

ORDINANCE NO. 13881

AN ORDINANCE TO AMEND CHATTANOOGA CITY CODE, PART II, CHAPTER 38, ZONING ORDINANCE, ARTICLE IV, GENERAL REGULATIONS, TO DELETE IN ITS ENTIRETY SECTION 38-32, LOT SIZE, LOT FRONTAGE, SETBACK NOT TO BE REDUCED EXCEPTION AND RENUMBERING THE SECTIONS APPROPRIATELY.

WHEREAS, Section 38-32, Lot Size, Lot Frontage, Setback Not to be Reduced was added to the Chapter 38 in 2010 to streamline the process to permit the Chattanooga-Hamilton County Regional Planning Commission the authority to act on variances for lot size, lot frontage, or existing structure setback as part of the creation of a subdivision; and

WHEREAS, the Chattanooga-Hamilton County Regional Planning Commission under Tennessee Code Annotated Section 13-3-402(a)(2)(d) a regional planning commission may grant variances to the subdivision regulations, if such variances are adopted at a public meeting; and

WHEREAS, Tennessee Code Annotated Section 13-7-207, Powers of Board of Appeals (3) provides that variances to the strict application of zoning regulations is the power of the Board of Appeals; and

WHEREAS, this amendment is to delete in its entirety Section 38-32, Lot Size, Lot Frontage, Setback Not to be Reduced of the Chattanooga Zoning Regulations and such variances to zoning development standards in the Chattanooga Zoning Regulations is the authority of the Chattanooga Board of Zoning Appeals as authorized under Tennessee Code Annotated Section 13-7-207.

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, General Regulations, be and the same hereby is amended so as to delete

in its entirety Section 38-32, Lot Size, Lot Frontage, Setback not to be reduced exception.

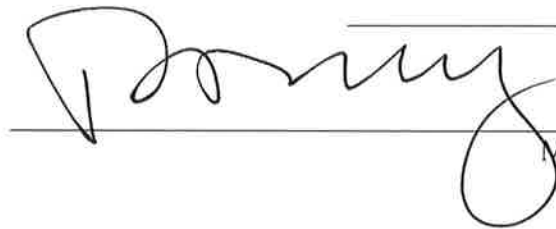
SECTION 2. BE IT FURTHER ORDAINED, That this Ordinance shall take effect two (2) weeks from and after its passage.

Passed on second and final reading: August 16, 2022



CHAIRPERSON

APPROVED: DISAPPROVED:



MAYOR

/mem