

**CLOSURE/ABANDONMENT APPLICATION FORM**

<b>CASE NUMBER:</b>	MR 2014-065	<b>Date Submitted:</b> 06-10-2014
(Sections 1-6 below to be filled out by Applicant- RPA staff will assist, if needed)		
<b>1 Applicant Request</b> (Mandatory Referral per TCA 13-4-104)		
<b>Closure/Abandonment</b>	<input checked="" type="checkbox"/> <b>Alley</b>	<input type="checkbox"/> <b>Street</b>
	<input type="checkbox"/> <b>Sewer</b>	<input type="checkbox"/> <b>Other</b>
Name of Street or Right-Of-Way: (part of alley)		
	<input type="checkbox"/> Open	<input checked="" type="checkbox"/> Unopened
	Length/Width:	
Beginning: at the North East corner of Tax Map 127M-E-019 going in a South West direction		
Ending: to the South East corner of Tax Map 127 M-E- 015 approximately 230 feet plus or minus		
<b>2 Property Information</b>		
Property Address:	Alley off of the 1400 block of Fairleigh Street at rear of property at 2805 Riverside Drive	
Property Tax Map Number(s):	127M-E-001.01, 007, 008, 016, 017, 018, 019	
<b>3 Proposed Development</b>		
Reason for Request and/or Proposed Use:	Combine Property	
<b>4 Site Characteristics</b>		
Current Zoning:	M-1	
Current Use:	Industrial	
Adjacent Uses:	Industrial/Residential	
<b>5 Applicant Information</b>		
All communication will be with the Applicant. If the applicant is not the property owner, the RPA requires a letter from the property owner(s) confirming that the applicant has permission to file this application on his/her behalf.		
Name: Hopkins Surveying		Address: 175 Hamm Road
Check one:	<input checked="" type="checkbox"/> I am the property owner	<input type="checkbox"/> I am <b>not</b> the property owner
City: Chattanooga	State: TN	Zip Code: 37405
Email: tht@hopkinssurveying.com		
Phone 1: 423-267-3751	Phone 2:	Phone 3:
		Fax:
<b>6 Property Owner Information (if not applicant)</b>		
Name: Fountain Head Properties		Phone: 423-624-1727
Address: 2805 Riverside Drive Chattanooga, TN 37406		
<b>Office Use Only:</b>		
Planning District: 8B		Neighborhood: Riverside Area Community Club
Hamilton Co. Comm. District: 4	Chatt. Council District: 8	Other Municipality:
Staff Rec:	PC Action/Date:	Legislative Action/Date/Ordinance:
<b>Checklist</b>		
<input checked="" type="checkbox"/> Application Complete	<input checked="" type="checkbox"/> Ownership Verification	<input checked="" type="checkbox"/> Map of Proposed Zoning Area with dimensions
<input type="checkbox"/> Site Plan, if required	<input type="checkbox"/> Total Acres to be considered:	<input checked="" type="checkbox"/> Deeds
		<input checked="" type="checkbox"/> Plats, if applicable
Deed Book(s): 9096-238, 8781-777, 8728-319, 4603-x479, 8403-773		
Plat Book/Page: 44-272/9-36	<input checked="" type="checkbox"/> Notice Signs	Number of Notice Signs: 1
<input checked="" type="checkbox"/> Filing Fee: 350.00	<input type="checkbox"/> Cash	<input checked="" type="checkbox"/> Check
		Check Number: 8332
Planning Commission meeting date: July 14 <sup>th</sup> , 2014		Application processed by: Marcia Parker

**STAFF CASE REPORT TO PLANNING COMMISSION**

<b>Case Number:</b>	<b>MR-2014-065</b>	<b>PC Meeting Date: 07-14-14</b>
<b>Applicant Request:</b>	<b>Close/Abandon unopened Alley</b>	
<b>Property Location:</b>	<b>Alley off 1400 block Fairleigh Street at rear of property at 2805 Riverside Drive</b>	
<b>Property Owner:</b>	<b>Fountain Head Properties</b>	
<b>Applicant:</b>	<b>Hopkins Surveying</b>	
<b>Staff Recommendation:</b>	<b>APPROVE</b>	

**PROJECT ANALYSIS****RPA Land Use & Transportation Comments****Project Description**

The applicant is proposing to combine properties owned by Fountain Head Properties.

**Site Description**

The site is an unopened alley accessed from the 1400 block of Fairleigh Street. The point of the request begins at the rear of the property at 2710 Wood Avenue then northeast 230 feet to a dead end. The northern portion of this alley was partially closed in 1980 (Case 1980-154).

**Plans/Policies**

This site is within the 2004 Downtown Plan. The plan encourages the use of alleys for vehicular access.

Right-of-way (ROW) Abandonment and Closure requests are reviewed using the Right-of-Way Closure and Abandonment Policy adopted by the Chattanooga-Hamilton County Regional Planning Commission in January 1997 and the City of Chattanooga (Resolution 24532) in August 2005.

Review of rights-of-way for closure is based on a tiered classification. This right-of-way is Tier 3, rights-of-way which are not currently opened or have never been opened. Applications for closure and abandonment on Tier 3 rights-of-way are reviewed using the adopted review factors and according to the tenets of this policy.

The staff recommendation for this request was based on an evaluation of the following review factors:

1. Width of the ROW is 15 feet +/-.
2. Presence of or potential for the location of utilities.
3. Currently not open to traffic.
4. Limited potential for future use.
5. Alley is unpaved and partially forested.
6. Adjacent properties will maintain access off of Wood Avenue and Riverside Drive.
7. The applicant is applying for the closure in order to combine property.

**City Departmental Infrastructure & Operational Comments**

All land development projects are reviewed by City Engineering & Water Quality staff, Transportation Department staff, and the Land Development Office staff. In addition to the requirements of the City of Chattanooga Zoning Ordinance, all land development is further required to comply with current City of Chattanooga traffic regulations, building and development codes, storm water/water quality regulations, and the landscape ordinance.

## **STAFF CASE REPORT TO PLANNING COMMISSION**

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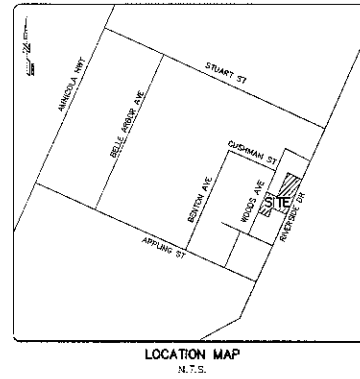
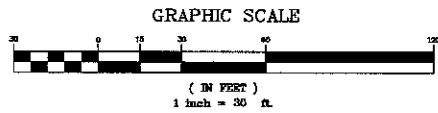
### **RPA Summary**

The Regional Planning Agency is recommending approval for the proposed closure because the adjacent properties will maintain access off of Wood Avenue and Riverside Drive. Furthermore, the alley has limited potential for future use because it is only wide enough for one-way automobile traffic and the northern portion of the alley is already partially closed.

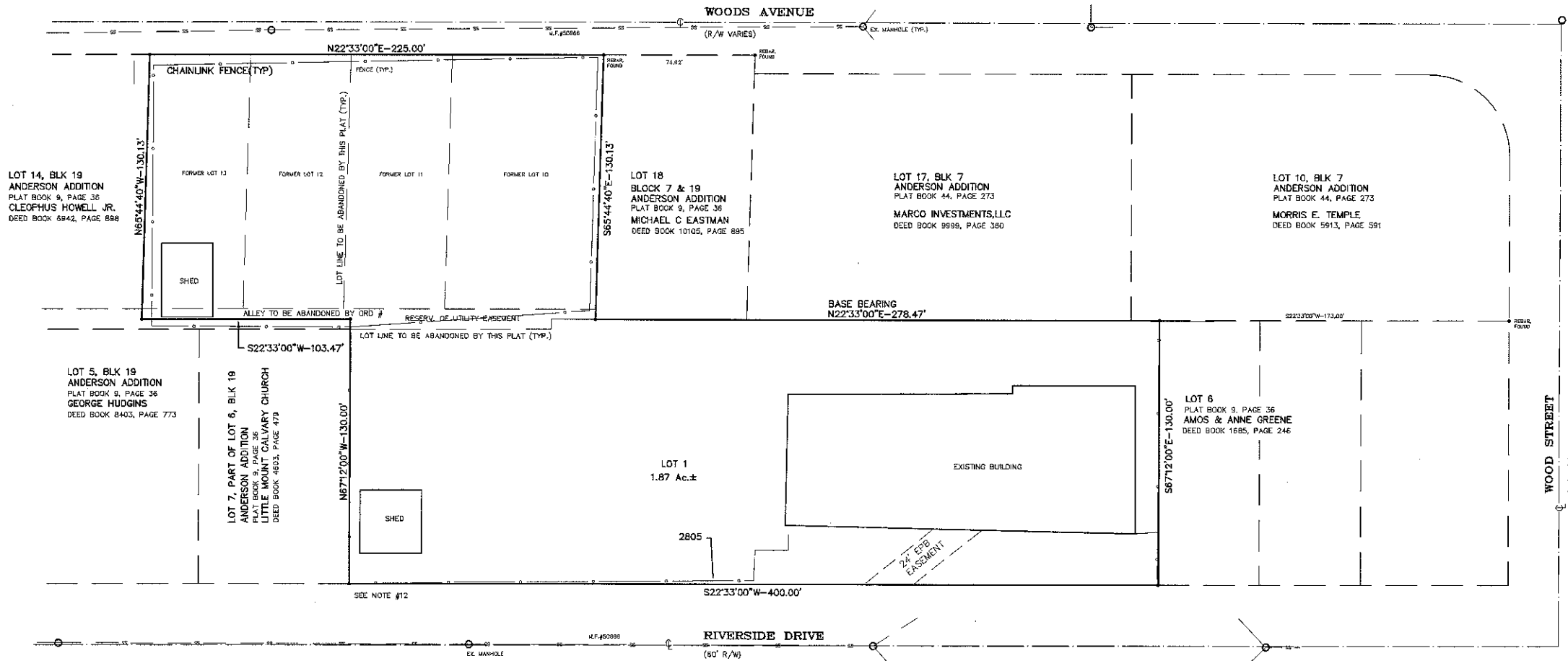
PLAT BOOK 44, PAGE 272  
DATE 8-1988

**OWNER STATEMENT**  
I CERTIFY THAT I AM THE OWNER IN FEE SIMPLE OF THE PROPERTY SHOWN AND ADOPT THIS AS MY PLAN OF SUBDIVISION.

WILLIAM E. CARNEY  
9226 RIDGE TRAIL ROAD WEST  
SODDY DAISY, TN 37379  
423-??-????



APPROVED FOR RECORDING  
HAMILTON COUNTY GIS DEPT  
DATE \_\_\_\_\_  
BY \_\_\_\_\_  
JURISDICTIONAL AUTHORITY  
DATE \_\_\_\_\_  
BY \_\_\_\_\_  
CHATTA/HAM CNTY REGIONAL  
PLANNING COMMISSION  
DATE \_\_\_\_\_  
BY \_\_\_\_\_



**SURVEYOR STATEMENT**  
I CERTIFY THAT I HAVE SURVEYED THE PROPERTY HEREON, THAT THE SURVEY IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF, THAT THE SURVEY WAS DONE IN COMPLIANCE WITH CURRENT TENNESSEE MINIMUM STANDARDS OF PRACTICE AND THAT THE RATIO OF PRECISION OF UNADJUSTED SURVEY IS >1:10,000 (CATEGORY 1)

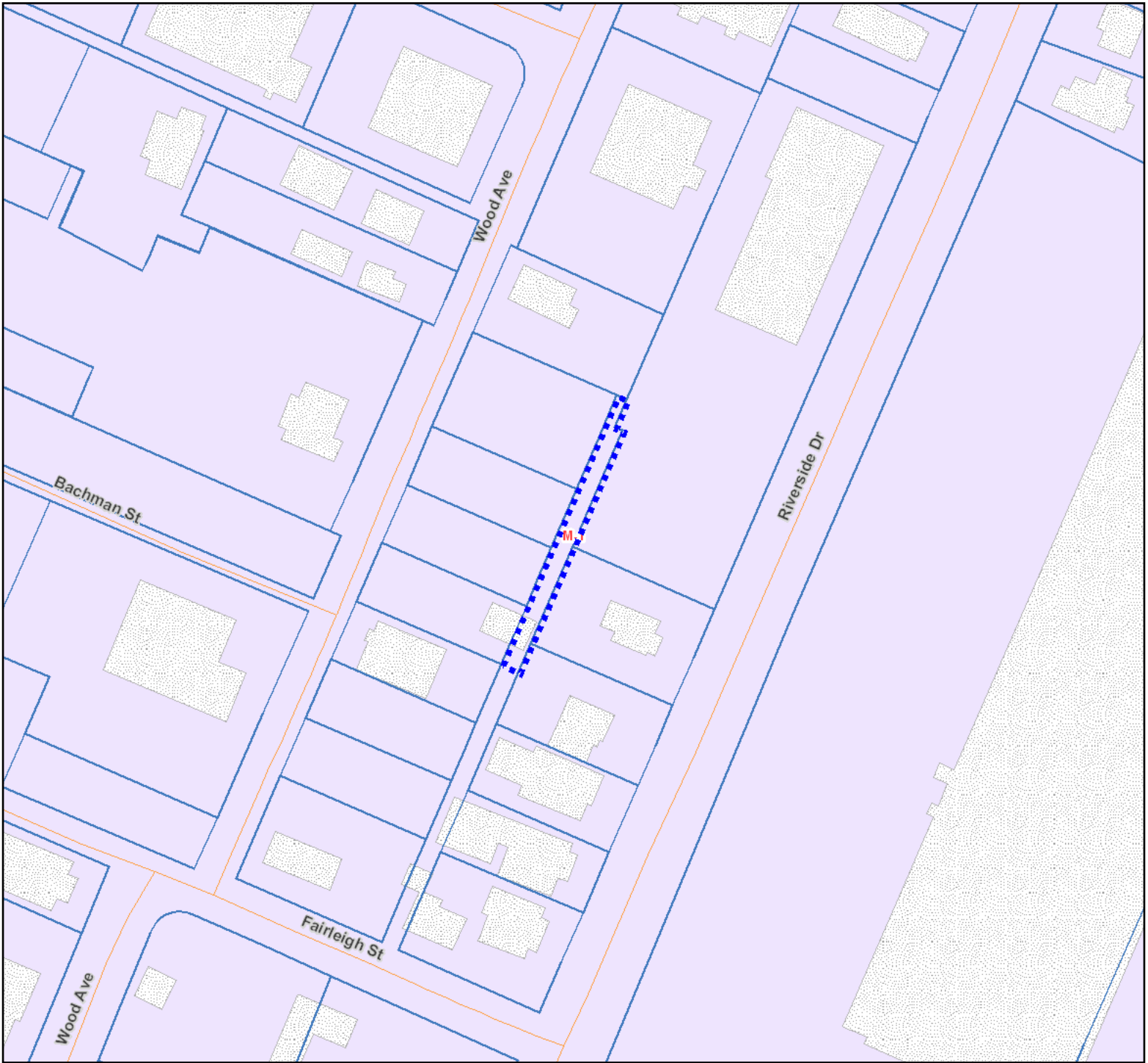
- NOTES:**
- 1.) PRESENT ZONING CLASSIFICATION M-1.
  - 2.) AREA SUBDIVIDED BY THIS PLAT IS 1.87 ACRES.
  - 3.) TAX MAP NUMBER 127M-E-1.01, 18-19.
  - 4.) THIS PLAT SUBDIVIDES THE PROPERTY DESCRIBED IN DEED BOOK 8781, PAGE 777, DEED BOOK 8781, PAGE 733, DEED BOOK 8728, PAGE 319 AND DEED BOOK 9088, PAGE 238.
  - 5.) THIS SUBDIVISION HAS BEEN DEVELOPED ACCORDING TO THE SUBDIVISION REGULATIONS OF THE CITY OF CHATTANOOGA.
  - 6.) THE PURPOSE OF THIS PLAT IS TO ABANDON LOT LINES AND ALLEY AND TO RECORD NEW LOT.
  - 7.) LOCAL GOVERNMENT DOES NOT CERTIFY THAT UTILITIES OR UTILITY CONNECTIONS ARE AVAILABLE.
  - 8.) PUBLIC SANITARY SEWERS ARE AVAILABLE BY GRAVITY FLOW.
  - 9.) STREET ADDRESS 2805.
  - 10.) CITY ORDINANCE #9942 ENTITLED "STORMWATER RUNOFF AND EROSION CONTROL" SHALL APPLY TO ANY DISCHARGE OF SAME FROM THIS SUBDIVISION OF PROPERTY.
  - 11.) NO FILL MATERIAL CAN BE PLACED IN A CONSTRUCTED DRAINAGE FACILITY IN SUCH A MANNER AS TO IMPEDE STORM WATER RUNOFF FLOW UNLESS APPROVED BY THE CITY ENGINEER.
  - 12.) ALL CORNERS 5/8" REBAR WITH CAP UNLESS NOTED OTHERWISE.

REVISED PLAT -- LOT 1  
**PERCAR PROPERTIES SUBDIVISION**

LOT 1, PERCAR PROPERTIES SUBDIVISION, PLAT BOOK 44, PAGE 272, AND DEED BOOK 8728, PAGE 319, DEED BOOK 8781, PAGE 733 AND DEED BOOK 8781, PAGE 777, R.O.H.C., CITY OF CHATTANOOGA, HAMILTON COUNTY, TENNESSEE.

**HOPKINS SURVEYING GROUP**  
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Chattanooga, Tennessee 37405  
(423) 267-3751 Office / (423) 267-0611 Facsimile  
Copyright - By Hopkins Surveying Group

DRAWN BY: ANGEL	SHEET NO. 1 OF 1	DWG. NO. 2014-68SC-2
SCALE: 1" = 30'	DATE: MAY 20, 2014	REF. DWG. 1988-694-2
PROPERTY ADDRESS: 2805 RIVERSIDE DR		TAX MAP No. 128M-E-1.01, 16-19



**MR 2014-065 Abandonment of an Unopened alley to the Rear of and Parallel to the 2800 blk Riverside Dr**



111 ft