

## STAFF CASE REPORT TO PLANNING COMMISSION

<b>Subdivision Case Number:</b>	<b>2015-016</b>	<b>PC Meeting Date:</b> 04-13-15
<b>Subdivision Name:</b>	<b>Northside Land Company's                  Lots 43, 44, and 45                  Variance Request Minimum Lot                  Frontage-Lot 45 Minimum Lot Size</b>	
<b>Applicant Request:</b>	Variance to 38-44 (5) Lot Area and (6) Minimum Lot Frontage	
<b>Property Location:</b>	506, 508, and 510 Rosewood Avenue	
<b>Property Owner:</b>	Chris Henegar	
<b>Applicant:</b>	Ingram, Gore and Associates	
<b>Total Acreage:</b>	0.51 Acres	
<b>Proposed Density:</b>	5.88 dwelling units per acre	
<b>Tax Map Number:</b>	135D-V-3 and 4	
<b>Zoning:</b>	R-1 Residential Zone	
<b>Staff Recommendation:</b>	<b>APPROVE</b>	

### PROJECT ANALYSIS

#### RPA Comments

##### Applicant Request

The applicant has submitted a request to subdivide two (2) existing lot into three (3) lots at 508 and 510 Rosewood Avenue. The property was originally recorded as three (3) lots in 1896 as shown on PB 4 Page 47; however, in 2013 the property owner at that time recorded a subdivision plat to combine the three (3) lots into two (2) lots as shown on PB 97 Page 76.

As part of this subdivision process the applicant has submitted a variance request from Sections 38-44(6) Lot Frontage of the Chattanooga Zoning Regulations.

Section 38-44 (5) states that all residential lots served by public sewer must have a minimum lot size of 7, 500 square feet.

Section 38-44 (6) states that all residential lots served by public sewer must have a minimum of 60' of lot frontage along a public street.

The applicant is seeking the following variance:

- 10' reduction to permit three (3) proposed lots with a minimum lot frontage of 50' along Rosewood Avenue.
- 753' reduction to permit one of the lots to have a minimum lot size of 6,746 square feet.

##### Site Description

The property is zoned R-1 Residential. The property is currently two (2) lots with an acreage of approximately 0.59 acres. The area is predominately a single-family detached residential neighborhood that is zoned R-1 Residential. The proposed lot frontage and lot size for each of the three (3) is compatible with the adjoining lots along Rosewood Avenue.

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### **Staff Recommendation**

Staff recommends to approve the applicant's request. Approving the variances would not create a situation that is not present or incompatible with the adjoining lots found along Rosewood Avenue.

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.***

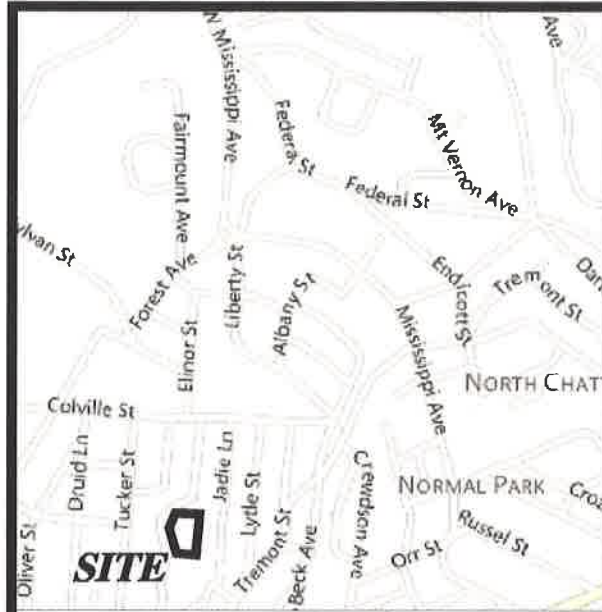
- The applicant does not own adjacent land to increase the lot size and lot frontage to comply with the minimum R-1 Residential Zone lot frontage.

**2. *The variance will not be in conflict with the intent and purpose of the Chattanooga Subdivision Regulations.***

- Approving the variance would not be in conflict with the intent and purpose of the Chattanooga Subdivision Regulations.
- Approving the variance request does not create a situation that does not currently exist or is incompatible with adjoining lots found along Rosewood Avenue. The lots at 508 and 510 Rosewood Avenue were originally recorded as three (3) lots with 50' of lot frontage on a recorded subdivision plat in 1896. Creating these three (3) lots with the 50' of lot frontage would not create a situation that did not exist before.

**3. *The granting of the variance will not be detrimental to the public interest.***

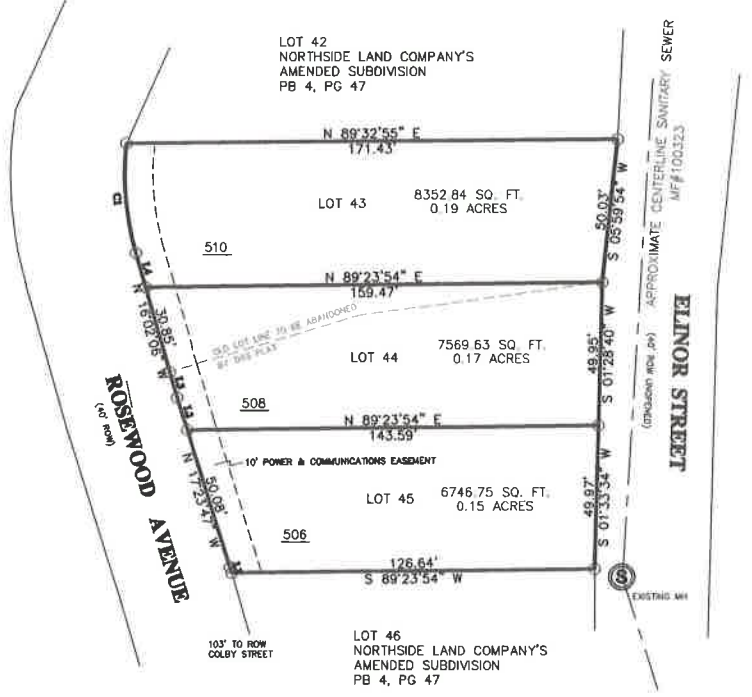
- Approving the variance would not be detrimental to the public interest.
- Approving the variance request would not create a situation that does not now currently exist along Rosewood Avenue.
- Approving the variance request would not create dissimilar or incompatible lots along Rosewood. Adjacent lots and the lots immediately adjacent to the proposed subdivision are of a similar size and dimension as the proposed lots. The adjacent and adjoining lots have a lot frontage of 50'. The proposed size of the lot would be in keeping with the adjoining lots.



**LOCATION MAP N.T.S.**

**GENERAL NOTES**

1. THIS PROJECT IS SUBJECT TO ALL CITY ORDINANCES.
2. THIS PLAN IS DEVELOPED IN ACCORDANCE TO THE DESIGN STANDARDS OF THE CITY OF CHATTANOOGA TENNESSEE SUBDIVISION REGULATIONS AND THE URBAN INFILL LOT COMPATIBILITY OPTION.
3. THIS SUBDIVISION CONTAINS 0.31 ACRES DIVIDED INTO 3 LOTS.
4. LOCAL GOVERNMENT DOES NOT CERTIFY THAT UTILITIES OR UTILITY CONNECTIONS ARE AVAILABLE.
5. 300' ± STREET ADDRESS.
6. 5/8" X 1/8" 125-00 BRONZE PARCEL 3 AND 4.
7. PUBLIC SANITARY SEWERS ARE AVAILABLE BY GRAVITY FLOW.
8. IRON PINS SET AT ALL CORNERS UNLESS OTHERWISE NOTED.
9. THIS SURVEY IS A PROFESSIONAL OPINION AS DOES NOT CONVEY OR WARRANT TITLE.
10. THIS PROPERTY SUBJECT TO ADDITIONAL EASEMENTS AND RIGHTS OF WAY THAT MIGHT BE FOUND WITH A TITLE SEARCH.
11. MAGNETIC NORTH TAKEN FROM SURVEY BY OVILLE F. DANCY, JR. DATED 13 FEBRUARY 2013.
12. THE CITY OF CHATTANOOGA IS NOT RESPONSIBLE TO CONSTRUCT OR MAINTAIN DRAINAGE EASEMENTS, DRAINAGE DETENTION AREAS, DRAINAGE DETENTION FACILITIES, OR ANY BRUNDT FACILITY OR BUILDING ON ANY LOT.
13. CITY ORDINANCE 9942 ENTITLED STORMWATER AND EROSION CONTROL SHALL APPLY TO ANY DISCHARGE OF WATER FROM THE SUBDIVISION OF PROPERTY.
14. THE CITY OF CHATTANOOGA IS NOT RESPONSIBLE TO CONSTRUCT OR MAINTAIN DRAINAGE EASEMENTS, DRAINAGE DETENTION AREAS, DRAINAGE DETENTION FACILITIES, OR ANY BRUNDT FACILITY OR BUILDING ON ANY LOT.
15. CITY ORDINANCE 9942 ENTITLED STORMWATER AND EROSION CONTROL SHALL APPLY TO ANY DISCHARGE OF WATER FROM THE SUBDIVISION OF PROPERTY.
16. A FIVE (5) FEET PRIVATE DRAINAGE EASEMENT SHALL BE RESERVED ALONG THE INSIDE OF ALL SIDE LOT LINES. THESE DRAINAGE EASEMENTS SHALL BE AUTOMATICALLY A BANDORDED UP TWO OR MORE LOTS AND COMBINED OR LINED AS ONE LOT, OR IF NO SEWER IS REQUIRED.
17. THE CHATTANOOGA/HAMILTON COUNTY REGIONAL PLANNING COMMISSION GRANTED APPROVAL ON APRIL 13, 2015 FOR LOTS 43-45 TO UTILIZE THE URBAN INFILL LOT COMPATIBILITY OPTION. MINIMUM LOT FRONTAGE IS 44 FEET AND A MAXIMUM LOT SIZE OF 1200 SQUARE FEET IS REQUIRED.
18. OFF STREET PARKING SHALL BE PROVIDED IN COMPLIANCE WITH THE PROVISIONS OF SECTION 28-48.1 OF THE CHATTANOOGA ZONING CODE.



LINE	BEARING	DISTANCE
L1	N 89°32'55" E	171.43
L2	N 89°23'54" E	159.47
L3	N 89°23'54" E	143.59
L4	S 89°23'54" W	126.64

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	300.00'	36.87'	36.37'	N 69°01'11" W	22°07'08"

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 (423) 448-8877

CERTIFICATION OF OWNERSHIP AND DEDICATION OF RIGHTS-OF-WAY  
 I HEREBY ADOPT THIS AS MY PLAN OF SUBDIVISION AND CERTIFY THAT THE RIGHTS-OF-WAY ARE DEDICATED TO THE PUBLIC USE FOREVER. I ALSO CERTIFY THAT THERE ARE NO ENCUMBRANCES ON THE PROPERTY TO BE DEDICATED AND THAT I AM OWNER OF THE PROPERTY SHOWN IN THIS PLAN.

CERTIFICATION OF SURVEY  
 I CERTIFY THAT I HAVE SURVEYED THE PROPERTY SHOWN HEREON THAT THIS SURVEY IS IN ACCORD WITH THE BEST OF MY KNOWLEDGE AND BELIEF AND THAT THE PLOT OF PRECISION OF THE UNADJUSTED SURVEY IS 1 PART IN 10,000 AS SHOWN HEREON.

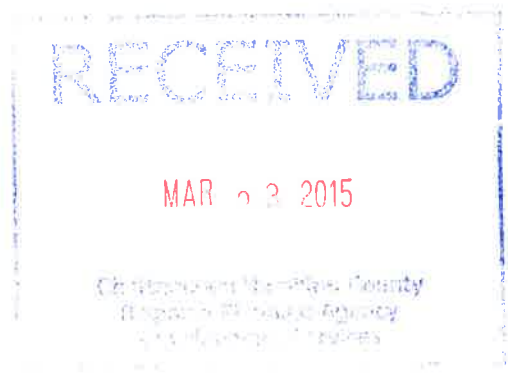
APPROVED FOR RECORDING  
 HAMILTON CNTY GIS DEPT  
 DATE: \_\_\_\_\_  
 BY: \_\_\_\_\_

JURISDICTIONAL AUTHORITY  
 DATE: \_\_\_\_\_  
 BY: \_\_\_\_\_

CHATT/HAMILTON COUNTY REGIONAL  
 PLANNING COMMISSION  
 DATE: \_\_\_\_\_



**FINAL PLAT OF LOTS 43-45  
 NORTHSIDE LAND COMPANY'S  
 AMENDED SUBDIVISION OF LOT 1  
 OF THE COWART ESTATE  
 CHATTANOOGA, TENNESSEE**



No.	AS PER RPA	3-23-15
	Revision/Issue	Date

**INGRAM, GORE & ASSOCIATES, LLC**  
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**ALL RIGHTS RESERVED**  
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Project: **15008**  
 Date: 23 FEBRUARY 2015  
 Scale: AS SHOWN