

First Reading: _____
Second Reading: _____

2014-026
Dan Dykstra
District No. 2

ORDINANCE NO. _____

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, SO AS TO REZONE PROPERTY LOCATED AT 332 SYLVAN STREET, MORE PARTICULARLY DESCRIBED HEREIN, FROM R-2 RESIDENTIAL ZONE TO R-3 RESIDENTIAL ZONE, TO BE APPROVED AS A SINGLE FAMILY, SHORT TERM VACATION RENTAL ONLY.

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 332 Sylvan Street, to be approved as a single family, short term vacation rental only, more particularly described herein:

Lot 4 of the Amended Map of Frazier Addition No. 2, Plat Book 11, Page 41, ROHC, being the property described in Deed Book 10165, Page 974, ROHC. Tax Map No. 126M-K-003.

and as shown on the maps attached hereto and made a part hereof by reference, from R-2 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

/mem

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CHAIRPERSON

APPROVED: ____ DISAPPROVED: ____

MAYOR

/mem

ZONING APPLICATION FORM

CASE NUMBER:	2014-026	Date Submitted: 03-05-2014	
(Sections 1-6 below to be filled out by Applicant- RPA staff will assist, if needed)			
1 Applicant Request			
Zoning	From: R-2	To: R-3	
Total Acres in request area: 0.22			
2 Property Information			
Property Address:	332 Sylvan Street		
Property Tax Map Number(s):	126M-K-003		
3 Proposed Development			
Reason for Request and/or Proposed Use:	Nightly/Weekly Vacation Rental		
4 Site Characteristics			
Current Zoning:	R-2		
Current Use:	Residential		
Adjacent Uses:	Residential & Vacant Lots		
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: Dan Dykstra		Address: 332 Sylvan Street	
Check one:	<input checked="" type="checkbox"/> I am the property owner	<input type="checkbox"/> I am not the property owner	
City: Chattanooga	State: TN	Zip Code: 37405	Email: da3n@hotmail.com
Phone 1: 423-314-2150	Phone 2:	Phone 3:	Fax:
6 Property Owner Information (if not applicant)			
Name: Same		Phone:	
Address:			
Office Use Only:			
Planning District: 8B		Neighborhood: Hill City & North Shore	
Hamilton Co. Comm. District: 6		Chatt. Council District: 2	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"/>	Deeds
<input checked="" type="checkbox"/>	Site Plan, if required	<input checked="" type="checkbox"/>	Plats, if applicable
Total Acres to be considered: 0.22			
Deed Book(s): 10165-974			
Plat Book/Page: 11-41		<input checked="" type="checkbox"/>	Notice Signs
		Number of Notice Signs: 1	
<input checked="" type="checkbox"/>	Filing Fee: \$150.00	<input checked="" type="checkbox"/>	Cash
		<input checked="" type="checkbox"/>	Check
		Check Number: 3015	
Planning Commission meeting date: April 14, 2014		Application processed by: Marcia Parker	

PLANNING COMMISSION RECOMMENDATION TO CITY COUNCIL

Case Number:	2014-026	PC Meeting Date: 4-14-2014
PC RECOMMENDATION:	APPROVE, subject to use as a single family residence or short term vacation rental only.	
Reason(s) for Recommendation	❖ The R3 Residential Zone with conditions is appropriate for this site.	
Applicant Present at PC Meeting?	Yes	
Opposition Present at PC Meeting?	Yes	

STAFF CASE REPORT TO PLANNING COMMISSION

Case Number: 2014-026 PC Meeting Date: 4-14-2014

STAFF RECOMMENDATION: DENY

Land Use & Transportation Comments

Planning Staff:

Applicant Request Overview

The applicant is requesting to rezone property located at 332 Sylvan Street from R-2 Residential to R-3 Residential for short-term vacation rental.

Site Description

The lot is approximately 0.22 acres with a single-family detached dwelling. The house sits near the top of the hill with a parking pad located at the street level.

Zoning History

There are twenty residential lots on this section of Sylvan Street. Ten lots are on the south side of the street, all zoned R-2 Residential and ten lots are on the north side, all zoned R-1 Residential. 332 Sylvan Street is located on the south side of the street. However, all of these properties are currently being used for single-family homes. There are several properties to the east at the intersection of Sylvan Street and Forest Avenue that are zoned R-3 Residential. However, those lots all front Forest Avenue.

Plans/Policies

The property is located in the 2003 Hill City/Northside Neighborhood Plan boundary. This Plan recommends Medium-Density Residential for this property. The Plan defines Medium-Density Residential as single-family townhomes and patio homes.

Infrastructure & Operational Comments

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.

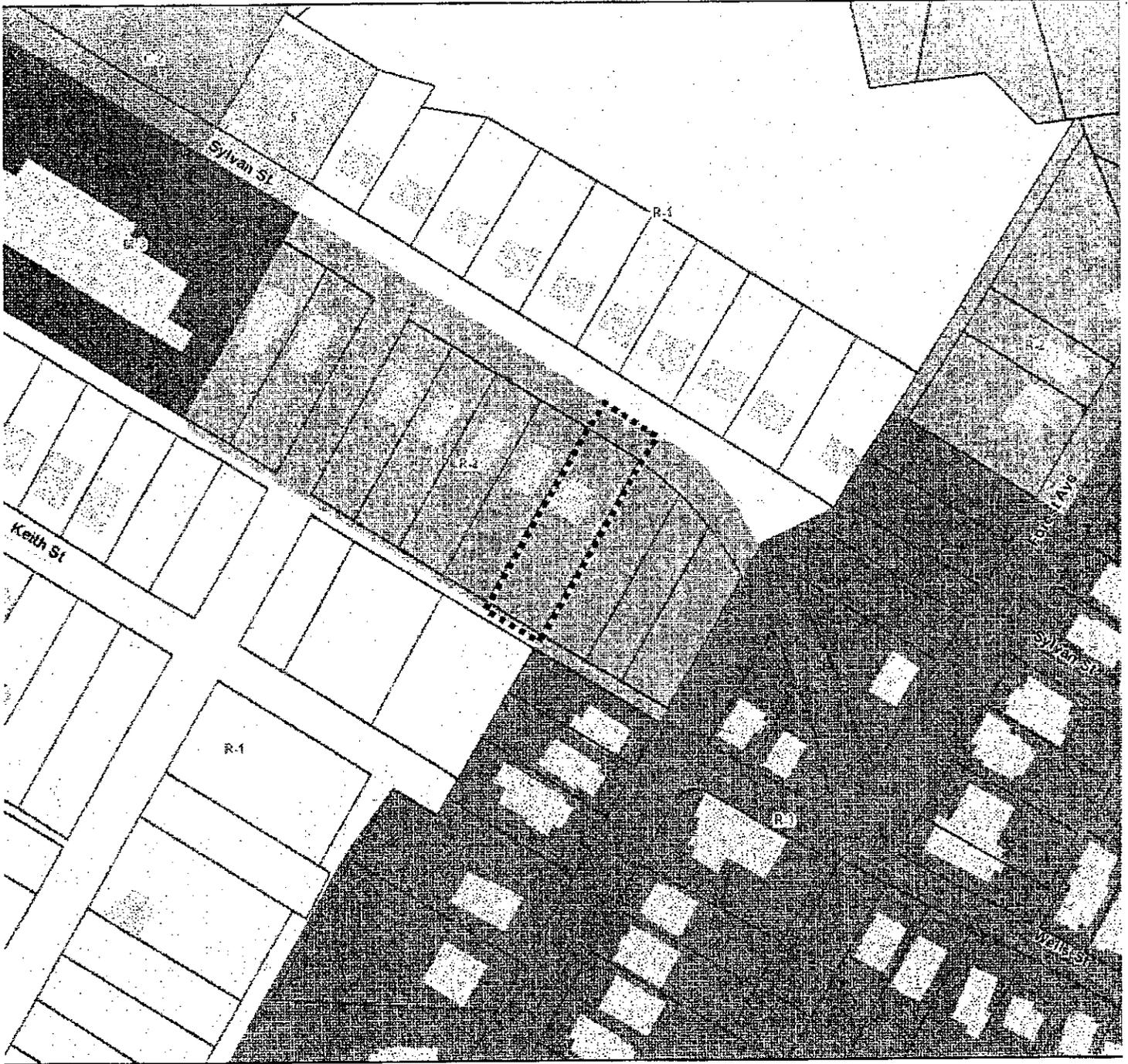
Additional requirements, if needed, are indicated by department below either as comments or as conditions recommended to be attached to the final ordinance.

Summary

The staff is recommending to deny the request to rezone the property from R-2 Residential to R-3 Residential.

STAFF CASE REPORT TO PLANNING COMMISSION

The R-3 Residential Zone would not be appropriate at this particular location. Even though the surrounding zoning classifications are R-2 Residential and R-1 Residential across the street, Sylvan Street is primarily comprised of single-family residential structures. Introducing a higher residential zoning classification that permits multi-family dwellings and boarding and lodging homes would not be in keeping with adjacent residential uses and the single-family residential character of Sylvan Street.



2014-026 Rezoning from R-2 to R-3

PLANNING COMMISSION RECOMMENDATION OF CASE NO. 2014-026: Approve as a single-family, short term vacation rental only.

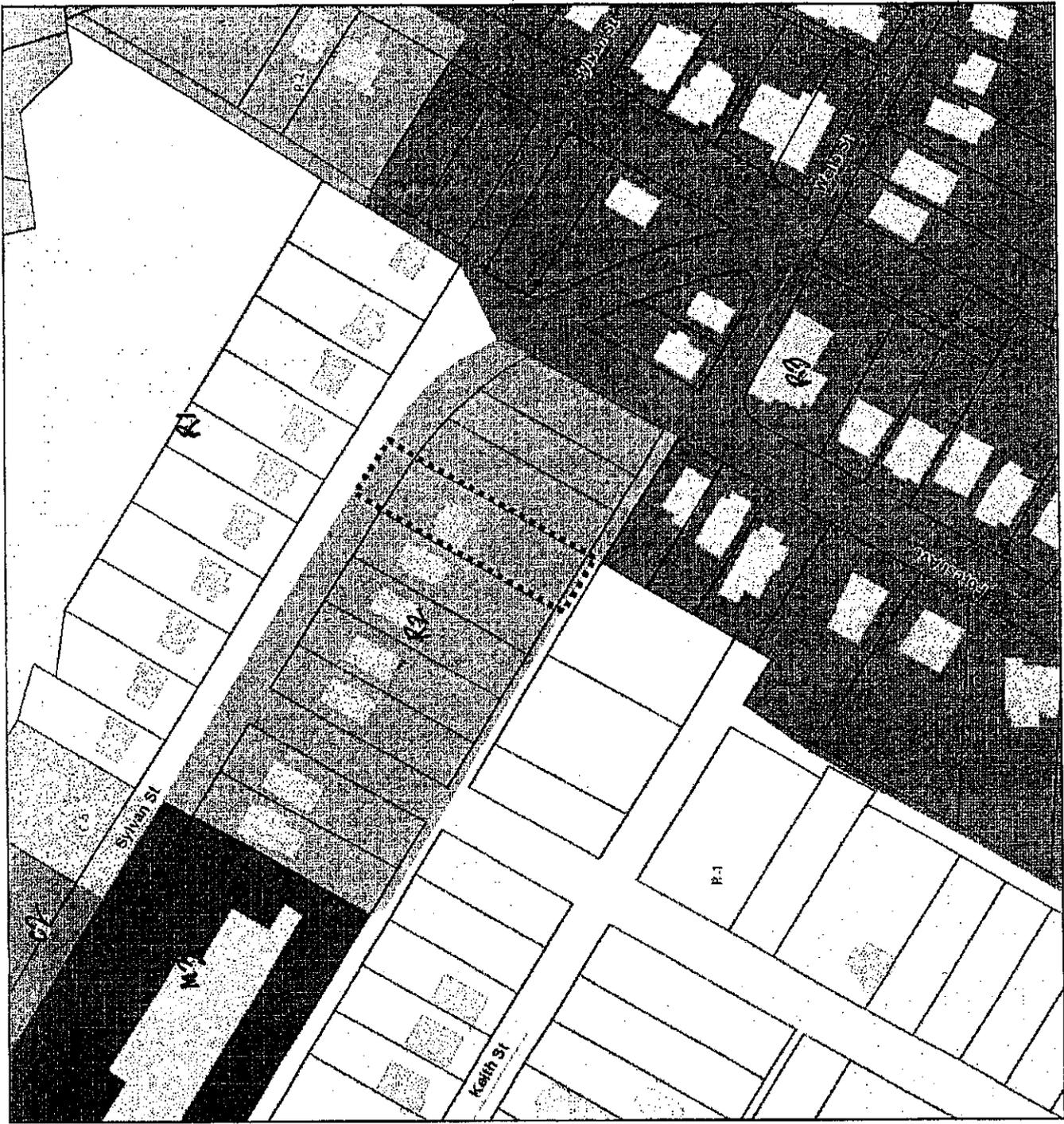


135 ft



Chattanooga Hamilton County Regional Planning Agency





2014-026 Rezoning from R-2 to R-3



133 R

NOTICE

WHEREAS, petition to amend Ordinance No. 6958, known as the Zoning Ordinance, has 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:

2014-023 Elemi Architecture, LLC/Matt Winget/Paul Teruya/ALC Holdings, LLC. 1690 Silvels Lane, 109 Old Mountain Road, and 1605 W. 39th Street, from R-1 Residential Zone, R-2 Residential Zone, and C-2 Convenience Commercial Zone to UGC Urban General Commercial Zone, as amended per site plan.

2014-025 City of Chattanooga/RPA. 8607, 8613, and 8619 North Hickory Valley Road and 5210 Highway 58, from Temporary R-3 Residential Zone to Permanent R-3 Residential Zone per City Code Article X-11, Section 38-653, Planning Commission Zoning Plan to establish permanent zone for area annexed by Ordinance No. 12803.

2014-026 Dan Dykstra. 332 Sylvan Street, from R-2 Residential Zone to R-3 Residential Zone, as a single family, short term vacation rental only.

2014-029 Passpointe Engineering/Jan Pass/Woodland Park Baptist Church. 6700 block of Standifer Gap Road, from R-1 Residential Zone and R-2 Residential Zone to R-4 Special Zone, subject to certain conditions.

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

2014-028 The Southern Land Company/Obar Investments. 3886 Cummings Road, for a Residential Planned Unit Development, subject to certain conditions.

2014-030 Passpointe Engineering/Jan Pass/Woodland Park Baptist Church. 6700 block of Standifer Gap Road, for an Institutional Planned Unit Development.

2014-031 Lee Hodges/Housing Trust Group/ERB, LLC. 1351 Reserve Way and 7650 East Brainerd Road, for a Residential Planned Unit Development, subject to certain conditions.

4. The Chattanooga-Hamilton County Regional Planning Commission has recommended that the following amendment be made to the Chattanooga City Code, Part II, Chapter 38-2, known as the Chattanooga Zoning Ordinance by:

- (a) Deleting the definition of "Building, Height of" in its entirety and substitute in lieu thereof;
- (b) Adding the definition "Grade Plane".

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,

May 13, 2014

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 _____, 2014.

Sandra Freeman
Clerk to the City Council

2014-026 City of Chattanooga
April 14, 2014

RESOLUTION

WHEREAS, Dan Dykstra petitioned the Chattanooga-Hamilton County Regional Planning Commission to recommend to the Members of the City Council of the City of Chattanooga the rezoning R-2 Residential Zone to R-3 Residential Zone, property located at 332 Sylvan Street.

Lot 4 of the Amended Map of Frazier Addition No. 2, Plat Book 11, Page 41, ROHC, being the property described in Deed Book 10165, Page 974, ROHC. Tax Map 126M-K-003 as shown on the attached map.

AND WHEREAS, the Planning Commission held a public hearing on this petition on April 14, 2014,

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

AND WHEREAS, there was opposition present 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 April 14, 2014, recommended to the Members of the City Council of the City of Chattanooga that this petition be approved as a single family, short term vacation rental only.

Respectfully submitted,



John Bridger
Secretary