



# USE ON REVIEW REPORT

▶ **FILE #:** 3-E-23-UR

**AGENDA ITEM #:** 41

**AGENDA DATE:** 3/9/2023

▶ **APPLICANT:** DANIEL LEVY  
OWNER(S): Boyd Hollow Resorts Inc

TAX ID NUMBER: 124 12704,12705,18508,185 [View map on KGIS](#)

JURISDICTION: County Commission District 9

STREET ADDRESS: 550 ANCIENT LORE WAY (0 NIXON RD; 0 JOHN NORTON RD)

▶ **LOCATION:** Western terminus of Ancient Lore Way, west side of Sevierville Pike, north side of Nixon Road

▶ **APPX. SIZE OF TRACT:** 41.45 acres

SECTOR PLAN: South County

GROWTH POLICY PLAN: Planned Growth Area

ACCESSIBILITY: Access is via Sevierville Pike, a major collector street with a 19' pavement width within a 50' right-of-way.

UTILITIES: Water Source: Knox-Chapman Utility District

Sewer Source: Knox-Chapman Utility District

WATERSHED: Holston and French Broad, Burnett Creek, and Stock Creek

▶ **ZONING:** A (Agricultural)

▶ **EXISTING LAND USE:** Rural Retreat, Agriculture/Forestry/Vacant Land

▶ **PROPOSED USE:** Seven (7) additional overnight accommodations for existing Rural Retreat

HISTORY OF ZONING: None

SURROUNDING LAND USE AND ZONING: North: Residences -- A (Agricultural)

South: Residences and vacant land -- A (Agricultural), RN-1 (Single-Family Residential Neighborhood), Ag (General Agricultural), HP (Hillside Protection Overlay)

East: Residences and vacant land -- A (Agricultural), RA (Low Density Residential)

West: Vacant Land -- Ag (General Agricultural), HP (Hillside Protection Overlay)

NEIGHBORHOOD CONTEXT: The immediate area is a mix of residential, agricultural, vacant and forested lands.

## STAFF RECOMMENDATION:

▶ **Approve the request for up to 14 overnight accommodations (total) for the Ancient Lore Village rural retreat, as shown on the development plan, subject to 9 conditions.**

1. Meeting all applicable requirements of the utility provider.

2. All rural retreat use areas must be outside the 200 ft setback unless a reduced setback is agreed to by the adjacent property owner(s) and approved by the Planning Commission. Use areas include buildings, outdoor guest gathering areas, and parking lots. Paths to access use areas associated with the facility, either on the rural retreat parcel(s) or on an adjacent parcel(s), must remain outside the required rural retreat setbacks.
3. The total number of guest accommodations shall not exceed 14.
4. Accommodations are to be made available to participants of events only, not open to the general public as a stand-alone use, per the rural retreat zoning standards (Section 4.104.02.H. and 4.104.03.A.2.).
5. All exterior lighting shall be low voltage, downward casting lights that cut off at 10:00 pm and operate with motion detectors between 10:00 pm and 6:00 am.
6. Meeting all applicable requirements of the Knox County Department of Engineering and Public Works.
7. Meeting all applicable requirements of the Knox County Fire Prevention Bureau.
8. Meeting the plan of operations attached to this application and the conditions of this approval.
9. Meeting all applicable requirements of the Knox County Zoning Ordinance.

With the conditions noted above, the proposed guest accommodations meet the requirements of the A (Agricultural) zone, the rural retreat supplemental regulations, and the criteria for approval of a use on review.

#### **COMMENTS:**

This proposal is to increase the maximum overnight accommodations from 9 to 14 for Ancient Lore Village. The previous approval (6-D-20-UR) allowed a maximum of 9 guest accommodations, but only 7 were constructed. The location of the 7 new accommodations is west of the main (current) facility.

The rural retreat standards allow a maximum of 10 guest accommodations for the first 20 acres of site area, and additional guest accommodations at a ratio of 1 for every 5 acres of site area, up to a maximum of 50 guest accommodations (Section 4.104.03.A.). The subject site is approximately 41.45 acres, which allows consideration of up to 14 guest accommodations.

#### **BACKGROUND**

Ancient Lore Village was approved in June 2020 (6-D-20-UR) with an event facility (pavilion building) for up to 300 guests and a maximum of 9 overnight accommodations. The event facility building was scaled back during permitting only to include the administrative offices, warming kitchen, and laundry services.

#### **LANDSCAPING**

The applicant intends to plant approximately 50 seedlings to help shield the new accommodations. Because of the existing vegetation surrounding the new accommodations, staff is not recommending this as a condition of the approval but does encourage the applicant to plant the trees as intended.

#### **SITE LIGHTING**

Lighting at the facility has been an ongoing concern of nearby residents. The facility management agreed to turn off site lighting at 10 pm, but the lights will still temporarily turn on with motion sensors from 10 pm to 6 am. The lighting for the new guest accommodations will include low-voltage, downcasting lights, similar to a residential porch light, and minimal pedestrian level path lighting as required by Knox County Building Code.

#### **DEVELOPMENT STANDARDS FOR USES PERMITTED ON REVIEW (ARTICLE 4.10 – SECTION 2)**

The planning commission, in the exercise of its administrative judgment, shall be guided by adopted plans and policies, including the general plan and the following general standards:

##### **1) THE PROPOSED USE IS CONSISTENT WITH THE ADOPTED PLANS AND POLICIES, INCLUDING THE GENERAL PLAN AND SECTOR PLAN.**

A. The South County Sector Plan recommends A (Agricultural) uses for this site. The property is zoned A (Agricultural), and guest accommodations can be considered as part of an approved rural retreat.

##### **B. General Plan Policies:**

Policy 6.2 -- Compliment natural land forms when grading, and minimize grading on steep slopes and within floodways. – The tree house structures will have minimal impact on the land because they will be built on piers. The other accommodation structure will be built into the slope of the hill, similarly to the existing accommodation structures.

Policy 8.12 -- When commercial uses abut residential property, ordinance provisions or use-on-review conditions requiring fencing, landscaping screens, earth berms, height restrictions, and/or deeper than usual building setbacks can improve land use transitions. – This rural retreat facility is a commercial use that is allowed in the A (Agricultural) zone with Use on Review approval by the Planning Commission. The rural

retreat standards require a 200 ft setback from “use” areas to properties zoned agricultural or residential.

2) THE USE IS IN HARMONY WITH THE GENERAL PURPOSE AND INTENT OF THE ZONING ORDINANCE.

A. With the recommended conditions, the proposed expansion of the rural retreat use for additional guest accommodations meets the standards for rural retreats, the A (Agricultural) zoning, and all other requirements of the Zoning Ordinance.

3) THE USE IS COMPATIBLE WITH THE CHARACTER OF THE NEIGHBORHOOD WHERE IT IS PROPOSED, AND WITH THE SIZE AND LOCATION OF BUILDINGS IN THE VICINITY.

A. The proposed one-story building height and setbacks from the lines are compatible with the area.

4) THE USE WILL NOT SIGNIFICANTLY INJURE THE VALUE OF ADJACENT PROPERTY.

A. The location of the new guest accommodations is not near adjacent properties and will have little impact on the traffic generated.

5) THE USE WILL NOT DRAW ADDITIONAL TRAFFIC THROUGH RESIDENTIAL AREAS.

A. This site is accessed directly from a major collector street (Sevierville Pike).

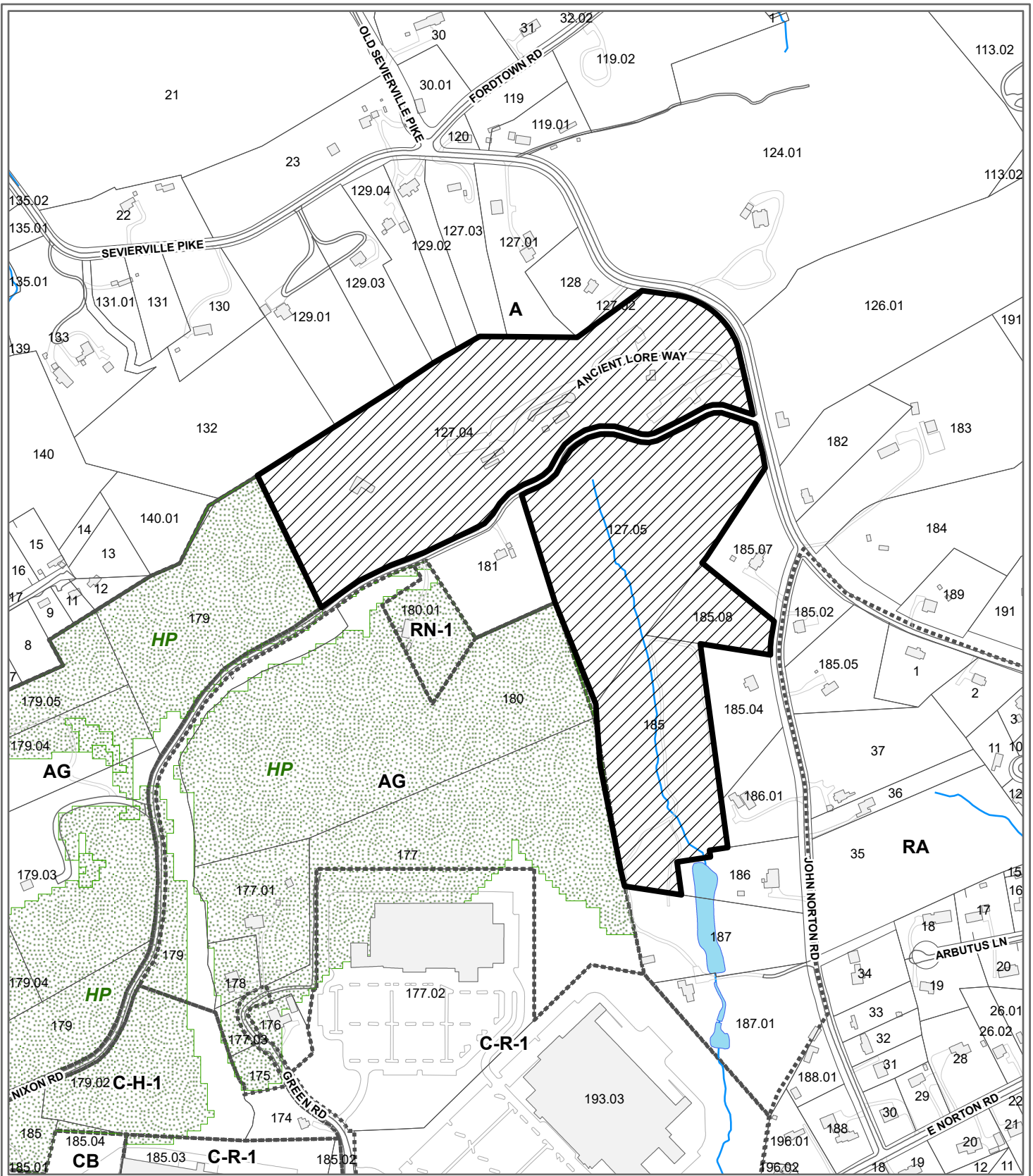
6) THE NATURE OF DEVELOPMENT IN THE SURROUNDING AREA IS NOT SUCH AS TO POSE A POTENTIAL HAZARD TO THE PROPOSED USE OR TO CREATE AN UNDESIRABLE ENVIRONMENT FOR THE PROPOSED USE.

A. There are no known uses in the area that could be a potential hazard or create an undesirable environment for the proposed uses within the development.

ESTIMATED TRAFFIC IMPACT: Not required.

ESTIMATED STUDENT YIELD: Not applicable.

The Planning Commission's approval or denial of this request is final, unless the action is appealed to the Knox County Board of Zoning Appeals. The date of the Knox County Board of Zoning Appeals hearing will depend on when the appeal application is filed.



**3-E-23-UR  
USE ON REVIEW**

Petitioner: Daniel Levy



7 additional overnight accommodations for existing Rural Retreat in A (Agricultural)

Original Print Date: 2/14/2023      Revised:  
 Knoxville - Knox County Planning Commission \* City / County Building \* Knoxville, TN 37902

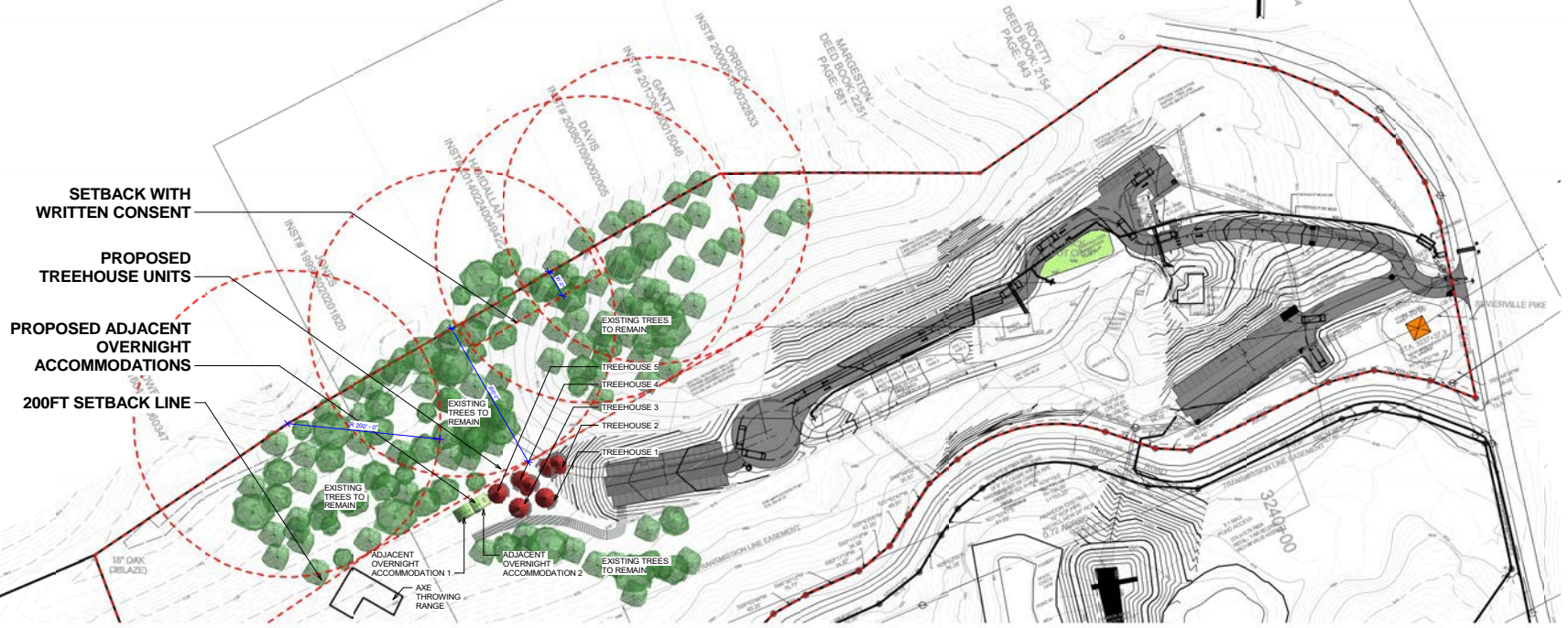
Map No: 124

Jurisdiction: County





<b>UNIT MATRIX:</b>
<b>(3) SINGLE TREEHOUSES - 1 SLEEPING AREA, 1 BATH - TOTAL OCCUPANTS PER: 2</b>
<b>(2) LUXURY / FAMILY TREEHOUSES - 1 BEDROOM, 1 LOFT SLEEPING AREA, 1 BATH - TOTAL OCCUPANTS PER: 6</b>
<b>(2) ADJACENT OVERNIGHT ACCOMMODATIONS - 2 SLEEPING AREAS, 1 BATH - TOTAL OCCUPANTS PER: 5</b>
<b>TOTAL ADDITIONAL UNITS: 7</b>
<b>TOTAL EXISTING UNITS: 7</b>
<b>TOTAL UNITS ON SITE: 14</b>
<b>TOTAL ACRES OF SITE: 41.45</b>



① SITE PLAN  
1" = 60'-0"

**DKLEVY**  
architecture + design  
3523 Maloney Rd., Knoxville, TN 37920  
p. 865.474.9264 www.dklevy.com

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**3-E-23-UR**  
**ALV TREEHOUSES**  
USE ON REVIEW SET

3-E-23-UR  
Revised: 2/15/2023

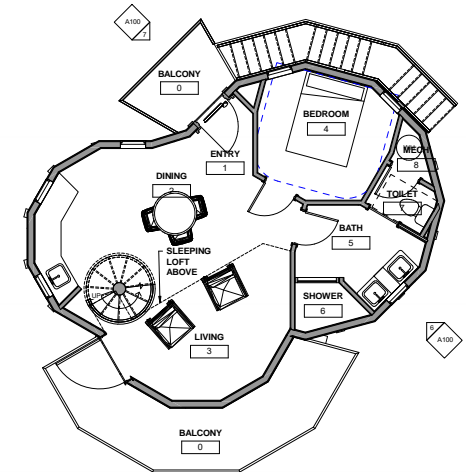
REVISIONS			PROJECT NUMBER
NO.	DESCRIPTION	DATE	22212
			7107 SEVIERVILLE PIKE, KNOXVILLE TN 37920
			ISSUE DATE 02.15.23
			SITE PLAN
			<b>A000</b>



1 FAMILY AND LUXURY TREEHOUSE FRONT FACADE  
1/4" = 1'-0"



2 FAMILY AND LUXURY TREEHOUSE REAR FACADE  
1/4" = 1'-0"



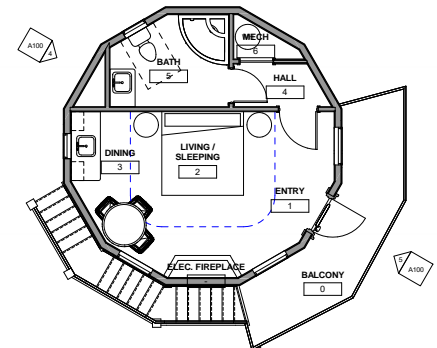
FAMILY AND LUXURY TREEHOUSE  
607 SQFT INTERIOR SPACE



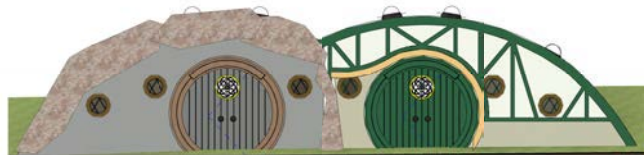
3 SINGLE TREEHOUSE FRONT FACADE  
1/4" = 1'-0"



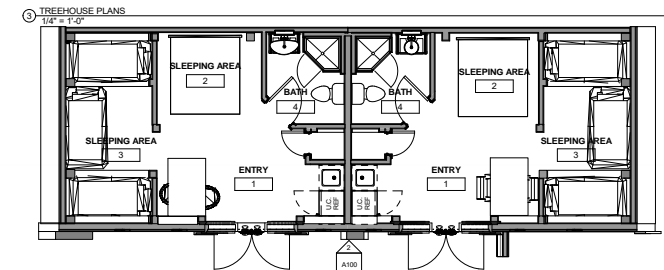
4 SINGLE TREEHOUSE REAR FACADE  
1/4" = 1'-0"



SINGLE TREEHOUSE  
390 SQFT INTERIOR SPACE



5 ADJACENT OVERNIGHT ACCOMMODATIONS ELEVATION  
1/4" = 1'-0"



804 SQFT INTERIOR SPACE  
ADJACENT OVERNIGHT ACCOMMODATIONS

6 TREEHOUSE PLANS  
1/4" = 1'-0"



AERIAL SITE PLAN  
1" = 60'-0"

Revised: 3/1/2023

# 3-E-23-UR ALV TREEHOUSES

USE ON REVIEW SET

**DKLEVY**  
architecture + design  
3523 Maloney Rd., Knoxville, TN 37920  
p. 865.474.9264 www.dklevy.com

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REVISIONS			PROJECT NUMBER
NO.	DESCRIPTION	DATE	22212
	7107 SEVIERVILLE PIKE, KNOXVILLE TN 37920		
	ISSUE DATE	02.28.23	
	AERIAL SITE PLAN		
			<b>A101</b>



# Development Request

### DEVELOPMENT

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

### SUBDIVISION

- Concept Plan
- Final Plat

### ZONING

- Plan Amendment
  - Sector Plan
  - One Year Plan
- Rezoning

**Daniel Levy**

Applicant Name

Affiliation

**1/24/2023**

Date Filed

**3/9/2023**

Meeting Date (if applicable)

**3-E-23-UR**

File Number(s)

## CORRESPONDENCE

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

**Daniel Levy DKLevy PLLC**

Name / Company

**3523 Maloney Rd. Rd. Knoxville TN 37920**

Address

**865-474-9264 / dlevy@dklevy.com**

Phone / Email

## CURRENT PROPERTY INFO

**Boyd Hollow Resorts Inc**

Owner Name (if different)

**7107 Sevierville Pike Knoxville TN 37920**

Owner Address

**608-220-6130**

Owner Phone / Email

**550 ANCIENT LORE WAY / 0 NIXON RD; 0, 0 JOHN NORTON RD**

Property Address

**124 12704,12705,18508,185**

Parcel ID

Part of Parcel (Y/N)?

**41.45 acres**

Tract Size

**Knox-Chapman Utility District**

Sewer Provider

Water Provider

Septic (Y/N)

## STAFF USE ONLY

**Western terminus of Ancient Lore Way, west side of Sevierville Pike, north side of Nixon Road**

General Location

City

**Commission District 9**

**A (Agricultural)**

**Agriculture/Forestry/Vacant Land**

Count

District

Zoning District

Existing Land Use

**South County**

Planning Sector

**LDR (Low Density Residential), HP (Hillside Protection)**

Sector Plan Land Use Classification

**Planned Growth Area**

Growth Policy Plan Designation



## DEVELOPMENT REQUEST

<input type="checkbox"/> Development Plan <input type="checkbox"/> Planned Development <input checked="" 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) <b>7 additional overnight accommodations</b>	

## SUBDIVISION REQUEST

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

## ZONING REQUEST

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

## STAFF USE ONLY

PLAT TYPE	Fee 1	Total
<input type="checkbox"/> Staff Review <input type="checkbox"/> Planning Commission	<b>\$1,600.00</b>	
ATTACHMENTS	Fee 2	
<input type="checkbox"/> Property Owners / Option Holders <input type="checkbox"/> Variance Request		
ADDITIONAL REQUIREMENTS	Fee 3	
<input type="checkbox"/> COA Checklist (Hillside Protection)		
<input type="checkbox"/> Design Plan Certification (Final Plat)		
<input checked="" type="checkbox"/> Site Plan (Development Request)		
<input type="checkbox"/> Traffic Impact Study		
<input type="checkbox"/> Use on Review / Special Use (Concept Plan)		

## AUTHORIZATION

<b>Daniel Levy</b>	<b>1/24/2023</b>
Applicant Signature	Date
Please Print	

Phone / Email

<b>Boyd Hollow Resorts Inc</b>	<b>1/24/2023</b>
Property Owner Signature	Date
Please Print	

I declare under penalty of perjury the foregoing (i.e., he/she/they is/are the owner of the property and that the application and all associated materials are being submitted with his/her/their consent) is true and correct.



# Development Request

## DEVELOPMENT

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

## SUBDIVISION

- Concept Plan
- Final Plat

## ZONING

- Plan Amendment
  - SP
  - OYP
- Rezoning

DANIEL LEVY

Applicant Name

1.23.2023

Date Filed

3.9.2023

Meeting Date (if applicable)

DKLEVY

Affiliation

File Number(s)

3-E-23-UR

## 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

DANIEL LEVY

Name

3523 MALONEY RD

Address

8654749264

Phone

DKLEVY

Company

KNOXVILLE

City

TN

State

37920

ZIP

DANIEL@DKLEVY.COM

Email

## CURRENT PROPERTY INFO

BOYD HOLLOW RESORTS INC

Property Owner Name (if different)

7107 SEVIERVILLE PIKE, KNOXVILLE TN 37912

Property Owner Address

6082206130

Property Owner Phone

7107 SEVIERVILLE PIKE, KNOXVILLE TN 37920

Property Address

124 12704

Parcel ID

OWNER PROVIDED

Sewer Provider

KNOX-CHAPMAN UTILITY DISTRICT

Water Provider

N

Septic (Y/N)

## STAFF USE ONLY

Western terminus of Ancient Lore Way, west side of Sevierville Pike, north side of Nixon Road

General Location

41.45 acres

Tract Size

City  County

9th  
District

A (Agricultural)  
Zoning District

Rural retreat  
Existing Land Use

South County

Planning Sector

LDR & HP

Sector Plan Land Use Classification

Planned Growth

Growth Policy Plan Designation

August 29, 2022

## DEVELOPMENT REQUEST

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

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

Other (specify) 7 additional overnight accommodations

Related City Permit Number(s)

## SUBDIVISION REQUEST

Proposed Subdivision Name

\_\_\_\_\_  Combine Parcels    Divide Parcel

Unit / Phase Number

Total Number of Lots Created

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

Attachments / Additional Requirements

Related Rezoning File Number

## ZONING REQUEST

Zoning Change

Proposed Zoning

Plan Amendment Change

Proposed Plan Designation(s)

Pending Plat File Number

Proposed Density (units/acre)

Previous Rezoning Requests

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

## STAFF USE ONLY

### PLAT TYPE

- Staff Review    Planning Commission

### ATTACHMENTS

- Property Owners / Option Holders    Variance Request

### ADDITIONAL REQUIREMENTS

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

Fee 1		Total
0405	UOR - nonresidential	<b>\$1,600</b>
Fee 2		
Fee 3		

MR

## AUTHORIZATION

**Daniel M Levy**

Digitally signed by Daniel M Levy  
Date: 2023.01.23 14:18:42 -05'00'

**DANIEL LEVY**

**1.23.23**

Applicant Signature

Please Print

Date

**8564749264**

**DANIEL@DKLEVY.COM**

Phone Number

Email

**Melissa Blettner**

Digitally signed by Melissa Blettner  
Date: 2023.01.23 12:04:34 -05'00'

**MELISSA BLETTNER, CEO**

**1.23.23**

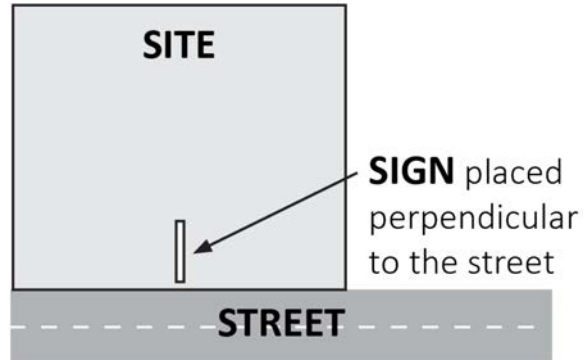
Property Owner Signature

Please Print

Date

*I declare under penalty of perjury the foregoing [i.e., he/she/they is/are the owner of the property and that the application and all associated materials are being submitted with his/her/their consent] is true and correct.*

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:***

\_\_\_\_\_ 2/24/2023 \_\_\_\_\_ and \_\_\_\_\_ 3/10/2023 \_\_\_\_\_  
 (applicant or staff to post sign) (applicant to remove sign)

Applicant Name: Daniel Levy

Date: 1/24/23

File Number: 3-E-23-UR

- Sign posted by Staff
- Sign posted by Applicant