

STAFF CASE REPORT TO PLANNING COMMISSION

Subdivision Name:		2711 and 2715 Noa Street	PC Meeting Date: 09-08-14
		Variance Request-Minimum Front and Side Setback, and Minimum Lot Frontage	
Applicant Request:	Variance-Section 38-44 of the Chattanooga Zoning Regulations (2) Front Setback, (3) Side Setback, and (6) Minimum Lot Frontage		
Property Location:	2711 and 2715 Noa Street		
Property Owner:	Travis and Christine Yeagley		
Applicant:	Travis and Christine Yeagley		
Total Acreage:	0.95 Acres		
Proposed Density:	2.1 dwelling units per acre		
Tax Map Number:	137A-J-005		
Zoning:	R-1 Residential Zone		
Staff Recommendation:	APPROVE		

PROJECT ANALYSIS

RPA Comments

Applicant Request

The applicant has submitted a variance request to Section 38-44 of the Chattanooga Zoning Regulations, more specifically sections (2) Front Setback, (3) Side Setback, and (6) Lot Frontage.

The R-1 Residential Zone requires a front setback of 25', a side setback of 10', and lot frontage of 60' along a public street. The applicant has not completed an official survey of the property to determine what the actual front and side setback are, and what the lot frontage is.

The applicant is requesting a variance to permit smaller side and front setbacks, and lot frontage along a public street than is required by the requirements of the R-1 Residential Zone in the Chattanooga Zoning Code.

Site Description

The property is zoned R-1 Residential Zone and located within the Urban Overlay Zone. The property currently has frontage along Noa Street. Noa Street is the only street that provides physical access to 2711 and 2715 Noa Street. The property does have three (3) alley right-of-ways adjacent to the property; however, these are not unopened with no street present. The property has a lot frontage 71' along Noa Street. The applicant stated on their site plan that the existing structures are approximately 10'-12' apart.

The site is approximately 0.95 acres with a proposed density of 2.1 dwelling units. The existing property or lot was recorded on September 30, 1892 with the recording of the plat in Plat Book 4 Page 20. The property currently contains two (2) existing single-family detached dwellings on one lot. Per the Hamilton County Tax Assessor Records the two structures were built around 1925/1926 well before the adoption of any subdivision, building, and zoning codes.

Currently, the two single-family detached dwellings located on one lot violates Section 38-26 of the Chattanooga Zoning Code. Section 38-26 states that "there shall be no more than one (1) principal building per lot used for residential purposes in the R-1, R-2, R-5, and A-1 Zones".

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Because these two (2) existing single-family dwellings are not attached and they are located on one parcel of property there does not appear to be any zoning designation that would permit the two single-family detached dwellings on one piece of property. The only option available is to record a subdivision plat dividing the property into two (2) lots; however, because of the irregular shaped lot, existing lot frontage, and how the existing structures were constructed on the lot approval of variances will be required before the subdivision plat can be approved and recorded.

Staff Recommendation

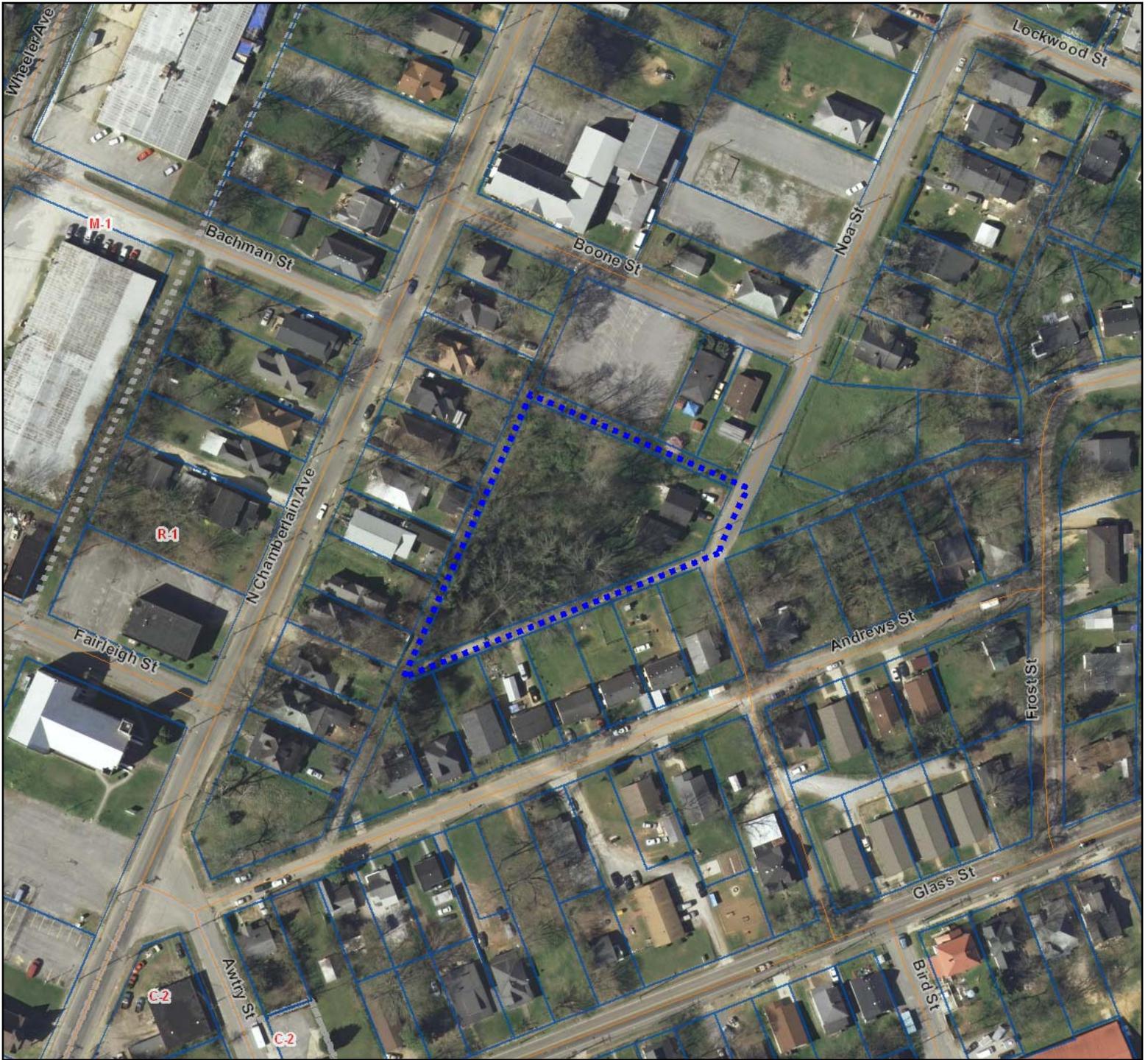
Staff recommends to approve the applicant's request for the variances.

Section 38-32 of the Chattanooga Zoning Regulations provides the Chattanooga-Hamilton County Regional Planning Commission with the authority to grant variances for lot size, lot frontage, and existing structure setback for new lots as part of a new subdivision. The variance request is submitted to RPA following the requirements of Section 111 of the Chattanooga Subdivision Regulations.

1. The property was recorded on a subdivision plat in 1892 well before the adoption of any subdivision, zoning, and building codes. Per Hamilton County Tax Records, the two (2) structures on the property were constructed around 1925.

Approving the variances and recording of the subdivision plat would not create a situation that does not now exist or has existed for many years.

2. Approving the variances would permit the recording of a subdivision plat to divide the existing property into two (2) lots so that each existing single-family detached dwelling would be located on their own separate lot. Recording of the plat would bring the existing single-family dwellings into compliance with the provisions of the Chattanooga Zoning Code with each dwelling located on its own lot and would allow the applicant to obtain building permits to rehab the single-family dwellings for re-use in the community.
 3. The property is irregularly shaped with no the only frontage being along Noa Street. The property is bordered by three alleys or right-of-ways; however, they are not opened or no physical street exists.
 4. Approving the variance will not be in conflict with the intent and purpose of these regulations. Adjacent lot frontages within this area appear to be around 45' to 50'. Based on Hamilton County GIS many of the existing structures located on these lots are constructed closer than 10' to the side property line.
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2014-095 Rezoning from R-1 to R-3



146 ft

Chattanooga Hamilton County Regional Planning Agency



