



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

▶ **FILE #:** 5-B-09-SC

**AGENDA ITEM #:** 11

**AGENDA DATE:** 5/14/2009

▶ **APPLICANT:** KNOXVILLE HABITAT FOR HUMANITY

TAX ID NUMBER: 94 C D 022  
 JURISDICTION: Council District 5  
 SECTOR PLAN: Central City  
 GROWTH POLICY PLAN: Urban Growth Area (Inside City Limits)  
 ZONING: O-1 (Office, Medical, and Related Services)  
 WATERSHED: Second Creek

▶ **RIGHT-OF-WAY TO BE CLOSED:** Marion St  
 ▶ **LOCATION:** Between Belleaire Ave and deadend

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

▶ **APPLICANT'S REASON FOR CLOSURE:** Access only for lots owned by Habitat

DEPARTMENT-UTILITY REPORTS: No objections received as of May 6, 2009; subject to any required easements.

**STAFF RECOMMENDATION:**

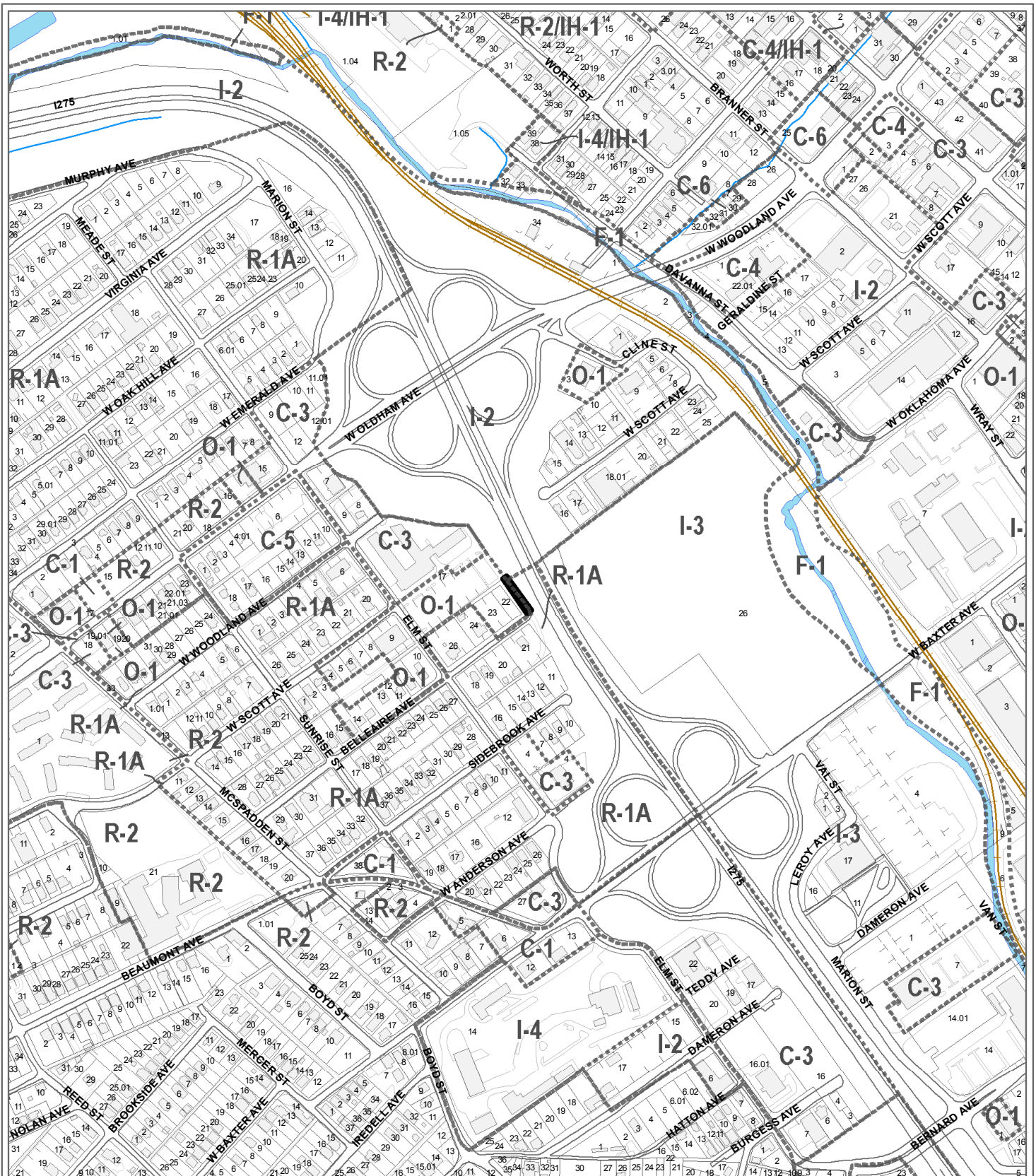
▶ **APPROVE the closure of Marion St., subject to any required easements.**

No objections to this street closure have been received by staff. This street dead ends into a private fence in the rear of the Office of Probation and Parole. The I-275 right of way is located on the east side of the street, and the proposed Habitat for Humanity property is to the west. The right of way is not needed for access to properties, as the Habitat properties will have access to Belleaire Ave.

**COMMENTS:**

The paved street is in disrepair. Its closure will result in more land available to create lots or private access for the construction of Habitat for Humanity houses.

If approved, this item will be forwarded to Knoxville City Council for action on 6/16/2009 and 6/30/2009. 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.



**5-B-09-SC  
CLOSURE OF PUBLIC RIGHT OF WAY**

Name of Street or Alley: Marion St.  
 To be closed from: Belleaire Ave.  
 To be closed to: deadend

Original Print Date: 4/17/2009      Revised:  
 Metropolitan Planning Commission \* City / County Building \* Knoxville, TN 37902

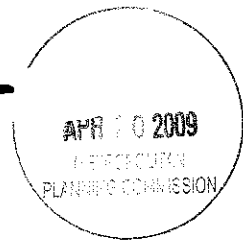
Petitioner: Knoxville Habitat for Humanity

Map No: 94  
 Jurisdiction: City  
 0 500  
 Feet





5-B-09-SC - COR - AT&T



April 17, 2009

TO: Metropolitan Planning Commission

FROM: Shannon Simms  
AT&T  
9733 Parkside Dr.  
Knoxville, TN 37922

SUBJECT: KNOXVILLE HABITAT FOR HUMANITY – Closure of Marion Street from Belleaire Avenue to existing end of Marion Street. Council District 5, 5-B-09-SC

AT&T 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,

Shannon Simms



Knoxville Utilities Board

5-B-09-SC\_cor\_KUB

April 17, 2009



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 5-B-09-SC**

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 enclosed 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 for its utility facility.

Water – 7.5 feet on each side of the centerline of the water line, 15 feet total width  
Sewer – 7.5 feet on each side of the centerline of the wastewater line, 15 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) 558-2752.

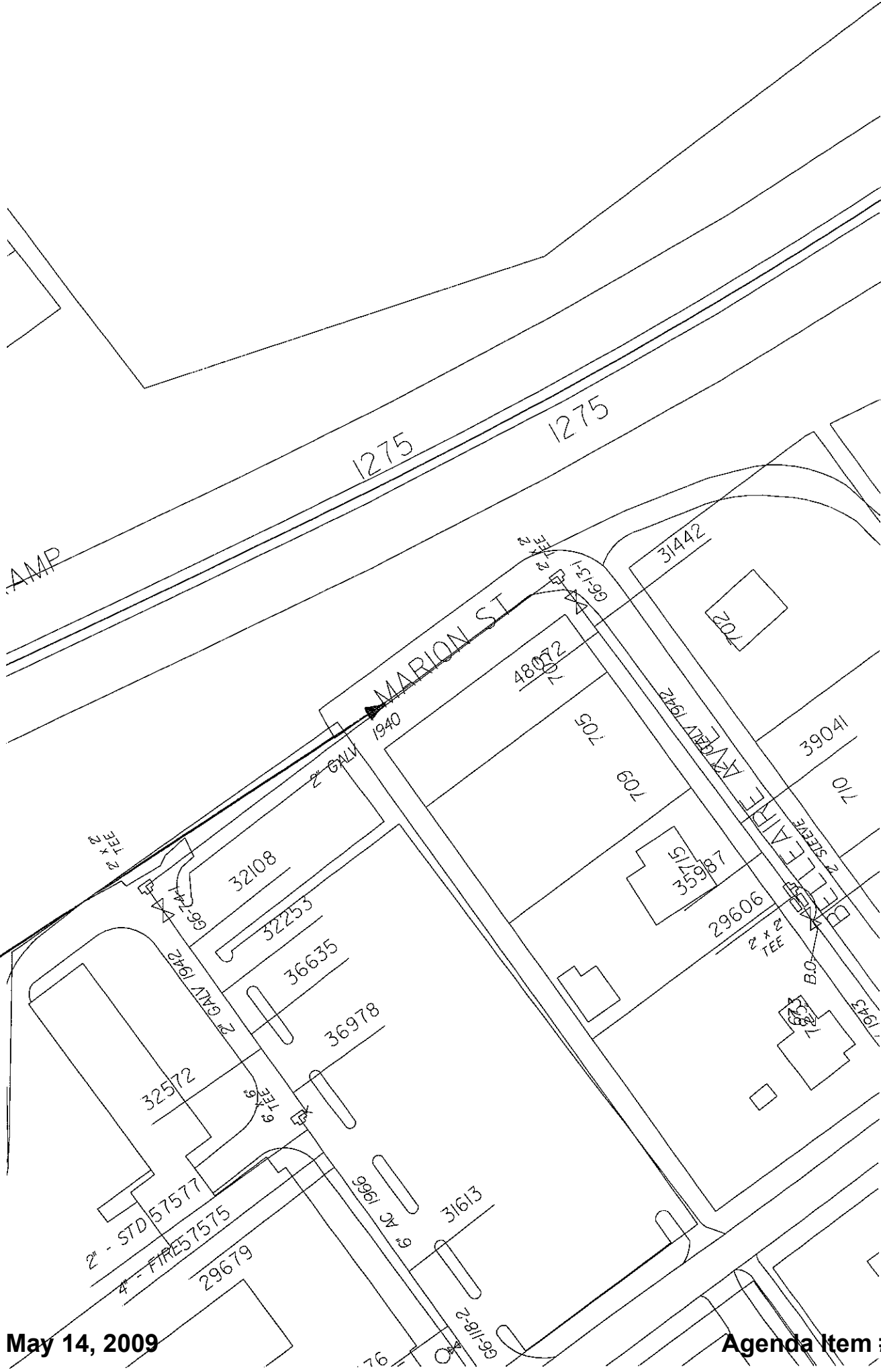
Sincerely,

Cheryl E. Myers  
Engineering

cem/ggt

Enclosure

ROW Closure - Marion St - Water - Maintain 15' Easement



MPC May 14, 2009

Agenda Item # 11

