

STAFF ANALYSIS
REZONING REQUEST
Unified Zoning Ordinance

ZONING CASE: David Armstrong is seeking to rezone from High-Density Residential (R-7) to Rural Residential (R-5) a tract of land (parcel 12-197-01-038) containing a total of 1.9 acres located along Walston Avenue. The subject property is currently undeveloped: The petitioner's request to rezone was made in order to develop the subject property with single-family detached and/or duplex dwellings.

The surrounding uses and zoning are as follows: To the north are two adjacent tracts of land zoned R-2 that are part of a combined property containing a single-family detached dwelling. To the east, across Walston Ave., is a single tract of land zoned R-7 that contains an apartment complex. To the south and west is a tract of land zoned R-7 owned by the petitioner.

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 a large multi-family apartment development. This area is home to multiple multi-family developments. The high-density and low-density convergence of land use here creates an opportunity for transition. The proposed R-5 zone district would permit both single-family detached dwellings and duplex dwellings. The proposed rezoning would create the opportunity for intermediate-density at this location between the R-2 and R-7 zone districts.

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

The proposed R-5 rezoning would reduce the potential land use intensity of the subject property that is currently permitted in R-7. There is no expectation that the proposed rezoning would have a negative impact on the values of 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 developed for high-density residential use; however, the proposed R-5 rezoning and development would provide for a reasonable use 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.

The proposed rezoning and development would have a comparable or reduced effect on public utilities and infrastructure under the current R-7 zoning.

(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 Joint Comprehensive Plan's future development map (FDM) shows this property to be within the Suburban character area. This character area is intended to protect the integrity of the established suburban residential neighborhoods from dissimilar development. The primary land use recommended for this character area is single-family detached dwellings. The recommendation for infill development within this character area should be reflective of the scale and type of the existing neighborhood. The R-5 zone district would be appropriate at this location based on the adjacent R-7 zone district. The proposed R-5 rezoning would better transition from the high-density to the low-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 zone) as interpreted by current Georgia law.

The proposed R-5 rezoning will create an island of R-5 zoning at this location. However, the proposed island of R-5 zoning would be of lesser intensity than the subject property's existing R-7 zoning.

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

1. The requested R-5 zone district would allow for the subject property to be zoned and utilized in a manner that suits the location as a transitional property.

2. The Suburban character area in the comprehensive plan would not conflict with the proposed R-5 rezoning based on the adjacent zoning and development.
3. The R-5 zone district would be unlikely to have a negative impact on the values of surrounding or nearby properties based on the reduction in land use intensity compared to the existing R-7 zoning.