**Memo**

TO: Planning Commission

FROM: Dina Rimi, Community Development Director

DATE: August 12, 2022

RE: Public Hearing – Rezoning – 202 Johnson Street

 Residential R40 to RH

**Background**

The City of Senoia received an application to amend the Zoning Map from, J. Cottrell for 202 Johnson St. The property is currently zoned Residential (R40) in the Senoia Historic District. The application is to request rezoning to Residential Historic District (RH).

The subject property is a non conforming lot in the R40 district. Table 6.1 of Section 74-96 requires a minimum of one AC per lot in the R40 district., the lot is .805 AC.

The purpose of the RH district is to accommodate residential development located within the city's historical neighborhood overlay. This district is delineated on official zoning map and permitted uses are in accordance with residential (R40). This zoning shall only apply to areas of the district that require no additional public infrastructure (new streets). Minimum lot size s .5 acres. The minimum size of the primary dwelling shall be based on the average of the primary structures immediately adjacent and on the same size of the road.

**Administrator's Report**

The applicant is proposing to rezone the subject property from R40 to Residential Historical (RH) District. In consideration of this rezoning, the Planning Commission should consider the items under Section 3.9 of the Zoning Ordinance. The application is to rezone and subdivide the property for developing two single-family structures, the subject of this report consider the proposed plan.

1. The existing land uses and zoning classification of nearby property.
2. *The subject property is located in the City of Senoia Historic District adjoining other similarly zoned residential homes. RH and R40 allow for similar uses.*
3. The suitability of the subject property for the zoned purpose.
4. *The lot is currently in a residential area within the historic neighborhood overlay, the neighboring lots have similar uses to those that are proposed.*
5. The extent to which the property values of the subject property are diminished by the particular zoning restrictions.
6. *There is none. The RH district provides the property with the highest and best use.*
7. The relative gain to the public, as compared to the hardship imposed upon the individual property owner.

*A.The applicant is proposing rezone the property due to the reduction in front yard setbacks from the R40 category to the RH category.*

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1. Whether the subject property has a reasonable economic use as currently zoned.
2. *The subject lot is a conforming residential lot in the R40 district. Remaining residential provides a reasonable economic use.*
3. Whether the proposed zoning will be a use that is suitable in view of the use and development of adjacent and nearby property.
4. *All of the proposed lots are similar in size to the adjacent single-family lot. The proposed zoning is reasonable.*
5. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property.
6. *If rezoned to RH and developed as proposed, I do not see any adverse effects to adjacent properties.*
7. Whether the zoning proposal is in conformity with the policies and intent of the land use element of the Comprehensive Plan.
8. *In the sense that this is residential property to be developed as the same the proposal is in accordance with the policies and intent of the land use element of the comprehensive plan.*
9. Whether the zoning proposal will result in a use, which will or could cause an excessive or burdensome use of existing street, transportation facilities, utilities, or schools.
10. *No excessive use or burden is recognized in this application.*
11. 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.

 *A. There is none.*

1. Whether the subject property contains jurisdictional wetlands of the United States. If so, the applicant will be required to document permit approval for the proposed development from the U.S. Army Corps of Engineers before any formal action can be taken on the zoning proposal.
2. *There is none.*
3. Whether the subject property may be large enough to qualify as a Development of Regional Impact. If so, then an application for Review must be filed with the Regional Development Center.
4. *The development is not big enough to qualify.*