



Legislation Details (With Text)

File #: 18-0076 **Version:** 2 **Name:** Outside City Sewer Request (1039 Myrtle Ave.)
Type: Resolution **Status:** Consent Agenda
File created: 2/16/2018 **In control:** City Council
On agenda: 3/13/2018 **Final action:** 3/13/2018
Title: Approval of outside City sewer request (1039 Myrtle Ave)
Sponsors: Planning Commission
Indexes:
Code sections:
Attachments: 1. Findley Myrtle Ave Request-1, 2. Findley Myrtle Ave 112E_D_03000_2018, 3. 1039 Myrtle Ave POS

| Date | Ver. | Action By | Action | Result |
|-----------|------|---------------------|--------------------------|--------|
| 3/13/2018 | 2 | City Council | approved as recommended | Pass |
| 3/6/2018 | 2 | Work Session | recommended for approval | |
| 2/15/2018 | 1 | Planning Commission | recommended for approval | |

Approval of outside City sewer request (1039 Myrtle Ave)

SUMMARY: Anthony Findley has requested outside city sewer for 1039 Myrtle Avenue, or annexation for sewer connection. A low pressure sewer line is already located in front of the property so that no extension would be required, just payment of the sewer tap fee.

Staff recommends denial of the annexation and approval of the outside city sewer. Annexing the property would require a corridor annexation, which is not illegal, but greatly discouraged for multiple reasons. First, it can cause confusion for emergency personnel and first responders. Second, a 1994 decision by the Supreme Court of Tennessee ruled that consent of adjoining property owners would be required if their deed descriptions described property that is under the city's right-of-way. This was not an issue until a couple years ago, when the state changed the law on annexations without referendum and required owner's consent for ALL annexations. Third, often the costs of maintaining the road (snow removal, first responder visits, repaving, etc.) are far greater than the amount of property tax collected from a single resident acquired by the corridor annexation.

Crossville Regional Planning Commission met 02/06/2018 and voted to deny annexation and voted to recommend to Crossville City Council the approval to of the outside city sewer request for this property.

NECESSARY COUNCIL ACTION: Approve outside sewer request.