

STAFF CASE REPORT TO PLANNING COMMISSION

Subdivision Case Number:	2015-034	PC Meeting Date: 08-10-15
Subdivision Name:	Moonhollow Subdivision Lot 1 and 2	
Applicant Request:	Variance-Section 38-94 of the Chattanooga Zoning Regulations (2)(b) Minimum Lot Area	
Property Location:	522 Beck Avenue and 533 Moonhollow Lane	
Property Owner:	James and Julianne Hudson	
Applicant:	Sam Clemons Surveying	
Total Acreage:	0.14 Acres	
Proposed Density:	14.28 dwelling units per acre	
Tax Map Number:	136A-C-002 and 037	
Zoning:	R-2 Residential Zone	
Staff Recommendation:	APPROVE	

PROJECT ANALYSIS

RPA Comments

Applicant Request

The applicant has submitted a subdivision plat to re-subdivide or reconfigure two (2) existing lots of record. Lots 11 and 12 of the EB Ogden, Herbert Bushnell, TD Giles and HC Hulse Resubdivision of Normal Park Add was recorded on October 14, 1912 by the recording of PB 6 Page 41 in the Hamilton County Register of Deeds Office. Lot 12 was further divided in 1947 by the recording of a deed (DB966-493/494). This deed basically created existing Lot 2 as shown on the submitted subdivision plat.

As part of this subdivision process the applicant has submitted a variance request to Section 38-94 of the Chattanooga Zoning Regulations, more specifically Section 38-94 (2)(b) Minimum Lot Area. Minimum required lot area is 7,500 square feet.

The applicant is requesting a variance to the minimum lot size requirements for proposed Lot 1 as follows: **Lot 1: 3,666 sq ft**

Site Description

The property is zoned R-2 Residential and located within the Urban Overlay Zone. The property currently is two legally recorded lots that front on Beck Avenue and Moonhollow Lane. The area is predominately a single-family detached residential neighborhood.

Lots 1 and 2 are considered to be lots of record, which means that were recorded on a subdivision plat or by deed prior to 1961. These lots were legally recorded in 1912 through the recording in Plat Book 6 Page 41 and Deed Book 966 Page 493/494 in 1947 in the Hamilton County Register of Deeds Office.

Section 38-502 Lot of Record of the Chattanooga Zoning Regulations lot(s) maybe created that do not meet the minimum lot size or frontage requirements established by the Chattanooga Zoning when they are the result of the re-subdivision and re-platting of lot(s) of record and the newly created lot(s) are as large or larger than the previous lot(s).

Based on Section 38-502 and the submitted re-subdivision/re-platting of these two lots of record, proposed Lot 2 complies with the provisions of Section 38-502; however, Lot 1 will be smaller and does

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not comply with the provisions of 38-502. A variance for lot area/size is required for Lot 1.

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 existing size of the property owned by the applicant makes it difficult to comply with the minimum lot size of 7,500 square feet.

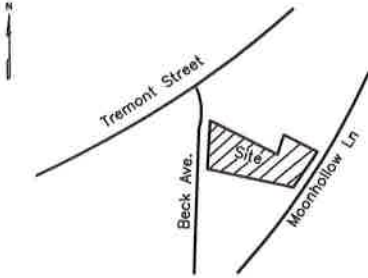
2. *The variance will not be in conflict with the intent and purpose of the Chattanooga Subdivision Regulations.*

- 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. The two existing lots of record do not comply with the minimum lot size/area.
- Approving the variance permits the applicant to rearrange the lot lines so as to make better use of the land and to increase the lot size/area of proposed Lot 2.

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.

4. *Members of the Subdivision Review Committee do not object to this variance.*

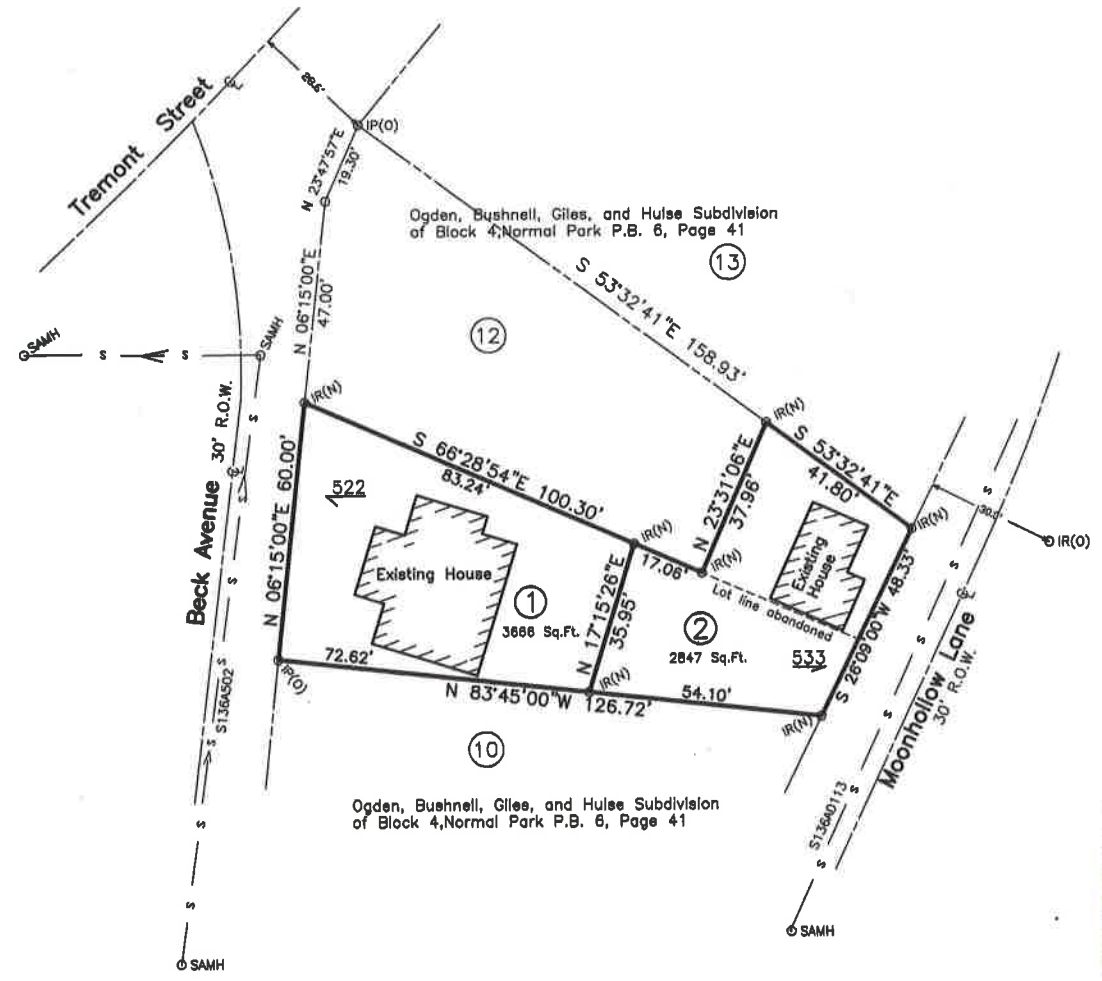


- LEGEND**
- IR(O) ○ IRON ROD(OLD)
 - IR(N) ○ IRON ROD(NEW)
 - 1/2" CAPPED
 - IP(O) ○ IRON PIPE(OLD)
 - IP(N) ○ IRON PIPE(NEW)
 - S— Sanitary Sewer
 - ① Lot Number

APPROVED FOR RECORDING
 HAMILTON COUNTY GIS DEPT.
 DATE _____
 BY _____
 JURISDICTIONAL AUTHORITY
 DATE _____
 BY _____
 CHATTANOOGA-HAMILTON CO.
 REGIONAL PLANNING COMM.
 DATE _____
 BY _____

Vicinity Map
 Not to Scale

- NOTES:**
1. Zoning: R-2
 2. Local Government does not certify that utilities or utility connections are available.
 3. This plat subdivides the property recorded in Deed Book 10430, page 385, in the Register's Office of Hamilton County.
 4. This subdivision has been developed according to the design standards of the City of Chattanooga Subdivision Regulations.
 5. The property shown hereon is Tax Map 136A, Group C, parcels 002.00 and 037.00.
 6. The property shown hereon does not lie in a flood hazard area as shown on FEMA flood map number 47085C 0333F dated: 11-07-02.
 7. Public sanitary sewer is available by gravity flow.
 8. The purpose of this plat is to abandon all interior lot lines of the Lot shown hereon and create two new lot out of the lots previously shown as Lot 11, and part of Lot 12 of the Ogden, Bushnell, Giles, and Hulse resubdivision of Block 4, Normal Park Addition recorded in Plat Book 6, Page 41.
 9. City Ordinance No. 12900 entitled Storm Water Runoff and Erosion Control shall apply to any discharge of same from this subdivision of property.
 10. 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.
 11. Cleans capped half inch rebars set at all property corners shown hereon not marked otherwise.
 12. A 5' Private Drainage Easement shall be reserved along the inside of all side 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.
 13. City of Chattanooga is not responsible for the maintenance of any drainage easement.



Certificate of Ownership
 I hereby adopt this as my plan of subdivision.

James D. Hudson _____ Date
 1410 Cowart Street
 Chattanooga, TN 37408
 423-643-0612

Julianne Hudson _____ Date
 1410 Cowart Street
 Chattanooga, TN 37408
 423-643-0612

RECEIVED

JUN 19 2015

Chattanooga-Hamilton County
 Regional Planning Agency
 Development Services