

## STAFF REVIEW RIGHT-OF-WAY CLOSING

June 3, 2010

**2010-04-RWC** Thomas R. Hunt, CAI has filed an application to close a 381.8 square foot portion of an alley, being 5' in width and approximately 76.36' in length, bound and running perpendicular with 14<sup>th</sup> Avenue and 15<sup>th</sup> Avenue and running parallel with and in between Magnolia Street and US 31-W ByPass. THIS ALLEY WILL REMAIN OPEN.

**STAFF REVIEW:** The applicant, Thomas R. Hunt, CAI, has requested this closing for the purpose that an existing building sits on a portion of the right-of-way.

There were letters submitted from the agencies listed below stating the closing of this right-of-way is in agreement with their agency, and they foresee no problems with the designated closing with any conditions noted.

1. City of Bowling Green, by Melissa Cansler, Public Works  
*A re-alignment will require the developer to coordinate with BGMU to relocate an existing utility pole in this area. The realignment of the alley and relocation of the pole will be the sole responsibility of the developer however shall meet all standards as set forth by the City and/or BGMU.*
2. Bowling Green Fire Department, by Edward L. Moody, Assistant Chief – Prevention  
*Approved.*
3. Bowling Green Police Department, by Doug Hawkins, Chef of Police
4. Medical Center EMS, by Jim Williams, Operations Manager
5. Sanitation Services, by Bill Ketchum, Operations Manager
6. Bowling Green Municipal Utilities – Water and Sewer Division, by Eric Watson, G.I.S. Specialist
7. Bowling Green Municipal Utilities - Electric Division, by Chad Spencer, Electric Engineering Supervisor
8. AT&T, by Tracy Thomas, OSP Designer  
*Any relocation costs of existing service to be paid by property owner.*
9. Insight Communications, by Tom Mracek, Project Supervisor  
*Keep utility easement open, if applicable.*
10. Atmos Energy, by Byron Oost, Project Specialist

**CONSISTENCY WITH COMPREHENSIVE PLAN:** No Impact.

**CONSISTENCY WITH TRANSPORTATION PLAN:** No Impact.

FINDINGS OF FACT PER KRS 82.405:

- (A) Identification of all property owners abutting the streets to be closed was made by applicant;
- (B) Written notice was given to the property owners abutting the streets;
- (C) All property owners abutting the rights-of-way to be closed have given their written and notarized consent to the closing.

**STAFF RECOMMENDATION:**

The staff finds all criteria for the public hearing has been met and recommends this evidence and testimony be made part of the official record and forwarded to the Bowling Green City Commission. Upon approval of the Bowling Green City Commission, a plat must be recorded reflecting the Right-Of-Way Closing.

## RIGHT-OF-WAY CLOSING MOTIONS

### MOTION TO APPROVE:

I make the motion to **approve** the Right-of-Way Closing, Docket #2010-04-RWC subject to the recording of a plat revision as noted in the staff report. My motion is based on the findings of fact as presented in the staff report, and the testimony presented in this public hearing that the Right-of-Way Closing **is** in compliance with Section 3.16 of the Warren County Zoning Ordinance.

### MOTION TO DISAPPROVE:

I make the motion to **disapprove** the Right-of-Way Closing, Docket #2010-04-RWC. My motion is based on the findings of fact as presented in the staff report, and the testimony presented in this public hearing that the Right-of-Way Closing **is not** in compliance with Section 3.16 of the Warren County Zoning Ordinance.