

10-SE-09-F-corr-Wright/Raby

TO: METROPOLITAN PLANNING COMMISSION & KNOX COUNTY COMMISSION
FROM: KENDELL WRIGHT
SUBJECT: MPC FILE 10SE09F -- HARVEY ROAD
DATE: 9/18/2009



Dear Metropolitan Planning Commission & Knox County Commission:

The attached letters are in reference to MPC file number 10SE09F regarding Parcel ID 162047 located on Harvey Road. The letters are from Mr. Raby and I regarding the variance requested.

It would be appreciated if you could please distribute these letters to all necessary Commissioners and Staff prior to the October 8th, 2009 MPC/Knox County Commission meeting.

Thank you,

A handwritten signature in cursive script, appearing to read "Kendell Wright".

Kendell Wright

Jason C. Raby
1313 Choto Road
Knoxville, TN 37922



September 18, 2009

MPC & Knox County Commission
400 Main Street
Knoxville, TN 37902

Re: MPC File 10SE09F; Parcel ID 162047 - Harvey Rd

Dear Commissioners:

My name is Jason Raby and I live at 1313 Choto Road. I own approximately 14 acres located at 1128 Harvey Road behind the AM Express convenience store and First Utility District pump station near the underpass at Virtue Road. I am writing to you in regards to file number 10SE09F with regards to establishing legal access to my property.

I have no legal access to my property as it is land-locked by property owned by Kendell Wright on 3 sides and Mallard Bay Subdivision Homeowners Association on one side. I currently access my property by way of a driveway owned by Paul Robertson at 1108 Harvey Road then cross over Mr. Wright's property at 1112 Harvey Road. Both Mr. Robertson and Mr. Wright have given me permission to access my property this way. This property is unimproved and is used as farm land for hay and I do not anticipate building for many years. Mr. Wright has assured me he has no plans to improve his fee simple driveway as he has a driveway maintenance agreement with Mr. Robertson to access his property.

Mr. Wright and I have come to an agreement to provide me legal access to my property by establishing a joint permanent easement. However, I will continue to access my property by way of the previously mentioned access across Mr. Robertson and Mr. Wright. Creating a joint permanent easement will serve only to un-land-lock my property and provide legal access as required by the State of Tennessee.

I ask that you please grant the variance to Mr. Wright and wave the requirements to improve the joint permanent easement because it could become a hiding place for potential illegal activity as the access road and turnaround would be located in an area hidden by trees and thick vegetation. Mr. Wright and I are in agreement that no improved road or turnaround should be required to create a joint permanent easement.

Sincerely,

A large, stylized handwritten signature in black ink, appearing to read "Jason C. Raby".

Jason C. Raby

cc: Kendell Wright

Kendell Wright
8726 Farmington Drive
Knoxville, TN 37923



September 18, 2009

MPC & Knox County Commission
400 Main Street
Knoxville, TN 37902

Attn: All MPC Commissioners & Staff
All Knox County Commissioners

Dear Commissioners:

Re: MPC File 10SE09F

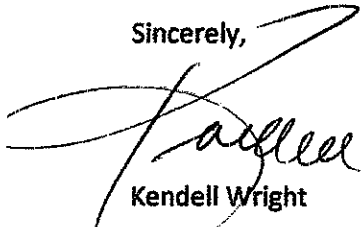
This letter is further explanation regarding the request for variances to give Mr. Jason Raby legal access to his landlocked property at 1128 Harvey Road. My property is located a 1112 Harvey Road.


Mr. Raby and I have entered into a tentative agreement, pending your approval, to trade a part of his property adjacent to mine for an easement to access his property. This request is for legal access only and no drive or turnaround is necessary or desired. There are no plans to actually use the legal access due to Mr. Raby's agricultural use of the property. Currently, access is gained across a driveway maintained by Mr. Paul Robertson (1108 Harvey Road) and myself.

I have spoken with Mr. Raby and we both are in agreement that improvement of the joint permanent easement is neither necessary nor useful. Additionally, any improvement to this new joint permanent easement would invite a possible hiding place for illegal activities in a secluded area near a convenience store and Mallard Bay subdivision. I am confident that both the owner of the AM Express convenience store and the residents of Mallard Bay subdivision would also not wish for any improvement to be made on this joint permanent easement due to this risk.

If you would like to discuss or need additional explanation, please call me at 865-963-8143 or I can be reached on line at kendellwright@gmail.com. If you would like to contact Mr. Raby, he can be reached at 865-804-7084. I may contact you in the near future to ask for your anticipated approval.

Sincerely,


Kendell Wright



cc: Jason Raby