

# STAFF CASE REPORT TO PLANNING COMMISSION

<b>Subdivision Case Number:</b>	<b>2015-057</b>	<b>PC Meeting Date: 10-12-15</b>
<b>Subdivision Name:</b>	<b>Claude Spragues Subdivision Lots 2 and 3 Variance Request Minimum Lot Size and Lot Frontage</b>	
<b>Applicant Request:</b>	Variance-Section 38-44(5)(7) of the Chattanooga Zoning Regulations	
<b>Property Location:</b>	5402 and 5404 Alabama Avenue	
<b>Property Owner:</b>	KCTL Investments, LLC	
<b>Applicant:</b>	Alan Haniszewski	
<b>Total Acreage:</b>	0.43 Acres	
<b>Proposed Density:</b>	6.9 Dwelling Units Per Acre	
<b>Tax Map Number:</b>	167O-B-006 and 006.01	
<b>Zoning:</b>	R-1 Residential Zone	
<b>Staff Recommendation:</b>	<b>Approve</b>	

## PROJECT ANALYSIS

### RPA Comments

The applicant has submitted a subdivision plat to re-subdivide or reconfigure two (2) existing lots by creating three lots from two existing lots. 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 38-44 (5) Minimum Lot Area and 38-44 (7) Minimum Lot Frontage. The minimum required lot area is 7,500 square feet with a minimum required lot frontage of 60’.

The proposed plat would re-subdivide two existing lots to create one new additional lot. The proposed lot size and lot frontage for lots 2 and 3 are as follows:

Lot 2: 5,250 square feet and 50.03’ lot frontage                      Lot 3: 5,250 square feet and 50.03’ lot frontage

### Site Description

The property is currently zoned R-1 Residential Zone. The property is approximately 0.43 acres in size. The lots have legal lot frontage along Alabama Avenue.

Adjoining lots in the neighborhood are of a similar size and lot frontage. The area is predominately a single-family detached residential neighborhood.

### Staff Recommendation

Staff recommends to approve the applicant’s request.

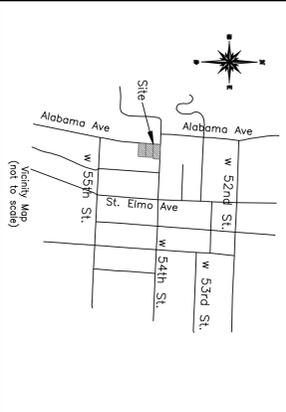
Section 38-32 of the Chattanooga Zoning Regulations provides the Chattanooga-Hamilton County Regional Planning Commission with the authority to grant variances for lot size, lot frontage, and existing structure setback for new lots as part of a new subdivision. The variance request is submitted to RPA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

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

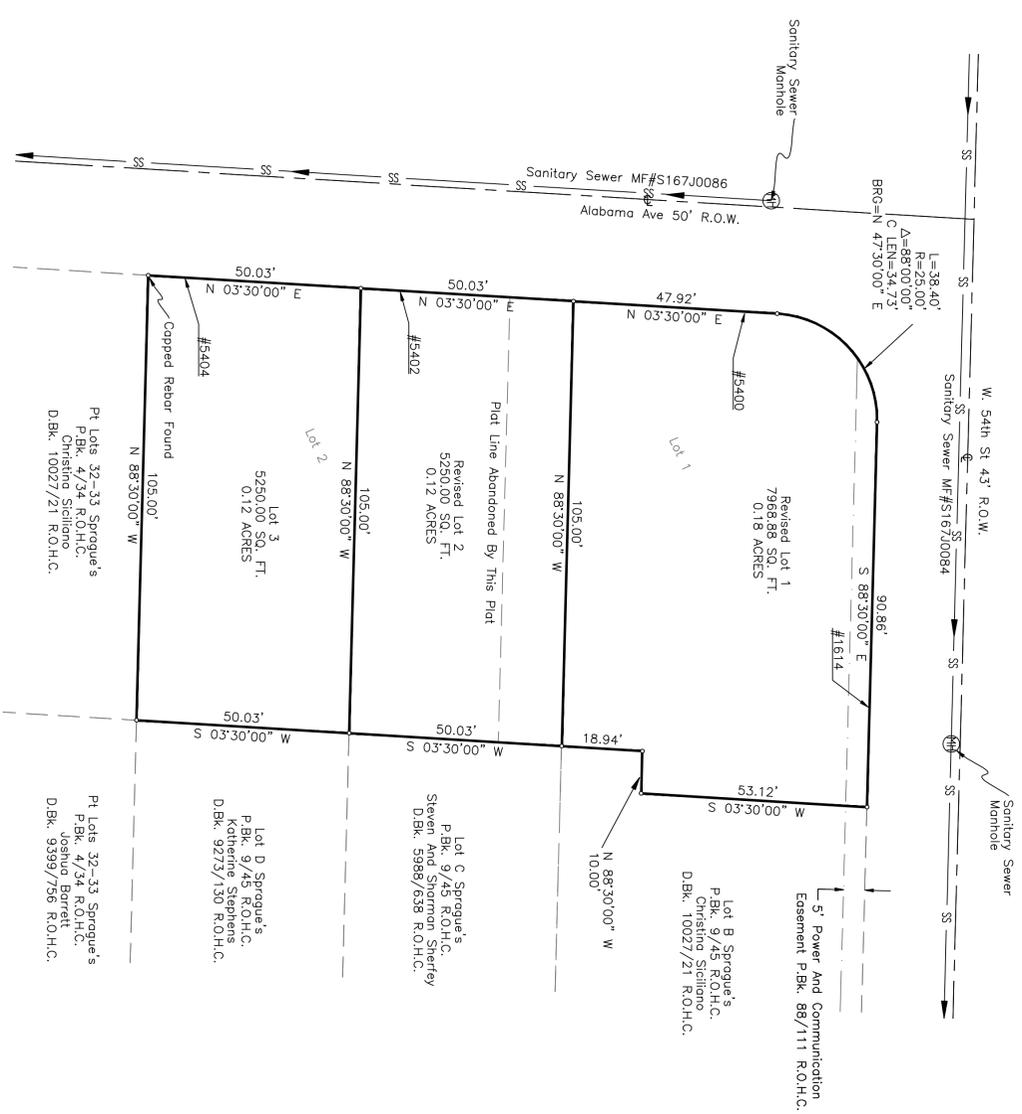
## **STAFF CASE REPORT TO PLANNING COMMISSION**

- There are no unusual or physical conditions present that make the complying with the lot size and lot frontage a hardship, other than the developer could not obtain the third lot without the variance.
- 2. The variance will not be in conflict with the intent and purpose of the Chattanooga and Subdivision regulations.**
- Approving the variance would not be in conflict with the intent and purpose of the Chattanooga Zoning Regulations.
- 3. Approving the variance would not create or permit development pattern that does not now exist.**
- Approving the variance request would not create dissimilar or incompatible lots.
  - A review of lot size and lot frontages for those immediately adjacent lots show that the proposed lot size and lot frontages for lots 2 and 3 would be in keeping with adjacent lots. There are similar sized lots along Alabama Avenue and Shauff Place.
  - The adjacent lots have lot frontages of 48.03', 50', 68', and 70'.
  - In addition to lot frontages the adjacent lot sizes are as follows: 4,250, 5,780, 6, 564, and 7,140.





**Final Plat**  
**Lot 3 And Revised Lots 1 And 2 Claude E. Sprague's Subdivision**  
**Being A Revision Of Lots 1 And 2, Claude E. Sprague's Subdivision**  
**Recorded In Plat Book 88, Page 111 R.O.H.C.**  
**Chattanooga, Hamilton County, Tennessee**  
**Scale: 1" = 20'      September 22, 2015**



- Notes:
- 1.) Zoning: R-1.
  - 2.) This Property is described in Deed Book 10513, Page 752 R.O.H.C.
  - 3.) Tax Map #1670-B-006 and 006.01.
  - 4.) Local Government does not certify that utilities or utility connections are available.
  - 5.) The purpose of this Plat is make three lots from two lots, as shown.
  - 6.) Property address: 1614 West 54th Street, and 5402 Alabama Ave., Chattanooga, TN.
  - 7.) Area subdivided by this plat: 0.43 ac.
  - 8.) This subdivision has been developed in accordance with the subdivision regulation of the City of Chattanooga.
  - 9.) Public sanitary sewers are available by gravity flow.
  - 10.) Public sanitary drainage easement is reserved along the inside of all side and rear lot lines. These drainage easements are automatically abandoned if two or more lots are combined or used as one lot or no setback is required.
  - 11.) A 5' private drainage easement is reserved in a constructed drainage facility in such a manner as to impede storm water runoff flow unless approved by the city engineer.
  - 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.) City Ordinance #12900 entitled "Storm Water Runoff And Erosion Control" shall apply to discharge of some from this subdivision of Property.
  - 14.) Capped rebar set at all corners unless noted otherwise.
  - 15.) The Chattanooga-Hamilton County Regional Planning Commission granted a variance on October 12, 2015 to permit lots 2 and 3 to be surveyed as a single lot.
  - 16.) See sub case #2015-057 for variance request.



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

**Statement Of Ownership**  
 I, the undersigned, hereby adopt this Plat as my plan of subdivision. I further certify that I am the owner of the property in fee simple.

KKTL Investments, LLC  
 P.O. Box 2136  
 Chattanooga, TN 37419  
 423-421-4946

I certify that I have surveyed the property shown hereon, that the survey is correct to the best of my knowledge and belief, and that the ratio of precision of the non-adjusted survey is greater than 1:10,000 (Category 1)

**Alan Hanzszewski**  
**Tennessee PLS #2398**  
**3073 Baggett Trail**  
**Signal Mountain, TN 37377**  
**423-364-6032**