
PETITION AGAINST THE CONVERSION OF PARK COMMON AREA UNIT #2 INTO BUILDER LOTS

The Concerned Homeowners at The Park at Babelay Road

To:

Cannon and Kuipers, LLC
517 Callahan Drive
Knoxville, TN 37918

We, the undersigned residents and homeowners of The Park at Babelay, hereby submit this petition in opposition to the proposed conversion of the park common area unit #2/lots 3511 & 3505 into builder lots. We are concerned that this proposal has been made without proper homeowner approval, community input, and public awareness. This action also violates several legal and regulatory requirements, including zoning and rezoning notification laws under Tennessee law.

1. Lack of Homeowner Approval & Community Input

We, the residents of The Park at Babelay Road, have not been adequately informed or consulted about the proposed conversion of the park common area unit #2, it's the only shared space for the homeowners that could be used for recreational activities. The absence of homeowner approval and a transparent process undermines our rights as stakeholders in the community. The conversion of this park area into builder lots would reduce the quality of life for the community, and many of us object to this decision being made without our consent.

2. Violation of Homeowners Association (HOA) and Tennessee Law

All significant decisions, especially those impacting common areas, require proper notice to residents, a clear vote, and approval by the homeowners or association members. The failure to conduct a vote or gather approval from the homeowners represents a violation of both HOA governing documents and Tennessee nonprofit corporation law.

Further, we are concerned that the proposed action has not been communicated properly to all residents, as required by law, and it is clear that the decision to convert this common area unit #2 into builder lots was made without sufficient transparency or homeowner involvement.

3. Violation of County Zoning Notification Laws

In addition to the failure to follow HOA regulations, we also believe the developer is in violation of **Tennessee zoning and rezoning laws**. According to **Tennessee Code § 13-7-105**, and county zoning regulations, when rezoning or changes in land use are proposed (such as converting a park into residential lots), proper notification to affected property owners must occur, including:

- **15 days' notice** before any zoning hearing or meeting.
- **Public hearings** must be held, where the community has the opportunity to voice concerns.
- **Notification letters** must be sent to property owners within the affected area, clearly outlining the proposed changes and any potential impacts.

We have not received adequate or timely notification of any public meetings or hearings regarding the proposed conversion, and no formal opportunity has been provided for homeowners to express their opinions. This failure to adhere to county zoning laws significantly undermines the legal process and our ability as residents to participate in decisions that affect our community.

4. Our Demands

We, the undersigned, respectfully request the following actions:

1. **Immediate Halt** to any further action regarding the conversion of the park common area unit #2 into builder lots until proper procedures are followed.
2. **Full Transparency** from the developer and HOA board regarding the reasons for the proposed conversion, financial impacts, and any communications or meetings that have taken place.
3. **Proper Notice and Community Input:** We demand that the HOA conduct a formal vote or meeting, allowing all residents to provide input and voice their approval or disapproval of the proposal.
4. **Compliance with Zoning Laws:** We request that the developer and/or HOA follow **Tennessee Code Annotated § 13-7-105** and local zoning regulations to ensure proper notification and a public hearing regarding this change in land use. All residents must be properly informed of the proposal and given the opportunity to participate in the process.
5. **Reconsideration of the Conversion:** We ask that the developer reconsider the decision to convert the park common area unit #2 into builder lots, as it is clear that the residents' wishes and the integrity of our community have not been properly considered.

Conclusion

We, the residents of The Park at Babelay Road, strongly oppose the conversion of the park common area unit #2 into builder lots, given the lack of homeowner approval, transparency, and proper legal process. We ask the developer and HOA board to respect the rights of homeowners and the community, comply with applicable Tennessee laws, and halt any further action until proper procedures have been followed.

CC: Kevin Dean – Frantz, McConnell & Seymour, LLP
The Park at Babelay Homeowners Association, Inc
The Local County Zoning Office
Don Dare, Channel 6 News

Street Name: Pond Run Way

Signatures: PETITION AGAINST THE CONVERSION OF PARK COMMON AREA UNIT #2 INTO BUILDER LOTS

#	Name	Address	Signature	Date
1	Amy Floyd	3420 Pond Run Way	Amy Floyd	3.3.25
2	Don Floyd	3420 Pond Run Way	Amy Floyd	3.3.25
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This petition serves as a formal request for the developer to halt the conversion and for the HOA and developer to comply with zoning and notification laws under Tennessee Code Annotated § 13-7-105. We, the undersigned, urge that our community's voices be heard and that the integrity of our shared spaces be preserved.

Street Name: Duck Pond Way

Signatures: PETITION AGAINST THE CONVERSION OF PARK COMMON AREA UNIT #2 INTO BUILDER LOTS

#	Name	Address	Signature	Date
1	Paul Dickens	3540 Duck Pond Way	Paul Dickens	3/2/25
2	ROBERT SLOVE	3508 DUCK POND WAY	EMAIL PROXY	3/3/25
3	Mary Ann Wang	3520 Duck Pond Way	Mary Ann Wang	3/4/25
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Street Name: Park Shadow Way

Signatures: PETITION AGAINST THE CONVERSION OF PARK COMMON AREA UNIT #2 INTO BUILDER LOTS

#	Name	Address	Signature	Date
1	Susan Shumer	6100 Park Shadow Way	SS Shumer	3/2/25
2	Tammy Lovebay	6104 Park Shadow Way	Tammy Lovebay	3/2/25
3	GERARD ENIGK	6108 Park Shadow Way	Gerard Enigk	3/2/25
4	Garen McCroskey	6123 Park Shadow Way	Garen McCroskey	3/2/25
5	Shelby Rushing	6119 Park Shadow Way	Shelby Rushing	3/2/25
6	HENRIER PERKINS	6107 PARK SHADOW WAY	Henrier Perkins	3/2/25
7	Nicole Stevens	6023 Park Shadow Way	Nicole Stevens	3/2/26
8	Charlie Self	6124 Park Shadow Way	Charlie Self	3/2/25
9	PADMANABH MISHRA	6111 PARK SHADOW WAY	EMAIL PROXY	3/2/25
10	Dorothy Armstrong	6019 Park Shadow Way	Dorothy Armstrong	3/2/25
11	Linda C. Walton	6015 Park Shadow Way	Linda C. Walton	3/3/25
12	Madison Lynch	6120 Park shadow way	M. Lynch	3/8/25
13	Deborah A. Godfrey	6115 Park Shadow Way	Deborah A. Godfrey	3/3/25
14	John Pontiff	6103 Park Shadow Way	John Pontiff	3/3/25
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Street Name: Meredith Lynn Way

Signatures: PETITION AGAINST THE CONVERSION OF PARK COMMON AREA UNIT #2 INTO BUILDER LOTS

#	Name	Address	Signature	Date
1	Susan Skawinski	3632 MLW, Knoxville, TN	<i>Susan Skawinski</i>	3/2/25
2	Tonya Alleman	3619 Meredith Lynn Way	<i>Tonya Alleman</i>	3/2/25
3	Lee Nancy Russomanno	3623 Meredith Lynn Way	<i>Nancy Russomanno</i>	3/2/25
4	Chancel Johnson	3635 Meredith Lynn Way	<i>Chancel Johnson</i>	3-2-25
5	Pat Justin Pitt	3647 Meredith Lynn way	<i>Justin Pitt</i>	3/2/25
6	Kathleen Hundert	3631 Meredith Lynn Way	<i>Kathleen Hundert</i>	3/2/25
7	Michelle O Pitt	3627 Meredith Lynn Way	<i>Michelle O Pitt</i>	3/3/2025
8	Sherry Harris	3643 Meredith Lynn Way	<i>Sherry Harris</i>	3/3/2025
9	sandrina simonovich	3655 Meredith Lynn way	<i>Sandrina Simonovich</i>	3/3/25
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Street Name: Parker Harrison Way

Signatures: PETITION AGAINST THE CONVERSION OF PARK COMMON AREA UNIT #2 INTO BUILDER LOTS

#	Name	Address	Signature	Date
1	Michelle Madden	3725 Parker Harrison Way	Michelle Madden	3-4-25
2	Christine Jeub	3727 Parker Harrison Way	Christine Jeub	3-4-25
3	Herchell White	3719 Parker Harrison Way	Herchell White	3-4-25
4	Lyndi Landas	3709 Parker Harrison Way	Lyndi Landas	3-4-25
5	Christopher Hardy	3744 Parker Harrison Way	Christopher Hardy	3-4-25
6	Debra Wynn	3700 Parker Harrison Way	Debra Wynn	3-4-25
7	Jason Bush	3728 Parker Harrison Way	Jason Bush	3-4-25
8	Greg Brown	3740 Parker Harrison Way	Greg Brown	3-4-25
9	Kate Harris	3736 Parker Harrison Way	Kate Harris	3/4/25
10	Kevin Harris	3736 Parker Harrison Way	Kevin Harris	3/4/25
11	Bonnie Mitchell	3731 Parker Harrison Way	Bonnie Mitchell	3/5/25
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