

First Reading: July 8, 2014
Second Reading: July 15, 2014

ORDINANCE NO. 12844

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, ARTICLE IV, GENERAL REGULATIONS, SECTION 38-25 TO ESTABLISH EXCEPTIONS FOR ANNEXED LOTS NOT FRONTING PUBLIC STREETS.

WHEREAS, Article IV, Section 38-25 requires that every residential building erected, reconstructed or structurally altered shall be located on a lot fronting a street; and

WHEREAS, There are recorded residential lots within the City of Chattanooga that do not front a street; and

WHEREAS, There recorded residential-zoned lots within the City of Chattanooga that do not front a street cannot be issued a building permit; and

WHEREAS, There is no current process by which annexed recorded residential-zoned lots without street frontage can be considered for development.

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 IV, Section 38-25, is hereby amended by deleting same in its entirety and substituting in lieu thereof the following:

Sec. 38-25. Lots to front street; exceptions.

Residential

Every residential building hereafter erected, reconstructed or structurally altered shall be located on a lot fronting a public street, except for any recorded lot that is currently five (5) acres or larger in size and was five (5) acres or larger in size at the time it was annexed into the City of Chattanooga and has a recorded access easement that is at least fifteen (15) feet wide for each lot it serves but not required to exceed fifty (50) feet.

The Board of Zoning Appeals may grant a variance to this requirement if the following two conditions apply:

- The recorded lot was smaller than five (5) acres at the time it was annexed into the City of Chattanooga.
- The recorded lot has a recorded access easement that is at least fifteen (15) feet wide for each lot it serves but not required to exceed fifty (50) feet.

Non-Residential

Every non-residential building and/or structure hereafter erected, reconstructed or structurally altered shall be located on a lot fronting a public street or a permanent recorded easement approved by the City of Chattanooga Transportation Department.

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

Passed on second and final reading: July 15, 2014



CHAIRPERSON

APPROVED: DISAPPROVED:



MAYOR

/mem