



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

▶ FILE #: 9-A-22-AC

AGENDA ITEM #: 5

AGENDA DATE: 9/8/2022

▶ APPLICANT: ERIC FORRESTALL

TAX ID NUMBER: 81 I J 005 [View map on KGIS](#)

JURISDICTION: Council District 5

SECTOR PLAN:

GROWTH POLICY PLAN: N/A (Within City Limits)

ZONING: RN-2 (Single-Family Residential Neighborhood)

WATERSHED: Third Creek

▶ RIGHT-OF-WAY TO BE CLOSED: Unnamed Alley

▶ LOCATION: Between Katherine Avenue and The Southern termination point of the alley

IS ALLEY:

(1) IN USE?: No

(2) IMPROVED (paved)?: No

▶ APPLICANT'S REASON FOR CLOSURE: Applicant requests closure of unused alley to assist in the construction of a new home on the property.

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 the unnamed alley between parcels 081IJ004 and 081IJ005 from Katherine Drive to the alley's southern terminus, subject to any required easements, since it is not needed for access and staff has received no objections.

### COMMENTS:

1. This request is to close the unnamed alley between parcels 081IJ004 and 081IJ005 from Katherine Drive to the alley's southern terminus. The alley is undeveloped and does not provide access to any properties.
2. The alley does not provide any opportunity for increased connectivity in the area since it is at the end of the designated alley right-of-way area and a single family dwelling is directly behind the alley precluding any future connection to Delaware Avenue to the south.
3. Both abutting property owners are in agreement with the closure and staff has received no objections from the general public.
4. The following departments and organizations had these comments:
  - 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.

- KUB: 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 rights-of-way 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.
- TDOT had no Comments as this is not a state right-of-way.
- The Fire Department had no comments.

If approved, this item will be forwarded to Knoxville City Council for action on 10/4/2022 and 10/18/2022. 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.



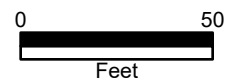
**9-A-22-AC  
CLOSURE OF PUBLIC RIGHT OF WAY**

Petitioner: Eric Forrestall

Name of Street or Alley: Unnamed Alley  
 To be closed from: Katherine Avenue  
 To be closed to: The Southern termination point of the alley

Map No: 81  
 Jurisdiction: City

Original Print Date: 8/1/2022      Revised:  
 Knoxville - Knox County Planning Commission \* City / County Building \* Knoxville, TN 37902



**AUGUST 2, 2022**

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

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

**RE: REQUEST CLOSURE OF UNNAMED ALLEY BETWEEN KATHERINE AVENUE AND THE SOUTHERN TERMINATION POINT OF THE ALLEY. (9-A-22-AC)**

Please give us the following information in writing regarding this proposed closure, adding 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 If closed (vacated), would easements meet your needs?
- 5 If easement will meet needs, please state easements required.
- 6 If your department opposes vacating the ROW, please indicate the rationale.

This request will be considered by the Knoxville-Knox County Planning Commission on September 8, 2022. A map showing the street or alley in question is attached for your information.

***PLEASE NOTE: Failure to reply to our office by Monday, August 22, 2022 will be considered as no objection by your agency.***

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



# CITY OF KNOXVILLE

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

August 15, 2022

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

**SUBJECT:** Closure of an unnamed alley  
Planning File # 9-A-22-AC; Nearby City Block 19465

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 the following 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;

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**Row closure 9-A-22-AC**

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

Wed, Aug 31, 2022 at 11:37 AM

Dori,

This application is approved for fire.

Thanks

**Asst. Chief Sonny Partin, CFPS****Fire Marshal****Knoxville Fire Department****400 Main St. Suite 446****Knoxville, Tn. 37902****Office 865-215-2283****From:** Dori Caron <dori.caron@knoxplanning.org>**Sent:** Tuesday, August 2, 2022 8:25 AM**To:** Charlotte Goforth <cgoforth@knoxvilletn.gov>; Steve Borden <steve.borden@tn.gov>; Michelle Portier <michelle.portier@knoxplanning.org>; Christian Wiberley <Christian.Wiberley@kub.org>; Chris Howley <chowley@knoxvilletn.gov>; WAGNER, JAMES W <JW904s@att.com>; Levan King Cranston <levan.kingcranston@knoxplanning.org>; Steve King <sking@knoxvilletn.gov>; Ben Davidson <bdavidson@knoxvilletn.gov>; Harold Cannon <hcannon@knoxvilletn.gov>; Sonny Partin <spartin@knoxvilletn.gov>; amy.brooks@knoxplanning.org; Shannon Sims <ss3775@att.com>; Jessica Kitts <jessica.kitts@knoxplanning.org>**Subject:** Row closure 9-A-22-AC

Good morning,

We have had just one ROW closure request for September.

Thank you!



August 11, 2022

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 9-A-22-AC**

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,

A handwritten signature in black ink, appearing to read 'C. Wiberley', is written over a light blue horizontal line.

Christian Wiberley, PE  
Engineering

CGW



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

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## Row closure 9-A-22-AC

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

Fri, Aug 19, 2022 at 9:14 AM

TDOT District 18 Operations has no comments regarding the lone ROW closure request for September.



**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)

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

**Sent:** Tuesday, August 2, 2022 8:25 AM

**To:** Charlotte Goforth <cgoforth@knoxvilletn.gov>; Steve Borden <Steve.Borden@tn.gov>; Michelle Portier <michelle.portier@knoxplanning.org>; Christian Wiberley <Christian.Wiberley@kub.org>; Chris Howley <chowley@knoxvilletn.gov>; WAGNER, JAMES W <JW904s@att.com>; Levan King Cranston <levan.kingcranston@knoxplanning.org>; Steve King <sking@knoxvilletn.gov>; Ben Davidson <bdavidson@knoxvilletn.gov>; Harold Cannon <hcannon@knoxvilletn.gov>; Sonny Partin <spartin@knoxvilletn.gov>; Amy Brooks <amy.brooks@knoxplanning.org>; Shannon Sims <ss3775@att.com>; Jessica Kitts <jessica.kitts@knoxplanning.org>

**Subject:** [EXTERNAL] Row closure 9-A-22-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]





File Number: 9-A-22-AC  
 Site: Unnamed alley  
 Correspondent: Eric Forrestall  
 Reviewed By: A Kupfer & D Hill  
 Review Date: 8/8/2022

# Addressing Staff Review Comments

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.

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

Proposed or Existing Subdivision or Street Name	Review Comments (Corrections, Reserved/Approved Date, Notes)
*****	If the proposed alley closure is approved by the Planning Commission. We will need site plans for the proposed new construction to apply for a building permit.
*****	Feel free to contact us if you see any addressing issues we may have over looked

**Comments may be modified based on new information from updated plans, field reviews or other agencies.**

**Addressing Staff Contacts:** Donna Hill [donna.hill@knoxplanning.org](mailto:donna.hill@knoxplanning.org) 865.215.3872  
 Andrea Kupfer [andrea.kupfer@knoxplanning.org](mailto:andrea.kupfer@knoxplanning.org) 865.215.3797  
 Both staff [addressing@knoxplanning.org](mailto:addressing@knoxplanning.org) 865.215.2507



400 Main Street, Suite 403  
 Knoxville, Tennessee 37902  
 865-215-2500  
 www.knoxplanning.org

# RIGHT-OF-WAY CLOSURE

**Date Filed:** 6/28/2022

**Name of Applicant:** ERIC FORRESTALL

**Jurisdiction:** City Council District 5

**Sector:**

**Growth Policy Plan:** N/A (Within City Limits)

**Zoning District:** RN-2 (Single-Family Residential Neighborhood)

**File Number:** 9-A-22-AC

**Meeting Date:** 9/8/2022

**Fee Amount:**

**INFORMATION:**

**Tax ID:** 81 | J 005

Add'l. Tax ID Info.:

**Name of Right-of-Way:** Unnamed Alley

**Type of Right-of-Way:** Alley

**Location of Right-Of-Way:**

BETWEEN (City Block or Lot, where appropriate): Parcel 0811J004

AND (City Block or Lot, where appropriate): Parcel 0811J005

**Is ROW in use (yes/no)?:** No

**Is ROW improved (e.g. paved) (yes/no)?:** No

**Reason for Closure:** Applicant requests closure of unused alley to assist in the construction of a new home on the property.

**TO BE CLOSED:**

**From: (Street, Alley, Other)**

Katherine Avenue

**To: (Street, Alley, Other)**

The Southern termination point of the alley

**ALL CORRESPONDENCE RELATING TO THIS APPLICATION SHOULD BE DIRECTED TO:**

Eric Forrestall Bald Design Services

257 Calerwood St. #134

Alcoa, TN 37701

Telephone: 865-240-7090 Fax:

Email: balddesignservices@gmail.com

**AUTHORIZATION OF APPLICATION:**

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

Eric Forrestall Bald Design Services

Signature: \_\_\_\_\_

257 Calerwood St. #134

Alcoa, TN 37701

Telephone: 865-240-7090 Fax:

Email: balddesignservices@gmail.com

**APPLICATION ACCEPTED BY:** Michelle Portier

7/28/2022 9:47:49 AM

**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.



# RIGHT-OF-WAY CLOSURE

Name of Applicant: Eric R. Forrestall

Date Filed: 06/28/2022 Fee Paid: 7/1/2022 File Number: 9-A-22-AC

Map Number: CLT 81 Zoning District: RN-2  City  County Sector : KNOX COUNTY

Jurisdiction:  City 5th Council District Meeting Date: 9/8/2022

**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) PARCEL 0811J004

AND (City Block or Lot where appropriate) PARCEL 0811J005

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

Reason for Closure: WE REQUEST THE CLOSURE OF THIS PAPER STREET TO ASSIST IN THE CONSTRUCTION OF A NEW HOME ON OUR PROPERTY. WE HAVE BEEN IN CONVERSATION WITH THE CITY AND HAVE THEIR SUPPORT FOR THE REQUEST. UPON APPROVAL OF THE CLOSURE, WE WILL OBTAIN THE CLOSED SQUARE FOOTAGE FROM THE CITY OF KNOXVILLE, ADDING IT TO OUR EXISTING LOT BY RECORDED SURVEY. THE ADJOINING PROPERTY ALONG THE EAST SIDE OF THE PAPER STREET AGREES WITH THE REQUEST

**TO BE CLOSED:**

<p><b>From:</b> (Street, Alley, Other) <u>Katherine Avenue</u></p> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/>	<p><b>To:</b> (Street, Alley, Other) <u>The southern termination point of the alley</u></p> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/>
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**ALL CORRESPONDENCE RELATING TO THIS APPLICATION SHOULD BE SENT TO:**

<u>Eric R. Forrestall</u>	<u>257 N. Calderwood St. #134 Alcoa TN 37701</u>	<u>865-240-7090</u>	<u>balddesignservices@gmail.com</u>			
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: *Eric R. Forrestall* 06/28/2022

<u>Eric R. Forrestall</u>	<u>257 N. Calderwood St. #134 Alcoa TN 37701</u>	<u>865-240-7090</u>	<u>balddesignservices@gmail.com</u>			
Name: (Print)	Address	City	State	Zip	Phone	Email

**APPLICATION ACCEPTED BY:** Michelle Portier *Michelle Portier*





Search By:  Address  Parcel  Owner

Enter Address:



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