

APPLICATION FOR ADMINISTRATIVE DEVIATION

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. AD-
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: _____ _____ Real Estate Number: _____ Date lot was recorded: _____	7. Between Streets: _____ and _____ Reason for Request: _____
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8. Deviation Sought:

___ Reduce Required Minimum Lot Area from _____ to _____ feet.

___ Increase Maximum Lot Coverage from _____ % to _____ %.

___ Increase Maximum Height of Structure from _____ to _____ feet.

___ Reduce Required Yard(s) _____

___ Reduce Minimum Number of Required Off-street Parking Spaces from _____ to _____

___ Reduce Minimum Landscape Requirements _____

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

10. Is transferability requested? ____ Yes or ____ No *(If approved, the administrative deviation is transferred with the property.)*

10. Land Area (Acres) _____	Utility Services Provider	
	well _____	city water _____
	septic tank _____	city sewer _____

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

Section 656.101(a), Ordinance Code, defines an administrative deviation as “ *a relaxation of the terms of the Zoning Code requirements for minimum lot area, yards, number of off-street parking spaces, landscaping, maximum lot coverage and maximum height of structures, including fences, which the Zoning Administrator is authorized to grant pursuant to the procedures set forth in s.656.109 (e) through (j).*”

Section 656.109(e) through (j), Ordinance Code, provides that, with respect to action upon Applications for Administrative Deviations, the Zoning Administrator shall grant a deviation only if substantial competent evidence exists to support a positive finding based on each of the following criteria:

12. 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).*

I. Does the subject property exhibit any circumstances which could be construed as having physical surroundings, shape, topographical conditions or other physical or environmental conditions limited to the subject property alone, or is this issue common to numerous sites?

1. Are there practical or economic difficulties in carrying out the strict letter of the regulation?
2. Is the request based exclusively upon a desire to reduce the cost of developing the site?
3. Does the request accomplish some result which is in the public interest, such as, for example, furthering the preservation of natural resources by saving a tree or trees?
4. Could the proposed deviation substantially diminish property values in, or alter the essential character of the area surrounding the site; and could such deviation substantially interfere with or injure the rights of others whose property would be affected by the deviation?

5. Is the proposed deviation detrimental to the public health, safety or welfare, or could such deviation result in additional public expense, creation of nuisances, or cause conflict with any other applicable law?

6. If the proposed deviation relates to minimum required landscaping, please submit the comments or opinions of the City's Landscape Architect.

II. Would the proposed deviation be in harmony with the spirit and intent of the Zoning Code, considering the following as applicable:

1. Did the applicant create the violation with intent to violate the provisions of the Zoning Code?

2. Has the violation existed for a considerable length of time without receiving a citation?

3. Is the violation that exists a result of construction, which occurred prior to the applicants acquiring the property?

13. 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

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

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

___ Letter from the applicable Home Owner's Association stating that request meets their architectural and aesthetic requirements or letter stating that the subject parcel is not within the jurisdiction of a Home Owner's Association **(Residential Only)**.

___ Day care uses must include a Department of Children and Families Services (DCFS) letter
Elevation plans are required with height increase requests and must be drawn to scale.

___ Legal description may be either lot and block, including book and page numbers, or metes and bounds descriptions; and either shall include 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.

FILING FEES	NOTIFICATION COSTS:
RESIDENTIAL DISTRICTS..... \$150.00	\$7.00 PER ADDRESSEE
NON-RESIDENTIAL DISTRICTS..... \$500.00	ADVERTISING COSTS:
	BILLED TO OWNER /AGENT

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.

INSTRUCTIONS FOR FILING ADMINISTRATIVE DEVIATION

An Application for Administrative Deviation is filed with the 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 deviation.

Items 1 through 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 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 – Deviation Sought Check the box corresponding to the sought request. If more than one deviation is requested, check all that applies and provide appropriate numbers.

Item 9/10 - Name that the deviation will be granted to and Transferability. Here the applicant must provide the name of the person for whom the deviation is granted to. All Administrative Deviations are transferable unless otherwise provided for in the Final Order granting the deviation. Transferability refers to the rights granted through the Administrative Deviation process and the transfer of those rights with the sale of the property. If the deviation is granted without transferability, the deviation is personal, and any deviation granted is valid for as long as that person owns the property, as long as other provisions related to commencement are met. Upon sale of the property an Amendment to Final Order must be filed to transfer the deviation to another individual.

Item 11 - 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 12- These items represent the criteria used by the Zoning Administrator to grant a deviation. The applicant should review these, provide answers, and be prepared to explain how the specific request meets all applicable criteria, thereby providing substantial competent evidence to grant the proposed deviation.

Item 13 - Attachments: An Application for Administrative Deviation **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 addition of two of the four application sets, which will include two site plans at 11" x 17" or larger.

Survey - (signed and sealed by a licensed surveyor within the last five (5) years.) The same shall show all improvements existing on the property as of the date this application is filed.

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

Site plan--**drawn to scale**

Letter from the applicable Home Owner's Association stating that the request meets their architectural and aesthetic requirements or a letter stating that the subject parcel is not within the jurisdiction of a Home Owner's Association (**Residential Only**).

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, square footage, 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 Planning and Development Department's 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 32202, (904) 255- 8300. A list of property owners (*addressee*) within the 350 feet radius of the property will be prepared by the Section.

NOTE: There is a 14-day appeal period after a deviation is granted before the final order can be issued.

Agent Authorization

Date: _____

**City of Jacksonville
City Council / Planning and Development Department
117 West Duval Street, 4th Floor / 128 East Forsyth Street
Florida Theatre Building, Suite 700
Jacksonville, Florida 32202**

Re: Agent Authorization for the following site location:

Gentleman:

You are hereby advised that the undersigned is the owner of the property described in

Exhibit 1 attached hereto. Said owner hereby authorizes and empowers

_____ to act as agent to file application(s) for

_____ for the

above referenced property and in connection with such authorization to file such applications, papers, documents, requests and other matters necessary for such requested change.

(Owner's Signature)

**STATE OF FLORIDA
COUNTY OF DUVAL**

The foregoing affidavit was sworn and subscribed before me this _____ day of

_____ (month), _____ (year) by

_____, who is personally known to me or has

produced _____ as identification.

(Notary Signature)

Legal Description