

# STAFF CASE REPORT TO PLANNING COMMISSION

<b>Subdivision Case Number:</b>	<b>2016-015</b>	<b>PC Meeting Date:</b> 03-14-16
<b>Subdivision Name:</b>	<b>Grays Addition to Jenkins Road                  Lots 1A and 1B                  Variance Request-Minimum                  Suburban Infill Lot Frontage</b>	
<b>Applicant Request:</b>	Variance-Section 38-44 of the Chattanooga Zoning Regulations (7) Minimum Suburban Infill Lot Frontage	
<b>Property Location:</b>	1700 Jenkins Road	
<b>Property Owner:</b>	Churchview Properties	
<b>Applicant:</b>	Churchview Properties	
<b>Total Acreage:</b>	0.39 Acres	
<b>Proposed Density:</b>	5.12 Dwelling Units Per Acre	
<b>Tax Map Number:</b>	159J-A-014	
<b>Zoning:</b>	R-1 Residential Zone	
<b>Staff Recommendation:</b>	<b>DENY</b>	

## PROJECT ANALYSIS

### RPA Comments

#### Applicant Request

The applicant has submitted a subdivision plat to subdivide 1700 Jenkins Road into two (2) lots with lot primary street frontage along Bermerwood Road.

As part of this subdivision process the applicant has submitted a variance request to Section 38-44 of the Chattanooga Zoning Regulations, more specifically the minimum requirements of the Suburban Infill Lot Frontage.

Section 38-44 (7) Minimum Suburban Infill Lot Frontage the minimum lot frontage is the smallest lot frontage on the same and opposing block face within 300' of the property being subdivided.

- The smallest lot frontage within 300' of the property being subdivided appears to be 130.65'. However, the requirements state that the new suburban infill lot frontage is not required to exceed 120'. Lot frontages greater than 120' are exempt from the Suburban Infill Lot Frontage requirement.
- Since all lot frontages along Bermerwood Drive are greater than 120' then the minimum lot frontage for each of these lots is a minimum of 120' for purposes of compatibility.
- Proposed Lot 1A does have frontage along Jenkins Road and Bermerwood Drive. The lot frontage along Jenkins Road for Lot 1A is in compliance with the provisions of the Suburban Infill Lot Frontage requirements because the minimum lot frontage is 70.53'.

The applicant is requesting a variance to permit proposed Lots 1A and 1B to have a lot frontage along Bermerwood Drive that is less than the required minimum of 120' along Bermerwood Drive.

The proposed lot frontage for these lots are as follows:

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**Lot 1A: 70.35' (Variance of 49.65')**

**Lot 1B: 65' (Variance of 55')**

### **Site Description**

The property is zoned R-1 Residential and located outside the Urban Overlay Zone. The property currently is one (1) lot approximately 0.39 acres in size fronting Jenkins Road and Bermerwood Drive.

Currently, there are 7 lots with frontage along Bermerwood Drive. Bermerwood Drive is a dead end public street.

Lot frontages range from 110' to 300'. There are 5 lots on the northern side of Bermerwood Drive that are residential lots with two of the lots being vacant (Applicants Property). To the south of Bermerwood Drive are two large lots currently used for church facilities for Brainerd Presbyterian Church and Chattanooga Christian Assembly.

### **Staff Recommendation**

Staff recommends to deny the applicant's request for the variance.

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.***

- There is no physical condition or hardship present other than a self imposed hardship of a desire to create the potential for two new additional lots along Bermerwood Drive.

The applicant currently owns two existing lots on Bermerwood Drive with each lot having a lot frontage of 120' or greater along Bermerwood Drive.

Approving the variance could allow the applicant to subdivide the two existing lots to create two more additional lots along Bermerwood Drive.

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

- Approving the variance would be in conflict with the intent and purpose of the Chattanooga Subdivision Regulations and the Chattanooga Zoning Regulations.
- The intent of the suburban infill lot frontage requirements is to create lots that have a lot size and lot frontage that is compatible with adjoining lots within 300' of the site being subdivided.

Within 300' of 1700 Jenkins Road along Bermerwood Drive all of the lot frontages range in size from the smallest of 130.65', 143.4, 200', and 300'.

- Approving the variance request would create a lot frontages or a situation that does not
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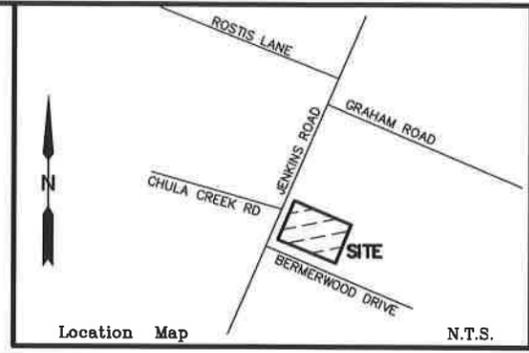
currently exist or is not compatible with lot frontages along Bermerwood Drive.

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

- Approving the variance would be detrimental to the public interest in that lots for residential purposes would be created along the northern side of Bermerwood Drive that would not be compatible the adjoining lots on the same side of Bermerwood Drive.
  - If approved, these lot frontages would set the minimum lot frontage for future or similar requests to subdivide existing property along Bermerwood Drive.
  - Approving the variance request would create a situation that does not now currently exist along Bermwood Drive.
  - Approving the variance request would create dissimilar or incompatible lots along Bermerwood Drive.
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**NOTES:**

- 1.) Present zoning classification: R-1.
- 2.) This plat subdivides property described in D.B. 10855 Pg. 543.
- 3.) This subdivision has been developed according to the Subdivision Regulations of City of Chattanooga.
- 4.) Local Government does not certify that utilities or utility connections are available.
- 5.) Public Sanitary sewers are available by gravity flow.
- 6.) Tax Map No. 159J Group A parcel 014.
- 7.) City ordinance #12900 entitled Stormwater Runoff and Erosion control shall apply to any discharge of same from this subdivision.
- 8.) The City of Chattanooga is not responsible for the construction or maintenance of the drainage easements, or drainage detention area.
- 9.) The City of Chattanooga is not responsible to construct or maintain access easements.
- 10.) The City of Chattanooga is not responsible to provide desired utilities beyond any Right-of-Way.
- 11.) IR(N) set at all Lot corners unless noted otherwise.
- 12.) No fill material can be placed in a constructed drainage facility in such a manner as to impede storm water runoff flow unless approved by the City Engineer.
- 13.) The City of Chattanooga is not responsible for the construction or the maintenance of any private drainage easement.
- 14.) A 5' private drainage easement shall be reserved along the inside of all side & rear lot lines. These drainage easements are automatically abandoned if two or more lots are combined, or used as one lot or if no setback required.
- 15.) Area subdivided by this plat 0.39 Acres.



APPROVED FOR RECORDING  
 HAMILTON COUNTY GIS DEPT  
 DATE \_\_\_\_\_  
 BY \_\_\_\_\_  
 JURISDICTIONAL AUTHORITY  
 DATE \_\_\_\_\_  
 BY \_\_\_\_\_  
 CHATTA/HAM CNTY REGIONAL  
 PLANNING COMMISSION  
 DATE \_\_\_\_\_  
 BY \_\_\_\_\_

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE	TANGENT	DEGREE OF CURVE
C1	25.00'	39.42'	35.46'	N 21°45'03" W	90°20'58"	25.15'	229°10'59"

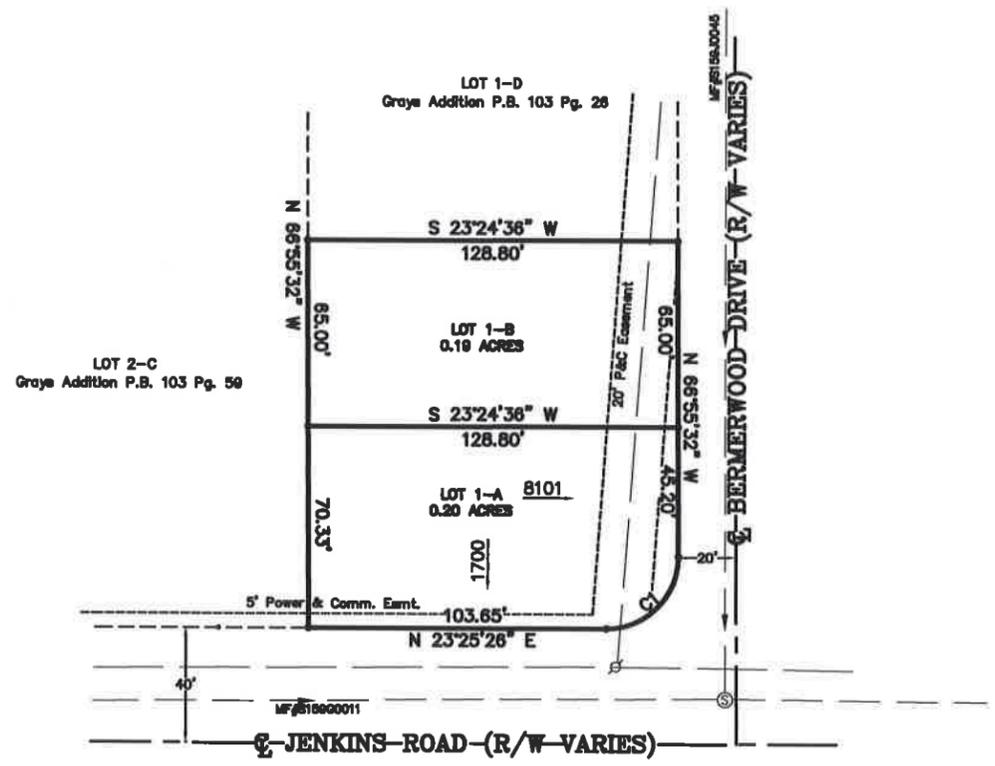
RECEIVED

JAN 22 2016

Chattanooga Hamilton County  
 Regional Planning Agency  
 Development Services

Certificate of Ownership  
 I certify that I am the owner in fee simple of the property shown, adopt this as my plan of subdivision development.

Churchview Properties, LLC  
 3608 Woodcrest Lane  
 Apison, TN. 37302  
 (423) 298-2846



Legend

Iron Rod Old	IR(O)	o
Iron Pipe Old	IP(O)	o
Concrete Monument	Conc. Mon.	o
Iron Rod New	IR(N)	o
Dead Book	DB	
Plot Book	PB	
Page	PG	

**CORNERSTONE**  
**SURVEYING, LLC**  
 7023 SNOW HILL ROAD  
 COOLETWAH, TN 37363  
 (423) 238-4692

I hereby certify that this is a Category I survey and that the ratio of precision for the unadjusted survey is greater than 1:10,000 as shown hereon and was done in compliance with current Tennessee minimum standards. This plat is true and correct to the best of my knowledge and belief and was prepared by me or under my supervision from an actual field survey.

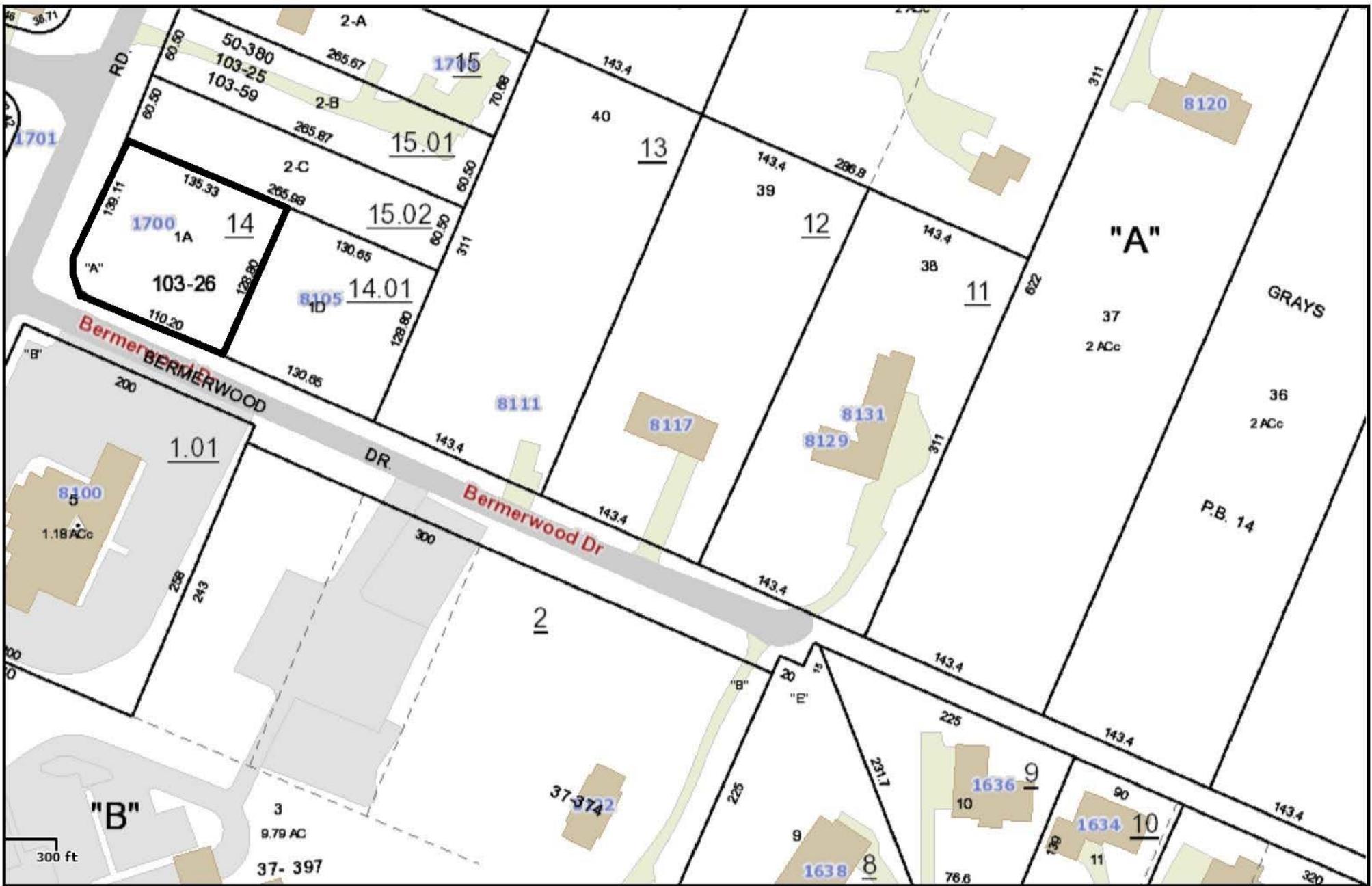
JOB NO. 80-15  
 DATE 01-21-18

Scale 1"=30'



Travis A. Wheeler TN RLS #2285 Date \_\_\_\_\_

REVISED PLAT  
 LOTS 1-A & 1-B  
 Grays Add. East Brainerd  
 City of Chatt., Hamilton County, Tennessee



Printed: Jan 26, 2016

HCGIS