

CASE SUMMARY

APPLICATION TYPE: ROW CLOSURE



File Number: 10-A-23-AC Related File Number:
Application Filed: 8/21/2023 Date of Revision:
Applicant: ERIC FORRESTALL

PROPERTY INFORMATION

General Location:
Other Parcel Info.:
Tax ID Number: 82 K P 014 Jurisdiction: City
Size of Tract:
Accessibility:

GENERAL LAND USE INFORMATION

Existing Land Use:
Surrounding Land Use:
Proposed Use: Density:
Sector Plan: East City Sector Plan Designation:
Growth Policy Plan: N/A (Within City Limits)
Neighborhood Context:

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

Street: Unnamed Alley
Location: Between Wilson Ave and southwest corner of parcel 082KP016
Proposed Street Name:
Department-Utility Report: KUB and the City Engineering Department have requested to retain any easements that may be in place.
Reason: 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 with 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.

ZONING INFORMATION (where applicable)

Current Zoning: N/A
Former Zoning:
Requested Zoning:
Previous Requests:
Extension of Zone:
History of Zoning:

PLAN INFORMATION (where applicable)

Current Plan Category:

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.: 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 with 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.

PLANNING COMMISSION ACTION AND DISPOSITION

Planner In Charge: Jessie Hillman

Staff Recomm. (Abbr.): Approve the request to close the unnamed alley from Wilson Avenue to the southwest corner of parcel 082KP016, subject to retaining all easements, since closure would not adversely affect surrounding properties.

Staff Recomm. (Full):

Comments:

1. This request is to close an unimproved and unnamed right-of-way in between 2762 Wilson Avenue and 503 Houston Street on the northeast side, and 2758 Wilson Avenue on the southwest side. Closing this right-of-way would not negatively impact adjacent properties, as all parcels have legal access to the street on which they are addressed. Property owners abutting the right-of-way signed the application in agreement with the request to close it.
2. If right-of-way closure is approved, each abutting property owner would get half of the right-of-way bordering their property through a quit claim deed. If the applicant wishes to gain the entirety of the width and/or length of the right-of-way, they would need written, notarized agreements from each abutting property owner granting their portion of the right-of-way to the applicant. Such agreements would need to be furnished to the Register of Deeds office when obtaining their quit claim deed.
2. The following departments and organizations had these comments:
 - a. City Engineering Department: 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. 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 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.
 - c. TDOT: We have reviewed the attached City of Knoxville ROW Closure and do not see that it impacts State owned ROW and do not have any comments regarding the requested closure.
3. The following departments also had no objections to the requested closure:
 - i. The City of Knoxville Fire Department
 - ii. AT&T

Action: Approved

Meeting Date: 10/5/2023

Details of Action:

Summary of Action: Approve the request to close the unnamed alley from Wilson Avenue to the southwest corner of parcel 082KP016, subject to retaining all easements, since closure would not adversely affect surrounding properties.

Date of Approval: 10/5/2023

Date of Denial:

Postponements:

Date of Withdrawal:

Withdrawn prior to publication?: **Action Appealed?:**

LEGISLATIVE ACTION AND DISPOSITION

Legislative Body: Knoxville City Council

Date of Legislative Action: 11/14/2023

Ordinance Number:

Disposition of Case: Approved

If "Other":

Amendments:

Date of Legislative Appeal:

Date of Legislative Action, Second Reading: 11/28/2023

Other Ordinance Number References: O-155-2023

Disposition of Case, Second Reading: Approved

If "Other":

Amendments:

Effective Date of Ordinance: