

# STAFF CASE REPORT TO PLANNING COMMISSION

<b>Subdivision Case Number:</b>	<b>2015-044</b>	<b>PC Meeting Date:</b> 09-14-15
<b>Subdivision Name:</b>	<b>Smitherman-Steakley</b> <b>Lots 1 and 2</b> <b>Variance Request Lot 1</b> <b>Lot Less than Five (5) Acres on</b> <b>Private Road/Easement and</b> <b>Width of Easement</b>	
<b>Applicant Request:</b>	Variance-Section 402.1(b)(c) of the Hamilton County Subdivision Regulations	
<b>Property Location:</b>	15007 Log Cabin Lane (Private)	
<b>Property Owner:</b>	Saleta Steakley	
<b>Applicant:</b>	Niles Surveying	
<b>Total Acreage:</b>	0.36 Acres	
<b>Proposed Density:</b>	2.7 Dwelling Units Per Acre	
<b>Tax Map Number:</b>	021-057 and 056.02	
<b>Zoning:</b>	A-1 Agricultural District	
<b>Staff Recommendation:</b>	<b>Approve</b>	

## 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.

## **STAFF CASE REPORT TO PLANNING COMMISSION**

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.**

APPROVED FOR RECORDING:  
 HAMILTON COUNTY RECORDS  
 DATE: \_\_\_\_\_  
 BY: \_\_\_\_\_  
 COUNTY CLERK  
 HAMILTON COUNTY, TENNESSEE

**GENERAL NOTES:**

- 1) THIS SURVEY IS FOR THE SUBDIVISION OF THE PROPERTY DESCRIBED IN DEED BOOK 3948, PAGE 745.
- 2) LOCAL GOVERNMENT DOES NOT CERTIFY THAT THE PROPERTY IS SUITABLE FOR THE INTENDED USE.
- 3) THE PROPERTY IS NOT TO BE USED AS A RESIDENTIAL ZONE UNLESS OTHERWISE NOTED.
- 4) THE PROPERTY IS NOT TO BE USED AS A COMMERCIAL ZONE UNLESS OTHERWISE NOTED.
- 5) THE PROPERTY IS NOT TO BE USED AS A MANUFACTURING ZONE UNLESS OTHERWISE NOTED.
- 6) THE PROPERTY IS NOT TO BE USED AS A FLOOD HAZARD ZONE UNLESS OTHERWISE NOTED.
- 7) THIS SURVEY HAS BEEN DEVELOPED ACCORDING TO THE DESIGN STANDARDS OF THE SUBDIVISION REGULATIONS OF HAMILTON COUNTY, TENNESSEE.
- 8) THE PROPERTY IS NOT TO BE USED AS A FLOOD HAZARD ZONE UNLESS OTHERWISE NOTED.
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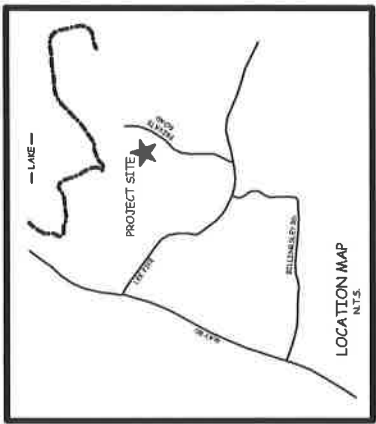
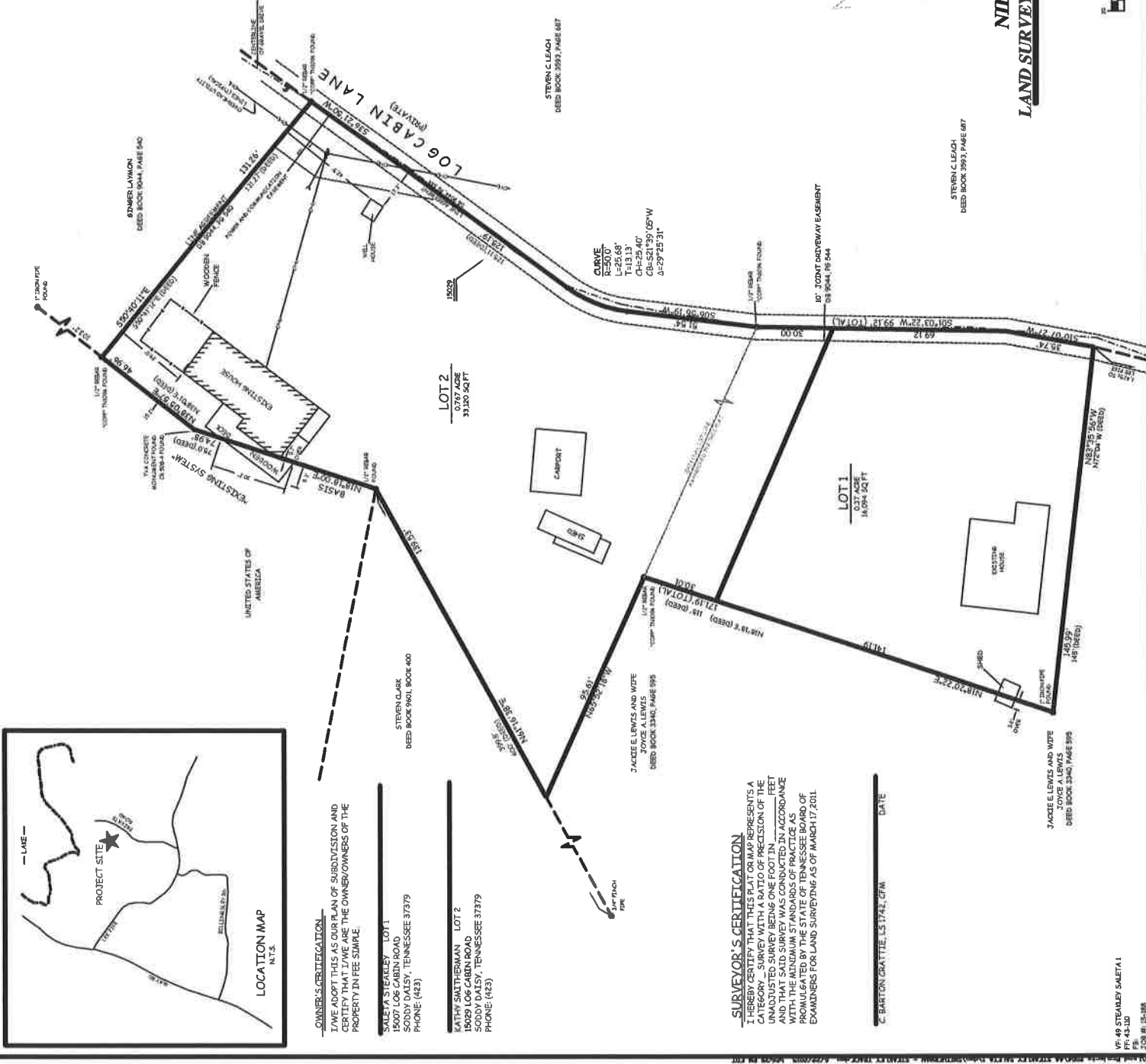
PRELIMINARY FOR REVIEW  
 NOT TO BE RECORDED

FINAL PLAT  
 SMITHERMAN - STEAKLEY TRACE  
 LOTS 1 & 2  
 HAMILTON COUNTY, TENNESSEE

**NILES SURVEYING CO., INC.**  
 LAND SURVEYING - MAPPING - FLOOD CONSULTING  
 2950 CHICKASAW BLVD  
 CHATTANOOGA, TENNESSEE 37406-4144  
 PHONE (423) 528-5051 FAX (423) 528-7853  
 EMAIL: LAND@NILESURVEYING.COM



DATE: JUNE 22, 2005



OWNER'S CERTIFICATION  
 I HAVE ADOPTED THIS AS OUR PLAN OF SUBDIVISION AND CERTIFY THAT I AM THE OWNER/OWNER(S) OF THE PROPERTY IN FEE SIMPLE.

SALETA STEAKLEY, LOT 1  
 15029 LOG CABIN ROAD  
 SODDY DAISSY, TENNESSEE 37379  
 PHONE: (423) \_\_\_\_\_

WALTER SMITHERMAN, LOT 2  
 15029 LOG CABIN ROAD  
 SODDY DAISSY, TENNESSEE 37379  
 PHONE: (423) \_\_\_\_\_

SURVEYOR'S CERTIFICATION  
 I HEREBY CERTIFY THAT THE ABOVE MAP REPRESENTS A CATEGORY 1 SURVEY WITH A BATIO OF PRECISION OF FEET 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, 2001.

C. BARTON GRANTIE, L.S. 1742, 47M  
 DATE: \_\_\_\_\_

PP. 49-50  
 FILE NO. 188