



**Fwd: Comments on MPC file # 6-B-14-RZ, 6-A-14-SP -- Patrick Tracy -- June 12 agenda item # 37**

1 message

**Sarah Powell** <sarah.powell@knoxmpc.org>  
To: "Mahan, Betty Jo" <bettyjo.mahan@knoxmpc.org>

Mon, Jun 9, 2014 at 5:20 PM

----- Forwarded message -----

From: **Bob Thompson** <t3andp@bellsouth.net>  
Date: Mon, Jun 9, 2014 at 5:18 PM  
Subject: Comments on MPC file # 6-B-14-RZ, 6-A-14-SP -- Patrick Tracy -- June 12 agenda item # 37  
To: contact@knoxmpc.org

June 9, 2014

To MPC via email

Dear MPC Commissioners:

South Doyle Neighborhood Association, Inc., appreciates the opportunity to comment on agenda item # 37. We respectfully urge MPC to vote against any sector plan amendment or rezoning on this item.

There is simply no justification for any plan amendment or rezoning, either the Commercial status requested by Mr. Tracy or the Neighborhood Commercial status discussed as an alternative in the June 5 MPC staff report. The staff report does not cite any "substantially changed or changing conditions" which would justify any amendments, under the standard set by Section 6.30 of the Knox County Zoning Ordinance and the "Changes of Conditions Warranting Amendment of the Land Use Plan" section of the Knox County General Plan 2033. The "Changes in Government Policy" paragraph of the staff report suggests that Neighborhood Commercial might be appropriate for the site, but it is essential to note that the report still does not cite any substantial changes to justify such an amendment.

We see no information anywhere in the staff report or in any other material in the agenda package to even suggest there have been substantial changes, and we are not aware of any such information. Please note in this regard that the South County Sector Plan is relatively recent (approved by MPC in October 2012 and by County Commission only last year) and thus any substantial changes are relatively less likely to have taken place in the brief time since approval.

As a secondary point, we are unclear whether it is procedurally appropriate in cases such as this for MPC on its own initiative to develop and consider potential alternative amendments which have not even been requested by an applicant and which are not made available to the public until less than a week prior to MPC's vote. This is not to suggest that Mr. Tracy reapply for Neighborhood Commercial, since as discussed above we see no justification for any amendments or rezoning.

Thank you for considering our comments.

Robert H Thompson  
Secretary and Board Member  
South Doyle Neighborhood Association, Inc.

Home address  
8136 Jonesboro Road  
Knoxville TN 37920  
577-1560

6-B-14-RZ-6-A-14-SP-cor-Dailey



Dear Commissioners,

Topside Road,

The Patrick Tracy property asking for a sector plan change and rezoning to commercial should be denied as the case in 2005 by MPC 15-0. This business has operated illegal for 14 years with many code violations including illegal dumping. The sector plan should not be changed because nothing new to warrant such a distract change has occurred. The only change is that Mr. Tracy effort to get around the Knox county codes he has been ignoring since 2000 when he signed his building permit as residential and no commercial operation. Verified by Knox county codes records as to MR. Tracy agreeing with his signature.

Please protect the neighborhood from future harm by Mr. Tracy with a open box to get around codes.

Vote to deny any sector plan change and rezoning.

Thank you.

Chester Dailey

7508 Government Farm Road

Knoxville Tn 37920

6-B-14-RZ\_6-A-14-SP-cor-Traylor



Dear Commission,

Item 37 on the agenda.

Being a new resident to Topside Road and just learning that a rezoning from residential to commercial is a bad ideal for all except the owner Mr. Patrick Tracy. Not sure that we all understand what a rezoning form LDR to CA can do to the neighborhood. Seems to me that a LDR or RB zone is more in line with the neighborhood. Not sure yet about the NC but do not like the notion that a business that create large traffic volume, noise, and unsightly storage can good for the neighborhood.

Thank you.

Joe Traylor

3230 Topside Road

Knoxville Tn 37920



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**Fwd: Item 37 Patrick Tracy**

2 messages

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**Mark Donaldson** <mark.donaldson@knoxmpc.org> Mon, Jun 9, 2014 at 7:55 AM  
To: Buz Johnson <Buz.Johnson@knoxmpc.org>, Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>, Michael Brusseau <Mike.Brusseau@knoxmpc.org>, Dan Kelly <Dan.Kelly@knoxmpc.org>

----- Forwarded message -----

From: **Dailey, Carson** <cdailey@applied.com>  
Date: Mon, Jun 9, 2014 at 6:23 AM  
Subject: Item 37 Patrick Tracy  
To: "contact@knoxmpc.org" <contact@knoxmpc.org>  
Cc: "mark.donaldson@knoxmpc.org" <mark.donaldson@knoxmpc.org>

MPC Staff,

Under the heading History of zoning request, please added following information.

1990 owner asked for commercial zone denied.

2005 owner ask for sector plan from LDR to CA. Zoning from LDR and RB to CA denied 15-0

2005 owner appealed to county commission denied.

Than k you.

Carson Dailey

Sr. Account Manager

Applied Industrial Technologies

Knoxville Tn 37920

865-660-0019

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**Sarah Powell** <sarah.powell@knoxmpc.org>  
To: "Mahan, Betty Jo" <bettyjo.mahan@knoxmpc.org>

Mon, Jun 9, 2014 at 8:05 AM

[Quoted text hidden]

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**re: item #37, 6-A-14-SP (Sector Plan Change) & 6-B-14-RZ (Rezoning)**

2 messages

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**Victoria DeFreese** <victorialynndefreese@hotmail.com> Mon, Jun 9, 2014 at 2:54 PM  
To: "contact@knoxmpc.org" <contact@knoxmpc.org>, "Mark.donaldson@knoxmpc.org" <mark.donaldson@knoxmpc.org>, "herb@claibornehauling.com" <herb@claibornehauling.com>, "bartcarey@comcast.net" <bartcarey@comcast.net>, "artclancy3@gmail.com" <artclancy3@gmail.com>, "llcole712@gmail.com" <llcole712@gmail.com>, "eason.mpc@gmail.com" <eason.mpc@gmail.com>, "mgoodwin.mpc@gmail.com" <mgoodwin.mpc@gmail.com>, "jtocher.mpc@gmail.com" <jtocher.mpc@gmail.com>, "wstowers@stowerscat.com" <wstowers@stowerscat.com>, "jwroth@qmwkx.com" <jwroth@qmwkx.com>, "brianpierce@mbiarch.com" <brianpierce@mbiarch.com>, "rebeccalongmire@hotmail.com" <rebeccalongmire@hotmail.com>, "cflomax@hotmail.com" <cflomax@hotmail.com>, "makane1@bellsouth.net" <makane1@bellsouth.net>, "bettyjo.mahan@knoxmpc.org" <bettyjo.mahan@knoxmpc.org>, "buzz.johnson@knoxmpc.org" <buzz.johnson@knoxmpc.org>, "dan.kelly@knoxmpc.org" <dan.kelly@knoxmpc.org>, "tim.burchett@knoxcounty.org" <tim.burchett@knoxcounty.org>, "county.mayor@knoxcounty.org" <county.mayor@knoxcounty.org>, Mike Brown <brownm55@comcast.net>

Victoria DeFreese

2921 Tipton Station Road

Knoxville, TN 37920

June 9, 2014

Re: 6-A-14-SP (Sector Plan Change) & 6-B-14-RZ (Rezoning)

Dear MPC Knox County Commissioners:

I urge you to DENY the requests for the upcoming item #37 for the applicant Patrick Tracy on MPC's agenda for the meeting Thursday, June 12, 2014 at 1:30pm in the Knoxville City County Building.

As a resident of the surrounding area which is aptly described as rural and low density residential, I would like to ask for you to DENY this application for both the sector plan change and the rezoning. First, you must address the Sector Plan which was just adopted in 2012 for this area of South Knoxville.

Four kinds of substantial changes are specified in the Knox County General Plan 2033 to permit consideration of a Sector Plan Change, none of which exist near this property:

1. Introduction of significant new roads or utilities that were not anticipated in the plan and make development more feasible.
2. An obvious and significant error or omission in the plan.
3. Changes in government policy, such as a decision to concentrate development in certain areas.
4. Trends in development, population, or traffic that warrant reconsideration of the original plan proposal.

**There has been NO CHANGE in the area to substantiate such a change since 2012.**

**Therefore, there is no reason to consider a rezoning at this location.**

In my opinion, Knox County has been at fault for allowing permits and not enforcing codes and regulations. Patrick Tracy has been operating a car service business at the intersection of Topside Road and Maryville Pike, but such a business is illegal at this site. **This land is zoned to allow only residential and agricultural uses.**

Why would MPC staff actually recommend CN and RA zones to give this applicant (WHO HAS BEEN OPERATING ILLEGALLY ON THIS PROPERTY) "a reasonable use of the property?" To me, a reasonable use of the property would be "residential and agricultural use" as currently designated as it was the day he acquired the property. And this language embedded in this agenda packet sounds sickening: "to minimize the impact to adjacent residential property owners?" Patrick Tracy has appeared to flippantly ignore his impact on law abiding neighbors for YEARS! SHUT DOWN ILLEGAL BUSINESS ACTIVITY AND DENY THIS REQUEST.

Codes and laws should provide and protect us all by their guidelines. Knox County breeds trouble when they appear to provide loopholes and back doors for land purchasers who ignore the slated zoning laws of the property they acquire. These speculators purchase cheap land, get granted inappropriate permits for the land, pay fines given by pesky codes enforcement after stalling as much as they can, abuse designated use for the land, and later change sector plans and zoning to accommodate their initial and carried out intentions for the years they waited on the land! These tactics erode everyone's confidence in our process and could quite possibly leave Knox County vulnerable to a class action lawsuit.

Sincerely,

Victoria DeFreese

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**Mark Donaldson** <mark.donaldson@knoxmpc.org> Mon, Jun 9, 2014 at 3:00 PM  
To: Buz Johnson <Buz.Johnson@knoxmpc.org>, Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>, Michael Brusseau <Mike.Brusseau@knoxmpc.org>, Dan Kelly <Dan.Kelly@knoxmpc.org>

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**Fwd: Item 37 on agenda**

1 message

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**Sarah Powell** <sarah.powell@knoxmpc.org>  
To: "Mahan, Betty Jo" <bettyjo.mahan@knoxmpc.org>

Tue, Jun 10, 2014 at 8:17 AM

----- Forwarded message -----

From: <amkpf423@aol.com>  
Date: Mon, Jun 9, 2014 at 10:05 PM  
Subject: Re:Item 37 on agenda  
To: contact@knoxmpc.org

Please vote against item #37 on the June 12th agenda meeting about Patrick Tracy.

Patrick Tracy with his illegal car service business for 14 years is asking for a sector plan change and rezoning to commercial. Mr. Tracy and this property has been denied commercial in 1990 and 2005. Both times denied by MPC and county commission. There has been over 13 violations with 1 ongoing with the order from Knox county codes to stop all work which is being ignored.

A sector plan change is important to the community because the zoning goes with the land not the owner. MPC is recommending denial of commercial which has been in the past. MPC staff has taken it upon themselves to recommend a sector plan change in NC neighborhood commercial. Under a NC zone the land owner no matter who may have many business options including drugs and medicine (pain clinics), newsstands/bookstores (adult also), video store (adult), equipment rental and service (loud noise and unsightly), among other types also. **THIS WILL COME WITH A ZONING CHANGE.**

**Thanks for your consideration.**

**Sincerely,  
Sara Dyer  
Howard Taylor**



**Fwd:**

1 message

**Sarah Powell** <sarah.powell@knoxmpc.org>  
To: "Mahan, Betty Jo" <bettyjo.mahan@knoxmpc.org>

Mon, Jun 9, 2014 at 8:03 AM

----- Forwarded message -----

From: **Carolyn Jones** <cfbsuj@yahoo.com>  
Date: Sat, Jun 7, 2014 at 11:00 AM  
Subject:  
To: "contact@knoxmpc.org" <contact@knoxmpc.org>

Please deny Item 37 Patrick Tracy sector plan change and rezoning. There should be no reward for persistent violators of existing zoning and code regulations. I recently wrote the following letter to Roy Braden.

Carolyn Jones  
1827 W Gov John Sevier Hwy  
Knoxville, TN 37920

Roy Braden  
Director  
Knox County Code Administration  
400 Main Street, Suite 547  
Knoxville, TN 37902

**Re: 1765 W Governor John Sevier Hwy, Dixon Fabrication**

Dear Mr. Braden,

In 2006, following the death of my husband, I moved to beautiful East Tennessee. I had no choice...my only child Chris was dying of cancer here, and I came here to provide him with as much comfort, companionship and support as I could. The perfect home for us I found on West Governor John Sevier Highway, the surrounding trees, wild flowers and a creek providing spiritual healing for Chris...and me. Sadly, I lost him in 2010. Before that, though, the peaceful haven of my new home was forever, it seems, marred by the emergence of prefab buildings, onset of bulldozed trees, a mud-clogged creek, the sounds of large garage doors opening for the work of the day on the myriad of cars, trucks, boats, and RVs that awaited their turn in front, back and

sides of the buildings.

From the beginning I protested to whatever authorities I could find that this wasn't supposed to happen on land zoned Residential/Agricultural. I have testified twice before Knox County Commissioners as the owners brought forward one loophole after another to continue their commercial endeavors on the site across the creek from me. A week or so after my first testimony I came home to find all of my 20+ driveway lights seemingly kicked down the hill. After the second, on one of the he coldest days of the year, I went out to find all the windows and sun-roof on my car open. I couldn't help wondering if there was a connection....

Most recently, in December, Commissioners denied their claim that this was a home business, and 30 days later I began to see signs of the business shutting down. Some junk was carted away, the four large fence samples and their business sign removed down at the highway, and for a couple of weeks the garage doors remained closed. A For Sale by Owner sign was put out, and it seemed that The Little People like Me could in fact have the peace inherent in neighbors abiding by The Law.

Gradually, though, as if secretively, on the weekends, business resumed over there until now activity is almost constant. The sign is back and business is back with all its unsightliness and noise as if Knox County Commissioners,, Codes and Zoning have no authority to enforce their own rules.

So, now, after all this, it seems to me that private citizens do not have the rights to peace and quiet and beauty in Knox County. I am disappointed and will soon move on, leaving this blight on Governor John Sevier Highway intact.

Thank you for reading my letter.

Sincerely yours,

Carolyn Jones



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## Fwd: MPC

1 message

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**Sarah Powell** <sarah.powell@knoxmpc.org>  
To: "Mahan, Betty Jo" <bettyjo.mahan@knoxmpc.org>

Mon, Jun 9, 2014 at 8:02 AM

----- Forwarded message -----

From: **Ray Millsaps** <remillsaps@bellsouth.net>  
Date: Sat, Jun 7, 2014 at 8:52 AM  
Subject: MPC  
To: "contact@knoxmpc.org" <contact@knoxmpc.org>  
Cc: Carson Dailey <carsondailey@hotmail.com>

Please vote no for Item 37 Patrick Tracey on the MPC agenda. I do not understand how someone can violate zoning for such a long period of time.

Thanks,  
Ray Millsaps

Sent from my iPad



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**re: item #37, 6-A-14-SP (Sector Plan Change) & 6-B-14-RZ (Rezoning)**

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**Scott Ballard** <scottysir@gmail.com>

Mon, Jun 9, 2014 at 4:29 PM

To: Victoria DeFreese <victorialynndefreese@hotmail.com>

Cc: "contact@knoxmpc.org" <contact@knoxmpc.org>, "Mark.donaldson@knoxmpc.org" <mark.donaldson@knoxmpc.org>, "herb@claibornehauling.com" <herb@claibornehauling.com>, "bartcarey@comcast.net" <bartcarey@comcast.net>, "artclancy3@gmail.com" <artclancy3@gmail.com>, "llcole712@gmail.com" <llcole712@gmail.com>, "eason.mpc@gmail.com" <eason.mpc@gmail.com>, "mgoodwin.mpc@gmail.com" <mgoodwin.mpc@gmail.com>, "jtocher.mpc@gmail.com" <jtocher.mpc@gmail.com>, "wstowers@stowerscat.com" <wstowers@stowerscat.com>, "jwroth@qmwkx.com" <jwroth@qmwkx.com>, "brianpierce@mbiarch.com" <brianpierce@mbiarch.com>, "rebeccalongmire@hotmail.com" <rebeccalongmire@hotmail.com>, "cflomax@hotmail.com" <cflomax@hotmail.com>, "makane1@bellsouth.net" <makane1@bellsouth.net>, "bettyjo.mahan@knoxmpc.org" <bettyjo.mahan@knoxmpc.org>, "buzz.johnson@knoxmpc.org" <buzz.johnson@knoxmpc.org>, "dan.kelly@knoxmpc.org" <dan.kelly@knoxmpc.org>, "tim.burchett@knoxcounty.org" <tim.burchett@knoxcounty.org>, "county.mayor@knoxcounty.org" <county.mayor@knoxcounty.org>, Mike Brown <brownm55@comcast.net>

Dear MPC & Knox County Commissioners:

I concur 100% with Ms. Defreese's comments. Please add me as part of the opposition to the proposal referenced above.

Thank you,

Scott A. Ballard

Sent from my iPhone

[Quoted text hidden]

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**Fwd: Sector Plan Change or Rezoning**

2 messages

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**Mark Donaldson** <mark.donaldson@knoxmpc.org> Mon, Jun 9, 2014 at 7:55 AM  
To: Buz Johnson <Buz.Johnson@knoxmpc.org>, Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>, Michael Brusseau <Mike.Brusseau@knoxmpc.org>, Dan Kelly <Dan.Kelly@knoxmpc.org>

----- Forwarded message -----

From: <altuinman@comcast.net>  
Date: Mon, Jun 9, 2014 at 12:22 AM  
Subject: Sector Plan Change or Rezoning  
To: contact@knoxmpc.org, mark.donaldson@knoxmpc.org

Sirs,

Please note that both my wife and I strongly oppose the proposed sector plan change and rezoning at the corner of Maryville Pike and Topside Road to 'Commercial' or to 'Neighborhood Commercial'.

The property in question resides along a stretch of Maryville Pike which is currently almost exclusively low density residential housing and agricultural. Opening up a large plot to NC use (establishment of shops etc.) will likely set a precedent for similar development going south on Maryville Pike, and forever alter the rural nature of that part of South Knox County.

I urge you to reject the applications for sector plan change and/or rezoning.

Thank you for your attention.  
Al Tuinman

Albert and Suoma Tuinman  
7328 Wildwood Court  
Knoxville, TN 37920

Tel 865 573 3414

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**Sarah Powell** <sarah.powell@knoxmpc.org> Mon, Jun 9, 2014 at 8:04 AM  
To: "Mahan, Betty Jo" <bettyjo.mahan@knoxmpc.org>

[Quoted text hidden]

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**Fwd: #37 South Sector Plan Change to be Heard on Thursday**

1 message

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**Sarah Powell** <sarah.powell@knoxmpc.org>  
To: "Mahan, Betty Jo" <bettyjo.mahan@knoxmpc.org>

Tue, Jun 10, 2014 at 8:16 AM

----- Forwarded message -----

From: **Elaine Walker** <ebwalker66@comcast.net>  
Date: Mon, Jun 9, 2014 at 9:21 PM  
Subject: #37 South Sector Plan Change to be Heard on Thursday  
To: contact@knoxmpc.org

Elaine Walker

3127 Topside Road

Knoxville, TN 37920

Dear MPC Commissioners,

I respectfully ask that you DENY the sector plan change and rezoning application to commercial for the Patrick Tracy property which is #37 on the MPC agenda for Thursday, June 12.

The Topside Road community is an agricultural, rural, and low density area, and a commercial zoning is not desired or warranted. The issue is even more personal because the property is visible from my home, a home with acreage that was purchased because of its rural, low density nature.

As I have been researching, several additional concerns have been highlighted.

1. Patrick Tracy signed a building permit (#56294) in early 2000 agreeing that this would be a residential property and would not be used commercially.
2. Since 2001, there have been numerous complaints and documented violations of an illegal automobile service center on this property.
3. The South County Sector Plan was only recently approved, first by MPC in October 2012 and then by County Commission last year. It seems highly unlikely that any substantial changes have occurred that would warrant amending the plan in such a short amount of time as outlined in Section 6.30 of the Knox County Zoning Ordinance and the "Changes of Conditions Warranting Amendment of the Land Use Plan" section of the Knox County General Plan 2033.

Please protect our agricultural, rural, and low density area by denying a sector plan change and rezoning.

Sincerely,

Elaine Walker



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## Fwd: MPC Agenda Item #37

1 message

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**Sarah Powell** <sarah.powell@knoxmpc.org>  
To: "Mahan, Betty Jo" <bettyjo.mahan@knoxmpc.org>

Tue, Jun 10, 2014 at 8:18 AM

----- Forwarded message -----

From: **Gail Wood** <gmwood03@bellsouth.net>  
Date: Tue, Jun 10, 2014 at 1:00 AM  
Subject: MPC Agenda Item #37  
To: contact@knoxmpc.org

TO: MPC Commissioners

RE: ITEM #37

6-A-14-SP and 6-B-14-RZ

3106 Topside Road/Tracy Property

Dear MPC Commissioners:

I am asking you to please deny the request to change the S.Sector Plan and Zoning for the above Item #37.

Mr. Patrick Tracy is requesting a change to the S.Sector Plan for his property from 'LDR' to 'CA'. The Sector Plan is a document that represents thought, research, an understanding of a community's need for growth and a sensitivity to the impact of that growth. It has credibility. The current Sector Plan was approved by MPC in 2012, by County Commission last year. All the planning represented in the Sector Plan is fairly current, no big shifts that would suggest a need to actually change the current plan. Mr. Tracy made this same request – to change his property from 'LDR' to 'CA' – in 2005 & 2009, and was denied by MPC. I honestly do not believe there has been a significant difference in circumstances that would justify a change to the Sector Plan.

In addition, Topside Road, busy with traffic from Alcoa Highway, has retained its rural feel with curves, fields and woods, barns and horses. It feels inappropriate to "cherry pick" a piece of this rural environment and make it commercial. There already exists appropriate places in the area for commercial development. There are empty properties that need a life and we should be working to recycle those properties. We don't have to blaze new ground for commercial development in established neighborhoods, with old growth trees.

For these reasons, I am sincerely asking you to please deny any change to the S.Sector Plan and zoning, requested by Agenda Item #37.



Sincerely,

Gail Wood

3233 Topside Road

Knoxville, TN 37920

Commissioners',

#6-B-14RZ 6A-14SP Item37

Mr. Tracy's application is asking for a sector plan change of LDR to Commercial. MPC staff recommends denial for commercial. The property requested commercial rezoning in 1990 and was denied. In 2005 a sector plan change was asked for and denied 14-0 by MPC and then lost the appeal to Knox County Commission. On 2/11/2003 cited for illegal dumping. In 2009, Mr. Tracy was cited for codes violation of illegal business and came before the homeowners group asking for support for commercial. Seeing no support, Mr. Tracy did not proceed thru MPC. On 11/6/ 2013 Mr. Tracy was cited for codes violation and was told to cease all work. This code violation number is still open to be resolved. Mr. Tracy continues working illegal as the pictures will show you in the information. The requirements for a sector plan change have not been met by the general plan. No sector plan change is warranted. This includes the suggestion of Mr. Donaldson for NC. Zone NC will still have Mr. Tracy in violation of codes. MPC staff should not reward bad behavior for someone that has ignored the law and codes for over 14 years. This behavior was started on 2/3/2000 with Mr. Tracy signing a build permit as a residential property and not to be used commercially. On 9/27/2001 codes violation for commercial business complaint number 01-531 less than a year after signing the building permit.

Before a sector plan zone change with an illegal business, Knox County codes should be involved. Pandora's box will be opened in new codes violations including building, set backs of lines, fire, and others. These violations' may have the effect of applying for variances to make the zone conform. Neighbors do not understand the major problems that a new zone can bring. This is why the citizens of Knox County trust in our government in doing the correct action to protect all in our county. A change to NC will have this effect on the community and county. The most important part of rezoning is **the zone goes with the land not the owner**. A new owner may the change the use and have a greater impact on the environment, community, and Knox County.

Mr. Tracy is passing out information with only three choices for the neighbors. Nowhere is the option of following the laws and codes of Knox County. Trying to make an illegal business legal (NC will not help) with threats of apartments in the neighborhood goes beyond good reason. Hundreds of businesses follow the law and codes. Illegal businesses should not be rewarded with zoning to conform with codes that are in place.

A sector plan change with zoning change will have a great impact on the community. New codes violations, different traffic patterns, noise and ground pollution among others that will happen. Please vote to deny the South Sector plan change from LDR to C and then deny any change to NC which will not make the business legal. NC will open Pandora's box.

Zoning goes with the land and not the owner. Thank you.

Carson Dailey 7508 Government Farm Road



Signed Permit HAS NO COMMERCIAL permit 56294

Knox County  
CONSTRUCTION PERMIT

56294

DATE: Jan 26, 2000 DE Department of Code Administration & Inspection

Phone: 215-2325, City/County Building

PERMIT NO. 56294

PROJECT NAME: PERMIT TYPE: SINGLE FAMILY DWELLING

JOB ADDRESS: 3106 TOPSIDE RD. SUBDIVISION:

MAP: 147 GROUP: PARCEL: 67.01 LOT#: 2 ZONING: RB/AG

OWNER: PATRICK TRACY ADDRESS: 3213 MARYVILLE PIKE. KNOXVILLE, TN. 37920 PHONE: 579-4477

ARCH/ENG: ADDRESS: . PHONE:

CONTRACTOR: PATRICK TRACY ADDRESS: 3213 MARYVILLE PIKE. KNOXVILLE, TN. 37920 PHONE: 579-4477

CONTRACTOR'S LICENSE # BUSINESS LIC#

CONTACT: PHONE:

REC'D WORKMANS COMP: WAIVER

PLUMBING: OWNER PHONE:

MECHANICAL: OWNER ADDRESS: .

PHONE:

LOT SIZE: 3.652 FLOOD PLAIN: STORIES: 1 BASEMENT: NO S/F: 3200 DWELLINGS ON PARCEL: 1

BOARD OF ZONING: DATE:

PRE-APPROVED PLANS: DATED: PERMIT#:

REMARKS: APPLICANT/OWNER VERIFIES THIS BUILDING WILL BE FOR RESIDENTIAL USE ONLY, THAT THERE WILL BE NO COMMERCIAL USE OF ANY KIND. *Patrick Tracy*

ESTIMATED COST: \$25,000.00

BUILDING FEE: \$155.00

INSPECTION FEE:

PLANS REVIEW FEE: \$50.00

TOTALS FEES: \$205.00

FRONT SETBACK: 40

L. SIDE SETBACK: 10

R. SIDE SETBACK: 10

REAR SETBACK: 35

INSPECTION REMARKS

1ST INSPECTION                      2ND INSPECTION                      FINAL                      GAS

ENGINEERING REVIEW *2-3-00* *Leo* *DATE*

BUILDING REVIEW *9/28* DATE *2-5-00*

ZONING REVIEW

FIRE REVIEW                      DATE

SEWER  
METAL FRAME  
ELECTRIC

- NOTES 1. It is the  
2. The buildi  
3. Building p  
4. Applicable

*2-3-00*  
*Bill*

to telephone the Code Administration office for all required inspections.  
Certificate of Occupancy  
begun within six months of issuance.  
Building Codes  
Occupation Code  
Life Safety Code  
1995 CABO 1 & 2 Family Dwelling Code

I hereby certify that I have read and examined this application and know the same to be true and correct. All provisions of laws and resolutions governing this type of work will be complied with whether specified herein or not. The granting does not presume to give authority to violate or cancel the provisions of any other State or Local law regulating construction or the performance of construction.

*Patrick Tracy*

No. 0912                      Signature of Owner/Contractor

Date *2-3-00*

May 29, 2014 9:18 AM

Permit / File Entry

Go To Another Permit

13-0782Z

ENTERED BY: SROACH

Edit this Non-KGIS Address

HOW NOTIFY: E-MAIL  
 DATE: 10-31-2013  
 STATUS: OPEN  
 LAST ACTIVITY:

APT/STE/UNIT: NUM: 3106 SUFFIX: ASSIGN A KGIS ADDRESS  
 PPRFX: NAME: TOPSIDE TYPE: RD  
 ZONE: A,CARB DIST: 09 LOT/SUB: PARCEL: 06701 GPS:  
 MAP: 147 GROUP:

Inspections:

| DATE       | TIME     | INSPECTION    | RESULTS | ASSIGNED      | RESCH? |
|------------|----------|---------------|---------|---------------|--------|
| 04-21-2014 | 11:00 AM | ZONING ISSUES |         | BUDDY DUNLAP  | NO     |
| 03-07-2014 | 9:00 AM  | ZONING ISSUES |         | TONY DEVAUGHN | NO     |
| 10-31-2013 | 12:00 PM | ZONING ISSUES |         | TONY DEVAUGHN | NO     |

NARRATIVE

PATRICK TRACY (DBA) PATRICKS SERVICE CENTER IS IN VIOLATION OF OPERATING A ILLEGAL BUSINESS IN A AGRICULTURAL/RESIDENTIAL

Narrative:

PATRICK TRACY (DBA) PATRICKS SERVICE CENTER IS IN VIOLATION OF OPERATING A ILLEGAL BUSINESS IN A AGRICULTURAL/RESIDENTIAL ZONE. LEFT VIOLATION NOTICE TO CEASE ALL WORK IMMEDIATELY

- Permit / File
- People
- Fees
- Activities
- Inspections**
- Print
- Plans
- Sched
- Images
- Documents
- History
- Related Requests

- File Location
- Print Screen
- Save
- Close

107513





Permit / File Entry

Go To Another Permit

13-0782Z

ENTERED BY: SROACH

Edit this Non-KGIS Address

HOW NOTIFY: E-MAIL  
 DATE: 10-31-2013  
 STATUS: OPEN  
 LAST ACTIVITY:

APT/STE/UNIT: NUM: 3106 SUFFIX:   
 PREFIX: NAME: TOPSIDE TYPE: RD  
 ZONE: ACA RB DIST: 09 LOT/SUB:   
 MAP: 147 GROUP: PARCEL: 06701 GPS:

Inspections

| DATE       | TIME     | INSPECTION    | RESULTS | ASSIGNED      | RESCH? |
|------------|----------|---------------|---------|---------------|--------|
| 04-21-2014 | 11:00 AM | ZONING ISSUES |         | BUDDY DUNLAP  | NO     |
| 03-07-2014 | 9:00 AM  | ZONING ISSUES |         | TONY DEVAUGHN | NO     |
| 10-31-2013 | 12:00 PM | ZONING ISSUES |         | TONY DEVAUGHN | NO     |

NARRATIVE  
 EXTENSION GRANTED DUE TO OWNER BEING IN PROCESS OF PUTTING TOGETHER A SITE PLAN TO MOVE HIS BUSINESS TO THE RB SECTION

Narrative

EXTENSION GRANTED DUE TO OWNER BEING IN PROCESS OF PUTTING TOGETHER A SITE PLAN TO MOVE HIS BUSINESS TO THE RB SECTION OF HIS PROPERTY. 45 DAY EXTENSION APPROVED BY R. BRADEN. (A CLIFTON HAS FILE)

- Permit / File
- People
- Fees
- Activities
- Inspections**
- Print
- Plans
- Sched
- Images
- Documents
- History
- Related Requests

- File Location
- Print Screen
- Save
- Close

107513

Complaint Information

|                                |                       |   |
|--------------------------------|-----------------------|---|
| <b>Complaint #:</b> 14-001670  | <b>Change Address</b> | <b>ENTERED BY:</b> RFLYNN                           |
| <b>HOW NOTIFIED:</b> IN PERSON | <b>APT/STE:</b>       | <b>NUM:</b> 3106                                    |
| <b>DATE:</b> 05-29-2014        | <b>PREFIX:</b>        | <b>NAME:</b> TOPSIDE <b>TYPE:</b> RD                |
| <b>REQUEST STATUS:</b> OPEN    | <b>ZONE:</b> A,RB     | <b>DIST:</b> 09 <b>LOT/SUB:</b>                     |
|                                | <b>MAP:</b> 147       | <b>GROUP:</b> <b>PARCEL:</b> 06701 <b>LOT SIZE:</b> |

**COMPLAINT #:** 14-001670

**Ticket Number:**

**Description:** HOME OCCUPATION CE 3106 TOPSIDE RD

**Complaint Type:** CE-Home Occupation

**Const Type:** RESIDENTIAL CONSTRUCTION

**Occupancy Type:** BUSINESS

**TIME RECEIVED:**

**CONTRACTOR OWNER INFORMATION**

|                     |                              |
|---------------------|------------------------------|
| <b>OWNER:</b>       | TRACY MICHELLE L & PATRICK M |
| <b>COMPLAINANT:</b> | ANONYMOUS                    |
|                     |                              |

**Complaint Detail:**

ILLEGAL BUSINESS OPERATING IN AG ZONE.

**Action Taken:**

[Complaints](#)
[People](#)
[Activities](#)
[Print](#)
[Sched](#)
[Inspection](#)
[History Insp Notes](#)
[Related Requests](#)
[Fees](#)
[Plans](#)

[Print Timeline](#)
[Schedule](#)
[File Location](#)
[Print Screen](#)
[Save](#)
[Close](#)



From: Patrick Tracy <automan485@att.net>  
Subject: Re: contact info  
Date: February 28, 2014 4:02:58 PM EST  
To: Roy Braden <Roy.Braden@knoxcounty.org>  
Reply-To: Patrick Tracy <automan485@att.net>

3106 Toppide Rd.

---

I AM REQUESTING AN EXTENSION FOR MY COMPLIANCE DATE. I AM IN THE PROCESS OF BUILDING A NEW SHOP ON MY COMMERCIAL PROPERTY. I AM IN PROCESS OF GETTING MY SITE PLAN AND BLUE PRINTS FOR THE BUILDING PERMIT DEPARTMENT. I AM HIRING R.LENN JOHNSON AND ASSOCIATES TO DO MY ARCHITEC WORK. AURTHOR SEYMOUR IS WORKING WITH ME ALSO. I WANT TO MAKE THIS SITUATION LEGAL AND CORRECT, BUT THIS IS NOT A QUICK PROCESS. THANK YOU FOR YOUR HELP, PATRICK TRACY 865-719-1183

---

From: Roy Braden <Roy.Braden@knoxcounty.org>  
To: "automan485@att.net" <automan485@att.net>  
Sent: Friday, February 28, 2014 1:06 PM  
Subject: contact info

Roy Braden  
Building Official  
400 Main Street, Suite 547  
Knoxville, TN 37902  
Phone: 865-215-2334  
[roy.braden@knoxcounty.org](mailto:roy.braden@knoxcounty.org)  
[www.knoxcounty.org/codes](http://www.knoxcounty.org/codes)

130782Z

April,

Let's talk about deadline for this,

Roy

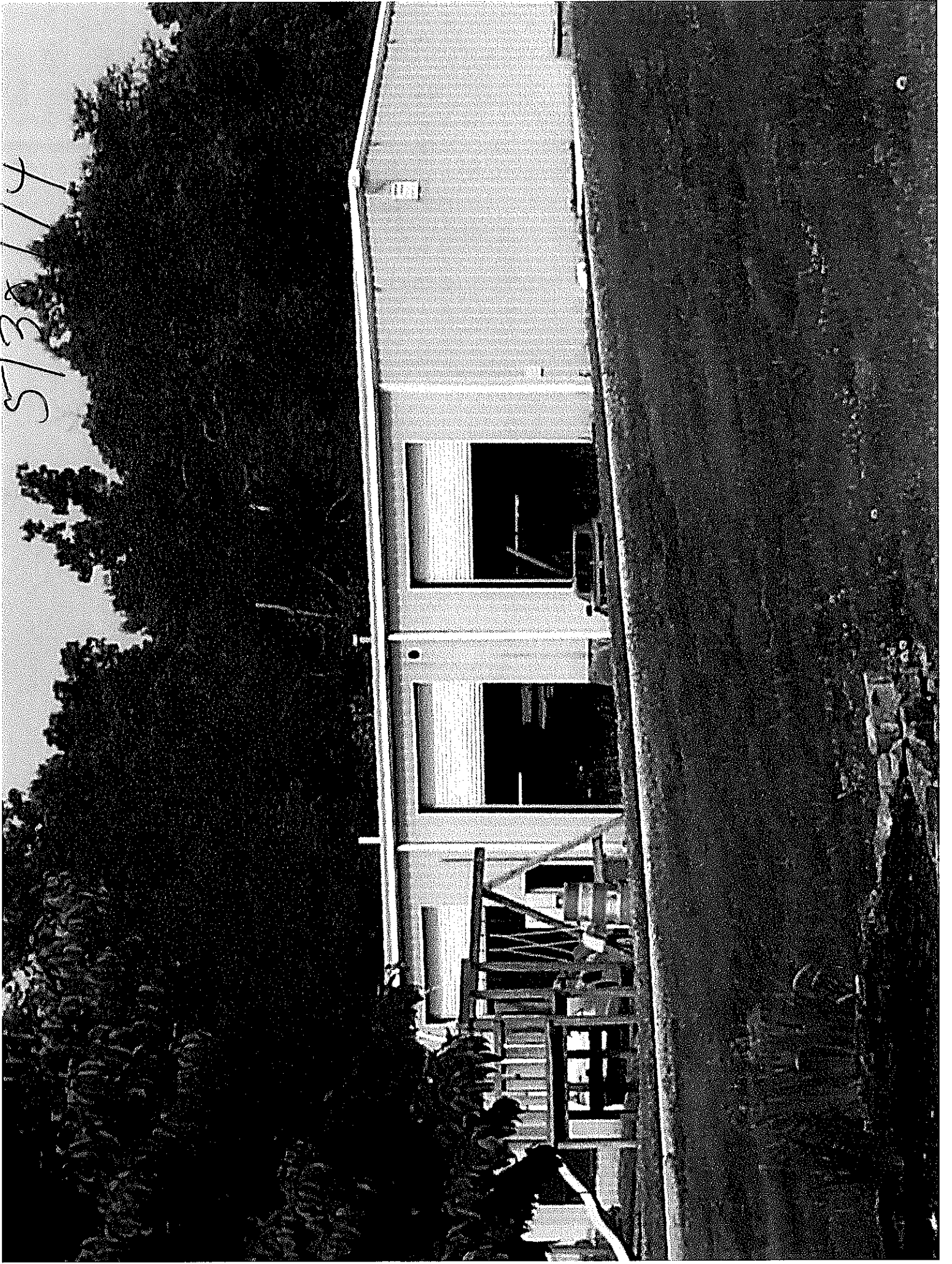
3-3-14

14 YEARS OF ILLEGAL NO OTHER WAY EXCEPT TO BE FORGIVEN OF VIOLATION. & STILL WILL BE UNDER SOME VIOLATION.

5/22/14



5/30/14



**FOSTER D. ARNETT, JR.**  
**KNOX COUNTY CLERK**

P O BOX 1566

KNOXVILLE, TN 37901

LICENSE  
**0101588**

**MINIMUM BUSINESS LICENSE AND GROSS SALES RECEIPT, NOT A BILL**

Mailing

Location

79986 PATRICKS SERVICE CENTER  
3106 TOPSIDE RD  
KNOXVILLE TN 37920

PATRICKS SERVICE CENTER  
3106 TOPSIDE RD  
KNOXVILLE TN 37920

PATRICK TRACY

7539 AUTO REPAIR SHOP OTHER

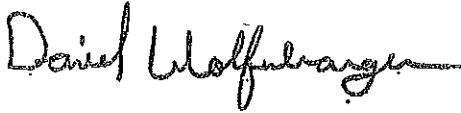
ACCOUNT NUMBER 79986  
TRANSACTION NUMBER 1  
CLASS 03  
SALES TAX NUMBER \_\_\_\_\_

ISSUE DATE 09/16/03  
TAX PERIOD Started -- 01/01/2003  
EXPIRATION DATE 06/30/2004

TO AVOID PENALTY, INTEREST, AND POTENTIAL ENFORCED COLLECTION ACTION, BUSINESS TAX RETURNS AND PAYMENTS MUST BE REMITTED TO THE TENNESSEE DEPARTMENT OF REVENUE AT LEAST 30 DAYS PRIOR TO THE EXPIRATION DATE OF THIS LICENSE.

IF PAID BY CHECK, THIS LICENSE VALID ONLY AFTER CHECK IS PAID.

THIS LICENSE DOES NOT PERMIT OPERATION UNLESS PROPERLY ZONED, AND/OR IN COMPLIANCE WITH ALL OTHER APPLICABLE LAWS/RULES.



DEPUTY CLERK SIGNATURE

WK02 Drawer:100 Site:1

Started BUSINESS BEFORE 2000.

\*NO TAX license until 9/16/03\*



# Knox County Property Tax Summary

Property: 1337491  
 Address: 3106 Topside Rd Knoxville Tn 37920  
 Owner: PATRICK'S SVC. CENTER

Classification: TANGIBLE- Subdivision: - 811111-GENERAL  
 Block / Lots: / Lot Size / Acreage: /

2013 Balance Due:\* 0.00 2013 Appraised Value: 34,168  
 Balance Due Prior Years: 0.00 2013 Assessed Value: 10,250  
 2013 Tax Rate: 0.0232  
 Total Balance Due All Years\*: 0.00 2013 Tax Levy: 238.00

\* If paid though the end of this month

| Tax Year | Status | Last Paid  | Net Taxes Billed | Interest, Penalty & Fees | Payments | Balance Due |
|----------|--------|------------|------------------|--------------------------|----------|-------------|
| 2013     | PAID   | 05/01/2014 | 238.00           | 10.71                    | 248.71   | 0.00        |
| 2012     | PAID   | 04/29/2013 | 194.00           | 5.82                     | 199.82   | 0.00        |
| 2011     | PAID   | 04/24/2012 | 155.00           | 4.65                     | 159.65   | 0.00        |
| 2010     | PAID   | 05/04/2011 | 150.00           | 6.75                     | 156.75   | 0.00        |
| 2009     | PAID   | 04/21/2010 | 137.00           | 4.11                     | 141.11   | 0.00        |
| 2008     | PAID   | 03/30/2009 | 317.00           | 4.76                     | 321.76   | 0.00        |
| 2007     | PAID   | 02/29/2008 | 307.00           | 0.00                     | 307.00   | 0.00        |
| 2006     | PAID   | 03/26/2007 | 349.00           | 5.24                     | 354.24   | 0.00        |
| 2005     | PAID   | 02/21/2006 | 279.30           | 0.00                     | 279.30   | 0.00        |
| 2004     | PAID   | 03/07/2005 | 245.86           | 3.69                     | 249.55   | 0.00        |

3106 Topside Remaining Patrick's Service Center  
 ON Ag RATES.

2005



# SECTOR PLAN AMENDMENT

Name of Applicant: Patrick + Michelle TRACY

Owner     Option Holder     Other (Be specific) \_\_\_\_\_

Date Filed: 11-1-05    Planner in Charge of Application: \_\_\_\_\_

Fee Amount: \$220.00    Meeting Date: 12-8-05    File Number: 12-B-05-SP

Suite 403 • City County Building  
400 Main Street  
Knoxville, Tennessee 37902  
865 • 215 • 2500  
FAX • 215 • 2088  
www.knoxmpc.org

### PROPERTY INFORMATION

Jurisdiction:  City Council District \_\_\_\_\_  
 County Commission District 9

Census Tract: 56.01

Traffic Zone: 163

Growth Policy Plan: LDR

Tax Identification Number: 147 067.01

Address: 3106 Topside rd

General Location: West side of Maryville Pike, south of Topside Road

Sector: South County

Zoning District: A, RB, & CA

Tract Size: Less than 1 Acre of parcel

Existing Land Use: Small auto repair business since 1998

### REQUESTED CHANGE

I (we) request that the MPC, after appropriate study, recommend an amendment to the South County Sector Plan, to change the land use designation of the property described on this form

FROM: LDR

TO: C

### PROPOSED USE

List density proposed, if applicable.

To continue operating his auto repair business.

### APPLICATION CORRESPONDENCE

All correspondence relating to this application should be directed to:

PLEASE PRINT

Name: Patrick TRACY

Company:  Patrick's service center

Address: 3106 Topside rd

City: Knoxville State: TN Zip: 37920

Telephone: 865-573-5823

Fax: \_\_\_\_\_

E-mail: \_\_\_\_\_

### APPLICATION AUTHORIZATION

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.

Signature: Patrick Tracy

PLEASE PRINT

Name: Patrick TRACY

Address: 3104 Topside rd

City: Knoxville State: TN Zip: 37920

Telephone: 865 579 4477

Fax: \_\_\_\_\_

E-mail: \_\_\_\_\_

DENIED 14-0 KNOX COUNTY COM. DENIED

MPC MEETING  
JUNE 12 @ 1:30 PM @  
CITY COUNTY BLD.  
FOR INFORMATION CALL  
PATRICK TRACY @  
865-573-5823  
RE: REZONING OF 3106  
TOPSIDE RD.

---

Please Review our Proposals.  
We are just trying to make  
my Building legal to continue being  
a repair shop. Option "B" is  
what we really want, this does  
away with RB zone (Multi-Family Dwelling).  
I have talked to Michelle + David H. and  
they support either "A" or "B". Please  
call with questions. IF u call me  
I will ... .. Thanks.

Date \_\_\_\_\_

RE: Rezoning 3106 Topside Road, Knoxville TN 37920

I \_\_\_\_\_ have reviewed the options to rezone property located at 3106 Topside Road, Knoxville TN 37920 and agree that \_\_\_\_\_ option is best of our community and I support this option.

Options:

A: Rezone to CA

B: Rezone RB to RA and extend CA zoning to included existing building

C: Build new building and Maryville Pike on CA

\_\_\_\_\_  
Signature Date \_\_\_\_\_

Print Name \_\_\_\_\_

Address \_\_\_\_\_

City, State, Zip \_\_\_\_\_

Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_