

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

ZONING CASE: Maria E. Gonzales & Edgar Hurtado of 1517 Hale Bowen Dr. is petitioning the City of Dalton for the annexation of Parcel 12-179-02-048, a 0.17-acre *Medium Density Single Family Residential (R-3)* Parcel.

The surrounding uses and zoning are as follows: 1) To the north, the petitioners' parcel abuts the City of Dalton Road of Hale Bowen Drive. North of Hale Bowen Drive is the City of Dalton Park Creek Elementary School, which is zoned as *Low Density Single Family Residential (R-2)*. Other surrounding properties to the north have a variety of different zoned properties (R-3, R-6, C-2, M-2) within the Municipal Boundaries of Dalton. 2) To the east, abutting parcels that are adjacent to J and J Drive, are within the Whitfield jurisdiction and are zoned as *Heavy Manufacturing (M-2)*. Parcels to the East of J and J Drive are also zoned as *M-2* but are in the City of Dalton's jurisdiction. 3) To the south, abutting and nearby property is zoned as either *R-3* or *M-2* and is within the jurisdiction of Whitfield County. 4) To the west, abutting property bounded by the City of Dalton Frazier Drive, is zoned as the petitioner's property (*R-2*) and is within the jurisdiction of Whitfield County. Parcels to the west of Frazier Drive are within the City of Dalton and are zoned as either *R-3* or *Transitional Residential (R-6)*.

CONSIDERING FACTORS FOR 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 proposed annexation would be suitable considering that the parcel is bounded by the City of Dalton along Hale Bowen Drive and other parcels within the Jurisdiction of Dalton. As a change in zoning is not required in this case, there will be no need to consider any impact on the established land use pattern.

(B) Whether the proposed annexation would adversely affect the economic value of adjacent and nearby property.

There is no expected impact on the economics of adjacent and nearby property.

(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.

The annexation will not negatively impact the economics of the subject property, nor will it influence the character of the area. Annexation of the parcel is more likely to increase its value, as city services will be made available.

(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.

No impact. Under the Unified Zoning Ordinance, there will not be any change in zoning designation, but the jurisdiction will change. Ms. Gonzales & Mr. Hurtado is applying to annex all of the 0.17-acre parcel into the City of Dalton, so it is their choice to be included in the jurisdiction of the City of Dalton

(E) Whether the proposed 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.

As there is only the 0.17-acre parcel under consideration, no impact is expected on services are expected. Sewer, water, police, and fire services are already available at the site. There would be no increased burden on trash services, as trash pick-up is currently nearby.

(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.

This property's annexation would not conflict with the Comprehensive Plan, or its Future Development Map, based on the existing development of the subject property. The subject property is within the *Town Neighborhood Revitalization* character area, which is a shared character area for both Whitfield County and the City of Dalton. The purpose of this character area is to accommodate a mix of housing including single family residential, keeping with a building's existing architectural style and scale of the neighborhood. There will be no changes in zoning, so the character will not be impacted.

(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.

An additional consideration of annexation is that the approval will shrink a “County Island”. There are many serval parcels bounded by Hale Bowen Drive, J and J Drive, and Frazier Drive, while also having other parcels south that are within the City of Dalton.

(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 recommends approval for the annexation of parcel 12-179-02-048.

Reasons for approval:

- 1) The subject property is adjoined by the incorporated City of Dalton to the north.
- 2) Annexation will reduce a “County Island”
- 3) There will be no additional burdens to city services.
- 4) There is no proposed change in current use, including zoning for the parcel.