

5-SA-10-C / 5-C-10-UR-  
COR Fletcher

Office of the Mayor  
Room 691 City/County Building  
400 Main Street  
Knoxville, Tennessee 37902

Brenda Plamer, City Council  
Room 460 City/County Building  
400 Main Street  
Knoxville, Tennessee 37902

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

May 11, 2010  
DELIVERED BY HAND  
RE: Objection of Concept/  
Use on Review of Urban  
Park Condominium from  
Condominium to attached  
subdivision

Ladies and Gentlemen:

On Monday, May 10, 2010 the homeowners of Urban Park Condominium Development were called together for the first time by developer, Gary Koontz, to discuss the "sign at the front of the neighborhood" meaning the Subdivision Concept and Use on Review. My wife and I spent the prior week scrounging for any information we could in order to understand what was occurring on our own with professional input from various aspects in real estate. I have physically been down to the MPC, as well as having multiple conversations by telephone and have spoken with Tom Brechko, Marc Payne, Emily Dills, and Dan Kelly. Each has been able to educate me on different aspects of Mr. Koontz's application.

During Monday's neighborhood meeting Mr. Koontz led the homeowners to believe that the employee's at the MPC were giving out incorrect information and Mr. Koontz could not answer any questions regarding the agenda that the public can find online. In fact, neither he nor any of his invited "experts" had any idea why a parking lot was included, and did not understand why the agenda refers to a dense community becoming more dense, or could even explain why the one lot that all the current home owners currently are placed on could be divided into three new lots however, claims that there is no way that he can divide the current residents into a fee simple plan to put us each on a new lot. His answer was consistently "I don't know and I haven't even seen that agenda," which he was currently holding in his hand as I provided him with a copy. My wife and I were attacked personally by his Realtor Robin Cameron of Realty Executives and Terrie McVey of Wells Fargo Home Mortgage. When it was time for them to speak Mr. Koontz made sure the room was listening. If an innocent question from a homeowner was asked that he believed was to his benefit it was answered. Any other questions from myself or others in the room were never given a straight answer and ignored. We were talked over, demeaned, threatened, and dismissed.

Over the weekend my wife, child, and I went door to door in order to raise attention to the situation and provide a reason for everyone to attend the meeting. We shared our honest and best

informed information with each of them. Due to the holiday weekend and the fact that some (approximately 4) owners live out of town we only spoke with 17 of the 27 current homeowners. Fifteen of the seventeen signed in supporting the cause of asking Mr. Koontz to postpone his public hearing on May 13<sup>th</sup>. The petition that contains information from Mr. Koontz himself, the MPC, other real estate professionals, was put together by myself with my honest concerns and best understanding in a short amount of time. His realtor, Robin Cameron made several remarks of how the petition information was totally incorrect and "stupid."

Please note that I do not refer to the current homeowners as the HOA. It appears as though Mr. Koontz himself IS the HOA. We all pay the bill, but effectively have no voice. My wife and I are only in our mid twenties and are only trying to understand and protect our largest financial investment. We now ask the city fathers to protect us and the other residents in Urban Park. We feel as though between Mr. Koontz and the city that we are now being roughshod and rolled over. What is their fear?

Respectfully,

James & Aimee Fletcher  
1717 City Dweller Way  
Knoxville, TN 37921  
(865) 228-4820 or (256) 783-3661

Enc: Residents signed petition  
Subdivision – Concept Application  
Knox County MPC Subdivision Report – Concept/Use on Review  
Developers notification of meeting  
Addresses of Neighborhood  
Article 2 Section 2 of Home Owner's Restrictions

Cc: News Media (for immediate release)

5-SA-10-C/5-C-10-44-  
COR. KOONTZ

May 1, 2010

→ Hand Delivered May 5<sup>th</sup>

Urban Park Homeowners:

Spring has finally arrived and along with the beautiful weather comes several issues that need to be addressed.

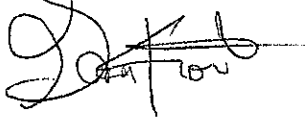
1. All pets must be on a leash. This is not just an Association rule but also a city ordinance. Pets that are found running loose through the development will be picked up by animal control.
2. Please clean up after your pet. Other homeowners do not appreciate stepping in it when walking through their yards. Please carry a bag with you and clean up immediately.
3. Again the homeowners association has had grass seed sewn, please water the grass and plants in your yards and return water hoses to your garage or storage. We do realize that the yards look shabby and are trying to get them in better shape as quickly as possible. Please be patient and keep water hoses and other yard tools put away when not in use.
4. Parking in guest parking is starting to become an issue. Homeowners need to park in their driveway or garage and reserve the additional parking for visitors. These spaces are not available for commercial vehicles or additional automobiles that you may own.
5. We have had several homeowners call the MPC regarding the sign at the subdivision entrance. Some homeowners have been given incorrect information. We will have a meeting on Monday, May 10th at 6:00pm at the model to answer any questions that you may have

regarding this procedure. If you have any questions about this please plan to attend so that you will have the correct understanding of what is going on.

6. There are still a few homeowners that are behind on their association dues. Please remember that this is due on the 1<sup>st</sup> of each month and late after the 5<sup>th</sup>.

Each of the items addressed are in the best interest of each and every homeowner to insure our property values continue to increase.

Sincerely,

A handwritten signature in black ink, appearing to read "Gary Koontz", written over a horizontal line.

Gary Koontz

Johnson-Koontz, LLC

5-SA-10-C / 5-C-10-UR -  
COR - Urban Park

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

May 10, 2010

We the residents of Urban Park Condominiums request that the Subdivision Concept for use on review and variances requested file # 5-SA-10-C and file # 5-C-10-UR be denied for reasons as stated below:

- 1 The changes Mr. Koontz has in his petition will result in the physical change to future structures in comparison to the existing units.
  - a. Lesser set backs creates more parking on streets
  - b. More crowding increases safety concerns for pedestrians
  - c. Aesthetics are unappealing. For instance, the street is now 25 feet wide and set backs on both sides of the street are 25 feet the open space is 75 feet. With the new proposal, assuming street stays the same, the new set back would be 10 feet each side. The open space would then be 45 feet, a 40% reduction making the new development look and feel denser than an already dense project, potentially reducing the desirability to buy and ultimately devalue the entire development.
2. I was told by Mr. Koontz and the planning commission that this petition was at the insistence of the banks for him to obtain financing for this development.
  - a. It is logical to me, that if the bank now demands a fee simple plan as the only viable option, that would seem that our current form of ownership is now nonviable. Should this be the case, our property is not now or in the future able to be sold on the same financial terms as when we purchased it. If so, it will be worth much less.
- 3 Mr. Koontz sold us this property based on a plan that all the units would be the same as the present units, and we believed and trusted him. Now he wants to change his plan.
4. Mr. Koontz planned this meeting only 2 ½ days before the only official hearing for approval before it goes to the City Council for final approval. If he had honorable intentions he would have called this meeting before he made the application on March 26<sup>th</sup>, 2010 which was forty five days ago.
  - a. We saw by a posted sign only 11 days ago and by mail only 6 days ago. We are now panicky and fearful because we are being jammed to determine how he will now

impact the largest financial investment and obligation we have, affecting our lives with only 2 ½ days to decide.

At the meeting Monday we respectfully requested that Mr. Koontz postpone this hearing for 60 days so we may have the opportunity to make these judgments. He chose not to grant our request or did not give us a commitment before we left the HOA meeting. So I now ask you to deny the variance.

CC: Ms. Brenda Palmer - 3<sup>rd</sup> District  
Honorable Mayor Bill Haslam

James + Aimee Fletcher 1717 City Dweller Way  
Robin Hawkins 1704 City Dweller Way  
Amanda Zito 1700 City Dweller Way  
Catherine D. J. Hart 5843 Metropolitan Way  
Shel McDonald 5833 Metropolitan Way  
Ariana Ramsey 5845 Metropolitan Way  
Chase Vitton 5809 Metropolitan Way  
Theresa Kishnell 5824 Metropolitan Way  
A. J. 5828 Metropolitan Way  
Greg + Janara Porto 5830 Metropolitan Way  
Allison Miller 5836 Metropolitan Way  
Donna Scruggs 5849 Metropolitan Way  
Martha Sue Hatmaker 1708 City Dweller Way  
Kirsten Keller 5816 Metropolitan Way  
Michael & Kristen Brown 5837 Metropolitan Way