



Hamilton County Board of Commissioners RESOLUTION

No. 1216-36

A RESOLUTION TO AMEND THE HAMILTON COUNTY ZONING REGULATIONS, ARTICLE IV, SECTION 200 R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT, RELATIVE TO SIDE BUILDING SETBACKS

WHEREAS, there is a proposal to amend the Hamilton County Zoning Regulations, relative to side building setbacks in the R-1 Single Family Residential District, and said Planning Commission after hearing recommended that this petition be approved; and

WHEREAS, notice has been published in a newspaper in general circulation in Hamilton County that the County Commission will hold a public hearing on December 21, 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 as follows:

AMEND Article IV, Section 200, R-1 Single-Family Residential District, by removing **Section 202 D Side Yard** in its entirety and substituting lieu thereof in the following:

(D)Side Yard:

1. There shall be a side yard on each side of the building of not less than ten (10) feet.
2. In new subdivisions with new streets recorded after January 1, 2017, the minimum side yard setback shall be five (5) feet.
3. For corner lot side yard requirements, see Article VI, Section 103.
4. Churches, schools, or other permitted uses and their accessory structures, other than dwellings, there shall be a side yard of not less than twenty-five (25) feet.

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

December 21, 2016

Date



**A RESOLUTION TO AMEND THE HAMILTON COUNTY ZONING REGULATIONS,
ARTICLE IV, SECTION 200 R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT, RELATIVE TO
SIDE BUILDING SETBACKS**

WHEREAS, the Home Builders Association of Greater Chattanooga brought the following to the attention of the Chattanooga-Hamilton County Regional Planning Commission; and

WHEREAS, the current side yard setback in the R-1 Single-Family Residential District is ten (10) feet; and

WHEREAS, the current minimum lot width in the R-1 Single-Family Residential District is sixty (60) feet, leaving forty (40) feet for the construction of a new residence; and

WHEREAS, reducing the side yard building setback would allow more flexibility in house placement on the lot; and

WHEREAS, the current Planned Unit Development (PUD) Special Permit already allows such development; and

WHEREAS, the Chattanooga-Hamilton County Regional Planning Commission requested the staff of the Regional Planning Agency to review and report on the proposed amendment.

NOW THEREFORE, BE IT RESOLVED, that the Chattanooga-Hamilton County Regional Planning Commission on November 14, 2016 does hereby recommend to the Hamilton County Commission that the Hamilton County Zoning Regulations be amended as follows:

AMEND Article IV, Section 200, R-1 Single-Family Residential District, by removing Section 202 D Side Yard in its entirety and substituting lieu thereof in the following:

(D) Side Yard:

1. There shall be a side yard on each side of the building of not less than ten (10) feet.
2. In new subdivisions with new streets recorded after January 1, 2017, the minimum side yard setback shall be five (5) feet.
3. For corner lot side yard requirements, see Article VI, Section 103.
4. Churches, schools, or other permitted uses and their accessory structures, other than dwellings, there shall be a side yard of not less than twenty-five (25) feet.

Respectfully submitted,

John Bridger, Secretary

Date of Adoption: November 14, 2016