

CASE SUMMARY

APPLICATION TYPE: ROW CLOSURE



File Number: 11-A-23-SC Related File Number:
Application Filed: 9/29/2023 Date of Revision:
Applicant: ANDREW BYRD

PROPERTY INFORMATION

General Location:
Other Parcel Info.:
Tax ID Number: 94 H J 002 Jurisdiction: City
Size of Tract:
Accessibility:

GENERAL LAND USE INFORMATION

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

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

Street: Unnamed St.
Location: Between the northwest corner of parcel 094HJ002 and the northeast corner of parcel 094HJ002
Proposed Street Name:
Department-Utility Report: KUB and the City Engineering Department have requested to retain any easements that may be in place.
Reason: Closure requested to develop lots 187-189 and lot 22. Closure would grant additional land to lot 22 and potentially increase total acreage in order to further subdivide lot 22. Furthermore, closure is needed to grant access to the lots, as the right-of-way is inaccessible due to a KUB sub-station.

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.: Closure requested to develop lots 187-189 and lot 22. Closure would grant additional land to lot 22 and potentially increase total acreage in order to further subdivide lot 22. Furthermore, closure is needed to grant access to the lots, as the right-of-way is inaccessible due to a KUB sub-station.

PLANNING COMMISSION ACTION AND DISPOSITION

Planner In Charge: Jessie Hillman

Staff Recomm. (Abbr.): Approve the request to close the unnamed street between the northwest and northeast corners of parcel 094HJ002, subject to retaining all easements and one condition, since closure would not adversely affect surrounding properties.

Staff Recomm. (Full): 1) Maintain an easement boundary along the KUB water line utility in the right-of-way as follows: 10 ft on the north side of the centerline of the water line and 15 ft on the south side of the centerline of the water line, for a total width of 25 ft.

Comments:

1. This request is to close an unimproved and unnamed right-of-way between the northwest and northeast corners of parcel 094HJ002. The right-of-way lies from the eastern bend of Richmond Avenue just to the east of its intersection with Joseph Schofield Street. Closing this right-of-way would not negatively impact surrounding properties, as all surrounding parcels have access to the street on which they are addressed. The applicant owns all property abutting the subject right-of-way.

2. 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.

3. KUB initially opposed the closure, but came to an agreement with the applicant and revised their comment as follows:
Regarding the right-of-way closure application #11-A-23-SC that was sent to KUB for comment on 9/27/2023, KUB provided an opposition letter dated 10/10/2023 due to existing water utilities present in the right-of-way. I wanted to reach out to your office to provide an update on the matter:
The applicant has contacted KUB and worked with us on the utility concerns and easement needs to ensure the safety, accessibility, and future replacement of our water utilities. Therefore, KUB is acceptable to the right-of-way closure, provided that the following permanent easements are provided for its utilities.
Water -- 10 feet on the north side of the centerline of the water line, 15 feet on the south side of the centerline of the water line, 25 feet in total width.

4. 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

Action: Approved

Meeting Date: 11/9/2023

Details of Action:

Summary of Action: Approve the request to close the unnamed street between the northwest and northeast corners of parcel 094HJ002, subject to retaining all easements and one condition, since closure would not adversely affect surrounding properties.

Date of Approval: 11/9/2023

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: 12/12/2023

Ordinance Number:

Disposition of Case: Approved

If "Other":

Amendments:

Date of Legislative Appeal:

Date of Legislative Action, Second Reading: 1/9/2024

Other Ordinance Number References: O-2-2024

Disposition of Case, Second Reading: Approved

If "Other":

Amendments:

Effective Date of Ordinance: