

**From:** Mike Brusseau  
**To:** Betty Jo Mahan  
**Date:** 7/6/2010 3:22:19 PM  
**Subject:** Fwd: MPC Agenda # 30, 7/8/2010

Re: Item 30

>>> <DHAndrew@aol.com> 7/6/2010 2:15 PM >>>

712 Summit Lake Court  
Knoxville, TN 37922

Date: July 6, 2010

To: Knox MPC

Atten: Mr. Michael Brusseau [michael.brusseau@knoxmpc.org](mailto:michael.brusseau@knoxmpc.org)  
(<mailto:michael.brusseau@knoxmpc.org>)

Subj: 1104 Fox Road; Requested rezoning

MPC File; 6-C-10-FZ & 6-A-10-SP

Sir, this message is submitted in opposition of the proposed rezoning.

Reasons for disapproving this petition include:

- It requests blatant spot rezoning totally inconsistent with the surrounding area. The cited adjacent marina is a grand fathered noncompliant land use and should not be considered a justifying precedent.
- The roads, Fox, Canton Hollow and Emory Church, serving the property are already dangerous due to traffic, size and unsuitability for expansion.
- Any commercial usage resembling the proposed restaurant serving alcohol is inappropriate and will contribute to an already dangerous traffic situation.

We citizens of the affected area look forward to MPC's summary rejection of the request.

Regards,

DH (Andy) Andrew

Merle Andrew

**From:** Mike Brusseau  
**To:** Betty Jo Mahan  
**Date:** 7/7/2010 11:50:21 AM  
**Subject:** Fwd: agenda item #30 1104 fox road

Re: Item 30

>>> <bwhines@charter.net> 7/6/2010 9:21 PM >>>

MPC, As president of Lovell Hills Homeowners Association, I am going on record to oppose the re-zoning of the of the Mchenry home place at 1104 Fox Road. The added traffic and noise from the proposed development would only add to the problems that Fox Rd and Canton Hollow Rd plus the added traffic to Lovell Hills and Tanrara Oeste. Thank you for your consideration. Respectfully, Bill W Hines, President, Lovell Hills Homeowners Association

**From:** Sarah Powell  
**To:** Betty Jo Mahan; Michael Brusseau  
**Date:** 7/7/2010 11:42:45 AM  
**Subject:** Fwd: Mr. Michael Brusseau about Fox Road

>>> clarktechknx <clarktechknx@gmail.com> 7/7/2010 11:35 AM >>>  
Mr Michael Brusseau,

We live on El Pinar Drive, in Tan Tara subdivision, just across the RR and Canton Hollow Rd from the current boat dock. We are very concerned for the security and peacefulness of our neighborhood with the proposed nightclub so close to us. Please do not allow the zoning change to permit this business in our residential neighborhood.

I want to tell you that we have have suffered through the untruths that were told and promised with the expansion of the existing Fox Road boat dock. We and our neighbors came to the MPC in opposition to the dry stack boat storage and expansion plans for the boat dock. Against our wishes, MC allowed them to proceed even without adequate parking and with apparently no oversight on the completion of all the proposed landscaping and aesthetic improvements that were promised.

You may wish to drive by and observe how well they have landscaped and beautified the dry stack, etc. This is stated tongue-in-cheek, since nothing was ever done to dress it up as they promised all of us when they were pleading for permission.

PLEASE DO NOT ALLOW a middle of the night noise making business right next to our lovely, peaceful neighborhood!!!!

Mike Clark

**From:** Mike Brusseau  
**To:** Betty Jo Mahan  
**Date:** 7/6/2010 3:21:37 PM  
**Subject:** Fwd: MPC Property.doc

Re: Item 30 (SUPPORT)

>>> "Jody McKenry" <jmckenry@tds.net> 7/6/2010 2:37 PM >>>  
July 5, 2010

Metropolitan Planning Commission

Suite 403, City-County Bldg.

400 Main St.

Knoxville, TN.37902

RE: Application of CGK, Inc. to Operate  
a Restaurant on Fox Road Adjacent to Fox  
Road Marina.

I am the immediate property owner to the west of the property in question. My name is Betsy McKenry and live at 1124 Fox Rd. This property has been in our family for over forty years. I have lived here for forty-two years. Due to family issues, it has now become time to sale this property.

As the property owner closest to the proposed restaurant, I feel confident that Mr. Kennedy will ensure nothing but

the highest quality restaurant and the surroundings will be landscaped to further enhance the property. I also understand that a boatdock will be added so that people from land and sea might make use of his restaurant. I feel that can only be a positive attribute to our community. I understand that there has been some issue with regard to noise and traffic in regard to the restaurant. I have lived every day with a railroad track on one side and Fox Marina equipment on the other side. I cannot imagine that anything would generate more noise than those two things. I give my full support to Mr. Kennedy and his restaurant and feel that this is a positive step for our community. It can only be a benefit to the residents of our area.

, Betsy McKenry

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I give my full support to Mr. Kennedy and his restaurant and feel that this is a positive step for our community. It can only be a benefit to the residents of our area.

Sincerely,

Betsy McKenry

42 letters  
Same, but  
different signatures

July 1, 2010

**Metropolitan Planning Commission**  
Suite 403, City-County Building  
400 Main Avenue  
Knoxville, TN 37902

Re: Application of CGK, Inc. to Operate a Restaurant on Fox Road  
Adjacent to Fox Road Marina

I am a resident of Knoxville TN and happy to see that Chad Kennedy has applied to operate a neighborhood restaurant on Fox Road adjacent to the Marina. A good neighborhood restaurant is needed in this area and will be another amenity for people who live here. In addition to the restaurant, there will be boat slips with access to the restaurant from land and water.

I am certain there will be some opposition based on traffic, etc., however the property Mr. Kennedy is proposing to put his restaurant on is bounded by the water, Fox Road, the Norfolk Southern Railroad tracks and is not adjacent to any homes. Additionally, it is adjacent to the Fox Road Marina and its use will be consistent with the surrounding property.

I hope you will be able to support his proposal.

Truly yours,

*Joel M. Weather*

July 1, 2010

**Metropolitan Planning Commission**  
Suite 403, City-County Building  
400 Main Avenue  
Knoxville, TN 37902

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Truly yours,

*Bonnie Pancratz*

July 1, 2010

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Suite 403, City-County Building  
400 Main Avenue  
Knoxville, TN 37902

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Truly yours,

*Kerri Hany Waddell*



July 1, 2010

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Suite 403, City-County Building  
400 Main Avenue  
Knoxville, TN 37902

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Truly yours,

Mark Pancratz

July 1, 2010

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Suite 403, City-County Building  
400 Main Avenue  
Knoxville, TN 37902

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Truly yours,

*Marcus Blair*

July 1, 2010

**Metropolitan Planning Commission**  
Suite 403, City-County Building  
400 Main Avenue  
Knoxville, TN 37902

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I am a resident of West Knox and happy to see that Chad Kennedy has applied to operate a neighborhood restaurant on Fox Road adjacent to the Marina. A good neighborhood restaurant is needed in this area and will be another amenity for people who live here. In addition to the restaurant, there will be boat slips with access to the restaurant from land and water.

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I hope you will be able to support his proposal.

Truly yours,

*Alyssa Bryant*

July 1, 2010

**Metropolitan Planning Commission**  
Suite 403, City-County Building  
400 Main Avenue  
Knoxville, TN 37902

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I hope you will be able to support his proposal.

Truly yours,

*Debra Meinether*

July 1, 2010

**Metropolitan Planning Commission**  
Suite 403, City-County Building  
400 Main Avenue  
Knoxville, TN 37902

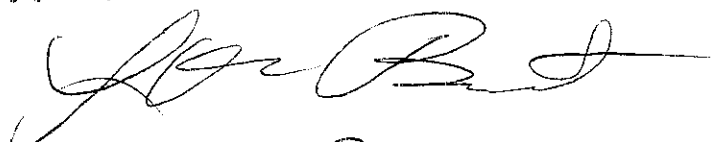
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Truly yours,



Lori Bryant

July 1, 2010

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400 Main Avenue  
Knoxville, TN 37902

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Truly yours,

A handwritten signature in black ink, appearing to read "Rob Davis". The signature is written in a cursive style with a large initial "R" and "D".

July 1, 2010

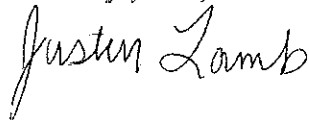
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July 1, 2010

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Truly yours,

*Jason Lamb*



July 1, 2010

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Truly yours,

*Amanda King*

July 1, 2010

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Truly yours,

D Allison Stewart

July 1, 2010

**Metropolitan Planning Commission**  
Suite 403, City-County Building  
400 Main Avenue  
Knoxville, TN 37902

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Truly yours,

Courtney Raby

July 1, 2010

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Greg J Raby

July 1, 2010

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I hope you will be able to support his proposal.

Truly yours,

A handwritten signature in cursive script that reads "Jimmy Rasky". The signature is written in black ink and is positioned below the typed name "Jimmy Rasky".

July 1, 2010

**Metropolitan Planning Commission**  
Suite 403, City-County Building  
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Knoxville, TN 37902

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Truly yours,

Jabitha Raby

June 9, 2010

**Metropolitan Planning Commission**

Suite 403, City-County Building  
400 Main Avenue  
Knoxville, TN 37902

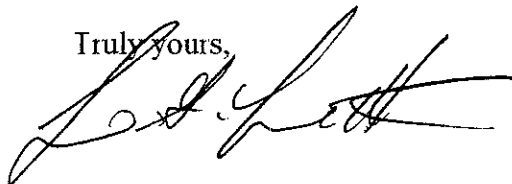
Re: Application of CGK, Inc to Operate a Restaurant on Fox Road  
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Truly yours,

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June 9, 2010

**Metropolitan Planning Commission**  
Suite 403, City-County Building  
400 Main Avenue  
Knoxville, TN 37902

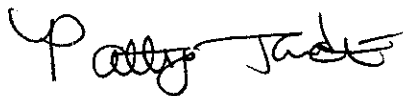
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Truly yours,

A handwritten signature in black ink that reads "Pally Jade". The signature is written in a cursive, flowing style.



June 9, 2010

**Metropolitan Planning Commission**  
Suite 403, City-County Building  
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Knoxville, TN 37902

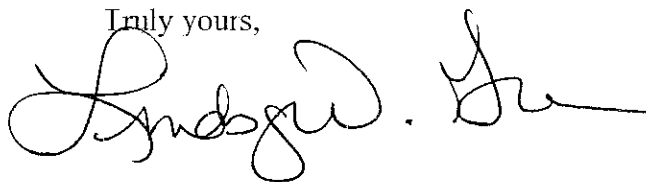
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I hope you will be able to support his proposal

Truly yours,

A handwritten signature in black ink, appearing to read "Andrew J. Lee". The signature is written in a cursive style with a large initial "A" and a long horizontal stroke at the end.

June 9, 2010

**Metropolitan Planning Commission**  
Suite 403, City-County Building  
400 Main Avenue  
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Truly yours,

A handwritten signature in black ink, appearing to be "Bud", written in a cursive style.

June 9, 2010

**Metropolitan Planning Commission**  
Suite 403, City-County Building  
400 Main Avenue  
Knoxville, TN 37902

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I hope you will be able to support his proposal.

Truly yours,

Jeffery A. Lawhorn

A handwritten signature in black ink, consisting of a horizontal line with a circular flourish underneath it.

June 9, 2010

**Metropolitan Planning Commission**  
Suite 403, City-County Building  
400 Main Avenue  
Knoxville, TN 37902

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Truly yours,

*Lenif Rose*

June 9, 2010

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Suite 403, City-County Building

400 Main Avenue

Knoxville, TN 37902

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Truly yours,

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June 9, 2010

**Metropolitan Planning Commission**  
Suite 403, City-County Building  
400 Main Avenue  
Knoxville, TN 37902

Re: Application of CGK, Inc. to Operate a Restaurant on Fox Road  
Adjacent to Fox Road Marina

I am a resident of Knox County and happy to see that Chad Kennedy has applied to operate a neighborhood restaurant on Fox Road adjacent to the Marina. A good neighborhood restaurant is needed in this area and will be another amenity for people who live here. In addition to the restaurant, there will be boat slips with access to the restaurant from land and water.

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I hope you will be able to support his proposal.

Truly yours,

Christie Smith  
Christie Smith

June 9, 2010

**Metropolitan Planning Commission**  
Suite 403, City-County Building  
400 Main Avenue  
Knoxville, TN 37902

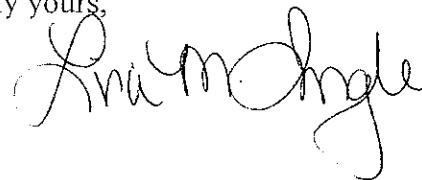
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Truly yours,

A handwritten signature in cursive script that reads "Tina M. Angle". The signature is written in black ink and is positioned below the typed name "Tina M. Angle".



June 9, 2010

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Suite 403, City-County Building  
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Knoxville, TN 37902

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Brian Patrick

June 9, 2010

**Metropolitan Planning Commission**  
Suite 403, City-County Building  
400 Main Avenue  
Knoxville, TN 37902

Re: Application of CGK, Inc to Operate a Restaurant on Fox Road  
Adjacent to Fox Road Marina

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July 1, 2010

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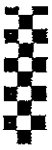
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July 1, 2010

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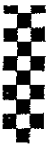
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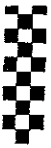
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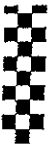
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Truly yours,

*Becky S. Shaker*





July 1, 2010

**Metropolitan Planning Commission**  
Suite 403, City-County Building  
400 Main Avenue  
Knoxville, TN 37902

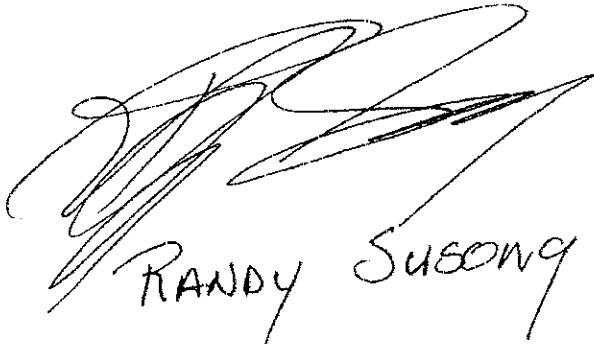
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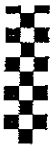
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Truly yours,



RANDY SUSONG



July 1, 2010

**Metropolitan Planning Commission**  
Suite 403, City-County Building  
400 Main Avenue  
Knoxville, TN 37902

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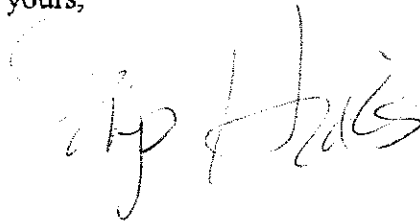
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I am a resident of Deer Creek and happy to see that Chad Kennedy has applied to operate a neighborhood restaurant on Fox Road adjacent to the Marina. A good neighborhood restaurant is needed in this area and will be another amenity for people who live here. In addition to the restaurant, there will be boat slips with access to the restaurant from land and water.

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July 1, 2010

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*Suber Hicks*

July 1, 2010

**Metropolitan Planning Commission**  
Suite 403, City-County Building  
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Knoxville, TN 37902

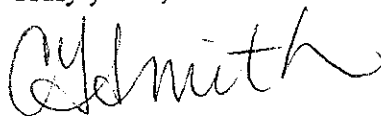
Re: Application of CGK, Inc. to Operate a Restaurant on Fox Road  
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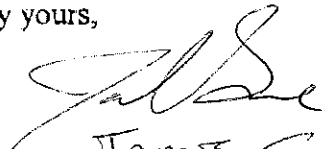
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JAMES SMITH

ARTHUR G. SEYMOUR, JR.  
FRANCIS A. CAIN  
ROBERT L. KAHN  
REGGIE E. KEATON  
DONALD D. HOWELL  
DEBRA L. FULTON  
MICHAEL W. EWELL  
IMOGENE A. KING  
JOHN M. LAWHORN  
JAMES E. WAGNER  
BEVERLY D. NELMS  
MARY ELIZABETH MADDOX  
BENJAMIN C. MULLINS  
RICHARD T. SCRUGHAM, JR.  
MATTHEW A. GROSSMAN  
SHARON POTTER  
KEVIN A. DEAN  
ROBERT H. SMITH

LAW OFFICES  
**FRANTZ, MCCONNELL & SEYMOUR LLP**  
ESTABLISHED 1902

Email: [ajseymour@fmsllp.com](mailto:ajseymour@fmsllp.com)  
Direct Fax: 865-541-4612

550 W. MAIN STREET  
SUITE 500  
P.O. Box 39  
KNOXVILLE, TENNESSEE 37901  
TELEPHONE: 865-546-9321  
FACSIMILE: 865-637-5249  
WEB SITE: [WWW.FMSLLP.COM](http://WWW.FMSLLP.COM)

July 7, 2010

**Metropolitan Planning Commission**

Suite 403, City-County Building  
400 Main Avenue  
Knoxville, TN 37902

Re: Agenda Item #30 – CGK Inc. Applicant Chad Kennedy

Dear Commissioners:

The above Application is for RC (Rural Commercial) on approximately of 3 acres of property on Fox Road adjacent to the Fox Road Marina. The Applicant wishes to put a small restaurant on this property adjacent to the Fox Road Marina along with some marina slips and possibly a facility for rental of kayaks and smaller boats. The increase in boating has made this type of operation very popular as witness the Concord Marina, Fort Loudon Dam and Calhouns on the River Downtown.

Staff objects that the RC Zoning Request is a spot zoning. If you read the description of this Zone in the Ordinance, RC Zoning is not spot zoning because it is for small commercial developments in a rural area. Necessarily there are no other commercial uses nearby.

The property itself, if you have looked at it, is separated from adjoining neighborhoods by the main line of the Norfolk Southern Railroad which runs from Knoxville to Chattanooga. There are 15-25 trains a day that use this rail corridor. With increased train traffic, that number is increasing.

In addition to providing a good buffer between Tan Rara Subdivision and Fox Road Marina and Mr. Kennedy's proposed development, these trains generate far more noise than any neighborhood restaurant ever would or could. There are crossings on Fox Road as well as at Canton Hollow Road where the trains are required to blow their horns a ¼ mile prior to the crossing as well as ringing their bell.

Mr. Kennedy is prepared to deal with any issues involving traffic on Fox Road in conjunction with Knox County Engineering.



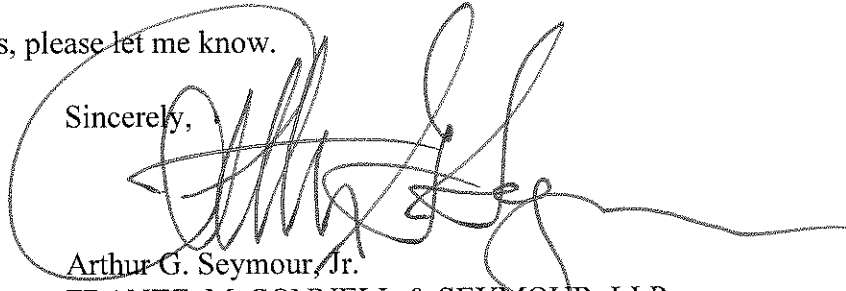
**Page 2**  
**July 7, 2010**  
**Re: Agenda Item #30**

Mr. Kennedy is willing to limit hours of operation and to work with all concerned to ensure that this operation has only a positive impact on the surrounding areas and Fort Loudon Lake.

We urge you to support this request.

If you have any questions, please let me know.

Sincerely,

A handwritten signature in black ink, appearing to read 'Arthur G. Seymour, Jr.', written over the word 'Sincerely,'.

Arthur G. Seymour, Jr.

FRANTZ, McCONNELL & SEYMOUR, LLP

AGSJ:alh

S:\WDOX\CLIENTS\5343\0000001\CORRESPO\00627439.DOC



July 7, 2010

Metropolitan Planning Commission  
Suite 403, City-County Building  
400 Main Avenue  
Knoxville, TN 37902

Re: Application of CGK, Inc. to Operate a Restaurant on Fox Road

To Whom It May Concern:

I am a resident in Tan Rara subdivision. I have lived at 10040 Casa Real Cove for 10 years. I am in 100% support of the request by Chad Kennedy to build a neighborhood restaurant on Fox Road.

The closest nice restaurants on the west side of Lake Loudon are Calhouns in downtown Knoxville and Calhouns in Lenoir City, each at least fifteen miles away. We need a restaurant on the water as it will meet a glaring need for local citizens.

Sincerely,

A handwritten signature in black ink, appearing to read 'Gary Douglas', is written over a printed name. The signature is stylized and cursive.

Gary Douglas

**DOUGLAS OUTDOOR MEDIA**

4610 Middlebrook Pike • Knoxville, Tennessee 37921 • 865/588-3027  
gary@douglasoutdoor.com • www.douglasoutdoormedia.com