

# STAFF CASE REPORT TO PLANNING COMMISSION

<b>Subdivision Case Number:</b>	<b>2016-059</b>	<b>PC Meeting Date: 10-10-16</b>
<b>Subdivision Name:</b>	<b>The Jewell Company Subdivision</b> <b>Lots 1 and 2</b> <b>Variance Request-Minimum</b> <b>Suburban Infill Lot Frontage and</b> <b>Side Yard Setback</b>	
<b>Applicant Request:</b>	Variance-Section 38-44 of the Chattanooga Zoning Regulations (7) Minimum Suburban Infill Lot Frontage (3) Side Yard Setback	
<b>Property Location:</b>	4712 and 4716 Jersey Pike	
<b>Property Owner:</b>	Raymond Jewell	
<b>Applicant:</b>	McKenzie and Morgan Surveying	
<b>Total Acreage:</b>	1.24 Acres	
<b>Proposed Density:</b>	1.6 Dwelling Units Per Acre	
<b>Tax Map Number:</b>	129G-D-028	
<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 4712 Jersey Pike into two (2) lots each with frontage along Jersey Pike.

Currently, the existing lot contains two (2) single-family detached dwellings. This violates Section 38-26 of the Chattanooga Zoning Regulations that states there shall be no more than one (1) principal building per lot used for residential purposes in the R-1, R-2, R-5, and A-1 zones.

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 98'.

The applicant has proposed the following frontages:

Lot 1: 75.76'      Lot 2: 75.76'

Section 38-44 (3) Side Setback requires at a minimum a 10' side yard setback be provided.

The applicant has proposed the following side setbacks:

Lot 1: 9.88'      Lot 2: 9.82'

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### **Site Description**

The property is zoned R-1 Residential and located outside the Urban Overlay Zone. The property currently is one (1) existing lot with approximately 1.24 acres in size with two (2) existing single-family detached dwellings located on one lot. The property fronts Jersey Pike.

If the variances are approved this allows the applicant to subdivide the lot into two lots so that each single-family detached dwelling is located on its own stand alone lot in compliance with the Chattanooga Zoning Regulations for the R-1 Residential Zone.

### **Staff Recommendation**

Staff recommends to approve 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.**
    - The applicant does not own property on either side so as to increase the lot frontages to comply with the minimum lot frontage requirements.
  - 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.
    - Approving the variance request does not create a situation that does not currently exist or create lots that are not in general compatibility with the adjacent lots found along Jersey Pike, Terra Vista, and Dumac Road.
  - 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.
    - Approving the variance request would not create a situation that does not now currently exist.
    - Approving the variance request would not create dissimilar or incompatible lots.
  - 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.**
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AUG 22 2016



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

I HEREBY CERTIFY THAT I AM THE OWNER, FEE SIMPLE OF THE  
PROPERTY SHOWN AND ADOPT THIS AS MY PLAN OF SUBDIVISION

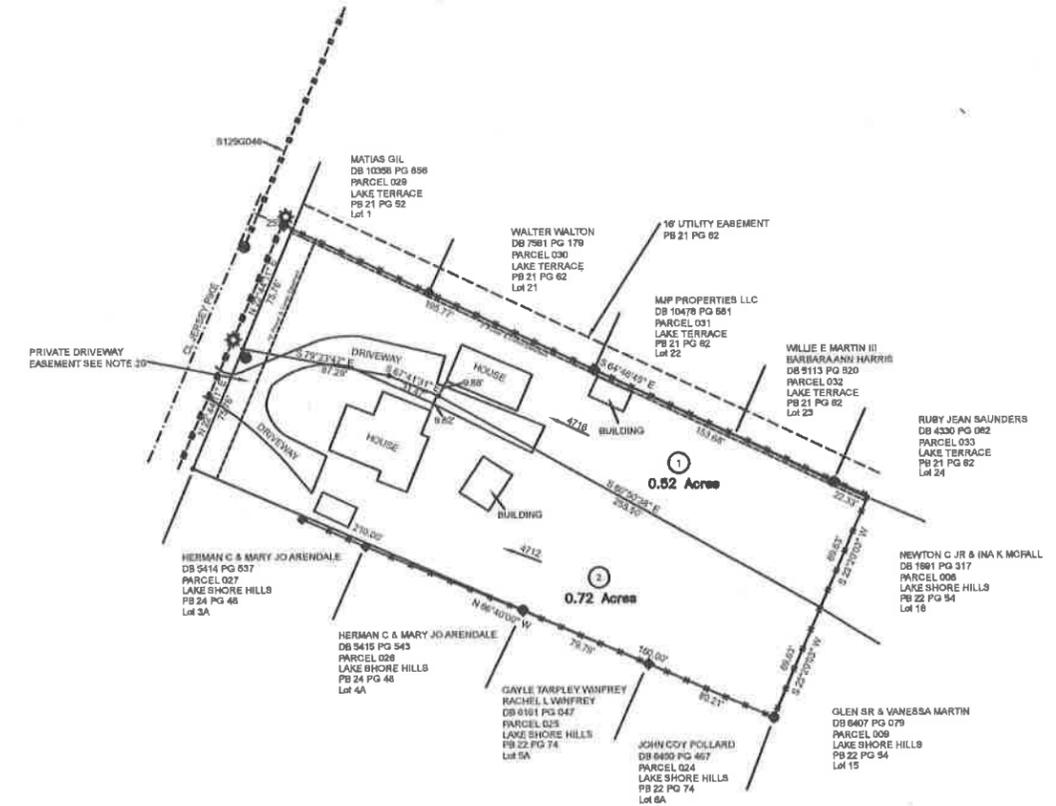
THE JEWELL COMPANY  
7808 ROYAL HARBOUR CIR  
COLETTA, TN 37363  
423-310-7000



**LEGEND**

These standard symbols will  
be found in the drawing.

- Set 1/2" Rebar with Cap
- Existing Corner - Open Top Pipe
- ◆ Wood Fence Post
- ◆ Metal Fence Post
- Water Meter
- Utility Pole
- Sanitary Sewer Manhole
- Fence
- Overhead Utility



- NOTES:
1. PLAT SUBJECT TO ANY R-O-W'S, EASEMENTS, AND RESTRICTIONS THAT MAY EXIST.
  2. TOTAL ACRES: 1.24 +/-
  3. TOTAL LOTS: 2
  4. ZONING: R-1
  5. THIS PLAT SUBDIVIDES: DEED BOOK 10718 PG 481
  6. THIS SUBDIVISION HAS BEEN DEVELOPED ACCORDING TO THE DESIGN STANDARDS OF THE SUBDIVISION REGULATIONS OF CITY OF CHATTANOOGA, TN
  7. SEWER: SEWER AVAILABLE BY GRAVITY FLOW
  8. STREET ADDRESS: 412 JERSEY PIKE
  9. THIS PROPERTY DOES NOT LIE IN A FLOOD ZONE ACCORDING TO FIRM-COMMUNITY PANEL NO. 47085C0358G, 02/03/2018
  10. TAX MAP: 1290 GROUP: D PARCEL: 028 00
  11. THE GOVERNMENT OF CITY OF CHATTANOOGA IS NOT RESPONSIBLE TO CONSTRUCT OR MAINTAIN DRAINAGE EASEMENTS
  12. LOCAL GOVERNMENT DOES NOT CERTIFY THAT UTILITIES OR UTILITY CONNECTIONS ARE AVAILABLE
  13. LOT NUMBER = 014
  14. A 5' PRIVATE DRAINAGE EASEMENT SHALL BE RESERVED ALONG THE INSIDE OF ALL SIDE & REAR LOT LINES. THESE DRAINAGE EASEMENTS SHALL BE AUTOMATICALLY ABANDONED IF TWO OR MORE LOTS ARE COMBINED, OR USED AS ONE LOT, OR IF NO SETBACK IS REQUIRED
  15. CITY ORD # 12900 ENTITLED STORM WATER RUNOFF & EROSION CONTROL SHALL APPLY TO ANY DISCHARGE OF SAME FROM THIS SUBDIVISION
  16. NO FILL MATERIAL MAY BE PLACED IN A CONSTRUCTED DRAINAGE FACILITY IN SUCH A MANNER AS TO IMPEDE STORM WATER RUNOFF FLOW UNLESS APPROVED BY THE CITY ENGINEER
  17. ON OCTOBER 10, 2018 THE CHATT / HAM CO REGIONAL PLANNING COMMISSION GRANTED A VARIANCE TO THE SUBURBAN INFILL LOT FRONTAGE TO PERMIT LOTS 1 & 2 TO HAVE A SMALLER LOT FRONTAGE THAN THE MINIMUM REQUIRED 100'
  18. ON OCTOBER 10, 2018 THE CHATT / HAM CO REGIONAL PLANNING COMMISSION GRANTED A WIDE SETBACK VARIANCE FOR THE EXISTING STRUCTURES ON LOTS 1 & 2
  19. CITY OF CHATTANOOGA IS NOT RESPONSIBLE FOR THE MAINTENANCE OF ANY PRIVATE DRIVEWAY EASEMENT
  20. PRIVATE DRIVEWAY EASEMENT IS CREATED OVER EXISTING DRIVEWAY ON LOT 2 FOR THE BENEFIT OF LOT 1.



I HEREBY CERTIFY THAT THIS IS A CATEGORY I SURVEY AND THE  
RATIO OF PRECISION OF THE UNADJUSTED SURVEY IS 1:10,000 AS  
SHOWN HEREON. SURVEY WAS DONE IN COMPLIANCE WITH CURRENT  
TENNESSEE MINIMUM STANDARDS OF PRACTICE.

JTM P/22/16  
JOSHUA T. MORGAN TN HLS NO 2506 DATE

PREPARED FOR: RAYMOND JEWELL  
7808 ROYAL HARBOUR CIR  
COLETTA, TN 37363  
(423) 310-7000

LOTS 1 & 2

THE JEWELL COMPANY SUBDIVISION CITY OF CHATTANOOGA - HAMILTON CO., TENNESSEE		
DRAWN AAE	DATE 07/08/16	MCKENZIE & MORGAN SURVEYING COMPANY, INC. PO BOX 212 COLETTA, TN 37363 PHONE: (423) 334-5014 FAX: (800) 758-3125
APPROVED JTM	DATE 07/08/16	
SCALE 1" = 50'	SHEET 1 OF 1	PROJECT NO. C070616