



Legislation Text

File #: 17-0273, **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 for the property located at 1134 Beech's Tavern Trail (Map 053 Parcel 10.04) (03/30/17 CIC: The motion to DENY the request passed 3-1; 04/25/17 Work Session)

Purpose

The purpose of this memorandum 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 1134 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 1134 Beech's Tavern Trail (Map 053 Parcel 10.04). 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 Trail 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 Trail and within the City's UGB. The property owner of 1134 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 1134 Beeches Tavern Trail. If this option is selected, the property should be annexed 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 approval of sanitary sewer for 1 SFUE contingent upon annexation of the property. This recommendation is consistent with Board's policy on water and sanitary sewer availability adopted by Resolution 2015-32.