



Legislation Text

File #: 18-0017, **Version:** 1

Matters relative to closing unimproved right-of-ways along LeeJune Street and adjoining property

SUMMARY: Dr. Hooie is requesting the right-of-way be closed that is adjacent to his property along Highway 127S. There is a portion of right-of-way along the front of his property that was Old State Route 28. The City cannot close this portion of right-of-way because it is still owned by the state of Tennessee. Staff contacted the TDOT ROW Division and inquired on behalf of Dr. Hooie. Staff was informed that no right-of-way would be abandoned or sold until the 127S Highway Project is complete. Dr. Hooie was informed of the State's opinion. He then requested that the portion to the south of his property be closed. This section of unimproved right-of-way is under the jurisdiction of the City. There is also a small section that connects the unimproved right-of-way he is requesting closed to LeeJune Street.

Planning Commission met on 12/21/2017 and recommended approval of the right-of-way closures that are under the jurisdiction of the City. Staff recommended the right-of-way be divided in the middle and each portion be joined to adjacent properties. Staff has been in contact with the adjacent property owners. Attached in the packet is the information that was provided to staff by the property owners and one of their surveyors. Also attached are the notes from any meetings staff had with the property owners.

As you can see in the attachment, Mr. Cooper is requesting all of the 22 feet from the unimproved ROW between his property and Dr. Hooie's. It does appear from the survey data provided that the 22 feet in its entirety may have come from the lot prior to Mr. Cooper owning the property. Also of note is the request made by Mr. Sherrill, in regard to a garage/barn located on the ROW off LeeJune Street, which he was under the impression was already located on his property.

With all the information provided, staff is seeking the advice of the Planning Commission on two major items. First, if the unimproved ROW should even be closed or should be left alone as is for now, and second, if the ROW is closed, then how it should be closed/divided between the adjacent property owners.

NECESSARY PLANNING COMMISSION ACTION: Review the information provided and make a recommendation to City Council.