

PLANNING COMMISSION CASE REPORT**Case Number: 2015-109****PC Meeting Date: 09-14-15****Applicant Request****Rezone from R-1 Residential Zone to R-3 Residential Zone**

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| Property Location: | 1335 O'Grady Drive |
| Property Owner: | James P. Little, MD |
| Applicant: | Tennessee Riverplace |

Project Description

- Proposal: Use an existing single-family home and an existing cottage on a 0.96-acre portion of an 11-acre parcel for Short-Term Vacation Rentals.
- Proposed Access: 25-foot wide ingress/egress easement from Burgess Road east of the site.
- Proposed Development Form: Use existing 1-story home and cottage.

Site Analysis**Site Description**

- Location: The 1-acre site is located in Lookout Valley, approximately 650 feet to the east of Burgess Road. It abuts the rear of properties that front Oak Burr Drive to the south. The site has an O'Grady Drive address because the 11-acre parcel fronts that road on the west.
- Current Access: 25-foot wide ingress/egress easement from Burgess Road east of the site.
- Current Development form: The site is rural in character with a nearby barn and large-acreage tracts to the north. The site abuts a single-family neighborhood to the south with lot sizes slightly larger than ½-acre each.
- Current Land Uses: A 29.5-acre tract with a single-family home is located to the north of the site. A single-family residential neighborhood is located adjacent to the site on the south. A single-family home and a barn are located east and adjacent to the site. A City of Chattanooga pump station is located at 1337 O'Grady Drive west of the site and is accessed by an easement through the site. There is one Short-Term Vacation Rental, one Bed and Breakfast and one restaurant in the nearby area.

Zoning History

- The site is currently zoned R-1 Residential.
- All immediately surrounding properties are zoned R-1 Residential.
- The nearest R-3 Residential Zone (same as the request) is approximately 1,400 feet to the north.
- There has been no recent zoning activity on this site.

Plans/Policies/Regulations

- The Lookout Valley Area Plan (adopted by City Council in 2003) recommends Low Density Residential.
- Short Term Vacation Rentals are only permitted in the R-3 Residential and R-4 Special zones.
- For clarification, the following is the definition a Short-Term Vacation Rental from the Chattanooga Zoning Ordinance:

Short-Term Vacation Rental: A single family detached dwelling unit that is rented in part or in its entirety on a daily or weekly basis for not more than thirty (30) days for overnight stay where a permanent residence is not established (mailing address, vehicle registration, etc.) and are generally advertised or otherwise held out to the public. Short-Term Vacation Rentals are also sometimes referred to as "tourist homes" or "short-term residential rentals" and advertised as such. Short-Term Vacation Rentals do not include hotels, motels, or bed and breakfast establishments. Short-Term Vacation Rentals are only permitted in zoning districts that specifically list them as a permitted use, provided that:

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- There shall be no signage.
- The residence shall not be rented for events such as weddings, business meetings, or other such group events.
- There shall be no more than five (5) sleeping rooms.

Key Findings

- The proposal is consistent with the established precedent for Short Term Vacation Rentals in the area. In 2013 (Case 2013-146), City Council approved a request to rezone a tract of land (Tax Map # 134-038) to R-3 to accommodate a short term vacation rental. There are several existing R-3 zones in this area (within 2,000 feet of the proposal). Staff recommends that conditions be added to this rezoning to limit the uses to single-family dwellings and short-term vacation rentals.
- The proposed use is compatible with surrounding uses. The property is located on a local road and contains a carport and driveway parking spaces adequate for the proposed use.
- The proposal is to use the existing structures, which are consistent with the development form of the area.
- The proposal would not set a precedent for future requests, because there is already one other Short-Term Vacation Rental in the area.

Staff Recommendation

Approve, subject to a single-family detached dwelling or Short-Term Vacation Rental only.