



**KNOXVILLE/KNOX COUNTY METROPOLITAN PLANNING COMMISSION  
CITY OF KNOXVILLE CLOSURE OF PUBLIC RIGHT-OF-WAY**

▶ **FILE #:** 8-A-06-AC

**AGENDA ITEM #:** 10

**AGENDA DATE:** 8/10/2006

▶ **APPLICANT:** JOE HILL

---

TAX ID NUMBER: 81 N M 013  
 JURISDICTION: Council District 5  
 SECTOR PLAN: Central City  
 GROWTH POLICY PLAN: Urban Growth Area (Inside City Limits)  
 ZONING: I-2 (Restricted Manufacturing and Warehousing)

---

▶ **RIGHT-OF-WAY TO BE CLOSED:** Unnamed alley

▶ **LOCATION:** Between W. Scott Ave and rear (northwest) property lines of parcels 081NM010 and 013

---

IS ALLEY:  
 (1) IN USE?: No  
 (2) IMPROVED (paved)?: No

▶ **APPLICANT'S REASON FOR CLOSURE:** Applicant claims that neighbor uses alley as if they own it and wishes to close it, divide it and put a fence down the middle.

---

DEPARTMENT-UTILITY REPORTS: The City of Knoxville Engineering Department does not support the proposed alley closure. The utilities have no objections, subject to maintaining specified easements. (See attached letters.)

---

**STAFF RECOMMENDATION:**

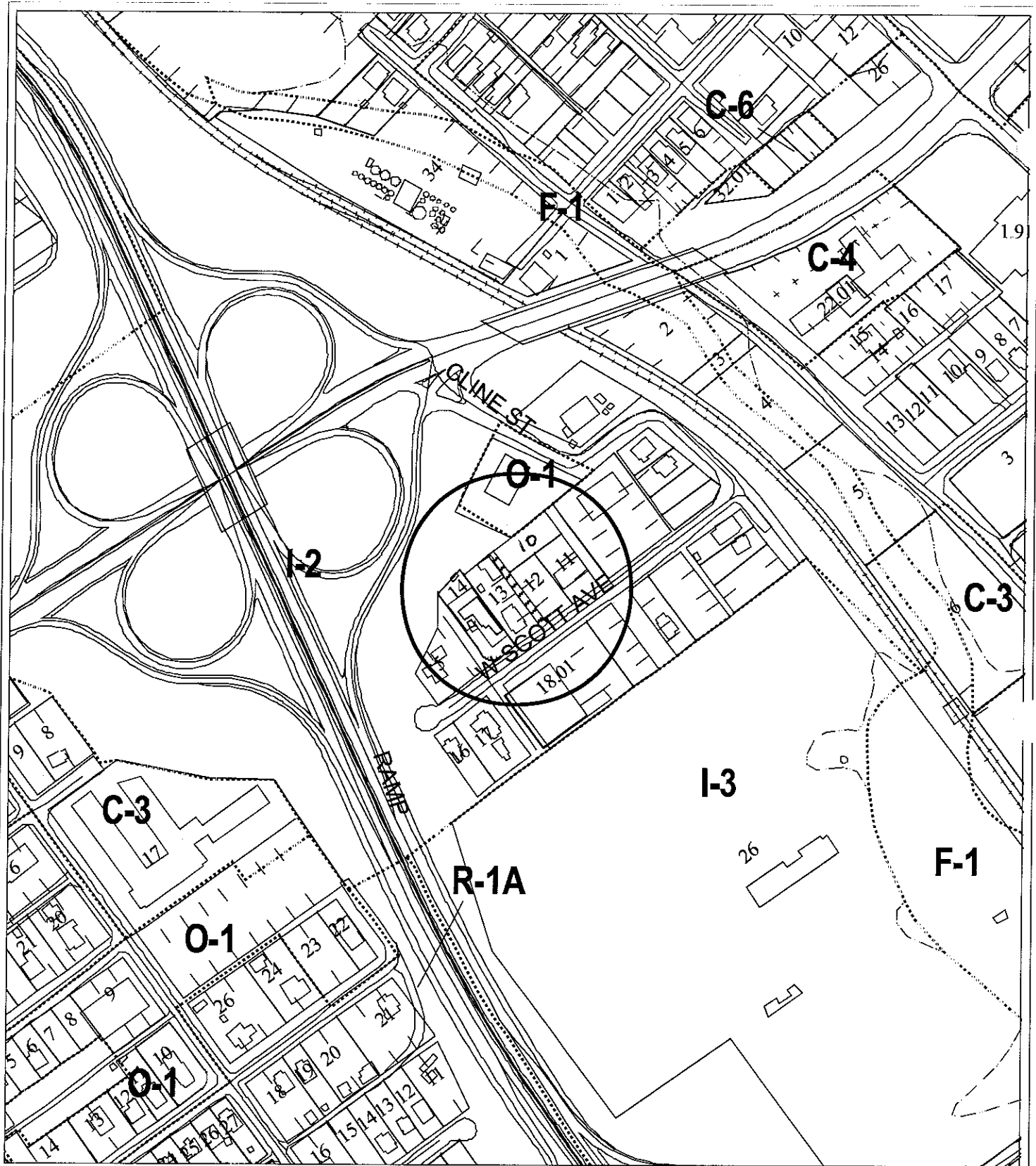
▶ **DENY the closure of the unnamed alley.**

Closure of this alley would eliminate the only legal access to several established lots of record.

**COMMENTS:**

The applicant for this request owns the property on the west side of the alley. The property owner on the east side of the alley has not signed the canvass form for this request and does not agree with the requested closure of this alley. The owner of the property on the east side of the right of way correctly claims that the alley is needed to provide access to lots that do not have frontage on W. Scott Ave. Closure of the alley would create multiple landlocked lots based on the attached ward map for the City of Knoxville. On the zoning map, it is also clear that Parcel 10 will lose its legal access if this alley is closed. The City of Knoxville Engineering Department has reviewed the request and concurs with MPC staff that this right of way closure request should be denied. (See attached letter.)

If approved, this item will be forwarded to Knoxville City Council for action on 9/12/2006 and 9/26/2006. If denied, MPC's action is final, unless the action to deny is appealed to Knoxville City Council. The date of the appeal hearing will depend on when the appeal application is filed. Appellants have 15 days to appeal an MPC decision in the City.



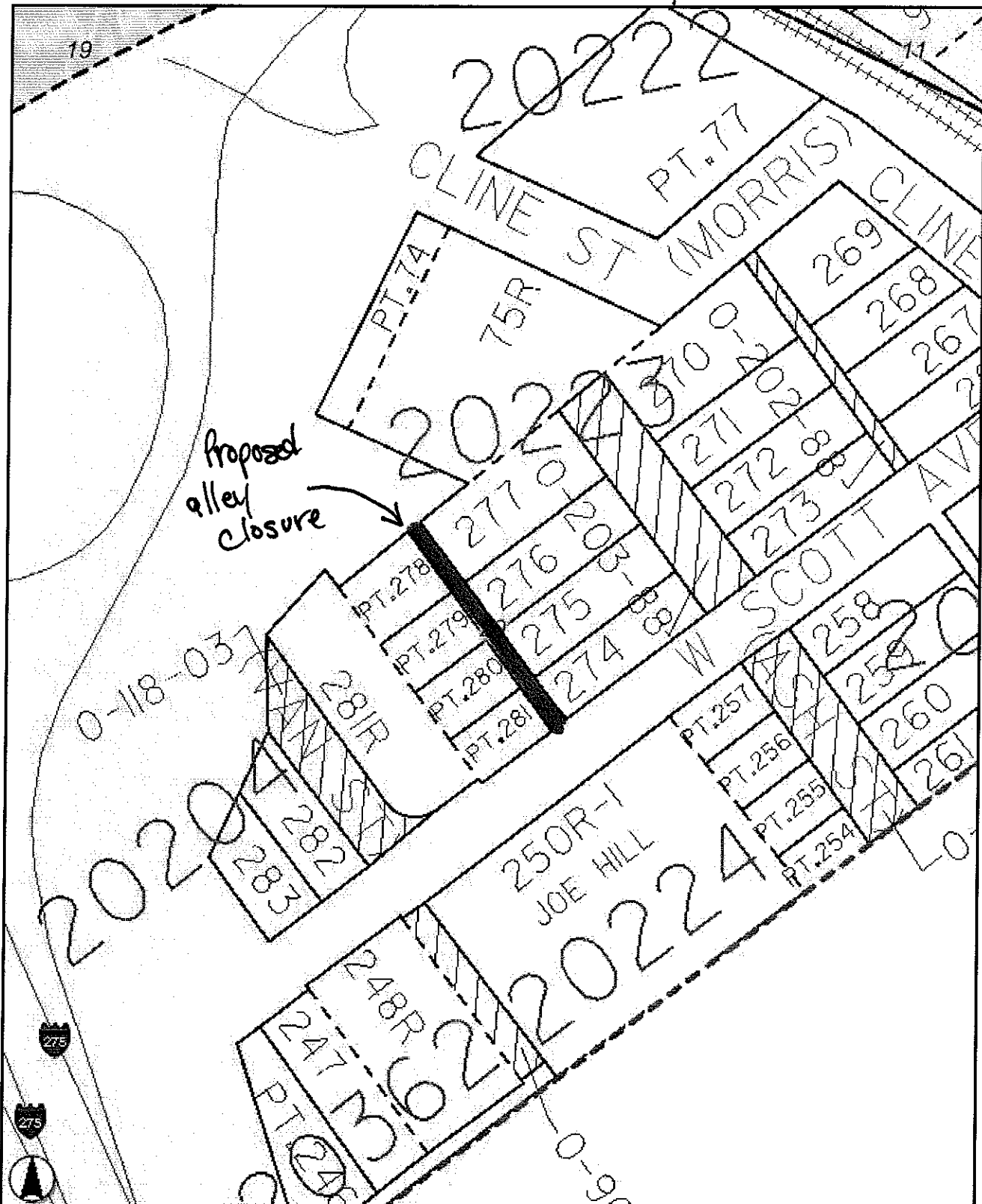
**8-A-06-AC  
CLOSURE OF PUBLIC RIGHT OF WAY**

Name of Street or Alley: Unnamed alley  
 To be closed from: W. Scott Ave  
 To be closed to : rear (northwest) property lines of parcels 081NM010 and 013  
 Original Print Date: 07/27/06 Revised:  
 Metropolitan Planning Commission \* City / County Building \* Knoxville, TN 37902

Petitioner: Joe Hill  
 Map No: 81  
 Jurisdiction: City



# 8-A-06-AC - City Ward Map



© KGIS 2006 0 97ft

## KGIS Map

KGIS - 606 Main St - Suite 150 - Knoxville, TN 37902 - [www.kgis.org](http://www.kgis.org) Printed: Thu Jul 27 2006  
Disclaimer: KGIS makes no representation or warranty as to the accuracy of this map and its information nor to its fitness for use. Any user of this map product accepts the same AS IS, WITH ALL FAULTS, and assumes all responsibility for the use thereof and further covenants and agrees to hold KGIS harmless from any and all damage, loss, or liability arising from any use of this map product. KGIS - Copyright © 2006

CITY OF KNOXVILLE

BILL HASLAM, MAYOR



Engineering Division

Stephen J King, P.E.  
Director

July 28, 2006

Mr. Michael Brusseau, Planner II  
Metropolitan Planning Commission  
Suite 403, City-County Building  
Knoxville, Tennessee 37901



**SUBJECT: Request to Close an ALLEY off W. Scott Avenue**  
MPC File #8-A-06-AC / City Block 20223

Dear Mr. Brusseau,

This is a request by Joe Hill to close an alley from W. Scott Avenue to the right-of-way of I-275 at the W. Woodland Avenue interchange. This alley is shown on a plat of Bon-View Addition as recorded in Map Book 7, Page 140 in the Office of the Register Of Deeds.

This alley is bounded on the northeast by Lots 274 through 277 and on the southwest by the remainder of Lots 278 through 281 of Bon-View Addition. If the alley were to be closed, Lots 275 through 277 and the remainder of Lots 278 through 280 would become landlocked. For this reason the Engineering Division cannot support this request.

If you have any questions, please call. You can reach me at 215-2148.

Sincerely,

Floyd R. Smith, R.L.S., Technical Services Administrator

C: David McGinley, P.E., Chief, Stormwater Section, Engineering Division  
Mark Geldmeier, P.E., Chief, Traffic Engineering Section  
Tom Clabo, P.E., Chief, Civil Engineering Section  
File

*mb060728 cls alley 8-A-06-AC.doc*



Knoxville Utilities Board

July 25, 2006

Mr. Ken Pruitt  
Knoxville-Knox County  
Metropolitan Planning Commission  
Suite 403, City-County Building  
Knoxville, Tennessee 37902



Dear Mr. Pruitt:

**Re: Right-of-Way Closure Request 8-A-06-AC**

We have reviewed our records and find that we have existing utility facilities located within the subject right-of-way. The approximate location of these facilities is indicated on the attached prints. However, KUB does not release and hereby retains all easements and rights for existing utility facilities, whether or not shown on these prints.

Should this right-of-way be closed, KUB will require the following permanent easement(s) for its utility facility.

Electric – 10 feet on each side of the centerline of the electric line, 20 feet total width

So long as these conditions are met, KUB has no objection to the closure of this right-of-way. If you have any questions regarding this matter, please call me at (865) 558-2735.

Sincerely,

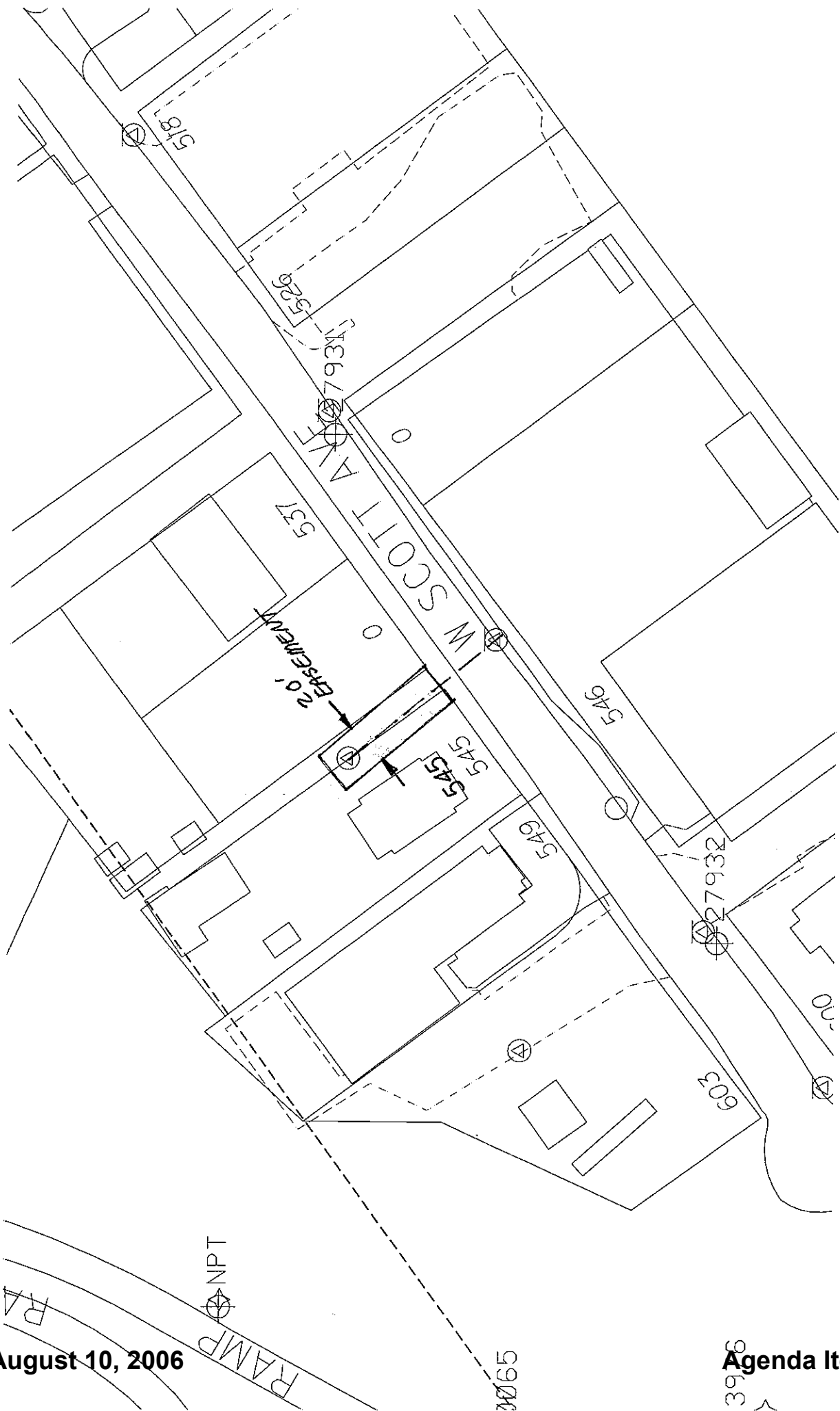
Pat Patterson  
Engineering

PP:ggt

Attachment

c/att: File—Engineering

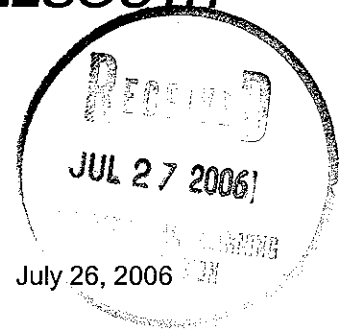
ELECTRIC



**BELLSOUTH**

---

**BellSouth Telecommunications, Inc.**  
9733 Parkside Drive  
Knoxville, TN 37922



TO: Metropolitan Planning Commission

FROM: Walter M. Primm

SUBJECT: JOE HILL – Closure of alley from West Scott Ave. to State fence, Council District 5,  
Central City Sector – 8-A-06-AC

BellSouth has facilities in this area. The closing will be satisfactory as originally proposed with an Easement to maintain and replace our plant as needed in the area in question.

Thank you,

A handwritten signature in cursive script, appearing to read "Walter M. Primm".

Walter M. Primm