213 Hair Street in the City of Dalton. Parcel (12-217-03-003). The subject property is currently developed with a duplex dwelling, and the petitioner is proposing to divide the subject property to add one additional duplex.

The surrounding uses and zoning are as follows: 1) to the north, are two tracts of land zoned R-6 that each contain multi-family development. 2) to the east is a tract of land zoned R-6 that contains an 8-unit condominium. 3) to the south is a 1.31-acre tract of land zone R-3 that contains a single-family detached dwelling. 4) to the west, is a 0.25-acre tract of land zoned R-3 that contains a single-family detached dwelling. In this area of the county, there is a mix of residential zones that intersect the manufacturing and commercial zone districts.

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

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 property.

The subject property lies at the convergence of the R-3 and R-6 zone districts. These zone districts, while both residential in nature, differ in permitted density. The R-3 zone district permits only single-family detached dwellings, while the R-6 zone district permits townhouses, condominiums, and multi-family dwellings up to quadplexes. The R-6 zone district has existed in this area for a number of years, and the existing development is contiguous. The subject property already contains one duplex dwelling, and the proposed rezoning would simply create the opportunity for one additional duplex dwelling to be divided from the subject property.

(B) Whether the proposed R-6 rezoning would adversely affect the economic value of adjacent and nearby property.

The R-6 zone district and its multi-family character have been well established in this area for some time. Staff have identified no indication that the existing R-6 zone district has negatively impacted the values of the adjacent and nearby properties. The expansion of the R-6 zone district onto the subject property would not be expected to alter the character of the area.

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

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

N/A

(E) Whether the proposed (R-6) rezoning, 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 permit one additional duplex dwelling to be added to the subject property once it has been divided. The addition of two residential units to the subject property would not raise concerns regarding the public water and sewer utility capacities. The additional traffic generated by the proposed duplex dwelling is unlikely to impact traffic safety based on the ease of access to MLK Blvd. and the signaled intersection with Grimes St.

(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 reasoning or annexation request allow uses which are compatible to the existing uses in the vicinity.

The Comprehensive Plan's Suburban character area is shown on the future development map covering the subject property. This character area was applied to areas where there are existing suburban residential neighborhoods and was intended to protect the integrity of the residential character of the area. The established zoning and development pattern for this area shows a mix of both single-family and multi-family character. The proposed rezoning and duplex dwelling would reflect an established pattern of development in this area in both zoning and unit/acre density.

(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 zoning) as interpreted by current Georgia law.

The proposed rezoning would simply enlarge the existing R-6 zone district and shrink the R-3 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, stormwater, or historical issues that influence the development of the subject property under any zoning designation.

N/A

Conclusion:

The staff can recommend approval of the requested R-6 rezoning of the subject property based on the following factors and conditions:

1. The proposed rezoning would be consistent with the majority of adjacent zoning and development while providing for a reasonable use of the subject property.
2. The R-6 rezoning would allow the construction of a duplex, which would be reflective of the established multi-family zoning and development in this area.
3. No conflict with the Joint Comprehensive Plan was found when observing the Suburban character area and the existing development pattern of this area.