

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING SUSAN C. CRUZE TO USE TEMPORARILY A FENCE/GATE ON BOTH LOTS LOCATED AT 28 AND 34 SHALLOWFORD ROAD FOR PRIVACY AND SECURITY, AS SHOWN ON THE MAP AND PHOTOS ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE, SUBJECT TO CERTAIN CONDITIONS.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE, That SUSAN C. CRUZE, (hereinafter referred to as “Temporary User”) be and is hereby permitted to use temporarily a fence/gate on both lots located at 28 and 34 Shallowford Road for privacy and security, as shown on the map and photos attached hereto and made a part hereof by reference.

BE IT FURTHER RESOLVED, That said temporary usage shall be subject to the following conditions:

1. Temporary User may execute the Indemnification Agreement prior to the granting of a temporary use by the City Council provided that any obligation to Indemnify and hold the City of Chattanooga, its officers, agents and employees harmless for any claims for damages for injuries to persons or property shall be void if the Temporary Use is not granted to applicant by the Chattanooga City Council. Temporary User agrees to comply with all terms and conditions of the Indemnification Agreement in the event a temporary use is granted by the City Council.

2. Temporary User agrees to vacate the property and temporary use upon reasonable notice from the City to do so.

3. Temporary User shall provide adequate access for maintenance of any utilities located within the easement.

4. The fence is not to be within the twenty-five (25') foot sight triangle.

5. Temporary User shall obtain necessary permits and approvals from the City of Chattanooga Land Development Office.

6. The driveway apron shall follow the latest city standards.

7. The driveway will be paved for its first ten (10') feet behind the driveway apron.

ADOPTED: _____, 2015

/mem

City of Chattanooga



Resolution Request Form

(This form is only required for resolutions requiring expenditure of City funds)

Date Prepared: January 12, 2015

Preparer: Blythe Bailey

BB

Department: Transportation

Brief Description of Purpose for Resolution:

Resolution Number (if approved by Council):

District 9

A City Council Action is requested to authorize, Ms. Susan C. Cruze, a temporary use permit #141823 for a fence/gate on both lots for privacy and security as shown on the attached photo.

APPROVED WITH CONDITIONS

Total project cost \$ n/a
Total City of Chattanooga Portion \$ n/a
City Amount Funded \$ n/a
New City Funding Required \$ n/a
City's Match Percentage % n/a

New Contract/Project? (Yes or No) n/a
Provide Fund n/a
Provide Cost Center n/a
Proposed Funding Source n/a
Grant Period (if applicable) n/a

List all other funding sources and amount for each contributor.

	Grantor(s)

Agency Grant Number _____

CFDA Number if known _____

Other comments: (Include contingency amount, contractor, and other information useful in preparing resolution)

Approved by: _____

Reviewed by: FINANCE OFFICE

DESIGNATED OFFICIAL/ADMINISTRATOR

Please submit completed form to @budget, City Attorney and City Finance Officer

Memorandum

To: Brandon Sutton ^{BS}
From: Ed Bowen
cc: Bertran Kuyrkendall; Brent Derrick ^{BS} ^{BD}
Date: January 5, 2015
Re: Temporary Usage Request #141823
28 and 34 Shallowford Road (District 9)
Susan C. Cruze
Recommendations Regarding Temporary Usage Request

I have completed my review of Ms. Cruze's request for Temporary Usage at 28 and 34 Shallowford Road to fence/gate both lots for privacy and security as shown on the attached photo. My comments are as follows:

- Ms. Cruze has been robbed two times. Therefore, she would appreciate having the request expedited for security reasons. That would also allow her to start her business (a bed and breakfast), so that she will have an income.
- She owns both lots through which the highlighted (blue) alley passes.
- She would like to install a fence where shown by the red lines on the attached photo and have a gate at each of the two places where they cross the alley.
- The city of Chattanooga does not have sanitary sewer infrastructure in the subject area.

After review, granting this Temporary Usage does not conflict with the public's interest. Therefore, I recommend that the request for *Temporary Usage be approved with these conditions:*

- The fence is not to be within the 25' sight triangle.
- The applicant shall obtain necessary permits and approvals from the city of Chattanooga Land Development Office.
- The driveway apron shall follow the latest city standards.
- The driveway will be paved for its first 10' behind the driveway apron.



SR# 912163
NO# 141823

For Office Use Only
Ronnie Daban
Technician Signature 12/3/14

12/3/14

(DATE)

Bertran Kuyrkendall, P.E.
Transportation Engineer
Development Resource Center
1250 Market Street, Suite 3000
Chattanooga, Tennessee 37402

Re: Request for Temporary Usage

Dear Mr. Kuyrkendall:

This is a request for a temporary usage of 28 SHALLOWFORD RD. for privacy of Security (SHE HAS BEEN COBBED TWICE)

The reason for this request is as follows:

for use of right of way space through property and extend driveway off Bird's Mill Road

In making this request: Temporary User agrees as follows:

1. Temporary User will defend, indemnify, and hold harmless the City of Chattanooga, Tennessee its officers, agents, and employees from any and all claims for damages for injuries to persons or property related to or arising out of the aforementioned temporary use.
2. Temporary user agrees to comply with any and all conditions recommended by the City Transportation Engineer and/or City Transportation Department and approved by the Chattanooga City Council during the review of this application. The failure to comply with any condition approved by the City Council may be grounds for revocation of this temporary use at any time after its approval
3. Temporary User will vacate the property and temporary use upon reasonable notice from the City to do so; the parties have to agree that reasonable notice shall be deemed to be thirty (30) days to restore the property to substantially the same condition that existed prior to granting the temporary use, including complying with any environmental regulations upon the request of the city to vacate the property and temporary use.
4. Temporary User will provide full access for maintenance of any utilities located within the easement.
5. Temporary User will obtain any and all other permits, variances, or approvals necessary to accommodate the temporary use.
6. Temporary user agrees to maintain the property in the condition equal to or better than the condition at the time the temporary use is granted.
7. If this request is for maintaining wells the applicant will upon satisfactory completion of use as determined by the Tennessee Department of Environment and Conservation, the wells will be abandoned using standard and acceptable practices, which shall include grouting from the bottom to top with a mixture of Portland cement and powdered bentonite and restoring the surface to its original condition as reasonably as possible.

My address and phone number is as follows:

28 Shallowford Road 423-718-4498
Chatt. TN 37404 (email address) FOML 333 2 yahr od. cam
Susan C. CRUZE Susan Cruze 12-4-2014
(Print) Applicant Name (Sign) Applicant Name Date
Susan C. CRUZE Susan Cruze 12-4-2014
(Print) Owner's Name (Sign) Owner's Name Date

This application must include the owner's signature and a site map of the referenced location to complete processing.

(Processing Fee of \$110.00 payable to: City of Chattanooga)

Susan Cruze
District 9 Temporary Use: 28 & 34 Shallowford Road
Fence/Gate Lots for Security



2692

Shallowford Rd

Birds Mill Rd

UNOPEN
TEMP USE

28

34

25









