

# STAFF CASE REPORT TO PLANNING COMMISSION

<b>Subdivision Case Number:</b>	<b>2016-010</b>	<b>PC Meeting Date:</b> 01-11-16
<b>Subdivision Name:</b>	<b>100 @ South Broad Street Lots 12 thru 23 Variance Request-Minimum Right-of-Way</b>	
<b>Applicant Request:</b>	Variance-Section 401.1.2 of the Chattanooga Subdivision Regulations Minimum Right-of-Way Width	
<b>Property Location:</b>	St. Elmo Avenue @ West 31 St. Street	
<b>Property Owner:</b>	ASTIR, LLC	
<b>Applicant:</b>	North Pointe Surveying and AD Engineering	
<b>Total Acreage:</b>	5.82 Acres	
<b>Proposed Density:</b>	1.99 dwelling units per acre	
<b>Tax Map Number:</b>	155F-A-009	
<b>Zoning:</b>	R-T/Z Residential Townhouse/Zero Lot Line and UGC Urban General Commercial Zone	
<b>Staff Recommendation:</b>	<b>APPROVE</b>	

## PROJECT ANALYSIS

### RPA Comments

#### Applicant Request

The applicant has submitted a subdivision plat to subdivide property located at St. Elmo Avenue and W. 31<sup>st</sup> Street.

As part of this subdivision process the applicant has submitted a variance request to Section 401.1.1 of the Chattanooga Subdivision Regulations. Section 401.1.1 requires a minimum right-of-way width of 50' for local street.

- The proposed right-of-way for the Sinclair Avenue is 45' and 49'.
- The applicant is asking for a 5' and 1' variance/reduction to the required minimum right-of-way width

#### Staff Recommendation

Staff recommends to approve the applicant's request for the reduction in the minimum required right-of-way width.

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 required 60' water quality buffer and floodway associated with this site along Chattanooga Creek. It appears that it would provide some difficulty with complying with the minimum 50' right-of-way.

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**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.

**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.
- Sinclair Avenue is proposed to be one way traffic flow with a 15' private alley located to the rear of the lots to serve as access

**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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