

First Reading: _____
Second Reading: _____

2013-146
John Anderson/James P. Little
District No. 1
Planning Version

ORDINANCE NO. _____

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 1418 O'GRADY DRIVE, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE TO R-3 RESIDENTIAL 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 1418 O'Grady Drive, more particularly described herein:

An unplatted tract of land located at 1418 O'Grady Drive, beginning on the northeast side of O'Grady Drive and going northeast 349.23 feet, thence northeast 281.49 feet, thence northeast an additional 251.82 feet, thence southeast 221.73 feet, thence southwest 186 feet, thence southwest 158.36 feet, thence southwest 515.74 feet, thence northwest 50.56 feet to the point of beginning, being part of the property described in Deed Book 9920, Page 903, ROHC. Tax Map No. 134-038 (part).

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

SECTION 2. BE IT FURTHER ORDAINED, That this rezoning shall be approved subject to a single-family detached dwelling or Short-Term Vacation Rental 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: _____

CHAIRPERSON

APPROVED: _____ DISAPPROVED: _____

MAYOR

/mms

First Reading: _____
Second Reading: _____

2013-146
John Anderson/James P. Little
District No. 1
Applicant Version

ORDINANCE NO. _____

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 1418 O'GRADY DRIVE, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE TO R-3 RESIDENTIAL ZONE.

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

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

Passed on second and final reading: _____

CHAIRPERSON

APPROVED: _____ DISAPPROVED: _____

MAYOR

/mms

2013-146 City of Chattanooga
November 11, 2013

RESOLUTION

WHEREAS, John Anderson/James P. Little 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-3 Residential Zone, property located at 1418 O' Grady Drive.

An unplatted tract of land located at 1418 O'Grady Drive, beginning on the northeast side of O'Grady Drive and going northeast 349.23 feet, thence northeast 281.49 feet, thence northeast an additional 251.82 feet, thence southeast 221.73 feet, thence southwest 186 feet, thence southwest 158.36 feet, thence southwest 515.74 feet, thence northwest 50.56 feet to the point of beginning, being part of the property described in Deed Book 9920, Page 903, ROHC. Tax Map 134-038 (part) as shown on the attached map.

AND WHEREAS, the Planning Commission held a public hearing on this petition on November 11, 2013,

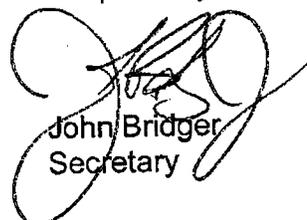
AND WHEREAS, the Planning Commission heard and considered all statements favoring the petition,

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 November 11, 2013, recommended to the Members of the City Council of the City of Chattanooga that this petition be approved, subject to a single-family detached dwelling or Short-Term Vacation Rental only.

Respectfully submitted,


John Bridger
Secretary

ZONING APPLICATION FORM**CASE NUMBER: 2013-146**

Date Submitted: 10-10-2013

(Sections 1-6 below to be filled out by Applicant- RPA staff will assist, if needed)

1 Applicant Request

Zoning	From: R-1	To: R-3
Total Acres in request area: 2.52		

2 Property Information

Property Address:	1418 O'Grady Drive, Chattanooga, TN 37419
Property Tax Map Number(s):	134-038 (Part)

3 Proposed Development

Reason for Request and/or Proposed Use:	Short-Term Vacation Home
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4 Site Characteristics

Current Zoning:	R-1
Current Use:	Residential
Adjacent Uses:	Residential (Special events and overnight accommodations)

5 Applicant Information

All communication will be with the Applicant. If the applicant is not the property owner, the RPA requires a letter from the property owner(s) confirming that the applicant has permission to file this application on his/her behalf.

Name: John Anderson	Address: 633 Chestnut Street		
Check one:	<input type="checkbox"/> I am the property owner	<input checked="" type="checkbox"/> I am not the property owner	
City: Chattanooga	State: TN	Zip Code: 37450	Email: janderson@khpc.com
Phone 1: 423-756-8400	Phone 2:	Phone 3:	Fax:

6 Property Owner Information (if not applicant)

Name: James P. Little	Phone: 423-341-1336
Address: 1322 Sunset Drive, Signal Mountain, TN 37377	

Office Use Only:

Planning District: 7	Neighborhood: Lookout Valley Neighborhood		
Hamilton Co. Comm. District: 6	Chatt. Council District: 1	Other Municipality:	
Staff Rec.:	PC Action/Date:	Legislative Action/Date/Ordinance:	

Checklist

<input checked="" type="checkbox"/> Application Complete	<input checked="" type="checkbox"/> Ownership Verification	<input checked="" type="checkbox"/> Map of Proposed Zoning Area with dimensions
<input checked="" type="checkbox"/> Site Plan, if required	<input checked="" type="checkbox"/> Total Acres to be considered: 2.52	<input checked="" type="checkbox"/> Deeds
<input type="checkbox"/> Plats, if applicable		

Deed Book(s): 9920-903

Plat Book/Page: N/A	<input checked="" type="checkbox"/> Notice Signs	Number of Notice Signs: 1
<input checked="" type="checkbox"/> Filing Fee: 295.00	Cash	<input checked="" type="checkbox"/> Check
		Check Number: 13611

Planning Commission meeting date: November 11, 2013	Application processed by: Marcia Parker
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STAFF RECOMMENDATION (Rezoning, Special Permits & Mandatory Referrals)

Case Number: 2013-146 **PC Meeting Date:** 11-11-2013

STAFF RECOMMENDATION: APPROVE, subject to a single-family detached dwelling or Short-Term Vacation Rental only.

**Land Use & Transportation
Comments**

Planning Staff:

Applicant Request Overview

The applicant is requesting to rezone 1418 O'Grady Drive from the R-1 Residential to R-3 Residential for a Short-Term Vacation Rental home.

For clarification, the following is the definition a Short-Term Vacation Rental from the Chattanooga Zoning Ordinance:

Short-Term Vacation Rental: A single family detached dwelling unit that is rented in part or its entirety on a daily or weekly basis for not more than thirty (30) days for overnight stay where a permanent residence is not established (mailing address, vehicle registration, etc.) and are generally advertised or otherwise held out to the public. Short-Term Vacation Rentals are also sometimes referred to as "tourist homes" or "short-term residential rentals" and advertised as such. Short-Term Vacation Rentals do not include hotels, motels, or bed and breakfast establishments. Short-Term Vacation Rentals are only permitted in zoning districts that specifically list them as a permitted use, provided that:

1. There shall be no signage.
2. The residence shall not be rented for events such as weddings, business meetings, or other such group events.
3. There shall be no more than five (5) sleeping rooms.

Site Description

The parcel is 5.02 acres in size with a single-family dwelling. Located in the Lookout Valley Neighborhood, the site is near the border of the City of Chattanooga and Hamilton County. The immediately adjoining property is zoned R-1 Residential and used as a farm. The nearby City of Chattanooga properties are zoned R-1 Residential Zone, R-3 Residential Zone and C-2 Convenience Commercial. The nearby Hamilton County properties are zoned R-1 Single Family Residential District, RT-1 Residential Townhouse District and R-5 Single-Wide Manufactured Home District. The area's primary land use is residential. There is one Bed and Breakfast and one restaurant in the nearby area.

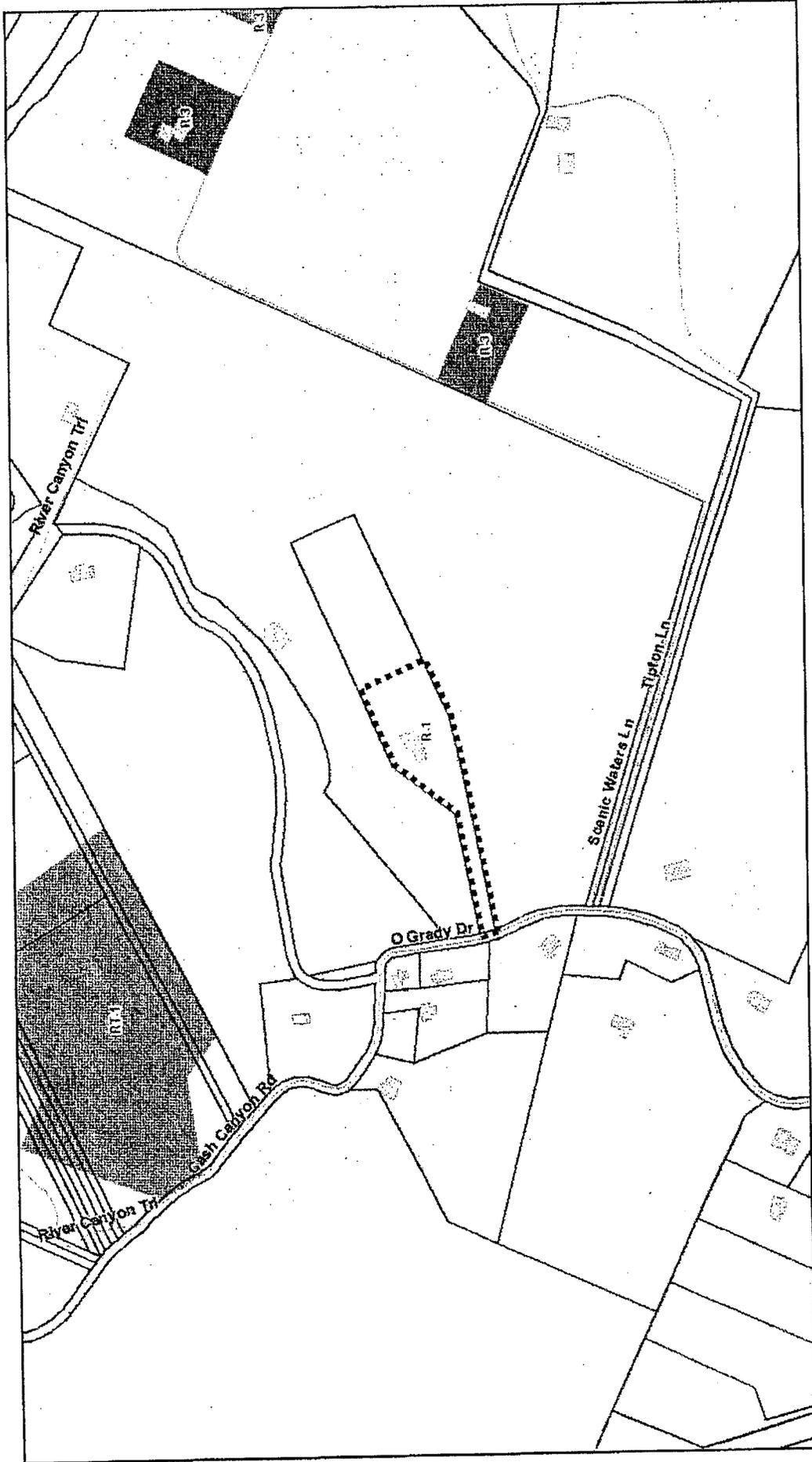
Plans/Policies

The 2003 Lookout Valley Area Plan recommends open space residential for this property.

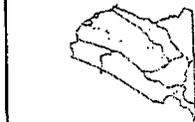
Open Space Residential. This land use classification is intended for detached or attached, single-family dwellings with a density of one to four units per acre. (Page 3-2. 2004 Lookout Valley Area Plan)

STAFF RECOMMENDATION (Rezoning, Special Permits & Mandatory Referrals)

	<p><u>Staff Recommendation</u></p> <p>Staff recommends this application receive approval with conditions based on the discussion below.</p> <p>The property is located on a local road and contains a garage and two driveway parking spaces. Staff previously reviewed the parking and traffic activity associated with short-term vacation rentals, and determined they are equal to that of single-family residential homes.</p> <p>The community land use plan recommends single-family dwellings for this area and the applicant plans to use the existing single-family structure. Staff recommends that conditions be added to this approval to limit the uses to single-family dwellings and short-term vacation rentals.</p>
Infrastructure & Operational Comments	<p>All land development projects are reviewed by City Engineering & Water Quality staff, Traffic Engineering & Operations staff, and the Land Development Office staff. In addition to the requirements of the City of Chattanooga Zoning Ordinance, all land development is further required to comply with current City of Chattanooga traffic regulations, building and development codes, storm water/water quality regulations, and the landscape ordinance.</p>



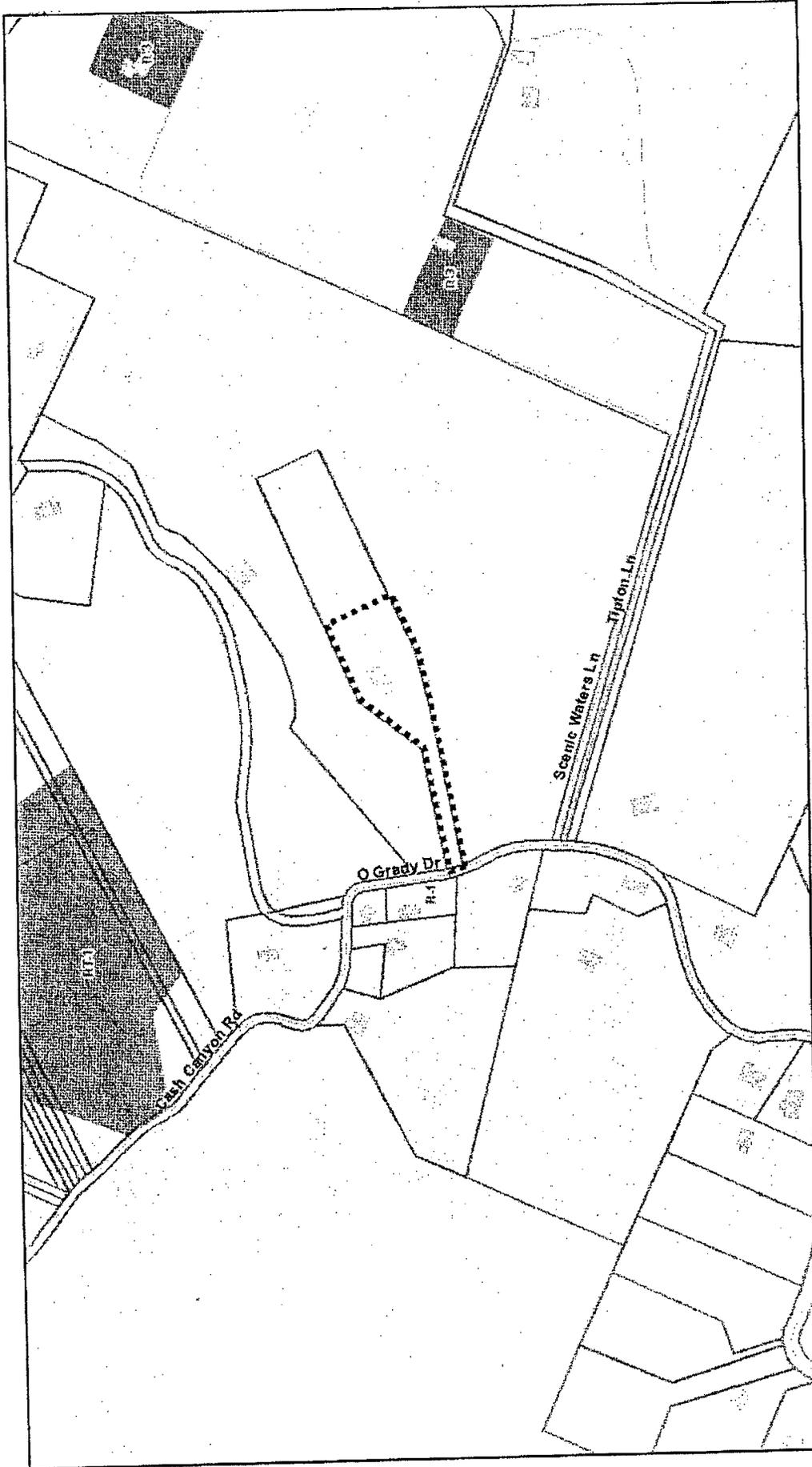
2013-146 Rezoning from R-1 to R-3



425 ft



Chattanooga Hamilton County Regional Planning Agency



2013-146 Rezoning from R-1 to R-3

PLANNING COMMISSION RECOMMENDATION FOR CASE NO. 2013-146: Approve, subject to a single-family detached dwelling or Short-Term Vacation Rental only.



425 ft



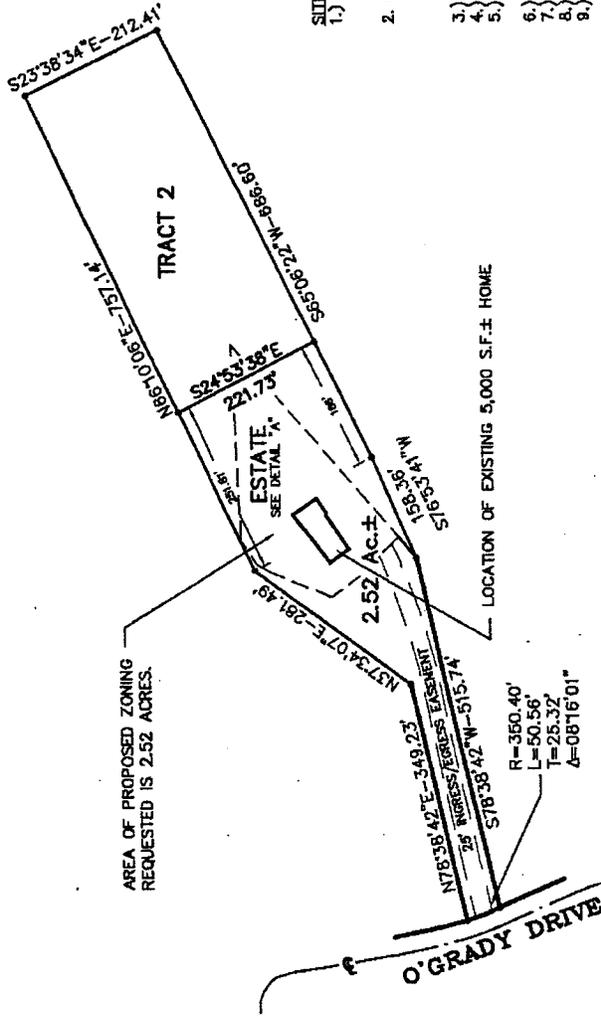
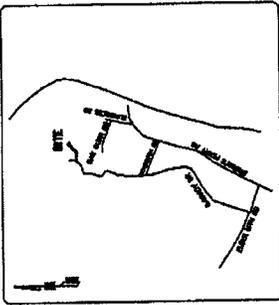
Chattanooga Hamilton County Regional Planning Agency



SURVEY DRAWING FOR REZONING

SCALE: 1" = 200' DATE: 10-25-13

TN STATE GRID NAD 83



AREA OF PROPOSED ZONING REQUESTED IS 2.52 ACRES.

LOCATION OF EXISTING 5,000 S.F.± HOME

R=350.40'
L=50.56'
T=25.32'
A=08°16'01"

SITE PLAN NOTES:

- 1.) OWNER- JAMES P. LITTLE
1322 SUNSER DRIVE
SIGNAL MOUNTAIN, TN 37377
CONTACT- JOHNSON R. ANDERSON
633 CHESTNUT ST., SUITE 900
(423) 758-8400
jranderson@hjkinc.com
2. PROJECT
- 3.) TOTAL AREA REQUESTED FOR REZONING = 2.52 ACRES
- 4.) ONE DWELLING UNIT PROPOSED ON 2.52 ACRES
- 5.) CURRENT ZONING: R-1
REQUESTED ZONING: R-3
- 6.) NO REWORK OR PROPERTY LINES IS PROPOSED.
- 7.) ACCESS TO SITE IS FROM O'GRADY DRIVE TO THE WEST.
- 8.) NO BUILDING EXPANSION OR NEW BUILDINGS ARE CURRENTLY PROPOSED.
- 9.) NO ADDITIONAL PARKING AREAS OR SITE REDESIGN IS PROPOSED.

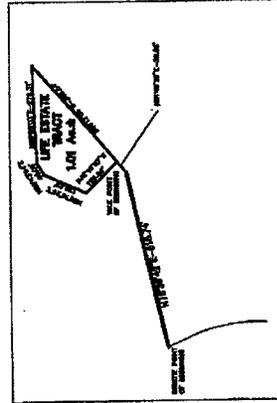
NO BOUNDARY SURVEY WAS MADE NOR IMPLIED

APPROVED BY THE STATE OF TENNESSEE
DAVID L. HOPKINS, JR., REGISTERED LAND SURVEYOR NO. 120



HOPKINS SURVEYING GROUP

David L. Hopkins, Jr. - Registered Land Surveyor No. 120
175 Hamm Road - P.O. Box 4366
Chattanooga, Tennessee 37405
(423) 267-3751 Office/ (423) 267-0611 Facsimile
Copyright - By Hopkins Surveying Group



DETAIL A
N.T.S.

DRAWING NO. 2013-184-1

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:

2013-146 John Anderson/James P. Little. 1418 O'Grady Drive, from R-1 Residential Zone to R-3 Residential Zone, subject to certain conditions.

2013-148 Thomas Palmer/Dan Rose. 1512 Market Street and 5 East 16th Street, from M-1 Manufacturing Zone to C-3 Central Business Zone, subject to certain conditions.

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

2013-149 Joseph Ingram/Leslie C. Fox. 1000 Block of Dallas Road for a Residential Planned Unit Development.

3. The Chattanooga-Hamilton County Regional Planning Commission has recommended that the following condition be lifted and denied:

2013-134 B & M Development. 1309 Panorama Drive, to lift condition #1 from Ordinance No. 12581 of previous Case No. 2012-015.

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,

December 10, 2013

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 _____, 2013.

Sandra Freeman
Clerk to the City Council