



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

▶ FILE #: 12-A-23-AC

AGENDA ITEM #: 9

AGENDA DATE: 12/14/2023

▶ APPLICANT: GEORGE RAUDENBUSH

TAX ID NUMBER:	94 N/A	<a href="#"><u>View map on KGIS</u></a>
JURISDICTION:	Council District 6	
SECTOR PLAN:	Central City	
GROWTH POLICY PLAN:	N/A (Within City Limits)	
ZONING:	N/A	
WATERSHED:	East Fork - Third Creek	

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

▶ LOCATION: Between southeast corner of parcel 094BB003 and the western terminus of the alley at the southwest corner of parcel 094BB002

IS ALLEY:

(1) IN USE?: No

(2) IMPROVED (paved)?: No

▶ APPLICANT'S REASON FOR CLOSURE: Unfinished alley way is a hazard and liability to the city. City doesn't want to spend the money to fill and pave 100 ft of unfinished alleyway. Both property owners shall take responsibility for the repairs after the alley is closed and all rights are passed to both property owners.

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

### STAFF RECOMMENDATION:

▶ Approve the request to close the unnamed alley between the southeast corner of parcel 094BB003 and southwest corner of parcel 094BB002, subject to retaining all easements, since closure would not adversely affect surrounding properties.

### COMMENTS:

1. This request is to close an unimproved and unnamed alley between the southeast corner of parcel 094BB003 to its western terminus at the southwest corner of parcel 094BB002. Closing this right-of-way would not negatively impact surrounding properties, as all surrounding parcels have access to the streets on which they are addressed. All abutting property owners signed the canvass form in agreement with the closure request.
2. The portion of the alley requested for closure is located at the end of the alley. The developed portion of the alley terminates near the point where closure is requested. As such, closure of this portion does not negatively impact the connectivity provided by the alley.
3. The City Engineering Department 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.

4. The Knoxville Utilities Board had these comments:

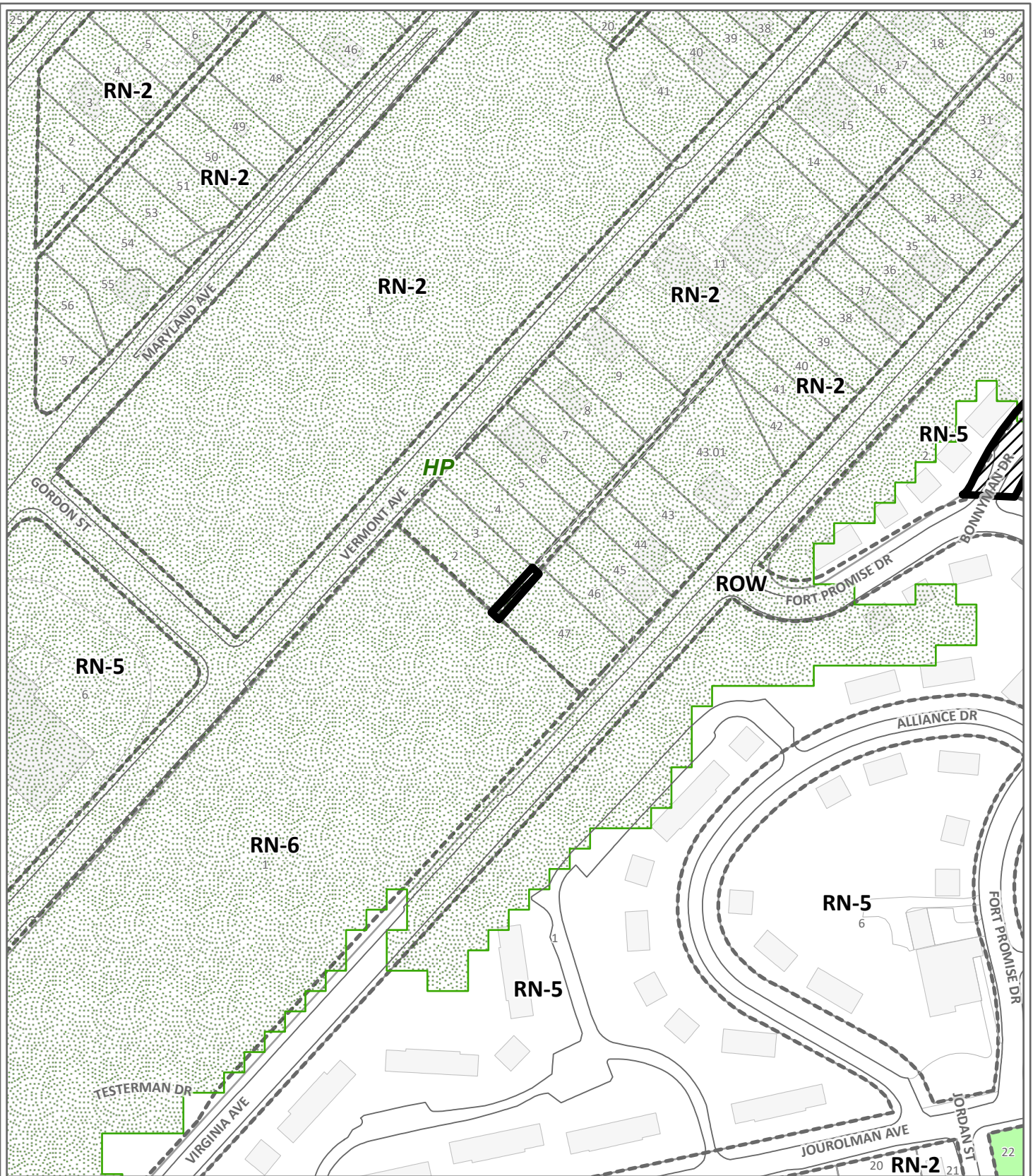
We have reviewed our records and, as far as we have been able to determine, KUB has no existing utility facilities located within the subject right-of-way area and we have no objection to the requested closure.

However, KUB does not release and hereby retains all easements and rights for existing facilities, whether or not identified in our research.

5. The following departments had no objections to the requested closure:

- i. The City of Knoxville Fire Department
- ii. AT&T
- iii. Tennessee Department of Transportation

If approved, this item will be forwarded to Knoxville City Council for action on 1/23/2024 and 2/6/2024. 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.



**CLOSURE OF PUBLIC RIGHT OF WAY, ZONING MAP**

**12-A-23-AC**

**Petitioner:** Raudenbush

Name of Street or Alley: Unnamed Alley

To be closed from: southwest corner of parcel 094BB003

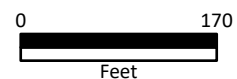
To be closed to: southeast corner of parcel 094BB002

**Original Print Date:** 11/6/2023

*Knoxville - Knox County Planning Commission \* City / County Building \* Knoxville, TN 37902*

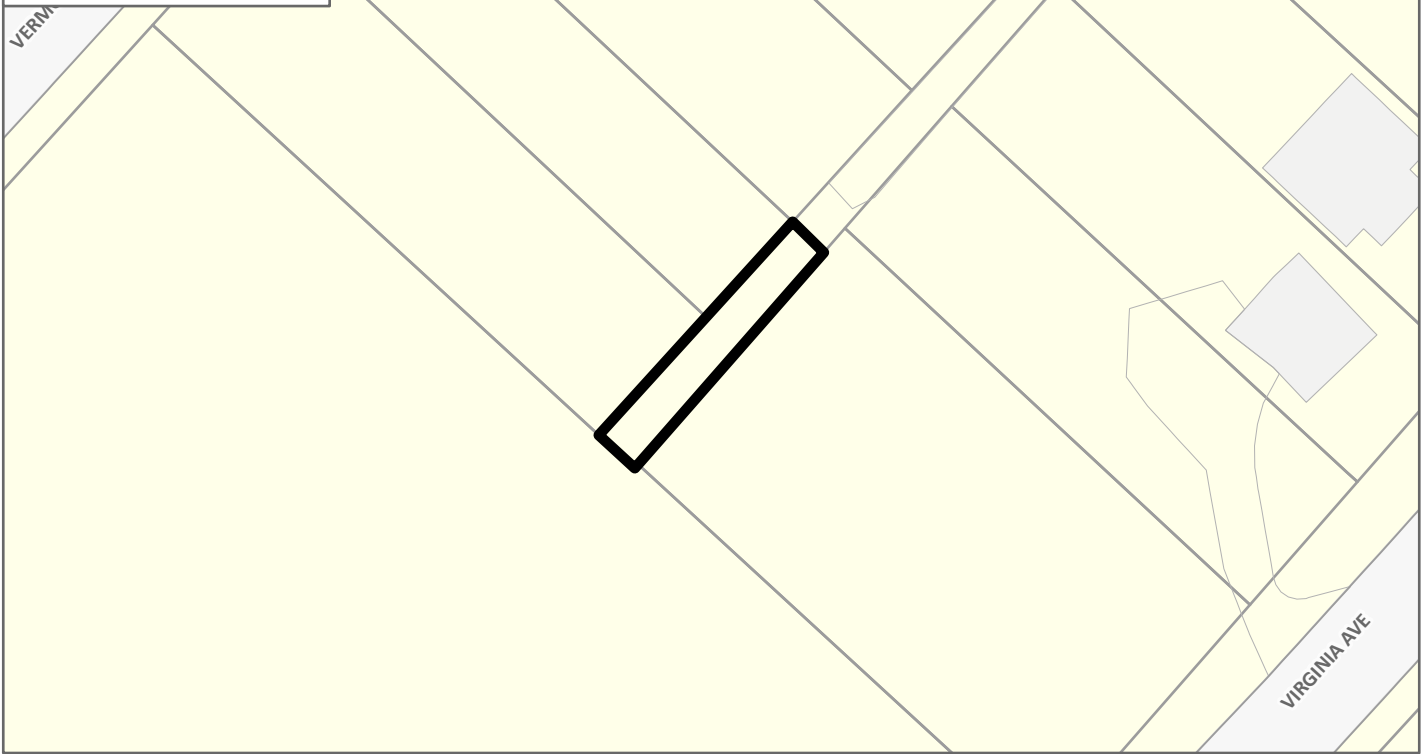
**Map No:** 94

**Jurisdiction:** City



# Exhibit A. Contextual Images

Location Map



Aerial Map



**CONTEXTUAL MAPS 1**

**12-A-23-AC**



Case boundary



**NOVEMBER 1, 2023**

Christian Wiberly, Knoxville Utilities Board <[Christian.Wiberley@kub.org](mailto:Christian.Wiberley@kub.org)>  
Steve Borden, Regional Director, TN Dept. of Transportation <[steve.borden@tn.gov](mailto:steve.borden@tn.gov)>  
Sonny Partin, Fire Marshall <[spartin@knoxvilletn.gov](mailto:spartin@knoxvilletn.gov)>  
Ben Davidson, Department of Engineering <[bdavidson@knoxvilletn.gov](mailto:bdavidson@knoxvilletn.gov)>  
Charlotte Goforth, Department of Engineering <[cgoforth@knoxvilletn.gov](mailto:cgoforth@knoxvilletn.gov)>  
Chris Flatford, AT&T <[cf2061@att.com](mailto:cf2061@att.com)>  
Jeremy Honeycutt, AT&T <[JH309E@att.com](mailto:JH309E@att.com)>  
John Stansbury, AT&T <[js0634@att.com](mailto:js0634@att.com)>

From: Jessie Hillman, Principal Planner, Knoxville-Knox County Planning

**RE: REQUEST CLOSURE OF AN UNNAMED ALLEY FROM THE SOUTHWEST CORNER OF PARCEL 094BB003 TO THE SOUTHEAST CORNER OF PARCEL 094BB002. (12-A-23-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 December 14, 2023. A map showing the street or alley in question is attached for your information.

***PLEASE NOTE: Failure to reply to our office by Monday, November 27, 2023, will be considered as no objection by your agency.***

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



November 21, 2023

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 12-A-23-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-way area and we have no objection to the requested closure. 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". The signature is written in a cursive, flowing style.

Christian Wiberley, PE  
Engineering



# CITY OF KNOXVILLE

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

November 13, 2023

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

**SUBJECT:** Closure of a portion of an unnamed alley running south of 1624 Vermont Ave  
MPC File # 12-A-23-AC; Nearby City Block 20062

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



Dallas DeArmond <dallas.dearmond@knoxplanning.org>

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## Right-of-Way Closures December 2023

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Steve Borden <Steve.Borden@tn.gov>  
To: Dallas DeArmond <dallas.dearmond@knoxplanning.org>

Wed, Nov 1, 2023 at 2:07 PM

In reviewing the attached closures applications, no impacts to State owned property or streets has been identified. District 18 has no objection to these requests.

Thank you,



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:** Dallas DeArmond <[dallas.dearmond@knoxplanning.org](mailto:dallas.dearmond@knoxplanning.org)>

**Sent:** Wednesday, November 1, 2023 10:01 AM

**To:** Christian Wiberley <[Christian.Wiberley@kub.org](mailto:Christian.Wiberley@kub.org)>; Steve Borden <[Steve.Borden@tn.gov](mailto:Steve.Borden@tn.gov)>; Sonny Partin <[spartin@knoxvilletn.gov](mailto:spartin@knoxvilletn.gov)>; Ben Davidson <[bdavidson@knoxvilletn.gov](mailto:bdavidson@knoxvilletn.gov)>; Charlotte Goforth <[cgoforth@knoxvilletn.gov](mailto:cgoforth@knoxvilletn.gov)>; Chris Flatford <[cf2061@att.com](mailto:cf2061@att.com)>; Jeremy Honeycutt <[JH309E@att.com](mailto:JH309E@att.com)>; John Stansbury <[js0634@att.com](mailto:js0634@att.com)>

**Cc:** Jessie Hillman <[jessie.hillman@knoxplanning.org](mailto:jessie.hillman@knoxplanning.org)>; Amy Brooks <[amy.brooks@knoxplanning.org](mailto:amy.brooks@knoxplanning.org)>; Dori Caron <[dori.caron@knoxplanning.org](mailto:dori.caron@knoxplanning.org)>

**Subject:** [EXTERNAL] Right-of-Way Closures December 2023

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

Good morning everyone,

Please review the four attached right-of-way closure applications for December.



Thank you!

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Dallas DeArmond  
Administrative Assistant II  
(865) 215-3810



[Quoted text hidden]



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

# RIGHT-OF-WAY CLOSURE

**Date Filed:** 11/1/2023

**Name of Applicant:** GEORGE RAUDENBUSH

**Jurisdiction:** City Council District 6

**Sector:** Central City

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

**Zoning District:** N/A

**File Number:** 12-A-23-AC

**Meeting Date:** 12/14/2023

**Fee Amount:**

**INFORMATION:**

**Tax ID:** 94 N/A

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): Parcels 094BB003 & 094BB002

AND (City Block or Lot, where appropriate): Parcel 094BB047

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

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

**Reason for Closure:** Unfinished alley way is a hazard and liability to the city. City doesn't want to spend the money to fill and pave 100 ft of unfinished alleyway. Both property owners shall take responsibility for the repairs after the alley is closed and all rights are passed to both property owners.

**TO BE CLOSED:**

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

southeast corner of parcel 094BB003

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

southwest corner of parcel 094BB002

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

George Raudenbush

2545 Woodbine Ave

Knoxville, TN 37914

Telephone: 865-228-9170

Fax:

Email:

**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.

George Raudenbush

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

Knoxville, TN

Telephone:

Fax:

Email:

**APPLICATION ACCEPTED BY:** Shelley Gray

11/16/2023 12:59:45 PM

**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.

**File Number:** 12-A-23-AC

<b>Address</b>	<b>Signature</b>	<b>Owner/Tenant/ Option Holder</b>	<b>Agree/Disagree</b>
1624 Vermont Ave Knoxville, TN 37921			Agree



# RIGHT-OF-WAY CLOSURE

Name of Applicant: George Raudenbush

Date Filed: 1/9/23 Fee Paid: \$500.00 File Number: 12-A-23-AC

Map Number: 094 Zoning District: RN-2  City  County Sector: TDR

Jurisdiction:  City 6th Council District

### INFORMATION:

Name of Right-of-Way: BETWEEN BACK OF 1617 VIRGINIA AVE & 1624 VERMONT AVE

Type of Right-of-Way:  Street  Alley

#### Location of Right-of-Way:

BETWEEN (City Block or Lot where appropriate) 1617 VIRGINIA AVE (BACK OF PROPERTY)

AND (City Block or Lot where appropriate) 1624 VERMONT AVE (BACK OF PROPERTY)

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

Reason for Closure: UNFINISHED ALLEY WAY IS A HAZARD & LIABILITY TO THE CITY. CITY DOES NOT WANT TO SPEND THE MONEY TO FILL + PAVE 100 FT OF UNFINISHED ALLEYWAY. BOTH PROPERTY OWNERS SHALL TAKE RESPONSIBILITY FOR THE REPAIRS AFTER THE ALLEY IS LEGALLY CLOSED AND ALL RIGHTS ARE PASSED TO BOTH PROPERTY OWNERS.

### TO BE CLOSED:

From: (Street, Alley, Other)  
1617 VIRGINIA AVE  
CONNECTING PROPERTY

To: (Street, Alley, Other)  
1624 VERMONT AVE  
CONNECTING PROPERTY

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

George Raudenbush 2545 WOODBINE AVE KNOXVILLE TN 37914 (865) 228-9170 ferys@ferys.org  
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.

George Raudenbush Signature: George Raudenbush III  
2545 WOODBINE AVE KNOXVILLE TN 37914 865 228-9170 ferys@ferys.org  
Name: (Print) Address • City • State • Zip • Phone • Email

APPLICATION ACCEPTED BY: Processed by S. Gray 10/06/2023



The Administrative Rules and Procedures of the Knoxville-Knox County Planning Commission require a sign to be posted on the property for each application subject to consideration by the Planning Commission, including the following applications: rezoning, plan amendment, concept plan, use on review/special use, planned development, right-of-way closure, and name change.



The required public notice sign(s) will be provided by Planning to the applicant when an application is submitted. If an application is submitted electronically, Planning staff will post the required sign. If a replacement sign(s) is needed, the applicant is responsible for picking up the new sign(s) from Planning and will be charged \$10 for each replacement.

## LOCATION AND VISIBILITY

The sign must be posted on the nearest adjacent/frontage street and in a location clearly visible to vehicles traveling in either direction. If the property has more than one street frontage, 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 **not less than 12 days prior to 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 not less than 12 days prior to the next Planning Commission meeting. The applicant is responsible for removing the sign after the application has been acted upon by the Planning Commission.

*The individual below is responsible for posting and removing the sign(s) provided consistent with the above guidelines and between the dates of:*

\_\_\_\_\_ 12/01/2023 \_\_\_\_\_ and \_\_\_\_\_ 12/15/2023 \_\_\_\_\_  
 (applicant or staff to post sign) (applicant to remove sign)

Applicant Name: Council of Elders of Appalachian

Date: 10/06/2023

File Number: 12-A-23-AC

- Sign posted by Staff
- Sign posted by Applicant