

PLANNING COMMISSION CASE REPORT

Case Number: MR 2016-096

PC Meeting Date: 07-11-16

Applicant Request

Mandatory Referral to Abandon and Close a Street Right-Of-Way

Property Location:	Unnumbered block of Scoggins Circle (Tax Map: 132-010 & 132A-B-001)
Property Owner:	John H Robinson
Applicant:	John H Robinson

Project Description

- Proposal: Applicant is asking to abandon and close 10' of street right-of-way on Scoggins Circle due to quality of life issues being caused by through traffic from the adjacent apartment development.

Site Analysis

Site Description

- Location: The request is for abandonment to start at the northwest end of Scoggins Circle and continue south towards Ooltewah-Georgetown Road for 10'.

Plans/Policies/Regulations

- Tennessee Code Annotated (13-4-104) requires the Planning Commission to review the widening, narrowing, relocation, vacation, change in use, acceptance, acquisition, sale or lease of any street or public way, ground, place, property or structure. Failure of the Planning Commission to act within 30 days shall be deemed an approval.
- This policy, adopted by the Planning Commission on January 13, 1997, gives guidance regarding alley and street right-of-way closure and abandonment requests. It is the policy of the Regional Planning Agency and other public agencies to retain rights-of-way for public use and only to recommend the permanent closure and abandonment of rights-of-way when it is concluded that the public has no further need to retain the right-of-way and that its abandonment is necessary to achieve a significant private or public interest.

Key Findings

- Hamilton County Engineering Comment: Until another ingress/egress location can be set or an easement agreed upon the closure of this portion of right-of-way would block an existing emergency secondary exist for adjoining apartment development on lot 132-013.

Staff Recommendation

Deny