



# General Waiver Application

Louisville Metro Planning & Design Services

Case No.: 18DEVPLAN1046 Intake Staff: NH

Date: 6/13/18 Fee: 215

Applications are due on Mondays at 2:00 p.m. in order to be processed that week. Once complete, please bring the application and supporting documentation to: Planning and Design Services, located at 444 South 5<sup>th</sup> Street, Suite 300. For more information, call (502) 574-6230 or visit <http://www.louisvilleky.gov/Planning-Design>.

## Project Information:

Application is hereby made for one or more of the following waivers of the Land Development Code:

☐ Landscape Waiver of Chapter 10, Part 2

☐ Other: Waiver of Section \_\_\_\_\_

*A General Waiver Application is not required for Sidewalk or Tree Canopy Waivers. If applicable, please submit a "Sidewalk Waiver Application" or "Tree Canopy Waiver Application" instead.*

Explanation of Waiver: Parking lot placement based off of the operation of the facility and overhead door placement

Primary Project Address: 2326 Ralph Avenue

Additional Address(es): \_\_\_\_\_

Primary Parcel ID: 100903420342

Additional Parcel ID(s): \_\_\_\_\_

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Proposed Use: Bulk DEF Storage Facility Existing Use: Vacant/Trucking

Existing Zoning District: EZ1 Existing Form District: Traditional Workplace

Deed Book(s) / Page Numbers<sup>2</sup>: Deed Book 10733 Page 391

The subject property contains 2.40 acres. Number of Adjoining Property Owners: 0

Has the property been the subject of a previous development proposal (e.g., rezoning, variance, appeal, conditional use permit, minor plat, etc.)? *This information can be found in the Land Development Report (Related Cases)*<sup>1</sup> ☐ Yes ☒ No

If yes, please list the docket/case numbers:

Docket/Case #: \_\_\_\_\_ Docket/Case #: \_\_\_\_\_

Docket/Case #: \_\_\_\_\_ Docket/Case #: \_\_\_\_\_

### **General Waiver Justification:**

In order to justify approval of any waiver, the Planning Commission or Board of Zoning Adjustment considers four criteria. Please answer **all** of the following questions. Use additional sheets if needed. **A response of yes, no, or N/A is not acceptable.**

**1. Will the waiver adversely affect adjacent property owners?**

There will be no known adverse affects to the adjacent property owners.

**2. Will the waiver violate the Comprehensive Plan?**

There will be no known violations to the Comprehensive Plans

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**3. Is extent of waiver of the regulation the minimum necessary to afford relief to the applicant?**

Since the building is required to be adjacent to the rail line, the loading must be located in front of the building. Trucks will park along the front of the building and use an exterior pipe connection to load or unload fluids. The overhead doors are not used for regular loading or unloading of supplies, but only occasionally and for maintenance.

**4. Has either (a) the applicant incorporated other design measures that exceed the minimums of the district and compensate for non-compliance with the requirements to be waived (net beneficial effect) or would (b) the strict application of the provisions of the regulation deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant?**

Without the building located along the rail line, it would not be serviceable for the intended use.



**Contact Information:****Owner:** ☐ Check if primary contact**Applicant:** ☒ Check if primary contactName: Pilot Travel Centers LLCName: Quincy CurtisCompany: Pilot Travel Centers LLCCompany: Core States GroupAddress: 5508 Lonas DriveAddress: 1700 Industrial Drive Suite BCity: Knoxville State: TN Zip: 37909City: Rogers State: AR Zip: 72756

Primary Phone: \_\_\_\_\_

Primary Phone: 479-340-0280

Alternate Phone: \_\_\_\_\_

Alternate Phone: \_\_\_\_\_

Email: Jerrod.herron@pilottravelcenters.comEmail: qcurtis@core-eng.com**Owner Signature (required):** Quincy Curtis on behalf of owner**Attorney:** ☐ Check if primary contact**Plan prepared by:** ☐ Check if primary contact

Name: \_\_\_\_\_

Name: Core States Group

Company: \_\_\_\_\_

Company: Core States Group

Address: \_\_\_\_\_

Address: 1700 Industrial Drive Suite B

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

City: Rogers State: AR Zip: 72756

Primary Phone: \_\_\_\_\_

Primary Phone: 479-340-0280

Alternate Phone: \_\_\_\_\_

Alternate Phone: \_\_\_\_\_

Email: \_\_\_\_\_

Email: \_\_\_\_\_

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**Certification Statement:** A certification statement must be submitted with any application in which the owner(s) of the subject property is (are) a limited liability company, corporation, partnership, association, trustee, etc., or if someone other than the owner(s) of record sign(s) the application.

I, Quincy Curtis, in my capacity as Representative, hereby  
representative/authorized agent/other

certify that Pilot Travel Centers LLC is (are) the owner(s) of the property which  
name of LLC / corporation / partnership / association / etc.

is the subject of this application and that I am authorized to sign this application on behalf of the owner(s).

Signature: Quincy Curtis Date: June 12, 2018

I understand that knowingly providing false information on this application may result in any action taken hereon being declared null and void. I further understand that pursuant to KRS 523.010, et seq. knowingly making a material false statement, or otherwise providing false information with the intent to mislead a public servant in the performance of his/her duty is punishable as a Class B misdemeanor.

**Please submit the completed application along with the following items:**

- ☐ Land Development Report<sup>1</sup>
- ☐ Three copies of the site plan or building rendering (whichever is applicable), including the following elements. *See site plan example below.*
  - ☐ Plan drawn to a reasonable scale [engineer's scale (1" = 20') or architect's scale (1/8" = 1')]
  - ☐ Vicinity map that shows the distance from the property to the nearest intersecting street
  - ☐ North arrow
  - ☐ Street name(s) abutting the site
  - ☐ Property dimensions
  - ☐ Building limit lines
  - ☐ Electric, telephone, drainage easements with dimensions
  - ☐ Existing and proposed structures with dimensions and distance from property lines
  - ☐ Highlight (in yellow) the location of the waivers
- ☐ One set of mailing label sheets for: 1<sup>st</sup> tier Adjoining Property Owners (APOs)<sup>3</sup>; those listed on the application; and individuals who provided oral or written testimony in support or opposition of previous public hearing regarding the site
- ☐ One copy of the APO mailing label sheets
- ☐ \$215 Application Fee + \$1 per mailing label (*Cash, charge or check made payable to Planning & Design Services*)

*Sample site plan is for example purposes only and not drawn to scale*

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# Sidewalk Waiver Application

Louisville Metro Planning & Design Services

Case No. 18DEVPLAN1046 Intake Staff: NH

Date: 6/13/18 Fee: \_\_\_\_\_

Applications are due on Mondays at 2:00 p.m. in order to be processed that week. Once complete, please bring the application and supporting documentation to: Planning and Design Services, located at 444 South 5<sup>th</sup> Street, Suite 300. For more information, call (502) 574-6230 or visit <http://www.louisvilleky.gov/PlanningDesign>.

## Project Information:

Explanation of Waiver: To not provide a sidewalk in the right of way along Ralph Ave. for a length of approximately 566.18 ft. and to not provide a clearly defined safe pedestrian access

Primary Project Address: 2326 Ralph Avenue

Additional Address(es): \_\_\_\_\_

Primary Parcel ID: 100903420342

Additional Parcel ID(s): \_\_\_\_\_

Proposed Use: Bulk DEF Storage

Existing Use: Vacant/Trucking

Existing Zoning District: EZ 1

Existing Form District: Traditional Workplace

Deed Book(s) / Page Numbers<sup>2</sup>: Deed Book 10733 Page 391

The subject property contains 2.4 acres. Number of Adjoining Property Owners: 1

Has the property been the subject of a previous development proposal (e.g., rezoning, variance, appeal, conditional use permit, minor plat, etc.)? *This information can be found in the Land Development Report (Related Cases)*<sup>1</sup> ☐ Yes ☒ No

If yes, please list the docket/case numbers:

Docket/Case #: \_\_\_\_\_ Docket/Case #: \_\_\_\_\_

Docket/Case #: \_\_\_\_\_ Docket/Case #: \_\_\_\_\_

18 DEVPLAN 1046



### **Sidewalk Waiver Justification:**

In order to justify approval of any waiver, the Planning Commission or Board of Zoning Adjustment considers the following criteria. Please answer **all** of the following questions. Use additional sheets if needed. A response of yes, no, or N/A is not acceptable.

- 1. How does the proposed waiver conform to the Comprehensive Plan and the intent of the Land Development Code?**

There is not another sidewalk within half a mile of the property, and this property is located within a predominantly industrial area with little to no foot traffic. This does not violate the Comprehensive plan or LDC in comparison to adjacent and other surrounding properties.

- 2. Why is compliance with the regulations not appropriate, and will granting of the waiver result in a development more in keeping with the Comprehensive Plan and the overall intent of the Land Development Code?**

There is not another sidewalk within half a mile of the property, and this property is located within a predominantly industrial area with little to no foot traffic.

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- 3. What impacts will granting of the waiver have on adjacent property owners?**

There will be no known impacts to the adjacent property owners.

- 4. Why would strict application of the provision of the regulations deprive you of reasonable use of the land or create an unnecessary hardship for you?**

Without the building located along the rail line, it would not be serviceable for the intended use.

**Contact Information:****Owner:** ☐ Check if primary contact**Applicant:** ☒ Check if primary contactName: Pilot Travel Centers LLCName: Quincy CurtisCompany: Pilot Travel Centers LLCCompany: Core States GroupAddress: 5508 Lonas DriveAddress: 1700 Industrial Drive Suite BCity: Knoxville State: TN Zip: 37909City: Rogers State: AR Zip: 72756

Primary Phone: \_\_\_\_\_

Primary Phone: 479-340-0280

Alternate Phone: \_\_\_\_\_

Alternate Phone: \_\_\_\_\_

Email: Jerrold.herron@pilottravelcenters.comEmail: qcurtis@core-eng.comOwner Signature (required): *Quincy Curtis* on behalf of owner**Attorney:** ☐ Check if primary contact**Plan prepared by:** ☐ Check if primary contact

Name: \_\_\_\_\_

Name: Core States Group

Company: \_\_\_\_\_

Company: Core States Group

Address: \_\_\_\_\_

Address: 1700 Industrial Drive Suite B

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

City: Rogers State: AR Zip: 72756

Primary Phone: \_\_\_\_\_

Primary Phone: 479-340-0280

Alternate Phone: \_\_\_\_\_

Alternate Phone: \_\_\_\_\_

Email: \_\_\_\_\_

Email: qcurtis@core-eng.comRECEIVED  
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representative/authorized agent/othercertify that Pilot Travel Centers LLC is (are) the owner(s) of the property which  
name of LLC / corporation / partnership / association / etc.

is the subject of this application and that I am authorized to sign this application on behalf of the owner(s).

Signature: *Quincy Curtis* Date: June 12, 2018

I understand that knowingly providing false information on this application may result in any action taken hereon being declared null and void. I further understand that pursuant to KRS 523.010, et seq. knowingly making a material false statement, or otherwise providing false information with the intent to mislead a public servant in the performance of his/her duty is punishable as a Class B misdemeanor.

**Please submit the completed application along with the following items:**

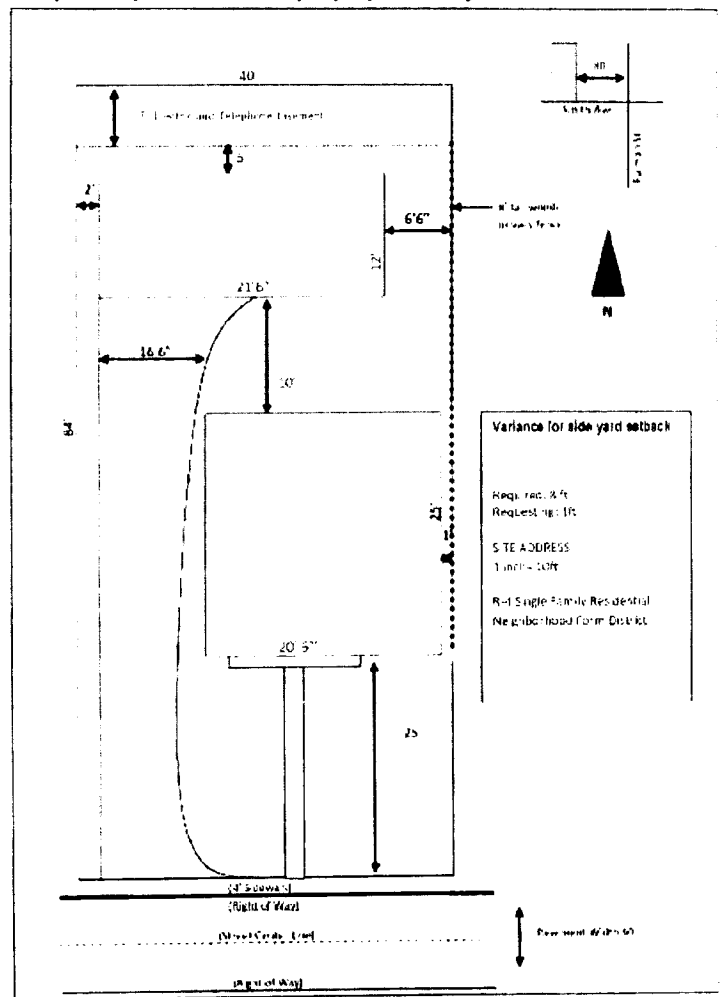
- ☐ Land Development Report<sup>1</sup>
- ☐ Four copies of the site plan or building rendering (whichever is applicable), including the following elements. *See site plan example below.*
  - ☐ Plan drawn to a reasonable scale [engineer's scale (1" = 20') or architect's scale (1/8" = 1')]
  - ☐ Vicinity map that shows the distance from the property to the nearest intersecting street
  - ☐ North arrow
  - ☐ Street name(s) abutting the site
  - ☐ Property dimensions
  - ☐ Building limit lines
  - ☐ Electric, telephone, drainage easements with dimensions
  - ☐ Existing and proposed structures with dimensions and distance from property line
  - ☐ Highlight (in yellow) the location of the waivers
- ☐ One set of mailing label sheets for: 1<sup>st</sup> tier Adjoining Property Owners (APOs)<sup>3</sup>; those listed on the application; and individuals who provided oral or written testimony in support or opposition of previous public hearing regarding the site
- ☐ One copy of the APO mailing label sheets
- ☐ \$215 Application Fee + \$1 per mailing label (Cash, charge or check made payable to Planning & Design Services)

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**Resources:**

1. Land Development Reports can be obtained online by entering the site address at:  
<http://ags2.lojic.org/lojiconline/>
2. Deeds and plats can be found at the Jefferson County Clerk's Office, located at the 2<sup>nd</sup> floor of Metro Hall (527 West Jefferson Street, telephone: 502-574-6220). Many deeds, plats and other records are available online at:  
<http://www.landrecords.jcc.ky.gov/records/S0Search.html>
3. Adjoining property ownership information can be found at the Property Valuation Administrator (PVA) office at 531 Court Place, Suite 504 or via their website: <https://jeffersonpva.ky.gov/>
4. View agency comments at:  
<http://portal.louisvilleky.gov/codesandregs/mainsearch>. Enter your case number in the 'Permit/Case/Docket Number' search bar and then select your case under the 'Application Number' tab.

*Sample site plan is for example purposes only and not drawn to scale*







# Variance Application

Louisville Metro Planning & Design Services

Case No.: 18DEVPLAN1046 Intake Staff: NH

Date: 6/13/18 Fee: 625.50

Applications are due on Mondays at 2:00 p.m. in order to be processed that week. Once complete, please bring the application and supporting documentation to: Planning and Design Services, located at 444 South 5<sup>th</sup> Street, Suite 300. For more information, call (502) 574-6230 or visit <http://www.louisvilleky.gov/PlanningDesign>.

## Project Information:

This is a variance from Section \_\_\_\_\_ of the Land Development Code, to allow The front set back of the Bulk DEF Facility to remain at 180ft.

Primary Project Address: 2326 Ralph Avenue

Additional Address(es): \_\_\_\_\_

Primary Parcel ID: 100903420342

Additional Parcel ID(s): \_\_\_\_\_

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Proposed Use: Bulk DEF Storage Facility Existing Use: Vacant/Trucking

Existing Zoning District: EZ 1 Existing Form District: Traditional Workplace

Deed Book(s) / Page Numbers<sup>2</sup>: Deed Book 10733 Page 391

The subject property contains 2.40 acres. Number of Adjoining Property Owners: 1

Has the property been the subject of a previous development proposal (e.g., rezoning, variance, appeal, conditional use permit, minor plat, etc.)? *This information can be found in the Land Development Report (Related Cases)*<sup>1</sup> ☐ Yes ☒ No

If yes, please list the docket/case numbers:

Docket/Case #: \_\_\_\_\_ Docket/Case #: \_\_\_\_\_

Docket/Case #: \_\_\_\_\_ Docket/Case #: \_\_\_\_\_

**Contact Information:**

**Owner:** ☐ Check if primary contact

**Applicant:** ☒ Check if primary contact

Name: Pilot Travel Centers LLC

Name: Quincy Curtis

Company: Pilot Travel Centers LLC

Company: Core States Group

Address: 5508 Lonas Drive

Address: 1700 Industrial Drive Suite B

City: Knoxville State: TN Zip: 37909

City: Rogers State: AR Zip: 72756

Primary Phone: \_\_\_\_\_

Primary Phone: 479-340-0280

Alternate Phone: \_\_\_\_\_

Alternate Phone: \_\_\_\_\_

Email: Jerrod.herron@pilottravelcenters.com

Email: qcurtis@core-eng.com

Owner Signature (required):

Quincy Curtis

on behalf of  
owner

**Attorney:** ☐ Check if primary contact

**Plan prepared by:** ☒ Check if primary contact

Name: \_\_\_\_\_

Name: Core States Group

Company: \_\_\_\_\_

Company: Core States Group

Address: \_\_\_\_\_

Address: 1700 Industrial Drive Suite B

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

City: Rogers State: AR Zip: 72756

Primary Phone: \_\_\_\_\_

Primary Phone: 479-340-0280

Alternate Phone: \_\_\_\_\_

Alternate Phone: \_\_\_\_\_

Email: \_\_\_\_\_

Email: \_\_\_\_\_

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**Certification Statement:** A certification statement must be submitted with any application in which the owner(s) of the subject property is (are) a limited liability company, corporation, partnership, association, trustee, etc., or if someone other than the owner(s) of record sign(s) the application.

I, Quincy Curtis, in my capacity as Representative, hereby  
representative/authorized agent/other

certify that Pilot Travel Centers is (are) the owner(s) of the property which  
name of LLC / corporation / partnership / association / etc.

is the subject of this application and that I am authorized to sign this application on behalf of the owner(s).

Signature: \_\_\_\_\_

Quincy Curtis

Date: June 12, 2018



### **Variance Justification:**

In order to justify approval of any variance, the Board of Zoning Adjustment considers the following criteria. Please answer all of the following items. Use additional sheets if needed. A response of yes, no, or N/A is not acceptable.

1. Explain how the variance will not adversely affect the public health, safety or welfare.

There will be no known adverse affects to health, safety, or welfare.

2. Explain how the variance will not alter the essential character of the general vicinity.

The area is industrial and directly across the street is an industrial building that is set back approximately 80' from the street with parking in front of it.

3. Explain how the variance will not cause a hazard or a nuisance to the public.

The variance would not cause any known hazards or nuisances to the public.

4. Explain how the variance will not allow an unreasonable circumvention of the requirements of the zoning regulations.

The building location along the existing rail line is essential to the operation of the facility.

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#### *Additional consideration:*

1. Explain how the variance arises from special circumstances, which do not generally apply to land in the general vicinity (please specify/identify).

The building location along the existing rail line is essential to the operation of the facility. The operation requires offloading liquids from the rail line directly into the building and then offloading into tanker trucks. This site was chosen for it's rail line access.

2. Explain how the strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land or would create unnecessary hardship.

Without the building located along the rail line, it would not be serviceable for the intended use.

3. Are the circumstances the result of actions of the applicant taken subsequent to the adoption of the regulation from which relief is sought?

No, the applicant needs immediate access to the rail line, but does not need a building that would be large enough to extend to the required setback requirements.



I understand that knowingly providing false information on this application may result in any action taken hereon being declared null and void. I further understand that pursuant to KRS 523.010, et seq. knowingly making a material false statement, or otherwise providing false information with the intent to mislead a public servant in the performance of his/her duty is punishable as a Class B misdemeanor.

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# Certificate of Land Use Restriction

**Name and Address of Property Owners**

Pilot Travel Center LLC  
5508 Lonas Drive Knoxville, TN 37909

**Address of Property**

2326 Ralph Avenue Louisville, KY

**Name of Subdivision or Development (if applicable)**

**Deed Book and Page of Last Recording:** Deed Book 10733 Page 391

**Tax Block and Lot number:**

**Planning Commission Docket Number:**

**Type of Restriction**

\_\_\_\_\_ Zoning Map amendment

\_\_\_\_\_ Development Plan

☒ Variance

\_\_\_\_\_ Other \_\_\_\_\_  
Specify

\_\_\_\_\_ Conditional Zoning Condition

\_\_\_\_\_ Subdivision Plan

\_\_\_\_\_ Conditional Use Permit

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Name and address of Planning Commission, Board of Zoning Adjustment, Legislative body, or Fiscal court which maintains the original records containing the restrictions.

Louisville Metro Planning and Design Services  
444 South Fifth Street, Suite 300  
Louisville, Kentucky 40202

\_\_\_\_\_  
Stephen A Lutz, AICP  
Planning Supervisor

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