## Council of West Knox County Homeowners, Inc.

Representing Homeowners since 1971

January 11, 2017

Admiral's Landing **Ashley Oaks Belmont West Breakers at Riversound Briarglen** Carrollwood Cedardale **Charles Towne Landing Cobblestone Park** Crestline **Crestwood Hills Eagle Glen Farrington Foxfire Heritage Woods Heron's Pointe** 

**Karns Community Club** 

**Lovell Rd./Lovell View** 

Lakeridge

Madison Ridge Magnolia Pointe McKenzie Meadows

Morgan Place New Kensington

Sevenoaks

**Northshore Landing** 

**Sevenoaks West** 

**Sherman Oaks** 

Tan Rara Oeste

The Mill at Choto Trails End

**Wedgewood Hills** 

**Woods at Bluegrass** 

**Woods at West Valley** 

Wesley Place Westland - West

Westshore

**Villas at Lyons Crossing** 

Re: Item #48, File ID 1-I-17-RZ

The Council of West Knox County Homeowners asks that you deny this application.

This rezoning request, at 725 Ebenezer Rd., is to allow a halfway house that would provide room and board for up to 30 residents who are recovering from drug addiction. While we recognize the need to provide this service, the proposed use is too intensive for this location. The county ordinance does not currently regulate halfway houses, and an unregulated halfway house would not be in the best interest of the surrounding community.

- 1. Knox County does not currently give a definition of halfway house in its ordinances and does not provide guidelines for the regulation of this type of group residence. The closest county definition of this type use would be "Boarding House," which is for not more than 12 people, or "Congregate Housing," which is for the elderly. The City of Knoxville does define this type of use, however, and has established reasonable requirements insuring that a halfway house must not be within 300 feet of a park, school, or day care; must be within 1,000 feet of public transit; and must provide notification to law enforcement prior to occupancy (see attached City of Knoxville definition and ordinances).
- 2. This location is next to a Knox County—owned park (see attached **Dunn map**).
- 3. This location is more than a mile from public transit (see attached closest bus distance).
- 4. Little is known aboutt he qualifications of this facility's management. This facility, called Mandala Recovery Services, may have breached the confidentiality of residents. Mandala has a Facebook page on which the page administrator (acting on behalf of Mandala) responded to a former resident and gave out information about past and present residents using their first names, indicating that at least one continued to use drugs while living in the halfway house (see screen captures of Mandala directors' FB page comments.)
- 5. The proposed facility has been illegally operating for at least 11 months in a zone where it is not allowed (see screen capture of Mandala directors' FB comment).
- 6. The map of the area contained in the application does not accurately show the hundreds of residential properties immediately across the street from this location (see attached area residential ownership map).
- 7. Before this halfway house or similar use is permitted in the county, we ask that MPC work with County Commission to create county standards for halfway houses to insure they operate in harmony with the general purpose and intent of the Zoning Ordinance.

Thank you,

Margot Kline

Margot Kline

President, Council of West Knox County Homeowners

Officers:

President: Vice President: Secretary: Treasurer: Parliamentarian: Margot Kline Sue Mauer Judy Horn Betty Spurling Jerry Erpenbach margotkline@gmail.com 690-0269 (ph) 769-2503 (fax) jmjh2010@gmail.com bgspurling@knology.net Erpenbach\_j@bellsouth.net Directors:

vacant Tootie McCook Dave Rivoira Frank Slagle

tootiem125@aol.com drivoira@comcast.net fslagle@toolcrib.com City of Knoxville definition and ordinances:

Halfway house: An approved residential facility licensed for the housing, rehabilitation, and/or training of persons on probation, parole, or early release from correctional institutions, or other persons found guilty of criminal offenses, and court-ordered to reside at the subject facility.

## C-2 (central business districts) WITHOUT use on review

## Halfway houses subject to the following standards:

- a. No other *halfway house* located within one (1) mile of this site.
- b. A site cannot be located within three hundred (300) feet of a park, school, or day care center.
- c. The use shall comply with all applicable city, state, and federal codes and regulations.
- d. The site shall be within one thousand (1,000) feet of an established transit route.
- e. Signs identifying a use as a halfway house are not permitted.
- f. The city police department must be provided with a written notification of the use prior to its occupancy.

\_\_\_\_\_

#### C-3 (general commercial district) WITHOUT use on review

## Halfway houses with maximum capacity of five (5) persons subject to the following standards:

- a. No other halfway house located within one (1) mile of this site.
- b. A site cannot be located within three hundred (300) feet of a park, school, or day care center.
- c. The use shall comply with all applicable city, state, and federal codes and regulations.
- d. The site shall be within one thousand (1,000) feet of an established transit route.
- e. Signs identifying a use as a halfway house are not permitted.
- f. The city police department must be provided with a written notification of the use prior to its occupancy.

#### C-3 (general commercial district) WITH use on review

## Halfway houses with greater than five (5) persons subject to the following standards:

- a. A site cannot be located within three hundred (300) feet of a park, school, or day care center.
- b. The use shall comply with all applicable city, state, and federal codes and regulations.
- c. The site shall be within one thousand (1,000) feet of an established transit route.
- d. Signs identifying a use as a *halfway house* are not permitted.
- e. The city police department must be provided with a written notification of the use prior to its occupancy.

## C-4 (highway and arterial commercial districts) WITHOUT use on review

## Halfway houses with maximum capacity of five (5) persons subject to the following standards:

- a. No other *halfway house* located within one (1) mile of this site.
- b. A site cannot be located within three hundred (300) feet of a park, school, or day care center.
- c. The use shall comply with all applicable city, state, and federal codes and regulations.
- d. The site shall be within one thousand (1,000) feet of an established transit route.
- e. Signs identifying a use as a *halfway house* are not permitted.
- f. The city police department must be provided with a written notification of the use prior to its occupancy.

#### C-4 (highway and arterial commercial districts) WITH use on review

#### Halfway houses with greater than five (5) persons subject to the following standards:

- a. A site cannot be located within three hundred (300) feet of a park, school, or day care center.
- b. The use shall comply with all applicable city, state, and federal codes and regulations.
- c. The site shall be within one thousand (1,000) feet of an established transit route.
- d. Signs identifying a use as a halfway house are not permitted.
- e. The city police department must be provided with a written notification of the use prior to its occupancy.

#### C-6 (general commercial park district) WITHOUT use on review

## Halfway houses with maximum capacity of five (5) persons subject to the following standards:

- a. No other *halfway house* located within one (1) mile of this site.
- b. A site cannot be located within three hundred (300) feet of a park, school, or day care center.
- c. The use shall comply with all applicable city, state, and federal codes and regulations.
- d. The site shall be within one thousand (1,000) feet of an established transit route.
- e. Signs identifying a use as a halfway house are not permitted.
- f. The city police department must be provided with a written notification of the use prior to its occupancy.

#### C-6 (general commercial park district) WITH use on review

#### Halfway houses with greater than five (5) persons subject to the following standards:

- a. A site cannot be located within three hundred (300) feet of a park, school, or day care center.
- b. The use shall comply with all applicable city, state, and federal codes and regulations.
- c. The site shall be within one thousand (1,000) feet of an established transit route.
- d. Signs identifying a use as a halfway house are not permitted.
- e. The city police department must be provided with a written notification of the use prior to its occupancy.

#### O-2 (civic and institutional districts) WITHOUT use on review

## Halfway houses with maximum capacity of five (5) persons subject to the following standards:

- a. No other *halfway house* located within one (1) mile of this site.
- b. A site cannot be located within three hundred (300) feet of a park, school, or day care center.
- c. The use shall comply with all applicable city, state, and federal codes and regulations.
- d. The site shall be within one thousand (1,000) feet of an established transit route.
- e. Signs identifying a use as a halfway house are not permitted.
- f. The city police department must be provided with a written notification of the use prior to its occupancy.

## O-2 (civic and institutional districts) WITH use on review

#### Halfway houses with greater than five (5) persons subject to the following standards:

- a. A site cannot be located within three hundred (300) feet of a park, school, or day care center.
- b. The use shall comply with all applicable city, state, and federal codes and regulations.
- c. The site shall be within one thousand (1,000) feet of an established transit route.
- d. Signs identifying a use as a halfway house are not permitted.
- e. The city police department must be provided with a written notification of the use prior to its occupancy.

## O-1 (office, medical, and related services district) WITHOUT use on review

#### Halfway houses with maximum capacity of five (5) persons subject to the following standards:

- a. No other *halfway house* located within one (1) mile of this site.
- b. A site cannot be located within three hundred (300) feet of a park, school, or day care center.
- c. The use shall comply with all applicable city, state, and federal codes and regulations.
- d. The site shall be within one thousand (1,000) feet of an established transit route.
- e. Signs identifying a use as a halfway house are not permitted.
- f. The city police department must be provided with a written notification of the use prior to its occupancy.

#### O-1 (office, medical, and related services district) WITH use on review

## Halfway houses with greater than five (5) persons subject to the following standards:

- a. A site cannot be located within three hundred (300) feet of a park, school, or day care center.
- b. The use shall comply with all applicable city, state, and federal codes and regulations.
- c. The site shall be within one thousand (1,000) feet of an established transit route.
- d. Signs identifying a use as a halfway house are not permitted.
- e. The city police department must be provided with a written notification of the use prior to its occupancy.

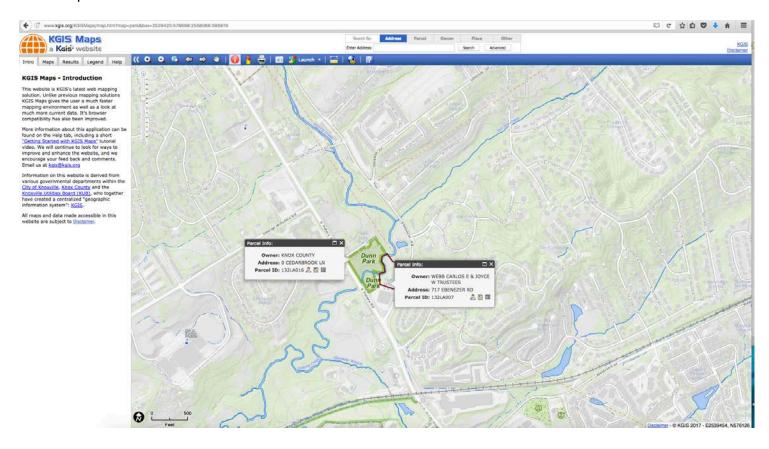
\_\_\_\_\_

## R-2 (general residential district) WITH use on review

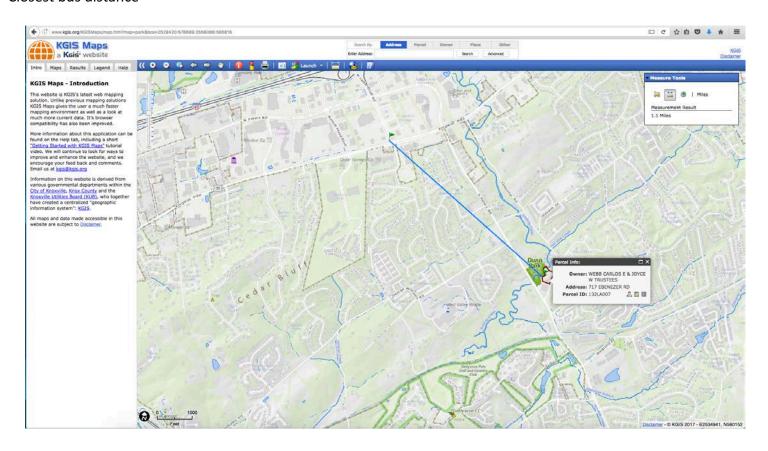
## Halfway houses with maximum capacity of five (5) persons subject to the following standards:

- a. No other halfway house located within one (1) mile of this site.
- b. A site cannot be located within three hundred (300) feet of a park, school, or day care center.
- c. The use shall comply with all applicable city, state, and federal codes and regulations.
- d. The site shall be within one thousand (1,000) feet of an established transit route.
- e. Signs identifying a use as a *halfway house* are not permitted.
- f. The city police department must be provided with a written notification of the use prior to its occupancy.

#### Dunn map



#### Closest bus distance



#### Screen captures of Mandala FB page comments



#### Products

HOME

REVIEWS

Sober living housing with 12 step program for women lasting 90 days up to one year.

**ABOUT** 

POSTS

**PHOTOS** 

#### About

Dr. W. Holland, Hollie Evans & Summer Woods open Mandala House, a non-profit sober living facility to help women in recovery transition back into society.

#### Mission

You must be the change you wish to see in the world. -Gandhi



3:13 PM





Siten Here reviewed Mandala Recovery Services Mandala House — 23

September 24 at 2:31pm · 💮

mandala is a joke!!!!!!! it's all about money. Right now there is about 30. Girls there, 600 dollars a month plus 25 a week for gas if you work. and i have seen girls pay this even if they don't work. i've seen them holly and summer tell a girl to get her shit and leave (at 11:00 pm.this is not right, she had no where to go this late at night this is a money game, it's all about money...... as soon as you walk in bend over.

i am uery madd. pissed off. somebody needs to contact me, i not letting this go. i will make some noise







## Mandala Recovery Services Mandala House

I am sorry that you are upset about being discharged, but we agonize over each and every one. And we have never been about the money. That's why 50% of both houses owes an outstanding balance. However, if you owe walmart, electric company, or any business you have to pay when due. Why you think that should be different for you is beyond me. However, that's not why Devon was discharged. Until someone is done there is nothing we can do. I am not at liberty to say more. Nor have we ever put anyone out a 11pm. Rachel had a choice. She chose you for what you have been given her. Until you surrender and get honest what can anyone do. We even gave Devon and option. She chose to leave instead. Please don't be mad at us. We took her for nothing. How does that make us all about the money? You cannot lie and cheat. When you walk through these doors those behaviors must stop. Also, get the price correct. It's \$125 a week and if you have a job we charge \$25 a week to provide transportation. For a total of \$150. We are competitive with all other houses except we provide transportation to everything we require, classes, and are located in a nice part of the city. Why are you so caught up on cost when you only paid \$23.00 the 5 weeks you were here. All we wanted from you was a list of where your check went. You left instead. I don't lie today. You need to stop. Devon hiding behind whoever's Facebook page this is, really? Grow up.

Like · 6 2 · Reply · More · Sep 24



# Mandala Recovery Services Mandala House

One more thing Devon, Siten Here, as your other Facebook page, says it all.

Like · Reply · More · Sep 24

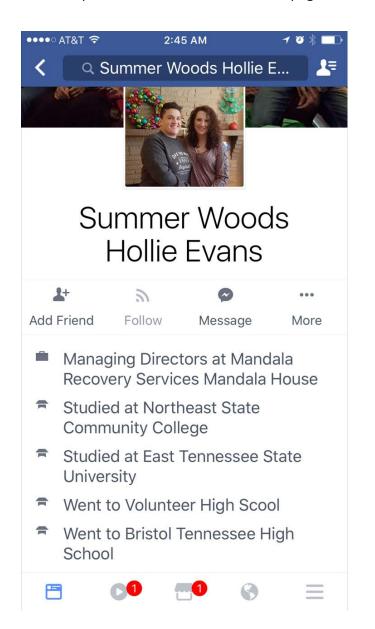


Write a reply...

Reply







## Comments

Done



Summer Woods Hollie Evans
Doing great Zack Brotherton.
Better than I could have ever
imagined. Opening our new
building -added 30 beds. God is
good. Check out our FB Mandala
Recovery Services. Hope all is well
with you and your sweet family.

February 25, 2016 · 🖒 2



#### Allen Burnette

Hope you guys are doing great. Do you need anything for your new facility.

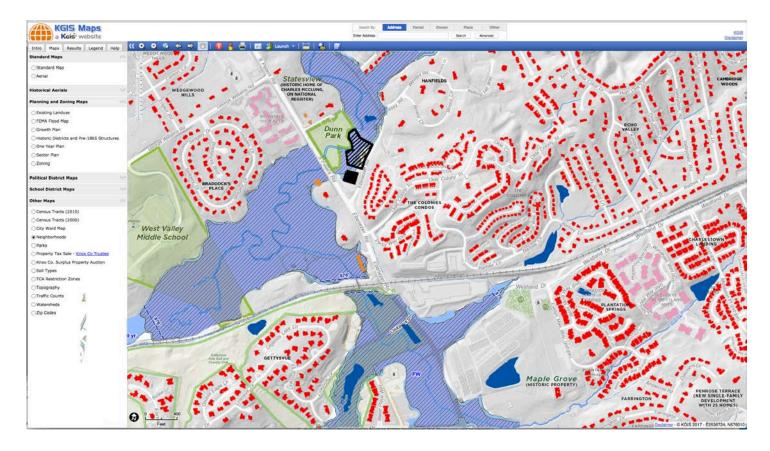
February 26, 2016



Summer Woods Hollie Evans
Thanks Allen Burnette. Actually,
we are still looking for quite a few
more items. If you know anyone
with furniture, couch tables chairs,
for sale or a dryer, let me know.
Other than that it's the small things

→ Share

Area residential ownership map (The red dots indicate existing privately owned residences. The cross-hatched areas in blue are flood zone and are not likely to ever be developed extensively) The cross-hatched area in black is the proposed location of the halfway house. The black building beside it is a storage facility that was strongly opposed





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

## [MPC Comment] Please vote no to Item 48, 1-I-17-RZ

Frank Slagle <fslagle@toolcrib.com>

Wed, Jan 11, 2017 at 4:13 PM

Reply-To: fslagle@toolcrib.com

To: Margot Kline <margotkline@gmail.com>, Knoxville-Knox County Metropolitan Planning Commission <gerald.green@knoxmpc.org>, commission@knoxmpc.org

Cc: Dave Rivoira <a href="mailto:com/rivoira@comcast.net">drivoira@comcast.net</a>, Judy Horn <a href="mailto:jmjh2010@gmail.com">jmjh2010@gmail.com</a>, TootieM125@aol.com, JEROME J JR ERPENBACH <a href="mailto:erpenbach\_j@bellsouth.net">erpenbach\_j@bellsouth.net</a>, Betty Spurling <a href="mailto:bgspurling@knology.net">bgspurling@knology.net</a>>

**Great letter Margot!** 

Thanks for doing this.

I brought this up at the Community Forum meeting today and was told the City Ordinance for "Halfway Houses" is a mess. We need a good ordinance, but suggested we not use the City Ordinance as a Model. Hugh Nystrom was at Community Forum today so he heard all of the discussion.

Thanks again,

Frank

From: Margot Kline [mailto:margotkline@gmail.com]

Sent: Wednesday, January 11, 2017 3:47 PM

**To:** Knoxville-Knox County Metropolitan Planning Commission < gerald.green@knoxmpc.org >; commission@knoxmpc.org

**Cc:** Dave Rivoira <a href="mailto:com/com/cast.net">ct: Dave Rivoira <a href="mailto:com/com/cast.net">ct: Dave Rivoira <a href="mailto:com/cast.net">ct: Dave Rivoir

Subject: Please vote no to Item 48, 1-I-17-RZ

[Quoted text hidden] [Quoted text hidden]