

STAFF REPORT

Item	Re Zoning	Location	304 Pylant Street
Planning Commission Date	August 18, 2020	Mayor and Council Date	September 21, 2020
Applicant	Robert and Casey Luschen	Purpose	To rezone to RH

SUMMARY

The applicant is requesting to rezone the property at 304 Pylant Street from R-40 to RH. This property is located on the corner of Andrews Parkway and Pylant Street. Since it fronts two roads both of these fronts will have a 15 foot front yard set back and two side yard setbacks, which are 20 feet. The survey that was submitted does not show the accurate setbacks for the zoning category, this will need to be resubmitted prior to the Mayor and Council meeting. The minimum acreage for the RH zoning category is .6 acres.



ZONING

Existing Zoning/ Requested Zoning	Existing Land Use	Surrounding Zoning	Site Improvements	Size of Property
R-40 / Residential Historical (RH)	Residential	East – R-40 West- R40 North – R 40 South – R-40	This site will not require any improvements	1.069

Planning Commission

The Planning Commission voted 5-0 to recommend approval

Staff Comments

The staff recommends approval of this proposed rezoning. The applicant will need to submit a revised proposed plat with the correct setbacks for the Residential Historical zoning category prior to this item can be placed on an agenda for the Mayor and Council.

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CITY OF SENOIA
DEPARTMENT OF COMMUNITY DEVELOPMENT

DINA RIMI
DRIMI@SENOIA.COM

Item	Rezoning	Location	304 Pylant Street
Planning Commission Date	August 18, 2020	Mayor and Council Date	September 21, 2020
Applicant	Robert and Casey Luschen	Purpose	To rezone to RH

Sec. 74-46. - Standards governing the exercise of the zoning power of the City of Senoia.

Except for consideration of an application for a conditional use, permit.

The existing land uses and zoning classification of nearby property. –

The existing land use and zoning classification of nearby property are residential.

The suitability of the subject property for the zoned purpose.-

This property is suitable for the use of the proposed zoning it will be going from one residential use to another residential use.

The extent to which the property values of the subject property are diminished by the particular zoning restrictions.-

The rezoning of this property will not have an effect on property values.

The relative gain to the public, as compared to the hardship imposed upon the individual property owner-

The gain to the public will be no different.

Whether the subject property has a reasonable economic use as currently zoned. –

By rezoning this property, it will have the same reasonable economic gain to the community.

Whether the proposed zoning will be a use that is suitable in view of the use and development of adjacent and nearby property.

The proposed zoning will be a use that is suitable in view of the use and development of adjacent and nearby property.

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

The zoning proposal will not adversely affect the existing use or usability of adjacent or nearby property.

Whether the zoning proposal is in conformity with the policies and intent of the land use element of the comprehensive plan.

The comprehensive plans shows the use for this property as residential

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.

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

AN ORDINANCE

AN ORDINANCE TO REZONE PROPERTY IN THE CITY OF SENOIA, AND FOR OTHER PURPOSES.

WHEREAS, ROBERT AND CASEY LUSCHEN , owner of the real property described herein, has applied to the City governing body to amend the zoning map of Senoia, Georgia seeking to rezone property that at the time of the application was zoned residential (R40) to RH (Residential Historical);

WHEREAS, the Mayor and Council, following a duly advertised public hearing, held February 4, 2019 wherein a recommendation on the application and a study of the potential benefits to be derived from such application, compared with the negative impacts, as performed by the City Staff, was presented, after opportunity for citizen comments, finds and concludes that this application will benefit and be in the best interest of the City as a whole;

WHEREAS, the Mayor and Council finds and concludes it is reasonable, lawful and desirable to approve said application to amend the zoning map;

NOW, THEREFORE, BE IT ORDAINED AND IT IS HEREBY ENACTED BY THE MAYOR AND COUNCIL OF THE CITY OF SENOIA:

Section 1. The property hereby described in “Exhibit A” is zoned as “RH-Residential Historical”.

Section 2. Said property shall be developed in accordance with the plat of survey and plans submitted and reviewed by the Planning Commission on August 18, 2020 and by the Mayor and Council on September 21, 2020 A copy of said plat is attached hereto and by reference expressly incorporated herein.

Section 3. The Zoning Administrator is hereby directed to cause the Official Zoning Map to be amended to properly reflect the property as rezoned to RH- Residential Historical .

Section 4. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 5. This ordinance shall become effective upon adoption on a single reading.

LEGISLATIVE HISTORY

Re Property of: ROBERT AND CASEY LUSCHEN

Planning Commission:

Public Hearing: August 18, 2020

Recommendation: August 18, 2020

City Council:

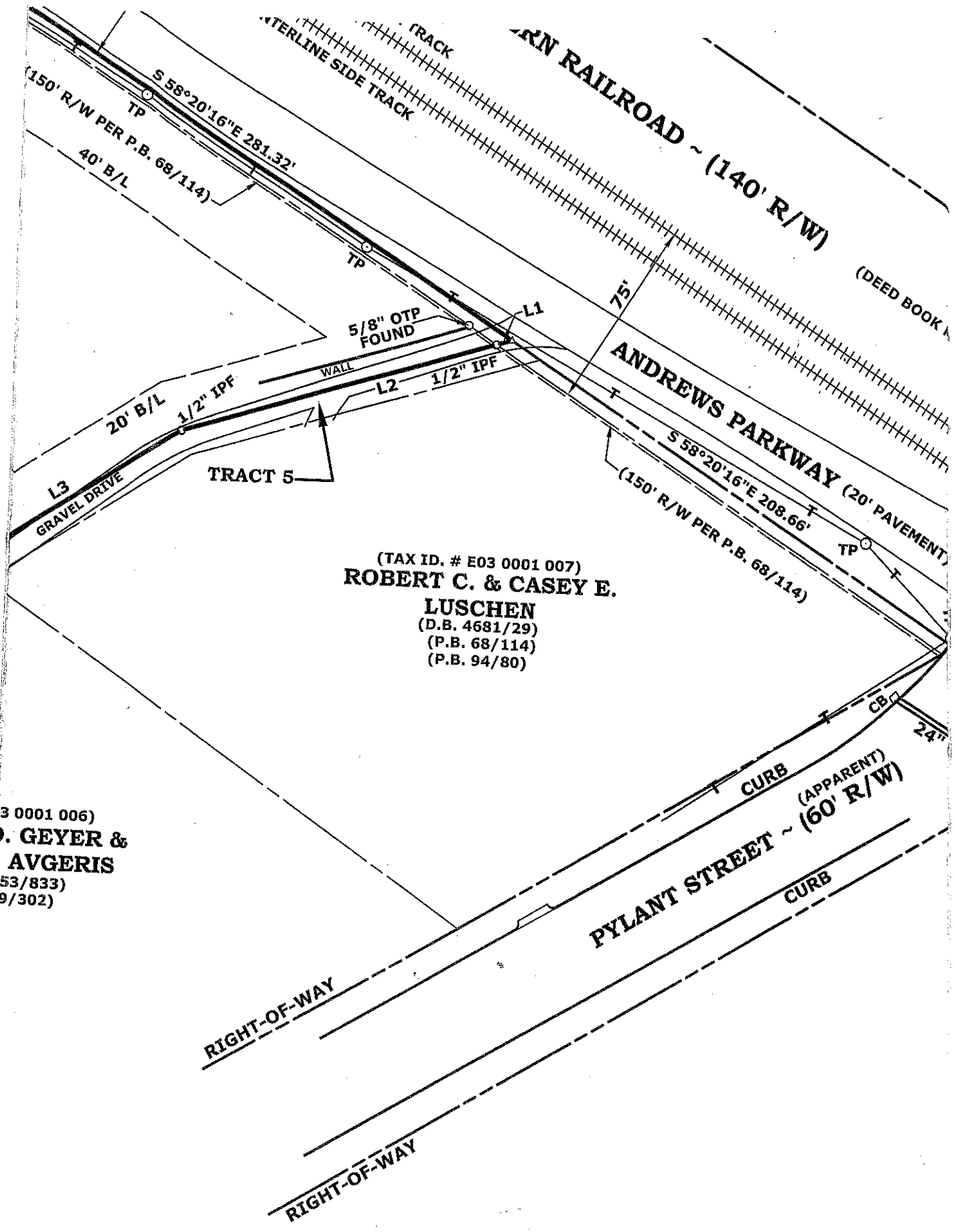
Public Hearing: September 21, 2020

Decision: September 21, 2020

Effective Date: September 21, 2020

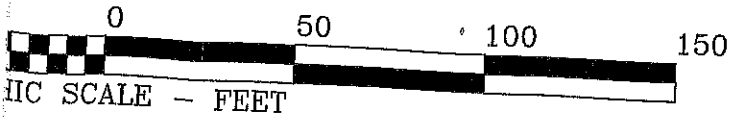
The terms and conditions of the zoning attached to the subject property are consented to:

Owner: ROBERT AND CASEY LUSCHEN



(TAX ID. # E03 0001 007)
ROBERT C. & CASEY E. LUSCHEN
 (D.B. 4681/29)
 (P.B. 68/114)
 (P.B. 94/80)

3 0001 006)
D. GEYER & AVGERIS
 (53/833)
 (9/302)



NOTE:
 THIS SURVEY WAS MADE BY THE SURVEYOR AND ACCURATE TO THE BEST OF HIS KNOWLEDGE. ANY DISCREPANCY OF RECORD MAY BE SUBJECT TO THE PLAT IS SUBJECT TO THE RECORD.