

Date Submitted:
Date Filed:

Application Number:
Public Hearing:

Application for Waiver of Minimum Distance Requirements for Liquor License Location

City of Jacksonville, Florida
 Planning and Development Department

Please type or print in ink. Instructions regarding the completion and submittal of this application are located at the end of this form. For additional information, please contact the Planning and Development Department at (904) 255-7865.

For Official Use Only		
Current Zoning District:	Current Land Use Category:	
Council District:	Planning District:	
Previous Zoning Applications Filed (provide application numbers):		
Applicable Section of Ordinance Code:		
Notice of Violation(s):		
Neighborhood Associations:		
Overlay:		
Number of Signs to Post:	Amount of Fee:	Zoning Asst. Initials:

PROPERTY INFORMATION	
1. Complete Property Address:	2. Real Estate Number:
3. Land Area (Acres):	4. Date Lot was Recorded:
5. Property Located Between Streets:	6. Utility Services Provider: City Water / City Sewer <input type="checkbox"/> Well / Septic <input type="checkbox"/>
7. Waiver Sought: Reduce Required Minimum Distance between liquor license location and church or school from _____ feet to _____ feet.	
8. In whose name will the Waiver be granted?	

OWNER'S INFORMATION (please attach separate sheet if more than one owner)	
9. Name:	10. E-mail:
11. Address (including city, state, zip):	12. Preferred Telephone:

APPLICANT'S INFORMATION (if different from owner)	
13. Name:	14. E-mail:
15. Address (including city, state, zip):	16. Preferred Telephone:

CRITERIA
<p>Section 656.101(l), Ordinance Code, defines a waiver as “a relaxation of the Zoning Code minimum distance requirements for liquor license locations, pursuant to Section 656.805, Ordinance Code.”</p> <p>Section 656.133(a)1 through 5, Ordinance Code, provides that, with respect to action upon Applications for Waivers, the Planning Commission may grant a waiver for minimum distance requirements from a church or school for a liquor license location, if there exist one or more circumstances which negate the necessity for compliance with the distance requirements, included but not limited to the following:</p> <ul style="list-style-type: none"> i. <i>The commercial activity associated with the alcoholic beverage use is of a lesser intensity than the commercial activity associated with the alcoholic beverage use which previously existed; e.g., there has been a reduction in the number of seats or square footage or type of license;</i> ii. <i>The alcoholic beverage use is designed to be an integral part of a mixed planned unit development;</i> iii. <i>The alcoholic beverage use is located within a shopping center with an aggregate gross leasable area of 50,000 square feet or more, inclusive of all outparcels, and meets the definition of a bona-fide restaurant as defined in Section 656.805(c);</i> iv. <i>The alcoholic beverage use is not directly visible along the line of measurement defined in Section 656.806 and is physically separated from the church or school, thereby negating the distance requirement as a result of the extra travel time; or</i> v. <i>There are other existing liquor license locations of a similar nature in the immediate vicinity of the proposed location; provided however, that no waiver shall be granted pursuant to this criterion if the proposed liquor license location is closer to the church or school than other existing locations.</i>

17. Given the above definition of a “waiver” and the aforementioned criteria by which the request will be reviewed against, please describe the reason that the waiver is being sought. Provide as much information as you can; you may attach a separate sheet if necessary. Please note that failure by the applicant to adequately substantiate the need for the request and to meet the criteria set forth may result in a denial.

ATTACHMENTS

The following attachments must accompany each copy of the application.

- Survey
- Site Plan – two (2) copies on 8 ½ x 11 and two (2) copies on 11 x 17 or larger
- Property Ownership Affidavit (Exhibit A)
- Agent Authorization if application is made by any person other than the property owner (Exhibit B)
- Legal Description – may be written as either lot and block, or metes and bounds (Exhibit 1)
- Proof of property ownership – may be print-out of property appraiser record card if individual owner, http://apps.coj.net/pao_propertySearch/Basic/Search.aspx, or print-out of entry from the Florida Department of State Division of Corporations if a corporate owner, <http://search.sunbiz.org/Inquiry/CorporationSearch/ByName>.

FILING FEES

*Applications filed to correct existing zoning violations are subject to a double fee.

Base Fee

Non-residential Districts: \$1,091.00

Public Notices

\$7.00 per Addressee

Advertisement

Billed directly to owner/agent

AUTHORIZATION

Please review your application. No application will be accepted until all of the requested information has been supplied and the required fee has been paid. The acceptance of an application as being complete does not guarantee its approval by the Planning Commission. The owner and/or authorized agent must be present at the public hearing.

The required public notice signs must be posted on the property within five (5) working days after the filing of this application. Sign(s) must remain posted and maintained until a final determination has been made on the application.

I hereby certify that I have read and understand the information contained in this application, that I am the owner or authorized agent for the owner with authority to make this application, and that all of the information contained in this application, including the attachments, is true and correct to the best of my knowledge.

Owner(s)

Print name:

Signature: _____

—

Applicant or Agent (if different than owner)

Print name:

Signature: _____

—

Owner(s)

Print name:

Signature: _____

—

**An agent authorization letter is required if the application is made by any person other than the property owner.*

SUBMITTAL

This application must be typed or printed in ink and submitted along with three (3) copies for a total of **four (4) applications**. Each application must include **all required attachments**.

Submit applications to:

Planning and Development Department, Zoning Section
214 North Hogan Street, 2nd Floor
Jacksonville, Florida 32202
(904) 255-8300



City of Jacksonville
Planning & Development Department
214 N. Hogan Street, Suite 300
Jacksonville, Florida 32202

**AFFIDAVIT OF PROPERTY OWNERSHIP AND DESIGNATION OF AGENT
Corporation/Partnership/Trust/Other Entity**

Owner Name

Address(es) for Subject Property

Real Estate Parcel Number(s) for Subject Property

Appointed or Authorized Agent(s)

Type of Request(s)/Application(s)

STATE OF _____

COUNTY OF _____

BEFORE ME, the undersigned authority, this day personally appeared _____, hereinafter also referred to as "Affiant", who being by me first duly sworn, under oath, deposes and states as follows:

1. Affiant is the _____ of _____, a _____ (the "Entity") that is the owner and record title holder of the property described above and more specifically in the attached legal description (the "Subject Property"), which property is the subject of the above-noted request(s)/application(s) being made to the City of Jacksonville.*
2. Affiant affirms that he/she is authorized to execute this Affidavit on behalf of the aforesaid Entity.
3. That I, the undersigned, as an authorized representative of the Entity, have appointed, and do hereby appoint, the above-noted person(s)/entity as agent(s) to act on behalf of said Entity in connection with the above-referenced request(s)/application(s). Said agent(s) is/are authorized and empowered to act as agent to file application(s) for land use amendment(s), rezoning(s), and/or other development permits for the Subject Property and, in connection with such authorization, to file such applications, papers, documents, requests and other matters necessary to effectuate and pursue such requested change(s) and/or development permit(s) and including appearances before all City boards, commissions or committees on behalf of the application(s). In authorizing the agent(s) named herein to represent the Entity, I attest that the application(s) is/are made in good faith.

PREVIOUS VERSIONS OF THIS FORM ARE OBSOLETE

4. Affiant further acknowledges that any change in ownership of the Subject Property and/or the designated agent(s) that occur prior to the date of final public hearing or City Council action on the application(s) associated herewith shall require that a new Affidavit of Property Ownership and Designation of Agent be submitted to the City of Jacksonville Planning and Development Department to reflect any such changes.
5. I acknowledge and affirm that I am familiar with the nature of an oath and with the penalties provided by the laws of the State of Florida for falsely swearing to statements under oath. Under penalty of perjury, I hereby declare that I have examined this Affidavit and to the best of my knowledge and belief, it is true, correct and complete.

FURTHER AFFIANT SAYETH NAUGHT.

Signature of Affiant

Printed/Typed Name of Affiant

* Affiant shall provide documentation illustrating that Affiant is an authorized representative of the entity-owner of the Subject Property. This may be shown through a corporate resolution, power of attorney, printout from Sunbiz.org, trust agreement, etc.

NOTARIAL CERTIFICATE

Sworn to and subscribed before me by means of physical presence or online notarization, this _____, day of _____, 20____, by _____, as _____ for _____, who is personally known to me or has produced identification and who took an oath.

Type of identification produced _____.

Notary Public Signature

[NOTARY SEAL]

Printed/Typed Name – Notary Public

My commission expires: _____

NOTE: APPLICATIONS SUBMITTED WITH AN INCORRECTLY COMPLETED, INCOMPLETE, OR ALTERED AFFIDAVIT OF PROPERTY OWNERSHIP AND DESIGNATION OF AGENT FORM(S) WILL NOT BE PROCESSED.

PREVIOUS VERSIONS OF THIS FORM ARE OBSOLETE



**City of Jacksonville
Planning & Development Department
214 N. Hogan Street, Suite 300
Jacksonville, Florida 32202**

**AFFIDAVIT OF PROPERTY OWNERSHIP AND DESIGNATION OF AGENT
Individual**

Owner (Affiant) Name

Address(es) for Subject Property

Real Estate Parcel Number(s) for Subject Property

Appointed or Authorized Agent(s)

Type of Request(s)/Application(s)

STATE OF _____

COUNTY OF _____

BEFORE ME, the undersigned authority, this day personally appeared _____,
who being by me first duly sworn, under oath, deposes and states as follows:

1. I am the owner and record title holder of the property described above and more specifically in the attached legal description (the "Subject Property"), which property is the subject of the above noted request(s)/application(s) being made to the City of Jacksonville.
2. I have appointed, and do hereby appoint, the above-noted person(s)/entity as agent(s) to act on my behalf in connection with the above-referenced request(s)/application(s). Said agent(s) is/are authorized and empowered to act as my agent to file application(s) for land use amendment(s), rezoning(s), and/or other development permits for the Subject Property as identified above and, in connection with such authorization, to file such applications, papers, documents, requests and other matters necessary to effectuate and pursue such requested change(s) and/or development permit(s) and including appearances before all City boards, commissions or committees on behalf of the application(s). In authorizing the agent(s) named herein to represent me, I attest that the application(s) is/are made in good faith.
3. I acknowledge that any change in ownership of the Subject Property and/or the designated agent(s) that occurs prior to the date of final public hearing or City Council action on the application(s) associated herewith shall require a new Affidavit of Property Ownership and Designation of Agent be submitted to the City of Jacksonville Planning and Development Department to reflect any such changes.

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4. I further acknowledge and affirm that I am familiar with the nature of an oath and with the penalties provided by the laws of the State of Florida for falsely swearing to statements under oath. Under penalty of perjury, I hereby declare that I have examined this Affidavit and to the best of my knowledge and belief, it is true, correct and complete.

FURTHER AFFIANT SAYETH NAUGHT.

Signature of Affiant

Printed/Typed Name of Affiant

NOTARIAL CERTIFICATE

Sworn to and subscribed before me by means of physical presence or online notarization, this _____, day of _____, 20____, by _____, who is personally known to me or has produced identification and who took an oath.

Type of identification produced _____.

Notary Public Signature

[NOTARY SEAL]

Printed/Typed Name – Notary Public

My commission expires: _____

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