



**A RESOLUTION TO AMEND THE HAMILTON COUNTY ZONING
REGULATIONS, ARTICLE V GENERAL PROVISIONS SECTION
105(3)(b) TO CLARIFY THE "EFFECTIVE DATE" MENTIONED IN THE
TEXT**

WHEREAS, Article V, Section 105 states that no building permit shall be issued for a building or use on a lot which does not meet certain requirements; and

WHEREAS, Article V, Section 105(3)(b) identifies one of the requirements as being easements or rights-of-way which were established prior to the "effective date of this Resolution"; and

WHEREAS, The "effective date of this Resolution" mentioned above is October 18, 1978 per Hamilton County Resolution 1078-47; and

WHEREAS, Inserting the effective date of October 18, 1978 into the text of this section of the zoning regulations will remove confusion regarding enforcement.

NOW THEREFORE, BE IT RESOLVED, that the Chattanooga-Hamilton County Regional Planning Commission on December 8, 2014 does hereby recommend to the Hamilton County Commission that the following sections be amended as follows:

Article V, Section 105(3)(b) be deleted in its entirety and replaced in lieu thereof with the following:

- (b) Easements or rights-of-way which were established and existing prior to October 18, 1978 (Resolution 1078-47) may be acceptable in spite of width if, in the opinion of the Director of Building Inspection, the pre-existing easement as described by deed or other legal instrument will provide safe and adequate access to the property in question at no expense or potential damage to the public welfare.

Respectfully submitted,

John Bridger, Secretary

Date of Adoption: December 8, 2014

JB:GH:PD:sh