

2003-065

2003-065 City of Chattanooga  
May 12, 2003

## RESOLUTION

WHEREAS, Darryl Fendley/Certified Services petitioned the Chattanooga-Hamilton County Regional Planning Commission to recommend to the Members of the City Council of the City of Chattanooga the rezoning from C-2 Convenience Commercial Zone to M-2 Light Industrial Zone on a tract of land located at 4261 Shallowford Road.

Being part of Lot 2, Division of the Harry S. Davis Property, Plat Book 35, Page 147, ROHC, Deed Book 6564, Page 792, ROHC, starting at the northeast corner of said lot, thence some 125 feet northwest to the point of beginning, thence continuing northwest some 130 feet, thence some 320 feet southwest, thence some 140 feet southeast, thence some 320 feet northeast to the point of beginning. Tax Map 147C-E-003.02 as shown on the attached map.

AND WHEREAS, the Planning Commission held a public hearing on this petition on May 12, 2003,

City - Opposition

**WITHDRAWN BY APPLICANT AT MEETING**

Mr. Mike Price made the motion to accept staff recommendation to approve. Mr. Alan Knowles seconded the motion, and the motion carried.

Case No. 2003-063 – Jan Cole – 2202 Daugherty Ferry Road – Hamilton County – Special Permit: Single Wide Manufactured Home

**2003-063**  
**No Opposition**  
**Approved**

Mr. Barry Bennett reviewed the request and explained the staff recommendation to approve.

There was no opposition present.

Mr. Y. L. Coker made the motion to accept staff recommendation to approve. Ms. Kathi Grant Willis seconded the motion, and the motion carried.

Case No. 2003-064 – Pioneer Title Agency – 46 Whitney Street and 41 & 49 Mercer Street – City of Chattanooga – From R-1 Residential Zone to R-2 Residential Zone

**2003-064**  
**Opposition**  
**Denied**  
**City Dist. #2**

Mr. Barry Bennett reviewed the request and explained the staff recommendation to deny as this is a spot zone. Approval would encourage additional similar requests. The proposed use is not in keeping with the developed character of this area and would be incompatible with adjacent development.

Mr. James Stanley, 2024 Avalon Drive, representing Pioneer Title Agency, stated that there are duplexes in the area.

Mr. Robert McNutt asked Mr. Stanley if a site plan was available. Mr. Stanley responded he did not have a site plan. The plans are for one duplex on each of these three lots. Mr. McNutt advised that if the lots are divided, the same amount of single family homes could be placed on the property without having to change zoning.

There was opposition present.

Ms. Sarah McCrite, 3 Whitney Street, said this area is predominantly R-1. Approval of this request would allow spot zoning. Property values would be affected. Historical value would also be affected.

Chairman William Smith asked those in opposition to stand.

Mr. Y. L. Coker made the motion to accept staff recommendation to deny. Ms. Kathi Grant Willis seconded the motion, and the motion carried.

Case No. 2003-065 – Darryl Fendley/Certified Services – 4261 Shallowford Road – City of Chattanooga – From C-2 Convenience Commercial Zone to M-2 Light Industrial Zone

**2003-065**  
**Opposition**  
**Withdrawn**  
**City Dist. #5**

Mr. Barry Bennett reviewed the request and explained the staff recommendation to approve.

Mr. John Thomason, representing the applicant, said the intended use is to set up a business of coordination between Certified Services and a current tree service. The lot

has been vacant for a number of years. The front property would remain C-2, which would be contiguous with the other C-2 zoning in the area. The back portion would be zoned M-2. Mr. Thomason discussed the details of the proposed business operation. Owners of surrounding C-2 property expressed agreement with this rezoning.

Ms. Kathi Grant Willis asked regarding the nature of the business. Mr. Thomason responded that Certified Services provides herbicide and pesticide services. The business will not store anything of a hazardous nature on the site. The tree company storage area will consist of hand tools and equipment and perhaps chain saw gas.

Mr. Don Moon asked regarding construction equipment. Mr. Thomason answered that tree service trucks may be termed as construction equipment, but the trucks are not off-road type equipment. They are all moving equipment. Mr. Moon asked if a conditional permit was applied for to allow parking in the R-1 zone. Mr. Thomason said they cannot park in the R-1 zone. The C-2 zone only extends to the rear portion. It is an elevated section. The R-1 portion cannot be accessed. It is a wetland.

Mr. Gerald McCormick asked about discussions with the neighborhood. Mr. Thomason said he has not received opposition in writing from the neighborhood. He reviewed discussions held with the neighborhood.

Councilman Jack Benson stated a letter of opposition was received from the chairman of the North Brainerd Community Council.

Mr. Mike Price asked regarding the buffer. Mr. Thomason discussed the proposed buffering.

There was opposition present.

Mr. Jim Davis requested clarification on how water would be drained.

Mr. Y. L. Coker made the motion to deny. Commissioner Charlotte Vandergriff seconded the motion, and the motion carried.

Mr. Thomason stated he would like to withdraw the request as he was unaware of opposition.

Councilman Jack Benson made the motion to rescind the motion to deny. Ms. Beverly Johnson seconded the motion, and the motion carried.

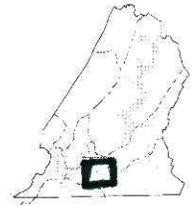
Mr. Thomason withdrew his request.

~~Case No. 2003-066 – RWM Technologies, Inc. – Barnes Avenue, an unopened 60-foot right-of-way (near 3800 N. Hawthorne Street) – City of Chattanooga – Mandatory Referral: Abandonment~~

2003-066  
No Opposition  
Approved,  
Subject to ...  
City Dist. #3

~~Mr. Barry Bennett reviewed the request and explained the staff recommendation to approve, subject to condition.~~

~~There was no opposition present.~~



CHATTANOOGA  
CASE NO: 2003-0065  
PC MEETING DATE: 5/12/03  
FROM: C-2,  
TO: M-2



1 in. = 200.0 feet

