

CITY OF SMYRNA

COMMUNITY DEVELOPMENT DEPARTMENT

MEMORANDUM

To: Mayor and Council

From: Ken Suddreth, Community Development Director
Russell Martin, AICP, Senior Planner

Date: February 6, 2014

CC: Eric Taylor, City Administrator

RE: Rezoning Case Z14-004 – 1599 Walker Street

Applicant: Garett Plyler

Existing Zoning: RAD-Conditional

Titleholder: Garett Plyler

Proposed Zoning: R-15

Size of Tract: 0.6 Acres

Location: 1599 Walker Street

Contiguous Zoning:

Land Lot: 593

North R-15 & RTD

South R-15

East R-15

West R-15

Ward: 3

Access: Walker Street

Hearing Dates:

P&Z N/A

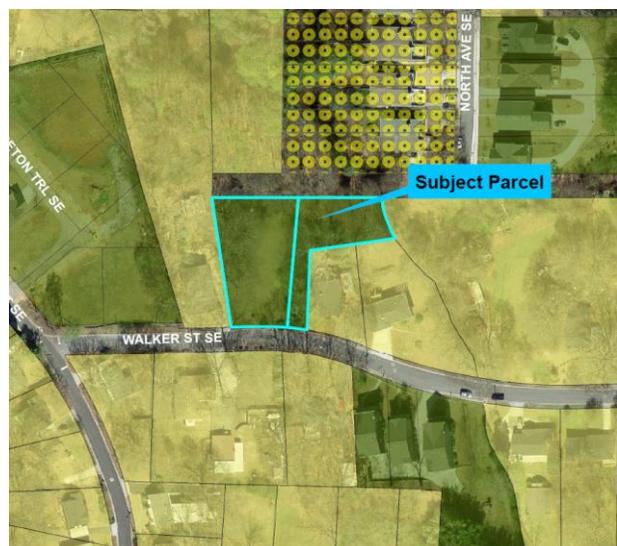
Mayor and Council February 17, 2014

Existing Improvements: Vacant Site

Proposed Use:

Rezone the subject property from RAD-Conditional to R-15 for the construction of a single-family residence. No land use change is required with rezoning.

Staff Recommendation: Community Development recommends **approval** of the requested rezoning.



STAFF COMMENTS

Section 1508 of the Smyrna Zoning Code details nine zoning review factors, which must be evaluated by the Planning and Zoning Board and the Mayor and Council when considering a rezoning request. The following provides the nine factors followed by an analysis of each factor in italics:

1. Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property.

The proposed rezoning will result in one single-family home being constructed on a 0.6 acre lot. The adjoining property to the south, east and west are zoned R-15 and are occupied by single-family homes. The adjoining properties to the north are zoned R-15 and RTD and are occupied by single-family homes and townhomes. The proposed home is a suitable use in view of the existing adjacent and nearby properties.

2. Whether the zoning proposal or the use proposed will adversely affect the existing use or usability of adjacent or nearby property.

The proposed single-family home will integrate well with the surrounding residential neighborhood. The proposed rezoning and development should not have an adverse affect upon the existing use or usability of nearby properties.

3. Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned.

The subject parcel has a reasonable economic use as currently zoned.

4. Whether the zoning proposal will result in a use, which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities or schools.

Based on information provided by the City Engineer, the proposed development is not expected to cause an excessive burden to existing street or transportation facilities.

Based upon information provided by the Director of Public Works, adequate water and sewer capacities are available in the area to accommodate the development associated with the rezoning.

5. Whether the zoning proposal is in conformity with the policy and intent of the land use plan.

The rezoning is in conformity with the Future Development Plan, which indicates the subject parcel has a land use of Moderate Density Residential. No land use change is required for rezoning.

6. Whether there are other existing or changing conditions affecting the use and development of the property, which give supporting grounds for either approval or disapproval of the zoning proposal.

The subject property was rezoned on December 17, 2007 from R-15 to RAD-Conditional for the construction of two single-family homes at a density of 3.65 units per acre. During the economic downturn, the subject property was never developed. The property has been purchased by a new owner and they are requesting to revert the zoning back to the original zoning classification per Section 1201 of the Zoning Ordinance.

7. Whether the development of the property under the zoning proposal will conform to, be a detriment to or enhance the architectural standards, open space requirements and aesthetics of the general neighborhood, considering the current, historical and planned uses in the area.

The proposed single-family home will employ architectural features that will enhance the aesthetics of the neighborhood.

8. Under any proposed zoning classification, whether the use proposed may create a nuisance or is incompatible with existing uses in the area.

The proposed use should not create a nuisance to existing uses in the area.

9. Whether due to the size of the proposed use, in either land area or building height, the proposed use would affect the adjoining property, general neighborhood and other uses in the area positively or negatively.

Factors associated with the size of the proposed use, in either land area or building height, should have a minimal affect upon adjacent properties. The proposed home and lot will meet all the requirements of the R-15 zoning district.

On December 17, 2007, the Mayor and Council approved the rezoning request Z07-019 from R-15 to RAD-Conditional for the construction of two single-family homes at a density of 3.65 units per acre. The subject property was rezoned to specific site plans, building elevations and zoning conditions. During the economic downturn, the subject property was never developed and has remained vacant since.

The subject property has been purchased and the owners are proposing to construct their personal single-family home. The applicant is proposing to build their new home on the existing lot of record. The applicants are requesting the reversion of the zoning from RAD-Conditional to R-15 to remove all zoning stipulations that were placed on the property for the development of the two homes. The proposed home will meet all the zoning requirements of the R-15 zoning district. Elevations of the proposed home have been provided in the zoning application.

Per Section 1201 of Appendix A of the City of Smyrna City Code, if no affirmative action has been taken on a conditionally zoned property within 12 months of the Mayor and Council approval, the property shall revert back to its original zoning. To meet the requirements of the

State's Zoning Procedures Act, the zoning reversion must come back before the Mayor and Council for a public hearing and formal approval.

Community Development and the other city departments have reviewed the zoning request and have found the proposed rezoning to be in conformity with the City's Future Development Plan and City Ordinances. Therefore, Community Development recommends **approval** of rezoning the subject property from RAD-Conditional to R-15 for a single-family residence.

Figure – 1
(Subject Property)



Figure – 2
(Adjoining Property to the East)



Figure – 3
(Adjoining Property to the West)



Figure – 4
(Adjacent Property to the South)

