

July 15, 2019

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Re: Karry Beutner, Bert Brady, David B. Hamilton, Esq., John Marshall, Bob McCullough
Charles

Please be advised that the persons listed above own real property within the city limits of Knoxville. For various reasons, they oppose the current Race-to-Knoxville initiative. They contacted with me about their concerns and the impact that Race-to-Knoxville would have on them. As have our expressed concerns, *inter alia*, over the potential use of group homes in traditionally residential residential areas with the exception of the Neaseville Hills area. Some expressed concern over changes to the zoning of their business units, which would impact the future sale value of their land.

Regarding the individuals who are concerned about their business property, they are currently zoned C-4, and under Race-to-Knoxville would be rezoned to LMI-1. The consequence of this rezoning is that their current, permitted use would become a nonconforming use. These individuals have sought to communicate their concerns to the city, mostly to no avail. Those who have had some communication have been promised a grandfathering for their current use. But, the value of their real property in the market marketplace will be affected, because the rezoning of the properties are conclusive to the currently permitted use and will have diminished value to a potential future buyer, unless the potential buyer can continue with the current use. The city has given no assurances to these individuals that the grandfathering of their current permitted use would be passed on to a potential future buyer.

During my discussions with these individuals, I advised them of possible remedies. It is my opinion that the Knoxville Mayor and City Council will be acting ultra vires if the City Council continues with the adoption of the Race-to-Knoxville ordinance, and thus the ordinance would be declared void. Consequently, a remedy that they can undertake upon adoption of Race-to-Knoxville is a declaratory action, asking that the ordinance be declared void.