

Table of Contents

Master Letter of Intent: Administrative Appeal

Exhibit A: Schedule of Target Violation Notices

Exhibit B: Evidence of Prior Administrative Guidance

Exhibit C: Resident Tenure and Workforce Density Summary

Exhibit D: Proof of Proactive Compliance and Voluntary Vacancy

MASTER LETTER OF INTENT: ADMINISTRATIVE APPEAL

Date: July 6, 2026

TO:

The City of Mt. Juliet Board of Zoning Appeals
Attn: Planning & Zoning Department
115 Clemmons Rd
Mount Juliet, TN 37122

RE: Master Administrative Appeal of Code Enforcement Notices

Property Owner/Applicant: Diamond Park LLC

Property Location: N. Mt. Juliet Rd., Mount Juliet, TN 37122

Tax Map & Parcel ID: Map 077, Parcel 073.00.

Date of Violation Letters: May 29, 2026

Total Notices Covered by this Appeal: 20 Site Notices (See attached Appendix A)

To the Members of the Board of Zoning Appeals,

Pursuant to the City of Mt. Juliet Land Development Code, Article XIV, Section 14-104.2, Diamond Park LLC (the "Applicant") hereby submits this formal Master Administrative Appeal to contest the compliance timelines and enforcement mandates set forth in the twenty (20) individual code enforcement notices dated May 29, 2026, regarding the subject property.

On June 17, 2026, the Applicant submitted a timely formal Notice of Appeal via electronic mail to city staff well within the initial compliance window. Following the procedural guidance provided by staff during the subsequent June 30, 2026, pre-application meeting, the Applicant submits this finalized, comprehensive Board of Zoning Appeals (BZA) application packet to fulfill the City's submittal calendar requirements.

I. Procedural Consolidation and Standing

The Applicant is the sole managing corporate entity and property owner of record for the land parcel operating as Diamond Park LLC. Because the twenty (20) individual violation notices concern identical site layout matters within a single, cohesive land development corridor under unified ownership—as explicitly itemized in the attached Schedule of Target

Violation Notices (Exhibit A)—the Applicant is filing this single, comprehensive master appeal to preserve administrative efficiency, prevent redundant case files, and secure a singular, equitable review before this Board.

II. Grounds for Appeal and Request for Compliance Timeline Modification

The Applicant enters this appeal to formally request a modification of the administrative enforcement schedule based on compelling humanitarian concerns, severe practical hardships, and inconsistent administrative directives from city staff:

- **Severe Residential Hardship and Humanitarian Concerns:** The recreational vehicles cited in the May 29 notices currently serve as the primary, active residences for multiple local individuals and working-class families. Enforcing a rigid, blanket ninety (90) day removal schedule across the remaining fifteen (15) individual sites simultaneously will trigger a concentrated housing displacement within the N. Mt. Juliet corridor. Identifying alternative affordable housing within this immediate market inside a 90-day window presents an exceptional, unnecessary structural hardship for these residents.
- **Inconsistency with Prior Administrative Guidance:** In an in-person meeting held in March 2026 at the city offices, the Applicant met directly with Mark McLane, Tyler Gutierrez, and Marty Potts of the Mt Juliet Planning and Zoning staff. During that meeting, a collaborative, long-term transition framework was explicitly discussed, and staff outlined two preferred paths forward:
 - Option A: Mark McLane indicated that the city would be amenable to a one-and-a-half (1.5) year transition timeline to phase out the usage humanely, thereby avoiding sudden residential displacement.
 - Option B: Tyler Gutierrez proposed a phased compliance framework, reducing the total number of travel trailers and RVs to twelve (12) units within an initial 1.5-year window, followed by an extended time horizon to humanely transition the remaining twelve residents off the property.

The automated 90-day compliance clock generated by May 29 letters directly contradict the explicit guidance provided to the Applicant during that good-faith meeting.

III. Proposed Compliance Timelines and Phased Transition Options

To achieve the City's land-use goals while preventing an immediate local housing crisis, the Applicant originally proposed a 10-year gradual amortization and transition timeline during the March meeting. While an extended window remains the safest operational path for the

residents, the Applicant has significantly compressed this request in the spirit of municipal cooperation.

We respectfully present the BZA with two viable, structured paths to compliance, both of which are rooted in city staff's own March administrative guidance (see *Exhibit B*):

- **Timeline Option 1 (18-Month Comprehensive Run-Out):** A flat 18-month grace period from the date of this hearing, during which the Voluntary Attrition Plan (detailed below), will remain active. The property will systematically transition as residents naturally vacate, with a hard deadline for total compliance at the conclusion of the 18 months.
- **Timeline Option 2 (Staff-Proposed Phased Reduction):** Consistent with city staff's March meeting notes, the property will utilize the next 18 months to systematically reduce the total number of trailers down to a historical density baseline of twelve (12) units. Following that initial 18-month stabilization window, a secondary, extended phase-out timeline will commence to transition the remaining twelve units off the property permanently.

IV. Human Impact and Local Workforce Disruption

A rigid 90-day enforcement timeline fails to account for the acute logistical realities of the current local housing market. To demonstrate the stabilized nature of the property and the deep roots our residents have in the community, the Applicant has compiled a *Resident Tenure and Workforce Density Summary*, attached as Exhibit C.

As detailed in Exhibit C, the average length of residency at the property is 32 months, with several residents having called this park home for multiple years. The community includes retirees as well as individuals who form the backbone of the Mt. Juliet service and trade economy, including employees of the Wilson County School District, healthcare workers, construction tradespeople, food service workers, and local musicians.

Displacing the remaining fifteen (15) households simultaneously into a market with historically low affordable housing vacancies creates an immediate risk of localized housing instability. An 18-month transitional runway is requested not to challenge the City's authority, but to afford these long-term Mt. Juliet residents a humane, realistic timeline to secure safe, alternative local accommodations.

V. Voluntary Attrition Plan

Effective as of the March 2026 meeting, and pending the outcome of this administrative appeal, the Applicant has instituted a strict density cap on the subject parcel.

The Applicant pledges that as current recreational vehicles or travel trailers voluntarily vacate their respective sites, no new or replacement recreational vehicles or travel trailers will be permitted to occupy the vacated spaces. This policy guarantees an immediate, progressive, and permanent reduction in density on the property while allowing current families a humane timeline to coordinate alternative housing

VI. Proof of Proactive Compliance

Since receiving the City's formal notice, five (5) out of twenty (20) lots have already been completely vacated and brought into compliance via our voluntary phase-out management strategy.

See Exhibit D for photographic and administrative proof of the five (5) currently vacant sites.

Respectfully submitted,

Dave Barberi

Diamond Park LLC

(615) 558-5954

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Exhibit A: Schedule of Target Violation Notices

The following twenty (20) individual code enforcement notices issued by the City of Mt. Juliet on May 29, 2026, are explicitly incorporated into, and protected by, this Master Administrative Appeal:

Item	House Number
1	NOTICE OF ZONING VIOLATION AT 323 N. MT. JULIET RD., MT. JULIET, TN 37122, MAP 077, PARCEL 073.00.
2	NOTICE OF ZONING VIOLATION AT 325 N. MT. JULIET RD., MT. JULIET, TN 37122, MAP 077, PARCEL 073.00.
3	NOTICE OF ZONING VIOLATION AT 327 N. MT. JULIET RD., MT. JULIET, TN 37122, MAP 077, PARCEL 073.00.
4	NOTICE OF ZONING VIOLATION AT 329 N. MT. JULIET RD., MT. JULIET, TN 37122, MAP 077, PARCEL 073.00.
5	NOTICE OF ZONING VIOLATION AT 331 N. MT. JULIET RD., MT. JULIET, TN 37122, MAP 077, PARCEL 073.00.
6	NOTICE OF ZONING VIOLATION AT 333 N. MT. JULIET RD., MT. JULIET, TN 37122, MAP 077, PARCEL 073.00.
7	NOTICE OF ZONING VIOLATION AT 337 N. MT. JULIET RD., MT. JULIET, TN 37122, MAP 077, PARCEL 073.00.
8	NOTICE OF ZONING VIOLATION AT 343 N. MT. JULIET RD., MT. JULIET, TN 37122, MAP 077, PARCEL 073.00.
9	NOTICE OF ZONING VIOLATION AT 347 N. MT. JULIET RD., MT. JULIET, TN 37122, MAP 077, PARCEL 073.00.

Item	House Number
10	NOTICE OF ZONING VIOLATION AT 353 N. MT. JULIET RD., MT. JULIET, TN 37122, MAP 077, PARCEL 073.00.
11	NOTICE OF ZONING VIOLATION AT 355 N. MT. JULIET RD., MT. JULIET, TN 37122, MAP 077, PARCEL 073.00.
12	NOTICE OF ZONING VIOLATION AT 357 N. MT. JULIET RD., MT. JULIET, TN 37122, MAP 077, PARCEL 073.00.
13	NOTICE OF ZONING VIOLATION AT 369 N. MT. JULIET RD., MT. JULIET, TN 37122, MAP 077, PARCEL 073.00.
14	NOTICE OF ZONING VIOLATION AT 377 N. MT. JULIET RD., MT. JULIET, TN 37122, MAP 077, PARCEL 073.00.
15	NOTICE OF ZONING VIOLATION AT 379 N. MT. JULIET RD., MT. JULIET, TN 37122, MAP 077, PARCEL 073.00.
16	NOTICE OF ZONING VIOLATION AT 381 N. MT. JULIET RD., MT. JULIET, TN 37122, MAP 077, PARCEL 073.00.
17	NOTICE OF ZONING VIOLATION AT 383 N. MT. JULIET RD., MT. JULIET, TN 37122, MAP 077, PARCEL 073.00.
18	NOTICE OF ZONING VIOLATION AT 389 N. MT. JULIET RD., MT. JULIET, TN 37122, MAP 077, PARCEL 073.00.
19	NOTICE OF ZONING VIOLATION AT 395 N. MT. JULIET RD., MT. JULIET, TN 37122, MAP 077, PARCEL 073.00.

Item	House Number
20	NOTICE OF ZONING VIOLATION AT 397 N. MT. JULIET RD., MT. JULIET, TN 37122, MAP 077, PARCEL 073.00.

Administrative Note: Because all twenty (20) citations involve identical zoning standard applications on distinct site locations within the exact same parent parcel (Map 077, Parcel 073.00), this schedule serves to collectively consolidate them into a single administrative review file.

Exhibit B: Evidence of Prior Administrative Guidance

Location: City of Mt. Juliet Planning and Zoning Offices

Record Origin: Official Meeting Notes transcribed and transmitted by Tyler Gutierrez (City Planning Staff)

1. Relevant Excerpts of City Staff Meeting Notes

The following text is excerpted directly from the official administrative notes provided to the Applicant by City Planner Tyler Gutierrez following the March 2026, conference. Non-pertinent operational details have been omitted for administrative clarity.

Meeting Notes Excerpts

- *10 years to phase out, Dave*
- *[Mark McLane Proposal]: 1.5 years to phase out, Mark*
- *[...]*
- *The issue and what got this on the city's radar was the expansion of the non-conformity. While it might be possible that there were some RVs in the park before they were prohibited.*
- **[Tyler Gutierrez Proposal]** *Propose reducing RVs to the number before recent expansion (about 12) in 1.5 years then a slower phase out.*
- *[...]*
- *Dave is interested in moving to commercial.*
- *[...]*
- **[Applicant Good-Faith Action]:** *Dave agreed to not move in the 2 individuals in the pipeline.*
- *[...]*
- **[Applicant Request]:** *Dave requests an official timeline from the city on the phase out.*
- *[Contact Information Redacted]*

2. Applicant's Clarification and Context Memorandum:

Management Note Regarding Tyler Gutierrez's Comments:

For accurate historical context regarding the "expansion" phrasing utilized in the staff notes above, Diamond Park LLC clarifies that the recent increase in site occupancy was a direct, internal response to unprecedented regional workforce housing demands, rather than a permanent expansion of the property's historical boundaries.

The Applicant recognizes that the City's long-term Master Plan for the Mt. Juliet Road corridor envisions a transition toward commercial use. While the Applicant is not actively executing commercial development at this time, the Applicant remains entirely open to exploring commercial zoning and development avenues in the future as a long-term goal for the property.

Evidentiary Weight of Staff Proposals:

As explicitly recorded in the staff notes above, city administration recognized the clear logistical necessity of a phased transition runway. The written record confirms that both staff members present proposed an 18-month transitional timeline to resolve the matter humanely:

1. **Mark McLane** indicated that the City would be amenable to a flat *"1.5 years to phase out"* to avoid sudden residential displacement.
2. **Tyler Gutierrez** suggested an initial 1.5-year timeline to step density down to twelve (12) trailers, followed by a slower, secondary phase-out period.

Proof of Applicant's Good-Faith Compliance:

As recorded in the notes, Diamond Park LLC immediately took proactive measures to cooperate with municipal requests, including freezing the occupancy pipeline by agreeing not to move in two pending tenants.

Application to Current Appeal:

The Applicant's final request during this good-faith March meeting was for an *"official timeline from the city on the phase out."* Instead, the property received automated, uniform

90-day citation letters that directly contradict the collaborative frameworks proposed by the City's own Planning and Zoning division.

Diamond Park LLC's formal appeal respectfully requests that the Board adopt either of the staff-proposed phased framework to ensure an orderly, humane compliance process.

Exhibit C: Resident Tenure and Workforce Density Summary

The following data represents the current residential composition and stabilized workforce density. This index outlines the severe localized housing displacement and community disruption that would result from an abrupt, 90-day enforcement schedule.

Street Number	Duration of Stay	Employment Status/Industry
323	29 months	Healthcare Sector
327	12 months	Retired
329	22 months	Transportation
331	24 months	Retail
333	26 months	Retired
337	11 months	Construction
343	39 months	Healthcare
347	67 months	Musician
353	13 months	Food Service
357	27 months	Manufacturing
369	103 months	Public School System
377	32 months	Security Services
381	6 months	Food Service
389	14 months	Retired
395	22 months	Retired

Key Metric: The average length of continuous residency at this property is over 32 months, highlighting a highly stable, long-term community. Notably, several community members have resided here for multiple years, including a public school system employee with 103 months of continuous residency.

Local Housing and Relocation Context Memorandum:

While alternative travel trailer and recreational vehicle infrastructure exist within the broader boundaries of Wilson County, *zero long-term facilities are located within the corporate limits of the City of Mt. Juliet*. This geographic reality creates distinct structural hardships under an accelerated 90-day displacement timeline:

- **Local Vacancy / Relocation Barriers:** An intentional market survey of alternative RV infrastructure conducted by property management highlights severe logistical barriers to immediate relocation within Wilson County. Out of five identified facilities near Mt Juliet, operations are restricted by seasonal closures or limited by restricted long-term site allocations. Furthermore, multiple facilities maintain no responsive administrative channels or active vacancies, rendering the immediate, abrupt placement of fifteen displaced households statistically and logistically unfeasible within a narrow 90-day window.
- **Economic and Logistical Relocation Barriers:** Forcing working-class residents out of Mt. Juliet drastically increases commute times for service-industry workers who form the backbone of the local municipal economy. Furthermore, many mobile units require towing services to relocate—an upfront capital expense that families living paycheck-to-paycheck cannot logistically organize or fund on short notice.
- **Recent Regional Housing Affordability Metrics:** According to regional housing data, the Fair Market Rent for a modest 2-bedroom apartment in the Wilson County market averages \$1,600 to \$1,800 per month. Securing a traditional lease typically requires a first month's rent, last month's rent, and a security deposit upfront. For working-class residents, accumulating approximately \$5,000 in liquid moving capital while simultaneously competing for limited vacancies is a mathematical and practical impossibility within 90 days.

Exhibit D: Proof of Proactive Compliance and Voluntary Vacancy

Status Assessment Date: July 1, 2026

Action Framework: Voluntary Attrition Management Policy

The Applicant has established a strict density cap on the property. Pursuant to this policy, as residents naturally transition out of the park, those specific locations are left vacant and are not re-leased to new travel trailer or recreational vehicle users.

As of July 1, 2026, five (5) out of twenty (20) sites have been successfully and organically vacated, cleared, and brought into compliance with current occupancy enforcement mandates. This constitutes an immediate 25% reduction in non-conforming density ahead of the formal Board hearing.

Index of Vacant Sites

The individual street addresses listed below have been completely cleared of non-conforming uses. Photographic documentation confirming the current vacant status of each distinct site is attached immediately following this index sheet:

Photographic Figure	Specific Site Address	Current Status	Verification Date
Figure D-1	325 N. Mt. Juliet Rd.	Vacant & Compliant	July 1, 2026
Figure D-2	355 N. Mt. Juliet Rd.	Vacant & Compliant	July 1, 2026
Figure D-3	379 N. Mt. Juliet Rd.	Vacant & Compliant	July 1, 2026
Figure D-4	383 N. Mt. Juliet Rd.	Vacant & Compliant	July 1, 2026
Figure D-5	397 N. Mt. Juliet Rd.	Vacant & Compliant	July 1, 2026

Administrative Note to the Board: This organic drawdown proves the practical efficacy of the Applicant's proposed *Voluntary Attrition Plan*. Rather than requiring aggressive, code-mandated displacement, an orderly, vacancy-driven phase-out is already functioning successfully on the ground.

Figure D-1: Photographic proof of vacant and cleared site at 325 N. Mt. Juliet Rd., taken July 1, 2026.



Figure D-1: Photographic proof of vacant and cleared site at 355 N. Mt. Juliet Rd., taken July 1, 2026.



Figure D-1: Photographic proof of vacant and cleared site at 379 N. Mt. Juliet Rd., taken July 1, 2026.



Figure D-1: Photographic proof of vacant and cleared site at 383 N. Mt. Juliet Rd., taken July 1, 2026.



Figure D-1: Photographic proof of vacant and cleared site at 397 N. Mt. Juliet Rd., taken July 1, 2026.

