

STAFF CASE REPORT TO PLANNING COMMISSION

Subdivision Case Number:	2016-018	PC Meeting Date: 03-14-16
Subdivision Name:	City Lights-Starry Night Subdivision Lots 1 & 2 Variance Request-Minimum Lot Size	
Applicant Request:	Variance-Section 38-44 of the Chattanooga Zoning Regulations (5) Minimum Lot Area	
Property Location:	High Ridge Drive	
Property Owner:	Mitch Everhart	
Applicant:	Matt McDonald and Ronnie Cramer (Surveyor)	
Total Acreage:	0.30 Acres	
Proposed Density:	6.66 dwelling units per acre	
Tax Map Number:	126N-G-015.01	
Zoning:	R-1 Residential Zone	
Staff Recommendation:	DENY	

PROJECT ANALYSIS

RPA Comments

Applicant Request

The applicant has submitted a subdivision plat to subdivide a 0.30 acre lot into two (2) lots located along High Ridge Drive.

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 (5) Minimum lot Size.

Section 38-44 (5) Minimum Lot Size. The R-1 Residential Zone requires a minimum lot size of 7,500 square feet on public sanitary sewer. The proposed lots have the following lot sizes.

Lot 1: 6,550 square feet Lot 2: 6,550 square feet

- The applicant is asking for a 950 square foot variance/reduction to the minimum lot size for each lot.

Site Description

The property is zoned R-1 Residential and located inside the Urban Overlay Zone. The property currently is one lot with approximately 0.30 acres fronting High Ridge Drive and Peak Street. The property will be accessed legally from High Ridge Drive.

It appears that there are very steep slopes associated with this site and development could be difficult for two homes. However, at the present time there is no steep slope protection or ordinance that would prohibit development on steep slopes.

Just as a note, any new structure proposed on Lots that would need a setback variance would need to apply to the Chattanooga Board of Zoning Appeals. The variance approval does not approve any setback variance required on proposed Lots 1 and 2.

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Staff Recommendation

Staff recommends to deny the applicant's request for the reduction in the minimum required lot size.

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 area to comply with the minimum lot size requirements.
- The property does have steep topography present and irregular shaped, due to it being located between two public streets that makes compliance with the minimum lot size difficult and a hardship.

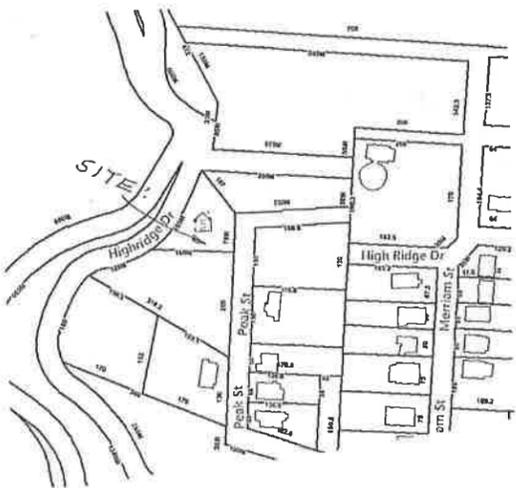
2. *The variance will not be in conflict with the intent and purpose of the Chattanooga Subdivision Regulations.*

- Approving the variance would be in conflict with the intent and purpose of the Chattanooga Subdivision Regulations and the Chattanooga Zoning Regulations. The zoning ordinance established minimum lot size requirements for the protection of the public welfare, health and safety.

3. *The granting of the variance will not be detrimental to the public interest.*

- Approving the variance appears that it would be detrimental to the public interest in that this would set the precedent for similar requests within the neighborhood.
- The proposed lot area/size would not be compatible with adjoining lots along High Ridge Drive and Peak Street.
- There appear to be similar sized lots adjacent to this proposed development that were recorded by deed or plat in 1925 (PB 9 Page 45). In 1925 there was no zoning code or subdivision regulations that established minimum lot size for the protection of the public welfare, health, and safety.
- Approving the variance request would create a situation that does not currently exist along High Ridge Drive.

4. *Chattanooga Department of Transportation and the Chattanooga Land Development Office and other members of the Subdivision Review Committee do object to this variance request.*



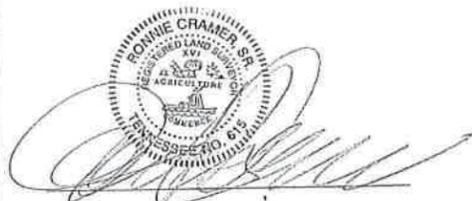
LOCATION MAP:
NOT TO SCALE:

OWNER:
MITCHEL T. EVERHART
P.O. BOX 4454
CHATA, TN. 37405-0454
PH. # 902-1746

RECEIVED

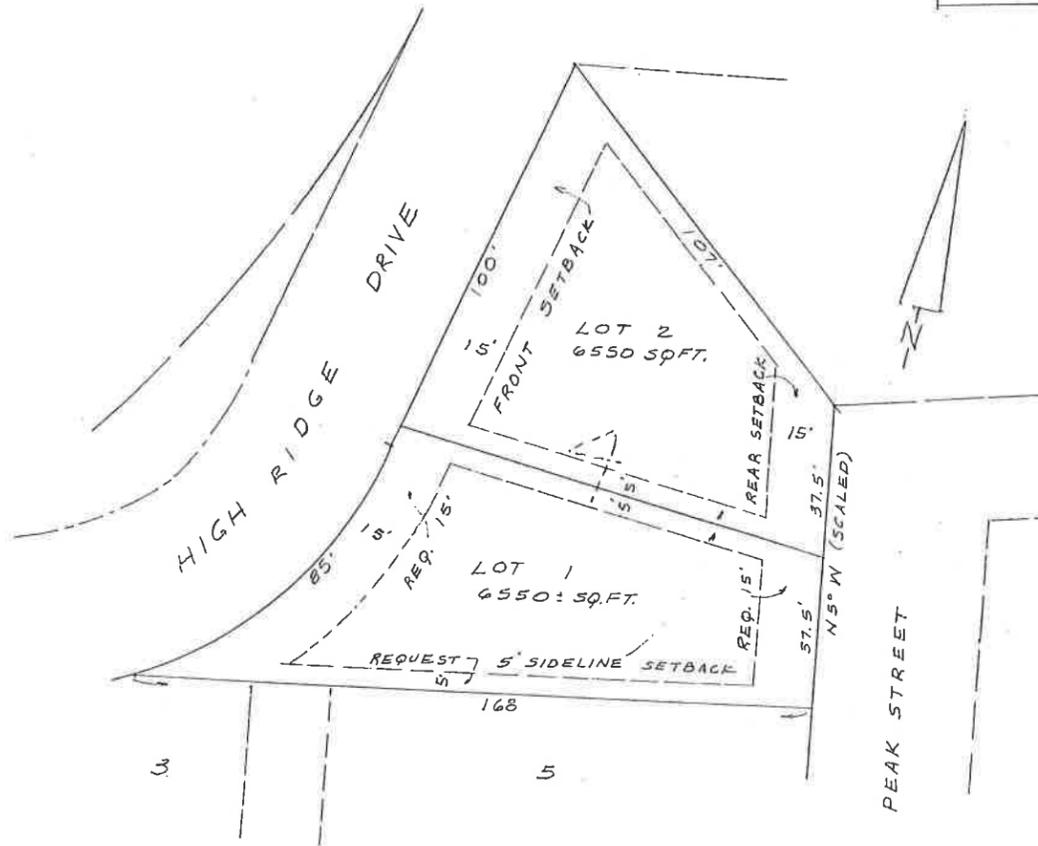
JAN 26 2016

Chattanooga Hamilton County
Regional Planning Agency
Development Services



DRAWING PREPARED BY:
RONNIE H. CRAMER, SR., TENNESSEE
REGISTERED LAND SURVEYOR NO. 615

8717 WINTERBERRY LANE
CHATA, TN. 37421
PH. # 423-320-4308



GENERAL NOTES:

1. ZONED R-1
2. AREA SUBDIVIDED = 13,100 ± SQ. FT.
3. BEARING REF. FROM PLAT AT PB 9 PG 45
4. PURPOSE OF PLAT IS TO REQUEST VARIANCES FOR 2 SUBSTANDARD LOT SIZES & SET BACK DIMENSIONS AS SHOWN ON PLAT
5. DEED REFERENCE IS DB 9017 PG 683
6. TAX MAP IS 126N G 015.01
7. THIS SUBDIVISION WILL BE DEVELOPED ACCORDING TO THE SUBDIVISION REGS. OF THE CITY OF CHATTANOOGA
8. DRAWING PREPARED FROM DEEDS, MAPS, AND INFO PROVIDED BY OWNER. ACCURATE BOUNDARY SURVEY MAY REFLECT SOME SLIGHT DIFFERENCES
9. ADDRESSES OFF HIGH RIDGE DRIVE

PROPOSAL, PRELIMINARY PLAT FOR:
CITY LIGHTS- STARRY NIGHTS S/D
WHICH IS TRACT 4 OF A PART OF AN UNRECORDED PART
OF SMARTTS ADDITION AS PER TAXMAP AND DEED
REFERENCED IN GENERAL NOTES.
CHATTANOOGA, HAML. CO., TENNESSEE
SCALE: 1" = 20' JANUARY 24, 2016



GRAPHIC SCALE

