

ORDINANCE NO. 11538

AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS AMENDED, KNOWN AS THE ZONING ORDINANCE, SO AS TO AMEND CERTAIN CONDITIONS IMPOSED IN ORDINANCE NO. 11405, ON PROPERTY LOCATED AT 5809 WINDING LANE, BEING MORE PARTICULARLY DESCRIBED HEREIN, SUBJECT TO CERTAIN CONDITIONS.

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SECTION 1. BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE, That Ordinance No. 6958, as amended, known as the Zoning Ordinance, be and the same hereby is amended so as to amend certain conditions imposed by Ordinance No. 11405 on the following tracts of land:

A tract of land located at 5809 Winding Lane. Lot 2, Robert E. Johnson Family Subdivision, Plat Book 68, Page 60, ROHC, being part of the property described in Deed Book 6356, Page 296, ROHC. Tax Map 99E-C-035 (part).

SECTION 2. BE IT FURTHER ORDAINED, That this rezoning shall be subject to the following conditions:

1. Condition No. 2 of Ordinance No. 11405, which states, "A fifty foot (50') buffer of existing vegetation along the property line abutting the rear lot lines of the properties facing Sutton Drive to remain;" is hereby deleted and the following be substituted in lieu thereof:

"A fifty foot (50') wide buffer along the rear property lines of the residential lots facing Sutton Drive to be regraded and planted with landscaping materials as proposed in the attached Grading and Landscaping Plan;"

2. An irrigation system for landscape buffer area and trees to be kept alive

for a minimum of five (5) years, if they die or are destroyed they are to be replaced with the same height as the planted trees that are still alive;

3. Lighting to be directed away from residential properties along Sutton Drive and Winding Lane;

4. A six foot (6') high white solid vinyl fence be constructed along the east property line of 908 Sutton Drive with one (1) row of Leyland Cypress trees six feet (6') in height and planted on ten foot (10') centers by the applicant;

5. All remaining conditions of Ordinance No. 11405, remain in full force and effect; and

6. All existing easements are retained.

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

PASSED on Third and Final Reading

March 23, 2004.

S/ \_\_\_\_\_  
CHAIRPERSON

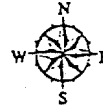
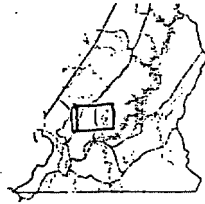
APPROVED:  X  DISAPPROVED: \_\_\_\_\_

DATE:  March 31 , 2004

S/ \_\_\_\_\_  
MAYOR

Reviewed By: s/ \_\_\_\_\_  
*David Eichenthal*

AKS/pm



# CHATTANOOGA

CASE NO: 2004-0015

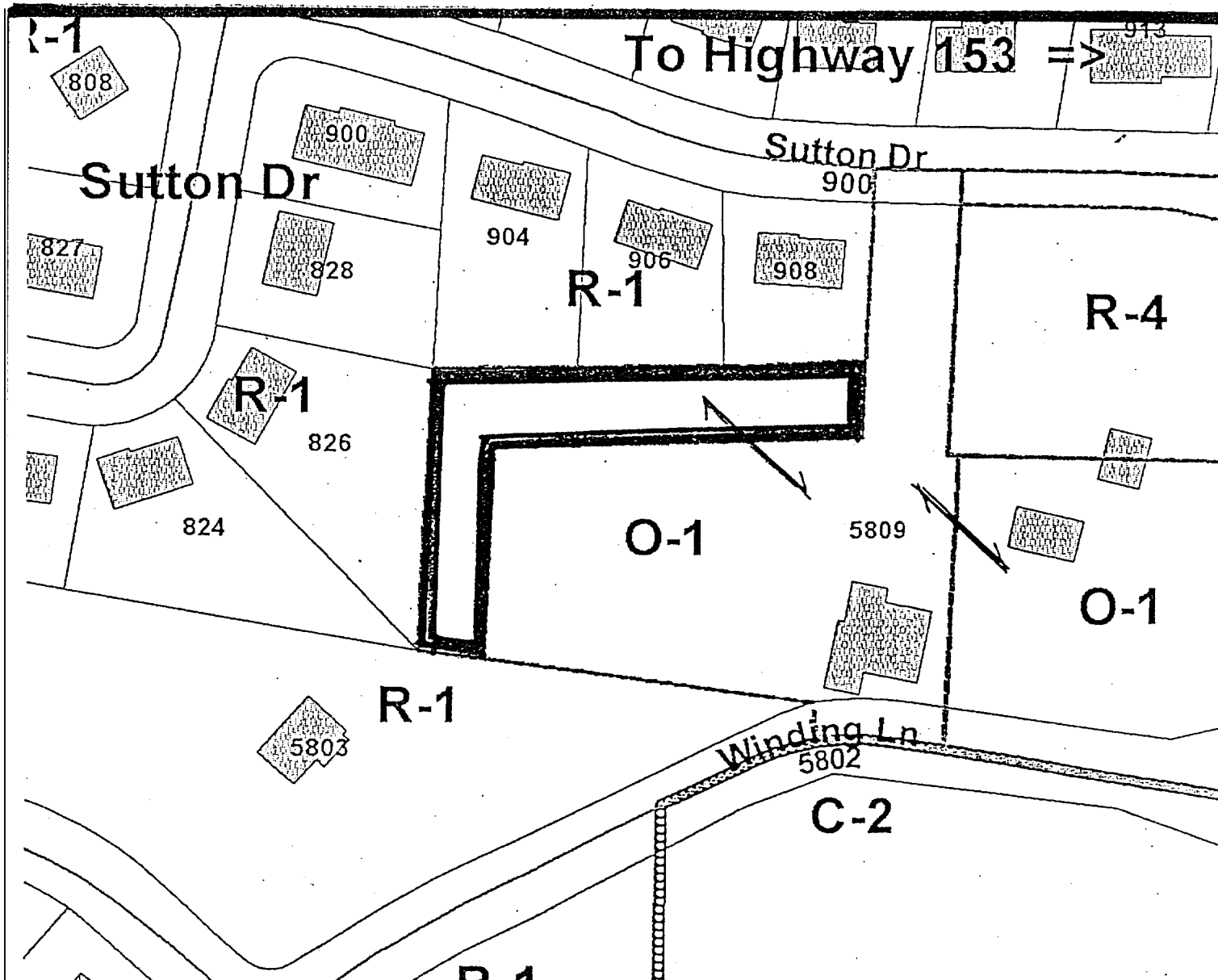
PC MEETING DATE: 1/12/2004 02109/2004

LIFT CONDITION

1 in. = 100.0 feet

PLANNING COMMISSION RECOMMENDATION FOR CASE NO. 2004-015: Approve, subject to:

- 1) Irrigation system for landscape buffer area and trees to be kept alive for a minimum of five years, if they die or are destroyed they are to be replaced with the same height as the planted trees that are still alive;
- 2) No lighting at rear of buildings; and
- 3) Leaving the 50 foot buffer area and upgrade the quality of its vegetative content between adjoining property owners as shown on the attached landscape plan.



**LIFT CONDITION ORD. # 11405 Item 2, A 50' buffer of existing vegetation along the property line abutting the rear lot lines of the properties facing Sutton Dr to**



