



RZ-24-8

Rezoning Application

Status: Active

Submitted On: 8/12/2024

Primary Location

2471 REED ST SE
SMYRNA, GA 30080

Owner

NGUYEN LEWIS JULIA
3063 QUAILAIGE CT MARIETTA,
30068

Applicant

Sean Murphy
 770-630-9205
 sean@seanjmurphy.com
 3282 Lee Street SE
Smyrna, Georgia 30080

Applicant Information

Full Name (i.e., First and Last Name, or Name of Entity):*

Brookwood Homes - Joe Callahan

Street Address:*

2370 NESBITT DRIVE

City:*

BROOKHAVEN

State:*

GEORGIA

Zip Code:*

30319

Email Address:*

rkolb3553@aol.com

Phone Number:*

404-518-3542

Are you the titleholder of the subject property?*

Yes

Property Information

Parcel ID:*

1705620061

Property Address:*

2471 REED STREET

Present Zoning:*

R-20

Present Future Land Use:*

MODR - Moderate Density Residential

Development Information

Proposed Use of Property:*

Residential

Property Acreage:*

0-5 acres

Number of Proposed Dwelling Units:*

2

Proposed Zoning:*

R-10

Proposed Density:*

Residential less than 4.5 units/acre

Are you seeking a Future Land Use Change?*

No

Is Rezoning a Development of Regional Impact?*

No

Project Description:*

The applicant proposes to subdivide a single R20 lot where the house recently burned down into two (2) single family lots approximately 57' wide under proposed R10 zoning. We selected R10 at the suggestion of the seior planner due to the lot width being less than the requirement for R12.

Rezoning Analysis

Number 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 existing use is single family residential and is surrounded by single family residential including recently developed high density residential directly across the street and older, existing duplex multi-family development to the rear . The proposed use remains single family at moderate density. Therefore the permitted use should be suitable in view of the use and development of nearby property.

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

Since the proposed zoning is only to modify only the size of allowed lots and setbacks and the use will remain single family it will not adversely impact or affect the existing or future usability of adjacent or nearby property.

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

Private property law requires an owner fair and equitable use of their land. With the recent rezoning of the land across the street from the applicants property to a higher density and the existing zoning of the lots to the rear all being higher density, the applicant is not able to obtain the highest and best value for their land without rezoning to a higher density. However the applicant could reasonably expect to develop the existing lot under the current zoning.

Number 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.*

Given other much more significant changes and approved high density developments along the same street and in the same neighborhood, it is not logical to believe that adding one additional lot and corresponding home would have any significant impact to the local roads, facilities, or schools.

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

The proposed zoning is in conformity with the future land use plan with 3.1 units per acre proposed.

Number 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 recent approvals for the higher density development with much smaller lots across the street and older approvals for duplex developments to the rear and smaller lots on the same street all provide supporting grounds and clear precedent for a step down zoning here that is higher density than allowed under the R20 zoning.

Number 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 new homes under the proposed R10 zoning will help to match other new homes built on the same street in the recent years. The architectural facades, elevations, and materials proposed match those of many other homes built by the same builder in the same neighborhood and will better relate to the new homes across the street than the other older homes currently do.

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

Nothing about the proposed zoning classification would result in an incompatible use or a nuisance. The proposed zoning is for an alternate single family zoning with lot sizes 1/2 the size of the current zoning. No use change is proposed under this proposed change.

Number 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.*

The height of the proposed architecture is congruent with other new homes on the same street and will not be substantially different than the other newer homes built in the last 10 years. The size of the homes and positions proposed have been proposed to relate well with adjacent homes on the same side of the street. It would therefore not be logical to believe that this could create a negative impact. The impact should generally be positive and work toward continuation of new and improved housing in the neighborhood.

Acknowledgement

Applicant Signature*

 SEAN MURPHY
Aug 12, 2024