

First Reading: \_\_\_\_\_  
Second Reading: \_\_\_\_\_

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE,  
PART II, CHAPTER 38, ZONING ORDINANCE, ARTICLE VIII,  
SECTION 38-563(6), JURISDICTION OF THE BOARD.

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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, Article VIII, Section 38-563, Jurisdiction of the Board, shall be amended to add subsection (6) as follows:

**ARTICLE VIII. - BOARD OF APPEALS FOR  
VARIANCES AND SPECIAL PERMITS**

**Sec. 38-563. Jurisdiction of the board.**

- (6) The Board shall not have any authority to change or vary conditions imposed by the City Council on a zoning ordinance change which has been adopted by the City Council by ordinance. Any condition imposed by the City Council in a zoning ordinance can only be lifted or amended by the City Council as a legislative act by that body.

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

Passed on second and final reading: \_\_\_\_\_

\_\_\_\_\_  
CHAIRPERSON

APPROVED: \_\_\_\_\_ DISAPPROVED: \_\_\_\_\_

\_\_\_\_\_  
MAYOR



**A RESOLUTION TO AMEND THE CHATTANOOGA CITY CODE,  
PART II, CHAPTER 38 ZONING ORDINANCE, ARTICLE VIII  
BOARD OF APPEALS FOR VARIANCE AND SPECIAL PERMITS,  
BY ADDING SUBSECTION (6) TO  
SECTION 38-563 JURISDICTION OF THE BOARD**

**WHEREAS**, the City of Chattanooga Board of Zoning Appeals has proposed Rules of Order and policies that address procedures, and

**WHEREAS**, Chapter 38 Zoning, Article VIII, Section 563 of the Chattanooga City Code, further addresses certain jurisdictions of the Board.

**NOW, THEREFORE, BE IT RESOLVED**, that the Chattanooga-Hamilton County Regional Planning Commission on November 9, 2015 does hereby recommend to the Chattanooga City Council that the following subsection be amended to add a new subsection as follows:

**Amend Section 38-563, Jurisdiction of the board, by adding subsection (6) as follows:**

- (6) The Board shall not have any authority to change or vary conditions imposed by the City Council on a zoning ordinance change which has been adopted by the City Council by ordinance. Any condition imposed by the City Council in a zoning ordinance can only be lifted or amended by the City Council as a legislative act by that body.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'John Bridger', is written over a horizontal line.

John Bridger, Secretary

Date of Adoption: November 9, 2015  
JB:GH:PD:sh  
BOANov2015