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37901

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[fmsllp.com](http://fmsllp.com)

September 10, 2018

MPC Commissioners  
Knoxville-Knox County MPC  
City County Building, Suite 403  
400 Main Street  
Knoxville, TN 37902

*Via E-Mail: [commission@knoxmpc.org](mailto:commission@knoxmpc.org)*

Re: Item 36 – Applicant Kenneth Gilreath

Dear Mr. Gilreath:

Applicant Ken Gilreath seeks to rezone property being tax parcel 084 114 and a portion of tax parcel 097 001.03 (collectively being the “Property”) from A (Agricultural) and F (Floodway) to CA (General Business) and F (Floodway). Mr. Gilreath relatedly seeks to amend the Sector Plan for the Property from LDR (Low Density Residential) & SP (Stream Protection) to GC (General Commercial) & SP (Stream Protection).

The purpose of the above requests is to bring the Property’s zoning and sector plan designation in harmony with long-standing commercial use of the Property—which predates the adoption of the Knox County Zoning Ordinance—and present surrounding zoning classifications. MPC staff has recommended against granting such requests. We respectfully request that MPC consider Mr. Gilreath’s contentions herein and grant Mr. Gilreath’s request.

### **I. Current Property Conditions**

By way of background, the parcel immediately to the west of the Property (tax parcel 083 060.02) sits at the intersection of Strawberry Plains Pike and E. Governor John Sevier Highway and is zoned PC (Planned Commercial Zone). The land immediately to the east of the Property (a portion of tax parcel 097 001.03 together with tax parcel 084 117) is already zoned CA (General Business). Accordingly, the Property’s east and west boundaries border land already zoned for commercial use.

To the south, the Property is immediately bordered almost exclusively by land (tax parcel 083 083) zoned I (Industrial). That parcel is currently used as a warehouse and distribution

facility. The Property shares a small border with land (tax parcel 084 230) zoned A (Agricultural).

Strawberry Plains Pike acts as the Property's northern boundary. Strawberry Plains Pike is classified as a "major arterial street." See excerpts from 2010 Major Road Plan, attached to this letter as **Exhibit 1**. The land across Strawberry Plains Pike (tax parcel 084 114.08) is zoned A (Agricultural) and is used for livestock grazing. Tax records show that a residential house on that lot was demolished in 2013. See Parcel 084 114.08 Tax Card, attached to this letter as **Exhibit 2**.

In short, the Property is surrounded almost exclusively by commercial and industrial zoned land and a major arterial street. The land immediately across Strawberry Plains Pike has not housed a residential dwelling since 2013, when the structure was demolished. Additionally, the Property is only one parcel removed from the intersection of Strawberry Plains Pike and E. Governor John Sevier Highway. We agree with MPC staff's observation that "[n]on-residential uses in this area have been established . . . at [this] intersection," but respectfully disagree that the Property's location renders it "separated" from this intersection area. See MPC Staff Report.

The structure existing on the Property is a commercial structure that was built, at the latest, by the 1940s. Specific past commercial uses of the building on the Property are described below. There is no indication that the Property was designed or used for residential purposes.

## II. Property History

Our research demonstrates that the Property has long been used for a variety of commercial purposes. Prior to 1970, and since the 1940's, the Property was used as a bottling and distribution facility, bottling milk produced by area farms for distribution. Conversations with a former employee of the bottling and distribution facility revealed these details. Under today's zoning code, this use would fall under "[b]ottling or packaging works" permitted only within an CB (Business and Manufacturing) zone. Knox County Zoning Ordinance, art. V, § 5.32.02(F). The former employee also stated that after the Property's use as a bottling and distribution facility ended, the Property was then used for a time as a gas supply business in the 1980s and the early 1990s.

In 1998, part of the Property (specifically, tax parcel 084 114) was reclassified for local property tax purposes as commercial property. See Parcel 084 114 Tax Card, attached to this letter as **Exhibit 3**. The 1999 Knoxville street directory lists a "C&O Seamless Guttering & Siding siding materials" at parcel 084.114's address (5626 Strawberry Plains Pike). See excerpt from 1999 Knoxville Street Directory, attached to this letter as **Exhibit 4**. The 2003 Polk Knoxville street directory lists "C&O Seamless Guttering Inc gutters & downspouts" at this location. See excerpt from 2003 Polk Knoxville Street Directory, attached to this letter as **Exhibit 5**. Thus, this particular commercial operation likely operated from at least 1999 through 2003. Additionally, Google street views demonstrate that a car lot operated on the Property from at least September 2011 through January 2017. See Google Street View Images, attached to this

letter as **Collective Exhibit 6**. It appears Knox County officials allowed the car lot to operate as a “legal non-conforming use.” See Code Enforcement Letter, attached to this letter as **Exhibit 7**.

In sum, the Property’s history shows the existing and continued demand for commercial uses of the Property without any complaints about such commercial uses. Notably, during these past commercial uses of the Property, the Knox County Code Administration has received **no** complaints about the Property’s use. See MPC Staff Report.

### **III. Amendment Standards**

The requirements for amending the sector plan consist of:

1. Introduction of significant new roads or utilities that were not anticipated in the plan and make development more feasible;
2. An obvious and significant error or omission in the plan;
3. Changes in government policy, such as a decision to concentrate development in certain areas; or
4. Trends in development, population, or traffic that warrant reconsideration of the original plan proposal.

Here, the past and existing commercial uses on the Property—without complaint—appear to be an omission in the plan. In any event, the facts of the long-standing commercial use of the Property is a trend in development that warrants reconsideration of the current plan designation. Enabling this newly-revealed information also constitutes a new government policy justifying a plan amendment.

The standards for amending the zoning map consist of:

- A. The proposed amendment shall be necessary because of substantially changed or changing conditions in the area and zones affected, or in the county generally.
- B. The proposed amendment shall be consistent with the intent and purposes of this resolution.
- C. The proposed amendment shall not adversely affect any other part of the county nor shall any direct or indirect adverse effects result from such an amendment.
- D. The proposed amendment shall be consistent with and not in conflict with the General Plan of Knoxville and Knox County including any of its elements, Major

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Road Plan for Knoxville and Knox County, Tennessee, Land Use Plan,  
Community Facilities Plan, and others.

Knox County Zoning Ordinance, art. VI, § 6.30.01.

Mr. Gilreath's requested amendment is necessary because of the long-standing conditions in the Property's area creating a demand for continued commercial use of the Property. The proposed amendment is consistent with the bordering commercial and industrial uses, and would not give rise to an adverse effect, as no known complaints occurred about past commercial uses of the Property. Given the proposed amendment's compatibility with the bordering uses, the proposed amendment furthers principles of orderly, consistent development.

Accordingly, we respectfully request that MPC recommend approval of Mr. Gilreath's proposed amendment to the sector plan and zoning classification for the Property.

Sincerely,



Arthur G. Seymour, Jr.

FRANTZ, McCONNELL & SEYMOUR, LLP

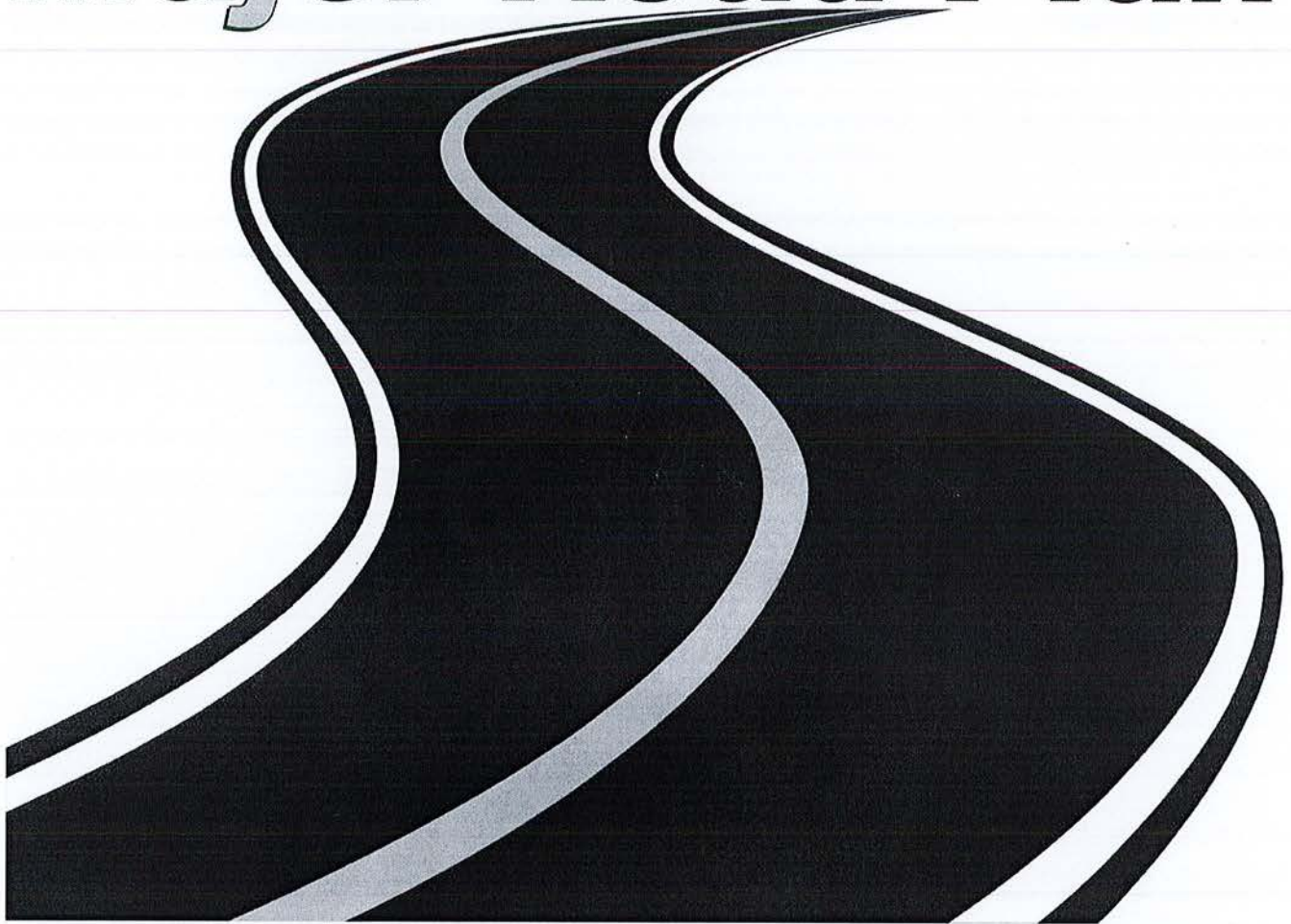
AGSJ:tme

Encls.

cc: Mr. Kenneth Gilreath (via e-mail)

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# *Major Road Plan*



***for The City of Knoxville and Knox County***

**May 2011**

***Prepared by the  
Knoxville-Knox County Metropolitan Planning Commission***

## Knoxville-Knox County Major Road Plan

Street Name	Classification	From	To	ROW
Shannondale Road	Minor Collector	Oriole Drive	Tazewell Pike	50
Sheffield Drive	Minor Collector	Bennington Drive	Wesley Road	60
Sherrill Boulevard	Major Collector	N Cedar Bluff Road	Dutchtown Road	100
Shipe Road	Major Collector	Washington Pike	Rutledge Pike	60
Sims Road	Minor Collector	Maryville Pike	Brown Road	60
Sisk Road	Minor Collector	Hazelwood Road	Pleasant Ridge Road	70
Sixteenth Street	Minor Collector	Highland Avenue	Cumberland Avenue	50
Sixth Avenue	Minor Collector	N Fifth Avenue	Cecil Avenue	60
Skyline Drive	Minor Collector	Fern Street	S Chilhowee Drive	50
Snyder Drive	Minor Collector	Campbell Station Road	Lovell Road	60
Snyder School Road	Minor Collector	Yarnell Road	Snyder Road	60
Solway Road	Minor Collector	Oak Ridge Highway	Sam Lee Road	60
	Major Collector	Sam Lee Road	Hardin Valley Road	60
South Haven Road	Minor Collector	Island Home Avenue	Sevierville Pike	60
Southgate Road	Minor Collector	Scenic Drive	Cherokee Boulevard	50
Spring Hill Road	Minor Collector	Millertown Pike	Rutledge Pike	50
Steele Road	Minor Collector	Sam Lee Road	Hardin Valley Road	60
Stock Creek Road	Minor Collector	Neubert Springs Road	Blount County line	60
Stone Road	Minor Collector	Chapman Highway	Magazine Road	60
Stormer Road	Minor Collector	E Emory Road	Beeler Road	60
Strawberry Plains Pike	Minor Arterial	River Shores Drive	Governor John Sevier Highway	60
	Major Arterial	Governor John Sevier Highway	I-40	100
	Minor Arterial	I-40	Asheville Highway	100
	Major Collector	Asheville Highway	Andrew Johnson Highway	70
Sullivan Road	Minor Collector	Western Avenue	Pleasant Ridge Road	60
Summit Hill Drive	Major Arterial	Henley Street	Hall of Fame Drive	88
	Minor Arterial	Hall of Fame Drive	Dandridge Avenue	88
Sutherland Avenue	Minor Arterial	Partners Pl	Concord Street	88
	Minor Arterial	Concord Street	Forest Park Boulevard	70
	Minor Arterial	Forest Park Boulevard	Westwood Drive	50
Tarkin Valley Road	Minor Collector	Pickens Gap Road	Blount County line	60
Tarwater Road	Minor Collector	Haws Road	Tipton Station Road	60
Tate Trotter Road	Minor Collector	Conner Road	Bishop Road	60
Taylor Road	Minor Collector	Woodlawn Pike	Sevier Heights Road	60
Tazewell Pike	Minor Arterial	Broadway	Old Tazewell Pike	88
	Major Collector	Old Tazewell Pike	Union County line	60
Tedford Lane	Minor Collector	Keller Bend Road	Tooles Bend Road	60
Tell Mynatt Road	Minor Collector	Maynardville Highway	Majors Road	60
Tennessee Avenue	Minor Collector	Western Avenue	Johnston Street	50
Tenwood Drive	Minor Collector	Knott Road	Glenpark Road	60
Texas Avenue	Major Collector	Western Avenue	O'Neal Street	60
Texas Valley Road	Major Collector	Maynardville Pike	Union County line	60
Third Creek Road	Major Collector	S Middlebrook Pike	Hinton Road	60
	Minor Collector	Hinton Road	Western Avenue	60
Thomas Weaver Road	Major Collector	Hill Road	Union County line	60
Thompson Road	Minor Collector	Hardin Valley Road	Lovell Road	60
Thompson School Road	Major Collector	Wood Road	E Emory Road	60
Thorngrove Pike	Major Collector	Strawberry Plains Pike	Asbury Road (North)	60
	Minor Collector	Asbury Road (North)	Governor John Sevier Highway	60
	Minor Collector	Governor John Sevier Highway	Asbury Road (South)	60
	Minor Arterial	Asbury Road (South)	Kodak Road	100
	Minor Arterial	Kodak Road	Midway Road	70
	Major Collector	Midway Road	Sevier County line	70
Tillery Road	Minor Collector	Bell Campground Road	Anderson County Line	60

STATE OF TENNESSEE REAL ESTATE APPRAISAL CARD

Owner: 5621 STRAWBERRY PLAINS PIKE  
 Sited: MICHAEL L INGRAM LIVING TRUST  
 1216 BENTLEY PARK LN  
 KNOXVILLE, TN 37922

Legal Description: SubdivisionName MAYNARD FARMS S/D ROLLBACK AH2698 MapplatB P--cmore>  
 District (TAG): COUNTY

Details: PIN: 084 11408  
 Property Class: 880  
 Jurisdiction Name: Knox  
 Deeded Acres: 0.0000

Physical Characteristics

01	02
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Valuation Record

Assessment Year: 2018	594200
Land Market:	23500
Improvements Market:	617700
Total Market:	
Land Assess:	790200
Improvements Assess:	23500
Total Assess:	813700

Appraisal

Neighborhood Number: 1499  
 Neighborhood Name: CARTER 99  
 Land Appraiser: CTC  
 Land Appraisal Date: 03/03/1998  
 Bldg Appraiser: CTC  
 Bldg Appraisal Date: 03/03/1998

Site Description

Topography:  
 Public Utilities: Water, Gas  
 Street or Road:  
 Neighborhood:  
 Zoning:

Summary of Improvements

ID	USE	Story Height	Const Type	Grade	Year Cons	Eff Year	Cond	Size or Area
01	DETCAR	1.00	1	Low Cost	1930	1930	P	18x 18
02	FLATBARN	1.00	1	Low Cost	1930	1930	P	90x160

Special Features

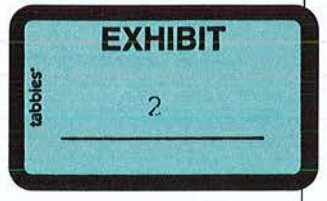
Description	Market Price	Market Value	Use Price	Use Value
	24300	24300	24300	24300
	10000	569500	3012	171700
<b>TOTALS:</b>	<b>34300</b>	<b>594200</b>	<b>27312</b>	<b>196000</b>

Transfer of Ownership

Consideration	Transfer Date	Deed Book/Page	Deed Type	Validity Code(s)
600000	12/27/2017	201801 004028	Fu	A - Ac, A
0	04/04/2007	200704 000853	WD	A - Ac, A
0	08/27/2003	*****	WD	A - Ac, A
0	01/23/1998	*****	QC	A - Ac, A
0	12/15/1997	*****	WD	A - Ac, A
0	09/30/1994	*****	WD	A - Ac, A

Memos

CV: CONVERSION (CW) FROM 84-114 AND ADDED REFERENCE 98 (RH)  
 L/A COMBINED 084-114  
 07,11404 & 11405 1998 (MK) PUT IN GREENBELT 1998 #A-2698  
 DM13: Demo for Tax Year 2013  
 RO: PERMIT #13-1353 COMPLETE, DEMO HOUSE.  
 HOUSE WILL BE COMPLETELY REMOVED FOR 2014 7/1/13  
 COMPLETELY REMOVED FOR 2014 7/1/13  
 LD18: Land Changes for 2018  
 (TD) MARKET LAND VALUE ADJUSTED AFTER REVIEW OF SALES. NO  
 CHANGE TO USE VALUE (02/15/2018)  
 MI18: Misc Note Tax Year 2018  
 (TD) NEW OWNER REAPPLIED FOR GREENBELT PROGRAM; APPL. #A-3883.  
 (02/15/2018)



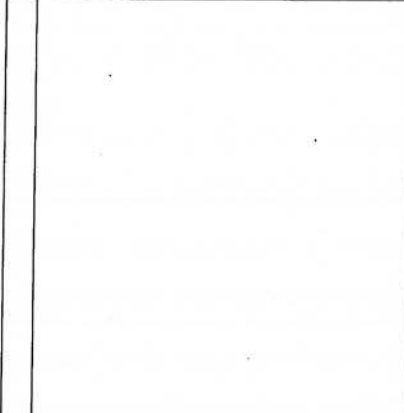
**Owner**  
 Situs: 5626 STRAWBERRY PLAINS PIKE  
 GILREATH KENNETH M  
 GILREATH TINA D  
 5626 STRAWBERRY PLAINS PIKE  
 KNOXVILLE, TN 37914

**Legal Description**  
 Legal Desc:  
 SubdivisionName MAYNARD FARMS S/D MapPlatB P87B MapPlatP P98B  
 District (TAG): COUNTY

**Details**  
 PIN: 084 114  
 Property Class: 355  
 Jurisdiction Name: Knox  
 Deeded Acres: 4.8200

**Physical Characteristics**

**ROOFING**  
 Built-up  
**FRAMING**  
 F Res B 0 3063 2 0 U 0  
 FINISH UF SF FO FD  
 1 3063 0 0 0 0  
 Total 3063 0 0 0 0  
**HEATING AND AIR CONDITIONING**  
 B 1 0 3063 2 0 U 0  
 Heat 0 3063 0 0



**Valuation Record**

Assessment Year: 2017	69400
Land Market:	57600
Improvements Market:	127000
Total Market:	
Land Assess:	69400
Improvements Assess:	57600
Total Assess:	127000

**Appraisal**  
 Neighborhood Number: 1401  
 Neighborhood Name: CARTER COM 01  
 Land Appraiser: CTC  
 Land Appraisal Date: 03/03/1998  
 Bldg Appraiser: CTC  
 Bldg Appraisal Date: 03/03/1998

**Site Description**  
 Topography:  
 Public Utilities: Water, Gas  
 Street or Road:  
 Neighborhood:  
 Zoning:

**Memos**  
 CV: CONVERSION (CW) L/A TO 84-(114.04-.09), HOUSE AND GARAGE MOVED TO 84-114.04, BARN MOVED TO 84-114.05, OTHER DET. STRUCTURES GONE FOR 1998 (CW ) ADDED ALL BLDGS. FROM 84-114-0001 AND CHANGED PROP CLASS TO COM. M-1998 (CW) ADDED REFERENCE FOR 1998 (SA) KEYPUNCH ERROR ON LAND (98) COR BY OTA S1036821 (sm) chg. det shed to sec.101, add fence Garage,09/15/10(11)(reapp) MDES: MASTER DESCRIPTION THE CAR SHOP RAL17: Reapp Chg 2017 (SM) CHANGES MADE PER REVIEW\* CHANGE POLE BLDG. TO OFFICE RA22: Reapp Chg 2022 (Gr) changes made per review. removed mhooffice. Land um-50 2AC-FloodPlain. 5/8/18

**Special Features**

Description	Market Price	Market Value	Use Price	Use Value
	78264	220700		
	200	400		
<b>TOTALS:</b>	<b>78464</b>	<b>221100</b>		

**Summary of Improvements**

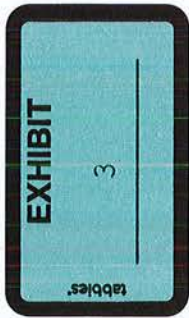
ID	USE	Story Height	Const Type	Grade	Year Cons	Eff Year	Cond	Size or Area
C	WHSESTOR	1.00	Fair	Fair	1970	1970	F	3063
01	FENCECL	6.00	51C	Avg	1985	1985	F	560x 1
03	DETGAR	1.00	1	Fair	1970	1970	F	22x 26
04	DETGAR	1.00	1	Fair	1970	1970	F	18x 45

**Floors**

Land Description	ID Code	Units	Soil ID	Act Frontage	Influence	Acreege	Sq Feet
AC-Primary-50	50					2.8200	- or -
AC-WASTELAND	A8					2.0000	Eff Depth
<b>TOTALS:</b>						<b>4.8200</b>	

**Consideration Transfer Date Deed Book/Page Deed Type Validity Code(s)**

Consideration	Transfer Date	Deed Book/Page	Deed Type	Validity Code(s)
250000	09/12/2016	201609 001710	Fu	P - Mu, P
75000	12/28/2000	*****	WD	N - No, N
60000	12/15/1997	*****	QC	N - No, N
0	09/30/1994	*****	WD	A - AC, A
0	10/11/1992	*****	WD	A - AC, A
0	09/18/1992	*****	WD	A - AC, A





**Owner**  
 Situs: 5626 STRAWBERRY PLAINS PIKE  
 GILREATH KENNETH M  
 GILREATH TINA D  
 5626 STRAWBERRY PLAINS PIKE  
 KNOXVILLE, TN 37914

**Legal Description**  
 Legal Desc:  
 SubdivisionName MAYNARD FARMS S/D MapPlatB P87B MapPlatP P98B  
 District (TAG): COUNTY

**Details**  
 EFN: 064 114  
 Property Class: 355  
 Jurisdiction Name: Knox  
 Deeded Acres: 4.8200

**Physical Characteristics**

ROOFING	B	1	2	0	0
Built-up FRAMING	F Res	0	810	0	0
FINISH	UF	SF	FC	FD	
1	810	0	0	0	0
Total	810	0	0	0	0
HEATING AND AIR CONDITIONING	B	1	2	0	0
Heat	0	810	0	0	0

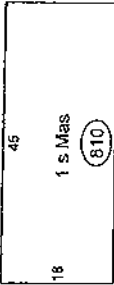
**Floors:** Finished

Construction	Base Area	Floor Area	Sq Ft	Value

**Valuation Record**

Neighborhood Number: 1401  
 Neighborhood Name: CARTER COMM 01  
 Land Appraiser: CTC  
 Land Appraisal Date: 03/03/1998  
 Bldg Appraiser: CTC  
 Bldg Appraisal Date: 03/03/1998

**Site Description**



**Summary of Improvements**

ID	USE	Const Type	Story Height	Year Cons	Eff Year	Cond	Size or Area
C	COMBEG		0.00	1970	1970	F	810

**Special Features**

Description	Market Price	Market Value	Use Price	Use Value

**Land**

Land Description - or - Land Type	ID Code	Units	Soil ID - or - Act Frontage	Influence	Eff Frontage	Acreage - or - Eff Depth	Sq Feet - or - Eff Depth	Market Price	Market Value	Use Price	Use Value
TOTALS:											

**Transfer of Ownership**



nt Robert M Jr [2] ▲  
 521-9438  
 STAR ROOFING 544-7882  
 s W Earl & Bessie [2]+ ▲  
 546-1218  
 Verified  
**RT RD INTERSECTS**  
 row Timothy & Sharon [2]  
 on Ms Carol J [2] 673-0452  
 h Robin [2] 524-9371  
 nton Robert D Jr [2]  
 525-5066  
 son Verlin J & Angie [2] ▲  
 523-4452  
 son Ms Laura 523-4452  
 acant  
 rpe Ms Marie J [3]  
 546-0710  
 rpe Ms Neva C [3] ▲  
 546-0710  
 nton Robert D & Dorothy  
 ▲ 546-0905  
 nton Timothy M [3] 546-0287  
 d Dora M F [2]+ ▲  
 546-1608  
 rmichael E Lynn ▲ 521-7038  
 t Verified  
**L LANE BEGINS**  
 04 Not Verified (2 Hses)  
 nis Bobby W & Betty [2]+  
 522-1733  
 nis Mrs Betty M 522-1733  
 ix A Mickey & Becky [2]+ ▲  
 522-1710  
 ix Mrs Becky 522-1710  
 ston Cathy A W [2] ▲  
 637-3713  
 omas Elizabeth L O [2]+ ▲  
 546-0759  
 t Verified  
 olloway Leon E & Tina [2] ▲  
 523-5707  
 olloway Mrs Tina S 523-5707  
 ine Craig L & Kristi [2]  
 525-2336  
 t Verified  
 allimore Alan K & Pam ▲  
 524-8068  
 losek Leslie 633-5309  
 Cole Johnny 525-5080  
 Turner Ronnie & Angie [2] ▲  
 546-8893  
 itson Mrs Nancy [2]+ 971-5812  
 itson Anthony Lee 971-5812  
 llen Scott D & Vicki [2]+ ▲  
 525-2352  
 ot Verified  
 aylor Jimmy L & Mildred [2]  
 ▲ 523-5304  
 Blimp Orville H & Mildred [2]+

5221 Alexander Dorothy S M [2]+ ▲  
 522-2408  
 5223-5229 Vacant (2 Hses)  
 5233 Blake Gerald R & Jeanne [2]+  
 ▲ 522-5042  
 Blake Mrs Jeanne J... 522-5042  
 Blake Robert A... 522-5042  
 5236 Blake Ms Linda B [2]+ ▲  
 525-9746  
 5429 Jordan John D... 522-5631  
 5433 J C L CLINICAL RESEARCH  
 CORP 546-0654  
 5437 Schneiler S... 522-7231  
 5443 Webber John R ▲ 546-2619  
 5450 Griffin Mrs Betty S... 546-6889  
 5500 Shedden Jack 546-0409  
 5504 Not Verified  
 5605 Layman Richard N... 525-4499  
 5618 Maynard Albert 523-3590  
 5621 YOUNG LIVESTOCK CO  
 546-7532  
 5626 C & O SEAMLESS  
 GUTTERING & SIDING siding  
 materials 524-1881  
 5637 FAITH COMMUNITY CHURCH  
 546-0337  
 5716 Hillard Dewey 523-1099  
 5812 Rochat Denis 546-2057  
 5819 Mathis Tanya 523-7075  
 5833 Not Verified  
 6005 Cruze John W 525-8709  
**+ GOV JOHN SEVIER HWY  
 INTERSECTS**  
 6015 Neal Edward R [2] ▲ 546-2677  
 6021 Neal Roy W & Evelyn ▲  
 522-5354  
 6023 Naill Thomas & Pearl ▲  
 522-1365  
 6025 Naill Ms Marion 522-5324  
 6030 Leake Harry A & Kate ▲  
 525-4743  
 6104 Ayres Jerry W & Ginger ▲  
 637-1248  
 6112 Lenear Floyd D & Kay ▲  
 525-9604  
 6113 Shephard Brian & Donna  
 637-4098  
 Shephard Donna 637-4098  
 6115 Lusby Jack W & Colleen ▲  
 524-3978  
 6121 Hamilton Clarence T Jr &  
 Callie ▲ 524-1315  
 6124 Vineyard Shirley 523-1287  
 6126 Clinton Dennis R 525-8127  
 6129 Armstrong Scott 525-4965  
 6202 Clinton Ted 523-0800  
 6207 Williams K  
 6208 MOUNT HARMONY BATIST  
 CHURCH FAML Y LIF CTR  
 church 573-3047  
 6213 Easterday Ed 637-9963

INTER  
 stations-gasoline & oil  
 7407 WENDY'S restr  
 7414 WAFFLE HOUSE 1/2  
 7424 COMFORT INN EAST  
 7509 RYDER TRUCK REN  
 7522 Cunningham Michael  
 Knopps Judy  
 BUSINESSES 30 HOUSE  
**STROLLING RD (RAMBLI  
 ACRES)-FROM WILS  
 WEST TO RAMBLIN  
 NORTH OF DRIFTIN  
 ZIP CODE 37912**  
 4200 Beeler Roger & Shirl  
 4201 Mc Culley Jimmy L [2]  
 4204 Neeley Michael V &  
 [2]+ ▲  
 4205 Hall Ms Marion Adan  
 4208 Conner Harold L & K  
 [2]+ ▲  
 4209 Evans Carroll W & B  
 [2]+ ▲  
 4212 Jones William & Mar  
 ▲  
 4213 Shultz Ms Mary M [2]  
 4216 Henderlight H Frank  
 [2]+ ▲  
 Henderlight Mrs Doris  
 Donahue Alba N A...  
 4217 Anderson Kimmel &  
 Anderson Mrs Joy...  
 4220 Caldwell Kenneth W  
 4221 Mc Ginnis James E &  
 Katherine [2]+ ▲  
 Mc Ginnis Mrs Kathe  
 4300 Not Verified  
 4301 Reed Jolly & Agnes [2]  
 4304 STUDTS  
 4305 Cate Jerry W & Lindi  
 4308 French Johnny F & I  
 ▲  
 French Mrs Irene A [2]  
 4309 Gowen Johanna C [2]  
 4312 Heifner Ms Zoe L [2]+

STRAWBERRY PLAINS PIKE Cont'd

- 4425 Tipton Carolyn J [18] ▲ 865-673-0452
- 4427 Stallings Vickie [4]
- 4444 Not Verified
- 4501 Wilson Verlin J Jr & Della A [15] 865-523-4452
- 4504 Sharp Mane J [20] ▲
- Sharp Neua C
- 4505 Stanton Dorothy M ..865-546-0905
- 4507 Not Verified
- 4509 Ford Sam F [20] ▲ ...865-546-1608
- 4513 Not Verified
- 4517 Gass Dorothy J & William P [4] ▲
- 4700 - 4704 Not Verified (2 Hses)
- 4705 Manis Betty L [14] ▲ ..865-522-1733
- 4706 Cox Alvin M & Rebecca J [20] ▲
- 4708 Not Verified
- 4709 Thomas Elizabeth L ..865-546-0759
- Thomas Herbert O [20] ▲
- .....865-546-0759
- 4711 Oakley Tommy L & Becky A [4] ▲
- .....865-637-2923
- 4712 Holloway Jason
- Holloway Leon E [13] ▲
- LEON HOLLOWAY CARPET
- INSTLTN carpet layers ....865-523-5707
- 4715 Lane Kristi M & Craig L [13] ▲
- .....865-525-2336
- 4716 Not Verified
- 4719 Weishuhn Jack S II [3] ▲
- .....865-637-8798
- 4721 Slosek Leslie [4] ▲
- 4725 Cole Johnny R [7] ▲ ..865-525-5080
- Cook Michael [2] ▲
- A Deaney Theresa M [7]
- 4729 Chandler Carolyn S
- 4800 Hison Nancy J [8] ▲ ..865-637-5719
- 4804 Allen Scott D
- Allen Vicki S [20] ▲
- 4806 Not Verified
- 4808 Holbert Jack [20] ▲ ....865-523-5304
- 4812 Morgan Jeana D [8] ▲
- .....865-544-7863
- 4814 Parton Deborah L & Eddie L [20] ▲
- .....865-637-6218
- 4815 Underwood Ernest C & Deborah A [19] ▲
- .....865-974-9518
- 4816 Nicholson Crystal
- 4820 Collier Barbara M [10] ▲
- 4821 Worsham Darryl A & Tammy K [4] ▲
- .....865-522-4094
- + GRIFFITH DR CONTINUES
- 4825 Not Verified
- 4826 Loop A [3] ..865-524-6926
- 4831 Hancock Priscilla H [10] ▲
- .....865-524-0350
- 4832 Not Verified
- + THORNGROVE PIKE INTERSECTS
- 4915 Hickaby B

STRAWBERRY PLAINS PIKE Cont'd

- 5236 Walsh Patrick A & Linda K [20] ▲
- + HOLSTON RIVER RD INTERSECTS
- + ZIP CODE 37914 CAR-RT R103
- 5429 1 - 3 Not Verified (3 Apts)
- 5433 Armstrong Tommye A [18] ▲
- .....865-546-0654
- CONCEPTO DIAGNOSTIC
- laboratories .....865-523-1037
- JCL CLINICAL RESEARCH CORP
- laboratories .....865-546-0654
- MAXIE'S RANCHO horse breeders
- .....865-546-0654
- 5437 Webber John R [12]
- 5443 Not Verified
- 5450 Griffin Betty S [20] ▲ ..865-546-6889
- Griffin Bonnie L .....865-546-6889
- + JIM ARMSTRONG RD ENDS
- 5500 - 5605 Not Verified (4 Hses)
- 5618 Maynard Albert Jr [13] ▲
- .....865-546-9622
- 5621 YOUNG LIVESTOCK CO livestock
- buyers .....865-546-7532
- 5626 C & O SEAMLESS GUTTERING
- INC gutters & downspouts 865-524-8316
- 5637 FAITH COMMUNITY CHURCH
- churches .....865-546-0337
- 5645 Hundley Bryon E [6] ▲
- 5716 McDonough Barbara F [3] ▲
- 5718 Not Verified
- + PERRY RD INTERSECTS
- 5812 HOME ECO SYSTEMS INC water
- treatment equip serv .....865-544-7873
- 5819 Rogers Carolyn S [20] ▲
- Rogers Edward
- 5824 Foust Roy E & Christine D [6] ▲
- 5832 - 5959 Not Verified (3 Hses)
- 6005 Cruze John W [13] ▲
- 6015 Neal Dorothy L .....865-546-2677
- Neal Edward R [20] ▲ 865-546-2677
- 6016 Solomon David E
- Solomon Kristi J [10] ▲
- 6020 Bales Jeffrey W [6] ▲ ..865-523-2283
- Bales Karen L .....865-523-2283
- 6021 Neal Evelyn E .....865-522-5354
- Neal Roy W [20] ▲ ....865-522-5354
- 6023 Nail George A [20] ▲
- 6025 Nail Marion D [20] ▲
- 6030 Leake Kate K [20] ▲ ..865-525-4743
- 6104 Ayres Ginger M .....865-637-1248
- Ayres Jerry W [8] ▲ ..865-637-1248
- 6112 Lenear Floyd D Jr & Sandra K [3] ▲
- .....865-525-9604
- 6113 Shephard Brian K [6] ▲
- Shephard Donna J
- 6115 Lusby Colleen C
- Lusby Jack W [20] ▲

STRAWBERRY PLAINS PIKE Cont'd

- Dowling Velma F
- 6532 Strange Lynn C & Tom
- 6538 Weichel Richard R & Wendy
- 6721 Shipman Citon R
- Shipman Randy [2] ▲
- + OSBORNE RD INTERSECTS
- 6900 Pickard Ernest O & Orla
- 6913 Luttrell Troy L
- 6916 Pratt Carol A
- Pratt Jerry L [20] ▲
- 6917 Houser JH [20] ▲
- + WAYLAND RD INTERSECTS
- + BELL LN BEGINS
- 7122 ARBY'S restaurants
- 7124 ADRIAN'S INC
- TENNESSEE WEBBING
- 7125 WILSON TRUCKING CO
- trucking-motor freight
- 7126 THERMO KING OF MOBILE
- INC truck refrigeration equip
- 7129 VOLUNTEER CARTAGE
- DISTRIBUTION trucking-equip
- VOLUNTEER EXPRESS INC
- trucking-motor freight
- + PINE GROVE RD INTERSECTS
- 7200 PILOT OIL CORP serv station
- gasoline & oil
- 7210 SPEEDWAY STARVIN WAY
- truck stops & plazas
- 7215 KRYSTAL restaurants
- 7217 CRACKER BAREL OLD
- COUNTRY STR restaurants
- 7220 Armstrong Olive V [20] ▲
- 7235 WEIGEL'S FARM STORE
- retail
- 7242 Armstrong Robert L Sr & Pam
- + PHILIPS DR BEGINS
- + ZIP CODE 37924 CAR-RT R108
- 7401 HACKNEY AMOCO conven
- stores
- 7402 MC DONALD'S restaurant
- 7405 KWIK FUEL CTR serv station
- gasoline & oil
- 7406 KENJO MARKET grocery
- 7407 WENDY'S restaurants
- 7414 WAFFLE HOUSE restaurant



tabbles®  
EXHIBIT  
6



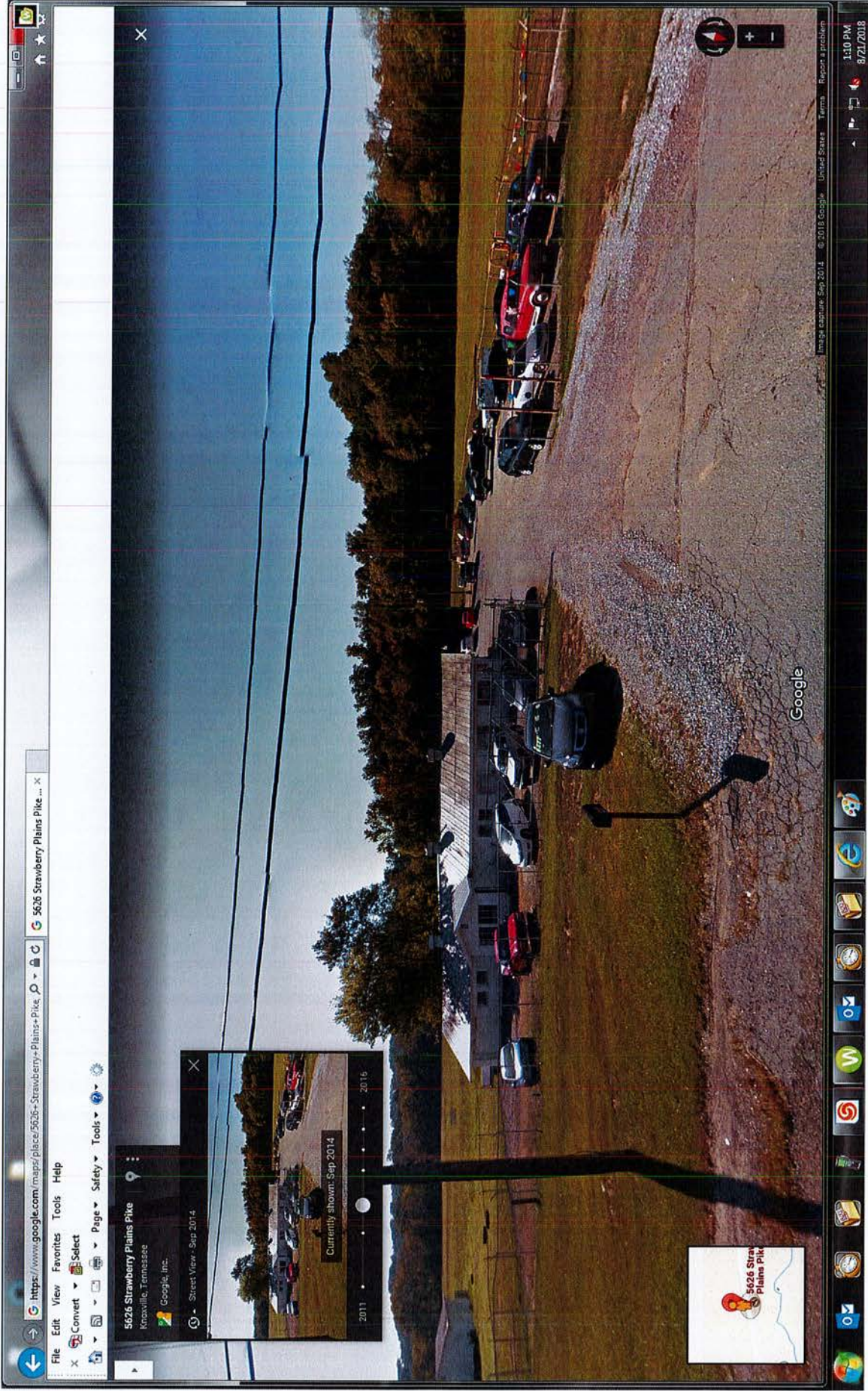
5626 Strawberry Plains Pike  
Knoxville, Tennessee  
Google, Inc.

Street View: Dec 2013

2007 • • • • • 2017

Currently shown: Dec 2013







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File Edit View Favorites Tools Help

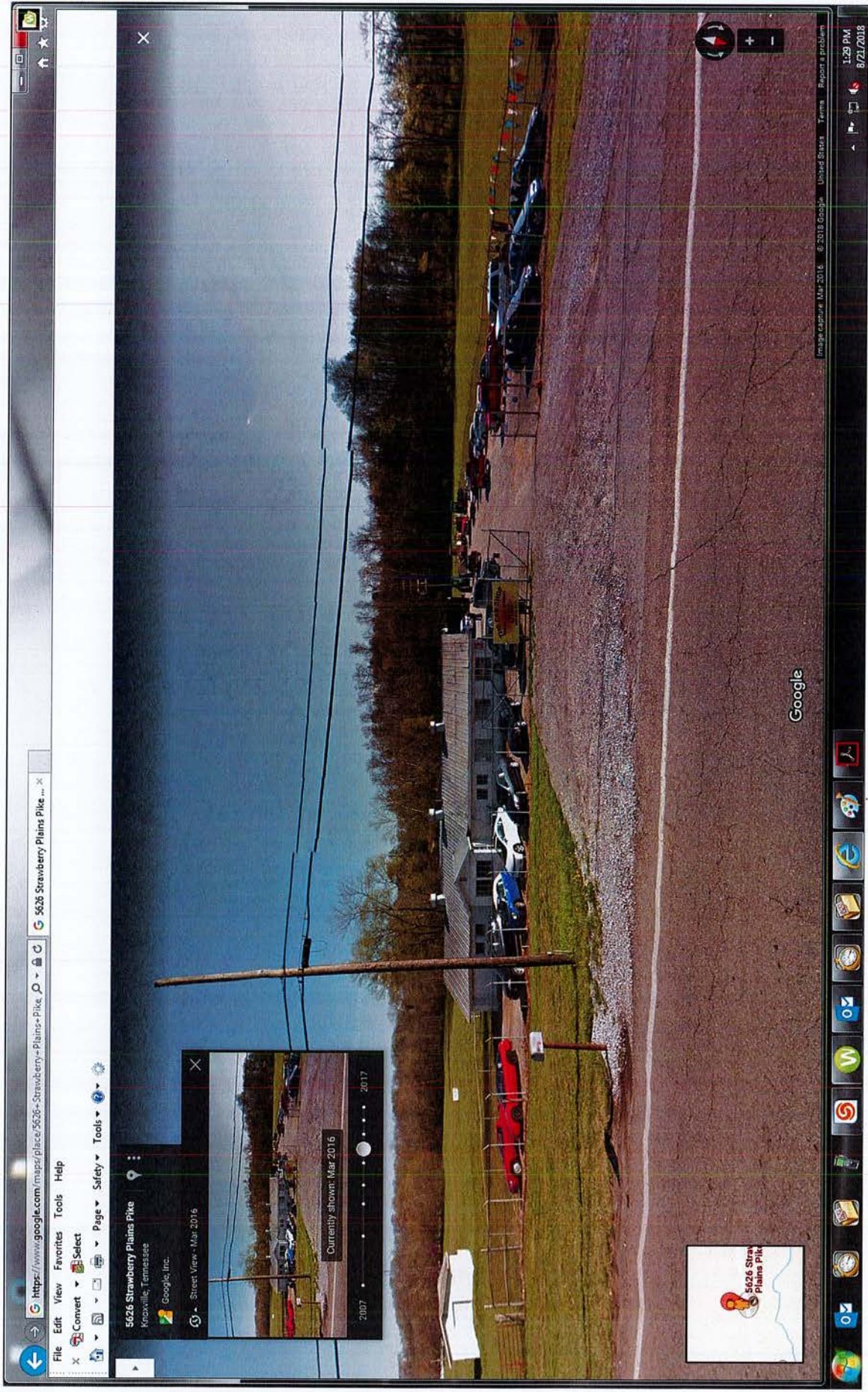
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5626 Strawberry Plains Pike  
Knoxville, Tennessee  
Google Inc.  
Street View - Nov 2015  
2007 2017  
Currently shown: Nov 2015

Google

Image capture Nov 2015 © 2018 Google Unread States Terms Report a problem

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Convert Select Page Safety Tools

5626 Strawberry Plains Pike  
Knoxville, Tennessee  
Google Inc.  
Street View - Mar 2016

Timeline window showing image history from 2007 to 2017. The current view is set to Mar 2016. The timeline includes a slider and a list of image thumbnails.



Google



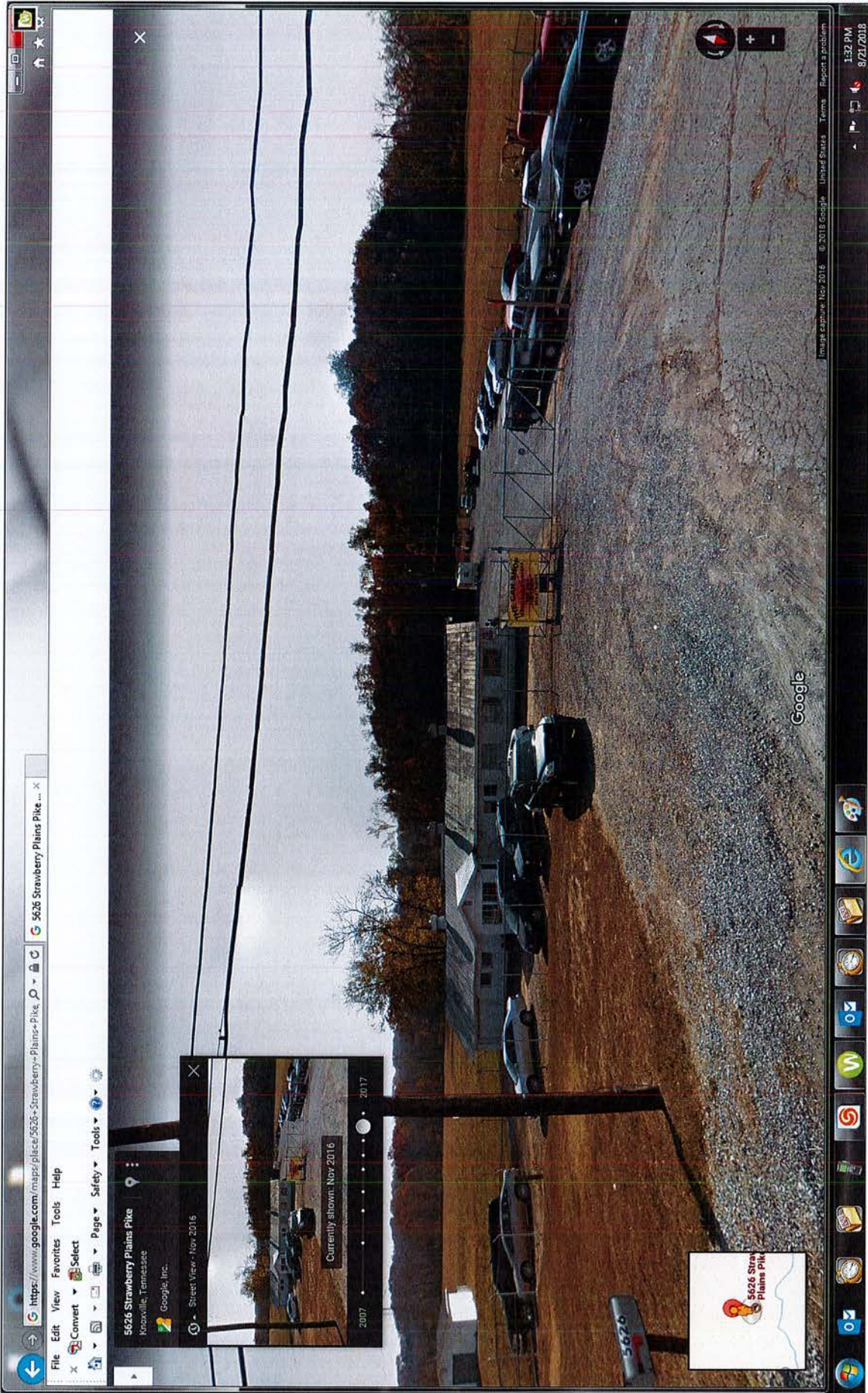
Image capture, Mar 2016 © 2018 Google, United States Terms Report a problem



1:29 PM 8/21/2018







https://www.google.com/maps/place/5626-Strawberry-Plains-Pike... 5626 Strawberry Plains Pike ...

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5626 Strawberry Plains Pike  
Knoxville, Tennessee  
Google, Inc.

Street View - Nov 2016  
Currently shown: Nov 2016  
2007 2017



1:32 PM 9/21/2018



Street View Jan 2017  
Currently shown: Jan 2017



2007



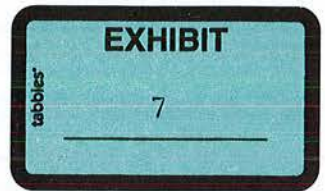
5626 Strawberry Plains Pike



Windows taskbar with icons for Start, Internet Explorer, Microsoft Office Word, Outlook, Skype, and other applications. System tray shows the time as 1:33 PM on 8/21/2018.



OFFICE OF COUNTY MAYOR



OFFICE OF NEIGHBORHOODS/CODES ENFORCEMENT  
400 Main Street, Suite 345, Knoxville, TN 37902

April 1, 2010

Julie Cloninger  
8114 Strawberry Plains Pk.  
Knoxville, TN 37924

Ms. Cloninger:

In reference to the property located at 5626 Strawberry Plains Pike, used automobile sales would be considered a "legal non-conforming use" based on the previous use of this property as C&O Guttering, which is a Business & Manufacturing (CB) zone use. Automobile sales are permitted in the General Business (CA) zone, which is a more restrictive classification than CB.

Please be advised that if the size and/or scope of the operations or the structure on the premises changes, the use would no longer be legal and the provisions of the Agriculture Zone would apply.

Please let me know if you have any questions regarding this interpretation.

Sincerely,

A handwritten signature in black ink, appearing to read "Grant Rosenberg".

Grant Rosenberg  
Director, Knox County  
Code Enforcement

6-C-18-RZ-6-A-18-SP-cor-Gilreath

## Argument For Consideration Of Rezoning

June 19, 2018

Ken Gilreath  
5716 Strawberry Plains Pike  
Knoxville, Tn. 37914

### Reference

#### Address-

5626 Strawberry Plains Pike  
Knoxville, Tn. 37914  
Rezoning of 4.82 acres located at 5626 Strawberry Plains Pike.

We are in receipt of a letter from Knox County MPC in which states the commission recommends denial of rezoning for 5626 Strawberry Plains Pike.

I would like to take this opportunity to address some of the issues surrounding this application and the denial recommendation thereof.

The subject property has been operating as a commercial business for more than 10 years previously. These business, include a car lot, guttering business and other commercial sales prior to that.

I purchased the land/farm adjacent to this property which includes 101 acres in 2013 and added this tract a couple of years after that.

The Car Shop was operating there at that time. As you will see in the attached correspondence we assumed the property was commercial since the tax classification is listed as commercial.

The adjacent lot just east of this address is zoned commercial (CA) and owned by myself. The adjacent lot west of the subject property reflects commercial zoning (PA) as well. The denial letter referenced that these adjacent lots are not being used as commercial when in fact the one that is west of 5626 will be when sold. That lot has been in the development state which required filling. It has been listed for sale for some time.

5626 is located one tract from the corner of John Sevier with includes a restaurant, gas station and another tract in which was recently sought after by Dollar General.

Across the street from 5626 was the Youngs Cattle in which a commercial cattle business has operated for many years. It is now a farm equipment sales lot. Adjacent to that is a church.

Due to the location of 5626 Strawberry Plains Pike between these businesses it makes it unsuitable for residential. There are and have been commercial buildings for more than 25 years. To deny the ongoing use as commercial would create an eyesore and further devalue the community.

With the denial of our application I would have no choice but to use this land and buildings in its current stage as agriculture storage and repair for my farm equipment. Since I live and own the property at 5716 Strawberry Plains Pike I can assure you the rezoning to commercial will only benefit the community.

I am attaching documentation that I am asking you to review and consider the true need for this zoning.

Included is documentation that reflects when the Car Shop was established at that location. Google searches and county records still reflect C&O Guttering at that location. Tax records on KGIS reflect "property class" as commercial.

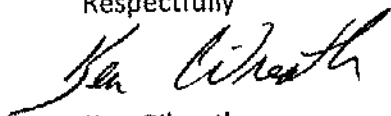
**REVISED**

In addition to the above statements. As noted herein we own the property west of the 5626 address. After reviewing the application, we are requesting that the adjacent lot be zoned CA as this would make the entire strip of land commercial. Right now, we have commercial, ag, ag and commercial as you travel East on Strawberry Plains Pike. It would seem that this makes more sense to rezone CA than to have all these mixed zonings. Attached you will find the revised application as well as a map depicting the zoning for your convenience.

We have asked that the hearing be postponed until THE August MPC meeting. We will not be available to attend in July. Hopefully you will reconsider my request and the need to clean up the zoning on my property.

Anyone may contact me at the following number for questions or concerns.

Respectfully



Ken Gilreath  
5716 Strawberry Plains Pike  
Knoxville, Tn. 37914  
Cell Phone 865-388-7737