# **CASE SUMMARY**

### APPLICATION TYPE: ROW CLOSURE

File Number: 1-A-11-SC Related File Number:

Application Filed: 11/29/2010 Date of Revision:

SCHAAD COMMERCIAL INVESTMENTS, LLC



Suite 403 • City County Building 4 0 0 Main Street Knoxville, Tennessee 37902 8 6 5 • 2 1 5 • 2 5 0 0 F A X • 2 1 5 • 2 0 6 8 w w w • k n o x m p c • o r g

#### PROPERTY INFORMATION

**General Location:** 

Applicant:

Other Parcel Info.:

Tax ID Number: 92 092 Jurisdiction: City

Size of Tract:

Accessibility:

#### GENERAL LAND USE INFORMATION

**Existing Land Use:** 

**Surrounding Land Use:** 

Proposed Use: Density:

Sector Plan: Northwest County Sector Plan Designation:

Growth Policy Plan: Urban Growth Area (Inside City Limits)

**Neighborhood Context:** 

#### ADDRESS/RIGHT-OF-WAY INFORMATION (where applicable)

Street: Amherst Rd

**Location:** Between Piney Grove Church Rd. (east end) and relocated portion of Amherst Rd. (west end)

**Proposed Street Name:** 

**Department-Utility Report:** No objections have been received by staff as of 8/29/11.

Reason: This portion of Amherst Rd. right-of-way was closed by Knox County Commission in Feb. 1996 and

was never transferred to adjacent owner. Subsequently, the City of Knoxville annexed this right-of-

way. The owner seeks redress with the City.

#### **ZONING INFORMATION (where applicable)**

Current Zoning: A-1 (General Agricultural)

Former Zoning:

**Requested Zoning:** 

**Previous Requests:** 

**Extension of Zone:** 

**History of Zoning:** 

#### PLAN INFORMATION (where applicable)

**Current Plan Category:** 

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Requested Plan Category:

#### SUBDIVISION INFORMATION (where applicable)

**Subdivision Name:** 

No. of Lots Proposed: No. of Lots Approved: 0

Variances Requested: S/D Name Change:

## OTHER INFORMATION (where applicable)

Other Bus./Ord. Amend.: This portion of Amherst Rd. right-of-way was closed by Knox County Commission in Feb. 1996 and

was never transferred to adjacent owner. Subsequently, the City of Knoxville annexed this right-of-

way. The owner seeks redress with the City.

## MPC ACTION AND DISPOSITION

Planner In Charge: Michael Brusseau

Staff Recomm. (Abbr.): WITHDRAW the request, as recommended by the City of Knoxville Engineering Department. (see

attached letter, dated Dec. 30, 2010)

Staff Recomm. (Full): As indicated in the attached letter from the City of Knoxville Engineering Department, this closure is not

necessary, and should not proceed. The City Engineering Dept. maintains that this road has already been closed by Knox County Commission in 1996 prior to being annexed into the City. The applicant has been advised that a deed must be prepared by the City Law Department in order to convey the closed/abandoned property to the adjacent property owner. It is staff's understanding that the deed

was being prepared as of December 30, 2010, the date of the letter.

Comments: MPC postponed this item at the January through March MPC meetings, at the request of the applicant.

Staff has received no objections to this closure. This portion of right-of-way is not needed for access to any properties. The applicant owns all of the adjacent property to the north. Railroad right-of-way is located to the south. This section of right-of-way is a remnant of the previous location of Amherst Rd., before it was relocated in the 1990's. It is not needed for access to any properties. The property to the

north is owned by the applicant and has access to two other public rights-of-way.

Action: Denied (Withdrawn) Meeting Date: 9/8/2011

**Details of Action:** 

Summary of Action: WITHDRAW the request, as recommended by the City of Knoxville Engineering Department. (see

attached letter, dated Dec. 30, 2010)

Date of Approval: Postponements: 1/13/11-6/9/11

Date of Withdrawal: 9/8/2011 Withdrawn prior to publication?: ☐ Action Appealed?:

#### LEGISLATIVE ACTION AND DISPOSITION

Legislative Body: Knoxville City Council

Date of Legislative Action: 10/4/2011 Date of Legislative Action, Second Reading: 10/18/2011

Ordinance Number: Other Ordinance Number References:

Disposition of Case: Disposition of Case, Second Reading:

If "Other":

Amendments: Amendments:

Date of Legislative Appeal: Effective Date of Ordinance:

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