

11/13/12

2012-131
Don Skiles
District No. 4
Planning Version

ORDINANCE NO. _____

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 6811 McCUTCHEON ROAD, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE TO R-3MD MODERATE DENSITY ZONE, SUBJECT TO CERTAIN CONDITIONS

SECTION 1. BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE, That Chattanooga City Code, Part II, Chapter 38, Zoning Ordinance, be and the same hereby is amended so as to rezone property located at 6811 McCutcheon Road, more particularly described herein:

Part of Tracts 3 thru 5, Subdivision of the Land of Mr. and Mrs. John Baldwin, Plat Book 15, Page 12, ROHC, Deed Book 9718, Page 129, ROHC. Tax Map 138M-C-004.

and as shown on the maps and drawing attached hereto and made a part hereof by reference, from R-1 Residential Zone to R-3MD Moderate Density Zone.

SECTION 2. BE IT FURTHER ORDAINED, That this rezoning shall be subject to proposed use of converting existing garage into two one-bedroom apartments only.

SECTION 3. BE IT FURTHER ORDAINED, That this Ordinance shall take effect two (2) weeks from and after its passage.

PASSED on Second and Final Reading

_____, 2012.

CHAIRPERSON

APPROVED: _____ DISAPPROVED: _____

DATE: _____, 2012.

/meb

MAYOR

11/13/12

2012-131
Don Skiles
District No. 4
Applicant Version

ORDINANCE NO. _____

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PASSED on Second and Final Reading

_____, 2012.

CHAIRPERSON

APPROVED: _____ DISAPPROVED: _____

DATE: _____, 2012.

/meb

MAYOR

2012-131 City of Chattanooga
October 8, 2012

RESOLUTION

WHEREAS, Don Skiles petitioned the Chattanooga-Hamilton County Regional Planning Commission to recommend to the Members of the City Council of the City of Chattanooga the rezoning from R-1 Residential Zone to R-3MD Moderate Density Zone, property located at 6811 McCutcheon Road.

Part of Tracts 3 thru 5, Subdivision of the Land of Mr. and Mrs. John Baldwin, Plat Book 15, Page 12, ROHC, Deed Book 9718, Page 129, ROHC. Tax Map 138M-C-004 as shown on the attached map.

AND WHEREAS, the Planning Commission held a public hearing on this petition on October 8, 2012,

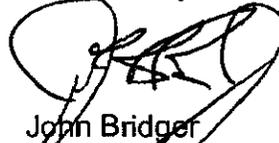
AND WHEREAS, the Planning Commission heard and considered all statements favoring the petition,

AND WHEREAS, no one was present in opposition to the petition,

AND WHEREAS, the Planning Commission has studied the petition in relation to existing zoning and land use and potential patterns of development.

NOW THEREFORE, BE IT RESOLVED that the Planning Commission, on October 8, 2012, recommended to the Members of the City Council of the City of Chattanooga that this petition be approved, subject to proposed use of converting existing garage into two one-bedroom apartments only.

Respectfully submitted,



John Bridger
Secretary

Case Number:	2012-131
Applicant Request:	R-3MD Moderate Density Zone
Applicant:	Don Skiles
Property Address:	6811 McCutcheon Road
Jurisdiction:	Chattanooga District 4/ Hamilton County District 7
Neighborhood:	Friends of E.Brainerd, Brainerd E. Brainerd Chamber

Proposed Development	
Site Plan Submitted:	Yes
Proposed Use:	Convert existing garage into two one-bedroom apartments

Site Characteristics		Planning Commission Recommendation:
Current Zoning:	R-1 Residential Zone	Approve Staff Recommendation
Current Use:	Residential	
Adjacent Uses:	Residential, Office, Neighborhood Commercial	
Size of Tract:	1.7 Acres plus or minus	

STAFF RECOMMENDATION: APPROVE, subject to proposed use only

Analysis	
Extension of Existing Zoning?	No
Community Land Use Plan:	Shallowford Road-Lee Highway Area Plan (2004)
Proposed Use Supported by Community Land Use Plan?	Yes
Proposed Use Supported by Comprehensive Plan?	Yes

Comments

Planning Staff: Applicant Request Overview
The applicant is seeking rezoning to allow the conversion of an existing garage into two one-bedroom residential units.

Site Description
The proposed site for rezoning is approximately 1.7 acres that fronts on McCutcheon Road. The property abuts an R-2 Residential Zone to its west, a City of Chattanooga regional stormwater facility to its north, and a duplex in the R-1 Residential Zone to its east.

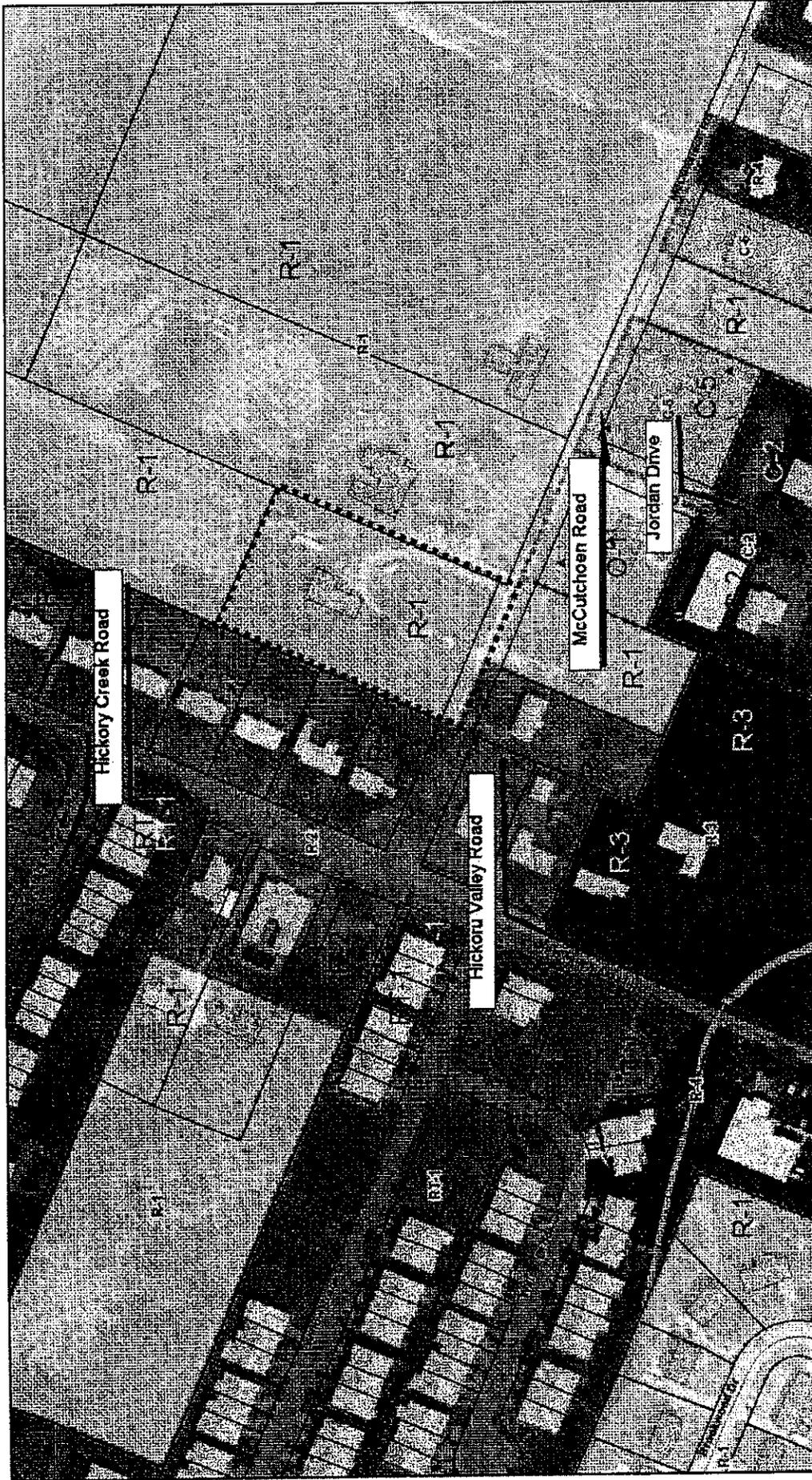
Applicable Plans/Policies
The Shallowford Road-Lee Highway Area Plan recommends Low-Density Residential development for this area. That land use is described as having "detached single-unit dwellings dominate; some exceptions made for townhouses, patio homes and two-unit dwellings if density is compatible".

Staff Recommendation
Staff is recommending approval for the rezoning, subject to the use as proposed. The south side of McCutcheon Road has a mix of residential and non-residential uses and zones and the adopted plan for the area recommends a Light Business Mix for that side of the road. The plan recommends a Low-Density Residential use for the north side of McCutcheon in this area. The proposed use, which entails three

dwelling units on the site, would have a density of 1.8 dwelling units an acre.

The property abuts four R-2 Residential zoned properties along its western property line with at least two of the dwellings appearing to be used as two-unit (duplex) residences. The house to the east, although currently zoned R-1 Residential, is developed with a two-unit dwelling.

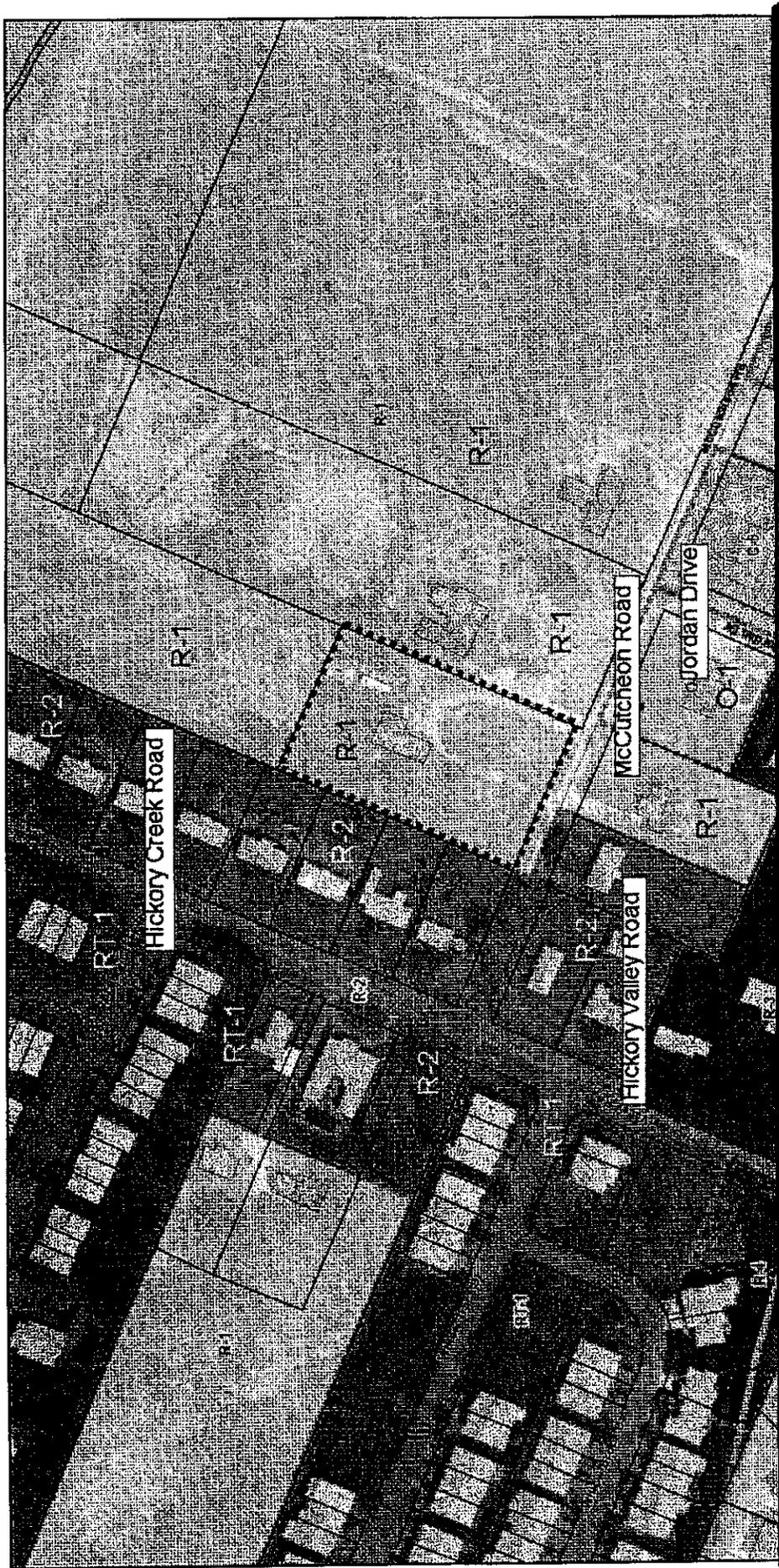
Therefore, staff is supporting rezoning of this property for the proposed use because 1) the plan supports attached dwellings as long as the density is compatible and 2) the proposed use abuts other attached residential units and 3) the property across McCutcheon Road is proposed to be used as a Light Business Mix under the plan recommendations.



2012-0131 R-1 to R-3MD



200 ft



PLANNING COMMISSION RECOMMENDATION FOR CASE NO. 2012-131: Approve, subject to proposed use of converting existing garage into two one-bedroom apartments only.

2012-0131 R-1 to R-3MD



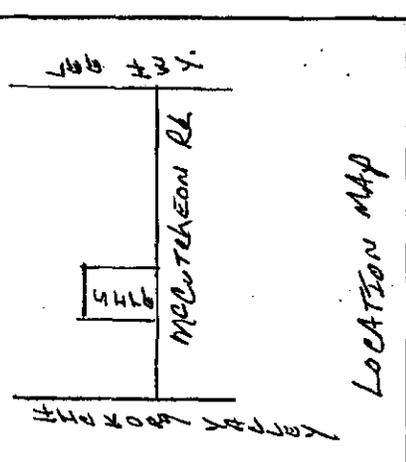
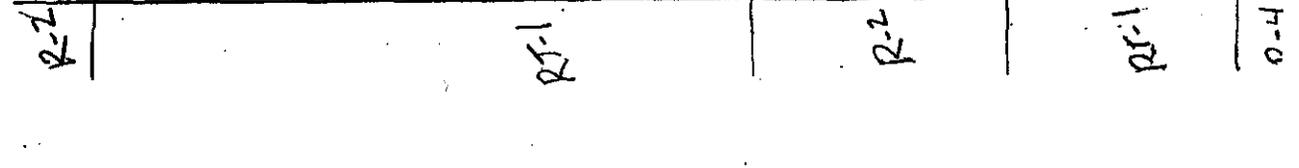
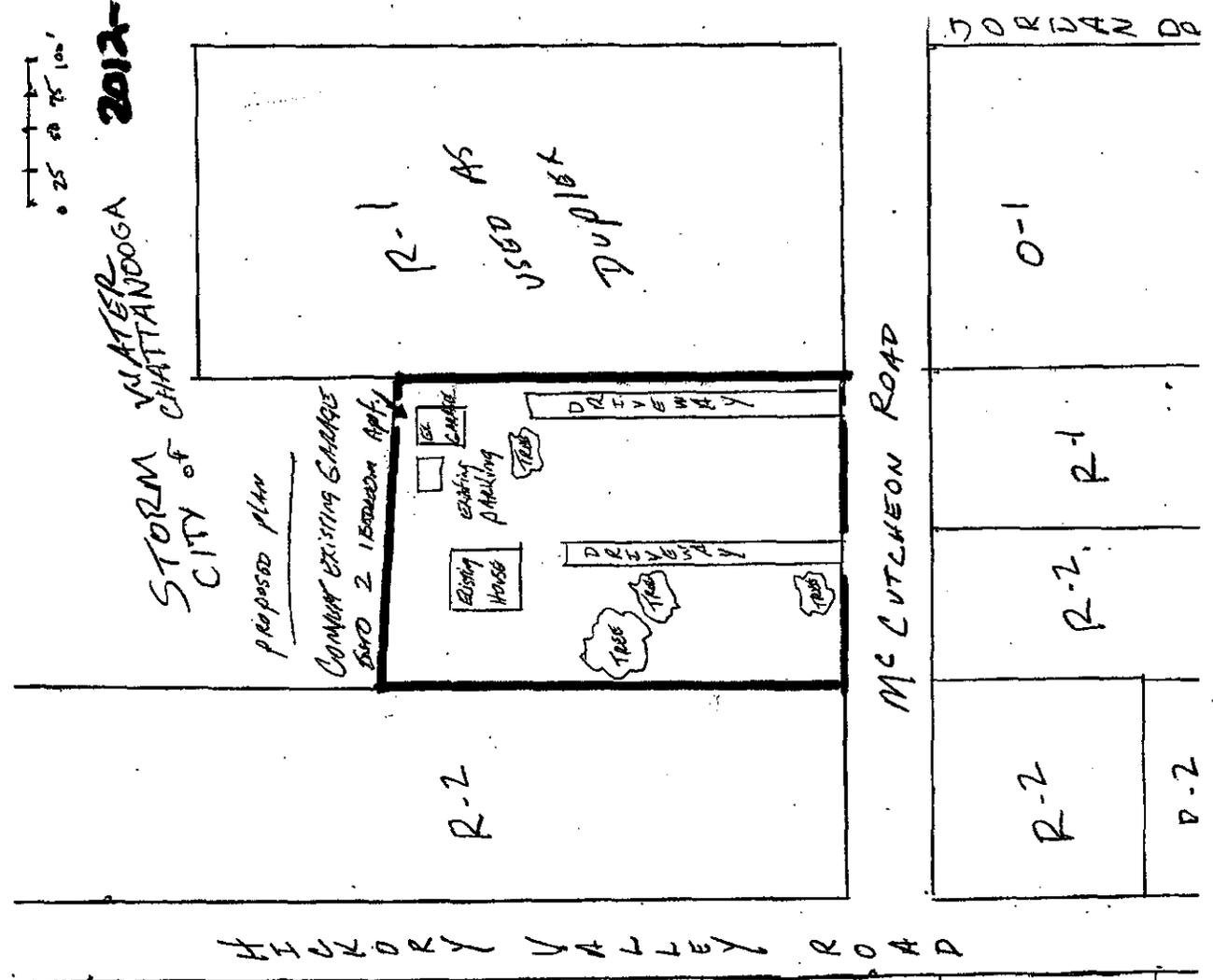
200 ft



Chattanooga Hamilton County Regional Planning Agency



STORM WATER
CITY OF CHATTANOOGA
2012-131



NOTES

- * CURRENT ZONING R-1
- * 73,960 SQ. FT. 1.68 ACRES
- USE EXISTING HOUSE

TAX MAP # 138M-C-004
CHATTANOOGA TN.

DON SKILES
6911 McClutcheon Rd
CHATTANOOGA TN. 37421
423-313-3910
DBSKILES11@yahoo.com

NOTICE

WHEREAS, petitions to amend Ordinance No. 6958, known as the Zoning Ordinance, have been proposed to the City Council of the City of Chattanooga:

1. The Chattanooga-Hamilton County Regional Planning Commission has recommended that the following petitions to rezone be approved:

2012-121 The Broadway Group, LLC/Lee McCay/Tiftonia Church of Christ. 151 Browns Ferry Road, from R-1 Residential Zone to C-2 Convenience Commercial Zone, subject to certain conditions.

2012-129 John Wise. 1810 Chestnut Street, from M-1 Manufacturing Zone to C-3 Central Business Zone, subject to certain conditions.

2012-131 Don Skiles. 6811 McCutcheon Road, from R-1 Residential Zone to R-3MD Moderate Density Zone, subject to certain conditions.

2012-137 Homebuilders Association/Teresa Groves. 3215, 3219, and 3221 Harrison Pike, from R-4 Special Zone to C-2 Convenience Commercial Zone, subject to certain conditions.

2012-140 Barry Evans/James Pratt. 402 Forest Avenue, from R-4 Special Zone to R-TZ Residential Townhouse Zero Lot Line Zone, subject to certain conditions.

2. The Chattanooga-Hamilton County Regional Planning Commission has recommended that the following petition to rezone be approved and denied in part:

2012-143 James D. Lee. 8203 East Brainerd Road, from R-1 Residential Zone and R-2 Residential Zone to C-2 Convenience Commercial Zone, subject to certain conditions.

3. The Chattanooga-Hamilton County Regional Planning Commission has recommended that the following petition to rezone be denied:

2012-117 Ericka Stearns. 906 East 10th Street, from R-1 Residential Zone to R-3 Residential Zone.

4. The Chattanooga-Hamilton County Regional Planning Commission has recommended that the following Special Exceptions Permit be approved:

2012-144 Chattanooga Construction Company, LLC. 100 thru 200 blocks of Templeton Lane, for a Residential Planned Unit Development.

5. The Chattanooga-Hamilton County Regional Planning Commission has recommended that the following amendment be made to the Chattanooga City Code, Part II, Chapter 38, known as the Chattanooga Zoning Ordinance by:

- (a) Amending Section 38-672, Method of procedure, to include special permit petition acceptance.

The City Council of the City of Chattanooga, Tennessee will hold a public hearing in the Council Assembly Room, City Council Building, 1000 Lindsay Street, Room 101, Tuesday,

November 13, 2012

at 6:00 p.m. for the purpose of hearing any person whose property may be affected by, or who may otherwise be interested in, said amendments.

This the ____ day of _____, 2012.

Carol K. O'Neal, CMC
Clerk to the City Council