



**PLANNING AND DEVELOPMENT DEPARTMENT  
STAFF REPORT**

Meeting Date: November 14, 2019

Item #: PZ2019-559

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**REZONING AND ANNEXATION – 3216 CALDWELL RD & 3218 CALDWELL RD**

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**Request:** Annex and Rezone Properties to Single Family Residential  
**Site Addresses:** 3216 Caldwell Rd; 3218 Caldwell Rd  
**Parcel Numbers:** 18 277 03 003; 18 277 03 009  
**Applicant:** City of Chamblee  
**Owner:** David J. Schacher; Ronald J. Meynard  
**Proposal:** Rezone properties from Single-Dwelling Detached, 12,000 sq ft (RS-85) to Neighborhood Residential 1 (NR-1), following annexation into the City.  
**Current Zoning:** Neighborhood Residential 1 (NR-1) – “This zoning district is intended primarily for single-family residences and related accessory uses.”  
**Staff Recommendation:** **Approval**



Case Number: PZ2019-559  
City Council Work Session: 11/14/2019  
Regular City Council Meeting: 11/19/2019 (Public Hearing & First Read)  
Regular City Council Meeting: 12/17/2019 (Second Read)

**Current Use:** Single Family Residential

**Surrounding Land Uses:** North - IT: Manufacturing  
South - NR-1: Single Family Residential  
East - NR-1: Single Family Residential  
West - City Boundary, City of Brookhaven

**Site Description:**

Both of the subject properties are split into two tax parcels. The northern portion of the first property, 3218 Caldwell Rd, is 0.1 acres and is located within the City of Brookhaven. This part of the property contains the driveway and front yard of the home. The properties are currently zoned in Brookhaven as Single-Dwelling Detached, 12,000 sq ft (RS-85). The Brookhaven RS districts are “primarily intended to accommodate detached houses. The number suffix attached to RS district names is a shorthand reference to the minimum lot width required for detached houses.” The southern part of the property is 0.2 acres and is located within the City of Chamblee. The southern part of the property is occupied by a one story 1,264 square foot single family residence and was built in 1952. This portion of the property is zoned NR-1.

The northern part of the second property, 3216 Caldwell Rd, is 0.3 acres and is located within the City of Brookhaven and is also zoned RS-85. This part of the property contains the driveway, majority of the one story 1,008 square foot single family home and a portion of the back yard. The home was built in 1952. The southern part of the property is located within the City of Chamblee and is zoned NR-1. This part of the property is .06 acres and contains a small portion of the home and a portion of the backyard.

**Description of Proposed Project:**

The City proposes to annex the northern portion of both of the properties into the City of Chamblee and have them rezoned to Neighborhood Residential 1 (NR-1), which is the most appropriate zoning district for them in the City. According to Section 280-16 (e) of the UDO, the Mayor and City Council shall vote on the annexation prior to voting on the rezoning. In addition, the public hearing shall be conducted prior to the annexation of the subject property into the City and the City of Chamblee shall provide a notice of the hearing within the area that the subject property is to be annexed.

**Applicant’s Zoning Map Amendment Request**

**Staff Analysis:**

*Rezoning the subject properties to NR-1 would be consistent with the Future Development Map of the Comprehensive Plan. The character area the properties are located in Ashford Park, which envisions a strong single-family residential neighborhood.*

This analysis is based on an assessment of the 12 zoning proposal review standards established in Section 280-17(b) of the City of Chamblee Zoning Ordinance. The Mayor and City Council shall consider the below listed standards governing the exercise of the zoning power whenever deliberating over any zoning decision pursuant to the ordinance:

**1. The existing uses and zoning of nearby property.**

*The properties to the north are zoned Industrial Transitional and comprised of a manufacturing business. All of the other properties adjacent to the subject properties are single family residential homes. The properties to the east and south are in the City of Chamblee and are zoned NR-1, while the homes to the west are in the City of Brookhaven and are zoned R3.*

**2. The extent to which property values are diminished by the particular zoning restrictions.**

*The subject properties are zoned R3 in Brookhaven. The R3 zoning does not lessen the property value of the subject properties compared to the NR-1 zoning that is requested. Allowing the properties to be rezoned to NR-1 and annexed in to the City of Chamblee, would allow the homes to be in one city rather than two.*

**3. The extent to which the possible reduction of property values of the subject property promotes the health, safety, morals or general welfare of the public.**

*The health, safety, morals or general welfare of the public is not substantially impacted by a possible reduction of property values by maintaining a similar zoning classification to the existing Brookhaven classification.*

**4. The relative harm to the public as compared to the hardship imposed upon the individual property owner.**

*There would be no relative harm to the public as compared to the hardship imposed upon the individual property owners. Rezoning the properties would not change thier existing use in any way.*

**5. The suitability of the subject property for the zoning proposed.**

*Annexing and rezoning the properties to NR-1 would be suitable for the properties due to both existing land use and neighboring properties.*

**6. The length of time the property has been vacant as zoned, considered in the context of land development in the area in the vicinity of the property.**

*The properties are not vacant.*

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

*The zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property. The properties will continue to serve as a single-family residential homes.*

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

*The proposed zoning district NR-1, will not adversely affect the existing use or usability of adjacent or nearby properties.*

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

*The properties as zoned have a reasonable economic use as currently zoned. Because both of the homes sit on two parcels, the property owners are responsible for two property taxes, making it not economical for the property owners. If annexed, the properties will not be rezoned in Chamblee.*

**10. 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.**

*The zoning proposal will not result in a use which will or could cause an excessive use of existing streets transportation facilities, utilities or schools.*

**11. Whether the zoning proposal is in conformity with the policy and intent of the future development map.**

*The proposed zoning is in conformity with the policy and intent of the future development map. The rezoning request will not require an amendment to the Comprehensive Plan Future Map. The character area calls for "a strong single-family residential neighborhood." No change in use is proposed.*

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

*There are no other existing or changing conditions affecting the use and development of the properties.*

**Staff Recommendation:**

The proposals are in compliance with the City's Comprehensive Plan and meet the standards for zoning map amendments established by the UDO. Therefore, staff recommends **APPROVAL** of the request to rezone the subject properties from Single-Dwelling Residential, 12,000 sq ft (RS-85) to Neighborhood Residential 1 (NR-1).

**Attachments:**

Attachment 1 – Location Maps

Attachment 2 – Petition of Annexation – 3218 Caldwell Rd

Attachment 3 – Petition of Annexation – 3216 Caldwell Rd

Attachment 4 – Comprehensive Plan Documents