

To: Knoxville -Knox County MPC

1-01-09

Re: File # 1-G-09-RZ
8306 Ball Camp Pike
Knoxville, TN 37931
Owner- Marcus Sanderson

From: Mike Goode
8317 Ball Camp Pike
Knoxville, TN 37931

-I live directly across the street from the above property.
-I am a past president of the Ball Camp Community Club.

-I am opposing the rezoning of the above property for the follow reasons.

- 1-This is a residential neighborhood, some 17 new subdivisions within a 2 mile area. (Pictures Attached)
- 2-There are no other businesses similar to this in our neighborhood.
 - There are 2 other concrete plants nearby (1 at Amherst and 1 at Lovell Rd) this neighborhood does not need another concrete plant
- 3-There is a Church (Friendship Baptist) directly across the street that provides a day care and after school care and the children do not need to be exposed to this environment.

4- The past history of the owner's handling of his property improvements.

- He purchased the property in 04 **Zoning was Agri.**
- He built a commercial building and has been conducting business (Concrete finishing) since 05. **Zoning was Agri.** I was told he had **no permit for this building.**
- In 07 owner brought in a concrete plant, it came in on approximately 6 tractor trailers. I spoke with him at this time and he said that he was going to resale it and not construct in on this location
- In May of 2008, the owner put in a driveway from the back of the property. He dug out the ditch and put in a metal culvert and added gravel. He did this on the weekend **without a permit.**
- In Sept /Oct 2008 the owner began to excavate, plus haul in dirt and boulders to establish a site for a concrete plant installation, **without any permits.** I walked over to the property with a friend (Scott Forester) and neighbor, and talked with the bulldozer operator, he began to tell us exactly how the concrete plant was to be installed and a 17' ramp was to be built so that it would be easier to fill the hoppers with the materials needed to make concrete.
- During this excavation process, the owner told all the inspectors that he was not going to put up the concrete plant. He continued to haul in dirt and boulders, there is an area left for the concrete trucks to pull under the hopper. **the owner did acquire a permit for a parking lot**
- toward the end of the excavation of the site, owner decided to double the width of the driveway. Again he dug it out and install metal culvert on a weekend **Without a permit**
- In Nov 2008, owner loaded most of but not all of the concrete plant components and hauled the out, leaving a few things, such as one hopper, conveyors and ladder system, some of this he moved to a wooded area at other end of the property.

-Dec 2008, now he decides to rezone the property. The MPC put up the signs and they only stayed up for 2 days, on Christmas Eve night the signs were pulled up and laid in the tall weeds, I put them back up on Christmas morning.

I feel like as soon as the rezoning is complete, the owner will bring back in the concrete plant and construct it on this site that he has already completed the excavation work for

It is my understanding in talking with the Knox Co Codes office that

- the owner did not have a permit for the original building that he built and has been operating a business out of for the past 3 or 4 yrs.
- the owner did not have a permit for the driveway installation nor for the adding to the drive.
- the owner did not have a permit for the grading of the area for a concrete plant.
 - code says not to fill in an area over 5' and there is approx 12' to 17' of fill in one area
- the owner did not have a silt fence up to protect the 2 streams and the wet land area on the property

If in fact the owners plan is to construct the concrete plant, it would definitely impact the neighborhood in a negative matter.

- noise
- air quality
- run off into the 2 streams on property
- dust and debris constantly on the road
- traffic problem
 - (There was a car wreck at the new driveway during the excavation process)
- reduce the value of the residential property
 - I have lived here for 28 yrs; I have continued to make improvements and to pay my taxes. I think this project would destroy the value of my home. I have a current appraisal of \$550,000.

-Church across the street

- day care with outdoor activities
- bible school with outdoor activities
- driveway directly across from the new driveway to this property

I have pictures of the entire process of events. The dirt, dust and noise from just the excavation was terrible, pictures show the dust on my front porch furniture, the mud on the road, the wreck, and in brief, the negative impact it has already had on my neighborhood.

I have notified the following list, of what is going on

Greg Lambert	-Commissioner
Robert Roundtree	-Commissioner
Brad Anders	
Tony Norman	-Commissioner
Jimmy Duncan	-Congressman
Grant Rosenberg	-Office of Neighborhood affairs
Bruce Wertherich	-Public Works and Eng.
Steve Elliott	-Knox Co. Eng.
Derek Keck	-Knox Co. Eng.
Mary Ann Brannan	-US Army Corps
Jason T. Mann	-State of TN Dept. of Environment and Conservation, Water Pollution Control
Baxter Wilson	-State of TN Dept. of Environment and Conservation, Water Pollution Control
Tammy Harvey	-Knox Co. Codes
	-Knox Co Property Assessor

I will be attending all MPC and County Commission Meetings.

I plan to notify all local TV channels about the neighborhood impact of this property.

In reply to the owners application with the MPC-

-If the owner wants to obtain a commercial zoning in order to be legal in running his business on the property. I have no objection to that, but it needs to be limited to the existing building and not allow him to build any other building or structures such as a concrete plant. And a fine and penalty should be placed on him for his disregard of the law up until this time. And what about the back property taxes due at the commercial rate?

-As for the building of residential homes on the remaining property, for years the previous owner has tried to do just that and the Army Corps and the Ground Water Agencies had advised him that most of this property is a "Wet Land" because of the 2 streams and springs on the property, therefore the previous owner was never able to build on this portion of the property.

-The new Schaad Rd. extension is to be located across the Railroad tracks from this property, the crossing in front of this property is to be eliminated and the intersection will not be a 4-way but a 3-way, Ball Rd. will be straighten and left a quiet 2 lane and the intersecting road is Fitzgerald Rd. that provides access to approximately 50 homes only, there are no commercial properties in this area of the intersection.

I do appreciate your support in this matter. The information stated in this letter, is my opinion only, based on my observation from my property across the street, my discussions with the owner, my discussion with the bulldozer operator, information from the Knox Co. Engineering Dept and other Agencies involved. I would encourage you to investigate all of the mentioned situations and find out the exact way that each was handled

Mike Goode 865-310-5300