

APPLICATION FOR WAIVER OF MINIMUM DISTANCE REQUIREMENTS FOR LIQUOR LICENSE LOCATION

This application must be **typed or printed in black ink** and submitted with **three (3) copies**, providing for a total of four complete applications with all required attachments, to:

**Planning and Development Department
Zoning Section
Ed Ball Building
214 North Hogan Street, 2nd Floor
Jacksonville, Florida 32202**

Application No.
WLD-
Set for Public Hearing on:
Notice of Violation:

FOR INFORMATION REGARDING THIS FORM, CALL: **(904) 255-8300.**

For Official Use Only

1. Date Submitted:	2. Date Filed:	3. Current Zoning District(s):	4. Future Land Use Map Category (FLUMs)	5. Applicable Section of Ordinance Code:
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Amount of Fee _____ Council District _____ Planning District _____ Zoning Panel No. _____

Number of Signs to be Posted _____ Zoning Code _____ Zoning Clerk Initials _____

Previous Zoning Applications filed? _____ If yes, state Application No(s) _____

Neighborhood Association? _____

TO BE COMPLETED BY APPLICANT

6. Complete Property Address: _____ <hr style="border: 1px solid black;"/>	7. Between Streets: _____
Real Estate Number: _____	and _____
Date lot was recorded: _____	

8. Waiver Sought:
Reduce Required Minimum Distance between liquor license location and **church** or school from _____ feet to _____ feet.

9. In whose name will the Waiver be granted? _____

10. Land Area (Acres) _____	<div style="text-align: center;">Utility Services Provider</div> well _____ city water _____ septic tank _____ city sewer _____
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***** NOTICE TO OWNER/AGENT *****

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*”

Section 656.133 (a) 1 through 5, Ordinance Code, provides that, with respect to action upon applications for Waivers, the Planning Commission shall 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:

11. Provide answers to the following questions pertaining to the standards and criteria. You may attach a separate sheet if necessary. *(Please note that failure by the applicant to adequately substantiate the need for the waiver and to meet the criteria set forth below may result in a denial).*

1. 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;
2. The alcoholic beverage use is designed to be an integral part of a mixed planned unit development;
3. 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).
4. The alcoholic beverage use is not directly visible along the line of measurement defined in s.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
5. 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.

Attachments - One of each of the following should be included in each copy of the application, providing for four (4) complete copies. All copies, with the exception of the 2 required large site plans, should be on 8 1/2" x 11" paper.

___ Survey (as required by the Current Planning Section)

___ Site Plan as required per instructions. (2 copies on 8 1/2 x 11 and 2 copies on 11 x 17 or larger)

___ Letter of Authorization for Agent is required if application is made by any person other than the property owner.

___ Legal description, may be either lot and block or metes and bounds, including real estate assessment number(s) of the subject property

***** NOTICE TO OWNER / AGENT *****

Please review your application. All spaces noted as "TO BE COMPLETED BY APPLICANT" must be filled in for the application to be accepted.

No application will be accepted as "Complete and filed" until all 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. **You (or your agent) must be present** at the public hearing.

The required signs **must be posted** on the property within five (5) working days after the filing of this application. The sign(s) must remain posted and maintained until a final determination has been made on the application. **Proof of notice publication must be submitted to the Current Planning Division of the Planning and Development Department, Florida Theatre Building, 128 East Forsyth Street, Suite 700, Jacksonville, Florida 32202, (904) 630-1902, PRIOR TO THE HEARING.**

Also, an agent's letter of authorization must be attached if the application is not signed by the owner of record and also if someone attends the meeting on the applicant's behalf without prior authorization.

<p>FILING FEES</p> <p>RESIDENTIAL DISTRICTS..... \$250.00</p> <p>NON-RESIDENTIAL DISTRICTS..... \$500.00</p>	<p>NOTIFICATION COSTS: \$7.00 PER ADDRESSEE</p> <p>ADVERTISING COSTS: BILLED TO OWNER /AGENT</p>
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***** Applications filed to correct existing zoning violations are subject to a double fee. *****

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.

PLEASE PRINT:

Name and address of Owner(s)

Name and address of Authorized Agent(s)

Name: _____

Name: _____

Address: _____

Address: _____

City: _____

City: _____

State: _____ Zip: _____

State: _____ Zip: _____

Email: _____

Email: _____

Daytime Telephone: _____

Daytime Telephone: _____

SIGNATURE OF OWNER(S)

SIGNATURE OF AUTHORIZED AGENT(S)

The Agent's letter of authorization must be attached if application is not signed by the owner of record

Instruction for Zoning Variances

An Application for Zoning Variance is filed with Planning and Development Department, Zoning Section, Ed Ball Building, 214 North Hogan Street, 2nd Floor, Jacksonville, Florida 32202, (904) 255-8300. All applications must be complete when filed. The following is a step by step guide to help persons interested in applying for a Zoning Variance.

Items 1 thru 5

These blocks are for official use only and will be completed by the Zoning Section Staff.

Item 6 - Complete Property Address

Enter the street address, the real estate number(s), and the date that the lot was officially recorded as shown on the original deed for the parcel. Real estate numbers can best be obtained through the Property Appraiser's Office in the Claude Yates Building on 231 E. Forsyth Street, Room 270.

Item 7 - Intersecting Streets

This question seeks the names of the two streets closest to the applicant's property, not including the street on which ingress and egress will occur. Normally, these streets intersect the street on which the proposed development is located.

Item 8 - Waiver Sought

Check the box corresponding to the sought request. Also, fill in the blanks to illustrate the requested reduction in the distance requirements.

Item 9 - Name that the Waiver will be granted to

Here the applicant must provide the name of the person for whom the waiver is to be granted to. All waivers for minimum distance requirements for liquor license locations are non transferable and granted personal to the applicant or State license holder.

Item 10 - Land Area (Acres) and Utility Services Provider

Please write here the total acres of the proposed variance and indicate whether the utilities will be provided by JEA, private well and septic tank, or another provider.

Item 11

These items represent the criteria used by the Planning Commission to grant a waiver. The applicant should review these and be prepared to explain how the specific request meets all applicable criteria, thereby providing substantial competent evidence to grant the proposed waiver.

Item 12 - Attachments

An Application for Zoning Variance **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 of the four 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 Current Planning Division.)*

Legal description *(either lot and block or metes and bounds)*

Site Plan

Letter of Authorization for Agent is **required** if application is made by **any person other than the property owner.**

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

- A. Property dimensions and total land area
- B. Buildings (*including dimensions and total lot coverage area*)
- C. Parking spaces and dimensions (*including handicap*) **Commercial Only**
- D. Loading and unloading area, if applicable, with turn around area and dimensions) **Commercial Only**
- E. Landscape areas and dimensions **Commercial Only**
- F. Ingress and egress (*driveways, alleys and easements*)
- G. Adjacent streets and right-of-way
- H. North arrow, map scale, and date of drawing
- I. Signage (*if any*)
- J. Building setbacks per Zoning Code
- K. 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 denied by the Zoning Section.

When your **completed** application is submitted to the Planning and Development Department, Zoning Section, Ed Ball Building, 214 North Hogan Street, 2nd Floor, Jacksonville, Florida, (904) 255-8300. A list of property owners (*addressee*) within the 350 feet radius of the property will be prepared by the Department.

NOTE: There is a 21-day appeal period after a deviation is granted before the final order can be issued.