



## Legislation Text

---

**File #:** 17-0258, **Version:** 1

---

**DATE:** March 23, 2017

**TO:** Board of Mayor and Aldermen

**FROM:** Eric Stuckey, City Administrator  
Paul Holzen, Director of Engineering

**SUBJECT:**

Consideration of Request to Deny Sanitary Sewer Request for the property located at 1126 Beech's Tavern Trail (Map 053 Parcel 10.02) (03/30/17 CIC: The request to DENY Sanitary Sewer was approved 3-1)

**Purpose**

The purpose of this memo is to provide information to the Franklin Board of Mayor and Aldermen (BOMA) concerning an availability request for 1 SFUE for the property located at 1126 Beech's Tavern Trail.

**Background**

On October 6, 2016 staff received a request for sanitary sewer availability for 1 SFUE for the property located at 1126 Beech's Tavern Trail (Map 053 Parcel 10.02). This property is located outside the city limits but within the Urban Growth Boundary. The property has access to sanitary sewer from the Highgate Subdivision low pressure sanitary sewer system. Below is a summary of the history:

February 14, 2006 BOMA approved Ordinance 2005-93, "An Ordinance to annex the Highgate Subdivision area, containing 70.24 AC, located west of Franklin Road, 300 Feet south of Country Road."

June 12, 2007 BOMA approved Resolution 2007-51, "A Resolution to authorize the construction of sewer improvements in the Highgate Subdivision Area"

July 8, 2008 BOMA approved Resolution 2008-21, "A Resolution to Authorize the Construction of Sewer Improvement in the Highgate Subdivision Area."

May 26, 2009 BOMA approved Resolution 2009-13, "A Resolution to set the 2009 Property Assessments for the Highgate Subdivision Area Special Assessment District."

Exhibit A is a map showing the properties originally included in the Highgate Special Assessment District. As part of the Special Assessment District the Board waived the access fees and installation fees [29\*

(\$2,100+\$263) = \$68,527] associated with typical sanitary sewer connections. The average assessment cost associated with the special assessment district was around \$7,000 per property. Had the Beech's Tavern Trl. properties been included in the special assessment district, the average cost would have been around \$5,600 per resident.

The low pressure sanitary sewer system has capacity to provide sanitary sewer service to all the properties located on Beech's Tavern Trl and within the City's UGB. The property owner of 1126 is proposing to subdivide the lot creating two properties. If sanitary sewer is denied, the property owner plans to create a minor subdivision within the County and will install a septic system. As shown on Exhibit B this property is located within the HHO. Below is a list of options on how to proceed:

Option 1 - Deny Sanitary Sewer access due to ongoing legal actions associated with the special assessment districts.

Option 2 - Ask staff to reevaluate options so that we can provide sanitary sewer to the property local at 1126 Beeches Tavern Trl. If this option is selected, the property should be annex into the City of Franklin.

#### **Financial Impact**

Option 1 - Assuming sanitary sewer is denied, we would lose the ability to collect all fees typically associated with the development process.

Option 2 - Assuming annexation is required, we would have the ability to collect all fees typically associated with the development process.

#### **Recommendation**

Staff recommends denying sanitary sewer availability based on current legal actions associated with the special assessment districts.