

STAFF CASE REPORT TO PLANNING COMMISSION

Subdivision Name:	Justin Vice-259 Garden Road	PC Meeting Date: 02-09-15
	Variance Request-Minimum Lot Frontage	
Applicant Request:	Variance-Section 38-44(6) Lot Frontage of the Chattanooga Zoning Regulations	
Property Location:	259 Garden Road	
Property Owner:	Justin Vice	
Applicant:	Justin Vice	
Total Acreage:	2.54 Acres	
Proposed Density:	0.78 Dwelling Units Per Acre	
Tax Map Number:	154-017	
Zoning:	R-1 Residential Zone	
Staff Recommendation:	DENY	

PROJECT ANALYSIS

RPA Comments

Applicant Request

The applicant has submitted a request to subdivide one (1) existing lot into two (2) lots at 259 Garden Road. The property is approximately 2.54 acres in size.

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

Section 38-44 (6) states that all residential lots served by public sewer must have a minimum of 60' or for lots served by a septic system a minimum of 75' of lot frontage along a public street. This lot is not served by public sanitary sewer; therefore, each lot must have a minimum of 75' of lot frontage along Garden Street.

The applicant is seeking the following variance:

- Asking for a 45' reduction to permit a lot that will have 30' of lot frontage along Garden Street.

Site Description

The property is zoned R-1 Residential. The property is currently one (1) lot with an acreage of approximately 2.54 acres. The area is located within the 100 year flood hazard.

The area is predominately a single-family detached residential neighborhood that is zoned R-1 Residential. The lots along Garden Road are large lots with large lot frontages.

Staff Recommendation

Staff recommends to deny the applicant's request. Approving the variance would create a situation that does not presently exist along Garden Road, as well as creating lots that are incompatible with the adjacent lots found along Garden Road.

Adjacent lot frontages range in size from the smallest lot frontage of 155' to the largest of 330'. There is one existing lot that has 25' of lot frontage along Garden Road; however, this lot is approximately 575' away from the proposed subdivision at 259 Garden Road. This lot is approximately 10.53 acres in size.

STAFF CASE REPORT TO PLANNING COMMISSION

and appears to have been created by deed in 2010. A subdivision plat was not required to create this lot because no new infrastructure improvements were required and the lot was 5 acres or larger.

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 and lot size requirements.

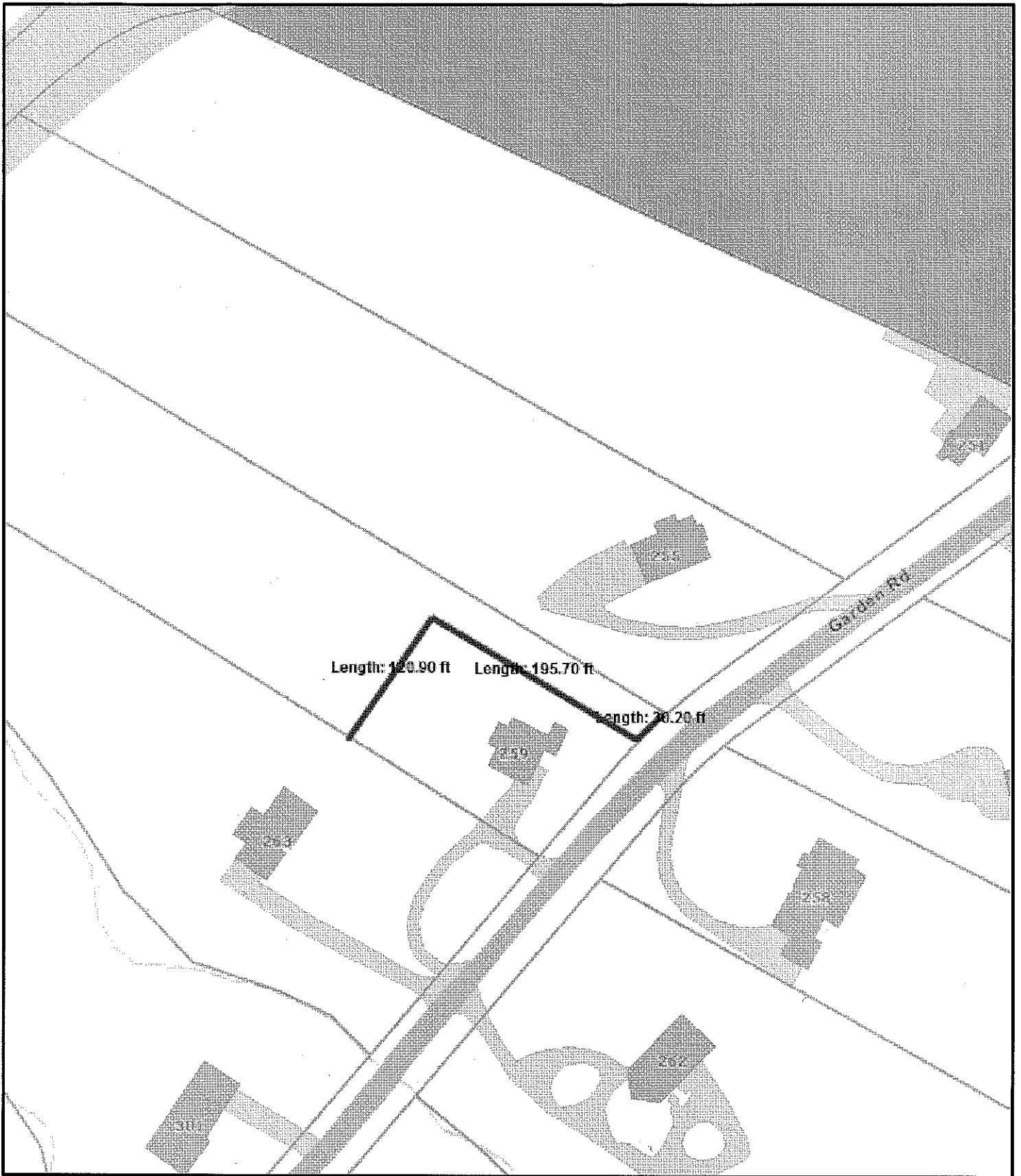
2. *The variance will not be in conflict with the intent and purpose of the Chattanooga Subdivision Regulations.*

- Approving the variance would be in conflict with the intent and purpose of the Chattanooga Subdivision Regulations.
- Approving the variance would permit the creation of lots of a size and frontage not be compatible with the adjoining lots along Garden Road.

Adjacent lot frontages range in size from the smallest lot frontage of 155' to the largest of 330'.

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

- Approving the variance would be detrimental to the public interest. Approving the variance request would set the precedent for similar request along Garden Road.
- Approving the variance request would create a situation that does not currently exist.
- Approving the variance request would create dissimilar or incompatible lots along Garden Road.



Length: 120.90 ft Length: 195.70 ft Length: 20.20 ft

Garden Rd



The Map Title

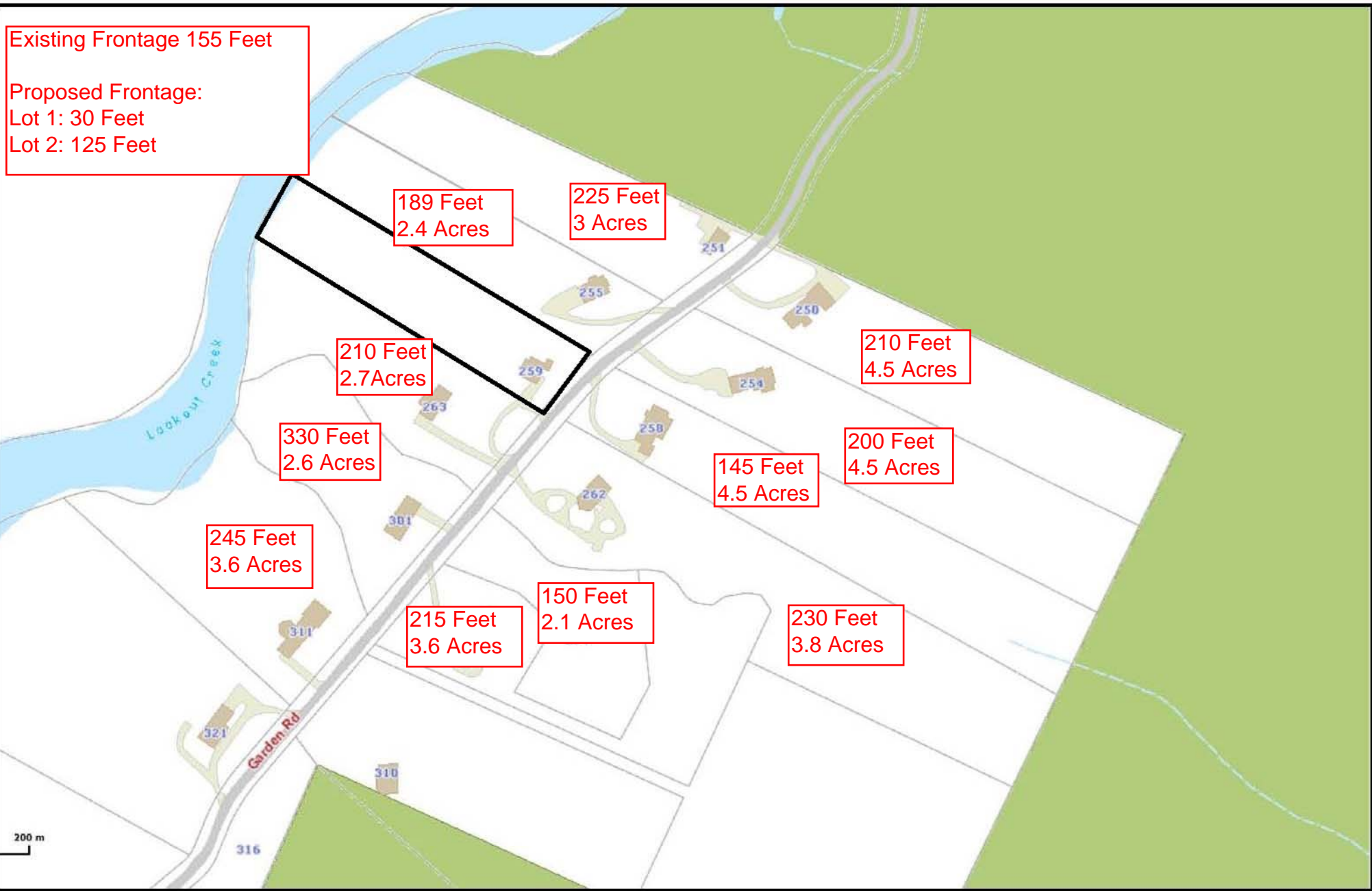
The Subtitle

Printed: Dec 02, 2014

Disclaimer: This map is to be used for reference only, and no other use or reliance on the same is authorized. Parcel lines are shown for reference only and are not intended for conveyances, nor is it intended to substitute for a legal survey or property abstract.



Existing Frontage 155 Feet
Proposed Frontage:
Lot 1: 30 Feet
Lot 2: 125 Feet



259 Garden Road

Variance Request Lot Frontage

Printed: Jan 22, 2015

Disclaimer: This map is to be used for reference only, and no other use or reliance on the same is authorized. Parcel lines are shown for reference only and are not intended for conveyances, nor is it intended to substitute for a legal survey or property abstract.





259 Garden Road

100 Year Flood Hazard

Printed: Dec 19, 2014

Disclaimer: This map is to be used for reference only, and no other use or reliance on the same is authorized. Parcel lines are shown for reference only and are not intended for conveyances, nor is it intended to substitute for a legal survey or property abstract.

HCGIS