

# STAFF CASE REPORT TO PLANNING COMMISSION

<b>Subdivision Case Number:</b>	<b>2016-001</b>	<b>PC Meeting Date:</b> 01-11-16
<b>Subdivision Name:</b>	<b>Hedrick 8 Acre Tract Subdivision                  Lots 1A &amp; 1B                  Variance Request-Minimum Side                  Setback (Lot 1B) and Minimum                  Lot Frontage (Lots 1A and 1B)</b>	
<b>Applicant Request:</b>	Variance-Section 38-44 of the Chattanooga Zoning Regulations (3) Minimum Side Setback and (6) Minimum Lot Frontage	
<b>Property Location:</b>	5100 Tennessee Avenue	
<b>Property Owner:</b>	Steve Pickett	
<b>Applicant:</b>	Niles Surveying	
<b>Total Acreage:</b>	0.44 Acres	
<b>Proposed Density:</b>	4.54 dwelling units per acre	
<b>Tax Map Number:</b>	167J-H-019	
<b>Zoning:</b>	R-1 Residential Zone	
<b>Staff Recommendation:</b>	<b>APPROVE</b>	

## PROJECT ANALYSIS

### RPA Comments

#### Applicant Request

The applicant has submitted a subdivision plat to subdivide 5100 Tennessee Avenue into two lots. Currently, the property is one lot.

As part of this subdivision process the applicant has submitted a variance request to Section 38-44 of the Chattanooga Zoning Regulations, more specifically Section (3) Minimum Side Setback, and (6) Minimum Lot Frontage.

Section 38-44 (3) Minimum Side Setback. The R-1 Residential Zone requires a minimum side setback of 10'.

- Proposed Lot 1B has an existing structure located on the lot with proposed 4' side setbacks
- The applicant is asking for a 6' variance/reduction to the minimum side setback

Section 38-44 (6) Minimum Lot Frontage. The R-1 Residential Zone has a minimum lot frontage of 60' along a public street on public sewer.

- Proposed Lot Frontages for Lots 1A and 1B are 50'. The applicant is requesting a variance/reduction of 10'.

#### Site Description

The property is zoned R-1 Residential and located inside the Urban Overlay Zone. The property currently is one lot with approximately 0.44 acres fronting Tennessee Avenue. There is an unopened alley to the rear of the lots.

Currently, there is one existing structure on the property. The existing structure would be on proposed Lot 1B and would have a side setback of 4' from both property lines. The existing 4' side setback from

## STAFF CASE REPORT TO PLANNING COMMISSION

---

the southern property line is existing as of today.

Just as a note, any new structure proposed on Lot 1A that would need a setback variance would need to apply to the Chattanooga Board of Zoning Appeals. The variance approval does not approve any setback variance required on Lot 1A.

### **Staff Recommendation**

Staff recommends to approve the applicant's request for the reduction in the minimum required side setback and the minimum required lot frontage.

Section 38-32 of the Chattanooga Zoning Regulations provides the Chattanooga-Hamilton County Regional Planning Commission with the authority to grant variances for lot size, lot frontage, and existing structure setback for new lots as part of a new subdivision. The variance request is submitted to RPA following the requirements of Section 111 of the Chattanooga Subdivision Regulations.

**1. *Unusual physical or other conditions exist which would cause practical difficulty or unnecessary hardship if these regulations are adhered to.***

- The applicant does not own property on either side so as to increase the lot frontage and lot area to comply with the minimum 60' of lot frontage.

**2. *The variance will not be in conflict with the intent and purpose of the Chattanooga Subdivision Regulations.***

- Approving the variance would not be in conflict with the intent and purpose of the Chattanooga Subdivision Regulations.

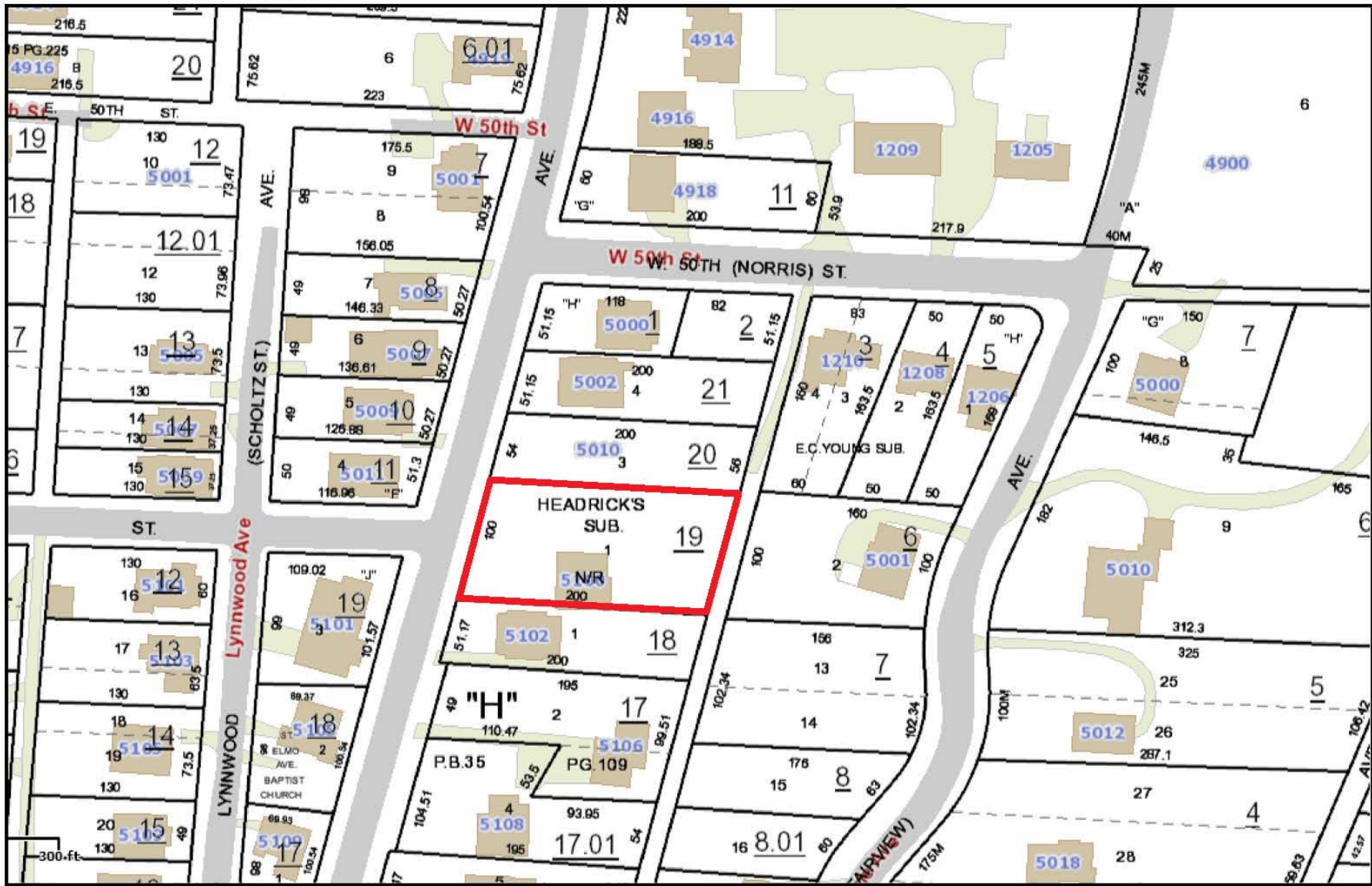
**3. *The granting of the variance will not be detrimental to the public interest.***

- Approving the variance would not be detrimental to the public interest.
- The proposed lot frontage of 50' and lot area appears to be compatible with adjacent lot frontages found along Tennessee Avenue.
- Lots of record side setbacks are 5. The proposed side setback of 4' would be in keeping with the provisions of lot of record. Any new structure proposed on Lot 1A in need of a variance would need to apply to the Chattanooga Board of Zoning Appeals.
- Approving the variance requests would not create a situation that does not currently exist along Tennessee Avenue.

**4. *Chattanooga Department of Transportation and the Chattanooga Land Development Office and other members of the Subdivision Review Committee do not object to this variance request.***

---





# 5100 Tennessee Avenue

*Min Lot Frontage and Setback*

Printed: Nov 16, 2015

