

▶ **FILE #:** 4-F-12-UR **AGENDA ITEM #:** 28  
 POSTPONEMENT(S): 4/12/2012-5/10/2012 **AGENDA DATE:** 6/14/2012

▶ **APPLICANT:** HARRY WIERSEMA  
 OWNER(S): Harry Weirsema

TAX ID NUMBER: 107 H E 005  
 JURISDICTION: City Council District 2  
 ▶ **LOCATION:** South side of Smoky Trl., south of Shenandoah Dr.  
 ▶ **APPX. SIZE OF TRACT:** 18700 square feet  
 SECTOR PLAN: Northwest City  
 GROWTH POLICY PLAN: Urban Growth Area (Inside City Limits)  
 ACCESSIBILITY: Access is via Smoky Trl., a local street with a pavement width of 26' within a 50' wide right-of-way  
 UTILITIES: Water Source: Knoxville Utilities Board  
 Sewer Source: Knoxville Utilities Board  
 WATERSHED: Fourth Creek

▶ **ZONING:** R-1 (Low Density Residential)  
 ▶ **EXISTING LAND USE:** Detached dwelling  
 ▶ **PROPOSED USE:** Professional office - lawyer

HISTORY OF ZONING: None noted  
 SURROUNDING LAND USE AND ZONING: North: Detached dwelling / R-1 residential  
 South: Detached dwellings / R-1 residential  
 East: Detached dwellings / R-1 residential  
 West: Detached dwellings / R-1 residential

NEIGHBORHOOD CONTEXT: The site is surrounded by detached dwellings and it is located within the interior of Timbercrest Subdivision.

**STAFF RECOMMENDATION:**

- ▶ **APPROVE the request for a home occupation for a dual law practice as requested, subject to the following 8 conditions**
1. Meeting all requirements of Article 5, Section 12 of the Knoxville Zoning Ordinance
  2. Provision of a total of 3 off-street parking spaces (1 for the dwelling and 3 for the business)
  3. No client meetings being conducted on the premises with the applicants or their employee
  4. This use on review for a home occupation shall terminate at the time these applicants have permanently vacated the premises. No other home occupation may be conducted at this location unless approved by MPC through the use on review process
  5. No signage will be permitted. Additionally, no advertizing may list 5420 Smoky Trail as the location of this law practice. A Post Office box will be used as the official address of this law practice
  6. Meeting all other applicable requirements of the Knoxville Zoning Ordinance

7. Meeting all applicable requirements of the Knoxville Engineering Dept.
8. Failure to adhere to these conditions of approval and all other applicable requirements of the Knoxville Zoning Ordinance will, after due process, result in revocation of the approval of this use on review for a home occupation

With the conditions noted, the request meets the requirements for approval in the R-1 zone and the other criteria for approval of a use on review

**COMMENTS:**

Mr. Weirsema is requesting approval of an attorneys office as a home occupation. Both he and his wife are attorneys, and they would like to locate their practice in their home. They state in the information provided with the application that they are wanting to operate a "retirement practice" at this location. They have agreed to a number of conditions which will lessen the impact of this law practice on the surrounding neighborhood. Staff believes that a law practice as described by the applicant will not have any negative impact on the surrounding neighborhood.

**EFFECT OF THE PROPOSAL ON THE SUBJECT PROPERTY, SURROUNDING PROPERTIES AND THE COMMUNITY AS A WHOLE**

1. The proposal will have no impact on schools.
2. Public water and sewer utilities are available to serve the site
3. The property is located along a local street. No negative traffic impact is anticipated.
5. The applicant will be required to provide off-street parking for both the dwelling and the home occupation.

**CONFORMITY OF THE PROPOSAL TO CRITERIA ESTABLISHED BY THE KNOXVILLE ZONING ORDINANCE**

1. The proposed home occupation is consistent with the general standards for uses permitted on review: The proposed use is consistent with the adopted plans and policies of the General Plan and Sector Plan. The use is in harmony with the general purpose and intent of the Zoning Ordinance. The use is compatible with the character of the neighborhood where it is proposed. The use will not significantly injure the value of adjacent property. The use will draw a minimal amount of additional traffic through this residential area.
2. The proposal meets all relevant requirements of the R-1 zoning district, as well as other criteria for approval of a use-on-review.

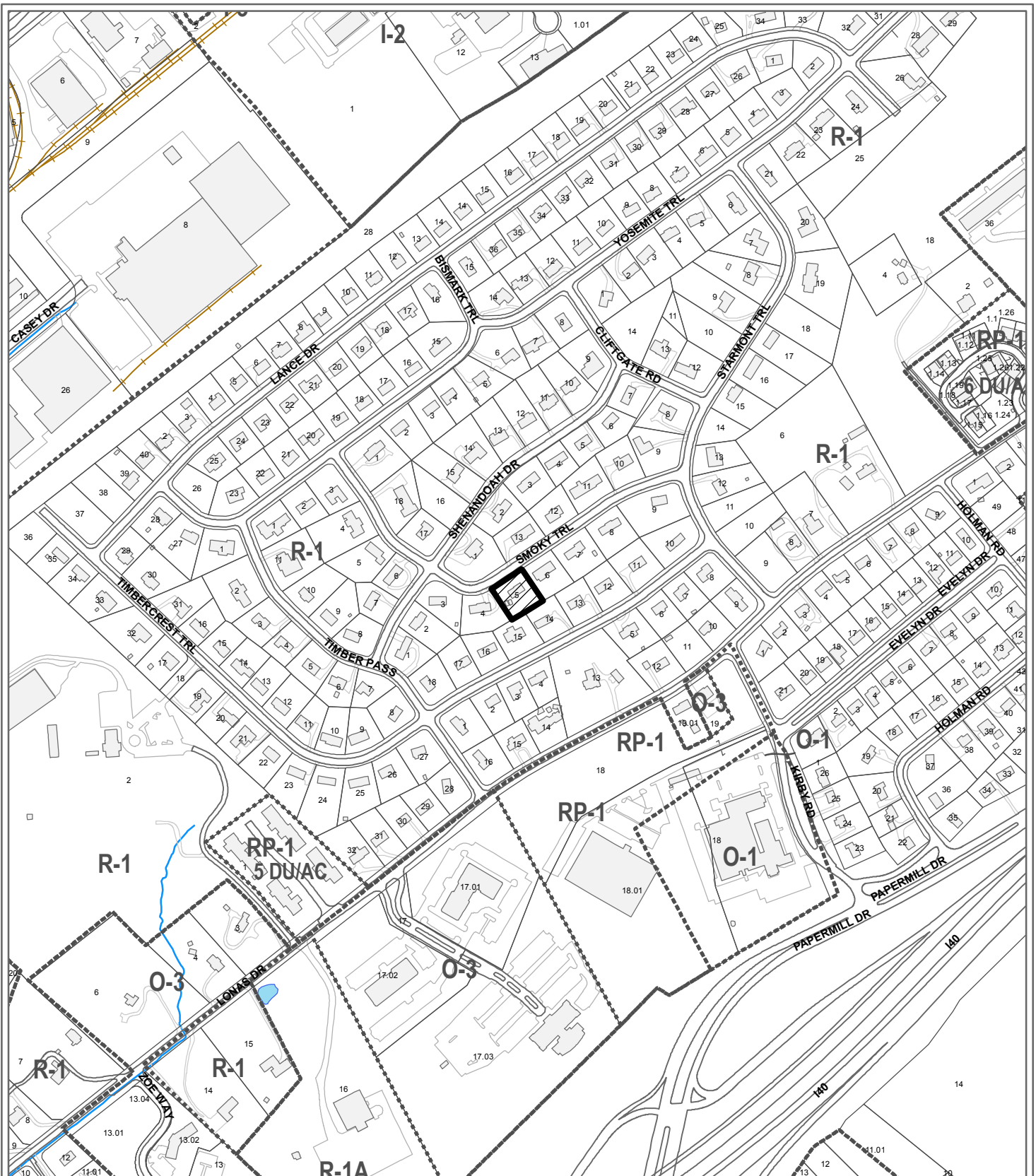
**CONFORMITY OF THE PROPOSAL TO ADOPTED MPC PLANS**

1. The use is in conformity with the Northwest City Sector Plan and One Year plan for the area which proposes LDR (Low Density Residential)

ESTIMATED TRAFFIC IMPACT: Not calculated.

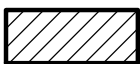
ESTIMATED STUDENT YIELD: Not applicable.

MPC's approval or denial of this request is final, unless the action is appealed to the Knoxville City Council. The date of the Knoxville City Council hearing will depend on when the appeal application is filed. Appellants have 15 days to appeal an MPC decision in the City.



**4-F-12-UR  
USE ON REVIEW**

Petitioner: Wiersema, Harry

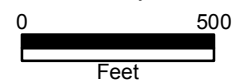


Undefined in R-1 (Low Density Residential)

Map No: 107

Jurisdiction: City

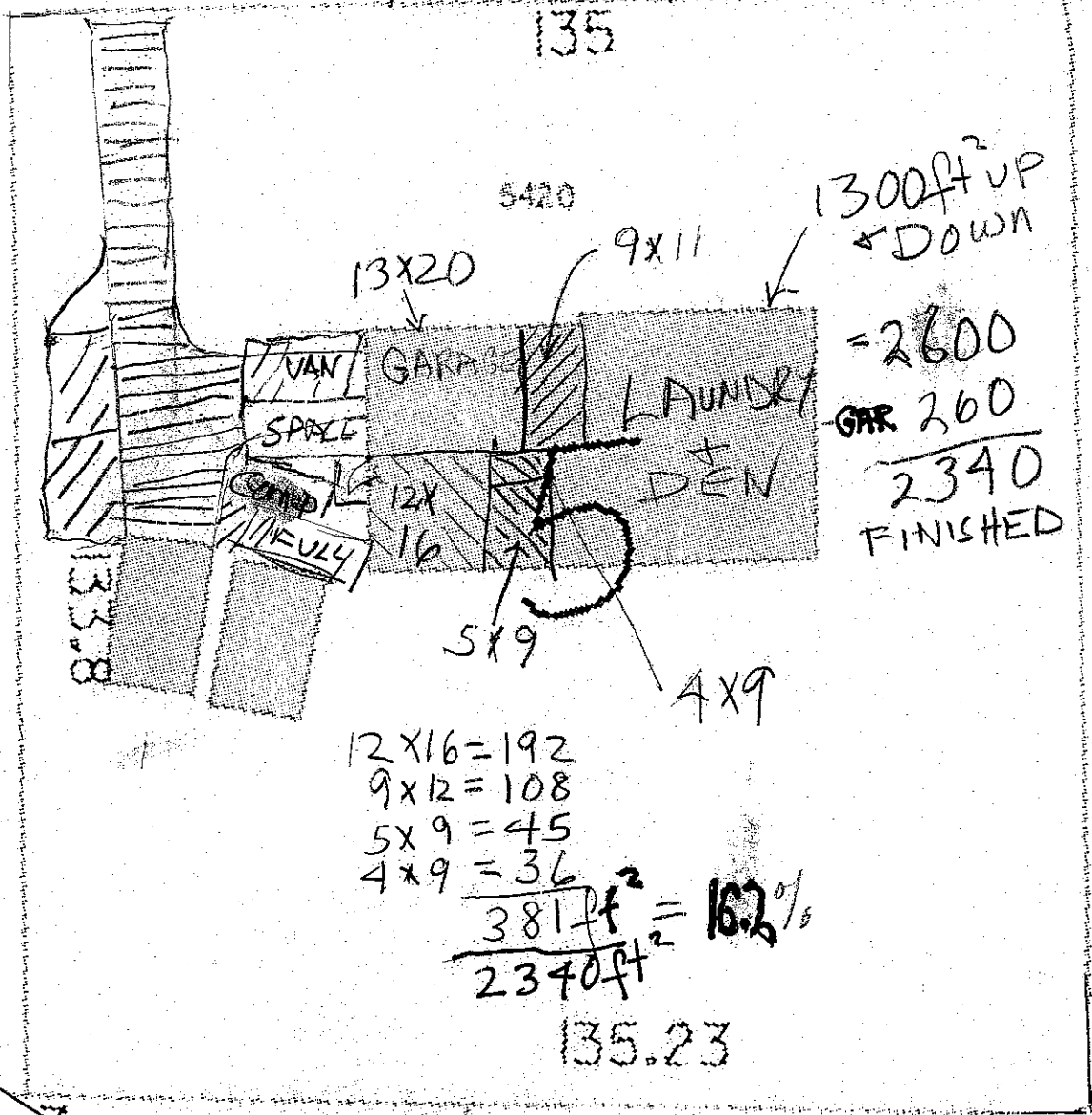
Original Print Date: 3/21/2012  
 Revised:  
 Metropolitan Planning Commission \* City / County Building \* Knoxville, TN 37902



here

5420  
SMOKY TRL

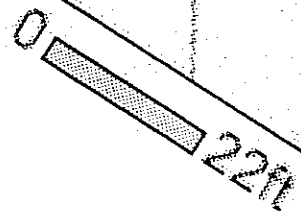
EXISTING PROPOSED PARKING



1300ft<sup>2</sup> UP  
+ DOWN  
= 2600  
GAR 260  
2340  
FINISHED

12x16 = 192  
9x12 = 108  
5x9 = 45  
4x9 = 36  
381 ft<sup>2</sup>  
2340 ft<sup>2</sup> = 16.2%

135.23



49

Article 5

**SECTION 12  
HOME OCCUPATIONS**

This section defines home occupations and prescribes the conditions under which such occupations may be permitted.

- A. A home occupation is a gainful occupation conducted in a dwelling unit by a resident thereof, provided that:
  1. No more than one person other than members of the household residing on the premises shall be engaged in such occupation.
  2. The use of the dwelling unit for the home occupation shall be clearly incidental and subordinate to its use for residential purposes by its occupants, and not more than twenty-five percent of the floor area of the dwelling unit shall be used in the conduct of the home occupation.
  3. There shall be no change in the outside appearance of the building or premises, nor outdoor storage of anything, or other visible evidence of the conduct of such home occupation other than one sign, not exceeding two square feet in area, non-illuminated, and mounted flat against the wall of the principal building.
  4. No home occupation shall be conducted in any accessory building.
  5. There shall be no sales in connection with such home occupation other than sales of services and products produced on the premises.
  6. No traffic shall be generated by such home occupation in greater volumes than would normally be expected in a residential neighborhood, and any need for parking generated by the conduct of such home occupation shall be off the street and other than in a required front yard.
  7. No equipment or process shall be used in such home occupation which increases noise, vibration, glare, fumes, odors, or electrical interference detectable to the normal senses off the lot, if the occupation is conducted in a house, or outside the dwelling unit if conducted in other than a house. In the case of electrical interference, no equipment or process shall be used which creates visual or audible interference in any radio or television receivers off the premises, or causes fluctuations in the line voltage off the premises.

B The following occupations, subject to the requirements of the above section, may be permitted as home occupations:

- 1 Artist, sculptor, author.
- 2 Barber shop and beauty shop
- 3 Dressmaker, milliner, seamstress, tailor, interior decorator.
- 4 Professional office of a physician, dentist, lawyer, engineer, architect or accountant.
- 5 Teaching, including tutoring, musical instruction or dancing, but limited to one pupil per teacher at any given time.
- 6 Computer programming and word processing.
- 7 Telephone answering.
- 8 Cooking and preserving.
- 9 Any other similar use which the Planning Commission deems to be a home occupation.

C. The following are prohibited as home occupations:

1. Tea rooms.
2. Tourist homes.
3. Real estate offices.
4. Convalescent homes
5. Mortuary establishments.
6. Animal hospitals.
7. Repair shops.
8. Catering services.

D. Stores, trades or business of any kind not herein excepted shall not be deemed to be home occupations.

COMMUNITY MEDIATION CENTER

AGREEMENT TO HAVE A FACILITATED DISCUSSION

1. We have agreed to meet and have a discussion together about our neighborhood issues. The discussion will be facilitated by Community Mediation Center co-facilitators. We understand that a Facilitated Discussion is a cooperative process in which all participants will have the opportunity to be heard. We will strive to clearly identify our concerns, generate alternatives for resolution and, if we can, create an agreement. We understand that the CMC co-facilitators serve as guides through the process to help the participants communicate and problem-solve effectively. We understand that the co-facilitators do not make decisions for us, do not impose a solution, do not give legal advice, do not judge the merits of our dispute, and will remain impartial throughout and after the discussion.
2. We understand that we are here voluntarily and any of us, including the mediators, may end the meeting and leave at any time. We understand that no one is required to come to an agreement. We also understand that we may continue our facilitated discussion to a later date, and if we do, this agreement applies to all future facilitated discussions with the undersigned participants.
3. We agree to use the six-step process described by the co-facilitators.
4. We will talk about our dispute with the help of the co-facilitators. We will honestly and fully disclose any relevant information. We know that dishonesty can invalidate any agreement we make, as well as make it unworkable.
5. We will each speak in turn and without interruption. We will not interrupt others, and will listen carefully to each other. We will avoid personal attacks, act respectfully toward others and expect the same behavior from them. We agree that the co-facilitators may interrupt us in order to help the process move forward or to clarify and ask questions. We will try to understand each other's views and needs, and try diligently to find a variety of ways to solve our dispute, knowing that this opportunity for facilitated discussion is being offered to benefit ourselves and our community.
6. Any of us may take a break at any time, or ask for a separate session with the co-facilitators. The facilitators may choose to take breaks to talk with each other or have separate sessions with each of us. If the facilitators meet separately with us, they will give us equal time and will not tell anyone what we say in separate sessions without permission.
7. We will try to reach a resolution of our dispute. We will make our own agreements and base our decisions on what we each believe are our own interests. If we do come to an agreement on any issue, we agree to allow the co-facilitators to document the agreement into a clear and detailed written agreement, and to then sign the agreement. We know we do not have to reach an agreement.
8. Our co-facilitators will treat the facilitated discussion as confidential and will not discuss the meeting outside of the room, except that they may discuss their work on our dispute with CMC supervisors in order to help our process and to improve our CMC program. We agree not to subpoena any mediator or CMC staff person involved in this case, or to ask any mediator or CMC staff person to speak in any public or private forum, or to request or subpoena any written record created in connection with this case. No mediator or CMC staff person will testify or speak on behalf of any of us in a court or anywhere else in connection with this case or submit any type of report to a court.
9. Our agreement includes the following promises concerning our own confidentiality (**check all that apply**):
  - a.  We will not discuss information shared by other people during mediation with anyone, except for the legal duty to report abuse of children, disabled persons, or elder persons, and our right to discuss all matters with an attorney of our choosing.

- b.  We will not use one another's offers or admissions made in the facilitated discussion anywhere else.
- c.  We agree that any participant in this meeting, except the co-facilitators, may discuss the events of this meeting freely with others in the neighborhood, including any neighborhood organizations, and with any agency, or city or county officials.
- d. Other confidentiality provisions we agree to:

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10. We know we have the right to get a lawyer to help us in this dispute.

Signed this 30<sup>th</sup> day of MAY, 2012:

Participants:

<u>David Senti</u>	<u>John</u>
<u>Yvonne L. Harsseer</u>	<u>C. Daniel Ramsey</u>
<u>Robert</u>	<u>Harry W. Weir</u>
<u>Robert</u>	

Co-Facilitators:

<u>Thomas J. Hagan</u>	<u>Bar B.</u>
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Observers:

<u>Erin M. Johnson</u>	
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# Community Mediation Center

## MEDIATED AGREEMENT

1. This is a legally enforceable agreement made on 30 May, 2012 between:  
Harry Wiensema and Natalie L. Crosseau  
Kirk Anderson and Mike Luok  
and attached neighbor list (Exhibit A)

2. Our disagreement is about the potential impact of the  
Use On Review application for 5420 Smoky Trail,  
Knoxville, TN.

3. We agree that each of us will not pursue civil or criminal process relevant to this dispute as long as the other person has performed as agreed.

4. We agree that each of us, upon the full performance of the duties set out in this agreement, will consider the dispute fully settled, and accordingly, release and forever discharge one another from any and all claims arising out of this dispute.

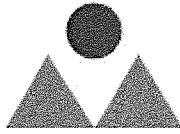
5. If one of us fails to perform this agreement, then the other may choose to enforce the terms of this agreement through civil remedies.

6. The specific agreement is as follows:

See attached conditions (Exhibit B)



Exhibit A



**TIMBERCREST NEIGHBORHOOD FACILITATED DISCUSSION**

**CO-FACILITATORS:**

1. BARI GERBIG, CMC
2. TOM HAYES, CMC

**PARTICIPANTS/NEIGHBORS:**

1. KIRK ANDERSON ✓
- ✓2. NATALIE LEVASSEUR
- ✓3. HARRY WIERSEMA (33 yrs)
4. MIKE LUSK ✓
5. DAVID RAMSEY ✓ (36 yrs)
- ✓6. DAVID SANTI
- ✓7. ANDY UTSMAN
  
8. BUZ JOHNSON, MPC

**MEETING PLACE:**

PANERA BREAD IN BEARDEN, "BACK ROOM"

MEETING TIME:

6PM-9PM

(CAN BE THERE AS EARLY AS 5:30PM, LATE AS 10PM)

Exhibit B

Approve the request for a home occupation for a dual law practice as requested, subject to the following conditions

1. Meeting all requirements of Article 5, Section 12 of the Knoxville Zoning Ordinance
2. Provision of a total of 3 off-street parking spaces (2 for the dwelling and 1 for the secretary)
3. Meeting all other applicable requirements of the Knoxville Zoning Ordinance
4. Meeting all applicable requirements of the Knoxville Engineering Department

At the specific request of the applicants Harry Wiersema and Natalie LeVasseur the following restrictions are added:

5. The use on review shall not permit any client or prospective client to meet physically upon the premises of 5420 Smoky Trail with Harry Wiersema, Natalie LeVasseur, or any employee or person acting at their behest pertaining to representation by Harry Wiersema or Natalie LeVasseur as lawyer for such client or prospective client.
6. The use of a law practice at the premises shall only permit a law office for the sole use of Harry Wiersema while a licensed attorney and for the sole use of Natalie LeVasseur while a licensed attorney, or for either of them, and that use shall not be permanent but shall terminate at such time as they have permanently vacated the premises for whatever reasons. The grant of the use shall not give any right to any other persons or entities nor any purchasers, lessees, assignees, or transferees of Harry Wiersema, Natalie LeVasseur, or any other person having an ownership interest in the property, and no one shall be entitled to assign or transfer their right to practice law upon this property.
7. No signage upon the premises designating the existence of a law practice shall be visible to clients and prospective clients outside of the building at 5420 Smoky Trail. The location of 5420 Smoky Trail shall not be advertised as the location of the law practice in any media. The law practice hereafter shall use an offsite United States Postal mailing address.
8. The address of the plat shall not be connected with the law practice in any media. The P.O. Box 52828 shall be the official address of the practice.

9. Any suspected violations of these restrictions will be reported to the MPC for review by Codes Enforcement and can jeopardize the Use on Review. Any intentional proven violation will result in revocation of the Use on Review.

Betty Jo Mahan &lt;bettyjo.mahan@knoxmpc.org&gt;

**Fwd: Use on Review 4-F-12-UR (HARRY WIERSEMA)**

1 message

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

Wed, Apr 4, 2012 at 7:55 AM

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

From: <[bruizer1@knology.net](mailto:bruizer1@knology.net)>  
Date: Tue, Apr 3, 2012 at 10:41 PM  
Subject: Use on Review 4-F-12-UR (HARRY WIERSEMA)  
To: [contact@knoxmpc.org](mailto:contact@knoxmpc.org)

File Number: 4-F-12-UR (HARRY WIERSEMA)

Major changes at this residence have been made to accommodate a Law Firm which has been operating at this private residence since August 2011. Timbercrest is a residential community and many requests have previously been denied for private professional offices in this community. It is totally expected that the MPC will deny permission for the operation of a Law Firm of Harry Wiersema be operated on Smoky Trail. Since it's inception, the firm has created traffic that has damaged property at 5417 Smoky Trail by turn around vehicles and has caused additional traffic parking on the street that has partially impaired street traffic. Further, since the firm has moved to the neighborhood, the adjacent neighbor has reported a theft of lawn equipment. The addition of the law firm office creates an unstable neighborhood of clients entering and casing adjacent properties and thus lowers property values. Based on recent reviews that the MPC has denied, this is no exception. It is expected that the MPC will view this as it has any earlier applications, without prejudice and deny this application. Since the applicant has already moved the law firm, it is expected with or without approval of the MPC, this office will operate from this location. Please also note that the applicant is not the registered owner of the property at 5420 Smoky Trail. This application although not opposed at the MPC Meeting is HIGHLY OPPOSED in the neighborhood.

Bruce D. Moore  
Responsible landowner  
5417 Smoky Trail



Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

**Fwd: use on review**

1 message

**Dan Kelly** <dan.kelly@knoxmpc.org>  
To: Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

Mon, Apr 9, 2012 at 11:29 AM

----- Forwarded message -----  
From: **Joseph Wilson** <fedexj1@yahoo.com>  
Date: Mon, Apr 9, 2012 at 11:13 AM  
Subject: use on review  
To: "dan.kelly@knoxmpc.org" <dan.kelly@knoxmpc.org>

Dear Mr.Kelly,

I own property at 5415 Timbercrest Trail. I am opposed to the use on review at 5420 Smokey Trail.

Thanks

Joseph M. Wilson, Jr.

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Dan Kelly  
MPC, Development Services Manager  
(865) 215-2500



Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

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**Fwd: Timbercrest neighborhood**

1 message

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**Dan Kelly** <dan.kelly@knoxmpc.org>  
To: Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

Mon, Apr 9, 2012 at 3:36 PM

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

From: **elise heger** <[elise.heger@gmail.com](mailto:elise.heger@gmail.com)>  
Date: Mon, Apr 9, 2012 at 2:01 PM  
Subject: Timbercrest neighborhood  
To: [Dan.Kelly@knoxmpc.org](mailto:Dan.Kelly@knoxmpc.org)

Hi! My name is Elise Heger. I live at 5500 Timbercrest Trail. I am writing to let you know that we (my husband, Bryan Ciliberto and I) are opposed to our neighbor at 5420 Smoky Trail opening up a law office at his residence under a "Use on Review" application. This is a nice neighborhood that we want to keep residential. Thank you for your time! Elise Heger

--

Dan Kelly  
MPC, Development Services Manager  
(865) 215-2500



Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

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**Fwd: Opposition to Review**

1 message

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**Dan Kelly** <dan.kelly@knoxmpc.org>  
To: Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

Wed, Apr 11, 2012 at 7:28 AM

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

From: **David Ramsey** <cdramsey44@yahoo.com>  
Date: Tue, Apr 10, 2012 at 6:32 PM  
Subject: Opposition to Review  
To: "Dan.Kelly@KnoxMPC.org" <Dan.Kelly@knoxmpc.org>

Mr Kelly  
10, 2012

April

I am C David Ramsey, I live at 5444 Yosemite Trail, Knoxville, TN 37909 (865) 584-4312

On Thursday, April 12th 2012, @1:30 PM, the MPC is having a hearing for Harry Weirsema to change the zoning.

**The file number is 4-F-12-UR Harry**

**Wiersema.**

**I oppose this re-zoning.** I have lived in Timbercrest for 23 years. This community is a well established community consisting mainly of retired elderly couples and younger families with children riding bicycles. We refuse to accept the changing of this community to any type of commercial zoning. **Mr. Weirsema is at this time running his law office in our subdivision illegal because Timbercrest is residential and not commercial**, so if he does this now what can we expect in the future?

Thank you for your support and help.

C David & Marilyn Ramsey

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Dan Kelly  
MPC, Development Services Manager  
(865) 215-2500





Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

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**Fwd: MPC-FILE Number: 4-F-12-UR (HARRY WIERSEMA)**

1 message

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**Dan Kelly** <dan.kelly@knoxmpc.org>  
To: Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

Wed, Apr 11, 2012 at 7:27 AM

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

From: **Jim Newbill** <jimnewbill@bellsouth.net>  
Date: Tue, Apr 10, 2012 at 7:21 PM  
Subject: MPC-FILE Number: 4-F-12-UR (HARRY WIERSEMA)  
To: [Dan.Kelly@knoxmpc.org](mailto:Dan.Kelly@knoxmpc.org)

Mr. Dan Kelly, my name is James Newbill, and I have lived at 5433 Shenandoah Drive and the Conner of Smoky Trail since 1966. I strongly opposed Mr. Wiersema using property to operate a law office out of his home.

I retired from Knox County Gov., Aug. 2010, after 23 years.

I hope MPC does not approve his request!

--  
Dan Kelly  
MPC, Development Services Manager  
[\(865\) 215-2500](tel:(865)215-2500)



Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

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**Fwd: Use on review application for 5420 Smoky Trail**

1 message

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**Dan Kelly** <dan.kelly@knoxmpc.org>  
To: Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

Wed, Apr 11, 2012 at 7:27 AM

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

From: <PWaugh72@aol.com>  
Date: Tue, Apr 10, 2012 at 6:57 PM  
Subject: Use on review application for 5420 Smoky Trail  
To: [Dan.Kelly@knoxmpc.org](mailto:Dan.Kelly@knoxmpc.org)

I am opposed to the change of the use on review application for 5420 Smoky Trail. I live at 5442 Shenandoah Dr.

Earl & pat Waugh

--

Dan Kelly  
MPC, Development Services Manager  
[\(865\) 215-2500](tel:(865)215-2500)



Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

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**Fwd: USE ON REVIEW @ 5420 Smoky Trail**

1 message

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**Dan Kelly** <dan.kelly@knoxmpc.org>  
To: Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

Wed, Apr 11, 2012 at 7:27 AM

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

From: **Wes Griffitt** <[wgriffitt@gmail.com](mailto:wgriffitt@gmail.com)>  
Date: Tue, Apr 10, 2012 at 8:55 PM  
Subject: USE ON REVIEW @ 5420 Smoky Trail  
To: [Dan.Kelly@knoxmpc.org](mailto:Dan.Kelly@knoxmpc.org)

Mr. Kelly,

My name is Wes Griffitt and I live at 5423 Timbercrest Trail in the Timbercrest subdivision. It is my understanding that the owners of the property at 5420 Smoky Trail have applied for a Use on Review to operate a law office out of their home. I am writing to inform you that I am opposed to allowing the above mentioned address to be used as a law office.

Thank you.

Wes Griffitt  
5423 Timbercrest Trail  
Knoxville, TN 37909

--

Dan Kelly  
MPC, Development Services Manager  
(865) 215-2500



Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

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**Fwd: Use on Review Application 5420 Smoky Trail**

1 message

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**Dan Kelly** <dan.kelly@knoxmpc.org>  
To: Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

Wed, Apr 11, 2012 at 7:26 AM

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

From: <[stevebbean@comcast.net](mailto:stevebbean@comcast.net)>  
Date: Tue, Apr 10, 2012 at 9:49 PM  
Subject: Use on Review Application 5420 Smoky Trail  
To: [Dan.Kelly@knoxmpc.org](mailto:Dan.Kelly@knoxmpc.org)

Dear Mr. Kelly,

I reside at 5609 Timbercrest Trail, Timbercrest Subdivision. I am opposed to the application submitted for 5420 Smoky Trail. Thank you for your consideration.

Sincerely,

Steve Bean

--

Dan Kelly  
MPC, Development Services Manager  
[\(865\) 215-2500](tel:(865)215-2500)



Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

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**Fwd: Timbercrest Use on Review**

1 message

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**Dan Kelly** <dan.kelly@knoxmpc.org>  
To: Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

Wed, Apr 11, 2012 at 7:26 AM

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

From: **James Lusk** <[zanadoo1@gmail.com](mailto:zanadoo1@gmail.com)>  
Date: Tue, Apr 10, 2012 at 10:13 PM  
Subject: Timbercrest Use on Review  
To: [Dan.Kelly@knoxmpc.org](mailto:Dan.Kelly@knoxmpc.org)

Dan - I would appreciate your opposition to the use on review (4-F-12-UR) for Harry Wiersema's proposed law office within our subdivision. Having commercial offices within our community undermines our covenant and sense of community. Once the process begins, as I understand, the next incursion is easier and then our neighborhood begins to deteriorate.

Please do not allow this process to be approved.

Michael Lusk  
5309 Yosemite Trail  
Knoxville, TN 37909

--

Dan Kelly  
MPC, Development Services Manager  
(865) 215-2500



Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

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**Fwd: proposed law office in Timbercrest sub**

1 message

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**Dan Kelly** <dan.kelly@knoxmpc.org>  
To: Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

Wed, Apr 11, 2012 at 10:30 AM

----- Forwarded message -----  
From: **chaiyos chaiyos** <chaiyos71@gmail.com>  
Date: Wed, Apr 11, 2012 at 8:58 AM  
Subject: proposed law office in Timbercrest sub  
To: [Dan.Kelly@knoxmpc.org](mailto:Dan.Kelly@knoxmpc.org)

I live Yosemite Trl an I am Opposed to a law office in this Subdivision.

Thank you

--  
Dan Kelly  
MPC, Development Services Manager  
[\(865\) 215-2500](tel:(865)215-2500)



Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

---

**Fwd: to log opposition to a certain Use on Review application related to the private resident located at 5420 Smoky Trail in West Knoxville**

1 message

---

**Dan Kelly** <dan.kelly@knoxmpc.org>  
To: Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

Wed, Apr 11, 2012 at 10:29 AM

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

From: **R Don Holden** <rdholden@comcast.net>  
Date: Wed, Apr 11, 2012 at 9:02 AM  
Subject: to log opposition to a certain Use on Review application related to the private resident located at 5420 Smoky Trail in West Knoxville  
To: [Dan.Kelly@knoxmpc.org](mailto:Dan.Kelly@knoxmpc.org)

This email is sent to represent our *opposition* to the Use on Review application filed by the owners of the property at 5420 Smoky Trail in Timbercrest Subdivision located in the Bearden area of West Knoxville. As homeowners in the Timbercrest Subdivision (we are located at 5454 Yosemite Trail) we oppose the creation and use of the 5420 Smoky Trail residence as a law office or any other business that would produce a significant increase in foot and/or vehicular traffic within the Timbercrest Subdivision. We have had to contend for years with the use of Timberpass and Timbercrest as ancillary parking for the overflow of participants and spectators at various events conducted at the Knoxville Racquet Club.

Please acknowledge your receipt of our email and add us to the list which represents opposition to the previously described Use on Review application filed by the 5420 Smoky Trail residents. Your cooperation in this matter will be greatly appreciated.

Regards,

R. Don and Mary B. Holden

5454 Yosemite Trail

Knoxville, TN 37909



Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

---

**Fwd: object to resoning file no.4-F-12-UR in timbercrest subdivision**

1 message

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**Dan Kelly** <dan.kelly@knoxmpc.org>

Wed, Apr 11, 2012 at 10:29 AM

To: Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

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

From: <[BSter37909@aol.com](mailto:BSter37909@aol.com)>

Date: Wed, Apr 11, 2012 at 9:26 AM

Subject: object to resoning file no.4-F-12-UR in timbercrest subdivision

To: [dan.kelly@knoxmpc.org](mailto:dan.kelly@knoxmpc.org)

we, William sterling and Barbara Sterling object to the resoning of Harry Wiersema petition 4-F-12-UR in the Timbercrest subdivision. we reside at 5431 Timbercrest Trail.Knoxville,Tn.

William Sterling and Barbara Sterling

5431 Timbercrest Trail

Knoxville,Tn.

--

Dan Kelly

MPC, Development Services Manager

(865) 215-2500





Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

---

**Fwd: Use on Review-Wiersema**

1 message

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**Dan Kelly** <dan.kelly@knoxmpc.org>  
To: Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

Wed, Apr 11, 2012 at 10:28 AM

----- Forwarded message -----  
From: **Paul Levy** <lindalevy0081@att.net>  
Date: Wed, Apr 11, 2012 at 10:00 AM  
Subject: Use on Review-Wiersema  
To: [Dan.Kelly@knoxmpc.org](mailto:Dan.Kelly@knoxmpc.org)

Re: File Number 4-F-12-UR (HARRY WIERSEMA)

Application Type: USE ON REVIEW

Proposed Use: Professional office-lawyer

Location: South side of Smoky Trl., south of Shenandoah Dr.

Applicant/Rep.: Harry Wiersema (524-7501)

Dear Mr. Kelly

My husband and I would like to go on record as being ABSOLUTELY OPPOSED to the approval of this request for a law office or change of zoning at 5420 Smoky Trail. Timbercrest Subdivision is a family home community. We want to keep it that way.

Our name and address: Paul and Linda Levy  
5528 Timbercrest Trail  
Knoxville, TN 37909

Thank you

--  
Dan Kelly  
MPC, Development Services Manager  
[\(865\) 215-2500](tel:(865)215-2500)



Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

---

**Fwd: Timbercrest**

1 message

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**Dan Kelly** <dan.kelly@knoxmpc.org>  
To: Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

Wed, Apr 11, 2012 at 10:27 AM

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

From: **Dorothy Nash** <nash9442@bellsouth.net>  
Date: Wed, Apr 11, 2012 at 9:31 AM  
Subject: Timbercrest  
To: [Dan.Kelly@knoxmpc.org](mailto:Dan.Kelly@knoxmpc.org)

I am greatly opposed to anyone running a business out of  
a home in Timbercrest , especially the house at 5420 Smoky  
Trail . I hope you **would vote against his Use on Review application.**

-

Thanks!

-

Dorothy Nash

5205 Yosemite Tr.

--

Dan Kelly  
MPC, Development Services Manager  
[\(865\) 215-2500](tel:(865)215-2500)



Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

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**Fwd: Property Use for Home in Timbercrest Subdivision**

1 message

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**Dan Kelly** <dan.kelly@knoxmpc.org>  
To: Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

Wed, Apr 11, 2012 at 3:28 PM

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

From: **Rebecca Whitehorn** <rw86@knology.net>  
Date: Wed, Apr 11, 2012 at 3:24 PM  
Subject: Property Use for Home in Timbercrest Subdivision  
To: [dan.kelly@knoxmpc.org](mailto:dan.kelly@knoxmpc.org)

We are opposed to rezoning this property from Residential to Commercial in the Single family home subdivision of Timbercrest.

Timbercrest is a subdivision consisting of single family homes. A commercial law office will increase the traffic and decrease the safety of our neighborhood for our children and residents.

There are many commercial property developments nearby which should be used by this property owner for their law office.

Sincerely,

Rebecca & James Whitehorn

1714 Timber Pass

KNOXville, TN 37909

[865.558.8989](tel:865.558.8989) h

[865.607.8986](tel:865.607.8986) m

--

Dan Kelly  
MPC, Development Services Manager  
[\(865\) 215-2500](tel:865.215.2500)



Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

---

**Fwd: OBJECTION to Use on Review Application for 5420 Smoky Trail in West Knoxville's Timbercrest Subdivision**

1 message

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**Dan Kelly** <dan.kelly@knoxmpc.org>  
To: Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

Wed, Apr 11, 2012 at 3:28 PM

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

From: **Marcia Griswold** <mgriswold48@hotmail.com>  
Date: Wed, Apr 11, 2012 at 3:02 PM  
Subject: OBJECTION to Use on Review Application for 5420 Smoky Trail in West Knoxville's Timbercrest Subdivision  
To: dan.kelly@knoxmpc.org  
Cc: mgriswold48@hotmail.com

Dan,

I have lived on Timbercrest Trail since 1972 - having owned 2 homes in this family oriented neighborhood. I have raised 3 children here and had felt safe in allowing them to use the Knoxville Racquet Club and playing with neighborhood children by walking to the Club or homes of friends. In no way do I wish for any different environment for the young families currently raising youngsters in Timbercrest today. Bringing a business that deals with persons with issues following the law is in appropriate for this area.

Though I understand the law practice is limited to non-violent crimes who is to say that the attorney's clientele would not possible change or home sold and another attorney who deals with violent offenders have the right to move in - having the current request setting a very iffy precedence.

Therefore I want you to know that I strongly object to the requested change of use for the property at 5420 Smoky Trail that will allow the property to be use as a Law Office. This is a family neighborhood with no pass through-routes and was not designed for nor do the residents want any commercial uses that will draw extra traffic or potentially change the nature of the neighborhood from family residential to commercial activity.

I am counting on your support in denying the request to allow the home to be used for a law office.

*Marcia*

Marcia Griswold

[mgriswold48@hotmail.com](mailto:mgriswold48@hotmail.com)

865-607-1845 Cell

--



Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

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**Fwd: 4-F-12-UR**

1 message

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**Dan Kelly** <dan.kelly@knoxmpc.org>  
To: Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

Wed, Apr 11, 2012 at 3:29 PM

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

From: **beubank** <beubank@utk.edu>  
Date: Wed, Apr 11, 2012 at 2:57 PM  
Subject: RE: 4-F-12-UR  
To: "Dan.Kelly@KnoxMPC.org" <Dan.Kelly@knoxmpc.org>

Mr. Kelly,

I am opposed to application 4-F-12-UR (Harry Wiersema) for operating a law office out of his home on Smoky Trail in the Timbercrest Subdivision.

Barbara Eubank  
5440 Smoky Trail  
Knoxville TN 37909

--  
Dan Kelly  
MPC, Development Services Manager  
(865) 215-2500



Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

---

**Fwd: 5420 Smoky Trail, Knoxville 37909**

1 message

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**Dan Kelly** <dan.kelly@knoxmpc.org>  
To: Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

Wed, Apr 11, 2012 at 3:29 PM

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

From: <[kmr65@comcast.net](mailto:kmr65@comcast.net)>  
Date: Wed, Apr 11, 2012 at 2:51 PM  
Subject: 5420 Smoky Trail, Knoxville 37909  
To: [Dan.Kelly@knoxmpc.org](mailto:Dan.Kelly@knoxmpc.org)

I would like to let Dan Kelly know that I do not want the address at 5420 Smoky Trail to become a law

office. I worry about increase traffic and (since our backyards connect) safety.

Thank you,

Lisa Roberts

5419 Timbercrest Trail

Knoxville, Tennessee

37909

--  
Dan Kelly  
MPC, Development Services Manager  
[\(865\) 215-2500](tel:(865)215-2500)



Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

---

**Fwd: Use on review: 4-F-12-UR (Harry Wiersema)**

1 message

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**Dan Kelly** <dan.kelly@knoxmpc.org>  
To: Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

Wed, Apr 11, 2012 at 3:30 PM

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

From: **Dukes, Denny** <ddukes@utk.edu>  
Date: Wed, Apr 11, 2012 at 12:50 PM  
Subject: Use on review: 4-F-12-UR (Harry Wiersema)  
To: "Dan.Kelly@KnoxMPC.org" <Dan.Kelly@knoxmpc.org>

Mr. Kelly,  
As a resident of the Timbercrest subdivision in which Mr. Wiersema's home is located, I am writing to express my strong opposition to his application to use his home as a professional office. This is, and should remain, a residential neighborhood. I would ask that the MPC deny this application.

Thank you,  
Denzel Dukes  
5409 Lance Drive

--  
Dan Kelly  
MPC, Development Services Manager  
(865) 215-2500



Betty Jo Mahan &lt;bettyjo.mahan@knoxmpc.org&gt;

---

**Fwd: Object to Use on Review Application**

1 message

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**Dan Kelly** <dan.kelly@knoxmpc.org>  
To: Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

Wed, Apr 11, 2012 at 3:30 PM

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

From: **Joe Pardue** <joe@smileymicros.com>  
Date: Wed, Apr 11, 2012 at 12:39 PM  
Subject: Object to Use on Review Application  
To: [Dan.Kelly@knoxmpc.org](mailto:Dan.Kelly@knoxmpc.org)

Mr. Kelly,

I am the co-owner with my wife of the property at 5601 Timbercrest Trail. I object to the requested change of use for the property at 5420 Smoky Trail that will allow the property to be use as a Law Office. This is a family neighborhood with no pass through-routes and was not designed for nor do the residents want any commercial uses that will draw extra traffic or potentially change the nature of the neighborhood from family residential to any commercial activity.

I am told that this email will be enough to register my opinion in this matter, but if additional steps can help assure that this use will be denied, I would appreciate hearing about what else can be done.

Thankyou for your time and attention to this matter.

Joe Pardue  
5601 Timbercrest Trail  
Knoxville, TN 37909  
[865-607-1842](tel:865-607-1842)

--  
Dan Kelly  
MPC, Development Services Manager  
[\(865\) 215-2500](tel:865-215-2500)





Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

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**Fwd: File Number 4-F-12-UR (Harry Wiersema)**

1 message

---

**Dan Kelly** <dan.kelly@knoxmpc.org>  
To: Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

Wed, Apr 11, 2012 at 3:31 PM

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

From: **Vic Stacy** <Vstacy@paxistech.com>  
Date: Wed, Apr 11, 2012 at 11:56 AM  
Subject: File Number 4-F-12-UR (Harry Wiersema)  
To: "dan.kelly@knoxmpc.org" <dan.kelly@knoxmpc.org>

As a resident of Timbercrest Subdivision, I hope you will vote against the application to allow a law office to be operated on Smoky Trail within this subdivision. For obvious reasons, we do not need any business within this subdivision and ask your attention to this matter.

I reside at 5512 Timbercrest Trail, 37909 and again am against this attempt to disrupt our neighborhood.

Regards,

Vic Stacy

5512 Timbercrest Trail

Knoxville, TN 37909

--

Dan Kelly  
MPC, Development Services Manager  
(865) 215-2500



Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

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**Fwd:**

1 message

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**Dan Kelly** <dan.kelly@knoxmpc.org>  
To: Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

Wed, Apr 11, 2012 at 3:31 PM

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

From: **Ashlea Bushman** <ashleai@msn.com>  
Date: Wed, Apr 11, 2012 at 11:11 AM  
Subject:  
To: [dan.kelly@knoxmpc.org](mailto:dan.kelly@knoxmpc.org)

Hello - I am sending this email to show that I am opposed to this application.  
My address is 1615 Timber Pass, Knoxville, TN 37909

Thank you,

Ashlea Bushman

--  
Dan Kelly  
MPC, Development Services Manager  
(865) 215-2500



Betty Jo Mahan &lt;bettyjo.mahan@knoxmpc.org&gt;

---

**Fwd: 5420 Smoky Trail**

1 message

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**Dan Kelly** <dan.kelly@knoxmpc.org>  
To: Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

Wed, Apr 11, 2012 at 4:41 PM

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

From: <[rcalwell@comcast.net](mailto:rcalwell@comcast.net)>  
Date: Wed, Apr 11, 2012 at 4:16 PM  
Subject: 5420 Smoky Trail  
To: [dan.kelly@knoxmpc.org](mailto:dan.kelly@knoxmpc.org)

Dear Mr. Kelly,

I am writing to as a resident at 5308 Yosemite Trail. It has been brought to my attention that someone living at 5420 Smoky Trail is trying to rezone his property as a business.

I live approximately 1/4 of mile from this resident and as a mother of a ten year old son, I do not approve of a business moving into our neighborhood causing extra traffic. This is a residential area for growing families and retired couples. There are many children that ride bikes and play on our street.

Why is a business considering moving to this residential neighborhood. I would like to protest his request. How can I make this a formal request?

Regina Calwell

--  
Dan Kelly  
MPC, Development Services Manager  
(865) 215-2500



Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

---

**Fwd: zoning**

1 message

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**Dan Kelly** <dan.kelly@knoxmpc.org>  
To: Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

Wed, Apr 11, 2012 at 4:41 PM

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

From: **Joe Holdredge** <jholdredge@knology.net>  
Date: Wed, Apr 11, 2012 at 3:49 PM  
Subject: zoning  
To: [Dan.Kelly@knoxmpc.org](mailto:Dan.Kelly@knoxmpc.org)

I am against the Use on Review at 5420 Smoky Trail. I live at 5112 Yosemite Trail.

Joe Holdredge

--  
Dan Kelly  
MPC, Development Services Manager  
[\(865\) 215-2500](tel:(865)215-2500)



Betty Jo Mahan &lt;bettyjo.mahan@knoxmpc.org&gt;

---

**Fwd: disagree with Kirk Anderson**

1 message

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**Dan Kelly** <dan.kelly@knoxmpc.org>  
To: Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

Thu, Apr 12, 2012 at 8:09 AM

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

From: **Martin, Kerri (Kerri)** <kmarti50@utk.edu>  
Date: Wed, Apr 11, 2012 at 7:05 PM  
Subject: disagree with Kirk Anderson  
To: "Dan.Kelly@knoxmpc.org" <Dan.Kelly@knoxmpc.org>

Hello Mr. Kelly,

My neighbor, Kirk Anderson, distributed flyers throughout the neighborhood in which he calls for all to oppose the application by Harry Weirsema to operate a law practice out of his home on 5420 Smoky Trail. I live at the back of the neighborhood, 5423 Lance Dr. 37909. I do NOT agree with Mr. Anderson's attempt to block Mr. Weirsema's plans.

I have never met Mr. Weirsema, but I resent Mr. Anderson's *alarmist* statement in the flyer that "it has come to our attention that there have been recent code violations against the owners of this property." He does not mention what those violations are (Did Mr. Weirsema not cut his grass often enough to suit someone?), or who filed the complaint (I have a neighbor who frequently threatens to turn me and other neighbors in for a code violation if we don't move our garbage cans away from the street by the evening of the day the garbage is collected).

A few years ago, Mr. Anderson was involved in a similar attempt to block another neighbor from operating a business out of her house. She was a piano teacher, which he did not mention in the flyer he distributed on that occasion. That effort failed.

While I appreciate the efforts of Mr. Anderson regarding certain aspects of our neighborhood, I do not appreciate the methods he uses to get other neighbors to support some of his personal issues. I have no problem with Mr. Weirsema being able to run his business from home. It seems to me that Mr. Anderson does the same with his lawn maintenance business-the only difference is that he goes to his clients rather than having them come to him.

Please take my thoughts into account when you are considering this issue tomorrow. I regret that I did not see the information in time to email the MPC before 3:00 so each of the members could have access to varying opinions on this.

Thank you very much,

Kerri Martin

*Kerri Martin, Ph.D.*

Program Manager

Relationship Rx Program

Department of Psychology

215A Austin Peay  
University of Tennessee  
Knoxville, TN 37996-0900  
[865-974-8978](tel:865-974-8978)  
Fax: [865-974-9530](tel:865-974-9530)  
[kmarti50@utk.edu](mailto:kmarti50@utk.edu)

--  
Dan Kelly  
MPC, Development Services Manager  
[\(865\) 215-2500](tel:865-215-2500)



Betty Jo Mahan &lt;bettyjo.mahan@knoxmpc.org&gt;

---

**Fwd: FW: Today's Meeting**

1 message

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**Dan Kelly** <dan.kelly@knoxmpc.org>  
To: Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

Thu, Apr 12, 2012 at 8:47 AM

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

From: **Hannah Gard** <[Hannah.Gard@knoxcounty.org](mailto:Hannah.Gard@knoxcounty.org)>  
Date: Thu, Apr 12, 2012 at 8:46 AM  
Subject: FW: Today's Meeting  
To: "[DAN.KELLY@KNOXMPC.ORG](mailto:DAN.KELLY@KNOXMPC.ORG)" <[DAN.KELLY@knoxmpc.org](mailto:DAN.KELLY@knoxmpc.org)>  
Cc: "[ANDERSON8312@ATT.NET](mailto:ANDERSON8312@ATT.NET)" <[ANDERSON8312@att.net](mailto:ANDERSON8312@att.net)>

Mr. Kelly,

It has come to my attention that on the agenda today is a use on review for a home in my subdivision. The address is 5420 Smoky Trail. I am writing you because I am opposed to this application. I do not feel this will have a positive effect on our neighborhood. My address is 5517 Timbercrest Trail.

Sincerely,

Hannah Gard

--

Dan Kelly  
MPC, Development Services Manager  
(865) 215-2500



Betty Jo Mahan &lt;bettyjo.mahan@knoxmpc.org&gt;

---

**Fwd: 4-F-12-UR (Harry Wiersema) RE: Use on Review 4/12/2012**

2 messages

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**Mark Donaldson** <mark.donaldson@knoxmpc.org>

Wed, Apr 11, 2012 at 4:49 PM

To: Betty Jo Mahan &lt;bettyjo.mahan@knoxmpc.org&gt;

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

From: **Cindy Johnson** <cjohnson@5881000.com>

Date: Wed, Apr 11, 2012 at 4:43 PM

Subject: 4-F-12-UR (Harry Wiersema) RE: Use on Review 4/12/2012

To: "ART CLANCY III (artclancy3@gmail.com)" <artclancy3@gmail.com>, "Bart Carey (bartcarey@comcast.net)" <bartcarey@comcast.net>, "BRIAN PIERCE (brianpierce@mbiarch.com)" <brianpierce@mbiarch.com>, "Buz Johnson (buz.johnson@knoxmpc.org)" <buz.johnson@knoxmpc.org>, "dan.kelly@knoxmpc.org" <dan.kelly@knoxmpc.org>, "GEORGE EWART(gewart@georgeewart.com)" <gewart@georgeewart.com>, "hill, dave" <dave.hill@knoxmpc.org>, Jeffery Roth <jwroth@qmwkx.com>, "LAURA COLE (cole5137@bellsouth.net)" <cole5137@bellsouth.net>, "Mark Donaldson (mark.donaldson@knoxmpc.org)" <mark.donaldson@knoxmpc.org>, "MICHAEL A KANE (makane1@bellsouth.net)" <makane1@bellsouth.net>, "NATE KELLY (Nathan.J.Kelly@gmail.com)" <Nathan.J.Kelly@gmail.com>, "REBECCA LONGMIRE (rebeccalongmire@hotmail.com)" <rebeccalongmire@hotmail.com>, "ROBERT ANDERS (anders@holstongases.com)" <anders@holstongases.com>, "STAN JOHNSON (s.johnson692@gmail.com)" <s.johnson692@gmail.com>, "URSULA BAILEY (ubailey@esper.com)" <ubailey@esper.com>, "WES STOWERS (wstowers@stowerscat.com)" <wstowers@stowerscat.com>

Cc: "anderson8312@att.net" <anderson8312@att.net>, Cindy Johnson <cjohnson@5881000.com>

First, I bought my home in Timbercrest for the safety that a non-thru fare offers the homeowners. The extensive buffer zone around the neighborhood lays as witness to the type of privacy envisioned and planned for these homes. The neighbor layout aids in lessening traffic burdens on the few streets available.

Secondly, as an owner on one of the only two streets that serves as an entrance/exit for the neighbor, I vehemently oppose this change. These two streets carry all the residents' traffic in/out of the neighbor. That is substantial given the number of homes here and then the few cross streets available. More traffic is not only undesirable, it is in fact a hazard to the occupants and their children.

Third, the neighborhood watch becomes weakened and less effective when the environment is created allowing for more unfamiliar cars into the neighborhood.

Fourth, please note that allowing businesses to be established in the center of the neighbor immediately erodes what zoning is currently in place that protects our neighborhood.

If that wasn't so, there would be no need for this use on review request.

In closing, please be aware that we have witnessed this individual's lack of regard for the City of Knoxville's existing codes by the violations at this address. There is a continual problem with neglect and the storage of junk vehicles that are taken to the home in lieu of payment from his clients. This issue alone reflects the standards exemplified by the requestor. Additionally, approving this request knowing this background creates an even greater burden on Codes and is a factor that negatively affects our property values.



Cindy J. Johnson  
Turley & Co  
POB 10226  
Knoxville, TN 37939

[865.588.2525](tel:865.588.2525)

---

**Dan Kelly** <[dan.kelly@knoxmpc.org](mailto:dan.kelly@knoxmpc.org)>  
To: Betty Jo Mahan <[bettyjo.mahan@knoxmpc.org](mailto:bettyjo.mahan@knoxmpc.org)>

Thu, Apr 12, 2012 at 8:13 AM

[Quoted text hidden]

--

Dan Kelly  
MPC, Development Services Manager  
[\(865\) 215-2500](tel:865.215.2500)



Betty Jo Mahan &lt;bettyjo.mahan@knoxmpc.org&gt;

---

**Fwd: 5420 Smoky Trail**

3 messages

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**Dan Kelly** <dan.kelly@knoxmpc.org>  
To: Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

Wed, Apr 11, 2012 at 4:41 PM

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

From: <[rcalwell@comcast.net](mailto:rcalwell@comcast.net)>  
Date: Wed, Apr 11, 2012 at 4:16 PM  
Subject: 5420 Smoky Trail  
To: [dan.kelly@knoxmpc.org](mailto:dan.kelly@knoxmpc.org)

Dear Mr. Kelly,

I am writing to as a resident at 5308 Yosemite Trail. It has been brought to my attention that someone living at 5420 Smoky Trail is trying to rezone his property as a business.

I live approximately 1/4 of mile from this resident and as a mother of a ten year old son, I do not approve of a business moving into our neighborhood causing extra traffic. This is a residential area for growing families and retired couples. There are many children that ride bikes and play on our street.

Why is a business considering moving to this residential neighborhood. I would like to protest his request. How can I make this a formal request?

Regina Calwell

--  
Dan Kelly  
MPC, Development Services Manager  
(865) 215-2500

---

**Dan Kelly** <dan.kelly@knoxmpc.org>  
To: Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

Thu, Apr 12, 2012 at 7:59 AM

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

From: <[athussey@comcast.net](mailto:athussey@comcast.net)>  
Date: Wed, Apr 11, 2012 at 9:50 PM  
Subject: 5420 SmokyTrail  
To: [Dan.Kelly@knoxmpc.org](mailto:Dan.Kelly@knoxmpc.org)

Dear Mr. Kelly,

Both my wife and I are opposed to the application to operate a law office out of the home at 5420 Smoky Trail. We live in the Timbercrest Subdivision and selected this area because it was zoned only for private dwellings. We do not want property to be rezoned for business/commercial purposes because this would bring nonresidents into our subdivision which was not the original intention of our area. If one home is rezoned and the precedent is established then who knows how many more properties could be rezoned bringing in lots of nonresidents. Then the whole concept of a family subdivision with a community swimming pool/recreation area would be destroyed.

I just found out about this application this evening. I am afraid that a lot of my neighbors may be in the same situation. Thus, if I had the time I would contact more people in the subdivision to oppose this action if you need more opposition.

I sincerely hope the MPC does not approve this application. Please do not hesitate to contact me ([865-584-9957](tel:865-584-9957)) if you require further information. Thank you for your attention to this matter.

Dr. Anthony Hussey

5401 Lance Dr

Knoxville TN

37909-1818

[Quoted text hidden]

---

**Dan Kelly** <[dan.kelly@knoxmpc.org](mailto:dan.kelly@knoxmpc.org)>  
To: Betty Jo Mahan <[bettyjo.mahan@knoxmpc.org](mailto:bettyjo.mahan@knoxmpc.org)>

Thu, Apr 12, 2012 at 8:12 AM

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

From: **Stephen Smith** <[solar70g@gmail.com](mailto:solar70g@gmail.com)>  
Date: Wed, Apr 11, 2012 at 5:15 PM  
Subject: 5420 Smoky Trail  
To: [Dan.Kelly@knoxmpc.org](mailto:Dan.Kelly@knoxmpc.org)

Mr. Kelly,

I'm a homeowner in the Timbercrest neighborhood at 5443 Yosemite Trail. I'm opposed to the proposed rezoning of property at 5420 Smoky Trail in our neighborhood that would allow commercial offices under a Use and Review permit. We bought our home in this neighborhood with an understanding that there were not commercial properties in the neighborhood's boundary and this would be a quite and safe location to raise a family. The proposed change would increase nonresidential traffic, and begin to undermine the residential nature of our neighborhood. It is important that Knoxville preserve residential neighborhoods.

Thank you for your consideration of my position on this matter.



Betty Jo Mahan &lt;bettyjo.mahan@knoxmpc.org&gt;

---

**Fwd: PROPOSED LAW OFFICE IN TIMERBERCREST**

1 message

**Dan Kelly** <dan.kelly@knoxmpc.org>  
 To: Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

Thu, Apr 12, 2012 at 8:11 AM

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

From: **Dean, Regina N** <regdean@utk.edu>  
 Date: Wed, Apr 11, 2012 at 5:53 PM  
 Subject: PROPOSED LAW OFFICE IN TIMERBERCREST  
 To: "Dan.Kelly@knoxMPC.org" <Dan.Kelly@knoxmpc.org>

April 11, 2012

Dear Mr. Kelly,

As a 16-year homeowner in the Timbercrest subdivision in Knoxville, I am writing to voice my strong opposition to what I have heard is MPC's recommendation to allow a law office to operate within the subdivision. My husband, two daughters and I re-located to Knoxville 17 years ago from Little Rock, Arkansas. We rented a house in West Knoxville for our first year in Knoxville because we wanted to take the time to learn our new city and find an area we would be comfortable rearing our two young daughters. We spent months attending open houses from Maryville, to Fountain City to Powell, and everything in between. We settled on Timbercrest, a quiet, out-of-the-way, family-oriented subdivision that was convenient to my work at the University of Tennessee and which was zoned for Bearden Elementary School, where our two young daughters would attend school. It was and continues to be a neighborhood where I know my neighbors and where I feel safe walking my dog at ten o'clock at night.

I'm having difficulty understanding why my neighbors and I are now having to "fight" the MPC in order to safeguard our RESIDENTIAL subdivision. Timbercrest homeowners live close to several "quiet businesses" on Lonas Drive, as well as being neighbors to the Knoxville Racket Club, Pilot Park and a brand new office building, so we understand and support "business". My family and our neighbors have chosen to live in a nice "close in" subdivision – and we pay city AND county taxes for the privilege. Office space is readily available throughout Knoxville and Knox County. How is it in the city's best interest to have hundreds of vacant office spaces all over the city and county while disrupting an entire RESIDENTIAL neighborhood? There are literally dozens of areas zoned for multi use. In fact, the Bearden area along Sutherland and Kingston have successfully merged residential and quiet business. If Timbercrest was truly the only location for a law office, perhaps I could understand MPC staff's recommendation. But come on ---- there is simply no NEED for a lawyer's office to be located in the middle of a residential neighborhood.

I strongly urge the MPC staff to reconsider its decision.

Sincerely,

*Regina N. Dean*

5444 Lance Drive  
 Knoxville, TN 37909

\*\*\*\*\*

Regina N. Dean  
Director/General Manager  
WUOT Public Radio  
Knoxville, Tennessee

865.974.1547  
[regdean@utk.edu](mailto:regdean@utk.edu)  
\*\*\*\*\*

have hundreds of CITY and COUNTY taxes and we have chosen to live in what ose to live in a RESIDENTIAL SUBDIVISION and . We pay AND County) for the convenience of living "close in".

--  
Dan Kelly  
MPC, Development Services Manager  
[\(865\) 215-2500](tel:8652152500)



Betty Jo Mahan &lt;bettyjo.mahan@knoxmpc.org&gt;

---

**Fwd: 4-F-12-UR (Harry Wiersema)**

1 message

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**Dan Kelly** <dan.kelly@knoxmpc.org>  
To: Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

Thu, Apr 12, 2012 at 8:10 AM

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

From: **Chris Dukes** <dukeschr@gmail.com>  
Date: Wed, Apr 11, 2012 at 5:59 PM  
Subject: 4-F-12-UR (Harry Wiersema)  
To: [dan.kelly@knoxmpc.org](mailto:dan.kelly@knoxmpc.org)

Dear Mr. Kelly,

As a resident of the Timbercrest subdivision, I would like to register my strong opposition to the proposed use of the property at 5420 Smoky Trail as a law office.

Your consideration in this matter is much appreciated.

Sincerely,

Chris Dukes

5409 Lance Drive

Knoxville, TN 37909

--

Dan Kelly  
MPC, Development Services Manager  
[\(865\) 215-2500](tel:(865)215-2500)



Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

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**Fwd: Use on review file # 4-F-12-UR (Weirsema)**

1 message

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**Dan Kelly** <dan.kelly@knoxmpc.org>  
To: Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

Thu, Apr 12, 2012 at 8:10 AM

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

From: **Helen Wedekind** <hwelte@knology.net>  
Date: Wed, Apr 11, 2012 at 6:23 PM  
Subject: Use on review file # 4-F-12-UR (Weirsema)  
To: [Dan.Kelly@knoxmpc.org](mailto:Dan.Kelly@knoxmpc.org)

Re: File # 4-F-12-UR (HARRY WIERSEMA)  
Use on review  
5420 Smoky Trail in Timbercrest Subdivision

Dear Mr. Kelly,

It is my understanding that the owners of the property at 5420 Smoky Trail have applied to operate a business out of their home that includes serving clients on the property. As a homeowner in this subdivision, I am opposed to the application.

Thank you for your consideration and attention to this matter.

Best regards,  
Helen Wedekind  
1701 Cliftgate Road  
Knoxville TN 37909

--  
Dan Kelly  
MPC, Development Services Manager  
[\(865\) 215-2500](tel:(865)215-2500)



Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

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## Fwd: Use on Review

2 messages

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**Dan Kelly** <dan.kelly@knoxmpc.org>  
To: Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

Thu, Apr 12, 2012 at 8:04 AM

----- Forwarded message -----  
From: **Jim Boyer** <jboyer@knology.net>  
Date: Wed, Apr 11, 2012 at 8:34 PM  
Subject: Use on Review  
To: [Dan.Kelly@knoxmpc.org](mailto:Dan.Kelly@knoxmpc.org)

As a resident of Timbercrest Subdivision residing at 5413 Yosemite Trail I oppose the review application for the owners of 5420 Smoky Trail to allow the residence to be used as a law office or any other business..

James Boyer

--  
Dan Kelly  
MPC, Development Services Manager  
[\(865\) 215-2500](tel:(865)215-2500)

---

**Dan Kelly** <dan.kelly@knoxmpc.org>  
To: Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

Thu, Apr 12, 2012 at 8:09 AM

----- Forwarded message -----  
From: **David Smith** <dsmith23@knology.net>  
Date: Wed, Apr 11, 2012 at 6:27 PM  
Subject: Use on Review  
To: [Dan.Kelly@knoxmpc.org](mailto:Dan.Kelly@knoxmpc.org)  
Cc: [anderson8312@att.net](mailto:anderson8312@att.net)

Mr. Kelly,

It has come to my attention that MPC will review an application for Use On Review (file no. 4-F-12-UR, Harry Wiersema) on Thursday, April 12 to operate a Law Office in Timberscrest subdivision. I would like to take this opportunity to express my opposition to this application. As you may know, Timbercrest is an older, well established neighborhood in which many professionals choose to live and raise families and is not tailored, nor was designed, for the operation of a small business in which clients physically come and go to do business.

I respectfully ask that you note my opposition to this application and ask that you share my position with your colleagues at MPC. If you have any questions please feel free to contact me.



Thanks and Best Regards,

David R. Smith  
Timbercrest Subd.  
5447 Lance Dr.  
Knoxville, TN 37909  
[865-387-9776](tel:865-387-9776)  
[dsmith23@knology.net](mailto:dsmith23@knology.net)

[Quoted text hidden]



Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

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**Fwd: Use on review 5420 smoky trail**

1 message

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**Dan Kelly** <dan.kelly@knoxmpc.org>  
To: Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

Thu, Apr 12, 2012 at 8:07 AM

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

From: **Deb Slayton** <jacaem55@yahoo.com>  
Date: Wed, Apr 11, 2012 at 7:10 PM  
Subject: Use on review 5420 smoky trail  
To: "dan.kelly@knoxmpc.org" <dan.kelly@knoxmpc.org>

Mr. Kelly,

I oppose the application for allowance of this residential address to be designated to operate as a law office. Refer to file 4-f-12-ur under applicant harry wiersema.

Thank-you  
Deborah Slayton 5415 timbercrest trl 37909

--  
Dan Kelly  
MPC, Development Services Manager  
(865) 215-2500



Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

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**Fwd: Timbercrest Neighborhood**

1 message

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**Dan Kelly** <dan.kelly@knoxmpc.org>  
To: Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

Thu, Apr 12, 2012 at 8:09 AM

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

From: **Gina Whitfield** <gwhitfield@knology.net>  
Date: Wed, Apr 11, 2012 at 6:29 PM  
Subject: Timbercrest Neighborhood  
To: [dan.kelly@knoxmpc.org](mailto:dan.kelly@knoxmpc.org)

File Number 4-f-12-UR  
Harry Wiersema  
5420 Smoky Trail 37909

We live at 5463 Lance Drive, 37909

and are opposed to this zoning change.

Regina H. Whitfield

Thomas B. Whitfield

--  
Dan Kelly  
MPC, Development Services Manager  
(865) 215-2500



Betty Jo Mahan &lt;bettyjo.mahan@knoxmpc.org&gt;

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**Fwd: Use of Review Application on April 12**

1 message

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**Dan Kelly** <dan.kelly@knoxmpc.org>  
To: Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

Thu, Apr 12, 2012 at 8:06 AM

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

From: **Sharon Camblin** <[scamblin@comcast.net](mailto:scamblin@comcast.net)>  
Date: Wed, Apr 11, 2012 at 7:14 PM  
Subject: Use of Review Application on April 12  
To: [Dan.Kelly@knoxmpc.org](mailto:Dan.Kelly@knoxmpc.org)

We are strongly against the MPC approving the application for residents at 5420 Smoky Trail to use that location as a law office (file # 4-F-12-UR Harry Wiersema). We do not want the people he would be representing becoming familiar with our neighborhood. Thank you for your help with this matter. Mark and Sharon Camblin, 5421 Yosemite Trail.

--

Dan Kelly  
MPC, Development Services Manager  
(865) 215-2500



Betty Jo Mahan &lt;bettyjo.mahan@knoxmpc.org&gt;

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**Fwd: File Number: 4-F-12\_UR**

1 message

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**Dan Kelly** <dan.kelly@knoxmpc.org>  
To: Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

Thu, Apr 12, 2012 at 8:06 AM

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

From: **Barry Shumpert** <[tennesshu@knology.net](mailto:tennesshu@knology.net)>  
Date: Wed, Apr 11, 2012 at 7:31 PM  
Subject: File Number: 4-F-12\_UR  
To: [Dan.Kelly@knoxmpc.org](mailto:Dan.Kelly@knoxmpc.org)

Sir:

As a resident of the Timbercrest neighborhood, I want to express my total opposition to the request for Use on Review approval to operate a law office in the residence at 5420 Smoky Trail. Timbercrest is a fully residential area, the character of which would be violated by permitting this commercial use in the center of it. The outside traffic generated by this proposed use would also diminish the residential qualities of our neighborhood.

Barry L. Shumpert  
5419 Lance Drive  
Knoxville, TN 37909  
[865-566-6672](tel:865-566-6672)

--

Dan Kelly  
MPC, Development Services Manager  
[\(865\) 215-2500](tel:865-215-2500)



Betty Jo Mahan &lt;bettyjo.mahan@knoxmpc.org&gt;

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**Fwd: Use On Review for 5420 Smoky Trail**

1 message

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**Dan Kelly** <dan.kelly@knoxmpc.org>  
To: Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

Thu, Apr 12, 2012 at 8:05 AM

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

From: **Felicia Kelley** <fkelly@rfoods.com>  
Date: Wed, Apr 11, 2012 at 7:40 PM  
Subject: Use On Review for 5420 Smoky Trail  
To: [Dan.Kelly@knoxmpc.org](mailto:Dan.Kelly@knoxmpc.org)

Hi Mr. Kelly,

This email is to let you know that I am opposed to the Use On Review application that has been filed for 5420 Smoky Trail, with proposed use as a law office.

I live at 1728 Starmont Trail (in fact, I grew up in this house), and do not want to see a precedent set for commercial businesses in Timbercrest Subdivision. Such enterprises are sure to result in increased traffic in our quiet neighborhood.

Thank you for addressing Timbercrest residents' concerns about this matter.

Regards,

Felicia French Kelley

Sent from my U.S. Cellular® Android phone

--

Dan Kelly  
MPC, Development Services Manager  
(865) 215-2500



Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

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**Fwd: File number 4-F-12-UR (Harry Wiersema) Use on Review**

1 message

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**Dan Kelly** <dan.kelly@knoxmpc.org>  
To: Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

Thu, Apr 12, 2012 at 8:05 AM

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

From: **Steve Bean** <stevebbean@comcast.net>  
Date: Wed, Apr 11, 2012 at 7:46 PM  
Subject: File number 4-F-12-UR (Harry Wiersema) Use on Review  
To: [dan.kelly@knoxmpc.org](mailto:dan.kelly@knoxmpc.org)

Mr. Kelly,

I live at 5609 Timbercrest Trail in the Timbercrest Subdivision. I am totally **opposed** to Mr. Wiersema running his law office from his home.

Jan Bean

--  
Dan Kelly  
MPC, Development Services Manager  
[\(865\) 215-2500](tel:(865)215-2500)



Betty Jo Mahan &lt;bettyjo.mahan@knoxmpc.org&gt;

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**Fwd: Use on Review 4-F-12-UR**

1 message

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**Dan Kelly** <dan.kelly@knoxmpc.org>  
To: Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

Thu, Apr 12, 2012 at 8:05 AM

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

From: **Lee Carleston** <carlestonl@aol.com>  
Date: Wed, Apr 11, 2012 at 8:10 PM  
Subject: Use on Review 4-F-12-UR  
To: "dan.kelly@KnoxMPC.org" <dan.kelly@knoxmpc.org>  
Cc: "anderson8312@att.net" <anderson8312@att.net>

Dear Mr. Kelly,  
RE: Use on Review 4-F-12-UR. 5420 Smoky Trail

As a long-time homeowners (5428 Lance Dr) in the Timbercrest subdivision, we are OPPOSED to the subject use on review item that would set a precedent for allowing residences in the subdivision to be used for a business location.

Please use your position to voice our opposition at the hearing and use your vote to support the homeowners and residents of Timbercrest by voting NO to allowing the subject home to be used as a professional office. Thank you for your attention to this matter and your support.

Milton and Jessica Carleston  
5428 Lance Dr.

Sent from my iPad

--  
Dan Kelly  
MPC, Development Services Manager  
(865) 215-2500





Betty Jo Mahan &lt;bettyjo.mahan@knoxmpc.org&gt;

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**Fwd: Public Hearing on April 12 at 1:30**

1 message

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**Dan Kelly** <dan.kelly@knoxmpc.org>  
To: Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

Thu, Apr 12, 2012 at 8:04 AM

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

From: **Paula Sarver** <pmsarver@gmail.com>  
Date: Wed, Apr 11, 2012 at 8:25 PM  
Subject: Public Hearing on April 12 at 1:30  
To: [Dan.Kelly@knoxmpc.org](mailto:Dan.Kelly@knoxmpc.org)

Mr. Kelly,

I am a resident in Timbercrest Subdivision. It has come to my attention one of the residents has applied for an application to operate a law office out of the home. This concerns me. I like my nice, quiet, subdivision without much traffic. If a business is allowed this may change. I oppose this action. I strongly feel this will hurt our subdivision. Many people don't want to live next to a business. Please consider the other residents as this decision is made. Thank you.

Daniel & Paula Sarver  
5467 Lance Drive

--

Dan Kelly  
MPC, Development Services Manager  
(865) 215-2500



Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

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**Fwd: Oppose the Application of 5430 Smoky Trail**

1 message

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**Dan Kelly** <dan.kelly@knoxmpc.org>  
To: Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

Thu, Apr 12, 2012 at 8:03 AM

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

From: **Davis, Ling Hou** <ldavis37@utk.edu>  
Date: Wed, Apr 11, 2012 at 8:59 PM  
Subject: Oppose the Application of 5430 Smoky Trail  
To: "dan.kelly@knoxmpc.org" <dan.kelly@knoxmpc.org>

We oppose the application of 5420 Smoky Trail home law office.

Our address is 5246 Lance Dr. Knoxville, TN 3790

Ling H Davis

--  
Dan Kelly  
MPC, Development Services Manager  
(865) 215-2500



Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

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**Fwd: MPC APPLICATION**

1 message

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**Dan Kelly** <dan.kelly@knoxmpc.org>  
To: Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

Thu, Apr 12, 2012 at 8:00 AM

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

From: **Bobby Walker** <bcwalker33@yahoo.com>  
Date: Wed, Apr 11, 2012 at 9:18 PM  
Subject: MPC APPLICATION  
To: "DAN.KELLY@KNOXMPC.ORG" <DAN.KELLY@knoxmpc.org>

MR.KELLY. I'M WRITING TO INFORM YOU THAT MY HUSBAND AND I ARE OPPOSED TO THE APPLICATION FOR USE REVIEW FOR THE PROPERTY LOCATED AT 5420 SMOKEY TRAIL. WE LIVE AT 1710 TIMBER PASS WE LOVE OUR SUB DIVISION AND HOW PEACEFUL IT IS.THANK YOU FOR YOUR TIME ANGIE &BOBBY WALKER.

--  
Dan Kelly  
MPC, Development Services Manager  
(865) 215-2500



Betty Jo Mahan &lt;bettyjo.mahan@knoxmpc.org&gt;

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**Fwd: Timbercrest zoning 4/12/12**

1 message

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**Dan Kelly** <dan.kelly@knoxmpc.org>  
To: Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

Thu, Apr 12, 2012 at 7:59 AM

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

From: <PYAJ0602@aol.com>  
Date: Wed, Apr 11, 2012 at 9:23 PM  
Subject: Timbercrest zoning 4/12/12  
To: [Dan.Kelly@knoxmpc.org](mailto:Dan.Kelly@knoxmpc.org)

Mr. Kelly,

I am writing you in regard to Mr. Henry Weirsema's application to have his house at 5420 Smoky Trail rezoned to allow him to practice law there. This house is smack dab in the middle of our neighborhood, an established residential area. Many of Mr. Weirsma's cases involve DUI drivers. Timbercrest is home to many children and senior citizens, and we do not need the extra traffic which will be brought into the neighborhood because of this business, especially drivers who are accused of DUI. That is an extremely unsafe condition.

I have lived in Timbercrest for 30 years and am extremely distressed to consider the possibility of a business being allowed to operate in our neighborhood. Please protect our quality of life.

Sincerely,  
Patricia A. Jones  
5311 Lance Drive 37909  
[865-368-2433](tel:865-368-2433)

--  
Dan Kelly  
MPC, Development Services Manager  
[\(865\) 215-2500](tel:865-215-2500)



Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

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**Fwd: 5420 Smoky Trl**

1 message

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**Dan Kelly** <dan.kelly@knoxmpc.org>  
To: Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

Thu, Apr 12, 2012 at 7:58 AM

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

From: **Lee Hamby** <loshambys@gmail.com>  
Date: Thu, Apr 12, 2012 at 7:09 AM  
Subject: 5420 Smoky Trl  
To: "dan.kelly@knoxmpc.org" <dan.kelly@knoxmpc.org>

Hi Mr Kelly  
We are opposed to the application. Please do all you can to stop this!!

Lee Hamby  
5108 Yosemite Trl  
Knoxville, Tn 37909

Sent from my iPhone

--  
Dan Kelly  
MPC, Development Services Manager  
(865) 215-2500



Betty Jo Mahan &lt;bettyjo.mahan@knoxmpc.org&gt;

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**Fwd: 4-F-12-UR (Harry Wisersema)**

1 message

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**Dan Kelly** <dan.kelly@knoxmpc.org>  
To: Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

Thu, Apr 12, 2012 at 7:58 AM

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

From: **Audrey Little** <[alittlecrawford@yahoo.com](mailto:alittlecrawford@yahoo.com)>

Date: Thu, Apr 12, 2012 at 7:27 AM

Subject: 4-F-12-UR (Harry Wisersema)

To: "Dan.Kelly@KnoxMPC.org" <[Dan.Kelly@knoxmpc.org](mailto:Dan.Kelly@knoxmpc.org)>, "[anderson8312@att.net](mailto:anderson8312@att.net)" <[anderson8312@att.net](mailto:anderson8312@att.net)>

Please DENY the rezoning [use on review] request to operate a law office out of the home, notice HOME not office at 5420 Smoky Trail (between Shenendoah Drive and Starmont Trail) in the residential Timbercrest subdivisoin.

There is prescident for denial in this subdivisoin. Eg.: Once a msuic teacher tried to have piano lessons in her shared house, and this was also denied. Increased traffic was also cited as a reason, the lack of parking spaces, especially on the street, and numerous unknow persons coming into the residential area, where people walk. walk dogs, and push prams! Thank you for dening this applicaton.

Audrey J. Little-Crawford, Jim Crawford, nad Lindsay J. Crawford residentng at 5424 Lance Dr., Timbercrest Subdivision., City of Knoxville.

--

Dan Kelly  
MPC, Development Services Manager  
(865) 215-2500



Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

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**Fwd: opposed application**

1 message

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**Dan Kelly** <dan.kelly@knoxmpc.org>  
To: Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

Thu, Apr 12, 2012 at 7:57 AM

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

From: **Skinner, Chris** <cskinne1@utk.edu>  
Date: Thu, Apr 12, 2012 at 7:44 AM  
Subject: opposed application  
To: "dan.kelly@knoxmpc.org" <dan.kelly@knoxmpc.org>

I live in timbercrest at 5448 lance drive and I oppose the application to allow 5420 Smoky Trail (4-F-12-UR Harry Wiersema) to be use as a business (law office) - chris skinner

--  
Dan Kelly  
MPC, Development Services Manager  
(865) 215-2500



Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

---

**Fwd: MPC sginag?e**

1 message

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**Dan Kelly** <dan.kelly@knoxmpc.org>  
To: Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

Wed, Apr 18, 2012 at 4:23 PM

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

From: **Audrey Little** <[alittlecrawford@yahoo.com](mailto:alittlecrawford@yahoo.com)>

Date: Thu, Apr 12, 2012 at 9:16 AM

Subject: MPC sginag?e

To: "Dan.Kelly@KnoxMPC.org" <[Dan.Kelly@knoxmpc.org](mailto:Dan.Kelly@knoxmpc.org)>, "[anderson8312@att.net](mailto:anderson8312@att.net)" <[anderson8312@att.net](mailto:anderson8312@att.net)>

Aren't these requests for rezoning required to be posted, prominently on the property several days or weeks before the issue comes up for a vote? I have NOT seen any such notice on the property..even yesterday. This is VERY short notice and how would the other neighbors know about this? I call this "sneakly pete." A. Little-Crawford

--

Dan Kelly  
MPC, Development Services Manager  
(865) 215-2500



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**Dan Kelly** <dan.kelly@knoxmpc.org>  
To: Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

Wed, Apr 18, 2012 at 4:23 PM

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

From: **Tom Coens** <tcoens@yahoo.com>  
Date: Thu, Apr 12, 2012 at 8:58 AM  
Subject: 5420 Smoky Trail  
To: "Dan.Kelly@KnoxMPC.org" <Dan.Kelly@knoxmpc.org>

I am writing to express my strong disapproval of the application for rezoning for commercial use by 5420 Smoky Trail in the Timbercrest neighborhood. As the parent of 3 small children, I oppose bringing a business of this sort into a residential neighborhood such as Timbercrest.

Tom Coens  
5416 Lance Drive  
[Quoted text hidden]



Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

---

**Fwd: Use on Review application for residence at 5430 Smokey Trail in Timbercrest Subdivision**

1 message

---

**Dan Kelly** <dan.kelly@knoxmpc.org>  
To: Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

Wed, Apr 18, 2012 at 4:22 PM

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

From: **Mark Vance** <mcv812008@hotmail.com>

Date: Thu, Apr 12, 2012 at 9:18 AM

Subject: Use on Review application for residence at 5430 Smokey Trail in Timbercrest Subdivision

To: [dan.kelly@knoxmpc.org](mailto:dan.kelly@knoxmpc.org)

Mr. Kelly

We am aware that the owners of property located at 5420 Smokey Trail in Timbercrest Subdivision in Bearden have applied to the City of Knoxville for a Use on Review application to operate a legal services office from their home. It is reported they will serve clients at this location including those involved in DUI cases. It is also reported that the owners of this property have been recently cited for codes violations.

We have lived at 5439 Lance Drive in Timbercrest Subdivision since 1988. I believe this proposed zoning change would adversely impact my neighborhood and I would like to register my strong disapproval of this attempt to change the zoning of the above-mentioned property. Thank you for your time and efforts on behalf of my family and my neighbors in Timbercrest.

Sharon and Mark Vance

Work: [865-574-6545](tel:865-574-6545)

Home: [865-588-8327](tel:865-588-8327)

--

Dan Kelly

MPC, Development Services Manager

[\(865\) 215-2500](tel:865-215-2500)



Betty Jo Mahan &lt;bettyjo.mahan@knoxmpc.org&gt;

---

**Fwd: Harry Wiersema's proposal 4-F-12-UR**

1 message

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**Dan Kelly** <dan.kelly@knoxmpc.org>  
To: Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

Wed, Apr 18, 2012 at 4:22 PM

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

From: **Jeremy Roberts** <[jeremy@robertsisland.com](mailto:jeremy@robertsisland.com)>  
Date: Thu, Apr 12, 2012 at 11:22 AM  
Subject: Harry Wiersema's proposal 4-F-12-UR  
To: [dan.kelly@knoxmpc.org](mailto:dan.kelly@knoxmpc.org)

Dan Kelly

Please deny proposal 4-F-12-UR.

As a homeowner in Timbercrest, I am writing you to voice my opposition of Harry Wiersema's proposal 4-F-12-UR to convert his household to a Professional Law Office. My opposition is primarily based on Mr. Wiersema's representation of clients in criminal defense. Ours is a family neighborhood with many small children (two of which are mine) and I am opposed to having criminal clientele visit our neighborhood. Secondly, I am opposed to having any home zoned as a business in our neighborhood.

Thank you for your time and consideration.

Jeremy Roberts  
5508 Timbercrest Trail  
Knoxville, TN, 37909  
[865-963-5826](tel:865-963-5826)

--

Dan Kelly  
MPC, Development Services Manager  
[\(865\) 215-2500](tel:865-215-2500)



Betty Jo Mahan &lt;bettyjo.mahan@knoxmpc.org&gt;

---

**Fwd: Timbercrest input**

1 message

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**Dan Kelly** <dan.kelly@knoxmpc.org>  
To: Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

Wed, Apr 18, 2012 at 4:21 PM

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

From: **Lucal, Mary Elizabeth** <mlucal@utk.edu>  
Date: Thu, Apr 12, 2012 at 11:27 AM  
Subject: Timbercrest input  
To: "dan.kelly@knoxmpc.org" <dan.kelly@knoxmpc.org>

Mr. Kelly,

I live in Timbercrest (off of Lonas Rd) and I understand that someone in my neighborhood wishes to pave his front yard and run a small business there. As a property owner in the neighborhood, I am very opposed to this. This is a residential area and that's why I chose to buy there. Paving a yard and increasing traffic is not appropriate for this area. If I can add anything or if you have questions, I can be reached at [865-951-9010](tel:865-951-9010).

Thank you,

Mary Lucal

5417 Yosemite Trail

--

Dan Kelly  
MPC, Development Services Manager  
(865) 215-2500



Betty Jo Mahan &lt;bettyjo.mahan@knoxmpc.org&gt;

---

**Fwd: 5420 Smoky Trail / File # 4-F-12-UR**

1 message

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**Dan Kelly** <dan.kelly@knoxmpc.org>  
To: Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

Wed, Apr 18, 2012 at 4:21 PM

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

From: **Laura Coens** <lauracoens@yahoo.com>  
Date: Thu, Apr 12, 2012 at 11:35 AM  
Subject: 5420 Smoky Trail / File # 4-F-12-UR  
To: "Dan.Kelly@KnoxMPC.org" <Dan.Kelly@knoxmpc.org>  
Cc: "anderson8312@att.net" <anderson8312@att.net>, "tcoens@utk.edu" <tcoens@utk.edu>

RE: 5420 Smoky Trail / File # 4-F-12-UR

I am a resident and mother in the Timbercrest neighborhood with concerns about the application to use 5420 Smoky Trail as a professional lawyer's office.

I can empathize with the applicant, Mr. Weirsema. Running a law practice out of the home sounds like a nice way to live. It would clearly be very convenient and save a great deal of expense. However, I am concerned that the benefits for Mr. Weirsema and his household would create an undue burden for the rest of the neighborhood.

My concerns are primarily about increased traffic:

\*No sidewalks. Our neighborhood does not have sidewalks, so children dropped off by the bus or waiting for the bus are required to walk in the street.

\*High hills. There are a number of high hills in the neighborhood, making visibility difficult and making it easy for cars to accelerate down hills and into intersections at unsafe speeds.

\*Small children playing. Our neighborhood is the kind of quiet place where we feel comfortable sending a small child across the street to play. When my children are older, I can envision them biking down the road to meet with a friend. Increased traffic due to a local business would undermine this feeling security, especially for his immediate neighbors.

\*Neighborhood feel/property values. I am told that Mr. Weirsema has plans to convert part of the front yard into extra parking. This would clearly change the look and feel of the neighborhood and reduce property values.

Zoning laws are meant to create healthy boundaries for use – residential use, and commercial use. A thriving law practice would clearly be out of tune with the intended uses of this neighborhood. The residential character of the neighborhood would have been clear to Mr. Weirsema when he made the decision to buy property here.

Thank you,

Laura Coens  
5416 Lance Drive  
(865) 588-5671

--  
Dan Kelly  
MPC, Development Services Manager  
(865) 215-2500



Betty Jo Mahan &lt;bettyjo.mahan@knoxmpc.org&gt;

---

**Fwd: 4-F-12-UR Harry Wiersema**

1 message

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**Dan Kelly** <dan.kelly@knoxmpc.org>  
To: Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

Wed, Apr 18, 2012 at 4:21 PM

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

From: **Daleta Sawyer** <[Daleta.Sawyer@knoxcounty.org](mailto:Daleta.Sawyer@knoxcounty.org)>  
Date: Thu, Apr 12, 2012 at 12:32 PM  
Subject: 4-F-12-UR Harry Wiersema  
To: "dan.kelly@knoxMPC.org" <[dan.kelly@knoxmpc.org](mailto:dan.kelly@knoxmpc.org)>

Mr. Kelly,

As a fourteen year resident of Timbercrest Subdivision I would like to comment on the pending application to allow a law office in the residence at 5420 Smoky Trail – File # 4-F-12-UR, Harry Wiersema. I am strongly opposed to this application. I don't think it would be in the best interest of the current or future residents of our neighborhood and sincerely hope the application will be denied.

Thanks for your consideration,

Daleta Sawyer

5208 Yosemite Trail

Knoxville, TN 37909

[daletas@gmail.com](mailto:daletas@gmail.com)

--

Dan Kelly  
MPC, Development Services Manager  
(865) 215-2500



Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

---

**Fwd: Timbercrest**

1 message

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**Dan Kelly** <dan.kelly@knoxmpc.org>  
To: Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

Wed, Apr 18, 2012 at 4:20 PM

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

From: **Carver, Julia** <JCarver5@wm.com>  
Date: Thu, Apr 12, 2012 at 2:23 PM  
Subject: Timbercrest  
To: "dan.kelly@knoxmpc.org" <dan.kelly@knoxmpc.org>

I live at 5404 Yosemite Trail and I am opposed to the request for the home at 5420 Smoky Trail to be zoned anything other than residential.

Thank you  
Julia Carver  
[865-388-1677](tel:865-388-1677)

-----  
Waste Management recycles enough paper every year to save 41 million trees. Please recycle any printed emails.

--  
Dan Kelly  
MPC, Development Services Manager  
[\(865\) 215-2500](tel:865-215-2500)





Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

---

**Fwd:**

1 message

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**Dan Kelly** <dan.kelly@knoxmpc.org>  
To: Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

Wed, Apr 18, 2012 at 4:20 PM

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

From: **Amie Spirko** <[amiespirko@gmail.com](mailto:amiespirko@gmail.com)>  
Date: Fri, Apr 13, 2012 at 7:35 PM  
Subject:  
To: "Dan.Kelly@KnoxMPC.org" <[Dan.Kelly@knoxmpc.org](mailto:Dan.Kelly@knoxmpc.org)>

5209 Yosemite Trail is opposed to the law office proposal.  
Amie Spirko

--  
Dan Kelly  
MPC, Development Services Manager  
(865) 215-2500

# DUNN, MacDONALD & REYNOLDS PC

6204 Baum Drive  
Knoxville, Tennessee 37919

Telephone (865) 525-0505  
Facsimile (865) 525-6001

Arnold G. Cohen

E-Mail  
agc@dmrplaw.com

April 25, 2012

*Via email <dan.kelly@knoxmpc.org >  
and First Class U.S. Mail*

Mr. Dan Kelly  
Knoxville/Knox County Metropolitan Planning Commission  
Suite 403, City/County Building  
400 Main Street  
Knoxville, Tennessee 37902

Re: 5420 Smoky Trail, Knoxville, Tennessee  
Use on Review No. 4-F-12-UR

Dear Mr. Kelly:

At the last hearing of MPC we announced on behalf of Mr. Wiersema that he would agree to not see clients at the above premises as a condition of the granting of a use on review. In addition, even if we did not indicate it adequately, we intend that the use on review not survive the presence of Natalie LeVasseur and Harry Wiersema upon the premises of 5420 Smoky Trail so that, after they both are no longer permanently residing upon those premises for whatever reason (except for temporary absences), the right to practice law at that address would terminate and be of no further force and effect. As such it would not be necessary to have parking for clients.

Consequently, we ask that the staff recommendations to MPC be modified so that the staff recommendation in favor again be made with the same conditions except as follows:

1. The parking requirement of five spaces should be reduced to three spaces; those spaces would provide two for the dwelling and one for the only employee;
2. The use of a law practice at the premises shall only permit a law office for the sole use of Harry Wiersema while a licensed attorney and for the sole use of Natalie LeVasseur while a licensed attorney, or for either of them, and that use shall not be permanent but shall terminate at such time as they have permanently vacated the premises for whatever reasons. The grant of the use shall not give any right to any other persons or entities nor any purchasers, lessees, assignees, or transferees of Harry Wiersema, Natalie LeVasseur, or any other person having an ownership interest in the property, and no one shall be entitled to assign or transfer their right to practice law upon this property;

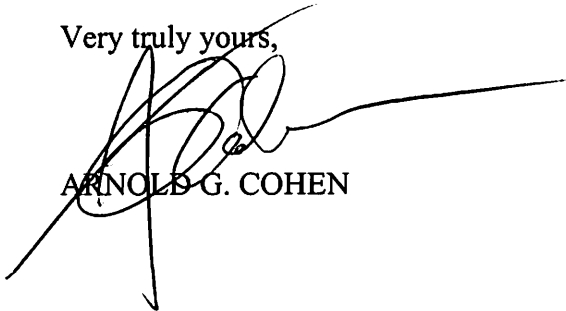
Page Two  
Dan Kelly, MPC  
April 25, 2012

3. The use on review shall not permit any client or prospective client to meet physically upon the premises of 5420 Smoky Trail with either Harry Wiersema, Natalie LeVasseur, nor any employee or person acting at their behest pertaining to representation by Natalie LeVasseur or Harry Wiersema as lawyer for such client or prospective client.

With the above modifications and further restrictions to be imposed upon the users, we think that all of the objections of residents in the neighborhood are reasonably and adequately satisfied. Please advise me whether MPC staff will concur with these modifications or, if not, what further comments and suggestions MPC staff might have.

Thank you very much for your consideration and assistance.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Arnold G. Cohen', is written over the typed name. The signature is stylized and somewhat cursive.

ARNOLD G. COHEN

AGC:grv

cc: Natalie P. LeVasseur, Esq.  
Harry A. Wiersema, Jr., Esq.

AGC\Wiersema HarryLtr-MPC Dan Kelly

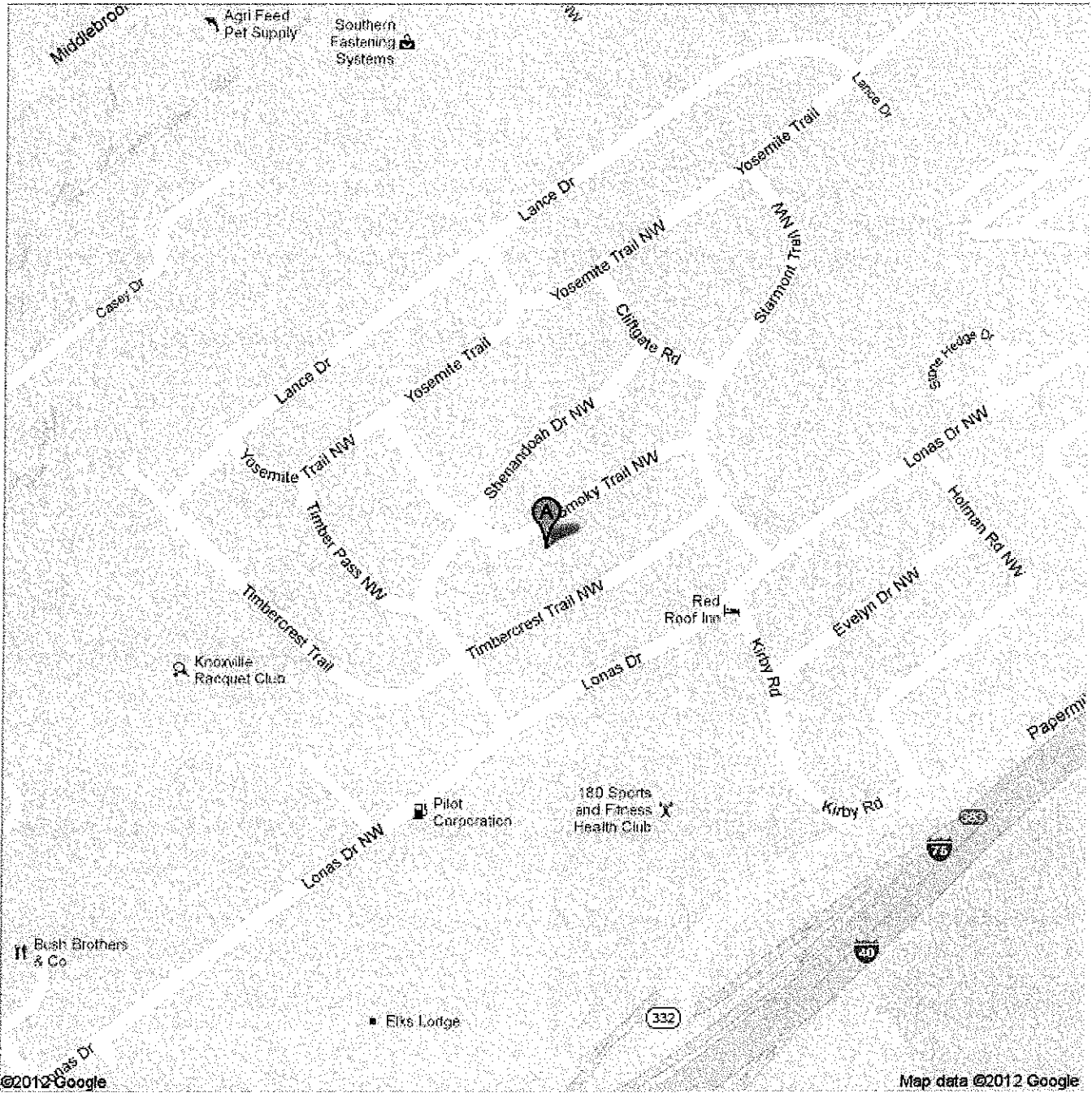


Address **5420 Smoky Trail**  
Knoxville, TN 37909

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	<u>Owner Name(s)</u>	<u>Property Address</u>	<u>Property ID</u>
<b>DETAILS</b>	BARKER KATHALEEN A	5400 SMOKY TR	107HE009
<b>DETAILS</b>	VAUGHAN DAVID R & GAIL A	5401 SMOKY TR	107HD009
<b>DETAILS</b>	STREET THOMAS N III	5405 SMOKY TR	107HD010
<b>DETAILS</b>	SHERMAN GORDON R & LOIS E MILLER	5408 SMOKY TR	107HE008
<b>DETAILS</b>	SANTOS-SILVA FRANCISCO & MONIKA	5409 SMOKY TR	107HD011
<b>DETAILS</b>	MATHIS DOUGLAS A & MARGO M	5412 SMOKY TR	107HE007
<b>DETAILS</b>	RICHARDSON L B & BETTY C	5413 SMOKY TR	107HD012
<b>DETAILS</b>	SANTI DAVID M & VICTORIA L	5416 SMOKY TR	107HE006
<b>DETAILS</b>	MOORE BRUCE D	5417 SMOKY TR	107HD013
<b>DETAILS</b>	WIERSEMA JERRY W	5420 SMOKY TR	107HE005
<b>DETAILS</b>	UTSMAN ANDREW T & ROSINA G	5424 SMOKY TR	107HE004
<b>DETAILS</b>	BRUMMITT TAMMY M TRUSTEE	5428 SMOKY TR	107HE003
<b>DETAILS</b>	KOCHER KEITH E TRUSTEE	5436 SMOKY TR	107HH005
<b>DETAILS</b>	HIGGINBOTHAM RICHARD A & CHARLOTTE K	5437 SMOKY TR	107HC018
<b>DETAILS</b>	EUBANKS JACK B & BARBARA A	5440 SMOKY TR	107HH004
<b>DETAILS</b>	FREY ROGER M & JOAN H	5444 SMOKY TR	107HH003
<b>DETAILS</b>	WHITEHORN JAMES F & REBECCA L	5447 SMOKY TR	107HC001
<b>DETAILS</b>	SUNVIEW ESTATES L P	7400 SMOKY FALLS WA	072DC00301
<b>DETAILS</b>	SOUTH GROVE G P	SMOKY GROVE RD	137 22901

**NEW SEARCH**

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This website provides tax information for the *City of Knoxville* ONLY. Questions regarding information provided here can be answered by calling 865-215-2084 or email at [citytaxoffice@cityofknoxville.org](mailto:citytaxoffice@cityofknoxville.org).

Please mail payments to: *City of Knoxville P. O. Box 1028 Knoxville, TN 37901*

To make payments electronically with Visa, MasterCard, American Express, Discover, or electronic check click on "Pay Property Taxes" on this website, or telephone 1-866-378-2937. The service provider for electronic payments by credit or debit card will charge a fee; this fee is not paid to the City of Knoxville.

The payment information provided is up-to-date through **3/24/2012**; i.e. payments received or adjustments made by the Assessor and posted after this date are not reflected in the information provided here.

For Knox County tax information, contact the Knox County Trustee at 865-215-2305 or [www.knoxcounty.org/trustee](http://www.knoxcounty.org/trustee).

The information regarding ownership reported on this website does not reflect changes made during the tax year. For questions regarding ownership or deeds, contact the Knox County Register of Deeds at 865-215-2860 or [www.knoxcounty.org/register](http://www.knoxcounty.org/register).

The Knox County Property Assessor maintains the tax roll. If you have questions regarding ownership, mailing address or appraised values contact that office at 865-215-2360 or [www.knoxcounty.org/property](http://www.knoxcounty.org/property).

Additional property information can be found online at [www.kgis.org/KnoxNetWhere/Viewer.asp](http://www.kgis.org/KnoxNetWhere/Viewer.asp).

Individual business tax information is not available on the website due to confidentiality laws. Information on opening a business and answers to general business tax questions are available [here](#); specific questions can be emailed to the tax office at [citytaxoffice@cityofknoxville.org](mailto:citytaxoffice@cityofknoxville.org) or by telephone at 865-215-2083.

**Taxes are due October 1 of each tax year and are delinquent the following March 1.**

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**5420 smoky trail** Tuesday, April 10 2012 1:35 PM

From: "Harvey Ward" <hward@cityofknoxville.org>

To: "Anderson8312@att.net" <Anderson8312@att.net>

8/08 - auto complaint  
 8/08 - dirty lot- auto parts complaint  
 9/2011 - auto complaint

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No contacts online right now  
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1 Mobile Contact [Add]  
 pilot 4742751

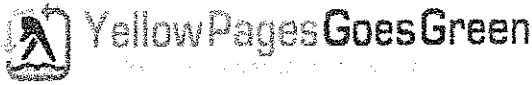
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Prev Next

Wiersema Harry A Attorney

Category: Lawyers - All

Users Rating: Leave review

(865) 584-9694
5420 Smoky Trail
Knoxville TN 37909



Wiersema Harry A Attorney

Address : 5420 Smoky Trail Knoxville TN 37909

- (865) 584-9694
No fax number available

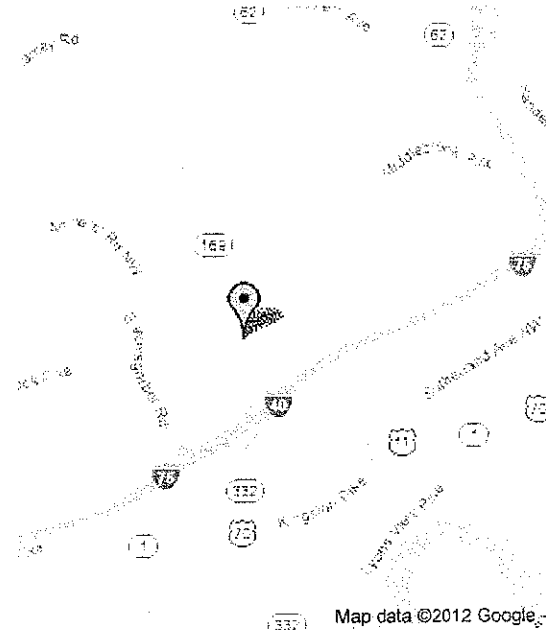
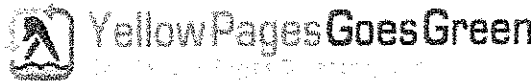
Wiersema Harry A Attorney is a business dealing in the Lawyers - All industry. Wiersema Harry A Attorney is located in Knoxville TN on 5420 Smoky Trail

Wiersema Harry A Attorney telephone number is (865) 584-9694

Telefax: No fax number available
Website: No web address available

Are you the business owner? You can edit this listing

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Promote this listing for your business by linking here
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## Arnold Cohen

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**From:** Natalie LeVasseur <natalie.levasseur@gmail.com>  
**Sent:** Monday, April 30, 2012 10:50 AM  
**To:** Associated Independent Attorneys; Arnold Cohen  
**Subject:** Fwd: Use on Review in Timbercrest

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

**From:** David Massey <dmassey@cityofknoxville.org>  
**Date:** Mon, Apr 30, 2012 at 1:46 AM  
**Subject:** Use on Review in Timbercrest  
**To:** "buz.johnson@knoxmpc.org" <buz.johnson@knoxmpc.org>, "rebeccalongmire@hotmail.com" <rebeccalongmire@hotmail.com>, "anderson8312@att.net" <anderson8312@att.net>, "harry.wiersema@gmail.com" <harry.wiersema@gmail.com>, "natalie.levasseur@gmail.com" <natalie.levasseur@gmail.com>

All:

This email goes to Kirk Anderson in the Timbercrest neighborhood; Harry Wiersema and Natalie LeVasseur, Timbercrest neighbors who are applying for a use on review for a home law office; Buz Johnson on MPC staff; and Rebecca Longmire, chair of MPC.

Since I am about to leave for vacation, I am writing to provide a status report on my potential involvement in the use-on-review situation in Timbercrest. I'm sorry to leave the situation unresolved and hope that something can be worked out in my absence.

By way of background, following the postponement of this matter at the April MPC meeting, I approached Kirk Anderson and Harry Wiersema and offered the services of the Office of Neighborhoods in case they felt it would be beneficial to have a neutral third party involved in helping the two sides determine if a compromise could be reached. At that time, I made it clear that Harry and I attend the same church, but I have also known and interacted with Kirk and in any case believe I can serve the situation as a neutral mediator or facilitator.

Some time after the April 12 meeting, Harry called me but I was unable to return his call until the past week. When we were able to connect, he expressed interest in some type of mediation. He also said that he and his wife/law partner, Natalie LeVasseur, are willing to make concessions to address neighborhood concerns and would be willing to make their case for a use on review at a neighborhood-wide meeting. I explained that, even if Kirk and his folks agreed to such a meeting, I would be unable to be of service before the May 10 MPC meeting, and therefore a second postponement would be needed.



I called and spoke with Kirk, explained Harry's request for a meeting, the necessity of a postponement (if I am to be involved), and restated my willingness to either mediate a meeting with a small number of individuals or help facilitate a neighborhood-wide meeting. I also reminded Kirk of my past association with Harry and offered to find another person to serve the mediator/facilitator role if anyone is uncomfortable with me doing so.

Because I felt I would need MPC's expertise, I called Buz Johnson, deputy director of MPC, and asked --- if a meeting does take place --- whether an MPC staff person could attend to answer questions about use on review questions that might arise. With the caveat that a staff person would need to remain neutral, he said that this would be possible.

Kirk very understandably indicated he could not agree to a mediation, a neighborhood-wide meeting or a postponement without checking with others. He stated that he would check with others and call me back. I had not heard back from him by this afternoon, but let it get too late to call him. Tomorrow -- or rather this morning -- I am leaving for vacation.

So, since I will be out of range, I just wanted folks to know that the Office of Neighborhoods is available to serve as --- or to locate a mediator or facilitator to assist with --- this situation if both sides agree that such services are desirable. I will be back in the office on May 14 and will be available most of that week and parts of the following Monday and Tuesday. I will be away at a conference May 23-25 but back again May 29.

Kirk and Harry: It is my understanding that another postponement must be voted on by MPC at the May meeting. The applicant (Harry) must make the formal request but of course Kirk and others could support that request if that is their decision.

Will be in touch upon my return...

David Massey

Office of Neighborhoods

City of Knoxville

# DUNN, MacDONALD & REYNOLDS PC

6204 Baum Drive  
Knoxville, Tennessee 37919

Telephone (865) 525-0505  
Facsimile (865) 525-6001

Arnold G. Cohen

E-Mail  
agc@dmrplaw.com

May 1, 2012

Mr. Dan Kelly  
Knoxville/Knox County Metropolitan Planning Commission  
Suite 403, City/County Building  
400 Main Street  
Knoxville, Tennessee 37902

*Via email <dan.kelly@knoxmpc.org>*

Re: 5420 Smoky Trail, Knoxville, Tennessee  
Use on Review No. 4-F-12-UR

Dear Mr. Kelly:

We wish to give MPC notice that, on behalf of Ms. LeVasseur and Mr. Wiersema, the applicants shall request a further postponement until the June meeting of MPC for which to consider the above Use on Review. I appreciate your advising me that it will be necessary for us to appear at the May 10 meeting so as to request the postponement at that time.

There are three basic reasons for requesting this postponement, and we think the postponement will serve to promote a reconciliation of the interests in the neighborhood:

1. David Massey of the Office of Neighborhoods (City of Knoxville) is the prospective mediator and he is leaving the country within the next day or two expecting to return on May 14, 2012. He will also be out of town beginning May 23, becoming available again on May 29, 2012. Attached is a copy of an email which he sent to various interested individuals including Mr. Johnson at MPC. We would like to have either Mr. Massey or another qualified person serve as a neutral mediator prior to the time this matter comes to a vote before MPC.

2. At the last meeting of MPC Mr. Kirk Anderson of the Timbercrest neighborhood circulated to members of MPC a package of documents. We were not furnished with a copy, and, at this time, do not know what was said in that package. We are attempting to obtain a copy so that we may prepare an appropriate response.

3. We believe the original notice posted in the neighborhood prior to the April 12, 2012 meeting was unclear as to the nature of the request of the applicants and the location of the property affected. As a result we believe there was misinterpretation and misinformation circulated and aroused in the neighborhood. One of the examples of misinformation is that the grant of this Use on Review would be a precedent for granting others, and that simply is not true. There is no legal requirement that another Use on Review be granted. Each case is on its own facts and merits, and MPC is free to evaluate each one separately. It would help if more of the neighborhood understood that better. Further communications and/or mediation will help correct that problem.

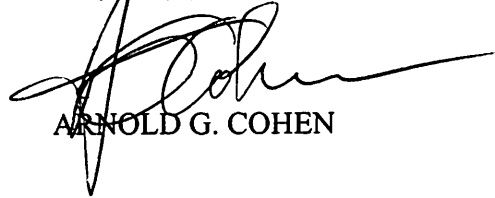
Page Two  
Dan Kelly, MPC  
May 1, 2012

Prior to, and since, that last meeting of MPC Natalie LeVasseur and Harry Wiersema have met extensively with neighbors and are continuing to do so. They have also implemented the conditions which we volunteered at the last MPC meeting and which are set forth in my letter of April 25, 2012 to you which, in effect, will largely eliminate traffic and the potential for clients coming to the above property. They no longer schedule meetings with any clients at the above address. The immediate next door neighbor has noticed this circumstance and has commented favorably about that.

I had not copied any of the neighbors on my letter of April 25, 2012 to you because I had thought that the MPC staff might modify its recommended conditions to incorporate what we have set forth. However, it is my understanding that MPC staff may not do so because it has already made a favorable recommendation with less restrictive conditions, and so a further recommendation in this regard would be somewhat superfluous. To facilitate better communications and to keep the neighbors better informed, I am sending copies of that letter of April 25, 2012 to those who have expressed an interest (to my knowledge). At such time as this matter comes to a vote before MPC we shall welcome imposition of these conditions by MPC as modifications of, and in addition to, the conditions recommended by MPC staff.

Thank you for your attention and assistance.

Very truly yours,



ARNOLD G. COHEN

AGC:grv  
Enclosure

cc: All w/enclosure and copy of AGC April 25 letter  
Mr. Kirk Anderson  
Mr. Bruce D. Moore  
Mr. Steve Bean  
Mr. Wes Griffitt  
Mr. and Mrs. Paul Levy  
Mr. Michael Lusk  
Mr. and Mrs. R. Don Holden  
Ms. Dorothy Nash  
Mr. James Newbill  
Mr. and Mrs. David Ramsey  
Mr. and Mrs. William Sterling  
Mr. and Mrs. Earl Waugh  
Mr. Andy Utsman  
Ms. Carol Knapp  
Ms. Lesley Roberts  
Natalie P. LeVasseur, Esq. <natalie.levasseur@aol.com>  
Harry A. Wiersema, Jr., Esq. <aialawfirm@yahoo.com>

AGCWiersema HarryLtr-MPC Dan Kelly

# DUNN, MacDONALD & REYNOLDS PC

6204 Baum Drive  
Knoxville, Tennessee 37919

Telephone (865) 525-0505  
Facsimile (865) 525-6001

Arnold G. Cohen

E-Mail  
agc@dmrplaw.com

May 3, 2012

Mr. Dan Kelly  
Knoxville/Knox County Metropolitan Planning Commission  
Suite 403, City/County Building  
400 Main Street  
Knoxville, Tennessee 37902

*Via email <dan.kelly@knoxmpc.org>  
and facsimile 215-2068*

Re: 5420 Smoky Trail, Knoxville, Tennessee  
Use on Review No. 4-F-12-UR

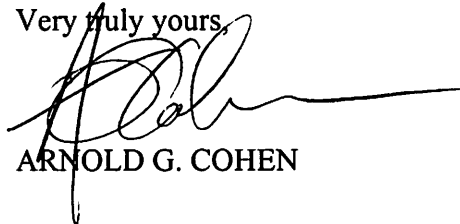
Dear Mr. Kelly:

Pursuant to our telephone conversation this morning, I want to clarify my letter of May 1, 2012. We intended to, and hereby do, respectfully request a postponement on the above matter until the MPC meeting of June 14, 2012. We ask that this matter be placed on the agenda for consideration of the postponement. We shall be present to speak to that issue if the postponement is controversial.

My clients have added some additional restrictions to which they are willing to adhere in the event the Use on Review application is granted. Enclosed with this letter is a listing of the conditions they believe will completely answer all of the reasonable objections of neighbors. Those conditions include the same conditions as recommended by MPC staff except that the provision for five (5) parking spaces would be reduced to three (3) spaces since clients will not be visiting the premises. We believe the reduction in the required parking spaces will better preserve the residential appearance of the property. Please advise whether or how staff will comment on these proposed restrictions.

Thank you for your help.

Very truly yours,



ARNOLD G. COHEN

AGC:grv

cc: Natalie P. LeVasseur, Esq. <natalie.levasseur@aol.com>  
Harry A. Wiersema, Jr., Esq. <aialawfirm@yahoo.com>

AGC\Wiersema Harry\Ltr-MPC Dan Kelly 5-3-2012

Approve the request for a home occupation for a dual law practice as requested, subject to the following conditions

1. Meeting all requirements of Article 5, Section 12 of the Knoxville Zoning Ordinance
2. Provision of a total of 3 off-street parking spaces (2 for the dwelling and 1 for the secretary)
3. Meeting all other applicable requirements of the Knoxville Zoning Ordinance
4. Meeting all applicable requirements of the Knoxville Engineering Department

At the specific request of the applicants Harry Wiersema and Natalie LeVasseur the following restrictions are added:

5. The use on review shall not permit any client or prospective client to meet physically upon the premises of 5420 Smoky Trail with Harry Wiersema, Natalie LeVasseur, or any employee or person acting at their behest pertaining to representation by Harry Wiersema or Natalie LeVasseur as lawyer for such client or prospective client.
6. The use of a law practice at the premises shall only permit a law office for the sole use of Harry Wiersema while a licensed attorney and for the sole use of Natalie LeVasseur while a licensed attorney, or for either of them, and that use shall not be permanent but shall terminate at such time as they have permanently vacated the premises for whatever reasons. The grant of the use shall not give any right to any other persons or entities nor any purchasers, lessees, assignees, or transferees of Harry Wiersema, Natalie LeVasseur, or any other person having an ownership interest in the property, and no one shall be entitled to assign or transfer their right to practice law upon this property.
7. No signage upon the premises designating the existence of a law practice shall be visible to clients and prospective clients outside of the building at 5420 Smoky Trail. The location of 5420 Smoky Trail shall not be advertised as the location of the law practice in any media. The law practice hereafter shall use an offsite United States Postal mailing address.
8. The address of the plat shall not be connected with the law practice in any media. The P.O. Box 52828 shall be the official address of the practice.



## Forest Heights Homeowners Association

May 7, 2012

Martie Ulmer  
*President*

Jenny Nash  
*Vice President*

Tina Gillespie  
*Treasurer*

Deedee Blane  
*Board Member  
At Large*

Cindy Spangler  
*Board Member  
At Large*

Brian Crawford  
*Street Representative  
Area 1*

Margaret Sadler  
*Street Representative  
Area 2*

Janet Testerman  
*Street Representative  
Area 3*

Amy Midas  
*Street Representative  
Area 4*

Jenny Nash  
*Street Representative  
Area 5*

Pam Slempp  
*Street Representative  
Area 6*

Mr. Dan Kelly  
Metropolitan Planning Commission  
City/County Building  
Knoxville, TN

Dear Mr. Kelly:

I am writing you on behalf of the Forest Heights Homeowners Association which represents approximately 120 homeowners. Because of our proximity to the Timbercrest neighborhood, we are concerned about the use on review at 5420 Smoky Trail. We do not think it would be appropriate to approve this petition because of the precedent it would set not only for homeowners in Timbercrest but also other single family zoned neighborhoods. The amendment regarding no client traffic to the residence that the petitioner has proposed is unenforceable. Would the neighbors be responsible for determining that the petitioners meet their clients at another location? Approving this use on review would be a very 'slippery slope' since there is no existing enforcement process. It appears to us that MPC would be ill advised to approve an action that cannot be enforced.

The Forest Heights Homeowners Association wishes to go on record as being firmly opposed to this specific use on review as it will tend to set an unacceptable precedent. We also oppose the proposed accommodation on the grounds that there is no process for enforcement.

Martie Ulmer, President  
Forest Heights Homeowners Association



Betty Jo Mahan &lt;bettyjo.mahan@knoxmpc.org&gt;

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**Fwd: Harry Wiersema, Smoky Trail**

1 message

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

Wed, May 9, 2012 at 8:08 AM

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

From: **Lindsay Rosa** <lindsaykrosa@gmail.com>  
Date: Tue, May 8, 2012 at 9:33 PM  
Subject: Harry Wiersema, Smoky Trail  
To: "contact@knoxmpc.org" <contact@knoxmpc.org>

To whom it may concern:

I am sending this email to express my deep opposition for Harry Wiersema running a law practice out of his home in Timbercrest Neighborhood. I reside on 5421 Shenandoah Drive and my street is a cross road of Smoky Trail. It is an improper use of our neighborhood to have businesses running out of residents homes. Our neighborhood is zoned for residential use and I feel that allowing residents to run business out of homes will do only harm. It will increase traffic on our streets which is currently used by the residents, and their children, for recreational use and exercise, and we do not have sidewalks. It would not be aesthetically pleasing to see a resident's front yard paved and utilized as a public parking lot, as Mr. Wiersema has stated his intention to be. Lastly, it would allow his clients, whom have been accused of criminal acts, to come into our neighborhood and be around our children and property. Quite frankly, I am not comfortable with that potential, nor do I want anything to happen to my property, possessions, or my children. It is not safe. These are a few of my main concerns of why I am in great opposition to Harry Wiersema, or anyone else, running a business out of his residence.

Thank you for your time,  
Lindsay Rosa  
5421 Shenandoah Drive



Betty Jo Mahan &lt;bettyjo.mahan@knoxmpc.org&gt;

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**Fwd: Harry Wiersema 5420 Smoky Trail**

1 message

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

Wed, May 9, 2012 at 8:07 AM

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

From: **Irving** <irvingrosa@gmail.com>  
Date: Tue, May 8, 2012 at 10:11 PM  
Subject: Harry Wiersema 5420 Smoky Trail  
To: [contact@knoxmpc.org](mailto:contact@knoxmpc.org)

My name is Irving Rosa and i live on 5421 Shenandoah Drive. I am emailing in regards to Harry Wiersema, on 5420 Smoky Trail, and his attempt to change the zoning of his property and continue to run his law practice from his home. He has been illegally running his business from his home for some time now and even has it advertised/listed. Here are some links with examples:

<http://www.yellowpagesgoesgreen.org/Knoxville-TN/Wiersema+Harry+A+Attorney/355934>

<http://www.theattorneydatabase.com/TN/Knoxville/363766/>

<http://www.yellowpages.com/knoxville-tn/wiersema-harry-a>

<http://tn.serviceslisted.com/370758-WiersemaHarryAAttorney.htm>

<http://www.attorneyslawyers.org/tennessee-lawyer/knoxville/wiersema-harry-a-attorney/>

<http://www.localife.com/knoxville/moreinfo.asp?site=KNOXVILLE&p3link=100588&dispmode=map>

I hope that you will vote no to his request. It will do nothing but create danger for the families in our neighborhood especially the children. I as well as most residents do not want people accused of criminal acts driving through our neighborhood and possibly damaging our property or hurting our children. If you allow this to pass, many people will feel unsafe to walk their own streets. This is a family neighborhood and we want to keep it that way. Please strike down this request. It is the "right" thing to do.

Irving Rosa  
5421 Shenandoah Drive  
865-567-8586





Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

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**Fwd: Use on Review 5420 Smoky Trail**

1 message

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

Wed, May 9, 2012 at 3:41 PM

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

From: <[MoHoClyde@aol.com](mailto:MoHoClyde@aol.com)>  
Date: Wed, May 9, 2012 at 2:56 PM  
Subject: Use on Review 5420 Smoky Trail  
To: [contact@knoxmpc.org](mailto:contact@knoxmpc.org)

Dear Dan Kelley,

Mr. Kelly I am apposed to the use on review on 5420 Smoky Trail. I wish you would pass this information to the Commissioners of the MPC.

I have been a home owner since 1964.

Sincerely,

Josie K. Hylton



Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

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**Fwd: Review of property use on Smoky Trail**

1 message

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**Dan Kelly** <dan.kelly@knoxmpc.org>  
To: Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

Thu, May 10, 2012 at 7:27 AM

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

From: **Ann Barker** <[ann.barker100@gmail.com](mailto:ann.barker100@gmail.com)>  
Date: Tue, May 8, 2012 at 10:39 PM  
Subject: Review of property use on Smoky Trail  
To: [dan.kelly@knoxmpc.org](mailto:dan.kelly@knoxmpc.org)

Dear Mr. Kelly:

I live at 5400 Smoky Trail and I am totally supportive of allowing the use that has been requested by Natalie Levasseur and Harry Wersmer. Their request to handle some of their law practice in their home will not impose any hardship on the rest of us who live on the street. I live 4 houses down the street and do not anticipate any problem from their request. I urge the commission to approve the use as requested.

Sincerely,  
Ann Barker  
5400 Smoky Trail  
Knoxville, TN 37909  
850-1412

--

Dan Kelly  
MPC, Development Services Manager  
(865) 215-2500



Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

**Fwd: Use on Review -**

1 message

**Dan Kelly** <dan.kelly@knoxmpc.org>  
To: Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

Thu, May 10, 2012 at 7:26 AM

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

From: <LoisESher@aol.com>  
Date: Wed, May 9, 2012 at 5:00 PM  
Subject: Fwd: Use on Review -  
To: dan.kelly@knoxmpc.org

From: LoisESher@aol.com  
To: dankelly@knoxmpc.org  
Sent: 5/9/2012 4:25:21 P.M. Eastern Daylight Time  
Subj: Use on Review -

I want you to know that we are still adamantly against the request for a law office at 5420 Smoky Trail. Also, the lawyers at that address should not be given a postponed future date. Our neighbors have taken time off from work to get this issue settled. There is no reason for a postponement. Please listen to the majority in our neighborhood. Thank you very kindly.  
Gordon & Lois Sherman  
5408 Smoky Trail

--  
Dan Kelly  
MPC, Development Services Manager  
(865) 215-2500



Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

**Fwd: Regarding agenda item 4-F-12-UR: HARRY WIERSEMA South side of Smoky Trl., south of Shenandoah Dr.**

1 message

**Mark Donaldson** <mark.donaldson@knoxmpc.org> Thu, May 10, 2012 at 4:19 PM  
To: Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>, Buz Johnson <Buz.Johnson@knoxmpc.org>, Dan Kelly <Dan.Kelly@knoxmpc.org>

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

From: **Mark D Hipshire** <mhipshir@mac.com>  
Date: Thu, May 10, 2012 at 12:49 PM  
Subject: Regarding agenda item 4-F-12-UR: HARRY WIERSEMA South side of Smoky Trl., south of Shenandoah Dr.  
To: [mark.donaldson@knoxmpc.org](mailto:mark.donaldson@knoxmpc.org)

Dear Mr. Donaldson,

Please pass on my concerns to the rest of MPC and your staff that I am another Timbercrest subdivision neighbor opposed to Mr. Wiersema's request for variance in his zoning for off-street parking. Nobody else in the neighborhood has been given a variance equivalent to this, so it is my feeling that this is a case of spot zoning, which your commission is also opposed to. We have a residential neighborhood, and it needs to remain consistently that way, thank you.

Additionally, addressing Mr. Wiersma's plans and actions specifically, he has long been a neighbor who did not respect the rest of his neighbors in our subdivision by parking non-working vehicles in his front yard, and on the street, plus he repeatedly let his lot in general become overgrown. Even now, on the eve of his request, he has only paid cursory attention to cleanup of his property, so how are we neighbors to believe that he will even adhere to his sub-optimal plan regarding parking? Another of my neighbors is already on record of noting that he does NOT respect immediate neighbors regarding his customers' parking. Further, if he was serious about being a good neighbor, he needs to propose to put ALL parking behind his home, in his back yard. These complaints are just to underscore the fact that he is not really considering the wishes of his neighbors, nor respecting the zoning of our subdivision, and that is why I am also asking for MPC to deny his request.

Thank you for your consideration in this matter.

Regards,

Mark D Hipshire

**NOTE MY NEW CONTACT INFO SHOWN HERE BELOW:**

(My old, [mhipshir@utk.edu](mailto:mhipshir@utk.edu) e-mail still works, but this is the better way for friends and family to reach me by e-mail now.)

=====  
Email: [mhipshir@mac.com](mailto:mhipshir@mac.com) or [mhipshir@me.com](mailto:mhipshir@me.com) (it's the same e-mail)  
C: (865) 789-2552 H: (865) 329-6765 W: (865) 974-7524  
=====

Government is not reason; it is not eloquent; it is force. Like fire, it is a dangerous servant and a fearful master. - George Washington

Guard with jealous attention the public liberty. Suspect everyone who approaches that jewel... The battle, Sir, is not to the strong alone; it is to the vigilant, the active, the brave. - Patrick Henry

10 May 2010  
0800

p1 of 2pp

To: MPC, City & County Commissioners

From: The James Crawfords  
5424 Lance Dr. } Timbercrest  
Knoxville, TN 37909 }

- #1. No zoning changing to a business of any sort in this family home neighbor hood of Timbercrest.
- #2. We said "NO" the first time, a couple of weeks ago. What part of 'NO' do lawyers not understand?
- #3. We have a long precedence of opposing and not allowing such or any businesses in this neighborhood. Lawyers usually like to talk about the importance of precedence. It bears on this case. They also talk much about history and examples.
- #4. These lawyers had already been advertising their business [Yellow Pages, internet] using their Smokey Trails, residential address. Doesn't that violate codes?
- #5. This week a man [Harry?] came knocking on our door campaigning for his business. My husband, who is sick, went to the door and became irate at this tactic. Jim is not pleased about another hearing and due to his ailments unable to attend. He is not driving a vehicle just now →  
Cont.

thus, I must do all the driving, house-  
hold chores, etc, doctor visits, etc. Therefore,  
it is extremely difficult for me to "get off  
work," leaving him alone for a long period, to  
go to MPC and other meetings. Typically,  
we spend all afternoon waiting for our  
case to come up, then a lawyer stands  
up and announces that they have rescheduled  
it (without telling us) or some other move that  
is handy for them and we've wasted a day.  
I am very tired of that, too.

#6. I know you prefer a body count at these  
sessions, but I need to care for my  
husband today. The other home owner, my  
daughter, is in school, so please count  
this as 3 bodies present and voting NO.

#7. There is NO reason to negotiate this.  
Going changes stay with the property until  
rezone, so they are sold with the house

Thank you

Lindsay Crawford, James Crawford,  
and Audrey F. Little-Crawford

sent to Kirk Anderson

**Support For Metropolitan Planning Commission (MPC) Use on Review  
for a Professional Office in a Residential Area**

*I agree to allowing Harry Wiersema and Natalie LeVasseur who live at 5420 Smoky Trail in the Timbercrest Subdivision to operate a small in-home law office on the lower floor of their residence (only so long as they live there) with one employee with no change in zoning, subject to the restrictions: (Which Harry and Natalie have requested to be added )*

- 1. No meetings with clients on premises.**
- 2. Only Natalie or Harry can practice at 5420 Smoky Trail, and only if they live there. No one else buying or renting this house can practice in or out of 5420 Smoky Trail under this Use on Review.**
- 3. No signs on premises and no use of 5420 Smoky Trail in any Media.**
- 4. Post office box will be used for office mail and deliveries.**

	NAME	ADDRESS	DATE
1.	Robert P. Walte	5516 Timbercrest Trl	5/9/2012
2.	Lisa R. Ciavonetti	5516 Timbercrest Trl.	5/9/2012
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Support For Metropolitan Planning Commission (MPC) Use on Review for a Professional Office in a Residential Area

I agree to allowing Harry Wiersema and Natalie LeVasseur who live at 5420 Smoky Trail in the Timbercrest Subdivision to operate a small in-home law office on the lower floor of their residence (only so long as they live there) with one employee with no change in zoning, subject to the restrictions: (Which Harry and Natalie have requested to be added)

- 1. No meetings with clients on premises.
2. Only Natalie or Harry can practice at 5420 Smoky Trail, and only if they live there. No one else buying or renting this house can practice in or out of 5420 Smoky Trail under this Use on Review.
3. No signs on premises and no use of 5420 Smoky Trail in any Media.
4. Post office box will be used for office mail and deliveries.

Table with 3 columns: NAME, ADDRESS, DATE. Contains handwritten entries for Herri Martin and Laura Coens.



**Support For Metropolitan Planning Commission (MPC) Use on Review  
for a Professional Office in a Residential Area**

*I agree to allowing Harry Wiersema and Natalie LeVasseur who live at 5420 Smoky Trail in the Timbercrest Subdivision to operate a small in-home law office on the lower floor of their residence (only so long as they live there) with one employee with no change in zoning, subject, of course, to the requirements for a Professional Office Use on Review for R-I Zoning.*

	NAME	ADDRESS	DATE
21.	x Honika Santos-Silva	5409 Smoky Trail	3/26/12
22.	x [Signature]	5409 Smoky Trail	3/26/12
23.	[Signature]	5438 Shenandoah Dr.	4/9/12
24.	[Signature]	5424 SHENANDOAH DR	4/9/12
25.	Tracy Anne Ragan	" " "	" "
26.	[Signature]	5428 Shenandoah Dr	4/9/12
27.	Jerry Bell	5420 Shenandoah Dr	4/9/12
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**Support For Metropolitan Planning Commission (MPC) Use on Review  
for a Professional Office in a Residential Area**

*I agree to allowing Harry Wiersema and Natalie LeVasseur who live at 5420 Smoky Trail in the Timbercrest Subdivision to operate a small in-home law office on the lower floor of their residence (only so long as they live there) with one employee with no change in zoning, subject, of course, to the requirements for a Professional Office Use on Review for R-1 Zoning.*

	NAME	ADDRESS	DATE
1.	Thomas N Street III	5405 Smoky Trail	3/25/12
2.	Gail & David Vaughan	5401 Smoky Dr	3/25/12
3.	Nela Ann Brummitt	5428 Smoky Trail	3-25-12
4.	Jamy Brummitt	5428 Smoky TR	3-25-12
5.	Bob & Lindsey Taylor	5437 Shenandoah Dr	3/25/12
6.	LA Brasseur	1601 Timber Pass	3/26/12
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## Support For Metropolitan Planning Commission (MPC) Use on Review for a Professional Office in a Residential Area

*I agree to allowing Harry Wiersema and Natalie LeVasseur who live at 5420 Smoky Trail in the Timbercrest Subdivision to operate a small in-home law office on the lower floor of their residence (only so long as they live there) with one employee with no change in zoning, subject, of course, to the requirements for a Professional Office Use on Review for R-1 Zoning.*

	NAME	ADDRESS	DATE
1.	Dave Spate	5416 Smoky Tr	2/25/12
2.	Chuck Meyer	5430 Shanandoch Dr.	2-25-12
3.	Rena Shuren	5424 Smoky Trail	2-25-12
4.	Victoria Lynn Santi	5416 Smoky Trail	2-25-12
5.	Ann Bial	5400 Smoky Tr	2/28/12
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Betty Jo Mahan &lt;bettyjo.mahan@knoxmpc.org&gt;

**Fwd: disagree with Kirk Anderson**

1 message

Dan Kelly <dan.kelly@knoxmpc.org>  
To: Betty Jo Mahan <bettyjo.mahan@knoxmpc.org>

Thu, Apr 12, 2012 at 8:09 AM

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

From: **Martin, Kerri (Kerri)** <kmarti50@utk.edu>  
Date: Wed, Apr 11, 2012 at 7:05 PM  
Subject: disagree with Kirk Anderson  
To: "Dan.Kelly@knoxmpc.org" <Dan.Kelly@knoxmpc.org>

Hello Mr. Kelly,

My neighbor, Kirk Anderson, distributed flyers throughout the neighborhood in which he calls for all to oppose the application by Harry Weirsema to operate a law practice out of his home on 5420 Smoky Trail. I live at the back of the neighborhood, 5423 Lance Dr. 37909. I do NOT agree with Mr. Anderson's attempt to block Mr. Weirsema's plans.

I have never met Mr. Weirsema, but I resent Mr. Anderson's *alarmist* statement in the flyer that "it has come to our attention that there have been recent code violations against the owners of this property." He does not mention what those violations are (Did Mr. Weirsema not cut his grass often enough to suit someone?), or who filed the complaint (I have a neighbor who frequently threatens to turn me and other neighbors in for a code violation if we don't move our garbage cans away from the street by the evening of the day the garbage is collected).

A few years ago, Mr. Anderson was involved in a similar attempt to block another neighbor from operating a business out of her house. She was a piano teacher, which he did not mention in the flyer he distributed on that occasion. That effort failed.

While I appreciate the efforts of Mr. Anderson regarding certain aspects of our neighborhood, I do not appreciate the methods he uses to get other neighbors to support some of his personal issues. I have no problem with Mr. Weirsema being able to run his business from home. It seems to me that Mr. Anderson does the same with his lawn maintenance business-the only difference is that he goes to his clients rather than having them come to him.

Please take my thoughts into account when you are considering this issue tomorrow. I regret that I did not see the information in time to email the MPC before 3:00 so each of the members could have access to varying opinions on this.

Thank you very much,

Kerri Martin

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