

STAFF CASE REPORT TO PLANNING COMMISSION

Subdivision Case Number:	2015-044	PC Meeting Date: 10-12-15
Subdivision Name:	Smitherman-Steakley Lots 1 and 2 Variance Request Lot 1 Lot Less than Five (5) Acres on Private Road/Easement and Width of Easement	
Applicant Request:	Variance-Section 402.1(b)(c) of the Hamilton County Subdivision Regulations	
Property Location:	15007 Log Cabin Lane (Private)	
Property Owner:	Saleta Steakley	
Applicant:	Niles Surveying	
Total Acreage:	0.36 Acres	
Proposed Density:	2.7 Dwelling Units Per Acre	
Tax Map Number:	021-057 and 056.02	
Zoning:	A-1 Agricultural District	
Staff Recommendation:	Approve	

PROJECT ANALYSIS

RPA Comments

The applicant has requested a variance from the minimum five (5) acre lot size required by Section 402.1(b)(c) of the Hamilton County Subdivision Regulations for residential lots whose only access is a private road/easement.

The applicant intends to record a subdivision plat so to re-subdivide or adjust the side lot lines between an existing recorded lot, Lot 1 of the Kathy Smitherman and Jackie Lewis Subdivision. The plat would create the following lot sizes along a private road:

Lot 1: 0.36 acres

Lot 2: 0.77 acres

The Hamilton County Subdivision Regulations, specifically section 402.1(b) requires that all lots that do not have public road frontage along a county accepted and maintained road be a minimum of five (5) acres size. Section 402.1 (C) requires a minimum of 15' in width for each lot served by a private easement, or a maximum of 50' for private easements serving three (3) or more lots.

Site Description

The property is zoned A-1 Agricultural District. The property is approximately 0.36 acres in size. The lot is accessed by way of an existing 10' private joint easement (Log Cabin Lane). In July 2011, the Chattanooga-Hamilton County Regional Planning Commission granted the same variance to Lot 2 as shown on the proposed plat. Lot 1 was never recorded and as such will require a variance in order to record the subdivision plat adjusting the lot lines between lots 1 and 2.

Staff Recommendation

Staff recommends to approve the applicant's request.

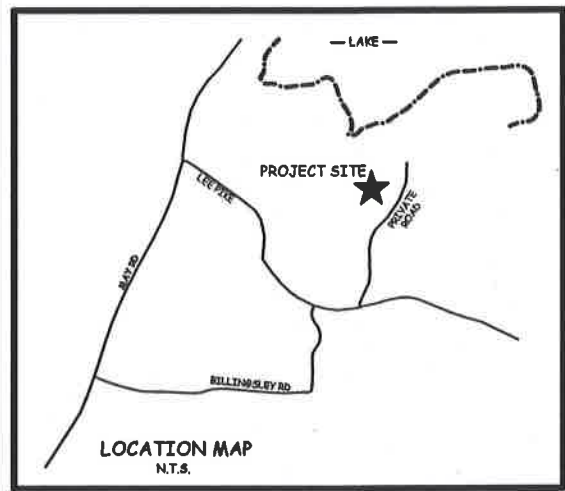
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Per Section 309.2 of the Hamilton County Subdivision Regulations the Planning Commission may grant variances where the Planning Commission determines the following:

- 1. Unusual physical or other conditions exist which would cause practical difficulty or necessary hardship if these regulations are adhered to.**
 - The applicant does not own adjacent property so as to increase the lot size to comply with the minimum 5 acre requirement.

- 2. The variance will not be in conflict with the intent and purpose of the Hamilton County Zoning and Subdivision regulations.**
 - Approving the variance would be in conflict with the intent and purpose of the Hamilton County Zoning and Subdivision Regulations.
 - Approving the variance would permit the applicant to record a subdivision plat legally recording two (2) lots that are less than 5 acres on a private easement.
 - In July 2011 the precedent was set by the approval of the same variance as requested for Lot 2 as shown the proposed subdivision plat.
 - Both lots contain existing dwellings and approval of this variance would not permit development that does not now exist.
 - There are existing dwellings located beyond Lots 1 and 2 that abut or utilize this existing 10' joint private driveway easement.

- 3. The Hamilton County Engineer's Office does not object to this variance request.**



OWNER'S CERTIFICATION
 I/WE ADOPT THIS AS OUR PLAN OF SUBDIVISION AND CERTIFY THAT I/WE ARE THE OWNER/OWNERS OF THE PROPERTY IN FEE SIMPLE.

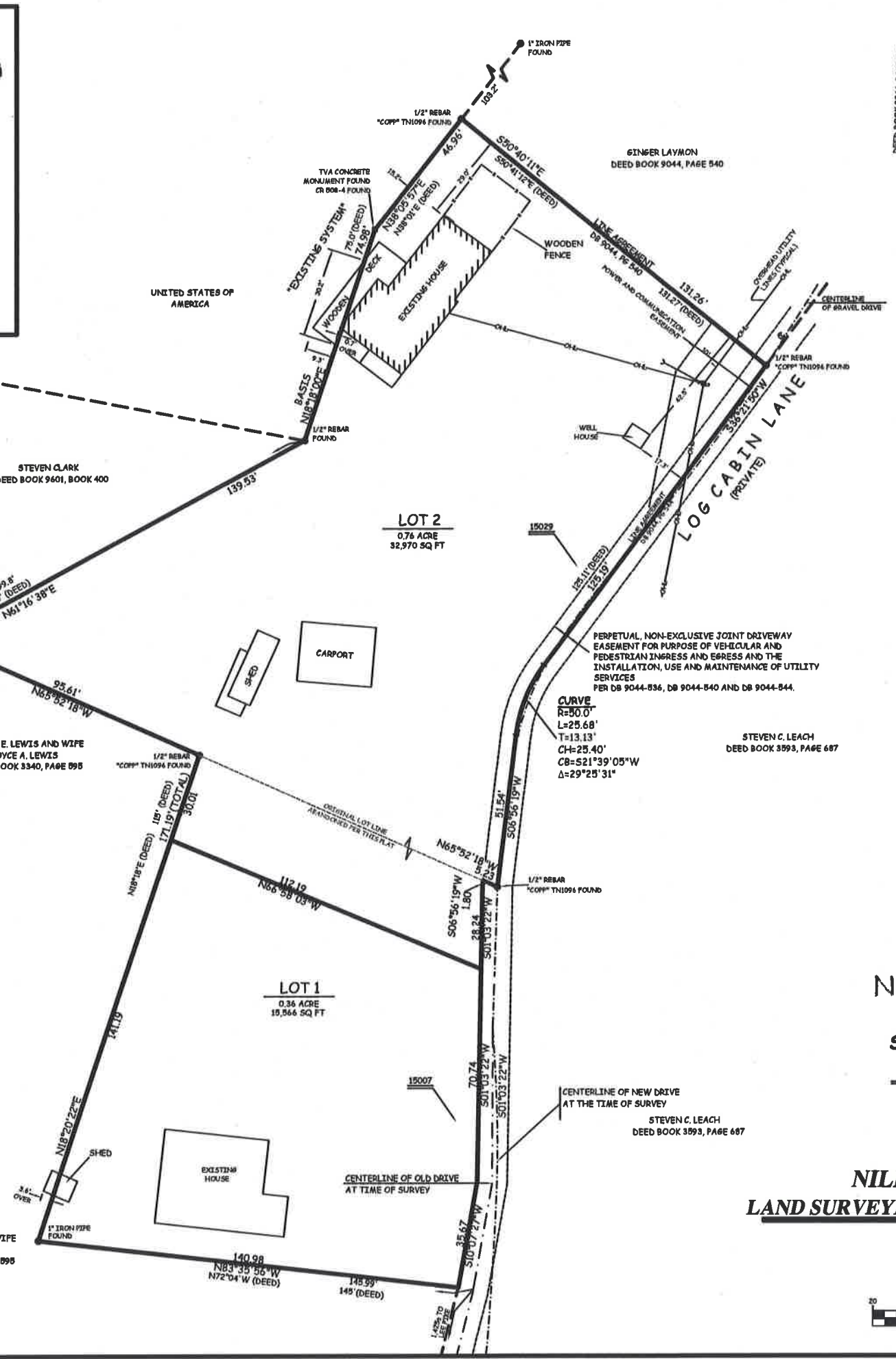
SALETA STEAKLEY LOT 1
 15007 LOG CABIN ROAD
 SODDY DAISY, TENNESSEE 37379
 PHONE: (423) 883-7564

KATHY SMITHERMAN LOT 2
 15029 LOG CABIN ROAD
 SODDY DAISY, TENNESSEE 37379
 PHONE: (423) 883-7564

SURVEYOR'S CERTIFICATION
 I HEREBY CERTIFY THAT THIS PLAT OR MAP REPRESENTS A CATEGORY SURVEY WITH A RATIO OF PRECISION OF THE UNADJUSTED SURVEY BEING ONE FOOT IN FEET AND THAT SAID SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE MINIMUM STANDARDS OF PRACTICE AS PROMULGATED BY THE STATE OF TENNESSEE BOARD OF EXAMINERS FOR LAND SURVEYING AS OF MARCH 17, 2011.

C. BARTON CRATTIE, LS 1742, CFM DATE

VP: 49 STEAKLEY SALETA 1
 PP: 43-110
 JOB #: 15-188



- GENERAL NOTES:**
- 1) AREA SUBDIVIDED: 112 ACRES (48,836 SQ FT)
 - 2) THIS PLAT INCLUDES PROPERTY DESCRIBED IN DEED BOOK 9488, PAGE 658 & DEED BOOK 9488, PAGE 765
 - 3) LOCAL GOVERNMENT DOES NOT CERTIFY THAT UTILITIES OR UTILITY CONNECTIONS ARE AVAILABLE.
 - 4) 1/2" REBAR WITH A YELLOW PLASTIC CAP LABELED "NILES SURVEYING" PLACED AT ALL CORNERS UNLESS OTHERWISE NOTED.
 - 5) PRESENT ZONING: A-1
 - 6) TAX MAP PARCEL: 021-0056.02, 021-007
 - 7) THIS SUBDIVISION HAS BEEN DEVELOPED ACCORDING TO THE DESIGN STANDARDS OF THE SUBDIVISION REGULATIONS OF HAMILTON COUNTY TENNESSEE.
 - 8) ACCORDING TO F.E.M.A. COMMUNITY PANEL NO. 47045C-0145-F, (11-7-2002), THIS PROPERTY IS NOT INCLUDED IN AN AREA DESIGNATED AS A 100 YEAR FLOOD HAZARD ZONE. (AREA IN ZONE "X")
 - 9) THE GOVERNMENT OF HAMILTON COUNTY IS NOT RESPONSIBLE TO CONSTRUCT OR MAINTAIN DRAINAGE EASEMENTS OR PRIVATE ACCESS EASEMENTS.
 - 10) APPROVAL OF THIS PLAT DOES NOT IMPLY THAT HAMILTON COUNTY WILL APPROVE ANY SUBSEQUENT DEVELOPMENT USING ROADS, RIGHTS-OF-WAY OR EASEMENTS SHOWN ON THIS PLAT.
 - 11) THE GOVERNMENT OF HAMILTON COUNTY IS NOT RESPONSIBLE TO CONSTRUCT OR MAINTAIN JOINT DRIVEWAY EASEMENTS AND IS NOT RESPONSIBLE TO PROVIDE ANY DESIRED UTILITIES OR SERVICES BEYOND THE RIGHT-OF-WAY OF PUBLIC ROADS.
 - 12) LOG CABIN LANE IS SHOWN SOLELY TO COMPLY WITH THE ADOPTED ADDRESSING POLICY AND TO PROVIDE ACCESS TO THE INCLUDED PROPERTY. LOG CABIN LANE IS A PRIVATE ROAD NOT MAINTAINED BY HAMILTON COUNTY. NOTHING HEREON SHOULD BE INTERPRETED TO MEAN THAT HAMILTON COUNTY WILL NOW OR IN THE FUTURE ACCEPT MAINTENANCE RESPONSIBILITY FOR LOG CABIN LANE.
 - 13) LOT 2 AREA AND WIDTH OF JOINT DRIVEWAY EASEMENT VARIANCE GRANTED BY THE CHATTANOOGA-HAMILTON COUNTY REGIONAL PLANNING COMMISSION ON JULY 11, 2011.
 - 14) H.C.W.P. APPROVAL FOR LOT 2 BASED ON SEPTIC TANK INSPECTION LETTER DATED 2015
 - 15) NO POOLS WITHOUT PRIOR WRITTEN APPROVAL FROM THE H.C.W.P.
 - 16) ALL NOTES REGARDING THE SUBSURFACE SEWAGE DISPOSAL SYSTEM EASEMENT WILL BECOME NULL AND VOID IF THE STRUCTURE IS EVER CONNECTED TO A PUBLIC SANITARY SEWER SYSTEM.
 - 17) THE GOVERNMENT OF HAMILTON COUNTY IS NOT RESPONSIBLE TO CONSTRUCT OR MAINTAIN OF ANY DRAINAGE EASEMENTS.
 - 18) HAMILTON COUNTY IS NOT RESPONSIBLE FOR THE MAINTENANCE OF ANY DRAINAGE EASEMENTS.
 - 19) A 5' PRIVATE DRAINAGE EASEMENT SHALL BE RESERVED ALONG THE INSIDE OF ALL SIDE AND REAR LOT LINES. THESE DRAINAGE EASEMENTS SHALL BE AUTOMATICALLY ABANDONED IF TWO OR MORE LOTS ARE COMBINED, OR USED AS ONE LOT OR IF NO SETBACK IS REQUIRED.
 - 20) LOT 1 HAS NOT BEEN EVALUATED PURSUANT TO THIS PLAT REVIEW FOR A SDDS AND PLAT APPROVAL DOES NOT CONSTITUTE APPROVAL OF THIS LOT OR THE EXISTING SYSTEM.

PRELIMINARY FOR REVIEW
NOT TO BE RECORDED
FINAL PLAT

SMITHERMAN - STEAKLEY TRACE

LOTS 1 & 2
HAMILTON COUNTY, TENNESSEE

NILES SURVEYING CO., INC.
LAND SURVEYING - MAPPING - FLOOD CONSULTING

3962 CHURCHILL ROAD
 CHATTANOOGA, TENNESSEE, 37406-1616
 PHONE: (423) 624-5041 FAX: (423) 629-7813
 EMAIL: ADMIN@NILESSURVEY.COM



DATE: JUNE 22, 2015

RECEIVED

SEP 28 2015

Chattanooga Hamilton County
 Regional Planning Agency
 Development Services