

# REZONING REPORT

▶ **FILE #:** 8-H-24-RZ **AGENDA ITEM #:** 8  
 POSTPONEMENT(S): 8/8/2024 **AGENDA DATE:** 9/12/2024  
 ▶ **APPLICANT:** MICHAEL SHADDLE  
 OWNER(S): Michael Shaddle

TAX ID NUMBER: 104 33 [View map on KGIS](#)  
 JURISDICTION: County Commission District 6  
 STREET ADDRESS: 9510 DAYBREAK DR  
 ▶ **LOCATION:** South side of Daybreak Dr, northeast of Middlebrook Pike  
 ▶ **APPX. SIZE OF TRACT:** 0.98 acres  
 GROWTH POLICY PLAN: Planned Growth Area  
 ACCESSIBILITY: Access is via Daybreak Dr, local street with 16 ft of pavement width within a 50-ft right of way.  
 UTILITIES: Water Source: West Knox Utility District  
 Sewer Source: West Knox Utility District  
 FIRE DISTRICT: Karns Fire Department  
 WATERSHED: Beaver Creek

▶ **PRESENT ZONING:** A (Agricultural)  
 ▶ **ZONING REQUESTED:** RA (Low Density Residential)  
 ▶ **EXISTING LAND USE:** Single Family Residential

▶  
 EXTENSION OF ZONE: No  
 HISTORY OF ZONING: None noted  
 SURROUNDING LAND USE AND ZONING: North: Rural residential, single family residential - A (Agricultural)  
 South: Single family residential - A (Agricultural)  
 East: Rural residential, single family residential - A (Agricultural)  
 West: Rural residential, single family residential - A (Agricultural), PR (Planned Residential) up to 12 du/ac  
 NEIGHBORHOOD CONTEXT: The surrounding area consists predominantly of single family detached residential homes on small lots off on side streets and on large lots along Daybreak Drive to the north and Schaad Road to the south. There are two parks, Nicholas Ball Park and Ball Camp Park, and Ball Camp Elementary School within a mile of the property. To the north is Beaver Ridge, which remains forested.

**STAFF RECOMMENDATION:**

▶ **Deny the RA (Low Density Residential) zone because it is not consistent with the Knox County Comprehensive Plan implementation policies and does not meet the criteria for a rezoning.**

**COMMENTS:**

PURSUANT TO THE KNOX COUNTY ZONING ORDINANCE, ARTICLE 6.30.01, THE FOLLOWING CONDITIONS MUST BE MET FOR ALL REZONINGS (must meet all of these):

THE PROPOSED AMENDMENT SHALL BE NECESSARY BECAUSE OF SUBSTANTIALLY CHANGED OR CHANGING CONDITIONS IN THE AREA AND DISTRICTS AFFECTED, OR IN THE CITY/COUNTY GENERALLY:

1. Since 1993, there have been some A to RA and PR rezonings at densities of 1-5 du/ac in the area. The general trend along the south side of Daybreak Drive, consists of small and medium sized-lots and single family detached residential houses while agricultural tracts remain on the north side because of the steep slopes of Beaver Ridge. The adjacent property to the southwest was recently rezoned from PR with up to 5 du/ac to PR with up to 12 du/ac (6-N-24-RZ). However, that parcel is accessed off of Ball Camp Pike, a minor arterial.
2. A portion of Schaad Rd extending from Ball Camp Pike to Olive Branch Laen is nearly complete and will consist of a four-lane, median-divided section with sidewalks on both sides. When considered in context with the rest of the network, this section completes a route between I-40/I-75 in west Knox County and I-75 in north Knox County. The Schaad Road project connects to Ball Camp Elementary, Ball Camp Community Park, and Nicholas Ball Park. The corridor also opens the opportunity for new commercial development.

THE PROPOSED AMENDMENT SHALL BE CONSISTENT WITH THE INTENT AND PURPOSE OF THE APPLICABLE ZONING ORDINANCE:

1. The RA zone provides for residential areas with low population densities. Single family homes are permitted while duplexes and garage apartments require use on review approvals.
2. On this roughly 42,666 sq ft site with an existing home, 2 additional single family homes or 1 duplex could be built.
3. Rezoning should be based on the entire range of uses allowed within a zone to ensure that any development brought forth at a future time would be compatible with the surrounding land uses.

PROPOSED AMENDMENT SHALL NOT ADVERSELY AFFECT ANY OTHER PART OF THE COUNTY, NOR SHALL ANY DIRECT OR INDIRECT ADVERSE EFFECTS RESULT FROM SUCH AMENDMENT:

1. This property has exclusive access to Daybreak Drive a narrow 16-ft wide road. While 1-2 additional lots would not require road improvements, Planning is concerned a rezoning would create a ripple effect of other rezoning requests. Additional rezonings would bring additional dwelling units, compiling more traffic onto a subpar road. Since there are no plans to improve Daybreak Drive, this would create a safety concern.
2. This property has some steep slopes through the front of the property within the Hillside Protection area.

PROPOSED AMENDMENT SHALL BE CONSISTENT WITH AND NOT IN CONFLICT WITH THE COMPREHENSIVE PLAN OF KNOX COUNTY, INCLUDING ANY OF ITS ELEMENTS, MAJOR ROAD PLAN, LAND USE PLAN, COMMUNITY FACILITIES PLAN, AND OTHERS:

1. The RA zone is directly related to the SMR (Suburban Mixed-use) place type, meaning uses allowed in the RA zone are compatible with this place type. The RA zone is compatible with the single family homes in the area.
2. Even though low density residential is compatible with the area, the incremental increases in development are not appropriate when the street does not meet roadway width standards. Rezoning along Daybreak Dr are not consistent with the Knox County's Comprehensive Plan's Implementation Policy 9.3, focus growth in areas already served by adequate infrastructure and 9.5, approving development where infrastructure is inadequate or not yet planned.

ESTIMATED TRAFFIC IMPACT: 131 (average daily vehicle trips)

Average Daily Vehicle Trips are computed using national average trip rates reported in the latest edition of "Trip Generation," published by the Institute of Transportation Engineers. Average Daily Vehicle Trips represent the total number of trips that a particular land use can be expected to generate during a 24-hour day (Monday through Friday), with a "trip" counted each time a vehicle enters or exits a proposed development.

ESTIMATED STUDENT YIELD: 1 (public school children, grades K-12)

Schools affected by this proposal: Ball Camp Elementary, Hardin Valley Middle, and Hardin Valley Academy.

- Potential new school population is estimated using locally-derived data on public school student yield generated by new housing.
- Students are assigned to schools based on current attendance zones as determined by Knox County Schools. Students may request transfers to different zones, and zone boundaries are subject to change.
- Estimates presume full build-out of the proposed development. Build-out is subject to market forces, and timing varies widely from proposal to proposal.
- Student yields from new development do not reflect a net addition of children in schools. Additions occur incrementally over the build-out period. New students may replace current population that ages through the system or moves from the attendance zone.

If approved, this item will be forwarded to Knox County Commission for action on 10/21/2024. If denied, Knoxville-Knox County Planning Commission's action is final, unless the action to deny is appealed to Knox County Commission. The date of the appeal hearing will depend on when the appeal application is filed. Appellants have 30 days to appeal a Planning Commission decision in the County.



# Request to Postpone • Table • Withdraw

Michael Shaddle

8/2/2024

Applicant Name (as it appears on the current Planning Commission agenda)

Date of Request

August 8th, 2024

Scheduled Meeting Date

8-H-24-RZ

File Number(s)

## POSTPONE

**POSTPONE:** All applications are eligible for postponement if the request is received in writing and paid for by noon on Thursday the week prior to the Planning Commission meeting. All requests must be acted upon by the Planning Commission, except new applications which are eligible for one 30-day automatic postponement. If payment is not received by the deadline, the item will be tabled.

SELECT ONE:  30 days  60 days  90 days

Postpone the above application(s) until the September 12th, 2024 Planning Commission Meeting.

## WITHDRAW

**WITHDRAW:** Applications may be withdrawn automatically if the request is received in writing no later than 3:30pm on Thursday the week prior to the Planning Commission meeting. Requests made after this deadline must be acted on by the Planning Commission. Applicants are eligible for a refund only if a written request for withdrawal is received no later than close of business 2 business days after the application submittal deadline and the request is approved by the Executive Director or Planning Services Manager.

## TABLE

*\*The refund check will be mailed to the original payee.*

**TABLE:** Any item requested for tabling must be acted upon by the Planning Commission before it can be officially tabled. There is no fee to table or untable an item.

**AUTHORIZATION**

By signing below, I certify I am the property owner, and/or the owners authorized representative.

Digitally signed by Michael Shaddle  
Date: 2024.08.02 16:15:45 -04'00'

Michael Shaddle

Applicant Signature

Please Print

510 919 9816

michaelshaddle@yahoo.com

Phone Number

Email

## STAFF ONLY

Whitney Warner

8/5/24

Staff Signature

Please Print

Date Paid

No Fee

Eligible for Fee Refund?  Yes  No

Amount:

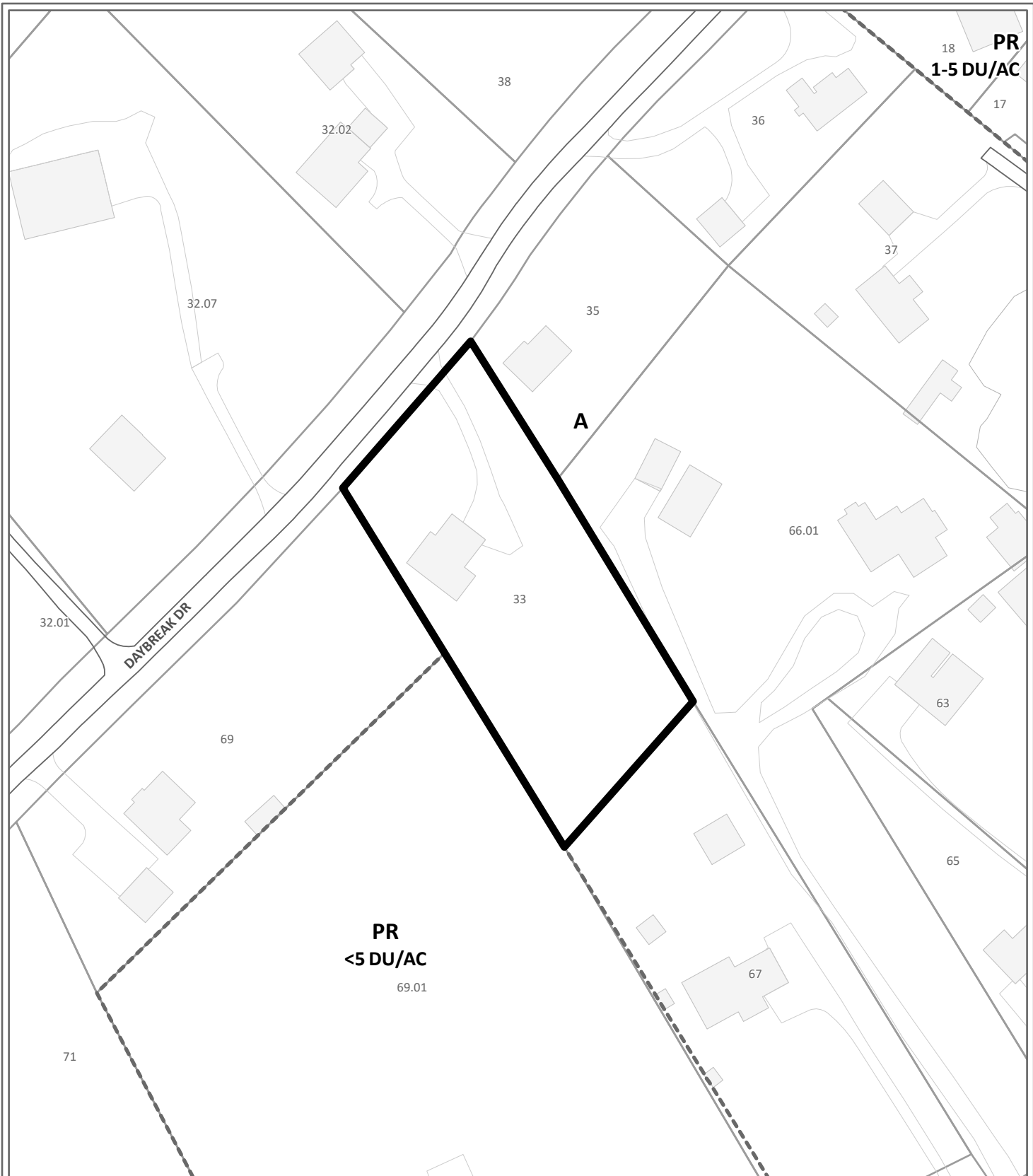
Approved by:

Date:

Payee Name

Payee Phone

Payee Address



**REZONING**

**8-H-24-RZ**

**Petitioner:** Michael Shaddle

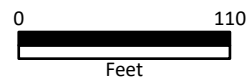


**From:** A (Agricultural)

**To:** RB (General Residential)

**Map No:** 104

**Jurisdiction:** County

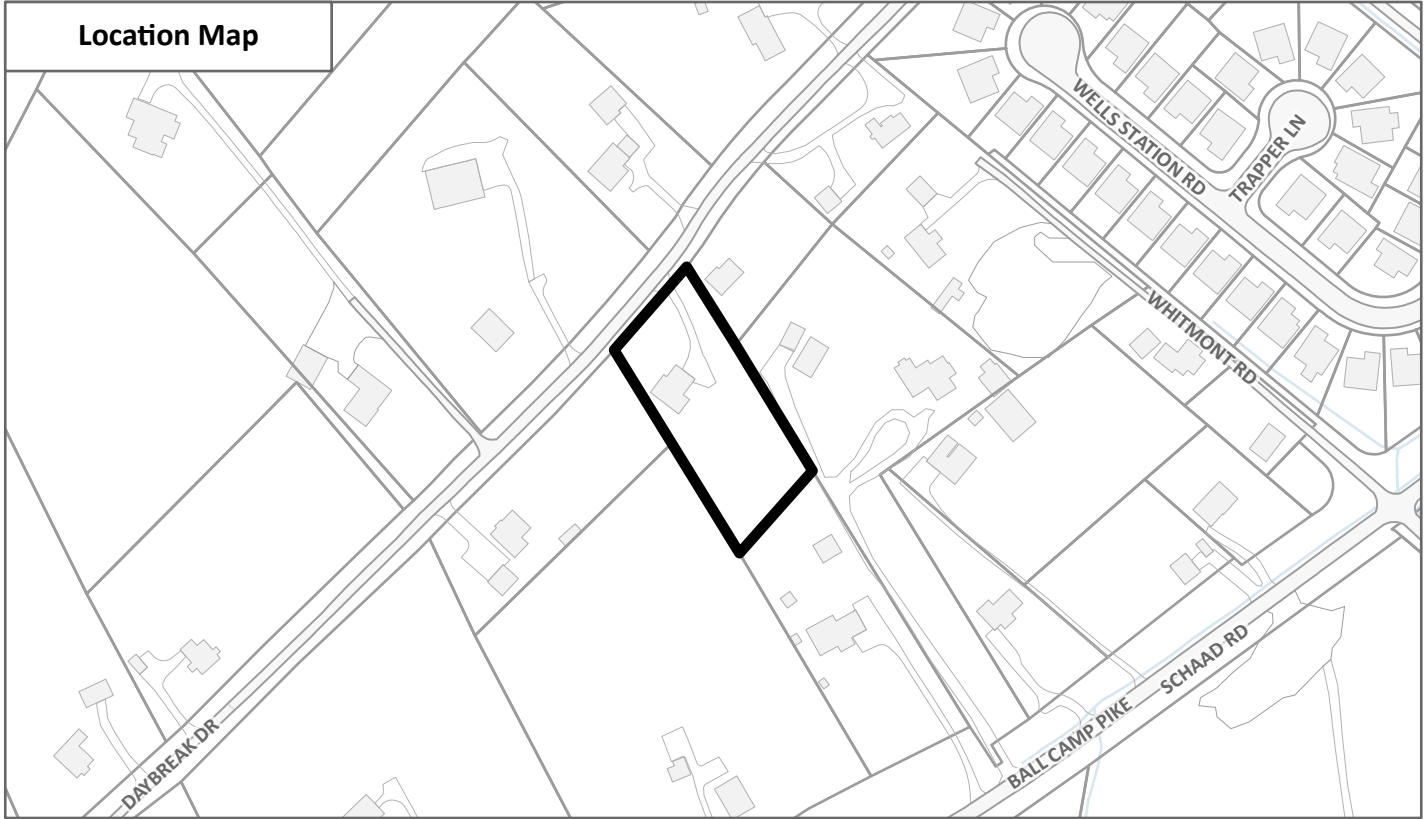


**Original Print Date:** 7/10/2024

Knoxville - Knox County Planning Commission \* City / County Building \* Knoxville, TN 37902

# Exhibit A. Contextual Images

Location Map



Aerial Map

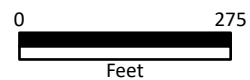


CONTEXTUAL MAPS 1

8-H-24-RZ



Case boundary

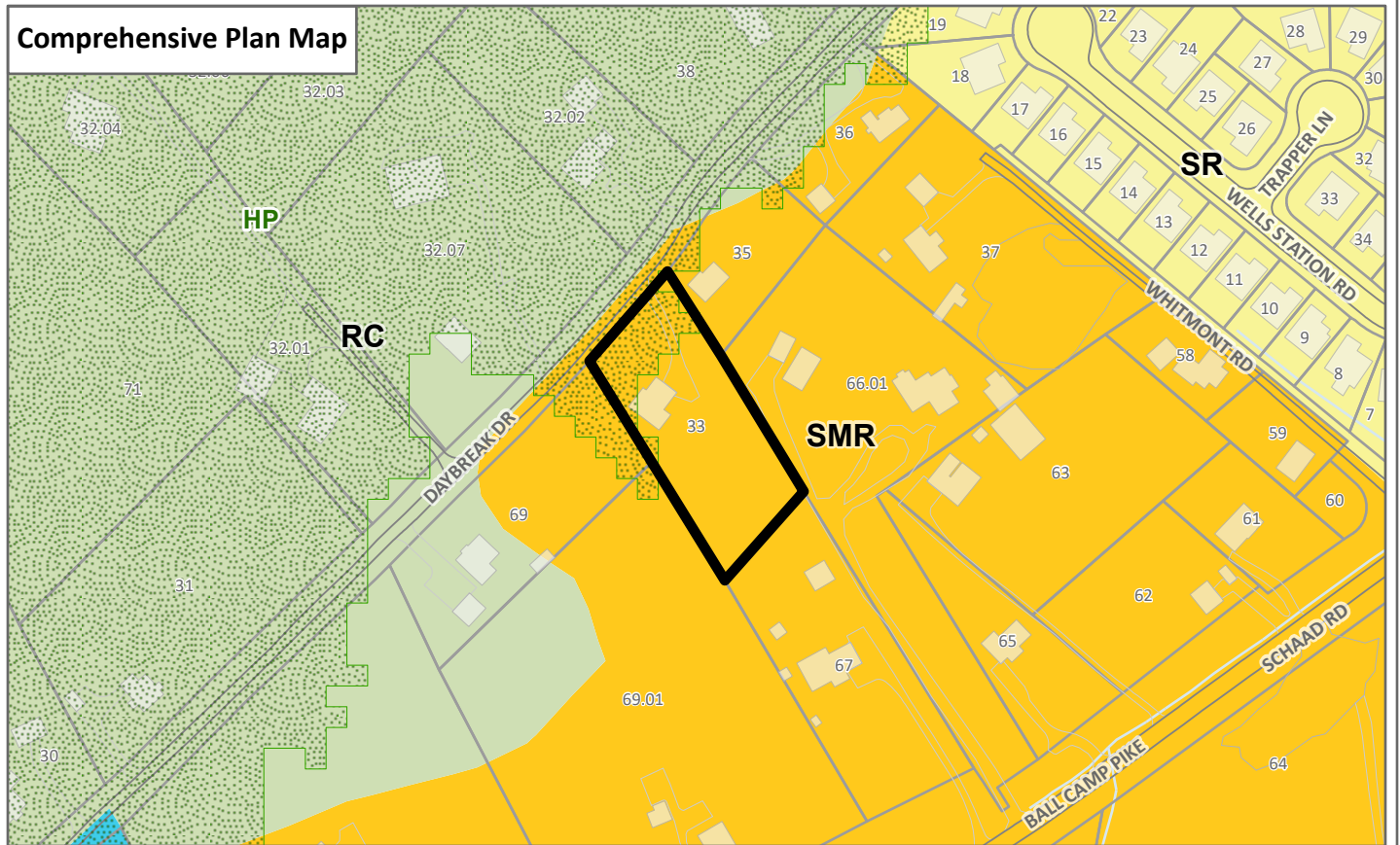




**Zoning Map**



**Comprehensive Plan Map**

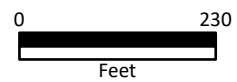


**CONTEXTUAL MAPS 2**

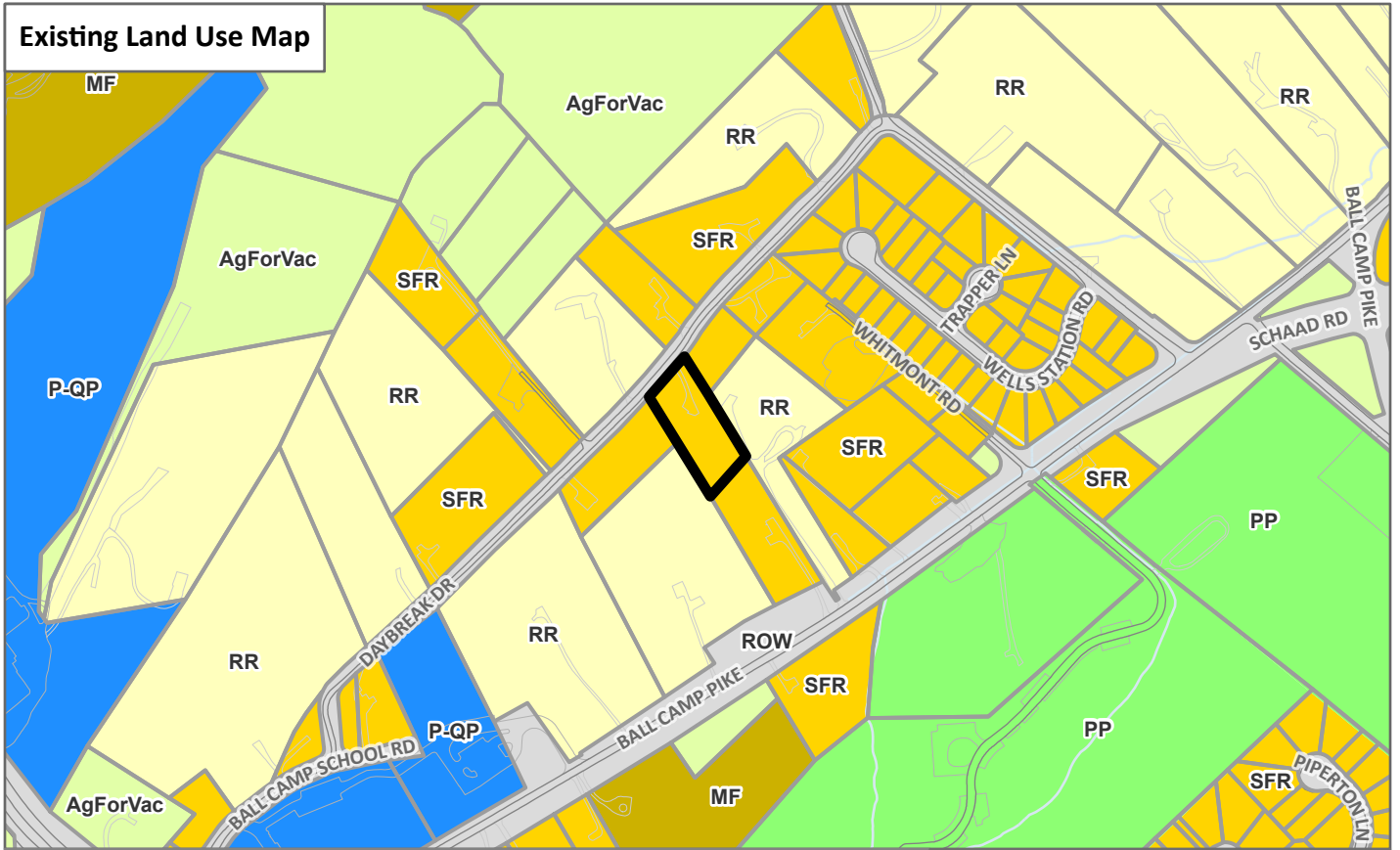
**8-H-24-RZ**



Case boundary



Existing Land Use Map

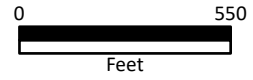


CONTEXTUAL MAPS 3

8-H-24-RZ

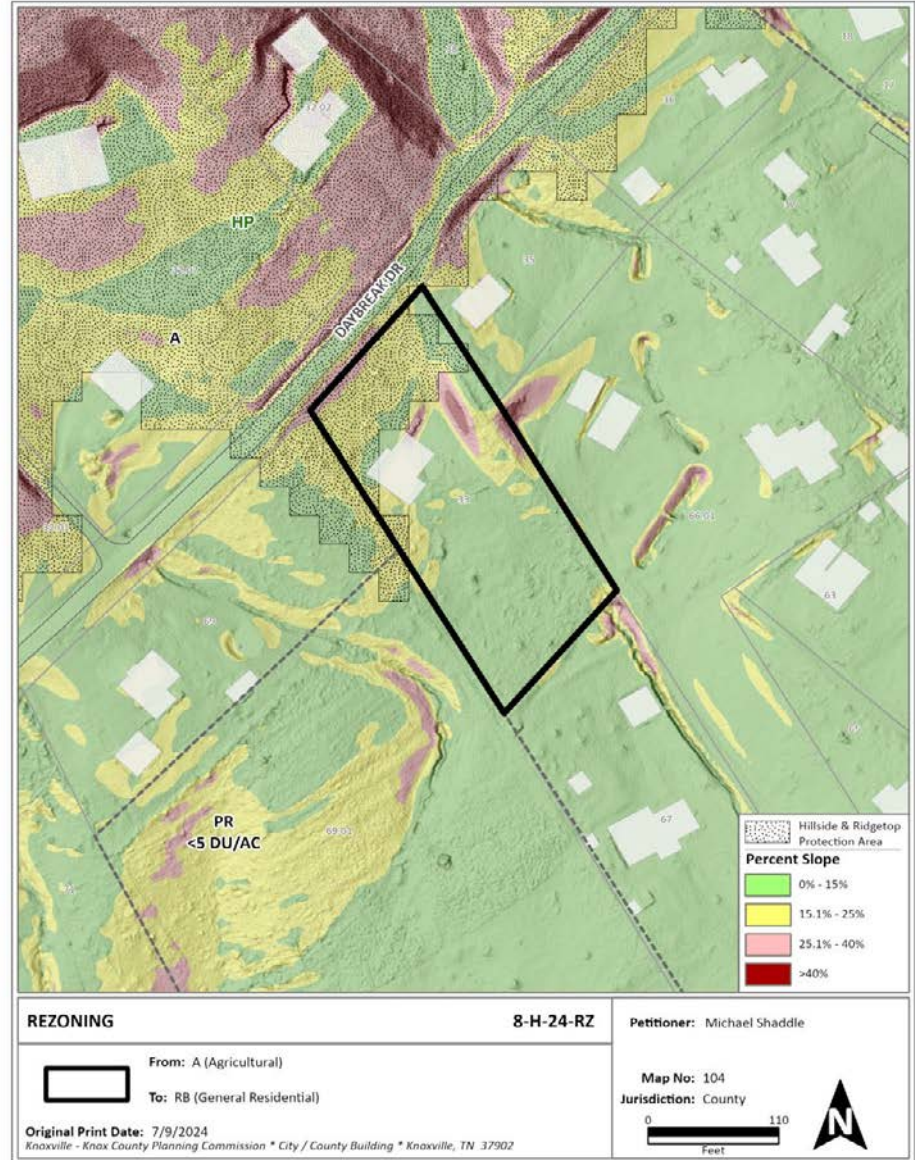


Case boundary





CATEGORY	ACRES	RECOMMENDED DISTURBANCE BUDGET (Percent)	DISTURBANCE AREA (Acres)
<b>Total Area of Site</b>	<b>0.98</b>		
Non-Hillside	0.75	N/A	
0-15% Slope	0.06	100%	0.06
15-25% Slope	0.16	50%	0.08
25-40% Slope	0.01	20%	0.00
Greater than 40% Slope	0.00	10%	0.00
Ridgetops			
<b>Hillside Protection (HP) Area</b>	<b>0.23</b>	Recommended disturbance budget within HP Area (acres)	<b>0.14</b>
		Percent of HP Area	<b>60.5%</b>



REZONING

8-H-24-RZ

Petitioner: Michael Shaddle



From: A (Agricultural)

To: RB (General Residential)

Map No: 104

Jurisdiction: County

Original Print Date: 7/9/2024

Knoxville - Knox County Planning Commission \* City / County Building \* Knoxville, TN 37902





# Development Request

### DEVELOPMENT

- Development Plan
- Planned Development
- Use on Review / Special Use
- Hillside Protection COA

### SUBDIVISION

- Concept Plan
- Final Plat

### ZONING

- Rezoning
- Plan Amendment
- Sector Plan
- City OYP / County Comp Plan

**Michael Shaddle**

Applicant Name

Affiliation

**6/13/2024**

Date Filed

**8/8/2024**

Meeting Date (if applicable)

**8-H-24-RZ**

File Number(s)

## CORRESPONDENCE

*All correspondence related to this application should be directed to the approved contact listed below.*

**Michael Shaddle**

Name / Company

**1311 Live Oak Cir Knoxville TN 37932**

Address

**510-919-9816 / michaelshaddle@yahoo.com**

Phone / Email

## CURRENT PROPERTY INFO

**Michael Shaddle**

Owner Name (if different)

**1311 Live Oak Cir Knoxville TN 37932**

Owner Address

**510-919-9816 / michaelshaddle**

Owner Phone / Email

**9510 DAYBREAK DR**

Property Address

**104 33**

Parcel ID

**0.98 acres**

Tract Size

Part of Parcel (Y/N)?

**West Knox Utility District**

Sewer Provider

**West Knox Utility District**

Water Provider

Septic (Y/N)

## STAFF USE ONLY

**Southeast side of Daybreak Dr, west of Whitmont Rd**

General Location

City

**Commission District 6**

**A (Agricultural)**

**Single Family Residential**

County District

Zoning District

Existing Land Use

**SMR (Suburban Mixed Residential), HP (Hillside Ridgetop Protection)**

Land Use (City)/Place Type (County)

**Planned Growth Area**

Growth Policy Plan Designation

## DEVELOPMENT REQUEST

<input type="checkbox"/> Development Plan <input type="checkbox"/> Planned Development <input type="checkbox"/> Use on Review / Special Use	Related City Permit Number(s)
<input type="checkbox"/> Hillside Protection COA <input type="checkbox"/> Residential <input type="checkbox"/> Non-residential	
Home Occupation (specify) _____	
Other (specify) _____	

## SUBDIVISION REQUEST

Proposed Subdivision Name	Related Rezoning File Number
Unit / Phase Number	
Additional Information _____	
<input type="checkbox"/> Attachments / Additional Requirements	

## ZONING REQUEST

<input checked="" type="checkbox"/> Zoning Change <b>RB (General Residential)</b>	Pending Plat File Number
Proposed Zoning	
<input type="checkbox"/> Plan Amendment    Proposed Plan Designation(s)	
Proposed Density (units/acre)    Previous Rezoning Requests	
Additional Information _____	

## STAFF USE ONLY

PLAT TYPE	Fee 1	Total
<input type="checkbox"/> Staff Review <input type="checkbox"/> Planning Commission	<b>\$650.00</b>	
<b>ATTACHMENTS</b>	Fee 2	
<input checked="" type="checkbox"/> Property Owners / Option Holders <input type="checkbox"/> Variance Request		
<input type="checkbox"/> Amendment Request (Comprehensive Plan)	Fee 3	
<b>ADDITIONAL REQUIREMENTS</b>		
<input type="checkbox"/> Use on Review / Special Use (Concept Plan)		
<input type="checkbox"/> Traffic Impact Study		
<input type="checkbox"/> COA Checklist (Hillside Protection)		

## AUTHORIZATION

I declare under penalty of perjury the foregoing is true and correct: 1) He/she/it is the owner of the property, AND 2) the application and all associated materials are being submitted with his/her/its consent.

Applicant Signature	<b>Michael Shaddle</b> Please Print	<b>6/13/2024</b> Date
Phone / Email		
Property Owner Signature	<b>Michael Shaddle</b> Please Print	<b>6/13/2024</b> Date



**NAMES OF ALL PROPERTY OWNERS INVOLVED OR HOLDERS OF OPTION ON SAME  
MUST BE LISTED BELOW:**

Please print or type in black ink.

NAME	ADDRESS	OWNER / OPTION
Aaron Kunz	1311 Live Oak Circle Knoxville, TN	

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# Development Request

### DEVELOPMENT

- Development Plan
- Planned Development
- Use on Review / Special Use
- Hillside Protection COA

### SUBDIVISION

- Concept Plan
- Final Plat

### ZONING

- Plan Amendment
  - SP
  - PA
- Rezoning

Michael Shaddle

Owner

Applicant Name

Affiliation

6/11/2024

August Meeting 08/08/2024

File Number(s)

Date Filed

Meeting Date (if applicable)

8-H-24-RZ

## CORRESPONDENCE

All correspondence related to this application should be directed to the approved contact listed below.

- Applicant
- Property Owner
- Option Holder
- Project Surveyor
- Engineer
- Architect/Landscape Architect

Michael Shaddle

Aaron Kunz

Name

Company

1311 Live Oak Circle

Knoxville

TN

37932

Address

City

State

ZIP

5109199816

michaelshaddle@yahoo.com

Phone

Email

## CURRENT PROPERTY INFO

1311 Live Oak Circle

510 919 9816

Property Owner Name (if different)

Property Owner Address

Property Owner Phone

9510 Daybreak Drive

104 033

Property Address

Parcel ID

West Knox Utility District

West Knox Utility District

Y

Sewer Provider

Water Provider

Septic (Y/N)

Property is currently on septic, it is the intention to put on county sewer

## STAFF USE ONLY

General Location

Tract Size

City  County

District

Zoning District

Existing Land Use

Planning Sector

Land Use / Place Type  
CITY COUNTY

Growth Policy Plan Designation

## DEVELOPMENT REQUEST

- Development Plan    Use on Review / Special Use    Hillside Protection COA  
 Residential    Non-Residential

Home Occupation (specify) \_\_\_\_\_

Other (specify) \_\_\_\_\_

Related City Permit Number(s)

## SUBDIVISION REQUEST

Proposed Subdivision Name \_\_\_\_\_

Unit / Phase Number    Combine Parcels    Divide Parcel   Total Number of Lots Created

Other (specify) \_\_\_\_\_

Attachments / Additional Requirements

Related Rezoning File Number

## ZONING REQUEST

Zoning Change   **RB - General Residential**  
Proposed Zoning

Plan Amendment Change   Proposed Plan Designation(s)

Proposed Density (units/acre)   Previous Rezoning Requests

Other (specify) \_\_\_\_\_

Pending Plat File Number

## STAFF USE ONLY

### PLAT TYPE

- Staff Review    Planning Commission

### ATTACHMENTS

- Property Owners / Option Holders    Variance Request  
 Amendment Request (*Comprehensive Plan*)

### ADDITIONAL REQUIREMENTS

- Use on Review / Special Use (*Concept Plan*)  
 Traffic Impact Study  
 COA Checklist (*Hillside Protection*)

Fee 1	Total
Fee 2	
Fee 3	

## AUTHORIZATION

I declare under penalty of perjury the foregoing is true and correct:

**1)** He/she/it is the owner of the property **AND 2)** The application and all associated materials are being submitted with his/her/its consent

*Michael T. Shaddle*

Applicant Signature

Michael Shaddle

Please Print

6/11/24

Date

510 919 9816

Phone Number

michaelshaddle@yahoo.com

Email

*Michael T. Shaddle*

Property Owner Signature

Michael Shaddle

Please Print

06/13/2024, SG

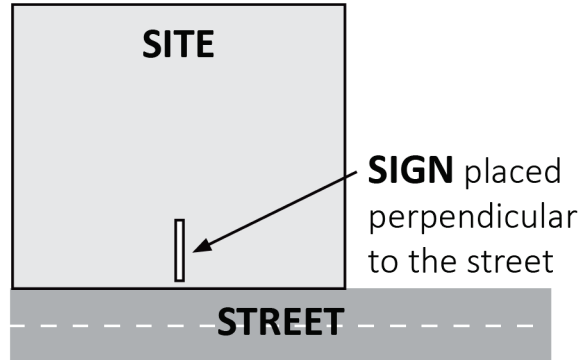
Date Paid

*A. Kunz*

Aaron Kunz



The Administrative Rules and Procedures of the Knoxville-Knox County Planning Commission require a sign to be posted on the property for each application subject to consideration by the Planning Commission, including the following applications: rezoning, plan amendment, concept plan, use on review/special use, planned development, right-of-way closure, and name change.



The required public notice sign(s) will be provided by Planning to the applicant when an application is submitted. If an application is submitted electronically, Planning staff will post the required sign. If a replacement sign(s) is needed, the applicant is responsible for picking up the new sign(s) from Planning and will be charged \$10 for each replacement.

## LOCATION AND VISIBILITY

The sign must be posted on the nearest adjacent/frontage street and in a location clearly visible to vehicles traveling in either direction. If the property has more than one street frontage, the sign should be placed along the street that carries more traffic. Planning staff may recommend a preferred location for the sign to be posted at the time of application.

## TIMING

The sign(s) must be posted **not less than 12 days prior to the scheduled Planning Commission public hearing** and must remain in place until the day after the meeting. In the case of a postponement, the sign can either remain in place or be removed and reposted not less than 12 days prior to the next Planning Commission meeting. The applicant is responsible for removing the sign after the application has been acted upon by the Planning Commission.

*The individual below is responsible for posting and removing the sign(s) provided consistent with the above guidelines and between the dates of:*

\_\_\_\_\_ 07/26/2024 \_\_\_\_\_ and \_\_\_\_\_ 08/09/2024 \_\_\_\_\_  
 (applicant or staff to post sign) (applicant to remove sign)

Applicant Name: Michael Shaddle

Date: 06/13/2024

File Number: 8-H-24-RZ

- Sign posted by Staff
- Sign posted by Applicant