



CITY OF KNOXVILLE CLOSURE OF PUBLIC RIGHT-OF-WAY

► **FILE #:** 12-A-19-AC

AGENDA ITEM #: 6

AGENDA DATE: 12/12/2019

► **APPLICANT:** IAN ADAMSKI

TAX ID NUMBER: 109 N/A

[View map on KGIS](#)

JURISDICTION: Council District 1

SECTOR PLAN: South City

GROWTH POLICY PLAN: Urban Growth Area (Inside City Limits)

ZONING: R-1A (Low Density Residential)

WATERSHED: Goose Creek

► **RIGHT-OF-WAY TO BE CLOSED:** portion of unnamed alley

► **LOCATION:** Between Maryville Pike and the rear lot line of lot 13 on city ward map (109IG032)

IS ALLEY:

(1) IN USE?: no

(2) IMPROVED (paved)?: no

► **APPLICANT'S REASON FOR CLOSURE:** For future garage to be within the 8 ft side setback

DEPARTMENT-UTILITY REPORTS: Neither KUB, AT&T, nor the City Engineering Department had any comments other than their wish to retain any easements that may be present. The Fire Department and TDOT had no comments.

STAFF RECOMMENDATION:

► **Approve closure of the unnamed alley, subject to any required easements, since it is undeveloped and unneeded and staff has received no objections to its closure.**

COMMENTS:

1.The unnamed alley is undeveloped.

2.It is 365 ft. from the intersection of Henry Avenue and Maryville Pike, so it is not necessary for connecting those two roads. The block length is 613 ft., an acceptable block length for a pedestrian.

3.Current side setback is 38 ft.; applicant wants to build garage that will meet the 8-ft. side setback requirement.

4.Staff has received no objections from any City departments or utility companies other than the departments listed above who wish to retain any easements that may be present.

If approved, this item will be forwarded to Knoxville City Council for action on 1/14/2020 and 1/28/2020. If denied, Knoxville-Knox County Planning Commission'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 a Planning Commission decision in the City.



12-A-19-AC
CLOSURE OF PUBLIC RIGHT OF WAY

Petitioner: Adamski, Ian

Name of Street or Alley: portion of unnamed alley
 To be closed from: Maryville Pike
 To be closed to: the unnamed r.o.w. at the rear lot line of lot 13 on city ward map

Map No: 109
 Jurisdiction: City

Original Print Date: 11/7/2019 Revised:
 Metropolitan Planning Commission * City / County Building * Knoxville, TN 37902

0 125
 Feet



NOVEMBER 6, 2019

Knoxville Utilities Board
Danny Beeler, Fire Marshal
Steve Borden, Regional Director, TN Dept. of Transportation
James R. Hagerman, P.E., Director of Engineering
Sonny Partin, Plans Reviewer, Fire Dept.
Kelly Parmain, AT&T
Shannon Sims, AT&T
Ben Davidson, Department of Engineering
Charlotte Goforth, Department of Engineering

FROM: Michelle Portier, AICP

RE: REQUEST CLOSURE OF A PORTION OF THE UNNAMED ALLEY BETWEEN MARYVILLE PIKE AND THE UNNAMED RIGHT-OF-WAY AT THE REAR LOT LINE OF LOT 13 ON CITY WARD MAP 25 (PARCEL ID 109IG032), 237 MARYVILLE PIKE, COUNCIL DISTRICT 1, SOUTH CITY SECTOR. (12-A-19-AC)

Please give us the following information in writing regarding this proposed closure if your agency has an objection, or any conditions you wish considered with this request:

- 1** Is there any present or anticipated future need for this street/alley which in your opinion would warrant retaining it for public use?
- 2** What present use does it serve?
- 3** What future use is anticipated?
- 4** Do you oppose closing (vacating) it?
- 5** If closed (vacated), would easements meet your needs?
- 6** If easement will meet needs, please state easements required.

This request will be considered by the Knoxville-Knox County Planning Commission on December 12, 2019.

A map showing the street or alley in question is attached for your information.

PLEASE NOTE: Failure to reply to our office by December 2, 2019 will be considered as no objection by your agency.

C: Amy Brooks, AICP
Attachment: Application



CITY OF KNOXVILLE

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

November 26, 2019

Knoxville-Knox Planning
City-County Building, Suite 403
Knoxville, Tennessee 37902

SUBJECT: Closure of an unnamed alley off Maryville Pike
MPC File # 12-A-19-AC; Nearby City Block 25411

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 there are any current facilities, located in or within five (5) feet of the property described herein. If any existing facilities or utilities are found not feasible to the site development or use, they may be removed and relocated, subject to City Engineering and/or other applicable easement holder review and approval.

Sincerely,

Benjamin D. Davidson, PLS, Technical Services Administrator
Technical Services/Department of Engineering
Ph: 865-215-2103



Dori Caron <dori.caron@knoxplanning.org>

ROW closures for December 2019

Steve Borden <Steve.Borden@tn.gov>
To: Dori Caron <dori.caron@knoxplanning.org>

Mon, Nov 25, 2019 at 5:19 PM

Below are TDOT District 18 comments to the proposed ROW closures:

12-A-19-AC: No Comment, this closure does not appear to affect State Owned Rights of Way

12-A-19-SC: No Comment, this closure does not appear to affect State Owned Rights of Way

12-B-19-SC: No Comment, this closure does not appear to affect State Owned Rights of Way



Steven M. Borden, P.E. | Director/Assistant Chief Engineer

TDOT – Region 1

7345 Region Lane

Knoxville, TN 37914

(865) 594-2400

Steve.Borden@tn.gov

tn.gov/tdot

From: Dori Caron <dori.caron@knoxplanning.org>

Sent: Thursday, November 7, 2019 1:22 PM

To: Amy Brooks <amy.brooks@knoxplanning.org>; Ben Davidson <bdavidson@knoxvilletn.gov>; Charlotte Goforth <cgoforth@knoxvilletn.gov>; Christian Wiberley <Christian.Wiberley@kub.org>; Danny Beeler <dbeeler@knoxvilletn.gov>; James Hagerman <jhagerman@knoxvilletn.gov>; Kelly Parmain <kp6012@att.com>; Liz Albertson <liz.albertson@knoxplanning.org>; Michelle Portier <michelle.portier@knoxplanning.org>; Shannon Sims <ss3775@att.com>; Sonny Partin <spartin@knoxvilletn.gov>; Steve Borden <Steve.Borden@tn.gov>

Subject: [EXTERNAL] ROW closures for December 2019

***** This is an EXTERNAL email. Please exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email - STS-Security. *****

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November 26, 2019

Michelle Portier
Knoxville-Knox County
Metropolitan Planning Commission
Suite 403, City-County Building
Knoxville, Tennessee 37902

Dear Ms. Portier:

Re: Right-of-Way Closure Requests 12-A-19-AC, 12-A-19-SC, and 12-B-19-SC

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-ways and we have no objection to the requested closures. However, KUB does not release and hereby retains all easements and rights for existing 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, PE
Engineering

CGW



Fire Prevention Bureau

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

Memorandum

Date: November 12, 2019

To: Dori Caron

From: Sonny Partin, Deputy Fire Marshal

Subject: Request for Information on Right of Way Closures, Fire Department Review

Road Name	Review Status	Comments
1. 12-A-19-AC	Approved	None
2. 12-A-19-SC	Approved	None
3. 12-B-19-SC	Approved	None



400 Main Street
Suite 403
Knoxville, TN 37902
P: 865.215.2507
F: 865.215.2237

Addressing Department Review and Comments

File #: 12-A-19-AC
Tax Parcel ID: 109IB032
Subdivision: N/A
Owner/Applicant: Ian Adamski
Surveyor:
Company:
Email:

Date Submitted: 10/24/19
Review Type: AC
Unit or Phase:
Phone: 865.394.3286
Office:
Cell:
Fax:

Visit our website: <http://www.knoxplanning.org/addressing> for a list of existing and available street names.

All subdivision and street names must conform to the Knoxville/Knox County Street Uniform Naming and Addressing Ordinance, Subdivision Regulations and the Administrative Rules of the Planning Commission.

Proposed and/or Existing Subdivision or Street Names	Results of Review, Corrections, and Comments (date subdivision or street name reserved)	Approved, Denied, Pending Corrections
	The proposed alley closure will not have an impact on the surrounding addresses.	

Comments may be modified based on new information from field review or other government agencies.

Andrea Kupfer (865.215.3797) andrea.kupfer@knoxplanning.org	1st Review	Donna Hill (865.215.3872) donna.hill@knoxplanning.org	2nd Review
	11/7/19		11.12.19



RIGHT-OF-WAY CLOSURE



Name of Applicant: IAN ADAMSKI
Date Filed: 10/24/2019 Fee Paid: 400.00 File Number: 12-A-19-AC
Map Number: 109 Zoning District: B-1A ☒ City ☐ County Sector: South City
Jurisdiction: ☒ City 1st Council District

INFORMATION:

Name of Right-of-Way: Unnamed Alley
Type of Right-of-Way: ☐ Street ☒ Alley
Location of Right-of-Way: (only seeking closure of a portion) (see Attached maps)
BETWEEN (City Block or Lot where appropriate) Marquille Pike (block 25421)
AND (City Block or Lot where appropriate) Henry Ave (block 25411)
Right-of-Way is: In Use ☐ Yes ☒ No Improved (example: paved) ☐ Yes ☒ No
Reason for Closure: FOR FUTURE GEORGE TO BE WITHIN THE 8 FOOT SET BACK ON SIDES. ALSO DRUGIES USE IT TO ACCESS A DOPE HOUSE ON HENRY ST

TO BE CLOSED:

From: (Street, Alley, Other) <u>Marquille Pike</u>	To: (Street, Alley, Other) <u>Rear lot line of lot 13 on city ward map</u> <u>CLT # 109IGA32</u>
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ALL CORRESPONDENCE RELATING TO THIS APPLICATION SHOULD BE SENT TO:

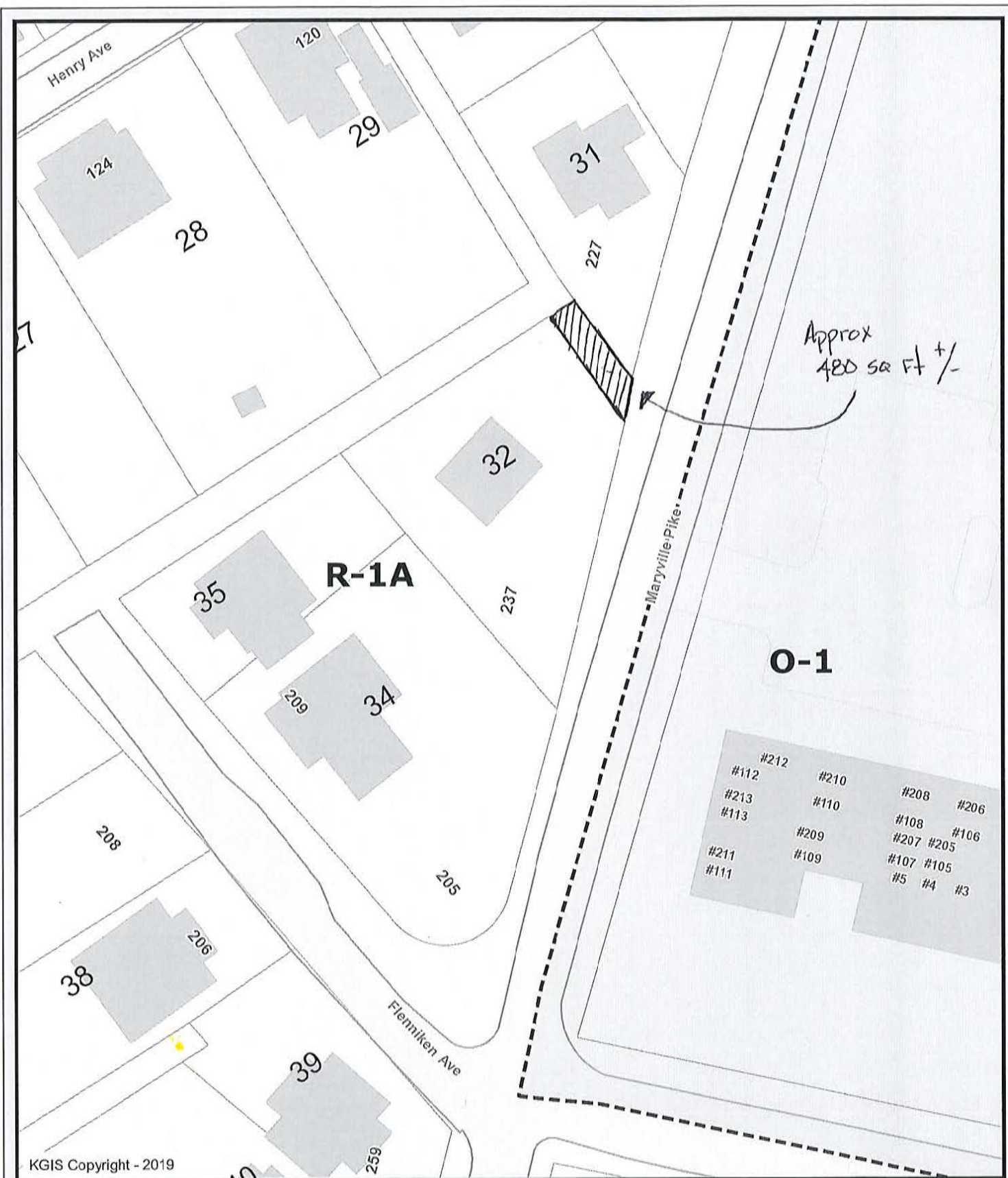
IAN ADAMSKI 227 MARQUILLE PIKE KNOXVILLE, TN 37920 (865) 394-3286
Name: (Print) Address City State Zip Phone Fax

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: [Signature]
IAN ADAMSKI SAME AS ABOVE
Name: (Print) Address City State Zip Phone Fax

APPLICATION ACCEPTED BY: Marc Payne



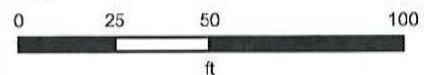
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Letter Portrait

Knoxville - Knox County - KUB Geographic Information System



Printed: 10/24/2019 at 12:04:54 PM



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[illegible]

All owners and holders of option on property abutting the proposed closure must sign the list below and express their opinion about this closure. A map showing the location and addresses of these properties must accompany this application.

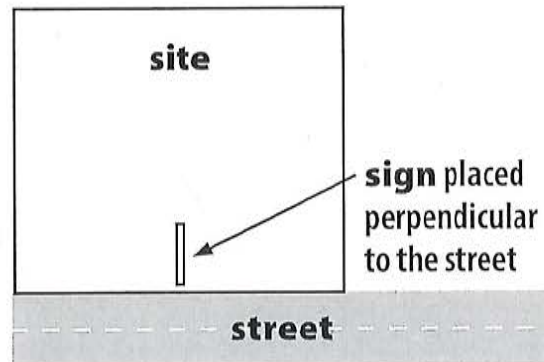
REQUIRED SIGN POSTING AGREEMENT

For all rezoning, plan amendment, concept plan, use on review, right-of-way closure, and street name change applications, a sign must be posted on the subject property, consistent with the adopted Administrative Rules and Procedures.

At the time of application, staff will provide a sign(s) to post on the property as part of the application process. If the sign(s) go missing for any reason and need to be replaced, then the applicant will be responsible for picking up a new sign(s) from the Planning offices. The applicant will be charged a fee of \$10 for each replacement sign.

LOCATION AND VISIBILITY

The sign must be posted in a location that is clearly visible from vehicles traveling in either direction on the nearest adjacent/frontage street. If the property has more than one street frontage, then the sign should be placed along the street that carries more traffic. Planning staff may recommend a preferred location for the sign to be posted at the time of application.



TIMING

The sign(s) must be posted 15 days before the scheduled Planning Commission public hearing and must remain in place until the day after the meeting. In the case of a postponement, the sign can either remain in place or be removed and reposted 15 days before the next Planning Commission meeting.

I hereby agree to post and remove the sign(s) provided on the subject property consistent with the above guidelines and between the dates of:

Nov. 27th and Dec 13th
 (15 days before the Planning Commission meeting) (the day after the Planning Commission meeting)

Signature: [Signature]

Printed Name: IAN ADAMSKI

Phone: (865) 394-3286 Email: 4678965K@GMAIL.COM

Date: 10-24-19

File Number: 12-A-19-AC