

**A RESOLUTION TO AMEND THE CHATTANOOGA CITY CODE,  
PART II, CHAPTER 38 ZONING ORDINANCE, ARTICLE VIII  
BOARD OF APPEALS FOR VARIANCE AND SPECIAL PERMITS,  
BY ADDING SUBSECTION (6) TO  
SECTION 38-563 JURISDICTION OF THE BOARD**

**WHEREAS**, the City of Chattanooga Board of Zoning Appeals has proposed Rules of Order and policies that address procedures, and

**WHEREAS**, Chapter 38 Zoning, Article VIII, Section 563 of the Chattanooga City Code, further addresses certain jurisdictions of the Board;

**NOW, THEREFORE, BE IT RESOLVED**, that the Chattanooga-Hamilton County Regional Planning Commission on November 9, 2015 does hereby recommend to the Chattanooga City Council that the following subsection be amended to add a new subsection as follows:

**Amend Section 38-563, Jurisdiction of the board, by adding subsection (6) as follows:**

- (6) The Board shall not have any authority to change or vary conditions imposed by the City Council on a zoning ordinance change which has been adopted by the City Council by ordinance. Any condition imposed by the City Council in a zoning ordinance can only be lifted or amended by the City Council as a legislative act by that body.

Respectfully submitted,

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John Bridger, Secretary

Date of Adoption: November 9, 2015  
JB:GH:PD:sh