

STAFF CASE REPORT TO PLANNING COMMISSION

Subdivision Case Number: 2016-040		PC Meeting Date: 08-08-16
Subdivision Name: Wendy Roberts Subdivision Lots 11, 12, and 13		
Variance Request- Residential Lot Less than 5 Acres Accessed by Private Road/Easement		
Applicant Request:	Variance-Section 402.1 and Section 402.2 of the Hamilton County Subdivision Regulations	
Property Location:	6849 Mountain View Road	
Property Owner:	Wendy Roberts	
Applicant:	Cornerstone Surveying	
Total Acreage:	7.07 Acres	
Tax Map Number:	123-009.06 and 009.08	
Zoning:	R-3 Multi-Family Residential District and M-2 Wholesale and Light Industrial District	
Staff Recommendation:	Approve, variance request only	

PROJECT ANALYSIS

RPA Comments

The applicant has requested a variance from Section 402.1 of the Hamilton County Subdivision Regulations to permit a residential use/zoned property that is less than five (5) acres in size to have access from a private road/easement. Section 402.1 requires that lots less than five (5) acres in size must front a public county maintained road, or private road constructed to public road standards.

Section 402.2 of the Hamilton County Subdivision Regulations for non-residential lots whose only access is a private road/easement. The Planning Commission may permit, only with the approval of the County Engineer, any non-residential lot to obtain access by means of a private road or private easement, provided, the standards mentioned in Section 402.1(d) through 402.1(g) are met.

The applicant intends to record a subdivision plat to re-subdivide the property to create lots 4. Based on the proposed plan Lots 11, 12, and 13 would not front a public county maintained road.

A subdivision plat will need to be submitted to and reviewed by the Chattanooga-Hamilton County Regional Planning Commission. Per WWTA comments public sanitary sewers are not available to lots 10 and 11. Submit sewer plans for extension to WWTA for their review and approval.

Site Description

The property is zoned R-3 Multi-Family Residential District and M-2 Wholesale and Light Industrial District. The property uses in this location are ballfields, swimming pool, gymnastics building, and doctors office.

The property overall is approximately 8.45 acres in size. The lots are proposed to be accessed by way of an 50' private driveway and access utility easement .

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Staff Recommendation

Staff recommends to approve the applicant's request for a variance to Sections 402.1 and 402.2 of the Hamilton County Subdivision Regulations.

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.**
- 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 not be in conflict with the intent and purpose of the Hamilton County Zoning and Subdivision Regulations.
 - Approval of the variance would not create a situation or permit a development pattern that does not now exist.
- 3. The Hamilton County Engineer's Office does not object to this variance request.**

