



October 19, 2016  
Date (Month, Day, Year)

# Hamilton County Board of Commissioners RESOLUTION

No. 1016-24

(P.C. NO. 2016-132)

**A RESOLUTION GRANTING A SPECIAL EXCEPTIONS PERMIT TO  
AMEND THE BOUNDARY OF AN EXISTING RESIDENTIAL  
PLANNED UNIT DEVELOPMENT OF PROPERTIES LOCATED AT  
8269 AND 8311 BALATA DRIVE**

**WHEREAS**, Bill Brennan petitioned the Chattanooga-Hamilton County Regional Planning Commission to grant a Special Exceptions Permit to amend the boundary of an existing Residential Planned Unit Development of properties located at 8269 and 8311 Balata Drive, and said Planning Commission after hearing recommended that this petition be approved; and

**WHEREAS**, Bill Brennan requested that the County Commission consider said petition and notice has been published in a newspaper in general circulation in Hamilton County that the County Commission will hold a public hearing on October 19, 2016, concerning the passage of this Resolution as required by law, and such hearing having been held.

**NOW, THEREFORE, BE IT RESOLVED, BY THIS COUNTY LEGISLATIVE BODY IN SESSION ASSEMBLED:** That the zoning regulations of Hamilton County be amended granting a Special Exceptions Permit to amend the boundary of an existing Residential Planned Unit Development of properties located at 8269 and 8311 Balata Drive. Lots 90 and 91, Revised Plat of Mountain Lake Estates Manor, Plat Book 85, Page 136, ROHC, Deed Book 10713, Page 1, ROHC. Tax Map 123C-B-044 and 046 as shown on the attached map.

**BE IT FURTHER RESOLVED, THAT THIS RESOLUTION TAKE EFFECT FROM AND AFTER ITS PASSAGE, THE PUBLIC WELFARE REQUIRING IT.**

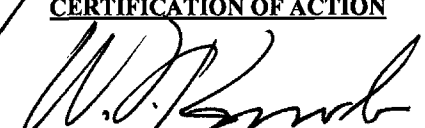
**CERTIFICATION OF ACTION**

Approved:

Rejected:

Approved:

Vetoed:

  
County Clerk

  
County Mayor

October 19, 2016

Date

2016-132 Hamilton County  
September 12, 2016

RESOLUTION

WHEREAS, Bill Brennan petitioned the Chattanooga-Hamilton County Regional Planning Commission to recommend to the County Mayor and Members of the County Commission granting a Special Exceptions Permit to amend the boundary of an existing Residential Planned Unit Development of properties located at 8269 and 8311 Balata Drive.

Lots 90 and 91, Revised Plat of Mountain Lake Estates Manor, Plat Book 85, Page 136, ROHC, Deed Book 10713, Page 1, ROHC. Tax Map 123C-B-044 and 046 as shown on the attached map.

AND WHEREAS, the Planning Commission held a public hearing on this petition on September 12, 2016,

AND WHEREAS, the Planning Commission heard and considered all statements regarding the petition,

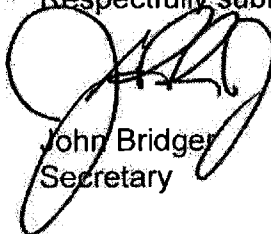
AND WHEREAS, no one was present in opposition to the petition,

AND WHEREAS, the Planning Commission has studied the petition in relation to existing zoning and land use and potential patterns of development,

AND WHEREAS, the Planning Commission has determined that the proposal is consistent with surrounding uses.

NOW THEREFORE, BE IT RESOLVED that the Planning Commission, on September 12, 2016, recommended to the Members of the City Council of the City of Chattanooga that this petition be approved.

Respectfully submitted,



John Bridger  
Secretary



## 2016-132 Special Exceptions Permit for a Residential PUD

PLANNING COMMISSION RECOMMENDATION FOR CASE NO. 2016-130: Approve, subject to the residential density not to exceed five dwelling units per acre.



952 ft



## PLANNING COMMISSION CASE REPORT

Case Number: 2016-132

PC Meeting Date: 09-12-16

### Applicant Request

#### Special Permit to amend boundary of existing Planned Unit Development

Property Location:	8269 & 8311 Balata Drive
Property Owner:	Bill Brennan
Applicant:	Bill Brennan

### Project Description

- Proposal: To expand Planned Unit Development boundary to include entire parcel currently bisected by boundary line.
- Proposed Access: Entrance on Balata Drive.
- Proposed Development Form: The proposal does not increase the density or number of lots from existing Planned Unit Development

### Site Analysis

#### Site Description

- Location: The site is located on the west side of Balata Drive approximately 4,000 feet south from the entrance of the Mountain Lakes subdivision.
- Current Access: Balata Drive is the only current access for the site.
- Current Development form: The area is undeveloped minus the other detached single-family dwellings on the single street.

#### Zoning History

- The site is currently zoned A-1 Agricultural District.
- The site was granted a Planned Unit Development special permit in 2002. (Resolution #302-24).
- The properties surrounding the site are A-1 Agricultural District except for the parcels abutting to the north, which are zoned R-1 Single-Family Residential District.

#### Plans/Policies/Regulations

- The Wolftever Creek Plan (adopted by City Council in 2010) recommends Slope Residential for this site. Slope Residential is a designation which states, "Excessively steep regions should be developed lightly if at all. To minimize negative impacts of slope development in terms of viewshed destruction, water runoff and hillside slumping, residential densities should be limited to one dwelling unit per two acres."
- A Planned Unit Development (PUD) is a special exceptions permission intended to encourage creative master planning by not requiring adherence to rigid land use, setback, height, parking, and similar restrictions. It is further intended that PUDs be designed by collaboration between the applicant and the community, rather than the strict limits of zoning.
- The Development Policy from the Comprehensive Plan 2030 update (Called the Renewing Our Vision and adopted by Planning Commission in 2016) identifies this site as being in intensity level 1. Level 1 has the least potential for development, or future public services and facilities. However, they have high potential for protecting large natural areas through parks, greenways, working farms and conservation easements.

### Key Findings

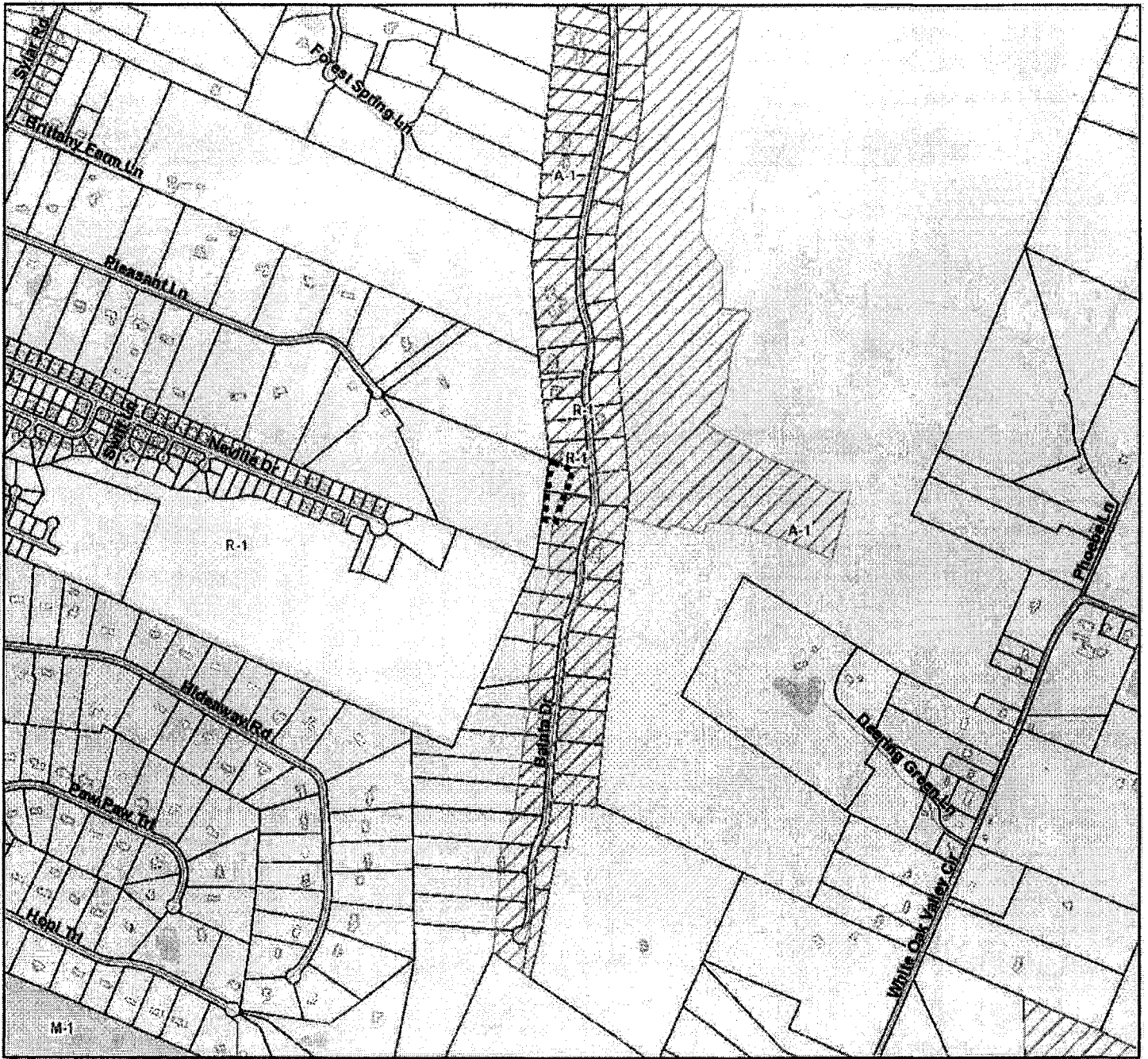
- The proposal is supported by the adopted Land Use Plan for the area which recommends low-density residential which respect the topographic challenges of the area.
- The proposed use is consistent with surrounding uses.
- The proposal is consistent with the development form of the area.
- The proposed residential density is compatible with the surrounding densities.
- The proposed structure does not raise concerns regarding location, lighting, or height.

## PLANNING COMMISSION CASE REPORT

- The proposal would not set a precedent for future requests.

Staff Recommendation

Approve



**2016-132 Special Exceptions Permit for a Residential PUD**

**Chattanooga Hamilton County Regional Planning Agency**

952 ft

2016-132

RECORDED PLAT DOES NOT  
TRANSFER PROPERTY  
DEED MUST BE RECORDED

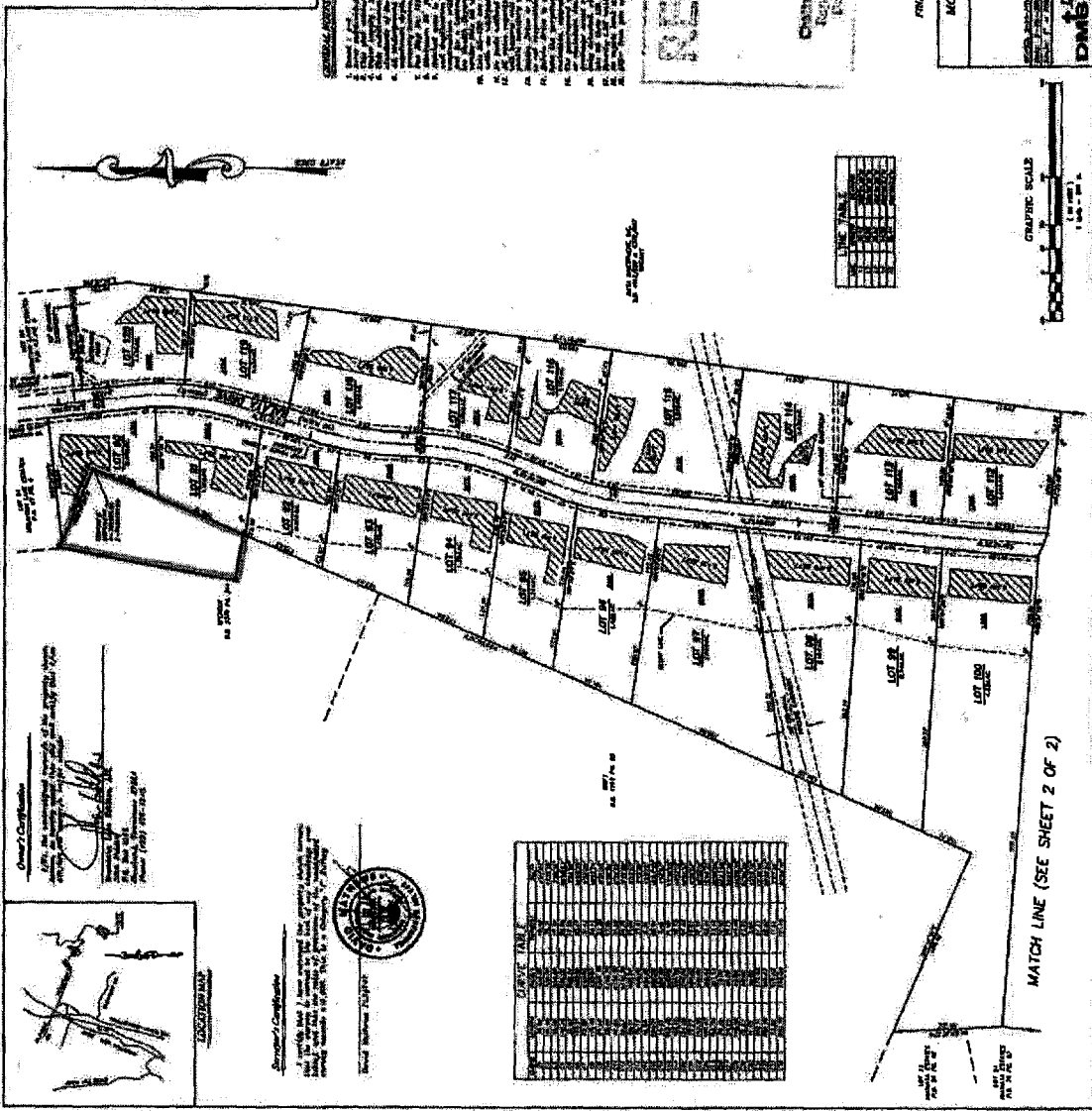
OWNER'S CERTIFICATE  
I, the undersigned, being the owner of the above described land, do hereby certify that the same is the property of the above named person, and that the same is being recorded for the purpose of creating a new lot or lots, and that the same is being recorded for the purpose of creating a new lot or lots, and that the same is being recorded for the purpose of creating a new lot or lots.

OWNER'S CERTIFICATE  
I, the undersigned, being the owner of the above described land, do hereby certify that the same is the property of the above named person, and that the same is being recorded for the purpose of creating a new lot or lots, and that the same is being recorded for the purpose of creating a new lot or lots, and that the same is being recorded for the purpose of creating a new lot or lots.

GENERAL NOTES  
1. THE LOTS SHOWN ON THIS PLAT ARE TO BE CONVEYED TO THE OWNERS OF THE SAME BY DEED.  
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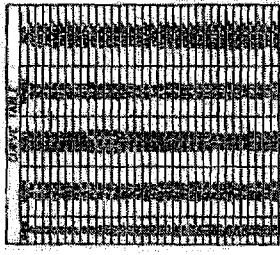
RECEIVED  
JUL 25 2016  
Chattanooga Hamilton County  
Circuit Court  
1000 MARKET STREET  
CHATTANOOGA, TN 37402

FINAL PLANNED UNIT DEVELOPMENT PLAN  
MOUNTAIN LAKES ESTATES MANOR  
LOT 88 AND 89  
HAMILTON COUNTY, TENNESSEE  
DAVID MATHEWS SURVEYING  
SHEET 1 OF 2  
03-22713



Owner's Certificate  
I, the undersigned, being the owner of the above described land, do hereby certify that the same is the property of the above named person, and that the same is being recorded for the purpose of creating a new lot or lots, and that the same is being recorded for the purpose of creating a new lot or lots, and that the same is being recorded for the purpose of creating a new lot or lots.

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MATCH LINE (SEE SHEET 2 OF 2)