



Legislation Details (With Text)

File #: 20-0329 **Version:** 2 **Name:** Lillian Court Right-of-Way
Type: Ordinance **Status:** Adopted
File created: 11/13/2020 **In control:** City Council
On agenda: 2/9/2021 **Final action:** 2/9/2021
Title: Ordinance Closing Lillian Court Right-of-Way and adjoining alleyway
Sponsors: Planning Commission
Indexes:
Code sections:
Attachments: 1. Lillian Court Map, 2. Letter from Mr McClanahan, 3. Letter from Flynn Sign Co, 4. Letter from Ranall A York Rep for Mr Page, 5. Lillian Court Letter from Darryl Cole

Date	Ver.	Action By	Action	Result
2/9/2021	2	City Council	adopted on third reading	
1/12/2021	2	City Council	approved on second reading	
12/8/2020	2	City Council	approved on first reading	Pass
12/1/2020	2	Work Session	recommended for approval	

Ordinance Closing Lillian Court Right-of-Way and adjoining alleyway

SUMMARY: Mr. Joe "Buddy" Page is requesting the City of Crossville close the unimproved right-of-way of Lillian Court and an adjacent 16-foot alleyway. Staff heard from all adjoining property owners prior to the meeting with the exception of Mr. Mike Dalton, who was present at the 11/19 Planning Commission meeting and said that he had no objection to the closing of Lillian Court and the abandoned 16-foot alleyway. The City closed a portion of Lillian Court several years ago at the request of Mr. Roy McClanahan. The entire ROW was looked at for closure, but at the time, there was concern over creating a landlocked parcel which is owned by Mr. Tom Flynn, and a desire for the ROW to be left open by Mr. Darryl Cole. An agreement has been reached with Mr. Page, Mr. Cole, and Mr. Flynn, all agreeing to the closure of the ROW. Mr. Flynn has agreed to combine his two parcels into one to eliminate the land locked parcel. Staff has been informed that the deeds would be combined and recorded before the matter is presented to City Council. Staff is comfortable moving forward with the recommendation of closure, pending the combining of Mr. Flynn's parcels into one.

One property owner has voiced opposition to the closure of the 16-foot alleyway, or "farm lane." Mr. McClanahan is not opposed to closing the remaining portion of Lillian Court, but he desires the 16-foot alleyway to remain open. Staff did inform Mr. McClanahan that a TDOT driveway permit would be required to make use of the alleyway, which would be difficult. The alleyway falls short of the minimum 25 feet for residential and 50 feet for commercial for the parcel in question to be deemed a flag lot by the City, which would only be considered if TDOT granted the driveway permit. Mr. McClanahan said the alleyway had always been there and he sees no benefit to closing it, but closure would not create an undue hardship for him unless he sells the property to someone who would want access to Highway 127 North.

A surveyor provided a drawing of how the unimproved ROW and "farm lane" will be divided. As long as Mr. Flynn's parcels are combined and proper legal descriptions for the division of the unimproved ROW and alleyway, then Staff has no objections to the closure of them and adding that acreage back to the tax rolls. Planning Commission voted to recommend to Council the closure of the remainder of Lillian Court and the alleyway, pending the Flynn property combining into one and the presentation of proper legal descriptions for the division of the closed ROW and alleyway.

NECESSARY COUNCIL ACTION: Consider the closure of Lillian Court and the 16-foot alleyway.