



**A RESOLUTION TO AMEND CHATTANOOGA CITY
CODE, CHAPTER 38, ZONING ORDINANCE, ARTICLE
IV, GENERAL REGULATIONS SECTION 38-32 LOT
SIZE, LOT FRONTAGE, AND SETBACK NOT TO BE
REDUCED EXCEPTIONS TO PROVIDE CLARIFICATION
AS TO WHEN A VARIANCE WILL BE REQUIRED FOR
EXISTING STRUCTURE SETBACKS**

WHEREAS, lot size, lot frontage, and setback are closely related to land use and subdivision of land;

AND WHEREAS, the Chattanooga-Hamilton County Regional Planning Commission has the authority to review and approve subdivision related activity and variances;

AND WHEREAS, on May 18, 2010 the Chattanooga City Council amended the Chattanooga Zoning Ordinance to require that any proposed creation of a lot as part of a new subdivision which does not meet the lot size, frontage, or setback requirements of the Chattanooga Zoning Ordinance would require a variance from the Chattanooga-Hamilton County Regional Planning Commission before any subdivision plat is approved;

AND WHEREAS, Section 38-32 of the Chattanooga Zoning Ordinance needs to be amended to provide clarification as to when an existing structure setback variance will be required as part of a new subdivision.

NOW, THEREFORE BE IT RESOLVED, that the Chattanooga-Hamilton County Regional Planning Commission on February 09, 2015, does hereby recommend to the Chattanooga City Council that the Chattanooga Zoning Ordinance be amended as follows:

Delete in its entirety Article IV. General Regulations Section 38-32. Lot Size, Lot Frontage, Setback not to be reduced; exceptions and replace with the following:

Section 38-32. Lot Size, Lot Frontage, Setback not to be reduced; exceptions
Lot size, lot frontage for new lots being created as part of a new proposed subdivision, or existing legally recorded lots not considered to be lots of record that are being consolidated or re-subdivided shall not have less than the required minimum lot standard as specified in this zoning ordinance, unless approval for such variance is obtained by the Chattanooga-Hamilton County Regional Planning Commission or if the Urban Infill Lot Compatibility Option is used.

An existing structure setback variance will be required in situations where new lot lines are proposed and the existing structure does not comply with required setbacks from the new lot lines.

A variance request for lot size, lot frontage, and existing structure setback shall be submitted to the Regional Planning Agency per Section 309 of the Chattanooga Subdivision Regulations.

Respectfully Submitted,

John Bridger, Secretary

Date of Adoption: February 09, 2015

JB:GH:PD:SH:bs

SetbackExcepts