

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

▶ **FILE #:** 5-A-17-AC **AGENDA ITEM #:** 9
 POSTPONEMENT(S): 5/11/2017 **AGENDA DATE:** 6/8/2017

▶ **APPLICANT:** STEVEN W. ABBOTT JR.

TAX ID NUMBER: 94 A A 035 [View map on KGIS](#)
 JURISDICTION: Council District 5
 SECTOR PLAN: Central City
 GROWTH POLICY PLAN: Urban Growth Area (Inside City Limits)
 ZONING: I-2 (Restricted Manufacturing and Warehousing) and C-3 (General Commercial)
 WATERSHED: Third Creek

▶ **RIGHT-OF-WAY TO BE CLOSED:** Unnamed alley
 ▶ **LOCATION:** Between northern edge of Western Avenue right-of-way and northern terminus

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

▶ **APPLICANT'S REASON FOR CLOSURE:** Not in use

DEPARTMENT-UTILITY REPORTS: No objections from any departments or utilities have been received by staff as of the date of this report.

STAFF RECOMMENDATION:

▶ **RECOMMEND** that City Council **APPROVE** the closure of the unnamed alley, as requested, subject to any required easements.

No objections have been received from any of the reviewing agencies.

COMMENTS:

If closed, the right-of-way would be absorbed by the surrounding property owners and become private property. The applicant was not able to obtain signatures of agreement from the other two adjacent property owners. At the request of staff, the applicant provided the attached letter (dated April 27, 2017) to explain the effort made to obtain those signatures. Therefore, it is not known at this time whether the other adjacent property owners that abut the alley agree with its proposed closure.

If approved, this item will be forwarded to Knoxville City Council for action on 7/6/2017 and 7/18/2017. 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.



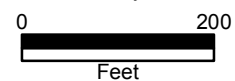
**5-A-17-AC
CLOSURE OF PUBLIC RIGHT OF WAY**

Petitioner: Abbott Jr., Steven W.

Name of Street or Alley: Unnamed alley
 To be closed from: northern edge of Western Avenue right-of-way
 To be closed to: northern terminus

Map No: 94
 Jurisdiction: City

Original Print Date: 4/17/2017 Revised:
 Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902





Fire Prevention Bureau

City of Knoxville
400 Main Street, Suite 539
Knoxville, TN 37902

Memorandum

Date: June 1, 2017
To: Mike Brusseau
From: Sonny Partin, Deputy Fire Marshal
Subject: Request for Information on Right of Way Closures, Fire Department Review

Road Name	Review Status	Comments
1. Alley at Western Ave.	Approved	Owner must maintain existing access already in place.

5-A-17-AC-cor-City Eng



CITY OF KNOXVILLE

Engineering
James R. Hagerman, P.E.
Director of Engineering



April 11, 2017

Mr. Mike Brusseau, AICP, Senior Planner
Knoxville-Knox County Metropolitan Planning Commission
City-County Building, Suite 403
Knoxville, Tennessee 37902

SUBJECT: Closure of an unnamed alley (City Block 19380)
MPC File # 5-A-17-AC

Mr. Brusseau:

The City Engineering Department has no objections to close the above described right-of-way area. However, should this right-of-way be closed, the City will reserve easements for all drainage facilities and utilities, if any, located in or within five (5) feet of the property described herein.

Sincerely,

Benjamin D. Davidson

Benjamin D. Davidson, PLS, Technical Services Administrator
Department of Engineering
Ph: 865-215-2148



5-A-17-AC-COR-KUB

Knoxville Utilities Board

April 27, 2017

MAY 1 2017

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

Dear Mr. Brusseau:

**Re: Right-of-Way Closure Request 5-A-17-AC
Block No. 19380
CLT No. 94**

We have reviewed our records and, as far as we have been able to determine, KUB has no existing utility facilities located within the subject right-of-way and we have no objection to the closure of this right-of-way. However, KUB does not release and hereby retains all easements and rights for existing utility facilities, whether or not identified in our research.

If you have any questions regarding this matter, please call me at (865) 558-2483.

Sincerely,

Christian Wiberley
Engineering

CGW/tsj

ABBOTT LAND SURVEYING, LLC

Steven W. Abbott Jr., RLS
1109 E. Woodshire Drive
Knoxville, TN 37922
Phone: 865.671.1149
Email: survmap@tds.net

April 27, 2017

Michael Brusseau
Metropolitan Planning Commission
400 Main St
Suite 403
Knoxville, TN 37902

RE: Winters Alley Closure off Western Ave

Dear Michael Brusseau,

Michael, as follow to your request for canvassing signatures of adjacent land owners for the alley Closure. The Schaads on the north refused to sign as before. Armstrong to the West is not objected, but has concerns that it will cause an increase in property taxes and needed time for review.

Sincerely,



ABBOTT LAND SURVEYING, LLC

RIGHT-OF-WAY CLOSURE



Name of Applicant: Steven W Abbott Jr.

Date Filed: 03/27/17 Fee Paid: \$400.00 File Number: 5-A-17-AC

Map Number: 094 Zoning District: E-2 C-3 City County Sector: Central City

Jurisdiction: City 5 Councilmanic District

INFORMATION:

Name of Right-of-Way: Unnamed Alley

Type of Right-of-Way: Street Alley

Location of Right-of-Way:

BETWEEN (City Block or Lot where appropriate) East Texas Ave; West of Mynders Ave

AND (City Block or Lot where appropriate) _____

Right-of-Way is: In Use Yes No Improved (example: paved) Yes No

Reason for Closure: not in use

TO BE CLOSED:

From: (Street, Alley, Other)
northern r/w western ave

To: (Street, Alley, Other)
termination of alley

ALL CORRESPONDENCE RELATING TO THIS APPLICATION SHOULD BE SENT TO:

Steven W. Abbott Jr 1109 E. Woodshire Dr Knoxville, TN 37922 865.671.1149
Name: (Print) Address • City • State • Zip • Phone • Fax

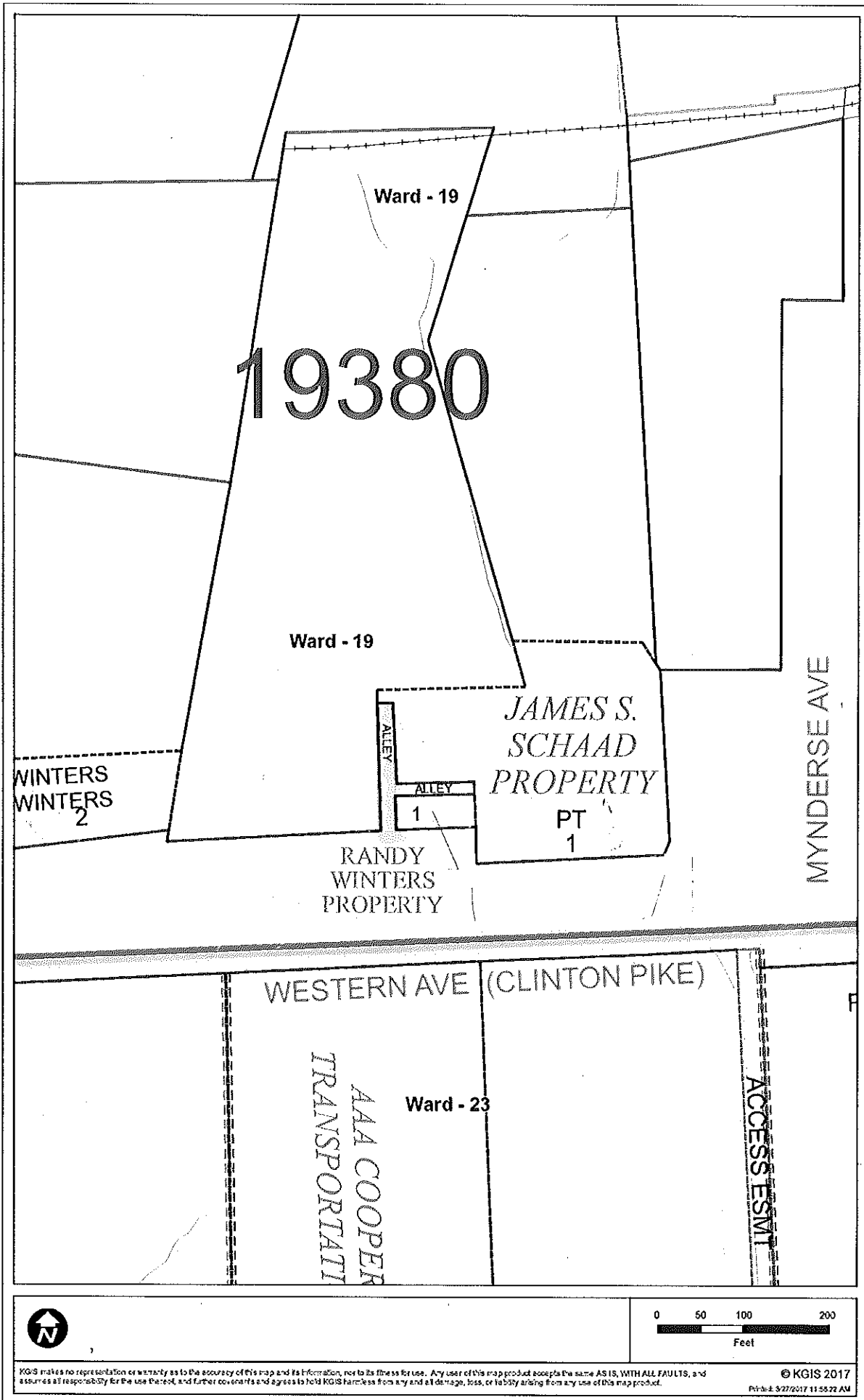
AUTHORIZATION OF APPLICATION:

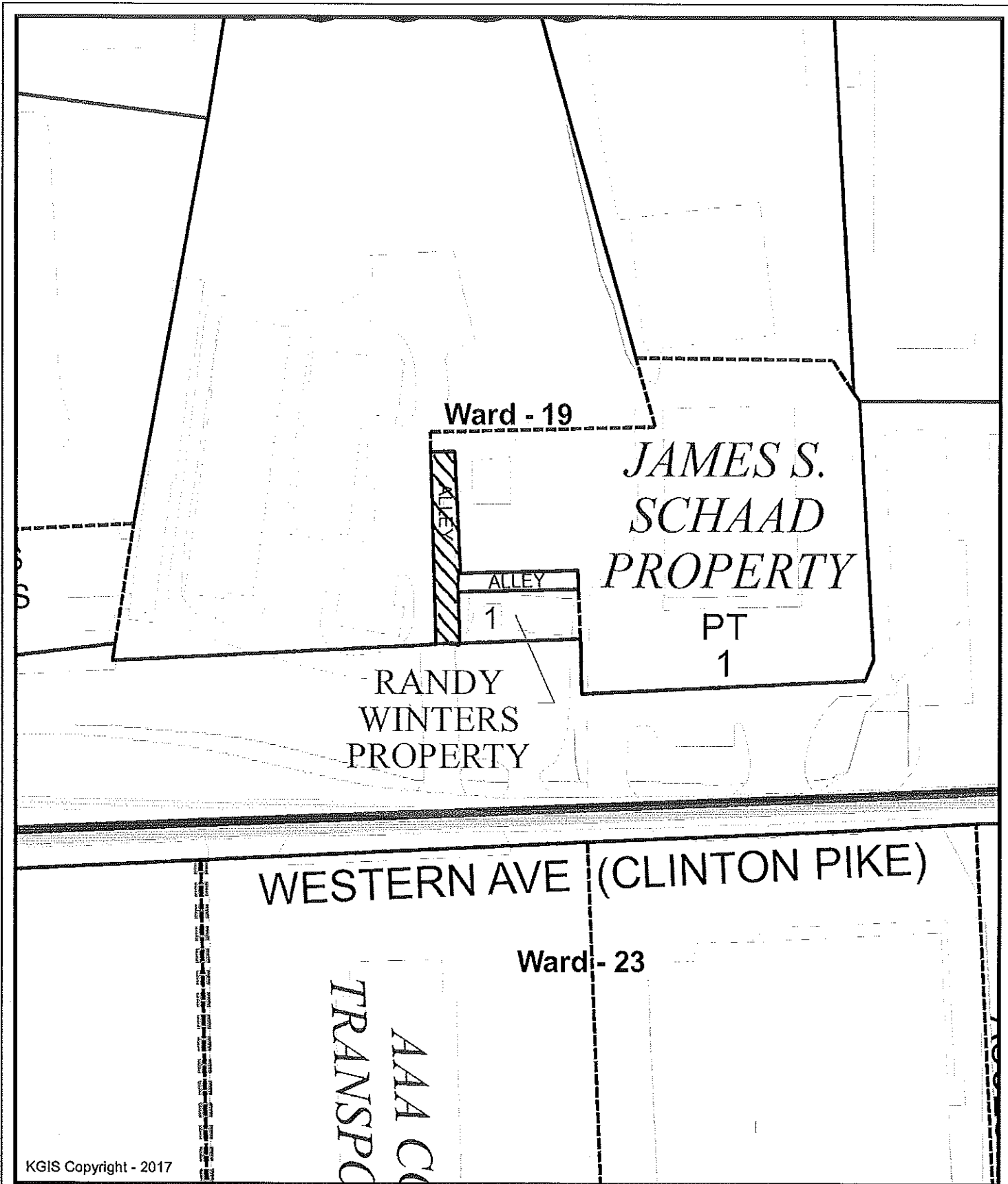
I hereby certify that I am the authorized applicant, or representing the applicant and ALL property owners involved in this request or holders of option on same.

Signature: *Steven W. Abbott Jr*

Steven W. Abbott Jr, 1109 E. Woodshire Dr Knoxville, TN 37922 865.671.1149
Name: (Print) Address • City • State • Zip • Phone • Fax

APPLICATION ACCEPTED BY: *[Signature]*



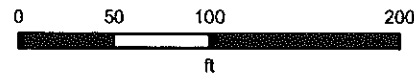


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Letter Portrait

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Knoxville - Knox County - KUB Geographic Information System



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