

STAFF CASE REPORT TO PLANNING COMMISSION

Subdivision Name:	Carr Farm Subdivision Lots 2A, 2B, and 3A Variance Request-Minimum Front Setback	PC Meeting Date: 12-08-14
Applicant Request:	Variance-Sections 38-188 of the Chattanooga Zoning Regulations	
Property Location:	4727 Highway 58	
Property Owner:	CLCB Holdings, LLC	
Applicant:	Hopkins Surveying	
Total Acreage:	0.84 Acres	
Proposed Density:	3.57 dwelling units per acre	
Tax Map Number:	129B-D-10	
Zoning:	C-2 Convenience Commercial Zone	
Staff Recommendation:	APPROVE	

PROJECT ANALYSIS

RPA Comments

Applicant Request

The applicant has submitted a request to subdivide an existing lot, 4727 Highway 58 into three lots. As part of this subdivision process the applicant has submitted a variance request from Section 38-188 of the Chattanooga Zoning Regulations. Section 38-188 of the Chattanooga Zoning Regulations states that a minimum 25' setback shall be provided along any public street right-of-way. The applicant is asking for a variance to permit three of the structures on the property to have a smaller setback than the minimum required within in Section 38-188.

The applicant is seeking the following setback reductions from the minimum 25':

- Structures # 1 and # 2: 15' reduction to permit a 10' setback from the public right-of-way of Highway 58.
- Structure # 3: 8' reduction to permit a 17' setback from the public right-of-way of Webb Road.
- Structure # 4: 9' reduction to permit a 16' setback from the public right-of-way of Webb Road.

Site Description

The property is zoned C-2 Convenience Commercial Zone. The property is currently one lot that is approximately 0.84 acres in size. The site currently contains four existing commercial structures. According to Hamilton County Tax Assessor records the structures were constructed around 1973.

The area to the north, south, east, and west of the site is zoned C-2 Convenience Commercial. There is an R-3 Residential Zone to the northwest of the site.

The property has access from Webb Road and Highway 58. Based on Hamilton County GIS the right-of-way of Highway 58 is approximately 250'. The right-of-way of Webb Road scales to 40'.

Staff Recommendation

Staff recommends to approve the applicant's request.

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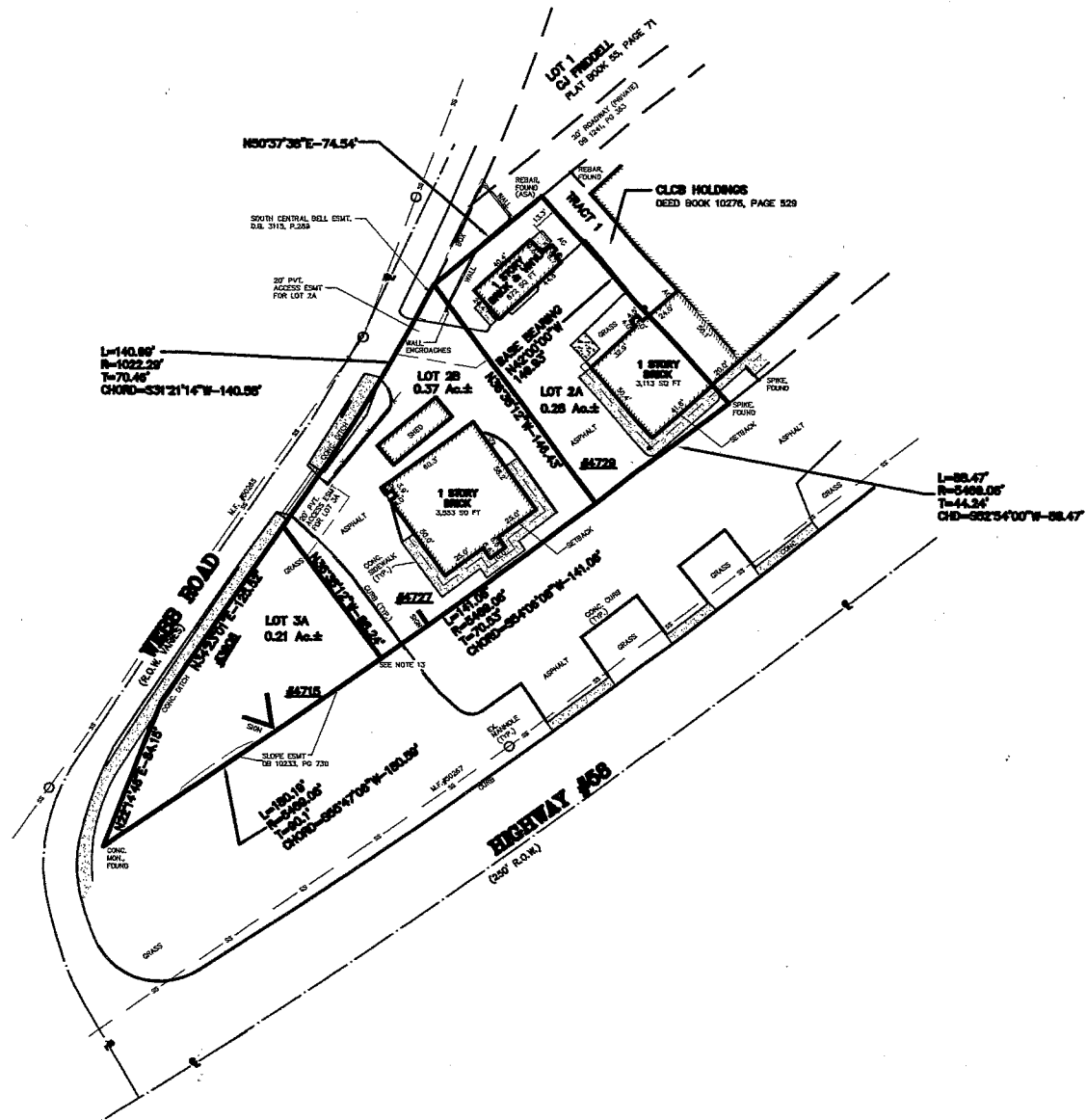
Section 38-32 of the Chattanooga Zoning Regulations provides the Chattanooga-Hamilton County Regional Planning Commission with the authority to grant lot size, lot frontage, or existing structure setback variances for new lots as part of a new subdivision.

Section 309 of the Chattanooga Subdivision Regulations states that the Planning Commission may grant variances where the Planning Commission determines the following:

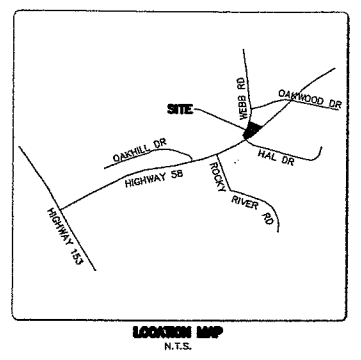
- 1. *Unusual physical or other conditions exist which would cause practical difficulty or unnecessary hardship if these regulations are adhered to.***
 - The right-of-way for Highway 58 is extremely large. These existing structures are approximately 95' to 100' feet away from the actual edge pavement of Highway 58; therefore, there would not be any conflict with traffic vision.
 - The large right-of-way and distance from the existing structures to the actual edge of pavement is an unusual condition that is typically not present.

- 2. *The variance will not be in conflict with the intent and purpose of the Hamilton County Subdivision regulations.***
 - Approving the variance would not be in conflict with the intent and purpose of the Chattanooga Subdivision Regulations.

- 3. *The granting of the variance will not be detrimental to the public interest.***
 - Approving the variance would not be detrimental to the public interest since the structures are approximately 95' to 100' away from the edge of the pavement of Highway 58, with the lots fronting a large right-of-way along Highway 58, and being set so far away from the actual edge of pavement that vision would not be impacted.



APPROVED FOR RECORDING
 HAMILTON COUNTY GIS DEPT
 DATE _____
 BY _____
 APPROVED FOR RECORDING
 CHATTAHOOGA CITY REGIONAL
 PLANNING COMMISSION
 DATE _____
 BY _____



OWNER STATEMENT
 I CERTIFY THAT I AM THE OWNER IN FEE
 SIMPLE OF THE PROPERTY SHOWN AND
 ADOPT THIS AS MY PLAN OF SUBDIVISION.

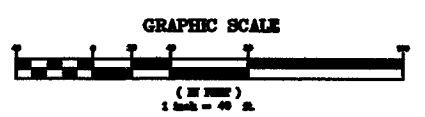
CLCB HOLDINGS, LLC
 832 GEORGIA AVE
 CHATTANOOGA, TN 37402
 423-756-6600

RECEIVED

NOV 21 2014

Chattanooga Hamilton County
 Regional Planning Agency
 Development Services

- NOTES:**
- 1.) PRESENT ZONING CLASSIFICATION C-2.
 - 2.) AREA SUBDIVIDED BY THIS PLAT IS 0.88 ACRES.
 - 3.) TAX MAP NUMBER 1228-D-10.
 - 4.) THIS PLAT SUBDIVIDES THE PROPERTY DESCRIBED IN DEED BOOK 10276 PAGE 526.
 - 5.) THIS SUBDIVISION HAS BEEN DEVELOPED ACCORDING TO THE SUBDIVISION REGULATIONS OF THE CITY OF CHATTANOOGA.
 - 6.) THE PURPOSE OF THIS PLAT IS TO CREATE NEW LOTS.
 - 7.) LOCAL GOVERNMENT DOES NOT CERTIFY THAT UTILITIES OR UTILITY CONNECTIONS ARE AVAILABLE.
 - 8.) PUBLIC SANITARY SEWERS ARE AVAILABLE BY GRAVITY FLOW.
 - 9.) STREET ADDRESS #1222.
 - 10.) CITY ORDINANCE #6942 ENTITLED "STORMWATER RUNOFF AND EROSION CONTROL" SHALL APPLY TO ANY DISCHARGE OF SAME FROM THIS SUBDIVISION OF PROPERTY.
 - 11.) NO FILL MATERIAL CAN BE PLACED IN A CONSTRUCTED DRAINAGE FACILITY IN SUCH A MANNER AS TO IMPEDIE STORM WATER RUNOFF FLOW UNLESS APPROVED BY THE CITY ENGINEER.
 - 12.) THE CITY OF CHATTANOOGA IS NOT RESPONSIBLE FOR THE CONSTRUCTION OR MAINTENANCE OF THE 20' PRIVATE ACCESS EASEMENT.
 - 13.) ALL CORNERS ARE 5/8" REBAR WITH CAP UNLESS NOTED OTHERWISE.
 - 14.) THE CHATT-HAM CO. REGIONAL P.C. GRANTED FRONT YARD SETBACK REDUCTION TO PERMIT EXISTING STRUCTURES TO HAVE SMALLER SETBACK THEN REQUIRED BY THE C-2 ZONE.



DWG. NO. 2014-146-3

SURVEYOR'S CERTIFICATE
 I CERTIFY THAT I HAVE SURVEYED THE PROPERTY HEREON, THAT THE SURVEY IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF, THAT THE SURVEY WAS DONE IN COMPLIANCE WITH CURRENT TENNESSEE UNIFORM STANDARDS OF PRACTICE AND THAT THE RATIO OF PRECISION OF UNADJUSTED SURVEY IS >=1:15,000 (CATEGORY 1)

FINAL PLAT - LOTS 2A-2B-3A
CARR FARM SUBDIVISION

LYING IN THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 20, TOWNSHIP 5, RANGE 3, WEST OF BASIS LINE, COOKE DISTRICT, BEING ALSO PART OF LOTS ONE, TWO, AND THREE, BLOCK ONE, CARR FARM, AS RECORDED IN DEED BOOK 4294, PAGE 547, AND DEED BOOK 5306, PAGE 806, R.O.H.C., CITY OF CHATTANOOGA, HAMILTON COUNTY, TENNESSEE.

HOPKINS SURVEYING GROUP
 175 Haman Road - P.O. Box 4386
 Chattanooga, Tennessee 37405
 (423) 287-3751 Office / (423) 287-0611 Facsimile
 Copyright - By Hopkins Surveying Group

DESIGNER: ERIC R. ELVIER	SHEET NO. 1 OF 1	DWG. NO. 2014-146PLAT-6
SCALE: 1" = 40'	DATE: SEPT. 25, 2014	REV. DATE: 10-15-14
PROPERTY ADDRESS: 4727 & 4728 HEMAN RD, CHATTANOOGA, TN	THIS MAP MAY BE SEEN AT THE	