

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

**ZONING CASE: The request of Chris James to rezone from Transitional Commercial (C-4) to General Commercial (C-2) a tract of land totaling 0.17 acres located on 921 S. Hamilton Street, Dalton, GA. Parcel (12-257-02-019)**

The tract is currently undeveloped and surrounded by a chain-link fence. The petitioner's request was prompted by their desire to use the subject property as overflow parking for their auto-body repair shop at the corner of S. Hamilton and Bryant Ave.

The surrounding uses and zoning are as follows: 1) To the north is 0.1 acre tract of land zoned C-4 that contains a single-family detached dwelling; 2) To the east are two tracts of land under 0.5 acres in size that are each zoned C-4. One of the eastern tracts is undeveloped while the other contains an industrial/commercial building; 3) To the south is another 0.1 acre tract of land that contains a single-family detached dwelling zoned C-4; and 4) To the west is a 0.8 acre tract of land that contains a commercial building and is zoned C-4.

The subject property is in 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 property.**

This area is a point of convergence between the C-4, C-2, and M-2 zone district. While the subject property is not adjacent to property already zoned C-2, There is an established C-2 zone district to the north and south of the subject property within 50ft in either direction. While the subject property is flanked by single-family detached dwellings to the north and south, the character of this area is predominantly commercial and industrial. The residential properties in this area are a byproduct of a former city zoning ordinance that permitted residential uses within the commercial and manufacturing zone districts.

**(B) Whether the proposed (C-2) amendment would adversely affect the economic value of adjacent and nearby property.**

As stated previously, the area is consistently zoned and developed for commercial and industrial use even though there are occasional residential properties. The proposed rezoning will not alter the character of development in this area in such a way as to devalue surrounding properties.

**(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 subject property could be utilized as it is currently zoned, but the C-4 zone district would not permit the petitioner's need to extend their footprint associated with the auto-body repair shop.

**(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 (C-2) amendment, 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.**

No impact is expected based on the limited size of the subject property and the abundance of utility capacity in this area.

**(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 future development map designates this property as within the Industrial character area. The industrial character area is intended for manufacturing and intensive commercial land uses, which would be appropriate based on the proposed zoning and desired use of the subject property.

**(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 shrink the existing C-4 zone district and enlarge the existing C-2 zone district in this area.

**(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.**

The subject property is a small, narrow lot that would have limited development potential due to setbacks, but development is not hindered by any natural or cultural factors.

**Conclusion:**

The staff can recommend approval of the requested zoning change from C-4 to C-2.

Reasons for this recommendation:

1. There is no concern that the proposed rezoning and land use will introduce a dissimilar zoning or physical character to this area based on the established character of the area;
2. The zoning request is not in conflict with the Comprehensive Plan and future development map based on the existing development character of this area and the established zoning of the area as compared to the proposed use;
3. There is no expectation that the proposed rezoning could have a long-term negative impact on adjacent property values.
4. The proposed parking area will be required to be covered in cement, asphalt, or pervious pavers as required by the UZO Section 5-3-3 since the property is within the City of Dalton. (This is a statement and not a necessary condition)