

**STAFF ANALYSIS
REZONING REQUEST
*Zoning Ordinance of Blue Ridge, Georgia***

ZONING REQUEST: To hear the request of Karen A Stephens to rezone parcel BR03 02801, a parcel of 0.58 ac, from Medium Density Residential (R-2) to High Density Residential (R-3). Ms. Stephens is seeking to subdivide the parcel so to build a garage with an In-law living suite. The garage and in-law living suite building will total 780 square feet in size, where the proposed parcel will total 0.17 acres.

The petition for zoning reclassification is to create a lower minimum lot size in order to divide the in-law suite. For the purpose of this zoning analysis the current request will consider with the addition of an in-law suite which will be considered as a *Detached Single Family Dwelling*.

The surrounding uses and zoning are as follows: 1) to the north, the surrounding parcels zoned as General Commercial (C-2), including adjoining parcel BR03 02801A; 2) to the east, the surrounding parcels are also zoned as C-2; 3) to the south, the adjoining parcels are zoned as R-2. Other surrounding parcels to the south are zoned as Residential Agriculture (R-A). There are some R-3 zoned parcels to the south also; 4) to the west, directly adjoining parcels are zoned as R-2. Other nearby parcels to the west are zoned as C-2.

Standards of review:

- 1) Whether the proposed amendment would allow a use that is generally suitable for the site when compared to other possible uses, and the uses and zoning of adjacent and nearby properties.**

When compared to current zoning classification, the rezoning request from R-2 to R-3 for the purpose of constructing a *Detached Single Family Dwelling* (an in-law suite) is an established permissible use currently listed in the ordinance for R-2. The difference being the potential residential density increases R-3 in comparison to R-2. Minimum lot width decreases from 80 feet in R-2 to 60 feet in R-3 with the change in zoning, increasing potential lot density.

When compared to surrounding uses, the change in zoning will not create an incongruent use as there are some R-3 zoning nearby to the south of the subject property. The surrounding commercial (C-2) is not in conflict with the proposed use, as increase residential density conforms closely to general commercial in character. The parcel's minimum size prevents any reasonable uses other than a single family dwelling for the proposed, newly created 0.17 acre parcel. The plat provided is labeled as proposed and there is no provided deed of record to a new lot being created. As for the remaining 0.41 acre parcel of the original 0.58

acre tract, the current single family dwelling will have to be removed to add a new structure other than single family.

Do note that R-3 does allow for Manufactured Home Parks, but the parcel's limited size will not allow for a park to meet minimum lot requirements.

2) Whether the proposed amendment would adversely affect the economics or uses of adjacent and nearby properties.

The subdivision of parcel BR03 02801 to allow for a new single family dwelling will not likely have an effect on the economics of the adjacent parcels.

3) Whether the property to be affected by the proposed amendment can be used as currently zoned.

To allow for the new single family dwelling the parcel will need to be rezoned to meet minimum lot requirements while also meeting minimum lot setbacks. The current preliminary plat, that is not for recording, does shows a 57.22-foot property line along Green Street to the south. The width will need to be increased to 60 feet in length to meet requirements provided in Article 8, pg. 8.1, of the *Zoning Ordinance of Blue Ridge, Georgia*.

4) Whether the proposed amendment, if adopted, 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 stated previously, the limited size of the subject property prevents potential for significant residential density.

5) Whether the subject property under the proposed amendment is in conformity with the policies and intent of the adopted Joint Comprehensive Plan for Fannin County and the Cities of Blue Ridge, McCaysville, and Morganton, as amended.

The future land use character displayed in the Joint Comprehensive Plan is for single family residential. The surrounding future land uses descriptions include commercial and multifamily. The proposed zoning amendment will conform in character to these uses as well as the established built environment.

6) Whether there are other conditions or transitional patterns affecting the use and development of the subject property, if applicable, which give grounds either for approval or disapproval of the proposed amendment.

N/A

Conclusion: It is recommended that the request for rezoning from Medium Density (R-2) to High Density (R-3) be approved based on the following findings:

- 1) Without a change in zoning and the subdivision of parcel BR03 02801, the new single family dwelling (Garage with an In-law suite), is not a viable option. Minimum lot size requirements will not be met without the change in zoning from R-2 to R-3.
- 2) Changing zoning from R-2 to R-3 will not create a different use than those listed in Article 7, R-2 Medium Density Residential District Regulations on page 7-1.
- 3) Rezoning from R-2 to R-3, though not changing the residential use of the subject property, would permit a higher residential density of the subject property. The limited size of the property, however, limits any significant increase in density, and the petitioners plan is only for an additional single family detached dwelling.
- 4) Changing the zoning will conform with the Joint Comprehensive Plan based on the proposed use of the subject property.