

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

**ZONING CASE:** Charles Meyers and Johnny Washington is seeking to rezone two separate tracts along New Doris Street within the City of Dalton from *Heavy manufacturing (M-2)* to *Rural residential (R-5)*. These parcels are Tax Assessor ID 12-255-03-036 and 12-255-03-040. Parcel 12-255-03-036 is a 0.69 acres tract located at 1220 New Doris Street and listed to be owned by Charles and Peggy Meyers. Parcel 12-255-03-040, a 0.18 acres tract located to the north of New Doris Street and across from parcel 12-255-03-036, is listed as owned by Johnny Washington.

Parcel 12-255-03-036, owned by Charles and Peggy Meyers currently contains two mobile homes. Parcel 12-255-03-040, owned by Johnny Washington is currently vacant. The current zoning, *M-2*, established purpose is to provide a suitable area for general industrial, carpet manufacturing, distribution, or warehousing activities and/or other intensive activities industrial in nature which may generate external traffic and may include moderate amounts of environmental pollution in the form of traffic, noise, odors, smoke, fumes, glare, or heat. The requested zoning change of *R-5* is to protect single family detached dwellings, including typical residential subdivision development of all varieties of housing stock, and duplexes.

The surrounding property to parcel 12-255-03-036 are as follows: 1) to the north of the tract, the property abuts New Doris Street. To the North of and along New Doris Street the surrounding parcels, according to the Whitfield County Tax Assessors records, are single family residential. These parcels range in size from 0.18 acres to 1 acre in size. All mentioned parcels are zoned as *M-2*; 2) to the west, parcels south of and adjacent to New Doris Street are zoned as *M-2* but contain residential buildings; for instance, parcels from the intersection of Kate Street and New Doris are listed as single family residential by Tax Assessors. These parcels range from 0.18 acres to 0.67 acres in size; 3) to the south, the 3 adjoining parcels are either residential or commercial. Parcel 12-255-03-014 is a commercial establishment. Parcels 12-255-03-015 and 12-255-03-016 are both residential. All of these parcels are zoned as *M-2*; 3) to the east, there is an 8.11 acre, wooded parcel containing a single family residential structure.

The surrounding property to parcel 12-255-03-040 are as follows: 1) to the north, the tract is bounded by two commercial tracts, zoned as mixed use (*MU*). 2) to the west, north of and adjacent to New Doris Street parcels are zoned as *M-2* but contain residential buildings. These parcels range from 0.18 acres to 0.67 acres in size; 3) to the east, parcels are zoned as *M-2* and contain single family residential housing; 4) to the south, the parcel is bounded by New Doris Street. Across New Doris Street from the intersection of Kate Street to the where New Doris Street dead ends, the parcels are listed as single family residential by Tax assessors. These parcels are also zoned as *M-2*;

## **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.**

As currently zoned, it is possible for the parcels of request to be used as *M-2*; however, it is unlikely to be used for this purpose. Due to these parcels lack of size, at best, the only practical *M-2* use will be commercial. All nearby structures, except for a slight few, contain residential development. Though surrounded by other *M-2* parcels, the current built environment along this portion of New Doris St. can be characterized as residential.

**(B) Whether the proposed R-5 amendment would adversely affect the economic value of adjacent and nearby property.**

There will be no adverse effects to economic value of adjacent and nearby property if rezoned.

**(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.**

As currently zoned, the parcels of interest are unlikely to have an economic value other than that as associated with residential housing. The parcels size is limiting their value for potential manufacturing use.

**(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-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.**

There will be no change in current use.

**(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 adopted Joint Comprehensive Plan's future develop map identifies these parcels as Town Neighborhood Revitalization character area. Town Neighborhood Revitalization character area's purpose is to revitalize areas of disinvestment to accommodate

commercial uses, parking areas, and apartment building. Current property listed as this character is expected to be industrial in use, contributing to neighborhood instability. Amending the zoning to R-5 will actually allow for more conformity with the joint 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 zoning) as interpreted by current Georgia law.**

Amending the zoning to R-5 will create a pocket of inconsistent zoned property in comparison to the surrounding parcels of M-2; however, the current surrounding residential development is not consistent with the purpose of M-2 zoning classification. It is doubtful that any of these parcels, due to their relatively small size, will ever have a value as a commercial or industrial use unless they are combined.

**(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 zoning change from *M-2* to *R-5* for parcels 12-255-03-036 and 12-255-03-040.

### **Reasons for approval:**

1. Given that there will not be any change in use than that is already current, the change in zoning designation from *M-2* to *R-5* has no impact on the character of the parcel itself. It will not detract or add to its economic potential.
2. Given that there is limited potential value as commercial or industrial property as current zoning dictates as the suggested use.
3. Given that Whitfield County Joint Comprehensive Plan's 2019 Future Development Map identifies the area as being Town Neighborhood Revitalization by character, which purpose is to reinvest in commercial and industrial property that has been disinvested and has declined over time. Changing the zoning to R-5 will be more consistent to that of the purpose of the Joint Comprehensive Plan.