



# CITY OF KNOXVILLE CLOSURE OF PUBLIC RIGHT-OF-WAY

► **FILE #:** 7-A-21-AC

**AGENDA ITEM #:** 5

**AGENDA DATE:** 7/8/2021

► **APPLICANT:** AMIR SADOVNIK

TAX ID NUMBER: 81 M R 021

[View map on KGIS](#)

JURISDICTION: Council District 4

SECTOR PLAN: Central City

GROWTH POLICY PLAN: N/A

ZONING: RN-4 (General Residential Neighborhood)

► **RIGHT-OF-WAY TO BE  
CLOSED:** Unnamed

► **LOCATION:** Between Stewart Street and Irwin Street

IS ALLEY:

(1) IN USE?: No

(2) IMPROVED (paved)? Yes

► **APPLICANT'S REASON  
FOR CLOSURE:** The alley is currently not being used or really maintained by the City.

DEPARTMENT-UTILITY  
REPORTS: The City's Engineering Department and KUB have requested to retain any easements that may be in place.

## STAFF RECOMMENDATION:

► **Approve closure of an unnamed alley right-of-way between Stewart Street and Irwin Street, because it is not currently in use.**

## COMMENTS:

1. This section of land is a paved alley right-of-way that is not currently in use. The right-of-way runs the length between Stewart Street and Irwin Street.

2. This right-of-way is not being used for access onto adjacent properties as it was originally intended for.

3. Should the right-of-way be closed; this land would be divided between adjacent property owners.

4. The applicant states the reason for the closure request is that the right-of-way is not currently not being used, and is not being maintained by the City.

5. The proposed closure is not anticipated to impact existing addresses.

6. Staff have received no objections, but the following departments and organizations had these comments:

a. 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. No easements are reserved if there are no current facilities within the closure area. 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.

b. The City's Fire Department approve the request.

c. TDOT has no comment on this closure application.

d. KUB: We have reviewed our records and find that we have existing utility facilities located within the subject right-of-way. The approximate locations of these facilities are 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 easements for its utility facilities. Sewer – 7.5 feet on each side of the centerline of the water line, 15 feet total width. If you have any questions regarding this matter, please call me at (865) 558-2483.

e. AT&T: If there are AT&T facilities in the area of closure request, we do not wish to relinquish ROW/easement at this time. If the property owner wishes it closed off and AT&T facilities exist, they would need to pay to have it re-routed.

If approved, this item will be forwarded to Knoxville City Council for action on 8/10/2021 and 8/24/2021. 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.



**7-A-21-AC  
CLOSURE OF PUBLIC RIGHT OF WAY**

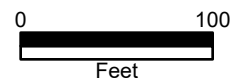
Name of Street or Alley: Unnamed  
 To be closed from: Stewart Street  
 To be closed to: Irwin Street

Original Print Date: 6/8/2021  
 Knoxville - Knoxville Planning Commission \* City / County Building \* Knoxville, TN 37902

Revised:

Petitioner: Sadovnik, Amir

Map No: 81  
 Jurisdiction: City



**JUNE 8, 2021**

To: Knoxville Utilities Board  
Steve Borden, Regional Director, TN Dept. of Transportation  
Harold Cannon, Director, Department of Engineering  
King, Department of Engineering  
Sonny Partin, Fire Marshall  
Shannon Sims, AT&T  
Ben Davidson, Department of Engineering  
Charlotte Goforth, Department of Engineering

From: Michelle Portier, Senior Planner, Knoxville-Knox County Planning

**RE: REQUEST CLOSURE OF AN UNNAMED ALLEY BETWEEN STEWART STREET  
AND IRWIN STREET, COUNCIL DISTRICT 4, CENTRAL CITY SECTOR.  
(7-A-21-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 July 8, 2021. A map showing the street or alley in question is attached for your information.

***PLEASE NOTE: Failure to reply to our office by Monday, June 21, 2021 will be considered as no objection by your agency.***

C: Amy Brooks, Executive Director, Knoxville-Knox County Planning  
Attachment: Application



Dori Caron &lt;dori.caron@knoxplanning.org&gt;

---

**ROW closure 7-A-21-AC**

---

**Ben Davidson** <bdavidson@knoxvilletn.gov>  
To: Dori Caron <dori.caron@knoxplanning.org>

Mon, Jun 21, 2021 at 8:57 AM

Hello Dori,

Engineering has no objection. Please see the attached letter.

Sincerely,

Benjamin D. Davidson, PLS  
TN Licensed Land Surveyor No. 2543  
Technical Services Administrator  
City of Knoxville, Department of Engineering  
Phone: 865-215-2103; 865-215-4615  
Email: [bdavidson@knoxvilletn.gov](mailto:bdavidson@knoxvilletn.gov)

---

**From:** Dori Caron <[dori.caron@knoxplanning.org](mailto:dori.caron@knoxplanning.org)>

**Sent:** Tuesday, June 8, 2021 3:33 PM

**To:** [amy.brooks@knoxplanning.org](mailto:amy.brooks@knoxplanning.org) <[amy.brooks@knoxplanning.org](mailto:amy.brooks@knoxplanning.org)>; Ben Davidson <[bdavidson@knoxvilletn.gov](mailto:bdavidson@knoxvilletn.gov)>; Charlo e Goforth <[cgoforth@knoxvilletn.gov](mailto:cgoforth@knoxvilletn.gov)>; Chris an Wiberley <[Christian.Wiberley@kub.org](mailto:Christian.Wiberley@kub.org)>; Harold Cannon <[hcannon@knoxvilletn.gov](mailto:hcannon@knoxvilletn.gov)>; Laura Edmonds <[laura.edmonds@knoxplanning.org](mailto:laura.edmonds@knoxplanning.org)>; Levan King Cranston <[levan.kingcranston@knoxplanning.org](mailto:levan.kingcranston@knoxplanning.org)>; Michelle Porter <[michelle.portier@knoxplanning.org](mailto:michelle.portier@knoxplanning.org)>; Shannon Sims <[ss3775@att.com](mailto:ss3775@att.com)>; Sonny Par n <[spartin@knoxvilletn.gov](mailto:spartin@knoxvilletn.gov)>; Steve Borden <[steve.borden@tn.gov](mailto:steve.borden@tn.gov)>; Steve King <[sking@knoxvilletn.gov](mailto:sking@knoxvilletn.gov)>

**Subject:** ROW closure 7-A-21-AC

[Quoted text hidden]



**7-A-21-AC\_Closure Response Engineering\_06-21-21.doc**  
234K



# CITY OF KNOXVILLE

---

**Engineering**  
Benjamin D. Davidson, PLS  
Technical Services Administrator

June 21, 2021

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

SUBJECT: Closure of unnamed alley  
MPC File # 7-A-21-AC; Nearby City Block 11627

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. No easements are reserved if there are no current facilities within the closure area. 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 &lt;dori.caron@knoxplanning.org&gt;

---

**ROW closure 7-A-21-AC**

---

**Sonny Partin** <spartin@knoxville.tn.gov>  
To: Dori Caron <dori.caron@knoxplanning.org>

Wed, Jun 16, 2021 at 9:25 AM

Dori,

We can approve this request.

Sonny

**Asst. Chief Sonny Partin, CFPS**  
**Fire Marshal**  
**Knoxville Fire Department**  
**400 Main St. Suite 446**  
**Knoxville, Tn. 37902**  
**865-215-2283 Office**

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

**Sent:** Tuesday, June 8, 2021 3:34 PM

**To:** amy.brooks@knoxplanning.org; Ben Davidson <bdavidson@knoxville.tn.gov>; Charlo e Goforth <cgoforth@knoxville.tn.gov>; Chris an Wiberley <Christian.Wiberley@kub.org>; Harold Cannon <hcannon@knoxville.tn.gov>; Laura Edmonds <laura.edmonds@knoxplanning.org>; Levan King Cranston <levan.kingcranston@knoxplanning.org>; Michelle Portier <michelle.portier@knoxplanning.org>; Shannon Sims <ss3775@att.com>; Sonny Partin <spartin@knoxville.tn.gov>; Steve Borden <steve.borden@tn.gov>; Steve King <sking@knoxville.tn.gov>

**Subject:** ROW closure 7-A-21-AC

Good afternoon,

Just one alley closure for July. Attached.

Dori Caron

Senior Administrative Assistant

Direct Line: 865-215-2694

a

---

June 21, 2021

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

Dear Ms. Portier:

**Re: Right-of-Way Closure Request 7-A-21-AC**

We have reviewed our records and find that we have existing utility facilities located within the subject right-of-way. The approximate locations of these facilities are 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 easements for its utility facilities.

Sewer – 7.5 feet on each side of the centerline of the water line, 15 feet total width

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

Sincerely,



Christian Wiberley, PE  
Engineering

CGW







Dori Caron &lt;dori.caron@knoxplanning.org&gt;

---

## ROW closure 7-A-21-AC

---

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

Fri, Jun 11, 2021 at 2:19 PM

TDOT District 18 Operations has no comment on this closure application.



**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](mailto:Steve.Borden@tn.gov)

[tn.gov/tdot](http://tn.gov/tdot)

---

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

**Sent:** Tuesday, June 8, 2021 3:34 PM

**To:** Amy Brooks <amy.brooks@knoxplanning.org>; Ben Davidson <bdavidson@knoxvilletn.gov>; Charlotte Goforth <cgoforth@knoxvilletn.gov>; Christian Wiberley <Christian.Wiberley@kub.org>; Harold Cannon <hcannon@knoxvilletn.gov>; Laura Edmonds <laura.edmonds@knoxplanning.org>; Levan King Cranston <levan.kingcranston@knoxplanning.org>; Michelle Portier <michelle.portier@knoxplanning.org>; Shannon Sims <ss3775@att.com>; Sonny Partin <spartin@knoxvilletn.gov>; Steve Borden <Steve.Borden@tn.gov>; Steve King <sking@knoxvilletn.gov>

**Subject:** [EXTERNAL] ROW closure 7-A-21-AC

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

[Quoted text hidden]



# RIGHT-OF-WAY CLOSURE

Name of Applicant: Amir Sadovnik

Date Filed: 5/19/2021 Fee Paid: 400.00 File Number: 7-A-21-AC

Map Number: 081 Zoning District: RN-4 ☒ City ☐ County Sector: Central City

Jurisdiction: ☒ City 4 Council District

## INFORMATION:

Name of Right-of-Way: unnamed

Type of Right-of-Way: ☐ Street ☒ Alley

### Location of Right-of-Way:

BETWEEN (City Block or Lot where appropriate) Stewart St.

AND (City Block or Lot where appropriate) Irwin St.

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

Reason for Closure: The alley is currently not being used or really maintained by the city.

## TO BE CLOSED:

From: (Street, Alley, Other)  
Stewart St.

To: (Street, Alley, Other)  
Irwin St.

## ALL CORRESPONDENCE RELATING TO THIS APPLICATION SHOULD BE SENT TO:

Amir Sadovnik 918 Stewart St. Knoxville TN 37917 347-645-7690 asadovnik@gmail.com  
Name: (Print) Address • City • State • Zip • Phone • Email

## 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: Amir Sadovnik

Amir Sadovnik 918 Stewart St. Knoxville TN 37917 347-645-7690 asadovnik@gmail.com  
Name: (Print) Address • City • State • Zip • Phone • Email

## APPLICATION ACCEPTED BY:

Sherry Michienzi

5/19/2021



## RIGHT-OF-WAY CLOSURE CANVASS FORM

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.

[illegible]







KGIS makes no representation or warranty as to the accuracy of his 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.