

# Board of Zoning Appeals

July 1, 2026





# Agenda

---

## OLD BUSINESS

1. None.

## NEW BUSINESS

1. **BZA-26-36: 225 Peak St. 37405 (D2) - Setback Reduction Variance**
2. **BZA-26-39: 5943 Hixson Pike 37343 (D3) - Special Exceptions: Drive-Through Facility**



NEW BUSINESS

# BZA-26-36

225 Peak St. 37405

---

**Applicant:** Dale Schmick

**Zoning:** RN-1-5 Residential Neighborhood


**Council District:** 2



**Variance Request:** Reduction in side and rear setback for accessory structure (metal pergola) from 5 feet to 2 feet.

**Hardship:** Water runoff



**Table 38-16.5: Residential Zones Dimensional Standards - Setbacks**



<b>RN-1-5 Setbacks</b>		<b>Proposed Setbacks</b>
<b>Front Setback</b>	<b>15' or average setback, whichever is less</b>	<b>N/A</b>
<b>Corner Side Setback</b>	<b>10'</b>	<b>N/A</b>
 <b>Interior Side Setback</b>	<b>5'</b>	<b>2'</b>
 <b>Rear Setback</b>	<b>25' for primary dwellings &amp; 5' for accessory structures</b>	<b>2' for accessory structure</b>

**Applicant Request: Reduce interior side interior setback from 5' to 1' and reduce rear accessory setback from 5' to 2' for a metal pergola**

# Aerial Map of Site



# Application Narrative

Dale Schmick  
Derek Silveira  
225 Peak St  
Chattanooga, TN 37405

City of Chattanooga  
Board of Zoning Appeals

May 16, 2026

To Whom it May Concern,

Thank you for considering our request for a variance of the setback requirements.

When we first purchased this home we encountered issue with water entering and collecting in the back yard. The source was groundwater and substantially from the street and runoff from stringers ridge.

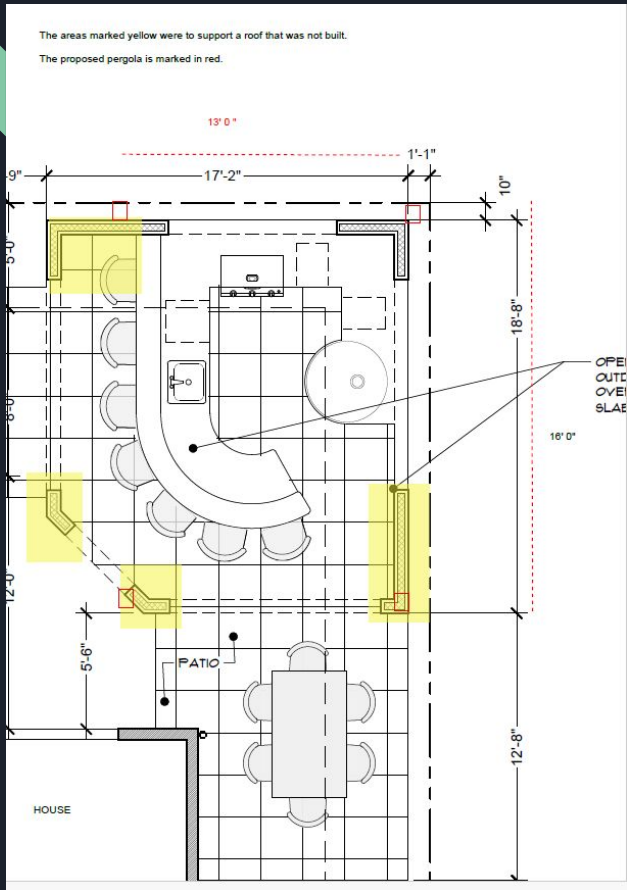
When we decided to build a pool and landscape, we recognized the need to address the water issues as it had nearly entered the home. We added drainage and at the contractors recommendation built up the lot using the excavated pool soil. We also invested substantially in concrete curbs (see permits on file).

One of the results of this was an elevated platform for the bar area which in part is resulting in water intrusion. We began adding the planned roof, which will be removed, and we are asking permission to add a non-combustible metal pergola to cover the bar and direct the rain water.

Thank You

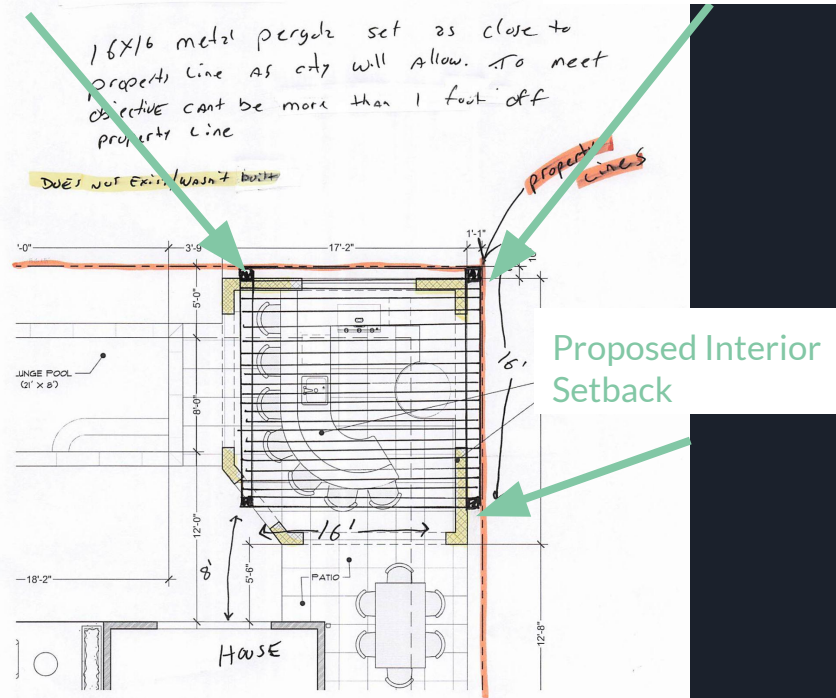
Dale Schmick

# Site Plan



Proposed Rear  
Reduced Setback

Proposed Rear  
Reduced Setback

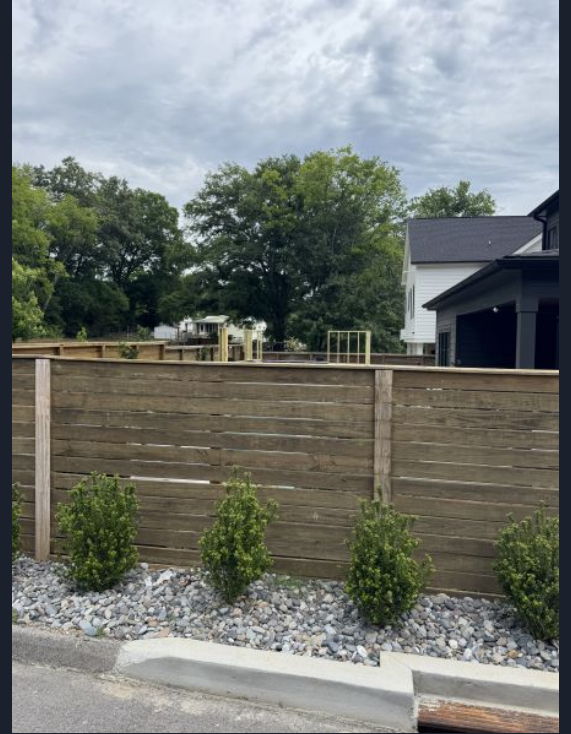


Proposed Interior  
Setback

# Site



# Neighboring Property Photos



# BZA-26-39

5943 Hixson Pike 37343

**Applicant:** Clint Wolford

**Zoning:** C-C Commercial Corridor Zone

**Council District:** 3

**Request:** Special Exception: Drive-Through Facility



# Aerial Map of Site





## Application Narrative

The property was previously zoned R-2 which allowed a drive-through on the parcel. When zoning ordinances were changed the property was assigned a new zoning of C-C which defines a drive-through facility as a special exception. We are requesting the approval of such exception because we currently have a lending institution wanting to purchase the property, but they have to have a drive-through.

# Site Plan



# Rendering




# Site Photos



# Adjacent Photos




## Section 38-75 - Special Exceptions Review Criteria



Criteria #1: The proposed special exception will not endanger the public health, safety, or welfare.

Staff Response: The proposed special exception will not endanger the public health, safety, or welfare. The request is for a drive-through facility associated with a bank within a commercial zoning district where similar uses were previously permitted by right in the former C-2 zone. The use is compatible with the commercial character of the area, and the anticipated traffic, noise, and operational impacts are not expected to exceed those typically associated with other permitted commercial uses in the district.

## Section 38-75 - Special Exceptions Review Criteria



Criteria #2: The proposed special exception is compatible with the general land use of adjacent properties and other property within the immediate vicinity.

Staff Response: The request is compatible with the adjacent non-residential land uses and there are other commercial drive-through facilities located next to the site and along Hixson Pike.

# Adjacent Land Uses





## Section 38-75 - Special Exceptions Review Criteria

Criteria #3: The special exception in the specific location proposed is consistent with the spirit and intent of this Code and adopted City land use policies.

Staff Response: The request is compatible with the Neighborhood Center Place Type recommendation in Plan Chattanooga. Plan Chattanooga was adopted by Planning Commission in June 2026.

# Section 38-75 - Special Exceptions Review Criteria

LEGEND [hide legend](#)

- Agriculture
- Countryside Residential
- Suburban Residential
- Urban Residential
- Mixed Residential
- Neighborhood Node
- Neighborhood Center**
- Village Center
- Town Center
- Downtown
- Suburban Corridor
- Mixed-use Corridor
- Transit Corridor
- Maker District
- Industrial
- Regional Facilities
- Campus
- Resort and Recreation
- Preserve
- Natural Resources Overlay**



# Adjourn

Board of Zoning Appeals  
July 1, 2026 Meeting

