

Dear Commissioners,

We heard Vice-Chair Smith's concerns that putting the opposition after the proponents would not allow the applicant to address anything brought up by the opposition. That is a valid concern. As a former chair of the Knox County BZA myself, I often felt that the applicant deserved an opportunity to rebut any testimony or evidence brought up by opposition.

A fair and reasonable fix is to give the applicant a couple minutes to rebut anything specifically brought up by the opposition arguments and address any compromise and conditions they are willing to accept. County Commission already does this in the [County Commission Rules on Zoning](#) (Rule VII, Section A Time Limits, and Section C Order of Procedure, pages 20 and 21 of the PDF). Applicant (proponents) go first, then opposition, and then the applicant has 2 minutes to "rebut opposition arguments, states any compromise or conditions he or she is willing to accept. No new matters may be introduced. Opposition may agree to any offered compromise."

It appears the updated 11-B-20-OB case file has a "Rebuttals" added in section 9.B. - that's excellent. May we suggest adding a purpose and time limit in Section 9.C., perhaps inserting Section 9.C.3 as follows:

The applicant will be allowed a total of two (2) minutes to rebut opposition arguments and state any compromise or conditions they are willing to accept. No new matters may be introduced. Opposition may agree to any offered compromise.

We believe the proposed rule change, and the clarification about rebuttals, improves discussion and meetings by:

Having the applicant go first and state their reasons for requesting a change so that everyone understands the reasons for the request before speaking to it. The applicant and proponents can present their vision and justification for why the request is appropriate and beneficial

Decrease the likelihood that subsequent speakers would waste time addressing issues that may be satisfactorily addressed up by the applicant's presentation

Provides information to speakers following the applicant. While we try to prepare as many community members as possible to "do their homework", you will have items where people unfamiliar with the process, item, circumstances show up. If the applicant speaks first, then those community members have more information to speak about. In some cases the opposition may be fully satisfied by the applicant's statements, and just sit down. Viola - time saved for everybody!

Provides the applicant a reasonable opportunity to rebut specific testimony and evidence offered

Aligns the procedure with the County Commission zoning rules, which helps all parties.

Sincerely,

--Kevin

Kevin Murphy, Chair, Knox County Planning Alliance