

RESOLUTION NO. 28083

A RESOLUTION AUTHORIZING GAYLE NEWMAN HILL TO USE TEMPORARILY AN ALLEY LOCATED AT THE REAR OF 915 OVERMAN STREET DUE TO THE STEEPNESS OF THE ALLEYWAY TOWARD WORTHINGTON STREET, TO BE USED AS A DRIVEWAY FOR ACCESS TO THE PROPERTY, AS SHOWN ON THE MAP ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE, SUBJECT TO CERTAIN CONDITIONS.

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BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CHATTANOOGA, TENNESSEE, That GAYLE NEWMAN HILL, (hereinafter referred to as “Temporary User”) be and is hereby permitted to use temporarily an alley located at the rear of 915 Overman Street due to the steepness of the alleyway toward Worthington Street, to be used as a driveway for access to the property, as shown on the map 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. Temporary User shall obtain necessary permits and approvals from the City of Chattanooga Land Development Office.

5. The driveway access must meet the minimum requirements per city codes and standards.

ADOPTED: December 2, 2014

/mem

# Memorandum

**To:** Brandon Sutton *BS*  
**From:** Ed Bowen  
**cc:** Bertran Kuyrkendall *BK*  
**Date:** November 14, 2014  
**Re:** Temporary Usage Request #139937  
915 Overman Street (District 2)  
Gayle Newman Hill

## Recommendations Regarding Temporary Usage Request

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I have completed my review of Ms. Hill's request for Temporary Usage of the alley at the rear of 915 Overman Street. Due to steepness of the alleyway toward Worthington Street, this will be used as a driveway for access to her property as shown on the attached map. My comments are as follows:

- The city of Chattanooga has no 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 applicant shall obtain necessary permits and approvals from the city of Chattanooga Land Development Office.
- The driveway apron must meet the minimum requirements per city codes and standards.



SR# 900974  
WO# 139937

**For Office Use Only**  
*Ronnie Dodson*  
Technician Signature 10/22/14

DATE) 10/22/14

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

**Re: Request for Temporary Usage**

Dear Mr. Kuyrkendall:

This is a request for a temporary usage of unopened alley way behind property

The reason for this request is as follows:

To access property as driveway. AT REAR OF 915 OVERMAN ST

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.
5. 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:

915 Overman St, Chattanooga TN 37405  
423-310-3634 (email address) gayle.newman@gmail.com

Gayle Newman Hill (Print) Applicant Name  
*Gayle Newman Hill* (Sign) Applicant Name  
10/22/14 Date

Gayle Newman Hill (Print) Owner's Name  
*Gayle Newman Hill* (Sign) Owner's Name  
10/22/14 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)

Gayle Newman Hill  
District: 2 Temporary Use: 915 Overman Street  
Access property via Unopened Alley

Garnett Aves

Northington St

Overman St

Grozier St

Drive Way

915 915

OPEN

OPEN

TEMP USE

OPEN

UNOP

