

Date Submitted:
Date Filed:

Application Number:
Public Hearing:

Application for Zoning Variance
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:	
Variance Sought:	Applicable Section of Ordinance Code:	
Council District:	Planning District:	
Previous Zoning Applications Filed (provide application numbers):		
Notice of Violation(s):		
Number of Signs to Post:	Amount of Fee:	Zoning Asst. Initials:
Neighborhood Associations:		
Overlay:		

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. Variance Sought:	
8. In whose name will the Variance 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(k), Ordinance Code, defines a variance as “a relaxation of the terms of the Zoning Code which will not be contrary to the public interest and where, owing to conditions peculiar to the property and not the result of the actions of the applicant, a literal enforcement of the Zoning Code would result in unnecessary and undue hardship.”</p> <p>Section 656.132(c), Ordinance Code, provides that, with respect to action upon Applications for Zoning Variances, the Planning Commission shall grant a variance only if it makes a positive finding, based upon substantial competent evidence, on each of the following criteria:</p> <ul style="list-style-type: none"> (i) <i>The proposed request is consistent with the definition of a variance;</i> (ii) <i>There are practical or economic difficulties in carrying out the strict letter of the regulation;</i> (iii) <i>The request is not based exclusively upon a desire to reduce the cost of developing the site, but would accomplish some result which is in the public interest; for example, furthering the preservation of natural resources by saving a tree or trees;</i> (iv) <i>The proposed variance will not substantially diminish property values in, nor alter the essential character of the area surrounding the sites and will not substantially interfere with or injure the rights of others whose property would be affected by approval of the variance;</i> (v) <i>The proposed variance will not be detrimental to the public health, safety, or welfare, result in additional public expense, the creation of nuisances, or conflict with any other applicable law; and</i> (vi) <i>The effect of the proposed variance is in harmony with the spirit and intent of the Zoning Code.</i>

17. Given the above definition of a “variance” and the aforementioned criteria by which the request will be reviewed against, please describe the reason that the request 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 variance 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.

<u>Base Fee</u> Residential Districts: \$1,161.00 Non-residential Districts: \$1,173.00	<u>Public Notices</u> \$7.00 per Addressee	<u>Advertisement</u> Billed directly to owner/agent
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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: _____	<i>*An agent authorization letter is required if the application is made by any person other than the property owner.</i>

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

Instructions for Completing a Zoning Variance Application

SUBMITTAL

Any Application for Zoning Variance (V), Exception (E), Sign Waiver (SW), Waiver of Liquor Distance (WLD), Waiver of Required Minimum Road Frontage (WRF), or Administrative Deviation (AD) will be filed with the Planning and Development Department, at the Zoning Counter on the 2nd floor of the Edward Ball Building, located at 214 North Hogan Street, Jacksonville, Florida 32202, (904) 255-8300.

All applications must be complete when filed. Four (4) completed applications, which includes all required attachments, must be submitted.

APPLICATION FORM INSTRUCTIONS

The following is a step by step guide to help persons interested in applying for a **Zoning Variance**. Each item listed below corresponds to the item/question numbers on the application form.

The gray box titled, "For Official Use Only," will be completed by the Zoning Section Staff.

- **PROPERTY INFORMATION BOX**

Items 1-4

Enter the street address, the real estate number(s), the total acreage of the parcel(s), and the date that the lot was officially recorded as shown on the original deed for the parcel or legal description. Real estate numbers and parcel information can be obtained through the Property Appraiser's website: www.coj.net/departments/property-appraiser.aspx

Item 5

Please list the names of the two closest public streets to the property, not including the street on which the property is addressed. These streets are typically perpendicular to the street on which the property fronts.

Item 6

Please indicate whether the utilities will be provided by JEA, private well and septic tank, or another provider.

Item 7

Enter the request sought. If more than one request is needed, please list all that apply, and list each request separately.

Item 8

When any application is approved, the request is given a final order by the City. The request will be applicable to a person or entity, and this will be listed in the final order. If you are an individual and the request is for your personal property, you would list your name and that of your spouse, if applicable. If the request is for a business, this requires the name of the corporation or entity that will own the

PLANNING AND DEVELOPMENT DEPARTMENT

Instructions for Completing a Zoning Variance Application

business. Certain applications can be transferrable, in that the approval can run with the property even if it changes ownership. Other approvals, such as those tied to state licenses (i.e. day cares and alcohol licenses) are non-transferable, and each new business in the same location will need approval.

- **OWNER'S INFORMATION BOX**

Items 9-12

Please provide the full name, address, e-mail address, and preferred telephone number for the owner(s) of the property. Use a separate sheet of paper if necessary.

- **APPLICANT'S INFORMATION BOX**

Items 13-16

If the applicant is not the property owner, please provide the full name, address, e-mail address, and preferred telephone number for the applicant or authorized agent.

- **CRITERIA**

Item 17

Please read the criteria against which the request will be reviewed, and use the area on the application or if needed, a separate piece of paper, to provide as much detail as possible to describe the reason for the application. This is your opportunity to provide as much information as you can to assist the planner assigned to your application in understanding your request. This is critical and may impact the Planning Department's recommendation. Be specific about what you're trying to do or accomplish.

- **ATTACHMENTS**

All applications must consist of four (4) complete sets of the application and all required attachments. All required attachments should be provided on 8 ½ " x 11" paper, with the exception of two (2) of the four (4) application sets, which will include site plans at 11" x 17" or larger.

- Survey, signed and sealed by a licensed surveyor within the last five (5) years or as required by the Current Planning Division
- Legal description, may be written as either lot and block, or metes and bounds (Exhibit 1)
- Site plan, drawn to scale
- Agent Authorization Letter is required if application is made by any person other than the property owner. (Exhibit B)
- Property Ownership Affidavit (Exhibit A)
- Proof of property ownership, may be a 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>).

PLANNING AND DEVELOPMENT DEPARTMENT

Instructions for Completing a Zoning Variance Application

A larger scale drawing may be required for commercially zoned property with an existing structure, or otherwise as required by the Planning and Development Department's Zoning Section. The same shall also show existing improvements on the property.

The following information must be shown on the **site plan**:

- Property dimensions and total land area
- Buildings (including dimensions and total lot coverage area)
- Parking spaces and dimensions (including handicap) – **commercial only**
- Loading and unloading area, if applicable, with turn-around area and dimensions – **commercial only**
- Landscape areas and dimensions – **commercial only**
- Ingress and egress (driveways, alleys and easements)
- Adjacent streets and rights-of-way
- North arrow, map scale, and date of drawing
- Signage (if any)
- Building setbacks per Zoning Code
- Adjacent zoning districts and property uses

All drawings must be drawn to scale. Failure to have a "to-scale" drawing with each of the items above shown could result in your application being deferred or denied.

NOTIFICATIONS

- When your completed application is submitted and accepted as sufficient, a list of property owners (addressee) within a 350-foot radius of the property will be prepared by the Department. These property owners will be mailed a notice of public hearing.
- For all applications, except Administrative Deviations, the applicant will receive an invoice from the *Financial News & Daily Record* for the advertisement of their notice of public hearing. This invoice must be paid prior to the application being heard by the Planning Commission.
- The applicant will be provided with signs to post on their property. The required signs must be posted on the property within five (5) working days after the application is filed. Sign(s) must be visible and maintained until a final determination has been made on the application.

PLANNING AND DEVELOPMENT DEPARTMENT

Legal Description
Exhibit 1
June 30, 2021



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.

PREVIOUS VERSIONS OF THIS FORM ARE OBSOLETE

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: _____

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